



Planning Commission Meeting AGENDA

DATE: Tuesday, September 1, 2026
TIME: 5:30 PM
PLACE: Council Chambers - City Hall, 1040 Harley-Davidson Way,
Sturgis SD

Page

1. CALL TO ORDER

2. APPROVAL OF THE MINUTES FROM THE

- 3 - 5 2.1. Consideration to approve the minutes from July 21st, 2026, Planning Commission Meeting.
[Planning Commission - Jul 21 2026 - Minutes - Pdf](#)

3. PUBLIC HEARINGS

- 6 - 24 3.1. Consideration for a Use on Review at 3362 Davenport Loop, Sturgis, South Dakota to operate an in-home daycare.
[Agenda Item Report - Pdf](#)

4. ACTION ITEMS:

- 25 - 28 4.1. Consideration to approve Final Plat of Lot C1-1 of Sturgis Industrial Park Subdivision
Staff recommends approval of the Final Plat of Lot C1-1 of the Sturgis Industrial Park Subdivision as presented.
[Agenda Item Report - Pdf](#)
- 29 - 30 4.2. Consideration of Final Plat of Utility Lot 1 in the City of Sturgis, Meade County, South Dakota
Staff recommends approval of the revised final plat as submitted.
[Agenda Item Report - Pdf](#)
- 31 - 34 4.3. Wireless Telecommunications Facility- Preapplication Conference

Staff recommends that the Planning Commission utilize this meeting as the formal preapplication conference required by §153.031.

The principal purpose of the meeting is to identify the required application materials and provide the applicant with sufficient direction to prepare a complete Chapter 153 application.

[Agenda Item Report - Pdf](#)

5. PUBLIC COMMENT

6. ADJOURN

7. ADA ACCOMMODATION

If you desire to attend this public meeting and are in need of special accommodations (including participation by telephone), please notify the Finance Office by 10am on the day of the meeting so that appropriate auxiliary aids and services may be coordinated. The Finance Office can be reached at (605) 347-4422, option 1.

MINUTES
 Planning Commission Meeting
 City of Sturgis, SD

Tuesday, July 21, 2026	5:30 PM	Council Chambers
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PRESENT: Aaron Rabenberg, Alex Moravec, Richelle Bruch, David Owen, Rose Byars, and Thomas Otto Magdanz Jr.

STAFF PRESENT: Tony Dargatz, Ward 2 Councilor, Casey Baldwin, Planner, and Rick Bush, Director of Public Works

ABSENT: Dusty Kirk

CALL TO ORDER

Rabenberg called the meeting to order at 5:30 p.m.

APPROVAL OF THE MINUTES

Bruch moved, Moravec seconded, and all voted to approve the minutes from the June 2, meeting.

PUBLIC HEARING

CONSIDERATION FOR A USE ON REVIEW AT 1325 NELLIE ST, STURGIS, SOUTH DAKOTA TO OPERATE A HOME-BASED FOUNDATION REPAIR BUSINESS.

The Planning Commission recommended approval of a Use on Review request for a home-based foundation repair business at 1325 Nelly Street, owned by Billy Schlosser. The request would allow the property to be used as a home base for parking the company's commercial vehicles and trailers when they are not being used at job sites. No customers would visit the property, all deliveries would be made off-site, and no business signage would be permitted. Staff determined the business would not significantly increase traffic or alter the residential appearance of the neighborhood and recommended approval with conditions requiring the business to remain secondary to the residential use of the property and any future expansion to receive additional review.

During the public hearing, staff shared that one nearby property owner had expressed concern that no changes be made to the rear of the property that could affect drainage onto neighboring land. City Council member Dargatz reported hearing from residents who were concerned about the appearance of construction vehicles and equipment being parked on the property.

Schlosser told the commission that the business would generate very little traffic because employees would simply leave for work every morning and return at the end of the day, similar to a typical commute. He estimated the larger vehicles would travel on Nelly Street only twice a day. Schlosser also explained that a disabled semi-truck currently on the property would be removed and replaced with equipment mounted on a trailer. He confirmed that all company vehicles would be parked off the street.

Addressing the drainage concern, Schlosser said no grading or physical changes would be made to the property. He noted that the hillside behind the home has always existed in its current condition and that the proposed business operation would not alter drainage patterns.

Based on the information provided in the analysis of this request, staff recommended approval of the Use on Review for 1325 Nellie St for a home-based business, subject to the recommended conditions or any additional conditions deemed necessary by the Board of Adjustment. Moravec moved, Bruch seconded and all voted to approve the Use on Review.

CONSIDERATION FOR SETBACK VARIANCES AT 2750 WHITEWOOD SERVICE RD, CITY OF STURGIS, MEADE COUNTY, SOUTH DAKOTA.

Based on the information provided, staff recommends approval of the variances as requested. Magdanz moved, Byars seconded and all voted in favor of the setback variances.

CONSIDERATION OF VARIANCES FOR LOT A-2-1 THROUGH LOT A-2-7 OF HURLEY SUBDIVISION, CITY OF STURGIS, MEADE COUNTY, SOUTH DAKOTA

Based on the information provided in the analysis of this request, staff recommends approval of the variances requested in conjunction with the final plat approval for Lots A-2-1 through A-2-7 of Hurley Subdivision. Owen moved, Moravec seconded and all voted to approve the variances requested.

ACTION ITEMS:

CONSIDERATION OF FINAL PLAT FOR LOTS A-2-1 THROUGH A-2-7 OF HURLEY SUBDIVISION, CITY OF STURGIS, MEADE COUNTY, SOUTH DAKOTA

Staff recommends approval of the final plat. Bruch moved, Magdanz seconded and all voted to approve the final plat as presented.

CONSIDERATION OF PRELIMINARY/FINAL PLAT OF LOT C4-B1 IN THE CITY OF STURGIS, MEADE COUNTY, SOUTH DAKOTA

Staff recommends approval of the final plat as submitted, finding it meets all applicable zoning requirements. Owen moved, Moravec seconded and all voted to approve the final plat as submitted.

