

AGENDA
PENNINGTON COUNTY PLANNING COMMISSION
April 25, 2022 @ 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 May 3, 2022, 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 APRIL 11, 2022, 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 16-27:** Gene and Carlen Van Der Wert. To review a Vacation Home Rental in a Rural Residential District in accordance with Sections 207, 319, and 510 of the Pennington County Zoning Ordinance.

Lot K, Brechtel #1 Subdivision, Section 34, T1S, R5E, BHM, Pennington County, South Dakota.

To recommend to end Conditional Use Permit / CU 16-27 with applicant's concurrence.

4. **CONDITIONAL USE PERMIT REVIEW / CU 19-01:** Hayden Fuchs. To review a Vacation Home Rental in a Rural Density Residential District in accordance with Sections 207, 319, and 510 of the Pennington County Zoning Ordinance.

Lot A, Miller Subdivision #2, Section 15, T2N, R6E, BHM, Pennington County, South Dakota.

To recommend to end Conditional Use Permit / CU 19-01.

END OF CONSENT AGENDA

5. CONDITIONAL USE PERMIT / CU 22-14: Four-Thirteen, LLC; Greg Hyde. To allow for storage units in a Commercial District in accordance with Sections 211 and 510 of the Pennington County Zoning Ordinance.

Lot 1 of SW1/4SE1/4, Section 32, T1N, R8E, BHM, Pennington County, South Dakota.

6. VACATION OF RIGHT-OF-WAY / VR 22-01: Karen Fonseca. To vacate 430 feet of public right-of-way on Pretty Flower Lane, adjacent to Lot A of Lot 1 and Lot B of Lot 1 of Battle Creek Mountain Estates in accordance with the Pennington County Zoning Ordinance.

Lot A of Lot 1 and Lot B of Lot 1, Battle Creek Mountain Estates, Section 17, T2S, R7E, BHM, Pennington County, South Dakota.

7. COMPREHENSIVE PLAN AMENDMENT / CA 22-07: Jack and Marie Ziemer. 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.

Lot 8 and Lot 10, Block 3, Pactola Estates, Section 17, T1N, R5E, BHM, Pennington County, South Dakota.

8. REZONE / RZ 22-07: Jack and Marie Ziemer. To rezone 2.5 acres from Agriculture District to Low Density Residential District in accordance with Sections 205, 208, and 508 of the Pennington County Zoning Ordinance.

Lot 8 and Lot 10, Block 3, Pactola Estates, Section 17, T1N, R5E, BHM, Pennington County, South Dakota.

9. COMPREHENSIVE PLAN AMENDMENT / CA 22-08: Ron Weifenbach. To amend the Comprehensive Plan to change the Future Land Use from Suburban Residential District to Commercial District in accordance with Sections 209, 211, and 508 of the Pennington County Zoning Ordinance.

Located on the following metes and bounds description as follows: Commencing at the Center 1/4 Corner of Section 14, T1N, R8E, B.H.M., thence S57°14'25"W, 1081.81 feet to a point on the northerly right-of-way of U.S. Highway 44, and the point of beginning; Thence (1) With said northerly right-of-way, N49°16'24"W, 627.34 feet; Thence (2) Leaving said northerly right-of way, N40°43'36"E, 91.51 feet; Thence (3) On a curve turning to the left with an arc length of 62.92 feet, with a radius of 231.00 feet, with a chord bearing of N32°55'23"E, with a chord length of 62.73 feet; Thence (4) N25°07'11"E, 20.72 feet; Thence (5) N65°50'57"E, 15.33 feet; Thence (6) On a non-tangent curve turning to the left with an arc length of 49.59 feet, with a radius of 226.00 feet, with a chord bearing of S81°37'05"E, with a chord length of 49.49 feet; Thence (7) S87°54'41"E, 96.84 feet; Thence (8) S1°59'11"W, 103.03 feet; Thence (9) S83°18'39"E, 19.04 feet; Thence (10) S86°24'51"E, 210.29 feet; Thence (11) S1°37'23"W, 427.42 feet to the point of beginning; Containing 3.07 acres, more or less; Section 14, T1N, R8E, BHM, Pennington County, South Dakota.

10. REZONE / RZ 22-08: Ron Weifenbach. To rezone 3.07 acres from Agriculture District to Commercial District in accordance with Sections 205, 211, and 508 of the Pennington County Zoning Ordinance.

Located on the following metes and bounds description as follows: Commencing at the Center 1/4 Corner of Section 14, T1N, R8E, B.H.M., thence S57°14'25"W, 1081.81 feet to a point on the northerly right-of-way of U.S. Highway 44, and the point of beginning; Thence (1) With said northerly right-of-way, N49°16'24"W, 627.34 feet; Thence (2) Leaving said northerly right-of way, N40°43'36"E, 91.51 feet; Thence (3) On a curve turning to the left with an arc length of 62.92 feet, with a radius of 231.00 feet, with a chord bearing of N32°55'23"E, with a chord length of 62.73 feet; Thence (4) N25°07'11"E, 20.72 feet; Thence (5) N65°50'57"E, 15.33 feet; Thence (6) On a non-tangent curve turning to the left with an arc length of 49.59 feet, with a radius of 226.00 feet, with a chord bearing of S81°37'05"E, with a chord length of 49.49 feet; Thence (7) S87°54'41"E, 96.84 feet; Thence (8) S1°59'11"W, 103.03 feet; Thence (9) S83°18'39"E, 19.04 feet; Thence (10) S86°24'51"E, 210.29 feet; Thence (11) S1°37'23"W, 427.42 feet to the point of beginning; Containing 3.07 acres, more or less; Section 14, T1N, R8E, BHM, Pennington County, South Dakota.

