

MINUTES OF THE
RAPID CITY PLANNING COMMISSION
December 4, 2014

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

MEMBERS ABSENT: Jan Swank

STAFF PRESENT: Vicki Fisher, Robert Laroco, Fletcher Lacock, Jeanne Nicholson, Ted Johnson and Carla Cushman

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.

Staff requested that Item 6 be removed from the Consent Agenda for separate consideration.

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

---CONSENT CALENDAR---

1. Planning Commission approved the November 20, 2014 Planning Commission Meeting Minutes.
2. No. 04TI001 - Section 28, T2N, R8E
A request by City of Rapid City to consider an application for a **Resolution for the Dissolution of Tax Increment District #44** for all of Section 28 lying north of U.S. Interstate 90 right-of-way, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and the 33 foot Dyess Avenue section line right-of-way north of U.S. Interstate 90 right-of-way located in the E1/2 of Section 29, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located north of US Interstate 90 and west of North Elk Vale Drive and east of Dyess Avenue.

Planning Commission recommended that Resolution No. 2014-113 to Dissolve Tax Increment District No. 44 be approved.

3. No. 14PL069 - Rushmore Business Park
A request by Fisk Land Surveying and Consulting Engineers, Inc. to consider an application for a **Preliminary Subdivision Plan** for Lot 1R of Block 4 of Rushmore Business Park, legally described as Lots 1 and 2 of Block 4 of Rushmore Business Park and unplatted portions of Government Lot 2 of Section

4, all located in in Government Lot 2 of Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 450 Concourse Drive.

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

1. **Prior to submittal of a Final Plat application, the developer and future land owner shall enter into an agreement for the improvements to an existing drainage channel located on the property. In addition, the agreement shall specify that once the improvements are constructed, a major drainage easement shall be dedicated. The signed agreement shall be submitted with the Final Plat application for recording at the Register of Deed's Office.**

*4. No. 14PD040 - Huffman Subdivision

A request by Jake Boerger to consider an application for a **Final Planned Development to allow a child care center in the General Commercial District** for Lot 2C of Huffman Subdivision, located in Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1339 E. North Street.

Planning Commission approved the Final Planned Development to allow a child care center in the General Commercial District with the following stipulations:

1. **A building permit shall be obtained prior to construction. A Certificate of Occupancy shall be obtained prior to occupancy;**
2. **Prior to issuance of a building permit, final plans signed and sealed by a registered professional pursuant to SDCL 36-18A shall be submitted;**
3. **Prior to issuance of a building permit, a revised landscaping plan shall be submitted showing all landscaping in compliance with the requirements of the Rapid City Landscaping Ordinance. In particular, a minimum of 65,525 points of landscaping shall be provided. Future 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;**
4. **Prior to issuance of a Certificate of Occupancy, all erosion and sediment control measures shall be installed;**
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 and contingent upon provision of the minimum required parking;**
6. **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;**
7. **All signage shall comply with the requirements of the Rapid City Sign Code. No light emitting diode (LED) signage or message centers are being approved as a part of this Final Planned Development. The**

- addition of LED signage or message centers shall require a Major Amendment to the Planned Development. A sign permit is required for each sign;
8. An air quality permit shall be obtained for any disturbances of earth greater than one acre;
 9. All requirements of the International Fire Code shall be continually maintained;
 10. 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;
 11. This Final Planned Development shall allow for a child care center. The child care center shall operate in compliance with the submitted operations plan and all the requirements of the Rapid City Municipal Code. Uses permitted in the General Commercial 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 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.

5 No. 14PL076 - KWA Subdivision

A request by William Anderson to consider an application for a **Preliminary Subdivision Plan** for proposed Tract 2 of the KWA Subdivision, legally described as the NE1/4 of the SE1/4, less KWA Subdivision, Less Lot H-1 of the S1/2 of the NE1/4 of the SE1/4, located in Section 1, T1N, R8E, more generally described as being located at 22965 Radar Hill 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 for Radar Hill Road shall be submitted for review and approval showing the street with a minimum 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit and sewer 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, 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;
3. 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;
4. Upon submittal of a Development Engineering Plan application, a grading plan and a drainage plan must be submitted for review and approval if any subdivision improvements are required. The drainage plan must demonstrate that the design flows do not exceed pre-developed flows or on-site detention shall be provided. In addition, the plat document must be revised to provide drainage easements as needed;
 5. Prior to Development Engineering Plan approval, engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed if subdivision improvements are required. 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;
 6. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements if subdivision improvements are required;
 7. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval if subdivision improvements are required;
 8. Prior to submittal of a Final Plat application, the plat document shall be revised showing the "66 ' Public R.O.W & Utility Easement" as a "66 foot R.O.W & Utility Easement";
 9. 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,
 10. 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---

6. No. 14PL078 - Red Rock Shadows
A request by Dream Design International, Inc. to consider an application for a **Preliminary Subdivision Plan** for proposed Tracts A, B, and C of Red Rock Shadows Subdivision, legally described as the E1/2 of the NE1/4 of the SE1/4, Less Lot H1, Less right-of-way and less that part laying within Rapid City Boundaries; that part of the W1/2 of the NE1/4 of the SE1/4 south of Portrush Road, Less Red Rock Estates and less right-of-way, all located in Section 29, T1N, R7E, BHM, Pennington County, South Dakota, more generally described as being located south of Portrush Road between Muirfield Drive and Dunsmore Road.

Fisher stated that the applicant has requested that the Preliminary Subdivision Plan be continued to the January 8, 2015 Planning Commission meeting.

Rolinger moved, Rose seconded and unanimously carried to continue File #14PL078 – Preliminary Subdivision Plan to the January 8, 2015 Planning Commission meeting. (10 to 0 with Braun, Popp, Rose, Brewer, Marchand, Scull, Bulman, Rippentrop, Rolinger and Pinkard voting yes and none voting no)

7. 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 informed the Commission that the applicant did not meet the notification requirements and requested that File #14PD039 be continued to the January 8, 2015 Planning Commission meeting.

Brewer moved to continue File #14PD039 – Major Amendment to a Planned Development to reduce the front yard setback from 20 feet to 8 feet to the January 8, 2015 Planning Commission meeting. The motion was seconded by Rose.

In response to a question from Brewer regarding the need to reduce the setbacks, Fisher explained that staff wants to ensure that there is a reasonable building envelop on the property for the proposed development.

The motion to continue File #14PD039 – Major Amendment to a Planned Development to reduce the front yard setback from 20 feet to 8 feet to the January 8, 2015 Planning Commission meeting carried unanimously. (10 to 0 with Braun, Popp, Rose, Brewer, Marchand, Scull, Bulman, Rippentrop, Rolinger and Pinkard voting yes and none voting no)

Marchand informed the Commission that Jan Swank contacted her to let her know that he was ill today. She reminded the Commission members that today's meeting was the last meeting for the year and extended holiday wishes to everyone.

Fisher thanked the Planning Commission members for their dedication and hard work and extended best wishes to them during the holiday season.

8. Discussion Items

None

9. Staff Items

None

10. Planning Commission Items
None

11. Committee Reports

- A. City Council Report (November 17, 2014)
The City Council concurred with the recommendations of the Planning Commission.

There being no further business, Rose moved, Braun seconded and unanimously carried to adjourn the meeting at 7:05 a.m. (10 to 0 with Braun, Popp, Rose, Brewer, Marchand, Scull, Bulman, Rippentrop, Rolinger and Pinkard voting yes and none voting no)