

STAFF REPORT
March 8, 2007

No. 07RZ012 - Rezoning from No Use District to General Commercial District **ITEM 31**

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 07RZ012 - Rezoning from No Use District to General Commercial District
EXISTING LEGAL DESCRIPTION	Lot 1 of Marlin Industrial Park, located in the NW1/4 NE1/4 of Section 20, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 4.83 acres
LOCATION	Southwest of the intersection of Elk Vale Road and Creek Drive
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	General Agriculture District
South:	No Use District
East:	No Use District
West:	No Use District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	2/9/2007
REVIEWED BY	Travis Tegethoff / Emily Fisher

RECOMMENDATION: Staff recommends that the Rezoning from No Use District to Low Density Residential District be continued to the March 22, 2007 Planning Commission meeting to allow the legal notification requirement to be met and to be heard in conjunction the associated Comprehensive Plan Amendment.

GENERAL COMMENTS: This undeveloped property contains approximately 4.83 acres and is located southwest of the intersection of Elk Vale Road and Creek Drive. The applicant is requesting that the property be rezoned from No Use District to General Commercial District. Land located north of the subject property is zoned General Agricultural District. The applicant is also requesting an Amendment to the Adopted Comprehensive Plan to change the land use designation from General Agriculture to General Commercial. Land located south, east, and west of the subject property is zoned No Use District. Land located north of the subject property is zoned General Agricultural District. The Long Range Comprehensive Plan indicates that this property is appropriate for General Agricultural land uses and the Draft Future Land Use Plan for the Southeast Connector Neighborhood indicates that this

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property is appropriate for Office Commercial land uses with a Planned Development Designation.

On June 7, 2004 City Council approved an Annexation (04AN003) that included the subject property and temporarily placed the area in a No Use Zoning District.

On March 20, 2006, City Council approved a Preliminary Plat (06PL004) with stipulations that included the subject property.

On November 21, 2006 a Final Plat (06PL173) was approved for the subject property.

STAFF REVIEW:

The applicant has notified City staff that the legal notification sign for the Rezoning was not posted seven days prior to the Planning Commission meeting as required. As such, staff is recommending that this item be continued to the March 22, 2007 Planning Commission meeting to allow the legal notification requirement to be met and to be heard in conjunction with the associated Comprehensive Plan Amendment.