



Rapid City Planning Commission

Conditional Use Permit Project Report

March 23, 2017

Item #17
Applicant Request(s)
Case # 17UR006 –Conditional Use Permit to allow a carwash and an electronic reader board in the General Commercial District
Companion Case(s) # N/A

Development Review Team Recommendation(s)
If the Planning Commission determines that this is the appropriate location for an electronic reader board sign, then the Development Review Team recommends approval of the Conditional Use Permit to allow a car wash with a reader board sign with the stipulations as noted below.

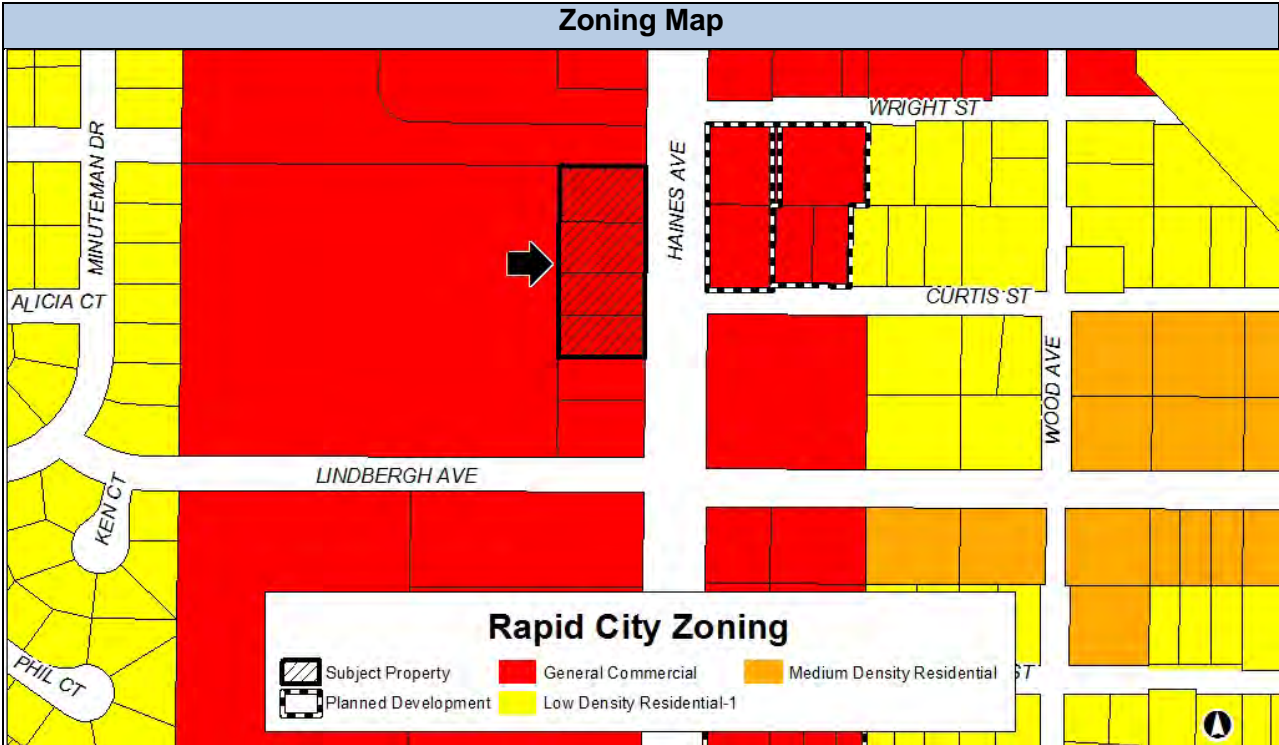
Project Summary Brief

The applicant has submitted a Conditional Use Permit to allow a carwash with an electronic reader board sign in the General Commercial District. In particular, the applicant is proposing to construct a one-lane drive-thru tunnel carwash 5,880 square feet in size. The development will include a three-lane covered pay station attached to an office building measuring 1,975 square feet in size with 25 vacuum stalls located on the east side of the proposed carwash. The applicant is also proposing two pole signs with one being an electronic reader board sign measuring six feet by eight feet and 48 square feet in size. The Planning Commission has directed staff to bring all requests for electronic reader board signs proposed within a Conditional Use Permit before the Planning Commission for consideration.

