



**MINUTES OF THE JOINT MEETING  
MINNEHAHA COUNTY & SIOUX FALLS PLANNING COMMISSIONS  
August 26, 2019**

A joint meeting of the County and City Planning Commissions was scheduled on August 26, 2019 at 7:00 p.m. in the Commission Room of the Minnehaha County Administration Building.

COUNTY PLANNING COMMISSION MEMBERS PRESENT: Bonnie Duffy, Becky Randall, Doug Ode, Adam Mohrhauser, Ryan VanDerVliet, and Mike Ralston.

CITY PLANNING COMMISSION MEMBERS PRESENT: Larry Luetke, Sean Ervin, John Paulson, Erik Nyberg, Aaron Norman, and Kurt Johnson.

**STAFF PRESENT:**

Scott Anderson, David Heinold, and Kevin Hoekman - County Planning  
Donna Kelly – States Attorney  
Albert Schmidt – City Planning

The County Planning Commission was presided over by Commissioner Bonnie Duffy. The City Planning Commission was chaired by Larry Luetke.

Chair Duffy called the joint City of Sioux Falls and Minnehaha County Planning Commission meeting to order at 7:00 p.m.

**PUBLIC COMMENT.**

Commissioner Duffy opened the floor for public comment and nobody moved to speak.

**Consent Agenda**

Commissioner Duffy read each item on the consent agenda.

A motion was made for the County by Commissioner Randall and seconded by Commissioner Mohrhauser to **approve** the consent agenda consisting of Items 1 and 2. The motion passed unanimously.

A motion was made for the City by Commissioner Kurt Johnson and seconded by Commissioner Nyberg to **approve** the consent agenda consisting of Items 1 and 2. The motion passed unanimously.

**ITEM 1. Approval of Minutes – July 22, 2019**

As part of the consent agenda, a motion was made for the County by Commissioner Randall and seconded by Commissioner Mohrhauser to **approve** the meeting minutes from June 24, 2019. The motion passed unanimously.



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The same motion was made for the City by Commissioner Kurt Johnson and seconded by Commissioner Nyberg to **approve** the meeting minutes from July 22, 2019. The motion passed unanimously.



**ITEM 2. CONDITIONAL USE PERMIT #19-36 to replace an existing mobile home with a 30'x60' mobile home on the property legally described as Lot 3, E T Alguire's 1<sup>st</sup> Addition to Ellis, Section 9-T101N-R50W.**

Petitioner: Roger Leeds

Property Owner: same

Location: 1504 N. Alguire Ave. Located in unincorporated Ellis

Staff Report: Kevin Hoekman

**General Information:**

Legal Description – Lot 3, E T Alguire's 1st Addition to Ellis, Section 9-T101N-R50W

Present Zoning – A1-Agriculture

Existing Land Use – Residential

Parcel Size – Approximately 0.34 acres

**Staff Report:** Kevin Hoekman

**Staff Analysis:**

The subject site is located west of Sioux Falls in the unincorporated town of Ellis. About 12 residential dwellings are located on the block where the proposed replacements mobile home is located. An industrial area is located a short distance to the south of the property.

The petitioner is requesting to replace an existing mobile home with a new mobile home. Section 15.06 of Additional Use Regulations in the Joint Zoning Ordinance allows existing mobile homes to be replaced with another mobile home through the conditional use permit process. The petitioner is planning on placing a 30 foot wide by 60 foot long new mobile home. This proposed home is slightly larger than the current home on the property and planned to be orientated differently on the lot.

The ordinance requires that compatibility with the neighborhood is to be considered as part of the conditional use permit process. The neighborhood already has several mobile homes. The parcel directly south of the petitioner received a CUP to replace a mobile home in 2003. The parcel directly north of the petitioner received a CUP in 1999. Another mobile home is located further north. Planning staff from the County and the City of Sioux Falls recommend a condition that the mobile home shall bear a label certifying that it is built in compliance with the Federal Manufactured Home Construction and Safety Standards. A specific request can be found on the city staff recommendation letter.

