

STAFF REPORT

September 6, 2001

No. 01RZ042 - Rezoning from General Agriculture District to General Commercial District

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 01RZ042 - Rezoning from General Agriculture District to General Commercial District
LEGAL DESCRIPTION	<p>A parcel of land located in the NE1/4 of Section 24, T1N, R7E, BHM, being more particularly described as follows: Beginning at the east one-quarter corner of said Section 24, Thence N01°24'21"E, along the east line of said Section 24, 75.00 feet to a point lying on the northerly right-of-way line of Catron Boulevard this being the true point of beginning; Thence N88°35'39"W along said northerly right of way line, 1759.87 feet; Thence departing said northerly right of way line N01°24'21"E 1245 feet to a point lying on the 1/16 line; Thence S88°35'39"E, along said 1/16 line, 677.62 feet Thence departing said 1/16 line S02°11'17"W 154.18 feet; Thence S82°36'49"E 303.17 feet; Thence S43°24'43"E 155.36 feet; Thence N43°40'53"E 361.7 feet to where the line intersects the north easterly right of way of proposed Fifth Street; Thence along this said right of way on a curve to the right with a radius of 1017 feet and an arc length of 660.71 feet and a chord bearing of S40°04'31"E 649.15 feet to where said right of way meets the east section line of said Section 24; Thence S01°24'21"W 730.34 feet along said section line to the point of beginning containing 45.5 acres more or less, and a parcel of land located in the NE1/4 of Section 24, T1N, R7E, BHM, being more particularly described as follows: Beginning at the east one-quarter corner of said Section 24, Thence N01°24'21"E, along the east line of said Section 24, 730.34 feet to the true point of beginning; said point is lying on the easterly right-of-way line of future Fifth Street; said point is lying on a curve with a radius of 1017 feet; Thence along said curve to the left an arc length of 660.71 feet with a chord bearing of N40°04'31"W 649.15 feet to a point lying on the right of way of future Parkview Drive; Thence N45°40'53"E 626.68 feet along said right of way of future Parkview Drive to a point on the east line of said Section 24; Thence S01°24'21"W 945.13 feet along said section line to the point of beginning containing 4.07 acres more or less.</p>
PARCEL ACREAGE	Approximately 49.57 acres

STAFF REPORT

September 6, 2001

No. 01RZ042 - Rezoning from General Agriculture District to General Commercial District **ITEM 16**

LOCATION	North of Catron Boulevard and adjacent to the future right-of-way line of Fifth Street and Parkview Drive
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Agriculture District
South:	General Agriculture District (County)
East:	General Agriculture District
West:	General Agriculture District
PUBLIC UTILITIES	To be extended
REPORT BY	Vicki L. Fisher

RECOMMENDATION: Staff recommends that the rezoning from General Agriculture District to General Commercial District be continued to the **October 4**, 2001 Planning Commission meeting in order to be heard in conjunction with the associated Comprehensive Plan Amendment **at the applicant's request.**

GENERAL COMMENTS: **This item has been continued since the July 26, 2001 Planning Commission meeting to be heard in conjunction with an associated Comprehensive Plan Amendment. This Staff Report has been revised as of August 24, 2001. All revised or added text is shown in bold print.** The applicant has submitted a rezoning request to change the zoning on the above legally described property from General Agriculture District to General Commercial District. The applicant has also submitted an application requesting approval of a Planned Development Designation on the subject property. In addition, the applicant has submitted a Comprehensive Plan Amendment to change the future land use designation on approximately 42.5 acres, including a portion of the subject property. (See companion items #01PD042 and #01CA020.)

The property is located north of Catron Boulevard lying adjacent to the future right-of-way for Fifth Street and Parkview Drive. The property is currently void of any structural development.

STAFF REVIEW: The applicant has met with the Future Land Use Committee to discuss the associated Comprehensive Plan Amendment. The committee is continuing to review the request including revisions submitted to them on July 19, 2001. **On July 27, 2001, the Future Land Use Committee toured the property and subsequently met on August 3, 2001 to formulate their recommendation. On August 14, 2001, staff met with the applicant and the property owner to discuss issues the Future Land Use Committee identified. Subsequently, the applicant has requested to meet with the Committee in three weeks to discuss some further modifications. The applicant has also requested that the Comprehensive Plan Amendment be continued to the October 4, 2001 Planning Commission meeting to allow him to meet with the Future Land Use**

STAFF REPORT

September 6, 2001

No. 01RZ042 - Rezoning from General Agriculture District to General Commercial District ITEM 16

Committee to discuss further modifications to his proposal.

Staff is recommending that the rezoning request be continued to the **October 4**, 2001 Planning Commission meeting to be heard in conjunction with the Comprehensive Plan Amendment.