

STAFF REPORT
October 4, 2012

No. 12PL059 - Preliminary Subdivision Plan

ITEM 5

GENERAL INFORMATION:

APPLICANT	Janelle Finck - Fisk Land Surveying & Consulting Engineers
AGENT	James and Charlette Steele
PROPERTY OWNER	James and Charlette Steele
REQUEST	No. 12PL059 - Preliminary Subdivision Plan
EXISTING LEGAL DESCRIPTION	That portion of the SE1/4 SE1/4 SE1/4 of Section 25, T2N, R6E, BHM lying north and east of Lot H-1 of said SE1/4 SE1/4 SE1/4 located in the SE1/4 of Section 25, T2N, R6E, BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 2 of S and S Subdivision
PARCEL ACREAGE	Approximately 4.42 acres
LOCATION	Sun Ridge Road
EXISTING ZONING	(Pennington County) Low Density Residential
FUTURE LAND USE DESIGNATION	Residential
SURROUNDING ZONING	
North:	(Pennington County) General Agriculture District
South:	(Pennington County) Limited Agriculture District
East:	(Pennington County) General Agriculture District
West:	(Pennington County) Limited Agriculture District
PUBLIC UTILITIES	Private water and on-site wastewater
DATE OF APPLICATION	September 7, 2012
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

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

1. Prior to submittal of a Development Engineering Plan application, the plat document shall be revised to show the dedication of four additional feet of right-of-way along Sun Ridge Road or an Exception shall be obtained to waive the requirement. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development

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- Engineering Plan application;
2. Prior to submittal of a Development Engineering Plan application, the plat document shall be revised to show the "Certificate of Growth Management Director" as the "Certificate of Community Planning & Development Services Director"; and,
 3. Prior to submittal of a Final Plat application, a waiver of right to protest any future assessment for improvements along Sun Ridge Road and the section line highway as they about the property shall be executed and a copy of the recorded document submitted with the Final Plat application.

GENERAL COMMENTS:

The applicant has submitted a Preliminary Subdivision Plan application to create a 4.42 acre lot, leaving a 69.96 acre unplatted balance. The lot is to be known as Lot 2 of S & S Subdivision.

On August 4, 2008, the City Council approved a Layout Plat (File #08PL084) to create Lots 1 and 2 of S & S subdivision. On July 5, 2011, the City Council approved a Preliminary Plat (File #11PL033) to create Lot 1 of S & S Subdivision. On August 20, 2012, the City approved a Final Plat (File #12PL051) to create Lot 1 of S & S Subdivision. The applicant has submitted this Preliminary Subdivision Plan application to proceed with the platting of Lot 2 as identified on the previously approved Layout Plat.

The property is located in Pennington County, outside of the City limits but within the City's three mile platting jurisdiction. More particularly, the property is located along the north side of Sun Ridge Road, west of the intersection of Sun Ridge Road and Aztec Drive. Currently, the property is 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 application and has noted the following considerations:

Zoning: The property is zoned Low Density Residential District by Pennington County. The Low Density Residential District requires a minimum three acre lot size. The proposed 4.42 acre lot meets the minimum lot size requirement of the Low Density Residential District.

Utilities: The applicant has indicated that a private individual well and on-site wastewater system will be located on the property. The applicant should be aware that the future installation of an on-site wastewater system will require compliance with the regulations in effect at the time of installation and may require additional soils investigations and percolation testing.

Sun Ridge Road: Sun Ridge Road serves as access to the proposed lot and is classified as a collector street requiring that it be located within a minimum 68 foot wide right-of-way and

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constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, Sun Ridge Road is located within a 60 foot wide right-of-way and constructed with a 24 foot wide chipped seal surface. The applicant has requested and the City has approved an Exception to waive the requirement to improve Sun Ridge Road with a 24 foot wide paved surface with curb, gutter, sidewalk, street light conduit, water and sewer with the stipulation that prior to submittal of a Final Plat application, a waiver of right to protest any future assessment for improvements along Sun Ridge Road as it abuts the property be executed and a copy of the recorded document be submitted with the Final Plat application.

At the time that Lot 1 was platted, City design standards for a collector street with no on-street parking required that a minimum 60 foot wide right-of-way be dedicated. Since that time, the City has adopted the Infrastructure Design Criteria Manual which requires that a minimum 68 foot wide right-of-way be dedicated for a collector street with no on-street parking. As previously noted, Sun Ridge Road is currently located within a 60 foot wide right-of-way. Prior to submittal of a Development Engineering Plan application, the plat document must be revised to show the dedication of four additional feet of right-of-way along Sun Ridge Road or an Exception must be obtained to waive the requirement. If an Exception is obtained, a copy of the approved Exception must be submitted with the Development Engineering Plan application.

Section Line Highway: A section line highway is located along the east lot line of the property and is classified as a lane place street requiring that it be located within a minimum 50 foot wide right-of-way and constructed with a minimum 20 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. The 66 foot wide section line highway is currently unimproved. The applicant has requested and the City has approved an Exception to waive the requirement to dedicate the section line highway as right-of-way and to improve the section line highway with a 20 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer with the stipulation that prior to submittal of a Final Plat application, a waiver of right to protest any future assessment for improvements along the section line highway as it abuts the property be executed and a copy of the recorded document be submitted with the Final Plat application.

Minimum Access: Section 2.6 of the Infrastructure Design Criteria Manual states that a street with a single access shall not be used for more than 40 dwelling units. A second access shall be provided when more than forty dwelling units are accessed from a street. Sun Ridge Road currently serves as access to 44 dwelling units. Platting the property as proposed will result in 45 lots with one point of access. The applicant has requested and the City has approved an Exception to allow the 45 lots with one point of access noting that any future platting or increase in density may require improvements to the existing access and may require providing an additional ingress/egress to the area.

Fire Mitigation Plan: The applicant has submitted a Fire Mitigation Plan. The Pennington County Fire Coordinator has indicated that the plan is acceptable and that the County is in support of waiving road and utility improvements.

Road Maintenance: The applicant has submitted a copy of a previously recorded Covenant Agreement securing road maintenance for Sun Ridge Road. As such, an additional road

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maintenance agreement is not needed as a part of platting the proposed lot.

Surety/Warranty: Since all subdivision improvements have been waived, inspection fees, surety and/or warranty surety are not required as a part of platting the property.

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