

STAFF REPORT  
January 5, 2017

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**No. 16PL121 - Preliminary Subdivision Plan**

**ITEM 4**

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GENERAL INFORMATION:

APPLICANT	Dakota Land Trust
AGENT	Neighbor Works Dakota Home Resources
PROPERTY OWNER	Peggy Beardsley and Arthur Stevens
REQUEST	<b>No. 16PL121 - Preliminary Subdivision Plan</b>
EXISTING LEGAL DESCRIPTION	Lot 14 thru 16 of Block 37 of North Rapid, located in Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Proposed Lots 1 thru 5 and common area of Village on Monroe
PARCEL ACREAGE	Approximately .024 acres
LOCATION	612 Dilger Avenue
EXISTING ZONING	Medium Density Residential District
FUTURE LAND USE DESIGNATION	Urban Neighborhood
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Medium Density Residential District
East:	Medium Density Residential District
West:	Medium Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	November 14, 2016
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, redline comments shall be addressed. In addition, the redline comments shall be returned with the Development Engineering Plan application;
2. Upon submittal of a Development Engineering Plan application, construction plans shall be submitted for review and approval providing a public sewer main fronting each lot. In

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- addition, an Exception shall be obtained to allow an alternate location of the sewer main outside the center of the street or the plans shall comply with City's design standards. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application;
3. Upon submittal of a Development Engineering Plan application, construction plans providing an 8 inch public water main in Monroe Street shall be submitted for review and approval or an Exception shall be obtained. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application;
  4. Upon submittal of a Development Engineering Plan application, construction plans for the shared access and parking easement shall be submitted for review and approval. In particular, the construction plans shall show the easement with a minimum width of 50 feet and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or an Exception shall be obtained. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application;
  5. Upon submittal of a Development Engineering Plan application, the plat document shall show the proposed shared access and parking easement approach located a minimum of 50 feet from the intersection of Dilger Avenue and Monroe Street or an Exception shall be obtained. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application;
  6. Upon submittal of a Development Engineering Plan application, construction plans showing the alley with a 16 foot wide paved surface shall be submitted for review and approval or an Exception shall be obtained. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application;
  7. Prior to approval of the Development Engineering Plan application, engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed if subdivision improvements are required. In addition, permits required for construction shall be approved and issued and construction plans shall be accepted in accordance with the Infrastructure Design Criteria Manual. All final engineering reports shall be signed and sealed by a Professional Engineer and contain a Certification Statement of Conformance with City Standards as required by the Infrastructure Design Criteria Manual;
  8. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements, if applicable;
  9. Prior to submittal of a Final Plat application, the plat document shall show the proposed shared access and parking area as a "shared access and parking easement";
  10. Prior to submittal of a Final Plat application, the associated Final Planned Development shall be approved reducing the minimum lot size requirement for a townhome lot from 4,000 square feet to 759 square feet, 870 square feet, 1,105 square feet, 1,219 square feet and 1,305 square feet, respectively, or the plat document shall be revised to meet the minimum lot size requirement;
  11. Upon submittal of a Final Plat application, an agreement securing ownership and maintenance of the Common Area Lot shall be submitted for recording;
  12. Upon submittal of a Final Plat application, an agreement securing maintenance of the shared access and parking easement shall be submitted for recording;
  13. Upon submittal of a Final Plat application, surety for any required subdivision

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- improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid; and,
14. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required. In addition, any utilities and drainage proposed outside of the dedicated right-of-way shall be secured within easement(s).

GENERAL COMMENTS:

The applicant has submitted a Preliminary Subdivision Plan application to create five townhome lots and a common area lot. The lots will range in size from 759 square feet to 1,305 square feet and are to be known as Lots 1 through 5 of Village on Monroe.

The applicant has also submitted a Final Planned Development (File #16PD058) to allow for the townhome development as an affordable housing project. In order to limit the costs of the development, the applicant is requesting Exceptions to allow smaller lots, reduced setbacks, increased lot coverage, increased height and reduced lot frontage. The applicant has indicated that this is an innovative project and will provide a template for them to develop affordable housing in other areas of the community.

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: The property is currently zoned Medium Density Residential District which requires a minimum 4,000 square foot lot size for a townhome lot. The proposed plat identifies the townhome lots ranging in size from 759 square feet to 1,305 square feet. As previously noted, the applicant has submitted a Final Planned Development application to allow for the townhome development as an affordable housing project with several lot design exceptions, including lot size. As such, prior to submittal of a Final Plat application, the associated Final Planned Development must be approved reducing the minimum lot size requirement for a townhome lot from 4,000 square feet to 759 square feet, 870 square feet, 1,105 square feet, 1,219 square feet and 1,305 square feet, respectively, or the plat document must be revised to meet the minimum lot size requirement.

