



# Rapid City Planning Commission

## Planned Development Project Report

March 24, 2016

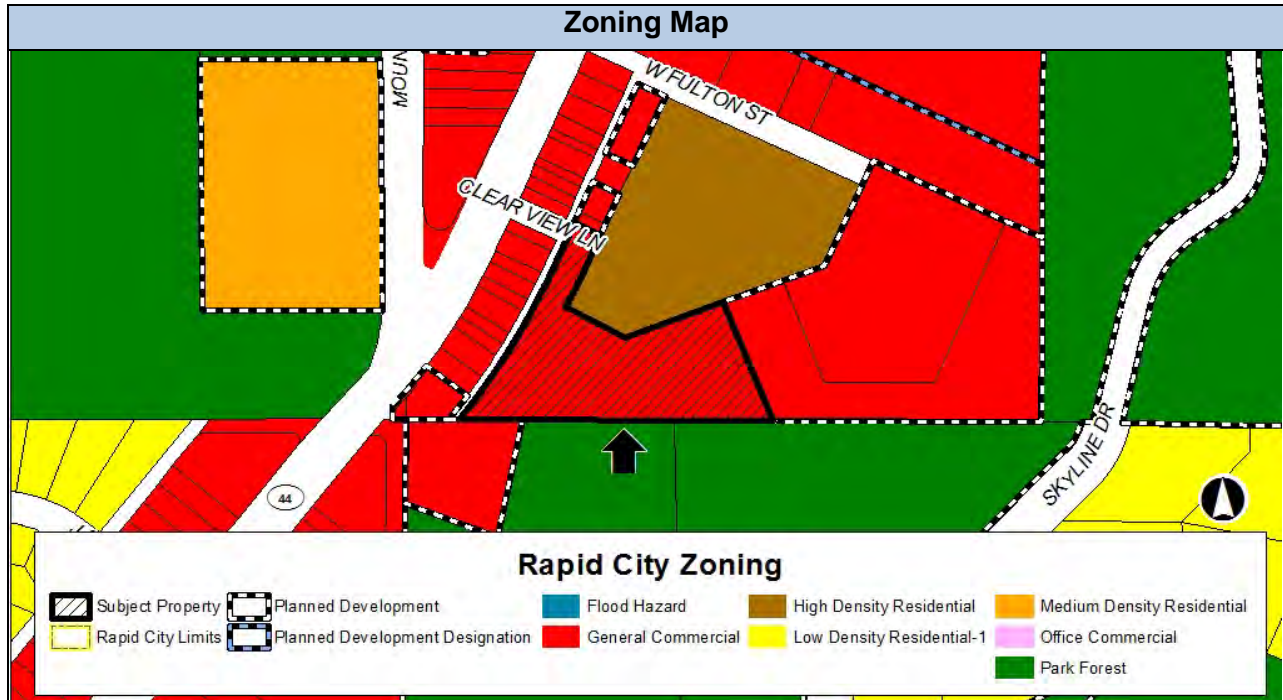
<b>Item #6</b>
<b>Applicant Request(s)</b>
Case # 15PD050- Major Amendment to the Planned Development to allow a garage as an accessory to the existing veterinary clinic to be located on the property
Companion Case(s) #: N/A

<b>Development Review Team Recommendation(s)</b>
The Development Review Team recommends that the Major Amendment to the Planned Development to allow a garage to be located on the property be approved with the stipulations noted below.