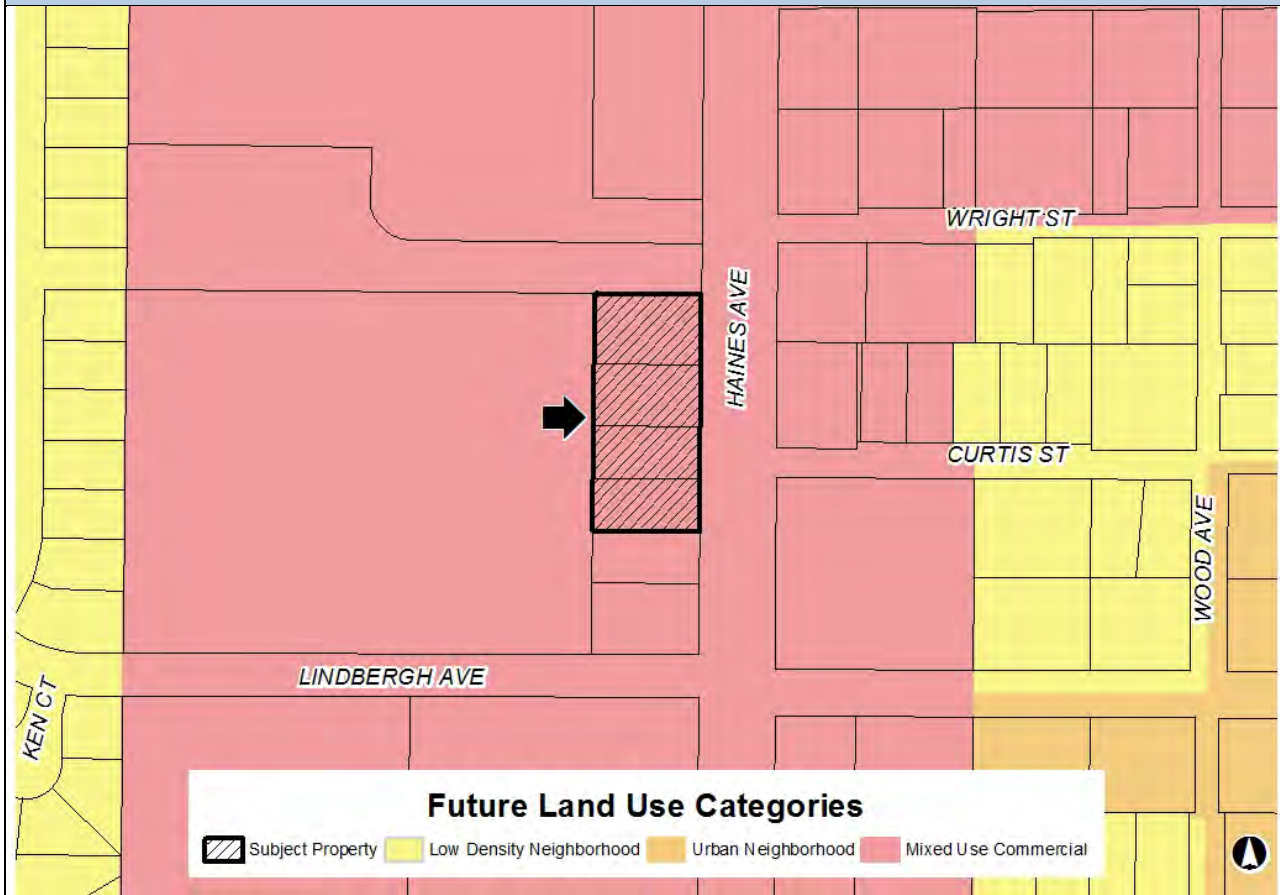
Applicant Information	Development Review Team Contacts
Applicant: John Parker	Planner: Fletcher Lacock
Property Owner: MG Oil Company and C&G Brown, LLC	Engineer: Dan Kools
Architect: N/A	Fire District: Tim Behlings
Engineer: Sperlich Consulting, Inc	School District: N/A
Surveyor: N/A	Water/Sewer: Dan Kools
Other: Schlingen Design Consultants	DOT: Stacy Bartlett

