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MINUTES OF THE  
RAPID CITY SPECIAL PLANNING COMMISSION  
June 14, 2010

MEMBERS PRESENT: Erik Braun, John Brewer, Gary Brown, Julie Gregg, Doug Kinniburgh, Dennis Landguth, Steve Rolinger and Pat Wyss. Karen Gunderson-Olson, Council Liaison was also present

STAFF PRESENT: Marcia Elkins, Vicki Fisher, Monica Heller, Patsy Horton, Ted Johnson, Tim Behlings, Dave Stratton, Mike Schad and Carol Campbell.

Landguth called the meeting to order at 7:00 p.m.

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

Fisher presented the Planned Commercial Development, Rezoning and Comprehensive Plan Amendment requests. Fisher further reviewed the site plan, elevations, line of site drawings, lighting, pedestrian access, the Traffic Impact Study, Stumer Road and emergency responder comments for the proposed development. Fisher added that staff recommends that the Comprehensive Plan Amendment and Rezoning requests be approved in conjunction with the Planned Commercial Development and that the Planned Commercial Development request be approved with stipulations.

In response to Brown's question, Elkins stated that an improvement in a public street could be subsequently removed by the Public Works Director; however, with the visibility of this project she would expect the Council approval would be obtained. Discussion followed.

Dave Stratton, Lieutenant with the Rapid City Police Department stated that he is the Commander for this sector and that any concerns that anyone has would be directed to him for consideration. Stratton reviewed a report from 2009 regarding 7 major crimes that have been reported in the area from FBI data. Stratton commented on 11 reports in the area and added that they are spread out. Stratton further noted that the Police are concerned with a development and the impact that it would have on crime and on the Police Department and the ability to insure that good police service is provided to the community. Stratton noted that whatever happens, we are the hired man and will do whatever is needed however it happens.

Robert Green, THF Stoneridge Development, LLC introduced additional developer representatives available: Larry Webb, WalMart Architect, Kelly Wagoner the Civil Engineer, Shawn White, Traffic Engineer are available to answer questions presented by the public, staff and the Planning Commission. Green presented a handout on the dais to the Planning Commission.

Landguth requested that Green distribute several copies to the audience to pass around.

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Larry Webb, Architect for Stoneridge Development, LLC, presented revised design elevations and materials. Webb noted that WalMart has made efforts to ensure that the neighborhood and staff's concerns were addressed.

Elkins stated that most of the documents presented in the handout are already posted on line. Elkins further noted that any information in the handout that is not posted will be posted on-line for review by the public.

Green presented additional information regarding the site plan, landscaping plan, lighting details along Stumer Road, sign package and sign options. Green reviewed the issues presented at the April 8, 2010 Planning Commission meeting, specifically the difficulty of mitigating negative traffic impact to Stumer Road. Green further addressed cut-through traffic on Enchantment Road and the mechanical navigation devise issues. Green added that storm water runoff issues have been addressed in the design for the development. Green expressed his opinion regarding the demographic analysis in other locations of the United States that have a WalMart adjacent to residential neighborhoods. Green expressed his opinion in support of the proposed development.

In response to Wyss's question, Green identified the stipulations presented by staff that is not acceptable with WalMart.

Lillian Boes, Hermosa, South Dakota expressed her support for the proposed development providing they address the neighborhood concerns. Bose further noted her opinion that WalMart is a good neighbor.

Robert Tolman, 3215 Wisconsin Avenue expressed his concern with the sign package presented for the proposed development. Tolman expressed his concern with implementation of bollards on Stumer Road to mitigate the negative traffic impact. Tolman suggested that the proposed sign be a less obtrusive monument sign.

Fred Weishaupl, 2602 Springbrook Road expressed his concern with the possible negative impact to the adjacent neighborhood. Weishaupl presented his concerns with the possible negative impact to Park View Drive, landscaping, light solutions, drainage, round-a-bouts, elevations and traffic issues. Discussion followed.

Dale Landis, 209 Enchantment Road expressed his support for an alternate location for the proposed WalMart to U.S. Highway 16. Landis further expressed his concern for the possible negative impact on Fifth Street due to increased traffic from the proposed development.

Jay Alderman, 303 Enchantment Road expressed his appreciation to staff for their efforts in working with the adjacent land owners. Alderman further expressed his opinion regarding the proposed options to address traffic on Stumer Road.

Mark Stulken 307 Enchantment Road expressed his opinion regarding the options presented in addressing the traffic flow on Stumer Road.

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Dan Baker, 325 Stumer Road expressed his opposition to the Rezoning requests commenting that it is unnecessary. Baker additionally commented on the possible negative impact to property values and the intrusion into the adjacent residential neighborhoods. Baker requested that option "G" that recommend that bollards be installed with a road closed sign on Stumer Road in the westbound lane just west of the driveway to Eagle Ridge and in the eastbound lane just east of Enchantment Road and would allow emergency vehicles to drive around the bollards be more definitive.

