



**MINUTES OF THE JOINT MEETING  
MINNEHAHA COUNTY & SIOUX FALLS PLANNING COMMISSIONS  
July 23, 2018**

A joint meeting of the County and City Planning Commissions was scheduled on July 23, 2018 at 7:17 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, Mike Ralston, and Jeff Barth.

CITY PLANNING COMMISSION MEMBERS PRESENT: Larry Luetke, Sharon Chontos, Andi Anderson, Kurt Johnson, and Steve Gaspar.

**STAFF PRESENT:**

Scott Anderson, David Heinold, and Kevin Hoekman - County Planning  
Maggie Gillepsie – States Attorney  
Diane deKoeper – City Planning

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

Planning Commission Chair Bonnie Duffy called the joint City of Sioux Falls and Minnehaha County Planning Commission meeting to order at 7:17 p.m.

**PUBLIC COMMENT.**

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

**Consent Agenda**

**ITEM 1. Approval of Minutes – June 25, 2018**

As part of the consent agenda, a motion was made for the County by Commissioner Barth and seconded by Commissioner Mohrhauser to **approve** the meeting minutes from June 25, 2018. The motion passed unanimously. The same motion was made for the City by Commissioner Johnson and seconded by Commissioner Chontos to **approve** the meeting minutes from June 25, 2018. The motion passed unanimously.



**Regular Agenda**

**ITEM 2. REZONING #18-07 to rezone from A-1 Agricultural District to the Emerald Pines PD Planned Development the property legally described as W350 Feet of the S400 Feet of the N1,378 Feet of the E560 Feet, Lot 1, Olson's Addition, W1/2 NE1/4, Section 10T101N-R50W.**

Petitioner: Myron Olson

Property Owner: same

Location: 7701 W. Maple St. - Approximately 1 mile west of Sioux Falls

Staff Report: Scott Anderson

To rezone from the A-1 Agricultural District to the Emerald Pines PD Planned Development District.

**General Information:**

Legal Description – W350 Feet of the S 400 Feet of the N 1,378 Feet of the E 560 Feet, Lot 1, Olson's Addition, W1/2 NE1/4, Section 10T101N-R50W

Present Zoning – A1 Agriculture

Existing Land Use – pasture/agriculture

Parcel Size – 3.21 acres

**Staff Report:** Scott Anderson

**Staff Analysis:** The applicant is proposing to rezone approximately 3.21 acres of a 35 acre parcel from A1 Agricultural to a Planned Development District. The balance of the 35 acres contains a residence, outbuildings and pasture/CRP. The petitioner expressed plans to construct a reception hall to be used for renting for private gatherings such as corporate meetings and weddings and a law office. The applicant has submitted renderings of the proposed wedding barn/events facility which are included for your review.

There are approximately 8 residential dwellings located within a ½ mile proximity of the proposed site. Several residential dwellings are located southwest of the site in the village of Ellis. There are large areas of agricultural land in the area, particularly to the north. The George McGovern Middle School is located approximately ½ mile east of the subject property.

The Shape Sioux Falls 2040 Comprehensive Plan, adopted in 2016, has identified areas of future residential and commercial growth. This area is planned for future residential use and not commercial use. The site is located in the middle of the section and currently has very limited access to the site.

The Sioux Falls Planning Department has reviewed the requested. They have recommended denial. They have encouraged the applicant to find existing commercial property for



development or property at a major intersection where commercial development has infrastructure planned for future growth consistent with the Shape Sioux Falls 2040 Comprehensive Plan.

Minnehaha County has identified commercial and industrial growth areas are called “Rural Service Areas”. The subject property is not located within an identified rural service area. The concept behind the rural service areas is to promote good planning ahead of commercial growth in the county. The nearest planned Rural Service Area is located approximately 1/2 mile to the southwest and is known as the village of Ellis.

