

AGENDA
PENNINGTON COUNTY PLANNING COMMISSION
October 14, 2013 @ 9:00 a.m.

County Commissioners' Meeting Room - Pennington County Courthouse

Recommendations of the Planning Commission on items from this agenda will be considered by the Board of Commissioners at their regular meeting on November 8, 2013, at 10:30 a.m.

ROLL CALL

1. APPROVAL OF THE SEPTEMBER 23, 2013, MINUTES
2. APPROVAL OF THE AGENDA

CONSENT CALENDAR

The following items have been placed on the Consent Calendar for action to be taken on all items in accordance with staff's recommendation by a single vote. Any item may be removed from the Consent Calendar, by any Planning Commissioner, staff member, or audience member for separate consideration. The findings of this Planning Commission are recommendations to the Pennington County Board of Commissioners who will make the final decision.

3. **CONDITIONAL USE PERMIT REVIEW / CU 92-19:** Harold Willis. To review a mobile home as a caretaker's residence in a Low Density Residential District in accordance with Section 204-D of the Pennington County Zoning Ordinance.

Lot 4, Vaughn Addition, Section 19, T2N, R8E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 92-19 with four (4) conditions.

4. **CONDITIONAL USE PERMIT REVIEW / CU 01-01:** Charles and Ursula Brackett. To review a mobile home park in a Suburban Residential District in accordance with Section 208-C-2 of the Pennington County Zoning Ordinance.

The West 250' of the North 662.9' of the NW1/4SE1/4, Section 17, T2N, R7E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 01-01 with sixteen (16) conditions.

5. **PLANNED UNIT DEVELOPMENT REVIEW / PU 06-07:** Black Hills Resorts, Inc. (Cimarron Park); Art Janklow – Agent. To review a Planned Unit Development to allow a mobile home park in accordance with Section 213 of the Pennington County Zoning Ordinance.

Tract C of Lot B of NE1/4 NW1/4 less Pengra Subdivision, Section 17, T2N, R7E, BHM, Pennington County, South Dakota.

(Continued from the August 26, 2013, Planning Commission meeting.)

To recommend to continue the review of Planned Unit Development / PU 06-07 to the December 9, 2013, Planning Commission meeting.

6. **REZONE / RZ 13-18 AND COMPREHENSIVE PLAN AMENDMENT / CA 13-12:** Larry Teuber / School House, LLC; Renner & Associates – Agent. To rezone 2.1 acres from Suburban Residential District to Limited Agriculture District and to amend the Pennington County Comprehensive Plan to change the Future Land Use Map from Suburban Residential District to Limited Agriculture District in accordance with Sections 206 and 508 of the Pennington County Zoning Ordinance.

Located on the following metes and bounds description: A portion of Lot 2R, Block 4, Spring Canyon Estates, Section 5, T1S, R7E, BHM, Pennington County, South Dakota, more fully described as follows: Commencing at a corner on the northerly boundary of Lot 2R, Block 4, Spring Canyon Estates, common to the northeasterly corner of Lot 1, Block 4, Spring Canyon Estates, common to a point on the southerly edge of Clarkson Road right-of-way, and the point of beginning; Thence, first course: S54°32'59"E, along the northerly boundary of said Lot 2R, common to the southerly edge of said right-of-way, a distance of 142.05 feet; Thence, second course: S03°31'20"E, a distance of 78.16 feet; Thence, third course: S40°44'38"W, a distance of 192.59 feet; Thence, fourth course: S63°27'08"W, a distance of 169.92 feet; Thence, fifth course: S26°00'49"W, a distance of 33.00 feet, a point on the southerly boundary of said Lot 2R; Thence, sixth course: N63°59'40"W, along the southerly boundary of said Lot 2R, a distance of 97.52 feet, to a corner on the westerly boundary of said Lot 2R; Thence, seventh course: N26°00'15"E, along the westerly boundary of said Lot 2R, a distance of 33.00 feet, to a corner on the westerly boundary of said Lot 2R; Thence, eighth course: N10°53'21"W, along the westerly edge of Lot 2R, a distance of 200.55 feet, to a corner on the westerly boundary of said Lot 2R, common to the southeasterly corner of said Lot 1; Thence, ninth course: N76°55'43"E, along the westerly edge of said Lot 2R, common to the easterly boundary of said Lot 1, a distance of 231.09 feet, to a corner on the westerly boundary of said Lot 2R, common to a corner on the easterly boundary of said Lot 1; Thence, tenth course: N32°32'36"E, along the westerly edge of said Lot 2R, common to the easterly edge of said Lot 1, a distance of 107.11 feet, to the said point of beginning. Said Parcel contains 2.100 acres more or less.

To recommend approval of Rezone / RZ 13-18 and_ Comprehensive Plan Amendment / CA 13-12.

7. **REZONE / RZ 13-15 AND COMPREHENSIVE PLAN AMENDMENT / CA 13-09:** Neil Tschetter. To rezone .26 acre from General Agriculture District to Suburban Residential District and to amend the Pennington County Comprehensive Plan to change the Future Land Use from Planned Unit Development Sensitive to Suburban Residential District in accordance with Section 508 of the Pennington County Zoning Ordinance.

Lot 10 (of Gov't Lot 9), Black Forest Village, Section 22, T1N, R5E, BHM, Pennington County, South Dakota.

(Continued from the September 9, 2013, Planning Commission meeting.)

To recommend to continue Rezone / RZ 13-15 and Comprehensive Plan Amendment / CA 13-09 to the November 12, 2013, Planning Commission meeting.

