



Rapid City Planning Commission

Conditional Use Permit Project Report

October 26, 2017

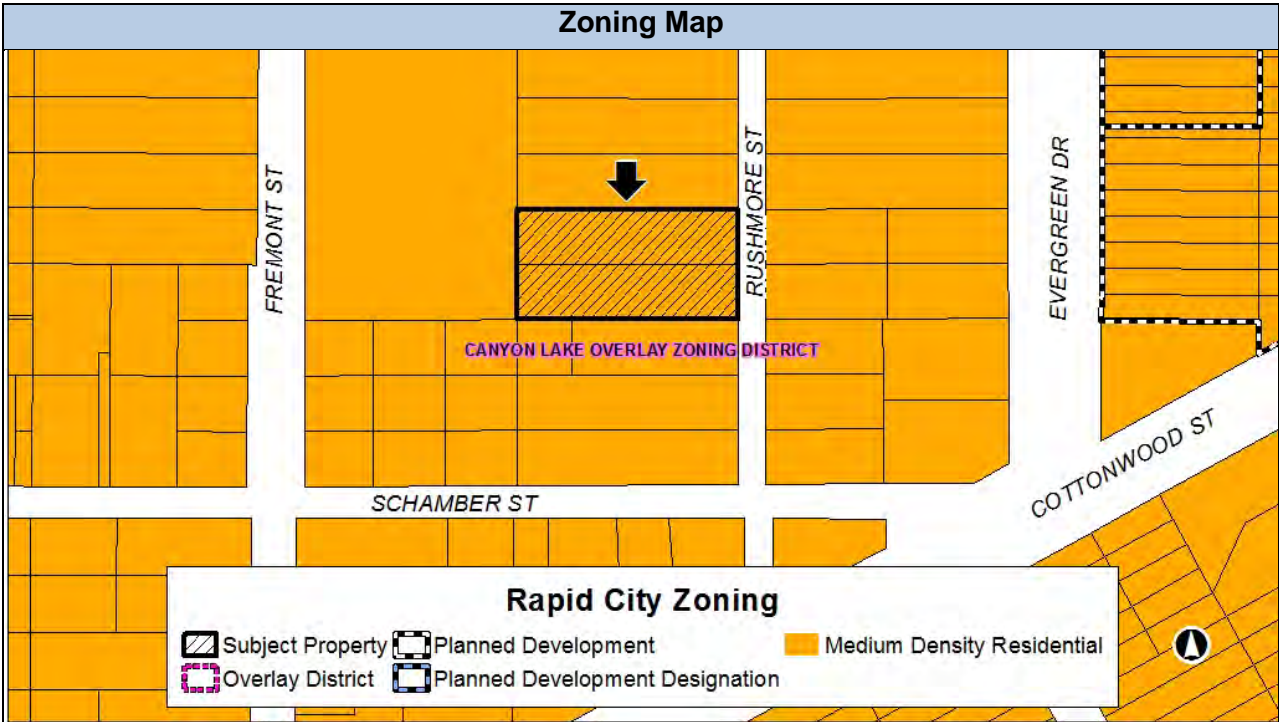
Item #11
Applicant Request(s)
Case # 17UR022 – Conditional Use Permit to allow an over-sized garage
Companion Case(s) # N/A

