

STAFF REPORT  
December 8, 2005

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**No. 04PL097 - Layout Plat**

**ITEM 5**

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-GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST EXISTING LEGAL DESCRIPTION	<b>No. 04PL097 - Layout Plat</b> W1/2 SE1/4 and SE1/4 SE1/4 of Section 35, T1N, R7E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Hyland Park Subdivision, Section 35, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 120 acres
LOCATION	East of South Highway 16 and south of Sammis Trail
EXISTING ZONING	Planned Unit Development (County)
SURROUNDING ZONING	
North:	Limited Agriculture District (County)
South:	Planned Unit Development (County)
East:	General Agriculture District (County)
West:	General Agriculture District (County)
PUBLIC UTILITIES	City water and Community sewer
DATE OF APPLICATION	06/25/2004
REVIEWED BY	Vicki L. Fisher / Sig Zvejnieks

RECOMMENDATION:

Staff recommends that the Layout Plat be **continued to the January 5, 2006 Planning Commission meeting at the applicant's request.**

General Comments:

**(Update, November 28, 2005. All revised and/or added text is shown in bold print.)**  
**This item was continued at the October 27, 2005 Planning Commission meeting to allow the applicant to submit additional information. The applicant has, subsequently, requested that this item be continued to the January 5, 2006 Planning Commission meeting to allow them additional time to submit information addressing water, sewer, Sammis Trail improvements and landscape buffering as a part of the associated Layout Plat review and approval. As such, staff is recommending that the Amendment to the Comprehensive Plan be continued to the January 5, 2006 Planning Commission meeting as requested. Please note that no other part of this Staff Report has been revised.**

(Update, October 18, 2005. All revised and/or added text is shown in bold print.) This item

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was continued at the September 22, 2005 Planning Commission meeting to allow the applicant to submit additional information. The applicant has, subsequently, requested that this item be continued to the November 23, 2005 Planning Commission meeting to allow them additional time to submit information addressing water, sewer, Sammis Trail improvements and landscape buffering as a part of the Layout Plat review and approval. As such, staff is recommending that the Layout Plat be continued to the November 23, 2005 Planning Commission meeting as requested. Please note that no other part of this Staff Report has been revised.

(Update, September 11, 2005. All revised and/or added text is shown in bold print.) This item was continued at the August 4, 2005 Planning Commission meeting to allow the applicant to submit additional information. The applicant has, subsequently, requested that this item be continued to the October 27, 2005 Planning Commission meeting to allow them additional time to submit information addressing water, sewer, Sammis Trail improvements and landscape buffering as a part of the Layout Plat review and approval. As such, staff is recommending that the Layout Plat be continued to the October 27, 2005 Planning Commission meeting as requested. Please note that no other part of this Staff Report has been revised.

(Update, July 11, 2005. All revised and/or added text is shown in bold print.) This item was continued at the July 7, 2005 Planning Commission meeting to allow the applicant to submit additional information. As noted in the Staff Report dated July 7, 2005, staff met with the applicant's consultant on May 26, 2005 and discussed outstanding issues specific to this site. In particular, it was identified that the applicant's consultant would submit information addressing water, sewer, Sammis Trail improvements and landscape buffering as a part of the Layout Plat review and approval. To date, the information has not been submitted for review and approval. As such, staff is recommending that the Layout Plat be continued to the August 4, 2005 Planning Commission meeting to allow the applicant's consultant to submit the additional information as identified. Please note that no other part of this Staff Report has been revised.

(Update, June 27 2005. All revised and/or added text is shown in bold print.) This item was continued at the May 26, 2005 Planning Commission meeting at the applicant's request. On May 26, 2005, staff met with the applicant's consultant and discussed outstanding issues specific to this site. In particular, it was identified that the applicant's consultant would submit information addressing water, sewer, Sammis Trail improvements and landscape buffering as a part of the Layout Plat review and approval. To date, the information has not been submitted for review and approval. As such, staff is recommending that the Layout Plat be continued to the July 21, 2005 Planning Commission meeting to allow the applicant's consultant to submit the additional information as identified. Please note that no other part of this Staff Report has been revised.

