

CITY OF MITCHELL
CITY PLANNING COMMISSION
COUNCIL CHAMBERS, CITY HALL, 612 N MAIN ST
DATE: JANUARY 22, 2018 TIME: 12:00 PM (NOON)

1. CALL TO ORDER:

2. ROLL CALL:

3. APPROVE AGENDA:

4. Approval Of Minutes: JANUARY 8, 2018

Documents:

[PLANNINGCOMMMIN182018.PDF](#)

5. SCHEDULE NEXT MEETING: FEBRUARY 12, 2018

6. PLAT

A Plat of Lot 7 in the Replat of Tract E, Wild Oak Golf Club Addition to the City of Mitchell, Davison County, South Dakota.

Documents:

[GISLOT7.PDF](#)

[LOT 7 IN THE REPLAT OF TRACT E.PDF](#)

7. Plan Approval: 906 E. Kay Ave, Schuh Painting (Jim Gramm)

Documents:

[JIMGRAMM.PDF](#)

[SCHUHMAP.PDF](#)

8. Plan Approval: 901 N Main St, LeReve Salon, CB

Documents:

[901NMAIN.PDF](#)

9. OTHER BUSINESS:

10. ADJOURNMENT:

"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 605-995-8433 at least 24 hour prior to the scheduled meeting."

**CITY OF MITCHELL
CITY PLANNING COMMISSION
MINUTES, JANUARY 8, 2018**

NOT APPROVED

Chairman Larson called to order the January 8, 2018 City Planning Commission meeting at 12:00 pm in the Council Chambers, City Hall, 612 N. Main St, Mitchell, SD.

Members Present: Larson, Schmucker, Everson, Molumby, Jirsa, and Allen

Members absent: Fergen & Griffith

Staff Present: Putnam, J. Johnson, Ellwein, Hegg, Laursen, Powell, Overweg

Approval of Agenda: Motion by Everson, seconded Jirsa to approve the agenda with the deletion of item #9 (pulled by the owner). All members present voting aye, motion carried.

Approval of Minutes: Motion by Everson, seconded by Molumby to approve the minutes of the December 11, 2017 meeting. All members present voting aye, motion carried.

Schedule Next Meeting: Motion by Everson, seconded by Molumby to schedule the next meeting for January 22, 2018. All members present voting aye.

Conditional Use Permit: Amber Kurtenbach has applied for a conditional use permit to operate a family residential child care business at her home located at 801 W. 7th Ave, legally described as Lots 1 & 2, Block 27, Rowley's 2nd Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R2 Single Family Residential District. (Tabled from last meeting)

The applicant was present to answer questions and provide testimony. Neighbors were also present to provide testimony.

Kurtenbach indicated that she is currently under the four visits per day at this time, but would like to be state registered and possibly watching more children. She has passed a fire inspection and has a privacy fence. She has contacted many of her neighbors. She also mentioned that her hours will be normal business hours.

Richard & Sandy Gerstenecker testified in regards to objections, which include noise, privacy, significant traffic on 7th Ave (Middle school, city vehicles, concrete plant, etc.). They mentioned that they have health issues and this activity may cause stress.

Randy Shank also testified in opposition of the application and also expressed concern about the traffic. He mentioned an instance in which a young child was hit by a vehicle. He also mentioned that a significant number of people objected in writing and thought that there should be a consideration in the denial of this permit.

Putnam mentioned that the letters from Gerstenecker and others were inadvertently not included in the agenda packet. He mentioned that nine letters were returned objecting, one came back affirmative, and 22 were mailed. Putnam was asked to remind the audience that a non-return is interpreted as approval.

The public notice was published in the *Mitchell Daily Republic* on November 30 & December 7, 2017 and letters were sent to the neighboring property owners on November 29, 2017.

Motion by Everson, seconded by Molumby to recommend the Board of Adjustment approve 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 and new permit would be required. Roll Call vote; Larson yes, Everson yes, Molumby yes, Jirsa no, Schmucker abstain.

Rezone: From Urban Development to HB Highway Oriented Business District. An Ordinance of the City of Mitchell, that changes the zoning classification of the real property legally described as SE ¼ including Lot A of Moneke's Subdivision, Ex H2 & Schlaffman Tract 1, Mitchell Township 26-103-60 and SW ¼ Ex H2 & Ex H2 & Ex Lot A of Mitchell Landfill 1st Addition, Mitchell Township 25-103-60, Davison County, SD from Urban Development District to Highway Oriented Business District and the official zoning map be changed to reflect the same.

The public notice was and to be published in the *Mitchell Daily Republic* on December 28, 2017, January 4 & January 18, 2018. Letters were sent to neighboring property owners on December 28, 2017. The two parcels are outside the city limits, but within the zoning jurisdiction of the City of Mitchell.

Gary Schlaffman was present to answer questions of his application. No written objections were submitted and no one testified in opposition of the rezoning.

