



Rapid City Planning Commission

Initial and Final Planned Development Project Report

June 23, 2016

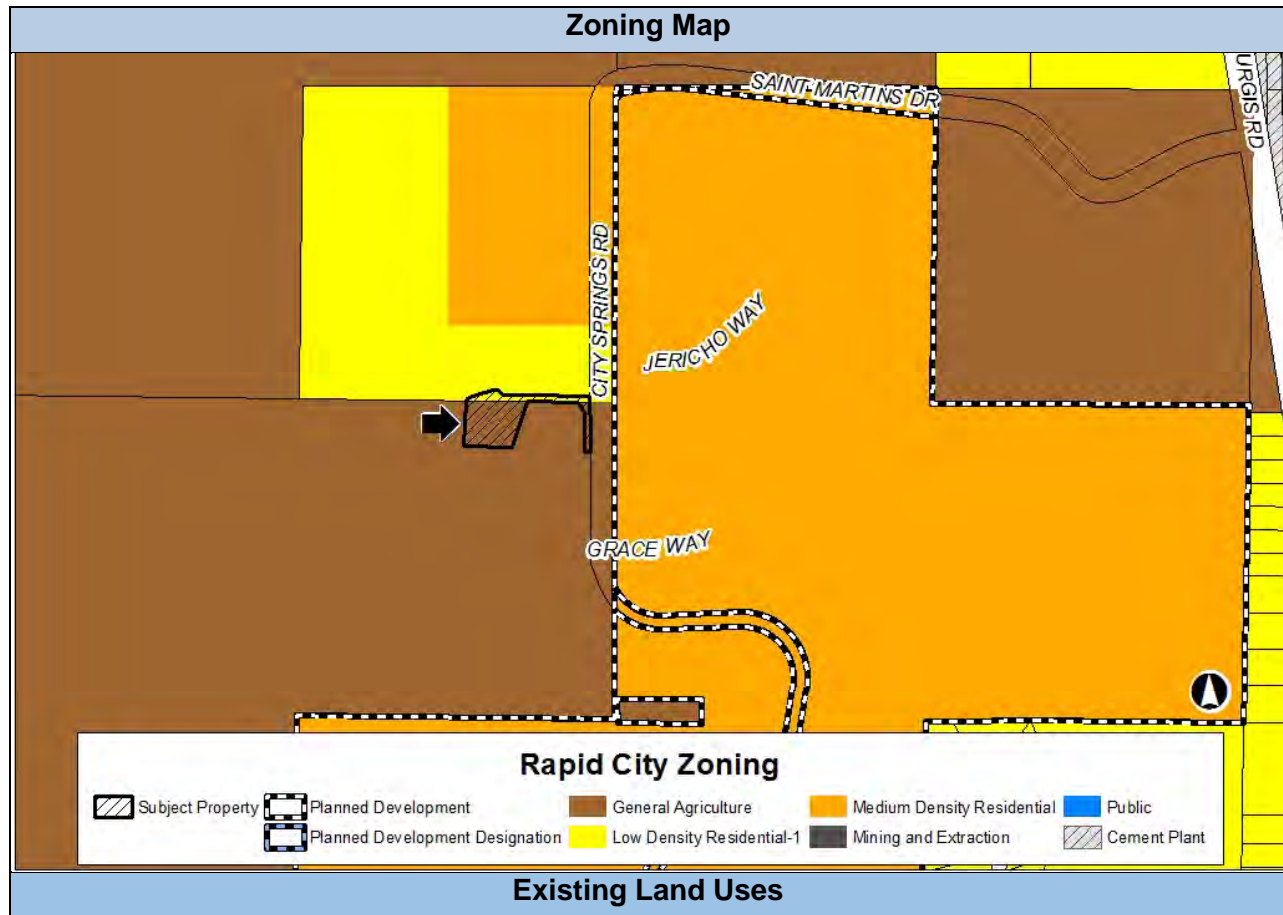
Item #8
Applicant Request(s)
Case # 16PD028 – Initial and Final Planned Development Overlay to expand an existing cemetery
Companion Case(s) 16RZ018 – Rezoning from Low Density Residential District to General Agricultural District

Development Review Team Recommendation(s)
The Development Review Team recommends that the Initial and Final Planned Development to expand an existing cemetery be approved with the stipulations noted below.

