

STAFF REPORT

March 25, 2004

No. 04PD004 - Planned Residential Development - Final ITEM 19 Development Plan

GENERAL INFORMATION:

PETITIONER	TSP Three, Inc. for Calvary Lutheran Church
REQUEST	No. 04PD004 - Planned Residential Development - Final Development Plan
EXISTING LEGAL DESCRIPTION	Lot 1 of the SE1/4 NE1/4 less the west 264 feet and less Lot H1; Lot 2 of the SE1/4 NE1/4 less Lot H1; and, Lot 3 of the SE1/4 NE1/4 less right-of-way and less Lot H1; all located in Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 17.44 acres
LOCATION	5275 Sheridan Lake Road
EXISTING ZONING	Low Density Residential District/Planned Residential Development
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Low Density Residential District
East:	Low Density Residential District/Planned Residential Development General Commercial District/Planned Development Designation
West:	Low Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	01/23/2004
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

Staff recommends that the Planned Residential Development - Final Development Plan be **approved with the following stipulations:**

- 1. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;**
- 2. Prior to issuance of a building permit, the applicant shall sign a developmental lot agreement or a Final Plat shall be reviewed and approved creating two lots as identified on the associated Preliminary Plat;**

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- The H Lot shall be recorded at the Register of Deed's Office prior to any construction within that portion of Sunshine Trail;
3. Prior to issuance of a building permit, revisions to the drainage plan shall be submitted for review and approval. In particular, the drainage plan shall demonstrate that the size of the proposed major drainage easement is adequate;
 4. Prior to issuance of a building permit, revisions to the water and sewer plans shall be submitted for review and approval;
 5. Prior to issuance of a building permit, the utility easement located through the subject property shall be vacated and the overhead electric line relocated as needed or a Major Amendment to the Planned Residential Development shall be submitted for review and approval relocating the church outside of the easement;
 6. Prior to issuance of a building permit, the private utility plan shall be revised as necessary;
 7. An Air Quality Permit shall be obtained prior to any surface disturbance in excess of one acre;
 8. The proposed structure(s) shall conform architecturally to the plans and elevations and color palette submitted as part of this Planned Residential Development Plan;
 9. The subject property shall be used as a church and an accessory single family residence. Any other use shall require a Major Amendment to the Planned Residential Development;
 10. All signage shall conform to the design, color and location as shown in the sign package submitted as a part of the Planned Residential Development;
 11. A minimum of 210,084 landscaping points shall be provided. The landscaping plan shall comply with all requirements of the Zoning Ordinance. In addition, all landscaping shall be continually maintained in a live vegetative state and replaced as necessary;
 12. A minimum of 216 parking spaces shall be provided with seven handicap accessible spaces. One of the handicap spaces shall be "van" accessible. In addition, all provisions of the Off-Street Parking Ordinance shall be continually met;
 13. All Uniform Fire Codes shall be met; and,
 14. The Planned Residential Development shall expire if the use is not undertaken and completed within two years of the date of approval by the City Council, or if the use as approved has ceased for a period of two years.

GENERAL COMMENTS:

This item has been continued twice since the February 19, 2004 Planning Commission meeting to allow the applicant to submit additional information. This Staff Report has been revised as of March 16, 2004. All revised and/or added text is shown in bold print. The applicant is requesting approval of a Final Residential Development Plan to allow a church to be constructed on the subject property. In addition, the applicant is proposing to continue to utilize an existing residence located west of the

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future church site as a single family residence. The balance of the property is identified as open space. The applicant has indicated that a Major Amendment to the Planned Residential Development will be submitted for review and approval if the need arises to use any portion of the open space for future accessory use(s) to the church.

On June 7, 1999, City Council approved a Planned Residential Development and a Layout Plat for the subject property to allow the construction of ten single family residences and 23 townhomes. Two separate Layout Plats were approved for the site on June 7, 1999 and November 6, 2000, respectively. However, two subsequent Preliminary and Final Plat(s) were denied without prejudice.

On September 25, 2003, the Planning Commission approved an Initial Residential Development Plan to allow a church and accessory use(s) on the subject property with 18 stipulations of approval. The applicant has revised the site plan submitted with the Initial Residential Development Plan eliminating a future school and retreat center previously proposed west of the church site. In addition, the site plan has been revised relocating the southern approach farther north along Sheridan Lake Road, providing an internal driveway connection along the west side of the church and providing a sidewalk along Sunshine Trail to serve as a pedestrian path.

