

STAFF REPORT
May 25, 2006

No. 06RZ008 - Rezoning from General Agriculture District to General Commercial District **ITEM 31**

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 06RZ008 - Rezoning from General Agriculture District to General Commercial District
EXISTING LEGAL DESCRIPTION	Property described by metes and bounds beginning at the west ¼ corner of Section 28, T2N, R8E, BHM, a found rebar and cap. Thence east along the east-west ¼ line a distance of 1050.14 Feet to the true point of beginning; Thence S00°05'52"E a distance of 400.02 Feet; Thence N89°53'17"E a distance of 1533.64 Feet; Thence N89°54'10"E a distance of 69.68 Feet; Thence N00°02'14"W a distance of 395.87 Feet to the center of Section 28, a found rebar and cap; Thence N89°57'47"W a distance of 1603.74 feet to the point of beginning. Containing 14.65 acres more or less.
PARCEL ACREAGE	Approximately 14.65 acres
LOCATION	At the northeast corner of the intersection of Dyess Avenue and Interstate 90 and at the eastern terminus of Mall Drive
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	Heavy Industrial District/General Agriculture District
South:	General Agriculture District
East:	General Agriculture District
West:	General Commercial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	3/24/2006
REVIEWED BY	Karen Bulman / Emily Fisher

RECOMMENDATION: Staff recommends that the Rezoning from General Agriculture District to General Commercial District be continued to the June 8, 2006 Planning Commission meeting to allow the application to be legally advertised.

GENERAL COMMENTS: This undeveloped property contains approximately 14.65 acres and is located at the northeast corner of the intersection of Dyess Avenue and Interstate 90 and at

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the eastern terminus of Mall Drive. Land located north of the subject property is zoned Heavy Industrial District and General Agriculture District. Land located south and east of the subject property is zoned General Agriculture District. Land located west of the subject property is zoned General Commercial District. In addition to this application for Rezoning from General Agriculture District to General Commercial District, the applicant has submitted a Preliminary Plat (06PL043), a Subdivision Variance (06SV018), and a Planned Development Designation (06PD029).

STAFF REVIEW: The legal description submitted for this application was incorrect. The applicant has submitted a revised legal description. As such, Staff recommends that the Rezoning from General Agriculture District to General Commercial District be continued to the June 8, 2006 Planning Commission so that the item can be legally advertised.

As of this writing, the required sign has not been posted on the property and the receipts from the certified mailing have not been returned. Staff has received no inquiries or objections regarding the proposed request at the time of this writing.

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