

CITY OF MITCHELL
CITY PLANNING COMMISSION MEETING
COUNCIL CHAMBERS, CITY HALL, 612 N MAIN ST
APRIL 8, 2019; 12:00 PM (NOON)

1. CALL TO ORDER:
2. ROLL CALL:
3. Declaration Of Conflicts Of Interests
4. APPROVE AGENDA:
5. Approval Of Minutes: March 25, 2019 Meeting

Documents:

[PLANNINGCOMMINUTES3252019.PDF](#)

6. SCHEDULE NEXT MEETING April 22, 2019, 12:00 PM

7. Conditional Use Permit (Continued From 3/25/2018 Meeting)

Yvonne Steward, applicant, and Mid Dakota Properties, owner, have made an application for a family residential child care center at the property legally described as the S 1/2 of Lots 1 & 2, Block 14 & N 1/2 of vacated alley. Rowley's 2nd Addition, NE 1/4 21-102-60, City of Mitchell, Davison County, South Dakota (517 N Duff St). The property is zoned R4 Multi-family residential district.

Documents:

[STEWARDAAPPL.PDF](#)
[NOHSTEWARD2019.PDF](#)
[AERIALSTEWARDDAYCARE2019.PDF](#)
[STEWARDLETTERS.PDF](#)

8. Discussion Of Possible Platting And Roadways: Crago

Documents:

[CRAGOPLAT.PDF](#)
[CRAGOINFO.PDF](#)
[CRAGODRAINAGE.PDF](#)

9. Discussion And Or Recommendation: Of Vacation Of N. Langdon Street Commence At Fair Oaks Ave. Going North To East 23rd Avenue.

Documents:

[NLANGDONSTVACEXHIBITS.PDF](#)
[LANGDONSTREETVAC2019.PDF](#)
[DRAFTVACPETITIONLANGDONST.PDF](#)

10. Rezoning: Lot C In The E 1/2 Of NE 1/4 Of Section 30, T 103 N, R 60 W, Davison County, South Dakota From TWC Transportation, Warehousing, And Commercial District To UD Urban Development District

Documents:

[REZONINGAPPL.PDF](#)
[NOHREZONINGLOTC.PDF](#)
[AERIALREZONINGLOTC.PDF](#)
[ZONINGLOTC.PDF](#)

- 11. Plat: A Plat Of Lot 1, Block 6, MLC Addition, And A Portion Of West Pine Street, A Subdivision Of Block 3 And Lot 4B, Block 4, Morningview Addition To The City Of Mitchell, Davison County, South Dakota**

Documents:

[AERIAL1B6MLCADDPLAT.PDF](#)
[PLAT1B6MLCADDN.PDF](#)

12. OTHER BUSINESS:

- 13. PUBLIC INPUT:** If You Need To Address The City Planning Commission On An Item That Was Not On The Agenda, Excluding Personnel Items, Please Come Forward To The Podium And State Your Name And Your Concern. Presentations Are Limited To Three Minutes. Items Will Be Considered But No Action Will Be Taken At This Time.

14. 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 25, 2019**

NOT APPROVED

Chairman Larson called the March 25, 2019 City Planning Commission Meeting to order at 12:00 pm in the Council Chambers, City Hall, 612 N Main St, Mitchell, SD.

Members present: Larson, Jirsa, Molumby, Genzlinger, Osterloo & Quenzer

Members absent: Fergen and Allen

Staff Present: Kyle Croce, Stephanie Ellwein, Neil Putnam, John Hegg, Terry Johnson, Justin Johnson, Wade London

Declaration of Conflicts of Interest: Molumby and Osterloo declared conflicts with Agenda Item 13 and Larry Jirsa on Agenda Item 9.

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

Approval of Minutes: Motion by Jirsa, seconded by Genzlinger to approve the minutes of the January 28, 2019 meeting.

Schedule Next Meeting: Motion by Osterloo, seconded by Molumby to schedule the next planning commission for April 8, 2019. All members present voting aye, motion carried.

Conditional Use Permit: Yvonne Steward, applicant, and Mid Dakota Properties, owner, have made an application for a family residential child care center at the property legally described as the S ½ of Lots 1 & 2, Block 14 & N ½ of vacated alley, Rowley's 2nd Addition, NE ¼-21-103-60, City of Mitchell, Davison County, South Dakota located at 517 N Duff Street . The property is zoned R4 High Density Residential District.

The applicant was not present. The commission considered the written comments that they received. Angie Nagel, a neighbor, testified in opposition. She expressed concern about the size of the lot, dogs that often bark and the lack of child supervision. She also expressed concern about parking and presented photographs for the commissions review. Approximately 10 neighbors responded in opposition. The commission discussed the vacated alley.

Letters to the affected property owners were mailed on March 13, 2019 and the notice of hearings were published in the legal newspaper on March 14 & March 21, 2019. The fire marshal has inspected the property and he did not express any concerns. Motion by Molumby, seconded by Osterloo to table the application until the next meeting. All members present voting aye, motion carried.

Plan Approval: McDonald's, 1704 N Main Street, HB Highway Oriented Business District.

Putnam reminded the commission that building plans within HB, CB, and NS districts require planning commission approval. Hegg indicated this project consist primarily of interior remodeling. No change to the exterior. Genzlinger asked if the out of state architect would be on site. Hegg responded yes.

Motion by Molumby, seconded by Jirsa to approve the plan with the condition the architect be on site when construction starts. All members present voting aye, motion carried.

Plan Approval: VFW, 215 N Main St, CB District.

Dr. Martin Christensen presented the plan. He stated the plan is to install an elevator to the rear of the building and install a patio. This is provide accessibility for those in need of assistance. Larry Jirsa, the architect of the project, stated that the fire marshal, with one concern that occupancy be limited to 49 during construction, has approved the plan. The building has sprinklers. Putnam noted that the SD Office of History is reviewing the plan. Dr. Christensen noted the other veteran groups are going to using the building and the plan includes displaying various veteran attractions. It will be available to the public for various functions. Motion by Genzlinger, seconded by Osterloo to approve the plan. Roll call Quenzer yes, Larson yes, Genzlinger yes, Larson yes, Molumby yes, Jirsa abstain. Motion carried.

Plat: A Plat of Lot 21 of Airport Addition, A Subdivision of Previously Platted Lot 2 of Fiala's Addition in the East ½ of the NW ¼ of Section 4, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota. The plat appears to follow the master plan. Motion by Genzlinger, seconded by Jirsa to approve the plat, all the members present voting aye, motion carried.

Plat: A Plat of Lot B-1, Block 1, Sunnyside Addition to the City of Mitchell, Davison County, South Dakota. Michelle Carpenter of Stepping Stones was available to answer questions. They are acquiring this property from the county and the additional area will be fenced. A reversion clause document is being prepared that says that if Dakota Counseling no longer uses the property the ownership returns to the county. Larson suggested there be an access identified on the plat. Motion by Molumby, seconded by Jirsa to approve the plat with the recommendation that an access for ingress/egress is to be identified on the plat. All members present voting aye, motion carried.

