CITY PLANNING COMMISSION AGENDA
CITY COUNCIL CHAMBERS
612 N. MAIN ST, MITCHELL, SD 57301
DATE: SEPTEMBER 26, 2016

1. **TIME: 12:00 PM NOON**

2. **CALL TO ORDER:**

3. **ROLL CALL:**

4. **APPROVE AGENDA:**

5. **APPROVAL OF MINUTES: September 12, 2016**

   Documents:

   9122016MINUTESNOTAPPROVED.PDF

6. **SCHEDULE NEXT MEETING: October 11, 2016 TUESDAY**

7. **Plat:**
   A Plat of Lot D-1, A Subdivision of Lot D in the SE 1/4 of Section 3, T 102 N, R 60 W of the 5th P.M., Davison County, South Dakota

8. **REZONE And CODE AMENDMENT**
   REZONING: Lots 1 thru 9, Block 5, MLC Addition in NE 1/4 of SW 1/4 of Section 28, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison, SD. From R2 to Planned Unit Development District known as Mueller Lumber Morningview Subdivison. And amending the existing PUD District.

   Documents:

   MUELLERORDREVIEW.PDF
   MLCADDREZONEAMDT2.PDF

9. **Discussion Only: Zoning District Amendment**
   Amendment to the Woodland Heights Planned Development District (Ethan Lumber Coop)

   Documents:

   WOODLANDHEIGHTS.PDF

10. **Discussion Only: Possible Rezoning Of City Owned Properties**
    Discussion of rezoning various city owned properties.

    Documents:

    CITYZONINGMAPS.PDF

11. **OTHER BUSINESS:**

12. **ADJOURNMENT:**
    "The City of Mitchell invites all interested parties to give oral or written comments. If special accommodations are required, please notify the Public Works Department at 605-995-8433 at least 24 hour prior to the scheduled meeting."

CITY OF MITCHELL
CITY PLANNING COMMISSION
MINUTES, September 12, 2016

NOT APPROVED

Call to Order: Chairman Larson called the September 12, 2016 City Planning Commission meeting to order at 12:00 pm in the Council Chambers, City Hall, Mitchell, SD.

Members Present: Larson, Everson, Griffith, Meyers, Molumby, Schmucker, and Allen

Members Absent: Fergen

Others Present: Mayor Toomey, Justin Johnson, Terry Johnson, Lyndon Overweg, John Hegg, Stephanie Ellwein, and Neil Putnam

Agenda: Motion by Everson, seconded by Griffith to approve the September 12, 2016 as presented. All members present voting aye, motion carried.

Minutes: Motion by Molumby, seconded by Everson to approve the minutes of the August 22, 2016 meeting. All members present voting aye, motion carried.

Next Meeting: Motion by Everson, seconded by Griffith to schedule the next meeting for September 26, 2016. All members present voting aye, motion carried.

Variance: Shane Snyder has made an application for a backyard variance of 2 ft vs 25' feet and a sideyard variance of 2' vs 3' as required for construction of two attached garages at his property legally described as S 82' of Lots 11 & 12, Block 14, Rowley's 2nd Addition, City of Mitchell, Davison County, South Dakota (503 N. Duff St). Zoned R4.

The public notice was published in the *Mitchell Daily Republic* on September 2, 2016 and letters to the neighboring property owners were sent September 1, 2016.

Mr. Snyder was present to answer questions and provide testimony in regards to his application. He stated that he has removed an older garage that was in need of repair. The property has been a duplex since the 1940s' and he said that in order to remain competitive in the rental business, garages are necessary. He was aware of his neighbor to north concern about drainage. He will route the water to the streets and award from the residences. The applicant provided the commission an explanation about his stairwells and why he is limited to space. He also said the location of his utilities also limits his option.

Margaret Spensley (neighbor to north) was present. She stated that Mr. Snyder and her have talked about drainage. She asked about the location of the building from her fence. Snyder responded about "54 inches".

Meyers noted the unique situation with this historic home, therefore he can understand the hardship.

Motion by Meyers, seconded by Molumby to recommend the variance be approved with the condition the drainage be reverted appropriately and according to the applicant's representation. Roll Call: Larson aye, Meyers aye, Molumby aye, Griffith aye, Everson no, Schmucker no 4 ayes 2 no; motion carried.

Plan Approval: American Family Insurance, 708 N. Sanborn Blvd (HB & TWC Districts). The commission reviewed the submitted material and asked some questions. Hegg informed the commission about the location of utility lines that prevent posts being place in the ground. Motion by Molumby, seconded by Griffith approve the plans. All members present voting aye, motion carried.

Plan Approval: Justin Thiesse presented plans for construction of garage buildings at his apartment complex located at 1701 N Main Street, zoned HB. His plan indicated the location of various utility lines. He told the commission about a 50' easement that is on his northern border and is his only entrance. Motion by Everson, seconded by Griffith to approve the building plans. All members present voting aye, motion carried.

Planned Development Amendment: (Discussion Only). Bob Mueller of Mueller Lumber Co, was present to talk about an amendment to the PUD known as Mueller Lumber Morningview Subdivision. The amendment rezones 9 lots, which he recently acquired from R2 to the PUD and he is proposing some construction standards be part of his district. He mentioned having the proposed standards in the ordinance to protect his development and provides more control by the building department. The commission will hold a hearing on the amendment at their next meeting. No action taken.

Planned Development Amendment (Discussion Only): Woodland Heights Planned Development (Ethan Lumber) would like some amendments to their PUD. Representatives of Ethan Lumber were not present. Putnam explained the draft ordinance, which proposes to change the lot dimensions and square footage standards in Subarea A and Subarea C. The commission has some reservations and would like Ethan Lumber to come to the next meeting to discuss this proposed amendment. No action taken.

Plat: Lot 12 & 13 in the Replat of Tract A Wild Oak Golf Club Addition to the City of Mitchell, Davison County, SD. Putnam indicated this follows the master plan and noted the cart path is platted as a separate parcel. Motion by Everson, seconded by Molumby to approve the plat. All members present voting aye, motion carried.

Plat: A Plat of Portions of Block 2, Block 3, Block 7, Block 8 and Block 9 of CJM Second Addition, and portions of Michael Avenue, Livesay Lane and Jamaica Street, All in the NW ¼ of Section 32, T 104 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, SD. This plat was reviewed by the city planning commission and city council before; however, since that time the property was annexed by a footage description. This plat is to identified the blocks when the lots get platted in the future. Motion by Molumby, seconded by Everson to approve the plat. All members present voting aye, motion carried.

Plat: A Plat of Lot 8 of CJM Second Addition in the NW ¼ of Section 32, T 104 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, SD. The lot appears to follow the master plan. Motion by Everson, seconded by Griffith to approve the plat. All members present voting aye, motion carried.

Plat: A Plat of Lot X-1, Square 19, A Subdivision of Portions of Lot X of Square 19 and the West ½ of Vacated South Lawler Street, All in Weaver's Squares, City of Mitchell, Davison County, SD. This is to accommodate the identification of new apartments being constructed with TIF # 22. Motion by Molumby, seconded by Griffith to approve the plat. All members present voting aye, motion carried.

Chairman Larson adjourned the meeting at 12:45 pm.

_____ _____

Chairman Date

ORDINANCE NO.

AN ORDINANCE CHANGING THE DISTRICT CLASSIFICATION OF LOTS 1, 2, 3, 4, 5, 6, 7, 8 AND 9, BLOCK 5, MLC ADDITION, IN THE NE ¼ OF THE SW ¼ OF SECTION 28, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA FROM SINGLE FAMILY RESIDENTIAL DISTRICT (R2) TO THE PLANNED UNIT DEVELOPMENT DISTRICT (PD) KNOWN AS MUELLER LUMBER MORNINGVIEW SUBDIVISION AND AMENDING ORDINANCE NO. 2430 THAT PREVIOUSLY ESTABLISHED THE PLANNED UNIT DEVELOPMENT DISTRICT KNOWN AS MUELLER LUMBER MORNINGVIEW SUBDIVISION.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA:

Section 1. The following real property legally described as Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9, Block 5, MLC Addition, in the NE ¼ of the SW ¼ of Section 28, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota to be changed from Single Family Residential District (R2) to the Planned Unit Development District (PD) known as the Mueller Lumber Morningview Subdivision and to be identified as Subarea C in the exhibit hereto attached to this ordinance.

Section 2. Notwithstanding Ordinance No. 2430, the following is an amendment to the Planned Unit Development District (PD) known as the Mueller Lumber Morningview Subdivision

10-9F-4 Supplemental Regulations:

A. No structure shall be permitted to be constructed with a post from method of square or round poles in the ground (commonly known as 'pole barns').
B. No structure shall be permitted to be finished on the exterior roof or walls with light gauge metal panels, vertical or horizontal, galvanized or colored metal.
C. All accessory buildings shall have the same exterior finish as the principal residence. If the principal residence is masonry brick, stone or stucco, the accessory building may use wood or vinyl siding on the walls in lieu of masonry brick, stone or stucco.

