

STAFF REPORT

July 5, 2001

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**No. 01UR003 - Use on Review to allow a mobile home park in the Medium Density Residential District ITEM 3**

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GENERAL INFORMATION:

PETITIONER Davis Engineering for Gary and Shirley Wolff

REQUEST **No. 01UR003 - Use on Review to allow a mobile home park in the Medium Density Residential District**

LEGAL DESCRIPTION SW1/4 SW1/4 and the N8/10ths of W1/4 SE1/4 SW1/4 of Section 20, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota

PARCEL ACREAGE Approximately 48 Acres

LOCATION 2780 143rd Avenue

EXISTING ZONING Medium Density Residential District

SURROUNDING ZONING  
North: Limited Agriculture District (County)  
South: Light Industrial District - Heavy Industrial District  
East: Suburban Residential District (County)  
West: Suburban Residential District (County)

PUBLIC UTILITIES On-site water and wastewater

REPORT BY Vicki L. Fisher

RECOMMENDATION: Staff recommends that the Use on Review to allow a mobile home park in the Medium Density Residential District be continued to the **August 9, 2001** Planning Commission meeting to allow the applicant to submit additional information, to complete improvements on the existing lagoon system and to remove structures from a water and pipeline easement.

GENERAL COMMENTS: **This item has been continued several times since the February 22, 2001 Planning Commission meeting to allow the applicant to submit additional information, to complete improvements on the existing lagoon system and to remove structures from a water and pipeline easement. This staff report has been revised as of June 25, 2001.** The applicant is requesting approval of a Use on Review to allow a mobile home park to be located on the above legally described property. The applicant's site plan identifies 139 mobile home spaces and a manager's office located on the property. The applicant has indicated that the mobile home park was constructed in phases as outlined below:

<u>PHASE</u>	<u>YEAR</u>	<u>NUMBER OF UNITS</u>
One	1975	26 units
Two	1978	31 units

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Three	1985	29 units
Four	1986	35 units
Five	1987	18 units

On July 21, 1999, the City Council approved a resolution annexing the subject property into the corporate limits of the City of Rapid City. The annexation was the result of a failing lagoon system located within the mobile home park. A temporary sewer pipe was extended from the lagoon system to a City sewer line located on Elk Vale Road. The temporary sewer pipe was used to discharge overflow material(s) from the lagoon system. The pipe has since been removed and the lagoon is again being used as the on-site wastewater system for the mobile home park.

Prior to the issuance of a building permit to replace and/or to construct an addition onto an existing mobile home, a Use on Review must be approved to allow the mobile home park on the subject property.

**STAFF REVIEW:** The existing mobile home park does not conform in part to the provisions of the Rapid City Municipal Code. Since the mobile home park existed prior to the annexation of the property into the corporate limits of Rapid City, the mobile home park is a legal nonconforming use. Staff has identified a number of concerns that must be addressed in order for the project to go forward.

**Drainage:** A major drainage channel runs through the property in an east-west direction. The Engineering Division has indicated that a drainage plan must be submitted for review and approval prior to Planning Commission approval. The drainage plan must account for any future storm drainage through the site. In addition, a site inspection identified what appears to be portions of large concrete culverts and other miscellaneous debris located in the drainage channel. Prior to City Council approval, all debris must be removed from the drainage channel.

**Lagoon System:** As previously indicated, an on-site lagoon system located in the northeast corner of the property currently serves the mobile home park. In 1999, the lagoon system failed resulting in the annexation of the mobile home park. A temporary sewer pipe was extended from the lagoon system to a City sewer line located along Elk Vale Road in order to discharge overflow material(s) from the lagoon system. The pipe has since been removed and the lagoon is functioning as the on-site wastewater system for the mobile home park. On July 12, 2000, the property owners, Gary and Shirley Wolff, entered into an agreement with the South Dakota Department of Environment and Natural Resources to address the numerous unauthorized discharges from the lagoon system that resulted from the failing system. The South Dakota Department of Environment and Natural Resources has indicated that as a part of the agreement, improvements and/or corrections to the lagoon system were to be completed by September 1, 2000. However, due to delays in obtaining the necessary approval(s) to proceed, the work has not been completed. The South Dakota Department of Environment and Natural Resources has indicated that they continue to closely monitor the improvements and/or corrections to the lagoon system. Upon approval of the proposed Use on Review, the applicant may replace existing mobile

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homes with larger units resulting in additional load onto the lagoon system. As such, the South Dakota Department of Environment and Natural Resources has indicated that the property owners must demonstrate that the improved lagoon system will handle any additional load generated by larger replacement mobile homes. Staff is recommending that all necessary improvements and/or corrections to the lagoon system be completed prior to City Council approval.

