

STAFF REPORT

March 25, 2004

No. 04UR003 - Major Amendment to a Conditional Use Permit to allow expansion of an existing church

ITEM 65

GENERAL INFORMATION:

PETITIONER	Peter Anderson for MAC Construction for Blessed Sacrament Church
REQUEST	No. 04UR003 - Major Amendment to a Conditional Use Permit to allow expansion of an existing church
EXISTING LEGAL DESCRIPTION	Tract A less Lot 1 of Tract A, Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 35.04 acres
LOCATION	4500 Jackson Blvd.
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Limited Agriculture District (County)
South:	Park Forest District/Flood Hazard District
East:	Medium Density Residential District
West:	Limited Agriculture District (County)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	02/27/2004
REPORT BY	Todd Tucker

RECOMMENDATION:

Staff recommends that the Major Amendment to a Conditional Use Permit to allow expansion of an existing church be approved with the following stipulations:

1. Prior to initiation of construction, a building permit must be obtained, and a Certificate of Occupancy must be obtained prior to occupancy of the building;
2. Prior to issuance of a Building Permit, the existing nonconforming billboard must be removed;
3. Prior to issuance of a Building Permit a drainage plan must be submitted;
4. Access to the southwest end of the property needs to align with Chapel Lane when the City reconstructs Chapel Lane or within two years, whichever occurs first;
5. The curb cuts located farthest east and west shall be utilized for both ingress and egress. The curb cut located directly in front of the church shall be utilized for egress only and the fourth curb cut shall be utilized for ingress only;

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6. Prior to issuance of a Building Permit, the fire lane layout must be designated on the site plan and the ending point for the proposed fire lane located on the east side of the building must be confirmed;
7. Prior to issuance of a Building Permit, fire sprinkler plans must be submitted and approved by the Rapid City Fire Department;
8. The proposed structure shall conform architecturally to the plans and elevations submitted;
9. All applicable life, safety, building and fire codes shall be continually met;
10. All requirements of the Off-Street Parking and Landscape Ordinance shall be met;
11. The petitioner shall provide handicapped-accessible sidewalk ramps where the existing driveways intersect the public sidewalk;
12. The Major Amendment to the Conditional Use Permit 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;
13. The Planning Director may allow additional development or construction which is consistent with the existing development on this property; significant changes in the use or impacts on adjacent land uses as determined by the Planning director shall require an amendment to this Use on Review; and,
14. The Major Amendment to the Conditional Use Permit shall be reviewed three years from the date of approval to insure compliance with the stipulations of approval.

GENERAL COMMENTS: The applicant is requesting a Major Amendment to a Conditional Use Permit to construct an approximate 32,648 square foot addition to the existing church building. The proposed addition will incorporate approximately 12, 648 square feet of floor area on the first floor with approximately 10,000 additional square feet in the basement. The proposed location of the addition is on the north side of the existing Parish Center and will include a kitchen, classrooms, meeting rooms, and an elevator to the lower level. The use of the new addition would include religious, social, and athletic activities as well as religious education. The applicant's site plan also shows the entry (narthex) to the worship space will be enlarged. A Conditional Use Permit was approved with eight stipulations by City Council on March 21, 1994. The stipulations approved in 1994 are as follows:

1. Allow the existing four curb cuts to remain with the following designations:
 - a) The two curb cuts located furthest east and furthest west shall be utilized for both ingress and egress; and,
 - b) The center two curb cuts shall be utilized for ingress only. These two center curb cuts must be constructed to facilitate one-way entrance traffic only;
2. That when Chapel Lane becomes signalized or earlier, the western-most curb cut must be permanently closed and moved in alignment with the Chapel Lane intersection; and that an agreement between the City and the Church which notes this requirement shall be filed with the Register of Deeds Office;
3. All applicable life, safety, building and fire codes shall be continually met;
4. All requirements of the Off-Street Parking and Landscape Ordinance shall be met;
5. The petitioner shall provide handicapped-accessible sidewalk ramps where the existing driveways intersect the public sidewalk;

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6. Prior to issuance of a building permit and subject to approval of the Engineering Division, the petitioner shall submit a complete grading and drainage plan;
7. If applicable, a grease interceptor shall be required with issuance of a building permit; and,
8. The Planning Director may allow additional development or construction which is consistent with the existing development on this property; significant changes in the use or impacts on adjacent land uses as determined by the Planning Director shall require an amendment to this Use on Review.

STAFF REVIEW: Staff has reviewed this request for a Major Amendment to a Conditional Use Permit as it relates to the applicable provisions of the Rapid City Municipal Code and has noted the following issues:

Building Permit: Staff noted that a building permit must be obtained prior to initiation of construction, and a Certificate of Occupancy must be obtained prior to occupancy of the addition.

Parking: The addition to the building will not add any additional seating in the worship area of the church. Because no additional seating will be provided no additional parking will be required. The applicant's site plan shows 341 off-street parking provided which is in excess to the 266 off-street parking that is required for the site.

Billboard: Staff noted that there is an existing billboard on the subject property. The property is currently zoned Medium Density Residential which does not allow for billboards. The property was annexed into the City of Rapid City in 1955 and subsequently zoned Medium Density Residential. The City has no records of when the sign was installed; however, an aerial photograph from the 1960's does not show the sign in question, and an aerial photograph from 1975 shows a sign in the current location of the existing sign. Staff noted that the existing nonconforming billboard must be removed prior issuance of a Building Permit.

Drainage: Staff noted that storm water must be captured prior to discharging onto Jackson Boulevard. Prior to issuance of a Building Permit a drainage plan must be submitted.

Access: During the Staff Review for the 1994 Use on Review for the church expansion the Engineering Division and Transportation Planning Coordinator expressed concerns with regards to the four driveway entrances onto Jackson Boulevard from the subject property. Staff indicated at that time that the close proximity of the entrances causes many conflicts between vehicles entering and exiting the church, and entering and exiting Chapel Lane. Stipulations one and two, of the 1994 Use on Review, were approved in order to rectify the traffic hazards associated with the existing curb cuts along Jackson Boulevard.

As part of the review for this Major Amendment to a Conditional Use Permit, Staff noted that access to the southwest end of the property needs to align with Chapel Lane when the City reconstructs Chapel Lane, or within two years, whichever occurs first.

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Staff also noted that the new driveway located on the southwest end of the property needs to be graded to remove slope and increase safety at the access location.

Fire Safety: Staff noted that the ending point for the proposed fire lane located on the east side of the building must be confirmed. Staff also noted that the fire lane layout must be designated on the site plan prior to issuance of a Building Permit.

Staff noted that fire apparatus access exceeds 150 feet to any portion of the facility as measured by an approved route around the exterior of the building. As such, the addition along with the existing structure must be fully fire sprinkled and alarmed.

Future Review: The applicant has complied with all of the stipulations approved on March 21, 1994. Staff has noted that the Major Amendment to a Conditional Use Permit shall be reviewed again in three years from the date of approval to insure continuing compliance with the stipulations of approval.

Notification Requirement: As of this writing, receipts from the certified mailing have not been returned nor has the sign been posted on the property. Staff will notify the Planning Commission at the March 25, 2004 Planning Commission meeting if these requirements have not been met.

Staff recommends approval of the Major Amendment to a Conditional Use Permit with the above stated stipulations.