

STAFF REPORT

August 22, 2002

---

**No. 02RZ044 - Rezoning from No Use District to General Commercial District** **ITEM 29**

---

GENERAL INFORMATION:

PETITIONER

Renner & Sperlich for 16 Plus, LLC

REQUEST

**No. 02RZ044 - Rezoning from No Use District to General Commercial District**

EXISTING

LEGAL DESCRIPTION

A portion of Tract 2 of Pioneer Subdivision located in the E1/2 of the NE1/4, Section 34, T1N, R7E, BHM, Pennington County, South Dakota, more fully described by metes and bounds as follows: commencing at the section corner common to Sections 26, 27, 34, and 35 of T1N, R7E, BHM; thence, S89°53'10"W, along the Section Line common to Sections 27 and 34, a distance of 33.00 feet, to the northeasterly corner of Tract 2 of Pioneer Subdivision, and the Point of Beginning; thence, first course: S00°00'00"E, along the westerly edge of the Statutory Section Line Right-of-Way, common with the westerly edge of the right-of-way of U.S. Highway 16A, and common with the easterly boundary of said Tract 2 of Pioneer Subdivision, a distance of 109.69 feet; thence, second course: S07°20'00"W, along the westerly edge of the right-of-way of U.S. Highway 16A, common with the easterly boundary of said Tract 2 of Pioneer Subdivision, a distance of 302.86 feet; thence, third course: S89°53'10"W, a distance of 1247.51 feet, to a point on the westerly boundary of Tract 2 of Pioneer Subdivision; thence, fourth course: N00°11'53"E, along the westerly boundary of said Tract 2 of Pioneer Subdivision, a distance of 410.00 feet, to the northwesterly corner of said Tract 2 of Pioneer Subdivision; thence, fifth course: N89°52'53"W, along the Section Line common to Sections 27 and 34, common with the northerly boundary of said Tract 2 of Pioneer Subdivision, and common with the southerly boundary of Lots 4 and 5 of Godfrey Addition, a distance of 796.18 feet; thence, sixth course: N89°50'57"E, along the Section Line common to Sections 27 and 34, common with the northerly boundary of said Tract 2 of Pioneer Subdivision, and common with the southerly boundary of Lots 3 and 4 of Godfrey Addition, a distance of 466.13 feet, to the southeast corner of said Lot 3 of Godfrey Addition; thence, seventh course: S89°10'44"E, along the Section Line common to

STAFF REPORT

August 22, 2002

---

**No. 02RZ044 - Rezoning from No Use District to General Commercial District** **ITEM 29**

---

Sections 27 and 34, common with the northerly boundary of said Tract 2 of Pioneer Subdivision, a distance of 22.45 feet, to the Point of Beginning

PARCEL ACREAGE	Approximately 11.969 acres
LOCATION	Northwest of Moon Meadows Drive and U.S. Highway 16
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	Suburban Residential District (County)
South:	Medium Density Residential District/General Commercial District with a Planned Development Designation (City)
East:	Highway Service District (County)
West:	Suburban Residential District (County)
PUBLIC UTILITIES	City Utilities
DATE OF APPLICATION	07/25/2002
REPORT BY	Vicki L. Fisher

**RECOMMENDATION:**

Staff recommends that the Rezoning request from No Use District to General Commercial District be denied without prejudice at the applicant's request.

**GENERAL COMMENTS:**

The applicant has submitted a Rezoning request to change the zoning from No Use District to General Commercial District on the above legally described property. The applicant has also submitted a Planned Development Designation request for the subject property. (See companion item #02PD040.)

The property is located northwest of Moon Meadows Drive and U.S. Highway 16 and is currently void of any structural development. The Planning Commission has recently approved a Layout Plat to subdivide approximately 59.5 acres into five lots to be known as Moon Ridge Subdivision. The subject property is shown as proposed Lot 3 on the Layout Plat.

**STAFF REVIEW:**

On August 9, 2002, the applicant requested that the Rezoning request and the associated Planned Development Designation request be denied without prejudice to allow the applicant to reconsider land use options and, potentially, submit a revised rezoning request. As such, staff is recommending that Rezoning request be denied without prejudice at the

STAFF REPORT

August 22, 2002

---

**No. 02RZ044 - Rezoning from No Use District to General Commercial District      ITEM 29**

---

applicant's request.