

CITY OF MITCHELL
CITY PLANNING COMMISSION
COUNCIL CHAMBER, 612 N MAIN ST
DATE: APRIL 9, 2018 TIME: 12:00 PM (NOON)

1. CALL TO ORDER:

2. ROLL CALL:

3. APPROVE AGENDA:

4. APPROVAL OF MINUTES: MARCH 26, 2018

Documents:

[PLANNINGCOMMMIN3262018.PDF](#)

5. SCHEDULE NEXT MEETING: APRIL 23, 2018

6. PLAT: A Plat Of Lot 1, Block 6 Of Woodland Heights First Addition, A Subdivision Of Tract 1, Block 1, Crane's Addition In SE 1/4 Of Section 34, T 103 N, R 60 W Of The 5th P.M., City Of Mitchell, Davison County, South Dakota

Documents:

[PLATL1B6WOODLANDHEIGHTS.PDF](#)
[L1B6WOODLANDHEIGHTAERIAL.PDF](#)

7. PLAT: A Plat Of Lots 1, 2, 3 And 4, Block 1 Of Powderhorn Subdivision And Longhorn Court In The SW 1/4 Of Section 24, T 103 N, R 61 W Of 5th P.M., Davison County, South Dakota.

Documents:

[PLATPOWDERHORNLONGHORN.PDF](#)
[3-BOLLOCK, LONNIE-GIS.PDF](#)

8. DISCUSSION ONLY: Possible Rezone From UD, 40822 256th St (Sullivan)

Documents:

[SULLIVANSUMMARY.PDF](#)
[SULLIVANPLAN.PDF](#)
[SULLIVANKANGASMAP.PDF](#)
[SULLIVANPLAT.PDF](#)
[AERIALSULLIVAN.PDF](#)
[FLOODPLAINSULLIVAN.PDF](#)
[SULLIVANFLOODMAP2.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: March 26, 2018**

NOT APPROVED

Chairman Larson called the March 26, 2018 City Planning Commission Meeting to order at 12:00 pm, Council Chamber, City Hall, 612 N Main St, Mitchell, SD.

Members Present: Larson, Everson, Fergen, Jirsa, Quenzer and Allen

Members Absent: Griffith and Molumby

Others Present: Putnam, Hegg, T. Johnson, J. Johnson, Ellwein, Powell, and Laursen.

Approval of Agenda: Motion by Everson, seconded by Quenzer to approve the agenda as presented. Jirsa noted has a conflict. All members present voting aye, motion carried.

Approval of Minutes: Motion by Everson, seconded by Jirsa to approve the minutes of the March 12, 2018 minutes. All members present voting aye, motion carried.

Schedule the Next Meeting: Motion by Everson, seconded by Jirsa to schedule the next meeting for April 9, 2018. All members present voting aye, motion carried.

Plat: A Plat of Lots 16-A and 16-B, A Subdivision of Lot 16, Block 2, Indianhead Second Addition to the City of Mitchell, Davison County, South Dakota. One of the owners (Anderson) were present to explain that it was discovered that a parcel of land between 152 & 156 S Harmon was never identified. The purpose of this plat is to establish an accurate property line between the two properties. Motion by Everson, seconded by Jirsa to approve the plat. All members present voting aye, motion carried.

Plan Approval: 1500 N Duff, Village Bowl, (Thirtys's) Renovation, HB District. Larry Jirsa declared a conflict, as he is the architect on this project. He provided a summary of the remodeling project of the existing banquet hall and conversion into a bar. Hegg indicated it meets code. Motion by Everson, seconded by Quenzer to approve the plan. Roll Call: Larson yes, Fergen yes, Quenzer yes, Everson yes, Jirsa abstained. Motion carried.

Discussion only: Possible rezoning from UD to TWC or HB District. 40822 256th St. Dustin Sullivan. Putnam explained that the area surrounding this property is zoned UD and the county zoning is to the south. Sullivan is looking to building self-service storage facility to the north of his home. The commission review the area around the subject area. The consensus was that it would be best to consider rezoning larger parcels in order to prevent 'spot zoning'. Sullivan was instructed to contact the neighbors to the north and see if they would be receptive to rezoning. The commission also noted that some of this area is subject to flooding and may be in a flood zone. Sullivan will return once the neighbors have been contacted. Sullivan has talked with a few neighbors. No action was taken.

Chairman Larson adjourned the meeting at 12:45 pm.

