

STAFF REPORT

September 4, 2003

No. 03RZ030 - Rezoning from Flood Hazard District to Low Density Residential District

ITEM 9

GENERAL INFORMATION:

PETITIONER Renner & Sperlich Engineering Company for Steve Moore

REQUEST **No. 03RZ030 - Rezoning from Flood Hazard District to Low Density Residential District**

EXISTING
LEGAL DESCRIPTION

A portion of Tract 2 of L-b of Lot L, of the NE1/4 of the SW1/4, and a portion of Lot C of Lot 2 of the SE1/4 of SW1/4, Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the northwesterly corner of Tract 2 of Lot L-b of Lot L of the NE1/4 of the SW1/4, common to the southwesterly corner of Tract 4 of Lot L-b of Lot L of the NE1/4 of the SW1/4, common to the easterly edge of Right-of-Way of Creek Drive, and the Point of Beginning; Thence first course: N90°00'00"E, along the northerly boundary of said Tract 2, common to the southerly boundary of said Tract 4, a distance of 250.00 feet; Thence, second course: S00°00'00"E, a distance of 164.09 feet, to a point on the southerly boundary of said Tract 2, common to a point on the northerly boundary of Lot C of Lot 2 of the SE1/4 of the SW1/4; Thence, third course: S10°06'33"E, a distance of 203.45 feet, to a point on the northerly boundary of the south 200 feet of said Lot C; Thence, fourth course: N89°57'11"W, along the northerly boundary of the south 200 feet of said Lot C, a distance of 88.00 feet, to a point on the westerly boundary of said Lot C, common to the southeasterly corner of Lot B of Lot 2 of the SE1/4 of the SW1/4 and common to the northeasterly corner of Lot A of Lot 2 of the SE1/4 of the SW1/4; Thence, fifth course: N00°13'40"E, along the westerly boundary of said Lot C, common to the easterly boundary of said Lot B, a distance of 220.22 feet, to the northwesterly corner of said Lot C, common to the northeasterly corner of said Lot B; Thence, sixth course: N90°00'00"W, along the southerly boundary of said Tract 2, common to the northerly boundary of said Lot B, a distance of 218.05 feet, to the southwesterly corner of said Tract 2, common to the northwesterly corner of said Lot B, and common to the easterly edge of Right-of-Way of said Creek Drive; Thence, seventh course: N00°00'00"E, along the

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westerly boundary of said Tract 2, common to the easterly edge of Right-of-Way of said Creek Drive, a distance of 123.00 feet, to the westerly corner of said Tract 2, common to a corner on the easterly edge of Right-of-Way of said Creek Drive; Thence, eighth course: N25°26'00"E, along the westerly boundary of said Tract 2, common to the easterly edge of Right-of-Way of said Creek Drive, a distance of 123.00 feet, to the northwesterly corner of said Tract 2, common to the southwest corner of said Tract 4, and common to the easterly edge of Right-of-Way of said Creek Drive, and the Point of Beginning

PARCEL ACREAGE Approximately 1.327 acres

LOCATION 1600 Creek Drive

EXISTING ZONING Flood Hazard District

SURROUNDING ZONING

 North: Flood Hazard District

 South: Light Industrial District/Flood Hazard District

 East: Flood Hazard District

 West: Light Industrial District/Flood Hazard District

PUBLIC UTILITIES City sewer and water

DATE OF APPLICATION 07/23/2003

REPORT BY Vicki L. Fisher

RECOMMENDATION:

Staff recommends that the rezoning from Flood Hazard District to Low Density Residential District be continued to the September 25, 2003 Planning Commission meeting to allow the applicant to submit a revised legal description.

GENERAL COMMENTS:

The applicant has submitted a rezoning request to change the zoning designation on a 1.327 acre parcel from Flood Hazard District to Low Density Residential District. The applicant has submitted a Comprehensive Plan Amendment to change the future land use designation on the subject property from Agriculture to Low Density Residential. (See companion item #03CA018.) The 1.327 acre parcel is a part of a 3.19 acre lot.

Currently, two single family residences are located on the property. The residences were constructed on the property before the lot was annexed into the City limits and, as such, are

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legally non-conforming structures.

STAFF REVIEW:

Upon review of the legal description submitted with the rezoning request, staff has noted that a portion of the adjacent property is included in the proposed amendment request. As such, staff is recommending that this item be continued to the September 25, 2003 Planning Commission meeting to allow the applicant to submit a revised legal description.