

**MINUTES OF THE JOINT MEETING  
MINNEHAHA COUNTY & SIOUX FALLS PLANNING COMMISSIONS  
October 27, 2008**

A joint meeting of the County and City Planning Commissions was held on October 27, 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, Becky Randall, Mark Rogen, Don South, Wayne Steinhauer and Carol Twedt.

CITY PLANNING COMMISSION MEMBERS PRESENT: Ken Dunlap, Meredith Larson, Lynette Olson, and Anita Wetsch.

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

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

**ITEM 1. MINUTES – August 25, 2008**

A motion was made for the City by Wetsch and seconded by Dunlap to approve the minutes. The motion passed unanimously. Same motion for the County by Rogan and seconded by O'Hara. The motion passed unanimously.

**REGULAR AGENDA**

**ITEM 2. CONDITIONAL USE PERMIT #08-70 to exceed 1200 square feet of accessory building area – 1952 square feet requested.**

Legal Description - Caldwell's Tr. No. 1 SW ¼ in Section 28-T101N-R48W  
Location – 9200 E. 41<sup>st</sup> St. 1 mile east of Sioux Falls  
Petitioner / Owner- Roger Kuyper

**General Information**

Present Zoning - A1 Agricultural  
Existing Land Use - Residential  
Parcel Size - 1 Acre

**Report by:** Scott Anderson

**Staff Analysis**

The property is located approximately 1 mile east of Sioux Falls. The parcel is part of a group of residential lots and adjacent to a large residential subdivision to the west.

The petitioner would like to construct an accessory building on this site. In subdivisions or residential developments which exceed four lots in size, accessory building area is limited to 1200 sq. ft. unless approval for a larger size is obtained through the conditional use permit process.

The petitioner's requested size of 1,952 sq. ft. is smaller than the largest existing accessory buildings in the area located on parcels directly adjacent to the east and west. There are several other large accessory buildings located in the area. Square footage for accessory buildings on the neighboring properties range from 624 sq. ft. at 3101 S. Riverview Avenue, 3,728 sq. ft. at 9404 E. 41<sup>st</sup> Street, 1540 sq. ft. at 9210 E. 41<sup>st</sup> Street, and 8,370 sq. ft. at 3401 S. River Bluff Road. The petitioner's requested size of 1,952 sq. ft. would be consistent with the accessory building square footage on the other properties in the neighborhood.

**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.**

Given the existence of other larger accessory buildings, the construction of this structure should not impede on the enjoyment or use of the surrounding properties or effect property values.

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

The building can only be used for the personal storage of the petitioner's residential related items and no commercial or business activities are allowed.

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

There is existing access from East 41<sup>st</sup> Street.

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

There is sufficient parking for any residential activities.

**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.**

There should be no offensive odors, fumes, dust, noise or vibration from the allowed residential uses on this property.

The Planning Department will perform a building inspection to measure the size of the structure. Measurements are taken of the outside perimeter.

**Recommendation**

The joint staff finds that the proposed building size conforms to the general sizes of other accessory buildings in the area. Staff recommended approval of conditional use permit #08-70 with the following conditions:

- 1) The total accessory building square footage shall not exceed 1,952 square feet.
- 2) The building shall be used only for the petitioner's personal residential storage. No commercial or business uses or storage shall be allowed.
- 3) The building shall not exceed one story in height.
- 4) A building inspection is required.

**Action**

Based on the staff report, a motion was made by Wetsch and seconded by Dunlap to **approve** Conditional Use Permit #08-70 with the conditions as stated. The motion passed unanimously. Same motion for the County by Rogan and seconded by O'Hara. The motion passed unanimously.

