

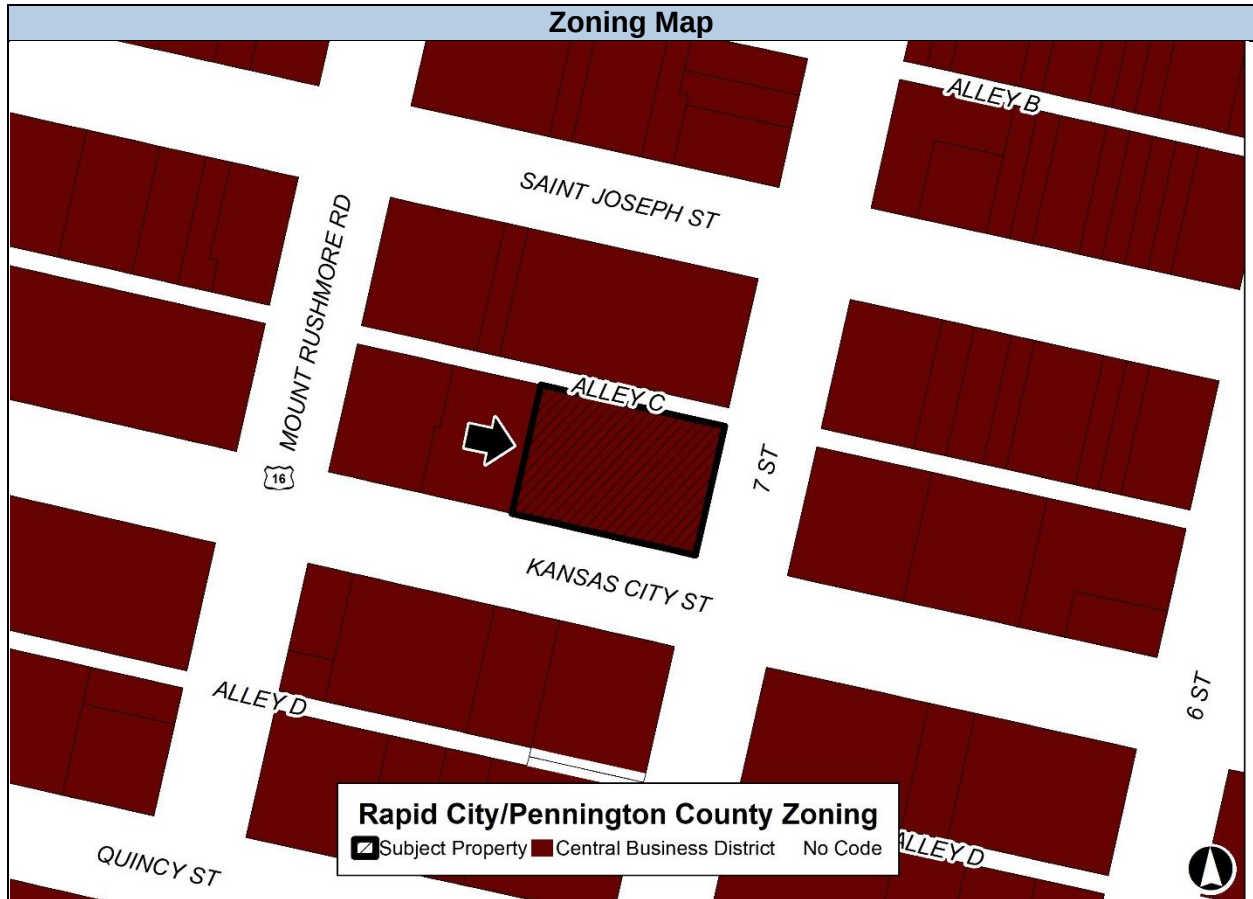
Rapid City Planning Commission

Conditional Use Permit Project Report

January 9, 2025

Item 15			
Applicant Request(s)			
Case #24UR025 – Conditional Use Permit to allow a mission			
Companion Case(s) – None			
Development Review Team Recommendation(s)			
If the Planning Commission approves the Conditional Use Permit to allow a mission, Staff recommends the stipulations noted at the end of this report.			
Project Summary Brief			
The applicant has submitted a Conditional Use Permit to allow a mission on the property located at 710 Kansas City Street in the Central Business District (CB) within the Downtown Activity Center as identified in the Rapid City Comprehensive Plan. The property is comprised of 0.64 acres, or 27,878.4 square feet, and currently contains a 16,112-square-foot religious facility with Sunday school, known as First Presbyterian Church. The facility is also used regularly for a home school program which operates between 9 a.m. and 4 p.m. on the 3rd floor, choir rehearsals, committee and ministry meetings, business office hours, Bible studies, and 12-step programs, and it is used occasionally for funeral luncheons and other receptions. The applicant is proposing to use a portion of the existing religious facility as a mission to operate a seasonal warming shelter in the social room on the lower level. There will be no outdoor activities and no overlap with church or school functions. The applicant has submitted an operational plan noting that First Presbyterian Church will be providing the facility and He Sapa Community Alliance will operate the mission, which will be named Common Grace Warming Center. The mission will