

STAFF REPORT
July 8, 2004

No. 04PL085 - Preliminary Plat

ITEM 4

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 04PL085 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	N1/2 N1/2 NE1/4 of Section 16, T1S, R7E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 thru 3, Block 1, Collins Estates, located in the N1/2 N1/2 NE1/4 of Section 16, T1S, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 40 acres
LOCATION	Along 237th Street
EXISTING ZONING	Limited Agriculture District (County)
SURROUNDING ZONING	
North:	General Agriculture District (County)
South:	General Agriculture District (County)
East:	General Agriculture District (County)
West:	General Agriculture District (County)
PUBLIC UTILITIES	On-site water and wastewater
DATE OF APPLICATION	06/11/2004
REVIEWED BY	Vicki L. Fisher / Sig Zvejnieks

RECOMMENDATION:

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

1. Prior to Preliminary Plat approval by the City Council, a grading plan and an erosion and sediment control plan for all improved areas shall be submitted for review and approval;
2. Prior to Preliminary Plat approval by the City Council, a drainage plan shall be submitted for review and approval. In addition, the plat document shall be revised to provide drainage easements as necessary;
3. Prior to Preliminary Plat approval by the City Council, an on-site wastewater plan prepared by a Professional Engineer demonstrating that the soils are suitable for on-site wastewater systems shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained;
4. Prior to Preliminary Plat approval by the City Council, data to confirm that proposed on-site well(s) have sufficient flows and water quality shall be submitted for review and approval. If a shared well is proposed then it shall be designed as a public water system

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- or a Variance to the Subdivision Regulations shall be obtained. In addition, the plat document shall be revised to show utility easement(s) as needed;
5. Prior to Preliminary Plat approval by the City Council, all necessary changes shall be made to the construction plans as identified on the redlined drawings. In addition, the redlined drawings shall be returned to the Engineering Division;
 6. Prior to Preliminary Plat approval by the City Council, a cost estimate of the subdivision improvements shall be submitted for review and approval;
 7. A Special Exception is hereby granted to allow a street with a 15% grade in lieu of a maximum 12% grade as per the Street Design Criteria Manual;
 8. A Special Exception is hereby granted to allow 237th Street to be located off center line of the right-of-way as per the Street Design Criteria Manual;
 9. Prior to submittal of a Final Plat application, a Wild Fire Mitigation Plan shall be submitted for review and approval and the plan shall be implemented;
 10. Prior to submittal of a Final Plat application, the plat document shall be revised to provide a minimum lot size of ten acres per parcel or a Variance to waive the requirement to provide the minimum ten acre lot size in the Limited Agriculture District shall be obtained from the Pennington County Zoning Board of Adjustment;
 11. Prior to submittal of a Final Plat application, the plat document shall be revised to show the street name for "237th Street";
 12. Upon submittal of a Final Plat application, a road maintenance agreement for 237th Street shall be submitted for review and approval;
 13. Upon submittal of a Final Plat application, the plat title shall be revised to eliminate the comma from the "N1/2N1/2NE1/4";
 14. Upon submittal of a Final Plat application, a reserve area shall be shown or a note shall be placed on the plat indicating that at the time a Building Permit is applied for, a reserve drainfield area will be identified and held in reserve unless a public sewer system is provided; and,
 15. Upon submittal of a Final Plat application, 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 40 acre parcel into three lots ranging in size from 9.340 acres to 15 acres. On April 5, 2004 the City Council approved a Layout Plat to subdivide the subject property into three lots as shown on the Preliminary Plat. In addition, the City Council approved a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, street light conduit, water, sewer and pavement along 237th Street as it abuts the subject property.

The property is located at the western terminus of 237th Street and is currently void of any structural development.

Staff Review:

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

Zoning: The property is currently zoned Limited Agriculture District by the County. The Limited Agriculture District requires a minimum lot size of ten acres. The Preliminary Plat identifies

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that proposed Lot 3 will have a lot size of 9.340 acres. As such, staff is recommending that prior to submittal of a Final Plat application, the plat document be revised to provide a minimum lot size of ten acres per parcel or a Variance to waive the requirement to provide the minimum ten acre lot size in the Limited Agriculture District must be obtained from the Pennington County Zoning Board of Adjustment

237th Street: Portions of 237th Street located east of the subject property are located outside of the section line highway. A previous court action ordered that access be granted in part from an adjacent property located north of the section line highway. The County Board of Commissioners subsequently approved the construction of the street with a minimum 20 foot wide graveled surface and with a maximum grade of 15%. In addition, it appears that portions of the street have not been constructed on the center line of the right-of-way as per the Street Design Criteria Manual. The City's Street Design Criteria Manual also states that streets shall not exceed 12%. As previously indicated, the City Council has approved a Variance to the Subdivision Regulations to allow the existing street to serve as access to the subject property. As such, staff is recommending that a Special Exception be granted to allow a street with a maximum grade of 15% and constructed off the center line of the right-of-way as per the Street Design Criteria Manual.

Sewer: As stipulated in the Layout Plat review and approval of the subject property, an on-site wastewater plan prepared by a Professional Engineer demonstrating that the soils are suitable for on-site wastewater systems must be submitted for review and approval. Staff is recommending that the above referenced information be submitted for review and approval prior to Preliminary Plat approval by the City Council.

Water: As stipulated in the Layout Plat review and approval of the subject property, data to confirm that proposed on-site well(s) have sufficient flows and water quality must be submitted for review and approval. If a shared well is proposed then it must be designed as a public water system or a Variance to the Subdivision Regulations must be obtained. In addition, the plat document must be revised to show utility easement(s) as needed. Staff is recommending that the above referenced information be submitted for review and approval prior to Preliminary Plat approval by the City Council.

Drainage: A drainage plan must be submitted for review and approval. In addition, a grading plan and an erosion and sediment control plan for all improved areas must be submitted for review and approval. The plat document must be revised to provide drainage easements as needed. Staff is recommending that upon submittal of a Preliminary Plat application, a drainage and grading plan, as well as an erosion and sediment control plan, be submitted for review and approval and the plat document be revised to provide drainage easements as identified.

Road Maintenance Agreement: The Pennington County Highway Department staff has indicated that a road maintenance agreement for 237th Street must be submitted for review and approval. Staff is recommending that upon Final Plat application, a road maintenance agreement be submitted for review and approval as required by City Ordinance.

Staff believes that the proposed plat generally complies with all applicable Zoning and

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Subdivision Regulations assuming compliance with the stated stipulations.