The applicant is requesting the rezoning in order to comply with the requirement of the SD Department of Transportation regulations and state law in regards to placement of outdoor advertising on state controlled highways (I-90) should be zoned commercial. There are approximate 11 billboards on the north side of the I-90. The Dakota Fest property to the south zoned is commercial. According to the DOT, the signs have been there since 1985, which predates the city and county zoning of this area. One of the owners of the signs wish to remove two of the signs and replace them with new structures and increase the size. Motion by Everson, seconded by Molumby to recommend the City Council approve the rezoning request. All members present voting aye, motion carried.

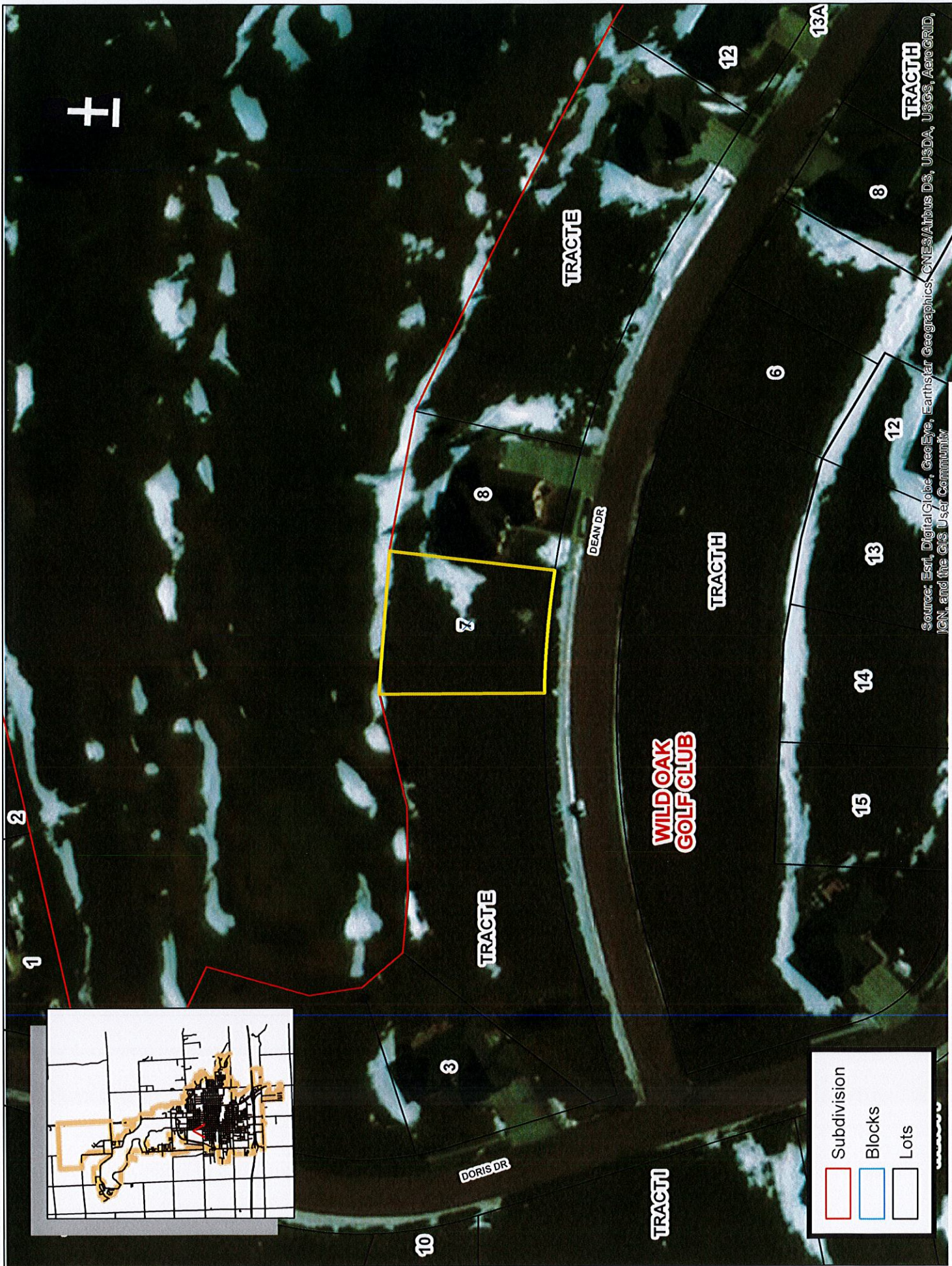
Conditional Use/ Variance: Gary and Marge Schlaffman have applied for a conditional use/variance to replace the existing off-premise signs (billboards) that are one aforementioned real property. The new signs may be larger than 300 square, but must be less than 600 square feet in sign area. The request to apply to all of the existing signs. Putnam reminded the audience that DOT regulations regarding to spacing are applicable, which is 500 feet per sign and is more than city code. The notice and letters to the neighbors were sent with the rezoning request. In the zoning code the sign area more than 300 square feet, but less than 600 square feet is a conditional use permit and in the sign code it is a variance. Motion by Molumby, seconded by Everson to recommend the board of adjustment approve the conditional use permit/variance for the existing signs. All members present voting aye, motion carried.

