

MINUTES OF THE
RAPID CITY PLANNING COMMISSION
August 9, 2012

MEMBERS PRESENT: Carlos Beatty Jr., Sandra Beshara, John Brewer, Linda Marchand, Kay Rippentrop, Steve Rolinger, Tim R. Rose, Andrew Scull and Josh Snyder. John Roberts, Council Liaison was also present.

MEMBERS ABSENT: Patrick Fink, Dennis Popp and Jan Swank.

STAFF PRESENT: Brett Limbaugh, Vicki Fisher, Robert Laroco, Patsy Horton, Tim Behlings, Ted Johnson, Carla Cushman and Risë Ficken.

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

Brewer 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.

A member of the audience requested that Item 2 be removed from the Consent Agenda for separate consideration.

Motion by Marchand, seconded by Snyder and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 4 in accordance with the staff recommendations with the exception of Item 2. (9 to 0 with Beatty, Beshara, Brewer, Marchand, Rippentrop, Rolinger, Rose, Scull, Snyder and voting yes and none voting no)

---CONSENT CALENDAR---

1. Planning Commission approved the July 26, 2012 Planning Commission Meeting Minutes.
3. Planning Commission recommended approval of 12TP015 - Amendment #12-010 to the 2012-2016 Transportation Improvement Program.
4. Planning Commission recommended approval of 12TP016 2013–2017 Rapid City Area Transportation Improvement Program – Final Report.

---END OF CONSENT CALENDAR---

---BEGINNING OF REGULAR AGENDA ITEMS---

- *2. No. 12PD027 - Meridian Subdivision
A request by Scott A. Pearce Architect to consider an application for a **Major Amendment to a Planned Development to allow the renovation and expansion of an existing structure** for Lot A of Lot 5R of Meridian Subdivision located in Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1200 North LaCrosse Street.

Fisher presented the request and reviewed the slides. Fisher advised that staff recommends approval of the application with stipulations.

Ed Selgeskog stated that he owns a five acre parcel of property adjacent to the north property line of the Wal-Mart property. Selgeskog suggested that if Wal-Mart purchased the property an additional access could be provided from Eglin Street to improve access to and circulation on the site and provide an area for expanded parking.

Rolinger moved, Marchand seconded and unanimously carried to approve the Major Amendment to a Planned Development to allow the renovation and expansion of an existing structure with the following stipulations:

- 1. A building permit shall be obtained prior to any construction;**
- 2. Prior to issuance of a building permit, a landscaping plan in compliance with Chapter 17.50.300 shall be submitted for review and approval. All provisions of Section 17.50.300, the Landscaping Regulations of the Rapid City Municipal Code, shall be continually met. All landscaping shall be continually maintained in a live vegetative state and replaced as necessary;**
- 3. Upon submittal of a building permit, plans shall be prepared and stamped by a licensed Architect or Professional Engineer as per SDCL 36-18A;**
- 4. A minimum of 1,149 parking spaces shall be provided. In addition, 22 of the parking spaces shall be handicap accessible. Three of the handicap spaces shall be "van accessible." All provisions of the Off-Street Parking Ordinance shall be continually met;**
- 5. All signage shall continually conform to Chapter 15.28 of the Rapid City Municipal Code. No electronic signs are being approved as a part of this Major Amendment to the Planned Development. Changes to the proposed sign package, which the Community Planning and Development Services Director determines to be consistent with the original approved sign package, shall be allowed as a Minimal Amendment to the Major Amendment to the Planned Development. All signage not in conformance with Chapter 15.28 of the Rapid City Municipal Code or any electronic reader board signs shall require the review and approval of a Major Amendment to the Planned Development. 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;**
- 6. All applicable provisions of the adopted International Fire Code shall continually be met;**
- 7. All provisions of the General Commercial District shall be met unless otherwise specifically authorized as a stipulation of this Major Amendment to the Planned Development or a subsequent Major Amendment;**
- 8. All outdoor lighting shall be reflected within the property boundaries so as to not shine onto adjoining properties and rights-of-way and to not be a hazard to the passing motorist or constitute a nuisance of any kind; and,**
- 9. The Major Amendment to the Planned Development shall allow the**

renovation and expansion of an existing structure. Any change in use that is a permitted use in the General Commercial District shall require the review and approval of a Minimal Amendment. Any change in use that is a Conditional Use in the General Commercial District shall require the review and approval of a Major Amendment to the Planned Development. (9 to 0 with Beatty, Beshara, Brewer, Marchand, Rippentrop, Rolinger, Rose, Scull, Snyder and 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.

*5. No. 12UR017 - Original Town of Rapid City

A request by Lori Eggersgluess to consider an application for a **Conditional Use Permit to allow an on-sale liquor establishment** for Lots 1 and 2 of Block 83 of the Original Town of Rapid City located in Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 509 7th Street.

Laroco presented the request and reviewed the slides. Laroco stated that staff recommends approval of the application with stipulations.

In response to a question from Brewer, Fisher indicated that the stipulations identify that the on-sale liquor use is approved in conjunction with a salon noting that if a different use is proposed for the site in the future an amendment to the conditional use permit will be required.