serve 10-20 people per night with reserved shelter for women, women with children, and families. He Sapa Community Alliance will provide trauma-informed volunteers and staff with an understanding of addiction and mental health issues. There will be 3 scheduled staff members or volunteers at all times, 1 of which will serve as a security guard, as well as 2 meal coordinators, 3 to 6 additional volunteers serving and cleaning up food, and a clean-up crew twice a day. Days and hours of operation will be October 1 through April 30, Sunday through Friday between 5 p.m. to 8 a.m. with intake at 5:30 p.m. There will be an assessment at intake each evening to determine if each person is medically able to be housed. Those who are not medically able will be transported to a medical facility. The staff/volunteers will be scheduled between 2 shifts, 5 p.m. to 12:30 a.m. and 12:30 a.m. to 8 a.m. Catered meals will be served at 6 p.m. and 7 a.m. and food preparation will occur off-site. The operational plan identifies the mission as low-barrier entry which allows intoxicated clients; however, their belongings will be locked in a locker at intake which is only accessible with supervision of staff and if the clients leave to re-intoxicate they will forfeit their bed. Their personal items will be returned to them when they leave the facility.			
Applicant Information		Development Review Team Contacts	
Applicant:	First Presbyterian Church	Planner:	Jessica Olson
Property Owner:	Trustees of First Presbyterian Church	Engineer:	Todd Peckosh
Project Planner:	N/A	Fire District:	Chip Premus
Architect:	N/A	School District:	Coy Sasse
Engineer:	N/A	Water/Sewer:	Rapid City
Surveyor:	N/A	DOT:	Brandon Soulek

