STAFF REPORT
March 26, 2015

No. 15UR006 - Conditional Use Permit to replace an off-premise sign **ITEM 3**

GENERAL INFORMATION:

APPLICANT	Epic Outdoor Advertising
PROPERTY OWNER	ELH LLC
REQUEST	**No. 15UR006 - Conditional Use Permit to replace an off-premise sign**
EXISTING LEGAL DESCRIPTION	Tract B of C.D. Rounds Subdivision, located in Section 23, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.35 acres
LOCATION	3425 Sturgis Road
EXISTING ZONING	General Commercial District
FUTURE LAND USE DESIGNATION	Mixed Use Commercial
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District
East:	General Commercial District
West:	Low Density Residential District - Low Density Residential District (Planned Residential Development)
PUBLIC UTILITIES	Rapid City water and sewer
DATE OF APPLICATION	February 20, 2015
REVIEWED BY	Robert Laroco / Nicole Lecy

RECOMMENDATION:

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

1. A sign permit shall be obtained prior to any work on the sign. A certificate of completion shall be obtained prior to use of the sign;
2. Prior to issuance of a sign permit, final plans shall be submitted signed and sealed by a registered professional pursuant to SDCL 36-18A;
3. All requirements of the General Commercial District and the Rapid City Sign Code shall be continually maintained. Specifically, no flashing, scrolling or any other types of animated graphics are permitted on this off-premise sign. A minimum 8 second static message shall be provided for each graphic, and;

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4. This Conditional Use Permit shall allow for the replacement of an existing off-premise sign with a static Light Emitting Diode (LED) message center. Changes to the construction of the sign shall require a Major Amendment to the Conditional Use Permit.

GENERAL COMMENTS: The applicant has requested a Conditional Use Permit to allow the replacement of an existing off-premise sign on property zoned General Commercial District. The existing off-premise sign is a static, two-sided billboard totaling 250 square feet per side of advertising space. The applicant is proposing to replace the existing static sign with a Light Emitting Diode (LED) digital billboard. As a part of this request, the applicant is proposing to lower the sign to 30 feet in height, in compliance with the requirements of the Rapid City Sign Code. The nearest off-premise sign is located approximately 325 feet to the southeast, at 3401 Sturgis Road. The square footage of the sign will remain at 250 square feet per side.

The sign is located at 3435 Sturgis Road, approximately 870 feet northwest of the intersection of Strugis Road and West Main Street. The property is currently void of structural development with the exception of the existing billboard.

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:

The minimum requirements of the City's Sign Code;

The submitted site plan shows that the existing sign is located 25 feet from the lot frontage along Sturgis Road and the side lot line to the north. The proposed sign will be located on a 30 foot monopole and the bottom of the sign is proposed to be 15 feet 6 inches above grade. The lit area of the sign measures 10 feet by 24 feet, totaling 240 square feet. The applicant is proposing to replace the existing sign with the digital face and to lower the existing sign to 30 feet in height. The location of the sign on the property and the size of the advertising space on the sign will not change. Rapid City Sign Code Chapter 17.50.090.B.3 states that off-premise signs must be located a minimum of 1,500 feet from any other off-premise signs. The nearest off-premise sign is located approximately 325 feet to the south east of the existing sign. However, Rapid City Municipal Code Chapter 17.50.090.E.1 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 the requirements of the City Code with the exception of any spacing requirements between signs. The balance of proposed changes to the sign with the exception of spacing between off-premise signs are being met as a part of this Conditional Use Permit. As such, the spacing requirement between signs is not required.

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

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.

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Size of the proposed off-premise sign:

Submitted plans show that the sign face measures 12 feet by 24 feet, totaling 288 square feet of sign face. However, it appears that the lit portion of the sign will only measure 10 feet by 24 feet, totaling 240 square feet of visible sign area per side. It appears that the proposed sign meets the requirements of the Rapid City Sign Code.

Spacing from adjacent off-premise signs;

As previously noted, the nearest off-premise sign is located approximately 325 feet to the southeast. However, the applicant is proposing to maintain the maximum permitted 250 square feet of sign area and is proposing to lower the existing sign to 30 feet above grade. The proposed sign will comply with all other requirements of the Rapid City Sign Code with the exception of spacing and, as such, the requirement to maintain a minimum 1,500 square feet between off-premise signs does not apply pursuant to Rapid City Municipal Code Chapter 17.50.090.E.1.

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. Sturgis Road is a principal arterial street on the City's Major Street Plan and is a major commercial and industrial corridor in the region. In the past, high traffic-volume commercial corridors have been deemed the appropriate location for off-premise signage.

Height of the off-premise sign;

The proposed sign is located atop a 15 foot, 6 inch tall mono-pole structure, while the sign structure itself totals 14 feet 6 inches in height. The total height of the sign is 30 feet. The proposed sign meets the height requirements of the Rapid City Sign Code.

Proposed lighting;

The proposed sign is an interior illuminated sign utilizing Light Emitting Diode (LED) technology. All signage must comply with the requirements of the Rapid City Municipal Code. All lighting must be designed to preclude shining on all adjoining properties and rights-of-way and not be a hazard to the passing motorist or constitute a nuisance of any kind.

Impacts upon significant urban or natural viewsheds;

The proposed sign is located along a busy commercial and industrial corridor and complies with the height requirements for an off-premise sign. The proposed signage does not appear to impact any urban or natural viewsheds.

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Impacts upon nearby residences;

Property to the west is zoned Low Density Residential District. However, the sign is located along the Sturgis Road corridor and on the eastern side of the property. In addition, the tract slopes downhill from east to west across the property. The residentially zoned properties west of the sign are approximately 20 feet lower in elevation than Sturgis Road. Based on the location of the sign in a developed commercial corridor and the topographical differences between the commercial corridor and the residential neighborhood, 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 Sturgis Road in the northwest section of the City. Interstate 90 is a major state, regional and local transportation corridor in the City and located adjacent to commercial and industrial development, making a suitable location for off-premise signage. The proposed sign is a replacement of an existing 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 not noted any issues with the proposed sign. The applicant is proposing to lower the existing sign to a height of 30 feet in compliance with the requirements of the Rapid City Sign Code. The advertising space of the proposed sign measure 240 square feet per side. The applicant should note that flashing, scrolling, or any other animation of graphics on an off-premise sign is not permitted. A minimum 8 second static message must be provided for each graphic. The proposed sign meets all requirements for the replacement/rebuilding of an existing off-premise sign. For these reasons, staff recommends that the Conditional Use Permit to allow the replacement of an existing off-premise sign with a Light Emitting Diode (LED) sign be approved with the stipulations outlined above.

Notification Requirements: The notification letters have been returned to Community Planning and Development Services. The sign has been picked up, but as of this writing staff has not confirmed that the sign has been posted on the property. Staff will inform the Planning Commission at the March 26, 2015 Planning Commission meeting if these requirements have not been met. As of this writing, there have been no inquiries regarding the proposed Conditional Use Permit.