



Rapid City Planning Commission

Conditional Use Permit Project Report

April 8, 2021

Item #9
Applicant Request(s)
Case #21UR006– 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 be approved with the stipulations noted below.

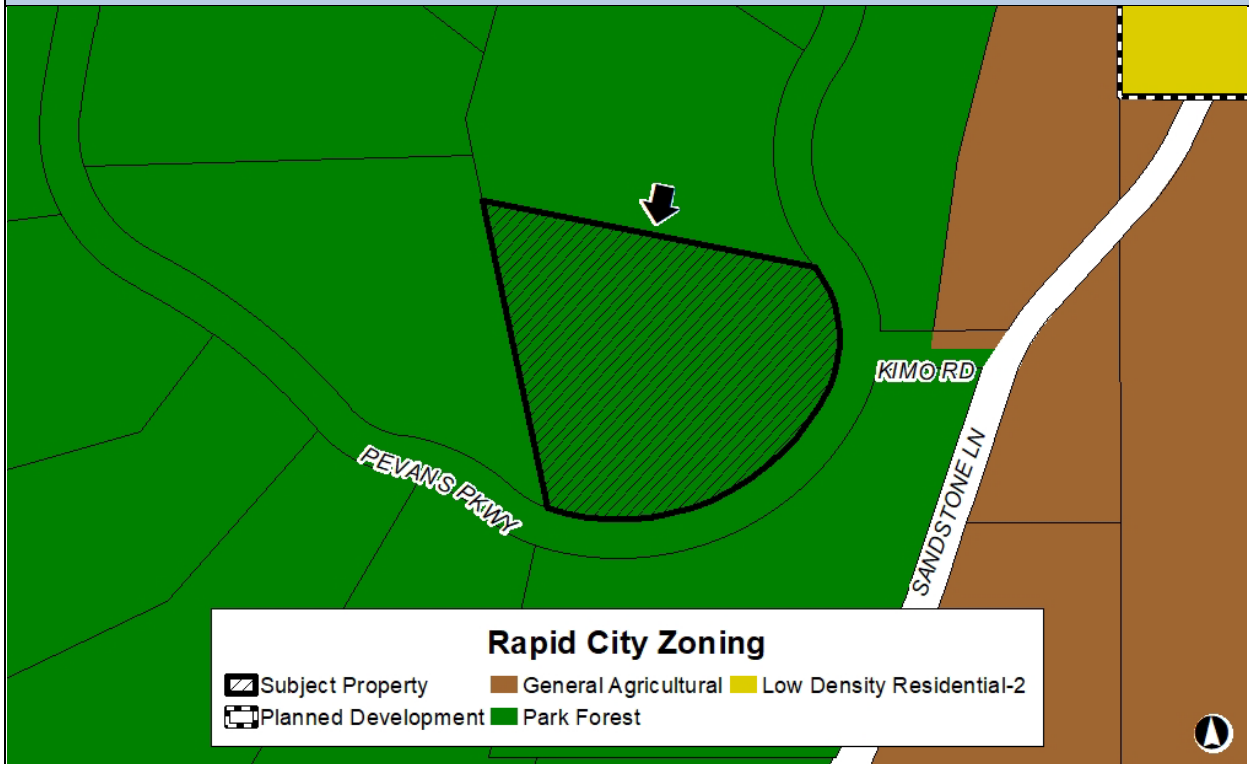
Project Summary Brief	
<p>Updated April 6, 2021: The road providing access to the subject property was misidentified on Page 5 as Pine Tree Drive. This mistake has been corrected. All edits are in bold.</p> <p>The applicant has submitted a Conditional Use Permit to allow an over-sized garage. In particular, the applicant is proposing to construct a detached garage measuring 1,496 square feet in size. The property is currently developed with a single-family dwelling with an attached 984 square foot garage. The existing attached garage and proposed detached garage will result in 2,480 square feet of garage area, which exceeds the maximum allowed 1,500 square feet for garage or storage by 980 square feet. The applicant has stated that the detached garage will not be used for commercial purposes or as a second residence. The applicant has also submitted an elevation drawing identifying that the garage will be constructed to match the existing dwelling in both style and character.</p>	
Development Review Team Contacts	
Applicant: Anthony & Kori Downs	Planner: Marty Gillies
Property Owner: Anthony & Kori Downs	Engineer: Roger Olsen
Architect: N/A	Fire District: Tim Behlings
Engineer: N/A	School District: N/A
Surveyor: Howe Land Surveying	Water/Sewer: Roger Olsen
Other: N/A	DOT: Stacy Bartlett

