



**MINUTES OF THE JOINT MEETING
MINNEHAHA COUNTY & SIOUX FALLS PLANNING COMMISSIONS
February 22, 2021**

A joint meeting of the County and City Planning Commissions was held on February 22, 2021 at 7:00 p.m. in the Commission Room of the Minnehaha County Administration Building and in the Zoom Personal Meeting Room ID 728 439 8039.

David Heinold, County Planning Department, read aloud the instructions for Zoom attendees on how to raise their hands to speak on an agenda item.

Commissioner Bonnie Duffy chair the County Planning Commission, and called for roll call of County Planning Commission members present to determine quorum.

COUNTY PLANNING COMMISSION MEMBERS PRESENT: Bonnie Duffy, Becky Randall, Adam Mohrhauser, Doug Ode, Mike Ralston, Ryan VanDerVliet, and Jeff Barth.

Commissioner Erik Nyberg chaired the City of Sioux Falls Planning Commission, and called for roll call of City of Sioux Falls Planning Commission members present to determine quorum.

CITY PLANNING COMMISSION MEMBERS PRESENT: Sean Ervin, Kurt Johnson, Larry Luetke, Bradyn Neises, Aaron Norman, John Paulson, and Erik Nyberg (Janet Kittams joined the meeting at 7:05 p.m.).

STAFF PRESENT:

Scott Anderson, David Heinold, and Kevin Hoekman - County Planning
Eric Bogue – States Attorney’s Office
Jeff Eckhoff and Jason Bieber – City Planning

The County Planning Commission was presided over by Commissioner Bonnie Duffy. The City Planning Commission was chaired by Erik Nyberg.

Chair Duffy called the joint City of Sioux Falls and 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 or no hands were raised in the Zoom Personal Meeting Room.



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ITEM 1. Approval of Minutes – January 25, 2021

Chair Duffy called for any comments or amendments to the minutes. Nobody raised any comments or additions.

A motion was made for the County by Commissioner Barth and seconded by Commissioner Mohrhauser to **approve** the meeting minutes from January 25, 2021. A roll call vote was taken, and the motion passed unanimously with 6 votes in favor of the motion and 0 votes against the motion.

The same motion was made for the City by Commissioner Luetke and seconded by Commissioner Ervin to **approve** the meeting minutes from January 25, 2021. A roll call vote was taken, and the motion passed unanimously with 6 votes in favor of the motion and 0 votes against the motion.



ITEM 2. CONDITIONAL USE PERMIT #21-17 to allow Expansion of Current Private Airport in the NW1/4 of Section 32 and Have It Open to the Public on the properties legally described as Tract 2A Resurrection Addition, N1/2 and N1/2 (Ex. Tracts 8 & 9, Costello Addition & Ex. Resurrection Addition) and SW1/4 and SE1/4 (Ex. Hein Addition & Ex. Klein's Tracts 1 & 2) and Klein's Tract No. 1, SE1/4; all in Section 32-T101N-R50W.

Petitioner: Aeroprops, LLC (Tom Monnin & Todd Broin)

Property Owner: Aeroprops, LLC

Location: Approximately 1 mile west of Sioux Falls

Staff Report: Kevin Hoekman

General Information:

Legal Description – Tract 2A Resurrection Addition, N1/2 and N1/2 (Ex. Tracts 8 & 9, Costello Addition & Ex. Resurrection Addition) and SW1/4 and SE1/4 (Ex. Hein Addition & Ex. Klein's Tracts 1 & 2) and Klein's Tract No. 1, SE1/4; all in Section 32-T101N-R50W

Present Zoning – A1 Agriculture

Existing Land Use – Private airport and agricultural land.

Parcel Size – Approximately 592 acres

Staff Report: Kevin Hoekman

Staff Analysis:

The petitioner is requesting to expand an existing private air strip to include longer runways and to expand onto several adjacent properties. The expansion will also allow aircraft other than the petitioner's to land and take off from the air strip and to allow the storage and refueling of these aircraft. The original private air strip was allowed by Conditional Use Permit #13-04. If this expansion request is denied, the existing airstrip allowed by Conditional Use Permit #13-04 will be allowed to continue under current conditions.

