

AGENDA
PENNINGTON COUNTY PLANNING COMMISSION
June 28, 2021 @ 9:00 a.m.

County Commissioners' Meeting Room - Pennington County Administration Building

Recommendations of the Planning Commission, on certain items from this agenda, will be considered by the Board of Commissioners at their regular meeting on July 6, 2021, at 10:30 a.m. The Planning Commission utilizes Speaker Request Forms, which are available in the Commission Chambers during the meeting.

**If unable to attend the meeting, please submit your comments via e-mail to plz@penngo.org or by mail to the attention of the Pennington County Planning Department, 130 Kansas City St., Ste. 200, Rapid City, SD 57701, or, if appearing by teleconference, contact the Planning Department at 605-394-2186, twenty-four (24) hours prior to the scheduled meeting.

ROLL CALL

1. APPROVAL OF THE JUNE 14, 2021, 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, on certain items from this agenda, are recommendations to the Pennington County Board of Commissioners who will make the final decision.

3. **CONDITIONAL USE PERMIT REVIEW / CU 15-17:** Charles Ray. To review a family cemetery on the subject property in an Agriculture District in accordance with Sections 205, 307, and 510 of the Pennington County Zoning Ordinance.

Ray Family Cemetery of Parcel E in S1/2NW1/4, Section 17, T2N, R6E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 15-17 with conditions.

4. **CONDITIONAL USE PERMIT REVIEW / CU 17-17:** SC Meridian, LLC / Larry Teuber. To review a Vacation Home Rental in a Suburban Residential District in accordance with Sections 209, 319, and 510 of the Pennington County Zoning Ordinance.

Lot A, Block 4, Spring Canyon Estates Subdivision, Section 5, T1S, R7E, BHM, Pennington County, South Dakota.

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

5. **CONDITIONAL USE PERMIT REVIEW / CU 20-16:** Andrew Vig (Vig Ag Supply). To review the sale of Agriculture Equipment and Supplies in a Heavy Industrial District in accordance with Sections 212 and 510 of the Pennington County Zoning Ordinance.

Lots A and B of Tract B of SW1/4 Less Lot H3 of said Lot B, including Lot H2 of Tract B, Section 27, T2N, R8E, BHM, Pennington County, South Dakota.

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

END OF CONSENT AGENDA

6. **CONDITIONAL USE PERMIT / CU 21-33:** Craig and Wendy Mullins. To live in a Recreational Vehicle while building a single-family residence on the subject property in a Suburban Residential District in accordance with Sections 209 and 510 of the Pennington County Zoning Ordinance.

Lot 1R2 (also in Section 36, T2N, R6E), Block 1, Westberry Trails Subdivision, Section 31, T2N, R7E, BHM, Pennington County, South Dakota.

7. **CONDITIONAL USE PERMIT / CU 21-34:** William Brockett. To allow a Vacation Home Rental in a Rural Residential District in accordance with Sections 207, 319, and 510 of the Pennington County Zoning Ordinance.

Tract 6, Brockett Subdivision, Section 22, T1S, R6E, BHM, Pennington County, South Dakota.

8. **CONDITIONAL USE PERMIT / CU 21-35:** RMS Lode, LLC; Matt Keck. To allow a Recreational Vehicle Park on the subject property in accordance with Sections 212, 306, and 510 of the Pennington County Zoning Ordinance.

Lot 1, Addie Camp Subdivision, Section 21, T1S, R5E, BHM, Pennington County, South Dakota.

9. **MAJOR PLANNED UNIT DEVELOPMENT AMENDMENT/ PUD 21-10:** Rapid City MHP, LLC; Joseph Mailander-Agent. To amend the existing Planned Unit Development to allow for an additional six mobile home sites on the subject property in accordance with Section 216 of the Pennington County Zoning Ordinance.

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

10. REZONE / RZ 21-04: Mike Cimino, Nicarly Properties, LLC. To rezone from Rural Residential District to Agriculture District in accordance with Sections 205, 207, and 508 of the Pennington County Zoning Ordinance.

Blocks 2-5 in NE1/4SE1/4; that PT of Unplat PT of N1/2SE1/4 Lying E of CO RD #318 Less RR ROW, Section 8, T1N, R4E, BHM, Pennington County, South Dakota.

11. COMPREHENSIVE PLAN AMENDMENT / CA 21-08: TDG Real Estate, LLC; Mike Gennaro. To amend the Comprehensive Plan to change the Future Land Use from Ranchette Residential District to Rural Residential District in accordance with Sections 206, 207, and 508 of the Pennington County Zoning Ordinance.

