

MINUTES OF THE
RAPID CITY PLANNING COMMISSION
November 6, 2014

MEMBERS PRESENT: Erik Braun, John Brewer, Karen Bulman, Linda Marchand, John Pinkard, Dennis Popp, Kay Rippentrop, Steve Rolinger, Tim R. Rose, Andrew Scull and Jan Swank. Amanda Scott, Council Liaison was also present.

MEMBERS ABSENT: Brett Monson

STAFF PRESENT: Brett Limbaugh, Vicki Fisher, Fletcher Lacock, Robert Laroco, Patsy Horton, Tim Behlings, Ted Johnson, Carla Cushman and Andrea Wolff.

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

Marchand 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 Rolinger seconded by Swank and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 6 in accordance with the staff recommendations. (10 to 0 with Braun, Brewer, Bulman, Marchand, Popp, Rippentrop, Rolinger, Rose, Scull and Swank voting yes and none voting no)

---CONSENT CALENDAR---

1. Planning Commission approved the October 23, 2014 Planning Commission Meeting Minutes.

*2. No. 14PD034 - Founders Park Subdivision

A request by Fisk Land Surveying and Consulting Engineers, Inc for Founders Park LLC to consider an application for a **Final Planned Development Overlay to allow an apartment complex and parkland** for proposed Lots 10 and 11 of Founders Park Subdivision, legally described as a parcel of land locates in the West One-Half of the Northwest One-Quarter of the Southeast One-Quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$), and in the Southwest One-Quarter of the Northeast One-Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$) all in Section Thirty-Five (35) of Township Two North (T2N), Range Seven East (R7E) of the Black Hills Meridian (BHM), Rapid City, Pennington County, South Dakota, more fully described as follows: Beginning at the center one quarter corner of said Section Thirty-Five (35) of Township Two North (T2N), Range Seven East (R7E) of the Black Hills Meridian (BHM), Rapid City, Pennington County, South Dakota, said point being marked by a pipe; thence, easterly along the One-Quarter (1/4) line, North 89 degrees 58 minutes 24 seconds East a distance of 343.80 feet more or less to a point marked by a rebar with survey cap "RW FISK LS 6565"; thence, north 00 degrees 00 minutes 00 seconds East a distance of 43.43 feet more or less to a point on the south line of Lot One (1) of Founders Park North Subdivision as shown on the plat recorded March 30, 2012 and filed as Document Number A201204556 at the Pennington County Register of Deeds, said point being marked by a rebar with survey cap "RW FISK LS 6565"; thence, easterly and on the south line of said Lot One (1) of Founder Park North Subdivision, North 89 degrees 58 minutes 47 seconds East

a distance of 285.57 feet more or less to a point on the west line of the intersection of Founders Park Drive and Philadelphia Street rights of-way, said point being marked by a rebar with survey cap "RW FISK LS 6565"; thence, southerly along the west line of said Founders Park Drive right-of-way, South 00 degrees 05 minutes 31 seconds West a distance of 171.76 feet more or less to a point of curvature, said point being marked by a rebar with survey cap "RW FISK LS 6565"; thence, curving to the right and on the west line of said Founders Park Drive right-of-way on a curve with a radius of 236.00 feet, a delta of 60 degrees 32 minutes 46 seconds, an arc length of 249.39 feet more or less, a chord bearing of South 30 degrees 21 minutes 54 seconds West, and a chord distance of 237.95 feet more or less, said point being marked by a rebar with survey cap "RW FISK LS 6565"; thence, continuing on the west line of said Founders Park Drive right-of-way, South 60 degrees 38 minutes 17 seconds West, a distance of 45.27 feet more or less to a point marked by a rebar with survey cap "RW FISK LS 6565"; thence, continuing on the west line of said Founders Park Drive right-of-way and curving to the left on a curve with a radius of 394.00 feet, a delta of 24 degrees 38 minutes 10 seconds, an arc length of 169.41 feet more or less, a chord bearing of South 48 degrees 19 minutes 12 seconds West, and a chord distance of 168.11 feet more or less, said point being marked by a rebar with survey cap "RW FISK LS 6565"; thence, continuing on the west line of said Founders Park Drive right-of-way and curving to the left on a curve with a radius of 394.00 feet, a delta of 45 degrees 45 minutes 56 seconds, an arc length of 314.71 feet more or less, a chord bearing of South 13 degrees 07 minutes 09 seconds West, and a chord distance of 306.41 feet, more or less, said point being marked by a rebar with survey cap "RW FISK LS 6565, said point being coincident with the northeast corner of Lot One (1) of Founders Park Subdivision as shown on the plat recorded February 1, 2007 and filed in Book 34 of Plats on Page 80 at the Pennington County Register of Deeds; thence, southwesterly and on the north line of said Lot One (1) of Founders Park Subdivision, South 59 degrees 59 minutes 18 seconds West a distance of 317.36 feet more or less to the northeast corner of said Lot One (1) of Founders Park Subdivision, said point being marked by a rebar with survey gap "6251", and said point being located on the north-south One-Quarter (1/4) section line; thence, northerly and on said One-Quarter (1/4) line, North 0 degrees 02 minutes 05 seconds East, a distance of 924.51 feet more or less to the point of beginning, more generally described as being located west of the Founders Park Drive and Philadelphia Street intersection.

