



Rapid City Planning Commission

Conditional Use Permit Project Report

May 23, 2019

Item #18
Applicant Request(s)
Case #19UR010 – Conditional Use Permit to allow to allow an over-sized garage
Companion Case(s) # N/A

Development Review Team Recommendation(s)
Staff recommends that the Conditional Use Permit be approved with the stipulations noted below.

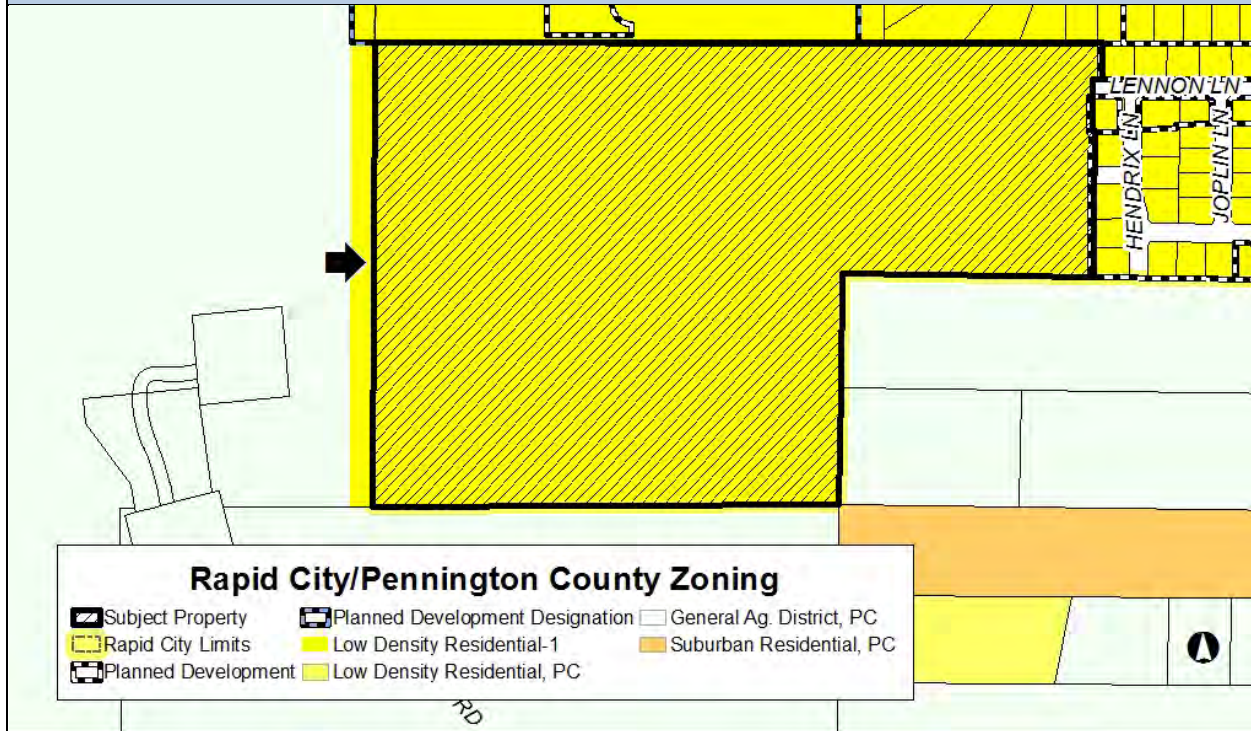
Project Summary Brief	
<p>The applicant has submitted a Conditional Use Permit to allow an over-sized garage on the property located at 1221 Santana Court. Specifically, the applicant intends to construct a 2,320 square-foot shop in addition to 1,080 square feet of attached garage space to be constructed with a proposed single family residence on the lot. The total cumulative garage/shop area requested is 3,400 square-feet in lieu of a maximum of 1,500 square-feet of accessory space allowed in the Low Density Residential District. The applicant intends to use the shop space for uses accessory to the residence, such as storage of equipment and recreational vehicles.</p> <p>The subject property is approximately 50.78 acres in size and is zoned Low Density Residential District. The proposed shop building is located 420-feet from the western terminus of Santana Court and is screened by steep slopes on the north, south, and west. The single family residence is located approximately 293-feet west of the terminus of Santana Court.</p>	
Development Review Team Contacts	
Applicant: Bill Freytag	Planner: John Green
Property Owner: KTLDCO LLC	Engineer: Roger Olsen
Architect: N/A	Fire District: Tim Behlings
Engineer: N/A	School District: N/A
Surveyor: N/A	Water/Sewer: Roger Olsen
Other: N/A	DOT: Stacy Bartlett

