



Rapid City Planning Commission

Conditional Use Permit Project Report

July 9, 2020

Item #2
Applicant Request(s)
Case # 20UR011 – Conditional Use Permit to allow a Church in the Central Business District Companion Case(s) # N/A

Development Review Team Recommendation(s)
Staff recommends approval of the Conditional Use Permit to allow a Church with the stipulations noted below.

Project Summary Brief
The applicant has submitted a Conditional Use Permit application to allow a church in the Central Business District on the property located at 514 St. Joseph Street. Specifically, the applicant intends to hold Saturday evening worship services consisting of 20-40 guests at the “Rimrock Exchange”, which currently serves as administrative office space and a small café and coffee shop for the church. The applicant has indicated that they expect to have between 20 and 40 guests for Saturday evening services that will be held at 6:30 PM. The subject property is zoned Central Business District and is approximately 0.16 acres in size. A church is identified as a Conditional Use in the Central Business District.

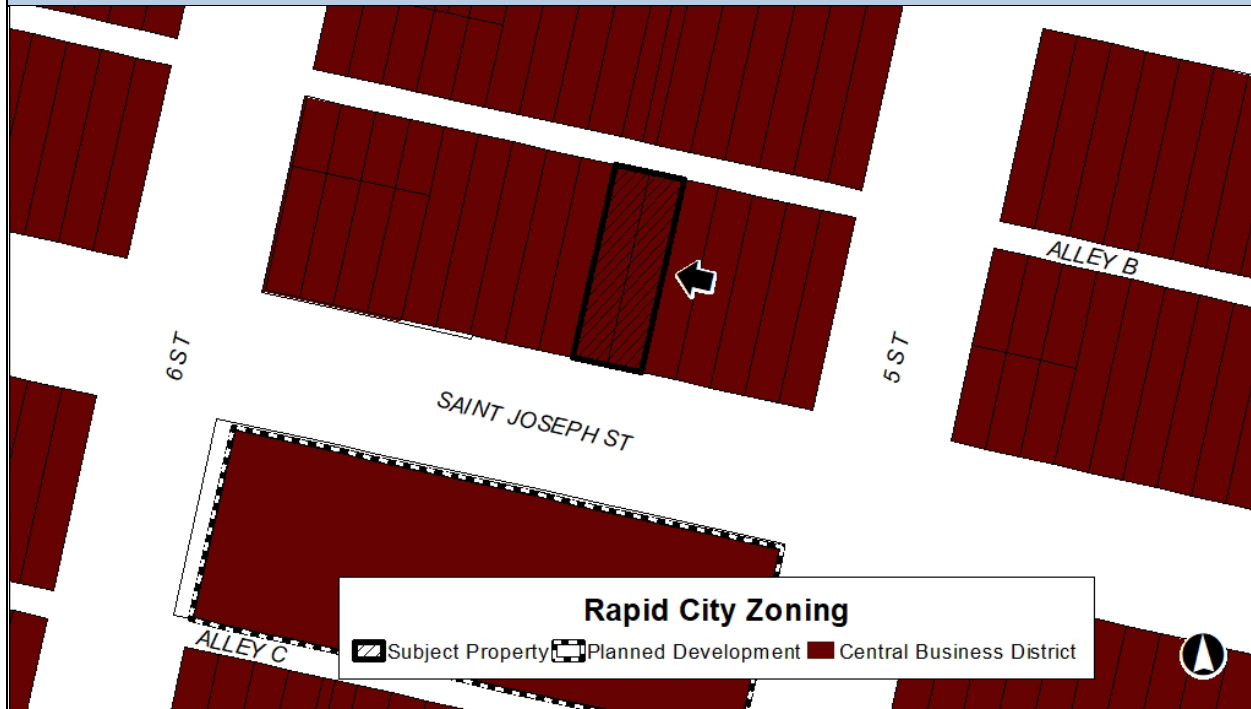
Development Review Team Contacts	
Applicant: Rimrock Church	Planner: John Green
Property Owner: Duhamel Company	Engineer: Dan Kools
Architect: N/A	Fire District: Tim Behlings
Engineer: N/A	School District: N/A
Surveyor: N/A	Water/Sewer: Dan Kools
Other: N/A	DOT: Stacy Bartlett

