



Rapid City Planning Commission

Planned Development Overlay Project Report

November 25, 2020

Item #9
Applicant Request(s)
Case #20PD031 – Major Amendment to the Planned Development Overlay to allow a cellular communications tower
Companion Case(s) N/A

Development Review Team Recommendation(s)
Staff recommends approval with the stipulations as noted below.

Project Summary Brief
<p>The applicant has submitted a Major Amendment to the Planned Development Overlay to allow a cellular communications tower. In particular, the applicant is proposing to construct a 100-foot tall cellular pole tower and a fenced equipment pad area measuring 12 feet by 16.5 feet. The proposed fence will be eight feet in height and constructed of wood to match existing fencing on the property. The applicant has indicated that the cellular communications tower is needed due to capacity deficiency in the area.</p> <p>The property is currently developed with a pet store known as “Healthy Paws”.</p>

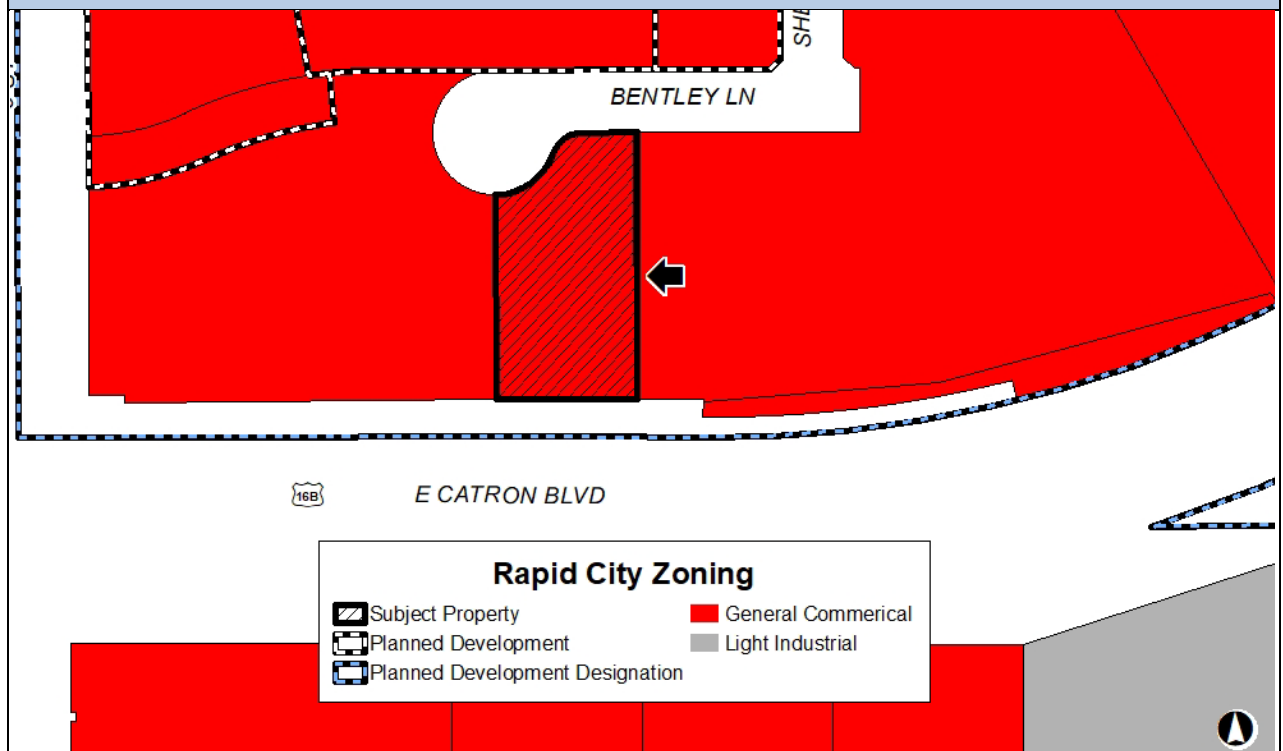
Applicant Information	Development Review Team Contacts
Applicant: Comm Net Cellular Inc d/b/a Verizon Wireless	Planner: Fletcher Lacock
Property Owner: GHR Enterprises, LLC	Engineer: Dan Kools
Architect: N/A	Fire District: Tim Behlings
Engineer: N/A	School District: N/A
Surveyor: N/A	Water/Sewer: Dan Kools
Other: N/A	DOT: Stacy Bartlett

