



# Rapid City Planning Commission

## Planned Development Project Report

August 6, 2015

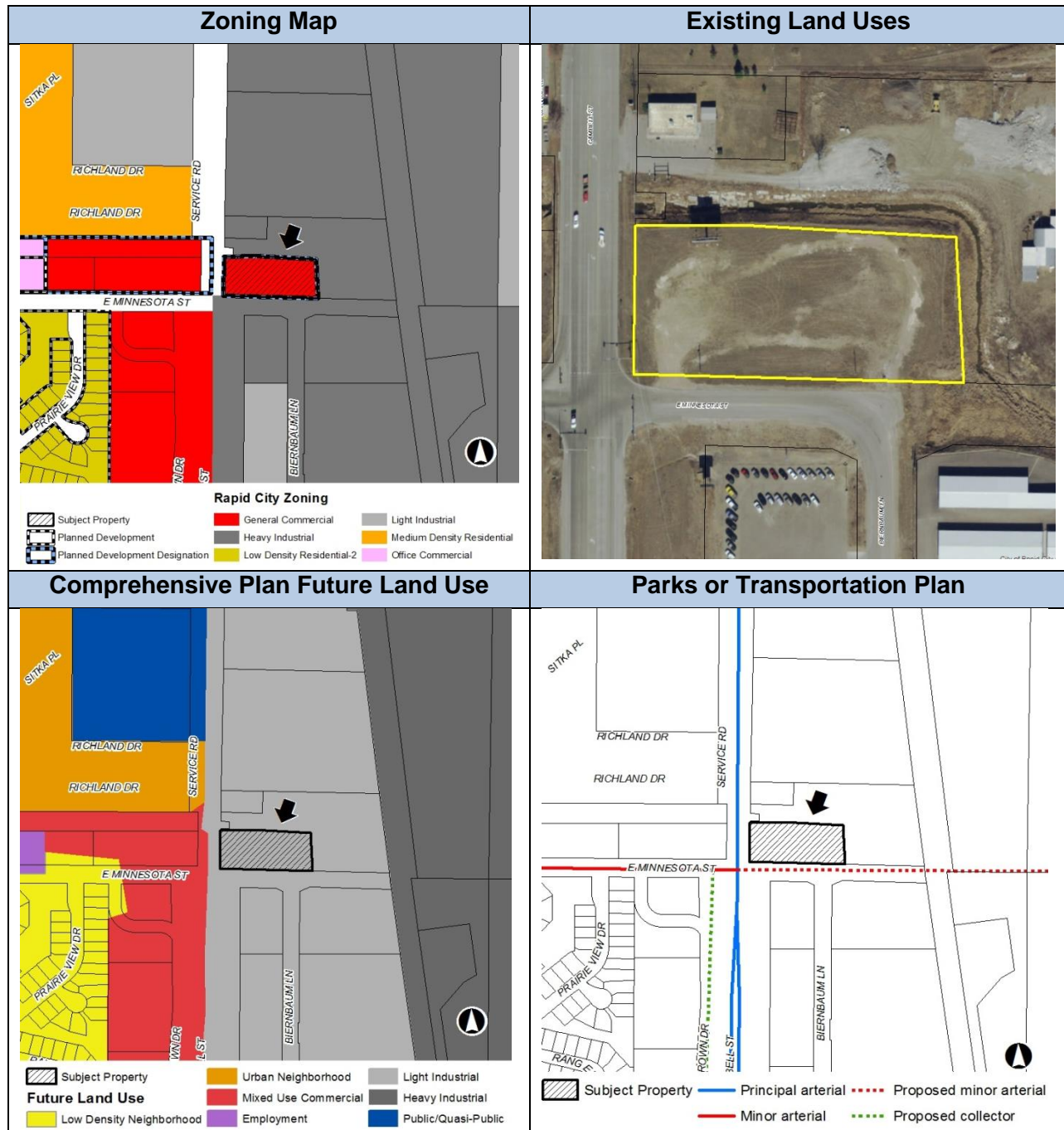
Applicant Request(s)
Case # 15PD021, Final Planned Development to allow alteration of an existing off-premise sign
Companion Case(s) #: N/A

Development Review Team Recommendation(s)
The Development Review Team recommends approval with the stipulations noted below.