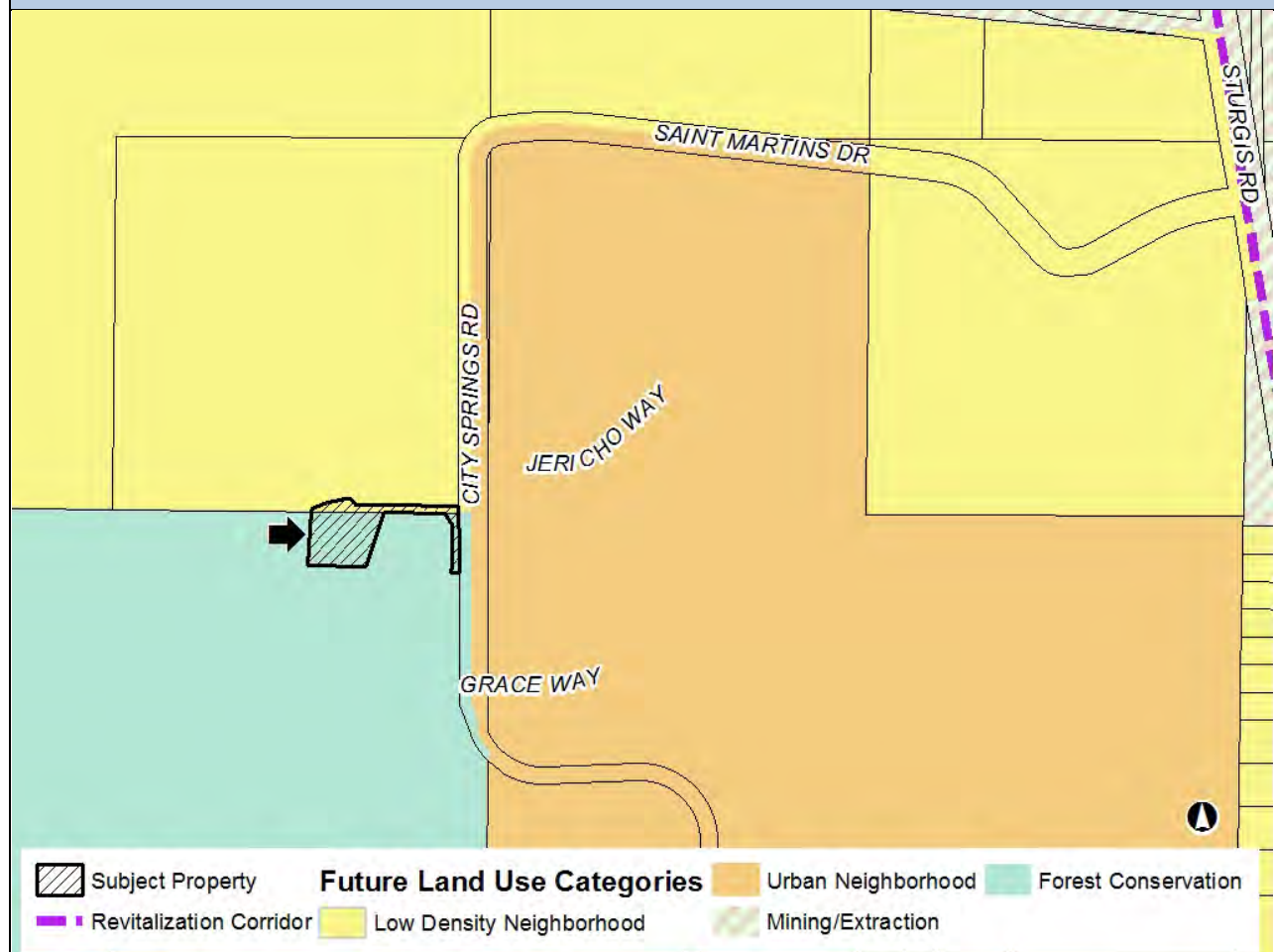
Project Summary Brief	
The applicant has submitted an Initial and Final Planned Development Overlay to expand an existing cemetery. In particular, the applicant is proposing to increase the number of plots from 127 to 230. The applicant is requesting an Exception to waive the paving requirement for the existing gravel access and for the five proposed new parking spaces. In addition, the applicant is requesting an Exception to reduce the minimum required side yard setback from 35 feet to “0” feet. The applicant has stated that the cemetery is for the private use of the Diocese of Rapid City and the adjacent Saint Martin Monastery.	
Applicant Information	Development Review Team Contacts
Applicant: Diocese of Rapid City	Planner: Fletcher Lacock
Property Owner: Diocese of Rapid City	Engineer: Dan Kools
Architect: N/A	Fire District: Tim Behlings
Engineer: Fisk Land Surveying & Consulting Engineers, Inc.	School District: N/A
Surveyor: N/A	Water/Sewer: Dan Kools
Other: N/A	DOT: Stacy Bartlett