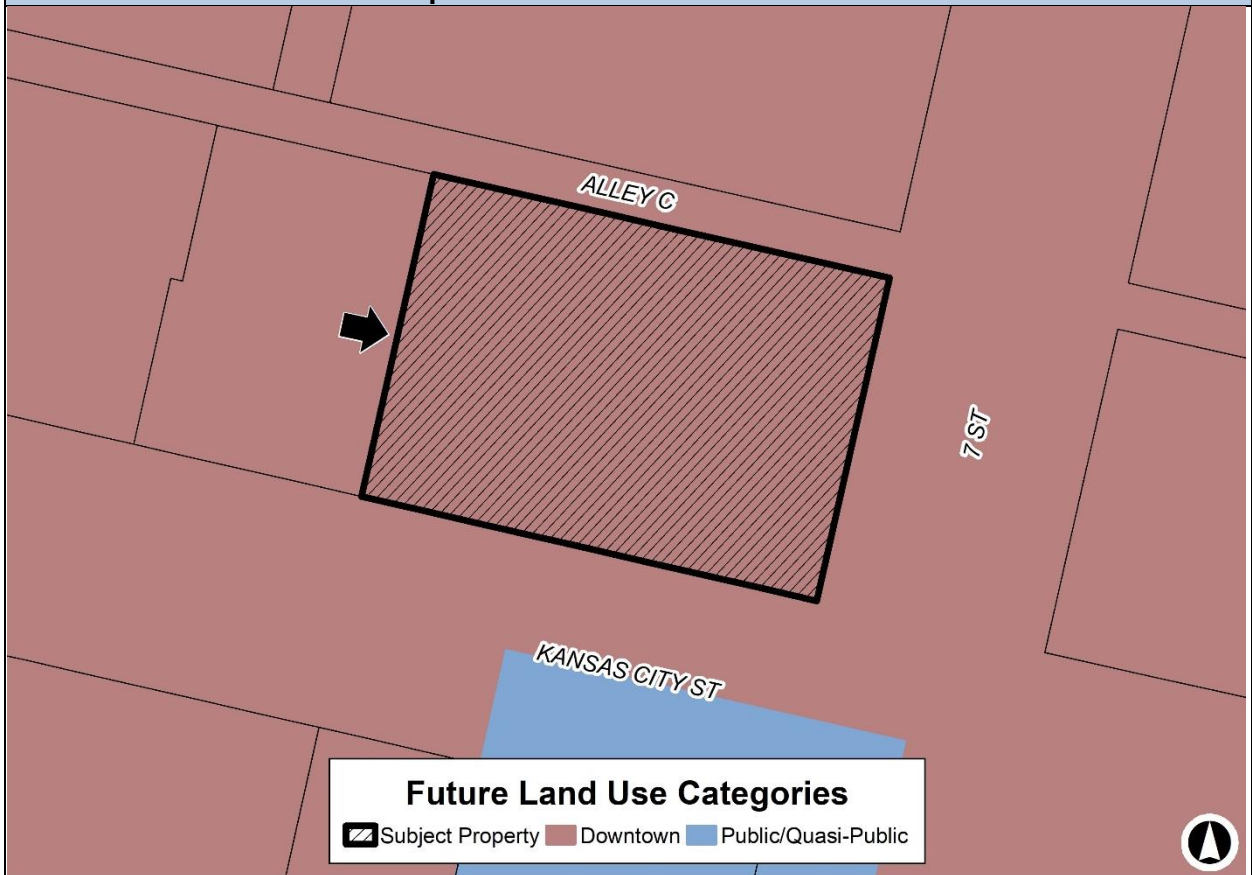
Subject Property Information			
Address / Location	710 Kansas City Street		
Neighborhood	Downtown/Skyline Drive		
Subdivision	Original Town of Rapid City		
Land Area	0.64 acres or 27,878.4 square feet		
Existing Buildings	Religious facility		
Topography	Generally flat with a slight slope to the east side of the property		
Access	Kansas City Street		
Water Provider	City of Rapid City		
Sewer Provider	City of Rapid City		
Electric / Gas Provider	Black Hills Energy / Montana-Dakota Utilities		
Floodplain	No		
Subject Property and Adjacent Property Designations			
	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	CB	Downtown	Religious facility
Adjacent North	CB	Downtown	Alleyway, bank
Adjacent South	CB	Downtown, P/QP	Right-of-way, arts center, religious facility
Adjacent East	CB	Downtown	Right-of-way, Bank
Adjacent West	CB	Downtown	Offices