Project Summary Brief
<p>The applicant has submitted a Final Planned Development to allow the downsizing of an existing legally non-conforming billboard. The existing billboard is located northeast of the intersection of Cambell Street and Minnesota Street and is currently comprised of two stacked signs. The top sign measures 10 feet by 20 feet, totaling 200 square feet. The lower sign measures 14 feet by 40 feet, totaling 560 square feet. The total square footage of signage on the billboard today is 760 square feet per side. A billboard may have a maximum square footage of 250 square feet per side. The applicant is proposing to remove the top sign and to reduce the size of the lower sign to 10.5 feet by 36 feet, or 378 square feet. The applicant is requesting and Exception to increase the permitted square footage of signage from 250 square feet per side to 378 square feet per side, a 51.2% increase from the maximum permitted square footage. The proposed changes result in an overall decrease in signage of 382 square feet per side. The applicant is also proposing to maintain the 30 foot tall height requirement identified in the Rapid City Sign Code.</p> <p>The applicant is also requesting an Exception to decrease the required spacing between off-premise signs from 2,000 lineal feet to 720 feet. The Rapid City Sign Code states that when an existing, legally non-conforming sign is altered or improved in any way, the sign must be brought into compliance with all the requirements of the Rapid City Municipal Code with the exception of spacing. However, since the applicant is requesting an Exception to the maximum sign square footage, an Exception must also be obtained for spacing. Planning Commission should note that if a 250 square foot sign is proposed or approved as a part of this Conditional Use Permit, then the Exception for spacing is no longer required.</p>
Applicant Information
Applicant: Lamar Advertising
Property Owner: Jenicey, Inc.
Architect: N/A
Engineer: N/A
Surveyor: Fisk Land Surveying
Other: N/A
Development Review Team Contacts
Planner: Robert Laroco
Engineer: Dan Kools
Fire District: Tim Behlings
School District: Janet Kaiser
Water/Sewer: Dan Kools
DOT: Stacy Bartlett

Subject Property Information	
Address/Location	3980 Cambell Street
Neighborhood	Southeast Connector Neighborhood
Subdivision	Kormylo Subdivision
Land Area	1.95 ac (84,942 sq ft)
Existing Buildings	Existing off-premise sign, no additional structural development
Topography	Level
Access	Minnesota Street
Water Provider	Rapid City
Sewer Provider	Rapid City
Electric/Gas Provider	Black Hills Power/ Montana Dakota Utilities
Floodplain	100 Year and 500 Year Federally Designated Floodplain

Subject Property and Adjacent Property Designations			
	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	GC/PDD	LI	Existing off-premise sign
Adjacent North	HI	LI	Offices, industrial related sales/service
Adjacent South	HI	LI	Auto sales, warehousing
Adjacent East	HI	LI	Industrial storage
Adjacent West	GC/PDD	MUC	No structural development







Relevant Case History			
Case/File#	Date	Request	Action
07PD029	5/01/07	Planned Development Designation	Approved by staff
Relevant Zoning District Regulations			
General Commercial District	Required	Proposed	
Lot Area	No minimum required	1.95 ac (approximately 84,942 sq ft)	
Lot Frontage	No minimum required	Approximately 640 ft	
Maximum Building Heights	4 stories, < 45 ft	30 ft	
Maximum Density	75%	Less than 5%	
Minimum Building Setback:			
• Front	25 ft	Approximately 80 ft	
• Rear	0 ft	Approximately 300 ft	
• Side	0 ft	Approximately 16 ft	
• Street Side	25 ft	Approximately 160 ft	
Minimum Landscape Requirements:			
• # of landscape points	Per RCMC	None proposed	
• # of landscape islands	N/A	N/A	
Minimum Parking Requirements:			
• # of parking spaces	N/A	N/A	
• # of ADA spaces	N/A	N/A	
Signage	Max 250 sq ft per side, 30 ft max height, min 2,000 lineal ft between off-premise signs	378 sq ft per side, 30 ft max height, 720 ft to nearest off-premise sign	
Fencing	Per RCMC	None Proposed	

