

STAFF REPORT
January 4, 2007

No. 06PD097 - Major Amendment to a Planned Residential Development to allow the construction of a cellular tower and accessory structures **ITEM 24**

GENERAL INFORMATION:

PETITIONER	John M. Rowe, Buell Consulting, Inc. for Cellular, Inc. Network Corporation d/b/a Verizon Wireless
REQUEST	No. 06PD097 - Major Amendment to a Planned Residential Development to allow the construction of a cellular tower and accessory structures
EXISTING LEGAL DESCRIPTION	Lot 1 of Vista Lake Subdivision No. 2, Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.43 acres
LOCATION	4600 Jackson Boulevard
EXISTING ZONING	Office Commercial District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Flood Hazard District
East:	Flood Hazard District
West:	Park Forest District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	11/21/2006
REVIEWED BY	Vicki L. Fisher / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Major Amendment to a Planned Residential Development to allow the construction of a cellular tower and accessory structures be continued to the January 25, 2007 Planning Commission meeting.

GENERAL COMMENTS:

The applicant has submitted a Major Amendment to a Planned Residential Development to allow the construction of a cellular tower and accessory structures on the above legally described property.

On September 25, 2003, the Planning Commission approved a Major Amendment to a Planned Residential Development to allow a residence and a photography studio as a Major Home Occupation on the subject property. (See file number 03PD043.)

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The property is located northwest of the intersection of Chapel Valley Road and Jackson Boulevard. Currently, a structure is located on the property. At one time the building was the site of the Johnson Siding Volunteer Fire Department.

STAFF REVIEW:

Staff has reviewed the Major Amendment to the Planned Residential Development and has noted the following considerations:

History: The previously approved Major Amendment to the Planned Residential Development was approved with the following stipulations:

1. Prior to issuance of a building permit for any of the three proposed lots, surety shall be posted for the extension of water and sewer to proposed Lot 1 and for sidewalks along proposed Lot 1 as it abuts Jackson Boulevard;
2. Prior to issuance of a building permit for proposed Lots 2 and 3, the Final Plat shall be approved by the City Council;
3. All residential structures shall be constructed within the serviceable water zone boundary as shown on the site plan;
4. An Industrial Pre-treatment Permit shall be obtained prior to issuance of a building permit;
5. A Manual of Uniform Traffic Control Devices (MUTCD)/Complaint Traffic Control Plan shall be submitted to the South Dakota Department of Transportation for review and approval one month in advance of construction for all stages of work that may impact the safety of the public within the Jackson Boulevard right-of-way;
6. The proposed interior road shall be posted with "no-parking" signs;
7. All Uniform Fire Codes must be continually met;
8. Any lot with a residence located more than 150 feet from a fire hydrant shall provide an emergency vehicle turnaround on the lot;
9. Prior to the start of any building construction, all weather access roads shall be constructed;
10. Prior to the start of any building construction, fire hydrants shall be in place and operational;
11. Prior to the start of any building construction, a wildland fire mitigation plan shall be completed as required by the Fire Department;
12. A building permit shall be obtained prior to any construction;
13. A maximum one square foot sign shall be allowed for the Major Home Occupation or a variance shall be obtained from the Sign Code Board of Appeals to allow a larger sign. If a variance is granted from the Sign Code Board of Appeals allowing a larger sign, then a Major Amendment to the Planned Residential Development shall be obtained prior to issuance of a Sign Permit;
14. An Air Quality Permit shall be obtained prior to any surface disturbance in excess of one acre;

