

STAFF REPORT

May 5, 2005

No. 05UR006 - Conditional Use Permit to allow a Child Care Center in the General Agriculture Zoning District **ITEM 50**

GENERAL INFORMATION:

PETITIONER	Dave St. Pierre for Steve and Trisha Nolan
REQUEST	No. 05UR006 - Conditional Use Permit to allow a Child Care Center in the General Agriculture Zoning District
EXISTING LEGAL DESCRIPTION	Lot 2 of Tract 1 of Par Subdivision, Section 23, T1N, R7E, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 3.495 acres
LOCATION	6047 Tartan Court
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Agriculture District
South:	General Agriculture District (Pennington County)
East:	General Agriculture District
West:	General Agriculture District
PUBLIC UTILITIES	Private water and septic system
DATE OF APPLICATION	4/11/2005
REVIEWED BY	Todd Tucker / Michelle Horkey

RECOMMENDATION:

Staff recommends that the Conditional Use Permit to allow a Child Care Center in the General Agriculture Zoning District be continued to the June 9, 2005 Planning Commission meeting.

GENERAL COMMENTS: The subject property is located at the southwest corner of Catron Boulevard and Tartan Court. There is an existing 5,200 square foot one story structure located on the subject property. The applicant is requesting approval of a Conditional Use Permit to allow the use of the structure as a child care center.

STAFF REVIEW: Staff has reviewed this request for a Conditional Use Permit as it relates to the applicable provisions of the Rapid City Municipal Code and has noted the following issues:

Building Permit: Staff noted that a Building Permit must be obtained prior to initiation of any construction and that a Certificate of Occupancy must be obtained prior to occupying the building.

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Staff noted that the previous use of the existing structure was a church. The change in use of the structure will require that the existing structure and the subject property be brought into compliance with all current regulations. As previously indicated, the existing structure is 5,200 total square feet in size. Staff noted that the International Building Code requires that building plans stamped by a professional architect be provided for all day care structures greater than 4,500 square feet in size. As such, staff is recommending that this item be continued to the June 9, 2005 Planning Commission meeting to allow time for the applicant to submit building drawings stamped by a professional architect and to allow time for staff to review those plans.

Staff also noted that the occupancy for the structure is determined by the number of children to be cared for in the facility, the ages of the children cared for and the amount of space within the structure provided for the children. As such, the applicant must provide a detailed floor plan of the structure, a description of how many children will be cared for at the facility and the range of ages of the children cared for at the facility to determine if the building will be classified as an "E" or "I-4" occupancy.

Site Plan: Staff noted that the submitted site plan does not show the complete property boundaries or all of the existing structures located on the subject property. Staff is recommending that this item be continued to the June 9, 2005 Planning Commission meeting to allow the applicant to submit a complete site plan. The revised site plan must include a north arrow.

Parking: The applicant has indicated that the number of children cared for at the facility will be limited to the number of children the State of South Dakota permits them to have. The applicant must provide staff with the maximum number of children to be cared for and the number of full-time staff to accurately determine the required number of parking stalls, play areas and to evaluate the traffic impacts.

Play Area: Section 17.50.150 of the Rapid City Municipal Code requires that a minimum of 35 square feet of play space be provided per child cared for. Play space shall not include floor space used for permanent and stationary equipment, storage, halls, bathrooms, offices and kitchens. No more than half of the space occupied by cribs shall be used in determining total square feet of play space. Also, a fenced-in area of not less than 50 square feet per child shall be provided. As such, the applicant must submit the maximum number of children to be cared for to determine the required square footage of indoor and outdoor play area to be provided.

Hours of Operation: Staff noted that the applicant has not indicated the hours of operation for the proposed child care facility. As such, the applicant must provide the hours of operation to allow an evaluation of the affects on the surrounding property owners.

Signage and Lighting: The applicant has not submitted any information regarding the proposed signage for the subject property. As such, a detailed sign package showing the location and size of all proposed signs on site must be submitted for review and approval. The applicant must also submit a lighting plan showing the location of all exterior lighting to allow a review

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of the affect of exterior lighting on adjacent properties and on vehicles traveling along Catron Boulevard or Tartan Court.

Landscaping: The applicant is required to provide 36,920 landscaping points with a minimum of 18,460 points located either in or within 20 feet of the parking lot. The submitted landscaping plan shows 37,500 landscaping points to be provided. However, only 11,916 points are provided within 20 feet of the parking lot. As such, a revised site plan must be submitted showing a minimum of 18,460 landscaping points located within 20 feet of the parking lot.

Grading and Drainage: Staff noted that no grading or drainage plan was submitted with the application. A grading and drainage plan must be submitted showing site contours, flow lines, erosion control, spot elevations for the handicapped parking area and how drainage from the parking area will be addressed. Staff also noted that the drainage plan must be designed in accordance with the South Truck Route Drainage Plan and prepared and stamped by a professional engineer as required by the South Dakota Codified Laws.

Utilities: The application indicates that electricity and gas service are provided to the existing structure with water and sewer service provided by a well and septic tank. Staff noted that the submitted site plan does not indicate the location of any existing or proposed utilities on the subject property. As such, staff is recommending that this request be continued to the June 9, 2005 Planning Commission meeting to allow the applicant time to submit a complete site plan showing the location of all existing utilities including the location of the existing well, septic tank and drainfield and any proposed utility service.

Access: The applicant's site plan shows that the proposed driveway to the subject property will be from Tartan Court. Staff noted that Tartan Court is currently not paved or improved to City street design standards. Section 15.50.270 (G.1.b.) of the Rapid City Municipal Code states that unpaved access to parking facilities is not permitted except for single-family and duplex uses. All access for parking facilities for commercial uses must be constructed to the City minimum construction standards. As such, staff is recommending that this request be continued to the June 9, 2005 Planning Commission meeting to allow time for the applicant to submit a revised drawing and construction plans for the construction of Tartan Court constructed to City street design standards.

Staff also noted that the South Dakota Department of Transportation construction plans for Catron Boulevard show that a median will be installed at the location within Catron Boulevard. The applicant should be aware that the installation of the median with the reconstruction of U.S. Highway 16B (Catron Boulevard) will require that the ingress and egress onto Tartan Court be right in and right out only.

Fire Safety: Staff noted that fire hydrants are usually required for the proposed development, however, at this time there is no water located along Catron Boulevard in this area. As such, staff is recommending that the requirement to install fire hydrants be coordinated with the installation of a water main in Catron Boulevard.

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Staff noted that the occupancy of the structure will require the structure to be fully fire sprinklered and fire alarmed/detected based on the proposed use of the structure. As previously indicated, there is no water main currently providing service to the property. As such, the fire sprinkler system must be contained within a pressure tank(s) on site.

Staff noted that access to the structure must accommodate Fire Department apparatus and be in compliance with all applicable provisions of the International Fire Code.

Staff is recommending that the Conditional Use Permit request be continued to the June 9, 2005 Planning Commission meeting to allow the applicant time to make the necessary revisions to the site plan and to submit the additional required information.