

AGENDA
PENNINGTON COUNTY PLANNING COMMISSION
September 13, 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 September 21, 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@pennco.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 AUGUST 23, 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 14-17:** Mary Corbin. To review a single-wide mobile home to be used as a permanent residence in a Suburban Residential District in accordance with Sections 209 and 506 of the Pennington County Zoning Ordinance.

Lot 19, Morning View Subdivision, Section 31, T2N, R9E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 14-17 with conditions.

4. **CONDITIONAL USE PERMIT REVIEW / CU 16-09:** Laura Pankratz. To review two (2) off-premises signs within 1,500 feet of a residential zoning district / dwelling unit in a Highway Service District in accordance with Sections 212, 312 and 506 of the Pennington County Zoning Ordinance.

Lot 4, Pankratz Subdivision, Section 22, T1S, R6E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 16-09 with conditions.

5. **CONDITIONAL USE PERMIT REVIEW / CU 19-06:** Big Game Storage, LLC; Chris Peterson. To review a lighted, on-premise sign within 1,500 feet of a residential zoning district/dwelling unit in a Commercial District in accordance with Sections 211, 312, and 506 of the Pennington County Zoning Ordinance.

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

To recommend approval of the extension of Conditional Use Permit / CU 19-06 with conditions.

6. **CONDITIONAL USE PERMIT REVIEW / CU 20-13:** Richard Redetzke. To review a single-wide mobile home to be used as a permanent, single-family residence on the subject property in a Suburban Residential District in accordance with Sections 209 and 506 of the Pennington County Zoning Ordinance.

Lot 1, Block 1, Sharp Subdivision, Section 3, T1N, R8E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 20-13 approval conditions.

7. **MINOR PLAT / MPL 21-58:** Gerard and Michele Mlinar. To reconfigure lot lines to create Lots 2A-1 and 2B-1 of Battle Creek Mountain Estates Subdivision in accordance with Sections 400.3 of the Pennington Subdivision Regulations.

EXISTING LEGAL: Lot 2A and Lot 2B, Battle Creek Mountain Estates Subdivision, Section 17, T2S, R7E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 2A-1 and Lot 2B-1, Battle Creek Mountain Estates Subdivision, Section 17, T2S, R7E, BHM, Pennington County, South Dakota.

To recommend approval of Minor Plat / MPL 21-58 conditions.

END OF CONSENT AGENDA

8. **CONDITIONAL USE PERMIT / CU 21-51:** Patrick and Amie Rose. To allow an accessory structure prior to a primary structure on the subject property in a Suburban Residential District in accordance with Sections 209 and 506 of the Pennington County Zoning Ordinance.

Lot 23, Block 7, Eastern Acres Subdivision, Section 11, T1N, R8E, BHM, Pennington County, South Dakota.

9. CONDITIONAL USE PERMIT / CU 21-49: Kyle and Claire Schmidt. To allow an accessory dwelling unit to be utilized on the subject property in an Agriculture District in accordance with Sections 205, 324 and 506 of the Pennington County Zoning Ordinance.

Tract 5, Red Rock Valley Subdivision, Section 15, T1S, R7E, BHM, Pennington County, South Dakota.

(Continued from the August 23, 2021, Planning Commission meeting.)

10. CONDITIONAL USE PERMIT / CU 21-50: Rodney and Treva Golz. To allow an accessory structure prior to a primary structure on the subject property in a Rural Residential District in accordance with Sections 207 and 506 of the Pennington County Zoning Ordinance.

Lot 2, Block 1, Mountain Park Subdivision, Section 5, T1N, R6E, BHM, Pennington County, South Dakota.

11. CONDITIONAL USE PERMIT / CU 21-52: Al Sutton. To allow a Recreational Resort on the subject property to include six cabins, a garage, and the existing single-family residence to be used as a caretaker's/manager's residence in an Agriculture District in accordance with Sections 205 and 506 of the Pennington County Zoning Ordinance.

Tract B, Circle B Ranch Subdivision, Section 28, T2N, R5E, BHM, Pennington County, South Dakota.

