

**CITY OF MITCHELL
CITY PLANNING COMMISSION MINUTES
October 15, 2019**

Chairman Larson called the October 15, 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, Genzlinger, Fergen, Jirsa, Osterloo, Vaux
Members Absent: Molumby, Allen

Staff Present: Putnam, London, Schroeder, Hegg, Croce, J. Johnson, Elllwein, T. Johnson

Declaration of Conflicts: Fergen announced a Conflict of Interest on Agenda Item #15

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

Approval of Minutes: Motion by Genzlinger, seconded by Fergen to approve the minutes of the September 23, 2019 meeting. All members present voting aye, motion carried.

Schedule Next Meeting: Motion by Osterloo, seconded by Vaux to schedule the next meeting for October 28, 2019. All members present voting aye, motion carried.

Variance: Ronald Fessler has applied for a side-yard on a corner variance of 10 feet vs 20 feet and a backyard variance of 22 feet vs 25 feet as required for construction of an addition and garage located at 1101 W 7th Ave, legally described as E ½ of Lot 1, Block 3, Bracy's Addition, City of Mitchell, Davison County, South Dakota. Letters to neighbors were sent and public notice has been published in the legal newspaper. No one was present to address the variance. No written objections were presented. Larson indicated that sometimes a 50' lot provides limitations. There was discussion about past variances with similar requests. Motion by Genzlinger, seconded by Fergen to recommend the Board of Adjustment approve the variance with new construction be two feet further west, hence a 12 feet side-yard corner variance, the backyard variance of 22 feet is acceptable, and that there be no parking allowed on the driveway that may block the sidewalk. Roll Call: Vaux yes, Fergen yes, Larson yes, Genzlinger yes, Jirsa yes, Osterloo no, Molumby absent. Motion carries 5 to 1.

Hearing and Approval: Rezoning of Lots 12 & 13, Block 8, Applegate Addition, City of Mitchell, Davison County, South from TWC Transportation, Warehousing, and Commercial District to R2 Single Family Residential District. Adam Roeder is the owner of the property and he resides at 312 S Winsor. He was present. Putnam pointed out the property to the west is R2. The rezoning would facilitate opportunities for residential construction and financing. The property owner at 801 E Ash asked about taxes and the effect on his property and noted a nuisance property in the neighborhood. He was supportive of Mr. Roeder. Motion by Osterloo, seconded by Genzlinger to recommend the City Council approve the rezoning request. Roll Call: Jirsa yes, Fergen yes, Osterloo yes, Vaux yes, Larson yes, Genzlinger yes, Molumby absent. Motion carried 6-0.

Plat: A Plat of Lot M1-C, A Subdivision of a Portion of Previously Platted Lot M1 in the NE ¼ of Section 15, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota. Motion by Jirsa, seconded by Vaux to approve the plat. All members present voting aye, motion carried.

Plat: A Plat of Lot 10, Block 4 of Woodland Heights First Addition, A Subdivision of Lot 2, Crane's Addition in the SE ¼ of Section 34, T 103 N, R 60 W of the 5th P. M., City of Mitchell, Davison County, South Dakota. Motion by Osterloo, seconded by Fergen to approve the plat. All members present voting aye, motion carried.

Plat: A Plat of Lot 23 of the Island First Addition, A Subdivision of the SE ¼ of Section 31, T 104 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota. Motion by Vaux, seconded by Jirsa to approve the plat. All members present voting aye, motion carried.

Plat: A Plat of Lot 45 of the Island First Addition, A Subdivision of the SE ¼ of Section 31, T 104 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota. Motion by Fergen, seconded by Jirsa to approve the plat. All members present voting aye, motion carried.

Plat: A Plat of Lot 50 of the Island First Addition, A Subdivision of the SE ¼ of Section 31, T 104 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota. Motion by Genzlinger, seconded by Osterloo to approve the plat. All members present voting aye, motion carried.

Plat: A Plat of Lot J, A Subdivision of Previously Platted Lot S of Maui Farms Second Addition, City of Mitchell, Davison County, South Dakota. Motion by Genzlinger, seconded by Fergen to approve the plat. All members present voting aye, motion carried.

Discussion and/or recommendation on vacation of the alley right-of-way describes as the south half of the north-south alley in the 700 Block of W 7th Ave. Putnam reminded the commission is not required to vote on the vacation petition, but the council often ask for their input. Dwight Stadler provided some background information on the request and noted that locates have been completed and no utilities are in the alley. Contreras' garage encroaches within the alley RO, but it is permitted to stay per a 1999 city resolution. Dave Bechen, owner to the north, suggested the petition be delayed until it is determined if his water and sewer lines are to come from W 7th Ave through the alley or from Montana Street on the west. J. Johnson explained easements in relation to vacation. Larson expressed concern about vacating city right-of-ways. There was discussion that it may be appropriate to vacate the north half of the alley with the block as well. Motion by Genzlinger, seconded by Jirsa to recommend the council delay the approval of the vacation until the utilities for Bechen are final. Roll call: Fergen abstain, Vaux yes, Larson yes, Osterloo yes, Genzlinger yes, Jirsa yes, Molumby absent. Motion carried 5-0.

Public Input: none

Chairman Larson adjourned the meeting at 12:45 pm.

