

STAFF REPORT
March 9, 2006

No. 06PL012 - Layout Plat

ITEM 9

GENERAL INFORMATION:

PETITIONER	Boschee Engineering for Mike Gould
REQUEST	No. 06PL012 - Layout Plat
EXISTING LEGAL DESCRIPTION	That portion of the NE1/4 lying west of the Railroad Right-of-Way; and the N1/2 NW1/4, Section 34, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 thru 16, Darlington Estates, formerly that portion of the NE1/4 lying west of the Railroad Right-of-Way; and the N1/2 NW1/4, Section 34, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 100 acres
LOCATION	At the southeast corner of the intersection of Old Folsom Road and Lamb Road
EXISTING ZONING	Limited Agriculture District (Pennington County)
SURROUNDING ZONING	
North:	General Agriculture District (Pennington County)
South:	General Agriculture District (Pennington County)
East:	Limited Agriculture District (Pennington County)
West:	Limited Agriculture District (Pennington County)
PUBLIC UTILITIES	Private water and wastewater
DATE OF APPLICATION	1/27/2006
REVIEWED BY	Vicki L. Fisher / Emily Fisher

RECOMMENDATION:

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

1. **Upon submittal of a Preliminary Plat application, the plat document shall be revised to show an access easement and/or right-of-way along the first 275 feet of Lots 4 and 5. In addition, construction plans shall be submitted for review and approval showing the access easement and/or right-of-way with a minimum width of 49 feet and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained or the plat document shall be revised to reconfigure the lots eliminating the flagpole configuration;**

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2. **Upon submittal of a Preliminary Plat application, the plat document shall be revised to show an access easement and/or right-of-way along the first 650 feet of Lots 14 and 15. In addition, construction plans shall be submitted for review and approval showing the access easement and/or right-of-way with a minimum width of 49 feet and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained or the plat document shall be revised to reconfigure the lots eliminating the flagpole configuration;**
3. **Prior to Preliminary Plat approval by the City Council, an Exception shall be obtained to waive the requirement to provide intermediate turnaround(s) every 600 feet as per the Street Design Criteria Manual or the plat document shall be revised accordingly;**
4. **Prior to Preliminary Plat approval by the City Council, a Variance to the Subdivision Regulations shall be obtained to allow a lot twice as long as it is wide or the plat document shall be revised to comply with the length to width requirement;**
5. **Upon submittal of a Preliminary Plat application, the plat document shall be revised to show the 55 foot diameter emergency turn-around easement as right-of-way or the plat document shall be revised eliminating the flagpole lot configuration(s) from the easement;**
6. **Upon submittal of a Preliminary Plat application, the plat document be revised eliminating the flagpole configuration of Lot 2;**
7. Upon submittal of a Preliminary Plat application, a grading plan and an erosion and sediment control plan for all improved areas shall be submitted for review and approval;
8. Upon submittal of a Preliminary Plat application, a drainage plan shall be submitted for review and approval. In particular, the drainage plan shall provide on-site detention as needed. In addition, the plat document shall be revised to provide drainage easements as necessary;
9. Upon submittal of a Preliminary Plat application, a geotechnical report including pavement design shall be submitted for review and approval. In addition, the geotechnical report shall identify recommendations for the large deep embankment area;
10. Upon submittal of a Preliminary Plat application, sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. If individual on-site wastewater systems are proposed, then 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;
11. Upon submittal of a Preliminary Plat application, water plans prepared by a Registered Professional Engineer showing the extension of water mains shall be submitted for review. If a shared well and/or a community water facility is proposed then it shall be designed as a public water system or a Variance to the Subdivision Regulations shall be obtained. In particular, the water system shall be constructed and designed to provide adequate fire and domestic flows. In addition, the plat document shall be revised to show utility easement(s) as needed;
12. Upon submittal of a Preliminary Plat application, a utility master plan including public and private utilities shall be submitted for review and approval;
13. Upon submittal of a Preliminary Plat application, road construction plans for Lamb Road shall be submitted for review and approval. In particular, the street shall be located in a

