



Rapid City Planning Commission

Final Planned Development Project Report

January 26, 2017

Item #5
Applicant Request(s)
Case # 16PD060 –Final Planned Development Overlay to expand a child care center
Companion Case(s) N/A

Development Review Team Recommendation(s)
The Development Review Team recommends that the Final Planned Development to expand a child care center be approved with the stipulations noted below.

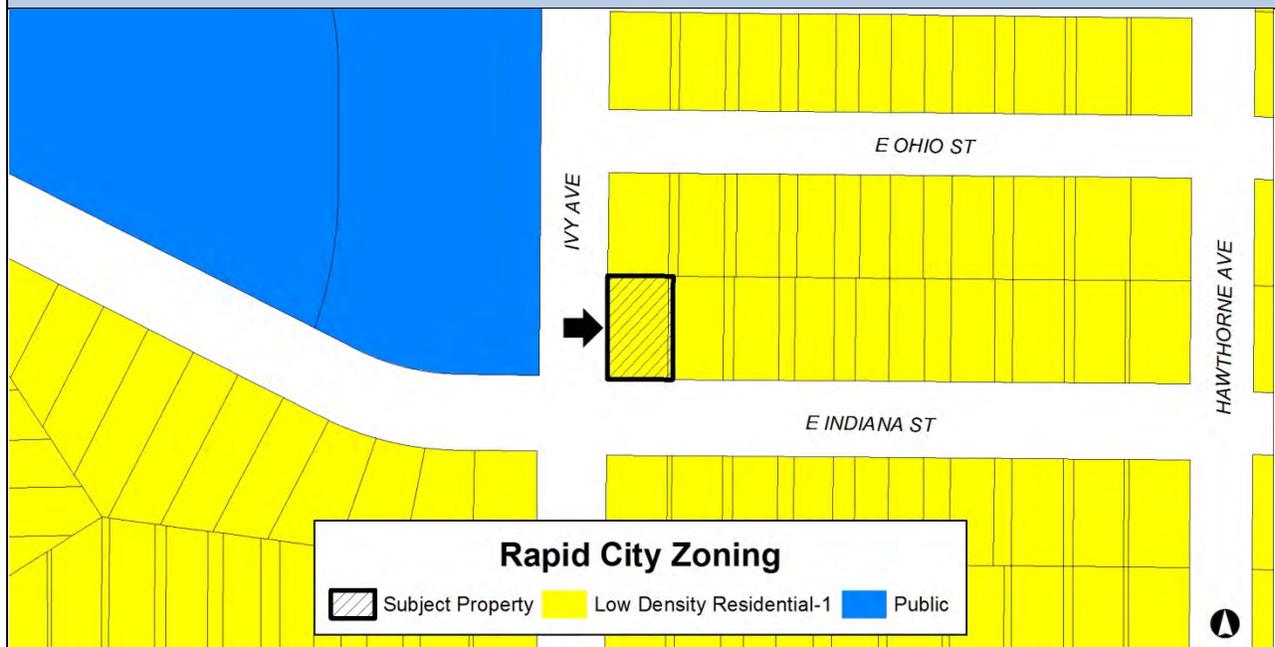
Project Summary Brief	
<p>The applicant has submitted a Final Planned Development to expand a child care center. In particular, the applicant is proposing to increase the maximum number of children from 28 to 30. There are two previously approved Conditional Use Permits which allow a child care center on the property. On May 5, 1986, a Conditional Use Permit (File #UR602) was approved to allow a child care center with a maximum of 24 children. On April 17, 1995, a Conditional Use Permit (File #UR753) was approved to increase the number of children to 28. The applicant is also requesting an Exception to allow a wall sign measuring 15 square feet in lieu of the maximum allowed sign area of one square foot. In addition, the applicant is requesting an Exception to reduce the minimum required parking from six parking spaces to one parking space.</p>	
Applicant Information	Development Review Team Contacts
Applicant: Harmony Childcare and Preschool LLC	Planner: Fletcher Lacock
Property Owner: Harmony Childcare and Preschool LLC	Engineer: Dan Kools
Architect: N/A	Fire District: Tim Behlings
Engineer: N/A	School District: N/A
Surveyor: N/A	Water/Sewer: Dan Kools
Other: N/A	DOT: Stacy Bartlett

