CALL TO ORDER

The regular meeting of the Lincoln County Planning Commission was called to order by Chairman Jongeling on June 20, 2022 at 6:30 p.m. in the Commissioner's Meeting Room of the Lincoln County Courthouse.

ROLL CALL

Planning Commission members present were Collin Enstad, Scott Green, Mark Johnson, Erik Scott, Mike Poppens (arrived at 6:38p.m.), and Jerry Jongeling. County staff present were Toby Brown and Jen Cleveland.

APPROVAL OF THE MEETING MINUTES

1) Chairman Jongeling asked if there were any changes to the meeting minutes from May 16, 2022. No one proposed any changes. A motion was made by Commissioner Scott and seconded by Commissioner Green to approve the meeting minutes from May 16, 2022. A roll call vote was taken. Yeas: Enstad, Green, Johnson, Scott, 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 Scott and seconded by Commissioner Enstad to approve the meeting agenda. A roll call vote was taken. Yeas: Enstad, Green, Johnson, Scott, and Jongeling. Motion carried.

PUBLIC INPUT ON NON-AGENDA ITEMS

Chairman Jongeling opened the floor for public comment on non-agenda items. Hearing none, he closed the floor to public comment on non-agenda items.

OLD BUSINESS

No old business was discussed.

PUBLIC HEARINGS

1) Toby Brown introduced the application and presented a brief summary of the staff report. Lance Pollman and Gaard Rops were present on behalf of the applicant to speak and answer questions. Chairman Jongeling opened the floor to public comment. Hearing none, he closed the floor. A motion was made by Commissioner Poppens and seconded by Commissioner Green to recommend approval of the rezone. A roll call vote was taken. Yeas: Enstad, Green, Johnson, Scott, Poppens, Jongeling. Nays: None. Motion carried.
2) Toby Brown introduced the application and presented a brief summary of the staff report. Avery Zahn was present to speak and answer questions. Chairman Jongeling opened the floor to public comment. A motion was made by Commissioner Scott and seconded by Commissioner Green to recommend approval of the rezone. A roll call vote was taken. Yeas: Enstad, Green, Johnson, Scott, Poppens, Jongeling. Nays: None. Motion carried.
3) Toby Brown introduced the application and presented a brief summary of the staff report. Kevin Wheeler was present to speak and answer questions. Chairman Jongeling opened the floor to public comment. Terry Mark, 47014 Teri Lane, spoke in favor of the application. Hearing no additional comments, Chairman Jongeling closed the floor to public comment. A motion was made by Commissioner Green and seconded by

Commissioner Johnson to approve with the following 8 conditions:
1. That the property conforms to the site plan dated May 5, 2022.
2. That the retail sales of fireworks must abide by all applicable South Dakota laws and regulations.
3. That the retail sales of fireworks may only be marketable for nine (9) days per calendar year.
4. That no parking or stacking of vehicles shall be allowed in the right-of-way at any time.
5. That there shall be no indication of offensive noise, odor, smoke, dust or glare at or beyond the property line.
6. That all access to public roads must be approved by the appropriate road authority.
7. That appropriate building permits shall be obtained.
8. The applicant must come back for review in 3 years.

Following discussion, a subsequent motion was made by Commissioner Scott and seconded by Commissioner Poppens to amend the motion, revising the 8th condition to review after 2 years. A roll call vote was taken for the amendment to the motion. Yeas: Enstad, Scott, Poppens, Jongeling. Nays: Johnson, Green. Motion carried.

A roll call vote was taken to approve the original motion with the following 8 amended conditions:
1. That the property conforms to the site plan dated May 5, 2022.
2. That the retail sales of fireworks must abide by all applicable South Dakota laws and regulations.
3. That the retail sales of fireworks may only be marketable for nine (9) days per calendar year.
4. That no parking or stacking of vehicles shall be allowed in the right-of-way at any time.
5. That there shall be no indication of offensive noise, odor, smoke, dust or glare at or beyond the property line.
6. That all access to public roads must be approved by the appropriate road authority.
7. That appropriate building permits shall be obtained.
8. The applicant must come back for review in 2 years.

Yeas: Enstad, Green, Johnson, Scott, Poppens. Nays: Jongeling. Motion carried.

4) Toby Brown introduced the application and presented a brief summary of the staff report. John C. Kehoe Sr. was present to speak and answer questions. Chairman Jongeling opened the floor to public comment. Christopher and Amanda Kehoe, 316 E. Willow St, spoke in favor of the application. Hearing no additional comments, Chairman Jongeling closed the floor to public comment. A motion was made by Commissioner Poppens and seconded by Commissioner Enstad to approve the application with the following conditions:

1. That the property conforms to the site plan dated May 3, 2022.
2. That the Conditional Use Permit applies only to the transfer of one (1) building eligibility from the from the W1553' of NW1/4, Section 16-T99N-R49W Dayton Township to Tract 1, Kehoe Addition, SW1/4, Section 16-T99N-R49W Dayton Township
3. That all access to public roads must be approved by the appropriate road authority.
4. That a right-to-farm notice covenant shall be placed on the deed prior to the issuance

of a building permit for a single-family dwelling.
5. That appropriate building permits shall be obtained.

A roll call vote was taken. Yeas: Enstad, Green, Johnson, Scott, Poppens, Jongeling. Nays: None. Motion carried.

NEW BUSINESS

1) Toby Brown and the Planning Commission members discussed the public input on building eligibility transfers received during the last two regular planning commission meetings. No action was taken.

2) Toby Brown updated the Planning Commission regarding the Board of Commissioners decisions regarding the appeal of Conditional Use Permit USE-0008-2022 (Primo Feedyards, LLC), the Rezoning RZNE-0012-2022 (John Schwartlze), and the Preliminary Subdivision Plan PLAT-0013-2022 (Long Meadows Estates at Spring Creek Addition).

ADJOURNMENT

A motion was made by Commissioner Green and seconded by Commissioner Enstad to adjourn the meeting at 8:23 p.m. A voice vote was taken. Yeas: All. Nays: None. Motion carried.