Subject Property Information	
Address/Location	1474 Pevans Parkway
Neighborhood	US Highway 16 Neighborhood Area
Subdivision	Skyline Pines
Land Area	3.11 acres
Existing Buildings	4,194 square foot single-family dwelling
Topography	Drops in elevation from east to west approximately 120 feet
Access	Pevans Parkway
Water Provider	Rapid City
Sewer Provider	Rapid City
Electric/Gas Provider	BHP / MDU
Floodplain	N/A

Subject Property and Adjacent Property Designations

	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	PF	FC	Single-family dwelling
Adjacent North	PF	FC	Single-family dwelling
Adjacent South	PF	FC	Single-family dwelling
Adjacent East	PF	FC	Single-family dwelling
Adjacent West	PF	FC	Single-family dwelling

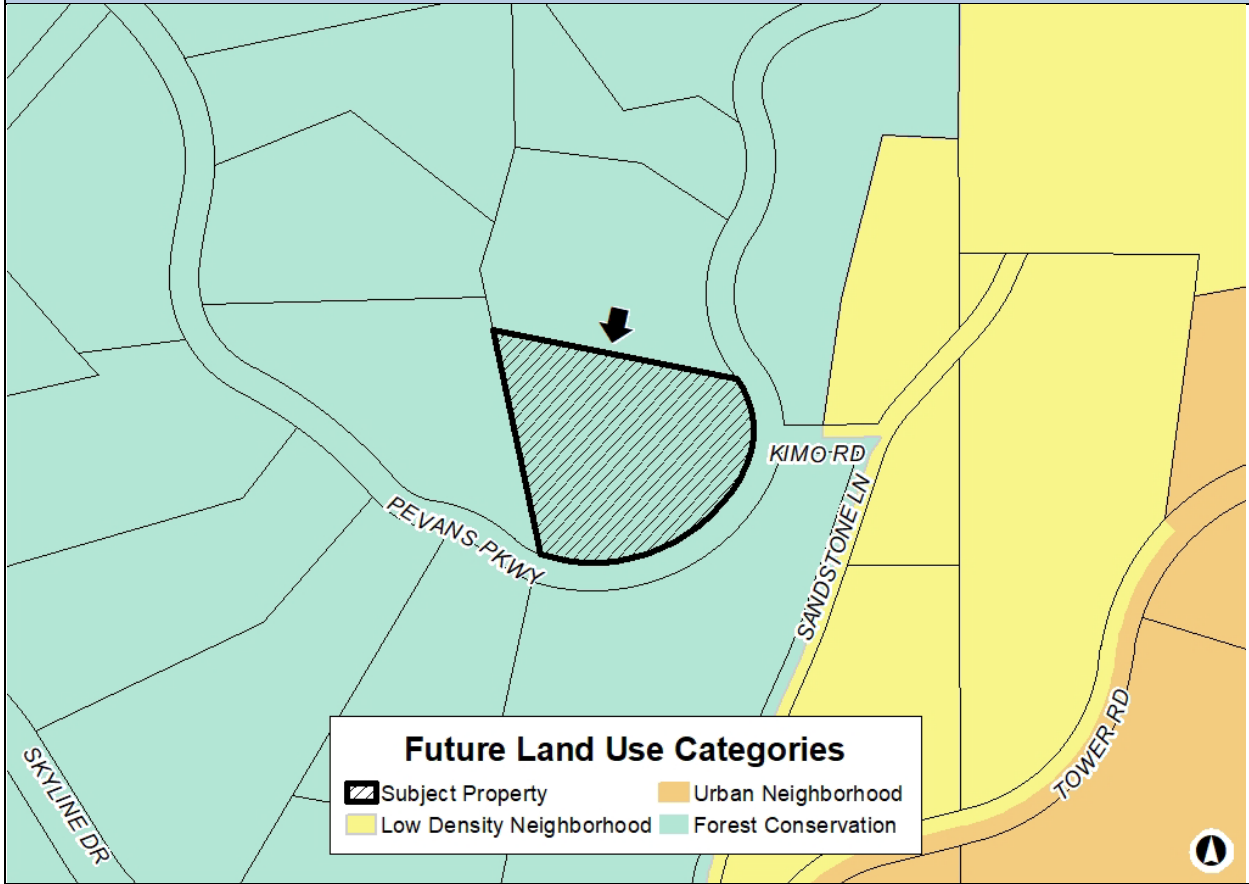
Zoning Map



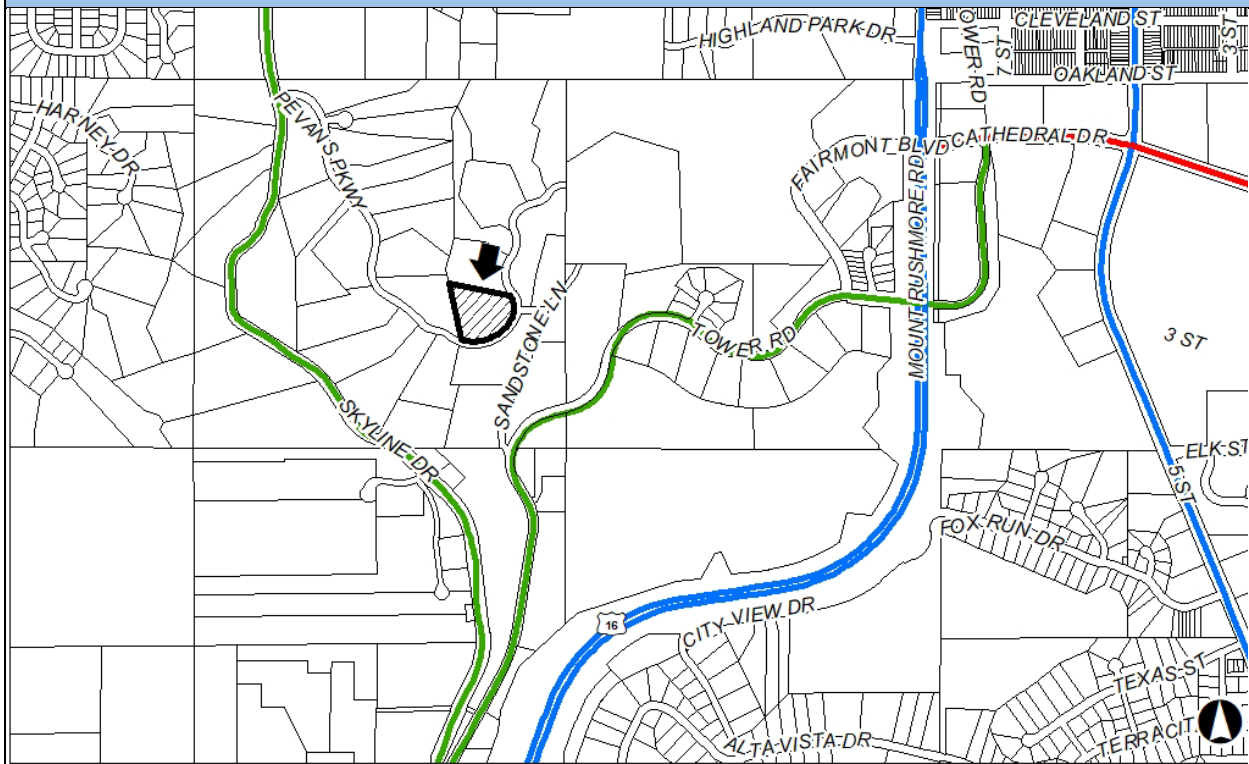
Existing Land Uses



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			
Park Forest District	Required	Proposed	
Lot Area	3 acres	3.11 acres	
Lot Frontage	Minimum 100 feet at the front building line	304 feet	
Maximum Building Heights	2½ Story or 35 feet	Two-story residence / one-story detached garage	
Maximum Density	25%	4.2%	
Minimum Building Setback:			
• Front	20 feet	69 feet to proposed garage	
• Rear	25 feet	96 feet	
• Side	40 feet	~250 feet	
• Street Side	20 feet	69 feet	
Minimum Landscape Requirements:			
• # of landscape points	N/A	N/A	
• # of landscape islands	N/A	N/A	
Minimum Parking Requirements:			
• # of parking spaces	2	2	
• # of ADA spaces	N/A	N/A	
Signage	As per RCMC Chapter 17.50.100	No new signage proposed or required	
Fencing	As per RCMC Chapter 17.50.340	No new fencing proposed or required	