Plat: A Plat of D.W. U., Lot RH-1, A Subdivision of the Replat of Dakota Wesleyan University Campus, City of Mitchell, Davison County, South Dakota. Theresa Kriese, DWU representative, was present to explain the purpose of this plat is to identify the parcel the new residence hall is being constructed. This is also for financing purposes. Motion by Everson, seconded by Molumby to approve this plat. Roll Call: Larson aye, Schmucker aye, Jirsa aye, Molumby aye, and Everson aye. Motion carried.

Chairman Larson adjourned the meeting at 12:25 pm.

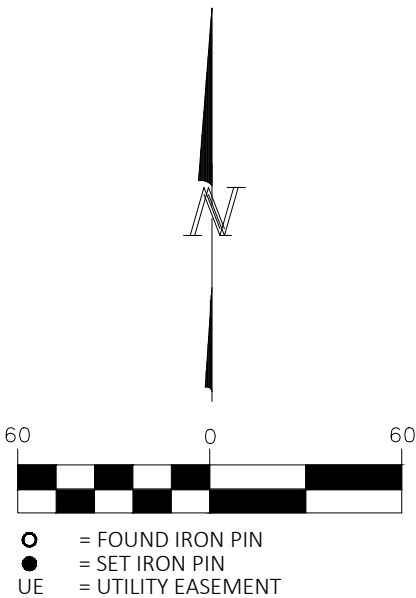
Chairman

Date

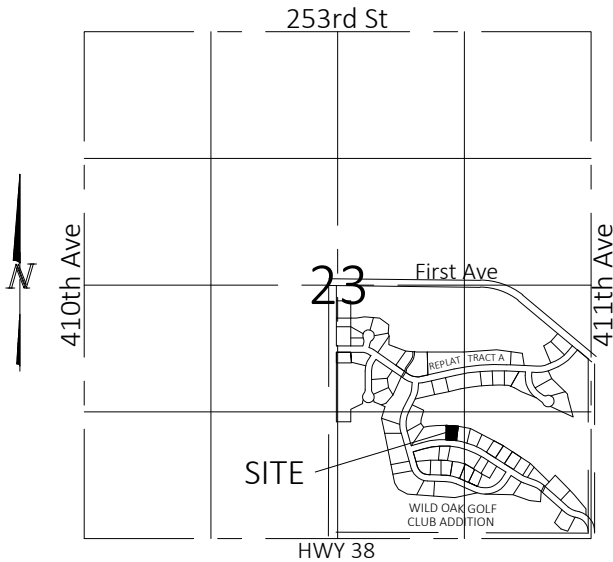


Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

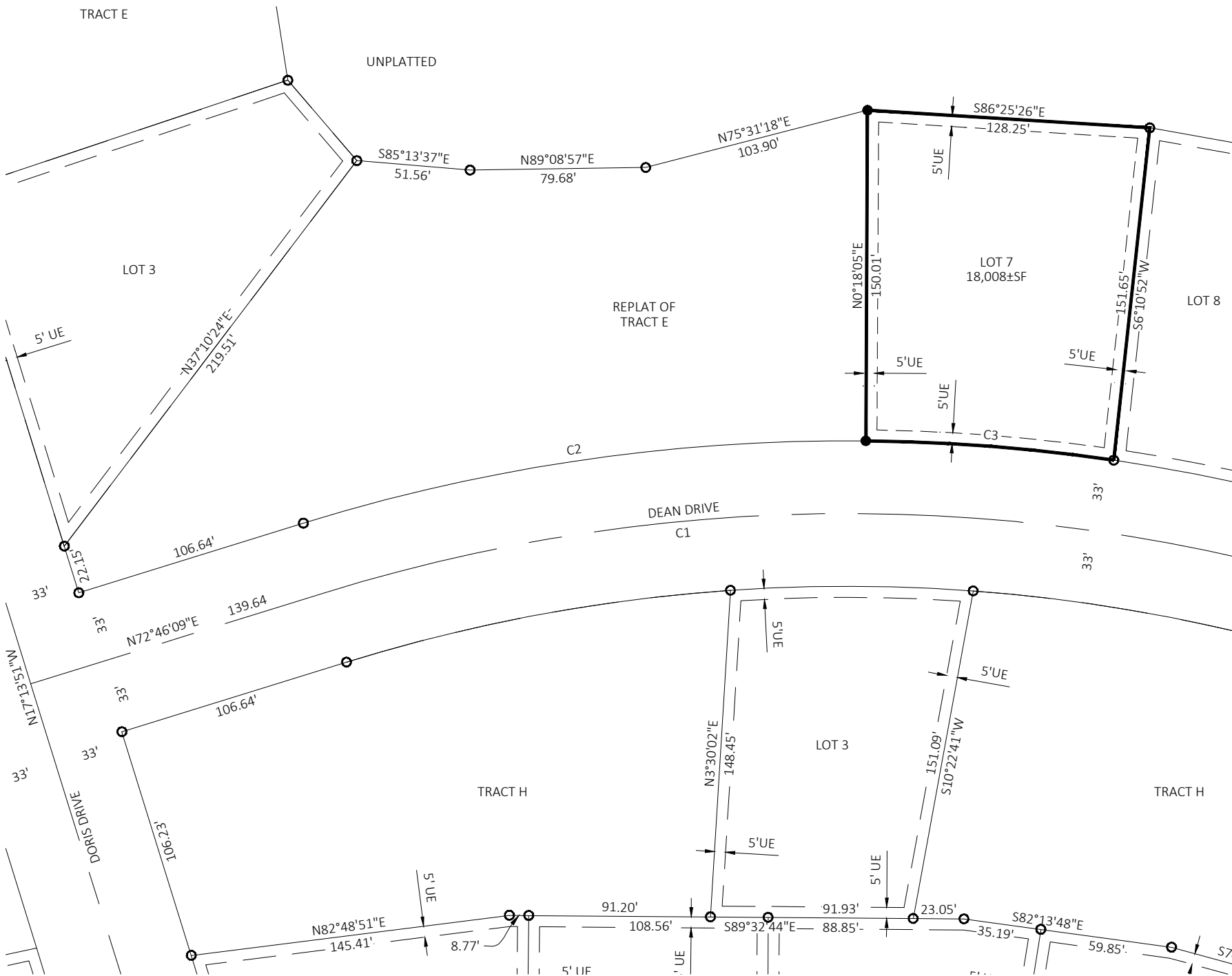
PLAT OF
LOT 7 IN THE REPLAT OF TRACT E,
WILD OAK GOLF CLUB ADDITION
TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA



Curve Table					
Curve	Length	Radius	Delta	Chord Distance	Chord Bearing
C1	685.70'	800.00'	49°06'35"	664.90'	N82°40'33"W
C2	258.85'	833.00'	17°48'16"	257.81'	N81°40'17"E
C3	112.89'	833.00'	7°45'52"	112.80'	N85°32'39"W



VICINITY MAP
SEC 23, T103N, R60W



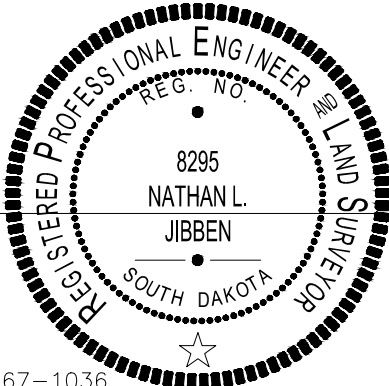
SURVEYOR'S CERTIFICATE

I, NATHAN L. JIBBEN, OF JSA CONSULTING ENGINEERS/LAND SURVEYORS, INC., A REGISTERED LAND SURVEYOR IN THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT I DID, ON OR BEFORE JANUARY 5TH, 2018, SURVEY A PORTION OF THE REPLAT OF TRACT E, WILD OAK GOLF CLUB ADDITION, IN THE SE1/4 OF SECTION 23, T103N, R60W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA AS SHOWN ON THE ABOVE PLAT. THAT PORTION OF LAND SHALL HEREAFTER BE KNOWN AND DESCRIBED AS LOT 7 IN THE REPLAT OF TRACT E, WILD OAK GOLF CLUB ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, CONTAINING 0.41 ACRES±.

I FURTHER CERTIFY THAT TO THE BEST OF MY KNOWLEDGE THE ABOVE PLAT CORRECTLY REPRESENTS THE SAME, IS TRUE AND CORRECT AND THAT IT WAS MADE UNDER MY DIRECT SUPERVISION.

DATED THIS _____ DAY OF _____, 201____.

NATHAN L. JIBBEN, RLS 8295



PLAT OF
LOT 7 IN THE REPLAT OF TRACT E,
WILD OAK GOLF CLUB ADDITION
TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

OWNER'S CERTIFICATE

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF ALL LAND INCLUDED IN THE ABOVE PLAT AND THAT SAID PLAT HAS BEEN MADE AT OUR REQUEST AND IN ACCORDANCE WITH OUR INSTRUCTIONS FOR THE PURPOSE OF TRANSFER, AND THAT THE DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION, EROSION AND SEDIMENT CONTROL REGULATIONS.

WE HEREBY DEDICATE TO THE PUBLIC FOR PUBLIC USE FOREVER THE STREETS, ROADS AND ALLEYS, PARKS AND PUBLIC GROUNDS, IF ANY, AS SHOWN ON SAID PLAT, INCLUDING ALL SEWERS, CULVERTS, BRIDGES, WATER DISTRIBUTION LINES, SIDEWALKS AND OTHER IMPROVEMENTS ON OR UNDER THE STREETS, ALLEYS, PARKS AND PUBLIC GROUNDS WHETHER SUCH IMPROVEMENTS ARE SHOWN OR NOT. WE ALSO HEREBY GRANT EASEMENTS TO RUN WITH THE LAND FOR GOLF PATH STREET CROSSINGS, WATER, DRAINAGE, SEWER, GAS, ELECTRIC, TELEPHONE OR OTHER PUBLIC UTILITY LINES OR SERVICES UNDER, ON OR OVER THOSE STRIPS OF LAND DESIGNATED HEREON AS EASEMENTS.

