

AGENDA
PENNINGTON COUNTY PLANNING COMMISSION
September 27, 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 October 5, 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 SEPTEMBER 13, 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 18-23:** BCS Invest, LLC; Kevin Haberstroh. To review six storage units and a caretaker / manager's residence on the subject property in a General Commercial District / Agriculture District in accordance with Sections 205, 211, and 506 of the Pennington County Zoning Ordinance.

Lot 2 (also in Section 19), Heavlin #2 Addition, Section 30, T1N, R9E, BHM, Pennington County, South Dakota.

To recommend approval of the extension of Conditional Use Permit / CU 18-23 with conditions.

4. **CONDITIONAL USE PERMIT REVIEW / CU 20-15:** Greg Helgeson. To review a single-wide mobile home to be used as a single-family residence on the subject property in a Agriculture District in accordance with Sections 206 and 506 of the Pennington County Zoning Ordinance.

W1/2NE1/4NE1/4 (aka W1/2 GL 1), Section 5, T2S, R7E, BHM, Pennington County, South Dakota.

To recommend to continue the review of Conditional Use Permit / CU 20-15 to the October 25, 2021, Planning Commission meeting.

END OF CONSENT AGENDA

5. CONDITIONAL USE PERMIT / CU 21-55: David and Helene Weldon. To live in the existing pole barn with living quarters while building a residence on the subject property in an Agriculture District in accordance with Sections 205 and 506 of the Pennington County Zoning Ordinance.

Less Right-of-Way, Star Lode Mining Claim MS 2148, Section 13, T2S, R6E, BHM, Pennington County, South Dakota.

6. LAYOUT PLAN / LPL 21-60: Dennis and Wyonne Kaemingk; Fisk Land Surveying - Agent. To combine three lots to create Lot 4R, Block 8 of Forest Home Development Subdivision in accordance with Sections 400.1 of the Pennington Subdivision Regulations.

EXISTING LEGAL: Lots 4, 5 and 6, Block 8, Forest Homes Development Subdivision, Section 6, T1N, R6E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 4R, Block 8, Forest Homes Development Subdivision, Section 6, T1N, R6E, BHM, Pennington County, South Dakota.

7. LAYOUT PLAN / LPL 21-61: PDQ Construction Inc.; Justin DeVeney. To combine two lots to create Lot 7R of The Forks at Remmington Ranch Subdivision in accordance with Sections 400.1 of the Pennington Subdivision Regulations.

EXISTING LEGAL: Lot 7 and Lot 8, The Forks at Remmington Ranch Subdivision, Section 22, T1S, R5E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 7R, The Forks at Remmington Ranch Subdivision, Section 22, T1S, R5E, BHM, Pennington County, South Dakota.

8. REZONE / RZ 21-27: Bret and Sandra Estes; Ferber Engineering - Agent. To rezone 14.82 acres from Agriculture District to Ranchette District in accordance with Sections 205, 206 and 504 of the Pennington County Zoning Ordinance.

Tract 4 of NW1/4 Less Lot H1, Section 31, T1N, R7E, BHM, Pennington County, South Dakota.

9. LAYOUT PLAN / LPL 21-62: Jack and Marie Ziemer. To combine 2 lots to create Lot 8A of Block 3 of Pactola Estates Subdivision in accordance with Sections 400.1 of the Pennington Subdivision Regulations.

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

PROPOSED LEGAL: Lot 8A, Block 3, Pactola Estates Subdivision, Section 17, T1N, R5E, BHM, Pennington County, South Dakota.

10. CONDITIONAL USE PERMIT / CU 21-54: Katie Smirnova and Brett Walfish. To allow the Rushmore Music Festival three-week summer camp program to be held on the subject property, in July, in an Agriculture District in accordance with Sections 205 and 506 of the Pennington County Zoning Ordinance.

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

11. REZONE / RZ 21-10: Ian Estes and Brad Estes; Fisk Land Surveying - Agent. To rezone 10.95 acres from Agriculture District and Rural Residential District to Rural Residential District in accordance with Sections 205, 207, and 504 of the Pennington County Zoning Ordinance.

Lot 1, Ridgeland Heights No. 2 Subdivision, Section 35, T2N, R6E, BHM, Pennington County, South Dakota.

12. CONDITIONAL USE PERMIT / CU 21-56: Alex and Holly Niemann, ANH Enterprises, Inc. To allow for the rental of 36 UTVs (6 back-ups) and 6 slingshots to include a washing area, parking area, and 36-40 employees in a Highway Service District in accordance with Sections 212 and 506 of the Pennington County Zoning Ordinance.

