

MINUTES OF THE  
RAPID CITY PLANNING COMMISSION  
January 27, 2011

MEMBERS PRESENT: Erik Braun, John Brewer, Eric Christianson, Doug Kinniburgh, Dennis Landguth, Linda Marchand, Dennis Popp, Kay Rippentrop, and Pat Wyss. Dave Davis, Council Liaison was also present.

MEMBERS ABSENT: Julie Gregg, Andrew Scull and Steve Rolinger.

STAFF PRESENT: Marcia Elkins, Vicki Fisher, Karen Bulman, Jim Flaaen, Joel Landeen, Dale Tech, Tim Behlings, Ted Johnson and Andrea Wolff.

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

**Kinniburgh 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.**

**Braun requested that Item 9 be removed from the Consent Agenda for separate consideration.**

**Motion by Landguth Seconded by Braun and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 10 in accordance with the staff recommendations with the exception of Item 9. (9 to 0 with Braun, Brewer, Christianson, Kinniburgh, Landguth, Marchand, Popp, Rippentrop and Wyss voting yes and none voting no)**

---CONSENT CALENDAR---

1. Approval of the January 6, 2011 Planning Commission Meeting Minutes.
2. No. 03TI011 - Red Rock Estates  
Resolution No. 2011-005 to Dissolve Tax Increment Financing District No. 43 Located north and west of Sheridan Lake Road and Muirfield Drive and north of Countryside Subdivision.

**Planning Commission recommended that the Resolution to Dissolve Tax Increment District #43 be approved.**

3. No. 10PL061 - Gateway Business Park Subdivision  
A request by Dream Design International, Inc. to consider an application for a **Preliminary Plat** for proposed Lots 1 and 2 of Block 1 of Gateway Business Park Subdivision, legally described as a portion of the NW1/4 of the SE1/4 and a portion of Lot E of the S1/2 of the SE1/4, Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located between East Mall Drive and Interstate 90 at the southern terminus of Dakota Craft Drive.

**Planning Commission recommended that the Preliminary Plat continued to**

**the February 10, 2011 Planning Commission meeting.**

\*4. No. 10PD052 - Section 8, T2N, R8E

A request by Dream Design International, Inc. to consider an application for a **Planned Commercial Development - Initial and Final Development Plan** for a portion of the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ , and a portion of Lot E of the S  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of Section 8, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota more fully described as follows: Commencing at; the southeasterly corner of Lot 3 of Forefather Flats Subdivision, common to a point on the northerly edge of Interstate 90 right-of-way, and the point of beginning; Thence, first course: N00°02'40"W, along the easterly boundary of said Lot 3, a distance of 359.70 feet; Thence, second course: N89°56'14"E, a distance of 86.82 feet; Thence, third course: S00°10'04"E, a distance of 190.75 feet; Thence, fourth course: S25°39'15"E, a distance of 9.14 feet; Thence, fifth course: S56°22'25"E, a distance of 10.96 feet; Thence, sixth course: N89°46'53"E, a distance of 73.64 feet; Thence, seventh course: N00°00'00"E, a distance of 94.80 feet; Thence, eighth course: N90°00'00"E, a distance of 8.23 feet; Thence, ninth course: N00°00'00"E, a distance of 77.18 feet; Thence, tenth course: S89°23'24"E, a distance of 44.24 feet; Thence, eleventh course: N19°08'40"E, a distance of 32.41 feet; Thence, twelfth course: northwesterly, curving to the right, on a curve with a radius of 23.54 feet, a delta angle of 63°55'08", a length of 26.26 feet, a chord bearing of N36°17'51"W, and chord distance of 24.92 feet; Thence, thirteenth course: N02°40'34"E, a distance of 25.63 feet; Thence, fourteenth course: N90°00'00"E, a distance of 241.53 feet; Thence, fifteenth course: N00°00'00"E, a distance of 192.44 feet; Thence, sixteenth course: N36°20'19"W, a distance of 3.75 feet; Thence, seventeenth course: N06°05'08"W, a distance of 41.12 feet; Thence, eighteenth course: N00°00'00"E, a distance of 1.34 feet; Thence, nineteenth course: N90°00'00"E, a distance of 3.69 feet; Thence, twentieth course: N45°00'00"E, a distance of 28.28 feet; Thence, twenty-first course: S00°00'00"E, a distance of 115.69 feet; Thence, twenty-second course: southeasterly, curving to the left, on a curve with a radius of 160.00 feet, a delta angle of 62°30'13", a length of 174.54 feet, a chord bearing of S31°15'06"E, and chord distance of 166.02 feet; Thence, twenty-third course: S60°32'23"W, a distance of 19.67 feet; Thence, twenty-fourth course: S00°00'00"E, a distance of 390.94 feet, to a point on the northerly edge of said Interstate 90 right-of-way; Thence, twenty-fifth course: S79°07'35"W, along the northerly edge of said Interstate 90 right-of-way, a distance of 20.25 feet; Thence, twenty-sixth course: N89°50'05"W, along the northerly edge of said Interstate 90 right-of-way, a distance of 531.10 feet, to the southeasterly corner of said Lot 3, and the point of beginning, more generally described as being located south of the intersection of East Mall Drive and Dakota Craft Drive and north of Interstate 90.

