

STAFF REPORT
May 24, 2007

No. 07SR029 - SDCL 11-6-19 Review to allow temporary structures on public property **ITEM 12**

GENERAL INFORMATION:

PETITIONER	Exchange Club of Rapid City
REQUEST	No. 07SR029 - SDCL 11-6-19 Review to allow temporary structures on public property
EXISTING LEGAL DESCRIPTION	Blocks 1 and 2 of Boulevard Addition, Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.47 Acres
LOCATION	Halley Park at 515 West Boulevard
EXISTING ZONING	Park Forest District
SURROUNDING ZONING	
North:	Light Industrial District
South:	Office Commercial District (Planned Development Designation) - General Commercial District
East:	Central Business District
West:	General Commercial District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	4/16/2007
REVIEWED BY	Travis Tegethoff / Mary Bosworth

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to allow temporary structures on public property be approved.

GENERAL COMMENTS: The applicant is requesting approval of a SDCL 11-6-19 Review to allow a temporary display in Halley Park. The subject property is located west of West Boulevard between West Main Street and Saint Joseph Street. The display will consist of 60 United States flags on the west end of Halley Park. The display will be on June 14, 2007 for Flag Day.

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

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location and extent thereof shall have been submitted to and approved by the Planning Commission". The proposed site is on publicly owned land requiring that the Planning Commission review and approves the proposed event.

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 issues:

Temporary Use Permit: Staff noted that no Temporary Use Permit will be required for the event.

Signage: Staff noted that no banners or signage shall be allowed within the public rights-of-way.

Lighting: Staff noted that all site lighting shall be directed away from the adjacent rights-of-way.

Floodplain: Staff noted that the display is outside of the 100 year floodplain and floodway. As such, no Floodplain Development Permit is required.

Parks Division: Staff noted that the applicant shall meet with Park Division staff prior to the event to verify the exact location of the display and avoid placing the flags in the area of the recently installed irrigation system.

Staff recommends that the SDCL 11-6-19 Review to allow a temporary use on public property be approved.