



Rapid City Planning Commission Planned Development Project Report

May 10, 2018

Item #5
Applicant Request(s)
Case #18PD016 – Major Amendment to a Planned Development to allow a child care center
Companion Case(s) #18PD017 – Major Amendment to a Planned Development Overlay to allow a recreation facility

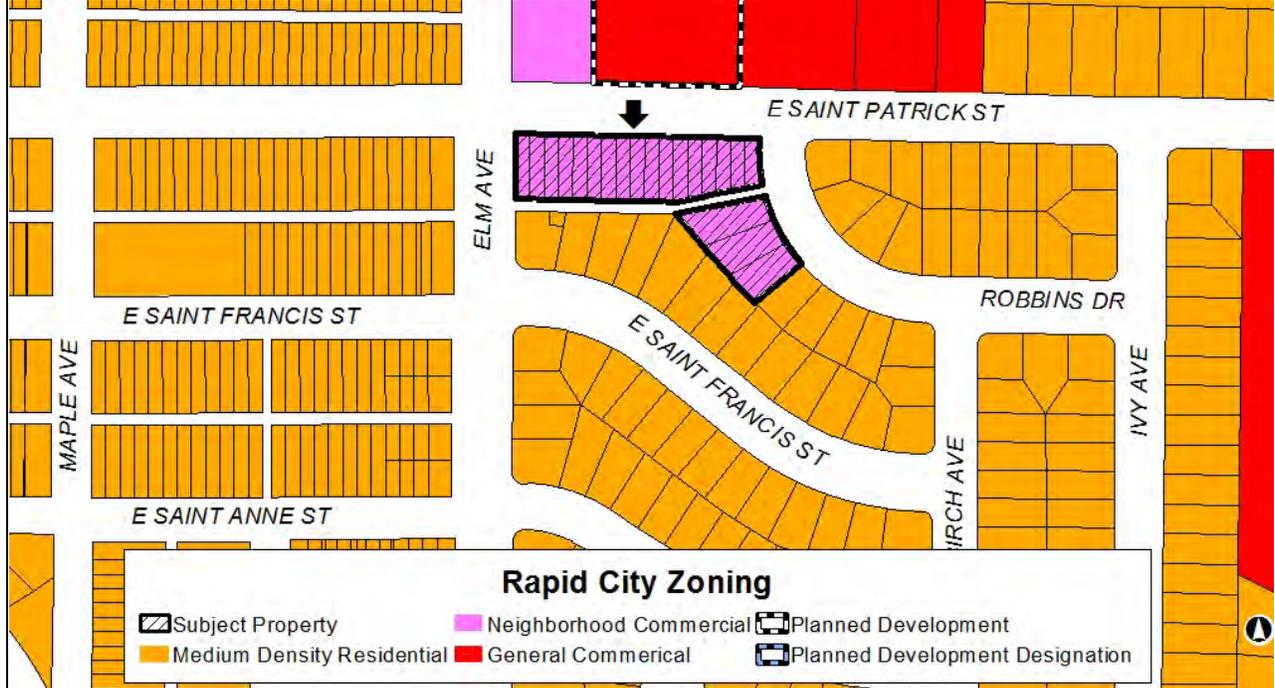
Development Review Team Recommendation(s)
Staff recommends approval with stipulations as noted below.

Project Summary Brief	
<p>The applicant has submitted a Major Amendment to a Planned Development to allow a child care center. In particular, the applicant is proposing to open a “Little Nest Child Care Learning Center” at 301 East Saint Patrick Street. The proposed child care center will occupy two suites and provide care for a maximum of 81 children. An indoor play area will be provided measuring 5,689 square feet in size. The hours of operation will be Monday through Friday from 6:45 a.m. to 5:30 p.m.</p> <p>The property is comprised of approximately 1.36 acres of land zoned Neighborhood Commercial District with a Planned Development. Currently, the property is developed with a commercial strip mall. The existing tenants include a small engine repair shop, second hand store, Sutton Chiropractic, hair salon, and a barbershop. A Major Amendment to the Planned Development has also been submitted to allow a recreation center on the property.</p>	
Applicant Information	Development Review Team Contacts
Applicant: Jessica Castleberry	Planner: Fletcher Lacock
Property Owner: Kuehn Real Estate, Inc.	Engineer: Nicole Lecy
Architect: N/A	Fire District: Tim Behlings
Engineer: N/A	School District: Kumar Veluswamy
Surveyor: N/A	Water/Sewer: Nicole Lecy
Other: N/A	DOT: Stacy Bartlett

