



Rapid City Planning Commission

Conditional Use Permit Project Report

September 10, 2020

Item #3
Applicant Request(s)
Case #20UR020 – Conditional Use Permit to allow a childcare center
Companion Case(s) #N/A

Development Review Team Recommendation(s)
Staff recommends approval of the Conditional Use Permit with the stipulation(s) noted below

Project Summary Brief
The applicant has submitted a Conditional Use Permit to allow a childcare center located at 1213 Harmony heights Lane. The property is currently developed with the Dove Christian Center. The proposed childcare center will provide care for up to 90 children with 5-10 employees. The hours of operation are Monday through Friday from 7:00 a.m. to 5:30 p.m. An outdoor play area is proposed on the west side of the building measuring 3,750 square feet in size. The outdoor play area will be enclosed with a minimum 52-inch high wood privacy fence.

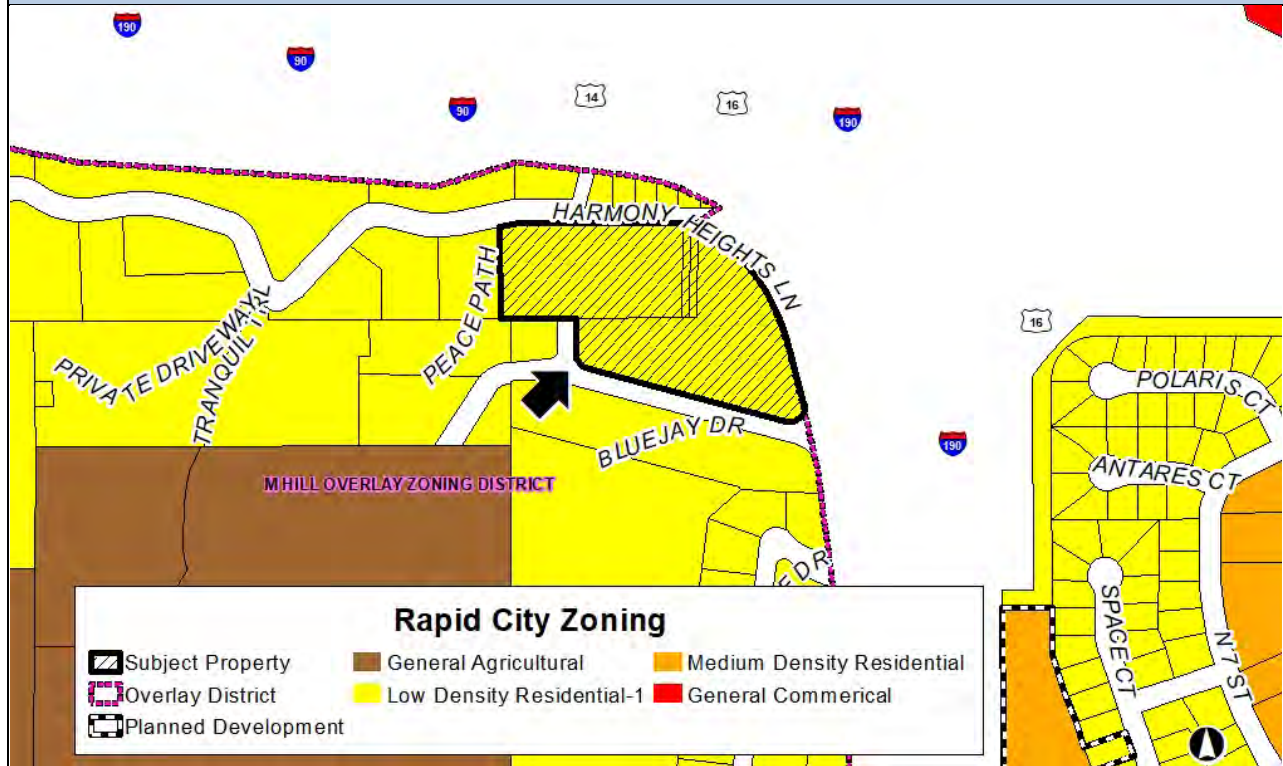
Applicant Information	Development Review Team Contacts
Applicant: Kellie Johnson	Planner: Fletcher Lacock
Property Owner: Dove Christian Center, Inc.	Engineer: Roger Olsen
Architect: N/A	Fire District: Tim Behlings
Engineer: N/A	School District: N/A
Surveyor: N/A	Water/Sewer: Roger Olsen
Other: N/A	DOT: Stacy Bartlett

