

STAFF REPORT

November 7, 2002

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**No. 02PD062 - Conditional Use Permit to allow a Day Care Center in High Density Residential District**      **ITEM 35**

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GENERAL INFORMATION:

PETITIONER	Joel Schwiesow
REQUEST	<b>No. 02UR029 - Conditional Use Permit to allow for a Day Care Center in High Density Residential District</b>
EXISTING LEGAL DESCRIPTION	Lots 8 thru 12, Block 24, Boulevard Addition, Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .40 acres
LOCATION	1010 9th Street
EXISTING ZONING	High Density Residential District
SURROUNDING ZONING	
North:	High Density Residential District
South:	Medium Density Residential District
East:	General Commercial District
West:	Medium Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	09/26/2002
REPORT BY	Jeff Marino

RECOMMENDATION:

**Staff recommends that the Conditional Use Permit to allow a Day Care Center in High Density Residential be continued until the November 21, 2002 Planning Commission Meeting to allow the applicant to submit a revised site plan.**

GENERAL COMMENTS: (Updates to the staff report are shown in bold.) This request was continued from the October 24, 2002 Planning Commission Meeting. The applicant is proposing a Day Care Center in a High Density Residential District at the property bordered by 9<sup>th</sup> Street on the west, South Street on the north, and Fulton Street on the south. The property is one block away from a principle arterial road, Mt. Rushmore Road.

The property was built in 1945, and it was previously used for a medical office. The structure incorporates 9,219 square feet of floor area, and it has the architectural features of

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a single family residential home. The property sits on an approximately .40 acre lot, and there are approximately 23 parking spaces currently developed on site. The lot coverage at the site is currently 53 percent.

The property does not meet current setback requirements for a high density residential use; however, it was granted a front yard setback variance in 1995 for an entrance into the building with an enclosed wheel chair ramp.

**STAFF REVIEW:** Staff reviewed this request with regard to the twelve requirements of Section 17.54.030 (E) of the Rapid City Municipal Code for Use on Reviews and identified a number of issues that must be addressed:

**Parking** – Currently, there are approximately 23 parking spaces located at the site; however, the proposed use of a child care facility on the first floor with offices on the second floor will require 39 parking spaces. Additional information needs to be submitted to the Planning Department concerning the ability of the applicant to lease parking within 300 feet of the site to fulfill the parking requirements.

**Circulation** – Section 17.50.270 (D) requires a Day Care Center to have an unloading zone for parents to drop their children off at the Day Care Center. Section 17.50.270 (D) notes state that, “c. Passenger unloading zones shall not conflict with parking stalls or aisles and shall have adequate ingress and egress.” The applicant needs to submit a revised site plan identifying an unloading zone for the Child Care Facility designed in accordance with the provisions of the Zoning Ordinance or provided information regarding an alternative method for addressing the unloading needs associated with the business.

**Play Areas** – Staff discussed the floor area and outdoor play area with the applicant. Based on the information currently provided, a maximum of 38 children could be cared for on the site. Based on these discussions, staff believes that the applicant may wish to submit a revised site plan. The applicant needs to submit this information to show the proposed development is in compliance with the requirements of the Zoning Ordinance.

Due to resolve the need to the outstanding issues and the need for additional and revised information to be submitted, Staff is recommending that the request be continued to the **November 21, 2002** Planning Commission meeting.