

**BOX ELDER PLANNING & ZONING COMMISSION MEETING MINUTES
FOR THE REGULAR MEETING OF FEBRUARY 26, 2018 AT 7:00 P.M.
TO BE HELD IN THE COUNCIL CHAMBERS OF BOX ELDER CITY HALL**

CALL TO ORDER

Chairman Rick called the meeting to order at 7:00 PM.

ROLL CALL

Hanson, Irwin, Labine, Rick, Zuhlsdorf, Knight & Base

Commission Members Absent: None

Staff present: Planning Director Koan

Number of guests present: 4

Council Present: Allen

APPROVAL OF AGENDA

1. To approve the agenda for the regular meeting of **February 26, 2018**.

Motion by Rick, seconded by Labine, to approve the agenda for **February 26, 2018** as presented.

Vote: Passed unanimously

Motion Labine, seconded by Zuhlsdorf, to convene as the Board of Adjustment.

Vote: Passed unanimously Time: 7:04 PM

BOARD OF ADJUSTMENT:

2. Public Hearing on application for Variance #180022 by Atlantis, LLC to allow a structure height of 70 feet on a portion of Lot 2 of Isis Subdivision (future Lot 2A of Isis Subdivision) located in the SW¼ of Section 27, T2N, R8E, B.H.M., Box Elder, Pennington County, SD.

Staff Input: *Property is currently zoned Commercial, permitted height is 4.5 Stories/50 Feet. The proposed structure is 6 Stories/70 feet in height. Staff have no issues with the proposed height increase, as the additional height does not create an obstruction and the building will have a full fire suppression system installed.*

Comments: Planning Director Koan explained the proposed Court Yard Hotel is requested to be 6 stories and 70 feet in height. Koan advised there are no aircraft issues with the height in the are proposed for construction. The adjoining hotels are 4 stories in height.

No other public comment was offered.

**BOX ELDER PLANNING & ZONING COMMISSION MEETING MINUTES
FOR THE REGULAR MEETING OF FEBRUARY 26, 2018 AT 7:00 P.M.
TO BE HELD IN THE COUNCIL CHAMBERS OF BOX ELDER CITY HALL**

Chairman Hanson closed the hearing at 7:06 PM.

3. Recommendation to Council on application for Variance #180022 by Atlantis, LLC to allow a structure height of 70 feet on a portion of Lot 2 of Isis Subdivision (future Lot 2A of Isis Subdivision) located in the SW¼ of Section 27, T2N, R8E, B.H.M., Box Elder, Pennington County, SD.

Motion **Rick**, seconded by **Zuhlsdorf**, to approve the variance as requested and recommend the City Council do the same.

Vote: Passed unanimously

Motion **Irwin**, seconded by **Rick**, to adjourn the Board of Adjustment and reconvene as the Planning Commission.

Vote: Passed unanimously Time: 7:07 PM

OLD BUSINESS

4. To approve the minutes of the **February 12, 2018** Commission regular meeting.

Motion by **Labine**, seconded by **Rick**, to approve the minutes for **February 12, 2018** with a minor change stating that Vice Chairman Rick call the meeting to order, not chairman Hanson.

Vote: Passed unanimously

NEW BUSINESS

5. Application for Minor Plat #180022 by Atlantis LLC for 4309 South I-90 Service Road (Lot 2A & Lot 2B of Isis Subdivision (formerly Lot 2 and Lot 3 Revised of Isis Subdivision) and Vacated Watiki Way Right of Way, Located in the SW¼ of Section 27, T2N, R8E, B.H.M., Box Elder, Pennington County, SD).

Staff Input: *Property is currently zoned Commercial. The proposed plat meets City Zoning & Subdivision regulations. The vacation of Watiki Way depicted on the plat will privatize the roadway, however the utility easements are maintained.*

Privatizing the roadway will require the landowner maintain the surface in regards to snow removal, surface repairs, etc.

Comments: *Koan explained the project and stated the hotel will be to the north and the proposed Box Elder Event Center would be to the south. The existing public street would be privatized, and the utility easements would be maintained.*

**BOX ELDER PLANNING & ZONING COMMISSION MEETING MINUTES
FOR THE REGULAR MEETING OF FEBRUARY 26, 2018 AT 7:00 P.M.
TO BE HELD IN THE COUNCIL CHAMBERS OF BOX ELDER CITY HALL**

Motion by **Rick**, seconded by **Zuhlsdorf**, to approve the Minor Plat as presented and recommend the City Council do the same.

