

**MINUTES OF THE JOINT MEETING
MINNEHAHA COUNTY & SIOUX FALLS PLANNING COMMISSIONS
April 26, 2010**

A joint meeting of the County and City Planning Commissions was held on April 26, 2010 at 7:00 p.m. in the Commission Room of the Minnehaha County Administration Building.

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

CITY PLANNING COMMISSION MEMBERS PRESENT: Meredith Larson, Ken Dunlap, Steve Gaspar, Darla Erb, and Jessie Schmidt.

STAFF PRESENT:

Scott Anderson, Pat Herman, Phil Kappen, and Ryan Streff - County Planning
Dustin DeBoer – Office of the State's Attorney
Steve Randall – City Planning

The City Planning Commission chair Meredith Larson presided over the meeting. The County Planning Commission was chaired by Chair Susie O'Hara.

CONSENT AGENDA

A motion was made for the City by Schmidt and seconded by Erb to approve the consent agenda. The motion passed unanimously. Same motion for the County by Rogen and seconded by South. The motion passed unanimously.

Item 1. Minutes – March 22, 2010

A motion was made for the City by Schmidt and seconded by Erb to **approve** the meeting minutes from the March 22, 2010 meeting. The motion passed unanimously. Same motion for the County by Rogen and seconded by South. The motion passed unanimously.

ITEM 2. CONDITIONAL USE PERMIT #10-15 to allow a recreational facility & campground and to rescind CUP#96-61, #00-76, #86-31, #89-07.

Petitioner: Bruce Aljets

Location: 26014 478th Ave. Yogi Bear Campground

Staff Report: Pat Herman

General Information:

Legal Description - N1/2 (EX 2 H-1 H-2 & EX PT NE S OF HY 90 & EX N 640' W
300' NW 1/4) of Section 30-T102N-R48W

Existing Land Use - Agriculture

Current Zoning - RC Recreation Conservation

Parcel Size – 17.14 Acres

Staff Report: Pat Herman

Staff Analysis:

The subject property is located at the EROS exit on I-90 at the Yogi Bear Campground. To the east and north of the property is agricultural land and to the west is commercially-

zoned property. Interstate 90 borders the south edge of the property.

The petitioner first received approval for a campground on this site in 1989. A conditional use permit was granted in 1996 to expand the campground to include a storage area for recreational vehicles. In 2000 the campground was again expanded to the south by providing additional spaces for recreational vehicles and a tent camping and parking area.

With this conditional use permit the petitioner is requesting approval for corn maze. There is approximately 12 acres at the east end of the campground that can be utilized for the maze. The number of acres involved in the maze will vary from year to year, depending on the design. The maze would be open to both campers and the general public. The corn maze was in operation last year and had an estimated attendance of 3,000 people over the recreational season. The petitioner had contacted the County Planning Department and was incorrectly told to proceed without a conditional use permit. When contacted to submit this application, the petitioner was more than willing to comply.

As a part of this conditional use permit, the four existing conditional use permits for the campground and storage yard for recreational vehicles will be rescinded, and combined into this conditional use permit. The County Planning Department is the administrator for conditional use permits in the joint area and combining permits assists in this effort. A yearly attendance record will be requested to ensure the operation does not exceed the facility's capacity.

The petitioner has met the following conditions from which were part of the previously issued conditional use permits. Planning staff has determined that they are no longer relevant to the property.

- 1) An access and circulation plan shall be submitted by the petitioner for review and approval by the County Highway Department.
- 2) At a minimum, the site shall be screened from public view along the south and east sides of the storage area with evergreens at least 5 feet in height and spaced no more than 15 feet on center. Screening shall be completed by May 30, 1997.
- 3) Access to the expansion area shall be from the existing campground driveway. A barricade shall be erected preventing access to the fireworks parking lot from the campground.
- 4) A revised site plan shall be prepared for approval by the planning staff which shows the revised site access, parking for the tent camping area, and location of the existing miniature golf course.
- 5) A copy of the state-approved plans for the septic system shall accompany the application for a County wastewater treatment system permit.
- 6) All conditions shall be completed prior to the use of the expansion area.

