



# Rapid City Planning Commission

## Conditional Use Permit Project Report

March 23, 2017

<b>Item #10</b>
<b>Applicant Request(s)</b>
Case # 17UR005 – Conditional Use Permit to allow an over-sized garage
Companion Case(s) # N/A

<b>Development Review Team Recommendation(s)</b>
<b>The Development Review Team recommends that the Conditional Use Permit be approved with the stipulations noted below.</b>

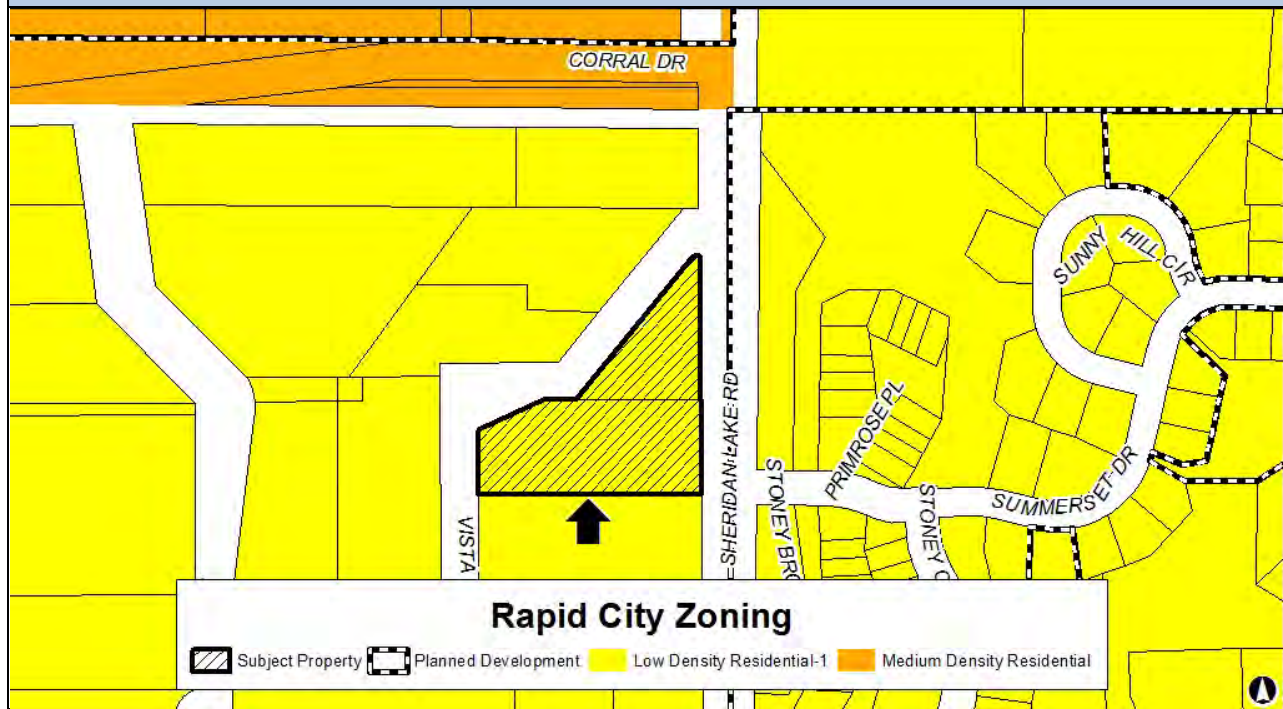
<b>Project Summary Brief</b>	
<p>The applicant has submitted a Conditional Use Permit to allow an over-sized garage larger than the footprint of the dwelling. The proposed garage will be attached to the dwelling and will measure 1,290 square feet in size. There is an existing shed measuring 192 square feet in size. The total storage space exceeds the footprint of the existing dwelling which is 1,062 square feet in size. The applicant has stated that the garage will not be used for commercial purposes or as a second residence. The applicant has also submitted an elevation drawing identifying that the attached garage will be constructed to match the existing dwelling in style and character.</p>	
<b>Development Review Team Contacts</b>	
Applicant: Ray and Shirley DeGeest	Planner: Fletcher Lacock
Property Owner: Ray and Shirley DeGeest	Engineer: Nicole Lecy
Architect: N/A	Fire District: Tim Behlings
Engineer: N/A	School District: N/A
Surveyor: N/A	Water/Sewer: Nicole Lecy
Other: Bryce Chambliss – BC Renovations	DOT: Stacy Bartlett

