

STAFF REPORT
June 25, 2013

No. 13UR010 - Conditional Use Permit to allow a car wash in the General Commercial District **ITEM 2**

GENERAL INFORMATION:

APPLICANT	Tom Schmanski
AGENT	Battista Design Group
PROPERTY OWNER	Yorkshire Limited Liability Company
REQUEST	No. 13UR010 - Conditional Use Permit to allow a car wash in the General Commercial District
EXISTING LEGAL DESCRIPTION	The north 114.4 feet of Lot C of Lot G of Government Lot 4 Less Lot H1, located in Section 35, T2N, R7E, BHM, Rapid City Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.56 acres
LOCATION	502 Mountain View Road
EXISTING ZONING	General Commercial District
FUTURE LAND USE DESIGNATION	Commercial
SURROUNDING ZONING	
North:	Public District
South:	General Commercial District
East:	General Commercial District
West:	General Commercial District
PUBLIC UTILITIES	Rapid City water and sewer
DATE OF APPLICATION	June 7, 2013
REVIEWED BY	Robert Laroco / Nicole Lecy

RECOMMENDATION:

Staff recommends that the Conditional Use Permit to allow a car wash in the General Commercial District be approved with the following stipulations:

1. Prior to issuance of a building permit, revised plans shall be submitted showing that the Kirkeby Lane right-of-way has been vacated, as well as revised site dimensions and setbacks;
2. Prior to issuance of a building permit, final plans signed and sealed by a registered professional engineer shall be submitted for review and approval. In particular, plans shall show handicap accessibility is being provided throughout the site. In addition, plans shall include all details required for the equipment provided in the mechanical room.

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- Plans shall be revised to include the location of a mop service sink to be located either within the vending area or within the mechanical room;
3. Prior to issuance of a building permit, revised plans shall be submitted to include a landscaping point calculation. A minimum of 20,609 points of landscaping shall be provided for the site. All landscaping shall be installed and maintained in compliance with the requirements of the Rapid City Municipal Code;
 4. Prior to issuance of a building permit, revised plans shall be submitted showing that a minimum of 20 parking spaces are being provided, with a minimum of 18 spaces being stacked parking spaces. In particular, plans shall show that all stacked parking spaces are 9 feet wide by 23 feet long, and that the access aisle for the van accessible handicap parking space is located on the right side of the parking space. All parking shall comply with the requirements of the Rapid City Municipal Code and the revised site plan;
 5. Prior to issuance of a building permit, plans shall be submitted showing the extended sanitary sewer main is being provided;
 7. Prior to issuance of a building permit, a flood plain development permit shall be obtained;
 8. A building permit shall be obtained prior to construction. A Certificate of Occupancy shall be obtained prior to commencement of the car wash use on the property;
 9. All signage shall comply with the requirements of the Rapid City Sign Code and the submitted site plan. Changes to the signage which comply with the requirements of the Rapid City Sign Code shall be permitted. No electronic or Light Emitting Diode (LED) signage is being approved as a part of this Conditional Use Permit. The addition of electronic or LED signage shall require the review and approval of a Major Amendment to the Conditional Use Permit. A sign permit shall be obtained for each sign;
 10. All provisions of the General Commercial District shall be continually maintained, and;
 11. This Conditional Use Permit shall allow for the development of a car wash on the property. All permitted uses which do not increase parking requirements on the site shall be permitted. All conditional uses proposed on the site or uses which increase the required amount of parking shall require the review and approval of a Major Amendment to the Conditional Use Permit.

GENERAL COMMENTS: The applicant has requested a Conditional Use Permit to allow a car wash in the General Commercial District. In particular, the applicant is proposing to redevelop the existing car wash located at 502 Mountain View Road with a new layout and facilities to be known as "Soapy Joe's". A legal non-conforming car wash was previously located on the property but has recently been demolished. The applicant has indicated their intent to construct a new car wash facility to house four self service bays and two auto wash bays. The new facility requires that a conditional use permit to allow a car wash in the General Commercial District be approved and, as such, the applicant has submitted this Conditional Use Permit application.

The property is located at 502 Mountain View Road and is the former location of the Mountain View Car Wash. Currently, the property is void of structural development.

STAFF REVIEW: The proposed car wash has been reviewed per the requirements of Chapter 17.18.030.9 of the Rapid City Municipal Code and staff has noted the following considerations:

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Adequate egress and ingress: Sole access to the property is being taken from Mountain View Road. The previous car wash located on the property was also accessed via Mountain View Road. In 2007, a Vacation of Right-of-Way request (File #07VR015) was approved for portions of Kirkeby Lane which abutted the property. While all the appropriate documentation for the requested Vacation was submitted for recording, due to an error in the legal description the documents were never recorded and the right-of-way remained unvacated. During a recent review of a building permit application for the property, the error was discovered and steps have since been taken to complete the vacation. Kirkeby Lane as it abuts the property has been vacated and may not serve as an additional access point to the property. Prior to issuance of a building permit, revised plans must be submitted showing that the Kirkeby Lane right-of-way has been vacated as well as the new dimensions of the lot and revised setbacks to the proposed car wash facility.

