

**CITY of YANKTON**  
**PLANNING COMMISSION MEETING MINUTES**  
for  
**February 13, 2017**

The meeting was called to order at 5:35 p.m. by Chairman Pier

**ROLL CALL:**

Present – Deb Specht, Dr. Scott Shindler, Marc Mooney, Brad Wenande (via cell phone), ETJ Member Michael Welch and Dean Christensen and Chairman Steve Pier.

Unable to attend: Brue Viau, Jon Economy, Lynn Peterson and City Commission Liaison Chris Ferdig.

Commissioner Healy arrived at the time noted in the minutes.

Chairman Pier asked for approval of the January 9, 2017 meeting minutes.

**MINUTES** – January 9, 2017

17-06 **MOTION** – It was moved by Commissioner Shindler and seconded by Commissioner Specht to approve the minutes for January 9<sup>th</sup>, 2017

**VOTE** – Voting “Aye” – all members present. Voting “Nay” – none.

**MOTION – PASSED**

Chairman Pier read the old business item to consider a rezoning from A-1 Agricultural to I-1 Industrial in the City’s extraterritorial jurisdiction on Lot D in Yaggies Third Addition, excluding the approximate 30’ wide by 650’ long access to Whiting Drive in Section 9, T93N, R55W, Yankton County, South Dakota. Address, 2210 Alumax Road. Concrete Materials, owner.

Mr. Joe Morrow (Building Official), filling in for Mr. Dave Mingo, stated this rezoning was owner initiated and required signatures from 4 property owners. Since Concrete Materials owned 2 properties, that signature counted twice. Others who signed were Yankton Area Progressive Growth (YAPG) and Northwestern Energy. Mr. Morrow also stated that this property currently has water, sewer and gas accessible. Mr. Morrow also stated that based on the City’s Comprehensive Plan, this area has been designated as part of the industrial growth area. Staff recommends approval.

Commissioner Healy arrived at this time.

Andy Haas, Concrete Materials, stated the reason they are pursuing this rezoning is that Concrete Materials is outgrowing their current facility and want to expand their maintenance shop and storage area. Mr. Haas stated the driveway would be used mainly for their trucks to come to the shop to either drop off deliveries or come to the maintenance shop for repairs. They do not intend to use the driveway for concrete trucks. Concrete and gravel trucks will primarily access from the

south. If used, the north driveway will be used for access for maintenance purposes.

Chairman Pier asked Mr. Haas if he owned the driveway. Mr. Haas replied yes, Concrete Materials does own it. Commissioner Healy asked Mr. Haas what would be the alternative plan for Concrete Materials if this zoning isn't approved. Mr. Haas stated that they would have to utilize the south end of his property as an entry, which would be an inconvenience. Chairman Pier asked what the zoning is on the piece of property to the west of Concrete Materials, owned by YAPG. Mr. Morrow stated it is zoned as Industrial.

Mr. Mark Keehr, 2300 Whiting Drive, stated that he had planned on bringing another neighbor to meeting but they had a medical emergency. Mr. Keehr stated his main concern is wanting to have a verbal agreement to maintain the mature trees that are located on the north end of Concrete Materials. This prevents noise and is a wind buffer. Keehr also concerned about whether the road will be used as the main driveway since it comes out by his property. Mr. Keehr also stated he is concerned about the value of his home if more industrial activity begins.

Commissioner Healy asked whether both parties have a written agreement or just a verbal agreement. Mr. Keehr stated only verbal agreement at this time and he was ok with having this verbal agreement with Mr. Haas. Chairman Pier asked if Mr. Keehr is comfortable with verbal assurance. Mr. Keehr again stated that he understands that the property could be sold at any time and that the owner is in Sioux Falls so the agreement could change.

Mr. Haas stated that at this time, Concrete Materials has every intention of keeping the wind row of trees discussed by Mr. Keehr. This protects the view of Concrete Materials and cuts down on wind and noise for them as well. Chairman Pier asked whether any buildings would go on this property and Mr. Haas stated he plans on building a shop, due to outgrowing the current shop. Mr. Haas stated that the current road is not big enough for two way traffic and down the road they will eventually build a new road the access from the south end.