Subject Property Information	
Address/Location	1213 Harmony heights Lane
Neighborhood	North Rapid Neighborhood Area
Subdivision	Oldfield Subdivision and Morningside Addition
Land Area	7.08 acres
Existing Buildings	6,700 square foot
Topography	Drops in elevation from west to east approximately 40 feet
Access	Harmony Heights Lane
Water Provider	Rapid City
Sewer Provider	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	LDR – M-Hill Overlay	LDN	Church
Adjacent North	LDR – M-Hill Overlay	LDN	Void of structural development / U.s Interstate 90
Adjacent South	LDR – M-Hill Overlay	LDN	Void of structural development
Adjacent East	LDR – M-Hill Overlay	LDN	U.S. Interstate 190
Adjacent West	LDR – M-Hill Overlay	FC	Single-family dwellings

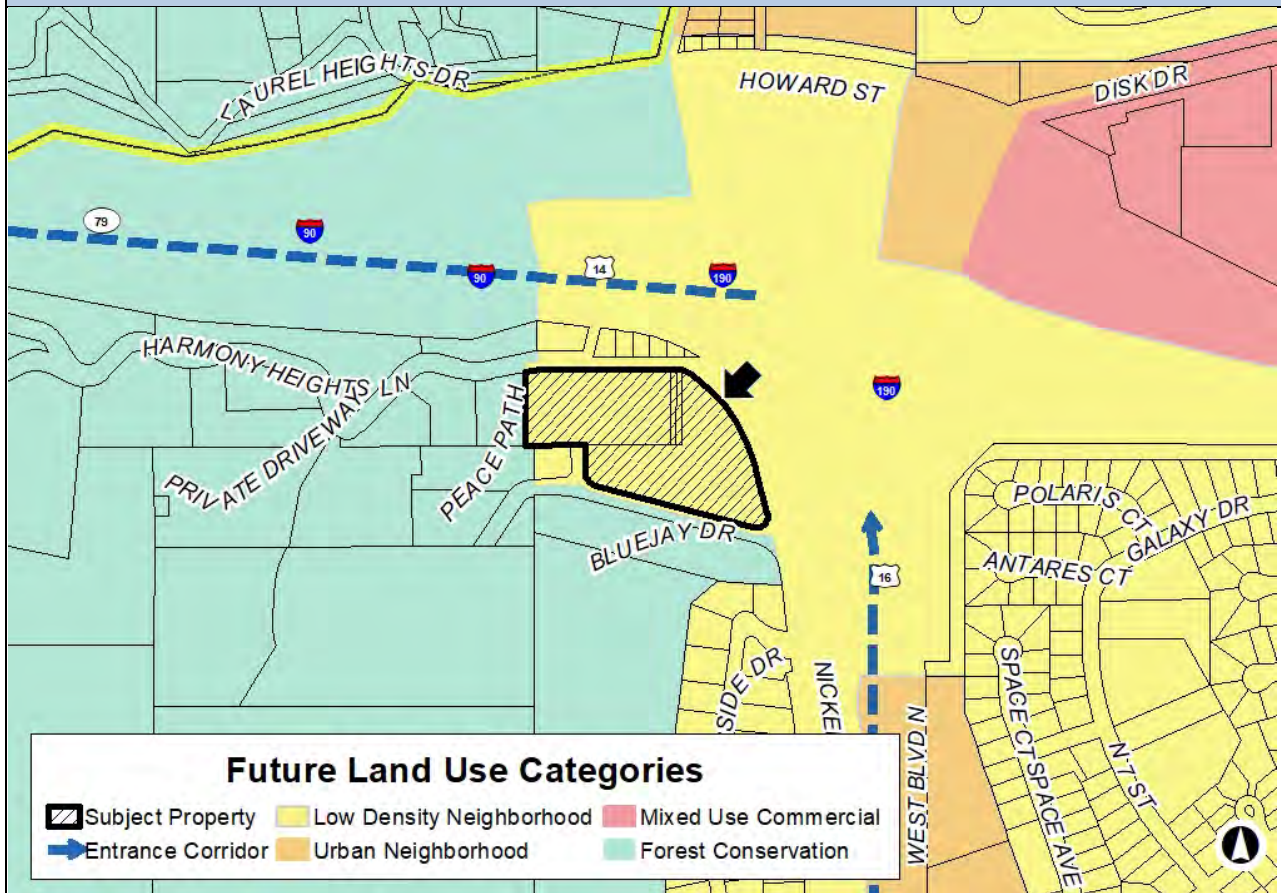
Zoning Map



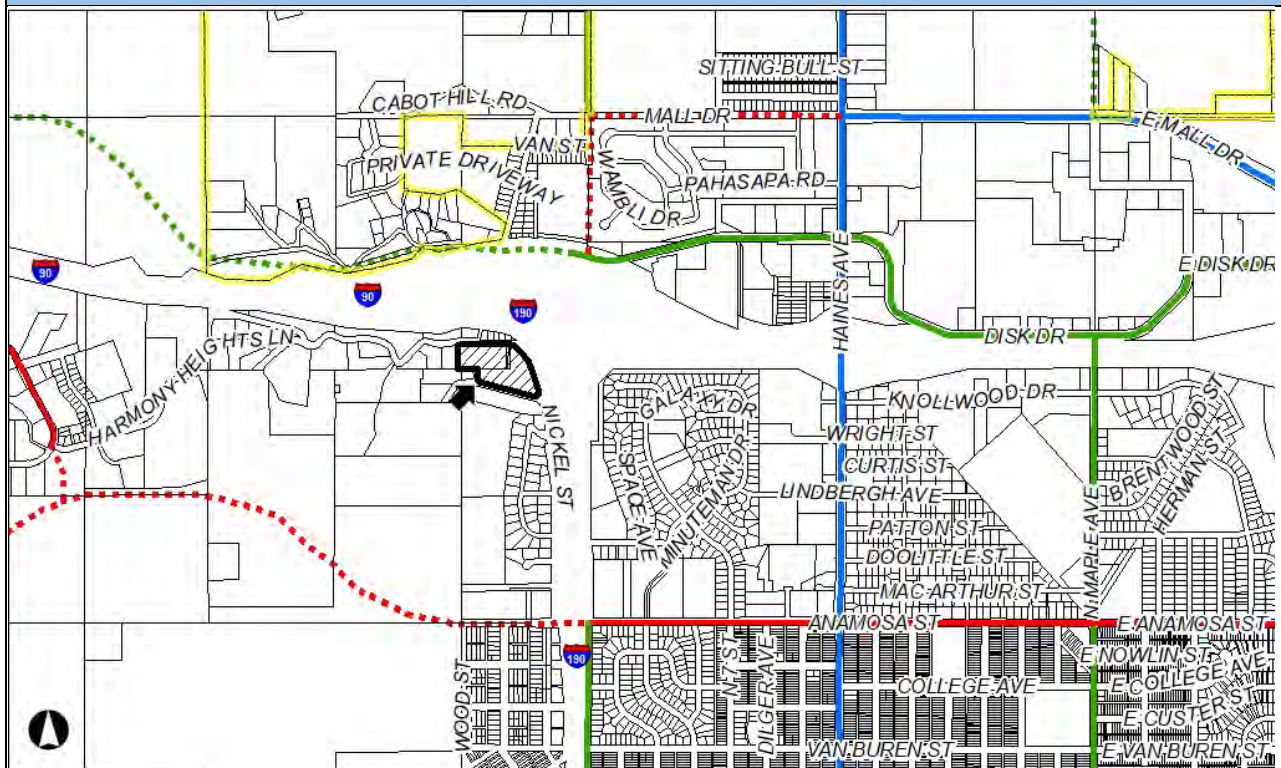
Existing Land Uses



Comprehensive Plan Future Land Use



Parks or Transportation Plan









Major Street Plan


- Subject Property
- Rapid City Limits
- Collector
- Principal Arterial
- Proposed minor Arterial
- Minor Arterial
- Proposed collector

Relevant Case History			
Case/File#	Date	Request	Action
N/A			
Relevant Zoning District Regulations			
Low Density Residential District	Required	Proposed	
Lot Area	N/A	308,405 square feet	
Lot Frontage	25 feet	Approximately 2,000 feet	
Maximum Building Heights	2½ stories or 35 feet	Two-story	
Maximum Density	30%	2.1%	
Minimum Building Setback:			
• Front	35 feet	99 feet	
• Rear	25 feet	330 feet	
• Side	35 feet	220 feet	
• Street Side	35 feet	187 feet	
Minimum Landscape Requirements:			
• # of landscape points	301,705	305,000	
• # of landscape islands	N/A	N/A	
Minimum Parking Requirements:			
• # of parking spaces	75	75	
• # of ADA spaces	3	4	
Signage	As per RCMC 17.50.100	Existing ground sign	
Fencing	As per RCMC 17.50.340	52-inch high fence around play area	

Planning Commission Criteria and Findings for Approval or Denial	
