

Yankton County Planning Commission
November 14, 2017

The monthly meeting of the Yankton County Planning Commission was called to order by Chairperson Mike Welch at 6:00 p.m. on November 14, 2017.

Members present at call to order: Guthmiller, Kretsinger, Welch, Klimisch, Gudahl, Kettering, Bodenstedt, Sylliaasen, and Becker.

Members absent: Williams

This was the time and place to review and approve the minutes from October 10, 2017 and October 23, 2017.

Action 111417A: Moved by Becker, second by Kretsinger a continuance to December 12, 2017 for review of the October 10, 2017 minutes.

By voice vote, all members present voted aye.

Motion carried.

Action 111417B: Moved by Bodenstedt, second by Kretsinger to approve the October 23, 2017 as written.

By voice vote, all members present voted aye.

Motion carried.

This was the time and place for a working session for discussion regarding the Comprehensive Plan. Pat Garrity, Zoning Administrator, lead the discussion on Chapter Three. The Planning Commission reviewed the chapter and requested clarification on the taxing authorities, levies and revenues for Yankton County. Chapters One and Chapter Two drafts are available to the public.

This was the time and place for discussion regarding P. R. Olson. Applicant is requesting a variance of Maximum Accessory Structure Size Requirement from 1,200 sq. ft. with twelve (12) foot sidewalls to 3,360 sq. ft. with sixteen (16) foot sidewalls in a Moderate Density Rural Residential District (R-2) in Yankton County. Said property is legally described as Wubbens 2nd Addition, NW1/4, exc Lots H-1 & H-2, S6-T93N-R56W, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The E911 address is 43423 SD Hwy 50, Yankton, SD

Mr. Olson was not present at the hearing to present his application for a variance. The Planning Commission stated the applicant shall appear at the hearing to present the application.

Motion 111417C: Moved by Guthmiller, second by Becker to recommend a continuance to December 12, 2017 of the P.R. Olson application. The Planning Commission request the Zoning Administrator contact the applicant and state the applicant shall be present at the hearing.

By roll call vote, all members present voted aye.

Motion carried.

This was the time and place for discussion with Center Point Aggregates, Inc. Applicant is requesting a Conditional Use Permit to operate a Quarry (gravel) in an Agriculture District (AG) in Yankton County. Said property is legally described as S1/2, SW1/4, S3-T96N-R54W,

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hereinafter referred to as Turkey Valley Township, County of Yankton, State of South Dakota. The E911 address is 44922 292nd Street, Irene, SD.

James Werdel, representing Center Point Aggregates, Inc., stated the plan for the operation is to mine gravel veins until the supply is exhausted. The time period is estimated to be two (2) to three (3) years. The operation will haul gravel during daylight hours with minimal weekend activity. All trucks will meet weight limit requirements. The haul route is west on 292nd Street to 449th Avenue, then north to 291st Street. Most of the hauling is to Turner County, north of Yankton County roads. The Planning Commission discussed the application and stated the required information is documented, the South Dakota Department of Environment and Natural Resources mining permit is issued, the haul route is identified and the floodplain requirements will be monitored by the Floodplain Administrator.

No other comments, positive or negative, were received by the Zoning Administrator or presented at the public hearing.

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CONDITIONAL USE
Article 18, Section 1805

FINDINGS OF FACT

Applicant: Center Point Aggregates, Inc.