Subject Property Information	
Address/Location	301 East Saint Patrick Street, Suite 315B and 317
Neighborhood	Downtown / Skyline Drive Neighborhood Area
Subdivision	Robbinsdale Addition
Land Area	1.36 acres
Existing Buildings	Commercial strip mall
Topography	Rises in elevation from the southeast to the northwest approximately 14 feet
Access	East Saint Patrick Street / Robbins Drive / Elm Avenue
Water / Sewer	Rapid City
Electric/Gas Provider	Black Hills Power / MDU
Floodplain	N/A

Subject Property and Adjacent Property Designations			
	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	NC - PD	MUC – Revitalization Corridor	Robbinsdale Plaza
Adjacent North	NC / GC - PD	MUC – Revitalization Corridor	Auto repair / Church
Adjacent South	MDR	UN	Single-family dwellings
Adjacent East	MDR	UN – Revitalization Corridor	Single-family dwellings
Adjacent West	MDR	UN – Revitalization Corridor	Single-family dwellings

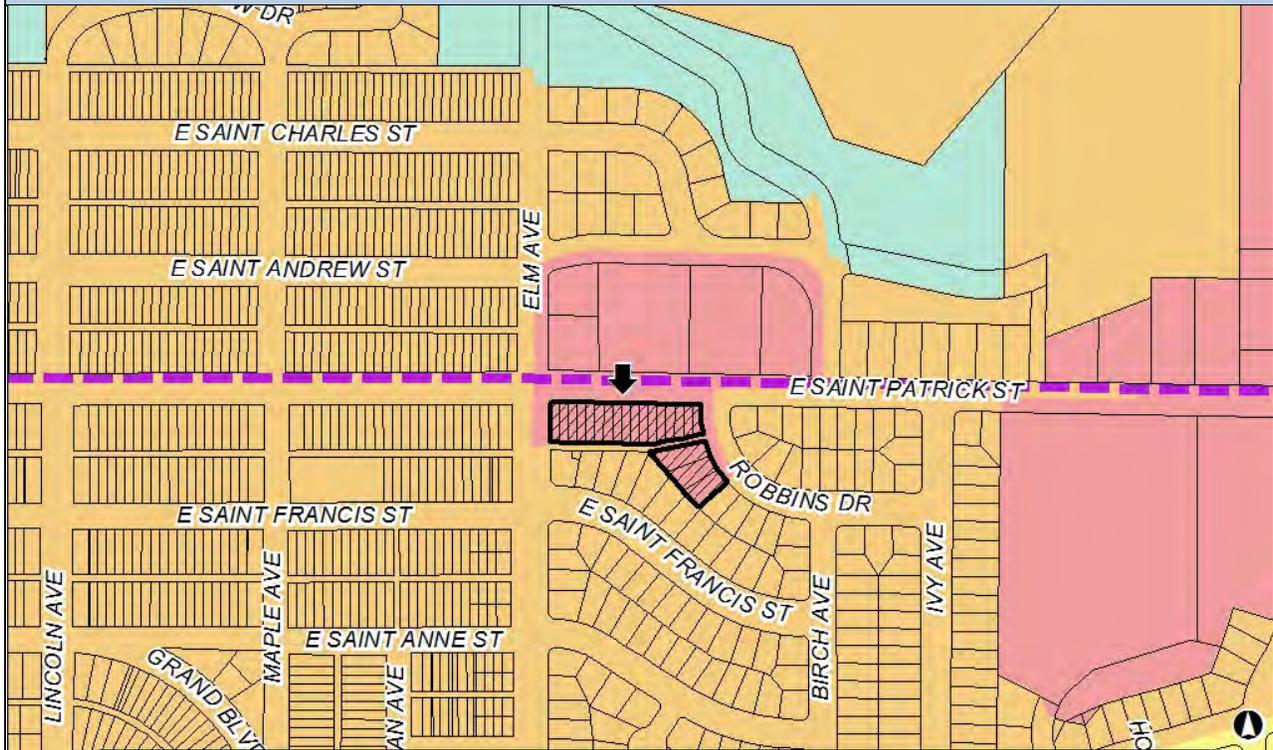
Zoning Map



Existing Land Uses



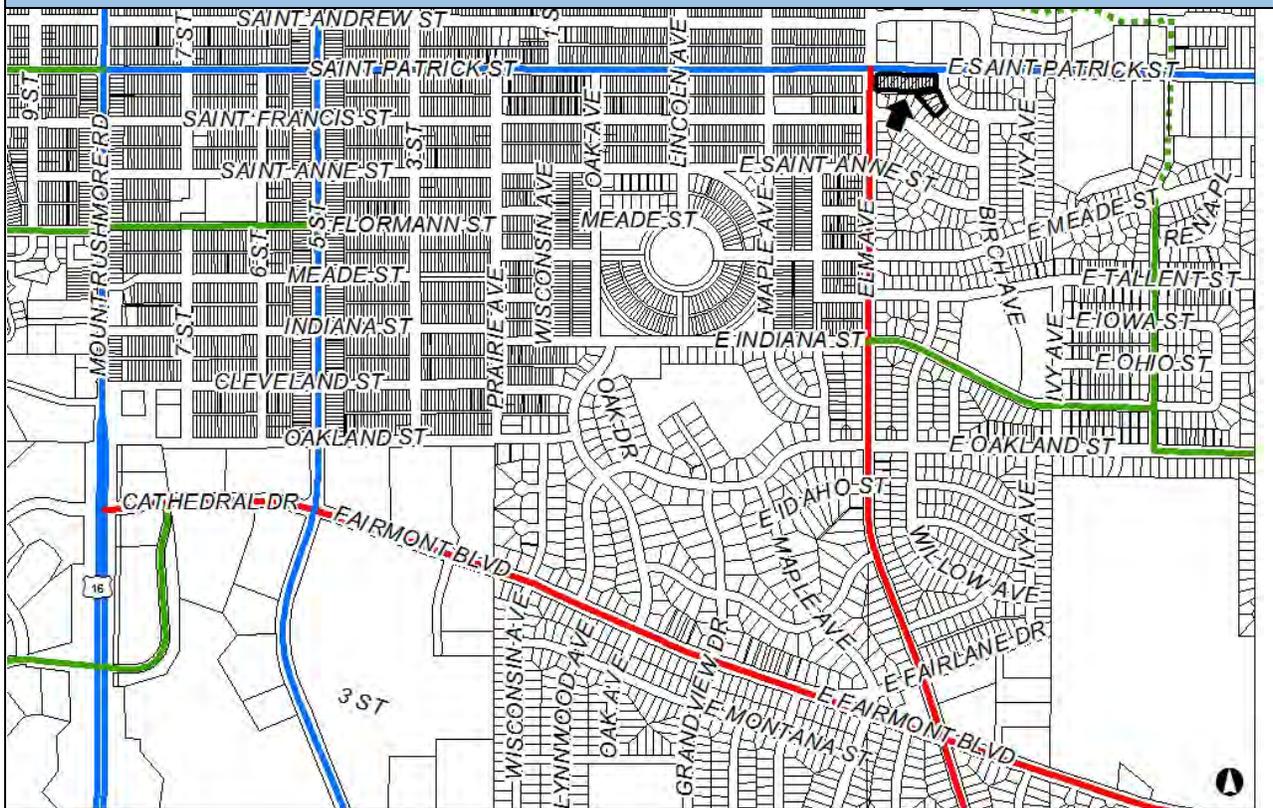
Comprehensive Plan Future Land Use



Future Land Use Categories

Subject Property	Low Density Neighborhood	Mixed Use Commercial	Public/Quasi-Public
Urban Neighborhood	Forest Conservation	Revitalization Corridor	