Pursuant to Section 17.54.030(E) of the Rapid City Municipal Code the Planning Commission shall consider the following criteria for a request to allow a childcare center:	
1. The location, character and natural features of the property:	1213 Harmony Heights Lane is zoned Low Density Residential District and is developed with a church building.
2. The location, character and design of adjacent buildings:	Properties to the north, south, east and west are zoned Low Density Residential District. U.S. Interstate 90 and U.S. Interstate 190 are located to the north and east of the property. Properties to the south and west are developed with single-family dwellings.
3. Proposed fencing, screening and landscaping:	The site plan identifies that landscaping is in compliance with Chapter 17.50.300 of the Rapid City Municipal Code. The applicant is proposing to fence in a play area on the west side of the property approximately 3,750 square feet in size. The fence will be a wood privacy fence a minimum of 52-inches high. Chapter 17.50.150 of the Rapid City Municipal Code requires a 25-foot setback for a fenced-in play area. The proposed play area is in compliance with the setback requirement.
4. Proposed vegetation, topography and natural drainage:	The applicant is not proposing any new construction which would impact drainage.
5. Proposed pedestrian and vehicular access, circulation and parking, including that related to bicycles and other unpowered vehicles and provisions for handicapped persons:	Vehicular access to the property is from Harmony Heights Lane. The proposed childcare center will generate approximately 40 peak hour trips which is under the requirement for a Traffic Impact Study.
6. Existing traffic and traffic to be generated by the proposed use:	The proposed childcare center for 50-90 children does not exceed 100 peak hour trips and therefore does not require a Traffic Impact Study.

