

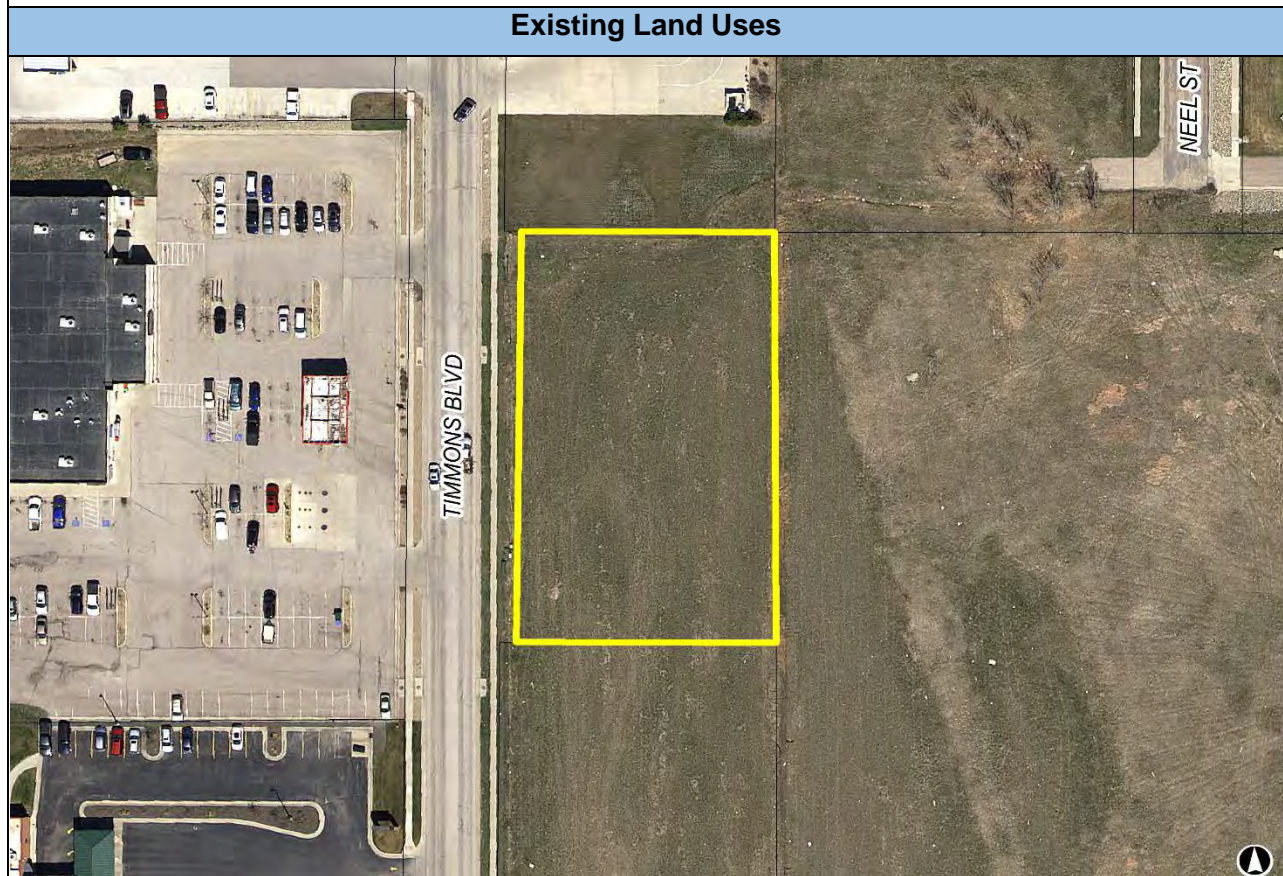
