

**MINUTES
PIERRE CITY PLANNING COMMISSION MEETING
COMMISSION ROOM
MONDAY, JULY 26, 2021 5:35 P.M.**

Members present were: Stacy Bartlett, Rick Dockter, Emeline Hoblick, Terry Keller, Bill Markley, Laurie Schultz and Dave Templeton.

Staff members present: Sharon Pruess, John Childs & Nick Waters.

Guests present: Cathy Sonnenschein & Maria Vazquez by phone.

Chairman Templeton called the meeting to order at 5:50 p.m. The first item on the agenda is approval of the 6/28/21 minutes. Commissioner Hoblick made a motion to approve the 6/28/21 minutes. Commissioner Schultz seconded the motion. All members voted to approve the minutes.

Agenda Item: Public Hearing – Conditional Use Permit for a contractor shop/storage units in the 2500 Block of E. Humboldt Street. Petitioners – Dakota Storm Roofing/Antelmo & Maria Vazquez.

Sharon Pruess, City Planner, provided a summary of the proposal. The property owners are proposing to purchase the vacant lot at the southwest corner of Garfield Avenue and Humboldt Street. They are proposing to construct new buildings for their business - Dakota Storm Roofing. The buildings would include a business office, contractor shop and storage units for lease. The contractor shop and storage units would require a conditional use permit in Local Business zoning. The petitioners have obtained signatures from 7 of the 8 adjacent property owners indicating they have no objection to the conditional use permit. The proposal includes a screening fence along the west boundary of the property to screen the contractor shop/storage use from the single family residential use. The proposal also includes office space along Garfield Avenue with the contractor shop/storage to the rear or west side of the property. The property is adjacent to the U.S. Highway 14 Truck Bypass which makes it very visible to the traveling public. The city staff recommended keeping equipment behind the buildings and all materials within the buildings, which can be considered as a condition of the permit. The City advised that access to the Truck Bypass would require approval from the DOT. This neighborhood is a mix of office, commercial and residential use. A public notice has been sent to 10 adjacent property owners and a notice has been published in the newspaper. The conditional use permit is subject to input from the neighbors and the public at the public hearing. The city staff recommended keeping equipment behind the buildings and all materials within buildings, which can be considered as a condition of the permit. Pruess noted that Maria Vazquez had done a great job getting out and reviewing her plans with the neighbors and was successful at obtaining 7 signatures from the 8 adjacent property owners.

Commissioner Dockter asked how big their proposed buildings are going to be. Maria Vazquez participated by phone and said that depends on the required setbacks for their buildings. They want to use as much space on the lot as they can. Commissioner Bartlett asked if Oahe Incorporated, the only party that did not sign the petition, was contacted. Maria said they had a couple of phone numbers for contacts. She said the party that was managing the building is no longer managing the building and suggested that Maria send a letter to the mailing address for

Oahe Inc. She said that no one could provide her with a contact name for Oahe Inc. She sent a certified letter to Oahe Inc. at their mailing address and did not hear back from anyone.

Commissioner Dockter said that it sounded like the Vazquez's had done a great job with their due diligence and made a motion to recommend approval of the conditional use permit for a contractor shop-storage units in the Local Business zoning district in the 2500 block of East Humboldt Street. Commissioner Markley seconded the motion. Approval was unanimous.

Agenda Item: Discussion – Zoning for Medical Marijuana Establishments.

Sharon Pruess, City Planner, provided an update on the medical marijuana issue. She noted that a draft of the medical marijuana ordinance had been sent out in the packets. The draft ordinance limits the cannabis establishments to the business and industrial zones. The only distance requirement in the ordinance is for 1,000 feet from public or private schools as required by state law. Pruess passed out a copy of the zoning map showing the schools with 1,000 foot circles around them. She noted that the distance requirement for schools eliminates some large areas of the community. So the City working group was recommending not to impose any additional requirements for distance. At their last meeting the City Planning Commission discussed locating manufacturing facilities in Local Business zoning. The Commission had noted that it may be appropriate on the truck route but not on Sioux Avenue or Euclid Avenue. So manufacturing facilities were removed from the Local Business zoning district. This leaves testing facilities and dispensaries listed as permitted uses in Local Business zoning. Pruess noted that she had drafted the zoning portion of the ordinance for cannabis establishments and the finance office was working on drafting the ordinance for the licensing requirements for cannabis establishments. Pruess said that she did ask her boss and his boss about stakeholder and public information meetings as brought up by the Planning Commission at the last meeting. She said that there will be public meetings at the Planning Commission and City Commission level. The direction was that since the City is not imposing additional distance requirements from other uses (churches, residences, parks, libraries, daycare facilities, other cannabis dispensaries, etc.) or other requirements that the public hearings should provide adequate public input. Pruess noted that since the state has shortened the timeline to pass their rules by October 4th instead of October 29th the staff is looking at scheduling a special public hearing on August 9th for the proposed ordinance on cannabis establishments.

Commissioner Keller asked if the Commission should be considering having a distance requirement between cannabis establishments. Commissioner Templeton said he looked at it like liquor licensing and there is no required distances between liquor establishments. Commissioner Markley asked about distance requirements for daycares. Pruess noted that this issue was brought up by the City's working group. The police department weighed in and said that registered sex offenders are not required to be any distance from daycares. So a distance requirement from daycares was not recommended by the city working group. The Commission brought up the library and YMCA and any need for distance requirements. It was noted that these two agencies are really close to Riggs High School so state law would require at least 1,000

feet from Riggs High School. It was noted at the bottom of page 6 of the draft ordinance that the word “not” should be added to “or imprisoned for **not** more than thirty (30) days.”

Old or New Business/Public Comment Period per SDCL 1-21-1

There was no additional old or new business. Chairperson Templeton asked if anyone in the audience would like to make any public comment. Commissioner Markley asked about the prior Planning Commission hearing on the City’s snow storage site. He asked if there were any plans for developing that site. Pruess noted that there are no plans to make that area into a park. The City’s Comprehensive plan indicates that the park resources will be utilized to connect northern portions of the community with bike and trail systems to the riverfront area of the community. She noted that a large portion of the snow storage site is in a flood plain so residential or commercial development in the flood plain in that area is not recommended. Chairperson Templeton closed the public comment period.

Adjourn

With no further business, Commissioner Keller made a motion to adjourn, seconded by Commissioner Bartlett. All commissioners voted to approve the motion. Chairman Templeton declared the meeting adjourned at 6:10 p.m.

Minutes by Sharon Pruess.