Plat: A Plat of Lots 5 & 6 of D. & D. Long's First Addition, A Subdivision of Irregular Tract No. 3 in the Northeast Quarter (NE ¼) of Section 23, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota. The current owners and prospective buyers were present to discuss the plat. The prospective owners wish to construct a single-family house on each of the respective lots. The property is currently outside the city limits. Mattie Street, which will be the frontage street, is not improved, but the right-of-way is platted. There are no utilities in the Mattie Street ROW. The commission discussed whether city utilities and services should be required on the property vs septic tanks and other water sources. The commission discussed future annexation. Ellwein asked if city building codes would be applicable. The new owners express concerns about various costs that may be assessed such as road improvements, fees, or taxes when future development may take place. The buyers said they must vacate their current homes very soon. Croce recommend the commission postpone action until the parties can meet with staff and devise a plan to address city services and future development. He suggested the following conditions and costs of the design and estimate for water, sewer, storm sewer, road improvements and other city requirements that may be the responsibility of the buyers and prepared by a professional engineer. He would also suggest requiring an annexation agreement to be approved by the city and the buyers. Motion by Molumby, seconded by Osterloo to approve the plat with the various conditions stated by staff. All members present voting aye, motion carried.

Discussion and recommendation of vacation of N. Langdon Street commencing at Fair Oaks Avenue going north to East 23rd Avenue. Avera Queen of Peace is looking to install a parking lot just east of their office building on N. Kimball Street. The parking lot would extend over the vacated right-of-way. The city resolution would require that there will be no building on the right of way and the existing utilities will maintain easements. The city has a storm sewer and Northwestern has utilities in the ROW. Additionally, there will be language that states if the utilities need to be serviced, then the property owner would bear the costs of the parking lot replacement and associated costs. There are two other affected property owners James and Grace Radke and RQE Engineers. Molumby and Osterloo have conflicts in regards to action of the commission. Therefore, a quorum on this item was not available. The commission asked about additional taxes and property that would need to be maintained. They also noted that Radke's need access to his garage north of his home. The commission expressed concern about the proposed vacation. They will discuss it more at their next meeting. No action taken.

Public Input: none

Chairman Larson adjourned the meeting at 1:10 pm

APPLICATION FOR CONDITIONAL USE PERMIT

TO: THE MITCHELL PLANNING COMMISSION AND THE BOARD OF ADJUSTMENT THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA.

The undersigned applicant(s) Yvonne Steward applicant, Mid Dakota Properties owner hereby is making an application for a conditional use permit pursuant to the provisions of the City of Mitchell Zoning Code as amended.

This Application is for the following described real property: S ½ of Lots 1 & 2, Block 14 & N ½ of Vacated Alley Rowley's 2nd Addition, NE 21-103-60, City of Mitchell, Davison County, South Dakota. (517 N Duff St).

Applicant(s) Yvonne Steward of the above-described real estate, request(s) to operate a childcare center in her home. The said real property is zoned (R4) Medium Residential District.

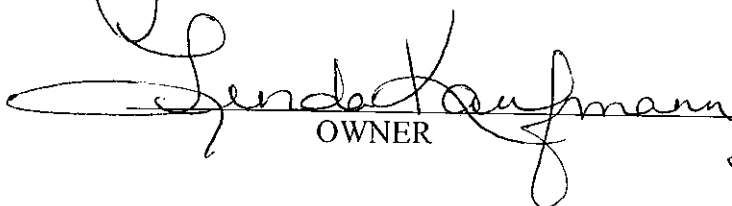
The names and addresses of the current property owners within one hundred and forty feet (140') of the applicant's property (excluding streets and alleys) will be notified upon the filing of this application.

Applicant(s) request that dates be set for public hearings before the Mitchell Planning Commission and the Board of Adjustment. Furthermore, the applicant requests the City of Mitchell to publish the appropriate notice(s) in accordance with the City of Mitchell's Ordinances.

Dated this 9 of November, 2018.



APPLICANT



OWNER

mid Dakota Properties ~~AB~~

VII

Pl 2-28-19
\$100
00066253

NOTICE OF HEARING

To: City Planning Commission, City of Mitchell Board of Adjustment and the General Public,

You are hereby notified that Yvonne Steward, applicant, and Mid Dakota Properties, owner, have applied for a conditional use permit to operate a family residential child care business at the property located at 517 N Duff St, legally described as S ½ of Lots 1 & 2, Block 14 & N ½ of vacated alley, Rowley's 2nd Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R4 Multi-Family Residential District.

The City Planning Commission will be conducting a hearing on this application on Monday, March 25, 2019 at 12:00 pm and the Board of Adjustment will be holding a hearing on Monday, April 1, 2019 at 6:00 pm, all meetings will be in the Council Chambers, City Hall, 612 N. Main St, Mitchell, SD. All interested parties may attend the hearings.

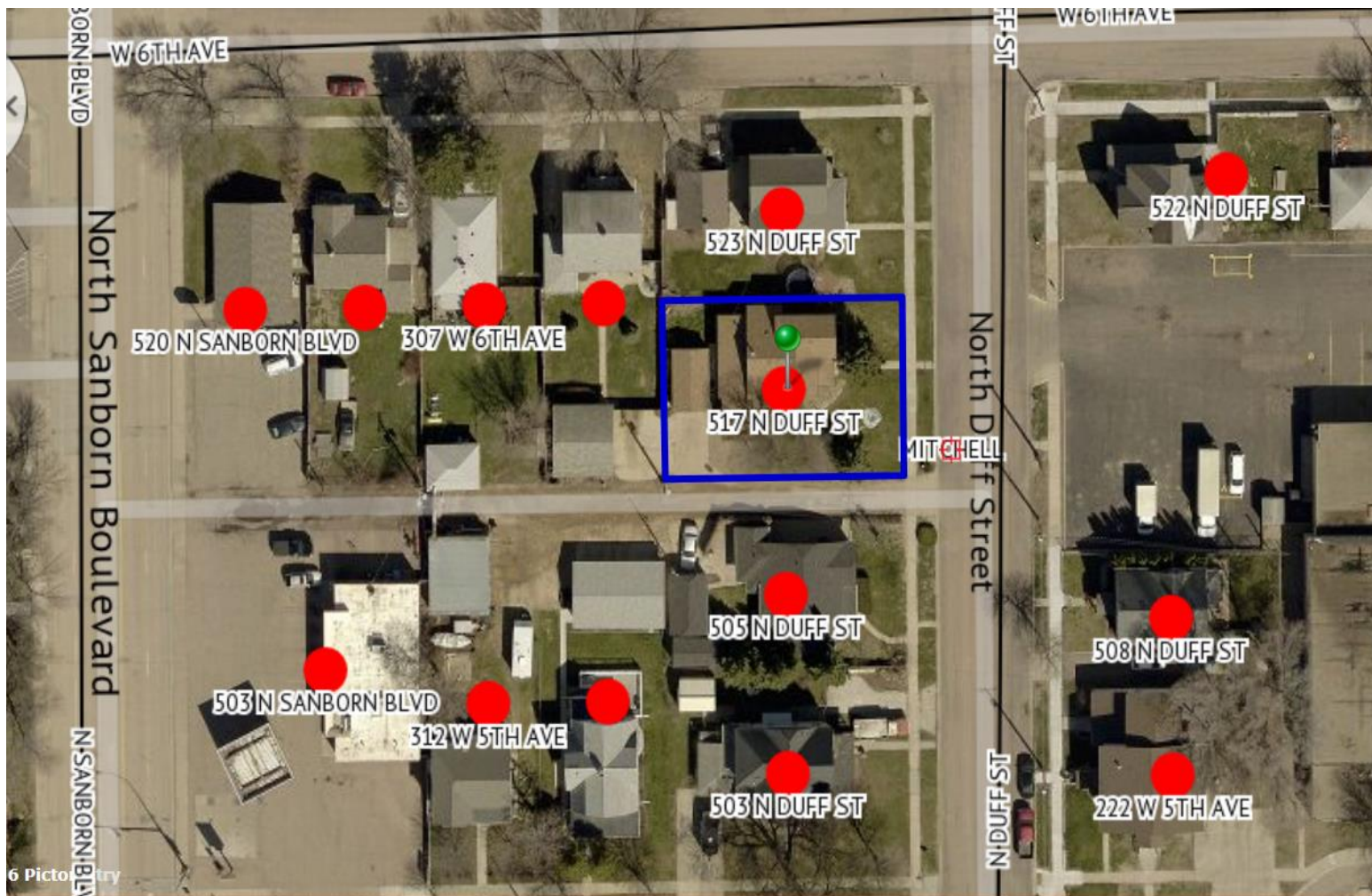
Dated at Mitchell, South Dakota, this the 7th day of March, 2019.

