

STAFF REPORT
July 7, 2005

No. 05SR037 - 11-6-19 SDCL Review to allow temporary signs

ITEM 45

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 05SR037 - 11-6-19 SDCL Review to allow temporary signs
EXISTING LEGAL DESCRIPTION	Tract 20, less Lot 1H, Rapid City Greenway Tract, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 16 acres
LOCATION	301 North Fifth Street
EXISTING ZONING	Flood Hazard District
SURROUNDING ZONING	
North:	Public District
South:	General Commercial District
East:	Light Industrial District - Flood Hazard District
West:	Flood Hazard District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	6/20/2005
REVIEWED BY	Todd Tucker / Not Assigned

RECOMMENDATION:

Staff recommends that the 11-6-19 SDCL Review to allow temporary signs be approved with the following stipulations:

1. Staff is recommending that a revised sign design be submitted showing that the lettering of the signage is readable by motorists on the street. In addition, staff is recommending that the graphic design be removed from the proposed signage;
2. The proposed signs will conform to the design submitted with this application;
3. The proposed signs will not be located within any sight triangles;
4. The proposed signs will not be located within the federally designated 100 Year Flood Plain;
5. Prior to initiation of construction, the City Council shall approve of the proposed signage; and,
6. The proposed signage shall be removed within one year of the completion of the improvements to Memorial Park.

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GENERAL COMMENTS: The subject property is located on the north side of Omaha Street between Mount Rushmore Road and Fifth Street. The subject property is currently owned by the City of Rapid City and is the location of Memorial Park. The applicant is proposing to construct three temporary ground signs on the subject property to notify City residents of the proposed park improvements in the year 2006. The applicant is requesting approval of an SDCL 11-6-19 Review to allow the construction of temporary signs 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 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". The proposed construction is for a public purpose and is located on public property requiring that the proposed construction be reviewed and approved by the Rapid City Planning Commission as a part of an SDCL 11-6-19 Review.

STAFF REVIEW: Staff has reviewed the SDCL 11-6-19 Review and has noted the following issues:

Design Features: The proposed signs will be four feet in height and six feet in width. The proposed signs will have a white background with lettering in red, green and black with a color rendition of the proposed park improvements. The signs will read "Coming in 2006", "Memorial Park Improvements", "City of Rapid City Parks and Recreation" and "We Create Smiles". Concerns have been raised regarding the size of the lettering and the graphic design on the proposed signs. Staff has concerns that the lettering will not be large enough to read from the roadway nor will the graphic design be readable from the street. As such, staff is recommending that the applicant revise the design of the sign to insure that the letters are readable by motorists passing by on the street. In addition, staff is recommending that the graphic design be removed from the proposed signage.

Sign Permit: Because the proposed signs will be for a public purpose they are exempt from the sign code and will not require a sign permit.

Sight Triangles: Staff noted that the proposed signs will be located outside of the sight triangles at the intersections of Omaha Street and Mount Rushmore Road and Omaha Street and Fifth Street.

Flood Plain: A portion of the subject property is located within the federally designated 100 Year Flood Plain. However, staff noted that the proposed signs are located outside of the 100 Year Flood Plain. As such, no Flood Plain Development Permit will be required for the proposed signs.

City Council Approval: Recently, the City Council has indicated that no additional signage can be constructed on City owned property without the consent of the City Council. As such, the City Council shall approve of the proposed signage prior to initiation of construction.

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Park Use: During a recent review of the proposed Omaha Street Corridor Park Master Plan, concerns were raised about the introduction of new structures to the public park and greenway system along Omaha Street. Staff has taken those concerns into consideration and due to the fact that the proposed signs are of a temporary nature and are in compliance with the Sign Code, Zoning Ordinance and are not located within any sight triangles staff is recommending approval of the proposed temporary signs with the above stated stipulations.