



Rapid City Planning Commission

Planned Development Project Report

May 4, 2017

Item #16
Applicant Request(s)
Case # 17UR009, Conditional Use Permit to allow a child care center
Companion Case(s) #: N/A

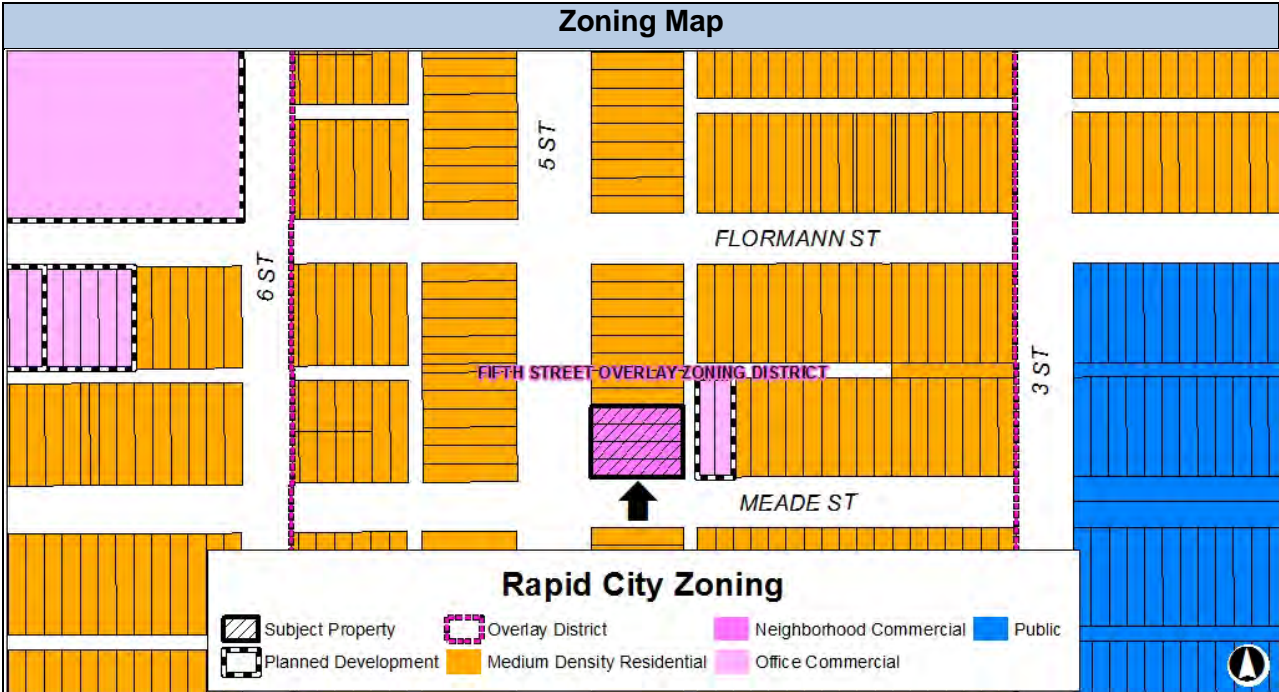
Development Review Team Recommendation(s)
The Development Review Team recommends that the requested Conditional Use Permit to allow a child care center be approved with the stipulations noted below.

Project Summary Brief
The applicant has submitted a request for a Conditional Use Permit to allow a child care center on the subject property which is approximately 0.3 acres in size and zoned Neighborhood Commercial District. The proposed child care center, known as a Little Nest Preschool, will provide care for up to 45 children with seven full and part-time staff. The hours of operation will be Monday through Friday from 6:45 am to 5:30 pm.

