

STAFF REPORT

March 4, 2010

No. 09SR124 - SDCL 11-6-19 Review to construct a sign on public property **ITEM 24**

GENERAL INFORMATION:

APPLICANT/AGENT	Rapid City Regional Airport
PROPERTY OWNER	South Dakota Department of Transportation
REQUEST	No. 09SR124 - SDCL 11-6-19 Review to construct a sign on public property
EXISTING LEGAL DESCRIPTION	A portion of Lot A located in the SW1/4 of Section 20, T1N, R9E, and a portion of SD Highway 44 right-of-way adjacent to Lot A located in the SW1/4 of Section 20, T1N, R9E BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 5.71 acres
LOCATION	Intersection of East Highway 44 and Airport Road
EXISTING ZONING	Airport District
SURROUNDING ZONING	
North:	Airport District
South:	General Agriculture District (Pennington County)
East:	General Agriculture District (Pennington County)
West:	General Commercial District - Suburban Residential District (Pennington County)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	12/23/2009
REVIEWED BY	Ali DeMersseman / Ted Johnson

RECOMMENDATION:

Staff will recommend that the SDCL 11-6-19 Review to construct a sign on public property be approved if the following additional information is submitted prior to Planning Commission approval:

- 1. The applicant shall obtain approval from the South Dakota Department of Transportation for the proposed sign to occupy the right-of-way.**

GENERAL COMMENTS:

**(Update, February 24, 2010. All revised and/or added text is shown in bold print.)
This item was continued at the February 18, 2010 Planning Commission meeting to allow the applicant to obtain approval from the South Dakota Department of**

STAFF REPORT

March 4, 2010

No. 09SR124 - SDCL 11-6-19 Review to construct a sign on public property

ITEM 24

Transportation for the sign to occupy the right-of-way. While the applicant has submitted a South Dakota Department of Transportation Application for Permit to Occupy the Right-of-way, as of this writing, the applicant has not obtained approval from the South Dakota Department of Transportation for this permit. As such, staff recommends that prior to Planning Commission approval, the applicant must obtain approval from the South Dakota Department of Transportation for the proposed sign to occupy the right-of-way.

(Update, February 10, 2010. All revised and/or added text is shown in bold print.) This item was continued at the February 4, 2010 Planning Commission meeting to allow the applicant to submit revised plans and additional information. On February 5, 2010, the applicant submitted revised plans and elevations for the proposed sign. In addition, the applicant submitted a copy of the South Dakota Department of Transportation Application for Permit to Occupy the Right-of-way for the proposed sign. However, as of this writing, this application has not been approved by the South Dakota Department of Transportation. As such, staff recommends that this item be continued to the March 4, 2010 Planning Commission meeting in order to allow the applicant to obtain approval from the South Dakota Department of Transportation for the sign to occupy the right-of-way.

(Update, January 27, 2010. All revised and/or added text is shown in bold print.) This item was continued at the January 21, 2010 Planning Commission meeting due to questions regarding the location of the sign in the SD Highway 44 right-of-way and because the applicant was not available to attend the Planning Commission meeting. Staff met with the applicant on January 27, 2010. At this meeting, the applicant indicated they would be reviewing the sign height, design and area grading and would be submitting revised plans and elevations. In addition, the applicant has provided documentation regarding the South Dakota Department of Transportation requirements that apply to the proposed sign. As such, staff recommends that this item be continued to the February 18, 2010 Planning Commission meeting in order to allow the applicant to submit revised plans and additional information.

The applicant has submitted a SDCL 11-6-19 Review request to construct a sign within the South Dakota East Highway 44 right-of-way. The property is located at the northeast corner of the intersection of Airport Road and East Highway 44 and is within SDDOT right-of-way.

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 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." The proposed sign is on public property within an area covered by the Rapid City Comprehensive Plan requiring that the Planning Commission review and approve the construction of the new sign.

STAFF REVIEW: The applicant has indicated that they will not be available to attend the

STAFF REPORT

March 4, 2010

No. 09SR124 - SDCL 11-6-19 Review to construct a sign on public property ITEM 24

January 21, 2010 Planning Commission meeting. Additionally, some questions have been raised relative to the location of the sign in the right-of-way. As such, staff recommends that this item be continued to the February 4, 2010 Planning Commission meeting.

(Update: February 10, 2010) As previously noted, on February 5, 2010, the applicant submitted revised plans and sign elevations, as well as additional information regarding the proposed sign. Staff has reviewed the SDCL 11-6-19 Review request and has noted the following considerations:

SDDOT Permit to Occupy the Right-of-way: The applicant has submitted a copy of the South Dakota Department of Transportation Application for Permit to Occupy the Right-of-way for the sign. However, as of this writing, this application has not been approved by the South Dakota Department of Transportation. Therefore, staff recommends that prior to Planning Commission approval, the applicant must obtain approval from the South Dakota Department of Transportation for the proposed sign to occupy the South Dakota East Highway 44 right-of-way.

Sign Elevations and Details: The proposed sign consists of a black aluminum structure, supported by three concrete and stone columns. The sign structure is approximately 6 feet 10 inches tall, 4 feet 3 inches deep and 24 feet wide. In addition, the applicant is proposing a 10 foot tall, 6 inch deep and 11 foot 8 inch wide freestanding airplane silhouette adjacent to the sign structure. The proposed freestanding airplane silhouette is constructed of aluminum with a concrete and stone base.

The proposed sign has two sign faces, one facing east and one facing west. The proposed sign faces are 2 feet 9 inches tall and 24 feet wide, and are constructed of black aluminum frame with an inset of aluminum grating. Internally LED illuminated channel letters, ranging in size from approximately 6 inches tall to 2 feet tall, will be mounted to the sign faces. The proposed channel letters are approximately 4 inches deep with painted silver returns and perforated blue vinyl faces. In addition, three 2 foot 9 inch tall by 8 foot wide, internally LED illuminated cabinets are proposed behind the aluminum frames and grating. The cabinets will have translucent faces with applied green vinyl cutouts that will create a hill silhouette. Staff recommends that the sign be constructed in conformance with the approved plans.

Lighting: The applicant is proposing four halogen up-lights at the base of the freestanding airplane silhouette. Furthermore, as previously noted, the sign will contain both internally LED illuminated cabinets, as well as internally LED illuminated channel letters. The proposed LED lighting is being utilized as an energy savings device to illuminate the proposed sign. The sign will not be animated, flash or contain an electronic message center. Staff recommends that the proposed lighting be constructed in conformance with the approved plans.

Sight Triangles: Based on the site plan that was submitted, the proposed sign is not located within the applicable sight triangles.

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STAFF REPORT
March 4, 2010

No. 09SR124 - SDCL 11-6-19 Review to construct a sign on public property ITEM 24

property be approved if the above noted additional information is submitted prior to Planning Commission approval.