

STAFF REPORT
April 5, 2007

No. 07SR018 - SDCL 11-6-19 Review to allow the construction of a communication facility **ITEM 18**

GENERAL INFORMATION:

PETITIONER	Fault & Foster for WWC License LLC, d/b/ Alltel
REQUEST	No. 07SR018 - SDCL 11-6-19 Review to allow the construction of a communication facility
EXISTING LEGAL DESCRIPTION	Lot 1 of Block 3 of Rushmore Regional Industrial Park, located in the E/12 of Section 4, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 11.27 Acres
LOCATION	1400 Turbine Drive
EXISTING ZONING	Light Industrial District
SURROUNDING ZONING	
North:	Light Industrial District
South:	Light Industrial District
East:	Light Industrial District
West:	Light Industrial District
PUBLIC UTILITIES	N/A
DATE OF APPLICATION	3/7/2007
REVIEWED BY	Travis Tegethoff / Emily Fisher

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to allow the construction of a communication facility be approved.

GENERAL COMMENTS:

The applicant is requesting approval of a SDCL 11-6-19 Review to allow the installation of three panel antennas on an existing 150 foot high monopole structure and the construction of an equipment shelter. The subject property is located south of Jet Drive and east of Turbine Drive in the Rushmore Regional Industrial Park. The subject property is currently zoned Light Industrial District. The surrounding properties are zoned Light Industrial District. Currently, an industrial building and a parking lot is located on the subject 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

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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". This is a public utility located on privately owned land requiring that the Planning Commission review and approve the proposed installation.

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 issues:

Building Permits: Staff noted that a building permit shall be obtained prior to any construction and a certificate of occupancy shall be obtained prior to occupancy. Staff also noted that a third party shall provide inspection of the prefabricated equipment shelter.

Setbacks: Staff noted that the applicant's site plan meets all the setback requirements as per Section 17.22.040 of the Rapid City Municipal Code.

Building Height: Staff noted that the applicant's plans meet all the building height requirements as per Section 17.22.050 and Section 17.50.260(C) of the Rapid City Municipal Code.

Parking: Staff noted that the parking plan was previously approved as part of the building permit for the existing facility on the subject property. The existing business required 241 parking stalls and 269 parking stalls are provided. The proposed site plan appears to meet all the requirements of Section 17.50.270 of the Rapid City Municipal Code.

Landscaping: Section 17.50.300 of the Rapid City Municipal Code requires landscaping to be provided. Staff noted that a landscape plan was previously approved as part of the building permit for the existing facility on the subject property. The proposed site plan appears to meet all the requirements of Section 17.50.300 of the Rapid City Municipal Code.

Design Features: The submitted elevation drawings show the existing tower to be 150 feet in height with the proposed antenna panels to be located approximately 136 feet high. The tower shall not be illuminated by artificial means or strobe lights. No advertising will be allowed on the tower. The tower shall remain unpainted allowing the galvanized steel color to show or painted white unless alternative colors are required by the Federal Aviation Administration or other federal or state authority. The existing seven foot high chain link fence will be extended around the proposed 11.5 foot by 16 foot equipment shelter.

Fire Safety: Staff noted addressing of the structure shall be in compliance with the 2003 International Fire Code. Staff also noted that fire apparatus access appears to be in compliance with the 2003 International Fire Code.

Co-Location: A major issue associated with towers is the visual impact the structure will have on the surrounding area and the City in general. As previously indicated, the applicant is proposing to install three panel antennas on an existing 150 foot high monopole structure to reduce visual impact of the antennas on the area. This co-location is consistent with what the City has required for communication towers.

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Notification: The City Council has requested that notification is sent by first class mail to property owners within 250 feet of a requested cellular tower. This has been accomplished and staff has received no comments.

Staff recommends that the SDCL 11-6-19 Review to allow the construction of a communication facility be approved.