The property is located approximately 1 mile west of Sioux Falls. The property is bordered by County Highway 148 which is the extension of 41st Street in Sioux Falls. The south property boarder is township gravel road 268th Street which is the extension of 57th Street in Sioux Falls, and it also serves as the border between Minnehaha County and Lincoln County.

Some residential properties exist in the area. To the northeast of the property, there are newer Sioux Falls subdivisions which are located closer than one mile. An exurban cluster of residential properties are located in the adjacent section to the west of the site. A few residential properties exist to the south of the property in Lincoln County. Other than expanding city subdivisions, the rural residential properties were largely developed prior to the construction of the existing air strip; however, the extension of the airport will bring the landing strip and proposed airplane hangars closer to the dwellings to the south of the site.



The petitioner has submitted a site plan and supporting narrative with the application. The site plan indicates that the primary runway will extend from the current runway in the northwest to the southeast. The expanded runway will approximately double its length to 4,100 feet long. This primary runway is planned to be paved and will be long enough to support small jets. The petitioner has informed staff that some landing lights are intended to be included to allow landings and takeoffs during non-daylight hours. Two smaller runways are also depicted on the plan running east and west and northeast to southwest. These smaller runways are planned to remain as grass strips.

Part of the expansion of use includes an area which includes air hangars, taxiways, and an area for refueling aircraft. This will further require road access and parking for pilots and vehicle deliveries. These areas are shown on the site plan to be located south of the proposed runways. Road access will be off of 268th Street, an unpaved township road which is the extension of 57th Street in Sioux Falls. The access will likely increase traffic along the gravel road.

Staff Note: This proposal is only for the expansion of the existing use; however, the petitioner has made it well known that this proposal is the first phase in a long term goal to create a “residential airpark.” A residential airpark can be described in a similar manner as a country club, but instead of residents having a golf cart on a fairway many residents will have an airplane hangar with taxiway connected to the runway. Other residents will live nearby and have access to the hangars clustered on the south side of the strip. The petitioner has met with planning staff from the City and the County regarding the goal of developing a residential airpark on the property. Future meetings and public hearings will be required prior to any residential portion for the residential airpark. These may include, but not limited to, transferring building eligibilities, rezoning, preliminary subdivision plan, and final development plan.

Conditional Use Permit Criteria:

(a) The impact of the proposed use on adjacent properties shall be a major consideration. The proposed use should be generally compatible with adjacent properties and other properties in the district.

The immediate area around the proposed airport has not significantly changed since the private air strip was approved in 2013. Land in the area is largely agricultural based with residential properties to the west of the site and a few to the south and east. Much of the remaining land is agricultural use cropland. Residential development within City of Sioux Falls has expanded closer to the northeast corner of the airstrip and further.

Future impacts to the surrounding area will primarily surround safety zones near the ends of each runway. Planning staff has been approached with concerns that each runway will pose height restrictions on nearby future development among other concerns. It is possible that runways may affect some future developments more than others. The Planning Commission may consider



options such as approval of all or portions of the proposed airport. In addition the Planning Commission may request additional information prior to a decision.

(b) Measures shall be taken to ensure that the proposed use does not alter the general character of the area or neighborhood.

The general character of the neighborhood is agricultural uses mixed with low density rural residential. The proposed expansion will create a visible runway with lights, and an area for hangars, parking, and airplane refueling. Traffic will likely increase along 268th Street. The Planning Commissions may consider a road agreement between the petitioner and the township in order to prevent undue wear on the gravel roads from 57th Street to the driveway. It is likely that the existing dwellings across 268th Street will be most affected by the proposed expansion.

(c) The effects of noise, odor, traffic, air and water pollution, and other negative factors shall be eliminated or controlled through the use of screening, setbacks and orientation.

