

Minutes of the November 16, 2012  
Rapid City Historic Preservation Commission Meeting

**Members Present:** Pat Roseland, Michelle Dennis, Heather Knox, Richard Grable, Gavin Williams, Duane Baumgartner, Eric James and Shawn Krull

**Members Absent:** Cynthia Matson

**Others Present:** Katherine Palmer, Jeanne Nicholson, Carla Cushman, Kip Harrington, Fred Thurston and Bonny Petersen, Council Liaison

Roseland called the meeting to order at 7:42 a.m.

**Approval of meeting Agenda**

Roseland requested that a discussion be held about residency requirements for Historic Preservation Commission members.

**James moved to approve the meeting agenda with the noted addition. The motion was seconded by Dennis and carried unanimously.**

**Approval of Minutes**

**Grable moved to approve the November 2, 2012 meeting minutes. The motion was seconded by James and carried unanimously.**

**New Business**

**Meeting with City Staff on backing from City**

Palmer reminded the Commission that at the last meeting they requested the Mayor and City staff be invited to the next meeting to discuss the City's support for Historic Preservation Commission actions on 11.1 Reviews. She added that the Mayor was not able to attend due to prior commitments. She introduced Carla Cushman, City Attorney, and advised that she is here to answer any questions the Commission may have.

Dennis informed the Commission that she and Krull met Sheryl Coley on Friday afternoon after the Historic Preservation Commission meeting to discuss the possibility of making changes to the design of the Suzie Cappa Building project.

Krull advised that Coley was cooperative, but that she indicated it was too late to correct the situation because the materials were already ordered and it would be too much of a financial burden to make changes to the project.

Krull expressed his opinion that there is a gap in the 11.1 Review process and a lack of communication between the Commission, applicants and staff.

James reviewed the Commission's action on the Suzie Cappa Building 11.1 Review and noted that the brick was not salvaged as directed by the Commission. He added that a Stop Work Order was issued once it was determined that the brick was not salvaged. Discussion followed.

Dennis asked what recourse the Historic Preservation Commission has when the applicants do not follow the conditions of approval.

Cushman asked how frequently it happens that the applicants don't follow the approval of the 11.1 Reviews. A brief discussion followed.

Thurston informed the Commission there was a subcommittee at one time that would follow up and review 11.1 Review projects. He added the subcommittee was dissolved by a previous Mayor. Dennis added that Tax Credit projects are not a problem because they are monitored by the State Historic Preservation Office.

Roseland suggested that on future 11.1 Reviews, the Commission only approve the demolition of the façade and request the applicant to come back to the Commission with the design after the demolition is completed. Additional discussion followed.

Cushman briefly reviewed the statute regarding the approval and the denial of the 11.1 Reviews. She added that fines for violations are handled by the City Attorney's office and she would further review this issue.

In response to a question from James, Cushman added that all building permits are subject to compliance. James asked if the Commission can contact building officials if a 11.1 Review is not in compliance with the approval of the permit and also suggested a member of the Commission be present when an inspection is being done on a historic building.

Cushman suggested that the Commission's motions include specific stipulations for approval. Harrington also suggested that the applicants be notified after the meeting about the stipulations of approval for the 11.1 Review. A brief discussion followed.

Dennis asked if the Commission can pull in an individual from the community on an as needed basis to go to historic properties if the owner has requested as such. Thurston reminded the Commission that Historic Rapid City has been created and that they would be willing to assist Commission members in reviewing historic properties. Cushman cautioned that the roles of the Commission should not be outweighed by the opinion of a member of the community.

#### Mt. Rushmore Overlay District

Palmer informed the Commission that a meeting has been held with Scenic Rapid City about developing an overlay district for Mt. Rushmore Road. She added that a subcommittee will be created and that a member of the Historic Preservation Commission is being requested to serve on the subcommittee. Palmer briefly reviewed the purpose of the overlay district. Roseland suggested that the Commission discuss this further at the next meeting.

#### Residency Requirements for Historic Preservation Commission Members

Roseland provided an email from Kevin Kuchenbecker to the Commission for their review about waiving residency requirements for Historic Preservation Commission members. A brief discussion followed.

**James moved to adjourn the meeting at 8:23 a.m. The motion was seconded by Knox and carried unanimously.**