



Rapid City Planning Commission

Conditional Use Permit Project Report

January 26, 2023

Item #5
Applicant Request(s)
Case #22UR030 – Conditional Use Permit to allow an oversized 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.

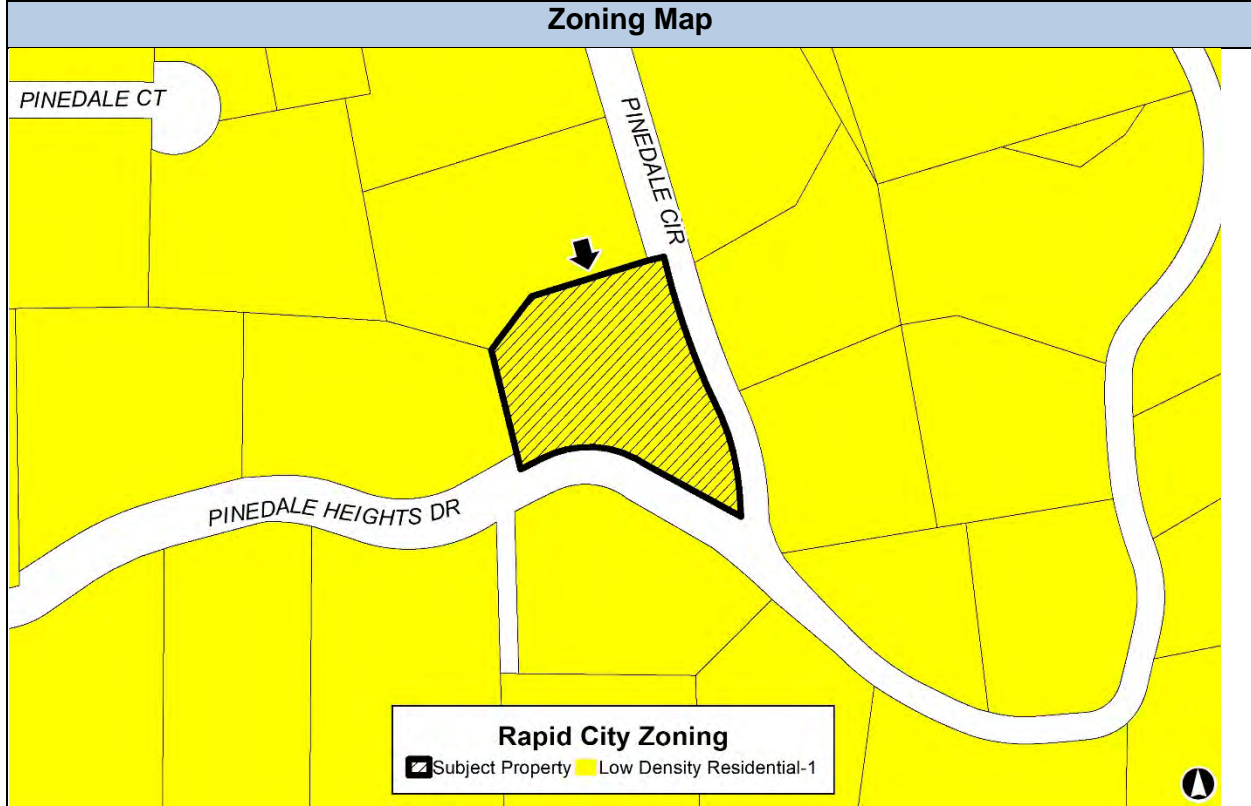
Project Summary Brief
<p>The applicant has submitted a Conditional Use Permit to allow an oversized garage on 5230 Pinedale Heights Drive. The property is comprised of 0.92 acres of land zoned Low Density Residential District 1 and consists of a single-family dwelling and a storage shed. The single-family dwelling was built in 1962 and is located in the center of the property. The home is 1,416 square feet in size and one story in height. The dwelling has a lower-level garage that is intended to be repurposed as a family room. The storage shed is located in the northern portion of the property and is 124 square feet in size. The applicant is proposing to construct a 1,800-square-foot detached garage in the southeast corner of the property and will be one story or 14.25 feet in height. The garage will have three overhead doors on the west wall and the exterior will be finished with lap siding, faux brick panels, and a standing seam metal roof. The garage will not be used for commercial purposes or as a second residence.</p> <p>Chapter 17.04.315 of the Rapid City Municipal Code states that in no event shall the size of the building footprint of the private garage(s) exceed the footprint of the dwelling unit(s). Any private garage which exceeds the maximum size shall be allowed only as a Conditional Use Permit. The proposed cumulative size of all buildings dedicated to parking or storage is 1,924 square feet which exceeds the footprint of the dwelling unit by 508 square feet and therefore requires a Conditional Use Permit.</p>