Subject Property Information	
Address/Location	606 East Indiana Street
Neighborhood	Downtown / Skyline Drive
Subdivision	South Robbinsdale
Land Area	0.19 acres (8,276 square feet)
Existing Buildings	Converted single-family dwelling
Topography	Relatively flat
Access	East Indiana Street and Ivy Avenue
Water Provider	Rapid City
Sewer Provider	Rapid City
Electric/Gas Provider	BHP / MDU
Floodplain	N/A
Other	N/A

Subject Property and Adjacent Property Designations

	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	LDR	LDN	Single-family dwelling
Adjacent North	LDR	LDN	Single-family dwelling
Adjacent South	LDR	LDN	Single-family dwelling
Adjacent East	LDR	LDN	Single-family dwelling
Adjacent West	FH	P/QP	Robbinsdale Elementary School

Zoning Map



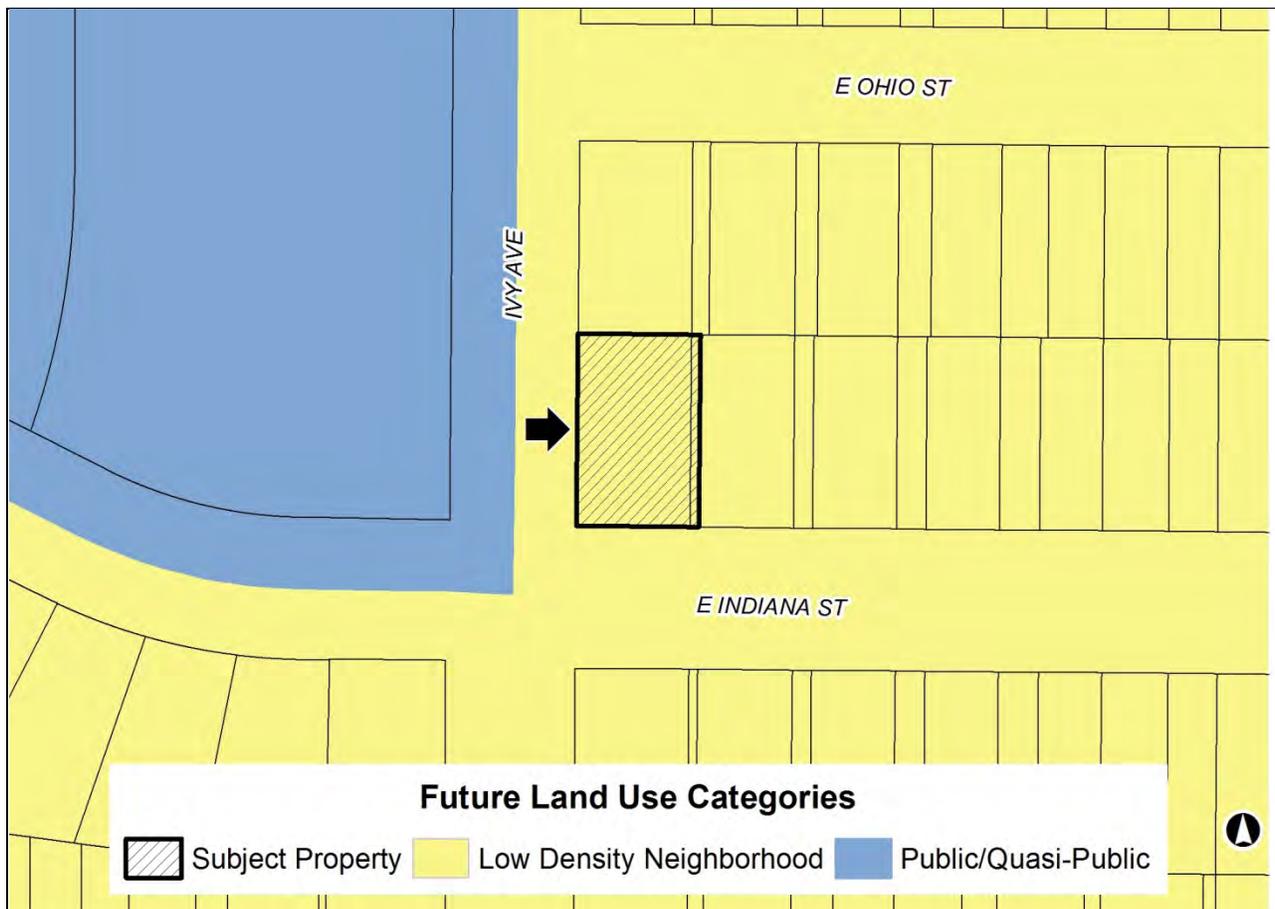
Rapid City Zoning

-  Subject Property
-  Low Density Residential-1
-  Public

Existing Land Uses



Comprehensive Plan Future Land Use



Parks or Transportation Plan



Relevant Case History			
Case/File#	Date	Request	Action
UR753	4/17/1995	Conditional Use Permit to allow a child care center for 28 children	Approved
UR602 (renewal)	4/20/1992	Renewal of Conditional Use Permit	Approved for 3 years
UR602	5/5/1986	Conditional Use Permit to allow a child care center for 24 children	Approved for 5 years
Relevant Zoning District Regulations			
Low Density Residential District	Required	Proposed	
Lot Area	6,500 square feet	8,276 square feet	
Lot Frontage / Width	25 feet	Approximately 70 feet	
Maximum Building Heights	2.5 stories, 35 feet	One story	
Maximum Density	30%	Approximately 25%	
Minimum Building Setback:			
• Front	25 feet	Existing 24 feet	
• Rear	25 feet	Existing 55 feet	
• Side	8 feet	Existing 7 feet	
• Street Side	20 feet	Existing 15 feet	
Minimum Landscape Requirements:			
• # of landscape points	N/A	N/A	
• # of landscape islands	N/A	N/A	
Minimum Parking Requirements:			
• # of parking spaces	6	Requesting an Exception to reduce the minimum required parking to one space	
• # of ADA spaces	N/A	N/A	
Signage	One square foot	Requesting an Exception to allow a 3 foot by 5 foot wall sign	
Fencing	Four foot high fence around the play area	4 foot high chain link fence	

Planning Commission Criteria and Findings for Approval or Denial	
Pursuant to Section 17.50.050(F)5 of the Rapid City Municipal Code the Planning Commission shall consider the following criteria for a Final Planned Development Overlay:	
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 zoned Low Density Residential District. On April 17, 1995, a Conditional Use Permit (File #UR753) was approved to allow a child care center with a maximum of 28 children. The applicant is proposing to increase the number of children in the child care center from 28 to 30.
2. The application of these regulations to this particular piece of property would create a practical difficulty or undue hardship:	The property is zoned Low Density Residential District and a child care center is identified as a conditional use.
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:	The applicant is requesting an Exception to increase the number of children allowed in the child care center from 28 to 30. The applicant has demonstrated that the indoor play area of 1,142 square feet exceeds the minimum required 1,050 square feet of indoor play area. The outdoor play area is required to be a minimum of 1,500 square feet in size. The outdoor play area includes the front yard and the rear yard. The applicant will be moving the fence in the

