

STAFF REPORT

July 10, 2008

No. 08PD028 - Planned Residential Development - Initial and Final ITEM 20 Development Plan

GENERAL INFORMATION:

APPLICANT/AGENT	Dream Design International, Inc.
PROPERTY OWNER	Copperfield Land Co.
REQUEST	No. 08PD028 - Planned Residential Development - Initial and Final Development Plan
EXISTING LEGAL DESCRIPTION	<p>A tract of land located in the SE$\frac{1}{4}$ NW$\frac{1}{4}$ and the NE$\frac{1}{4}$ SW$\frac{1}{4}$ of Section 4, T1N, R8E, BHM, Pennington County, South Dakota, more fully described as follows: Beginning at the northeast corner of Lot 28 in Block 1 of Copperfield Subdivision, as shown on the plat recorded in Book 22 of Plats on Page 195, said corner being marked by a rebar with survey cap "LS 6251"; thence, westerly along the north line of said Lot 28 in Block 1 of Copperfield Subdivision, S89°59'08"W, a distance of 109.97 feet, more or less, to the northwest corner of said Lot 28, said corner being marked by a 5/8 inch rebar; thence, southwesterly along the northerly edge of Copperfield Drive right-of-way, S71°30'56"W, a distance of 63.29 feet, more or less to the northeast corner of Lot 1 in Block 7 of Copperfield Subdivision, as shown on the plat recorded in Book 22 of Plats on Page 195, said corner being marked by a 5/8 inch rebar; thence, northwesterly along the north line of said Lot 1 in Block 7 of Copperfield Subdivision, N88°29'49"W, a distance of 83.02 feet, more or less; thence, continuing northwesterly along the north line of said Lot 1 in Block 7 of Copperfield Subdivision, N88°29'49"W, a distance of 15.67 feet, more or less, to the northwest corner of said Lot 1, said corner being coincident with the northeast corner of Lot 3 in Block 7 of Copperfield Subdivision as shown on the plat recorded in Book 22 of Plats on Page 195, and said corner being marked by a rebar with survey cap; thence, northwesterly along the north line of said Lot 3 in Block 7 of Copperfield Subdivision, N88°42'16"W, a distance of 51.73 feet, more or less, to the northwest corner of said Lot 3, said point being coincident with the northeast corner of Lot 4 in Block 7 of Copperfield Subdivision, as shown on the plat recorded in Book 22 of Plats on Page 195, and said corner being marked by a rebar with survey cap "LS 2652"; thence, northwesterly along the north line of said Lot 4 in Block 7 of Copperfield Subdivision, N88°18'11"W, a distance of 76.36 feet,</p>

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more or less, to the northwest corner of said Lot 4, said point being coincident with the northeast corner of Lot 5 in Block 7 of Copperfield Subdivision, as shown on the plat recorded in Book 22 of Plats on Page 195, said corner being marked by a 5/8 inch rebar; thence, northwesterly along the north line of said Lot 5 in Block 7 of Copperfield Subdivision, N71°45'04"W, a distance of 68.75 feet, more or less; thence, N15°55'14"E, a distance of 104.91 feet, more or less; thence, N74°04'46"W, a distance of 45.00 feet, more or less; thence, N15°55'14"E, a distance of 160.58 feet, more or less; thence, S76°13'24"E, a distance of 120.24 feet, more or less; thence, S78°04'22"E, a distance of 59.02 feet, more or less; thence, N13°46'36"E, a distance of 98.10 feet, more or less; thence, N76°13'24"W, a distance of 13.77 feet, more or less; thence, N13°46'36"E, a distance of 52.00 feet, more or less; thence, S76°13'24"E, a distance of 5.67 feet, more or less; thence, N13°46'36"E, a distance of 80.12 feet, more or less; thence, N00°35'05"E, a distance of 68.76 feet, more or less; thence, N00°00'00"W, a distance of 83.80 feet, more or less; thence, S90°00'00"W, a distance of 0.65 feet, more or less; thence, N00°00'00"W, a distance of 52.00 feet, more or less; thence, N90°00'00"E, a distance of 18.65 feet, more or less; thence, N00°00'00"W, a distance of 200.26 feet, more or less; thence, S90°00'00"W, a distance of 20.17 feet, more or less; thence, N00°00'00"W, a distance of 52.00 feet, more or less; thence, N90°00'00"E, a distance of 2.17 feet, more or less; thence, N00°00'00"W, a distance of 455.50 feet, more or less; thence, curving to southwest to the left on a curve with a radius of 562.00 feet, a delta of 1 degree, 25 minutes 51 seconds, an arc length of 14.03 feet, and a chord bearing of S78°05'02"W and chord distance of 14.03 feet; thence, N12°37'53"W, a distance of 76.00 feet, more or less; thence, curving to the northeast to the right on a curve with a radius of 638.00 feet, a delta of 10°54'37", an arc length of 121.49 feet, and a chord bearing of N82°49'25"E and chord distance of 121.30 feet; thence, N44°21'49"E, a distance of 14.30 feet, more or less; thence, N00°00'00"W, a distance of 15.20 feet, more or less; thence, N90°00'00"E, a distance of 52.00 feet, more or less; thence, S00°00'00"E, a distance of 15.13 feet, more or less; thence, S45°00'00"E, a distance of 14.14 feet, more or less; thence, N90°00'00"E, a distance of 142.69 feet, more or less, to a point on the north/south one-quarter

