

STAFF REPORT
January 10, 2008

No. 07CA051 - Amendment to the Adopted Comprehensive Plan to change the land use designation from General Agriculture to Office Commercial

ITEM 25

GENERAL INFORMATION:

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| APPLICANT/AGENT | Dream Design International, Inc. |
| PROPERTY OWNER | ZCO Incorporated |
| REQUEST | No. 07CA051 - Amendment to the Adopted Comprehensive Plan to change the land use designation from General Agriculture to Office 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 intersection of centerline of Marlin Drive and Creek Drive, and the point of beginning; Thence first course: N78°00'34"E, along the centerline of Marlin Drive, a distance of 201.84 feet, to the end of the previously dedicated Marlin Drive; Thence, second course: N78°00'34"E, a distance of 66.26 feet; Thence, third course: curving to the left, 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 N76°10'58"E, and chord distance of 63.76 feet; Thence, fourth course: N74°21'21"E, a distance of 66.33 feet; Thence, fifth course: S15°38'39"E, a distance of 29.50 feet; Thence, sixth course: S74°21'21"W, a distance of 54.43 feet; Thence, seventh course: S26°59'57"E, a distance of 151.65 feet; Thence, eighth course: S56°56'40"W, a distance of 309.27 feet; Thence, ninth course: S56°56'40"W, a distance of 50.00 feet; Thence tenth course: curving to the right, on a curve with a radius of 600.00 feet, a delta angle of 08°33'39", a length of 89.65 feet, a chord bearing of N28°46'30"W, and chord distance of 89.57 feet; Thence eleventh course: curving to the right, on a curve with a radius of 1000.00 feet, a delta angle of 01°08'47", a length of 20.01 feet, a chord bearing of N23°55'17"W, and chord distance of 20.01 feet, to the end of dedicated Creek Drive centerline; Thence twelfth 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 11°21'28", a length of 198.23 feet, a chord bearing of N17°40'09"W, and chord distance of 197.91 feet, the intersection of centerline of</p> |

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| | Marlin Drive and Creek Drive, and the point of beginning; Said Parcel contains 87,663 square feet or 2.012 acres more or less |
| PARCEL ACREAGE | Approximately 2.012 acres |
| LOCATION | Southeast 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 | 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 Office 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 Office 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 Office Commercial be denied without prejudice to allow the title to be corrected. The applicant has submitted this Amendment to the Adopted Comprehensive Plan to change the land use designation from General Agriculture to Office Commercial. This undeveloped property contains approximately 2.012 acres and is located southeast of the intersection of Creek Drive and Marlin Drive. In addition, the applicant has submitted a Rezoning request (#07RZ073) to change the zoning designation of the property from General Agricultural District to Office Commercial District. Land located north, south, east, and west of the 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.

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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 Office 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 Office 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 Office Commercial be denied without prejudice to allow the title to be corrected.