

STAFF REPORT
January 24, 2008

No. 07PL134 - Preliminary Plat

ITEM 5

GENERAL INFORMATION:

APPLICANT/AGENT	Dream Design International, Inc.
PROPERTY OWNER	Hyland Park LLLP
REQUEST	No. 07PL134 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	A portion of 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	South of the intersection of Sammis Trail and 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 Preliminary Plat be continued to the **February 7, 2008 Planning Commission meeting to allow staff to review the recently submitted information and to allow the applicant to continue to work with staff to address the sewer issue(s).**

GENERAL COMMENTS:

(Update, January 14, 2008. All revised and/or added text is shown in bold print.) This

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item was continued at the **January 10, 2008 Planning Commission meeting to allow the applicant to submit additional information and to allow the applicant to continue to work with staff to resolve the lift station service area issues. On January 11, 2008, the applicant submitted new construction plans, a revised Preliminary Plat, a revised Phasing Plan and a sanitary plan for Torosay Circle. Staff is currently reviewing the information.**

The applicant is continuing to work with City staff regarding the boundary and terms of the agreement for the proposed lift station. The City is also currently reviewing another proposed Preliminary Plat for property located north and east of the intersection of Catron Boulevard and U.S. Highway 16 that will include the construction of a new sanitary sewer line along Catron Boulevard. To date, the Preliminary Plat and associated construction plans for that project have not been approved by the City. If this project goes forward first, the applicant must demonstrate that the existing sanitary sewer has downstream capacity and/or improve the system as needed. To date, that information has not been submitted.

Staff is recommending that this item be continued to the February 7, 2008, Planning Commission meeting to allow the applicant to document adequate sewer capacity to serve the development and to allow staff to review the recently submitted information.

(Update, December 28, 2007. All revised and/or added text is shown in bold print.) This item was continued at the December 6, 2007 Planning Commission meeting to allow the applicant to submit additional information. On October 22, 2007, the applicant submitted a Traffic Impact Study for review and approval. On October 29, 2007, the applicant submitted a request for an Exception to allow 59 dwelling units in lieu of 40 dwelling units with one point of access. On November 19, 2007, the City Council approved the Exception request. On December 12, 2007, staff met with the applicant and area property owners to discuss the boundary of the lift station service area. The applicant's consultants are continuing to work with City staff regarding the lift station issue. To date, the balance of the additional information as outlined in the Staff Report dated December 6, 2007 has not been submitted for review and approval. Staff is recommending that the Preliminary Plat be continued to the January 24, 2008 Planning Commission meeting to allow the applicant to submit the additional information and to allow the applicant to continue to work with staff to resolve the lift station service issues.

(Update, November 26, 2007. All revised and/or added text is shown in bold print.) This item was continued at the November 8, 2007 Planning Commission meeting to allow the applicant to submit additional information. On October 22, 2007, the applicant submitted a Traffic Impact Study for review and approval. On October 29, 2007, the applicant submitted an Exception to allow 59 dwelling units in lieu of 40 dwelling units with one point of access. On November 19, 2007, the City Council approved the Exception request. The applicant's consultants are continuing to work with City staff regarding the design of the sewer system to serve the proposed development. To date, the balance of the additional information as outlined in the Staff Report dated November 8, 2007 has not been submitted for review and approval.

(Update, October 30, 2007. All revised and/or added text is shown in bold print.) This item

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was continued at the October 25, 2007 Planning Commission meeting to allow the applicant to submit additional information. On October 22, 2007, the applicant submitted a Traffic Impact Study for review and approval. On October 29, 2007, the applicant submitted an Exception to allow 59 dwelling units in lieu of 40 dwelling units with one point of access. The Exception request was denied. To date, the denial has not been appealed to City Council. On October 30, the applicant's representatives met with City staff to discuss the design of the sewer system to serve the development. To date, the balance of the additional information as outlined in the Staff Report dated October 25, 2007 has not been submitted for review and approval.

The applicant has submitted a Preliminary Plat to create 40 residential lots leaving an unplatted balance. In addition, 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 reduce the pavement width along a portion of Sammis Trail from 36 feet to 24 feet and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and additional pavement along U.S. Highway 16. 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 Preliminary Plat 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 associated Subdivision Variance requests. In addition, the information is needed in order to identify improvements needed at the intersection of U.S. Highway 16 and Sammis Trail and at the intersection of Sammis Trail and Calton Hill Lane. As such, staff is recommending that the Preliminary Plat be continued to allow the applicant to submit the Traffic Impact Study.

(Update October 30, 2007) As noted above, on October 22, 2007, the applicant submitted a

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Traffic Impact Study for review and approval. Staff has reviewed the Traffic Impact Study and has noted that the study must be revised to address the timing of the closing of the current intersection of Sammis Trail and U.S. Highway 16. In addition, construction plans must be submitted for review and approval showing the intersection of the existing Sammis Trail with the proposed realigned location of Sammis Trail.