An airport has the potential to produce negative factors including noise, light, and traffic. Mitigation of nuisances is difficult because of the nature of the use and the scale of the airport. The petitioner has suggested that as his goal is to have residential dwellings along the airport. The residents who live with their planes would not like to have nuisances any more than other residential properties in the area.

Below is a list of a few potential nuisances with some considerations about each nuisance. The petitioner has not submitted any plans to reduce nuisances from the property. The Planning Commission may consider additional conditions or have the petitioner present additional plans for potential screening of nuisances such as walls, fences, or screens. It is likely that the neighboring public will add to concerns regarding potential nuisances, and it is possible that the planning commission would find more information helpful prior to approval of the conditional use permit request. The Planning Commission may defer action to a later meeting in order to obtain further information, plans, or studies.

Noise – Airplanes by their nature create noise, and some planes create more noise than others in a similar way that cars and motorcycles create different noises. The primary planes that will be used at the airport will be small airplanes which create less noise than commercial planes common to the regional airport. The primary runway is planned to be 4,100 feet long and will be able to support small jets. The proposed airport is on a large parcel. Distances will allow some of the potential noises to dissipate before reaching property boundaries, but there are no mitigation techniques which will eliminate noise.

Lighting – The petitioner plans to install runway lighting to allow for expanded use of the airport into non-daylight hours. The lighting may be considered an annoyance by neighboring property owners and residents. The scale of the proposed airport would make it difficult to screen all lighting from all neighbors by using conventional methods such as trees. The scale of the



property may also be beneficial by allowing long distances between many of the residences and the runway; although distances do vary from one property to another.

Traffic – It is likely that the proposed expansion of the airport will increase street traffic as use of the airport increases. The primary direction of increase traffic will likely come from 57th Street in Sioux Falls along 268th Street to the entrance of airport. If future residential development is approved to be a part of the airpark, then traffic could increase even further. Staff suggest that a road maintenance agreement be made between the petitioner and the township. The agreement should cover the distance from the street entrance of the airport along 268th Street east to 57th Street in Sioux Falls.

(d) The proposed use shall not adversely affect the public.

The proposed airport will be used for private aviation of individuals and companies. Others may be able to utilize the airport at the discretion of the owners. The airport will not support commercial passenger flights such as what can be found at the Sioux Falls Regional Airport.

It is likely that some height restrictions will occur at the ends of the runways. Height restrictions are generally higher than typical low density zoning districts, but may affect future urban development.

As stated earlier, the proposed use will likely increase traffic volumes along 268th Street. A road agreement should be part of the approval process to avoid added cost on the township during construction of the airport and ongoing maintenance.

No public money will be spent on the construction or maintenance of the proposed airport expansion.

As a private airport, the operator will be in charge of security of the airport. The applicant noted that security cameras will be used immediately, but fencing will not be part until further residential properties are developed. The Planning Commission may consider additional plans or conditions regarding airport security.

Health, safety, general welfare of the public and the Comprehensive Plan should be considered as part of the request.

The proposed airport is located within a transition area of the Envision 2035 Comprehensive Plan for Minnehaha County. The transition area is primarily used to preserve land uses near a municipality for preparation of future annexation. The joint zoning jurisdiction between the County and City of Sioux Falls is a way to jointly determine land uses that are compatible with both the current conditions and for future land uses of the City of Sioux Falls. The proposed airport, and surrounding properties are located outside of the Future Land Use Map of the Shape Sioux Falls 2040 comprehensive plan. An airport requires minimal municipal services in terms of water, sewer, and additional roads. These services can be obtained through rural water and



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onsite wastewater treatment until city services become available. The current roads will support the additional traffic with perhaps some additional maintenance through a road agreement.

