

STAFF REPORT

September 26, 2002

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

**ITEM 63**

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GENERAL INFORMATION:

PETITIONER	David Bradsky for Express, Inc.
REQUEST	<b>No. 02UR011 - Conditional Use Permit to allow a car wash in the General Commercial Zoning District</b>
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 approved with the following stipulations:**

Engineering Division Recommendations:

- 1. Prior to issuance of a Building Permit, the applicant shall submit plans prepared by a Registered Professional Engineer for the construction of the retaining walls;**
- 2. Prior to issuance of a Building Permit, the applicant shall submit traffic control plans for the construction of improvements within the Jackson Boulevard right of way for review and approval;**
- 3. Prior to issuance of a Building Permit, design plans prepared by a Registered Professional Engineer for proposed sanitary sewer and water main improvements shall be submitted for review and approval;**

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**Fire Department Recommendations:**

4. **Access for emergency vehicles shall be continually maintained**

**Building Inspection Division Recommendations:**

5. **A Building Permit shall be obtained prior to any construction;**
6. **Upon submittal of a building permit, Architect/Engineered stamped plans shall be submitted for review and approval;**

**Air Quality Division Recommendations:**

7. **An Air Quality Construction Permit shall be obtained if more than one acre of surface area is disturbed prior to the issuance of any building permits or grading permits**

**South Dakota Department of Transportation Planning Division Recommendations:**

8. **Prior to issuance of a Building Permit, the applicant shall obtain access permits and permits to work within the South Dakota Department of Transportation right-of-way;**

**Urban Planning Division Recommendations:**

9. **Prior to Planning Commission approval, the applicant shall submit a shared access agreement with adjoining property owners for review and approval;**
10. **Prior to issuance of a Building Permit, the applicant shall file the shared access agreement with the Pennington County Register of Deeds and provide a copy of the filed document to the Rapid City Planning Department;**
11. **The proposed car wash building shall be a maximum of 3,500 square feet one story structure and shall be constructed of materials that are earth tone in color (excluding red and green). Metal siding and roofing may be used as construction materials; however, a maximum of fifty percent of the siding visible from Jackson Boulevard may be metal with the balance of the siding being brick or masonry;**
12. **Prior to Planning Commission approval of the Conditional Use Permit, the applicant shall submit a sign package for review and approval.**
13. **All provisions of Section 17.50.270, the Minimum Off-Street Parking Requirements of the Rapid City Municipal Code shall be continually met; and,**
14. **All provisions of Section 17.50.300, the Landscaping Regulations of the Rapid City Municipal Code shall be continually met**

**GENERAL COMMENTS:** (Updates to the staff report are shown in bold.) This item was continued from the September 5, 2002 Planning Commission meeting to allow the applicant time to enter into a shared access agreement with the adjacent property owner. On September 16, 2002 the applicant submitted a copy of a signed "Joint Access Easement" for the shared approach.

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's variance application included requests to reduce the required

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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 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 showed that the applicant's proposed development of the property complied with the requirements of the Rapid City Municipal Code and variance approval was 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. As mentioned previously, the applicant submitted a revised site plan eliminating the vacuum bays, shifting the cappuccino shop and car wash to the east, and providing the required off-street parking

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along the east property line.

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. The revised site plan shows that the curbing will be installed as required by the Rapid City Municipal Code.

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. **The revised site plan shows that the south approach is centered between the subject property and the adjacent property and that the majority of the north approach is located on the property to the north of the subject property. The applicant has indicated that the north approach will be relocated so that thirty feet of the new approach will be located on the subject property and ten feet of the approach will be located on the adjacent property. On September 16, 2002, the applicant submitted a copy of a "Joint Access Easement" that had been signed by the applicant and the adjacent property owner allowing for the common use of the north approach by the applicant and the adjacent property owner.**

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. The drainage plan has been submitted and reviewed by the Engineering Division.

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

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Building Permit the design plans for the proposed improvements must be signed by a Registered Professional Engineer. The applicant has submitted the requested information regarding the water service to the property. The applicant has submitted design plans for the extension of public sanitary sewer across the subject property.

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.

Building Materials: The subject property is located along Jackson Boulevard, a high traffic volume arterial street. The high visibility of the carwash building has underscored staff's concern with the appearance of the carwash building. The applicant has indicated that the building will be constructed of a masonry block with a metal roof. Staff is recommending that all the material used in the construction of the carwash be earth tone in color and in the event the applicant chooses to use a building material other than masonry block for the walls of the carwash, staff is recommending that a minimum of 50 percent of the car wash siding visible from Jackson Boulevard be masonry or brick.