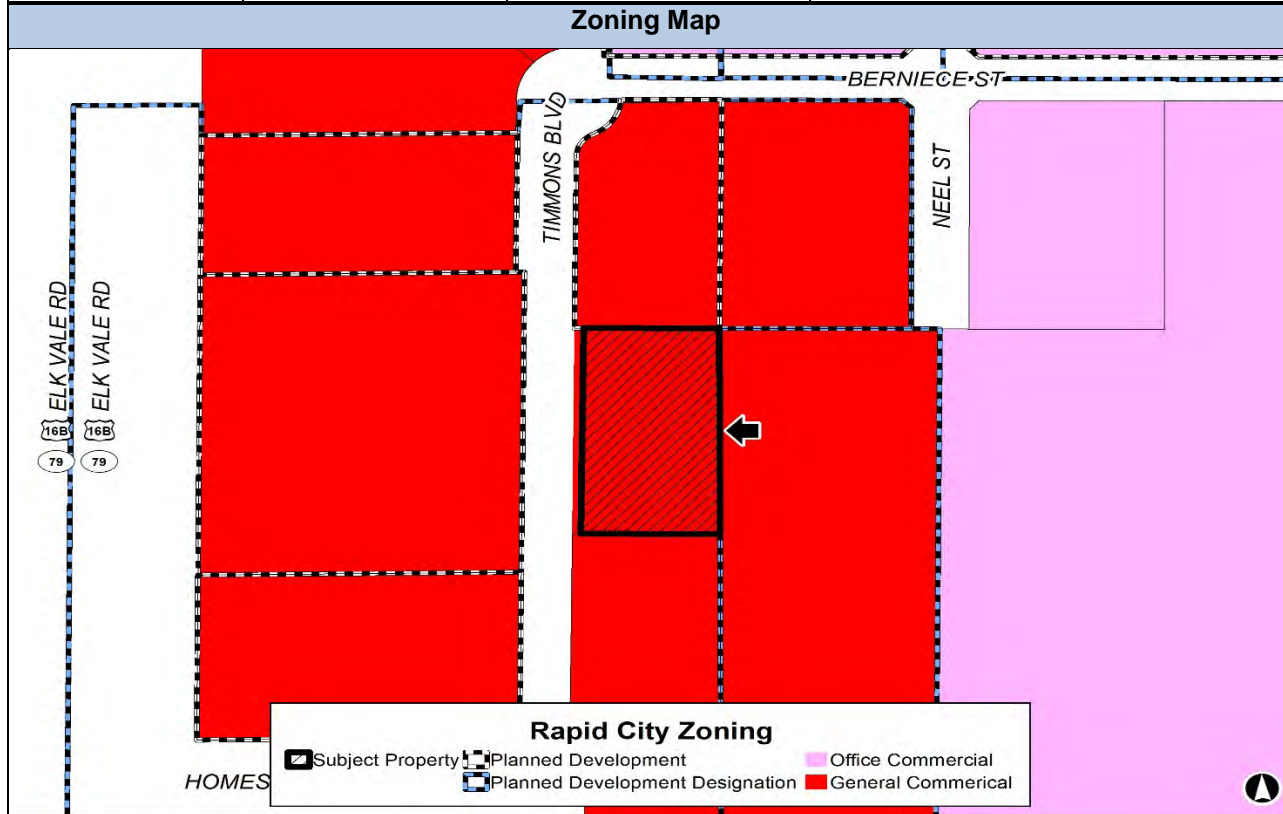


