

STAFF REPORT  
November 10, 2005

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**No. 05UR018 - Major Amendment to a Conditional Use Permit to allow an addition to an existing church/school**      **ITEM 37**

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GENERAL INFORMATION:

PETITIONER	Lund Associates for Garry H. Denker
REQUEST	<b>No. 05UR018 - Major Amendment to a Conditional Use Permit to allow an addition to an existing church/school</b>
EXISTING LEGAL DESCRIPTION	Lot A, Lot 16, Block 2, Robbinsdale Addition No. 8, Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 4.31 acres
LOCATION	835 E Fairmont Blvd.
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Park Forest District
South:	Medium Density Residential District
East:	Medium Density Residential District
West:	Medium Density Residential District
PUBLIC UTILITIES	City water, sewer
DATE OF APPLICATION	10/14/2005
REVIEWED BY	Mike Maxwell / Emily Fisher

RECOMMENDATION:

Staff recommends that the Major Amendment to a Conditional Use Permit to allow an addition to an existing church/school 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 Planning Commission approval, a grading plan signed and sealed by a registered engineer shall be submitted and approved;
3. Prior to the start of construction an Air Quality Permit must be obtained;
4. A minimum of 154,922 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;
5. Prior to issuance of a Building Permit, building plans shall be submitted showing the sprinkler system and fire alarm system;
6. The parking plan shall continually comply with all requirements of the Zoning Ordinance;
7. Prior to Planning Commission approval, a revised site plan showing a 35 foot setback

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- from all streets to the addition must be submitted and approved or a variance must be obtained for the minimum setback requirements;
8. 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;
  9. The proposed structures shall conform architecturally with the proposed elevations, Design plans and color scheme submitted as part of this Major Amendment to a Conditional Use Permit.

GENERAL COMMENTS: The subject property is located at 835 Fairmont Boulevard. On December 2, 1996 the City Council approved a Major Amendment of a Use on Review (UOR 1546) to allow a church/school building to be constructed on Lot A, Lot 16, Block 2, Robbinsdale Addition No. 8, Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota.

The applicant is requesting a Conditional Use Permit to construct a school/gymnasium addition of 33,720 square feet. At present there is an existing church and a classroom on the site. The existing buildings incorporate 11,566 square feet of floor area. The new addition will be attached to the existing structure for a total square footage of 45,286 on the site.

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 any Construction and a Certificate of Occupancy must be obtained prior to occupancy of the building.

Fire Safety: Staff noted that the proposed structure must be fully fire sprinkled and fully fire alarmed.

Parking: Staff has reviewed the off-street parking requirements for the intended use. The proposed use will require the provision of 119 off-street parking spaces. The parking plan provided by the applicant identifies 149 spaces with six Handicapped spaces (one is a van accessible space). This complies with the minimum required number of parking spaces for the proposed use.

Landscaping: Staff has reviewed the landscaping requirements and has determined that a total of 154,922 points will be needed for the proposed development. The proposed landscaping plan as provide by the applicant shows 155,456 points. This meets the total minimum number of points required for this site and provides an adequate buffer between the church/school complex and the residential neighborhood.

Setbacks: The addition as proposed does not meet the 35 foot front yard set back off of East Elk Street. The submitted site plan shows the closest point to be 28 feet from the lot line. The setback requirements have been met on the other two facing streets. Staff would recommend

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that prior to Planning Commission approval either a variance shall be obtained to reduce the minimum required front yard setback from the 35 foot setback or that the site plan be amended moving the new addition back to meet the minimum required 35 foot setback.

Design Features: The applicant has indicated that the proposed addition will be constructed with a combination of concrete foundation, brick and wood exterior and interior walls. Finishes include a stamped surface, brick and slate stone matching the exterior of the existing structure and the roof will consist of asphalt shingles. Staff is recommending that the proposed structures conform architecturally to the proposed elevations, design plans and color scheme submitted as part of this Major Amendment to a Conditional Use Permit.

Legal Notification Requirement: The receipts from the certified mailings have not been returned. The sign has been posted on the property as required. Staff will notify the Planning Commission at the November 10, 2005 Planning Commission meeting if the certified mailings have not been completed. Staff has not received any calls or inquires regarding this proposal.

Staff recommends approval of the Conditional Use Permit with the above stated stipulations.