



Rapid City Zoning Board of Adjustment Variance Project Report

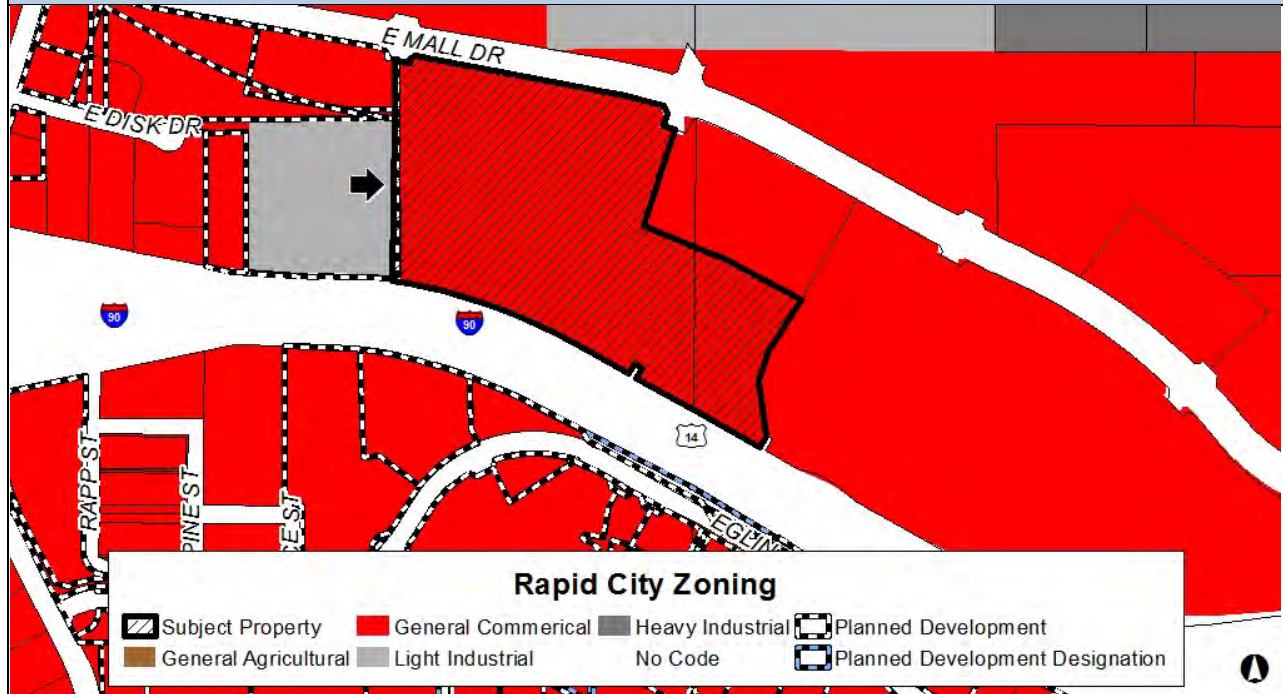
April 25, 2019

Item #2	
Applicant Request(s)	
Case #19VA002, a Variance request to allow 337 square feet of LED signage in lieu of 60 square feet allowed	
Companion Case(s) N/A	
Development Review Team Recommendation(s)	
Staff recommends that the Variance request be denied.	
Project Summary Brief	
<p>The applicant has submitted a Variance request to allow 337 square feet of LED signage in lieu of a maximum 60 square feet allowed for the property located at 1001 East Mall Drive. Specifically, the applicant is intending to construct three monument signs as part of a large retail development for “Fleet Farm”, a home supply and retail store. Two of the proposed signs contain electronic reader board message centers measuring 117 square feet per side each. Additionally, two of the proposed signs also have LED displays for fuel prices measuring 33 square feet and 70 square feet, respectively. The cumulative total of proposed LED signage measures 337 square feet.</p> <p>The subject property is zoned General Commercial District and is 37.53 acres in size. The property is adjacent to Interstate 90 and will be accessed via East Mall Drive. The proposed monument signs will be located on the northeast, northwest, and southeast corner of the property.</p>	
Applicant Information	Development Review Team Contacts
Applicant: Jones Sign Co., Inc.	Planner: John Green
Property Owner: Store Spe Mills Fleet II 2017-7 LLC	Engineer: Todd Peckosh
Architect: N/A	Fire District: Tim Behlings
Engineer: N/A	School District: N/A
Surveyor: N/A	Water: Todd Peckosh
Other: N/A	Sewer: Todd Peckosh
Subject Property Information	
Address/Location	North of Interstate 90, South of E. Mall Drive
Neighborhood	Northeast Neighborhood Area
Subdivision	East Mall Business Center Subdivision
Land Area	37.53 acres or 1,634,807 square feet
Existing Buildings	Void of Structural Development
Topography	Rises 38 feet from north to south
Access	East Mall Drive
Water Provider	Rapid City
Sewer Provider	Rapid City
Electric/Gas Provider	Black Hills Power/ MDU
Floodplain	N/A
Other	N/A

