

STAFF REPORT  
September 25, 2008

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**No. 08SR063 - SDCL 11-6-19 Review to allow a telecommunication tower**

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**ITEM 31**

GENERAL INFORMATION:

APPLICANT	SWS, LLC
AGENT	Quinn Kayser-Cochran
PROPERTY OWNER	John Duffield
REQUEST	<b>No. 08SR063 - SDCL 11-6-19 Review to allow a telecommunication tower</b>
EXISTING LEGAL DESCRIPTION	Lot 2 of Block 9 of McMahon Industrial Park No. 2, Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.0 acres
LOCATION	3060 Haines Avenue
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District
East:	General Agriculture District
West:	General Commercial District (Planned Development Designation)
PUBLIC UTILITIES	City Water/Sewer
DATE OF APPLICATION	7/11/2008
REVIEWED BY	Jared Ball / Mary Bosworth

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to allow a telecommunication tower be continued to the **October 23, 2008** Planning Commission meeting.

GENERAL COMMENTS: **(Update: September 12, 2008. All revised and/or added text is shown in bold.) This item was continued at the September 4, 2008 Planning Commission meeting because all of the required information had not been submitted. As of this writing, the required information has not been submitted. Staff recommends that this item be continued to the October 23, 2008 Planning Commission meeting with the applicant's concurrence.**

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The property is located at 3060 North Haines Avenue. The property is zoned General Commercial District. The adjacent properties to the north and south are zoned General Commercial District. The property to the west is zoned General Commercial District with a Planned Development Designation. The property to the east is zoned General Agricultural District. The applicant is proposing to collocate on an existing monopole communications tower that is 105 feet in height. In addition, the applicant is proposing to construct a 10 foot by 12 foot concrete equipment pad at the base of the existing monopole communications tower.

South Dakota Codified Law 11-6-19 states that “whenever any such municipal council shall have adopted the comprehensive plan of the municipality or any part thereof, then and thenceforth, 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 as defined in § 11- 6-26, until and unless the location and extent thereof shall have been submitted to and approved by the Planning Commission”. The proposed location for the telecommunications tower is located within the area covered by the Rapid City Comprehensive Plan requiring that the improvements be reviewed and approved by the Rapid City Planning Commission.

**STAFF REVIEW:** Staff has reviewed the SDCL 11-6-19 Review and has noted the following considerations:

**Site Plan:** A complete site plan was not submitted for this project. The applicant must submit a complete site plan identifying the property boundaries for review and approval. As such, staff recommends that the SDCL 11-6-19 Review to allow a telecommunications tower be continued to the August 21, 2008 Planning Commission meeting.

**Parking:** A complete parking plan has not been submitted for review and approval. The applicant must submit a complete parking plan including the number of required parking spaces for the existing and proposed uses for review and approval. As such, staff recommends the SDCL 11-6-19 Review to allow a telecommunications tower be continued to the August 21, 2008 Planning Commission meeting.

**Landscaping:** The plan that was submitted for this project did not include a landscaping plan. The applicant must submit a complete landscaping plan that includes the size of the structures, the size of the lot and the number and species of plants that will be provided for review and approval. As such, staff recommends that the SDCL 11-6-19 Review to allow a telecommunications tower be continued to the August 21, 2008 Planning Commission meeting.

**Elevations:** The plan that was submitted did not include elevations for the existing or proposed structure. The applicant must submit building elevations that are to scale and include building materials and colors for review and approval by Growth Management staff. As such, staff recommends the SDCL 11-6-19 Review to allow a telecommunications tower be continued to the August 21, 2008 Planning Commission meeting.

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Service Area Map: The plans that were submitted for this project did not include a Service Area Map showing the location of the proposed cellular tower. The applicant must submit a Service Area Map showing the service area for their facilities and demonstrating the need for collocating on this tower. As such, staff recommends the SDCL 11-6-19 Review to allow a telecommunications tower be continued to the August 21, 2008 Planning Commission meeting. **On September 12, 2008 the applicant submitted a Service Area Map for review and approval.**

Building Inspection: No structural inspection has been completed for the existing tower at this location. Prior to collocating at this site, a structural inspection must be completed and a structural inspection report must be submitted for review and approval. As such, staff recommends that the SDCL 11-6-19 Review to allow a telecommunications tower be continued to the August 21, 2008 Planning Commission meeting.

**Staff recommends that the SDCL 11-6-19 Review to allow a telecommunications tower be continued to the October 23, 2008 Planning Commission meeting at the applicant's request.**