

MINUTES OF THE
RAPID CITY PLANNING COMMISSION
February 8, 2018

MEMBERS PRESENT: Erik Braun, Karen Bulman, Racheal Caesar, Mike Golliher, John Herr, Galen Hoogestraat, Mike Quasney, Justin Vangraefschepe and Vince Vidal. John Roberts, Council Liaison was also present.

MEMBERS ABSENT: Curt Huus

STAFF PRESENT: Ken Young, Vicki Fisher, Fletcher Lacock, Javin Weaver, Sarah Hanzel, Tim Behlings, Ted Johnson, Carla Cushman and Andrea Wolff.

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 Hoogestraat seconded by Quasney and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 2 in accordance with the staff recommendations. (9 to 0 with Braun, Bulman, Caesar, Golliher, Herr, Hoogestraat, Quasney, Vangraefschepe and Vidal voting yes and none voting no)

---CONSENT CALENDAR---

1. Approval of the January 25, 2018 Planning Commission Meeting Minutes.
2. No. 18RZ001 - Meadowwood Subdivision
A request by Dana Forman of KLJ for South Dakota Game Fish and Parks to consider an application for a **Rezoning from Low Density Residential District to Public District** for Lots 2 thru 7 of Tract B of Meadowwood Subdivision, Lot 1 of Tract E of Meadowwood Subdivision and Lot 1 of GFP Subdivision, all located in Section 33, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northwest of the intersection of Knutson Lane and Sturgis Road.

Planning Commission continued the Rezoning request from Low Density Residential District to Public District to the February 22, 2018 Planning Commission meeting.

---END OF CONSENT CALENDAR---

---BEGINNING OF REGULAR AGENDA ITEMS---

3. No. 17RZ040 - Section 12, T1N, R7E
A request by KTM Design Solutions, Inc for Maguire Services, LLC to consider an application for a **Rezoning from Park Forest District to Low Density Residential District** for a tract of land lying in the S1/2NE1/4 and the N1/2SE1/4 of Section 12, T1N, R7E of the B.H.M. and being more particularly described as

follows: commencing at the Northeast corner of Lot 32, Block 3 of Robbinsdale Terrace Addition as recorded in the steel files in the Pennington County Register of Deeds and being the Point of Beginning; Thence with said Addition southwesterly a distance of 300 feet to the Northwest corner of Lot 26, Block 5; Thence continuing with said Addition southeasterly a distance of 210 feet to the southwest corner of Lot 25, Block 5; Thence continuing with said Addition southwesterly a distance of 46 feet to the northwest corner of Lot 20, Block 5; Thence continuing with said Addition northwesterly a distance of 166 feet to the southeast corner of Lot 16, Block 5; Thence continuing with said Addition northwesterly a distance of 450.5 feet to the southeast corner of Lot 10 Revised, Block 5; Thence continuing with said Addition northerly a distance of 46.06 feet to an angle point in the easterly line of Lot 10A, also being an angle point in the south line of Lot 1 of Faith Lutheran Addition as recorded in Book 29 of Plats, Page 21 in the Pennington County Register of Deeds; Thence with said Faith Lutheran Addition northerly a distance of 11.50 feet to an angle point in the south line of said Lot 1; Thence continuing with said Addition easterly a distance of 206.77 feet to the southeast corner of said Lot 1; Thence continuing with said Addition northerly a distance of 100.00 feet to a point on the easterly line of said Lot 1, also being the southwest corner of Lot 2, Block 5 of aforementioned Robbinsdale Terrace Addition; Thence with said Robbinsdale Terrace Addition easterly a distance of 583 feet to the northwest corner of Lot 9, Block 3; Thence continuing with said Addition southeasterly a distance of 306 feet to the southwest corner of Lot 12, Block 3; Thence continuing with said Addition southeasterly a distance of 203 feet to an angle point in the south line of Lot 15, Block 3; Thence continuing with said Addition southwesterly a distance of 361.5 feet to the northeast corner of Lot 25, Block 3; Thence continuing with said Addition westerly a distance of 112 feet to the northwest corner of Lot 26, Block 3; Thence continuing with said Addition northwesterly a distance of 474 feet to the northeast corner of Lot 32, Block 3 and the point of beginning, more generally described as being located southeast of the intersection of Oak Avenue and Indiana Street.

