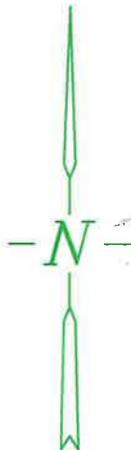
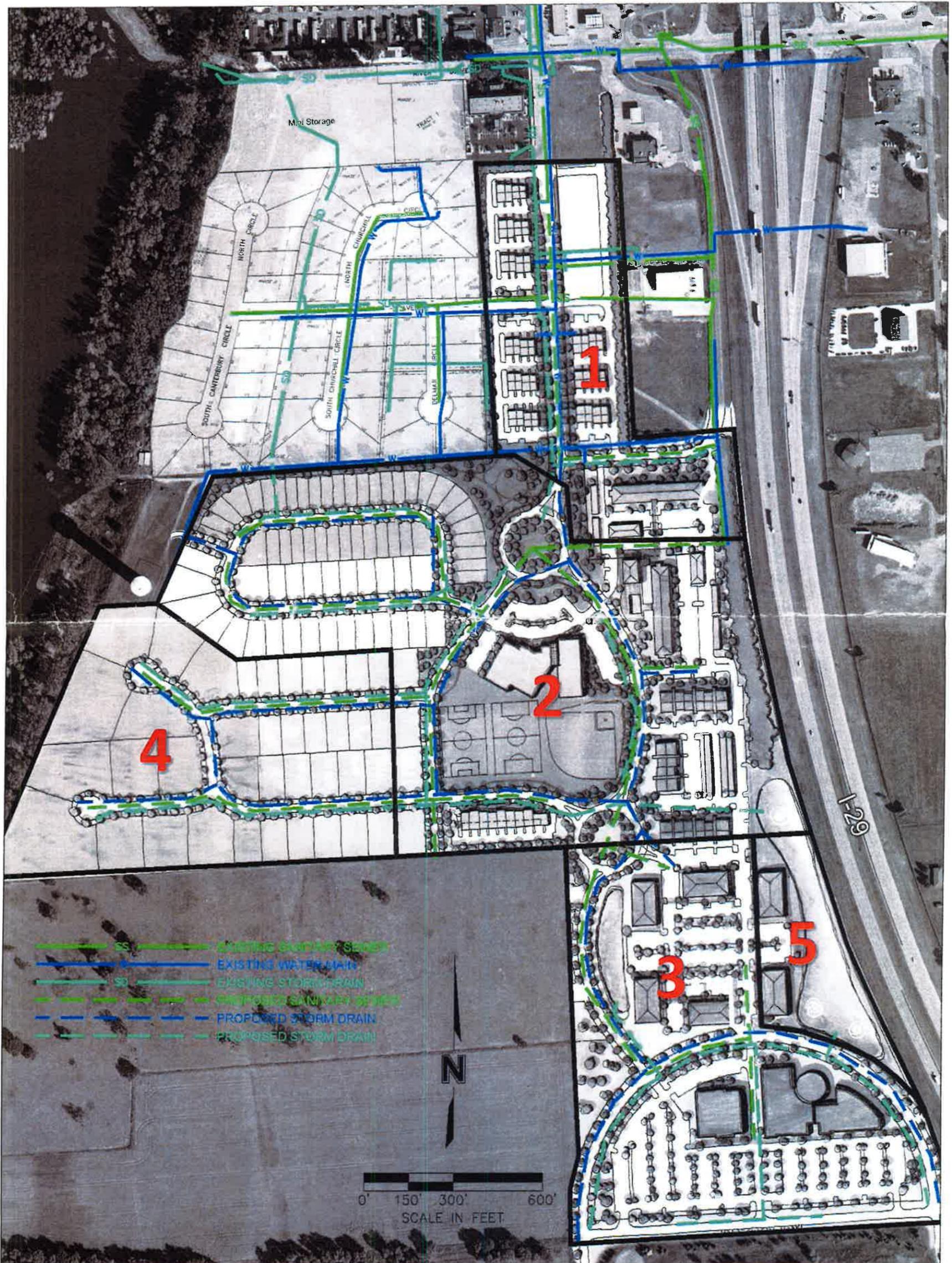


RIVER VALLEY - SODRAC PARK



Appendix G – Preliminary Opinion of Probable Cost Phasing Plan



Chapter 17.88

SUBDIVISION APPROVAL PROCEDURE

Sections:

- 17.88.010** **General.**
- 17.88.020** **Advisory meeting with the city planning commission.**
- 17.88.030** **Preliminary plat approval.**
- 17.88.040** **Preliminary plat data.**
- 17.88.050** **Preliminary plat procedures.**
- 17.88.060** **Subdivision of a portion of a larger tract.**
- 17.88.070** **Final plat.**
- 17.88.080** **Final plat data.**
- 17.88.090** **Final plat procedure.**
- 17.88.100** **Procedural variance.**
- 17.88.110** **Vacation of plat.**

