

STAFF REPORT
February 5, 2009

No. 08SR090 - SDCL 11-6-19 Review to allow a co-location on an existing cellular tower **ITEM 15**

GENERAL INFORMATION:

APPLICANT	SWS, LLC
AGENT	Quinn Kayser-Cochran
PROPERTY OWNER	Verizon Wireless
REQUEST	No. 08SR090 - SDCL 11-6-19 Review to allow a co-location on an existing cellular tower
EXISTING LEGAL DESCRIPTION	Lots 5 thru 10 of Block 4 of Blakes Addition, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.56 acres
LOCATION	612 East Boulevard North
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District
East:	Medium Density Residential District
West:	Public District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	12/4/2008
REVIEWED BY	Jared Ball / Karley Halsted

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to allow a co-location on an existing cellular tower be approved.

GENERAL COMMENTS: The property is located at 612 East Boulevard. The property is currently zoned General Commercial District. The adjacent properties to the north and south are currently zoned General Commercial District. The adjacent property to the east is currently zoned Medium Density Residential District and the adjacent property to the west is currently zoned Public District. The applicant is proposing to co-locate on an existing 86 foot high flag pole tower.

On February 2, 2006 the Rapid City Planning Commission approved an SDCL 11-6-19

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Review to allow the construction of a communications tower at the site.

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 location of 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 proposed SDCL 11-6-19 Review and has noted the following issues:

Site Plan: On January 6, 2009 the applicant submitted a revised site plan. The plan that was submitted was drawn to scale and includes dimensions for the property, the existing structures and the existing parking making the submitted requirements and allowing a complete review

Parking Plan: On January 6, 2009 the applicant submitted a parking plan identifying the two required off-street parking spaces including one handicap accessible space. Upon visiting the site, staff noted that the parking spaces and paving requirements are in accordance with the plan and comply with the applicable requirements of the Rapid City Municipal Code.

Landscaping Plan: On January 22, 2009 the applicant submitted a landscaping plan. The landscaping plan that was submitted identifies the landscaping that was approved on February 2, 2006. Upon visiting the site, staff noted that the landscaping that is provided on the site is in compliance with the previously approved landscaping plan.

Elevations: On January 22, 2009 the applicant submitted elevations of the existing structures located on the site. The elevations identify a flag pole design tower that is 86 feet in height and constructed of galvanized steel that is gray in color. In addition, the elevations identify and existing 12 foot by 30 foot equipment shelter that is brown in color and two new cream colored equipment cabinets that will be 77 inches in height and will be placed on a 3 foot by 8 foot concrete pad. Staff noted that the applicant is not proposing to erect any new buildings at the site.

Service Area Maps: The Service Area Maps that were submitted for this project identify the location of the proposed co-location and other existing towers in the area. In addition, the Service Area Maps demonstrate the need for a communications facility at this site.

The location and extent of the expansion of the existing cellular communications tower is consistent with the adopted comprehensive plan and related ordinances. As such, staff

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recommends that the SDCL 11-6-19 Review to allow the expansion of an existing telecommunications tower be approved.