ETJ member Welch stated that if this was a Conditional Use permit, they would negotiate leaving trees. Since this is a rezoning from Agricultural to Industrial, that is the only decision the Planning Commission should be allowed to make. Moving forward, ETJ member Welch states that the two parties should both meet and agree what and how the road will be used and whether trees should stay. It should be an agreement between the two parties and not be dictated by the Planning Commission.

17-07 **MOTION** – It was moved by Commissioner Mooney and seconded by Commissioner Shindler to recommend approval of the Rezoning from A-1 Agricultural to I-1 Industrial in the City's extraterritorial jurisdiction on Lot D in Yaggies Third Addition, excluding the approximate 30' wide by 650' long access to Whiting Drive in Section 9, T93N, R55W, Yankton County, South Dakota. Address, 2210 Alumax Road. Concrete Materials, owner.

**VOTE** – Voting “Aye” – all members present. Voting “Nay” – none.  
Commissioner Wenande abstained via phone.

**MOTION – PASSED** – Moves to February 27<sup>th</sup>, 2017 City Commission to introduce the ordinance and establish March 27<sup>th</sup> 2017 as the date for public hearing.

Chairman Pier read the action item for a plat review of a Replat of Tract A of Lot 4 of the Replat of Lots 1, 2, 3, 10, 11 and 12 of Block 2, Airport Acres in the City of Yankton, Yankton County, South Dakota as Filed in Book S18 on Page 300 and Part of Lot 1 of the Replat of Lots 1, 2, 3, 10, 11 and 12 of Block 2, Airport Acres in the City of Yankton, Yankton County, South Dakota as Filed in Book S11 on Page 15

To be hereafter known as:

Lot 10 of Block 2, Airport Acres in the City of Yankton, Yankton County, South Dakota. Address, 303 W. 31<sup>st</sup> Street. Stuart Huber and Airport Acres Homeowner’s Association % Stuart Huber, owners.

Mr. Morrow stated this was an owner initiated replat. Mr. Morrow acknowledged this plat looks a little jagged and that was done to carve out and to create an entryway to the lot for a potential commercial business and for future development. Chairman Pier asked whether there was any negative feedback regarding plat. Mr. Morrow stated no negative comments were received. Staff recommends approval.

Commissioner Healy asked whether the housing units to the South are owned by the same party. Mr. Morrow stated yes all are owned by Mr. Huber.

Commissioner Healy also asked whether the business that Mr. Huber owns, 18 miles north of town, will be moved to this property. Mr. Morrow stated that Mr. Huber has given no indication as to what the future plans for the property will be.

17-08 **MOTION** – It was moved by Commissioner Shindler and seconded by Commissioner Specht to approve the replat of Tract A of Lot 4 of the Replat of Lots 1, 2, 3, 10, 11 and 12 of Block 2, Airport Acres in the City of Yankton, Yankton County, South Dakota as Filed in Book S18 on Page 300 and Part of Lot 1 of the Replat of Lots 1, 2, 3, 10, 11 and 12 of Block 2, Airport Acres in the City of Yankton, Yankton County, South Dakota as Filed in Book S11 on Page 15

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**VOTE** – Voting “Aye” – all members present. Voting “Nay” – none.  
**MOTION – PASSED** – Moves to February 27<sup>th</sup>, 2017 City Commission meeting.

January Building Report Update - Mr. Morrow discussed that next month there will be a permit for a 60,000 sq. foot addition to Northtown Automotive and that there will be a new 4,000 sq. foot retail store at Groseth Crossing. Groseth Crossing is located at 31<sup>st</sup> and Broadway.

#### **ADJOURNMENT**

17-09 **MOTION** – It was moved by Commissioner Healy and seconded by Commissioner Specht to adjourn at 6:08 PM.  
**VOTE** – Voting “Aye” – all members present. Voting “Nay” – none.  
**MOTION – PASSED**

Respectfully submitted,

Joe Morrow  
for Dave Mingo, Secretary