

MINUTES OF THE  
RAPID CITY PLANNING COMMISSION  
March 8, 2018

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

MEMBERS ABSENT: Rachel Caesar, Galen Hoogestraat

STAFF PRESENT: Ken Young, Vicki Fisher, Fletcher Lacock, Javin Weaver, Brian Staton, 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.**

**Bulman requested that Items 2 be removed from the Consent Agenda for separate consideration.**

**Motion by Bulman seconded by Gollhofer and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 3 in accordance with the staff recommendations with the exception of Items 2. (8 to 0 with Braun, Bulman, Gollhofer, Herr, Huus, Quasney, Vangraefschepe and Vidal voting yes and none voting no)**

**---CONSENT CALENDAR---**

1. Approval of the February 22, 2018 Planning Commission Meeting Minutes.
  
3. No. 18PL005 - Copperfield Vista Subdivision  
A request by Renner Associates, LLC for ETC Venture, LLC to consider an application for a **Preliminary Subdivision Plan** for Lots 10A, 10B, 11-18, and Park Tract of Block 7; LOTS 3-8 of Block 8; Lots 1-9, 10A, 10B, 11A, 11B, 12A, 12B, 13A, and 13B of Block 9; Lots 1A, 1B, 2A, 2B, 3A, 3B, and 4-23 of Block 10; Lots 1A, 1B, 2A, 2B, 3A, 3B, 4A, 4B, 5A, 5B, 6A, 6B, 7A, 7B, 8A, 8B, 9A, 9B, 10A, 10B, 11A, 11B, 12A, 12B, Drainage Lot, and Sign Lot of Block 11; LOTS 1A, 1B, 2A, 2B, 3A, 3B, 4A, 4B, 5A, 5B, 6A, 6B, 7A, 7B, 8A, 8B, 9A, 9B, 10A, 10B, 11A, 11B, 12A, 12B, 13A, 13B, AND 14-23 of Block 12; Lots 1A, 1B, 2A, 2B, 3A, 3B, 4A, 4B, 5A, 5B, 6A, 6B, 7A, 7B, 8A, 8B, 9A, 9B, 10A, 10B, 11A, and 11B of Block 13 of Copperfield Vistas Subdivision, legally described as Government Lot 3; and the SE1/4 of the NW/14 less Copperfield Vistas Subdivision and less right-of-ways, located in Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northeast of the intersection of Homestead Street and Summerfield Drive.

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

1. Upon submittal of a Development Engineering Plan application, the redline comments shall be addressed. In addition, the redline comments shall be returned with the Development Engineering Plan application. The revised plans shall be to a readable scale;
2. Prior to approval of the Development Engineering Plan application, submitted engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed if subdivision improvements are required. In addition, permits required for construction 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;
3. Upon submittal of a Development Engineering Plan application, construction plans for Copperfield Drive, Rosie Lane, Summerfield Drive, Bar Five Ranch Road, Allison Lane and Jessup Lane shall be submitted for review and approval showing the streets located in a minimum 52 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer in compliance with the Infrastructure Design Criteria Manual and the Rapid City Municipal Code or an Exception shall be obtained. If an Exception is obtained a copy of the approved document shall be submitted with the Development Engineering Plan application;
4. Upon submittal of a Development Engineering Plan application, water plans and analysis prepared by a Registered Professional Engineer shall be submitted for review and approval in accordance with the Infrastructure Design Criteria Manual. The design report shall demonstrate that the water service is adequate to meet estimated domestic flows and required fire flows to support the proposed development. In addition, utility easements shall be provided as needed;
5. Upon submittal of a Development Engineering Plan application, a sewer design report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual shall be submitted for review and approval. The design report shall demonstrate that the sanitary sewer capacity is adequate to meet estimated flows and provide sufficient system capacity in conformance with the Infrastructure Design Criteria Manual. Utility easements shall also be provided as needed;
6. Upon submittal of a Development Engineering Plan application, a drainage plan and report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual and the Rapid City Municipal Code shall be submitted for review and approval for the proposed subdivision improvements. The drainage report shall address storm water quantity control and storm water quality

- treatment. In addition, easements shall be provided as needed;
7. Upon submittal of a Development Engineering Plan application, a revised Master Plan shall be submitted for review and approval to ensure that no more than 40 dwelling units have one point of access 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;
  8. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements;
  9. Upon submittal of a Development Engineering Plan application, a note shall be placed on the plat document identifying a 6 foot wide maintenance easement along the common lot line of all townhome lots;
  10. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
  11. Upon submittal of a Final Plat application, an approved agreement shall be submitted for recording securing ownership and maintenance of the drainage lot, the sign lot and the park tract; and,
  12. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.

