

MINUTES
JOINT MEETING LINCOLN COUNTY and SIOUX FALLS PLANNING COMMISSIONS
7:00 pm July 14, 2010

Commissioners' Room - Lincoln County Court House

A joint meeting of Lincoln County and Sioux Falls Planning Commissions was held on July 14, 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, Craig Andersen, Ron Larson, Dick Portz and Commissioner Jason Melcher. Chad Nelson was absent.

Sioux Falls Planning Commission members present were: Jesse Schmidt, Mike Roth, Kent Metzger and Ken Dunlap

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

City of Sioux Falls Planning vice-chair Jessie Schmidt brought the meeting to order at 7:00 pm. Lincoln County chairperson June Nusz chaired for the county.

ITEM 1. APPROVAL OF MINUTES – June 9, 2010 MEETING

A motion to approve the minutes of June 9, 2010 for the City was made by Dunlap and seconded by Roth. A motion to approve for the County was made by Andersen and seconded by Larson. The motions were unanimous.

ITEM 2. APPROVAL OF AGENDA ITEMS – A motion to approve the agenda for July 14, 2010, with correction, was made by Dunlap for the City and was seconded by Roth. The correction was to change Item 3 from JJ-10-CUP-003 to JJ-10-REZ-001. The same motion was made for the County by Andersen and seconded by Portz

ITEM 3. Revised Zoning Ordinance - JJ-10-REZ-001: **Rezoning** from the "A-1 Agricultural District" to "PD Planned Development District".

Legal Description - Tract One (1) of Bolte's Addition an Addition in the North Half (N1/2) of the Southwest Quarter (SW1/4) of Section 12, Township 100, Range 50, Lincoln County, State of South Dakota.

Location - 26864 469th Ave., Sioux Falls, SD 57106

Petitioner/Owner- Edward and Roxann Zenobi/ Melissa Nordman.

General Information

Present Zoning – A-1 Agricultural District

Existing Land Use – Single-family residence.

Parcel Size – 4.6 acres.

Report by: Steve Randall, Current Planner, Sioux Falls Planning and Building Services

Staff Analysis:

Reference Article 13.00 of the 2006 Joint Zoning Regulations for Lincoln County and the City of Sioux falls, SD, for the PD Planned Development District. Specifically, Article 13.02 Procedure on pages 34-35, and Article 13.03 Initial Development Plan on pages 35-36.

13.02 Procedure.

- A. Initial Development Plan. When a petitioner wants to request a rezoning to the Planned Development District, it shall be submitted to the Lincoln County Planning Department, showing the information specified in 13.03 below, a minimum of 30 days prior to the joint meeting of the County and City Planning Commissions at which consideration is desired. After the planned development request has been reviewed, the Planning Commissions shall make a recommendation to the Board of County Commissioners and City Council on the requested rezoning. The Board of County Commissioners and City Council shall then act to approve or deny said request.

13.03 Initial Development Plan.

- A. Project name and legal description. *Provided.*
- B. A preliminary subdivision plan. *Subdivision of the subject property is not being proposed. An additional 17 feet of S. Ellis Road right of way is shown being dedicated on the plan.*
- C. The proposed development scheme showing the following information:
 1. The proposed land uses, including the number and type of proposed residential buildings, the proposed number of dwelling units per building, the number and type of any proposed nonresidential buildings and their square footage.
One existing single-family residential building, an existing accessory building, RV and trailer storage parking spaces surfaced with recycled asphalt, and connecting gravel roadway are shown on the plan.
 2. The proposed maximum density of the development, which shall not exceed the density allowed in the traditional zoning districts for similar uses, except where unique physical, environmental or design characteristics make such densities undesirable.
Only the one existing single-family residence is allowed by the proposed Subarea Regulations. The maximum number of RV parking spaces shown on the plan is 44. The maximum number of trailer parking spaces shown on the plan is 26.
 3. The proposed minimum setbacks which shall be no less than those required in the traditional zoning districts for similar uses, except where unique physical, environmental or design characteristics make such setbacks undesirable.
Minimum setbacks in RR Rural Residential District are 50 feet in the front yard (on an arterial street), 7 feet in the side yard and 30 feet in the rear yard. The existing residence is 125 feet from new right of way shown along S. Ellis Road, and proposed setbacks to storage parking spaces are indicated as 45 or 46 feet in the side yards and 50 feet in the rear yard.
 4. The proposed maximum height which shall be no greater than that required in the traditional zoning districts for similar uses, except where unique physical, environmental or design characteristics make such heights undesirable.
No additional structures are indicated in the plan.
 5. Proposed design features illustrating compatibility to the surrounding environment and neighborhood.
Existing residential property frontage is being maintained along S. Ellis Road. Proposed storage parking spaces are compact and arranged in an orderly fashion behind the existing residence toward the interior of the property. A landscaped buffer 20 feet wide with trees spaced approximately

20 feet on center and an 8 foot high PVC fence are shown along three sides of the property including the east end which is adjacent to a new residential subdivision.

