



CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701-5035

Growth Management Department

300 Sixth Street

Marcia Elkins, Director
Growth Management Department
city web: www.rcgov.org

Phone: 605-394-4120
Fax: 605-394-6636
e-mail: Marcia.elkins@rcgov.org

February 10, 2010

Rapid City Sign Code Board of Appeals
300 Sixth Street
Rapid City, SD 57702

Re: Application for Conversion of Signs from On-Premise to Off-Premise

Dear Ladies and Gentlemen,

Please accept this application for the conversion of two existing on-premise signs to off-premise signs as a result of the subdivision of an existing platted parcel of land in accordance with the provisions of Section 15.28.050 (Q) of the Rapid City Municipal Code. Pursuant to those provisions, the application must be submitted to the Sign Code Board of Appeals who shall review the application for compliance with the mandatory criteria and after having reviewed the application shall forward a recommendation for approval or denial to the Rapid City Common Council.

There are two existing legally conforming on-premise signs located on Tract 3, Discovery Subdivision located in the E ½ of Section 28, Township 2 North, Range 8 East, B.H.M., Rapid City, Pennington County, South Dakota. The property is the location of the Black Hills Visitor's Information Center. The two existing signs identify the Visitor's Information Center. Photographs of the two signs are attached. As a result of the City of Rapid City's agreements with the Rapid City Area Economic Development Foundation and Cabela's, the site that the Visitor's Information Center is being located on is being platted to allow the transfer of the site and the building back to the City of Rapid City. As a result, the two existing signs will be located on a separate parcel making them off-premise signs. As a stipulation of the plat approval, the developer was required to either obtain approval of the conversion of the signs from on-premise signs to off-premise signs or remove the signs from the site. This request is being submitted to fulfill the requirements of the Preliminary Plat approval.



EQUAL OPPORTUNITY EMPLOYER

Criteria for the Conversion of Signs from On-Premise to Off-Premise

- A. At the time the application for conversion of the existing sign is submitted, the applicant must designate a specific parcel which the sign will serve. The converted sign will be treated as an on-premises sign for the business located on the designated parcel.

The two signs will be designated to serve the Visitor's Information Center located on proposed Lot 1 of Tract 3 of Discovery Subdivision.

- B. The signs that are being converted must be legal, pre-existing, on-premises signs.

Both signs are legal, pre-existing, on-premises signs. One of the signs was recently relocated so as not to interfere with future development and the existing easements located on the site. A sign permit was obtained for that relocation. The sign has been inspected and the work is complete.

- C. The conversion of the signs from the on-premises signs to off-premises must be the result of the subdivision of an existing platted parcel of land.

The signs will become off-premise signs as a result of the final approval of the plat of Lot 1 of Tract 3 of Discovery Subdivision. The signs will be located on the balance of Tract 3 of Discovery Subdivision once the platting of the property is completed.

- D. The Rapid City Common Council determines, based on the totality of the circumstances taking into consideration the size, location, height and design of the current sign, and the location and topography of the parcel being served by the sign, that allowing the existing signs to remain will not be contrary to the public interest and will be in the best interests of justice.

Both signs identify the Black Hills Visitors Information Center, a regional facility providing information to visitors to the entire Black Hills region. The development and construction of the facility was the result of a partnership between the South Dakota Department of Transportation, the City of Rapid City and the Black Hills, Badlands and Lakes Association. The facility continues to provide an important regional service supporting the economy of the Black Hills region. One of the signs is located at the southeast corner of the existing parcel providing directional information to visitors exiting Interstate 90. Due to the topography of the site relative to the elevation of the Interstate ramps, the sign is necessary to safely direct traveler's to the facility. As the balance of the property develops commercially in the future, this sign will become even more important to insure that travelers can find the Visitors Information Center.

The second sign is located along the entrance drive adjacent to Mall Drive. It identifies the driveway approach to the facility. Again, the sign assists the traveling public in identifying the driveway providing access to the Visitors Information Center. This sign will also become more important in the future as the balance of the property develops commercially in the future.

The size, location, height and design of the current signs, along with the location and topography of the parcel appear to be appropriate for the existing use they

February 10, 2010

Page 3

serve. The continued location of the signs on the property serves an important public purpose benefitting the entire Black Hills region.

Staff believes that the conversion of the two existing signs meets all of the requirements of Section 15.28.050 (Q) of the Rapid City Municipal Code. Staff requests that the Rapid City Sign Code Board of Appeals provide a favorable recommendation and that the Rapid City Council approve the conversion of the two signs from on-premise signs to off-premise signs.