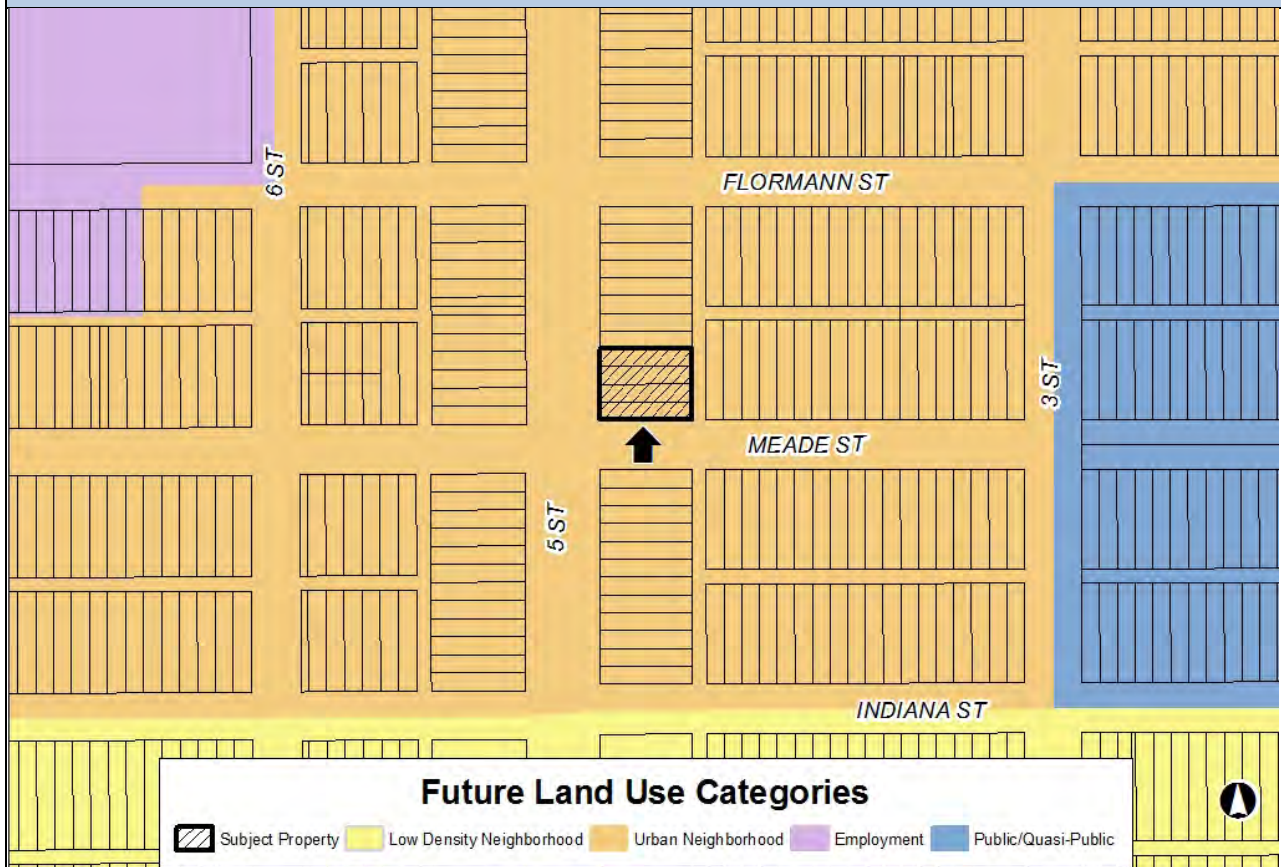
Development Review Team Contacts	
Applicant: Jessica Castleberry	Planner: Fletcher Lacock
Property Owner: Lynch and Lynch, LLC	Engineer: Dan Kools
Architect: N/A	Fire District: Tim Behlings
Engineer: N/A	School District: Kumar Veluswamy
Surveyor: N/A	Water/Sewer: Dan Kools
Other: N/A	DOT: Stacy Bartlett

Subject Property Information	
Address/Location	2220 5 th Street
Neighborhood	Downtown / Skyline Drive Neighborhood
Subdivision	South Boulevard Addition
Land Area	0.3 acres, approximately 13,068 square feet
Existing Buildings	Existing commercial building
Topography	Level
Access	5 th Street
Water Provider	Rapid City
Sewer Provider	Rapid City
Electric/Gas Provider	Black Hills Power/ MDU
Floodplain	None identified

