

AGENDA
PENNINGTON COUNTY PLANNING COMMISSION
September 12, 2016 @ 9:00 a.m.

County Commissioners' Meeting Room - Pennington County Administration Building

Recommendations of the Planning Commission on items from this agenda will be considered by the Board of Commissioners at their regular meeting on September 20, 2016, at 10:30 a.m.

ROLL CALL

1. APPROVAL OF THE AUGUST 22, 2016, 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 89-32:** Doug Schoniger. To review a single-wide mobile to be used as a temporary residence while building a single-family residence on the subject property in a Limited Agriculture District in accordance with Sections 206 and 510 of the Pennington County Zoning Ordinance.

Lot 1 of Lot D of SE1/4NE1/4, Section 1, T2S, R5E, BHM, Pennington County, South Dakota.

To recommend to end Conditional Use Permit / CU 89-32 with the owner's concurrence.

4. **CONDITIONAL USE PERMIT REVIEW / CU 10-23:** Reynolds and Livingston, LLC. To review a Recreational Vehicle Park with four (4) RV sites in a Highway Service District in accordance with Sections 210 and 510 of the Pennington County Zoning Ordinance.

That portion of Lot 1 located in Pennington County of Boyle Subdivision, Section 7, T2N, R5E, BHM, Pennington County, South Dakota.

To recommend to continue the review of Conditional Use Permit / CU 10-23, to no later than the December 5, 2016, Planning Commission meeting, with two (2) conditions.

5. **CONDITIONAL USE PERMIT REVIEW / CU 12-23:** Vergil and Judy Kjerstad. To review a Vacation Home Rental in a Suburban Residential District in accordance with Sections 208, 319, and 510 of the Pennington County Zoning Ordinance.

Lot 31, Block E, Edelweiss Mountain Development, Section 20, T1N, R5E, BHM, Pennington County, South Dakota.

To recommend to continue the review of Conditional Use Permit / CU 12-23, to no later than the November 28, 2016, Planning Commission meeting, with two (2) conditions.

6. **CONDITIONAL USE PERMIT REVIEW / CU 12-24:** Deon and Karin Stockert. To review a Vacation Home Rental in a Suburban Residential District in accordance with Sections 208, 319, and 510 of the Pennington County Zoning Ordinance.

Lot 15 (also in Section 17), Block D, Edelweiss Mountain Development, Section 20, T1N, R5E, BHM, Pennington County, South Dakota.

To recommend to end Conditional Use Permit / CU 12-24 with the owner's concurrence.

7. **CONDITIONAL USE PERMIT REVIEW / CU 12-25:** Marvin and Lila Botz. To review an existing residence to be used as a temporary residence while constructing a new single-family residence in a General Agriculture District / Highway Service District in accordance with Sections 204-D, 205, and 510 of the Pennington County Zoning Ordinance.

Lots 3-4; E1/2SW1/4, SE1/4 less Right-of-Way, Section 30, T1S, R16E, BHM, Pennington County, South Dakota.

To recommend to end Conditional Use Permit / CU 12-25 with the applicant's concurrence.

8. **MINOR PLAT / PL 16-21:** Thomas and Janeane Price. To create Lots 1A and 1B of T and J Price Subdivision and to waive platting requirements in accordance with Sections 400.3 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot 1, T and J Price Subdivision, Section 1, T2S, R5E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 1A and Lot 1B, T and J Price Subdivision, Section 1, T2S, R5E, BHM, Pennington County, South Dakota.

To recommend approval of Minor Plat / PL 16-21 with five (5) conditions.

9. **CONSTRUCTION PERMIT REVIEW / CP 99-43:** Pete Lien & Sons. To review a Construction Permit in accordance with Section 507 of the Pennington County Zoning Ordinance.

SW1/4SE1/4, Section 20, T2N, R7E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Construction Permit / CP 99-43 with six (6) conditions.

10. **CONSTRUCTION PERMIT REVIEW / CP 99-44:** Pete Lien & Sons. To review a Construction Permit in accordance with Section 507 of the Pennington County Zoning Ordinance.

Sections 12, 13, 24, and 25, T2N, R6E and Sections 7, 17, 18, 19, 20, 30, T2N, R7E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Construction Permit / CP 99-44 with nine (9) conditions.

11. **CONSTRUCTION PERMIT / CP 16-07:** Site Works Specialists. To grade the site and construct a road and parking area on the subject property.

Tract D of NW1/4SE1/4 less Lot 1, Section 3, T1S, R17E, BHM, Pennington County, South Dakota.

To recommend approval of Construction Permit / CP 16-07 with seven (7) conditions.

12. **CONDITIONAL USE PERMIT / CU 16-29:** Highmark, Inc. To allow a contractor's storage yard on the subject property during the construction of the Rapid City Southside Sewer Line Project in a Limited Agriculture District in accordance with Sections 206 and 510 of the Pennington County Zoning Ordinance.

NE1/4NE1/4, Section 27, T1N, R8E, BHM, Pennington County, South Dakota.

To recommend approval of Conditional Use Permit / CU 16-29 with fifteen (15) conditions.

13. **CONSTRUCTION PERMIT / CP 16-08:** Highmark, Inc. To remove existing surfacing, installation of a 33 foot sanitary sewer along the centerline of the existing roadway, and reconstructing the roadway with asphalt surfacing.

To recommend approval of Construction Permit / CP 16-08 with eleven (11) conditions.