Subject Property Information	
Address/Location	1221 Santana Court
Neighborhood	Deadwood Avenue Neighborhood Area
Subdivision	Rockinon Ranch Estates Subdivision
Land Area	50.78 acres
Existing Buildings	N/A
Topography	Property rises in elevation from northeast to the southwest approximately 438 feet
Access	Santana Court
Water Provider	Rapid City
Sewer Provider	Rapid City
Electric/Gas Provider	Black Hills Energy/MDU
Floodplain	N/A

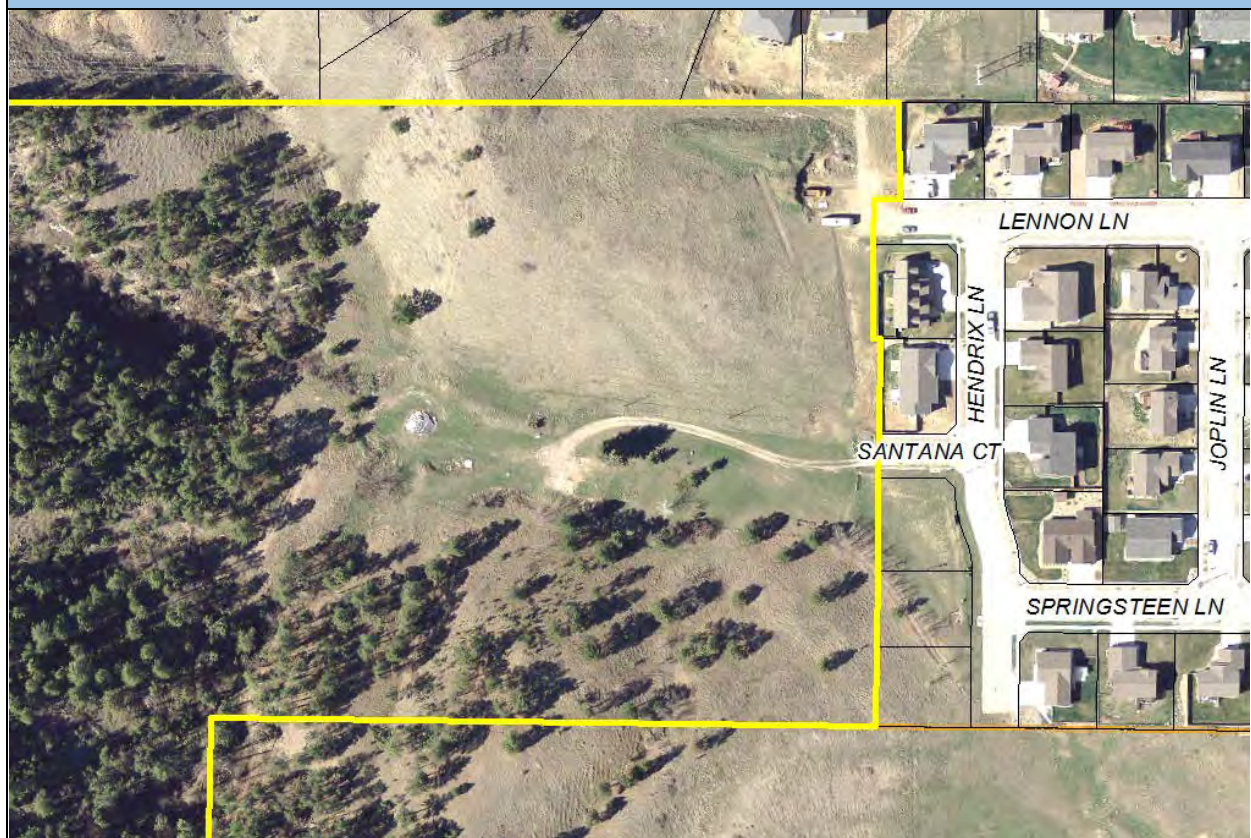
Subject Property and Adjacent Property Designations