Section 3. The district classifications of the real property legally described in this ordinance is hereafter to be changed and the official map is to reflect the new district classification.

Section 4. The City Finance Officer shall publish notice of this ordinance and the same shall become effective 20 days after the completed publication thereof, unless the referendum shall be invoked as provided by law.

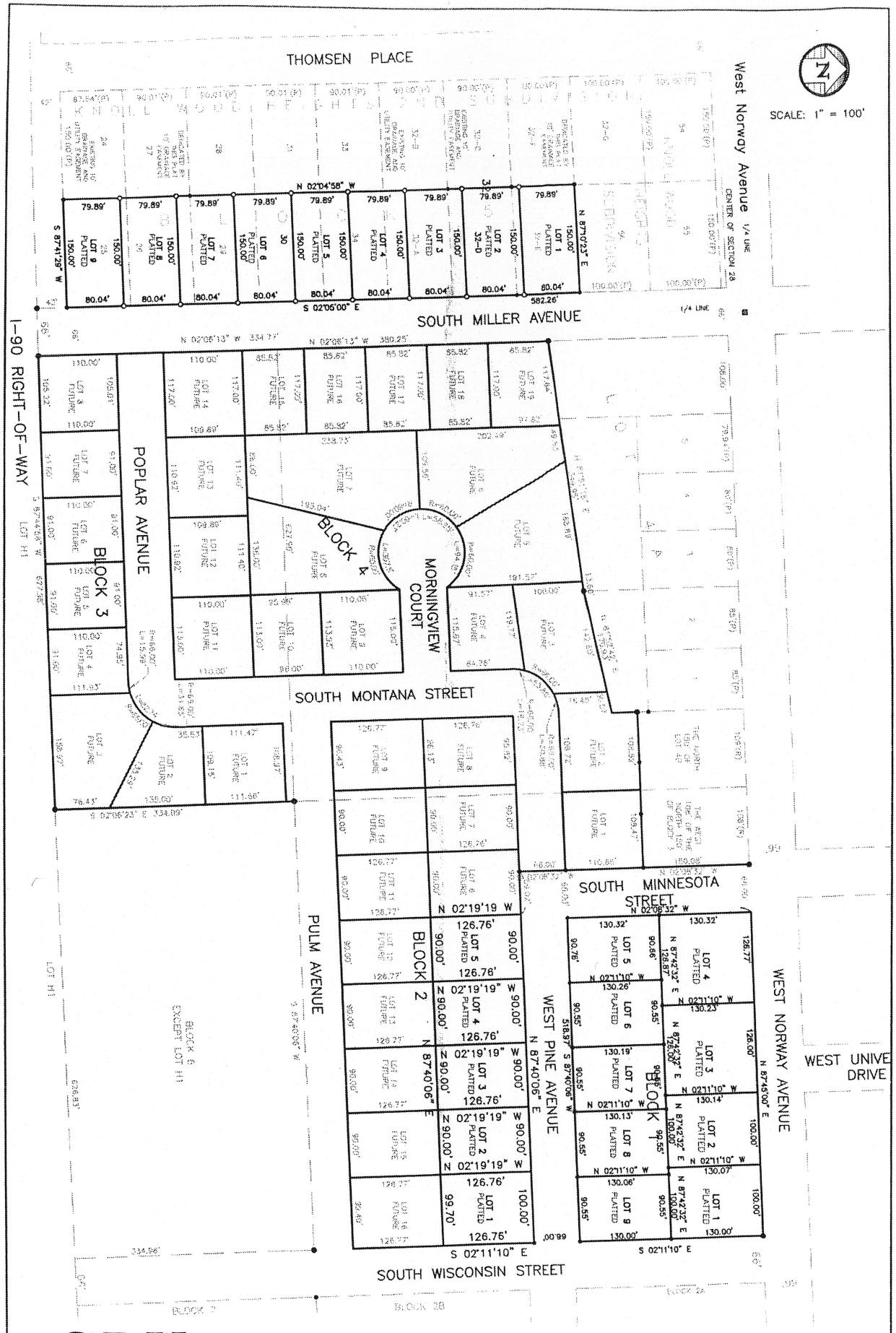
Passed and approved this _____day of _____, 2016.

_____
Mayor

Attest:

Finance Officer

First Reading
Second Reading
Adoption



SPN & Associates
Engineers, Planners and Surveyors
[illegible] Blvd. - [illegible] Mitchell, South Dakota 57301

MUELLER LUMBER
MORNINGVIEW SUBDIVISION
DATE: 03/29/2015

ORDINANCE NO. 2430

AN ORDINANCE AMENDING THE CITY OF MITCHELL ZONING CODE (TITLE TEN), CHAPTER NINE, ARTICLE F, CHANGING THE DISTRICT CLASSIFICATIONS OF THE REAL PROPERTY BLOCK THREE (3), EXCEPT THE WEST 108 FEET OF THE NORTH 150 FEET THEREOF; LOT 4B, EXCEPT THE NORTH 150 FEET THEREOF BLOCK FOUR, MORNINGVIEW ADDITION, CITY OF MITCHELL, DAVISON, SOUTH DAKOTA FROM SINGLE FAMILY RESIDENTIAL (R2) DISTRICT TO A PLANNED UNIT DEVELOPMENT (PD) KNOWN AS MUELLER LUMBER MORNINGVIEW SUBDIVISON AND BLOCK FIVE, EXCEPT LOT H1 THEREOF, MORNINGVIEW ADDITION, CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA FROM TRANSPORTATION, WAREHOUSING, AND COMMERICAL (TWC) DISTRICT TO A PLANNED UNIT DEVELOPMENT (PD) KNOWN AS MUELLER LUMBER MORNINGVIEW SUBDIVISON, CITY OF MTICHELL, DAVISON COUNTY, SOUTH DAKOTA.

BE IT ORDAINED BY THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA:

Section 1. That the following real property's district classification legally described by Block 3, Except the West 150 feet of the North 150 feet thereof; Lot 4B Except the North 150 feet thereof, Block Four, Morningview Addition, City of Mitchell, Davison County, South Dakota be changed from Single Family Residential (R2) District to a Planned Unit Development (PD) known as Mueller Lumber Morningview Subdivison.

Section 2. That the following real property's district classification legally described by Block 5, except Lot H1 thereof, Morningview Addition, City of Mitchell, Davison County, South Dakota be changed from Transportation, Warehousing, and Commercial (TWC) District to a Planned Unit Development (PD) known as Mueller Lumber Morningview Subdivison.

A. Purpose: This Planned Development District is intended residential opportunities and provide for a variety of densities which provide the efficient and diverse utilization of land.
B. Scope: The regulations in this ordinance or set forth elsewhere in the City of Mitchell Zoning Code when referred to in this ordinance are the district regulations that shall be governed by the Mueller Lumber Morningview Subdivision.

Sub Area A. As reference in the Exhibit hereto attached to this ordinance:

A. Permitted Uses:
    1. Single Family Dwellings
    2. Two Family Dwellings
    3. Open Spaces
    4. Parks and Playgrounds
B. Conditional Uses:
    1. Residential Care
    2. Family Residential Care
    3. Family Residential Day Care
C. Accessory Uses:

1. Accessory Buildings for Permitted and Conditional Uses
2. Home Occupations, unless the criteria set forth in 10-5G-2 is not met. Note 10-5G-3A.

D. Parking Regulations:

1. Parking within the Planned Development shall comply with the City of Mitchell Zoning Code.

E. Sign Regulations:

1. The placement and installation of signs shall comply with Title 9, City of Mitchell Municipal Code.

F. Maximum Building Height:

1. No principal building shall exceed two and one half stories or 35 feet in height.
2. No accessory building shall exceed 20 feet in height

G. Maximum Coverage:

1. No more than Forty-five percent (45%) of the zoning lot area shall be covered with structures.
2. No accessory building shall exceed 1,250 square feet in area.

H. Minimum Lot Area and Width:

1. The minimum zoning lot area shall be no less than 10,000 square feet and a minimum zoning lot width of 85 feet.

I. Minimum Yard Requirements:

1. Front Yard 25 feet, Back Yard 25 feet, Side Yard 8 feet, Side Yard on a Corner 15 feet

Sub Area B As reference in the Exhibit hereto attached to this ordinance:

A. Permitted Uses:

1. Single Family Dwellings
2. Two Family Dwellings
3. Open Spaces
4. Parks and Playgrounds

B. Conditional Uses:

1. Residential Care
2. Family Residential Care
3. Family Residential Day Care

C. Accessory Uses:

1. Accessory Buildings for Permitted and Conditional Uses
2. Home Occupations, unless the criteria set forth in 10-5G-2 is not met. Note 10-5G-3A.

