

STAFF REPORT  
July 24, 2008

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**No. 08PD029 - Planned Residential Development - Initial and Final Development Plan**

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**ITEM 22**

GENERAL INFORMATION:

APPLICANT/AGENT	Dream Design International, Inc.
PROPERTY OWNER	Copperfield Land Co.
REQUEST	<b>No. 08PD029 - Planned Residential Development - Initial and Final Development Plan</b>
EXISTING LEGAL DESCRIPTION	<p>The SE¼ NW¼ of Section 4, T1N, R8E, BHM, Pennington County, South Dakota, excepting there from Lot A as shown on the plat recorded in Plat Book 17 on Page 167; and Lot 3 (also known as Government Lot 3) of Section 4, T1N, R8E, BHM, Pennington County, South Dakota; and A parcel of land located in the NE¼ SW¼ of Section 4, T1N, R8E, BHM, Pennington County, South Dakota more fully described as follows: Beginning at the center one quarter corner of said Section 4, said point being on the westerly line of the Drainage Right-of-way of Block 1 of Rushmore Regional Industrial Park, as shown on the plat filed on September 4, 1974 and recorded in Book 13 of Plats on Page 195, and said point being marked by a rebar with surveyor cap "RW FISK 6565"; thence, south along the one-quarter section line and along the westerly line of said Drainage Right-of-way in Block 1 of Rushmore Regional Industrial Park, S00°05'03"E, a distance of 271.44 feet, more or less, to a point marked by a rebar with surveyor cap "Hanson 6251" thence, continuing south along the one-quarter section line and along the westerly line of said Drainage Right-of-way in Block 1 of Rushmore Regional Industrial Park, S00°03'43"E, a distance of 781.29 feet, more or less, to a point marked by a rebar with surveyor cap "RW FISK 6565"; thence, S89°47'47"W, a distance of 303.32 feet, more or less, to a point on the easterly line of Lot 17 in Block 1 of Copperfield Subdivision, as shown on the plat filed on April 22, 1988 and recorded in Book 22 of Plats on Page 21, and said point being marked by a rebar with surveyor cap "RW FISK 6565"; thence, northwesterly along the said east line of said Lot 17 in Block 1 of Copperfield Subdivision, N22°39'36"W, a distance of 46.14 feet to the northeast corner of said Lot 17, said point being coincident with the southeast corner of Lot 18 in Block 1 of Copperfield Subdivision, as shown on said plat recorded in Book 22 of Plats on Page 21,</p>

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and said point being marked by a rebar with surveyor cap "RW FISK 6565"; 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 point being coincident with the southeast corner of Lot 19 in Block 1 of Copperfield Subdivision, as shown on said plat recorded in Book 22 of Plats on Page 21, and said point being marked by a rebar with surveyor cap "Renner 2652 & Sperlich"; 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 point being coincident with the southeast corner of Lot 20 in Block 1 of Copperfield Subdivision, as shown on said plat recorded in Book 22 of Plats on Page 21, and said point being marked by a rebar with surveyor cap "Renner 2652 & Sperlich"; thence, northeasterly along the east line of said Lot 20 in Block One 1 of Copperfield Subdivision, and along the east lines of Lots 21, 22 and 23 all in Block 1 of Copperfield Subdivision, as shown on said plat recorded in Book 22 of Plats on Page 21, and along the easterly line of Lot 24 in Block 1 of Copperfield Subdivision, as shown on the plat filed on June 12, 1989 and recorded 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, said point being coincident with the southeast corner of Lot 25 in Block 1 of Copperfield Subdivision, as shown on said plat recorded in Book 22 of Plats on Page 195, and said point being marked by a rebar with surveyor cap "RW FISK 6565"; thence, northeasterly along the east line of said Lot 25 in Block 1 of Copperfield Subdivision, N19°26'44"E, a distance of 83.01 feet, more or less to the northeast corner of said Lot 25, said point being coincident with the southeast corner of Lot 26 in Block 1 of Copperfield Subdivision, as shown on said plat recorded in Book 22 of Plats on Page 195, and said point being marked by a rebar with surveyor cap "RW FISK 6565"; thence, northeasterly along the east line of said Lot 26 in Block 1 of Copperfield Subdivision, and along the east lines of Lots 27 and 28 all in Block 1 of Copperfield Subdivision, as shown on said plat recorded in Book 22 of Plats on Page 195, N02°40'24"E, a distance of 239.67 feet, more or less, to the northeast corner of said Lot 28, and said point being marked by a