In addition, to the townhome lots, the applicant is proposing to create a common area lot. As such, upon submittal of a Final Plat application, an agreement securing ownership and maintenance of the Common Area Lot must be submitted for recording.

Streets: Dilger Avenue abuts the property along the west lot line and Monroe Street abuts the property along the north lot line. Both streets are classified as local streets requiring that they be located in a minimum 52 foot wide right-of-way and constructed with curb, gutter, sidewalk, street light conduit and as needed, sewer and water. The streets are located within an 80 foot wide right-of-way, respectively, and are constructed to minimum street

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standards.

Alley: An alley is located along the east lot line and will serve as access to two proposed parking spaces for the townhome development. The Infrastructure Design Criteria Manual requires that the alley be paved to a minimum width of 16 feet. The applicant's site plan shows the future pavement of the alley. Upon submittal of a Development Engineering Plan application, construction plans showing the pavement of the alley as identified must be submitted for review and approval or an Exception must be obtained. If an Exception is obtained, a copy of the approved document must be submitted with the Development Engineering Plan application.

Shared Access and Parking Easement: The applicant's site plan shows shared access and parking located along the northern portion of the proposed townhome lots. Prior to submittal of a Final Plat application, the plat document must show the shared access and parking as a "shared access and parking easement". The easement is classified as lane place street requiring that it be located in a minimum 50 foot wide easement and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Upon submittal of a Development Engineering Plan application, construction plans for the easement must be submitted for review and approval as identified or an Exception must be obtained. If an Exception is obtained, a copy of the approved document must be submitted with the Development Engineering Plan application.

The approach to the shared access and parking is located along Monroe Street, approximately 37 feet from the intersection with Dilger Avenue. The Infrastructure Design Criteria Manual requires a minimum distance of 50 feet from the intersection to the approach. As such, upon submittal of a Development Engineering Plan application, the plat document must show the proposed approach located a minimum distance of 50 feet from the intersection of Dilger Avenue and Monroe Street or an Exception must be obtained. If an Exception is obtained, a copy of the approved document must be submitted with the Development Engineering Plan application.

In order to secure maintenance of the shared easement, a maintenance agreement must be submitted for recording with the Final Plat application.

Water: Currently, an 8 inch water main exists in Dilger Avenue and a 4 inch water main exists in Monroe Street and in the adjacent alley, respectively. The Infrastructure Design Criteria Manual requires a minimum 8 inch water main in the two adjacent streets. A water main is not required in the alley. Upon submittal of a Development Engineering Plan application, construction plans providing an 8 inch public water main in Monroe Street must be submitted for review and approval or an Exception must be obtained. If an Exception is obtained, a copy of the approved document must be submitted with the Development Engineering Plan application.

Sewer: A sewer main does not exist in Dilger Avenue as it abuts the property. However, since the existing surrounding parcels currently have frontage to a sewer main, a sewer main in Dilger Avenue is not needed.

A sewer main does not exist in Monroe Street. Currently, all of the existing surrounding

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parcels have frontage to a sewer main so one is not needed. However, the proposed plat is creating parcels along Monroe Street that will not have frontage to public sewer. As such, upon submittal of a Development Engineering Plan application, construction plans must be submitted for review and approval providing a public sewer main fronting each lot. In addition, an Exception must be obtained to allow an alternate location of the sewer main outside the center of the street or the plans must comply with City's design standards. If an Exception is obtained, a copy of the approved document must be submitted with the Development Engineering Plan application.

Development Agreement: Section 1.16.1 of the Infrastructure Development Criteria Manual states that a Development Agreement may be required for construction approval. A Development Agreement is a tool which will provide the City and the developer with an instrument to document the financial and procedural requirements for the development of public improvements. Staff recommends that prior to submittal of a Final Plat application or prior to commencing construction, whichever occurs first, a Development Agreement be entered into with the City for all public improvements if applicable.

Warranty Surety: On June 19, 2006, the City Council adopted a resolution establishing a formal warranty process for subdivision improvements. In particular, the resolution requires that the developer provide an acceptable Warranty Surety for the required public improvements. In particular, the Warranty Surety must be in force for a period of two years after the required final inspection and the City has accepted the improvements. Prior to the City's acceptance of any public improvements, a Warranty Surety must be submitted for review and approval if subdivision improvements are required as a part of any future platting of the property.

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