Duke Doering, 125 Savoy Circle stated that he is one of the closest residences to the proposed development. Doering added that the realtor made them aware of the zoning of the adjacent property. Doering expressed his support of the proposed WalMart on the subject property.

Tom Loff, 302 Enchanted Pines Drive expressed his appreciation to staff. Loff further expressed his opposition to the proposed WalMart on the subject property. Loff requested that the Planning Commission make careful considerations regarding all aspects of the proposed development.

In response to Braun's question regarding stipulation number 19 requiring that surety be posted and whether or not the store could open prior to the installation of the improvements, Elkins stated that the stipulation would allow occupancy of the structure prior to the completion of the street improvements. Elkins further noted that the developer would not control the construction of the Department of Transportation project. She also noted that not all of the development addressed in the Traffic Study would be in place when the first phase opened. Elkins added that staff has met with the Department of Transportation to coordinate road improvements.

In response to Kinniburgh's question regarding the right-in/right-out intersections, Alderman stated that they are aware of the limitations. Discussion followed.

Stulken expressed his opinion regarding traffic issues in relation to the proposed development.

Tonette Brown, 210 Enchantment Road stated she spoke to the Gary Engel at the Department of Transportation to ask him about allowing access from Catron Boulevard to Dan Christy Lane. She stated that Engel indicated that the access issues had already been addressed as part of the redesign of Catron Boulevard; the Department of Transportation is going forward to only have the right hand turn and not left hand turn coming down from U.S. Highway 16. She indicated that when the neighbors met with staff, they did ask initially that Stumer Road be closed off with a cul-de-saq. She noted the only reason we couldn't do that was because of access for emergency vehicles. She indicated that the neighbors are going with the bollards due to the change at Dan Christy Lane.

In response to Brown's questions regarding policy for recreational vehicles and campers and children in parking lot, Green stated that there is a "no camping" policy throughout the parking lot. Green stated that he is not aware of a

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particular policy with regard to children in the parking lot. Discussion followed.

In response to Wyss's comments regarding irrigation, landscaping and tax payer commitment to arterials, Elkins reviewed the financial commitments made by the community to improving the roadways including Catron Boulevard, Fifth Street and the Southeast Connector. Discussion followed

In response to Braun's question regarding truck traffic, Shawn White of Crawford, Bunte Brammeier reviewed the traffic study relating to the drive thru pharmacy traffic. Discussion followed.

Kelly Wagoner, Wolverton & Associates, Inc. reviewed the truck route process for the proposed WalMart development.

In response to Kinniburgh's question regarding the need for the round-about, Elkins stated that the traffic impact analysis does not require a round-about. Elkins stated that if the round-about were eliminated then the stipulations would no longer be applicable. Discussion followed.

1. No. 10CA005 - Section 24, T1N, R7E

A request by Dream Design International, Inc. for THF Stoneridge Development, LLC to consider an application for an **Amendment to the Adopted Comprehensive Plan to change the land use designation from Office Commercial with a Planned Commercial Development to General Commercial with a Planned Commercial Development** on a portion of the SW $\frac{1}{4}$  of the NE $\frac{1}{4}$ , Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, More fully described as follows: Commencing at southeasterly corner of Lot 21 of Block 4 of Eastridge Estates Subdivision, common to the southwesterly corner of Lot 4 of Block 2 of Fifth Street Office Plaza, thence S54°58'38"E, a distance of 42.23 feet, to the point of beginning; Thence first course: S89°44'01"E, a distance of 29.43 feet; Thence second course: N80°14'20"E, a distance of 61.38 feet; Thence third course: S00°00'01"E, a distance of 397.37 feet; Thence fourth course: N89°44'34"W, a distance of 176.15 feet; Thence fifth course: N12°34'56"E, a distance of 395.82 feet, to the point of beginning, more generally described as being located northeast of the intersection of Stumer Road and Black Hills Boulevard.

2. No. 10RZ017 - Section 24, T1N, R7E

A request by Dream Design International, Inc. for THF Stoneridge Development, LLC to consider an application for a **Rezoning from Office Commercial District to General Commercial District** on a portion of the SW $\frac{1}{4}$  of the NE $\frac{1}{4}$ , Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, More fully described as follows: Commencing at southeasterly corner of Lot 21 of Block 4 of Eastridge Estates Subdivision, common to the southwesterly corner of Lot 4 of Block 2 of Fifth Street Office Plaza, thence S54°58'38"E, a distance of 42.23 feet, to the point of beginning; Thence first course: S89°44'01"E, a distance of 29.43 feet; Thence second course: N80°14'20"E, a distance of 61.38 feet; Thence third course: S00°00'01"E, a distance of 397.37 feet; Thence fourth course: N89°44'34"W, a distance of 176.15 feet; Thence fifth course: N12°34'56"E, a distance of 395.82 feet, to the point of beginning, more generally described as

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being located northeast of the intersection of Stumer Road and Black Hills Boulevard.