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

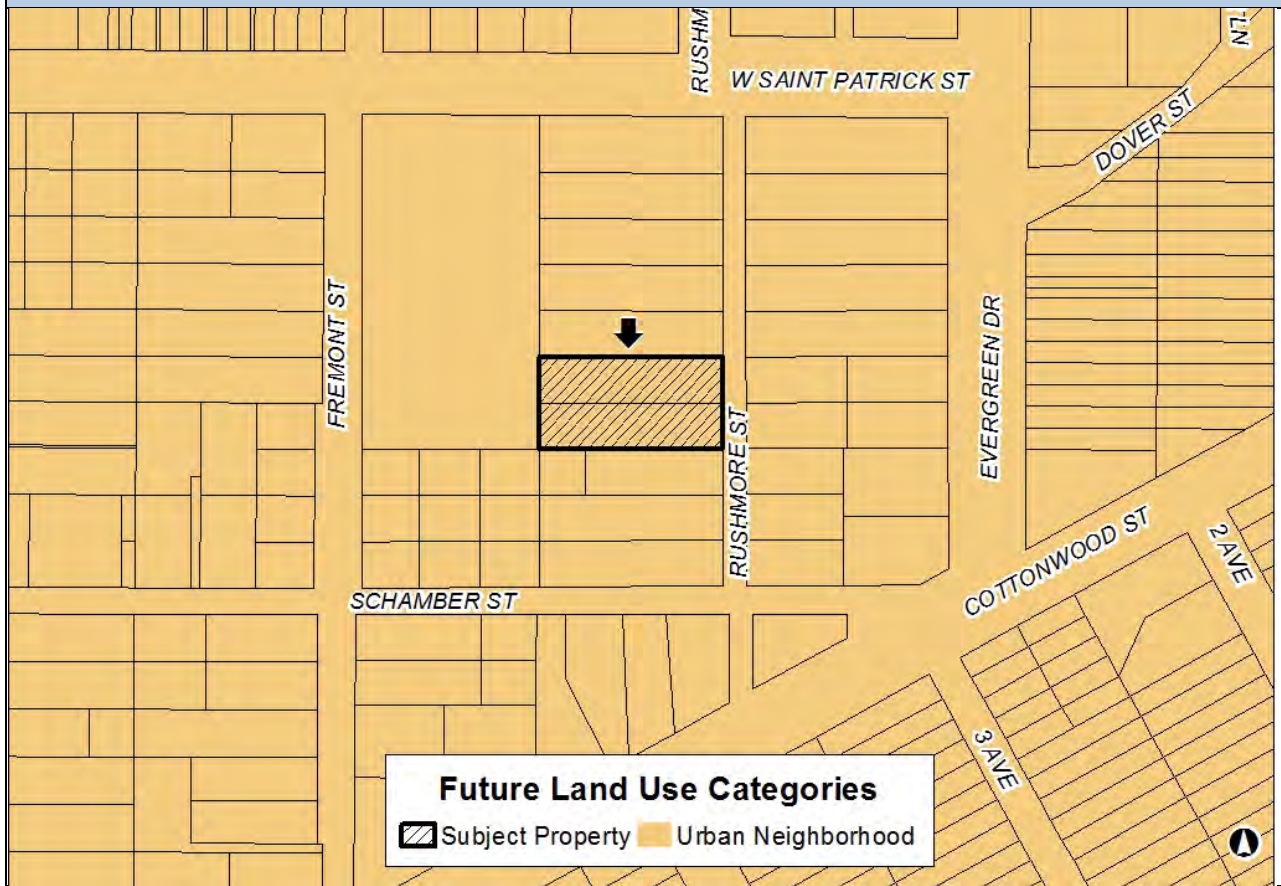
Project Summary Brief	
<p>The applicant has submitted a Conditional Use Permit to move an existing over-sized garage to a different area on the subject property. The property is currently developed with a single-family dwelling and a detached garage. The existing detached garage measures 864 square feet in size, which is larger than the footprint of the dwelling at 784 square feet. The applicant is proposing to move the garage behind the dwelling. Moving the existing garage triggers the requirement that the legal non-conforming use be brought into compliance with the Zoning Ordinance. A garage that exceeds in size the footprint of the dwelling is identified as a conditional use in the Medium Density Residential District. The applicant has stated that the garage is not intended for commercial purposes or as a second residence.</p>	
Development Review Team Contacts	
Applicant: Susan Weiss	Planner: Fletcher Lacock
Property Owner: Susan Weiss	Engineer: Ted Johnson
Architect: N/A	Fire District: Tim Behlings
Engineer: N/A	School District: N/A
Surveyor: N/A	Water/Sewer: Ted Johnson
Other: N/A	DOT: Stacy Bartlett

Subject Property Information	
Address/Location	1927 Rushmore Street
Neighborhood	West Rapid Neighborhood Area
Subdivision	Schamber Section 9 NW1/4 NE1/4
Land Area	20,000 square feet
Existing Buildings	Approximately 1,545 square feet
Topography	Relatively flat
Access	Rushmore Street
Water Provider	Rapid City
Sewer Provider	Rapid City
Electric/Gas Provider	Black Hills Power / MDU
Floodplain	N/A