(Update, May 17, 2005. All revised and/or added text is shown in bold print.) This item was continued at the May 5, 2005 Planning Commission meeting at the applicant's request. On May 16, 2005, the City Council approved the US Highway 16 Future Land Use Plan which includes the subject property. However, the Future Land Use Plan will not be effective until on or about June 24, 2005. As such, staff is recommending that this item be continued to

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the July 7, 2005 Planning Commission meeting to be heard after the Future Land Use Plan becomes effective. Please note that no other part of this Staff Report has been revised.

(Update, April 22, 2005. All revised and/or added text is shown in bold print.) This item was continued at the April 21, 2005 Planning Commission meeting at the applicant's request. A special City Council meeting was held on March 28, 2005 to consider the proposed draft US Highway 16 Future Land Use Plan which includes the subject property. The draft US Highway 16 Future Land Use Plan was subsequently continued to two separate special City Council meetings. In particular, a special Council Meeting was held April 11, 2005 to consider residential land use(s). In addition, a special City Council meeting will be held April 25, 2005 to consider commercial land use(s). To date, the City Council has not adopted the draft US Highway 16 Future Land Use Plan. As such, the applicant has requested that this item be continued to the May 26, 2005 Planning Commission meeting to allow the City Council additional time to adopt the Future Land Use Plan. Please note that no other part of this Staff Report has been revised.

(Update, March 29, 2005. All revised and/or added text is shown in bold print.) This item was continued at the March 10, 2005 Planning Commission meeting at the applicant's request. A special City Council meeting was held on March 28, 2005 to consider the proposed draft US Highway 16 Future Land Use Plan which includes the subject property. The draft US Highway 16 Future Land Use Plan was subsequently continued to two separate special City Council meetings. In particular, a special Council Meeting will be held April 11, 2005 to consider residential land use(s) and a special City Council meeting will be held April 25, 2005 to consider commercial land use(s). As such, the applicant has requested that this item be continued to the May 5, 2005 Planning Commission meeting in order to determine the outcome of the special City Council meetings. Please note that no other part of this Staff Report has been revised.

(Update, March 1, 2005. All revised and/or added text is shown in bold print.) This item was continued at the February 24, 2005 Planning Commission meeting at the applicant's request. A special City Council meeting was held on February 28, 2005 to consider the proposed draft US Highway 16 Future Land Use Plan which includes the subject property. The draft US Highway 16 Future Land Use Plan was subsequently continued to a March 28, 2005 special City Council meeting. As such, the applicant has requested that this item be continued to the April 7, 2005 Planning Commission meeting in order to determine the outcome of the special City Council meeting. Please note that no other part of this Staff Report has been revised.

(Update, February 12, 2005. All revised and/or added text is shown in bold print.) This item was continued at the January 27, 2005 Planning Commission meeting at the applicant's request. A special City Council meeting was held on February 7, 2005 to consider the proposed draft US Highway 16 Future Land Use Plan which includes the subject property. The draft US Highway 16 Future Land Use Plan was subsequently continued to a February 28, 2005 special City Council meeting. As such, the applicant has requested that this item be continued to the March 10, 2005 Planning Commission meeting in order to determine the outcome of the special City Council meeting. Please note that no other part of this Staff Report has been revised.

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(Update, January 14, 2005. All revised and/or added text is shown in bold print.) This item was continued at the January 6, 2005 Planning Commission meeting at the applicant's request. A special City Council meeting was held on January 10, 2005 to consider the proposed draft US Highway 16 Future Land Use Plan which includes the subject property. The draft US Highway 16 Future Land Use Plan was subsequently continued to the February 7, 2005 City Council meeting. As such, the applicant has requested that this item be continued to the February 24, 2005 Planning Commission meeting in order to determine the outcome of the City Council meeting. Please note that no other part of this Staff Report has been revised.