**Planning Commission continued the Planned Commercial Development - Initial and Final Development Plan to the February 10, 2011 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 Growth Management Department by***

***close of business on the seventh full calendar day following action by the Planning Commission.***

5. No. 10PL028 - White Eagle Ranch

A request by Dream Design International, Inc. to consider an application for a **Preliminary Plat** for proposed Lots A and B of White Eagle Ranch, legally described as a portion of the NE1/4 of the SE1/4, Section 19, T1N, R9E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 14870 East Highway 44.

**Planning Commission recommended that the Preliminary Plat be continued to the February 10, 2011 Planning Commission meeting.**

6. No. 10SV007 - White Eagle Ranch

A request by Dream Design International, Inc. to consider an application for a **Variance to the Subdivision Regulations to waive the requirement to install pavement, curb, gutter, sidewalk, street light conduit, water and sewer at the Section Line Highway and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer at Airport Road as per Chapter 16.16 of the Rapid City Municipal Code** for proposed Lots A and B of White Eagle Ranch, legally described as a portion of the NE1/4 of the SE1/4, Section 19, T1N, R9E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 14870 East Highway 44.

**Planning Commission recommended that the Variance to the Subdivision Regulations to waive the requirement to install pavement, curb, gutter, sidewalk, street light conduit, water and sewer in the Section Line Highway and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer in Airport Road as per Chapter 16.16 of the Rapid City Municipal Code be continued to the February 10, 2011 Planning Commission meeting.**

7. No. 10PL093 - Springbrook Acres

A request by Renner & Associates, LLC for Susan Lykken to consider an application for a **Layout Plat** for proposed Lots 27R and 28R of Block 2 of Springbrook Acres, legally described as Lots 27 and 28 of Block 2 of Springbrook Acres, Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2727 & 2735 Jenny Gulch Road.

**Planning Commission recommended that the Layout Plat be continued to the April 7, 2011 Planning Commission meeting.**

8. No. 10SV026 - Springbrook Acres

A request by Renner & Associates, LLC for Susan Lykken to consider an application for a **Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, sewer and additional pavement and waive the requirement to dedicate additional**

**right-of-way as per Chapter 16.16 of the Rapid City Municipal Code** for proposed Lots 27R and 28R of Block 2 of Springbrook Acres, legally described as Lots 27 and 28 of Block 2 of Springbrook Acres, Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2727 & 2735 Jenny Gulch Road.

**Planning Commission recommended that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, and additional pavement and waive the requirement to dedicate additional right-of-way be continued to the April 7, 2011 Planning Commission meeting.**

10. No. 10VR007 - Scott's Addition

A request by Fisk Land Surveying & Consulting Engineers for Marilou Yarber to consider an application for a **Vacation of Right-of-Way** for a portion of the Van Buren Street Right-of-way lying adjacent to the S1/2 of Lot 8 and the S1/2 S1/2 of Lots 9-11 of Block 20, Scott's Addition, Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 902 Silver Street.

