

STAFF REPORT

December 19, 2002

No. 02RZ062 - Rezoning from Medium Density Residential District to Office Commercial District **ITEM 36**

GENERAL INFORMATION:

| | |
|----------------------------|---|
| PETITIONER | Williams and Associates for Black Hills Surgery Center, LLP |
| REQUEST | No. 02RZ062 - Rezoning from Medium Density Residential District to Office Commercial District |
| EXISTING LEGAL DESCRIPTION | A portion of Lot 33 of Block 18 of Robbinsdale Addition No. 10 located in the SE1/4 of the NW1/4 of Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the southwesterly corner of Lot 33 of Block 18 of Robbinsdale Addition No. 10, common to the southeasterly corner of Lot 32 of Block 18 of Robbinsdale Addition No. 10, and the Point of Beginning; thence, first course: N26°33'43"W, along the westerly boundary of said Lot 33, common to the easterly boundary of said Lot 32, a distance of 107.95 feet, to a westerly corner of said Lot 33 common to a easterly corner of said Lot 32; thence, second course: N00°29'17"W, along the westerly boundary of said Lot 33, common to the easterly boundary of said Lot 32, a distance of 263.76 feet, to a westerly corner of said Lot 33, common to the northeasterly corner of said Lot 32; thence, third course: S08°00'00"E, a distance of 235.00 feet; thence, fourth course S33°07'00"E, a distance of 112.08 feet, to a point on the southerly boundary of said Lot 33, common the northerly edge of right-of-way of Anamaria Drive; thence fifth course: S53°27'20"W, along the southerly boundary of said Lot 33, common to the northerly edge of right-of-way of Anamaria Drive, a distance of 15.00 feet, to a point of curve; thence, sixth course: southwesterly, along the southerly boundary of said Lot 33, common the northerly edge of right-of-way of Anamaria Drive, curving to the left on a curve with a radius of 648.63 feet, a delta angle of 3°32'00", a length of 40.00 feet, a chord bearing S51°41'20"W, and a chord distance of 39.99 feet, to the southwesterly corner of said Lot 33, common to the southeasterly corner of said Lot 32, and the point of beginning |
| PARCEL ACREAGE | Approximately .2141 acres |
| LOCATION | At the intersection of Anamaria Drive and 5th Street |

STAFF REPORT

December 19, 2002

**No. 02RZ062 - Rezoning from Medium Density Residential District
to Office Commercial District**

ITEM 36

| | |
|---------------------|--|
| EXISTING ZONING | Medium Density Residential District |
| SURROUNDING ZONING | |
| North: | Medium Density Residential District |
| South: | Medium Density Residential District/Office Commercial District w/PCD |
| East: | Medium Density Residential District |
| West: | Office Commercial District w/PCD |
| PUBLIC UTILITIES | City sewer and water |
| DATE OF APPLICATION | 10/09/2002 |
| REPORT BY | Vicki L. Fisher |

RECOMMENDATION:

Staff recommends that the Rezoning request from Medium Density Residential District to Office Commercial District be **approved in conjunction with the Comprehensive Plan and the Major Amendment to the Planned Commercial Development.**

GENERAL COMMENTS:

This item has been continued twice since the November 7, 2002 Planning Commission meeting in order to be heard in conjunction with a Major Amendment to a Planned Commercial Development. This Staff Report has been revised as of December 7, 2002. All revised and/or added text is shown in bold print. The applicant has submitted a Rezoning request to change the zoning of the above legally described property from Medium Density Residential District to Office Commercial. In addition, the applicant has submitted a Comprehensive Plan Amendment to the South Robbinsdale Neighborhood Future Land Use Plan to change the land use designation from Medium Density Residential District to Office Commercial District with a Planned Commercial Development. (See companion item #02CA053.)

The Black Hills Surgery Center is located on the property directly west of the subject property. The applicant has submitted a Major Amendment to the Black Hills Surgery Center Planned Commercial Development to allow an 8,010 square foot addition to be constructed onto the medical facility. (See companion item #02PD056.) The applicant's site plan proposes to shift the east lot line of the Black Hills Surgery Center lot to incorporate the subject property. This will allow the parking lot to be extended further to the east to accommodate the proposed expansion. The applicant has also submitted a Layout, Preliminary and Final Plat to reconfigure three lots, including the subject property. (See companion item #02PL107.)

STAFF REPORT

December 19, 2002

**No. 02RZ062 - Rezoning from Medium Density Residential District
to Office Commercial District**

ITEM 36

STAFF REVIEW:

Staff has evaluated the proposed rezoning as it relates to the four criteria for review of the zoning map amendments. A summary of staff findings is 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.*

Conditions in this area have been changing substantially in recent years due to the development of medical facilities along Fifth Street, south of Fairmount Boulevard. A number of medical facilities have located in this area because of the close proximity to Rapid City Regional Hospital. The property to the south is zoned Office Commercial with a Planned Commercial Development and is the current location of the Black Hills Imaging Center. The associated Major Amendment to the Black Hills Surgery Center Planned Commercial Development will incorporate the subject property into the development in order to expand the parking lot. The Planned Commercial Development will serve as a tool to address the issues, traffic concerns and topographic and drainage concerns specific to the subject property.

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

The purpose of the Office Commercial District as stated in the Zoning Ordinance is to provide areas for institutional and office uses that are surrounded by landscaped yards and open spaces. The land, space and aesthetic requirements of office commercial uses make them desirable in either a central location or a suburban location, close to residential neighborhoods. The subject property has a central location and is near residential neighborhoods. Staff believes that rezoning the property is consistent with the intent and purposes of the ordinance. The additional review provided by a Planned Commercial Development will insure that landscaped yards and open spaces are being maintained on the property.

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.*

Staff does not believe that rezoning this property will result in any adverse impacts in conjunction with the associated Major Amendment to the Planned Commercial Development. The additional review provided by the Planned Commercial Development process will insure that any possible adverse impacts are adequately mitigated as a part of the development of the site.

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 South Robbinsdale Future Land Use Plan identifies this property as appropriate

STAFF REPORT

December 19, 2002

No. 02RZ062 - Rezoning from Medium Density Residential District to Office Commercial District **ITEM 36**

for medium density residential use(s). However, as previously indicated, the applicant has submitted a Comprehensive Plan Amendment to the South Robbinsdale Future Land Use Plan to change the land use designation from Medium Density Residential to Office Commercial with a Planned Commercial Development. The proposed rezoning request will be consistent with the Future Land Use Plan upon approval of the associated Comprehensive Plan Amendment. In addition, the Major Amendment to the Planned Commercial Development must be approved prior to issuance of a building permit.

The sign has been posted on the property and the certified mailing receipts have been returned. Staff has received several calls of inquiry regarding the proposed development. One caller voiced concern with the proposed expansion to the Black Hills Surgery Center and indicated that they would oppose any future expansions to the property.