

**OFFICIAL MINUTES
SUMMERSET PLANNING AND ZONING COMMISSION
SPECIAL MEETING
7055 LEISURE LANE
JULY 13, 2021 @ 6:00 P.M.**

The meeting was called to order by Commissioner Oldfield at 6:00 p.m.

ROLL CALL: Brody Oldfield, Dustin Hirsch, John Hough and Casey Kenrick- present. Also, present was the City Administrator Lisa Schieffer.

CALL FOR CHANGES: Motion by Kenrick, second by Hirsch to approve the agenda of the meeting for July 13, 2021. Motion carried.

CONSENT CALENDAR: Motion by Hirsch, second by Hough to approve the minutes of the regular meeting of June 22, 2021. Motion carried.

SWEARING IN OF NEW PLANNING & ZONING BOARD MEMBER:

Chairman Brody Oldfield swore in new Planning & Zoning Member Michael Martin.

PUBLIC HEARING: Applicant Joe Allen has requested a variance: to allow a shared gravel drive (access & utility easement) in lieu of a dedicated and developed Lane/Place right-of-way for proposed Lots 4A, 4B, and 4C of Red Arrow Subdivision. This request would waive the requirement for asphalt pavement, curb/gutter and sidewalk.

Motion by Kenrick, second by Hirsch to open public hearing. Motion carried. George Mandas, consultant for the City of Somerset, spoke to the matter.

Motion by Hough, second by Martin to close the public hearing.

Motion by Hough, second by Hirsch, to approve the variance.

CODE OF CONDUCT REVIEW:

Motion by Kenrick, second by Hough, to approve the recommendation of the Planning & Zone Code of Conduct and send the same to the Somerset Board of Commissioners for final approval.

ADJOURNMENT

Motion by Hirsch, second by Hough to adjourn the meeting at 6:21 p.m. Motion carried.

Candace Sealey, Finance Officer

Brody Oldfield, Chairman

Published once July 20 at a cost of \$47.98.



COMMUNITY PLANNING & DEVELOPMENT SERVICES

City of Summerset
7055 Leisure Lane, Summerset, SD 57718
Phone: (605) 718-9858 Fax: (605) 718-9883 Web: www.summerset.us

APPLICATION FOR DEVELOPMENT REVIEW

REQUEST (please check all that apply)

- ☐ Annexation
☐ Comprehensive Plan Amendment
☐ Fence Height Exception
☐ Planned Development (Overlay)
☐ Designation
☐ Initial Plan ☐ Final Plan
☐ Major Amendment
☐ Minimal Amendment

- ☐ Subdivision
☒ Layout Plan
☐ Preliminary Plat
☐ Final Plat
☐ Minor Plat
☐ Rezoning
☐ Road Name Change

- ☐ Conditional Use Permit
☐ Major Amendment
☐ Minimal Amendment
☐ Vacation
☐ Utility / Drainage Easement
☐ R.O.W. / Section Line Highway
☐ Access / Non-Access
☐ Planting Screen Easement
☐ OTHER (specify) _____

LEGAL DESCRIPTION (Attach additional sheets as necessary)

EXISTING Tract 2 of Richardson Subdivision Except Lot H1 and Except Tract Well Located in the SE 1/4 SW 1/4 And SW 1/4 SE 1/4 of Section 31- Township 3 North - Range 7 East - Black H. 111		
PROPOSED		
LOCATION corner of Anderson Rd and Sturgis Rd, Summerset SD		
Size of Site-Acres 21.51 acres	Square Footage	Proposed Zoning
DESCRIPTION OF REQUEST: looking to subdivide into 10 lots		Utilities: Private / Public Water Public Sewer Private

APPLICANT

Name Justin Rudland Phone 605-484-7651
Address 4992 N. Elk Vale E-mail justin.superiorcustomhomes@gmail.com
City, State, Zip Rapid City, SD 57701 Signature [Signature] Date 8-10-21

PROJECT PLANNER - AGENT

Name Same as above Phone _____
Address _____ E-mail _____
City, State, Zip _____ Signature _____

OWNER OF RECORD (If different from applicant)

Name _____ Phone _____
Address _____ E-mail _____
City, State, Zip _____

[Signature] 8-10-21 [Signature] 8-10-21
Property Owner Signature Date Property Owner Signature Date

Signature _____ Date _____
Print Name: Justin Rudland
Title*: _____

*required for Corporations, Partnerships, etc.