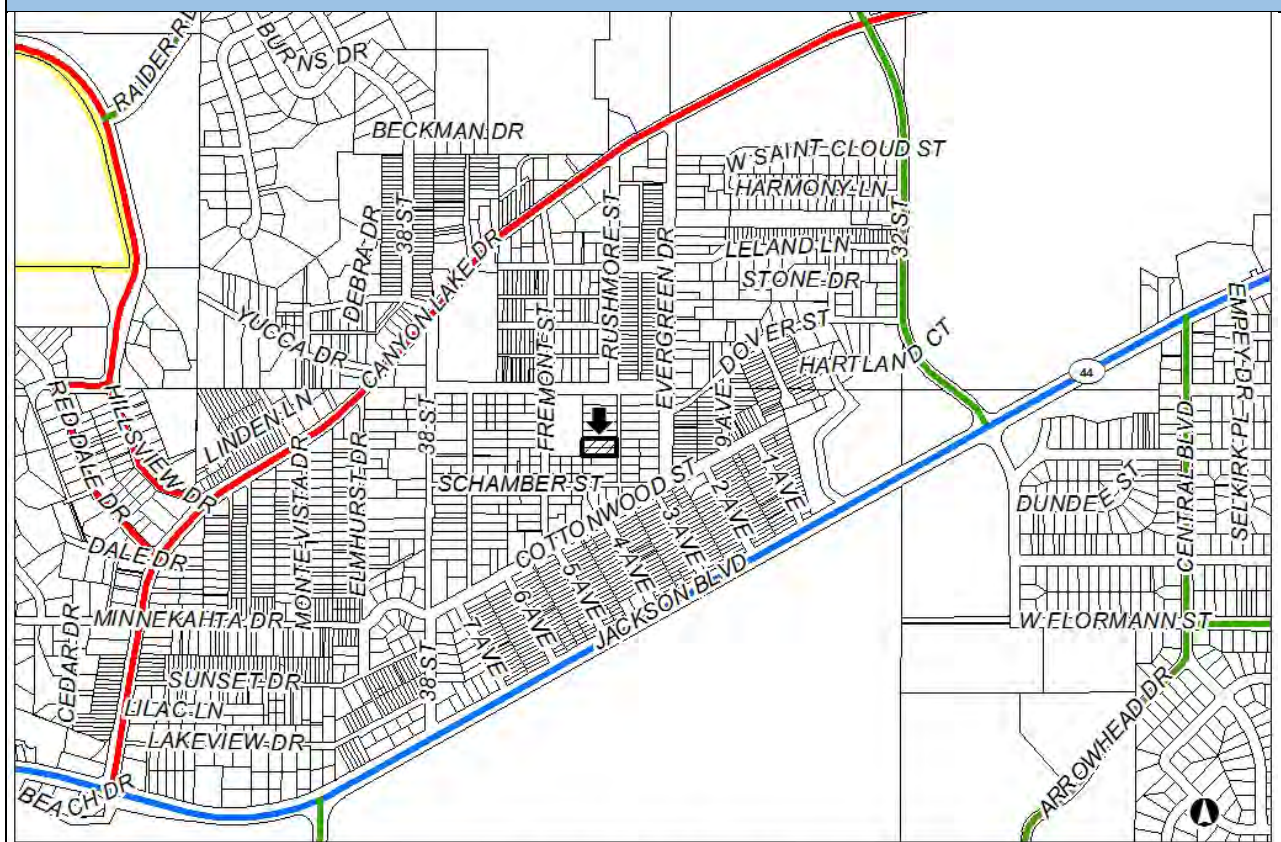
Subject Property and Adjacent Property Designations			
	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	MDR – Canyon Lake Overlay District	UN	Single-family dwelling
Adjacent North	MDR – Canyon Lake Overlay District	UN	Single-family dwelling
Adjacent South	MDR – Canyon Lake Overlay District	UN	Single-family dwelling
Adjacent East	MDR – Canyon Lake Overlay District	UN	Single-family dwelling
Adjacent West	MDR – Canyon Lake Overlay District	UN	Apartment complex



Comprehensive Plan Future Land Use



Parks or Transportation Plan










Major Street Plan

Legend for Major Street Plan:
Subject Property (hatched box) Rapid City Limits (yellow box) Collector (green line) Minor arterial (red line) Principal arterial (blue line)

