

STAFF REPORT  
November 19, 2009

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**No. 09CA030 - Amendment to the adopted Comprehensive Plan to change the land use designation from Low Density Residential to Medium Density Residential with a Planned Residential Development**

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**ITEM 5**

GENERAL INFORMATION:

APPLICANT/AGENT	City of Rapid City
PROPERTY OWNER	Terra Con, LLC
REQUEST	<b>No. 09CA030 - Amendment to the adopted Comprehensive Plan to change the land use designation from Low Density Residential to Medium Density Residential with a Planned Residential Development</b>
EXISTING LEGAL DESCRIPTION	Lots 1 thru 10 of Fravel Tract and Lot 1 of the NW1/4 SW1/4 of Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 6.68 acres
LOCATION	2828 Orchard Lane
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	No Use District
South:	No Use District
East:	General Agriculture District
West:	No Use District
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	10/9/2009
REVIEWED BY	Karen Bulman / Mary Bosworth

RECOMMENDATION:

The Future Land Use Committee recommends that the Amendment to the adopted Comprehensive Plan to change the land use designation from Low Density Residential to Medium Density Residential with a Planned Residential Development be approved for the following legal description:

Lot 8-10 of Fravel Tract, Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota.

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GENERAL COMMENTS: This property contains 6.68 acres and is located east of Valley Drive and south of S.D. Highway 44. The property was annexed into the City limits (#08AN011) effective June 4, 2009 and subsequently zoned No Use District. Land located north, west and south of the property is zoned No Use District. Land located east of the property is zoned General Agriculture District. The property was zoned Suburban Residential District by Pennington County prior to annexation. A Conditional Use Permit was approved by Pennington County on July 13, 1971 for a Mobile Home Park. On February 18, 1997, Pennington County approved a Conditional Use Permit to expand the existing mobile home park.

The Southeast Connector Neighborhood Area Future Land Use Plan identifies the future use of the property as appropriate for Low Density Residential land use. Applications for a Planned Residential Development – Initial and Final Development Plan (#09PD052) and Rezoning the property from No Use District to Medium Density Residential District (09RZ045) have been submitted in conjunction with this Comprehensive Plan Amendment application.

STAFF REVIEW: The adopted Comprehensive Plan is a framework within which development and rezoning proposals are measured and evaluated. The plan is intended to guide the orderly growth of the community. In order for the plans to remain viable and to keep pace with a changing market place, periodic adjustments to reflect changing conditions will be required.

The Future Land Use Committee has reviewed this proposed Comprehensive Plan Amendment for conformance with the six criteria for review of Comprehensive Plan Amendments established in Section 2.60.160(D). A summary of the Future Land Use Committee's findings are outlined below:

1. *Whether the proposed change is consistent with the policies and overall intent of the comprehensive plan.*

A goal of any Future Land Use Plan is to maintain a commitment to neighborhoods by implementing appropriate policies that preserve and improve the quality and character of the community's established neighborhoods. The objective is to protect stable neighborhoods, prevent encroachment by incompatible industrial and commercial uses and maintain suitable buffers between low density residential areas and more intensive nonresidential uses. Amending the Comprehensive Plan from Low Density Residential to Medium Density Residential with a Planned Residential Development will allow the existing mobile home park to continue. The Planned Residential Development will help to mitigate any adverse effects the residential use of the property will have on the adjacent residential uses located north, south and west of the property. The Future Land Use Committee indicated that this property was located adjacent to existing residentially developed areas for mobile homes. As such, the proposed change from Low Density Residential land use to Medium Density Residential land use with a Planned Residential Development appears to be consistent with

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the intent of the comprehensive plan.

- 2. Whether the proposed change is warranted by changed conditions within the neighborhood surrounding and including the subject property.*

The Southeast Connector Neighborhood Future Land Use Plan identifies the future use of the property as appropriate for Low Density Residential land uses. Prior to annexation, the property was zoned Suburban Residential District by Pennington County. The property is currently developed for mobile home park land use. The Future Land Use Committee indicated that the current land use for this property as a mobile home park and the adjacent mobile home residential structures warrants the change in land use. In addition to this Comprehensive Plan Amendment, the City has submitted a rezoning request from No Use District to Medium Density Residential District (#09RZ045).

- 3. Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land.*

This property is located adjacent to an area that supports residential land uses. Land located north, west and south of the property is the location of residential structures including mobile home residential uses. The undeveloped land located east of the property is zoned General Agriculture District. A Conditional Use Permit was approved by Pennington County for the Mobile Home Park in 1971 and in 1997. The proposed amendment to change the land use from Low Density Residential to Medium Density Residential with a Planned Residential Development appears to be compatible with the residential uses located adjacent to the property.

- 4. Whether and the extent to which the proposed amendment would adversely affect the environment, services, facilities, and transportation.*

A mobile home park is located on the property. The property is located within the Rapid Valley Sanitary District. South Valley Drive, a principal arterial street, is located west of the property and Orchard Lane is located south of the property. The Planned Residential Development should provide the tool to insure that the development will not have an adverse affect on the adjacent residential uses.

- 5. Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern.*

The proposed amendment will allow the continuation of the mobile home park. The Future Land Use Committee found that the proposed change is compatible with the existing development of the adjacent properties and will result in a logical and orderly development pattern.

- 6. Whether and the extent to which the proposed amendment adversely affects any other*

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*part of the city, or creates any direct or indirect adverse effects.*

Sanitary sewer service and adequate water is available from Rapid Valley Sanitary District. The local road network is adjacent to the property. The adjacent property to the north, south and west is developed for residential uses. The applicant has submitted a Planned Residential Development – Initial and Final Development Plan for the mobile home park. The Future Land Use Committee has identified that residential land uses adjacent to a residential area will continue to preserve the character of the established neighborhood and will not have significant adverse effects on the surrounding area or on the City.

As of this writing, the required sign has been posted on the property but the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the November 19, 2009 Planning Commission meeting if this requirement has not been met. At the time of this writing, staff has not received any calls or comments regarding this request.

The legal description incorrectly included additional land not owned by Terra Con, LLC. As such, the Future Land Use Committee recommends that the Amendment to the Comprehensive Plan to change the land use designation from Low Density Residential to Medium Density Residential with a Planned Residential Development be approved for the previously stated revised legal description.