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15. The Planned Residential Development shall allow for a single family residential use and accessory structure(s) to the principle residential use on each lot. In addition a photography studio shall be allowed within the residence to be constructed on proposed Lot 1. Any other use other than residential with accessory structures on proposed Lots 1 thru 3 and a photography studio on proposed Lot 1 shall require a Major Amendment to the Planned Residential Development;
16. The photography studio hours of operation shall be from 9:00 a.m. to 6:00 p.m. Monday through Friday and 9:00 a.m. to 2:00 p.m. Saturday;
17. The photography studio shall not exceed 30% of the total floor area of the residence or a maximum of 1,200 square feet;
18. Landscaping shall be planted in compliance with the Landscaping Plan. In particular, a minimum of twelve trees shall be planted along the north lot line of proposed Lot 1;
19. All provisions of the Park Forest District shall be met unless otherwise specifically authorized as a stipulation of this Conditional Use Permit or a subsequent Major Amendment.
20. The minimum lot size requirement of the Park Forest District for proposed Lots 1 and 2 shall be reduced from three acres to 1.84 and 1.43 acres, respectively. In addition, proposed Lot 3 shall have a minimum lot size of 19.5 acres;
21. One off-street paved parking space shall be provided on each lot for visitor parking on Lots 2 and 3. The two off-street parking spaces required for the residential use shall not count towards this requirement;
22. Two off-street parking spaces shall be provided on Lot 1 for the residential use and a maximum of three off-street parking spaces shall be provided for the Major Home Occupation. One of the three spaces shall be van handicap accessible; and,
23. The Planned Residential Development shall expire if the use is not undertaken and completed within two years of the date of approval by the City Council, or if the use as approved has ceased for a period of two years.

Several of the stipulations must be met "prior to issuance of a building permit". The applicant should be aware that these stipulations must also be met prior to issuance of a building permit for the cellular tower.

Site Plan: The applicant has submitted a site plan showing the existing building currently located on the property and the proposed cellular tower with an equipment shed. However, the site plan does not include the previously approved layout for the residence/photography studio with parking, landscaping, etc. As such, the site plan must be revised to show the complete previously approved site plan for the residence/photography studio. If the applicant proposes to revise the layout of the residence/photography studio to allow the cellular tower to fit on the property, then a revised site plan showing parking for both use(s) a complete landscaping plan, signage, lighting, etc. must be submitted for review and approval. Please note that the landscaping plan must include landscaping along the north side of the cellular tower and equipment shed to serve as a buffer to the church located directly north and northeast of the proposed tower site. In addition, elevations of the residence/photography studio as well as information identifying that the existing building meets fire and building codes must be submitted for review and approval.

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The applicant has submitted a written description of the cellular tower site indicating that a chain link fence will be constructed around the facility. However, the site plan does not identify the location of the chain link fence. In addition, the applicant has submitted elevations of the flagpole tower identifying a 150 foot high flagpole. However, the written text states that a 170 foot high flagpole tower will be constructed. The elevations of the proposed equipment shed identify an 11.5 foot X 30 foot equipment shed with a flat roof and an aggregate finish. A complete list of building materials and a color scheme of the equipment shed must be submitted for review and approval.

The site plan identifies portions of the parking area as "paved" and as "graveled". However, all parking must be paved as per the Rapid City Municipal Code.

Staff is recommending that the Major Amendment to the Planned Residential Development be continued to allow the applicant to submit the above referenced information for review and approval.

Service Area Map: The applicant has submitted a "Search Area Map" showing the location of the proposed cellular tower and a limited area along Jackson Boulevard. However, the applicant must submit a Service Area Map showing all telecommunication facilities within the area, a service boundary for each facility and demonstrate that the existing facilities (towers, antennas, etc.) will not allow co-location due to capacity issues or that the location of the facility is outside of the service coverage area needed by the applicant. Staff is recommending that the Major Amendment to the Planned Residential Development be continued to allow the applicant to submit a complete Service Area Map.

Grading/Drainage: A grading and drainage plan has been submitted for review and approval. However, a revised grading and drainage plan reflecting the complete and/or revised site plan must be submitted for review and approval.

Water and Sewer: The applicant has not identified water and/or sewer service to the proposed cellular site. If the applicant proposes to provide these services at the site, then water and sewer plans must be submitted for review and approval.

Staff is recommending that the Major Amendment to the Planned Residential Development be continued to the January 25, 2007 Planning Commission meeting to allow the applicant to submit the additional information as identified above. Please note that the information must be submitted on or before December 29, 2006 to be considered at the January 25, 2007, Planning Commission meeting.