

STAFF REPORT
December 5, 2013

No. 13UR020 - Conditional Use Permit to allow a child care center as an after school care program **ITEM 2**

GENERAL INFORMATION:

APPLICANT	Rapid City Area School District
AGENT	Renee Catron - Renner & Associates, LLC
PROPERTY OWNER	Rapid City Independent School District
REQUEST	No. 13UR020 - Conditional Use Permit to allow a child care center as an after school care program
EXISTING LEGAL DESCRIPTION	The west 900 feet of the north 500 feet of the SW1/4 of the SE1/4, located in Section 32, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 9.35 acres
LOCATION	4901 West Chicago Street
EXISTING ZONING	Public District
FUTURE LAND USE DESIGNATION	Public
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Low Density Residential District
East:	Low Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	Rapid City water and sewer
DATE OF APPLICATION	October 25, 2013
REVIEWED BY	Robert Laroco / Brandon Quiett

RECOMMENDATION:

Staff recommends that the Conditional Use Permit to allow a child care center as an after school care program be approved with the following stipulations:

1. A building permit shall be obtained prior to commencement of the after school child care center activities;
2. The child care center shall operate in compliance with the submitted operations plan. In addition, the loading/unloading zone shall be provided as shown on submitted plans;
3. All landscaping shall continue to comply with the requirements of the Rapid City Landscaping Ordinance;
4. All parking shall continue to comply with the requirements of the Rapid City Parking

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- Ordinance and the submitted parking plan;
5. All signage shall comply with the requirements of the Rapid City Sign Code. A sign permit shall be required for each sign;
 6. All provisions of the Public District and the requirements for a child care center pursuant to Chapter 17.50.150 of the Rapid City Municipal Code shall be continually maintained, and;
 7. This Conditional Use Permit shall allow for a child care center to be operated as an after school program by the Rapid City School District. Uses permitted in the Public District shall be permitted with an approved building permit and contingent upon provision of sufficient parking. Conditional uses shall require the review and approval of a Major Amendment to the Conditional Use Permit. Changes in the operator of the child care center shall require the review and approval of a Major Amendment to the Conditional Use Permit.

GENERAL COMMENTS: The applicant has submitted a request to allow a child care center to be located on approximately 9.35 acres of property located in the Public District. The Rapid City School District is proposing an after school program for an average of 50 children to be located at Pinedale Elementary School. Submitted plans show that one staff member will work at the facility for every 12 children. Thus, an after school program for 50 children will employ a minimum of 5 staff members. Pinedale Elementary School is a public use and the after school program is a conditional use accessory to the primary school use, requiring the review and approval of a Conditional Use Permit.

The property is located at 4901 West Chicago Street, between Wedgewood Drive and Pinedale Drive in western Rapid City. The property is currently developed as an elementary school.

STAFF REVIEW: Staff has reviewed the proposed day care center pursuant to the requirements of Chapter 17.50.150 and Chapter 17.54.030 of the Rapid City Municipal Code and has noted the following considerations:

Criteria for Review: In reviewing applications for a Conditional Use Permit, due consideration shall be given to the following:

The location, character, and natural features of the property;

The property is comprised of approximately 9.35 acres located in a fully developed residential area of the City. The property includes large amounts of open space developed as playground, basketball and tennis courts, and open space typical of an elementary school. The applicant has indicated that this open space will be available for children in the afterschool care program. No additional expansion of the structures on the property is proposed. However, the addition of the child care center use does require a building permit. A building permit must be obtained prior to commencement of any afterschool care activities.

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The location, character, and design of adjacent buildings;

All of the surrounding properties are zoned Low Density Residential District and developed primarily with single-family residences. The existing elementary school has been located on the property for a number of years and has served as the neighborhood elementary school. Single-family residences adjacent to the school property are buffered from the school with screening vegetation and an existing fence located along the west, east, and south property lines.

Proposed fencing, screening, and landscaping;

Submitted plans show that a fence currently exists on the property and separates the outdoor areas on the school property from neighboring single-family residences. No expansion of the existing structures is being proposed and, as such, a review of the landscaping is not required. All landscaping must continue to comply with the requirements of the Rapid City Landscaping Ordinance.

Proposed vegetation, topography and natural drainage;

No changes to the existing vegetation, topography, and natural drainage are proposed as a part of the Conditional Use Permit. Public works staff has not noted any concerns with the existing drainage on the property.

Proposed pedestrian and vehicular access, circulation and parking, including that related to bicycles and other unpowered vehicles and provisions for handicap persons;

Submitted plans show that a minimum of 10 parking spaces as well as a loading and unloading zone are required for the proposed child care center use. The parking lot on the north side of Pinedale Elementary School includes a total of 35 parking spaces as well as a loading/unloading zone. The provided parking meets the minimum parking requirements for a child care center. All parking must continue to comply with the requirements of the Rapid City Parking Ordinance and the submitted parking plan. It appears that sidewalks have been installed along West Chicago Street and are provided on the interior of the property.

Existing traffic and traffic to be generated by the proposed use;

The proposed child care center will be for existing students of Pinedale Elementary School and will not be publicly advertised. Similarly, the child care center employees will consist of existing staff at the school. The loading/unloading zone is located within a parking lot located adjacent to the center to the north and, as such, should not create an interference with area traffic. It does not appear that the proposed after school program will increase or adversely affect the existing or expected traffic in the area.