12. CONDITIONAL USE PERMIT / CU 21-53: Keystone Adventures, Inc. – Peggy Busse / Andrew Busse. To allow an illuminated on-premise sign to be located within 1,500 feet of a residential district /dwelling unit in a Highway Service District in accordance with Sections 212, 312, and 506 of the Pennington County Zoning Ordinance.

Unplatted Bal of GL 16 Less Row; Unplatted Bal of GL 21 Less Row; Lot A of W1/2NE1/4SE1/4; Pt Lot B Adj to GL 16, Section 31, T1S, R6E, BHM, Pennington County, South Dakota.

13. LAYOUT PLAN / LPL 21-55: Roger and Kathy Eckert; Fisk Land Surveying - Agent. To create Lot 1 of Eckert Subdivision in accordance with Section 400.1 of the Pennington Subdivision Regulations.

EXISTING LEGAL: All, HES #145, Section 24, T1S, R6E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 1 of Eckert Subdivision, Section 24, T1S, R6E, BHM, Pennington County, South Dakota.

14. REZONE / RZ 21-25: Roger Eckert; Fisk Land Surveying - Agent. To rezone 3.28 acres from Agriculture District to Rural Residential District in accordance with Sections 205, 207, and 504 of the Pennington County Zoning Ordinance.

A portion of Homestead Entry Survey (HES 145) located in the Southeast One-Quarter (SE ¼) of Section Twenty-Four (24), Township One South (T1S), Range Six East (R6E), Black Hills Meridian (BHM), Pennington County, South Dakota, more fully described as: Commencing at Corner #4 of said HES 145, thence northerly along the east line of said HES 145, North 00 degrees 05 minutes 07 seconds West a distance of 58.48 feet more or less to a point on the north right-of-way line of Neck Yoke Road, said point marked by a rebar with survey cap "RW FISK LS 6565"; Thence, southwesterly and on the north edge of said Neck Yoke Road right-of-way, South 75 degrees 20 minutes 16 seconds West a distance of 204.42 feet more or less to the Point of Beginning, said point being marked by a rebar with survey cap "RW FISK 6565"; thence, continuing southwesterly and on the north edge of said Neck Yoke Road right-of-way, South 75 degrees 20 minutes 16 seconds West a distance of 31.01 feet more or less to a point marked by a rebar with survey cap "RW FISK 6565"; thence, North 00 degrees 00 minutes 00 seconds East a distance of 272.67 feet more or less to a point marked by a rebar with survey cap "RW FISK 6565"; thence, North 90 degrees 00 minutes 00 seconds West a distance of 385.00 feet more or less to a point marked by a rebar with survey cap "RW FISK 6565"; thence, North 00 degrees 00 minutes 00 seconds East a distance of 325.00 feet more or less to a point marked by a rebar with survey cap "RW FISK 6565"; thence, North 90 degrees 00 minutes 00 seconds East a distance of 415.00 feet more or less to a point marked by a rebar with survey cap "RW FISK 6565"; thence, South 00 degrees 00 minutes 00 seconds East a distance of 325.00 feet more or less to a point marked by a rebar with survey cap "RW FISK 6565"; thence, continuing South 00 degrees, 00 minutes 00 seconds East a distance of 264.82 feet more or less to the Point of Beginning. Said tract of land contains 3.28 acres, more or less; Section 24, T1S, R6E, BHM, Pennington County, South Dakota.

15. LAYOUT PLAN / LPL 21-53: Detlev and Connie Prautzsch; Fisk Land Surveying – Agent. To create Lots 1 and 2 of Storm Hill Subdivision No. 2 in accordance with Section 400.1 of the Pennington Subdivision Regulations.

EXISTING LEGAL: Lot C of Tract 1A, Storm Hill Subdivision, Section 28, T1S, R5E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lots 1 and 2 of Storm Hill Subdivision No. 2, Section 28, T1S, R5E, BHM, Pennington County, South Dakota.

