REQUEST FOR EXCEPTION TO
RAPID CITY DESIGN STANDARD / CRITERIA / REGULATIONS

PROJECT: Moon Meadows

DATE: 5/10/2016  SUBMITTED BY: Mike Stetson, KTM Design Solutions, Inc.

PIN #: 60876 / 11238  mikes@ktmdsi.com, (605) 791-5866

LEGAL DESCRIPTION: SW1/4 of the NW1/4 less Lot H1, Lot H2, and less ROW, located
Section 35, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; SE1/4 of the NE1/4 East of
Highway 16, located Section 34, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota

EXCEPTION REQUESTED: SECTION 3  STD / CRITERIA / REG

DESCRIPTION OF REQUEST: Waive the requirements to install curb and gutter, sidewalk,
street light conduit, water and sewer along Sammis Trail. Vacate the existing 66 foot wide ROW and create
a utility and access easement that would be realigned along the south property line.

JUSTIFICATION:
(Please use back of sheet if additional room is needed)  See Attached Justification Letter

SUPPORTING DOCUMENTATION:  No

PROPERTY OWNER’S SIGNATURE**: 

**Or Agent, if previously designated by the Owner in writing.

FOR STAFF ONLY


STAFF RECOMMENDATION: Deny, See attached letter dated 5/27/16.

REVIEWED BY:  DATE: 5/27/16

AUTHORIZATION:  DENIED

COMMUNITY PLANNING DIRECTOR  DATE: 5/31/16

PUBLIC WORKS DIRECTOR*  PER STAFF COMMENTS

FILE #: 16EX076

ASSOCIATED FILE#: 16PL013

*Public Works Director’s signature is not required for Lot Length to Width Exceptions, Ordinance No. 8434

Copy to Utility Maintenance:  Copy to Water:  Copy to Waste Water:  Copy to Streets:  Copy to Traffic:  Copy to Construction:
June 1, 2016

KTM Design Solutions  
Mike Stetson  
528 Kansas City Street, Suite 4  
Rapid City, SD 57701

Re: Exception File No. 16EX076

Dear Mike Stetson:

Enclosed please find a copy of the original exception request that was filed with the assigned file number and the decision details.

In the event that an exception request is denied, the Director of Public Works or the Director of Community Planning will advise the applicant of such denial in writing. Any applicant that disputes the denial of an exception may appeal such denial. In order to appeal the denial the applicant shall file a written request of appeal to the Director within ten (10) working days of the denial. The appeal will be placed on the next Public Works Committee agenda, which will then go to The City Council for final consideration.

If you have any questions or need additional information, please contact our office at 605-394-4154.

Sincerely,

Susan Donat

Susan Donat  
Administrative Secretary

Enclosure
May 27, 2016

KTM Design Solutions
Attn: Mike Stetson, mikes@ktmdsi.com
(605) 791-5866

Re: Request to waive the requirements to install a 26’ wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer in Sammis Trail; and vacate existing 66’ wide right-of-way and create a utility and access easement that would be realigned along the south property line.
Associated with Moon Meadows
City File # 16EX0076, Related Files 16PL013

Dear KTM Design Solutions,

The request to waive the requirements to install a 26’ wide paved surface, curb, gutter, sidewalk, street light conduit, water main and sewer main are triggered during the platting process for all adjacent roadways. The plat has frontage to Sammis Trail for approximately 1300’ and provides access to four parcels. Staff see Sammis Trail as a permanent street connection to these properties. Sammis Trail exists in 66’ of right-of-way with 20’ wide gravel surfacing and no other improvements. Sammis Trail shall be constructed to commercial street standards. However, staff may support that the road be constructed to local street standards, depending on how the property to the south is intended to develop.

Staff is willing to consider shifting Sammis Trail to the south, as requested. However we would like to see a master plan for how it will serve the property to the south and the anticipated density of the property to the south, if known. Any shifting of Sammis Trail shall meet street design standards as far as any horizontal curves to accommodate any change in the alignment. A letter from one of the adjacent property owners to the south was included with the exception request submitted materials. This property owner shall be consulted with to discuss his intent for future development.