Planning Commission approved the Final Planned Development Overlay to allow an apartment complex and parkland with the following stipulations:

- 1. A Building Permit shall be obtained prior to any structural construction and a Certificate of Occupancy shall be obtained prior to occupancy;**
- 2. Upon submittal of a Building Permit, a revised site plan showing a minimum of 81 parking spaces shall be submitted for review and approval or an Exception shall be obtained as per Chapter 17.50.050 of the Rapid City Municipal Code. Four 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;
3. Upon submittal of a Building Permit, a site plan shall be submitted identifying the location of any heating and cooling systems and any required screening in compliance with Chapter 17.64.050 of the Rapid City Municipal Code
 4. Upon submittal of a Sign Permit, the site plan shall be revised to show the sign a minimum of 10 feet from the property line with a maximum of 36 square feet of sign area. All signage shall conform to the Sign Code. No electronic signs are being approved as a part of this Final Planned Development Overlay. All signage not in conformance with the Sign Code or any electronic reader board signs shall require the review and approval of a Major Amendment. 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 all signs;
 5. Upon submittal of a Building Permit, plans shall be prepared and stamped by a licensed Architect or Professional Engineer as per SDCL 36-18A;
 6. Upon submittal of a Building Permit, submit plans that have addressed redlined plans and comments and return the redlined plans to Community Planning and Development Services;
 7. Prior to issuance of a Building Permit, the property owner shall sign an access easement to the water shutoff valve to allow City access;
 8. Temporary or permanent site stabilization shall be achieved prior to issuance of a Certificate of Occupancy;
 9. An Air Quality Construction Permit shall be obtained prior to any surface disturbance of one acre or more;
 10. All applicable provisions of the adopted International Fire Code shall continually be met;
 11. All outdoor lighting shall continually 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;
 12. A minimum of 91,052 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;
 13. All provisions of the Office Commercial District shall be met unless otherwise specifically authorized as a stipulation of this Final Planned Development or a subsequent Major Amendment; and,
 14. The Final Planned Development Overlay shall allow for the construction of two 3 story apartment buildings with a total of 36 units located on proposed Lot 11 and a park on Lot 10. Any change in use on proposed Lot 11 that is a permitted use in the underlying zoning district and in compliance with the Parking Ordinance shall require the review and approval of a Minimal Amendment. Any change in use that is a Conditional Use in the underlying zoning district shall require the

review and approval of a Major Amendment to the Planned Development. Any change in use for Lot 10 from parkland shall require a 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.

3. No. 14PL064 - Founders Park Subdivision

A request by Fisk Land Surveying and Consulting Engineers, Inc for Founders Park LLC to consider an application for a **Preliminary Subdivision Plan** for proposed Lots 10 and 11 of Founders Park Subdivision, legally described as portions of the SW1/4 of the NE1/4 less Lot 1 of Founders Park North and Less ROW; and portions of the W1/2 of the NW1/4 of the SE1/4, less Block 1 of the North Riverside Addition, less Founders Park Subdivision and Less ROW, all located in Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of the Founders Park Drive and Philadelphia Street intersection.

