

STAFF REPORT
February 21, 2013

No. 13RZ003 - Rezoning from Public District to Office Commercial District **ITEM 8**

GENERAL INFORMATION:

APPLICANT	Tim Trithart - Community Health Center of the Black Hills
PROPERTY OWNER	Community Health Center of the Black Hills
REQUEST	No. 13RZ003 - Rezoning from Public District to Office Commercial District
EXISTING LEGAL DESCRIPTION	All of Block 13 of Feigels Addition, located in Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 4.59 acres
LOCATION	725 E. Philadelphia Street
EXISTING ZONING	Public District
FUTURE LAND USE DESIGNATION	Public
SURROUNDING ZONING	
North:	Medium Density Residential District - General Commercial District
South:	Medium Density Residential District
East:	General Commercial District
West:	General Commercial District (Final Planned Development)
PUBLIC UTILITIES	Rapid City water and sewer
DATE OF APPLICATION	January 25, 2013
REVIEWED BY	Robert Laroco / Nicole Lecy

RECOMMENDATION:

Staff recommends that the Rezoning from Public District to Office Commercial District be approved in conjunction with the associated Comprehensive Plan Amendment application.

GENERAL COMMENTS: The applicant has submitted a request to rezone approximately 4.59 acres of property from Public District to Office Commercial District. The applicant has submitted an associated Comprehensive Plan Amendment application (File #13CA002) to change the Future Land Use designation from Public to Commercial. The applicant has indicated plans to develop the site as a 30,000 square foot Community Health Center of the Black Hills, with future plans to accommodate partner agencies such as Pennington County

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Health and Human Services. The Community Health Center of the Black Hills is owned and operated as a private enterprise and, as such, is not a permitted use in the currently existing Public District. A medical office or clinic is a permitted use in the Office Commercial District.

The property is located at 725 East Philadelphia Street and is the former location of the Berguist Elementary School. The property is currently undeveloped.

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) and has noted the following considerations:

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 property is currently zoned Public District. Property to the north is zoned Medium Density Residential District and General Commercial District. Property to the east is zoned General Commercial District and Light Industrial District. Property to the south is zoned Medium Density Residential District. Property to the west is zoned General Commercial District with a Planned Development, Medium Density Residential District and Light Industrial District. The Future Land Use designation for the area is public, with a mix of residential, commercial, and industrial land use designation in the area. A Comprehensive Plan Amendment is required to change the existing future land use designation from public to commercial. The East North Street corridor is one block north of the proposed developed and is primarily developed with commercial uses. The proposed Office Commercial zoning will provide a transitional buffer from the commercial and industrial uses north of the property and the residential uses south of the property. There are no substantially changed or changing conditions in the area.

The proposed zoning is consistent with the intent and purposes of this ordinance;

The Public District is established to provide for facilities which serve the general public that are operated by the United States of America, the state of South Dakota, or any political subdivision which qualifies for exemption from property taxes, or nonprofit organizations. Facilities within the public are generally not involved in commerce and frequently are sited with public safety and government efficiency in mind. The Office Commercial District is intended to provide a place for those types of institutional and commercial activities that require separate buildings and building groups surrounded by landscaped yards and open areas. Land, space, and aesthetic requirements of these uses make desirable either a central location or a suburban location near residential neighborhoods. The property was the previous location of the Berguist Elementary School, requiring a Public District zoning designation. The requested Rezone will allow for future development of the site as a medical clinic operated by the Black Hills Community Health Center. The proposed use is not operated by a municipal, state, or federal agency and does not qualify as a public use. The associated Comprehensive Plan Amendment will change the future land use designation from public to commercial. The requested Rezone is consistent with the intent and purpose of the Zoning Ordinance if approved in conjunction with the associated Comprehensive Plan Amendment.

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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 has noted that the proposed Office Commercial District will create a transitional buffer between the developed commercial corridor located along East North Street and the residential uses located to the south of the property. All future development of the property will be required to comply with the requirements of the Office Commercial District. It does not appear that the proposed amendment will adversely affect any other part of the City.

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 City's adopted Future Land Use Plan shows that the property is suitable for public use; however, the property was previously developed as a public school. The public use on the property has since ceased and the property remains vacant. The Rezoning request will allow the property to be developed with an important community service. Public Works staff has noted that when the property is developed, drainage improvements will be required on the site. Specifically, improvements will be required for drainage elements located on the northeastern portion of the property. Transportation planning staff has noted surrounding roads are designed as sub-collector streets capable of accommodating the light office and medical clinic uses anticipated on the property. The applicant has indicated that the development of the property as the Black Hills Community Health Center will allow consolidation of several of its facilities across the City into one central location. It appears the requested Rezone is consistent with and not in conflict with the development plan for Rapid City. For these reasons, staff recommends that the request to Rezone the property from Public District to Office Commercial District be approved in conjunction with the associated Comprehensive Plan Amendment.

Notification Requirements: As of this writing, the required sign has not been posted on the property. The green cards and white receipts providing proof of the certified mailing have not been returned to Community Planning and Development Services. Staff will inform the Planning Commission at the February 21, 2013 Planning Commission meeting if these requirements have not been met. As of this writing, there have been no inquiries into the requested Rezone.