



Spearfish Planning Commission

Agenda

Tuesday, June 16th, 2020 - 3:00 PM

Meeting Location: City Hall City Council Chambers, 625 N Fifth Street, Spearfish SD 57783

- A. Call To Order**
- B. Roll Call**
- C. Approve the Minutes from June 2nd, 2020**
- D. Declaration of Conflicts of Interest**
- E. Items for Action**
 - 1. Request: Approve a change of zoning from C2 Highway Service Commercial to R3 Multifamily Residential**
 - Location: Lot 1B Block 4 Heritage Addition**
 - Applicant: Spearfish Estates, LLC**
 - Action: Hold a public hearing and make a recommendation to the City Council**

 - 2. Request: Approve a change of zoning from Agriculture (AG) and Light/Restrictive Industrial (ILR) to Airport Zoning District (APZ)**
 - Location: Airport area**
 - Applicant: City of Spearfish**
 - Action: Hold a public hearing and make a recommendation to the City Council**

 - 3. Request: Approve an annexation and change of zoning to APZ**
 - Location: Tract A in S1/2S1/2 and Tract A in NE1/4SW1/4-SE1/4NW1/4**
 - Applicant: City of Spearfish**
 - Action: Hold a public hearing and make a recommendation to the City Council**

 - 4. Discussion Item: Planning Commission packets via a digital medium only**

ADA Compliance: The City of Spearfish 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 Building and Development Office at 642-1335 and 24 hours prior to the meeting so that appropriate auxiliary aids and services are available.

**Spearfish Planning Commission
Agenda**

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F. City Council Update

G. Public Comment

Public comments are welcome at this time, however, no action will be taken.

H. Adjournment



Spearfish Planning Commission
Regular Session Minutes
June 2nd, 2020

The Spearfish Planning Commission met in regular session on Tuesday, June 2nd, 2020 at 3:00 p.m. in the Council Chamber. Chairman Kruskamp called the meeting to order at 3:00 pm. Roll call was taken with the following members present: Larry Vavruska, Barbara Zwetzig, Greg Kruskamp, Meghan Byrum, and Bob Meyer. Absent: Toby Bordewyk and Drew Skjodal. Also present: City Planner Jayna Watson, City Administrator Mike Harmon, City Attorney Ashley McDonald, and Assistant City Planner Daniel Van Holland.

APPROVAL OF MINUTES:

Zwetzig moved, Vavruska seconded and all present voted to approve the minutes from May 19th, 2020.

DECLARATIONS OF CONFLICTS OF INTEREST:

Kruskamp called for any potential conflicts of interest to be identified. Meyer mentioned his acquaintances with Jim Boke, subject of item 2. The Commission did not consider this conflict with the proposal. No other conflicts were expressed.

1. Request: Approve an amendment to a Conditional Use Permit

Location: 1004 Main Street

Applicant: Collin Cantalope

Action: Hold a public hearing and render a decision

The Commission asked the applicant and staff if there were any changes to the request since the last meeting. Applicant and staff stated there were not. Watson explained the regulations regarding signage on the lot and additional related conditions to be required. Kruskamp opened the public hearing. No comments were submitted. Kruskamp closed the public hearing. **Meyer moved, Vavruska seconded and all present voted to approve the amendment to the conditional use permit with the three conditions listed in line 13 of the findings document.**

2. Request: Approve rezoning from PUD (Planned Unit Development) to DRD (Development Review District) and amend setback standards.

Location: Countryside Subdivision Tracts 2R, 3R, 4R east of Woodlands Dr.

Applicant: City of Spearfish/Jim Boke

Action: Hold a public hearing and make a recommendation to the City Council

Watson explained the changes to the setbacks made since the last meeting. Jim Boke further explained the changes, the rationale for the change, and his vision for the development. Discussion was held on the lot sizes and open space within the development. Kruskamp opened the public hearing. No comments were submitted. Kruskamp closed the public hearing. **Vavruska moved, Byrum seconded and all present voted to approve the rezoning and setback amendment.**

3. Request: Approve a change of zoning from C2 Highway Service Commercial to R3 Multifamily Residential

Location: Lot 1B Block 4 Heritage Addition

Applicant: Spearfish Estates, LLC.