Lacock reviewed that staff had continued this item at the January 25, 2018 Planning Commission meeting to allow the applicant to submit a soils report. Lacock noted that the applicant did submit a Preliminary Site Report on February 1, 2018 but staff had not had time to review the information and as such, staff recommends that the **Rezoning from Park Forest District to Low Density Residential District** be continued to the February 22, 2018 Planning Commission meeting.

Fisher confirmed that in the continuing efforts to keep the neighbors informed as this application goes forward, they were advised to call staff to check the application status and that a number had done so and had been informed of the continuation.

Hoogestraat moved, Caesar seconded and the Planning Commission unanimously carried to continue the Rezoning request from Park Forest District to Low Density Residential District be to the February 22, 2018 Planning Commission meeting to allow staff to review the Preliminary Site

Report submitted by the applicant on February 1, 2018.

Lacock requested that Items # 4 and # 5 be taken together.

*4. No. 18PD002 - Denmans Addition

A request by TSP, Inc for South Dakota School of Mines and Technology Foundation to consider an application for a **Final Planned Development Overlay to allow an alumni center** for Lots 28 thru 32 and the S1/2 of vacated alley adjacent to said lots of Block 3 of Denmans Addition, all located in Section 6, T1N, R7E, BHM, Rapid City, South Dakota, more generally described as being located at 324 E. Kansas City Street, 613 Birch Avenue and 615 Birch Avenue.

5. No. 18RZ002 - Denmans Addition

A request by TSP, Inc for South Dakota School of Mines and Technology Foundation to consider an application for a **Rezoning from High Density Residential District to Office Commercial District** for Lots 28 thru 32 and the S1/2 of vacated alley adjacent to said lots of Block 3 of Denmans Addition, all located in Section 6, T1N, R8E, BHM, Rapid City, South Dakota, more generally described as being located at 324 E. Kansas City Street, 613 Birch Avenue and 615 Birch Avenue.

Lacock presented the applications and reviewed the associated slides. Lacock noted that this property is included in the new Urban Commercial District and that an additional rezoning request will be submitted. Lacock reviewed the Exceptions which include a reduction of parking from 100 to 14 parking spaces, to reduce the minimum required front yard setback from 25 feet to 9 feet along Birch Avenue; to reduce the minimum required side yard setback from 25 feet to 20 feet; and waive the screening fence requirement along the north and west property lines stating that within the proposed Urban Commercial District these requests are within the design requirement of the proposed district. Lacock noted that the applicant has also included a number of design features intended to comply with the Urban Commercial District. Lacock presented staff's recommendation that the applications be approved with the stipulations outlined in the Project Report.

In response to a question from Herr on the front yard setback, Fisher clarified that the proposed Urban Commercial District includes reducing the front yard setbacks and that the requested nine foot front yard setback is almost at the limit of the new guidelines.

Bob Morcom of TSP and Joel Kincart, of South Dakota School of Mines and Technology Foundation, reviewed the operation plan of the facility noting that their special events will be held in the evening and that the shared use agreement with the Surbeck Center and the Newman Center for parking should allow for needed parking. Morcom also stated that there are agreements for drainage and other easements.

In response to a question from Caesar whether this use and design will meet the

parking requirements of the proposed Urban Commercial District, Fisher confirmed that it does and reviewed the proposed parking requirements of the proposed Urban Commercial District.

Vangraefschepe stated that he will be abstaining from this item due to a conflict of interest.