Subject Property Information	
Address/Location	425 Bentley Lane
Neighborhood	South Robbinsdale
Subdivision	North 80 Subdivision
Land Area	0.72 acres or 31,363.2 square feet
Existing Buildings	Pet store / 2,700 square feet
Topography	Relatively flat
Access	Bentley Lane
Water / Sewer	Rapid City
Electric/Gas Provider	Black Hills Power / MDU
Floodplain	N/A

Subject Property and Adjacent Property Designations

	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	GC-PD	MUC – Entrance Corridor	Pet store
Adjacent North	GC-PD	MUC	Restaurant (Taco Bell)
Adjacent South	GC	LI – Entrance Corridor	Storage Units
Adjacent East	GC-PDD	MUC – Entrance Corridor	Void of structural development
Adjacent West	GC-PDD	MUC – Entrance Corridor	Void of structural development

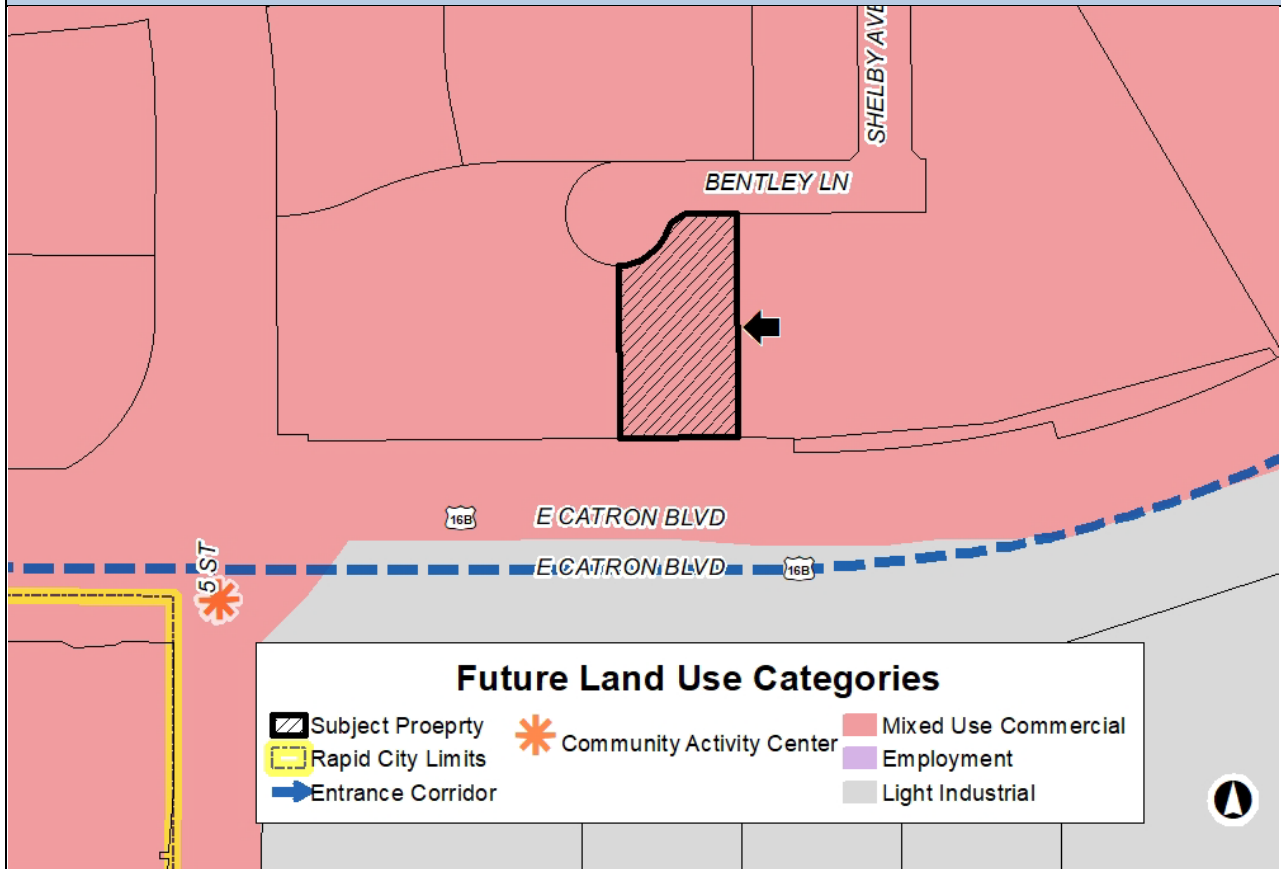
Zoning Map



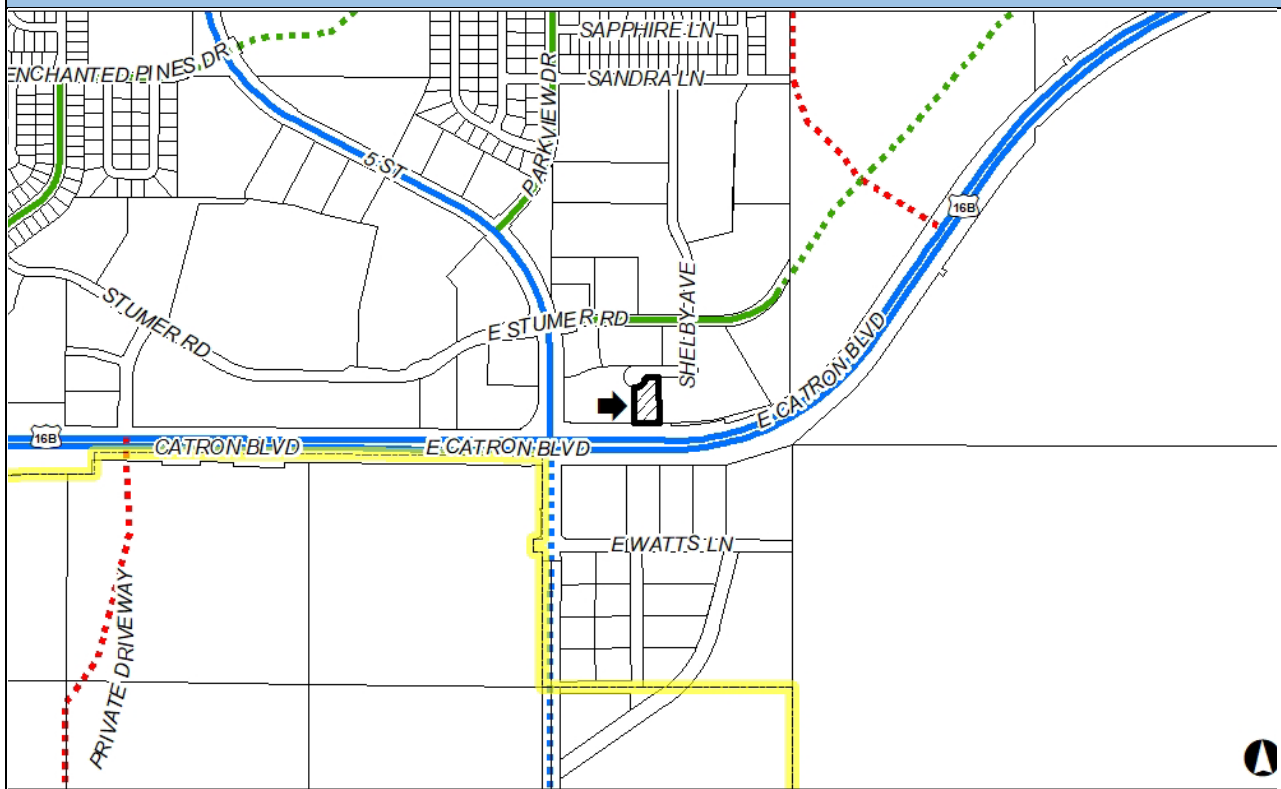
Existing Land Uses



Comprehensive Plan Future Land Use



Parks or Transportation Plan










Relevant Case History			
Case/File#	Date	Request	Action
17PD024	06/22/2017	Final Planned Development Overlay to allow a pet store	PC approved
Relevant Zoning District Regulations			
General Commercial District	Required	Proposed	
Lot Area	N/A	31,363.2 square feet	
Lot Width	N/A	Approximately 133 feet	
Maximum Building Heights	N/A	100 feet	
Maximum Density	75%	10 %	
Minimum Building Setback:			
• Front	25 feet	25 feet from East Stumer Road	
• Rear	"0" feet	125 feet	
• Side	"0" feet	90 feet (west)/10 feet (east)	
• Street Side	25 feet	N/A	
Minimum Landscape Requirements:			
• # of landscape points	28,120	28,841	
• # of landscape islands	0	0	
Minimum Parking Requirements:			
• # of parking spaces	14	14	
• # of ADA spaces	1 "van" accessible	1 "van" accessible	
Signage	Two square feet for every linear square foot of frontage	37.4 square foot wall sign	
Fencing	8 feet	None proposed	