Signature _____ Date _____
Print Name: _____
Title*: _____

FOR STAFF USE ONLY

ZONING	
Current	
North	
South	
East	
West	
Planner	
File No.	
Comp Plan	
Received By:	

- ☐ Sewer Utility
☐ Fire Department
☐ Public Works
☐ Planning
☐ Building Inspector
☐ Engineering
☐ City Code Enforcement
☐ Police
☐ City Attorney

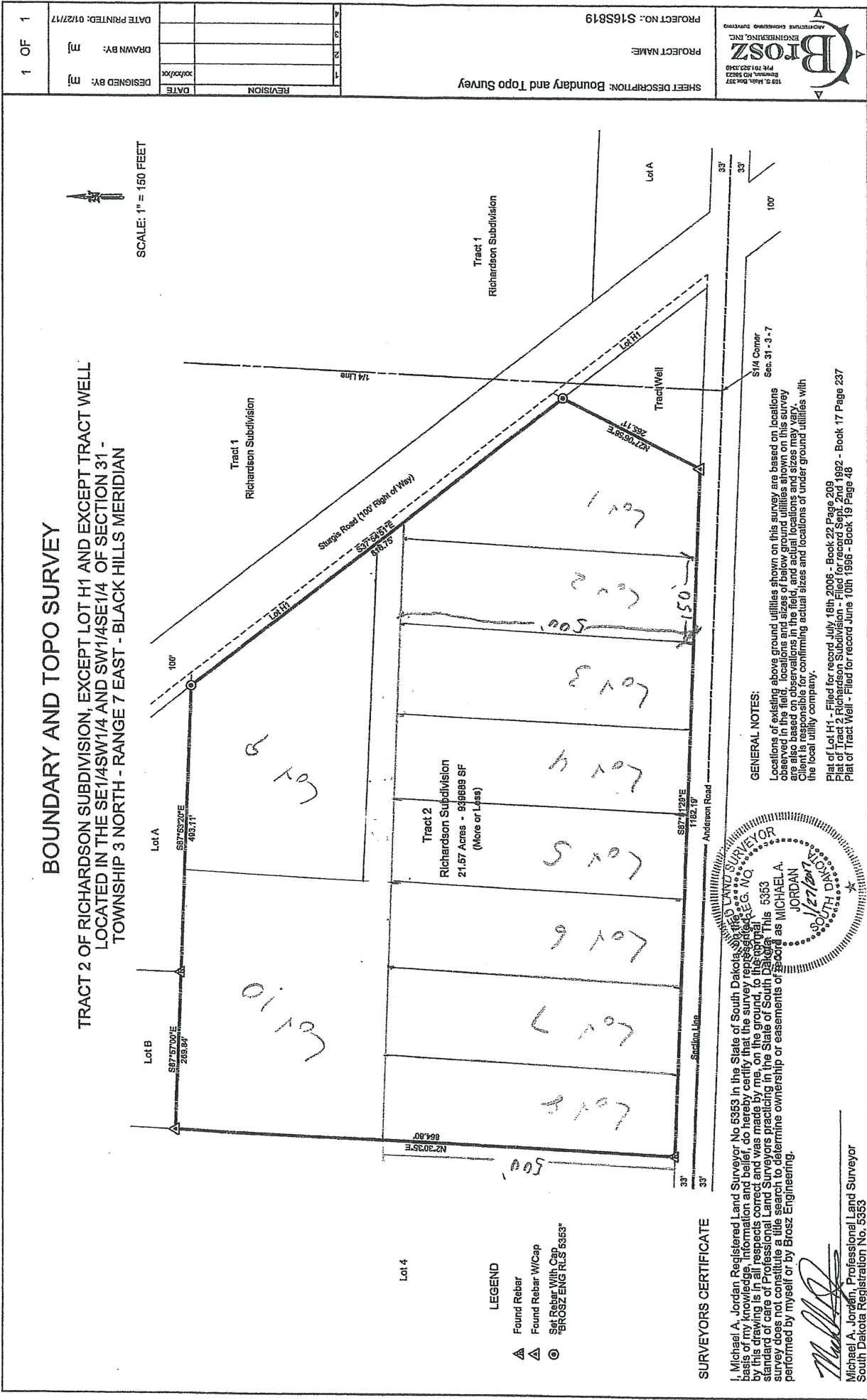
- ☐ BHP&L
☐ Finance Officer
☐ Register of Deeds
☐ County - Planning
☐ SD DOT
☐ SD DENR
☐ Auditor - Annexation
☐ Drainage
☐ Parks & Recreation