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

1. **Prior to submittal of a Final Plat application, Lot 10 shall be secured as a conservation easement;**
2. **Prior to submittal of a Final Plat application, the plat document shall be revised to show the existing overhead power line located on the west side of proposed Lot 10 within a utility easement; and,**
3. **Prior to submittal of a Final Plat application, the Certificate of Finance Officer shall be revised eliminating reference to the Public Works Director's approval of the Final Plat.**

4. No. 14VR004 - Original Town of Rapid City

A request by Fisk Land Surveying and Consulting Engineers, Inc for Norman Hansen to consider an application for a **Vacation of Right of Way** for Lots 1 and 2 of Block 90 of Original Town of Rapid City, located in the NE1/4 of Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 3 Main Street.

Planning Commission recommended that the Vacation of Right of Way be approved with the following stipulations:

1. **Prior to City Council approval, a public utility easement shall be submitted for recording; and,**
2. **Prior to City Council approval, a temporary construction easement shall be submitted for recording.**

*5. No. 14UR020 - Section 5, T1N, R8E

A request by Youth and Family Services to consider an application for a

Conditional Use Permit to allow a child care center for Tract B of the E1/2 of the SE/14 of Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1600 Sedivy Lane.

Planning Commission approved the Conditional Use Permit to allow a child care center with the following stipulations:

1. A building permit shall be obtained prior to any construction. A certificate of completion shall be obtained prior to commencement of the child care center use;
2. Prior to issuance of a certificate of completion, all fire protection requirements shall be inspected and approved by the Rapid City Fire Department. All requirements of the International Fire Code shall be continually maintained;
3. All parking shall continue to comply with the requirements of the Rapid City Parking Ordinance;
4. All Landscaping shall continue to comply with the requirements of the Rapid City Landscaping Ordinance;
5. All signage shall comply with the requirements of the Rapid City Sign Code. A sign permit shall be obtained for each sign;
6. All provisions of the Light Industrial District shall be continually maintained, and;
7. This Conditional Use Permit shall allow for a child care center. The child care center shall operate in compliance with the submitted operations plans and all requirements of the Rapid City Municipal Code. Uses permitted in the Light Industrial District shall be permitted contingent upon approval of a building permit and provision of sufficient parking. Conditional uses 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.

6. No. 14PL066 - Country Meadows Subdivision
A request by Ferber Engineering Company for Aspen Ridge Lawn and Landscape, LLC to consider an application for a **Preliminary Subdivision Plan** for proposed Lot 1 of Country Meadows Subdivision, legally described as a portion of Lot 1 of the SE1/4 of the SE1/4 of Section 29, T1N, R7E, Less Lot 1 of Flannery Subdivision, less Lot H1 of the SE1/4 of the SE1/4 and Lot P1 of the SE1/4 of the SE1/4 and less Lot B of Lot 1 of the SE1/4 of the SE1/4 of Section 29, T1N, R7E, inclusive of Lot A of Lot 1 of the SE1/4 of the SE1/4 of Section 29, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the southeast corner of the intersection of Croyle Avenue and Sheridan Lake Road.

Planning Commission recommended that the Preliminary Subdivision Plan

be approved with the following stipulations:

1. Upon submittal of a Development Engineering Plan application, construction plans showing the installation of water and sewer mains along Sheridan Lake Road shall be submitted for review and approval or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application;
2. Upon submittal of a Development Engineering Plan application, construction plans showing the installation of water and sewer main(s) along Croyle Avenue shall be submitted for review and approval or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with Development Engineering Plan application;
3. Upon submittal of a Development Engineering Plan application, water plans and analysis prepared by a Registered Professional Engineer shall be submitted for review and approval in accordance with the Infrastructure Design Criteria Manual or an Exception shall be obtained. The water plan and analysis shall demonstrate that the water service is adequate to meet estimated domestic flows and required fire flows to support the proposed development. In addition, utility easements shall be secured as needed;
4. Upon submittal of a Development Engineering Plan application, sewer plans prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual shall be submitted for review and approval or Exception(s) shall be obtained. If a private on-site wastewater system is utilized, then an on-site wastewater plan prepared by a Registered Professional Engineer demonstrating that the soils are suitable for on-site wastewater systems shall be submitted for review and approval;
5. Upon submittal of a Development Engineering Plan application, a drainage plan in compliance with the City's Drainage Basin Plan shall be submitted for review and approval. In addition, the plat document shall be revised to provide drainage easements as necessary;
6. Upon submittal of a Development Engineering Plan application, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual and the Infrastructure Design Criteria Manual shall be submitted for review and approval if subdivision improvements are required;
7. 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 Registered Professional Engineer;
8. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all

