

MEETING (ENTITY) **Planning Commission** **REGULAR** OR SPECIAL MEETING.

DATE: **May 14, 2019** Time: 7:00 PM. LOCATION: **Commission Chambers**

PC ATTENDANCE: **FRENG, HANSEN, HARPER, HEALY*, KLIMISCH*, SCHULTZ, WILLIAMS, WELCH**

***Arrived Late**

STAFF ATTENDANCE: **McGinnis**

MOTION TO REVIEW MINUTES: MOTION BY: **Freng** SECOND BY: **Harper**

PLANNING: **FRENG, HANSEN, HARPER, HEALY, KLIMISCH, SCHULTZ, WILLIAMS, WELCH**

COMMENTS: McGinnis explained a delay in publication of legal notice in the newspaper. Commission provided history of previous occurrences and actions taken. Applicants were advised to proceed at their own risk with each applicant recognizing this as part of their project presentation.

MOTION: Applicants were advised to proceed at their own risk with each applicant recognizing this as part of their project presentation.

APPROVAL: MOTION BY: **Harper** SECOND BY: **Freng**

PLANNING: **FRENG, HANSEN, HARPER, HEALY, KLIMISCH, SCHULTZ, WILLIAMS, WELCH**

AGENDA ITEM: Dakota Plains Rail Park Subdivision Plat

ADDRESS/LEGAL: Lot 6 of Lot 1 Dakota Rail Park Subdivision SW ¼ Section 21 T94N R56W of the 5th PM

COMMENTS: Matt Winsand and Brent Kleinschmidt presented an overview of project and Plat

MOTION: Approve Plat as presented of Lot 6 of Lot 1 Dakota Rail Park Subdivision SW ¼ Section 21 T94N R56W

APPROVAL: MOTION BY: Harper SECOND BY: Williams

PLANNING: **FRENG, HANSEN, HARPER, HEALY, KLIMISCH, SCHULTZ, WILLIAMS, WELCH**

Notes: **McGinnis** – Bold Font – Affirmative Vote
~~McGinnis~~ – Strike Through – Negative Vote
McGinnis – Underline - Abstain
McGinnis – No Vote Recorded

AGENDA ITEM: Twin Brooks Farm – Tract II

ADDRESS/LEGAL: NW1/4 and SW1/4 Section 11 Township 96 North Range 57 West

COMMENTS: Ken Bertsch an Attorney from Menno, South Dakota represented the Twin Brooks Farm LLC

MOTION: Recommend approval of variance for Tract II pursuant to YCZO Section 1807 resulting in an 9.89 acre parcel and provided a Deed Restriction tying Tract II to the property abutting to the west is agreed to and recorded upon Tract II

APPROVAL: MOTION BY: **Healy** SECOND BY: **Williams**

PLANNING: **FRENG, HANSEN, HARPER, HEALY, KLIMISCH, SCHULTZ, WILLIAMS, WELCH**

AGENDA ITEM: Twin Brooks Farm – Tract III

ADDRESS/LEGAL: NW1/4 and SW1/4 Section 11 Township 96 North Range 57 West

COMMENTS: Ken Bertsch an Attorney from Menno, South Dakota represented the Twin Brooks Farm LLC

MOTION: Recommend approval of variance for Tract III pursuant to YCZO Section 1807 resulting in an 6.04 acre parcel and provided a Deed Restriction tying Tract III to the property abutting to the north is agreed to and recorded upon Tract III

APPROVAL: MOTION BY: **Healy** SECOND BY: **Hansen**

PLANNING: **FRENG, HANSEN, HARPER, HEALY, KLIMISCH, SCHULTZ, WILLIAMS, WELCH**

AGENDA ITEM: Shoemaker Variance

ADDRESS/LEGAL: E1/2 NW1/4 SW1/4 Sec16 T95N R57W

COMMENTS: Applicant was gifted 20 acres of which 2 +/- acres a proposed to be platted for a residential lot and driveway.

MOTION: Recommend approval of a variance resulting in a 2+/- acres parcel within a 20 acres lot of her ownership and pursuant to YCZO Section 1807.

