

MINUTES OF THE
RAPID CITY PLANNING COMMISSION
January 8, 2015

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

MEMBERS ABSENT: Linda Marchand, Kay Rippentrop

STAFF PRESENT: Vicki Fisher, Fletcher Lacock, Robert Laroco, Kip Harrington, Sarah Hanzel, Tim Behlings, Ted Johnson, Carla Cushman and Andrea Wolff.

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

Braun 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.

Bulman requested that Items 3 and 4 be removed from the Consent Agenda for separate consideration.

Motion by Rolinger seconded by Swank and unanimously carried to recommend approval of the Consent Agenda Items 2 thru 10 in accordance with the staff recommendations with the exception of Items 3 and 4. (9 to 0 with Braun, Brewer, Bulman, Pinkard, Popp, Rolinger, Rose, Scull and Swank voting yes and none voting no)

---CONSENT CALENDAR---

1. Approval of the December 4, 2014 Planning Commission Meeting Minutes.
2. No. 14PL068 - Menard Subdivision and 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 Lots 2 thru 5 of Vista Ridge Subdivision and Lots 6 and 7 of Block 1 and Lots 4 and 5 of Block 2 of Menard Subdivision, legally described as a portion of the vacated alley adjacent to Lot 3 of the NW1/4 of the SW1/4, less Lot H1 of Section 32, a portion of 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, and a portion of the NW1/4 of the SW1/4 and a portion of the NE1/4 of the SW1/4 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, construction plans for North Creek Drive shall be submitted for review and approval showing the street located within a 100 foot wide right-of-way and constructed with a minimum 36 foot wide paved**

- surface, curb, gutter, sidewalk, street light conduit, sewer and parallel water mains 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 for Century Road shall be submitted for review and approval showing the street located within a 70 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water 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 on proposed Lot 2 of Vista Ridge Subdivision 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, 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;
 5. Upon submittal of a Development Engineering Plan application, sewer plans and a 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;
 6. 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;
 7. 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;
 8. 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. In addition, the existing storm water pond easement shall be expanded to include all of the required storm water retention plus all contoured side slopes of the pond;

9. 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;
10. Upon submittal of a Development Engineering Plan application, a cost estimate for any required subdivision improvements shall be submitted for review and approval;
11. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements;
12. Separate Final Plat application(s) shall be submitted for Vista Ridge Subdivision and Menard Subdivision;
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.

5. No. 14PL086 - Dahm Subdivision

A request by Fisk Land Surveying and Consulting Engineers, Inc, for Robert and Stacie Tschetter to consider an application for a **Preliminary Subdivision Plan** for proposed Lots 2A and 2B of Dahm Subdivision, legally described as Lot 2 of Dahm Subdivision, located in Section 18, T1N, R7E, BHM, Pennington County, South Dakota, more generally described as being located at 6664 Dark Canyon Road.

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

1. Prior to the submittal of a Final Plat application, the plat document shall be revised to show a water service line easement for proposed Lot 2A;
2. Prior to submittal of a Final Plat application, the plat document shall be revised to identify a 7.6 foot wide minor drainage and utility easement along the north lot line of proposed Lot 2A as per Exception #13EX175

- in lieu of a standard 8 foot wide minor drainage and utility easement;
3. Prior to submittal of a Final Plat application, the applicant shall enter into a Covenant Agreement securing a Wild Land Fuels Mitigation Plan and an on-going Vegetation Management Plan in accordance with the provisions of the Rapid City Fire Department Survivable Space Initiative and securing the provision that an approved residential fire sprinkler system shall be installed and maintained in accordance with NFPA 13D throughout the guest house/garage located on proposed Lot 2A;
 4. Prior to submittal of a Final Plat application, the plat document shall be revised to include a note identifying that a holding tank is the only allowable wastewater system to be located on proposed Lot 2A; and,
 5. Upon submittal of a Final Plat application, a covenant agreement securing maintenance and ownership of the shared water well shall be submitted for recording with the Final Plat document.

6. No. 14PL082 - Fountain View Subdivision

A request by Fisk Land Surveying and Consulting Engineers, Inc. for Franklin O Simpson to consider an application for a **Preliminary Subdivision Plan** for proposed Tracts C and D of Fountain View Subdivision, legally described as that portion of the SW1/4 of the NW1/4 of the SW1/4 lying south of Harmony Heights Lane, less Tract B of Fountain View Subdivision, located in Section 26, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1901 Harmony Heights Lane.

