

AGENDA
JOINT MEETING LINCOLN COUNTY and SIOUX FALLS PLANNING COMMISSIONS
March 11, 2009
7:00 pm

Commissioners' Room- Lincoln County Courthouse

REGULAR AGENDA ITEMS

The planning staff will present a brief report on each item. The petitioner will then be asked to come to the microphone and make a statement or answer questions. Anyone from the audience who wishes to address a particular agenda item shall be recognized by the chairperson, move to the microphone, identify themselves and state their address for the record. The Planning Commission will then discuss the matter further and take appropriate action.

ITEM 1. APPROVAL OF MINUTES –December 10, 2008 MEETING

ITEM 2. APPROVAL OF AGENDA ITEMS.

ITEM 3. CONDITIONAL USE #09-CUP-001 in the “C” Commercial District for Motor Vehicle Sales & Display Facility

Legal Description – Lot 5, Block 4, Mueller’s 2nd Addition

Location – 47034 W. Phillips Street, Sioux Falls, SD 57108

Petitioner/Owner— Hedayatullah Nooristani / Lyubov Silchuk

General Information

Present Zoning – “C” Commercial District

Existing Land Use – Office & Garage

Parcel Size – 1.0 Acre

Report by:

David Loveland

The petitioner’s request for a Conditional Use for this parcel is in compliance with Article 9 of the Joint Zoning Regulations for Lincoln County and the City of Sioux Falls.

Article 19 of the Joint Zoning Regulations for Lincoln County and the City of Sioux Falls provides four (4) criteria for consideration of a Conditional Use Permit application.

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.

Comments: No negative effect is anticipated as there are no dwellings in the immediate vicinity of this proposed use. With Agricultural uses to the north and other commercial uses to the east, south and west, the proposed use is in conformance with surrounding uses.

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

Comment: Aerial photographs show surrounding uses as similar in character to that of the proposed use. The proposed use is not anticipated to detrimentally impact or alter the character of surrounding properties.

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.

Comment: It is anticipated that the proposed use will provide no more or less of an impact than that which has previously existed on site. No residential properties are adjacent or in the area, and therefore, no additional screening is required.

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

Comment: It is anticipated that the proposed use and location will not cause traffic issues or other public detriments.

Recommendation:

Because the proposed land use is allowed and is compatible with other uses in this existing subdivision, staff recommends **approval** of the Conditional Use Permit with the following stipulation:

1. The applicant shall be in compliance with all applicable regulations of the South Dakota Department of Revenue in obtaining their motor vehicle sales license.