

**CITY of YANKTON**  
**PLANNING COMMISSION MEETING MINUTES**  
**for**  
**Tuesday, November 12th, 2019 @ 5:30PM**

The meeting was called to order at 5:30 PM by Planning Commission Chairman Steve Pier.

**ROLL CALL:**

Present: Mike Healy, Deb Specht, Brad Wenande, Marc Mooney, Warren Erickson and Chairman Steve Pier.

Unable to attend: Bruce Viau, Lynn Peterson, and John Economy.

City Commission Liaison Dave Carda arrived at the time noted in the minutes.

Chairman Pier called for the consideration of the October 14th, 2019 meeting minutes.

19-42

**MINUTES** – October 14th, 2019

**MOTION** – It was moved by Commissioner Erickson and seconded by Commissioner Healy to approve the minutes from October 14th, 2019.

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

**MOTION – PASSED**

**CONSENT ITEMS:**

Chairman Pier stated there were no Consent Items.

City Commission Liaison Dave Carda arrived at 5:39 PM.

**OLD BUSINESS:**

Chairman Pier moved on to Old Business and began public hearing to consider a Conditional Use Permit for an 85-foot-tall radio tower on Lot 1, Block 6, Hoffman’s Addition in the City of Yankton, South Dakota. Address 407 W. 11th Street. Becker Enterprises, LLC, owner.

Dave Mingo stated that the proposed Conditional Use Permit is for an 85-foot-tall tower. The tower would be a lattice tower also sometimes referred to as a Self-Supporting Tower (SST). Towers over 65 feet tall are required to be considered as a conditional use in the I-1 Industrial District in the City of Yankton. Mingo stated that Riverfront Broadcasting is moving to the former Yankton Motors location and the tower is needed to provide line of sight radio capabilities to link multiple sites under their control. The proposed tower is not a primary broadcasting service facility. Tower lighting is not required at the proposed height. However, Mingo pointed out there are specific items to consider with this type of request which include:

**Compatibility with area land uses:** The area is zoned I-1 Industrial and located near multiple story buildings occupied by commercial entities.

**Noise:** Noise is not expected to increase as a result of the project.

**Lighting:** Lighting is typically an issue with towers. This tower is short enough that it will not require lighting. However, if future rule changes dictate lighting at some point, it is recommended that strobe lighting not be permitted during hours of darkness.

**Aesthetics:** There are a number of court cases that deal with towers of all kinds. Much of the case law is specific to cellular towers. In those instances, the courts have found that local jurisdictions cannot prohibit towers for aesthetic reasons. The tower is proposed to be near a large structure which will reduce the aesthetic impact. Additionally, there are several multistory buildings and tall trees (some about the same height as the proposed tower) within a two block radius that will reduce the visual impact on the viewshed.

**Parking:** The resulting reduction in parking at the site does not impact the facilities compliance with the parking regulations.

Staff has not received any contacts from neighboring property owners subsequent to the publication and mailing of required notices. Staff recommends approval of the proposed request based on the comments included in the above summary.

19-43

**MOTION** – It was moved by Commissioner Wenande and seconded by Commissioner Mooney to approve a Public hearing to consider a Conditional Use Permit for an 85-foot-tall radio tower on Lot 1, Block 6, Hoffman’s Addition in the City of Yankton, South Dakota. Address 407 W. 11th Street. **VOTE** – Voting “Aye” – all members present. Voting “Nay” – none.

**MOTION – PASSED**

**HEARING SCHEDULE:**

November 25th, 2019: The City Commission considers a resolution and makes the final decision.

**NEW BUSINESS:**

Chairman Pier stated there was no New Business.

**OTHER BUSINESS**

Chairman Pier moved on to discuss the October, 2019 Building Permit Report. The total, year to date valuation at the end of the month was \$36,714,186.53, which is higher than

this time last year which was \$24,660,956.18

Commissioner Mark Mooney departed the meeting at 6:04PM.

Dave Mingo gave a slideshow presentation outlining the roles and responsibilities of the Community & Economic Development Department at the City of Yankton.

19-44

**ADJOURNMENT**

**MOTION** – It was moved by Commissioner Healy and seconded by Commissioner Peterson Specht to adjourn at 6:19PM.

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

**MOTION – PASSED**

Respectfully submitted,

Dave Mingo, Secretary