

AGENDA
PENNINGTON COUNTY PLANNING COMMISSION
April 22, 2019 @ 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 May 7, 2019, at 10:30 a.m.

ROLL CALL

1. APPROVAL OF THE APRIL 8, 2019, MINUTES
2. APPROVAL OF THE AGENDA

CONSENT AGENDA

The following items have been placed on the Consent Agenda 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 Agenda, 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 13-19:** Ken and Cory Tomovick (Stratobowl Vacation Homes, LLC). To review a Recreational Resort to allow for events of 20 people or less in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

Lot 1 of Bonanza Bar MC 970 and the Unplatted Part of Bonanza Bar MC 970 (also in Section 1), Section 12, T1S, R6E, BHM, Pennington County, South Dakota

To recommend to continue the review of Conditional Use Permit / CU 13-19 to the May 28, 2019, Planning Commission meeting.

4. **CONDITIONAL USE PERMIT REVIEW / CU 15-02:** Valerie Naylor. To review an accessory structure, a garage, prior to a primary structure in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

Lots 7 and 8 of Lot 1 of SW1/4SW1/4, Section 14, T1N, R5E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 15-02 with six (6) conditions.

5. **CONDITIONAL USE PERMIT REVIEW / CU 16-28:** Chace and Leslie Larsen. To review 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.

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

To recommend approval of the extension of Conditional Use Permit / CU 16-28 with eighteen (18) conditions.

6. **CONDITIONAL USE PERMIT REVIEW / CU 16-29:** Highmark, Inc. To review 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 to end Conditional Use Permit / CU 16-29 with the applicant's concurrence.

7. **CONDITIONAL USE PERMIT REVIEW / CU 07-11:** Bernard Ness; Ronnie Ness – Agent. To review an auto repair business in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

All Section less Right-of-Way, Section 1, T1N, R9E, BHM, Pennington County, South Dakota.

To recommend to continue the review of Conditional Use Permit / CU 07-11 to the July 22, 2019, Planning Commission meeting with one (1) condition.

8. **CONDITIONAL USE PERMIT REVIEW / CU 17-38:** Daniel Johnson, Highmark Properties. To review a multi-family dwelling in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

Lot A of Lot 1 less of Highway 385, Walker Placer MS 551, Section 12, T2S, R4E, BHM, Pennington County, South Dakota.

(Continued from the March 25, 2019, Planning Commission meeting.)

To recommend to continue the review of Conditional Use Permit / CU 17-38 until such time the applicant addresses the inadequate sizing of the on-site wastewater treatment system.

9. **CONDITIONAL USE PERMIT REVIEW / CU 17-45:** Gold Run III, LLC (Greg Wittenberg). To review an existing caboose to be used as a seasonal dwelling on the subject property in a Limited Agriculture District in accordance with Sections 206 and 510 of the Pennington County Zoning Ordinance.

All Less Gold Run Park and Less Lot 1 of Hobart Subdivision located in Sections 5 and Sections 9, Matt Placer MS 1417, Section 8, T1S, R3E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 17-45 with eight (8) conditions.

10. **CONDITIONAL USE PERMIT REVIEW / CU 18-30:** Hayden Clark. To review a single-wide mobile home to be used as a single-family residence on the subject property in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

NW1/4, S1/2 less ROW, Section 20, T2N, R17E, BHM, Pennington County, South Dakota.

(Continued from the December 17, 2018, Planning Commission meeting.)

To recommend approval of the extension of Conditional Use Permit / CU 18-30 with five (5) conditions.

11. **CONDITIONAL USE PERMIT REVIEW / CU 18-38:** Daniel Johnson, Highmark Properties, LLC. To review the multi-family dwelling with separate units, Unit 1 and Unit 2, to be used as a Specialty Resort / Vacation Home Rental in a General Agriculture District in accordance with Sections 205, 319, and 510 of the Pennington County Zoning Ordinance.

Lot A of Lot 1 less of Highway 385, Walker Placer MS 551, Section 12, T2S, R4E, BHM, Pennington County, South Dakota.

(Continued from the March 25, 2019, Planning Commission meeting.)

To recommend to continue the review of Conditional Use Permit / CU 18-38 until such time the applicant addresses the inadequate sizing of the on-site wastewater treatment system.

12. **CONDITIONAL USE PERMIT / CU 19-04:** Dean and Patricia Farr. To allow for a Vacation Home Rental on the subject property in a Suburban Residential District in accordance with Sections 208, 319, and 510 of the Pennington County Zoning Ordinance.