Development Review Team Contacts			
Applicant:	Kirby Johnson	Planner:	Tanner Halonen
Property Owner:	Kirby and Twyla Johnson	Engineer:	Todd Peckosh
Architect:	N/A	Fire District:	Chip Premus
Engineer:	N/A	School District:	Kumar Veluswamy
Surveyor:	N/A	Water/Sewer:	Todd Peckosh
Other:	Knecht Home Center	DOT:	Mike Carlson

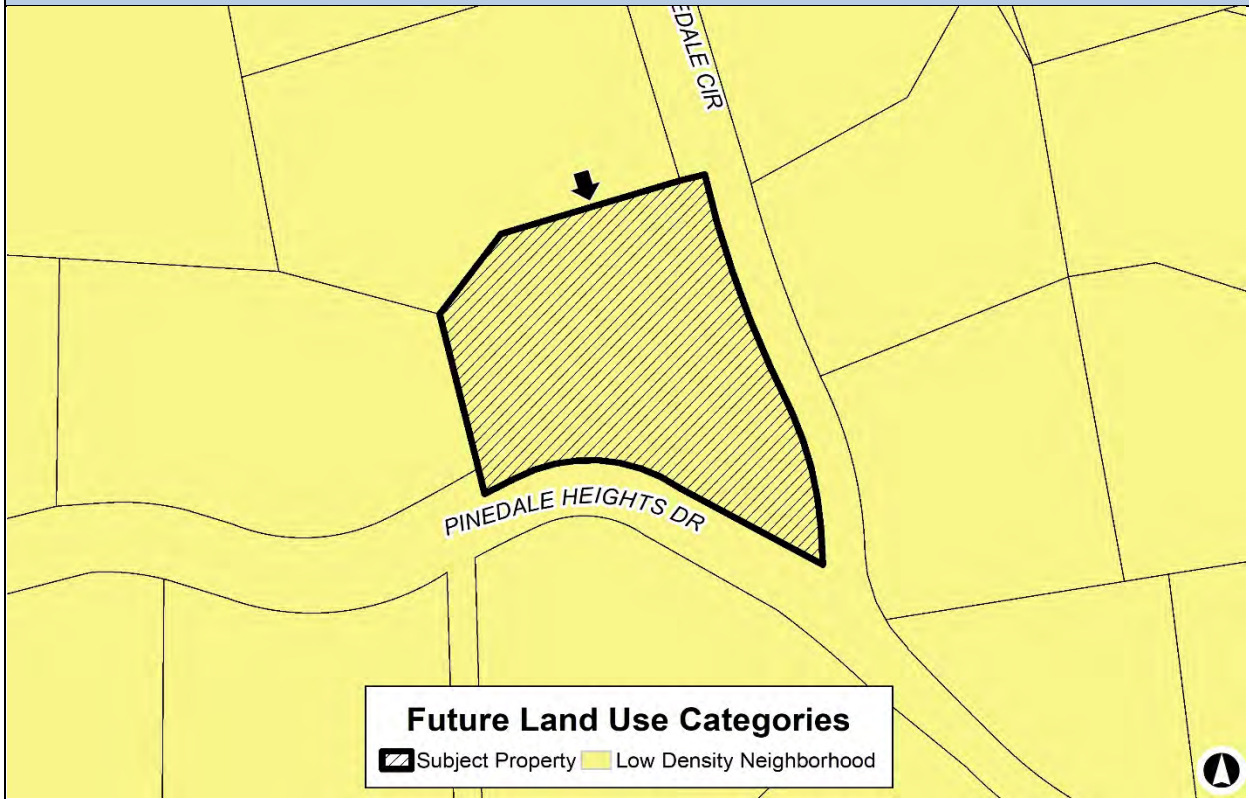
Subject Property Information	
Address/Location	5230 Pinedale Heights Drive
Neighborhood	West Rapid
Subdivision	Pinedale Heights
Land Area	0.92 acres or 40,075 square feet
Existing Buildings	Single-family dwelling
Topography	Varies
Access	Pinedale Heights Drive
Water Provider	Private
Sewer Provider	Private