7. Proposed signs and lighting:	No electronic signage is being proposed or approved as a part of this Conditional Use Permit.
8. The availability of public utilities and services:	The property is currently served by public utilities including Rapid City sewer and water. Prior to issuance of a Building Permit, the owner must contact City Water Reclamation Division for pretreatment and sewer discharge industrial monitoring requirements. In addition, utility or plumbing plans shall be provided to Public Works if additional infrastructure is required for compliance.
9. The objectives of the adopted comprehensive plan and the purpose of the ordinance codified herein:	The property is zoned Low Density Residential District. A childcare center is identified as a conditional use in the district.
10. The overall density, yard, height and other requirements of the zone in which it is located:	The existing structure complies with all land area regulations for the Low Density Residential District.
11. 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 outdoor play area will be located on the west side of the property and fenced with a 52-inch high wood privacy fence.
12. The degree to which conditions imposed will mitigate any probable adverse impacts of the proposed use on existing adjacent uses:	The stipulations of approval will ensure that the childcare center is operated in compliance with the submitted operations plan and that any expansion of use will require a Major Amendment to the Conditional Use Permit.

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
	N/A
	A Vibrant, Livable Community
	N/A
	A Safe, Healthy, Inclusive, and Skilled Community
SHIS-3.3A	Facility Coordination: The proposed child care center will provide a service in a residential corridor.
	Efficient Transportation and Infrastructure Systems
TI-2.1A	Major Street Plan Integration: The property is accessed from Harmony Heights Lane. As noted above, a Traffic Impact Study is not required for 50-90 children.
	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 Conditional Use Permit 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 Conditional Use Permit 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):	Low Density Neighborhood
Design Standards:	
N/A	The proposed childcare center is a conditional use in the Low Density Residential District.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
Neighborhood:	North Rapid Neighborhood Area
Neighborhood Goal/Policy:	
N/A	Mixed-Use Development: The childcare center will provide a service in a predominately residential area of the City.

Findings	
Staff has reviewed the Conditional Use Permit to allow a childcare center pursuant to Chapter 17.28, and Chapter 17.54.030 of the Rapid City Municipal Code and the goals, policies, and objectives of the adopted Comprehensive Plan. The childcare center provides a service in a predominately residential area of the City.	

Planning Commission Recommendation and Stipulations of Approval	
Staff recommends approval of the Conditional Use Permit with the following stipulation(s):	
1.	Prior to submittal of a building permit application, the owner shall contact City Water Reclamation Division for pretreatment and sewer discharge industrial monitoring requirements. In addition, utility or plumbing plans shall be provided to Public Works if additional infrastructure is required for compliance;
2.	No Light Emitting Diode (LED) message centers are being approved as a part of this request. The inclusion or addition of any LED message centers shall require a Major Amendment to the Conditional Use Permit. All signage shall meet the requirements of the Rapid City Sign Code. A sign permit shall be obtained for each sign;
3.	The proposed childcare center shall operate in compliance with the submitted operations plan and all approved plans. Changes in the operators of the facilities shall require a Major Amendment to the Conditional Use Permit; and,
4.	The Conditional Use Permit shall allow a childcare center for a maximum of 90 children and 10 staff. Permitted uses within the Low Density Residential District in compliance with the Parking Ordinance shall be allowed with a Building Permit. Any expansion of the childcare center or new conditional use shall require the review and approval of a Major Amendment to the Conditional Use Permit.



Rapid City Department of Community Development

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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1.	A building permit shall be obtained prior to any construction. A Certificate of Occupancy shall be obtained prior to use;
2.	All requirements of the currently adopted Building Code shall be met;
3.	All requirements of the Rapid City Infrastructure Design Criteria Manual and Rapid City Standard Specifications shall be met;
4.	ADA accessibility shall be maintained throughout the site as necessary;
5.	All parking shall be installed and maintained in compliance with the requirements of the Rapid City Parking Ordinance; and,
6.	All lighting shall be designed to preclude shining on adjacent properties and rights-of-ways, so as not to create a nuisance to neighboring properties and traffic.



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