



Rapid City Planning Commission Conditional Use Permit Project Report

January 4, 2018

Item #8
Applicant Request(s)
Case #17UR025 – Major Amendment to a Conditional Use Permit to allow an electronic reader board sign
Companion Case(s) N/A

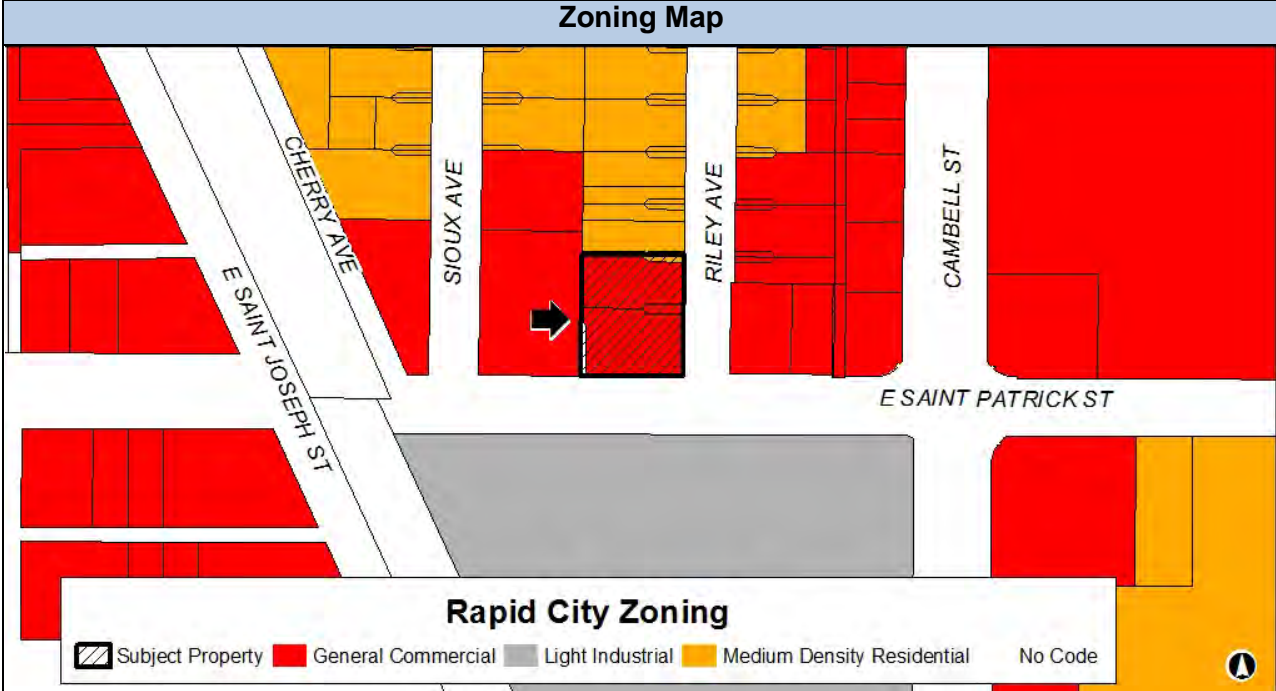
Development Review Team Recommendation(s)
If the Planning Commission determines that the electronic reader board sign is appropriate for this location, the Development Review Team recommends that the Major Amendment to a Conditional Use Permit be approved with the stipulations as noted at the end of the report.

Project Summary Brief
The applicant has submitted a Major Amendment to a Conditional Use Permit to allow an electronic reader board sign measuring 5 feet 3 inches by 5 feet 3 inches with two sign faces for a total of 55 square feet of digital reader board. There is an approved Major Amendment to a Conditional Use Permit (File #09UR010) to expand an existing on-sale liquor establishment. 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 property is currently developed with a casino.