3. No. 10CA006 - Section 24, T1N, R7E

A request by Dream Design International, Inc. for THF Stoneridge Development, LLC to consider an application for an **Amendment to the Adopted Comprehensive Plan to change the land use designation from Office Commercial with a Planned Commercial Development to General Commercial with a Planned Commercial Development** on a portion of the S½ of the NE¼, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, More fully described as follows: Commencing at the southwesterly corner of Lot 3 of Block 2 of Fifth Street Office Plaza, common to the southeasterly corner of Lot 4 of Block 2 of Fifth Street Office Plaza, thence S81°56'11"E, along the southerly boundary of said Lot 3, a distance of 175.21 feet, to the point of beginning; Thence first course: S81°56'11"E, along the southerly boundary of said Lot 3, a distance of 30.39 feet, to the southeasterly corner of said Lot 3, common to the southwesterly corner of Lot 2 of Block 2 of Fifth Street Office Plaza; Thence second course: S81°55'52"E, along the southerly boundary of said Lot 2, a distance of 60.98 feet, to a corner on the southerly boundary of said Lot 2; Thence third course: S72°01'35"E, along the southerly boundary of said Lot 2, a distance of 161.84 feet, to the southeasterly corner of said Lot 2; Thence fourth course: N17°47'24"E, along the easterly boundary of said Lot 2, a distance of 2.28 feet; Thence fifth course: curving to the left, on a curve with a radius of 220.67 feet, a delta angle of 09°04'29", a length of 34.95 feet, a chord bearing of S07°51'03"W, and chord distance of 34.92 feet; Thence sixth course: S03°19'17"W, a distance of 6.07 feet; Thence seventh course: N83°19'13"W, a distance of 116.68 feet; Thence eighth course: N54°45'41"W, a distance of 151.94 feet, to the point of beginning, more generally described as being located north of Stumer Road and south of Fifth Street.

4. No. 10RZ016 - Section 24, T1N, R7E

A request by Dream Design International, Inc. for THF Stoneridge Development, LLC to consider an application for a **Rezoning from Office Commercial District to General Commercial District** on a portion of the S½ of the NE¼, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, More fully described as follows: Commencing at the southwesterly corner of Lot 3 of Block 2 of Fifth Street Office Plaza, common to the southeasterly corner of Lot 4 of Block 2 of Fifth Street Office Plaza, thence S81°56'11"E, along the southerly boundary of said Lot 3, a distance of 175.21 feet, to the point of beginning; Thence first course: S81°56'11"E, along the southerly boundary of said Lot 3, a distance of 30.39 feet, to the southeasterly corner of said Lot 3, common to the southwesterly corner of Lot 2 of Block 2 of Fifth Street Office Plaza; Thence second course: S81°55'52"E, along the southerly boundary of said Lot 2, a distance of 60.98 feet, to a corner on the southerly boundary of said Lot 2; Thence third course: S72°01'35"E, along the southerly boundary of said Lot 2, a distance of 161.84 feet, to the southeasterly corner of said Lot 2; Thence fourth course: N17°47'24"E, along the easterly boundary of said Lot 2, a distance of 2.28 feet; Thence fifth course: curving to the left, on a curve with a radius of 220.67 feet, a delta angle of 09°04'29", a length of 34.95 feet, a chord bearing of S07°51'03"W, and chord distance of 34.92 feet; Thence sixth course:

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S03°19'17"W, a distance of 6.07 feet; Thence seventh course: N83°19'13"W, a distance of 116.68 feet; Thence eighth course: N54°45'41"W, a distance of 151.94 feet, to the point of beginning, more generally described as being located north of Stumer Road and south of Fifth Street.

5. No. 10CA007 - Section 24, T1N, R7E

A request by Dream Design International, Inc. for THF Stoneridge Development, LLC to consider an application for an **Amendment to the Adopted Comprehensive Plan to change the land use designation from Public to General Commercial with a Planned Commercial Development** on a portion of the S½ of the NE¼, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, More fully described as follows: Commencing at the southwesterly corner of Lot 3 of Block 2 of Fifth Street Office Plaza, common to the southeasterly corner of Lot 4 of Block 2 of Fifth Street Office Plaza, thence S81°56'11"E, along the southerly boundary of said Lot 3, a distance of 65.73 feet, to the point of beginning; Thence First course: S81°56'11"E, along the southerly boundary of said Lot 3, a distance of 109.48 feet; Thence Second course: S54°45'40"E, a distance of 151.94 feet; Thence Third course: S83°19'13"E, a distance of 383.89 feet; Thence Fourth course: S06°40'47"W, a distance of 50.00 feet; Thence Fifth course: N83°19'18"W, a distance of 396.61 feet; Thence Sixth course: N54°45'41"W, a distance of 262.07 feet, to the point of beginning, more generally described as being located north of Stumer Road and west of Fifth Street.

