

CITY of YANKTON
PLANNING COMMISSION MEETING MINUTES
for
Monday, May 10th, 2021

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

ROLL CALL:

Present: Brad Wenande, Deb Specht, Mike Healy, Evie Sime, Marc Mooney, Steve Pier, City Commission Liaison, Dave Carda, and ETJ Member Michael Welch.

Unable to attend: Lynn Peterson, Sean Wamble, and Warren Erickson.

Also in attendance was Mr. Jim Tramp.

Chairman Pier asked for the consideration of the April 12th, 2021 meeting minutes.

MINUTES – April 12th, 2021

21-16

MOTION – It was moved by Commissioner Specht and seconded by Commissioner Mooney to approve the minutes from April 12th, 2021, as they are presented.

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

MOTION – PASSED

CONSENT ITEMS:

Chairman Pier moved on to Consent Items to establish the next regular meeting as the date for a public hearing to consider a Conditional Use Permit for a self-storage facility in a B-2 Highway Business District on the south 141 feet of the east 229 feet of Lot 3, Replat of Block 2, Airport Acres Addition in the City of Yankton, South Dakota. Johanneson Contracting, Inc., applicant. Address, 2913 Piper Street.

21-17

MOTION - It was moved by Commissioner Wenande and seconded by Commissioner Sime to establish the next regular meeting as the date for a public hearing to consider a Conditional Use Permit for a self-storage facility in a B-2 Highway Business District on the south 141 feet of the east 229 feet of Lot 3, Replat of Block 2, Airport Acres Addition in the City of Yankton, South Dakota. Johanneson Contracting, Inc., applicant. Address, 2913 Piper Street.

VOTE - Voting “Aye” – all members present. Voting “Nay” – None.

MOTION – PASSED

OLD BUSINESS:

Chairman Pier continued on to Old Business to discuss a public hearing to consider a rezoning from R-2 Single Family Residential to B-2 Highway Business on the North 220 feet of the West 700 feet of the SW 1/4 of the NW 1/4, Except KYNT Addition in Section 12, T93N, R56W of the 5th P.M., Yankton, South Dakota. Jim Tramp, LLC and Jason Tramp, LLC, owners. Address, 1301 W. 21st Street.

Dave Mingo stated this is an owner petitioned rezoning request which means the owner circulated a petition and acquired enough signatures to bring the request to the city for consideration.

The land is located in a transition zone between existing residential occupancies a couple of blocks south and an arterial street (21st Street) with industrial occupancies to the north. The proposal follows the general direction set forth in the Comprehensive Plan. That direction being to create transition areas whenever possible between lower density residential occupancies which in this case are to the south, and the industrial occupancies which are north of the site.

If approved, the rezoning would allow the construction of commercial and / or high density residential occupancies (apartments). Such types of development would allow the city to better manage the access management concerns by reducing the number of access points.

Staff has received a contact about the proposal during the time the applicant was circulating the petition. The questions were general in nature and the person did not state any opposition to the proposal.

In accordance with the general provisions set for forth in the City's Comprehensive Plan, staff is recommending approval of the proposed owner petitioned rezoning of the described property from R-2 single family residential to B-2 Highway Business.

21-18

MOTION - It was moved by Commissioner Wenande and seconded by Commissioner Specht to recommend approval of a rezoning from R-2 Single Family Residential to B-2 Highway Business on the North 220 feet of the West 700 feet of the SW 1/4 of the NW 1/4, Except KYNT Addition in Section 12, T93N, R56W of the 5th P.M., Yankton, South Dakota. Jim Tramp, LLC and Jason Tramp, LLC, owners. Address, 1301 W. 21st Street.

VOTE - Voting "Aye" – Deb Specht, Brad Wenande, Mike Healy and Evie Sime. Voting "Nay" – None. "Abstained" – Marc Mooney

MOTION – PASSED

HEARING SCHEDULE:

May 24th, 2021: The City Commission first reading.

June 14th, 2021: The City Commission holds a public hearing to consider the issue.