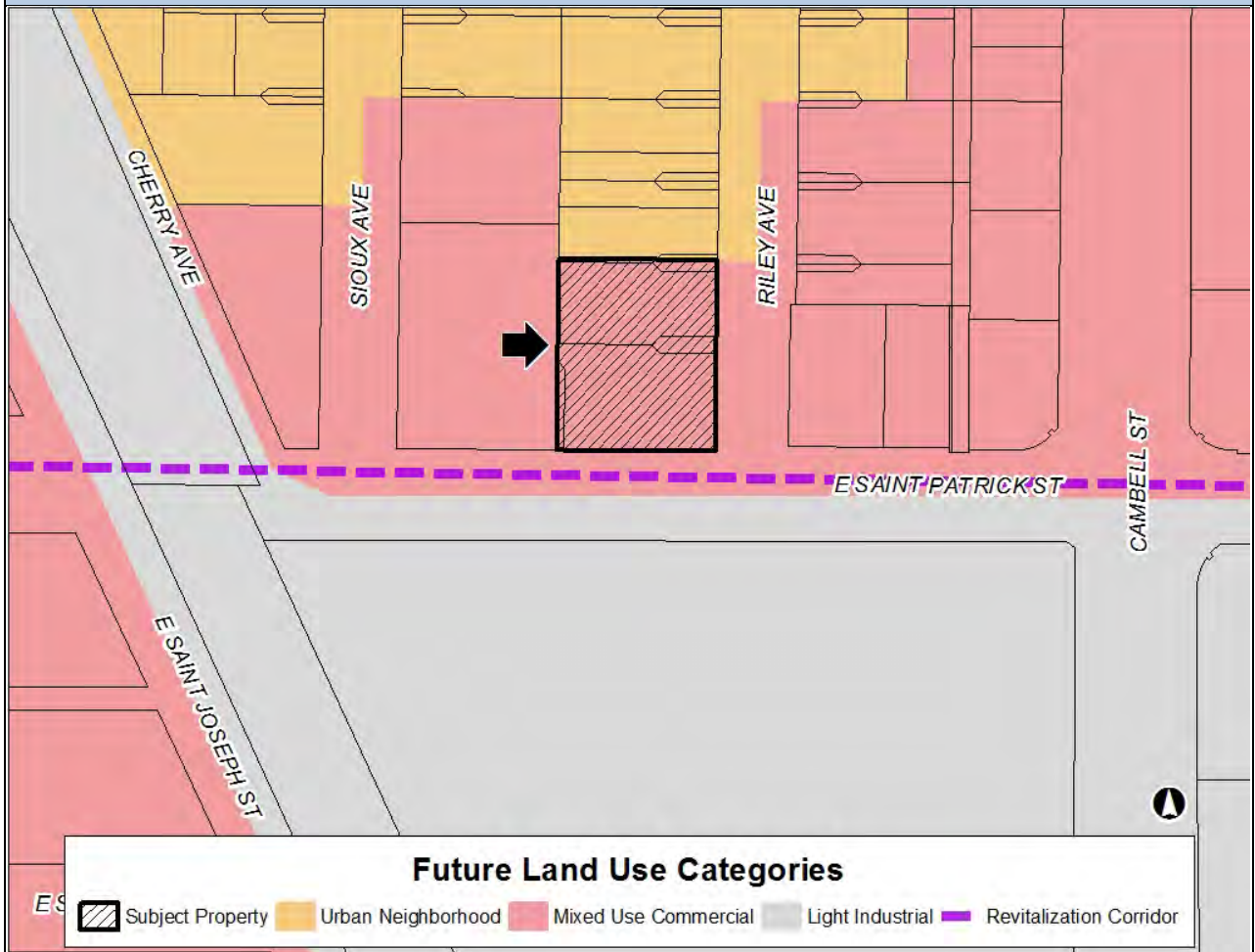
Applicant Information	Development Review Team Contacts
Applicant: Steve Wynia	Planner: Fletcher Lacock
Property Owner: Wyngard Investments LLC	Engineer: Nicole Lecy
Architect: N/A	Fire District: Tim Behlings
Engineer: N/A	School District: N/A
Surveyor: N/A	Water/Sewer: Nicole Lecy
Other: Kennedy Design Group Inc.	DOT: Stacy Bartlett

