

STAFF REPORT
July 8, 2010

No. 10PD044 - Major Amendment to a Planned Residential Development to allow an oversized garage **ITEM 9**

GENERAL INFORMATION:

APPLICANT/AGENT	Ronald L. and M. Kathy Sones
PROPERTY OWNER	Ronald L. and M. Kathy Sones
REQUEST	No. 10PD044 - Major Amendment to a Planned Residential Development to allow an oversized garage
EXISTING LEGAL DESCRIPTION	Lot 7 of Block 8 of CHMH Subdivision, Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.3 acres
LOCATION	Southeast of the intersection of Bunker Drive and Sagewood Street
EXISTING ZONING	Mobile Home Residential District
SURROUNDING ZONING	
North:	Mobile Home Residential District
South:	Public District
East:	Mobile Home Residential District
West:	Low Density Residential II District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	6/11/2010
REVIEWED BY	Jim Flaaen / Mary Bosworth

RECOMMENDATION:

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

1. Prior to issuance of a Building Permit, a revised site plan be submitted identifying a 20 foot wide driveway or an Exception to the Street Design Criteria Manual to allow a 30 foot wide driveway shall be obtained;
2. Prior to the issuance of a building permit, the applicant shall file a Covenant Agreement with Register of Deeds indicating that the garage will only be used for residential purposes and a copy submitted to the Growth Management office;
3. A Building Permit shall be obtained prior to the start of any construction and a Certificate of Occupancy shall be obtained prior to occupancy;

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4. An Air Quality Permit shall be obtained if the developed area of the lot will exceed one acre;
5. Prior to issuance of a Building Permit, an Erosion and Sediment Control Permit shall be obtained;
6. A minimum 18 foot front yard setback shall be provided in front of each garage and a minimum 15 foot front yard setback shall be provided in front of each residence;
7. A minimum 15 foot rear yard setback shall be provided. In addition, the single family residences and/or townhomes shall be one story structures only or a 25 foot rear yard setback shall be provided;
8. The proposed structures shall conform architecturally to the proposed elevations, design plans, color palette and general design comments submitted as part of this Major Amendment to a Planned Residential Development;
9. All disturbed soil shall be reclaimed and stabilized with 14 days of halting construction activities;
10. All applicable provisions of the currently adopted International Fire Code shall continually be met;
11. All provisions of the Low Density Residential II District and the Mobile Home Residential District, respectively, shall be met unless otherwise specifically authorized as a stipulation of this Planned Residential Development or a subsequent Major Amendment;
12. The Major Amendment to a 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.

GENERAL COMMENTS: The applicant has submitted a Major Amendment to a Planned Residential Development to allow for the construction of an oversized garage on the property located south of the intersection of Sagewood Street and Brooke Street. In particular, the applicant has proposed to construct a 1,224 square foot detached residential garage on the property. The garage is proposed to be 36 feet wide by 34 feet deep and will be constructed on the north side of the property. The proposed garage will be constructed at the same time as the residence. In addition, a 30 foot curb cut is proposed to provide access to the residence and detached garage.

On November 22, 2006, the Planning Commission approved a Planned Residential Development – Initial and Final Development Plan to allow the construction of a mix of single family residences and townhomes on twelve lots in the CHMH Subdivision. There were five stipulations of approval that included:

1. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
2. A minimum 18 foot front yard setback shall be provided in front of each garage and a minimum 15 foot front yard setback shall be provided in front of each residence;
3. All provisions of the Low Density Residential II District and the Mobile Home Residential District, respectively, shall be met unless otherwise specifically authorized as a stipulation of this Initial and Final Planned Residential Development or a subsequent Major Amendment;
4. The proposed structures shall conform architecturally to the proposed elevations, design

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plans, color palette and general design comments submitted as part of this Initial and Final Planned Residential Development; and,

5. The Planned Residential Development shall allow for the construction of single family residence(s) and/or townhome(s). However, 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.

