

STAFF REPORT  
April 24, 2008

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**No. 08SR016 - SDCL 11-6-19 Review to allow the construction of a sign on public property**      **ITEM 56**

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GENERAL INFORMATION:

APPLICANT/AGENT	Lon Van Deusen for City of Rapid City
PROPERTY OWNER	City of Rapid City
REQUEST	<b>No. 08SR016 - SDCL 11-6-19 Review to allow the construction of a sign on public property</b>
EXISTING LEGAL DESCRIPTION	Lot 4 of Dairyland Subdivision, Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 58.0 Acres
LOCATION	1615 Sedivy Lane
EXISTING ZONING	Public District - Flood Hazard District
SURROUNDING ZONING	
North:	General Agriculture District - General Commercial District - Light Industrial District
South:	General Commercial District - Flood Hazard District
East:	No Use District
West:	Flood Hazard District - General Agriculture District
PUBLIC UTILITIES	Public
DATE OF APPLICATION	2/25/2008
REVIEWED BY	Jonathan Smith / Ted Johnson/ <b>Jared Ball</b>

RECOMMENDATION:

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

1. Prior to Planning Commission approval, the applicant shall submit a revised site plan drawn to scale for review and approval that identifies all existing utilities, existing signs, existing structures, irrigation lines, drainage/utility easements, proposed sign location, the location of the sight triangle and the location of the 100 year flood plain.

GENERAL COMMENTS:

**(Update: April 14, 2008. All revised and/or added text is shown in bold.) This item was continued at the April 10, 2008 Planning Commission meeting because the stipulation of approval had not been met. Staff recommends that this item be approved with the stated stipulation.**

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The applicant has submitted an SDCL 11-6-19 request to allow construction of a sign on public property. The property is platted as Lot 4 Dairyland Subdivision. The property is located north of the intersection of Sedivyn Lane and East Saint Frances Street. The property is currently being used for recreation/park purposes. Located on the property are several baseball/softball diamonds and associated accessory buildings. The applicant is proposing to construct a 32 square foot sign that is 5 feet, 6 inches in height. The proposed sign will read "Welcome to the Star of the West Sports Complex". A portion of the property is currently zoned Public District, with the remainder of the property zoned Flood Hazard District.

South Dakota Codified Law 11-6-19 states that "whenever any such municipal council shall have adopted the comprehensive plan of the municipality or any part thereof, then and thenceforth, 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 as defined in § 11- 6-26, until and unless the location and extent thereof shall have been submitted to and approved by the Planning Commission". The proposed ground sign is being constructed on public property and the property is identified as being located within the area covered by the Rapid City Comprehensive Plan requiring that the improvements be reviewed and approved by the Rapid City Planning Commission.

**STAFF REVIEW:**

The applicant has submitted a site plan identifying the proposed sign location. The submitted site plan is not drawn to scale and does not identify other features on the property such as existing signs, utility locations, existing structures and other features located on-site. Staff has concerns that utilities, and irrigation lines may potentially be damaged during the installation of the proposed sign. Further, the sign may be located in a sight triangle. Staff recommends that the applicant submit a revised site plan that is drawn to scale and identifies all existing utilities, existing signs, existing structures, irrigation lines, as well as, any drainage/utility easements, if applicable.

In addition, because of spacing requirements in regard to ground mounted signs, the applicant's site plan must identify any existing signs located on the property. Furthermore, a detailed site plan drawn to scale is needed to ensure the proper setback for the sign is being provided. A detailed site plan drawn to scale also is needed in order to determine the proposed sign's proximity to the federally designated flood plain.

Staff recommends that this item be continued to the April 10, 2008 Planning Commission meeting to allow the applicant time to submit a detailed, drawn to scale site plan.