Lot 6 Revised, Block D, Edelweiss Mountain Development, Section 17, T1N, R5E, BHM, Pennington County, South Dakota.

To recommend approval of Conditional Use Permit / CU 19-04 with fourteen (14) conditions.

13. **CONSTRUCTION PERMIT REVIEW / CP 18-04:** Stromer Properties, LLC; Brook Stromer – Agent. To review the construction of a parking area on the subject property.

Lot A2, Bar P-S Subdivision, Section 20, T1N, R9E, BHM, Pennington County, South Dakota.

(Continued from the April 8, 2019, Planning Commission meeting.)

To recommend continue the review of Construction Permit / CP 18-04 to the May 13, 2019, Planning Commission meeting to allow staff more time to contact the applicant.

14. **CONSTRUCTION PERMIT / CP 09-04:** Rockerville Gold Town, LLC. To strip off topsoil for exploratory purposes for future development.

E1/2SE1/4SE1/4 South of Hwy 16 Westboundless ROW, Section 14, T1S, R6E, BHM, Pennington County, South Dakota.

To recommend approval of Construction Permit / CP 19-04 with eleven (11) conditions.

15. **MINOR PLAT / PL 18-47 AND SUBDIVISION REGULATIONS VARIANCE / SV 18-14:** Bret and Linda Hilgemann. To create Lots A and B of Nautilus Acres Subdivision #2 and to waive platting requirements in accordance with Sections 400.3 and 700.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Parcel C less Lots H1 and H2 and less 40-foot-wide dedicated right-of-way, Section 17, T2N, R6E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot A and Lot B, Nautilus Acres Subdivision #2, Section 17, T2N, R6E, BHM, Pennington County, South Dakota.

(Continued from the December 17, 2018, Planning Commission meeting.)

To recommend to end Subdivision Regulations Variance / SV 18-14 and Minor Plat / PL 18-47, per the applicant's request.

END OF CONSENT AGENDA

16. CONSTRUCTION PERMIT REVIEW / CP 18-12: Brad Nible. To review the excavation and leveling of a hillside for a future residence in accordance with Sections 208 and 507 of the Pennington County Zoning Ordinance.

Lot 2A, Block 6, Harney Peak View Addition, Section 9, T1N, R8E, BHM, Pennington County, South Dakota.

(Continued from the April 8, 2019, Planning Commission meeting.)

17. MINOR PLANNED UNIT DEVELOPMENT / PU 19-02: Voorhees Hospitality, LLC / Chuck Voorhees. To amend an existing Planned Unit Development to allow for additional uses on the subject property in accordance with Section 213 of the Pennington County Zoning Ordinance.

Lot 1, Whispering Wind Subdivision, Section 27, T1S, R5E, BHM, Pennington County, South Dakota.

18. LAYOUT PLAT / LPL 19-07: RG and Judy Hensley. To reconfigure lot lines to create Lot 1 and Lot 2 of Hensley Place in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: The unplatted portion of Lot C of Lot 2, Reno Placer MS #823; Lot 1 of Lot C of Lot 2, Reno Placer MS #812, and Tract 0037 of the NW ¼ of Section 1 and NE ¼ of Section 2; Sections 1 and 2 of T2S, R4E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 1 and Lot 2 of Hensley Place, Sections 1 and 2, T2S, R4E, BHM, Pennington County, South Dakota.

19. REZONE / RZ 19-02 AND COMPREHENSIVE PLAN AMENDMENT / CA 19-02: Borglum Historical Center, Inc., Duane Pankratz; Ken Nash – Agent. To rezone 19.419 acres from General Agriculture District to Highway Service District, for proposed Lot 1, and to rezone 1.953 acres from General Agriculture District to Highway Service District, for proposed Lot 2, and to amend the Comprehensive Plan to change the Future Land Use from Low Density Residential District to Highway Service District in accordance with Sections 205, 207, 210, and 508 of the Pennington County Zoning Ordinance.

Located on the following metes and bounds description for proposed Lot 1: Commencing at the Section ¼ Corner common to Sections 13 and 14, T1S, R6E, BHM, common to the northeasterly corner of Lot 13 of Stratmeyer Addition, and common to the southwesterly corner of Lot 4 Revised of Stratmeyer Addition, and the point of beginning; Thence, first course: N 89°28'35" E, along the section ¼ line of said Section

