

MINUTES OF THE  
RAPID CITY PLANNING COMMISSION  
July 3, 2013

MEMBERS PRESENT: Carlos Beatty Jr., Erik Braun, John Brewer, Linda Marchand, Cody Raterman, Kay Rippentrop, Steve Rolinger, Tim R. Rose, Andrew Scull, and Amanda Scott, Council Liaison was also present.

MEMBERS ABSENT: Sandra Beshara, Dennis Popp and Jan Swank.

STAFF PRESENT: Vicki Fisher, Fletcher Lacock, Robert Laroco, Patsy Horton, Nate Vander Broek, Tim Behlings, Carla Cushman and Andrea Wolff.

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

Brewer welcomed new City Council Liaison, Amanda Scott.

**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.**

**Staff requested that Item 7 be removed from the Consent Agenda for separate consideration.**

**Motion by Rolinger seconded by Marchand and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 14 in accordance with the staff recommendations with the exception of Item 7. (9 to 0 with Beatty, Braun, Brewer, Marchand, Raterman, Rippentrop, Rolinger, Rose and Scull voting yes and none voting no)**

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

1. Approval of the June 20, 2013 Planning Commission Meeting Minutes.
2. No. 13CA006 - Section 21, T2N, R8E  
**Summary of Adoption Action** for a request by City of Rapid City to consider an application for an **Amendment to the Comprehensive Plan to change the land use designation from Residential to Public** for the south 464.64 feet of the SE1/4 of the NW1/4 of the NE1/4, the south 464.64 feet of the NE1/4 of the NE1/4 less H1, the E1/2 of the SW1/4 of the NE1/4, and the SE1/4 of the NE1/4 located in Section 21, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of North Elk Vale Road and south of Country Road.

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

3. No. 13CA007 - Section 27, T2N, R7E  
**Summary of Adoption Action** for a request by Jake Boerger to consider an application for an **Amendment to the Comprehensive Plan to change the land use designation from Residential to Industrial** for a parcel of land located in

Section 27, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: starting at a point that bears 19.32 feet S41°00'00"W from the northeast corner of previously vacated Tract C Revised of the S.G. Interstate Plaza located in the S1/2 NE1/4 and the N1/2 SE1/4 of Section 27, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota and being the point of beginning. Thence first course: S41°00'00"W a distance of 600.00 feet, Thence second course: N61°00'00"W a distance of 254.90 feet, Thence third course: N35°00'00"E a distance of 493.10 feet, Thence fourth course: S77°23'18"E a distance of 342.00 feet to the point of beginning, more generally described as being located on the south side of North Plaza Drive approximately 450 feet east of the intersection of Fountain Plaza Drive and North Plaza Drive.

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

\*4. No. 13UR009 - Fountain Springs Business Park

A request by John Rowe, Buell Consulting, Inc. for Cellular Inc. Network Corporation d/b/a Verizon Wireless to consider an application for a **Major Amendment to a Conditional Use Permit to allow a co-location on a Communication Facility** for Tract E of Fountain Springs Business Park, located in the NW1/4 of Section 27, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2727 North Plaza Drive.

**Planning Commission approved the Major Amendment to a Conditional Use Permit to allow a co-location on a communication facility with the following stipulations:**

1. A building permit shall be obtained prior to any construction;
2. Prior to issuance of a building permit, an erosion and sediment control plan shall be submitted for the expanded parking area;
3. Prior to issuance of a building permit, a stormwater report shall be submitted which addresses quality and quantity control;
4. A minimum of 47,587 landscaping points shall be provided. 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;
5. A minimum of 60 parking spaces shall be provided. Three of the parking spaces shall be handicap accessible. One of the handicap spaces shall be "van accessible." All provisions of the Off-Street Parking Ordinance shall be continually met. In addition, additional parking shall be provided in compliance with Chapter 17.50.270 of the Rapid City Municipal Code when the storage use is changed;
6. 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;

7. All signage shall continually conform to the Sign Code. No electronic signs are being approved as a part of this Conditional Use Permit. 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 Conditional Use Permit. All signage not in conformance with the Sign Code shall require a Variance or a Planned Development Overlay. Any electronic reader board signs shall require the review and approval of a Major Amendment to the Conditional Use Permit. 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;
8. All provisions of the Light Industrial District shall be met;
9. All applicable provisions of the adopted International Fire Code shall continually be met; and,
10. The Major Amendment to the Conditional Use Permit shall allow a co-location on a communication facility. Any change in use that is a permitted use in the Light Industrial District shall require the review and approval of a Minimal Amendment. Any change in use that is a Conditional Use in the Light Industrial District shall require the review and approval of a Major Amendment to the Conditional Use Permit.

***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. 13CA008 - Orchard Meadows Subdivision

**Summary of Adoption Action** for a request by Dream Design International, Inc. to consider an application for an **Amendment to the Comprehensive Plan to change the land use designation from Public to Residential** for a portion of the W1/2 of the SE1/4, Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the E1/16th corner, common to Sections 9 and 16, T1N, R8E, BHM, and the point of beginning. Thence, first course: N 89°58'30" W, along the Section line common to said Sections 9 and 16, a distance of 345.13', to the easterly most corner of Lot H1 of W1/2 SE1/4; Thence, second course: N 52°21'37" W, along the northerly boundary of said Lot H1, a distance of 52.29'; Thence, third course: N 80°17'33" W, along the northerly boundary of said Lot H1, a distance of 88.04'; Thence, fourth course N 65°53'11" W, along the northerly boundary of said Lot H1, a distance of 33.25'; Thence, fifth course: N 40°12'59" W, along the northerly boundary of said Lot H1, a distance of 55.98'; Thence, sixth course: N 26°43'45" W, along the northerly boundary of said Lot H1, a distance of 85.86'; Thence, seventh course: N 41°35'51" W, along the northerly boundary of said Lot H1, a distance of 30.81'; Thence, eighth course: N 60°06'38" W, along the northerly boundary of said Lot H1, a distance of 40.41'; Thence, ninth course: N 04°34'19" W, a distance of 342.02'; Thence, tenth course: N 00°00'00" E, a distance of

600.00'; Thence, eleventh course: N 90°00'00" W, a distance of 152.00'; Thence, twelfth course: N 00°00'00" E, a distance of 99.00'; Thence, thirteenth course: N 90°00'00" W, a distance of 176.00'; Thence, fourteenth course: N 01°01'01" E, a distance of 169.03'; Thence, fifteenth course: N 90°00'00" E a distance of 516.00'; Thence, sixteenth course: N 00°00'00" W a distance of 784.32'; Thence, seventeenth course: S 89°53'48" E a distance of 474.18', to a point on the easterly north-south section 1/16th line,; Thence, eighteenth course: S 00°06'12" W, along the said section 1/16th line, a distance of 2215.53', to the said point of beginning, more generally described as being located south of SD Highway 44 and east of Elk Vale Road.