On February 27, 2004, the applicant submitted a Layout and Preliminary Plat to combine the subject property into two lots. In addition, the applicant has submitted a Variance to the Subdivision Regulations to allow sidewalks along one side of the street and to reduce the right-of-way width for Sunshine Trail from 49 feet to 45 feet. (See companion items #04SV013 and 04PD004.)

The property is located approximately 230 feet north of the Catron Boulevard/Sheridan Lake Road intersection on the west side of Sheridan Lake Road. Currently, a single family residence is located on the property.

STAFF REVIEW:

Staff has reviewed the Final Residential Plan and has noted the following considerations:

Access: The site plan identifies Sunshine Trail as legal access to the subject property. In addition, the site plan identifies an approach proposed south of Sunshine Trail along Sheridan Lake Road to serve as a second access point to the church. However, on September 18, 2000, the City Council approved a Preliminary and Final Plat subdividing the property located on the east side of Sheridan Lake Road into four commercial lots. In addition, the plat document identified one approved approach location to the four lots off of Sheridan Lake Road. As such, the applicant's site plan must be revised relocating the southern approach to align with the approach previously approved for the property located to the east. **On February 16, 2004, the applicant submitted a revised site plan relocating the southern approach as requested.**

The owner's of the two projects may wish to work together and coordinate a new location for

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the two approaches further north on Sheridan Lake Road. That may occur at this time so as to be considered as part of the Final Development Plan. Alternatively, such a request could be considered at a later time as part of a Major Amendment to this Planned Residential Development. Any alternative location proposed would require that additional drainage information be submitted to support the location and the new approach location must be reviewed and approved by the City.

Church: The applicant has indicated that a two story church will be constructed on the property. The first floor will have a total square footage of 33,480 square feet and consist of a worship area, music room, kitchen area, classrooms, office(s), storage area, and a multi-purpose room. The second floor will have a total square footage of 13,833 square feet and consist of balcony seating above the worship area and additional classrooms. The applicant has submitted an elevation of the east side of the structure. However, to date elevations of the north, south and west side of the building have not been submitted for review and approval as required by Ordinance. In addition, the applicant has not submitted a list of building materials for the church. **On February 16, 2004 the applicant submitted the additional elevations as requested. In addition, the applicant submitted a list of building materials identifying that the church will be constructed of a combination, brick, lap siding, pre-cast concrete, glass block, metal panels and have a standing seam metal roof with asphalt shingles. The applicant also indicated that the structure will be earth tone in color. Staff is recommending that the development conform architecturally to the plans and elevations submitted as a part of this Final Planned Residential Development.**

The applicant's site plan also identifies that two 40 by 60 additions may be constructed in the future along the east side of the church. The applicant must obtain approval of a minimal amendment for the expansion as well as demonstrate that additional parking is being provided if the expansion increases the seating capacity within the worship area.

Signage: The applicant has submitted a sign package identifying that a ground mounted sign measuring 8 foot 4 inches in length by 3 foot 2 inches in height will be located on the east side of the church along Sheridan Lake Road. However, to date the base of the ground mounted sign has not been shown. In addition the applicant has not identified the building materials for the sign or indicated if the sign will be illuminated. **On February 16, 2004 the applicant submitted a revised sign package identifying that the base of the sign will be constructed of brick. In addition, the sign will be internally illuminated with a black background and white lettering. The applicant has also indicated that the sign will read "Calvary Lutheran Church". Staff is recommending that the sign be constructed in compliance with the elevations and designs submitted as a part of this Final Planned Residential Development.**

Utility Easement: Currently, a 30 foot wide utility easement is located through the eastern half of the property. An overhead electric line is currently located in the easement. The site plan identifies that the proposed church will be located in the utility easement. As such, the utility easement must be vacated and the electric line relocated prior to approval of the Final

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Residential Plan. The applicant also has the option of revising the site plan to relocate the church outside of the utility easement. **Staff is recommending that the overhead electric line and utility easement be relocated prior to issuance of a building permit or a Major Amendment to the Planned Residential Development must be obtained relocating the church from the existing utility easement.**