Most of the property is located within the regulatory floodplain. As such, the dwelling will be required to meet several development standards according to the floodplain ordinance. The primary requirement for a new structure is that the lowest floor is elevated at or above the elevation of the base flood. The floor is required to be a minimum of 2 feet above the base flood



for structure within the City of Sioux Falls. Sioux Falls planning staff recommends a condition that the dwelling meet the floodplain standards of the city, and raise the dwelling 2 feet above the base flood elevation. County planning staff finds that county requirements meet FEMA standards. Raising the dwelling an additional 2 feet may add additional cost for construction and create the need for additional stairs or ramping. The joint planning commission may add the requirement for raising the dwelling to city standards to this conditional use permit if they feel it is necessary. A Minnehaha County Floodplain Development Permit must be obtained prior to the issuance of a building permit for the mobile home. An Elevation Certificate will be required after the placement of the mobile home.

Other city comments can be found on the attached comment letter. Many of the comments pertain to future standards for when the property is annexed into Sioux Falls. City staff recommends approval with 4 conditions. Not all the city recommended conditions are included in the recommended conditions for this report. The planning commissions may add conditions as desired.

#### **Conditional Use Permit Criteria:**

**1) The effect upon the use and enjoyment of other property in the surrounding area for the uses already permitted, and upon property values within the surrounding area.**

The primary land use surrounding the proposed site is residential with agriculture to the west and industrial to the south. Several mobile homes exist adjacent or near the proposed mobile home. The mobile home will be new and built to modern standards. And the existing mobile home will be removed.

**2) The effect upon the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.**

Ellis is an unincorporated town with residential and industrial uses. Future growth through building eligibilities is limited, and the floodplain and pending city expansion will likely limit rezoning development.

**3) That utilities, access roads, drainage, and/or other necessary facilities are provided.**

The facility will not require additional utilities as utilities and driveway currently exist for the current mobile home. It will be the petitioner's responsibility to extend any desired utilities if necessary.

**4) That the off-street parking and loading requirements are met.**

The site has an existing two stall garage that will remain on the property to provide off-street parking.

**5) That measures are taken to control offensive odor, fumes, dust, noise, vibration, and lighting (inclusive of lighted signs), so that none of these will constitute a nuisance.**



The replacement of a mobile home with a newer mobile home will not create nuisance issues.

**6) Health, safety, general welfare of the public and the Comprehensive Plan.**

The public health, safety and general welfare will not be negatively harmed by the proposed project. It is in the interest of Minnehaha County to allow multiple affordable housing options.

**Recommendation:**

Minnehaha County staff recommends **approval** of Conditional Use Permit #19-36 with the following conditions:

- 1.) A building permit must be obtained prior to the placement of the mobile home.
- 2.) Each section of mobile home must bear a label certifying that it is built in compliance with the Federal Manufactured Home Construction and Safety Standards.
- 3.) A Floodplain Development Permit must be obtained to show that regulations for the County Floodplain Ordinance will be met - including but not limited to: elevating the mobile home so that the bottom is at or above the base flood elevation, and that the mobile home is anchored to resist flotation, collapse, or lateral movement.
- 4.) An Elevation Certificate must be provided to the county prior to occupancy of the mobile home to show the base flood elevation, mobile home floor elevation, lowest adjacent grade, and other information.
- 5.) Prior to the issuance of a building permit, a Right-to-Farm Notice Covenant must be filed on the deed with the Register of Deeds.

**Action:**

As part of the consent agenda, a motion was made for the County by Commissioner Randall and seconded by Commissioner Mohrhauser to **approve** Conditional Use Permit #19-36. The motion passed unanimously. The same motion was made for the City by Commissioner Kurt Johnson and seconded by Commissioner Nyberg to **approve** Conditional Use #19-36. The motion passed unanimously.