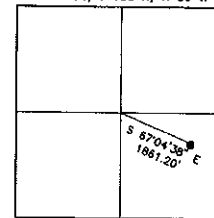


GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.

SEC. 34, T 103 N, R 60 W



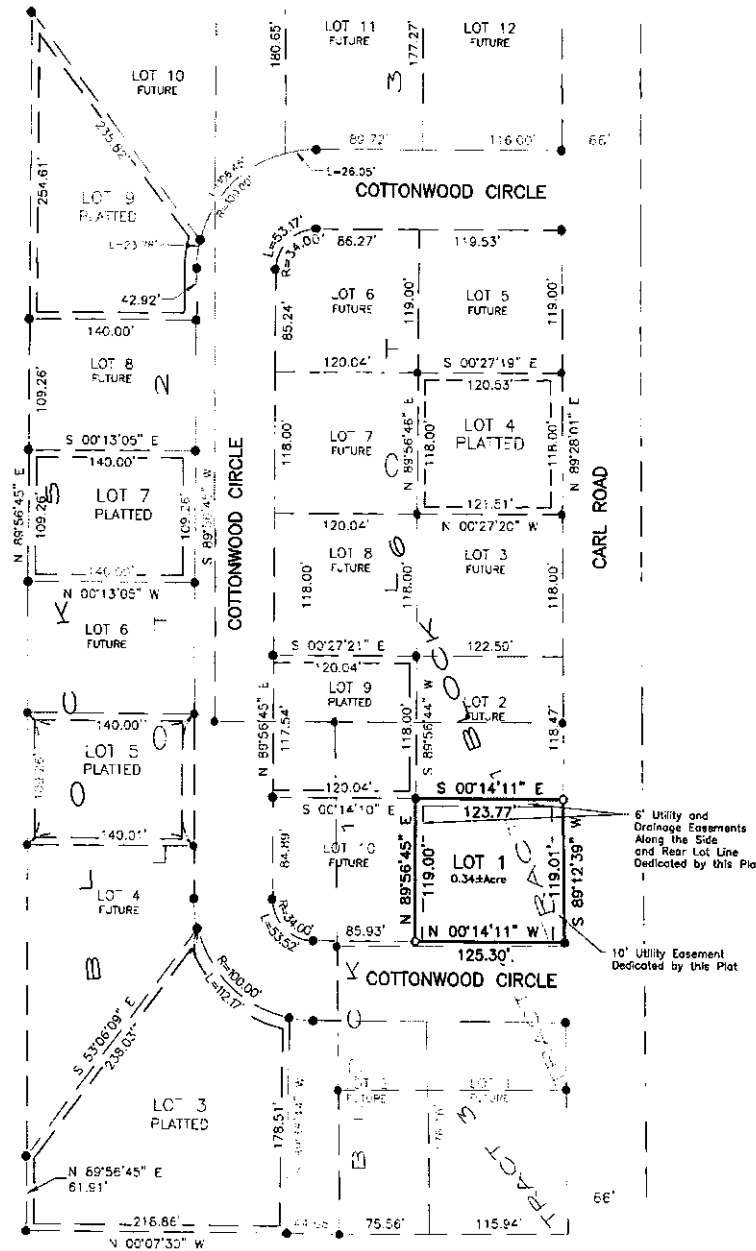
LOCATION MAP
SCALE: 1" = 3000'

LEGEND

- = FOUND IRON MONUMENT
- = SET 5/8" X 18" REBAR WITH PLASTIC CAP NO. 6702
- 100' (P) = PLATTED BEARING OR DISTANCE
- 100' = MEASURED BEARING OR DISTANCE
- ⊠ = SET NAIL
- ▲ = SET SURVEY SPIKE
- 4.00 CH (P) = PLATTED DISTANCE IN CHAINS
- ◆ = FOUND NAIL
- ◇ = SET 3/8" X 12" SPIKE W/ WASHER P.U.R.-6702
- WM = WITNESS MONUMENT

PREPARED BY: PAUL J. REILAND, R.L.S.
2100 NORTH SANBORN BLVD. - P.O. BOX 398
MITCHELL, SOUTH DAKOTA 57301
PHONE: (605) 996-7761

ASSUMED COORDINATES

EASEMENTS WITHIN LOT 1, BLOCK 6
DEDICATED BY THIS PLAT:

- 10' UTILITY EASEMENT ALONG CARL ROAD
- 6' UTILITY AND DRAINAGE EASEMENTS ALONG EAST SIDE AND REAR

6' Utility and Drainage Easements Along the Side and Rear Lot Line Dedicated by this Plat

10' Utility Easement Dedicated by this Plat

A PLAT OF LOT 1, BLOCK 6 OF WOODLAND HEIGHTS FIRST ADDITION, A SUBDIVISION OF TRACT 1, BLOCK 1, CRANE'S ADDITION IN THE SE 1/4 OF SECTION 34, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA.