(Update, December 27, 2004. All revised and/or added text is shown in bold print.) This item was continued at the November 24, 2004 Planning Commission meeting at the applicant's request. A special City Council meeting was held on December 13, 2004 to consider the proposed draft US Highway 16 Future Land Use Plan which includes the subject property. The draft US Highway 16 Future Land Use Plan was subsequently continued to a special City Council meeting to be held on January 10, 2005. As such, the applicant has requested that this item be continued to the January 27, 2005 Planning Commission meeting in order to determine the outcome of the special City Council meeting. Please note that no other part of this Staff Report has been revised.

(Update, November 15, 2004. All revised and/or added text is shown in bold print.) This item was continued at the October 21, 2004 Planning Commission meeting at the applicant's request. A special Planning Commission meeting was held on November 4, 2004 to consider the proposed draft US Highway 16 Future Land Use Plan which includes the subject property. The draft US Highway 16 Future Land Use Plan was recommended to be approved to allow 2.5 dwelling units per acre on the subject property. The Layout Plat is consistent with the allowable density recommended by the Planning Commission. However, on November 15, 2004, the City Council continued this item to the December 13, 2004 City Council meeting. As such, the applicant has requested that this item be continued to the January 6, 2005 Planning Commission meeting. Please note that no other part of this Staff Report has been revised.

(Update, October 8, 2004. All revised and/or added text is shown in bold print.) This item was continued at the August 5, 2004 Planning Commission meeting at the applicant's request. A special Planning Commission meeting is scheduled for October 14, 2004 to consider the proposed draft US Highway 16 Future Land Use Plan which includes the subject property. The applicant requested that this item be continued to the October 21, 2004 Planning Commission meeting to be heard after consideration of the Future Land Use Plan.

(Update July 23, 2004. All revised and/or added text is shown in bold print.) This item was continued at the July 22, 2004 Planning Commission meeting to be heard in conjunction with the US Highway 16 Future Land Use Plan as well as the associated Rezoning request.

The applicant has submitted a Layout Plat to subdivide a 120 acre parcel into 301 residential lots to be known as Hyland Park Subdivision. In addition, the applicant has

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submitted a Variance to the Subdivision Regulations to waive the requirement to install pavement, curb, gutter, street light conduit, water and sewer along a portion of Sammis Trail, to waive the requirement to dedicate additional right-of-way along a portion of Sammis Trail and to allow lots twice as long as they are wide. The applicant has also submitted a Comprehensive Plan Amendment to the Major Street Plan to change the classification of a minor arterial street to a collector street. In addition, the applicant has submitted a Petition for Annexation request to annex the subject property. The applicant has also submitted a Rezoning request to change the zoning designation of the subject property from No Use District to Low Density Residential District with a Planned Development Designation. (See companion items #04SV042, 04AN009, 04RZ037, 04CA029 and 04PD040.)

The property is located east of US Highway 16 and south of Sammis Trail and is currently void of any structural development.

The Layout Plat is an informal preliminary review of a proposed subdivision to identify any major issues prior to platting. It is intended to provide the subdivider with an informal process where major issues may be identified and general agreements may be reached with Rapid City as to the form of the plat. Comments regarding the Layout Plat are based on the level of detail provided. All specific details of the subdivision may not be addressed as part of the Layout Plat approval but the major concerns and issues are identified based on the information provided. All applicable Subdivision Regulations, Zoning Regulations, Street Design Criteria Manual, and any other applicable regulations will need to be met as part of the Preliminary and Final Plat. Any waiver from the Rapid City Municipal Code or the Street Design Criteria Manual will require a formal variance request or a special exception whichever is applicable.

Staff Review:

As previously indicated, the applicant has submitted a petition requesting to annex the subject property. Upon annexation the subject property will be zoned No Use District. The existing Long Range Comprehensive Plan identifies the appropriate use of the property as Park Forest. However, a draft US Highway 16 Future Land Use Plan identifies the appropriate use of the property as Low Density Residential District with a Planned Residential Development. The draft Future Land Use Map will be considered at the August 5, 2004 Planning Commission meeting. As such, staff is recommending that the Layout Plat be continued to the August 5, 2004 Planning Commission meeting to be heard in conjunction with the US Highway 16 Future Land Use Plan as well as the associated Rezoning request.

