

MINUTES OF THE
RAPID CITY PLANNING COMMISSION
September 24, 2015

MEMBERS PRESENT: Erik Braun, Karen Bulman, Galen Hoogestraat, Linda Marchand, and Jan Swank. Amanda Scott, Council Liaison was also present.

MEMBERS ABSENT: John Brewer, Mark Jobman, Dennis Popp, Kay Rippentrop, Steve Rolinger and Andrew Scull

STAFF PRESENT: Vicki Fisher, Fletcher Lacock, Robert Laroco, Kip Harrington, Dale Tech, Carla Cushman and Andrea Wolff.

Marchand called the meeting to order at 7:00 a.m.

*10. No. 15UR018 - Beatty Subdivision

A request by Donna Gilbert to consider an application for a **Conditional Use Permit to allow a bed and breakfast** for Lot 2 of Block 1 of Beatty Subdivision, located in Section 4, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 3414 Hall Street.

Laroco presented the application noting that this item had been continued at the September 10, 2015 Planning Commission meeting due to issues with notice requirements. Laroco reviewed the associated slides noting that the applicant is proposing to operate a two-room, bed and breakfast operated through the "AirBnB" listing service and had provided an operational plan that addressed the issues with this type of use in a residential zoning district. Laroco noted that staff had received numerous letters in opposition to the application citing traffic and commercial use within the neighborhood as well as security concerns. Laroco stated that staff recommends that the application for a **Conditional Use Permit to allow a bed and breakfast** be approved with stipulations.

Dede Engle, 4200 Hall Street, spoke to her concerns regarding the operation of this bed and breakfast stating that she does not feel safe in her home and noting that guests of the bed and breakfast have mistakenly come to her door. Engle said she did not believe the parking requirements were being met and worried about the additional traffic in the neighborhood. Engle requested that the Planning Commission deny the application.

Shannon Schaefer, 3415 Hall Street, spoke to her concerns regarding the use of a bed and breakfast noting that her concerns had been detailed in a letter that had been sent in opposition to the application request. Schaefer reviewed the criteria listed in the Project Report noting her numerous concerns as to how this use fit into the Comprehensive Plan goals and pointed out that the number of letters of opposition shows that there is a strong concern within the neighborhood.

Daren Beckstrom, 3411 Hall Street, presented a petition in opposition with numerous signatures and read a letter addressing his concerns. Beckstrom stated that he has concerns regarding the added traffic and the addition of

strangers to the neighborhood.

Donna Gilbert, 3414 Hall Street, said that she is requesting to operate a bed and breakfast through the "AirBnB" listing service stating that there are numerous facilities operating in the Rapid City area as she is but that when she became aware of the code requirements she initiated her Conditional Use Permit application. Gilbert stated that she had worked with staff and that her operational plan meets the requirements to operate the bed and breakfast.

Gilbert stated that she provides a review and background screening on each guest and provides host guarantee coverage of \$1,000,000. Gilbert addressed the concerns regarding parking. Gilbert stated that if concerns were addressed to her she would correct or address them but noted that this is the first she had learned of them. Gilbert reviewed why she wishes to operate the air bed and breakfast noting that she is the first operator to request approval and hopes that the Planning Commission will consider this and approve her request.

In response to a question from Swank regarding the approval or denial of the use without having a defined reason, Cushman stated that the Conditional Use Permit addresses the required criteria specific to each use and that these criteria should be addressed.

In response to a question from Braun regarding the regulations addressing bed and breakfast and air bed and breakfasts, Fisher stated that this use is allowed as a conditional use if criteria are met and that some of the issues to review are parking, increased traffic and proximity to commercial development. Fisher stated that staff had reviewed the operational plan for this request noting that if operated per the submitted operation plan, it is within compliance with the established criteria.

Hoogestraat stated that he would be in support of the application if operated within the operational plan submitted. In response to Hoogestraat's questions regarding the options available if there are concerns with the operation going forward, Fisher stated that concerns would be directed to the Code Enforcement, who would review the concerns and report their findings to Community Planning and Development Services. If this became an issue the item would go back to the Planning Commission for consideration to revoke the Conditional Use Permit.

Bulman stated that she would not be supporting the application.

Hoogestraat moved to approve with stipulations, Swank seconded.

Bennet Sierra, of Pine Ridge, spoke to his support of the application. Sierra stated that the applicant is his daughter and said that she is a hard working individual who is trying to use what she has available to her to improve her standard of living. Serra stated that Rapid City is growing and expanding and that people who are traveling like the small residential areas and he only sees this type of use growing in the future. Sierra noted that the guests are screened and agreed that parking may be an issue that needs to be addressed.

Hoogestraat moved, Swank seconded and carried to approve the requested Conditional Use Permit with the following stipulations:

- 1. Prior to commencement of the use, the applicant shall obtain all necessary state licensing. A copy of the issued license shall be provided to Community Planning and Development Services.**
- 2. A minimum of four off-street parking spaces shall be provided. All parking shall continually comply with the requirements of the Rapid City Municipal Code.**
- 3. This Conditional Use Permit shall allow for a bed and breakfast to be operated on the property. The bed and breakfast facility shall operate in compliance with the submitted operations plan and all requirements of the Low Density Residential District. Changes in the operation or operator of the bed and breakfast facility will require a Major Amendment to the Conditional Use Permit. All uses permitted in the Low Density Residential District shall be permitted contingent upon an approved building permit and provision of sufficient parking. All conditional uses shall require a Major Amendment to the Conditional Use Permit. (4 to 1 with Braun, Hoogestraat, Marchand and Swank voting yes and Bulman 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.