

MINUTES OF THE
RAPID CITY PLANNING COMMISSION
November 6, 2014

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

MEMBERS ABSENT: Brett Monson

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

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

*10. No. 14PD033 - Fox Run Subdivision

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

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

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

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

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

Fisher reviewed the specific criteria that the ordinance requires be reviewed including screening, parking, sidewalks, signage and lighting, and utilities and comprehensive plan noting that all of these criteria are met by this location. Fisher also noted that the City's Consolidated Plan calls for the City to provide

services for women in need. Fisher further noted that Stipulation #5 should state that 13 parking spaces are required and requested that it be revised to as such and stated that stipulations #11 specifically limits the operation plan to the proposed plan and prohibits the use as a mission, detox center or detention facility and that stipulation # 12 states that the Major Amendment shall be reviewed by the Planning Commission in six months at the May 7, 2015 Planning Commission meeting and that staff recommends the **Major Amendment to a Planned Development to allow a group home for transitional housing** be approved with stipulations.

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

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

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

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

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

Greg Barnier, 3960 City View Drive, a board member of the Cornerstone Mission, spoke to his support of the program. He acknowledged the high number of calls for service, noting that the service calls are prompted by lack of family support and assistance and that often these calls are assistive in nature and not disturbance based.

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

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

these members of our community.

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

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

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

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

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

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

In response to Scull's question about the trial period, Fisher stated that the review period is a provision requested by staff, noting that the current plan shows that only a portion of the facility is being used and offers the opportunity to ensure that the facility continues to be operated per the operations plan. Additionally, the expansion of any use on this facility would require a Major Amendment noting that the current plan, including parking, is for only the defined area of use and does not include the non-used section of the building.

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

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

Bulman noted her concerns regarding parking and the future use of the currently un-used portion of the building. In response to Bulman's question regarding

disruption to the neighborhood, Cushman noted that if the calls for service are defined as a disruption to the neighborhood it could be considered a reason for denial or removal of the Conditional Use.

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

- 1. The previously granted Exception to reduce the minimum required side yard setback from the south property line from 25 feet to 20 feet 8 inches is hereby acknowledged;**
- 2. The previously granted Exception to allow a maximum lot coverage of 31.6% in lieu of 30% is hereby acknowledged;**
- 3. A Building Permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;**
- 4. Prior to issuance of a Certificate of Occupancy, a six foot high opaque screening fence shall be installed around the parking lot and dumpster location;**
- 5. A minimum of 13 parking spaces shall be provided. One of the parking spaces shall be handicap "van accessible". All provisions of the Off-Street Parking Ordinance shall be continually met;**
- 6. A minimum of 34,512 landscaping points shall be provided. All provisions of Section 17.50.300, the Landscaping Regulations of the Rapid City Municipal Code, shall be continually met. All landscaping shall be continually maintained in a live vegetative state and replaced as necessary;**
- 7. Any proposed signage shall conform to the Sign Code. No electronic signs are being approved as a part of this Major Amendment to the Planned Development. All signage not in conformance with the Sign Code or any electronic reader board signs shall require the review and approval of a Major Amendment. Lighting for the signs shall be designed to preclude shining on the adjacent properties and/or street(s). A sign permit shall also be obtained for all signs;**
- 8. All outdoor lighting shall be reflected within the property boundaries so as to not shine onto adjoining properties and rights-of-way and to not be a hazard to the passing motorist or constitute a nuisance of any kind;**
- 9. All applicable provisions of the adopted International Fire Code shall continually be met;**
- 10. All provisions of the Office Commercial District shall be met unless otherwise specifically authorized as a stipulation of this Major Amendment to the Planned Development or a subsequent Major Amendment;**
- 11. The Final Planned Development shall allow for a group home for transitional housing to be operated in compliance with the applicant's operational plan. A maximum of eight women with children, a female veteran, and four staff members shall use the facility. A maximum of 36 residents and 4 employees shall be allowed. Any expansion to the use of the structure or the number of residents shall require a Major Amendment to the Planned Development. Any change in use that is a**

permitted use or is a Conditional Use in the Office Commercial District shall require the review and approval of a Major Amendment to the Planned Development. A mission, detoxification center, or detention center shall not be allowed; and,

12. This Major Amendment to a Planned Development shall be reviewed by the Planning Commission in 6 months at the May 7, 2015 Planning Commission meeting. (9 to 0 to 1 with Braun, Bulman, Marchand, Pinkard, Popp, Rippentrop, Rolinger, Rose and Scull voting yes and none voting no and Swank abstaining)

The Rapid City Planning Commission's action on this item is final unless any party appeals that decision to the Rapid City Council. All appeals must be submitted in writing to the Department of Community Planning & Development Services by close of business on the seventh full calendar day following action by the Planning Commission.

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

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