Planning Commission Criteria and Findings for Approval or Denial	
Pursuant to Section 17.50.050(F)5 of the Rapid City Municipal Code the Planning Commission shall consider the following criteria for a Planned Development Overlay:	
Criteria	Findings
1. There are certain conditions pertaining to the particular piece of property in question because of its size, shape, or topography:	The property is zoned General Commercial District with a Planned Development Overlay. The property is approximately 31,363 square feet in size. A cellular communication tower is identified as a conditional use in the General Commercial District requiring a Major Amendment to the Planned Development. The property is relatively flat but has two street frontages on the north and south property lines.
2. The application of these regulations to this particular piece of property would create a practical difficulty or undue hardship:	As previously noted, a cellular communications tower is a conditional use in the General Commercial District. The applicant is not requesting any Exceptions as a part of the development of the site. The application of the regulations does not create a practical difficulty or undue hardship to this piece of property.
3. Exceptions to the underlying zoning district, if granted, would not cause undue hardship to the public good or impair the purposes and intent of these regulations:	As previously noted, the applicant is not requesting any Exceptions as a part of this application.
4. A literal interpretation of this chapter would deprive the applicant of rights that others in the same district are allowed:	The property is zoned General Commercial District with a Planned Development Overlay. A cellular communications tower is a conditional use in the district requiring a Major Amendment to the Planned Development Overlay.

5. Any adverse impacts will be reasonably mitigated:	Public Works staff has indicated that the porous landscaping/drainage element on the site is being moved and expanded to accommodate the tower location. The proposed tower does not impact the existing Major Drainage Easement or Conservation Easement.
6. The requested exception to the underlying zoning district standards is an alternative or innovative practice that reasonably achieves the objective of the existing standard sought to be modified:	As previously noted, the applicant is not requesting any Exceptions as a part of this application.

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
	N/A
	A Vibrant, Livable Community
LC-1.3B	Entrance Corridor Coordination: The applicant has submitted photo simulations demonstrating that the proposed tower will have a minimal visual impact on the Elk Vale Road Entrance Corridor. The applicant has stated that the tower is needed to accommodate capacity deficiency in this area of the City.
	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 Planned Development Overlay requires that public notice be advertised in the newspaper and that mailings are sent to property owners within 250 feet of the proposed development. The requested Major Amendment to a Planned Development 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 / Entrance Corridor
Design Standards:	
N/A	Employment Centers identify supporting commercial/retail as a secondary use.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
Neighborhood:	South Robbinsdale Neighborhood Area
Neighborhood Goal/Policy:	
N/A	The subject property is located adjacent to a Community Activity Center which supports a mix of residential and employment growth in the area. As the area continues to grow, additional cellar capacity is needed.

Findings	
Staff has reviewed the Major Amendment to the Planned Development to allow a cellular communications tower pursuant to Chapter 17.50.050(F)5 of the Rapid City Municipal Code and the goals, policies, and objectives of the adopted Comprehensive Plan. The proposed cellular communications tower provides a service to support the continued growth of residential and employment opportunities adjacent to an established and growing Community Activity Center.	

Planning Commission Recommendation and Stipulations of Approval	
Staff recommends that the Major Amendment to the Planned Development be approved with the following stipulations:	
1.	All signage shall comply with the requirements of the Rapid City Sign Code. No electronic or Light Emitting Diode (LED) signage is being approved as a part of this Major Amendment to the Planned Development Overlay. The addition of electronic or LED signage shall require a Major Amendment to the Planned Development. A sign permit is required for any new signs; and,
2.	The Major Amendment to the Planned Development shall allow for a 100-foot tall cellular communications tower designed for co-location with an associated fenced equipment pad area. Tower space shall be provided for local safety radio equipment. 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 Planned Development.



Rapid City Community Planning & Development Services

Development Review Advisories

*Disclosure: The Development Review Team has created this list of Advisories as a courtesy for your specific application. **This is not a complete list.** All City, District, State, and Federal requirements must be continually met.*

Applicant Request(s)	
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ADVISORIES: Please read carefully!	
1.	A building permit shall be obtained prior to any construction;
2.	A Right-of-way Permit shall be obtained prior to any work in the right-of-way;
3.	All construction plans shall be signed and sealed by a registered professional pursuant to SDCL 36-18A;
4.	All requirements of the currently adopted Building Code shall be met;
5.	All requirements of the International Fire Code shall be met;
6.	All requirements of the Rapid City Infrastructure Design Criteria Manual and Rapid City Standard Specifications shall be met;
7.	All erosion and sediment control measures shall be installed and continually maintained as necessary;
8.	ADA accessibility shall be maintained throughout the site as necessary; and,
9.	All lighting shall be designed to preclude shining on adjacent properties and rights-of-ways, so as not to create a nuisance to neighboring properties and traffic.