Chairman Pier continued on with Old Business to discuss a public hearing to consider a rezoning from R-2 Single Family Residential to R-3 Two Family Residential on future Lots 1A, 1B, 6A, 6B, 7A and 7B, in Block 9 and 1A and 1B in Block 10. And, from R-2 Single Family Residential to R-4 Multiple Family Residential on future Outlots 4 and 5, all in Summit Heights Addition to the City of Yankton in the SW 1/4 of the NW 1/4, Section 12, T93N, R56W of the 5th P.M., Yankton, South Dakota. Jim Tramp, LLC and Jason Tramp, LLC, owners. Address, the 1900 Blocks of Kellen Gross Drive and Dakota Street.

Dave Mingo stated that this is an owner petitioned rezoning requests which means the owner circulated a petition and acquired enough signatures to bring the request to the city for consideration.

The land is located in a residential transition area with single family occupancies to the south and higher intensity uses north of 21st Street. The proposal follows the general direction set forth in the Comprehensive Plan. That direction being to create transition areas whenever possible between lower density residential occupancies which in this case are to the south and the higher intensity uses associated with an arterial street and industrial zones to the north.

If approved, the proposed change of the areas from R-2 to R-3 would allow for the construction of duplex units. There are many examples in the community where the mix of duplex units with single family units has been successful and created a good fit from a land use perspective with no adverse impacts on surrounding uses.

In accordance with the general provisions set forth in the City's Comprehensive Plan, staff is recommending approval of the proposed owner petitioned rezoning of the described properties as identified on the associated rezoning map.

Commissioner Specht asked if there will be accessibility on Kellen Gross Drive? Mingo replied that this the multiple family tract would access Kellen Gross Drive while the duplex lots will access Dakota Street.

Chairman Pier asked if this is approved, will there be a formal platting process? Mingo replied "yes". Mingo also wanted to point out that now is a good time to be considering rezoning on these unoccupied/undeveloped lots, prior to more adjacent development in the area.

Mr. Jim Tramp re-summarized Mingo's previous statements and to allow for any questions. There were no additional questions.

- 21-19 **MOTION** - It was moved by Commissioner Sime and seconded by Commissioner Wenande to recommend approval of a rezoning from R-2 Single Family Residential to R-3 Two Family Residential on future Lots 1A, 1B, 6A, 6B, 7A and 7B, in Block 9 and 1A and 1B in Block 10. And, from R-2 Single Family Residential to R-4 Multiple Family Residential on future Outlots 4 and 5, all in Summit Heights Addition to the City of Yankton in the SW 1/4 of the NW 1/4, Section 12, T93N, R56W of the 5th P.M., Yankton, South Dakota. Jim Tramp, LLC and Jason Tramp, LLC, owners. Address, the 1900 Blocks of Kellen Gross Drive and Dakota Street.
VOTE - Voting "Aye" – Deb Specht, Brad Wenande, Mike Healy and Evie Sime. Voting "Nay" – None. "Abstained" – Marc Mooney

MOTION – PASSED

HEARING SCHEDULE:

May 24th, 2021: The City Commission first reading.

June 14th, 2021: The City Commission holds a public hearing to consider the issue.

Chairman Pier continued on with Old Business to discuss a public hearing to consider amendments to the City of Yankton Zoning Ordinance #711. The proposed amendments are in Chapter 27, Article II, Section 36 Part G and Section 37, Part G, and if approved, would change the maximum allowable height of structures in the B-2 Highway Business District and B-3 Central Business District from the current 50 feet to 65 feet.

Dave Mingo stated that we have increasingly heard requests to change the maximum allowable structure height in our B-3 Central Business and B-2 Highway Business Districts. The requests

are for the current 50-foot maximum height limitation to be increased and stem from property owner's desires to have taller ceilings heights per floor. Additional height would also provide the space needed to hide heating, air conditioning and ventilation (HVAC) ductwork and equipment in the floor structures without reducing the number of floors in a building. The modern desires for ceiling heights of 10 or 11 feet in these zoning districts makes it difficult to construct anything more than a three-story building under the current 50-foot height limit.

