

City of Sioux Falls Council/Lincoln  
County Commission Joint Meeting  
Agenda  
Lincoln County Courthouse Commission Room, Canton, SD  
MEETING OF Tuesday, January 22, 2013 at 7:00 PM

ROLL CALL

CITY COUNCIL

LINCOLN

COUNTY COMMISSION

Council Member Sue Aguilar  
David Gillespie

Commissioner

Council Member Kenny Anderson Jr.

Commissioner Dale Long

Council Member Jim Entenman  
Melcher

Commissioner Jason

Council Member Michelle Erpenbach

Commissioner Jim Schmidt

Council Member Greg Jamison  
Dennis Weeldreyer

Commissioner

Council Member Dean Karsky  
Council Member Rex Roling  
Council Member Kermit L. Staggers  
Mayor Mike T. Huether

ROLL CALL

PLEDGE OF ALLEGIANCE

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

INTRODUCTION AND ADOPTION OF ORDINANCES

1. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF SAID CITY BY REZONING PROPERTY AT THE SW1/4 OF THE SW1/4 AND THE SE1/4 OF THE SW1/4 OF SECTION 20, TOWNSHIP 100N, RANGE 50W, LINCOLN COUNTY, FROM THE AG, AGRICULTURAL DISTRICT TO THE C, COMMERCIAL DISTRICT. Planning Commission recommends approval.  
Sponsor: Mayor/Planning and Building Services

ADJOURNMENT

MEETING ASSISTANCE: UPON REQUEST, ACCOMMODATIONS FOR MEETINGS WILL BE PROVIDED FOR PERSONS WITH DISABILITIES. PLEASE CONTACT THE CITY CLERK S OFFICE, CARNEGIE TOWN HALL, AT (605) 367-8081 (VOICE) OR (605) 367-7039 (TDD) 24 HOURS IN ADVANCE OF THE MEETING.

ADDRESSING THE COUNCIL: PERSONS ADDRESSING THE COUNCIL SHALL USE THE

MICROPHONE AT THE PODIUM. PLEASE STATE YOUR NAME. PRESENTATIONS ARE LIMITED TO FIVE MINUTES.

LIVE BROADCASTS OF COUNCIL MEETINGS ON CITYLINK 16: CITY COUNCIL MEETINGS AIR LIVE ON TUESDAYS OF EACH MONTH AT 7:00 P.M. THE JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS AIR LIVE THE FOURTH MONDAY OF EACH MONTH AT 5:00 P.M. REGULAR MEETINGS OF THE CITY COUNCIL ARE ALSO ARCHIVED AND AVAILABLE FOR VIEWING ON DEMAND AT [WWW.SIOUXFALLS.ORG](http://WWW.SIOUXFALLS.ORG). LINKS TO EACH MEETING S VIDEO ARE POSTED ON THE MEETING MINUTES AND AGENDAS PAGE.

CLOSED CAPTIONING: CITY COUNCIL MEETINGS ARE CLOSE CAPTIONED ON CITYLINK 16. CITYLINK 16 REBROADCAST: CITY COUNCILMEETINGS AT 10:00 A.M. ON WEDNESDAYS, 1:00 A.M. ON THURSDAYS, AND 7:00 P.M. ON SATURDAYS. JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS AT 10:00 A.M. ON FIRST FRIDAY AFTER LIVE MEETING AND 1 P.M. ON FIRST SUNDAY AFTER LIVE MEETING.

Agenda Item: Not Assigned  
Item ID: 66223

The following document(s) are public records obtained from the  
City of Sioux Falls.

**MINUTES**  
**JOINT MEETING LINCOLN COUNTY and SIOUX FALLS PLANNING COMMISSIONS**  
**7:00 P.M. December 12, 2012**

**Commissioners' Room - Lincoln County Court House**

**Roll Call**

Lincoln County Planning Commission members present were: Craig Andersen, Darrel Sogn, June Nusz, Ron Albers and Commissioner Dave Gillespie. Chad Nelson and Ron Larson were absent.

Sioux Falls Planning Commission members present were: Steve Gaspar, Nick Serhsen and Meredith Larson and Andi Anderson

Lincoln County Planning Chairman, Craig Andersen chaired for the County and chaired the meeting. Steve Gaspar chaired for the City of Sioux Falls.

