

STAFF REPORT  
May 4, 2006

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**No. 06PD020 - Major Amendment to a Planned Residential Development      ITEM 50**

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GENERAL INFORMATION:

PETITIONER	David Reyelts
REQUEST	<b>No. 06PD020 - Major Amendment to a Planned Residential Development</b>
EXISTING LEGAL DESCRIPTION	Lots 5 and 6, Block 1, Enchanted Pines Subdivision, Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.689 acres
LOCATION	4911 Enchanted Pines Drive
EXISTING ZONING	Low Density Residential District (Planned Residential Development)
SURROUNDING ZONING	
North:	General Agriculture District
South:	Low Density Residential District (Planned Residential Development)
East:	Low Density Residential District (Planned Residential Development)
West:	Low Density Residential District (Planned Residential Development)
PUBLIC UTILITIES	City water and private sewer
DATE OF APPLICATION	4/6/2006
REVIEWED BY	Travis Tegethoff / Mary Bosworth

RECOMMENDATION: Staff recommends that the Major Amendment to a Planned Residential Development be withdrawn at the applicant's request.

GENERAL COMMENTS: The subject property is located north of Enchanted Pines Drive in the Enchanted Pines Subdivision at 4911 Enchanted Pines Drive.

On April 1, 2002 the City Council approved with stipulations a Planned Residential Development – Final Development Plan with stipulations on the subject property.

The applicant is now requesting a Major Amendment to a Planned Residential Development to construct an oversized garage on the subject property. The existing single family residence is approximately 2,846 square feet with a 1,402 square foot attached garage.

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The applicant is now proposing to construct a 1,600 square foot detached garage with an upper level for a fitness room and a lower level for storage and a shop. The gross floor area of the dwelling unit is approximately 6,000 square feet. The gross floor area of the proposed detached garage plus the gross floor area of the existing attached garage will total 4,602 square feet which is 76 percent of the size of the gross floor area of the dwelling unit and is greater than the allowed 30 percent of the size of the gross floor area of the dwelling unit.

STAFF REVIEW: Staff has reviewed this request for a Conditional Use Permit as it relates to the applicable provisions of Section 17.50.070 of the Rapid City Municipal Code and has noted the following issues:

*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 has submitted building elevation plans for the proposed addition. It appears that the color and materials proposed for the construction of the proposed addition will be consistent with the existing single family residence located on the subject property.

*2. The proposed garage shall be used only for residential purposes incidental to the principle use of the property.*

The applicant has indicated that the garage will be used for a fitness room, a shop, and for storage purposes. These uses appear to be incidental to the principle uses of the property which are residential. As discussed in item number five below, a Covenant Agreement declaring that the garage cannot be used for commercial purposes shall be signed by the applicant and filed at the Pennington County Courthouse prior to the issuance of a Building Permit.

*3. Landscaping or fencing may be required to screen the garage from the neighboring properties.*

The proposed garage additions will be located at least 80 feet from the front property line adjacent to Enchanted Pines Drive. The proposed garage addition will also meet all other building setback requirements. The proposed addition is located in close proximity to adjacent properties. Due to the location of the proposed garage, additional landscaping or fencing is necessary to screen the garage from the neighboring properties. Prior to Planning Commission approval a revised site plan is required for review and approval with the additional landscaping or fencing necessary to screen the garage from the neighboring properties.

*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 previously noted, the applicant has submitted building elevation plans for the proposed addition. Staff noted the types of building materials to be used for the garage were Dryvit with log accents and metal roofing. Staff noted that the proposed additions shall be

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constructed of the same general materials and the same color(s) as the existing residence.

*5. The applicant shall file a notice with the Pennington County Register of Deeds Office indicating that the garage will only be used for residential purposes.*

As per Ordinance 17.10.030 of the Rapid City Municipal Code, the garage may not be used for commercial purposes. Staff is recommending that a Covenant Agreement declaring that the garage cannot be used for commercial purposes shall be signed by the applicant and filed at the Pennington County Register of Deeds Office prior to the issuance of a Building Permit.

Building Permit: Staff noted that a Building Permit must be obtained prior to construction, and that a Certificate of Occupancy must be obtained prior to occupying the building.

Fire Safety: Staff noted that the applicant must ensure that a minimum fire flow of 1,000 GPM at 20 psi residual is provided for the site. Staff also noted that all applicable provisions of the International Fire Codes shall be continually met.

Grading: Staff noted that retaining walls over four feet in height must be designed by a Registered Professional Engineer. Staff also noted that prior to issuance of a building permit a grading plan must be submitted for review and approval

Paved Access: Staff noted the driveway must be improved with a hard surface and the hard surface must begin at the street or curb line and either extend to the garage or parking slab or a minimum of fifty feet as per Section 17.50.270 (I).

Vacation of Easement: Staff noted that a Developmental Lot Agreement has been signed for the subject property but the utility and drainage easement between the two lots where the existing residence is constructed has not been vacated. Prior to Planning Commission approval the utility and drainage easement must be vacated.

Notification: The required sign has not been posted on the property and the required notification of surrounding property owners has not been mailed.

On April 27, 2006 the applicant requested that the Major Amendment to a Planned Residential Development be withdrawn. As such, staff recommends that the Major Amendment to a Planned Residential Development be withdrawn at the applicant's request.