Legal Description:

A portion of Tract A of E1/2 OF SW1/4 and W1/2 of SE 1/4, Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the south Quarter Corner of Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, being witnessed by a BLM brass cap located 13.2 feet westerly of the true point; Thence: N46°57'57"W, a distance of 1211.66 feet, being the point of beginning; Thence: N11°01'46"E, a distance of 221.58 feet; Thence: on a curve turning to the left with an arc length of 236.45 feet, with a radius of 3014.79 feet, with a chord bearing of N8°46'05"E, with a chord length of 236.39 feet; Thence: on a curve turning to the left with an arc length of 394.93 feet, with a radius of 3014.79 feet, with a chord bearing of N2°46'06"E, with a chord length of 394.65 feet; Thence: N0°58'56"W, a distance of 411.85 feet; Thence: S81°29'17"E, a distance of 47.99 feet; Thence: S8°37'14"W, a distance of 129.87 feet; Thence: S55°31'46"E, a distance of 169.17 feet; Thence: N2°37'14"E, a distance of 205.00 feet; Thence: N8°30'45"E, a distance of 50.00 feet; Thence: N81°29'15"W, a distance of 187.16 feet; Thence: N0°58'24"W, a distance of 184.65 feet; Thence: on a curve turning to the right with an arc length of 112.75 feet, with a radius of 2141.83 feet, with a chord bearing of N0°34'21"E, with a chord length of 112.74 feet; Thence: N89°57'49"E, a distance of 420.59 feet; Thence: N89°57'49"E, a distance of 90.55 feet; Thence: N89°57'49"E, a distance of 200.11 feet; Thence: S25°17'04"E, a distance of 313.58 feet; Thence: S25°17'04"E, a distance of 20.04 feet; Thence: N88°03'29"W, a distance of 19.38 feet; Thence: S76°40'37"W, a distance of 82.31 feet; Thence: S87°09'26"W, a distance of 53.94 feet; Thence: N75°49'26"W, a distance of 26.72 feet; Thence: N88°07'28"W, a distance of 80.98 feet; Thence: S70°55'46"W, a distance of 12.21 feet; Thence: S88°48'12"W, a distance of 117.76 feet; Thence: S36°45'45"W, a distance of 126.18 feet; Thence: S5°14'47"W, a distance of 124.84 feet; Thence: S0°16'03"W, a distance of 72.88 feet; Thence: S30°55'28"E, a distance of 74.04 feet; Thence: S79°45'30"E, a distance of 74.87 feet; Thence: S24°07'07"E, a distance of 52.73 feet; Thence: S41°51'53"E, a distance of 39.56 feet; Thence: N48°00'56"E, a distance of 42.39 feet; Thence: S4°04'22"E, a distance of 166.58 feet; Thence: S80°39'46"E, a distance of 26.72 feet; Thence: N51°55'21"E, a distance of 51.65 feet; Thence: S74°40'40"E, a distance of 68.17 feet; Thence: S54°24'49"E, a distance of 123.82 feet; Thence: S0°02'20"W, a distance of 44.22 feet; Thence: S0°02'20"W, a distance of 29.87 feet; Thence: S0°02'20"W, a distance of 52.00 feet; Thence: S0°02'20"W, a distance of 29.83 feet; Thence: S0°02'20"W, a distance of 228.76 feet; Thence: S18°20'38"E, a distance of 87.24 feet; Thence: S31°55'11"E, a distance of 43.63 feet; Thence: S0°01'06"E, a distance of 114.50 feet; Thence: N83°19'17"W, a distance of 57.96 feet; Thence: S49°02'58"W, a distance of 75.26 feet; Thence: S22°18'43"W, a distance of 70.38 feet; Thence: N30°57'17"W, a distance of 30.14 feet; Thence: N42°23'28"W, a distance of 76.08 feet; Thence: N48°41'23"W, a distance of 67.74 feet; Thence: N66°54'57"W, a distance of 46.84 feet; Thence: N80°25'18"W, a distance of 140.67 feet; Thence: N87°25'56"W, a distance of 258.15 feet; Thence: S70°43'18"W, a distance of 148.66 feet; Thence: N88°42'53"W, a distance of 104.40 feet; Thence: N79°58'45"W, a distance of 38.14 feet; Thence: N62°52'58"W, a distance of 24.34 feet to the point of beginning.
February 24, 2020

