

STAFF REPORT
October 7, 2004

No. 04PD051 - Major Amendment to a Planned Residential Development **ITEM 21**

GENERAL INFORMATION:

PETITIONER	Barry Degen
REQUEST	No. 04PD051 - Major Amendment to a Planned Residential Development
EXISTING LEGAL DESCRIPTION	Lot 5, Block 2, Skyview North Subdivision, Section 10, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.3 acres
LOCATION	2014 Harney Drive
EXISTING ZONING	Low Density Residential District (PRD)
SURROUNDING ZONING	
North:	Low Density Residential District (PRD)
South:	Low Density Residential District (PRD)
East:	Low Density Residential District (PRD)
West:	Low Density Residential District (PRD)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	8/26/2004
REVIEWED BY	Todd Tucker / Curt Huus

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

1. Prior to any construction, a Building Permit shall be obtained and a Certificate of Occupancy shall be obtained prior to occupancy;
2. The proposed single family residence shall be allowed to be constructed in the location shown on the submitted site plan;
3. The proposed driveway shall be constructed with a maximum 16% grade;
4. **A driveway with a minimum width of 12 feet shall be allowed for the proposed single family residence;**
5. A fire sprinkler system is not required for the proposed single family residence; and,
6. Prior to any off site work, construction easements must be obtained.

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GENERAL COMMENTS: **(This Staff Report was revised on September 24, 2004. All revised and/or added text is shown in bold text.) This item was continued at the September 23, 2004 Planning Commission meeting to allow the applicant time to comply with all stipulations of approval.**

The subject property is located at the southeast terminus of Harney Drive which is east of Sheridan Lake Road and west of Skyline Drive. The subject property is located within the Skyview North Planned Residential Development (00PD023) which was approved by the City Council on August 21, 2001 with six stipulations. Those stipulations of approval were as follows:

1. Specific geotechnical and slope stability information must be submitted for review and approval prior to issuance of any building permits;
2. Prior to issuance of a building permit for a particular lot, the property owner shall submit the proposed driveway grade for review and approval of the Engineering Division and Fire Department. If the proposed driveway grade exceeds 15% for any lot, a sprinkler system shall be installed in the dwelling unit. Plans for the sprinkler system shall be submitted for review and approval by the Fire Department;
3. No building permit shall be issued for any lot unless the lot has been included as part of an approved Preliminary and Final Plat;
4. Only single-family residences and accessory structures as allowed by the Zoning Ordinance may be constructed within the Planned Commercial Development and only in accordance with the identified building envelopes;
5. All bulk, height and density requirements of the Low Density Residential Zoning District shall apply to this development except that buildings shall not be constructed outside of the approved building envelopes; and,
6. Each single family residence shall provide a minimum of three (3) off-street parking spaces.

The applicant is now proposing to construct an approximate 3,000 square foot single family residence on the subject property. The applicant is requesting a Major Amendment to the Planned Residential Development to construct the proposed house outside of the identified building envelope for the subject property and to construct the driveway to the proposed house with a grade that exceeds 15%. Further, the applicant is requesting that the fire sprinkler not be required, even though the proposed drive will exceed a 15% maximum grade.

STAFF REVIEW: Staff has reviewed the proposed Major Amendment to the Planned Residential Development and has noted the following issues:

Building Permit: Staff noted that a Building Permit must be obtained prior to any construction of the structure and a Certificate of Occupancy must be obtained prior to occupancy.

Building Envelope: The subject property is located within the Skyview North development which received Final Plat approval by the City Council on August 20, 2001. As part of the Final Plat approval, building envelopes were identified. As previously indicated, the applicant is

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proposing to construct a single family residence on the subject property outside of the approved building envelope. The proposed location of the house meets the minimum setback requirements of the Low Density Residential Zoning District. However, staff has significant concerns about the safety issues associated with the design and length of the driveway required to serve a residence located such a great distance from the street.

Driveway Grades: As previously indicated, the applicant is proposing a driveway grade of 16%. Staff noted that 16% is the maximum grade allowed for driveways as per the Street Design Criteria Manual. The applicant's site plan shows the maximum width of the proposed driveway to be 12 feet. Staff is recommending that the minimum width of the proposed driveway be 20 feet. Prior to Planning Commission approval, a revised site plan must be submitted showing the proposed driveway to be a minimum of 20 feet wide. Staff noted that the proposed concrete garage apron and gravel extension meet the minimum requirements and for a residential turn around to accommodate a fire apparatus. As such, the Fire Department has indicated that a sprinkler system will not be required for the residence.

At the September 23, Planning Commission meeting the Fire Department staff indicated that a 12 foot wide driveway access would be acceptable for the proposed single family residence. As such, a driveway with a minimum width of 12 feet shall be allowed for the proposed single family residence.

Utilities: Staff noted that no plans showing the location of the existing utilities was submitted with the application. Prior to Planning Commission approval, a topographic map must be submitted showing the location of any existing services or mains.

On September 23, 2004 the applicant submitted a revised site plan showing the location of the existing utilities and proposed utilities to be extended to the proposed house.

Grading and Drainage: Staff noted that no grading or drainage plans were submitted with the application. Prior to Planning Commission approval, a grading and drainage plan must be submitted identifying earthwork quantities, area of disturbed ground, retaining wall locations, and haul routes.

On September 23, 2004 the applicant submitted a drainage and grading plan showing the area of disturbed ground, identifying earthwork quantities and retaining wall locations. The applicant also indicated that no dirt will be removed from the site.

Construction Easements: Staff noted that the location of portions of the proposed driveway are in close proximity to neighboring properties. Prior to any off site work, construction easements must be obtained.

Notification Requirement: The required sign has been installed on the property. However, the receipts for the required certified mailings have not been returned as of this date. Staff will notify the Planning Commission at the September 23, 2004 Planning Commission meeting if this requirement has not been met.

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Staff is recommending approval of the Major Amendment to a Planned Residential Development with the previously stated stipulations.