

STAFF REPORT
March 21, 2013

No. 13UR004 - Conditional Use Permit to Allow Replacement and Reduction of an Existing Off-Premise Sign **ITEM 10**

GENERAL INFORMATION:

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| APPLICANT | Lamar Advertising |
| PROPERTY OWNER | AAA Rapid Storage, LLC |
| REQUEST | No. 13UR004 - Conditional Use Permit to Allow Replacement and Reduction of an Existing Off-Premise Sign |
| EXISTING LEGAL DESCRIPTION | Lot 1 of Deblen Subdivision, located in Section 17, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE | Approximately 2.77 acres |
| LOCATION | 3400 Cambell Street |
| EXISTING ZONING | Heavy Industrial District |
| FUTURE LAND USE DESIGNATION | Industrial |
| SURROUNDING ZONING | |
| North: | Heavy Industrial District |
| South: | Heavy Industrial District |
| East: | Heavy Industrial District |
| West: | Light Industrial District, General Commercial District |
| PUBLIC UTILITIES | Rapid City water and sewer |
| DATE OF APPLICATION | February 15, 2013 |
| REVIEWED BY | Robert Laroco / Brandon Quiett |

RECOMMENDATION:

Staff recommends that the Conditional Use Permit to allow replacement and reduction of an existing off-premise sign be approved with the following stipulations:

1. Prior to Planning Commission approval, revised plans shall be submitted to Community Planning and Development Services showing the location of all existing and proposed signage in relation to all property lines, utilities and structural development;
2. A sign permit shall be obtained prior to commencement of construction of the sign;
3. Prior to issuance of a sign permit, final construction plans signed and sealed by a Professional Registered Engineer shall be submitted. Final plans shall include the structure footings;
4. No electronic or Light Emitting Diode (LED) signage is being approved as a part of this

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sign All interior-illuminated off-premise signage shall comply with the sign brightness requirements of the Rapid City Sign Code. The sign shall be designed and operated in compliance with the illumination standards of the Rapid City Municipal Code. Continuing compliance with the illumination standards for off-premise signage shall be demonstrated annually as a part of the off-premise sign license renewal;

5. All requirements of the Heavy Industrial District and the Rapid City Sign Code shall be continually maintained, and;
6. This Conditional Use Permit shall allow for the replacement of an existing off-premise sign. The sign shall be constructed as shown on the approved plans. Changes to the construction of the sign shall require a Major Amendment to the Conditional Use Permit.

GENERAL COMMENTS: The applicant has submitted a Conditional Use Permit application to allow the construction of an off-premise sign. In particular, the applicant has requested to replace an existing off-premise billboard located in the Heavy Industrial District with a smaller, interior-illuminated, mono-pole sign on property zoned Heavy Industrial District. An off-premise sign is a conditional use in the Heavy Industrial District.

The existing billboard is located on the west side of the property located at 3400 Campbell Street. The property is currently developed as multistorage.

STAFF REVIEW: Staff has reviewed the proposed off-premise sign per the requirements of Section 17.50.380 of the Rapid City Municipal Code and has noted the following considerations:

Section 17.50.380. Off-Premise Signage as a Conditional Use, Criteria for Review: The criteria for review of an off-premise sign are as follows:

The minimum requirements of the City's Sign Code;

The submitted site plans do not provide a clear location of the existing and proposed signage and are not readily scalable. The proposed sign is greater than ten feet above grade and, as such, does not need to be ten feet from all property lines, however, an accurate site plan must be provided to ensure the proposed sign is not located within any easements or sight triangles. As such, prior to Planning Commission approval, a site plan must be submitted at a scale suitable for review that shows the location of the existing and proposed off-premise sign in relation to all property lines, utilities, and structural development on the site.

The proposed sign appears to meet all requirements for square footage, height, and construction materials. The Rapid City Sign Code requires that engineered plans for all signs in accordance with adopted building codes must be submitted. As such, prior to issuance of a building permit, final construction plans signed and sealed by a Professional Registered Engineer must be submitted for review and approval.

The standard requirements for all conditional uses set forth in Rapid City Municipal Code Chapter 17.54.030:

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The proposed off-premise sign has been reviewed per the requirements of Chapter 17.54.030 and appears to meet all the requirements for a conditional use.

Size of the proposed off-premise sign:

The submitted plans show that the existing sign is approximately 378 square feet per face. The proposed sign is approximately 242 square feet per face. The Rapid City Sign Code states that a maximum 250 square foot per sign face is permitted. The proposed sign meets the size requirements for an off-premise sign.

