

## **Planning Commission**

### Minutes

The City of Sturgis Planning Commission held a regular meeting on Tuesday, March 6, 2018 at 5:30pm in the front conference room at Sturgis City Hall, 1040 Harley-Davidson Way, Sturgis, SD.

**Present:**

Commissioner Courtney Mack  
Commissioner Mark Norstegaard  
Commissioner Suzanne Nelson

Commissioner Jon Olson  
Commissioner Kyle Treloar  
Commissioner Cody Weber

**Absent:**

Commissioner John Gerberding

**Also Present:**

Dave Smith (Planning and Permitting Director)  
Laura Abernathy (Planning Coordinator)  
Mike Bachand (City Council)  
Ron Waterland (City Council)  
Theresa Jaramillo

Tracy Konst  
Wade Huntington  
Jason Wilkens  
Jack & Roxy Houston

Treloar called the meeting to order at 5:30pm. Motion by Mack, second by Olson to approve the minutes from the regular Planning Commission meeting held on Tuesday, February 6. Motion passed.

#### **Agenda Item #1 – Use on Review – Theresa Jaramillo**

Theresa Jaramillo has applied for a Use on Review to continue her daycare operations at her recently purchased property located at 2537 Meadows Drive (Lot 5 in Block 3 of Dolan Creek Estates subdivision). The previous Use on Review was issued at 821 10<sup>th</sup> Street and expires in July of 2018. The applicant is state-licensed and has one family under her care, consisting of three children. Treloar and Mack made the applicant aware that an issuance of a Use on Review by the City of Sturgis does not override any existing covenants in her neighborhood. **Motion by Mack to recommend approval of the Use on Review. Second by Nelson. Motion passed unanimously.** The Use on Review will be presented to the City Council at the Monday, March 19, 2018 meeting for their review.

#### **Agenda Item #2 – Zoning Amendment - Tracy Konst, Walter Wiedmann, DTR Enterprises Inc, Sturgis Sportscenter LLC**

The applicants have submitted an application for a zoning amendment for properties located at 2470, 2800, & 2810 Raccoon Road, 2879 & 2885 Vanocker Canyon Road (Lots 1-3 in Block 10 of Deadman Subdivision, Lots B-1, B-2 of SE ¼ NE ¼ 16-5-5). The application is requesting these properties be rezoned from Highway Service to General Industrial. The purpose of the request is to address the existing non-

conforming uses on four of the lots and to allow a potential new business for one lot currently for sale at 2470 Raccoon Road. An existing General Industrial zone exists contiguous to these properties at 1251 Otter Road. Abernathy presented the information provided in the commissioners' report, which included the General Industrial zoning definition and the conditions the Commission shall consider when a zoning amendment is reviewed. She also shared comments received from a neighboring landowner and from a representative for Black Hills Energy, both indicating disapproval of the request. Tracy Konst was present to speak on behalf of all of the applicants, and explained the reasoning for the request. Several residential landowners were present and voiced their concerns regarding the types of businesses that would be allowed if the zoning were changed. Jasen Wilkins of 1329 Otter Road said that he had heard a potential sanitation, or porta-potty, business may move into 2470 Raccoon Road if the zoning was changed. The applicant acknowledged that he was considering that type of business for that location. Discussion was held regarding how that type of business is managed, including the storage of the portable toilets and how and where they would be cleaned. Jack and Roxy Huston of 2700 Raccoon Road asked about potential smells and the increase of traffic in their neighborhood. Sidewalk, and curb and gutter issues around that area of town were also discussed. It was also discussed how that area of town has changed since the Interstate 90 interchange was redirected. The Commission was reminded by staff that the request itself is for a zoning amendment, not for a specific business, and that a decision should be made based on the criteria set forth in the City Ordinance. Wade Huntington of 2801 Raccoon Road stated that nobody has any idea what would happen if a General Industrial zone were to be allowed across from a residential neighborhood. He also addressed concerns about how the potential business may affect the surrounding property values and quality of life, and it would be poor planning to change the zoning. Nelson said that it cannot be assumed that a general industrial type business would be a bad neighbor, and referred to the Black Hills Energy building that was established under the neighboring General Industrial zone. Norstegaard said that he did not see the need for a zoning change, and to leave it alone. Olson said that the perception of mixed-use neighborhoods hindering the values of surrounding properties is not necessarily accurate. Treloar asked if a development agreement could be recommended at the Planning Commission level. Ainslie responded that that could be an option. Discussion regarding road, curb and gutter, and sidewalk issues continued. Following discussion, **there was a motion by Mack to recommend approval of the request to rezone the properties from Highway Service and General Industrial. Second by Olson. Motion passed 3-2, with one abstaining.**

The public hearing for this item will be held during the City Council meeting on Monday, March 19, 2018.

### **Agenda Item #3 – Update on Mountain View Care of 1681 Joedy Street**

City staff updated the Planning Commission on the Mountain View Care adult residential care facility located at 1681 Joedy Street. The applicant was Tammy Halverson. The initial Use on Review was approved at the March 6, 2017 City Council meeting, provided that the applicant hard surface the parking lot and install an ADA-compliant ramp within six months. On September 6, 2017, City staff made a site visit and found that no changes were made. The applicant was given a six-month extension due to contractor issues, but a recent site visit found that no progress has been made. The applicant is working on finding a new contractor and plans to have everything installed by May. The Commission considered this information and said if the requirements are not met within thirty days, the Use on Review could be revoked. The application is scheduled to be reviewed at the April 3 Planning Commission meeting.

City staff presented a copy of a plat that will be reviewed by the Meade County Planning Commission on March 12. The plat is Tract 1R of Hawkins Subdivision, located in the NW ¼ SW ¼ of 29-6-5. The plat is located in Area #2 of the three-mile platting jurisdiction. The Commission reviewed the plat and said

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that there should be a private access easement from Tract 1R to the Avalanche Road right-of-way. City staff will share this comment with the Meade County Planning and Equalization department.

The meeting was adjourned at 6:45pm.

The next regular meeting is scheduled for Tuesday, April 3, 2018.

Respectfully submitted,

Laura Abernathy

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