

STAFF REPORT  
August 5, 2010

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**No. 10UR018 - Conditional Use Permit to allow a Cellular Communication Tower in a High Density Residential Zoning District** **ITEM 21**

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GENERAL INFORMATION:

APPLICANT/AGENT	Curt Walter for Verizon Wireless
PROPERTY OWNER	Pennington County Housing and Redevelopment
REQUEST	<b>No. 10UR018 - Conditional Use Permit to allow a Cellular Communication Tower in a High Density Residential Zoning District</b>
EXISTING LEGAL DESCRIPTION	Tract A of Lot 2 of the NW1/4 SW1/4, Section 12, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 3.1 acres
LOCATION	636 Cathedral Drive
EXISTING ZONING	High Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District - General Commercial District
South:	General Commercial District
East:	Low Density Residential District
West:	General Commercial District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	6/28/2010
REVIEWED BY	Jim Flaaen / Ted Johnson

RECOMMENDATION:

Staff recommends that the Conditional Use Permit to allow a cellular communication tower in a High Density Residential Zoning District be continued to the **August 26, 2010** Planning Commission meeting.

GENERAL COMMENTS: **(Updated July 28, 2010. All revised and/or added text is shown in bold print.) This item was continued to the August 5, 2010 Planning Commission meeting to allow the applicant to complete the notification requirements and to allow the City to consider an ordinance amendment (#10OA003) to Section 17.50.400.A of the Rapid City Municipal Code. As of this writing, the ordinance amendment has not yet been approved. As such, staff recommends that this item be continued to the**

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**August 26, 2010 Planning Commission meeting.**

The applicant has submitted a Conditional Use Permit application to allow the installation of six cellular communication antennas on top of an existing building. In particular, the applicant is proposing to remove six existing cellular communication antennas and replace them with six new antennas on top of the building located at 636 Cathedral Drive.

The property is located on the north side of Cathedral Drive, west of 5<sup>th</sup> Street and east of Mount Rushmore Road. The property is zoned High Density Residential District. A high rise apartment building owned by the Pennington County Housing Authority is currently located on the property.

STAFF REVIEW: Staff has reviewed the Conditional Use Permit request to allow cellular communication antennae in a High Density Residential Zoning District and has noted the following considerations:

Section 17.50.400.A: **(Updated July 28, 2010.) An ordinance amendment (#10OA003) has been submitted to revise the requirements of Section 17.50.400.A. However, as of this writing, the ordinance amendment has not yet been approved. As such, staff recommends that this item be continued to the August 26, 2010 Planning Commission meeting.**

Staff review has identified that the proposed antennas and existing antennas currently located on the building do not meet the requirements for microcell wireless communications facilities as set forth in Section 17.50.400.A. As such, staff recommends that this item be continued to the August 5, 2010 Planning Commission meeting to allow the City to consider an ordinance amendment to Section 17.50.400.A of the Rapid City Municipal Code.

In addition, the applicant has indicated that he would be unable to complete the notification requirement by the required date. As such, the applicant has asked that this item be continued to the August 5, 2010 Planning Commission meeting so that the notification requirements may be met.