



CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701-2724

Growth Management Department

300 Sixth Street

Vicki L. Fisher, Planning Manager
Growth Management Department
city web: www.rcgov.org

Phone: 605-394-4120
Fax: 605-394-6636
e-mail: vicki.fisher@rcgov.org

MEMORANDUM

TO: Rapid City Public Works Committee

FROM: Vicki L. Fisher, Planning Manager

DATE: August 22, 2011

RE: Recreational Vehicle Parking in Walmart Parking Lot(s)

Due to recent complaints received by City Staff regarding camping and overnight parking of recreational vehicles within the Walmart parking lot located at 1200 LaCrosse Street, staff has contacted Walmart executives within the Bentonville, Arkansas Office to insure that camping and/or overnight parking will not occur within the parking lot at the new store to be constructed along Stumer Road. In particular, it was noted that the Planned Commercial Development for the Stumer Road store was approved by the City Council with the stipulation that: "No camping or overnight parking shall be allowed. In addition, "No Camping or Overnight Parking" signs shall be posted within the parking lot(s) in accordance with the plans submitted". Walmart's Senior Director, TR Rose, has confirmed that the signs will be posted in the parking lot at the Stumer Road store as required. The signs must be in place prior to the City's issuance of a Certificate of Occupancy.

Based on the complaints received by the City regarding the existing camping and overnight parking of recreational vehicles at the LaCrosse Street store location, TR Rose has indicated that similar signs will be posted at this location in an attempt to eliminate camping or overnight parking within the parking lot. In particular, TR Rose has indicated that the property management for the existing store has been contacted and that they are waiting on an estimated time of completion for the posting of the signs.

A copy of the approved stipulations of approval for the Planned Commercial Development for the Stumer Road site and the e-mail correspondence with TR Rose is included for your review.



EQUAL OPPORTUNITY EMPLOYER

Fisher Vicki

Subject: FW: Rapid City, SD

From: TR Rose [<mailto:Tr.Rose@wal-mart.com>]
Sent: Monday, August 08, 2011 2:44 PM
To: Fisher Vicki
Subject: RE: Rapid City, SD

We will take care of it.

Property management has been notified and I am waiting on an estimated time of completion.

From: Fisher Vicki [<mailto:Vicki.Fisher@rcgov.org>]
Sent: Monday, August 08, 2011 3:31 PM
To: TR Rose
Subject: RE: Rapid City, SD

TR Rose,

Thank you for the confirmation indicating that signs will be posted at the new store. Please confirm Walmart's proposal to post similar signs in the parking lot at the existing store located along LaCrosse Street to address the overnight parking and camping complaints received by the City.

Thanks for all of your assistance. I will be reporting your comments to the Public Works Committee and City Council.

Thanks,
Vicki

From: TR Rose [<mailto:Tr.Rose@wal-mart.com>]
Sent: Friday, July 29, 2011 2:47 PM
To: Fisher Vicki
Subject: FW: Rapid City, SD

Hi Vicki,

Thank you for reaching out to us. We will have the appropriate signage posted at our new store. If you have any questions or concerns, please do not hesitate to contact me.

Thanks again. We are looking forward to the ribbon cutting!

TR Rose, CCIM
Senior Director - Real Estate
Phone 479-204-0657
TR.Rose@wal-mart.com

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PROCEEDINGS OF THE CITY COUNCIL
Rapid City, South Dakota

February 22, 2011

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Rapid City was held at the City/School Administration Center in Rapid City, South Dakota on Tuesday, February 22, 2011 at 7:00 P.M.

The following members were present: Mayor Alan Hanks and the following Alderpersons: Bonny Petersen, Ron Weifenbach, Dave Davis, Deb Hadcock, Ron Kroeger, Aaron Costello, Sam Kooiker, Bill Waugh, Gary Brown, and Jordan Mason; and the following Alderpersons arrived during the course of the meeting: None; and the following were absent: None.

Staff members present included Finance Officer Pauline Sumption, City Attorney Jason Green, Public Works Director Robert Ellis, Growth Management Director Marcia Elkins, Police Chief Steve Allender, Fire Chief Mike Maltaverne, Community Resources Director Jeff Barbier, and Administrative Coordinator Sharlene Mitchell