Subject Property Information	
Address/Location	1330 East Saint Patrick Street
Neighborhood	Downtown / Skyline Drive Neighborhood Area
Subdivision	Radio Towers Subdivision
Land Area	0.47 acres
Existing Buildings	Casino
Topography	Relatively flat
Access	East Saint Patrick Street and Riley Avenue
Water Provider	Rapid City
Sewer Provider	Rapid City
Electric/Gas Provider	Black Hills Power / MDU
Floodplain	N/A
Other	N/A

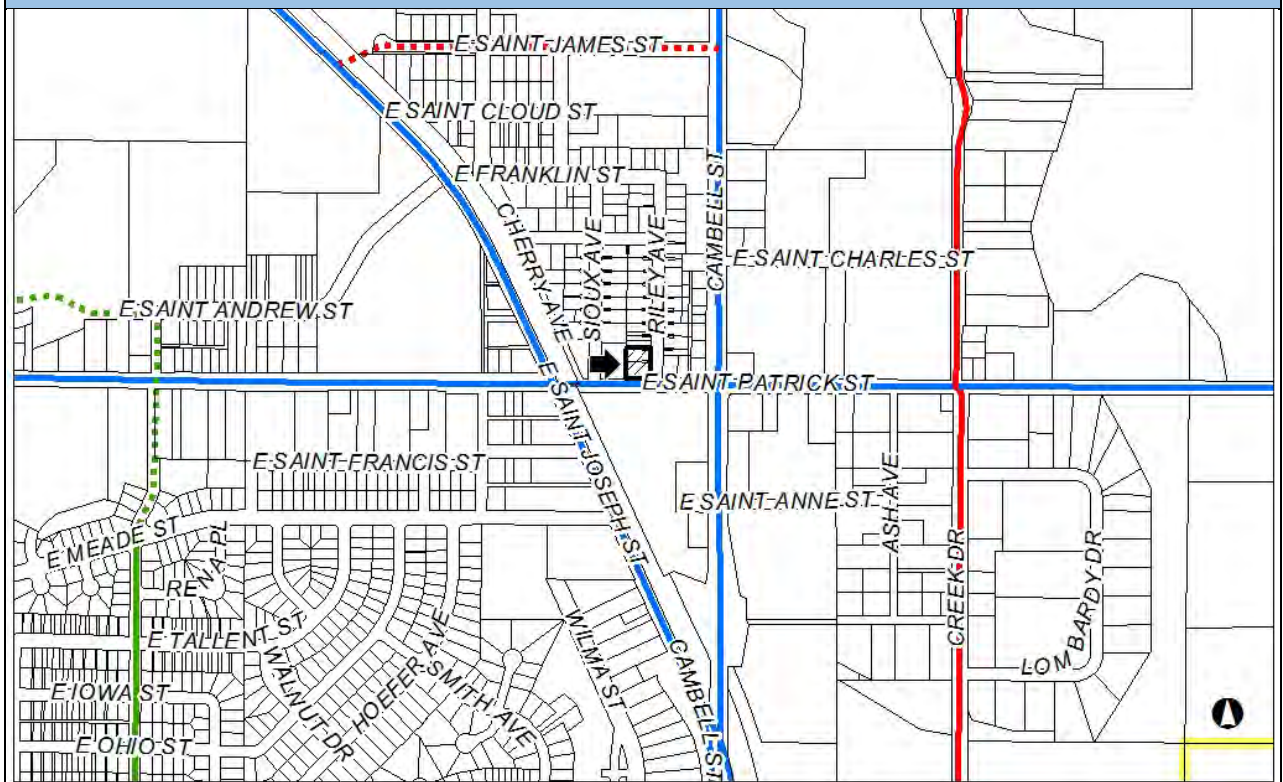
Subject Property and Adjacent Property Designations			
	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	GC	MUC – Revitalization Corridor	Casino
Adjacent North	MDR	UN	Single-family dwelling
Adjacent South	LI	MUC – Revitalization Corridor	Nash Finch warehouse
Adjacent East	GC	MUC – Revitalization Corridor	Pizza Hut
Adjacent West	GC	MUC – Revitalization Corridor	Carwash