17.88.010 **General.**

The procedure for review and approval of a subdivision plat shall consist of three separate steps, in sequence: an informal discussion meeting with the city planning commission, preparation and submission of a preliminary plat of the proposed subdivision and preparation and submission of a final plat of the proposed subdivision. (Ord. 386 § 1901, 2002)

17.88.020 **Advisory meeting with the city planning commission.**

Whenever the owner of any tract or parcel of land within the jurisdiction of this title has heretofore made, without recording, a plat thereof as required by law, or shall hereafter make or intend to make a subdivision of the same, the subdivider shall, before preparing a preliminary plat, meet and consult informally with the city planning commission for the

purpose of ascertaining the location of proposed major streets, parks, playgrounds, school sites and other planned projects which may affect the property being considered for subdivision. At the same meeting, the subdivider design set forth in Chapter 17.92. The informal review should prevent unnecessary and costly revisions in the layout and development of the subdivision. Formal application or filing of a plat with the city finance officer is not required for this informal advisory meeting. (Ord. 386 § 1902, 2002)

17.88.030 **Preliminary plat approval.**

After meeting informally with the city planning commission, the subdivider shall cause to be prepared a preliminary plat prior to the making of any street improvements or the installation of any utilities. (Ord. 386 § 1903, 2002)

17.88.040 **Preliminary plat data.**

The preliminary plat shall meet the standard design as set forth in Chapter 17.92 and shall show the following information:

- A. Scale of two hundred (200) feet to one inch or larger;
- B. Name of subdivision, names and addresses of the owners, the engineer, or surveyor, and the owner of the adjacent property;
- C. A vicinity sketch at a scale of four hundred (400) feet or less to one inch;
- D. Date, approximate magnetic and true north point, and graphic scale;
- E. Acreage of land to be subdivided;
- F. Contours at an interval of not greater than five feet or at a lesser interval if deemed necessary by the city council;
- G. Boundary lines of area to be subdivided and their bearings and distances;

- H. Existing and proposed easements and their locations, widths and distances;
- I. Streets on and adjacent to the tract and their names, widths, approximate grades, and other dimensions as may be required;
- J. All streets to be platted showing the natural and finished grade drawn to scale;
- K. Utilities on and adjacent to the tract showing proposed connections to existing utility system and rear easements for utility poles and wires;
- L. Lot lines and lot numbers;
- M. Sites, and their acreages, if any, to be reserved or dedicated for parks, playgrounds, schools or other public uses; sites, if any, for semi-public, commercial or multifamily uses;
- N. Minimum building setback lines;
- O. Copies of proposed deed restrictions, if any. (Ord. 386 § 1904, 2002)

17.88.050 Preliminary plat procedures.

- A. Eleven (11) copies of the preliminary plat and the required supplementary material, shall be filed with the city finance officer, who shall transmit three copies to the chairperson of the city planning commission. Such filing shall take place at least ten (10) days prior to the meeting of the city planning commission at which time it is to be considered.
- B. The city planning commission shall study the preliminary plat to see if it conforms with the minimum standards and requirements as outlined in Chapters 17.92 and 17.96. Following a public hearing before and due consideration by the city planning commission, the commission shall transmit all copies of the preliminary plat to the city council together with its recommendations at least forty-five (45) days after receipt thereof. Such recommendations shall include approval, disapproval

or suggestions for modification and the reasons thereof, and a discussion of the affect of the plat on the modification and the reasons thereof, and a discussion of the affect of the plat on the comprehensive plan. The recommendations shall be of an advisory nature only. If the city planning commission does not act within forty-five (45) days, the preliminary plat shall be deemed to have received a favorable recommendation in all respects, and shall receive due consideration by the city council.

C. Following a public hearing and due consideration of the preliminary plat, the city council shall approve, disapprove or modify the recommendations of the city planning commission and may impose those requirements or grant those variances in conformance with this title deemed necessary and appropriate by the city council for final approval. One copy shall be returned to the subdivider and the others shall be retained by the finance officer.

