

MINUTES OF THE
RAPID CITY PLANNING COMMISSION
October 24, 2024

MEMBERS PRESENT: Erik Braun, Karen Bulman, Alicia Ginsberg, Mike Golliher, Brook Kaufman, Mike Quasney, Haven Stuck and Vince Vidal. Pat Roseland Council Liaison was also present.

MEMBERS ABSENT: Kelly Arguello, Eirik Heikes and John Herr.

STAFF PRESENT: Vicki Fisher, Jessica Olson, Sarah Hanzel, Kip Harrington, Tanner Halonen, Cassie Hayes, Jennifer Bergstrom, Chip Premus, Todd Peckosh, Kinsley Groote and Andrea Wolff.

Braun called the meeting to order at 7:00a.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 Vidal seconded by Bulman and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 2 in accordance with the staff recommendations. (8 to 0 with Braun, Bulman, Ginsberg, Golliher, Kaufman, Quasney, Stuck and Vidal voting yes and none voting no)

---CONSENT CALENDAR---

1. Approval of the October 10, 2024 Planning Commission Meeting Minutes.
2. No. 24PL083 - McFarland Subdivision
A request by Advanced Design Engineering and Surveying, Inc for Paul Harris of Properties West Reality, LLC to consider an application for a **Preliminary Subdivision Plan** for proposed Tract 3 of McFarland Subdivision, legally described as that portion of the S1/2 of the SW1/4 and the SW1/4 of the SE1/4 of Section 8, T2N, R8E, BHM, located in Pennington County, South Dakota, more generally described as being located 2380 225th Street.

Planning Commission recommended that the Preliminary Subdivision Plan be approved with the following stipulations:

1. **Prior to the submittal of a Final Plat application, a Variance shall be obtained from the County Board of Commissioners to reduce the minimum lot size from 10 acres to 3.88 acres for the portion of the proposed tract located within Pennington County. If a Variance is obtained a copy of the approval document shall be submitted with the Final Plat application;**
2. **Prior to the submittal of a Final Plat application, Approach Permits shall be obtained from the Pennington County Highway Department for all approaches accessing the proposed development within Pennington County. A copy of the approval documents shall be submitted with the Final Plat application;**

3. Upon the submittal of a Final Plat application, the plat document shall continue to identify the dedication of 50 feet of right-of-way to the northern half of 225th Street adjacent to the plat boundary or the criteria for obtaining an Exception shall be met. If an Exception is obtained a copy of the approval document shall be submitted with the Final Plat application;
4. Upon the submittal of a Final Plat application, the plat document shall be revised to include the notes required by Meade County for the northern portion of the proposed tract located within the Meade County Platting jurisdiction; and,
5. Upon the submittal of a Final Plat application, the plat document shall identify all necessary easements. Miscellaneous documents shall be provided for all necessary easements outside of the plat boundary.

---END OF CONSENT CALENDAR---

---BEGINNING OF REGULAR AGENDA ITEMS---

3. No. 24AN002 - Section 29, T1N, R7E
A request by Advanced Design Engineering and Surveying, Inc for Hamm Living Trust Dean R. Hamm Living Trust and Christopher Hamm to consider an application for a **Petition for Annexation** for a tract of land located in the SE1/4 SE1/4 of Section 29, Township 1 North, Range 7 East of the Black Hills Meridian, Pennington County, South Dakota, More fully described as follows: Commencing at the Southwest corner of Lot D of Red Rock Shadows No. 2 Subdivision (Document No A202402657) a #5 rebar with plastic cap marked FISK 6565, the Point of Commencement, with calls in South Dakota State Plane South Zone; Thence S87°52'28"E 8.90' on the south line of the aforescribed Lot D, intersecting the previous annexation line (Application No. 00AN007, December 18, 20000), the Point of Beginning; thence 1st course S87°52'28"E 285.77' on the south line of the aforescribed Lot D, a #5 rebar with plastic cap marked FISK 6565; thence 2nd course S87°52'08"E 625.79' on the south line of the E1/2 NE1/4 SE1/4 to the west line of Dunsmore Road Right-of-Way, a #5 rebar with plastic cap marked FISK 6565; thence 3rd course S1°51'25"W 247.10' on the west Right-of-Way Line of Dunsmore Road to the North Right-of-Way Line of Sheridan Lake Road, a #5 rebar with plastic cap marked FISK 6565; thence 4th course N88°16'46"W 294.48' on the north Right-of-Way Line of Sheridan Lake Road, a #5 rebar with plastic cap marked FISK 6565; thence 5th course N1°54'06"E 30.00' on the Right-of-Way Line of Sheridan Lake Road, a #5 rebar with plastic cap marked FISK 6565; thence 6th course N88°05'54"W 40.00' on the Right-of-Way Line of Sheridan Lake Road, a #5 rebar with plastic cap marked FISK 6565; thence 7th course S1°54'06"W 30.00' on the Right-of-Way Line of Sheridan Lake Road, a #5 rebar with plastic cap marked FISK 6565; thence 8th course N88°05'25"W 235.80' on the north Right-of-Way Line of Sheridan Lake Road to a point of curvature, a #5 rebar with plastic cap marked FISK 6565; thence 9th course on a curve to the left with a radius of 1472.39' a delta of 8°18'17", a length of 213.41, a chord bearing of S87°44'57"W and a chord distance of 213.23' on the north Right-of-Way Line of Sheridan Lake Road, intersecting the previously described Annexation, a #5 rebar with plastic cap marked Heald 2199; thence 10th course N23°50'43"W 296.50' on the east line of the previously described Annexation to the Point of Beginning, more generally described as being located north of the Sheridan Lake Road between