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

6. No. 13CA009 - Orchard Meadows Subdivision

**Summary of Adoption Action** for a request by Dream Design International, Inc to consider an application for a **Amendment to the Comprehensive Plan to change the land use designation from Public to Residential** for a portion of the NW1/4 of the SE1/4 of Section 9, T1N, R8E, BHM Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the northeasterly corner of Tract A of the E1/2 of the SW1/4 and W1/2 of the SE1/4, thence, S 00°21'28" W, a distance of 214.98' to a point on the easterly boundary of said Tract A, and the point of beginning. Thence, first course: S 89°53'48" E a distance of 113.90', Thence, second course: S 89°53'48" E a distance of 620.00'; Thence, third course: S 00°00'00" E a distance of 784.32'; Thence, fourth course: N 90°00'00" W a distance of 620'; Thence, fifth course: N 00°00'00" E, a distance of 785.44'; Thence, sixth course N 89°53'48" W, a distance of 113.90', to the said point of beginning, more generally described as being located south of SD Highway 44 and east of Elk Vale Road.

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

\*8. No. 13PD020 - Minnesota Park Subdivision

A request by Sperlich Consulting, Inc for Mehlhaff Construction, Inc. to consider an application for a **Final Planned Development** for a portion of Tract A of Robbinsdale Addition No. 10, located in the NE1/4 of the SE1/4, Section 13, T1N, R7E, B.H.M., Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at a point on the easterly boundary of Tract A of Robbinsdale Addition No. 10, common to the northwesterly corner of Lot 1 of Block 26 of Robbinsdale Addition No. 10, and common to a point on the southerly edge of the dedicated right-of-way of East Minnesota Street, and the Point of Beginning; Thence, first course: S00°38'52"W, along the easterly boundary of said Tract A of Robbinsdale Addition No. 10, common to the westerly boundary of said Lot 1 of Block 26 of Robbinsdale Addition No. 10, a distance of 203.04 feet, to a point on the easterly boundary of said Tract A of Robbinsdale Addition No. 10, common to the southwesterly corner of said Lot 1 of Block 26 of Robbinsdale Addition No. 10, and common to the northwesterly corner of Lot 2 of Block 26 of Robbinsdale Addition No. 10; Thence, second course: S00°39'06"W, along the

easterly boundary of said Tract A of Robbinsdale Addition No. 10, common to the westerly boundary of said Lot 2 of Block 26 of Robbinsdale Addition No. 10, a distance of 24.17 feet, to a point on the easterly boundary of said Tract A of Robbinsdale Addition No. 10, common to the northeasterly corner of Lot 1 of Good Samaritan Subdivision, and common to a point on the westerly boundary of said Lot 2 of Block 26 of Robbinsdale Addition No. 10; Thence, third course: southwesterly, S27°54'21"W, along the northerly boundary of said Lot 1 of Good Samaritan Subdivision, a distance of 14.69 feet, to a point of curvature on the northerly boundary of said Lot 1 of Good Samaritan Subdivision; Thence, fourth course: southwesterly, along the northerly boundary of said Lot 1 of Good Samaritan Subdivision, curving to the left on a curve with a radius of 90.00 feet, a delta angle of 31°25'54", an arc length of 49.37 feet, a chord bearing of S11°45'05"W, and a chord distance of 48.76 feet, to a point of reverse curvature, and common to a point on the northerly boundary of said Lot 1 of Good Samaritan Subdivision; Thence, fifth course: southwesterly, along the northerly boundary of said Lot 1 of Good Samaritan Subdivision, curving to the right on a curve with a radius of 10.00 feet, a delta angle of 113°19'03", an arc length of 19.78 feet, a chord bearing of S53°36'15"W, and a chord distance of 16.71 feet, to a point of tangency, and common to a point on the northerly boundary of said Lot 1 of Good Samaritan Subdivision; Thence, sixth course: N68°00'17"W, along the northerly boundary of said Lot 1 of Good Samaritan Subdivision, a distance of 27.68 feet, to a point of curvature on the northerly boundary of said Lot 1 of Good Samaritan Subdivision; Thence, seventh course: northwesterly, along the northerly boundary of said Lot 1 of Good Samaritan Subdivision, curving to the right on a curve with a radius of 93.00 feet, a delta angle of 32°08'39", an arc length of 52.18 feet, a chord bearing of N51°40'40"W, and a chord distance of 51.49 feet, to a point of tangency, and common to a point on the northerly boundary of said Lot 1 of Good Samaritan Subdivision; Thence, eighth course: N35°53'12"W, along the northerly boundary of said Lot 1 of Good Samaritan Subdivision, a distance of 17.01 feet, to a point of curvature on the northerly boundary of said Lot 1 of Good Samaritan Subdivision; Thence, ninth course: northwesterly, along the northerly boundary of said Lot 1 of Good Samaritan Subdivision, curving to the left on a curve with a radius of 56.50 feet, a delta angle of 60°29'28", an arc length of 59.65 feet, a chord bearing of N65°55'00"W, and a chord distance of 56.92 feet, to a point of tangency, and common to a point on the northerly boundary of said Lot 1 of Good Samaritan Subdivision; Thence, tenth course: S84°00'34"W, along the northerly boundary of said Lot 1 of Good Samaritan Subdivision, a distance of 31.88 feet, to a point on the northerly boundary of said Lot 1 of Good Samaritan Subdivision; Thence, eleventh course: N00°38'52"E, a distance of 167.73 feet, to a point on the southerly edge of the dedicated right-of-way of said East Minnesota Street; Thence, twelfth course: northeasterly, along the southerly edge of the dedicated right-of-way of said East Minnesota Street, curving to the right on a curve with a radius of 935.36 feet, a delta angle of 12°09'40", an arc length of 198.53 feet, a chord bearing of N74°08'56"E, and a chord distance of 198.16 feet, to a point on the easterly boundary of Tract A of Robbinsdale Addition No. 10, common to the northwesterly corner of Lot 1 of Block 26 of Robbinsdale Addition No. 10, and common to a point on the southerly edge of the dedicated right-of-way of East Minnesota Street, and the point of beginning, more generally described as being