Vote: **Passed unanimously**

6. Application for Minor Plat #180029 by Elk Vale Business Park for 624, 628, 632 & 636 Denali Drive (Lot 1R and Lot 2R, Block 9 of Northern Lights Subdivision. Formerly Lot 1, Lot 2, Lot 3 and Lot 4, Block 9 of Northern Lights Subdivision and a Portion of the NW¼ of the SE¼ of SE¼ of Section 27. All Located in T2N, R8E, B.H.M., City of Box Elder, Pennington County, SD).

Staff Input: *Staff have no issue with the proposed plat to consolidate four (4) lots into two lots in order to construct two four-plex units similar to those already constructed along Denali. (Note: A zoning Amendment will be forth coming at the next meeting to zone the property to GR-3 Mix Use Residential to allow for the four-plex units.*

Comments: *Koan explained Mr. Estes would be consolidating 4 lots into 2 lots in order to continue building 4-plex's along the east side of Denali.*

Mr. Hanson asked if there was an issue with the 4-plex's, as the neighborhood objected to the last development.

Koan advised, there has been no objection to the 4-plex's, there was an objection to the 30 unit multi-family building that was later moved to the west side of the neighborhood.

Koan advised there would be a forth coming zoning change to the two parcels to accommodate the continued construction of 4-plex townhome style buildings on the new parcels created by the Minor Plat.

Motion by **Irwin**, seconded by **Labine**, to approve the Minor Plat as presented and recommend the City Council do the same.

Vote: **Passed unanimously**

MAYORS REPORT: *Not present*

GUEST INPUT: *Todd Vaughn of 403 Hwy 1416 was present to speak about his proposed addition to a home on the property.*

Koan advised Mr. Vaughn has two homes on one parcel of land, and that possess an issue as City ordinance only permits one home per parcel, and Mr. Vaughn is grandfathered in, however, expansion of a non-conforming use is generally not permitted. Additionally, a floodplain development permit is needed.

Mr. Vaughn explained his family has owned the land for 113 years and he did not understand why he had to ask to develop his property.

**BOX ELDER PLANNING & ZONING COMMISSION MEETING MINUTES
FOR THE REGULAR MEETING OF FEBRUARY 26, 2018 AT 7:00 P.M.
TO BE HELD IN THE COUNCIL CHAMBERS OF BOX ELDER CITY HALL**

He advised he just wanted to add a living room and deck to the home.

Commissioner Labine advised if this were a one-time issue it may be ok, but what is to stop you from coming in in a few years and wanting to expand the other home.

Mr. Vaughn's wife comment, were not asking to expand the other home, we are asking to expand the home we live in, his mother lives in the other home and we are caretakers.

Further discussion continued in regards to if a variance would be needed to add to the home, and also the requirement to subdivide the property and install a public R.O.W. if the property were to be subdivided, however, Mr. Vaughn advised he was not building a paved street as the subdivision ordinance required.

It was the consensus of the commission to have Mr. Vaughn proceed with a floodplain development application and they would not require a variance in this situation.

Mr. Vaughn was advised he would need to comply with all the floodplain regulations when constructing the addition, if the flood development permit were to be issued.

Koan advised Mr. Vaughn he would need to hire a surveyor and have the surveyor assist him with the permit application.

On a separate mater, Jane Maine asked where the old fireworks building was going that Carolyn Haddenham owned.

Koan advised out of the City, the building was going to one location and the mobile home was going to another location.

ADMINISTRATIVE REPORTS:

Will be conducting 2nd round of interviews for GIS position on Friday.

Council has offered a contract to fulltime City Attorney, tentative start Date April 16

Preliminary Site Plan for K & M Tire was presented to the Commission.

COMMISSION INPUT:

Base Representative: None offered

Hanson: None offered

Irwin: None offered

Labine: None offered

**BOX ELDER PLANNING & ZONING COMMISSION MEETING MINUTES
FOR THE REGULAR MEETING OF FEBRUARY 26, 2018 AT 7:00 P.M.
TO BE HELD IN THE COUNCIL CHAMBERS OF BOX ELDER CITY HALL**

