

1. Agenda

Documents: [11-09-15 AGENDA.PDF](#)

2. Packet

Documents: [11-9-15 PACKET.PDF](#)

PLANNING COMMISSION AGENDA

City Council Chambers

DATE: Monday, November 9, 2015

TIME: 12:00 NOON

CALL TO ORDER:

ROLL CALL:

APPROVE AGENDA:

MINUTES: Regular Meeting October 26, 2015

NEXT MEETING: Monday, November 23, 2015

CONDITIONAL USE: Marilee Johnson-Geary for a home occupation that provides counseling services at 1321 E 2nd Ave, legally described as Lot 1 and E ½ of Lot 2, Block 12, ST Greene Addition, City of Mitchell, Davison County, South Dakota. Zoned R2.

PLAN APPROVAL: B & R Leasing - 1222 W Havens –remodel. Zoned HB.

PLAN APPROVAL: DRJ Contracting - 2200 W Havens – addition. Zoned HB.

PLAN: Hart – 2350 W Spruce – ag. building. Zoned HB.

PLAT: Torrey Pines Avenue in Lakeview 2nd Addition, a subdivision of the NW ¼ of the SW ¼ of Section 9, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota

OTHER BUSINESS:

ADJOURN:

"The City of Mitchell invites all interested parties to give oral or written comments. If special accommodations are required, please notify the Public Works Department at 995-8433 at least 24 hours prior to the scheduled meeting."

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**CITY OF MITCHELL
CITY PLANNING COMMISSION
MINUTES, October 26, 2015**

NOT APPROVED

Call to Order: Vice-Chairman Schmucker called the meeting to order at 12:00 pm, City Hall, 612 N Main St, Mitchell, SD

Members Present: Everson, Schmucker, Fergen, Meyers, Griffith and Doescher

Members Absent: Larson, Molumby

Others Present: Ellwein, McGannon, Johnson, and Putnam

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

Minutes: Motion by Griffith, seconded by Everson to approve the minutes of the October 13, 2015 meeting. All members present voting aye, motion carried.

Next Meeting: Motion by Fergen, seconded by Griffith to schedule the next meeting for November 9, 2015. All members present voting aye, motion carried.

Rezone: Boyd & Kay Reimnitz (owners) and Mitchell Soccer Association (applicant) have made an application to rezone the real property described as Lots 1-7, Block 7, Applegate Addition, City of Mitchell, Davison County, South Dakota (723 E Ash Avenue) from R2 Single Family Residential District to TWC Transportation, Warehousing, and Commercial District. The applicants wish to use the property for an Indoor Recreation Facility.

Putnam reviewed the background information and a brief history of the property. The commission was provided written comments from the neighboring property owners.

No one testified in opposition of the application.

The public notice is to be published in the *Mitchell Daily Republic* on October 15, 22 and 29, 2015 and letters to the neighboring property owners were sent October 14, 2015.

Jodi Cain-Lambert, President of the Mitchell Soccer Association, provided the commission background about the association and their situation in regards to available gym space. They intend to lease the property with the hope that they may purchase it in the immediate future. They would like to use it for soccer practice and competition. She indicated this property would fulfill their needs as their program has grown substantially. They would like to occupy it very soon. The association has a strong partnership with DWU and they would like to be able to host events that would bring in visitors to the community.

She indicated her organization is very aware of the 'nuisance' issues the city has in regards to this property. The commission discussed the appropriate zoning of the area and how nuisance issues relate to the proposed use. She indicated the owner of the property is currently out of state. Photos from the City Code Enforcement Officer were provided.

Motion by Everson, seconded by Fergen to recommend the City Council approve the rezoning with the emphasis that they property comply with city nuisance ordinances as soon as possible. All members present voting aye, motion carried.

Plan Approval: 320 N Main St, David Finnell, Zoned CB Central Business District.

Mr. Finnell was not present to explain his property. Putnam reported that he intends to convert the building from retail to a 49 seat restaurant and to be open in the spring. At this point Finnell is only doing work to the interior. The exterior renovation may need to be reviewed at a later date.

Motion by Everson, seconded by Meyers to approve the project. All members present voting aye, motion carried.

Vice- Chairman Schmucker adjourned the meeting at 12:45 pm.