Subject Property Information	
Address/Location	West of the intersection of Haines Avenue and Curtis Street
Neighborhood	North Rapid
Subdivision	Northern Heights Subdivision
Land Area	1.15 acres (50,094 square feet)
Existing Buildings	Approximately 4,330 square feet commercial structures
Topography	Relatively flat
Access	Haines Avenue
Water Provider	Rapid City
Sewer Provider	Rapid City
Electric/Gas Provider	Black Hills Power / MDU
Floodplain	Federally designated 100 year floodplain and 500 year floodplain located on portions of the property

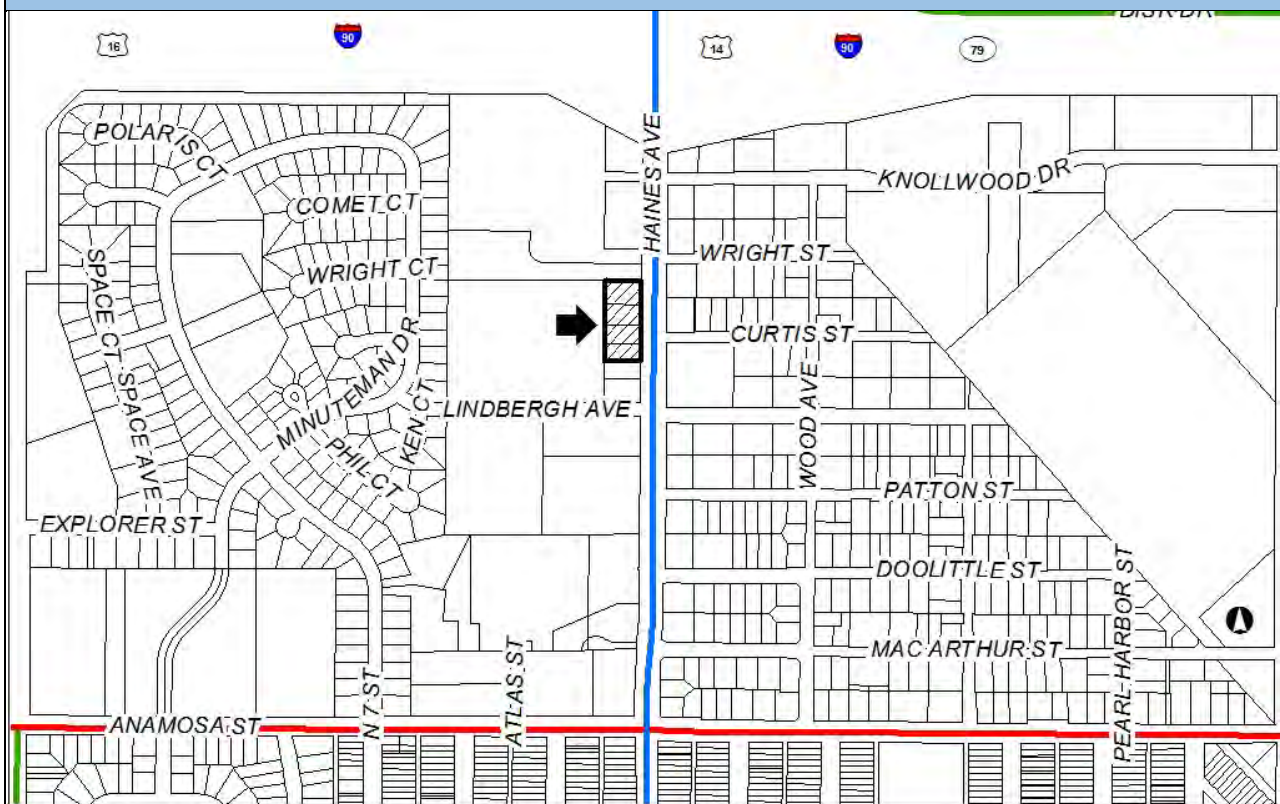
Subject Property and Adjacent Property Designations			
	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	GC	MUC	Casino and Trophy store
Adjacent North	GC	MUC	Office Max
Adjacent South	GC	MUC	Gas station
Adjacent East	GC - PD	MUC	Urgent Care and coffee kiosk
Adjacent West	GC	MUC	Mobile home park