D. Approval of the preliminary plat by the city council shall not constitute acceptance of the final plat. The approval of the preliminary plat shall lapse unless a final plat based thereon is submitted within one year from the date of such approval. An extension of time may be applied for by the subdivider and granted by the city council. (Ord. 386 § 1905, 2002)

17.88.060 Subdivision of a portion of a larger tract.

Whenever part of a tract is proposed to be subdivided and it is intended to subdivide additional parts of the tract in the future, a sketch plan of the entire tract shall be submitted to the city finance officer at the same time the preliminary plat for the first part of the tract to be platted is submitted. (Ord. 386 § 1906, 2002)

17.88.070 Final plat.

The final plat shall conform substantially to the preliminary plat as approved. It may constitute only a portion of the preliminary plat that the subdivided proposes to record and develop. (Ord. 386 § 1907, 2002)

17.88.080 Final plat data.

The final plat shall give the following information:

- A. The plat shall be at a scale of one hundred (100) feet to one inch or larger;
- B. Date, title, name and location of subdivision, graphic scale, and magnetic and true north line;
- C. All dimensions, angles, bearings and similar data on the plat shall be tied to primary control points. Locations and control points shall be given. Except where deemed clearly unreasonable or infeasible by the city council, these control points shall be the located section corners of the coordinate system of the state of South Dakota;
- D. Tract boundary lines, right-of-way lines of streets, easements and other right-of-way, and property lines of residential lots and other sides with accurate dimensions to the nearest one-hundredths of a foot; bearings of deflection angles, radii, arcs, and central angles of all curves with dimensions to the nearest minute;
- E. Name and right-of-way width of each street, easement, or other right-of-way;
- F. Lot numbers, lot lines, and frontage dimensions;
- G. Purpose for which sites other than residential lots are dedicated or reserved;
- H. Minimum building setback lines;
- I. Location and description of monuments;

J. Names and locations of adjoining subdivisions and streets, the location of adjoining unplatted properties, and the name and addresses of the owners of adjoining unplatted properties;

K. Certification on plat of title showing that the applicant is the owner, that the making of the plat receives his or her consent and is in accordance with his or her desires, and a statement by such owner dedicating streets, rights-of-way and any other sites for public use;

L. Certification on plat by registered engineer as to the accuracy of survey and plat;

M. Certification of approval by the land use administrator, when individual sewerage disposal or water systems are to be installed;

N. If applicable, certification that the subdivider has complied with one of the following alternatives: all the improvements have been installed in accordance with the requirements of this title, or; a surety amount to assure such completion of all required improvements;

O. Cross-sections, profiles and grades of streets, curbs, gutters and sidewalks showing locations of in-street utilities, and drawn to city standard scales and elevations shall be attached to the final plat;

P. Protective covenants shall either be placed directly on the final plat or attached thereto in form for recording;

Q. Certification on plat by the mayor and city finance officer that the plat has been approved for recording in the office of the register of deeds. (Ord. 386 § 1908, 2002)

17.88.090 Final plat procedure.

A. Six copies of the final plat and the required supplementary material shall be filed with the city finance officer who shall transmit them to the chairperson of the city plan-

ning commission. Such filing shall take place at least ten (10) days prior to the meeting of the city planning commission at which it is to be considered.

B. One copy of the final plat may be transmitted to a registered engineer to be selected by the city council who may check the plat as to computations, certifications, monuments, etc., and that all the required improvements have been completed to the satisfaction of the city officials having jurisdiction, or in the case a surety bond has been posted, such is sufficient to cover the cost of the required improvements. If found satisfactory, he or she will return the copy of the final plat to the city planning commission with his or her approval certified thereon within ten (10) days of receipt thereof.

C. One copy shall be transmitted to the land use administrator when individual sewage disposal or water supply facilities are to be installed. If the plat meets the approval of the land use administrator, he or she shall return the copy with his or her approval certified thereon within ten (10) days of receipt thereof.

D. The city planning commission shall study the final plat to see if it conforms with the minimum standards and requirements as provided in this chapter and Chapters 17.92 and 17.96 as required by the city council. Following a public hearing before and due consideration by the city planning commission, the commission shall transmit all copies of the final plat to the city council, together with its recommendations at least thirty (30) days after receipt thereof. The recommendations shall include approval, disapproval or suggestions for modifications and reasons thereof, and a discussion of the effect of the plat on the comprehensive plan. The recommendations shall be of an advisory nature only. If the city planning commission does not act within thir-

ty (30) days, the final plat shall be deemed to have received a favorable recommendation in all respects, and shall then receive due consideration by the city council.

E. The final plat shall be approved or disapproved within sixty (60) days after submission thereof to the city finance officer; otherwise such plat shall be deemed to have been approved and a certificate to that effect shall be issued by the city council on demand; provided, however, that the applicant for the approval may waive this requirement and consent to the extension of such period. The ground of disapproval of any plat shall be stated upon the records of the city council. Any plat submitted for approval shall contain the name and address of a person to whom notice of hearing may be sent; and no plat shall be acted upon by the city council without affording a hearing thereon, notice of the time and place of which shall be sent by mail to the address not less than five days before the date fixed therefore. The approval of the final plat by the city council shall not be deemed to constitute or affect on acceptance by the municipality or public of the dedication of any street or other ground shown on the final plat.

