

STAFF REPORT
September 22, 2005

**No. 04CA029 - Amendment to the Comprehensive Plan to change a
Minor Arterial Street to a Collector Street on the Major Street Plan**

ITEM 20

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 04CA029 - Amendment to the Comprehensive Plan to change a Minor Arterial Street to a Collector Street on the Major Street Plan
EXISTING LEGAL DESCRIPTION	W1/2 SE1/4 and SE1/4 SE1/4 of Section 35, T1N, R7E, BHM, 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 Amendment to the Comprehensive Plan to change a Minor Arterial Street to a Collector Street on the Major Street Plan be **continued to the October 27, 2005 Planning Commission meeting at the applicant's request.**

GENERAL COMMENTS:

(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 associated Layout Plat review and approval. As such, staff is recommending that the Amendment to the Comprehensive Plan 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 24, 2005. All revised and/or added text is shown in bold print.) This item was

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continued at the July 21, 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. On July 22, 2005, staff met with the applicant's consultant to further discuss the extension of utilities to the proposed development as well as street classification and configuration through the development. The applicant's consultant has, subsequently, requested that this item be continued to the September 22, 2005 Planning Commission to allow sufficient time to address the items as identified. As such, staff is recommending that this item be continued 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. In addition, staff is recommending that this item be continued to the July 21, 2005 Planning Commission meeting to be heard in conjunction with the Layout Plat. 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. In addition, staff is recommending that this item be continued to the July 21, 2005 Planning Commission meeting to be heard in conjunction with the Layout Plat. 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 the July 7, 2005 Planning Commission meeting to be heard after the Future Land Use Plan

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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 Comprehensive Plan Amendment to the Major Street Plan to change the classification of a minor arterial street to a collector street located on the above legally described property. The applicant has submitted a Layout Plat to subdivide a 120

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acre parcel into 301 residential lots to be known as Hyland Park Subdivision. In addition, the applicant has 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 Petition for Annexation request to annex the subject property. In addition, the applicant has 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 #04PL097, 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.

STAFF REVIEW:

Staff has reviewed the Amendment to the Comprehensive Plan to change a minor arterial street to a collector street on the Major Street Plan and has noted the following considerations:

Future Land Use Plan: The US Highway 16 Corridor Future Land Use Plan will be considered at the August 5, 2004 Planning Commission meeting. Staff has noted that the proposed adjacent future land use(s) assist in determining the associated road classifications and design standards for this area. As such, staff is recommending that the Comprehensive Plan Amendment to the Major Street Plan be continued to the August 5, 2004 Planning Commission meeting to be heard in conjunction with the US Highway 16 Corridor Future Land Use Plan.

The draft US Highway 16 Corridor Future Land Use Plan identifies the subject property as appropriate for Low Density Residential District with a Planned Residential Development. In addition, the associated Layout Plat proposes to subdivide the subject property into 301 residential lots which will generate approximately 3,600 average daily trips (ADT) along the proposed street.

The Street Design Criteria Manual states that an arterial street is to serve the highest traffic volume corridors and major centers of activity. In addition, the Street Design Criteria Manual states that a collector street collects traffic from other minor streets and channels it into the arterial street system. The Major Street Plan identifies the future connection of this street from US Highway 16 to Lower Spring Creek Road, significantly increasing traffic along the street upon completion. As such, the street will function as an arterial street and not a collector street requiring that it be constructed accordingly with adequate right-of-way provided for future improvements. Staff is recommending that the Amendment to the Major Street Plan to change a minor arterial street to a collector street on the Major Street Plan be denied.

Legal Notification Requirement: The receipts from the certified mailings have been returned. Staff has received several calls of inquiry regarding this proposal. Most of the callers have indicated opposition to this request.