SURVEYOR'S CERTIFICATE

I, Paul J. Reiland, the undersigned, do hereby certify that I am a Registered Land Surveyor in and for the State of South Dakota. At the request of Ethan Co-op Lumber Association, Inc., a South Dakota corporation, as owner, and under its direction for purposes indicated therein, I did on or prior to March 30, 2018, survey those parcels of land described as follows: LOT 1, BLOCK 6 OF WOODLAND HEIGHTS FIRST ADDITION, A SUBDIVISION OF TRACT 1, BLOCK 1, CRANE'S ADDITION IN THE SE 1/4 OF SECTION 34, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA.

In my professional opinion and to the best of my knowledge, information and belief, the within and foregoing plat is true and correct.

Dated this _____ day of _____, 2018.

Registered Land Surveyor #SD6702

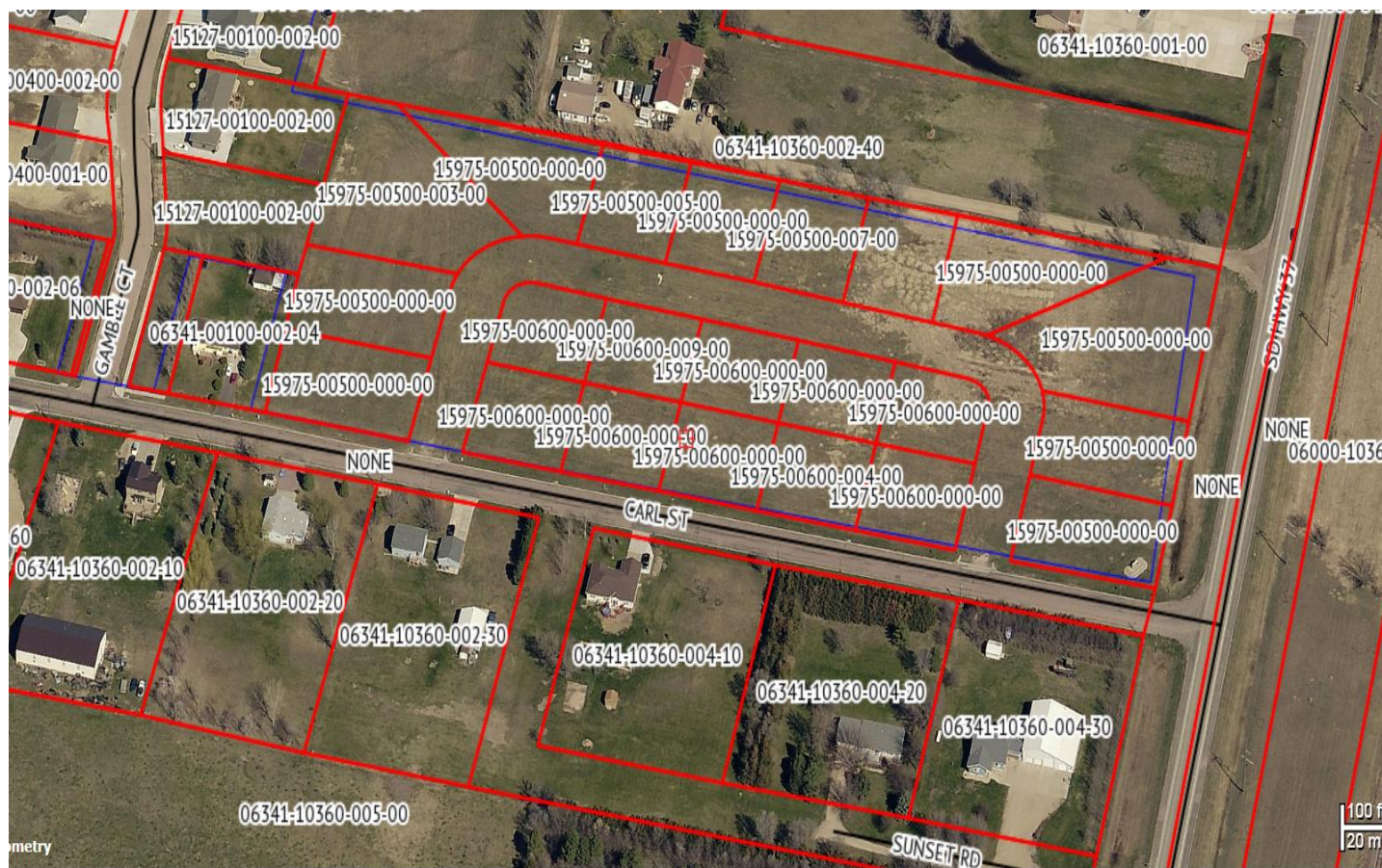
SPN

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



& Associates
Engineers, Planners and Surveyors
 2108 North Sanborn Blvd. - P.O. Box 398 Mitchell, South Dakota
 Phone: (605) 996-7761 Fax: (605) 996-0015

REGISTERED PROFESSIONAL LAND SURVEYOR
REG. NO.
6702
PAUL J.
REILAND
SOUTH DAKOTA





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

A PLAT OF LOTS 1, 2, 3 AND 4, BLOCK 1 OF POWDERHORN SUBDIVISION AND LONGHORN COURT IN THE SW 1/4 OF SECTION 24, T 103 N, R 61 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA.

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 _____, 2018; and

WHEREAS, it appears from an examination of the plat of LOTS 1, 2, 3 AND 4, BLOCK 1 OF POWDERHORN SUBDIVISION AND LONGHORN COURT IN THE SW 1/4 OF SECTION 24, T 103 N, R 61 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, as prepared by Paul J. Reiland, a duly licensed Land Surveyor in and for the State of 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 LOTS 1, 2, 3 AND 4, BLOCK 1 OF POWDERHORN SUBDIVISION AND LONGHORN COURT IN THE SW 1/4 OF SECTION 24, T 103 N, R 61 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul J. Reiland, be and the same is hereby approved and the description set forth therein and the accompanying surveyor's certificate shall prevail.