Parks or Transportation Plan



Major Street Plan

Subject Property	Collector	Minor arterial	Principal arterial	Proposed collector
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Relevant Case History			
Case/File#	Date	Request	Action
12PD022	06/21/2012	Major Amendment to a Planned Development to allow a uniform shop	Approved
06PD043	07/06/2006	Initial and Final Planned Development	Approved
Relevant Zoning District Regulations			
Neighborhood Commercial District		Required	Proposed
Lot Area		N/A	59,242 square feet
Lot Width		N/A	425 feet
Maximum Building Heights		2½ stories or 35 feet	One story
Maximum Density		30%	Existing legal non-conforming 36%
Minimum Building Setback:			
• Front		25 feet	39 feet from E St. Pat St.
• Rear		30 feet	Existing legal non-conforming 24 feet
• Side		25 feet from Robbins Drive	116 feet from Robbins Drive
• Street Side		25 feet from Elm Avenue	Existing legal non-conforming 16 feet from Elm Avenue
Minimum Landscape Requirements:			
• # of landscape points		37,875	Exception previously granted to waive until site is redeveloped
• # of landscape islands		1	Existing legal non-conforming 0 islands
Minimum Parking Requirements:			
• # of parking spaces		78	79
• # of ADA spaces		4	4
Signage		As per RCMC	Existing pole sign / proposing new wall signage
Fencing		6 foot high screening fence along south and west property line of parking lot	Exception previously granted to waive until site is redeveloped

Pursuant to Section 17.50.050(F)5 of the Rapid City Municipal Code the Planning Commission shall consider the following criteria for a Major Amendment to a Planned Development:

Criteria	Findings
1. There are certain conditions pertaining to the particular piece of property in question because of its size, shape, or topography:	The property is comprised of approximately 1.36 acres of land zoned Neighborhood Commercial District with a Planned Development. The property abuts East Saint Patrick Street to the north, Elm Avenue to the west, and Robbins Drive to the east.
2. The application of these regulations to this particular piece of property would create a practical difficulty or undue hardship:	The property is zoned Neighborhood Commercial District. A child care center is identified as a conditional use in the district.
3. Exceptions to the underlying zoning district, if granted, would not cause undue hardship to the public good or impair the purposes and intent of these regulations:	Exceptions were previously granted to waive the landscaping and screening requirements until such time as the building is expanded, removed and/or a new structure is built on the subject property. At that time, the property owner will be required to comply with the screening and landscaping requirements.

4. A literal interpretation of this chapter would deprive the applicant of rights that others in the same district are allowed:	As noted above, the property is zoned Neighborhood Commercial District and a child care center is identified as a conditional use in the district.
5. Any adverse impacts will be reasonably mitigated:	<p>Public Works staff has identified that the two parking spaces located on the east end of the existing structure appear to interfere with circulation for the proposed loading zone for the child care center. As such, upon submittal of a Building Permit, the site plan must be revised to eliminate the parking spaces. The applicant should be aware that 4 ADA accessible parking spaces must continue to be provided.</p> <p>In addition, upon submittal of a Building Permit, the applicant must confirm that the existing water and sewer services to the building are sized to meet the anticipated demands of the new use in compliance with the Infrastructure Design Criteria Manual.</p>
6. The requested exception to the underlying zoning district standards is an alternative or innovative practice that reasonably achieves the objective of the existing standard sought to be modified:	As noted above, Exceptions to the landscaping and screening requirements were previously granted for the subject property until the building is expanded, removed and/or a new structure is built the subject property.