Rapid City Planning Commission Conditional Use Permit Project Report

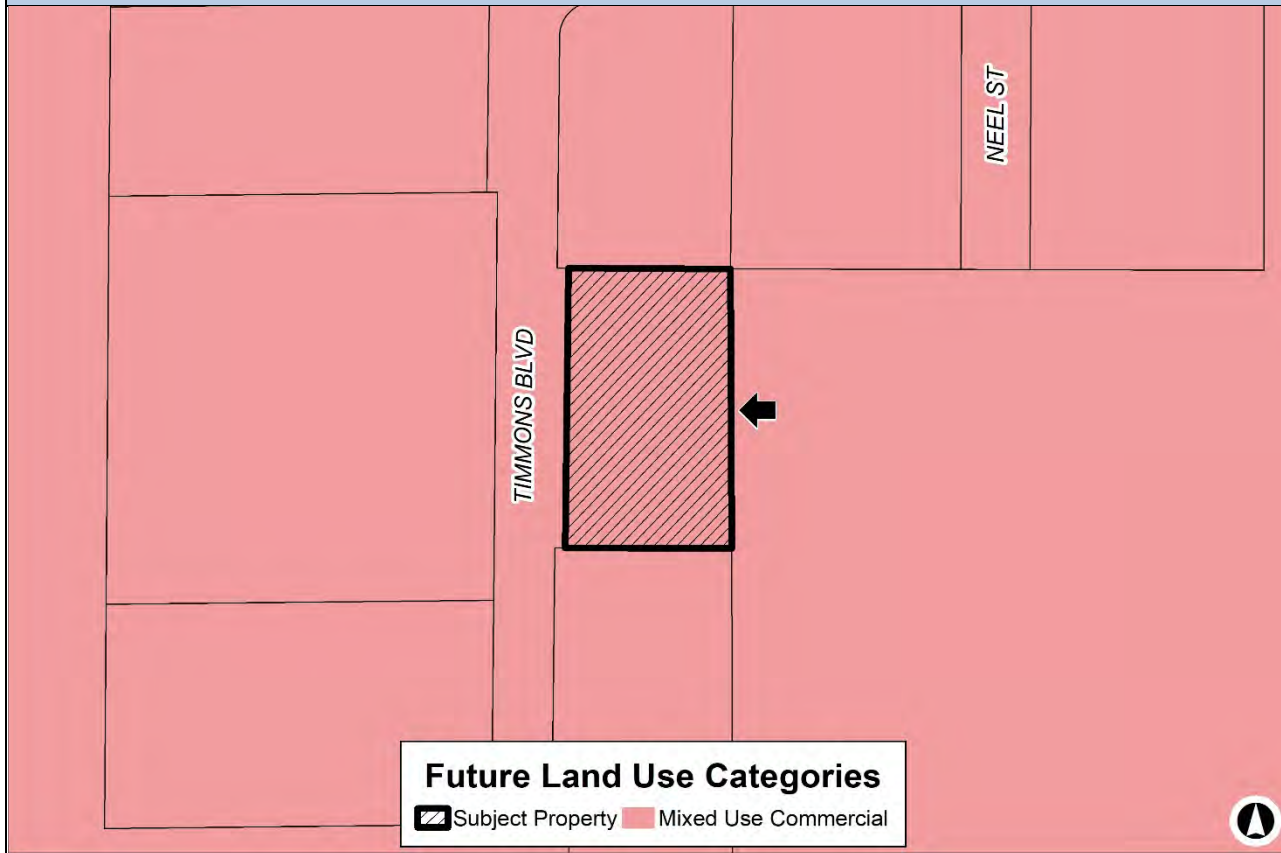
February 24, 2022

Item #5	
Applicant Request(s)	
Case #22UR004 – Major Amendment to a Conditional Use Permit to allow an LED message sign	
Companion Case(s) # N/A	
Development Review Team Recommendation(s)	
If the Planning Commission determines that the proposed LED sign is appropriate, the Development Review Team recommends that the Major Amendment to a Conditional Use Permit be approved with the stipulations noted at the end of the project report.	
Project Summary Brief	
The applicant has submitted this Major Amendment to a Conditional Use Permit to allow a Light Emitting Diode (LED) message sign. In particular, the applicant is proposing to construct a 4 foot by 8 foot LED wall sign on a multi-suite building located at 840 Timmons Boulevard. The wall sign will be located on the front of the commercial structure facing Timmons Boulevard and will not be visible from any residential development. The sign will identify the name of the business and hours of operation. The Planning Commission has directed staff to bring all proposed electronic reader board signs on a property with an existing Conditional Use Permit before the Planning Commission for consideration. A Conditional Use Permit (21UR009) was approved in July 2021 to allow on-sale liquor in conjunction with a casino for this property. The proposed signage is in compliance with the Sign Code. Adding the proposed signage does not exceed the allowable signage area for the property.	
Applicant Information	Development Review Team Contacts
Applicant: Steve Wynia, Pot O Gold Casino Too	Planner: Kelly Brennan
Property Owner: Wyngard Investments LLC	Engineer: Dan Kools
Architect: N/A	Fire District: Tim Behlings
Engineer: N/A	School District: N/A
Surveyor: N/A	Water/Sewer: Dan Kools
Other: N/A	DOT: Stacy Bartlett
Subject Property Information	
Address/Location	840 Timmons Boulevard
Neighborhood	Elk Vale Road Neighborhood Area
Subdivision	Big Sky Business Park
Land Area	0.8 acres
Existing Buildings	6,000 square foot strip mall
Topography	Rises in elevation approximately 10 feet from southeast to north
Access	Timmons Boulevard
Water Provider	Rapid City
Sewer Provider	Rapid City
Electric/Gas Provider	West River Electric Association/ MDU
Floodplain	N/A

