

STAFF REPORT
October 10, 2013

No. 13PD038 - Major Amendment to a Planned Development to allow an oversized garage **ITEM 5**

GENERAL INFORMATION:

APPLICANT	Robert and Julie Burton
AGENT	Ron Davis - Davis Engineering, Inc.
PROPERTY OWNER	Robert S & Julie Burton
REQUEST	No. 13PD038 - Major Amendment to a Planned Development to allow an oversized garage
EXISTING LEGAL DESCRIPTION	Lot 1 of Tract SB Revised of Springbrook Acres Subdivision, located in Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 3.69 acres
LOCATION	3940 Estates Drive
EXISTING ZONING	Park Forest District (Planned Development)
FUTURE LAND USE DESIGNATION	Residential
SURROUNDING ZONING	
North:	Medium Density Residential District (Planned Development)
South:	Park Forest District (Planned Development)
East:	Park Forest District (Planned Development)
West:	Medium Density Residential District (Planned Development) - Low Density Residential District (Planned Development)
PUBLIC UTILITIES	Rapid City
DATE OF APPLICATION	September 13, 2013
REVIEWED BY	Fletcher Lacock / Brandon Quiett

RECOMMENDATION:

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

1. An Exception is hereby granted to allow a total of 1,764 square feet of private garage space in lieu of the maximum allowed private garage space of 1,500 square feet for the property;
2. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;

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3. Upon submittal of a building permit, a site plan shall be submitted showing existing and proposed water and sewer services. Water service to the proposed detached garage shall be connected to the water meter for the dwelling;
4. Upon submittal of a building permit, plans shall be prepared and stamped by a licensed Architect or Professional Engineer as per SDCL 36-18A;
5. Temporary or permanent site stabilization shall be achieved prior to issuance of a Certificate of Occupancy;
6. All provisions of the Park Forest District shall be met unless otherwise specifically authorized as a stipulation of this Major Amendment to the Planned Development or a subsequent Major Amendment;
7. All applicable provisions of the adopted International Fire Code shall continually be met; and,
8. The Major Amendment to the Planned Development shall allow for an oversized garage for the property. The garage shall not be used for commercial purposes or as a second residence. In addition, the garage shall not be used as a rental unit. Any change in use that is a permitted use in the Park Forest District shall require the review and approval of a Minimal Amendment. Any change in use that is a Conditional Use in the Park Forest District shall require the review and approval of a Major Amendment to the Planned Development.

GENERAL COMMENTS:

The applicant has submitted a Major Amendment to a Planned Development to allow an oversized garage. In particular, the applicant is requesting a total of 1,764 square feet of garage space in lieu of the permitted 1,500 square feet. The applicant is proposing to construct a 784 square foot detached garage with a bathroom and a second floor bonus room. The detached garage will be 15 feet in height. The applicant has stated that the garage will not be used for commercial purpose or as a second residence.

On April 21, 2005, the Planning Commission approved an Initial and Final Planned Development (File #05PD026) to allow a five lot single-family residential development which included the above legally described property.

The property is located east of Sheridan Lake Road, approximately 885 feet north of the intersection of Foothill Drive and Estates Drive. Currently, a two story single-family dwelling with an attached garage is located on the property.

STAFF REVIEW: Staff has reviewed this request for a Major Amendment to a Planned Development as it relates to the applicable provisions of 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 a sample elevation of the proposed garage. The proposed detached garage will be 15 feet in height; which is the maximum height allowed for an accessory structure. The applicant has stated that the design of the garage will be in keeping with the architecture and colors of the existing single-family residence and attached

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garage. The site plan submitted with the application identifies that the proposed detached garage will have a stone veneer base, smart side siding and smart shingle siding in earth tone colors. The approved Initial and Final Planned Development allowed the construction of a single-family residence on the property. 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 site plan indicates that the proposed detached garage will have room for two stalls, a half-bath and a second floor bonus room. The applicant should be aware that the garage may not be used for commercial purposes or as a second residence. In addition, the garage may not be used as a rental unit. An Initial and Final Planned Development was approved to allow single-family residences on properties including the above legally described property. Chapter 17.08.030(J) of the Rapid City Municipal Code identifies private garages that do not meet the definition of a private garage as a conditional use. Commercial uses are not permitted in the Park Forest District.

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

The proposed detached garage is located on the southeast side of the property, approximately 55 feet south of the existing single-family dwelling and attached garage. The property is located at the terminus of a private drive that also serves two properties to the south. The proposed detached garage will face to the west and is approximately 40 feet above the closest dwelling located approximately 220 feet to the west. It appears that the elevation of the property and existing trees located on the west side of the driveway will provide a buffer from adjacent properties. For these reasons, the applicant is not proposing any fencing or landscaping to serve as an additional buffer.

- 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 detached garage will be 15 feet in height and have room for two stalls, a half bath and a second floor bonus room. The site plan submitted with the application identifies that the proposed detached garage will have a stone veneer base, smart side siding and smart shingle siding in earth tone colors.

Zoning: The Major Amendment to the Planned Development will allow for an oversized garage. The garage must not be used for commercial purposes or a second residence. Any change in use that is a permitted use in the Park Forest District will require the review and approval of a Minimal Amendment. Any change in use that is a Conditional Use in the Park Forest District will require the review and approval of a Major Amendment to the Planned Development. All provisions of the Park Forest District must be met unless otherwise specifically authorized as a stipulation of this Major Amendment to the Planned Development or a subsequent Major Amendment.

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Private Garage: According to Chapter 17.04.315 of the Rapid City Municipal Code “[t]he maximum cumulative allowable size of all garages or carports shall be 1,500 square feet or 30% of the size of the gross floor area of the dwelling unit(s), whichever is greater.” The applicant is proposing a 784 square foot detached garage that would bring the total square footage of private garage space to 1,764 square feet. Based on the topography of the property, the proposed detached garage would have a minimal impact on adjacent properties. As such, staff recommends that the Exception be granted to allow an oversized garage of 1,764 square feet in lieu of the maximum of 1,500 square feet.

Building Permit: A building permit must be obtained prior to any construction and a Certificate of Occupancy must be obtained prior to occupancy. Upon submittal of a building permit, plans must be prepared and stamped by a licensed Architect or Professional Engineer as per SDCL 36-18A. In addition, temporary or permanent site stabilization must be achieved prior to issuance of a Certificate of Occupancy.

The site plan submitted with the application does not identify the existing and proposed water and sewer services for the property. The applicant should be aware that the water service must be connected to the existing water meter at the single-family dwelling and should not be separately metered. As such, upon submittal of a building permit, a site plan must be submitted showing existing and proposed water and sewer services. Water service to the proposed detached garage shall be connected to the water meter for the dwelling.

Fire Department: The property resides within a wildland fire hazard area. The property owner has implemented a Wildland Fuels Mitigation Plan. It is anticipated that the available fire flow in the area may be insufficient to support the size of structures developed in the area. However, the water source and fire hydrants were accepted when the area was subdivided. All applicable provisions of the adopted International Fire Code must continually be met.

Notification: The first class mailings have been returned to Community Planning and Development Services for mailing. The sign has been picked up; however, as of this writing, staff has not confirmed that the sign has been posted on the property. Staff will notify the Planning Commission at the October 10, 2013 Planning Commission meeting if this requirement has not been met.