



# Rapid City Planning Commission

## Conditional Use Permit Project Report

January 7, 2021

<b>Item #4</b>
<b>Applicant Request(s)</b>
Case #20UR026 – Conditional Use Permit to allow a group home
Companion Case(s) # N/A

<b>Development Review Team Recommendation(s)</b>
Staff recommends approval of the Conditional Use Permit with the stipulations noted below.

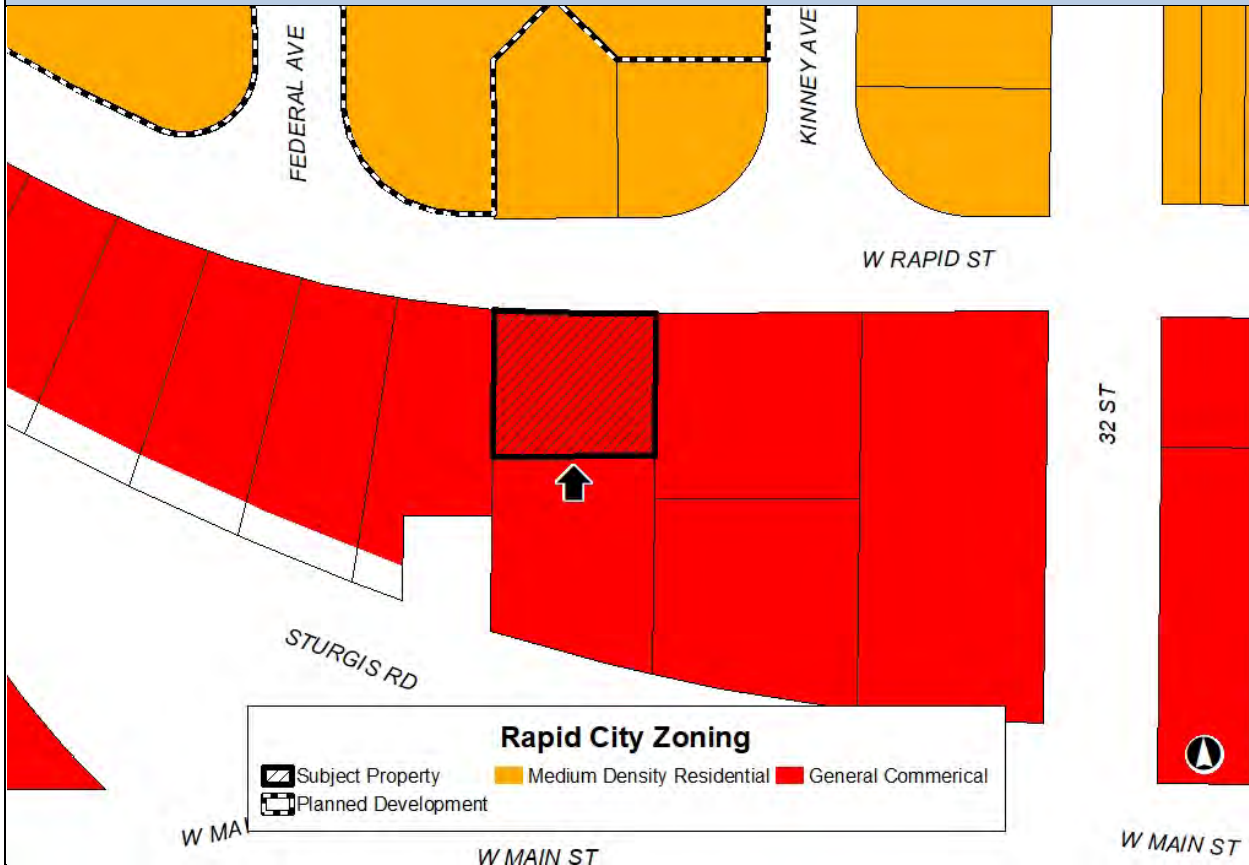
<b>Project Summary Brief</b>	
<p>The applicant has requested a Conditional Use Permit to allow a group home. In particular, the applicant is proposing to remodel an existing 6,222 square foot structure into a group home that will house up to 6 individuals, including a house manager and an assistant manager. The facility will include four bedrooms, bathrooms, a living room, and a kitchen. The residents will adhere to a stringent set of rules, including daily NA/AA meeting attendance and taking active steps towards job placement. The stated goal of this group home is to increase the likelihood that men in Rapid City successfully achieve sobriety, maintain their recovery, grow in their life skills, enhance their personal relationships, and become active in their community.</p>	
<b>Development Review Team Contacts</b>	
Applicant: Kristen Falcon	Planner: Marty Gillies
Property Owner: Falcon Investments	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

