



Planning Commission Minutes

The City of Sturgis Planning Commission held a regular meeting on Wednesday, January 3, 2018 at 5:30pm in the front conference room at Sturgis City Hall, 1040 Harley-Davidson Way, Sturgis, SD.

Present:

Chairman Judy Hughes
Commissioner John Gerberding
Commissioner San Monahan
Commissioner Mark Norstegaard
Commissioner Kyle Treloar (5:47pm)

Absent:

Commissioner Courtney Mack Commissioner Suzanne Nelson

Also Present:

Dave Smith (Director of Planning and Permitting)	Danny Lopez
Laura Abernathy (Planning Coordinator)	Arvid Meland
Ron Waterland (City Council)	Barb Dennard
Shanon Vasknetz (Baseline Surveying)	Dave Wilson (Sturgis Real Estate & Auctions)

Hughes called the meeting to order at 5:30pm. Motion by Gerberding, second by Monahan to approve the minutes of the Tuesday, December 5, 2017 regular Planning Commission meeting. Motion carried.

Smith and Abernathy announced changes to the agenda, in which Agenda Item #1 – Election of Officers be postponed to the February meeting, and moving Agenda Item #6 – Dogwood Lodge and Agenda Item #7 – Danny Lopez to the beginning of the meeting. Motion by Gerberding to approve the changes to the agenda. Second by Monahan. Motion carried.

Agenda Item #1 – Variance – Dogwood Lodge

City staff briefly summarized the request from Tiffany Smith from Dogwood Lodge of 955 Pine View Drive regarding the variance request to the Highway Service zoning to allow a dog boarding and grooming facility within that zoning district. Animal hospitals, kennels and similar businesses are only allowed within a General Industrial zoning district. City staff determined that the proper way to address this request is to consider amending the Highway Service zoning district to allow these types of services as the request may affect existing businesses currently operating within this zoning district. Staff recommended to table the request until a review of Title 18 can be completed. **Motion by Gerberding to table the request. Second by Norstegaard. All members present voted yes to table the request.**

Agenda Item #2 – Variances – Danny Lopez

Danny Lopez of 1304 Nellie Street (the south 75' of Lots 8-12 in Block 34 of McMillan's Eastern Addition) has applied for several variances to install an addition to an existing garage on his property. The property is located in a Medium-Density Residential zoning district. The applicant is requesting a 5' variance to the 5' side setback, as well as a 7.54' variance to the 10' rear setback to be able to build the addition. The applicant is also requesting a variance to the 400 sq. ft. minimum off-street, hard surfaced parking requirement. Abernathy presented the information provided in the commissioner's packet. The garage to be expanded was built in 1948 and is encroaching 3.5' into the Ruby Street dedicated right-of-way. Abernathy reviewed the history of the unsuccessful attempt to expand the building's footprint in 2003 by a former owner. City staff at the time determined that an expansion of the footprint would only be possible if a portion of Ruby Street was vacated. The property owner at the time chose not to proceed with the expansion and instead obtained a building permit to remodel and add a loft to the existing garage. Abernathy also presented concerns returned from the neighboring landowners, including potential sight triangle and snow drifting issues for the landowner at 1300 Nellie Street, whose access to their garage is directly behind Lopez's property. City staff recommended to deny the request based on the potential issues the expansion may cause, and on Title 18, Article VI Section H interpretation that "a nonconforming structure...may be enlarged or extended if the enlargement of extension can be made in compliance with all of the provisions...in which the nonconforming structure is located." The applicant should also apply for an encroachment permit with the city to address any future concerns with the garage's encroachment. The applicant was present and discussed the reasoning for the request and felt his request should be allowable as he feels it will not affect the neighboring property. Meland discussed the history of the property and some issues he had encountered with vehicles exiting the garage and other potential issues that may occur with the expansion. The commission considered and discussed potential concerns, including sight triangle issues and the neighboring landowner's disapproval of the request.

Treloar entered the meeting at 5:47pm.

