

STAFF REPORT  
October 25, 2007

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**No. 07RZ070 - Rezoning from General Agriculture District to Office  
Commercial District**

**ITEM 30**

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GENERAL INFORMATION:

APPLICANT/AGENT	Dream Design International, Inc.
PROPERTY OWNER	ZCO Incorporated
REQUEST	<b>No. 07RZ070 - Rezoning from General Agriculture District to Office Commercial District</b>
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 of Marlin Drive, and the point of beginning; Thence, first course: N78°03'21"E, a distance of 144.56 feet; Thence, second course: S26°55'33"E, a distance of 148.85 feet; Thence, third course: S57°01'35"W, a distance of 309.36 feet; Thence fourth course: curving to the right, on a curve with a radius of 950.00 feet, a delta angle of 06°06'27", a length of 101.27 feet, a chord bearing of N27°47'45"W, and chord distance of 101.22 feet, to the southeasterly corner of Creek Drive right-of-way; Thence fifth course: curving to the right, along the easterly edge of right-of-way of Creek Drive, on a curve with a radius of 950.00 feet, a delta angle of 08°57'56", a length of 148.65 feet, a chord bearing of N18°46'50"W, and chord distance of 148.50 feet, to a corner on the southeasterly corner of right-of-way, common to Creek Drive and Marlin Drive; Thence sixth course: N32°18'49"E, along the southeasterly corner of right-of-way, common to Creek Drive and Marlin Drive, a distance of 13.93 feet, to a corner on the southeasterly corner of right-of-way, common to Creek Drive and Marlin Drive; Thence seventh course: N78°03'10"E, along the southerly edge of right-of-way of Marlin Drive, a distance of 141.32 feet, to southeasterly corner of right-of-way of Marlin Drive, and the point of beginning
PARCEL ACREAGE	Approximately 1.430 acres
LOCATION	Southeast of the intersection of Creek Drive and Marlin Drive
EXISTING ZONING	General Agriculture District

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**SURROUNDING ZONING**

North:	General Agriculture District
South:	General Agriculture District
East:	General Agriculture District
West:	General Agriculture District

**PUBLIC UTILITIES**                      City water and sewer

**DATE OF APPLICATION**              9/28/2007

**REVIEWED BY**                          Travis Tegethoff / Mary Bosworth

**RECOMMENDATION:**

Staff recommends that the Rezoning from General Agriculture District to Office Commercial District be denied without prejudice at the applicant's request.

**GENERAL COMMENTS:** The applicant has submitted a Rezoning request to change the zoning designation of the subject property from General Agricultural District to Office Commercial District. This undeveloped property contains approximately 1.43 acres and is located southeast of the intersection of Creek Drive and Marlin Drive. In addition, the applicant has submitted an Amendment to the Adopted Comprehensive Plan (#07CA048) to change the land use designation from General Agriculture to Office Commercial. Land located north, south, east, and west of the subject property is zoned General Agricultural District. 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 Southeast Connector Neighborhood indicates that this property is appropriate for Office Commercial land uses.

**STAFF REVIEW:** On October 10, 2007 the applicant requested that this item be denied without prejudice to allow the applicant to submit a revised legal description for the property. As such, staff recommends that the Rezoning request to change the zoning designation of the subject property from General Agricultural District to Office Commercial District be denied without prejudice at the applicant's request.