

AGENDA
PENNINGTON COUNTY PLANNING COMMISSION
June 24, 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 July 2, 2019, at 10:30 a.m.

ROLL CALL

1. APPROVAL OF THE JUNE 10, 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 04-46:** A & B Ranch, Inc.; Brian Barber - Agent. To review a metal fabrication business as a home occupation in a General Agriculture District in accordance with Sections 204, 205-C-6, and 510 of the Pennington County Zoning Ordinance.

SW1/4 less ROW; S1/2SW1/4NW1/4 less ROW; SW1/4SE1/4NW1/4; SW1/4 SE1/4 SE1/4NW1/4; S1/2SE1/4SE1/4SE1/4NW1/4, Section 9, T2S, R9E, BHM, Pennington County, South Dakota.

To recommend approve of the extension of Conditional Use Permit / CU 04-46 with eleven (11) conditions.

4. **CONDITIONAL USE PERMIT REVIEW / CU 08-07:** Marilyn Welch. To review a single-wide manufactured home as a single-family residence in a Suburban Residential District in accordance with Sections 208 and 510 of the Pennington County Zoning Ordinance.

Lot 37, Block 4, Green Valley Estates, Section 23, T1N, R8E, BHM, Pennington County, South Dakota.

(Continued from the May 13, 2019, Planning Commission meeting.)

To recommend approval of the extension of Conditional Use Permit / CU 08-07 with five (5) conditions.

5. **CONDITIONAL USE PERMIT REVIEW / CU 08-48:** Spring Creek Premier Property / Cody Schad. To review accessory structures (garage and pump house) without a primary structure in a Limited Agriculture District in accordance with Sections 206 and 510 of the Pennington County Zoning Ordinance.

Lot 2, Bighorn Sheep Preserve, Section 7, T1S, R7E, BHM, Pennington County, South Dakota.

(Continued from the June 10, 2019, Planning Commission meeting.)

To recommend to end Conditional Use Permit / CU 08-48.

6. **CONDITIONAL USE PERMIT REVIEW / CU 11-02:** Jeff DeVeney. To review an internally illuminated, on-premise sign within 1,500 feet of a residential zoning district/dwelling unit in a Highway Service District in accordance with Sections 210 and 510 of the Pennington County Zoning Ordinance.

Lot 3 of Lot D, Murray Subdivision, Section 21, T1S, R5E, BHM, Pennington County, South Dakota.

To recommend to continue the review of Conditional Use Permit / CU 11-02 to the July 22, 2019, Planning Commission meeting.

7. **CONDITIONAL USE PERMIT REVIEW / CU 16-27:** Gene and Carllen Van Der Wert. To review 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.

To recommend approval of the extension of Conditional Use Permit / CU 16-27 with fourteen (14) conditions.

8. **CONDITIONAL USE PERMIT REVIEW / CU 17-03:** McDaniel Trust; Susan McDaniel. To review a Vacation Home Rental on the subject property in a Limited Agriculture District in accordance with Sections 206, 319, and 510 of the Pennington County Zoning Ordinance.

Lot 39, Oak Meadows Estates, Section 23, T2S, R6E, BHM, Pennington County, South Dakota.

To recommend to end Conditional Use Permit / CU 17-03 with the applicant's concurrence.

9. **CONDITIONAL USE PERMIT REVIEW / CU 17-46:** Matt and Donna Bowen. To review living in an existing residence while building a new 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.

W1/2; S1/2SE1/4 Less Lot H1, Section 36, T2S, R13E, BHM, Pennington County, South Dakota.

To recommend to end Conditional Use Permit / CU 17-46.

10. **CONDITIONAL USE PERMIT REVIEW / CU 18-07:** Tim McTavish. To review five (5) illuminated, on-premise signs within 1,500 feet of a residential zoning district / dwelling unit in a Highway Service District in accordance with Sections 210, 312, and 510 of the Pennington County Zoning Ordinance.

Lot 3, The Forks at Remington Ranch, Section 22, T1S, R5E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 18-07 with six (6) conditions.

11. **CONDITIONAL USE PERMIT REVIEW / CU 18-10:** Ray and Erin Atkins. To allow an accessory structure (a garage) prior to a principal structure on the subject property in a Limited Agriculture District in accordance with Sections 206 and 510 of the Pennington County Zoning Ordinance.

Lot 8, Block 1, Meadow Ranch Estates, Section 13, T2N, R8E, BHM, Pennington County, South Dakota.

(Continued from the May 28, 2019, Planning Commission meeting.)

To recommend approval of the extension of Conditional Use Permit / CU 18-10 with eight (8) conditions.

