

STAFF REPORT
February 22, 2007

No. 07SR007 - SDCL 11-6-19 Review to allow the construction of a sign on public property **ITEM 12**

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 07SR007 - SDCL 11-6-19 Review to allow the construction of a sign on public property
EXISTING LEGAL DESCRIPTION	The S1/2 of the NE1/4 and the NE1/4 of the SE1/4, unplatted, Section 32, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 32 acres
LOCATION	514 City Springs Road
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Medium Density Residential District - Low Density Residential District
East:	Low Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	N/A
DATE OF APPLICATION	1/26/2007
REVIEWED BY	Travis Tegethoff / Emily Fisher

RECOMMENDATION:

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

GENERAL COMMENTS: The applicant is seeking a SDCL 11-6-19 Review approval to install a sign on public property located in Wilderness Park at 514 City Springs Road. The subject property and the properties to the north, east, and west are currently zoned Low Density Residential District. The properties to the south are zoned Low Density Residential District and Medium Density Residential District.

The proposed sign is to be located in Wilderness Park in the southeast corner of the subject property. The park identification sign is proposed to be four foot by eight foot in size and have a maximum height of seven feet, with three feet of clearance to allow for maintenance around the sign. The proposed sign is constructed of recycled plastic and will be green and beige with green posts. The sign will state "Welcome to Wilderness Park 514 City Springs

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Road”.

On June 8, 2006 Planning Commission approved a SDCL 11-6-19 Review (06SR044) to allow the installation of a similar sign at Horace Mann Park. The size and style of the proposed sign will be identical to the sign installed at Horace Mann Park.

On November 22, 2006 Planning Commission approved a SDCL 11-6-19 Review (06SR074) to allow the installation of two signs at Robbinsdale Park identical in size and style to the sign placed at Horace Mann Park.

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 subject property is publicly owned land requiring that the Planning Commission review and approve the proposed installation.

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

Sign Permit: Staff noted that a Sign Permit shall be obtained prior to installing the sign.

Floodplain Development Permit: It appears that this sign is either in or adjacent to the 100 year federally designated hydraulic floodplain. As such, the sign must be located outside of the 100 year federally designated hydraulic floodplain or a Flood Plain Development Permit must be obtained prior to installation of the sign.

Size/Height/Spacing: Staff noted that the proposed sign is not located within 100 feet of any other on-premises ground signs. Staff also noted that the sign must be located outside the site triangle and outside of the public right-of-way. The sign appears to meet all size, height and spacing requirements for on-premises ground signs set forth in Section 15.28.200 of the Rapid City Municipal Code.

Staff recommends approval of the SDCL 11-6-19 Review.