



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

JULY 28, 2025

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

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

CITY PLANNING COMMISSION MEMBERS PRESENT: Erik Nyberg, Mike Gray, Dana Fisher, John Paulson, & 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 Erik Nyberg.

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

PUBLIC COMMENT

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

Consent Agenda

Commissioner Duffy read each item on the consent agenda and no items were requested to be moved to the regular agenda.

A motion was made for the County by Commissioner Ralston and seconded by Commissioner Kippley to **approve** the consent agenda consisting of Items 1 & 2. 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 Fisher and seconded by Commissioner Paulson to **approve** the consent agenda consisting of Items 1 & 2. The motion passed unanimously with 4 votes in favor and 0 votes against the motion.



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ITEM 1. Approval of Minutes – May 19, 2025

As part of the consent agenda, a motion was made for the County by Commissioner Ralston and seconded by Commissioner Kippley to **approve** the meeting minutes from May 19, 2025. 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 Fisher and seconded by Commissioner Paulson to **approve** the meeting minutes from May 19, 2025. The motion passed unanimously with 4 votes in favor and 0 votes against the motion.



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Consent Agenda

ITEM 2. CONDITIONAL USE PERMIT #25-40 to exceed 1,600 square feet of accessory building space (requesting 3,760 square feet) on the property legally described as Lot 2 Tract 1 (Ex. H-1 & H-2) SW¼ Section 22 T102N-R49W Mapleton Township.

Petitioner: John Muchow

Property Owner: Same

Location: 6324 N Cliff Avenue

Staff Report: Kevin Hoekman

General Information:

Legal Description – Lot 2 Tract 1 (Ex. H-1 & H-2) SW¼ Section 22 T102N-R49W Mapleton Township

Present Zoning – A-1 Agricultural

Existing Land Use – Residential Acreage

Parcel Size – .82 Acres

Staff Report: Kevin Hoekman

Staff Analysis:

The petitioner is requesting to construct a 40' by 48' building on the property. In May of this year, the joint Planning Commission approved 3,040 square feet of accessory building space on this property. The original plan was to build an addition onto the existing detached garage. The petitioner explained to staff that the plan for a building addition does not work now that more details regarding construction requirements are available. The new request will be an entire separate building in about the same area of the yard as the previously approved CUP request. The property has two existing accessory buildings, and the total building area with the new request will be 3,760 square feet. A conditional use permit is required before construction of accessory building area greater than 1,600 square feet.

The location of the property is approximately 750 feet north of Cliff Avenue and E 72nd Steet N. Across the street is a residential subdivision, and a manufactured home park nearly surrounds the rest of the lot. The neighbor directly north of property is a single family residential acreage.

The petitioner submitted a site plan to support the application for this conditional use permit. The proposed accessory building will be located to the east of the east accessory building. The driveway expands out in the rear yard to provide access to the two detached accessory buildings. There is no attached garage for the house, and the smaller accessory building currently serves like a garage.

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.



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The property is located within a subdivision of many residential properties and a manufactured home park. To the south of the property is a multi unit garage used for the manufactured home park. The property to the north of the site also has two accessory buildings in the rear yard. This proposed land use will blend with neighboring properties.

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 within a subdivision of residential properties and land uses. The proposed accessory building will be used for personal storage and use. No business or business storage will be allowed in the accessory building at any time. The area is already mostly developed and new development will likely take place as additions to existing properties and occasional replacement units. The proposed accessory building will not likely change how things develop in the future.

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

The property has access onto N. Cliff Avenue, and it has a turn around area for vehicles in the rear yard with the accessory buildings. Since the property is existing, all utilities needed for the accessory building can be extended from what is there. There are no plans to alter the drainage of the property.

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

The proposed accessory building will not increase the amount of required parking for the property.

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.

An accessory building does not typically create nuisance odor, fumes, dust, noise, vibration, and lighting. The property will still need to comply with the public nuisance ordinance. In addition, staff recommends that no business or business storage is allowed to take place in the building. All new or replacement outdoor lighting should be directed downward and cutoff so that light does not glare onto neighboring properties.

