



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

APRIL 28, 2025

**MINUTES OF THE JOINT MEETING
MINNEHAHA COUNTY & SIOUX FALLS PLANNING COMMISSIONS
April 28, 2025**

A joint meeting of the County and City Planning Commissions was held on April 28, 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, Adam Mohrhauser, Ryan VanDerVliet, Cindy Heiberger and Joe Kippley.

CITY PLANNING COMMISSION MEMBERS PRESENT: Bradyn Neises. Mike Gray, Janet Kittams, Dana Fisher, & John Paulson

STAFF PRESENT:

Scott Anderson, Kevin Hoekman, & Mason Steffen – County Planning
Maggie Gillespie – 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 7:26 p.m.

PUBLIC COMMENT

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

ITEM 1. Approval of Minutes – March 24, 2025

A motion was made for the County by Commissioner Ralston and seconded by Commissioner VanDerVliet to **approve** the meeting minutes from March 24, 2025. The motion passed unanimously with 6 votes in favor and 0 votes against the motion.

The same motion was made for the City by Commissioner Gray and seconded by Commissioner Paulson to **approve** the meeting minutes from March 24, 2025. The motion passed unanimously with 4 votes in favor and 0 votes against the motion.



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ITEM 2. CONDITIONAL USE PERMIT #25-17 to transfer fifteen (15) building eligibilities from the SW $\frac{1}{4}$ NE $\frac{1}{4}$ & S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 16, NE $\frac{1}{4}$ SE $\frac{1}{4}$ (Ex. Tract 1 Lakeside Addition) Section 16, NW $\frac{1}{4}$ SE $\frac{1}{4}$ (Ex. N206.7' W208.7' E712.7' & Ex Tract 1 Lakeside Addition) Section 16, NE $\frac{1}{4}$ SW $\frac{1}{4}$ (Ex. Tract 1 Lakeside Addition) Section 16, Tract 4 Lakeside Addition NW $\frac{1}{4}$ & W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 16, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 17, W $\frac{1}{2}$ SE $\frac{1}{4}$ (Ex. H-1) & SE $\frac{1}{4}$ SE $\frac{1}{4}$ (Ex. H-1) Section 17, and the Vacant ROW Lying Adjacent & S $\frac{1}{2}$ NW $\frac{1}{4}$ (Ex. Tract 1 Crusher Addition) Section 17 to Tract 1 Gaddis Addition Section 18 all within T101N-R50W Wayne Township.

Petitioner: Crusher Investments Company

Property Owner: Same

Location: 26449 467th Avenue

Staff Report: Kevin Hoekman

General Information:

Legal Description – Tract 1 Gaddis Addition Section 18 T101N-R50W Wayne Township

Present Zoning – A-1 Agricultural

Existing Land Use – Residential Acreage/Farmland

Parcel Size – 65.38 Acres

Staff Report: Kevin Hoekman

Staff Analysis:

The property owner for this request owns a cluster of contiguous parcels that spans three sections of land. Many of the parcels include gravel mining operations and are not conducive for residential development until work at the quarries are complete. Transferring a building eligibility requires approval of a conditional use permit. This request will move 15 building eligibilities to consolidate them on a parcel further outside of Sioux Falls.

The applicant submitted a detailed map of the parcels sending building eligibilities and a narrative that answers the standard questions for every transfer request. The petitioner explains that the receiving parcel was recently acquired for the purpose of transferring the building eligibilities to it. The received parcel has existing water way and trees running through the land making it difficult to farm, and it is further out from the city than the sending parcels. The locations of building eligibilities on the sending parcels are scattered on parcels that currently have active mining or row crop agriculture.

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.

All properties within the request are located within the transition area of the Envision 2045 Comprehensive Plan. To the east of the receiving parcel is the rural subdivision West Acres Addition. Fifteen building eligibilities are proposed to move to the receiving parcel. The 15 eligibilities will join two existing eligibilities on the receiving parcel. The result will be the



ability for the petitioner to develop a 17 lot subdivision on the receiving parcel.

A residential subdivision will concentrate residential properties in an area where agricultural production happens. Once a residential subdivision is constructed the agricultural producers may experience complaints and concerns about common agricultural practices. Since the development is zoned A1-Agricultural, all residential properties will require a right-to-farm notice covenant signed and filed on the deed prior to construction of all residential dwellings.