F. When the final plat has been approved by the city council one copy shall be returned to the subdivider with the approval of the city council certified thereon, for filing with the county register of deeds as an official plat of record. Another copy certified by the city council, shall be transmitted to the city finance officer for his or her records. With the exception of those improvements required by Chapter 17.92, no work shall be done on the subdivision and no lots shall be sold before the final plat is accepted and recorded. (Ord. 386 § 1909, 2002)

17.88.100 Procedural variance.

Where a proposed subdivision would contain five or less parcels or plats of land and no new streets, the preparation of a preliminary plat may be waived by the city council. (Ord. 386 § 1910, 2002)

17.88.110 Vacation of plat.

Any such plat may be vacated by the proprietor thereof according to state law. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the planning commission or by a court of record on application on notice to the officer from whom the appeal is taken and on due cause shown. (Ord. 386 § 1911, 2002)

Chapter 17.92

SUBDIVISION DESIGN STANDARDS

Sections:

- 17.92.010 General.**
- 17.92.020 Streets.**
- 17.92.030 Alleys.**
- 17.92.040 Blocks.**
- 17.92.050 Lots.**
- 17.92.060 Off-street loading and parking facilities.**
- 17.92.070 Easements.**
- 17.92.080 Community assets.**
- 17.92.090 Conformance with other regulations.**
- 17.92.100 Public sites and open spaces.**
- 17.92.110 Large tracts or parcels.**

17.92.010 General.

Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood, erosion or other menace. If, following adequate investigation, conducted by all public agencies concerned, it is determined that land to be subdivided cannot be used without endangering the health, safety, welfare or prosperity of the community, or would necessitate an excessive expenditure of public financial resources for sewage and water facilities, other public facilities and streets, than the subdivision plat shall not be approved unless the subdivider formulates adequate methods for meeting such problems.

Subdivisions shall be in harmony with the comprehensive plan.

All required improvements shall be constructed or installed to conform to the provisions of this title and city specifications. (Ord. 386 § 1601, 2002)

17.92.020 Streets.

The arrangement, character, extent, width grade, and location of all streets shall conform to the comprehensive plan and shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets.

A. Street Extensions. The street layout of the proposed subdivision shall provide for the continuation or appropriate projection of streets and alleys already existing in areas being subdivided. In addition, streets and alleys of the proposed subdivision shall correspond in direction and width to existing streets and alleys to be continued. Where, at the determination of the city council, it is desirable to provide street access to adjoining properties, proposed streets shall be extended by dedication to the boundaries of such properties. Where the city council deems it necessary, such dead-end streets shall be provided with a temporary turnaround having a radius of at least fifty (50) feet. The street system for the proposed subdivision shall provide for extending existing streets at the same or greater width, but in no case shall street extension be of less width than the minimum width required in these regulations for a street in its category.

B. Dedication of Right-of-Way for New Streets. The dedication of right-of-way for new streets measured from lot line to lot line shall be shown on the comprehensive plan, or,

if not shown thereon, shall meet the following standards:

Street Type	Minimum Dedicated Right-of-Way Width
Parkway	150 feet
Arterial streets	80-120 feet
Collector streets	80 feet
Minor streets	60 feet
Marginal Access streets	60 feet
Alleys	20 feet

All streets classified as arterial streets by the comprehensive plan shall have all points of access streets approved by the city council.

C. Dedication of Right-of-Way for Existing Streets. Subdivisions platted along existing streets shall dedicate additional right-of-way if necessary to meet the minimum street width requirements set forth above. The entire minimum right-of-way width shall be dedicated where the subdivision is on both sides of an existing street. When the subdivision is located on only one side of an existing street, one-half of the required right-of-way width, measured from the center line of the existing roadway, shall be dedicated. Dedication of one-half of the right-of-way for proposed streets along the boundaries of land proposed for subdivision shall be prohibited.

D. Intersections. Streets shall intersect as nearly as possible at an angle of ninety (90) degrees, and no intersection shall be at an angle of less than sixty (60) degrees. Street curb intersections shall be rounded by radii or at least twenty (20) feet. When the smallest angle of street intersection is less than seventy-five (75) degrees, the city council may require curb radii of greater length. Wherever neces-

sary to permit the construction of a curb having a desirable radius without reducing the sidewalk at a street corner to less than normal width, the property line at such street corner shall be rounded or otherwise set back sufficiently to permit such curb construction. No lot or other parcel of land which abuts on and has access to either a collector or a minor street shall have a service drive, curb cut or other means of access to an arterial street within seventy-five (75) feet of the right-of-way of any street which intersections such arterial street on the side on which such lot or parcel is located.

