

CITY OF MITCHELL
CITY PLANNING COMMISSION MINUTES
October 25, 2021

APPROVED

1. Chairperson Larson called the October 25, 2021 City Planning Commission Meeting to order at 12:00 P.M. noon in the Council Chambers, City Hall, 612 N Main Street.
2. Roll Call-quorum is met, simple majority vote required for all items.
Present: Larson, Molumby, Osterloo, Sonne, Jirsa, Genzlinger, Doescher.
Absent: Penney
Staff Present: Jenniges, Schroeder, J. Johnson, London, Sandoval, Ellwein, Mayor Everson.
3. Declare conflicts of interest-None.
4. Approval of proposed agenda: Motion by Molumby, seconded by Sonne, to approve the proposed agenda. All present members voting aye, motion carried.
5. Approval of amended Minutes: Motion by Jirsa, seconded by Molumby, to approve the minutes of the October 12, 2021 Planning Commission meeting. All present members voting aye, motion carried.
6. Schedule next meeting: Motion by Genzlinger, seconded by Sonne, to schedule the next meeting for November 8, 2021. All present members voting aye, motion carried.
7. Conditional Use Permit: Montessori School Mitchell has applied for a Conditional Use Permit for a childcare, preschool and nursery at 620 E 4th Ave, legally described as Lot 2, Block 31 Cooley & Guernsey, City of Mitchell, Davison County, South Dakota. The said real property is zoned R2 Single Family Residential District. The applicant was present to answer questions. Notices were sent out to the neighbors and it was published in the official newspaper with the two responses in favor. Fire Marshall Sandoval has not completed a fire inspection yet.

Motion by Molumby, seconded by Jirsa, to recommend the Board of Adjustment approve Conditional Use Permit with three conditions; 1) the permit is non-transferable, 2) if the business ceases to operate for six months, then a new application would be required, 3) pass a fire inspection. Roll call vote: Larson – aye, Molumby – aye, Jirsa – aye, Osterloo – aye, Genzlinger – aye, Sonne – aye, Penney – absent. 6 aye, 0 nay, 1 absent, motion carried.
8. Variance: Ricardo Cruz has applied for a side-yard on a corner variance of 0 feet vs 15 feet as required to construct a carport at 1320 S Rowley St, legally described as Lot 7, Block 26, University Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R4 High Density Residential District. The applicant was

present to answer questions. Notices were sent out to the neighbors and it was published in the official newspaper with the one response in favor. The applicant stated he did not know there zoning codes or ordinances and apologized for doing it.

Osterloo questioned if it will just be a roof or sides too and if it is attached to the house. The applicant answered it will only be a roof and it's not attached to the house.

Larson stated his concerns about water or snow flowing freely to the sidewalk and sees a potential ice issue on the sidewalk. The applicant was not originally intending to put a gutter up but said he would if needed.

Jirsa stated his concern about the updraft and wondered if an engineer had looked at it so when we get 90 mph winds it won't blow away. The applicant stated he has not but everything will be welded together and he would submit drawings for the building inspector to approve. Jirsa stated he was happy to hear no sides would be going on it and it won't be blocking view for traffic.

Motion by Osterloo, seconded by Sonne, to recommend approval to the Board of Adjustment with the conditions that the applicant provide drawings of the structure for plan review to the building inspector and the applicant has 6 months to have all plans finalized or the variance is terminated and the structure be torn down. Roll call vote: Larson – nay, Molumby – nay, Jirsa –aye, Osterloo – aye, Genzlinger – nay, Sonne – aye, Penney– absent. 3 aye, 3 nay, 1 absent, motion failed.

9. Plan Approval: Long Brothers LLC is proposing to change Lot 3 of Koupal Brothers First Addition, City of Mitchell, Davison County, South Dakota from a green space to a gravel parking facility. Parking Facility is a permitted use in the HB district but is a change of use and that is why it is at Planning Commission. Long Brothers LLC owns and operates Dales A-1 Transmission Service at 1100 S Burr St which is just down the block from this property. They are using it for overflow parking for their business. Per zoning code any development over 1 acre requires a drainage plan. This area has other drainage issues and the city would like to build the road and detention pond to help with this. The road would be assessed back to the land owners.

Longs showed pictures of the area during the last rain event and stated they are in support of the road being built.

Motion by Genzlinger, seconded by Jirsa, to approve the plan with the condition that if the road gets built no drainage plan will be required but if the road does not get built a drainage plan will be required. Roll call vote: Larson – aye, Molumby – aye, Jirsa –aye, Osterloo – aye, Genzlinger – aye, Sonne – aye, Penney– absent. 6 aye, 0 nay, 1 absent, motion carried.

10. Plat: Plat of Lot 1-A, a subdivision of Lot 1 of Circle K Ranch Third Addition in Government Lot 4 in the NW ¼ of Section 6, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota; as requested by Brandon Cazer. The applicant was not present to

answer questions. An elevation certificate has been provided. There is ingress/egress on the plat. 8-9-3-E of the code will dictate what kind of septic tank and drain field he can use being located near Lake Mitchell. This is located in the ETJ so county will also hear it.

Motion by Jirsa, seconded by Osterloo, to approve Plat . All present members voting aye, motion carried.

11. Plat: Plat of Lots 20 and 21, Block 7 of Westwood First Addition A Subdivision of the SW $\frac{1}{4}$ of Section 16, T 103N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota; as requested by CJM Consulting Inc. The applicant was not present to answer questions. An elevation certificate has been provided. This follows the master plan for the area.

Motion by Molumby, seconded by Genzlinger, to approve Plat . All present members voting aye, motion carried.

12. Plat: Plat of Lot 2, Block 4A, a subdivision of Block 4 of Westwood First Addition in the NW $\frac{1}{4}$ of Section 16, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota; as requested by CJM Consulting Inc. The applicant was not present to answer questions. An elevation certificate has been provided. This follows the master plan for the area.

Motion by Osterloo, seconded by Jirsa, to approve Plat . All present members voting aye, motion carried.

13. Plat: Plat of Lot 9, Block 9 of Westwood First Addition, a subdivision of Block 4 of Westwood First Addition in the NW $\frac{1}{4}$ of Section 16, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota; as requested by CJM Consulting Inc. The applicant was not present to answer questions. An elevation certificate has been provided. This follows the master plan for the area.

Motion by Genzlinger, seconded by Molumby, to approve Plat . All present members voting aye, motion carried.

14. Plat: Plat of Lot 56 of The Island First Addition, a Subdivision of the SE $\frac{1}{4}$ of Section 31, T 104 N R 60 W of the 5th P.M, City of Mitchell, Davison County, South Dakota; as requested by CJM Consulting Inc. The applicant was not present to answer questions. An elevation certificate has been provided. This follows the master plan for the area.

Motion by Molumby, seconded by Osterloo, to approve Plat . All present members voting aye, motion carried.

15. Other Business-None.

16. Public Comment-None.

17. Chairman Larson adjourned the meeting at 12:42 P.M.


Jay Larson
Planning Commission Chairperson

1/08/2021