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- minimum 100 foot right-of-way and constructed with a minimum 40 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained. In addition, the plat document shall be revised to show the dedication of 17 additional feet of right-of-way;
14. Upon submittal of a Preliminary Plat application, road construction plans for Hidalgo Court and Kimberwick Road shall be submitted for review and approval. In particular, the road construction plans shall show the streets located in a minimum 49 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, street light conduit, water and sewer or the streets shall be located in a minimum 45 foot wide right-of-way and constructed with a minimum 20 foot wide paved surface, curb, gutter, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained. If on-street parking is not provided, the developer shall provide visitor parking at the rate of one paved parking stall per dwelling located within three hundred feet of the residence and the street shall be posted with no parking signs. In addition, a turnaround shall be provided at the end of the street with a minimum 110 foot wide diameter easement or right-of-way and constructed with a minimum 96 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water or a Variance to the Subdivision Regulations shall be obtained;
 15. Prior to Preliminary Plat approval by the City Council, an Exception shall be obtained to allow a 1,260 foot long cul-de-sac with no intermediate turnarounds in lieu of a maximum 1,200 foot long cul-de-sac with an intermediate turnaround every 600 feet as per the Street Design Criteria Manual or the plat document shall be revised accordingly;
 16. Upon submittal of a Preliminary Plat application, the plat document shall be revised to show the section line highway relocated to Lamb Road and Old Folsom Road as approved by the Pennington County Board of Commissioners;
 17. Upon submittal of a Preliminary Plat application, the plat document shall be revised to show the dedication of 17 additional feet of right-of-way for Old Folsom Road or a Variance to the Subdivision Regulations shall be obtained;
 18. Upon submittal of a Preliminary Plat application, the plat document shall be revised to reconfigure Lots 7 and 8 to allow access to each lot from Hidalgo Court. In addition, the plat document shall be revised to reconfigure Lots 9, 10, 15 and 16 to allow access to each lot from Kimberwick Road;
 19. Upon submittal of a Preliminary Plat application, the plat document shall be revised to show a non-access easement along Old Folsom Road and Lamb Road and the first 115 feet of Hidalgo Court and Kimberwick Road as they extend south from Lamb Road as per the Street Design Criteria Manual or an Exception shall be obtained;
 20. Upon submittal of a Preliminary Plat application, a cost estimate of the subdivision improvements shall be submitted for review and approval;
 21. Prior to submittal of a Preliminary Plat application, the property shall be rezoned by Pennington County to a zoning district that allowed the proposed lot sizes or the plat document shall be revised accordingly;
 22. Prior to submittal of a Final Plat application, the applicant shall submit proof of the legal entity which will provide the mechanism for street maintenance and snow removal. In particular, an agreement with Pennington County shall be submitted for review and approval indicating that the proposed street shall be accepted by Pennington County for road maintenance and snow removal; or evidence shall be submitted for review and approval that a road district has been established in accordance with SDCL 31-12A-1; or a legally binding agreement shall be submitted for review and approval by the City

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23. Council which guarantees sufficient financial commitment to provide these services; Upon submittal of a Final Plat application, the plat document shall be revised to show a ten foot wide planting screen easement along Old Folsom Road and Lamb Road or a Variance to the Subdivision Regulations shall be obtained. In addition, the planting screen easement shall not conflict with utility easement(s);
24. Upon submittal of a Final Plat application, a note shall be placed on the plat document stating that "a reserve drainfield area shall be identified upon submittal of a building permit" and that "on-site wastewater disposal systems shall be mound systems, holding tanks or evapotranspiration systems only if percolation and profile information is not sufficient for conventional systems"; and,
25. 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:

(Update, February 24, 2006. All revised and/or added text is shown in bold print.) This item was continued at the February 23, 2006 Planning Commission meeting to allow staff to review a revised plat document submitted on February 17, 2006. In particular, the revised plat document identified subdividing the subject property into 18 lots in lieu of the previously proposed 16 lots.

The applicant has submitted a Layout Plat to subdivide a 214 acre parcel and a 100 acre parcel into 16 lots leaving an approximate 106 acre and a 90 acre unplatted balance, respectively. The lots range in size from 5.0 acres to 10.224 acres.