Lot G, Murray Subdivision, Section 21, T1S, R5E, BHM, Pennington County, South Dakota.

13. PLANNED UNIT DEVELOPMENT REVIEW / PU 16-03: Dan and Nancy Evangelisto / Century Home Crafters, LLC; Century Land Holdings, LLC; and Summer Creek Inn, LLC. To review a Planned Unit Development to allow for a Specialty Resort Development to include uses, such as vacation home rentals, weddings, receptions, picnics, family reunions, single-family residences, bed and breakfast, storage gift shop, spa, cabana, bistro, detached accessory structure with living quarters, duplex, etc., on the subject properties, in accordance with Section 213 of the Pennington County Zoning Ordinance.

Lot 3 and that 1/2 of private drive adjacent to said lot; Lot 4; Lot 7 and that 1/2 of private drive adjacent to said lot; Lot 10 and that 1/2 of private drive adjacent to said lot; Lot 11 and that 1/2 of private drive adjacent to said lot; Lot 12 and that 1/2 of private drive adjacent to said lot; Lot 13 and that 1/2 of private drive adjacent to said lot; Lot 14 and that 1/2 of private drive adjacent to said lot; Lot 15 and that 1/2 of private drive adjacent to said lot; Lot 16 and that 1/2 of private drive adjacent to said lot; Lot 17 and that 1/2 of private drive adjacent to said lot; Lot 18 and that 1/2 of private drive adjacent to said lot; Lot 19 and that 1/2 of private drive adjacent to said lot; Lot 20 and that 1/2 of private drive adjacent to said lot; Lot 21, Lot 22 and that part of private drive adjacent to said lot; Lot 23B and that 1/2 of private drive adjacent to said lot; Lot 27 and that 1/2 of private drive adjacent to said lot; Lot 28 and that 1/2 of private drive adjacent to said lot; Lot 29 and that 1/2 of private drive adjacent to said lot; Lot 30 and that 1/2 of private drive adjacent to said lot; Lot 31 and that 1/2 of private drive adjacent to said lot, Lot 32 and that 1/2 of private drive adjacent to said lot; Lot 33 and that 1/2 of private drive adjacent to said lot; Lot 34 and that 1/2 of private drive adjacent to said lot; Lot 35 and that 1/2 of private drive adjacent to said lot; Lot 36 and that 1/2 of private drive adjacent to said lot; Lot 37 and that 1/2 of private drive adjacent to said lot; Lot 41 and that 1/2 of private

drive adjacent to said lot; Lot 42 and that 1/2 of private drive adjacent to said lot; Lot 43 and that 1/2 of private drive adjacent to said lot; Lot 44, Lot 45 and that 1/2 of private drive adjacent to said lot; all located in Custer Trails Subdivision #1, Section 22, T1N, R5E, BHM, Pennington County, South Dakota.

14. 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.

15. ORDINANCE AMENDMENT / OA 21-17: Pennington County. To amend Section 324-B-5-a “Accessory Dwellings” [to amend and supersede the existing Section 324-B-5-a “Accessory Dwellings”] of the Pennington County Zoning Ordinance.

16. ORDINANCE AMENDMENT / OA 21-13: Pennington County. To add Section 325 - Marijuana Ordinance Definition of Terms to the Pennington County Zoning Ordinance.

(Continued from the September 13, 2021, Planning Commission meeting.)

17. ORDINANCE AMENDMENT / OA 21-14: Pennington County. To add Section 326 - Marijuana Businesses to the Pennington County Zoning Ordinance.

(Continued from the September 13, 2021, Planning Commission meeting.)

18. ORDINANCE AMENDMENT / OA 21-15: Pennington County. To add Section 327 - Marijuana Business Development Plan Standards to the Pennington County Zoning Ordinance.

(Continued from the September 13, 2021, Planning Commission meeting.)

19. ORDINANCE AMENDMENT / OA 21-16: Pennington County. To add Section 328 - Marijuana Business License to the Pennington County Zoning Ordinance.

(Continued from the September 13, 2021, Planning Commission meeting.)

20. COUNTY BOARD REPORT

The Board of Commissioners concurred with the Planning Commission’s recommendations from their September 13th meeting.

21. ITEMS FROM THE PUBLIC

22. ITEMS FROM THE STAFF

23. ITEMS FROM THE MEMBERSHIP

24. 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.