

STAFF REPORT
July 8, 2010

No. 10RZ026 - Rezoning from No Use District to Mobile Home Residential District **ITEM 21**

GENERAL INFORMATION:

| | |
|----------------------------|----------------------------------------------------------------------------------------------------------------|
| APPLICANT/AGENT | City of Rapid City |
| PROPERTY OWNER | Dennis and James Rush |
| REQUEST | No. 10RZ026 - Rezoning from No Use District to Mobile Home Residential District |
| EXISTING LEGAL DESCRIPTION | Lot 36 of Melody Acres No. 2, located in Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE | Approximately 0.23 acres |
| LOCATION | 2808 Cactus Drive |
| EXISTING ZONING | No Use District |
| SURROUNDING ZONING | |
| North: | Mobile Home Residential District |
| South: | Mobile Home Residential District |
| East: | Mobile Home Residential District |
| West: | Mobile Home Residential District |
| 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 **approved**.

GENERAL COMMENTS: **(Updated June 28, 2010. All revised and/or edited text is shown in bold print.) This item was continued to the July 8, 2010 Planning Commission meeting to allow the Comprehensive Plan Amendment changing the Future Land Use Plan for this area from Mobile Home Residential with a Planned Residential Development to Mobile Home Residential. The Summary of Adoption was approved by the Planning Commission on May 6, 2010 and was subsequently published on May 8, 2010 and became effective on May 28, 2010. As such, the applicant wishes to proceed with the rezoning application to rezone the property from No Use District to Mobile Home Residential District.**

STAFF REPORT
July 8, 2010

No. 10RZ026 - Rezoning from No Use District to Mobile Home Residential District **ITEM 21**

The property occupies 0.23 acres and is located at 2808 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, south, east and west is zoned **Mobile Home Residential 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**.

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 the 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 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. **Staff has not identified any significant adverse impacts resulting from the requested rezoning.**

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.*

STAFF REPORT
July 8, 2010

No. 10RZ026 - Rezoning from No Use District to Mobile Home Residential District **ITEM 21**

The Southeast Connector Neighborhood Future Land Use Plan identifies the future use of the property as appropriate for **Mobile Home Residential land use**. 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 April 22, 2010 Planning Commission meeting.

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