

02/26/2019

THE MINNEHAHA COUNTY COMMISSION CONVENE IN A JOINT SESSION WITH THE SIOUX FALLS CITY COUNCIL AT 5:00 P.M., February 26, 2019, pursuant to adjournment on February 26, 2019. Commissioners present were: Barth, Bender, Beninga, and Heiberger. Commissioner Karsky was absent. Also present was Olivia Larson, Commission Recorder.

City Council Members present: Brekke, Erickson, Neitzert, Selberg, Soehl, Starr, and Stehly. Mayor TenHaken was also present.

Chair Bender called the meeting to order.

MOTION by Heiberger, seconded by Beninga, to approve the agenda. 4 ayes. The City concurred.

REZONE

Scott Anderson, Planning Director, was present for the public hearing and gave the second reading of an amendment to Ordinance MC30-02, the 2002 Revised Zoning Ordinance for Minnehaha County and the City of Sioux Falls. The amendment is to rezone from an A-1 Agriculture District to the Laurel Ridge Planned Development District for the property legally described as Lot A Tract 1, Laurel Ridge Addition, SE 1/4, SE 1/4, Section 23, T102N, R49W, Minnehaha County, South Dakota. The property is approximately 30.52 acres of land located approximately one (1) mile north of Sioux Falls. The petitioner and property owner is Tyler Childress. The petitioner's request for a rezone includes two sub areas. Sub Area A would be utilized for an events facility/barn. Sub Area B would be an agricultural area consisting of some flood plain that may house a business sign for the events facility. The original request included a Sub Area C to be zoned residential that was removed during the Planning Commission meeting on January 28, 2019. The Planning Commission unanimously voted to approve the rezoning at their meeting. Regulations put into place to address concerns brought forward during the Planning Commission meeting include no outdoor music after 10:00 p.m., dust control to be applied to Slip Up Creek Road, all outdoor lighting shall be designed to prevent spillage of light beyond the property, no parking allowed on Slip Up Creek Road, and the hours of operation shall remain between 8:00 a.m. and midnight. The final development plan would be the next step after the rezoning of the property.

Tyler Childress, 47677 Slip Up Creek Rd, Sioux Falls, spoke on his request for the rezone, and responded to questions from the Joint City of Sioux Falls Council/Minnehaha County Commission (joint governing body).

The following people spoke in opposition: Brad Thill, 25985 477th Ave, Sioux Falls; Phil Bechtold, 47604 Surrell St, Sioux Falls; Russ Christensen, 47628 Slip Up Creek Rd, Sioux Falls; John Gunn 25952 Jane Ave, Sioux Falls; John Hauge, 47640 Slip Up Creek Rd, Sioux Falls; and Scott Zwak, 47646 Slip Up Creek Rd, Sioux Falls. The opponents were concerned the with following: the amount of traffic on Slip Up Creek Rd/477th Ave (the road), the heavy equipment that will need to use the road during construction, the township's position on the road, the speed people drive on the road, the lack of shoulders on the road, heavier delivery trucks needing to use the road to supply the facility after it is in business, whether or not there is a proper sewage system, noise from the facility, and allowing a commercial use near a residential area.

Mr. Childress spoke on the results of the traffic study conducted by HDR Engineering to address concerns regarding the road, the meetings held regarding the rezoning, and stated that he does intend to go through the proper channels to ensure a sewage system is in place.

Mr. Anderson explained that the use of event barns is a growing trend that is a quasi-commercial use due to the desire for a serene and scenic setting not usually achieved in a commercial or industrial location. Therefore, County Planning staff believes a planned development is a good alternative because it allows the governing body to implement controls over the use and appearance of the facility.

In response to a question from Council Member Neitzert, Heath Hoftiezer, City of Sioux Falls Principal Engineer,

02/26/2019

spoke on providing traffic count data to HDR Engineering and reviewing HDR's final data gathered from their study. Mr. Hoftiezer generally agreed with the findings of the HDR traffic study.

In response to a question from Council Member Stehly, Kyle Cosand, 4412 N Hillcrest Ave, Sioux Falls, stated that the sewage system will be designed and applied for approval through the State of South Dakota.

Upon the request of Council Member Brekke, Mr. Hoftiezer, spoke on the best surfacing of the road and expected amount of traffic during an event(s).

In response to a question from Council Member Brekke, Mr. Childress spoke on the plans or lack thereof to pave the road.

In response to questions from the joint governing body, Mr. Anderson spoke on the final development plan process to follow the rezone, the location of the barn itself within Sub Area A, the distance between the proposed events barn and the current residential area, the increased property taxes to be paid, the County's inability to charge development impact fees, and the potential for future discussions regarding the road concerns.

MOTION by Heiberger, seconded by Barth, to approve Ordinance MC30-40-19, an ordinance amending the 2002 Revised Zoning Ordinance for Minnehaha County and the City of Sioux Falls by rezoning certain property from A-1 Agriculture District to the Laurel Ridge Planned Development District, Rezoning #18-05. By roll call vote: 4 ayes. The City Concurred. The entire ordinance is on file and available in the Auditor's Office.

MOTION by Barth, seconded by Heiberger, to adjourn. 4 ayes. The City concurred.

The Commission adjourned until 9:00 a.m. on Tuesday, March 5, 2019.

APPROVED BY THE COMMISSION:

Jean Bender

Chair

ATTEST:

Olivia Larson

Deputy Auditor