

STAFF REPORT  
September 23, 2004

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**No. 04SR052 - SDCL 11-6-19 Review to allow the construction of an equipment shelter and additional antennae on public property** **ITEM 4**

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GENERAL INFORMATION:

PETITIONER	Rapid City/Pennington County 911
REQUEST	<b>No. 04SR052 - SDCL 11-6-19 Review to allow the construction of an equipment shelter and additional antennae on public property</b>
EXISTING LEGAL DESCRIPTION	Lot 2, Owen Hibbard Subdivision, Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 6.38 acres
LOCATION	1930 Promise Road-Rapid City Fire Department Station 6
EXISTING ZONING	Public District
SURROUNDING ZONING	
North:	Business Park District
South:	Office Commercial District (PCD)
East:	General Commercial District (PCD)
West:	General Agriculture District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	8/27/2004
REVIEWED BY	Todd Tucker / Curt Huus

RECOMMENDATION: Staff recommends that the SDCL 11-6-19 Review to allow the construction of an equipment shelter and additional antennae on public property be approved with the following stipulations:

1. Prior to initiation of construction of the equipment shelter or installation of the directional antennas, a Building Permit shall be obtained;
2. Prior to issuance of a Building Permit, drainage and grading plans shall be submitted showing the extents of grading, drainage and surface restoration; and,
3. Prior to Planning Commission approval, a revised site plan shall be submitted showing the proposed structure located outside of the public utility easement or that portion of the easement to be encroached upon shall be vacated.

GENERAL COMMENTS: The subject property is located on the north side of Promise Road which is north of Golden Eagle Drive and west of South Highway 16. The subject property is owned by the City of Rapid City and currently a Fire Station is located on the site. There is also a communication tower located on the property. The applicant is now proposing to

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construct a six foot by eight foot equipment shelter on the subject property. The applicant has also indicated that an additional 20 directional antennas are proposed to be located on the existing communication tower to accommodate expanding emergency services communication.

The applicant is seeking an SDCL 11-6-19 Review to allow the construction of a six foot by eight foot equipment shelter on the subject property and to install 20 directional antennas on the existing communication 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". As previously indicated, the proposed construction is on publicly owned land requiring that the Planning Commission review and approve the proposed construction.

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

**Building Permit:** Staff noted that a Building Permit must be obtained prior to any construction of the equipment shelter and installation of the proposed additional directional antennas.

**Drainage and Grading:** Staff noted that no drainage or grading plans were submitted with the application. Prior to issuance of a Building Permit, drainage and grading plans must be submitted showing the extents of grading, drainage and surface restoration.

**Parking:** Currently there are three off-street parking stalls provided for the existing communication tower and equipment shelter. Because this is a minimal expansion and no additional traffic will be generated to the site by this expansion, the existing parking may remain; however, any future expansion of the site may require additional off-street parking be provided.

**Building Location:** Staff noted that the subject property was platted in 2001. As part of that plat, the section line highway which abuts the west property line was vacated. However, a 33 foot wide public utility easement was dedicated as part of the plat. The applicant's site plan shows the proposed structure to be located approximately 27 feet from the west property line which is within the public utility easement. Prior to Planning Commission approval, a revised site plan must be submitted showing the proposed structure located outside of the public utility easement or that portion of the easement to be encroached upon must be vacated.

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