



Rapid City Planning Commission

Conditional Use Permit Project Report

May 7, 2020

Item #9
Applicant Request(s)
Case #20UR007 – Conditional Use Permit to allow to allow an over-sized garage
Companion Case(s) # N/A

Development Review Team Recommendation(s)
Staff recommends approval of the Conditional Use Permit to allow an oversized garage with stipulations as 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 2510 Happy Hollow Road. Specifically, the applicant intends to construct a 1,512 square foot detached garage to serve as additional storage for the property owner. The residence is 2,500 square feet in size and currently has a 760 square-foot garage attached to the dwelling. There is also a 510 square-foot detached garage on the property, but it is being removed and the proposed detached garage will be constructed in the same location. The total cumulative accessory area requested is 2,272 square-feet in lieu of a maximum of 1,500 square-feet of accessory space allowed in the Mobile Home 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 1.53 acres in size and is zoned Mobile Home Residential District. The proposed detached garage is to be located at the eastern end of the property and will replace an existing detached accessory structure.</p>

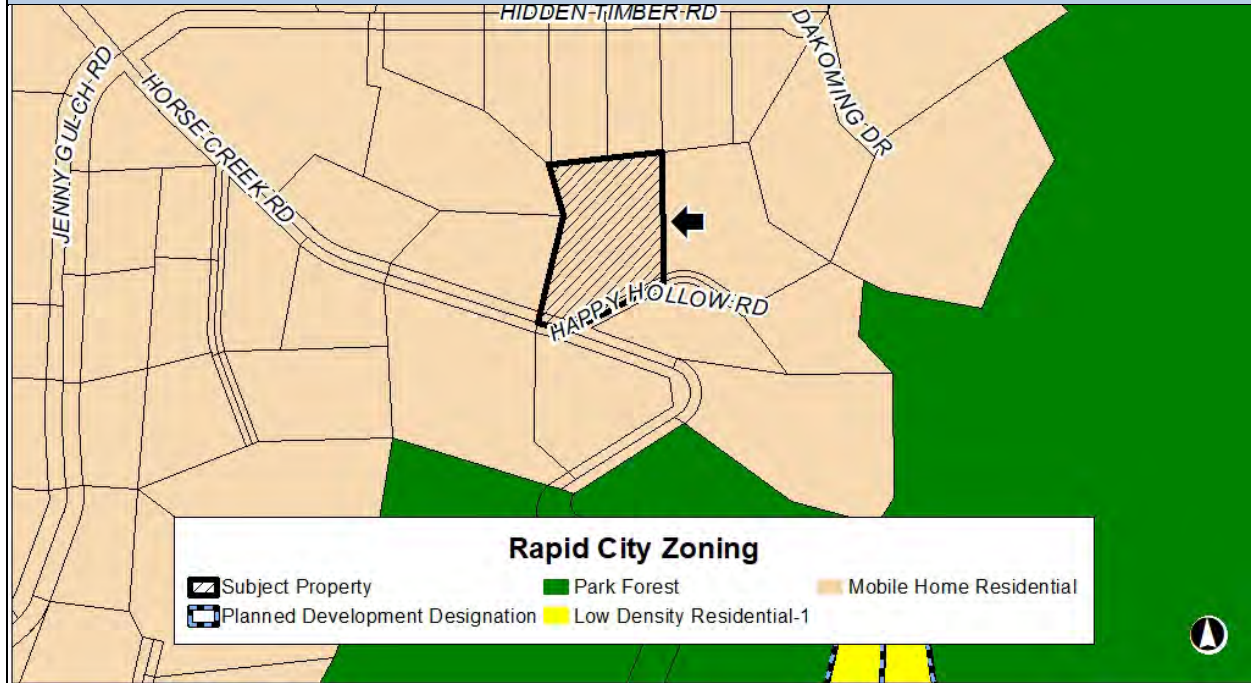
Development Review Team Contacts	
Applicant: John Van Beek	Planner: John Green
Property Owner: John and Jody Van Beek	Engineer: Todd Peckosh
Architect: N/A	Fire District: Tim Behlings
Engineer: N/A	School District: N/A
Surveyor: N/A	Water/Sewer: Todd Peckosh
Other: N/A	DOT: Stacy Bartlett