In consideration of the Planned Development request, staff feels that the use of wedding event halls and centers is a growing trend. Accommodating this trend and finding a zoning district in which the use can be located can be difficult. While it is a quasi-commercial use, the desire for a serene and scenic setting can not usually be achieved in a commercial or industrial location. For this reason, county staff believes, a Planned Development is a good alternative and would allow for reasonable use of the property while implementing controls over the use and appearance of the facility. If the applicant would have called the facility a church, it would be allowed in the A1 Agriculture District. The reception hall is very similar to a church in the fact they weddings, receptions and events take place in them and you have large traffic flows that occur at specific times and not a steady stream of traffic. County staff will support this rezoning request and considers the use of the Planned Development District an innovative idea on how to accommodate the use and maintain control over it.

Since the City staff and County staff have different views and recommendations on the proposed rezoning request, no formal recommendation will be made. The public hearing shall be held and the Joint Planning Commissions can make a determination on the use. Staff has prepared and attached a proposed set of development guidelines for the Emerald Pines Planned Development for the Planning Commission’s review.

**Recommendation:** A public hearing on Rezoning #18-07 shall be held. Based on the findings of the Joint Planning Commissions, a recommendation shall be made.

**Public Testimony**

Scott Anderson presented the staff report. Scott Anderson stated that no recommendation was made by the County, and the recommendation made by the Joint Planning Commission will be what is forwarded to the Joint County Commission and City Council hearing.

Commissioner Luetke asked if city Fire had reviewed the plans. Diane DeKoeyer, City Planning Department that the Fire Department has not reviewed the plans, but that the plans can be reviewed by the Fire Department once the item moves forward.

Jason Shanks identified himself as the co-petitioner for the request. He began by explaining his



reasons for making the request, including family experience with wedding photography. He stated that he and other individuals in this family work in part as wedding photography. He continued that the barn will be used for weddings and other social events, and as a location to do work for his law office when it is convenient and not as a main use. Mr. Shanks continued to describe the location to be surrounded by trees, and showed the Joint Commission examples of area reception halls in proximity to dwellings. He also explained that there is a need for this type of event facility based on demand for similar establishments in the area.

Commissioner Barth asked if the driveway would be paved. Mr. Shanks responded that he would do it if it was required. Scott Anderson explained that the Commissions could add the requirement to have hard surfaced driveway and parking.

Commissioner Chontos asked if the petitioner has considered other sites. Mr. Shanks responded the proposed site if on family land, and other sites are either difficult to purchase or too far away for the desired business model.

Tony Baker, identified himself as a designer with WS Construction. He described some of the construction aspects of the project including fire sprinkler system and sound paneling. Kurt Johnson asked if rural water was available for the site. Mr. Baker responded that a large water line is located in the ditch and the line has enough pressure to service a sprinkler system.

Commissioner Barth pointed out that Maple Street is paved adjacent to the property and that most commercial businesses are required to have paved parking. He further explained that he was supportive of people going into business.

### **Discussion**

Commissioner Johnson echoed that he likes to see business, but he expressed concern with the “whatever is required” attitude of the petitioner and designer. He would like to see people go above and beyond what is required.

Commissioner Gaspar stated that fire suppression is important; especially when fire fighters may be coming from a long way out. Scott Anderson explained to the Commissions that the building will be reviewed for code compliance by our building inspector.

### **Action**

A motion was made to **recommend approval** of Rezoning #18-07 with an additional Driveway Regulation to require the first 100 feet of driveway off of Maple Street shall be at least 20 feet wide and hard surfaced by Commissioner Barth and seconded by Commissioner Ralston. The motion passed unanimously. The same motion was made for the City to **recommend approval** of Rezoning #18-07 with an additional Driveway Regulation to require the first 100 feet of driveway off of Maple Street shall be at least 20 feet wide and hard surfaced by Commissioner Chontos and seconded by Commissioner Johnson. The motion passed 4-1, Commissioner



**SIOUX FALLS AND MINNEHAHA COUNTY  
PLANNING COMMISSION  
MEETING MINUTES**

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Chontos voted against the motion.

**Rezoning #18-07 – Approval Recommended**

**Old Business**

None.

**New Business**

None.

**Adjourn**

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

The meeting was **adjourned** at 7:47 pm.