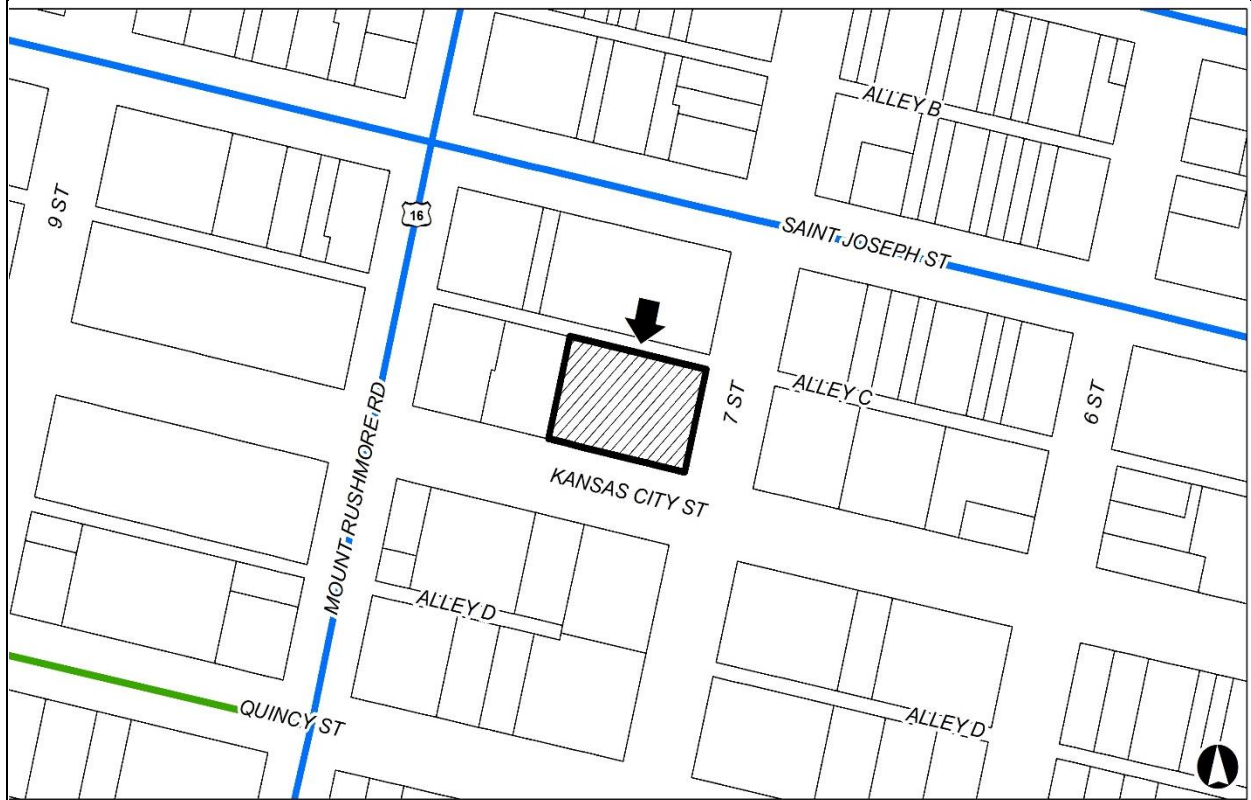
Existing Land Uses



Comprehensive Plan Future Land Use



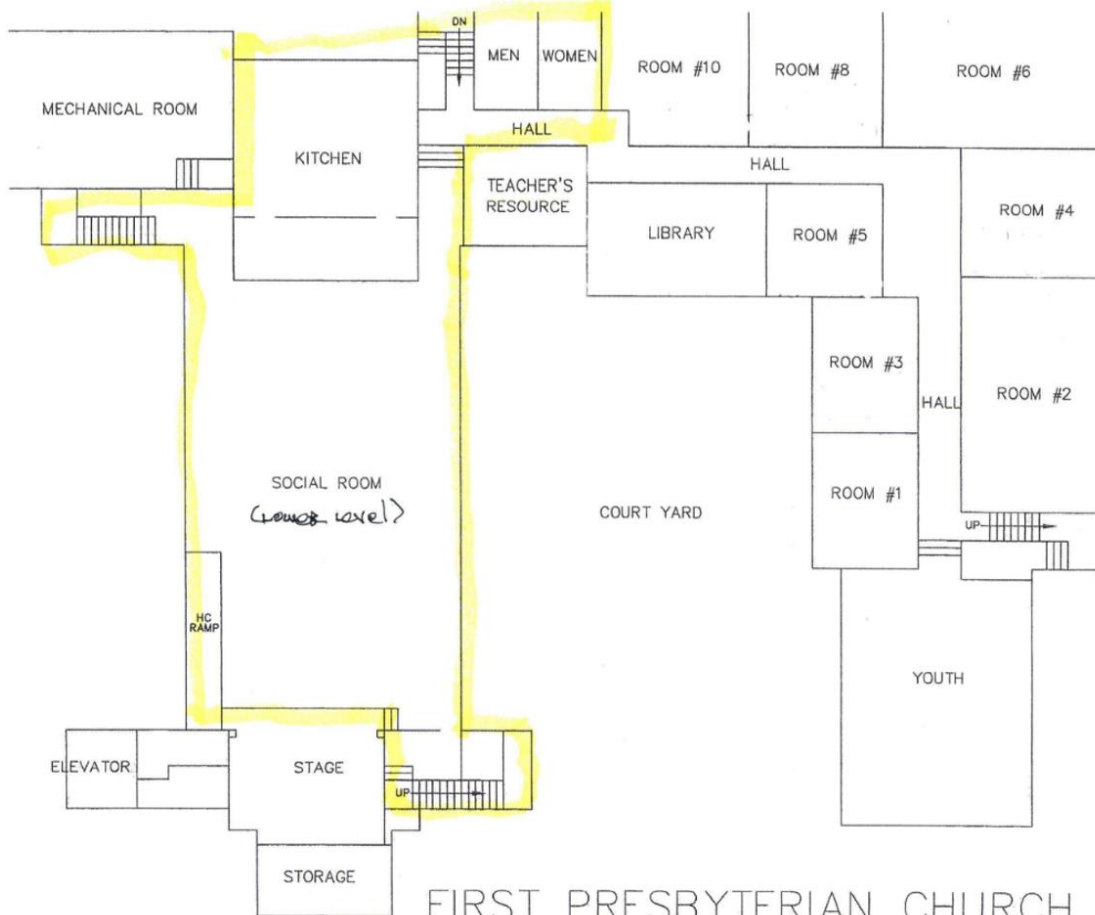
Parks or Transportation Plan



Major Street Plan

 Subject Property
  Collector
  Principal arterial

Floor Plan



FIRST PRESBYTERIAN CHURCH
GROUND FLOOR

Relevant Case History			
Case/File#	Date	Request	Action
None			
Relevant Zoning District Regulations			
Central Business (CB)		Required	Proposed
Lot Area		No requirement	0.64 acres
Lot Frontage		No requirement	200 feet (Kansas City St) 140 feet (7th Street)
Maximum Building Heights		No requirement	3 stories
Maximum Density		100% coverage	42% coverage
Minimum Building Setback:			
• North (Rear)		0	+/- 4 feet
• South (Front)		0	+/- 19 feet
• East (Side abutting a street)		0	+/- 5 feet
• West (Side)		0	+/- 35 feet
Minimum Landscape Requirements:			
• Total landscape points		No requirement	N/A
• Total landscape islands		No requirement	N/A
Minimum Open Space Requirements:		No requirement	N/A
Minimum Parking Requirements:			
• Total parking spaces		No requirement	13
• ADA spaces		Per RCMC 17.50.270	1
Signage		Per RCMC 17.50.080	None proposed
Fencing		Per RCMC 17.50.340	None proposed

Planning Commission Criteria and Findings for Approval or Denial	
Pursuant to Rapid City Municipal Code Section 17.54.030.E, the Planning Commission shall consider the following criteria in a request for a Conditional Use Permit:	
Criteria	Findings
