

CITY OF MITCHELL
CITY PLANNING COMMISSION MINUTES
April 8, 2019

Chairman Larson called the April 8, 2019 City Planning Commission meeting to order at 12:00 PM, in the Council Chambers, 612 N Main St, Mitchell, SD.

Members Present: Larson, Fergen, Genzlinger, Jirsa, Molumby, Quenzer, Osterloo and Allen
Members Absent: none

Staff Present: Putnam, Croce, T. Johnson, J. Johnson, Ellwein, London, Overweg, Jenniges & Mayor Everson

Declaration of Conflicts: Osterloo, Molumby and Fergen have a conflict with Agenda Item #9

Approval of Agenda: Motion by Molumby, seconded by Jirsa to approve the agenda as presented. All members present voting aye, motion carried.

Approval of Minutes: Genzlinger noted on the agenda item (VFW plan approval) that he had a condition that a sign be posted stating only 49 occupants during construction. Motion by Genzlinger, seconded by Jirsa to approve the minutes with the correction.

Schedule Next Meeting: Motion by Quenzer, seconded by Fergen to schedule the next meeting for April 22, 2019. All members present voting aye, motion carried.

Conditional Use Permit: (Continued from last meeting) Yvonne Steward, applicant, and Mid Dakota Properties, owner, have made an application for a family residential child care at the property legally described as S ½ of Lots 1 & 2, Block 14 & N ½ of vacated alley, Rowley's 2nd Addition, NE ¼, 21-103-60, City of Mitchell, Davison County, SD (517 N Duff St). The property is zoned R4 Multi-family residential district. The applicant was present to answer questions. The commission reviewed the written comments from the neighborhood. Letters to the neighboring property owners were sent March 13, 2019 and the public notice was published March 14 & March 21, 2019. Putnam noted the fire marshal has inspected the property and the property passed. Steward is registering with the state department of social services. Margaret Spensley and Putnam reviewed the history of the partial alley vacation, which was decided by the SD Supreme Court. Steward responded to questions about parking and noted the vehicles in question are her family's. She has instructed her clients to drop off the children on Duff Street. She has three children of her own. She has been operating for some time; however, the number of children she is watching has increased. Angie Nagel (neighbor) expressed concern about the supervision of the children, the presence of a dog, and the heavy traffic on Duff Street. Additionally, she noted the yard is small and the neighborhood may not be safe for kids. Steward noted her hours are 5:30 am to 5:30 pm. Motion by Molumby, seconded by Genzlinger to recommend the Board of Adjustment to deny the application citing yard size, neighborhood opposition, and traffic as factors. Roll Call: Larson yes, Jirsa yes, Genzlinger yes, Molumby yes, Quenzer no, and Fergen no. Motion passes 5 yes 2 no.

Discussion of Possible Platting and Roadways: Crago property owners. Melisa Crago presented a proposed master plan for a development on the property adjacent to Iverson Addition that is outside the city limits, but within the ETJ area. The area they purchase shows to two 66' roadways. She indicated that sometime in the near future, her son would like to build a house in the area, which is not platted. She indicated they do not have any immediate plans to develop the property. It was noted by the planning commission that the road accessing to South Rowley Street would need to be platted and improved and would need a cul-de-sac, because the roadway to the south is not accessible. The drainage of the area was discussed extensively. Wade London, property owner, provided some input about the condition of the roadway that extends to the south and observations of the drainage. Ms. Crago was advised to bring back a master plan and plat with more detail at the time they wish to plat a lot. No action taken.

Discussion and/or recommendation of vacation of N. Langdon Street commencing at Fair Oaks Avenue, going north to East 23rd Avenue. Putnam informed the commission that Avera is only requesting vacating that portion of N Langdon Street that extends south to the Radke property line. Avera wishes to build a parking lot over the abandoned Langdon Street right-of-way. The city, Northwestern Energy and possibly others have utilities within the ROW. The proposed resolution will require that the property owner (currently Avera) bear the costs for removal of parking lot, in the event utility service is required. Larson inquired it is possible to have an arrangement to permit a private parking lot on public ROW. Various city staff expressed concern about such a situation. Larson suggested that there might be other options for parking, rather than vacating a portion of the street. Motion by Jirsa, seconded by Genzlinger to say that there are not in favor of the vacation. Roll call: Larson yes, Quenzer yes, Jirsa yes, Genzlinger yes, Osterloo abstain, Molumby abstain, and Fergen abstain. Motion carried 4-0-3.

Rezoning: Lot C in the E ½ of NE ¼ of Section 30, T 103 N, R 60 W, Davison County, South Dakota from TWC Transportation, Warehousing, and Commercial District to UD Urban Development. No one was present to discuss this. A new buyer of Lot C wishes to construct a single-family residence on this property, but the property is currently zoned TWC. There are some residential sites to the south. Letters to the neighbors were sent March 13 and the public notice were and to be published March 28, April 4, and April 25, 2019. Jenniges noted the county has no objections. Motion by Fergen, seconded by Osterloo to recommend the council approve the rezoning. All members present voting aye, motion carried.

Plat: A Plat of Lot 1, Block 6, MLC Addition and a portion of West Pine Street, A Subdivision of Block 3 and Lot 4B, Block 4, Morningview Addition to the City of Mitchell, Davison County, South Dakota. Putnam noted this follows the master plan. He also mentioned that a variance request on this property would be heard at the next meeting. Putnam said that Pine Street is to be as Pine Avenue. A revised plat will be submitted to the council. Motion by Genzlinger, seconded by Jirsa to approve the plat. All members present voting aye, motion carried.

Other Business: Molumby and other commissioners extended a sincere congratulation to Lyndon Overweg on his announcement to retire. Larson acknowledged the assistance Chief Overweg has provided to the commission.

Public Input: none

Chairman Larson adjourned the meeting at 12:53 pm.

A handwritten signature in blue ink that reads "Jay A. Larson". The signature is written in a cursive style and is positioned above a horizontal line.

04-22-19