Michelle Bathke

Finance Officer

Publish Twice March 14 & March 21, 2019

Approximate Costs:



HAMILTON ENTERPRISES EAST LLC
PO BOX 1706
WILLISTON ND 58802

ELLIS RENTALS LLC
1523 S MILLER ST
MITCHELL SD 57301

JESSICA M CROSS
218 W 6TH AVE
MITCHELL SD 57301

FAITH M MENNING
222 W 6TH AVE
MITCHELL SD 57301

MARGARET A TOBIN
41140 265TH ST
ETHAN SD 57334

CASEY ROBIDEAU
305 W 6TH AVE
MITCHELL SD 57301

CASEY ROBIDEAU
307 W 6TH AVE
MITCHELL SD 57301

CLIFFORD D & CAROL L DAVIS
MICHAEL DONALD
316 W 6TH AVE
MITCHELL SD 57301

RICK D CARPENTER
319 W 6TH AVE
MITCHELL SD 57301

PATRICIA J BLEEKER
320 W 6TH AVE
MITCHELL SD 57301

SHANE & TAMI J SNYDER
503 N DUFF ST
MITCHELL SD 57301

MARGARET L SPENSLEY
PO BOX 814
MITCHELL SD 57301

KIMBERLY H BUTLER
700 E 5TH AVE
MITCHELL SD 57301

MID DAKOTA PROPERTIES VII LLC
407 N MAIN ST
MITCHELL SD 57301

RANDY YOUNG
522 N DUFF ST
MITCHELL SD 57301

JULIE PAYNE *disapprove*
523 N DUFF ST
MITCHELL SD 57301

TAMRA L HAJAR & DARIN KROGMAN
605 N DUFF ST
MITCHELL SD 57301

DULCINEA M STEWART
608 N DUFF ST
MITCHELL SD 57301

LAURA & NICHOLAS WENANDE
1505 TORREY PINES AVE
MITCHELL SD 57301

*Joe & Janice Schlingens
308 W 5th
Mitchell, SD*

*Rief
312 W 5th
Mitchell*

City of Mitchell | Public Works
612 North Main Street | Mitchell, SD 57301
Phone: 605-995-8433 | Fax: 605-995-8410
CityOfMitchell.org

Mitchell

Outside expectations

March 13, 2019

To Whom It May Concern:

You are hereby notified that Yvonne Steward, applicant, and Mid Dakota Properties, owner, have applied for a conditional use permit to operate a family residential child care business at the property located at 517 N Duff St, legally described as S ½ of Lots 1 & 2, Block 14 & N ½ of vacated alley, Rowley's 2nd Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R4 Multi-Family Residential District.

The City Planning Commission will be conducting a hearing on this application on Monday, March 25, 2019 at 12:00 pm and the Board of Adjustment will be holding a hearing on Monday, April 1, 2019 at 6:00 pm, all meetings will be in the Council Chambers, City Hall, 612 N. Main St, Mitchell, SD. All interested parties may attend the hearings.

I/We Shane & Tami Snyder
 OWNER
503 N Duff St

ADDRESS

 APPROVE

X DISAPPROVE

No response will indicate approval.

COMMENTS:

March 13, 2019

To Whom It May Concern:

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I/We Mid Dakota Properties
OWNER
517 N DUFF

ADDRESS

X APPROVE

 DISAPPROVE

No response will indicate approval.

COMMENTS:

March 13, 2019

TO WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED that Yvonne Steward (applicant) and Mid Dakota Properties (owner) have applied for a conditional use permit to operate family residential childcare center in the residence located at 517 N. Duff St. legally described as S ½ of Lots 1 & 2, Block 14 & N ½ of vacated alley, Rowley's 2nd Addition, City of Mitchell, Davison County, South Dakota. The property is zoned (R4) High Density Residential District.

YOU ARE FURTHER NOTIFIED, that public hearings will be held by the Planning Commission on March 25, 2019, 12:00 P.M and the Board of Adjustment on April 1, 2019, at 6:00 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.

I/We

Joe & Janice Schlenger
OWNER

308 W 5th Ave

ADDRESS

 APPROVE

✓ DISAPPROVE

No response will indicate approval.

COMMENTS:

March 13, 2019

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I/we Margaret L. Spensley
OWNER
505 N. Duff, Mitchell, SD 57301

ADDRESS

____ APPROVE

X DISAPPROVE

No response will indicate approval.

COMMENTS:

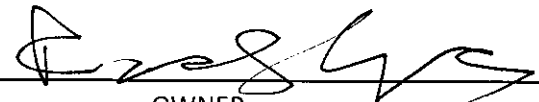
No yard for children. Alley is closed but very busy because homeowners. Duff Street is very busy because of Post office.

March 13, 2019

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I/We 
OWNER
Randy Young
ADDRESS 522 n. Duff

 APPROVE
✓ DISAPPROVE

No response will indicate approval.

COMMENTS:

City of Mitchell - Public Works
812 North Main Street, Mitchell, SD 57301
Phone: 605-995-8400 Fax: 605-995-8410
CityOfMitchell.org

Mitchell

Outside expectations

March 13, 2019

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I/We Jessica Cross Jessica Cross
OWNER
218 W. 6th

ADDRESS

 APPROVE

X DISAPPROVE

No response will indicate approval.

COMMENTS:

March 13, 2019

To Whom It May Concern:

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I/We Tate Menning
OWNER
222 W 6th Ave.
ADDRESS

 APPROVE

X DISAPPROVE

No response will indicate approval.

COMMENTS:

N/A

Mitchell

Without a permit

March 13, 2019

To Whom It May Concern:

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I/We

Richard Carpenter
OWNER
319 W 6th Ave

ADDRESS

 APPROVE

X DISAPPROVE

No response will indicate approval.