To vacate right of way, a vacation of right of way application process through the City’s planning department is appropriate for review and consideration of such a request. All adjacent, affected property owners and utility companies would need to sign off on the proposed vacation request.
Based on a review of the information submitted, Staff is not in support of vacating this right-of-way as we see Sammis Trail as a permanent street connection to the properties to the south.

For sewer, the Rapid City Infrastructure Design Criteria Manual Section 3.5.5 states "Sewer mains shall be extended across the full frontage of each parcel to be served, except... when the City determines that no possibility exists that the main will need to be extended to serve adjacent property." If an exception to sewer in Sammis Trail is being sought, an analysis of the sewer service basin based on the existing sewer main invert at the Moon Meadows Drive and access easement intersection should be provided to the City for consideration, including how properties south of Sammis Trail will be provided with sewer. Sewer should be extended to the as far as possible for adjacent properties. Even though sewer service for the proposed Moon Meadows development comes from the sewer main in Moon Meadows Drive, the property owner is still responsible to extend sewer across the full frontage of their property so that it is available to service neighboring properties.

For water, the Rapid City Infrastructure Design Criteria Manual Section 3.5.4 states "Water mains shall be extended across the full frontage of each parcel to be served." Water main looping is an essential component to provide redundancy within a water distribution system. A water main loop from Sammis Trail to the existing water main a water main in Hwy 16 would provide redundancy for the area to allow water to be feed from two directions will be needed at some point. Even though water service for the proposed Moon Meadows development comes from the water main in Moon Meadows Drive, the property owner is still responsible to extend water main across the full frontage of their property so that it is available to service neighboring properties.

The denial of this exception request may be appealed to the City Council by requesting it be placed on the next Public Works Committee agenda. The City Council has final approval of exception requests. In order to appeal the denial the applicant shall file a written request of appeal to the Public Works Director within 10 working days of the denial. Please contact the Public Works Engineering Department if you desire to appeal.

Sincerely,
City of Rapid City

Nicole Lecy, Project Engineer
Ms. Nicole Lecy  
Development Review – City of Rapid City  
300 Sixth Street  
Rapid City, SD 57701

RE: Request for Exception to Rapid City Design Criteria  
Moon Meadows – Sammis Trail  
KTM Project No. 15-0759

Dear Ms. Lecy,

The purpose of this letter is to provide justification to supplement the attached request for Exception to Rapid City Design Criteria Manual for the above referenced project.

The exception request is to waive the requirement to install curb and gutter, sidewalk, street light conduit, water and sewer within a 70 foot wide right-of-way (ROW) per the Rapid City Infrastructure Design Criteria Manual (IDCM). The following is a list of justifications to support the request:

1. Vacate Existing ROW and Create Access and Utility Easement

Sammis Trail has an existing 26 foot wide graveled surface that provides access to only two residential properties. Sammis Trail no longer extends to U.S. Highway 16, which eliminated the outlet at the west end. Therefore the traffic on the road is minimal and only serves as a driveway to two residential properties south of Sammis Trail. Per original planning discussions with City Staff, the intention was to vacate Sammis Trail (as shown on the attached PUD Zone Document). An application for the PUD was not submitted to the City, but the PUD was developed after discussion with Brett Limbaugh, Rapid City Director of Department of Community Planning and Development Services at the time. It was agreed to vacate Sammis Trail ROW as part of the development of Moon Meadows.

