

STAFF REPORT
February 23, 2006

No. 06SR003 - 11-6-19 SDCL Review to allow the installation of a sign on public property **ITEM 16**

GENERAL INFORMATION:

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| PETITIONER | Mike Willey for Rosenbaum Signs |
| REQUEST | No. 06SR003 - 11-6-19 SDCL Review to allow the installation of a sign on public property |
| EXISTING LEGAL DESCRIPTION | Lot1 of the 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 and sewer |
| DATE OF APPLICATION | 1/26/2006 |
| REVIEWED BY | Mike Maxwell / Emily Fisher |

RECOMMENDATION:

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

1. Prior to installation of the sign, a Sign Permit shall be obtained;
2. The sign shall comply architecturally with the design plans as submitted with this application; and,
3. Prior to the obtaining a sign permit, a Floodplain Development Permit shall be obtained.

GENERAL COMMENTS: The applicant has submitted a request for an 11-6 19 SDCL review to construct a sign on public property. The sign is to be located at the Regional Behavioral Health Center located at 915 Mountain View Road. The proposed sign will replace the existing sign and will measure three foot six inches by twelve feet with a total area of 42.3 square feet. The sign's dimensions do not comply with the maximum size requirements of 32 square feet as allowed pursuant to 15.28.220 of the Rapid City Municipal Code for public or private institutions. The applicant sought a variance to the Rapid City Municipal Code and on January 18, 2006 a variance to the size requirement was granted by the Sign Code

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Board of Appeals allowing the sign to exceed the 32 square feet as allowed pursuant to 15.28.220 of the Rapid City Municipal Code for public or private institutions.

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 Staff has reviewed the lease and determined that the sign is authorized by the terms of the existing lease.

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 of advertising area. The sign dimensions comply with the minimum size requirements as approved as part of a variance granted by the Sign Code Board of Appeals on January 18, 2006.

Setbacks: The proposed sign is located adjacent to Mountain View Road and Canyon Lake Road. The sign will be setback from the road right-of-way a minimum of ten feet. The proposed sign will not interfere with the sight triangle for this location.

Design Features: The proposed sign will measure three foot six inches by twelve feet and will be construed with a double column design with internal illumination and have the same earth tone colors as the existing building. The sign will identify the Regional Behavioral Health Center.

Floodplain Permit: The proposed sign is located within the floodplain. As such, prior to obtaining a sign permit, a Floodplain Development Permit shall be obtained and a copy of the approved permit shall provided to the Growth Management Department.

Staff recommends the SDCL 11-6-19 Review be approved with the above stated stipulations.