	<p>front yard so that it does not encroach into the right-of-way. The remaining play area will be approximately 2,600 square feet in size which exceeds the minimum requirement by 1,100 square feet. The property is currently used as a child care center. For these reasons, staff recommends that the Exception to increase the maximum number of children in the child care center from 28 to 30 be granted.</p> <p>The minimum parking requirement for the child care center with 30 children is six parking spaces. The increase in number of children from 28 to 30 does not increase minimum required parking. The hours of operation are from 6:30 a.m. to 5:30 p.m. The applicant has indicated that there are varying drop-off and pick-up times between 6:30 a.m. and 9:30 a.m. and 3:00 p.m. and 5:30 p.m., respectively. In addition, staff has historically used on-street parking. The existing driveway is a horseshoe design with access from East Indiana Street and Ivy Avenue has previously been approved as a loading area. There is also one parking space on the property and one parking space located in the right-of-way along Ivy Avenue. Based on the historic operation of the child care center, the varying drop-off and pick-up times, and the minimal increase in number of children, staff recommends that the Exception to reduce the minimum required parking from six spaces to one space be granted.</p> <p>The applicant is also requesting an Exception allow a wall sign measuring 15 square feet in size in lieu of the maximum allowed sign area of one square foot. The proposed sign will state the name of the facility and contact information. The property is zoned Low Density Residential District which is not a commercial district. The child care center operates out of a converted single-family dwelling in a neighborhood predominately consisting of single-family dwellings. The proposed sign is not in keeping with the residential character of the neighborhood. For these reasons, staff recommends that the Exception to allow sign measuring 15 square feet in size be denied.</p>
<p>4. A literal interpretation of this chapter would deprive the applicant of rights that others in the same district are allowed:</p>	<p>The property is zoned Low Density Residential District. A child care center is a conditional use in the Low Density Residential District.</p>
<p>5. Any adverse impacts will be reasonably mitigated:</p>	<p>The applicant has been coordinating with the Rapid City Fire Department to assess any Fire Code issues. As such, staff recommends that the applicant continue to coordinate with the Rapid City Fire Department to address Fire Code issues.</p> <p>The existing fence located in the front yard encroaches into the right-of-way of East Indiana Street. East Indiana Street is identified as a Collector Street on the City's Major Street Plan. The site plan identifies the front yard as play area. In addition, access to the property is from East Indiana Street. The applicant has indicated that the fence will be moved back to the property line but due to the cold weather the fence cannot be moved at this time. As such, prior to</p>

