

STAFF REPORT
December 9, 2010

No. 10RZ056 - Rezoning from No Use District to Mobile Home Residential District **ITEM 5**

GENERAL INFORMATION:

APPLICANT	City of Rapid City
PROPERTY OWNER	Robert and Carolyn Rensvold, Gerald W. Frame, Daniel and Linda Muth
REQUEST	No. 10RZ056 - Rezoning from No Use District to Mobile Home Residential District
EXISTING LEGAL DESCRIPTION	A portion of the SW1/4 of Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the northwest corner of Lot 1 of Orchard Subdivision, Thence S82°0'00"E, a distance of 173.5 feet, to the Point of Beginning; Thence S0°36'23"E, a distance of 37.728 feet; Thence S0°36'23"E, a distance of 29.22 feet; Thence S0°36'22"E, a distance of 76.989 feet; Thence S0°36'23"E, a distance of 273.789 feet; Thence S0°35'19"E, a distance of 15.739 feet; Thence N43°26'53"W, a distance of 33.391 feet; Thence N47°15'42"W, a distance of 14.018 feet; Thence N47°15'42"W, a distance of 22.12 feet; Thence N59°40'48"W, a distance of 74.816 feet; Thence N86°11'52"W, a distance of 47.373 feet; Thence N89°32'8"W, a distance of 12.218 feet; Thence N0°25'32"W, a distance of 199.56 feet; Thence N0°27'20"W, a distance of 168.265 feet; Thence N0°27'19"W, a distance of 15.62 feet; Thence N0°10'1"W, a distance of 15.104 feet; Thence S82°1'27"E, a distance of 173.132 feet; Thence S0°58'15"E, a distance of 23.395 feet; Thence S0°58'10"E, a distance of 7.456 feet, to the Point of Beginning
PARCEL ACREAGE	Approximately 1.75 acres
LOCATION	2919, 2925 and 2931 Orchard Lane
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	No Use District
East:	General Agriculture District

STAFF REPORT
December 9, 2010

No. 10RZ056 - Rezoning from No Use District to Mobile Home Residential District **ITEM 5**

West:	No Use District
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	11/12/2010
REVIEWED BY	Karen Bulman / Karley Halsted

RECOMMENDATION:

Based on the Future Land Use Committee's recommendation on the related Comprehensive Plan Amendment, staff recommends that the Rezoning from No Use District to Mobile Home Residential District be approved in conjunction with the associated Comprehensive Plan Amendment.

GENERAL COMMENTS: This developed property contains approximately 1.75 acres and is located at 2919, 2925 and 2931 Orchard Lane. The property was annexed into the City limits (#08AN011) effective June 4, 2009 and subsequently zoned No Use District. Land located south and west of the property is zoned No Use District. Land located north of the property is zoned Medium Density Residential District. Land located east of the property is zoned General Agriculture District. The property was zoned Suburban Residential District by Pennington County prior to annexation.

The Southeast Connector Neighborhood Future Land Use Plan identifies the future use of the property as appropriate for Low Density Residential land uses. An associated Comprehensive Plan Amendment (#10CA045) has been submitted to change the land use from Low Density Residential to Mobile Home Residential.

The Future Land Use Committee reviewed the existing land use map for this area in detail. As a result of that review, the Future Land Use Committee recommends that this property be zoned Mobile Home Residential Zoning District.

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.*

The 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 purpose of the Mobile Home Residential District as stated in the Zoning Ordinance is intended to provide a district in which mobile homes may be located upon individually owned

STAFF REPORT
December 9, 2010

No. 10RZ056 - Rezoning from No Use District to Mobile Home Residential District **ITEM 5**

lots without adverse effects upon property values or the safety of the community or the occupants of the mobile homes. Three mobile homes on three separate parcels are located on the property. The Southeast Connector Neighborhood Future Land Use Plan indicates that this property is appropriate for Low Density Residential land uses. A Comprehensive Plan Amendment to change the land use for this property from Low Density Residential to Mobile Home Residential (#10CA045) has been submitted. There is a mobile home park currently located north of the property. Property located south and east of the property is proposed to be zoned Flood Hazard District (#10RZ051). A portion of one of the three parcels is located in the hydraulic floodway and is included in the proposed Flood Hazard Zoning District (#10RZ051). The requested rezoning of this property appears to be appropriate and 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 residential property is from Orchard Lane. Water and sewer are provided by the Rapid Valley Sanitary District. The property is located adjacent to mobile home residential land uses. Currently, mobile homes are located on the property. 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 Low Density Residential land use. A Comprehensive Plan Amendment to change the land use for this property from Low Density Residential to Mobile Home Residential (#10CA045) has been submitted. With the approval of the Comprehensive Plan Amendment, rezoning the subject property from No Use District to Mobile Home Residential District will be consistent with the adopted Comprehensive Plan.

As of this writing, the required sign has been posted on the property and the receipts from the certified mailing have been returned. 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 in conjunction with the associated Comprehensive Plan Amendment.