Parking: The proposed plan will provide seating for 594 within the worship area. The Parking Regulations requires that a minimum of 149 parking spaces be provided. The applicant is proposing to provide 221 parking spaces. As such, seven of the parking spaces must be handicap accessible. The applicant's site plan identifies that six handicap parking spaces are being provided. **On February 16, 2004, the applicant submitted a revised site plan showing seven handicap accessible parking spaces. However, the applicant has also indicated that the proposed church will also be utilized as an elementary school with classes for kindergarten through sixth grade. In addition, the applicant has indicated that the school will have 16 employees or staff members. As such, 23 additional parking spaces are required for a total of 216 parking spaces. As noted above, the applicant's site plan identifies that 221 parking spaces are being provided. Staff is recommending that the parking lot be constructed in compliance with the parking plan submitted as a part of this Final Planned Residential Development.**

Fire: The Fire Department has indicated that all Uniform Fire Codes must be met as a part of the design standards for the development. In particular, fire hydrants must be in place and operational prior to or in conjunction with building construction. In addition, the church must be fully sprinklered. The Fire Department has also indicated that the grades of the access drives and/or streets must comply with the City Street Criteria Manual and the Uniform Fire Code. An all weather drivable surface must be in place prior to any building construction on the site. In addition, the parking lot shall not have a cross slope greater than three degrees to accommodate fire apparatus. The Fire Department has also indicated that an address must be posted on the site prior to or in conjunction with building construction. Staff is recommending that all Uniform Fire Codes be continually met.

Drainage Information: Additional drainage information must be submitted for review and approval. In particular, a narrative summation as well as additional maps showing the drainage areas must be submitted for review and approval. The applicant's consultants have indicated that a narrative summation of the drainage plan will be submitted for review and approval on or before March 12, 2004. **The applicant has submitted a revised drainage plan for review and approval. Staff has noted that the drainage plan must be revised demonstrating that the size of the proposed major drainage easement is adequate prior to issuance of a building permit.**

Private Utility Plan: A private utility plan identifying the location of power, gas, communication, etc. must be submitted for review and approval. In particular, the plan must demonstrate that the location of the private utilities do not conflict with the drainage and other infrastructure improvement on the site. The applicant's consultants have indicated that a private utility plan will be submitted for review and approval on or before March 12, 2004.

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On March 12, 2004, the applicant has submitted a private utility plan as requested. Staff is currently reviewing the utility plan and is recommending that prior to issuance of a building permit, the private utility plan be revised as necessary.

Construction Plans: Revised construction plans addressing red lined comments must be submitted for review and approval. In particular, issues regarding the design of Sunshine Trail must be addressed. The applicant must also provide design calculations, including soils data, for the pavement design of Sunshine Trail. The site plan identifies that the construction of Sunshine Trail will exceed the current 33 foot wide right-of-way. As such, additional right-of-way must be dedicated for the street.

On February 16, 2004, the applicant submitted construction plans for the design improvements of Sunshine Trail. In addition, Staff met with the applicant's consultants on February 24, 2004 and discussed the proposed improvements along Sunshine Trail as well as the proposed dedication of additional right-of-way for the street. The applicant has indicated that either a SDCL 11-6-19 Review or a Preliminary Plat will be submitted on or before February 27, 2004 for the improvements. If a SDCL 11-6-19 Review application is submitted, the applicant will propose to dedicate the additional right-of-way as "H Lots". Staff is recommending that the Final Planned Residential Development be continued to the March 25, 2004 Planning Commission meeting to be heard in conjunction with either the SDCL 1-6-19 Review or the Preliminary Plat application and to allow the applicant to dedicate the right-of-way for the improvements. **As previously noted, the applicant submitted a Preliminary Plat on February 27, 2004. A note on the plat document identifies that a portion of the right-of-way for Sunshine Trail will be dedicated as an H Lot. Staff is recommending that the H Lot be recorded at the Register of Deed's Office prior to any construction within that portion of Sunshine Trail.**

Development Lot: The subject property includes three existing platted lots. The applicant's site plan identifies that the church will be constructed across the common lot line between the two lots. As such, the applicant must sign a developmental lot agreement to allow the three lots to be developed as one property with a common parking lot and landscaping plan or the property must be replatted. **Staff is recommending that prior to issuance of a building permit, the applicant must sign a developmental lot agreement or a Final Plat must be reviewed and approved creating two lots as identified on the associated Preliminary Plat.**

Notification Requirement: The receipts from the certified mailings have been returned and the sign has been posted on the property. Staff has received several telephone calls regarding this proposal. To date, none of the callers have voiced opposition to the request.