

**MINUTES OF THE JOINT MEETING OF
LINCOLN COUNTY & SIOUX FALLS PLANNING COMMISSIONS
November 13, 2019**

COUNTY PLANNING COMMISSION MEMBERS PRESENT: Gary Pashby, Ron Albers, Jerry Jongeling, Mike Poppens, and Tyler Klatt.

CITY PLANNING COMMISSION MEMBERS PRESENT: Kurt Johnson, John Paulson, Kati Johnson, Andi Anderson, and Aaron Norman

STAFF PRESENT: Toby Brown, Joan Doss, Jon Peters - County Adam Roach - City

PUBLIC PRESENT (sign-in sheet): Randall Olson, Gregg Thompson, Cathy Krueger, Tom Pruner, Paul Korn, John & Julie Rhone, Brandon Osborn, Brian and Mindy Klatt, Dana & Renita Maurer

The County Planning Commission was chaired by Gary Pashby 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 called to order by County Commissioner Pashby on November 13, 2019 at 7:00 p.m. in the Commission Meeting Room of the Lincoln County Courthouse.

2. APPROVAL OF AUGUST 14, 2019 MINUTES

A motion was made for the County by Klatt, and seconded by Albers, to approve the August 14, 2019 meeting minutes. The motion passed unanimously. Same motion was made for the City by Anderson and seconded by Kati Johnson. The motion passed unanimously.

3. APPROVAL OF AGENDA

A motion was made by the County by Klatt, and seconded by Albers to approve the meeting agenda. The motion passed unanimously. A motion to approve the agenda was made by the City by Anderson and seconded by Kati Johnson. The motion passed unanimously.

4. NEW BUSINESS

- a. REZONING / RZNE-0031-2019: Application to rezone from the "A-1" Agricultural District to the "RR" Rural Residential District. The application is for a portion (approximately 18.39 acres) of the property legally described as the North one-half of the Southwest quarter (N1/2SW1/4), except the north 375 feet of the west 290 feet thereof, and except Tracts 1A and 2 of Keonig's Addition thereof, and Bridges of Spring Creek Tract 1 of Section 22, Township 100 North, Range 49 West of the 5th Principal Meridian, Lincoln County, South Dakota.

Petitioner/Owner: Cathy Krueger

Location: 27072 479th Avenue – Sioux Falls

Staff Presentation: Toby Brown

Toby presented a summary of the staff analysis and noted the area is outside of the 2040 growth area for Sioux Falls. Additionally, there are similar zoned areas to the southwest and southeast of the proposal.

Public Comment and Discussion:

Cathy Krueger noted she brought the property 16 years ago with the vision of developing an executive subdivision with a number of covenant restrictions in place.

Commissioner Pashby asked for public comment.

Dana Maurer questioned how this proposal would affect the neighboring subdivisions.

Randy Olson asked if there will be development to the west.

John Rhone noted concerns about traffic and road conditions.

Paul Korn, Sayer Engineering, noted the proposal was presented to the township board, and access was approved.

Hearing no further comments, Pashby closed the floor for public comment.

Poppens noted concerns of further development along township roads and concerns about drainage.

Action:

Motion was made by the County by Klatt to recommend approval and was seconded by Albers. The motion passed (4-1), with Poppens dissenting. The same motion was made by the City by Anderson and was seconded by Kati Johnson. The motion passed unanimously (5-0).

RZNE-0031-2019 – Recommended for Approval

- b. PRELIMINARY SUBDIVISION PLAN / BRIDGES AT SPRING CREEK: Application for a Preliminary Subdivision Plan for Bridges at Spring Creek Addition. The application is for a portion (approximately 18.39 acres) of the property legally described as the North one-half of the Southwest

quarter (N1/2SW1/4), except the north 375 feet of the west 290 feet thereof, and except Tracts 1A and 2 of Keonig's Addition thereof, and Bridges of Spring Creek Tract 1 of Section 22, Township 100 North, Range 49 West of the 5th Principal Meridian, Lincoln County, South Dakota.

Petitioner/Owner: Cathy Krueger

Location: 27072 479th Avenue – Sioux Falls

Staff Presentation: Toby Brown

Toby presented a summary of the staff analysis and noted the preliminary plan meets all planning criteria.

Public Comment and Discussion:

Cathy Krueger noted the subdivision would have 8 lots ranging in size from 1.5 acres to 2.7 acres. She also noted the floodplain will not be part of the individual lots, and she would start work on improvements in 2020.

Commissioner Pashby asked for public comment.

Tom Pruner noted the size of the lots and implementing a home owners association would improve the area.

Hearing no further comments, Pashby closed the floor for public comment.

Action:

A motion was made for the County by Klatt to recommend approval and was seconded by Jongeling. The motion passed unanimously. The same motion was made for the City by Anderson, and was seconded by Kati Johnson. The motion passed unanimously (5-0).

Bridges at Spring Creek – Recommended for Approval

- c. **CONDITIONAL USE PERMIT / USE-0079-2019:** Application for a Conditional Use Permit for retail building/premises to exceed 10,000 square feet. The property is legally described as Tract 19 of Albers Tracts in the northeast quart (NE1/4) of Section 30, Township 100 North, Range 50 West of the 5th Principal Meridian, Lincoln County, South Dakota.

Applicant/Owner: Stacey Namminga/Stahrs Storage LLC Location: 27102 Albers Drive – Sioux Falls

Staff Presentation: Joan Doss

Joan presented a summary of the staff analysis and noted the proposal would meet all setbacks. She then listed the conditions that should be considered if the application is approved as follows:

1. This approval is for the project described per Conditional Use Permit (USE-0079-2019) to allow retail to exceed 10,000 square feet on the property, except as modified with the conditions below.
2. Appropriate building permits shall be obtained. No additional retail structures, exceeding 10,604 square feet, shall be allowed on the property, without the issuance of a new conditional use permit.
3. Access and parking areas shall be hard-surfaced in accordance with Article 16.04(A) of the Joint Zoning Regulations within two (2) years after building completion.
4. The Planning and Zoning 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 the property is in full compliance with the conditional use permit conditions, all applicable regulations of the Joint Zoning Regulations for Lincoln County and the City of Sioux Falls and any other County, City, State and Federal Codes, ordinances, resolutions and laws that may apply.

Public Comment and Discussion:

Stacey Namminga noted she runs a business that offers shop space to a number of different vendors. She also noted in condition #2, the square footage should be 10,640.

Commissioner Pashby asked for public comment, hearing none he closed the floor.

Action:

A motion was made for the County by Klatt to approve the permit with the recommended conditions, by amending #2 to say "as shown on the site plan," and was seconded by Jongeling. The motion passed unanimously (5-0). The same motion was made for the City by Anderson, and was seconded by Kati Johnson. The motion passed unanimously (5-0).

USE-0079-2019 – Approved

5. OTHER BUSINESS - None

6. OPPORTUNITY FOR PUBLIC COMMENT – None

7. ADJOURNMENT

A motion was made for the County by Klatt and seconded by Albers to adjourn at 7:53pm. The motion passed unanimously. Same motion was made for the City by Anderson and was seconded by Kati Johnson. The motion passed unanimously.

Respectfully submitted, Joan Doss - County Planner