

STAFF REPORT

April 8, 2004

No. 04SR015 - 11-6-19 SDCL Review to allow the expansion of a telecommunication, cable television and fiber optic equipment building

ITEM 11

GENERAL INFORMATION:

PETITIONER	Lund Associates LTD for Golden West Telecommunications
REQUEST	No. 04SR015 - 11-6-19 SDCL Review to allow the expansion of a telecommunication, cable television and fiber optic equipment building
EXISTING LEGAL DESCRIPTION	The balance of Lot B of Lot C of the NW1/4 less right-of-way and less a portion of Thompson Tower Tract, Section 14, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.86 acres
LOCATION	3850 Tower Road
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Agriculture District
South:	General Commercial District
East:	Low Density Residential District w/PRD
West:	General Commercial District
PUBLIC UTILITIES	City water and private sewer
DATE OF APPLICATION	03/12/2004
REPORT BY	Todd Tucker

RECOMMENDATION:

Staff recommends that the 11-6-19 SDCL Review to allow the expansion of a telecommunication, cable television and fiber optic equipment building be approved with the following stipulations:

1. Prior to issuance of a Building Permit, a revised site plan showing one van accessible handicapped parking stall shall be submitted;
2. Prior to initiation of construction, a building permit shall be obtained, and a Certificate of Occupancy shall be obtained prior to occupancy of the building;
3. Prior to issuance of a Building Permit, a drainage plan shall be submitted along with calculations for the increased runoff, to insure that adequate protections can be provided to mitigate the impacts of the proposed addition; and,

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4. Prior to issuance of a Building Permit, a revised site plan showing the water main and sewer service for the property shall be submitted.

GENERAL COMMENTS: The applicant is seeking an 11-6-19 Review approval to enlarge an unmanned existing communication, cable TV and fiber optic equipment building for Golden West Telecommunications. The applicant is proposing to enlarge the existing 998 square foot equipment building to 2,993 square feet by constructing a 1,995 square foot addition on the north side of the building. The subject property is located on the east side of Tower Road north of the intersection of Tower Road and Skyline Drive, and is currently zoned General Commercial. Radio, television and cellular communication stations and transmission towers are a conditional use in the General Commercial Zoning District. On January 17, 2000, the Rapid City City Council approved a Conditional Use Permit with stipulations to allow the construction of a telecommunication tower on the property. The stipulations approved in 2000 are as follows:

1. Prior to issuance of a building permit, the South Robbinsdale Drainage Basin fee shall be paid;
2. Prior to issuance of a building permit, a fire mitigation plan shall be submitted for review and approval;
3. A 24 hour advanced notice to the Fire Department shall be required prior to the start of any construction requiring welding and/or cutting;
4. An address shall be posted on the property. Such address shall be a minimum of 10 inches or larger per number and/or letter;
5. That prior to issuance of a building permit, Engineer designed plans for the proposed tower shall be submitted for review and approval;
6. The tower shall be designed to allow for the co-location of a minimum of two additional antennas 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 the tower shall be painted white unless alternative colors are required by the Federal Aviation Administration or other federal or state authority;
9. No signage shall be allowed on the tower other than warning or equipment information signs;
10. Prior to issuance of a building permit, a complete landscape plan shall be submitted for review and approval;
11. Prior to issuance of a Certificate of completion, all circulation and parking shall be paved in accordance with the Rapid City Parking Ordinance; or a variance shall be obtained; and,
12. The Use On Review approval shall expire if the use is not undertaken and completed within two years of the date of approval by City Council or if the use as approved has ceased for a period of two years.

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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". 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:

Parking: The site plan submitted indicates six parking spaces provided with one of those being handicapped accessible. Section 17.50.270 of the Rapid City Municipal Code requires two off-street parking stalls be provided with one being a van accessible handicapped stall. The handicapped stall provided is not van accessible and must be shown as one prior to issuance of a Building Permit.

Landscaping: Section 17.50.300 of the Rapid City Municipal Code requires that landscaping be provided for the General Commercial Zoning District. The site plan submitted shows 12,000 landscaping points provided which exceeds the 11,337 required.

Building Permit: Staff noted that a Building Permit must be obtained prior to any construction, and a Certificate of Occupancy must be obtained prior to occupancy of the building.

Drainage and Grading: Staff noted that no drainage, or grading information has been provided. Based on the increase in impermeable area, a drainage plan must be submitted along with calculations for the increased runoff, to insure that adequate protections can be provided to mitigate the impacts of the proposed addition. This information must be provided prior to issuance of a Building Permit.

Utilities: Staff noted that no water or sewer mains are shown on the site plan submitted. Prior to issuance of a Building Permit, a revised site plan showing the water main and sewer service for the property must be submitted.

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