

STAFF REPORT  
April 8, 2004

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**No. 04PD023 - Planned Residential Development - Initial and Final Development Plan**      **ITEM 37**

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GENERAL INFORMATION:

PETITIONER	Schlimgen Design Consultants, Inc. for Our Redeemer Lutheran Church
REQUEST	<b>No. 04PD023 - Planned Residential Development - Initial and Final Development Plan</b>
EXISTING LEGAL DESCRIPTION	Lots 24 thru 38, Block 9, Millard Subdivision, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.21 acres
LOCATION	910 Wood Avenue
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Medium Density Residential District
East:	Medium Density Residential District
West:	Medium Density Residential District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	03/12/2004
REPORT BY	Todd Tucker

RECOMMENDATION:

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

1. A minimum front yard setback of 25 feet and a minimum 32 foot side yard setback from the north property line shall be allowed for the existing structures. Any expansion or additions shall comply with the minimum 35 foot required setback for a church in a Medium Density Residential Zoning District or a Major Amendment to the Planned Residential Development shall be obtained;
2. Prior to initiation of construction, a building permit shall be obtained, and a Certificate of Occupancy shall be obtained prior to occupancy of the building;
3. All plans submitted for a Building Permit shall be stamped by a licensed architect or professional engineer;
4. Prior to issuance of a Building Permit, building plans shall be submitted showing the sprinkler system and fire alarm system;
5. All applicable provisions of the Uniform Fire Codes shall be continually met;

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6. Prior to issuance of a Building Permit, a profile and plans stamped by a licensed engineer must be submitted for any water main extensions larger than six inches;
7. The parking plan shall continually comply with all requirements of the Zoning Ordinance;
8. Prior to issuance of a Building Permit, a revised site plan shall be submitted showing one van accessible handicapped parking stall;
9. Prior to issuance of a Building Permit, a revised site plan shall be submitted showing the alley being paved to City minimum construction standards from Van Buren Street through the driveway access to the parking lot;
10. Prior to the construction or conversion of any sign on the property, a sign permit shall be obtained;
11. Prior to Planning Commission approval, a revised site plan shall be submitted showing the tree located in the same location as an existing power pole in the parking lot along the east property line, in a location that will not interfere with any existing utilities;
12. A minimum of 38,090 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;
13. 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; and,
14. Should the applicant fail to acquire the property, the Planned Residential Development will no longer be in effect, and the property will be unencumbered by any such designation.

**GENERAL COMMENTS:** The applicant is requesting approval of an Initial and Final Planned Residential Development to allow for a church to be located on the above legally described property. The property is an approximate 52,500 square feet parcel located on the northeast corner of Van Buren Street and Wood Avenue. A vacant 14,410 square foot building is currently located on the property. The applicant is proposing to use the existing building as a church, a conditional use in the Medium Density Residential Zoning District.

**STAFF REVIEW:** During the review of the Initial and Final Planned Commercial Development, staff identified the following considerations:

**Setbacks:** The minimum required front and side yard setback for a church in a Medium Density Residential Zoning District is 35 feet. The existing structure provides a 32 foot side yard setback from the north property line, and a 25 foot front yard setback along Wood Avenue. The applicant is requesting a 25 foot front yard setback and a 32 foot side yard setback from the north property line in lieu of the minimum 35 foot setback required. Any expansion or additions shall comply with the minimum 35 foot required setback for a church in a Medium Density Residential Zoning District or a Major Amendment to the Planned Residential Development shall be obtained.

**Building Permit:** Staff noted that a Building Permit must be obtained prior to any construction, and a Certificate of Occupancy must be obtained prior to occupancy of the building. Staff also noted that any plans submitted for a Building Permit review must be stamped by a licensed architect or professional engineer.

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Fire Safety: Staff noted that the structure must be fully fire sprinkled and fully fire alarmed. In a 2003 building review, Staff indicated that the existing fire detection and alarm system could be upgraded to meet the visual notification and detection coverage requirements with a few modifications. Staff also noted that the minimum required fire flow is 3,500 gallons per minute with four fire hydrants available. Staff noted that as of 1989, when the basement fire sprinkler system was installed, a flow test was taken and noted that only 1,060 gallons per minute were available at 20 pounds per square inch, leaving a shortage of nearly 2,500 gallons per minute. Staff also noted that the existing grease filters do not meet the current requirements and must be replaced. As such, staff noted that all applicable provisions of the Uniform Fire Codes shall be continually met.

Utilities: Staff indicated that if any water main extensions, larger than six inches, are required for fire protection, than a profile and plans stamped by a licensed professional engineer must be submitted.

Parking: The applicant's floor plan identifies that the worship area will have 101 seats requiring 26 off street parking stalls with two being handicapped accessible. The applicant's site plan shows 38 off street parking stalls provided with two being handicapped accessible; however, Section 17.50.270 of the Rapid City Municipal Code requires that one of the handicapped stalls provided must be van accessible. Prior to issuance of a Building Permit, a revised site plan must be submitted showing one van accessible handicapped parking stall.

Access: Staff noted that the alley located to the east of the property is not paved. The applicant's site plan shows access to the parking lot provided from the alley. Section 17.50.270 requires access to be from a paved surface. Prior to issuance of a Building Permit, a revised site plan must be submitted showing the alley being paved to City minimum construction standards from Van Buren Street through the driveway access to the parking lot.

Signage: The applicant's site plan identifies a four foot tall by eight foot wide ground sign to be located at the corner of Wood Avenue and Van Buren Street. The submitted sign package indicates the sign will be constructed of wood to match the existing structure. Staff noted that a Sign Permit must be obtained prior to the construction or conversion of any sign on the property.

Landscaping: Ordinance 17.50.300 of the Rapid City Municipal Code requires landscaping be provided for multiple-family zoning districts. The site plan submitted shows 44,040 landscaping points provided which exceeds the 38,090 points required. The landscaping plan submitted shows numerous shrubs and trees located along the exterior of the parking lot which will provide a visual screening from the adjacent properties and streets. Staff noted that the applicant's site plan shows a tree located in the same location as an existing utility pole. Prior to Planning Commission approval, a revised site plan must be submitted showing the tree in a location that will not interfere with any existing utilities.

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Graveled Area: The applicant's site plan shows a chain link fence surrounding a graveled area located between the building and the north and east property lines. Staff noted that this area can not be used for parking, unless it is brought into compliance with all provisions of Section 17.50.270 of the Rapid City Municipal Code.

Property Ownership: Staff noted that the applicant is not the current owner of the property. Should the applicant fail to acquire the property, the Planned Residential Development will no longer be in effect, and the property will be unencumbered by any such designation.

Staff recommends approval of this item with the above stated stipulations.