

STAFF REPORT

April 5, 2001

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**No. 01UR012 - Use On Review to allow a communication tower in the General Commercial Zoning District**      **ITEM 29**

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GENERAL INFORMATION:

PETITIONER	Tetragenics for Qwest Wireless LLC
REQUEST	<b>No. 01UR012 - Use On Review to allow a communication tower in the General Commercial Zoning District</b>
LEGAL DESCRIPTION	Lot 2, Block 2, Rapp Addition, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .65 Acres
LOCATION	640 Farnwood Street
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District
East:	General Commercial District
West:	General Commercial District
PUBLIC UTILITIES	City water and sewer
REPORT BY	Lisa Seaman

RECOMMENDATION: Staff recommends that the Use On Review to allow a communication tower in the General Commercial Zoning District be continued to the April 26, 2001 Planning Commission meeting to allow the applicant time to provide additional required information.

GENERAL COMMENTS: The applicant is seeking Use on Review approval to locate a cellular tower on the subject property. Quality Transmission, Inc. currently operates a vehicle repair business on the property. Qwest is interested in leasing a 15 foot by 15 foot area of the subject property from Quality Transmissions, Inc. to erect a monopole communications tower. The applicant has indicated that this location was selected to enable them to provide cellular service to the northeast Rapid City area. The subject property is zoned General Commercial. Cellular communication towers require Use on Review approval in the General Commercial Zoning District.

STAFF REVIEW: Staff has reviewed this proposal and notes the following major issues:

Off-Street Parking: The existing 3,200 square foot structure was constructed in 1940 and currently has no paved parking. The property was annexed by the City of Rapid City on September 12, 1986 and is considered a legal nonconforming property because no paved

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parking has been provided. The City's Off-Street Parking Ordinance is triggered whenever a building or structure is erected. The construction of the new tower requires that two paved parking stalls, one being handicapped accessible, and paved circulation be provided for this new use. The addition of the tower represents only a 6.5 percent expansion of the structures on this property. The ordinance states that buildings or structures with parking facilities must conform to the provisions of the parking ordinance when an existing building or structure is enlarged by twenty percent or more with respect to square feet of gross floor area. Therefore this expansion will not trigger compliance of the parking ordinance for the existing structure. Staff has requested that the applicant submit a revised site plan identifying the location of two paved parking stalls and paved circulation to the paved parking area.

**Aesthetic Issues:** A major issue associated with new transmission towers is the visual impact the structures will have on the surrounding area and the City in general. Staff is making three recommendations that they believe will help to minimize the adverse impacts caused by this tower. First, Staff is recommending that the tower either be left unpainted or painted white. Based on past experience with other towers, Staff has found that these two color choices are the least noticed by the general public. Second, Staff is recommending that no lighting of the tower be allowed. Exceptions to the color and lighting limitations will be allowed if the Federal Aviation Administration or another federal or state authority requires something different. Thirdly, Staff is recommending that no commercial advertising be allowed on the tower.

**Co-location:** In order to reduce visual clutter and increase the efficiency of transmission towers, the City in recent years has consistently required that new towers be constructed with the ability to co-locate other future antennae. Staff has discussed this matter with Qwest representatives who have indicated that this tower will be constructed to accommodate additional antennae.

The required Use on Review sign has been posted on the property. The applicant has not returned the receipts from the certified mailing. Staff will notify the Planning Commission in the event these receipts are not received prior to the April 5, 2000 Planning Commission meeting. Staff has not received any telephone inquiries regarding this request.