D. Parking Regulations:

1. Parking within the Planned Development shall comply with the City of Mitchell Zoning Code.

E. Sign Regulations:

1. The placement and installation of signs shall comply with Title 9, City of Mitchell Municipal Code.

F. Maximum Building Height:

1. No principal building shall exceed two and one half stories or 35 feet in height.
2. No accessory building shall exceed 20 feet in height

G. Maximum Coverage:

1. No more than Forty-five percent (45%) of the zoning lot area shall be covered with structures.
2. No accessory building shall exceed 1,250 square feet in area.

H. Minimum Lot Area and Width:

1. The minimum zoning lot area shall be no less than 10,000 square feet and a minimum zoning lot width of 85 feet.

I. Minimum Yard Requirements:

1. Front Yard 25 feet, Back Yard 25 feet, Side Yard 8 feet, Side Yard on a Corner 15 feet

Sub Area C. As reference in the Exhibit hereto attached to this ordinance:

A. Permitted Uses:

1. Single Family Dwellings
2. Two, Three or Four Family Dwellings
3. Open Spaces
4. Parks and Playgrounds

B. Conditional Uses:

1. Residential Care
2. Family Residential Care
3. Family Residential Day Care
4. Five to Twelve Family Dwellings

C. Accessory Uses:

1. Accessory Buildings for Permitted and Conditional Uses
2. Home Occupations, unless the criteria set forth in 10-5G-2 is not met. Note 10-5G-3A.

D. Parking Regulations:

1. Parking within the Planned Development shall comply with the City of Mitchell Zoning Code.

E. Sign Regulations:

1. The placement and installation of signs shall comply with Title Nine, City of Mitchell Municipal Code.

F. Maximum Building Height:

1. No principal building shall exceed two and one half stories or 35 feet in height.
2. No accessory building shall exceed 20 feet in height

G. Maximum Coverage:

1. No more than Sixty (60%) of the zoning lot area shall be covered with structures.
2. No accessory building for single family residential shall exceed 1,250 square feet in area.
3. Accessory buildings for two or more dwellings units shall not exceed more than 400 square feet per dwelling unit.

H. Minimum Lot Area and Width:

1. The minimum zoning lot area shall be no less than 9,000 square feet and a minimum zoning lot width of 80 feet.

I. Minimum Yard Requirements:

1. Front Yard 25 feet, Back Yard 25 feet, Side Yard 8 feet, Side Yard on a Corner 15 feet

Sub Area D. As reference in the Exhibit hereto attached to this ordinance:

A. Permitted Uses:

1. Single Family Dwellings
2. Two, Three or Four Family Dwellings
3. Open Spaces
4. Parks and Playgrounds

B. Conditional Uses:

1. Residential Care
2. Family Residential Care
3. Family Residential Day Care
4. Child Care, Preschool, Nursery
5. Coffee House
6. Convenience Store
7. Personal Service Facility
8. Retail Services & Trade (Footprint of principal structures 5,000 square feet or less)
9. Student Housing (Off Campus)
10. Temporary or Shelter
11. Automotive Detailing
12. Structures constructed for the sole purpose of personal or household storage.
    a. Retail, wholesale or commercial related activities are prohibited
    b. Exterior walls and roofs shall be constructed with materials typically installed on single family residential properties
13. Five to Twelve Family Dwellings

C. Accessory Uses:

1. Accessory Buildings for Permitted and Conditional Uses
2. Home Occupations, unless the criteria set forth in 10-5G-2 is not met. Note 10-5G-3A.

D. Parking Regulations:

1. Parking within the Planned Development shall comply with the City of Mitchell Zoning Code.

E. Sign Regulations:

1. The placement and installation of signs shall comply with Title 9, City of Mitchell Municipal Code.

F. Maximum Building Height:

1. No principal building shall exceed three stories or 45 feet in height.
2. No accessory building shall exceed 20 feet in height

G. Maximum Coverage:

1. No more than sixty (60%) of the zoning lot area shall be covered with structures.
2. No accessory building for a single family residential dwelling shall exceed 1,250 square feet in area.
3. Accessory buildings for two or more family dwelling units shall not exceed more than 400 square feet per dwelling unit.

H. Minimum Lot Area and Width:

1. The minimum zoning lot area shall be no less than 9,000 square feet and a minimum zoning lot width of 80 feet.

I. Minimum Yard Requirements:

1. Front Yard 25 feet, Back Yard 25 feet, Side Yard 8 feet, Side Yard on a Corner 15 feet

Section 3: That district classifications of the real property described in this ordinance are hereafter to be changed on the official zoning map to reflect the new district classification.

Section 4. The City Finance Officer shall publish notice of this ordinance, and the same shall become effective 20 days after the completed publication thereof, unless the referendum shall be invoked as provided by law.

Passed and approved this the 1ST Day of April 2013.

_____

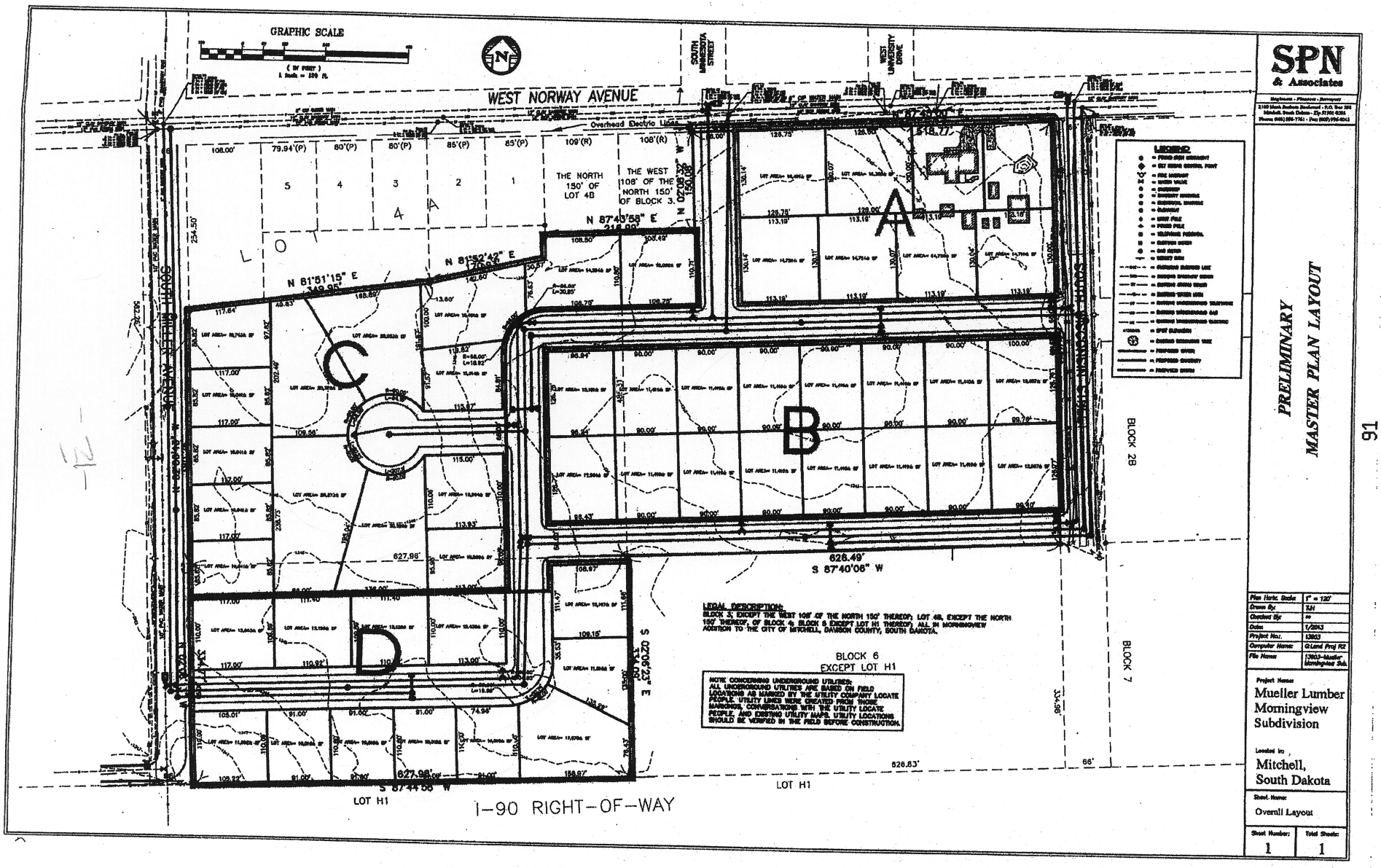
MAYOR

ATTEST:

_____

FINANCE OFFICER

FIRST READING MARCH 18, 2013
SECOND READING APRIL 1, 2013
ADOPTION APRIL 1, 2013


GRAPHIC SCALE
WEST NORWAY AVENUE
SOUTH MINNESOTA STREET
WEST UNIVERSITY DRIVE
Overhead Electric Line
THE NORTH 150' OF LOT 4B
THE WEST 108' OF THE NORTH 150' OF BLOCK 3.
N 87°40'58" E
N 81°50'42" E
N 81°51'15" E
S 87°40'06" W
626.49'
627.98'
S 87°44'56" W
BLOCK 2B
BLOCK 7
BLOCK 6
EXCEPT LOT H1
LOT H1
I-90 RIGHT-OF-WAY
LEGAL DESCRIPTION:
BLOCK 3, EXCEPT THE WEST 108' OF THE NORTH 150' THEREOF; LOT 4B, EXCEPT THE NORTH 150' THEREOF, OF BLOCK 4; BLOCK 5 EXCEPT LOT H1 THEREOF; ALL IN MORNINGVIEW ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA.
NOTE CONCERNING UNDERGROUND UTILITIES:
ALL UNDERGROUND UTILITIES ARE BASED ON FIELD LOCATIONS AS MARKED BY THE UTILITY COMPANY LOCATE PEOPLE. UTILITY LINES WERE CREATED FROM THOSE MARKINGS, CONVERSATIONS WITH THE UTILITY LOCATE PEOPLE, AND EXISTING UTILITY MAPS. UTILITY LOCATIONS SHOULD BE VERIFIED IN THE FIELD BEFORE CONSTRUCTION.
LEGEND
SPN & Associates
PRELIMINARY
MASTER PLAN LAYOUT
Plan Horiz. Scale: 1" = 120'
Drawn By: TJH
Checked By:
Date: 1/2013
Project No.: 13003
Computer Name: G:\Land Proj RZ
File Name: 13003-Mueller Morningview Sub.
Project Name: Mueller Lumber Morningview Subdivision
Located in: Mitchell, South Dakota
Sheet Name: Overall Layout
Sheet Number: 1
Total Sheets: 1

APPLICATION FOR REZONING

TO: THE MITCHELL PLANNING COMMISSION AND THE CITY COUNCIL, THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA.

The undersigned applicant(s) and owner(s), Mueller Lumber Co. hereby make(s) application for rezoning Lots 1 thru 9, Block 5, MLC Addition, in the NE1/4 of the SW ¼ of Section 28, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, SD.

This Application is for the following described real property:

Rezone the real property from R2 Single Family Residential District to Planned Unit Development District known as Mueller Lumber Morningview Subdivision.

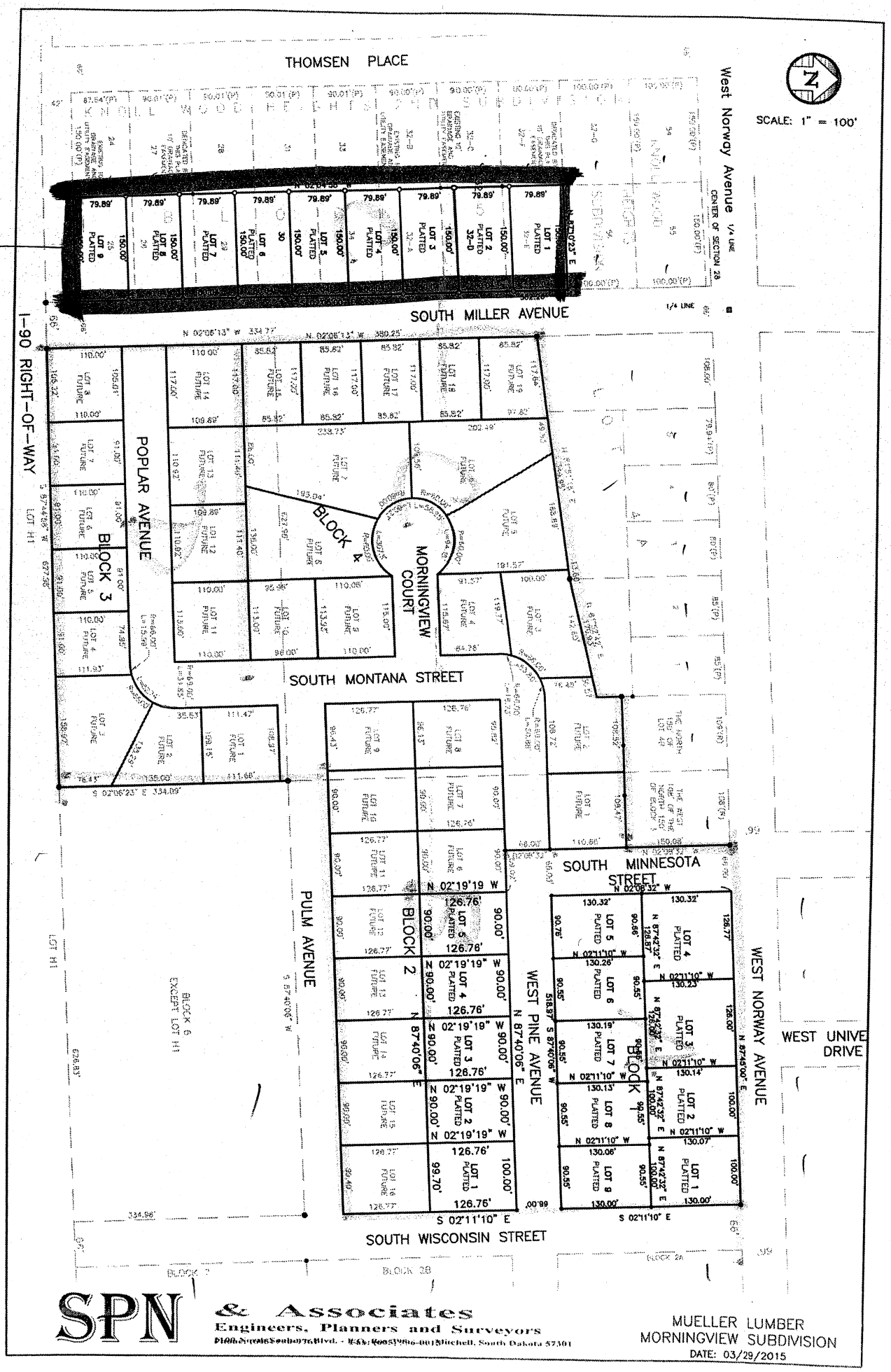
The names and addresses of the current property owners within one hundred and forty feet (140') of the applicant's property (excluding streets and alleys) will be notified upon the filing of this application.

Applicant(s) request that dates be set for public hearings before the Mitchell Planning Commission and the Board of Adjustment. Furthermore, the applicant requests the City of Mitchell to publish the appropriate notice(s) in accordance with the City of Mitchell's Ordinances.

Dated this 19th of Sept., 2016.

Mueller Lumber Co.
APPLICANT

Robert W. Mueller President
OWNER


THOMSEN PLACE
West Norway Avenue
SCALE: 1" = 100'
to be rezoned.
SOUTH MILLER AVENUE
I-90 RIGHT-OF-WAY
POPLAR AVENUE
BLOCK 4
MORNINGVIEW COURT
BLOCK 3
SOUTH MONTANA STREET
SOUTH MINNESOTA STREET
PULM AVENUE
BLOCK 2
WEST PINE AVENUE
BLOCK 1
WEST NORWAY AVENUE
WEST UNIVE DRIVE
SOUTH WISCONSIN STREET
SPN & Associates
Engineers, Planners and Surveyors
MUELLER LUMBER
MORNINGVIEW SUBDIVISION
DATE: 03/29/2015

City of Mitchell | Public Works
612 North Main Street | Mitchell, SD 57301
Phone: 605-995-8433 | Fax: 605-995-8410
CityOfMitchell.org

Mitchell
SOUTH DAKOTA
Outside expectations

September 13, 2016

TO WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED, that Mueller Lumber Co is requesting rezoning their property legally described as Lots 1 thru 9, Block 5, MLC Addition, in the NE ¼ of the SW1/4 of Section 28, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota from R2 Single Family Residential District to Planned Unit Development District. The applicant is also proposing amendments to the existing their planned unit development project.

YOU ARE FURTHER NOTIFIED, that public hearings will be held by the Planning Commission on September 26, 2016 at 12:00 P.M and the City Council will hold first reading on October 3, 2016 and second reading and adoption is scheduled for October 17, 2016 at 6:30 P.M., at the Council Chambers, Mitchell City Hall. All interested parties may attend the public hearings and provide comments in regards to the applicant's request.

I/We Joseph A. Pekas Kay E. Pekas
OWNER

1716 Thomsen Place, Mitchell, SD 57301
ADDRESS

_____ APPROVE

X DISAPPROVE

No response will indicate approval.