Muirfield Drive and Dunsmore Road.

Sarah Hanzel, Special Projects Division Manager, introduced Jennifer Bergstrom as the newest Special Projects Planner.

Bergstrom presented the application and reviewed the associated slides explaining that a sliver of the property was annexed in 2000 as part of a larger annexation and that this will bring the remainder of the lot into the city limits. Bergstrom stated that staff is recommending approval of the Petition for Annexation.

Bulman moved, Vidal seconded and Planning Commission unanimously recommended approval of the Petition for Annexation. (8 to 0 with Braun, Bulman, Ginsberg, Gollhofer, Kaufman, Quasney, Stuck and Vidal voting yes and none voting no)

4. No. 24RZ017 - Section 29, T1N, R7E

A request by Advanced Design Engineering and Surveying, Inc for Hamm Living Trust Dean R. Hamm Living Trust and Christopher Hamm to consider an application for a **Rezoning request from No Use District to General Commercial District** for Lot 2 of the SE1/4 of the SE1/4 of Section 29, T1N, R7E, less Red Rock Estates and less right-of-way, located in BHM, Pennington County, South Dakota, more generally described as being located north of the Sheridan Lake Road between Muirfield Drive and Dunsmore Road.

Bergstrom presented the application and reviewed the associated slides noting this rezoning request is associated with 24AN002 which was just approved by Planning Commission. Bergstrom noted that the previously annexed portion was never rezoned from No Use District and that this will update the zoning for the entire lot. Bergstrom further noted that the existing sign on the property will be removed by the owner, as it does not meet City ordinance, and that staff recommends that the Rezoning request from No Use District to General Commercial District be approved.

Vidal moved, Kaufman seconded and Planning Commission unanimously recommended approval of the Rezoning Request from No Use District to General Commercial District. (8 to 0 with Braun, Bulman, Ginsberg, Gollhofer, Kaufman, Quasney Stuck and Vidal voting yes and none voting no)

*5. No. 24PD020 - Stoneridge Subdivision #2

A request by Lamar Advertising to consider an application for a **Major Amendment to a Planned Development Overlay to allow an off-premise billboard** for Lot 1 of Stoneridge Subdivision # 2, located in Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 5110 5th Street.

Hayes presented the application and reviewed the associated slides noting the subject property is the car wash at the corner of 5th Street and Parkview Drive and that it is located in a Planned Development Overlay with stipulations of approval that allowed a 45-square-foot LED message sign to be located along 5th Street, but the sign was never built. Hayes noted that the sign currently being requested

is a 480-square-foot, double faced, internally illuminated, off-premises billboard with changing messages that will be 26 feet in height with a 14-foot ground clearance. Hayes noted that off-premises signs require a Conditional Use Permit so whether the sign was in the Planned Development or not, it would still require approval. Hayes reviewed the other illuminated signs in the area, noting that they are all smaller in size and are on-premises signs, and although the billboard meets signage criteria, the nature of the off-premises sign is out of character for the area. Hayes noted the nearest off-premises sign is approximately 1 1/2 miles away and located in a commercial area. Hayes noted the potential impact on the natural view shed and surrounding residential areas as well as the impact to a major entry corridor. Hayes further noted that the curved nature of the road where the sign will be located may create a distraction to drivers. Hayes stated that although the billboard generally meets sign code's size requirements, the request is not consistent with the Planned Development criteria, Conditional Use Permit criteria, or off-premises sign criteria and, as such, staff recommends that if the Planning Commission deems this request to be appropriate for the location and approves the Major Amendment to a Planned Development Overlay to allow an off-premises billboard, approval be with the stipulations outlined in the Project Report.