E. Horizontal and Vertical Street Curves. A tangent at least one hundred (100) feet long shall be introduced between reverse curb on arterial and collector streets. Where there is a deflection angle of more than ten (10) degrees in the alignment of a street, a curve with a radius adequate to insure safe sight distance shall be made. The minimum radii of curves shall be:

Street Type	Minimum Curve Radius
Arterial	300 feet
Collector	300 feet
Minor	100 feet

Every change in grade shall be connected by a vertical curve constructed so as to afford a minimum sight distance of two hundred (200) feet, said sight distance being measured from a driver's eyes, which are assumed to be four and one-half feet above the pavement surface, to an object four inches high on the pavement.

F. Street Grades and Elevations. Street grades shall conform to the following:

Street Type	Percent Grade
Arterial	5%
Collector	7%
Minor	12%

All streets shall be designed so as to provide for the discharge of surface water from the pavement and from the right-of-way by grading and drainage. For adequate drainage, the minimum street grade shall be not less than one-half of one percent. The city council shall not approve streets which will be subject to inundation or flooding. All streets must be located at elevations which will make them flood-free streets if such fill does not increase flood heights. Drainage openings shall be designated so as not to restrict the flow of water and thereby increase flood heights.

G. Marginal Access Streets. Where a subdivision abuts or contains an existing or proposed arterial street, the city council may require access streets, reverse frontage with screen planting contained in a nonaccess reservation along the rear property line, deep lots with service alleys, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.

Where a subdivision borders on or contains a railroad right-of-way or limited access highway right-of-way, the city council may require a street approximately parallel to and on each side of such right-of-way, at a distance suitable for the appropriate use of the intervening land, as for park purposes in residential districts, or for commercial or industrial purposes in appropriate districts. Such distances shall also be determined with due regard for the requirements of approach grades and future grade separations.

H. Street Jogs. Street jogs with center line offsets of less than one hundred twenty-five (125) feet shall be prohibited.

I. Cul-De-Sacs. Minor terminal or deadend streets or courts which are designed so as to have one end permanently closed shall not be longer than five hundred forty (540) feet total right-of-way length including cul-de-sac and shall be provided at the closed end with a turn-around having a radius at the outside of the pavement of at least fifty (50) feet and a radius at the outside of the right-of-way at least sixty (60) feet.

J. Street Names. Proposed streets which are in alignment with other already existing and named streets shall bear the names of such existing streets. The name of a proposed street which is not in alignment with an existing street shall be duplicate the name of any existing street, irrespective of the use of the suffix street, avenue, boulevard, drive, place, court, land, road, pike, highway, parkway or similar suffix.

K. Private Streets and Reserve Strips. There shall be no private streets platted within a subdivision. There shall be no reserve strips in a subdivision except where their control is definitely vested in the city or county under conditions approved by the city council as authorized in these regulations. (Ord. 386 § 1602, 2002)

17.92.030 Alleys.

Alleys shall be provided to give access to the rear of all lots used for commercial and industrial purposes. The minimum width of an alley shall be twenty (20) feet. Alley intersections and sharp changes in alignment shall be avoided, but where necessary, corners shall be cut off sufficiently to permit safe vehicular movement. Dead-end alleys shall be avoided where possible, but if unavoidable, shall be

provided with adequate facilities at the dead-end, as determined by the city council. Alleys shall not be provided in residential areas except in cases where the subdivider produces evidence of the need for alleys which is satisfactory to the city council. (Ord. 386 § 1603, 2002)

17.92.040 Blocks.

Blocks shall be bounded by streets. The lengths, widths, and shapes of blocks shall be determined with due regard to the provision of adequate building sites suitable to the special needs of the type of use contemplated; zoning requirements as to lot sizes and dimensions; needs for convenience access; circulation, control and safety of street traffic; and limitations and opportunities of topography.

Block lengths shall not exceed four hundred twenty feet (420) feet or be less than three hundred (300) feet, except as the city council considers necessary to secure efficient use of land or desired features of street layout.

Blocks shall be wide enough to allow two tiers of lots of minimum depth, provided, that where this would require lots to front on an arterial street or highway or where topographical conditions or the size of the property prevent two tiers of lots, the city council may approve a single tier of lots of minimum depths. (Ord. 386 § 1604, 2002)

17.92.050 Lots.

A. The lot size, width, depth, shape and orientation, and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated.

B. Flood Hazards. Land subject to flooding and land deemed to be topographically unsuitable for residential development shall not be platted for residential use or for any other use

which may increase the danger to health, life, or property or aggravate erosion or flood hazards. Such land within the subdivision shall be set aside on the plat for such uses as will not be endangered by periodic or occasional inundation contrary to the public welfare. To insure that lots will be located only where they will provide flood-free house sites, the city council may require the subdivider to provide elevation and flood profiles sufficient to demonstrate that the house sites will be completely free from the danger of flooding. If a stream flows through or adjacent to the proposed subdivision, the plat plan shall provide for an easement or right-of-way along the stream for a floodway. For the smaller streams, the plan shall also provide for channel improvement to enable them to carry all reasonable floods within banks. The floor elevations of houses shall be high enough to be well above the extraordinary flood. The floodway easement shall be wide enough to provide for future enlargement of the stream channel as adjacent areas become more highly developed and run-off rates are increased. (Ord. 386 § 1605, 2002)