Rick: None offered

Zuhlsdorf: None offered

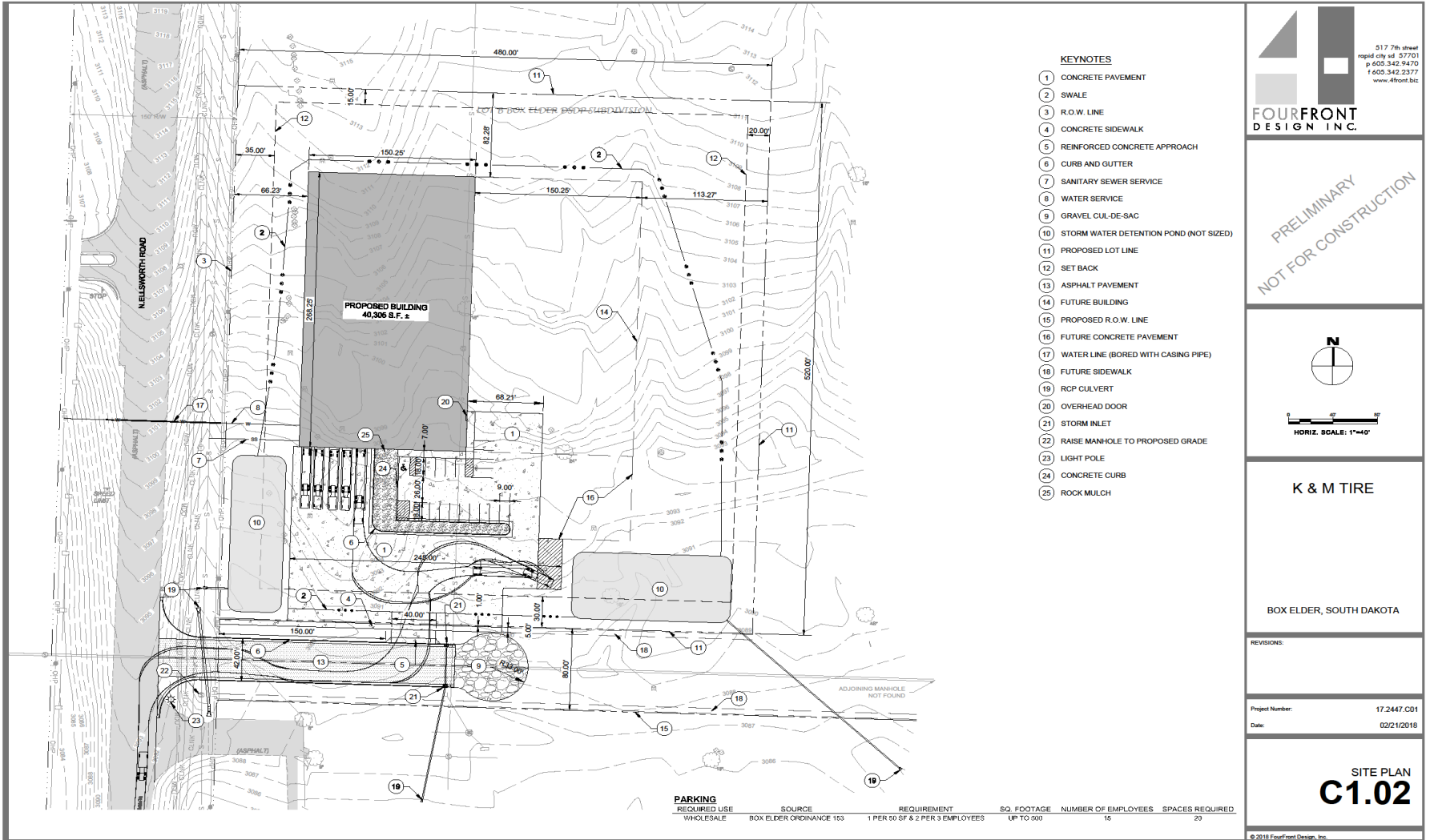
ADJOURNMENT

*Being no further business, motion by Irwin, seconded by Labine, to adjourn
February 26, 2018 Planning Commission Meeting.*

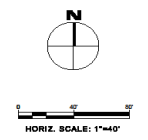
Vote: Passed unanimously

The Commission meeting was adjourned at 7:32 PM.

**BOX ELDER PLANNING & ZONING COMMISSION MEETING MINUTES
FOR THE REGULAR MEETING OF FEBRUARY 26, 2018 AT 7:00 P.M.
TO BE HELD IN THE COUNCIL CHAMBERS OF BOX ELDER CITY HALL**



PRELIMINARY
NOT FOR CONSTRUCTION



K & M TIRE

BOX ELDER, SOUTH DAKOTA