

STAFF REPORT
January 10, 2008

No. 07RZ074 - Rezoning from General Agriculture District to General Commercial District **ITEM 44**

GENERAL INFORMATION:

APPLICANT/AGENT	Dream Design International, Inc.
PROPERTY OWNER	ZCO Incorporated
REQUEST	No. 07RZ074 - Rezoning from General Agriculture District to General Commercial District

EXISTING
LEGAL DESCRIPTION

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 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

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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 Rezoning from General Agriculture District to General Commercial District be continued to the January 24, 2008 Planning Commission meeting to allow the associated Amendment to the Adopted Comprehensive Plan title to be corrected.

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

Staff noted that the title on the associated Amendment to the Adopted Comprehensive Plan 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 Rezoning from General Agriculture District to General Commercial District be continued to the January 24, 2008 Planning Commission meeting to allow the associated Amendment to the Adopted Comprehensive Plan title to be corrected.

The applicant has submitted a Rezoning request to change the zoning designation of the property from General Agricultural District to General Commercial District. 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 an Amendment to the Adopted Comprehensive Plan (#07CA052) to change the land use designation from General Agriculture to General Commercial. 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 Comprehensive Plan indicates that this property is appropriate for General Agricultural land uses. The Draft Future Land Use Plan for the

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Southeast Connector Neighborhood indicates that this property is appropriate for Office Commercial land uses.

STAFF REVIEW: The Future Land Use Committee is scheduled to consider the associated Amendment to the Adopted Comprehensive Plan (#07CA052) on November 29, 2007. As such, staff recommends that the Rezoning from General Agriculture District to General Commercial District be continued to the January 10, 2008 Planning Commission meeting to be heard in conjunction with the associated Amendment to the Adopted Comprehensive Plan.

Staff noted that the title on the associated Amendment to the Adopted Comprehensive Plan 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 Rezoning from General Agriculture District to General Commercial District be continued to the January 24, 2008 Planning Commission meeting to allow the associated Amendment to the Adopted Comprehensive Plan title to be corrected.