We have surveyed most communities our size in the state and have not found a common dimension for structure height regulations in commercial districts. The maximum heights in other cities have ranged from 50 feet all the way to not having a restriction. The average however, is higher than Yankton's 50 feet.

City staff is in favor of a modest change that would reflect current architectural design desires without having a dramatic impact on the viewscape of the city. We currently have provisions in code that permit certain types of tower structures to be 65 feet tall in the referenced zoning districts. Another benefit of a minor change would be providing the ability for slightly increased housing densities in the B-3 District at a time when housing units are in short supply.

Staff recommends approval of amending the ordinance to allow structures 65 feet tall in the referenced zoning districts.

Chairman Pier asked if we've received any input from citizens or business owners on this matter? Dave Mingo replied that the input has come over the years from people that are planning projects.

Commissioner Wenande asked how the 65 feet height regulation compares to other communities that have been surveyed? Mingo replied that research indicated there was no uniform dimension in other communities. The current 50-foot height limitation is less than what most other communities have.

21-20 **MOTION** - It was moved by Commissioner Mooney and seconded by Commissioner Wenande to recommend approval of the amendment to the City of Yankton Zoning Ordinance #711. The proposed amendments are in Chapter 27, Article II, Section 36 Part G and Section 37, Part G, and if approved, would change the maximum allowable height of structures in the B-2 Highway Business District and B-3 Central Business District from the current 50 feet to 65 feet.

VOTE - Voting "Aye" – All members present. Voting "Nay" – None.

MOTION – PASSED

HEARING SCHEDULE:

May 24th, 2021: The City Commission first reading.

June 14th, 2021: The City Commission holds a public hearing to consider the issue.

NEW BUSINESS:

Chairman Pier moved on to New Business to discuss a plat review of Lots 4 and 5 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, hereafter to be known as: Lots 4A and 5A, Block 2, Airport Acres, City and County of Yankton, South Dakota. Anthony and Patricia Benjamin, Trustees, Tony and Pat Benjamin Revocable Trust, owner. Address, 3010 Broadway Avenue.

Dave Mingo stated the proposed replat of a replat constitutes a very simple adjustment of the property lines and a reduction in total number of lots in the site. No building permits for the site will be issued until cleared by the State Department of Transportation and City Public Works Department. All of the applicable subdivision regulations, other than the needed access planning which will occur when an occupancy is identified, have been accounted for.

Staff recommends approval of the proposed plat.

Commissioner Healy asked if the property setbacks of this plat would be similar to those of Walmart? Mingo replied: "yes". Those properties meet the 15-foot required front yard setback.

- 21-21 **MOTION** - It was moved by Commissioner Wenande and seconded by Commissioner Specht to recommend approval of a Replat of Lots 4 and 5 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, hereafter to be known as: Lots 4A and 5A, Block 2, Airport Acres, City and County of Yankton, South Dakota. Anthony and Patricia Benjamin, Trustees, Tony and Pat Benjamin Revocable Trust, owner.
VOTE - Voting "Aye" – all members present. Voting "Nay" – None.
MOTION – PASSED
MEETING SCHEDULE:
May 24th, 2021: City Commission reviews the plat and takes action.

Chairman Pier continued on with New Business to discuss a plat review of Lot 1, Whitetail Run, in the SE 1/4 of the NE 1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota. Dennis L. Christensen, President, Deerfield Truck and Equipment Company, owner. Location, South side of the 3900 Block of W. 8th Street.

Dave Mingo stated the proposed plat formalizes the legal descriptions and boundary for Lot 1 in a previously planned but unplatted location in Whitetail Run Subdivision. The location is within the City's three-mile plating jurisdiction allowing the city to require the dedication of right-of-way along the extension of the planned street grid. Staff recommends approval of the proposed plat.

ETJ Member Michael Welch commented about water service to the area. It is BY's territory.

Commissioner Healy asked if there was any concern of looking at what type of structures, setbacks and other issues that could possibly arise? Chairman Pier stated that we don't have jurisdiction for that level of review.

