

STAFF REPORT  
May 27, 2010

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**No. 10UR009 - Conditional Use Permit to allow a school and church in Medium Density Residential zoning district**      **ITEM 22**

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GENERAL INFORMATION:

APPLICANT	Diocese of Rapid City
AGENT	ARC International
PROPERTY OWNER	Diocese of Rapid City and Rapid City Catholic Schools
REQUEST	<b>No. 10UR009 - Conditional Use Permit to allow a school and church in Medium Density Residential zoning district</b>
EXISTING LEGAL DESCRIPTION	The SE1/4 NW1/4, Section 29, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 40.0 acres
LOCATION	2101 City Springs Road
EXISTING ZONING	Medium Density Residential District/Low Density Residential District
SURROUNDING ZONING	
North:	General Agriculture District
South:	General Agriculture District
East:	Medium Density Residential District with a Planned Residential Development
West:	General Agriculture District
PUBLIC UTILITIES	City Water and Sewer
DATE OF APPLICATION	4/23/2010
REVIEWED BY	Karen Bulman / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Conditional Use Permit to allow a school and church in Medium Density Residential zoning district be continued to the June 10, 2010 Planning Commission meeting.

GENERAL COMMENTS: The applicant is requesting a Conditional Use Permit to allow a school and church in a Medium Density Residential zoning district. The property is located at 2101 City Springs Road. The site was the previous location of Saint Martins Monastery that included a school and church. The surrounding properties located north, south, and west are undeveloped at this time. The property located east of the site is proposed to be

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developed by the Good Samaritan Society for the future St. Martins Village.

The Benedictine Sisters transferred ownership to the Diocese of Rapid City and the Rapid City Catholic School System and the property has been renamed Terra Sancta. The Conditional Use Permit requests that this site be used for a school and church once again.

STAFF REVIEW: Staff has reviewed the Conditional Use Permit request and has noted the following considerations:

Land Use: The applicant has indicated that a preschool and Kindergarten through 5<sup>th</sup> Grade will be located on the site. A child care center will be included for after school hours and during the summer months. The church will be utilized for school and retreat functions. The church is currently not an established parish church, although there may be church services for the neighborhood or community. Churches, child care centers and schools are allowed as a Conditional Use Permit in the Medium Density Residential zoning districts. A caretaker will live on site and a kitchen will be used for the school and church functions. A former dormitory is proposed to be used for a Spiritual Life Center that may include overnight retreats. Prior to Planning Commission approval, an operational plan for the retreats must be submitted to determine who the attendants are and what are the retreat hours to clarify the use of that portion of the complex.

Parking: A total of 113 spaces are required for the church, 2 for the caretaker and 70 spaces for the school. The applicant has submitted a parking plan showing 113 spaces for the church, 70 spaces for the school, 2 spaces for the caretaker, and 24 spaces for the retreat area. The parking spaces and aisle widths indicated on the site plan meet the parking ordinance. Staff has requested an operational plan for the retreat functions to determine who attends the retreats and the hours of the retreats, to determine whether this use is permitted and if so, the number of parking spaces required. The applicant has indicated that the church spaces will be shared with the school. In addition, the parking plan submitted does not accurately identify the handicap parking spaces. Prior to Planning Commission approval, the applicant shall clarify the shared use of the church parking spaces to determine the required number of spaces needed for the church and school use and shall submit a revised parking plan identifying the handicap parking spaces.

Landscaping: The landscaping plan submitted does not identify the developed area and the square footage of all the buildings. Staff cannot accurately review the submitted landscaping plan to determine compliance with the adopted ordinances due to the scale of the information on the plan. Prior to Planning Commission approval, a revised landscaping plan shall be submitted for review and approval. All landscaping shall be continually maintained in a live vegetative state and replaced as necessary.

Signage: A complete sign package was not submitted with the application. The site plan indicates the location of five each lighted 5 foot by 10 foot monument signs and four each lighted 100 square foot wall signs. The applicant has indicated that one of the signs will include a 3 foot by 8 foot reader board. The site plan indicates that the materials will be concrete and stone to match the building. A complete sign package indicating the size,

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material, color, and lighting for each sign must be submitted for review and approval prior to Planning Commission approval or a Major Amendment to the Conditional Use Permit will be required for any future signage.

Elevations: The elevations of the structures currently indicate a predominance of stone and brick exteriors. Any exterior remodeling of the structures will continue with those materials.

Utilities: To date, a utility plan identifying the location and design of the utilities has not been submitted. Prior to Planning Commission, the applicant must provide a water system analysis prepared by a Registered Professional Engineer verifying sufficient quantities for domestic and fire flows, based on improvements in place or to be constructed in conjunction with this project. The water and sewer lines must be identified as public or private on the site plan and required easements provided. If any water or sewer lines cross other properties, an exception for nonconforming lines will also be required.

Drainage: A northeast portion of the property is located in the 100 Year Federally dedicated floodplain. A floodplain development permit will be required prior to the start of construction and prior to the issuance of a Building Permit, or a Letter of Map Revision must be obtained from the Federal Emergency Management Agency removing this portion of the property from the 100 Year Federally dedicated floodplain. Prior to obtaining a building permit, design details of the detention pond drain pipes must be submitted for review and approval. Prior to obtaining a building permit, a Site Drainage Report with calculations must be submitted demonstrating any increase or decrease in impervious storm water runoff and storm water treatment provided if required. Due to the construction of the parking lots, a drainage easement must be secured as needed to accommodate the flows. If a detention pond is required, an easement for the detention pond shall be recorded prior to Planning Commission approval.

Exception: The applicant's site plan indicates that there are five driveway approaches to this site. Two approaches are allowed in accordance with the Rapid City Street Design Criteria Manual. An exception for five approaches must be submitted and obtained prior to Planning Commission approval or the site plan must be revised to comply with the Street Design Criteria Manual.

Traffic Impact Study: A Traffic Impact Study has been submitted for this property. Staff has reviewed the information and notes there are several issues that need to be clarified or revised. These issues include: (1) the trip generation rate needs to use a private school instead of a public school as the rates for private schools are not identical to the public schools as identified in the study; (2) trip generation rates for the Spiritual Life Center need to be included or the hours of operation for retreats must only be after 5 pm or on weekends; (3) the east bound right turn lane on St. Martin's Drive must be constructed prior to obtaining a Certificate of Occupancy for the school or the traffic study shall be revised to show that the east bound right turn lane is not needed for the school; (4) the traffic study indicates that City Springs Road will be used. The road shall be constructed as a part of this project or the traffic study must be revised prior to Planning Commission approval to indicate that this road will not be used and any other required improvements shall be identified; and (5) additional

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graphic changes on the report as red line comments must be addressed prior to Planning Commission approval.

Permits: All plans must be prepared, stamped and signed by a registered professional engineer or architect as per SDCL 36-18A. A Building Permit must be obtained prior to any construction. An Erosion and Sediment Control Plan must be obtained prior to obtaining a Building Permit. A Sign Permit must be obtained prior to any installation of signs. An Air Quality Permit is required for construction activities disturbing one acre or more of surface area.

Future Uses: Please note that this Conditional Use Permit does not address any future uses for the site, including the middle school, diocese offices, or expansion of the retreat center. The office uses beyond those for the school and onsite church are not allowed in Medium Density Residential Districts. If the property is used for a central office for the diocese, the property will need to be rezoned to Office Commercial District and a Major Amendment shall be obtained.

Staff recommends that the Conditional Use Permit to allow a school and church in Medium Density Residential zoning district be continued to the June 10, 2010 Planning Commission meeting, at the applicant's request, to allow the applicant time to submit additional information.