

STAFF REPORT
January 4, 2007

No. 06SR085 - SDCL 11-6-19 Review to allow the construction of telecommunication cable on public property **ITEM 17**

GENERAL INFORMATION:

PETITIONER	Vantage Point Solutions for Golden West Technologies
REQUEST	No. 06SR085 - SDCL 11-6-19 Review to allow the construction of telecommunication cable on public property
EXISTING LEGAL DESCRIPTION	The unplatted W1/2 of Rapid City Regional Airport Subdivision No. 6, unplatted, Section 17, T1N, R9E, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.01 acres
LOCATION	4200 Airport Road
EXISTING ZONING	Airport District
SURROUNDING ZONING	
North:	Airport District
South:	Airport District
East:	Airport District
West:	General Agriculture District (Pennington County)
PUBLIC UTILITIES	City water and private lagoon
DATE OF APPLICATION	12/6/2006
REVIEWED BY	Karen Bulman / Mary Bosworth

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to allow the construction of telecommunication cable on public property be approved with the following stipulation:

1. A Flood Plain Development Permit shall be obtained prior to any construction within the 100 Year Federally Designated Floodplain.

GENERAL COMMENTS: The subject property is located at 4200 Airport Road, north of the current Rapid City Regional Airport and west and north of the former airport terminal. The property is zoned Airport District. The property located north, south and east of the subject property is zoned Airport District. The property located west of the subject property is zoned General Agriculture District by Pennington County. The proposed construction of a telecommunication cable is to be located in an area extending from Longview Road south to the existing former airport terminal building.

Golden West is proposing to bury underground fiber optic telecommunications cable from

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Longview Road south across public property to the existing former airport terminal building paralleling existing Quest fiber cable located north of the Rapid City Regional Airport. The applicant is requesting approval of a SDCL 11-6-19 Review to allow telecommunication services to be constructed on public property.

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 applicant is requesting approval to construct a telecommunication cable on public property requiring that the Planning Commission review and approve the proposed construction.

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

Telecommunication cable: The telecommunication cable will extend south across undeveloped property from Longview Road, then east across the 100 Year Federally Designated Floodplain and adjacent to fuel storage buildings, and finally east into the parking lot of the former airport terminal. The cable will be located parallel to existing fiber cable lines. The Airport Manager has reviewed the construction and location of the communication cable and approved this construction.

Floodplain: The telecommunication cable will cross an area south of Longview Road that is located in the 100 year Federally Designated Floodplain. A Floodplain Development permit shall be obtained for any construction occurring within the 100 year Federally Designated Flood Plain.

Staff recommends that the SDCL 11-6-19 Review to allow the construction of a telecommunication cable on public property be approved with the stipulations as stated.