6. Anticipated subarea development sequence.

Only one subarea is planned for development as shown in the Initial Development Plan.

Staff Recommendations presented to the Joint Planning Commissions:

The Applicant has indicated that meetings will be held with neighboring property owners. The Applicant should be prepared to report any comments from neighbors at the public hearing. At the time of this report, staff has not been contacted by any neighbors.

Because the Applicant has prepared a rezoning submittal that limits allowed uses in a proposed Planned Development Zoning District to serve neighborhood demand for outdoor storage of residential vehicles and has included in the Initial Development Plan a detailed storage layout with trees and fencing that screen and buffer storage from neighboring residential uses, staff recommends approval of rezoning to the Zenobi PD with the following Subarea Regulations and Initial Development Plan:

B. SCOPE OF REGULATIONS. The regulations set forth in this chapter or set forth elsewhere in this title when referred to in this chapter are the district regulations in the Zenobi Planned Development District.

C. SUBAREA A.

1. USES PERMITTED. A building or premises shall be permitted to be used for the following purposes:

- Existing single-family dwelling.
- Recreational Vehicles and trailer storage yard.

2. ACCESSORY USES. Accessory uses and buildings permitted are those accessory uses and buildings customarily incident to any permitted use in the district.

3. PARKING REGULATIONS. Parking shall be regulated in conformance with the provisions of Article 16.00.

4. SIGN REGULATIONS. Signs shall be regulated in conformance with Article 17.00 On-Premise Sign Regulations for the C Commercial, I-1 and I-2 Industrial, except as provided under other regulations below.

5. DENSITY, AREA, YARD, AND HEIGHT REGULATIONS.

Density	Lot Area (Sq Ft)	Req'd Lot Width	Req'd Front Yard	Req'd Side Yard	Req'd Rear Yard	Maximum Height
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Residential: Same as RS-1, Residential District, when sanitary sewer is available.

Commercial: Same as C Commercial District.

6. OTHER REGULATIONS. Other regulations for Subarea A shall be:
- a. A Final Development Plan application will be required only for proposed changes to the approved Initial Development Plan.
 - b. New and existing tree buffers and screen fencing shall be maintained in effective condition.
 - c. Ash tree species are not allowed for required plantings.
 - d. New freestanding signage is allowed only as ground-mounted monument style with sign height no greater than its width.

Petitioner Testimony:

Chairperson Schmidt requested the applicant address the planning board. Specific questions were asked in relation to the type of vehicles to be stored on the property. Lincoln County State's Attorney Mike Nadolski read definitions of certain vehicles from the Joint Jurisdictional ordinance to identify types of vehicles for storage.

The Planning Commission reviewed the application and site plan with the applicant and discussion was held on items such as trees, fence, hours of operation, posting of property, surfacing of lot, and lack of communication with neighbors. Petitioner was questioned about conducting informational meetings with neighbors prior to this meeting.

Public Testimony:

Written record indicates there were 10 members of the public in attendance for the meeting. The public was given the opportunity to voice opinions in opposition or approval of the requested rezoning of the property. A number of those in attendance spoke in opposition to the petition. Their concerns included hours of operation, sufficient screening (trees and fencing), property values as well as a lack of notification. The Lincoln County Planning and Zoning office received several phone calls from the public in opposition to the rezoning with no reason given for opposition.

The office also received several phone calls in favor, stating that as long as the fence and existing trees stayed they had no problem. Another caller indicated the petitioned use appeared to be something that was needed.

One member of the public questioned why someone would purchase a home next to an existing garbage haulers property and object when that same property was being proposed to be used as a storage facility for RV's, etc.

Action:

After extensive discussion by the City a motion to deny was made by Dunlap and seconded by Roth for discussion purposes. Discussion followed. Chairperson called the motion. Dunlap and Roth voting to deny and Metzger voting against the motion. Motion passed.

County Commissioner Melcher asked for clarification of this boards' options from Assistant State's Attorney Mike Nadolski. This board has three options: recommend to deny; recommend deferring 30 days; or recommending to approve.

Discussion followed. Commissioner Melcher moved to defer 30 days to allow the petitioner to communicate with neighbors. The motion was seconded by Andersen. After further discussion the vote was taken with the following results: Portz voting in favor of the motion to defer, Andersen, Melcher, Larson and Sogn voting against. Motion failed.

