

STAFF REPORT
November 19, 2009

No. 09PD052 - Planned Residential Development - Initial and Final Development Plan **ITEM 7**

GENERAL INFORMATION:

APPLICANT/AGENT	Betty Fedderson
PROPERTY OWNER	Terra Con, LLC
REQUEST	No. 09PD052 - Planned Residential Development - Initial and Final Development Plan
EXISTING LEGAL DESCRIPTION	Lots 8, 9 and 10 of Lot 1 of Fravel Tract, located in the NW1/4 SW1/4 of Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 6.68 acres
LOCATION	2900 Orchard Lane
EXISTING ZONING	No Use District (Medium Density Residential 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	10/16/2009
REVIEWED BY	Karen Bulman / Karley Halsted

RECOMMENDATION:

Staff recommends that the Planned Residential Development - Initial and Final Development Plan be approved with the following stipulations:

1. Prior to obtaining a Mobile Home Hookup Permit, a Mobile Home Park License for 2009 and 2010 shall be obtained. A yearly Mobile Home Park License shall be obtained thereafter;
2. A maximum of 40 mobile homes shall be allowed within the mobile home park;
3. The mobile home park shall be allowed to continue with its current design standards with the approval of this Planned Residential Development. However, Chapter 15.48 of the Rapid City Municipal Code shall be continually met when mobile homes are moved into the park or relocated within the park;
4. Any expansion of the units or the park area shall require that Chapter 17.50.110 be continually met;
5. Mobile homes shall be used for residential uses only. No commercial or industrial uses

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- are allowed within a mobile home in a Mobile Home Park;
6. Any increase in the number of mobile homes or any expansion of the area of the Mobile Home Park shall require a Major Amendment to the Planned Residential Development;
 7. All mobile homes allowed in the park shall comply with Chapter 17.38.080, the manufactured home construction and safety standards of the U.S. Department of Housing and Urban Development;
 8. A Mobile Home Hookup Permit shall be obtained prior to locating a mobile home on a space within the Mobile Home Park;
 9. A Flood Plain Development Permit shall be obtained prior to locating any mobile home or accessory structures within the 100 Year Federally Designated Floodplain;
 10. Prior to construction of any additional accessory buildings on spaces within the Mobile Home Park, a Building Permit must be obtained;
 11. The internal streets shall be paved or an approved dust palliative shall be used, and the internal driveways maintained in a dust free condition;
 12. No structures shall be allowed in the 20 foot wide sanitary sewer easement or 15 foot wide utility easement;
 13. Prior to Planning Commission approval, the applicant shall submit a sign package for review and approval, showing lot directory signs at the entrance to the Mobile Home Park; and,
 14. The Planned Residential Development shall expire if the use is not undertaken and completed within two years of the date of approval by the Planning Commission, or if the use as approved has ceased for a period of two years.

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 with the following conditions:

1. That prior to County Board approval, the new streets be named and verified with 911 Communications Center;
2. That prior to any Building Permits being issued, fire hydrants be placed in the following locations: a. Orchard Lane at the entrance to the mobile home park to the southwest of the "existing house", b. The southeast corner of Lot 14 on Orchard Lane, c. The northeast corner of Lot 13 on the private road;
3. That prior to any Building Permits being issued for mobile home park Lots 6-11 a Flood Plain Development Permit must be obtained;
4. That prior to any Building Permits being issued a street address be assigned for each mobile home lot;
5. That the water and sewer main needs to be located with a minimum of 20 foot wide utility easements;
6. That the existing well be used for irrigation purposes only;

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7. That all internal streets be paved or use an approved dust palliative;
8. That the water and sewer lines be installed to Rapid Valley Sanitary Districts specifications;
9. That all easements be identified on the overall site plan;
10. That the addition of accessory structures (i.e. garages, additions to the mobile homes, etc.) be allowed through the issuance of Building Permits which will include necessary site plans to be reviewed and approved by the Planning Director.