Comprehensive Plan Future Land Use



Parks or Transportation Plan



Relevant Case History			
Case/File#	Date	Request	Action
N/A			
Relevant Zoning District Regulations			
General Commercial District	Required	Proposed	
Lot Area	N/A	1.15 acres	
Lot Frontage	N/A	Approximately 330 feet	
Maximum Building Heights	4 stories, 45 feet	One story, less than 45 feet	
Maximum Density	75%	12%	
Minimum Building Setback:			
• Front	25 feet	41 feet	
• Rear	"0" feet	25 feet	
• Side	"0" feet	77 feet from north / 36 feet from south	
• Street Side	25 feet	N/A	
Minimum Landscape Requirements:			
• # of landscape points	43,589	43,592	
• # of landscape islands	1	1	
Minimum Parking Requirements:			
• # of parking spaces	3 parking spaces and 3 stacking spaces	4 parking spaces and 9 stacking spaces	
• # of ADA spaces	1 van accessible	1 van accessible	
Signage	Approximately 660 square feet	470 square feet of wall signage / 596 square feet of pole signs including a 6 foot by 8 foot electronic reader board sign	
Fencing	6 feet wood screening fence along west property line	Proposed 6 foot wood screening fence along west property line	



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 cellular communication tower	
1. The location, character and natural features of the property:	The property is located west of the intersection of Haines Avenue and Curtis Street. The property is comprised of four lots varying in size from 0.34 acres to 0.26 acres. Currently, two of the properties are developed with commercial structures. The applicant is proposing to remove the structures and construct a drive-thru tunnel carwash with 25 vacuum stalls. The applicant should be aware that prior to issuance of a Building Permit, a Developmental Lot Agreement or a Lot Line Adjustment – Consolidation Plat must be approved.
2. The location, character and design of adjacent buildings:	Properties to the north, south, east, and west are also zoned General Commercial District. The property to the north is developed with an "Office Max". The property to the east is developed with an urgent care and a coffee kiosk. The property to the south is developed with a convenience store with gas sales. The property to the west is developed with a mobile home park.
3. Proposed fencing, screening and landscaping:	The property to the west is zoned General Commercial District but is developed with a mobile home park which is a residential use. The mobile home park is a legal non-

	<p>conforming use. The applicant is proposing to maintain a 25 foot setback and to construct a six foot high ornamental screening fence between the mobile home park and the carwash. In addition, the applicant is proposing to plant ten evergreen trees along the west property line to further buffer the proposed use from the mobile home park. The site plan also identifies a sound screen wall attached to the south and west side of the carwash to provide a sound buffer between the carwash dryers and the adjacent residential use. Staff recommends that the 10 evergreen trees be a minimum of six feet in height at the time of planting. In addition, staff recommends that upon submittal of a Building Permit, an irrigation plan for the landscape buffer be submitted for review and approval to ensure that the trees remain in a live vegetative state.</p>
<p>4. Proposed vegetation, topography and natural drainage:</p>	<p>The northeast side of the property is located in the Federally designated 500-year floodplain. The applicant has submitted a landscape plan identifying a buffer of 10 evergreen trees along the west side of the property. The proposed landscape plan is in compliance with Chapter 17.50.300 of the Rapid City Municipal Code. Staff suggests that the proposed tree in the landscape island be moved to ensure that the root system does not interfere with the sanitary sewer service.</p>
<p>5. Proposed pedestrian and vehicular access, circulation and parking, including that related to bicycles and other unpowered vehicles and provisions for handicapped persons:</p>	<p>Pedestrian access is provided with a sidewalk along Haines Avenue. The applicant is proposing to use the three existing approaches along Haines Avenue for vehicle access. Public Works staff has indicated that the two northern approaches must be a maximum of 16 feet in width and that one must be signed "Enter" and the other "Exit". As such, upon submittal of a Building Permit, the site plan shall be revised to show the two north approaches with a maximum width of 16 feet and directional signage as identified.</p>
<p>6. Existing traffic and traffic to be generated by the proposed use:</p>	<p>The proposed carwash will generate approximately 76 trips per peak hour. Haines Avenue is identified as a Principal Arterial Street on the City's Major Street Plan. Haines Avenue is also a commercial corridor in the City and is identified as the top crash segment in the City according to the "Arterial Street Safety Study". The applicant should be aware that the study recommends that a raised median on Haines Avenue be constructed between Lindbergh Avenue to the south and Interstate 90 to the north. The applicant is not required to construct the median, but should be aware that future improvements along Haines Avenue may include one at this location.</p>
<p>7. Proposed signs and lighting:</p>	<p>The applicant is proposing to install wall signage and to construct two pole signs on the property. In addition, the applicant is proposing a six foot by eight foot electronic reader board pole sign to be located on the southeast corner of the property. The Planning Commission has directed staff to bring all requests for electronic reader board signs proposed within a Conditional Use Permit before the Planning Commission for consideration. The proposed sign is allowed under the current Sign Code in the General Commercial District. The sign elevation shows a height of 18 feet which is below the maximum allowed height of 45 feet.</p>