1. The location, character, and natural features of the property;	The property is located at the corner of Kansas City Street and 7th Street and is developed with a religious facility, parking lot, and small playground. The building features a stone façade and was built in 1955 based on Pennington County Board of Equalization records. The property has a slight slope with the highest point to the west and lowest point to the east, enabling the building to include a lower floor partially below ground level, as well as two floors above.
2. The location, character, and design of adjacent buildings;	The surrounding properties are developed with financial institutions to the north and east, offices to the west, and an arts center and a religious facility to the south. The surrounding buildings have brick or other stone façades similar in character to the subject property.
3. Proposed fencing, screening, and landscaping;	No additional fencing, screening, or landscaping is required or proposed.
4. Proposed vegetations, topography, and natural drainage;	No changes to vegetation, topography, or drainage are required or proposed.
5. Proposed pedestrian and vehicular access, circulation, and parking, including that related to bicycles and other unpowered vehicles and provisions for handicapped persons;	Sidewalks exist along Kansas City Street and 7th Street. The existing parking lot accesses from Kansas City Street and connects to the alley adjacent to the rear of the lot. On-site parking is not required in the Central Business District; however, if parking is provided it must meet the ADA requirements per RCMC Section 17.50.270.H. The existing parking lot includes 13 spaces and 1 ADA space. There is also street parking along Kansas City Street and 7th Street, including 2 ADA parking spaces.