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(1/4) section line of Section 4, T1N, R8E, BHM, Pennington County, South Dakota; thence, southerly along said one-quarter (1/4) section line, S00°05'16"E, a distance of 941.09 feet, more or less, to a point marked by an iron pin; thence, continuing southerly along said one-quarter (1/4) section line, S00°05'03"E, a distance of 517.62 feet, more or less, to a point located on said one-quarter (1/4) section line being marked by a rebar with survey cap "LS 6251"; thence, continuing southerly along said one-quarter (1/4) section line, S00°03'43"E, a distance of 781.29 feet, more or less; thence, S89°47'47"W, a distance of 303.32 feet, more or less to a point along the easterly line of Lot 17 in Block 1 of Copperfield Subdivision, as shown on the plat recorded in Book 22 of Plats on Page 21; thence, northwesterly along the east line of said Lot 17 in Block 1 of Copperfield Subdivision, N22°39' 36"W, a distance of 46.14 feet, more or less, to the northeast corner of said Lot 17, said corner being coincident with the southeast corner of Lot 18 in Block 1 of Copperfield Subdivision as shown on the plat recorded in Book 22 of Plats on Page 21; thence, northwesterly along the east line of said Lot 18 in Block 1 of Copperfield Subdivision, N01°44'10"W, a distance of 58.19 feet, more or less, to the northeast corner of said Lot 18, said corner being coincident with the southeast corner of Lot 19 in Block 1 of Copperfield Subdivision as shown on the plat recorded in Book 22 of Plats on Page 21, said corner being marked with a rebar and survey cap "LS 2652"; thence, northeasterly along the east line of said Lot 19 in Block 1 of Copperfield Subdivision, N26°46'20"E, a distance of 44.28 feet, more or less, to the northeast corner of said Lot 19, said corner being coincident with the southeast corner of Lot 20 in Block 1 of Copperfield Subdivision, as shown on the plat recorded in Book 22 of Plats on Page 21, said corner being marked by a rebar with survey cap "LS 2652"; thence, northeasterly along the east line of Lots 20 through 24 inclusive of Block 1 of Copperfield Subdivision, as shown on the plats recorded in Book 22 of Plats on Page 21 and in Book 22 of Plats on Page 195, N27°11'29"E, a distance of 364.58 feet, more or less to the northeast corner of said Lot 24 in Block 1 of Copperfield Subdivision, said corner being coincident with the southeast corner of Lot 25 in Block 1 of Copperfield Subdivision, as shown on the plat recorded in Book 22 of Plats on Page 21; thence, northeasterly along the east line of said Lot 25 in Block 1 of