Sammis Trail was a cattle trail that was created over 100 years ago. In 1970, Pennington County adopted a 66 foot ROW along Sammis Trail that is centered on the existing road. In 2005, Rapid City adopted the 66 foot ROW in the same location. The existing road is not parallel with the section quarter line and the majority of the ROW is south of the section quarter line. Due to the skewed ROW, the property south of Sammis Trail is too narrow for development and is an unusable property (see attached exhibit). This narrow, unusable property prevents direct access to Sammis Trail for the majority of the area south of Sammis Trail. It is proposed to vacate the existing 66 foot wide Sammis Trail ROW and create a utility and access easement that extends to the south property line (see attached exhibit). This eliminates the unusable section of property and provides direct access to Sammis Trail for the property to the south. The existing road and private utilities would be within the utility and access easement. The proposed utility and access easement would be greater than the existing 66 foot wide ROW and adequately accommodates the existing private utilities, road surface and ditches. The property owner to the south supports vacating the ROW and creating a utility and access easement. The project description in the Tax Increment District No. 70 plan states Sammis Trail
will be relocated or vacated. The Moon Meadows Extension plan prepared by Dream Design International on December 11, 2013 proposed a similar realignment of Sammis Trail. Improvements to Sammis Trail are not currently needed because it only serves as a driveway to two residential properties and should only be constructed if needed for development south of Sammis Trail. Future development south of Sammis Trail may be developed in a way that eliminates the need for Sammis Trail. The existing graveled road surface is proposed to remain along with waiving the requirement to install improvements in the ROW.

2. Install Curb and Gutter
   Drainage runoff is conveyed by road ditches on each side of Sammis Trail and no storm sewer inlets or pipes are proposed. Adding curb and gutter may alter drainage runoff paths and may cause erosion by concentrating runoff. It is proposed to maintain existing drainage runoff paths by not altering the road section or ditches.

3. Install Sanitary Sewer
   The existing area south of Sammis Trail slopes away from the road to the southeast. A large amount of earthfill would be required for the site to drain north. Therefore sanitary flow from future buildings south of Sammis Trail may not gravity drain to a sanitary sewer within the Sammis Trail ROW. A sanitary sewer in the Sammis Trail ROW would not currently serve any property and should only be constructed if needed for development south of Sammis Trail. The area south of Sammis Trail may be developed in a way that eliminates the need for a sanitary sewer along Sammis Trail. During construction of the existing sanitary sewer located within Moon Meadows Drive ROW stub outs were installed to provide service to the proposed lots north of Sammis Trail.

4. Install Sidewalk
   Moon Meadows Drive has existing sidewalks to accommodate pedestrian traffic from the proposed lots north of Sammis Trail. The pedestrian traffic generated south of Sammis Trail is minimal and sidewalks would rarely be used.

5. Install Water Main
   The existing water main located within Moon Meadows Drive ROW has stub outs to provide service to the proposed lots north of Sammis Trail. As per the Rapid City Utility Master Plan, a future reservoir is proposed southeast of Sammis Trail. A water main that connects to the reservoir along Sammis Trail should be constructed at the same time as the reservoir. A water main along Sammis Trail would not currently serve any property and should only be constructed if needed for development south of Sammis Trail. The area south of Sammis Trail may be developed in a way that eliminates the need for a water main along Sammis Trail.

6. Install Street Light Conduit
   The adjacent lots north of Sammis Trail will have street lights once developed. Street lights along Sammis Trail would rarely be utilized due to the minimal traffic and only add to light pollution.

Thank you for your consideration in this matter. If you have questions or need additional information, please do not hesitate to contact me at (605) 791-5866 or mikes@ktmdsi.com.

Sincerely,

KTM Design Solutions, Inc.

Mike Stetson
South Rapid City
Tax Increment District

(1.) Detailed Project Description:

This Tax Increment District is proposed to assist in the development of property located along Catron Boulevard, South U.S. Highway 16, Sammis Trail, and Moon Meadows Drive. The Tax Increment Funds would be split into two proposed phases of construction. The first phase consists of the design and construction of sanitary sewer gravity main, water main, and the reconstruction of the intersection of South U.S. Highway 16 and Moon Meadows drive construction to include turn lanes and relocation of Sammis Trail access. The second (Moon Meadows) phase includes the design and installation of traffic signal at the intersection of South U.S. Highway 16 and Moon Meadows Drive and water. The third proposed phase includes the design and installation of a lift station for the proposed residential areas. The immediate need is being requested in this proposal will be the start of phases I and II.

