



**MINUTES OF THE
MINNEHAHA COUNTY PLANNING COMMISSION
August 22, 2022**

A meeting of the Planning Commission was held on August 22, 2022 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, Ryan VanDerVliet, Adam Mohrhauser, Doug Ode, Mike Ralston, and Jeff Barth.

STAFF PRESENT:

Scott Anderson, Kevin Hoekman and Mason Steffen – County Planning
Eric Bogue – States Attorney's Office

Bonnie Duffy chaired the meeting and called the Minnehaha County 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.

APPROVAL OF THE AGENDA

A motion was made to amend the agenda and remove Item 3 by Commissioner Ralston. The motion was seconded by Commissioner Barth. Kevin Hoekman, of county planning staff, stated that Item 3 was being removed from the agenda due to the petitioner failing to notify the surrounding neighbors for this meeting.

The motion was **approved** with 6 votes in favor and 0 votes against the motion.

REGULAR AGENDA

ITEM 1. Approval of Minutes – July 25, 2022

A motion was made to approve the minutes from July 25, 2022 by Commissioner Barth. The motion was seconded by Commissioner Randall. The motion passed unanimously with 6 votes in favor and 0 votes against the motion.



ITEM 2. PLANNED DEVELOPMENT MAJOR AMENDMENT #22-02 to amend the High Prairie Ranch Planned Development to change Subarea D to Subarea A on the property legally described as Lot 20 of High Prairie Ranch, an addition in the NW¼ Section 8 T102N-R49W Mapleton Township.

Petitioner: David Rogness

Property Owner: Dorothy Rogness

Location: Southeast of the 257th Street and 473rd Avenue intersection

Staff Report: Kevin Hoekman

General Information:

Legal Description – Lot 20 of High Prairie Ranch, an addition in the NW¼ Section 8 T102N-R49W Mapleton Township.

Present Zoning – PD – High Prairie Ranch Planned Development (Subarea D)

Existing Land Use – Cropland

Parcel Size – 12.9 acres

Staff Report: Kevin Hoekman

Property Update:

This item was brought before the planning commission the first time on May 23, 2022. Action was deferred to the August 22nd, 2022 planning commission meeting in order to better understand potential wastewater impacts near the Big Sioux River. Staff reviewed available aquifer and watershed protection data and found that the parcel is not located over either one. At its closest point, the parcel is approximately 350 feet from the river and the floodplain begins at the river due to cutbacks and steep riverbanks.

The petitioner hired an excavator to examine the soil conditions of the landscape. The excavator dug several eight feet deep holes throughout the parcel. All the holes were dry with no standing water. The county building inspector took photos of the holes and stated that the soil appears to be conducive for onsite wastewater systems.

The petitioner met with Mapleton Township Board to discuss the outlook for road acceptance. The township confirmed that once roads are constructed to township standard, they can be accepted by the township for maintenance. The petitioner is also proposing to reduce the number of lots the subdivision will create from ten lots to five lots. If this major amendment subarea change is approved, then the petitioner will be required to obtain a final development plan which will cover the details of lot layout and road design.

This last June, the planning commission heard a similar request for increasing density of a small property between Sioux Falls and Hartford. Both the planning commission and the county commission denied the request, because of potential precedence and concerns from neighboring property owners.

Below is the staff analysis of the proposed major amendment. The staff analysis is largely the same as it was written for the May planning commission meeting. Some changes have been



made to reflect the proposed reduction in lot layout and soil updates. Planning staff still recommends denial of the proposed major amendment because of concerns over precedence for potential growth and conflict between more residential lots near agricultural production.

Staff Analysis:

The petitioner is requesting to change the subarea of a portion of the High Prairie Ranch Planned Development. The proposed area is now a platted lot 12.9 acres in size. The subarea of the property mirrors the A1 Agricultural zoning district, and the proposed subarea closely mirrors the regulations for the Rural Residential zoning district. This would allow for residential subdivision and development of the proposed property.

The High Prairie Ranch Planned Development began in 1992 as a planned development with the general purpose of a residential development with joint ownership in horse stabling facility and riding land. The horse stable is now owned by one individual and not shared by the community. The park and recreation portion of the development (Subarea C) was rezoned to agricultural use (Subarea D) in 2019.

In 1999, a similar request was made to rezone this area of the planned development to a residential use. A preliminary subdivision plan was provided with that application, and the plan was to subdivide the parcel into 10 lots, each a little over one acre in size. The staff report for the 1999 request listed several concerns including deviation from the original concept of the High Prairie Ranch as an equestrian based development; multiple septic systems close to the Big Sioux River, and several examples of rezoning requests which were denied within a mile of this location. The County Commission did not approve or deny the 1999 request, but rather the item was deferred indefinitely. The 1999 site plan was requested to be used as a concept for this request at the first hearing. The concept is now planned to change by removing the center road and combining properties to make five roughly 2 acre properties.

The proposed major amendment is on a property located approximately one and a half miles northeast of the Crooks/Renner Exit off Interstate 29. This is near the existing High Prairie Ranch subdivision of 15 houses and shares the same township access roads. South of the development a quarter mile is the Vintage Village Addition with another approximately 40 dwellings, but access is directly onto the county highway. The Vintage Village Addition lots were platted prior to density zoning, and development in the subdivision largely took place in the late 1990's and early 2000's.