The Southeast Connector Neighborhood Area Future Land Use Plan identifies the future use of the property as appropriate for Low Density Residential land use. An application to rezone the property from No Use District to Medium Density Residential District (#09RZ045) and a Comprehensive Plan Amendment to change the land use from Low Density Residential to Medium Density Residential with a Planned Residential Development (#09CA030) have been submitted in conjunction with this Planned Residential Development – Initial and Final Development Plan.

STAFF REVIEW: Staff has reviewed the Initial and Final Residential Development Plan and has noted the following considerations:

Mobile Home Park: As noted, the mobile home park was a legally approved use in Pennington County prior to annexation. Following the recent annexation of the property, a rezoning of the property from No Use District to Medium Density Residential District (#09RZ045) has been submitted in conjunction with this Planned Residential Development. Mobile Home Parks are allowed in the Medium Density Residential Zoning District through the approval of a Conditional Use Permit or Planned Residential Development. A 2009 and a 2010 Mobile Home Park license must be obtained and a yearly permit obtained thereafter.

The mobile home park shall be allowed to continue with its current design standards. Any expansion of the number of units or any expansion of the park boundaries will require that the provisions of Chapter 17.50.110 of the Rapid City Municipal Code be met. In particular, the following design standards shall be provided with any expansion: access roads be paved to a 24 foot wide surface, a minimum 20 foot side by side separation between mobile homes, a minimum 10 foot end to end separation between mobile homes, a maximum height of 15 feet, a minimum width of 30 feet for each mobile home space, a minimum 5 foot front yard for each mobile home space, and a minimum of 100 cubic foot storage locker area per mobile home.

Mobile homes shall be used for residential uses only. No commercial or industrial uses are allowed within a mobile home in a Mobile Home Park. Access to the mobile home properties is from Orchard Lane. Water and sewer services are provided by Rapid Valley Sanitary District. Any expansion of the Mobile Home Park will require a Major Amendment to the Planned Residential Development. The applicant replaced several mobile homes with newer mobile homes prior to annexation, upgrading the mobile home park. Staff recommends and encourages that, over time, the applicant continue to convert the Mobile Home Park with newer mobile homes.

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Chapter 15.48, Mobile Homes and Mobile Home Parks, of the Rapid City Municipal Code must be continually met when mobile homes are moved into the park or relocated within the park. In particular, the following design standards shall be provided: a minimum 15 foot side by side separation between mobile homes, a minimum 10 foot end to end separation between mobile homes, and a minimum width of 20 feet for all access roads.

Mobile Home Replacement: Any mobile home replacement will need a Mobile Home Hookup Permit. All mobile homes allowed in the park must be comply with Chapter 17.38.080 stating that "Manufactured homes shall meet the manufactured home construction and safety standards promulgated by the United States Department of Housing and Urban Development as of the effective date of the ordinance codified herein", or in effect, a 1976 model or newer. Replacement of mobile homes must meet the requirements of Chapter 15.48 of the Rapid City Municipal Code.

Streets: The streets within the mobile home park are private access roads and are not paved. To comply with air quality standards, Staff recommends that the internal driveways be paved or that an approved dust palliative be continually used to maintain the internal driveways in a dust free condition.

Easements: Currently there is a 20 foot wide sanitary sewer easement located on the northern boundary of the property and is the location of the South Robbinsdale Wastewater Interceptor. A 15 foot wide utility easement is located on the western boundary of the property to allow access for utility maintenance. The applicant should be aware that no structures may be located in these easements.

Building Permit: Prior to construction of any additional accessory buildings on spaces within the Mobile Home Park, a Building Permit must be obtained.

Flood Plain Development Permit: A portion of the property, which includes two mobile home spaces located at the northwestern and southwestern boundary of the mobile home park, appear to be located within the 100 Year Federally Designated Floodplain. As such, prior to any replacement of a mobile home in these areas or the location of any accessory structures in these areas, a Flood Plain Development Permit must be obtained.

Signage: 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". All directory signs must be approved by the City prior to Planning Commission approval. The property owner has indicated that one address will be used for the Mobile Home Park. Each mobile home space will then use this address plus the identified space number.

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Notification Requirement: As of this writing, the required sign has been posted on the property but the receipts for 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. Staff has received no inquiries or comments regarding this proposal at the time of this writing.

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