

STAFF REPORT  
April 9, 2009

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**No. 09PD011 - Major Amendment to a Planned Commercial Development**      **ITEM 33**

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GENERAL INFORMATION:

APPLICANT	Frontera Chicos, LLC
AGENT	Toby Karn
PROPERTY OWNER	Toby Karn
REQUEST	<b>No. 09PD011 - Major Amendment to a Planned Commercial Development</b>
EXISTING LEGAL DESCRIPTION	Lot 2 of Huffman Subdivision, Section 32, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 4.73
LOCATION	East of the intersection of North Cambell Street and East North Street
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	Light Industrial District
East:	General Commercial District
West:	General Commercial District - Light Industrial District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	3/13/2009
REVIEWED BY	Jared Ball / Ted Johnson

RECOMMENDATION:

Staff recommends that the Major Amendment to a Planned Commercial Development be denied.

GENERAL COMMENTS: The applicant is applying for a Major Amendment to a Planned Commercial Development to allow a sign that is 41 feet in height and 31 feet 6 inches in width. The proposed sign includes a 64.22 square foot LED electronic reader board. In addition, the proposed sign is not a monument sign as required and previously approved. Because the sign included an electronic reader board and was not a ground sign as previously approved, the applicant has submitted this Major Amendment to the approved Planned Commercial Development.

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The property is located south of East North Street approximately 500 feet east of Cambell Street. The site is located along a major entryway into the City. The property is currently zoned General Commercial District. The adjacent property to the north is currently zoned General Commercial District. The adjacent property to the South is currently zoned Light Industrial District. The adjacent property to the east is currently zoned General Commercial District. The adjacent properties to the west are currently zoned General Commercial District and Light Industrial District.

On July 24, 2008, the Rapid City Planning Commission approved a Conditional Use Permit to allow an on-sale liquor establishment with stipulations and denied without prejudice Phase Two of the project with stipulations. (File # 07UR015).

On August 21, 2008 the Rapid City Planning Commission approved a Planned Commercial Development to allow on sale alcohol for the property with stipulations replacing the previously approved Conditional Use Permit. (File #08PD041).

STAFF REVIEW: Staff has reviewed the Major Amendment to the Commercial Development Plan and has noted the following considerations:

Sign information: The Planned Commercial Development application for Phase A of the development (File #08PD041) was approved with a sign package that included a sign at the entrance advertising all three restaurants anticipated to be located on the premises. The applicant is now proposing a revised sign that is significantly larger and includes an LED electronic reader board. In particular, the revised sign is 41 feet in height and 31 feet 6 inches in width with a 64.22 square foot LED electronic reader board extending the width of the sign.

The property abuts E. North Street which is identified as a principal arterial street on the City's Major Street Plan. In addition, E. North Street serves as a gateway into our community. Allowing the 41 foot high sign with a reader board would not be consistent with the high quality of development that has previously been approved along this section of E. North Street.

The South Dakota Department of Transportation has reviewed the request and noted that the proposed 41 foot high sign with an electronic reader board located adjacent to E. North Street would create traffic issues. In particular, it was noted that E. North Street is a heavily traveled street that serves as access to Interstate 90. The diversion created by a reader board sign would compromise safe travel standards within this section of the street.

Please note that the Rushmore Mall recently removed their reader board sign from their property which improved their overall signage on the site. In addition, Furniture Row was denied a request to allow an LED sign with a reader board on their property. In particular, it was noted that LED signs with reader boards located adjacent to heavily traveled streets compromise safe travel standards.

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Based on these concerns, staff recommends that the revised sign package to allow the proposed sign as identified be denied.

Notification Requirement: As of this writing, the green cards from the required notification of surrounding property owners have not been returned. The sign stating that a Major Amendment to a Planned Commercial Development has been requested has been posted on the property. Staff will notify the Planning Commission at the April 9, 2009 Planning Commission meeting if the mailing notification requirement has not been completed.

Staff recommends that the Major Amendment to the Planned Commercial Development to revise the sign package be denied.