APPROVAL: MOTION BY: **Harper** SECOND BY: **Healy**

PLANNING: **FRENG, HANSEN, HARPER, HEALY, KLIMISCH, SCHULTZ, WILLIAMS, WELCH**

Notes: **McGinnis** – Bold Font – Affirmative Vote
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McGinnis – Underline - Abstain
McGinnis – No Vote Recorded

AGENDA ITEM: Jeff Koster Conditional Use Permit

ADDRESS/LEGAL: Block 4 except Lots 31, 32, 33 Sunrise Addition

COMMENTS: Sale of retail Class C fireworks as part of Section 1007(14) and pursuant to Section 1009

MOTION: Recommend approval of a fireworks stand pursuant to Section 1805

APPROVAL: MOTION BY: **Healy** SECOND BY: **Welch**

PLANNING: **FRENG, HANSEN, HARPER, HEALY, KLIMISCH, SCHULTZ, WILLIAMS, WELCH**

AGENDA ITEM: Mike Barkl Conditional Use Permit

ADDRESS/LEGAL: 29710 US Highway 81, Irene, South Dakota 57037 (Archie's Corner)

COMMENTS: Stuart Huber owned property and he was official applicant.

Sale of retail Class C fireworks as part of Section 1007(14) and pursuant to Section 1009

MOTION: Recommend approval of a temporary fireworks stand pursuant to Section 1805

APPROVAL: MOTION BY: **Healy** SECOND BY: **Freng**

PLANNING: **FRENG, HANSEN, HARPER, HEALY, KLIMISCH, SCHULTZ, WILLIAMS, WELCH**

AGENDA ITEM: Reiland River Rat Cabin LLC

ADDRESS/LEGAL: 44873 River Rat Road, Gayville, South Dakota 57031

COMMENTS: Pulled from agenda due to improper notice

MOTION: Defer to June 11, 2019 Agenda and provide for proper legal notice

APPROVAL: MOTION BY: **Freng** SECOND BY: **Harper**

PLANNING: **FRENG, HANSEN, HARPER, HEALY, KLIMISCH, SCHULTZ, WILLIAMS, WELCH**

AGENDA ITEM: Ken Mueller Plat

ADDRESS/LEGAL: 30540 US Highway 81, Yankton South Dakota 57078

COMMENTS: Applicant returning for Plat approval with access secured for both proposed lots.

MOTION: Approve Plat of Lots 1 and 2 of Tract B Sorensen's Addition in the SW1/4 NW1/4 Sec.18 T94N R55W

APPROVAL: MOTION BY: **Harper** SECOND BY: **Freng**

PLANNING: **FRENG, HANSEN, HARPER, HEALY, KLIMISCH, SCHULTZ, WILLIAMS, WELCH**

Notes: McGinnis – Bold Font – Affirmative Vote

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McGinnis – Underline - Abstain

McGinnis – No Vote Recorded

AGENDA ITEM: Twin Brooks Plat

ADDRESS/LEGAL: NW1/4 and SW1/4 Section 11 T96N R57W

COMMENTS: N/A

MOTION: Approve Plat lying in the NW1/4 and SW1/4 Section 11 T96N R57W

APPROVAL: MOTION BY: **Healy** SECOND BY: **Harper**

PLANNING: **FRENG, HANSEN, HARPER, HEALY, KLIMISCH, SCHULTZ, WILLIAMS, WELCH**

AGENDA ITEM: Shoemaker Plat

ADDRESS/LEGAL: E1/2 NW1/4 SW1/4 Sec16 T95N R57W

COMMENTS: N/A

MOTION: Approve Plat lying in the E1/2 NW1/4 SW1/4 Sec16 T95N R57W

APPROVAL: MOTION BY: **Freng** SECOND BY: **Harper**

PLANNING: **FRENG, HANSEN, HARPER, HEALY, KLIMISCH, SCHULTZ, ~~WILLIAMS, WELCH~~**

AGENDA ITEM: Administrative Discussions

COMMENTS: Discussed Attached Buildings, Highway 52 Signage, Extensions of Building Permits and Conditional Uses. Nancy Schenk presented a statement on "Farm Life". McGinnis reviewed Hartelco and Ehresmann Engineering request to present on 5G and Towers. They will be scheduled before June 11, 2019 meeting

MOTION: Adjourn

APPROVAL: MOTION BY: **Klimisch** SECOND BY: **Healy**

PLANNING: **FRENG, HANSEN, HARPER, HEALY, KLIMISCH, SCHULTZ, WILLIAMS, WELCH**

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