

MINUTES OF THE
RAPID CITY PLANNING COMMISSION
February 22, 2018

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

MEMBERS ABSENT: Galen Hoogestraat

STAFF PRESENT: Vicki Fisher, Fletcher Lacock, Javin Weaver, Kip Harrington, Kelly Brennan, 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.

Staff requested that Item 3 be removed from the Consent Agenda for separate consideration.

Herr requested that Item 4 be removed from the Consent Agenda for separate consideration.

Motion by Caesar seconded by Quasney and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 7 in accordance with the staff recommendations with the exception of Items 3 and 4. (9 to 0 with Braun, Bulman, Caesar, Gollhofer, Herr, Huus, Quasney, Vangraefschepe and Vidal voting yes and none voting no)

---CONSENT CALENDAR---

1. Approval of the February 8, 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 recommended that the Rezoning from Low Density Residential District to Public District request be approved.
5. No. 18PL003 - Rushmore Center
A request by FMG Engineering for Peco Kid LLC to consider an application for a **Preliminary Subdivision Plan** for proposed Lots A and B of Lot 3 of Tract C of

Rushmore Center, legally described as Lots 3 of Track C of Rushmore Center located in the SE1/4 of Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of Luna Avenue, south of Rushmore Crossing.

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

- 1. Upon submittal of a Development Engineering Plan application, construction plans for the 45 foot wide Access and Utility Easement shall be submitted for review and approval showing the easement with a minimum width of 70 feet and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application. In addition, the plat document shall be revised to show a non-access easement along the north lot line adjacent to the Access and Utility Easement;**
- 2. Upon submittal of a Development Engineering Plan application, a drainage plan and report prepared by a Registered Professional Engineer shall be submitted for review and approval if subdivision improvements are required. The drainage plan and report shall address storm water quantity control and storm water quality treatment in conformance with the Infrastructure Design Criteria Manual and the Rapid City Municipal Code. In addition, easements shall be provided as needed;**
- 3. Upon submittal of a Development Engineering Plan application, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual and the Infrastructure Design Criteria Manual and a grading plan shall be submitted for review and approval if subdivision improvements are required;**
- 4. Prior to Development Engineering Plan approval, engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed, permits required shall be approved and issued and construction plans shall be accepted in accordance with the Infrastructure Design Criteria Manual. All final engineering reports shall be signed and sealed by a Professional Engineer and contain a Certification Statement of Conformance with City Standards, as required by the infrastructure Design Criteria Manual;**
- 5. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements, if applicable;**
- 6. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;**
- 7. Upon submittal of a Final Plat application, the plat document shall be revised to show a shared approach on Lot B to provide access to Lot A as per the applicant's site plan. In addition, a non-access easement**

- shall be dedicated along Lot A as it abuts Luna Avenue;
8. Upon submittal of a Final Plat application, the plat title shall be revised to read “Lots 3A and 3B of Tract C of Rushmore Center”;
 9. Upon submittal of a Final Plat application, the plat shall be revised to show an 8 foot wide minor drainage and utility easement along the common lot line between Lots A and B of Lot 3 or a note shall be added identifying the easement along the common lot line;
 10. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid; and,
 11. Prior to the City’s acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required. In addition, any utilities and drainage proposed outside of the dedicated right-of-way shall be secured within easement(s).

6 18TP002 Acknowledge the 2017 Traffic Count Book

Planning Commission recommended that the 2017 Traffic Count Book be acknowledged.

7 18TP006 – Approve the I-90 Exit 61 to Exit 67 Corridor Study Final Report

Planning Commission recommended that the I-90 Exit 61 to Exit 67 Corridor Study Final Report be approved.

---END OF CONSENT CALENDAR---

*3. No. 18PD001 - Meadowwood Subdivision

A request by Dana Forman of KLJ for South Dakota Game Fish and Parks to consider an application for a **Final Planned Development Overlay to allow an indoor and outdoor archery and air gun range in the Public District** for Lots 2 thru 7 of Track B of Meadowwood Subdivision, Lot 1 of Track 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.