Parcel Number: 04.003.300.020

Legal description: S1/2, SW1/4, S3-T96N-R54W

Physical Address: 44922 292nd Street, Irene, SD

1. The applicant specifically cited the section of the zoning ordinance under which the conditional use is sought and has stated the grounds on which it is requested; Applicant requested CUP under Article 15, Section 1515 requirements to operate a quarry in an Agriculture District (AG) in Yankton County.
2. Notice of public hearing was given according to state and county law; The applicant mailed notifications letters to all owners of real property one-half mile buffer on November 2, 2017, 10 days prior to the PC hearing as supported by the affidavit. Legal notification was published on November 4, 2017 10 days before the Planning Commission meeting. The property was posted on November 7, 2017.
3. The public hearing shall be held. Any party may appear in person, or by agent or attorney; A public hearing was held at 7:15 pm on November 14, 2017. James Werdel, representing Center Point Aggregates, Inc., stated the operation plan is to mine gravel veins until the supply is exhausted. The time period is estimated to be two (2) to three (3) years. The operation will

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haul gravel during daylight hours with minimal weekend activity. All trucks will meet weight limit requirements. The haul route is west on 292nd Street to 449th Avenue to 291st Street. Most of the hauling is to Turner County, north of Yankton County roads.

The Planning Commission discussed the application and stated the required information is documented, the South Dakota Department of Environment and Natural Resources mining permit is issued, the haul route is identified and the floodplain requirements will be monitored by the Floodplain Administrator.

No other comments, positive or negative, were received by the Zoning Administrator or presented at the public hearing.

4. The Planning Commission shall make a finding and recommendation that it is empowered under the section of this ordinance described in the application to include:
 - A. Recommend granting of the conditional use;
 - B. Recommend granting with conditions; The Planning Commission recommends approval of the conditional use permit with conditions as stated in the findings.
 - C. Recommend denial of the conditional use.
5. Before any conditional use is decided, the Planning Commission shall make written findings certifying compliance with the specific rules governing individual conditional uses and that satisfactory provision and arrangement has been made concerning the following, where applicable:
 - A. Ingress and egress to property and structures thereon will not be negatively impacted; The ingress and egress is established with 292nd Street to 449th Avenue to 291st Street.
 - B. Off right-of-way parking and loading areas are not required nor will noise, glare or odor affect adjoining properties in the district; The applicant will provide sufficient dust control, operate in daylight hours and manage noise levels during operation.
 - C. Refuse and service areas are required; The applicant will provide sufficient refuse containers during the CUP time period
 - D. Utilities are available and compatible; All utilities are available and compatible
 - E. Screening and buffering are required; The area is large enough and sufficient buffers are present to be compatible in the neighborhood.
 - F. Exterior lighting will not cause glare nor affect traffic safety and is compatible with properties in the district; The hours of operation will be daylight only, no exterior lighting permitted.
 - G. Yards and open spaces have been met or exceeded; The area is large enough and sufficient buffers are present to be compatible in the neighborhood.
 - H. The use is compatible with adjacent properties and the granting of a conditional use will not adversely affect the public interest; The quarry will begin operation in summer 2017 and operate under the conditions until mining materials are depleted. The Conditional Use Permit includes the following conditions:
 1. The quarry mining license #17-1027 is current until July 31, 2018.
 2. The quarry will only haul and conduct business with materials from this quarry. No storage or off-site storage of any other materials will be allowed under this Conditional Use Permit.

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3. All future expansion of the mining operation will be monitored by the Floodplain Administrator to assure compliance with all regulations.

Action 111417D: Moved by Kettering, second by Guthmiller to recommend approval of a Conditional Use Permit, pursuant to Article 18, Section 1805 of the Yankton County Zoning Ordinance, based on Finding of Facts dated November 14, 2017, to operate a Quarry (gravel) in an Agriculture District (AG) in Yankton County. Said property is legally described as S1/2, SW1/4, S3-T96N-R54W, hereinafter referred to as Turkey Valley Township, County of Yankton, State of South Dakota. The E911 address is 44922 292nd Street, Irene, SD.

By roll call vote, all members present voted aye.

Motion carried.

Action 111417E: Moved by Kretsinger, seconded by Sylliaasen for adjournment.

By voice vote, all members present voted aye.

Motion carried.

The next meeting of the Yankton County Planning Commission will be held at 6:00 P.M. Tuesday, December 12, 2017.

Respectfully submitted:
Patrick Garrity AICP
Zoning Administrator