6. No. 10RZ018 - Section 24, T1N, R7E

A request by Dream Design International, Inc. for THF Stoneridge Development, LLC to consider an application for a **Rezoning from Public District to General Commercial District** on a portion of the S½ of the NE¼, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, More fully described as follows: Commencing at the southwesterly corner of Lot 3 of Block 2 of Fifth Street Office Plaza, common to the southeasterly corner of Lot 4 of Block 2 of Fifth Street Office Plaza, thence S81°56'11"E, along the southerly boundary of said Lot 3, a distance of 65.73 feet, to the point of beginning; Thence First course: S81°56'11"E, along the southerly boundary of said Lot 3, a distance of 109.48 feet; Thence Second course: S54°45'40"E, a distance of 151.94 feet; Thence Third course: S83°19'13"E, a distance of 383.89 feet; Thence Fourth course: S06°40'47"W, a distance of 50.00 feet; Thence Fifth course: N83°19'18"W, a distance of 396.61 feet; Thence Sixth course: N54°45'41"W, a distance of 262.07 feet, to the point of beginning, more generally described as being located north of Stumer Road and west of Fifth Street.

7. No. 10CA008 - Section 24, T1N, R7E

A request by Dream Design International, Inc. for THF Stoneridge Development, LLC to consider an application for an **Amendment to the Adopted Comprehensive Plan to change the land use designation from General Commercial with a Planned Commercial Development to Public** on a portion of the E½ of the NE¼, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, More fully described as follows: Commencing at the northwesterly corner of Lot 1 of Block 2 of Fifth Street Office Plaza, common to the northeasterly corner of Lot 2 of Block 2 of Fifth Street Office Plaza, common

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to a point on the southerly edge of Fifth Street right-of-way, thence S62°29'41"E, along the northerly boundary of said Lot 1, common to the southerly edge of said Fifth Street right-of-way, a distance of 268.61 feet, to the point of beginning; Thence First course: S62°29'41"E, along the northerly boundary of said Lot 1, common to the southerly edge of said Fifth Street right-of-way a distance of 203.98 feet; Thence Second course: S27°26'24"W, a distance of 200.74 feet; Thence Third course: N83°19'13"W, a distance of 218.49 feet; Thence Fourth course: N27°30'19"E, a distance of 278.42 feet, to the point of beginning, more generally described as being located at the intersection of Stumer Road and Fifth Street.

8. No. 10RZ019 - Section 24, T1N, R7E

A request by Dream Design International, Inc. for THF Stoneridge Development, LLC to consider an application for a **Rezoning from General Commercial District to Public District** on a portion of the E½ of the NE¼, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, More fully described as follows: Commencing at the northwesterly corner of Lot 1 of Block 2 of Fifth Street Office Plaza, common to the northeasterly corner of Lot 2 of Block 2 of Fifth Street Office Plaza, common to a point on the southerly edge of Fifth Street right-of-way, thence S62°29'41"E, along the northerly boundary of said Lot 1, common to the southerly edge of said Fifth Street right-of-way, a distance of 268.61 feet, to the point of beginning; Thence First course: S62°29'41"E, along the northerly boundary of said Lot 1, common to the southerly edge of said Fifth Street right-of-way a distance of 203.98 feet; Thence Second course: S27°26'24"W, a distance of 200.74 feet; Thence Third course: N83°19'13"W, a distance of 218.49 feet; Thence Fourth course: N27°30'19"E, a distance of 278.42 feet, to the point of beginning, more generally described as being located north of intersection of Parkview Drive and Fifth Street on the west side of Fifth Street.