The undersigned hereby certifies that the foregoing resolution was passed by the City of Mitchell, South Dakota, at a meeting held on the _____ day of _____, 2018.

Finance Officer/Deputy Finance Officer of City of Mitchell

RESOLUTION OF COUNTY PLANNING COMMISSION

WHEREAS, the plat of LOTS 1, 2, 3 AND 4, BLOCK 1 OF POWDERHORN SUBDIVISION AND LONGHORN COURT IN THE SW 1/4 OF SECTION 24, T 103 N, R 61 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul J. Reiland, duly licensed Land Surveyor in and for the State of South Dakota, heretofore filed in the office of the County Auditor of Davison County, South Dakota, has been submitted to the County Planning Commission of the said County of Davison, South Dakota; and

WHEREAS, the County 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 County of Davison, South Dakota, heretofore adopted by this Commission;

NOW THEREFORE, be it resolved by the County Planning Commission of Davison County, South Dakota, that the plat of LOTS 1, 2, 3 AND 4, BLOCK 1 OF POWDERHORN SUBDIVISION AND LONGHORN COURT IN THE SW 1/4 OF SECTION 24, T 103 N, R 61 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul J. Reiland, a Land Surveyor, be and the same is hereby approved and its adoption by the Board of Commissioners of the County of Davison, South Dakota, is hereby recommended.

The undersigned hereby certifies that the foregoing resolution was passed by the County Planning Commission of Davison County, South Dakota, at a meeting thereof held on the _____ day of _____, 2018.

Chairman/Vice-Chairman of Davison County Planning Commission

RESOLUTION BY BOARD OF COUNTY COMMISSIONERS

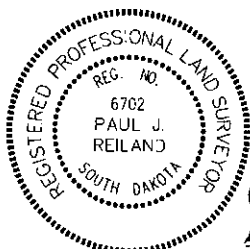
Be it resolved by the Board of County Commissioners of Davison County, South Dakota, that the plat of LOTS 1, 2, 3 AND 4, BLOCK 1 OF POWDERHORN SUBDIVISION AND LONGHORN COURT IN THE SW 1/4 OF SECTION 24, T 103 N, R 61 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, which has been submitted for examination pursuant to law, is hereby approved and the County Auditor is hereby authorized and directed to endorse on such plat a copy of this Resolution and certify the same.

