



Rapid City Planning Commission

Conditional Use Permit Project Report

March 24, 2021

Item #11
Applicant Request(s)
Case # 21UR002 – Major Amendment to a Conditional Use Permit to allow a group home
Companion Case(s) # N/A

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

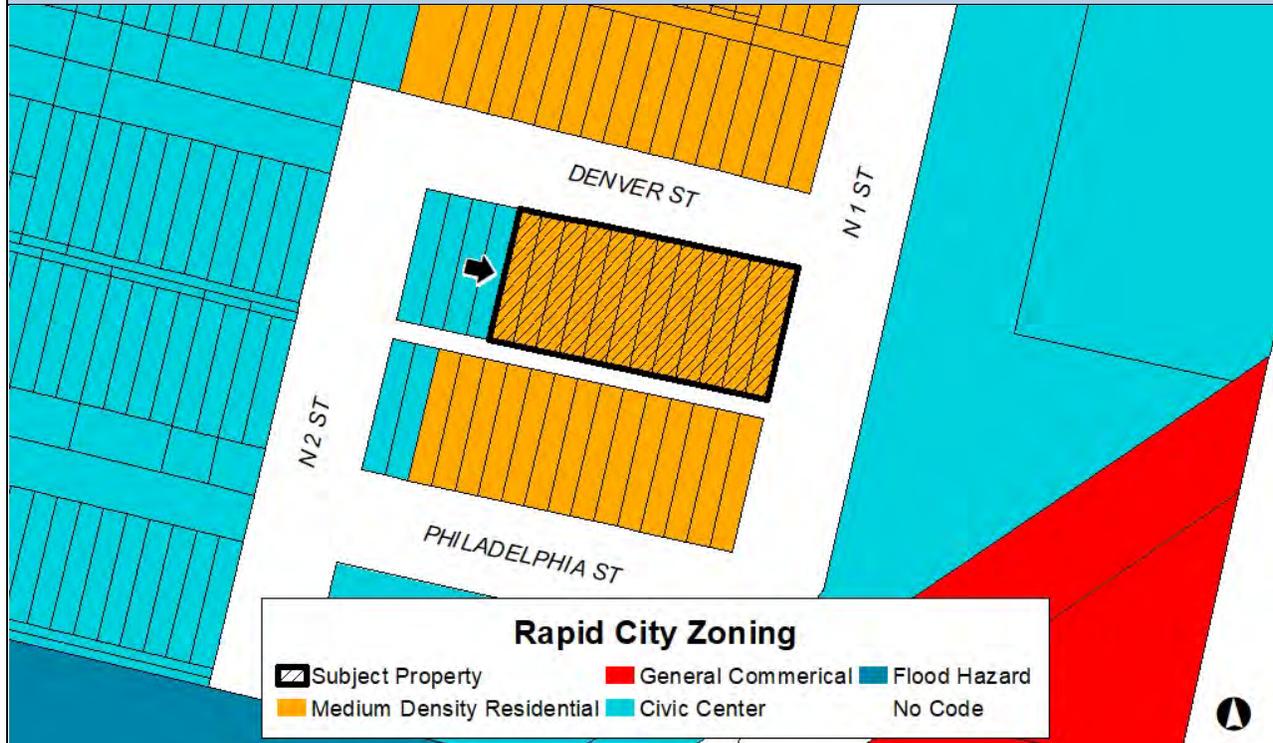
Project Summary Brief	
<p>The applicant has requested a Major Amendment to a Conditional Use Permit to allow a group home. In particular, the applicant is proposing to construct a 6,222 square foot group home that will house 14 women and one staff member. The facility will include bedrooms, bathrooms, laundry rooms, a great room, a classroom, and an apartment for the Assistant Director of Passages Womens Transitional Living. The residents will be required to have a job and a strict curfew will be enforced. A Conditional Use Permit (File #18UR001) was previously approved by Planning Commission for this location but expired after two years since the use was not initiated. As such, a Major Amendment is required for approval to ensure that the stipulations of approval continue to address any concerns associated with the project.</p>	
Development Review Team Contacts	
Applicant: Passages Womens Transitional Living	Planner: Fletcher Lacock
Property Owner: Passages Womens Transitional Living	Engineer: Todd Peckosh
Architect: N/A	Fire District: Tim Behlings
Engineer: N/A	School District: Kumar Veluswamy
Surveyor: N/A	Water/Sewer: Todd Peckosh
Other: Wyss Associates	DOT: Stacy Bartlett

Subject Property Information	
Address/Location	Southwest corner of the intersection of Denver Street and North 1 st Street
Neighborhood	North Rapid Neighborhood Area
Subdivision	Original Town of Rapid City
Land Area	0.96 acres (42,000 square feet)
Existing Buildings	Void of structural development
Topography	Relatively flat
Access	Denver Street
Water Provider	Rapid City
Sewer Provider	Rapid City
Electric/Gas Provider	Black Hills Power / MDU
Floodplain	Federally designated 100 year and 500 year floodplain