COMMENTS:

ORDINANCE NO.

AN ORDINANCE AMENDING THE ZONING DISTRICT KNOWN AS THE WOODLAND HEIGHTS PLANNED DEVELOPMENT DISTRICT AS IDENTIFIED IN TITLE TEN, CHAPTER 9B OF THE MITCHELL CITY CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA:

Notwithstanding Ordinance Numbers 2053 and 2408, the provisions of this ordinance shall amend Mitchell City Code Section 10-9B-3: Scope of Regulations:

Section 1.

Amend A. Subarea A: by deleting:

"Also known as lots 1-11, block 1, Woodland Heights First Addition, city of Mitchell, Davison County, South Dakota."

and replacing said text with the following:

"Also known as Block 1, Woodland Heights First Addition, City of Mitchell, Davison County, South Dakota."

Section 2.

Amend A. Subarea A: 1. Permitted Uses, by deleting:

"Two-family dwellings"

and replacing said text with the following:

"One, two, and three family dwellings"

Section 3.

Amend A. Subarea A: 8. Minimum Lot Area and Width, by deleting:

"The minimum lot area shall be at least ten thousand (10,000) square feet and minimum lot width of seventy feet (70)."

and replacing said text with the following:

"The minimum lot area shall be at least seven thousand-five hundred (7,500) square feet and the minimum lot width of fifty (50) feet."

Section 4.

Amend C. Subarea C: 2. Conditional Uses, by deleting:

"Multi-family dwelling twelve (12) units or more"

And replacing said text with the following:

"Multi-family dwellings thirteen (13) units or more"

Section 5.

Amend C. Subarea C: 7. Minimum Lot Area and Width, by deleting:

"The minimum lot area shall be least ten thousand (10,000) square feet and minimum lot width of seventy feet (70)."

and replacing said text with the following:

"The minimum lot area shall be at least seven thousand- five hundred (7,500) square feet and the minimum lot width of fifty (50) feet."

Section 6. The City Finance Officer shall publish notice of this ordinance and the same shall become effective 20 days after the completed publication thereof, unless the referendum shall be invoked as provided by law.

Adopted by majority vote of the Mitchell SD City Council in regular session this ____ day of _____, 20____.

_____

Jerry Toomey – Mayor

Attest:

(seal)

_____

Michelle Bathke – City Finance Officer

First Reading: _____

Second Reading: _____

Adoption: _____

Published: _____

ARTICLE B. WOODLAND HEIGHTS PLANNED DEVELOPMENT DISTRICT

10-9B-1: LEGAL DESCRIPTION:

All of Lot Three (3) and Lot Two (2), to Include Tracts One (1), Two (2), Three (3), and Five (5) of Block One (1) in the said Lot Two (2) but except the West Forty (40) feet and the North Forty (40) feet of the said Lot Two (2), except lots Two A (2A), Two B (2B), Two C (2C), Two D, (2D), Two E (2E) and Two F (2F), of the said Lot Two (2) and except Tracts Four (4), Six (6) and Seven (7), Block One (1) of the said Lot Two (2), All in Crane's Addition in the Southeast Quarter (SE $^1/_4$) Section Thirty-Four (34), Township One Hundred Three (103) North Range (60) West, City of Mitchell, Davison County, South Dakota.
(Ord. 2408, 10-1-2012)

10-9B-2: PURPOSE:

This area is intended to provide residential opportunities and provide for densities, which reflect both the cost and best utilization of land. (Ord. 2408, 10-1-2012)

10-9B-3: SCOPE OF REGULATIONS:

The regulations in this article or set forth elsewhere in the zoning code when referred to in this article are the district regulations that shall be governed by the Woodland Heights planned development district.

A. Subarea A: Also known as lots 1-11, block 1, Woodland Heights First Addition, city of Mitchell, Davison County, South Dakota.

1. Permitted Uses:

   Accessory buildings.

   Two-family dwellings.

2. Conditional Uses:

   Home occupations.

3. Parking Regulations: Parking shall be regulated in conformance with this title. (Ord. 2408, 10-1-2012)

4. Sign Regulations: Sign regulations shall be in conformance with title 9, chapter 4 of this code. (Ord. 2512, 4-6-2015)

5. Maximum Building Height: No principal building shall exceed two and one-half ($2^1/_2$) stories or thirty five feet (35') in height and no accessory building shall exceed one story or seventeen feet (17') in height.

6. Maximum Coverage: No more than forty five percent (45%) of the lot area shall be covered by structures.

7. Accessory Buildings: Accessory buildings shall not exceed one thousand fifty (1,050) square feet.

8. Minimum Lot Area And Width: The minimum lot area shall be at least ten thousand (10,000) square feet and minimum lot width of seventy feet (70').

9. Minimum Yard Requirements (Setbacks):

   a. Front yard: Thirty feet (30').

   b. Back yard: Thirty feet (30').

   c. Side yard: Six feet (6').

   d. Side yard of corner lot: Fifteen feet (15').

B. Subarea B: Also to be known as lots 1-14, block 2, lots 1-14, block 3, lots 1-10, block 4, lots 1-8, block 5, Woodland Heights First Addition, city of Mitchell, Davison County, South Dakota.

1. Permitted Uses:

   Accessory buildings.

   Single-family dwellings.

2. Conditional Uses:

   Home occupations.

3. Parking Regulations: Parking shall be regulated in conformance with this title. (Ord. 2408, 10-1-2012)

4. Sign Regulations: Sign regulations shall be in conformance with title 9, chapter 4 of this code. (Ord. 2512, 4-6-2015)

5. Maximum Building Height: No principal building shall exceed two and one-half ($2^1/_2$) stories or thirty five feet (35') in height and no accessory building shall exceed one story or seventeen feet (17') in height.

6. Maximum Coverage: No more than forty five percent (45%) of the lot area shall be covered by structures.

7. Accessory Buildings: Accessory buildings shall not exceed one thousand fifty (1,050) square feet.

8. Minimum Lot Area And Width: The minimum lot area shall be at least ten thousand (10,000) square feet and minimum lot width of seventy feet (70').

9. Minimum Yard Requirements (Setbacks):

   a. Front yard: Thirty feet (30').

   b. Back yard: Thirty feet (30').

   c. Side yard: Six feet (6').

   d. Side yard of corner lot: Fifteen feet (15').

C. Subarea C: Also to be known as block 6, Woodland Heights Addition First Addition, city of Mitchell, Davison County, South Dakota.

1. Permitted Uses:

   Accessory buildings.

   Multi-family dwellings twelve (12) units or less.

   Single-family dwellings.

2. Conditional Uses:

   Home occupations.

   Multi-family dwelling twelve (12) units or more.

3. Parking Regulations: Parking shall be regulated in conformance with this title. (Ord. 2408, 10-1-2012)

4. Sign Regulations: Sign regulations shall be in conformance with title 9, chapter 4 of this code. (Ord. 2512, 4-6-2015)

5. Maximum Building Height: No principal building shall exceed six (6) stories or sixty five feet (65') in height and no accessory buildings shall exceed one story or seventeen feet (17') in height.

6. Maximum Coverage: No more than seventy five percent (75%) of the lot area shall be covered by structures.

7. Minimum Lot Area And Width: The minimum lot area shall be at least ten thousand (10,000) square feet and minimum lot width of seventy feet (70').