This proposed request is to expand a private airport. A neighboring property owner raised concern about an airport near his future development land. He pointed out that an airport is one of the least compatible land uses to be placed next to residential land uses. The petitioner has made it well known that his intent is to create a “residential airpark.” This concept is new to the area and provides a sort of hybrid of uses which may someday be more compatible than a traditional airport. A residential airpark is not guaranteed to be approved (there are additional permits and hearings required) or to be a successful development style as there may not be buyers into the concept. In short, if the airport is approved, it may end as only an airport and not become the full residential airpark as the petitioner desires. County planning staff finds that the proposed airport expansion is an expansion of an existing use and is compatible over the large area as proposed.

The Planning Commission may consider conditions to limit the size and scope of the airport. One consideration would be to limit the number of hangars which are allowed as part of the airport. Limiting the hangars would be a way to prevent the industrialization or the appearance of industrialization of the airport. Other conditions could consider runway locations, distances, or surface conditions. Again, the Planning Commission may consider deferral of action if more information is wanted or further planned is desired.

Recommendation:

County planning staff recommends **approval** of Conditional Use Permit 21-17 with the following conditions:

1. The conditional use permit will allow a private airport with no commercial passenger flights allowed.
2. The operator of the airport must obtain an ongoing road maintenance agreement with the township which maintains 268th Street. The road maintenance agreement must cover all township maintained roads east of the street entrance located on the south side of the airport.
3. The airport shall meet all FAA requirements.
4. The airport must obtain all required state approvals prior to construction.

Public Testimony:

Kevin Hoekman, County Planning Department, presented a brief summary of the staff report and recommendation for the conditional use permit request.

Commission Paulson asked why a conditional use permit is required if it is only an expansion of an existing use. Kevin Hoekman explained that the current use only allows the property owner’s personal use and no night flying. The conditions of CUP13-04 were read by request.



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Commissioner Paulson then asked about the difference between public and private airport. Kevin Hoekman explained that the applicant may be better to ask but for the purpose of the application the zoning ordinance lists an airport as an allowed through conditional use in the A-1 Agricultural District.

Greg Jamison, 6300 S. Grand Prairie Drive, Sioux Falls, identified himself as a representative for the applicant. Mr. Jamison introduced the applicants, Tom Monnin and Todd Broin. He also identified Mark Weidereich who is the airport design expert. Mr. Jamison explained that the long-term goal for the subject property is to create a “first class residential airpark.” An analogy of a golf course with a golf cart was made for the intent of the development. He showed some video and photo examples of other residential airparks around the country. The goal of the development will be to attract aviators with small personal airplanes or self built airplanes. Mr. Jamison stated that in addition to the conditions required, the petitioner is ready to sign a pre-annexation agreement with the City of Sioux Falls. The purpose of requesting the CUP now is to get ahead of city growth.

David Dangel, 26723 468th Avenue, identified himself as the landowner in the northeast corner of the section. He noted that he will have a landing strip zone on two sides of his property. Mr. Dangel explained that the proposed development will bring in upscale properties and raise property values. He stated that there is already much noise in the area due to dump trucks and motorcycles. He added that this is better than the solar panels which were proposed on the property a few years ago.

Wayne Larson, 26865 468th Avenue, began that he agreed with the previous speaker, and reiterated the potential for upscale housing. He added that airplanes already fly all over the place.

Kristi Staton, 26793 467th Avenue, identified herself as living directly west of the site. She stated that she is in support of the proposal and thinks it is a good idea.

Sam Goodhope stated that he owned property ½ mile north of the site. He shared that he owns an airplane and thinks that an airpark is a good idea except where it is proposed. He explained that residential housing is not compatible with an airport and especially with the runway protection zones. He explained three ways to obtain runway protection zones. There will be six directions affected by the runway protection zones and this will affect what can be built, property values, and mortgages. He asked the Planning Commission to deny the request.

Commissioner Luetke asked the petitioner how far the protection zone reaches for the runways.