The Traffic Impact Study also identifies that a south bound left turn lane on U.S. Highway 16 and a west bound left turn lane on Moon Meadows Drive be provided at the intersection of Moon Meadows Drive and U.S. Highway 16 with Phase One of the development. As such, the construction plans must be revised to show the turn lanes as per the Traffic Impact Study.

The Traffic Impact Study states that it is anticipated that a traffic signal will be warranted at the intersection of U.S. Highway 16 and Moon Meadows Drive intersection in the future without the addition of site traffic from this development. The Traffic Impact Study also "assumes that a signal will be installed by the Long Term Future." As such, traffic volumes must be analyzed with each phase of the development to determine when the signalization of the intersection is warranted and will be installed.

The Traffic Impact Study also states that a north bound left turn lane on Brigadoon Way must be provided at the intersection of Brigadoon Way and Sammis Trail when the intersection is constructed as a part of Phase Two of the development. As such, the construction plans for Phase Two of the development must show the turn lane upon submittal of a Preliminary Plat for that phase of the development.

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". Currently, Sammis Trail serves as exclusive access to 18 parcels. The proposed Preliminary Plat includes 40 lots resulting in 58 lots with exclusive access from Sammis Trail. As such, staff is recommending that prior to Preliminary Plat approval by the Planning Commission, an Exception to the Street Design Criteria Manual be obtained to allow 58 dwelling units with one point of access in lieu of 40 dwelling units or the plat document must be revised to reducing the number of lots to 22 lots or a second point of access must be provided.

(Update October 30, 2007) As noted above, on October 29, 2007, the applicant submitted an Exception to allow 59 dwelling units in lieu of 40 dwelling units with one point of access. Staff has subsequently denied the Exception request. As such, prior to Planning Commission approval of the Preliminary Plat, the applicant must appeal the decision of staff to the Public Works Committee and City Council. In addition, the City Council must grant the Exception request or the plat document must be revised to reduce the number of lots to 22 lots or to provide a second point of access.

(Update November 26, 2007) As noted above, on November 19, 2007, the City Council granted the exception to allow 59 dwelling units with one point of access in lieu of 40 dwelling units.

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Zoning: The property is currently zoned Low Density Residential District with a Planned Development Designation. As such, an Initial and Final Residential Development Plan must be reviewed and approved by the Planning Commission prior to issuance of a Building Permit.

Sammis Trail: Sammis Trail extends west from U.S. Highway 16, running along the north lot line of the property and extends south along a portion of the east lot line of the property. 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. The construction plans show Sammis Trail constructed with a 24 foot wide paved surface, water and sewer. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, construction plans be submitted for review and approval showing Sammis Trail constructed with a minimum 36 foot wide paved surface, curb, gutter, sidewalk and street light conduit or a Variance to the Subdivision Regulations must be obtained.

The applicant has indicated that a 100 foot wide H Lot will be recorded for that portion of Sammis Trail extending from the property, west to U.S. Highway 16. In addition, the plat document shows the south 50 feet of Sammis Trail located adjacent to the property within a 50 foot wide right-of-way to be dedicated on this plat and the north 50 feet of Sammis Trail located within an existing "Easement for Public Access and Utilities". Staff is recommending that prior to Preliminary Plat approval by the City Council, an Exception be obtained to allow an easement to serve more than four lots or all of Sammis Trail located along the north lot line must be dedicated as right-of-way in lieu of an easement. In addition, the H Lot(s) must be recorded at the Register of Deed's Office.

(Update October 30, 2007) To date, an Exception has not been requested to allow an easement to serve as access to more than four lots nor has the plat document been revised to show this portion of Sammis Trail dedicated as right-of-way.

Additional improvements may be needed along Sammis Trail and at the intersection of Sammis Trail and U.S. Highway 16 as per the Traffic Impact Study. As such, staff is recommending that this item be continued to allow the applicant to submit the Traffic Impact Study and construction plans for the improvements as needed.

(Update October 30, 2007) As noted above, the Traffic Impact Study states that a south bound left turn lane and an east bound left turn lane be provided at the intersection of U.S. Highway 16 and Sammis Trail (Moon Meadows) for Phase One of the development. To date, the construction plans showing the turn lanes has not been submitted for review and approval.

Staff is also recommending that prior to Preliminary Plat approval by the City Council, an Approach Permit be obtained from the South Dakota Department of Transportation.