located south of East Minnesota Street and east of Maple Avenue.

**Planning Commission approved the Final Planned Development with the following stipulations:**

- 1. Prior to issuance of a building permit, Development Engineering Plans shall be approved for the property;**
- 2. Prior to issuance of a building permit, final stamped and signed construction plans shall be submitted for review and approval. In particular, plans shall show that all construction is located outside the Major Drainage Easement. In addition, plans shall show that handicap accessibility is being provided throughout the site;**
- 3. Prior to issuance of a building permit, all redlined comments shall be addressed and all comments shall be returned to Community Planning and Development Services;**
- 4. Prior to a Certificate of Occupancy, a Final Plat shall be approved for the property;**
- 5. Prior to a Certificate of Occupancy, temporary or permanent site stabilization shall be achieved;**
- 6. A building permit shall be required prior to construction. A Certificate of Occupancy shall be required prior to occupancy;**
- 7. An air quality permit shall be obtained for any surface disturbance greater than one acre;**
- 8. A minimum of 17 off-street parking spaces shall be provided. A minimum of two of the provided off-street parking spaces shall be handicap accessible. A minimum of one of the handicap accessible parking spaces shall be "van accessible". All parking shall comply with the approved site plan and the requirements of the Rapid City Parking Ordinance;**
- 9. A minimum of 32,868 points of landscaping shall be provided. All landscaping shall be installed and maintained as shown on the approved site plan. All landscaping shall comply with the requirements of the Rapid City Landscaping Ordinance;**
- 10. All outdoor lighting shall be designed to reflect within the property boundaries so as to not shine on adjoining properties and rights-of-way and not be a hazard to the passing motorist or constitute a nuisance of any kind;**
- 11. All signage shall comply with the Rapid City Municipal Code. Changes to the signage which comply with the Rapid City Sign Code shall be permitted. No electronic or Light Emitting Diode (LED) signage is being approved as a part of this Planned Development. The addition of electronic or LED signage shall require a Major Amendment to the Planned Development. A sign permit is required for each sign;**
- 12. All applicable provisions of the International Fire Code shall be maintained;**
- 13. All provisions of the Medium Density Residential District shall be maintained unless specifically authorized as a stipulation of a subsequent Major Amendment to this Final Planned Development, and;**

14. **The Final Planned Development shall allow for the construction of a multi-family housing development. Any change in use permitted in the Medium Density Residential District shall require the review and approval of a building permit. Any change in use that is Conditional Use in the Medium Density Residential District shall require the review and approval of a Major Amendment to the Final Planned Development.**

***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.***

\*9. No. 13PD021 - Red Rock Meadows Subdivision

A request by Renner & Associates, LLC for DKEA, LLC to consider an application for a **Final Planned Development** for a portion of the NW1/4 of the NW1/4, Section 28, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the northwesterly corner of Lot 4, Block 13, Red Rock Meadows Subdivision, and the point of beginning; Thence, first course: S 00°08'49" W a distance of 94.96'; Thence, second course: S 00°05'08" W a distance of 84.97'; Thence, third course: S 00°04'10" W a distance of 84.98'; Thence, fourth course: N 89°55'32" W a distance of 65.95'; Thence, fifth course: N 89°55'38" W a distance of 372.90'; Thence, sixth course: S 08°37'00" W a distance of 94.04'; Thence, seventh course: N 89°55'41" W a distance of 107.24'; Thence, eighth course: N 00°19'45" W a distance of 93.00'; Thence, ninth course: N 07°32'13" W a distance of 79.70'; Thence, tenth course: N 00°19'45" W a distance of 91.00'; Thence, eleventh course: N 89°55'41" W a distance of 110.00'; Thence, twelfth course: N 00°19'45" W a distance of 85.21'; Thence, thirteenth course: N 44°53'01" E a distance of 14.09'; Thence, fourteenth course: S 89°54'08" E a distance of 672.71', to the said point of beginning, more generally described as being located at the current terminus of Poppy Trail.

**Planning Commission approved the Final Planned Development with the following stipulations:**

1. **An Exception to reduce the front yard setback on the north side of Lots 1, 2, 7, and 8 from 25 feet to 21 feet is hereby approved;**
2. **An Exception to reduce the front yard setback along the first 40 feet of Poppy Court as it extends from Poppy Trail along Lots 2 and 7 from 20 feet to 15 feet is hereby approved. A 20 foot front yard setback shall be required for the balance of Poppy Court;**
3. **Prior to issuance of a building permit, Development Engineering Plans shall be approved;**
4. **Prior to issuance of a Certificate of Occupancy, a Final Plat shall be approved;**
5. **Prior to issuance of a Certificate of Occupancy, temporary or permanent site stabilization shall be achieved;**
6. **A building permit shall be obtained prior to any construction and a**