The property is located in the southeast corner of the intersection of Old Folsom Road and Lamb Road. Currently, a utility substation and power line(s) exist along the northern portion of the property.

On January 19, 2004, the City Council approved a Layout Plat to subdivide the subject property into ten lots. In addition, a Variance to the Subdivision Regulations was approved in part and denied in part as follows:

"Deny 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; and 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 with the stipulation that a waiver of right to protest a future assessment for all improvements be provided upon Preliminary Plat application submittal; deny 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; approve the Variance to the Subdivision Regulations to provide a planting screen easement; and approve the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, sewer and water along Lamb Road, the private access easement and the 52 foot wide right-of-way cul-de-sac with the following stipulations: 1) 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

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within a minimum 110 foot diameter right-of-way and constructed with a minimum 92 foot wide paved surface; 2) 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; and 3) 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 Lamb Road, the private access easement and the 52 foot wide right-of-way cul-de-sac street”.

Please note that the previously approved and/or denied Variance to the Subdivision Regulations does not apply to this plat. If the applicant would like the Planning Commission and City Council to consider waiving street improvements, then a new Variance to the Subdivision Regulations must be submitted reflecting the increased density of development and the current layout.

On September 7, 2004, the City Council approved a Preliminary Plat to subdivide the subject property into nine lots. To date, no Final Plat applications have been submitted and no property has been transferred. The two internal streets have been constructed with a 20 foot wide paved surface.

The Layout Plat is an informal preliminary review of a proposed subdivision to identify any major issues prior to platting. It is intended to provide the subdivider with an informal process where major issues may be identified and general agreements may be reached with Rapid City as to the form of the plat. Comments regarding the Layout Plat are based on the level of detail provided. All specific details of the subdivision may not be addressed as part of the Layout Plat approval but the major concerns and issues are identified based on the information provided. All applicable Subdivision Regulations, Zoning Regulations, Street Design Criteria Manual, and any other applicable regulations will need to be met as part of the Preliminary and Final Plat. Any waiver from the Rapid City Municipal Code or the Street Design Criteria Manual will require a formal variance request or a special exception whichever is applicable.

STAFF REVIEW:

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

Revised Plat Document: The revised plat document shows the reconfiguration of four lots at the end of Hidalgo Court. In particular, the two middle lots have been reconfigured as flagpole lots. This configuration will result in two private driveways located side by side for an approximate length of 275 feet. Staff is recommending that the plat document be revised to show the two flagpoles on Lots 4 and 5 as an access easement and/or right-of-way. In addition, construction plans must be submitted for review and approval showing the access street located within a minimum 49 foot wide easement and/or right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained or the plat document must be revised to reconfigure the lots eliminating the flagpole configuration.

The revised plat document also shows two additional lots along Kimberwick Road.

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Two of the lots are configured as flagpole lots. This configuration will result in two private driveways located side by side for an approximate length of 650 feet. Staff is recommending that the plat document be revised to show the two flagpoles on Lots 14 and 15 as an access easement and/or right-of-way. In addition, construction plans must be submitted for review and approval showing the access street located within a minimum 49 foot wide easement and/or right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained or the plat document must be revised to reconfigure the lots eliminating the flagpole configuration.

Leaving the flagpole lots in their current configuration and dedicating the easements and/or rights-of-way as identified above will result in Hidalgo Court being an approximate 940 foot long cul-de-sac street and the easement and/or right-of-way extending east from Kimberwick Road being a 650 foot long cul-de-sac street. The Street Design Criteria Manual states an intermediate turnaround must be provided at minimum intervals of 600 feet. Prior to Preliminary Plat approval by the City Council, an Exception must be obtained to waive the requirement to provide intermediate turnaround(s) as identified or the plat document must be revised accordingly.

The original Layout Plat identified a 55 foot diameter emergency turnaround easement located approximately 300 feet north of the terminus of Kimberwick Road. The revised Layout Plat continues to show the emergency turnaround easement; however, the two proposed flagpole lots extend through the easement. In order to insure that any future development on the lots will not conflict with the ability to use the emergency turnaround easement for emergency vehicle access, staff is recommending that the plat document be revised to show the easement as right-of-way or the plat document must be revised eliminating the flagpole lot configuration(s) from the easement.