Subject Property Information	
Address/Location	514 St. Joseph Street
Neighborhood	Downtown/Skyline Drive Neighborhood Area
Subdivision	Original Town of Rapid City
Land Area	0.16 acres or 6,970 square feet
Existing Buildings	7,000 square-foot building
Topography	Relatively flat
Access	St. Joseph Street
Water Provider	Rapid City
Sewer Provider	Rapid City
Electric/Gas Provider	Black Hills Energy / MDU
Floodplain	N/A

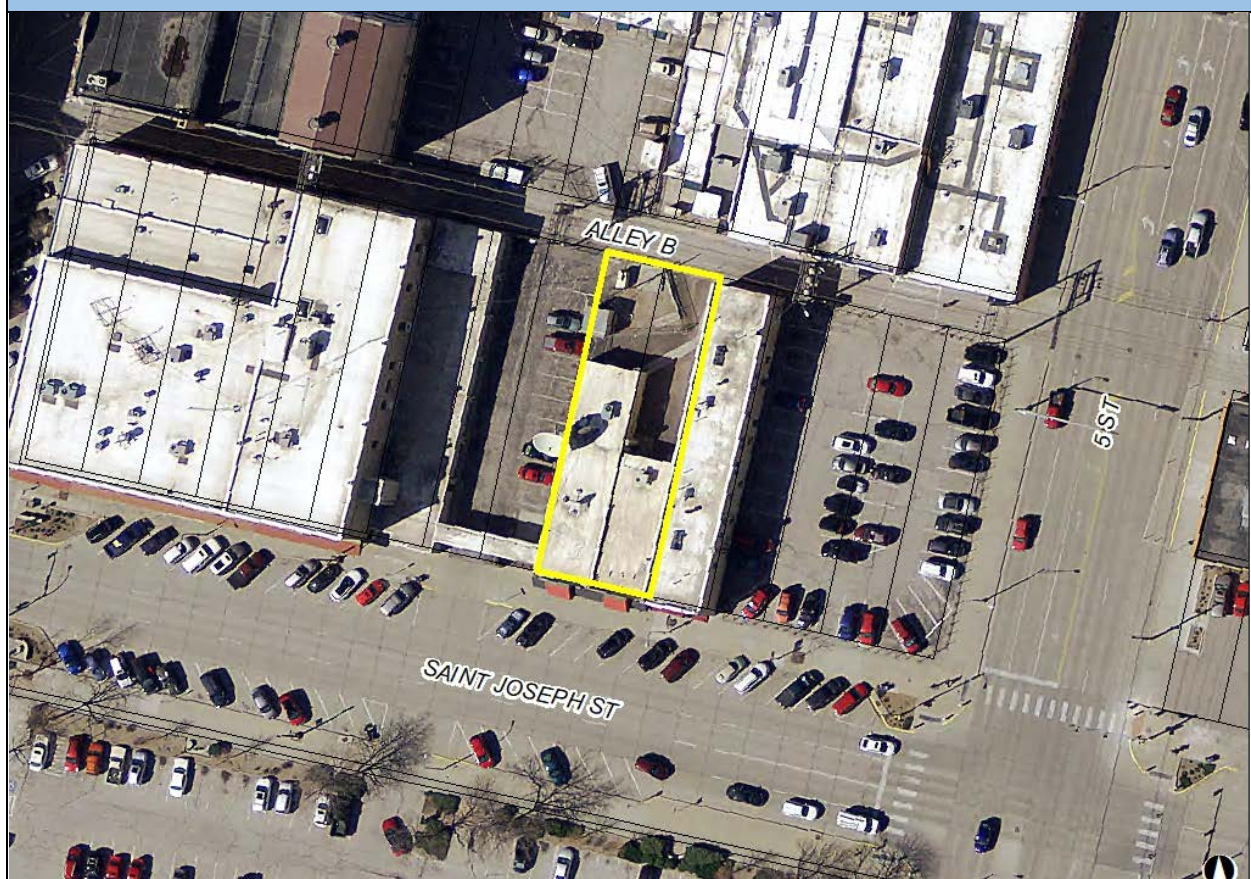
Subject Property and Adjacent Property Designations