- Certificate of Occupancy shall be obtained prior to occupancy;**
- 7. Upon submittal of a building permit, plans shall be prepared and stamped by a licensed architect or professional engineer as per SDCL 36-18A;**
  - 8. Upon submittal of a building permit, an erosion and sediment control plan shall be submitted for review and approval;**
  - 9. All requirements of the International Fire Code shall continually be maintained;**
  - 10. All provisions of the Low Density Residential District shall continually be maintained unless specifically authorized as a stipulation of the Final Planned Development or a subsequent Major Amendment to the Planned Development, and;**
  - 11. This Final Planned Development shall allow for the development of single family residences with reduced setbacks. All uses permitted in the Low Density Residential District shall be permitted. All conditional uses in the Low Density Residential District shall require the review and approval of Major Amendment to the Planned Development.**

***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.***

10. No. 13RZ016 - Robbinsdale Addition No. 10  
A request by Sperlich Consulting, Inc. for WALGAR Development Corporation to consider an application for a **Rezoning from Low Density Residential District I to Medium Density Residential District** for a portion of Tract A of Block 19, Robbinsdale Addition No. 10, located in the W1/2 of the NW1/4 of the SW1/4, Section 18, T1N, R8E, B.H.M., Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at a point on the westerly boundary said Tract A of Block 19 of Robbinsdale Addition No. 10, common to the southwesterly corner of Lot 3 of Block 20 of Robbinsdale Addition No. 10, and the Point of Beginning; Thence, first course: N89°32'41"E, along the southerly boundary of said Lot 3 of Block 20 of Robbinsdale Addition No. 10, a distance of 165.19 feet, to the southeasterly corner of said Lot 3 of Block 20 of Robbinsdale Addition No. 10, common to the southwesterly edge of the dedicated right-of-way of Winfield Street; Thence, second course: N89°37'30"E, along the southerly edge of the right-of-way of said Winfield Street, a distance of 60.00 feet, to the southwesterly corner of Lot 3 of Block 19 of Robbinsdale Addition No. 10, common to the southeasterly edge of the dedicated right-of-way of said Winfield Street; Thence, third course: N89°37'30"E, along the southerly boundary of said Lot 3 of Block 20 of Robbinsdale Addition No. 10, a distance of 132.33 feet, to the southeasterly corner of said Lot 3 of Block 19 of Robbinsdale Addition No. 10, common to a corner on the westerly boundary of Tract C of Block 9 of Robbinsdale Addition No. 10; Thence, fourth course: S01°02'30"E, along the westerly boundary of said Tract C of Block 9 of Robbinsdale Addition No. 10, a distance of 290.00 feet, to the southwesterly corner of said Tract C of Block 9 of



Robbinsdale Addition No. 10; Thence, fifth course: S01°02'30"E, along the prolongation of the westerly boundary of said Tract C of Block 9 of Robbinsdale Addition No. 10, a distance of 230.11 feet, to the intersection with the prolongation of the southerly edge of the dedicated right-of-way of Hanover Drive, as shown in the subdivision of Lots 5 through 14 of Tract A of Block 9 of Robbinsdale Addition No. 10; Thence, sixth course: N88°52'36"W, along the prolongation of the southerly edge of the dedicated right-of-way of said Hanover Drive, as shown in the subdivision of Lots 5 through 14 of Tract A of Block 9 of Robbinsdale Addition No. 10, a distance of 76.00 feet; Thence, seventh course: S01°10'16"E, a distance of 125.19 feet, to a point on the northerly boundary of Lot A Revised of the N1/2 of 'Government' Lot 4 of Section 18, common with a point on the southerly boundary of said Tract A of Block 19 of Robbinsdale Addition No. 10; Thence, eighth course: N89°29'22"W, along the northerly boundary of said Lot A Revised of the N1/2 of 'Government' Lot 4 of Section 18, common with the southerly boundary of said Tract A of Block 19 of Robbinsdale Addition No. 10, a distance of 285.91 feet, to the southwesterly corner of Said Tract A of Block 19 of Robbinsdale Addition No. 10, common to a point on the northerly boundary of said Lot A Revised of the N1/2 of 'Government' Lot 4 of Section 18; Thence, ninth course: N00°10'44"E, along the westerly boundary said Tract A of Block 19 of Robbinsdale Addition No. 10, a distance of 637.27 feet, a point on the westerly boundary said Tract A of Block 19 of Robbinsdale Addition No. 10, common to the southwesterly corner of Lot 3 of Block 20 of Robbinsdale Addition No. 10, and the Point of Beginning, more generally described as being located at the current southern terminus of Winfield Street.

**Planning Commission recommended that the Rezoning from Low Density Residential District I to Medium Density Residential District be continued to the July 20, 2013 Planning Commission meeting.**

11. No. 13PL052 - Blue Marlin Estates

A request by Renner & Associates, LLC for Shane Geidel to consider an application for a **Preliminary Subdivision Plan** for Lot 1 of Blue Marlin Estates, legally described as a portion of the SE1/4 of the NE1/4 of Section 20, T2N, R8E, BHM, Pennington County, South Dakota, more generally described as being located at 3775 Dyess Avenue.

**Planning Commission recommended that the Preliminary Subdivision Plan be approved with the following stipulations:**

1. **Prior to submittal of a Development Engineering Plan application, the applicant shall sign a waiver of right to protest any future assessment for the installation of curb, gutter, sidewalk, street light conduit, sewer and additional pavement along Dyess Avenue as it abuts the property or construction plans shall be submitted for review and approval showing the improvements;**
2. **Upon submittal of a Development Engineering Plan application, construction plans shall be submitted for review and approval showing a minimum 8 inch public water main extending along the west side of Dyess Avenue as it abuts the property and extending across Dyess Avenue to connect with the existing water main located along the east**

- side of Dyess Avenue;
3. 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;
  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. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements or an Exception shall be obtained;
  6. Prior to submittal of a Final Plat application, the proposed lot shall be annexed into the City limits of Rapid City. In addition, a Septic Tank Permit for the existing on-site wastewater system shall be obtained and a copy of the approved permit submitted with the Final Plat application;
  7. 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,
  8. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.
12. FY2014-FY2018 Capital Improvements 5-Year Master Plan
- Planning Commission recommended approval**
13. 13TP020 -- 2014-2017 Transportation Improvement Program – Draft
- Planning Commission recommended approval of the 2014-2017 Transportation Improvement Program – Draft**
14. 13TP029 – Approve the 2013-2017 Coordinated Public Transit-Human Services Transportation Plan – Draft