13, common to the southerly boundary of said Lot 4 Revised, a distance of 788.89', to the southeasterly corner of said Lot 4 Revised, common to the southwesterly corner of Lot 9 of Stratmeyer Addition; Thence, second course: N 89°16'43" E, along the section ¼ line of said Section 13, common to the southerly boundary of said Lot 9, a distance of 150.29', to the southeasterly corner of said Lot 9, common to the southwesterly corner of Lot 5 of Stratmeyer Addition; Thence, third course: N 89°27'28" E, along the section ¼ line of said Section 13, common to the southerly boundary of said Lot 5, a distance of 378.55', to the southeasterly corner of said Lot 5, common to a point on the Section 1/16th Line, common to a point on the westerly boundary of Lot 1 of BTP Subdivision; Thence, fourth course: S 00°05'41" E, along the said Section 1/16th line, common to the westerly boundary of said Lot 1, a distance of 107.12, to the southwesterly corner of said Lot 1, common to a point on the northerly edge of US Highway 16 right-of-way; Thence, fifth course: S 40°55'54" W, along the northerly edge of said right-of-way, a distance of 176.94'; Thence, sixth course: N 49°04'06" W a distance of 57.00'; Thence, seventh course: S 40°55'54" W a distance of 252.61'; Thence, eighth course: S 47°32'31" W a distance of 471.73'; Thence, ninth course: S 58°43'08" W a distance of 359.10'; Thence, tenth course: S 62°31'10" W a distance of 383.76', to a point on the section line common to said Sections 13 and 14, common to a point on the easterly boundary of Tract A Revised of Hull Subdivision; Thence eleventh course: N 00°07'28" E, along the section line common to said Sections 13 and 14, common to the easterly boundary of said Tract A Revised, a distance of 402.40, to the northeasterly corner of said Tract A Revised; Thence twelfth course: N 00°01'51" W, along the section line common to said Sections 13 and 14, a distance of 150.60', to the southeasterly corner of said Lot 13; Thence thirteenth course: N 00°08'21" E, along the section line common to said Sections 13 and 14, common to the easterly boundary of said Lot 13, distance of 510.62', to the said point of beginning. Said Parcel contains 19.419 acres more or less, Section 13, T1S, R6E, BHM, Pennington County, South Dakota.

Located on the following metes and bounds description for proposed Lot 2: Commencing at the southwesterly corner of Tract A Revised of Hull Subdivision, common to a point on the section line common to Sections 13 and 14, T1S, R6E, BHM, and the point of beginning; Thence, first course: N 00°07'28" E, along easterly boundary of said Tract A Revised, common to said section line, a distance of 64.32'; Thence, second course: N 62°31'10" E a distance of 383.76'; Thence, third course: N 58°43'08" E a distance of 359.10'; Thence, fourth course: N 47°32'31" E a distance of 471.73'; Thence, fifth course: N 40°55'54" E a distance of 252.61'; Thence, sixth course: S 49°04'06" E a distance of 57.00', to a point on the northerly edge of US Highway 16 right-of-way; Thence, seventh course: S 40°55'54" W, along the northerly edge of said right-of-way, a distance of 255.91'; Thence, eighth course: S 47°32'31" W, along the northerly edge of said right-of-way, a distance of 480.60'; Thence, ninth course: S 58°43'08" W, along the northerly edge of said right-of-way, a distance of 366.57'; Thence, tenth course: S 62°31'10" W, along the northerly edge of said right-of way, a distance of 415.46', to the said point of beginning. Said Parcel contains 1.953 acres more or less, Section 13, T1S, R6E, BHM, Pennington County, South Dakota.

(Continued from the April 8, 2019, Planning Commission meeting.)

20. REZONE / RZ 19-04 AND COMPREHENSIVE PLAN AMENDMENT / CA 19-04: Patrick Foley. To rezone 15.69 acres from Limited Agriculture 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 Sections 206, 209, and 508 of the Pennington County Zoning Ordinance.

SW1/4NW1/4SW1/4; and Lot 2 of NE1/4SE1/4; Lot AB of NE1/4SE1/4; That PT of Lot 1 of NE1/4SE1/4 Lying East of Hwy 79, located in Sections 4 and 5, T1S, R8E, BHM, Pennington County, South Dakota.

21. ORDINANCE AMENDMENT / OA 19-01: Pennington County. To consider the amendment / adoption of the Comprehensive Plan.

(Continued from the March 25, 2019, Planning Commission meeting.)

22. COUNTY BOARD REPORT
The Board of Commissioners concurred with the Planning Commission's recommendations from the April 8 2019, Planning Commission meeting.

23. ITEMS FROM THE PUBLIC

24. ITEMS FROM THE STAFF

A. Special Planning Commission Meeting Wednesday, May 8th at 3 p.m.

25. ITEMS FROM THE MEMBERSHIP

26. 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.