12. **CONDITIONAL USE PERMIT REVIEW / CU 18-18:** Randy Dowdy and Laura Luthy. To review a rental home park on the subject property to include four (4) existing mobile home rental units and to allow an additional ten (10) rental units, which would include mobile homes and/or governor's homes, and to also allow a caretaker/manager's residence and shop building on the subject property in a Suburban Residential District in accordance with Sections 208 and 510 of the Pennington County Zoning Ordinance.

W1/2W1/2SE1/4SW1/4, Section 17, T2N, R8E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 18-18 with nineteen (19) conditions.

13. **CONDITIONAL USE PERMIT REVIEW / CU 18-19:** Greg Bolt. To review a Guest House on the subject property in a Low Density Residential District in accordance with Sections 207, 318, and 510 of the Pennington County Zoning Ordinance.

Lot 7, Back Road Subdivision, Section 22, T1S, R6E, BHM, Pennington County, South Dakota.

To recommend to continue the review of Conditional Use Permit / CU 18-19 to the July 22, 2019, Planning Commission meeting.

14. **CONDITIONAL USE PERMIT REVIEW / CU 18-20:** William and Corissa Busse. To review an existing shop building with living quarters to be used as a Vacation Home Rental on the subject property in a Suburban Residential District in accordance with Sections 208, 318, and 510 of the Pennington County Zoning Ordinance.

Lot 8, Feay Reder Subdivision, Section 36, T1N, R6E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 18-20 with sixteen (16) conditions.

15. **CONDITIONAL USE PERMIT REVIEW / CU 18-44:** Edward McMahon. To review a Ranch Hand's residence on the subject property in a General Agriculture District in accordance with Sections 205 and 510 of the Pennington County Zoning Ordinance.

W1/2NE1/4 less Lot H1 and Lot H2; NW1/4; NE1/4SW1/4; S1/2SW1/4; NW1/4SE1/4 less Lot H1 and Lot H2, Section 17, T1S, R8E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 18-44 with seven (7) conditions.

16. **CONDITIONAL USE PERMIT / CU 19-15:** Samuel G. Fullerton III. To allow for a caretaker's residence on the subject property after a single-family residence is built in a Limited Agriculture District in accordance with Sections 206 and 510 of the Pennington County Zoning Ordinance.

Lot 12, Kieffer Ranch Estates, Section 16, T1S, R7E, BHM, Pennington County, South Dakota.

To recommend to continue Conditional Use Permit / CU 19-15 to the July 8, 2019, Planning Commission meeting.

17. **CONSTRUCTION PERMIT REVIEW / CP 15-15:** Flack Trucking, Inc. To review the continuation of stockpiling soil, leveling the plowed fields, and removing soil from the property. The disturbed area is being returned to farm ground.

Balance of the W1/2SE1/4 less lot H7; SW1/4 less Lot H6 and less right-of-way, Section 23, T2N, R8E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Construction Permit / CP 15-15 with eleven (11) conditions.

18. **CONSTRUCTION PERMIT REVIEW/ CP 17-03:** Mitch Morris. To review the grading of the site, use as a storage area to stockpile soil and concrete debris, and to make improvements to a drainage channel.

Lot 1 of SW1/4NE1/4, Section 32, T1N, R8E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Construction Permit / CP 17-03 with eight (8) conditions.

19. **CONSTRUCTION PERMIT REVIEW / CP 17-09:** City of Rapid City; Banner Associates – Agent. To review the installation of a 12 inch water main to provide water quality and supply looping capabilities to the East Rapid Water Users Region and Rapid City Regional Airport.

Section 13, T1N, R8E, BHM, Pennington County, South Dakota.

To recommend to end Construction Permit / CP 17-09.

20. **CONSTRUCTION PERMIT REVIEW / CP 19-02:** Site Work Specialists, Inc. To review the construction of a graveled access road to and onto the subject property, to include minimal tree removal, grading, gravel, seeding, and culverts, and to add a common utility trench for power and communications.

NE1/4NE1/4, Section 7, T1N, R7E, BHM, Pennington County, South Dakota.

(Continued from the May 28, 2019, Planning Commission meeting.)

To recommend to continue the review of Construction Permit / CP 19-02 to the August 26, 2019, Planning Commission meeting with twelve (12) conditions.

21. **CONSTRUCTION PERMIT / CP 19-08:** Mitch Morris. To repair an existing dam.

W1/2, Section 33, T1N, R8E, BHM, Pennington County, South Dakota.

To recommend to continue Construction Permit / CP 19-08 to the September 23, 2019, Planning Commission meeting with six (6) conditions.

