

STAFF REPORT
October 25, 2007

No. 07RZ071 - Rezoning from General Agriculture District to General Commercial District **ITEM 32**

GENERAL INFORMATION:

APPLICANT/AGENT	Dream Design International, Inc.
PROPERTY OWNER	ZCO Incorporated
REQUEST	No. 07RZ071 - 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°37'41", a length of 296.14 feet, a chord bearing of N79°40'48"E, and chord distance of 296.02 feet; Thence, second course: S12°45'42"E, a distance of 232.71 feet; Thence, third course: S12°45'33"E, a distance of 238.60 feet; Thence, fourth course: curving to the right, on a curve with a radius of 3470.50 feet, a delta angle of 00°49'29", a length of 49.96 feet, a chord bearing of S77°40'01"W, and chord distance of 49.96 feet; Thence fifth course: S78°04'09"W, a distance of 144.68 feet, to the northeasterly corner of right-of-way of Marlin Drive; Thence sixth course: S78°05'50"W, along the northerly edge of right-of-way of Marlin Drive a distance of 141.31 feet, to a corner on the northeasterly corner of right-of-way, common to Creek Drive and Marlin Drive; Thence seventh course: N56°01'32"W, along the northeasterly corner of right-of-way, common to Creek Drive and Marlin Drive, a distance of 13.86 feet, to a corner on the northeasterly corner of right-of-way, common to Creek Drive and Marlin Drive; Thence eighth 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 02°58'30", a length of 49.33 feet, a chord bearing of N08°03'02"W, and chord distance of 49.32 feet; Thence ninth course: N06°34'05"W, along the easterly edge of right-of-way of Creek Drive, a distance of 178.48 feet; Thence tenth course: N06°33'37"W, along the easterly edge of right-of-way of Creek Drive, a distance of 244.07 feet, the southeasterly corner of right-

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	of-way common to Creek Drive and Elk Vale Road, and the point of beginning
PARCEL ACREAGE	Approximately 3.499 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
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 General 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 General Commercial District. This undeveloped property contains approximately 3.5 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 (#07CA049) to change the land use designation from General Agriculture to General 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 General Commercial District be denied without prejudice at the applicant's request.