



**JOINT MINNEHAHA COUNTY & CITY OF SIOUX FALLS
PLANNING COMMISSION
MEETING MINUTES**

FEBRUARY 24, 2025

**MINUTES OF THE JOINT MEETING
MINNEHAHA COUNTY & SIOUX FALLS PLANNING COMMISSIONS
February 24, 2025**

A joint meeting of the County and City Planning Commissions was held on February 24, 2025 at 7:00 p.m. in the Commission Room of the Minnehaha County Administration Building.

COUNTY PLANNING COMMISSION MEMBERS PRESENT: Commissioners Bonnie Duffy, Becky Randall, Mike Ralston, Ryan VanDerVliet, Adam Mohrhauser, and Joe Kippley.

CITY PLANNING COMMISSION MEMBERS PRESENT: Bradyn Neises, Janet Kittams, Erik Nyberg, John Paulson, and Dave Van Nieuwenhuyzen.

STAFF PRESENT:

Scott Anderson, Kevin Hoekman, & Mason Steffen – County Planning
Eric Bogue – States Attorney's Office
Karla Resendiz – City Planning

The County Planning Commission was chaired by Commissioner Bonnie Duffy. The City Planning Commission was chaired by Commissioner Bradyn Neises.

Chair Duffy called the Joint Minnehaha County and City of Sioux Falls Planning Commission meeting to order at 7:00 p.m.

PUBLIC COMMENT

Chair Duffy opened the floor for public comment and nobody moved to speak.

ITEM 1. Approval of Minutes – January 27, 2025

A motion was made for the County by Commissioner Ralston and seconded by Commissioner VanDerVliet to **approve** the meeting minutes from January 27, 2025. The motion passed with 5 votes in favor and 0 votes against the motion.

The same motion was made for the City by Commissioner Kittams and seconded by Commissioner Nyberg to **approve** the meeting minutes from January 27, 2025. The motion passed unanimously with 4 votes in favor and 0 votes against the motion.



**JOINT MINNEHAHA COUNTY & CITY OF SIOUX FALLS
PLANNING COMMISSION
MEETING MINUTES**

FEBRUARY 24, 2025

ITEM 2. CONDITIONAL USE PERMIT #25-10 to transfer one (1) building eligibility from Lots 2 & 3 Lacey's 2nd Addition N½ to Lot B of Lacey's Tract 2 N½ N½ all within Section 35 T102N-R49W Mapleton Township.

Petitioner: Glatco Company LLP.

Property Owner: Same

Location: Located at the intersection of N Bahnson Ave & E 60th Street N

Staff Report: Kevin Hoekman

General Information:

Legal Description – Lot B of Lacey's Tract 2 N½ N½ Section 35 T102N-R49W
Mapleton Township

Present Zoning – A-1 Agricultural

Existing Land Use – Vacant Lot

Parcel Size – 1.93 Acres

Staff Report: Kevin Hoekman

Staff Analysis:

The applicant is requesting to transfer a building eligibility from a small undevelopable parcel to a platted lot near a paved road. The transfer would allow the building eligibility to be utilized for construction of a single family residence. The Joint Zoning Ordinance allows a transfer of a building eligibility with approval of a conditional use permit.

The subject property is located east of the intersection of Bahnson Avenue and E. 60th Street N. The petitioner owns several properties in an approximately 40-acre area surrounded on three sides by Sioux Falls city limits. Sioux Falls already maintains all streets in the area.

The development of this subdivision has taken place over several decades. Three houses exist in the subdivision on lots A, E, and D of Lacey's Addition. One house was built prior to density zoning and uses one building eligibility. The other two houses use building eligibilities that were transferred to the subdivision with two separate conditional use permits in 1992. Lacey's 2nd Addition was platted in 2006 by the Sioux Falls Development Foundation as a small strip of land between Lacey's Addition and N. Bahnson Avenue. Much of the surrounding land area was annexed into the City of Sioux Falls in 2007.

A transfer of building eligibility must review several specific criteria. These criteria are in addition to the standard criteria for any conditional use permit. The criteria for a transfer request are listed below with staff comments under each criterion.

1.) The transfer of building eligibility shall occur only between contiguous parcels under the same ownership. For purposes of this ordinance same ownership means: Two or more parcels of land owned or controlled by an individual or combination of individuals, corporations, partnerships, or other legal entities; with said owners described uniformly on the deed or other legally binding conveyance of each parcel.

