



# CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701-2724

## Growth Management Department

300 Sixth Street

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### MEMORANDUM

TO: Menard's – Planned Commercial Development #04PD052

FROM: Marcia Elkins, *me* Growth Management Director

RE: Minimal Amendment to a Planned Commercial Development for Menard's Home Center located on Lots 1,2,3 and 6, all of Tract A, Menard Subdivision, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota

DATE: January 11, 2005

On September 23, 2004 the Planning Commission approved a Major Amendment to the Menard's Home Center Planned Commercial Development (04PD052) to allow the construction of a garden center overhang, an addition to the receiving area and loading dock, and the installation of a fence on the above legally described property. There were 13 stipulations of approval for the Major Amendment to a Planned Commercial Development that addressed the provisions of parking, landscaping, setbacks, fencing, Uniform Fire Codes, and outdoor storage. Those stipulations of approval were as follows:

1. Prior to any construction, a Building Permit shall be obtained and a Certificate of Occupancy shall be obtained prior to occupancy of the additions;
2. Prior to issuance of a Building Permit, drainage and grading plans must be submitted;
3. Fire sprinklers and the fire alarm system shall be expanded into the proposed additions. Additionally, plans for the system expansions shall be submitted to the Fire Department for review and approval prior to any installation;
4. The provided fire gate area shall allow for quick access by responding fire apparatus to the lumber yard;
5. All applicable provisions of the Uniform Fire Code shall be continually met;
6. Prior to Planning Commission approval, a revised site plan shall be submitted showing 12 handicapped parking stalls in compliance with Section 17.50.270 of the Rapid City Municipal Code;
7. The parking plan shall continually comply with all requirements of the Zoning Ordinance;
8. The landscaping plan shall continually comply with all requirements of the Zoning Ordinance;



EQUAL OPPORTUNITY EMPLOYER

9. Prior to Planning Commission approval, a revised plan showing the proposed fence to be an opaque screening fence. In addition, the required screening fence shall not be constructed of chain link with slats;
10. A Building Permit shall be obtained for any fencing over six feet in height;
11. A fence height exception, to allow a 13 foot high screening fence, shall be obtained prior to issuance of the Building Permit for the proposed fence, or revised plans shall be submitted showing the proposed fence as a structural wall which would not qualify as a fence;
12. Prior to Planning Commission approval, the current outdoor storage shall be brought into compliance with Section 17.18.020 of the Rapid City Municipal Code; and,
13. The proposed structures shall conform architecturally to the plans and elevations submitted.

Staff has received a routing for a Minimal Amendment to a Planned Commercial Development to allow the construction of a structural wall in association with the proposed garden canopy in lieu of the proposed wrought iron fence along the north side of the proposed garden center. The structural wall will extend west from the front wall of the existing structure. The wall addition will not increase the square footage of the proposed garden center as it enclosing the previously approved garden canopy in lieu of the proposed wrought iron fence. The structural wall will consist of a four foot high concrete wall, safety glass windows and automatic sliding glass doors allowing entrance to and exit from the garden center. The proposed structural wall will meet the required minimum front yard setback.

Section 17.50.070 of the Rapid City Municipal Code outlines procedures and conditions of approval for amendments to Planned Developments. Under this section, changes in building setbacks which do not exceed the Zoning Ordinance are considered to be a minimal amendment which may be approved of by the Planning Director. As previously indicated the proposed structural wall meets the required setbacks of the Zoning Ordinance. As such, the proposed change meets the requirements for a Minimal Amendment to a Planned Commercial Development.

The Major Amendment to a Planned Commercial Development approved on September 23, 2004 with 13 stipulations will remain valid with this Minimal Amendment. With the acknowledgment of the approved Planned Commercial Development stipulations for this property, I do hereby grant this Minimal Amendment to allow the construction of a structural wall in association with the proposed garden canopy in lieu of the proposed wrought iron fence along the north side of the proposed garden center.

Reviewed by: Todd Tucker  
01/11/05