Road Name Change: Realigning Sammis Trail with Moon Meadows Drive will result in a discontinuous street name. Currently, 34 addresses exist along Moon Meadows Drive and 12 addresses exist along Sammis Trail. One of the properties along Sammis Trail will

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continue to abut that portion of Sammis Trail remaining in its current location. As such, naming the street with one continuous street name will require readdressing 11 properties along Sammis Trail versus 34 properties along Moon Meadows Drive. It has been City policy to change the road name with the least amount of affected properties. As such, staff is recommending that prior to submittal of a Final Plat application, a road name change from Sammis Trail to Moon Meadows Drive be submitted for review and approval for that portion of the street being realigned with Moon Meadows Drive. That portion of Sammis Trail extending east from U.S. Highway 16 to the realigned street will remain named "Sammis Trail". In addition, the plat document must be revised to show the approved street name.

Access Easement/Castle Bay Road: The Preliminary Plat identifies an access easement extending east from proposed Calton Hill Lane to serve as access to a lift station being constructed to serve the development. The location of the access easement aligns with a future street extending through additional phases of the development to be known as "Castle Bay Road". That portion of the access easement located between proposed Calton Hill Lane and Brigadoon Way is classified as a lane place street requiring that the street be located in a minimum 49 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. The balance of the access easement extending east from Brigadoon Way to the lift station is classified as a sub-collector street requiring that it be 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. The construction plans show that the portion of Castle Bay Road located within Phase One, or to the east lot line of Lot 15, Block 4 is within a 49 foot wide right-of-way and constructed with a 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. The balance of the street is shown to be located in a 49 foot wide access easement and constructed with a 24 foot wide graveled surface. As such, staff is recommending that construction plans for the access easement be submitted for review and approval prior to Preliminary Plat approval by the City Council as identified or a Variance to the Subdivision Regulations must be obtained.

Street Name: The Master Plan identifies "Wicket Lane" as a proposed street name in Phase Two of the development. The Emergency Services Communication Center has indicated that a different street name must be proposed since another street in Rapid City currently has that name. As such, staff is recommending that an alternate street name be submitted for review and approval to the Emergency Services Communication Center and shown on the plat document prior to submittal of a Preliminary Plat for that phase of the development.

(Update October 30, 2007) On October 23, 2007, the Emergency Services Communication Center indicated that Wicket Lane may be used as a street name; however, Wicket Court must be changed. The applicant has submitted alternate street names to the Emergency Services Communication Center for review and approval. To date, a revised plat document showing the alternate approved street name has not been submitted for review and approval.

Non-Access Easements: Staff is recommending that prior to submittal of a Final Plat application, the plat document be revised to show a non-access easement along Sammis Trail and the first fifty feet of all corner lots as per the Street Design Criteria Manual or an Exception must be obtained.

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Drainage Plan: A drainage plan has been submitted for review and approval. Staff is recommending that prior to Preliminary Plat approval by the City Council, the drainage plan be revised identifying when the improvements must be completed as per the proposed phasing of the project.

(Update October 30, 2007) As of this writing, a revised drainage plan as identified has not been submitted for review and approval.

Grading Plan: A grading plan has been submitted for review and approval. Staff is recommending that prior to Preliminary Plat approval by the City Council, the grading plan be revised to include a statement that subgrade preparation, placement and compaction of base course layers should be completed following the recommendation contained within the Geotechnical Report shown in the Preliminary Design Report. In addition, the grading plan must be revised to show the location of silt fencing, sediment control and a stabilized construction entrance.

(Update October 30, 2007) As of this writing, a revised grading plan as identified has not been submitted for review and approval.

Cost Estimate: To date, a cost estimate has not been submitted for review and approval. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, a cost estimate be submitted for review and approval.

Water: The preliminary water report indicates that "pressure reducing valves may be required for some lots and areas within the subdivision". However, the design report does not identify the location of the valves. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, the design report be revised to show the location of the pressure reducing valves. In particular, the pressure reducing valves must be shown at the residence and not the main line.

The "Planning Report for Skyline, Terracita, Southwest, Carriage Hills, and future Southwest Rapid City Service Zones" identifies a 14 inch water main extending to the east lot line of the property. However, the applicant's Master Utility Plan does not show the 14 inch water main being extended as required. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, the Master Utility Plan must be revised to show the 14 inch water main extended as identified or the applicant must revise the City's Master Plan. In addition, the Master Utility Plan must be revised to show what areas of the project require 200 psi pipe as per the preliminary design report.

(Update October 30, 2007) On October 30, 2007, the applicant's representatives met with City staff and discussed the location of the proposed 14 inch water main. In particular, it was determined that a 14 inch water main would be extended to the south lot line along Brigadoon Way, a minor arterial street on the City's Major Street Plan, and that an eight inch water main would be extended to the east lot line along Castle Bay Road.

The water plans show water lines being extended to the edge of the property in some areas. As such, construction easements must be obtained as needed from adjacent property

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owners prior to approval of the construction plans and/or Preliminary Plat approval by the City Council.