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

1. Upon submittal of a Development Engineering Plan application, construction plans showing sidewalk along Harmony Heights Lane shall be submitted for review and approval or a Variance shall be obtained from City Council waiving the requirement; and,
2. Prior to submittal of a Final Plat application, the applicant shall demonstrate that the driveway located on Tract C is located entirely within the boundaries of Tract C or an access easement shall be secured on the adjacent property for that portion of the driveway located outside the boundaries of Tract C. In addition, the plat document shall be revised to show the access easement.

7. No. 14PL087 - Canyon Lake Heights Section 16

A request by Sperlich Consulting, Inc for Dean and Peggy Kelly to consider an application for a **Preliminary Subdivision Plan** for proposed Lot AR1 and Lot AR2 of Lot 1 of Block 2 of Canyon Lake Heights, legally described as Lot AR of Lot 1 of Block 2 of Canyon Lake Heights, located in the NW1/4 of the NW1/4 of Section 16, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northeast of the intersection of Cliff Drive and Fairhaven Drive.

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 Fairhaven Drive shall be submitted for review and approval showing the street with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water 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 for Cliff Drive shall be submitted for review and approval showing the street with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water 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 private roadway easement shall be submitted for review and approval showing the street located within a minimum 50 foot wide easement and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water 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;
4. Upon submittal of Development Engineering Plans, the plat document shall be revised to show all adjoining street rights-of-way and all existing and/or proposed dimensions. If a shared well is proposed, the plat document shall be revised to show the water service line(s) located within a water easement;
5. Upon submittal of a Development Engineering Plan application, water data 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;
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. 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;
 8. 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;
 9. 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;
 10. 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;
 11. 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,
 12. 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).
8. No. 14PL093 - T and M Subdivision
A request by FMG Engineering for Duinink Bros. and Gilchrist Land Co. to consider an application for a **Preliminary Subdivision Plan** for proposed Lot 1 and lot 2 of T and M Subdivision, legally described as a portion of the NW1/4 of the SW1/4, Lot 2 of the NE1/4 of the SW1/4 less Highway lots, Lot 2 of the SE1/4 of the SW1/4 less Highway Lots, part of Lot A of the NE1/4 of the SW1/4 and part of Lot A of the SE1/4 of the SW1/4 of Section 29, T1N, R8E and Lot 2 and the NW1/4 of the NE1/4 less Highway Lots, a portion of the NE1/4 of the NW1/4 and part of Lot A of the E1/2 of the NW1/4 and part of Lot A of the NW1/4 of the NE1/4 of Section 32, T1N, R8E, all located in BHM, Pennington County, South Dakota, more generally described as being located about 1 mile south of the intersection of Catron Boulevard and SD Highway 79.

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 S.D. Highway 79 shall be submitted for review and approval showing the street with a minimum 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and parallel water mains 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 for the east-west section line highway shall be

- submitted for review and approval showing the street located within a minimum 70 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water 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;
3. Upon submittal of a Development Engineering Plan application, construction plans for 66 foot wide access easement shall be submitted for review and approval showing the easement with a minimum width of 70 feet and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water 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;
 4. Upon submittal of a Development Engineering Plan application, construction plans for the proposed principal arterial street located within the southern portion of the property shall be submitted for review and approval showing the street located within a minimum 100 foot wide right-of-way and constructed with a minimum 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and parallel water mains 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, the plat document shall be revised to show a sanitary sewer easement for the Dry Creek sanitary sewer main proposed to cross the southern portion of proposed Lot 2;
 6. 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 or an Exception shall be obtained;
 7. Upon submittal of a Development Engineering Plan application, water data 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;
 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 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;

10. Prior to submittal of a Development Engineering Plan application, an Exception shall be obtained to allow an access easement to serve five lots in lieu of a maximum of four lots or the plat document shall be revised to show the 66 foot wide access easement as right-of-way;
 11. 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;
 12. 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;
 13. 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;
 14. Prior to submittal of a Final Plat application, the plat document shall be revised to show a non-access easement along S.D. Highway 79;
 15. 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,
 16. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required. In addition, any utilities and drainage proposed outside of the dedicated right-of-way shall be secured within easement(s).
9. No. 14AN005 - Country Meadows Subdivision

