

**HARRISBURG PLANNING COMMISSION  
APPROVED MINUTES OF THE REGULAR MEETING OF APRIL 13, 2015  
HELD AT 6:00 P.M. IN THE HARRISBURG CITY HALL CONFERENCE ROOM**

**CALL TO ORDER**

Chairman Bicknase called the meeting to order at 6:00 p.m.

Members present: Bicknase, Kindt, Swenson, Tank, VanOrmer (at 6:25), and Woodson  
Others present: McMahon and 9 guests.

**APPROVAL OF AGENDA**

1. To approve the agenda for the April 13, 2015 regular meeting.

Tank moved, with Kindt seconding, to approve the agenda as presented. The motion was approved by a unanimous vote.

**OLD BUSINESS**

2. Approval of the minutes of the Commission meeting of March 10, 2015.

Swenson moved, with Tank seconding, to approve the minutes of March 10, 2015. The motion was approved by a unanimous vote.

**PUBLIC HEARINGS**

3. A Public Hearing has been scheduled for 6:05 p.m. to accept public input on a Zoning Amendment Application by Rodney and Doreen Pattison to rezone from GB-General Business District to R-1 Single Family Residential District the property described as Lot 1 of Tract 2 of the Harvest Acres Addition to the City of Harrisburg which is addressed as 303 West Maple Street.

Chairman Bicknase called the Public Hearing to order at 6:05 p.m. McMahon provided information on the location of the property and surrounding zoning. Mr. and Mrs. Pattison were present to answer questions from the Commission. Chairman Bicknase closed the Public Hearing at 6:14 p.m.

4. A Public Hearing has been scheduled for 6:15 p.m. to accept public comment on a City Comprehensive Plan amendment to revise the City's Major Street Plan.

Chairman Bicknase called the Public Hearing to order at 6:15 p.m. McMahon provided the map of the revised Major Street Plan and answered questions from the Commission. No public input was offered. Chairman Bicknase closed the Public Hearing at 6:20 p.m.

5. A Public Hearing has been scheduled for 6:30 p.m. to accept public comment on a Preliminary Plan and a Planned Unit Development Conditional Use Permit for Greyhawk Estates, located in the SE¼ of Section 1, T99N, R50W, 5<sup>th</sup> P.M., City of Harrisburg, Lincoln County, South Dakota.

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Chairman Bicknase called the Public Hearing to order at 6:30 p.m. McMahon provided the proposed Preliminary Plan and information on the Planned Unit Development application. Brad Meyer and his engineer, Eric Willadsen, were present to answer questions. Ryan Beier and Clayton Sonnenschein, residents of Greyhawk Addition Phase 2, were present and expressed concerns about the impacts of smaller lot sizes behind their homes (located on the south side of Ash Grove Street). Both stated that there have been ongoing nuisance issues on this property due to noxious weeds and trespassing by ATV's. Both expressed their frustration with the broken promises of the original developer about how this area would be developed. The Commission asked many questions of Mr. Meyer. Chairman Bicknase closed the Public Hearing at 7:05 p.m.

**NEW BUSINESS**

6. Recommendation to the City Council on the Zoning Amendment Application by Rodney and Doreen Pattison to rezone from GB-General Business District to R-1 Single Family Residential District the property described as Lot 1 of Tract 2 of the Harvest Acres Addition to the City of Harrisburg which is addressed as 303 West Maple Street.

Tank moved, with Swenson seconding, to recommend to the City Council that the rezone from GB-General Business District to R-1 Single Family Residential District the property described as Lot 1 of Tract 2 of the Harvest Acres Addition to the City of Harrisburg be adopted. The motion was approved by a unanimous vote.

7. Approval of the revised Major Street Plan and recommendation to the City Council that the City's Comprehensive Plan be amended by adopting the revised Major Street Plan.

Tank moved, with Kindt seconding, to approve the revised Major Street Plan as presented and to recommend to the City Council that the City's Comprehensive Plan be amended by adopting the revised Major Street Plan. The motion was approved by a unanimous vote.

8. Review and recommendation to the City Council on the Planned Unit Development General Development Plan for Greyhawk Estates, located in the SE $\frac{1}{4}$  of Section 1, T99N, R50W, 5<sup>th</sup> P.M., City of Harrisburg, Lincoln County, South Dakota.

McMahon presented the staff recommendation on the PUD to the Commission. There was extensive discussion with Mr. Meyer with input from the two neighbors. Tank moved, with Kindt seconding, to recommend to the City Council that the Planned Unit Development General Development Plan for Greyhawk Estates be approved subject the following revised conditions:

1. That the following three findings are made:
  - A. The proposed PUD is in conformance with the comprehensive plan.
  - B. The uses proposed for this PUD will not have an undue and adverse impact on the reasonable enjoyment of neighboring property and will not be detrimental to potential surrounding areas.