11. REZONE / RZ 21-30: Paul HH Reinke Family Trust; Renner Associates - Agent. To rezone 9.541 acres from Suburban Residential District to Agriculture District in accordance with Sections 205, 209, and 508 of the Pennington County Zoning Ordinance.

Commencing at the northeasterly corner of Lot 1 of Block 2 of Copper Oaks #3 Subdivision, common to a point on the southerly edge of Wild Turkey Way right-of-way, and the point of beginning. Thence, first course: along the southerly edge of said Wild Turkey Way right-of-way, curving to the left, on a curve with a radius of 133.00 feet, a delta angle of 26°46'38", a length of 62.16 feet, a chord bearing of N 35°11'46" E, and chord distance of 61.59 feet; Thence, second course: along the southerly edge of said Wild Turkey Way right-of-way, N 22°44'38" E, a distance of 207.70 feet; Thence, third course: along the southerly edge of said Wild Turkey Way right-of-way, curving to the right, on a curve with a radius of 117.00 feet, a delta angle of 37°56'31", a length of 77.48 feet, a chord bearing of N 41°46'05" E, and chord distance of 76.07 feet; Thence, fourth course: along the southerly edge of said Wild Turkey Way right-of-way, N 60°46'34" E, a distance of 176.79 feet; Thence, fifth course: along the southerly edge of said Wild Turkey Way right-of-way, curving to the right, on a curve with a radius of 158.90 feet, a delta angle of 29°09'51", a length of 80.88 feet, a chord bearing of N 75°14'28" E, and chord distance of 80.01 feet, to a point on the section line common to Sections 7 and 8, T1S, R7E, BHM; Thence, sixth course: along the said section line, S 00°13'31" W, a distance of 1317.71 feet, to a point on the section 1/4 line of said Section 7; Thence, seventh course: along the said section 1/4 line, N 89°59'36" W, a distance of 66.80 feet, to a point on the northerly edge of Wilderness Canyon Road right-of-way; Thence, eighth course: along the northerly edge of said Wilderness Canyon Road right-of-way, curving to the left, on a curve with a radius of 560.13 feet, a delta angle of 13°14'06", a length of 129.39 feet, a chord bearing of N 41°13'32" W, and chord distance of 129.10 feet; Thence, ninth course: along the northerly edge of said Wilderness Canyon Road right-of-way, N 47°50'42" W, a distance of 218.98 feet; Thence, tenth course: along the northerly edge of said Wilderness Canyon Road right-of-way, curving to the right, on a curve with a radius of 410.94 feet, a delta angle of 10°17'55", a length

of 73.86 feet, a chord bearing of N 42°40'14" W, and chord distance of 73.76 feet; Thence, eleventh course: along the northerly edge of said Wilderness Canyon Road right-of-way, N 37°29'10" W, a distance of 49.76 feet, to the southeasterly corner of said Lot 1; Thence, twelfth course: along the easterly boundary of said Lot 1, N 00°09'14" E, a distance of 574.59 feet, to the said Point of Beginning. Said Parcel contains 9.541 acres more or less.

(Continued from the February 14, 2022, Planning Commission meeting.)

12. COMPREHENSIVE PLAN AMENDMENT / CA 22-06: Bruce or Sandra Rampelberg; KTM Design Solutions – Agent. To amend the Comprehensive Plan to change the Future Land Use from Agriculture District to Ranchette District in accordance with Sections 205, 206, and 508 of the Pennington County Zoning Ordinance.

N1/2SW1/4NE1/4 Less Right-of-Way, Section 15, T1S, R7E, BHM, Pennington County, South Dakota.

13. REZONE / RZ 22-06: Bruce or Sandra Rampelberg; KTM Design Solutions – Agent. To rezone 18.52 acres from Agriculture District to Ranchette District in accordance with Sections 205, 206, and 508 of the Pennington County Zoning Ordinance.

N1/2SW1/4NE1/4 Less Right-of-Way, Section 15, T1S, R7E, BHM, Pennington County, South Dakota.

14. PLANNED UNIT DEVELOPMENT OVERLAY / PU 22-06: Katie Smirnova and Brett Walfish. To allow a Planned Unit Development Overlay to allow a single-family residence to be used as a summer/winter educational music camp, to allow off-season musical performance concerts each year, to allow shed/cabins to be used for classes and rehearsals, and a Bed and Breakfast on the subject property in accordance with Section 216 of the Pennington County Zoning Ordinance.

Lot C2, Brassfield Subdivision, Section 28, T1S, R6E, BHM, Pennington County, South Dakota.

15. ORDINANCE AMENDMENT / OA 22-01: Pennington County. To add Section 321 “Hard Rock Mining” [to add Section 321 “Hard Rock Mining”] to the Pennington County Zoning Ordinance.

(Continued from the March 28, 2022, Planning Commission meeting.)

16. COUNTY BOARD REPORT

The Board of Commissioners concurred with the Planning Commission’s recommendations from the April 11th meeting with the exception of:

Comprehensive Plan Amendment 22-04 and Rezone 22-04: Black Hills Industrial Center, LLC; KTM Design Solutions - Agent. To rezone 162 acres from Agriculture District to Heavy Industrial District. These two items were approved by the Board.

17. ITEMS FROM THE PUBLIC
18. ITEMS FROM THE STAFF
19. ITEMS FROM THE MEMBERSHIP
20. 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.