Planning Commission Criteria and Findings for Approval or Denial	
<b>Pursuant to Section 17.50.050.F.5 of the Rapid City Municipal Code the Planning Commission shall consider the following criteria in a request for a Planned Development:</b>	
	Findings
1. There are certain conditions pertaining to the particular piece of property in question because of its size shape, or topography;	The property is comprised of approximately 1.95 acres of land which is undeveloped with the exception of the existing off-premise sign. There are no conditions on this property due to size, shape, or topography.
2. The application of these regulations to this particular piece of property would create a practical difficulty or undue hardship;	The property is located within an existing Planned Development Designation, requiring that a Final Planned Development be approved prior to any development of the property. The application of these regulations to this piece of property does not create a practical difficulty or undue hardship.
3. Exceptions to the underlying zoning district, if granted, would not cause undue hardship to the public good or impair the purposes and intent of these regulations;	Rapid City Sign Code Chapter 17.50.090.E.1 states that alteration of an existing sign requires that the sign must meet all requirements of the Sign Code with the exception of spacing. The applicant is requesting Exceptions to the maximum permitted size of the sign as well as the spacing between off-premise signs.  The applicant has requested an Exception to increase the maximum permitted square footage of signage from 250 square feet to 378 square feet. The requested Exception will permit an overall decrease in signage of 378 square


	<p>feet for this specific off-premise sign. However, it should be noted that similar re-designs of off-premise signage have complied with the 250 square foot maximum sign size. The increase in permitted signage in this instance does not support the intent of the Ordinance to improve and standardize off-premise signage in the City. Granting the requested Exception for sign size does not alleviate an undue hardship and does impair the intent of the Ordinance.</p> <p>The requested Exception to reduce the required minimum spacing between signs from 2,000 lineal feet to 720 lineal feet is only required because the applicant has requested an Exception for the size of the sign. If the Planning Commission should determine that the requested increase in the permitted square footage of signage cannot be supported, then the Exception to waive the spacing should not be supported either. However, if the Planning Commission should determine that the requested increase in the sign square footage is warranted, then the request to decrease the permitted spacing between off-premise signs should be approved as well. Please note that if the Planning Commission should determine that a maximum 250 square foot sign permitted by the Sign Code can be supported, then the Exception for the spacing is unnecessary.</p>
4. A literal interpretation of this chapter would deprive the applicant of rights that others in the same district are allowed;	The Rapid City Sign Code exists to ensure safe, standardized off-premise signage throughout the City. The proposed changes to the signage do allow improvements to the existing sign. However, the proposed changes are not in conformance with the requirements of the Sign Code. Similar Conditional Use Permits have been approved for Lamar Advertising to bring existing legally non-conforming signs in the Cambell Street corridor into compliance with the requirements of the Sign Code. A literal interpretation of this chapter does not deprive the applicant of rights that others in the same district are allowed.
5. Any adverse impacts will be reasonably mitigated;	The proposed sign is located along an identified principal arterial street on the City's Major Street Plan. If a maximum 250 square foot off-premise sign was proposed to be constructed on this property, and all other requirements with the exception of spacing were provided, then the proposed sign would constitute an improved sign meeting the requirements of the Code. Potential adverse impacts of the sign would be mitigated to the greatest extent possible. However, the proposed 378 square foot sign is not in compliance with the requirements of the Sign Code. Potential impacts are not being mitigated to the greatest extent possible. As such, while a 250 square foot sign could be supported, the proposed 378 square foot sign may have an adverse impact on the neighborhood and the adjacent Cambell Street corridor.
6. The requested exception to the underlying zoning district	The requested Exception to increase the permitted sign square footage does result in a decrease in the overall

standards is an alternative or innovative practice that reasonably achieves the objective of the existing standard sought to be modified.	square footage of signage currently located on the property. However, other Conditional Use Permits have been approved for off-premise signage which meets the requirements of the Rapid City Sign Code. Approval of this Exception request will result in an alteration to the standards for signage already established throughout the City. There are no conditions on the property which would preclude the ability to construct a sign in compliance with the requirements of the Code. The proposed sign is not in compliance with the intent of the Ordinance to provide safe, effective, and standardized signage in the City. The proposed signage does not adequately mitigate potential adverse impacts of allowing a 378 square foot sign to remain on the property. For these reasons, staff recommends that the Exception request to increase the maximum permitted square footage from 250 square feet to 378 square feet be denied. The Exception to reduce the spacing between off-premise signs from 2,000 lineal feet to 720 square feet must also be denied. If a 250 square foot sign is proposed for the property, the reduction in spacing may be waived.
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<b>Planning Commission Comprehensive Plan Policy Guidance for Approval or Denial</b>
<b>In considering an application for approval or denial the Planning Commission finds that the application either complies or does not comply with the following values, principles, goals, and policies within the Rapid City Comprehensive Plan:</b>