	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	LDR	FC	Single family residence
Adjacent North	LDR	FC	Single family residence
Adjacent South	Penn. Co.- GA	FC	Vacant
Adjacent East	LDR-PD	LDN	Single family residence
Adjacent West	Penn. Co.- GA	FC	Vacant

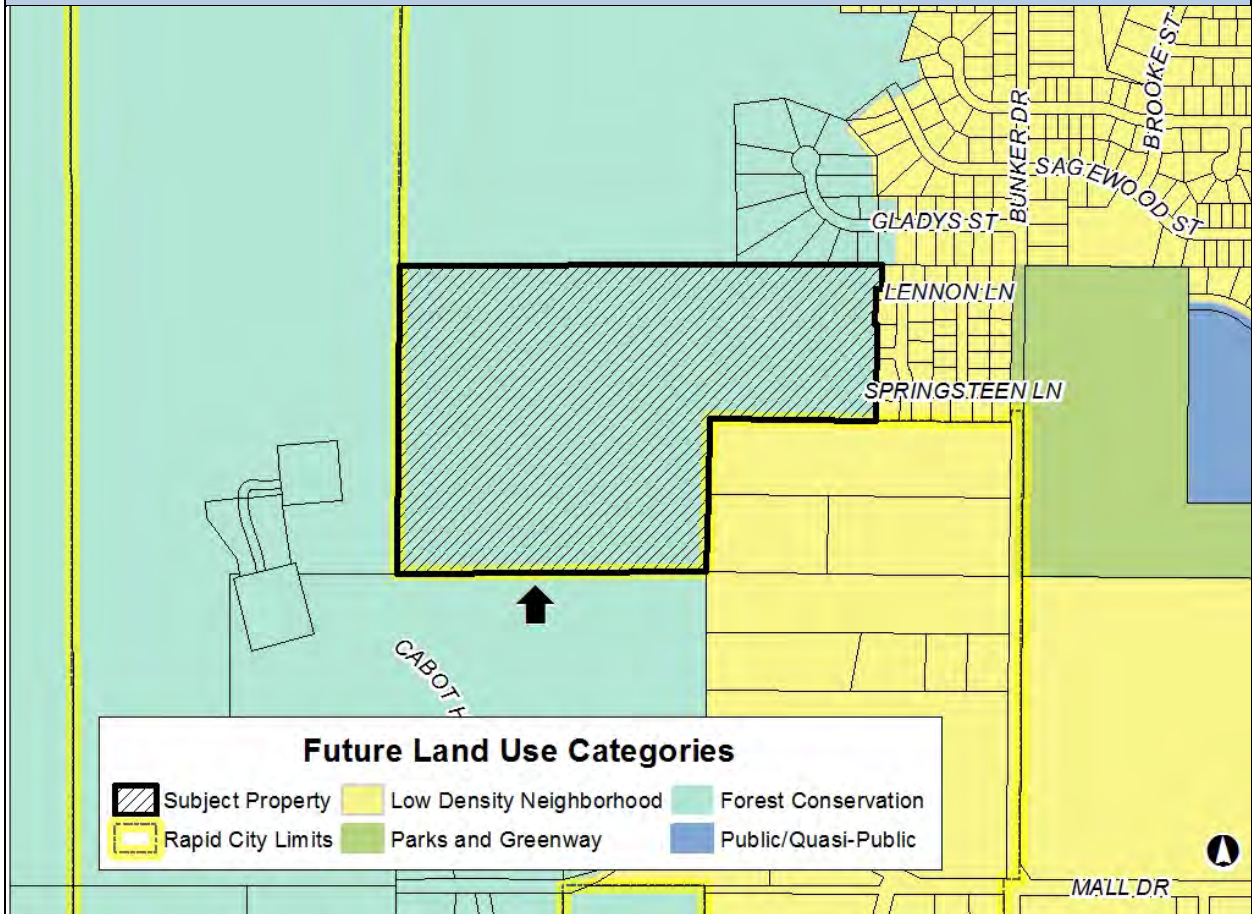
Zoning Map



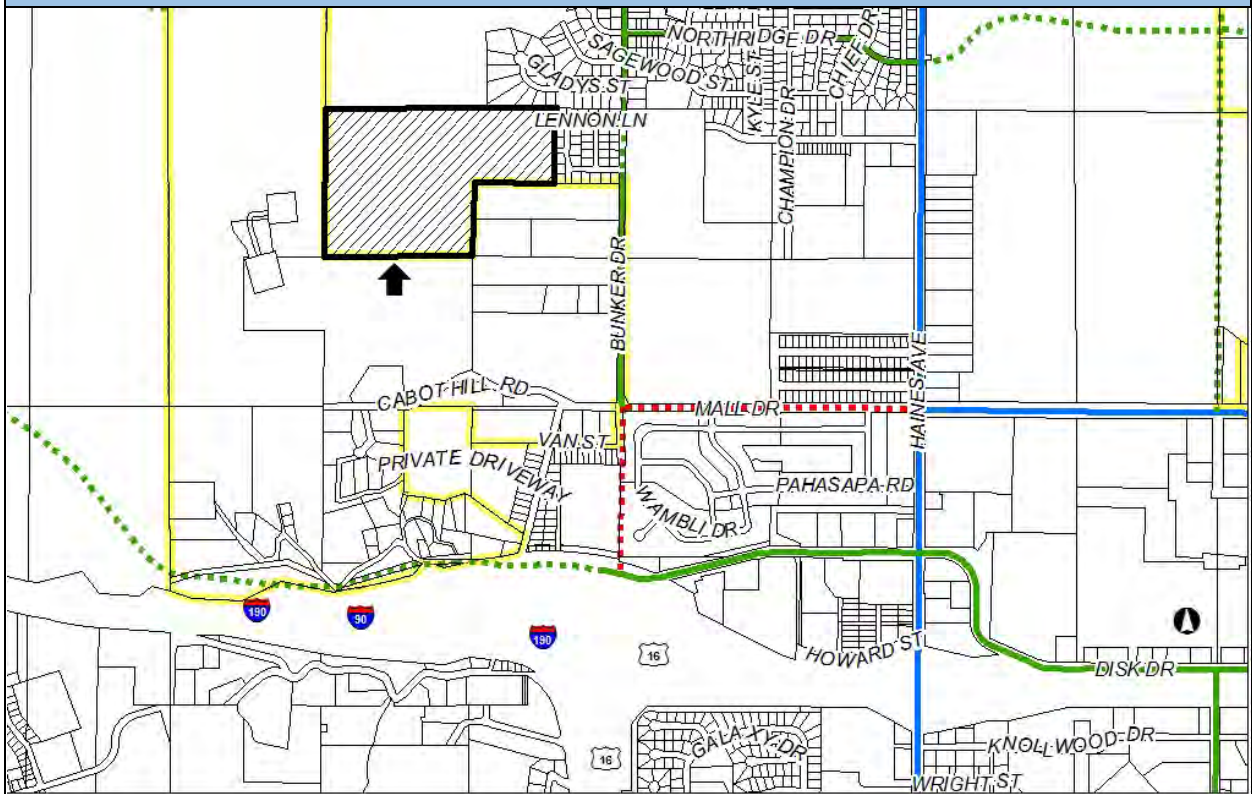
Existing Land Uses



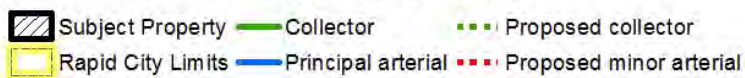
Comprehensive Plan Future Land Use



Parks or Transportation Plan



Major Street Plan



Relevant Case History			
Case/File#	Date	Request	Action
N/A			
Relevant Zoning District Regulations			
Low Density Residential District	Required	Proposed	
Lot Area	6,500 square feet	Approximately 2,211,977 square feet	
Lot Frontage	Minimum 50 feet at the front building line	Approximately 50 feet	
Maximum Building Heights	35 feet	One-Story	
Maximum Density	30%	0.33%	
Minimum Building Setback:			
• Front	20 feet	420 feet	
• Rear	25 feet	1570 feet	
• Side	8 feet (One Story)	216 feet / 386 feet	
	12 feet (Two Story)		
• Street Side	20 feet	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	2	4	
• # of ADA spaces	N/A	N/A	
Signage	Pursuant to RCMC	No signage proposed	
Fencing	Pursuant to RCMC	None proposed	

Planning Commission Criteria and Findings for Approval or Denial	
Pursuant to Section 17.10.030 of the Rapid City Municipal Code the Planning Commission shall consider the following criteria for a request to allow an over-sized garage	
1. The proposed garage is consistent with the residential character of the property on which it is located and with the surrounding neighborhood:	The applicant is proposing to construct a 2,320 square-foot shop building on the subject property. Additionally, the applicant intends to construct a single family residence with 1,080 square feet of attached garage space. The cumulative total of garage/shop area on the property totals 3,400 square feet. The proposed shop is one story in height and includes a loft area above a portion of the ground floor. Based on the applicant's submitted site plan and elevations of the shop area, the proposed development appears to be consistent with the residential character of the surrounding neighborhood. The proposed building will have a pitched roof with multiple dormers.