<p>8. The availability of public utilities and services:</p>	<p>The property is currently served by public utilities including Rapid City sewer and water. Upon submittal of a Building Permit, the construction plans must be revised to provide a profile view of the four-inch water service and the four-inch sewer service. Public Works staff also suggests that the proposed tree in the parking lot island be moved away from the proposed sanitary sewer service.</p> <p>There is an existing sanitary sewer service extending across the property from Haines Avenue to the mobile Home Park to the west. As a part of the proposed development the applicant will move the sanitary sewer service to connect to the sewer main located north of the mobile home park. The sewer service will be located on the mobile home park property. As such, upon submittal of a Building Permit, a notarized letter from the adjacent property owner must be submitted acknowledging and approving the relocation of the sanitary sewer service. In addition, recorded temporary construction easements must be submitted as necessary for all proposed work outside of the subject property.</p>
<p>9. The objectives of the adopted comprehensive plan and the purpose of the ordinance codified herein:</p>	<p>The property is zoned General Commercial District. A carwash is a conditional use in the district. The property to the west is also zoned General Commercial District but is developed with a mobile home park, a legal non-conforming use. The applicant is proposing to provide a 25 foot rear yard setback, to construct a six foot high ornamental screening fence, a sound screen wall at the carwash exit, and an evergreen buffer between the existing residential use and the proposed carwash.</p>
<p>10. The overall density, yard, height and other requirements of the zone in which it is located:</p>	<p>The proposed carwash is in compliance with the area regulations of the General Commercial District.</p>
<p>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:</p>	<p>A carwash is a conditional use in the General Commercial District due to the noise, odor, and traffic generated by the use. On February 18, 2017, the applicant invited the residents of the mobile home park to a neighborhood meeting to discuss the proposed project. The sign-in sheet identifies four residents of the area attended. The proposed screening fence, sound screen wall, evergreen landscape buffer, and rear yard setback are designed to ensure that the use has a minimal impact on the adjacent neighbors. Staff recommends that the 10 evergreen trees be a minimum of 6 feet in height at the time of planting and that upon submittal of a Building Permit, an irrigation plan be submitted for review and approval to ensure the buffer is maintained in a live state.</p>
<p>12. The degree to which conditions imposed will mitigate any probable adverse impacts of the proposed use on existing adjacent uses:</p>	<p>The stipulations of approval will ensure that the landscape buffer, ornamental screening fence, sound screen wall, and 25 foot rear yard setback are provided and maintained.</p>

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-1.1A	Compact Growth: The applicant is proposing to redevelop four properties in an established commercial corridor which already has paved streets and public water and sewer.
 A Vibrant, Livable Community	
	N/A
 A Safe, Healthy, Inclusive, and Skilled Community	
	N/A
 Efficient Transportation and Infrastructure Systems	
TI-2.1A	Major Street Plan Integration: Haines Avenue is identified as a Principal Arterial Street on the City’s Major Street Plan. The “Arterial Street Safety Study” identifies this segment of Haines Avenue between Lindbergh Avenue and U.S. Interstate 90 to be the top crash segment in the City. The applicant should be aware that the study recommends that a raised median be constructed along this corridor. The applicant is not required to construct the median, but should be aware that future improvements along Haines Avenue may include one at this location.
TI-2.1E	Access Management Planning: Haines Avenue is identified as a Principal Arterial Street on the City’s Major Street Plan. The applicant is proposing three approaches onto Haines Avenue. Public Works staff has indicated that two of the approaches on the north end of the property must be reduced to a maximum 16 feet in width and one signed for entry and the other as an exit. The third approach will be allowed with full movements.
 Economic Stability and Growth	
EC-1.3C	Balance New and Existing Businesses: The proposed carwash is located directly north of an existing convenience store with gas sales. Haines Avenue is an established commercial corridor in the City and the applicant is proposing to redevelop an area which is currently a casino and a trophy shop.
 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 advertized 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):	Mixed Use Commercial
Design Standards:	
GDP-MU10	Lot Consolidation: The applicant is proposing to construct a carwash across four existing lots. Two of the lots are currently void of structural development. The

	other two lots are the location of a casino and a trophy shop.
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Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
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Neighborhood:	North Rapid
Neighborhood Goal/Policy:	
N/A	The proposed carwash development supports the goal of reinvestment in the North Rapid Neighborhood Area.

