

MINUTES
JOINT MEETING LINCOLN COUNTY and SIOUX FALLS PLANNING COMMISSIONS
July 8, 2009
Commissioners' Room- Lincoln County Courthouse
7:00 pm

A joint meeting of Lincoln County and Sioux Falls Planning Commissions was held on July 8, 2009 at 7:00pm in the Commissioner's Room of the Lincoln County Court House.

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

Sioux Falls Planning Commission members present: Ken Dunlap, Kent Metzger, Darla Erb and Lynette Olson.

Staff Present: Lincoln County: Paul Aslesen, Laurie Powell
Sioux Falls: Dave Loveland

Sioux Falls Planning Commission member Ken Dunlap presided over the meeting. Lincoln County Planning Commission chairperson June Nusz chaired for Lincoln County.

ITEM 1. APPROVAL OF MINUTES –A motion to approve the minutes of March 11, 2009 was made by Metzger and seconded by Olson for the City. A motion to approve for the County was made by Andersen and seconded by Portz. Motions were unanimous.

ITEM 2. APPROVAL OF AGENDA A motion to approve the agenda was made by Olson and seconded by Erb for the City. The same motion for the County was made by Molstad and seconded by Portz. Motions were unanimous.

ITEM 3. CONDITIONAL USE #09-CUP-002JJ For the purpose of operation a Garden Center, Landscape Supply, Wholesale Nursery and Retail Outlet
Legal Description – Hayes Addition NW1/4, Section 16, Township 100, Range 49
Location – 26908 SD Hwy 11
Petitioner/Owner – Darby Parsons/Brenkevco Properties, LLC

General Information

Present Zoning – "A" Agriculture District
Existing Land Use – Agriculture
Parcel Size – 6 Acre

Report by:

Paul Aslesen

The petitioner's request for a Conditional Use for this parcel is in compliance with Article 3 (A-1 Agricultural District) Item G. Garden Center.

Article 19 Conditional Use Regulations of the Joint Zoning Regulations for Lincoln County and the City of Sioux Falls establishes the criteria for the consideration of a Conditional Use Permit application. The criteria and comments are as follows:

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 this area is on the fringe of city residential development. The proposed use should provide a needed source of goods and services for residential and commercial development and for sustainment purposes.

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

Comment: The current uses as indicated by aerial photography include agriculture, residential and commercial. A garden center should contribute to the character of the area or neighborhood and it is not anticipated to have any detrimental effect or negative impact.

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: Natural screening is suggested to create the required elimination or control of any adverse effects that may be present or created by the use. Parking and loading activities along with signage must be in compliance with Joint Jurisdiction Ordinances. Anticipate the site plan to provide specific information as to the additional use of screening, setbacks and orientation.

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

Comment: With the utilization of functional, practical and sound management plans this use should not cause any public detriments.

Recommendation:

Because the proposed land use is allowed and is compatible with other uses and proposed uses in this Ag District, staff recommends approval of the Conditional Use Permit with the following stipulations:

1. Utilization of approaches from County Highway 102 (269th Street) should be of primary consideration to aid and assist the flow of traffic on South Dakota Highway 11.
2. As indicated in the staff report, this business has the potential of providing product and service to an expanding population density, compatibility with this growth should be of primary concern.

A request was made by staff that approval of the CUP is for the use and not for the accessibility at this time. Petitioner is working with the City of Sioux Falls and the DOT to finalize accessibility to the property. Staff requests that they be allowed to work with the petitioner on this issue and that it not be a part of the permitting decision.

A motion for the City by Metzger with stipulations was seconded by Olson. Same motion for the County was made by Andersen and seconded by Portz. Motions were unanimous.

Stipulations are:

1. Staff will provide annexation agreement to the applicant for signature that states: "upon annexation to the City of Sioux Falls, the applicant shall bring the site into conformance with existing city ordinances."
2. Petitioner will provide natural screening of the property based on city ordinance requirements.

A motion to adjourn was made by Erb for the City and was seconded by Metzger. The same motion was made by Molstad and seconded by Portz for the County. Motion was unanimous
Meeting adjourned.

Respectfully submitted by:
Laurie Powell
Deputy Director
Lincoln County Planning & Zoning