Staff Present: Lincoln County: Paul Aslesen, Laurie Lundquist, and Gregg Thompson  
City of Sioux Falls: Jason Bieber

**ITEM 1. APPROVAL OF MINUTES** – A motion to approve the minutes of November 14, 2012 was made for the County by Gillespie. Motion was seconded by Albers. Same motion was made for the City by Serhsen and seconded by Anderson. Motions were unanimous.

**ITEM 2. APPROVAL OF AGENDA ITEMS** – A motion was made by Nusz to approve the agenda of December 12, 2012 as written. Motion was seconded by Sogn. Same motion was made for the City by Larson and seconded by Anderson. Motions were unanimous.

**ITEM 3. REZONE – JJ-12-REZ-004 For the purpose of rezoning a parcel of land from “A-1” Agriculture to “C” Commercial District.**

**Legal Description** –Tracts 1 and Tract 2 of the Tallgrass Addition in the Southwest Quarter of the Southwest Quarter (SW1/4SW1/4) and the Southeast Quarter of the Southwest Quarter (SE1/4SW1/4) all in Section 20, Township 100N, Range 50W of the 5<sup>th</sup> P.M. in Lincoln County South Dakota

**General Information**

**Location** – Northeast corner of Tallgrass Avenue and Hwy 106

**Petitioner** – Greg Larson

**Present Zoning** – “A-1” Agriculture

**Existing Land Use** – “A-1” Agriculture

**Parcel Size** – 80 Acres

**Reported by:** Paul Aslesen, Lincoln County Planning and Zoning

This is a request to rezone property located approximately at the corner of Tallgrass Avenue (471st Ave.) and County Highway #106 (271<sup>st</sup> St.) from the A-1, Agricultural District to the “C” Commercial District. The property is located in the Joint Jurisdiction area but is not identified as part of the 2035 Future Land Use criteria for the City of Sioux Falls. The subject area has not been assigned an annexation priority. The petitioned area has a legal description of Tract 1 and Tract 2 of the Tallgrass Addition in the Southwest Quarter of the Southwest Quarter and the Southeast Quarter of the Southwest Quarter all in Section 20, Township 100, Range 50 in Lincoln County SD.

**Staff Analysis:**

Please reference Article 20.00 Amendments to the Regulations on page 79 of the 2006 Joint Zoning Regulations for Lincoln County and the City of Sioux Falls, SD. Staff analysis for this petition is generated by the Sioux Falls Comprehensive Development Plan known as Shape Sioux Falls 2035 and the current Lincoln County Comprehensive Plan. Specifically, the petitioner is requesting amendment of zoning for commercial development. Planners and the petitioner should take into consideration the

existing land uses adjacent to the petitioned property and at future land uses for use compatibility. Another area of concern is compatibility of the zoning classification when the process of annexation takes place. Currently, all land subjected to annexation by the respective municipality will be annexed with the current zoning classification. The petitioned area will be in close proximity to the proposed Highway 100 which will provide for the needs of a commercial zoning classification. The sketch plan demonstrates appropriate lot sizes, placements and appropriate infrastructure to accommodate commercial growth.

**Recommendation:**

Staff recommends approval of the change in zoning classification from the “A-1”, Agricultural to the “C” Commercial designation with the following suggested stipulation(s):

1. The proposed subdivision will be developed in compliance with Chapter 15A.14 Rural Subdivisions which is part of Appendix A Subdivision Ordinance, City of Sioux Falls, SD.

**Opponent:** Two people had concerns about water flow on the petitioned property as well as whether the time was right to rezone and develop the property. Property is along the proposed Hwy 100.

**Action:** A motion was made by Nusz to recommend approval for discussion purposes. The motion was seconded by Sogn. Nusz questioned whether the project might be premature development of the area. The motion was unanimous.

A motion was made by Larson and seconded by Serhsen to recommend approval to the elected officials. The motion was unanimous. Recommendation of approval will go forward to the elected officials.

**ITEM 4. CONDITIONAL USE PERMIT JJ-12-CUP-004 For the purpose of constructing an electrical substation.**

**Legal Description-** To be platted as Tract 1 of Sycamore Substation in the Northwest Quarter of Section 17, Township 100 North, Range 49 West of the 5<sup>th</sup> P.M. in Lincoln County South Dakota.