DATED THIS _____ DAY OF _____, 201____.

DAVID A. BACKLUND, PARTNER
FIRESTEEL LINKS, LLC, OWNER

STATE OF SOUTH DAKOTA

COUNTY OF _____

ON THIS _____ DAY OF _____, 201____, BEFORE ME, THE UNDERSIGNED OFFICER, APPEARED DAVID A. BACKLUND, WHO ACKNOWLEDGED HIMSELF TO BE AN AUTHORIZED PARTNER OF FIRESTEEL LINKS LLC, OWNER, AND KNOWN TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES THEREIN CONTAINED.

IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL

THIS _____ DAY OF _____, 201____.

MY COMMISSION EXPIRES: _____, 201____.

NOTARY PUBLIC

_____ COUNTY, SOUTH DAKOTA

PLAT OF
LOT 7 IN THE REPLAT OF TRACT E,
WILD OAK GOLF CLUB ADDITION
TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

RESOLUTION OF CITY PLANNING COMMISSION

WHEREAS, THE PLAT OF LOT 7 IN THE REPLAT OF TRACT E, WILD OAK GOLF CLUB ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, HERETOFORE FILED IN THE OFFICE OF THE CITY FINANCE OFFICER OF MITCHELL, SOUTH DAKOTA, HAS BEEN SUBMITTED TO THE CITY PLANNING COMMISSION OF THE SAID CITY OF MITCHELL, SOUTH DAKOTA; AND

WHEREAS, THE CITY PLANNING COMMISSION, IN REGULAR MEETING ASSEMBLED, HAD DULY CONSIDERED SAID PLAT AND FINDS AS A FACT THAT SAID PLAT IS IN CONFORMITY AND DOES NOT CONFLICT WITH THE MASTER PLAN FOR THE CITY OF MITCHELL, SOUTH DAKOTA, HERETOFORE ADOPTED BY THIS COMMISSION;

NOW THEREFORE, BE IT RESOLVED BY THE CITY PLANNING COMMISSION OF MITCHELL, SOUTH DAKOTA, THAT THE PLAT OF LOT 7 IN THE REPLAT OF TRACT E, WILD OAK GOLF CLUB ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, BE AND THE SAME IS HEREBY APPROVED AND ITS ADOPTION BY THE CITY COUNCIL OF THE CITY OF MITCHELL, SOUTH DAKOTA, IS HEREBY RECOMMENDED.

I, _____, CHAIRMAN OF THE CITY PLANNING COMMISSION FOR THE CITY OF MITCHELL, SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE FOREGOING RESOLUTION WAS PASSED BY THE CITY PLANNING COMMISSION OF MITCHELL, SOUTH DAKOTA, AT A MEETING THEREOF HELD ON THE

_____ DAY OF _____, 201____.

CHAIRMAN CITY PLANNING COMMISSION

RESOLUTION OF CITY COUNCIL

WHEREAS, IT APPEARS THAT THE CITY PLANNING COMMISSION OF THE CITY OF MITCHELL, SOUTH DAKOTA, DID DULY CONSIDER AND DID RECOMMEND THE

APPROVAL AND ADOPTION OF THE HEREINAFTER DESCRIBED PLAT, AT ITS MEETING HELD ON THE _____ DAY OF _____, 201____; AND

WHEREAS, IT APPEARS FROM AN EXAMINATION OF THE PLAT OF LOT 7 IN THE REPLAT OF TRACT E, WILD OAK GOLF CLUB ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, THAT SAID PLAT IS IN ACCORDANCE WITH THE SYSTEM OF STREETS AND ALLEYS SET FORTH IN THE MASTER PLAN ADOPTED BY THE CITY PLANNING COMMISSION OF THE CITY OF MITCHELL, SOUTH DAKOTA, AND THAT SUCH PLAT HAS BEEN PREPARED ACCORDING TO LAW;

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MITCHELL, SOUTH DAKOTA, THAT THE PLAT OF LOT 7 IN THE REPLAT OF TRACT E, WILD OAK GOLF CLUB ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA BE AND THE SAME IS APPROVED AND THE DESCRIPTION SET FORTH THEREIN AND THE ACCOMPANYING SURVEYOR'S CERTIFICATE SHALL PREVAIL.

I, _____, FINANCE OFFICER OF THE CITY OF MITCHELL, SOUTH DAKOTA, HEREBY CERTIFY THAT THE FORGOING RESOLUTION WAS

PASSED BY THE CITY OF MITCHELL, SOUTH DAKOTA, AT A MEETING THEREOF HELD ON THE _____ DAY OF _____, 201____.