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rebar with surveyor cap "Hanson 6251"; thence, westerly along the northerly 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 point being coincident with the northeasterly terminus of Copperfield Drive right-of-way, and said point being marked by a 5/8 inch rebar; thence, southwesterly along the northern terminus line of Copperfield Drive right-of-way, as shown on said plat recorded in Book 22 of Plats on Page 195, S71°30'56"W, a distance of 63.28 feet, more or less to the northwest terminus of said Copperfield Drive right-of-way, said point being coincident with the northeast corner of Lot 1 in Block 7 in Copperfield Subdivision, as shown on said plat recorded in Book 22 of Plats on Page 195, and said point being marked by a 5/8 inch rebar; thence, westerly along the northerly 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 point being coincident with the northeast corner of Lot 3 in Block 7 of Copperfield Subdivision, as shown on said plat recorded in Book 22 of Plats on Page 195, and said point being marked by a rebar with survey cap; thence, westerly along the northerly 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 said plat recorded in Book 22 of Plats on Page 195, and said point being marked by a rebar with surveyor cap "Renner 2652 & Sperlich"; thence, westerly along the northerly 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 said plat recorded in Book 22 of Plats on Page 195, and said point being marked by a 5/8 inch bent rebar; thence, northwesterly along the northerly line of said Lot 5 in Block 7 of Copperfield Subdivision, N71°45'04"W, a distance of 72.95 feet, more or less, to the northwest corner of said Lot 5, said point being coincident with the northeast corner of Lot 6 in Block 7 of Copperfield Subdivision, as shown on the plat filed on August 14, 1995 and recorded in Book 27 of Plats on Page 17, and said point being marked by a rebar with

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surveyor cap "Hanson 6251:" thence, northwesterly along the northerly line of said Lot 6 in Block 7 of Copperfield Subdivision, and along the northerly line of Lots 7 and 8 in said Block 7 of Copperfield Subdivision, as shown on the plat filed on August 14, 1995 and recorded in Book 27 of Plats on page 17, N71°30'00"W, a distance of 236.99 feet, more or less to the northwest corner of said Lot 8 in Block 7 of Copperfield Subdivision, said point being coincident with the northeast corner of Lot 9 in Block 7 of Copperfield Subdivision as shown on said plat recorded in Book 27 of Plats on Page 17, and said point being marked by a rebar with surveyor cap "Hanson 6251"; thence, westerly along the northerly line of said Lot 9 in Block 7 of Copperfield Subdivision, and along the northerly line of Lot 10 in said Block 7 of Copperfield Subdivision, N89°59'43"W, a distance of 169.90 feet, more or less to the northwest corner of said Lot 10 in Block 7 of Copperfield Subdivision, said point being coincident with the northeast corner of Lot 11 in Block 7 of Copperfield Subdivision as shown on said plat recorded in Book 27 of Plats on Page 17, and said point being marked by a rebar with surveyor cap "Hanson 6251"; thence, southwesterly along the northerly line of said Lot 11 in Block 7 of Copperfield Subdivision, and along the northerly line of Lot 12 in Block 7 of Copperfield Subdivision as shown on said plat recorded in Book 27 of Plats on Page 17, and along the northerly line of Lot 13 in Block 7 of Copperfield Subdivision as shown on the plat filed on December 21, 1995 and recorded in Book 27 of Plats on page 64, S67°59'57"W, a distance of 210.58 feet, more or less to the northwest corner of said Lot 13 in Block 7 of Copperfield Subdivision, said point being coincident with the northeasterly terminus of Summerfield Drive right-of-way as shown on said plat recorded in Book 27 of Plats on Page 64, and said point being marked by a rebar with surveyor cap "RW FISK 6565"; thence, westerly along the northerly terminus of said Summerfield Drive right-of-way, S89°57'45"W, a distance of 60.03 feet, more or less, to the northwest terminus of said Summerfield Drive right-of-way, said point being coincident with the northeast corner of Lot 1 in Block 8 of Copperfield Subdivision as shown on said plat recorded in Book 27 of Plats on page 64, and said point being marked by a rebar with surveyor cap "Polenz 4208"; thence, westerly along the northerly line of said Lot 1 in Block 8 of