CONSIDERATION OF PRELIMINARY/FINAL PLAT OF UTILITY LOT 1 IN THE CITY OF STURGIS, MEADE COUNTY, SOUTH DAKOTA

Staff recommends approval of the final plat as submitted. Bruch moved, Byars seconded and all voted to approve the final plat.

CONSIDERATION OF THE FINAL PLAT OF LOT G4 REVISED, LOT G4-A REVISED, AND LOT G4-B OF COMMERCE LANE INDUSTRIAL PARK, CITY OF STURGIS, MEADE COUNTY, SOUTH DAKOTA

Staff recommends approval of the Final Plat as presented. Owen moved, Moravec seconded and all voted to approve the final plat.

CONSIDERATION OF THE FINAL PLATS OF THE HARVEST MEADOWS SUBDIVISION, CITY OF STURGIS, MEADE COUNTY, SOUTH DAKOTA

Staff recommends approval of the Final Plat as presented for the Harvest Meadows Subdivision. Moravec moved, Bruch seconded and all voted to approve the final plat as presented.

CONSIDERATION OF THE FINAL PLAT OF THE VALLEY VIEW SUBDIVISION, CITY OF STURGIS, MEADE COUNTY, SOUTH DAKOTA.

Staff recommends approval of the Final Plat as presented for the Valley View Subdivision. Bruch moved, Owen seconded, and all voted to approve the final plat as presented.

ADJOURN

Owen moved, Byars seconded, and all voted to adjourn the meeting at 6:01 p.m.

Planning Commission

STAFF REPORT



Meeting Date: Planning Commission - Sep 01 2026

Agenda Item: Consideration for a Use on Review at 3362 Davenport Loop, Sturgis, South Dakota to operate an in-home daycare.

Prepared By: Casey Baldwin, Planner

BACKGROUND INFORMATION:

Applicant:

Skyler McVay

Request:

Use on Review for an in-home business (Daycare)

Property Address:

3362 Davenport Loop, Sturgis, SD 57785

Legal Description:

Davenport Ranch Addition Lot 3 Block 2

Hearing Dates:

- **Planning Commission:** September 1, 2026, at 5:30 PM MT
- **Board of Adjustment:** September 8, 2026, at 6:30 PM MT

Summary of Request:

The applicant, Skyler McVay, has submitted an application for a Use on Review to operate a small in-home daycare at 3362 Davenport Loop.

The proposed in-home daycare will serve a maximum of eight (8) children ranging in ages from two (2) to five (5) years.

Operating hours will be from 7:30 am to approximately 4:30-5:00 pm Monday through Friday.

In-home daycare services are permitted in residential zoning districts subject to approval of a Use on Review by the Board of Adjustment, following the recommendation from the Planning Commission.

Traffic and Parking:

Parents are expected to drop their children off between 7:30am to 9:00am. Pick up will be between 4:00pm to 5:00 pm.

Traffic is expected to intermittent during those drop off and pick up time frames.

Parking in the driveway will be preferred for drop off and pick up and space allows for two parked vehicles.

Noise:

Noise levels are anticipated to remain consistent with normal residential activity.

Outdoor activities will be approximately 30 minutes to an hour which will occur during daytime hours as weather permits.

Signage:

No signage is proposed for the property.

Neighborhood Compatibility:

The daycare will operate in a manner that will not create nuisances, hazards, or adverse impacts to the surrounding properties.

This use is intended to remain secondary to the primary residential use of the property.

Surrounding Land Use:

The surrounding area consists primarily of residential uses. The proposed in-home daycare is intended to function within the existing residential setting without altering the character of the neighborhood.

Public Notification:

In accordance with the City requirements, notice of the public hearing was mailed to all property owners within 200 ft of the subject property. The notification provided the date, time, and location of the public hearings. A physical sign was also posted on the property.

DISCUSSION:

In reviewing a Use on Review application, the Planning Commission and Board of Adjustment must consider whether the proposed use:

- Is compliant with the surrounding neighborhood
- Will not be detrimental to public health, safety, or welfare
- Will not create excessive noise, traffic, or parking issues
- Is consistent with the intent of the zoning district
- Can be conditioned, if necessary, to mitigate any potential impacts

Staff has reviewed the application and finds that:

- In-home daycare services are compatible with residential neighborhoods when appropriately limited in size and hours.
- The proposed maximum of eight (8) children is consistent with typical small in-home daycare operations.
- Traffic impacts are expected to be minimal and limited to those drop off and pick up time frames.
- No signage or exterior changes are proposed that would alter the residential appearance of the property.

Staff finds that the request, as proposed, meets the general intent of the Use on Review criteria, provided the operations remain consistent with the submitted application.

Should the Planning Commission recommend approval, staff suggests the following conditions be considered by the Board of Adjustment:

- The in-home daycare shall be limited to eight (8) children
- Hours of operation remain during daytime hours between 7:30am to 5:00pm Monday through Friday
- No signage related to the business be permitted on the property
- The use shall remain secondary to the primary residential use
- Any expansion or changes in the scope of the business shall require additional review and approval

CODE REFERENCES:

City of Sturgis Ordinance Chapter 156: Zoning

BUDGET IMPACT:

None anticipated

RECOMMENDATION:

Based on the information provided in the analysis above, staff recommends approval of the Use on Review for an in-home daycare at 3362 Davenport Loop, subject to the recommended conditions or any additional conditions deemed necessary by the Board of Adjustment.