The Engineering Division anticipates that City sewer and water will be available to this area within the next two years. Title 74 of South Dakota Codified Law requires that the mobile home park be connected to the City sewer system when "...the sewer collection system of the public entity exists within 400 feet of the home, trailer court, commercial establishment, business, park or institution". In addition, the Engineering Division is requesting that the applicant sign a Waiver of Right to Protest the Future Assessment Fund for the extension of City sewer and water to the subject property. Connection fees, proportionate to the area being served, must also be paid at such time as the mobile home park is connected to the City services.

Easements: Currently, a 50 foot wide Williston Basin Gas Pipeline Easement and a 50 foot wide Ellsworth Air Force Base Water Main Easement are located on the subject property. The easements lie parallel to each other and run through the middle of the property in an east-west direction. The applicant's site plan identifies three mobile homes located within the Ellsworth Air Force Base Water Main Easement. One of these mobile homes is also located within the Williston Basin Gas Pipeline Easement. Two additional mobile homes are located within the Williston Gas Pipeline Easement. Cheryl Cordray, a Realty Officer for Ellsworth Air Force Base, has indicated that all structures must be removed from the water main easement. The applicant's site plan also identifies that water lines extending from an on-site well and sewer lines extending from individual mobile home units to the on-site lagoon are located within the water main easement. Ms. Cordray has indicated that the specific depth and design of the water and sewer lines must be submitted for review and approval to insure that they will not interfere with potential maintenance and/or replacement of the Ellsworth Air Force Base watermain. Scott Fradenburgh with the Williston Basin Gas Interstate Pipeline Company has indicated that the Williston Basin Gas Pipeline Easement is a 50 foot wide "centerline easement". The 50 foot wide centerline easement creates a 25 foot easement on either side of the physical location of the pipeline. Mr. Fradenburgh has indicated that upon identifying the physical location of the pipeline, the applicant's site plan must be revised to show the actual easement location. Brian Kary with the Williston Basin Interstate Pipeline Company has indicated that the Pipeline Company will locate the actual location of the pipeline. Once located the site plan must be revised as required. In addition, any structures within the easement must be removed. Staff is recommending that the site plan be revised as identified and all structures be removed from the easement(s) prior to City Council approval. In addition, the water and sewer line information must be submitted for review and approval prior to City Council approval.

Legal Nonconforming Issues: As previously indicated, the mobile home park is legally nonconforming since the mobile home park existed prior to the annexation of the property into the corporate limits of Rapid City. Chapter 17.50.110 of the Zoning Ordinance states

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that "...mobile homes shall be harbored on each space so that there shall be at least a twenty-foot clearance between mobile homes". Currently, the mobile homes located on Lots 35, 36, 37, 38, 39, 41, 43, 45, 47, 71 and 72 have an approximate 10 to 19 foot separation between units. Upon replacement, the mobile homes must meet the minimum 20 foot separation requirement. In addition, any expansions or additions onto existing mobile home(s) may not further encroach into the separation requirement.

The applicant's site plan also identifies two mobile homes located on Lot 2. Upon replacement of either mobile home, one of the mobile homes must be removed from the lot.

Currently, the interior road accessed from 143<sup>rd</sup> Avenue serves as the exclusive access road to 79 mobile home lots. On August 16, 2000, the City Council approved an amendment to the Street Design Criteria Manual stating that "...a street shall not provide exclusive access to more than forty (40) dwelling units. A second street access shall be provided when more than forty (40) dwelling units are exclusively accessed from a street". As such, a second access road must be provided prior to the expansion of the mobile home park that would result in any additional units being accessed from this interior roadway.