Comprehensive Plan Future Land Use



Parks or Transportation Plan







Relevant Case History			
Case/File#	Date	Request	Action
09UR010	04/09/2009	Major Amendment to a Conditional Use Permit to expand and existing on-sale liquor establishment	Approved
Relevant Zoning District Regulations			
General Commercial District	Required	Proposed	
Lot Area	N/A	21,098 square feet	
Lot Frontage / Width	N/A	311 feet	
Maximum Building Heights	4 stories, 45 feet	1 story	
Maximum Density	75%	15%	
Minimum Building Setback:			
• Front	25 feet	Approximately 11 feet	
• Rear	0 feet	45 feet	
• Side	0 feet	4 feet 10 inches	
• Street Side	25 feet	104 feet	
Minimum Landscape Requirements:			
• # of landscape points	17,907	18,000	
• # of landscape islands	0	0	
Minimum Parking Requirements:			
• # of parking spaces	21	24	
• # of ADA spaces	1	1	
Signage	Pursuant to RCMC	Proposing an electronic reader boards measuring 27 square feet along East Saint Patrick Street on existing pole sign	
Fencing	Pursuant to RCMC	None proposed	




Planning Commission Criteria and Findings for Approval or Denial	
Pursuant to Section 17.54.030 of the Rapid City Municipal Code the Planning Commission shall consider the following criteria	
1. The location, character and natural features of the property:	The property is located at 1330 East Saint Patrick Street and is developed with a casino. There is an existing pole sign located on the south side of the property adjacent to East Saint Patrick Street.
2. The location, character and design of adjacent buildings:	The property to the south is developed with a Nash Finch warehouse. The property to the east is developed with a Pizza Hut. The property to the west is developed with a carwash. The property to the north is zoned Medium Density Residential District.
3. Proposed fencing, screening and landscaping:	No new fencing, screening, or landscaping is being proposed.
4. Proposed vegetation, topography and natural drainage:	The existing development requires a minimum of 17,907 landscape points. The site plan identifies a total of 18,000 landscape points in compliance with the Landscape Ordinance. The applicant is not proposing any new development or expansion of the structure on the property.
5. Proposed pedestrian and vehicular access, circulation and parking, including that related to bicycles and other unpowered vehicles and provisions for handicapped persons:	Vehicular and pedestrian access to the property is from East Saint Patrick Street. There are no sidewalks located adjacent to the subject property. The applicant should be aware that a future Building Permit will require that the sidewalk be installed.
6. Existing traffic and traffic to be generated by the proposed use:	It is anticipated that the proposed sign may increase traffic minimally to the site, due to the improved advertisement potential.
7. Proposed signs and lighting:	There is an existing pole sign located on the south side of

	the property adjacent to East Saint Patrick Street. The applicant is proposing to remove the existing signage which measures 55 square feet in size. In place of the existing signage the applicant is proposing an electronic reader board sign measures approximately 27 square feet in size. The proposed signage is in compliance with the Sign Code.
8. The availability of public utilities and services:	The property is currently served by Rapid City water and sewer.
9. The objectives of the adopted comprehensive plan and the purpose of the ordinance codified herein:	The property is zoned General Commercial District. There is an approved Conditional Use Permit for the existing on-sale liquor use in conjunction with a casino. The existing signage and the proposed electronic reader board sign are in compliance with the Sign Code. 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.
10. The overall density, yard, height and other requirements of the zone in which it is located:	The minimum required front yard setback is 25 feet. The existing front yard setback of 11 feet is legal non-conforming. The applicant should be aware that any future redevelopment of the property must comply with the area regulations of the General Commercial District.
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:	It does not appear that the proposed sign will have a negative effect on noise, odor, smoke, dust, air, and water pollution.
12. The degree to which conditions imposed will mitigate any probable adverse impacts of the proposed use on existing adjacent uses:	The stipulations of approval will ensure that all signage is in compliance with the Sign Code.