Chairman

Vice-Chairman



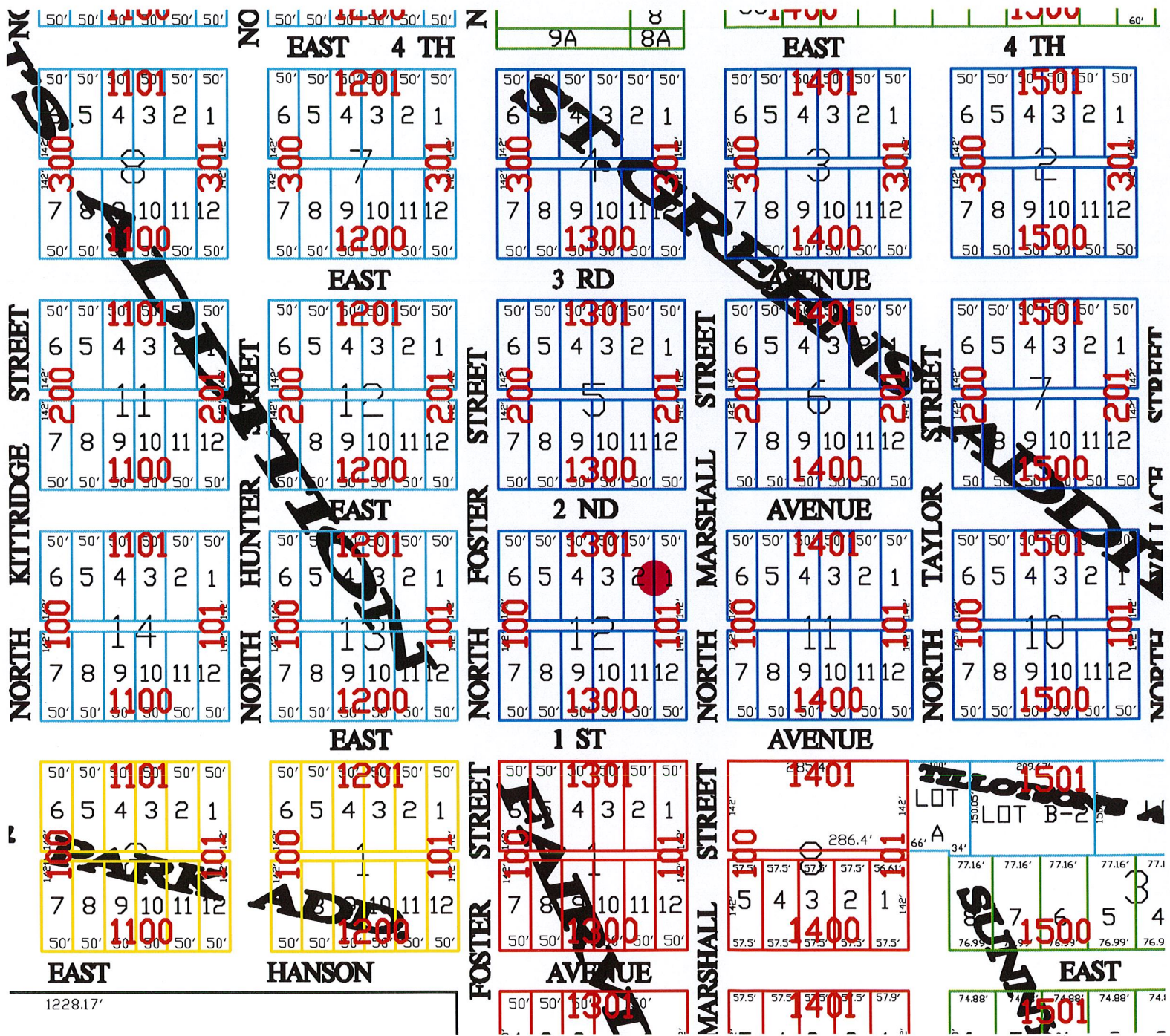
1 inch = 40 feet



E 2ND AVE

N MARSHALL ST

Source: Esri, DigitalGlobe, GeoEye, i-cubed, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerofid, IGN, IGP, swisstopo, and the GIS User Community





Marilee Johnson-Geary, PLLC

Location 1: 712 S. Sanborn Blvd. Suite 7, Mitchell, SD 57301, Mitchell, SD 57301

Location 2: 721 W Havens – West Havens Plaza, Mitchell, SD 57301

Phone: 605.201-1191 (*you may text*) - Fax: 605.942-7300

City of Mitchell
Planning Department
Mr. Neil Putnum
612 N Main Street
Mitchell, SD 57301

10/25/2015

Dear Mr. Putman,

My name is Marilee Johnson-Geary. I am applying for consideration a home occupation business. I would also like to apply for a Conditional of Use Permit so in the future I could see more than 4 clients a day in my home office.

