

STAFF REPORT
February 23, 2006

No. 06SR001 - SDCL 11-6-19 Review to allow the construction of a communication facility **ITEM 14**

GENERAL INFORMATION:

PETITIONER	John M. Rowe, Buell Consulting for Cellular Inc. Network d/b/a Verizon Wireless
REQUEST	No. 06SR001 - SDCL 11-6-19 Review to allow the construction of a communication facility
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 .10 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	1/12/2006
REVIEWED BY	Travis Tegethoff / Emily Fisher

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to allow the construction of a communication facility be **approved with the following stipulations:**

- 1. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;**
- 2. All plans shall be stamped by a Registered Professional Engineer and/or Architect per SDCL 36-18A and a third party shall provide inspection of the prefabricated equipment shelter;**
- 3. The parking plan shall continually comply with all requirements of the Zoning Ordinance and the approved parking plan;**
- 4. The landscape plan shall continually comply with all requirements of the Zoning Ordinance and the approved landscape plan;**
- 5. The tower shall not be illuminated by artificial means and shall not display strobe lights except to illuminate the flag;**

STAFF REPORT
February 23, 2006

No. 06SR001 - SDCL 11-6-19 Review to allow the construction of a communication facility **ITEM 14**

6. **No commercial advertising signage shall be allowed on the tower;**
7. **The tower shall remain unpainted allowing the galvanized steel color to show or painted white unless alternative colors are required by the Federal Aviation Administration or other federal or state authority;**
8. **All applicable provisions of the International Fire Code shall be continually met; and,**
9. **All construction shall comply with the approved plans.**

GENERAL COMMENTS: This staff report has been revised as of February 15, 2006. All revised and/or added text is shown in bold print. The applicant is requesting approval of a SDCL 11-6-19 Review to allow the construction of a 90 foot high flagpole antenna structure and equipment shelter. The subject property is located north of East North Street between East Boulevard North and North Maple Avenue. The subject property is currently zoned General Commercial District. The property located west of the subject property is zoned Public District. The properties located north and south of the subject property are zoned General Commercial District. The properties to the east of the subject property are zoned Low Density Residential District. Currently, a mobile home and two other buildings are located on the subject property.

South Dakota Codified Law 11-6-19 states that "...whenever any such municipal council has adopted a comprehensive plan, then 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 until and unless the location and extent thereof shall have been submitted to and approved by the Planning Commission". This is a public utility located on privately owned land requiring that the Planning Commission review and approve the proposed installation.

STAFF REVIEW: Staff has reviewed the proposed SDCL 11-6-19 Review request as it relates to the applicable provisions of the Rapid City Municipal Code and has noted the following issues:

Building Permits: Staff noted that a building permit shall be obtained prior to any construction and a certificate of occupancy shall be obtained prior to occupancy. Staff also noted that plans for the flagpole tower shall be stamped by a Registered Professional Engineer or Architect per SDCL 36-18A and a third party shall provide inspection of the prefabricated equipment shelter.

Setbacks: Staff noted that the applicant's site plan meets all the setback requirements as per Section 17.18.050 of the Rapid City Municipal Code.

Building Height: Staff noted that the applicant's plans meet all the building height requirements as per Section 17.18.060 and Section 17.50.260(C) of the Rapid City Municipal Code.

Parking: Section 17.50.270 of the Rapid City Municipal Code requires two parking spaces be provided. Staff noted that one gravel parking space was indicated in the notes but two

STAFF REPORT
February 23, 2006

No. 06SR001 - SDCL 11-6-19 Review to allow the construction of a communication facility **ITEM 14**

spaces were shown on the plan. Section 17.50.270(G)(3) states that parking areas shall be paved and maintained so as to eliminate dust or mud. Staff noted that one standard parking space and one van accessible handicap space shall be provided per Section 17.50.270 of the Rapid City Municipal Code. Prior to Planning Commission approval, a revised site plan must be submitted for review and approval.

On February 3, 2006, the applicant submitted a revised site plan meeting all the requirements of Section 17.50.270 of the Rapid City Municipal Code.

Landscaping: Section 17.50.300 of the Rapid City Municipal Code requires landscaping to be provided. Staff noted that two new trees were indicated on the plan. However, no information on the species of plants or the size of plants was indicated on the plan. Prior to Planning Commission approval, a revised site plan must be submitted for review and approval.

On February 3, 2006, the applicant submitted a revised site plan meeting all the requirements of Section 17.50.300 of the Rapid City Municipal Code.

Design Features: The submitted elevation drawings show the proposed tower to be 90 feet in height. The tower shall not be illuminated by artificial means or strobe lights except to illuminate the flag. No advertising will be allowed on the tower. The tower shall remain unpainted allowing the galvanized steel color to show or painted white unless alternative colors are required by the Federal Aviation Administration or other federal or state authority.

Fire Safety: Staff noted addressing of the structure shall be in compliance with the 2003 International Fire Code. Staff also noted that fire apparatus access appears to be in compliance with the 2003 International Fire Code.

Engineering: Staff noted that properties zoned General Commercial District are required to have a reinforced concrete approach and driveway openings shall not be less than 16 feet in width. Staff was unable to determine the driveway width due to the non-standard scale of the drawing. Staff also noted that a detail of the reinforced concrete approach and a pavement section for the access road and parking area must be provided. Prior to Planning Commission approval, a revised site plan must be submitted for review and approval as identified.

On February 10, 2006 the applicant submitted a revised grading and drainage plan for meeting all the requirements as identified.

Drainage and Grading: Staff noted that the drainage and grading plans submitted must be designed in compliance with the Rapid City Drainage Criteria Manual and City of Rapid City Standard Specifications for Public Works Construction, 2004 Edition. Staff noted that flow arrows and contour elevations must be shown and plans must be signed by a Registered Engineer in the State of South Dakota. Prior to Planning Commission approval, a revised grading and drainage plan must be submitted for review and approval.

STAFF REPORT
February 23, 2006

No. 06SR001 - SDCL 11-6-19 Review to allow the construction of a communication facility **ITEM 14**

On February 10, 2006 the applicant submitted a revised grading and drainage plan meeting all the requirements as identified.

This item was continued on February 9, 2006 to the February 23, 2006 Planning Commission Meeting to allow the issues as identified above to be addressed.

On February 3, 2006 the applicant submitted a revised site plan for review and approval. Subsequently, staff has reviewed and approved the revised plans.

On February 10, 2006 the applicant submitted a revised grading plan for review and approval. Subsequently, staff has reviewed and approved the revised plans.

Staff recommends that the SDCL 11-6-19 Review to allow the construction of a communication facility be approved with the previously stated stipulations.