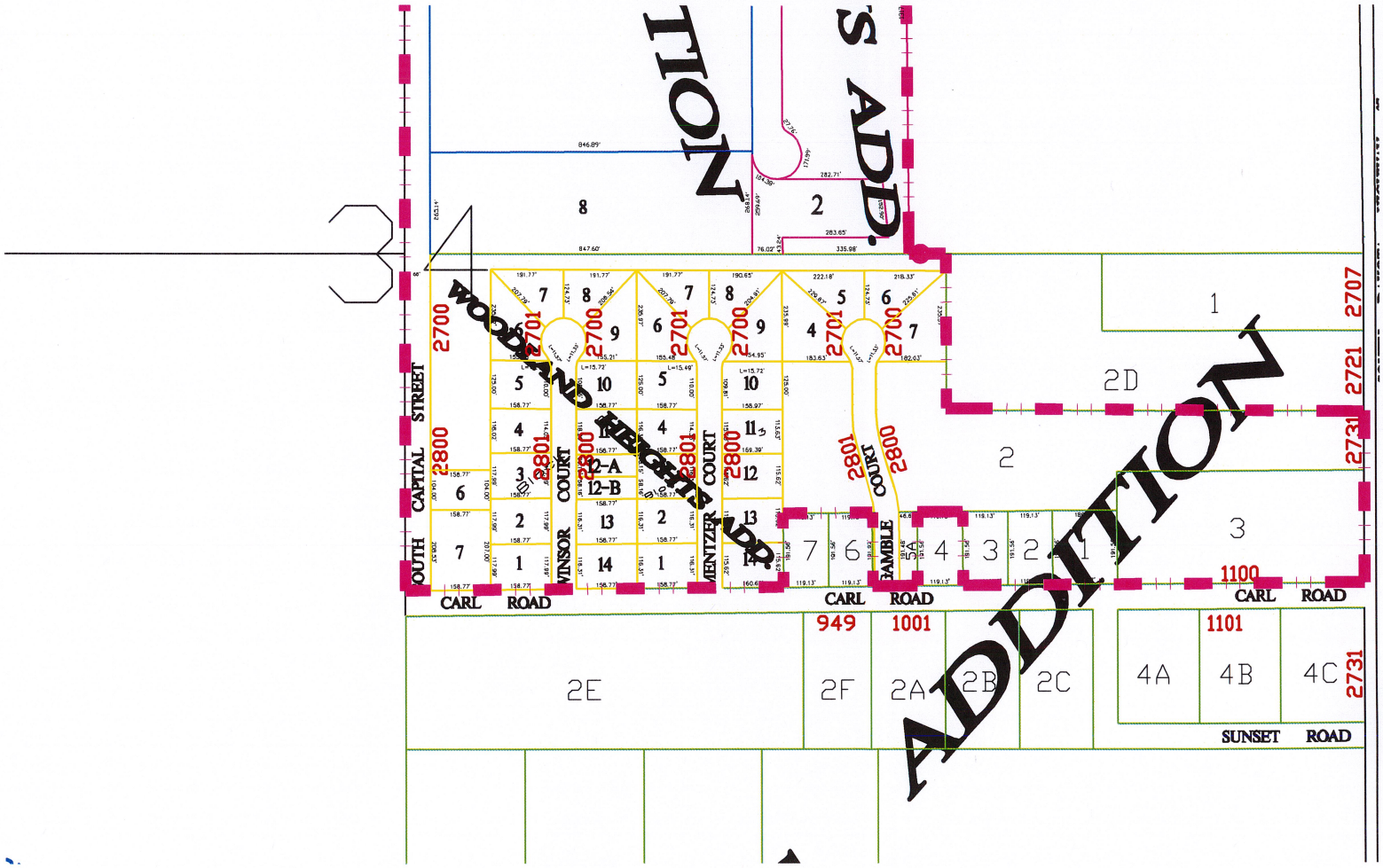
8. Minimum Yard Requirements (Setbacks):

   a. Front yard: Thirty feet (30').

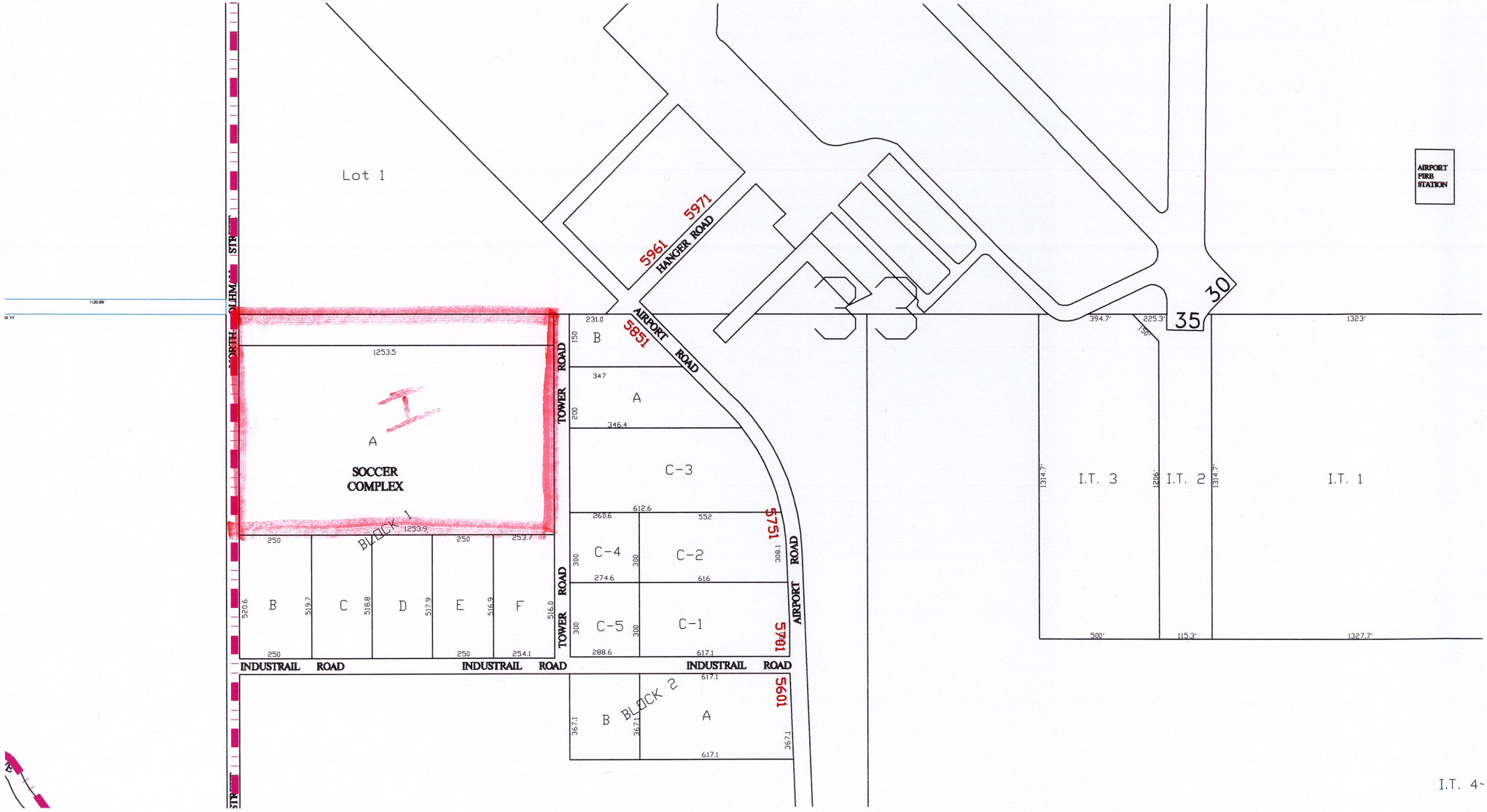
   b. Back yard: Thirty feet (30').

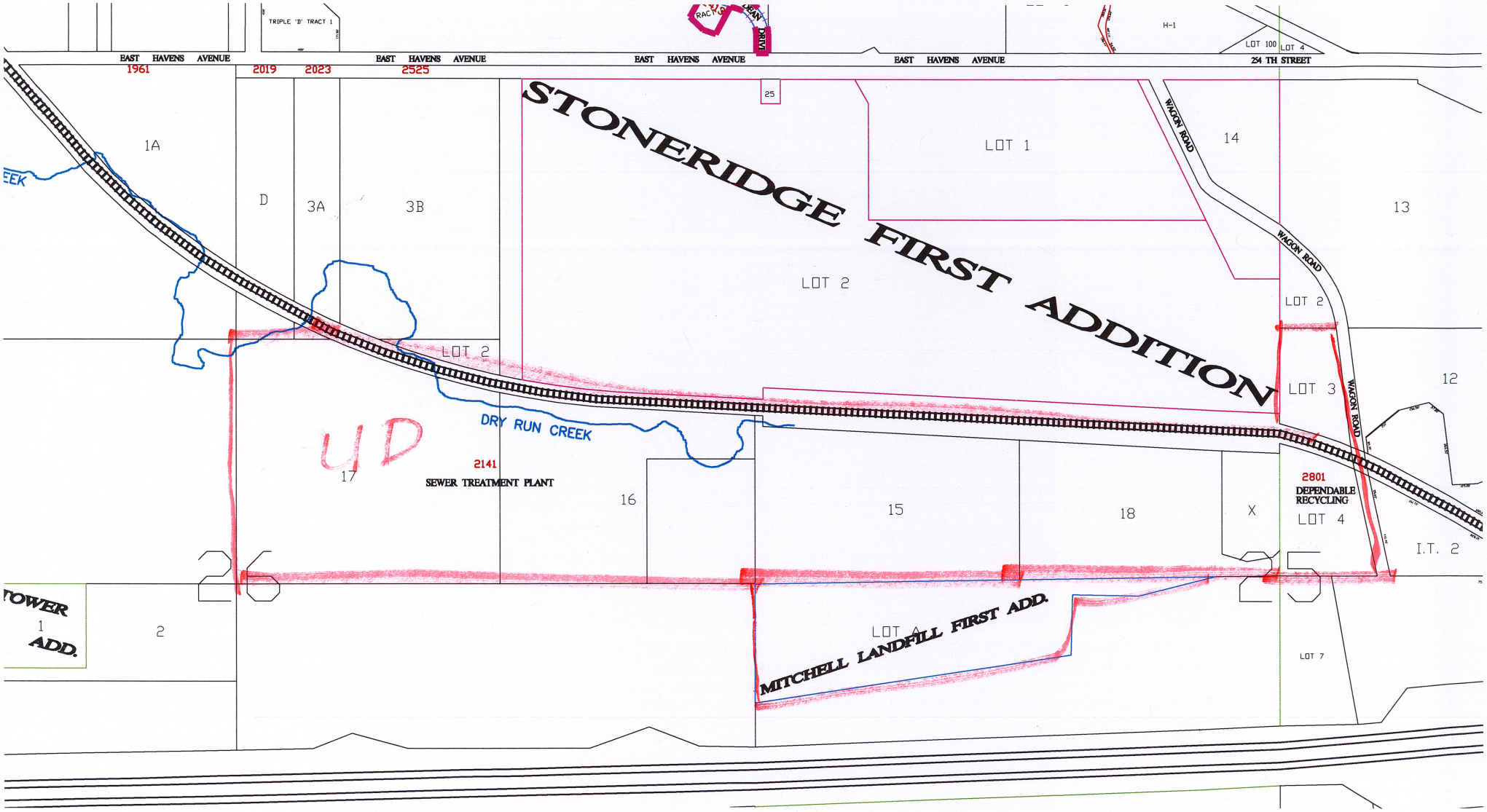
c. Side yard: Six feet (6').