I am a counselor and would like to see clients in the four season room built behind my garage which is attached to my home. There is a side entrance through my garage to the four season room I plan to use for counseling services.

The only business would be to have counseling appointments in this home office. I do not sell any products and no business deliveries will be delivered to my office. I do not plan to have signage at this location and any clients will have a private appointment. Most of my clients are referred by Physicians and Employee Assistance Programs in the Mitchell area that refer clients for counseling services.

At this time I have two office locations. My primary location is 712 South Sanborn Blvd Ste 7, Mitchell, SD. This office is used after 5:30pm until 8:30pm Monday through Friday and 9:00 am to 5:00pm on Saturdays. My secondary location is 721 W Havens, West Havens Plaza, Mitchell, SD and this is used Monday thru Friday 8:00am to 5:30pm.

I am hoping to eliminate the second location mentioned and see those clients in my home office at 1321 East 2nd Ave, Mitchell. I still plan to see clients at the Primary location at 712 S Sanborn Blvd, Ste 7, Mitchell SD. I estimate at this time I will see from 0 to 4 clients a day Monday thru Friday at my proposed location at 1321 E 2nd, Mitchell, SD. If and when I am awarded the Condition of use Permit, I would schedule more appointments at my home office.

Normally each session I would have would be one hour in length. Most often there would only be one auto parked in the area for each appointment. At times, there would maybe be two autos at one time, one leaving and one coming to their appointment. The location is a corner lot and there would also be two parking spots in my driveway for clients so there should never be a problem with the parking area. There may be times that I have a session with a family unit but at this time I see them at my primary location.

I have a Professional Liability insurance as well as home owners insurance (I own my home) that allows my business to be located in my home.

I do not plan to have any sessions earlier than 8:00am and no later than 9:00pm.

To give you a little history on myself:

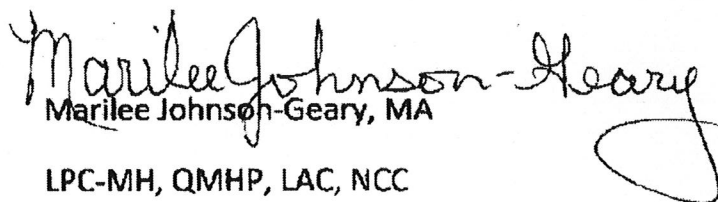
I was born in Mitchell and lived here until my family moved to Pierre in 1964. One year ago, I returned to Mitchell and set up a counseling practice in the same office as Molly McIntosh working evening hours and Saturdays. I am a licensed clinical mental health/substance abuse counselor. I have worked in the fields of counseling and education for 40 years. I specialize in the treatment of anxiety disorders, depression and trauma in adults, adolescents and children. I have facilitated national, state and local training for youth and adults regarding suicide prevention/intervention, crisis intervention, and vicarious trauma. My business has become very successful and I would like to continue to see clients at my primary location, eliminate my secondary location, and provide services out of my home office.

I would like for you to please consider approving my home occupation application so I can see clients in my home office by Nov. 1st, 2015. I would also like to put

the Condition of Use Permit in action so in the future I could see more than 4 clients a day at my home location office at 1321E 2nd Ave, Mitchell, SD.

Thank you very much for considering my applications.

Sincerely,


Marilee Johnson-Geary, MA
LPC-MH, QMHP, LAC, NCC

NOTICE OF HEARING

To: The Planning Commission, Board of Adjustment of the City of Mitchell, Mitchell South Dakota, and to the general public:

YOU ARE HEREBY NOTIFIED, that Marilee Johnson-Geary has requested a conditional use permit for a home occupation that provides counseling services in her home at 1321 E 2nd Ave, legally described as Lot 1 and E ½ of Lot 2, Block 12, ST Greene Addition, City of Mitchell, Davison County, South Dakota. The property is zone R2 Single Family Residential District.

