

STAFF REPORT  
March 26, 2009

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**No. 09UR005 - Conditional Use Permit to allow a Child Care Center**

**ITEM 27**

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GENERAL INFORMATION:

APPLICANT/AGENT	Rob Larson
PROPERTY OWNER	Rapid City YMCA
REQUEST	<b>No. 09UR005 - Conditional Use Permit to allow a Child Care Center</b>
EXISTING LEGAL DESCRIPTION	Lot B of Lots 17 thru 19 of Block 102 of Original Town of Rapid City, Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.173 acres
LOCATION	830 Quincy Street
EXISTING ZONING	Central Business District
SURROUNDING ZONING	
North:	Central Business District
South:	Central Business District
East:	Central Business District
West:	High Density Residential District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	2/27/2009
REVIEWED BY	Travis Tegethoff / Karley Halsted

RECOMMENDATION:

Staff recommends that the Conditional Use Permit to allow a Child Care Center be approved with the following stipulations:

1. The currently adopted International Fire Code shall be continually met.
2. Changes to the sign package, which the Growth Management Director determines to be consistent with the original approved sign package, shall be allowed as a Minimal Amendment to the Planned Commercial Development. In addition, the Growth Management Director may approve temporary signs in accordance with Chapter 15.28.080 of the Rapid City Municipal Code. The lighting for the signs shall be designed to preclude shining on the adjacent properties and/or street(s). A sign permit shall also be obtained for each individual sign;
3. The landscaping plan shall comply with all requirements of the Zoning Ordinance. In addition, all landscaping shall be continually maintained in a live vegetative state and replaced as necessary;
4. A maximum of 45 children shall be allowed at the child care center;
5. The hours of operation shall be from 5:30 a.m. to 7:00 p.m. for the child care center;

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6. A minimum of 35 square feet of play space shall be provided per child as per Section 17.50.150 of the Rapid City Municipal Code; and,
7. The Conditional Use Permit to allow a Child Care Center shall expire if the use is not undertaken within two years of the date of approval by the Planning Commission, or if the use as approved has ceased for a period of two years.

GENERAL COMMENTS: The applicant has submitted a Conditional Use Permit to allow a Child Care Center to be located on the above legally described property. The property is located north of Quincy Street and east of 9<sup>th</sup> Street. The YMCA Science Center is currently located on the property and the applicant is proposing to use the facility for a before and after school care center for up to 45 kindergarten age children. There will be a maximum of 4 staff provided and the hours will be from 6:30 a.m. to 6:00 p.m.

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:

Parking: Staff noted that the facility is zoned Central Business District and that off-street parking is not required. Since the facility is located in the Central Business District an off-street unloading zone is not required. In addition, an on-street unloading zone is currently provided for the existing YMCA facility approximately 200 feet to the north of this structure that can be utilized in conjunction with this property.

Landscaping: A minimum of 6,035 landscaping points are required. There are existing trees and lawn area on the property that provides 8,027 landscaping points. Staff recommends that landscaping plan shall comply with all requirements of the Zoning Ordinance. In addition, all landscaping shall be continually maintained in a live vegetative state and replaced as necessary.

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. There is 1,948 square feet of play space provided in the building for 45 children. This provides 43 square feet of play space per child and exceeds the minimum requirement of Section 17.50.150 of the Rapid City Municipal Code.

Sign Package: Staff noted that a sign package was previously approved for the property and that no additional signage is proposed at this time. Changes to the sign package, which the Growth Management Director determines to be consistent with the original approved sign package, may be allowed as a Minimal Amendment to the Planned Commercial Development. In addition, the Growth Management Director may approve temporary signs in accordance with Chapter 15.28.080 of the Rapid City Municipal Code. The lighting for the signs must be designed to preclude shining on the adjacent properties and/or street(s). A sign permit must also be obtained for each individual sign.

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.