**Conditional Use Permit #19-36 – Approved**



**Regular Agenda**

**ITEM 3. MAJOR AMENDMENT #19-04 to change the boundaries in the Perry PD Planned Development District of Subarea C by moving the property legally described as Tract 1, Funke Addition, NE1/4, Section 28-T101N-R48W to a new Subarea H to allow property to be used for Banquet Hall, Reception Hall, Event Facility, Restaurant, or Park.**

Petitioner: Eric Willadsen (Willadsen Lund Engineering)

Property Owner: Bryan R. Hedman and Pamela L. Hedman

Location: Corner of South Dakota State Highway 42 and South Riverview Ave.  
East Sioux Falls

Staff Report: Kevin Hoekman

**General Information:**

Legal Description – Tract 1, Funke Addition, NE1/4, Section 28-T101N-R48W

Present Zoning – Subarea C of the Perry Planned Development Area

Existing Land Use – Agricultural Pasture

Parcel Size – 6 acres

**Staff Report:** Kevin Hoekman

**Staff Analysis:**

The applicant is proposing a major amendment to add a new subarea to the Perry Planned Development District which is located east of Sioux Falls. The entire Planned Development area is composed of a large area of land with a mix of allowed uses ranging from parkland to agriculture to residential and commercial uses. The proposed Subarea H is a small area of land located southwest of the intersection of SD Hwy 11 and S Riverview Avenue. The proposed subarea will have the primary allowed uses of a banquet hall, restaurant, or a park with supporting accessory uses.

The subject property is located within the Red Rock Corridor. As such, the development falls under the Red Rock Corridor Plan and development standards. The subject property is located in an area designated for parks and recreation in the future land use plan. The Corridor plan also lists that commercial development should be located along major roadways. Sioux Falls lists both SD Hwy 11 and Riverview Road as arterial highways which may be appropriate to develop neighborhood commercial uses. The development of a low density commercial project such as a wedding barn may ultimately compliment future parks and trails of the area.

The petitioner desires to construct an event/wedding barn on the property. If this major amendment is approved the property owner will be required to submit a final development plan for approval by the Joint County and City Planning Commissions. In addition other administrative reviews must be made such as a plat review and approval and building permit



review and approval. The City of Sioux Falls has an extensive plat review and requirements which would not allow the development of the site as it is currently platted if the site was within city limits.

The petitioner has been working with staff to consider options to move forward with the desired goal to have an event/wedding barn on the property. The City of Sioux Falls planning staff provided a comment letter that explains that the property has access to sewer and is adjacent to land that is planned for annexation soon. The city recommendation is for denial of the requested rezoning because of the ability to annex the property prior to development. The County planning department will also recommend denial in order to encourage annexation of the property prior to development. The Envision 2035 Comprehensive Plan states includes the goal to promote the orderly development of unincorporated land that will likely be annexed into a municipality in both the short and long terms. An action step of this goal is to focus new growth and development within municipalities and areas adjacent to existing municipalities where infrastructure will be available. It is, however, recognized that commercial style development is generally appropriate for major intersections of roads such as this location.

#### **Public Testimony**

Kevin Hoekman, County Planner II, presented an update on the staff report and recommendation for acknowledging the applicant's request to withdraw Final Development Plan #19-04.

Commissioner Duffy called for comments from the public, and nobody was present for comments.

#### **Action:**

A motion was made for the County by Commissioner Randall and seconded by Commissioner Ode to acknowledge the **withdrawal** of Final Development Plan #19-04. The motion passed unanimously. The same motion was made for the City by Commissioner Kurt Johnson and seconded by Commissioner Ervin to acknowledge the **withdrawal** of Final Development Plan #19-04. The motion passed unanimously.

#### **Final Development #19-04 – Withdrawn**



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**Old Business**

None.

**New Business**

None.

**Adjourn**

A motion was made for the County to **adjourn** by Commissioner Barth and seconded by Commissioner VanDerVleit. The motion passed unanimously. The same motion was made for the City to **adjourn** by Commissioner Nyberg and seconded by Commissioner Kurt Johnson. The motion passed unanimously.

The meeting was **adjourned** at 7:19 pm.