ATTACHMENTS:

[3362 Davenport Loop - Zoning Map](#)
[3362 Davenport Loop - 200 ft addresses map](#)
[3362 Davenport Loop - Certified Mail](#)

Approved By:

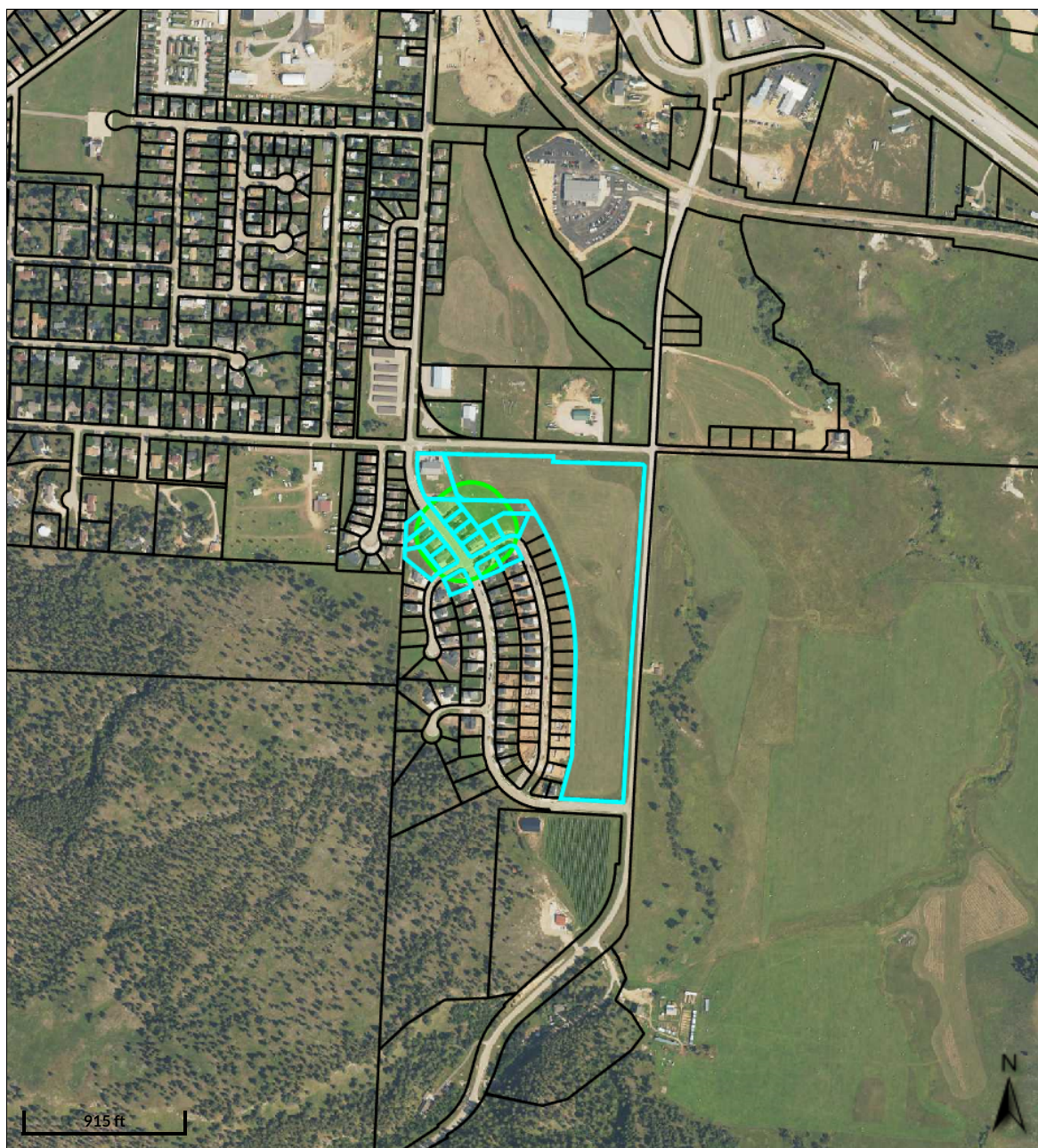
Rick Bush, Director of Public Works

Status:

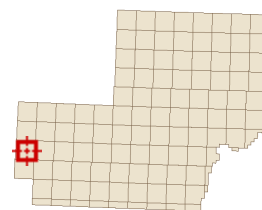
Approved - Aug 21 2026



**3362 DAVENPORT LOOP -
ZONING MAP
MEDIUM DENSITY RESIDENTIAL**



Overview



Legend

 Parcels 2026

Date created: 8/12/2026
Last Data Uploaded: 8/12/2026 1:07:36 AM

Developed by  **SCHNEIDER**
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Planning Commission

STAFF REPORT



Meeting Date: Planning Commission - Sep 01 2026

Agenda Item: Consideration to approve Final Plat of Lot C1-1 of Sturgis Industrial Park Subdivision

Prepared By: Rick Bush, Director of Public Works

BACKGROUND INFORMATION:

The subject property is located in the Sturgis Industrial Park Subdivision to be known as Lot C1-1.

Legal Description: Lot C1-1 of Sturgis Industrial Park Subdivision, Formerly a portion of Lot C1 of the Sturgis Industrial Park Subdivision, All located in the NE1/4 of the SW1/4 of Section 6, Township 5 North, Range 5 East, Black Hills Meridian, City of Sturgis, Meade County, South Dakota.

Properties are zoned as General Industrial (GI-1).

Owners: Sturgis Economic Development Corporation

Applicant: Baseline Surveying Inc of Sturgis, SD

The applicant is requesting approval of the Final Plat of Lot C1-1 of the Sturgis Industrial Park Subdivision.

The purpose of the final plat is to formally establish the boundaries of Lot C1-1 and allow the plat to be recorded with the Meade County Register of Deeds following approval by the City of Sturgis and the lot to be further developed.

The subject property is located within the Sturgis Industrial Park and is zoned General Industrial. The General Industrial District is intended to accommodate industrial, manufacturing, warehousing, service, and related uses in appropriate locations within the City.

The following requirements shall apply to all uses permitted in this district except as provided in § ..

(A) *Front yard.* A minimum setback of 25 feet from property lines shall be required.