22. **MINOR PLANNED UNIT DEVELOPMENT AMENDMENT REVIEW / PU 18-02:** Thomas Skoog. To review an amendment to the existing Trailwood Village Planned Unit Development to allow for the sale of retail and wholesale seasonal fireworks, to allow the future construction of a building up to 10,000 square feet for the storage and sales of fireworks, and to allow the sales of used vehicles on the subject property in accordance with Section 213 of the Pennington County Zoning Ordinance.

Lot C, Trailwood Village Subdivision, Section 10, T1N, R8E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Minor Planned Unit Development Amendment / PU18-02 with fifteen (15) conditions.

23. **MINOR PLAT / MPL 19-16:** John and Ann Hovdenes; Fisk Land Surveying – Agent. To create Lots 1 and 2 of Cosmos Subdivision and dedicated Right-of-Way in accordance with Section 400.3 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: UNPLAT PT of N1/2NE1/4 NE1/4 Lying N of HWY; UNPLAT PT of N1/2S1/2NE1/4NE1/4 Lying N of HWY, Section 32, T1S, R6E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lots 1 and 2 of Cosmos Subdivision and dedicated Right-of-Way, Section 32, T1S, R6E, BHM, Pennington County, South Dakota.

To recommend approval of Minor Plat / MPL 19-16 with nine (9) conditions.

END OF CONSENT AGENDA

24. **CONDITIONAL USE PERMIT / CU 19-11:** Paul and Rebecca Freidel. To allow a Guest House on the subject property in a Low Density Residential District in accordance with Sections 207, 318, and 510 of the Pennington County Zoning Ordinance.

Lot 6, Cedar Gulch Subdivision, Section 4, T1S, R6E, BHM, Pennington County, South Dakota.

(Continued from the June 10, 2019, Planning Commission meeting.)

25. **LAYOUT PLAT / LPL 19-17:** Brian and Summer Boock. To reconfigure lot lines to create Lots 12R and 13R of Block 12 of The Ranch at Black Gap in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot 12, Lot 13, and Lot 14 of Block 12, The Ranch at Black Gap, Section 9, T1S, R8E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 12R and Lot 13R of Block 12, The Ranch at Black Gap, Section 9, T1S, R8E, BHM, Pennington County, South Dakota.

26. MINOR PLAT / MPL 19-18 AND SUBDIVISION REGULATIONS VARIANCE / SV 19-05: Lorin Lippert. To reconfigure lot lines to create Lot 10R and Lot 11 of Bromegrass Subdivision and to waive platting requirements in accordance with Sections 400.3 and 700.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot 10 of Bromegrass Subdivision and SW1/4SE1/4; SE1/4SW1/4, all located in Section 2, T1S, R9E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 10R and Lot 11 of Bromegrass Subdivision, Section 2, T1S, R9E, BHM, Pennington County, South Dakota.

27. REZONE / RZ 19-07 AND COMPREHENSIVE PLAN AMENDMENT / CA 19-07: Lorin Lippert. To rezone 35.452 acres from General Agriculture District to Limited Agriculture District and to amend the Comprehensive Plan to change the Future Land Use from General Agriculture District to Limited Agriculture District in accordance with Sections 205, 206, and 508 of the Pennington County Zoning Ordinance.

LEGAL DESCRIPTION: Commencing at the Northeasterly corner of Lot 10 of Bromegrass Subdivision, common with the Southeasterly corner of Lot 9 of Bromegrass Subdivision, and the point of beginning of the subject property as surveyed, thence S 89°43'20" E, a distance of 1,347.99 feet along the northerly boundary of said Lot 10 common with the southerly line of said Lot 9 to an angle point common with Lot 8, Lot 9, and Lot 10 of Bromegrass Subdivision, thence S 00°00'00" W along the easterly boundary of Lot 10 of Bromegrass a distance of 189.12 feet to an angle point on the easterly boundary of Lot 10 of Bromegrass Subdivision, common with the southwesterly boundary of Lot 8 of Bromegrass Subdivision, thence S 34°48'11" E a distance of 160.00 feet to an angle point on the easterly boundary of Lot 10 of Bromegrass Subdivision, common with the southwesterly boundary of Lot 8 of Bromegrass Subdivision, thence S 74°32'32" E a distance of 127.63 feet to an angle point on the easterly boundary of Lot 10 of Bromegrass Subdivision, common with the southwesterly boundary of Lot 8 of Bromegrass Subdivision, thence N 26°33'09" E a distance of 363.10 feet to an angle point on the easterly boundary of Lot 10 of Bromegrass Subdivision, common with the southeasterly boundary of Lot 8 of Bromegrass Subdivision, thence N 00°00'00" E a distance of 240.00 feet to an angle point on the easterly boundary of Lot 10 of Bromegrass Subdivision, common with the southeasterly boundary of Lot 8 of Bromegrass Subdivision, thence N 55°06'52" E a distance of 263.04 feet to an angle point on the easterly boundary of Lot 10 of Bromegrass Subdivision, common with the southerly boundary of Lot 8 of Bromegrass Subdivision, thence S 81°19'12" E a distance of 269.72 feet to an angle point on the easterly boundary of Lot 10 of Bromegrass Subdivision, common with the southerly boundary of Lot 8, and common with the westerly boundary of Lot 5 of Bromegrass Subdivision, thence S 67°50'06" E a distance of 87.94 feet to an angle point on the easterly boundary of Lot 10 of Bromegrass Subdivision, common with the westerly boundary of Lot 5 of Bromegrass Subdivision, thence S 00°33'47" E a distance of 260.42 feet to an angle point on the easterly boundary of Lot 10 of Bromegrass Subdivision, common with the westerly boundary of Lot 5 of Bromegrass Subdivision, thence S 33°16'24" W a distance of 295.03 feet to an angle point on the easterly boundary of Lot 10 of Bromegrass Subdivision, common with the

