

AGENDA
PENNINGTON COUNTY PLANNING COMMISSION
January 8, 2024 @ 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 January 16, 2024, 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 DECEMBER 11, 2023, MINUTES
2. APPROVAL OF THE AGENDA
3. APPROVAL OF THE CONSENT 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.

4. **CONDITIONAL USE PERMIT REVIEW / CUR 14-29**: Isaac Malsom. To review the use of an existing private air strip to be used for the applicant's personal aircraft in an Agriculture District in accordance with the Pennington County Zoning Ordinance.

The NW1/4NE1/4 less ROW, Section 30, T2N, R10E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit Review / CUR 14-29 with conditions.

5. **CONDITIONAL USE PERMIT REVIEW / CUR 18-40**: Eli Rodolph/Rodolph Investments. To review an accessory structure (pole barn building) prior to a principal structure on the subject property in a Highway Service District in accordance with the Pennington County Zoning Ordinance.

Lot 2, Pankratz Subdivision, Section 22, T1S, R6E, BHM, Pennington County, South Dakota.

To recommend to end Conditional Use Permit Review / CUR 18-40 with the applicant's concurrence.

6. **CONDITIONAL USE PERMIT REVIEW / CUR 22-12:** Alisha and Peter Kolb. To review a detached garage to be used as a Guest House on the subject property in an Agriculture District in accordance with the Pennington County Zoning Ordinance.

Tract 27, Clear Creek Tracts, Section 22, T1N, R5E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit Review / CUR 22-12 with conditions.

7. **CONDITIONAL USE PERMIT REVIEW / CUR 22-26:** Tube Air Racing, LLC/Larry Teuber. To review an accessory structure, a pole barn/shop building, as a primary structure on the subject property in a Rural Residential District in accordance with the Pennington County Zoning Ordinance.

Lot 1RA, Block 5, Spring Canyon Estates, Section 6, T1S, R7E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit Review / CUR 22-26 with conditions.

8. **CONDITIONAL USE PERMIT REVIEW / CUR 22-40:** Scenic Volunteer Fire Department; Charles Maude - Agent. To review a Fire Station on the subject property in an Agriculture District in accordance with the Pennington County Zoning Ordinance.

E1/2SE1/4SW1/4SW1/4SE1/4; SW1/4SE1/4SW1/4SE1/4; W1/2SE1/4SE1/4SW1/4SE1/4; W1/2E1/2SE1/4SE1/4SW1/4SE1/4; and W1/2W1/2E1/2E1/2SE1/4SE1/4 SW1/4SE1/4, Section 33, T2S, R13E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit Review / CUR 22-40 with conditions.

END OF CONSENT AGENDA

9. **CONDITIONAL USE PERMIT / CU 23-39:** 605 Excavating Corp., Donovan Pallatto. To allow a shop building on the subject property to store commercial equipment in a Suburban Residential District in accordance with the Pennington County Zoning Ordinance.

Lot 3A, Block 6, Ashland Subdivision No. 2, Section 15, T2N, R8E, BHM, Pennington County, South Dakota.

10. MAJOR PLANNED UNIT DEVELOPMENT AMENDMENT / PU 23-12: Quality Five, LLC, Matt Kenaston. To amend the Planned Unit Development in order to remove the subject property from the existing Planned Unit Development in accordance with the Pennington County Zoning Ordinance.

The subject property is located on the following metes and bounds description: Commencing at the northeast corner of the aforescribed Lot 1, common to the south line of Lot 6 of Spring Creek Palisades Subdivision and the west line of Lot 1 of Boyum Subdivision, the Point of Beginning, a rebar with survey cap marked LS 4896; thence first course, S43°09'19"W for 231.98 feet on the line of Lots 1 and 2 of the aforescribed Boyum Subdivision to a rebar with survey cap marked LS 4896; thence second course, N84°00'14"W for 132.71 feet in Lot 1 of the aforescribed Boyum Subdivision to a rebar with survey cap marked LS 6565; thence third course, N16°24'08"E for 108.44 feet in Lot 1 of the aforescribed Boyum Subdivision to a rebar with survey cap marked LS 6565; thence fourth course, N81°17'04"W for 179.40 feet in Lot 1 of the aforescribed Boyum Subdivision to an angle point on the east line of Lot 1, and the east right-of-way line of Robins Roost Road to a rebar with survey cap marked LS 4896; thence fifth course, N71°14'31"E for 245.32 feet on the west line of the aforescribed Lot 1 and the east line of the Robins Roost Road right-of-way to a point of curvature, a rebar with survey cap marked LS 4896; thence sixth course, a horizontal curve to the left, on the west line of the aforescribed Lot 1 and the east line of the Robins Roost Road right-of-way, whose radius is 130.50', a delta of 18°39'02", a length of 42.48', a chord bearing of N62°10'37"E, and a chord distance of 42.29' to a rebar with survey cap marked LS 4896, a point in common with the aforescribed Lot 6 of Spring Creek Palisades Subdivision; thence seventh course, S17°17'42"W for 76.55 feet on the line of Lot 1 of Boyum Subdivision and Lot 6 of Spring Creek Palisades Subdivision, to a rebar with survey cap marked LS 4896; thence eighth course, S89°34'53"E for 190.43 feet on the north line of Lot 1 of the aforescribed Boyum Subdivision and the south line of Lot 6 of Spring Creek Palisades Subdivision to the Point of Beginning, said description containing 1.00 acre (43,564 square feet) more or less; Section 21, T1S, R5E, BHM, Pennington County, South Dakota.

11. COMPREHENSIVE PLAN AMENDMENT / CA 23-13: Quality Five, LLC, Matt Kenaston. To amend the Comprehensive Plan to change the Future Land Use from Planned Unit Development District to Low Density Residential District in accordance with the Pennington County Zoning Ordinance.

