

**MINUTES OF THE JOINT MEETING OF
LINCOLN COUNTY & SIOUX FALLS PLANNING COMMISSIONS
November 8, 2017**

COUNTY PLANNING COMMISSION MEMBERS PRESENT: Monty Derausseau, Ron Larson, Ron Albers, Darwin Sogn, Gary Pashby, and Tyler Klatt

CITY PLANNING COMMISSION MEMBERS PRESENT: Steve Gaspar, Larry Luetke, Katherine Fiegen, Sean Ervin, and Kurt Johnson

STAFF PRESENT: Toby Brown & Joan Doss - County Planning Jason Bieber - City Planning

PUBLIC PRESENT (sign-in sheet): Reggie Kuipers.

The County Planning Commission was chaired by Monty Derausseau who presided over the meeting. The City Planning Commission was chaired by Kurt Johnson.

1. CALL TO ORDER

A joint meeting of the County and City Planning Commissions was held on November 8, 2017 at 7:00 p.m. in the Commission Meeting Room of the Lincoln County Courthouse. County Planning Commission Chair Monty Derausseau called the meeting to order at 7:00 p.m.

2. APPROVAL OF AUGUST 9, 2017 MINUTES

A motion was made for the County by Pashby, and seconded by Albers, to approve the meeting minutes for August 9, 2017. The motion passed unanimously. Same motion was made for the City by Ervin and seconded by Luetke. The motion passed unanimously.

3. APPROVAL OF AGENDA

A motion was made by the County by Albers and seconded by Klatt to approve the meeting agenda for November 8, 2017. The motion passed unanimously. Same motion was made for the City by Fiegen and seconded by Ervin. The motion passed unanimously.

4. CONDITIONAL USE PERMIT #17-JJ-CUP-008: Request for review and approval of a Conditional Use Permit proposing to exceed 20,000 square feet of total warehouse building area – requesting 16,100 for a total of 31,050 on the premises. The property is zoned “I-1” Light Industrial District and is legally described as Tract 1 Deeb Addition in the Southeast quarter (SE1/4) of Section 21, Township 100 North, Range 50 West of the 5th Principal Meridian, Lincoln County, South Dakota.

Petitioner: Reggie Kuipers

Owner: SFSD LLC

Location: 47280 271st Street – Sioux Falls

Staff Analysis: Toby Brown

The petitioner is proposing to exceed 20,000 square feet of total warehouse (mini-warehouse storage) building area – requesting 16,100 for a total of 31,050 on the premises. Staff has developed the following opinions for this proposal:

1. The seven (7) acre site was subdivided from a larger parent tract and rezoned from “A-1” Agricultural District to “I-1” Light Industrial District in 2016.
2. A building permit was issued in 2016 for two (2) mini-warehouse storage buildings totaling 14,950 square feet (13 foot wall height) and an office.
3. The subject property falls under the City of Sioux Falls Subdivision Regulations. The City of Sioux Falls waived the preliminary plan requirements because the initial plan only showed two buildings being proposed and no plans showed on-site utilities.
4. The applicant is currently proposing to construct two (2) more mini warehouse totaling 16,100 (13 foot wall height) square feet.
5. The proposed mini-warehouse storage use is consistent with the minimum standards set forth in the Joint Zoning Regulations for Lincoln County and the City of Sioux Falls.
6. The proposed mini-warehouse storage use will not substantially impair the appropriate use or development of adjacent property.

7. Staff from the City of Sioux Falls had no objection to the proposal as long as future uses/phases can meet the City's Engineering Design Standards at the time of development.

Section 19.07 of the Joint Zoning Regulations for Lincoln County and the City of Sioux Falls provides review criteria for conditional use permits. The following is a transcript of the applicant's responses to the standards.

A. The impact of the proposed use on adjacent properties shall be a major consideration. The proposed use should be generally compatible with adjacent properties and other properties in the district.

Petitioner Response: *The conditional use would allow us to add more storage unit buildings that are similar to the buildings already on site.*

B. Measures shall be taken to ensure that the proposed use does not alter the general character of the area or neighborhood.