A request by Ferber Engineering Company for Aspen Ridge Lawn and Landscape, LLC to consider an application for a **Petition for Annexation** for a portion of Lot 1 of the SE1/4SE1/4 of Section 29, including Lot A of Lot 1 of SE1/4SE1/4 and Excepting Therefrom, Croyle Avenue and Dunsmore Road; Lots H1 and P1 of Lot 1; Lot B of Lot 1; Colonial Pine Hills Sanitary District Well Lot; and, Lot 1 of Flannery Subdivision and Dedicated Right-of-Way all located in Section 29, T1N, R7E, Pennington County, South Dakota, T1N, R7E of the BHM, Rapid City, Pennington County, South Dakota, more particularly described as: Commencing from a found rebar with plastic cap marked "Fisk Eng 1771", monumenting the northwest corner of Lot B of Lot 1 of the SE1/4SE1/4 of Section 29, T1N, R7E, BHM; thence, N09°54'23"E, along the east right-of-way line of Croyle Avenue, a distance of 62.54 feet to a point, being the southwest corner of the proposed annexation area, and being the true point of beginning;

thence, along the chord bearing of N01°45'19"E of a 783-foot radius curve to the left with Delta Angle of 13°32'18", said curve being the east right-of-way line of Croyle Avenue, a chord distance of 184.58 feet to the Point of Tangency; thence, N05°00'50"W along the east right-of-way line of Croyle Avenue, a distance of 87.36 feet to a point of deflection, being the northwest corner of the proposed annexation; thence, S89°35'18"E along the existing corporate limit line, a distance of 336.27 feet to a point of deflection, being the northeast corner of the proposed annexation; thence, S00°24'42"W along the east annexation line a distance of 271.50 feet to a point of deflection, being the southeast corner of the proposed annexation; thence, N89°35'18"W along the south annexation line a distance of 332.34 feet to the true point of beginning, more generally described as being located south of Sheridan Lake Road between Croyle Avenue and Dunsmore Road.

Planning Commission recommended that the Petition for Annexation be approved.

10. No. 14RZ012 - Country Meadows Subdivision

A request by Ferber Engineering Company for Aspen Ridge Lawn and Landscape, LLC to consider an application for a **Rezoning from No Use District to General Commercial District** for a portion of Lot 1 of the SE1/4SE1/4 of Section 29, including Lot A of Lot 1 of SE1/4SE1/4 and Excepting Therefrom, Croyle Avenue and Dunsmore Road; Lots H1 and P1 of Lot 1; Lot B of Lot 1; Colonial Pine Hills Sanitary District Well Lot; and, Lot 1 of Flannery Subdivision and Dedicated Right-of-Way all located in Section 29, T1N, R7E, Pennington County, South Dakota, T1N, R7E of the BHM, Rapid City, Pennington County, South Dakota, more particularly described as: Commencing from a found rebar with plastic cap marked "Fisk Eng 1771", monumenting the northwest corner of Lot B of Lot 1 of the SE1/4SE1/4 of Section 29, T1N, R7E, BHM; thence, N09°54'23"E, along the east right-of-way line of Croyle Avenue, a distance of 62.54 feet to a point, being the southwest corner of the proposed annexation area, and being the true point of beginning; thence, along the chord bearing of N01°45'19"E of a 783-foot radius curve to the left with Delta Angle of 13°32'18", said curve being the east right-of-way line of Croyle Avenue, a chord distance of 184.58 feet to the Point of Tangency; thence, N05°00'50"W along the east right-of-way line of Croyle Avenue, a distance of 87.36 feet to a point of deflection, being the northwest corner of the proposed annexation; thence, S89°35'18"E along the existing corporate limit line, a distance of 336.27 feet to a point of deflection, being the northeast corner of the proposed annexation; thence, S00°24'42"W along the east annexation line a distance of 271.50 feet to a point of deflection, being the southeast corner of the proposed annexation; thence, N89°35'18"W along the south annexation line a distance of 332.34 feet to the true point of beginning, more generally described as being located south of Sheridan Lake Road between Croyle Avenue and Dunsmore Road.

Planning Commission recommended that the Rezoning from No Use District to General Commercial District be approved in conjunction with a Planned Development Designation.

