

## Planning Commission Report

Meeting date: July 25, 2016

**TO:** Borough Assembly

**FROM:** Planning Commission

**Subject:** Special Use Permit for Tom Greenley

**Summary:** Applicant is requesting a special use permit to construct and maintain a driveway on the Koenigs Lane ROW, approximately 30'x30'. The driveway would provide access for development of private land.

**Recommendation:** Recommend approval with conditions

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### **The Petersburg Planning & Zoning Commission makes the following findings of fact:**

1. Proposed project is located on the Koenigs Street Right-of-Way.
2. Parcels to the North, South, East and West are zoned single-family residential. Existing development on surrounding properties is primarily single-family residential.
3. Review of the application by Public Works found there are no underground water or sewer lines that would be impacted by the proposed special use permit or driveway.
4. Review of the application by Power & Light revealed no issues of concern.
5. A Notice of Public Hearing was mailed to all property owners within 600 feet of the subject parcel on May 26, 2016.
6. The Planning Commission held a duly noticed Public Hearing on June 14, 2016. At the public hearing, the Planning Commission considered and reviewed applicant materials, public comments and testimony, and staff comments.
7. There was no public comment or testimony submitted.

### **Determinations Based on Findings of Fact:**

#### **A. The proposal is found to be of a beneficial nature to the community;**

The proposal allows for development of a residential area.

#### **B. Adjacent and surrounding properties will not be adversely impacted;**

The project is occurring on platted right-of-way. The specific conditions being recommended address maintaining existing drainage patterns and complying with state and federal regulations.

#### **C. Specific Conditions**

Based on recommendations from Public Works Director and Community Development staff, the following conditions should be included in the permit:

1. Permittee must provide copy of Army Corps of Engineers permit prior to filling wetlands at the site, if deemed necessary by the Corps.

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2. Applicant should ensure project doesn't impact local drainage and should install a drainage culvert (minimum diameter 12") if it is determined water will pool on either side of their driveway.
3. Applicant understands that as part of the snow removal, the borough may plow snow up to their driveway and may push snow into the right of way past their driveway. Notwithstanding these activities, this remains a private driveway and the borough has no responsibility to plow or maintain a private driveway.
4. Applicant understands that if a developer decides to develop property in the vicinity, the developer will be required to supply a public roadway and utilities to serve their prospective lots, as required under municipal code. This would likely obliterate the applicant's driveway fill and they should expect no reimbursement for any portion of their driveway that may be removed as part of permanent road/utility construction.
5. The Fire Department recommends a minimum of 15' wide driveway for emergency vehicle access. This is the minimum space needed to operate at an emergency and access the tools and equipment from our vehicles.