

STAFF REPORT

June 5, 2014

No. 14UR013 - Conditional Use Permit to allow a cellular training tower in the Light Industrial District **ITEM 3**

GENERAL INFORMATION:

APPLICANT	Mike Young - Sioux Falls Tower
AGENT	Janelle Finck - Fisk Land Surveying & Consulting Engineers
PROPERTY OWNER	Tower Properties II LLC
REQUEST	No. 14UR013 - Conditional Use Permit to allow a cellular training tower in the Light Industrial District
EXISTING LEGAL DESCRIPTION	Lot 3 of Block 2 of Northstar Subdivision, located in Section 29, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.54 acres
LOCATION	West of Emerson Lane
EXISTING ZONING	Light Industrial District
FUTURE LAND USE DESIGNATION	Industrial
SURROUNDING ZONING	
North:	Light Industrial District
South:	Light Industrial District
East:	Light Industrial District
West:	Light Industrial District
PUBLIC UTILITIES	Rapid City water / wastewater holding tank
DATE OF APPLICATION	May 9, 2014
REVIEWED BY	Fletcher Lacock / Nicole Lecy

RECOMMENDATION:

Staff recommends that the Conditional Use Permit to allow a cellular training tower in the Light Industrial District be approved with the following stipulations:

1. A Building Permit shall be obtained prior to start of construction;
2. A minimum of 11 parking spaces shall continually be provided. One of the parking spaces shall be handicap "van accessible". All provisions of the Off-Street Parking Ordinance shall be continually met;
3. A minimum of 105,923 landscaping points shall be provided. All provisions of Section 17.50.300, the Landscaping Regulations of the Rapid City Municipal Code shall be

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- continually met. All landscaping shall be continually maintained in a live vegetative state and replaced as necessary;
4. All provisions of the Light Industrial District shall be met;
 5. All outdoor lighting shall be reflected within the property boundaries so as to not shine onto adjoining properties and rights-of-way and to not be a hazard to the passing motorist or constitute a nuisance of any kind;
 6. No signage shall be allowed on the cellular training tower. All other signage shall conform to the Sign Code. No electronic signs are being approved as a part of this Conditional Use Permit. All signage not in conformance with the Sign Code or any electronic reader board signs shall require the review and approval of a Major Amendment. Lighting for the signs shall be designed to preclude shining on the adjacent properties and/or street(s). A sign permit shall also be obtained for all signs;
 7. All applicable provisions of the adopted International Fire Code shall continually be met; and,
 8. The Conditional Use Permit shall allow for a 60 foot high cellular training tower. Any change in use that is a permitted use in the Light Industrial District and is in compliance with the Parking Ordinance shall require the review and approval of a Building Permit. Any change in use that is a Conditional Use in the Light Industrial District shall require the review and approval of a Major Amendment.

GENERAL COMMENTS:

The applicant has submitted a Conditional Use Permit to construct a 60 foot high cellular training tower in the Light Industrial District. The proposed tower will be a permanent structure and will not contain any active communications equipment. The tower will be used for training purposes for on-site personnel. Employees at the site will use the tower to practice installing and removing equipment.

The property is located on the west side of Emerson Lane approximately 400 feet south of the intersection of Seger Drive and Emerson Lane. Currently, a one-story industrial structure is located on the property.

STAFF REVIEW:

Staff has reviewed the proposed use with respect to Chapter 17.54.030(E) and has noted the following issues:

1. *The location, character and natural features of the property:*

The property is located on the west side of Emerson Lane and is the location of Sioux Falls Tower and Communications. Currently, a one-story industrial building is located on the property. On July 2, 2013, a Variance was granted to not pave access within the fenced storage area on the west side of the property.

2. *The location, character and design of adjacent buildings:*

The property is located in an industrial corridor on the south side of Seger Road. Property to the south is void of structural development. Properties to the east are developed with one-story industrial buildings. Properties to the north and west are being

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used as auto salvage yards.

3. *Proposed fencing, screening and landscaping:*

The applicant is not proposing any additional fencing, screening or landscaping. There is a chain-link fence on the west side of the property around the existing outdoor storage area.

The existing development on the property requires that a minimum of 105,923 landscaping points be provided. The applicant has submitted a landscape plan that shows a total of 106,364 landscape points have been provided. The landscape plan is in compliance with Chapter 17.50.300 of the Rapid City Municipal Code.

4. *Proposed vegetation, topography and natural drainage:*

The applicant is not proposing any changes to vegetation, topography or natural drainage.

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 to the property is off of Emerson Lane. Property line sidewalk is currently being constructed along Emerson Lane.

A minimum of 11 parking spaces must be provided for the existing and proposed use of the property. The applicant has submitted a site plan that identifies 11 parking spaces with one being handicap "van accessible". The parking plan is in compliance with Chapter 17.50.270 of the Rapid City Municipal Code.

6. *Existing traffic and traffic to be generated by the proposed use:*

It is not anticipated that the proposed cellular training tower will generate an increase in traffic. The proposed tower is for training of personnel currently on-site.

7. *Proposed signs and lighting:*

The applicant is not proposing any new signage or lighting as a part of this application. The applicant should be aware that no signage will be allowed on the proposed tower.

8. *The availability of public utilities and services.*

The property is currently served by Rapid City water. In addition, there is a private wastewater holding tank located on-site.

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9. *The objectives of the adopted comprehensive plan and the purpose of the ordinance codified herein:*

The Zoning Ordinance is the tool that implements the Comprehensive Plan. Chapter 17.22.030 of the Rapid City Municipal Code identifies cellular communications towers as a Conditional Use in the Light Industrial District. Approval of the Conditional Use Permit will allow for a 60 foot high cellular training tower. Any change in use that is a permitted use in the Light Industrial District and is in compliance with the Parking Ordinance will require the review and approval of a Building Permit. Any change in use that is a Conditional Use in the Light Industrial District will require the review and approval of a Major Amendment.

A Building Permit must be obtained prior to any construction.

10. *The overall density, yard, height and other requirements of the zone in which it is located:*

All provisions of the Light Industrial District must be met. On July 2, 2013, a Variance was granted to allow the circulation areas to not be paved in the storage area on the west side of the property. All other area requirements of the Light Industrial District are being met.

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 cellular training tower will have a negative effect on the surrounding area by causing noise, odor, smoke, dust, air or 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 of the Conditional Use Permit will serve as a tool to insure that adequate parking is being provided and that the use of the tower is strictly for training. In addition, the applicant should be aware that a building permit must be obtained prior to construction of the proposed training tower.

Notification: The mailings have been returned to Community Planning and Development Services for posting. Staff has not confirmed that the sign has been posted on the property. Staff will notify the Planning Commission at the June 5, 2014 Planning Commission meeting if this requirement has been met.