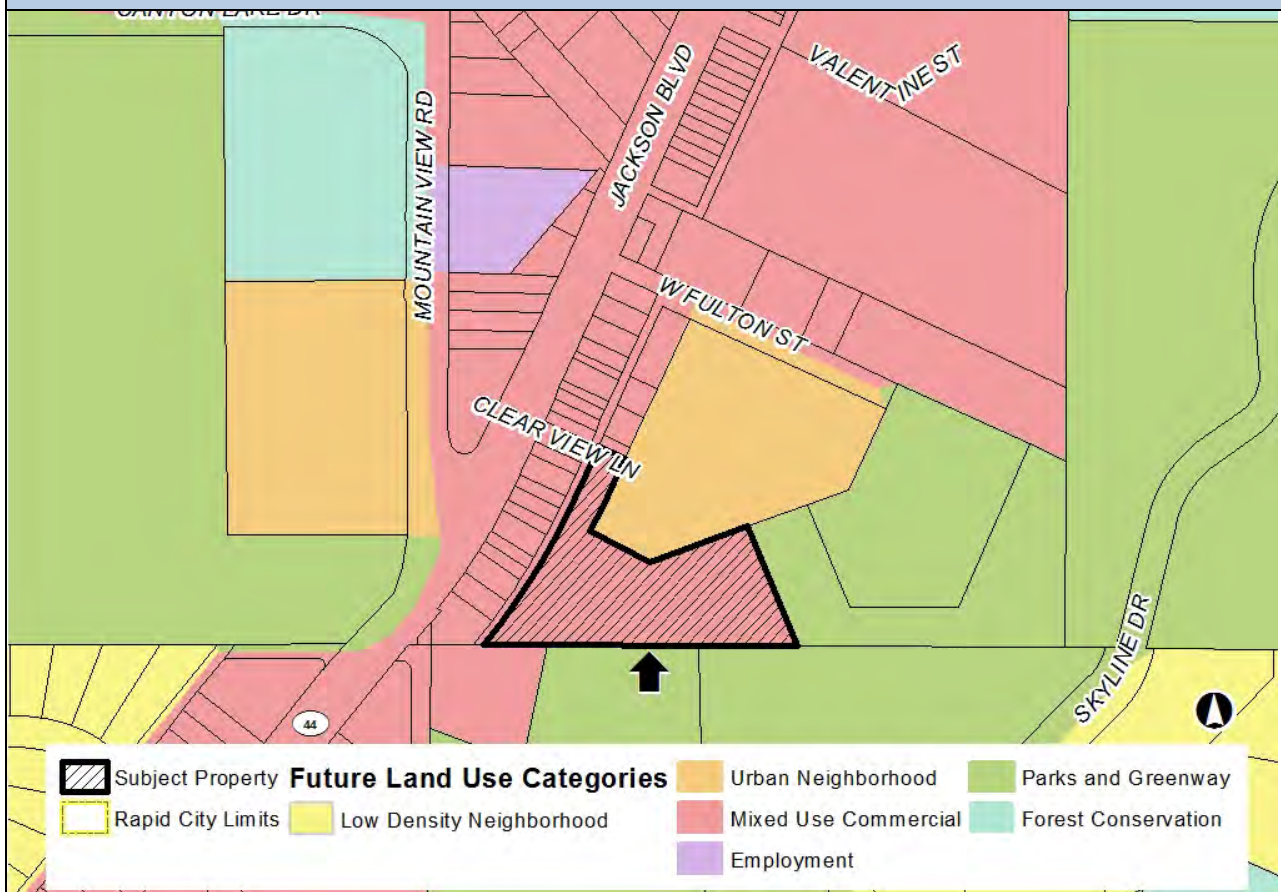
<b>Project Summary Brief</b>	
<p>The applicant has requested a Major Amendment to the Planned Development to allow an approximate 1,116 square foot garage to be constructed on the property. A Major Amendment to the Planned Development (File #15PD036) was recently approved to allow a veterinary clinic to be located on the property. The applicant submitted for and obtained a Minimal Amendment to construct a carport on the property. Following construction of the structure, several complaints were received by Building Services regarding the design and mass of the structure. Staff determined that the structure was actually a fully enclosed garage which did not match the plans approved as a part of the Minimal Amendment to the Planned Development. The Amendment was revoked by the Director of Community Planning and Development Services, and the constructed garage was subsequently removed from the property.</p> <p>The applicant has now submitted this Major Amendment to the Planned Development to construct a garage on the property. Due to the revised location of the structure, the applicant is requesting an Exception to reduce the required side yard setback to a residential district from 25 feet to 0 feet, to allow the side wall of the garage to be located on the northern property line.</p>	
<b>Applicant Information</b>	<b>Development Review Team Contacts</b>
Applicant: All Creatures Veterinary Hospital, Dean Falcon	Planner: Robert Laroco
Property Owner: All Creatures Veterinary Hospital, Dean Falcon	Engineer: Dan Kools
Architect: N/A	Fire District: Tim Behlings
Engineer: Davis Engineering, Inc.	School District: Janet Kaiser
Surveyor: N/A	Water/Sewer: Dan Kools
Other:	DOT: Stacy Bartlett

