

STAFF REPORT
March 23, 2006

No. 06UR006 - Major Amendment to a Conditional Use Permit

ITEM 24

GENERAL INFORMATION:

PETITIONER	Lund Associates, LTD for St. Paul's Lutheran Church
REQUEST	No. 06UR006 - Major Amendment to a Conditional Use Permit
EXISTING LEGAL DESCRIPTION	Lot A, Lot 16 of Block 2, Robbinsdale Addition No. 8, Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 18 acres
LOCATION	835 E. Fairmont Boulevard
EXISTING ZONING	Low Density Residential District - Medium Density Residential District
SURROUNDING ZONING	
North:	Park Forest District
South:	Low Density Residential District
East:	Medium Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	2/13/2006
REVIEWED BY	Travis Tegethoff / Emily Fisher

RECOMMENDATION:

Staff recommends that the Major Amendment to a Conditional Use Permit 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 a revised site plan must be submitted for review and approval showing access for all accessible spaces;
3. A Major Amendment to the Conditional Use Permit shall be obtained prior to the location of any additional signage on the subject property;
4. The landscape plan shall continually comply with all requirements of the Zoning Ordinance and the approved landscape plan;
5. Prior to issuance of a building permit, building plans shall be submitted showing the sprinkler system and fire alarm system;
6. All applicable provisions of the International Fire Code shall be continually met;
7. The proposed structures shall conform architecturally with the proposed elevations, plans and color scheme submitted as part of this Major Amendment to a Conditional Use Permit; and,

STAFF REPORT
March 23, 2006

No. 06UR006 - Major Amendment to a Conditional Use Permit

ITEM 24

8. The Major Amendment to a Conditional Use Permit shall expire if the use has not commenced 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.

GENERAL COMMENTS: The applicant has submitted a Major Amendment to a Conditional Use Permit. In particular, the applicant is proposing to use a portion of the building as a child care center.

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.

On November 10, 2005, the Planning Commission approved a Major Amendment to a Conditional Use Permit to allow an addition to an existing church/school on the subject property.

The subject property is located at 835 Fairmont Boulevard. At present there is a church and a classroom 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 Permits: Staff noted that a building permit shall be obtained prior to any construction and a certificate of occupancy shall be obtained prior to occupancy.

Air Quality Permit: Staff noted that an air quality permit has been issued for the subject property.

Setbacks: Staff noted that the applicant's site plan meets all the setback requirements of the Rapid City Municipal Code.

Parking: Staff has reviewed the off-street parking requirements for the intended use. The proposed use will require the provision of 129 off-street parking spaces. The parking plan provided by the applicant identifies 149 spaces with six accessible spaces (one is a van accessible space). However, two of the proposed accessible spaces do not have access to the building. Prior to issuance of a building permit, a revised site plan must be submitted for review and approval.

Signage: Staff noted that no sign package was submitted with the application. The applicant stated that no signage is being proposed as part of this project. Staff noted that a Major Amendment to the Conditional Use Permit shall be obtained prior to the location of any additional signage on the subject property.

Landscaping: Section 17.50.300 of the Rapid City Municipal Code requires landscaping to be provided. 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

STAFF REPORT
March 23, 2006

No. 06UR006 - Major Amendment to a Conditional Use Permit

ITEM 24

plan shows 155,456 points. The proposed landscaping plan meets the minimum requirements of Section 17.50.300 of the Rapid City Municipal Code.

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

Design Standards: 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: As of this writing, 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 March 23, 2006 Planning Commission meeting if this requirement has not been met. Staff has not received any calls or inquires regarding this proposal.

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