

MINUTES OF THE  
RAPID CITY PLANNING COMMISSION  
November 20, 2014

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

MEMBERS ABSENT: John Brewer, Dennis Popp.

STAFF PRESENT: Vicki Fisher, Fletcher Lacock, Robert Laroco, 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 Rose seconded by Swank and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 3 in accordance with the staff recommendations. (9 to 0 with Braun, Bulman, Marchand, Pinkard, Rippentrop, Rolinger, Rose, Scull and Swank voting yes and none voting no)**

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

1. Planning Commission approved the November 6, 2014 Planning Commission Meeting Minutes.

2. No. 14PL067 - Vista Ridge Subdivision

A request by Sperlich Consulting, Inc for Vantage Properties, LLC, Don Wieseler to consider an application for a **Preliminary Subdivision Plan** for proposed Lot 1 of Vista Ridge Subdivision, legally described as a portion of Lot 3 of the NW1/4 of the SW1/4, less Lot H1, of Section 32, a portion of the alley adjacent to Lot 3 of the NW1/4 of the SW1/4, less Lot H1 of Section 32, a portion of the NW1/4 of the SW1/4 of Section 32, all of Lot 4 of the NW1/4 of the SW1/4 less Lot H1 of Section 32 and a portion of the alley adjacent to Lot 4 of the NW1/4 of the SW1/4, less Lot H1 of Section 32, all located in T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located southeast of East North Street and Century Road intersection.

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

- 1. Upon submittal of a Development Engineering Plan application, a site plan showing the existing development on the proposed lot and the non-transferable balance shall be submitted for review and approval. In particular, the site plan shall include structure(s), parking, access and utilities;**
- 2. Prior to submittal of a Development Engineering Plan application, the plat document shall be revised to show an additional 10 feet of right-of-way along the north side of Century Road 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;
3. Upon submittal of a Development Engineering Plan application, construction plans for the proposed access easement located along the southeast lot line shall be submitted for review and approval. In particular, the construction plans shall show the easement with a minimum width of 70 feet and constructed with a minimum pavement width of 26 feet, curb, gutter, sidewalk, street light conduit, water and sewer or an Exception shall be obtained. If an Exception is obtained, an approved copy shall be submitted with the Development Engineering Plan application;
  4. Upon submittal of a Development Engineering Plan application, construction plans shall be submitted showing the construction of a parallel water main, sewer and sidewalk along E. North Street 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;
  5. 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. 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;
  6. Upon submittal of a Development Engineering Plan application, sewer plans and design report prepared by a Registered Professional Engineer shall be submitted for review and approval in accordance with the Infrastructure Design Criteria Manual. The sewer plan and design report shall demonstrate that the sanitary sewer capacity is adequate to meet estimated flows and provide sufficient system capacity. In addition, utility easements shall be secured as needed;
  7. Upon submittal of a Development Engineering Plan application, geotechnical analysis shall be submitted for the pavement design or the minimum required pavement section as per the Infrastructure Design Criteria Manual shall be provided if additional pavement is required;
  8. 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;
  9. Upon submittal of a Development Engineering Plan application, a drainage plan in compliance with the Perrine Drainage Basin and signed by a Professional Engineer shall be submitted for review and approval. Drainage easements shall be secured as needed;

10. Prior to approval of the Development Engineering Plan application, 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. The utility plans shall also be reviewed and approved by the South Dakota Department of Environment and Natural Resources. The private utility layout plan shall also be submitted to the respective utility companies. All final engineering reports shall be signed and sealed by a Professional Engineer and contain a Certification Statement of Conformance with City Standards, as required by the Infrastructure Design Criteria Manual;
  11. Upon submittal of a Development Engineering Plan application, a cost estimate for any required subdivision improvements shall be submitted for review and approval;
  12. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements;
  13. Prior to submittal of a Final Plat application, the plat title shall be revised to include the alley vacation;
  14. 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,
  15. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.
3. No. 14RZ011 - Merchens First Addition  
A request by Chris Ericks to consider an application for a **Rezoning from General Commercial District to Medium Density Residential District** for Lot B of Tract 1 of (Outlot B) of Merchens First Addition, located in Section 7, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 620 East Meade Street.

**Planning Commission recommended that the Rezoning from General Commercial District to Medium Density Residential District be approved.**

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

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

- \*4. No. 14PD038 - Discovery Subdivision  
A request by The Richardson Design Partnership, LLC for First Place LLC to consider an application for a **Final Planned Development Overlay to allow a hotel** for Lot 6 of Tract 3 of Discovery Subdivision, located in Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1612 Discovery Circle.

Laroco presented the application and reviewed the associated slides. Laroco

noted that the applicant is requesting a sign with an LED reader board as a part of this Final Planned Development. Laroco stated that the sign meets all Rapid City Sign Code requirements, but it is the request of the Planning Commission that all LED signs in Planned Developments be reviewed individually. Laroco said the staff recommends that the **Final Planned Development Overlay to allow a hotel** be approved with stipulations.

In response to a question from Bulman, David Gustufson, one of the owners of the My Place Hotel, stated that the sign placement was per the request of the franchiser. Gustufson noted that it is intended to be an attention getter, but indicated that they would be willing to move the sign if requested. Laroco confirmed that the potential movement of the sign may be considered as a Minimal Amendment to the Planned Development.

