

STAFF REPORT
February 22, 2007

No. 07SR008 - SDCL 11-6-19 Review to allow the construction of signs on public property **ITEM 13**

GENERAL INFORMATION:

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| PETITIONER | City of Rapid City |
| REQUEST | No. 07SR008 - SDCL 11-6-19 Review to allow the construction of signs on public property |
| EXISTING LEGAL DESCRIPTION | The unplatted portion of Block 4 of Millard Addition, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE | Approximately 5.3 acres |
| LOCATION | 220 College Avenue |
| EXISTING ZONING | Medium Density Residential District |
| SURROUNDING ZONING | |
| North: | Low Density Residential District |
| South: | Medium Density Residential District |
| East: | Medium Density Residential District |
| West: | Medium 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 signs on public property be approved.

GENERAL COMMENTS: The applicant is seeking a SDCL 11-6-19 Review approval to install two signs on public property located in College Park at 220 College Avenue. The subject property and the properties to the south, east, and west are currently zoned Medium Density Residential District. The property located to the north is zoned Low Density Residential District.

The proposed signs are to be located in College Park with one sign on the north side of the park and the other sign on the south side of the park. The park identification signs are 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 signs are constructed of recycled plastic and will be green and beige with green posts. The signs will state "Welcome to College Park".

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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 signs 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 the proposed signs are either in or adjacent to the 100 year federally designated hydraulic floodplain. As such, the signs 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 signs are not located within 100 feet of any other on-premises ground signs. Staff also noted that the signs must be located outside the site triangle and outside of the public right-of-way. The signs appear 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.