---END OF CONSENT CALENDAR---

3. No. 14RZ013 - Menard Subdivision

A request by Sperlich Consulting, Inc for Don Wieseler to consider an application for a **Rezoning from General Agricultural District to Medium Density Residential District** for Lot 6 and Lot 7 of Block 1, Lot 4 and Lot 5 of Block 2, of Menard Subdivision, located in the NW1/4 of the SW1/4 and the NE1/4 of the SW1/4 of Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as a portion of the NE ¼ of the SW ¼, located in the NE ¼ of the SW ¼, Section 32, T2N, R8E, B.H.M., Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the southeasterly corner of Lot1 of Huffman Subdivision and the Point of Beginning; Thence, first course: S00°01'35"W, a distance of 60.00 feet; Thence, second course: S89°47'25"E, a distance of 315.43 feet, to the Point of Beginning; Thence, first course: S89°52'32"E, a distance of 482.16 feet; Thence, second course: N00°07'28"E, a distance of 34.00 feet; Thence, third course: N00°00'44"E, a distance of 780.38 feet; Thence, fourth course: N44°31'28"W, a distance of 131.17 feet; Thence, fifth course: N89°59'16"W, a distance of 110.00 feet; Thence, sixth course: S00°00'44"W, a distance of 284.17 feet; Thence, seventh course: N89°59'16"W, a distance of 80.00 feet; Thence, eighth course: N00°00'03"E, a distance of 5.67 feet; Thence, ninth course: N44°59'16"W, a distance of 14.14 feet; Thence, tenth course: N89°59'16"W, a distance of 190.23 feet; Thence, eleventh course: S00°00'44"W, a distance of 638.43 feet; to the Point of Beginning, more generally described as being located southwest of the intersection of N. Creek Drive and E. Anamosa Street.

In response to a question from Bulman regarding zoning, Fisher stated that the land in question will be dedicated as Century Road right-of-way and that the adjacent zoning will extend to the mid-way of the right-of-way. Bulman noted that she is not in favor of rezoning the property to Medium Density Residential based on the surrounding areas being zoned General Commercial District and General Agricultural District and stated that she would be voting against both this and the associated rezoning (File# 14RZ014).

Rolinger moved, Rose seconded and carried to recommend that the Rezoning from General Agricultural District to Medium Density Residential District be approved. (8 to 1 with Braun, Brewer, Pinkard, Popp, Rolinger, Rose, Scull and Swank voting yes and Bulman voting no)

4. No. 14RZ014 - Menard Subdivision

A request by Sperlich Consulting, Inc for Don Wieseler to consider an application for a **Rezoning from General Commercial District to Medium Density Residential District** for Lot 5 of Block 2, of Menard Subdivision, located in the NW1/4 of the SW1/4 and the NE1/4 of the SW1/4 of Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as a portion of the NW ¼ of the SW ¼, located in the NW ¼ of the SW ¼, Section 32, T2N, R8E, B.H.M., Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the southeasterly corner of Lot 1 of Huffman Subdivision and the Point of Beginning; Thence, first course:

N00°01'35"E, a distance of 157.33 feet; Thence, second course: S89°59'16"E, a distance of 315.38 feet; Thence, third course: S00°00'44"W, a distance of 218.42 feet; Thence, fourth course: N89°47'25"W, a distance of 315.43 feet; Thence, fifth course: N00°01'35"E, a distance of 60.00 feet; to the southeasterly corner of said Lot 1 Huffman Subdivision, and the Point of Beginning, more generally described as being located southwest of the intersection of N. Creek Drive and E. Anamosa Street.

Rolinger moved, Rose seconded and carried to recommend that the Rezoning from General Commercial District to Medium Density Residential District be approved. (8 to 1 with Braun, Brewer, Pinkard, Popp, Rolinger, Rose, Scull and Swank voting yes and Bulman voting no)

---BEGINNING OF REGULAR AGENDA ITEMS---

*11. No. 14PD042 - Rushmore Crossing

A request by Holiday Stationstores, Inc. to consider an application for a **Final Planned Development Overlay to allow a convenience store with a car wash** for proposed Lots 9A of Block 3 of Rushmore Crossing, legally described as Lots 8 and 9 of Block 3 of Rushmore Crossing, located in Section 29, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northwest corner of the intersection of E. North Street and Eglin Street.

Laroco presented the application and reviewed the associated slides. Laroco noted that the applicant has requested an Exception to setbacks along the Interstate 90 right-of-way from 25 feet to 13 feet and to have an LED sign as a part of the sign package. Laroco noted that access for the site will be taken from the western most access point on the property. Laroco stated that staff believes that with the topography of the site and the large drainage area located to that side of the property that the requested reduction of setbacks will not create an issue. Laroco noted that all parking requirements and signage requirements are being met and that if Planning Commission determines that the sign is appropriate for the character of the neighborhood, staff recommends that the application for a **Final Planned Development Overlay to allow a convenience store with a car wash** be approved with stipulations.

In response to a question from Scott, Laroco stated that there are currently no plans to provide an egress lane from Eglin Street for access to the site. Ted Johnson stated that the traffic analysis showed that improvements to this street and intersection are needed regardless of the development of the subject property and although they are not planned in association with this development, Johnson stated that there is right-of-way set aside for the anticipated plans to add an extra left turn lane at the intersection and to add two more lanes to Eglin Street.

Bulman stated that although she is generally concerned with LED signs she believes this is an appropriate area and would be supporting the sign and the application.