2. The proposed garage shall be used for residential purposes incidental to the principal use of the property:	The applicant has stated that the proposed shop will be used to store maintenance equipment and recreational vehicles incidental to the primary residential use on the property.
3. Landscaping or fencing may be required to screen the garage from neighboring properties:	The applicant is not proposing any additional landscaping or fencing. The proposed garage and residence are located on a 50.78 acre parcel and are approximately 420 feet away from the nearest existing residence. Due to the topography on the property, the structure will not be visible

	from 3 of the adjacent properties.
4. The applicant submits a site plan with elevation drawings in addition to information on what types of building materials will be used for the garage:	The applicant has submitted an elevation drawing identifying that the proposed shop will be constructed with siding, trim and roof material in keeping with the aesthetic of the property and the character of the neighborhood. The submitted elevations of the proposed shop are intended to highlight the architectural features of the building and not necessarily the dimensions of the structure. The applicant has stated that the proposed height of the structure will be in compliance with height regulations for accessory structures as set forth in Rapid City Municipal Code Section 17.10.060.
Staff has also reviewed the proposed over-sized garage with respect 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 subject property is located at the western terminus of Santana Court and is zoned Low Density Residential District. The property is 50.78 acres in size and rises in elevation 438 feet from northeast to southwest.
2. The location, character and design of adjacent buildings:	Properties to the west and south of the subject property are void of structural development. The properties located north and east of the subject property are developed with single family residences. The proposed development is over 400 feet away from the nearest single family residence on an adjacent property.
