

STAFF REPORT
January 5, 2012

No. 11PL069 - Preliminary Plat

ITEM 11

GENERAL INFORMATION:

APPLICANT	Larry Patterson
AGENT	Janelle Finck for Fisk Land Surveying & Consulting Engineers
PROPERTY OWNER	Larry Patterson
REQUEST	No. 11PL069 - Preliminary Plat
EXISTING LEGAL DESCRIPTION	Tract 2 of Tract A of the SW1/4 less well lot and right-of-way located in Section 7, T1S, R7E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 1 and 2 of Strato Rim Estates II
PARCEL ACREAGE	Approximately 9.09 acres
LOCATION	23648 Strato Rim Drive
EXISTING ZONING	Limited Agriculture District (Pennington County)
SURROUNDING ZONING	
North:	Suburban Residential District (Pennington County)
South:	Low Density Residential District (Pennington County)
East:	Limited Agriculture Residential District (Pennington County)
West:	Limited Agriculture District (Pennington County)
PUBLIC UTILITIES	Strato Rim Estates Water Company and private on-site wastewater
DATE OF APPLICATION	12/9/2011
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

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

1. Prior to submittal of a Final Plat application, the "Easements for Access" and "Access Easement Maintenance Agreement" shall be recorded at the Register of Deed's Office. In addition, a copy of the recorded documents shall be submitted to the Community Planning and Development Services Department with the Final Plat application;
2. Prior to submittal of a Final Plat application, the plat title shall be revised to read "Formerly Tract 2 of Tract A of the SW1/4 of Section 7, T1S, R7E less Well Lot and

STAFF REPORT
January 5, 2012

No. 11PL069 - Preliminary Plat

ITEM 11

- dedicated ROW all located in the SW1/4”;
3. Prior to submittal of a Final Plat application, the plat document shall be revised to show the book and page of the recording information for the Access Easement; and,
 4. The approved Preliminary Plat for which no grading, construction or other improvements have been initiated within two years of the date of approval of the plat shall be deemed as expired. However, the owner or applicant of the plat may, prior to the termination of the two year period, request a one year extension subject to approval by the City Council.

GENERAL COMMENTS:

The applicant has submitted a Preliminary Plat to subdivide a 9.07 acre tract into two lots sized 3.32 acres and 5.77 acres, respectively. The lots will be known as Lots 1 and 2 of Strato Rim Estates II.

On October 17, 2011 the City Council approved a Layout Plat (File #11PL050) to subdivide the property into two lots as shown on this Preliminary Plat. On November 7, 2011, the City Council approved a Variance to the Subdivision Regulations (File #11SV017) to waive the requirement to reduce the access easement width(s) from 49 feet to 30 feet and 40 feet, respectively, to allow a 12 foot wide gravel surface in lieu of a 24 foot wide paved surface and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer for the existing and proposed access easements and to waive the requirement to improve the unnamed 66 foot wide right-of-way with curb, gutter, sidewalk, street light conduit, water, sewer and pavement with the following stipulations:

1. Prior to approval by the City Council, the applicant shall sign a waiver of right to protest any future assessments for the street improvements along the unnamed 66 foot wide right-of-way;
2. Prior to submittal of a Preliminary Plat application, the Wild Fire Mitigation Plan shall be approved by the Fire Department. In addition, prior to submittal of a Final Plat application, the plan shall be implemented;
3. Upon submittal of a Preliminary Plat application, the applicant shall submit written documentation identifying maintenance responsibility for the 30 foot wide “Watermain and Access Easement”; and,
4. A note shall be placed on the plat stating that all new residential structures shall be sprinklered with a residential fire sprinkler system.

All of the stipulations of approval for the Variance to the Subdivision Regulations have been met.

On November 15, 2011, Pennington County Board of Commissioners approved a Rezoning request to rezone the property from Limited Agriculture District to Low Density Residential District. On October 10, 2011, the Pennington County Planning Commission approved a Conditional Use Permit to allow an accessory structure prior to the location of a principal structure on proposed Lot 2.

The property is located approximately 2,000 feet north of the intersection of S.D. Highway 16 and Strato Rim Drive on the north side of Strato Rim Drive. Currently, a single family residence, a shed and a shop are located on the property.

STAFF REPORT
January 5, 2012

No. 11PL069 - Preliminary Plat

ITEM 11

STAFF REVIEW:

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

Labeling: The Register of Deed's Office has indicated that the plat title must be revised to read: "Formerly Tract 2 of Tract A of the SW1/4 of Section 7, T1S, R7E less Well Lot and dedicated ROW all located in the SW1/4". In addition, the plat document must be revised to show the book and page of the recording information for the Access Easement located along the south lot line of the property. Staff recommends that prior to submittal of a Final Plat application, the plat document be revised as noted.

Easement/Maintenance: The applicant has submitted preliminary documents to secure "Easements for Access" and an "Access Easement Maintenance Agreement". Staff recommends that prior to submittal of a Final Plat application, the documents be recorded at the Register of Deed's Office. In addition, a copy of the recorded documents must be submitted to the Community Planning and Development Services Department with the Final Plat application.

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