

STAFF REPORT

August 9, 2001

No. 01UR040 - Use on Review for a Child Care Center

ITEM 34

GENERAL INFORMATION:

PETITIONER	Kennedy Design Group for Pioneer Credit & Debt Consolidation Services
REQUEST	No. 01UR040 - Use on Review for a Child Care Center
LEGAL DESCRIPTION	Lot 2, Block 2, Rushmore Regional Industrial Park, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.950 acres
LOCATION	1644 Concourse Drive
EXISTING ZONING	Light Industrial District
SURROUNDING ZONING	
North:	Light Industrial District
South:	General Commercial District
East:	Light Industrial District
West:	Light Industrial District
PUBLIC UTILITIES	City water and sewer
REPORT BY	Lisa Seaman

RECOMMENDATION: Staff recommends that the Use on Review for a Child Care Center be approved with the following stipulations:

Building Inspection Division Recommendations:

1. That prior to occupancy, the applicant shall obtain a Certificate of Occupancy;

Urban Planning Division Recommendations:

2. That all provisions of Section 17.50.150, Child Care Centers, of the Rapid City Municipal Code shall be continually met;
3. That a State of South Dakota Department of Social Services Day Care License shall be continually maintained;
4. Prior to City Council approval, a revised parking plan shall be submitted identifying compliance with all requirements of the Off-Street Parking Ordinance;
5. The maximum number of children to be cared for at this facility shall be forty unless a lesser number is set by the State of South Dakota, then the State identified number shall be the maximum number of children allowed;
6. That the Use On Review Shall be subject to renewal in one (1) year; and,
7. The Use on Review approval shall expire if the use is not undertaken and completed within two years of the date of approval by City Council, or if the use as approved has ceased for a period of two years.

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GENERAL COMMENTS: The applicant is proposing to locate a Child Care Center within the Pioneer Credit and Debt Consolidation Service office building located in the Rushmore Regional Industrial Park. The property is zoned Light Industrial Zoning District and Child Care Centers are permitted in this district as a Use On Review if they are incidental to or associated with a permitted principal use located in close proximity. The Day Care Center is being proposed primarily to provide an on-site day care facility for the employees of Pioneer Credit and Debt Consolidation Service. However, to make the day care facility economically feasible the applicant needs to provide care for approximately 40 children and is concerned that there will not always be enough Pioneer Credit and Debt Consolidation Service employee children to meet this quota. Therefore, the applicant is requesting Use On Review approval for a Child Care Center in order to offer services to employees of other businesses within the Rushmore Regional Industrial Park.

The applicant is proposing to provide day care for a maximum of 40 children between the hours of 7:30 a.m. and 5:30 p.m. The site plan submitted with this request identifies that the day care facility will be located in the southeast corner of the Pioneer Credit and Debt Consolidation Service office building. The site plan also indicates that the outdoor play area will be located across the parking lot from the office building in the northeast corner of the subject property and partially located on the adjacent property. The applicant has indicated that he is familiar with the applicable City and States Codes and is in the process of applying for a State Department of Social Services license for the Child Care facility

STAFF REVIEW: Staff has reviewed this request with respect to the five criteria established for Child Care Centers

1. *Proximity to major arterials* – The subject property is located at the intersection of Elk Vale Road and Concourse Drive. Elk Vale Road is classified as a major arterial street and Concourse Drive is classified as a minor arterial on the Rapid City Major Street Plan.
2. *Proximity to recreational facilities* – The applicant is proposing to provide an outdoor play area on the subject property. The site plan shows the outdoor play area located across the parking area from the office building, adjacent to a road and partially on the adjacent property. Staff has concerns with the children being required to cross the parking lot to get to the play area and the play area being within a few feet of a road. The fenced play area will be setback from the private road ten feet and the site plan shows that a landscaping buffer will be installed between the road and the play area fence. Though the play area is located across the parking lot from the office building, the site plan shows a paved walkway from the building entrance to the fenced play area gate for the children to utilize as they walk from the office building to the play area. In addition, the applicant must provide a copy of documentation that indicates that the adjacent landowner has agreed to allow the play area on their property.
3. *Traffic generated by said center* - Staff anticipates that very little additional traffic will be generated by the day care center because the children cared for in this Child Care facility will primarily be children of employees of Pioneer Credit and Debt Consolidation Service or children of employees of other business in the Rushmore Industrial Park.

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4. *Hours of operation of said center* – The applicant has indicated that the hours of operation for the day care are between 7:30 a.m. and 5:30 p.m. Monday through Friday.
5. *Maximum number of children as appropriate to the area* – The method of determining the maximum number of children appropriate or permitted is calculated on the ratio of children to play area.

There is a total of 1,438 square feet of active indoor play area identified on the building plans and 2,000 square feet of fenced outdoor play area. The Rapid City Ordinance states that an indoor play area must be provided at a ratio of thirty five square feet per child and an outdoor play area at a ratio of fifty square feet per child. Based on these ratios and the amount of indoor and outdoor space the proposed facility meets the ratio requirements of the ordinance for 40 children as requested by the applicant.

As of this writing the, the receipts from the certified mailing have been returned by the applicant. A sign has been posted on the property stating that a Use on Review has been requested.