

STAFF REPORT
March 24, 2011

No. 10UR039 - Major Amendment to a Conditional Use Permit

ITEM 2

GENERAL INFORMATION:

| | |
|----------------------------|--|
| APPLICANT | Rapid City Diocese & Rapid City Catholic Schools |
| AGENT | ARC International |
| PROPERTY OWNER | Rapid City Diocese & Rapid City Catholic Schools |
| REQUEST | No. 10UR039 - Major Amendment to a Conditional Use Permit |
| EXISTING LEGAL DESCRIPTION | SE1/4 NW1/4 of Section 29, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE | Approximately 36.93 ares |
| LOCATION | 2101 City Springs Road |
| EXISTING ZONING | Medium Density Residential District - Low Density Residential District (Planned Residential Development) |
| SURROUNDING ZONING | |
| North: | General Agriculture District |
| South: | General Agriculture District |
| East: | Medium Density Residential District (Planned Residential Development) |
| West: | General Agriculture District |
| PUBLIC UTILITIES | City Water and Sewer |
| DATE OF APPLICATION | 12/30/2010 |
| REVIEWED BY | Karen Bulman / Karley Halsted |

RECOMMENDATION:

Staff recommends that the Major Amendment to a Conditional Use Permit be **approved with the following stipulations:**

- 1. The uses allowed on the property shall include: a school, including preschool and Kindergarten through 5th Grade and a child care center for after school hours and summer months; a church to be used in conjunction with the school; and, a Spiritual Life Center as an accessory to the church. The Spiritual Life Center shall be used for faith based retreats or religious events and are not to be rented for profit or to others not focused on faith building growth. The Center shall be used for retreats up to two weeks in length and include 24 double occupancy lodging rooms and 35 single occupancy lodging rooms. Any change in use or expansion of use shall require the review and approval of a Major Amendment to the Conditional Use Permit. Changes in use or expansion of use, which the Growth**

STAFF REPORT
March 24, 2011

No. 10UR039 - Major Amendment to a Conditional Use Permit

ITEM 2

- Management Director determines is consistent with and accessory to the original approved uses, shall be allowed as a Minimal Amendment to the Conditional Use Permit;
2. A Building Permit shall be obtained prior to any construction for the school and church use and a Certificate of Occupancy shall be obtained prior to occupancy. All plans must be stamped and signed by a Registered Professional Engineer or Architect as per SDCL 36-18A;
 3. The proposed structures shall continue to conform architecturally to the approved plans and elevations;
 4. An Air Quality Permit shall be obtained prior to any surface disturbance in excess of one acre;
 5. Upon submission of a Building Permit application for the school and church use, an Erosion and Sediment Control Permit in compliance with the adopted Stormwater Quality Manual shall be submitted for review and approval;
 6. A minimum of 395,250 landscaping points shall be provided. The landscaping plan shall comply with all requirements of the Zoning Ordinance. All landscaping shall be continually maintained in a live vegetative state and replaced as necessary;
 7. A minimum of 214 parking spaces shall be provided. In addition, twelve of the parking spaces shall be handicap accessible spaces. Five of the handicap spaces shall be "van accessible". All provisions of the Off-Street Parking Ordinance shall be continually met. As the church will be used in conjunction with the school, the church will share parking spaces with the school. Any expansion of the parking lot will require a Major Amendment to the Conditional Use Permit. 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;
 8. All currently adopted International Fire Codes shall be met;
 9. Prior to Planning Commission approval, a complete sign package, to include the five (5) ground signs, one (1) electronic sign, and any proposed wall signs, shall be submitted for review and approval, or a Major Amendment to the Conditional Use Permit shall be submitted prior to any signage being placed on the property;
 10. The exception for five driveway approaches is approved with this Major Amendment to the Conditional Use Permit. 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;
 11. The construction of the two turn lanes at St. Martins Drive and Sturgis Road and the improvements shall be completed prior to obtaining a Certificate of Occupancy;
 12. All provisions of the Medium Density Residential District shall be met unless an exception is specifically authorized as a stipulation of the Conditional Use Permit or a subsequent Major Amendment; and,
 13. The Major Amendment to a Conditional Use Permit shall expire if the use is not undertaken and completed 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: (Update, March 1, 2011. All revised and/or added text is shown in bold print.) This item was continued to the March 24, 2011 Planning Commission meeting to allow additional information to be provided. (Update, February 15, 2011. All

STAFF REPORT
March 24, 2011

No. 10UR039 - Major Amendment to a Conditional Use Permit

ITEM 2

revised and/or added text is shown in bold print.) This item was continued to the February 24, 2011 Planning Commission meeting to allow additional information to be provided. (Update, February 1, 2011. All revised and/or added text is shown in bold print.) This item was continued to the February 10, 2011 Planning Commission meeting to allow additional information to be provided. The applicant is requesting a Major Amendment to a Conditional Use Permit to allow additional retreat rooms as an accessory to the church. The property is located at 2101 City Springs Road. The site was the previous location of Saint Martins Monastery. The surrounding properties located north, south, and west are Zoned General Agriculture District and are undeveloped at this time. The property located east of the site is zoned Medium Density Residential District with a Planned Residential Development and is proposed to be developed by the Good Samaritan Society for the future St. Martins Village.

