

STAFF REPORT
October 5, 2006

No. 06PD072 - Planned Light Industrial Development - Initial and Final Development Plan to allow an LED sign display **ITEM 44.**

GENERAL INFORMATION:

PETITIONER	Brendan Casey for Epic Media
REQUEST	No. 06PD072 - Planned Light Industrial Development - Initial and Final Development Plan to allow an LED sign display
EXISTING LEGAL DESCRIPTION	DM&E Right-of-way adjacent to Tract 24A, less Lot H1, Rapid City Greenway Tract, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .803 Acres
LOCATION	At the intersection of Third Street and Omaha Street
EXISTING ZONING	Flood Hazard District
SURROUNDING ZONING	
North:	Flood Hazard District
South:	General Commercial District
East:	Flood Hazard District
West:	Flood Hazard District
PUBLIC UTILITIES	City services are available to the subject property.
DATE OF APPLICATION	9/8/2006
REVIEWED BY	Rodney Proffitt / Emily Fisher

RECOMMENDATION:

Staff recommends that the Planned Light Industrial Development - Initial and Final Development Plan to allow an LED sign display be denied.

GENERAL COMMENTS:

This application is for a Planned Light Industrial Development – Initial and Final Development Plan. The application proposes to construct an LED sign. This sign was previously exempted from licensing under §15.28.080 of the Rapid City Municipal Code (for “public purposes”). The action is on appeal in a legal action. If the City’s actions are overturned, the licensing for this sign may no longer be exempt.

The Common Council adopted a Resolution Establishing a Rapid Creek Floodplain Policy in June 1993. This policy was updated in 1997 and again September 27, 2000, which is the current policy. The adopted policy is appropriate to this application. Applying the policy

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requires the Flood Hazard Zoning District boundaries conform to the boundaries of the 100-year hydraulic floodway. Based on that policy, the applicant will need to revise the Initial and Final Development Plan to accurately provide engineering documentation relative to the location of the floodplain, and the sign.

STAFF REVIEW:

A Planned Light Industrial Development is provided for at §17.50.050 of the Rapid City Municipal Code. The purpose of this designation is fourfold, but those appropriate to this application are as follows; 1) provide optional methods of land development to encourage imaginative urban design; 2) provide an adequate review procedure which will promote the proper development of those areas which may be environmentally sensitive because of facts such as steep slopes and unusual topography; and 3) promote compatibility with adjacent land use and available public facilities in terms of such factors as intensity of use, density and traffic circulation.

Planned Light Industrial Development may be granted only for property meeting 1 or more of the following criteria according to §17.50.050(D)(4)(c) of the Rapid City Municipal Code:

- *When the property is characterized by environmentally sensitive areas or extreme or unusual topography;*

In this case, the subject property is located within a Flood Hazard District, and at least part of the subject property is within the 100 year Floodway. Given this circumstance, the application meets one of the criteria as the subject property is located in an environmentally sensitive area.

The Initial and Final Plan comply with the provision.

Given the lack of specificity contained in the application, it is impossible to adequately review or analyze this application in accordance with the criteria, or evaluate the initial separate from the final development plan.

Staff notes the following:

- The application was not been stamped by a licensed engineer;
- The application does not indicate the height of the sign upon completion;
- The application does not reference that this is for a "sign", but only an "LED display".
- The application is for less than one acre, while the minimum size required is for not less than one (1) acre;
- The application does not set forth any fencing, screening or landscaping;
- The application does not set forth the setbacks from the street and pedestrian walkways; and
- The application does not provide what degree, if any, the application may adversely impact existing adjacent uses.

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Based on the information provided, staff finds the proposed Initial and Final Development Plan does not conform with the minimum requirements for a Planned Light Industrial Development.