



Rapid City Planning Commission

Conditional Use Permit Project Report

October 22, 2015

Applicant Request(s)
Case # 15UR021 – Major Amendment to a Conditional Use Permit to allow a cellular communication tower
Companion Case(s) # N/A

Development Review Team Recommendation(s)
The Development Review Team recommends that the Major Amendment to a Conditional Use Permit be approved with the stipulation(s) noted below

Project Summary Brief
<p>The applicant has submitted a Major Amendment to a Conditional Use Permit to allow a cellular communication tower. In particular, the applicant is proposing to construct an 80 foot high monopole tower with a 9 foot lightning rod, and a 12 foot by 26 foot equipment shelter. A six foot high chain link fence will enclose the tower and equipment shelter. In addition, a hedge will be planted along the south side of the fenced area.</p> <p>The property is the location of the Robbinsdale Bowling, Lounge, Restaurant, and Casino. The applicant has indicated that the tower is needed to address wireless network coverage and capacity and is designed for co-location. The site plan identifies the footprint location for an additional equipment shelter for future co-location.</p>
Applicant Information
Applicant: Brian Kabat for Verizon Wireless
Property Owner: Robbinsdale Entertainment Center LLC
Architect: Robert J. Davis
Engineer: N/A
Surveyor: N/A
Other: N/A
Development Review Team Contacts
Planner: Fletcher Lacock
Engineer: Nicole Lecy
Fire District: Tim Behlings
School District: N/A
Water/Sewer: Nicole Lecy
DOT: Stacy Bartlett








Subject Property Information	
Address/Location	801, 803, and 805 East Saint Patrick Street
Neighborhood	Downtown / Skyline Drive
Subdivision	Merchen’s First and Merchant’s First
Land Area	2.72 acres
Existing Buildings	24,344 square feet
Topography	Property is relatively flat with a slight incline from the southeast to the northwest
Access	East Saint Patrick Street
Water Provider	Rapid City
Sewer Provider	Rapid City
Electric/Gas Provider	Black Hills Power / MDU
Floodplain	N/A

Relevant Case History			
Case/File#	Date	Request	Action
02UR016	5/23/2015	Conditional Use Permit to allow an on-sale liquor establishment	Approved
11UR015	7/7/2011	Major Amendment to a Conditional Use Permit to expand an existing on-sale liquor establishment	Approved
Relevant Zoning District Regulations			
General Commercial District		Required	Proposed
Lot Area		N/A	2.72 acres
Lot Frontage		N/A	300 feet
Maximum Building Heights		Communication towers are exempt	80 foot monopole / 9 foot lightning rod
Maximum Density		75%	21.1%
Minimum Building Setback:			
• Front		25 feet	62 feet from Saint Patrick Street
• Rear		"0" feet	13.5 feet
• Side		"0" feet	25 feet from east property line
• Street Side		25 feet	N/A
Minimum Landscape Requirements:			
• # of landscape points		93,811	Less than 20% expansion does not trigger additional landscaping / applicant is proposing 1,500 points to replace 1,000 points
• # of landscape islands		6	Existing legal non-conforming
Minimum Parking Requirements:			
• # of parking spaces		156	156
• # of ADA spaces		6	6
Signage		Two square feet for every linear square foot of frontage	No new signage proposed
Fencing		8 feet	Proposed 6 foot chain link fence

Planning Commission Criteria and Findings for Approval or Denial	
Pursuant to Section 17.54.030(E) of the Rapid City Municipal Code the Planning Commission shall consider the following criteria for a request to allow a cellular communication tower	
1. The location, character and natural features of the property:	The property is located at 803 East Saint Patrick. The property is the location of the Robbinsdale Bowling, Lounge, Restaurant, and Casino. The proposed cellular communication tower will be located on the southeast side of the property.
2. The location, character and design of adjacent buildings:	Property to the west is developed with a gas station. Property to the south is void of structural development. Properties to the north and east are developed with a mix of commercial buildings.
3. Proposed fencing, screening and landscaping:	The applicant is proposing to enclose the cellular communication tower and equipment shelter with a six foot high chain link fence. The applicant is also proposing to plant a hedge along the south side of the proposed fenced area. The proposed hedge will replace a tree that will be