END OF CONSENT CALENDAR

8. **REZONE / RZ 13-13 AND COMPREHENSIVE PLAN AMENDMENT / CA 13-07:** Mitch Morris. To rezone 151.36 acres and 30.49 acres from General Agriculture District and Light Industrial District to General Commercial District and to amend the Pennington County Comprehensive Plan to change the Future Land Use from Limited Agriculture District to General Commercial District in accordance with Section 508 of the Pennington County Zoning Ordinance.

Being 151.36 acres of land located in the E1/2 of Section 32, Township 1 North, Range 8 East of the Black Hills Meridian, Pennington County, South Dakota, said 151.36 acres of land being more particularly described by metes and bounds as follows, all measurements are to be considered as being followed by the words "more or less"; BEGINNING at the southwest corner of Lot 1 of the SW1/4 SE1/4 of Section 32, Township 1 North, Range 8 East of the Black Hills Meridian, on the south line of Section 32 at the intersection of the east right-of-way line of South Dakota Highway 79; Thence, North 06°32'53" West, along the west line of said Lot 1 of the SW1/4 SE1/4 of Section 32 and east right-of-way line of SD Highway 79, a distance of 4310.98 feet to a point on the easterly line of Lot A of the NW1/4 NE1/4 of Section 32 as shown on plat recorded in Highway Plat Book 9, Page 93, in the office of the Pennington County Register of Deeds, in a curve from which the center of curvature bears North 48°17'34" West a distance of 103.00 feet; Thence, southwesterly, following the easterly line of said Lot A of the NW1/4 NE1/4 of Section 32, along a curve to the right having a radius of 103.00 feet, a central angle of 35°53', for an arc distance of 64.51 feet to a point of tangency; Thence, South 77°35'27" West, continuing to follow the easterly line of said Lot A of the NW1/4 NE1/4 of Section 32, a distance of 4.12 feet to a point for corner on the east right-of-way line of SD Highway 79, in a curve from which the center of curvature bears South 73°13'38" West a distance of

3920 feet; Thence, northwesterly, along a curve to the left having a radius of 3920 feet, a central angle of 00°29'02", for an arc length of 33.11 feet to point for corner on the centerline of the alignment of said Lot A of the NW1/4 NE1/4 of Section 32; Thence, North 77°35'27" East, following the centerline of the alignment of said Lot A of the NW1/4 NE1/4 of Section 32, a distance of 6.78 feet to a point of curvature; Thence, northeasterly, continuing to follow the centerline of the alignment of said Lot A of the NW1/4 NE1/4 of Section 32, along a curve to the left having a radius of 70.00 feet, a central angle of 84°05'03", for an arc length of 102.73 feet to a point of tangency; Thence, North 06°29'36" West, continuing to follow the centerline of the alignment of said Lot A of the NW1/4 NE1/4 of Section 32, a distance of 606.16 feet to a point of curvature; Thence, northwesterly, continuing to follow the centerline of the alignment of said Lot A of the NW1/4 NE1/4 of Section 32, along a curve to the left having a radius of 1432.39 feet, a central angle of 05°45'52", for an arc length of 144.11 feet to point for corner on the west line of the E1/2 of Section 32; Thence, North 00°01'24" East, along the west line of the E1/2 of Section 32, a distance of 206.71 feet to the northwest corner of the E1/2 of Section 32; Thence, South 89°48'35" East, along the north line of the E1/2 of Section 32, a distance of 2656.84 feet to the northeast corner of Section 32; Thence, South 00°04'45" West, along the east line of Section 32, a distance of 500.00 feet to a point for corner; Thence, North 89°48'35" West, parallel to and 500 feet distant from the north line of the E1/2 of Section 32, a distance of 1514.54 feet to a point for corner; Thence, South 06°22'35" East, a distance of 4844.00 feet to a point for corner on the south line of the E1/2 of Section 32; Thence, North 89°36'35" West, along the south line of the E1/2 of Section 32, a distance of 1088.72 feet to the POINT OF BEGINNING and containing 151.36 acres, more or less, of land.

Being 30.49 acres of land located in the N1/2 NW1/4 of Section 33, Township 1 North, Range 8 East of the Black Hills Meridian, Pennington County, South Dakota, said 30.49 acres of land being more particularly described by metes and bounds as follows, all measurements are to be considered as being followed by the words "more or less"; BEGINNING at the northwest corner of Section 33, Township 1 North, Range 8 East of the Black Hills Meridian; Thence, South 89°51'35" East, along the north line of the NW1/4 of Section 33, a distance of 2656.84 feet to the northeast corner of the NW1/4 of Section 33; Thence, South 00°08'05" West, along the east line of the NW1/4 of Section 33, a distance of 500.00 feet to a point for corner; Thence, North 89°51'35" West, parallel to and 500 feet distant from the north line of the NW1/4 of Section 33, a distance of 2656.35 feet to a point for corner on the west line of the NW1/4 of Section 33; Thence, North 00°04'45" East, a distance of 500.00 feet to the POINT OF BEGINNING and containing 30.49 acres, more or less, of land.

(Continued from the September 9, 2013, Planning Commission meeting.)

9. DISCUSSION OF COMMERCIAL BUILDING PERMIT FEE.
10. COUNTY BOARD REPORT

The Board of Commissioners concurred with the Planning Commission's recommendations from the September 23, 2013, Planning Commission meeting.

11. ITEMS FROM THE PUBLIC

12. ITEMS FROM THE STAFF

A. Building Permit Report.

B. 2013 SD Planner's Conference.

13. ITEMS FROM THE MEMBERSHIP

14. DISCUSSION ITEMS

15. ADJOURNMENT

ADA Compliance: Pennington County fully subscribes to the provisions of the Americans with Disabilities Act. If you desire to attend this public meeting and are in need of special accommodations, please notify the Planning Department so that appropriate auxiliary aids and services are available.