**Planning Commission recommended approval of the 2013-2017 Coordinated Public Transit-Human Services Transportation Plan – Draft**

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

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

- \*7. No. 13PD019 - PLM Subdivision  
A request by Fisk Land Surveying & Consulting Engineers, Inc. for Pat Tlustos & Mike Tennyson for PLM Development LLC to consider an application for a **Final Planned Development** for a parcel of land located in an unplatted portion of the Southeast One-Quarter of the Northwest One-Quarter (SE ¼ NW ¼ ) of Section

Four (4) in Township One North (T1N), Range Eight East (R8E) of the Black Hills Meridian (BHM), Rapid City, Pennington County, South Dakota, more fully described as follows: beginning at the southeast corner of Lot 33 in Block 1 of PLM Subdivision, said corner being coincident with the northeasterly terminus of Conestoga Court right-of-way and said corner being marked by a rebar with survey cap LS 6251; thence, northeasterly on the easterly lot line of said Lot 33 in Block 1 of PLM Subdivision, North 00 degrees 02 minutes 19 seconds East, a distance of 120.21 feet more or less to the northeasterly corner of said Lot 33 in Block 1 of PLM Subdivision, said point being located on the southerly line of Lot 32 of Block 1 of PLM Subdivision and said corner being marked by a rebar with survey cap LS 6251; thence, easterly on the south line of said Lot 32 of Block 1 of PLM Subdivision, North 86 degrees 03 minutes 45 seconds East a distance of 32.42 feet more or less to the southeast corner of said Lot 32 of Block 1 of PLM Subdivision, said point being coincident with the southwesterly corner of Lot 31 of Block 1 of PLM Subdivision and said corner being marked by a rebar with survey cap LS 6251; thence, northeasterly on the south line of said Lot 31 of Block 1 of PLM Subdivision, North 78 degrees 30 minutes 47 seconds East a distance of 119.91 feet more or less to the southeast corner of said Lot 31 of Block 1 of PLM Subdivision, said point being coincident with the southwesterly corner of Lot 30 of Block 1 of PLM Subdivision and said corner being marked by a rebar with survey cap LS 6251; thence, northeasterly on the south line of said Lot 30 of Block 1 of PLM Subdivision, North 78 degrees 24 minutes 37 seconds East a distance of 109.07 feet more or less to the southeast corner of said Lot 30 of Block 1 of PLM Subdivision, said point being coincident with the southwesterly corner of Lot 29 of Block 1 of PLM Subdivision and said corner being marked by a rebar with survey cap LS 6251; thence, southeasterly on the south line of said Lot 29 of Block 1 of PLM Subdivision, South 84 degrees 09 minutes 48 seconds East a distance of 104.65 feet more or less to the southeasterly corner of said Lot 29, Block 1 of PLM Subdivision, said corner being coincident with the southwesterly corner of Lot 28 of Block 1 of PLM Subdivision and said corner being marked by a rebar with survey cap LS 6251; thence, southeasterly on the south line of said Lot 28 of Block 1 of PLM Subdivision, South 84 degrees 11 minutes 17 seconds East a distance of 119.55 feet more or less to the southeasterly corner of said Lot 28 of Block 1 of PLM Subdivision, said corner being coincident with the southwesterly corner of Lot 27 in Block 1 of PLM Subdivision and said corner being marked by a rebar with survey cap LS 6251; thence, northeasterly on the south line of said Lot 27 of Block 1 of PLM Subdivision, North 86 degrees 56 minutes 07 seconds East a distance of 102.56 feet more or less to the southeasterly corner of said Lot 27 of Block 1 of PLM Subdivision, said corner being coincident with the southwesterly corner of Lot 26 of Block 1 of PLM Subdivision and said corner being marked by a rebar with survey cap LS 6251; thence, northeasterly on the south line of said Lot 26 of Block 1 of PLM Subdivision, North 86 degrees 58 minutes 12 seconds East a distance of 102.43 feet more or less to the southeasterly corner of said Lot 26 of Block 1 of PLM Subdivision, said corner being coincident with the southwesterly corner of Lot 25 of Block 1 of PLM Subdivision and said corner being marked by a rebar with survey cap LS 6251; thence, northeasterly on the south line of said Lot 25 of Block 1 of PLM Subdivision, North 80 degrees 31 minutes 48 seconds East a distance of 60.33 feet more or less to the southeasterly corner of said Lot 25 of Block 1 of PLM