Weaver presented the application and reviewed the associated slides. Weaver indicated that the proposed archery ranges will consist of a straight range and a walking range noting that entire area will be fenced and that “No Trespassing Signs” identifying that the area is an active archery range will be posted around the property. Additionally, a six foot high fence will be installed north of the stationary range to provide an additional layer of separation. Weaver reviewed the layout of the walking range noting it has been designed for safety of use. Weaver stated that staff had made a site visit to get an actual feel for the layout and that staff feels that this is an appropriate use for the Outdoor West Game Fish and Parks Campus and staff recommends that the Final Planned Development Overlay to allow an indoor and outdoor archery and air gun range in the Public District be approved with stipulations.

In response to a question from Herr regarding Knutson Lane, Fisher clarified that the applicant will be constructing Knutson Lane with-in public right-of-way. Upon further questions from Herr on Knutson Lane, Harrington clarified that Knutson Lane will only be completed to the parking lot of the Outdoor Campus West at this time and is not slated to be completed as a through road for some time so no cut through traffic is anticipated.

Bulman moved, Huus seconded and the Planning Commission approved the Final Planned Development request be approved with the stipulations noted below, contingent upon approval of Rezoning request (18RZ001):

- 1. Prior to issuance of a building permit, all redlined comments shall be addressed and all redlined plans shall be returned to the Department of Community Development; and**
- 2. A Sign Permit shall be obtained for each sign. All signage shall comply with the requirements of the Rapid City Sign Code. No electronic or Light Emitting Diode (LED) signage is being approved as a part of this request. The addition of LED signage shall require a Major Amendment to the Planned Development; and,**
- 3. Prior to issuance of a building permit, the applicant shall enter into a Developmental Lot Agreement or the property shall be platted into one lot; and,**
- 4. The requested Final Planned Development Overlay shall allow for construction of a hunter education building with indoor and outdoor archery ranges. All requirements of the Public District shall be maintained unless specifically stipulated as part of this Final Planned Development Overlay or a subsequent Major Amendment. All uses permitted in the Public District shall be permitted. All conditional uses in the Public District shall require the review and approval of a Major Amendment to the Final Planned Development Overlay. (9 to 0 with Braun, Bulman, Caesar, Golliher, Herr, Huus, Quasney, Vangraefschepe 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.

- *4. No. 18UR001 - Original Town of Rapid City
A request by Wyss Associates for Don Van Etten of Passages Womens Transitional Living to consider an application for a **Conditional Use Permit to allow a group home** for Lots 1 thru 12 of Block 19 of Original Town of Rapid City, located in Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located southwest of the intersection of Denver Street and North 1st Street.

In response to a question from Herr regarding funding source for the group

home, Chris Wehrle, of Wyss Associates, stated that with the applicant was not present to provide specific information on the funding but that he believes that is being funded through grants.

Caesar moved, Vangraefschepe Planning Commission approved the Conditional Use Permit to allow a group home with the following stipulations:

- 1. Upon submittal of a Building Permit, the site plan shall be revised to address redlined comments;**
- 2. Any proposed signage shall meet the requirements of the Rapid City Sign Code. No electronic or Light Emitting Diode (LED) signage is being approved as a part of this Conditional Use Permit. The addition of electronic or LED signage shall require a Major Amendment to the Conditional Use Permit. A sign permit is required for all signs;**
- 3. A minimum of 15 parking spaces shall be provided. In addition, one of the parking spaces shall be ADA van accessible. All provisions of the Off-Street Parking Ordinance shall be continually met;**
- 4. A minimum of 35,778 landscaping points shall be provided. All provisions of Section 17.50.300, the Landscaping Regulations of the Rapid City Municipal Code shall be continually met. All landscaping shall be continually maintained in a live vegetative state and replaced as necessary; and,**
- 5. The Conditional Use Permit shall allow for a group home operated in compliance with the applicant's operational plan. Any expansion of the use shall require a Major Amendment to the Conditional Use Permit. Any change in use that is a permitted use in the Medium Density Residential District in compliance with the Parking Ordinance shall require a building permit. Any change in use that is a Conditional Use in the Medium Density Residential District shall require the review and approval of a Major Amendment to the Conditional Use Permit. (9 to 0 with Braun, Bulman, Caesar, Golliher, Herr, Huus, Quasney, Vangraefschepe 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.

---BEGINNING OF REGULAR AGENDA ITEMS---

- 8. 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 stated that the applicant has withdrawn the Rezoning request and requested that Planning Commission acknowledge the withdrawal.

