

STAFF REPORT

November 21, 2002

No. 02PD062 – Initial and Final Planned Development to allow a Day Care Center in High Density Residential District **ITEM 62**

GENERAL INFORMATION:

PETITIONER	Joel Schwiesow
REQUEST	No. 02PD062 - Conditional Use Permit to allow for a Day Care Center in High Density Residential District
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 approved with the following stipulations.

Building Inspection Division Recommendations:

1. The applicant shall have a maximum of one square foot of signage at any time;

Engineering Division Recommendations:

2. The sight triangles will remain unobstructed at all times;

Urban Planning Division Recommendations:

3. The applicant shall submit documentation prior to issuance of a building permit demonstrating that the leased parking shall not cause any zoning violations for other uses;

STAFF REPORT

November 21, 2002

No. 02PD062 – Initial and Final Planned Development to allow a Day Care Center in High Density Residential District ITEM 62

4. The applicant shall submit a site plan prior to Planning Commission approval showing the main entrance/exit on the east side of the building. No child drop off shall occur on the west side of the building at any time;
5. Prior to Planning Commission approval, a revised site plan shall be submitted for review and approval showing the required play area. A minimum of 50 square feet of indoor and/or outdoor play area shall be provided per child. The outdoor play area shall be located a minimum distance of 25 feet to any property line. In addition, a minimum 42 inch high fence shall be constructed around the outdoor play area;
6. The hours of operations shall be between 6 A.M. and 6 P.M., Monday through Saturday ;
7. The number of children allowed shall be limited to the amount of play area being provided. At no time more than 60 children be allowed.

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 9th 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 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 17 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 17 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. **The applicant has submitted a leased parking agreement to the Planning Department showing 11 parking spaces being leased from the property to the east. However, prior to the issuance of a building permit, the applicant needs to submit information showing that the property to the east has enough parking for its current use.**

STAFF REPORT

November 21, 2002

No. 02PD062 – Initial and Final Planned Development to allow a Day Care Center in High Density Residential District **ITEM 62**

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. **The applicant has submitted a site plan with the loading/unloading zone for the facility on the west side of the building; however, this proposal will cause significant traffic on 9th street negatively affecting the surrounding residential uses. In order to minimize the negative impacts on the surrounding uses, Staff is recommending that a revised site plan be submitted showing the main entrance/exit on the east side of the building near the loading/unloading zone. No children shall access the west side of the building on a regular basis. This will significantly reduce the impact on the residential neighborhood.**

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. **To date, a revised site plan showing compliance with the play area requirements has not been submitted. A site plan showing an increase in outdoor play area, an increase in indoor play area, or a reduction in number of children needs to be submitted prior to Planning Commission approval in order to allow for adequate play area for the children.**

Staff is recommending that the request be **approved with the stated stipulations.**

The required Initial and Final Planned Development sign has been posted on the property; however, the receipts from the certified mailing have not been returned as of the writing of this staff report.