

STAFF REPORT
July 8, 2010

No. 10UR009 - Conditional Use Permit to allow a school and church in Medium Density Residential zoning district **ITEM 23**

GENERAL INFORMATION:

APPLICANT	Diocese of Rapid City
AGENT	ARC International
PROPERTY OWNER	Diocese of Rapid City and Rapid City Catholic Schools
REQUEST	No. 10UR009 - Conditional Use Permit to allow a school and church in Medium Density Residential zoning district
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 **August 5, 2010** Planning Commission meeting.

GENERAL COMMENTS: (Update, June 29, 2010. All revised and/or added text is shown in bold print.) This item was continued to the July 8, 2010 Planning Commission meeting to allow further information to be provided. To date, the information has not been submitted for review and approval. As such, staff recommends that the Conditional Use Permit request be continued to the August 5, 2010 Planning

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Commission meeting to allow the applicant to submit the additional information. (Update, June 17, 2010. All revised and/or added text is shown in bold print.) This item was continued to the June 24, 2010 Planning Commission meeting to allow further information to be provided. (Update, June 2, 2010. All revised and/or added text is shown in bold print.) This item was continued to the June 10, 2010 Planning Commission meeting to allow further information to be provided. 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 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 5th 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. Staff has received additional information on the Spiritual Life Center indicating that the center will be used to provide a regional retreat facility and retreat programs for use by constituents throughout the Rapid City Diocese Area to focus on personal faith building opportunities. The retreats are identified as an auxiliary use of the church and are allowed. The retreats could be for a day or for up to two weeks in length. A typical retreat would be held on a weekend. This initial phase includes 24 double occupancy lodging rooms used for the retreats.

Any additional uses or changes to the proposed uses will require a Major Amendment to the Conditional Use Permit. (Revised 6-17-10)

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 35 spaces for the church, 100 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

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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. Identifying spiritual retreats at the Spiritual Life Center as an auxiliary use of the church, requiring one parking space for each of the 24 rooms, would be similar to the parking requirements for a dormitory or hotel. The parking plan indicates 24 spaces for the retreat area.

The applicant has indicated that there is no overlap of schedules or programs for the church and school. The church will be used as part of the school and will not have normal parish activities. As such, the church will share parking spaces with the school. However, any expansion of the school or a change in use for the church will require additional parking and a Major Amendment to the Conditional Use Permit. A revised parking plan has been submitted identifying the location of 8 handicapped parking spaces, including 4 van accessible spaces. (Revised 6-17-10)

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. A revised landscaping plan has been submitted and reviewed. A total of 346,209 landscaping points are required. Currently, landscaping is located around the church. The applicant has submitted a landscaping plan indicating that 359,380 additional landscaping points will be provided. Staff is recommending that the landscaping be installed and maintained in accordance with the proposed landscaping plan. (Revised 6-17-10)

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, 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. Additional information has been submitted to indicate that the five ground signs will be approximately 8 feet in height, 6 feet in depth and 10 feet in width and will resemble the chapel in design. The materials will be metal and stone to match the buildings. All five ground signs are requested to be lit internally or with flood lights. The electronic sign is to be placed west of the school parking lot on the east wall of the gym. In addition, the applicant has indicated that there will be wall signs on the buildings to identify the areas for the school and Spiritual Center. Staff recommends that additional information for all the signs regarding the design, lighting and materials be submitted prior to

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Planning Commission approval or a Major Amendment to the Conditional Use Permit will be required for any signage. (Revised 6-17-10)

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. On June 10, 2010, hydrant flow test and interior fire protection sprinkler system information was submitted for review and approval. A water system analysis report prepared by a Registered Professional Engineer must be submitted for review and approval to verify that sufficient pressure requirements per City standards can be provided. (Revised 6-17-10) **To date the water system analysis report has not been submitted. (Revised 6-30-10)**