**Planning Commission recommended that the Vacation of Right-of-Way be continued to the May 26, 2011 Planning Commission meeting.**

---END OF CONSENT CALENDAR---

---BEGINNING OF REGULAR AGENDA ITEMS---

\*9. No. 10UR039 - Section 29, T2N, R7E

A request by ARC International for Rapid City Diocese & Rapid City Catholic Schools to consider an application for a **Major Amendment to a Conditional Use Permit** for the SE1/4 NW1/4 of Section 29, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2101 City Springs Road.

Braun and Wyss indicated they would be abstaining due to a business interests in project.

**Christenson moved, Marchand seconded and carried to continued the Major Amendment to the Conditional Use Permit to the February 10, 2011 Planning Commission meeting. (7 to 0 to 2 with Brewer, Christianson, Kinniburgh, Landguth, Marchand, Popp, Rippentrop voting yes, none voting no and with Braun and Wyss 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 Growth Management Department by close of business on the seventh full calendar day following action by the Planning Commission.***

Fisher requested that items 11 and 12 be considered concurrently.

11. No. 10PL096 - Black Hills Center

A request by Wolverton & Associates for THF Stoneridge Development, LLC to consider an application for a **Preliminary Plat** for proposed Lots 1 thru 5 of Block 4 of Black Hills Center and Dedicated East Stumer Road right-of-way, legally described as Lot 1 of Block 2 of Fifth Street Office Plaza and a portion of the S1/2 of the NE1/4 of Section 24 located in the NE1/4 of the NE1/4 and in the S1/2 of the NE1/4 of Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northwest of the intersection of Fifth Street and East Stumer Road.

\*12. No. 10PD071 - Section 24, T1N, R7E

A request by Wolverton & Associates for THF Stoneridge Development, LLC to consider an application for a **Final Commercial Development Plan to allow commercial uses including on-sale liquor establishments** for a portion of Lot 1, Block 2 of Fifth Street Office Plaza, and a portion of the S1/2 of the NE1/4, 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 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: 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 northeast of the intersection of Stumer Road and Black Hills Boulevard.

Fisher presented the Final Commercial Development Plan to allow commercial uses including on-sale liquor establishments and Preliminary Plat applications. Fisher noted she had revised two stipulations on the staff reports one being the removal of the stipulation that the skylight trim match the roof membrane as this is already addressed and the other that an alternative traffic control as approved may be allowed in place of the raised "pork chop" island on Stumer Road.

In response to a question from Landguth regarding the changes to Stumer Road, Fisher confirmed that the proposed roundabout has been removed and that the intersection will be a 3-way stop and that a raised "pork chop" island or alternated traffic control device needs to be in place before the Certificate of Occupancy can be issued. She also confirmed that the irrigation for the landscaping was still included and that the developer has met or exceeded the landscaping requirements.

Wyss commented that his office had done work on this area previously but as it is not related to this project he will be participating in the discussion and voting on the item so he does not have a conflict of interest.

In response to a question by Braun regarding the raised "pork chop" on Stumer road, Elkins confirmed that this has been addressed it may just take additional time.

**Brewer moved and Christenson seconded and unanimously carried to recommend that the Preliminary Plat be approved with the following stipulations:**

- 1. Prior to Preliminary Plat approval by the City Council, all necessary changes shall be made to the construction plans as identified on the red lined drawings. In addition, the red lined drawings shall be returned and signed and sealed final construction plans shall be submitted to the Growth Management Department;**
- 2. Prior to Preliminary Plat approval by the City Council, a cost estimate**

of the subdivision improvements shall be submitted for review and approval;

3. Upon submittal of a Final Plat application, a Covenant Agreement shall be executed to provide the maintenance of the stormwater management facility to be located on proposed Lot 3;
4. Prior to submittal of a Final Plat application, the plat document shall be revised to show the vacation of the access and utility easement previously recorded along the north lot line of proposed Lot 3 as it abuts 5<sup>th</sup> Street;
5. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid. In particular, surety shall be posted for the signalization at the intersection of 5<sup>th</sup> Street and E. Stumer Road, the construction of turn lanes along 5<sup>th</sup> Street and E. Stumer Road, the extension of public utility mains and the construction of on-site regional drainage and stormwater treatment improvements;
6. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and,
7. The approved Preliminary Plat for which no grading, construction or other improvements have been initiated within two years of the date of approval of the plat shall be deemed as expired. However, the owner or applicant of the plat may, prior to the termination of the two year period, request a one year extension subject to approval by the City Council and;