9. No. 10PD031 - Section 24, T1N, R7E

A request by Dream Design International, Inc. for THF Stoneridge Development, LLC to consider an application for a **Planned Commercial Development - Initial Development Plan** on a portion of the S½ of the NE¼, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, More fully described as follows: Commencing at southeasterly corner of Lot 21 of Block 4 Eastridge Estates Subdivision, common to the southwesterly corner of Lot 4 of Block 2 of Fifth Street Office Plaza, thence S89°37'17"E, along the southerly boundary of said Lot 4 of Block 2, a distance of 134.82 feet, and the point of beginning; Thence first course: S89°37'17"E, along the southerly boundary of said Lot 4 of Block 2, a distance of 233.03 feet, to the southeasterly corner of said Lot 4 of Block 2, common to the southwesterly corner of Lot 3 of Block 2 of Fifth Street Office Plaza; Thence second course: S81°56'11"E, along the southerly boundary of said Lot 3 of Block 2, a distance of 205.60 feet, to the southeasterly corner of said Lot 3 of Block 2, common to the southwesterly corner of Lot 2 of Block 2 of Fifth Street Office Plaza; Thence third course: S81°55'52"E, along the southerly boundary of said Lot 2 of Block 2, a distance of 60.98 feet, to a corner on the southerly boundary of said Lot 2 of Block 2; Thence fourth course: S72°01'35"E, along the southerly boundary of said Lot 2 of Block 2, a distance of 161.84 feet, to the southeasterly corner of said Lot 2 of Block 2; Thence fifth course:

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S77°25'15"E a distance of 217.74 feet; Thence sixth course: N27°30'18"E, a distance of 281.17 feet, to a point on the westerly edge of Fifth Street right-of-way, common to a point on the northerly boundary of Lot 1 of Block 2 of Fifth Street Office Plaza; Thence seventh course: S62°29'41"E, along the westerly edge of said Fifth Street right-of-way, common to the northerly boundary of said Lot 1 of Block 2, a distance of 279.03 feet, to the northeasterly corner of said Lot 1 of Block 2; Thence eighth course: S62°29'05"E, along the westerly edge of said Fifth Street right-of-way, a distance of 134.83 feet; Thence ninth course: curving to the right, along the westerly edge of said Fifth Street right-of-way, on a curve with a radius of 909.00 feet, a delta angle of 14°12'45", a length of 225.48 feet, a chord bearing of S55°23'16"E, and chord distance of 224.91 feet; Thence tenth course: S42°58'26"W, along the westerly edge of said Fifth Street right-of-way, a distance of 12.00 feet; Thence eleventh course: S42°54'18"W, a distance of 296.40 feet; Thence twelfth course: S45°50'37"E, a distance of 81.18 feet; Thence thirteenth course: S00°18'52"W, a distance of 297.86 feet, to a point on the northerly edge of Stumer Road right-of-way; Thence fourteenth course: curving to the left, along the northerly edge of said Stumer Road right-of-way, on a curve with a radius of 430.50 feet, a delta angle of 12°59'30", a length of 97.62 feet, a chord bearing of S53°34'37"W, and chord distance of 97.41 feet; Thence fifteenth course: curving to the right, along the northerly edge of said Stumer Road right-of-way, on a curve with a radius of 369.50 feet, a delta angle of 43°15'37", a length of 278.99 feet, a chord bearing of S68°41'45"W, and chord distance of 272.41 feet; Thence sixteenth course: N89°40'48"W, along the northerly edge of said Stumer Road right-of-way, a distance of 730.69 feet; Thence seventeenth course: curving to the right, along the northerly edge of said Stumer Road right-of-way, on a curve with a radius of 369.50 feet, a delta angle of 30°00'38", a length of 193.54 feet, a chord bearing of N74°39'10"W, and chord distance of 191.33 feet; Thence eighteenth course: N59°42'02"W, along the northerly edge of said Stumer Road right-of-way, a distance of 351.37 feet; Thence nineteenth course: N12°34'45"E, a distance of 728.41 feet, to the point of beginning, more generally described as being located Stumer Road and Black Hills Boulevard.

**Rolinger moved, Wyss seconded and unanimously carried to recommend that the Amendment to the adopted Comprehensive Plan to change the future land use designation from Office Commercial with a Planned Commercial Development to General Commercial with a Planned Commercial Development for that portion of the SW¼ of the NE¼, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota described as follows: Commencing at southeasterly corner of Lot 21 of Block 4 of Eastridge Estates Subdivision, common to the southwesterly corner of Lot 4 of Block 2 of Fifth Street Office Plaza, thence S69°17'20"E, a distance of 133.11 feet, to the point of beginning; Thence first course: S00°00'01"E, a distance of 364.26 feet; Thence second course: N89°44'34"W, a distance of 81.20 feet; Thence third course: N12°34'45"E, a distance of 372.85 feet to the point of beginning, the Rezoning from Office Commercial District to General Commercial District for that portion of the SW¼ of the NE¼, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota described as follows: Commencing at southeasterly corner of Lot 21 of Block 4 of Eastridge Estates Subdivision, common to**