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Copperfield Subdivision, S89°39'20"W, a distance of 116.98 feet, more or less to the northwest corner of said Lot 1 in Block 8 of Copperfield Subdivision, said point being located on the west 1/16th section line of said Section 4, T1N, R8E, BHM, Pennington County, South Dakota, and said point being marked by a rebar with surveyor cap "Renner 2652 & Sperlich"; thence, northerly along the 1/16th section line, N00°02'44"E, a distance of 262.82 feet, more or less to the ¼ section line and the northwest corner of the NE¼ SW¼ of said Section 4, T1N, R8E, and said point being marked by a rebar with surveyor cap "RW FISK 6565"; thence, east along the ¼ section line, N89°48'42"E, a distance of 1328.91 feet, more or less, to the point of beginning, less a parcel of land located in Government Lot 3, of Section 4, T1N, R8E, BHM, Pennington County, South Dakota, more fully described as follows: Beginning at the north 1/4 corner of said Section 4, said corner being marked with a GLO Brass Cap; thence, southerly along the 1/4 section line, S00°05'16"E, a distance of 512.09 feet, more or less; thence, S89°54'44"W, a distance of 193.07 feet, more or less; thence, curving southwest to the left on a curve with a radius of 326.00 feet, a delta of 15°03'07", an arc length of 85.64 feet, and a chord bearing of S07°28'00"W and a chord distance of 85.40 feet; thence, S00°03'34"E, a distance of 108.52 feet, more or less; thence, S89°50'20"W, a distance of 968.82 feet, more or less; thence, N00°00'48"W, a distance of 181.83 feet, more or less; thence, curving northwest to the left on a curve with a radius of 226.00 feet, a delta of 00°42'26", an arc length of 2.79 feet, and a chord bearing of N00°22'01"W and a chord distance of 2.79 feet; thence, S89°53'30"W, a distance of 151.98 feet, more or less, to a point located on the west 1/16th line of said Section 4; thence, northerly along said 1/16th line, N00°00'49"W, a distance of 520.21 feet, more or less to the north section line of said Section 4, said point being a 1/16th section corner and marked by a rebar with survey cap "6251"; thence, easterly along the north line of said Section 4, N89°50'15"E, a distance of 1324.26 feet, more or less, to the point of beginning

PARCEL ACREAGE

Approximately 80 acres

LOCATION

Western terminus of Homestead Street and the northern terminus of Copperfield Drive

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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 sewer and water/Rapid Valley Sanitary District
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. The signage shall conform architecturally to the plans and elevations and color palette submitted as part of this Planned Residential Development. Changes to the proposed sign package, which the Growth Management Director determines to be consistent with the original approved sign package, shall be allowed as a Minimal Amendment to the Planned Residential Development. In addition, the signage is limited to identifying the proposed name of the development with no other advertising allowed. A sign permit shall also be obtained demonstrating that the signage is located outside of any sight triangles and outside of right(s)-of-way.
2. The signage shall not be illuminated;
3. The landscaping shall be planted with the specific size and plant material proposed. All landscaping shall be continually maintained in a live vegetative state and replaced as necessary;
4. Prior to issuance of a Sign Permit, an easement securing the location of the sign on the proposed lot shall be recorded either as a part of a Final Plat or as a miscellaneous document;
5. Prior to issuance of a Sign Permit or prior to approval of a Final Plat, whichever occurs first, a Covenant Agreement shall be recorded at the Register of Deed's Office securing ownership and maintenance of the sign; and,
6. The Planned Residential Development shall allow for the construction of one monument sign located in the northeast corner of the intersection of Copperfield Drive and Homestead Street as proposed. 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. Any additional future signage or

