MEMBERS PRESENT: Erik Braun, Karen Bulman, Galen Hoogestraat, Linda Marchand, Steve Rolinger, Andrew Scull and Jan Swank

MEMBERS ABSENT: John Brewer, Kimberly Schmidt, Mark Jobman. Darla Drew, Council Liaison was also absent.


Braun called the meeting to order at 7:00 a.m.

Braun reviewed the Consent Agenda and asked if any member of the Planning Commission, staff or audience would like any item removed from the Consent Agenda for individual consideration.

Motion by Swank seconded by Rolinger and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 5 in accordance with the staff recommendations. (7 to 0 with Braun, Bulman, Hoogestraat, Marchand, Rolinger, Scull and Swank voting yes and none voting no)

Consent Calendar
The following items have been placed on the Consent Calendar for action to be taken on all items in accordance with staff’s recommendation by a single vote. Any item may be removed from the Consent Calendar by any Planning Commissioner, staff member, or audience member, for separate consideration:

---CONSENT CALENDAR---

1. Approval of the July 21, 2016 Planning Commission Meeting Minutes.

2. No. 16RZ027 - Original Town of Rapid City
A request by Dirk Jablonski, ACES for Mike Kuhl, Pennington County to consider an application for a Rezoning from High Density Residential District to Public District for Lots 17 thru 22 of Block 107 of Original Town of Rapid City, located in Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 718 4th Street.

Planning Commission recommended that the request to rezone property from High Density Residential District to Public District be approved.

3. No. 16RZ028 - Original Town of Rapid City
A request by Dirk Jablonski, ACES for Mike Kuhl, Pennington County to consider an application for a Rezoning from General Commercial District to Public District for Lots 1 thru 16, Lot 25 thru 28 and the W1/2 of vacated 3rd Street of Block 107 of Original Town of Rapid City, located in Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as
Planning Commission recommended that the request to rezone property from General Commercial District to Public District be approved.

4. No. 16RZ029 - Original Town of Rapid City
A request by Dirk Jablonski, ACES for Mike Kuhl, Pennington County to consider an application for a Rezoning from High Density Residential District to Public District for Lots 29 thru 32 of Block 107 of Original Town of Rapid City, located in Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 308 Quincy Street.

Planning Commission recommended that the request to rezone property from High Density Residential District to Public District be continued to the August 25, 2016 Planning Commission meeting.

5. No. 16CA004 - Amendment to the Comprehensive Plan to revise the Major Street Plan
A request by City of Rapid City to consider an application for an Amendment to the Comprehensive Plan to revise the Major Street Plan.

Planning Commission recommended approving the Amendment to the Comprehensive Plan by amending the Major Street Plan.

---END OF CONSENT CALENDAR---

---BEGINNING OF REGULAR AGENDA ITEMS---

*6. No. 16PD035 - Marshall Heights Tract Subdivision
A request by FourFront Design, Inc for Cynthia Akers to consider an application for a Final Planned Development Overlay to allow a conference room and an on-sale liquor establishment in conjunction with a hotel for Lot K-4A of Marshall Heights Tract Subdivision, located in Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1902 N. La Crosse Street.

Laroco presented the application and reviewed the associated slides, noting that there is no expansion or additions to any of the structures being requested with this application; they are instead requesting to renovate the existing structure to replace the existing indoor pool with a conference facility. Additionally, they are requesting to bring the current legal non-conforming bar into compliance. Laroco noted they do have one LED sign in their current sign package and they do not propose any changes to the signage. Laroco also noted they are requesting an exception to reduce the required parking from 464 spaces to 298 spaces. Laroco stated that staff recommends that the Exception be approved due to the limitations of use placed on the conference facility and that the application for a Final Planned Development Overlay to allow a conference room and an on-sale liquor establishment in conjunction with a hotel be approved with stipulations.
Rolinger moved, Bulman seconded and unanimously carried to approve the requested Final Planned Development with the following stipulations:

1. The requested Exception to reduce the required amount of off-street parking from 464 spaces to 298 parking spaces is hereby granted. All parking shall comply with the requirements of the Rapid City Municipal Code;

2. This Final Planned Development is approved for the existing property owner and operator only, currently listed as “Land Company, LLC”. Operation of the hotel and conference room shall comply with the submitted operations plan. Changes to the operations plan or the operator of the site shall require a Major Amendment to the Planned Development;

3. This Final Planned Development shall allow a conference room to be constructed on the property and to allow the existing on-sale liquor establishment to remain on the site. All requirements of the General Commercial District shall be maintained unless specifically stipulated as a part of this Final Planned Development or a future Major Amendment to the Planned Development. All uses permitted in the General Commercial District which do not result in an increase in the required amount of parking on the site shall be permitted, contingent upon an approved building permit. All uses which increase the required amount of parking on the site and all conditional uses shall require a Major Amendment to the Planned Development. (7 to 0 with Braun, Bulman, Hoogestraat, Marchand, Rolinger, Scull, and Swank voting yes and none voting no)

The Rapid City Planning Commission’s action on this item is final unless any party appeals that decision to the Rapid City Council. All appeals must be submitted in writing to the Department of Community Planning & Development Services by close of business on the seventh full calendar day following action by the Planning Commission.