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Copperfield Subdivision, N19°26'44"E, a distance of 83.01 feet, more or less, to the northeast corner of Said Lot 25, said corner being coincident with the southeast corner of Lot 26 in Block 1 of Copperfield Subdivision, as shown on the plat recorded in Book 22 of Plats on Page 195; thence, northeasterly along the east lines of Lots 26, 27 and 28 of Block One of Copperfield Subdivision, N02°40'24"E, a distance of 239.67 feet, more or less to the point of beginning; and less, A tract of land located in the SE¼ NW¼ and the NE¼ SW¼, Section 4, T1N, R8E, BHM, Pennington County, South Dakota, more fully described as follows: Commencing at the northwest corner of Lot 28 in Block 1 of Copperfield Subdivision, as shown on the plat recorded in Book 22 of Plats on Page 195, said corner being marked by a rebar; thence, southwesterly along the northerly edge of Copperfield Drive right-of-way, S71°30'56"W, a distance of 4.23 feet more or less, to the point of beginning; thence, continuing southwesterly along the northerly edge of Copperfield Drive right-of-way, S71°30'56"W, a distance of 59.06 feet more or less, to the northeast corner of Lot 1 in Block 7 of Copperfield Subdivision, as shown on the plat recorded in Book 22 of Plats on Page 195, said corner being marked by a 5/8 inch rebar; thence, northwesterly along the north line of said Lot 1 in Block 7 of Copperfield Subdivision, N88°29'49"W, a distance of 98.69 feet more or less, to the northwest corner of said Lot 1, said corner being coincident with the northeast corner of Lot 3 in Block 7 of Copperfield Subdivision as shown on the plat recorded in Book 22 of Plats on Page 195, and said corner being marked by a rebar with survey cap; thence, northwesterly along the north line of said Lot 3 in Block 7 of Copperfield Subdivision, N88°42'16"W, a distance of 51.73 feet more or less, to the northwest corner of said Lot 3, said point being coincident with the northeast corner of Lot 4 in Block 7 of Copperfield Subdivision, as shown on the plat recorded in Book 22 of Plats on Page 195, and said corner being marked by a rebar with survey cap "LS 2652"; thence, northwesterly along the north line of said Lot 4 in Block 7 of Copperfield Subdivision, N88°18'11"W, a distance of 76.36 feet more or less, to the northwest corner of said Lot 4, said point being coincident with the northeast corner of Lot 5 in Block 7 of Copperfield Subdivision, as shown on the plat recorded in Book 22 of Plats on Page 195, said corner being marked by a 5/8 inch rebar; thence, northwesterly along the north line of said Lot 5 in

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Block 7 of Copperfield Subdivision, N71°45'04"W, a distance of 68.75 feet more or less; thence, N15°55'14"E, a distance of 104.91 feet more or less; thence, N74°04'46"W, a distance of 45.00 feet more or less; thence, N15°55'14"E, a distance of 160.58 feet more or less; thence, S76°13'24"E, a distance of 120.24 feet more or less; thence, S78°04'22"E, a distance of 59.02 feet more or less; thence, N13°46'36"E, a distance of 98.10 feet more or less; thence, N76°13'24"W, a distance of 13.77 feet more or less; thence, N13°46'36"E, a distance of 52.00 feet more or less; thence, S76°13'24"E, a distance of 5.67 feet more or less; thence, N13°46'36"E, a distance of 80.12 feet more or less; thence, N00°35'05"E, a distance of 68.76 feet more or less; thence, N00°00'00"W, a distance of 83.80 feet more or less; thence, S90°00'00"W, a distance of 0.65 feet more or less; thence, N00°00'00"W, a distance of 52.00 feet more or less; thence, N90°00'00"E, a distance of 18.65 feet more or less; thence, N00°00'00"W, a distance of 200.26 feet more or less; thence, S90°00'00"W, a distance of 20.17 feet more or less; thence, N00°00'00"W, a distance of 52.00 feet more or less; thence, N90°00'00"E, a distance of 2.17 feet more or less; thence, N00°00'00"W, a distance of 455.50 feet more or less; thence, curving to southwest to the left on a curve with a radius of 562.00 feet, a delta of 01°25'51", an arc length of 14.03 feet, and a chord bearing of S78°05'02"W and chord distance of 14.03 feet; thence, N12°37'53"W, a distance of 76.00 feet more or less; thence, curving to the northeast to the right on a curve with a radius of 638.00 feet, a delta of 10°54'37", an arc length of 121.49 feet, and a chord bearing of N82°49'25"E and chord distance of 121.30 feet; thence, N44°21'49"E, a distance of 14.30 feet more or less; thence, N00°00'00"W, a distance of 15.20 feet more or less; thence, N90°00'00"E, a distance of 52.00 feet more or less; thence, S00°00'00"E, a distance of 15.13 feet more or less; thence, S45°00'00"E, a distance of 14.14 feet more or less; thence, N90°00'00"E, a distance of 142.69 feet more or less, to a point on the north/south one-quarter (1/4) section line of Section 4, T1N, R8E, BHM, Pennington County, South Dakota; thence, southerly along said one-quarter (1/4) section line, S00°05'16"E, a distance of 76.00 feet more or less; thence, S90°00'00"W, a distance of 142.81 feet more or less; thence, S45°00'00"W, a distance of 14.14 feet more or less; thence, S00°00'00"E, a distance of 828.74 feet