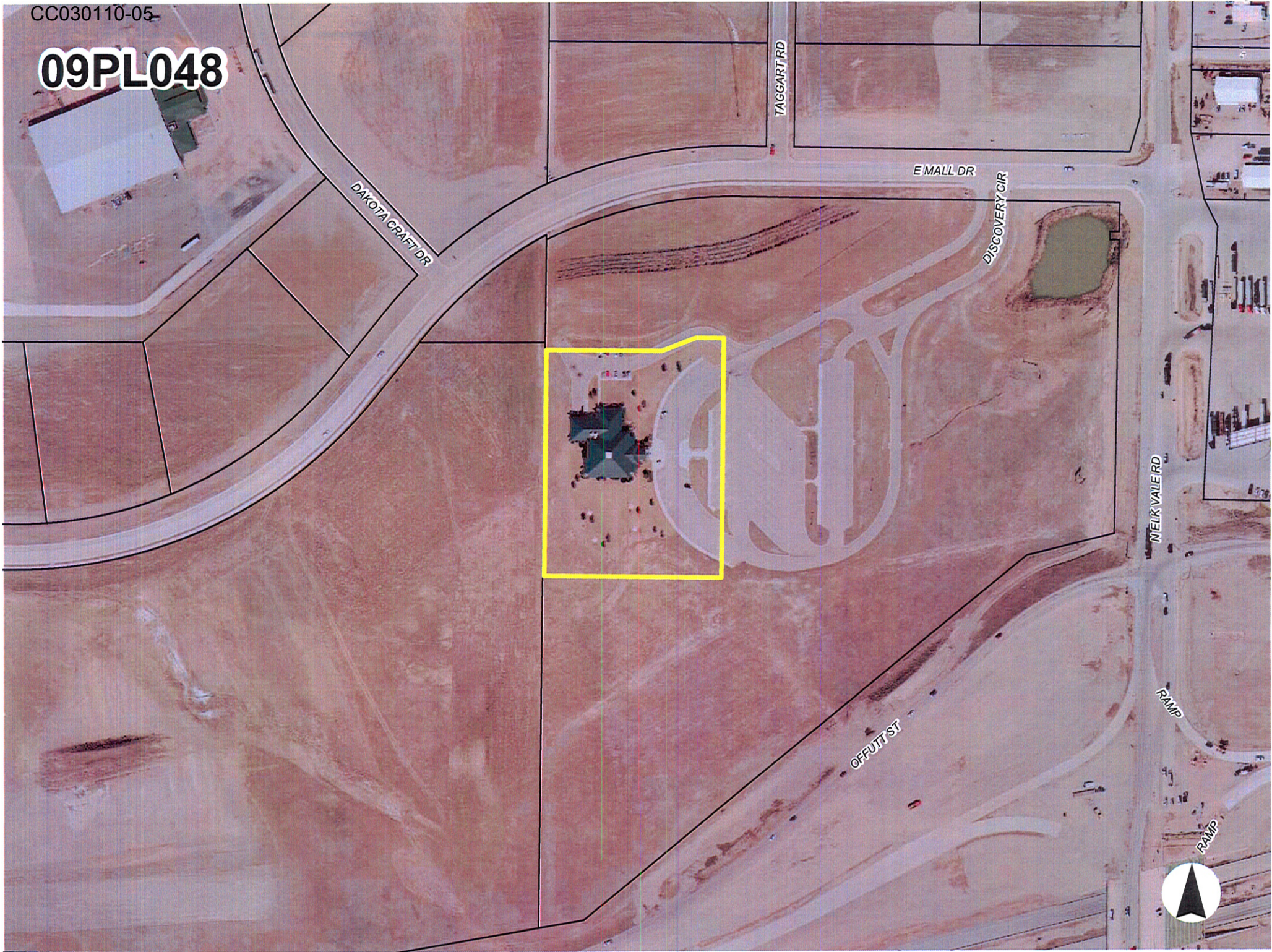
Sincerely,



Marcia Elkins, Director
Growth Management Department

CC030110-05

09PL048



CC030110-05

PLAT OF

LOT 1 OF TRACT 3 OF DISCOVERY SUBDIVISION

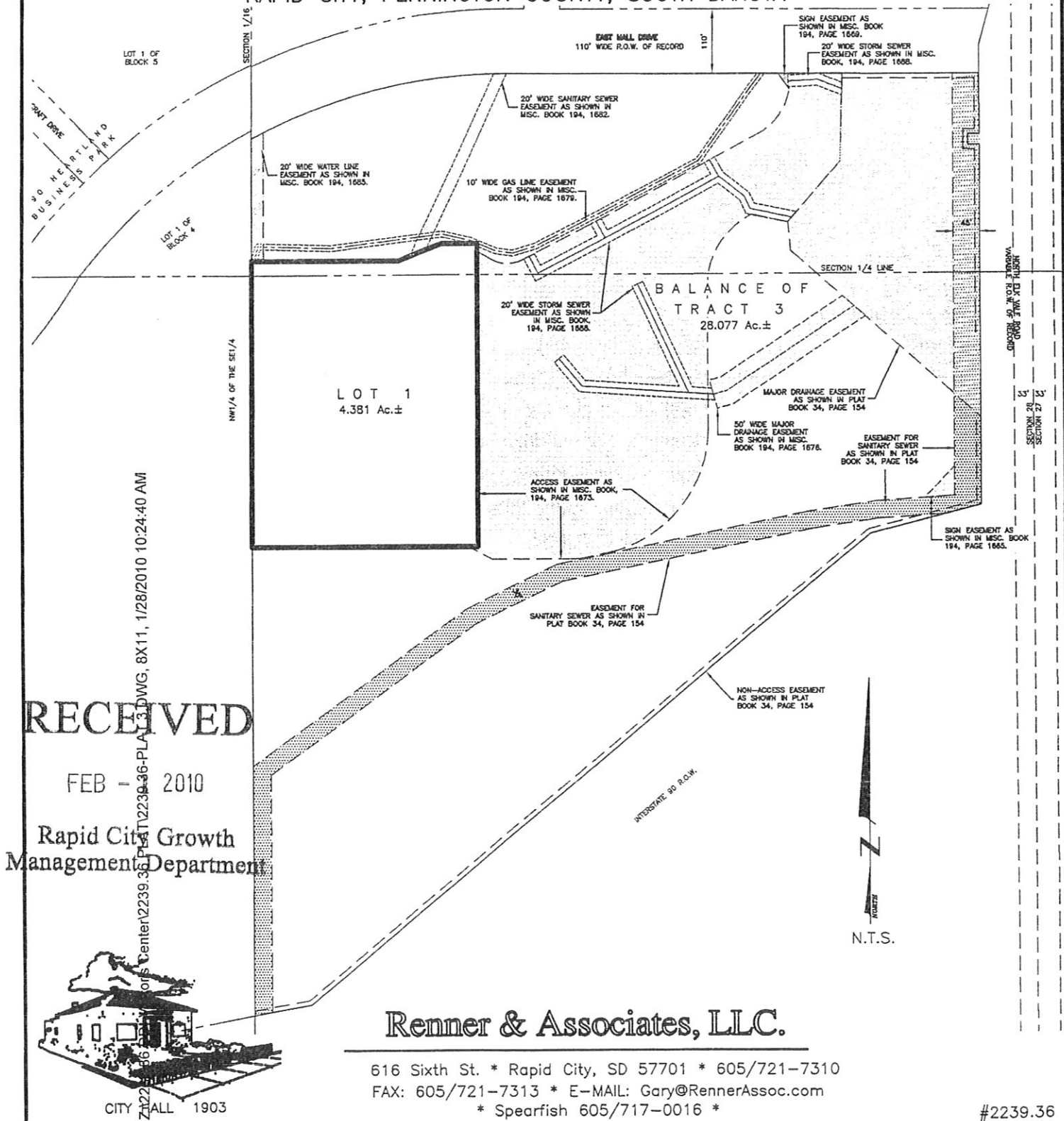
(formerly a portion of Tract 3 of Discovery Subdivision)

LOCATED IN THE NE1/4 OF THE SE1/4

AND IN THE SE1/4 OF THE NE1/4

SECTION 28, T2N, R8E, BHM

RAPID CITY, PENNINGTON COUNTY, SOUTH DAKOTA



RECEIVED

FEB - 2010

Rapid City Growth Management Department



CITY HALL 1903

Renner & Associates, LLC.