<b>Subject Property Information</b>	
Address/Location	3225 West Rapid Street
Neighborhood	West Rapid Neighborhood Area
Subdivision	Owen Mann Subdivision
Land Area	0.16 acres (6,970 square feet)
Existing Buildings	860 sf commercial building
Topography	Relatively flat on the north side / drops steeply on the south side
Access	West Rapid Street
Water Provider	Rapid City
Sewer Provider	Rapid City
Electric/Gas Provider	Black Hills Power / MDU
Floodplain	N/A

**Subject Property and Adjacent Property Designations**

	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	GC	MUC	Commercial building
Adjacent North	MDR	UN	Residences
Adjacent South	GC	MUC	Commercial building
Adjacent East	GC	MUC	Commercial building
Adjacent West	GC	MUC	Residence

**Zoning Map**

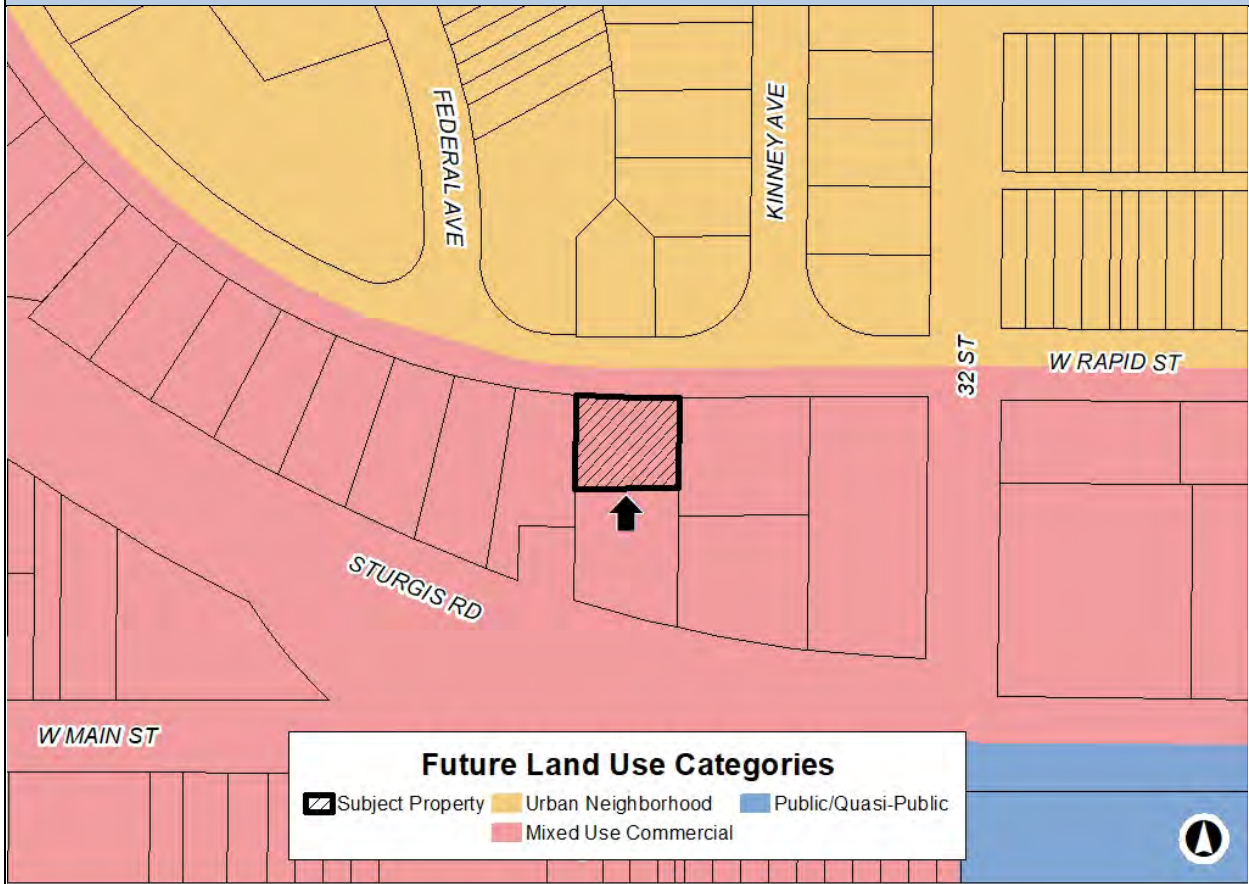


**Existing Land Uses**





## Comprehensive Plan Future Land Use



## Parks or Transportation Plan



Relevant Case History			
Case/File#	Date	Request	Action
N/A			
Relevant Zoning District Regulations			
General Commercial District	Required	Proposed	
Lot Area	N/A	6,970 square feet	
Lot Frontage	N/A	87 feet	
Maximum Building Heights	4 stories, 45 feet	Two stories	
Maximum Density	75%	12.3%	
Minimum Building Setback:			
• Front	25 feet	39 feet	
• Rear	N/A	17 feet	
• Side	N/A	15 feet to the east	
• Street Side	25 feet	39 feet	
Minimum Landscape Requirements:			
• # of landscape points	6,152	8,610	
• # of landscape islands	N/A	0	
Minimum Parking Requirements:			
• # of parking spaces	6	4	
• # of ADA spaces	1	1	
Signage	Pursuant to RCMC	No signage proposed	
Fencing	Pursuant to RCMC	No fencing required	

Planning Commission Criteria and Findings for Approval or Denial	
<b>Pursuant to Section 17.12.030 of the Rapid City Municipal Code the Planning Commission shall consider the following criteria for a request to allow a group home</b>	
1. The location, character and natural features of the property:	The property is located on the south side of West Rapid Street, west of Kinney Avenue. The property is zoned General Commercial District and is currently developed with a commercial structure. As previously noted, the applicant is proposing to renovate the building into a group home.