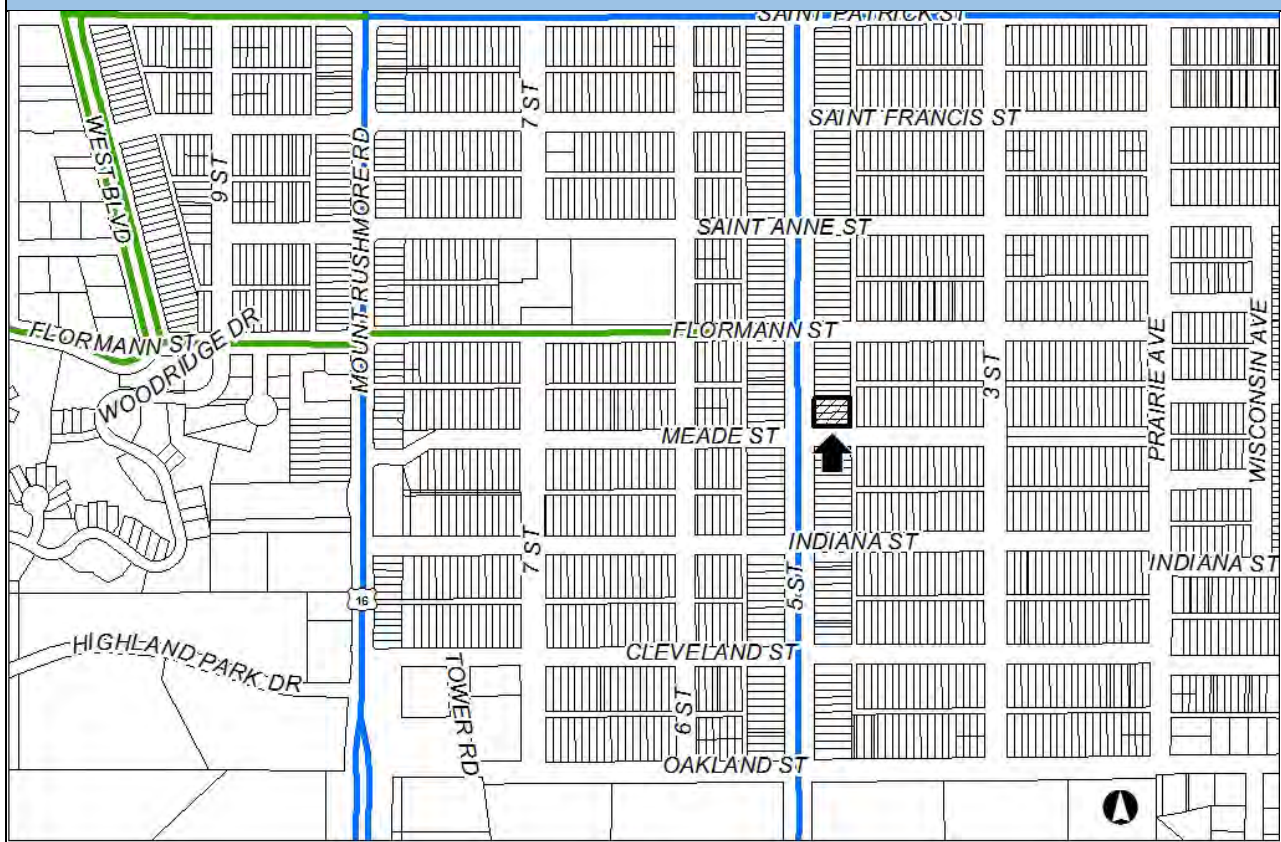
Subject Property and Adjacent Property Designations			
	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	NC and 5 th Street Overlay	UN	Existing commercial building
Adjacent North	MDR and 5 th Street Overlay	UN	Single-family dwelling
Adjacent South	MDR and 5 th Street Overlay	UN	Single-family dwelling
Adjacent East	OC-PD and 5 th Street Overlay	UN	Single-family dwelling
Adjacent West	MDR and 5 th Street Overlay	UN	Automobile sales and service



