

STAFF REPORT
December 10, 2009

No. 09RZ050 - Rezoning from No Use District to Mobile Home Residential District **ITEM 26**

GENERAL INFORMATION:

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| APPLICANT/AGENT | City of Rapid City |
| PROPERTY OWNER | Smith Land Corporation c/o Don Smith |
| REQUEST | No. 09RZ050 - Rezoning from No Use District to Mobile Home Residential District |
| EXISTING LEGAL DESCRIPTION | Lots 1A, 1B, 1C, 1D, 1E all of Lot 1, Lot 2, Lots 11 thru 12, Lots 24 thru 25, Lots 27 thru 29, Lots 39 thru 40, Lots 43 thru 55, Lots 59 thru 69, Scott Street right-of-way, Cactus Drive right-of-way, and the E. Fairmont Street right-of-way north of Section line all of Melody Acres No. 2, located in Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE | Approximately 12.996 acres |
| LOCATION | 3025 South Valley Drive |
| EXISTING ZONING | No Use District |
| SURROUNDING ZONING | |
| North: | No Use District |
| South: | Limited Agriculture District (Pennington County) |
| East: | No Use District |
| West: | Limited Agriculture District (Pennington County) |
| PUBLIC UTILITIES | Rapid Valley Sanitary District |
| DATE OF APPLICATION | 11/13/2009 |
| REVIEWED BY | Karen Bulman / Karley Halsted |

RECOMMENDATION:

Staff recommends that the Rezoning from No Use District to Mobile Home Residential District be approved.

GENERAL COMMENTS: This property contains 12.996 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 and east of the property is zoned No Use District. Land located west and south of the property is zoned Limited Agriculture District by Pennington County. The property was zoned Suburban Residential District by Pennington County prior to annexation.

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The Southeast Connector Neighborhood Area Future Land Use Plan identifies the future use of the property as appropriate for Mobile Home Residential land use with a Planned Residential Development. Planned Development Designations (#09PD056-94) have been submitted in conjunction with this Rezoning application.

STAFF REVIEW: Staff has reviewed this proposed rezoning for conformance with the four criteria for review of zoning map amendments established in Section 17.54.040(D)(1). A summary of Staff findings are outlined below:

1. *The proposed amendments shall be necessary because of substantially changed or changing conditions of the area and district affected, or the City in general.*

A City initiated annexation of the property (#08AN011) was effective June 4, 2009. All annexed lands are temporarily designated as a No Use Zoning District. The annexation of the property constitutes the changing condition requiring rezoning of the property.

2. *The proposed zoning is consistent with the intent and purposes of this ordinance.*

The Mobile Home Residential Zoning District is intended to provide a district in which mobile homes may be located upon individually owned lots without adverse effects upon property values or the safety of the community or the occupants of the mobile homes. The individual lots are located within a mobile home park setting and mobile homes are located on the lots. Mobile homes are located north and east of the property. Due to the land uses located on the adjacent properties, the rezoning of this property appears to be consistent with the intent and purposes of this ordinance.

3. *The proposed amendment will not adversely affect any other part of the City, nor shall any direct or indirect adverse effects result from such amendment.*

Access to the mobile home properties is from South Valley Drive, a principal street on the Major Street Plan, and Scott Street, Cactus Street and E. St. Francis Street, all local streets. Water and sewer are provided by Rapid Valley Sanitary District. The property is located adjacent to mobile home residential land uses. The additional review provided by a Planned Residential Development process will insure that any possible adverse impacts of development are adequately mitigated. Based on the provision of a Planned Development overlay, no significant adverse impacts resulting from the requested rezoning have been identified.

4. *The proposed amendments shall be consistent with and not in conflict with the development plan of Rapid City including any of its elements, major road plan, land use plan, community facilities plan, and others.*

The Southeast Connector Neighborhood Area Future Land Use Plan identifies the future use of the property as appropriate for Mobile Home Residential land use with a Planned Residential Development. Rezoning the subject property from No Use District to Mobile

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Home Residential District is consistent with the adopted Comprehensive Plan.

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 December 10, 2009 Planning Commission meeting if this requirement has not been met. Staff has received no inquiries or objections regarding the proposed request at the time of this writing.

Staff recommends that the rezoning from No Use District to Mobile Home Residential District be approved.