



1040 Harley-Davidson Way  
Sturgis, SD 57785  
605-347-4422

## Planning Commission Minutes

The City of Sturgis Planning Commission held a regular meeting on Tuesday, April 6, 2021 at 5:30pm at Sturgis City Hall at 1040 Harley-Davidson Way, Sturgis, SD.

### Present:

Commissioner Dustin Bostrom  
Commissioner Jon Olson

Commissioner Bill Phillips  
Commissioner Angela Wilkerson

### Also Present:

Laura Abernathy (Planning Coordinator)  
Daniel Ainslie (City Manager)  
Kevin Forrester (City Council)  
Dave Smith  
Tiffany Smith  
Angie Olson

Mike Bachand  
Palmer Dahl  
Justin Bohn  
Tim Hughes  
Tammy Halverson  
Preston Williams

Commissioner Olson called the meeting to order at 5:30pm. Motion by Wilkerson to approve the minutes from the special Planning Commission meeting held on Tuesday, March 9, 2021. Second by Phillips. Motion carried.

### Agenda Item #1 – Use on Review – Antics LLC (Tiffany Smith and Angie Olson)

The applicants have applied for a conditional Use on Review to operate a dog grooming business and truck dispatch business within a residential zone. The location of the request is 1547 Main Street (the West 19’ of Lot 11 and Lot 12 in Block 21 of Original Town Subdivision). The property is zoned as Medium-Density Residential Housing. Abernathy presented the information included in the commissioners packet. Ms. Smith and Ms. Olson were present. Ms. Smith explained that the current location of her business, Paws on Main, at 1100 Main Street was temporary and is not meeting her current needs because she is required to move out for six weeks and the entry stairs are difficult for her clients. She would like to move her business to 1547 Main Street. She explained the current operations of the businesses and said that both operate by appointment during regular weekday business hours. The grooming business would be located on the first floor with one employee and the dispatch business would be located on the second floor with two employees. Commissioner Olson asked if there would be dog boarding. Ms. Smith said there would be no boarding or daycare. Commissioner Wilkerson asked when the property was purchased. Ms. Smith said it was purchased in March in hopes they could operate the businesses from this location and make an improvement to the structures. Commissioner Wilkerson asked if a use on review could be requested if it was not a primary residence. Abernathy said the Ordinance did not disallow it and the conditions for a use on review would still need to be approved. Ms. Smith described the plan for remodeling the main structure and the rental house located on the same parcel. Commissioner Olson asked if there was going to be an outdoor kennel area. The applicants said that there would be a small privacy area for the dogs to take a break. Commissioner

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Wilkerson asked if there was another plan in case the request was not approved. Ms. Smith said she would probably close her grooming business, and described the difficulty in finding a commercial location to continue her business. She said the other option would be to operate an AirBNB. Commissioner Olson opened the floor to public comment. Public testimony was received from Palmer Dahl and Mike Bachand in opposition to the request. They stated concerns about property value increasing, concerns about changing the zoning for the area, and that not everyone was able to bid on the property when it was for sale. Commissioner Phillips said he did not see issues with the request, comparing it to the residential/service industry zoning district on Junction Avenue, and said the applicants had a good business history and that there would be a limited number of patrons visiting the property. Commissioner Wilkerson she was concerned about setting a precedent to allow people to buy residential properties for commercial purposes and how to determine when a business can be allowed. Ms. Smith said that regardless of the outcome, they intended to do something positive for the community, and affordable commercial property was difficult to find for small businesses. Commissioner Olson said he did not believe it would set a precedent as a use on review application would be considered on a case-by-case basis. Commissioner Phillips that the location on Main Street contributes to why the property was chosen and is surrounded by commercial zoning, and that a service business can mix with residential, and believed there would be limited impacts to the neighboring residential properties. **Motion by Bostrom to recommend approval of the use on review. Second by Phillips. Motion carried 3-1 (Wilkerson voting no).**

#### **Agenda Item #2 – Use on Review – Justin Bohn**

The applicant has applied for a conditional Use on Review to operate a Federal Firearms License (FFL) within a residential district. The location of the request is 1616 Elk Court (Lot 17 of Watson Subdivision). The property is located within a Medium-Density Residential Housing district. Abernathy presented a brief overview of the request as contained in the commissioners packet. Mr. Bohn was present and stated the purpose was to bring firearms from the current location of 1861 Lazelle Street (Sturgis Guns) to 1616 Elk Court for cleaning. He said that ATF requires a separate FFL for a secondary location if a firearm leaves the premises for firearm cleaning or maintenance. Commissioner Wilkerson asked if ATF requires additional safety measures. Bohn says he has security measures in place. Commissioner Olson asked if ATF takes control over the logistics of the application. Ainslie said ATF and the Sturgis Police Department will have oversight of the application once approved. **Motion by Phillips to recommend approval of the use on review. Second by Bostrom. Motion carried unanimously.**

#### **Agenda Item #3 – Variance – Tim and Kathy Hughes**

The applicants have applied for a variance to the rear, side, and front setbacks to place a new mobile home at 321 8<sup>th</sup> Street (Lot 6 in Block 3 of McKee Plat). The property is zoned as Mobile Home 1. The applicants request a 15' variance to the 25' front setback, 2' variance to 18' corner lot setback, and a 19' variance to the 25' rear setback. Abernathy presented the information included in the commissioners packet, and said the applicants would like to replace the current 1957 mobile home with a new 28x56' mobile home. She also displayed illustrations of the site layout and pictures of the new home. Mr. Hughes was present and said that they want to upgrade the existing property, and would like to face the new home towards Strickland Drive. After brief discussion, there was a **motion by Wilkerson to recommend approval of the variance request. Second by Phillips. Motion carried unanimously.**

#### **Agenda Item #4 – Variance – Jonathon Brock**

The applicant has applied for a variance to the rear and side setbacks to build a 30x40' garage at 1431 Main Street (Lots 7-8 in Block 19 of Original Town Subdivision). The property is located within the General Commercial district. The applicant requests a 5' variance to the 10' side setback, and a 15' variance to the 30' rear setback when a building is serviced from the rear. Abernathy presented the information in the commissioners packet, and said the applicant had recently purchased the property and intends to operate a pinstriping business from the garage and live in the existing house, which is a pre-existing, non-conforming use. Mr. Brock was available via phone. Commissioner Olson had a question about the existing powerlines near the property. Abernathy said Black Hills Energy has provided guidelines in which to follow. Commissioner Phillips asked if the position of the garage was a preference and said he did not think it was a justifiable reason to ask for a variance. The commission discussed

alternative layout options for the garage, and had questions regarding customer parking for the pinstriping business. The commission stated their concerns regarding parking and traffic in the alley. **Motion by Phillips to recommend denying the variance request. Second by Bostrom. Motion carried unanimously.**

**Other Items:**

None

Meeting was adjourned at 6:50pm.

A regular meeting will be scheduled for Tuesday, May 4, 2021.

Respectfully submitted,  
Laura Abernathy