<b>Subject Property Information</b>	
Address/Location	4760 Vista Hills Drive
Neighborhood	Sheridan Lake Road
Subdivision	Section 21, T1N, R7E
Land Area	2.07 acres (90,170 square feet)
Existing Buildings	1,254 square feet
Topography	Property slopes from the north and east to south and west with a rise in elevation of 62 feet
Access	Vista Hills Drive
Water Provider	Rapid City
Sewer Provider	Rapid City
Electric/Gas Provider	Black Hills Power / MDU
Floodplain	Federally designated 100-year floodplain

### Subject Property and Adjacent Property Designations

	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	LDR	LDN	Single-family dwelling
Adjacent North	LDR	LDN	Single-family dwelling
Adjacent South	LDR	LDN	Single-family dwelling
Adjacent East	LDR	LDN	Single-family dwelling
Adjacent West	LDR </td <td>LDN</td> <td>Single-family dwelling</td>	LDN	Single-family dwelling

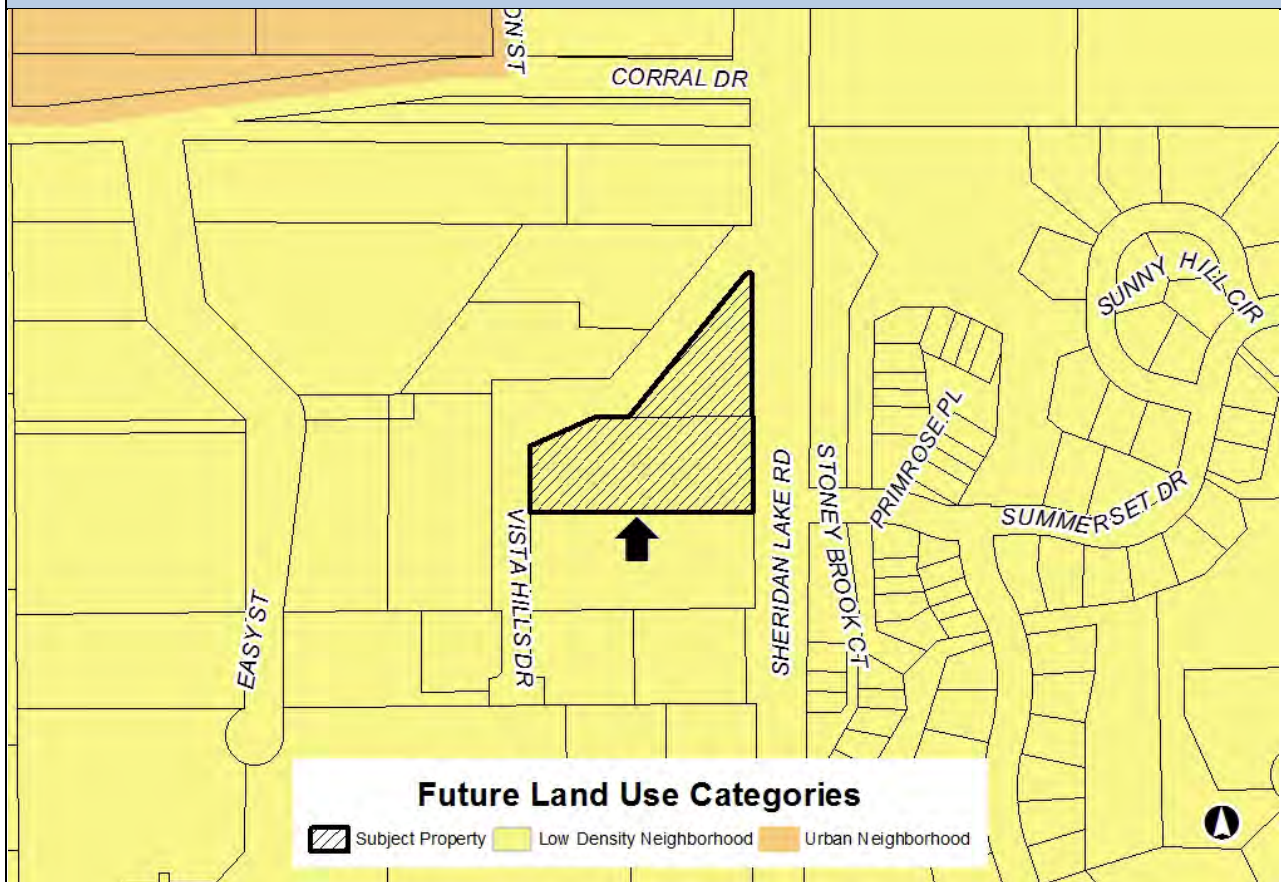
### Zoning Map



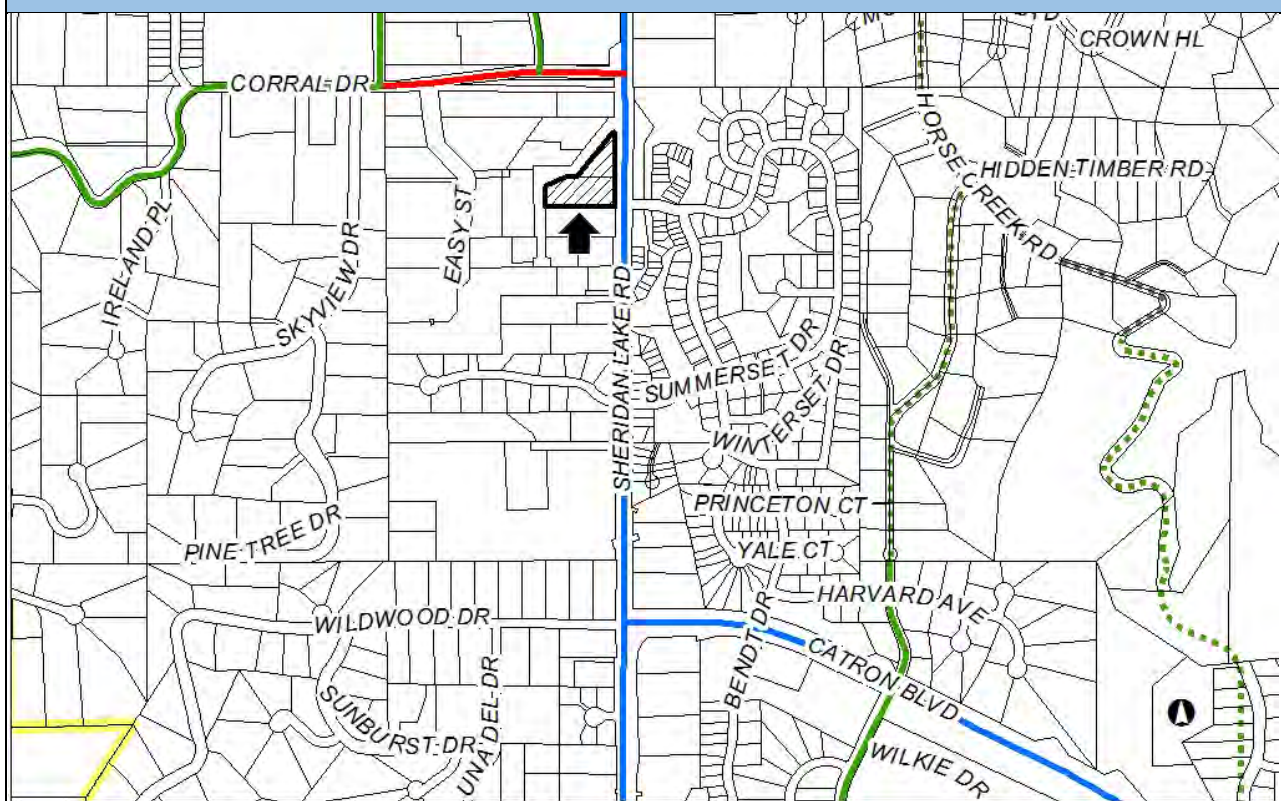
### Existing Land Uses



## Comprehensive Plan Future Land Use










## Parks or Transportation Plan



Relevant Case History			
Case/File#	Date	Request	Action
N/A			
Relevant Zoning District Regulations			
Low Density Residential District	Required	Proposed	
Lot Area	6,500 square feet	Approximately 90,170 square feet	
Lot Frontage	Minimum 50 feet at the front building line	Approximately 1,035 feet	
Maximum Building Heights	2.5 stories, 35 feet	Two stories, less than 35 feet	
Maximum Density	30%	2.8%	
Minimum Building Setback:			
• Front	20 feet	25 feet	
• Rear	25 feet to primary structure / 5 feet to accessory structures	Approximately 75 feet to the primary structure	
• Side	12 feet	Approximately 134 feet	
• Street Side	25 feet	Approximately 180 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	3	
• # 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	
<b>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</b>	