(MC30-13-06 7/17/06)

The sending parcel and the receiving parcel are both owned by Glatco Company LLP,



**JOINT MINNEHAHA COUNTY & CITY OF SIOUX FALLS
PLANNING COMMISSION
MEETING MINUTES**

FEBRUARY 24, 2025

and they are contiguous to each other with Lot A located in between.

2.) Suitability as a building site based on the following factors:

- a.) Agricultural productivity of the soil.**
- b.) Soil limitations.**
- c.) Orientation of the building site(s) with respect to road circulation and access to public rights-of-way.**

Neither the sending parcel or receiving parcel are used for agricultural production. A septic system will need to be designed by testing the soil capacity before any new house is to be built anywhere in the county. The receiving parcel has existing access onto E. 60th Street N. Comments provided by Sioux Falls planning staff include description of future expansion of E. 60th Street N. as a #1 arterial road that will need high access restrictions in the future.

3.) The minimum lot size shall be one acre but a larger area may be required when soil conditions warrant.

The receiving lot is 1.93 acres in size. Minimum lot size in the A1 Agricultural district is one acre.

4.) The parcel from which the eligibility is transferred shall continue as agricultural land or remain in its present use.

The sending parcel is a narrow strip of land that will not change if this transfer is approved.

5.) Approval has been granted by the appropriate governing entity for access onto a public road.

The receiving parcel is already platted and shares road access through an easement with the neighboring properties. The road authority is the City of Sioux Falls. If approved, it would be beneficial to limit access onto E. 60th Street N. because of the type 1 arterial classification of E. 60th Street N.

Conditional Use Permit Criteria:

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.

This property is located in a small subdivision with three existing houses in the middle of developing industrial properties. The three existing dwellings were constructed before most of the area development., but most of the industrial development in the area began after annexation into Sioux Falls in 2007. Many vacant and unplatted lots remain in the industrial park that nearly surrounds the property. Development of industrial sites continue on the industrial zoned properties. Low density single family residential land uses are generally incompatible with close proximity of industrial land uses and arterial roads.

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

The property is located in the middle of developing industrial properties. The Shape Sioux Falls



**JOINT MINNEHAHA COUNTY & CITY OF SIOUX FALLS
PLANNING COMMISSION
MEETING MINUTES**

FEBRUARY 24, 2025

Comprehensive Plan includes the area as future light industrial land in the 2040 Future Land Use map. In addition, 60th Street North is identified as a future Type 1 Arterial Road. This is reiterated through City Staff Comments. A new single family dwelling located in the area would create a situation where conflicting land uses are located in close proximity to each other. In addition, it would be in the best interest of the City of Sioux Falls to prevent premature low density development in an area where services are built to contain higher production.

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

If the transfer is approved, the petitioner would be responsible to extending any new utilities and required wastewater system. Drainage would not be significantly changed either.

The receiving property has access to existing driveway access used by neighboring houses. City comments include a description of future development of 60th Street N. and how it will affect the existing driveway. The redevelopment will affect the existing driveway regardless of the outcome of this transfer request. Adding one additional house will make changing the driveway location more difficult due to one more property affected by the change.

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

If approved, the property is large enough to accommodate the required parking for a single family dwelling.

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.

A building eligibility transfer that results in a single family dwelling does not typically create a nuisance. The property will need to comply with the Public Nuisance Ordinance for Minnehaha County.

6) Health, safety, general welfare of the public and the Comprehensive Plan.

The property is located within the Transition Area of the 2035 Comprehensive Plan. The area is also nearly surrounded by city limits of Sioux Falls. The transition area includes a development outlook to maintain the rural landscape until the eventual municipal development. Goal #4 of the Future Land Use Plan Chapter of Envision 2035 is to promote the orderly development of unincorporated land that will likely be annexed into a municipality in both the short and long terms. Additional low density residential in an area surrounded by land planned for industrial growth is not conducive for future orderly development of the planning industrial growth of the area.

Recommendation: Staff recommends **denial** of Conditional Use Permit #25-10.

Public Testimony

Kevin Hoekman, of county planning staff, presented the staff report and recommendation to the commission.

