

STAFF REPORT

July 5, 2001

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**No. 01PD028 - Major Amendment to a Planned Residential Development**      **ITEM 23**

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GENERAL INFORMATION:

PETITIONER	Sylvia Hills Architecture for Helgeson Development Company, Inc.
REQUEST	<b>No. 01PD028 - Major Amendment to a Planned Residential Development</b>
LEGAL DESCRIPTION	Lot 1 Revised Revised, Trimble Subdivision, Section 14, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 20.07 Acres
LOCATION	931 and 821 Fox Run Drive
EXISTING ZONING	Office Commercial District (PRD)
SURROUNDING ZONING	
North:	Office Commercial District (PCD) - Park Forest District
South:	Medium Density Residential District (PRD)
East:	Medium Density Residential District (PRD)
West:	Office Commercial (PCD) - Medium Density Residential District (PRD)
PUBLIC UTILITIES	City water and sewer
REPORT BY	Lisa Seaman

RECOMMENDATION: Staff recommends that the Major Amendment to a Planned Residential Development be approved with the following stipulations:

Building Inspection Department Recommendations:

1. A Building Permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy of the garage;

Urban Planning Division Recommendations:

2. That prior to final inspection an as-built survey shall be submitted verifying that the garage has been constructed outside the drainage easement and the minimum distance from the overhead power lines as required by Black Hills Power;
3. That prior to the issuance of a Building Permit an amendment to the existing Air Quality Permit must be obtained;
4. That all previous conditions of approval for the Planned Residential Development #00PD011 shall be continually met; and,

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GENERAL COMMENTS: **This Staff Report has been revised. New or revised text is shown in bold print.** On May 15, 2000 the City Council approved a Planned Residential Development for the subject property with 15 stipulations. The approved Planned Development allowed for the construction of 28 assisted living units and a 59 unit congregate housing unit. The applicant is now seeking approval to construct a 22 foot by 72 foot garage in the northeast corner of the property. Any increase in use and/or increase in overall density of use within a planned development requires a Major Amendment to the Planned Residential Development.

STAFF REVIEW: Staff has reviewed this request and has identified the following issues:

**Drainage:** One of the stipulations of approval of the original Planned Residential Development required that a complete drainage system analysis for the subject property be submitted for review and approval. The Engineering Division is concerned that the percent impervious utilized in the South Robbinsdale Drainage Basin Design Plan will be exceeded after construction of the 22 foot by 72 foot garage and the additional paved area is completed. The applicant has submitted a revised drainage basin plan that indicates that this increase in impervious area complies with the South Robbinsdale Drainage Basin Design Plan. However, the Engineering Division has indicated no further increase in impervious area will be allowed on the property.

**Easements:** The site plan submitted with this request shows the proposed garage to be located adjacent to a drainage easement and approximately 33 feet from a section line right of way. An overhead power line is located on the west side of the section line right of way. The applicant has indicated that Black Hill Power and Light has identified the minimum distance required between the power line and the proposed garages. Staff is concerned that the garage will encroach into the drainage easement and is requiring that the applicant provide an as-built survey to verify that the garage has been constructed outside of the drainage easement and the minimum distance required from the overhead power lines.

As of this writing, documentation of completion of the certified mailing has been submitted by the petitioner. The required Use On Review sign has been posted on the property.

**This request was continued at the June 21, 2001 Planning Commission meeting to allow the applicant time to draft a Miscellaneous Document providing an access easement across the subject property to serve as future access to the property located to the east. The applicant, as well as the adjacent property owner, has indicated to staff that an agreement has been reached and a Miscellaneous Document drafted.**