The Subdivision Regulations states that "...for lots in residential districts having a width of not more than one hundred fifty feet, the lot length shall not be greater than twice the lot width". The revised Layout Plat identifies that five of the lots will have a length twice the distance of the width. As such, staff is recommending that prior to Preliminary Plat approval by the City Council, a Variance to the Subdivision Regulations be obtained to allow a lot twice as long as it is wide or the plat document must be revised to comply with the length to width requirement.

Zoning: The property is located outside of the City limits of Rapid City but within the City's three mile platting jurisdiction. The Pennington County Planning Department staff has indicated that the property is currently zoned Limited Agriculture District. The Limited Agriculture District requires a minimum lot size of 10 acres. As previously indicated, the Layout Plat identifies creating 16 lots ranging in size from 5.0 acres to 10.224 acres. The Pennington County Planning Department has indicated that property must either be rezoned to Low Density Residential District or a Planned Unit Development to allow the proposed lot sizes. As such, staff is recommending that prior to submittal of a Preliminary Plat application, the property be rezoned through the County a zoning district that allows the proposed lot sizes as identified or the plat document must be revised accordingly.

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Drainage: As part of the Preliminary Plat application, a drainage plan must be submitted for review and approval. In particular, the drainage plan must provide controls to maintain run-off to pre-developed flows. The grading plan and an erosion and sediment control plan for all improved areas must also be submitted for review and approval. In addition, upon submittal of a building permit, a lot by lot drainage, grading and sediment control plan should be submitted to the Pennington County Planning Department and/or the Pennington County Highway Engineer. 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.

Fire Protection: The Fire Department staff has indicated that fire hydrants must be installed and operational prior to the issuance of a building permit and/or any construction on the site using combustible material(s) or a Variance to the Subdivision Regulations must be obtained waiving the requirement to install a central water system. In addition, all proposed streets must be constructed to meet the minimum standards of the Street Design Criteria Manual to insure fire apparatus access. Staff is recommending that construction plans be submitted for review and approval as identified upon Preliminary Plat submittal.

Sewer: Sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines must be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. If individual on-site wastewater systems are used, then 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 upon submittal of a Preliminary Plat as required by City Ordinance.

Water: Water plans prepared by a Registered Professional Engineer showing the extension of water mains must be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. If on-site well(s) are used, data to confirm that the well(s) have sufficient flows and water quality must be submitted for review and approval. Staff is recommending that the above referenced information be submitted for review and approval upon submittal of a Preliminary Plat as required by City Ordinance.

Old Folsom Road: Old Folsom Road is classified as a principal arterial street on the City's Major Street Plan requiring that the street be constructed with a minimum 100 foot wide right-of-way and a 40 foot wide paved surface with curb, gutter, street light conduit, water and sewer. Currently, Old Folsom Road, as it abuts the subject property, is located in a 66 foot wide right-of-way with an approximate 24 foot wide graveled surface. To date, curb, gutter, street light conduit, water and sewer have not been constructed along Old Folsom Road. The Layout Plat identifies one point of the subject property abutting Old Folsom Road precluding the need to improve the street as a part of this plat action. However, the plat document must be revised to show the dedication of the additional 17 feet of right-of-way. Staff is recommending that upon submittal of a Preliminary Plat application, the plat document be revised to show the additional right-of-way as identified or a Variance to the

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Subdivision Regulations must be obtained.

Lamb Road: Lamb Road is located along the north lot line of the subject property and is classified as a principal arterial street on the City's Major Street Plan requiring that the street be constructed with a minimum 100 foot wide right-of-way and a 40 foot wide paved surface, curb, gutter, street light conduit, water and sewer improvements. Currently, Lamb Road is located in a 66 foot wide right-of-way with an approximate 24 foot wide paved surface. Presently, curb, gutter, street light conduit, water and sewer have not been constructed along Lamb Road. Staff is recommending that upon submittal of a Preliminary Plat application, road construction plans showing Lamb Road located in a minimum 100 foot wide right-of-way and constructed with a minimum 40 foot wide paved surface, curb, gutter, street light conduit, water and sewer improvements must be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained. In addition, the plat document must be revised to show the dedication of 17 additional feet of right-of-way.