All of Glendale #1 Lode MS 1111, Section 14, T2S, R6E, BHM, Pennington County, South Dakota.

12. REZONE / RZ 21-14: TDG Real Estate, LLC; Mike Gennaro. To rezone 8.79 acres from Agriculture District to Rural Residential District in accordance with Sections 205, 207, and 508 of the Pennington County Zoning Ordinance.

All of Glendale #1 Lode MS 1111, Section 14, T2S, R6E, BHM, Pennington County, South Dakota.

13. COMPREHENSIVE PLAN AMENDMENT / CA 21-10: Lyndon Bolt / GL Development Co. LLC. To amend the Comprehensive Plan to change the Future Land Use from Ranchette Residential District to Rural Residential District in accordance with Sections 206, 207, and 508 of the Pennington County Zoning Ordinance.

Hare Lippa Tract (aka Pt of Lot 1) of Section 3, T2S R5E, BHM; and Parcel 1 of Lot 4 Less Right-of-Way and Parcel 3 of Lot 3 Less Right-of-Way of Section 2, T2S, R5E, BHM, Pennington County, South Dakota.

14. REZONE / RZ 21-15: Lyndon Bolt / GL Development Co. LLC. To rezone to Rural Residential District in accordance with Sections 207 and 508 of the Pennington County Zoning Ordinance.

Hare Lippa Tract (aka Pt of Lot 1) of Section 3, T2S R5E, BHM; and Parcel 1 of Lot 4 Less Right-of-Way and Parcel 3 of Lot 3 Less Right-of-Way of Section 2, T2S, R5E, BHM, Pennington County, South Dakota.

15. PRELIMINARY PLAT / PPL 21-39: Alvin and Lois Rudd. To subdivide and create Rudd Tract in accordance with Section 400.2 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: SE1/4SE1/4SW1/4 and SE1/4NE1/4; That PT NE1/4NE1/4 Lying S and E of RR ROW; That PT SE1/4SW1/4 Lying S and E of RR ROW, Less SE1/4SE1/4SW1/4; 50 ft wide strip in W1/2NE1/4 Lying S and E of RR ROW; That PT NW1/4NE1/4 Lying S and E of RR ROW, Less Aforementioned 50 ft wide strip; That PT SW1/4NE1/4 Lying S and E of RR ROW, Less AF, Section 8, T2S, R8E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Rudd Tract, located in the S1/2 of Section 8, T2S, R8E, BHM, Pennington County, South Dakota.

16. LAYOUT PLAT / LPL 21-41: Sudbury Ranch Land Holding, LLC; Casey Skyberg. To subdivide and create Lots 2 through 11 of Sudbury Ranch Subdivision in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot 2 of Sudbury Ranch and S396 feet of NW1/4SE1/4; S1/2SE1/4, Section 21, T1S, R7E, BHM, Pennington County.

PROPOSED LEGAL: Lots 2 through 11 of Sudbury Ranch Subdivision, Section 21, T1S, R7E, BHM, Pennington County.

17. CONDITIONAL USE PERMIT / CU 21-31: Cynthia Van Vleck. To live in a Recreational Vehicle while building a single-family residence on the subject property in a Rural Residential District in accordance with Sections 207 and 510 of the Pennington County Zoning Ordinance.

Lot 1, Harney View Estates, Section 29, T1S, R5E, BHM, Pennington County, South Dakota.

(Continued from June 14, 2021, Planning Commission meeting.)

18. REZONE / RZ 21-16: Keith Lau. To rezone one (1) acre from Rural Residential District to Low Density Residential District in accordance with Sections 207, 208, and 508 of the Pennington County Zoning Ordinance.

