

**CITY OF MITCHELL
CITY PLANNING COMMISSION
COUNCIL CHAMBERS, CITY HALL, 612 N MAIN ST
MONDAY, MAY 10, 2021; 12:00 pm (NOON)**

- 1. CALL TO ORDER:**
- 2. ROLL CALL:**
- 3. Declaration Of Conflicts Of Interests**
- 4. APPROVE AGENDA:**
- 5. Approval Of Minutes: April 26, 2021**

Documents:

[PLANNINGCOMMINUTES4262021.PDF](#)

- 6. Schedule Next Meeting: May 24, 2021**

- 7. Conditional Use Permit: Erika Hennessey, 1325 Palmer Place**

Erika Hennessey has applied for a conditional use permit to operate a family residential child care in her home at 1325 Palmer Place, legally described as Lot 5 & W 3' of Lot 4, Gardenview Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R2 Single Family Residential.

Documents:

[APPHENNESSEY.PDF](#)
[NOHHENNESSEY.PDF](#)
[HENNESSEYNEIGHBORS.PDF](#)
[HENNESSEYLETTERS.PDF](#)
[AERIALHENNESSEY.PDF](#)

- 8. Hearing And Recommendation: An Ordinance Amending 10-9B-3, Woodland Heights Planned Development District**

Lot 7, Block 1 Woodland Heights from Subarea A, which requires two family dwellings to Subarea B which only allows single-family dwellings

Documents:

[WOODLANDHEIGHTSPUD.PDF](#)
[WOODLANDHEIGHTSAMENDMENT.PDF](#)
[NOHAN ORDINANCE AMENDING ARTICLE B WOODLAND HEIGHTS PLANNED DEVELOPMENT DISTRICT.PDF](#)
[LETTERSWOODLANDHEIGHTS.PDF](#)

- 9. OTHER BUSINESS:**

- 10. 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.**

- 11. 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
APRIL 26, 2021**

NOT APPROVED

Chairman Larson called the April 26, 2021 City Planning Commission Meeting to order at 12:00 PM (Noon) in the Council Chambers, City Hall, 612 N Main St.

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

Staff Present: Putnam, Schroeder, Croce, J. Johnson, Ellwein, Hegg, Sandoval, London, and Mayor Everson

Conflicts of Interest: Sonne Agenda Item #11

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

Approval of Minutes: Motion by Osterloo, seconded by Penney to approve the minutes of the April 12, 2021 Meeting. All members present voting aye, motion carried.

Schedule Next Meeting: Motion by Jirsa, seconded by Osterloo to schedule the next meeting for May 10, 2021. All members present voting aye, motion carried.

Plan Approval: Exit Realty, 117 E 4th Ave, Central Business District. Kleve Klingaman, owner, and Dan Boehmer, contractor, were present to present the proposal. Putnam noted the two building north and south of the proposed garage are contributing buildings within the historic district. He has communicated with SHPO and they suggested the new building not be connected to the existing buildings and that the façade be historically appropriate. Boehmer said the drainage will go west and will not have overhang installed. Hegg reminded everyone of the requirement for fire rated walls. Klingaman mentioned to the commission the event of the improvements he has done to the property and he plans to improve the Lawler side on his realty building. Jirsa expressed concerns about the metal façade of various buildings in downtown. Motion by Jirsa, seconded by Osterloo to approve the plan with the condition that the sides of the buildings (east and west) that may be seen by the public has a décor that is similar to the existing buildings. Roll Call: Larson yes, Sonne yes, Osterloo yes, Penney yes, Jirsa yes, Genzlinger absent, Molumby absent. Motion carries 5 yes 2 absent.

Plat: A Plat of Lot S-13, A Subdivision of the Replat of Lot S in the NW ¼ of Section 27, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota. Putnam reminded the commission about a parking variance that the city approved a couple months ago for the Pizza Ranch Restaurant. The restaurant owners are purchasing more land to expand the parking lot. Schroeder reminded the commissioners that a drainage plan is required and the owner is aware of this requirement. Motion by Osterloo, seconded by Penney to approve the plat and that a drainage plan be required. All members present voting aye, motion carried.

