

STAFF REPORT

August 8, 2002

**No. 02UR011 - Conditional Use Permit to allow a car wash in the
General Commercial Zoning District**

ITEM 41

GENERAL INFORMATION:

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| PETITIONER | David Bradsky for Express, Inc. |
| REQUEST | No. 02UR011 - Conditional Use Permit to allow a car wash in the General Commercial Zoning District |
| EXISTING LEGAL DESCRIPTION | Lot 9R-Rev and that portion of vacated Mountain View Road adjacent to said lot of Block 4, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE | Approximately 1.31 acres |
| LOCATION | 2123 Jackson Boulevard |
| EXISTING ZONING | General Commercial Zoning District |
| SURROUNDING ZONING | |
| North: | General Commercial Zoning District |
| South: | General Commercial Zoning District |
| East: | General Commercial Zoning District |
| West: | General Commercial Zoning District |
| PUBLIC UTILITIES | City water and sewer |
| DATE OF APPLICATION | 04/03/2002 |
| REPORT BY | Lisa Seaman |

RECOMMENDATION:

Staff recommends that the Conditional Use Permit to allow a car wash in the General Commercial Zoning District be continued to the September 3, 2002 Planning Commission meeting to allow the applicant time to submit additional required information.

GENERAL COMMENTS: (Updates to the staff report are shown in bold.) This item was continued from the July 6, 2002 Planning Commission meeting. On June 18, 2002 the Zoning Board of Adjustment reviewed and voted to continue the applicant's request for six variances to the July 2, 2002 Zoning Board of Adjustment meeting. The applicant requested variances to reduce the required number of stacking spaces from three to zero for the vacuum bays, to reduce the required number of stacking stalls from three to zero for the south car wash bay, to reduce the required number of stacking stalls from three to two for the cappuccino shop's north stacking lane, to eliminate the requirement of one landscaping island within the parking lot, to waive the requirement that a raised curb at least six inches in

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height be installed where the parking area abuts a public sidewalk or public right of way, and to eliminate the requirement of a twenty-six foot access aisle for the required off-street parking. The applicant indicated at the Zoning Board of Adjustment meeting that if the Board granted the variance to waive the requirement for three stacking stalls behind each vacuum bay that the entire site would be redesigned and the other variance requests would not be necessary. The Board requested that the applicant submit for review a revised site plan showing the reconfiguration of the proposed uses on the site prior to any action by the Board of Adjustment. On June 25, 2002 the applicant submitted a revised site plan showing the elimination of the vacuum bays, the relocation of off-street parking, the provision of curbing along the Jackson Boulevard right of way and the provision of a landscaping island on the subject property. The revised site plan shows that the applicant's proposed development of the property complies with the requirements of the Rapid City Municipal Code and variance approval is not necessary.

The subject property is located on the south side of Jackson Boulevard in close proximity to the intersection of Jackson Boulevard and Jane Drive. The applicant is proposing to construct a 3,500 square foot five stall car wash, 2,400 square foot vacuum shelter, and a 200 square foot cappuccino shop on the property. The property is zoned General Commercial Zoning District requiring that the applicant obtain Planning Commission approval of a Conditional Use Permit prior to initiation of the car wash use on the property.

STAFF REVIEW: Staff has reviewed that site plan that was submitted with this request and noted that more site information will need to be submitted. The site plan must be revised to include the location of property lines, all utility service lines and mains, off-street parking, existing and proposed landscaping, all existing and proposed structures and the location and size of all approaches. The applicant submitted the requested site plan and after staff review the following concerns have been identified:

Off-Street Parking: The site plan submitted with this request shows that the proposed car wash will have five bays, the vacuum shelter will have four bays and the cappuccino shop will have two drive-through windows. The Off-Street Parking section of the Rapid City Municipal Code requires that for each drive-through window or bay a minimum of three stacking stalls for each drive-through lane must be provided and that the service window or bay shall not count as stacking. The site plan shows only two stacking stalls per lane for the cappuccino shop and for three of the five car wash bays. The stacking shown for the remaining two car wash bays does not comply with requirements of the Off-Street Parking Ordinance and no stacking has been identified for the vacuum bays. The revised site plan shows that one of the stacking stalls for the cappuccino shop and three of the stacking stalls for the carwash do not comply with the requirements of the Off-Street Parking Ordinance. The applicant must either revise the site plan to show the appropriate number of stalls or obtain a variance. In addition, the site plan does not include any off-street parking for employees. The revised site plan shows two off-street parking stalls for employee use; however, a 26 foot access aisle has not been provided for these stall and the handicap accessible stall provided must be van accessible requiring an eight foot access aisle rather than five feet as shown on the site plan.

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Section 17.50.270(G)(7)(a) requires that every parking area that abuts a public or private sidewalk, public right of way, or building entrance or exit shall be provided with a wheel guard or curbs not less than six inches in height which shall be securely installed and maintained. Staff is recommending that either the site plan be revised to include curbing along the frontage of the parking area where it abuts Jackson Boulevard or the applicant obtain a variance waiving this requirement. In addition, the 11 foot wide circulation aisle between the proposed carwash and Jackson Boulevard provides sufficient width for one way circulation. Staff is requesting that the site plan be revised to include pavement marking to clearly identify circulation routes.

Access: As mentioned previously, the site plan submitted with this request does not show property lines or both sides of all of the approaches to this property. A revised site plan must be submitted showing this information for further review; however, the South Dakota Department of Transportation has noted that it is their policy to require new access permits when a property changes use. The South Dakota Department of Transportation has also noted that removal of the middle approach to the property will likely be required as a part of this review and that shared access agreements will need to be secured with adjoining properties for common use of the two remaining approaches. The revised site plan shows that the middle approach has been removed; however, the applicant has not submitted documentation of shared access agreements with the adjacent property owners ensuring the common use of the two remaining approaches. **As of July 31, 2002 the shared access agreements have not been submitted.**

Drainage: Section 17.18.030(9)a. requires that the applicant submit a drainage plan for review in conjunction with a Conditional Use Permit request for a car wash. **As of July 31, 2002 the drainage plan has not been submitted.**

Utilities: The Engineering Staff has noted that the sanitary sewer main has not been constructed along the frontage of this property and that the applicant must provide plans for the extension of the sewer main along Jackson Boulevard. The revised site plan showed that a six inch private sanitary sewer line crosses the property. The Engineering Division has requested that the applicant provide documentation regarding the ownership and maintenance responsibility of that line and that the necessary agreements are in place to allow the applicant to tap into the private sanitary sewer main. Prior to issuance of a Building Permit the design plans for the proposed improvements must be signed by a Registered Professional Engineer. **As of July 31, 2002, the requested documentation has not been submitted.**

Landscaping: Staff has reviewed the revised site plan and noted that the plan does not comply with all the requirements of the Landscaping Ordinance. Additional landscaping material must be provided and landscaping within the parking area must be provided. On June 25, 2002 the applicant submitted a landscaping plan that complies with the requirements of the Landscaping Ordinance.