(B) *Side yard.* A minimum setback of ten feet from property lines shall be required except in the event the building being placed on the property and/or the occupying use qualifies as a high hazard (Group H) as that term is defined and recognized by the Building Code adopted by the city in § .., or subsequent code adopted by the city. In the event the building and/or occupying use qualifies as high hazard (Group H), a minimum setback of 25 feet from the property lines shall be required. Where an industrial building is to be serviced from the side yard or rear yard and when no rear alley is provided, at least one of the side yard setbacks shall be a minimum of 30 feet for side service and 25 feet for rear service.

(C) *Rear yard*. Where an industrial building is to be serviced from the rear, and an alleyway is provided, the service court, rear yard setback or combination thereof shall not be less than 30 feet in depth exclusive of any public right-of-way. The depth of a rear yard which abuts a residential district or where the building is not serviced from the rear shall be not less than 15 feet exclusive of the public right-of-way.

(D) *Lot width*. Each lot shall have a width abutting the street of not less than 100 feet.

(E) *Lot area*. There shall be a lot area of not less than 10,000 square feet.

(F) *Maximum lot coverage*. Permanent main and accessory buildings shall cover not more than 75% of the total lot area.

DISCUSSION:

Staff has reviewed the Final Plat for compliance with **Chapter 154 – Subdivisions** and the applicable requirements of **Chapter 156 – Zoning** for property located within the General Industrial District.

Based upon that review, staff finds that the Final Plat satisfies the applicable subdivision requirements for the creation and recording of the proposed lot. The plat provides the required legal description, lot boundaries and dimensions, survey information, ownership certification, approval certificates, right-of-way information, and other information necessary for final plat approval and recording. The plat was prepared and certified by a South Dakota Registered Land Surveyor.

CODE REFERENCES:

City of Sturgis Code of Ordinances- Chapter 154: Subdivisions

RECOMMENDATION:

Staff recommends approval of the Final Plat of Lot C1-1 of the Sturgis Industrial Park Subdivision as presented.

ATTACHMENTS:

[23-011 2026 NEW REPLAT LOT C1-1](#)

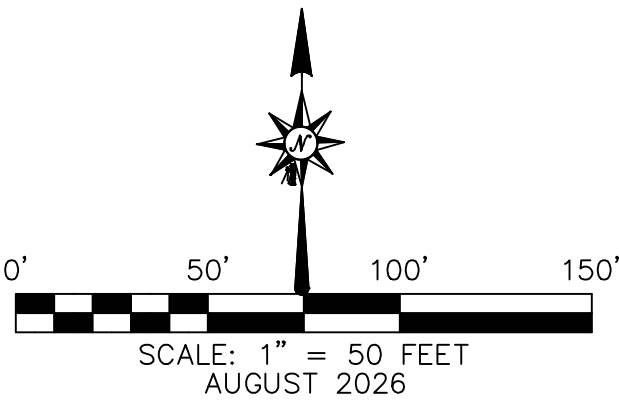
Approved By:

Rick Bush, Director of Public Works

Status:

Approved - Aug 28 2026

Plat of
Lot C1-1 of Sturgis Industrial Park Subdivision.
Formerly a Portion of Lot C1 of Sturgis Industrial Park Subdivision.
All Located in the NE1/4 of the SW1/4 of Section 6, Township 5 North, Range 5
East, Black Hills Meridian, City of Sturgis, Meade County, South Dakota.



LEGEND

- Found or Set 5/8" Rebar with Cap Marked 'Vasknetz RLS 7719'.
- ⊙ Found Survey Monument As Noted.

Reference Documents:
Plat Book 22 at Page 259 as
recorded at the Meade County
Register of Deeds Office.

Major Drainage Easement

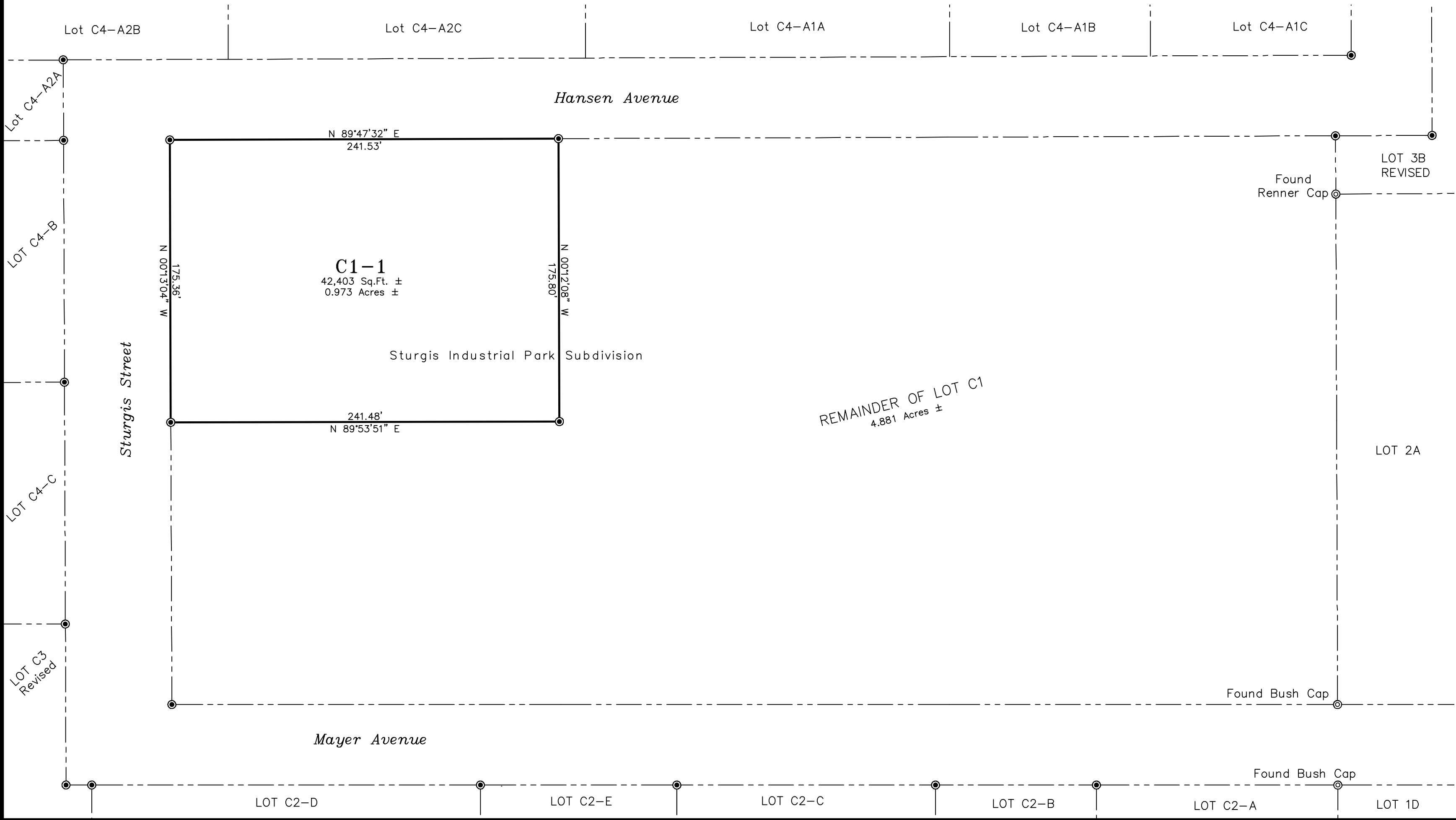
All major drainage easements shown hereon shall be kept free of all obstructions including, but not limited to, buildings, walls, fences, hedges, trees, and shrubs. These easements grant to all public authorities the right to construct, operate, maintain, inspect, and repair such improvements and structures as it deems necessary to facilitate drainage from any source.