7. No. 16PD036 - Cleary Subdivision
A request by Matt Miles for Rushmore CrossFit LLC to consider an application for a Major Amendment to a Planned Unit Development to allow a sports club as a neighborhood commercial use for Lot A less Lot H1 of Cleary Subdivision, located in Section 26, T1N, R7E, BHM, Rapid City, South Dakota, more generally described as being located at 1555 Catron Boulevard.

Braun stated that Bulman would be abstaining due to a conflict of interest.

Lacock presented the application noting this location has been before Planning Commission previously for other Major Amendments to the Planned Unit Development and that the stipulations have been updated to allow the existing professional office use to resume operation if the proposed sports club does not occupy the structure. Lacock noted that per the operational plan submitted, a six foot high opaque privacy fence will be constructed along the east property line by
May, 2017 and that sound proofing has been proposed to mitigate possible noise issues. Lacock noted that the signage will not be lit and that the hours of operation are requested to be from 5:00 a.m. to 8:00 p.m. Staff believes that this use is appropriate as a neighborhood serving use and recommends that if Planning Commission finds this to be an appropriate use, the **Major Amendment to a Planned Unit Development to allow a sports club as a neighborhood commercial use** be approved with stipulations as revised.

In response to a question from Scull, Lacock reviewed the history of the facility over the years from an equestrian center to a professional office to a small animal vet clinic and now back to a recreational use. Fisher further reviewed the history of the property and identified that this proposed use will provide a service to the neighborhood and as such, will function as a neighborhood commercial use.

Bulman noted that she recused herself from this item as she lives in this area and stated that she thinks this is good use for the property but does stress that the increased traffic may create an issue and hopes the patrons of the facility will avoid using the neighborhood streets.

Matt Miles, 1614 Highland Court, stated they will be taking measures to have their members use the access adjacent to the building to reduce additional traffic through the neighborhood.

In response to a question from Scull regarding future development or expansion, Fisher stated that any change to the Planned Unit Development would require a Major Amendment.

**Rolinger moved, Hoogestraat seconded and unanimously carried to approve the Major Amendment to a Planned Unit Development to allow a sports club as a neighborhood commercial use with the following stipulations:**

1. If the Planning Commission determines that the change in hours of operation is appropriate for a gym, Planning Commission recommended that the hours of operation for a gym be Monday through Friday from 5:00 a.m. to 8:00 p.m. and Saturday through Sunday from 9:00 a.m. to 11:00 a.m. provided that the gym shall operate in compliance with the submitted operational plan;
2. A six foot high opaque privacy fence shall be constructed along the east property line as proposed in the operations plan. The fence shall be constructed by May 31, 2017;
3. Prior to issuance of a Building Permit for interior renovations, all ADA accessibility issues shall be resolved;
4. The graveled areas around the paved parking area shall be landscaped;
5. The property shall be kept free of weeds and debris at all times;
6. The dumpster shall be enclosed with a screening fence or shall be moved indoors;
7. All signage shall comply with the submitted sign package;
8. The two proposed evergreen trees shall be planted on the south property line as proposed; and,
9. The Major Amendment to a Planned Unit Development shall allow for a sports club as a neighborhood commercial use. Any expansion to the sports club use shall require a Major Amendment to the Planned Unit Development. If the sports club use is not initiated, the approved professional office use may continue to operate on the property. Any change in use shall require the review and approval of a Major Amendment to the Planned Unit Development. (6 to 0 to 1 with Braun, Hoogestraat, Marchand, Rolinger, Scull and Swank voting yes and none voting no and Bulman abstaining)

The Rapid City Planning Commission’s action on this item is final unless any party appeals that decision to the Rapid City Council. All appeals must be submitted in writing to the Department of Community Planning & Development Services by close of business on the seventh full calendar day following action by the Planning Commission.

8. Discussion Items

9. Staff Items
   Cushman updated the Planning Commission on the Short Term Rentals Ordinance stating that staff hopes to have this item before them at the August 25, 2016 Planning Commission Meeting.

10. Planning Commission Items

11. Committee Reports
   A. City Council Report (July 18, 2016)
      The City Council concurred with the recommendations of the Planning Commission.
   B. Building Board of Appeals
   C. Capital Improvements Subcommittee
   D. Tax Increment Financing Committee

There being no further business, Marchand moved, Bulman seconded and unanimously carried to adjourn the meeting at 7:27 a.m. (7 to 0 with Braun, Bulman, Hoogestraat, Marchand, Rolinger, Scull, and Swank voting yes and none voting no)