The subject property is located on the following metes and bounds description: A tract of land containing one acre, more or less, situated in Lot 5 of Lau Subdivision, located in the South Half of the Northwest Quarter (S $\frac{1}{2}$ NW $\frac{1}{4}$) and in the West Half of the Northeast Quarter (W $\frac{1}{2}$ NE $\frac{1}{4}$) of Section 9, Township 1 North, Range 6 East of the Black Hills Meridian, Pennington County, South Dakota, as shown on plat filed November 2, 2012, and recorded as Document No. A201217946, in the office of the Pennington County Register of Deeds; said one acre tract of land being more particularly described as follows, to-wit: BEGINNING at an iron rod with cap stamped "1019" at the Northwest corner of said Lot 5 being the Northwest corner of the herein described parcel; Thence, North 89° 46' 48" East along the North boundary line of Lot 5, a distance of 100.70 feet to a point from which an iron rod with cap stamped "4208" at an angle point in the North boundary line bears North 89° 46' 48" East a distance of 212.18 feet; Thence, South 04° 25' 24" East a distance of 430.41 feet to a point in the South boundary line of Lot 5 from which an iron rod at the Southeast corner of Lot 5 bears North 85° 55' 54" East a distance of 654.58 feet; Thence, South 85° 55' 54" West along the South boundary line of Lot 5, a distance of 100.43 feet to an iron rod with cap stamped "1019" at the Southwest corner of Lot 5 being the Southwest corner of the herein described parcel; Thence, North 04° 25' 24" West along the West boundary line of Lot 5, a distance of 437.17 feet to the POINT OF BEGINNING and containing 1.00 acre, more or less, of land; Section 9, T1N, R6E, BHM, Pennington County, South Dakota.

19. PRELIMINARY PLAT / PPL 21-38: Kathryn Policky. To subdivide and create Tracts 1 and 2 and Well Lot of Policky Subdivision in accordance Section 400.2 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Tract B of E1/2SE1/4 Less Tract B-1, Section 9, T1N, R6E, BHM, Pennington County.

PROPOSED LEGAL: Tracts 1 and 2 and Well Lot of Policky Subdivision, Section 9, T1N, R6E, BHM, Pennington County.

20. COMPREHENSIVE PLAN AMENDMENT / CA 21-11: Thomas Berry. To amend the Comprehensive Plan to change the Future Land Use from Rural Residential District to Low Density Residential District in accordance with Sections 207, 208, and 508 of the Pennington County Zoning Ordinance.

Lots 6 and 7, Pine Meadow Subdivision, Section 31, T2N, R6E, BHM, Pennington County, South Dakota.

21. REZONE / RZ 21-18: Thomas Berry. To rezone 2.35 acres from Rural Residential District to Low Density Residential District in accordance with Sections 207, 208, and 508 of the Pennington County Zoning Ordinance.

Lots 6 and 7, Pine Meadow Subdivision, Section 31, T2N, R6E, BHM, Pennington County, South Dakota.

22. MINOR PLAT / MPL 21-37: Thomas Berry. To reconfigure lot lines to create Lots 6R and 7R of Pine Meadow Subdivision in accordance Section 400.3 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot 6 and Lot 7 of Pine Meadow Subdivision, Section 31, T2N, R6E, BHM, Pennington County.

PROPOSED LEGAL: Lot 6R and Lot 7R of Pine Meadow Subdivision, Section 31, T2N, R6E, BHM, Pennington County.

23. COMPREHENSIVE PLAN AMENDMENT / CA 21-12: Prairie Acres General, LLC; Ty Pollman – Applicant. To amend the Comprehensive Plan to change the Future Land Use from Rural Residential District to Suburban Residential District in accordance with Sections 207, 209, and 508 of the Pennington County Zoning Ordinance.

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

24. REZONE / RZ 21-19: Prairie Acres General, LLC; Ty Pollman – Applicant. To rezone 40 acres from Agriculture District to Suburban Residential District in accordance with Sections 205, 209, and 508 of the Pennington County Zoning Ordinance.

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

25. MINING PERMIT/ MP 21-01: Pete Lien & Sons, Inc.; Cheyenne River Ranch, LLC – Owner. To expand the existing Creston Sand & Gravel Mine, to include mining operations for sand and gravel and reclamation activities, in accordance with Sections 205 and 320 of the Pennington County Zoning Ordinance.

GL 9-12; S1/2SW1/4; SW1/4SE1/4 of Section 1, T2S, R12E; GL 8-10; SE1/4SE1/4 LESS RTY of Section 2, T2S, R12E; GL 8-10 of Section 3, T2S, R12E; GL 1-2 of Section 11, T2S, R12E; N1/2 LESS RTY of Section 12, T2S, R12E; GL 7; GL 9-10; E1/2SW1/4; W1/2SE1/4 of Section 6, T2S, R13E; GL 4; S1/2SE1/4; SE1/4SW1/4 of Section 31, T1S, R13E; GL 1-7; S1/2NE1/4; SW1/4NW1/4 of Section 1, T2S, R12E; GL 1; NE1/4NW1/4; NW1/4NE1/4 of Section 7, T2S, R13E; N1/2NE1/4; GL 1-5; N1/2NW1/4 of Section 6, T2S, R13E; E1/2NE1/4, GL 3 LESS RTY of Section 11, T2S, R12E; NW1/4NE1/4, NW1/4 of Section 10, T2S, R12E; GLT 1-7; S1/2N1/2; NE1/4SW1/4; N1/2SE1/4; SE1/4SE1/4 LESS RTY of Section 3, T2S, R12E; GL 1-7; S1/2N1/2; SW1/4 LESS ROW; NW1/4SE1/4 LESS ROW of Section 2, T2S, R12E, all located in BHM, Pennington County, South Dakota.

