

MINUTES OF THE  
RAPID CITY PLANNING COMMISSION  
October 22, 2015

MEMBERS PRESENT: Erik Braun, John Brewer, Karen Bulman, Galen Hoogestraat, Mark Jobman, Linda Marchand, Steve Rolinger, Andrew Scull and Jan Swank. Amanda Scott, Council Liaison was also present.

MEMBERS ABSENT: Kay Rippentrop, Kimberly Schmidt

STAFF PRESENT: Vicki Fisher, Fletcher Lacock, Robert Laroco, Patsy Horton, Tim Behlings, Ted Johnson, Carla Cushman and Andrea Wolff.

Marchand called the meeting to order at 7:02 a.m.

**Marchand 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 Brewer seconded by Rolinger and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 8 in accordance with the staff recommendations. (9 to 0 with Braun, Brewer, Bulman, Hoogestraat, Jobman, Marchand, Rolinger, Scull and Swank voting yes and none voting no)**

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

1. Approval of the October 8, 2015 Planning Commission Meeting Minutes.

\*2. No. 15UR021 - Merchants First Addition

A request by Buell Consulting, Inc for Cellular Inc. Network Corp to consider an application for a **Major Amendment to a Conditional Use Permit to allow a cellular communication tower** for Outlot A and Lot 1 of Outlot C and Lot 2 of Outlot C of Merchants First Addition, located in Section 7, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 801 and 805 East Saint Patrick Street.

**Planning Commission approved the Major Amendment to a Conditional Use Permit to allow a cellular communication tower with the following stipulation:**

1. Upon submittal of a Building Permit, a grading plan, drainage plan, storm water quality treatment plan, and an erosion and sediment control plan shall be submitted for review and approval; and,
2. The Major Amendment to a Conditional Use Permit shall allow an 80 foot high monopole cellular communication tower with an additional 9 foot lightning rod and an associated equipment shed. The tower shall be designed for co-location and a Building Permit shall be required for the construction of the second equipment shelter. Changes to the proposed tower or equipment shelter(s) that do not meet the criteria of Chapter 17.54.030(l) of the Rapid City Municipal Code shall require

**a Major Amendment. Permitted uses within the General Commercial District in compliance with the Parking Ordinance shall be allowed with a Building Permit. Any conditional use shall require the review and approval of a Major Amendment to the Conditional Use Permit.**

***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.***

3. No. 15CA003 - Amendment to the Comprehensive Plan by adopting the RapidTRIP 2040 Long Range Transportation Plan  
A request by City of Rapid City to consider an application for an **Amendment to the Comprehensive Plan by adopting the RapidTRIP 2040 Long Range Transportation Plan.**

**Planning Commission recommended approval of 15CA003 - An Amendment to the Comprehensive Plan by Adopting the RapidTRIP 2040 LongRange Transportation Plan.**

- \*4. No. 15PD033 - Moon Ridge Subdivision  
A request by Renner and Associates, LLC to consider an application for a **Final Planned Development Overlay to allow a mini storage in the General Commercial District** for Lot 4 of Moon Ridge Subdivision, located in Section 34, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2251 Moon Meadows Drive.

**Planning Commission continued the Final Planned Development Overlay to allow ministorage units as a conditional use on the property to the November 25, 2015 Planning Commission meeting.**

***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.***

5. 15TP030 - 2015 Unified Planning Work Program Amendment 2015-02

**Planning Commission recommended approving Amendment 2015-02 to the Rapid City Area 2015 Unified Planning Work Program.**

6. 15TP031 - Approve the 2016 Unified Planning Work Program – Final

**Planning Commission recommended approval of the 2016 Unified Planning Work Program. The Executive Policy Committee of the Rapid City Area Metropolitan Planning Organization approved the 2016 UPWP and the**

**associated funding agreement on October 15, 2016.**

7. 15TP032 - Authorize Chair to sign the 2016 Transportation Planning Process Agreement between the City of Rapid City and the South Dakota Department of Transportation

**Planning Commission recommended approving the 2016 Agreement between the City of Rapid City and the SDDOT for accomplishing the Rapid City Area Transportation Planning Process as identified in the 2016 Unified Planning Work Program in the amount of \$496,807. The Executive Policy Committee of the Rapid City Area Metropolitan Planning Organization approved the 2016 UPWP and the associated funding agreement on October 15, 2016.**

8. 15TP035 - Authorize staff to advertise a Request for Proposals to develop the Rapid City Area Metropolitan Planning Organization website

**Planning Commission recommended approval of the Request for Proposals with language changes from the review committee, prior to dissemination, for a Rapid City Area Metropolitan Planning Organization website.**

**---END OF CONSENT CALENDAR---**

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

- \*9. No. 15PD029 - Forest Hills Subdivision  
A request by Kent R. Hagg to consider an application for a **Final Planned Development Overlay to allow an oversized garage in the Low Density Residential District** for Lot B of Forest Hills Subdivision, located in the NW1/4 of the SW1/4 of Section 2,T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1224 Skyline Drive.

Lacock stated that the applicant has requested the **Final Planned Development Overlay to allow an oversized garage in the Low Density Residential District** be continued to the November 25, 2015 Planning Commission meeting.

**Brewer moved, Bulman seconded and unanimously carried that the Final Planned Development Overlay be continued to the November 25, 2015 Planning Commission meeting. (9 to 0 with Braun, Brewer, Bulman, Hoogestraat, Jobman, 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.***

\*10. No. 15PD035 - Cleary Subdivision

A request by Cleary Building Corp, Patrick Anderson for Tom and Carol Cleary to consider an application for a **Major Amendment to a Planned Unit Development to allow professional offices** for Lot A, Less Lot H1 of Cleary Subdivision, located in Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1555 Catron Boulevard.

