

STAFF REPORT  
January 24, 2008

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**No. 07CA064 - Amendment to the Adopted Comprehensive Plan to ITEM 15  
change the land use designation from General Agriculture to Office  
Commercial with a Planned Commercial Development**

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GENERAL INFORMATION:

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|-----------------|---|
| APPLICANT/AGENT | Dream Design International, Inc.  |
| PROPERTY OWNER  | ZCO Incorporated  |
| REQUEST         | <b>No. 07CA064 - Amendment to the Adopted Comprehensive Plan to change the land use designation from General Agriculture to Office Commercial with a Planned Commercial Development</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 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

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|                     | distance of 197.91 feet, the intersection of centerline of 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 - General Commercial District (Planned Development Designation)  |
| PUBLIC UTILITIES    | City water and sewer  |
| DATE OF APPLICATION | 1/10/2008   |
| REVIEWED BY         | Travis Tegethoff / Mary Bosworth  |

**RECOMMENDATION:**

The Future Land Use Committee recommends that the Amendment to the Adopted Comprehensive Plan to change the land use designation from General Agriculture to Office Commercial with a Planned Commercial Development be approved.

**GENERAL COMMENTS:** The applicant has submitted this Amendment to the Adopted Comprehensive Plan to change the land use designation from General Agriculture to Office Commercial with a Planned Commercial Development. 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.

On June 7, 2004 City Council approved an Annexation request (#04AN003) that included this property and temporarily placed the area in a No Use Zoning District.

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On October 30, 2007 a Planned Development Designation (#07PD091) was approved for the property.

On November 19, 2007, City Council approved a Preliminary Plat (#07PL132) with stipulations for the property.

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.

Staff has reviewed this proposed comprehensive plan amendment for conformance with the six criteria for review of comprehensive plan amendments established in Section 2.60.160(D). A summary of Staff findings are outlined below:

1. *Whether the proposed change is consistent with the policies and overall intent of the comprehensive plan.*

One of the goals of any Future Land Use Plan is to encourage compact and contiguous growth along the City's fringe that is linked to orderly extension and efficient use of public improvements, infrastructure, and services. Full utilization of properties currently served by infrastructure is encouraged. It is anticipated that this will be an area of the community that will experience continued growth and development in the immediate and foreseeable future. In addition, the Initial and Final Planned Commercial Development will serve as a tool to address the issues such as traffic and drainage concerns specific to the property. The proposed amendment is consistent with the projected land uses identified for the adjacent properties in either the adopted Future Land Use Plan or the draft Future Land Use Plan.

2. *Whether the proposed change is warranted by changed conditions within the neighborhood surrounding and including the subject property.*

Water and sewer are currently being extended adjacent to the property. In addition, the construction of the Southeast Connector warrant changes to the land use in the area. The proposal to amend the Comprehensive Plan as proposed is reflective of a continuation of the commercial development in the area.

3. *Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land.*

The areas to the north and west of the property are currently developed with various industrial uses. The areas to the south and east are currently used as agricultural land with the potential to be developed as residential in the future. The proposed Office Commercial development will provide an adequate buffer between the residential land uses in the vicinity.

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4. *Whether and the extent to which the proposed amendment would adversely effect the environment, services, facilities, and transportation.*

The Southeast Connector is located north of the property and is classified as a principal arterial street on the City's Major Street Plan. The Major Street Plan identifies Creek Drive as a proposed collector street which will extend through the property. Allowing commercial use(s) along a collector street is in compliance with the Major Street Plan. As a part of the platting of the property, infrastructure has been constructed to serve the development of the property. As such, the proposed amendment does not appear to have a significant adverse effect on the surrounding properties. In addition, the Initial and Final Planned Commercial Development will serve as a tool to mitigate any potential negative impacts the commercial use may have on the adjacent properties as identified above.

5. *Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern.*

The draft Southeast Connector Future Land Use Plan identifies the area as appropriate for an Office Commercial land uses with a Planned Development. The Office Commercial land uses with a Planned Development would provide a buffer to the adjacent residential land uses in the vicinity and is logical and orderly development pattern.

6. *Whether and the extent to which the proposed amendment adversely affects any other part of the city, or creates any direct or indirect adverse effects.*

To ensure that adequate buffering is provided between the proposed and existing industrial uses and the proposed residential uses in the area, the draft Southeast Connector Future Land Use Plan identifies the area as appropriate for an Office Commercial District with a Planned Development. This will provide a buffer to the adjacent residential land uses in the vicinity. Staff has not identified any significant adverse effects that the Comprehensive Plan Amendment will have on the surrounding area or on the City with the protections provided by the Initial and Final Planned Commercial Development.

The required sign has been posted on the property and the receipts from the certified mailing have been returned. Staff has received no inquiries or objections regarding the proposed request at the time of this writing.

The Future Land Use Committee considered this request on November 29, 2007 and recommends that the Amendment to the Adopted Comprehensive Plan to change the land use designation from General Agriculture to Office Commercial with a Planned Commercial Development be approved.