26. MAJOR PLANNED UNIT DEVELOPMENT AMENDMENT/ PUD 21-07: Nothing Doing, LLC; Dannie Davis - Agent. To remove the subject property from the Planned Unit Development to rezone to Ranchette Residential District in accordance with Sections 216 and 508 of the Pennington County Zoning Ordinance.

N1/2NW1/4SE1/4; SW1/4NW1/4SE1/4, Section 14, T1N, R5E, BHM, Pennington County, South Dakota.

27. COMPREHENSIVE PLAN AMENDMENT / CA 21-06: Nothing Doing, LLC; Dannie Davis - Agent. To amend the Comprehensive Plan to change the Future Land Use from Planned Unit Development District to Ranchette Residential District in accordance with Sections 206, 216, and 508 of the Pennington County Zoning Ordinance.

N1/2NW1/4SE1/4; SW1/4NW1/4SE1/4, Section 14, T1N, R5E, BHM, Pennington County, South Dakota.

28. REZONE / RZ 21-13: Nothing Doing, LLC; Dannie Davis - Agent. To rezone 30 acres from a Planned Unit Development District to Ranchette Residential District in accordance with Sections 206, 216, and 508 of the Pennington County Zoning Ordinance.

N1/2NW1/4SE1/4; SW1/4NW1/4SE1/4, Section 14, T1N, R5E, BHM, Pennington County, South Dakota.

29. REZONE / RZ 21-17: Pink Cabin, LLC; KTM Design Solutions - Agent. To rezone 24.56 acres from Agriculture District to Suburban Residential District in accordance with Sections 205, 209, and 508 of the Pennington County Zoning Ordinance.

Tract G of NW1/4 and SW1/4, Less W175 feet of N90 feet, Section 14, T1N, R8E, BHM, Pennington County, South Dakota.

30. LAYOUT PLAN / LPL 21-40: H&H Land Company #2, LLC; Brian Hammerbeck - Agent. To subdivide and create Lots 1 through 11 of South Caputa Addition in accordance Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot X located in GL1 and E1/2SE1/4 LESS S553.09 ft of SE1/4SE1/4 and Less South Caputa Add; PT GL1 Less South Caputa Addition, Section 1, T1S, R9E, BHM, Pennington County.

PROPOSED LEGAL: Lots 1 through 11 of South Caputa Addition, Section 1, T1S, R9E, BHM, Pennington County.

31. MINOR PLANNED UNIT DEVELOPMENT AMENDMENT / PUD 21-09: William and Bonnie Kneas; Jared Ahlstrom - Agent. To reduce the front yard setback from 25 feet to 19 feet for a future single-family residence on the subject property in accordance with Section 216 of the Pennington County Zoning Ordinance.

Lot 15, Granite Point Subdivision, Section 10, T2S, R6E, BHM, Pennington County, South Dakota.

32. TELECOMMUNICATIONS FACILITY PERMIT / TC 21-03: AT&T/Elevated Towers; Jonah Snyder / Ben Snyder. To allow for a 300-foot self-supporting telecommunications tower and equipment shelter on the subject property in a Highway Service District in accordance with Sections 212 and 316 of the Pennington County Zoning Ordinance.

Tract 2, Annie Lode MS 1721, Section 22, T1S, R5E, BHM, Pennington County, South Dakota.

33. ORDINANCE AMENDMENT / OA 21-10: Pennington County. To amend Section 400 “Nonconforming Buildings, Structures and Uses of Land” [to amend and supersede the existing Section 400 “Nonconforming Buildings, Structures and Uses of Land”] of the Pennington County Zoning Ordinance.

(Continued from the June 14, 2021, Planning Commission meeting.)

34. COUNTY BOARD REPORT
The Board of Commissioners will hear the Planning Commission’s recommendations from their June 14th meeting at the July 6th Board of Commissioner’s meeting.

35. ITEMS FROM THE PUBLIC

36. ITEMS FROM THE STAFF

A. Update - Planning Commission Members.

37. ITEMS FROM THE MEMBERSHIP

38. 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.