Planning Commission Criteria and Findings for Approval or Denial	
Pursuant to Rapid City Municipal Code Section 17.54.030.E, the Planning Commission shall consider the following criteria in a request for a Conditional Use Permit:	
Criteria	Findings
6. Existing traffic and traffic to be generated by the proposed use;	The proposed use is not expected to create any significant additional vehicle traffic. There are adequate transit stops and sidewalk connections throughout Downtown near the property. The property is served by the Coolidge South 5th Street, Coolidge South Fairmont, and Jefferson South Rapid Ride routes. It is also located along the Trolley route.
7. Proposed signs and lighting;	No additional signs or lighting are required or proposed. There is an existing ground sign, wall sign, and lighting at each of the entrances.
8. The availability of public utilities and services;	The property is connected to City water and sewer.
9. The objectives of the adopted comprehensive plan and the purpose of the ordinance codified herein;	The property is located within the Downtown Mixed-Use Future Land Use designation and a Regional Activity Center as identified in the Comprehensive Plan. Downtown is intended to be developed with a variety of civic, cultural, retail, commercial, restaurant, business, lodging, professional offices, and financial institutions. The property is zoned Central Business District, which forms the metropolitan center for commercial, financial, professional, governmental and cultural activities. Missions are a conditional use in the Central Business District in order to consider imposing conditions regarding the location, character, or other features of the proposed use and existing and proposed buildings and structures.
10. The overall density, yard, height, and other requirements of the zone in which it is located;	The Central Business District does not have minimum setback requirements or maximum height requirements, and the lot coverage requirement for buildings 6 or less stories is 100%. The existing building meets all area regulations and height requirements. As previously noted, there are no landscaping or parking requirements applicable to this proposal.
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 proposed use will be fully enclosed within the existing structure and on-site impacts can be mitigated. However, the proposed use may introduce negative impacts to the surrounding neighborhood if loitering occurs prior to and after the operating hours.
12. The degree to which conditions imposed will mitigate any probable adverse impacts of the proposed use on existing adjacent uses.	The proposed operational plan and stipulations of approval of this Conditional Use Permit are intended to reasonably mitigate any adverse impacts if the application is approved. It is the responsibility of the applicant to comply with the stipulations in order to address safety issues. If the applicant is not in compliance with the stipulations, the Conditional Use Permit will be revoked. The operational plan does not address potential off-site impacts that may result from introducing the proposed use into the existing neighborhood. Previous missions in the area have experienced issues with clients loitering outside of operational hours and negatively impacting the surrounding neighborhood. The Conditional Use Permit and associated stipulations cannot reasonably mitigate the potential off-site impacts associated with the proposed use.

Planning Commission Criteria and Findings for Approval or Denial	
Pursuant to Rapid City Municipal Code Section 17.54.030.E, the Planning Commission shall consider the following criteria in a request for a Conditional Use Permit:	
Criteria	Findings
	<u>Operations:</u> The proposed mission will be located in a portion of the existing religious facility in the social room on the lower level with access to bathroom facilities in a common hallway. There will be no outdoor activities and no overlap with church functions. The mission will serve 10-20 people per night with reserved shelter for women, women with children, and families. Hours of operation will be October 1 through April 30, Sunday through Friday between 5 p.m. to 8 a.m. with intake at 5:30 p.m. There will be an assessment at intake each evening to determine if each person is medically able to be housed. Those who are not medically able will be transported to a medical facility. The mission will be staffed by 3 scheduled trauma-informed volunteers and staff between 2 shifts from 5 p.m. to 12:30 a.m. and 12:30 a.m. to 8 a.m. One of the staff members will serve as a security guard/fire watcher. Meals will be prepared off-site and are catered by 2 meal coordinators with 3 to 6 volunteers serving and cleaning up food at 6 p.m. and 7 a.m. A clean-up crew will be present twice a day. The operational plan identifies the mission as low-barrier entry which allows intoxicated clients; however, their belongings will be locked in a locker at intake which is only accessible with supervision of staff and if the clients leave to re-intoxicate they will forfeit their bed. <u>Fire Safety:</u> The proposed use requires installation of fire sprinklers and a fire alarm system. No overnight stay is allowed until the area that will be used as a mission and any associated egress paths have fire protection in place. If the kitchen is used for cooking meals that produce grease laden vapors, a commercial hood system with fire suppression system will be required.