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more or less; thence, curving southwesterly to the right on a curve with a radius of 826.00 feet, a delta of 13°46'36", an arc length of 198.61 feet, and a chord bearing of S06°53'18"W and chord distance of 198.13 feet more or less; thence, S13°46'36"W, a distance of 40.75 feet more or less; thence, curving southwesterly to the left on a curve with a radius of 774.00 feet, a delta of 13°46'36", an arc length of 186.11 feet, and a chord bearing of South 06 degrees 53 minutes 18 seconds West and chord distance of 185.66 feet more or less; thence S00°00'00"E, a distance of 124.86 feet more or less, to the point of beginning

PARCEL ACREAGE	Approximately 3.6 acres
LOCATION	Western terminus of Homestead Street and the northern terminus of Copperfield Drive.
EXISTING ZONING	Low Density Residential District (Planned Residential Development)
SURROUNDING ZONING	
North:	Medium Density Residential District (Planned Development Designation)
South:	Low Density Residential District
East:	Light Industrial District
West:	Low Density Residential District (Planned Development Designation)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	6/13/2008
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

Staff recommends that the Planned Residential Development - Initial and Final Development Plan be approved with the following stipulations:

1. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
2. Prior to issuance of a building permit, a Preliminary Plat shall be reviewed and approved by the City Council to insure that all infra-structure improvements have been addressed. In addition, prior to issuance of a Certificate of Occupancy, a Final Plat shall be reviewed and approved to insure that all right(s)-of-way have been dedicated;
3. Prior to issuance of a building permit, the applicant shall enter into a cost sharing agreement with the City for the off-site sewer improvements needed to serve the

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- proposed development. In addition, prior to issuance of a Certificate of Occupancy, the sanitary sewer system shall be in place to serve the development;
4. Prior to issuance of a building permit, the Rocky Mountain Pipeline shall be relocated;
 5. A minimum 18 foot front yard setback shall be provided in front of each garage and a minimum 15 foot front yard setback shall be provided in front of each residence. In addition, a minimum 25 foot setback shall be provided along the side yard abutting a street. A side yard setback along interior side lot lines of eight feet for a one story structure and twelve feet for a two story structure shall be provided. In addition, a minimum 25 foot rear yard setback shall be provided;
 6. All provisions of the Low Density Residential District shall be met unless otherwise specifically authorized as a stipulation of this Initial and Final Planned Residential Development or a subsequent Major Amendment;
 7. The proposed structures shall conform architecturally to the proposed elevations, design plans and color palette submitted as part of this Initial and Final Planned Residential Development; and,
 8. All streets and turnarounds shall be designed and constructed in compliance with the Street Design Criteria Manual and the currently adopted International Fire Code. In addition, fire hydrants shall be in place and operational prior to any building construction. Street signs and lot addresses shall also be posted prior to or in conjunction with any building construction. The currently adopted International Fire Code shall be continually met;
 9. The Planned Residential Development shall allow for the construction of single family residence(s). However, the Planned Residential Development shall expire if the use is not undertaken and completed within two years of the date of approval by the Planning Commission, or if the use as approved has ceased for a period of two years; and,
 10. A one year time extension for the Planned Residential Development may be granted upon written request to the Growth Management Director if submitted prior to the Final Development Plan approval expiration date.

GENERAL COMMENTS:

The applicant has submitted this Initial and Final Planned Residential Development to construct 20 single family residential lots as Phase 1B of the Copperfield Vista Subdivision. In addition, the applicant has submitted an Initial and Final Residential Development to allow signs to be constructed within the Copperfield Vista Subdivision advertising the name of the subdivision.

On December 18, 2006, the City Council approved a Layout Plat to create 276 single family residential lots, 64 townhome lots and one multi-family lot. The Layout Plat included this property.

On February 7, 2007, the City approved a Planned Development Designation (File 07PD005) for approximately 20 acres, which included this property.

On August 20, 2007, the City Council approved a Preliminary Plat (File #07PL015) to create 20 single family residential lots as Phase 1A of the Copperfield Vistas Subdivision.

On August 9, 2007, the Planning Commission approved an Initial and Final Residential

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Development Plan (File #07PD004) to construct 20 single family residential lots as Phase 1A of the Copperfield Vista Subdivision.

On April 24, 2008, the Planning Commission approved a SDCL 11-6-19 Review (File #08SR031) to construct a sewer main from the Copperfield Vista Subdivision to S. D. Highway 44.

On May 22, 2008, the Planning Commission approved a Preliminary Plat (File #08PL065) for the property to create 20 residential lots as shown on this Initial and Final Residential Development Plan. The City Council will consider the Preliminary Plat at their July 7, 2008 City Council meeting.