FINANCE OFFICER

COUNTY TREASURER'S CERTIFICATE

I, TREASURER/DEPUTY TREASURER OF DAVISON COUNTY, SOUTH DAKOTA, HEREBY CERTIFY THAT ALL TAXES WHICH ARE LIENS UPON ANY LAND SHOWN IN THE ABOVE PLAT AS SHOWN BY THE RECORDS OF MY OFFICE, HAVE BEEN PAID IN FULL.

DATE

TREASURER/DEPUTY TREASURER, DAVISON COUNTY, SD

DIRECTOR OF EQUALIZATION

I, DIRECTOR OF EQUALIZATION OF DAVISON COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT A COPY OF THE ABOVE PLAT HAS BEEN FILED AT MY OFFICE.

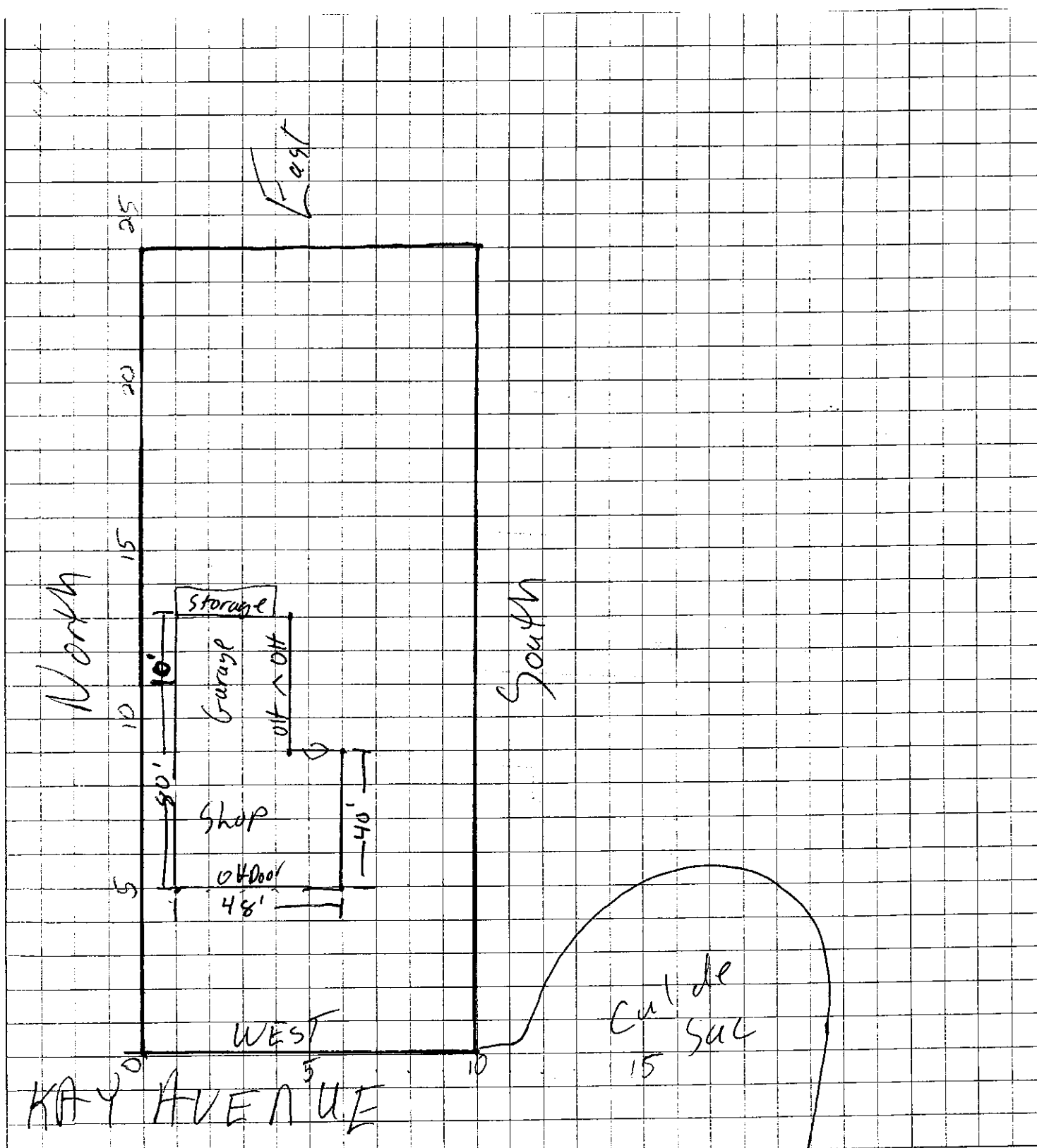
DIRECTOR OF EQUALIZATION/DEPUTY DIRECTOR OF EQUALIZATION, DAVISON COUNTY, SD

REGISTER OF DEEDS

FILED FOR RECORD THIS _____ DAY OF _____, 201____, AT _____ O'CLOCK, _____ M., AND RECORDED IN BOOK

_____ OF PLATS ON PAGE _____ THEREIN AND RECORDED ON MICROFILM NUMBER _____.

REGISTER OF DEEDS, DAVISON COUNTY, SD



Proposed Building

The main function of the building would be for a wood finishing shop with a garage/office space to occupy the other portion of the building.

