

STAFF REPORT

August 8, 2002

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**No. 02UR022 - Renewal of a Conditional Use Permit to allow a Mission in the Central Business District**      **ITEM 42**

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GENERAL INFORMATION:

PETITIONER	Troy Williamson for Native American Heritage Association
REQUEST	<b>No. 02UR022 - Renewal of a Conditional Use Permit to allow a Mission in the Central Business District</b>
EXISTING LEGAL DESCRIPTION	Lots 1-7, Block 96, Original Town of Rapid City, Section T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .56 Acres
LOCATION	405 Saint Joseph Street
EXISTING ZONING	Central Business District
SURROUNDING ZONING	
North:	Central Business District
South:	Central Business District
East:	General Commercial District
West:	Central Business District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	07/03/2002
REPORT BY	Lisa Seaman

RECOMMENDATION:

Staff recommends that the Renewal of a Conditional Use Permit to allow a Mission in the Central Business District be approved with stipulations:

Urban Planning Division Recommendations:

1. That the Conditional Use Permit be granted for a period of three years subject to review within the three year period on a complaint basis. Renewal of the Conditional Use Permit shall be reviewed and approved by the Planning Commission;
2. That annual reports provided by a member of the Native American Heritage Association Board of Directors shall be provided to the Planning Commission at a regularly scheduled meeting in the month of August each year. The annual report shall include an annual statistical summary of occupancy for the year, updates on any administrative changes, stability of the Mission, a prepared statement by a law enforcement

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- representative describing any events that required police action and a prepared statement by a Building Inspection representative describing the exterior and interior maintenance conditions of the building and grounds.
3. That the post and chain barrier located across the east curb cut on Saint Joseph Street and the signage installed at the west curb cut on Saint Joseph Street to identify it as an "enter only" access location be continually maintained;
  4. There shall be no inoperable vehicles on the site;
  5. There shall be no outside storage of personal belongings;
  6. That all Life and Safety Codes shall be continually met;
  7. If required, an 11.1 Historic Preservation approval shall be received prior to the issuance of any Building Permits;
  8. That a Services Plan be provided and approved by the City Planning Commission and any change in the services plan shall require a Major Amendment to the Use On Review;
  9. That the services plan shall include provisions for 24 hour supervision by an individual or individuals trained and qualified to administer the functions and activities of the mission

**GENERAL COMMENTS:** On July 16, 2001 the City Council approved a Conditional Use Permit to allow a Mission in the Central Business District with eleven stipulations. One of the stipulations of approval stated that the Conditional Use Permit would be approved for a period of one year subject to renewal by the Planning Commission and the City Council.

The Mission is located at the intersection of Saint Joseph Street and Fourth Street and has been operated by the Native American Heritage Association for the past twelve months. The Mission provides lodging and food for misplaced families for a maximum of 120 days at no cost to the families. An advisory council was established at the initiation of the Mission. Rules and regulations were drafted prior to the opening of the Mission. This advisory council has reviewed the original rules and regulations and determined that revisions were required to clarify existing rules, include new rules and establish program guidelines.

**STAFF REVIEW:** Staff has reviewed the request for the renewal of the Conditional Use Permit to allow a Mission in the Central Business District and recommends approval of the request with stipulations as noted in the first section of this staff report.

During the original review of the subject property to allow the Mission in the Central Business District the Fire Department Staff noted numerous Uniform Fire Code Violations on the subject property. The original approval required that the applicant correct all Fire Code violations in accordance with a time schedule developed by the Fire Department. The Fire Department has noted that all the Fire Code violations have been corrected and that during monthly site inspections the site has been continually kept in compliance with the Uniform Fire Code and free of debris and refuse. The Building Inspection Division has also conducted monthly visits for the past twelve months. The reports issued by the Building Inspection Division have consistently noted that the grounds are being maintained in compliance with the requirements of the Uniform Building Code.

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Staff has reviewed the revised rules and regulations and program guidelines. The new rules and guidelines are inclusive of the original rules and provide further clarification regarding specific rules and program guidelines as well as the inclusion of additional rules. Staff does not believe that the changes and additions to the rules, regulations and program guidelines as proposed by the applicant will negatively impact the use of the property or the surrounding properties.

To date, staff has not received any complaints regarding the Mission. Staff finds that the Mission use is in general compliance with the applicable requirements of the Rapid City Municipal Code and the stipulations of approval of the original Conditional Use Permit.