

Based on the applicant's request to eliminate Lot 1 from the Layout Plat application, staff would suggest the following modifications to the Planning Commission's recommendation:

Planning Commission recommended that the Variance to the Subdivision Regulations to waive the requirement to install a 24 foot wide paved surface, curb, gutter, street light conduit, water and sewer along the section line highway be denied;

that the Variance to the Subdivision Regulations to waive the requirement to pave Old Folsom Road be approved for that portion lying adjacent to the southwest corner of proposed Lot 3 be approved with the stipulation that a waiver of the right to protest a future assessment for all improvements be provided upon Preliminary Plat application submittal;

that the Variance to the Subdivision Regulations to waive the requirement to pave the private access easement and the "52 foot wide right-of-way" cul-de-sac be denied;

that the Variance to the Subdivision Regulations to provide a planting screen easement be approved; and,

that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, street light conduit, sewer and water along ~~Old Folsom Road~~, Lamb Road, the private access easement and the "52 foot wide right-of-way" cul-de-sac" be approved with the following stipulations:

#### Engineering Division Recommendations

~~1. Upon submittal of a Preliminary Plat, road construction plans showing Old Folsom Road being constructed with a minimum 24 foot wide paved surface shall be submitted for review and approval;~~

21. Upon submittal of a Preliminary Plat, road construction plans showing the "52 foot wide right-of-way" cul-de-sac being constructed with a minimum 20 foot wide paved surface shall be submitted for review and approval. In addition, the bulb of the cul-de-sac shall be located within a minimum 110 diameter right-of-way and constructed with a minimum 92 foot wide paved surface;

32. Upon submittal of a Preliminary Plat, road construction plans showing the private access easement being constructed with a minimum 20 foot wide paved surface shall be submitted for review and approval;

43. Upon submittal of a Preliminary Plat, the applicant shall sign a waiver of right to protest a future assessment for the curb, gutter, street light conduit, sewer and water improvements along ~~Old Folsom Road~~, Lamb Road, the private access easement and the "52 foot wide right-of-way" cul-de-sac; and,

Pennington County Highway Department Recommendation:

~~5. Upon submittal of a Preliminary Plat, the section line highway shall be vacated or relocated.~~