---END OF CONSENT CALENDAR---

2. No. 18RZ006 - Original Town of Rapid City  
A request by Aces for Mike Kuhl of Pennington County to consider an application for a **Rezoning request from General Commercial District to Public District** for Lots 1 thru 32 and vacated alley adjacent to said lots of Block 97, Lots 1 thru 32 and vacated alley and 3rd Street adjacent to said lots of Block 98, Lots 1 thru 32 and vacated alley adjacent to said lots of Block 99 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 south of Kansas City Street between 4th Street and 1st Street.

Bulman requested information on the item.

Weaver presented the application and reviewed the associated slides calling out that the property is the current County Facilities and the Rezoning request will make all of the campus Public District, which is the zoning used to provide public services and is generally free of commerce uses. Weaver presented staff recommendation that the Rezoning request from General Commercial District to Public District be approved.

Fisher clarified that the County Campus houses the County Courthouse and many of the County Administrative Offices as well as the County Jail. Fisher noted that the office uses are allowed uses in the General Commercial District, but that the jail is a legal non-conforming use. In order to expand services to the jail, Fisher explained that the property must be Rezoned to Public District.

**Bulman moved, Quasney seconded and Planning Commission recommended that the Rezoning request from General Commercial District to Public District be approved. (8 to 0 with Braun, Bulman, Gollhofer, Herr, Huus, Quasney, Vangraefschepe and Vidal voting yes and none voting no)**

**---BEGINNING OF REGULAR AGENDA ITEMS---**

\*4. No. 18PD003 - Section 32, T2N, R8E

A request by Scott Edwards of Scull Construction for Jim and Mary Scull to consider an application for a **Major Amendment to a Planned Development Overlay to Construct a Building for Pennington County Services** for the balance of Lot A located north of Jess Street right-of-way of DDE Subdivision, and that portion of the SW1/4 of the SW1/4 located north of Jess Street right-of-way, all located in Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located north of Kermit Lane.

Fisher briefly reviewed the application stating that the applicant has withdrawn the application and requested that the Planning Commission acknowledge the withdrawal.

Fisher noted that there are audience members who wished to speak to concerns even though the item has been withdrawn.

Connie Reber, 3900 Creek Drive, spoke to her concerns with future development associated with the construction of Creek Drive.

Dave Jackson, 5005 Skyview Drive, spoke to his concern to the development of the area including the traffic impact to an already congested area, the need for Creek Drive to be completed and his belief that the proposed use that had been withdrawn was unsuitable for the area.

Fisher clarified that street construction is triggered by subdividing or platting and not land use review such as this application. Fisher did however note that one of the stipulations of approval for the withdrawn application was for the applicant to enter into an agreement to define the timing for the construction of Creek Drive.

Justin stated he would be abstaining from this item due to a conflict of interest.

**Huss moved, Gollhofer seconded and the Planning Commission acknowledging the applicant's withdrawal. (7 to 0 to 1 with Braun, Bulman, Gollhofer, Herr, Huus, Quasney and Vidal voting yes and none voting no and Vangraefschepe 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 Development by close of business on the seventh full calendar day following action by the Planning Commission.***

\*5. No. 18PD004 - C.D. Rounds Subdivision

A request by Andrew Scull of Scull Construction for FHS Two, LLC to consider an application for an **Initial and Final Planned Development to repurpose an existing commercial building and to allow a child care center** for Lots 9 thru 24 of Block 11 of C. D. Rounds Subdivision, located in Section 33, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 3645 Sturgis Road.

