

STAFF REPORT
April 8, 2004

No. 04PL039 - Preliminary Plat

ITEM 45

GENERAL INFORMATION:

PETITIONER	Ferber Engineering Company, Inc. for Cregut Inc.
REQUEST	No. 04PL039 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	Lot C of Lot 1 of Rohrer Subdivision located in the SW1/4 of the SE1/4 of Section 29, T1N, R7E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 1 of Lot C of Lot 1 of Rohrer Subdivision located in the SW1/4 of the SE1/4 of Section 29, T1N, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 4.370 acres
LOCATION	7800 Alberta Drive
EXISTING ZONING	Highway Service District
SURROUNDING ZONING	
North:	Suburban Residential District
South:	Suburban Residential District
East:	Highway Service District
West:	Highway Service District
PUBLIC UTILITIES	Private water and wastewater
DATE OF APPLICATION	03/12/2004
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

Staff recommends that the Preliminary Plat be approved with the following stipulations:

1. Prior to Preliminary Plat approval by the City Council, road construction plans for Sheridan Lake Road shall be submitted for review and approval. In particular, Sheridan Lake Road shall be constructed with a minimum 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water or a Variance to the Subdivision Regulations shall be obtained;
2. Prior to Preliminary Plat approval by the City Council, road construction plans for the section line highway shall be submitted for review and approval. In particular, the section line highway shall be constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water or a Variance to the Subdivision Regulations shall be obtained;
3. Prior to Preliminary Plat approval by the City Council, the applicant shall verify that the

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- culvert located in Okpealuk Street is adequately sized for the ten year storm due to the increased site run-off;
4. Prior to Preliminary Plat approval by the City Council, the applicant shall provide documentation that the South Dakota Department of Environment and Natural Resources has reviewed and approved the water source. If a shared well is proposed than it shall be designed as a public water system or a Variance to the Subdivision Regulations shall be obtained;
 5. Prior to Preliminary Plat approval by the City Council, the applicant shall provide documentation that a septic tank and drainfield could not be utilized in lieu of the existing holding tank;
 6. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to show the dedication of the south half of the right-of-way for the section line highway located on an adjacent property or the south half of the right-of-way shall be dedicated as a part of a separate platting proposal. Either way, the entire right-of-way shall be dedicated at the same time or a Variance to the Subdivision Regulations shall be obtained to allow platting half a right-of-way;
 7. Prior to submittal of a Final Plat, a Variance shall be obtained from the Pennington County Board of Adjustment to reduce the front yard setback from 25 feet to 17.2 feet for the in-door tennis facility located on proposed Lot 1 of Lot C of Lot 1 resulting from the dedication of 10 additional feet of right-of-way along Sheridan Lake Road or a Variance to the Subdivision Regulations shall be obtained to waive the requirement to dedicate the additional right-of-way;
 8. Prior to Preliminary Plat approval by the City Council, a subdivision cost estimate shall be submitted for review and approval;
 9. Prior to submittal of the Final Plat, the plat document shall be revised to show a non-access easement along Sheridan Lake Road; and,
 10. Upon submittal of the Final Plat, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid.

GENERAL COMMENTS:

The applicant has submitted a Preliminary Plat to subdivide a 4.370 acre parcel to create a .975 acre commercial lot leaving a 3.395 non-transferable balance. In addition, the applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer improvements along Sheridan Lake Road and a section line highway located along the south lot line of the property. (See companion item #04SV020.)

The subject property is located 420 feet west of the Okpealuk Street/Sheridan Lake Road intersection on the south side of Sheridan Lake Road. Currently, an in-door tennis facility is being constructed on the proposed lot. In addition, a fitness center is located on the non-transferable balance. (The applicant should be aware that a Preliminary and Final Plat must be reviewed and approved for the non-transferable balance prior to transferring ownership.)

STAFF REVIEW:

Staff has reviewed the Preliminary Plat and has noted the following considerations:

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Sheridan Lake Road: Sheridan Lake Road is located along the north lot line of the subject property and is classified as a principle arterial street on the City's Major Street Plan 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, street light conduit, sidewalk, water and sewer. Currently, Sheridan Lake Road is located in an 80 foot wide right-of-way with an approximate 36 foot wide paved surface. The plat document identifies the dedication of ten additional feet of right-of-way along Sheridan Lake Road. Dedicating the additional right-of-way will reduce the front yard setback from 25 feet to 17.2 feet for the in-door tennis center. As such, the applicant must obtain a Variance from the Pennington County Board of Adjustment reducing the front yard setback as identified prior to Final Plat approval or obtain a Variance to waive the requirement for the dedication of the additional right-of-way.

Staff is also recommending that prior to Preliminary Plat by the City Council, construction plans for Sheridan Lake Road providing curb, gutter, sidewalk, street light conduit, water and sewer must be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained.

Section Line Highway: A section line highway extends east of Alberta Drive approximately 500 feet along the south line of an adjacent property also owned by the applicant. The section line highway serves as legal access to the proposed lot and is classified as a commercial street requiring that the road be located within a minimum 59 foot wide right-of-way and be constructed with a minimum 26 foot wide paved surface, curb, gutter, street light conduit, water and sewer. The plat document identifies dedicating a 33 foot wide access and utility along the north half of the section line highway. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to show the dedication of right-of-way in lieu of an access and utility easement. In addition, the plat document shall be revised to show the dedication of right-of-way as needed for the south half of the right-of-way for the section line highway located on an adjacent property or the south half of the right-of-way must be dedicated as a part of a separate platting proposal. Either way, the entire right-of-way must be dedicated at the same time or a Variance to the Subdivision Regulations must be obtained to allow platting half a right-of-way. In addition, staff is recommending that prior to Preliminary Plat approval by the City Council, road construction plans for the section line highway must be submitted for review and approval. In particular, the section line highway must be constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water or a Variance to the Subdivision Regulations must be obtained.

Water and Sewer: The site plan identifies that a well and holding tank located on the non-transferable balance will serve as water and wastewater facilities to the subject property. As such, staff is recommending that prior to Preliminary Plat by the City Council, the applicant must provide documentation that the South Dakota Department of Environment and Natural Resources has reviewed and approved the water source. A shared well also requires that it be designed as a public water system or a Variance to the Subdivision Regulations must be obtained. Staff is also recommending that prior to Preliminary Plat approval by the City Council, the applicant must provide documentation that a septic tank and drainfield could not be utilized in lieu of the existing holding tank since a holding tank is only allowed if a septic tank and drainfield could not serve the property(s).

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Drainage Information: Additional drainage information must be submitted for review and approval. In particular, the Pennington County Drainage Engineer has indicated that the drainage information must demonstrate that the culvert located in Okpealuk Street is adequately sized for the ten year storm due to the increased site run-off. Staff is recommending that the additional drainage information be submitted for review and approval prior to Preliminary Plat approval by the City Council.

Staff believes that the proposed plat generally complies with all applicable Zoning and Subdivision Regulations assuming compliance with the stated stipulations.