

STAFF REPORT

October 23, 2003

No. 99UR016 - Renewal of a Conditional Use Permit to allow a Child Care Center in the General Agriculture Zoning District **ITEM 43**

GENERAL INFORMATION:

PETITIONER	TSP for Zion Lutheran Church
REQUEST	No. 99UR016 - Renewal of a Conditional Use Permit to allow a Child Care Center in the General Agriculture Zoning District
EXISTING LEGAL DESCRIPTION	Lot D, Section 14, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	10.18 acres
LOCATION	The east side of U.S. Highway 16 northeast of the water tower
EXISTING ZONING	General Agriculture
SURROUNDING ZONING	
North:	General Commercial
South:	General Agriculture
East:	General Agriculture
West:	General Agriculture
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	09/26/2003
REPORT BY	Karen Bulman

RECOMMENDATION:

Staff recommends that the Renewal of a Conditional Use Permit to allow a Child Care Center in the General Agriculture Zoning District be approved with the following stipulations:

Urban Planning Division Recommendations:

1. That all provisions of Section 17.50.150, Child Care Centers, of the Rapid City Municipal Code shall be continually met;
2. That the Conditional Use Permit approval shall expire if the use has ceased for a period of two years; and,
3. That the Conditional Use Permit is approved on an ongoing basis with review to occur on a complaint basis only.

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GENERAL COMMENTS: On June 7, 1999, the City Council approved a Use on Review to allow a child care center on the above legally described property with the following stipulations:

1. That prior to issuance of a Certificate of Occupancy, all building and fire codes must be complied with;
2. That the applicant obtain a Certificate of Occupancy prior to occupancy;
3. That prior to issuance of a building permit, the applicant shall provide proof of State licensing from the Department of Social Services;
4. That all provisions of Section 17.50.150, Child Care Centers, of the Rapid City Municipal Code shall be continually met;
5. That this Use on Review be approved for a maximum of twelve months, subject to renewal; and,
6. That 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.

The following year, a renewal of the Use on Review was submitted and approved with the following stipulations:

1. That all provisions of Section 17.50.150. Child Care Centers, of the Rapid City Municipal Code shall be continually met;
2. That this Use on Review shall be subject to renewal in three (3) years; and,
3. That the Use on Review approval shall expire if the use has ceased for a period of two years.

The approved Use on Review has allowed the applicant to locate a child care center within their new church and school facility located on South U. S. Highway 16, immediately north of the water tower. There are currently three parts to the child care center operation. The first part is a preschool that operates from 7:00 a.m. to 5:30 p.m., Monday through Friday and serves a maximum of 20 children. The second part of the child care center is an after school program for kindergarten children. The after school kindergarten program operates from 3:00 p.m. to 5:00 p.m. and serves a maximum number of 20 children. The third segment of the program is an after school program for first through sixth graders. The program serves a maximum number of 30 children and operates from 3:00 p.m. to 5:00 p.m., Monday through Friday.

STAFF REVIEW: Staff has reviewed the renewal for the child care center and has determined that all of the conditions of approval of the Use on Review are being met. A Certificate of Occupancy and State licensing from the Department of Social Services have been obtained. In addition, it appears the child care center is meeting all provisions of Section 17.50.150 of the Rapid City Municipal Code.

Staff has not received any comments or complaints regarding the facility during the review or in the last three years. In addition, the applicant has posted a sign on the property

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indicating that the child care center is being reviewed. Staff finds the Conditional Use Permit is in compliance with all regulations and recommends that the Conditional Use Permit be approved on an ongoing basis with review to occur on a complaint basis only.