Mark Wiederrich, KLJ Engineering spoke to answer Commissioner Luetke’s question and other topics. He explained that the runway protection zone is a trapezoid at the end of each runway starting 200 feet from the runway, by 200 feet wide at the start, to 400 feet wide at the end which is 1,000 feet long. All the runway protection zones for the proposed airport will be on the



petitioner's property or right of way. Mr. Wiederrich further explained that the approach zones, which affect height restrictions, go up from the runway protection zone at a 5% slope.

Commission Lutke asked if the height restriction will put other properties at a disadvantage. Mr. Wiederrich explained that the most restricted height limit in the approach zone on the surrounding property is 73 feet. Then the purple area of the provided map indicates 150 feet height restriction above the runway elevation. He explained that there is an online application to build something within the approach zone regardless if the airport is public or private owned.

Commissioner Nyberg asked how FAA approval happens with residential structures located close to the runway. Mr. Wiederrich responded that structure locations are based on runway size. In addition, as a private owned airport, the rules for structure setbacks don't need to be followed to the same standard as a public owned airport. He added that the petitioner will allow setbacks only to the FAA standard of 125 feet of the center of the runway.

Commissioner Lutke asked what the difference is between public and private airports. Mr. Wiederrich responded that a private airport is owned individually who has control over who uses the airport. A public airport receives public funding from FAA and standards increase to maintain public status.

Rick Dunlap, 46810 267th Street, noted that he lives to the northwest of the airport and has accumulated about 600 acres of land to develop. He stated that FHA and HUD would not finance a mortgage for 2500 feet from the runway. A disclosure would be required for any home sale in the 2,500 foot area. The west side of Sioux Falls is a growth area and will continue to grow. The proposed airport is a use issue that will affect his property. Mr. Dunlap added that if the proposal is approved it only needs the one runway.

John Brook with equity homes stated that he has development properties that will be affected by the airport. The planes will fly over all future homes and the airport will be in the middle of the city. People who live at an airpark have to pay cash because government financing will not finance it. Two of the runways fly directly over his land. Mr. Brook added that this should not be considered as rural property as the city is coming soon. This type of development will benefit the city 5 to 10 miles away.

Craig Staten, 26793 467th Avenue, noted that developers don't dictate where growth happens, but rather the Planning Commission.

Monty Miller, 1306 Honeysuckle Trail, introduced himself as a retired engineer for Sayer Associates. He noted that Tom Monnin has worked on several other development projects. He noted that this proposed project will be high quality and enhance the quality of life for Sioux Falls.



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Commissioner Barth raised questions regarding fire protection, drainage and security with the airport. Greg Jamison responded to the questions beginning with drainage will follow state and county requirements. Fire protection should be included with security and that will be addressed later as the project is completed. Commissioner Barth questioned if Hartford Fire Department would cover the area.

Doug Sittig, 26785, noted that the fire department is under Wayne Township which is contracted with the City of Sioux Falls.

Tom Monnin showed an example of an airpark with residents off the ends of the runways and he added that it is not necessary to have an airpark 10 miles away from the city. He corrected a few comments made by others that there are about 630 residential airparks in the country, there will be no commercial or industrial use of the airport, and that the runway will be 4,100 feet long. Mr. Monnin noted that most people in the area know the Sioux Falls Regional Airport which is rather large. He noted the FAA doesn't do noise studies for general aviation airports because the highways are generally louder than the airports. He showed an example overhead photo of an airpark with residences at the ends of the runways.

Commissioner Ode asked what is the largest jet which could land on the runway. Mark Wiederrich, responded that the size of jet is based on the length of the runway. In this case light jets could land which could carry 5 to 8 passengers. Commissioner Ode further questioned how planes control air traffic with other planes. Mr. Wiederrich responded that Sioux Falls has a tower with air traffic control but this airport will have pilots broadcast their actions to anyone listening to that radio signal.

Commissioner Nyberg asked if there is a need to expand the airport from one runway to three. Mr. Wiederrich responded that the additional runways are there to allow additional times when a small aircraft can take off and land during high winds. He showed that the main runway will be used 97 percent of the time. The intent is to accommodate all experimental and hobby aircraft.