NON-CONSENT PUBLIC HEARING ITEMS

Motion was made by Hadcock, second by Waugh to approve (No. 10PD071) An Appeal of the Planning Commission's Decision on a request by Wolverton & Associates for THF Stoneridge Development, LLC for a **Final Commercial Development Plan to allow commercial uses including on-sale liquor establishments** for , legally described as a portion of Lot 1, Block 2 of Fifth Street Office Plaza, and a portion of the S½ of the NE¼, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, More fully described as follows: Commencing at southeasterly corner of Lot 21 of Block 4 Eastridge Estates Subdivision, common to the southwesterly corner of Lot 4 of Block 2 of Fifth Street Office Plaza, thence S89°37'17"E, along the southerly boundary of said Lot 4 of Block 2, a distance of 134.82 feet, and the point of beginning; Thence first course: S89°37'17"E, along the southerly boundary of said Lot 4 of Block 2, a distance of 233.03 feet, to the southeasterly corner of said Lot 4 of Block 2, common to the southwesterly corner of Lot 3 of Block 2 of Fifth Street Office Plaza; Thence second course: S81°56'11"E, along the southerly boundary of said Lot 3 of Block 2, a distance of 205.60 feet, to the southeasterly corner of said Lot 3 of Block 2, common to the southwesterly corner of Lot 2 of Block 2 of Fifth Street Office Plaza; Thence third course: S81°55'52"E, along the southerly boundary of said Lot 2 of Block 2, a distance of 60.98 feet, to a corner on the southerly boundary of said Lot 2 of Block 2; Thence fourth course: S72°01'35"E, along the southerly boundary of said Lot 2 of Block 2, a distance of 161.84 feet, to the southeasterly corner of said Lot 2 of Block 2; Thence fifth course: S77°25'15"E a distance of 217.74 feet; Thence sixth course: N27°30'18"E, a distance of 281.17 feet, to a point on the westerly edge of Fifth Street right-of-way, common to a point on the northerly boundary of Lot 1 of Block 2 of Fifth Street Office Plaza; Thence seventh course: S62°29'41"E, along the westerly edge of said Fifth Street right-of-way, common to the northerly boundary of said Lot 1 of Block 2, a distance of 279.03 feet, to the northeasterly corner of said Lot 1 of Block 2; Thence eighth course: S62°29'05"E, along the westerly edge of said Fifth Street right-of-way, a distance of 134.83 feet; Thence ninth course: curving to the right, along the westerly edge of said Fifth Street right-of-way, on a curve with a radius of 909.00 feet, a delta angle of 14°12'45", a length of 225.48 feet, a chord bearing of S55°23'16"E, and chord distance of 224.91 feet; Thence tenth course: S42°58'26"W, along the westerly edge of said Fifth Street right-of-way, a distance of 12.00 feet; Thence eleventh course: S42°54'18"W, a distance of 296.40 feet; Thence twelfth course: S45°50'37"E, a distance of 81.18 feet; Thence thirteenth course: S00°18'52"W, a distance of 297.86 feet, to a point on the northerly edge of Stumer Road right-of-way; Thence fourteenth course: curving to the left, along the northerly edge of said Stumer Road right-of-way, on a curve with a radius of 430.50 feet, a delta angle of 12°59'30", a length of 97.62 feet, a chord bearing of S53°34'37"W, and chord distance of 97.41 feet; Thence fifteenth course: curving to the right, along the northerly edge of said Stumer Road right-of-way, on a curve with a radius of 369.50 feet, a delta angle of 43°15'37", a