**Rolinger moved, Rose seconded and unanimously carried to determined that the proposed Light Emitting Diode (LED) reader board is appropriate for the property, and approved the Final Planned Development Overlay to allow a hotel with the following stipulations:**

- 1. The request to allow a 6 foot wide by 10 foot tall, double-sided Light Emitting Diode (LED) reader board as a part of the approved sign package for the property is hereby granted. All signage shall comply with the submitted sign package and the requirements of the Rapid City Sign Ordinance. Any expansion of the approved LED signage shall require a Major Amendment to the Planned Development. A sign permit is required for each sign;**
- 2. A building permit shall be obtained prior to construction. A Certificate of Occupancy shall be obtained prior to occupancy;**
- 3. Prior to issuance of a Certificate of Occupancy, all erosion and sediment control measures shall be installed;**
- 4. All plans shall be prepared and stamped by a registered professional per SDCL 36-18A;**
- 5. All parking shall comply with the requirements of the Rapid City Parking Ordinance. Changes to the parking may be approved as a Minimal Amendment to the Planned Development contingent upon provision of the minimum required parking;**
- 6. All landscaping shall comply with the requirements of the Rapid City Landscaping Ordinance. Changes to the landscaping may be approved as a Minimal Amendment to the Planned Development contingent upon provision of the minimum required amount of landscaping;**
- 7. All lighting shall be designed to preclude shining on adjacent properties and rights-of-way so as to avoid creating a nuisance to neighbors or passing traffic;**
- 8. All requirements of the International Fire Code shall be continually maintained;**
- 9. All requirements of the General Commercial District shall be continually maintained unless specifically authorized as a stipulation of a future Major Amendment to the Planned Development; and,**

10. **This Final Planned Development shall allow for the construction of a hotel. Permitted uses in the General Commercial District shall be permitted contingent upon an approved building permit and provision of sufficient parking. All conditional uses shall require the review and approval of a Major Amendment to the Planned Development. (9 to 0 with Braun, Bulman, Marchand, Pinkard, 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.***

\*5. No. 14UR021 - Original Town of Rapid City

A request by Black Hills Works Foundation to consider an application for a **Major Amendment to a Conditional Use Permit to allow an on-sale liquor establishment** for Lot 17 thru 22 of Block 83 of Original Town of Rapid City, located in Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located 722 St. Joseph Street.

Laroco presented the application and reviewed the associated slides. Laroco noted that the applicant is providing the ADA parking required and noted that the applicant is not requesting any Exceptions, additional signs or expansions to the existing Conditional Use Permit noting that it meets all current requirements and that staff recommends that the **Major Amendment to a Conditional Use Permit to allow an on-sale liquor establishment** be approved with stipulations.

Laroco clarified that the Conditional Use Permit would pertain solely to the suites occupied by the art center and not for the entire property.

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

1. **If additional signage is proposed in the future, approval through the Historic Sign Board shall be obtained. All future signage shall comply with Chapter 17.50.080 of the Rapid City Municipal Code. No Light Emitting Diode (LED) signage is being approved as a part of this Conditional Use Permit. The addition of LED signage shall require a Major Amendment to the Conditional Use Permit. A sign permit is required for each sign;**
2. **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;**
3. **All on-site ADA parking shall continue to comply with the requirements of the Rapid City Municipal Code;**

4. All applicable provisions of the International Fire Code shall be continually maintained;
5. All provisions of the Central Business District shall be continually maintained, and;
6. This Major Amendment to the Conditional Use Permit shall allow for an on-sale liquor establishment to be operated in conjunction with an art center and in compliance with the submitted operations plan and the Rapid City Municipal Code. All uses permitted in the Central Business District shall be permitted contingent upon an approved building permit. All conditional uses in the Central Business District shall require a Major Amendment to the Conditional Use Permit. (9 to 0 with Braun, Bulman, Marchand, Pinkard, 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.*

\*6. No. 14PD039 - Tower Ridge 2 Subdivision

A request by Tony Marshall to consider an application for a **Major Amendment to a Planned Development to reduce setbacks** for Lot 7A and 7B of Block 1 of Tower Ridge 2 Subdivision, located in Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1515 and 1505 Tablerock Road.

Lacock presented staff's request to continue the **Major Amendment to a Planned Development to reduce setbacks** to the December 4, 2014 Planning Commission meeting.

**Braun moved, Bulman seconded and unanimously carried to continue the Major Amendment to a Planned Development to reduce setbacks to the December 4, 2014 Planning Commission meeting. (9 to 0 with Braun, Bulman, Marchand, Pinkard, 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.*

7. Discussion Items

Fisher noted that 14PD033 the **Major Amendment to a Planned Development to allow a group home for transitional housing** that was approved at the November 6, 2014 Planning Commission was appealed

and will be heard at the December 1, 2014 City Council.

8.     Staff Items  
       None
  
9.     Planning Commission Items  
       None
  
10.    Committee Reports  
       None

**There being no further business, Rose moved, Bulman seconded and unanimously carried to adjourn the meeting at 7:11 a.m. (9 to 0 with Braun, Bulman, Marchand, Pinkard, Rippentrop, Rolinger, Rose, Scull and Swank voting yes and none voting no)**