Staff has reviewed the Layout Plat and has noted the following considerations:

Annexation: As previously indicated, the applicant has submitted a petition requesting to annex the subject property. In May, 1983, the City Council approved a resolution requiring all properties that are contiguous to Rapid City which are being platted to be annexed into the city limits of Rapid City prior to Preliminary Plat approval. As such, staff is recommending that the property be annexed accordingly.

Zoning: Upon annexation the subject property will be zoned No Use District. The existing Long

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Range Comprehensive Plan identifies the appropriate use of the property as Park Forest. However, a draft US Highway 16 Future Land Use Plan identifies the appropriate use of the property as Low Density Residential District with a Planned Residential Development. The draft Future Land Use Map will be considered at the August 5, 2004 Planning Commission meeting. Staff is recommending that the property be Rezoned from No Use District to Low Density Residential District and the appropriate Comprehensive Plan Amendment or the plat document must be adjusted as needed to provide the minimum lot size requirement of the zoning district applicable at the time of the Preliminary Plat approval.

Lot Configuration: The Subdivision Regulations states that "...for lots in residential districts having a width of not more than one hundred fifty feet, the lot length shall not be greater than twice the lot width". The proposed plat identifies that 52 of the lots have a length twice the distance of the width. As previously indicated, the applicant has submitted a Variance to the Subdivision Regulations to allow lots more than twice as long as they are wide. Prior to submittal of a Final Plat, the Variance to the Subdivision Regulations must be obtained or the plat must be revised to comply with the length to width requirement.

Special Exception: On August 16, 2000, the City Council approved an amendment to the Street Design Criteria Manual stating that "...a street shall not provide exclusive access to more than forty (40) dwelling units. A second street access shall be provided when more than forty (40) dwelling units are exclusively accessed from a street". The applicant has submitted a Phasing Plan identifying that Sammis Trail will serve as exclusive legal access to the first two phases of the development, or 80 dwelling units. Staff is recommending that upon submittal of a Preliminary Plat application, a revised Phasing Plan be submitted for review and approval identifying that no more than 40 dwelling units will have one point of access or a Special Exception to allow more than 40 dwelling units with one point of access must be obtained.

Sammis Trail: The Layout Plat identifies the relocation of Sammis Trail aligning with Moon Meadows Drive. Sammis Trail is identified on the City's Major Street Plan as a principal arterial street requiring that the street be located in a minimum 100 foot wide right-of-way and constructed with a minimum 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Staff is recommending that upon submittal of a Preliminary Plat, road construction plans be submitted as identified or a Variance to the Subdivision Regulations must be obtained.

The Layout Plat also identifies that an existing 80 foot wide right-of-way for Sammis Trail exists. As such, staff is recommending that upon Preliminary Plat submittal, the applicant must provide documentation identifying the existing dedicated right-of-way for Sammis Trail or the plat document be revised to include the dedication of right-of-way for Sammis Trail or an "H Lot" be recorded at the Register of Deed's Office.

Cul-de-sac Streets: The Layout Plat identifies nine cul-de-sac streets serving as access throughout the development. As such, staff is recommending that upon submittal of a Preliminary Plat application, road construction plans for the cul-de-sac streets must be submitted for review and approval. In particular, the cul-de-sac streets must be located in a minimum 49 foot right-of-way and constructed with a minimum 24 foot wide paved surface,

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curb, gutter sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained. In addition, the construction plans must identify the construction of a permanent turnaround at the end of the cul-de-sacs with a minimum 110 foot diameter right-of-way and a minimum 92 foot diameter paved surface or a Variance to the Subdivision Regulations must be obtained.

Section 5.2.2 of the Street Design Criteria Manual states that a cul-de-sac street shall not serve more than twenty housing units. The Layout Plat identifies that two of the cul-de-sacs will serve 21 lots, respectively. As such, staff is recommending that upon submittal of a Preliminary Plat, a Special Exception must be obtained to allow more than 20 lots accessed via a cul-de-sac street or the plat document must be revised to limit the number of lots along a cul-de-sac street to 20 lots.