In reviewing a request for a conditional use for a child care center, the Council may in addition to the criteria included in Rapid City Municipal Code Section 17.54.030.E, consider the following:

1. Proximity to major arterials:	East Saint Patrick Street and Elm Avenue are identified as a Principal Arterial Street and a Minor Arterial Street, respectively, on the City's Major Street Plan. No outdoor play area is proposed as a part of this application.
2. Proximity to recreation facilities:	South Park Elementary School is located southwest of the proposed child care center. The proximity of a school is conducive to the location of a childcare center.
3. Traffic generated by the center:	Approximately 71 peak hour trips may be generated by the proposed childcare center. Transportation Planning staff has noted that the proposed child care center does not generate enough traffic to trigger a Traffic Impact Study.
4. Hours of operation:	The submitted operations plan notes that the facility will operate Monday through Friday, 6:45 a.m. to 5:30 p.m.
5. Existing or potential levels of air and noise pollution:	The property is located adjacent to East Saint Patrick Street and Elm Avenue which are identified as a Principal Arterial Street and a Minor Arterial Street, respectively, on the City's Major Street Plan. The applicant has indicated that no outdoor play area is being proposed with this application. Any future expansion of the child care center will require a Major Amendment to the Planned Development.
6. Access from the center to adjacent areas used for commercial or industrial purposes:	The property is located in an existing commercial node centered around the intersection of East Saint Patrick Street and Elm Avenue. An established commercial corridor is located approximately 820 feet east along East Saint Patrick Street.
7. Appropriateness of outdoor play areas	No outdoor play areas are proposed with this application. The applicant has indicated that future plans may include a 2,500 square foot outdoor play area. The proposed indoor

	play area provides 70 square feet per child as required. A Major Amendment to the Planned Development will be required to expand the child care center.
8. Type of vehicular traffic common to the area:	As noted above, the property is a part of a commercial node located around the intersection of East Saint Patrick Street and Elm Avenue. Properties to the northwest, south, east and west are developed with an established residential neighborhood. The intent of the Neighborhood Commercial District is to provide areas in which the principal use of land is devoted to the neighborhood store or group of stores serving the population of the immediate area.

Planning Commission Comprehensive Plan Policy Guidance for Approval or Denial
In considering an application for approval or denial the Planning Commission finds that the application either complies or does not comply with the following values, principles, goals, and policies within the Rapid City Comprehensive Plan:

Comprehensive Plan Conformance – Core Values Chapters	
	A Balanced Pattern of Growth
BPG-1.2C	Priority Revitalization Corridors: The property abuts East Saint Patrick Street which is identified as a Revitalization Corridor. The proposed child care center supports reinvestment in the area.
	A Vibrant, Livable Community
LC-2.1E	Neighborhood Serving Uses: The proposed child care center provides a needed service in an area with an established residential neighborhood.
	A Safe, Healthy, Inclusive, and Skilled Community
	N/A
	Efficient Transportation and Infrastructure Systems
TI-2.1A	Major Street Plan Integration: East Saint Patrick Street and Elm Avenue are identified as a Principal Arterial Street and a Minor Arterial Street on the City's Major Street Plan, respectively.
	Economic Stability and Growth
	N/A
	Outstanding Recreational and Cultural Opportunities
	N/A
	Responsive, Accessible, and Effective Governance
GOV-2.1A	Public Input Opportunities: The proposed Major Amendment to a Planned Development requires that public notice be advertised in the newspaper and that mailings are sent to property owners within 250 feet of the proposed development. The requested Major Amendment to a Planned Development is before the Planning Commission for review and approval. The public has an opportunity to provide input at this meeting.