17.92.060 Off-street loading and parking facilities.

In commercial and industrial subdivisions, in the portions of residential subdivisions reserved for commercial or industrial uses, and the lots or parcels platted for commercial or industrial uses, lots or parcels platted for commercial or industrial sites shall be large enough to provide for off-street loading and unloading facilities and off-street parking facilities. (Ord. 386 § 1606, 2002)

17.92.070 Easements.

Easements across lots or centered on rear or side lot lines shall be provided for utilities

where necessary and shall be at least twelve (12) feet wide.

Where a subdivision is traversed by a water course, drainage way, channel or stream there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such water course, and such further width or construction, or both, as will be adequate for the purpose. Parallel streets or parkways may be required in connection therewith. (Ord. 386 § 1607, 2002)

17.92.080 Community assets.

In all subdivisions, due regard shall be shown for natural features such as large trees, unusual rock formations, and water courses; for sites which have historical significance; and for similar assets which, if preserved, will add attractiveness and value to the subdivision and to the area. The city council may prepare a list of all such features within its area of planning jurisdiction which it deems worthy of preservation. (Ord. 386 § 1608, 2002)

17.92.090 Conformance with other regulations.

No final plat of land within the area of force and effect of existing zoning regulations will be approved unless it conforms with such regulations. Whenever there is a variance between the minimum standards set forth in these regulations and those contained in the building code, or other official regulations, the highest standard shall apply. (Ord. 386 § 1609, 2002)

17.92.100 Public sites and open spaces.

Where a proposed park, recreation, school or other public use shown in a comprehensive plan is located in whole or in part in a subdivision, the city council may require the dedication or reservation of such area within the

subdivision in those cases in which the city council deems to be reasonable.

Where deemed essential by the city council, upon consideration of the particular type of development proposed in the subdivision, and especially in planned developments not anticipated in the comprehensive plan, the city council may require the dedication or reservation of such other areas or sites or a character, extent and location suitable to the needs created by such development for parks, schools, recreation and other public purposes. (Ord. 386 § 1610, 2002)

17.92.110 Large tracts or parcels.

When land is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged so as to allow for the opening of future streets and logical resubdivision. (Ord. 386 § 1611, 2002)

Chapter 17.96

**SUBDIVISION IMPROVEMENTS
REQUIRED PRIOR TO FINAL
PLAT APPROVAL**

Sections:

- 17.96.010 Monuments.**
- 17.96.020 Streets.**
- 17.96.030 Utility and drainage facilities.**
- 17.96.040 Street name signs.**
- 17.96.050 Requirements for approval of final plat.**

17.96.010 Monuments.

Concrete monuments at least thirty-six (36) inches long and four inches square with a suitable center point shall be set at each street intersection on the street right-of-way line and at all corners on the plat. Except in cases where it is deemed clearly unreasonable or infeasible by the city council, these monuments shall be described in relation to the located section corners of the coordinate system of the state of South Dakota. Solid iron pin monuments three-fourths inch in diameter and twenty-four (24) inches long or suitable concrete markers shall be placed at all points on boundary lines where there is a change of direction and at all lot corners. (Ord. 386 § 1701, 2002)

17.96.020 Streets.

A. Grading Specifications. All streets, roads and alleys shall be graded to their full widths by the subdivider so that street pavements and sidewalks can be constructed on the same level plan. Deviation from this standard due to special topographical conditions will be allowed only with the approval of the city

council. Before grading is started, the entire right-of-way area shall be first cleared of all tree stumps, roots, brush and other objectionable materials and of all trees not intended for preservation. The subgrade shall be properly shaped, rolled, and uniformly compacted to conform with the accepted cross-section and grades. In cuts, all tree stumps, boulders organic material, soft clay, spongy material, and other objectionable materials shall be removed to a depth of at least two feet below the graded surface. Rock, when encountered, shall be scarified to a depth of at least twelve (12) inches below the graded surface. In fills, all tree stumps, boulders, organic material, soft clay, spongy material and other objectionable material shall be removed to a depth of at least two feet below the natural ground surface. This objectionable matter, as well as similar matter from cuts shall be removed from the right-of-way area and disposed of in such a manner that it will not become incorporated in fills or hinder proper operation of the drainage system.