Sub-collector Streets: The Layout Plat identifies four sub-collector streets serving as access throughout the development. As such, staff is recommending that upon submittal of a Preliminary Plat, road construction plans for the sub-collector streets must be submitted for review and approval. In particular, the road construction plans must show the streets located in a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained.

Minor Arterial Street: The City's Major Street Plan identifies a north-south minor arterial street located through the subject property. However, the Layout Plat identifies the street as a collector street. Staff is recommending that upon submittal of a Preliminary Plat, road construction plans for the minor arterial street be submitted for review and approval showing the street located in a minimum 100 foot wide right-of-way and constructed with a minimum 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained. If the applicant is proposing to construct a collector street in lieu of a minor arterial street, then a Comprehensive Plan Amendment to the Major Street Plan changing the street classification must be obtained.

Section Line Highway: An unimproved section line highway is located along the south and east lot line of the subject property, respectively. The section line highways must be constructed to City Street Design Standards with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained. The applicant also has the option of vacating the section line highways; however, the south half of the section line highway and the east half of the section line highway is located on adjacent properties under different ownership than the subject property. As such, the adjacent property owners must concur with the vacation or a Variance to the Subdivision Regulations to allow platting half a right-of-way must be obtained. If the section line highway is vacated than an alternate road connection to the south and west lot lines through the subject property must be provided. Staff is recommending that the section line highway issue be addressed as identified prior to Preliminary Plat approval by the City Council.

Sewer: Sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines must be submitted for review and approval or a

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Variance to the Subdivision Regulations must be obtained. In particular, a sewer main must be constructed along Sammis Trail and through the proposed development. Based on the draft US 16 Highway Neighborhood Future Land Use Plan, the sewer service must be routed to the north to be serviced by the City of Rapid City's Water Reclamation Facility. Staff is recommending that the sewer issue be addressed as identified upon submittal of a Preliminary Plat.

Water: Water system plans prepared by a Registered Professional Engineer showing the extension of water mains must be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. Areas below elevation 3,810 will require pressure reducer valves at each residence. The City has also noted that a future reservoir will be desirable on property located west of the subject property. As such, a minimum 16 inch water main will be required along Sammis Trail and a 12 to 14 inch water main will be required along the north-south minor arterial street. Staff is recommending that upon submittal of a Preliminary Plat, the water plans be submitted for review and approval. In addition, the applicant must request oversizing reimbursement from the City in writing. Supplemental tap fees must also be paid as required.

Drainage: As part of the Preliminary Plat application, a drainage plan must be submitted for review and approval. In addition, a grading plan and an erosion and sediment control plan for all improved areas must be submitted for review and approval. The plat document must be revised to provide drainage easements as needed. It appears that on-site detention may be needed. Staff is recommending that upon submittal of a Preliminary Plat application, a drainage and grading plan, as well as an erosion and sediment control plan, be submitted for review and approval and the plat document be revised to provide drainage easements as identified.

Fire Protection: The Fire Department staff has indicated that fire hydrants must be installed and operational prior to the issuance of a building permit and/or any construction on the site using combustible material(s) or a Variance to the Subdivision Regulations must be obtained waiving the requirement to install a central water system. In addition, all proposed streets must be constructed to meet the minimum standards of the Street Design Criteria Manual to insure fire apparatus access. Staff is recommending that construction plans be submitted for review and approval as identified upon Preliminary Plat submittal.

The Fire Department has also indicated that a portion of the property is located in a moderate wild fire hazard area. As such, prior to submittal of a Final Plat application, a Wild Fire Mitigation Plan must be submitted for review and approval and the plan must be implemented.

Emergency Services Communication Center: The plat document does not identify the proposed street names. Prior to submittal of a Final Plat, the applicant must submit proposed street names to the Emergency Services Communication Center for review and approval. In addition, the plat document must be revised to show the approved street names.

Staff believes that this proposed plat generally complies with all applicable Zoning and Subdivision Regulations assuming compliance with the stated stipulations.