

STAFF REPORT

August 22, 2002

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**No. 02RZ046 - Rezoning from Medium Density Residential District  
to General Commercial District**

**ITEM 28**

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GENERAL INFORMATION:

PETITIONER

Renner & Sperlich for 16 Plus, LLC

REQUEST

**No. 02RZ046 - Rezoning from Medium Density  
Residential District to General Commercial District**

EXISTING

LEGAL DESCRIPTION

A portion of Tract 1 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 commencing at the northwesterly corner of Lot H-1 of Tract 1 of Pioneer Subdivision, and the Point of Beginning, thence, first course: N00°12'56"E, along the westerly boundary of said Tract 1 of Pioneer Subdivision, a distance of 200.05 feet; thence, second course: S89°47'30"E, a distance of 299.99 feet; thence, third course: S00°12'56"W, a distance of 202.79 feet to the northerly edge of said Lot H-1 of Tract 1 of Pioneer Subdivision; thence, fourth course: N89°16'12"W, along the northerly edge of said Lot H-1 of Tract 1 of Pioneer Subdivision, a distance of 300.00 feet, to the northwesterly corner of Lot H-1 of Tract 1 of Pioneer Subdivision, and the Point of Beginning; and, a portion of Tracts 1 and 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 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; thence, 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, 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, S89°53'10"W, a distance of 428.80 feet, to the Point of Beginning; thence, first course: S07°53'52"W, a distance of 178.06 feet; thence,

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second course: S26°53'52"W, a distance of 1037.81 feet; thence, third course: N89°47'30"W, a distance of 28.75 feet; thence, fourth course: N00°12'56"E, a distance of 197.21 feet; thence, fifth course: N89°16'12"W, a distance of 300.00 feet, to the westerly boundary of said Tract 1 of Pioneer Subdivision; thence, sixth course: N00°12'25"E, along the westerly boundary of said Tract 1 of Pioneer Subdivision, a distance of 899.14 feet; thence, seventh course: N89°53'10"E, a distance of 818.71 feet, to the Point of Beginning

PARCEL ACREAGE	Approximately 13.816 acres
LOCATION	Northwest of Moon Meadows Road and South Highway 16
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	No Use District
South:	Medium Density Residential District
East:	General Commercial District w/Planned Development Designation
West:	Suburban Residential District (County)
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	07/25/2002
REPORT BY	Vicki L. Fisher

**RECOMMENDATION:**

Staff recommends that the Rezoning from Medium Density Residential 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 Medium Density Residential 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

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Moon Ridge Subdivision. The subject property is shown as a part of proposed Lot 2 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 the Rezoning from Medium Density Residential District to General Commercial District be denied without prejudice at the applicant's request.