Rolinger spoke to his concerns for the infrastructure of the intersection and asked when the City anticipates it will be upgraded. Johnson stated that the City is aware of the need, but stated that they are short staffed and that they are waiting for a Traffic Engineer to manage this and other projects. Discussion followed.

Brewer moved, Rolinger seconded and unanimously carried to determine that the proposed LED sign is appropriate for the character of the neighborhood, and approve the Final Planned Development Overlay to allow a convenience store with a car wash with the following stipulations:

- 1. The request to allow a 5 foot 11 inch tall by 10 foot 1 inch wide, 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. An Exception is hereby granted to reduce the required front yard setback on the north property line from 25 feet to 13 feet;**
- 3. A building permit shall be obtained prior to construction. A Certificate of Occupancy shall be obtained prior to occupancy;**
- 4. An air quality permit shall be obtained prior to disturbance of earth greater than one acre;**
- 5. Prior to issuance of a building permit, all redline comments shall be addressed and returned to Community Planning and Development Services;**
- 6. Prior to issuance of a building permit, final plans signed and sealed by a registered professional per SDCL 36-18A shall be submitted. In particular, plans shall show that one additional required handicap accessible parking space is being provided. In addition, plans shall show that all construction is in compliance with the requirements of Rapid City Infrastructure Design Criteria Manual;**
- 7. Prior to issuance of a building permit, post-construction storm water quality calculations and data shall be submitted. In addition, a maintenance and operations agreement for the proposed storm water treatment facilities shall be provided, or an agreement with the City of Rapid City for the maintenance and operation of the storm water quality treatment facilities shall be provided;**
- 8. Prior to issuance of a Certificate of Occupancy, all erosion and sediment control measures shall be installed as necessary;**
- 9. 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 the minimum required amount of parking spaces being provided;**
- 10. 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 the minimum required amount of landscaping being provided;

11. 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;
12. All requirements of the International Fire Code shall be continually maintained;
13. All requirements of the General Commercial District shall be continually maintained unless specifically authorized as a stipulation of this Final Planned Development or a future Major Amendment to the Planned Development, and;
14. This Final Planned Development shall allow for the construction of a convenience store with gas sales and a car wash. 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, Brewer, Bulman, Pinkard, Popp, 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.

*12. No. 14PD037 - Eastbrooke Subdivision

A request by Upper Deck Architects Inc for Destination Pointe LLC to consider an application for a - **Final Planned Development Overlay to allow a Commercial Development with On-Sale Liquor Establishments** for Lot 3 of Eastbrook Subdivision located in the SE1/4 of the SW1/4 of Section 31, T2N, R8E and the NE1/4 of the NW1/4 of Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northeast corner of the intersection of Lacrosse Street and Omaha Street.

Laroco presented the application and reviewed the associated slides. Laroco noted that the property located northwest of the intersection and not northeast as listed in the staff report. Laroco noted that this application requests an on-sale liquor establishment as part of both phases of the development. Laroco noted that the applicant is requesting a number of Exceptions including a reduction in parking from 367 spaces to 347 spaces, an Exception to allow an 8 feet setback for a ground sign in lieu of a 10 feet setback, an Exception to allow an alternative landscaping design and an Exception to a screening fence along the north side of the property between the subject property and the Medium Density Residential District zoned property to the north. Laroco noted that the topography supports waiving the screening due to the large difference in levels between the subject property and the Medium Density Residential District to the north. Laroco noted that a number of the suites, which are identified on the floorplan, are requesting

an on-sale liquor establishment to be operated in conjunction with another primary use. In particular, the on sale liquor establishment will be in conjunction with restaurants and in one instance a casino. Laroco noted that the Exceptions can be supported by staff and that staff recommends that the application for **Final Planned Development Overlay to allow a Commercial Development with On-Sale Liquor Establishments** be approved with stipulations.

In response to a question from Brewer regarding the on-sale establishments in this area, Laroco noted that the Police Department had not identified any concerns with the request. A representative for the applicant stated that they have a letter of intent for the restaurant but they do not have a letter of intent for the Beauty Salon and that based on the difference in operational hours they believe they should be able meet the parking needs.

In response to a question from Bulman regarding the parking reduction, Fisher noted that should there be a change in use that increases the parking requirements a review of the Planned Development would be required, she also noted that the businesses will vet this on their own by not drawing the customers they need due to the inability to park on the site.

In response to a question from Bulman regarding the on-sale liquor use, Laroco confirmed that the on-sale liquor is defined with association to the suites not to the property as a whole based on the layout plan and is addressed in the staff report.

