

STAFF REPORT

October 23, 2003

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**No. 03SR043 - 11-6-19 SDCL Review to allow additional antennas on an existing communication tower**      **ITEM 50**

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GENERAL INFORMATION:

PETITIONER	Realcom Associates for Western Wireless Corporation
REQUEST	<b>No. 03SR043 - 11-6-19 SDCL Review to allow additional antennas on an existing communication tower</b>
EXISTING LEGAL DESCRIPTION	One acre in S1/2 SW1/4, Section 2, T1N, R7E, unplatted, Section 2, T1N, R7E, BHM, Rapid City Pennington County, South Dakota
PARCEL ACREAGE	approximately 1.0 Acres
LOCATION	1625 Skyline Drive
EXISTING ZONING	Park Forest District
SURROUNDING ZONING	
North:	Park Forest District
South:	Park Forest District
East:	Park Forest District
West:	Park Forest District
PUBLIC UTILITIES	N/A
DATE OF APPLICATION	09/26/2003
REPORT BY	Karen Bulman

RECOMMENDATION:

Staff recommends that the 11-6-19 SDCL Review to allow additional antennas on an existing communication tower be approved with the following stipulations:

Fire Department Recommendations:

1. The Fire Department shall be notified when installation of the additional antenna is to be installed,
2. A fire watch shall be posted at the base of the work area if any hot work is to occur on site,

Urban Planning Division Recommendations:

3. That the Rapid City Municipal Code Chapter 17.50.270 Off-street parking ordinance shall be met at all times,

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4. Prior to Planning Commission approval, a revised site plan shall be provided showing two parking stalls, including one handicapped accessible stall; and,
5. Prior to Planning Commission approval, all circulation and parking stalls on site must be paved.

GENERAL COMMENTS: The applicant is proposing to add one microwave dish antenna, six feet in diameter, to an existing communication tower located 1625 Skyline Drive. The property is located in Park Forest Zoning District and is surrounded by Park Forest Zoning District. In 1992, a Use on Review was approved for a television transmission tower and related accessory buildings. In that same year, a variance to construct the building without paving the access road as required by ordinance was approved by the Zoning Board of Adjustment. In 1997, a Use on Review was approved to attach guy wires to the tower to strengthen the tower.

South Dakota Codified Law 11-6-19 states that "...whenever any such municipal council has adopted a comprehensive plan, then no street, park or other public way, ground, place, space, no public building or structure, no public utility, whether publicly or privately owned, if covered by the comprehensive plan or any adopted part thereof, shall be constructed or authorized in the municipality or within its subdivision jurisdiction until and unless the location and extent thereof shall have been submitted to and approved by the Planning Commission". The proposed use is a public utility and incorporates structural improvements. In addition, the property is located within the area covered by the Rapid City Comprehensive Plan requiring that the proposed expansion be reviewed and approved by the Rapid City Planning Commission as a part of an 11-6-19 SDCL Review.

STAFF REVIEW: Staff has reviewed the proposed 11-6-19 SDCL Review as it relates to the applicable provisions of the Rapid City Municipal Code and has noted the following issue:

Parking and Paving: The existing unmanned communication tower and equipment are located at 1625 Skyline Drive within a fenced area on approximately one acre of land. None of the circulation and parking areas are currently paved as they received the variance from the paving requirement in 1992. This expansion of use will now require that the applicant provide two paved parking spaces, including one handicapped stall, and that the circulation to the parking be paved. The applicant is requesting that the parking and paving requirement be waived due to the location of the site and the minimal expansion of use. If the Planning Commission feels that it is not necessary to pave the parking and circulation areas, staff would recommend approval of the 11-6-19 SDCL Review to allow an additional antenna on an existing tower with the Fire Department stipulations and eliminating the Urban Division stipulations.

Staff notes that 11-6-19 South Dakota Codified Law Reviews do not require direct notification of neighboring property owners. In addition, South Dakota Codified Law does not require that 11-6-19 South Dakota Codified Law reviews be advertised in a local newspaper. Staff is recommending that the proposed request be approved with the previously stated stipulations.

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