The subject property is located on the following metes and bounds description: Commencing at the northeast corner of the aforescribed Lot 1, common to the south line of Lot 6 of Spring Creek Palisades Subdivision and the west line of Lot 1 of Boyum Subdivision, the Point of Beginning, a rebar with survey cap marked LS 4896; thence first course, S43°09'19"W for 231.98 feet on the line of Lots 1 and 2 of the aforescribed Boyum Subdivision to a rebar with survey cap marked LS 4896; thence second course, N84°00'14"W for 132.71 feet in Lot 1 of the aforescribed Boyum Subdivision to a rebar with survey cap marked LS 6565; thence third course, N16°24'08"E for 108.44 feet in Lot 1 of the aforescribed Boyum Subdivision to a rebar with survey cap marked LS 6565; thence fourth course, N81°17'04"W for 179.40 feet in Lot 1 of the aforescribed Boyum Subdivision to an angle point on the east line of Lot 1, and the east right-of-way line of Robins Roost Road to a rebar with survey cap marked LS 4896; thence fifth course, N71°14'31"E for 245.32 feet on the west line of the

aforescribed Lot 1 and the east line of the Robins Roost Road right-of-way to a point of curvature, a rebar with survey cap marked LS 4896; thence sixth course, a horizontal curve to the left, on the west line of the aforescribed Lot 1 and the east line of the Robins Roost Road right-of-way, whose radius is 130.50', a delta of 18°39'02", a length of 42.48', a chord bearing of N62°10'37"E, and a chord distance of 42.29' to a rebar with survey cap marked LS 4896, a point in common with the aforescribed Lot 6 of Spring Creek Palisades Subdivision; thence seventh course, S17°17'42"W for 76.55 feet on the line of Lot 1 of Boyum Subdivision and Lot 6 of Spring Creek Palisades Subdivision, to a rebar with survey cap marked LS 4896; thence eighth course, S89°34'53"E for 190.43 feet on the north line of Lot 1 of the aforescribed Boyum Subdivision and the south line of Lot 6 of Spring Creek Palisades Subdivision to the Point of Beginning, said description containing 1.00 acre (43,564 square feet) more or less; Section 21, T1S, R5E, BHM, Pennington County, South Dakota.

12. REZONE / RZ 23-18: Quality Five, LLC, Matt Kenaston. To rezone from a Planned Unit Development District to Low Density Residential District in accordance with the Pennington County Zoning Ordinance.

The subject property is located on the following metes and bounds description: Commencing at the northeast corner of the aforescribed Lot 1, common to the south line of Lot 6 of Spring Creek Palisades Subdivision and the west line of Lot 1 of Boyum Subdivision, the Point of Beginning, a rebar with survey cap marked LS 4896; thence first course, S43°09'19"W for 231.98 feet on the line of Lots 1 and 2 of the aforescribed Boyum Subdivision to a rebar with survey cap marked LS 4896; thence second course, N84°00'14"W for 132.71 feet in Lot 1 of the aforescribed Boyum Subdivision to a rebar with survey cap marked LS 6565; thence third course, N16°24'08"E for 108.44 feet in Lot 1 of the aforescribed Boyum Subdivision to a rebar with survey cap marked LS 6565; thence fourth course, N81°17'04"W for 179.40 feet in Lot 1 of the aforescribed Boyum Subdivision to an angle point on the east line of Lot 1, and the east right-of-way line of Robins Roost Road to a rebar with survey cap marked LS 4896; thence fifth course, N71°14'31"E for 245.32 feet on the west line of the aforescribed Lot 1 and the east line of the Robins Roost Road right-of-way to a point of curvature, a rebar with survey cap marked LS 4896; thence sixth course, a horizontal curve to the left, on the west line of the aforescribed Lot 1 and the east line of the Robins Roost Road right-of-way, whose radius is 130.50', a delta of 18°39'02", a length of 42.48', a chord bearing of N62°10'37"E, and a chord distance of 42.29' to a rebar with survey cap marked LS 4896, a point in common with the aforescribed Lot 6 of Spring Creek Palisades Subdivision; thence seventh course, S17°17'42"W for 76.55 feet on the line of Lot 1 of Boyum Subdivision and Lot 6 of Spring Creek Palisades Subdivision, to a rebar with survey cap marked LS 4896; thence eighth course, S89°34'53"E for 190.43 feet on the north line of Lot 1 of the aforescribed Boyum Subdivision and the south line of Lot 6 of Spring Creek Palisades Subdivision to the Point of Beginning, said description containing 1.00 acre (43,564 square feet) more or less; Section 21, T1S, R5E, BHM, Pennington County, South Dakota.

13. VACATION OF PLAT / VP 23-05: Quality Five, LLC, Matt Kenaston. To vacate an existing 30-foot-wide Access Easement on the plat of Lot 1, Boyum Subdivision, Section 21, T1S, R5E, BHM, Pennington County, South Dakota.

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

14. PRELIMINARY PLAN / PPL 23-31: Quality Five, LLC, Matt Kenaston. To create Lot 1R and Lot 3 of Boyum Subdivision in accordance with the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot 1, Boyum Subdivision, Section 21, T1S, R5E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 1R and Lot 3, Boyum Subdivision, Section 21, T1S, R5E, BHM, Pennington County, South Dakota.

15. COUNTY BOARD REPORT

The Board of Commissioners concurred with the Planning Commission's recommendations from the December 11, 2023, Planning Commission meeting.

16. ITEMS FROM THE PUBLIC

17. ITEMS FROM THE STAFF

A. Building Permit Report.

18. ITEMS FROM THE MEMBERSHIP

19. 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.