Subject Property Information	
Address/Location	2101 City Springs Road
Neighborhood	West Rapid
Subdivision	Section 29, T2N, R7E
Land Area	1.45 acres (63,162 square feet)
Existing Buildings	Void of structural development
Topography	Property declines in elevation from the west to the east
Access	City Springs Road
Water Provider	Rapid City
Sewer Provider	Rapid City
Electric/Gas Provider	Black Hills Power / MDU
Floodplain	N/A
Other	N/A

Subject Property and Adjacent Property Designations			
	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	GA and LDR	LDN and FC	Cemetery
Adjacent North	LDR and MDR	LDN	Terra Sancta Retreat Center
Adjacent South	GA	FC	Saint Martin Monastery
Adjacent East	MDR-PD	UN	Good Samaritan Townhomes
Adjacent West	GA	LDN and FC	Void of structural development



Comprehensive Plan Future Land Use



Parks or Transportation Plan










Relevant Case History			
Case/File#	Date	Request	Action
N/A			
Relevant Zoning District Regulations			
General Agricultural District	Required	Proposed	
Lot Area	Sufficient to provide parking and yard areas	63,162 square feet	
Lot Frontage / Width	N/A	235 feet	
Maximum Building Heights	2.5 stories, 35 feet	N/A	
Maximum Density	25%	0%	
Minimum Building Setback:			
• Front	35 feet	260 feet	
• Rear	25 feet	Approximately 2,000 feet	
• Side	35 feet	Requesting an Exception to reduce the side yard to "0" feet	
• Street Side	N/A	N/A	
Minimum Landscape Requirements:			
• # of landscape points	N/A	N/A	
• # of landscape islands	N/A	N/A	
Minimum Parking Requirements:			
• # of parking spaces	N/A	5	
• # of ADA spaces	N/A	N/A	
Signage	Pursuant to RCMC	None proposed	
Fencing	Pursuant to RCMC	None proposed	

Planning Commission Criteria and Findings for Approval or Denial	
Pursuant to Section 17.50.050(F)5 of the Rapid City Municipal Code the Planning Commission shall consider the following criteria for a Final Planned Development Overlay:	
Criteria	Findings
1. There are certain conditions pertaining to the particular piece of property in question because of its size, shape, or topography:	The existing and proposed cemetery expansion is 1.45 acres in size and is located on two properties approximately 155.12 acres in size. The properties are the location of the Terra Sancta Retreat Center to the north and the Saint Martin Monastery to the south. The cemetery is for the private use of the Diocese of Rapid City and is not intended for use by the public.
2. The application of these regulations to this particular piece of property would create a practical difficulty or undue hardship:	The applicant has also submitted a Rezoning request from Low Density Residential District to General Agricultural District for the north portion of the cemetery expansion. A cemetery is a conditional use in the General Agricultural District.
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:	<p>The applicant is requesting an Exception to waive the paving requirement for the existing access and five new parking spaces and a turn-around. The applicant has indicated that the cemetery is for the private use of the Diocese of Rapid City and Saint Martin Monastery and is not open to the public. The applicant has also indicated that the cemetery has one or two funerals per year. For these reasons, staff recommends that the Exception request be approved. The proposed expansion does not increase the yearly use of the cemetery.</p> <p>The applicant has also requested an Exception to reduce the minimum required side yard setback for a cemetery from 35 feet to 0 feet. The cemetery currently straddles the</p>

	property line between the Terra Sancta Retreat Center and Saint Martin Monastery. As noted above, the cemetery expansion is intended for the private use of the Diocese of Rapid City and Saint Martin Monastery. Since the cemetery is intended for the private use of the Diocese of Rapid City and no structures are currently proposed with the cemetery expansion, staff recommends that the Exception to reduce the minimum required side yard setback be approved.
4. A literal interpretation of this chapter would deprive the applicant of rights that others in the same district are allowed:	The applicant has also submitted a Rezoning request from Low Density Residential District to General Agricultural District for the north portion of the proposed cemetery expansion. The existing cemetery is zoned General Agricultural District and is a legal non-conforming use. The expansion of the cemetery requires a Conditional Use Permit.
5. Any adverse impacts will be reasonably mitigated:	As noted above, the applicant has stated that the proposed cemetery expansion is for the private use of the Diocese of Rapid City and Saint Martin Monastery. The limited number of funerals will ensure that the unpaved access and parking will not have an adverse impact on the area. In addition, the proposed expansion does not increase the yearly use of the cemetery.
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 cemetery is accessed by a gravel road. The applicant is proposing to expand the legal non-conforming cemetery and has submitted this application for the conditional use. The intended private use of the cemetery and the limited traffic will have a minimal impact on the area.