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 an attached garage 1,290 square feet in size. The materials will include earth toned siding, soffits and garage doors. The applicant has also submitted a sample elevation demonstrating that the proposed garage 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 is not intended for commercial purposes and is intended for parking and storage.
3. Landscaping or fencing may be required to screen the garage from neighboring properties:	The proposed attached garage will be located on the east side of the property which is approximately 2.07 acres in size. There is existing thick vegetation located on the north and south sides of the property. In addition, the property sits higher than Sheridan Lake Road to the east. The size of the lot, the existing trees, and the elevation differences provide a buffer. The applicant is not proposing any additional landscaping or fencing.
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 attached garage will be constructed with earth toned siding, soffits, garage doors in keeping with the aesthetic of the property and the character of the neighborhood.

<b>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:</b>	
1. The location, character and natural features of the property:	The property is located on the southwest corner of the intersection of Sheridan lake Road and Vista Hills Drive. The property slopes from the north and east to south and west with a rise in elevation of 62 feet. There are existing trees located on the north and south sides of the existing two-story single-family dwelling. The east side of the property is located in the Federally designated 100-year and 500-year floodplain. As such, prior to issuance of a Building Permit, a Floodplain Development Permit must be submitted for review and approval.
2. The location, character and design of adjacent buildings:	Properties to the north, south and west are developed with single-family dwellings. Sheridan Lake Road is located on the east side of the property.
3. Proposed fencing, screening and landscaping:	The applicant is not proposing any additional landscaping or fencing. The size of the lot, the rise change in elevation from east to west, and the existing trees provide a physical buffer.