616 Sixth St. * Rapid City, SD 57701 * 605/721-7310

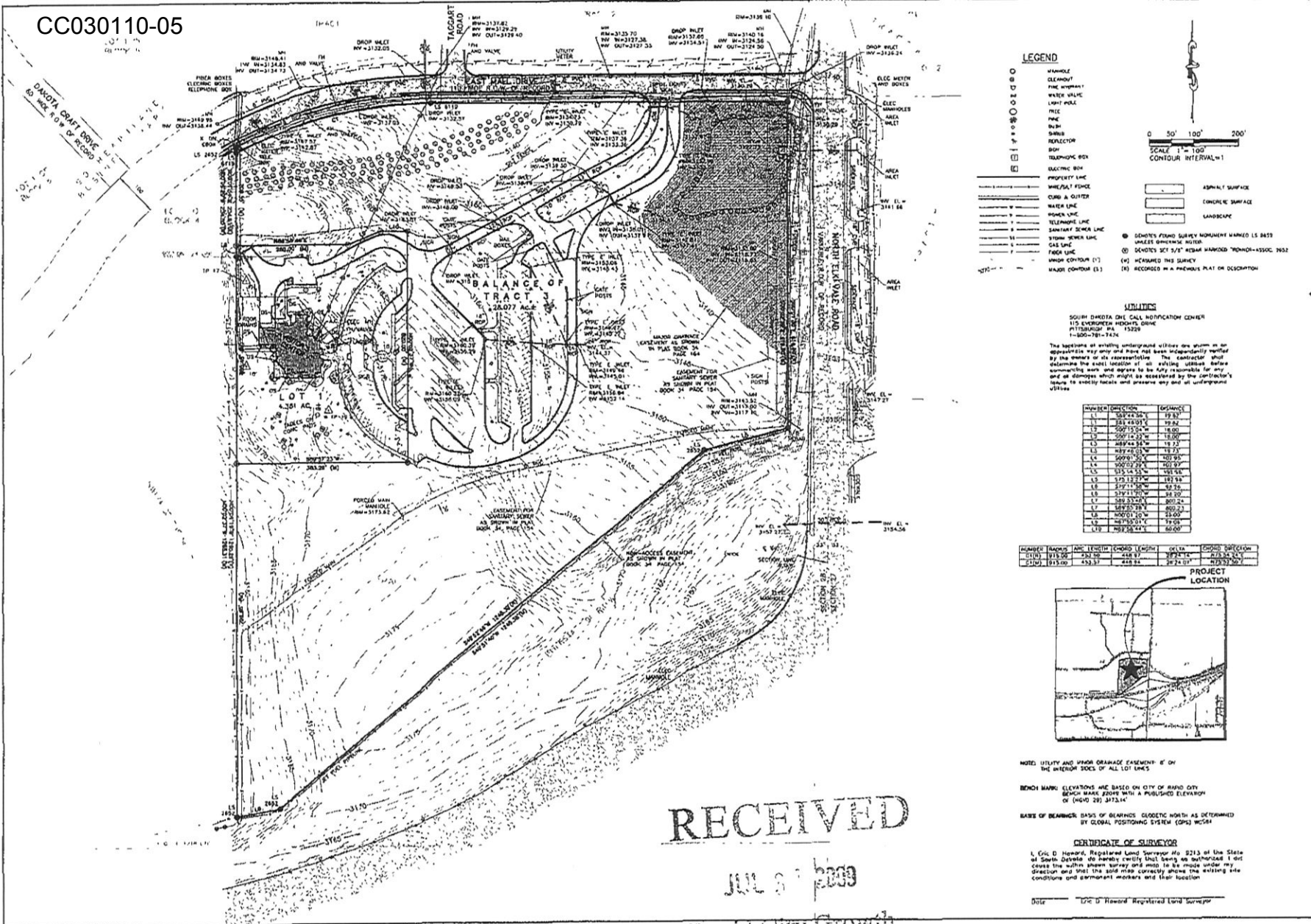
FAX: 605/721-7313 * E-MAIL: Gary@RennerAssoc.com

* Spearfish 605/717-0016 *

#2239.36

RECEIVED FEB - 2010 Rapid City Growth Management Department City Center 2239.36 PLAT #2239.36-PLAT 13 DWG, 8X11, 1/28/2010 10:24:40 AM

CC030110-05



LEGEND

- MANHOLE
- DRAINOUT
- FINE ASPHALT
- WATER VALVE
- LIGHT POLE
- FENCE
- FINE
- RAIN
- BARRIS
- REFLECTOR
- BOX
- TELEPHONE BOX
- ELECTRIC BOX
- PROPERTY LINE
- WIRE/FUT FENCE
- CURB & GUTTER
- WATER LINE
- POWER LINE
- TELEPHONE LINE
- SANITARY SEWER LINE
- STORM SEWER LINE
- GAS LINE
- FIBER LINE
- MAJOR CONTOUR (1)
- MAJOR CONTOUR (2)

ASPHALT SURFACE
CONCRETE SURFACE
LANDSCAPE

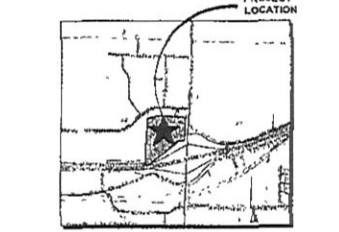
○ DENOTES FOUND SURVEY MONUMENT MARKED LS 8425
○ DENOTES 3/4" IRON NAILWOOD "POMONA" ASSOC. 1932
(1) INCREASED THIS SURVEY
(2) RECORDED IN A PREVIOUS PLAT OR DESCRIPTION

UTILITIES
SOUTH DAKOTA ONE CALL NOTIFICATION CENTER
115 EVERHART HEIGHTS DRIVE
PITTSBURGH, SD 57529
1-800-781-7474

The locations of existing underground utilities are shown on this map as an approximation only and have not been independently verified by the holder of this representation. The contractor shall determine the exact location of all existing utilities before commencing work and agree to be fully responsible for any and all damages which might be incurred by the contractor's failure to strictly locate and preserve any and all underground utilities.