Planning Commission Comprehensive Plan Policy Guidance for Approval or Denial
In considering an application for approval or denial the Planning Commission finds that the application either complies or does not comply with the following values, principles, goals, and policies within the Rapid City Comprehensive Plan:

Comprehensive Plan Conformance – Core Values Chapters	
	A Balanced Pattern of Growth
	N/A
	A Vibrant, Livable Community
	N/A
	A Safe, Healthy, Inclusive, and Skilled Community
	N/A
	Efficient Transportation and Infrastructure Systems
TI-2.1A	Major Street Plan Integration: Chapter 17.50.120 of the Rapid City Municipal Code states that a cemetery shall not interfere with the development of a system of collector or larger streets. The City's Major Street Plan identifies City Springs Road as a Collector Street. City Springs Road is dedicated within 100 feet of right-of-way and constructed to City design standards.

	Economic Stability and Growth
	N/A
	Outstanding Recreational and Cultural Opportunities
	Responsive, Accessible, and Effective Governance
GOV-2.1A	Public Input Opportunities: The proposed Initial and Final Planned Development Overlay requires that public notice be advertized in the newspaper and that mailings are sent to property owners within 250 feet of the planned development boundary. The requested Initial and Final Planned Development Overlay application is before the Planning Commission for review and approval. The public has an opportunity to provide input at this meeting.

Comprehensive Plan Conformance – Growth and Reinvestment Chapter	
Future Land Use Plan	
Designation(s):	Low Density Neighborhood
Design Standards:	
N/A	The future land use designation of the property is Low Density Neighborhood which identifies religious uses as a secondary use. The proposed cemetery expansion is intended for the private use of the Diocese of Rapid City and Saint Martin Monastery.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
Neighborhood:	West Rapid
Neighborhood Goal/Policy:	
N/A	The applicant is proposing to expand an existing cemetery which is for the private use of the Diocese of Rapid City and Saint Martin Monastery. A cemetery is a conditional use in the General Agricultural District and the applicant has submitted a Rezoning request from Low Density Residential District to General Agricultural District. The proposed cemetery expansion is consistent with the adopted Comprehensive Plan.

Findings	
Staff has reviewed the Initial and Final Planned Development Overlay to expand an existing cemetery pursuant to Chapter 17.50.050(F)5 of the Rapid City Municipal Code and the goals, policies, and objectives of the adopted Comprehensive Plan. The requested Exceptions are mitigated by the intended private use of the cemetery by the Diocese of Rapid City and Saint Martin Monastery. The proposed cemetery expansion is consistent with the adopted Comprehensive Plan which identifies religious uses as a secondary use.	

Planning Commission Recommendation and Stipulations of Approval	
Staff recommends that the Initial and Final Planned Development Overlay to expand an existing cemetery be approved with the following stipulations:	
1.	An Exception is hereby granted to waive the paving requirement for the access and parking lot area;
2.	An Exception is hereby granted to reduce the minimum required side yard setback for a cemetery from 35 feet to 0 feet; and,
3.	The Initial and Final Planned Development Overlay shall allow a cemetery. Permitted uses within the General Agricultural District in compliance with the Parking Ordinance shall be allowed with a Building Permit. Any conditional use shall require the review and approval of a Major Amendment to the Planned Development.



Rapid City Community Planning & Development Services

Development Review Advisories

*Disclosure: The Development Review Team has created this list of Advisories as a courtesy for your specific application. **This is not a complete list.** All City, District, State, and Federal requirements must be continually met.*

Applicant Request(s)	
Case # 16PD028	Final Planned Development Overlay to expand an existing church
Companion Case(s) #	16RZ018 – Rezoning from Low Density Residential District to General Agricultural District
ADVISORIES: Please read carefully!	
1.	A Building Permit shall be obtained prior to any structural construction and a Certificate of Occupancy shall be obtained prior to occupancy;
2.	All requirements of the Infrastructure Design Criteria Manual and the Rapid City Standard Specifications shall be met or an Exception shall be obtained;
3.	All provisions of the underlying zoning district shall be met unless otherwise specifically authorized as a stipulation of this Final Planned Development Overlay or a subsequent Major Amendment;
4.	All outdoor lighting shall continually be reflected within the property boundaries so as to not 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;
5.	All requirements of the currently adopted Building Code shall be met; and,
6.	All applicable provisions of the adopted International Fire Code shall continually be met.