4. Proposed vegetation, topography and natural drainage:	The applicant is not proposing any additional landscaping. As noted above, the east side of the property is located in the Federally designated 100-year and 500-year floodplain and will require an approved Floodplain Development Permit.
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 from Vista Hills Drive. Sheridan Lake Road is located along the east side of the property and is identified as a Principal Arterial Street on the City's Major Street Plan. Upon submittal of a Building Permit, the site plan must be revised to show property line sidewalk along Vista Hills Drive or a Variance must be obtained from the City Council.
6. Existing traffic and traffic to be generated by the proposed use:	It is not anticipated that a single-family dwelling with an attached garage will generate significant traffic.
7. Proposed signs and lighting:	The applicant is not proposing any signage. The elevations show three lights on the front of the proposed attached 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.
8. The availability of public utilities and services:	The property is currently served by public utilities including Rapid City sewer and water. It appears there may be a decorative sculpture located in the right-of-way adjacent to the property. Structures in the right-of-way are not permitted. As such, prior to issuance of a Building Permit, the structure must be removed.
9. The objectives of the adopted comprehensive plan and the purpose of the ordinance codified herein:	The property is zoned Low Density Residential District. A single-family dwelling with an attached 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 proposed single-family dwelling with an attached 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	It does not appear that the proposed use will have a negative effect on noise, odor, smoke, dust, air, and water pollution.