**General Information:**

**Location** – Sycamore Ave. between 269<sup>th</sup> (69<sup>th</sup>) St & 270<sup>th</sup> St

**Petitioner-** Ronald Golden/East River Electric

**Present Zoning** – “A-1” Agriculture

**Existing Land Use** – “A-1” Agriculture

**Parcel Size** – 6.4 Acres

**Reported by:** Paul Aslesen

Article 3.04 Conditional Uses. A building or premises may be used for the following purposes in the “A-1” Agricultural District if a conditional use permit has been obtained in conformance with the requirements of Article 19.00:

N. Electrical Substation

**Staff Analysis:**

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.**  
*Previously constructed uses in the area include rural residential properties. Agricultural uses are prominent in the area.*
2. **The effect upon the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.**  
*The expansion and use of this structure should not have a negative effect on surrounding vacant property, future block and lot layout will be determined as a result of increasing urban development pending further infrastructure and access improvements to the area.*
3. **That utilities, access roads, drainage and/or other necessary facilities are provided.**

*All utilities are provided, with access indicated on the plan to come from Sycamore Ave. The applicant is currently working with the City and County on platting the property and will be working on future right-of-way and road access to the site.*

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

*Site plan indicated appropriate parking for the size and use.*

**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 proposed use should not create any additional nuisance issues as the addition is to be used as an electrical substation. In order to assist in visual screening, the applicant will be installing a various landscape buffers to consist of Amur Maple and Black Hills Spruce on all sides of the substation.*

**Recommendation:**

*Staff finds that the proposed use is consistent with the type of uses found in this agricultural and residential area and will provide needed infrastructure and electrical capacity as the area becomes increasingly urbanized; and therefore recommends approval of conditional use permit JJ-12-CUP-004 with the following stipulation:*

- 1. Building plans must be designed and approved by a certified engineer.*

**Action:**

A motion was made for the County by Gillespie and seconded by Albers to approve **JJ-12-CUP-004** for an electrical substation. The motion was unanimous.

The same motion was made for the City by Anderson and seconded by Sershen. The motion was unanimous.

**Adjourn:** A motion was made to adjourn for the County by Sogn and seconded by Albers. The same motion was made for the City by Andersen and seconded by Sershen. The motions were unanimous.

Agenda Item: Not Assigned  
Item ID: 66223

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City of Sioux Falls.

1st Reading: \_\_\_\_\_  
2nd Reading: \_\_\_\_\_  
Date Adopted: \_\_\_\_\_  
Date Published: \_\_\_\_\_  
Effective Date: \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF SAID CITY BY REZONING PROPERTY AT THE SW1/4 OF THE SW1/4 AND THE SE1/4 OF THE SW1/4 OF SECTION 20, TOWNSHIP 100N, RANGE 50W, LINCOLN COUNTY, FROM THE AG, AGRICULTURAL DISTRICT TO THE C, COMMERCIAL DISTRICT.

BE IT ORDAINED BY THE CITY OF SIOUX FALLS, SD:

*Section 1. That Appendix F of the Revised Ordinances of Sioux Falls, SD, is hereby amended by adding a section to be numbered 2.04 to read:*

2.04 Tracts 1 and 2, Tallgrass Addition in the SW1/4 of the SW1/4 and the SE1/4 of the SW1/4, Section 20, Township 100N, Range 50W of the 5th P.M., Lincoln County, South Dakota, is hereby rezoned from the AG, Agricultural District to the C, Commercial District and the use district map on file with Appendix F, Zoning Ordinance, is amended to include the within described property in the C, Commercial District.

Date adopted: \_\_\_\_\_.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



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M-1

**STAFF REVIEW AGENDA  
JOINT MEETING LINCOLN COUNTY and SIOUX FALLS PLANNING COMMISSIONS  
7:00 P.M. December 12, 2012**

**Commissioners' Room - Lincoln County Court House**

**REGULAR AGENDA ITEMS**

The planning staff will present a brief report on each item. The petitioner will then be asked to come to the microphone and make a statement or answer questions. Anyone from the audience who wishes to address a particular agenda item shall be recognized by the chairperson, move to the microphone, identify themselves and state their address for the record. The Planning Commission will then discuss the matter further and take appropriate action.

