

STAFF REPORT
April 26, 2012

No. 12UR007 - Conditional Use Permit to allow an Off-Premise Sign

ITEM 10

GENERAL INFORMATION:

APPLICANT	Lamar Advertising
PROPERTY OWNER	Royal Nielsen
REQUEST	No. 12UR007 - Conditional Use Permit to allow an Off-Premise Sign
EXISTING LEGAL DESCRIPTION	Lot 17 of Hillsvew Subdivision located in Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.65 acres
LOCATION	At the northeast corner of East Highway 44 and Rockhill Road
EXISTING ZONING	General Commercial District
FUTURE LAND USE DESIGNATION	Commercial
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Heavy Industrial District
East:	General Commercial District
West:	Low Density Residential District - Light Industrial District
PUBLIC UTILITIES	Rapid City water and sewer
DATE OF APPLICATION	2/23/2012
REVIEWED BY	Robert Laroco / Ted Johnson

RECOMMENDATION:

Staff recommends that the Conditional Use Permit to allow an Off-Premise Sign be **approved with the following stipulations:**

- 1. Prior to construction of the sign, an off-premise sign permit shall be obtained, and;**
- 2. The off-premise sign shall be constructed and located as per the approved Variance from the Sign Code Board of Appeals and the approved sign package.**

GENERAL COMMENTS: (Update April 19, 2012. All revised/ additional comments have been included in bold.) This item was continued at the April 5, 2012 Planning Commission meeting to allow the applicant to obtain a Variance from the spacing requirements from the Sign Code Board of Appeals.

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The applicant has submitted a Conditional Use Permit to allow an off-premise sign to be constructed on a property zoned General Commercial District. An off-premise sign is a Conditional Use in a General Commercial District.

The proposed location for the off-premise sign is located at the northeast corner of the intersection of S.D. Highway 44 and Rockhill Road. Currently, the property is undeveloped.

STAFF REVIEW: Staff has reviewed the request for a Conditional Use Permit for an Off-Premise Sign and has noted the following considerations:

Off-Premise Sign Regulations: Rapid City Municipal Code Section 15.28.160 sets forth the requirements for approval of an off-premise sign. Rapid City Municipal Code Section 15.28.160.D states that no off-premise sign may be located nearer than 1,500 feet from another off-premise sign, or 2,000 feet from another off-premise sign as measured along a public roadway. It appears the proposed sign is located within 2,000 feet of several signs located on S.D. Highway 44. A Variance from the Sign Code Board of Appeals must be obtained to reduce the minimum spacing requirement prior to the review of a Conditional Use Permit to allow an off-premise sign on the property. **The applicant's request for a Variance from the Sign Code to reduce the required spacing between signs from 2,000 lineal feet to 966 lineal feet was granted by the Sign Code Board of Appeals on April 18, 2012.**

An off-premise sign permit must be obtained prior to construction of the sign. The City Building Official has noted that an off-premise sign permit will require surrendering two sign credits and a signed and sealed engineered drawing of the signage and sign pole. In addition, the sign must meet the regulations set forth in Rapid City Municipal Code Chapter 15.28.160. The sign will be constructed on a single, center-mounted pole painted brown in color and will have a total finished height of 30 feet. A maximum of 250 square feet of signage per side of an off-premise sign is permitted per the Rapid City Sign Code. The proposed signage is 23 feet wide by 10 feet 9 inches tall, totaling 247.25 square feet of signage. Plans show the sign will be interior-illuminated with all electrical work on the interior of the sign or underground. In addition, plans show the sign will be located outside of all site triangles and ten feet clear of grade. The plans for the sign show the required nameplate identifying Lamar Advertising as the owner of the sign. Based on the submitted plans, it appears the proposed sign meets all the requirements of Rapid City Municipal Code Chapter 15.28.160 with the exception of spacing. Based on the Variance from the Sign Code for spacing granted by the Sign Code Board of Appeals, staff recommends the request for a Conditional Use Permit to allow an off-premise sign in a General Commercial District be approved.

Notification Requirements: As of this writing, the required green cards and white receipts from the certified mailing have **been returned**. The sign has been posted on the property. There has been one public comment in opposition to the request.