Ms. Vicki Fisher  
Assistant Planning Director  
300 Sixth Street  
Rapid City, SD 57701

RE: Initial Planned Development – Letter of Intent  
Orchard Meadows Apartments – Rapid City, South Dakota

Dear Ms. Fisher

Yasmeen Dream, LLC is developing a master planned community located at the corner of Elk Vale Drive and SD Highway 44 commonly referred to as ‘Orchard Meadows’. The location of the proposed Orchard Meadows development is one of the highest exposure properties in Western South Dakota. It is surrounded by two principal arterial streets and numerous commercial and residential streets have been constructed with the development. This high exposure of the property makes it an excellent location for a mixed use subdivision. The goals of the subdivision are:

1. Provide for a mixture of diversified, affordable, and safe housing which includes multi-family and single family dwelling units
2. Provide a range of housing needs from affordable and safe workforce housing to middle – high end that meets the needs of the community with home prices between $169,000 and $500,000
3. Retail and office facilities where residents can work, shop and play
4. Common areas which may include designated wetland and wildlife corridors, open space, community gardens, Rapid Creek Access, immediate golf course access and fully constructed walking trails to provide for a healthy lifestyle.

To date, street and infrastructure construction has been completed on Phases 1 through 6 of the Orchard Meadows Subdivision – with the majority of the current building activities located in the commercial lots located along Jaffa Garden Way and residential home construction in the Phase 6 area. The commercial area is currently expanding with the under construction Signify Health Call Center and with the recent completion of the Orchard Meadows Dental Clinic, in addition to the existing convenience store with restaurant, office building and carwash.

The intent of this initial planned development is to present the proposed Orchard Meadows Apartments project to the Rapid City Planning Commission for consideration. The apartment complex is being proposed by Legacy Development & Consulting Company, LLC (Legacy) – an established and experienced
development company. Established nearly 20 years ago, Legacy is a commercial and residential real estate developer based in Sioux Falls, South Dakota. With more than $230 million of mixed-use, residential, office, retail and industrial development over the past decade, Legacy is well-positioned to deliver complex developments that add value to communities, investors and tenants.

Legacy’s portfolio includes nearly 800 active residential units and more than 1.125 million square feet of diversified commercial space. Legacy’s diverse experience provides a breadth and depth of insight and experience that is unmatched in the regional market.

Legacy’s primary objective is to provide superior development services for its clients and secure superior returns for our investors. Legacy accomplishes this through strategically developing and positioning properties, and then managing these properties with the goal of long-term stability and assured returns to our investors.

With a rich history of creating mutually beneficial, trust-based relationships, and with an unparalleled focus on what motivates and drives its clients, investors and tenants, Legacy has developed a solid reputation in the business and investment communities and has become a leader in the South Dakota development and property management industries.

Legacy has established a set of guiding principles that it brings to all of its projects, as follows:

- To maintain a constant focus on what drives our clients so we can continue to deliver projects that meet or exceed their objectives
- To employ great insight, empathy and trust in all partner relationships
- To create trust-based investment relationships with each investor based on our stated return strategy and meeting or exceeding our projections
- To ensure all preferred returns are funded on time, as pledged, to maintain client trust

Additional supporting documents are attached for consideration of the proposed development including:

1. Initial Planned Development for the Orchard Meadows Apartments
2. Development layout and phasing plan
3. Apartment Elevation view
4. Metes and Bounds legal description
5. Vicinity Map
6. Completed Application

The initial planned development is planned for a portion of the property legally described as the Balance of Tract A of the E1/2SW1/4 and the W1/2SE1/4 Less Orchard Meadows, Less Lot H1 and less lots H3-H6, located in Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota. See attached Metes and Bounds Description for the exact initial planned development boundary.

Proposed Use and Zoning:

See attached site plan and elevation views. The proposed site will include the construction of the following:

8 – 59 Unit Apartment Buildings with Garage Parking
5 – 32 Unit Apartment Buildings with Garage Parking
1 – 27 Unit Apartment Building with Garage Parking
1 – Clubhouse with leasing office

A total of 15 buildings that are comprised of a total of 659 dwelling units.

