

STAFF REPORT

October 4, 2001

No. 01UR052 - Use On Review to allow a communications tower in the General Commercial Zoning District **ITEM 26**

GENERAL INFORMATION:

PETITIONER	Don Steveson for Kevin Galik
REQUEST	No. 01UR052 - Use On Review to allow a communications tower in the General Commercial Zoning District
LEGAL DESCRIPTION	The N1/2 of Lot 4 and all of Lots 5 and 6 of Lot A of the SE1/4 SE1/4 of Section 6, T1N, R8E, BHM, and the east 44 feet of Lots 5, 6, 7 and 8 in Block 1 of Radio Towers Subdivision; together with that part of the alley vacated by a resolution recorded September 14, 1962, in Book 80 of misc. records on Page 442, which adjoins Lots 5, 6, 7 and 8 in Block 1, Radio Towers Subdivision all located in Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .47 acres
LOCATION	1711 Cambell Street
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District
East:	General Commercial District
West:	Medium Density Residential District
PUBLIC UTILITIES	City water and sewer
REPORT BY	Lisa Seaman

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

Building Inspection Department Recommendations:

1. That the attachment of antenna to an existing tower does not require a Building Permit but work must be performed per design requirements;

Urban Planning Division Recommendations:

2. 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 and that red strobe lighting will be utilized if lighting is

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- required;
3. That a six foot fence shall be installed surrounding the tower within 30 days of installation of the antenna;
 4. Prior to City Council approval, a revised site plan shall be submitted identifying the parking and circulation easement as a tower access easement;
 5. 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;
 6. No commercial advertising signage shall be allowed on the tower;
 7. That all requirements of the Off-Street Parking Ordinance shall be continually met; and,
 8. 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 requesting Use On Review approval to co-locate three stealth antennas on an existing 105 foot self-supporting lattice tower. Rushmore Electric Power Cooperative obtained a Building Permit in June, 1991 for the construction of the radio tower on the subject property. In 1991, communication towers were not permitted in the General Commercial Zoning District however, because the tower was to be used exclusively for communication between Rushmore Electric facilities and employees the tower was permitted as an accessory use to the Rushmore Electric offices. An ordinance amendment was approved in 1996 which revised the Rapid City Municipal Code to allow communication towers in the General Commercial Zoning District as a Use On Review.

According to information provided by the applicant this site is part of a larger network that will provide cellular communications coverage for the southeastern area of Rapid City.

STAFF REVIEW: Staff has reviewed this proposed Use On Review and has noted the following major issues.

Fencing: The existing communications tower is a self-supporting lattice tower located ten feet north of the existing office building and 115 feet west of Cambell Street. Currently, the tower is not surrounded by fencing and is in plain view of vehicular and pedestrian traffic on Cambell Street. Staff has concerns with the unobstructed access to this lattice tower and is recommending that the applicant install a six foot fence around the tower.

Easement: The applicant has indicated on the site plan for this request that they intend to record a 20 foot wide parking and circulation easement to insure access to the tower and equipment rack for maintenance of their antenna. Structures are not allowed in parking and circulation easements, therefore staff is recommending that the applicant revise the site plan to identify the location of a 20 foot tower access easement.

Aesthetic Issues: A major issue associated with transmission towers is the visual impact the structures 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

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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: Staff would like to commend the applicant for their efforts in finding a suitable existing tower for the co-location of their communications antenna and encourage the property owner to allow the co-location of other antenna on this tower if structurally feasible. Use On Review approval of this request will allow for the co-location of additional antenna on this existing tower if all requirements of the Rapid City Municipal Code are met.

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.