Subject Property and Adjacent Property Designations

	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	MDR	P/QP	Void of structural development
Adjacent North	MDR	P/QP	Multi-family
Adjacent South	MDR	P/QP	Multi-family
Adjacent East	CC	P/QP	Drainage right-of-way
Adjacent West	CC	P/QP	Void of structural development

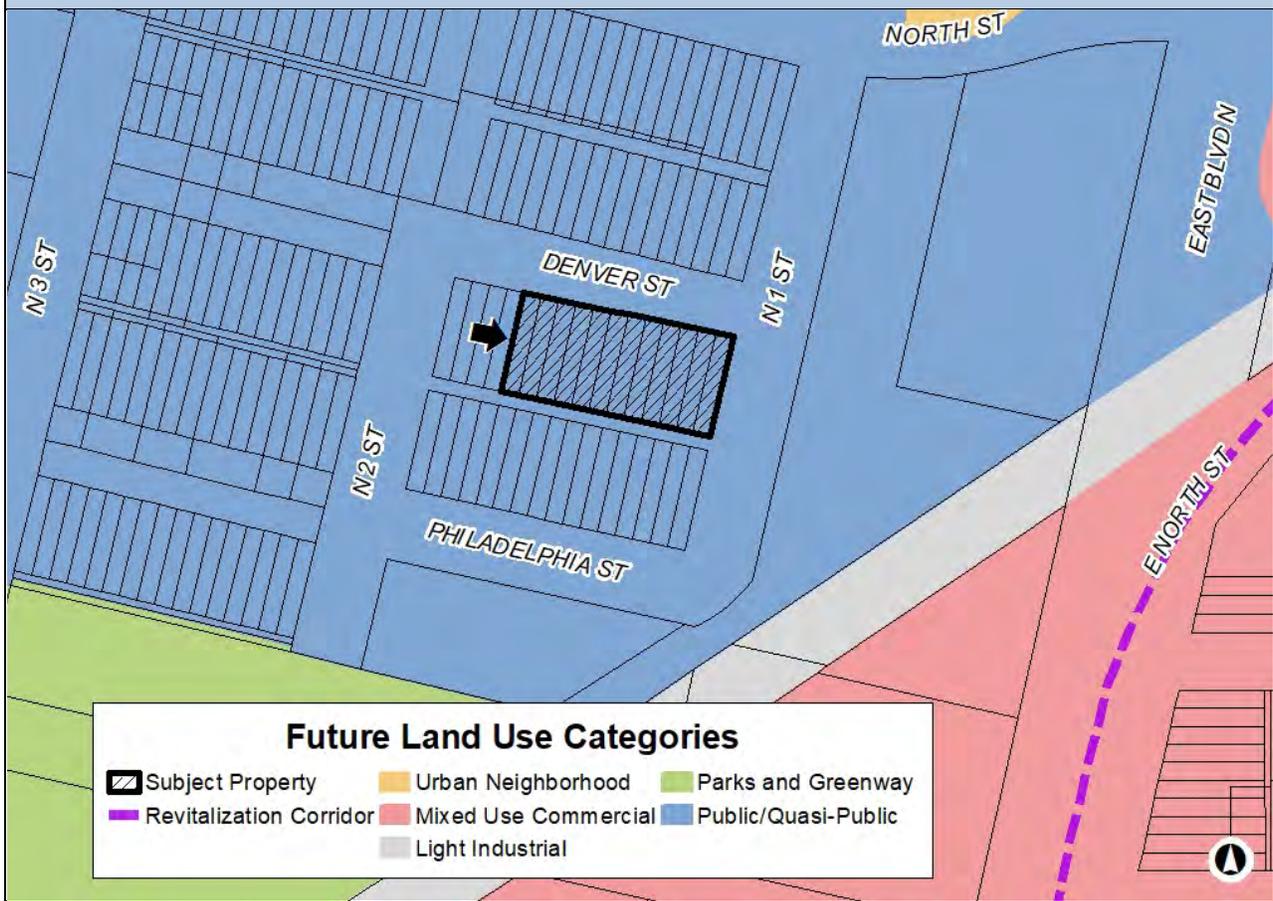
Zoning Map



Existing Land Uses



Comprehensive Plan Future Land Use



Future Land Use Categories

- Subject Property
- Urban Neighborhood
- Parks and Greenway
- Revitalization Corridor
- Mixed Use Commercial
- Public/Quasi-Public
- Light Industrial

