

**MINUTES OF THE JOINT MEETING  
MINNEHAHA COUNTY & SIOUX FALLS PLANNING COMMISSIONS  
AUGUST 24, 2015**

A joint meeting of the County and City Planning Commissions was held on August 24, 2015 at 7:00 p.m. in the Commission Room of the Minnehaha County Administration Building.

COUNTY PLANNING COMMISSION MEMBERS PRESENT: Mike Cypher, Doug Ode, Becky Randall, Bonnie Duffy, Jeff Barth, and Wayne Steinhauer.

CITY PLANNING COMMISSION MEMBERS PRESENT: Larry Luetke, Sean Ervin, Steve Gaspar, and Sharon Chontos.

**STAFF PRESENT:**

Scott Anderson, Kevin Hoekman, and David Heinold - County Planning  
Sara Show – Office of the State’s Attorney  
Diane de Koeyer – City Planning

The County Planning Commission Chair Wayne Steinhauer presided over the meeting. The City Planning Commission was chaired by Steve Gaspar.

**CONSENT AGENDA**

There were no items on the Consent Agenda

**ITEM 1. Approval of Minutes – July 27, 2015**

A motion was made for the City by Commissioner Luetke and seconded by Commissioner Chontos to **approve** the meeting minutes for July 27, 2015. The motion passed unanimously. Same motion was made for the County by Commissioner Barth and seconded by Commissioner Randall to **approve** the meeting minutes for July 27, 2015. The motion passed unanimously.

## **REGULAR AGENDA**

### **ITEM 2. CONDITIONAL USE PERMIT #15-46 to allow a Communication Towers on the property legally described as Tract 1A Dunn's Addition, SE1/4 SE1/4, Section 19-T101N-R48W.**

Petitioner: Sioux Falls Adventist Church (Pastor Dragos Profir)

Property Owner: Dakota Conference Corporation

Location: 7100 E. 26th St. Approximately 0.5 miles east of Sioux Falls

Staff Report: Scott Anderson

This would allow a Communication Tower.

#### **General Information:**

Legal Description – Tract 1A of Dunn's Addition, Section 19, Township 101N, R48W

Present Zoning – A1 Agriculture

Existing Land Use – Church

Parcel Size – 22.50 acres

**Staff Report:** Scott Anderson

**Staff Analysis:** The applicant is requesting a conditional use permit to install a 65 foot tall communication tower that will hold two antenna. The owner, Sioux Falls Adventist Church, is proposing these radio tower in conjunction with the operation of 24/7 100 watt radio station broadcasting at 92.9 FM. The tower is proposed to be of a lattice type and constructed on the north side of the existing church and east of the parking lot. The applicant has provided a narrative explaining why they chose a lattice tower and this location. Design specifications of the tower and a site plan is included for the Planning Commission's review.

On July 2, 2015, staff conducted a site inspection. The area to the west consists of the Split Rock Heights 3<sup>rd</sup> Addition. There are three (3) homes visible from the proposed towers. The closest house is approximately 300 feet away. The area to the southwest is located within the city limits of Sioux Falls and is the location of the growing subdivision of Copper Creek. Copper Creek Subdivision is located more than 1,000 feet away. The area to the north and east is open, rolling fields at this time.

#### **Conditional Use Criteria:**

**1) 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.**

It is unlikely that the erection of the broadcast tower will impede on the use of the adjacent properties. Any typical residential activities could occur in the area with or without the broadcast towers being situated several hundred feet away. At the proposed height, there is no

risk that tower failure would lead to the towers falling onto anyone's property other than the church's property. Any agricultural activities to the north and east would be able to be continued without any interference by the towers.

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

The applicant has not indicated any measures to reduce the impact on the general character of the area or neighborhood. Large cell towers, however, are now commonplace throughout Sioux Falls and the outlying community. It could be argued that communication towers may even be typical in most neighborhoods.

**3) 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.**

The proposed use will not create any noise, odor, traffic, air or water pollution. The location of the tower behind the church will provide some screening from the road and the subdivision to the southwest. The applicant has a grove of recently planted spruce trees along the north boundary of the parking lots. Currently these trees are approximately 4 to 5 feet tall and well established. Eventually the trees will provide some additional screening.