Subject Property Information	
Address/Location	2510 Happy Hollow Road
Neighborhood	Sheridan Lake Road Neighborhood Area
Subdivision	Springbrook Acres Subdivision
Land Area	1.53 acres
Existing Buildings	2,010 square foot residence and garage (existing 510 square-foot garage to be removed)
Topography	Property rises 28 feet in elevation from northwest to the southeast
Access	Happy Hollow Road
Water Provider	Rapid City
Sewer Provider	Septic
Electric/Gas Provider	Black Hills Energy/MDU
Floodplain	N/A

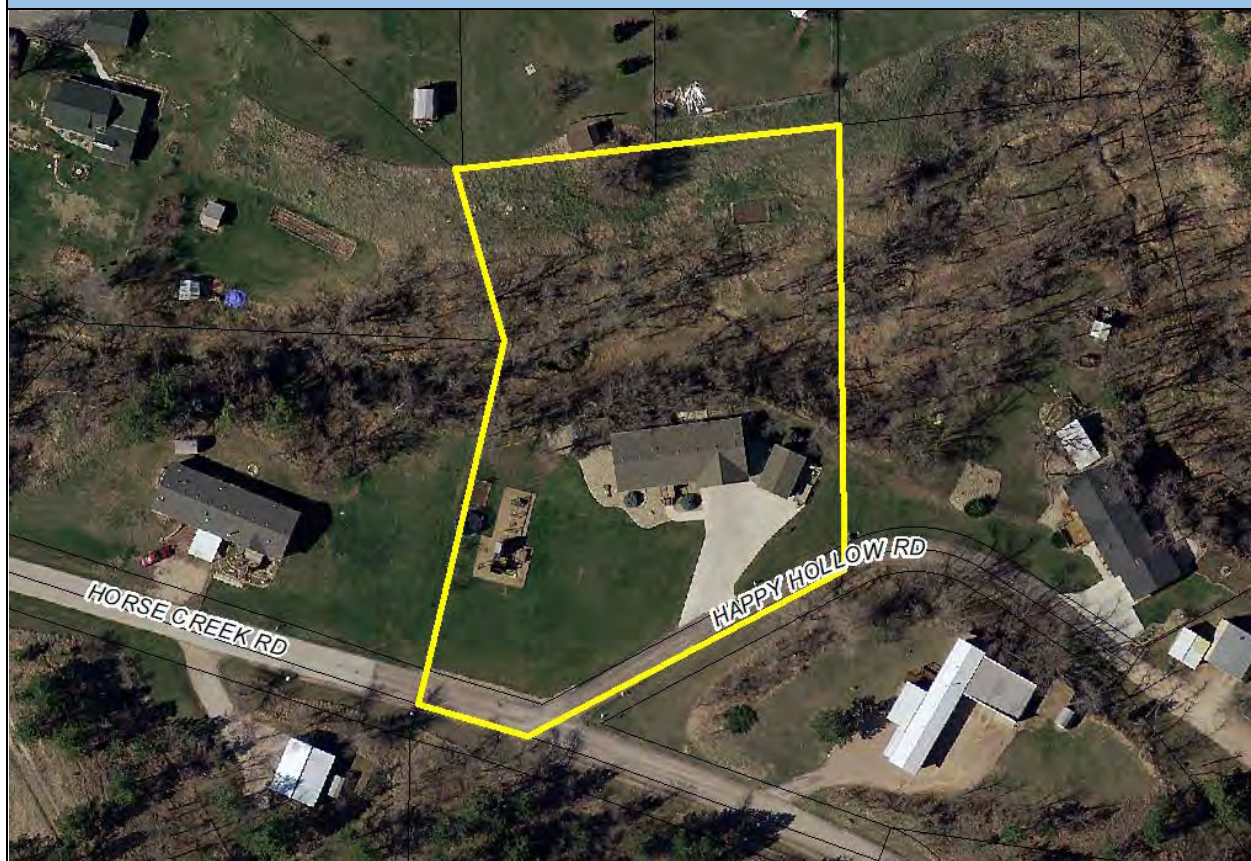
Subject Property and Adjacent Property Designations