d. Side yard of corner lot: Fifteen feet (15'). (Ord. 2408, 10-1-2012)

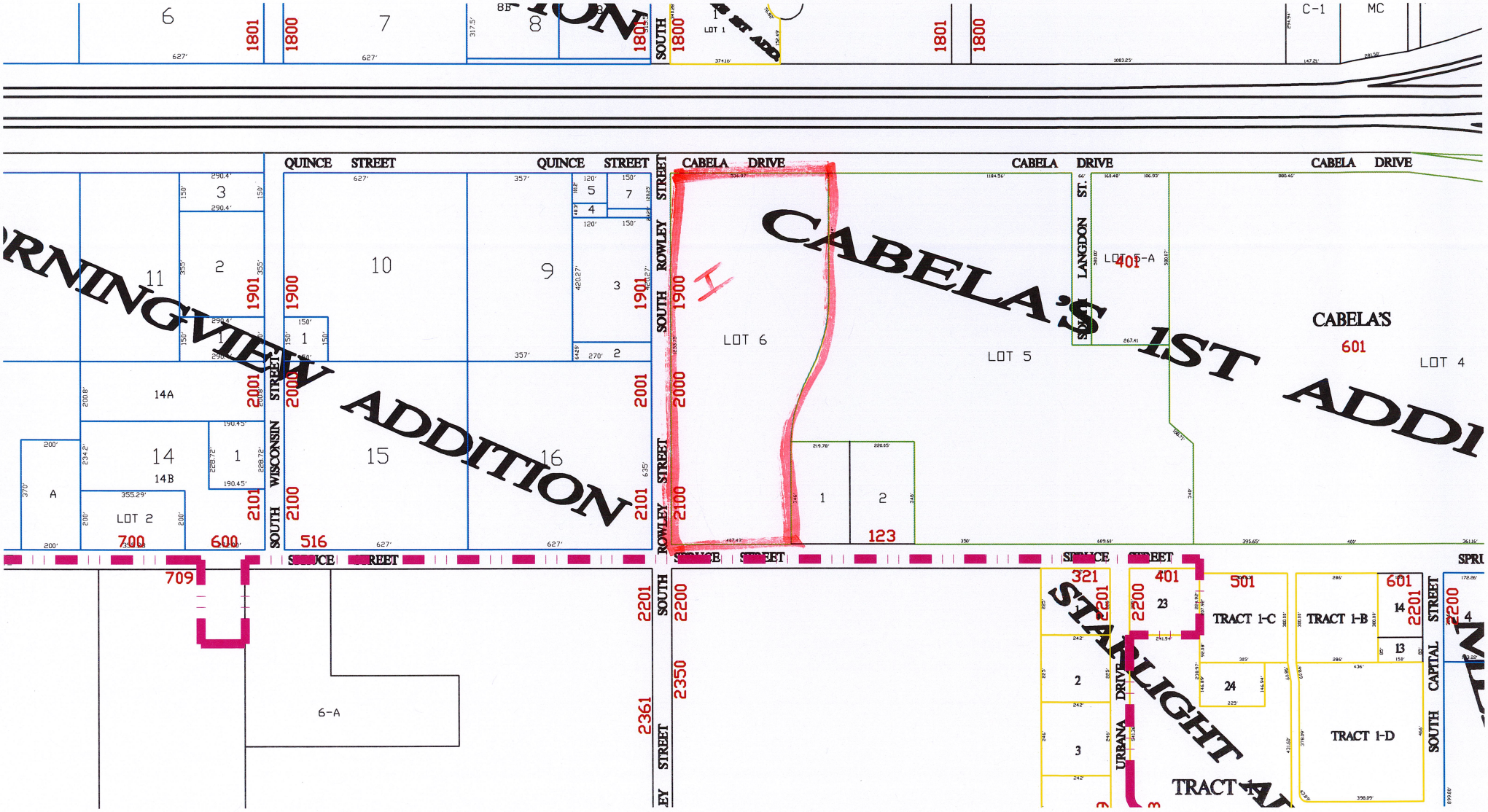


34
ADDITION
WOODLAND HEIGHTS ADD.
CAPITAL STREET
SOUTH
WINSOR COURT
MENTZER COURT
GAMBLE COURT
CARL ROAD
SUNSET ROAD
2700
2701
2800
2801
2707
2721
2731
1100
1101
949
1001
2E
2F
2A
2B
2C
4A
4B
4C
2D