3. Proposed fencing, screening and landscaping:	The applicant is not proposing any additional landscaping or fencing. The proposed development is located approximately 420 feet from the eastern lot line, 216 feet from the southern lot line, 386 feet from the northern lot line, and 1,570 feet from the western lot line.
4. Proposed vegetation, topography and natural drainage:	The applicant is not proposing any additional landscaping. A landscape plan is not required for development in the Low Density Residential District.
5. Proposed pedestrian and vehicular access, circulation and parking, including that related to bicycles and other unpowered vehicles and provisions for handicapped persons:	The subject property will be accessed via a private driveway located at the terminus of Santana Court. Santana Court is classified as a Local Street.
6. Existing traffic and traffic to be generated by the proposed use:	It is not anticipated that a single family residence with an attached garage and accessory shop space will generate a significant increase in traffic.
7. Proposed signs and lighting:	The applicant is not proposing any signage. All outdoor lighting must continually be reflected within the property boundaries so as to not shine onto adjoining properties and rights-of-way.
8. The availability of public utilities and services:	The property is currently served by Rapid City water and sewer.
9. The objectives of the adopted comprehensive plan and the purpose of the ordinance codified herein:	The property is zoned Low Density Residential District. A single family residence with a maximum 1,500 square-foot garage is a permitted use in the district. An over-sized garage is a conditional use in the district.
10. The overall density, yard, height and other requirements of the zone in which it is located:	The proposed single family residence with an attached garage and detached shop space are in compliance with all area regulations except for the cumulative total accessory space allowed.
11. The effects of noise, odor, smoke, dust, air, and water	It does not appear that the proposed use will have a negative effect on noise, odor, smoke, dust, air, and water