**ITEM 3. CONDITIONAL USE PERMIT #08-74 to allow a private outdoor recreation facility – rodeo and barrel racing.**

Legal Description – NE ¼ NW ¼ of Section 25-T102N-R50W  
Location – 47135 260<sup>th</sup> St. North of Sioux Falls  
Petitioner / Owner- McCrossan Foundation

**General Information**

Present Zoning - A1 Agricultural  
Existing Land Use - Institutional  
Parcel Size - 40 Acres

**Report by:** Phil Kappen

**Staff Analysis**

The subject property is located north of I-90 at the northwest corner of Sioux Falls. The surrounding properties are in agricultural uses with scattered non-farm acreages. The property has been used for many years as a group home for boys. One of the organization's major fund raisers each year is a rodeo. The rodeos were previously held at the Sioux Falls Arena, however, the McCrossan Boy's Ranch is seeking a conditional use permit for a private outdoor recreation facility to allow the rodeo to be held on their grounds. The approximate attendance for each rodeo is from 1000 to 1500 people. In addition to the rodeo planned for each August, the ranch would also host 2-3 times per year.

**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.**

There has been a small livestock operation at this location for many years. There will likely be a relatively small increase in animal numbers during events, but there will likely be no permanent increase in animal numbers. The greatest potential for impacts to surrounding properties will be dust from additional traffic on gravel roads, noise at late hours, or misdirected lighting causing traffic hazards on the Interstate highway or to neighboring homes. All of these potential concerns can be easily addressed.

No overnight camping has been requested, however, due to added approval requirements by the county and the state, and due to the potential for added security concerns, no overnight camping should be allowed.

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

This area is designated in the city's comprehensive development plan for an institutional use. This future use is based on the current use of the property.

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

Access to the property is via Marion Road or from 72<sup>nd</sup> Street North. There may be a potential for increased dust during the proposed events. This could have an adverse impact on the residences located along Marion Road and 72<sup>nd</sup> Street North. Dust should be controlled on the roads during events until such time as the roads are reconstructed as hard-surfaced roadways.

The petitioner will also be responsible for providing adequate sanitary facilities during events. There are existing restroom facilities on site which will handle as number of the

patrons. Additional patrons over that amount could be served through the use of port-a-potties.

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

There is ample space on the site for any required parking and the petitioner's site plan shows designated parking areas. No parking or unloading areas should be allowed on the public roadways.

**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 potential for dust is addressed above. There should be little potential for a great increase in odor due to the relatively small number of animals used in the events. If there will be a potential for noise impacts it could be addressed through limits on the hours of operation. Lighting should be directed to prevent offsite impacts.

**Recommendation**

Staffs find that the proposed use is a reasonable additional use given the existing use of the property and the existing presence of livestock at the site. Staffs, therefore recommended approval of conditional use permit #08-74 with the following conditions:

1. The facility shall be limited to no more than five events during the year. These events may include rodeos, or barrel racing competitions.
2. The hours of operation for the events shall be limited to times between the hours of 8:00 AM and 10:00 PM.
3. The petitioner shall provide adequate sanitary facilities according the following schedule:
  - a. 1000 people – 5 toilet stalls or port-a-potties for men and 6 for women.
  - b. 1500 people – 7 toilet stalls or port-a-potties for men and 9 for women.
  - c. Greater than 1500 people – an additional 1 toilet stall or port-a-potty for every 300 additional men and an additional toilet stall or port-a-potty for every 150 additional women
4. Any signs or banners for the events shall be temporary and shall not be erected until one week prior to the event and shall be removed within one week following the event.
5. Dust shall be controlled on 72<sup>nd</sup> Street North and Marion Road during events until such time as the road is reconstructed with a hard-surfaced roadway.
6. All parking shall be contained on the site. No parking or the unloading of vehicles or trailers shall be allowed with the right-of-way of any publicly-dedicated road.
7. All lighting shall be directed downward in a manner that prevents light spillage towards any vehicles along Interstate 90 or toward any residence.
8. No overnight camping by visiting contestants or patrons shall be allowed.

**Action**

Based on the staff report, a motion was made by Wetsch and seconded by Dunlap to **approve** Conditional Use Permit #08-74 with the conditions as stated. The motion passed unanimously. Same motion for the County by Rogan and seconded by O'Hara. The motion passed unanimously.