

STAFF REPORT
February 4, 2010

No. 10PD006 - Major Amendment to a Planned Commercial Development **ITEM 32**

GENERAL INFORMATION:

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|----------------------------|---|
| APPLICANT/AGENT | Eric Farrar for Rosenbaum Signs |
| PROPERTY OWNER | DJS Holdings |
| REQUEST | No. 10PD006 - Major Amendment to a Planned Commercial Development |
| EXISTING LEGAL DESCRIPTION | Lot 2B of Lot B, Block 15, Bradsky Subdivision, Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE | Approximately 0.54 acres |
| LOCATION | 1501 Cambell Street |
| EXISTING ZONING | General Commercial District (Planned Commercial Development) |
| SURROUNDING ZONING | |
| North: | Park Forest District |
| South: | General Commercial District |
| East: | General Commercial District (Planned Commercial Development) |
| West: | General Commercial District (Planned Commercial Development) |
| PUBLIC UTILITIES | City water and sewer |
| DATE OF APPLICATION | 1/20/2010 |
| REVIEWED BY | Jim Flaaen / Karley Halsted |

RECOMMENDATION:

If the Planning Commission determines that an electronic LED reader board is appropriate at this location, then staff will recommend that the Major Amendment to the Planned Commercial Development be approved with the following stipulations:

1. The electronic LED reader board shall not exceed 3 foot 9 inches tall by 7 foot 9.5 inches wide. In addition, the electronic LED reader board shall be used exclusively for on-premise signage;
2. The request to construct a 9 foot tall by 10 foot wide wall sign to be located on the east side of the building is hereby denied;
3. All signage shall conform to the design, color and location as shown in the sign package

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- approved as a part of the Planned Commercial Development. Changes to the proposed sign package, which the Growth Management Director determines to be consistent with the original approved sign package, shall be allowed as a Minimal Amendment to the Planned Commercial Development. The Growth Management Director may approve temporary signs in accordance with Chapter 15.28.080 of the Rapid City Municipal Code. The lighting for the signs shall be designed to preclude shining on the adjacent properties and/or street(s). A sign permit shall also be obtained for each individual sign;
4. Prior to issuance of a sign permit for the pole sign located along Cambell Street, a Floodplain Development Permit shall be obtained;
 5. The landscaping shall continually comply with the previously approved landscape plan and the Rapid City Municipal Code and shall be maintained so as to present a healthy, neat and orderly appearance at all times and shall be kept free from refuse and debris;
 6. A minimum of 13 parking spaces with two of the spaces being handicap accessible shall be provided on the property. In addition, one of the handicap spaces shall be "van" accessible;
 7. A screening fence shall not be required along the south lot line as per the previously approved Planned Commercial Development (File #06PD039) granting the exception request removing the screening requirement;
 8. The structure(s) shall continue to comply with the plans and elevations previously reviewed and approved as part of the previously approved Planned Commercial Development(s);
 9. All provisions of the General Commercial District shall be met unless otherwise authorized as an Amendment to the Planned Commercial Development; and,
 10. The Major Amendment to a Planned Commercial Development shall expire if the use has not commenced within two years of the date of approval by the Planning Commission, or if the use as approved has ceased for a period of two years.

GENERAL COMMENTS: The applicant is requesting approval of a Major Amendment to a Planned Commercial Development to revise the previously approved sign package. The applicant has submitted a sign permit application to replace a pole sign, which blew down during a recent storm. The existing pole sign included an electronic LED reader board. In reviewing the application, staff noted that the sign permit for the electronic LED reader board had been erroneously issued in 2006. The previously approved sign package for the Planned Commercial Development did not include an electronic LED reader board. The applicant has subsequently submitted this Major Amendment to the Planned Commercial Development to include an electronic LED reader board on the pole sign. In addition, the applicant is proposing to construct a new 9 foot tall by 10 foot wide wall sign on the east side of the building.

On June 5, 1995, the City Council approved with stipulations a Planned Commercial Development (PD1417) to allow a car wash and mini-storage facilities on the subject property.

On May 3, 1999, the City Council approved a Preliminary and Final Plat (99PL033) to create two lots on the property.

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On November 10, 1999, the City Council approved with stipulations a Major Amendment to the Planned Commercial Development (99PD028) to reduce the minimum required landscaping on the property.

On July 6, 2006, the Planning Commission approved with stipulations a Major Amendment to the Planned Commercial Development (06PD039) to revise the landscape plan, the access and utility easement and the fence requirement on the property.