On June 5, 2008, the Planning Commission approved a SDCL 11-6-19 Review (File #08SR038) to relocate the Rocky Mountain Pipeline currently extending along the eastern portion of the property.

The property is located at the western terminus of Homestead Street and the northern terminus of Copperfield Drive.. Currently, the property is void of any structural development.

STAFF REVIEW:

Staff has reviewed the Initial and Final Planned Residential Development and has noted the following considerations:

Platting: As previously indicated, the applicant has submitted a Preliminary Plat for review and approval to create 20 single family residential lots as Phase 1B of the development. Prior to issuance of a building permit, the Preliminary Plat must be reviewed and approved by the City Council to insure that all infrastructure improvements have been addressed. In addition, prior to issuance of a Certificate of Occupancy, a Final Plat must be reviewed and approved to insure that all right(s)-of-way have been dedicated.

Sewer: As previously indicated, on April 24, 2008, the Planning Commission approved a SDCL 11-6-19 Review (File #08SR031) to construct a sewer main from the Copperfield Vista Subdivision to S. D. Highway 44. The sewer construction project must be completed in order to provide sanitary sewer service to this area of the property.

On June 24, 2008, City staff met with the developer to discuss the timing of the off-site sewer construction and the proposed building schedule for this phase of the development. In addition, it was determined that the applicant and the City would enter into a cost sharing agreement for the sewer extension needed to serve the development.

Staff is recommending that prior to issuance of a building permit, the applicant enter into a cost sharing agreement with the City for the off-site sewer improvements needed to serve the proposed development. In addition, prior to issuance of a Certificate of Occupancy, the sanitary sewer system must be in place to serve the development.

Rocky Mountain Pipeline Easement: The associated Preliminary Plat identifies a 52 foot wide No-Build Easement located along the back portion of all lots in Block 1. A condition of

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development of the easement states that "No dwelling, building, structure, or area of congregation may be within fifty (52) feet of Rocky Mountain Pipeline's pipelines, unless the pipelines are provided with a minimum 48 inches of cover".

As previously indicated, on June 5, 2008, the Planning Commission approved a SDCL 11-6-19 Review (File #08SR038) to relocate the Rocky Mountain Pipeline approximately 25 feet east of its current location. Staff is recommending that prior to issuance of a building permit, the Rocky Mountain Pipeline be relocated in order to provide a building envelope on each lot as per the terms of the Rocky Mountain Pipeline Easement.

Fire Department: The Fire Department has indicated that all streets and turnarounds must be designed and constructed in compliance with the Street Design Criteria Manual and the currently adopted International Fire Code. In addition, fire hydrants must be in place and operational prior to any building construction. The Fire Department has also indicated that street signs and lot addresses must be posted prior to or in conjunction with any building construction. The currently adopted International Fire Code will need to be continually met.

Design Features: The applicant has indicated that the single family residences will be one and/or two story structures with garages and a peaked roof. The applicant has submitted elevations demonstrating different design(s) of the proposed structures. The applicant has also indicated that the residences will be constructed with wood, brick, vinyl siding, concrete, glass, asphalt shingles and other miscellaneous materials typically used in the construction of a stick built home. The applicant has also indicated that the structures will be primarily shades of brown, blue and green or other earth tone colors. Staff is recommending that the residences conform architecturally to the design plans, elevations and color palette submitted as part of this Planned Residential Development.

Setbacks: The applicant's site plan identifies that an 18 foot front yard setback in front of the garage and a 15 foot front yard setback in front of the residence is being proposed. The Low Density Residential District requires a minimum 25 foot front yard setback. However, the Planning Commission has allowed reduced setbacks within Planned Residential Developments when a minimum 18 foot front yard setback is provided in front of the proposed garages in order to insure a vehicle may be parked in the driveway without overhanging the public right-of-way or across the sidewalk in violation of the Rapid City Municipal Code. As such, staff is recommending a minimum 18 foot front yard setback be provided in front of each garage and a minimum 15 foot front yard setback be provided in front of each residence. In addition, a minimum 25 foot setback must be provided along the side yard abutting a street. A side yard setback along interior side lot lines of eight feet for a one story structure and 12 feet for a two story structure shall be provided. In addition, a minimum 25 foot rear yard setback must be provided.

Notification Requirement: As of this writing, the receipts from the certified mailings have not been returned nor has the sign been posted on the property. Staff will notify the Planning Commission at the July 10, 2008 Planning Commission meeting if these requirements have not been met.

Staff is recommending that the Initial and Final Planned Residential Development be

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approved with the stipulations as outlined above.