Subdivision, said corner being coincident with the southwesterly corner of Lot 24 of Block 1 of PLM Subdivision and said corner being marked by a rebar with survey cap LS 6251; thence, northeasterly on the south line of said Lot 24 of Block 1 of PLM Subdivision, North 80 degrees 34 minutes 30 seconds East a distance of 60.27 feet more or less to the southeasterly corner of said Lot 24 of Block 1 of PLM Subdivision, said corner being coincident with the southwesterly corner of Lot 23 of Block 1 of PLM Subdivision and said corner being marked by a rebar with survey cap LS 6251; thence, northeasterly on the south line of said Lot 23 of Block 1 of PLM Subdivision North 80 degrees 29 minutes 17 seconds East a distance of 60.45 feet more or less to the southeasterly corner of said Lot 23 of Block 1 of PLM Subdivision, said corner being coincident with the southwesterly corner of Lot 22 of Block 1 of PLM Subdivision and said corner being marked by a rebar with survey cap LS 6251; thence, northeasterly on the south line of said Lot 22 of Block 1 of PLM Subdivision North 80 degrees 25 minutes 18 seconds East a distance of 60.35 feet more or less to the southeasterly corner of said Lot 22 of Block 1 of PLM Subdivision, said corner being coincident with the southwesterly corner of Lot 21 of Block 1 of PLM Subdivision and said corner being marked by a rebar with survey cap LS 6251; thence, southeasterly on the south line of said Lot 21 of Block 1 of PLM Subdivision South 83 degrees 03 minutes 27 seconds East a distance of 102.75 feet more or less to the southeasterly corner of said Lot 21 of Block 1 of PLM Subdivision, said corner being coincident with the southwesterly corner of Lot 20 of Block 1 of PLM Subdivision and said corner being marked by a rebar with survey cap LS 6251; thence, southeasterly on the south line of said Lot 20 of Block 1 of PLM Subdivision, South 83 degrees 06 minutes 54 seconds East a distance of 102.76 feet more or less to the southeasterly corner of said Lot 20 of Block 1 of PLM Subdivision, said corner being coincident with the southwesterly corner of Lot 19 of Block 1 of PLM Subdivision and said corner being marked by a rebar with survey cap LS 6251; thence, southeasterly on the south line of said Lot 19 of Block 1 of PLM Subdivision, South 70 degrees 25 minutes 39 seconds East a distance of 99.91 feet more or less to the southeasterly corner of said Lot 19 of Block 1 of PLM Subdivision, said corner being coincident with the southwesterly corner of Lot 18 of Block 1 of PLM Subdivision and said corner being marked by a rebar with survey cap LS 6251; thence, southeasterly on the south line of said Lot 18 of Block 1 of PLM Subdivision and on the south line of Lot 17 of Block 1 of PLM Subdivision, South 70 degrees 29 minutes 45 seconds East a distance of 199.95 feet more or less to the southeasterly corner of Lot 17 of Block 1 of PLM Subdivision, said point being located on the westerly line of Lot 16 of Block 1 of PLM Subdivision and said point being marked by a rebar with survey cap LS 6251; thence, southwesterly on the westerly line of Lot 16 of Block 1 of PLM Subdivision South 20 degrees 06 minutes 19 seconds West a distance of 407.52 feet more or less to a point on the north line of Lot 5 of Block 2 of Eastridge Estates Subdivision, said point being marked by a rebar with survey cap RW FISK 6565; thence, northwesterly on the north line of said Lot 5 of Block 2 of Eastridge Estates Subdivision, North 89 degrees 42 minutes 37 seconds West a distance of 84.43 feet more or less to the northwesterly corner of said Lot 5 of Block 2 of Eastridge Estates Subdivision, said corner being coincident with the northeasterly corner of Lot 6 of Block 2 of Eastridge Estates Subdivision and said corner being marked by a rebar with survey cap LS 3977; thence, westerly

on the north line of Lot 6 of Block 2 of Eastridge Estates Subdivision, North 89 degrees 36 minutes 58 seconds West a distance of 159.95 feet more or less to the northwesterly corner of said Lot 6 of Block 2 of Eastridge Estates Subdivision, said corner being coincident with the northeasterly corner of Lot 7 of Block 2 of Eastridge Estates Subdivision and said corner being marked by a rebar with survey cap LS 3977; thence, westerly on the north line of Lot 7 of Block 2 of Eastridge Estates Subdivision, North 89 degrees 41 minutes 02 seconds West a distance of 160.01 feet more or less to the northwesterly corner of said Lot 7 of Block 2 of Eastridge Estates Subdivision, said corner being coincident with the northeasterly corner of Lot 8 of Block 2 of Eastridge Estates Subdivision and said corner being marked by a rebar with survey cap LS 3977; thence, westerly on the north line of Lot 8 of Block 2 of Eastridge Estates Subdivision, North 89 degrees 40 minutes 46 seconds West a distance of 159.99 feet more or less to the northwesterly corner of said Lot 8 of Block 2 of Eastridge Estates Subdivision, said point being coincident with the northeasterly corner of Lot 9 of Block 2 of Eastridge Estates Subdivision and said point being marked by a rebar with survey cap LS 3977; thence, westerly on the north line of said Lot 9 of Block 2 of Eastridge Estates Subdivision, North 88 degrees 30 minutes 32 seconds West a distance of 119.67 feet more or less to the northwesterly corner of said Lot 9 of Block 2 of Eastridge Estates Subdivision, said corner being coincident with the northeasterly corner of Lot 10 of Block 2 of Eastridge Estates Subdivision and said corner being marked by a rebar with survey cap LS 3977; thence, northwesterly on the north line of said Lot 10 of Block 2 of Eastridge Estates Subdivision, North 72 degrees 49 minutes 44 seconds West a distance of 148.96 feet more or less to the northwesterly corner of said Lot 10 of Block 2 of Eastridge Estates Subdivision, said corner being coincident with the northeasterly corner of Lot 11 of Block 2 of Eastridge Estates Subdivision and said corner being marked by a rebar with survey cap LS 3977; thence, northwesterly on the north line of said Lot 11 of Block 2 of Eastridge Estates Subdivision, North 72 degrees 45 minutes 23 seconds West a distance of 159.90 feet more or less to the northwesterly corner of said Lot 11 of Block 2 of Eastridge Estates Subdivision, said corner being coincident with the northeasterly corner of Lot 12 of Block 2 of Eastridge Estates Subdivision and said corner being marked by a rebar with survey cap LS 3977; thence, northwesterly on the north line of said Lot 12 of Block 2 of Eastridge Estates Subdivision, North 72 degrees 44 minutes 42 seconds West a distance of 131.80 feet more or less to the northwesterly corner of said Lot 12 of Block 2 of Eastridge Estates Subdivision, said corner being coincident with the northeasterly corner of Lot 35 of Block 1 of PLM Subdivision and said corner being marked by a rebar with survey cap LS 3977; thence, westerly on the north line of said Lot 35 of Block 1 of PLM Subdivision, North 89 degrees 57 minutes 49 seconds West a distance of 164.12 feet more or less to a northerly corner on said Lot 35 of Block 2 of PLM Subdivision, said corner being with the southeasterly corner of Lot 34 of Block 1 of PLM Subdivision and said corner being marked by a rebar with survey cap LS 6251; thence, northerly on the east line of said Lot 34 of Block 1 of PLM Subdivision, North 00 degrees 02 minutes 12 seconds West a distance of 125.46 feet more or less to the northeasterly corner of said Lot 34 of Block 1 of PLM Subdivision, said corner being coincident with the southeasterly terminus of Conestoga Court right-of-way and said corner being marked by a rebar with



survey cap LS 6251; thence, northerly on the easterly terminus of Conestoga Court right-of-way, North 00 degrees 02 minutes 48 seconds West a distance of 49.03 feet more or less to the point of beginning, more generally described as being located at the current terminus of Conestoga Court.