Comprehensive Plan Future Land Use



Parks or Transportation Plan



Relevant Case History			
Case/File#	Date	Request	Action
N/A			
Relevant Zoning District Regulations			
Neighborhood Commercial District	Required	Proposed/Existing	
Lot Area	N/A	0.3 acres, approximately 13,068 square feet	
Lot Frontage	N/A	Approximately 230 feet	
Maximum Building Heights	2½ stories, 35 feet	1 story <45 ft	
Maximum Density	30%	12%	
Minimum Building Setback:			
• Front	25 feet	25 feet	
• Rear	30 feet	50 feet	
• Side	25 feet	6 feet / existing legal non-conforming	
• Street Side	25 feet	63 feet	
Minimum Landscape Requirements:			
• # of landscape points	Approximately 11,487	Approximately 12,633	
• # of landscape islands	Zero	Zero	
Minimum Parking Requirements:			
• # of parking spaces	12	11 on-site / 18 leased	
• # of ADA spaces	1 ADA van accessible	1 ADA van accessible	
Signage	Per RCMC	Per RCMC, no LED signage proposed	
Fencing	Per RCMC	5-ft-tall combination screening fence/chain link fence for outdoor 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:	The property is located at 2220 5 th Street. The property is zoned Neighborhood Commercial District and is developed with a commercial building approximately 1,581 square feet in size.
2. The location, character and design of adjacent buildings:	Properties to the north, south, and west are zoned Medium Density Residential District and are developed with single-family dwellings. The property to the east is zoned Office Commercial District with a Planned Development and is developed with a commercial parking lot.
3. Proposed fencing, screening and landscaping:	When a property zoned Neighborhood Commercial District abuts a residential district, a five to six foot high ornamental screening fence must be constructed along the property line. The property abuts a residential district to the north. As such, a five to six foot high ornamental screening fence must be constructed along the north property line or a Variance must be obtained to waive the requirement.
4. Proposed vegetation, topography and natural drainage:	The applicant is not proposing any new landscaping. It appears that the existing landscaping is in compliance with the Landscape Ordinance.
5. Proposed pedestrian and vehicular access, circulation and	Vehicular access to the property is from 5 th Street which is identified as a Principal Arterial Street on the City's

parking, including that related to bicycles and other unpowered vehicles and provisions for handicapped persons:	Major Street Plan and Meade Street. Property line sidewalk is constructed along 5 th Street and Meade Street.
6. Existing traffic and traffic to be generated by the proposed use:	The proposed childcare center will generate approximately 37 peak hour trips. The total number of anticipated trips does not trigger a Traffic Impact Study.
7. Proposed signs and lighting:	There is an existing ground sign located on the property. The applicant is proposing to use the existing sign. No electronic signage is being approved as a part of the Conditional Use Permit application.
8. The availability of public utilities and services:	The property is currently served by public utilities including Rapid City sewer and water.
9. The objectives of the adopted comprehensive plan and the purpose of the ordinance codified herein:	The property is zoned Neighborhood Commercial 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 property has a legal non-conforming side yard setback that abuts a residential district. The applicant is not proposing to expand the existing structure.
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 property abuts a residential district to the north. The childcare center identifies an outdoor play area on the east side of the property. A five to six foot high ornamental screening fence must be constructed along the north property line or a Variance must be obtained to waive the requirement. The fence around the play area is not located along the north property line and does not meet the requirements of a required screening 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. In addition, a five to six foot high ornamental screening fence must be constructed along the north property line to provide a buffer to the adjacent residential use.






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:	5 th Street is identified as a Principal Arterial Street on the City's Major Street Plan. However, the outdoor play area is located approximately 100 feet from 5 th Street and the primary structure on site is located between the play area and 5 th Street. Since the existing building provides a buffer between the play area and 5 th Street, proximity to 5 th Street does not appear to negatively impact the proposed child care center.
2. Proximity to recreation facilities:	South Park Elementary is located approximately 550 feet east of the proposed childcare center. The proximity of a school is conducive to the location of a childcare center.
3. Traffic generated by the center:	Approximately 37 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 5 th Street which is identified as a Principal Arterial Street on the City's Major Street Plan. The property is located in a residential neighborhood and South Park Elementary is located approximately 550 feet to the east. The outdoor play area will be located on the east side of the building, away from 5 th Street.
6. Access from the center to adjacent areas used for commercial or industrial purposes:	A commercial corridor adjacent to Mount Rushmore Road is located approximately 1,000 feet to the west. In addition, Rapid City Regional Hospital is located approximately 1,700 feet to the south.
7. Appropriateness of outdoor play areas	The proposed outdoor play area is adjacent to the existing building and will take access directly from the interior of the structure. The proposed play area will be 2,250 square feet in size and will be enclosed with a six foot high privacy fence. The proposed fence does not abut the north property line and does not meet the intent of the Zoning Ordinance regarding a screening fence. The fenced play area is setback from the adjacent parking lot to the west and from the alley to the east.
8. Type of vehicular traffic common to the area:	5 th Street is identified as a Principal Arterial Street on the City's Major Street Plan and is one of the few north / south streets that traverses the entire City.