- ☐ Diamond D Water
☐ Black Hills Water
☐ Other: _____
☐ Other: _____
☐ Other: _____
☐ Other: _____

Planning and Zoning Meeting Date: _____
Commission Meeting Date: _____
Date Paid: _____

Covenants filing fee? Yes ☐ No ☐

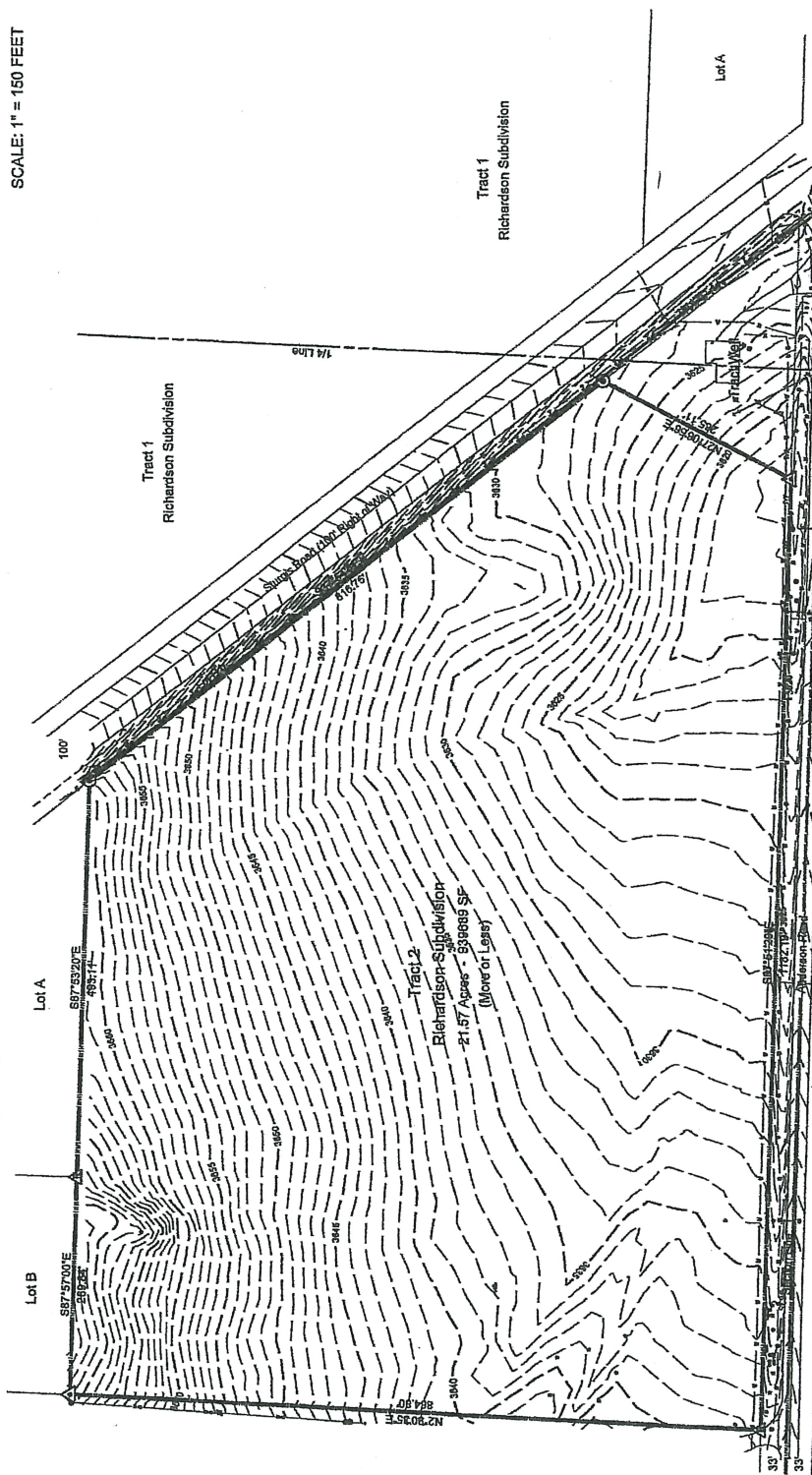
Payment Type: Cash ☐ Check ☐ Credit Card ☐