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**any other use of the property shall require the review and approval of a Major Amendment to the Residential Development Plan. A one year time extension may be granted upon written request to the Growth Management Director, and prior to the Final Development Plan approval expiration date.**

GENERAL COMMENTS:

**(Update, July 14, 2008. All revised and/or added text is shown in bold print.) This item was continued at the July 10, 2008 Planning Commission meeting to allow the applicant to submit additional information. The applicant has subsequently submitted a revised sign package eliminating four of the proposed signs. In particular, the site plan shows one sign as a part of this Residential Development Plan and a second sign within a future phase of the development.**

The applicant has submitted an Initial and Final Residential Development Plan to allow six monument signs to be constructed at the entrances to the Copperfield Vista Subdivision advertising the name of the subdivision. In addition, the applicant has submitted an Initial and Final Planned Residential Development (File #08PD029) to construct 20 single family residential lots as Phase 1B of the Copperfield Vista 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 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.

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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 Residential Development Plan and has noted the following considerations:

Design: The applicant has submitted an elevation of the proposed sign(s) for review and approval. In particular, the elevation identifies a stone monument sign measuring 6 foot 7 inches high by 12 foot wide. In addition, the stone is shown in a brown earth tone with the name of the subdivision, "Copperfield Vistas" etched in the stone.

The applicant has indicated that six signs will be located along the entrance streets to the subdivision. However, this appears to be an excessive number of signs for one residential development. In addition, the applicant has not identified who will maintain the signs once constructed. In the past, the City has received complaints that signs allowed within a residential development are not being maintained. Most recently, staff received a complaint that the sign within the Park Ridge Subdivision is not being maintained.

Staff is recommending that this item be continued to allow the applicant to meet with staff to discuss the number and location of signage for the development and to allow the applicant to identify maintenance for the signs.

**The applicant has submitted a revised sign package showing one sign to be constructed in the northeast corner of the intersection of Homestead Street and Copperfield Drive. The applicant has indicated that a second sign will be constructed in the northern portion of the development when that phase of the development occurs. To date, the applicant has not determined the exact location of the second sign and, as such, has indicated that a Major Amendment to the Residential Development Plan will be submitted for review and approval upon development of that phase of the subdivision.**

**Staff is recommending that the signage conform architecturally to the plans and elevations and color palette submitted as part of this Planned Residential Development. In addition, any additional future signage or any other use of the property will require the review and approval of a Major Amendment to the Residential Development Plan.**

Sight Triangle Data: The applicant has submitted sight triangle data for the proposed sign to be located at the intersection of Copperfield Drive and Homestead Street showing that the sign is located outside of the required sight triangle area. However, sight triangle data has not been submitted for review and approval for the remaining five signs. As such, staff is recommending that this item be continued to allow the applicant to submit the sight triangle data for the remaining five signs.

**The applicant has submitted sight triangle data for the proposed sign which shows**



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**that the sign is located outside of the required sight triangle area.**

Site Plan: The applicant has submitted a site plan showing an asterisk on six of the lots within the Copperfield Vistas Subdivision depicting the proposed location(s) for each of the six signs. However, a site plan showing the specific location of the sign on each lot has not been submitted for review and approval. As such, staff is recommending that this item be continued to allow the applicant to submit a sight plan for each sign showing the location of the proposed sign on each lot and the location of the future residence, driveway(s), utilities, etc. to be constructed on each lot to ensure that the sign does not create a land use conflict and to ensure that the sign meets setback requirements as per the Rapid City Municipal Code. In addition, the sign must be located within a sign easement to secure the placement of the sign on the residential lot.

**The applicant has submitted a site plan showing the location of the sign and the location of the future residence, driveway and utilities on the proposed lot. In particular, the site plan shows that the proposed sign will not interfere with the future development of a residence on the lot.**

Landscaping: The applicant has submitted a landscaping plan showing perennials and small ornamental flowering shrubs around the perimeter of each sign. Staff is recommending that the landscaping be planted with the specific size and plant material proposed. All landscaping must be continually maintained in a live vegetative state and replaced as necessary.

Notification Requirement: As of this writing, the receipts from the certified mailings **have been returned and the notification sign has been posted on the property. Staff has received several calls of inquiry regarding this proposal.**