

STAFF REPORT  
May 21, 2009

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**No. 09PD018 - Major Amendment to a Planned Commercial Development to revise the sign package**      **ITEM 10**

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GENERAL INFORMATION:

APPLICANT/AGENT	Midland Rushmore, LLC
PROPERTY OWNER	Midland Rushmore, LLC
REQUEST	<b>No. 09PD018 - Major Amendment to a Planned Commercial Development to revise the sign package</b>
EXISTING LEGAL DESCRIPTION	Tract E of Block 2 of Rushmore Crossing, located in Section 29 and Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 20.88 acres
LOCATION	1617 Eglin Street
EXISTING ZONING	General Commercial District (Planned Commercial Development)
SURROUNDING ZONING	
North:	General Commercial District (Planned Development Designation)
South:	General Commercial District (Planned Commercial Development)
East:	General Commercial District
West:	General Commercial District (Planned Commercial Development)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	4/27/2009
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

Staff recommends that the Major Amendment to a Planned Commercial Development to revise the sign package be approved with the following stipulations:

1. The sign package shall be amended to allow a 2 foot 4 inch wide by 14 foot long sign along the west end of the building as proposed. The balance of the signage shall conform to the design, color and location as shown in the sign package submitted with Initial and Final Planned Commercial Development #07PD100 and the approved Minimal Amendments for "David's Bridal, "Shoe Carnival" and "Eyemart". Changes to the sign package, which the Growth Management Director determines to be consistent with the

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- original approved sign package, shall be allowed as a Minimal Amendment to the Planned Commercial Development. In addition, the Growth Management Director may approve temporary signs in accordance with Chapter 15.28.080 of the Rapid City Municipal Code. The lighting for the signs shall be designed to preclude shining on the adjacent properties and/or street(s). A sign permit shall also be obtained for each individual sign;
2. The roof top mechanical equipment shall be continually screened from view along the front and side(s) of the buildings. The roof top mechanical equipment shall also be camouflaged in color to match the color of the roof;
  3. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
  4. A minimum of 694 parking spaces shall be continually provided within 300 feet of the main entry into the building(s). In addition, 14 of the parking spaces shall be handicap accessible spaces. Landscaping and lighting shall also be maintained within the parking lot as per the previously approved parking plans;
  5. The previously approved screening fence with landscaping shall be continually maintained along Interstate 90;
  6. The proposed structure(s) shall continually conform architecturally to the plans, elevations and color palette submitted as part of original Initial and Final Planned Commercial Development Plan;
  7. The dumpsters shall be located as shown on the site plan and continually screened on all four sides as proposed;
  8. The currently adopted International Fire Code shall be continually met. In particular, fire hydrants shall be installed and operational prior to the issuance of a building permit and/or any construction on the site using combustible material(s). In addition, prior to issuance of a building permit, all weather access roads shall be constructed in compliance with the Street Design Criteria Manual in order to accommodate Fire Department apparatus. The proposed structure(s) shall also have fire sprinkler systems and be fire alarmed as per the currently adopted International Fire Code;
  9. All provisions of the General Commercial District shall be met unless an exception is specifically authorized as a stipulation of this Final Commercial Development Plan or a subsequent Major Amendment; and,
  10. The Planned Commercial Development shall expire if the use is not undertaken and completed within two years of the date of approval by the Planning Commission, or if the use as approved has ceased for a period of two years. A time extension may be granted if identified and requested as a part of a phasing schedule submitted with the Final Commercial Development Plan application; or upon written request to the Growth Management Director, and prior to the Final Development Plan approval expiration date, a one year extension for Final Development Plan approval may be granted.

**GENERAL COMMENTS:**

The applicant has submitted a Major Amendment to a Commercial Development Plan to revise the previously approved sign package. In particular, the applicant is proposing to construct a 2 foot 4 inch wide by 14 foot long sign on the west end of the existing commercial building. The applicant has indicated that the sign will identify "Eyemart" as the tenant of this portion of the building.

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On January 10, 2008, the Planning Commission approved an Initial and Final Commercial Development Plan (File #07PD100) to construct a 154,064 square foot retail structure as Phase One of Rushmore Crossing.

On June 19, 2008, a Minimal Amendment to the Commercial Development Plan was approved to allow a revised sign for "Shoe Carnival". On August 20, 2008, a second Minimal Amendment to the Commercial Development Plan was approved to allow a revised sign for "David's Bridal". On April 27, 2009, a third Minimal Amendment to the Commercial Development Plan was approved to allow a revised sign package for "Eyemart". In all three cases, the Minimal Amendments allowed a slightly larger sign along the front of the building in the same location as the previously approved sign package. The proposed sign submitted with this application is shown along the west side of the building which had never been approved for signage with the original Commercial Development Plan. As such, the applicant has submitted this Major Amendment to the Commercial Development Plan to allow the proposed sign along the west side of the building.

The property is located south of Eglin Street and west of E. North Street. Currently, a 154,064 square foot retail structure is located on the property.

**STAFF REVIEW:**

Staff has reviewed the Major Amendment to a Planned Commercial Development and has noted the following considerations:

**Signage:** As previously noted, the applicant is proposing to construct a 2 foot 4 inch wide by 14 foot long sign on the west end of the existing commercial building. The applicant has indicated that the sign will identify "Eyemart" as the tenant of this portion of the building. The sign will be constructed with aluminum and acrylic material. In addition, the sign will be internally illuminated with raised face-lit channel letters. The letters are shown in white with a blue background.

The proposed sign is consistent with the design and colors previously approved as a part of the original Commercial Development Plan. In addition, the location of the sign at the west end of the structure is internal to the development. The applicant should be aware that any future signage along the backside of the structure would not be supported.

Staff recommends that the sign package be amended to allow the 2 foot 4 inch wide by 14 foot long sign along the west end of the building as proposed. The balance of the signage must conform to the design, color and location as shown in the sign package submitted with Initial and Final Planned Commercial Development #07PD100 and the approved Minimal Amendments for "David's Bridal", "Shoe Carnival" and "Eyemart". Changes to the sign package, which the Growth Management Director determines to be consistent with the original approved sign package, may be allowed as a Minimal Amendment to the Planned Commercial Development. In addition, the Growth Management Director may approve temporary signs in accordance with Chapter 15.28.080 of the Rapid City Municipal Code. The lighting for the signs shall be designed to preclude shining on the adjacent properties

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and/or street(s). A sign permit must also be obtained for each individual sign.

Site Improvements: The previously approved commercial building is currently located on the property. In addition, the landscaping, parking, screening fencing and other infrastructure improvements to support the use have been constructed as per the previously approved Initial and Final Commercial Development Plan. As noted in the stipulations of approval, staff recommends that the site continually be maintained in compliance with the previously required site improvements.

Notification Requirement: As of this writing, the receipts for the certified mailing requirement have not been returned. Staff will notify the Planning Commission at the May 21, 2009 Planning Commission meeting if this requirement has not been met.