Electric/Gas Provider	BHP/MDU
Floodplain	N/A

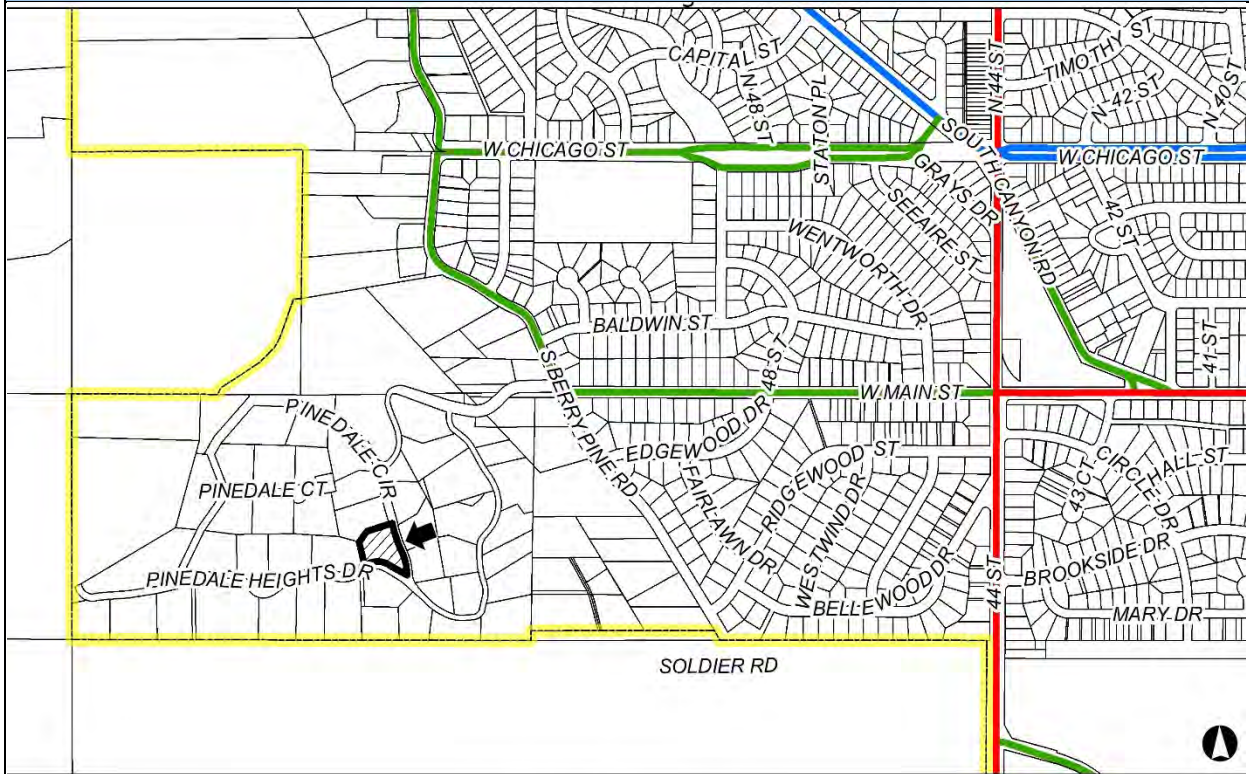
Subject Property and Adjacent Property Designations			
	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	LDR-1	LDN	Single-family dwelling
Adjacent North	LDR-1	LDN	Single-family dwelling
Adjacent South	LDR-1	LDN	Single-family dwelling
Adjacent East	LDR-1	LDN	Single-family dwellings
Adjacent West	LDR-1	LDN	Single-family dwellings



Comprehensive Plan Future Land Use



Parks or Transportation Plan



Relevant Case History			
Case/File#	Date	Request	Action
N/A			
Relevant Zoning District Regulations			
Low Density Residential District 1	Required	Proposed	
Lot Area	1 acre	0.92 acres (legal non-conforming)	
Lot Frontage	50 feet at the front building line	> 50 feet	
	25 feet abutting a street	> 25 feet	
Maximum Building Heights	15 feet	14.25 feet	
Maximum Density	30%	8%	
Minimum Building Setbacks:			
• E Front	20 feet	22 feet	
• S Front	20 feet	23 feet	
• N Side	8 feet	> 8 feet	
• W Side	8 feet	> 8 feet	
• NW Rear	5 feet	> 5 feet	
Minimum Landscape Requirements:			
• # of landscape points	No requirement	Not required	
• # of landscape islands	No requirement	None	
Minimum Parking Requirements:			
• # of parking spaces	2	> 2	
• # of ADA spaces	No requirement	None	
Signage	As per RCMC Chapter 17.50.100	None	
Fencing	As per RCMC Chapter 17.50.150	None	