16. LAYOUT PLAN / LPL 21-54: Natalie Wheaton / Wheaton Enterprises, LLC. To consolidate two lots to create Lot 13R of Engberg Subdivision in accordance with Section 400.1 of the Pennington Subdivision Regulations.

EXISTING LEGAL: Lot 13 and Lot 14, Engberg Subdivision, Section 6, T2S, R6E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 13R, Engberg Subdivision, Section 6, T2S, R6E, BHM, Pennington County, South Dakota.

17. PRELIMINARY PLAT / PPL 21-57: Randall Peregrine / Robert and Donna Peregrine. To subdivide and create Lots D1, D2, and D3 of Johnson Estates Subdivision in accordance with Section 400.2 of the Pennington Subdivision Regulations.

EXISTING LEGAL: Lot D, Johnson Estates Subdivision, Section 9, T1N, R6E, BHM, Pennington County.

PROPOSED LEGAL: Lots D1, D2, and D3 of Johnson Estates Subdivision, Section 9, T1N, R6E, BHM, Pennington County.

18. PRELIMINARY PLAT / PPL 21-56: Sudbury Ranch Land Holding, LLC / Casey Skyberg. To subdivide and create Lots 2R and Lots 3 through Lot 11 of Sudbury Ranch Subdivision in accordance with Section 400.2 of the Pennington Subdivision Regulations.

EXISTING LEGAL: Lot 2, Sudbury Ranch Subdivision; and the S396 ft. of NW1/4SE1/4; S1/2SE1/4, all located in Section 21, T1S, R7E, BHM, Pennington County.

PROPOSED LEGAL: Lot 2R, and Lots 3 through 11, Sudbury Ranch Subdivision, Section 21, T1S, R7E, BHM, Pennington County.

19. ROAD NAMING: Sudbury Ranch Land Holding, LLC / Casey Skyberg. To name a proposed 66-foot-wide Public Right-of-Way providing access to property located in Section 21, T1S, R7E, BHM, Pennington County, South Dakota, to Sky Ridge Court.

20. LAYOUT PLAN / LPL 21-59: Isaac Almanza / JV Gulch, LLC. To reconfigure lot lines to create Lot 2R Less Lots H2 and H3 of HES No. 563 and Lot 1 of JV Subdivision in accordance with Section 400.1 of the Pennington Subdivision Regulations.

EXISTING LEGAL: Lot 2 Less Lots H2 and H3 of HES No. 563 (also in Section 14), Section 22, T1S, R5E, and (Also in Sections 14 and 22) of HES No. 563, Section 23, T1S, R5E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 2R Less Lots H2 and H3 of HES No. 563 (also in Section 14), Section 22, T1S, R5E, and Lot 1 of JV Subdivision, Section 23, T1S, R5E, BHM, Pennington County, South Dakota.

21. REZONE / RZ 21-26: Pink Cabin, LLC; KTM Design - Agent. To rezone 6.68 acres from Suburban Residential District to Urban Residential District in accordance with Sections 209, 210, and 504 of the Pennington County Zoning Ordinance.

Located on the following metes and bounds description: Commencing at the Northeast corner of Lot 1, Block 2, of Colvins Subdivision, located in Section 14, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; THENCE (1) with the easterly boundary of said Colvins Subdivision, South 2°04'19" West, 18.48 feet to the point of beginning; THENCE (2) leaving said easterly boundary, South 88°28'10" East, 59.99 feet to a point on the westerly boundary of Murphy Ranch Estates Subdivision; THENCE (3) with said westerly boundary, South 1°54'07" West, 89.16 feet to the beginning of a curve; THENCE (4) with said westerly boundary, on a curve turning to the left with an arc