**ITEM 1. APPROVAL OF MINUTES** – November 14, 2012

**ITEM 2. APPROVAL OF AGENDA ITEMS** – December 12, 2012

**ITEM 3. REZONE** – JJ-12-REZ-004 For the purpose of rezoning a parcel of land from "A-1" Agriculture to "C" Commercial District.

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- Petitioner** – Greg Larson
- Present Zoning** – "A-1" Agriculture
- Existing Land Use** – "A-1" Agriculture
- Parcel Size** – 80 Acres

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**Recommendation:**

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- 1. Building plans must be designed and approved by a certified engineer:*

HEM 3

\$350.00 Lincoln County  
Sioux Falls Joint

REZONING APPLICATION

Lincoln County  
Office of Planning and Zoning  
Courthouse 104 N Main  
Canton, SD 57013  
Phone: 605-764-2938  
Fax: 605-764-6624  
Email: pandz@lincolncountysd.org

Petition No: 12-REZ-004  
Date: 10-31-12  
Filing Fee: \$350.00  
Receipt No. 450744

I/We the undersigned, do hereby petition to change the zoning classification of the following described property/and authorize representatives of Lincoln County to enter the property for inspection purposes.  
Legal Description: TRACTS 1 & 2, TALLGRASS ADDITION, SW 1/4, SW 1/4, S20, T100N, R50W LINCOLN COUNTY SD  
SE 1/4, SW 1/4 S20, T100N, R50W LINCOLN COUNTY, S.D.

Parcel Size 80 ACRES General Address: N.E. CORNER OF TALLGRASS AVE & HWY 106  
From the AGRICULTURAL District  
To the COMMERCIAL District

Purpose: REZONE FOR PROPOSED COMMERCIAL DEVELOPMENT

Petitioner (Print): TALLGRASS PROPERTIES LLC  
Signature: [Signature]  
Date: 10-31-12 Phone: 605-368-5217  
Address: 27115 PARKLAND DR.  
Sioux Falls SD 57106  
City State Zip

Owner (Print): TALLGRASS PROPERTIES / WAHNE E. LANSON  
Signature: [Signature] Senior from  
Date: 10-31-12 Phone: 605-368-5217  
Address: 27115 PARKLAND DR.  
Sioux Falls SD 57106  
City State Zip

Office use only  
Location \_\_\_\_\_  
Checked by \_\_\_\_\_  
Given Signs 10-31-12 <sup>posted</sup>  
Site Plan yes  
Add'l Reports \_\_\_\_\_  
PC Date 12-12-12  
PC Action / \_\_\_\_\_  
CC Date \_\_\_\_\_  
CC Action \_\_\_\_\_  
Effective Date \_\_\_\_\_  
Purpose \_\_\_\_\_

Hearing Date Scheduled: Dec. 12, 2012 Time: 7:00 pm

Property must be posted 10 days & letters sent 15 days prior to hearing.