Action: Set a public hearing for June 16, 2020

Van Holland explained the proposed project and the rationale for rezoning. **Vavruska moved, Zwetzig seconded and all present voted to set the public hearing for June 16th.**

4. Request: Approve a change of zoning from Agriculture (AG) and Light/Restrictive Industrial (ILR) to Airport Zoning District (APZ)

Location: Airport area

Applicant: City of Spearfish

Action: Set a public hearing for June 16, 2020

Van Holland explained the zoning history of the parcels and the purpose for rezoning. **Vavruska moved, Meyer seconded, and all present voted to set the public hearing for June 16th.**

5. Request: Approve an annexation and change of zoning to APZ

Location Tract A in S1/2S1/2 and Tract A in NE1/4SW1/4-SE1/4NW1/4

Applicant: City of Spearfish

Action: Set a public hearing for June 16, 2020

Van Holland explained the zoning history and the purpose for annexation and change of zoning. **Vavruska moved, Byrum seconded and all present voted to set the public hearing for June 16th.**

PUBLIC COMMENT

No public comment received

CITY COUNCIL UPDATE:

Watson updated the Commission on previous City Council business, including a renewable energy agreement with Black Hills Energy, a presentation given on a wastewater equalization project, and the Jackson Boulevard project.

ADJOURNMENT:

There being no further business to come before the commission, Kruskamp adjourned the meeting at approximately 3:35 p.m.



Spearfish Planning Commission Staff Report
Meeting Location: City Council Chamber, 625 Fifth Street, Spearfish SD 57783

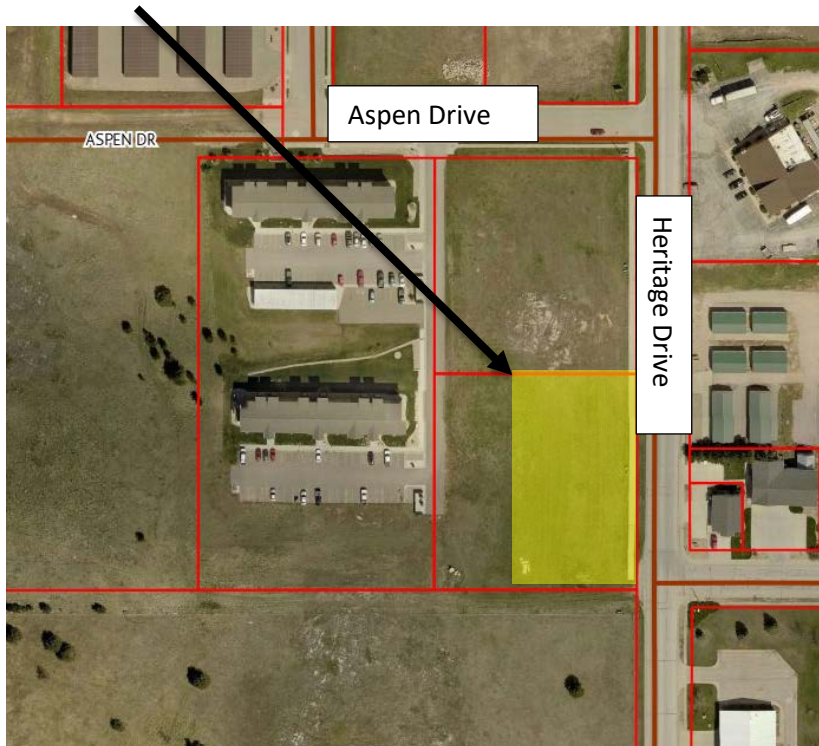
Meeting time and date: June 16, 2020 at 3pm

Applicant: Spearfish Estates, LLC

Request: Approve a change of zoning from C2 Highway Service Commercial to R3 Multifamily Residential

Action: Hold a public hearing and make a recommendation to the City Council
East 130 feet of Lot 1B Block 4 Heritage Addition

Location:



Proposal Summary: The request would rezone the eastern 130 feet of Lot 1B from C2 – Highway Service Commercial to R3 – Multifamily Residential.

