

**CITY OF MITCHELL
CITY PLANNING COMMISSION
MINUTES, MAY 11, 2015**

Call to Order: Chairman Larson called the May 11, 2015 planning commission meeting to order at 12:00 pm, Council Chambers, City Hall, Mitchell, SD

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

Members Absent: Fergen

Others Present: Putnam, Ellwein, Crowe, Hegg, London, Johnson, Overweg, Koch, and Mayor Tracy

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

Minutes: Motion by Everson, seconded by Griffith to approve the minutes of the April 27, 2015 meeting. All members present voting aye, motion carried.

Next meeting: Motion by Everson, seconded by Schmucker to schedule the next meeting for Tuesday, May 26, 2015. All members present voting aye, motion carried.

Conditional Use: Tia Shippy applied for a conditional use permit to operate a family residential child care center in her residence located at 808 E 12th Ave, legally described as W 55' of Lot 16 & E 35' of Lot 17, Block 2, Northridge Subdivision, City of Mitchell, Davison County, South Dakota. The property is zoned R2 Single Family Residential District.

Lisa Shippy was available to answer questions in regards to the application. Tia is moving into the residence that was occupied by her mother (Lisa). Lisa has operated a child care center in this area for some time. No one testified in opposition of the application and no written comments were received.

Letters to the neighboring property owners were sent April 30, 2015 and the public notice was published in the *Mitchell Daily Republic* April 30 & May 7, 2015.

Motion by Everson, seconded by Molumby recommend to Board of Adjustment approval of the conditional use permit with the following conditions:

1. The fire marshal inspect the property and the applicant pass such inspection
2. The permit shall not be transferable
3. If the operation ceases for a period of six months or longer, then a new application must be secured.

All members present voting aye, motion carried.

Vacation of a Portion of South Davison Street: Porter Leasing LLC has submitted a petition to vacate a portion of South Davison Street Right-of-way that abuts their property. The city council will consider the petition on May 18, 2015. Jim Porter was available present to explain their plans for an addition and loading dock. The commission was asked to provide any comments or recommendations to the city council.

Motion by Molumby, seconded by Everson to inform the council that planning commission does not see any major concerns of the right-of-way vacation request. All members present voting aye, motion carried.

Plan Approval: CAP Properties, 1022 N Main Street, zoned Central Business District. Jenise Pischel was present and answered questions about the renovation and conversion of the building. A church is interested in leasing the property on a temporary (one-two years) basis. The fire marshal and building official have reviewed and inspected proposed project and approve the construction plans. Putnam reported the property is zoned for this use. However, the owners are asking for a temporary waiver for using the unimproved lot to the east of the property for parking and would place gravel on the lot. Motion by Meyers, seconded by Griffith to approve the plans with the stipulation that the owners return in one year and provide a progress report. All members present voting aye, motion carried.

Plan Approval: Emily & Kelly Hohn (Anytime Fitness & Mitchell Visitor Center) 1620 S. Burr St, zoned Highway Oriented Business District (HB).

Motion by Everson, seconded by Molumby to approve the building plans as submitted. All members present voting aye, motion carried.

Tax Incremental Financing District #21: This was the time and place to conduct a public hearing for the planning commission's consideration of TIF District #21. Don Petersen, attorney for the applicants, presented the project plan and introduced the applicants. He noted the TIF Review Committee has reviewed the plan and submitted minutes. He stated the applicants are asking for a TIF District of approximately \$320,000. The applicants are removing the "Old Happy Chef" building and plan to construct another commercial building that will house commercial businesses and the Chamber of Commerce Visitor Center. This will be a developer's financed project. Mr. Petersen reviewed the 'blight study' and the economic feasibility analysis that are provided for in the plan. He also responded to commission questions and comments about 'city' TIF criteria. The commission and staff reviewed bonding capacity and other financial aspects of TIF districts. Council Member Doescher and Everson questioned if the project meets the criteria set forth in city ordinance. The plan provides an amortization schedule and property tax impact, if the plan is approved. The commission received a letter from Steve Van Genderen and Josh Moody in regards to this proposal. Mayor Tracy and Chairman Larson will respond to them.

Motion by Molumby, seconded by Griffith to approve the boundaries of the TIF District #21 that are listed in the project plan and to recommend to the City Council approval of the project plan as submitted. Roll Call vote: Larson aye, Schmucker aye, Griffith aye, Meyers aye, Molumby aye, Everson no, Fergen absent. Motion passes 5 ayes 1 no.

Tax Incremental District #13 Amendment: Don Petersen, attorney for the applicant, and Mark Puetz of Puetz Corp., provided an explanation of the request to amend TIF District #13. They are requesting the waiver of the Davison County's discretionary formula 'property tax phase-in' be removed for building (apartment) #2 and any subsequent buildings. They indicated since the TIF District eligible costs were significantly reduced from \$1,449, 925 to \$486,564.62. The applicants indicated the discretionary formula may help in attracting future investors, because it may provide relief for upfront costs. Puetz also noted with the new construction of apartments throughout the city the occupancy of their apartments has reduced. They apartments have been relocated from the original location, which has resulted in less infrastructure expenditures.

Motion by Schmucker, seconded by Griffith to recommend to the city council that TIF District # 13 be amended by removal of the waiver of the county's discretionary formula for building #2 and any additional buildings. Roll Call: Larson aye, Everson aye, Schmucker aye, Griffith aye, Molumby aye, Meyers aye, Fergen absent. Motion carried 6 ayes 0 no.

Other Business: Carl Koch informed the commission that he will be drafting a revision to the TIF Review Committee. The commission provided him some history and suggestions. No action taken.

Chairman Larson adjourned the meeting at 1:20 pm.



Chairman

05-26-15

Date