2. The location, character and design of adjacent buildings:	The properties to the east, west, and south are also zoned General Commercial District and are currently occupied by either residential or commercial structures. The properties across the street to the north are zoned Medium Density Residential and are developed with residential structures.
3. Proposed fencing, screening and landscaping:	The landscape plan identifies that the proposed landscaping will be in compliance with the Landscape Ordinance. The applicant is not required to provide any screening.
4. Proposed vegetation, topography and natural drainage:	A minimum of 6,152 landscape points are required for the proposed development. The applicant has submitted a landscape plan identifying a total of 8,610 points in compliance with the Landscape Regulations.
5. Proposed pedestrian and vehicular access, circulation and parking, including that related to bicycles and other unpowered vehicles and provisions for handicapped persons:	Vehicular access to the property will be from West Rapid Street, which is identified as a commercial street. Sidewalk exists along West Rapid Street, running along the north lot line of the property.
6. Existing traffic and traffic to be generated by the proposed use:	The minimum required parking is one space per unit, for a total of four parking spaces. The applicant anticipates that only half of the residents will own cars at a time. There will


	be two staff members on-site at all times. It does not appear that the proposed group home will generate a significant increase in traffic. All parking provided must be located out of the right-of-way along West Rapid Street.
7. Proposed signs and lighting:	The applicant is not proposing any signage. Building lighting will be located above entrances to the structure.
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 General Commercial District. A group home is identified as 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 group home will comply with all land area regulations of the General Commercial District.
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:	It does not appear that the proposed use will have a negative effect on noise, odor, smoke, dust, air, and/or water pollution.
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 group home operates in compliance with the Zoning Ordinance and the approved operations plan. Any expansion of the use will require a Major Amendment to the Conditional Use Permit.