Rick Dunlap noted that his development will be greatly affected by a runway used for three percent of the time. He asked the Planning Commission to consider that that grass air strip is not considered for approval at the least. He added that younger people rely on VA and FHA loans that will be affected by the airport. He added that airpark residents give up their rights regarding the airport requirements.

Chairperson Duffy closed the floor from public comments.

Commissioner Barth noted that this is an interesting proposal that may need more research for things like fire and security. He asked staff about drainage if the project is approved. Kevin Hoekman responded first that there are changes happening in the floodplain which will affect the property in the future. He stated that drainage can be addressed with the CUP request such as



requiring 100 year retention. Scott Anderson added that the project is within the City's platting jurisdiction, and the drainage will have to meet the City review for drainage at that time too.

Commissioner Lutke asked how far out notification go for an airport request. Kevin Hoekman stated that everyone within 500 feet of the property gets notified. Commissioner Lutke raised concern that residents further out will be affected by the use but have not received notice of the hearing. Kevin Hoekman noted that the Planning Commission could request further notice requirement for specific proposals. Commissioner Lutke noted that there are many questions to ask and many unknowns about the project and how it will impact other people.

Commissioner Barth stated that it would not be unreasonable to defer action for this type of request. He stated that that many uses are getting tougher to approve uses that may cause nuisance within the county. He added that there may be some issues with the project such as the affect on financing. Commissioner Barth finished that the petitioner started his project first before other residential development started in the area.

Commissioner Johnson asked Commissioner Barth what additional information should be needed. Commissioner Barth noted that he would like to see more information on the affect on financing and possible issues with drainage and security. He noted that the item will likely be appealed if it is approved or denied at this meeting.

Commissioner Ralston commented that this is not a new concept to have an airport with residential development. Other parts of the county may be more accustom to airports in higher density areas than here.

City Discussion:

After a motion was made by the City Planning Commission there was the following discussion:

Commissioner Lutke commented that he will be voting no as there were a lot of people in the neighborhood who did not receive notice and that puts them at a disadvantage.

Commissioner Johnson commented that there are other funding options for loans than the FHA, and there is likely replacement financing available. He added that there is not much residential development which exceed 72 feet or more that would affect the height of construction.

Commissioner Ervin commented that he had concerns about notice requirements for property owner outside of 500 feet, and will be opposed to the motion at this time.

Commissioner Paulson asked City staff about the final comment on the City comment letter. Jason Bieber noted that the comments made were mostly regarding what will happen to the property when future growth leads to annexation of the development. he noted that County staff



requirements are adequate for the airport. Industrial and commercial uses will be discouraged until City services are available to the property.

Actions:

Commissioner Ralston made a motion to **approve** Conditional Use Permit #21-17 with recommended conditions. The motion was seconded by Commissioner Barth. A roll call vote was taken and the motion passed unanimously with 6 votes in favor of the motion and 0 votes against the motion.

Commissioner Johnson made the same motion for the city planning commission to **approve** Conditional Use Permit #21-17 with recommended conditions. The motion was seconded by Commissioner Norman. A roll call vote was taken and the motion failed with 2 votes in favor of the motion and 5 votes against the motion.

Conditional Use Permit #21-17 – Split Decision



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Old Business

None.

New Business

None.

Adjourn

A motion was made for the County to **adjourn** by Commissioner Ode and seconded by Commissioner Mohrhauser. A roll call vote was taken, and the motion passed unanimously with 6 votes in favor of the motion and 0 votes against the motion. The same motion was made for the City to **adjourn** by Commissioner Luetke and seconded by Commissioner Johnson. Commissioner Norman adjourned the meeting. A roll call vote was taken, and the motion passed unanimously with 7 votes in favor of the motion and 0 votes against the motion.

The meeting was **adjourned** at 8:38 pm.