Here are some of the items I am proposing for the building:

SIGNAGE – Attached to the building only.

CUSTOMERS – Very few arrive at my building. Contractors and truck deliveries are the traffic in and out of the building

TRAFFIC FLOW – Every one would load and unload through West facing over head door. My vehicles would drive around to South East overhead doors

PARKING - There would be a 10' concrete apron on the West and South sides of the building for employee parking

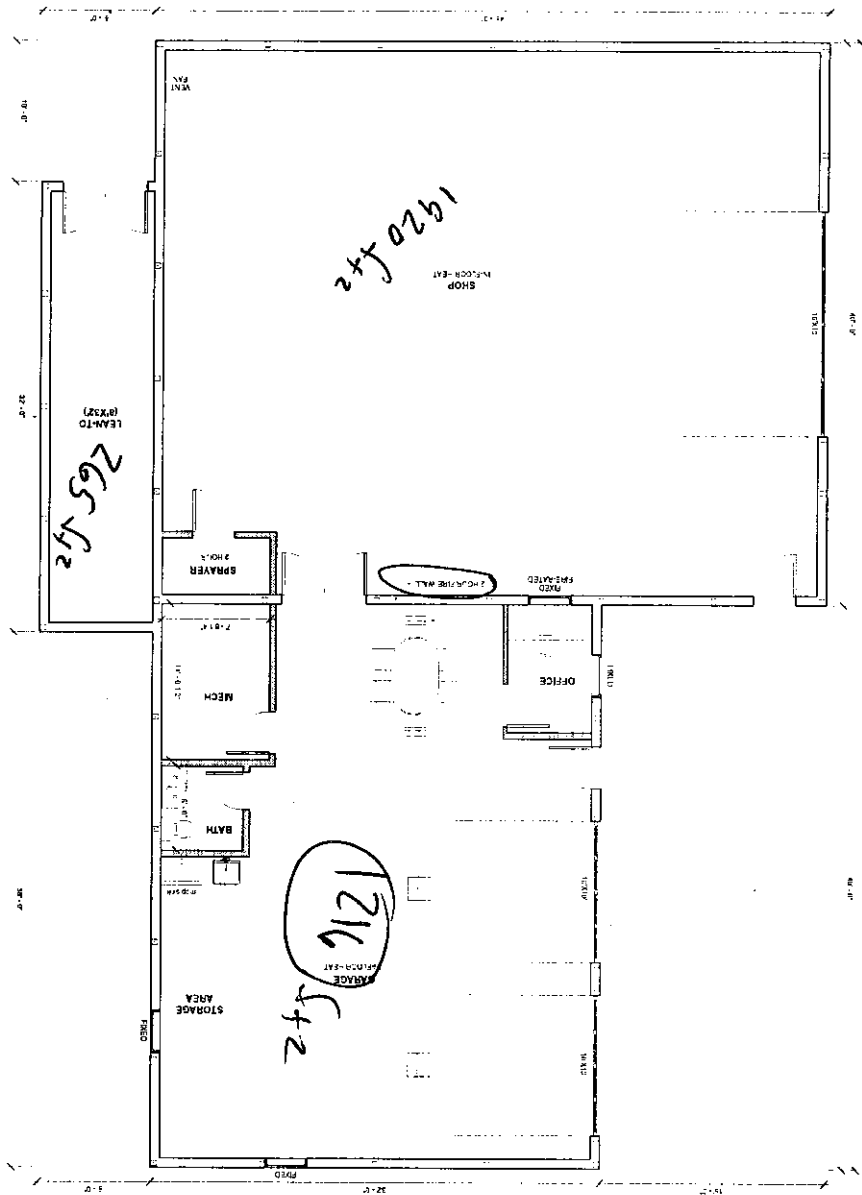
PARKING LOT – For the most part would be gravel of crushed concrete, if available. Heavy semi trucks would be turning around and backing into West Overhead door so asphalt would not hold up very well. In the future, I would like to place asphalt on South Side of building.

EAST HALF OF LOT – I would like to leave this space as prairie grass

BUILDING CODE – I have talked to both the Fire Marshall and Building Inspection Departments. They have explained how I need to make the building fire proof. These items are included in my construction budget. I would probably apply for a variance to move the building as close to the North property line as possible, ask for as much of a curb cut as possible to make the truck drivers navigation a bit easier.

EXTERIOR WALLS – These would be 1 color steel.

EXTERIOR ROOF – These would be 1 color steel. I am also trying to incorporate solar panels on the roof to assist with my electrical usage.