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 oversized 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 elevation drawings submitted demonstrate that the siding, trim, and roof material will match the character of the neighborhood.
2. The proposed garage shall be used for residential purposes incidental to the principal use of the property:	The garage is not intended for commercial purposes and will be used primarily for parking and storage by the applicant.
3. Landscaping or fencing may be required to screen the garage from neighboring properties:	The proposed development does not appear to adversely affect neighboring properties and is consistent with the character of the neighborhood. There are a number of detached garages that front Pinedale Heights Drive in this area.
4. The applicant submits a site plan with elevation drawings in addition to information on what types of building materials will be	The applicant has submitted an elevation drawing identifying that the garage will be constructed with siding, trim, and roof material in keeping with the aesthetic of the character of the neighborhood.

used for the garage:	
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Staff has also reviewed the proposed oversized 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 an irregular 0.92-acre lot and is zoned Low Density Residential District 1. The site is located in a fairly wooded area and consists of a single-family dwelling and a small storage shed.
2. The location, character and design of adjacent buildings:	The surrounding properties are zoned Low Density Residential District 1 and are developed with single-family dwellings.
3. Proposed fencing, screening and landscaping:	No additional fencing, screening, or landscaping is required or proposed with this application.
4. Proposed vegetation, topography and natural drainage:	The Public Works Department has not identified any concerns pertaining to drainage.
5. Proposed pedestrian and vehicular access, circulation and parking, including that related to bicycles and other unpowered vehicles and provisions for handicapped persons:	The property is accessed by Pinedale Height Drive. There are no property line sidewalks in this area.
6. Existing traffic and traffic to be generated by the proposed use:	Pinedale Heights Drive is a local roadway designed to accommodate traffic generated by low-density residential development.
7. Proposed signs and lighting:	No signage is proposed as a part of this application. 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.
8. The availability of public utilities and services:	There are no public utilities in this area. The property is serviced by a private water and sewer system.
9. The objectives of the adopted comprehensive plan and the purpose of the ordinance codified herein:	The property is zoned Low Density Residential District 1 and an oversized garage is a Conditional Use in this district.
10. The overall density, yard, height and other requirements of the zone in which it is located:	The existing and proposed development complies with all area regulations.
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 oversized garage will maintain the neighborhood's residential character 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 elevation drawings that demonstrate the detached garage 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 subject property is located southwest of West Main Street which is classified as a Collector Street on the City’s Major Street Plan.
 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:
N/A	

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter

Neighborhood:	West Rapid
	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.

Planning Commission Recommendation and Stipulations of Approval

Staff recommends that the Conditional Use Permit to allow an oversized garage be approved with the following stipulations:

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| 1. | The existing attached garage shall be converted to living space as proposed by the applicant; and, |
| 2. | The Conditional Use Permit shall allow for a 1,920-square-foot garage and storage. The garage shall not be used for commercial purposes or as a second residence. Any expansion or change in use that is permitted in the Low Density Residential District 1 shall require the review and approval of a Building Permit. Any expansion or change in use that is a Conditional Use in the Low Density Residential District 1 shall require the review and approval of a Major Amendment to the Conditional Use Permit. |



Rapid City Community Planning & Development Services

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 # 22UR030	Conditional Use Permit to allow an oversized garage
Companion Case(s)	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.	An Air Quality Construction Permit shall be obtained prior to any surface disturbance of one acre or more;
3.	All requirements of the Infrastructure Design Criteria Manual and the Rapid City Standard Specifications shall be met;
4.	All requirements of the currently adopted Building Code shall be met;
5.	ADA accessibility shall be provided throughout the structure and site as necessary;
6.	All construction plans shall be signed and stamped by a registered professional pursuant to South Dakota Codified Law 36-16A;
7.	All provisions of the underlying zoning districts shall be met unless otherwise specifically authorized as a stipulation of this Initial Planned Development Overlay or a subsequent 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.