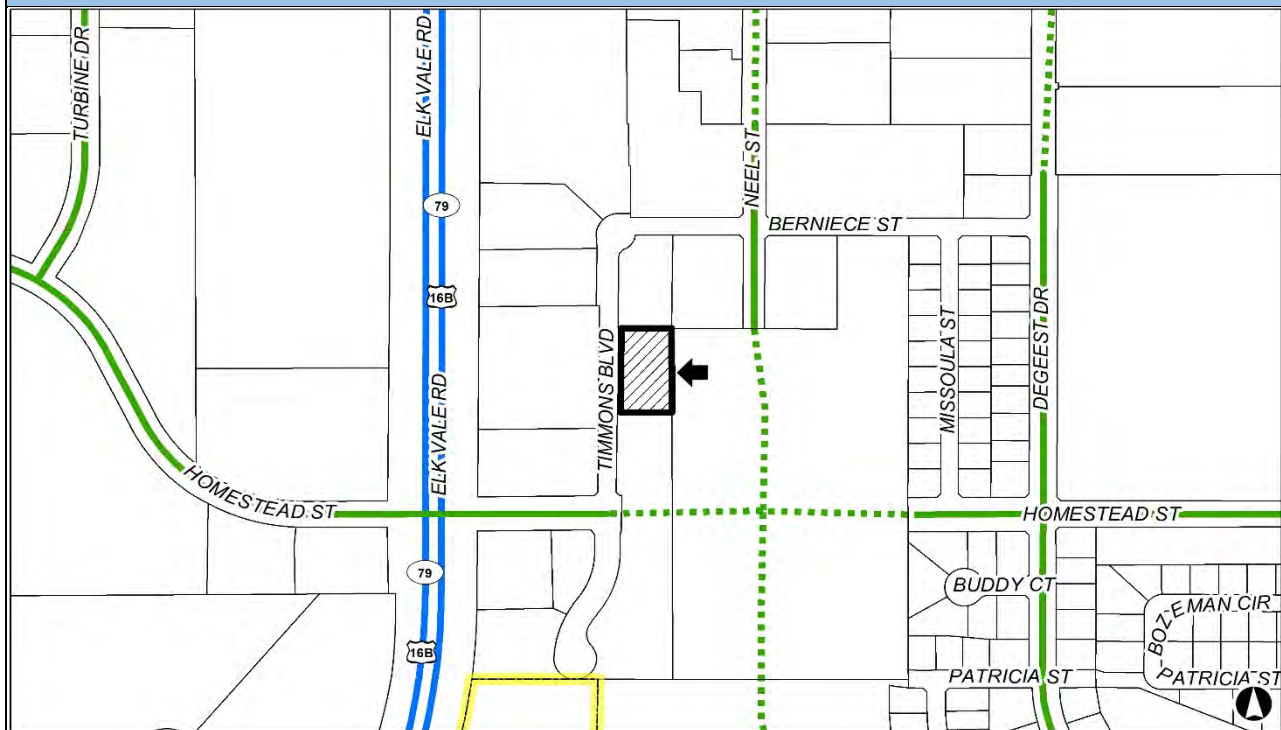
Subject Property and Adjacent Property Designations			
	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	GC	MUC	Void of structural development
Adjacent North	GC – PD, PDD	MUC	Car wash
Adjacent South	GC-PDD	MUC	Void of structural development
Adjacent East	GC-PDD	MUC	Void of structural development
Adjacent West	GC-PD, PDD	MUC	Grocery Store