- public improvements, if applicable;
9. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
 10. Prior to submittal of a Final Plat application, the property shall be annexed pursuant to Section 16.040.090 of the Rapid City Municipal Code;
 11. Prior to submittal of a Final Plat application, the applicant shall demonstrate that the existing structural development is in compliance with the Rapid City Municipal Code. Any non-conforming structures shall be removed or surety posted for their removal;
 12. Prior to submittal of a Final Plat application, the proposed 10 foot wide water main easement extending to the Colonial Pine Hills Well Lot shall be included in the plat title or a miscellaneous document shall be recorded securing the easement and the plat document shall show the recording information for the easement;
 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).

---END OF CONSENT CALENDAR---

---BEGINNING OF REGULAR AGENDA ITEMS---

7. No. 14TI002 – Denman's Subdivision
A request by Dream Design International, Inc for Technology Housing 2, LLC to consider an application for a **Project Plan** for Lots 1 – 16 and the adjacent rights-of-way to Lots 1 – 16 of Block 5 of Denman's Subdivision, located in Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of Saint Joseph Street between Myrtle Avenue and Maple Avenue.

Horton noted that at the October 23, 2014 Planning Commission Meeting the Planning Commission had approved 14TI001, the Creation of the Tax Increment District 75 and instructed staff to prepare the Project Plan for the Tax Increment District. Horton presented the application and reviewed the associated slides. Horton noted that the Tax Increment District funds will be used to demolish existing buildings and allow the burying of services, improving the alley and building additional apartments and services. It is anticipated that this will encourage additional development and improvements in the area. Horton request that language be included that the TIF cover appraisal costs and that the project plan shall not exceed \$2.2 million and stated that staff recommends approval of the **Project Plan for TID 75**.

Braun and Scull stated that they would be abstaining from this item due to conflicts of interest.

Bulman disclosed that she had had a conversation with the applicant after the last meeting regarding this item.

Rolinger moved, Rose seconded and unanimously carried to recommend approving the attached resolution approving the E. St. Joseph Street Housing 2 Tax Increment District No. 75 Project Plan with the following stipulation:

- 1. That the development agreement associated with the Project Plan include language related to an independent appraisal as part of the land acquisition line item and that the City shall have an opportunity to participate in the selection of the appraisal firm. (8 to 0 to 2 with Brewer, Bulman, Marchand, Popp, Rippentrop, Rolinger, Rose and Swank voting yes and none voting no and Braun and Scull abstaining)**

*8. No. 14PD035 - Owen Mann Tract

A request by Fisk Land Surveying and Consulting Engineers, Inc for Best Rent LLC to consider an application for a **An Initial and Final Planned Development Overlay to allow a Multifamily Housing Development with reduced front yard setbacks** for proposed Lot C Revised of Block 3 of Owen Mann, legally described as Lots C, D, E and F of Block 3 of Owen Mann Tract, located in Section 33, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the northwest corner of the intersection of Federal Avenue and West Rapid Street.

Laroco presented the application and reviewed the slides. Laroco stated that the applicant has requested an Exception to reduce the front yard setbacks from 25 feet to 20 feet which staff supports. Laroco noted that the applicant plans to consolidate the current lots into a single lot to accommodate the multi-family dwellings. Laroco stated that the plan indicates that there will be two three story buildings and that access to interior parking area will be accessed from a single source along Federal Boulevard. Laroco presented staff's recommendation that the **Initial and Final Planned Development Overlay to allow a Multifamily Housing Development with reduced front yard setbacks** be approved with the stipulations.