Southwesterly corner of Lot 5 of Bromegrass Subdivision and common with the northwesterly corner of Lot 7 of Bromegrass Subdivision, thence S 42°51'38" W a distance of 394.56 feet to an angle point on the easterly boundary of Bromegrass Subdivision, common with the westerly boundary of Lot 7 of Bromegrass Subdivision, thence S 19°54'53" W a distance of 236.72 feet to a random point on the easterly boundary of Lot 10 of Bromegrass Subdivision, a random point on the westerly boundary of Lot 7 of Bromegrass Subdivision, thence N 89°41'13" W a distance of 1,780.97 feet to a random point on the westerly boundary of Lot 10 of Bromegrass Subdivision, thence N 00°03'49" E along the westerly boundary of Lot 10 of Bromegrass Subdivision a distance of 728.82 feet to the Northeasterly corner of Lot 10 of Bromegrass Subdivision, common with the Southeasterly corner of Lot 9 of Bromegrass Subdivision, and the point of beginning, Said Parcel contains 1,544,279 square feet or 35.452 acres more or less; Section 2, T1S, R9E, BHM, Pennington County, South Dakota.

28. CONSTRUCTION PERMIT / CP 18-10: Cross Country Real Estate. To grade in order to flatten the area to receive 4" gravel for a new parking lot.

Unplatted Portion of S1/2SW1/4NW1/4; PT of NW1/4SW1/4 N and E of HWY ROW less that PT within Rapid City Boundary, Section 10, T1N, R8E, BHM, Pennington County, South Dakota.

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

29. LAYOUT PLAT / LPL 19-15: Terry and Marcia Graber. To create three new parcels in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: SE1/4NE1/4NW1/4 SE1/4 NE1/4; S1/2SW1/4 NW1/4SE1/4NE1/4; SE1/4 NW1/4SE1/4NE1/4; NE1/4SE1/4NE1/4; S1/2S E1/4NE1/4, Section 32, T1S, R6E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: NW1/4SE1/4NW1/4 SE1/4NE1/4; NE1/4NE1/4 SE1/4NE1/4; NE1/4 NW1/4NE1/4SE1/4NE1/4; and SE1/4NE1/4 SE1/4NE1/4; S1/2SW1/4 NW1/4SE1/4NE1/4; N1/2 NW1/4SE1/4SE1/4NE1/4; N1/2NE1/4SE1/4 SE1/4 NE1/4; NE1/4NE1/4SW1/4SE1/4NE1/4; SE1/4 SE1/4NW1/4SE1/4NE1/4, Sec 32, T1S, R6E, BHM, Pennington County, South Dakota.

30. TELECOMMUNICATIONS FACILITY PERMIT / TC 19-01: AT&T, New Cingular Wireless. To allow for a 400 foot guyed telecommunications tower and equipment shelter in a General Agriculture District in accordance with Sections 205 and 316 of the Pennington County Zoning Ordinance.

Lot 2, Castle Creek Estates, Section 35, T1N, R2E, BHM, Pennington County, South Dakota.

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

(Continued from the June 10, 2019, Planning Commission meeting.)

32. COUNTY BOARD REPORT

The Board of Commissioners concurred with the Planning Commission's recommendations from the June 10, 2019, Planning Commission meeting.

Appeal of Conditional Use Permit 19-06: Big Game Storage, LLC; Chris Peterson to allow a lighted, on-premise sign within 1,500 feet of a residential zoning district/dwelling unit in a General Commercial District was approved by the Board of Commissioners on June 18th.

33. ITEMS FROM THE PUBLIC

34. ITEMS FROM THE STAFF

35. ITEMS FROM THE MEMBERSHIP

36. 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.