These conditions will be omitted from this permit.

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 location of the maze will not impact the use of the surrounding properties. The

nearest residential structures are north of the site, on top of the hill. There are established commercial businesses across from the entrance to the maze.

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

Do to the terrain, the property surrounding the campground on the east side of Highway 121 would be costly to develop. The land is owned by the petitioner. On the west side of the highway, the available commercial land is in use. Shape Sioux Falls 2035 Future Land Use Plan depicts the area around the interstate interchange as a sub regional employment center. This would allow a commerce center with mixed uses from the commercial, general office, business park, institutional and multi-family residential zoning districts.

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

Access to the site is from County Highway 121. The entrance is the same as for the campground and is well marked. Site distance is not an issue. The campground is equipped with restrooms that may be used by the attendees. Staff will require that one portable toilet be placed near the entrance of the maze. The interior campground roads will provide access.

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

The petitioner will provide parking on the south side of campground where there is four acres of farm ground. Corn stalks will be maintained to delineate the parking area. The parking rows should be delineated by the petitioner. One possible method is with stakes and rope. Because of the seasonal use of the parking lot and that a crop is planted in this area, permanent delineation measures are not needed. Four acres will provide more than adequate space for parking. Figured with generously sized spaces and allowing for drive paths, at a minimum 600 parking spaces would be provided. There is also parking at the tenting sites which see less use in the fall months.

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.

No of these would be at a level as to constitute a nuisance.

The campground holds activities on the site for those who are camping, such as Christmas in July or having live music. These are subsidiary to the campground and do not need conditional use permit approval. There may be some activities that would involve both the campers and public coming to the corn maze, for example the haunting of the maze and campground around Halloween.

Recommendation:

The corn maze is accessed off a hard surface road and is adjacent to an existing recreational activity. The 2035 Shape Sioux Falls Plan depicts this area for a mixture of uses and the seasonal use of the corn maze would not impede on other development in the area. Staff recommended approval of Conditional Use Permit #10-15 for a campground, recreational vehicle storage yard and recreational facility (corn maze) with the following conditions:

(Conditions 1 -4 are from the previous conditional use permits)

- 1) No additional on-premise signs shall be erected.
- 2) Storage shall be limited to only those items such as campers and vehicles which are accessory to campers. No sales shall occur from the storage area and no unlicensed or inoperable vehicles shall accumulate on the property.
- 3) No access shall be allowed from the fireworks parking lot and no additional driveways shall be constructed onto the highway.
- 4) No tenting or camping shall be allowed over septic drainfields.

(Conditions 5-12 address the petitioner's request for the recreational facility -corn maze)

- 5) A recreational facility – corn maze – shall be allowed at the east end of the campground and shall be open to the public.
- 6) No additional driveway access shall be allowed.
- 7) Public parking shall be located in the 4 acre field, south of the tent area of the campground and in the tent area. Signs shall delineate the parking lot and the parking rows shall be marked.
- 8) One portable toilet shall be placed near the entrance of the recreational facility during the duration of the operation of the corn maze.
- 9) The County Planning Department shall be provided with an attendance record by December 15th of each year.
- 10) Planning staff shall have unrestricted access onto the property to inspect the recreational facility to ensure the conditions are being met.
- 11) Hours of operation shall be consistent with public hours for the campground.
- 12) Conditional Use Permits #96-61, #00-76, #86-31, #89-07 are rescinded.

Action

Based on the staff report a motion was made for the City by Schmidt and seconded by Erb to **approve** Conditional Use Permit #10-15 with the conditions as stated. The motion passed unanimously. Same motion for the County by Rogen and seconded by South. The motion passed unanimously.

Conditional Use Permit #10-15 – APPROVED.

REGULAR AGENDA

There were no regular agenda items.