

STAFF REPORT  
August 7, 2008

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**No. 08PD022 - Major Amendment to a Planned Residential Development**

**ITEM 5**

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GENERAL INFORMATION:

APPLICANT	Bethany Wilson for WWC License LLC, d/b/a Alltel
AGENT	Ralph Wyngarden for Faulk & Foster
PROPERTY OWNER	John Skulborstad
REQUEST	<b>No. 08PD022 - Major Amendment to a Planned Residential Development</b>
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 1.84 acres
LOCATION	4616 Jackson Boulevard
EXISTING ZONING	Office Commercial District (Planned Commercial Development)
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	5/9/2008
REVIEWED BY	Vicki L. Fisher / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Major Amendment to a Planned Residential Development be continued to the **August 21, 2008** Planning Commission meeting.

GENERAL COMMENTS:

**(Update, July 28, 2008. All revised and/or added text is shown in bold print.) This item was continued at the July 24, 2008 Planning Commission meeting to allow the applicant to submit additional information.**

**Staff has previously notified the applicant that the existing utility panel located on the exterior of the fenced area constructed by Verizon as a part of the original approval for the communication tower is not in compliance with the approved site plan. In particular, the utility panel was not allowed to be located outside of the fenced area.**

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Since June 16, 2008, staff has requested that revised construction plans be submitted for review and approval showing the utility panel relocated within the fenced area. On July 28, 2008 the applicant submitted revised construction plans which continue to show Verizon's utility panel on the exterior of the fence. In addition, the construction plans show several utility panels for All-Tel on the exterior of the fence. Staff has again notified the applicant that the construction plans must be revised to show all utility panels within the fenced area. To date, the revised information has not been submitted for review and approval. In lieu of recommending that this item be denied without prejudice to allow the applicant to revise the plans as requested and resubmit a new application, staff is recommending that this item be continued to the August 21, 2008 Planning Commission meeting. If revised construction plans are not submitted by August 12, 2008 showing the utility panels located within the fenced area, staff will recommend that this item be denied without prejudice at the August 21, 2008 Planning Commission meeting.

On July 28, 2008, the applicant also submitted a revised landscape plan showing a tree located within a Major Drainage Easement. Staff has also notified the applicant that the tree must be relocated outside of the easement. To date, a revised landscape plan has not been submitted for review and approval. Staff is recommending that this item be continued to the August 21, 2008 Planning Commission meeting to allow the applicant to submit a revised landscape plan as identified.

(Update, July 11, 2008. All revised and/or added text is shown in bold print.) This item was continued at the July 10, 2008 Planning Commission meeting to allow the applicant to submit additional information. As of this writing, the required information has not been submitted for review and approval. In addition, a site inspection has identified that a utility panel was constructed by Verizon as a part of the original approval for the communication tower outside of the fenced area. However, the utility panel was not approved to be located outside of the screened area. As such, staff is recommending that this item be continued to the August 7, 2008 Planning Commission meeting to allow the applicant to submit construction plans showing the utility panel relocated within the fenced area as previously approved and to submit the balance of the outstanding information as previously noted.

(Update, June 27, 2008. All revised and/or added text is shown in bold print.) This item was continued at the June 26, 2008 Planning Commission meeting to allow the applicant to submit additional information. As of this writing, the information has not been submitted for review and approval. In addition, a site inspection has identified that a utility panel was constructed by Verizon as a part of the original approval for the communication tower outside of the fenced area. However, the utility panel was not approved to be located outside of the screened area. As such, staff is recommending that this item be continued to the July 24, 2008 Planning Commission meeting to allow the applicant to submit construction plans showing the utility panel relocated within the fenced area as previously approved and to submit the balance of the outstanding information as previously noted.

(Update, June 16, 2008. All revised and/or added text is shown in bold print.) This item was continued at the June 5, 2008 Planning Commission meeting to allow the applicant to submit additional information. As of this writing, the information has not been submitted for review and approval. In addition, a site inspection has identified that a utility panel was

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constructed by Verizon as a part of the original approval for the communication tower outside of the fenced area. However, the utility panel was not approved to be located outside of the screened area. As such, staff is recommending that this item be continued to the July 10, 2008 Planning Commission meeting to allow the applicant to submit construction plans showing the utility panel relocated within the fenced area as previously approved and to submit the balance of the outstanding information as previously noted.