Fisher reviewed the application and slides noting that a Final Planned Development and a Preliminary Plat had previously been before Planning Commission but had expired. As such, the applicant has brought forward this Final Planned Development. Fisher noted that the applicant was present and wished to address the stipulation that references fire sprinkling as per the Infrastructure Design Criteria Manual.

Pat Tlustos, PLM, LLC, spoke to the planned layout of the project noting that it has been designed to flow with the existing topography of the land. Tlustos stated that the applicant had installed 10 inch water mains, but feels that the requirement to sprinkle the structures is onerous, costing an estimated eight thousand dollars per property, and that the loss of a lot to allow the turn-around would cost upwards of seventy thousand dollars in lost revenue.

Discussion followed.

Fisher clarified that this stipulation is based on the Infrastructure Design Criteria Manual and that the Planning Commission does not have the authority to waive the requirement. Only staff, in this case the Fire Department, can approve an Exception request. If staff denies the Exception request the applicant can appeal the decision to City Council.

Tim Behlings, Assistant Chief Rapid City Fire Department, stated that this portion of the project has sufficient fire flow and noted that the issue had been noted during the initial review approximately three years ago. At which time the applicant addressed the fire flow issue. Behlings reviewed how excessive length cul-de-sacs affect the Fire Department and the option for the sprinkler component, which is a proactive measure rather than reactive measure.

Discussion followed.

In response to a question from Scull on the length of the cul-de-sac, it was confirmed that the street is 900 feet long, which is 300 feet in excess of the 600 feet criteria the Infrastructure Design Criteria Manual.

Discussion followed regarding home design and responsibility, setbacks and fire response.

Brewer stated that the Planning Commission would like the recommendation to allow the stipulation to be modified to reflect the Planning Commission's support for granting the Exception.

Behlings clarified that there is no requirement to sprinkle residential structures; it is strictly based on fire flows and as an option for eliminating the requirement to

provide a turn-around.

Rose moved, Braun seconded, to approve with the revision of Stipulation No. 9 to state “or an exception shall be obtained as recommended by the Planning Commission.”

Scull made a substitute motion to repeal the motion to allow further discussion, Marchand seconded and unanimously passed.

Janelle Fink, Fisk Land Surveying and Consulting Engineers, asked why, if the installation of a sprinkler system was not a requirement but a tool to offset the length of the cul-de-sac, was an Exception required. Fisher reviewed the Infrastructure Design Criteria Manual and the options available for cul-de-sacs in excess of 600 feet.

In response to a question by Brewer, Carla Cushman, Attorney's Office, stated that the Infrastructure Design Criteria Manual is not per Ordinance but is approved by Council and therefore any Exceptions to it must be appealed to Council.

Discussion followed.

Amanda Scott, City Council Liaison summarized her understanding of the approval and appeal process for the item.

Scull moved, Marchand seconded to approve with the revision to Stipulation No. 9 to state “or an Exception shall be obtained as recommended by the Planning Commission. Carlos against.

**Scull moved, Marchand seconded and carried to approve the Final Planned Development with the following stipulations as revised by the Planning Commission:**

- 1. An Exception is hereby granted to reduce the minimum required front yard setback from 20 feet to 15 feet in front of each residence. The required front yard setback to a frontloading garage shall be 20 feet. Any further reduction to the front yard setback to a frontloading garage shall require the review and approval of a Major Amendment to the Planned Development;**
- 2. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;**
- 3. Prior to issuance of a building permit, a Development Engineering Plan shall be approved;**
- 4. Prior to issuance of a Certificate of Occupancy, a Final Plat shall be approved;**
- 5. Upon submittal of a building permit, an erosion and sediment control plan shall be submitted for review and approval;**
- 6. Upon submittal of a building permit, plans shall be prepared and stamped by a licensed Architect or Professional Engineer as per SDCL 36-18A;**

7. Temporary or permanent site stabilization shall be achieved prior to issuance of a Certificate of Occupancy;
8. All provisions of the Low Density Residential District shall be met unless otherwise specifically authorized as a stipulation of this Final Planned Development Overlay or a subsequent Major Amendment;
9. Upon submittal of a building permit application, the applicant shall demonstrate that the residential dwellings are fire sprinkler protected or an intermediate turnaround shall be provided or an Exception shall be obtained as recommended by the Planning Commission. All applicable provisions of the adopted International Fire Code shall continually be met; and,
10. The Final Planned Development Overlay shall allow for a single family residential development. Any change in use that is a permitted use in the Low Density Residential District shall require a building permit. Any change in use that is a Conditional Use in the Low Density Residential District shall require the review and approval of a Major Amendment to the Planned Development. (8 to 1 with Braun, Brewer, Marchand, Raterman, Rippentrop, Rolinger, Rose and Scull voting yes and Beatty 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.***

\*15. No. 13PD018 - Rushmore Crossing

A request by Luke Wilson for CCW, LLC DBA HuHot Mongolian Grill to consider an application for a **Major Amendment to a Planned Development to allow an On-Sale Liquor Establishment in conjunction with a restaurant** for Lot 9 of Block 2 of Rushmore Crossing, located in Sections 32 and 29, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located southeast corner of Eglin Street and East North Street.

Laroco presented the application and reviewed the slides stating that staff recommends that the **Major Amendment to a Planned Development to allow an On-Sale Liquor Establishment in conjunction with a restaurant** be approved with stipulations.