Subject Property and Adjacent Property Designations

	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	GC	MUC	No Structural Development
Adjacent North	GC	MUC	No Structural Development
Adjacent South	GC-PD	MUC	Interstate 90
Adjacent East	GC	MUC	No Structural Development
Adjacent West	GC-PD	MUC	Hilton Garden Inn

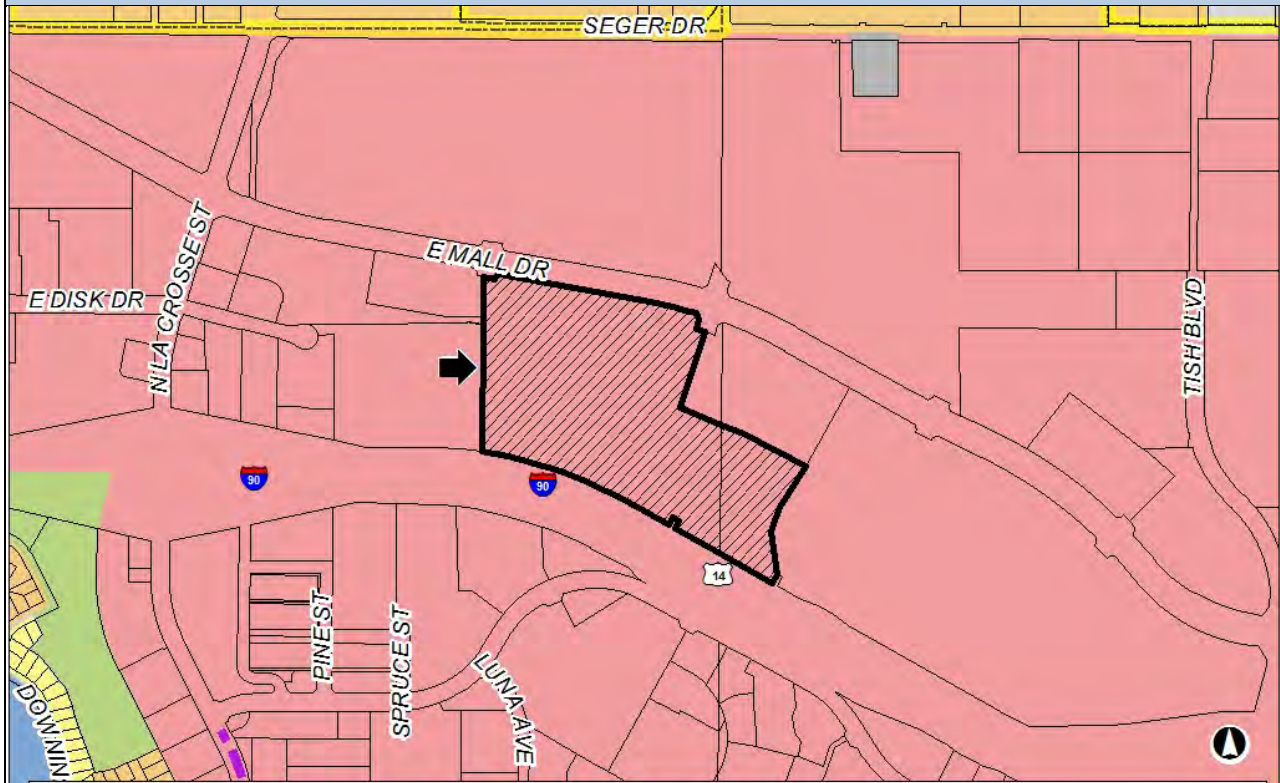
Zoning Map



Existing Land Uses



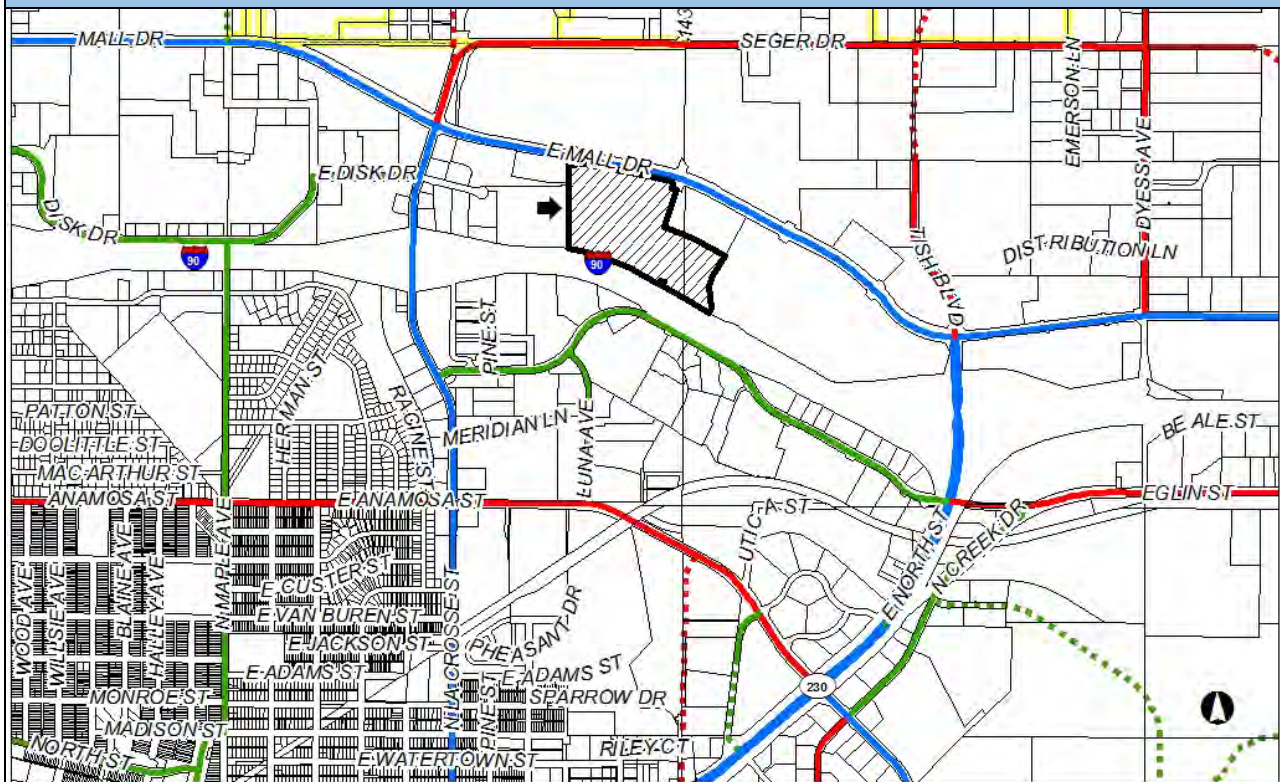
Comprehensive Plan Future Land Use



Future Land Use Categories

- Subject Property
- Low Density Neighborhood
- Mixed Use Commercial
- Heavy Industrial
- Public/Quasi-Public
- Urban Neighborhood
- Light Industrial
- Parks and Greenway
- Revitalization Corridor
- Rapid City Limits

Parks or Transportation Plan



Major Street Plan

- Subject Property
- Collector
- Principal arterial
- Proposed minor arterial
- Rapid City Limits
- Minor arterial
- Proposed collector