<b>Subject Property Information</b>	
Address/Location	1825 Clearview Lane, the eastern terminus of Clearview Lane
Neighborhood	Sheridan Lake Road Neighborhood
Subdivision	Overlook South Condominiums
Land Area	3.125 acres, approximately 136,125 sq ft
Existing Buildings	Existing 7,250 sq ft office building, 1,116 sq ft garage proposed
Topography	Sloping sharply uphill from east to west across the site
Access	Via Clearview Lane
Water Provider	Rapid City
Sewer Provider	Rapid City
Electric/Gas Provider	Black Hills Power/ Montana Dakota Utilities
Floodplain	None identified
Other	

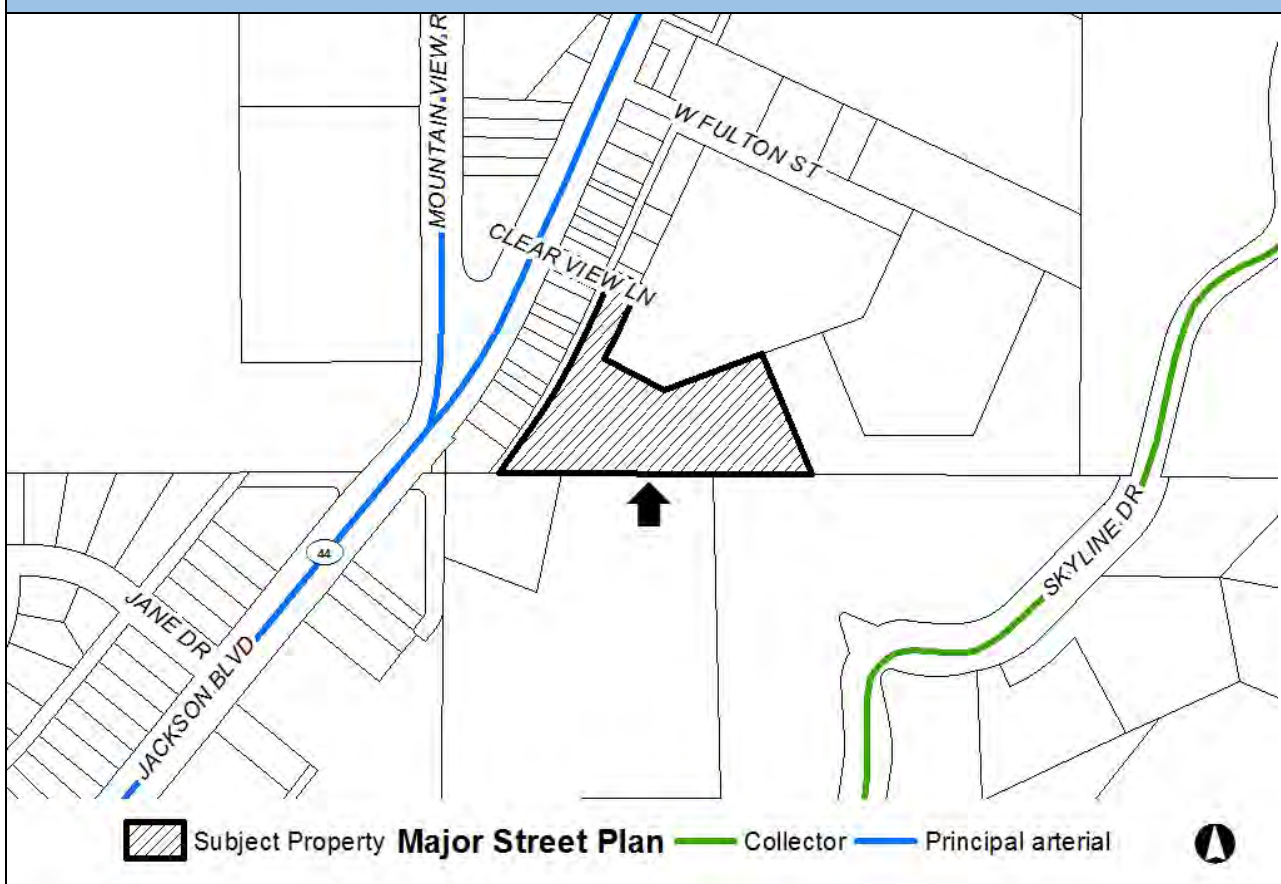
Subject Property and Adjacent Property Designations			
	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	GC/PD	MUC	Offices
Adjacent North	GA/PD, GC/PD	MUC, UN	Multifamily housing, retail/services
Adjacent South	GC/PD	MUC, PG	Offices. Parks/greenway
Adjacent East	GC/PD	UN, PG	Multifamily housing, parks/greenway
Adjacent West	GC/PD	MUC	Retail/services