B. Minimum Pavement Widths. Pavement widths shall be measured between curbs. Minimum pavement widths to be provided are:

Parkways	12 feet for each lane
Arterials	11 feet for each lane
Collector streets	40 feet
Minor streets	27 feet
Marginal access streets	18 feet
Alleys, industrial and commercial streets	12 feet

C. Street Pavement--Minimum Street Design. The minimum street design shall consist of six inches of concrete paving (four thou-

sand (4,000) psi compressive strength) supported on a subgrade prepared as follows:

1. Option One--Fly Ash Stabilization. Fly ash stabilized subgrade to a depth of eighteen (18) inches. Fly ash to be uniformly incorporated into the subsoil at the rate of twenty (20) percent fly ash by weight per volume of fly ash and soil mixture. Fly ash shall meet ASTM Specification C-618, Section 3.2, Class "C" designation containing a minimum of twenty-five (25) percent CaO. Subgrade shall be pulverized, Class "C" fly ash added, mixed, and compaction of the mixed materials. The initial compaction shall be achieved using a vibratory pad foot roller with a minimum operation weight of twelve (12) tons and a minimum centrifugal force of twenty-four (24) tons. Rubber tire or smooth-wheel rollers shall be used for final compaction of the stabilized section. Recompaction of the mixture after cure shall not be allowed. This option shall not be permitted when the soil temperature is less than forty-five (45) degrees Fahrenheit for a twenty-four (24) hour period after the fly ash is incorporated.

2. Option Two--Granular Base. Compacted nine-inch base of clean well graded gravel meeting SD-DOT Standard Specifications for Roads and Bridges, Section 882 for gravel cushion adjusted to reduce the maximum percent of material passing the No. 200 sieve shall not exceed five percent. The nine inch base shall be sloped to and hydraulically connected to a longitudinal drain (four inches minimum diameter) and a surface outfall protected from stormwater backflow. The base shall be compacted to ninety-eight (98) percent of Relative Laboratory Density as determined by ASTM D 698. The natural soils under the granular base shall be firm, unyielding, and compacted to ninety-eight (98) percent of

the Relative Laboratory Density as determined by ASTM D 698.

No topsoil, vegetation, or other deleterious materials shall be contained under pavements. All streets shall be constructed in accordance with the latest edition of the South Dakota Department of Transportation Standard Specifications for Roads and Bridges.

D. Curb and Gutter. Curb and gutter shall be provided in all subdivisions. Curbs shall not be less than six inches in height and shall be constructed of Portland concrete cement or bioluminous concrete. Back fill shall be higher than the curb and shall slope toward the curb in order to insure that surface water drains into the storm drainage system.

E. Sidewalks. For the safety of pedestrians in residential and commercial subdivisions, sidewalks constructed of Portland concrete cement shall be constructed on each lot one foot from the lot line on both sides of the street to meet the following specifications:

1. Single-family or duplex housing developments: four feet wide and four inches thick;
2. Multi-family or group housing developments: five feet wide and four inches thick;
3. Commercial developments: eight to ten (10) feet wide and four inches thick. (Ord. 386 § 1702, 2002)

17.96.030 Utility and drainage facilities.

A. General. Sanitary sewer, storm sewer, water distribution, electrical gas, telephone and communications, cable, and all other utility lines shall be installed in rear lot easements wherever practical. Where it is impractical to install such utility lines in rear lot easements, they shall be installed within the unpaved portions of the street right-of-way except for sanitary and storm sewer lines which may be in-

stalled in the paved portion of the street right-of-way if it is impossible to install them in the unpaved portion.

When it is impossible to install sanitary and storm sewer lines in the unpaved portion of the street right-of-way all such utility lines, including service connections shall be completely installed, and inspected and approved by the land use administrator, following the grading of the street and prior to the application of any pavement base.

Where sanitary and storm sewer lines are to be installed in the unpaved portion of the street right-of-way, the installation of service connections may be delayed, provided, that at such time as these service connections are installed, they may be installed without breaking or weakening the existing pavement. Where rock is known to exist beneath the pavement area at such depth as to interfere with the installation of service connections, the complete installation of service connections shall be required prior to the application of any pavement base.

B. Water Supply Improvements. Where the public water supply is reasonably accessible or available to the proposed subdivision, as determined by the city council, a complete water distribution system that shall adequately serve all lots, which shall include appropriately spaced fire hydrants, and which shall be properly connected with the public water supply system, shall be installed. Where a public water supply system is not reasonably accessible to the subdivision, alternate water supply facilities approved by the city council shall be installed. Where individual lot wells are to be installed, lot dimensions shall meet the approval of the city council. In any case water supply facilities shall be installed as required by standards and specifications as approved by the city council.

