

STAFF REPORT

November 20, 2003

No. 03SR046 - 11-6-19 SDCL Review to allow for the construction of a public utility **ITEM 36**

GENERAL INFORMATION:

PETITIONER	Danielle Epp for Mega Com
REQUEST	No. 03SR046 - 11-6-19 SDCL Review to allow for the construction of a public utility
EXISTING LEGAL DESCRIPTION	Tract C, CD Rounds Subdivision, Section 33, T2N, R7E, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.00 acres
LOCATION	3401 Sturgis Road
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	Low Density Residential District
East:	General Commercial District
West:	Low Density Residential District w/Planned Residential Development
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	10/24/2003
REPORT BY	Todd Tucker

RECOMMENDATION:

Staff recommends that the 11-6-19 SDCL Review to allow for the construction of a public utility be approved with the following stipulations:

Engineering Division Recommendations:

1. Prior to issuance of a Building Permit, a Grading/Drain Plan must be submitted to the Engineering Division for review and approval;
2. Prior to issuance of a Building Permit, a copy of a Geotechnical Analysis for the tower footing must be submitted to the Engineering Division for review and approval;

Fire Department Recommendations:

3. Prior to issuance of a Building Permit, site plans shall be revised showing a continuous twenty foot wide paved access to the tower;

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4. Prior to issuance of a Certificate of Occupancy, the facility(s) addresses shall be posted. Said numbers shall be a minimum of twelve inches in height, plainly visible and legible from the street or road fronting the property and displayed on a contrasting background;

Building Inspection Department Recommendations:

5. A building permit shall be obtained prior to the initiation of construction, and a Certificate of Occupancy shall be obtained prior to occupancy of the building;
6. Upon submittal of a building permit, Architect/Engineered stamped plans shall be submitted;

Transportation Planning Division Recommendations:

7. Prior to issuance of a Building Permit, a revised site plan either showing the access easement built to City Street Standards, or change it to an access driveway;

Urban Planning Division Recommendations:

8. 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);
9. Prior to Planning Commission approval, a revised elevation drawing shall be submitted identifying a stealth design with the tower appearing as a flag pole, and;
10. Prior to Planning Commission approval, a revised site plan shall be submitted showing an opaque ornamental screening fence not less than five feet, and no more than six feet in height along the south and west property lines.

GENERAL COMMENTS:

The applicant is seeking an 11-6-19 Review approval to erect a one-hundred and fifty foot monopole cell tower accompanied by an eleven feet, six inches by twenty-eight feet, six inches (11'6" x 28'6") equipment shed located in the southwest corner of the subject property. The property is currently zoned General Agriculture and is the location of the Prima School of Dance and a vacant laundry mat. The adjacent properties to the south and to the west are both zoned Low Density Residential.

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". As previously indicated, this is a public utility located on privately owned land requiring that the Planning Commission review and approve of the proposed construction.

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 issues:

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Engineering:

The Engineering Division noted that storm water runoff from the site could drain into a residential area. A Grading/Drain Plan should be submitted for review and approval by the Engineering Division prior to issuance of a Building Permit.

Fire Department:

The Fire Department has noted that access to the tower is only eighteen feet wide and the Uniform Fire Code requires a twenty foot wide hard surfaced access. Prior to issuance of a Building Permit, plans showing a continuous twenty foot wide paved access to the tower should be provided. The Fire Department also notes that the structure must be addressed with twelve inch numbers plainly visible from the access point.

Urban Planning:

A major issue associated with new cellular towers is the visual impact the structures will have on the surrounding area and the City in general. Staff is making two recommendations that they believe will help to minimize the adverse impacts caused by this tower. In order to reduce visual impact, the City in recent years has consistently required new towers to be constructed with the ability to co-locate other future antennae. Based on previous Planning Commission discussions, the staff is recommending that a stealth tower appearing as a flag pole be utilized to reduce the visual impact caused by the tower.

Because the adjacent properties to the south and to the west are zoned Low Density Residential, City Ordinance requires an opaque ornamental screening fence be installed along the property lines that are adjacent to those residential districts.

Staff recommends approval of the 11-6-19 SDCL Review with the above stated stipulations.