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**the southwesterly corner of Lot 4 of Block 2 of Fifth Street Office Plaza, thence S69°17'20"E, a distance of 133.11 feet, to the point of beginning; Thence first course: S00°00'01"E, a distance of 364.26 feet; Thence second course: N89°44'34"W, a distance of 81.20 feet; Thence third course: N12°34'45"E, a distance of 372.85 feet to the point of beginning, the Amendment to the adopted Comprehensive Plan to change the future land use designation from Office Commercial with a Planned Commercial Development to General Commercial with a Planned Commercial Development, the Rezoning from Office Commercial District to General Commercial District, the Amendment to the adopted Comprehensive Plan to change the future land use designation from Public to General Commercial with a Planned Commercial Development, the Rezoning from Public District to General Commercial District, the Amendment to the adopted Comprehensive Plan to change the future land use designation from General Commercial with a Planned Commercial Development to Public, the Rezoning from General Commercial District to Public District be approved; and,**

**Unanimously carried to approve the Planned Commercial Development - Initial Development Plan in conjunction with the associated Rezoning and the Comprehensive Plan Amendments and with the following stipulations:**

- 1. All plans shall be sealed by a Professional Engineer or Architect, as appropriate, licensed to practice in the State of South Dakota in accordance with the requirements of the South Dakota Board of Technical Professions;**
- 2. Prior to issuance of a building permit, a Final Commercial Development Plan shall be submitted, reviewed and approved;**
- 3. Prior to issuance of a building permit, a Final Plat shall be approved securing legal access and utility and drainage easements as needed or easements shall be recorded as miscellaneous documents at the Register of Deed's Office to insure that access and utility and drainage easements are secured as necessary for the proposed development;**
- 4. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;**
- 5. Upon submittal of a Final Commercial Development Plan, all necessary changes shall be made to the construction plan(s) as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Growth Management Department;**
- 6. Upon submittal of a Final Commercial Development Plan application, a complete sign package, including any proposed signage on the buildings and direction signs within the parking lot, shall be submitted for review and approval. In addition, the applicant shall demonstrate that the sign package is in compliance with the Sign Code or a Variance shall be obtained from the Sign Code Board of Appeals;**
- 7. Upon submittal of a Final Commercial Development Plan application, a revised lighting plan and Photometric Plan shall be submitted for review and approval demonstrating that the lighting that is currently shown as reflecting onto the adjacent properties has been revised to meet the requirements that all lighting be**

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- designed to reflect light within the property boundaries, so as not to reflect or shine onto adjoining properties and rights-of-way and so as to not be a hazard to the passing motorist or constitute a nuisance of any kind;
8. Upon submittal of a Final Commercial Development Plan application, the applicant shall enter into a Covenant Agreement with the City securing maintenance of the proposed decorative street lights along Stumer Road. In addition, the street lights shall comply with the submitted design detail and shall be black in color as proposed;
  9. Upon submittal of a Final Commercial Development Plan application, the structural elevations for the Walmart Supercenter building shall be revised to reconfigure the cultured stone arch, located on the northeast corner of the building, providing a cultured stone accent without creating an arch that resembles a false doorway. In addition, the structural elevations shall be revised to show an alternative color for the overhead doors located on the south side of the building which matches the color of the balance of the building. Additional screening shall be provided along the roof top to screen the roof membrane and the roof top equipment from view. In addition, the backside of the parapets shall be brown or tan in color to match the front of the parapet in lieu of the proposed white color(s) as shown on the elevations. The proposed color of the roof membrane shall also be identified and submitted for review and approval;
  10. Upon submittal of a Final Commercial Development Plan application, detailed structural elevations and site plan information for the customer kiosk located south of the Walmart Supercenter building shall be submitted for review and approval. In addition, the applicant shall identify the purpose and function for the kiosk and identify whether pedestrian or vehicular access to the kiosk is being proposed;
  11. Upon submittal of a Final Commercial Development Plan application, elevations of the proposed mini-anchor retail structures shall be submitted for review and approval. The elevations shall also include the design of the roof top and screening as needed for any roof top mechanical units. In addition, a list of building materials and the proposed color palette shall be submitted for review and approval. The design of the structure(s) shall be consistent and complimentary to the plans submitted for the Walmart Supercenter;
  12. Upon submittal of a Final Commercial Development Plan application, screening shall be provided along the north side of the compactor located on the north side of the Walmart Supercenter building or an Exception shall be obtained to waive the requirement to screen the compactor along all four sides;
  13. Upon submittal of a Final Commercial Development Plan application, the design of the proposed bike rack(s) at the front of the Walmart Supercenter building and the mini-anchor retail building(s) shall be submitted for review and approval. The bike