Fisher reviewed the original sign approved for the Planned Development compared to the proposed sign stating the height, size, and residential nature of the area creates concerns. Fisher reviewed why digital billboards are Conditional Use Permits outside of standard sign criteria. In particular, Fisher noted that off-premise billboards must be reviewed through the Conditional Use Permit process to ensure that the sign will not create any adverse impacts on existing adjacent uses. Fisher also noted that the sign will be visible to single-family residential development located north of this site, especially since the residential development is at a higher elevation, and visible to the apartment development directly adjacent to the property.

Quasney disclosed that he was contacted by persons with concerns regarding this sign.

The difference between the sign that had been approved and the requested sign, impact of the proposed sign on surrounding residential neighborhoods, including clutter, light pollution, distraction, and options to manage this and other signs like this were discussed.

Terry Olson, Lamar, stated that this sign meets all Sign Code criteria noting the City's strict criteria. Olson discussed how hard it is to build new billboards and if it meets code it should be approved citing that the concerns regarding the sign creating a distraction are not confirmed.

Steve Blake, Lamar, spoke to the staff's concerns including those regarding lighting or visual pollution stating that he does not believe it will create distraction or visual disturbance.

Quasney cited criteria for denial including height, impact of lighting on the surrounding residential neighbors, that the adjacent apartments didn't exist when the original LED on-premise sign was approved, there is a religious assembly facility located within 800 feet, and the request goes against the Comprehensive

Plan goal to preserve character of these areas by avoiding clutter.

Quasney moved, Golliher seconded and Planning Commission deemed this request not to be appropriate for the location due to the impact on the neighboring properties and unanimously denied the Major Amendment to a Planned Development Overlay to allow an off-premises billboard. (8 to 0 with Braun, Bulman, Ginsberg, Golliher, Kaufman, Quasney, Stuck and Vidal 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 Development by close of business on the seventh full calendar day following action by the Planning Commission.

*6. No. 24PD019 - Skyline Pines East Subdivision

A request by TSP, Inc for Monument Health Rapid City Hospital to consider an application for an **Initial Planned Development Overlay to allow a Group Home** for Lot 1, Lot 2 and Lot 3 of Skyline Pines East Subdivision, located in Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 3056, 3064 and 3072 Tower Road.

Olson presented the application and reviewed the associated slides explaining this is an Initial Planned Development Overlay, which is to approve the use and a few items such as landscaping and parking and that a Final Planned Development Overlay will be heard later when they are closer to construction. Olson clarified this is separate from 24UR019, the group home previously heard for Cornerstone Mission with no affiliation between the two. Olson explained that this is a new build for a residential addiction treatment facility for both in-patient and outpatient care. Olson noted that Monument Health sent a mailer to a large surrounding area and held a public meeting at the Monument Hospital to address the proposed use. Olson stated that there are no exceptions being requested and reviewed the layout stating that the residential treatment facility will be located on Lot 1 which is located on the western end and the programming building with outpatient services will be located in a separate building on Lot 2, which is located to the east with the far eastern section on Lot 3 not being developed at this time, which will require a Major Amendment in the future. Olson reviewed the basic operational plan stating that the residential care center will operate 24-hours a day year round while the outpatient services will operate Monday thru Friday 8 a.m. to 8 p.m. with patients being 18 years of age and admitted on a volunteer basis and will last an average of 25 days to a maximum of 45 days with planned activities and planned visitation schedules. Olson explained that the facility is designed to look more residential on the outside with the inside resembling and operating like a hospital with security features including security staff, locks, cameras, alarms, and swipe cards. Olson reviewed how parking calculations were achieved based on operational plans to provide sufficient parking for both lots and noted that landscaping is being oriented to help buffer the facility from the street and to help reduce the lighting impact to nearby residential areas. Olson stated that staff is recommending approval of the Initial Planned Development Overlay to allow a Group Home with stipulations outlined in the Project Report.

Fisher spoke to the nature of the group home and how it will fit in the commercial area as it is more commercial in design.

James Steele, property owner, stated he believes that this is a well planned development but has concerns on the effect on property values in the area.

Anthony Dreyer, Addiction Manager for Avera in Sioux Falls, spoke to the Sioux Falls Center noting he has never had a complaint regarding the center from the neighborhood, Dryer reviewed program and screening process and the overall reach of addiction and what these programs offer.

Dave Ellenbecker, Vice President of Facilities Management at Monument Health, spoke to the opportunity that the addiction care center will provide to those in need. Ellenbecker addressed the concerns that the neighborhood had voiced, stating that the facility will integrate into the neighborhood, the focus on the security of the neighborhood and how it flows into the medical corridor that exists in this area.

The value the addiction care center will provide to the community, visitation processes, sidewalk availability and future infrastructure projects proposed in the area were discussed.

