

STAFF REPORT
November 4, 2010

No. 10PD064 - Major Amendment to a Planned Residential Development to allow an oversized garage **ITEM 11**

GENERAL INFORMATION:

APPLICANT	Roland Gentner
AGENT	Ron Davis for Davis Engineering, Inc.
PROPERTY OWNER	Roland Gentner
REQUEST	No. 10PD064 - Major Amendment to a Planned Residential Development to allow an oversized garage
EXISTING LEGAL DESCRIPTION	Lot 2 of Tract SB revised of Springbrook Acres Addition, Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.24 acres
LOCATION	East of Sheridan Lake Road at the current northern terminus of Estates Drive
EXISTING ZONING	Park Forest District (Planned Residential Development)
SURROUNDING ZONING	
North:	Park Forest District (Planned Residential Development)
South:	Park Forest District (Planned Residential Development)
East:	Park Forest District (Planned Residential Development)
West:	Medium Density Residential District (Planned Residential Development)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	10/7/2010
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 shall be submitted identifying the location of water and sewer service lines on adjacent properties;
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 staff;

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3. A Building Permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
4. Lot 2 and Lot 3 shall provide a minimum 1.692 acre and 2.239 acre lot size. The balance of the lot(s) shall provide a minimum three acre lot size. All other provisions of the Park Forest District shall be met unless exceptions have been specifically authorized;
5. All applicable provisions of the currently adopted International Fire Code shall be continually met;
6. The proposed structures shall conform architecturally to the plans and elevations submitted as part of this Planned Residential Development;
7. Any additional garage or storage space to be constructed on the lot shall require a Major Amendment to the Planned Residential Development;
8. The Major Amendment to 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.

GENERAL COMMENTS: The applicant has submitted a Major Amendment to a Planned Residential Development request to allow for an oversized garage to be located on the property north of the northern terminus of Estates Drive. In particular, the applicant has proposed to construct a 1,500 square foot detached residential garage on the property. The garage is proposed to be 30 feet wide by 50 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.

On April 21, 2005, the Planning Commission approved with stipulations a Planned Residential Development – Initial and Final Development Plan to allow the construction of five single family residences on five newly created lots in the Springbrook Acres Subdivision. 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. Lot 2 and Lot 3 shall provide a minimum 1.692 acre and 2.239 acre lot size. The balance of the lot(s) shall provide a minimum three acre lot size. All other provisions of the Park Forest District shall be met unless exceptions have been specifically authorized;
3. All International Fire Codes shall be continually met;
4. The proposed single family residences shall conform architecturally to the plans and elevations submitted as part of this Planned Residential Development;
5. Prior to issuance of a Building Permit, a Final Plat shall be reviewed and approved for the subject property creating five individual lots; and,
6. The Planned Residential Development shall allow for the construction of a single family residence on the property. 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 east side of Estates Drive, north of Foothills Drive, east of

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Sheridan Lake Road. A single family residence is currently being constructed on the property.

STAFF REVIEW: Staff has reviewed this request for a Major Amendment to a Planned Residential Development as it relates to the applicable provisions of Section 17.08.030 of the Rapid City Municipal Code and has noted the following considerations:

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 elevations for the proposed garage. The proposed garage will be constructed using native stone and sided with wood siding of earth tone color to match the existing residence under construction. The garage will be constructed into the hillside such that only the front of the garage will be visible. The design of the proposed garage appears to be consistent with the residential character of the property.

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

The applicant has indicated that the proposed garage will be used for vehicle and household storage. These uses appear 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 shall be signed by the applicant and filed at the Pennington County Courthouse and a copy submitted to the Growth Management Department.

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

The property is located on the east side of Estates Drive, a platted private access easement. The proposed garage will be located approximately 60 feet from the east property line and approximately 47 feet from the north property line. The area surrounding the proposed location of the garage is heavily wooded with large trees which will serve as adequate screening for the proposed garage. In addition, the steep topography of the property and surrounding area will further screen the garage from neighboring properties. As such, no additional landscaping or fencing is 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 elevations for the proposed garage. The proposed garage will be sided with native stone with wood exterior siding of earth tone colors to match the existing residence. The proposed garage will be constructed into the hillside such that only the front of the garage will be visible.

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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 Section 17.08.030 of the Rapid City Municipal Code, the garage may not be used for commercial purposes. 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 Register of Deeds Office prior to the issuance of a building permit.

Design Features: The garage is proposed to incorporate 1,500 square feet of floor area and will be 30 feet wide and 50 feet deep. The exterior of the garage is proposed to be comprised of native stone and wood siding of earth tone colors to match the existing residence. Two garage doors will be located on the front of the garage facing west. The proposed garage will be constructed into the hillside such that only the front of the garage will be visible.

Use: The applicant has identified that the proposed garage will be used as storage for recreational vehicles and other household items. 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.

Driveways: The submitted site plan identifies that two driveways will be constructed leading onto the property from Estates Drive. The Street Design Criteria Manual identifies that only one driveway approach opening shall be allowed to any single family residence. However, the portion of Estates Drive that crosses the applicant's property is a platted access easement and not right-of-way. As such, the provisions of the Street Design Criteria Manual do not apply to this portion of Estates Drive and two driveway accesses are permitted.

Permits: A Building Permit must be obtained prior to any construction and a Certificate of Occupancy must be obtained prior to occupancy. 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.

Utility Service Lines: Staff review has noted that there are several water and sewer service lines within the Springbrook Acres Subdivision that cross adjacent lots. As such, prior to issuance of a Building Permit, a revised site plan must be submitted identifying the location of water and sewer service lines of adjacent properties to ensure there are no conflicts with the proposed garage.

Fire Code: All currently adopted International Fire Codes must continually be met. The Fire Department has indicated that it is unknown at this time if adequate water supply for fire flow is available to the property. As such, the applicant should be aware that due to the potential lack of adequate fire flows, firefighting efforts may be adversely affected should a fire incident occur.

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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.

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 November 4, 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.