- 21-22 **MOTION** - It was moved by Commissioner Wenande and seconded by Commissioner Mooney to recommend approval of a plat of Lot 1, Whitetail Run, in the SE 1/4 of the NE 1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota. Dennis L. Christensen, President, Deerfield Truck and Equipment Company, owner. Location, South side of the 3900 Block of W. 8th Street.
VOTE - Voting "Aye" – all members present. Voting "Nay" – None.
MOTION – PASSED
MEETING SCHEDULE:

May 24th, 2021: City Commission reviews the plat and takes action.

Chairman Pier continued on with New Business to discuss a plat review of Lot 2, Whitetail Run, in the SE 1/4 of the NE 1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota. Dennis L. Christensen, President, Deerfield Truck and Equipment Company, owner. Location, South side of the 3900 Block of W. 8th Street.

Dave Mingo stated the proposed plat formalizes the legal descriptions and boundary for Lot 1 in a previously planned but unplatted location in Whitetail Run Subdivision. The location is within the City's three-mile plating jurisdiction allowing the city to require the dedication of right-of-way along the extension of the planned street grid. Staff recommends approval of the proposed plat.

21-23 **MOTION** - It was moved by Commissioner Mooney and seconded by Commissioner Sime to recommend approval of a plat of Lot 2, Whitetail Run, in the SE 1/4 of the NE 1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota. Dennis L. Christensen, President, Deerfield Truck and Equipment Company, owner. Location, South side of the 3900 Block of W. 8th Street.

VOTE - Voting "Aye" – all members present. Voting "Nay" – None.

MOTION – PASSED

MEETING SCHEDULE:

May 24th, 2021: City Commission reviews the plat and takes action.

Chairman Pier continued on with New Business to discuss a plat review of Lot 11, Whitetail Run, in the SE 1/4 of the NE 1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota. Dennis L. Christensen, President, Deerfield Truck and Equipment Company, owner. Location, North side of the 3900 Block of Buck Street.

Dave Mingo stated the proposed plat formalizes the legal descriptions and boundary for Lot 1 in a previously planned but unplatted location in Whitetail Run Subdivision. The location is within the City's three-mile plating jurisdiction allowing the city to require the dedication of right-of-way along the extension of the planned street grid. Staff recommends approval of the proposed plat.

21-24 **MOTION** - It was moved by Commissioner Sime and seconded by Commissioner Wenande to recommend approval of a plat of Lot 11, Whitetail Run, in the SE 1/4 of the NE 1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota. Dennis L. Christensen, President, Deerfield Truck and Equipment Company, owner. Location, North side of the 3900 Block of Buck Street.

VOTE - Voting "Aye" – all members present. Voting "Nay" – None.

MOTION – PASSED

MEETING SCHEDULE:

May 24th, 2021: City Commission reviews the plat and takes action.

Chairman Pier continued on with New Business to discuss a plat review of a Replat of Lots 6 and 8, Whitetail Run, in the SE 1/4 of the NE 1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota. Hereafter to be known as: Lot 12, Whitetail Run, in the SE 1/4 of the NE 1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota.

Dennis L. Christensen, President, Deerfield Truck and Equipment Company, owner. Address, 605 Deer Boulevard.

Dave Mingo stated the proposed plat formalizes the legal descriptions and boundary for Lot 1 in a previously planned but unplatted location in Whitetail Run Subdivision. The location is within the City's three-mile plating jurisdiction allowing the city to require the dedication of right-of-way along the extension of the planned street grid. Staff recommends approval of the proposed plat.

21-25 **MOTION** - It was moved by Commissioner Specht and seconded by Commissioner Wenande to recommend approval of a Replat of Lots 6 and 8, Whitetail Run, in the SE 1/4 of the NE 1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota. Hereafter to be known as: Lot 12, Whitetail Run, in the SE 1/4 of the NE 1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota. Dennis L. Christensen, President, Deerfield Truck and Equipment Company, owner. Address, 605 Deer Boulevard.