A Conditional Use Permit (#10UR009) was approved on September 9, 2010 to allow a school, a church to be used in conjunction with the school, and a Spiritual Life Center for 24 double occupancy lodging rooms, as an accessory to the church in a Medium Density Residential Zoning District. The Conditional Use Permit was approved for this property with the following stipulations:

1. The uses allowed on the property shall include: a school, including preschool and Kindergarten through 5th Grade, and a child care center for after school hours and summer months; a church to be used in conjunction with the school; and, a Spiritual Life Center as an accessory to the church. The Spiritual Life Center shall be used for faith based retreats or religious events. The Center shall be used for retreats up to two weeks in length and include 24 double occupancy lodging rooms. Any change in use or expansion of use shall require the review and approval of a Major Amendment to the Conditional Use Permit. Changes in use or expansion of use, which the Growth Management Director determines is consistent with and accessory to the original approved uses, shall be allowed as a Minimal Amendment to the Conditional Use Permit;
2. A Building Permit shall be obtained prior to any construction for the school and church use and a Certificate of Occupancy shall be obtained prior to occupancy. All plans must be stamped and signed by a Registered Professional Engineer or Architect as per SDCL 36-18A;
3. The proposed structures shall conform architecturally to the plans and elevations approved as part of this Conditional Use Permit;
4. An Air Quality Permit shall be obtained prior to any surface disturbance in excess of one acre;
5. Upon submission of a Building Permit application for the school and church use, an Erosion and Sediment Control Permit in compliance with the adopted Stormwater Quality Manual shall be submitted for review and approval;
6. A minimum of 359,380 landscaping points shall be provided. The landscaping plan shall comply with all requirements of the Zoning Ordinance. All landscaping shall be continually maintained in a live vegetative state and replaced as necessary;
7. Prior to Planning Commission approval, the water system analysis report shall be stamped and signed by a Registered Professional Engineer;
8. A minimum of 179 parking spaces shall be provided. In addition, eight of the parking spaces shall be handicap accessible spaces. Four of the handicap spaces shall be "van accessible". All provisions of the Off-Street Parking Ordinance shall be continually met. As the church will be used in conjunction with the school, the church will share parking spaces with the school.

STAFF REPORT
March 24, 2011

No. 10UR039 - Major Amendment to a Conditional Use Permit

ITEM 2

- 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;
9. Upon submission of a Building Permit application for the school and church use, revised plans identifying the replacement of the fire hydrants shall be submitted for review and approval. All currently adopted International Fire Codes shall be met;
 10. Prior to Planning Commission approval, a complete sign package, to include the five (5) ground signs, one (1) electronic sign, and any proposed wall signs, shall be submitted for review and approval, or a Major Amendment to the Conditional Use Permit shall be submitted prior to any signage being placed on the property;
 11. Prior to Planning Commission approval, all required right-of-way permits and recorded easements shall be submitted;
 12. Prior to Planning Commission approval, a Floodplain Development Permit or Letter of Map Revision shall be submitted for review and approval;
 13. Upon submission of a Building Permit application for the school and church use, the revised design plans for the five driveway approaches shall be stamped and signed by a Registered Professional Engineer or Architect. 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;
 14. Upon submission of a Building Permit application for the school and church use, the applicant shall submit plans for the construction of the two turn lanes at St. Martins Drive and Sturgis Road and the improvements shall be completed prior to obtaining a Certificate of Occupancy;
 15. Prior to Planning Commission approval, the final Traffic Impact Study shall be signed and stamped by a Professional Registered Engineer;
 16. All provisions of the Medium Density Residential District shall be met unless an exception is specifically authorized as a stipulation of the Conditional Use Permit or a subsequent Major Amendment; and,
 17. The Conditional Use Permit shall expire if the use is not undertaken and completed 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.

On December 22, 2010, a Minimal Amendment to a Conditional Use Permit was approved to amend the landscaping provided on the property. This Minimal Amendment changed location and types of plant materials, increasing the landscaping provided to a minimum of 368,380 landscaping points.

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

Land Use: The uses for this property will continue to be a church, school and retreat center as an accessory use to the church. The initial phase included 24 double occupancy lodging rooms used for the retreat center. The second floor of the southernmost building will be remodeled into 35 single occupancy lodging rooms for the retreat center. According to the information provided by the applicant, 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 expectations. The retreats could be for a day or for up to two weeks in length. A typical retreat would be held on a weekend. The applicant should be aware that this lodging is not to be rented to others or for a use not accessory to the

STAFF REPORT
March 24, 2011

No. 10UR039 - Major Amendment to a Conditional Use Permit

ITEM 2

church. Any additional uses or changes to the proposed uses will require a Major Amendment to the Conditional Use Permit.