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. The applicant has submitted additional information on the existing utilities and has identified them as "private mains". As such, an exception for service lines crossing adjacent property is not required. All but a portion of the existing off-site sewer and water private mains are located in an existing private easement located on property owned by the Good Samaritan Society. Prior to Planning Commission approval, a maintenance agreement for the sewer and water private mains must be submitted **along with a copy of the existing recorded easement. (Revised 6-29-10)** In addition, **an east-west** portion of the water main, **not located within an easement**, crosses the adjacent property **owned by the Good Samaritan Society. (Revised 6-30-10)** As such, an easement for this section of the water main must be recorded prior to Planning Commission approval. As a portion of the private sewer and water mains are located in City right-of-way, **an agreement with the City to allow private water and sewer mains to cross public right-of-way or a utility permit as well as (Revised 6-30-10)** a Maintenance Agreement with the City must be provided prior to Planning Commission approval. (Revised 6-17-10) **To date, none of the required easements or maintenance agreements have been submitted. (Revised 6-30-10)**

Fire: The Fire Department has indicated that the fire hydrants currently on the site will need to be replaced as they are inoperable. (Revised 6-17-10) **Prior to obtaining a building permit, revised plans identifying the replacement of the fire hydrants shall be submitted for review and approval. (Revised 6-30-10)**

Drainage: A northeast portion of the property is located in the 100 Year Federally dedicated floodplain. Prior to Planning Commission approval, plans must be submitted showing the location of the 100 Year Federally Designated Floodplain. In addition, prior to Planning Commission, a floodplain development permit must be obtained demonstrating that the improvements can be constructed with all applicable provisions, or a Letter of Map Revision

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must be obtained from the Federal Emergency Management Agency removing this portion of the property from the 100 Year Federally dedicated floodplain. **Based on the length of time required to obtain a Letter of Map Revision, staff recommends that prior to Planning Commission approval, a Floodplain Development Permit be submitted for review and approval. (Revised 6-29-10)** 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. The applicant has submitted information indicating that the detention pond is private; therefore, an easement is not required. (Revised 6-17-10)

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. The exception for the five driveway approaches has been submitted and is currently being reviewed by staff. An exception must be obtained or a revised site plan submitted prior to Planning Commission approval. (Revised 6-17-10) **The exception for five driveway approaches has been approved with stipulations. However, any changes in the approved site plan or changes in use that require a Major Amendment to the Conditional Use Permit will require that the exception for the five driveway approaches be re-submitted for review and approval. Prior to Planning Commission approval, design plans, that meet the stipulations of approval for the exception for the five driveway approaches, shall be submitted for review and approval. (Revised 6-29-10)**

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 graphic changes on the report as red line comments must be addressed prior to Planning Commission approval. The applicant's Traffic Impact Study indicates that an east bound to south bound right turn lane (150 feet) at the intersection of Sturgis Road and St. Martins Drive and a south bound to west bound right turn lane (100 feet) at the intersection of Sturgis Road and St. Martins Drive must be constructed to address safety concerns

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associated with the additional traffic from the school. As such, prior to **obtaining a Building Permit (Revised 6-30-10)**, the applicant must submit plans for the construction of the turn lanes at St. Martins Drive and Sturgis Road and the improvements must be completed prior to obtaining a Certificate of Occupancy. The Traffic Impact Study has been forwarded to the S.D. Department of Transportation for their comment on the need for a future traffic signal at that intersection as well as comments on the additional traffic at the intersection of Universal Drive and Sturgis Road (SD231). (Revised 6-17-10)

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. The applicant has requested that this application be continued to the June 24, 2010 Planning Commission meeting to allow additional time to submit the requested information. As such, staff recommends that the Conditional Use Permit to allow a school and church in Medium Density Residential zoning district be continued to the June 24, 2010 Planning Commission meeting at the applicant's request, to allow the information to be submitted for review and approval. Staff recommends that the Conditional Use Permit to allow a school and church in Medium Density Residential Zoning District be continued to the July 8, 2010 Planning Commission meeting to allow the applicant time to submit additional information for review. (Revised 6-17-10) **Staff recommends that the Conditional Use Permit to allow a school and church in Medium Density Residential Zoning District be continued to the August 5, 2010 Planning Commission meeting at the applicant's request, to allow the applicant time to submit additional information for review. (Revised 6-30-10).**