Bulman move, Quasney seconded and Planning Commission approved the Final Planned Development Overlay be approved with the following stipulations:

1. **An Exception is hereby granted to reduce the minimum required parking from 100 parking spaces to 14 parking spaces. One of the ADA spaces shall be “van accessible”. All provisions of the Off-Street Parking Ordinance shall be continually met;**
2. **An Exception is hereby granted to reduce the minimum required front yard setback from 25 feet to 9 feet along Birch Avenue;**
3. **An Exception is hereby granted to reduce the minimum required side yard setback from 25 feet to 20 feet;**
4. **An Exception is hereby granted to waive the screening fence requirement along the north and west property lines;**
5. **Prior to issuance of a Building Permit, the associated Rezoning request (File #18RZ002) shall be approved;**
6. **All signage shall comply with the requirements of the Rapid City Municipal Code. Electronic or Light Emitting Diode (LED) message centers are not permitted as a part of this request. The addition of LED message centers in the future shall require a Major Amendment to the Planned Development. A sign permit shall be obtained for each sign; and,**
7. **The Final Planned Development Overlay shall allow for an alumni center. Any change in use or expansion of use in compliance with the parking regulations shall require a Building Permit. Any change in use or expansion of use that requires additional parking or any Conditional Use shall require the review and approval of a Major Amendment to the Planned Development; and,**

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.

Planning Commission recommended that the Rezoning request from High Density Residential District to Office Commercial District be approved. (8 to 0 to 1 with Braun, Bulman, Caesar, Golliher, Herr, Hoogestraat, Quasney and Vidal voting yes, none voting no and Vangraefschepe abstaining)

6. No. 18OA001 - Ordinance Amendment to Title 17 of the Rapid City Municipal Code by adding Chapter 17.66, Urban Commercial District

A request by City of Rapid City to consider an application for an **Ordinance Amendment to Title 17 of the Rapid City Municipal Code by adding Chapter 17.66, Urban Commercial District.**

Hanzel presented the application stating that staff has been working on this Ordinance over the last year following the adoption of the new Downtown Area Master Plan. This Ordinance Amendment will create the new District and the associated Ordinance Amendments will revise the Rapid City Municipal Code as necessary to administer the Urban Commercial District. Hanzel noted that there will be three rezoning applications that are anticipated to be forthcoming once the District is created. Those rezoning requests will change the zoning to the new Urban Commercial District. Hanzel reviewed the character of development this District will result in. Hanzel stated that staff has received input and feedback from the public. She reviewed the area that is proposed to be included in the new district. Hanzel reviewed some of the uses in the district, design standards, and other requirements such as parking and setbacks. Hanzel presented staff's recommendation that the Ordinance Amendment to Title 17 of the Rapid City Municipal Code by adding Chapter 17.66, Urban Commercial District be approved.

In response to a question from Herr, Behlings confirmed that the Rapid City Fire Department has the capabilities to handle defense of eight story structures and stated that the building provisions for fire protection features and construction requirements should assist with such defenses.

Bulman requested a review of the language addressing parking requirements for apartments. Hanzel stated that they would review this language before it goes forward.

Braun stated that he supports the Ordinance Amendment but that he does not agree with the graduated height setback requirements noting the constraints this will create for developers.

Bulman moved, Caesar seconded and the Planning Commission unanimously recommended that the Ordinance Amendment to Title 17 of the Rapid City Municipal Code by adding Chapter 17.66, Urban Commercial District be approved. (9 to 0 with Braun, Bulman, Caesar, Gollither, Herr, Hoogestraat, Quasney, Vangraefschep and Vidal voting yes and none voting no)

Hanzel requested that Items #7 through #15 be taken together as a group.

Hanzel noted that the following items address various areas of the Rapid City Municipal Code that will be affected by the implementation of the Ordinance Amendment for Urban Commercial District (18OA001) and that staff recommends they be approved as a group.

In response question from Caesar regarding the language on Planned Development Overlay Districts, Cushman clarified that this is currently part of the

existing Code, but did clarify that the amendment will allow the administrative dissolution of Planned Development. Cushman stated that Planned Developments within the new Urban Commercial District may no longer be required and this will simplify their removal.