Parking: Identifying spiritual retreats at the Spiritual Life Center as an accessory use of the church, requiring one parking space for each room, would be similar to the parking requirements for a dormitory or hotel. The parking requirement for the additional 35 rooms is 35 parking spaces, with two being handicapped spaces and one of those van accessible. The applicant has indicated that 29 parking spaces will be added, including 4 handicapped spaces and 1 of those being van accessible. Prior to Planning Commission approval, a parking plan indicating a total of 35 parking spaces, including handicapped spaces shall be submitted for review and approval or the applicant should request an exception with information justifying the reduced number of parking spaces. To date the parking plan has not been submitted. (Revised 2-1-11) To date the parking plan has not been submitted. (Revised 2-15-11) **A revised parking plan has been submitted indicating that 35 parking spaces, including four handicapped spaces, one being van accessible, will be constructed on the south side of the Terra Sancta buildings. The parking lot must meet all the parking requirements of the Rapid City Municipal Code. This additional parking lot will increase the number of parking spaces for Terra Sancta to a minimum of 214 parking spaces, to include 12 handicapped spaces, 5 being "van accessible". 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. Any addition to the parking lot will also require a Major Amendment to the Conditional Use Permit. (Revised 3-7-11)**

Landscaping: The approval for the Conditional Use Permit for this project includes a landscaping requirement of 359,380 landscaping points. With the approval of the Minimal Amendment, the landscape points increased to 368,380 points. The Landscaping Ordinance requires that landscaping be provided adjacent to parking lots. Prior to Planning Commission approval, a landscaping plan shall be submitted for review and approval identifying the required landscaping adjacent to the parking lot. To date the landscaping plan has not been submitted. (Revised 2-1-11) To date the landscaping plan has not been submitted. (Revised 2-15-11) **A revised landscaping plan has been submitted and reviewed. Due to the new parking lot, some landscaping will need to be relocated. A total of 346,209 landscaping points are required. The applicant submitted a landscaping plan indicating that 395,250 landscaping points will be provided. Staff is recommending that the landscaping be installed and maintained in accordance with the revised landscaping plan. All landscaping shall be continually maintained in a live vegetative state and replaced as necessary. (Revised 3-7-11)**

Drainage: Due to the construction of the expanded parking lot area, revised drainage calculations must be submitted for review. Prior to Planning Commission approval, a revised 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. To date the revised Site Drainage Report has not been submitted. (Revised 2-1-11) To date the revised Site Drainage Report has not been submitted. (Revised 2-15-11) **The revised Site Drainage Report has been submitted, reviewed and approved. (Revised 3-7-11)**

STAFF REPORT
March 24, 2011

No. 10UR039 - Major Amendment to a Conditional Use Permit

ITEM 2

Exception: The Conditional Use Permit for this property included an exception, with stipulations, for five driveway approaches to the site. Any changes in the approved site plan or changes in use that require a Major Amendment to the Conditional Use Permit requires that the exception for the five driveway approaches be re-submitted for review and approval. Prior to Planning Commission approval, an exception for the five driveway approaches to the site shall be submitted for review and approval. To date the exception for the five driveway approaches has not been submitted. (Revised 2-1-11) The exception for the five driveway approaches has been submitted, reviewed and approved. (Revised 2-15-10)

Traffic Impact Study: Staff has reviewed and approved the revised Traffic Impact Study indicating that the additional 35 rooms will not substantially impact traffic operations as evaluated in the initial traffic impact analysis.

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.

Future Uses: Please note that this Major Amendment to a Conditional Use Permit does not address any future uses for the site, including the middle school, diocese offices, or further 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.

Notification Requirement: The sign has been posted on the property and the receipts from the certified mailings have been returned. Staff has received no inquiries or objections regarding the proposed request at the time of this writing. (Revised 3-7-11)

Staff recommends that the Major Amendment to a Conditional Use Permit to allow 35 additional lodging rooms for the retreat center be continued to the February 10, 2011 Planning Commission meeting at the applicant's request, to allow the applicant time to submit the required information. Staff recommends that the Major Amendment to a Conditional Use Permit to allow 35 additional lodging rooms for the retreat center be continued to the February 24, 2011 Planning Commission meeting at the applicant's request, to allow the applicant time to submit the required information. (Revised 2-1-11). Staff recommends that the Major Amendment to a Conditional Use Permit to allow 35 additional lodging rooms for the retreat center be continued to the March 24, 2011 Planning Commission meeting at the applicant's request, to allow the applicant time to submit the required information. (Revised 2-15-11). **Staff recommends that the Major Amendment to a Conditional Use Permit to allow 35 additional lodging rooms for the retreat center be approved with the stipulations as identified above. (Revised 3-7-11)**