NUMBER	DESCRIPTION	DISTANCE
L1	500'±	12.37'
L2	424.01'	12.82'
L3	500'±	16.00'
L4	500'±	15.00'
L5	489'±	19.72'
L6	487'±	17.71'
L7	500'±	12.95'
L8	500'±	16.97'
L9	515'±	15.84'
L10	575.1273'	18.94'
L11	577'±	12.76'
L12	577.2150'	13.20'
L13	582.5724'	20.24'
L14	582.5724'	15.00'
L15	600'±	15.00'
L16	600'±	15.00'
L17	600'±	15.00'
L18	600'±	15.00'
L19	600'±	15.00'
L20	600'±	15.00'

MARKED	BACKSIGHT	ARC LENGTH	CHORD LENGTH	CHORD BEARING	CHORD DIRECTION
2100	2115.00	453.37	448.84	272.10°	R275.20°
2100	2115.00	453.37	448.84	272.10°	R275.20°



NOTED: UTILITY AND OTHER GRADE/ELEVATION IS ON THE INTERIOR SIDES OF ALL LOT LINES

BENCH MARK: ELEVATIONS ARE BASED ON CITY OF RAPID CITY BENCH MARK 2209 WITH A PUBLISHED ELEVATION OF 1640.29' ± 373.14'

BASE OF BEARING: BASIS OF BEARING: GLOUSTIC NORTH AS DETERMINED BY GLOBAL POSITIONING SYSTEM (GPS) METHOD

CERTIFICATE OF SURVEYOR
I, Eric D. Howard, Registered Land Surveyor No. 5213 of the State of South Dakota do hereby certify that being so authorized I did cause the within shown survey and map to be made under my direction and that the said map correctly shows the existing site conditions and permanent markers and their location.

Date: _____ Eric D. Howard Registered Land Surveyor

Project No: #2239 36

Sheet No: DETAILED TOPOGRAPHIC MAP

Scale: 1 of 1

Remmet & Associates, LLC
115 EVERHART HEIGHTS DRIVE
PITTSBURGH, SD 57529
1-800-781-7474

PROFESSIONAL SEAL
ERIC D. HOWARD
REGISTERED LAND SURVEYOR
NO. 5213

DETAILED TOPOGRAPHIC MAP
RAPID CITY HISTORIC INFORMATION CENTER
PROPOSED LOTS 1 AND 2 OF TRACT 3 OF DISCOVERY SUBDIVISION
LOCATED IN THE NE1/4 OF THE NE1/4
AND IN THE SE1/4 OF THE NE1/4
SECTION 22, T2N, R5E, B1W
RAPID CITY, PENNINGTON COUNTY, SOUTH DAKOTA