COMMENTS:

Mitchell

Mitchell, South Dakota

March 13, 2019

To Whom It May Concern:

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I/We

Michael Donald Davis

Donald Davis

OWNER

316 W. 6th Ave

ADDRESS

 APPROVE

 X DISAPPROVE

No response will indicate approval.

COMMENTS:

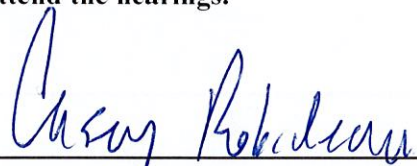
March 13, 2019

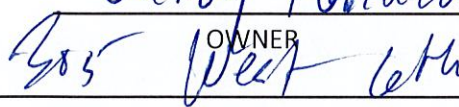
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I/We



OWNER


ADDRESS

APPROVE



DISAPPROVE

No response will indicate approval.

COMMENTS:

Mitchell

Mitchell, SD 57501

March 13, 2019

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I/We

CASEY ROBIDEAU / ANGE NAGEL

OWNER

307 W. 6th

ADDRESS



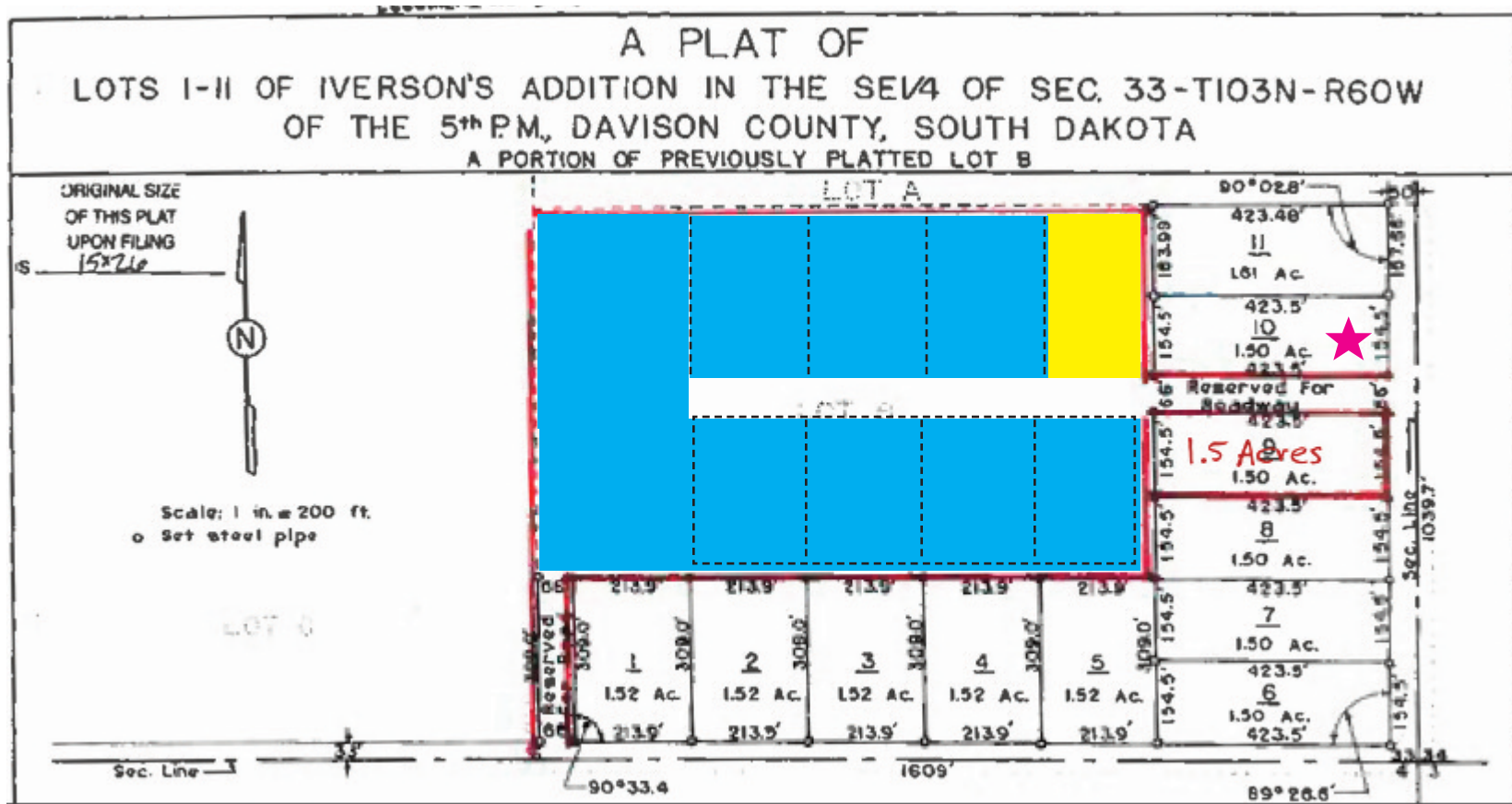
APPROVE



DISAPPROVE

No response will indicate approval.

COMMENTS:

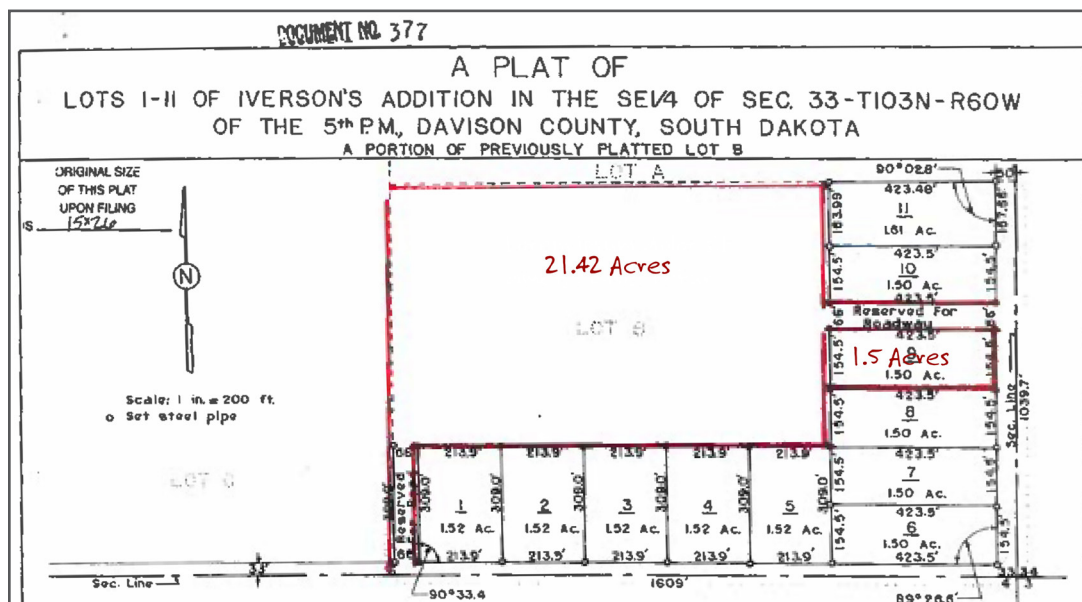


- Yellow area is what we want to give to our son to build a home. (plat/pin that area)
- Blue area is the rest of the land we bought. As of right now we have no plans to sell these lots but we do have a couple other children and a nephew who might want a lot and I didn't know if cheaper/easier to have those marked/mapped out at same time. (BUT NOT PLATTED/PINNED YET)
 I think the term was used to have a master plan and sub-divide out but not actually plat them yet) Not sure if I explaining or using correct terms of what I want.

