

STAFF REPORT
May 27, 2010

No. 10PD035 - Major Amendment to a Planned Residential Development **ITEM 13**

GENERAL INFORMATION:

APPLICANT	First Evangelical Free Church
AGENT	Geiger Architecture
PROPERTY OWNER	First Evangelical Free Church
REQUEST	No. 10PD035 - Major Amendment to a Planned Residential Development
EXISTING LEGAL DESCRIPTION	Lot 2 of North 80 Subdivision, Section 19, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 6.00 acres
LOCATION	East of Parkview Drive, south of Sandra Lane and west of Shelby Avenue
EXISTING ZONING	Medium Density Residential District (Planned Residential Development)
SURROUNDING ZONING	
North:	Low Density Residential II District (Planned Residential Development) - Low Density Residential II District
South:	Medium Density Residential District
East:	Medium Density Residential District
West:	Low Density Residential District (Planned Residential Development)
PUBLIC UTILITIES	City water & sewer
DATE OF APPLICATION	4/30/2010
REVIEWED BY	Jim Flaaen / Ted Johnson

RECOMMENDATION:

Staff recommends that the Major Amendment to a Planned Residential Development be approved with the following stipulations:

1. The currently adopted Fire Code shall be continually met;
2. A building permit shall be obtained prior to construction and a Certificate of Occupancy shall be obtained prior to occupancy;
3. A minimum of 149 parking spaces shall be provided including a minimum of five handicap accessible spaces with one of the handicap spaces being "van" accessible. In

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4. addition, all provisions of the Off-Street Parking Ordinance shall be continually met;
The buildings shall conform architecturally to the plans as previously approved as part of the Final Development Plan;
5. An Air Quality Permit shall be obtained prior to any surface disturbance of one acre or more;
6. The landscaping shall be installed as per the previously approved landscape plan and the Rapid City Municipal Code and shall be maintained so as to present a healthy, neat appearance at all times and shall be kept free from refuse and debris;
7. The lighting shall be designed to be reflected within the property boundaries so as not to shine onto adjoining properties and rights-of-way and to not be a hazard to the passing motorist or constitute a nuisance of any kind;
8. The Planned Residential Development shall allow the property to be used as a church. Any change in the proposed use shall require a Major Amendment to the Planned Residential Development;
9. All provisions of the Medium Density Residential District shall be met shall be met unless otherwise authorized as an Amendment to the Planned Commercial Development; and,
10. The Planned Residential Development shall expire if the use is not undertaken 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 Planned Residential Development to reduce the required number of handicap parking spaces to be provided on the property. In particular, the applicant is proposing to reduce the required number of handicap accessible spaces from seven to six with a minimum of one of the spaces being "van" accessible.

On December 4, 2008, the Planning Commission approved with stipulations a Final Planned Residential Development to allow a church on the property. There were 13 stipulations of approval that included:

1. Prior to Planning Commission approval of a Final Development Plan application, revised structural elevations and a complete building materials list and color palette for the structure, including the color of the roof, shall be submitted for review and approval. In addition, the elevations shall show screening from all four sides of all roof top mechanical equipment and adjacent views from the residential development;
2. Prior to Planning Commission approval of a Final Development Plan application, the applicant shall submit an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual for review and approval;
3. Prior to Planning Commission approval of a Final Development Plan application, a revised landscape plan in compliance with Section 17.50.300 of the Rapid City Municipal Code shall be submitted for review and approval;
4. Prior to Planning Commission approval of a Final Development Plan application, a sign package shall be submitted showing all signage proposed or a Major Amendment to the Planned Residential Development must be obtained;
5. Prior to Planning Commission approval of a Final Development Plan application,

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- the location and size of all dumpsters shall be submitted for review and approval. In addition, elevations of the screening fence for the dumpsters shall be submitted for review and approval and shall include building material(s) and the proposed color palette;
6. Prior to Planning Commission approval of a Final Development Plan application, the location, size and noise rating of all exterior air handling equipment shall be submitted for review and approval. In addition, the equipment shall be screened from all adjacent properties, including rooftop facilities;
 7. The currently adopted International Fire Code shall be continually met;
 8. Prior to issuance of a building permit, all redline comments made on the construction plans shall be addressed and resubmitted for review and approval. In addition, the red lined drawings shall be returned to the Growth Management Department;
 9. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
 10. A minimum of 149 parking spaces shall be provided. Seven of the spaces shall be handicap accessible with one of the handicap spaces being "van accessible". In addition, all provisions of the Off-Street Parking Ordinance shall be continually met;
 11. An Air Quality Permit shall be obtained prior to any surface disturbance of one acre or more;
 12. The lighting shall be designed to be reflected within the property boundaries so as not to shine onto adjoining properties and rights-of-way and to not be a hazard to the passing motorist or constitute a nuisance of any kind; and,
 13. The Planned Industrial Development shall expire if the use is not undertaken 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.

The property is located south of Sandra Lane between Parkview Drive and Shelby Avenue. The property is zoned Medium Density Residential District and with a Planned Residential Development. Land located to the north is zoned Low Density Residential II District with a Planned Residential Development and Low Density Residential II District. Land located to the south and east is zoned Medium Density Residential District. Land located to the west is zoned Low Density Residential District with a Planned Residential Development.

The property is located on Sandra Lane, which is east of Parkview Drive and west of Shelby Avenue. A church has recently been constructed on the property and a Temporary Certificate of Occupancy has been issued pending action on this request.

STAFF REVIEW: Staff has reviewed this Major Amendment to a Planned Residential Development and has noted the following considerations:

Parking: The previously approved Planned Residential Development stipulated that 149 parking spaces be provided for the church. The submitted site plan identifies that 149 parking spaces are being provided and that six will be handicap accessible with three "van" accessible spaces. The Off-Street Parking Ordinance requires that five handicap accessible

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spaces be provided for parking lots with 101 to 150 spaces provided. In addition, at least one of the handicap accessible spaces must be "van" accessible. The parking spaces and striping must be installed as per the approved parking plan and all provisions of the Off-street Parking Ordinance shall be continually met.

Site Improvements: The previously approved church is being constructed on the property. Staff recommends the landscaping, parking, signage and other infrastructure to support the use be constructed as per previously approved Residential Development Plan. In addition, staff recommends that the property be continually maintained as per the requirements of the previously approved Residential Development Plan.

Notification Requirement: As of this writing, the 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 May 27, 2010 Planning Commission meeting if these requirements have not been met. Staff has received several inquiries regarding this item, but has not received any objections.

Staff recommends that the Major Amendment to the Planned Commercial Development be approved with the stipulations as outlined above.

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