	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	CBD	DT	Administrative Office/Cafe
Adjacent North	CBD	DT	Retail
Adjacent South	CBD	P/Q-P	Parking Lot
Adjacent East	CBD	DT	Restaurant
Adjacent West	CBD	DT	Restaurant

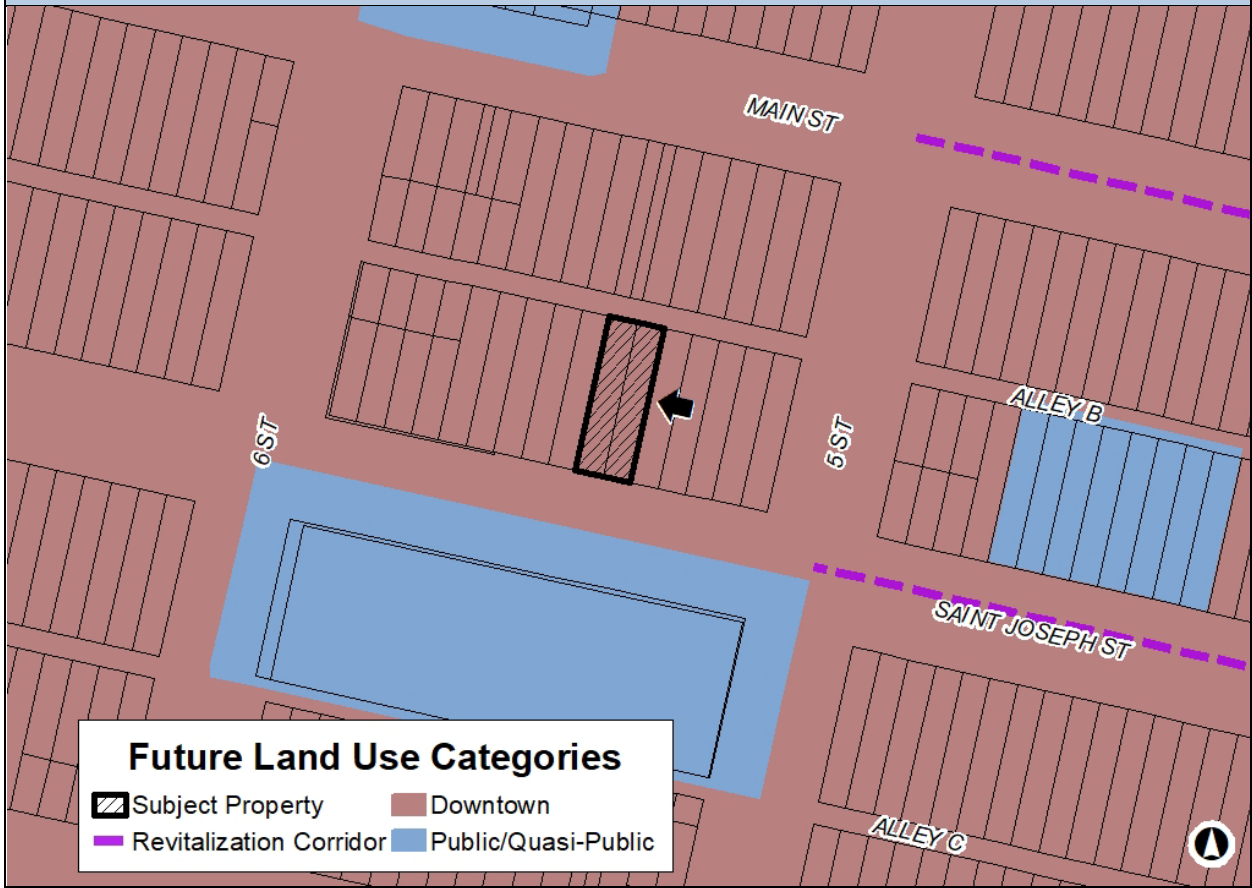