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-3.1A	Balanced Uses: The property is zoned Neighborhood Commercial District which identifies a childcare center as a conditional use. The proposed childcare center is located in a residential neighborhood within 550 feet of an elementary school.
 A Vibrant, Livable Community	
LC-2.1E	Neighborhood Serving Uses: The property is located within a residential district within 550 feet of an elementary school. The proposed childcare center will serve the residents of the area.
 A Safe, Healthy, Inclusive, and Skilled Community	
SHIS-3.3A	Facility Coordination: The proposed child care center will provide a service in an area which needs additional child care services.
 Efficient Transportation and Infrastructure Systems	
TI-2.1A	Major Street Plan Integration: The property is accessed from 5 th Street which is identified as a Principal Arterial Street on the City's Major Street Plan.
 Economic Stability and Growth	
EC-1.3A	Local Business Support: Little Nest Preschool is a local Rapid City business which has been operating in the area for a number of years.



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): Urban Neighborhood

Design Standards:

N/A

The proposed Conditional Use Permit to allow a childcare center will allow reuse of an existing building.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter

Neighborhood: Downtown / Skyline Drive

Neighborhood Goal/Policy:

DSD-NA1.1C

Mixed-Use Development: The proposed childcare center is a reuse of property located adjacent to the 5th Street Corridor.

Findings

Staff has reviewed the Conditional Use Permit to allow a childcare center 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 proposed childcare center is a conditional use in the Neighborhood Commercial District located adjacent to 5th Street which is identified as a Principal Arterial Street on the City's Major Street Plan. The proposed childcare center is an adaptive reuse of an existing commercial property and promotes mixed-use development along 5th Street within 550 feet of an elementary school. The proposed childcare center provides a needed service in a residential area of the City. The applicant should be aware that a five to six foot high ornamental screening fence must be constructed along the north lot line or a Variance must be obtained to waive the requirement.

The Development Review Team recommends that the requested Conditional Use Permit to allow a childcare center be approved with the following stipulations:

1. Prior to issuance of a certificate of completion or initiation of the use, a five to six foot high ornamental screening fence shall be constructed along the north lot line or a Variance shall be obtained to waive the requirement;
2. The proposed child care center shall operate in compliance with the submitted operations plan and all approved plans. Changes in the operator of this facility shall require a Major Amendment to the Conditional Use Permit;
3. 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;
4. This Conditional Use Permit shall allow for the operation of a child care center on the property. All requirements of the Neighborhood Commercial District and all requirements for a child care center shall be continually maintained. All uses permitted in the Neighborhood Commercial District shall be permitted contingent upon provision of sufficient parking and an approved Building Permit. All conditional uses in the Neighborhood Commercial District shall require a Major Amendment to the Conditional Use Permit.



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.*

Applicant Request(s)	
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Companion Case(s)	N/A
ADVISORIES: Please read carefully!	
1.	A building permit shall be obtained prior to any construction. A certificate of completion shall be obtained prior to initiation of the use;
2.	All requirements of the currently adopted Building Code shall be met;
3.	All requirements of the International Fire Code shall be met;
4.	All requirements of the Rapid City Infrastructure Design Criteria Manual and Rapid City Standard Specifications shall be met;
5.	ADA accessibility shall be maintained throughout the site as necessary;
6.	All parking shall be installed and maintained in compliance with the requirements of the Rapid City Parking Ordinance; and,
7.	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.