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
	N/A
	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: East Saint Patrick Street is identified as a Principal Arterial Street on the City’s Major Street Plan. Access to the property is from East Saint Patrick Street and Riley Avenue. The proposed digital reader board sign is located on the south side of the property adjacent to East Saint

	Patrick Street.
	Economic Stability and Growth
	N/A
	Outstanding Recreational and Cultural Opportunities
	N/A
	Responsive, Accessible, and Effective Governance
GOV-2.1A	Public Input Opportunities: The proposed Major Amendment to a 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 property boundary. The requested Major Amendment to a Conditional Use Permit application 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 – Revitalization Corridor
Design Standards:	
N/A	The property is zoned General Commercial District which identifies an on-sale liquor establishment as a conditional use. On April 9, 2009, the Planning Commission approved a Major Amendment to a Conditional Use Permit to expand the on-sale liquor establishment. The current Major Amendment is to revise the sign package to allow a 25.5 square foot electronic reader board sign.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
Neighborhood:	Downtown / Skyline Drive Neighborhood Area
Neighborhood Goal/Policy:	
DSD-NA1.1D	Reinvestment Corridors: As noted above, the property abuts Saint Patrick Street which is identified as an Revitalization Corridor. The proposed electronic reader board sign is in compliance with the Sign Code and the adopted Comprehensive Plan. As noted above, 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.

Findings	
Staff has reviewed the Major Amendment to a Conditional Use Permit to allow an electronic reader board sign pursuant to Chapter 17.54.030 of the Rapid City Municipal Code and the goals, policies, and objectives of the adopted Comprehensive Plan. The property is currently developed with a casino. The applicant is proposing to construct a two-sided electronic reader board sign along East Saint Patrick Street which is identified as an Revitalization Corridor. The Sign Code allows a pole sign on the subject property with a maximum height of 45 feet and 624 square feet of signage. The proposed sign measures 25.5 feet in height for a total of 54 square feet of signage. As noted above, 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.	
Staff recommends that if the Planning Commission deems the location of the proposed electronic reader board sign is appropriate, that the Major Amendment to a Conditional Use Permit to allow a digital reader board sign be approved with the following stipulations:	
1.	The hours of operation shall be limited from 7:00 a.m. to 10:00 p.m.;
2.	A minimum of 21 parking spaces shall be provided with one of the spaces being ADA

	van accessible. All provisions of the Off-Street Parking Ordinance shall be continually met;
3.	The Major Amendment to a Conditional Use Permit shall allow the sign package to be expanded to allow a two-sided electronic reader board sign measuring 54 square feet in size. In particular, the electronic reader board sign shall be designed in compliance with the lighting and display standards set forth in the Rapid City Municipal Code. 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 Conditional Use Permit. A sign permit is required for any new signs; and,
4.	All uses permitted in the General Commercial District shall be permitted, contingent upon sufficient parking being provided and an approved Building Permit. Any expansion of the on-sale liquor use or 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.



Rapid City Department of Community Development

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.*

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ADVISORIES: Please read carefully!	
1.	All requirements of the Infrastructure Design Criteria Manual and the Rapid City Standard Specifications shall be met or an Exception shall be obtained;
2.	All provisions of the General Commercial District shall be met;
3.	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;
4.	All requirements of the currently adopted Building Code shall be met; and,
5.	All applicable provisions of the adopted International Fire Code shall continually be met.