BACKGROUND AND HISTORY:

- Lot 1B was platted in 2019
- Applicant has acquired the property and plans on building a set of affordable quad-plex homes within the east 130 feet and storage facilities on the remainder of the lot.
- Lot currently zoned C2
 - The C2 zoning district requires a 75' lot width, which the homes will not be able to meet.
 - Per the R3 requirement (Art. IV, Section 4.D.4.b), "For two or more attached dwellings where each dwelling is on an individually platted lot, the lot width shall be what is necessary to accommodate setbacks, off-street parking and the dwelling unit."
 - Applicant can easily meet the R3 district requirement
- Surrounding area is zoned as C2 Highway Service Commercial and R3 Multi-family Residential
- Area consists of:
 - Apartment complex
 - Storage facilities
 - Single-family homes
 - Type 2 Retail establishments

REVIEW CRITERIA AND STAFF ANALYSIS:

This request is evaluated per Appendix A Zoning, Article VI. Administration and Enforcement, Section 5. Amendments with staff's comments following each statement as noted in *italic text*

Text or map amendments. Proposed amendments shall:

- a. Be necessary because of substantially changed or changing conditions of the area and district affected, or in the ordinance generally.

The area is currently zoned C2 – Highway Service Commercial. This zoning allows for residential uses and the immediate area has been used for housing development. The C2 district, however, does not give as much flexibility for duplex or multiplex homes as the R3 Multifamily Residential district does. This rezoning would better accommodate the growing housing development in the immediate area.

- b. Be consistent with the intent and purposes of the ordinance.

The R3 district is intended to promote and encourage the development of higher-density, multiple-family dwellings in areas suitable for such a development. Located near a current apartment complex at the border of C2 and R3 districts, the area is suitable for such a development.

- c. Not directly or indirectly adversely affect any other part of the ordinance.

This development would be permissible in either C2 or R3 districts and does not negatively impact any part of the ordinance. Access to the homes will be provided through Heritage Drive and to the storage units through an access easement and a private driveway used by the adjacent apartments (also owned by Spearfish Estates, LLC.) The development will comply with engineering standards for both water and sewer connections.

- d. Be consistent with and not in conflict with the Spearfish comprehensive plan.

Strategy 3 for the Developing City states that the city will "Create design solutions to allow mixed use projects that include a variety of residential, commercial, and employment areas to fit compatibly together." This rezone allows greater flexibility for the design and construction of multi-plex dwellings near other dwelling units, both single- and multi-family, and a diverse mix of businesses. The greater flexibility of the R3 allows these homes to be constructed and add more residential units to a mixed-use neighborhood. Strategy 7 for the Contiguous City states that the city will "Support the redevelopment of property to more intense land uses when compatibility to the surrounding area is achieved by creative design solutions that mitigate potential impacts." This rezoning would allow for a vacant lot to be

developed for affordable, multi-family homes with greater flexibility than the C2 district allows. The homes would be compatible with the immediate area.

STAFF RECOMMENDATION: Approve

PUBLIC COMMENTS:

Property owners within 200 feet of the property have been notified via certified mail and the notice of public hearing has been published in the official city newspaper, both 10 days before the hearing. No comments have been received at the time of writing this report.

ATTACHMENTS:

Page 4 - Aerial Map

Page 5 - Zoning Map

Page 6 - Preliminary Site Plan

STAFF CONTACTS:

Jayna Watson, City Planner, 605-717-1122; jayna.watson@cityofspearfish.com

Daniel Van Holland, Assistant City Planner, 605-717-1126; daniel.vanholland@cityofspearfish.com





Heritage Drive





Spearfish Planning Commission Staff Report
Meeting Location: City Council Chamber, 625 Fifth Street, Spearfish SD 57783

