

STAFF REPORT
December 7, 2006

No. 06UR023 - Conditional Use Permit to allow a teenage care center in a Medium Density Residential District **ITEM 39**

GENERAL INFORMATION:

PETITIONER	Jay Van Hunnik for Wellspring, Inc.
REQUEST	No. 06UR023 - Conditional Use Permit to allow a teenage care center in a Medium Density Residential District
EXISTING LEGAL DESCRIPTION	Lots 2 thru 15 and Lots 18 thru 34 of Block 9 of the Cottonwoods Subdivision, Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.79 acres
LOCATION	3402 Cottonwood Street
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Medium Density Residential District
East:	Medium Density Residential District
West:	Medium Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	11/9/2006
REVIEWED BY	Vicki L. Fisher / Todd Peckosh

RECOMMENDATION:

Staff recommends that the Conditional Use Permit to allow a teenage care center in a Medium Density Residential District be continued to the January 4, 2007 Planning Commission meeting.

GENERAL COMMENTS:

The applicant has submitted a Conditional Use Permit to allow a teenage care center on the above legally described property.

In 1947, the subject property was annexed into the City limits of Rapid City. In 1949, a building permit was issued to allow the construction of a 30 foot by 60 foot church. In 1952, a building permit was issued to allow the construction of a detached garage and two Sunday school rooms onto the church. In 1955, a building permit was issued to allow the construction of two additions onto the church measuring 32 feet by 80 feet and 28 feet by 40 feet, respectively. In 1982, a building permit was issued to allow a multi-purpose room to be

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constructed onto the church. On March 4, 1985, the City Council approved a Use on Review to allow another addition onto the existing church and to add parking spaces. It was noted during the review that a Use on Review had not been obtained for the existing church use and as such, the Use on Review was being proposed to bring the church into compliance with the City Zoning Regulations and to authorize the 1985 addition as identified.

On September 5, 2006, the City Council denied without prejudice a Rezoning request to change the zoning designation of the subject property from Medium Density Residential District to Office Commercial District. In addition, the City Council denied without prejudice a Comprehensive Plan Amendment to the Long Range Comprehensive Land Use Plan to change the land use designation from residential to Office Commercial with a Planned Commercial Development. (See file No. 06RZ0020 and No. 06CA019.)

On October 16, 2006, the City Council approved an Ordinance Amendment to allow "teenage care center" as a Conditional Use in the Medium Density Residential District.

The property is located east of Evergreen Drive, north of Cottonwood Street, west of 9th Avenue and south of Dover Street. Currently, Calvary Lutheran Church is located on the property.

STAFF REVIEW:

Staff has reviewed the Conditional Use Permit and has noted the following considerations:

Use: The applicant has indicated that the existing structure will be used as a Teenage Care Center for an estimated 64 youth per week, ranging in age from 10 to 19. In particular, the applicant has indicated that the daily services will include:

- Transportation from school, when school is in session (Parents also have the option of transporting their children from school to the facility);
- An afternoon snack;
- 1 ½ hours of group therapy;
- 1 ½ hours of life skills education;
- Tutoring and/or help with homework as needed;
- An evening meal; and,
- Family counseling and parent education, when needed.

The applicant has also indicated that the facility will have 25 employees. As such, the facility will include administrative offices with board and committee meetings as needed. In addition, the applicant has indicated that the Teenage Care Center will be open from 8:00 a.m. to 8:30 p.m. Monday through Friday and 8:00 a.m. to 5:00 p.m. on Saturday. During summer or when school is not in session, the children may arrive two to three hours earlier but will also usually leave two to three hours earlier.

Parking: The proposed use requires a minimum of 89 parking spaces. The applicant has submitted a site plan showing 129 parking spaces. However, 25 of the parking spaces

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located along the east lot line are partially located in the adjacent street right-of-way. In addition, four of the parking spaces located along Cottonwood Street are designed so that the vehicles will back into the Cottonwood Street right-of-way. An additional 13 parking spaces along the south lot line are located six feet from the side yard of the adjacent residential lot in lieu of the minimum required 12 foot separation. Staff has also noted that the access aisle(s) located throughout the parking lot range in width from 21 feet to 23 feet, which does not provide the minimum 26 foot access aisle width as per the Parking Regulations. In addition, the approach along Dover Street is approximately 12 feet in width in lieu of a minimum 20 feet in width to allow the existing two way traffic at the approach. The parking plan identifies seven parking spaces located in the northwest corner of the subject property that meet the minimum parking requirements. The balance of the parking spaces do not meet the minimum design standards and, as such, can not be counted towards meeting the parking requirement. However, it appears that the parking lot could be redesigned and/or re-striped to provide the minimum required parking spaces. In particular, it may require that one way traffic, which allows for angled parking and a reduced access aisle width, be incorporated into the parking plan. Staff is recommending that the Conditional Use Permit application be continued to allow the applicant to revise the parking plan to provide a minimum of 89 parking spaces with three handicap accessible spaces as per the Parking Regulations. In addition, one of the handicap accessible spaces must be "van" handicap accessible.

Landscaping: A minimum of 61,046 landscaping points must be provided. In addition, a minimum of one planter island per 50 parking spaces must be provided. Each planter island must contain a minimum of 100 square feet and provide a minimum of one tree with shrubs, groundcover and/or mulch covering at the base. To date, a landscaping plan has not been submitted for review and approval. As such, staff is recommending that the Conditional Use Permit be continued to allow the applicant to submit a landscaping plan as identified.

Sign Package: The applicant has submitted a written statement that the existing Calvary Lutheran Church signs will remain on the property but will be replaced to identify the Teenage Care Center in lieu of the church. To date, the size, building material and color scheme of the signs has not been submitted for review and approval. As such, staff is recommending that the Conditional Use Permit be continued to allow the applicant to submit a sign package as identified.

Developmental Lot: The subject property comprises 31 individual lots. As such, staff is recommending that prior to issuance of a building permit, the applicant sign a developmental lot agreement identifying the subject property as one developmental lot.

Fire Department: The Fire Department staff has indicated that the change in use requires that the structure be fire sprinklered as per the International Fire Code. Currently, a fire alarm system is in place within the structure; however, the Fire Department staff has indicated that the existing system may require an upgrade to meet the current International Fire Code requirements. The applicant has indicated that a fire sprinkler system will be installed as required. Staff is recommending that the building be fire sprinklered as per the International Fire Code and that a building permit be obtained for the fire sprinkler system prior to

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installation.

Dumpster: To date, the applicant has not submitted a site plan identifying the location of a dumpster. As such, staff is recommending that the Conditional Use Permit be continued to allow the applicant to identify the location of the dumpster and to submit elevations of a screening fence to be constructed around all four sides of the dumpster.

Air Handling Equipment: The applicant has indicated that the air handling equipment is located within the existing structure. As such, no additional information is required regarding the size and/or noise generated by the air handling equipment. Staff is recommending that the air handling equipment continue to be located within the existing building. Any external placement of air handling equipment will require an Amendment to the Conditional Use Permit.

Notification Requirement: As of this writing, the receipts from the certified mailings have not been returned nor has the sign been posted on the property. Staff will notify the Planning Commission at the December 7, 2006 Planning Commission meeting if these requirements have not been met.

Staff is recommending that the Conditional Use Permit be continued to the January 4, 2007 Planning Commission meeting to allow the applicant to submit the additional information as identified above.