

**CITY OF MITCHELL
CITY PLANNING COMMISSION
August 10, 2020**

Chairman Larson called the August 10, 2020 to order at 12:00 PM (NOON) in the Council Chambers, City Hall, 612 N Main St, Mitchell, South Dakota.

Members Present: Larson, Genzlinger, Osterloo, Molumby, Penney, Jirsa, Vaux and Allen
Members Absent: none

Staff Present: Putnam, Schroeder, J. Johnson, Croce, London, Sandoval, Hegg

Conflicts of Interest: None

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

Approval of Minutes: Motion by Molumby, seconded by Osterloo to approve the minutes of July 27, 2020. All members present aye, motion carried.

Schedule Next Meeting: Motion by Osterloo, seconded by Jirsa to schedule the next meeting for August 24, 2020. All members present voting aye, motion carried.

Rezoning: Steven Ahlers has requested the property legally described as W 56 feet of Outlot #7A, SW ¼ of Section 15, T 103 N, R 60 W, City of Mitchell, Davison County, South Dakota (126 W 15th Ave) from R2 Single Family Residential District to HB Highway Oriented Business District and he is requesting a front yard variance of 20 feet vs 25 feet under the R2 District, the HB district requires 30 feet and a backyard variance of 15 feet the R2 District requires 25 feet, the HB District setback is 0. He wishes to construct a storage garage that may be used for personal and commercial use. This was tabled from the last planning commission meeting.

Ahlers was present to answer questions. Neighbor Dennis Kaemingk and his contractor Jesse Hanson were also present to answer questions and voice their support of the project. The commission reviewed written comments. No one testified in opposition of the project. There was discussion about drainage, elevations, access, surface materials and barriers. Mr. Ahlers responded in writing to issues raised by the commission at their last meeting. He also provided photos. Motion by Jirsa, seconded by Osterloo to recommend rezoning the property to HB. Roll Call Vote: Osterloo yes, Molumby yes, Jirsa yes, Penney yes, Larson yes, Genzlinger no, Vaux no. 5 yes 2 no, motion carried.

Variance: same as above. The commissioners would like more details in regards to the building plans, site amenities, and barriers. Motion by Osterloo, seconded by Jirsa to table the variance request until the next meeting. Roll Call: Larson yes, Genzlinger yes, Vaux yes, Osterloo yes, Molumby yes, Penney yes, Jirsa yes. 7 yes 0 no, motion carried.

Plat: A Plat of DWU Lot G, A Subdivision of Dakota Wesleyan University Campus, City of Mitchell, Davison County, South Dakota. Theresa Kriese, representing DWU, was present to answer question. This plat is to identify a parcel to include the McGovern Library. Other plats from DWU may be forthcoming. Motion by Vaux, seconded by Jirsa to approve the plat. All members voting aye, motion carried.

Plat: A Plat of Lot 8-G, Block 7 of Westwood First Addition, A Subdivision of the SW ¼ of Section 16 in T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota. This plat is for the expansion of a similar building to the west. Motion by Osterloo, seconded by Molumby to approve the plat. All members present voting aye, motion carried.

Plat: A Plat of Lots 9A and 9B, A Subdivision of Lot 9 of Marsden's Addition in the South ½ of the NW ¼ and the SW ¼ of the NE ¼ of Section 5, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota. The owner wishes to subdivide the Lot 9 into two parcels with an additional access on West Harmon Dr. Motion by Genzlinger, seconded by Jirsa to approve the plat: Roll Call vote; Osterloo yes, Genzlinger yes, Larson yes, Molumby yes, Jirsa yes, Penney yes, Vaux absent. 6 yes 1 absent, motion carries.

Conditional Use Permit: Sean and Jean Anderson have applied for a conditional use permit to operate a family residential childcare center at 725 E 12th Ave, legally described as Lot 4, Block 1, Northridge Subdivision to the City of Mitchell, Davison County, South Dakota. The property is zoned R2 Single Family Residential District. The applicants were present. No one testified in opposition. No written objections were received. Letters to the neighbors were sent and a public notice has been submitted to the legal newspaper. A fire inspection has been completed and the applicant's home passed. Motion by Molumby, seconded by Osterloo to recommend approval of the conditional use permit with two conditions; 1. The permit is not-transferable, 2. If the business ceases for a period of six months or longer then a new permit will be required. All members present voting aye, motion carried.

Conditional Use Permit: Mitchell Sandventure LLC have applied for a conditional use permit for a quarry, explore and extract minerals at the property located at 4350 N Main St, legally described as SW ¼ Exc. Lots H1 & H2, W HY, Section 3, T 103 N, R 60 W, Davison County, South Dakota. Bob Ball, owner, was present to answer questions in regards to the applicant. The commission considered written comments. The conditional permit was previously approved in 2006, however one of the conditions at that time, was the permit is not transferable. The mining activities are only allowed on the UD Urban Development District. Mitchell Sandventure is the new owner. Mr. Ball mentioned that he is in the process of getting approval from SDDENR and he is aware of their regulations, such as reclamation rules. He also stated that he has no problem with maintaining the existing conditions in the 2006 permit. Motion by Molumby, seconded by Jirsa to recommend approval of the conditional use with three conditions; 1. The permit is not transferable 2. The existing access to Highway 37 be maintained 3. The existing tree line that separates the TWC and UD districts remains. Roll Call: Penney yes, Jirsa yes, Genzlinger yes, Molumby yes, Jirsa yes, Osterloo yes, Larson yes, Vaux absent. 6 yes 1 absent. Motion carried.

Expansion and Improvements to the Manufactured Housing Community to be known Corn Palace Estates, 713 E Havens. City ordinance requires that expansion of an existing 'park' to be approved by the planning commission and city council. David Bridgman, the new owner, presented illustrations of his proposal to remove two site build homes, a large garage, and the asphalt parking lot, in order to make room for additional homes. The new lots proposed will comply with city ordinance. He hopes to only allow newer homes, depending on demand and market. He explained the drainage situation and city staff did not perceive any concerns. Larson recommended the owner work with public safety and public works when installing city utilities. Motion by Jirsa, seconded by Genzlinger to recommend the plan with the following suggestions: 1. there will be no changes to the existing drainage, 2. Require the streets to be dust-free, and 3. Investigate with the need for an additional fire hydrant. All members present voting aye, motion carried.

Public Input: none

Chairman Larson adjourned the meeting at 1:10 pm.

Jay A. Larson

CS-24-2000