

**CITY OF MITCHELL  
CITY PLANNING COMMISSION MINUTES  
February 22, 2021**

Chairman Larson called the February 22, 2021 City Planning Commission Meeting to order at 12:00 PM, in the Council Chambers, City Hall, 612 N Main St, Mitchell, South Dakota

Members Present: Larson, Molumby, Osterloo, Penney, Sonne, Jirsa, and Genzlinger  
Member Absent: Dan Allen

Staff Present: Putnam, Schroeder, Croce, T. Johnson, J. Johnson, Hegg, Ellwein, and Mayor Everson

Declaration of Conflicts of Interests: Sonne declared a conflict on Agenda Item #14

Approval of Agenda: Motion by Genzlinger, seconded by Jirsa to approve the agenda, with a notation that agenda item 14 should say W Douglas Ave not E. All members voting aye, motion carried.

Approval of Minutes: Motion by Molumby, seconded by Osterloo to approve the minutes of the February 8, 2021 meeting. All members voting aye, motion carried.

Schedule Next Meeting: Motion by Genzlinger, seconded by Penney to schedule the next meeting for March 8, 2021. All members present voting aye, motion carried.

Plat: Tract 1 of Backash Addition in the Southwest Quarter of the Southwest Quarter (SW1/4SW1/4) of Section 24, Township 103 North, Range 60 West of the 5<sup>th</sup> P.M., Davison County, South Dakota. The buyer and the seller were present. The buyer wish to build a residence on this lot. Motion by Molumby, seconded by Jirsa to approve the plat. All members present voting aye.

Plat: A Plat of Lot 8, Block 7 of the Woods First Addition, A Subdivision of the East ½ of the SW ¼ of Section 23, T 103 N, R 60 W of the 5<sup>th</sup> P.M., City of Mitchell, Davison County, South Dakota. The plat appears to follow the master plan. Motion by Osterloo, seconded by Penney to approve the plat. All members present voting aye, motion carried.

Plan Approval: Ruby Tuesday, 1900 Highland Way, HB Highway Oriented Business District. The plan consist of interior remodeling. Motion by Jirsa, seconded by Sonne to approve the plan. All members present voting aye, motion carried.

Variance: Russell & Teresa Quist, across from 5 W Harmon Drive. Russell & Teresa Quist have applied for a non-conforming lot size variance of 7,149 square feet vs 7,500 square feet as required to construct an accessory building not adjacent to a principal building, located across 5 W Harmon Dr, legally described as West ½ of Lot 1, Nels Jensen 2<sup>nd</sup> Addition, Nels Subdivision, Legal Development Plan, City of Mitchell, Davison County, South Dakota. The property is zoned RL Residential Lake District. Letters to the affected land owners were mailed and a public notice was submitted to the official newspaper. Mr. Quist was present to answer questions. Motion by Genzlinger, seconded by Jirsa to recommend the board of adjustment approve the variance. All members voting aye.

Conditional Use Permit: Russell & Teresa Quist have applied for a conditional use permit to construct an accessory building not located adjacent to a principal building located across the street from 5 W Harmon Dr., legally describe as W ½ of Lot 1, Nels Jensen, Lake Development Plan, City of Mitchell, Davison County, Davison County, South Dakota. The property is zoned RL. Letters to the affected land owners were mailed and a public notice was submitted to the official newspaper. Motion by Osterloo, seconded by Genzlinger, to recommend the Board of Adjustment approve the conditional use permit. All members present voting aye, motion carried.

Variance: Groeneweg Construction, 3209 Canal Circle

Groeneweg Construction has applied for a backyard variance of 32 feet vs 35 feet and a front yard variance of 25 feet vs 35 feet as required for the property at 3209 Canal Circle, legally described as Lot 55, The Island 1<sup>st</sup> Addition, City of Mitchell, Davison County, South Dakota for the purpose of constructing a single-family residence. The property is zoned UD Urban Development District. Chuck Mauszycki Jr. representing the seller and Brian Eliason representing the buyer were present. The commissioners reviewed the written comments that were received. Letters to the affected land owners were mailed and a public notice has been submitted to the legal newspaper. It was mentioned that the reason for the variance request, rather waiting for the rezoning, is to eliminate a delay in the construction of the home. It was noted that the determination of the backyard variance should be recalculated by drawing a diagonal line from southeast back corner to the back property line. It should be 25 feet or greater, which would be consistent with possible rezoning. Motion by Genzlinger, seconded by Jirsa to recommend the board of adjustment approve the variance. All members present voting aye, motion carried.

Rezoning: Certain Lots Platted and Unplatted within the Island Addition from UD Urban Development District to R1 Single Family Residential District. AN ORDINANCE OF THE CITY OF MITCHELL THAT CHANGES THE ZONING DISTRICT CLASSIFICATION OF THE REAL PROPERTY LEGALLY DESCRIBED AS: Lots 11, 12, 23, 45, 46, 47, and 55, The Island First Addition, SE ¼ 31, T 104 N, R 60 W, City of Mitchell, Davison County, and A Portion of the Original Maui Farms 2<sup>nd</sup> Addition, lying in the SE ¼ of 31-104-60 and including Tract A in the NE ¼ of the NE ¼ of 6-103-60 except those lots platted within the Island 1<sup>st</sup> Addition, City of Mitchell, Davison County, South Dakota from UD Urban Development Residential District to R1 Single Family Residential District and the official zoning map be changed to reflect the same. Letters to the affected land owners were sent and a public notice has been provided to the legal newspaper. The rezoning request consists of most of the lots (platted and not platted) that do not have a home constructed. John Hegg, building official, expressed concern about having some properties UD and others R1. There was a concern this may appear to be "spot zoning". Motion by Molumby, seconded by Genzlinger to recommend denial of the rezoning request. Roll Call Vote: Jirsa yes, Penney yes, Osterloo yes, Genzlinger yes, Larson yes, Molumby yes, Sonne yes. 7 yes 0 no, motion carried.

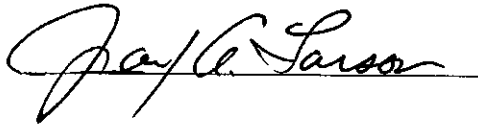
Rezoning: William and Chris Duba d/b/a Core Athletics, 113 W Douglas Ave

William and Chris Duba, d/b/a are requesting the following property legally described as Lots 9, 10, and the East ½ of Lots 11 & 12, Block 12, Van Eps 1<sup>st</sup> Addition, City of Mitchell, Davison County, South Dakota from R3 Medium Density Residential District to HB Highway Oriented Business District and the Official Zoning Map be changed to reflect the same. The purpose of request is to accommodate expansion of their existing facility. The owners were present to answer questions. Letters to the affected neighbors were sent and a public notices has been provided to the official newspaper. The commission reviewed a letter from a neighbor. The applicant indicated that they are installing a parking lot to address off-street parking concerns. Schroeder reminded the commissioners and the applicants that drainage, sidewalk, and landscaping requirements will need to addressed at a later date.

The commission reviewed the zoning classification within the area. Motion by Jirsa, seconded by Osterloo, to recommend the Board of Adjustment approve the rezoning request. Roll Call: Larson yes, Molumby yes, Jirsa yes, Penney yes, Osterloo yes, Genzlinger yes, Sonne abstaining. 6 yes 0 no 1 abstain. Motion carried.

Public Comment: none

Chairman Larson adjourned the meeting at 12:55 PM.

A handwritten signature in cursive script, reading "Jay A. Larson", written over a horizontal line.

03-08-2021