pollution and the degree of control through the use of clarifiers, screening, setbacks and orientation:	pollution. The proposed development is located over 400 feet from the nearest adjacent residential use and sits in a valley that provides topographic screening on three sides.
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 over-sized garage will maintain the residential character of the neighborhood and will not be used for commercial purposes.

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
LC-2.1D	Neighborhood Character: The applicant has submitted elevations of the proposed shop demonstrating that the development will maintain the aesthetic and residential character of the area.
	A Safe, Healthy, Inclusive, and Skilled Community
	N/A
	Efficient Transportation and Infrastructure Systems
TI-2.1A	Major Street Plan Integration: Santana Court is identified as a Local Street. The proposed development will be accessed via a driveway at the western terminus of Santana Court.
	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):	Forest Conservation
Design Standards:	

GDP-FC1	Preservation of natural features: The proposed shop space is located behind the primary residence on the property, minimizing the visual impact of the accessory building and preserving vistas of the landscape west of the development.
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Comprehensive Plan Conformance – Neighborhood Area Policies Chapter

Neighborhood:	Deadwood Avenue Neighborhood Area
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Neighborhood Goal/Policy:

DA-NA1.1A	Residential Growth: The proposed single family residence with an attached garage and a detached shop represents residential growth west of Haines Avenue.
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Findings

Staff has reviewed the Conditional Use Permit to allow an over-sized garage pursuant to Chapter 17.10.030 and Chapter 17.54.030 of the Rapid City Municipal Code and the goals, policies, and objectives of the adopted Comprehensive Plan. An over-sized garage larger than 1,500 square feet in size is a conditional use in the Low Density Residential District. The property is approximately 50.78 acres in size and the proposed structure is being constructed to match the existing design of the residence. The topography on the property adequately screens the proposed structure, which will not be visible from three of the adjacent properties. The stipulations of approval will serve to mitigate any negative impact on the neighborhood, ensure that the residential character of the neighborhood is being maintained, and to ensure that the garage will not be used for commercial purposes.

Planning Commission Recommendation and Stipulations of Approval

Staff recommends that the Conditional Use Permit to allow an over-sized garage be approved with the following stipulation:

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| 1. | An Exception is hereby granted to allow an over-sized garage and attached garage space totaling 3,400 square feet in size, in lieu of the maximum allowed 1,500 square feet; |
| 2. | 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; |
| 3. | The proposed over-sized accessory structure shall be constructed with the same character as shown on the applicant's submitted graphics. In addition, the proposed accessory structure shall comply with the height regulations for accessory structures pursuant to Rapid City Municipal Code Section 17.10.060; and, |
| 4. | The Conditional Use Permit shall allow for an over-sized garage on the property. The garage shall not be used for commercial purposes or as a second residence. In addition, the structure shall not be used as a rental unit. Any change in use that is a permitted use in the Low Density Residential District shall require a Building Permit. Any change in use that is a Conditional Use in the Low Density Residential 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 # 19UR010		Conditional Use Permit to allow an over-sized garage
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 Major Amendment to the Planned Development Overlay 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.	