

## STAFF REPORT

July 9, 2009

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**No. 09SR049 - SDCL 11-6-19 Review to allow an electronic display sign**

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**ITEM 29**

### GENERAL INFORMATION:

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| APPLICANT/AGENT               | Steve Buchholz for Western Dakota Tech.  |
| PROPERTY OWNER                | Rapid City Area School District  |
| REQUEST                       | <b>No. 09SR049 - SDCL 11-6-19 Review to allow an electronic display sign</b>                           |
| EXISTING<br>LEGAL DESCRIPTION | Tract A of Marshall Subdivision, Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE                | Approximately 24.1 acres   |
| LOCATION                      | 800 Mickelson Drive  |
| EXISTING ZONING               | Public District  |
| SURROUNDING ZONING            |  |
| North:                        | Public District  |
| South:                        | Low Density Residential District - General Commercial District - Light Industrial District             |
| East:                         | No Use District - Medium Density Residential District  |
| West:                         | Low Density Residential District - Medium Density Residential District                                 |
| PUBLIC UTILITIES              | City water and sewer   |
| DATE OF APPLICATION           | 6/4/2009   |
| REVIEWED BY                   | Travis Tegethoff / Karley Halsted  |

RECOMMENDATION: Staff recommends that the SDCL 11-6-19 Review to construct electronic display sign on public property be continued to the July 23, 2009 Planning Commission meeting.

GENERAL COMMENTS: The property is located at 800 Mickelson Drive, at the corner of Mickelson Drive and East Highway 44, and is the home of Western Dakota Technical Institute. The property is currently zoned Public District. The applicant is requesting approval of a SDCL 11-6-19 Review for a sign to be constructed on public property.

South Dakota Codified Law 11-6-19 states that "...whenever any such municipal council has adopted a comprehensive plan, then no street, park, or other public way, ground, place, space, no public building or structure, no public utility, whether publicly or privately owned, if covered by the comprehensive plan or any adopted part thereof, shall be constructed or

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authorized in the municipality or within its subdivision jurisdiction until and unless the location and extent thereof shall have been submitted to and approved by the Planning Commission". As previously indicated, the property is publicly owned land requiring that the Planning Commission review and approve the proposed construction.

STAFF REVIEW: Staff has reviewed the proposed SDCL 11-6-19 Review request as it relates to the applicable provisions of the Rapid City Municipal Code and has noted the following considerations:

Sign Permit: Prior to any construction, a sign permit shall be obtained.

Sign: The sign is proposed to be located in the southwest corner of the property near the intersection of Mickelson Drive and East Highway 44. The sign is proposed to be 18 feet tall to include a 10 foot by 8 foot sign face. Approximately 4 feet of the bottom of the sign face is proposed to be an electronic message center. The sign shall be an on-premise sign only. The size of the sign meets the requirements of the Sign Code.

Use Standards: Due to the significant traffic in this area and the potential distractions that may be caused by the reader board, staff has significant concerns with the reader board component of this sign for the property. In the past Planning Commission has approved electronic reader boards on public property if the applicant complies with the following: hours of operation from 6 a.m. to 10 p.m., information on the sign will be school related only, no flashing or scrolling letters will be displayed, no video displays will be allowed, low intensity lighting shall be provided and a time interval of a minimal 15 seconds between messages shall be provided. As such, staff recommends that this item be continued to the July 23, 2009 Planning Commission meeting to allow the applicant to amend the site plan and supporting documentation to include a list of use standards for the proposed sign.