Proposed signs and lighting;

No additional lighting or signage is being proposed for the site.

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The availability of public utilities and services;

The property is serviced by Rapid City water and sewer. Public Works staff has not noted any concerns with the existing utility services.

During review of the proposed child care center, Rapid City Fire Department staff determined that current codes require fire sprinkler protection throughout the structure as well as upgrades to the fire alarm. However, since no expansions or additions are being proposed as a part of this after school program and the after school program is a continuation of the existing uses on the property, no fire sprinkler protection can be required at this time. The Fire Department has noted the existing fire prevention measures are functioning as required. The applicant should note that any future expansion of the facilities will require that the entire structure be fire sprinkler protected. It should be noted that the applicant has been working with Rapid City Fire Department staff to address the ongoing fire protection of the structures on the property. All provisions of the International Fire Code must be continually maintained.

The objectives of the adopted comprehensive plan and the purpose of the ordinance codified herein;

The Future Land Use Plan identifies the property as appropriate for public uses. Schools are permitted as a public use. The proposed child care center is an accessory to the primary education use. As such, the proposed child care center meets the objectives of the comprehensive plan and the purposes of the Ordinance.

The overall density, yard, height, and other requirements of the zone in which it is located;

The proposed use will be located within existing structures on the site and no expansion of the existing structures is proposed. All setbacks, building heights, landscaping, parking, and lot coverage appear to comply with the requirements of the Public District. The property must continue to comply with all the provisions of the Public District and the requirements of a day care center.

The effects of noise, odor, smoke, dust, air, and water pollution and the degree of control through the use of clarifiers, screening, setbacks, and orientation;

The proposed after school program will include all portions of the property generally utilized for the existing elementary school uses. The property has historically been used as a school with children in the area. It does not appear that the proposed day care use will create undue amounts of noise, odor, smoke, dust, air, or water pollution.

The degree to which conditions imposed will mitigate any probable adverse impacts of the proposed use on adjacent existing uses.

This Conditional Use Permit and the applicant's operation plan will serve as the tool to ensure that any potential adverse impacts of the use on the neighborhood are adequately mitigated. Staff recommends that the operation of the child care center comply with the

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operations plan submitted by the Rapid City School District. Changes in the operator of the child care center will require the review and approval of a Major Amendment to the Conditional Use Permit.

Factors for consideration: In reviewing requests for a conditional use for child care centers, the Council may, in addition to the criteria included in 17.54.030.E, consider the following:

Proximity to major arterials;

West Chicago Street is identified as a Collector Street on the City's Major Street Plan, capable of handling the residential and school traffic anticipated in the area. The proposed child care center will be accessed via West Chicago Street and the loading and unloading will occur within the adjacent parking lot. The outdoor play area will be primarily located on the south, west, and east sides of the existing structure, away from West Chicago Street.

Proximity to recreation facilities;

The existing structure includes an existing multi-purpose room which will serve as the primary space for the proposed child care center. In addition, extensive outdoor play areas are available. The property is located within a fully developed section of the City. No additional parks or recreational areas are in proximity to the proposed day care facility.

Traffic generated by the center;

As previously noted, the child care center will primarily be provided as a service for existing parents and students of Pinedale Elementary School. It is not expected that additional traffic will be generated by the center other than that of the existing students and staff.

Hours of operation of the center;

The hours of operation for the facility will coincide with the operational hours of the school:

- 2:30 pm to 6:30 pm, Monday, Tuesday, Thursday, Friday
- 12:45 pm to 6:30 pm, Wednesday
- No weekends and no days when the Rapid City School District is closed.
- During the school year only. The facility will not operate during the summer.

Maximum number of children appropriate to the area:

Pinedale Elementary School is typically enrolled with approximately 350-400 students. The submitted operation plans states that an average of 50 children will be participating in the after school program activities. It does not appear that the proposed number of children located in the facility will have an adverse impact on the neighborhood.

Play Areas: Based on a maximum number of 50 children, a minimum of 2,500 square feet of outdoor play area must be provided. The playground immediately adjacent to the school structure is comprised of approximately 95,000 square feet of play area, not including the

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athletic fields and tennis courts located on the property. Based on a minimum of 50 kids and the provision of sufficient outdoor play area, a minimum of 1,750 square feet of indoor play area must be provided. The submitted plans show that the multipurpose room housing the after school program activities is approximately 2,450 square feet. The minimum amount of play area required for a child care center is being provided.

Summary: The proposed child care center will serve as an accessory use to the existing elementary school use currently operating on the property. The center will care for an average of 50 children. All staff are employees of the Rapid City School District and the after school program will only be operating off school hours. As a result, no additional parking is required. All the criteria for a conditional use and for a child care center are being met. For these reasons, staff recommends that the Conditional Use Permit to allow a child care center as a conditional use in the Public District be approved with the stipulations outlined above.

Notification Requirements: The sign has not been posted on the property. The notification letters have not been returned to Community Planning and Development Services for mailing at this time. Staff will inform the Planning Commission at the December 5, 2013 Planning Commission meeting if these requirements have not been met. As of this writing, there have been no inquiries into the proposed child care center.