control through the use of clarifiers, screening, setbacks and orientation:	
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.
<b>Planning Commission Comprehensive Plan Policy Guidance for Approval or Denial</b>	
<b>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:</b>	
<b>Comprehensive Plan Conformance – Core Values Chapters</b>	
 <b>A Balanced Pattern of Growth</b>	
	N/A
 <b>A Vibrant, Livable Community</b>	
LC-2.1D	<b>Neighborhood Character:</b> The applicant has submitted elevations and sample color renderings of the proposed attached garage demonstrating that the development will maintain the aesthetic and residential character of the area.
 <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> Sheridan Lake Road is identified as a Principal Arterial Street on the City's Major Street Plan. The proposed dwelling will be accessed from Vista Hills Drive, the lower order street.
 <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 advertized 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>	<b>Low Density Neighborhood</b>
<b>Design Standards:</b>	
SDP-N4	<b>Garage Placement:</b> The property is zoned Low Density Residential District and an over-sized garage is identified as a conditional use in the district. The proposed over-sized garage does not support the goal of reducing the visual

	prominence of garages. However, the topography of the property and the existing powerline easement limit the buildable areas on the property while utilizing the existing approach.
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<b>Comprehensive Plan Conformance – Neighborhood Area Policies Chapter</b>	
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<b>Neighborhood:</b>	<b>Sheridan Lake Road</b>
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<b>Neighborhood Goal/Policy:</b>	
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N/A	The proposed attached garage constitutes a greater than 20% expansion requiring that a four foot wide property line sidewalk be installed along Vista Hills Drive. The applicant has submitted a Variance which will be heard at the March 14, 2017 Public Works meeting and the March 20, 2017 City Council meeting. The applicant should be aware that upon submittal of a Building Permit, the site plan must be revised to show the installation of sidewalk or a Variance must be obtained.
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<b>Findings</b>
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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 the footprint of the dwelling is a conditional use in the Low Density Residential District. The property is approximately 2.07 acres in size and the proposed garage being constructed to match the existing design of the residence. The topography, existing trees, and existing powerline easement limit the developable area of the property. However, these same factors also provide a buffer from adjacent properties and right-of-way.

<b>Planning Commission Recommendation and Stipulations of Approval</b>
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Staff recommends that the Conditional Use Permit to allow an over-saized garage be approved with the following stipulation:

1.	An Exception is hereby granted to allow an over-sized garage 1,219 square feet in size, larger than the footprint of the dwelling;
2.	Upon submittal of a Building Permit, the site plan shall be revised to show the installation of sidewalk along Vista Hills Drive or a Variance shall be obtained;
3.	Upon submittal of a Building Permit, the driveway approach shall be designed per Rapid City Standard Detail 60-6 Rural Street Section Standard Driveway Approach;
4.	Upon submittal of a Building Permit, utility plans for water and sewer services in compliance with the Infrastructure Design Criteria Manual shall be submitted for review and approval;
5.	Prior to issuance of a Building Permit, any structures located in the right-of-way shall be removed;
6.	Prior to issuance of a Building Permit, a Floodplain Development shall be submitted for review and approval
7.	The proposed over-sized attached garage shall be constructed with the same colors and character as shown on the applicant's submitted elevations. Any change to the colors or character of the garage shall require a Major Amendment to the Conditional Use Permit; and,
8.	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 garage 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.



## 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)	
<b>Case # 17UR005</b>	Conditional Use Permit to allow an over-sized garage
<b>Companion Case(s) #</b>	N/A
ADVISORIES: Please read carefully!	
1.	A Building Permit shall be obtained prior to any construction. A certificate of completion shall be obtained prior to initiation of the use;
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; and,
4.	All requirements of the International Fire Code shall be met.