Comprehensive Plan Conformance – Growth and Reinvestment Chapter	
Future Land Use Plan Designation(s):	Mixed-Use Commercial / Revitalization Corridor
Design Standards:	
N/A	The property is zoned Neighborhood Commercial District. The proposed child care center is identified as a conditional use in the district. The proposed child care center will provide a needed service for the surrounding residential neighborhood.
Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
Neighborhood:	Downtown / Skyline Drive Neighborhood Area
Neighborhood Goal/Policy:	
DSD-NA1.1A	Residential Neighborhoods: The proposed Major Amendment to a Planned Development supports reinvestment in a Revitalization Corridor and provides a neighborhood serving use.
Findings	
Staff has reviewed the Major Amendment to a Planned Development to allow a recreation facility pursuant to Chapter 17.50.050(F)5 of the Rapid City Municipal Code and the goals, policies, and objectives of the adopted Comprehensive Plan. The applicant is proposing to open a child care center to provide care for 81 children. The proposed child care center supports the Comprehensive Plan goals of reinvestment in a Revitalization Corridor and compatible infill to serve an established residential neighborhood.	
Planning Commission Recommendation and Stipulations of Approval	
Staff recommends that the Major Amendment to a Planned Development to allow a child care center be approved with the following stipulations:	
1.	A minimum of 78 parking spaces shall be provided on the property. Four of the parking spaces shall be ADA accessible with one of the ADA spaces being “van accessible”. The two parking spaces on the east side of the structure shall be removed so that they do not interfere with the loading area. The submitted parking plan is hereby approved as submitted with a total of 92 parking stalls, of which 79 are in compliance with Section 17.50.270 of the Rapid City Municipal Code, until such time as the building is expanded, removed and/or a new structure is built on the subject property. At the time the building is expanded, removed and/or a new structure is built, the subject property shall conform to the parking requirements pursuant to Chapter 17.50.270 of the Rapid City Municipal Code;
2.	Acknowledge the Exception granted to waive the screening requirement until such time as the building is expanded, removed and/or a new structure is built on the subject property. At the time the building is expanded, removed and/or a new structure is built the subject property shall conform to the screening requirement pursuant to Chapter 17.20.080 of the Rapid City Municipal Code;
3.	Acknowledge the Exception granted to waive the landscaping requirement until such time as the building is expanded, removed and/or a new structure is built on the subject property. At the time the building is expanded, removed and/or a new structure is built, the subject property shall conform to the landscaping requirement pursuant to Chapter 17.50.300 of the Rapid City Municipal Code;
4.	All signage shall comply with the requirements of the Rapid City Sign Code. No electronic or Light Emitting Diode (LED) signage is being approved as a part of this Major Amendment to a Planned Development. The addition of electronic or LED signage shall require a Major Amendment to the Planned Development. A sign permit is required for any new signs; and,
5.	The Major Amendment to a Planned Development shall allow a child care center for a maximum of 81 children operated in compliance with the submitted operational plan. A total of 5,689 square feet of indoor play area shall be provided. Any expansion of the use or change in operator shall require a Major Amendment to the Planned Development. Permitted uses within the Neighborhood Commercial District in compliance with the Parking Ordinance shall be allowed with a Building Permit. Any conditional use shall require the review and approval of a Major Amendment to the



Rapid City Community Planning & Development Services

Development Review Advisories

*Disclosure: The Development Review Team has created this list of Advisories as a courtesy for your specific application. **This is not a complete list.** All City, District, State, and Federal requirements must be continually met.*

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ADVISORIES: Please read carefully!	
1.	A Building Permit shall be obtained prior to any structural construction or initiation of use and a Certificate of Occupancy shall be obtained prior to occupancy;
2.	All requirements of the Infrastructure Design Criteria Manual and the Rapid City Standard Specifications shall be met;
3.	All requirements of the currently adopted Building Code shall be met;
4.	ADA accessibility shall be provided throughout the structure and site as necessary;
5.	All provisions of the underlying zoning districts shall be met unless otherwise specifically authorized as a stipulation of this Major Amendment to a Planned Development or a subsequent Major Amendment to the Planned Development;
6.	All outdoor lighting shall continually be reflected within the property boundaries so as to not shine onto adjoining properties and rights-of-way and to not be a hazard to the passing motorist or constitute a nuisance of any kind; and,
7.	All applicable provisions of the adopted International Fire Code shall continually be met.