

STAFF REPORT  
July 7, 2005

---

**No. 05SR033 - 11-6-19 SDCL Review to allow the construction of a Public Utility on Private Property**      **ITEM 21**

---

GENERAL INFORMATION:

PETITIONER	Rowe, Buell Consulting, Inc. for Cellular Inc. Network Corporation d/b/a Verizon Wireless
REQUEST	<b>No. 05SR033 - 11-6-19 SDCL Review to allow the construction of a Public Utility on Private Property</b>
EXISTING LEGAL DESCRIPTION	Tract A, Lot 2, NW1/4 SW1/4, Section 12, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 3.1 acres
LOCATION	636 Cathedral Drive
EXISTING ZONING	High Density Residential District
SURROUNDING ZONING	
North:	General Commercial District - Low Density Residential District
South:	General Commercial District
East:	Low Density Residential District
West:	General Commercial District
DATE OF APPLICATION	6/10/2005
REVIEWED BY	Todd Tucker / Michelle Horkey

RECOMMENDATION:

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

1. The antennas shall be no more than eight feet in length and one foot in width;
2. Prior to Planning Commission approval, the applicant shall submit a revised plan showing that all proposed antennas will not project more than 18 inches from the side of the building;
3. The color of the antenna panels shall match the existing color of the building at all times so as to be inconspicuous as possible;
4. Any additional cellular communication antennas will require that a subsequent SDCL 11-6-19 Review be approved by the Planning Commission prior to installation of the antennas;
5. The equipment room shall have a 2ABC rated fire extinguisher provided;
6. A sign shall be placed on the exterior of the equipment room clearly identifying the room; and,
7. A key for the equipment room shall be placed in a knox box for Fire Department access.

STAFF REPORT  
July 7, 2005

---

**No. 05SR033 - 11-6-19 SDCL Review to allow the construction of a Public Utility on Private Property** **ITEM 21**

---

GENERAL COMMENTS: The subject property is located on the north side of Cathedral Drive between Mount Rushmore Road and Fifth Street. There is an existing high rise apartment building located on the subject property. The current use of the building is for elderly housing. An Ordinance Amendment (03OA003) to allow a limited number of cellular communication facilities in the High Density Residential Zoning District as a Conditional Use was approved in 2003. On November 6, 2003, an SDCL 11-6-19 Review (03SR033) was approved with seven stipulations by the Planning Commission to allow four cellular communication antenna panels on the existing building located on the subject property. The stipulations of approval are as follows:

1. The equipment room shall have a 2ABC rated fire extinguisher provided;
2. The equipment room shall be clearly identified;
3. A key for the equipment room shall be required and placed in the knox box for Fire Department access;
4. The color of the antenna panels shall match the existing color of the building at all times so as to be inconspicuous as possible;
5. No more than four antenna shall be placed on the subject property;
6. The antennas shall be no more than eight feet in length and one foot in width; and,
7. All codes and requirements of the Rapid City Municipal Code shall be met at all times.

The applicant is now requesting an SDCL 11-6-19 Review to allow the construction of six additional cellular communication antenna panels on the existing building located on the subject property. In addition, the applicant is proposing to locate an equipment room on the top floor of the building within the penthouse.

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 issues:

Design Features: The proposed antenna panels are eight feet in height and one foot wide. The applicant's submitted drawings show that two of the proposed antennas will extend approximately 12 inches from the penthouse wall located on the buildings north side. However, four of the proposed antennas located at the southwest corner and southeast corner of the building extend approximately 42 inches from the side of the building. Section 17.14.030 of the Rapid City Municipal Code requires that cellular communication antennas located in the High Density Residential Zoning District not project more than 18 inches from

STAFF REPORT  
July 7, 2005

---

**No. 05SR033 - 11-6-19 SDCL Review to allow the construction of a Public Utility on Private Property**      **ITEM 21**

---

the side of the building. As such, the applicant must submit a revised plan showing that all proposed antennas will not project more than 18 inches from the side of the building, prior to Planning Commission approval.

The applicant has stated that the proposed panel antennas will be painted the same color as the building so as to blend into the visual perspective of the existing penthouse wall.

Equipment Shelter: The 156 square foot equipment shelter associated with the cellular communication antennas will be located in the existing penthouse. Staff is recommending that a sign be placed on the exterior of the equipment room advising of the cellular communications equipment.

Staff is recommending that the proposed 11-6-19 SDCL Review of a public utility structure be approved with the previously stated stipulations.