Discussion followed concerning the access to the property from both 7th Street and Main Street and the potential for the applicant to apply for a sidewalk café permit and offer on-sale liquor from the a sidewalk café.

In response to a question from Brewer, Laroco advised that the business is addressed off of 7th Street.

Rolinger moved, Scull seconded and unanimously carried to approve the Conditional Use Permit to allow an on-sale liquor establishment with the following stipulations:

- 1. The on-sale liquor establishment shall allow wine and malt beverage sales and service in conjunction with a full service salon and spa;**
- 2. The hours of operation shall be from 9:00 am to 8:00 pm;**
- 3. All signage shall comply with Chapter 15.28 of the Rapid City Municipal Code. Signage not in compliance with Chapter 15.28 of the Rapid City Municipal code is not permitted. No electronic signage is being approved as a part of this Conditional Use Permit. The addition of electronic signage shall require a Major Amendment to the Conditional Use Permit. New signage shall require approval by the Historic Sign Review Board prior to issuance of a sign permit. A sign**

- permit is required for each sign;
4. All outdoor lighting shall be reflected within the property boundaries so as to not shine onto adjoining properties and rights-of-way and to not be a hazard to the passing motorist or constitute a nuisance of any kind;
 5. All applicable provisions of the International Fire Code shall be continually maintained;
 6. The use shall be limited to the interior to Suite 5319 as shown on the submitted site plan. Any expansion of the use shall require a Major Amendment to the Conditional Use Permit; and,
 7. This Conditional Use Permit shall allow an on-sale alcohol establishment in conjunction with a full service salon and spa. Any change in use that is permitted in the Central Business District shall be permitted. Any change in use that is a Conditional Use in the Central Business District shall require a Major Amendment to the Conditional Use Permit. All provisions of the Central Business District shall be met unless specifically authorized as a stipulation of this Conditional Use Permit or subsequent Major Amendments. (9 to 0 with Beatty, Beshara, Brewer, Marchand, Rippentrop, Rolinger, Rose, Scull, Snyder and 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.

4. Discussion Items

None.

5. Staff Items

Horton advised that the South Dakota Department of Transportation will present preliminary design plans for the Mount Rushmore Road reconstruction at an open house on Thursday, August 16, 2012 from 5:30 p.m. to 7:00 p.m. in LaCroix Hall at the Civic Center.

In response to a question from Brewer, Horton advised that Phase 1 of the project will extend from Tower Road to Saint Andrew Street.

In response to a question from Brewer, Horton stated that the Mount Rushmore Road Corridor Study is available on the Community Planning and Development Services website.

Discussion followed concerning the status of staff's discussions with the Mount Rushmore Road Group relating to a potential overlay district for the corridor and the ability to complete only a portion of the improvements identified in the Corridor Study due to the limited project funding available at the state and local level. Brewer suggested that a presentation be made to the Mount Rushmore Road Group outlining the potential benefits of an overlay zoning district.

Fisher advised that the number of items on the Planning Commission agendas has declined as a result of the Second Floor Review Committee's work to implement the recommendations contained in the Lehe Study. Fisher explained that overall application numbers have remained consistent. Fisher indicated that numerous ordinance amendments have changed the review of many applications previously considered by the Planning Commission to administrative staff reviews noting that any applications denied by staff can be appealed to the City Council.

Fisher stated that as all of the applications submitted prior to the last submittal deadline consisted of administrative review items, the August 23, 2012 Planning Commission meeting is cancelled.

Fisher welcomed newly appointed member Carlos Beatty to the Planning Commission.

Fisher requested a volunteer for consideration for appointment as the Planning Commission representative to the Development Appeals Review Board. Rose volunteered to serve as the Planning Commission representative to the Development Appeals Review Board.

Rolinger moved, Marchand seconded and unanimously carried to recommend Tim Rose for appointment as the Planning Commission representative to the Development Appeals Review Board. (9 to 0 with Beatty, Beshara, Brewer, Marchand, Rippentrop, Rolinger, Rose, Scull, Snyder and voting yes and none voting no)

In response to a question from Brewer, Fisher indicated that it would delay some applicants with projects requiring Planning Commission approval if the meeting schedule changed to only one meeting per month.

6. Planning Commission Items

A. Training session topics and dates - John Brewer

Discussion followed concerning dates and potential topics for Planning Commissioner training sessions.

A training session was scheduled for September 21, 2012 from 11:30 a.m. to 1:00 p.m. Fisher advised that staff will prepare the topics to be discussed and will invite City Council members to attend. Fisher added that lunch will be provided.

Scull advised that he feels that reducing the Planning Commission meeting schedule to one meeting per month would be detrimental to development and construction. Fisher indicated that the current two meeting per month schedule will continue and staff will advise the Planning Commission in the event that a meeting can be cancelled.

Brewer suggested that with the reduced application load coming before

the Commission that some meeting time can be devoted to comprehensive planning and long range planning.

7. Committee Reports
None.

There being no further business, Rolinger moved, Snyder seconded and unanimously carried to adjourn the meeting at 7:38 a.m. (9 to 0 with Beatty, Beshara, Brewer, Marchand, Rippentrop, Rolinger, Rose, Scull, Snyder and voting yes and none voting no)