greg@LARBONTRUCKS.COM

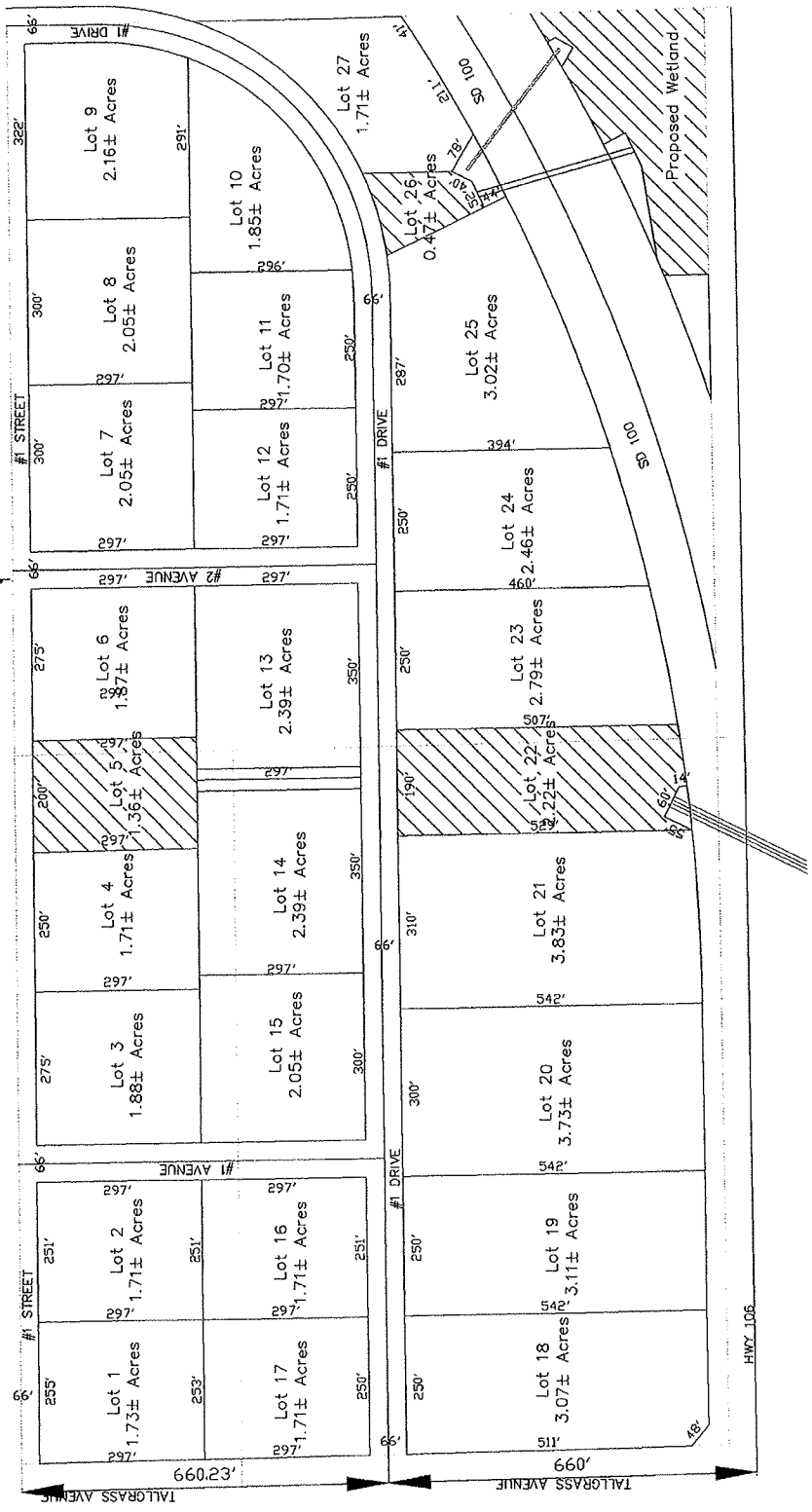
DESIGNED BY: DLD  
 DRAWN BY: DLD  
 PROJECT: 1017  
 DRAWING: 1017-01.dwg  
 DATE: 10-2012

LAYOUT  
 SKETCH PLAN  
 TALLGRASS ADDITION

DESIGN AND DEVELOPMENT ENGINEERING, LLC  
 600 LAKEVIEW CIRCLE  
 TEA, SD 57064  
 PHONE: (605) 214-1893



PROPOSED COMMERCIAL ZONING - 61.7 ACRES



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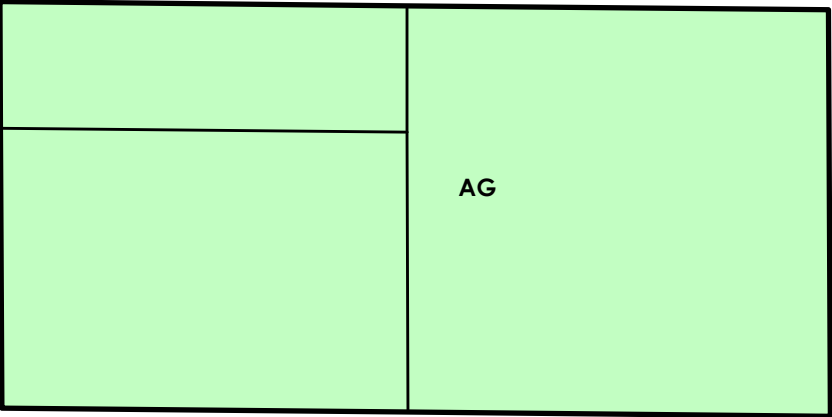


# Rezoning Exhibit

Tracts 1 and 2 Tallgrass Addition, and the SE 1/4 of the SW 1/4 of Section 20-100-50, Lincoln County, South Dakota



Existing Zoning



Proposed Zoning

