

STAFF REPORT
November 10, 2005

No. 05SR061 - SDCL 11-6-19 Review to allow the installation of a sign on public property **ITEM 5**

GENERAL INFORMATION:

PETITIONER	Rosenbaum's Signs
REQUEST	No. 05SR061 - SDCL 11-6-19 Review to allow the installation of a sign on public property
EXISTING LEGAL DESCRIPTION	Lot 1, SE1/4 NE1/4, Section 3, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 4.74 acres
LOCATION	915 Mountain View Road
EXISTING ZONING	Park Forest District
SURROUNDING ZONING	
North:	Shopping Center - 2 District
South:	Medium Density Residential District
East:	General Commercial District/Office Commercial District (Planned Commercial Development)
West:	Park Forest District
PUBLIC UTILITIES	City water, sewer
DATE OF APPLICATION	10/14/2005
REVIEWED BY	Mike Maxwell / Michelle Horkey

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to allow the installation of a sign on public property be denied without prejudice.

GENERAL COMMENTS:

The subject property is located at 915 Mountain View Road. The proposed sign is to replace an existing sign located on the site. The sign will be three feet six inches by twelve feet and shall read "Regional Behavioral Health Center." The sign is reduced in square footage from 71.5 square feet to 43 square feet. The applicant is requesting approval of an SDCL 11-6-19 Review to allow the construction of a sign on public property.

In 1997, a variance to the size and number of signs allowed on the street frontage was approved for this location by the City Council.

The property is currently leased from the City of Rapid City. The City Attorney's office has reviewed the lease and determined that the sign is authorized by terms of the existing lease.

STAFF REPORT
November 10, 2005

No. 05SR061 - SDCL 11-6-19 Review to allow the installation of a sign on public property **ITEM 5**

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". As previously indicated, the proposed construction will be located 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:

Size and Height: The proposed sign will incorporate approximately 43 square feet located on each side. The sign dimensions do not comply with maximum size requirements of 32 square feet on each side as allowed pursuant to 15.28.220 of the Rapid City Municipal Code for public or private institutions. The proposed size of the sign will require a variance to the Sign Ordinance prior to obtaining a building permit.

Setbacks: The proposed sign is located adjacent to Mountain View Road and Canyon Lake Drive. At present, a 10 foot setback is required from the property line. The South Dakota Department of Transportation is planning a road reconstruction project for Mountain View Road. The road reconstruction will result in an additional amount of right-of-way being acquired. Staff is recommending that the sign be located in a manner that complies with the setbacks from the new right-of-way.

Staff recommends the SDCL 11-6-19 Review be denied without prejudice to allow the applicant to obtain the required sign code variance prior to consideration of the 11-6-19 SDCL Review request by the Planning Commission.