length of 70.79 feet, with a radius of 70.00 feet, with a chord bearing of S27°04'07"E, with a chord length of 67.81 feet; THENCE (5) with said westerly boundary, South 56°02'22" East, 119.62 feet to the beginning of a non-tangent curve; THENCE (6) with said westerly boundary, on a curve turning to the left with an arc length of 98.43 feet, with a radius of 52.00 feet, with a chord bearing of N81°29'18"E, with a chord length of 84.38 feet to the beginning of a curve; THENCE (7) with said westerly boundary, on a curve turning to the right with an arc length of 16.64 feet, with a radius of 40.00 feet, with a chord bearing of N39°01'47"E, with a chord length of 16.53 feet; THENCE (8) with said westerly boundary, South 2°24'46" West, 100.20 feet; THENCE (9) with said westerly boundary, South 2°03'13" West, 76.79 feet; THENCE (10) with said westerly boundary, South 2°03'13" West, 76.00 feet; THENCE (11) with said westerly boundary, South 2°03'13" West, 76.00 feet; THENCE (12) with said westerly boundary, South 2°03'13" West, 76.00 feet; THENCE (13) with said westerly boundary, South 2°03'13" West, 76.00 feet; THENCE (14) with said westerly boundary, South 2°03'13" West, 76.00 feet; THENCE (15) with said westerly boundary, South 6°29'19" East, 78.79 feet to the beginning of a non-tangent curve; THENCE (16) with said westerly boundary, on a curve turning to the left with an arc length of 29.14 feet, with a radius of 450.36 feet, with a chord bearing of S27°38'35"E, with a chord length of 29.13 feet to the beginning of a curve; THENCE (17) with said westerly boundary, on a curve turning to the left with an arc length of 228.15 feet, with a radius of 834.33 feet, with a chord bearing of S22°07'33"E, with a chord length of 227.44 feet; THENCE (18) with said westerly boundary, South 13°04'11" East, 52.14 feet; THENCE (19) leaving said westerly boundary, South 81°11'31" West, 14.98 feet to the beginning of a curve; THENCE (20) on a curve turning to the left with an arc length of 98.15 feet, with a radius of 174.00 feet, with a chord bearing of S65°01'54"W, with a chord length of 96.86 feet; THENCE (21) North 41°09'45" West, 52.00 feet; THENCE (22) North 48°43'36" West, 60.36 feet; THENCE (23) North 88°02'33" West, 233.61 feet to a point on the easterly boundary of Colvins Subdivision; THENCE (24) with said easterly boundary, North 1°47'44" East, 161.22 feet; THENCE (25) with said easterly boundary, North 1°53'35" East, 234.91 feet; THENCE (26) with said easterly boundary, North 1°58'44" East, 114.92 feet; THENCE (27) with said easterly boundary, North 1°54'11" East, 115.99 feet; THENCE (28) with said easterly boundary, North 1°49'45" East, 115.95 feet; THENCE (29) with said easterly boundary, North 1°42'12" East, 116.43 feet; THENCE (30) with said easterly boundary, North 2°04'19" East, 212.15 feet to the point of beginning; Said parcel contains 6.68 acres more or less; Section 14, T1N, R8E, BHM, Pennington County, South Dakota.

22. ORDINANCE AMENDMENT / OA 21-12: Pennington County. To amend Section 210 "Urban Residential District" [to amend and supersede the existing Section 210 "Urban Residential District"] of the Pennington County Zoning Ordinance.
23. ORDINANCE AMENDMENT / OA 21-13: Pennington County. To add Section 325 - Marijuana Ordinance Definition of Terms to the Pennington County Zoning Ordinance.
24. ORDINANCE AMENDMENT / OA 21-14: Pennington County. To add Section 326 - Marijuana Businesses to the Pennington County Zoning Ordinance.

25. ORDINANCE AMENDMENT / OA 21-15: Pennington County. To add Section 327 - Marijuana Business Development Plan Standards to the Pennington County Zoning Ordinance.
26. ORDINANCE AMENDMENT / OA 21-16: Pennington County. To add Section 328 - Marijuana Business License to the Pennington County Zoning Ordinance.
27. COUNTY BOARD REPORT
The Board of Commissioners concurred with the Planning Commission's recommendations from their August 23rd meeting.
28. ITEMS FROM THE PUBLIC
29. ITEMS FROM THE STAFF
 - A. Building Permit Report.
30. ITEMS FROM THE MEMBERSHIP
31. 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.