

STAFF REPORT
January 10, 2008

**No. 07CA052 - Amendment to the Adopted Comprehensive Plan to ITEM 26
change the land use designation from General Agriculture to General
Commercial**

GENERAL INFORMATION:

APPLICANT/AGENT	Dream Design International, Inc.
PROPERTY OWNER	ZCO Incorporated
REQUEST	No. 07CA052 - Amendment to the Adopted Comprehensive Plan to change the land use designation from General Agriculture to General Commercial
EXISTING LEGAL DESCRIPTION	<p>A portion of the NW1/4 of the NE1/4, Section 20, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the southeasterly corner of right-of-way common to Creek Drive and Elk Vale Road, and the point of beginning; Thence, first course: curving to the left, along the southerly edge of right-of-way of Elk Vale Road, on a curve with a radius of 3014.79 feet, a delta angle of 05°11'13", a length of 272.92 feet, a chord bearing of N79°49'24"E, and chord distance of 272.83 feet; Thence, second course: S15°38'39"E, a distance of 95.46 feet; Thence, third course: S74°21'21"W, a distance of 66.33 feet; Thence, fourth course: curving to the right, on a curve with a radius of 1000.00 feet, a delta angle of 03°39'13", a length of 63.77 feet, a chord bearing of S76°10'58"W, and chord distance of 63.76 feet; Thence fifth course: S78°00'34"W, a distance of 66.26 feet, to the end of dedicated Marlin Drive centerline; Thence sixth course: S78°00'34"W, along the centerline of Marlin Drive, a distance of 201.84 feet, to the intersection of centerline Marlin Drive and Creek Drive; Thence seventh course: curving to the right, along the centerline of Creek Drive, on a curve with a radius of 1000.00 feet, a delta angle of 05°21'24", a length of 93.49 feet, a chord bearing of N09°18'43"W, and chord distance of 93.46 feet; Thence eighth course: N06°38'01"W, along the centerline of Creek Drive, a distance of 422.07 feet, to a point on the southerly right-of-way of Elk Vale Road; Thence ninth course: curving to the left, along the southerly edge of right-of-way of Elk Vale Road, on a curve with a radius of 3014.79 feet, a delta angle of 00°57'11", a length of 50.15 feet, a chord bearing of N82°50'59"E, and chord distance of 50.15 feet, to the</p>

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	southeasterly corner of right-of-way common to Creek Drive and Elk Vale Road, and the point of beginning; Said Parcel contains 182,629 square feet or 4.193 acres more or less
PARCEL ACREAGE	Approximately 4.193 acres
LOCATION	Northeast of the intersection of Creek Drive and Marlin Drive
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Agriculture District
South:	General Agriculture District
East:	General Agriculture District
West:	General Agriculture District - General Commercial District (Planned Development Designation)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	10/12/2007
REVIEWED BY	Travis Tegethoff / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Amendment to the Adopted Comprehensive Plan to change the land use designation from General Agriculture to General Commercial be denied without prejudice to allow the title to be corrected.

GENERAL COMMENTS: (Update January 4, 2008. All revised text is shown in bold.)

Staff noted that the title should be an Amendment to the Adopted Comprehensive Plan to change the land use designation from General Agriculture to General Commercial with a Planned Development Designation. As such, staff recommends that the Amendment to the Adopted Comprehensive Plan to change the land use designation from General Agriculture to General Commercial be denied without prejudice to allow the title to be corrected. The applicant has submitted an Amendment to the Adopted Comprehensive Plan to change the land use designation from General Agriculture to General Commercial. This undeveloped property contains approximately 4.193 acres and is located northeast of the intersection of Creek Drive and Marlin Drive. In addition, the applicant has submitted a Rezoning request (#07RZ074) to change the zoning designation of the property from General Agricultural District to General Commercial District. Land located north, south, and east of the property is zoned General Agricultural District. Land located west of the property is zoned General Agricultural District and General Commercial District with a Planned Development Designation. The adopted Long Range

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Comprehensive Plan indicates that this property is appropriate for General Agricultural land uses. The Draft Future Land Use Plan for the Southeast Connector Neighborhood indicates that this property is appropriate for Office Commercial land uses.

STAFF REVIEW: The adopted Comprehensive Plan is a framework within which development and rezoning proposals are measured and evaluated. The plan is intended to guide the orderly growth of the community. In order for the plans to remain viable and to keep pace with a changing market place, periodic adjustments to reflect changing conditions will be required.

The Future Land Use Committee is scheduled to consider this request on November 29, 2007. As such, staff recommends that the Amendment to the Adopted Comprehensive Plan to change the land use designation from General Agriculture to General Commercial be continued to the January 10, 2008 Planning Commission Meeting to allow the Future Land Use Committee to meet on the requested Amendment.

Staff noted that the title should be an Amendment to the Adopted Comprehensive Plan to change the land use designation from General Agriculture to General Commercial with a Planned Development Designation. As such, staff recommends that the Amendment to the Adopted Comprehensive Plan to change the land use designation from General Agriculture to General Commercial be denied without prejudice to allow the title to be corrected.