Chairperson Nusz called for a new motion. Melcher moved to approve the rezoning petition to the County Commission with the following stipulations added.

1. That staff recommended stipulations be followed as provided in Subarea A with additional items being added to Subarea A of the Zenobi Planned Development
2. Requested that the following stipulations/zoning regulations be added to Subarea A of the initial development plan
 - a. Specific tree types and locations be given
 - b. Specific hours of operation
 - c. Extension of the existing fence on the north and south sides of the property
 - d. Clarification of stored items ex: RV's, cars, other vehicles
 - e. Compliance with City ordinance upon annexation

The motion was seconded by Larson. Motion carried

A motion by the City to adjourn was made by Roth and seconded by Metzger. The same motion was made for the County by Andersen and seconded by Sogn. Both motions carried.

LEGAL DESCRIPTION: TRACT 1, BOLTE'S ADDITION IN THE N4/2 SW1/4 OF SECTION 12, TOWNSHIP 100 NORTH, RANGE 51 WEST OF THE 5TH PRINCIPAL MERIDIAN, LINCOLN COUNTY, SOUTH DAKOTA

SITE: RV AND TRAILER STORAGE - OUTDOOR

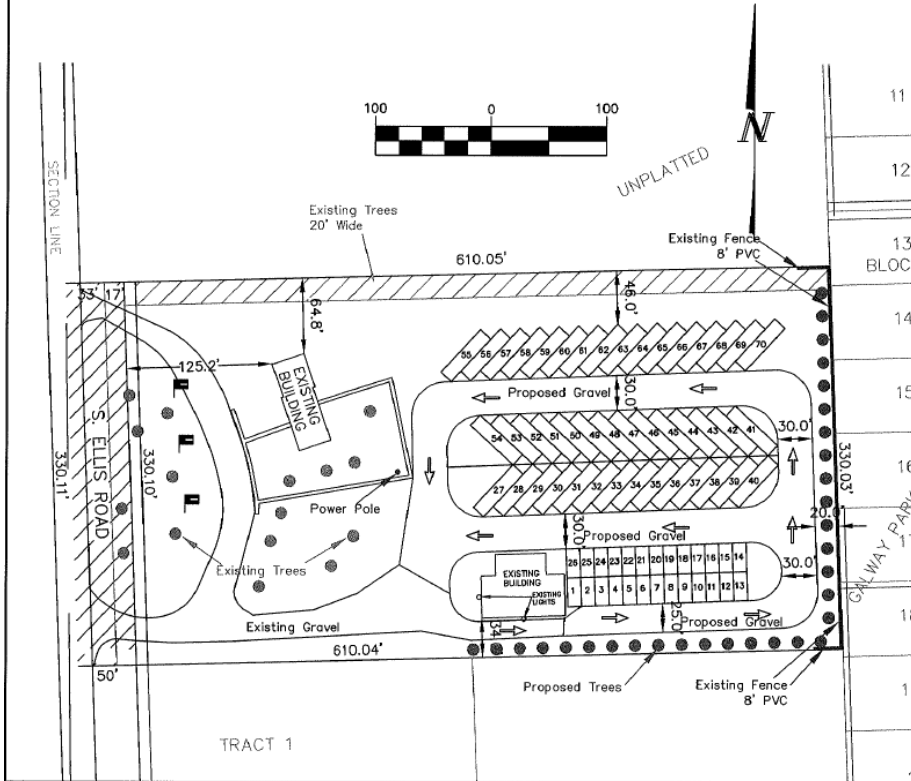
PARKING SPACES:

PARKING SPACES 1-26 ARE 12'x25'

PARKING SPACES 27-70 ARE 12'x50' AND AT A 45° ANGLE TO THE PROPOSED GRAVEL ROAD

PARKING SPACE SURFACING TO BE RECYCLED ASPHALT

SURVEY NOTE: A FIELD SURVEY WAS NOT CONDUCTED



<p>PROJECT: DRAWING:3049-01a.dwg DESIGNED BY: DLJ DRAWN BY: DLJ</p>	<p>EXHIBIT 1 TRACT 1, BOLTE'S ADDITION SIoux FALLS LINCOLN COUNTY SOUTH DAKOTA</p>	<p>DESIGN AND DEVELOP ENGINEERING, LLC 600 LAKEVIEW CIRCLE TEA, SD 57064 PHONE: (605) 214-1693 davejibben@iw.net</p>	<p>SHEET NO. 1 OF 1 6/16/2010</p>
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Respectively submitted by:
Laurie Powell
Deputy Director
Lincoln County Planning and Zoning