In response to a question from Scull regarding the landscaping plan, Fisher stated that the landscape plan used on this application does not follow the standard points count but used a concept known as street-scaping to allow for the placement of the required landscaping.

Popp moved, Rose seconded and unanimously carried to approve the Final Planned Development Overlay to allow a commercial development with on-sale liquor establishments with the following stipulations:

- 1. An Exception is hereby granted to reduce the required amount of off-street parking from 364 to 327 spaces. A minimum of 7 of the provided spaces shall be stacked parking spaces for the proposed drive through restaurant. A minimum of 8 of the proposed parking spaces shall be handicap accessible. Of the 8 required handicap parking spaces, one of the spaces shall be "van accessible". All parking shall comply with the requirements of the Rapid City Parking Ordinance;**
- 2. An Exception is hereby granted to reduce the required setback for a ground sign from 10 feet to 8 feet. All signage shall comply with the requirements of the Rapid City Sign Code. No electronic or Light Emitting Diode (LED) signage is being approved as a part of this Final Planned Development. The addition of LED signage shall require a Major Amendment to the Planned Development. A sign permit shall be obtained for each sign;**

3. **An Exception to waive the requirement to provide a screening fence along the northern property line is hereby granted. All landscaping shall comply with the landscaping plan date-stamped on December 12, 2014. Changes to the landscaping which meet the standards for buffering and screening established in the submitted landscaping plans may be approved as a Minimal Amendment to the Planned Development;**
4. **The proposed on-sale liquor establishments shall be operated in the locations and as accessory to the uses specified in the approved site plans. Changes in the operation of the facilities which result in an increase in the total square footage of on-sale liquor establishments permitted within this Final Planned Development shall require a Major Amendment to the Planned Development;**
5. **Prior to issuance of a building permit, all redline comments shall be addressed and returned to Community Planning and Development Services;**
6. **A building permit shall be obtained prior to construction. A Certificate of Occupancy shall be obtained prior to occupancy;**
7. **An air quality permit shall be obtained prior to disturbances of earth greater than one acre;**
8. **Prior to issuance of a building permit, all redline comments shall be addressed and returned to Community Planning and Development Services;**
9. **Prior to issuance of a building permit, final plans signed and sealed by a registered professional pursuant to SDCL 36-18A shall be submitted. In particular, final construction plans shall show that all existing utility services from the former mobile home park are being abandoned and all utility work for the proposed development is in compliance with the requirements of the Infrastructure Design Criteria Manual.**
10. **Prior to issuance of a Certificate of Occupancy, all required erosion and sediment control measures shall be installed as necessary;**
11. **All lighting shall be designed to preclude shining on adjacent properties or rights-of-way so as not to create a nuisance to neighbors or passing traffic;**
12. **All requirements of the International Fire Code shall be continually maintained;**
13. **All requirements of the General Commercial District shall be continually maintained unless specifically authorized as a stipulation of this Final Planned Development or a subsequent Major Amendment to the Planned Development, and;**
14. **This Final Planned Development shall allow for the construction of a commercial development with on-sale liquor establishments. Permitted uses in the General Commercial District shall be permitted, contingent upon an approved building permit and that sufficient parking is provided. All conditional uses shall require the review and approval of a Major Amendment to the Planned Development. (9 to 0**

with Braun, Brewer, Bulman, Pinkard, Popp, 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.

*13. 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 the application noting that the application had been continued from the December 4, 2014 Planning Commission meeting to allow the applicant to meet the notification requirements, stating that to date the notification letters had been mailed, but that the sign had not been posted on the property. Lacock stated that staff recommends that the item be continued to the January 22, 2015 Planning Commission meeting.

The applicant, Tony Marshall, apologized for the delay and thanked the Planning Commission for their patience.

Brewer moved, Rolinger seconded and unanimously carried to continue the Major Amendment to a Planned Development to reduce the front yard setback from 20 feet to 8 feet to the January 22, 2015 Planning Commission Meeting. (9 to 0 with Braun, Brewer, Bulman, Pinkard, Popp, 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.

*14. 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.

Braun relinquished the gavel to Rolinger due to a conflict of interest. Braun left the dais at this time.

Fisher presented the application and reviewed the slides, noting that this property is currently located outside of the city limits, but that the platting of the property will require it to be annexed into the City. Fisher noted that there will be additional right-of-way required for future road improvements. Fisher stated that this property will be zoned Planned Unit Zoning Document when it is annexed and that the applicant continues to work with the City towards the use and zoning of the property.

In response to a question from Brewer regarding neighbor concerns, Fisher stated that the applicant is having a neighborhood meeting to address the concerns including traffic and development. Brewer stated that he believes that Sheridan Lake Road is underbuilt for current development and hopes that this is taken into consideration for this and additional development along this road. Discussion followed.