C. Sanitary Sewer Improvements. Where the public water supply is reasonably accessible or available to the proposed subdivision, as determined by the city council, a complete sanitary sewer system which shall adequately serve all lots and which shall be properly connected to the public sanitary sewer system is not reasonably accessible to the subdivision, alternate sanitary sewer facilities, which shall be approved by the city council, shall be installed. In any case, sanitary sewer facilities shall be installed as required by standards and specifications as approved by the city council.

D. Storm Drainage. An adequate drainage system, including necessary open ditches, pipes, culverts, intersectional drains, drop inlets, and bridges for the proper drainage of all surface water, shall be installed. Cross drains shall be provided to accommodate all natural water flow, and they shall be of sufficient length to permit full width roadways and the required slopes. (Ord. 386 § 1703, 2002)

17.96.040 Street name signs.

The city council shall require the installation of durable street name signs at all intersections. (Ord. 386 § 1704, 2002)

17.96.050 Requirements for approval of final plat.

No final plat of any subdivision shall be approved unless:

A. The improvements listed above have been made and satisfactorily installed and approved by the city council prior to such final plat approval;

B. The subdivider shall enter into a contract with the city to insure completion of the improvements listed in Sections 17.96.020 and 17.96.030 by the subdivider within one year. The performance of the contract shall be secured by the subdivider filing with the city a

performance surety bond in an amount equal to one and one-quarter times the cost of making such improvements, as estimated by the city, conditioned upon the payment of all construction costs incurred in making such improvements by the subdivider, and all expense incurred by the city for engineering and legal fees and other expense in connection with the making of such improvements in order to insure construction of the improvements in a satisfactory manner;

C. The subdivider agrees with the city and the city may construct those improvements listed in Sections 17.96.020 and 17.96.030, and assess the cost thereof against the property benefited; or

D. A tax incremental district pursuant to SDCL 11-9 has been created for the land area which the subdivider desires to plat and the subdivider has entered into a contract for private development, on terms and conditions acceptable to the city to insure completion of the improvements listed in Sections 17.96.020 and 17.96.030. (Ord. 386 § 1705, 2002)

Susan Kloostra

From: Tim Brown <tbrown@brownwegher.com>
Sent: Wednesday, December 30, 2015 6:52 PM
To: roddslater@pga.com
Cc: Susan Kloostra; Randy Fredericksen; Reiff Tammy; Lesa Cropley; dan@danparks.com; Joanie Christiansen; Crary, Huff, Inkster, Sheehan, Ringgenberg, Hartnett & Storm, P.C.; Greg Meyer; Jennifer Roupe; brandi@jandmrealestate.com; Lucero Avalos; Tim Hogan
Subject: RE: River Valley Platting and Pre Platting

Thanks Rodd,

Here is the specific items for variance we would like considered.

My understanding is that the streets within the subdivision have been previously approved through a certificate of substantial completion with the City – a number of years ago. Thus, the City has reviewed the plans, construction, and elevations of the streets as well as the graded elevations of the land within the subdivision. So most of the variances we want are related to this. Variances would be

Section 17.88.020 – F. Contours at an interval of not greater than five feet. . . .

Section 17.88.0920 – J. All streets to be platted showing the natural and finished grade drawn to scale

Same Section – O. Deed Restrictions. One of our land attorney's did not find any deed restrictions – There were covenants created but not implemented by Dunham. We do intend to apply the covenants to So Churchill and Delmar Circle. Attorney is working on these and will try to have these ready for next weeks meeting. However, we will need to meet with existing land owners on those streets to get their approval in order to be able to apply these. So, we would ask for the opportunity to put in place a future covenant to be applied if we are successful with existing land owners.

Section 17.88.080 – L. Code says certification on plat by registered engineer. Does not say a registered surveyor. Usually it is one or the other. We are planning to use MLS Surveying to certify.

Section 17.88.080 – O. All has to do with the streets again – same as items above.

Preliminary Plat vs. Final Plat - The last item is perhaps a misunderstanding by us of how the Code reads. We are actively trying to get the preliminary platting done. My understanding of Greg Meyer's previous statements is that we need final platting completed per City Code for all lots – but that we can request a variance for City consideration to only have preliminary plat completed and then file each individual lot as they become active for building. I would like to have a discussion on this during the meeting as I am missing that final plat requirement as I read the code. If it is there the way Greg is saying, then we would be asking for a variance on that.

Sewer and Water Easements – Switching these lots to duplex units creates some sewer and water lines crossing other properties. To get the specific easement correct, the actual building needs to be laid out on a lot so the exact easement location is properly done. So, there may be a variance required that we need to be able to provide specific easement information on each individual plat for the lots prior to a building permit. There is also possibility of storm sewer easement needs as well on an individual lot.

There may be one or two more, but the above is what I am aware of.

Tim Brown
Vice President
Brown Wegher Construction