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length of 278.99 feet, a chord bearing of S68°41'45"W, and chord distance of 272.41 feet; Thence sixteenth course: N89°40'48"W, along the northerly edge of said Stumer Road right-of-way, a distance of 730.69 feet; Thence seventeenth course: curving to the right, along the northerly edge of said Stumer Road right-of-way, on a curve with a radius of 369.50 feet, a delta angle of 30°00'38", a length of 193.54 feet, a chord bearing of N74°39'10"W, and chord distance of 191.33 feet; Thence eighteenth course: N59°42'02"W, along the northerly edge of said Stumer Road right-of-way, a distance of 351.37 feet; Thence nineteenth course: N12°34'45"E, a distance of 728.41 feet, to the point of beginning, located northeast of the intersection of Stumer Road and Black Hills Boulevard with the following revised stipulations: 1. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy. In addition, an Air Quality Permit shall be obtained prior to any surface disturbance of one acre or more; 2. Prior to issuance of a building permit, all necessary changes shall be made to the construction plans as identified on the red lined drawings. In particular, the construction plans shall be revised to show the proposed raised "pork chop" island to be constructed at the Eagle Ridge Apartment entrance located outside of E. Stumer Road right-of-way. In addition, the red lined drawings shall be returned and signed and sealed final construction plans shall be submitted to the Growth Management Department; 3. Prior to issuance of a building permit, the applicant's "Easements with Covenants and Restrictions Affecting Land (ECR)" document shall be recorded at the Register of Deed's Office to secure access between the properties. In addition, a copy of the recorded document shall be submitted to the Growth Management Department; 4. Prior to issuance of a building permit, a Covenant Agreement shall be executed to provide the maintenance of the stormwater management facility to be located on proposed Lot 3; 5. Prior to issuance of a building permit, the construction plans shall be revised to include a note stating that "the design of the street lights shall comply with City Design Standards or the applicant shall enter into a Covenant Agreement with the City securing maintenance of the proposed decorative street lights along E. Stumer Road from 5th Street to Black Hills Boulevard. If an alternate street light design is utilized, then prior to issuance of a Permit to Work in the Right-of-way, the Covenant Agreement shall be recorded at the Register of Deed's Office and copies of the recorded documents shall be submitted to the Growth Management Department; 6. Prior to issuance of a building permit, the construction plans be revised to include a note stating that "the color of the traffic signal poles and components shall be pursuant to City and State Design Requirements. If an alternate color is utilized, then prior to issuance of a Permit to Work in the Right-of-way, the applicant shall enter into a Covenant Agreement with the City and the South Dakota Department of Transportation securing maintenance of the paint on the traffic signal poles and components to be located at the intersections of 5th Street and Stumer Road, 5th Street and Catron Boulevard and Black Hills Boulevard and Catron Boulevard. In addition, the Covenant Agreement shall be recorded at the Register of Deed's Office and copies of the recorded documents shall be submitted to the City". 7. Prior to issuance of a building permit, a note shall be placed on the landscape plan stating that the soils shall be replaced as needed to support spruce trees. The landscaping shall be provided in compliance with the submitted plans. In particular, a minimum of 672,350 landscape points shall be provided on the Walmart Supercenter lot as proposed. In addition, a minimum of 15 planter islands shall be provided. Bermed landscaping and evergreen trees with a minimum height of six feet shall be provided along the northwest corner of the property as shown on the landscape plan. In addition, a minimum of 232,000 landscape points shall be provided on the mini-anchor and retail shop lot in accordance with approved plans. A minimum of six planter islands shall also be provided. In addition, landscaping shall be provided along 5 th Street in compliance with the proposed landscape plan. All landscaping shall be irrigated and shall comply with all requirements of the Landscape Ordinance; 8. Prior to issuance of a building permit, a Fence Height Exception shall be obtained to allow a 10 foot high fence in lieu of an 8 foot high fence to enclose a pallet storage area located along the west side of the proposed "Walmart Supercenter" building or the fence elevation shall be revised to show a maximum 8 foot high fence or shown in compliance with previously approved Fence Height Exception. In addition, a Minimal Amendment to the Planned Commercial Development shall be obtained to allow the revised fence elevation if the Fence Height Exception is not obtained. The balance of the proposed fencing shall be provided in accordance with the design and plans submitted; 9. Prior to issuance of a Certificate of Occupancy, bollard barrier(s) within the westbound lane west of the approach into the Eagle Ridge Apartments and bollard barrier(s) within the

