

STAFF REPORT
June 24, 2010

No. 10PD043 - Planned Residential Development - Initial and Final Development Plan **ITEM 19**

GENERAL INFORMATION:

APPLICANT	Robert Case
AGENT	Hermanson Egge Engineering, Inc.
PROPERTY OWNER	Robert H. Case
REQUEST	No. 10PD043 - Planned Residential Development - Initial and Final Development Plan
EXISTING LEGAL DESCRIPTION	The east 12.5 feet of Lot 25 and all of Lots 26 thru 28 of Block 9 of Blakes Addition, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.23 acres
LOCATION	218 East New York Street
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Flood Hazard District
East:	Low Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	5/28/2010
REVIEWED BY	Jim Flaaen / Karley Halsted

RECOMMENDATION:

Staff recommends that the Planned Residential Development - Initial and Final Development Plan be approved with the following stipulations:

1. Prior to Planning Commission approval, elevations shall be submitted for review and approval of the proposed fence and concrete retaining wall;
2. Prior to issuance of a Building Permit, all redline comments on the site plan shall be addressed and the original redlined plans be returned to the Growth Management Department;
3. Prior to issuance of a Building Permit, a Permit to Work in the Right-of-Way and an Erosion and Sediment Control Permit shall be obtained;
4. Prior to issuance of a Building Permit, construction plans shall be submitted for review

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- and approval identifying that the proposed garage will meet all applicable fire separation requirements of the Fire Code;
5. Prior to issuance of a Building Permit, a calculation of the increase in impervious surfaces on the property shall be submitted for review and approval;
 6. Prior to issuance of a Building Permit, plans stamped by a registered Land Surveyor or Professional Engineer must be submitted per SDCL 36-18A;
 7. All disturbed soil shall be reclaimed and stabilized with 14 days of halting construction activities;
 8. All applicable provisions of the currently adopted International Fire Code shall continually be met;
 9. The proposed structures shall conform architecturally to the plans and design features submitted as a part of this Initial and Final Development Plan;
 10. All provisions of the Low Density Residential District shall be met unless specifically authorized as a stipulation of this Planned Residential Development, or a subsequent Major Amendment;
 11. The rear yard setback is hereby reduced from 5 feet to 1 foot 6 inches for the existing buildings on the site. Any removal of the building in whole or part shall require that a minimum 5 foot front yard setback be provided;
 12. The side yard setback is hereby reduced from 8 feet to 2 feet for the proposed garage on the east property line;
 13. The side yard setback is hereby reduced from 5 feet to 0 feet for the existing shed on the west property line. Any removal of the building in whole or part shall require that a minimum 5 foot front yard setback be provided; and,
 14. The Planned Residential Development shall expire if the use is not undertaken 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.

GENERAL COMMENTS: The applicant has submitted a Planned Residential Development – Initial and Final Development Plan to allow for the construction of an oversized residential garage at the property at 218 East New York Street. In particular, the applicant has proposed to construct a 572 square foot garage attached to the existing 717 square foot garage on the property. The garage will be 22 feet wide and 26 feet deep and 21 feet 2.5 inches high and will be located on the northeast corner of the property. In addition, the applicant is proposing to construct a new concrete driveway and close the existing curb cut.

The property is located at 218 East New York Street which is west of Milwaukee Street and east of Herman Street. A single family residence and accessory structures are located on the property.

STAFF REVIEW: Staff has reviewed the Planned Residential Development – Initial and Final Development Plan and has noted the following considerations:

Design Features: The garage is proposed to be 572 square feet and will be 22 feet wide and 26 feet long and 21 feet 2.5 inches tall. The exterior of the garage is proposed to be covered in lap shingles that will be light olive in color. An 18 foot wide by 7 foot tall garage door will be located on the front of the garage facing south and will be tan in color. In addition, a 5 foot

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wide by 6 foot 9 inch tan cargo door will be located on the front of the garage above the garage door.

Driveway: The site plan submitted by the applicant identifies that the existing gravel driveway at the center of the property will be removed and replaced with a 12 foot wide concrete driveway along the east property line. The existing curb cut will be closed and a new curb cut will be installed at the new driveway location.

Setbacks: The applicant has requested a reduction in setbacks be approved as a part of this Planned Residential Development. In particular, the applicant has requested a reduction in the side yard setback to 2 feet in lieu of the required 8 foot side yard setback on the east property line for an accessory structure for the proposed garage. In addition, the applicant is requesting a reduction in the side yard setback to 0 feet in lieu of the required 5 feet for accessory structures set back more than 90 feet from the front property line and a reduction in the required rear yard setback to 1 foot 6 inches in lieu of the required 5 feet rear yard setback for accessory structures. Staff recommends that the reductions to the required setbacks be allowed as requested for the existing building and garage on the property. However, any removal of the building in whole or part will require that all setbacks and lot coverage requirements of the Low Density Residential District be met.

Fence: A 6 foot tall wooden privacy fence currently exists on the rear property line adjacent to the alley north of the property. The applicant has indicated that the portions of the fence to be occupied by the proposed garage would be removed and a new 6 foot tall wooden privacy fence would be installed at the northwest corner of the existing garage and would span approximately 9 feet to the west to the northeast corner of the existing shed. The fence is proposed to be located on top of a proposed 2 foot high concrete retaining wall. Elevations for the proposed fence and concrete retaining wall were not submitted with the application. As such, prior to Planning Commission approval, elevations be submitted for review and approval of the proposed fence and concrete retaining wall.

Fire Code: All provisions of the currently adopted International Fire Code must be continually met. Prior to issuance of a Building Permit, the applicant must provide construction plans that identify the construction of the proposed garage will meet all applicable fire separation requirements of the Fire Code.

Red line Comments: Staff made several red line comments on the submitted site plans regarding drainage, retaining wall and fence design, distance to adjacent structures and reclaiming construction areas. Prior to issuance of a Building Permit, the plans must be revised, and the redlined plans returned to the Growth Management Department.

Drainage: The submitted site plan did not include a calculation of the percent increase in impervious surfacing on the property. Prior to issuance of a Building Permit, a calculation of the increase of impervious surface must be submitted for review and approval.

Disturbed Soils: Section 8.50.040 of the Rapid City Municipal Code requires the all disturbed soils must be stabilized immediately after the work is completed in the area, but in no case

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later than 14 days after the construction activity has stopped. As such, all disturbed soils must be reclaimed and stabilized within 14 days of halting construction activities.

Permits: A Building Permit must be obtained prior to construction and final approval must be obtained prior to occupancy. In addition, the applicant must obtain a Permit to Work in the Right-of-Way as well as an Erosion and Sediment Control Permit prior to the onset of construction.

Site Plans: The submitted site plan was not stamped by a Registered Land Surveyor or Professional Engineer. As such, prior to issuance of a Building Permit, plans stamped by a Registered Land Surveyor or Professional Engineer must be submitted per South Dakota Codified Law 36-18A.

Notification Requirement: As of this writing, the receipts from the certified mailing have not been returned nor has the sign been posted on the property. Staff will notify the Planning Commission at the June 24, 2010 Planning Commission meeting if these requirements have not been met.

Staff recommends that the Planned Residential Development – Initial and Final Development Plan be approved with the stipulations as identified above.