

STAFF REPORT  
April 24, 2008

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**No. 08SR019 - SDCL 11-6-19 Review to allow the construction of a sign on public property**      **ITEM 59**

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GENERAL INFORMATION:

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|----------------------------|--|
| APPLICANT/AGENT            | Lon Van Deusen for City of Rapid City  |
| PROPERTY OWNER             | City of Rapid City   |
| REQUEST                    | <b>No. 08SR019 - SDCL 11-6-19 Review to allow the construction of a sign on public property</b>                              |
| EXISTING LEGAL DESCRIPTION | Lots 23 thru 32 of Block 14, North Rapid Subdivision, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE             | Approximately 0.5 acres  |
| LOCATION                   | 900 Van Buren Street   |
| 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           | Public   |
| DATE OF APPLICATION        | 2/21/2008  |
| REVIEWED BY                | Jonathan Smith / Mary Bosworth/ <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, and the location of the sight triangle.

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 a SDCL 11-6-19 request to allow construction of a sign on public property. The property is located at 900 Van Buren Street, which is located southeast of the intersection of Van Buren Street and West Boulevard North. The property is platted as Lot 23-32, Block 14 of North Rapid Subdivision. Current use of the property is a City Park. An accessory building associated with the park use is located on the property. 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 American Legion Park". The property is currently zoned Medium Density Residential 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.