Planning Commission recommended that the withdrawal of the Rezoning request from Park Forest District to Low Density Residential District be acknowledged. (9 to 0 with Braun, Bulman, Caesar, Gollither, Herr, Huus, Quasney, Vangraefschepe and Vidal voting yes and none voting no)

Hanzel requested that Items # 9, #10 and #11 be taken together.

9. No. 18RZ003 - Original Town of Rapid City and portions of the Downtown Area
A request by City of Rapid City to consider an application for a **Rezoning from General Commercial District to Urban Commercial District** for all of the following property, including all vacated right-of-way adjacent to these properties, Lots 1 thru 5 and the east half of Lot 6 on Block 4 of Denman's Addition, Lots 21 thru 32 of Block 1; Block 2; Lots 1 thru 13, Lots B-1 and B-2, Lots A and B of

Lots 21 thru 24, Lots 25 thru 26, Lot 27A of Block 3 of Park Addition, Lot A of E of Government Lot 4 and 5 all located in Section 6, T1N, R8E; Lot F Less F-1 of Park Addition #2 located in Section 6 (also located in Section 1, T1N, R7E), T1N, R8E; the north half of Block 5 of Denman's Addition, that portion of the Ulland Outlot Revised formerly Ulland Outlot and the balance of Lot 2, Park Addition #2, all of Aby's Feed and Seed Condominium, the north half of Block 76, all of Blocks 77 thru 80; all of Blocks 87 thru 90; and all of Block 100 of Original Town of Rapid City, Lots 14 thru 20 of Block 3 and all of Block 4 of Park Addition, all of Block 2 of Park Addition #2 and Lots 1 thru 20 of Block 1 of Morgan's Subdivision, all located in Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of 4th Street to South Dakota School of Mines Campus, south of railroad tracks north of Kansas City Street.

10. No. 18RZ004 - Denmans Addition and Placer Subdivision

A request by City of Rapid City to consider an application for a **Rezoning from High Density Residential District to Urban Commercial District** for Block 3 of Denman's Addition and all adjacent vacated right-of-way, located in Section 6, T1N, R8E; and Lot 31 - 32 of Block 4 of Denman's Addition, and all of Placer Subdivision and all vacated right-of-way adjacent to these properties, all located Section 1, T1N, R7E and Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of East St. Joseph Street between Maple Avenue and Birch Avenue.

11. No. 18RZ005 - Ulland Outlot Revised

A request by City of Rapid City to consider an application for a **Rezoning from Light Industrial District to Urban Commercial District** for that portion of Ulland Outlot Revised formerly known as Lot 3, Lot 4, and Lot 4-1 of Park Addition No.2 and all vacated right-of-way adjacent to these properties, located in Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located north of Main Street between East Boulevard and Maple Avenue.

Hanzel noted that these three Rezoning requests are associated to the Ordinance Amendment (18OA001) that was approved at the February 8, 2018 Planning Commission meeting creating the Urban Commercial Zoning District. Hanzel reviewed the area, identifying which areas are being rezoned from General Commercial District, High Density Residential District and Light Industrial District to the new Urban Commercial District zoning. Hanzel stated that staff recommends that the Rezoning requests be approved.

**Bulman moved, Caesar seconded and Planning Commission recommended that the Rezoning from General Commercial District to Urban Commercial District be approved; and,
That the Rezoning from High Density Residential District to Urban Commercial District be approved; and,
That the Rezoning from Light Industrial District to Urban Commercial District be approved. (9 to 0 with Braun, Bulman, Caesar, Gollhofer, Herr, Huus, Quasney, Vangraefschepe and Vidal voting yes and none voting no)**

12. Discussion Items

13. Staff Items

Hanzel noted that staff is working on an Ordinance Amendment for Accessory Dwelling Units and informed the Planning Commission that there will be an Open House on the issue, Wednesday, February 28, 2018 at the Rapid City Library.

In response to a question from Herr regarding Air B&Bs, Fisher stated that staff is working on an ordinance that will be presented in the near future.

14. Planning Commission Items

- A. Planning Commission Liaison for the March 5, 2018 City Council Meeting will be Justin Vangraefschepe.

There being no further business, Herr moved, Huss seconded and unanimously carried to adjourn the meeting at 7:26 a.m. (9 to 0 with Braun, Bulman, Caesar, Gollhofer, Herr, Huus, Quasney, Vangraefschepe and Vidal voting yes and none voting no)