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	

Comprehensive Plan Conformance – Core Values Chapters	
	A Safe, Healthy, Inclusive, and Skilled Community
SHIS-3.3A	Facility Coordination: Fosters collaboration between social service providers in a location that is convenient for clients and utilizes for shared facilities to maximize efficiency and client access.
	Efficient Transportation and Infrastructure Systems
TI-2.1B	Multi-Modal Review: Location is adjacent to all travel modes, as identified in the development review process.
	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 will be 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 Mixed-Use
Design Standards:	
GDP-MU3	Community Facilities: Supports shared use facilities as a means to promote efficiency and increase hours of activity.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
Neighborhood:	Downtown/Skyline Drive
Neighborhood Goal/Policy:	
N/A	

Findings
Staff has reviewed the Conditional Use Permit pursuant to Rapid City Municipal Code Section 17.54.030 and the goals, policies, and objectives of the adopted Comprehensive Plan and finds that on-site impacts of the proposed mission can be reasonably mitigated. However, introducing the proposed use into the neighborhood could impact neighboring properties and the off-site impacts cannot be reasonably mitigated. Clients may gather within the neighborhood before and after the shelter hours similar to other outreach programs for unhoused individuals that were previously operational within the Downtown area. It will be very difficult for this organization to address off-site issues within the neighborhood due to opening a warming shelter in an area with an existing mix of commercial and religious uses as well as significant pedestrian traffic. For this reason, staff defers to the Planning Commission as to whether this is the appropriate location for the proposed use.

Planning Commission Recommendation and Stipulations of Approval	
If the Planning Commission approves the Conditional Use Permit to allow a mission, Staff recommends the following stipulations:	
1.	Prior to use as a mission, a fire sprinkler and fire alarm system shall be installed in the areas used for the mission;
2.	Egress paths shall be continually maintained and egress associated with the must have fire protection in place;
3.	If the kitchen is used for cooking meals that produce grease-laden vapors, a commercial hood system with fire suppression system shall be installed;
4.	The mission shall only operate in accordance with the proposed operational plan in the areas identified on the proposed floor plan: • The mission shall allow no more than 20 persons per night with reserved shelter for women, women with children, and families; • The mission shall not be operated concurrently with the religious assembly or school uses permitted on-site and there shall not be any outdoor activities associated with the mission, including loitering; • The mission shall only operate between October 1 through April 30, on Sunday through Friday between 5 p.m. to 8 a.m.; • A minimum of 3 staff members or volunteers with trauma-informed training shall be present at all times during operational hours, with 1 of the staff members serving as a security guard; • When meal services are provided, a minimum of 3 additional staff members or volunteers shall be present to distribute food and provide clean-up services; • There shall be an assessment at intake to determine if each person is medically able to be housed. Those who are not medically able shall be transported to a medical facility; and • At intake, all belongings shall be locked in a secure storage locker which is only accessible with supervision of staff. Use of personal alcohol and/or drugs shall not be permitted on-site and if clients leave the premises to re-intoxicate, they shall forfeit their bed. All belongings shall be returned when the client leaves the facility.
5.	Sanitary conditions shall be maintained on the property and within the facility at all times;
6.	The Conditional Use Permit shall allow a mission pursuant to the applicant's operational plan. Any change in use that is a permitted use in the Central Business District shall require the review and approval of a Building Permit. Any change in use or expansion of 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; and,
7.	If the applicant fails to maintain the standards required, a revocation of the Conditional Use Permit shall be initiated pursuant to the process set forth in Rapid City Municipal Code Section 17.54.030.

*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 # 24UR025	Conditional Use Permit to allow a mission
Companion Case(s) #	None
ADVISORIES: Please read carefully!	
1.	A Building Permit shall be obtained prior to any construction. A Certificate of Occupancy shall be obtained prior to use;
2.	All requirements of the currently adopted Building Code shall be met;
3.	All requirements of the Rapid City Infrastructure Design Criteria Manual and Rapid City Standard Specifications shall be met;
4.	ADA accessibility shall be maintained throughout the site as necessary;
5.	All construction plans shall be signed and stamped by a registered professional pursuant to South Dakota Codified Law 36-16A;
6.	All provisions of the underlying zoning districts shall be met unless otherwise specifically authorized as a stipulation of this Conditional Use Permit or a subsequent Amendment;
7.	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;
8.	All signage shall continually conform to the Sign Code. 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,
9.	All applicable provisions of the adopted International Fire Code shall continually be met.