This project is part of an existing tax increment district number 70 created October 30th, 2008. The area included within the proposed tax Increment District includes approximately 658 acres beginning at Catron Blvd from Fifth Street to South U.S. Highway 16, south to Sammis Trail, and east to the proposed Hyland Crossing Subdivision as shown on Exhibit A. The approximate future land use for the proposed Tax Increment District include 340 acres of low density residential, 28 acres of medium density residential, 150 acres of commercial and 14 acres of right-of-way for South U.S. Highway 16 and Catron Boulevard. The “US Highway 16 Neighborhood Area Future Land Use Map” is attached.

The proposed improvements for sanitary sewer generally conform to the future plans shown in the “Conceptual Water and Sanitary Sewer System for Highway 16 Neighborhood Area Future Land Use Plan, February 28, 2005.”

The total estimated project cost is $3,339,182.

(2.) Purpose of the Tax Increment Financing.

Phase I: Sanitary Sewer Gravity Main

This part of the project phase will include approximately 6,600 lineal feet of 12” gravity main between Catron Boulevard and Moon Meadows Road just east of U.S. Highway 16.

In addition to providing additional service to areas unsewered within City limits this project plan will allow growth to continue in the proposed area creating more growth for the City. The estimated cost for the gravity sewer main and associated grading is near $1,632,903 which includes design and construction costs.

PHASE II: Reconstruction of US HWY 16 AND Moon Meadows Intersection, to include Relocation of Sammis Trail.

The Major Street Plan shows a Proposed Principal Arterial road connecting south U.S. Highway 16 at Moon Meadows Drive to the Hyland Crossing Subdivision. Due to this new road alignment, the intersection of South U.S. Highway 16 and Moon Meadows Drive also requires construction and relocation/vacation of the Sammis Trail road for public safety. The South Dakota Department of transportation is requiring the reconstruction of the existing intersection in order to accommodate the expansion in this area. The new intersection will create two new turn lanes, one east bound and one west bound with paved medians between the through lanes and the turn lanes. The reconstruction of the intersection will include all incidental activities including traffic control, storm sewer modifications, grading, removals, striping, etc. This task also includes the installation of traffic signals for the reconstructed intersection of South U.S. Highway 16 and Moon Meadows Drive. Installation of these signals should be installed as determined by traffic Studies for the area. The estimated cost of the intersection reconstruction including the signals is $1,319,302.

Moon Meadows 16” Water Main.

This includes crossing US HWY 16 with a 16” water main. This water main will continue to the east along the new proposed Moon Meadows Road. This water main will serve future development in this area. It is also our understanding that the City has planned for a well site and a reservoir within the area. The new 16 water main: will provide the major connections and the looping required for these components. This water main is regional in nature. The estimated costs associated with the water main construction are estimated at $104,178.
MINUTES
TAX INCREMENT FINANCE PROJECT REVIEW COMMITTEE
December 6, 2011

MEMBERS PRESENT: Gary Brown, John Brewer, Erik Braun, Lyndell Petersen and Ritchie Nordstrom

MEMBERS ABSENT: David Janak


Call to Order
Brown called the meeting to order at 7:03 a.m.

Approve Minutes
Motion by Brewer, seconded by Petersen and carried unanimously to approve the minutes of the February 1, 2011 meeting.

Project Plan for Highway 16 Tax Increment District #70 (11TIF002)
Bulman indicated that the district was created in 2008 but the Project Plan was not completed at that time. She addressed the district boundaries, the project phasing, the projected revenue and costs and the amortization schedules. Bulman briefly reviewed the location of the sewer and water lines, the proposed traffic signal, the proposed turn lanes and the realignment of Sammis Trail with Moon Meadows Road. She identified the estimated time period for payoff of the Tax Increment District at both 7.5% and 9% interest rates.

