

STAFF REPORT
October 25, 2007

No. 07SV057 - Variance to the Subdivision Regulations to waive the ITEM 44 requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement as per Chapter 16.16 of the Rapid City Municipal Code

GENERAL INFORMATION:

APPLICANT/AGENT	Dream Design International, Inc.
PROPERTY OWNER	Hyland Park LLLP
REQUEST	No. 07SV057 - Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement as per Chapter 16.16 of the Rapid City Municipal Code
EXISTING LEGAL DESCRIPTION	The unplatted W1/2 SE1/4; SE1/4 SE1/4, Section 35, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 thru 12 of Block 1, Lots 1 thru 7 of Block 2, Lots 1 thru 4 of Block 3, Lots 1 thru 15 of Block 4, and Lots 1 thru 31 of Block 5 of Hyland Crossing Subdivision and the Dedicated Right-of-way, located in the W1/2 SE1/4; SE1/4 SE1/4, Section 35, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 120.00 acres
LOCATION	At the southern terminus of Dreamscape Drive
EXISTING ZONING	Low Density Residential District (Planned Development Designation)
SURROUNDING ZONING	
North:	Limited Agriculture District (Pennington County)
South:	Planned Unit Development
East:	Limited Agriculture District
West:	Limited Agriculture District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	9/28/2007
REVIEWED BY	Vicki L. Fisher / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to waive the requirement

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to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement as per Chapter 16.16 of the Rapid City Municipal Code be continued to the November 8, 2007 Planning Commission meeting to allow the applicant to submit additional information.

GENERAL COMMENTS:

The applicant has submitted a Variance to the Subdivision Regulations (#07SV057) to waive the requirement to install pavement, curb, gutter, sidewalk, street light conduit, water and sewer along the access easement; to waive the requirement to install curb, gutter, sidewalk, street light conduit and to reduce the pavement width from 36 feet to 24 feet along Sammis Trail; and, to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and additional pavement along U.S. Highway 16. In addition, the applicant has submitted a Preliminary Plat to create 39 residential lots leaving an unplatted balance. The applicant has also submitted a Master Plan showing the Preliminary Plat as Phase One of a residential development to be known as "Hyland Crossing" with 290 residential lots.

On February 13, 2006, the City Council approved a Layout Plat (#04PL097) of the property to create 301 residential lots to be known as "Hyland Park". In addition, the City Council denied an Exception request to allow 80 dwelling units with one point of access in lieu of 40 dwelling units as per the Street Design Criteria Manual. The City Council also tabled a Variance to the Subdivision Regulations (#04SV042) request to waive the requirement to install pavement, curb, gutter, street light conduit, water and sewer along a portion of Sammis Trail and to waive the requirement to dedicate additional right-of-way along a portion of Sammis Trail. Please note that the applicant has changed the name of the proposed subdivision from "Hyland Park" to "Hyland Crossing".

The property is located south of the intersection of Sammis Trail and Dreamscape Drive. Currently, the property is void of any structural development.

STAFF REVIEW:

Staff has reviewed the Variance to the Subdivision Regulations and has noted the following considerations:

Traffic Impact Study: The applicant has indicated that a Traffic Impact Study will be submitted for review and approval addressing existing and projected traffic as well as identifying any street improvements that may be needed as a part of this development. However, as of this writing, the information has not been submitted for review and approval. Until that information is submitted, adequate information is not available to allow a complete evaluation of the requested subdivision Variances. In particular, evaluating the proposed Variance request to reduce the pavement width along Sammis Trail and to identify any improvements required at the intersection of U.S. Highway 16 and Sammis Trail will depend upon the recommendation of the Traffic Impact Study. As such, staff is recommending that the Variance to the Subdivision Regulations be continued to the November 8, 2007 Planning Commission meeting to allow the applicant to submit the Traffic Impact Study.

Legal Notification Requirement: The receipts from the certified mailings have not been returned. Staff will notify the Planning Commission at the October 25, 2007 Planning

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Commission meeting if this requirement is not met. Staff has received several calls of inquiry regarding this proposal.