<b>Comprehensive Plan Conformance – Core Values Chapters</b>	
	<b>A Balanced Pattern of Growth</b>
BPG-1.2C	Priority Revitalization Corridors: Reinvestment in these revitalization corridors should be focused on improvements which include the use of coordinated signage. For the purposes of existing off-premise signage, coordination includes compliance with the requirements of the Rapid City Sign Code.
	<b>A Vibrant, Livable Community</b>
LC-1.3C	Gateway Improvements: The requested Planned Development is located approximately 2,500 feet north of the intersection of Elk Vale Road and Highway 79, an established Gateway into Rapid City. Improvements associated with redevelopment in these areas should include design improvements to lighting, landscaping, bridges and signage.
	<b>A Safe, Healthy, Inclusive, and Skilled Community</b>
N/A	N/A
	<b>Efficient Transportation and Infrastructure Systems</b>
TI-2.1B	Major Street Plan Integration: The proposed changes to the existing off-premise sign are located adjacent to a principal arterial street on the City Major Street Plan. Coordination of signage and design standards are priorities in the review process in order to ensure the development and maintenance of a complete roadway network.



 <b>Economic Stability and Growth</b>	
EC-2.4B	Regional Trade and Connectivity: Off-premise signage is a valuable tool in promoting the economic and trade activities of the City. However, design standards for the City's off-premise signage are critical in presenting the City in positive context to the region.
 <b>Outstanding Recreational and Cultural Opportunities</b>	
N/A	N/A
 <b>Responsive, Accessible, and Effective Governance</b>	
GOV-2.1A	Public Input Opportunities: The Final Planned Development requires notification of surrounding property owners and posting of a sign on the property. These notification requirements allow public input into the proposed development. As of this writing, there have been no inquiries into the requested Final Planned Development.

Comprehensive Plan Conformance – Growth and Reinvestment Chapter	
<b>Future Land Use Plan Designation(s):</b>	<b>Light Industrial</b>
<b>Design Standards:</b>	
GDP-GEC7	Signage: The Final Planned Development seeks to improve the existing signage on the property. A priority design principal for gateway and entrance corridors is to prohibit pole signs and billboards in these locations. However, if an existing sign is already located in one of these areas of the City, then alteration of these signs should be in order bring the signage into compliance with the requirements of the Rapid City Municipal Code.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
<b>Neighborhood:</b>	<b>Southeast Connector Neighborhood</b>
<b>Neighborhood Goal/Policy:</b>	
SEC-NA1.1E	Entrance Corridors: Highway 79/Cambell Street is identified as an entrance corridor to the City. The use of coordinated signage should be encouraged in these corridors. In the case of exiting off-premise signage, coordination of signage should include ensuring compliance with the requirements of the Rapid City Sign Code.

The Development Review Team Recommends that the request for a Final Planned Development be approved for the following reasons:	
•	The requested increase for the permitted amount of signage from 250 square feet to 378 square feet cannot be supported by staff. However, alteration of the existing signage to include a 250 square foot sign can be supported by staff.
•	If a maximum 250 square foot sign is approved, then the Exception request to reduce the required spacing between signs from 2,000 feet to 720 feet is no longer necessary.
•	The maximum height of the sign is proposed at 30 feet, in compliance with the requirements of the Rapid City Sign Code.
•	There are no conditions on the property which limit the developability of the land in compliance with the requirements of the Rapid City Municipal Code.
•	If revised to include a maximum 250 square foot sign, the proposed Final Planned Development will provide improved, coordinated signage adjacent to a principal arterial street that is identified as a gateway corridor in an area of reinvestment priority in the City.

**Staff recommends that the requested Final Planned Development to allow downsizing of an existing off-premise sign be approved with the following stipulations.**

1.	The requested Exception to increase the permitted square footage of the sign from 250 square feet to 378 square feet is hereby denied;
2.	The requested Exception to decrease the minimum spacing requirement between off-premise signs from 2,000 square feet to 720 square feet is hereby denied;
3.	This Final Planned Development shall allow for downsizing of the existing off-premise sign with a maximum 250 square foot sign. All other requirements of the General Commercial District and the Rapid City Sign Code shall be continually maintained. Changes to the signage in compliance with the requirements of the Rapid City Sign Code shall be permitted contingent upon an approved sign permit. Any other changes shall require a Major Amendment to the Planned Development. Development of the balance of the property within the Planned Development Designation boundary shall require approval of a Final Planned Development for the property.