

STAFF REPORT
July 10, 2008

No. 08UR009 - Conditional Use Permit to allow a radio station

ITEM 39

GENERAL INFORMATION:

APPLICANT/AGENT	Haugo Broadcasting, Inc.
PROPERTY OWNER	Legacy Properties
REQUEST	No. 08UR009 - Conditional Use Permit to allow a radio station
EXISTING LEGAL DESCRIPTION	Lot A of Amelia Subdivision, located in the SW1/4 SE1/4, Section 4, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.45 acres
LOCATION	3601 Canyon Lake Drive
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District
East:	General Commercial District
West:	General Commercial District
PUBLIC UTILITIES	City Water/Sewer
DATE OF APPLICATION	6/11/2008
REVIEWED BY	Jared Ball / Karley Halsted

RECOMMENDATION:

Staff recommends that the Conditional Use Permit to allow a radio station be approved with the following stipulations:

1. The parking plan shall continually comply with all requirements of the Zoning Ordinance and the approved parking plan;
2. The landscaping plan shall continually comply with the Zoning Ordinance and the approved landscaping plan;
3. All applications of the currently adopted International Fire Code shall be continually met;
4. Prior to occupancy the applicant shall obtain a Certificate of Occupancy;
5. Prior to Planning Commission approval, the applicant shall submit a sign package for review and approval; and,
6. Any addition of signage to the property in the future will require a major amendment to the Conditional Use Permit;
7. Prior to installation of the satellite dish a building permit must be obtained; and,
8. All outdoor lighting shall 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

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motorist or constitute a nuisance of any kind.

GENERAL COMMENTS:

The property is located at 3601 Canyon Lake Drive on the corner of Canyon Lake Drive and Rushmore Street. The property is currently zoned General Commercial District. The adjacent properties are also zoned General Commercial District. The applicant is proposing to use the existing building as a radio station. The radio station will also have a satellite dish located on the south west side of the building that will be used for transmitting.

STAFF REVIEW: Staff has reviewed this request for a Conditional Use Permit as it relates to the applicable provisions of Section 17.54.030 of the Rapid City Municipal Code and has noted the following considerations:

Parking: Twelve parking stalls including one handicap van accessible stall are required for the proposed use. The parking plan that was submitted identifies 19 parking spaces and one handicap van accessible stall. As such, the parking plan meets the requirements and must continually comply with all requirements of Zoning Ordinance and the approved parking plan.

Landscaping: The landscaping plan that was submitted for this project identifies the required 17,317 landscaping points for the site. As such, the landscaping plan must continually comply with the Zoning Ordinance and the approved landscaping plan.

Fire Code: All applications of the currently adopted International Fire Code must be continually met.

Certificate of Occupancy: Prior to occupancy, the applicant must obtain a Certificate of Occupancy.

Signage: A sign package was not submitted for this project. Prior to Planning Commission approval the applicant must submit a sign package for review and approval.

Required Setbacks: Section 17.18.50 of the Rapid City Municipal Code states that "no side yard is required except that the width of a side yard which abuts a residential district shall not be less than 25 feet". The side yard for this property does not abut a residential street as such, no side yard set back is required for the location of the proposed communications satellite dish.

Building Permit: The applicant should be aware that prior to installation of the satellite dish a building permit must be obtained.

Outdoor Lighting: all outdoor lighting shall 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.

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 Conditional Use Permit has been requested has been posted on the property. Staff will notify the

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Planning Commission at the July 10, 2008 Planning Commission meeting if the mailing notification requirement has not been completed.