Transportation planning staff has noted that the proposed car wash would generate approximately 165 trips per peak hour Saturday, requiring that a Traffic Impact Study for the proposed development. However, the proposed use is a less intensive use than the previously existing car wash and the new site layout provides improved vehicle circulation as compared to the previous site layout. As such, a Traffic Impact Study does not appear to be necessary for the proposed development.

Appropriate Landscaping and Screening: The property is zoned General Commercial District and is adjacent to railroad right-of-way to the north and an existing fast food restaurant to the south. The service area to Fischer Furniture is located to the east and Mountain View Road is adjacent to the west. The proposed car wash is located within an established commercial corridor and is not in proximity to any residential development. Submitted plans show that a minimum of 20,609 points of landscaping are required for the site. While a landscaping plan has been submitted, at this time staff cannot determine the total amount of landscaping being proposed for the development. Prior to issuance of a building permit, revised plans must be submitted to include a landscaping point calculation. A minimum of 20,609 points of landscaping must be provided for the site. All landscaping must be installed and maintained in compliance with the requirements of the Rapid City Municipal Code.

Drainage plan: Public Works staff has noted that a sanitary sewer service line which conforms to City design standards must be constructed for the proposed development. This may require that a public sanitary sewer line be extended to the extents of the property. Prior to issuance of a building permit, plans must be submitted showing the extended sanitary sewer main is being provided. The applicant should note that an abandoned 36 inch storm sewer line is currently located along the north property line. Public Works staff has noted future plans to extend a 12 inch water main currently located at the northwest corner of the property along the northern property line. An easement may be required in the future. However, an easement is not required for the property as a part of this review.

Any other requirements the Council may deem appropriate: Staff has noted that the property is located within the 100 Year and 500 Year Federally Designated Flood Plains. Prior to issuance of a building permit, the applicant must obtain a flood plain development permit as needed.

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Parking: Four self-serve bays and two automated wash bays are proposed as a part of the development, requiring a total of 18 stacked parking spaces. In addition, office and storage space located on-site will require an additional two parking spaces. A minimum of one of the spaces must be a van accessible handicap parking space. The stacked parking spaces shown on the submitted plans are dimensioned at 7 feet wide by 18 feet long. Stacked parking spaces must be a minimum 9 feet wide by 23 feet long. In addition, plans show the access aisle for the required handicap accessible parking space is located on the left side of the space. The access aisle for a van accessible handicap space must be located on the right side of the space. Prior to issuance of a building permit, revised plans must be submitted showing that a minimum of 20 parking spaces are being provided, with a minimum of 18 spaces being stacked parking spaces. In particular, plans must be revised to show that all stacked parking spaces are 9 feet wide by 23 feet long, and the van accessible handicap parking space must be revised to locate the access aisle on the right side of the parking space. All parking must comply with the requirements of the Rapid City Municipal Code and the revised site plan. Submitted plans show a potential expansion to include a "pet wash" facility on the western side of the building. The applicant should be aware that such an expansion would interfere with proposed parking, and would require additional parking. The potential pet wash is not being reviewed as a part of this Conditional Use Permit application. Future expansion of the facility to include a pet wash will require the review and approval of a Major Amendment to the Conditional Use Permit. All permitted uses which do not increase parking requirements on the site will be permitted. All conditional uses proposed on the site or uses which increase the required amount of parking will require the review and approval of a Major Amendment to the Conditional Use Permit.

Building Official Comments: Staff has noted that a building permit is required prior to any construction on the property. A Certificate of Occupancy must be obtained prior to initiation of the car wash use on the property. Prior to issuance of a building permit, final plans signed and sealed by a registered professional engineer must be submitted. Plans must show handicap accessibility is being provided throughout the site. In addition, plans must include all details required for the equipment provided in the mechanical room. Plans must be revised to include the location of a mop service sink to be located either within the vending area or within the mechanical room.

Signage: Submitted plans show two wall signs are being proposed on the western and northern sides of the structure, facing Mountain View Road and Omaha Street. Plans show the location of signage only and do not include the design of signage. The applicant should be aware that a sign permit is required for each sign. All signage must comply with the requirements of the Rapid City Sign Code and the submitted site plan. Changes to the signage which comply with the requirements of the Rapid City Sign Code will be permitted. No electronic or Light Emitting Diode (LED) signage is being approved as a part of this Conditional Use Permit. The addition of electronic or LED signage will require the review and approval of a Major Amendment to the Conditional Use Permit.

Summary: The Conditional Use Permit will allow for the development of a car wash in the General Commercial District. The proposed car wash is a replacement of a previously existing car wash located on the property. However, the new facility will have fewer service

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bays, resulting in an overall decrease in the intensity of the use on the property. The proposed car wash is located in an established commercial corridor and is not adjacent to or in proximity to any residential development. The proposed development of the site appears to meet all the requirements of the Rapid City Zoning Ordinance. Based on these reasons, staff recommends that the Conditional Use Permit to allow a car wash in the General Commercial District be approved with the stipulations outlined above.

Notification Requirements: As of this writing, the first class mailings have not been returned to Community Planning and Development Services and the notification sign has not been posted on the property. Staff will notify the Planning Commission at the July 25, 2013 Planning Commission meeting if these requirements have not been met. There have been no inquiries into the proposed car wash.