Hidalgo Court: The Layout Plat identifies Hidalgo Court, a cul-de-sac street, extending south from Lamb Road to serve as access to seven lots. Hidalgo Court is classified as a lane place street requiring that it 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 street may be located in a minimum 45 foot wide right-of-way and constructed with a minimum 20 foot wide paved surface if visitor parking is provided, in lieu of on street parking, at a rate of one paved parking stall per dwelling located within three hundred feet of the residence and the street must be posted with no parking signs. In addition, a turnaround must be provided at the end of the street with a minimum 110 foot wide diameter right-of-way and constructed with a minimum 96 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained. Currently, Hidalgo Court is constructed with an approximate 20 foot wide paved surface. Staff is recommending that upon submittal of a Preliminary Plat application, construction plans be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

Kimberwick Road: The Layout Plat identifies Kimberwick Road, a cul-de-sac street, extending south from Lamb Road to serve as access to seven lots. Kimberwick Road is classified as a lane place street requiring that it 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 street may be located in a minimum 45 foot wide right-of-way and constructed with a minimum 20 foot wide paved surface if visitor parking is provided, in lieu of on street parking, at a rate of one paved parking stall per dwelling located within three hundred feet of the residence. In addition, the street must be posted with no parking signs. Currently, Kimberwick Road is constructed with an approximate 20 foot wide paved surface. Staff is recommending that upon submittal of a Preliminary Plat application, construction plans be submitted for review and approval as identified or a Variance to the Subdivision Regulations must be obtained.

The Layout Plat identifies a turnaround approximately 300 feet north of the southern terminus of Kimberwick Road. The previously approved Preliminary Plat allowed the proposed turnaround location in lieu of the southern terminus of the street as required due to existing physical constraints that limited the construction of a cul-de-sac at the end of the

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street. Staff is recommending that upon submittal of a Preliminary Plat, the applicant submit construction plans identifying the feasibility of constructing Kimberwick Road to the south lot line of the subject property within this same area.

The Layout Plat identifies that the length of the proposed cul-de-sac is approximately 1,250 feet. The Street Design Criteria Manual states that a cul-de-sac shall not exceed 1,200 feet in length. In addition, an intermediate turnaround must be provided along a cul-de-sac at intervals not exceeding 600 feet. Prior to Preliminary Plat approval by the City Council, an Exception shall be obtained to allow a 1,260 foot long cul-de-sac with no intermediate turnarounds in lieu of a maximum 1,200 foot long cul-de-sac with an intermediate turnaround every 600 feet as per the Street Design Criteria Manual or the plat document shall be revised accordingly. In addition, the applicant shall submit construction plans identifying the feasibility of constructing that Kimberwick Road to the south lot line of the subject property.

Section Line Highway: On September 7, 2004, the County Board of Commissioners relocated a north-south section line highway located in the western portion of the subject property to Lamb Road and Old Folsom Road. Staff is recommending that upon Preliminary Plat application, the plat document be revised to show the section line highway relocated as identified.

Lot Configuration: The Layout Plat identifies three lots with exclusive access from Lamb Road. As noted above, Lamb Road is classified as a principal arterial street. As such, staff is recommending that the plat document be revised to show access to all of the proposed lots from the two internal streets. In particular, staff is recommending that upon submittal of a Preliminary Plat application, the plat document be revised reconfiguring Lots 7 and 8 to allow access to each lot from Hidalgo Court. In addition, the plat document must be revised reconfiguring Lots 9, 10, 15 and 16 to allow access to each lot from Kimberwick Road.

Upon review of the revised Layout Plat, staff has noted that Lot 2 is a flagpole lot with limited frontage along Hidalgo Court. In particular, the Layout Plat identifies an approximate 450 foot long flagpole to serve as access to any future building site on the property. (Please note that the original Layout Plat also showed this configuration.) In order to minimize the length of the driveway and to minimize any future requests to allow access from Lamb Road, staff is recommending that upon submittal of a Preliminary Plat application, the plat document be revised eliminating the flagpole configuration of Lot 2.

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