7. No. 18OA002 - Ordinance to Include Definitions for the Urban Commercial District by Amending Section 17.04 of the Rapid City Municipal Code

A request by City of Rapid City to consider an application for an **Ordinance to Include Definitions for the Urban Commercial District by Amending Section 17.04 of the Rapid City Municipal Code**.

Hoogestraat moved, Caesar seconded and the Planning Commission unanimously recommended that the **Ordinance to Include Definitions for the Urban Commercial District by Amending Section 17.04 of the Rapid City Municipal Code** be approved contingent on approval of 18OA001. (9 to 0 with Braun, Bulman, Caesar, Gollither, Herr, Hoogestraat, Quasney, Vangraefschepe and Vidal voting yes and none voting no)

8. No. 18OA003 - Ordinance Amendment to Title 17 of the Rapid City Municipal Code by amending Chapter 17.06

A request by City of Rapid City to consider an application for an **Ordinance Amendment to Title 17 of the Rapid City Municipal Code by amending Chapter 17.06**.

Hoogestraat moved, Caesar seconded and the Planning Commission unanimously recommended that the **Ordinance Amendment to Title 17 of the Rapid City Municipal Code by amending Chapter 17.06** be approved contingent on approval of 18OA001. (9 to 0 with Braun, Bulman, Caesar, Gollither, Herr, Hoogestraat, Quasney, Vangraefschepe and Vidal voting yes and none voting no)

9. No. 18OA004 - Ordinance to Amend Section 17.50.050 of the Rapid City Municipal Code to Allow for Administrative Dissolution of Planned Developments

A request by City of Rapid City to consider an application for an **Ordinance to Amend Section 17.50.050 of the Rapid City Municipal Code to Allow for Administrative Dissolution of Planned Developments**.

Hoogestraat moved, Caesar seconded and the Planning Commission unanimously recommended that the **Ordinance to Amend Section 17.50.050 of the Rapid City Municipal Code to Allow for Administrative Dissolution of Planned Developments** be approved contingent on approval of 18OA001. (9 to 0 with Braun, Bulman, Caesar, Gollither, Herr, Hoogestraat, Quasney, Vangraefschepe and Vidal voting yes and none voting no)

10. No. 18OA005 - Ordinance Amendment to Modify Section 17.50.070 of the Rapid City Municipal Code

A request by City of Rapid City to consider an application for an **Ordinance Amendment to Modify Section 17.50.070 of the Rapid City Municipal Code**.

Hoogestraat moved, Caesar seconded and the Planning Commission unanimously recommended that Ordinance Amendment to Modify Section 17.50.070 of the Rapid City Municipal Code be approved contingent on approval of 18OA001. (9 to 0 with Braun, Bulman, Caesar, Gollither, Herr, Hoogestraat, Quasney, Vangraefschepe and Vidal voting yes and none voting no)

11. No. 18OA006 - Ordinance to Amend the Sign Code to Incorporate On-Premises Signage Rules for the Urban Commercial District by Amending Section 17.50.100 of the Rapid City Municipal Code

A request by City of Rapid City to consider an application for **An Ordinance to Amend the Sign Code to Incorporate On-Premises Signage Rules for the Urban Commercial District by Amending Section 17.50.100 of the Rapid City Municipal Code.**

Hoogestraat moved, Caesar seconded and the Planning Commission unanimously recommended that Ordinance to Amend the Sign Code to Incorporate On-Premises Signage Rules for the Urban Commercial District by Amending Section 17.50.100 of the Rapid City Municipal Code be approved contingent on approval of 18OA001. (9 to 0 with Braun, Bulman, Caesar, Gollither, Herr, Hoogestraat, Quasney, Vangraefschepe and Vidal voting yes and none voting no)

12. No. 18OA007 - Ordinance to Establish Parking Requirements for the Urban Commercial District by Amending Section 17.50.270 of the Rapid City Municipal Code