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- rack(s) shall be designed to support the frame of the bicycle and not just one wheel, allow the frame and both wheels to be locked to the rack, be securely anchored, be usable by bicycles with no kickstand, be usable by bicycles with water bottle cages, be usable by a wide variety of sizes and types of bicycles. In addition, the bike racks shall be black in color;
14. Upon submittal of a Final Commercial Development application, the east to west sidewalk located within the landscape boulevard shall be widened to 6 feet to allow a 2 foot wide vehicle overhang with a minimum 4 foot wide pedestrian walk or wheel stops shall be installed in the adjacent parking spaces to preclude the vehicles from overhanging onto the sidewalk. If wheel stops are utilized, the parking plan shall be adjusted as needed to insure that a minimum 18 foot long parking space is being provided;
  15. Upon submittal of a Final Commercial Development Plan application, the site plan shall be revised to show the future location of a transit bus stop and structure along Stumer Road west of the most western approach into the Walmart Supercenter site. In addition, any required easements shall be recorded as needed to secure the site for the transit bus stop and structure for any portion located outside of the Stumer Road right-of-way;
  16. Upon submittal of a Final Commercial Development Plan, construction plans shall be submitted for review and approval showing the elimination of through traffic along Stumer Road west of the approach into the Eagle Ridge Apartments to the intersection of Stumer Road and Enchantment Road. In particular, the construction plans shall show bollard barrier(s) within the westbound lane west of the approach into the Eagle Ridge Apartments and bollard barrier(s) within the eastbound lane of Stumer Road directly east of the intersection of Stumer Road and Enchantment Road. Regulatory signs designed in accordance with the Manual on Uniform Traffic Control Devices shall be posted at both ends of Stumer Road. In addition, a raised "pork chop" island shall be constructed within the Eagle Ridge Apartment approach along Stumer Road to preclude left turns from the Eagle Ridge Apartment property onto Stumer Road. The improvements shall be completed prior to issuance of a Certificate of Occupancy;
  17. Upon submittal of a Final Commercial Development Plan, construction plans shall be submitted for review and approval showing that the left turn lane(s) at the eastern driveways along Stumer Road align in order to provide adequate sight triangle clearance;
  18. Upon submittal of a Final Commercial Development Plan, a revised Traffic Impact Study shall be submitted for review and approval addressing grammatical revisions to the report;
  19. Upon submittal of a Final Commercial Development Plan, construction plans shall be submitted for review and approval for the off-site street improvements to accommodate traffic pursuant to the Traffic Impact Study. Prior to issuance of a Certificate of Occupancy, the following street improvements shall be completed

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or surety shall be posted:

- Signalize the intersection of Catron Boulevard and Black Hills Boulevard;
  - Signalize the intersection of 5th Street and Stumer Road;
  - Coordinate the two proposed traffic signals with the existing traffic signal at Catron Boulevard and 5th Street with a hard wire interconnect;
  - Construct dual eastbound left-turn lanes on Stumer Road at 5th Street;
  - Construct a separate southbound right-turn lane on 5th Street at Stumer Road;
  - Construct a separate westbound right-turn lane on Catron Boulevard at Black Hills Boulevard;
  - Extend the eastbound left-turn storage at the intersection of Catron Boulevard and Black Hills Boulevard from 400 feet to 460 feet;
  - Construct dual southbound left-turn lanes on 5th Street at Catron Boulevard;
  - Construct a single-lane roundabout in compliance as per the submitted site plan;
  - Construct a separate westbound right-turn lane on Stumer Road at the main Walmart drive;
  - Construct a separate westbound right-turn lane at the east driveway on Stumer Road servicing the retail shops;
  - Providing a separate northbound right-turn lane on Black Hills Boulevard at Outlot 10; and,
  - The left turn lane(s) at the eastern driveways along Stumer Road shall align in order to provide adequate sight triangle clearance;
20. Upon submittal of a Final Commercial Development Plan application, design plans for the roundabout designed in compliance with the Federal Highway Administration design guidelines shall be submitted for review and approval. Prior to issuance of a Certificate of Occupancy, the roundabout shall be constructed or surety shall be posted for the improvement;
21. Upon submittal of a Final Commercial Development Plan application, a geotechnical report including pavement design shall be submitted for review and approval. In addition, the geotechnical report shall include soils resistivity test results. If the results indicate severe potential towards corrosion of buried metal, then information shall be provided identifying that corrosion protection per Rapid City Standard Specifications is adequate protection or additional corrosion protections shall be provided as needed for buried water system metal components;
22. Upon submittal of a Final Commercial Development application, a drainage plan shall be submitted for review and approval. In addition, drainage easements shall be recorded as needed;
23. Upon submittal of a Final Commercial Development Plan application, a Stormwater Management Plan including an Erosion