They would all be like the ones that area already plated (approx. 1.52 arce lots)
 I tried to show w/ dotted lines.

Larry Crane
mobile | **605-770-SOLD** (7653)
Broker CRANE REALTY, LLC
106 W. 5th Avenue, Suite 1
Mitchell, SD 57301
office | **605-996-SOLD** (7653)
cranerealty@cranerealty.net

**Davison County
Lots 1-11 of
Iverson's
addition in the
SE1/4 of Sec.
33-T103N-R60W
of the 5th P.M.**



A rare opportunity!
22.9 acres,
very close to
Mitchell on oil
road. Great
location to build
your home and
develop your
dreams! Less than
a mile south on
Rowley Street.



Call Larry at 605-770-SOLD (7653)

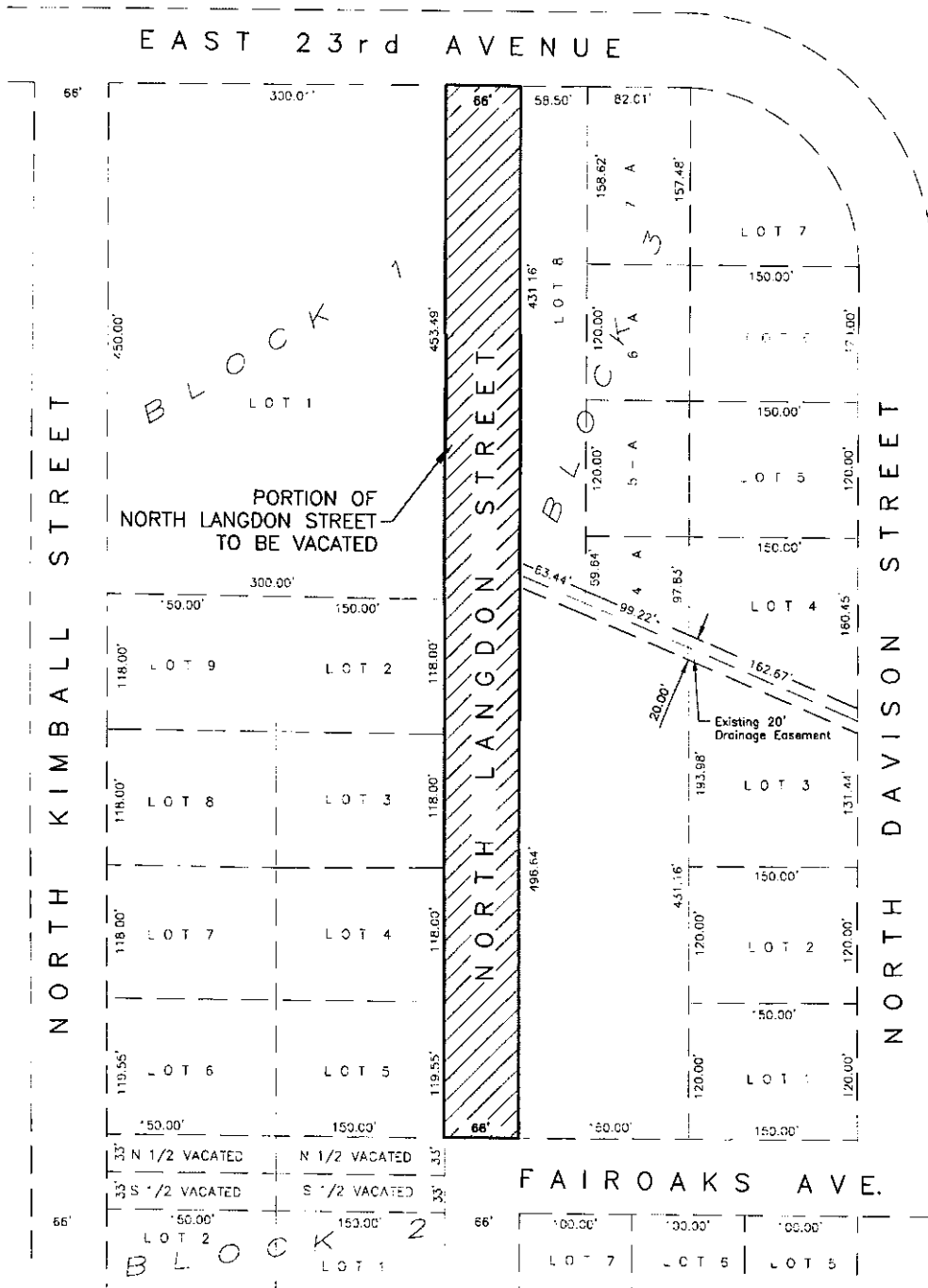


@996SOLD





SCALE: 1" = 100'





**PETITION FOR VACATION AND
CONDITIONAL GRANT OF EASEMENT**

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF MITCHELL,
SOUTH DAKOTA

The undersigned, being the owners of real property abutting the portion of the undeveloped street hereinafter described, hereby petition this governing body to vacate, subject to existing utilities, the portion of said street set forth below pursuant to the statutes in such cases made, and provided, particularly SDCL 9-45-7, et. seq., and the Petitioners respectfully show and represent the following:

1. The portion of Langdon Street to be vacated, subject to existing utilities, is described as follows:

That portion of Langdon Street running north and south between the west side of Lot Eight (8) in Block Three (3) through the west 150' of Block Three (3), extending from Fair Oaks Avenue north to center of the 20 foot drainage easement as platted, and the east side of Lots One (1) through Five (5) in Block One (1), all located in the Greenridge Addition to the City of Mitchell, Davison County, South Dakota.

2. An illustration of the portion of Langdon Street proposed to be vacated is attached hereto, and marked as Exhibit "A" and by this reference is incorporated herein.
3. Avera Queen of Peace, a South Dakota non-profit corporation, of 525 North Foster Street, Mitchell, South Dakota owns Lots One (1) through Four (4) in Block One (1) and Lot Eight (8) in Block Three (3), all located in the Greenridge Addition to the City of Mitchell, Davison County, South Dakota.
4. James L. Radke and Grace Radke, husband and wife, of 324 Fair Oaks Avenue, Mitchell, South Dakota owns the west 150' of Block Three (3), extending from Fair Oaks Avenue north to center of the 20 foot drainage easement as platted, located in the Greenridge Addition to the City of Mitchell, Davison County, South Dakota.
5. Robert B. Everson and Elna M. Everson, husband and wife, of 33 South Harmon Avenue, Mitchell, South Dakota owns Lot Five (5) in Block One (1), located in the Greenridge Addition to the City of Mitchell, Davison County, South Dakota.
6. The above property constitutes all of the land adjoining the portion of Langdon Street sought to be vacated.