Brewer left the meeting at this time.

In response to a question from Bulman regarding the fire hydrants and retaining wall issue noted in the staff report, Behlings stated that it is a minor issue that they can work around noting that the buildings will be fully fire-sprinkler protected.

Rose moved, Rolinger seconded and unanimously carried to approve the Initial and Final Planned Development Overlay to allow a multi-family housing development with reduced front yard setbacks with the following stipulations:

1. An Exception to reduce the required front yard setback along West Rapid Street and Federal Avenue from 25 feet to 20 feet is hereby granted;
2. Prior to issuance of a building permit, a Lot Line Consolidation Plat shall be approved combining the four existing lots into one lot;
3. A building permit shall be obtained prior to construction, a Certificate of Occupancy shall be required prior to occupancy;
4. An air quality permit shall be obtained for any disturbance of earth greater than one acre;
5. All landscaping shall comply with the requirements of the Rapid City Landscaping Ordinance and the submitted landscaping plan;
6. All parking shall comply with the requirements of the Rapid City Parking Ordinance and the submitted parking plan;
7. All signage shall comply with the requirements of the Rapid City Sign Code. A sign permit is required for each sign;
8. All lighting shall be designed to preclude shining on adjacent properties or rights-of-way;
9. All requirements of the International Fire Code shall be continually maintained;
10. All requirements of the Medium Density Residential District shall be continually maintained unless specifically authorized as a stipulation of this Initial and Final Planned Development or a future Major Amendment to the Planned Development, and;
11. This Initial and Final Planned Development shall allow for the development of an apartment complex. All uses permitted in the Medium Density Residential District shall be permitted contingent upon provision of sufficient parking and an approved building permit. All conditional uses shall require the review and approval of a Major Amendment to the Planned Development. (10 to 0 with Braun, Bulman, Marchand, Pinkard, Popp, Rippentrop, Rolinger, Rose, Scull and Swank 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.

*9. No. 14PD036 - I-90 Heartland Business Park

A request by Renner & Associates, LLC for Cummins Central Power to consider an application for a **Planned Unit Development Zoning District** for Lots 2R and 3R of Block 1 of I-90 Heartland Business Park, legally described as Lots 2, 3 and 8 of Block 1 of I-90 Heartland Business Park, located in the E1/2 of the NE1/4 of Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of North Elk Vale Road and east of Taggert Road

Fisher presented the application noting that this is the first Planned Unit

Development Zoning District and outlined the specific uses that justified the use of this zoning tool. Fisher stated that this will create a unique Zoning District that will be recorded with the Register of Deeds. Fisher reviewed the Zoning Document which includes the land use plan, land plan which addresses, parking, landscaping and signage. One of the special uses this zoning will allow is the creation of recreational vehicle sites for the overnight or short term parking of recreational vehicles that are awaiting repair. Fisher noted that this will not include a dumping sight as the parking is for overnight and not long term camping, noting that if a dump site were to be requested additional services will be required. Fisher stated that staff recommends approval of the **Planned Unit Development Zoning District**.

Rose moved, Scull seconded and unanimously carried to recommend that the Planned Unit Development Zoning District be approved. (10 to 0 with Braun, Bulman, Marchand, Pinkard, Popp, Rippentrop, Rolinger, Rose, Scull and Swank 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.

*10. No. 14PD033 - Fox Run Subdivision

A request by Fisk Land Surveying and Consulting Engineers, Inc., for Dr. Jim Castleberry, Cornerstone Rescue Mission to consider an application for a **Major Amendment to a Planned Development to allow a group home for transitional housing** for Lot 1 of Block 1 of Fox Run Subdivision, located in Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 301 Fox Run Drive.

Marchand stated that due to the number of speaker request forms on this item that the lighting system will be used and reviewed the process.

Popp stated that he would be abstaining from this item due to a conflict of interest. Popp left the dais at this time.

