

STAFF REPORT
January 27, 2005

No. 04SR070 - 11-6-19 SDCL Review to allow the construction of a sign on public property **ITEM 29**

GENERAL INFORMATION:

PETITIONER	Wayne Asscherick for the Minneluzahan Senior Citizen's Center
REQUEST	No. 04SR070 - 11-6-19 SDCL Review to allow the construction of a sign on public property
EXISTING LEGAL DESCRIPTION	Lot RU-18, RU Lots and Tract 21, Rapid City Greenway Tract, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.97 Acres
LOCATION	315 North 4th Street
EXISTING ZONING	Civic Center District - Flood Hazard District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Flood Hazard District
East:	Civic Center District - Flood Hazard District
West:	Civic Center District - Flood Hazard District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	12/17/2004
REVIEWED BY	Todd Tucker / Curt Huus

RECOMMENDATION:

Staff recommends that the 11-6-19 SDCL Review to allow the construction of a sign on public property be approved with the following stipulation:

1. Prior to installation of the sign, a Sign Permit shall be obtained.

GENERAL COMMENTS: The subject property is located north of New York Street between North Fifth Street and North Fourth Street. The subject property is currently owned by the City of Rapid City and is the location of the Minneluzahan Senior Center. The applicant is requesting approval of an SDCL 11-6-19 Review to allow the construction of a sign on public property.

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

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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". As previously indicated, the proposed construction is on publicly owned land requiring that the Planning Commission review and approve the proposed construction.

STAFF REVIEW: Staff has reviewed the proposed SDCL 11-6-19 Review as it relates to the applicable provisions of the Rapid City Municipal Code and has noted the following issues:

Sign Permit: Staff noted that Section 15.28.080 of the Rapid City Municipal Code requires that a Sign Permit be obtained for each sign constructed, except as otherwise provided in the Sign Code. As such, a Sign Permit must be obtained prior to installation of the proposed sign.

Spacing: Staff noted that Section 15.28.20 of the Rapid City Municipal Code requires that the separation between on-premises ground signs located on the same premises shall be a minimum of 100 feet. The proposed sign is not located within 100 feet of any other on-premises signs.

Size and Height: The proposed sign will have a total height of approximately 16 feet and a total width of approximately 8 feet. The proposed sign will read "Minneluzahn Senior Center" and also allow for four lines of four inch high changeable letters. The proposed sign has approximately 78 square feet of sign area with 39 square feet located on each side of the proposed sign.

Setbacks: Staff noted that Section 15.28.200 of the Rapid City Municipal Code allows on-premises ground signs to have a zero setback from the right-of-way so long as the bottom of the sign is a minimum of 10 feet clear from grade. The proposed sign is located approximately seven feet from the front property line along North Fifth Street. The submitted sign design indicates that the bottom of the proposed sign will be a minimum of 10 feet above the ground.

Flood Plain: Staff noted that the location of the proposed sign is within the 500 year federally designated flood plain. However, the proposed sign will not be located within the 100 year flood plain or the hydraulic floodway. As such, no Flood Plain Development Permit is required.

Staff recommends approval of the SDCL 11-6-19 Review with the above stated stipulation.