

STAFF REPORT
August 5, 2010

No. 10RZ042 - Rezoning from General Agriculture District to Mobile Home Residential District

ITEM 6

GENERAL INFORMATION:

APPLICANT/AGENT	Dream Design International, Inc.
PROPERTY OWNER	DTH, LLC
REQUEST	No. 10RZ042 - Rezoning from General Agriculture District to Mobile Home Residential District
EXISTING LEGAL DESCRIPTION	The SW1/4 NW1/4, the NW1/4 SW1/4, and the N1/2 SW1/4 SW1/4 of Section 21, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 100 acres
LOCATION	West of Elk Vale Road and south of Country Road
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Commercial District - Limited Agriculture District (Pennington County)
South:	General Agriculture District
East:	General Agriculture District
West:	General Agriculture District (Pennington County)
PUBLIC UTILITIES	Private utilities
DATE OF APPLICATION	6/25/2010
REVIEWED BY	Patsy Horton / Mary Bosworth

RECOMMENDATION: Based on the Future Land Use Committee's recommendation on the related Comprehensive Plan Amendment, staff recommends that the Rezoning from General Agriculture District to Mobile Home Residential be approved in conjunction with the associated Comprehensive Plan Amendment.

GENERAL COMMENTS: This property was zoned General Agriculture District in 2008 after annexation. This undeveloped 100 acres is adjacent to Dyess Avenue between Country Road and Seger Drive and is the future site of a proposed mobile home park. The property is currently void of any structural development. In addition to this Rezoning, the applicant has submitted an associated application for an Amendment to the Comprehensive Plan (#10CA020) to change the land use designation from Light Industrial to Mobile Home Residential.

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STAFF REVIEW: On July 15, 2010, the Future Land Use Committee reviewed the proposed Comprehensive Plan Amendment from Light Industrial to Mobile Home Residential and recommended approval of the proposed change.

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 districts affected or in the City in general.*

The property is located adjacent to Dakota Transportation Express along the north property line. All other adjacent properties are void of structural development. No substantially changed or changing conditions have been identified to support the proposed change to the zoning district.

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

The Mobile Home Residential 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 applicant has indicated that a 100 buffer is proposed for the east property boundary in order to ensure an adequate buffer between the proposed residential uses and the potential industrial uses to the east. The proposed rezoning 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 an amendment.*

This property is located within a developing portion of Rapid City. The proposed soccer complex is located approximately one-half mile east of the property. Land located west of the property is zoned General Agricultural District in Pennington County and is vacant. Land located north of the property is zoned General Commercial District and Limited Agricultural District in Pennington County and is home to Dakota Express Transportation, Inc. Land located to the east and south is zoned General Agricultural District and currently void of any development. The applicant has proposed a 100 foot buffer between the mobile home residential land uses and the industrial land uses to the east in order to mitigate significant negative impacts between the two land uses. The proposed amendment would not appear to have any significant adverse effect on any part of the City, nor does there appear to be any significant adverse effect resulting from this amendment.

4. *The proposed amendments shall be consistent with and not conflict with the Development Plan of Rapid City including any of its elements, Major Street Plan, Land Use Plan, and Community Facilities Plan.*

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The Adopted Comprehensive Land Use Plan indicates that this area is appropriate for industrial land uses. However, the Future Land Use Committee recommended approval of the associated Comprehensive Plan Amendment to change the land use designation from Light Industrial to Mobile Home Residential. If the accompanying Future Land Use Plan amendment is approved, the requested rezoning from General Agriculture District to Mobile Home Residential District would be consistent with the adopted Comprehensive Plan.

As of this writing, the required sign has been posted on the property. However, the receipts from the certified mailing have not yet been returned. Staff will notify the Planning Commission at the July 15, 2010 Planning Commission meeting if this requirement has not been met. Staff did not receive any inquiries regarding the request.