Sewer: The applicant has submitted sewer plans proposing to construct a lift station in the southeast corner of the property to serve the development. In addition, a force main will be constructed through the property, along Sammis Trail, then north along the east side of the U.S. Highway 16 right-of-way to tie into a manhole near the intersection of Addison Avenue and U.S. Highway 16. However, on October 16, 2007, one of the applicant's representatives spoke with Public Works Department staff via the telephone to discuss an alternative sewer design. In particular, it was identified that a force main extended from the lift station, along Sammis Trail, to an existing gravity main located west of the intersection of Moon Meadows Drive and U.S. Highway 16 could serve the development until a gravity sewer main is constructed along the east side of U.S. Highway 16 from this intersection to the manhole near the intersection of Addison Avenue and U.S. Highway 16.

Please note that this proposed development is located in a different drainage basin than the Catron basin. The proposed redirection of the sewer flows from Hyland Crossing will cause future capacity issues as the Catron basin develops which must be addressed as a part of this development.

Staff is recommending that the Preliminary Plat be continued to allow the applicant to continue to coordinate the design of the sewer facility with City staff and to revise the construction plans.

(Update October 30, 2007) On October 30, 2007, the applicant's representatives met with City staff to discuss the sewer issue. In particular, it was discussed that extending a sewer force main along Sammis Trail to an existing gravity sewer line located on the west side of the intersection of Moon Meadows Drive and U.S. Highway 16, in conjunction with the construction of a lift station, could serve the proposed development. In addition, the applicant indicated that a gravity sewer main will be provided along a portion of Sammis Trail as a part of a separate agreement with area property owners. Staff is recommending that the gravity sewer main also be extended along the western portion of Sammis Trail since the street is being constructed and paved as a part of Phase One of the development. Please note that the gravity sewer along Sammis Trail will be a dry sewer line until a gravity sewer is extended in the future along the east side of U.S. Highway 16. To date, the revised sewer plans as per the discussion at the meeting, have not been submitted for review and approval.

(Update November 26, 2007) As noted above, the applicant's consultants are continuing to work with City staff regarding the design of the sewer system to serve the proposed development. To date, the revised sewer plans have not been submitted for review and approval.

Lift Station: As previously indicated, the applicant is proposing to construct a lift station in the southeast corner of the property to serve the development. Staff is recommending that prior to Preliminary Plat approval by the City Council, the developer shall enter into an agreement with the City of Rapid City regarding funding, construction management, and administration for the design and construction of any wastewater pumping facilities or lift stations that will

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be necessary to serve the proposed development.

Staff is also recommending that prior to submittal of a Final Plat application, all necessary public wastewater collection or treatment facilities to serve the subdivision be constructed; or executed agreements shall be approved by the City of Rapid City identifying all funding, management and administrative responsibilities, with completion and implementation schedules, as needed to assure wastewater service will be available prior to occupancy of any new structures or development within the proposed subdivision.

Master Plan: The applicant has submitted a Master Plan of the balance of the property showing that the development will include 290 residential lots. In addition, future phases of the development include detention and green space areas and park and pedestrian walkway areas. Upon submittal of a Preliminary Plat application for this phase of the development, the applicant must identify ownership and maintenance of the proposed detention and green space areas and park and pedestrian walkway areas. If the applicant intends for the lot to be owned and maintained by the City, then the applicant must obtain City Council approval prior to Preliminary Plat approval by the City Council.

The Master Plan does not identify a second point of access to the proposed 290 residential lots. As such, the Master Plan must be revised to show when the second point of access will be provided and the proposed location and design standard of the street. Please note that if the Exception as noted above is not obtained, the street must be included as a part of this Preliminary Plat review and approval.

(Update October 30, 2007) To date, a revised Master Plan has not been submitted for review and approval as identified.

Inspection Fees and Surety: Chapter 16.20.080 of the Rapid City Municipal Code states that before any Final Plat is approved, an additional fee shall be paid to the City to cover the costs of inspection of the subdivision improvements required by Ordinance. In addition, surety for any required subdivision improvements that have not been completed must be posted. As such, staff is recommending that upon submittal of a Final Plat application, surety be posted and subdivision inspection fees be paid as required.

Warranty Surety: On June 19, 2006, the City Council adopted a resolution establishing a formal warranty process for subdivision improvements. In particular, the resolution requires that the developer provide an acceptable Warranty Surety for the required public improvements. In addition, the Warranty Surety must be in force for a period of two years after the required final inspection and the City has accepted the improvements. As such, staff is recommending that prior to the City's acceptance of the public improvements, a warranty surety be submitted for review and approval as required.

Staff is recommending that the Preliminary Plat be continued to the **February 7, 2008** Planning Commission meeting as noted above.