

STAFF REPORT
August 21, 2008

No. 08UR011 - Major Amendment to a Conditional Use Permit to allow a child care center

ITEM 34

GENERAL INFORMATION:

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| APPLICANT/AGENT | Monica Sorensen Haeder |
| PROPERTY OWNER | St. Andrew's Episcopal Church, Inc. |
| REQUEST | No. 08UR011 - Major Amendment to a Conditional Use Permit to allow a child care center |
| EXISTING LEGAL DESCRIPTION | Lot 1R of Lot 1 and a portion of the vacated West South Street, Section 4, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE | Approximately 1.78 acres |
| LOCATION | 910 Soo San Drive |
| EXISTING ZONING | Medium Density Residential District |
| SURROUNDING ZONING | |
| North: | Low Density Residential District |
| South: | Medium Density Residential District |
| East: | Medium Density Residential District |
| West: | Office Commercial District |
| PUBLIC UTILITIES | City Water/Sewer |
| DATE OF APPLICATION | 7/10/2008 |
| REVIEWED BY | Jared Ball / Karley Halsted |

RECOMMENDATION:

Staff recommends that the Major Amendment to a Conditional Use Permit to allow a child care center be continued to the **September 4, 2008** Planning Commission meeting.

GENERAL COMMENTS: **(Update: August 14, 2008. All revised and/or added text is shown in bold.) This item was continued at the August 7, 2008 Planning Commission meeting because all of the required information had not been submitted. As of this writing the required information has not been submitted. Staff recommends that this item be continued to the September 4, 2008 Planning Commission meeting.** The property is located at 910 Soo San Drive. The property is zoned Medium Density Residential District. The property to the north is zoned Low Density Residential District. The properties to the south and east are zoned Medium Density Residential District and the property to the west is zoned Office Commercial District. A church is currently located on the property.

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On November 21, 1977 The Rapid City, City Council approved a Use On Review to allow an addition to an existing church.

On May 15, 2000 The Rapid City, City Council approved a Major Amendment to a Use On Review to allow a 3,352 square foot addition to an existing church to be used as offices, a community room and an entrance corridor.

The applicant is now requesting a Major Amendment to a Conditional Use Permit to allow a child care center.

STAFF REVIEW: Staff has reviewed this request for a Major Amendment to a Conditional Use Permit as it relates to the applicable provisions of Section 17.54.030 of the Rapid City Municipal Code and has noted the following issues:

Site Plan: The site plan that was submitted with this application is not up to date. Upon visiting the site, staff noted discrepancies between the existing site development and the plans that were submitted. In order to complete the review for this application the applicant must submit an up to date site plan that includes all existing structures, parking, landscaping and an unloading zone. As such, Staff recommends that the Major Amendment to a Conditional Use Permit to allow a child care center be continued to the September 4, 2008 Planning Commission meeting.

Sign Package: The sign package that was submitted with this project does not comply with the Rapid City Code of Ordinances. Section 15.28.220 of the Rapid City Municipal Code states that wall signs or ground signs for a commercial use in a residential district or a home occupation may be one square foot in size per commercial use or home occupation. In addition the sign must not be within 100 feet of any other signs on the property. As such, staff recommends that the Major Amendment to a Conditional Use Permit to allow a child care center be continued to the September 4, 2008 Planning Commission meeting.

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. 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. As such, staff recommends the Conditional Use Permit to allow a child care center be continued to the September 4, 2008 Planning Commission meeting.

Parking: The Rapid City Code of Ordinances requires 0.25 parking stalls per available seat in a church. The applicant has indicated that the seating capacity of the church is 225, which requires 56 parking stalls. The parking plan that was submitted identifies 70 parking stalls. However, the plan that was submitted does not identify all of the existing structures on the property or the required unloading area. In order for staff to complete the review for this project the applicant must submit a complete parking plan that identifies all existing

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structures on the property and an unloading zone. As such, staff recommends that the Conditional Use Permit to allow a child care center be continued to the September 4, 2008 Planning Commission meeting.

Landscaping: The landscaping plan that was submitted with this application does not identify the number of landscaping points being provided. In addition, upon visiting the site, staff noted discrepancies between the site and the landscaping plan that was submitted. In order for staff to complete the review for this request the applicant must submit a complete landscaping plan for the property. As such, staff recommends that the Conditional Use Permit to allow a child care center be continued to the September 4, 2008 Planning Commission meeting.

Fire Code: The structure shall be fully fire sprinklered and fire alarmed detected. In addition, all applicable provisions of the current International Fire Code must be continually met.

Staff recommends that the Conditional Use Permit to allow a child care center be continued to the **September 4, 2008 Planning Commission meeting.**