Spacing from adjacent off-premise signs;

The applicant has proposed to replace the existing legally non-complying off-premise sign with a sign meeting all requirements of the Rapid City Municipal Code with the exception of spacing. Rapid City Municipal Code Chapter 15.30.020.E requires a minimum of 1,500 feet between off-premise signs. Currently there are a number of off-premise signs located within 1,500 feet of the off-premise sign to be replaced. The nearest off-premise sign is located approximately 800 feet to the north. Chapter 15.30.050.A states that any legal non-conforming off-premise sign may be reconstructed by the current permit holder in the same location as it currently exists so long as the alterations or reconstruction of the sign bring it into compliance with all of the provisions of this chapter with the exception of any spacing requirements between signs.

Density of off-premise signs in the neighborhood;

There are a number of off-premise signs located within the 1,500 foot boundary designated by the Rapid City Municipal Code. The proposed sign is a replacement of an existing billboard and, as such, does not create an overall increase in the density of signs in the neighborhood. Cambell Street is a principal arterial street on the City's Major Street Plan and is a major commercial and industrial corridor in the City. In the past, high traffic-volume commercial corridors have been deemed the appropriate location for off-premise signage. In addition, the proposed sign is an overall reduction in the size of the sign on the property, and meets all requirements of the Rapid City Sign Code with the exception of spacing. Chapter 15.30.050.A states that any legal non-conforming off-premise sign may be reconstructed by the current permit holder in the same location as it currently exists so long as the alterations or reconstruction of the sign bring it into compliance with all of the provisions of this chapter with the exception of any spacing requirements between signs.

Height of the off-premise sign;

The proposed sign is 10 feet, 9 inches tall and is located atop a 20 foot, 3 inch ttall mono-pole structure, bringing the total height of the structure to 30 feet. Rapid City Municipal Code Chapter 15.30.020.C states that the maximum height of an off-premise sign is 30 feet. The proposed sign meets the height requirements of an off-premise sign.

Proposed lighting;

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The proposed sign is an interior illuminated sign. No electronic or Light Emitting Diode (LED) signage is being approved as a part of this Conditional Use Permit. All signage must comply with the requirements of the Rapid City Municipal Code. All interior-illuminate off-premise signage must comply with the sign brightness requirements of the Rapid City Sign Code. The sign must be designed and operated in compliance with the illumination standards of the Rapid City Municipal Code. Continuing compliance with the illumination standards for off-premise signage must be demonstrated annually as a part of the off-premise sign license renewal.

Impacts upon significant urban or natural viewsheds;

The proposed sign is located along a busy commercial and industrial corridor and does not appear to impact any urban or natural viewsheds.

Impacts upon nearby residences;

There are no residentially zoned properties adjacent to the location of the proposed sign. The nearest residentially zoned property is located approximately 900 feet to the northwest of the property, on the north side of the Fairmont Boulevard. It does not appear the proposed sign will impact any nearby residences.

Location with respect to any major community entryways, historic property, parks, schools, churches, playgrounds or similar public and recreational uses;

The location of the proposed sign is adjacent to Cambell Street in the southeastern section of the City. Cambell Street is a major community entryway from the south, however, the development of the Cambell Street corridor as a commercial and industrial center makes it a suitable location for off-premise signage. The proposed sign is a replacement of an existing, larger sign and, as such, does not create an increase in the density in signage in the area. There are no historic properties, parks, schools, churches, playgrounds, or other recreational uses in the vicinity.

Other criteria deemed pertinent to the review of the conditional use;

The Rapid City Building Official has reviewed the proposed off-premise sign and has noted that all off-premise signage must comply with the requirements of the Rapid City Sign Code. The South Dakota Department of Transportation has noted that the proposed sign is located outside the Department of Transportation's jurisdiction. The requested off-premise sign meets all the requirements of the Rapid City Sign Code with the exception of spacing. Chapter 15.30.050.A of the Rapid City Municipal Code states that any legal non-conforming off-premise sign may be reconstructed by the current permit holder in the same location as it currently exists so long as the alterations or reconstruction of the sign bring it into compliance with all of the provisions of this chapter with the exception of any spacing requirements between signs. The proposed off-premise sign is an overall reduction of the total square footage of signage by 136 square feet. For these reasons, staff recommends that the Conditional Use Permit to allow the replacement and reduction of an existing off-premise sign be approved with the stipulations outlined above.

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Notification Requirements: As of this writing, the Conditional Use Permit notification sign has not been placed on the property and the green cards and white receipts which serve as proof of the required certified mailing have not been submitted to Community Planning and Development Services. Staff will inform the Planning Commission at the March 21, 2013 Planning Commission meeting if these requirements have not been met. As of this writing, there have been no inquiries into the proposed Conditional Use Permit.