

STAFF REPORT
January 26, 2006

No. 05UR022 - Conditional Use Permit to allow an off-premise sign

ITEM 62

GENERAL INFORMATION:

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| PETITIONER | Lamar Advertising |
| REQUEST | No. 05UR022 - Conditional Use Permit to allow an off-premise sign |
| EXISTING LEGAL DESCRIPTION | Lots 7 and 8 and the W12 feet of Lot 6 of Block 2, Jones Tract, Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE | Approximately.12 acres |
| LOCATION | 1925 West Main Street |
| 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 | NA |
| DATE OF APPLICATION | 12/8/2005 |
| REVIEWED BY | Karen Bulman / Emily Fisher |

RECOMMENDATION: Staff recommends that the Conditional Use Permit to allow an off-premise sign be **approved with the following stipulations:**

1. **A Sign Permit shall be obtained prior to construction of the sign;**
2. **Prior to Planning Commission approval, a revised site plan shall be submitted for review and approval showing the off-premise sign without an electronic face on the billboard including any lighting package associated with the billboard;**
3. **The sign shall be located as per submitted plans;**
4. **The maximum height of the sign shall be 30 feet and the maximum size of the sign shall be 250 square feet;**
5. **The billboard sign shall continually comply with all provisions of the Sign Ordinance; and,**
6. **The Conditional Use Permit shall expire if the use is not undertaken and completed 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: This staff report has been revised as of January 17, 2006. All revised and/or added text is shown in bold print. The subject property is located east of

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Mountain View Road at 1925 West Main Street. Properties located north, south, east and west of the subject property are zoned General Commercial District. An off-premise billboard, supported by three poles, is currently located on the subject property. The applicant has requested a Conditional Use Permit to remove the billboard and replace it with a smaller billboard supported by one pole.

STAFF REVIEW: Staff has reviewed the Conditional Use Permit and has noted the following considerations:

Signage: The current off-premise billboard is supported by three wood poles and has a 768 square foot face on each side. The proposed off-premise billboard will be thirty feet in height on a single pole and will have a 240 square foot face on each side. The pole will be located outside the right-of-way and the signage will be over the subject property in a flag style. The sign will be located five feet south of the north property line and forty feet west of the east property line. The east face of the billboard is proposed to be a standard billboard. The west face of the billboard is proposed to be a digital display. The electronic digital display will change the entire face of the billboard every ten seconds. The billboard display will not scroll or have flashing lights. The billboard face will not be larger than 250 square feet. A variance to waive the minimum distance for off-premise signs was granted by the Sign Code Board of Appeals on November 16, 2005. A letter of approval is required from the South Dakota Department of Transportation prior to any approval of the billboard location. A sign license must be obtained prior to obtaining a sign permit.

The applicant has asked that this application be continued to the January 26, 2006 Planning Commission to allow discussions to take place with the South Dakota Department of Transportation. **The South Dakota Department of Transportation has submitted a letter of approval for the billboard location. (Revised 1-17-06)**

Staff recommends that the Conditional Use Permit be continued to the January 26, 2006 Planning Commission meeting at the applicant's request. **Staff has reviewed the application for an off-street sign permit and is supportive of removing the large 768 square foot billboard on site and replacing it with a 240 square foot billboard. However, staff has been consistent in denying requests for any electronic signs. In particular, staff is concerned with the negative impact that an electronic sign creates along an arterial street. Staff is requesting that the applicant provide revised plans indicating that the off-premise sign will not include any electronic components. In addition, any lighting package associated with the sign shall be included in the site plan. Staff recommends that the Conditional Use Permit for an off-premise sign be approved with the stated stipulations. (Revised 1-17-06)**

As of this writing, the required sign has been posted on the property and the receipts from the required certified mailings have been returned.