

MINUTES OF THE LINCOLN COUNTY PLANNING COMMISSION

August 19, 2019

COUNTY PLANNING COMMISSION MEMBERS PRESENT: Stacey Clay Namminga, Tyler Klatt, Jerry Jongeling, Monty Derousseau, Gary Pashby, and Tiffani Landeen

STAFF PRESENT: Toby Brown and Joan Doss - County Planning

PUBLIC PRESENT (sign in sheet): Bryan Baker, Raelene & Donald Baker, Brian Schmidt, Chris Schmidt, Richard Peters, Lisa Schreuis, Nichole & Todd Ramsey, Chris Hanson, Lyn and Ann Tschetter, Jeff Boyle, Gary Miller, Sarah & Taylor Burkett, Sarah & Jay Hutton, Rhonda Miller, Melissa Jelen, Kayla Binde, Dave Jibben, Rick Saathoff, Connie & Gary Newell, Stephen Newell, Tony Ventura, Paul Cressman, Stephanie & Eric Fritz, Greg Wilson, Patrick Schwebach, Scott McKercher, Daniel Renfrow, Robert Kummer, Lee Amon, Jesse Deffenbaugh, Sean Peterson, Michael Poppens.

1. CALL TO ORDER AND ROLL CALL

The regular meeting was brought to order on August 19, 2019 at 6:30pm in the Commission Meeting Room of the Lincoln County Courthouse by Chairman Derousseau.

2. APPROVAL OF JULY 15, 2019 MINUTES

Klatt motioned to approve the minutes and was seconded by Namminga, with a correction to the meeting date. The motion passed unanimously (6-0).

3. APPROVAL OF AGENDA

Pashby motioned to approve the agenda and was seconded by Landeen. The motion passed unanimously (6-0).

4. OPPORTUNITY FOR PUBLIC COMMENT NOT INVOLVING ITEMS ON THE AGENDA –

No comments heard

5. PUBLIC HEARINGS

- a. REZONING / RZNE-0046-2019: Request for review and recommendation of approval to the Board of County Commissioners of a Rezoning from the “RR” Rural Residential District to the “A-1” Agricultural District. The property is legally described as Lot A of Tract 2 of Sanchez’s Addition in the Northeast quarter (NE1/4) of Section 25, Township 100 North, Range 50 West of the 5th Principal Meridian, Lincoln County, South Dakota.

Applicant/Owner: Chris Enger

Location: 47585 271st St - Harrisburg

Staff Presentation:

Toby presented an updated staff report, referencing corrections made to the City of Harrisburg’s comprehensive plan designation. Toby also noted that the City of Harrisburg is in favor of the rezone application since it reduces the number of possible residences in the area.

Public Comment:

Chris Enger, the applicant, noted that the previous owner had livestock, so he was under the assumption he could have cows on the site. This application would allow him to be in compliance with the zoning ordinance.

Derousseau asked for public comment.

Lynn Tschetter showed a PowerPoint and photos, noted the lot is maintained, but has concerns with the tile line.

Jeff Boyle emphasized the area is a neighborhood, and in a growing area between Sioux Falls and Harrisburg, and is no longer agricultural. Pashby asked if there were concerns with odor, and Jeff noted that sometimes if the wind is right, there is a noticeable odor.

Hearing no further comments, Derousseau closed the floor.

Discussion & Action:

Namminga asked Chris Enger about the tile line, and Chris confirmed that the water is clean ground water, and not livestock runoff.

Derousseau noted this would be a fixing a mistake since it should not have been rural residential to begin with.

Namminga motioned to recommend approval of the rezone and was seconded by Klatt. The motion passed 4-2, with Pashby and Jongeling dissenting.

RZNE-0046-2019 – Recommended Approval

use permit conditions, all applicable regulations of the Lincoln County Zoning Ordinance and any other County, City, State and Federal Codes, ordinances, resolutions and laws that may apply.

Public Comment:

Connie Newell, the applicant noted that they currently own Newell's Used Cars in Aberdeen, and are looking to scale back during retirement. She noted their goal is to sell roughly 5 cars a month, with mostly sale by appointment. Landeen asked if they would need outdoor storage of parts. Connie noted they do not scrap vehicles, so they would not need outdoor storage. Pashby asked who was employed on the site. Connie noted it is her husband and grandson.

Derausseau asked for public comment.

Dave Jibben noted you should never have single family residential abut commercial.

Melissa Jelen presented photos of the Aberdeen site and said the property already looks like a junk yard.

Dan Renfrow and Pete Baker noted concerns with the speed of traffic.

Eric Fritz noted he is not opposed, but the current trees don't screen the view.

Mike Poppens noted he is not in opposition, and that good conditions could make this work. He also noted the previous owner had been in operation for many years, and he had worked with him if there were any issues.

Sean Peterson noted the area has changed since none of the homes were there in 1993.

Hearing no further comments, Derausseau closed the floor.

Discussion & Action:

Landeen asked Connie about the conditions, and Connie noted no concerns with limited the number of vehicles.

Landeen motioned to approve the application with the condition and by amending condition #4 to say "...10 vehicles stored outside at any given time," and striking "unless stored in a fully screened area," from condition #5. The motion was seconded by Pashby. The motion passed unanimously (6-0)

USE-0047-2019 - Approved

- d. CONDITIONAL USE PERMIT / USE-0050-2019: Request for review and approval of a Conditional Use Permit to allow for warehousing to exceed 10,000 square feet (requesting 60,200 square feet). The property is legally described as Tract 1 of Peter's Addition, in the Northwest quarter (NW1/4) of Section 33, Township 100 North, Range 51 West of the 5th Principal Meridian, Lincoln County, South Dakota.
Applicant/Owner: Richard Peters Location: East of 272nd Street and SD Hwy 17 - Tea

Staff Presentation:

Toby presented a summary of the staff report, and noted that the City of Tea recommended a landscaped buffer. He then listed the conditions that should be considered if the application is approved as follows:

1. This approval is for the project described per Conditional Use Permit (USE-0050-2019) to allow warehousing to exceed 10,000 square feet on the property, except as modified with the conditions below.
2. Appropriate building permits shall be obtained. No additional warehousing structures, exceeding, 60,200 square feet, shall be allowed on the property, without the issuance of a new CUP.
3. The Planning and Zoning Department or designated official(s) reserves the right to enter and inspect the property at any time, after proper notice to the owner, to ensure that the property is in full compliance with the conditional use permit conditions, all applicable regulations of the 2009 Revised Zoning Ordinance for Lincoln County and any other County, State and Federal Codes, ordinances, resolutions and laws that may apply.

Public Comment:

Richard Peters, the applicant, noted he would construct two buildings to start, and would construct more as the units begin to fill up. Namminga asked about surfacing, and Richard confirmed since it comes from a hard-surfaced road the lot would hard-surfaced. Jongeling asked about the drainage, and Richard noted the detention pond, which would later flow across his other property to the south.

Derausseau asked for public comment.

Mike Poppens, noted he is not in opposition with the application but noted it would be nice to see landscaping and downlighting.