Fisher presented the application and reviewed the associated slides. Fisher reviewed the history of this location noting that a Planned Development was created to allow an Assisted Living Facility, and amended to allow the sale of medical equipment sales and rentals and that this amendment is to allow the use as group home. Fisher noted that a Group Home is a Conditional Use in the Office Commercial Zoning District. Fisher noted that additional fencing is included in the project plan between the proposed home and existing residential properties. Fisher reviewed the operation plan noting that the applicant is indicating that the plan is for nine units with a maximum occupancy of 36, the proposed floor plan shows a large portion of the building identified as storage. Fisher noted that any expansion of the use of the property would require a Major Amendment to expand into that area of the building. Fisher reviewed the

statement of intent provided by the Corner Stone Mission.

Fisher stated that staff appreciates the input from the residents, noting that the building meets all fire codes and was built for this type of use. Fisher reviewed the appropriateness of this use in a residential area verses a commercial use.

Fisher reviewed the specific criteria that the ordinance requires be reviewed including screening, parking, sidewalks, signage and lighting, and utilities and comprehensive plan noting that all of these criteria are met by this location. Fisher also noted that the City's Consolidated Plan calls for the City to provide services for women in need. Fisher further noted that Stipulation #5 should state that 13 parking spaces are required and requested that it be revised to as such and stated that stipulations #11 specifically limits the operation plan to the proposed plan and prohibits the use as a mission, detox center or detention facility and that stipulation # 12 states that the Major Amendment shall be reviewed by the Planning Commission in six months at the May 7, 2015 Planning Commission meeting and that staff recommends the **Major Amendment to a Planned Development to allow a group home for transitional housing** be approved with stipulations.

Karl Jegeris reviewed the "call for service report" that had been included in the information stating that the numbers are indicative of the type of services offered and the hardships that are associated. He noted that the calls are not disruptive in nature.

James Castleberry, Executive Director of Cornerstone Rescue Mission, discussed the reasons this facility is a benefit to both the people it will serve and the city. He stated that he feels this is a good use of the location noting that it was already set up for the use and situated to provide easy access to transportation, medical and other services.

Gary Gross, 6321 Fox Run Drove, spoke to his support and hoped that the Planning Commission would approve the request

Jodi Brown, a resident of the current facility, noted her support of the facility. She stated that the current facility is not handicap accessible and is at capacity. She thanked the mission for providing them a place to go noting that they are only asking for a hand up not a handout. She listed the opportunities and guidance that are offered at the facility.

Allen Berreth, Vice President, Rapid City Regional Hospital, spoke in support of the project noting that they have enjoyed working with Mr. Castleberry in the past and look forward to continuing that association. Berreth acknowledged that it is a difficult issue to decide where to place such a facility, but stated that the mission has taken great care and concern to select this location.

Greg Barnier, 3960 City View Drive, a board member of the Cornerstone Mission, spoke to his support of the program. He acknowledged the high number of calls for service, noting that the service calls are prompted by lack of family

support and assistance and that often these calls are assistive in nature and not disturbance based.

Curt Korkow, 365 Texas Street, spoke to his concerns regarding the placement of this facility at this location including the closeness to the high traffic road and lack of space for children. He suggested options to move the building to land closer a park.

Tamara Pier, 301 West Boulevard, a member of the Cornerstone Mission, spoke to the need for a safe shelter for women noting that the current facility is aged and decrepit and that there is a need to provide a safe facility for this service for these members of our community.

Scott Nash, 748 Fox Run Drive, one of the original developers of the Fox Run area. Nash stated that the area was intended to be Medium Density Residential but that the zoning has been changed to allow the current uses. He stated that the property is overbuilt and suggested that one of the buildings be removed. He drew attention to the high traffic speed on the adjacent road and parking issue in the area.

In response to a question from Bulman asking if the the movement of the facility from downtown would lessen the calls for service, Jegeris stated that believes it would remain consistent.

Bulman stated that she feels this is an appropriate location and agrees with the review of facility in six months.

Janelle Fink, Fisk Land Surveying and Consulting Engineers, Inc, spoke to the issue of parking noting that very few of the residence will have vehicles which makes the access to public transportation and other services so important.

In response to a question from Swank regarding previous Group Home use requests in the City, Fisher stated that these concerns have been considered and that staff addresses those issues and concerns in the stipulations.