Comprehensive Plan Future Land Use



Parks or Transportation Plan



Major Street Plan

Subject Property
 Rapid City Limits
 Collector
 Principal arterial
 Proposed collector

Relevant Case History

Case/File#	Date	Request	Action
21UR009	7-8-21	Conditional Use Permit to allow an on-sale liquor establishment in conjunction with a casino	Approved with stipulations






21UR018	10-07-21	Major Amendment to a Conditional Use Permit to allow an on-sale liquor establishment in conjunction with a casino	Approved with stipulations
Relevant Zoning District Regulations			
General Commercial District		Required	Proposed
Lot Area		N/A	34,848 square feet
Lot Frontage / Lot Width		N/A	~238 feet
Maximum Building Heights		4 stories, 45 feet	1 story, 17 feet-4 inches
Maximum Density		75%	~20%
Minimum Building Setback:			
• Front		25 feet	67.29 feet
• Rear		0 feet	34 feet
• Side		0 feet	46.75 feet (south), 25 feet (north)
• Street Side		25 feet	N/A
Minimum Landscape Requirements:			
• # of landscape points		27,848 points	27,952 points
• # of landscape islands		0 islands	0 islands
Minimum Parking Requirements:			
• # of parking spaces		48 spaces	49 spaces
• # of ADA spaces		2	2
Signage		As per RCMC Chapter 17.50.100	All signage must comply with RCMC Chapter 17.50.100
Fencing		As per RCMC Chapter 17.50.340	All fencing must comply with RCMC Chapter 17.50.340

Planning Commission Criteria and Findings for Approval or Denial	
Pursuant to Section 17.54.030 of the Rapid City Municipal Code the Planning Commission shall consider the following criteria	
Criteria	Findings
1. The location, character and natural features of the property:	The property is located at 840 Timmons Street and is zoned General Commercial District. The property has an existing strip mall and parking area on the lot. The proposed 4 foot by 8 foot wall sign will be located on the west frontage of the building.
2. The location, character and design of adjacent buildings:	All adjacent properties are zoned General Commercial District.
3. Proposed fencing, screening and landscaping:	No new fencing, screening, or landscaping is being proposed.
4. Proposed vegetation, topography and natural drainage:	The applicant is not proposing any new development or expansion of the structure on the property requiring additional landscape requirements.
5. Proposed pedestrian and vehicular access, circulation and parking, including that related to bicycles and other unpowered vehicles and provisions for handicapped persons:	Vehicular access to the property is from 840 Timmons Boulevard. There is no new pedestrian or vehicle access as part of this application
6. Existing traffic and traffic to be generated by the proposed use:	It is anticipated that the proposed sign will not increase traffic to the site.
7. Proposed signs and lighting:	The applicant is proposing to add a 4 foot by 8 foot electronic reader board sign. The proposed wall sign will be located on the west frontage of the building. The proposed signage is in compliance with the Sign Code.

	The applicant is also proposing a 5 foot by 10 foot static poly metal sign on the side of the building. Adding the proposed signage does not exceed the allowable signage area for the property.
8. The availability of public utilities and services:	The property is currently served by Rapid City water and sewer.
9. The objectives of the adopted comprehensive plan and the purpose of the ordinance codified herein:	The property is zoned General Commercial District. There is an approved Conditional Use Permit for the existing casino occupying 3 suites on the property. The proposed electronic reader board sign is in compliance with the Sign Code. The Planning Commission has directed staff to bring all requests for electronic reader board signs proposed within a Conditional Use Permit before the Planning Commission for consideration.
10. The overall density, yard, height and other requirements of the zone in which it is located:	The proposed sign is 4 feet by 8 feet and is located in General Commercial District. The proposed sign will face commercial uses.
11. The effects of noise, odor, smoke, dust, air, and water pollution and the degree of control through the use of clarifiers, screening, setbacks and orientation:	It does not appear that the proposed sign will have a negative effect on noise, odor, smoke, dust, air, and water pollution.
12. The degree to which conditions imposed will mitigate any probable adverse impacts of the proposed use on existing adjacent uses:	The stipulations of approval will ensure that all signage is in compliance with the Sign Code.