### Comprehensive Plan Future Land Use



### Parks or Transportation Plan



Relevant Case History			
Case/File#	Date	Request	Action
16VE002	3/04/2016	Vacation of a portion of a utility/drainage easement	Staff approved
15PD036A	10/28/15; 12/04/15	Minimal Amendment to the Planned Development to allow a carport to be constructed on the property	Director approved with stipulations; subsequently revoked
15PD036	10/08/15	Major Amendment to the Planned Development to allow a veterinary clinic to be located on the property	Approved with stipulations
01PD051	10/15/01	Initial and Final Planned Commercial Development	Approved with stipulations

Relevant Zoning District Regulations		
General Commercial District	Required	Proposed/Existing
Lot Area	No minimum required	3.125 acres, approximately 136,125 sq ft
Lot Frontage	No minimum required	Approximately 40 ft
Maximum Building Heights	4 stories, 45 feet for primary structures. 1 story, 15 feet for accessory structures	2 stories, < 45 ft. existing. 1 story, 15 feet for the proposed garage
Maximum Density	75%	6.1%
Minimum Building Setback:		
• Front	25 ft	Approximately 225 ft
• Rear	25 ft	Approximately 344 ft
• Side	25 ft to residential	0 ft
• Street Side	N/A	N/A
Minimum Landscape Requirements:		
• # of landscape points	Per previously approved PD	Existing
• # of landscape islands	N/A	N/A
Minimum Parking Requirements:		
• # of parking spaces	31	38
• # of ADA spaces	2 (minimum 1 van accessible)	2 (1 van accessible)
Signage	Per RCMC	Per RCMC
Fencing	Per RCMC	None proposed

Planning Commission Criteria and Findings for Approval or Denial	
Pursuant to Section 17.50.050.F.5 of the Rapid City Municipal Code the Planning Commission shall consider the following criteria in a request for a Planned Development:	
	Findings
1. There are certain conditions pertaining to the particular piece of property in question because of its size shape, or topography;	The property is comprised of approximately 3.125 acres zoned General Commercial District. While the western portions of the property have been developed with a parking lot and office building, the topography on the eastern portion of the lot slopes sharply uphill and is adjacent to the Skyline Wilderness Park. Conditions on eastern portions of the property adversely impact the development of the site. In addition, the unusual shape of the lot creates an irregular building envelope on the

	property which makes construction of the garage at another location difficult.
2. The application of these regulations to this particular piece of property would create a practical difficulty or undue hardship;	In 2015, the Planning Commission approved a Major Amendment to the Planned Development to allow a veterinary clinic to be located on the property. Now the applicant is proposing to construct an 1,116 square foot garage on the property, which requires an amendment to the Planned Development. The application of these regulations to this piece of property does not create a practical difficulty or undue hardship.
3. Exceptions to the underlying zoning district, if granted, would not cause undue hardship to the public good or impair the purposes and intent of these regulations;	The applicant has requested an Exception to reduce the required side yard setback on the property from 25 feet to 0 feet in order to accommodate the sidewall of the proposed garage. Based on the unusual shape of the property as well as the steep topography of the lot, it is unlikely that another location can be utilized for the proposed garage. The adjacent property is currently owned by Pennington County and is the location of Pennington County housing. A minimum 35-foot setback will be required on the adjacent property and, as such, adequate separation between the subject property and future development on the adjacent property will be maintained. Representatives from Pennington County have not indicated any objections to the requested reduction in setback. In addition, on March 4, 2016, City staff approved a Vacation of Easement request for those portions of the easement for which the proposed garage will encroach. The requested Exception to reduce the required side yard setback from 25 feet to 0 feet does not create hardship to the public welfare and does not impair the purpose and intent of these regulations.
4. A literal interpretation of this chapter would deprive the applicant of rights that others in the same district are allowed;	The applicant is proposing to construct an 1,116 square foot garage on the site for use by employees of the existing "All Creatures Veterinary Hospital". However, based on the location of the property within a Planned Development, an Amendment to the Planned Development is required. A literal interpretation of this chapter does not deprive the applicant of rights that others in the same district are allowed.
5. Any adverse impacts will be reasonably mitigated;	Based on the location of the garage against the steep topography of the hill, the design of the garage matching existing buildings on the site, and the unique development located adjacent to the site, the requested reduction in setback is being mitigated to the greatest extent possible. Potential adverse impacts of the proposed garage are being mitigated to the greatest extent possible.
6. The requested exception to the underlying zoning district standards is an alternative or innovative practice that reasonably achieves the objective of the existing standard sought to be modified.	A veterinary clinic is a permitted use in the General Commercial District provided that no large animal treatments occur on-site and that all animals are housed in a climate-controlled, soundproof structure. The applicant's submitted operations plan notes that the facility will operate in compliance with these requirements. The requested reduction in the side yard setback allows development of a garage with a minimal impact on the balance of the neighborhood on a site severely limited by topography.