A request by City of Rapid City to consider an application for **an Ordinance to Establish Parking Requirements for the Urban Commercial District by Amending Section 17.50.270 of the Rapid City Municipal Code.**

Hoogestraat moved, Caesar seconded and the Planning Commission unanimously recommended that Ordinance to Establish Parking Requirements for the Urban Commercial District by Amending Section 17.50.270 of the Rapid City Municipal Code be approved contingent on approval of 18OA001. (9 to 0 with Braun, Bulman, Caesar, Gollither, Herr, Hoogestraat, Quasney, Vangraefschepe and Vidal voting yes and none voting no)

13. No. 18OA008 - Ordinance to Amend Landscape Regulations to Incorporate the New Urban Commercial District by Amending Section 17.50.300 of the Rapid City Municipal Code

A request by City of Rapid City to consider an application for **an Ordinance to Amend Landscape Regulations to Incorporate the New Urban Commercial District by Amending Section 17.50.300 of the Rapid City Municipal Code.**

Hoogestraat moved, Caesar seconded and the Planning Commission unanimously recommended that Ordinance to Amend Landscape

Regulations to Incorporate the New Urban Commercial District by Amending Section 17.50.300 of the Rapid City Municipal Code be approved contingent on approval of 18OA001. (9 to 0 with Braun, Bulman, Caesar, Gollither, Herr, Hoogestraat, Quasney, Vangraefschep and Vidal voting yes and none voting no)

14. No. 18OA009 - Ordinance to Amend Chapter 12.08 of the Rapid City Municipal Code to Accommodate Goals for Pedestrian Oriented Streets in the Urban Commercial District

A request by City of Rapid City to consider an application for **an Ordinance to Amend Chapter 12.08 of the Rapid City Municipal Code to Accommodate Goals for Pedestrian Oriented Streets in the Urban Commercial District.**

Hoogestraat moved, Caesar seconded and the Planning Commission unanimously recommended that the Ordinance to Amend Chapter 12.08 of the Rapid City Municipal Code to Accommodate Goals for Pedestrian Oriented Streets in the Urban Commercial District be approved contingent on approval of 18OA001. (9 to 0 with Braun, Bulman, Caesar, Gollither, Herr, Hoogestraat, Quasney, Vangraefschep and Vidal voting yes and none voting no)

15. No. 18OA010 - Ordinance to Amend Section 12.12.110 of the Rapid City Municipal Code to Authorize the City to Maintain Parkways in Downtown Areas

A request by City of Rapid City to consider an application for **an Ordinance to Amend Section 12.12.110 of the Rapid City Municipal Code to Authorize the City to Maintain Parkways in Downtown Areas.**

Hoogestraat moved, Caesar seconded and the Planning Commission unanimously recommended that the Ordinance to Amend Section 12.12.110 of the Rapid City Municipal Code to Authorize the City to Maintain Parkways in Downtown Areas be approved contingent on approval of 18OA001. (9 to 0 with Braun, Bulman, Caesar, Gollither, Herr, Hoogestraat, Quasney, Vangraefschep and Vidal voting yes and none voting no)

16. Discussion Items

17. Staff Items

Fisher thanked those Commissioners that attended the Coffee with Planners that was held February 7, 2018 and invited them to attend the next one that is scheduled for May.

Young discussed anticipated format for the upcoming Coffee with Planners saying they are looking to set up topic specific tables that will allow participants to select from various discussion.

Fisher informed the Commissioners that the Planning Commission Liaison for the February 20, 2018 City Council is Curt Huus. Fisher noted that this information will now be included on the Planning Commission Items

section of the agenda going forward and hopes that it will be a good tool for the Commissioners.

18. Planning Commission Items

Discussions followed on issues from the Coffee with Planner meeting.

There being no further business, Gollither moved, Hoogestraat seconded and unanimously carried to adjourn the meeting at 7:53 a.m. (9 to 0 with Braun, Bulman, Caesar, Gollither, Herr, Hoogestraat, Quasney, Vangraefschepe and Vidal voting yes and none voting no)