Project No: #2239 36
Sheet No: DETAILED TOPOGRAPHIC MAP
Scale: 1 of 1

CC030110-05 TRACT 3

RECEIVED

OWNER: BY-PASS DEVELOPMENT, LLC

OWNER: BY-PASS DEVELOPMENT, LLC

OWNER: BY-PASS DEVELOPMENT, LLC

OWNER: BY-PASS DEVELOPMENT, LLC

OWNER: BY-PASS DEVELOPMENT, LLC

OWNER: BY-PASS DEVELOPMENT, LLC

OWNER: BY-PASS DEVELOPMENT, LLC

OWNER: BY-PASS DEVELOPMENT, LLC

OWNER: BY-PASS DEVELOPMENT, LLC

OWNER: BY-PASS DEVELOPMENT, LLC

OWNER: BY-PASS DEVELOPMENT, LLC

OWNER: BY-PASS DEVELOPMENT, LLC

OWNER: BY-PASS DEVELOPMENT, LLC

OWNER: BY-PASS DEVELOPMENT, LLC

OWNER: BY-PASS DEVELOPMENT, LLC

OWNER: BY-PASS DEVELOPMENT, LLC

OWNER: BY-PASS DEVELOPMENT, LLC

OWNER: BY-PASS DEVELOPMENT, LLC

OWNER: BY-PASS DEVELOPMENT, LLC

OWNER: BY-PASS DEVELOPMENT, LLC

OWNER: BY-PASS DEVELOPMENT, LLC

OWNER: BY-PASS DEVELOPMENT, LLC

OWNER: BY-PASS DEVELOPMENT, LLC

OWNER: BY-PASS DEVELOPMENT, LLC

OWNER: BY-PASS DEVELOPMENT, LLC

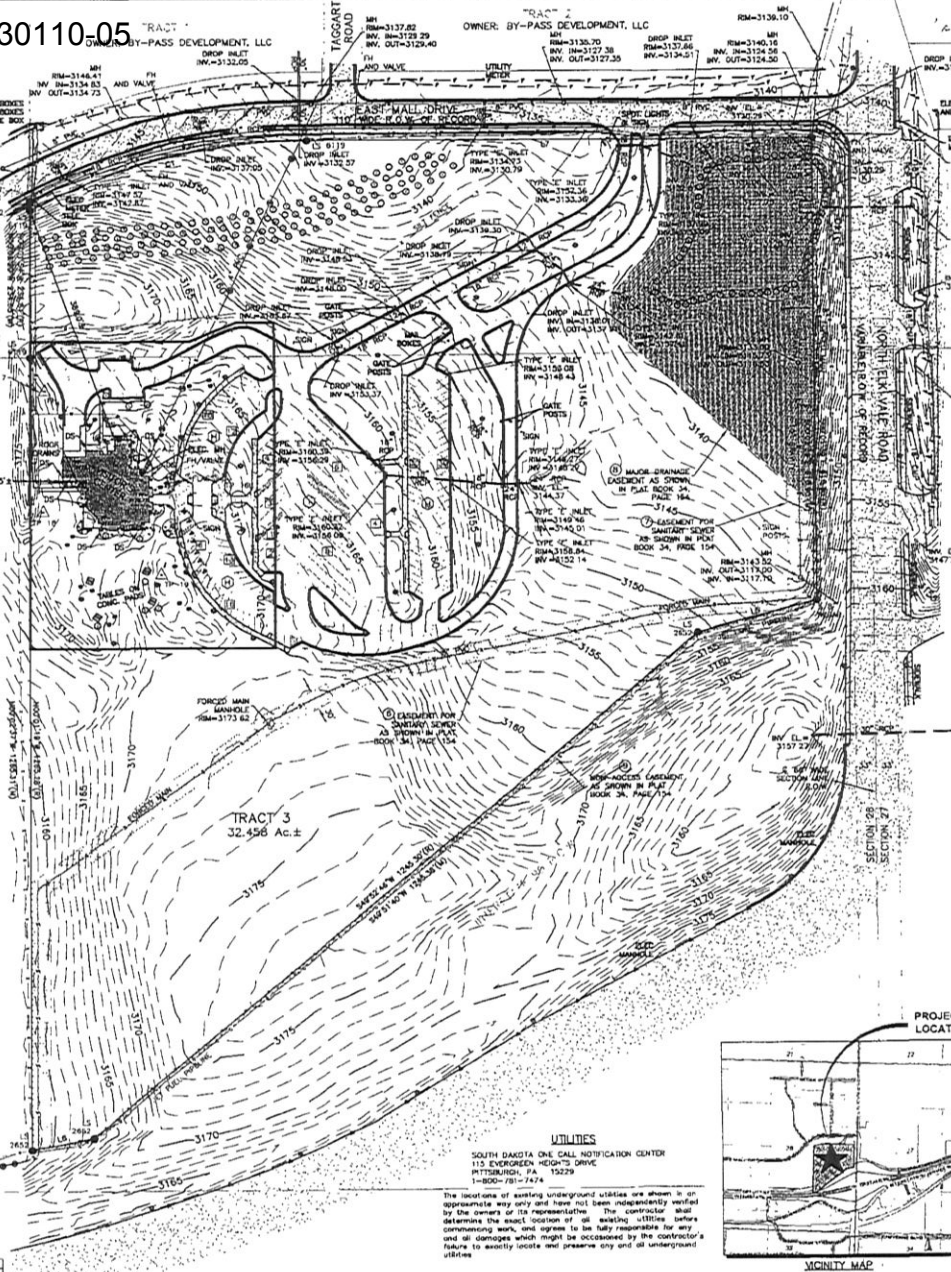
OWNER: BY-PASS DEVELOPMENT, LLC

OWNER: BY-PASS DEVELOPMENT, LLC

OWNER: BY-PASS DEVELOPMENT, LLC

OWNER: BY-PASS DEVELOPMENT, LLC

OWNER: BY-PASS DEVELOPMENT, LLC



OWNER: MARY MADSON

OWNER: FIRST LINE INVESTMENT COMPANY

OWNER: M.G. OIL COMPANY

LEGAL DESCRIPTION

TRACT THREE (3) OF DISCOVERY SUBDIVISION AS SHOWN BY THE PLAT RECORDED IN BOOK 34 OF PLATS ON PAGE 154 IN THE OFFICE OF THE REGISTER OF DEEDS, PENNINGTON COUNTY, SOUTH DAKOTA.

CERTIFICATE OF SURVEYOR

TO: CARLEA'S WHOLESALE INC. PENNINGTON TITLE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACMA LAND TITLE SURVEYS" JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NPS IN 2006, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 AND 16 OF SAID STANDARD DETAIL REQUIREMENTS. THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND NPS AND IN EFFECT ON THE PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE STATE OF SOUTH DAKOTA, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS STATED HEREIN.