Findings

Staff has reviewed the Conditional Use Permit to allow a carwash and an electronic reader board sign in the General Commercial District pursuant to Chapter 17.18, and Chapter 17.54.030 of the Rapid City Municipal Code and the goals, policies, and objectives of the adopted Comprehensive Plan. The property is zoned General Commercial District and a carwash is a conditional use in the district. Haines Avenue is identified as a Principal Arterial Street on the City’s Major Street Plan and is an established commercial corridor in the City. The applicant is proposing to construct an ornamental screening fence, a sound barrier wall, plant an evergreen buffer, and maintain a 25 foot setback from an adjacent mobile home park. The applicant held a public meeting inviting the neighbors to review the proposed development and staff has not heard any negative feedback. The proposed carwash supports the goal on re-investment in the North Rapid Neighborhood Area and the consolidation of lots of lots for development.

Planning Commission Recommendation and Stipulations of Approval
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If the Planning Commission determines that the electronic reader board sign is appropriate for this location, staff recommends that the Conditional Use Permit to allow a carwash and an electronic reader board sign in the General Commercial District be approved with the following stipulation(s):

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| 1. | A six foot high ornamental screening fence shall be constructed along the west property line. The fence shall be maintained in good condition and be repaired when needed. In addition, the sound barrier wall shall be constructed as proposed; |
| 2. | A minimum 25 foot rear yard setback shall be maintained along the west property line. Any reduction in the minimum required rear yard setback shall require a Variance; |
| 3. | Upon submittal of a Building Permit, an irrigation plan for the landscape buffer shall be submitted for review and approval. The 10 evergreen trees shall be a minimum of six feet in height at the time of planting and shall be maintained in a live vegetative state; |
| 4. | Upon submittal of a Building Permit, the plans shall be revised to show the two northern approaches to be a maximum 16 feet in width with one approach signed for entry and the other for exit; |
| 5. | Upon submittal of a Building Permit, the construction plans shall be revised to provide a profile view of the four-inch water service and the four-inch sewer service; |
| 6. | Upon submittal of a Building Permit, a notarized letter from the adjacent property owner shall be submitted acknowledging and approving the relocation of the sanitary sewer service; |
| 7. | Prior to issuance of a Building Permit, recorded temporary construction easements shall be submitted as necessary for all proposed work outside of the subject property; |
| 8. | Prior to issuance of a Building Permit, a Developmental Lot Agreement shall be submitted for recording or a Lot Line Consolidation Plat shall be approved; |
| 9. | The Conditional Use Permit shall allow an electronic reader board sign measuring 48 square feet in size. All signage shall comply with the requirements of the Rapid City Sign Code. An increase in size or any new electronic or LED signage shall require a Major Amendment to the Planned Development. A sign permit is required for any new signs; and, |
| 10. | The Conditional Use Permit shall allow for a tunnel carwash with 25 vacuum spaces. Any expansion of the carwash shall require a Major Amendment to the Conditional Use Permit. All uses permitted in the General Commercial District shall be permitted, contingent upon sufficient parking being provided and an approved Building Permit. Any change in use that is a Conditional Use in the General Commercial District shall require |

	the review and approval of a Major Amendment to the Conditional Use Permit.
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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)	
Case # 17UR006	Conditional Use Permit to allow a carwash and an electronic reader board in the General Commercial District
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 Infrastructure Design Criteria Manual and the Rapid City Standard Specifications shall be met;
3.	An Air Quality Construction Permit shall be obtained prior to any surface disturbance of one acre or more;
4.	All provisions of the General Commercial District shall be met;
5.	All outdoor lighting shall continually be reflected within the property boundaries so as to not shine onto adjoining properties and rights-of-way and to not be a hazard to the passing motorist or constitute a nuisance of any kind;
6.	All construction plans shall be signed and stamped by a registered professional pursuant to South Dakota Codified Law 36-16A;
7.	All requirements of the currently adopted Building Code shall be met; and,
8.	All requirements of the International Fire Code shall be met.