YOU ARE FURTHER NOTIFIED, that public hearings will be held by the Planning Commission on November 9, 2015 at 12:00 P.M and the Board of Adjustment on November 16, 2015 at 7:30 P.M., at the Council Chambers, Mitchell City Hall. All interested parties may attend the public hearings and provide comments in regards to the applicant's request.

Dated at Mitchell, South Dakota, this 26th day of October, 2015.

Michelle Bathke

FINANCE OFFICER

Publish twice: October 30 & November 5, 2015

Approximate Cost:

JOHNSON-GEARY

THOMAS OSBOURNE
1306 E 2ND AVE
MITCHELL SD 57301

G & O PROPERTIES LLC
1309 E 3RD AVE
MITCHELL SD 57301

TRINITY LUTHERAN CHURCH
1400 E 2ND AVE
MITCHELL SD 57301

ERIC & REBECCA HUBBARD
1409 E 2ND AVE
MITCHELL SD 57301

WM M & NANCY TIMMINS
1403 E 2ND AVE
MITCHELL SD 57301

ROBERT & JANICE AUCH
1400 E 1ST AVE
MITCHELL SD 57301

RICKEY NELSON
LISA BENDER
1412 E 1ST AVE
MITCHELL SD 57301

MARILEE JOHNSON-GEARY
1321 E 2ND AVE
MITCHELL SD 57301

RICHARD & JUANITA KIRBY
1315 E 2ND AVE
MITCHELL SD 57301

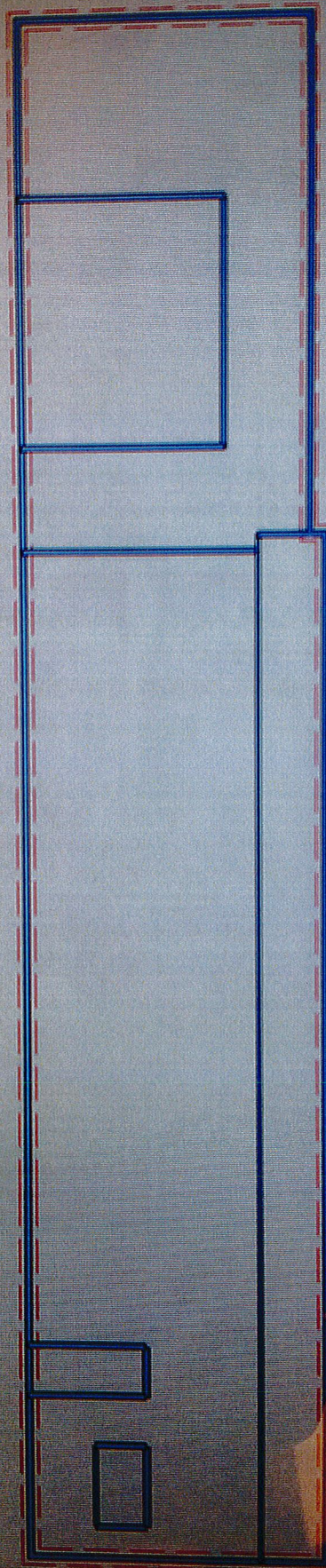
JOSH DON BEUTLER
ANNA MARIE BEUTLER
43935 5TH ST E
LANCASTER CA 93535