The applicant has submitted a Major Amendment to a Planned Residential Development to allow communication antennas to be constructed within an existing flagpole communication tower located on the property. In addition, an 11 foot 5 inch by 16 foot equipment shelter is proposed to be constructed west of the existing equipment shelter currently located on the property.

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

On April 16, 2007, the City Council approved a Major Amendment to a Planned Residential Development (File #06PD097) to allow the construction of a 150 foot tall flagpole communication tower with an equipment shelter in conjunction with the previously approved residence with a photography studio on the above legally described property.

The property is located northwest of the intersection of Chapel Valley Road and Jackson Boulevard. Currently, the old Johnson Siding Volunteer Fire Department structure is located on the southern portion of the property. In addition, Verizon Wireless has constructed the previously approved flagpole communication tower with an equipment shelter within the northern portion of the property. The applicant has indicated that Alltel Communications, LLC is proposing to co-locate on the tower and, as such, this application has been submitted for review and approval. The applicant has also indicated that the old Johnson Siding Volunteer Fire Department structure will eventually be expanded and used as a residence with a photography studio as originally approved.

**STAFF REVIEW:**

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

**Site Plan:** The applicant has submitted a site plan showing a detailed layout of the existing communication tower and equipment building and the proposed equipment shed to be constructed as a part of this application. However, since the applicant has indicated that the proposed residence and photography studio will still be constructed on the southern portion of the property as previously approved, the site plan must be revised to also include the detailed layout of that structure to insure there is no conflict in the proposed site development associated with the photography studio, the residence and the communication tower and equipment buildings. In addition, a complete parking plan for all of the existing and proposed uses must be submitted for review and approval to insure compliance with all provisions of the Rapid City Municipal Code. A complete landscaping plan, a sign package and lighting plan must also be submitted for review and approval. Until this information is submitted, staff can not determine if the required landscaping is being provided. Staff is

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recommending that this item be continued to allow the applicant to submit the additional information for review and approval.

Design Standards: The existing equipment building located on the property is a one story structure and has been constructed with four inch face brick finish with a peaked shingled roof. In addition, the building is dark brown in color. A ten foot high cedar security fence is constructed around the equipment shed. The applicant has indicated that the proposed equipment shed and screening fence for Alltel Communications, LLC will be constructed to match the existing building and fence but does not specify any building materials and/or colors. In addition, the applicant has submitted structural elevations showing two sides of the building. Staff is recommending that this item be continued to allow the applicant to submit complete structural elevations including the two remaining sides of the building and to submit a complete list of all building materials and colors for the equipment shed and the fence.

The south elevation of the equipment building shows a bank of utility panels on the exterior wall. Staff is recommending that the utility panels be relocated within the building, relocated to a screened area of the site or a screening fence must be provided along the southern portion of the building.

During the review of the flagpole communication tower and equipment building for Verizon Wireless, it was noted that any additional equipment buildings to be constructed on the site as a part of co-location on the tower, would require that the two buildings be designed as one contiguous structure with no separation between the structures to give the appearance of one building. The applicant's site plan shows an approximate 8 foot separation between the two buildings. As such, staff is recommending that this item be continued to allow the applicant to relocate the proposed equipment building as required under the original approval.

Flag: The flagpole communication tower was originally approved with the stipulation that the design of the tower include the presentation of the flag. However, the existing flagpole tower does not include a flag. As such, staff is recommending that the sight be brought into compliance with the original stipulations of approval and that a flag be flown from the tower as previously stipulated and lighted as needed prior to approval of this Major Amendment to the Planned Residential Development.

Erosion and Sediment Control Plan: Staff is recommending that an Erosion and Sediment Control Plan be submitted for review and approval if earth moving activities are more than 300 cubic yards.

Service Area Map: The applicant has submitted a service area map showing existing cover for Alltel Communications, LLC within the area showing large areas within the Chapel Valley area and along Jackson Boulevard that have limited coverage with existing facilities. The applicant has also submitted a service area map showing the improved coverage within this same area with the placement of communication antennas within the existing flagpole tower. As a result of the detailed service area information, the applicant has demonstrated that a need exists within this area to allow co-location on the existing tower.

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Notification Requirement: As of this writing, the receipts from the certified mailings have not been returned nor has the sign been posted on the property. Staff will notify the Planning Commission at the June 5, 2008 Planning Commission meeting if these requirements have not been met.

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.