The property is located west of Cambell Street and south of East Saint James Street. A car wash is currently located on the property.

STAFF REVIEW: Staff has reviewed this request with respect to the criteria established for planned developments identified in Section 17.50.060 of the Rapid City Municipal Code.

Signage: As previously noted, the applicant is proposing to construct a pole sign with two attached signs, a 10 foot tall by 8 foot wide sign that reads, "Super Clean Tunnel Wash Home of the \$5.00 Wash". The sign would be steel construction with flex faces internally illuminated by fluorescent bulbs. The proposed pole sign will also include a 3 foot 9 inch tall by 7 foot 9.5 inch wide electronic LED reader board. The reader board will be installed 2 feet below the larger static sign. The reader board will be black aluminum construction and will display advertising messages. The proposed pole sign is located outside of the vehicular and pedestrian sight triangle.

In the past, it has been noted that the diversion created by an electronic LED reader board adjacent to a principal arterial street compromises safe travel standards along the street. Cambell Street is classified as an arterial street on the City's adopted Major Street Plan. Due to the noted safety concerns, staff has not supported the installation of electronic LED reader boards throughout the community. However, a Sign Permit was erroneously issued in 2006 allowing the electronic LED reader board. The applicant has indicated that he has ordered a new electronic LED reader board to replace the previous reader board unaware that a Major Amendment to the Planned Commercial Development must be obtained to allow the sign.

The applicant is also proposing to construct a new 9 foot tall by 10 foot wide wall sign that reads "\$5.00 Express Wash" on the south tower of the building facing east toward Cambell Street. The sign is constructed of individual letters of ½ inch Medex with aluminum faces. The letters noting "\$5.00" are 8 feet in height and the letters noting "Express Wash" are 1 foot in height. The sign will not be illuminated. Staff has noted that the proposed wall sign is extremely large and inconsistent with the general design of the site. It appears that adequate signage is allowed without the installation of the large "\$5.00 Express Wash" on the south tower wall. Staff does not recommend approval of this sign,

If the Planning Commission determines that an electronic LED reader board is appropriate at this location, then staff will recommend that the electronic LED reader board not exceed 3 foot 9 inches tall by 7 foot 9.5 inches wide. In addition, the electronic LED reader board must be used exclusively for on-premise signage. Staff also recommends that the Planning

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Commission not authorize the 9 foot tall by 10 foot wide wall sign to be located on the east side of the building.

Fencing: As a part of the previously approved Major Amendment to the Planned Commercial Development (File #06PD039), the Planning Commission granted an Exception waiving the requirement to provide a 5 to 6 foot privacy fence with clearance for storm drainage be constructed along the south property line. The site appears to be adequately buffered without the installation of the screening fence. Staff does not recommend requiring the installation of the screening fence as a part of this Major Amendment to revise the sign package.

Landscaping: Section 17.50.300 of the Rapid City Municipal Code requires that landscaping be provided on the property. As a part of the previously approved Planned Commercial Development and subsequent amendments, a minimum of 19,500 landscape points are provided on the property. During an inspection of the site on January 21, 2010, staff noted that the landscaping is installed per the landscape plan and the Rapid City Municipal Code and appears to be in a live vegetative state. Staff recommends that the landscaping continually comply with the previously approved landscape plan and all provisions of the Rapid City Municipal Code. The landscaping shall be maintained so as to present a healthy, neat and orderly appearance at all times and be kept free from refuse and debris.

Parking: The previously approved Planned Commercial Development plans and subsequent amendments required that 13 parking spaces be provided. A staff inspection has identified that 13 parking spaces, including 2 handicap accessible spaces, currently exist on the property. The parking plan is in compliance with the City's adopted Parking Regulations.

Fire Safety: Staff has noted that the access and circulation through the site accommodates Fire Department vehicles and equipment.

Site Improvements: The previously approved commercial building is located on the property. In addition, the landscaping, parking, signage and other infrastructure to support the use have been constructed as per previously approved Commercial Development Plan. Staff recommends that the property be continually maintained as per the requirements of the previously approved Commercial Development Plan and subsequent Major Amendments.

Floodplain: The proposed location of the pole sign is located in the 100 year floodplain. As such, prior to issuance of a Sign Permit for the pole sign, a Floodplain Development Permit must be obtained.

Notification Requirement: The required sign has not been posted on the property. As of this writing, the receipts from the certified mailings have not been returned. Staff will notify the Planning Commission at the February 4, 2010 Planning Commission meeting if this requirement has not been met.

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Commercial Development be approved with the stipulations as outlined above.