In response to a question from Brown, Bulman informed the Committee that the Project Plan meets the guidelines for Tax Increment Districts. Bulman further noted that the district is an Economic Development District.

Brown advised that David Hillard is withdrawing himself from the dais due to a Conflict of Interest.

Kent Hagg, applicant, introduced Dawn Aspaas, consultant, for the Tax Increment District Project Plan. He explained that the Tax Increment District was formed in 2008 and that the original plan was to include the installation of the new sewer line from Fifth Street to US Highway 16, which is currently being installed by the City and the South Dakota Department of Transportation. He further explained that the proposed Project Plan includes the extension of the sewer main to the south using a gravity based sewer system, and that the installation of the City water main will give the property owners in the area additional water pressure. He added that he has visited with the property owners surrounding his property about the proposed Project Plan.

Aspaas thanked staff for all of their help. She stated that the Tax Increment District will add to the quality of uses and services that could be provided in this corridor and increase development and sales tax revenue for the community. She explained that the first phase
Hi Nicole,

The owner’s intent is to not provide 26’ of pavement in Sammis Trail and it was intended to be part of the exception.

Hi Mike,

I am finalizing the City’s response to the exceptions you submitted for the Moon Meadows project. Please confirm if the owner intends to provide 26’ of pavement in Sammis Trail. The exception request for Sammis Trail did not include the exception to pavement but from the attached justification letter I get the impression they do not intend to pave the street. Please let me know ASAP.

Thanks,

Nicole Lecy, PE
City of Rapid City
Project Engineer | Public Works
300 6th Street | Rapid City, SD 57701
(605) 394-4154
April 28, 2016

City of Rapid City
Department of Public Works
300 Sixth St.
Rapid City, SD 57701

Re: Realignment of Sammis Trail

Dear Sir or Madam:

This letter is to advise that I am the owner of the land located to the south of Sammis Trail and I formally request that any improvements or changes to Sammis Trail also include the realignment of Sammis Trail to straddle the property line between my land and the land owned by Hagg Brothers, LLC to the north of my property. This will eliminate any future situation in which a small, narrow tract of land exists south of Sammis Trail which could potentially impede the access to my land and other land lying south of Sammis Trail.

I have discussed this matter with Kent Hagg, Managing Member of Hagg Brothers, LLC, and he has informed me that the Tax Increment Finance District Project Plan #70 included the realignment and reconstruction of Sammis Trail. I ask that if the Plan is put into action, that the Sammis Trail realignment straddle both parcels.

Thank you.

Sincerely,

Frank Commerford
MOON MEADOW PARK
PUD ZONE DOCUMENT
RAPID CITY, SOUTH DAKOTA

DDI PROJECT NO. 09-0556

LEGAL DESCRIPTION
PROJECT: THE SOUTHEASTern QUARTER OF THE NORTHWEST QUARTER (SE/NE1/4) EAST OF HIGHWAY OF SECTION THIRTY-FIVE (35), TOWNSHIP ONE NORTH (T1N), RANGE SEVEN EAST OF THE BLACK HILLS MERIDIAN (R7E), CITY OF RAPID CITY, PENNINGTON COUNTY, SOUTH DAKOTA.

PARCEL 1: THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE/SE1/4) OF SECTION THIRTY-FIVE (35), TOWNSHIP ONE NORTH (T1N), RANGE SEVEN EAST OF THE BLACK HILLS MERIDIAN (R7E), CITY OF RAPID CITY, PENNINGTON COUNTY, SOUTH DAKOTA.

PARCEL 2: THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW1/4) OF SECTION THIRTY-FIVE (35), TOWNSHIP ONE NORTH (T1N), RANGE SEVEN EAST OF THE BLACK HILLS MERIDIAN (R7E), CITY OF RAPID CITY, PENNINGTON COUNTY, SOUTH DAKOTA.