Gerberding made a motion to table the request pending receiving more information from the City Attorney. Abernathy said that the City Attorney's interpretation on the request has been provided, and the commission reviewed the interpretation and discussion was prompted on whether or not the granting of a variance is allowable under the language of Section H. The interpretation suggested that the garage may be expanded, but only if the improvements strictly follow City Ordinance, without requests for variances. Gerberding withdrew his motion. The commission discussed other options that the applicant may consider, and came to a general consensus that the request cannot be considered for variances based on the interpretation of Section H and the original decision made in 2003. **Motion by Treloar to recommend denying the request. Second by Gerberding. Motion carried unanimously.**

The public hearing for this item is scheduled for Tuesday, January 16 at 6:30pm at the Meade County Erskine Building located at 1300 Sherman Street.

Agenda Item #3 – Plat – Jan Masden/Timothy Wiederrich

Jan Masden of 2541 Pine Glen Drive (Lot A of Tract 1-R of Pine Glen Subdivision) and Timothy Wiederrich of 2535 Pine Glen Drive (Lot B of Tract 1-R of Pine Glen Subdivision) have submitted a plat for Lot AR and BR of Tract 1-R of Pine Glen Subdivision. The Commission was presented the preliminary and final plats. Vasknetz discussed the reason for the plat application, which reflects a land swap between the

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applicants and addresses frontage issues to Pine Glen Drive. **Gerberding made a motion to recommend approval of final plat. Second by Monahan. Motion carried unanimously.**

This item will be presented to the Sturgis City Council meeting on Tuesday, January 16 at 6:30pm at the Meade County Erskine Building located at 1300 Sherman Street.

Agenda Item #4 – Plat – Meade School District/South Dakota National Guard

A final plat was presented of Lot 1 and 2 of Meade 46-1, Sturgis Brown High School, East Campus Subdivision. The preliminary plat was reviewed and approved by the Commission in September of 2017. **Motion by Gerberding to recommend approval of the final plat. Second by Norstegaard. Motion carried unanimously.**

This item will be presented to the Sturgis City Council meeting on Tuesday, January 16 at 6:30pm at the Meade County Erskine Building located at 1300 Sherman Street.

Agenda Item #5 – Plat – City of Sturgis

A plat from the City of Sturgis was presented that reflects the platting of public right-of-way along the west side of the 2300 block of Junction Avenue. The plat reflects the creation of Lot JA-1, JA-2, and JA-3 of the NW ¼ of the NW ¼ of Section 15 and the NE ¼ of the NE ¼ of Section 16. Wilson and Vasknetz were present to explain to nature of the request, and outlined the steps that will take place after the plat is filed. This block of Junction Avenue has approximately 132 feet of right-of-way compared to the typical 66 feet, and the City has decided to surplus portions of unneeded right-of-way to the adjacent landowners. They explained that the City will work with Sturgis Economic Development Corps to surplus the property to the adjacent landowners, which will be reflected in an upcoming replat of proposed Lots JA-1, JA-2, and JA-3, and Lot 1 of Lot C, Lot D-1, Lot A, Lot B less B-1, Tract A less Lot H-1, Lot A2 of Lot A of Lot 9, All of Glovers First Addition, and RR Lot 1, all located in the NW ¼ of the NW ¼ of Section 15 and the NE ¼ of the NE ¼ of Section 16, T5N, R5E, BHM, City of Sturgis, Meade County, South Dakota. The final outcome would result in seven uniform lots along the west side of the 2300 block of Junction Avenue. City staff acknowledged the concerns regarding existing lots' frontage to Junction Avenue with the creation of Lots JA-1-, JA-2, and JA-3, but that concern would be "fixed" pending the approval of the forthcoming plat application. **Motion by Gerberding to recommend approval of the plat. Second by Treloar. Motion carried unanimously.**

The meeting was adjourned by Hughes at 6:29 pm.

The next regular meeting will be held on Tuesday, February 6, 2018.

Respectfully submitted,

Laura Abernathy

**Minutes are not considered official until approved by the Planning Commission*