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

The building will meet all the required setbacks to property lines and buildings in the area. The proposed building generally conforms to the goals and policies of the 2045 Envision Comprehensive Plan. This proposed request is amending an already approved accessory building request. The proposed accessory building should not overly impact any future uses of the property.

Recommendation: Staff recommends approval of Conditional Use Permit #25-40 with the following conditions:

- 1) The building location shall adhere to the submitted site plan.
- 2) The total area of all accessory buildings may not exceed 3,760 square feet.



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- 3) That the building shall be an accessory use to the continued use of the property as a residential lot.
- 4) The building shall not to be used for commercial uses, storage, or as a residential dwelling at any time.
- 5) That any new or replacement outdoor lighting shall be of a full cutoff and fully-shielded design to prevent direct spillage of light beyond the property boundaries.
- 6) That a building permit is required prior to construction of the accessory building.
- 7) That the Planning & Zoning Department reserves the right to enter and inspect the accessory building at any time, after proper notice to the owner, to ensure that the property is in full compliance with the conditional use permit conditions of approval and the Minnehaha County Zoning Ordinance.

Action

As part of the consent agenda, a motion was made for the County by Commissioner Ralston and seconded by Commissioner Kippley to **approve** Conditional Use Permit #25-40 with the staff recommended conditions. 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 Fisher and seconded by Commissioner Paulson to **approve** Conditional Use Permit #25-40 with the staff recommended conditions. The motion passed unanimously with 4 votes in favor and 0 votes against the motion.

Conditional Use Permit #25-40 – Approved



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Regular Agenda

ITEM 3. CONDITIONAL USE PERMIT #25-42 to amend CUP #19-33 for a Rubble Dump (Tree Grinding Operation) on the properties legally described as the N400' S433' E700' W766' SW¼ Section 14 and the S445' N478' E820' W886' NW¼ Section 23 all within T102N-R49W Mapleton Township.

Petitioner: Eric Willadsen

Property Owner: Michael Williams Living Trust

Location: 25898 476th Avenue

Staff Report: Kevin Hoekman

General Information:

Legal Description – N400' S433' E700' W766' SW¼ Section 14 and the S445'

N478' E820' W886' NW¼ Section 23 all within T102N-R49W Mapleton Township

Present Zoning – A-1 Agricultural

Existing Land Use – Rubble Dump

Parcel Size – 14.8 Acres

Staff Report: Kevin Hoekman

Staff Analysis:

The subject property is located north of Sioux Falls along County Highway 125. The closest residential development is Andy's Acres approximately ½ mile south of the wood grinding operation. The tree grinding rubble dump site is already operating under Conditional Use Permit #19-33. This request is to allow an expansion of the site to include a portion of the property to the south. The expanded area is intended to be used only as equipment storage, and no wood storage or grinding will take place outside of the original site. The layout of the original site is planned to remain the same.

The business on the property is named Delta Wood Products, and it processes tree debris and dry wood products such as wood pallets into chips and mulch to be used as fuel for the production of ethanol at off-site locations. Wood products fit within Minnehaha County's definition for rubble, but no other rubble materials are accepted at the site.

This request is in part a response to a complaint received by Minnehaha County staff that the business was accepting treated wood. I visited the site on April 4, 2025 and I was also contacted by Aurora Krom from the DANR Waste Management Program. The DANR received the same concern of treated wood being processed on the site. Between my visit and the DANR visit, I found that equipment was being stored in the former farmstead on the property south of the grinding site and that glued wood products such as plywood are being included in the grinding operation. The currently approved CUP includes a condition that states that only clean, untreated, unpainted, and unstained wood shall be accepted for processing. No other materials shall be accepted. The letter received by the DANR explains that glued wood products are treated wood products. The petitioner disagrees with the definition that glued wood products should be considered a treated wood.



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Glued wood products should not be allowed within the wood processing stream with the current set of conditions prohibiting treated wood. The petitioner may request the DANR to permit some glued and painted wood products that is called “blended wood products” with approval of a “Beneficial Use Letter.” Planning staff intends to adjust the condition to allow blended wood products processing with approval of a beneficial use letter by the DANR. If the beneficial use letter is not received or pursued, the petitioner will need to do greater enforcement of restricting what materials are accepted at the drop off locations.

