

STAFF REPORT
May 22, 2014

No. 14PD010 - Major Amendment to a Planned Residential Development to allow the construction of an additional church building on the site **ITEM 2**

GENERAL INFORMATION:

APPLICANT	Dale Salaway - He Sapa New Life Church
AGENT	Ron Bengs - Advanced Engineering
PROPERTY OWNER	Dakota District of the Wesleyan Church
REQUEST	No. 14PD010 - Major Amendment to a Planned Residential Development to allow the construction of an additional church building on the site
EXISTING LEGAL DESCRIPTION	Lots A, C, E, F, G and Lots 6 thru 13 of Block 2 of Mac Arthur Subdivision, less H Lots, located in Section 25, T2N, R7E
PARCEL ACREAGE	Approximately 2.93 acres
LOCATION	415 Mac Arthur Street
EXISTING ZONING	Low Density Residential District (Planned Development) - Medium Density Residential District (Planned Development)
FUTURE LAND USE DESIGNATION	Residential
SURROUNDING ZONING	
North:	General Commercial District - Low Density Residential District (Planned Development)
South:	Medium Density Residential District
East:	Medium Density Residential District - Low Density Residential District
West:	General Commercial District (Planned Development)
PUBLIC UTILITIES	Rapid City water and sewer
DATE OF APPLICATION	April 24, 2014
REVIEWED BY	Fletcher Lacock / Nicole Lecy

RECOMMENDATION:

Staff recommends that the Major Amendment to a Planned Residential Development to allow the construction of an additional church building on the site be approved with the following stipulations:

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1. A Building Permit shall be obtained prior to any structural construction and a Certificate of Occupancy shall be obtained prior to occupancy;
2. Prior to issuance of a Building Permit, a Floodplain Development Permit shall be obtained;
3. Prior to issuance of a Building Permit, the porous landscape detention basin shall be revised to meet the criteria pursuant to the Rapid City Water Quality Manual;
4. Prior to issuance of a Building Permit, a Traffic Impact Study shall be submitted for review and approval or an Exception shall be obtained;
5. Upon submittal of a Building Permit, plans shall be prepared and stamped by a licensed Architect or Professional Engineer as per SDCL 36-18A;
6. Temporary or permanent site stabilization shall be achieved prior to issuance of a Certificate of Occupancy;
7. An Air Quality Construction Permit shall be obtained prior to any surface disturbance of one acre or more;
8. A minimum of 110,208 landscaping points shall be provided. All provisions of Section 17.50.300, the Landscape Regulations of the Rapid City Municipal Code shall be continually met. All landscaping shall be continually maintained in a live vegetative state and replaced as necessary;
9. A minimum of 76 parking spaces shall be provided. Three of the parking spaces shall be handicap accessible. One of the handicap spaces shall be "van accessible." All provisions of the Off-Street Parking Ordinance shall be continually met;
10. All signage shall conform to the Sign Code. No electronic signs are being approved as a part of this Major Amendment. All signage not in conformance with the Sign Code or any electronic reader board signs shall require the review and approval of a Major Amendment. Lighting for the signs shall be designed to preclude shining on the adjacent properties and/or street(s). A sign permit shall also be obtained for all signs;
11. All outdoor lighting shall be designed to reflect within the property boundaries so as to not shine on adjoining properties and rights-of-way and not be a hazard to the passing motorist or constitute a nuisance of any kind;
12. All applicable provisions of the adopted International Fire Code shall continually be met;
13. All provisions of the underlying Zoning Districts shall be met unless otherwise specifically authorized as a stipulation of this Major Amendment to a Planned Development or a subsequent Major Amendment; and,
14. The Major Amendment to a Planned Development Overlay shall allow for the construction of a church building in addition to the existing church building, a residence and office for the assistant pastor, a garage and a storage building. Any change in use that is a permitted use in the underlying zoning district and in compliance with the Parking Ordinance shall require the review and approval of a Minimal Amendment. Any change in use that is a Conditional Use in the underlying zoning district shall require the review and approval of a Major Amendment.

GENERAL COMMENTS:

The applicant has submitted a Major Amendment to a Planned Development to allow for the construction of an additional church building on the site. In particular, He Sapa New Life Church is proposing to construct a new church approximately 6,600 square feet in size and a parking lot addition. The new church will provide office space, classrooms, a kitchen and

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a multi-purpose room/sanctuary with seating for 285 people.

On May 26, 2011, an Initial and Final Planned Development (File #11PD017) was approved to allow for the addition of a 2,400 square foot storage building to be located on the property. Uses on the property included a church, a child care center, an office and residence for the assistant pastor, a second residence and two storage buildings.

The property is located on the northeast corner of the intersection of Haines Avenue and Anamosa Street. Currently, the He Sapa New Life Church consists of a church building, a garage, a storage building and an office and residence for the Assistant Pastor.