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eastbound lane of Stumer Road directly east of the intersection of Stumer Road and Enchantment Road shall be constructed as per the approved construction plans. Regulatory signs designed in accordance with the Manual on Uniform Traffic Control Devices shall be posted at both ends of Stumer Road. In addition, the raised "pork chop" or alternative traffic control as approved by the City Engineer shall be constructed within the Eagle Ridge Apartment approach along Stumer Road, outside of the street right-of-way, to preclude left turns from the Eagle Ridge Apartment property onto Stumer Road; 10. Prior to issuance of a Certificate of Occupancy, the following street improvements shall be completed pursuant to the Traffic Impact Study or surety shall be posted for the improvement: Signalize the intersection of Catron Boulevard and Black Hills Boulevard; Signalize the intersection of 5th Street and Stumer Road; Coordinate the two proposed traffic signals with the existing traffic signal at Catron Boulevard and 5th Street with a hard wire interconnect; Construct dual eastbound left-turn lanes on Stumer Road at 5th Street; Construct a separate southbound right-turn lane on 5th Street at Stumer Road; Construct dual southbound left-turn lanes on 5th Street at Catron Boulevard; Construct a separate westbound right-turn lane on Stumer Road at the main Walmart drive; and, Construct a separate westbound right-turn lane at the east driveway on Stumer Road servicing the retail shops. 11. Prior to issuance of a Certificate of Occupancy, the applicant shall enter into a Covenant Agreement with the City to secure the timing of the following improvements pursuant to the Traffic Impact Study: Construction of a separate westbound right turn lane on Catron Boulevard at Black Hills Boulevard; and, Construction of a separate northbound right turn lane on Black Hills Boulevard at Outlot 10; 12. The proposed signage shall conform to the design, color and location as shown in the sign package submitted as a part of the Planned Commercial Development. No electronic signs are being approved as a part of this sign package. The addition of electronic signs shall be considered a Major Amendment to the Planned Commercial Development. Changes to the proposed sign package, which the Growth Management Director determines to be consistent with the original approved sign package, shall be allowed as a Minimal Amendment to the Planned Commercial Development. In addition, the Growth Management Director may approve temporary signs in accordance with Chapter 15.28.080 of the Rapid City Municipal Code. The 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 each individual sign; 13. No camping or overnight parking shall be allowed. In addition, "No Camping or Overnight Parking" signs shall be posted within the parking lot(s) in accordance with the plans submitted; 14. An Exception is hereby granted to allow the lighting from the parking lot to reflect onto the adjacent sidewalk located within E. Stumer Road right-of-way. The balance of the lighting shall be designed to reflect light within the property boundaries, so as not to reflect or shine onto adjoining properties and rights-of-way and so as to not be a hazard to the passing motorist or constitute a nuisance of any kind; 15. The proposed Walmart Supercenter structure, the proposed service kiosk and the proposed shopping center structure shall conform architecturally to the elevations, design plans and color palette submitted as part this Final Commercial Development Plan. In addition, the roof membrane(s) shall be tan in color as proposed. Changes to the elevations may be authorized by the Growth Management Director when they are consistent with the revised architectural style of the development as approved herein; 16. No outdoor storage of palettes, card board boxes or other similar materials shall be allowed outside of the screened area. In addition, no storage of semi-trailers shall be allowed on the property; 17. All traffic markings shall be installed and maintained by the applicant at all times pursuant to the approved construction plans; 18. The currently adopted International Fire Code shall be continually met. In particular, fire hydrants shall be installed and operational prior to the issuance of a building permit and/or any construction on the site using combustible material(s). In addition, prior to issuance of a building permit, all weather access roads shall be constructed in compliance with the Street Design Criteria Manual in order to accommodate Fire Department apparatus. The proposed structures shall also have fire sprinkler systems and be fire alarmed if required as per the currently adopted International Fire Code; 19. A minimum of 730 parking spaces shall be provided on the Walmart Supercenter lot. In addition, 15 of the parking spaces shall be handicap accessible spaces. Two of the handicap spaces shall be "van accessible". In addition, a minimum of three stacking spaces per drive up window shall be provided. A minimum of 235 parking spaces shall be provided on the mini-anchor and retail shop lot. In addition, five of the parking spaces shall be handicap accessible spaces. One of the

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handicap spaces shall be "van accessible". All provisions of the Off-Street Parking Ordinance shall be continually met; 20. A bike rack(s) shall be provided in accordance with the design and plans submitted; 21. Noise generated by the development shall continually comply with the Acoustical Assessment Report which states that the sound levels at the property lines shall not exceed Ldn 65 dBA; 22. All construction traffic shall be routed along Catron Boulevard; 23. All use(s) permitted within the General Commercial District shall be allowed. Conditional use(s) within the General Commercial District shall require specific authorization as a stipulation of this Final Commercial Development Plan or a subsequent Major Amendment to the Commercial Development Plan shall be obtained. Off-premise liquor sales with no on-premise liquor consumption shall be allowed on both lots. In addition, on-sale liquor establishments, in conjunction with a full-service restaurant only, shall be allowed on the mini-anchor and shopping center lot. A Major Amendment to the Commercial Development Plan shall be obtained prior to issuance of a building permit for the mini-anchor building. All provisions of the underlying zoning designation(s) shall be met unless otherwise specifically authorized as a stipulation of this Final Commercial Development Plan application or a subsequent Major Amendment; 24. The Planned Commercial Development shall expire if the use is not undertaken and completed within two years of the date of approval by the Planning Commission, or if the use as approved has ceased for a period of two years. A time extension may be granted if identified and requested as a part of a phasing schedule submitted with the Final Commercial Development Plan application; or upon written request to the Growth Management Director, and prior to the Final Development Plan approval expiration date, a one year extension for Final Development Plan approval may be granted; and 25. The Public Works Director and the Growth Management Director may approve modifications to the design of the drainage facility located along the north boundary. In response to a question from Weifenbach, Elkins addressed the forward progress of the project. Motion carried



VIA EMAIL

August 29, 2011

Vicki Fisher
City of Rapid City
Growth Management Department
300 Sixth Street
Rapid City, South Dakota 57701

RE: Black Hills Center
5th Street and Stumer Road

Dear Vicki:

Per your request, please accept this correspondence as confirmation that as part of the site work for the new Wal-Mart store and adjacent retail shops, there will be signage posted reading: **"No Camping or Overnight Parking"**.

Kindest Regards,
THF Realty, Inc.



G. Todd Rogan

Cc: MHS
Growth Management File

Development | Leasing | Management

2127 Inherbert Business Center Dr
Suite 700
St. Louis, MO 63114
314.429.9900 *main*
314.429.9977 *fax*
www.thfrealty.com

