

MINUTES
JOINT MEETING LINCOLN COUNTY and SIOUX FALLS PLANNING COMMISSIONS
7:00 pm November 10, 2010
Commissioners' Room - Lincoln County Court House

A joint meeting of Lincoln County and Sioux Falls Planning Commissions was held on November 10, 2010 at 7:00 pm in the Commissioner's Room of the Lincoln County Court House.

Lincoln County Planning Commission members present were: June Nusz, Darrel Sogn, Dick Portz, Ron Larson, and Commissioner Dave Gillespie. Commissioner Jason Melcher and Craig Andersen were absent.

Sioux Falls Planning Commission members present were: Pam Breidenbach, Kent Metzger, Steve Gaspar, Ken Dunlap.

Staff Present: Lincoln County: Paul Aslesen, Laurie Powell
Sioux Falls: Steve Randall

Lincoln County Planning Chair June Nusz brought the meeting to order at 7:00 pm.
Pam Breidenbach chaired for the City of Sioux Falls

ITEM 1. APPROVAL OF MINUTES – July 14, 2010 MEETING

A motion to approve the minutes of July 14, 2010 for the City was made by Gaspar and seconded by Metzger. A motion to approve for the County was made by Portz and seconded by Sogn. The motions were unanimous.

ITEM 2. APPROVAL OF AGENDA ITEMS – November 10, 2010

A motion to approve the agenda for November 10, 2010 was made by Metzger for the City and seconded by Gaspar. A motion to approve the agenda for the County was made by Larson and seconded by Portz. The motions were unanimous.

ITEM 3. Conditional Use #10-CUP-003-JJ – The purpose is to operate a repair shop, car sales & display, towing service, new/used tire sales, snow removal and storage of equipment.

Legal Description – Mueller's Tract 1 in Lot 3A SE1/4 Section 19, Township 100, Range 50 Lincoln County, South Dakota

Location – 27091 Mueller Place

Petitioner/Owner – Greg Schreck/A & M Enterprises

General Information

Present Zoning – "C" Commercial

Existing Land Use – "C" Commercial

Parcel Size – 1.37 Acres

Report By: Paul Aslesen

Staff Analysis:

The site is located at the southwest corner of 98th Street and Mueller Place. The property has been zoned commercial by Lincoln County as is property to the north, east and south of the site. Property to the west is zoned Light Industrial. Staff has met with the petitioner and discussed the above petitioned uses for a portion of the site located at 27091 Mueller Place and advised him to contact his neighbors for feedback pertaining to the applied for use.

1. The effect upon the use and enjoyment of other property in the immediate vicinity for the uses already permitted, and upon property values in the immediate vicinity.

Previously approved conditional use permits for the area include contractor's shops, truck stops, equipment display and sales, storage areas, car/truck/trailer display and sales, and light manufacturing. The applied for use(s) is an appropriate use for this site.

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

This area should continue to develop as a commercial and or light industrial node. Close proximity to the interstate system and the Sioux Falls City limits will enable this area to expand its light industrial/ commercial growth.

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

Access to the site will be off of 98th Street which is a hard surfaced road. Currently, the applied for site is not hard surfaced as is characteristic of the majority of the developed sites in this area. As this is an existing site with existing structure, the site is in compliance with prior ordinance requirements but may be subject to additional requirements upon annexation. Petitioner was made aware of the need for holding tanks for commercial/industrial floor drain use. All other facilities are provided.

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

A fenced area will be utilized for the displayed vehicles and indoor storage will be available for tires. The area is large enough to meet the needs for customer parking. The vehicles displayed for sale shall be operational and licensed.

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 proposed use should not create nuisance issues if attention to detail is utilized. The applicant will need to insure that controls of offensive odor, fumes, dust, and other nuisance contributors are in place and maintained.

Recommendation:

Staffs found that the proposed use is consistent with the type of uses found in commercial or light industrial areas and recommends approval of conditional use permit 10-003-JJ with the following conditions:

- 1. All outside storage of parts, materials and disabled or damaged vehicles shall be screened from the public view by a screening fence. The fence shall be color coordinated and have a minimum opacity of 90% maintained over the full height of the fence.*
- 2. No scrap materials or dismantled vehicles shall accumulate on the property. Any waste containers, such as dumpsters, shall be screened from public view.*
- 3. The vehicles displayed for sale shall be operational and licensed.*

Action:

A motion was made for the County by Portz to approve the petition with staff recommended stipulations with the addition of a one year review. The motion was seconded by Gillespie. The same motion was made for the City by Gaspar and seconded by Metzger. The motions were unanimous.

ITEM 4. Conditional Use# – 010-CUP-004-JJ The purpose is to construct a building over 1200 square feet. Existing building is approximately 1400 square feet, the addition will make it approximately 2300.

Legal Description – Marigold Meadows Addition W1/2 SW1/4 Tract 6, Section 21, Township 100, Range 50, Lincoln County, South Dakota

Location – 47208-271st Street, Sioux Falls, SD 57108

Petitioner/Owner – Rick Funge

General Information

Present Zoning – Agriculture

Existing Land Use – Residential

Parcel Size – 1.02 Acres

Report By: Paul Aslesen

Staff Analysis:

The Joint Zoning Ordinance for Lincoln County and the city of Sioux Falls regulates the size and location of accessory buildings in Section 15.07. In regard to the A-1 Zoning District, the Ordinance states:

In the A-1 and RC Districts, the total area of accessory buildings shall not exceed 1200 square feet when such buildings are located in a subdivision of more than four (4) lots unless a conditional use permit has been approved.

The applicant has applied for a conditional use permit to exceed 1200 square feet of accessory building area on his lot located at 47208-271st Street. There are a number of houses that line 271st (County Hwy 106) in the subdivision known as the Marigold

Meadows Addition. The applicant wishes to increase the size of his accessory building from 1400 sq ft. to approximately 2300 sq. ft. which would provide personal storage space.

Properties within the Marigold Meadows Addition have accessory buildings of greater size than the applied for structure. Structure sizes within the addition include 2,448 sq. ft., 2880 sq. ft., and 2800 sq. ft.

Lot sizes within the addition are very uniform with acreages of slightly over one (1) acre being predominate.

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

Accessory buildings are a common structure in the rural area. This addition to an existing building should not impact neighboring property values.

2. That utilities, access roads, drainage and/or other necessary facilities are provided.

The requested size is lower than the standard that has been set for the neighborhood. The subdivided lots in the area have been developed and very little additional subdivision will be possible even with city services as the placement of the homes and accessory buildings will have a restrictive effect to continued growth. Site will use existing approach from 271st Street.

3. That the off-street parking and loading requirements are met.

This structure does not need additional parking/loading site specific space. The structure should provide inside storage for vehicles and equipment currently occupying space on site.

4. 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 use does not normally cause nuisance conditions and none are anticipated with the addition to the existing personal storage building.

Recommendation:

Staff recommends approval of the conditional use application as no negative effects are anticipated and the additional size will not change the existing landscape of the subdivision. Staff recommends:

1. The building will be used for personal residential storage and no commercial use or outdoor storage is allowed.
2. Determination of septic drain field be determined and an area for an additional drain field be identified.

ITEM 5. Adjourn

Note: Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Lincoln County Planning Office at 605-764-2938 by 10:00 am Friday preceding the meeting to make any necessary arrangements.