Plat: A Plat of Lot 46A of Maui Farms Second 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. Putnam said the owner on Lot 46 is purchasing the back piece and would like the property to be described as one parcel. If a building permit is requested for the north lot, then an elevation certificate will be required. Motion by Osterloo, seconded by Jirsa to approve the plat. All members present voting aye, motion carried.

Plat: A Plat of Lot 54 of Maui Farms Second 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. This appears to follow the master plan. Motion by Osterloo, seconded by Penney to approve the plat. All members present voting aye, motion carried.

Hearing and Recommendation: An Ordinance Rezoning Blocks 1, 2, and 3, West Hoppy Loop, East Hoppy Loop, and Zeke Avenue of Lakeridge Addition, A Subdivision of Irregular Tracts Nos. 1 and 2 in the NW ¼ of Section 10, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota from UD Urban Development District to a Planned Unit Development District. Putnam explained the proposed ordinance and reminded them this is only for phase one. Dan Boehmer of Ethan Lumber was present. Bob Ball, neighboring property owner, stated his objection. He owns a gravel pit to the north and is concerned about the potential impact on his business. Motion by Jirsa, seconded by Osterloo to recommend the proposed ordinance be approved by the council. Roll Call: Jirsa yes, Penney yes, Osterloo yes, Sonne abstain, Larson yes, Genzlinger absent, Molumby absent. 4 Yes 1 abstain 2 absent. Motion carries.

Public Commentary: none

Chairman Larson adjourned the meeting at 12:40 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) Ericka Hennessey is hereby 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:

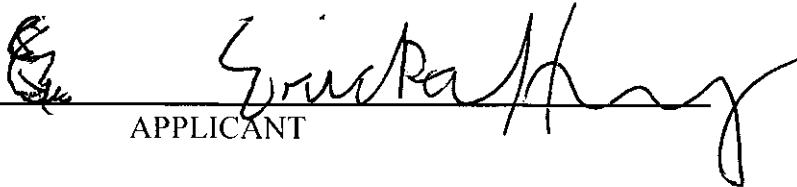
Lot 5 & W 3' of Lot 4, Block 8, Gardenview Addition, City of Mitchell, Davison County, South Dakota (1325 Palmer Place)

Applicant(s) Ericka Hennessey of the above-described real estate, request(s) to operate a childcare center in her home. The said real property is zoned (R2) Single Family 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 9th of April, 2021.



APPLICANT

OWNER

NOTICE OF HEARING

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

You are hereby notified that Erika Hennessey has applied for a conditional use permit to operate a family residential childcare center in her home at 1325 Palmer Place, legally described as Lot 5 & W 3 feet of Lot 4, Block 8, Gardenvue Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R2 Single Family Residential District.

The City Planning Commission will be conducting a hearing on this application on Monday, May 10, 2021 at 12:00 pm (noon) and the Board of Adjustment will be holding a hearing on Monday, May 17, 2021 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 15th day of April, 2021.

Michelle Bathke

Finance Officer

Publish Twice April 21, 2021 & May 5, 2021

Approximate Costs:

DALE GULLINGS
ERIKA HENNESSEY
1325 PALMER PL
MITCHELL SD 57301

KEVIN & TINA CARLSON
1331 PALMER PL
MITCHELL SD 57301

MICHELLE & MICHAEL OMMEN
507 S DOBSON ST
MITCHELL SD 57301

JOHN & LINDA MCLEOD
1307 RIDGE RD
MITCHELL SD 57301

THOMAS SCHAFFNER
513 S DOBSON ST
MITCHELL SD 57301

MARY HARRIS TRUST
2912 DEAN DR
MITCHELL SD 57301

RUTH MCLAURY
1324 W CEDAR
MITCHELL SD 57301

KENNETH & MELODY HOFFMAN
1318 W CEDAR
MITCHELL SD 57301

LYLE & SHERYL KASKIE TRUST
1205 17TH ST
HAWARDEN IA 51023

JOEL & KRISTIE SALMONSON
1312 W CEDAR
MITCHELL SD 57301

TIMOTHY PRANGER
1300 W CEDAR
MITCHELL SD 57301

BRIAN & ROXY ZIMMER
1313 PALMER PL
MITCHELL SD 57301

KEITH & DELORES MILLER
1307 PALMER PL
MITCHELL SD 57301

STEVE & DEBRA RICE
1301 PALMER PL
MITCHELL SD 57301

TODD KORTHOUR
TROY KORTHOUR
425 S DOBSON
MITCHELL SD 57301

MILO & KAREN BISHOP
25872 409TH AVE
MITCHELL SD 57301

STANLEY & JOY WOLLMAN
1324 PALMER PL
MITCHELL SD 57301

BUCK FAMILY TRUST
1318 PALMER PL
MITCHELL SD 57301

KAYLA WHITE
1306 PALMER PL
MITCHELL SD 57301

ROTH FAMILY TRUST
1300 PALMER PL
MITCHELL SD 57301

April 21, 2021

TO WHOM IT MAY CONCERN: You are hereby notified that Erika Hennessey has applied for a conditional use permit to operate a family residential childcare center in her home at 1325 Palmer Place, legally described as Lot 5 & W 3 feet of Lot 4, Block 8, Gardenview Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R2 Single Family Residential District.

YOU ARE HEREBY NOTIFIED, The City Planning Commission will be conducting a hearing on this application on Monday, May 10, 2021 at 12:00 pm (noon) and the Board of Adjustment will be holding a hearing on Monday, May 17, 2021 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 Keith and DeJores Miller
OWNER

1307 palmer place
ADDRESS

 APPROVE

~~X~~ DISAPPROVE

No response will indicate approval.

COMMENTS:

(No Way)

April 21, 2021

TO WHOM IT MAY CONCERN: You are hereby notified that Erika Hennessey has applied for a conditional use permit to operate a family residential childcare center in her home at 1325 Palmer Place, legally described as Lot 5 & W 3 feet of Lot 4, Block 8, Gardenvue Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R2 Single Family Residential District.

YOU ARE HEREBY NOTIFIED, The City Planning Commission will be conducting a hearing on this application on Monday, May 10, 2021 at 12:00 pm (noon) and the Board of Adjustment will be holding a hearing on Monday, May 17, 2021 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 Ruth M. McGlaurer
OWNER

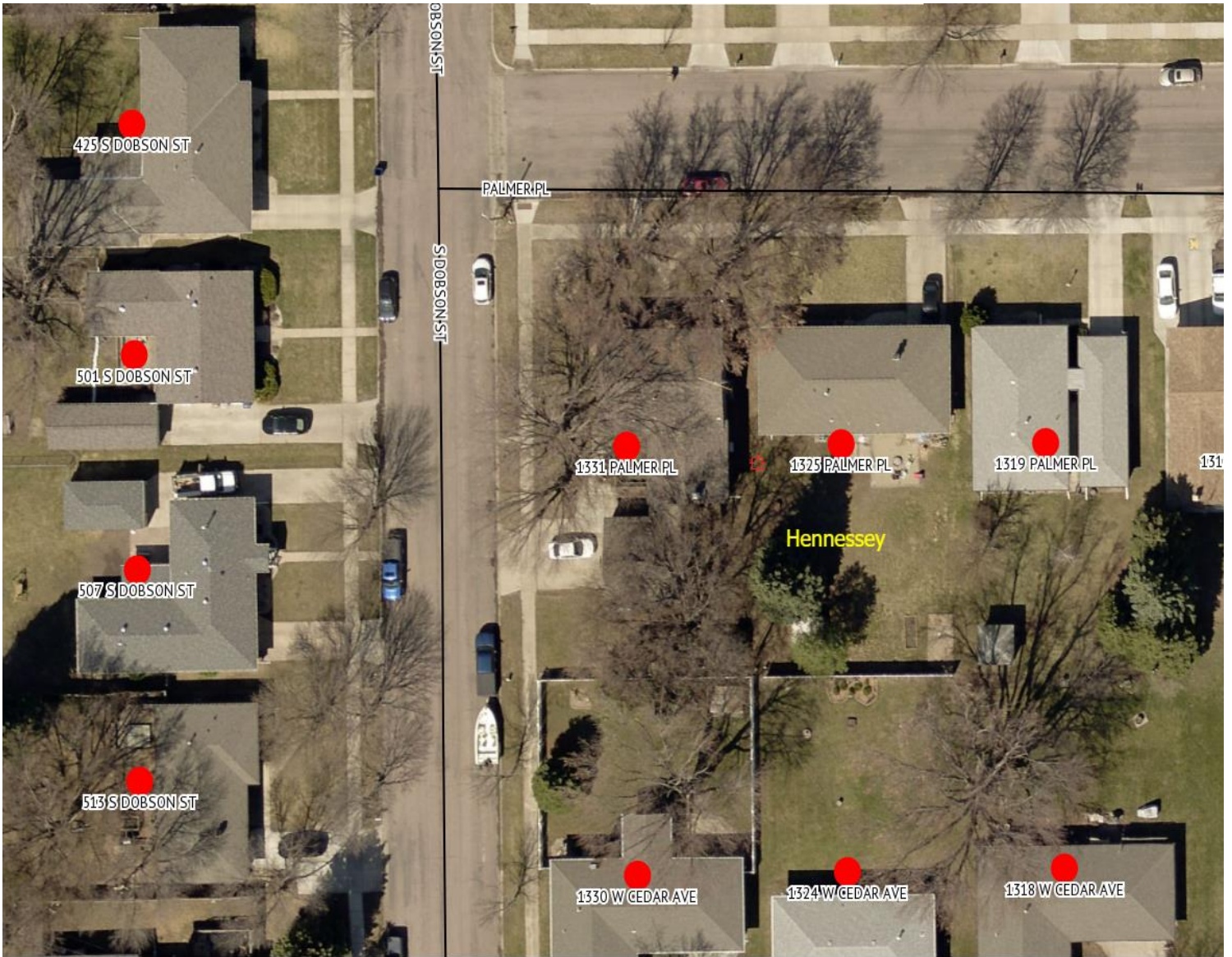
1324 W. Cedar, Mitchell, S.D. 57301
ADDRESS