Chairperson/Vice-Chairperson, Board of County Commissioners of Davison County

AUDITOR'S CERTIFICATE

I do hereby certify that the above resolution was adopted by the Board of County Commissioners of Davison County, South Dakota, at a regular meeting held on _____, 2018, approving the above named plat.

Auditor/Deputy Auditor, Davison County



SPN

& Associates

Engineers, Planners and Surveyors

2100 North Sanborn Blvd. - P.O. Box 398 Mitchell, South Dakota 57301
Phone: (605) 996-7761 Fax: (605) 996-8015

A PLAT OF LOTS 1, 2, 3 AND 4, BLOCK 1 OF POWDERHORN SUBDIVISION AND LONGHORN COURT IN THE SW 1/4 OF SECTION 24, T 103 N, R 61 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA.

CERTIFICATE OF HIGHWAY AUTHORITY

The location(s) of the existing approach(es) is/are hereby approved. Any change in the location(s) of the existing approach(es) shall require additional approval.

By: _____
Highway Authority

Title: _____

Date: _____

CERTIFICATE OF COUNTY TREASURER

I hereby certify that all taxes which would, if not paid, be liens upon any of the land included in the within and foregoing plat, as shown by the records of my office, have been fully paid.

Treasurer/Deputy Treasurer, Davison County Date _____

DIRECTOR OF EQUALIZATION

I hereby certify that a copy of the plat of LOTS 1, 2, 3 AND 4, BLOCK 1 OF POWDERHORN SUBDIVISION AND LONGHORN COURT IN THE SW 1/4 OF SECTION 24, T 103 N, R 61 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, has been received by me and is filed in my office.

Director of Equalization/Deputy Director
of Equalization, Davison County

Date _____

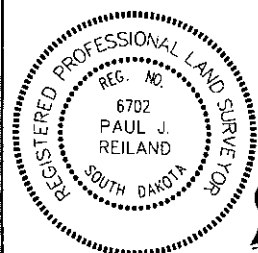
REGISTER OF DEEDS

STATE OF SOUTH DAKOTA)
JSS
COUNTY OF DAVISON)

FILED for record this _____ day of _____, 2018, at _____, and recorded in Book _____ of Plats on
Page _____ therein and recorded on Microfilm Number _____.

Register of Deeds, Davison County

By _____
Deputy



SPN

& Associates

Engineers, Planners and Surveyors

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

Robert & Jane Ball

Robert & Angelita Farrell

Bollock

Loren Verba

Lonnie Bollock (999-7428)
22 Lots
W/in 3 miles=City Approval Also
Ag Res Zoning

Robert & Jane Ball

405 AVE

Lot 1 Lot 2 Lot 3 Lot 4 Lot 5 Lot 6 Lot 7 Lot 8 Lot 9 Lot 10 Lot 11
Longhorn Court
Lot 1 Lot 2 Lot 3 Lot 4 Lot 5 Lot 6 Lot 7 Lot 8 Lot 9 Lot 10 Lot 11
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22

254 ST

Diane Scott

Dale & Cheryl Millier

Robert & Angelita Farrell

1. Barbara Holum
2. Barbara Holum
3. Terry & Tammy Hanson
4. Terry & Tammy Hanson
5. William & Nancy Stange-Living Trust
6. Frank & Mary Ann Baker
7. Ervin & Geneva Winter
8. Ervin & Geneva Winter
9. Daniel & Mary Alexander
10. Daniel & Mary Alexander
11. Steven & Kathryn Frank
12. Gregory & Marjorie Tilberg
13. Titze Farms LLC
14. Douglas & Janet Driggs
15. Darrell & Leota Roth
16. Leland & Linda James
17. Andrew Hiles
18. Sharon Brink
19. John Cersosimo
20. Larry & Paula Schnabel
21. Barbara Bollinger
22. Robery & Barbara Weber
23. David Kenney

The following is a summary of options (in my view).

I would suspect that Schladweiler and Spencer uses would be considered legal conforming uses (extraction of minerals/quarry). Simply, 'grandfathered' uses. The city began zoning controls in this area in 1988. I recall that about ten + years ago, Spencer was granted a conditional use permit for their gravel operation. That may have expired, but I would need to look back to be sure. Additionally, gravel mining operations may also require a review by the SD Department of Environment and Natural Resources.