	removed during construction.
4. Proposed vegetation, topography and natural drainage:	The applicant is proposing to pave additional areas for parking and circulation. The additional impervious area will require a grading plan, drainage plan, storm water quality treatment, and an erosion and sediment control plan. As such, upon submittal of a Building Permit, the above information must be submitted for review and approval.
5. Proposed pedestrian and vehicular access, circulation and parking, including that related to bicycles and other unpowered vehicles and provisions for handicapped persons:	Vehicular access is from East Saint Patrick Street. There is an existing pedestrian pathway located on the west side of the parking lot. A curbside sidewalk is located along East Saint Patrick Street and provides pedestrian access. A minimum of 156 parking spaces must be provided for the existing and proposed uses. The site plan shows that 156 parking will be provided in compliance with the parking ordinance, including handicap accessible parking.
6. Existing traffic and traffic to be generated by the proposed use:	Once constructed, the proposed communication tower is not anticipated to generate much traffic beyond standard maintenance crews and facility management.
7. Proposed signs and lighting:	The applicant is not proposing any new signage or lighting.
8. The availability of public utilities and services:	The property is currently served by public utilities including Rapid City sewer and water.
9. The objectives of the adopted comprehensive plan and the purpose of the ordinance codified herein:	The property is zoned General Commercial District and is located adjacent to East Saint Patrick Street which is identified as a Principal Arterial Street on the City's Major Street Plan. A cellular communication tower is identified as a conditional use in the General Commercial District. The applicant is proposing to construct an 80 foot high monopole on the southeast side of the subject property. The monopole will be designed to allow the ability to co-locate. The applicant has indicated that the tower is needed to address wireless network capacity and coverage needs and that improvements in communications infrastructure are vital in these corridors and centers.
10. The overall density, yard, height and other requirements of the zone in which it is located:	The proposed cellular communication tower is in compliance with the requirements of the Zoning Ordinance.
11. The effects of noise, odor, smoke, dust, air, and water pollution and the degree of control through the use of clarifiers, screening, setbacks and orientation:	It does not appear that the proposed use will have a negative effect on noise, odor, smoke, dust, air, and water pollution.
12. The degree to which conditions imposed will mitigate any probable adverse impacts of the proposed use on existing adjacent uses:	The stipulations of approval will ensure that the cellular communication tower is a maximum of 100 feet high and is designed for co-location to ensure that multiple carriers can use a single tower.

Planning Commission Comprehensive Plan Policy Guidance for Approval or Denial
In considering an application for approval or denial the Planning Commission finds that the application either complies or does not comply with the following values, principles, goals, and policies within the Rapid City Comprehensive Plan:

Comprehensive Plan Conformance – Core Values Chapters	
	A Balanced Pattern of Growth
BPG-1.2A	Priority Infill Areas: The applicant has submitted information showing that the proposed communication tower will improve the overall wireless capacity in this area. The resulting increase in cellular wireless capacity benefits the businesses and individuals across Rapid City.
	A Vibrant, Livable Community
	N/A
	A Safe, Healthy, Inclusive, and Skilled Community
	N/A
	Efficient Transportation and Infrastructure Systems
	N/A
	Economic Stability and Growth
	N/A
	Outstanding Recreational and Cultural Opportunities
	N/A
	Responsive, Accessible, and Effective Governance
GOV-2.1A	Public Input Opportunities: The proposed Major Amendment to a Conditional Use Permit requires that public notice be advertized in the newspaper and that mailings are sent to property owners within 250 feet of the proposed development. The requested Conditional Use Permit is before the Planning Commission for review and approval. The public has an opportunity to provide input at this meeting.

Comprehensive Plan Conformance – Growth and Reinvestment Chapter	
Future Land Use Plan Designation(s):	Mixed-Use Commercial and Revitalization Corridor
Design Standards:	
N/A	The principal use of the property is Robbinsdale Bowling, Lounge, Restaurant, and Casino. The proposed cellular communication tower is a conditional use in the General Commercial District and is in compliance with the Zoning Ordinance.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
Neighborhood:	Downtown / Skyline Drive
Neighborhood Goal/Policy:	
DSD-NA1.1D	Reinvestment Corridors: The property is located adjacent to East Saint Patrick Street which is identified as a Principal Arterial Street on the City's Major Street Plan and a Revitalization Corridor in the City's adopted Comprehensive Plan. The applicant has indicated that the proposed tower will increase wireless network coverage and capacity in the area. The resulting increase in cellular wireless

	coverage and capacity benefits the businesses and individuals across Rapid City.
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Findings	
<p>Staff has reviewed the Major Amendment to a Conditional Use Permit to allow a cellular communication tower pursuant to Chapter 17.18, and Chapter 17.54.030 of the Rapid City Municipal Code and the goals, policies, and objectives of the adopted Comprehensive Plan. The property abuts East Saint Patrick Street which is identified as a Principal Arterial Street on the City's Major Street Plan. The applicant has submitted information showing that the proposed communication tower will improve the overall wireless coverage and capacity in this area. The resulting increase in cellular wireless capacity benefits the businesses and individuals across Rapid City. The proposed cellular communication tower is a conditional use in the General Commercial District and is in compliance with the requirements of the Zoning Ordinance.</p>	

Planning Commission Recommendation and Stipulations of Approval	
<p>Staff recommends that the Major Amendment to a Conditional Use Permit to allow a cellular communication tower be approved with the following stipulation:</p>	
1.	Upon submittal of a Building Permit, a grading plan, drainage plan, storm water quality treatment plan, and an erosion and sediment control plan shall be submitted for review and approval; and,
2.	The Major Amendment to a Conditional Use Permit shall allow an 80 foot high monopole cellular communication tower with an additional 9 foot lightning rod and an associated equipment shed. The tower shall be designed for co-location and a Building Permit shall be required for the construction of the second equipment shelter. Changes to the proposed tower or equipment shelter(s) that do not meet the criteria of Chapter 17.54.030(I) of the Rapid City Municipal Code shall require a Major Amendment. Permitted uses within the General Commercial District in compliance with the Parking Ordinance shall be allowed with a Building Permit. Any conditional use shall require the review and approval of a Major Amendment to the Conditional Use Permit.