

**MINUTES OF THE JOINT MEETING
MINNEHAHA COUNTY & SIOUX FALLS PLANNING COMMISSIONS
February 25, 2008**

A joint meeting of the County and City Planning Commissions was held on February 25, 2008 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, Carol Twedt, and Wayne Steinhauer.

CITY PLANNING COMMISSION MEMBERS PRESENT: Ken Dunlap, Meredith Larson, Jessie Schmidt, and David Van Veldhuizen.

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

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

ITEM 1. MINUTES – November 29, 2007

A motion was made for the City by Schmidt and seconded by VanVeldhuizen to approve the minutes. The motion passed unanimously. Same motion for the County by Steinhauer and seconded by Bunde. The motion passed unanimously.

CONSENT AGENDA

A motion was made for the City by Schmidt and seconded by VanVeldhuizen to approve the consent agenda. The motion passed unanimously. Same motion for the County by Steinhauer and seconded by Bunde.

ITEM 2. CONDITIONAL USE PERMIT #08-09 to allow an electrical substation.

Legal Description – Tract 1 Krull's Addition SW1/4 SE1/4 of Section 31-
T101N-R48W

Location - 7000 E. 57th St. ¼ mile east of Sioux Falls

Petitioner / Owner- East River Electric

General Information

Present Zoning - A-1 Agricultural
Exiting Land Use - Agricultural
Parcel size- 2.3 Acres

Report by: Scott Anderson

Staff Analysis

The property is zoned A-1 Agricultural District. Article 3.04(V) of the Zoning Ordinance allows a utility substation as a Conditional Use in this zoning district. The applicant is initially constructing a 69 kV substation with the eventual capacity of a 115 kV substation. At full capacity, the substation would be confined to the 160' by 185' fenced-in area.

The surrounding land uses are a mixture of residential and agricultural uses. The subject property is located approximately ¼ of a mile east of the Sioux Falls corporate limits. The property surrounding the proposed substation appears to be used for agricultural purposes. With the construction of the new sanitary sewer line and lift stations at 57th Street and the Big Sioux River and the construction of SD Highway 100, it is likely that this area will experience rapid growth in the near future.

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.

Due to the existing residential development pattern and agricultural uses within the area, the proposed utility substation should not have a negative effect upon the normal and orderly development and improvement of these properties for uses predominant in the area. The utility substation will insure adequate electric service to present and future development for the area.

The site plan submitted by the applicant indicates landscaping consisting of pine trees and deciduous trees. It appears that pine trees will be planted along the north, east and west sides of the property. The south side situated along 57th Street will only have 4 conifer trees and screening fence. Staff is satisfied with the landscaping plan submitted and recommends that East River Electric follow this plan and keeps the landscaping in a live state.

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

Due to the existing agricultural use on properties within the area and the buffer provided by the landscaping and screening fence, the proposed utility substation should not have a negative effect upon the normal and orderly development and improvement of these properties for uses predominant in the area. The applicant has indicated that the proposed substation will insure adequate electric service to present and future development for the area.

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

Access to the proposed utility substation will be provided by 57th Street, which is a County maintained road. It appears that the site utilizes natural drainage. The proposed substation will not use any water or produce any wastewater.

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

The applicant has not indicated any off-street parking on the site plan submitted with the Conditional Use application. Article 15 of the Zoning Ordinance does not specifically identify the parking requirements for a utility substation. Staff recommends that two (2) off-street parking spaces be provided. A utility substation typically does not generate any significant amounts of traffic. Each parking space should measure a minimum of nine feet by 18 feet and be continually maintained in such a manner that no dust will result from continuous use. As 57th Street is a paved road and access will be coming off of 57th Street, the driveway and parking area are required to be paved.

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 Conditional Use Permit may generate limited fumes, dust and noise. The applicant has indicated that the proposed substation will have lights for monitoring and maintaining the facility; however, the substation will not be continually lighted. The property's terrain and the surrounding agricultural uses limit the impact the proposed substation may have on surrounding properties.

The utility substation will be providing a benefit to the community. With appropriate conditions of approval, any concerns can be mitigated. Staff's review indicates that the proposed Conditional Use is a use which is appropriate for this site. Staff recommends approval of Conditional Use Permit #08-09 to be established and conducted in conformity with the Zoning Ordinance and the recommended conditions of approval.

Recommendation

Staff recommended approval of Conditional Use Permit #08-09 to allow a utility substation up to 115 kV in the Agricultural District with the following conditions:

- 1) That the substation be entirely enclosed in a minimum eight (8) foot high fence, gated and locked.
- 2) That a minimum of two (2) off-street parking spaces be provided and that each parking space shall not be less than one hundred sixty two square feet, or nine feet by eighteen feet, hard surfaced with a concrete or asphalt and maintained in such a manner that no dust will result from continuous use.
- 3) That all existing drainage ways be maintained and that erosion control measures are implemented on all disturbed areas so as not to allow any sedimentation of existing drainage ways or bodies of water.
- 4) That the applicant follows the proposed landscaping shown on the vegetation plan and that the all landscaping be maintained in a live state. The applicant shall also control all noxious weeds on the site.
- 5) That the applicant obtains a building permit prior to any construction commencing on the site.
- 6) That the applicant obtain and keep current any required S.D. Public Utilities permits and meet all noise standards set by the Public Utilities Commission.

Based on the staff report and public testimony, a motion was made for the City by Schmidt and seconded by VanVeldhuizen to approve Conditional Use Permit #08-09 with the conditions as stated. The motion passed unanimously. Same motion from the County by Steinhauer and seconded by Bunde. The motion passed unanimously.