County planning staff visited the site on July 8th, 2025 Val Zitirka, the owner of Delta Wood Products, was present at the site visit. He explained how there were a couple years when the volume of materials was very large, and they have caught up to a more normal operation level. While we were talking, a contractor was just finishing unloading a pile of wood and some of the wood was painted. Val spoke with the contractor and stated that painted wood was not accepted. He told me that he did not recognize the contractor and that it is difficult to enforce 100% clean wood. He said that they already remove lots of garbage that is left behind in the materials too. He explained that there are cameras available if there is a major violation, but it does not work well for him to do further enforcement on small load violations. In addition to the small pile of painted wood, there were pallets made with plywood scattered throughout the pile. Without a beneficial use letter from the DANR, the petitioner will need to be more strict in the materials accepted at the facility.

The petitioner submitted a site plan to support the application for the amendment of the wood grinding operation. The stockpiling and grinding operations are planned to remain the same as the previous permit. The new area to the south is labeled for the uses as equipment storage only. There is a gate at the driveway access to the property, and the gate has been moved back to reduce potential problems with a trailer extending into the highway while the gate is opening. A berm with trees is shown on the site plan to provide screening of the wood stockpiling and grinding area. The berm is present, but there appears to be trees missing along the north half of the berm. The missing trees need to be replaced. The equipment storage area is shown on the site plan to be located in an area of the property that has an existing shelter belt of trees. This site plan works to prevent direct sight lines to the equipment from the highway. All equipment storage should be located east of the existing shelter belt as depicted in the site plan.

The conditional use permit issued in 2019 included a sunset condition that the operation must stop by January 31, 2029. Nothing in the application or submitted materials requests additional time for the tree grinding operation. The current site plan is appropriate for the remaining four years of the permit; however, if the petitioner intends on staying at the property longer, then additional considerations should be made. Hard surfacing is typically required for industrial properties to prevent mud and debris from entering the public rights-of-way. The county has required hard surfacing for wood grinding facilities. If the operation is to continue beyond four remaining years staff suggest hard surfacing should be required for the first 150 feet of the driveway. The Joint Planning Commission may extend the duration of the sunset for the permit, but a hard surface requirement should be added if the time is extended.



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Staff from the City of Sioux Falls reviewed the permit request and provided comments. The comment letter recommends approval with consideration of the included comments.

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 request is for an expansion of an existing land use to allow for equipment storage. Staff has not received any known concerns regarding the land use from neighboring property owners. All concerns about the use have been from other contractors and business owners who have concerns about fairness with the conditional use permit process. Mapleton Township raised concern regarding the land use generating additional traffic on E. 84th Street N. The Joint Planning Commission may consider requiring the petitioner to designate a haul route for company trucks. A condition for a company truck route would not affect third party trucks.

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

When the tree grinding operation was approved in 2019, a sunset condition was placed on it with the understanding that Sioux Falls city limits are expanding, and the land use may create conflicts as urban land uses expand north. The condition use permit is approve through 2029, and the current application does not include a request to extend the sun set. The land use will not likely affect future development over the next four years.

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

The proposed land use is an expansion of an existing use. All utilities are already present and drainage is planned to remain the same. The property has access directly onto County Highway 125. The driveway access includes a gate that is setback from the road to accommodate a vehicle and trailer. The driveway currently has a gravel surface. If the petitioner intends to stay at the site longer than the four remaining years of the permit, then the front part of the driveway should be hard surfaced to reduce even further material from getting dragged into the right-of-way.

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

The property is large enough to accommodate many vehicles. This request will expand the storage area for equipment and vehicles for the company. No loading or unloading is allowed within the right-of-way.

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 primary nuisance concerns for the land use are noise and visual sight. The grinding machine was operating during the staff site visit. The noise was quiet enough that it did not impede the conversation with Val Zitirka.

