

**MINUTES OF THE JOINT MEETING
MINNEHAHA COUNTY & SIOUX FALLS PLANNING COMMISSIONS
May 21, 2007**

A joint meeting of the County and City Planning Commissions was held on May 21, 2007 at 7:00 p.m. in the Commission Room of the Minnehaha County Administration Building.

COUNTY PLANNING COMMISSION MEMBERS PRESENT: Deb Bunde, Mike Cypher, Susie O'Hara, Mark Rogen, Don South, Wayne Steinhauer and Carol Twedt.

CITY PLANNING COMMISSION MEMBERS PRESENT: Pam Breidenbach, Teresa Boysen, Ken Dunlap, Meredith Larson, and Lynette Olson.

STAFF PRESENT: Scott Anderson, Phil Kappen, and Pat Herman – County Planning;
Jeff Schmiddt – City Planning

The City Planning Commission was chaired by Meredith Larson. County Planning Commission Chair Don South presided over the meeting.

APPROVAL OF THE CONSENT AGENDA

A motion was made for the City by Boysen and seconded by Olson to approve the consent agenda. The motion passed unanimously. Same motion for the County by Cypher and seconded by Rogen. The motion passed unanimously.

ITEM 1. MINUTES – Minutes of the April 23, 2007 meeting.

ITEM 2. CONDITIONAL USE PERMIT # 07-44 to allow 9 day fireworks sales.

Legal Description – Tr 8 Costello Addn. in Section 32-T101N-R50W
Location – 1 mile west of Sioux Falls
Petitioner / Owner- Steve Buresh / David Dangel

General Information

Present zoning - A-1 Agricultural
Existing Land Use - Agriculture
Parcel Size - 12.19 acres

Report by: Pat Herman

Staff Analysis

The subject property is located one mile west of Sioux Falls on Highway 148, an extension of 41st Street. The surrounding property is zoned A-1 Agricultural except for an 80+ parcel to the immediate west which is zoned PD Resurrection Addition. There is very little residential development in the immediate area.

This is an application to allow annual nine-day fireworks sales from June 27th to July 5th. Fireworks will be sold from a large tent. The vendor's storage container and porta-potty will also be on the site.

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.

The closest house, immediately to the south, is owned by the owner of the subject property. The limited time frame for the fireworks sales should have no effect on property values in the area. The hours of operation should be limited from 10 am to 10:30 pm. This is consistent with other fireworks sales approved by conditional use permit.

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

Given the temporary nature of the proposed use, there should be no impact on future development.

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

Access will be from 468th Ave., a township gravel road. There will be no access directly from the County Highway.

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

There is ample parking available on this twelve acre parcel to handle the vehicle load generated by this temporary land use.

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.

Any temporary lighting should be designed to display light downward and not off of the property.

Recommendation

Staff recommended approval of Conditional Use Permit #07-44 with the following conditions:

- 1) The business shall be allowed to operate annually between June 27th and July 5th.
- 2) The site shall conform to the submitted site plan dated April 26, 2007.
- 3) Access shall be from 468th Avenue. No access shall be allowed from Hwy 148.
- 4) The business shall be allowed to operate between the hours of 10:00 am and 10:30 pm.
- 5) One sign shall be permitted with a sign face not to exceed 32 square feet. No other signs, banners or flags, with the exception of the American flag, shall be permitted in conjunction with the business.
- 6) The sign shall not be placed on the property prior to June 23rd and shall be removed by July 8th of each year.
- 7) Parking shall not be allowed within the right-of-way of Highway 148 or 468th Avenue, and all parking shall be on Tr. 8 Costello Addition.
- 8) Lighting shall be of a shoe box design and not allow light spillage off of the property.

Based on the staff report, a motion was made for the City by Boysen and seconded by Olson to approve conditional use permit #07-44 with the conditions as stated. The motion passed unanimously. Same motion for the County by Cypher and seconded by Rogen. The motion passed unanimously.