Rose moved, Bulman seconded and unanimously carried to recommend that the Preliminary Subdivision Plan be approved with the following stipulations:

- 1. Upon submittal of a Development Engineering Plan application, construction plans for Dunsmore Road showing the dedication of 17 additional feet of right-of-way and the installation of sidewalk and a second water main 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 for Portrush Road showing the installation of sewer along the western 320 feet and sidewalk along the south side of the street 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, construction plans for Muirfield Drive showing the dedication of 8 additional feet of right-of-way and the installation of 7 additional feet of pavement for a total width of 34 feet, a sidewalk along the east side of the street and sewer 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;**
- 4. Upon submittal of a Development Engineering Plan application, the location of the access aisle along the south side of the existing storage units located on proposed Tract A shall be clarified. If the access aisle is located on the adjacent property, than the access shall be secured within an access easement. In addition, construction**

plans for the access easement showing the easement with a minimum 70 foot width and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer 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;

5. Upon submittal of a Development Engineering Plan application, the applicant shall demonstrate that the existing driveway serving proposed Tract C is located within an access easement or an easement shall be secured and a recorded copy submitted with the application;
6. Upon submittal of a Development Engineering Plan application, the applicant's site plan shall be revised to show the location of the proposed storage unit on proposed Tract A as per the building permit issued by Pennington County in September, 2014. In addition, the proposed plat shall be revised as needed to ensure that minimum setback and access requirements for the proposed storage unit are being met;
7. 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;
8. 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. In addition, the sewer data shall confirm whether the Red Rock Estates Lift Station was intended to serve this area and identify if capacity is available within the lift station, gravity sewer mains and lift station force main to serve the proposed development;
9. Prior to submittal of a Final Plat application, a renewed septic permit shall be obtained for the existing septic system located on proposed Tract C. A copy of the approved permit shall be submitted with the Final Plat application;
10. Upon submittal of a Development Engineering Plan application, confirmation of the water source servicing proposed Tract A shall be submitted. If the water source is private, then upon approval of a Final Plat, the structure benefitting from the private water shall be connected within 30 days to the public water main located within Dunsmore Road pursuant to Chapter 132.08.520 of the Rapid City Municipal Code or an Exception shall be obtained;
11. Upon approval of a Final Plat, the structure benefitting from the on-

site wastewater treatment system on proposed Tract A shall connect within 30 days to the public sewer main located within Dunsmore Road pursuant to Chapter 13.16.030 of the Rapid City Municipal Code or an Exception shall be obtained;

12. Upon approval of a Final Plat, the structure benefitting from the private well located on proposed Tract C shall connect within 30 days to the public water main located within Muirfield Drive pursuant to Chapter 13.08.520 of the Rapid City Municipal Code or an Exception shall be obtained;
13. Upon submittal of a Development Engineering Plan application, plans shall be submitted for review and approval showing the abandonment disconnection of the well and water service to the residence located on proposed Tract C to ensure that a non-conforming water well is not created unless an exception is obtained;
14. Upon submittal of a Development Engineering Plan application, the preliminary construction plans shall be revised to show the water service for proposed Tract B from either the 12 inch water main in Portrush Road or the 16 inch water main in Dunsmore Road in lieu of the 8 inch water main Muirfield Drive;
15. Upon submittal of a Development Engineering Plan application, a drainage plan in compliance with the City's Drainage Basin Plan and the drainage basin master plans for Red Rock Drainage Basin and Arrowhead Drainage Basin shall be submitted for review and approval. All site improvements shall comply with the respective drainage basin master plans with no inter drainage basin transfer occurring. In addition, construction plans shall be provided to address the existing drainage and erosion issues on the property to the east of Dunsmore Road due to drainage from the storage unit property and Dunsmore Road right-of-way since the existing improvements are inadequate to handle the drainage. The drainage plan shall also confirm that the downstream drainage facilities are sized to accommodate the drainage. Drainage easements shall also be provided as necessary;
16. Upon submittal of a Development Engineering Plan application, a plat document shall be submitted showing all existing easements including the existing Major Drainage Easement in the northern portion of the property as shown in Miscellaneous Book 183, Page 3774 of the Register of Deed's Office records;
17. Upon submittal of a Development Engineering Plan application, a grading plan and 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;
18. Upon submittal of a Development Engineering Plan application, the site plan shall be revised to show the dedication of 17 feet of additional right-of-way along Dunsmore Road in relation to the existing storage units located on proposed Tract A to ensure that adequate access and circulation is being provided to the units;