Access to the proposed development will required driving over a mile of township gravel roads to the south or the west. Staff spoke with Don Ahlschlager of the Mapleton Township Board regarding the proposed development. He explained that the roads within the development are currently not maintained by the township. He further explained that if the development is approved, the ideal way to work with the roads of the development would be that the developer builds the roads to township standards, driveways and culverts get installed to township standards, then the developer petitions the township to take control of the road.

Staff finds that the concerns raised of rural relevancy and precedence setting possibilities with



the development in the 1999 major amendment request are still valid. There is currently a high demand for housing of all kinds, and one allowed residential subdivision may lead to other property owners wanting to subdivide their properties. Furthermore, the subdivision will also add daily traffic to and from the five proposed residential lots. The additional traffic will travel over one mile of township gravel roads before a paved highway could be reached. Finally, the roads within the subdivision are not currently maintained by the township. As discussed with Mapleton Township Supervisor, Don Ahlschlager, the township has had trouble in the past with expectations of maintenance on sub-standard roads within subdivisions. If approved, the final development plan of the subdivision should contain details of how roads are to be constructed and maintained.

The proposed subdivision is located within a transition area as indicated in the 2035 Comprehensive Plan. The major amendment request is contrary to several goals and action steps of the comprehensive plan including Action 5.3 of the Future Land Use chapter: Locate residential subdivisions in community type developments where adequate services are available including but not limited to sanitary sewer, utilities, and drinking water supplies.” As of now there is no plan for collective sanitary sewer and treatment.

Recommendation: Staff recommends **denial** of major amendment #22-02.

Public Testimony

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

The petitioner, David Rogness of 25065 467th Avenue, was present and available for questions from the commission. Commissioner Barth asked Mr. Rogness what his response was to the staff comments and recommendation. Mr. Rogness stated that there is a need for housing in the county, and that this proposed location is good spot for housing. He also explained that he is now only proposing five lots as opposed to ten, so that the future owners could have larger houses and sheds.

Commissioner Duffy then asked Mr. Rogness what the proposed lot sizes would be for the five lots. Mr. Rogness explained that the lots would all be approximately two acres, but that each individual lot size would vary slightly.

Commissioner Barth commented that he is not a farmer, but that the property does look like it would be difficult to farm due to the proximity to the river, the terrain of the property, and the trees of the property.

Commissioner Ralston stated that he is also not a farmer, and that he understands how much of a commodity housing is in the rural area. Commissioner Ralston also commented that if this request was to transfer five existing building eligibilities to this location then he could maybe support it, but that he does not see how they can support this request after denying a similar rezoning request a couple months ago.



Commissioner Mohrhauser stated that he agrees with Commissioner Ralston, and that as a planning commission they need to be consistent with prior decisions, such as the similar rezoning by Hartford that was denied earlier in 2022. Commissioner Mohrhauser also stated that he understands that it may not be the best farm ground, but that approval of this request would set a precedent for future growth and development on farm ground.

Commissioner Ode also stated that the property may not be ideal farm ground, but that he also agrees that approving the request would set a precedent and go against the denial of the similar request earlier in the year.

Commissioner Barth then asked David Rogness to return to the podium to address the commissions concerns. Mr. Rogness reiterated the need for housing in the county and that this is a good location for housing. He also stated that he cannot say definitively that this request is better than the previous rezoning that was denied close to Harford, but that he believes it is a good location for more housing.

Commissioner Barth then commented that Mr. Rogness could still make his case for approval at the county commission, if he were to appeal the item to them. Scott Anderson, the county planning director, clarified to the petitioner and commission that this item must be heard by the county commission and that the petitioner does not need to appeal if the request is denied. Commissioner Barth then asked if the item still goes to the county commission even if the planning commission denies the request. Scott Anderson explained that the planning commission's decision is only a recommendation to the county commission, and that the item will be heard by the county commission regardless of the planning commission's decision.

Finally, Commissioner Randall stated that she agrees with the other commissioner's comments, and that the proposed major amendment is not in conformance with the 2035 Envision Comprehensive Plan.

Action

A motion was made to **deny** Major Amendment #22-02 by Commissioner Ralston, and was seconded by Commissioner Ode. The motion passed unanimously with 6 votes in favor and 0 votes against the motion.

Rezoning #22-02 – Denial Recommended



**MINNEHAHA COUNTY
PLANNING COMMISSION
MEETING MINUTES**

AUGUST 22, 2022

Old Business

None.

New Business

Tyler Klatt, from the county commission office, presented an overview of the online Civic Clerk program. Mr. Klatt explained that this program has been used by the county commission office since the beginning of the year to publish meeting information to the public and the county commissioners. Finally, there was discussion between the planning commissioners and Mr. Klatt on how the commissioners would access the program, how much the program costs, and if all the information the commissioners receive through the program is available to the public.

Adjourn

A motion was made to **adjourn** by Commissioner Barth and seconded by Commissioner Ralston. The motion was approved with 6 votes in favor and 0 votes against the motion.

The meeting was adjourned at 7:29 p.m.