Meeting time and date: June 16, 2020 at 3pm

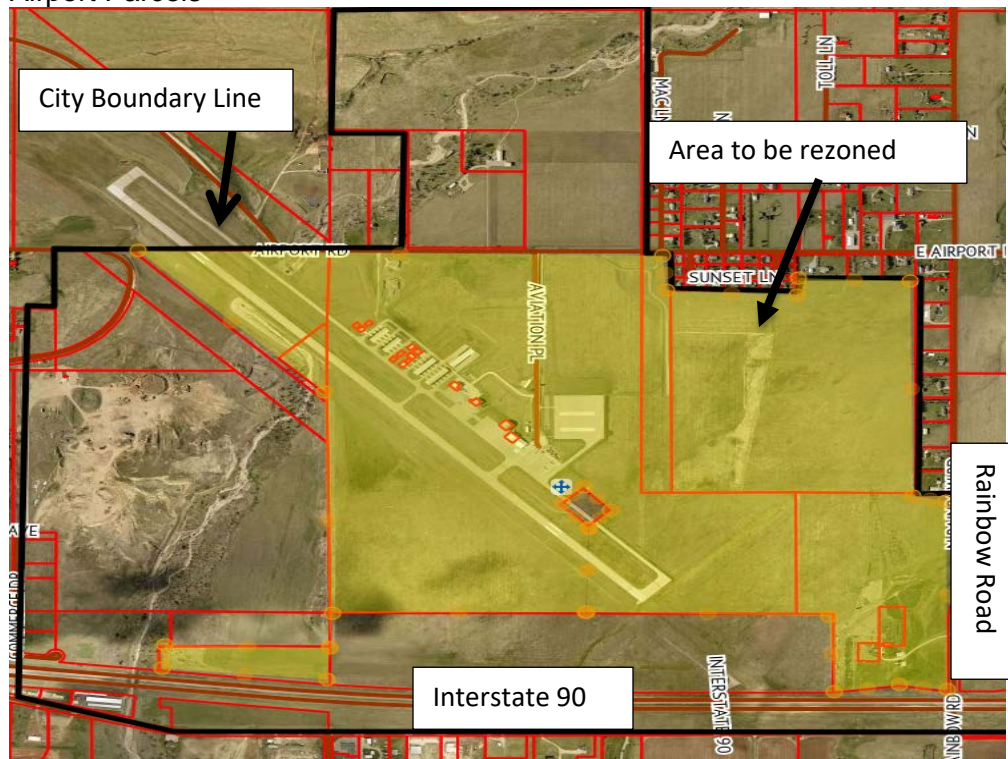
Applicant: City of Spearfish

Request: Approve a change of zoning from Agriculture (AG) and Light/Restrictive Industrial (ILR) to Airport Zoning District (APZ)

Action: Hold a public hearing and make a recommendation to the City Council

Airport Parcels

Location:



Proposal Summary:

The parcels that make up the airport area were zoned a combination of Industrial and Agriculture upon annexation in 2001. This request would assign the APZ zoning district to airport parcels.

BACKGROUND AND HISTORY:

The City of Spearfish annexed the Black Hills Airport in 2001 via Resolution 2001-33 and took ownership in 2016. Ordinance 904, also passed in 2001, zoned much of these airport parcels as either Agriculture (AG) or Light/Restrictive Industrial (ILR). In 2003, via Ordinance 969, a new Zoning Code was adopted that created the Airport Zoning District (APZ). APZ was to be applied to *“to all existing and future properties included in the ownership boundaries of the airport.”* The ordinance does not, however, mention what that boundary is and, thus, the zoning remains unchanged.

REVIEW CRITERIA AND STAFF ANALYSIS:

This request is evaluated per Appendix A Zoning, Article VI. Administration and Enforcement, Section 5. Amendments with staff’s comments following each statement as noted in *italic text*

A. Standards for amendments. A proposed amendment shall be considered on its own merits using the following criteria as a guide.

1. Text or map amendments. Proposed amendments shall:

a. Be necessary because of substantially changed or changing conditions of the area and district affected, or in the ordinance generally.

As the city did not have an airport specific zoning district before 2003, it was necessary to create one after annexing and, later, acquiring the Black Hills Airport. Rezoning the entire area as APZ – airport zoning district, will bring the area into compliance with the zoning ordinance.

b. Be consistent with the intent and purposes of the ordinance.

