



**Spearfish Planning Commission**  
Regular Session Minutes  
April 20, 2021 at 3 p.m.

The Spearfish Planning Commission met in regular session on Tuesday, April 20, 2021 at 3 p.m. in the council chambers of city hall and via Zoom video conference. Chairman Bordewyk called the meeting to order. Roll call was taken with the following members present: Toby Bordewyk, Meghan Byrum, Abe Kean, Greg Kruskamp (arrived at the meeting during discussion on item 1 and before vote on item 1), Bob Meyer, Larry Vavruska (arrived at the meeting during discussion on item 2 and before vote on item 2), and Barbara Zwetzig. Also present: City Planner Jayna Watson, City Attorney Ashley McDonald, City Administrator Mike Harmon.

**APPROVAL OF MINUTES:**

**Byrum moved, Kean seconded, and all voted to approve the minutes of the April 6, 2021 Commission meeting.**

**DECLARATIONS OF CONFLICTS OF INTEREST:**

Bordewyk called for any potential conflicts of interest to be identified. Byrum stated a conflict with item 1 and recused from discussion and voting.

- Request:** Approve a concurrent annexation and change of zoning from County AG to DRD (Development Review District) with concept plan approval  
**Location:** A portion of the SW1/4 NE1/4, Section 33, T7N R2E BHM, Lawrence County, South Dakota  
**Applicant:** Jason R. Ward/Spring Branch LLC  
**Action:** Hold a public hearing and make a recommendation to City Council

Jason Ward presented the request. Watson provided a review of the staff report and recommendation. Bordewyk opened the public hearing. No testimony was received and the public hearing was closed. **Meyer moved, Zwetzig seconded, and all voted to recommend approval to the City Council with Byrum not voting.**

- Request:** Approve a preliminary plat within the 3-mile extra platting territory  
**Location:** Lots 1 – 21 Cedar Berry Canyon, south of Homestake Rd  
**Applicant:** Interstate Engineering  
**Action:** Hold a public hearing and make a recommendation to City Council

Trent Walters/Interstate Engineering presented the request. Watson provided a review of the staff report and recommendation. Questions from the commission included the two points of access, condition of Moller Road maintenance, and grade of Cedar Berry Road. Bordewyk opened the public hearing. Providing testimony were Gail Schuster, Dave Ellerman, and Joel Robinson. Bordewyk closed the public hearing. **Meyer moved, Byrum seconded to recommend approval to the City Council including the three conditions as noted in the staff report. Motion passed 5-1 with Kruskamp voting no.**

3. **Request:** Medical Marijuana - Zoning Considerations  
**Action:** Discussion item - no action required

City Attorney Ashley McDonald provided an overview of Initiated Measure 26 pertaining to the legalization of medical use cannabis. Watson followed with an overview of how the current zoning code would view dispensaries either as a use by-right or by conditional use permit. The general consensus of the commission was to limit dispensaries to the commercial zones, and not consider them eligible as home occupations or conditional use permit type of approvals. **No action was taken.**

**City Council Update** – Watson noted approval of the new city employee wage scale, approval of the change of zoning for Miller Ranch and the status of the disassembly of the blue railing bridge over the creek, south of Salem Park.

**Public Comment** – No comments were provided.

**Adjournment** - Bordewyk adjourned the meeting at 4:30 p.m.