Relevant Case History			
Case/File#	Date	Request	Action
N/A	N/A	N/A	N/A
Relevant Zoning District Regulations			
General Commercial District	Required	Proposed/Existing	
Lot Area	N/A	37.53 acres or 1,634,807 square feet	
Lot Frontage	N/A	Approximately 3,300 feet	
Maximum Building Heights	4 stories or 45 feet	N/A	
Maximum Density	75%	N/A	
Minimum Building Setback:			
• Front	25 feet	N/A	
• Rear	0 feet	N/A	
• Side	0 feet	N/A	
• Street Side	25 feet	N/A	
Minimum Landscape Requirements:			
• # of landscape points	N/A	N/A	
• # of landscape islands	N/A	N/A	
Minimum Parking Requirements:			
• # of parking spaces	N/A	N/A	
• # of ADA spaces	N/A	N/A	
Signage	Pursuant to RCMC	Requesting a Variance to allow a cumulative total of 337 square feet of LED signage in lieu of a maximum of 60 square feet allowed	
Fencing	Pursuant to RCMC	None proposed	
Applicant's Justification:			
Pursuant to Chapter 17.54.020.D of the Rapid City Municipal Code, before the Board shall have the authority to grant a Variance, the applicant must adequately address the following criteria:			
Criteria:	Applicants Response (verbatim):		
1. The granting of the variance will not be contrary to the public interest.	Fleet Farm's proposed electronic message center signage for their freestanding signs will not be contrary to the public interest. The signage proposed for Fleet Farm will allow them to have better visibility to the public and help them inform the public of the services and merchandise they offer. With Fleet Farm being a new business in the area, it will help attract customers to the area and help bring in more traffic to the surrounding area businesses.		
2. Due to special conditions the literal enforcement of the zoning ordinance will result in unnecessary hardship.	Due to the size of the property, the requested variances for additional square footage for electronic message centers is necessary for better visibility along East Mall Drive and Highway 14. We want to make sure the signage is clearly legible to motorists traveling along the interstate. The signs are sized appropriately to ensure sufficient time for motorists to read and react to the sign messaging and to be more aesthetically pleasing and compliment the size of the freestanding signs.		
3. By granting the variance to the provisions of the zoning ordinance the spirit of the zoning ordinance will be observed.	Fleet Farm is not requesting signs that are not permitted by code but requesting for an increase in allowed square footage for electronic message centers on site to help keep them in proportion to the freestanding signs on which they will be placed. The signs will follow sign lighting, sign brightness, and movement		

	restrictions per city code.
4. By granting the variance substantial justice will be done.	<p>Due to the size of the property with visibility from both East Mall Drive and Highway 14, the requested variance s for additional square footage for electronic message centers is necessary to for better visibility of the property.</p> <p>This will be the only Fleet Farm location within hundreds of miles, making it critical to raise awareness of the use and location. Fleet Farm wants to make sure they are able to advertise their services they offer to customers.</p>

Board of Adjustment Criteria and Findings for Approval

Should the Board of Adjustment grant the Variance for LED signage, the following criteria, findings, and conditions of approval would be applicable:

Criteria: N/A	Findings: N/A
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Board of Adjustment Criteria and Findings for Denial

Should the Board of Adjustment decide to deny the Variance, the following criteria would be applicable:

Criteria:	Findings:
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1. The strict application of the provisions of the zoning ordinance denies any reasonable use of the land.	The subject property has approximately 3,300 feet of linear frontage along Interstate 90 and East Mall Drive. The frontage of the property would allow for approximately 6,600 square feet of wall signage and 6,600 square feet of pole signage, including the allowed 60 square feet of LED signage as per Rapid City Municipal Code Section 17.50.080. The applicant has ample opportunity to provide advertising for their business by increasing pole signage along Interstate 90 or East Mall Drive without exceeding the maximum allowable LED signage square footage. Denial of the Variance as requested does not deny reasonable use of the land.
2. There are special circumstances or conditions that do not apply generally in the district (exceptional narrowness, topography, etc.)	The subject property does not have any special circumstances that are unique within the General Commercial District that support granting the Variance as requested. Static pole signage and wall is visible to potential customers and allows for adequate advertising for the business.
3. The variance is the minimum adjustment necessary for the reasonable use of the land.	Reasonable use of the land exists within the parameters set forth by the Rapid City Municipal Code. The applicant can provide up to 6,600 square feet of wall signage and 6,600 square feet of pole signage to adequately advertise to potential customers along East Mall Drive and Interstate 90. Additionally, the applicant can resize their proposed LED signage to comply with the 60 square feet maximum allowance set forth in the adopted Sign Code.
4. The variance is in harmony with the general purposes and intent of the zoning ordinance and will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the comprehensive plan for development.	The intent of the Rapid City Sign Code regulating LED signage is to reduce potential negative impacts of excessive amounts of LED signage on surrounding properties, vehicles, and pedestrians. The Variance to allow 337 square feet of LED signage in lieu of a maximum of 60 square feet allowed may be injurious to the surrounding neighborhood and motorists traveling along Interstate 90. The Variance as requested is not in harmony with the general intent of the zoning ordinance.

Summary of Findings

The applicant has submitted a Variance request to allow 337 square feet of LED signage in lieu of the maximum allowed 60 square feet. The proposed LED signage is intended to be displayed on three separate monument style signs adjacent to East Mall Drive and Interstate 90. Reasonable use of the land exists within the parameters set forth by the Rapid City Municipal Code and denial of the request to allow 337 square feet of LED signage does not deny the applicant any rights or privileges otherwise listed in the district.

Staff Recommendation

Staff recommends that the Variance request to allow 337 square feet of LED signage in lieu of 60 square feet allowed be denied.