

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

A joint meeting of the County and City Planning Commissions was held on August 25, 2008 at 7:00 p.m. in the Commission Room of the Minnehaha County Administration Building.

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

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

STAFF PRESENT: Scott Anderson, Phil Kappen, and Pat Herman – County Planning
Steve Randall – City Planning

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

ITEM 1. MINUTES – August 28, 2008

A motion was made for the City by Boysen and seconded by Schmidt to approve the minutes. The motion passed unanimously. Same motion for the County by O'Hara and seconded by Rogen. The motion passed unanimously.

REGULAR AGENDA

ITEM2. CONDITIONAL USE PERMIT #08-57 to allow a garbage service business.

Legal Description - Lot 3 Stoakes Sub. Of Tract 2 of Pleasant view Acres in Section 19-T101N-R48W.

Location - 1100 E. Stoakes Ave. east edge of Sioux Falls

Petitioner / Owner- Bruce Roozenboom

General Information

Present Zoning - C Commercial

Existing Land Use - Commercial

Parcel Size - 1.02 Acres

Report by: Phil Kappen

Staff Analysis

The subject property is located in Pleasant View Acres, a commercial subdivision on the east edge of Sioux Falls. The property is surrounded on all sides by commercial uses and the area is planned for future commercial use in the Sioux Falls 2015 plan.

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.

All surrounding properties are in commercial use. In order to be consistent with other conditional use permits in the area, all parts, scrap, or unlicensed/inoperable vehicles, if allowed, should be screened from public view. In order to prevent potential odors or health issues, the business should be prohibited from storing garbage on the site overnight. There is an existing home to the north of this property that is zoned A-1 Agricultural. That property is planned for future commercial use. There is currently a row of dense trees and a privacy fence separating that home from the subject property.

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

The area is planned for continued commercial use in the future. This is a type of business that would be consistent with the uses commonly found in commercial areas.

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

Access to the property is via Stoakes Avenue. A holding tank is currently used on the property for wastewater management.

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

The petitioner's site plan shows that parking would be limited to the west side of the existing building on the property. The site plan also shows that the required 15-foot setback will be maintained between the parking area and the right-of-way of Stoakes Avenue. The zoning ordinance requires that all commercial and industrial properties that access a hard-surfaced road must also have all parking and driving surfaces hard-surfaced. Stoakes Avenue is at this time a gravel road so there is no automatic requirement in the ordinance for immediate hard-surfacing. This area, however, will become part of the city of Sioux Falls in the foreseeable future. When that occurs and Stoakes Avenue becomes a hard-surfaced city street, then the driveway and parking area on the property should be hard-surfaced.

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.

As was noted previously noted, the overnight storage of any garbage or waste should be prohibited to limit the potential for odors. Any outdoor lighting should be required to be of a shoe box style that directs light downward.

Recommendation

Staffs find that the proposed use is consistent with the types of commercial uses found in commercially-zoned areas and with the types of businesses that are found in the vicinity. Staffs, therefore, recommended approval of conditional use permit #08-57 with the following conditions:

1. The use shall conform to the site plan submitted as a part of the conditional use permit application unless otherwise noted in the permit approval.
2. No garbage or refuse shall be stored overnight on the property.
3. Any outside storage of materials, automotive parts or dumpsters, if determined to be necessary on the site, shall be screened from public view by the use of a screening fence. The fence, if needed, shall be of six feet in height, of an earth-tone color, and shall have a minimum of 90% opacity maintained over the entire height of the fence. The parking of licensed and operable garbage vehicles shall not require screening.
4. No unlicensed, inoperable or partially dismantled vehicles shall be stored outside on the property.
5. At such time as Stoakes Avenue becomes a hard-surfaced road, the driveway and all parking areas on the subject property shall be hard-surfaced.
6. Any outdoor lighting shall be of a shoe-box style that directs light downward and prevents the spillage of light beyond the boundaries of the property.

Public Testimony

John Monahan, Split Rock Township Supervisor, mentioned that this lot was close to the residential development of Split Rock Heights. He is wants to see the property maintained and the trucks parked inside the shed. He wondered what would happen to the house.

The petitioner, Sunday Roozenboom, stated that there were some repairs to be made to the house and then it will be rented out. The shed will have garage doors on its south side. The current driveway will be used and it will be wrapped around the south side of the house so that the garbage trucks can enter the shed from the south. The hours of operation will be from 6:00 am to 4:30 pm. Ms. Roozenboom explained that the trucks will be empty when on this property and stored in the shed.

No one else wished to speak to the item and the floor was closed to public testimony.

Action

Based on the staff report and public testimony, a motion was made for the City by Olson and seconded by Schmidt to **approve** Conditional Use Permit #08-57 with the conditions as stated. The motion passed unanimously. Same motion for the County by Wayne and seconded by Rogen. The motion passed unanimously.