

STAFF REPORT

July 26, 2001

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**No. 01UR037 - Use On Review for a Child Care Center**

**ITEM 35**

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GENERAL INFORMATION:

PETITIONER	Anne Devlin
REQUEST	<b>No. 01UR037 - Use On Review for a Child Care Center</b>
LEGAL DESCRIPTION	Lot 2 less W250', Nicholl's Subdivision, Section 7, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .74 acres
LOCATION	1241 E. St. Joseph Street
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District
East:	Light Industrial District
West:	General Commercial 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 continued to the August 9, 2001 Planning Commission meeting to allow the applicant time to submit additional required information.

GENERAL COMMENTS: The applicant has located the Fizz Kids Children's Mall on the subject property and is proposing to provide preschool classes in conjunction with the indoor playground, pizza and snack bar, arcade games and karaoke. The Fizz Kids Children's Mall is located on East Saint Joseph Street approximately 250 feet south of the intersection of East Saint Patrick Street and East Saint Joseph Street.

The property is zoned General Commercial and Child Care Centers are permitted in this district as a Use On Review. The site plan submitted with this request indicates that approximately 350 square feet of the building will be utilized for the preschool classroom and 812 square feet of indoor active play area will be provided. Though not shown on the submitted site plan, the applicant has indicated that a fenced area behind the building will serve as an outdoor play area.

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

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1. *Proximity to major arterials* – The subject property is located on East Saint Joseph Street and in close proximity to East Saint Patrick Street. These streets are classified as principal arterials on the Major Street Plan.
2. *Proximity to recreational facilities* – The subject property is not located in close proximity to any parks or other recreational facilities; however, the proposed day care center will be in the same building as a recreational facility. In addition, the applicant has indicated that a fenced outdoor play area will be provided. The site plans submitted do not identify the size of the outdoor play area or the height and design of the fence surrounding the outdoor play area. Staff is requesting that the applicant submit this information.
3. *Traffic generated by said center* - Staff anticipates that Saint Joseph Street is designed to adequately handle the existing traffic as well as the traffic projected to result from the Child Care Center.
4. *Hours of operation of said center* – The applicant has not provided any information regarding the hours of operation of the recreational facility or the proposed Day Care Center.
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. Consideration must be given to the fact that the child care center will be operated in tandem with the commercial operation. Children in the child care program will be playing in the “playscape” area while the facility is open to public use, on a fee basis. There is a total of 812 square feet of indoor active play area identified as “playscape” on the building plans and an additional 350 square feet of space identified as classroom area. The applicant has not provided the square footage of the 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 space identified, the proposed facility meets the ratio requirements of the ordinance for 33 children. However, staff is unable to calculate the maximum number of children allowed based on outdoor play area until the applicant provides the square footage of fenced outdoor play area.

Staff has also reviewed this request with respect to the criteria established in Section 17.54.030 and noted the following concerns:

**Detailed floor plan:** The Building Inspection Department, as well as the Fire Department, have reviewed the floor plans submitted with this request and have noted that the level of detail provided on the floor plan is not of sufficient detail to complete their review of the proposed Day Care Center.

**Drainage concerns:** The Engineering Division has recommended that the applicant provide a storm water site evaluation to verify that the on-site storm water facilities are adequate to handle all on-site storm water runoff.

**Sidewalks:** Sidewalks have been constructed along the East Saint Francis Street frontage. However, no sidewalks currently exist along the East Saint Joseph Street frontage. The

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Engineering Division is recommending that prior to issuance of a Building Permit plans be submitted showing curbside sidewalks along the East Saint Joseph Street frontage of the property and that prior to issuance of a Certificate of Occupancy the sidewalks be installed.

As of this writing, the receipts from the certified mailing have not been returned by the applicant. A sign has been posted on the property stating that a Use on Review has been requested. Staff will notify the Planning Commission in the event documentation of the certified mailing has not been received prior to the July 26, 2001 Planning Commission meeting.