The land use requires that piles of tree debris and piles of pallets and dry wood be staked for some time. The piles are unsightly. The land use is over 1,300 feet away from the nearest residential property. The site plan includes a berm with trees planted to screen the site of the tree



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and it utilizes an existing shelter belt to screen the proposed equipment storage area. The berm between the county highway and the storage piles appears to be missing some of the trees shown on the site plan. The petitioner should replace the dead or missing trees to allow for the trees to grow for screening purposes. Using aerial imagery and Google Street View, staff estimates about seven trees are missing from the line.

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

The proposed expansion of a wood grinding operation to include land for equipment storage will create no significant changes to the health, safety, and general welfare of the public. The sunset in the conditions will require further review of the land use in the future if the property is to remain as a wood grinding operation after January 31st, 2029. The sunset requirement is further included in the Minnehaha County solid waste permit for the site. A review of the solid waste permit will also be required prior to extending the CUP beyond the sunset.

The operation is currently permitted to process clean untreated wood. If the petitioner and operator wishes to include other materials such as glued or painted wood, then the petitioner will need to submit the request to the DANR for a Beneficial Use Letter. If additional material is permitted by the DANR then a new solid waste permit must be obtained from Minnehaha County.

Recommendation: Staff recommends **approval** of Conditional Use Permit #25-42 with the following conditions:

- 1) The property shall adhere to the submitted site plan including installation of berm and trees. Any trees that are depicted in the site plan that have died must be replaced.
- 2) Equipment storage on the site shall be limited to the wood storage and grinding area on the SW ¼ of Section 14-102-49 and the area east of the existing tree shelter belt as depicted on the site plan in the N ½ NW ¼ of Section 23-102-49.
- 3) The process of grinding wood shall take place during the hours of 8:00 am through 7:00 pm on Monday through Saturday.
- 4) All driveways on the site must be gravel surface.
- 5) Only clean, untreated, unpainted, unglued, and unstained wood shall be accepted for processing. No other materials shall be accepted without a Beneficial Use Letter.
- 6) The petitioner shall obtain a “Beneficial Use Letter” and any other required permits from the State Department of Agriculture and Natural Resources for this site, prior to the acceptance of any blended wood waste. All blended wood waste accepted at the site shall meet all of the regulations and requirements of the SD DANR. This shall be in addition to the already approved clean wood waste accepted at the site.
- 7) The operation must maintain a gate or a person on the site during drop off hours to prevent dumping of non-wood products.
- 8) A driveway permit must be obtained from the County Highway Department.
- 9) The operation will be allowed to operate under the conditions of this permit until January 31st, 2029. The business owner will be required to obtain another conditional use permit before this date if they wish to continue operating at this location.



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- 10) That the Planning & Zoning Department reserves the right to enter and inspect the site at any time, after proper notice to the owner, to ensure that the property is in full compliance with the conditional use permit conditions of approval and the Minnehaha County Zoning Ordinance.

Public Testimony & Discussion

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

Commissioner Kippley asked staff about the township concerns with traffic on E 84th Street N and what a haul road agreement would entail. Kevin explained that the commission could designate County Highway 125 as the sole haul route for the operation, which would prohibit any vehicles owned by the operator from using E 84th Street N. Kevin also explained that this would not stop customers to the site from using E 84th Street N.

Commissioner Heiberger asked if staff expects any additional traffic to the site with the expansion request. Planning staff stated that the purpose of the request is mostly to allow for additional vehicle storage, and that the petitioner does not expect to significantly expand the amount of wood processed.

Commissioner Fisher asked if the wood from the site is recycled and if staff could better explain the purpose of the site. Kevin Hoekman showed pictures of the site and explained that wood is grinded on the site and then sent to POET to be used as a fuel source.

The petitioner, Eric Willadsen, was present and addressed the commission with his comments on the request. Mr. Willadsen explained that most of the wood processed on the site is tree debris, but a minimal amount of treated wood is brought to the site that is hard to filter out. He further stated that the petitioner planted new screening trees last fall that did not survive the winter, and that the operator's trucks do not use E 84th Street N. Finally, he asked if the commission could extend the sunset date for the permit beyond the current 2029 deadline.