Highway Oriented Business District (HB): Self-serving storage units are a conditional use in this district. So, there is another step process in addition to the rezoning. We have considered a rezoning & conditional use permit simultaneously in the past. Additionally, the planning commission reviews all building permits in the HB district. Mining/Quarry is not a permitted or conditional use in the HB district.

Industrial District (I): Quarry is a conditional use. This district is arguably the most generous district. Uses not listed are allowed or permitted except for the uses that are specifically listed as prohibited or conditional uses. This is the opposite of the other districts, which assume uses that are not listed as permitted or conditional are prohibited. Building permits are not reviewed by the planning commission unless a conditional use or variance is required. Self-storage units would be permitted.

Transportation, Warehousing, and Commercial District TWC: Self-storage facilities are a permitted use. Building permits are not required to be reviewed by the planning commission. However, this district is silent to mineral extraction or quarry, therefore it's assumed to be prohibited.

Perhaps, different portions of the area may have different districts. If this is an option, then portions of the territory to be rezoned must have clearly identifiable or legally described boundaries. Remember, rezoning takes about two months to complete. Another important consideration in rezoning is the long-term effects on the properties to be rezoned and the neighboring properties. The rezoned properties would assume all the permitted and conditional uses that are listed in the districts.

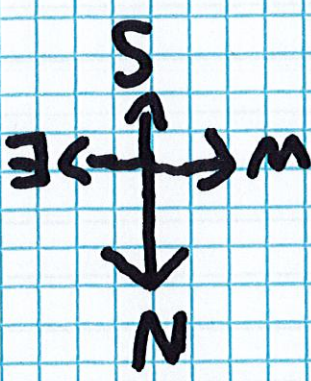
Another option is amending a district's permitted or conditional uses to accommodate a specific use or amendment language. This is called a zoning code amendment. The approval process is similar to a rezoning.

Planned development district is also an option, however this would require extensive consultation with the property owners and some visioning and analysis of infrastructure. The process is also the same as rezoning or zoning code amendment.

All of these proposals would require notification, consultation, and possibly approval of affected landowners in the area. If you wish to continue to pursue your proposal, I will share the aforementioned analysis to the planning commission for their consideration and advice, which should be vetted, prior to the official notification and hearings.

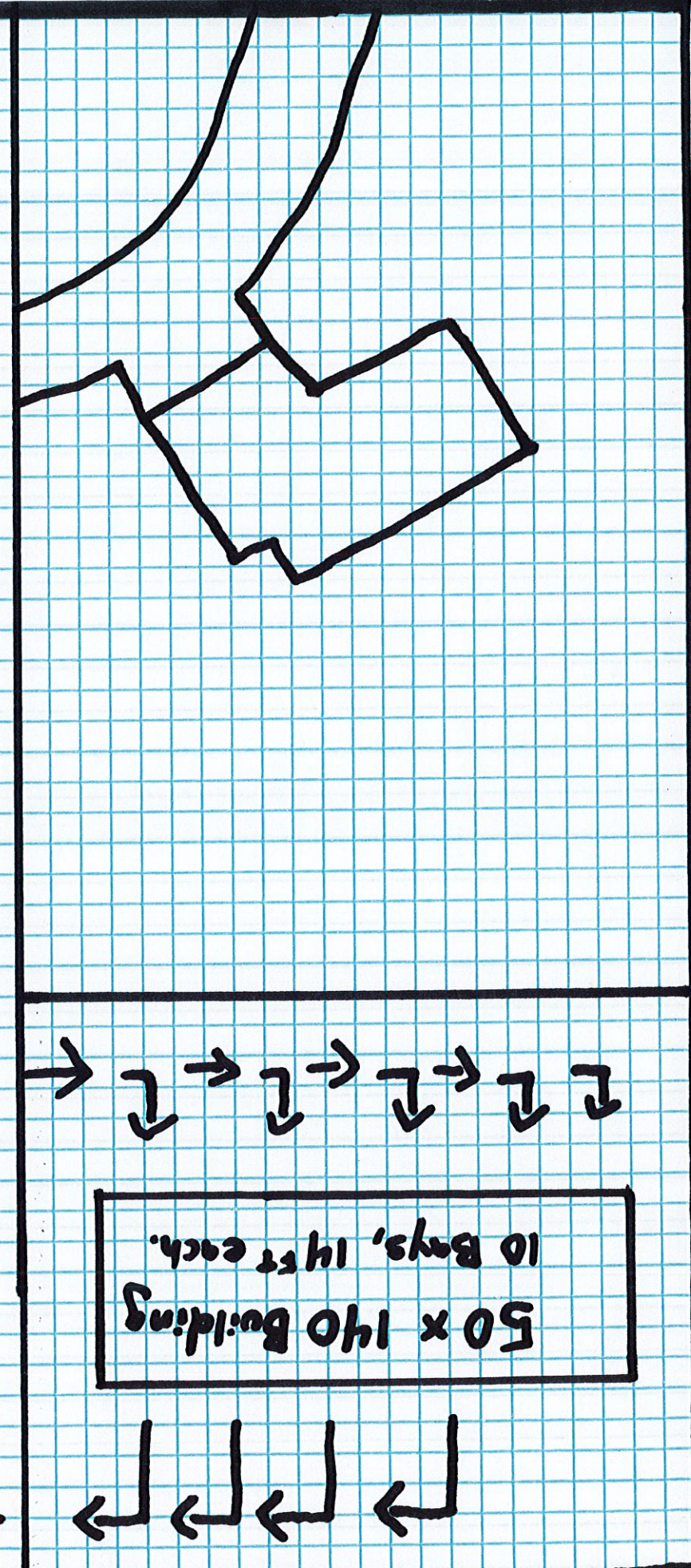
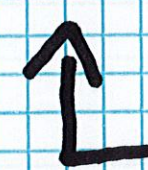
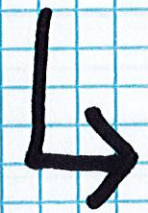
8 ft Per Square