To approve the Final Commercial Development Plan to allow commercial uses including on-sale liquor establishments be approved with the following stipulations:

1. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy. In addition, an Air Quality Permit shall be obtained prior to any surface disturbance of one acre or more;
2. Prior to issuance of a building permit, all necessary changes shall be made to the construction plans as identified on the red lined drawings. In particular, the construction plans shall be revised to show the proposed raised "pork chop" island to be constructed at the Eagle Ridge Apartment entrance located outside of E. Stumer Road right-of-way. In addition, the red lined drawings shall be returned and signed and sealed final construction plans shall be submitted to the Growth Management Department;
3. Prior to issuance of a building permit, the applicant's "Easements with Covenants and Restrictions Affecting Land (ECR)" document shall be recorded at the Register of Deed's Office to secure access between the properties. In addition, a copy of the recorded document shall be submitted to the Growth Management Department;
4. Prior to issuance of a building permit, a Covenant Agreement shall be executed to provide the maintenance of the stormwater management

- facility to be located on proposed Lot 3;
5. Prior to issuance of a building permit, the construction plans shall be revised to include a note stating that “the design of the street lights shall comply with City Design Standards or the applicant shall enter into a Covenant Agreement with the City securing maintenance of the proposed decorative street lights along E. Stumer Road from 5<sup>th</sup> Street to Black Hills Boulevard. If an alternate street light design is utilized, then prior to issuance of a Permit to Work in the Right-of-way, the Covenant Agreement shall be recorded at the Register of Deed’s Office and copies of the recorded documents shall be submitted to the Growth Management Department;
  6. Prior to issuance of a building permit, the construction plans be revised to include a note stating that “the color of the traffic signal poles and components shall be pursuant to City and State Design Requirements. If an alternate color is utilized, then prior to issuance of a Permit to Work in the Right-of-way, the applicant shall enter into a Covenant Agreement with the City and the South Dakota Department of Transportation securing maintenance of the paint on the traffic signal poles and components to be located at the intersections of 5<sup>th</sup> Street and Stumer Road, 5<sup>th</sup> Street and Catron Boulevard and Black Hills Boulevard and Catron Boulevard. In addition, the Covenant Agreement shall be recorded at the Register of Deed’s Office and copies of the recorded documents shall be submitted to the City”.
  7. Prior to issuance of a building permit, a note shall be placed on the landscape plan stating that the soils shall be replaced as needed to support spruce trees. The landscaping shall be provided in compliance with the submitted plans. In particular, 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 and evergreen trees with a minimum height of six feet shall be provided along the northwest corner of the property as shown on the landscape plan. In addition, a minimum of 232,000 landscape points shall be provided on the mini-anchor and retail shop lot in accordance with approved plans. A minimum of six planter islands shall also be provided. In addition, landscaping shall be provided along 5<sup>th</sup> Street in compliance with the proposed landscape plan. All landscaping shall be irrigated and shall comply with all requirements of the Landscape Ordinance;
  8. Prior to issuance of a building permit, a Fence Height Exception shall be obtained to allow a 10 foot high fence in lieu of an 8 foot high fence to enclose a pallet storage area located along the west side of the proposed “Walmart Supercenter” building or the fence elevation shall be revised to show a maximum 8 foot high fence or shown in compliance with previously approved Fence Height Exception. In addition, a Minimal Amendment to the Planned Commercial Development shall be obtained to allow the revised fence elevation if