14. **MINOR PLAT / PL 16-19 AND SUBDIVISION REGULATIONS VARIANCE / SV 16-05:** Wyoming Dakota Railroad; Fisk Land Surveying – Agent. To create Lot 1 of WDRPI-SD103 Subdivision and to waive platting requirements in accordance with Section 400.3 and 700.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Located in the N1/2 of Section 36; T1N, R15E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 1 of WDRPI-SD103, Section 36; T1N, R15E, BHM, Pennington County, South Dakota.

To recommend approval of Subdivision Regulations Variance / SV 16-05 and approval of Minor Plat / PL 16-19 with twelve (12) conditions.

15. **CONDITIONAL USE PERMIT / CU 16-25:** Thrive Properties, LLC; Alvin or Sharon Gullickson. To allow for a Vacation Home Rental on the subject property in a Low Density Residential District in accordance with Sections 207-C-18, 319, and 510 of the Pennington County Zoning Ordinance.

Tract 4, Annie Lode MS 1721, Section 21, T1S, R5E, BHM, Pennington County, South Dakota.

(Continued from the August 8, 2016, Planning Commission meeting.)

To recommend to continue Conditional Use Permit / CU 16-25 to the September 26, 2016, Planning Commission meeting.

16. **REZONE / RZ 16-09:** Pacifica Loan Pool, LLC; Davis Engineering – Agent. To rezone 32.01 acres from General Agriculture District to Limited Agriculture District in accordance with Section 508 of the Pennington County Zoning Ordinance.

Commencing at the NE Corner of Section 16, T1S, R7E, BHM, which is an original stone corner and the point of beginning. Thence, S 01⁰46' 20" E, a distance of 649.00' to a 5/8" rebar with an Aluminum survey cap marked "Arleth-3977", which is the TRUE POINT OF BEGINNING; Thence, first course: S 01⁰45' 17" E, a distance of 988.35' to a 5/8" rebar with an Aluminum survey cap marked "DAVIS ENG. RLS 3095"; Thence, second course: N 88⁰27' 42" W, a distance of 984.01' to a 5/8" rebar with an Aluminum survey cap marked "DAVIS ENG. RLS 3095"; Thence, third course: N 00⁰ 32' 18" E, a distance of 644.00' to a 5/8" rebar with an Aluminum survey cap marked "DAVIS ENG. RLS 3095"; Thence, fourth course: N 89⁰ 36' 13" W, a distance of 1316.14', to a 5/8" rebar with an Aluminum survey cap marked "DAVIS ENG. RLS 3095"; Thence, fifth course: N 01⁰ 28' 50" E, a distance of 328.06', to a 5/8" rebar with an Aluminum survey cap marked "DAVIS ENG. RLS 3095"; Thence, sixth course: S 89⁰ 31' 08" E, a distance of 2304.65', to a 5/8" rebar with an Aluminum survey cap marked "Arleth-3977"; which is the TRUE POINT OF BEGINNING. Said Parcel contains 1,393,920 square feet or 32.01 acres more or less.

To recommend to continue Rezone / RZ 16-09 to the October 10, 2016, Planning Commission meeting.

END OF CONSENT CALENDAR

17. CONDITIONAL USE PERMIT REVIEW / CU 04-35: Joe Theberge. To review ten 30 foot by 150 foot storage buildings in a General Commercial District in accordance with Sections 209-C-5 and 510 of the Pennington County Zoning Ordinance.

Tract 1 of the SE1/4, Section 11, T1N, R6E, BHM, Pennington County, South Dakota.

(Continued from the August 8, 2016, Planning Commission meeting.)

18. CONDITIONAL USE PERMIT / CU 16-28: Chace and Leslie Larsen. To allow a Recreation Resort Area on the subject property in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

(Also in Section 28), Midway Fraction Lode MS 2014, Section 27, T1S, R5E, BHM, Pennington County, South Dakota.

19. CONDITIONAL USE PERMIT / CU 16-27: Gene and Carllen Van Der Wert; Collin Goodwin – Agent. To allow for a Vacation Home Rental on the subject property in a Low Density Residential District in accordance with Sections 207-C-18, 319, and 510 of the Pennington County Zoning Ordinance.

Lot K, Brechtel #1, Section 34, T1S, R5E, BHM, Pennington County, South Dakota.

20. ORDINANCE AMENDMENT / OA 16-01: Pennington County. To amend Section 103 - Definitions; Section 208 - Suburban Residential District; and Section 319 - Vacation Home Rental Ordinance of the Pennington County Zoning Ordinance.

(Continued from the May 23, 2016, Planning Commission meeting.)

21. COUNTY BOARD REPORT

The Board of Commissioners concurred with the Planning Commission's recommendations from the August 22, 2016, Planning Commission meeting, with the exception of the following:

- 1 Rezone / RZ 16-07 and Comprehensive Plan Amendment / CA 16-06: (Jimmy and Alice Dehaai). To rezone 3.49 acres from Suburban Residential District to Highway Service District and to amend the Comprehensive Plan to change the Future Land Use from Suburban Residential District to Highway Service District.

The Board upheld the Planning Department's recommendation to deny, without prejudice, as the applicants could rezone the subject property to Low Density

Residential District and apply for a Conditional Use Permit to allow the Vacation Home Rental.

2. Layout Plat / PL 16-15: Kelly Development / Ryan Kelly. To create Lots 3 through 6, Block 4, Sheridan Lake Highlands Subdivision in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

The Board continued this item until such time the applicant is able to provide updated information regarding the water system for the proposed lots.

22. ITEMS FROM THE PUBLIC

23. ITEMS FROM THE STAFF

- A. Building Report.
- B. On-Site Wastewater Installer Training.
- C. Comprehensive Plan.

24. ITEMS FROM THE MEMBERSHIP

25. 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.