

STAFF REPORT
September 25, 2008

No. 08SR049 - SDCL 11-6-19 Review to allow the installation of a sign on public property **ITEM 48**

GENERAL INFORMATION:

APPLICANT/AGENT	Dave Mueller for Rapid City Girls Junior Olympic ASA
PROPERTY OWNER	City of Rapid City
REQUEST	No. 08SR049 - SDCL 11-6-19 Review to allow the installation of a sign on public property
EXISTING LEGAL DESCRIPTION	Lot 2 of Block 26 of Robbinsdale Addition No. 10, located in the E1/2, Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 5.0 acres
LOCATION	4415 Parkview Drive
EXISTING ZONING	Public District
SURROUNDING ZONING	
North:	Medium Density Residential District (Planned Residential Development)
South:	Low Density Residential District (Planned Residential Development)
East:	Low Density Residential District - General Agriculture District
West:	Public District
PUBLIC UTILITIES	City Water/Sewer
DATE OF APPLICATION	6/11/2008
REVIEWED BY	Jared Ball / Karley Halsted

RECOMMENDATION:

Staff will recommend that the SDCL 11-6-19 Review **be approved, if the applicant obtains a variance from the Sign Code Board of appeals and submits a revised site plan identifying all underground utilities and irrigation information prior to Planning Commission approval.**

GENERAL COMMENTS: (September 15, 2008. All revised and/or added text is shown in bold.) This item was continued at the August 7, 2008 Planning Commission meeting because all of the required information had not been submitted. As of this writing the required site plan identifying all underground utilities and irrigation information has not been submitted. In addition the applicant will be going before the Sign Code

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Board of Appeals on September 17, 2008 with a variance request to allow an on premise sign to be located less than 100 feet from another on premise sign on the property as required per Section 15.28.200 of the Rapid City Municipal Code. As such, staff will recommend that the SDCL 11-6-19 Review be approved, if the applicant obtains a variance from the Sign Code Board of Appeals and submits a revised site plan identifying all underground utilities and irrigation information prior to Planning Commission approval. The property is located at 4415 Parkview Drive west of Parkview Drive and south of East Minnesota Street. The property is currently zoned Public District. The property to the south is zoned Low Density Residential District with a Planned Residential Development. The property to the north is zoned Medium Density Residential District with a Planned Residential Development. The property to the east is zoned Low Density Residential District with a Planned Residential Development, and the property to the west is zoned Public District. The property is owned by the City of Rapid City and is currently being used as a softball facility. The applicant is proposing to install an eight foot by five foot metal sign that reads "Parkview Softball Complex". The sign will be 11 feet in height.

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 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:

Staff has reviewed the SDCL 11-6-19 and has noted the following considerations:

Sign Permit: The applicant should be aware that a sign permit is required prior to construction of the sign.

Flood Plain: Staff has reviewed the location of the proposed sign and determined that the proposed sign is not located within the Federally Designated Flood Plain.

Utilities: As of this date the location of the utilities has not been identified on the site plan. Prior to Planning Commission approval the applicant must submit a revised site plan identifying all underground utilities and irrigation lines and sprinkler heads for review and approval.

Sign location: The proposed location of the sign is within 100 feet of two existing signs located on the property. Section 15.28.200 of the Rapid City Municipal Code requires that there be a minimum of 100 feet every on-premise sign. Prior to Planning Commission approval the applicant must submit a revised plan showing the sign located a minimum of 100 feet from all other signs or the applicant must obtain a variance from Section 15.28.200 of the Rapid

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City Municipal Code. **The applicant is scheduled to go before the Sign Code Board of Appeals on September 17, 2008.**

Sight Triangle: Staff review indicates that the location of the sign will not affect the sight triangle for vehicles entering or exiting the property.

Staff will recommend that the SDCL 11-6-19 Review be approved, if the applicant obtains a Variance from the Sign Code Board of Appeals and submits a revised site plan identifying all underground utilities and irrigation information prior to Planning Commission approval.