

STAFF REPORT
May 22, 2008

**No. 08RZ011 - Rezoning from General Agriculture District to Office
Commercial District**

ITEM 18

GENERAL INFORMATION:

APPLICANT/AGENT	Dream Design International, Inc.
PROPERTY OWNER	DTH, LLC
REQUEST	No. 08RZ011 - Rezoning from General Agriculture District to Office Commercial District

EXISTING
LEGAL DESCRIPTION

A portion of Tract A of F&N Subdivision, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, More fully described as follows: Commencing at the northwesterly corner of Tract A of F & N Subdivision, thence S89°48'53"E, along the northerly boundary of said Tract A, a distance of 168.32 feet, to the point of beginning; Thence, first course: S89°47'42"E, along the northerly boundary of said Tract A, a distance of 701.98 feet, to section 1/16th corner; Thence, second course: S00°06'38"W, along the section 1/16th line, a distance of 537.65 feet; Thence, third course: N89°51'50"W, a distance of 98.10 feet; Thence, fourth course: curving to the left, on a curve with a radius of 400.00 feet, a delta angle of 20°23'26", a length of 142.35 feet, a chord bearing of S79°56'27"W, and chord distance of 141.60 feet; Thence, fifth course: S69°44'43"W, a distance of 50.69 feet; Thence, sixth course: S20°15'16"E, a distance of 5.25 feet; Thence, seventh course: curving to the right, on a curve with a radius of 288.00 feet, a delta angle of 20°19'59", a length of 102.21 feet, a chord bearing of S10°05'17"E, and chord distance of 101.67 feet; Thence, eighth course: S00°04'43"W, a distance of 8.38 feet, to a point on the southern boundary of said Tract A; Thence, ninth course: S89°55'23"W, along the southerly boundary of said Tract A, a distance of 29.49 feet, to the northeasterly corner of Block 2 of Neff's Subdivision No. 2; Thence, tenth course: N89°50'11"W, along the southerly boundary of said Tract A, common to the northerly boundary of said Block 2, a distance of 161.21 feet, to the a southerly corner of said Tract A, common to the northwesterly corner of said Block 2; Thence, eleventh course: N00°09'08"E, a distance of 31.62 feet; Thence, twelfth course: N20°15'16"W, a distance of 707.30 feet, to a point on the northerly boundary of said Tract A, and the point of beginning

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PARCEL ACREAGE	Approximately 8.213 acres
LOCATION	Southwest of the intersection of Big Sky Drive and Degeest Drive and east of Elk Vale Road
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	Office Commercial District (Planned Development Designation)
South:	Suburban Residential District (Pennington County)
East:	General Agriculture District
West:	General Agriculture District
PUBLIC UTILITIES	City and Rapid Valley sanitary District Water/Sewer
DATE OF APPLICATION	3/28/2008
REVIEWED BY	Jared Ball / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Rezoning from General Agriculture District to Office Commercial District be continued to the **June 5, 2008** Planning Commission meeting to allow the applicant to submit additional information.

GENERAL COMMENTS:

(Update: May 13, 2008. All revised and/or added text is shown in bold.) This item was continued to the May 22, 2008 Planning Commission meeting to allow the applicant to submit additional information. To date, the information has not been submitted for review and approval. As such, staff recommends that this item be continued to the June 5, 2008 Planning Commission meeting.

The applicant has submitted a request to rezone 8.213 acres from General Agricultural District to Office Commercial District. This undeveloped property is located north of Emily Lane, east of Neel Street, west of Degeest Drive and south of Homestead Street. The property to the north is currently zoned Office Commercial District with a Planned Development Designation. The property to the south is currently zoned Suburban Residential in Pennington County. The property to the east is currently zoned General Agricultural District and the property to the west is currently zoned General Agricultural District.

An associated Comprehensive Plan Amendment (#08CA011) to change the Future Land Use designation from Office Commercial to Public and a Preliminary Plat (#08PL030) have been filed in conjunction with this request.

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STAFF REVIEW:

On April 1, 2008, staff met with the applicant to discuss the proposed design and service boundaries of the sanitary sewer system for the development since the southern portion of the property is located within the Rapid Valley Sanitary District service area and the northern portion of the property is located within the City of Rapid City's service area. Staff is recommending that the Preliminary Plat be continued to the May 8, 2008 Planning Commission meeting with the applicant's concurrence to allow the service area issue to be addressed. Staff is also recommending that this item be continued to the May 8, 2008 Planning Commission meeting to allow it to be heard in conjunction with the associated Preliminary Plat.

Notification:

The required sign has been posted on the property and the receipts from the certified mailing have been returned. Staff has received several inquiries regarding this proposal; however, no one has objected to the request.