

STAFF REPORT

October 4, 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

October 4, 2001

No. 01RZ042 - Rezoning from General Agriculture District to General Commercial District ITEM 31

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 is recommending that the rezoning request be denied without prejudice to allow the applicant to submit a revised legal description.

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 October 2, 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 Future Land Use Committee has met several times with the applicant since July 27, 2001 to discuss the proposed associated Comprehensive Plan Amendment. The Future Land Use Committee has recommended approval of the proposed Comprehensive Plan Amendment as revised by the applicant. However, the modified plan is significantly changed from the previously submitted proposal. This item must be denied without prejudice to allow a revised legal description to be advertised for a Comprehensive Plan Amendment as submitted by the applicant.

Staff is recommending that the rezoning request and the associated Planned Development Designation also be denied without prejudice to allow the applicant to submit revised legal descriptions.