

STAFF REPORT

July 27, 2006

**No. 06UR018 - Major Amendment to a Conditional Use Permit to
modify existing car wash**

ITEM 54

GENERAL INFORMATION:

PETITIONER	Terry Stocker for Moyle Petroleum Co.
REQUEST	No. 06UR018 - Major Amendment to a Conditional Use Permit to modify existing car wash
EXISTING LEGAL DESCRIPTION	Tract 2, Arches Addition, Section 12, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.4 acres
LOCATION	2660 Mount Rushmore Road
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District
East:	Medium Density Residential District
West:	General Commercial District (Planned Commercial Development)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	6/27/2006
REVIEWED BY	Travis Tegethoff / Todd Peckosh

RECOMMENDATION:

Staff recommends that the Major Amendment to a Conditional Use Permit to modify existing car wash be approved with the following stipulations:

1. A Building Permit shall be obtained prior to initiation of any construction and that a Certificate of Occupancy shall be obtained prior to occupying the building;
2. Any additional signage requested for the property shall to be submitted for review and approval prior to the Planning Commission meeting or a subsequent Amendment to the Planned Commercial Development shall be submitted when the signage is determined;
3. A sign permit shall be obtained prior to installation of any signage;
4. The landscape plan shall continually comply with all requirements of the Zoning Ordinance and maintained in a live vegetative state;
5. All applicable provisions of the International Fire Code shall be continually met;
6. The Major Amendment to a Conditional Use Permit shall expire if the use is not undertaken and completed within two years of the date of approval by the Planning Commission, or if the use as approved has ceased for a period of two years.

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GENERAL COMMENTS: The subject property is located north of Cathedral Drive and east of Mount Rushmore Road. A convenience store, pharmacy, and car wash are located on the subject property.

On June 17, 1996 the City Council approved with stipulations a Use on Review to allow a car wash in association with a convenience store and fast food restaurant on the subject property.

On May 5, 2001 the City Council approved with stipulations a Major Amendment to a Use on Review to allow the expansion of a car wash in the General Commercial Zoning District on the subject property. That expansion was not constructed and that Conditional Use Permit expired since the use was not undertaken and completed within two years of approval by City Council.

The applicant is now requesting approval of a Major Amendment to a Conditional use Permit to replace the existing 840 square foot car wash located on the subject property with a 2,384 square foot car wash.

STAFF REVIEW: Staff has reviewed this request for a Major Amendment to a Conditional Use Permit in accordance with the provisions of Sections 17.18.030(9) and Section 17.54.030(E) of the Rapid City Municipal Code and has noted the following considerations:

Building Permits: Staff noted that a Building Permit shall be obtained for this building and a Certificate of Occupancy shall be obtained prior to occupancy.

Signage: The applicant's site plan shows the existing signage. Any additional signage requested for the property shall to be submitted for review and approval prior to the Planning Commission meeting or a subsequent Amendment to the Conditional Use Permit must be submitted when the signage is determined. Staff also noted that a sign permit shall be obtained prior to installation of any signage.

Parking: Staff noted the parking plan was previously approved during the building permit process. The site plan meets all the requirements of Section 17.50.270 of the Rapid City Municipal Code.

Landscaping: Staff noted the landscape plan was previously approved during the building permit process. Staff noted that 52,861 landscape points are required and that 58,040 landscape points are provided. The landscape plan meets all the requirements of Section 17.50.300 of the Rapid City Municipal Code.

Fire Code: Staff noted that all applicable provisions of the International Fire Code shall be continually met.

Engineering: Staff noted that the site development has been reviewed and approved during the previous building permit submittal.

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Notification: As of this writing, the required sign has been posted on the property but the receipts from the required notification of surrounding property owners have not been returned. Staff will notify the Planning Commission at the July 27, 2006 Planning Commission meeting if this requirement has not been met.

Staff is recommending that the Major Amendment to a Conditional Use Permit to modify an existing car wash be approved with the previously stated stipulations.