Parks or Transportation Plan



Major Street Plan

- Subject Property
- Collector
- Principal arterial

Relevant Case History			
Case/File#	Date	Request	Action
18UR001	02/22/2018	CUP to allow a group home	PC approved
Relevant Zoning District Regulations			
Medium Density Residential District	Required	Proposed	
Lot Area	30,000 square feet	42,000 square feet	
Lot Frontage	100 feet	300 feet	
Maximum Building Heights	3 stories, 35 feet	One-story	
Maximum Density	30%	14.8%	
Minimum Building Setback:			
• Front	25 feet	25 feet	
• Rear	25 feet	54 feet	
• Side	8 feet	83 feet to the west	
• Street Side	25 feet	25 feet	
Minimum Landscape Requirements:			
• # of landscape points	35,778	44,970	
• # of landscape islands	0	0	
Minimum Parking Requirements:			
• # of parking spaces	15	14 and a one-stall garage	
• # of ADA spaces	1	1	
Signage	Pursuant to RCMC	No signage proposed	
Fencing	Pursuant to RCMC	Six foot high fence along south property line / 4 foot height 10 feet from North 1 st Street	
Planning Commission Criteria and Findings for Approval or Denial			
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			
1. The location, character and natural features of the property:	The property is located on the southwest corner of the intersection of Denver Street and North 1 st Street. The property is zoned Medium Density Residential District and is currently void of any structural development.		
2. The location, character and design of adjacent buildings:	The property to the west is zoned Civic Center District and is currently void of structural development. The property to the east is also zoned Civic Center District and is the location of a drainage way. Properties to the north and south are zoned Medium Density Residential District 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; however, the applicant is proposing a four-foot high fence along the south property line in compliance with the Zoning Ordinance. The proposed fence will be four feet high 10 feet from the property line along North 1 st Street and extend to the west.		
4. Proposed vegetation, topography and natural drainage:	Public Works staff has indicated that upon submittal of a Building Permit, storm water quality treatment must be addressed in compliance with the Infrastructure Design Criteria Manual. In addition, portions of the property are located in the federally designated 100-year floodplain. As such, prior to issuance of a Building Permit, a Floodplain Development Permit must be obtained.		
5. Proposed pedestrian and vehicular access, circulation and parking, including that related to	Vehicular access to the property will be from Denver Street. Sidewalk will be constructed along Denver Street and North 1 st Street. The Public Works Department has indicated that		

bicycles and other unpowered vehicles and provisions for handicapped persons:	the proposed sidewalk must be one foot from the property line and may be 4 feet wide.
6. Existing traffic and traffic to be generated by the proposed use:	The applicant has stated that the residents do not drive. There will be one staff member on-site at all times. The minimum required parking is one per staff member and one per resident. Even though the applicant has stated that the residents will not have vehicles, the applicant has indicated that board meetings will be held at the facility. The parking is needed for these meetings and for visitors to the property. In summary, a total of 15 parking spaces with one being ADA “van accessible” must be provided. The site plan shows the required parking. It does not appear that the proposed group home will generate a significant increase in traffic.
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 Medium density Residential District. A group home is identified as a conditional use in the district. As noted above, a Conditional Use Permit (File #18UR001) was previously approved but has expired after two years since the use was not initiated.
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 Medium density Residential 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 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	
 A Balanced Pattern of Growth	
BPG-1.1A	Compact Growth: 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.
 A Vibrant, Livable Community	
LC-3.1C	Compatible Infill and Redevelopment: As noted above, the property is located in an area of the City with available public infrastructure and services.

	A Safe, Healthy, Inclusive, and Skilled Community
	N/A
	Efficient Transportation and Infrastructure Systems
TI-2.1A	Major Street Plan Integration: Denver Street and North 1 st Street are identified as a local streets. Access is proposed from Denver 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 Major Amendment to a 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 Major Amendment to a 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):	Public / Quasi-Public
Design Standards:	
N/A	The property is zoned Medium Density Residential District and a group home is identified as a conditional use.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
Neighborhood:	North Rapid Neighborhood Area
Neighborhood Goal/Policy:	
NR-NA1.1A	Residential Neighborhoods: The proposed group home supports infill development and the diversification of housing in the North Rapid Neighborhood Area.
Findings	
Staff has reviewed the Major Amendment to a Conditional Use Permit to allow a group home pursuant to Chapter 17.12 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 Medium Density Residential District. The proposed group home supports infill development goals and the diversification of housing for a special needs population. The previously approved Conditional Use Permit expired after two years since the use was not initiated. As such, a Major Amendment is required for review and approval to address any changes in the neighborhood.	

Planning Commission Recommendation and Stipulations of Approval	
Staff recommends that the Major Amendment to a Conditional Use Permit to allow a group home be approved with the following stipulations:	
1.	Prior to issuance of a Building Permit, a Floodplain Development Permit shall be approved;

2.	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 Major Amendment to the 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;
3.	A minimum of 15 parking spaces shall be provided. In addition, one of the parking spaces shall be ADA van accessible. All provisions of the Off-Street Parking Ordinance shall be continually met;
4.	A minimum of 35,778 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,
5.	The Major Amendment to 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 Medium Density Residential District in compliance with the Parking Regulations shall require a building permit. Any change in use that is a Conditional Use in the Medium 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.*

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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.