CALL TO ORDER

The regular meeting of the Lincoln County Planning Commission was called to order by Chairman Jongeling on November 15, 2021 at 6:30 p.m. in the Commission Meeting Room of the Lincoln County Courthouse.

ROLL CALL

Planning Commission members present were Collin Enstad, Wendi Hogan, Mark Johnson, Erik Scott, Michael Poppens (arrived at 6:32 p.m.), and Chairman Jerry Jongeling. Staff present were Toby Brown and Jennifer Cleveland.

APPROVAL OF THE MEETING MINUTES

1) Chairman Jongeling called for comments or corrections to the minutes. Hearing none, he asked for a motion to approve. A motion was made by Commissioner Scott and seconded by Commissioner Enstad to approve the meeting minutes from October 18, 2021. A roll call vote was taken. Yeas: Enstad, Hogan, Johnson, Scott, Poppens, Jongeling. Nays: None. Motion carried.

APPROVAL OF THE MEETING AGENDA

Chairman Jongeling asked if there were any changes to the meeting agenda. No one proposed any changes. A motion was made by Commissioner Johnson and seconded by Commissioner Hogan to approve the meeting agenda. A roll call vote was taken. Yeas: Enstad, Hogan, Johnson, Scott, Poppens, Jongeling. Nays: None. Motion carried.

PUBLIC INPUT ON NON-AGENDA ITEMS

Chairman Jongeling opened the floor for public comment and no one moved to speak.

OLD BUSINESS

No unfinished business was discussed.

PUBLIC HEARINGS

1) Toby Brown presented a brief summary of the staff report. Leonard Decker was present on behalf of Grand Valley Properties to discuss the application. He noted that the building would be used for storage of materials. Mr. Decker acknowledged neighbor concerns regarding traffic and stated the structure would decrease traffic by keeping materials onsite. Chairman Jongeling opened the floor for public comment. Ethan Roepke spoke in opposition and stated that he felt the business increased road traffic, wear/tear on the roads, and negatively affects livestock and property values. Heidi Solem spoke against the application stating neighbor disturbances including all hours of the day/night traffic, noise, vibrations, and jake braking from trucks. Tony Ventura spoke in opposition to the application. Mr. Ventura believes the existing off-premise signage and on-site parking may not meet the current Zoning Ordinance. Hearing no additional comments, Chairman Jongeling closed the floor to public comment. A motion was made by Commissioner Scott and seconded by Commissioner Poppens to recommend approval of the rezone application. Commissioner Scott expressed concerns regarding the application relating to how it fits within the Comprehensive Plan, wear/tear on the township roads, and the platting of the property. Commissioner Scott further commented that he believes industrial and commercial uses should be guided to the municipalities. Commissioner Jongeling commented that he agreed with Commissioner Scott and noted that concerns that were brought up by the public regarding traffic, signs, and lighting would be addressed by the subsequent Conditional Use Permit, if

approved. Commissioner Hogan commented that she believed they needed to honor the intent of the Comprehensive Plan and preserve agricultural land. A roll call vote was taken. Yeas: None. Nays: Enstad, Hogan, Johnson, Scott, Poppens, Jongeling. Motion failed.

2) Toby Brown presented a brief summary of the staff report. Kris Huwe was present on behalf of Double H Land Company to discuss the application. Commissioner Scott asked the applicant questions regarding the history of the business/property. Commissioner Poppens asked the applicant some questions regarding concerns relating to the existing business. Chairman Jongeling opened the floor for public comment. Drew Deneui spoke in opposition to the application. Mr. Denui commented that he believes the existing business is detrimental to the property and health of surrounding residents. Betty Otten spoke in opposition to the application, citing health concerns relating to the dust caused by the current business. She also expressed concerns regarding road impacts caused by traffic to and from the existing business. Toby Brown read a letter received from Kevin Wheeler expressing concerns regarding the application relating to noise, dust, and hours of operation. Hearing no additional comments, Chairman Jongeling closed the floor to public comment. A motion was made by Commissioner Poppens and seconded by Commissioner Scott to recommend approval of the rezone application. Commissioner Scott commented that the area currently is a mixture of uses, including residences, commercial and light industrial businesses. He further commented that the Board needed to look long-term at the future uses and development of the area. Commissioner Poppens stated that the application is for the rezoning of the land only and concerns relating to the existing business would be reviewed during the subsequent Conditional Use Permit application, if the rezone is approved. A roll call vote was taken. Yeas: Enstad, Hogan, Johnson, Scott, Poppens, Jongeling. Nays: None. Motion carried.

3) Toby Brown presented a brief summary of the staff report. Mr. Brown stated that the application meets the intent of the zoning ordinance, contingent upon the following conditions: 1) The Conditional Use Permit applies only to the placement of a manufactured home on the subject property. The Conditional Use Permit only applies to the subject property of Tract 2, Blumer's Addition, NE1/4 NW1/4, Section 23-T96N-R50W. 2) A building/septic system permit shall be obtained prior to placement of the manufactured home. 3) The manufactured home must comply with all requirements of Article 12.05(C) of the 2009 Revised Zoning Ordinance for Lincoln County. Shawn Giedd was present to discuss the application. Chairman Jongeling opened the floor to public comment. Ron Christensen spoke in opposition to the application, stating concerns regarding the age of the manufactured home and the effects on surrounding property values. Hearing no additional comments, Chairman Jongeling closed the floor to public comment. A motion was made by Commissioner Poppens and seconded by Commissioner Hogan to approve the application with the staff report's recommended conditions. A roll call vote was taken. Yeas: Enstad, Hogan, Johnson, Scott, Poppens, Jongeling. Nays: None. Motion carried.

4) Toby Brown presented a brief summary of the staff report. Jason Walsh was present to discuss the application. Mr. Walsh stated there would be 62 lots in the development and that all homes are planned to be in the price range of $500,000 to $1 million +. He further noted there would be a Homeowners Association formed for the development

and the roads maintained by that Homeowners Association. Commissioner Scott inquired about the development connecting to other developments in the area and expressed concern about the City of Tea growth and random developments being built that don't connect to each other. Aaron Norman, Norman Engineering and Surveying, was present to discuss the development and answer questions. He discussed the detention ponds planned, drainage, road accommodations made, and the planned elevations of the future homes in relation to the detention ponds. Mr. Norman requested three modifications to their request: 1) Change the name of the development from Spielman Addition to Prairie Acres. 2) Changes in ingress/egress to allow potential future access to the property to the south. 3) Change the location of access onto 272nd Street (requesting to curve it slightly so the entire access is on their property). Chairman Jongeling opened the floor to public comment. Don McLeer spoke about current water issues on his property and concerns regarding how the proposed development may affect his property. Hearing no additional comments, Chairman Jongeling closed the floor to public comment. A motion was made by Commissioner Hogan and seconded by Commissioner Enstad to recommend approval of the preliminary plan to the Board of Commissioners with the three requested modifications. A roll call vote was taken. Yeas: Enstad, Hogan, Johnson, Scott, Poppens, Jongeling. Nays: None. Motion carried.

NEW BUSINESS

Toby Brown discussed the annual work session with the Board of Commissioners. Mr. Brown stated that he would request the work session take place prior to the regular meeting in December. No other new business was discussed.

ADJOURNMENT

A motion was made to adjourn the meeting at 8:08 p.m. by Commissioner Poppens and seconded by Commissioner Enstad. A voice vote was taken. Yeas: All. Nays: None. Motion carried.