KATHY JESSE
114 N FOSTER ST
MITCHELL SD 57301

RUTH DALEY
118 N FOSTER ST
MITCHELL SD 57301

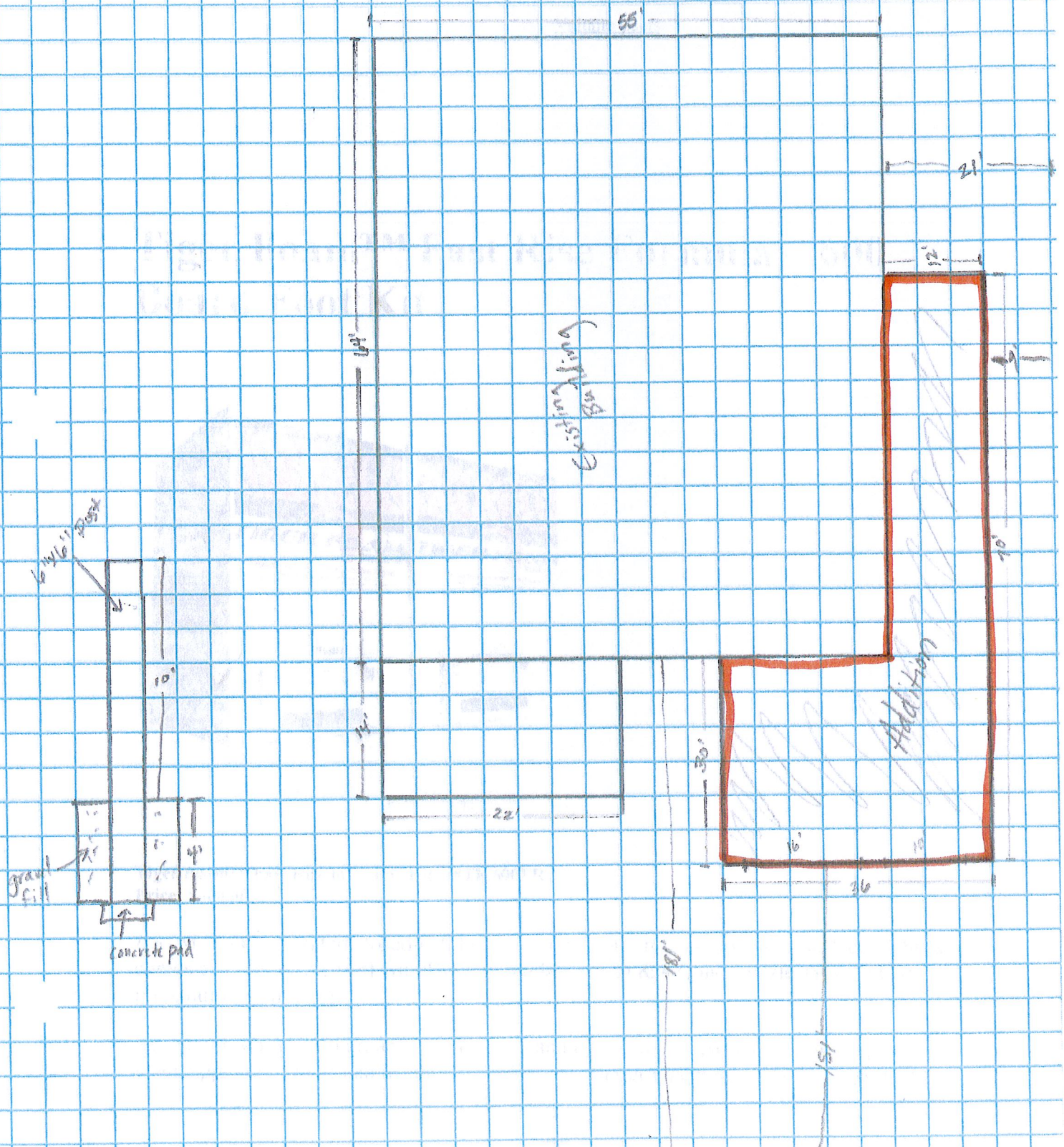
RAYMOND & CONSTANCE BORDEN
102 N FOSTER ST
MITCHELL SD 57301

LARRY & PENNY HOHN
1320 E 1ST AVE
MITCHELL SD 57301





DRJ Contracting
2200 W Havens
Mitchell, SD 57301





2350

2300



999-3520 Lanna Hoyt



E-911 Address & Named Road Form

Name: Shawn & Lana Hart

Mailing Address: PO Box 905, Mitchell SD 57301

Phone: 999-3520

Legal Address of Property: E 446' of the West 1/2 of the SE 1/4 lying South of I-90 EX the East 200' of the South 1089' in the W 1/2 of the SE 1/4 lying South of I-90 in Section 29-103-60