Petitioner Response: *We would build comparable buildings to the existing structures. They would have the same finishes and heights.*

C. The effects of noise, odor, traffic, air and water pollution, and other negative factors shall be eliminated or controlled through the use of screening, setbacks, and orientation.

Petitioner Response: *There should be no noise or odor generated as well as no air or water pollution. Traffic would be minimally affected as more potential tenants could be on site. We will comply with all setback requirements*

D. The proposed use shall not adversely affect the public.

Staff Finding: As conditioned, staff does have concerns about storm water drainage from the seven acre site; as such, City Engineering is working with the applicant to complete a basin wide drainage study and then a drainage plan to comply with said study. At this time staff believes that the proposed conditional use will not be detrimental to the public health, safety, and welfare, nor will it pose a threat to surrounding properties or improvements

Recommendation: Staff recommends that the Planning Commissions approve the proposed Conditional Use Permit, subject to the following recommended Conditions of Approval and any modifications that result from the Planning Commissions' deliberations.

1. Development shall be in accordance with the "Store Sioux Falls" site plan dated 10-17-17.
2. The total building floor area of the development shall not exceed 31,050 square feet.
3. Prior to issuance of the Final Inspection, the applicant shall have the final site plan approved by the City of Sioux Falls and submit an as-built to the City Engineer.
4. A landscape strip shall be provided along 271st Street/Hwy 106 frontage. This landscape strip shall include a minimum of one (1) canopy tree every twenty-five (25) feet of frontage. Each canopy tree must measure a minimum of one and one-half (1 ½) in diameter at a point measured four feet six inches (4'6") off the ground.
5. No unscreened outdoor storage is permitted and the property shall be neat and orderly at all times.
6. All exterior lighting fixtures shall be shielded so as not to illuminate into adjoining properties.
7. The applicant shall not deposit any snow or improperly direct water onto neighboring properties so as to constitute a nuisance.
8. No business activity other than leasing of storage units shall be conducted on the premises.
9. If at any time the business ceases to exist, changes ownership, or changes use, the owner shall notify County Planning Staff.
10. The Planning Department or designated official(s) reserves the right to enter and inspect the property at any time, after proper notice to the owner, to ensure that the property is in full compliance with the conditional use permit conditions of approval and the Joint Zoning Regulations for Lincoln County and the City of Sioux Falls.

Public Comment and Discussion:

Toby Brown presented the staff report, and noted the parcel was rezoned in 2016, and the two existing buildings were permitted uses since it was below the threshold for a conditional use permit. He also noted there have been concerns from neighbors about the visual impact. Johnson asked for clarification of "neat and orderly". Toby noted it was general terminology, and if a complaint was filed, the commission would be decide if a violation has occurred.

Reggie Kuipers, the petitioner, noted this was phase two of development of the lot. Albers asked if there were drainage concerns. Reggie noted the detention ponds on the site plan and said the project engineer feels it is

sufficient. Pashby asked about fencing. Reggie noted they would use 8-foot chain link, with possibly barbed wire on top. Derausseau asked if Reggie understood the conditions, and Reggie confirmed his understanding.

Commissioner Derausseau, seeing no public in attendance for comment, he asked for discussion from the board.

Gaspar noted he liked the revised spacing of the trees from the original staff report, and felt that 25-feet would work well.

Action:

A motion was made for the County by Pashby to approve the Conditional Use Permit #17-008 with the recommended conditions, and was seconded by Sogn. The motion passed unanimously. The same motion was made for the City by Gaspar, and was seconded by Luetke. The motion passed unanimously.

Conditional Use Permit #17-008 – Approved

5. OTHER BUSINESS

6. ADJOURNMENT

A motion was made for the County by Sogn, and was seconded by Larson to adjourn at 7:20pm. The motion passed unanimously. Same motion was made for the City by Ervin, and was seconded by Fiegen. The motion passed unanimously.

Respectfully submitted,

Joan Doss

County Planner