	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	MHR	LDN	Single-family residence
Adjacent North	MHR	LDN	Single-family residence
Adjacent South	MHR	LDN	Single-family residence
Adjacent East	MHR	LDN	Single-family residence
Adjacent West	MHR	LDN	Single-family residence

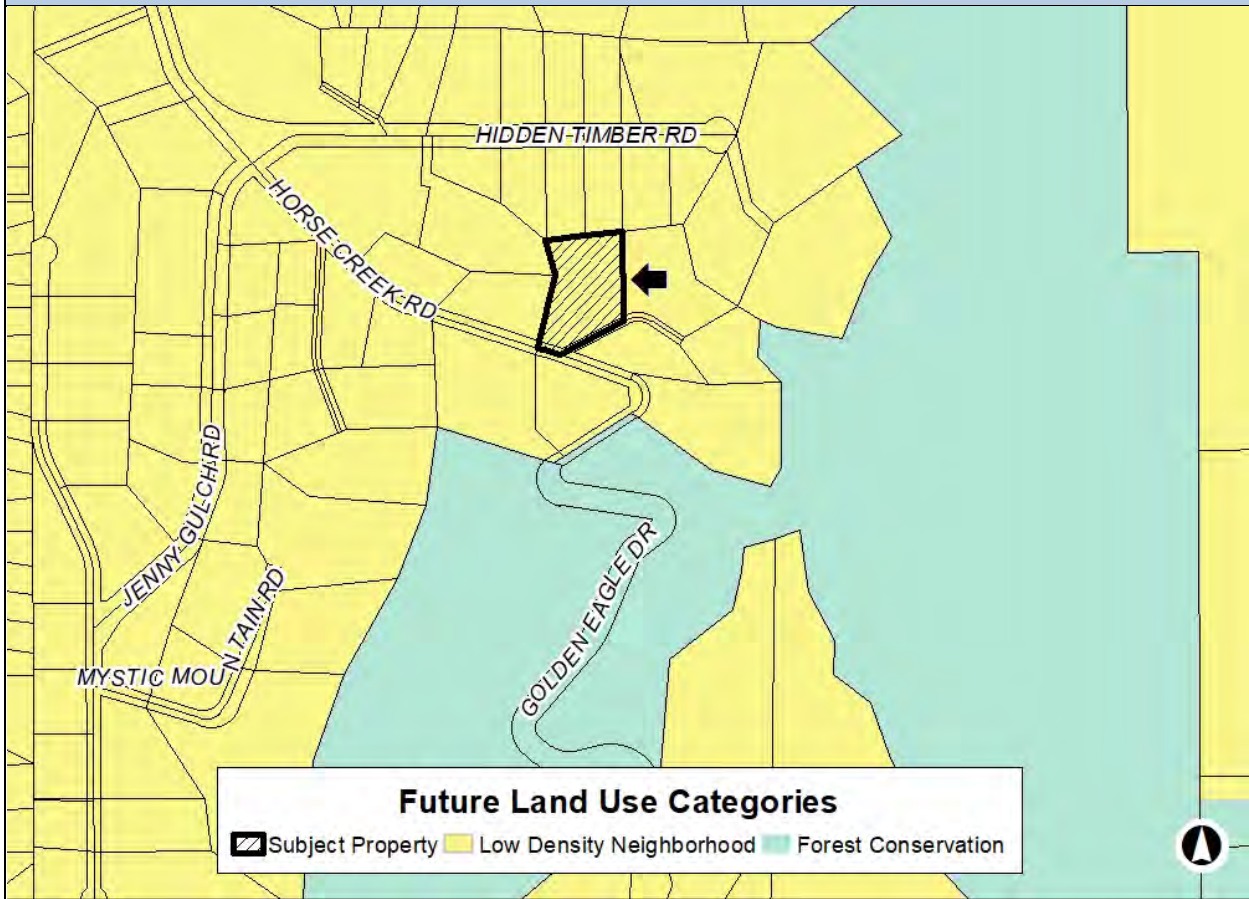
Zoning Map



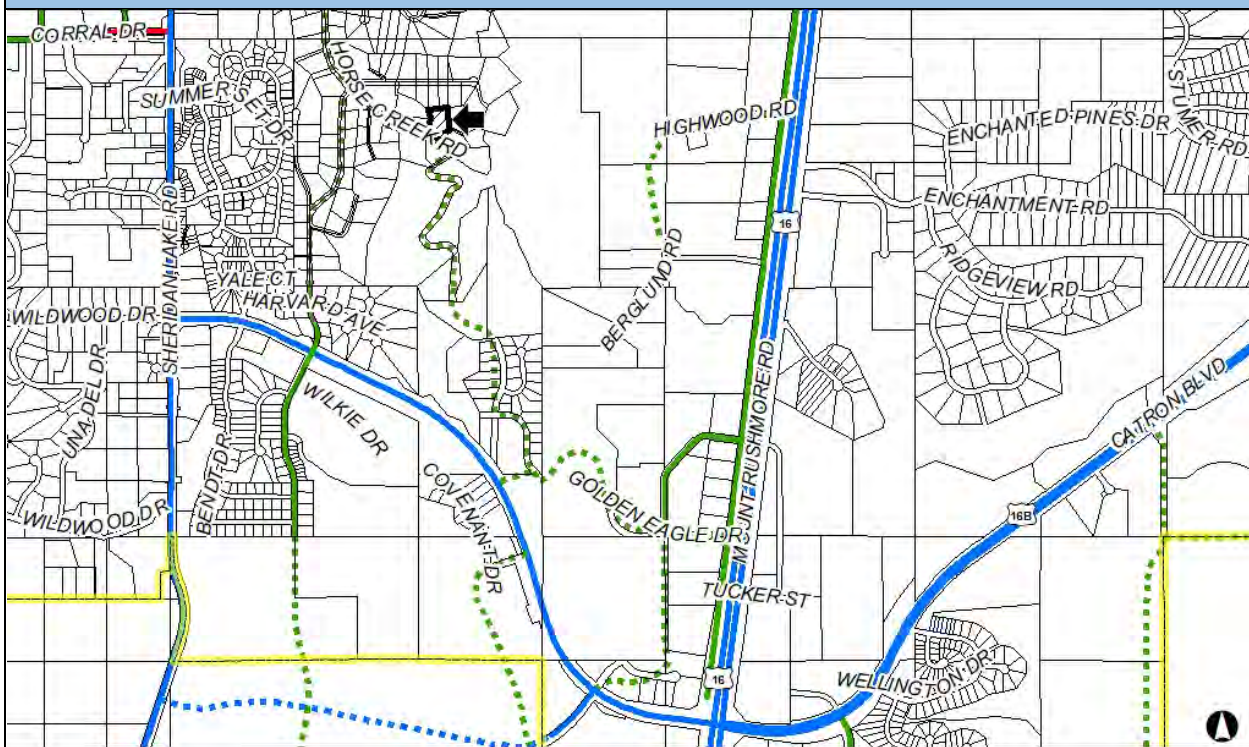
Existing Land Uses



Comprehensive Plan Future Land Use



Parks or Transportation Plan



Major Street Plan

- Subject Property
- Collector
- Principal arterial
- Proposed principal arterial
- Rapid City Limits
- Minor arterial
- Proposed collector

Relevant Case History			
Case/File#	Date	Request	Action
N/A			
Relevant Zoning District Regulations			
Mobile Home 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	2 ½ stories or 35 feet (15 feet for accessory structures)	15 feet	
Maximum Density	30%	5%	
Minimum Building Setback:			
• Front	20 feet	29 feet	
• Rear	25 feet	156 feet	
• Side	8 feet (One Story)	11 feet / 71 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 1,512 square-foot detached garage on the subject property. The cumulative total of the proposed garage and the area of the existing garage attached to the dwelling on the property totals 2,272 square feet. The proposed garage is one story in height and includes three separate doors. 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.
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 garage 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 is located on a 1.53 acre parcel and is screened on the north and west by existing landscaping while the garage is adequately screened by the topographic changes east and south of the subject property.
4. The applicant submits a site	The applicant has submitted an elevation drawing