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- C. The proposed development, as it is proposed to be completed, is of sufficient size, composition, and arrangement that its construction, marketing, and operation are feasible as a complete unit, and that provision and construction of dwelling units and common open space are balanced and coordinated.
2. That the proposed reductions in lot frontage and lot area be allowed within the PUD area.
  3. That the proposed reduced setbacks be allowed within the PUD area.
  4. That the proposed right-of-way width reduction and street pavement width reductions be allowed on Birch Street, Sierra Street, Aspen Avenue, Acadia Street west of Linden Avenue, Greyhawk Court south of Birch Street, and Linden Avenue (provided that a no-access easement be shown on the plat along Linden Avenue from the north edge of this subdivision to the Acadia Street intersection).
  5. That no screening berms or vegetation be required between Subarea C and surrounding areas.
  6. That the City accepts the dedication of Lot 26 and NRC-zoned area to be sufficient to meet the City's Open Space fee/dedication requirements.
  7. That all homes built or moved into the PUD area shall have permanent foundations that meet the City's adopted Building Codes.

The motion was approved by a unanimous vote.

9. Review and recommendation to the City Council on the Preliminary Plan for Greyhawk Estates, located in the SE¼ of Section 1, T99N, R50W, 5<sup>th</sup> P.M., City of Harrisburg, Lincoln County, South Dakota.

McMahon presented the staff recommendation on the Preliminary Plan to the Commission. There was extensive discussion with Mr. Meyer with input from the two neighbors. Tank moved, with Kindt seconding, to recommend to the City Council that the Preliminary Plan for Greyhawk Estates be approved subject the following revised conditions:

1. That the Planned Unit Development General Development Plan for this property be first approved by the City Council.
2. That the corrections noted in the City Engineer's General Comments be made to the Preliminary Subdivision Plans as well as correcting the Plans title to conform to the Plan Application (Greyhawk Estates) and the heading for Subarea C on Page 1.
3. That the subdivision layout be accepted as complying with the zoning approved by the City as shown on the Zoning Exhibit.
4. That the proposed reduced width for Linden Avenue be allowed for its full length through the development provided that a no-access easement be placed on the lots abutting Linden Avenue from the north edge of the development to the Acadia Street intersection.
5. That the Preliminary Subdivision Plans be modified to provide for a 37' wide pavement width and 66' wide right-of-way width on Acadia Street from Linden Avenue to 476<sup>th</sup> Avenue as recommended by the City Engineer in Further Recommendation #15.

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6. That, in lieu of the City Engineer's recommendation (#13) for an escrow deposit by the developer for future improvements to 274<sup>th</sup> Street and 476<sup>th</sup> Avenue, the developer pay half the cost of constructing Linden Avenue and Greyhawk Court from the current end of pavement to the beginning of pavement on this property as well as half the cost of any needed water or sewer mains to connect Phase 2 of Greyhawk Addition to Greyhawk Estates and that the Preliminary Plans and construction plans show this area and these improvements.
7. That the City Council agrees to reimburse the developer for half of the costs of the improvements noted in Item 6, above.
8. That the Preliminary Plans and Final Plat(s) be modified to show and note that a no-access easement will exist along 274<sup>th</sup> Street and 476<sup>th</sup> Avenue except at public rights-of-way and the current access to the City's lift station.
9. That one lot be removed from Block 6 between Lots 17 and 25 and that one lot be added to Block 4 between Lots 19 and 25.

The motion was approved with Swenson voting nay and all others voting in favor of the motion.

**10. Discussion of revised off-street parking regulations.**

The Commission discussed various alternative revisions to off-street parking regulations for residential properties without reaching a decision. This item will be placed on the May Commission agenda for further discussion. Jarrod Johnson and his tenant were present to discuss the notice they received about a camper parked next to the building at 310 Main Street on a concrete pad (the property is zoned CB-Central Business District). Johnson provided information that showed he had purchased the property and changed the use to a contractor's shop before the parking regulations were revised. He asked that this property be considered as legally non-conforming under the zoning regulations. After extensive discussion, Swenson moved, with VanOrmer seconding, to recognize that the contractor yard use of the property at 310 Main Street is a legally non-conforming use under the Zoning Regulations, provided that all outdoor storage and parking is located behind the new privacy fence. The motion was approved by a unanimous vote.

**GUEST INPUT**

**ADMINISTRATIVE REPORTS AND COMMISSION INPUT**

**11. Building and development activity report for March, 2015.**

McMahon provided reports on March building and development activity.

**12. Report on Subdivision Regulations revisions.**

McMahon reported that the proposed Subdivision Regulations have been revised to include changes suggested by the City Engineer and that the City Council has referred the revised Regulations back to the Commission for a new Public Hearing and review. This will be on the Commission's May agenda.

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McMahon notified the Commission that the semi-annual joint Council/Commission meeting will be held on May 18. The Commission also discussed moving their regular meetings from the second Monday to second Tuesday of each month due to schedule conflicts of several members. Tank moved, with Kindt seconding, to hold the May Commission meeting on Tuesday, May 12 and subsequent meetings will be held on the second Tuesday of each month. The motion was approved by a unanimous vote.

**ADJOURNMENT**

Tank moved, with Swenson seconding, to adjourn. The motion was approved by a unanimous vote. The Commission meeting adjourned at 9:27 p.m.

Respectfully submitted,

Michael McMahon  
Planning & Zoning Administrator