

MINUTES OF THE  
RAPID CITY PLANNING COMMISSION  
November 8, 2012

MEMBERS PRESENT: Carlos Beatty Jr., Erik Braun, John Brewer, Linda Marchand, Dennis Popp, Kay Rippentrop, Tim R. Rose, Andrew Scull, Josh Snyder and Jan Swank.

MEMBERS ABSENT: Sandra Beshara, Steve Rolinger, and John Roberts, Council Liaison

STAFF PRESENT; Vicki Fisher, Fletcher Lacock, Tim Behlings, Dale Tech, Ted Johnson, Carla Cushman and Andrea Wolff.

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.**

**Motion by Scull seconded by Marchand and unanimously carried to recommend approval of the Consent Agenda Items 1 and 2 in accordance with the staff recommendation. (10 to 0 with Beatty, Braun, Brewer, Marchand, Popp, Rippentrop, Rose, Scull, Snyder and Swank voting yes and none voting no)**

**---CONSENT CALENDAR---**

1. Planning Commission approved the October 25, 2012 Planning Commission Meeting Minutes.
1. No. 12CA007 - West Boulevard Addition  
Summary of Adoption Action for a request James and Kelly Commet to consider an application for an **Amendment to the Comprehensive Plan to change the land use designation from Commercial to Residential** for Lots 4 and 5 of Block 22 of West Boulevard Addition located in Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 809 Saint Andrew Street.

**Planning Commission approved the summary and authorized publication in the Rapid City Journal.**

**---END OF CONSENT CALENDAR---**

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

3. No. 12PL076 - Elks Crossing Subdivision  
A request by Dream Design International Inc. to consider an application for a **Preliminary Subdivision Plan** for proposed Lots 3 through 20 of Block 6, Lots 2 through 5 of Block 7, Lots 1 through 15 of Block 8, Duckhorn Street right-of-way and Vinecliff Drive right-of-way of Elks Crossing Subdivision, legally described as

a portion of the E1/2 of the SW1/4 of Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the current southern terminus of Vinecliff Drive.

Fisher presented the application noting that the Planning Commission has previously seen a Planned Development application for the northern portion of this property; however, due to significant lot reconfiguration, a new Planned Development must be submitted for that portion demonstrating that it complies with the current plat document (12PL076). Fisher also noted that the southern portion of this property has a Planned Development Designation and that the Final Planned Development for that section will have to be submitted for approval.

Fisher noted that the fire flow issue previously discussed in this area is addressed in the stipulations. In particular, stipulation # 10 states that prior to submittal of a Final Plat application, the water main improvements along Marlin Drive and E. Minnesota Street through the Duckhorn Drive intersection shall be completed and accepted by the City to provide adequate fire flow to the proposed development or surety shall be posted to ensure that the water main is completed by March 1, 2013 as proposed by the applicant. Fisher stated that staff recommends approval with stipulations as identified.

Braun abstained from voting and discussion due to a conflict of interest.

In response to a question from Brewer, Fisher explained the Infrastructure Development Partnership Fund payment requirement noted in the stipulations, the completion of Vinecliff Drive and Fieldstone Drive to Minnesota Street and the extension of Minnesota Street to Vinecliff Drive.

In response to a question from Rose regarding additional future street connections, Fisher explained that they are anticipated, but they will be part of a separate planned development.

**Rose moved, Marchand seconded and carried unanimously to recommend approval of the Preliminary Subdivision Plan with the following stipulations:**

- 1. Prior to submittal of the Development Engineering Plan application, the redlined comments on the construction drawings and the plat document shall be addressed. In particular, the drawings shall be revised pursuant to the redline comments or Exception(s) to the Infrastructure Design Criteria Manual and/or the Standard Specifications shall be obtained. Exceptions shall be obtained prior to submittal of a Development Engineering Plan application and a copy of the approved Exception shall be submitted with the application. The redlined comments shall be returned to the Engineering Services Division of the Public Works Department;**
- 2. Prior to Development Engineering Plan approval, engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed. In addition,**

- permits required for construction shall be approved and issued and construction plans shall be accepted in accordance with the Infrastructure Design Criteria Manual. All final engineering reports shall be signed and sealed by a Professional Engineer and contain a Certification Statement of Conformance with City Standards in compliance with the Infrastructure Design Criteria Manual;
3. Prior to submittal of a Development Engineering Plan application, an Exception shall be obtained to allow the use of asphalt millings as a base course or the construction plans shall be revised to meet City Standards. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application;
  4. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
  5. Upon submittal of a Development Engineering Plan application, the Water Design Report shall be revised to comply with the requirements set forth in Section 3.9 of the Infrastructure Design Criteria Manual to ensure that estimated domestic flows and required fire flows are being provided. In addition, the Design Report shall be signed and sealed by a Professional Engineer;
  6. Upon submittal of a Development Engineering Plan application, the Sanitary Sewer Design Report shall be revised to comply with the requirements set forth in Section 3.12 of the Infrastructure Design Criteria Manual demonstrating that the sanitary sewer capacity is adequate to meet estimated flows and provide sufficient system capacity. In addition, the Design Report shall be signed and sealed by a Professional Engineer;
  7. Upon submittal of a Development Engineering Plan application, the Elks Crossing Drainage Report dated December 17, 2008 shall be updated to address any changes that may have changed since the report was completed. If conditions have not changed to warrant a revision to the report, than a statement shall be added to the report stating that conditions have not changed. In addition, the report shall be signed and sealed by a Professional Engineer and the date on the report shall be revised accordingly;
  8. Upon submittal of a Development Engineering Plan application, hydraulic design information for the drainage channel proposed along the rear yards of Lots 1 thru 15 of Block 8 shall be submitted for review and approval. In particular, the hydraulic design information shall confirm that the 100 year storm is contained within the proposed 20 foot wide Major Drainage Easement. In addition, a Miscellaneous Document shall be recorded at the Register of Deed's Office securing the 20 foot wide Major Drainage Easement. A copy of the recorded document shall be submitted with the Development Engineering Plan application;
  9. Prior to submittal of a Final Plat application, a Maintenance Agreement