19. 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;
 20. 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;
 21. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
 22. 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;
 23. 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,
 24. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required. In addition, any utilities and drainage proposed outside of the dedicated right-of-way shall be secured within easement(s). (9 to 0 with Braun, Brewer, Bulman, Pinkard, Popp, Rolinger, Rose, Scull and Swank voting yes and none voting no)
15. No. 14VR005 - Kepp Heights Subdivision No3
A request by City of Rapid City Parks and Recreation to consider an application for a **Vacation of Right-of-Way** for that portion of Skyline Drive adjacent to Tract J of the SW1/4 of the NW1/4 and Lots 15, 16R and 17 of Kepp Heights Subdivision No. 3, located in Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of the intersection of Skyline Drive and Flormann Street.

Braun returned to the dais and assumed the gavel at this time.

Lacock presented the application and reviewed the associated slides noting that this is a part of the Planned Development for the Skyline Wilderness Park Development previously approved by the Planning Commission. Lacock noted that in order to realign Skyline Drive the existing right-of-way is being vacated to allow the new section of road to be constructed. Lacock also noted that the existing section of Skyline Drive will remain in use until the new section is completed and accepted by the City and that staff recommends that the **Vacation of Right-of-Way** be approved.

In response to question from Brewer, Alex DeSmidt, Landscape Architect for the Parks and Recreation Department, stated that the bid let was set for the end of January for this project and as they do have the funding available, he anticipates

it moving forward.

Rolinger moved, Rose seconded and unanimously carried to recommend that the Vacation of Right-of-Way be approved. (9 to 0 with Braun, Brewer, Bulman, Pinkard, Popp, Rolinger, Rose, Scull and Swank voting yes and none voting no)

*16. No. 14UR022 - Simmons Addition

A request by OM Properties to consider an application for a **Conditional Use Permit to allow on-sale liquor in conjunction with a casino** for Lots 30 thru 39 of Block 4 of Simmons Addition and the east 30 feet of vacated East Boulevard adjacent to said lots, located in Section 1, T1N, R7E, BHM, Rapid City, Pennington, County, South Dakota, more generally described as being located at 316 East Boulevard.

Laroco presented the application and reviewed the associated slides. Laroco noted that the applicant is aware that any additional use on the property would require additional parking. Laroco noted that there are a number of legally non-conforming issues on the property including landscaping, utility services and parking and that the applicant has been notified that any addition to the development would require that these items be brought up to code and that staff recommends that the application for a **Conditional Use Permit to allow on-sale liquor in conjunction with a casino** be approved with stipulations.

In response to question from Scull, Scott O'Merra, owner of property, stated that they anticipated possible office use in a portion of the building with light industrial use possible in another portion.

Rose moved, Rolinger seconded and unanimously carried to approve the Conditional Use Permit to allow on-sale liquor in conjunction with a casino with the following stipulations:

- 1. A building permit shall be obtained prior to construction. A certificate of completion shall be obtained prior to occupancy of the casino;**
- 2. Prior to issuance of a building permit, revised plans shall be submitted showing all proposed revisions to the interior of the suite. In particular, plans shall show that handicap accessibility is being provided as required;**
- 3. The on-sale liquor establishment shall operate in compliance with all requirements of the Rapid City Municipal Code and the submitted operations plan. Changes to the operational plan which expand or alter the on-sale liquor use on the property will require a Major Amendment to the Conditional Use Permit;**
- 4. All signage shall comply with the requirements of the Rapid City Sign Ordinance. A sign permit is required for each sign;**
- 5. All parking shall comply with the requirements of the Rapid City Parking Ordinance;**
- 6. 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;
7. All applicable provisions of the currently adopted International Fire Code shall be continually maintained;
 8. All provisions of the General Commercial District shall be continually maintained, and;
 9. This Conditional Use Permit shall allow an on-sale liquor establishment to be operated in conjunction with a casino. All 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 a Major Amendment to the Conditional Use Permit. (9 to 0 with Braun, Brewer, Bulman, Pinkard, Popp, 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.

17. Discussion Items
Rolinger stated that the issue of having a Traffic Engineer on staff is important and hopes that current staff can be used to fill these duties while this position is being hired. Discussion followed.
18. Staff Items
None
19. Planning Commission Items
None
20. Committee Reports
 - A. City Council Report (December 15, 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, Rose moved, Karen seconded and unanimously carried to adjourn the meeting at 8:13 a.m. (9 to 0 with Braun, Brewer, Bulman, Pinkard, Popp, Rolinger, Rose, Scull, and Swank voting yes and none voting no)