BOUNDARY AND TOPO SURVEY

TRACT 2 OF RICHARDSON SUBDIVISION, EXCEPT LOT H1 AND EXCEPT TRACT WELL
LOCATED IN THE SE1/4SW1/4 AND SW1/4SE1/4 OF SECTION 31 -
TOWNSHIP 3 NORTH - RANGE 7 EAST - BLACK HILLS MERIDIAN

SCALE: 1" = 150 FEET



LEGEND

- ▲ Found Rebar
- ▲ Found Rebar W/ Cap
- Set Rebar With Cap

SURVEYORS CERTIFICATE

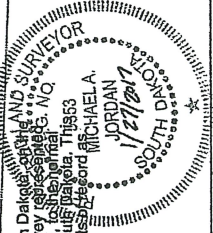
I, Michael A. Jordan, Registered Land Surveyor No. 5353 in the State of South Dakota, do hereby certify that the survey (as shown on this drawing) is based on my knowledge, information and belief, and was made by me, on the ground, in accordance with the standard or care of Professional Land Surveyors practicing in the State of South Dakota. I have not performed by myself or by Brosz Engineering.

Michael A. Jordan
Michael A. Jordan, Professional Land Surveyor
South Dakota Registration No. 5353

GENERAL NOTES:

Locations of existing above ground utilities shown on this survey are based on locations observed in the field. Locations and sizes of below ground utilities shown on this survey are also based on observations in the field, and actual locations and sizes may vary. Clients are responsible for confirming actual sizes and locations of under ground utilities with the local utility company.

Plat of Lot H1 - Filed for record July 18th, 2006 - Book 22 Page 209
Plat of Tract 2 Richardson Subdivision - Filed for record Sept. 2nd 1992 - Book 17 Page 237
Plat of Tract Well - Filed for record June 10th 1996 - Book 19 Page 46



1 OF 1	DESIGNED BY: mj DRAWN BY: mj DATE PRINTED: 01/27/17	REVISION DATE BY REASON	PROJECT NAME: SHEET DESCRIPTION: Boundary and Topo Survey PROJECT NO.: S16S819	BROSZ ENGINEERING, INC. 109 S. Main, Box 257 Bismarck, ND 58103 (701) 223-5848
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Lisa Schieffer

From: Lisa Schieffer
Sent: Wednesday, August 18, 2021 8:20 AM
To: Justin Rudland
Subject: RE: Comments - Review from HDR

Justin, yes we will set you up on the Planning & Zoning Agenda for Tuesday, August 24th at 6:00 p.m. at Summerset City Hall. At that time you will discuss with the Planning and Zoning Board your intentions on the property and go over the comments from the Engineer stated below. Thanks!

Lisa Schieffer

Summerset City Administrator

7055 Leisure Lane
Summerset SD
(605) 718-2189

From: Justin Rudland <justin.superiorcustomhomes@gmail.com>
Sent: Tuesday, August 17, 2021 10:05 AM
To: Lisa Schieffer <lschieffer@cityofsummerset.onmicrosoft.com>
Subject: Re: Comments - Review from HDR

So where do we go from here? Am I on the board for the meeting on the 24th?

On Thu, Aug 12, 2021, 10:33 AM Lisa Schieffer <lschieffer@cityofsummerset.onmicrosoft.com> wrote:

Justin, below are the comments that we received from HDR regarding your Layout Plan. Hopefully, this will give you some type of direction on whether you want to proceed with the same.

