

**CITY OF MITCHELL
CITY PLANNING COMMISSION MINUTES
December 14, 2020**

Chairman Larson called the December 14, 2020 City Planning Commission Meeting to order in the Council Chambers, City Hall, 612 N Main St, Mitchell, SD

Members Present: Larson, Molumby, Genzlinger, Jirsa, Osterloo, Vaux, Penney, and Allen

Members Absent: none

Staff Present: Putnam, Schroeder, T. Johnson, Sandoval, London, Croce, Hegg, & Mayor Everson

Declaration of Conflicts of Interest: none

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

Approval of Minutes: Motion by Osterloo, seconded by Jirsa to approve the minutes of the November 23, 2020 meeting. All members present voting aye, motion carried.

Schedule Next Meeting: Motion by Jirsa, seconded by Vaux to schedule the next meeting for January 11, 2021. All members present voting aye, motion carried

Discussion and recommendation of the vacation of the 1300 Block of S Kimball St. The property owners on both sides of the S Kimball Street Right-of-way have petitioned the city council to consider the vacation. Schroeder mentioned that there are various encroachments such as a sign, fence and a wall that has been in the ROW for a very long time. Schroeder also mentioned there are no city utilities within the ROW. Larson indicated that he is opposed to most vacations. The owners would each gain 33' and if vacated the public street would become a private road, with no city maintenance. Sandoval, Fire Marshall, explained how emergency response may be handled. T. Johnson mentioned the possible impact on federal funding for road projects, if the city permits encroachments into the ROW. Croce also expressed opposition in allowing encroachments. Motion by Genzlinger, seconded by Osterloo to recommend denial of the vacation and suggest the encroachments be removed. All members present voting aye, motion carried.

Plan Approval: Klockwerks, 915 S Kimball St, Highway Oriented Business District. The owner of the property wishes to construct a 65' x 61' addition on the west side of the building. It will be used for cold storage. It was mentioned that the TIF district is being dissolved. Schroeder indicated that prior to a building permit, the owner should submit a drainage and parking lot plan. He also mentioned that sidewalk will be required on the street that has curb and gutter. Croce also indicated that we require landscaping. Motion by Vaux, seconded by Genzlinger to approve the plan subject to the requirements requested by the Public Works Department. All members present voting aye, motion carried.

Plat: A Plat of Lot 8-H, Block 7 of Westwood First Addition, A Subdivision of the SW ¼ of Section 16, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota. Schroeder recommended that elevations and drainage be submitted to the engineer's office prior to final approval of the plat.

The developer is aware of the request. Motion by Genzlinger, seconded by Jirsa to recommend approval subject to the engineer's office requirements. All members present voting aye, motion carried.

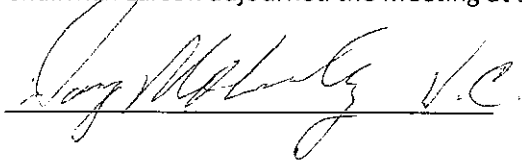
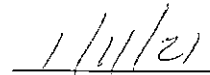
Plat: A Plat of Lots 8-B-C-D-F, Block 7 of Westwood First Addition, A Subdivision of the SW ¼ of Section 16, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota. The purpose of this plat is to convey ownership of existing units at 960 N Ohlman and new construction south of the existing. A building permit has been issued so construction information has been provided. Motion by Jirsa, seconded by Osterloo to approve the plat. All members present voting aye, motion carried.

Plat: A Plat of Lots 9-11 in Tract J, Wild Oak Golf Club Addition to the City of Mitchell, Davison County, South Dakota. This plat appears to follow the master plan. Motion by Molumby, seconded by Vaux to approve the plat. All members present voting aye, motion carried.

Discussion and Information Only. Elevation requirements for plats and building permits, Engineer's Office. Schroeder provided an explanation of the letter that he sent to surveyors, developers, builders, and others involved in construction. He mentioned that city code requires development to submit drainage plans and elevations with the master plan. The code was updated in 2012. The office has contacted other cities on how they address transferring elevation information to builders and building permit officials. Some put the information on the plats and some use other documents that are recorded at the county. The purpose of this is to provide future owners and their builder's elevation information on limitations for construction. T. Johnson mentioned that the office often receives drainage complaints from homeowners and in most instances there is not much that can be done by the city and the property owners need to pursue civil action. The commissioners asked about situations involving very large properties that are yet to be developed and if this affects existing developments. Staff indicated there will be case by case situations and yes, this is policy will be in place with all plats going forward. Jerry Claseman and Doug Backlund expressed concern about the affect this may have on the costs and salability of remaining lots within their development. They equated it to 'spot zoning'. Larson indicated support of the policy. Genzlinger asked about the potential liability of the city. Molumby asked about those whom purchased lots for speculation or don't have immediate plans for building. The commission took no action.

Public Input: none

Chairman Larson adjourned the meeting at 12:55 PM.

A handwritten signature in dark ink, appearing to read "Doug Backlund", written over a horizontal line.A handwritten date "1/11/21" written in dark ink.