**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**

	<b>A Balanced Pattern of Growth</b>
BPG-1.1A	<b>Compact Growth:</b> The property is located in an area of the City currently served by Rapid City water and sewer and paved streets. The proposed group home promotes infill development.
	<b>A Vibrant, Livable Community</b>
LC-3.1C	<b>Compatible Infill and Redevelopment:</b> As noted above, the property is located in an area of the City with available public infrastructure and services.
	<b>A Safe, Healthy, Inclusive, and Skilled Community</b>
	N/A
	<b>Efficient Transportation and Infrastructure Systems</b>
TI-2.1A	<b>Major Street Plan Integration:</b> West Rapid Street is identified as a commercial street as per the Infrastructure Design Criteria Manual.
	<b>Economic Stability and Growth</b>
	N/A
	<b>Outstanding Recreational and Cultural Opportunities</b>



	N/A
	<b>Responsive, Accessible, and Effective Governance</b>
GOV-2.1A	<b>Public Input Opportunities:</b> 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.

<b>Comprehensive Plan Conformance – Growth and Reinvestment Chapter</b>	
<b>Future Land Use Plan Designation(s):</b>	Mixed-Use Commercial
<b>Design Standards:</b>	
N/A	The property is zoned General Commercial District and a group home is identified as a conditional use.

<b>Comprehensive Plan Conformance – Neighborhood Area Policies Chapter</b>	
<b>Neighborhood:</b>	North Rapid Neighborhood Area
<b>Neighborhood Goal/Policy:</b>	
WR-NA1.1A	<b>Residential Neighborhoods:</b> The proposed group home supports infill development and the diversification of housing in the West Rapid Neighborhood Area.
<b>Findings</b>	
Staff has reviewed the Conditional Use Permit to allow a group home pursuant to Chapter 17.18 and Chapter 17.54.030 of the Rapid City Municipal Code and the goals, policies, and objectives of the adopted Comprehensive Plan. A group home is identified as a conditional use in the General Commercial District. The proposed group home supports infill development goals and the diversification of housing for a special needs population.	

<b>Planning Commission Recommendation and Stipulations of Approval</b>	
Staff recommends that the Conditional Use Permit to allow a group home be approved with the following stipulations:	
1.	Upon submittal of a Building Permit, the site plan shall be revised removing the two parking spaces that extend into the adjacent right-of-way;
2.	A minimum of 4 parking spaces shall be provided. In addition, one of the parking spaces shall be ADA van accessible, with the access aisle located on the driver's right of the parking space. All provisions of the Off-Street Parking Ordinance shall be continually met;
3.	The structure shall be fire sprinkler protected, as per the fire code;
4.	Any proposed signage shall meet the requirements of the Rapid City Sign Code. No electronic or Light Emitting Diode (LED) signage is being approved as a part of this Conditional Use Permit. The addition of electronic or LED signage shall require a Major Amendment to the Conditional Use Permit. A sign permit is required for all signs;
5.	A minimum of 6,152 landscaping points shall be provided. All provisions of Section 17.50.300, the Landscaping Regulations of the Rapid City Municipal Code shall be continually met. All landscaping shall be continually maintained in a live vegetative state and replaced as necessary; and,
6.	The Conditional Use Permit shall allow for a group home operated in compliance with the applicant's operational plan. Any expansion of the use shall require a Major Amendment to the Conditional Use Permit. Any change in use that is a permitted use in the General Commercial District in compliance with the Parking Ordinance shall require a building permit. Any change in use that is a Conditional Use in the General Commercial 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)	
<b>Case # 20UR026</b>	Conditional Use Permit to allow a group home
<b>Companion Case(s) #</b>	N/A
ADVISORIES: Please read carefully!	
1.	A Building Permit shall be obtained prior to any structural construction or initiation of use 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.	ADA accessibility shall be provided throughout the structure and site as necessary;
5.	All provisions of the underlying zoning districts shall be met;
6.	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,
7.	All applicable provisions of the adopted International Fire Code shall continually be met.