Commissioner Mohrhauser asked staff to clarify the background around the small sliver of land where the building eligibility is currently located. Kevin Hoekman explained that he believed it had to do with the annexation of the land to the west of the property and the paving and



**JOINT MINNEHAHA COUNTY & CITY OF SIOUX FALLS
PLANNING COMMISSION
MEETING MINUTES**

FEBRUARY 24, 2025

development of N Bahnson Avenue.

The petitioner, Gary Van Regenmorter of 3601 E 60th Street N, Sioux Falls, SD, addressed the commission with his comments on the request. He explained that the reason behind the fifteen-foot-wide strip was that he wanted a buffer on the west side of his property between his trees and N Bahnson Avenue. He also stated that that was a negotiation between him and the city of Sioux Falls and that city services are already available on the property. Mr. Van Regenmorter also commented that he is not looking to sell the property because he wants to use the building eligibility for family or friends, and that all of the houses could use the existing driveway.

Discussion

Commissioner Kippley stated that the County is usually fairly liberal with moving building eligibilities, but that the point of the joint jurisdiction with the city is to keep neighboring land to the city compatible with future city uses. He then commented that he would differ to city commissioners and staff on how to move forward with the request.

Commission Nyberg stated that he does not like the fifteen-foot strip of land and would like more information on that subject. He also explained that the city takes their comprehensive plan seriously and that they are currently in the process of updating their comprehensive plan. Finally, he stated that allowing another house on this property would double down on a conflicting land use in the area, and so he would not be in favor of the request.

Action

A motion was made for the County by Commissioner Kippley and seconded by Commissioner Mohrhauser to **deny** Conditional Use Permit #25-10. The motion passed unanimously with 5 votes in favor and 0 votes against the motion.

A motion was made for the City by Commissioner Nyberg and seconded by Commissioner Kittams to **approve** Conditional Use Permit #25-10. The motion failed with 0 votes in favor and 4 votes against the motion.

Conditional Use Permit #25-10 – Denied



**JOINT MINNEHAHA COUNTY & CITY OF SIOUX FALLS
PLANNING COMMISSION
MEETING MINUTES**

FEBRUARY 24, 2025

Old Business

None.

New Business

Fletcher Lacock, of city planning staff, presented an overview of the 2050 Shape Sioux Falls Comprehensive Plan update that the city has been working on for the last year. Mr. Lacock explained the public engagement, surveys, and other processes completed by the city to gather as much information as possible for their comprehensive plan update. Finally, he presented those results to the commission and explained that the city of Sioux Falls staff will now begin drafting the 2050 Shape Sioux Falls Comprehensive Plan, and that that draft text will be presented to the joint planning commission later this year.

Kevin Hoekman, of county planning staff, presented the proposed ordinance amendments for accessory dwelling units (ADUs) and the transfer of building eligibility changes to the commission. Kevin explained that these ordinances are a significant goal of the newly adopted Envision 2045 Comprehensive Plan for Minnehaha County.

Commissioner Kippley asked staff if the accessory dwelling unit ordinance would be different in the joint jurisdiction, or would there be countywide regulations for ADUs. Kevin explained that staff is in the early stages of drafting the ordinances and has not been in contact with city planning staff on if they would like to propose a different version in the joint jurisdiction. Kevin also stated that this could be possible if the city staff or commissioners feel that it is necessary. Finally, staff stated that they would like the commission to authorize staff to publish hearing notices for these amendments to be heard at the March 24, 2025 Planning Commission meeting.

A motion was made for the County by Commissioner Kippley and seconded by Commissioner Randall to **authorize a public hearing** for the proposed ordinance amendments at the March 24, 2025 meeting. The motion passed unanimously with 5 votes in favor and 0 votes against the motion.

The same motion was made for the City by Commissioner Van Nieuwenhuyzen and seconded by Commissioner Nyberg to **authorize a public hearing** for the proposed ordinance amendments at the March 24, 2025 meeting. The motion passed unanimously with 4 votes in favor and 0 votes against the motion.

Adjourn

A motion was made for the County to **adjourn** by Commissioner VanDerVliet and seconded by Commissioner Kippley. The motion passed unanimously.

The same motion to **adjourn** was made for the City by Commissioner Van Nieuwenhuyzen and seconded by Commissioner Nyberg. The motion passed unanimously.

The meeting was **adjourned** at 7:37 p.m.