

STAFF REPORT

April 7, 2005

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**No. 05RZ014 - Rezoning from No Use District to Low Density Residential District**      **ITEM 23**

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GENERAL INFORMATION:

PETITIONER	Dream Design International for SPF, LLC
REQUEST	<b>No. 05RZ014 - Rezoning from No Use District to Low Density Residential District</b>
EXISTING LEGAL DESCRIPTION	Land located in the S1/2 S1/2, Section 18, T2N, R8E, BHM, Pennington County, South Dakota, described by metes and bounds commencing at the southwest corner of Section 18, T2N, R8E, BHM, Pennington County, South Dakota; thence N25°03'23"E a distance of 1436.68 feet to the point of beginning; thence N89°46'19"E a distance of 433.15 feet; thence along the arc of a curve to the left whose radius point bears N0°13'41"W, having a radius of 310.16 feet, a central angle of 18°42'55" and an arc length of 101.31 feet; thence east a distance of 3805.95 feet; thence south a distance of 1287.00 feet; thence west a distance of 1680.16 feet; thence north a distance of 208.66 feet; thence west a distance of 835.80 feet; thence south a distance of 208.66 feet; thence west a distance of 66.00 feet; thence north a distance of 208.66 feet; thence west a distance of 155.42 feet; thence N56°29'58"W a distance of 1920.16 feet to the point of beginning, containing an area of 96.1 acres
PARCEL ACREAGE	Approximately 96.1 acres
LOCATION	North of Country Road east of West Nike Road
EXISTING ZONING	General Agriculture District (Pennington County)
SURROUNDING ZONING	
North:	General Agriculture District/Low Density Residential District (Pennington County)
South:	General Agriculture District/Limited Agriculture District (Pennington County)
East:	General Agriculture District/Limited Agriculture District (Pennington County)
West:	Low Density Residential District (Planned Residential Development)
PUBLIC UTILITIES	To be extended

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DATE OF APPLICATION                      1/28/2005

REVIEWED BY                                Karen Bulman / Curt Huus

RECOMMENDATION:    Staff recommends that the Rezoning from No Use District to Low Density Residential District be continued to the **April 21, 2005 Planning** Commission meeting at the applicant's request.

GENERAL COMMENTS:    **This staff report has been revised as of March 29, 2005. All revised and/or added text is shown in bold print.** This undeveloped property contains approximately 96.1 acres and is located north of Country Road and east of West Nike Road. An annexation petition has been submitted for the property. If annexed, the property will be designated as a No Use District. Land located west of the subject property is zoned Low Density Residential District. Land located south and east of the subject property is zoned General Agriculture District and Limited Agriculture District by Pennington County. Land located north of the subject property is zoned General Agriculture District and Low Density Residential District by Pennington County.

The property owner has submitted a Petition of Annexation (05AN001) in conjunction with this rezoning request. In addition to this application for Rezoning from No Use District to Low Density Residential District, the applicant has submitted a request for a Petition to Annex (05AN001), a Rezoning from No Use District to Low Density Residential District (05RZ008) and a Planned Development Designation (05PD006), a Rezoning from No Use District to Medium Density Residential District (05RZ015) and a Planned Development Designation (05PD005), a Layout Plat for the subject property (05PL022), a Variance to the Subdivision Regulations to waive the requirements to install curb, gutter, sidewalk, street light conduit, water and sewer (05SV012), and an Amendment to the Comprehensive Plan to change the land use from Planned Residential Development with a maximum density of 2.5 dwelling units per acre to Low Density Residential with a Planned Residential Development (05CA011).

STAFF REVIEW:    Staff has reviewed the information provided by the applicant for all the submittals and is recommending that the Layout Plat be continued to allow the applicant to revise the Layout Plat document. Significant changes may occur on the property by revising the Layout Plat. As such, the applicant has requested that the Layout Plat and associated applications be continued to the March 24, 2005 Planning Commission meeting. Staff is recommending that the Rezone from No Use District to Low Density Residential District be continued to the March 24, 2005 Planning Commission meeting to allow the rezoning to be heard in conjunction with the Layout Plat and associated applications. The applicant is continuing to revise the Layout Plat document and, as such, requests that this item be continued to the April 7, 2005 Planning Commission meeting (Revised 3-15-05). **This item was continued at the February 24, 2005 Planning Commission meeting to allow the applicant time to submit additional information. To date, the information has not been submitted. As such, the applicant has requested that the rezoning be continued to the April 21, 2005 Planning Commission meeting. (Revised 3-29-05)**

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**Staff recommends that the Rezoning from No Use District to Low Density Residential District be continued to the April 21, 2005 Planning Commission meeting at the applicant's request.**