SURVEYOR'S NOTES

- 1) Utility & Minor Drainage Easements: 8' Wide on the interior side of all lot lines.
- 2) Building Restrictions: Per the City of Sturgis Code of Ordinances Chapter 156.
- 3) Commercial Building Setbacks: 25' on Front Lot Lines. 15' on Rear Lot Lines. 10' on Side Lot Lines.

Shanon E. Vasknetz
Registered Land Surveyor No. 7719

PREPARED BY: BASELINE SURVEYING, INC.,
2305 JUNCTION AVENUE, STURGIS, S.D.
605-490-1401 JOB NO. 23-011



Plat of
Lot C1-1 of Sturgis Industrial Park Subdivision.
Formerly a Portion of Lot C1 of Sturgis Industrial Park Subdivision.
All Located in the NE1/4 of the SW1/4 of Section 6, Township 5 North, Range 5
East, Black Hills Meridian, City of Sturgis, Meade County, South Dakota.

COUNTY TREASURER'S CERTIFICATE

I, Treasurer of Meade County, South Dakota, do hereby certify that all taxes which are liens upon the land described hereon, as shown by the records of my office, are fully paid.
Dated this ____ day of _____, 20 ____.

Meade County Treasurer

STURGIS COMMON COUNCIL

We, the undersigned, as authorized representatives of the Sturgis City Common Council, do hereby certify that at an official meeting held on this ____ day of _____, 20 ____, that we did Approve this Plat.

Attest: _____ Mayor: _____
City Auditor

CITY OF STURGIS PLANNING COMMISSION

Approved by the City of Sturgis Planning Commission, Meade County, South Dakota.
Dated this ____ day of _____, 20 ____.

Signed: _____
Chairman

Attest: _____
Secretary

CERTIFICATE OF HIGHWAY OR STREET AUTHORITY

The location of the proposed access to the Highway or Street as shown hereon is hereby approved. Any change in the location of the proposed access shall require additional approval.

Dated this ____ day of _____, 20 ____.

Highway or Street Authority

CERTIFICATE OF EQUALIZATION DIRECTOR

I, Director of Equalization of Meade County, South Dakota, do hereby certify that I have on record in my office a copy of the within described Plat.
Dated this ____ day of _____, 20 ____.

Meade County
Director of Equalization

OFFICE OF REGISTER OF DEEDS

Meade County Register of Deeds

SURVEYOR'S CERTIFICATE

I, Shanon E. Vasknetz, 2305 Junction Avenue, being a Registered Land Surveyor in the State of South Dakota, do hereby state that at the request of the Owner listed hereon, I have surveyed and platted the property shown and described hereon. I have marked upon the ground the boundaries in the manner shown, and that the plat is correct to the best of my knowledge, information and belief.

IN WITNESS WHEREOF
I hereunto set my hand and seal

this ____ day of _____, 20 ____.

Shanon E. Vasknetz
Registered Land Surveyor No. 7719

OWNER'S CERTIFICATE

We, Sturgis Economic Development Corp., do hereby certify that we are the owners of the land shown and described hereon, and that we did authorize and do join in and approve the survey and plat. We further certify that the development of this land shall conform to all existing applicable zoning, subdivision and erosion and sediment control regulations. Dedicated right-of-way as shown hereon is dedicated to public use.

IN WITNESS WHEREOF
We hereunto set our hands this ____ day of _____, 20 ____.

Paul Bisson; Chairman

ACKNOWLEDGEMENT OF OWNERS

STATE OF SOUTH DAKOTA }
COUNTY OF _____ } SS

On this ____ day of _____, 20 ____, before me, the undersigned officer, personally appeared Paul Bisson, known to me to be the persons who executed the foregoing Owners' Certificate and acknowledged to me that they executed the same for purposes therein contained.

IN WITNESS WHEREOF, I hereby set my hand and official seal.

Notary Public

PREPARED BY: BASELINE SURVEYING, INC.,
2305 JUNCTION AVENUE, STURGIS, S.D.
605-490-1401 JOB NO. 23-011

Planning Commission STAFF REPORT



Meeting Date: Planning Commission - Sep 01 2026

Agenda Item: Consideration of Final Plat of Utility Lot 1 in the City of Sturgis, Meade County, South Dakota

Prepared By: Casey Baldwin, Planner

BACKGROUND INFORMATION:

The subject property is located in the Cell Tower Subdivision to be known as Utility Lot 1.