The subdivision includes many amenities as listed above including large tracts of dedicated open space, interconnected walkways and trails to mitigate the effects of the increased density. Further, by maintaining safe building separations through the use of the established setbacks the applicant will be providing livable outdoor space for each residence. The request is further needed to provide a variation of rentable dwelling types and the affordable alternative work force housing that is in incredibly high demand in the City of Rapid City. The proposed development will also provide a rental housing market that will support the new businesses being constructed at the Orchard Meadows property – including the Signify Call Center, Great Plains Tribal Health Board and Common Cents – Inferno Restaurant.

The development will allow of a mixture of lot/rental pricing ranges that are currently not available in the Orchard Meadows Development and help create a neighborhood demographic that represents a large segment of our population and creates a more livable and enjoyable neighborhood. Maintaining a similar, high level of living standard comparable to any other residential neighborhood in Rapid City. Finally, large areas of open space that are connected to the development through an already constructed system of walkways provide even more livable outdoor space for each resident.

**Setbacks:**

See attached site plan. No reductions or variances are being requested with this plan. A minimum 25’ front and back and 12’ side yard setback will be maintained on all lots, per MDR regulations defined in the zoning code. By maintaining the minimum side yard setbacks it will ensure that each residential structure will have a safe separation comparable to similarly zoned residential areas in Rapid City. In addition much of the development abuts permanent dedicated open space that cannot be developed or built on, creating a greater sense of space and separation.

**Lot Coverage:**

See attached site plan. Lot coverage is 23.2% for the proposed development which is lower than the minimum required lot coverage of 30% for a MDR apartment development. By remaining under the maximum lot coverage, it helps to create large areas of interconnected open space that can be used by all of the developments’ residents and further increases the livability and usability of the site. In addition, the applicant will be providing many amenities as listed above including large tracts of dedicated open space, a club house, a dog park, interconnected walkways and trails to mitigate the effects of the increased density.

**Lot Area:**
See attached site plan. The PD area is 25.10 Acres, larger than the Minimum Lot Area required for the proposed development of 22.81 Acres.

**Sanitary Sewer, Water, and Storm Water:**

See attached Design Reports prepared for the site and subdivision. Adequate water pressure for normal operations and fire flows are provided to the site which is served by the Rapid Valley Sanitary District. Adequate sanitary sewer facilities have also been provided to the site. Offsite storm water quantity and quality improvements have been constructed to serve the entire development, including this site, with adequate conveyance capacity provided to and from the site.

**Color and Outside Finish:**

Building materials will consist of concrete foundations, timber structure for exterior and interior walls, pre-engineered roof & floor trusses. Finishes include pre-finished horizontal hard board lap siding with earth tone hues. The roof will consist of fiberglass shingles.

**Signage:**

Signage will be in accordance with the Rapid City Zoning Code.

**Lighting:**

Site lighting will be addressed with the final planned development and will be in accordance with the Rapid City Zoning Code.

**Building Height:**

The proposed apartment buildings are three (3) stories and will be no taller than 39.75' as measured according to the Rapid City Zoning Code. Current zoning allows for a maximum height of 35' or 3 stories. The applicant is requesting that the maximum height be increased to 39.75' to allow for the construction of an aesthetically pleasing roof line.

An exception to allow a max. building height of 39.75’ instead of 35’ is being requested with this application.

**Open Space and Subdivision Amenities:**

The subdivision includes many amenities including large tracts of dedicated open space, interconnected walkways and dedicated wetland and wildlife corridors and trails to provide quality livable open space and to promote a sense of community. Extensive walking trails will connect the residences directly to shared open spaces and a community park, promoting healthy living and providing additional space for the residents to utilize.

See attached Master Plan for the location and phasing of the proposed Subdivision Amenities.

**Summary of Exceptions:**
An exception to allow a max. building height of 39.75’ instead of 35’ is being requested with this application.

We hope that this information is satisfactory to address any questions or comments and provide guidance for the approval of the initial planned development. We look forward to working with you and City staff on this great community project. If there are any additional questions please do not hesitate to contact the office.

Thank you for your help.

Sincerely,
Dream Design International, Inc.

[Signature]

Kyle Treloar
Enclosures

cc: Fletcher Lacock, City of Rapid City
Hani Shafai, Dream Design International, Inc.

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20 2020
RAPID CITY DEPARTMENT OF COMMUNITY DEVELOPMENT