7. That existing utilities are located in and under the West 40 Feet of the proposed portion of Langdon Street to be vacated (as shown in Exhibit "B"). In the event that the City proceeds with vacating the proposed portion of Langdon Street, and in consideration of the grant of such request to vacate, the parties to this Petition ("Granting Parties") do hereby GRANT to the existing utility owners a perpetual easement for the continued use, maintenance, repair, and replacement of the utilities in the above described location, and as shown in Exhibit "B", along with the right of ingress, egress, and temporary use of such adjacent space reasonable and supplementary to such use, maintenance, repair, and replacement. Such GRANT is effective as to each Granting Party for the portion of the vacated street that accrues to such Granting Party. The GRANT is deemed to arise at the time the vacation of the proposed portion of Langdon Street becomes effective. Each Granting Party is prohibited from building any structure or other improvement over the utility easement locations as described above, and as shown in Exhibit "B", not to include hard surface improvements, fencing, or gate. That in the event a Granting Party makes, installs, or otherwise places any hard surface improvement, fencing, or gates over the utility easement locations as described above, and as shown in Exhibit "B", such Granting Party shall be solely responsible for the repair or replacement of such hard surface improvement, fencing, or gates if the said improvement is damaged or destroyed by or on behalf of the utility owner in using, maintaining, repairing, or replacing its utilities. However, after accessing buried utilities, the utility owner will be responsible for restoration of the ground, including grass, to its natural, unimproved state. Such easement shall constitute a covenant running with the land and be binding upon all Granting Parties and their respective successors in interest.

WHEREFORE, Petitioners respectfully pray that the governing body order this Petition to be filed with the City Finance Officer, and direct that notice of the time and place when the Petition will be considered be given by publication once each week for two successive weeks; and that upon said hearing, the governing board adopt a resolution vacating the portion of the street set forth in this Petition pursuant to SDCL 9-45-7 et seq.

Dated this ____ day of MarchApril, 2019.

[signature pages to follow]

AVERA QUEEN OF PEACE

By _____
Its: Regional President and CEO

STATE OF SOUTH DAKOTA
SS

COUNTY OF DAVISON

On this the ____ day of ~~March~~April, 2019, before me, the undersigned officer, personally appeared Thomas A. Clark, who acknowledged himself to be the Regional President and CEO of Avera Queen of Peace, a South Dakota non-profit organization, and that as such Regional President and CEO being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the non-profit corporation by himself as Regional President and CEO.

Subscribed and sworn to before me this ____ day of ~~March~~April, 2019.

Notary Public

My Commission Expires:

JAMES L. RADKE

By _____

STATE OF SOUTH DAKOTA

SS

COUNTY OF DAVISON

| On this the ____ day of ~~March~~April, 2019, before me, the undersigned officer, personally
| appeared James L. Radke, who acknowledged himself, executed the foregoing instrument for the
| purposes therein contained.

| Subscribed and sworn to before me this ____ day of ~~March~~April, 2019.

Notary Public

My Commission Expires:

GRACE RADKE

By _____

STATE OF SOUTH DAKOTA

SS

COUNTY OF DAVISON

| On this the ____ day of ~~March~~April, 2019, before me, the undersigned officer, personally
appeared Grace Radke, who acknowledged herself, executed the foregoing instrument for the
purposes therein contained.

| Subscribed and sworn to before me this ____ day of ~~March~~April, 2019.

Notary Public

My Commission Expires:

ROBERT B. EVERSON

By _____

STATE OF SOUTH DAKOTA

SS

COUNTY OF DAVISON

| On this the ____ day of ~~March~~April, 2019, before me, the undersigned officer, personally
| appeared Robert B. Everson, who acknowledged himself, executed the foregoing instrument for
the purposes therein contained.

| Subscribed and sworn to before me this ____ day of ~~March~~April, 2019.

Notary Public

My Commission Expires:

ELNA M. EVERSON

By _____

STATE OF SOUTH DAKOTA

SS

COUNTY OF DAVISON

| On this the ____ day of ~~March~~April, 2019, before me, the undersigned officer, personally
appeared Elna M. Everson, who acknowledged herself, executed the foregoing instrument for the
purposes therein contained.

| Subscribed and sworn to before me this ____ day of ~~March~~April, 2019.

Notary Public

My Commission Expires:

APPLICATION FOR REZONING

TO: THE MITCHELL PLANNING COMMISSION AND CITY COUNCIL, THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA.

The undersigned applicant(s) and owner(s), James W & Julie A Thue are hereby making an application for rezoning pursuant to the provisions of the City of Mitchell Zoning Code.

This Application is for the following described real property:

Lot C in the E1/2 of the NE ¼ Section 30, T 103 N, R 60 W, Davison County, South Dakota. The applicant wishes to rezone property from TWC Transportation, Warehousing and Commercial District to Urban Development District and the official zoning map be changed.

The names and addresses of the current property owners within one hundred and forty feet (140') of the applicant's property (excluding streets and alleys) will be notified upon the filing of this application.

Applicant(s) request that dates be set for public hearings before the Mitchell Planning Commission and City Council. Furthermore, the applicant(s) request the City of Mitchell to publish the appropriate notice(s) in accordance with the City of Mitchell's Ordinances.

Dated this 24 of MARCH, 2019.



APPLICANT



OWNER

NOTICE OF HEARING

TO: Mitchell City Planning Commission, Mitchell City Council, and the General Public:

The City Planning Commission has scheduled a public hearing and action on the following ordinance. The hearing will be Monday, April 8, 2019 at 12:00 pm, the City Council will consider 1st Reading of the Ordinance on Monday, April 15, 2019 at 6:00 pm and 2nd Reading and Adoption on Monday, May 6, 2019 at 6:00 pm, all meetings will be held in the Council Chambers, City Hall, 612 N Main St, Mitchell, SD. All interested parties are encouraged to attend the meetings.

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF MITCHELL, THAT CHANGES THE ZONING DISTRICT CLASSIFICATION OF THE REAL PROPERTY LEGALLY DESCRIBED AS; Lot C in the E ½ of NE ¼ of Section 30, T 103 N, R 60 W, Davison County, South Dakota from TWC Transportation, Warehousing, and Commercial District to UD Urban Development District and the official zoning map be changed to reflect the same.

BE IT ORDAINED BY THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA:

Section 1: AN ORDINANCE OF THE CITY OF MITCHELL, THAT CHANGES THE ZONING DISTRICT CLASSIFICATION OF THE REAL PROPERTY LEGALLY DESCRIBED AS; Lot C in the E1/2 of NE1/4 of Section 30, T 103 N, R 60 W, Davison County, South Dakota from TWC Transportation, Warehousing and Commercial District to UD Urban Development District and the official zoning map be change to reflect the same.

Section 2. The City Finance Officer shall publish notice of this ordinance and the same shall be effective 20 days after the completed publication thereof, unless the referendum shall be invoked as provided by law.

Passed and approved this the 6th day of May, 2019.