The airport zoning district was created to “provide for and promote the aviation and economic development potential of Black Hills Airport/Clyde Ice Field.” This action would allow for all parcels that are included in the airport operations plan, to have the proper zoning assigned to them to accomplish that goal.

c. Not directly or indirectly adversely affect any other part of the ordinance.

By assigning the zoning district that was created for these parcels, there is no adversity created by this action.

d. Be consistent with and not in conflict with the Spearfish comprehensive plan.

The goal of the Comprehensive Plan’s goal for Land Use and City Form is to “...consist of a diverse mix of compatible land uses to offer the opportunities of a larger city, while preserving natural and built assets and small town ambience.” By having an airport zone and assigning it to parcels part of an airport system, the city diversifies its land uses, offers the feel of a larger city, without the aerial traffic of a larger airport system.

STAFF RECOMMENDATION: Approve

PUBLIC COMMENTS:

Notice has been sent to property owners within 200 feet of each parcel and notice has been published in the official city newspaper, both 10 days before the hearing. Lawrence County has been notified of this request. No comments have been received at the time of writing this report.

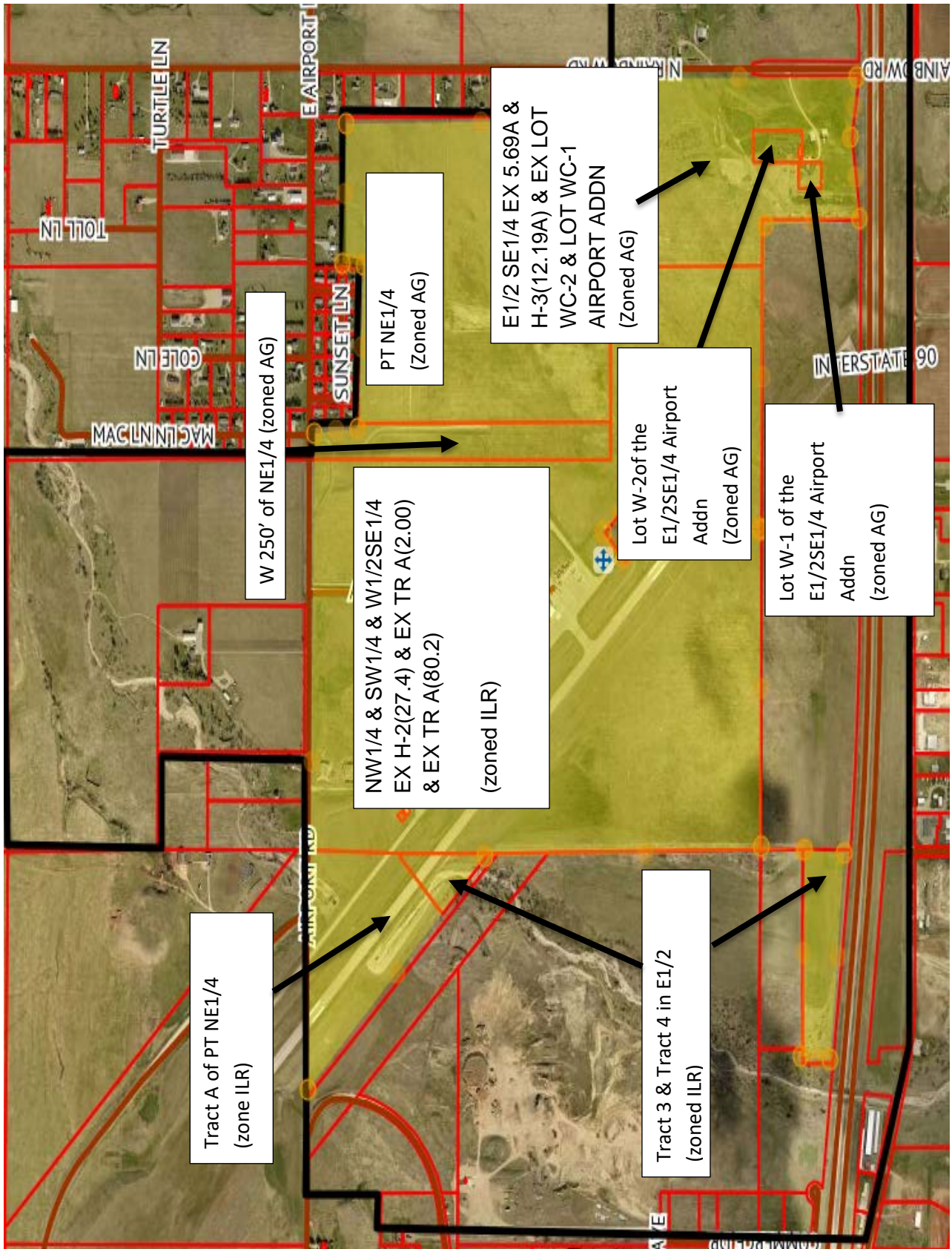
ATTACHMENTS:

Page 4 – Aerial Map and Parcel Names

STAFF CONTACTS:

Jayna Watson, City Planner, 605-717-1122; jayna.watson@cityofspearfish.com

Daniel Van Holland, Assistant City Planner, 605-717-1126; daniel.vanholland@cityofspearfish.com





Spearfish Planning Commission Staff Report
Meeting Location: City Council Chamber, 625 Fifth Street, Spearfish SD 57783

Meeting time and date: June 16, 2020 at 3pm

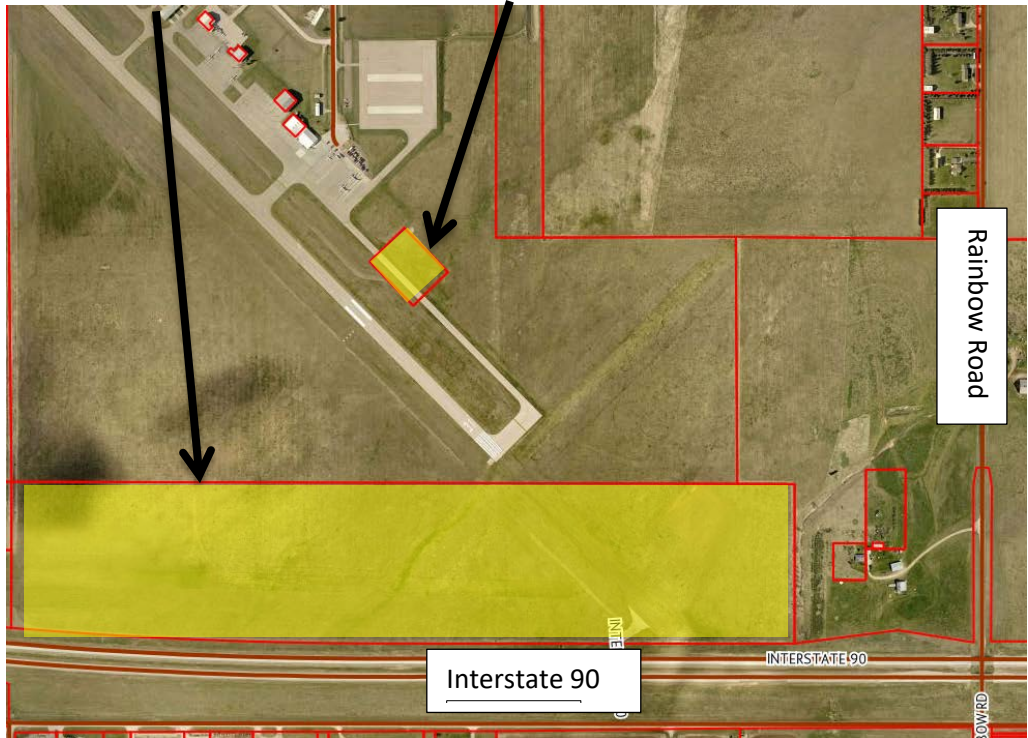
Applicant: City of Spearfish

Request: Approve an annexation and change of zoning to APZ

Action: Hold a public hearing and make a recommendation to the City Council

Tract A S1/2S1/2 **Tract A in NE1/4SW1/4-SE1/4NW1/4**

Location:



Proposal Summary:

This request will bring in two parcels in the airport area that were not included in the list of legal descriptions that annexed with the rest of the airport in 2001. This request will also assign the city's airport zoning district to these parcels.

