

STAFF REPORT
August 5, 2010

No. 10UR019 - Conditional Use Permit to allow a Cellular Communication Tower in Central Business Zoning District **ITEM 22**

GENERAL INFORMATION:

APPLICANT/AGENT	Curt Walter for Verizon Wireless
PROPERTY OWNER	The Turnac Group, LLC
REQUEST	No. 10UR019 - Conditional Use Permit to allow a Cellular Communication Tower in Central Business Zoning District
EXISTING LEGAL DESCRIPTION	Lots 1 thru 16 of Block 91 of the Original Town of Rapid City, Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.29 Acres
LOCATION	909 St. Joseph Street
EXISTING ZONING	Central Business District
SURROUNDING ZONING	
North:	Central Business District
South:	Central Business District
East:	Central Business District
West:	Central Business 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 Central Business 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 August 26, 2010 Planning Commission meeting.

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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 909 Saint Joseph Street.

The property is located on the south side of Saint Joseph Street, west of 9th Street and east of West Boulevard. The property is zoned Central Business District. A high rise office building is currently located on the property.

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

Section 17.50.400.A: **(Updated July 28, 2010.) An ordinance amendment (#100A003) 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.