1. This property is currently zoned as a Planned Development District. I believe they will need to go through the major amendment process (Ordinance 155.159.C.1) or potentially the rezoning process depending on what their goal is for this property. Description of the Planned Development District can be found in Ordinance 155.155 and states "(A) The purpose of the Planned Development District (PD) is to allow development of undeveloped parcels of land that, by virtue of their visually and/or environmentally unique location, lend themselves to a blend of diverse yet compatible uses, innovative layouts, or sensitive designs. (B) Development of such parcels shall be accomplished while meeting public requirements, including preservation, promotion and protection of open space, scenic vistas, and natural resources, by the application of extra administrative controls." What has been submitted doesn't really give any description of what the intent is for the proposed lots. If the plan is to have these be residential lots, that doesn't really meet the intent of a PD and they would most likely need to go through the rezoning process. Though it is possible P&Z might approve it under the current zoning through the major amendment process.
2. Lot 10 being accessed off Sturgis Road will need to be approved by the SDDOT.

§ 155.159 PROCEDURE.

(A) *Initial development plan.* When a petitioner wants to request rezoning to the Planned Development District, he or she shall submit his or her request to the Planning Department, showing the information specified in § [155.160](#), a minimum of 20 days prior to the Planning Commission meeting at which consideration is desired. After the planned development request has been reviewed, the Planning Commission shall make a recommendation to the Board of Commissioners on the requested rezoning. The Board of Commissioners shall then act to approve or deny said request. This request for rezoning is subject to the requirements for amendment of the ordinance specified in § [155.358](#). No building permit shall be issued within the development until the final development plan is approved and the plat is filed.

(B) *Final development plan.*

(1) Prior to construction on any lots in the planned development, the petitioner shall present a final development plan showing the information specified in § [155.161](#) below to the Planning Commission, who shall make a recommendation to the Board of Commissioners on the requested rezoning. The Board of Commissioners shall then act to approve or deny said request. This request for rezoning is subject to the requirements for amendment of § [155.358](#).

(2) The final development plan may be submitted in conjunction with the initial development plan for concurrent approval on any subareas the developer is ready to commit to a final plan. All the information required for both an initial and final development plan must be shown for the area submitted for concurrent approval, except that the developer may reference the requirements of one of the traditional zoning districts as the development standard for a particular subarea.

(3) Signs shall be posted on the property for a continuous period of seven days immediately prior to any public hearing held by the Planning Commission or Board of Commissioners to consider any final development plan. Said signs shall be furnished by the city and posted by the applicant in the numbers and locations prescribed by the Administrator.

(C) *Amendments.*

(1) *Major amendments.* Major amendments to the initial and/or final development plan shall be required to be approved with a public hearing in the same manner as provided for in § [155.357](#).

(2) *Minor amendments.*

(a) Minor amendments to the initial and/or final development plan shall be required to be approved by the Planning Commission. Notice of such hearing shall be given by the posting of not less than four signs provided by the city.

(b) Minor amendments to the initial development plan may also be made by the submission and approval of a final development plan which is changed from the approved initial development plan. Any such amendments shall be shown as a change from the initial development plan on the final development plan.

(3) *Minimal amendments.* Minimal amendments to the final development plan shall be submitted to the Administrator on a reproducible development plan showing the requested changes. The Planning Director may then approve such change in writing if she or he deems it appropriate.

(Ord. passed 2-3-2011, § 2.24.050)

§ 155.155 GENERAL DESCRIPTION.

(A) The purpose of the Planned Development District (PD) is to allow development of undeveloped parcels of land that, by virtue of their visually and/or environmentally unique location, lend themselves to a blend of diverse yet compatible uses, innovative layouts, or sensitive designs.

(B) Development of such parcels shall be accomplished while meeting public requirements, including preservation, promotion, and protection of open space, scenic vistas, and natural resources, by the application of extra administrative controls.

(C) All final plans in the Planned Development District shall be recommended by the Planning and Zoning Board and approved by the Board of Commissioners under the procedure set forth in § [155.159](#). Final approval by the Board of Commissioners is deemed to be an administrative act not subject to referendum.

(Ord. passed 2-3-2011, § 2.24.010)

If you have any further questions, please let me know.

Lisa Schieffer

Summerset City Administrator

7055 Leisure Lane

Summerset SD

(605) 718-2189