BACKGROUND AND HISTORY:

- The airport was annexed into the city in 2001.
- The City of Spearfish took ownership of the airport in 2016.
- In May of 2020, staff discovered two parcels were missing from the resolution of annexation.
- The two parcels are surrounded by city-owned property, are themselves city-owned property, and are located deep within city limits. This annexation will bring the subject parcels into one municipal jurisdiction and the change of zone will record and administer the land-use accordingly.

REVIEW CRITERIA AND STAFF ANALYSIS:

This request is evaluated per Appendix A Zoning, Article VI. Administration and Enforcement, Section 5. Amendments with staff’s comments following each statement as noted in *italic text*

A. Standards for amendments. A proposed amendment shall be considered on its own merits using the following criteria as a guide.

1. Text or map amendments. Proposed amendments shall:

a. Be necessary because of substantially changed or changing conditions of the area and district affected, or in the ordinance generally.

After annexing the airport into the city, an airport specific zoning district needed to be created and applied to airport property. As the owners of the airport, it is important that these parcels be annexed and under city zoning jurisdiction.

b. Be consistent with the intent and purposes of the ordinance.

The parcels will be zoned as airport zoning. This will ensure that the annexed parcels will be compatible with the surrounding parcels and the zoning ordinance.

c. Not directly or indirectly adversely affect any other part of the ordinance.

Staff reviewed the continuity of other parcels annexed east of the airport and found that this situation does not affect the status of incorporation in these other locations.

d. Be consistent with and not in conflict with the Spearfish comprehensive plan.

Per strategy 8 for the Developing City, the city will “guide voluntary and city-initiated annexations according to the city’s adopted annexation policy.” This policy encourages the annexation of property that could be beneficial to economic development of the city. In this instance, the airport is an economic asset to the city and clarifying the annexation status of these parcels is essential to fulfilling that goal.

STAFF RECOMMENDATION: Approve

PUBLIC COMMENTS:

Notice has been sent to property owners within 200 feet of each parcel and notice has been published in the official city newspaper, both 10 days before the hearing. Lawrence County has been notified of this request. No comments have been received at the time of writing this report.

ATTACHMENTS:

Page 4 – City limits vicinity map

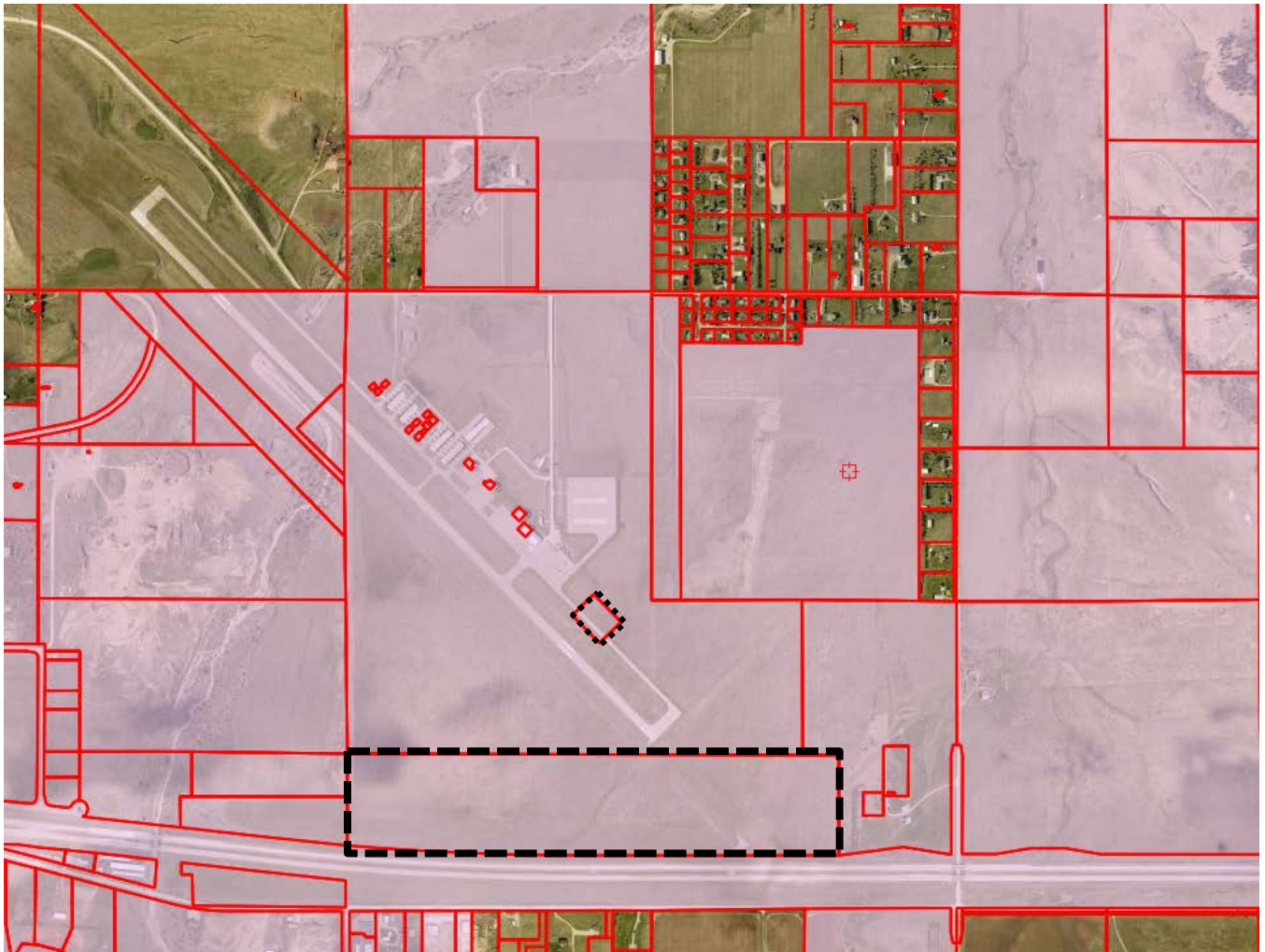
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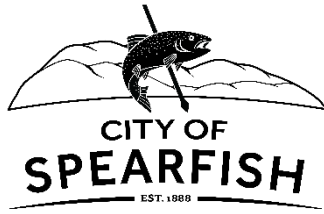
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Pink shaded area = existing city limits

Dashed line = parcels to be annexed and zoned to Airport Zoning, APZ





PLANNING COMMISSION UPDATE MEMORANDUM

Date: 6/16/2020

TO: Planning Commission

FROM: Daniel Van Holland, Assistant City Planner

RE: Moving to a digital delivery of Planning Commission packets

It has been recommended to staff that we consider switching from mailing hard-copy packets to a fully digital delivery system. The infrastructure for a fully digital delivery exists and would not require any additional cost or a transition period. This switch allows the department to operate more efficiently, however, the mailing is not a major cost or a difficult process. There are two considerations: convenience and cost.

- 1) **Convenience** – we want to ensure that whatever delivery system we use is quick and accessible to each commissioner. If the Commission feels that a hard-copy is more convenient/accessible, then we will continue to send them. If the Commission feels there is no real benefit or finds that the digital versions are more accessible, we will discontinue mailing.
- 2) **Cost** - a first class flat/large envelope costs \$1.00 for the first ounce and \$0.20 for every additional ounce. We normally see each packet costing \$1.00 - \$2.00 a piece, or \$7.00 - \$14.00 per meeting. This is not a large expense, but due to current budget constraints, every cent saved helps the City. It would also save printer paper/ink and envelopes.

Staff defers to the Planning Commission on how they would like to receive meeting material.