NOTES:
1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
3. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.

Square Footage for House	
Perimeter for House	
Square Footage for Garage	
Perimeter for Garage	
Scale	1" = 1'-0"

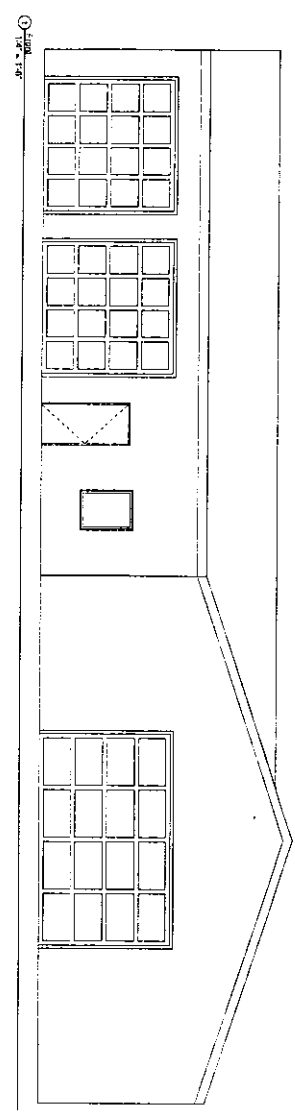
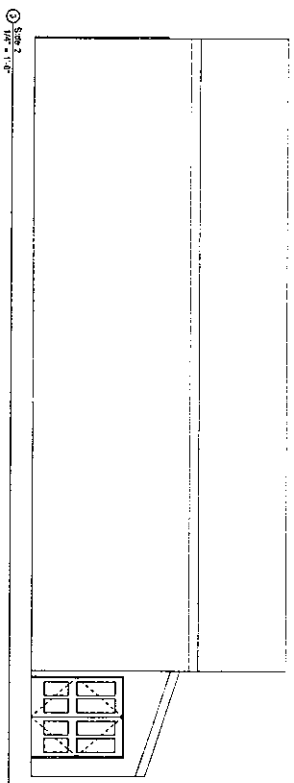
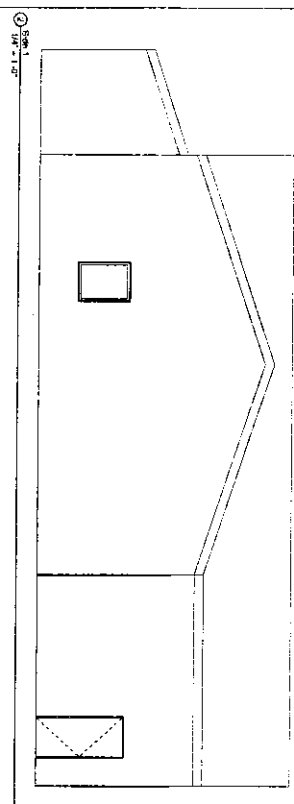
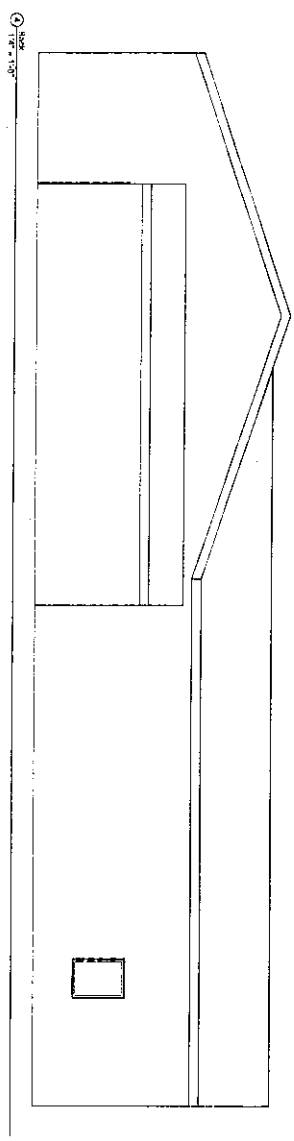
A1



PO Box 187 - 17 West Ash Street
Bran, SD 57004
Office: 605-227-4224
Fax: 605-227-4225
www.eclconstruction.com

Schuh Painting

Date Revised	September 20, 2017
Sheet Name	First Floor Plan
Sheet Number	
Drawn By	Ashley Gumpare



Submit To: ☐ City	App: ☐ City
Submit To: ☐ County	Check: ☐ City
Submit To: ☐ State	Check: ☐ County
Submit To: ☐ Other	Check: ☐ State
A2	
Scale: ☐ 1/4" = 1'-0"	



PO Box 107 117 West Ash Street
 Bismarck SD 57504
 Office: (605) 227-4224
 Fax: (605) 227-4225
 www.eclconstruction.com

Schuh Painting	
Date Revised	December 27, 2017
Rev. Name	Elevation
Wall Height	
Wall Depth	
Drawn By	Ashley Gurnea

Gramm



04/02/2016

901 N Main St