MAYOR

ATTEST:

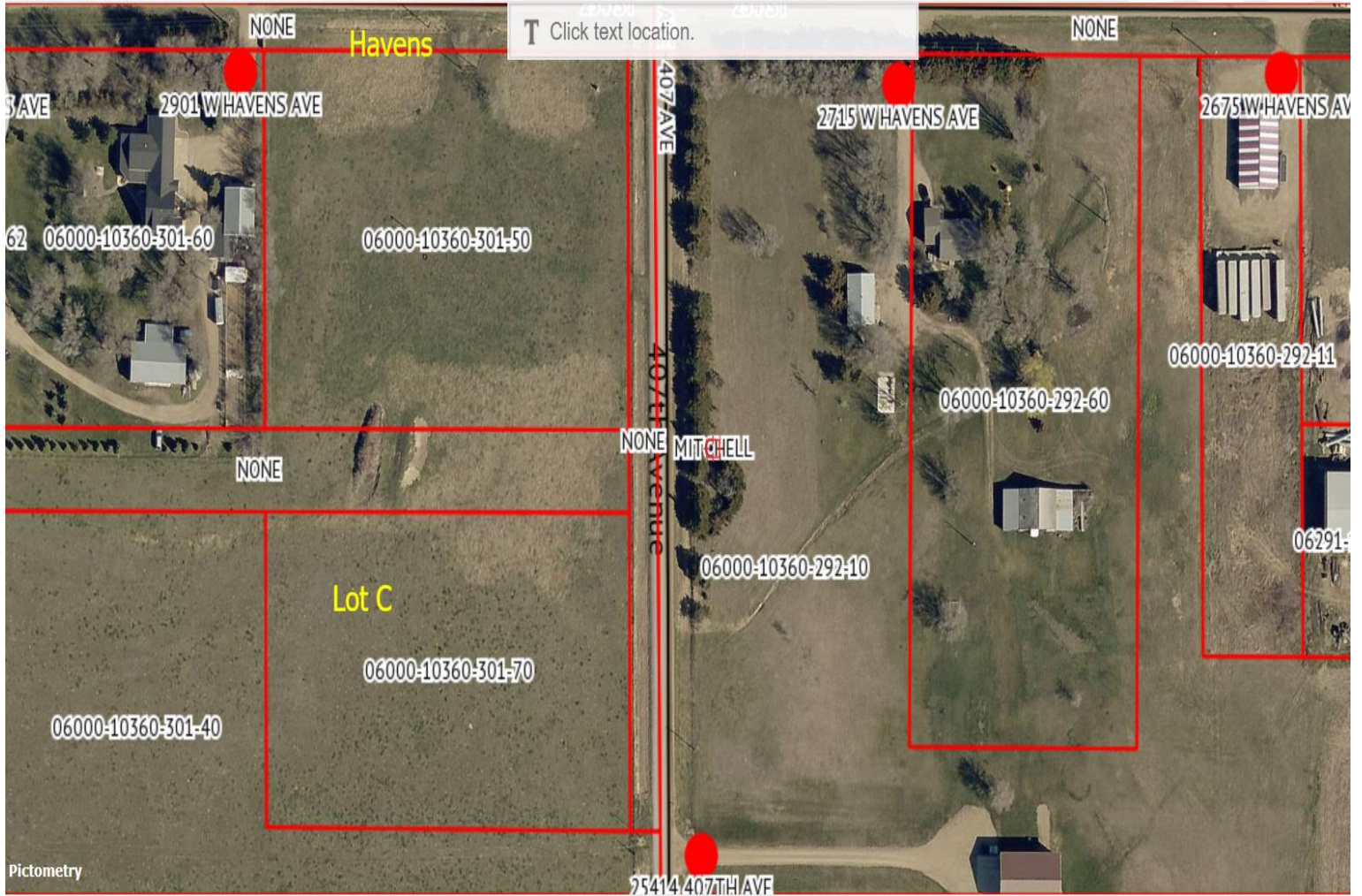
FINANCE OFFICER

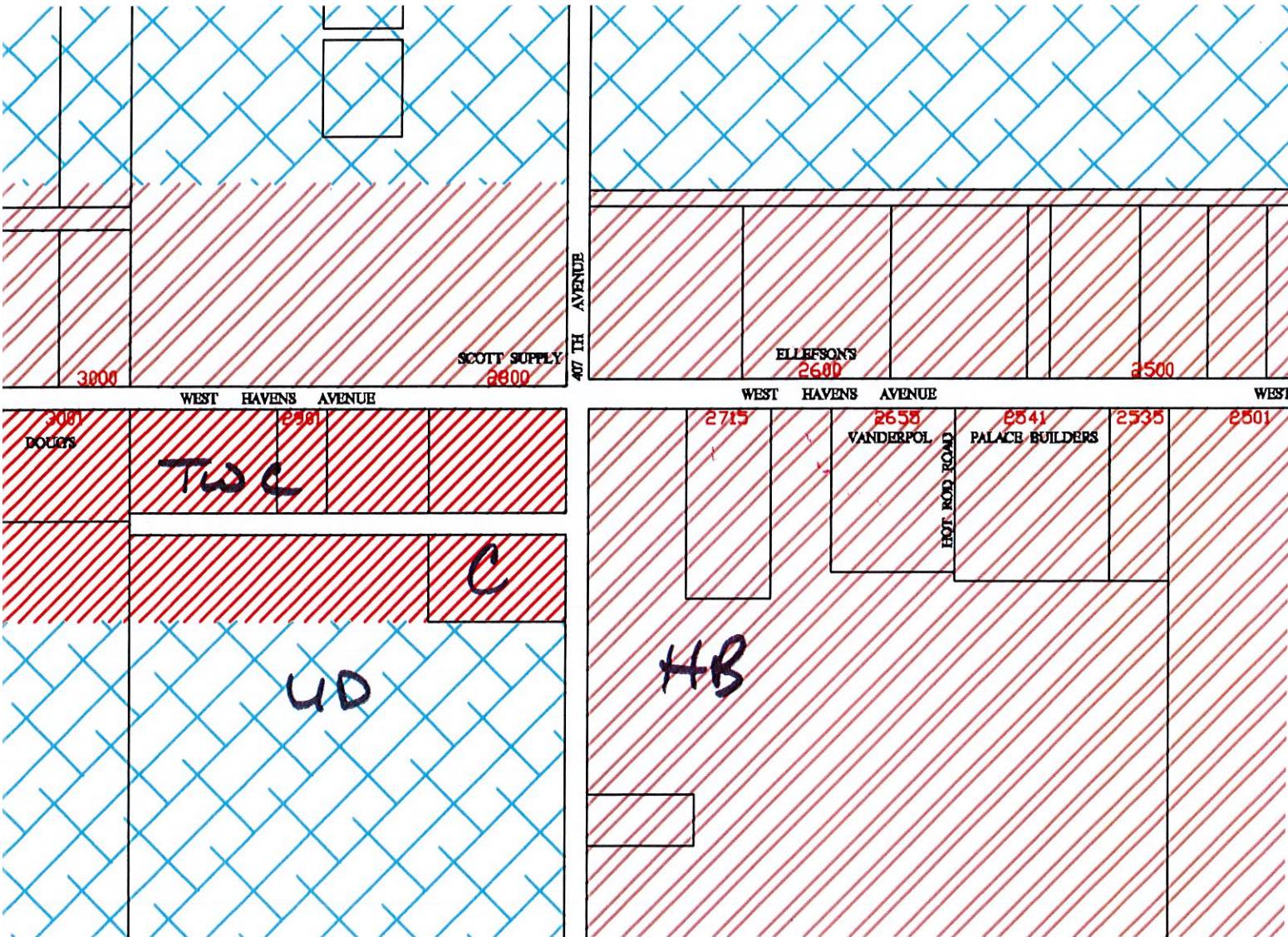
{SEAL}

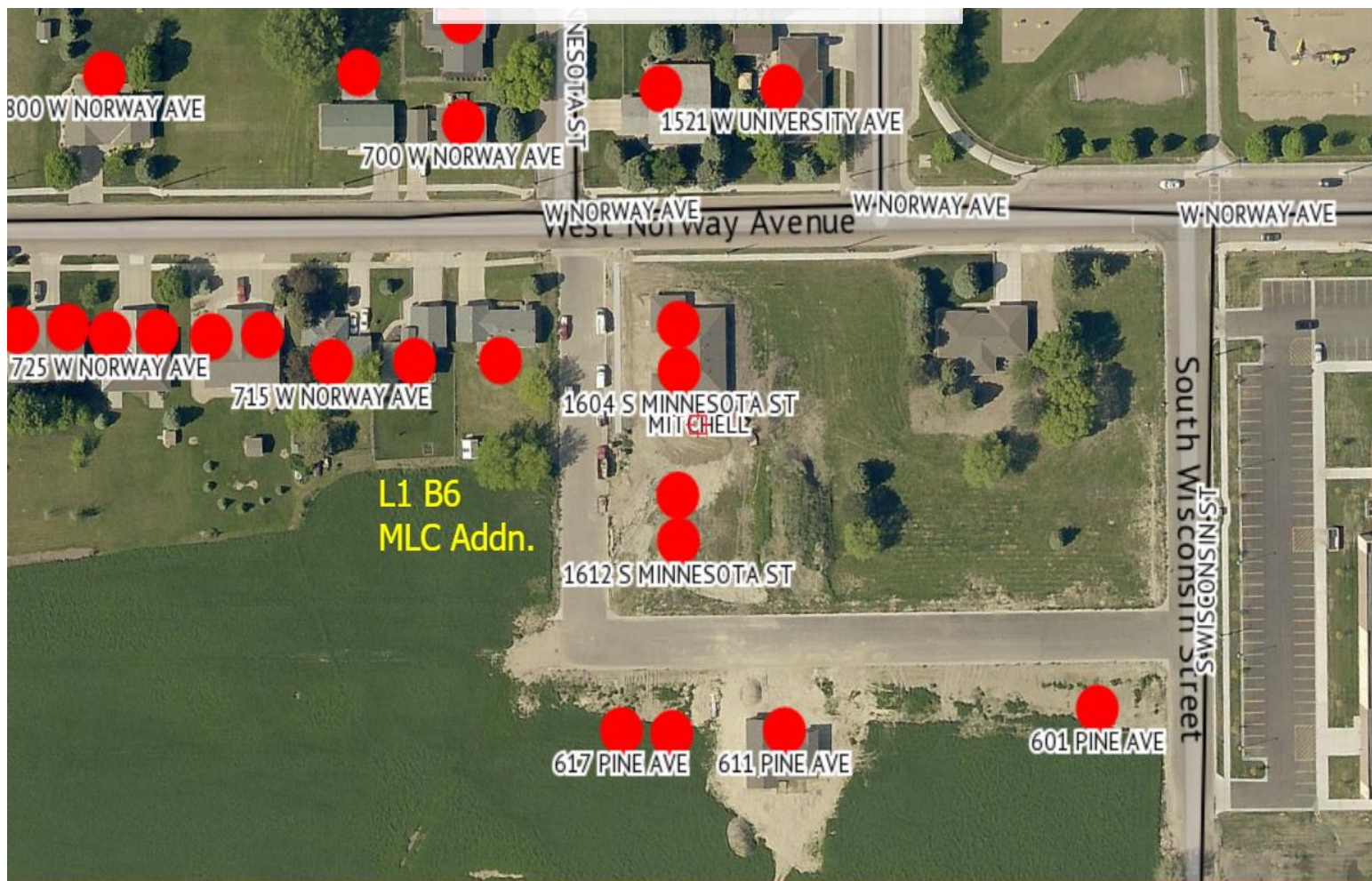
FIRST READING: April 15, 2019
SECOND READING: May 6, 2019
ADOPTION: May 6, 2019

Published: March 28, April 4, April 25, 2019

Approximate Costs:









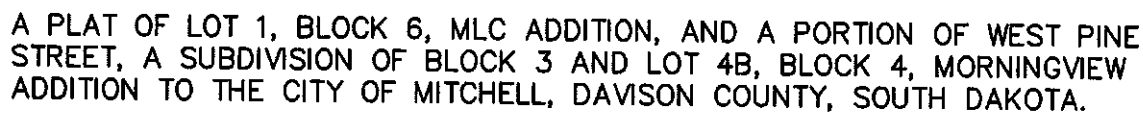
● = FOUND IRON MONUMENT
○ = SET 5/8" X 18" REBAR WITH PLASTIC CAP NO. 6702

100' (R) = RECORDED BEARING OR DISTANCE
100' = MEASURED BEARING OR DISTANCE
[Symbol] = SET NAIL
[Symbol] = SET SURVEY SPIKE
4.00 CH (P) = PLATTED DISTANCE IN CHAINS
[Symbol] = FOUND NAIL
[Symbol] = SET 3/8" x 12" SPIKE
W/WASHER PUR-6702
WM = WATERS 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

COORDINATE SYSTEM IS SOUTH DAKOTA SOUTH
ZONE, STATE PLANE - NORTH AMERICAN
DATUM 1983 - GEOID 12B.

NOTE:
THIS SURVEY WAS PERFORMED WITHOUT
THE BENEFIT OF A TITLE REPORT OR TITLE
COMMITMENT. EASEMENTS OF RECORD WERE
NOT RESEARCHED AND ARE NOT SHOWN
UNLESS OTHERWISE NOTED.



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 Mueller Lumber Company, a South Dakota corporation, as owner, and under its direction for purposes indicated therein, I did on or prior to March 27, 2019, survey those parcels of land described as follows: LOT 1, BLOCK 6, MLC ADDITION, AND A PORTION OF WEST PINE STREET, A SUBDIVISION OF BLOCK 3 AND LOT 4B, BLOCK 4, MORNINGVIEW ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA.

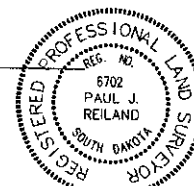
Dated this _____ day of _____, 2019.

Registered Land Surveyor #SD6702

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



OWNER'S CERTIFICATE, DEDICATION AND AGREEMENT OF PROTECTION OF WATER

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 2019.

CORPORATION ACKNOWLEDGMENT

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

RESOLUTION OF CITY PLANNING COMMISSION