**4) The proposed use shall not adversely affect the public.**

The proposed use should not adversely affect the public. The proposed use will have very minimal impact on the public. The public will be able to see the tower, but it use will not generate noise or traffic which could impact the public.

While generally the Planning Commission has preferred mono-pole towers, there have been lattice towers allowed such as at the SDN Communication facility on LaMesa and the electrical substation at the terminus of N. Ellis Road. The City of Sioux Falls Planning Department has requested a monopole with stealth design for the proposed tower.

**Recommendation:** Staff recommends **approval** of Conditional Use Permit #15-46 with the following conditions:

1. That only one (1) radio broadcast tower shall be allowed. The tower must be of a monopole with stealth design. One tower shall not exceed 65' in height.
2. The applicant shall install and maintain a 6' high security fence around the perimeter of the towers and post a no trespassing sign on the fence.
3. That prior to construction of the tower, building permits be obtained.
4. That the location of the tower conform with the site plan dated July 1, 2015.

**PUBLIC TESTIMONY**

Scott Anderson of County Planning & Zoning presented the staff report and recommendations as written above. The above report represent what was presented rather than strictly maintained to the original staff report. The recommendation were made to reflect the request from the City of Sioux Falls to require a monopole with stealth design as stated in their ordinance. The recommended conditions is what the motion was made to approve.

Commissioner Steinhauer asked staff what was meant by stealth design. Scott Anderson responded that he was uncertain what it meant too. Commissioner Barth suggested that it may be to build the tower into a flagpole or something similar to camouflage the pole. Diane de Koeyer of Sioux Falls Planning Office noted only that it is supposed to blend into the surroundings.

Dragos Profir spoke as the petitioner. He started with an explanation of why the church property is the best place for the proposed tower. He included that the antenna is not able to go into the church steeple because the signal would not be able to escape the metal roof. Dragos also noted that the lattice style tower is 3 times cheaper than a monopole. In addition to the cost, the lattice style allows for light to pass through it and the tower would be less visible. Dragos called the tower and the low wattage radio station as an investment into the community.

Commissioner Ode asked why the tower was not located farther to the east. Dragos responded that the proposed location is the highest point available on the property, and that moving it farther to the east would require a taller tower.

Commissioner Steinhauer asked how tall the steeple of the church was. Dragos responded that the steeple is about 80 feet tall.

Commissioner Barth asked if they were ok with the City's request of a monopole. Dragos responded that they will follow whatever is required, but he would prefer the lattice style because of the ability to see through the tower and the cost savings.

Kevin Lippert, 1506 Grey Goose Cir, live nearby the church and he asked to have the petitioner provide a dollar value on the cost difference for the two types of towers. Dragos responded that the lattice type tower would cost 3 to 4 thousand dollars including the cement base and the flagpole style would cost approximately \$10,000 plus and installation fee of \$15,000

### **DISCUSSION**

Commissioner Cypher encouraged the monopole design and noted that they should support the City's request.

Commissioner Barth asked if the property will be annexed soon. City Planner Diane de Koeyer responded that the proposed location is nearly surrounded by the city limits and that is the reason for the request for stealth design.

### **ACTION**

A motion was made to **approve** Conditional Use Permit #15-46 with the recommended Conditions for the City by Commissioner Ervin and seconded by Commissioner Luetke. The motion passed unanimously. Same motion was made to **approve** Conditional Use Permit #15-46 with the recommended conditions for the County by Commissioner Cypher and seconded by Commissioner Ode. The motion passed unanimously.

**Conditional Use Permit #15-46 – Approved**

**Old Business**

None.

**New Business**

None.

**Adjourn**

A motion was made for the City by Commissioner Luetke and seconded by Commissioner Chontos to **adjourn**. The motion passed unanimously. Same motion was made for the County by Commissioner Randall and seconded by Commissioner Barth to **adjourn**. The motion passed unanimously.