

STAFF REPORT
May 6, 2010

No. 10RZ022 - Rezoning from No Use District to Mobile Home Residential District **ITEM 13**

GENERAL INFORMATION:

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| APPLICANT/AGENT | City of Rapid City |
| PROPERTY OWNER | Erica Shipman |
| REQUEST | No. 10RZ022 - Rezoning from No Use District to Mobile Home Residential District |
| EXISTING LEGAL DESCRIPTION | Lot 32 of Melody Acres No. 2, Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE | Approximately 0.22 acres |
| LOCATION | 2800 Cactus Drive |
| EXISTING ZONING | No Use District |
| SURROUNDING ZONING | |
| North: | Mobile Home Residential District (Planned Development Designation) |
| South: | Mobile Home Residential District (Planned Residential Development) |
| East: | No Use District |
| West: | Mobile Home Residential District (Planned Residential Development) |
| PUBLIC UTILITIES | Rapid Valley Sanitary District |
| DATE OF APPLICATION | 3/12/2010 |
| REVIEWED BY | Jim Flaaen / Karley Halsted |

RECOMMENDATION:

Staff recommends that the Rezoning from No Use District to Mobile Home Residential District be continued to the **May 27, 2010** Planning Commission meeting.

GENERAL COMMENTS: (Updated April 26, 2010. All revised and/or edited text is shown in bold print.) This item was continued to the May 6, 2010 Planning Commission meeting to allow the property owner to determine how they would like to proceed with this rezoning application following the City Council approval of the Comprehensive Plan Amendment on April 27, 2010 changing the Future Land Use Plan for this area from Mobile Home Residential with a Planned Residential Development to Mobile Home Residential. Staff has contacted the property owner but, as of this writing, has not received a response. As such, staff recommends that this item be continued to

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the May 27, 2010 Planning Commission meeting to allow the property owner to determine how they would like to proceed.

(Updated April 9, 2010.) This item was continued to the April 22, 2010 Planning Commission meeting to allow the property owner to determine how they would like to proceed with this rezoning application following the April 5, 2010 City Council direction that the Planned Development overlay be removed from the Future Land Use Plan for this area. Staff has contacted the property owner but, as of this writing, has not received a response. As such, staff recommends that this item be continued to the May 6, 2010 Planning Commission meeting to allow the property owner to respond to staff's inquiry.

The property occupies 0.22 acres and is located at 2800 Cactus Drive, 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 is zoned Mobile Home Residential with a Planned Development Designation. Land located to the south and west is zoned Mobile Home Residential with a Planned Residential Development. Land located to the east is zoned No Use District. Mobile homes are located on adjacent properties to the north, south, east and west. 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 (#10PD021) has 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 17.54.010(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 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 on 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 an area of individually platted lots with mobile homes located on adjacent lots to the north, south, east and west. A mobile home is currently located on the lot. Due to the land uses of the adjacent properties, the rezoning of the property appears to

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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 property is from South Valley Drive, a collector street on the Major Street Plan, and Cactus Drive, a local street. Water and sewer services are provided by Rapid Valley Sanitary District. The property is located adjacent to existing mobile home residential land uses. A Planned Development Designation has been submitted with this application and the additional review provided as such will ensure that any possible adverse impacts from future 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 amendment 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 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 Home Residential District is consistent with the adopted Comprehensive Plan.

Notification Requirement: The required sign has been posted on the property but, as of this writing, the receipts from the certified mailings have not been returned. Staff will notify the Planning Commission at the April 8, 2010 Planning Commission meeting if this requirement has not been met. Staff has received no inquiries or objections to the proposed request at the time of this writing.

On March 31, 2010, the Legal and Finance Committee met and discussed the Future Land Use Plan designation for the area. The Legal and Finance Committee recommended that the Planned Development overlay be eliminated from the property. The Legal and Finance Committee recommendation will be considered by the City Council at their regular meeting on April 5, 2010. As such, staff recommends that the rezoning from No Use District to Mobile Home Residential District be continued to the **May 27, 2010** Planning Commission meeting.