In response to questions from Scull regarding stay limits and behavior screening of residents, Mr. Castleberry responded that there is a screening process to enter this program and case management noting that the general stay period is approximately two months rarely more than four months. Castleberry noted that whereas WAVI provides an immediate service to shelter victims of violence, this facility offers different services to assist residents to return to mainstream life including counseling and job skills training.

In response to Scull's question about the trial period, Fisher stated that the review period is a provision requested by staff, noting that the current plan shows that only a portion of the facility is being used and offers the opportunity to ensure that the facility continues to be operated per the operations plan. Additionally, the expansion of any use on this facility would require a Major Amendment noting that the current plan, including parking, is for only the defined

area of use and does not include the non-used section of the building.

Fisher reviewed the difference between a group home and an assisted living facility identifying that one is long term and the other is transitional.

In response to Rolinger's question as to the types of calls of service Jegeris reviewed the calls noting that very few are actual arrests or in-danger calls. Rolinger said that he understands the neighborhoods concerns stating that he believes that the review period is a good option.

Bulman noted her concerns regarding parking and the future use of the currently un-used portion of the building. In response to Bulman's question regarding disruption to the neighborhood, Cushman noted that if the calls for service are defined as a disruption to the neighborhood it could be considered a reason for denial or removal of the Conditional Use.

Swank moved, Rose seconded and unanimously carried to approve the Major Amendment to a Planned Development to allow a group home for transitional housing with the following stipulations:

- 1. The previously granted Exception to reduce the minimum required side yard setback from the south property line from 25 feet to 20 feet 8 inches is hereby acknowledged;**
- 2. The previously granted Exception to allow a maximum lot coverage of 31.6% in lieu of 30% is hereby acknowledged;**
- 3. A Building Permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;**
- 4. Prior to issuance of a Certificate of Occupancy, a six foot high opaque screening fence shall be installed around the parking lot and dumpster location;**
- 5. A minimum of 13 parking spaces shall be provided. One of the parking spaces shall be handicap "van accessible". All provisions of the Off-Street Parking Ordinance shall be continually met;**
- 6. A minimum of 34,512 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;**
- 7. Any proposed signage shall conform to the Sign Code. No electronic signs are being approved as a part of this Major Amendment to the Planned Development. All signage not in conformance with the Sign Code or any electronic reader board signs shall require the review and approval of a Major Amendment. 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 all signs;**
- 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;**

9. All applicable provisions of the adopted International Fire Code shall continually be met;
10. All provisions of the Office 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;
11. The Final Planned Development shall allow for a group home for transitional housing to be operated in compliance with the applicant's operational plan. A maximum of eight women with children, a female veteran, and four staff members shall use the facility. A maximum of 36 residents and 4 employees shall be allowed. Any expansion to the use of the structure or the number of residents shall require a Major Amendment to the Planned Development. Any change in use that is a permitted use or is a Conditional Use in the Office Commercial District shall require the review and approval of a Major Amendment to the Planned Development. A mission, detoxification center, or detention center shall not be allowed; and,
12. This Major Amendment to a Planned Development shall be reviewed by the Planning Commission in 6 months at the May 7, 2015 Planning Commission meeting. (9 to 0 to 1 with Braun, Bulman, Marchand, Pinkard, Popp, Rippentrop, Rolinger, Rose and Scull voting yes and none voting no and Swank 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 Department of Community Planning & Development Services by close of business on the seventh full calendar day following action by the Planning Commission.

11. Discussion Items
12. Staff Items
13. Planning Commission Items
14. Committee Reports
 - A. City Council Report (October 20, 2014)
The City Council concurred with the recommendations of the Planning Commission.
 - B. Building Board of Appeals
 - C. Zoning Board of Adjustment
 - D. Capital Improvements Subcommittee
 - E. Tax Increment Financing Committee

There being no further business, Rolinger- moved, Braun seconded and unanimously carried to adjourn the meeting at 8:32 a.m. (10 to 0 with Braun, Bulman, Marchand, Pinkard, Popp, Rippentrop, Rolinger, Rose, Scull, and Swank voting yes and none voting no)