

STAFF REPORT

January 10, 2002

No. 01DU004 - 11-6-19 SDCL

ITEM 39

GENERAL INFORMATION:

PETITIONER	Pennington County
REQUEST	No. 01DU004 - 11-6-19 SDCL Review
DESCRIPTION	Request for review for compliance with the adopted Comprehensive Plan in accordance with 11-6-19 and 11-6-22 SDCL to allow the change in use to allow a detention work release facility at 703 Adams Street and legally decribed as Lots 1-21, Block 18, North Rapid Addition, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.60 acres
LOCATION	703 Adams Street
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Public District
East:	Medium Density Residential District
West:	Medium Density Residential District
PUBLIC UTILITIES	City Water and Sewer
DATE OF APPLICATION	12/13/2001
REPORT BY	Marcia Elkins

RECOMMENDATION:

Staff recommends that the Planning Commission find that the proposed use of 703 Adams Street for a Work Release Detention center shall not be approved as it is not consistant with the adopted Comprehensive Plan or the adopted Zoning Ordinance.

GENERAL COMMENTS: The property in question is located north of North Street, south of Adams Street, between the alley and North Seventh Street. The property is developed with existing structures, including classrooms, office space and a gymnasium as well as detention cells. Parking areas are located northwest of the structure along the alley and south of the structure.

Information provided to the staff indicates that the property was originally a Catholic grade school. It appears from the deeds that the property was transferred to Pennington County in 1975. It was subsequently used as the Pennington County Juvenile Detention Center until a

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new facility opened on Campbell Street (S.Highway 79) in 1995. In addition, the site was the location of the Juvenile Court and was used as offices for Adult and Juvenile Probation officers. In 1990, the court and probation offices were moved off site. In 1996, the County entered into a lease with the Rapid City School District and they used the facility as an alternative school. The School District lease was terminated in 2001.

The property was zoned Class "D" Multiple Dwelling District in 1950 and rezoned to Medium Density Residential in 1968. Schools were a permitted use in the Class "D" Multiple Dwelling District in 1950, and were a Use Permitted on Review in the Medium Density Residential Zoning District in the 1968 Ordinance. Staff cannot find any evidence that a detention facility or County offices were ever allowed in the Medium Density Residential zoning district as a permitted use or a use on review. Additionally, staff cannot find any record of a use on review application having been submitted when the School District began using the building in 1996. It appears that neither the use of the property as a detention facility nor the use of the site as a school were in compliance with the zoning regulations.

The 1974 Long Range Comprehensive Plan identified this property as appropriate for residential land uses. The North Rapid Neighborhood Area Future Land Use Plan designated the property as appropriate for Medium Density Residential land uses. The applicant is now proposing that the property be used for a Work Release detention center.

Section 11-6-19 – 11-6-22 SDCL requires that any change in use in a public building or structure must be submitted to the City Planning Commission for approval if it is located in an area covered by an adopted Comprehensive Plan. As the applicant is proposing to change the use from a school to a Work Release detention center, they have submitted the request to the City Planning Commission for approval.

STAFF REVIEW: As noted, the Future Land Use Plan identifies the property in question as appropriate for Medium Density Residential land uses. Additionally, the property is currently identified as a Medium Density Residential zoning district. The use of the property for a Work Release detention facility is not consistent with the adopted Comprehensive Plan – Future Land Use Plan. The use is not allowed as a permitted use or a use on review/conditional use in the Medium Density Residential zoning district.

The staff recommends that the Planning Commission disapprove the proposed plan to change the use at 703 Adams Street from a school to a Work Release detention center as it is not in compliance with the adopted Comprehensive Plan – Future Land Use Plan or the adopted zoning.