ERIC D. HOWARD REGISTERED LAND SURVEYOR
STATE OF SOUTH DAKOTA, REGISTERED NO. 9213

SURVEYOR NOTES

1. FLOOD ZONE DESIGNATION

2. ZONE X AREA DETERMINED TO BE OUTSIDE 500-YEAR FLOOD AS SHOWN IN FEMA FIRM PANEL 46044-0207-D DATED FEBRUARY 16, 1990

3. ZONE C AREAS OF UNUSUAL FLOODING AS SHOWN IN FEMA FIRM PANEL 46044-0797-B DATED DECEMBER 1, 1981

4. TRACT 3 OF DISCOVERY SUBDIVISION CONTAINS 1,415,477.90 SQ. FT OR 32.456 ACRES, MORE OR LESS

5. DATUM ELEVATION: ELEVATIONS ARE BASED ON CITY OF RAPID CITY BENCH MARK 42424 WITH A PUBLISHED ELEVATION OF (NGVD) 29.37314'

6. EXISTING ZONING: GENERAL COMMERCIAL DISTRICT

7. SETBACKS: GENERAL COMMERCIAL

8. FRONT YARD: ALL BUILDINGS SHALL SET BACK A MINIMUM OF 25 FEET FROM THE FRONT PROPERTY LINE

9. SIDE YARD: NO SIDE YARD IS REQUIRED EXCEPT THAT THE WIDTH OF A SIDE YARD WHICH ADJUTS A RESIDENTIAL DISTRICT SHALL NOT BE LESS THAN 20 FEET

10. REAR YARD: WHERE A COMMERCIAL BUILDING IS TO BE SURVIVED FROM THE REAR, THERE SHALL BE PROVIDED AN ALLEYWAY, SERVICE COURT, REAR YARD OR CORRIDOR THEREOF WHICH IS AT LEAST 30 FEET IN WIDTH. THE WIDTH OF A REAR YARD WHICH ADJUTS A RESIDENTIAL DISTRICT SHALL BE NOT LESS THAN 10 FEET. IN ALL OTHER CASES, NO REAR YARD IS REQUIRED.

11. SETBACK FROM SECTION LINES: PRINCIPAL AND ACCESSORY BUILDINGS AND STRUCTURES SHALL BE SET BACK NO LESS THAN 50 FEET FROM ANY SECTION LINE. NO SETBACK IS REQUIRED FROM ANY LEGALLY VACATED SECTION LINE. HOWEVER, IF THE VACATED SECTION LINE FORMS A PROPERTY LINE, THE APPLICABLE SIDE, REAR OR FRONT YARD SETBACKS SHALL BE OBSERVED.

12. MAXIMUM LOT COVERAGE: MAIN AND ACCESSORY BUILDINGS SHALL COVER NOT MORE THAN 75% OF THE LOT AREA

13. NO BUILDING OR STRUCTURE SHALL EXCEED 4 STOREYS OR 45 FEET IN HEIGHT EXCEPT AS PROVIDED IN § 17.50.260

14. THE EXTERIOR FOOTPRINT OF THE BUILDING AT GROUND LEVEL, CONTAINS 12,685 SQ. FT., MORE OR LESS

15. THERE ARE A TOTAL OF 119 REGULAR PARKING SPACES AND 6 REGULAR HANDICAP PARKING SPACES LOCATED WITHIN TRACT 3 OF DISCOVERY SUBDIVISION

16. THERE ARE A TOTAL OF 27 RV/TRAILER PARKING SPACES AND 3 RV/TRAILER HANDICAP PARKING SPACES LOCATED WITHIN TRACT 3 OF DISCOVERY SUBDIVISION