Fisher presented the application and reviewed the associated slides. Fisher stated that the development which will renovate and revitalize the building for reuse. The development will be in two phases. The east portion of the building being developed as Phase One, being proposed to be an archery center and a child care center. Phase Two which is proposed for future development will require a Major Amendment to this Planned Development which will be reviewed by the Planning Commission at such time it is developed. Fisher noted that due to the lack of separation of the parking area and the right-of-way the applicant is requesting an Exception to allow 32 parking spaces along Sturgis Road to back into the public right-of-way. No parking shall be allowed in the public right-of-way. The State has agreed to continue to allow this and is working with the property owner to accommodate the use in the upcoming road project for Sturgis Road. Fisher noted that all the signage meets City Sign Code and no LED signage is being requested. Fisher reviewed the proposed layout noting that the existing separation of levels provides adequate separation of uses. Fisher stated that based on the location of the facility, there will be no outdoor play area so the inside play area requires 70 square feet per child. Fisher noted that the applicant is requesting an Exception to waive the screening fence requirement contingent upon an evergreen screening consisting of shrubs and/or trees being provided between the parking lot and the property line on the west side of the property, and to reduce the minimum required landscaping from 36,000 landscape points to 13,350 landscape points be approved for Phase I. Fisher stated that staff recommends that the requested Exceptions be granted and the Initial and Final Planned Development to repurpose an existing commercial building and to allow a child care center be approved with stipulations.

In response to a question from Huss regarding State expansion of Sturgis Road reducing or eliminating the use of access to Sturgis Road, Fisher said that the State has acknowledged that they do not foresee this happening. Fisher clarified that the State will notify the City if they should need this right-of-way in the future which could require an amendment to this Planned Development.

Further discussion on parking followed.

Herr left the meeting at this time.

Carolyn Troutman, 207 North Platt Street, spoke to her concerns that the new use may create additional traffic on North Platt Street and her hope that the applicant will promote the use of Sturgis Road rather than North Plat.

Andrew Scull, agent and applicant, confirmed that there are no lighted signs

planned for the back of the building and that the plan is to remove a metal shed and some of the signs along the back of the building. Scull also noted that the discussion with the State on the backing into the right-of-way have been positive and works for both parties with the reduction of the 450 foot approach to two designated entry points on the property. Scull spoke to the anticipated operation hour of the archery range with their primary business occurring between 5:00 p.m. to 8:00 p.m., so they will not run concurrently with general business hours which will help offset the parking needs. Scull spoke to the potential future use of the building stating that they will take into consideration the challenges to the property, including parking for the potential reuse of the balance of the property.

In response to a question from Vidal, Scull confirmed that additional parking will be created to the back of the building and is anticipated to be used for the child care center with the archery center use being along Sturgis Road.

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

**Quasney moved, Vidal seconded and the Planning Commission approved the Initial and Final Planned Development Overlay with the following stipulations:**

- 1. An Exception is hereby granted to allow the 32 parking spaces along Sturgis Road to back into the public right-of-way. No parking shall be allowed in the public right-of-way. A minimum of 46 parking spaces shall be provided for Phase I. Two of the parking spaces shall be ADA accessible with one being “van accessible”;**
- 2. An Exception is hereby granted to waive the screening fence requirement contingent upon an evergreen screening consisting of shrubs and/or trees being provided between the parking lot and the property line on the west side of the property;**
- 3. An Exception is hereby granted to reduce the minimum required landscaping from 36,000 landscape points to 13,350 landscape points be approved for Phase I;**
- 4. Upon submittal of a Building Permit, the site plan shall be revised to address redline comments;**
- 5. Prior to issuance of a Building Permit, the applicant shall revise the site plan to show property line sidewalk in compliance with the Rapid City Municipal Code or obtain a Variance from the City Council;**
- 6. Prior to issuance of a Building Permit, the property owner shall plat the property or record a Developmental Lot Agreement;**
- 7. 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;**
- 8. The proposed childcare center shall operate in compliance with the submitted operations plan and all approved plans. Any expansion of use shall require a Major Amendment to the Planned Development;**

and,

9. The Initial and Final Planned Development Overlay shall allow for Phase I of the repurposing of an existing commercial building. Phase II shall require a Major Amendment to the Planned Development. Any change in use or expansion of use permitted in the General Commercial District 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. (6 to 0 to 1 with Braun, Bulman, Golliher, Huus, Quasney and Vidal voting yes and none voting no and Vangraefschepe 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 Development by close of business on the seventh full calendar day following action by the Planning Commission.*

6. Discussion Items  
None

7. Staff Items  
None

8. Planning Commission Items

- A. Planning Commission Liaison for the March 19, 2018 City Council Meeting will be Karen Bulman.

**There being no further business, Golliher moved, Quasney seconded and unanimously carried to adjourn the meeting at 7:47 a.m. (7 to 0 with Braun, Bulman, Golliher, Huus, Quasney, Vangraefschepe and Vidal voting yes and none voting no)**