On April 5, 2007, the Planning Commission approved a Major Amendment to the Planned Residential Development to allow for a reduced rear yard setback on twelve lots to 15 feet in lieu of the required 25 feet. There were six stipulations of approval that included:

1. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
2. A minimum 18 foot front yard setback shall be provided in front of each garage and a minimum 15 foot front yard setback shall be provided in front of each residence;
3. A minimum 15 foot rear yard setback shall be provided. In addition, the single family residences and/or townhomes shall be one story structures only or a 25 foot rear yard setback shall be provided;
4. All provisions of the Low Density Residential II District and the Mobile Home Residential District, respectively, shall be met unless otherwise specifically authorized as a stipulation of this Initial and Final Planned Residential Development or a subsequent Major Amendment;
5. The proposed structures shall conform architecturally to the proposed elevations, design plans, color palette and general design comments submitted as part of this Planned Residential Development; and,
6. The Planned Residential Development shall allow for the construction of single family residence(s) and/or townhome(s). However, 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.

The property is located on the south side of Sagewood Street, east of Bunker Drive and west of Kyle Street. The property is located southeast of the intersection of Sagewood Street and Brooke Street. The property is currently undeveloped.

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

Design Features: The garage is proposed to incorporate 1,224 square feet of floor area and will be 36 feet wide and 34 feet deep and approximately 19 feet tall. The exterior of the garage is proposed to be covered in lap siding that will be "Autumn Tan" in color with asphalt shingles. Two 10 foot wide by 8 foot tall garage doors will be located on the front of the garage facing east. In addition, an access door will be located on the south side of the garage.

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Use: The applicant has identified that the proposed garage will be used as storage for recreational vehicles and extra cars. This use appears to be incidental to the principal residential uses of the property. The applicant should be aware that the garage may not be used for commercial purposes. Prior to the issuance of a building permit, a Covenant Agreement declaring that the garage cannot be used for commercial purposes must be signed by the applicant and filed at the Pennington County Courthouse and a copy submitted to the Growth Management Department.

Driveway: The submitted site plan identifies that a 30 foot curb cut is proposed for the driveway onto the property. The Street Design Criteria Manual identifies that driveway approach openings shall be no more than 20 feet in width exclusive of the taper. The submitted site plan does not identify any tapers for the proposed driveway. As such, prior to issuance of a Building Permit, the site plan must be revised to provide for a maximum 20 wide foot driveway or an Exception to the Street Design Criteria Manual must be obtained for the 30 wide foot driveway.

Permits: A Building Permit must be obtained prior to any construction and a Certificate of Occupancy must be obtained prior to occupancy. In addition, the applicant must obtain an Erosion and Sediment Control Permit prior to the onset of construction. An Air Quality Permit must be obtained prior to site disturbance if the development of the lot will result in a surface disturbance of more than one acre.

Fire Code: All currently adopted International Fire Codes must continually be met. In addition, the Fire Department strongly encourages the use of residential Fire Sprinkler protection throughout the new home.

Fence: The submitted site plan identifies a 6 foot tall wood privacy fence to be installed on the north portion of the lot north of the proposed garage. The proposed fence would provide screening for recreational vehicle parking proposed on the north side of the garage. The west portion of the fence would be located on top of a 3 foot 6 inch high retaining wall to be constructed beginning at the northwest corner of the garage and extending 16 feet to the north. The fence would turn eastward for an additional 36 feet and will be built at grade with no retaining wall. The proposed fence and/or retaining wall must be constructed outside of all utility and drainage easements and in accordance with the provisions of Section 15.40 of the Rapid City Municipal Code.

Sidewalk: The submitted site plan identifies that sidewalk will be built along Sagewood Street along the north property line. However, the submitted site plan identifies the sidewalk as "city sidewalk". The applicant should be aware that the City does not perform street improvements for private projects. The property owner will be responsible for installing sidewalk along all street frontages per City design standards.

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 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.

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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 July 8, 2010 Planning Commission meeting if these requirements have not been met. Staff has received one objection to the proposed request.

Staff recommends that the Major Amendment to a Planned Residential Development be approved with the stipulations as identified above.