17. BASE OF BEARING: GEODESIC NORTH AS DETERMINED BY GLOBAL POSITIONING SYSTEM (GPS) NAD83

18. POND ENCROACHES INTO NORTH ELL VALE ROAD RIGHT-OF-WAY

- SCHEDULE B SPECIAL EXCEPTION ITEMS RELATING TO SURVEY**
- INFORMATION SHOWN HEREON WAS TAKEN FROM PENNINGTON TITLE COMPANY TITLE COMMITMENT FILE NO P-127718 WITH AN EFFECTIVE DATE OF AUGUST 6, 2008
- BUILDING RESTRICTIONS PER ZONING REQUIREMENTS AS NOTED ON THE PLAT RECORDED IN BOOK 34 OF PLATS ON PAGE 154 IN THE OFFICE OF THE REGISTER OF DEEDS, PENNINGTON COUNTY, SOUTH DAKOTA
 - ALL DRAINAGE EASEMENTS SHOWN HEREON SHALL BE KEPT FREE OF ALL OBSTRUCTIONS INCLUDING BUT NOT LIMITED TO BUILDINGS, WALLS, FENCES, HEDGES, TREES AND SHRUBS. THESE EASEMENTS ARE GRANT TO ALL PUBLIC AUTHORITIES THE RIGHT TO CONDUCT OPERATIONS, MAINTENANCE, INSPECT AND REPAIR SUCH IMPROVEMENTS AND STRUCTURES AS IT DEEMS APPROPRIATE TO FACILITATE DRAINAGE FROM ANY SOURCE, AS NOTED ON THE PLAT RECORDED IN BOOK 34 OF PLATS ON PAGE 154 IN THE OFFICE OF THE REGISTER OF DEEDS, PENNINGTON COUNTY, SOUTH DAKOTA
 - UTILITY AND DRAINAGE EASEMENT: EIGHT FEET (8') ON INTERIOR SIDES OF ALL LOT LINES AS NOTED ON THE PLAT RECORDED IN BOOK 34 OF PLATS ON PAGE 154 IN THE OFFICE OF THE REGISTER OF DEEDS, PENNINGTON COUNTY, SOUTH DAKOTA
 - THIRTY FOOT (30') EASEMENT FOR SANITARY SEWER AS NOTED ON THE PLAT RECORDED IN BOOK 34 OF PLATS ON PAGE 154 IN THE OFFICE OF THE REGISTER OF DEEDS, PENNINGTON COUNTY, SOUTH DAKOTA
 - FORTY-FIVE FOOT (45') EASEMENT FOR SANITARY SEWER AS NOTED ON THE PLAT RECORDED IN BOOK 34 OF PLATS ON PAGE 154 IN THE OFFICE OF THE REGISTER OF DEEDS, PENNINGTON COUNTY, SOUTH DAKOTA
 - EASEMENT FOR MAJOR DRAINAGE AS NOTED ON THE PLAT RECORDED IN BOOK 34 OF PLATS ON PAGE 154 IN THE OFFICE OF THE REGISTER OF DEEDS, PENNINGTON COUNTY, SOUTH DAKOTA
 - EASEMENT FOR NON ACCESS AS NOTED ON THE PLAT RECORDED IN BOOK 34 OF PLATS ON PAGE 154 IN THE OFFICE OF THE REGISTER OF DEEDS, PENNINGTON COUNTY, SOUTH DAKOTA
 - TEN FOOT (10') EASEMENT FOR RIGHT-OF-WAY AS NOTED ON THE PLAT RECORDED IN BOOK 34 OF PLATS ON PAGE 154 IN THE OFFICE OF THE REGISTER OF DEEDS, PENNINGTON COUNTY, SOUTH DAKOTA. THIS AREA HAS BEEN INCLUDED INTO EAST HALL DRIVE RIGHT-OF-WAY.
 - TEMPORARY EASEMENT DATED DECEMBER 1, 2006, GRANTED TO THE STATE OF SOUTH DAKOTA ACTING THROUGH ITS DEPARTMENT OF TRANSPORTATION AND INFRASTRUCTURE, PENNINGTON COUNTY, SOUTH DAKOTA, FILED IN BOOK 164 OF MISC RECORDS ON PAGE(S) 816 IN THE OFFICE OF THE REGISTER OF DEEDS, PENNINGTON COUNTY, SOUTH DAKOTA. ROUTE NOT SET FORTH.
 - TEMPORARY EASEMENT DATED NOVEMBER 16, 2006, GRANTED TO THE CITY OF RAPID CITY, FILED DECEMBER 8, 2006 AND RECORDED IN BOOK 184 OF MISC RECORDS ON PAGE(S) 633 IN THE OFFICE OF THE REGISTER OF DEEDS, PENNINGTON COUNTY, SOUTH DAKOTA. ROUTE NOT SET FORTH.
 - RIGHT-OF-WAY DATED APRIL 15, 1956, GRANTED TO RAPID CITY TELEVISION CORPORATION, FILED SEPTEMBER 26, 1961, AND RECORDED IN BOOK 37 OF MISC RECORDS ON PAGE(S) 480 IN THE OFFICE OF THE REGISTER OF DEEDS, PENNINGTON COUNTY, SOUTH DAKOTA. ROUTE NOT SET FORTH.

Remter & Associates, L.L.C.

115 South St., Rapid City, SD 57701 • 605/771-1200
115 South St., Rapid City, SD 57701 • 605/771-1200
Fax: 605/771-2243 • E-Mail: Remter@remter.com
Registration No. 602/717-018

Project By:

PRELIMINARY FOR REVIEW ONLY

Scale: 1"=100'

Designed By: ADP
Drawn By: ADP
Check Date: 9/16/08
Permit Date: 9/16/08
Reviewed By: BSW
Survey Date: 8-18-08
Reviewed: BSW

A.L.T.A./A.C.S.M. LAND TITLE SURVEY

RAPID CITY VISITOR'S INFORMATION CENTER - 1891 DISCOVERY CIRCLE
TRACT 3 OF DISCOVERY SUBDIVISION
LOCATED IN THE NE 1/4 OF THE SE 1/4
AND IN THE SE 1/4 OF THE NE 1/4
SECTION 28, T2N, R10E, B1M
RAPID CITY, PENNINGTON COUNTY, SOUTH DAKOTA

Location:

Prepared For:
DREAR DESIGN INT'L, INC.
228 HANSEN CITY STREET
SUITE 4
RAPID CITY, SD 57701
(605) 348-0538

Internal Job No:
#2239 36

Sheet No:
A.L.T.A./A.C.S.M
LAND TITLE SURVEY
RAPID CITY VI.C

Sheet: 1 of 1