	The proposed Major Amendment and accompanying Exception will allow an alternative design which reasonably achieves the objectives of the Zoning Ordinance.
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**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**

	<b>A Balanced Pattern of Growth</b>
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N/A	N/A
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	<b>A Vibrant, Livable Community</b>
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LC-3.1C	<u>Compatible Infill and Redevelopment</u> : The requested Major Amendment will allow for additional development on the property with a permitted accessory use. This type of infill development contributes to the reinvestment of an existing neighborhood.
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	<b>A Safe, Healthy, Inclusive, and Skilled Community</b>
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N/A	N/A
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	<b>Efficient Transportation and Infrastructure Systems</b>
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TI-2.1D	<u>Coordinated Land Use and Transportation Planning</u> : Transportation Planning staff has reviewed the requested Major Amendment and has noted that the proposal has no identified transportation impacts.
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	<b>Economic Stability and Growth</b>
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EC-1.3A	<u>Local Business Support</u> : The request facilitates the expansion of the existing “All Creatures Veterinary Hospital”, a local business which has operated in the City for a number of years.
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	<b>Outstanding Recreational and Cultural Opportunities</b>
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N/A	N/A
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	<b>Responsive, Accessible, and Effective Governance</b>
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GOV-2.1A	<u>Public Input Opportunities</u> : The Major Amendment to the Planned Development requires notification of surrounding property owners located within 250 feet of the property and posting of a sign on the property. These notification requirements allow public input into the proposed development. As of this writing, there have been no inquiries into the requested Major Amendment.
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**Comprehensive Plan Conformance – Growth and Reinvestment Chapter**

<b>Future Land Use Plan Designation(s):</b>	Mixed Use Commercial
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**Design Standards:**

N/A	N/A
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<b>Comprehensive Plan Conformance – Neighborhood Area Policies Chapter</b>	
<b>Neighborhood:</b>	Sheridan Lake Road Neighborhood
<b>Neighborhood Goal/Policy:</b>	
SLR-NA1.1D	<u>Regional Recreation:</u> It should be noted that during review of this request Parks and Recreation noted interest in possible acquisition of portions of this property for incorporation into the developing Skyline Wilderness Park. Discussions are ongoing. Development of portions of this property as a part of the Skyline Wilderness Park would improve regional recreational opportunities within the Sheridan Lake Road Neighborhood. However, it should be noted that approval of this Major Amendment does not approve any alteration or expansion of the existing Skyline Wilderness Park.

**The Development Review Team Recommends that the request for a Major Amendment to the Planned Development be approved for the following reasons:**

•	The applicant is proposing to construct an approximately 1,116 square foot garage on the property, located 0 feet from the northern property line. The sever topography of the site combined with an unusually shaped lot create a limited building envelope. The requested reduction in setback will allow maximum use of the property with a permitted accessory use.
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**Staff recommends that the requested Major Amendment to the Planned Development be approved with the following stipulations:**

1.	The previously approved Final Planned Development (File #15PD036) and all previous stipulations of approval are hereby acknowledged;
2.	The requested Exception to reduce the required side yard setback long the northern property line from 25 feet to 0 feet is hereby granted.
3.	The use of the proposed garage for the boarding, kenneling, or treatment of any animals is expressly prohibited.
4.	This Major Amendment to the Planned Development shall allow for a garage as an accessory to the existing veterinary clinic to be located on the property. The veterinary clinic shall operate in compliance with the submitted operations plan and all requirements of the Rapid City Municipal Code. All uses permitted in the General Commercial District shall be permitted contingent upon an approved building permit and provision of sufficient parking. All conditional uses shall require a Major Amendment to the Planned Development.