

STAFF REPORT
January 21, 2010

No. 09PD113 - Major Amendment to a Planned Residential Development **ITEM 8**

GENERAL INFORMATION:

APPLICANT/AGENT	City of Rapid City
PROPERTY OWNER	Kathy L. Webb
REQUEST	No. 09PD113 - Major Amendment to a Planned Residential Development
EXISTING LEGAL DESCRIPTION	Lot 16 of Melody Acres Subdivision No. 2, Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.23 acres
LOCATION	2801 Cactus Drive
EXISTING ZONING	Mobile Home Residential District (Planned Residential Development)
SURROUNDING ZONING	
North:	No Use District
South:	No Use District
East:	No Use District
West:	No Use District
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	1/4/2010
REVIEWED BY	Karen Bulman / Karley Halsted

RECOMMENDATION:

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

1. The proposed one stall garage shall be of the same materials and same roof pitch as the residence;
2. A Certificate of Occupancy shall be obtained prior to occupancy;
2. An exception is hereby granted to allow one off-street parking space to be provided in lieu of the two required spaces;
3. The off-street parking space and driveway shall be paved; and,
4. The Planned Residential Development shall expire if the use is not undertaken and completed within two years of the date of approval by the Planning Commission, or if the use as approved has ceased for a period of two years.

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GENERAL COMMENTS: The City has submitted a Major Amendment to a Planned Residential Development to remove the stipulation requiring a four foot sidewalk that was in the original Initial and Final Planned Residential Development (File #09PD038) approved September 10, 2009. A subsequent Minimal Amendment was also approved on November 10, 2009, to reduce the size of the garage from 576 square feet to 480 square feet.

This property was annexed June 4, 2009 and is located in the South Valley Drive area. The Southeast Area Neighborhood Future Land Use Plan indicates that Mobile Home Residential land use with a Planned Residential Development is the appropriate land use for this property. The City rezoned the property from No Use District to Mobile Home Residential District (#09RZ034) in conjunction with the Initial and Final Planned Residential Development (#09PD038) to construct a single family residence on the property. The property owner has obtained a Building Permit to place a Governor's House with an attached garage on the property.

The stipulations of approval for the Initial and Final Planned Residential Development for this property included:

1. A Building Permit shall be obtained prior to construction and a Certificate of Occupancy shall be obtained prior to occupancy;
2. An Erosion and Sediment Control Permit shall be obtained prior to obtaining a Building Permit;
3. The proposed one stall garage shall be of the same materials and same roof pitch as the residence;
4. An exception is hereby granted to allow one off-street parking space to be provided in lieu of the two required spaces;
5. The off-street parking space and driveway shall be paved;
6. Prior to obtaining a Building Permit, the Final Development Plan shall be revised to show a four foot wide sidewalk located one foot off the property line in the public right-of-way or the applicant shall obtain an exception to construct a sidewalk from the City Council; and,
7. The Planned Residential Development shall expire if the use is not undertaken and completed within two years of the date of approval by the Planning Commission, or if the use as approved has ceased for a period of two years.

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

Garage: The proposed attached garage will be located in front of the house. The one stall garage will be 24 feet wide and 20 feet long with one 16 foot wide by 8 foot high overhead door and of the same roof pitch and materials as the house.

Parking: Two 9 feet wide by 18 feet long off-street parking spaces are required for single family structures. One parking space will be located in the proposed garage. Typically, tandem parking spaces are not allowed. Due to the topography of the land and the single stall

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garage attached to the Governor's House, staff recommended that an exception be granted to allow one off-street parking space in lieu of the two required spaces. This exception was approved by the Planning Commission with the Initial and Final Planned Residential Development (#09PD038). The proposed off-street parking plan identifies access to the property being taken from the paved Cactus Drive. Section 17.50.270.I of the Rapid City Municipal Code indicates that the driveway beginning at the street to the garage or a minimum of the first 50 feet of driving surface into a property must be paved.

Sidewalk: Additional research indicates that Cactus Street is identified as a street, but is not a dedicated public right-of-way. City Ordinance requires sidewalks to be installed along public rights-of-way. However, the road in question is not right-of-way and has not been dedicated to the public. The status of this drive is unusual; however, staff does not believe that sidewalks can be required in this specific case. As such, staff has submitted this Major Amendment to the Planned Residential Development to remove the sidewalk requirement that was included in the original Initial and Final Planned Residential Development (#09PD038).

Permits: A Building Permit has been obtained to construct the house and garage on the lot. A Certificate of Occupancy must be obtained prior to the structure being occupied.

Notification Requirement: As of this writing, the required sign has been posted on the property and the receipts for the certified mailing have been returned. Staff has received no inquiries or comments regarding this proposal.