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 detached garage measuring 1,496 square feet in size. The existing attached garage measures 984 square feet in size. The applicant has stated that the siding, trim, and roof material will match the existing dwelling. In addition, the applicant has submitted a sample elevation demonstrating that the proposed expansion is in keeping with the residential character of the neighborhood.
2. The proposed garage shall be used for residential purposes incidental to the principal use of the property:	As noted above, the applicant has stated that the garage expansion is not intended for commercial purposes and is intended for storage and as a personal workshop space.
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 detached garage will be set back approximately seventy feet from the road on a lot which is 3.11 acres in size and has mature, established landscaping. The existing landscaping and topography provide a significant buffer from 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 detached garage will be constructed with siding, trim and roof material in keeping with the aesthetic of the property and the character of the neighborhood.

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 property is located on the north side of Pevans Parkway at 1474 Pevans Parkway . The property is developed with a single-family dwelling with an attached garage.
2. The location, character and design of adjacent buildings:	Properties to the north, south, east, and west are developed with single-family dwellings. The dwellings are constructed on relatively large lots.
3. Proposed fencing, screening and landscaping:	The applicant is not proposing any additional landscaping or fencing. The garage will be set 70 feet back from the road and is screened to the east and north by existing landscaping.
4. Proposed vegetation, topography and natural drainage:	The applicant is not proposing any additional landscaping. The 70-foot setback of the proposed garage from the road and the existing mature vegetation will provide the intended buffer.
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 is currently from Pevans Parkway . There are no property line sidewalks in the neighborhood. The applicant should be aware that a property line sidewalk will be required along Pevans Parkway as it abuts the property, or a Variance must be obtained by City Council prior to issuance of a Building Permit for the garage.
6. Existing traffic and traffic to be generated by the proposed use:	It is not anticipated that a single-family dwelling with an attached and proposed detached garage will generate significant traffic.
7. Proposed signs and lighting:	The applicant is not proposing any signage. Residential lighting is proposed on the south face of the proposed detached garage. The applicant should be aware that all outdoor lighting must 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. The garage faces the road and is screened to the east and north by existing landscaping and topography.
8. The availability of public utilities and services:	The property is currently served by Rapid City water.
9. The objectives of the adopted comprehensive plan and the purpose of the ordinance codified herein:	The property is zoned Park Forest District. A single-family dwelling with a detached 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 single-family dwelling with an attached and proposed detached garage is in compliance with all area regulations except for the garage size.
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 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 expansion 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: Pevans Parkway is a residential street. Access to the property is from Pevans Parkway.
	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:	
SLR-N4	Garage Placement: The proposed garage will be located approximately 70 feet from the front property line, exceeding the minimum required 25-foot setback. In addition, the existing landscaping and topography provides a significant buffer from the street.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
Neighborhood:	US Highway 16 Neighborhood Area
Neighborhood Goal/Policy:	
N/A	The subject property is located in a developed residential neighborhood with larger lot sizes.

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 Park Forest District. The property is approximately 3.11 acres in size and the proposed structure is being constructed to match the existing design of the residence. 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:

- | | |
|----|---|
| 1. | An Exception is hereby granted to allow a combined attached and detached over-sized garage 2,480 square feet in size, in lieu of the maximum allowed 1,500 square feet; |
| 2. | Prior to submittal of a Building Permit, the site plan shall be revised to show property line sidewalk along Pevans Parkway or a Variance shall be obtained from the City Council; |
| 3. | 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; |
| 4. | The proposed over-sized garage shall be constructed with the same design elements as shown on the applicant's submitted elevations. Any changes to the design of the garage not compatible with the existing dwelling shall require a Major Amendment to the Conditional Use Permit; and, |
| 5. | 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. |