STAFF REVIEW:

Staff has reviewed the Final Planned Development Overlay with respect to Chapter 17.50.050(F)5 and has noted the following considerations:

1. *There are certain conditions pertaining to the particular piece of property in question because of its size, shape, or topography:*

The property is approximately 127,630 square feet in size and is zoned Medium Density Residential District and Low Density Residential District. The east side of the property is located in the Federally designated 100 year floodplain. The applicant is proposing to expand the parking lot into this area and will need to obtain a Floodplain Development Permit prior to issuance of a Building Permit.

2. *The application of these regulations to this particular piece of property would create a practical difficulty or undue hardship:*

The applicant is not requesting an Exception from the minimum requirements of the Zoning Ordinance. A church is a Conditional Use in the Low Density Residential District and the Medium Density Residential District. The applicant is proposing to construct a new detached church on the property.

The Major Amendment to a Planned Development Overlay will allow for the construction of a church building in addition to the existing structures which include a church building, a residence and office for the assistant pastor, a garage and a storage building. Any change in use that is a permitted use in the underlying zoning district and in compliance with the Parking Ordinance will require the review and approval of a Minimal Amendment. Any change in use that is a Conditional Use in the underlying zoning district will require the review and approval of a Major Amendment.

3. *Exceptions to the underlying zoning district, if granted, would not cause undue hardship to the public good or impair the purposes and intent of these regulations:*

The applicant is not requesting any Exceptions from the minimum requirements of the Zoning Ordinance. All provisions of the underlying Zoning Districts must be met unless otherwise specifically authorized as a stipulation of this Major Amendment to a Planned

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Development or a subsequent Major Amendment.

4. *A literal interpretation of this chapter would deprive the applicant of rights that others in the same district are allowed:*

The literal interpretation of the Zoning Ordinance would not deprive the applicant of rights that others in the same district are allowed.

5. *Any adverse impacts will be reasonably mitigated:*

The east side of the property is located in the Federally designated 100 year floodplain. The applicant is proposing to expand the parking lot into this area of the site and will need to obtain a Floodplain Development Permit prior to issuance of a Building Permit. In addition, the site plan identifies a porous landscape detention basin. However, the design is not in compliance with the Rapid City Water Quality Manual. As such, prior to issuance of a Building Permit, the porous landscape detention basin must be revised to meet the criteria in the Rapid City Water Quality Manual.

6. *The requested exception to the underlying zoning district standards is an alternative or innovative practice that reasonably achieves the objective of the existing standard sought to be modified:*

The existing He Sapa New Life Church facility serves the local community and has indicated that they are experiencing a shortage of space for the ministry. The existing church will be used for after school programs and discipleship programs. The new church will have space for approximately 285 people.

Transportation: The proposed church building will generate approximately 174 peak-hour trips. As such, the applicant must submit a Traffic Impact Study or obtain an Exception from the Infrastructure Design Criteria Manual prior to issuance of a Building Permit.

Parking: The proposed church building and existing uses on the property require that a minimum of 76 parking spaces be provided. In addition, three of the parking spaces must be handicap accessible and one of the handicap accessible spaces must be "van accessible". The applicant has submitted a parking plan that identifies 79 parking spaces with four parking spaces being handicap accessible and two being "van accessible". The parking plan is in compliance with Chapter 17.50.270 of the Rapid City Municipal Code. All provisions of the Off-Street Parking Ordinance must be continually met.

Landscaping: A minimum of 110,208 landscaping points must be provided on the property. The applicant has submitted a landscaping plan that shows a total of 110,410 existing and proposed landscaping points. The proposed landscaping is in compliance with Chapter 17.50.300 of the Rapid City Municipal Code. All landscaping must be continually maintained in a live vegetative state and replaced as necessary.

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Signage and Lighting: The applicant has not indicated that any new signage or lighting is being proposed. Any future signage must be designed in compliance with the Sign Code. In addition, a Sign Permit must be obtained.

Building Permit: A Building Permit must be obtained prior to any structural construction and a Certificate of Occupancy must be obtained prior to occupancy. Upon submittal of a Building Permit, plans must be prepared and stamped by a licensed Architect or Professional Engineer as per SDCL 36-18A. Temporary or permanent site stabilization must be achieved prior to issuance of a Certificate of Occupancy. In addition, an Air Quality Construction Permit must be obtained prior to any surface disturbance of one acre or more.

Fire Department: All applicable provisions of the adopted International Fire Code must continually be met.

Notification: The mailings and sign have been picked up. The mailings have been returned to Community Planning and Development Services for posting. Staff has not confirmed that the sign has been posted on the property. Staff will notify the Planning Commission at the May 22, 2014 Planning Commission meeting if this requirement has not been met.