Legal Description: Formerly a portion of Lot Y in the N1/2 of the SW1/4. All located in Section 15, T5N, R5E, Black Hills Meridian, City of Sturgis, Meade County, South Dakota

DISCUSSION:

This preliminary/final plat was approved during the July 21st, 2026, Planning Commission Meeting.

Grammar and wording issues identified have been corrected for the final plat approval.

CODE REFERENCES:

Chapter 154: Subdivision

BUDGET IMPACT:

None Anticipated

RECOMMENDATION:

Staff recommends approval of the revised final plat as submitted.

ATTACHMENTS:

[26-157 UTILITY LOT 1 FINAL](#)

Approved By:

Rick Bush, Director of Public Works

Status:

Approved - Aug 24 2026

COUNTY TREASURER'S CERTIFICATE

I, Treasurer of Meade County, South Dakota, do hereby certify that all taxes which are liens upon the land described hereon, as shown by the records of my office, are fully paid.
Dated this____day of _____, 20____.

Meade County Treasurer

CERTIFICATE OF EQUALIZATION DIRECTOR

I, Director of Equalization of Meade County, South Dakota, do hereby certify that I have on record in my office a copy of the within described Plat.
Dated this____day of _____, 20____.

Director of Equalization

CITY OF STURGIS PLANNING COMMISSION

Approved by the City of Sturgis Planning Commission, Meade County, South Dakota.
Dated this____day of _____, 20____.

Signed:_____
Chairman

Attest:_____
Secretary

CERTIFICATE OF HIGHWAY OR STREET AUTHORITY

The location of the proposed access to the Highway or Street as shown hereon is hereby approved. Any change in the location of the proposed access shall require additional approval.
Dated this____day of _____, 20____.

Highway or Street Authority

STURGIS COMMON COUNCIL

We, the undersigned, as authorized representatives of the Sturgis City Common Council, do hereby certify that at an official meeting held on this____day of _____, 20____, that we did Approve this Plat.

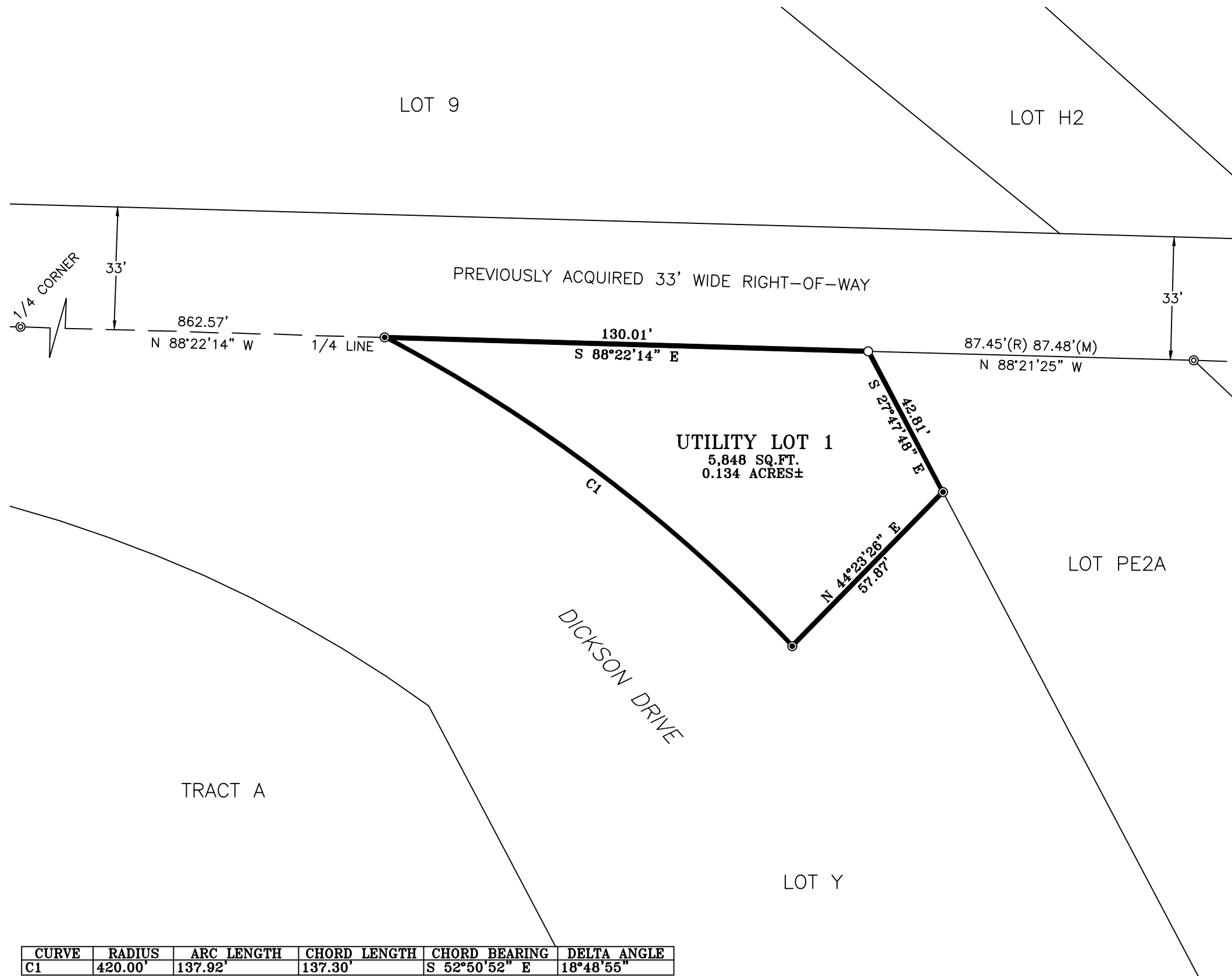
Attest:_____
City Auditor: Mayor:

OFFICE OF REGISTER OF DEEDS

Meade County Register of Deeds

Plat of
Utility Lot 1 of Cell Tower Subdivision.