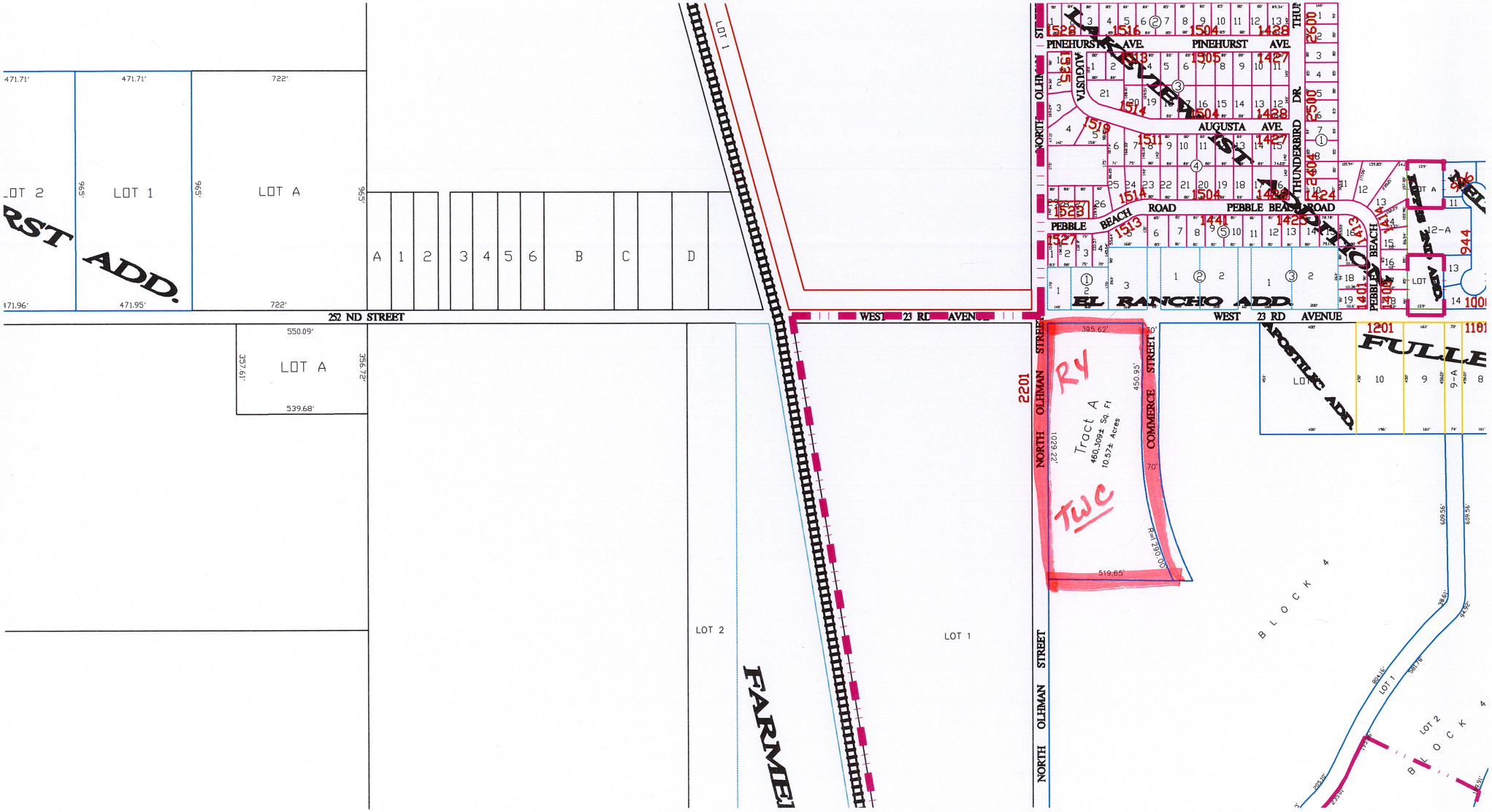

Lot 1
5961
5971
HANGER ROAD
5851
AIRPORT ROAD
AIRPORT FIRE STATION
30
35
1253.5
A
SOCCER COMPLEX
BLOCK 1
250
1253.9
250
253.7
B
520.6
519.7
C
518.8
D
517.9
E
516.9
F
516.0
250
250
254.1
INDUSTRAIL ROAD
INDUSTRAIL ROAD
INDUSTRAIL ROAD
TOWER ROAD
TOWER ROAD
231.0
150
B
347
A
200
346.4
C-3
612.6
260.6
552
C-4
300
300
274.6
C-2
616
308.1
5751
C-5
300
300
288.6
C-1
617.1
5801
AIRPORT ROAD
617.1
B
367.1
367.1
BLOCK 2
A
617.1
367.1
5601
394.7'
225.3'
150'
1323'
1314.7'
1206'
1314.7'
I.T. 3
I.T. 2
I.T. 1
500'
115.3'
1327.7'
I.T. 4



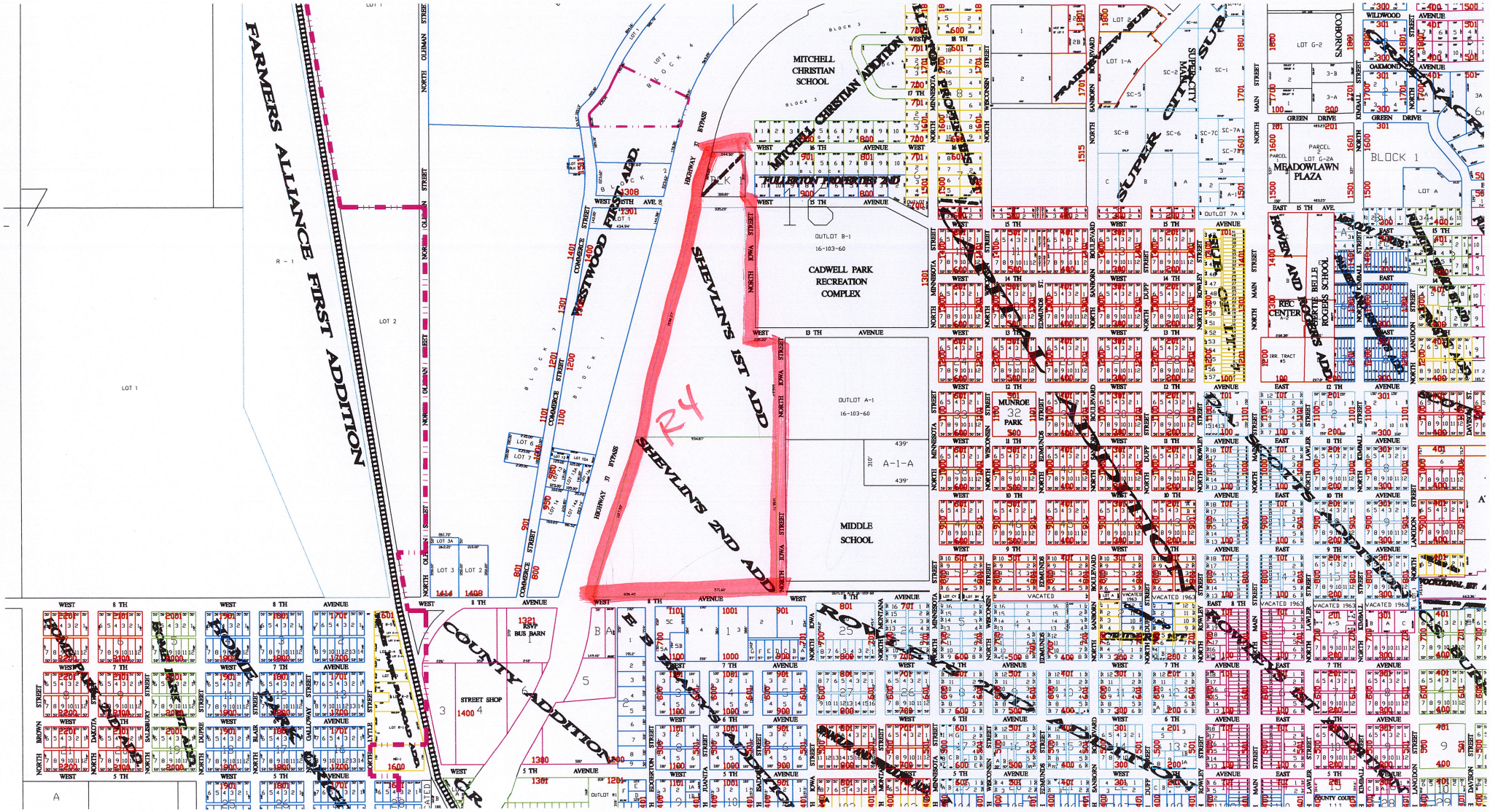
TRIPLE 'D' TRACT 1
EAST HAVENS AVENUE
1961
2019
2023
2525
EAST HAVENS AVENUE
EAST HAVENS AVENUE
EAST HAVENS AVENUE
H-1
LOT 100
LOT 4
254 TH STREET
25
STONERIDGE FIRST ADDITION
1A
D
3A
3B
LOT 1
14
13
WAGON ROAD
WAGON ROAD
WAGON ROAD
LOT 2
LOT 2
LOT 2
LOT 3
12
DRY RUN CREEK
UD
2141
SEWER TREATMENT PLANT
17
16
15
18
X
2801
DEPENDABLE RECYCLING
LOT 4
I.T. 2
26
25
TOWER ADD.
1
2
LOT A
MITCHELL LANDFILL FIRST ADD.
LOT 7



QUINCE STREET
CABELA DRIVE
SOUTH ROWLEY STREET
SOUTH WISCONSIN STREET
SOUTH LANGDON ST.
SOUTH CAPITAL STREET
URBANA DRIVE
CABELA'S 1ST ADDI
CABELA'S
601
LOT 4
LOT 5
LOT 5-A
LOT 6
LOT 2
LOT 1
TRACT 1-C
TRACT 1-B
TRACT 1-D
TRACT 1
6-A
14A
14B
700
600
516
709
123
321
401
501
601
1801
1800
1901
1900
2001
2000
2101
2100
2201
2200
2350
2361
C-1
MC



LOT 2
LOT 1
LOT A
RST ADD.
471.71'
471.71'
722'
965'
965'
965'
471.96'
471.95'
722'
A
1
2
3
4
5
6
B
C
D
252 ND STREET
550.09'
357.61'
356.72'
539.68'
LOT A
LOT 1
LOT 2
FARMEL
WEST 23 RD AVENUE
NORTH OLHMAN STREET
COMMERCE STREET
395.62'
450.95'
1029.22'
519.65'
R=1290.00'
Tract A
460,309± Sq. Ft
10.57± Acres
RY
TWC
2201
PINEHURST AVE.
AUGUSTA AVE.
PEBBLE BEACH ROAD
THUNDERBIRD DR.
EL RANCHO ADD.
APOSTILIC ADD.
FULLE
BLOCK 4
LOT 1
LOT 2


FARMERS ALLIANCE FIRST ADDITION
MITCHELL CHRISTIAN SCHOOL
MITCHELL CHRISTIAN ADDITION
FULLERTON PROPERTIES 2ND
CADWELL PARK RECREATION COMPLEX
OUTLOT B-1
16-103-60
OUTLOT A-1
16-103-60
MIDDLE SCHOOL
SHEVLIN'S 1ST ADD
SHEVLIN'S 2ND ADD
WESTWOOD FIRST ADD.
MUNROE PARK
MEADOWLAWN PLAZA
REC CENTER
HOVEN AND ROGERS ADD
BELLE ROGERS SCHOOL
SUPER CITY SUB
COUNTY ADDITION
STREET SHOP
BUS BARN
R4