Zoning Map



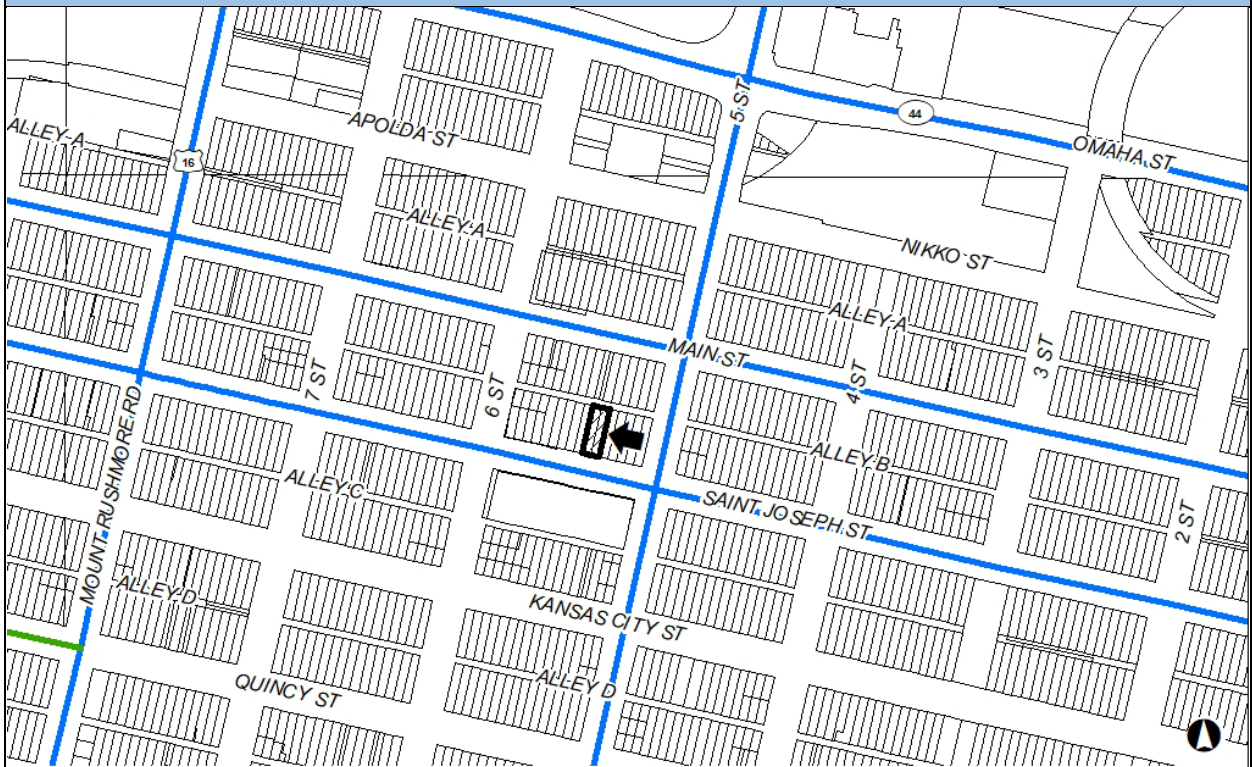
Existing Land Uses



Comprehensive Plan Future Land Use



Parks or Transportation Plan



Major Street Plan

- Subject Property (hatched box)
- Collector (green line)
- Principal arterial (blue line)

