

STAFF REPORT  
November 5, 2015

**No. 15PL092 - Preliminary Subdivision Plan**

GENERAL INFORMATION:

APPLICANT	Lazy P-6 Land Co., Inc.
AGENT	Lawrence M. Kostaneski, PE - Centerline
PROPERTY OWNER	Lazy P6 Land Co.
REQUEST	<b>No. 15PL092 - Preliminary Subdivision Plan</b>
EXISTING LEGAL DESCRIPTION	Property commencing from the Section Corner common to sections 24 & 25, T1N, R7E, B.H.M. and Section 19 & 30, T1N, R8E, B.H.M., thence N0°11'03"W along the section line between sections 24 & 19 a distance of 2003.27' to the Point of Beginning, thence N89°56'19"W a distance of 50.00', thence N0°11'03"W a distance of 50.00', thence N89°56'19"W a distance of 50.00', thence N0°11'03"W a distance of 68.00', thence S89°56'19"E a distance of 50.00', thence N0°11'03"W a distance of 450.00', thence S89°56'19"E along the south line of Catron Blvd. a distance of 460.00', thence S0°11'03"E a distance of 518.00', thence N89°56'19"W a distance of 360.00', thence S0°11'03"E a distance of 50.00', thence N89°56'19"W a distance of 50.00' to the Point of Beginning, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 1 of Block 1 of South 40 Subdivision
PARCEL ACREAGE	Approximately 3.3 acres
LOCATION	Southeast quadrant of Catron Blvd and 5th Street
EXISTING ZONING	No Use District
FUTURE LAND USE DESIGNATION	Light Industrial
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District (Pennington County)
East:	General Commercial District (Pennington County)
West:	General Commercial District (Pennington County)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	October 9, 2015

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REVIEWED BY

Vicki L. Fisher / Nicole Lecy

RECOMMENDATION:

Staff recommends that the Preliminary Subdivision Plan be approved with the following stipulations:

1. Prior to submittal of a Final Plat application, the revised Development Agreement to allow surety to be posted for the design and construction of subdivision improvements shall be executed or construction plans for the subdivision improvements shall be submitted for review and approval as required;
2. Prior to submittal of a Final Plat application, the waiver of right to protest any future assessments for the improvements along Catron Boulevard shall be executed;
3. Prior to submittal of a Final Plat application, the plat document shall be revised to address redline comments;
4. 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; and,
5. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required. In addition, all necessary drainage easements shall be secured within easement(s).

GENERAL COMMENTS:

The applicant has submitted a Preliminary Subdivision Plan application to create a 3.306 acre commercial lot to be known as Lot 1, Block 1, South 40 Subdivision. On September 21, 2015, City Council approved an Annexation request (File #15AN002) which included the subject property. On October 19, 2015, City Council approved a Rezoning request (File # 15RZ019) to change the zoning designation of the property from No Use District to General Commercial District.

The property is located in the southeast corner of Catron Boulevard and 5<sup>th</sup> Street. With the exception of a pole sign, the property is currently void of any structural development.

A Preliminary Subdivision Plan is a tentative plan of a proposed subdivision requiring the installation of public improvements. Approval of a Preliminary Subdivision Plan by the City Council is required before an applicant can proceed with Development Engineering Plans and a Final Plat application for all or part of the area within the Preliminary Subdivision Plan application.

STAFF REVIEW:

Staff has reviewed the Preliminary Subdivision Plan and has noted the following considerations:

Zoning: As previously noted, the property is currently zoned General Commercial District. Any future use of the property must be in compliance with the zoning district. In addition, any signage on the existing pole sign must be for an on-premise use.

Subdivision Improvements: Staff has been working with the current property owner on construction plans for infrastructure improvements including pavement, water mains, sewer

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mains, drainage improvements, sidewalks, curb, gutter and street light conduit in the adjacent 5<sup>th</sup> Street and E. Watts Lane proposed right(s)-of-way. To date, City water and sewer mains have been constructed within E. Watts Lane and a City water main has been constructed and accepted by the City within 5<sup>th</sup> Street, adjacent to the proposed plat. Please note that the applicant has submitted and the City has approved an Exception request to waive the requirement to install a second water main along 5<sup>th</sup> Street pursuant to the Infrastructure Design Criteria Manual.

Catron Boulevard is classified as a principal arterial street requiring that it be constructed with a minimum 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and dual water mains. To date, curb, gutter sidewalk, street light conduit, sewer and dual water mains do not exist along this section of Catron Boulevard. Subsequently, the applicant has submitted and the City has approved an Exception request to waive these improvements with the stipulation that the applicant sign a waiver of right to protest any future assessments for the improvements. Prior to submittal of a Final Plat application, the waiver of right to protest any future assessments for the improvements must be executed.

The applicant has also submitted and the City has approved an Exception request to allow surety to be posted for the design and construction of the balance of the subdivision improvements contingent upon the applicant entering into a revised Development Agreement addressing both the design and construction of the improvements. Prior to submittal of a Final Plat application, the revised Development Agreement must be executed or construction plans for the subdivision improvements must be submitted for review and approval as required.

Summary: The proposed Preliminary Subdivision Plan generally complies with all applicable Zoning and Subdivision Regulations assuming compliance with the stated stipulations.