Rolinger moved, Marchand seconded and unanimously carried to approve the **Major Amendment to a Planned Development to allow an on-sale liquor establishment in conjunction with a full service restaurant with the following stipulations:**

1. A building permit shall be obtained prior to construction. A Certificate of Occupancy shall be required prior to occupancy;
2. All signage shall comply with the submitted sign package and the Rapid City Municipal Code. Changes to the signage which comply with the Rapid City Sign Code shall be permitted. No electronic or Light

Emitting Diode (LED) signage is being approved as a part of this Planned Development. The addition of electronic or LED signage shall require a Major Amendment to the Planned Development. A sign permit is required for each sign;

3. All parking shall continue to comply with the previously approved Major Amendment to the Planned Development, File #08PD004;
4. All landscaping shall continue to comply with the previously approved Major Amendment to the Planned Development, File #08PD004;
5. All outdoor lighting shall be designed to reflect within the property boundaries so as to not shine on adjoining properties and rights-of-way and not be a hazard to the passing motorist or constitute a nuisance of any kind;
6. All applicable provisions of the International Fire Code shall be continually maintained;
7. All provisions of the General Commercial District shall be continually maintained unless specifically authorized as a stipulation of a subsequent Major Amendment to the Planned Development, and;
8. The Major Amendment to the Planned Development shall allow an on-sale liquor establishment for beer and wine to be developed in conjunction with a full service restaurant. All permitted uses in the General Commercial District shall be permitted. All conditional uses in the General Commercial District shall require a Major Amendment to the Planned Development. (9 to 0 with Beatty, Braun, Brewer, Marchand, Raterman, Rippentrop, Rolinger, Rose and Scull 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.***

\*16. No. 13UR011 - Rapid City Greenway Tract

A request by Design Works, Inc for City of Rapid City to consider an application for a **Conditional Use Permit to allow Roosevelt Park Expansion** for Tract 27 of Rapid City Greenway Tract, Section 31, T2N, R8E (also in Section 6, T1N, R8E), BHM, Rapid City, Pennington County, South Dakota, more generally described as being located north of Omaha Street between Maple Avenue and Waterloo Street.

Lacock presented the application and reviewed the slides noting that the project includes construction of an outdoor pool and associated restroom and mechanical building along with 150 parking spaces. Lacock noted that there are additional improvements and expansions anticipated in future phases. The current expansions do not trigger a Traffic Impact Study, but future phases may trigger the need for a Traffic Impact Study.

Brewer handed the gavel over to Marchand at this time and left the meeting.

Lacock noted that this is a City project and stated that there are issues that are being addressed through the stipulations, including that the project is located in the floodplain and as such a Floodplain Development Permit must be obtained prior to issuance of a building permit. Lacock stated that staff recommends that the **Conditional Use Permit to allow Roosevelt Park Expansion** be approved with stipulations.

In response to a question from Braun regarding flood plain requirements, Fisher clarified this is located in the floodplain and not the floodway.

**Rose moved, Beatty seconded and unanimously carried to approve the Conditional Use Permit to allow Roosevelt Park Expansion 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;**
- 2. Upon submittal of a building permit, plans shall be prepared and stamped by a licensed Architect or Professional Engineer as per SDCL 36-18A;**
- 3. Upon submittal of a building permit, a stormwater report addressing quantity and quality control, signed and stamped by a Professional Engineer, shall be submitted for review and approval;**
- 4. Prior to issuance of a building permit, the applicant shall verify that sewer release rates for the proposed pool do not exceed current rates;**
- 5. Prior to issuance of a building permit, a floodplain development permit shall be obtained;**
- 6. A minimum of 40,109 landscaping points shall be provided for the proposed outdoor pool expansion. In addition, a minimum of 66,095 landscaping points shall be provided for the proposed parking lot expansion. 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;**
- 7. A minimum of 392 parking spaces shall be provided. Twelve of the parking spaces shall be handicap accessible. Two of the handicap spaces shall be "van accessible." All provisions of the Off-Street Parking Ordinance shall be continually met. In addition, additional parking shall be provided in compliance with Chapter 17.50.270 of the Rapid City Municipal Code when the storage use is changed;**
- 8. All signage shall continually conform to the Sign Code. No electronic signs are being approved as a part of this Conditional Use Permit. Changes to the 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 Conditional Use Permit. All signage not in conformance with the Sign Code shall require a Variance or a Planned Development Overlay. Any electronic reader board signs shall require the review and approval of a Major Amendment to the Conditional Use**



**Permit. 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;**

- 9. Upon submittal of a building permit, a lighting package shall be submitted for review and approval. 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;**
- 10. All provisions of the Flood Hazard District shall be met;**
- 11. An Air Quality Construction Permit shall be obtained prior to any surface disturbance of one acre or more;**
- 12. All applicable provisions of the adopted International Fire Code shall continually be met; and,**
- 13. The Conditional Use Permit shall allow a pool and park complex with a future parking expansion. Any change in use that is a permitted use in the Flood Hazard District shall require the review and approval of a Minimal Amendment. Any change in use that is a Conditional Use in the Flood Hazard District shall require the review and approval of a Major Amendment to the Conditional Use Permit. (8 to 0 with Beatty, Braun, Marchand, Raterman, Rippentrop, Rolinger, Rose and Scull 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.***

17. Discussion Items  
None

18. Staff Items  
Horton reminded the Planning Commission about the upcoming Comprehensive Plan sessions scheduled for July 15 & 16, 2013 and polled the Planning Commission for attendance.

Horton noted that the Annual State Transportation Improvement Program Public Meeting is scheduled for 7 p.m. on July 24, 2013 at the Ramkota and that she would be sending an invitation to the Planning Commissioners. Horton stated that this is a statewide effort to coordinate transportations plans and projects.

Behlings thanked the Planning Commission for the discussion today and stated that he will be bring forth a presentation at a future Planning Commission meeting on residential fire sprinkler systems and fire suppression.

19. Planning Commission Items

None

20. Committee Reports  
None

**There being no further business, Beatty moved, Rose seconded and unanimously carried to adjourn the meeting at 7:56 a.m. (8 to 0 with Beatty, Braun, Marchand, Raterman, Rippentrop, Rolinger, Rose and Scull voting yes and none voting no)**