

STAFF REPORT
February 4, 2010

No. 10RZ002 - Rezoning from No Use District to Mobile Home Residential District **ITEM 12**

GENERAL INFORMATION:

APPLICANT/AGENT	City of Rapid City
PROPERTY OWNER	Herbert and Nance Teal
REQUEST	No. 10RZ002 - Rezoning from No Use District to Mobile Home Residential District
EXISTING LEGAL DESCRIPTION	Lot 5 of Melody Acres No. 2, Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.23 acres
LOCATION	2802 E. Fairmont Street
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	No Use District
South:	Limited Agriculture District (Pennington County)
East:	No Use District
West:	No Use District
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	1/4/2010
REVIEWED BY	Jim Flaaen / Karley Halsted

RECOMMENDATION:

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

GENERAL COMMENTS: This property occupies 0.23 acres and is located at 2802 E. Fairmont Street, 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 to the north, east and west of the property is zoned No Use District. Land located to the south is zoned Limited Agriculture District by Pennington County. Prior to annexation, the property was zoned Suburban Residential District by Pennington County. A mobile home is currently located on the property.

The Southeast Connector Neighborhood Future Land Use Plan identifies the future use of the property as appropriate for Mobile Home Residential land use with a Planned Residential Development. A Planned Development Designation (#09PD111) has been

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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. Per Section 17.26.020, all annexed lands are temporarily designated as a No Use District. The annexation of the property represents a changing condition that requires the 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 lot is located within a mobile home park setting. A mobile home currently is located on the lot. Mobile homes are located on adjacent properties to the north, east and west. Agricultural land is located to the south. Due to the land uses of 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.*

The mobile home property is accessed from South Valley Drive, a collector street on the Major Street Plan, and by E. Fairmont Street, a local street. Water and sewer services are provided by Rapid Valley Sanitary District. The property is adjacent to existing mobile home residential land uses and agricultural land. A Planned Development Designation has been submitted with this application and the additional review required as such will insure that any possible adverse impacts from future development are adequately mitigated. Based on the provision of the 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 development 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. The rezoning of the property from No Use District to Mobile Home Residential District is consistent with the adopted Comprehensive Plan.

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Notification Requirement: The required sign has been posted on the property. The white receipts from the certified mailings have been submitted to the Growth Management staff but, as of this writing, the green card receipts have not been returned. Staff will notify the Planning Commission at the February 4, 2010 Planning Commission meeting if this requirement has not been met. At this time, staff has not received any inquiries or objections regarding the proposed request.

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