<p>plan with elevation drawings in addition to information on what types of building materials will be used for the garage:</p>	<p>identifying that the proposed shop will be constructed with siding, trim and roof material in keeping with the aesthetics of the property and the character of the neighborhood. The proposed garage and existing dwelling will be sided with the same colored materials to maintain continuity in the design of the structure. Additionally, 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.</p>
<p>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:</p>	
<p>1. The location, character and natural features of the property:</p>	<p>The subject property is located at the intersection of Happy Hollow Road and Horse Creek Road and is zoned Mobile Home Residential District. The property is 1.53 acres in size and rises in elevation 28 feet from northwest to southeast</p>
<p>2. The location, character and design of adjacent buildings:</p>	<p>The surrounding properties are developed with single family residences. The proposed development will match the existing residence and appears to be in character with the surrounding neighborhood.</p>
<p>3. Proposed fencing, screening and landscaping:</p>	<p>The applicant is not proposing any additional landscaping or fencing. The proposed development is screened on the north and west by existing landscaping while the garage is adequately screened by the topographic changes east and south of the subject property.</p>
<p>4. Proposed vegetation, topography and natural drainage:</p>	<p>The applicant is not proposing any additional landscaping. A landscape plan is not required for development in the Mobile Home Residential District.</p>
<p>5. Proposed pedestrian and vehicular access, circulation and parking, including that related to bicycles and other unpowered vehicles and provisions for handicapped persons:</p>	<p>The subject property will be accessed via Happy Hollow Road, which is classified as a Local Street.</p>
<p>6. Existing traffic and traffic to be generated by the proposed use:</p>	<p>It is not anticipated that a single family residence with an attached garage and accessory garage space will generate a significant increase in traffic.</p>
<p>7. Proposed signs and lighting:</p>	<p>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.</p>
<p>8. The availability of public utilities and services:</p>	<p>The property is currently served by Rapid City water and a private septic tank system and drain field located on the property.</p>
<p>9. The objectives of the adopted comprehensive plan and the purpose of the ordinance codified herein:</p>	<p>The property is zoned Mobile Home 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.</p>
<p>10. The overall density, yard, height and other requirements of the zone in which it is located:</p>	<p>The proposed detached garage space is in compliance with all area regulations except for the cumulative total accessory space allowed.</p>
<p>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</p>	<p>It does not appear that the proposed use will have a negative effect on noise, odor, smoke, dust, air, and water pollution. The proposed development is adequately screened from adjacent residential uses and does not</p>

orientation:	appear to cause any adverse impacts on surrounding 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 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 garage 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: The proposed development will be accessed via Happy Hollow Road, which is identified as a Local Street.
	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):	Low Density Neighborhood
Design Standards:	
SDP-N4	Garage Placement: The proposed garage has a 29-foot front yard setback, exceeding the requirement of 20 feet and reducing the visual impact of the structure from Happy Hollow Road.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter

Neighborhood:	Sheridan Lake Road Neighborhood Area
Neighborhood Goal/Policy:	
N/A	

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 Mobile Home Residential District. The property is approximately 1.53 acres in size and the proposed structure is being constructed to match the existing design of the existing residence. The topography and existing landscaping on the property adequately screens the proposed structure, minimizing the visual impact on the surrounding 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 ensure that the garage will not be used for commercial purposes.

Planning Commission Recommendation and Stipulations of Approval

Staff recommends approval of the Conditional Use Permit to allow an over-sized garage with the following stipulations:	
1.	An Exception is hereby granted to allow accumulative garage area totaling 2,272 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 garage shall be constructed with materials and color scheme in keeping with the design of the existing residence. 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 Mobile Home Residential District shall require a Building Permit. Any change in use that is a Conditional Use in the Mobile Home 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

<i>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.</i>	
	Applicant Request(s)
Case # 20UR007	Conditional Use Permit to allow an oversized garage
Companion Case(s) N/A	N/A
ADVISORIES: Please read carefully!	
1.	A Building Permit shall be obtained prior to any structural construction or placement of a mobile home 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.