

STAFF REPORT

April 21, 2005

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**No. 05SR012 - SDCL 11-6-19 Review to allow the construction of a cellular tower** **ITEM 16**

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GENERAL INFORMATION:

PETITIONER	Faulk & Foster for WWC License LLC
REQUEST	<b>No. 05SR012 - SDCL 11-6-19 Review to allow the construction of a cellular tower</b>
EXISTING LEGAL DESCRIPTION	A tract of land that is located in a portion of Lot 1 Rev in a replat of a portion of Wise's Addition including Lot 1 Rev, Lot 2 Rev, Lot 3 Rev, Lot 4 Rev and Lot 5 Rev of Block 6 (formerly Lots 18-21 of Block 4, Lots 19-36 of Block 5, Lots 1-36 of Block 6, Lots 14-21 of Block 7 and the previously vacated portions of East Jackson Street and the previously vacated portions of Herman Street) located in the SW1/4 of the NW1/4 of Section 31, T2N, R8E of the Black Hills Meridian, Rapid City, Pennington County, South Dakota, being more particularly described as follows: Commencing at the Northeast corner of said Lot 1 Rev as recorded in Book 20 of Plats, Page 62 of records of the Pennington County Register of Deeds; thence S00°05'51"W along the east line of Lot 1 Rev, 61.84 feet to the point of beginning; thence continuing S00°05'51"W along the said east line of Lot 1 Rev, 50.00 feet; thence S89°52'25"W, 14.86 feet to the southeast corner of the Food Bank Building; thence N00°01'04"E along the east line of the said Food Bank Building, 50.00 feet to the northeast corner of the said Food Bank Building; thence N89°52'28"E, 14.93 feet to the point of beginning. Said parcel contains 0.02 acres, more or less
PARCEL ACREAGE	Approximately .02 acres
LOCATION	814 North Maple Avenue
EXISTING ZONING	Neighborhood Commercial District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Neighborhood Commercial District
East:	Office Commercial District (Planned Commercial Development)
West:	Medium Density Residential District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	3/23/2005

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REVIEWED BY

Todd Tucker / Michelle Horkey

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to allow the construction of a cellular tower be continued to the May 26, 2005 Planning Commission meeting.

GENERAL COMMENTS:

The subject property is located on the east side of North Maple Avenue between East Van Buren Street and East Adams Street. There is currently a one story structure located on Lot 1 Revised. The existing structure is the location of the Community Food Bank of South Dakota. The applicant is requesting approval of an SDCL 11-6-19 Review to allow the construction of a cellular communications tower on a portion of the existing property. The applicant has also submitted an application to rezone a portion of the subject property from Neighborhood Commercial District to Public District (05RZ031). The applicant has also submitted a Comprehensive Plan Amendment application (05CA021) to change the future land use designation on a portion of the subject property from Neighborhood Commercial District to Public District.

STAFF REVIEW:

The applicant has indicated that they do not desire at this time for staff to do a full review of the application. They are currently reviewing options and alternatives. As such, staff recommends that this item be continued to the May 26, 2005 Planning Commission meeting at the applicant's request.