Relevant Case History			
Case/File#	Date	Request	Action
N/A			
Relevant Zoning District Regulations			
Medium Density Residential District	Required	Proposed	
Lot Area	6,500 square feet	20,000 square feet	
Lot Frontage	Minimum 50 feet at the front building line	100 feet	
Maximum Building Heights	2.5 stories, 35 feet	One-story	
Maximum Density	30%	7.7%	
Minimum Building Setback:			
• Front	20 feet	Approximately 37 feet to the dwelling	
• Rear	25 feet to primary structure / 5 feet to accessory structures	Approximately 91 feet to the detached garage	
• Side	12 feet / 8 feet to accessory structures	8 feet to the detached garage on the south / approximately 66 feet from dwelling to the north	
• Street Side	20 feet	N/A	
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	Pursuant to RCMC	No signage proposed	
Fencing	Pursuant to RCMC	None proposed	

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 move an existing two-stall detached garage from a street frontage along Rushmore Street behind the existing dwelling. The proposed placement of the garage supports the Comprehensive Plan goal of de-emphasizing the prominence of garages.
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 site plan identifies that there is an existing fence located along the south lot line which will provide a buffer to the adjacent properties. The applicant is not proposing any new landscaping or additional fencing. The garage will face towards Rushmore Street.
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:	As noted above, the applicant is proposing to move an existing detached garage from the north side of the property abutting Rushmore Street to the south side of the property behind the existing dwelling. The applicant has submitted photos showing that the dwelling and detached garage are constructed with similar materials and color.
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 approximately 160 feet north of the intersection of Rushmore Street and Schamber Street. The property is zoned Medium Density Residential District in the Canyon Lake Overlay Zoning District and is developed with a single-family dwelling and a detached two-stall garage.
2. The location, character and design of adjacent buildings:	Properties to the north, south, east, and west are also zoned Medium Density Residential District in the Canyon lake Overlay Zoning District. Properties to the north, south and east are also developed with single-family dwellings. The property to the west is developed with an apartment building.
3. Proposed fencing, screening and landscaping:	The applicant is not proposing any additional landscaping or fencing. The site plan identifies an existing six foot high fence along the south property line which provides a buffer.
4. Proposed vegetation, topography and natural drainage:	The applicant is not proposing any additional landscaping. A landscape plan is not required for the Medium Density Residential District.
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 Rushmore Street. There are currently no sidewalks located along Rushmore Street and Rushmore Street dead-ends north of the property.
6. Existing traffic and traffic to be generated by the proposed use:	It is not anticipated that a single-family dwelling with a detached garage will generate significant traffic.
7. Proposed signs and lighting:	The applicant is not proposing any signage. The applicant has indicated that there are existing lights above the garage door and the side entrance door of the detached garage.
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 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 site plan submitted by the applicant shows that a minimum 8 foot side yard setback will be maintained in compliance with the Zoning Ordinance.
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 or as a second residence.
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 is proposing to move an existing garage from a street frontage to a location behind the dwelling. The proposed move supports the goal of reducing the prominence of garages.
	A Safe, Healthy, Inclusive, and Skilled Community
	N/A
	Efficient Transportation and Infrastructure Systems
TI-2.1A	Major Street Plan Integration: Rushmore Street is identified as a local street. The applicant is proposing to use the existing driveway as access to the detached garage. The applicant should be aware that the first 50 feet of the driveway must be paved.
	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 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.

Comprehensive Plan Conformance – Growth and Reinvestment Chapter	
Future Land Use Plan Designation(s):	Urban Neighborhood
Design Standards:	
SDP-N4	Garage Placement: The property is zoned Medium Density Residential District and an over-sized garage which exceeds the size and footprint of the dwelling is identified as a conditional use in the district. The applicant is proposing to move an existing detached garage from a street frontage to be located behind the dwelling. The proposed over-sized garage supports the goal of reducing the visual prominence of garages.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
Neighborhood:	West Rapid Neighborhood Area
Neighborhood Goal/Policy:	
N/A	The subject property is located in an established residential neighborhood.
Findings	
Staff has reviewed the Conditional Use Permit to allow an over-sized garage 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. An over-sized garage larger than the footprint of the dwelling is a conditional use in the Medium Density Residential District. The applicant is proposing to move an existing detached garage from a street frontage along Rushmore Street to be located behind the existing dwelling. The proposed move supports the Comprehensive Plan goal of reducing the visual prominence of garages.

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 an over-sized garage 864 square feet in size, larger than the footprint of the 784 square foot dwelling; and, |
| 2. | 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 Medium Density Residential District 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 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)	
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Companion Case(s) #	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.