The proposed transfer and subdivision it will create will concentrate residential housing, and it will concentrate residential traffic onto township gravel roads. The petitioner explains in the narrative that the intent to access the subdivision from the west from 466th Avenue. The applicant further explains that he will work with the township regarding maintenance.

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

If the transfer is approved, a subdivision of residential acreages will be developed. Much of the land in the area is used for agriculture. Agriculture will likely be the dominant use for many years before the eventual growth of the City of Sioux Falls to the west. The development may encourage similar large clusters of residential properties throughout the county. Changes to the requirements for transferring building eligibilities may also add to development from building eligibilities. There are several companies which own many parcels of land for mining purposes in the area. These parcels have available building eligibilities ready for development.

The developer and future land owners of the development need to be aware of the close proximity to Sioux Falls city limits. It will be in the interest of the development to plan for future annexation of properties by actions such as creating easements and plans for future water and sewer utilities.

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

The proposed transfer will create the ability for a 17 lot residential subdivision to be built. Utilities, roads, drainage, and other facilities will be important considerations for the development. A 17 lot subdivision with internal streets will require a preliminary plan prior to platting any lot. The petitioner will need to show how roads and drainage will be incorporated in the development at that time. All subdivision requirements of the County Subdivision Ordinance must be met. The developer will be required to extend any required utilities. In addition, comments from Sioux Falls city staff note that all subdivided land will be required to meet Sioux Falls subdivision process requirements. Development fees for Sioux Falls will be required where applicable.

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

Each parcel will need to meet parking requirements when each building eligibility is developed.

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 transfer of building eligibilities will not create any nuisances. Each property will need to comply with public nuisance ordinance for Minnehaha County.



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

The Minnehaha County Envision 2045 comprehensive plan encourages clustering building eligibilities. The proposed transfer will meet density zoning by utilizing building eligibilities and not rezoning the land.

Recommendation: Staff recommends **approval** of Conditional Use Permit #25-17 with the following conditions:

- 1) A right-to-farm notice covenant shall be placed on the deed prior to the issuance of a building permit for a single-family dwelling.
- 2) All lots must be platted prior to a building permit for a single family dwelling will be issued.
- 3) A preliminary subdivision plan must be approved prior to platting any lots for the subdivision.

Public Testimony & Discussion

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

Commissioner Heiberger asked about the existing access to the site and if the property has any direct access to a highway. Kevin explained that the existing access is a long driveway on the east side of the property that connects to 467th Avenue, but that the petitioner has stated that the access for the development will be from the west via 466th Avenue.

Jim Soukup, of 8900 W Lakeside Drive, Sioux Falls, SD, was present and available for questions from the commission. Mr. Soukup stated that his business partner owns the land to the west that will eventually be developed into the road for the proposed development.

Amber Hobert, of 26447 467th Avenue, Sioux Falls, SD, addressed the commission with her concerns regarding the development of the property directly adjacent to her property. Ms. Hobert brought up several issues including access to the property, people trespassing on her property, the removal of the existing houses on the property, what the timeline would be for utilities and development, and the potential drainage issues caused by the development.

Commissioner Ralston stated that he understands the concerns raised by the neighbor, but that they would be better addressed during the preliminary subdivision plan review.

Commissioner Heiberger commented that the development may take several years, and that transferring these building eligibilities is only the first step.

Action

A motion was made for the County by Commissioner Ralston and seconded by Commissioner Heiberger to approve Conditional Use Permit #25-17 with the staff recommended conditions. The motion passed unanimously with 6 votes in favor and 0 votes against the motion.



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The same motion was made for the City by Commissioner Gray and seconded by Commissioner Paulson to approve Conditional Use Permit # 25-17 with the staff recommended conditions. The motion passed unanimously with 4 votes in favor and 0 votes against the motion.

Conditional Use Permit #25-17 – Approved



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Old Business

None.

New Business

None.

Adjourn

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

The same motion to **adjourn** was made for the City by Commissioner Gray and seconded by Commissioner Kittams. The motion passed unanimously.

The meeting was **adjourned** at 7:44 p.m.