VOTE - Voting "Aye" – all members present. Voting "Nay" – None.

MOTION – PASSED

MEETING SCHEDULE:

May 24th, 2021: City Commission reviews the plat and takes action.

Chairman Pier continued on with New Business to discuss a plat review of Lot 15, Whitetail Run, in the NE 1/4 of the SE 1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota. Dennis L. Christensen, President, Deerfield Truck and Equipment Company, owner. Location, South side of the 3900 Block of Buck Street.

Dave Mingo stated the proposed plat formalizes the legal descriptions and boundary for Lot 1 in a previously planned but unplatted location in Whitetail Run Subdivision. The location is within the City's three-mile plating jurisdiction allowing the city to require the dedication of right-of-way along the extension of the planned street grid. Staff recommends approval of the proposed plat.

21-26 **MOTION** - It was moved by Commissioner Sime and seconded by Commissioner Mooney to recommend approval of a plat of Lot 15, Whitetail Run, in the NE 1/4 of the SE 1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota. Dennis L. Christensen, President, Deerfield Truck and Equipment Company, owner. Location, South side of the 3900 Block of Buck Street.

VOTE - Voting "Aye" – all members present. Voting "Nay" – None.

MOTION – PASSED

MEETING SCHEDULE:

May 24th, 2021: City Commission reviews the plat and takes action.

Chairman Pier continued on with New Business to discuss the plat review of a Replat of Lot K-2 and the East 158' of Parcel 2 of Lot K-1, in the N 1/2 of the NE 1/4 of Section 15, T93N, R56W of the 5th P.M., Yankton County, South Dakota, to be hereafter known as: Lots 1 and 2, Metz-Peterson Addition, in the N 1/2 of the NE 1/4 of Section 15, T93N, R56W of the 5th P.M., Yankton County, South Dakota. Mark and Sharlotte Peterson Trustees of the Mark and Shar Peterson Revocable Trust, owner. Address, 2804 W. 8th Street. Location, South side of the 3900 Block of Buck Street.

Dave Mingo stated the location is within the City's three-mile plating jurisdiction allowing the City to require the dedication of right-of-way along the extension of the planned street grid. Because of the topography of the area, it has been previously determined that standard north-south dedications are not practical or needed in alignments other than section lines. East 8th Street, which is also South Dakota Highway 52, provides the necessary right of way for transportation and utility purposes. Staff recommends approval of the proposed plat.

- 21-27 **MOTION** - It was moved by Commissioner Healy and seconded by Commissioner Specht to recommend approval of a Replat of Lot K-2 and the East 158' of Parcel 2 of Lot K-1, in the N 1/2 of the NE 1/4 of Section 15, T93N, R56W of the 5th P.M., Yankton County, South Dakota, to be hereafter known as: Lots 1 and 2, Metz-Peterson Addition, in the N 1/2 of the NE 1/4 of Section 15, T93N, R56W of the 5th P.M., Yankton County, South Dakota. Mark and Sharlotte Peterson Trustees of the Mark and Shar Peterson Revocable Trust, owner. Address, 2804 W. 8th Street. Location, South side of the 3900 Block of Buck Street.
VOTE - Voting "Aye" – all members present. Voting "Nay" – None.
MOTION – PASSED
MEETING SCHEDULE:
May 24th, 2021: City Commission reviews the plat and takes action.

OTHER BUSINESS:

Chairman Pier moved on to Other Business to discuss the April, 2021 Building Permit Report. The total, year to date valuation, at the end of April, 2021 was \$4,284,653.06. For comparison, the total, year to date valuation, at the end of April, 2020 was \$11,179,815.90.

ADJOURNMENT

- 21-28 **MOTION** – It was moved by Commissioner Specht and seconded by Commissioner Wenande to adjourn at 6:39PM.
VOTE – Voting "Aye" – all members present. Voting "Nay" – none.
MOTION – PASSED

Respectfully submitted,



Dave Mingo, Secretary