Chapter 15.48.110 of the Municipal Code states that "...access roads shall be provided to each mobile home space in a mobile home park. All access roads shall be continuous, connecting with streets or highways, and shall not dead end. The above referenced interior road currently dead-ends into a cul-de-sac at its most southern terminus. No additional lots will be allowed along this section of the interior road until such time as it is redesigned to connect with another roadway, thereby, eliminating a dead end road within the mobile home park.

A portion of the interior road, accessed from Seger Drive, as it abuts the lagoon system is currently graveled. In addition, an interior driveway off Seger Drive to the manager's office and to two additional mobile homes adjacent to the manager's office is also currently graveled. Chapter 17.50.110 of the Zoning Ordinance states that "...access roads within a mobile home park shall be paved to a width of not less than 24 feet". Prior to any expansion of the mobile home park, these two roadways must be paved as identified. (Please note, the remaining roadways within the mobile home park are paved to a width of 35 feet to 40 feet.) The Engineering Division has indicated that there are currently two approaches located along Seger Drive creating a looped driveway to the manager's office. Prior to City Council approval, one of the approaches must be closed. Staff is recommending that the applicant work with the Engineering Division to address this issue.

Site Plan Revisions: Chapter 17.50.110 of the Zoning Ordinance states that "...each mobile home space shall be provided with a paved patio of at least two hundred square feet and have a storage locker of at least one hundred cubic feet. Storage lockers may be located in locker compounds". A site inspection identified that a storage unit is located on many of the lots. In addition, it appeared that paved and/or concrete patios were located along the front of most mobile homes. Staff is recommending that the applicant's site plan be revised to show the storage units and/or the patios prior to City Council approval. (A Storage unit and a paved patio must be provided for each lot prior to the replacement of the mobile home on

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that particular lot.)

The site inspection also identified that a large detention pond is located directly north of the office. The site plan must be revised to include the pond. In addition, the drainage plan must incorporate any concerns or impact created by the existing detention pond.

In addition to the above referenced items, the site inspection also identified that several old and/or junk vehicles and at least one old mobile home are being stored in the southwest corner of the property. Prior to City Council approval, the junk vehicles must be removed from the property. Also, the old mobile home may not be stored on the property. It must either be moved onto one of the vacant lots or removed from the property. Please note, if the mobile home is not habitable, it must be removed for the property.

**Signage:** Chapter 17.50.110 states that "...each mobile home park shall be permitted to display on each street frontage, one identifying sign of a maximum size of twenty square feet. All signs shall be set back twelve and one-half feet from the property line. The sign shall contain thereon only the name and address of the mobile home park and may be lighted by indirect lighting only". The site inspection identified that a sign is located at one of the entrance roads along Seger Drive with a larger sign located at the entrance road along 143<sup>rd</sup> Avenue. It appears that the sign located along 143<sup>rd</sup> Avenue is located within the 25 foot sight triangle. Staff is recommending that a complete sign package be submitted for review and approval prior to City Council approval. The Traffic Engineer has indicated that any encroachments into the sight triangle must be removed prior to City Council approval.

In addition, the Fire Department has indicated that the unit numbers must be posted at each entrance road to improve emergency response time to the individual lots within the mobile home park. Chapter 15.48.180 of the Municipal Code specifically states that "...the entrance to each row of mobile homes in a mobile home park shall have a directional sign with minimum four inch letters indicating the mobile home lot numbers in each row. Each mobile home shall have a lot number with minimum three inch letters, and such numbers shall be placed at the same location on all mobile homes or mobile home lots and shall be readily visible from the access streets. Staff is recommending that the signs be posted as identified prior to City Council approval.

**Summary:** Staff is recommending that the Use on Review be continued to the March 8, 2001 Planning Commission meeting to allow the applicant to submit the above referenced information, to complete the lagoon improvements as required by the South Dakota Department of Environment and Natural Resources and to remove the structures from within the water and pipeline easement(s).

**Update:** To date, the above referenced information has not been submitted for review and approval. In addition, the improvements to the existing lagoon system have not been completed nor have the structures been removed from the water and pipeline easement(s). Staff is recommending that the Use on Review be continued to the August 9, 2001 Planning Commission meeting to allow the applicant additional time to meet these requirements. In order to be considered at the August 9, 2001

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**Planning Commission meeting, the above referenced items must be addressed and the additional information submitted for review and approval by July 13, 2001.**