

STAFF REPORT  
October 23, 2008

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**No. 08SR087 - SDCL 11-6-19 Review to authorize additional location for City of Presidents statue** **ITEM 49**

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GENERAL INFORMATION:

APPLICANT/AGENT	Don Perdue for City of Presidents
PROPERTY OWNER	N/A
REQUEST	<b>No. 08SR087 - SDCL 11-6-19 Review to authorize additional location for City of Presidents statue</b>
EXISTING LEGAL DESCRIPTION	Street right-of-way located adjacent to Lot 1 of Block 95 of the Original Town of Rapid City, Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	N/A
LOCATION	Southeast corner of the intersection of Sixth Street and St. Joseph Street
EXISTING ZONING	Central Business District
SURROUNDING ZONING	
North:	Central Business District
South:	Central Business District
East:	Central Business District
West:	Central Business District
PUBLIC UTILITIES	N/A
DATE OF APPLICATION	9/26/2008
REVIEWED BY	Marcia Elkins / Mary Bosworth

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to authorize one additional location for a City of Presidents statue be approved.

GENERAL COMMENTS: The City of Presidents has submitted this SDCL 11-6-19 Review application to obtain permission to locate one additional presidential statue at the southeast corner of the intersection of St. Joseph Street and 6<sup>th</sup> Street. The statue would be located in the same approximate location as the other statues located throughout the Central Business District.

STAFF REVIEW:

South Dakota Codified Law 11-6-19 states that "...whenever any such municipal council has

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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". The additional presidential statue is proposed to be located within the public right-of-way. The property is identified as being located within the area covered by the Rapid City Comprehensive Plan requiring that the improvement be reviewed and approved by the Rapid City Planning Commission.

Staff has reviewed the SDCL 11-6-19 Review application to locate one additional presidential statue at the southeast corner of the intersection of St. Joseph Street and 6<sup>th</sup> Street and offer the following comments:

Sight Distance Triangle: Staff has reviewed the proposed location of the statue and determined that it will not be located in the sight distance triangle for either pedestrian or vehicular traffic. St. Joseph Street is a one-way street moving traffic from west to east. Due to the location of the statue at the southeast corner of the signalized intersection, its placement will not interfere with the sight distance triangle.

Future Construction: The statue is located adjacent to an existing off-street parking lot where additional construction may occur in the future. The applicant is aware of this potential and has indicated that the City of Presidents will be responsible for any costs associated with the relocation of the statue required as part of future construction.

Historic Preservation: The proposed location of the statue is within the Downtown Historic District. As such, the location must be reviewed by the Rapid City Historic Preservation Commission and approved by the South Dakota Office of History to determine its effect on the historic district. The Rapid City Historic Preservation Commission considered the request on October 3, 2008 and recommended a finding of no adverse effect. Subsequently, the South Dakota Office of History concurred with that finding.

Adopted Comprehensive Plan: The adopted Comprehensive Plan identifies the property in question as appropriate for development with Commercial activities. The installation of numerous presidential statues has been consistent with and enhanced Rapid City's Central Business District. The statues compliment the historic fiber of Rapid City's downtown, contribute significantly to the aesthetics of the area and are a significant attraction for both visitors and residents. Staff finds that the location and extent of the proposed additional statue is consistent with the adopted Comprehensive Plan and staff recommends approval of the SDCL 11-6-19 application.