Formerly a Portion of Lot Y in the N1/2 of the SW1/4.
All Located in Section 15, T5N, R5E, Black Hills Meridian, City of Sturgis, Meade County, South Dakota.



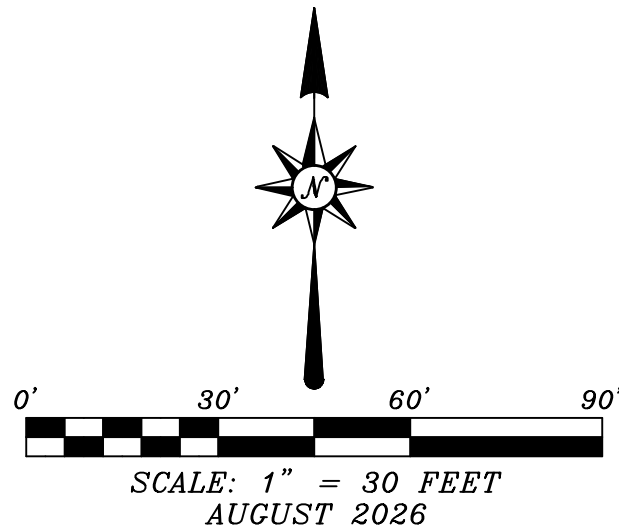
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	420.00'	137.92'	137.30'	S 52°50'52" E	18°48'55"

SURVEYOR'S NOTES

- Recorded Information:
Plat Book 5 at Page 69, Plat Book 9 at Page 7, Plat Book 20 at Page 96, Plat Book 20 at Page 97, Plat Book 20 at Page 98, Plat Book 20 at Page 99, Plat Book 23 at Page 50, Plat Book 24 at Page 197, as recorded with the Meade County Register of Deeds, Sturgis, South Dakota.
- Building Restrictions:
Per the Latest Adopted International Building Code (IBC).
- Building Setbacks:
Per the City of Sturgis Code of Ordinances—Chapter 156.
- Flood Plain Note:
Per FEMA Map Panel; 46093C 1169F Effective Date; 09/16/2011, Regulatory Floodway, Zone AE.

LEGEND

- Found or Set 5/8" Rebar with Cap Marked 'VASKNETZ RLS7719'.
- Found 5/8" Rebar and Aluminum Cap.
- Found 5/8" Rebar.



SURVEYOR'S CERTIFICATE

I, Shanon E. Vasknetz, 2305 Junction Ave., being a Registered Land Surveyor in the State of South Dakota, do hereby state that at the request of the Owner listed hereon, I have surveyed and platted the property shown and described hereon. I have marked upon the ground the boundaries in the manner shown, and that the plat is correct to the best of my knowledge, information and belief.

IN WITNESS WHEREOF
I hereunto set my hand and seal
this____ day of _____, 20____.

Shanon E. Vasknetz
Registered Land Surveyor No. 7719

OWNER'S CERTIFICATE

We, the City of Sturgis, do hereby certify that we are the Owners of the land shown and described hereon and that we did authorize and do join in and approve the survey and plat. We further certify that the development of this land shall conform to all existing applicable zoning, subdivision and erosion and sediment control regulations. Dedicated right-of-way as shown hereon is dedicated to public use.

IN WITNESS WHEREOF
We hereunto set our hands
this____day of _____, 20____.

City of Sturgis Mayor, Rodney J. Bradley

ACKNOWLEDGEMENT OF OWNERS

STATE OF _____ } SS
COUNTY OF _____

On this ____day of _____, 20____, before me, the undersigned officer, personally appeared Rodney J. Bradley, City of Sturgis Mayor, known to me to be the person who executed the foregoing Owners' Certificate and acknowledged to me that he executed the same for purposes therein contained.
IN WITNESS WHEREOF, I hereby set my hand and official seal.

_____, my commission expires: _____
Notary Public

Major Drainage Easement

All major drainage easements shown hereon shall be kept free of all obstructions including, but not limited to, buildings, walls, fences, hedges, trees, and shrubs. These easements grant to all public authorities the right to construct, operate, maintain, inspect, and repair such improvements and structures as it deems necessary to facilitate drainage from any source.

Planning Commission

STAFF REPORT



Meeting Date: Planning Commission - Sep 01 2026

Agenda Item: Wireless Telecommunications Facility- Preapplication Conference

Prepared By: Rick Bush, Director of Public Works

BACKGROUND INFORMATION:

The applicant is proposing the placement of a wireless telecommunications facility within the City of Sturgis.

Sturgis Municipal Code §153.030 requires an appropriate permit prior to constructing, expanding, or structurally altering a wireless telecommunications facility within the City. Responsibility for securing the required permit is jointly held by the entity undertaking the work and the property owner upon which the facility is located.

Section 153.031 requires any person seeking City Council approval and issuance of a permit under Chapter 153 to meet with the City Planning and Zoning Commission before filing an application. The purpose of the preapplication conference is for the Commission to explain the applicable ordinance provisions, application forms, and required submissions.

Accordingly, this item is intended to serve as the applicant's required preapplication conference. No final action on the wireless telecommunications facility permit is requested at this meeting.