Included with Plat Request or Building Permit Number: City

Jurisdiction: County Planning Board ☐ City Planning Board ☐ Both Boards ☒

Suggestions on Naming of Road (If Applicable): N/A

Other Information: New barn to be constructed soon

Sent to Equalization and Highway Department on: 10-30-15

Requestor Name & Date: Lana Hart

Street Property is on	255 th Street.	
Cross Streets	Street: 408 th Ave. Street: 407 th Ave.	Location: To The East Location: To The West
Mileage Measurement	Distance: Percent: %	
Side of Street (N,S,E,W)	North	
Latitude/Longitude Reading	-98°0529	43°6874
Assigned Address	2350 West Spruce	
Contact With Address	Highway DOE Applicant	

Price for Sign/Post: 26.98

Date Paid: 10-30-15

Completed By: Jeff Bathke

Date: 10-30-15

HART
3/30/07

06000-10360-294-13
SECONDARY ROADS
SE 29-103-60

HART SHAWN & LANA
24243 407TH AVE
LETCHER

SD 57359-6146

PA=

LEGAL DESCRIPTION:
E446' OF W1/2 OF SE1/4 LYING S OF
I-90 EX E200' OF S1082' IN THE W1/2
OF SE1/4 LYING S OF I-90
SCHL. DIST=MITCHELL 17-2 03
FIRE DIST=MITCHELL 03
LAND CL=C MA ACRES= 10.00
BLDG CL= BLDG CL= CM/RES=X
EXMPT= X-MA1=

RESIDENTIAL

BASE YEAR

Card of Cards

- 1) PROPERTY ADDRESS _____
2) SURVEYED BY _____
3) DATE OF SURVEY _____
4) INSPECTION AUTHORIZED _____

Measured by: Initial Date
Classified by: HAZ
Extended by: 2005
Checked by:

LAND VALUE CALCULATION

Size of Lot or No. Acres	Depth or other influence			Effective Front Feet	Basic Unit Value	Total Value
	Table	Factor	Rule			
19 2005 10 Acres						
19 2006 16 1/2 Acres						
19						
19						
19						
19						
19						
19						

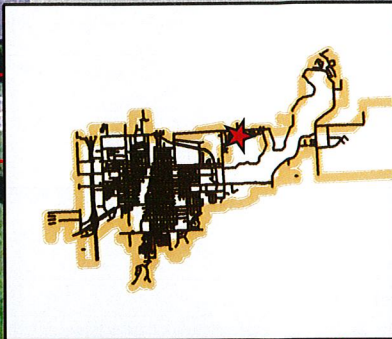
PROPERTY OWNER

2005-11-1

Filing Date	Instrument Date	Book	Page	Sales Price	Verified	Remarks
4/04 (439)	6.15.04	604	343	19,000	WD	Decker Hart

CONTINUOUS RECORD OF ASSESSED VALUE

Sections or DECAL NUMBER	19 2005	19 2006	19 2007	19 2008	19 2009	19 2010	19 2011	19 2012	19 2013	19 2014	19 2015
Year											
Replacement Cost											
Depreciation %											
Depreciated Cost											
Accessory Building Appraisal											
Accessory Item Appraisal											
Structure Value											
SDCL 10-6-35.2/Completion %											
Assessed Structure Value											
Assessed Land Value	17,670	20,500	20,500	20,500	20,500	20,500	20,500	20,500	20,500	20,500	20,500
Total Assessed Value											



LAKEVIEW

2ND

KEMPER AVE

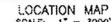
TORREY PINES AVE

N OHLMAN ST

COUNTRY DR

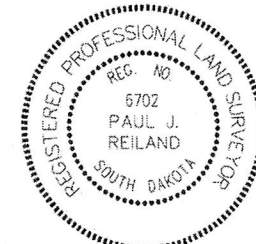
THUNDERBIRD DR

- Subdivision
- Blocks
- Lots



LEGEND

- BEARINGS ARE BASED ON AN
ASSUMED COORDINATE SYSTEM
USING GPS GRID BEARINGS/GROUND
DISTANCES



2100 North Sanborn Blvd. - P.O. Box 398 Mitchell, South Dakota 57301
Phone: (605) 996-7761 Fax: (605) 996-0015

2100 North Sanborn Blvd. - P.O. Box 398 Mitchell, South Dakota 57301
Phone: (605) 996-7761 Fax: (605) 996-0015

2100 North Sanborn Blvd. - P.O. Box 398 Mitchell, South Dakota 57301
Phone: (605) 996-7761 Fax: (605) 996-0015