- the Fence Height Exception is not obtained. The balance of the proposed fencing shall be provided in accordance with the design and plans submitted;
9. Prior to issuance of a Certificate of Occupancy, 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 shall be constructed as per the approved construction plans. Regulatory signs designed in accordance with the Manual on Uniform Traffic Control Devices shall be posted at both ends of Stumer Road. In addition, the raised “pork chop” or alternative traffic control as approved by the City Engineer shall be constructed within the Eagle Ridge Apartment approach along Stumer Road, outside of the street right-of-way, to preclude left turns from the Eagle Ridge Apartment property onto Stumer Road;
  10. Prior to issuance of a Certificate of Occupancy, the following street improvements shall be completed pursuant to the Traffic Impact Study or surety shall be posted for the improvement:
    - 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 dual southbound left-turn lanes on 5th Street at Catron Boulevard;
    - Construct a separate westbound right-turn lane on Stumer Road at the main Walmart drive; and,
    - Construct a separate westbound right-turn lane at the east driveway on Stumer Road servicing the retail shops.
  11. Prior to issuance of a Certificate of Occupancy, the applicant shall enter into a Covenant Agreement with the City to secure the timing of the following improvements pursuant to the Traffic Impact Study:
    - Construction of a separate westbound right turn lane on Catron Boulevard at Black Hills Boulevard; and,
    - Construction of a separate northbound right turn lane on Black Hills Boulevard at Outlot 10;
  12. The proposed signage shall conform to the design, color and location as shown in the sign package submitted as a part of the Planned Commercial Development. No electronic signs are being approved as a part of this sign package. The addition of electronic signs shall be considered a Major Amendment to the Planned Commercial Development. Changes to the proposed sign package, which the

**Growth Management Director determines to be consistent with the original approved sign package, shall be allowed as a Minimal Amendment to the Planned Commercial Development. In addition, the Growth Management Director may approve temporary signs in accordance with Chapter 15.28.080 of the Rapid City Municipal Code. The lighting for the signs shall be designed to preclude shining on the adjacent properties and/or street(s). A sign permit shall also be obtained for each individual sign;**

- 13. No camping or overnight parking shall be allowed. In addition, “No Camping or Overnight Parking” signs shall be posted within the parking lot(s) in accordance with the plans submitted;**
- 14. An Exception is hereby granted to allow the lighting from the parking lot to reflect onto the adjacent sidewalk located within E. Stumer Road right-of-way. The balance of the lighting shall be 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;**
- 15. The proposed Walmart Supercenter structure, the proposed service kiosk and the proposed shopping center structure shall conform architecturally to the elevations, design plans and color palette submitted as part this Final Commercial Development Plan. In addition, the roof membrane(s) shall be tan in color as proposed. Changes to the elevations may be authorized by the Growth Management Director when they are consistent with the revised architectural style of the development as approved herein;**
- 16. No outdoor storage of palettes, card board boxes or other similar materials shall be allowed outside of the screened area. In addition, no storage of semi-trailers shall be allowed on the property;**
- 17. All traffic markings shall be installed and maintained by the applicant at all times pursuant to the approved construction plans;**
- 18. 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;**
- 19. 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. A minimum of 235 parking spaces shall be provided on the mini-anchor and retail shop 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 shall be continually met;
20. A bike rack(s) shall be provided in accordance with the design and plans submitted;
  21. 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;
  22. All construction traffic shall be routed along Catron Boulevard;
  23. All use(s) permitted within the General Commercial District shall be allowed. Conditional use(s) within the General Commercial District shall require specific authorization as a stipulation of this Final Commercial Development Plan or a subsequent Major Amendment to the Commercial Development Plan shall be obtained. Off-premise liquor sales with no on-premise liquor consumption shall be allowed on both lots. In addition, on-sale liquor establishments, in conjunction with a full-service restaurant only, shall be allowed on the mini-anchor and shopping center lot. A Major Amendment to the Commercial Development Plan shall be obtained prior to issuance of a building permit for the mini-anchor building. All provisions of the underlying zoning designation(s) shall be met unless otherwise specifically authorized as a stipulation of this Final Commercial Development Plan application or a subsequent Major Amendment; and,
  24. 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. (9 to 0 with Braun, Brewer, Christianson, Kinniburgh, Landguth, Marchand, Popp, Rippentrop, 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.***

15. Planning Commission Items

In response to a question from Brewer, Elkins stated that the Growth Management staff would be holding an Open House regarding zoning in the South Valley Drive area on January 27, 2011.

In response to Kinniburgh's question on time and location of the Open

House Elkins informed the Committee that the Open House would be from 5:00 to 7:00 p.m. at the Open Bible Church.

**There being no further business, Erick Christenson moved, Eric Braun seconded and unanimously carried to adjourn the meeting at 7:24 a.m. (9 to 0 with Braun, Brewer, Christianson, Kinniburgh, Landguth, Marchand, Popp, Rippentrop, and Wyss voting yes and none voting no)**