Lacock presented the application and reviewed the associated slides briefly reviewing the history of the Planned Unit Development. The current use of the property, which is a change of use, requires a Major Amendment to the Planned Development. Lacock stated that staff has received numerous letters of concern from the neighbors that the use of large trucks and the loading and unloading of equipment that is being stored in the building. Lacock stated that the stipulations of approval indicate that the use of large equipment and the storage of equipment is not allowed and that the hours of operation be limited to between 8:00 a.m. to 5:00 p.m. and that the use be for professional office uses. Lacock also noted that the gravel area on the property needs to be revegetated. Lacock stated that staff recommends that the Major Amendment to the Planned Unit Development be approved with stipulations.

Tim Christensen, 6657 Wellington Drive, stated that the owners have made an effort to clean up and maintain the property which he does appreciate, but his concerns are regarding the off-hour deliveries and pick up which is disruptive and noisy to the neighboring properties and he asks that it cease immediately. Christensen stated that he believes that the property should be used as professional offices.

Karen Bulman recused herself from this item.

Karen Bulman, 1311 Edinborough Drive, said that the notification letter that was sent to the neighboring properties indicated the request was for a Major Amendment to the Planned Unit Development to allow professional offices and that is a supported use. However, Bulman stated that the actual use is more along the lines of an industrial use with the use of large trucks and loading equipment; stating that she had provided photos showing this type of activity at the property. Bulman requested that the activity and storage of equipment be discontinued and that the application for professional office use be approved with the stipulations as noted in the Project Report.

Fisher summarized the processes that brought this item before the Planning Commission and the stipulations of approval to allow an appropriate use for the property.

Patrick Anderson, Manager of Cleary Buildings, thanked everyone for the efforts to reach an agreement and read a letter regarding the operation of the property noting the changes he has made to clean the property, to reduce or cease the use of delivery trucks, and to remove the storage of product outside the building.

In response to a question from Rolinger, Fisher stated that any use of large equipment and large trucks is not allowed in the underlying zoning and that all trailers, forklifts and other large equipment would be required to be removed.

In response to a question from Scull, Anderson confirmed that the property is for sale. Scull agreed that the use of this property for a construction business as zoned is inappropriate but asked if there was anything that can be done to allow them additional time if they need to relocate.

In response to a question from Hoogestraat, Fisher stated that currently the stipulations do not allow for any trailers or large equipment to be stored on the property and confirmed that Planning Commission could opt to change the stipulations, but that the use would still not be allowed in the underlying zoning.

Anderson stated that no construction is done on site, that only equipment is stored at the property, and he is working on a backup plan that would remove the storage of the equipment.

In response to an inquiry by Scull if rezoning the property would allow additional uses for the property, Fisher stated that the Future Land Use Plan shows this as Low Density Neighborhood and anticipates this use eventually going away and some form of residential or townhome development on the subject property. Fisher reviewed the stipulations associated with a Planned Unit Development stating that even with the revised stipulations the current use with construction equipment and material storage is not appropriate.

Brewer left the dais at this time.

**Rolinger moved, Swank seconded and unanimously carried to approve the Major Amendment to a Planned Unit Development to allow professional offices with the following stipulations:**

- 1. The Major Amendment to a Planned Unit Development shall allow for professional offices including the Cleary Building branch offices. The hours of operation shall be limited to 8:00 a.m. to 5:00 p.m. Monday thru Friday and from 8:00 a.m. to 12:00 p.m. on Saturdays. No outdoor storage shall be allowed. Black Hills Garage Doors shall cease operating on the subject property. In addition, no office use shall be allowed that results in construction vehicles and/or construction materials being parked on the property. Any change in use shall require a Major Amendment to the Planned Unit Development;**
- 2. The graveled areas around the paved parking area shall be landscaped and shall not be used for truck circulation;**
- 3. The property shall be kept free of weeds and debris at all times;**
- 4. The dumpster shall be enclosed with a screening fence;**
- 5. All signage shall comply with the submitted sign package. The Black Hills Garage Doors sign shall be removed from the property; and,**
- 6. The two proposed evergreen trees shall be planted on the east property line as proposed. (7 to 0 to 1 with Braun, Hoogestraat,**

**Jobman, 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.***

11. Discussion Items

None

12. Staff Items

None

13. Planning Commission Items

A. Election of Officers

**Rolinger moved to nominate Bulman as Chairman, Marchand seconded. Bulman moved to nominate Braun as Chairman, Rolinger seconded. Rolinger withdrew his motion. Unanimously carried to elect Braun as Chairman. (8 to 0 with Braun, Bulman, Hoogestraat, Jobman, Marchand, Rolinger, Scull and Swank voting yes and none voting no)**

In response to a question from Swank, Fisher confirmed that the officers for Planning Commission would also be effective for Zoning Board of Adjustment

**Rolinger nominated Bulman as Vice Chairman, Swank seconded and unanimously carried to elect Bulman as Vice Chairman. (8 to 0 with Braun, Bulman, Hoogestraat, Jobman, Marchand, Rolinger, Scull and Swank voting yes and none voting no)**

**Bulman moved to nominate Rolinger as Secretary, Scull seconded and unanimously carried to elect Rolinger as Secretary. (8 to 0 with Braun, Bulman, Hoogestraat, Jobman, Marchand, Rolinger, Scull and Swank voting yes and none voting no)**

Bulman thanked Marchand for her service as Chairman.

14. Committee Reports

**There being no further business, Swank moved, Bulman seconded and unanimously carried to adjourn the meeting at 7:56 a.m. (8 to 0 with Braun, Bulman, Hoogestraat, Jobman, Marchand, Rolinger, Scull, and Swank voting yes and none voting no)**