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- and Sediment Control Plan and a Post Construction Water Quality Plan shall be submitted for review and approval;
24. Upon submittal of a Final Commercial Development Plan, water plans prepared by a Registered Professional Engineer showing the extension of water mains and service lines shall be submitted for review and approval. Utility easements shall be recorded as needed;
  25. Upon submittal of a Final Commercial Development Plan, sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines shall be submitted for review and approval. Utility easements shall be recorded as needed;
  26. Upon submittal of a Final Commercial Development Plan application, construction plans shall be submitted for review and approval showing the location and type of traffic markings and signage. In addition, the applicant shall enter in to a Covenant Agreement with the City securing maintenance of the traffic markings and signage within the right-of-way located at the entrance(s) to the development;
  27. The currently adopted International Fire Code shall be continually met. In particular, fire hydrants shall be installed and operational prior to the issuance of a building permit and/or any construction on the site using combustible material(s). In addition, prior to issuance of a building permit, all weather access roads shall be constructed in compliance with the Street Design Criteria Manual in order to accommodate Fire Department apparatus. The proposed structures shall also have fire sprinkler systems and be fire alarmed if required as per the currently adopted International Fire Code;
  28. An Air Quality Permit shall be obtained prior to any surface disturbance of one acre or more;
  29. "No Camping or Overnight Parking" signs shall be posted within the parking lot(s) in accordance with the plans submitted;
  30. An Exception is hereby granted to reduce the number of loading spaces from eight spaces to four spaces and to reduce the width of each loading lane from 12 feet to 10 feet;
  31. Upon submittal of a Final Commercial Development Plan, the applicant shall enter into a Covenant Agreement providing for maintenance of the detention facility. In addition, upon submittal of a Preliminary Plat application, the detention facility shall be platted into the mini-anchor retail lot and secured as a major drainage easement as needed;
  32. A minimum of 730 parking spaces shall be provided on the Walmart Supercenter lot. In addition, 15 of the parking spaces shall be handicap accessible spaces. Two of the handicap spaces shall be "van accessible". In addition, a minimum of three stacking spaces per drive up window shall be provided. All provisions of the Off-Street Parking Ordinance shall be continually met;
  33. A minimum of 235 parking spaces shall be provided on the mini-anchor retail lot. In addition, five of the parking spaces shall be handicap accessible spaces. One of the handicap spaces shall be "van accessible". All provisions of the Off-Street Parking Ordinance

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- shall be continually met;
34. A minimum of 672,350 landscape points shall be provided on the Walmart Supercenter lot as proposed. In addition, a minimum of 15 planter islands shall be provided. Bermed landscaping shall be provided along the northwest corner of the property as shown on the landscape plan. In addition, the proposed evergreen trees located along the northwest corner of the property shall be planted with a minimum height of 6 feet and the proposed deciduous trees shall be planted with a minimum three inch caliper measured 12 inches above grade in order to buffer the residential development located north and west of the property. All landscaping shall be irrigated and shall comply with all requirements of the Landscape Ordinance;
  35. A minimum of 232,000 landscape points shall be provided on the mini-anchor retail lot in accordance with approved plans. In addition, a minimum of six planter islands shall be provided. All landscaping shall be irrigated and shall comply with all requirements of the Landscape Ordinance;
  36. The proposed landscaping within the roundabout shall be irrigated and shall be provided in compliance with the Landscape Plan. In addition, prior to issuance of a building permit, a Covenant Agreement shall be recorded to provide for the maintenance of the landscaping within the roundabout;
  37. Upon submittal of a Final Commercial Development Plan, a soil sample analysis shall be submitted for review and approval to insure that the soils support the proposed species as identified within the Landscape Plan;
  38. Noise generated by the development shall continually comply with the Acoustical Assessment Report which states that the sound levels at the property lines shall not exceed Ldn 65 dBA;
  39. All construction traffic shall be routed along Catron Boulevard;
  40. All provisions of the underlying zoning designation(s) shall be met unless otherwise specifically authorized as a stipulation of the Final Commercial Development Plan application or a subsequent Major Amendment;
  41. All use(s) permitted within the General Commercial District shall be allowed. Conditional use(s) within the General Commercial District, including on-sale liquor uses, shall require specific authorization as a stipulation of the Final Commercial Development Plan or a subsequent Major Amendment to the Commercial Development Plan shall be obtained; and,
  42. The Planned Commercial Development shall expire if the use is not undertaken and completed within two years of the date of approval by the Planning Commission, or if the use as approved has ceased for a period of two years. A time extension may be granted if identified and requested as a part of a phasing schedule submitted with the Final Commercial Development Plan application; or upon written request to the Growth Management Director, and prior to the Final Development Plan approval expiration date, a one year extension for Final Development Plan approval may be granted. (8 to

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**0 with Braun, Brewer, Brown, Gregg, Kinniburgh, Landguth, Rolinger and Wyss 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 Growth Management Department by close of business on the seventh full calendar day following action by the Planning Commission.***

**There being no further business, Brown moved, Braun seconded and unanimously carried to adjourn the meeting at 9:14 p.m. (8 to 0 with Braun, Brewer, Brown, Gregg, Kinniburgh, Landguth, Rolinger and Wyss voting yes and none voting no)**