Dave



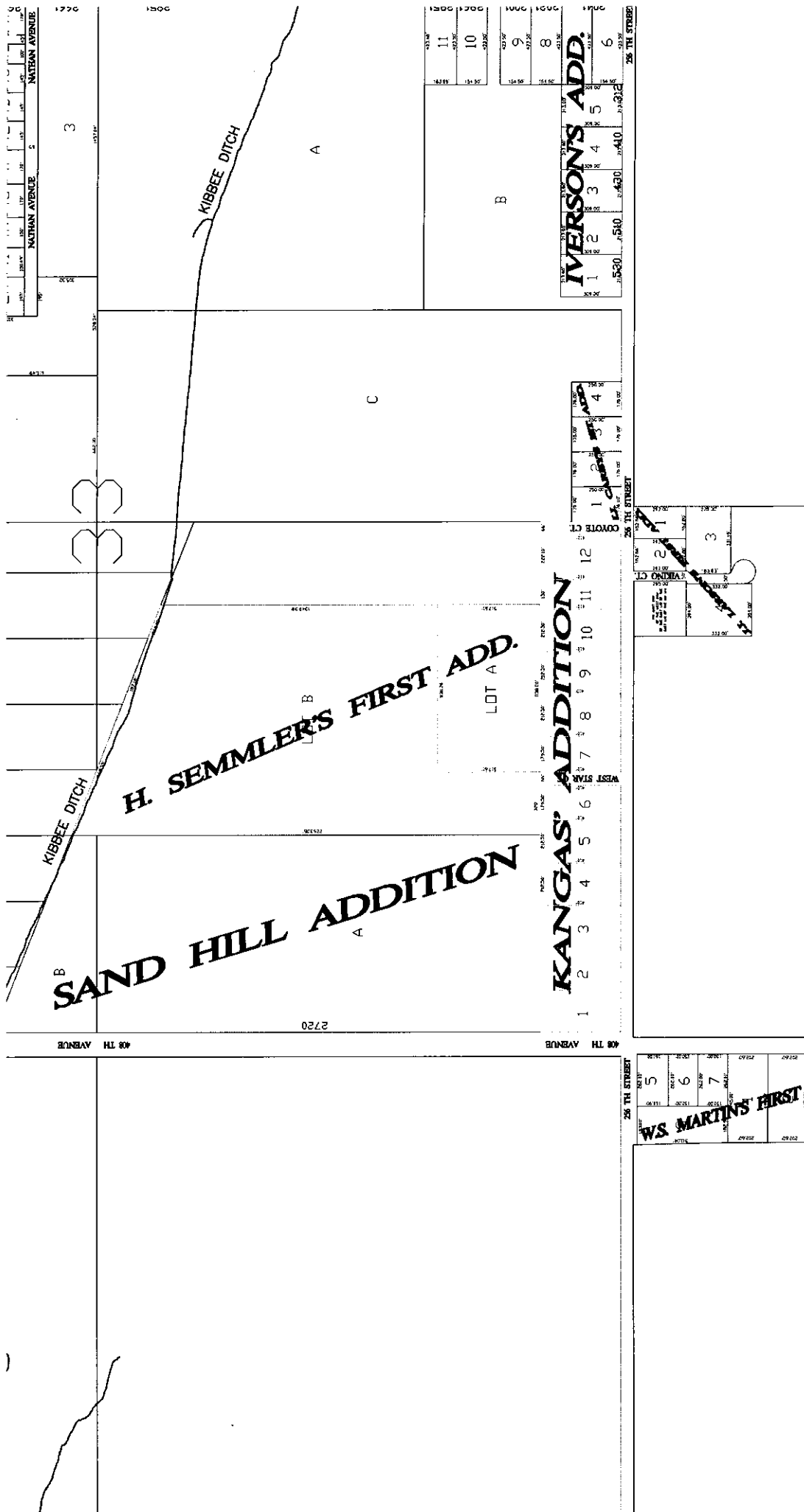
Ferry

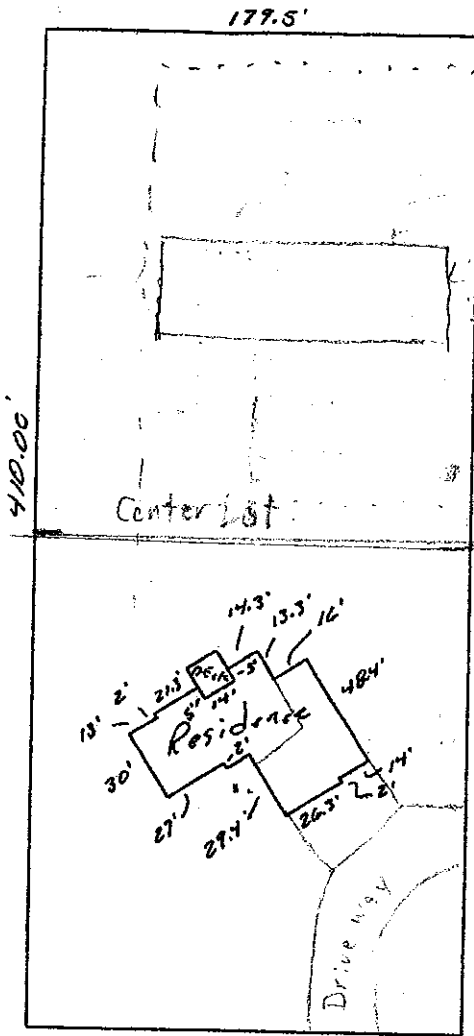
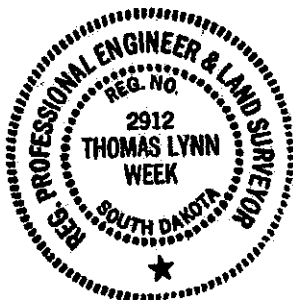
Dedicated Access



Ron

Spencer Quarrie





Access Road

Scale: 1" = 60'
Sullivan
40822 256th St.

256th Street

I THE UNDERSIGNED, A REGISTERED LAND SURVEYOR, IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE ABOVE MORTGAGE INSPECTION WAS PERFORMED BY ME.

THIS IS A LOCATION OF IMPROVEMENTS AND A CURSORY CHECK FOR VIOLATIONS OR ENCROACHMENTS ONTO OR FROM THE SUBJECT PROPERTY BASED ON EXISTING BUT NOT CONFIRMED EVIDENCE. THIS DOES NOT CONSTITUTE A BOUNDARY SURVEY AND IS SUBJECT TO ANY INACCURACIES THAT A SUBSEQUENT BOUNDARY SURVEY MAY DISCLOSE. THE MEASUREMENTS SHOWN SHOULD NOT BE USED OR RELIED UPON FOR THE ESTABLISHMENT OF ANY FENCE, STRUCTURE OR OTHER IMPROVEMENT. NO WARRANTY OF ANY KIND IS EXTENDED THEREIN TO THE PRESENT OR FUTURE OWNER

DATED THIS 21ST. DAY OF MARCH 2016.

Thomas Lynn Week

THOMAS LYNN WEEK
REGISTERED LAND SURVEYOR
REG. NO. 2912