Planning Commission Comprehensive Plan Policy Guidance for Approval or Denial

In considering an application for approval or denial the Planning Commission finds that the application either complies or does not comply with the following values, principles, goals, and policies within the Rapid City Comprehensive Plan:

Comprehensive Plan Conformance – Core Values Chapters	
	A Balanced Pattern of Growth
BPG-1.1B	Targeted Infrastructure Investments: Property is located in an area with existing infrastructure, and is an established part of the community.
	A Vibrant, Livable Community
N/A	
	A Safe, Healthy, Inclusive, and Skilled Community
	N/A
	Efficient Transportation and Infrastructure Systems
N/A	
	Economic Stability and Growth
EC-3.1C	Other Employment Areas: The proposed Conditional Use Permit supports the investment in a growing neighborhood area providing entertainment and employment opportunities.



Outstanding Recreational and Cultural Opportunities

N/A



Responsive, Accessible, and Effective Governance

GOV-2.1A

Public Input Opportunities: The proposed Major Amendment to a Conditional Use Permit requires that public notice be advertised in the newspaper and that mailings are sent to property owners within 250 feet of the proposed development. The requested Major Amendment to a Conditional Use Permit is before the Planning Commission for review and approval. The public has an opportunity to provide input at this meeting.

Comprehensive Plan Conformance – Growth and Reinvestment Chapter

Future Land Use Plan

Designation(s): Low Density Neighborhood

Design Standards:

N/A

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter

Neighborhood: Elk Vale Road Neighborhood Area

Neighborhood Goal/Policy:

N/A

Findings

Staff has reviewed the Major Amendment to a Conditional Use Permit to allow an LED message sign pursuant to Chapter 17.50.030 of the Rapid City Municipal Code and the goals, policies, and objectives of the adopted Comprehensive Plan. The applicant has submitted this Major Amendment to a Conditional Use Permit to allow an LED message sign. The applicant is proposing to construct a 4 foot by 8 foot LED wall sign on a multi-suite building located at 840 Timmons Boulevard. The Planning Commission has directed staff to bring all proposed electronic reader board signs on a property with an existing Conditional Use Permit before the Planning Commission for consideration. A Conditional Use Permit (21UR009) was approved in July 2021 to allow on-sale liquor in conjunction with a casino for this property. The proposed signage is in compliance with the Sign Code.

Planning Commission Recommendation and Stipulations of Approval

If the Planning Commission determines that the proposed LED sign in the location proposed is appropriate, staff recommends that the Major Amendment to a Conditional Use Permit be approved with the following stipulations:

1. The LED sign was designed and operated in compliance with the Rapid City Sign Code. Any expansion to the proposed electronic reader board sign or new electronic or Light Emitting Diode (LED) signage shall require a Major Amendment to the Conditional Use Permit. A sign permit is required for any new signs.



Rapid City Department of Community Development

Development Review Advisories

*Disclosure: The Development Review Team has created this list of Advisories as a courtesy for your specific application. **This is not a complete list.** All City, District, State, and Federal requirements must be continually met.*

Applicant Request(s)	
Case # 22UR004	Major Amendment to a Conditional Use Permit to allow an LED message sign
Companion Case(s) #	N/A
ADVISORIES: Please read carefully!	
1.	A building permit shall be obtained prior to any construction. A Certificate of Occupancy shall be obtained prior to use;
2.	All requirements of the currently adopted Building Code, Mechanical and Electric Codes and the International Fire Code shall be met;
3.	All requirements of the Rapid City Infrastructure Design Criteria Manual and Rapid City Standard Specifications shall be met;
4.	ADA accessibility shall be maintained throughout the site as necessary;
5.	All parking shall be installed and maintained in compliance with the requirements of the Rapid City Parking Ordinance; and,
6.	All lighting shall be designed to preclude shining on adjacent properties and rights-of-ways, so as not to create a nuisance to neighboring properties and traffic.