Relevant Case History			
Case/File#	Date	Request	Action
N/A			
Relevant Zoning District Regulations			
Central Business District	Required	Proposed	
Lot Area	N/A	6,970 square feet	
Lot Frontage	N/A	25 feet	
Maximum Building Heights	N/A	Single Story	
Maximum Density	100%	51%	
Minimum Building Setback:			
• Front	0 feet	0 feet	
• Rear	0 feet	45 feet	
• Side	0 feet	0 feet	
• Street Side	N/A	N/A	
Minimum Landscape Requirements:			
• # of landscape points	N/A	0 points	
• # of landscape islands	0	0	
Minimum Parking Requirements:			
• # of parking spaces	0	0	
• # of ADA spaces	0	0	
Signage	Pursuant to RCMC	None proposed	
Fencing	Pursuant to RCMC	None proposed	

Planning Commission Criteria and Findings for Approval or Denial	
Pursuant to Chapter 17,54.030(E) of the Rapid City Municipal Code and has noted the following issues:	
1. The location, character and natural features of the property:	The property is located at 514 St. Joseph Street. The property is approximately 6,970 square feet in size and currently is used for administration offices and a small café for “Rimrock Exchange”, a religious organization. The property is zoned Central Business District, which lists churches as a Conditional Use within the district.
2. The location, character and design of adjacent buildings:	The subject property is bordered on all sides by other properties zoned Central Business District. The applicant should be aware that the Central Business District has been deemed the appropriate location for entertainment, dining, bars, and other similar uses. The proposed time of service (Saturday evening) may coincide with an increase in activity related to the above mentioned uses.
3. Proposed fencing, screening and landscaping:	Per Rapid City Municipal Code Section 17.16.050, landscaping and screening are not required within the Central Business District.
4. Proposed vegetation, topography and natural drainage:	Public Works staff has indicated that the proposed use will not adversely impact drainage on the surrounding neighborhood.
5. Proposed pedestrian and vehicular access, circulation and parking, including that related to bicycles and other unpowered vehicles and provisions for handicapped persons:	The property is currently accessed via St. Joseph Street and is located adjacent to a pedestrian oriented sidewalk along the street. Pursuant to Rapid City Municipal Code Section 17.50.270, there are no off-street parking requirements for development located in the Central Business District due to the abundance of on-street parking available in the right-of-way.
6. Existing traffic and traffic to be generated by the proposed use:	The proposed use is not expected to significantly increase traffic in the surrounding neighborhood.
7. Proposed signs and lighting:	The applicant has indicated that all signage will comply with the Sign Code. Prior to issuance of a Sign permit, the

	applicant must obtain historic review approval for all proposed signage.
8. The availability of public utilities and services:	The property is currently served by Rapid City Sewer and Water.
9. The objectives of the adopted comprehensive plan and the purpose of the ordinance codified herein:	The property is zoned Central Business District. A church is identified as a Conditional Use in the Central Business District.
10. The overall density, yard, height and other requirements of the zone in which it is located:	The existing structure complies with all area requirements as set forth in Rapid City Municipal Code Section 17.16.050.
11. The effects of noise, odor, smoke, dust, air, and water pollution and the degree of control through the use of clarifiers, screening, setbacks and orientation:	The applicant has submitted an operations plan that identifies the number of people anticipated to attend a worship service (20-40 people). Based on the submitted operations plan, it does not appear that the proposed church will cause any adverse impacts on adjacent land uses.
12. The degree to which conditions imposed will mitigate any probable adverse impacts of the proposed use on existing adjacent uses:	The stipulations of approval will ensure that the proposed church operates in compliance with the applicant's submitted operations plan.

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**

BPG-3.1A **Balanced Uses:** The proposed church is a community based service organization located in a high-activity area.