- shall be submitted for review and approval securing maintenance of the proposed Major Drainage Easement. Upon approval, the document shall be recorded at the Register of Deed's Office and a copy of the recorded document shall be submitted with the Final Plat application;
10. Prior to submittal of a Final Plat application, the water main improvements along Marlin Drive and E. Minnesota Street through the Duckhorn Drive intersection shall be completed and accepted by the City to provide adequate fire flow to the proposed development or surety shall be posted to ensure that the water main is completed by March 1, 2013 as proposed by the applicant;
  11. Prior to submittal of a Final Plat application or prior to commencing construction, whichever occurs first, a Development Agreement shall be entered into with the City for all public improvements if applicable;
  12. Prior to submittal of a Final Plat application, the Infrastructure Development Partnership Fund payment shall be paid. In addition, a copy of the receipt verifying payment shall be submitted with the Final Plat application;
  13. 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; and,
  14. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required. In addition, any utilities and drainage proposed outside of the dedicated right-of-way shall be secured within easement(s). (9 to 0 with Beatty, Brewer, Marchand, Popp, Rippentrop, Rose, Scull, Snyder and Swank voting yes and none voting no and Braun abstaining)
4. No. 12PL077 - East Mall Business Center Subdivision  
A request by FMLC, Inc. to consider an application for a **Preliminary Subdivision Plan** for proposed Lot 1 of Block 3 of East Mall Business Center Subdivision, legally described as a part of the SE1/4 north of I-90 less Tract A of the NE1/4 SE1/4 and less Lot 1 of Block 5 and Lot 1 of Block 6 of East Mall Business Center Subdivision and less Lots H5, H6, H7 and H11 and less that part of the SE1/4 north of I-90 and west of East North Street, but including that part of vacated East Mall Drive being part of Lot H5, all located in Section 29, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located on the south side of East Mall Drive between East North Street and Dyess Avenue.

Fisher presented the application and reviewed the slides. Fisher stated that staff recommends approval with stipulations as identified.

In response to a question from Braun regarding access, Fisher stated that currently access is off of East Mall Drive and that the lot appears to be large enough to accommodate interior traffic flow; however, if additional access is needed they anticipate it will be from Dyess Avenue. As a part of the building permit, access must be built in compliance with the Infrastructure Design Criteria Manual.

**Marchand moved, Rose seconded and unanimously carried to recommend approval of the Preliminary Subdivision Plan with the following stipulations:**

- 1. Prior to submittal of a Development Engineering Plan application, the plat document shall be revised to show non-access easement(s) as redlined on the plat document or an Exception to the Infrastructure Design Criteria Manual shall be obtained;**
- 2. Prior to submittal of a Development Engineering Plan application, the plat document shall be revised to clarify the existing right-of-way width of Dyess Avenue as it abuts the property and the portion of the right-of-way being dedicated as a part of this plat or an Exception to the Infrastructure Design Criteria Manual shall be obtained;**
- 3. Prior to submittal of a Development Engineering Plan application, the plat document shall be revised to show the correct spelling of "Pennington" in the title;**
- 4. Upon submittal of a Development Engineering Plan application, drainage information shall be submitted for review and approval demonstrating that the existing drainage within the eastern portion of the property does not handle off-site run-off or the plat document shall be revised to secure the existing drainage area within a drainage easement; and,**
- 5. Prior to submittal of a Final Plat application, a waiver of right to protest any future assessment for improvements along Interstate 90, East North Street and Dyess Avenue as they about the property shall be executed and a copy of the recorded document submitted with the Final Plat application. (10 to 0 with Beatty, Braun, Brewer, Marchand, Popp, Rippentrop, Rose, Scull, Snyder and Swank voting yes and none voting no)**

5. Discussion Items

Brewer requested an update on the Comprehensive Plan Update process be added to the next agenda and also requested that a training session on TIFs be set up for the near future. Fisher said she would speak with Patsy Horton on these items.

In response to a question from Brewer on the reduction of committees, Fisher stated that this was generally a house cleaning consolidating some committees and allowing obsolete committees that had completed their task to be dissolved. Regarding the dissolution of the Future Land Use Committee, Fisher stated that the Planning Commission is now the reviewing board and those duties have been transferred to the Planning Commission.

Brewer discussed the recent request of task force volunteers and encouraged other Planning Commissioners to consider the opportunity to serve.

Brewer took a moment to welcome Erik Braun back to the Planning Commission.

6.    Staff Items  
      None
  
7.    Planning Commission Items  
      None
  
8.    Committee Reports  
      None

**There being no further business, Marchand moved, Rose seconded and unanimously carried to adjourn the meeting at 7:23 a.m. (10 to 0 with Beatty, Braun, Brewer, Marchand, Popp, Rippentrop, Rose, Scull, Snyder and Swank voting yes and none voting no)**