Vidal moved, Quasney seconded and Planning Commission unanimously approved the Initial Planned Development Overlay to allow a group home with the following stipulations:

- 1. Prior to issuance of a Building Permit, a Final Planned Development shall be approved;**
- 2. A drainage report addressing stormwater detention and stormwater quality shall be submitted with the Final Planned Development Overlay application;**
- 3. An air quality construction permit shall be obtained prior to disturbance of ground cover;**
- 4. A Building Permit shall be obtained prior to construction and Certificate of Occupancy shall be obtained prior to occupancy. All construction shall comply with adopted codes and ordinances;**
- 5. The group home shall follow the proposed operational plan and include a residential addiction care facility and outpatient services with a maximum of 32 residential patient rooms housing men and women in separate wings with restricted access;**
- 6. A minimum of 77 parking spaces shall be required, 4 of the spaces shall be ADA-accessible and 1 of the ADA spaces shall be van-accessible. If additional parking is provided, the total number of ADA spaces provided shall comply with Rapid City Municipal Code Section 17.50.270.H.4.a.;**
- 7. A minimum of 51,170 landscaping points shall be provided on Lot 1 and a minimum of 72,545 landscaping points shall be provided on Lot 2. At least 50% of landscaping shall be visible from adjacent residential districts;**
- 8. The residential care facility shall operate 24-hours a day, year-round, and the outpatient facility shall operate Monday through Friday, 8 a.m. to 8 p.m.;**
- 9. Outdoor patios for patient use shall be screened from adjacent**

residential uses. The Final Planned Development Overlay application must address oversight of the patients in the outdoor areas to include measures to ensure that patients remain on-site;

10. The buildings shall have controlled access and security shall be provided 24-hours a day; and,
11. The Initial Planned Development Overlay shall allow for a group home in compliance with the applicant's submitted site plan and operational plan and the stipulations of approval. The development of Lot 3, any changes in the operational plan, and any change of use that is a conditional use in the Office Commercial District shall require the review and approval of a Major Amendment to the Planned Development Overlay. (8 to 0 with Braun, Bulman, Ginsberg, Gollhofer, Kaufman, Quasney, Stuck and Vidal 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 Development by close of business on the seventh full calendar day following action by the Planning Commission.

7. Staff and Planning Commission Discussion Items

A. Informational Presentation on Proposed Amendments to the 2024 International Fire Code

Chip Premus with the Fire Department stated that he would be postponing the full presentation until a later meeting due to its length and deadlines staff is up against today. Chip provided the URL page to allow the public to access the presentation on their own.

Comprehensive Plan Amendment to Major Street plan

Harrington explained that staff had received a Comprehensive Plan Amendment to reclassify a portion of Creek Drive from a Minor Arterial Street to a Collector Street that would create a discontinuous road section if approved. Harrington stated that staff reviewed surrounding roads and signalization and agreed that it is in the City's best interest that the entire segment of Creek Drive between Anamosa Street on the north and SD Highway 44 on the south be reclassified as a Collector Street and are therefore requesting Planning Commission to direct staff to initiate a Comprehensive Plan Amendment to reclassify the entire road section of Creek Drive.

Bulman moved, Vidal seconded and Planning Commission approved to direct staff to proceed with a Comprehensive Plan Amendment to reclassify this section of Creek Drive. (8 to 0 with Braun, Bulman, Ginsberg, Gollhofer, Kaufman, Quasney, Stuck and Vidal voting yes and none voting no)

B. Election of Officers

Fisher reviewed current officers and called for nominations.

Bulman nominated Erik Braun as Chairman, Quasney seconded and Planning Commission approved with Braun abstaining. **(7 to 0 with Bulman, Ginsberg, Golliher, Kaufman, Quasney, Stuck and Vidal voting yes and none voting no with Braun abstaining)**

Bulman nominated Vince Vidal as Vice Chair, Quasney seconded, and Planning Commission approved with Vidal abstaining. **(7 to 0 with Braun, Bulman, Ginsberg, Golliher, Kaufman, Quasney, and Stuck voting yes and none voting no with Vidal abstaining)**

Kaufman nominated Karen Bulman as Secretary, Quasney seconded, and Planning Commission approved with Bulman abstaining. **(7 to 0 with Braun, Ginsberg, Golliher, Kaufman, Quasney, Stuck and Vidal voting yes and none voting no with Bulman abstaining)**

There being no further business, Bulman moved, Vidal seconded and unanimously carried to adjourn the meeting at 8:14 a.m. (8 to 0 with Braun, Bulman, Ginsberg, Golliher, Kaufman, Quasney, Stuck and Vidal voting yes and none voting no)