 **A Vibrant, Livable Community**

LC-4.1B **Diverse Mix of Uses:** The proposed church adds a service based organization in the downtown area.

 **A Safe, Healthy, Inclusive, and Skilled Community**

N/A

 **Efficient Transportation and Infrastructure Systems**

TI-2.1A **Major Street Plan Integration:** The property is accessed via St. Joseph Street, which is listed as a Principal Arterial Street on the City's Major Street Plan.

 **Economic Stability and Growth**

N/A

 **Outstanding Recreational and Cultural Opportunities**

N/A

 **Responsive, Accessible, and Effective Governance**

GOV-2.1A **Public Input Opportunities:** The proposed Conditional Use Permit requires that public notice be advertised in the newspaper and that mailings are sent to

	property owners within 250 feet of the proposed development. The requested Conditional Use Permit 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):	Downtown
Design Standards:	
GDP-MU1	Relationship of Uses: The proposed church provides a diversification of activity generating uses in the downtown area.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter

Neighborhood:	Downtown/Skyline Drive Neighborhood Area
Neighborhood Goal/Policy:	
DSD-NA1.1C	Mixed Use Development: The proposed church represents a diversification of activity generating uses in the downtown area.

Findings

Staff has reviewed the Conditional Use Permit to allow a church pursuant to Chapter 17.54.030 of the Rapid City Municipal Code and the goals, policies, and objectives of the adopted Comprehensive Plan. The property is zoned Central Business District and a church is identified as a Conditional Use. However, the applicant should be aware that the Central Business District has been deemed the appropriate area for entertainment areas that include on-sale liquor and that the proposed hours of service for the church may coincide with an increase in activity for restaurants and bars in the downtown area. It appears that the proposed church will not cause any adverse impacts on surrounding properties and is not detrimental to the neighborhood. As such, staff recommends approval of the Conditional Use Permit.

Planning Commission Recommendation and Stipulations of Approval

Staff recommends approval of the Conditional Use Permit to allow a church with the following stipulation(s):	
1.	Prior to issuance of a Sign Permit or Building Permit, Historic review and approval shall be obtained for any proposed signage or exterior structural alteration to the building;
2.	All signage shall continually conform to the Sign Code. No electronic signs are being approved as a part of this Conditional Use Permit. Changes to the proposed sign package, which the Department of Community Development Director determines to be consistent with the original approved sign package, shall be allowed as a Minimal Amendment to the Conditional Use Permit. All signage not in conformance with the Sign Code shall require a Major Amendment to the Conditional Use Permit. Any electronic reader board signs shall require the review and approval of a Major Amendment to the Conditional Use Permit. Lighting for the signs shall be designed to preclude shining on the adjacent properties and/or street(s). A Sign Permit shall be obtained for each individual sign; and,
3.	The Conditional Use Permit shall allow for a church in the Central Business District. The proposed church shall operate in compliance with the submitted operations plan. Any expansion of the church shall require a Major Amendment to the Conditional Use Permit. All permitted uses in the Central Business District shall require review and approval of a Building Permit. Any change in use that is a Conditional Use in the Central Business District shall require the review and approval of a Major Amendment to the Conditional Use Permit.



Rapid City Department of Community Development

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 #	20UR011	Conditional Use Permit to allow with a church
Companion Case(s)	N/A	N/A
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;	
3.	All requirements of the currently adopted Building Code shall be met;	
4.	An Air Quality Construction Permit shall be obtained prior to any surface disturbance of one acre or more;	
5.	A Right-of-way Permit shall be obtained prior to any work within the right-of-way, including grading;	
6.	ADA accessibility shall be provided throughout the structure and site as necessary;	
7.	All provisions of the underlying zoning district shall be met unless otherwise specifically authorized as a stipulation of this Conditional Use Permit or a subsequent Major Amendment;	
8.	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; and,	
9.	All applicable provisions of the adopted International Fire Code shall continually be met.	