

STAFF REPORT

July 26, 2001

No. 01UR026 - Use On Review to allow a communication tower in the General Commercial Zoning District **ITEM 52**

GENERAL INFORMATION:

PETITIONER	M & K Consulting for Western Wireless Corp.
REQUEST	No. 01UR026 - Use On Review to allow a communication tower in the General Commercial Zoning District
LEGAL DESCRIPTION	Lot 2, Block 9, McMahon Industrial Park No. 2, Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.00 Acres
LOCATION	3060 Haines Avenue - Duffield Construction Shop
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District
East:	General Commercial District
West:	General Commercial District (PCD)
PUBLIC UTILITIES	City sewer and water
REPORT BY	Lisa Seaman

RECOMMENDATION: Staff recommends that the Use On Review to allow a communication tower in the General Commercial Zoning District be **approved with the following stipulations:**

Engineering Division Recommendations:

1. Prior to issuance of a Building Permit, a detailed geotechnical study shall be submitted for review and approval;
2. Prior to issuance of a Building Permit, a detailed drainage study shall be submitted for review and approval;

Building Inspection Division Recommendations:

3. A Building Permit shall be obtained prior to any construction;
4. Prior to issuance of a Building Permit, three sets of Architectural/Engineer stamped plans shall be provided for review and approval;
5. A Certificate of Completion shall be obtained prior to any use of the tower;

STAFF REPORT

July 26, 2001

No. 01UR026 - Use On Review to allow a communication tower in the General Commercial Zoning District **ITEM 52**

Urban Planning Division Recommendations:

6. The tower shall be designed to allow for the co-location of a minimum of two additional antennas (for a total of three antennae) except where the additional antennas would interfere or impact the applicant's proposed antenna(s);
7. The tower shall not be illuminated by artificial means and shall not display strobe lights unless such lighting is specifically required by the Federal Aviation Administration or other federal or state authority;
8. The tower shall remain unpainted allowing the galvanized steel color to show or painted white unless alternative colors are required by the Federal Aviation Administration or other federal or state authority;
9. No commercial advertising signage shall be allowed on the tower;
10. That all requirements of the Off-Street Parking Ordinance shall be continually met; and,
11. The Use on Review shall expire if the use is not undertaken and completed within two years of the date of approval by the City Council or if the use as approved has ceased for a period of two years.

GENERAL COMMENTS: The applicant is seeking Use On Review approval to allow the location of a 100 foot cellular tower behind the Duffield Construction Shop located at 3060 Haines Avenue. The site plan submitted indicates that the proposed pole and a 10 foot by 20 foot equipment shed will be located within a 50 foot by 50 foot fenced area. The monopole will be erected 25 feet west of the property's rear lot line and 25 feet south of the side lot line. The property is zoned General Commercial and cellular communications towers are permitted as a Use On Review in the General Commercial Zoning District. **A revised site plan has been submitted that modifies the tower location on the property. The revised site plan shows that the proposed tower and equipment shed will be located behind the Duffield Construction Office, approximately 10 feet from the south lot line and approximately 120 feet east of the front property line. Currently, pavement extends east from the front property line approximately 80 feet while the remainder of the property is graveled.**

STAFF REVIEW: A site plan was submitted with this request; however the plan did not include the entire subject property. Staff has indicated that the applicant must provide a complete site plan identifying the entire property boundary, existing structures on the subject property as well as the adjacent properties and any proposed improvements. A complete review of the major issues associated with this request cannot be completed without a more comprehensive site plan. **As mentioned previously, the applicant has submitted a revised site plan and staff has noted the following considerations:**

Off-Street Parking: In 1967, a Building Permit to construct a 30 foot by 40 foot structure on the property was issued. In 1974 a Building Permit was obtained for the construction of a 72 foot by 81 foot building. The property was annexed by the City of Rapid City on March 4, 1985. Currently, paved parking exists in front of the 30 foot by 40 foot office building located at the front of the lot. This paved area is not striped to identify specific parking stalls and is not of sufficient size to accommodate

STAFF REPORT

July 26, 2001

No. 01UR026 - Use On Review to allow a communication tower in the General Commercial Zoning District **ITEM 52**

the 19 stalls required for the current use of the property. Therefore, the property is considered a legal nonconforming property because sufficient paved parking and paved circulation to the 81 foot by 72 foot building has not been provided.

The City's Off-Street Parking Ordinance is triggered whenever a building or structure is erected. The addition of the tower represents only a 2.8 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 structures. 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 revised site plan submitted by the applicant identifies the location of 2 paved parking stalls and circulation that complies with the requirements of the Rapid City Municipal Code.

Drainage Plan: The site plan submitted identifies that a substantial portion of the subject property will be paved to accommodate the circulation and parking required for the communication tower. The Engineering Division has indicated that no additional storm water runoff will be allowed directly onto Haines Avenue and that the applicant must provide a drainage plan that captures storm water runoff on-site. Therefore, staff is recommending that prior to issuance of a Building Permit the applicant shall submit a drainage plan for review and approval.

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 met with the applicant and an adjacent landowner to discuss the aesthetic issues associated with the proposed communications tower. The adjacent landowner and the applicant have agreed that the tower should be painted white to better blend into the skyline. The recommended conditions of approval would allow the tower to be painted white. In addition, 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. Staff is also 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 has required that new towers be constructed with the ability to co-locate other future antennae. Staff has discussed this matter with Western Wireless representatives who have indicated that this tower will be constructed to accommodate the additional antennae.

STAFF REPORT

July 26, 2001

No. 01UR026 - Use On Review to allow a communication tower in the General Commercial Zoning District **ITEM 52**

As of this writing, documentation of completion of the certified mailing has been submitted by the petitioner. The required Use On Review sign has been posted on the property.