	Planning Commission approval, the applicant must move the fence or post surety to have the fence moved when the ground thaws.
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, multiple Conditional Use Permits have been approved to allow the child care center on the property. The applicant has provided documentation from the South Dakota Department of Health that indicated that the facility can accommodate 30 children. Staff supports the increase in the number of children and the Exception to reduce the minimum required parking. However, staff cannot support the proposed sign as it does not fit the residential character of the neighborhood.

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
LC-2.1A	Neighborhood-Serving Uses: A child care center provides a service which is needed for families with young children and meets the needs of a residential neighborhood in proximity to a school.
	A Safe, Healthy, Inclusive, and Skilled Community
	N/A
	Efficient Transportation and Infrastructure Systems
TI-2.1A	Major Street Plan Integration: East Indiana Street is identified as a Collector Street on the City’s Major Street Plan. The existing fence located in the front yard encroaches into the right-of-way. As such, prior to Planning Commission approval the fence must be moved or surety must be posted to move the fence so that it does not encroach into the right-of-way.
	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 Final Planned Development Overlay requires that public notice be advertized in the newspaper and that mailings are sent to property owners within 250 feet of the planned development boundary. The requested Initial and Final Planned Development Overlay application 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 property is zoned Low Density Residential District which identifies a child care center as a conditional use. The applicant is proposing to expand the existing family daycare from 28 children to 30 children.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
Neighborhood:	Downtown / Skyline Drive
Neighborhood Goal/Policy:	
N/A	The property is the location of an existing child care center. The property is adjacent to Robbindale Elementary and serves the surrounding neighborhood.

Findings	
<p>Staff has reviewed the Final Planned Development Overlay to expand a child care center in the Low Density Residential District 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 increase the number of children allowed from 28 to 30. The property is the location of an existing child care center which is located adjacent to Robbinsdale Elementary and provides a service to the surrounding neighborhood. The Exception request to reduce the minimum required parking is supported by the historic operation of the facility. However, the proposed sign measuring 15 square feet in size does not maintain the residential character of the neighborhood.</p>	

Staff recommends that the Final Planned Development Overlay to expand a child care center be approved with the following stipulations:	
1.	Prior to initiation of the expansion of use, the fence located in the East Indiana Street right-of-way shall be moved or the applicant shall post surety to move the fence;
2.	The Exception to allow a wall sign measuring 15 square feet in size in lieu of the maximum allowed one square foot is hereby denied;
3.	An Exception is hereby granted to allow a maximum of 30 children in lieu of the previously granted maximum of 28 children in the child care center;
4.	An Exception is hereby granted to reduce the minimum required parking from six parking spaces to one parking space;
5.	Prior to initiation of the expansion of the use, the applicant shall coordinate with the Rapid City Fire Department to address Fire Code issues;
6.	The Final Planned Development Overlay shall allow a child care center for 30 children in the Low Density Residential District. Permitted uses within the Low Density Residential 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 Planned Development.



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.	All provisions of the underlying zoning district shall be met unless otherwise specifically authorized as a stipulation of this Final Planned Development Overlay or a subsequent Major Amendment;
2.	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;
3.	All requirements of the currently adopted Building Code shall be met; and,
4.	All applicable provisions of the adopted International Fire Code shall continually be met.