DISCUSSION:

Application Requirements

Following the preapplication conference, the applicant will be required to submit the information identified in §153.032. At a high level, the application must contain the following:

Applicant and Property Information

(A) The full name, address and telephone number of the applicant;

(B) The full name, address and telephone number of the owner of the property upon which the wireless telecommunications facility is to be placed and/or structurally altered;

(C) A copy of the lease or sale agreement for the property on which the tower is proposed to be located and, if applicable, the portion of the agreement that specifies, in case of abandonment, a method that the utility will follow in dismantling and removing the proposed telecommunications facility, including a time table for removal;

Site Plan and Property Information

(D) A site plan or survey, signed and sealed by a registered professional engineer or surveyor in the state that shows the proposed location of the wireless telecommunications facility and all easements and existing structures within 750 feet of the proposed site on the property on which the facility will be

located, and all easements and existing structures within 250 feet of the access drive, including intersection with the public street or right-of-way;

(E) A map drawn to scale or a colored aerial photograph to scale no less than one inch equals 400 feet that identifies every structure and every owner of real estate within a 1,500-foot radius of the proposed facility;

Property Owner Notification

(F) A statement that every person who, according to the records confirmed by County Equalization and Planning, owns property within 1,500 feet of the proposed facility or property contiguous or adjacent landowners to the site upon which the facility is proposed to be constructed unless the proposed facility is to be placed within a communication center has been:

(1) Notified by certified mail at least 14 calendar days in advance of any City Planning and Zoning Commission meeting and/or any City Council meeting, along with a return receipt request, of the proposed construction, which notice shall include a map of the location of the proposed construction;

(2) Given the telephone number and address of the developer, applicant and landowner;
and

(3) Informed of his or her rights to participate in the City Planning and Zoning Commission meeting or City Council meeting on the application.

(G) A list of the property owners who received the notice, together with copies of the certified receipts for the notice sent to the list of property owners;

Platting and Site Eligibility

(H) Written verification that the property on which the wireless telecommunications facility is proposed to be located is an approved lot for such purpose and appropriately platted;

Scenic and Visual Assessment

(I) A scenic assessment, consisting of the following:

(1) Elevation drawings of the proposed facility and any other proposed structure showing height above ground level;

(2) A landscaping plan indicating: the proposed placement of the facility on the site; location of existing structures, trees and other significant site features; the type location of plans proposed to screen the facility; the method of fencing, the color of the structure and the proposed lighting method;
and

(3) Photo simulations of the proposed facility taken from the perspectives determined by the City Planning and Zoning Commission, or its designee, during the preapplication conference. Each photo must be labeled with the line of sight, elevation and with the date taken and printed on the photograph. Photos must show the color of the facility and the method of screening.

(J) A written description of how the proposed facility fits into the applicant's telecommunications network. This submission requirement is not required disclosure of confidential business information;

(K) Evidence demonstrating that no existing facility, building, site or structure can accommodate the applicant's proposed facility, the evidence of which may consist of any one or more of the following:

- (1) Evidence that no existing facilities are located within the targeted market coverage area that are suitable to meet the applicant's engineering requirements;
- (2) Evidence that existing facilities do not have sufficient height or cannot be increased in height at a reasonable cost to meet the applicant's engineering requirements;
- (3) Evidence that existing facilities do not have sufficient structural strength to support the applicant's proposed antenna and related equipment. Specifically, planned necessary equipment would exceed the structural capacity of the existing facilities, considering the existing and planned use of those facilities and existing facilities cannot be reinforced to accommodate the new equipment; and existing facilities do not have space on which planned equipment can be placed so it can function effectively;
- (4) The fees, costs or contractual provision required by the owner in order to share or adopt an existing facility are unreasonable. Costs exceeding the pro rata share of a new facility development are presumed to be unreasonable;
- (5) Evidence that the applicant has made diligent good faith efforts to negotiate collocation on an existing facility, building or structure and has been denied;
- (6) The applicant's proposed antenna or equipment would cause electromagnetic interference with antenna on the existing powers or structures; and
- (7) Antennas or equipment on the existing facility would cause electromagnetic interference with the applicant's proposed antenna.

Removal Surety

(L) A sample of a form of surety approved by the City Planning and Zoning Commission to pay for the costs of removing the facility if it is abandoned. Actual surety is to be obtained after approval of the application by the City Planning and Zoning Commission;

Area Character and Future Development

(M) A brief description of the character of the general area in which the tower is proposed to be constructed along with a five-year future development trend expected in the area, to be agreed upon by the City Engineering and Inspection Office;

Less-Intrusive Alternatives

(N) A statement that the applicant has made a good faith effort to identify and evaluate less intrusive alternatives and considered the likely effects of the insulation on nearby land uses and has concluded that there is no more suitable location reasonably available for a tower space for a wireless telecommunications facility from which adequate service to the area can be provided;

Federal Documentation

(O) Documentation from the Federal Communications Commission ensuring public safety radio services will be free from harmful or destructive interference;

(P) Documentation verifying that the Federal Aviation Administration has been notified of the proposed wireless telecommunications facility and the site location; and

(Q) Documentation, including registration number received from the Federal Communications Commission by the applicant verifying the Federal Communication Commission's approval of the facility.

Application Fee

Pursuant to §153.033, the applicant must also submit the application fee established by the City's annual fee resolution. An application is not considered complete until the required fee has been paid.

Review Process Following Application

Once an application has been formally submitted, §153.034 provides that the Planning and Zoning Commission will review the application within 30 working days to determine whether the submission requirements have been satisfied.

If complete, the applicant will be notified and the application will proceed to a regularly scheduled Planning Commission meeting. If incomplete, the applicant will be notified in writing of the additional information necessary to complete the application.

Following receipt of a complete application, the Planning Commission must approve, approve with conditions, or deny the application in writing within 90 days. The Commission's decision serves as its recommendation to the City Council.

The City Council subsequently conducts the required public hearing and makes the final decision regarding issuance of the permit.

CODE REFERENCES:

Sturgis Municipal Code Chapter 153- Wireless Telecommunications Facilities

RECOMMENDATION:

Staff recommends that the Planning Commission utilize this meeting as the formal preapplication conference required by §153.031.

The principal purpose of the meeting is to identify the required application materials and provide the applicant with sufficient direction to prepare a complete Chapter 153 application.

Approved By:

Rick Bush, Director of Public Works

Status:

Approved - Aug 27 2026