Commissioner Heiberger asked the petitioner if they anticipate any traffic increase with the expansion. Mr. Willadsen explained that this expansion is mostly for vehicle storage and a truck turnaround, so the expansion will not significantly increase traffic.

Don Ahlschlager, a Mapleton Township Supervisor, explained to the commission that he missed the meeting for the original permit in 2019, and that he would like the operator to help with maintenance costs on E 84th Street N. He stated that customers to the site use this road as a shortcut instead of using 258th Street, which is paved. Finally, he explained that other conditional use permits in Mapleton Township are required to help pay a portion of road maintenance costs.

Mark Renner, of 25851 476th Avenue, Sioux Falls, SD, addressed the commission with his concerns on the proposed expansion. Mr. Renner stated that he owns the property to the west of the operation and that the site has caused issues on E 84th Street N. He explained that trucks in the area travel at a high speed and have almost caused several accidents. Finally, he commented



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that since the site began operation there has been an increase in nails on the road that have caused many flat tires.

Commissioner Ralston asked planning staff how a haul road would be set up and if the commission needs to add a condition regarding the haul road. Planning staff explained that a condition could be added that the petitioner is required to obtain a haul road agreement with the township, and then the specifics of that agreement would be figured out between the operator and the township.

Commissioner Heiberger asked the petitioner if they would be willing to work with the township on a haul road agreement. Eric Willadsen reiterated that the operator's trucks do not use E 84th Street N, but that they would willing to work with the township on this issue.

Commissioner Ralston commented that he believes everyone agrees that the operation provides a service to the county. Commissioner Ralston further stated that he approves of the existing conditions, but that he would like to add an eleventh condition requiring a haul road agreement with the township.

Action

A motion was made for the County by Commissioner Ralston and seconded by Commissioner Heiberger to **approve** Conditional Use Permit #25-42 with the eleven amended conditions. 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 Fisher and seconded by Commissioner Van Nieuwenhuyzen to **approve** Conditional Use Permit #25-42 with the eleven amended conditions. The motion passed unanimously with 4 votes in favor and 0 votes against the motion.

Conditional Use Permit #25-42 – Approved with the following conditions:

- 1) The property shall adhere to the submitted site plan including installation of berm and trees. Any trees that are depicted in the site plan that have died must be replaced.
- 2) Equipment storage on the site shall be limited to the wood storage and grinding area on the SW ¼ of Section 14-102-49 and the area east of the existing tree shelter belt as depicted on the site plan in the N ½ NW ¼ of Section 23-102-49.
- 3) The process of grinding wood shall take place during the hours of 8:00 am through 7:00 pm on Monday through Saturday.
- 4) All driveways on the site must be gravel surface.
- 5) Only clean, untreated, unpainted, unglued, and unstained wood shall be accepted for processing. No other materials shall be accepted without a Beneficial Use Letter.
- 6) The petitioner shall obtain a "Beneficial Use Letter" and any other required permits from the State Department of Agriculture and Natural Resources for this site, prior to the acceptance of any blended wood waste. All blended wood waste accepted at the site shall meet all of the regulations and requirements of the SD DANR. This shall be in addition to the already approved clean wood waste accepted at the site.



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- 7) The operation must maintain a gate or a person on the site during drop off hours to prevent dumping of non-wood products.
- 8) A driveway permit must be obtained from the County Highway Department.
- 9) The operation will be allowed to operate under the conditions of this permit until January 31st, 2029. The business owner will be required to obtain another conditional use permit before this date if they wish to continue operating at this location.
- 10) That the Planning & Zoning Department reserves the right to enter and inspect the site at any time, after proper notice to the owner, to ensure that the property is in full compliance with the conditional use permit conditions of approval and the Minnehaha County Zoning Ordinance.
- 11) That the operator shall obtain a Haul Road Agreement with Mapleton Township and that that agreement shall be followed continually.



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Old Business

None.

New Business

None.

Adjourn

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

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

The meeting was **adjourned** at 7:40 p.m.