____ APPROVE

~~_____~~ DISAPPROVE

No response will indicate approval.

COMMENTS:



10-9B-2: PURPOSE:

This area is intended to provide residential opportunities and provide for densities, which reflect both the cost and best utilization of land. (Ord. 2408, 10-1-2012)

10-9B-3: SCOPE OF REGULATIONS:

The regulations in this article or set forth elsewhere in the zoning code when referred to in this article are the district regulations that shall be governed by the Woodland Heights planned development district.

A. Subarea A: Also known as lots 1-11, Lots 1-6, Block 1, Woodland Heights First Addition, city of Mitchell, Davison County, South Dakota.

1. Permitted Uses:

Accessory buildings.

Two-family dwellings.

2. Conditional Uses:

Home occupations.

3. Parking Regulations: Parking shall be regulated in conformance with this title. (Ord. 2408, 10-1-2012)

4. Sign Regulations: Sign regulations shall be in conformance with title 9, chapter 4 of this code. (Ord. 2512, 4-6-2015)

5. Maximum Building Height: No principal building shall exceed two and one-half (2^{1/2}) stories or thirty five feet (35') in height and no accessory building shall exceed one story or seventeen feet (17') in height.

6. Maximum Coverage: No more than forty five percent (45%) of the lot area shall be covered by structures.

7. Accessory Buildings: Accessory buildings shall not exceed one thousand fifty (1,050) square feet.

8. Minimum Lot Area And Width: The minimum lot area shall be at least ten thousand (10,000) square feet and minimum lot width of seventy feet (70').

9. Minimum Yard Requirements (Setbacks):

a. Front yard: Thirty feet (30').

b. Back yard: Thirty feet (30').

c. Side yard: Six feet (6').

d. Side yard of corner lot: Fifteen feet (15').

B. Subarea B: Also to be known as lots Lot 7, Block 1 1-14, block 2, lots 1-14, block 3, lots 1-10, block 4, lots 1-8, block 5, Woodland Heights First Addition, city of Mitchell, Davison County, South Dakota.

1. Permitted Uses:

Accessory buildings.

Single-family dwellings.

2. Conditional Uses:

Home occupations.

3. Parking Regulations: Parking shall be regulated in conformance with this title.
(Ord. 2408, 10-1-2012)

4. Sign Regulations: Sign regulations shall be in conformance with title 9, chapter 4
of this code. (Ord. 2512, 4-6-2015)

5. Maximum Building Height: No principal building shall exceed two and one-half
(2^{1/2}) stories or thirty five feet (35') in height and no accessory building shall exceed one
story or seventeen feet (17') in height.

6. Maximum Coverage: No more than forty five percent (45%) of the lot area shall
be covered by structures.

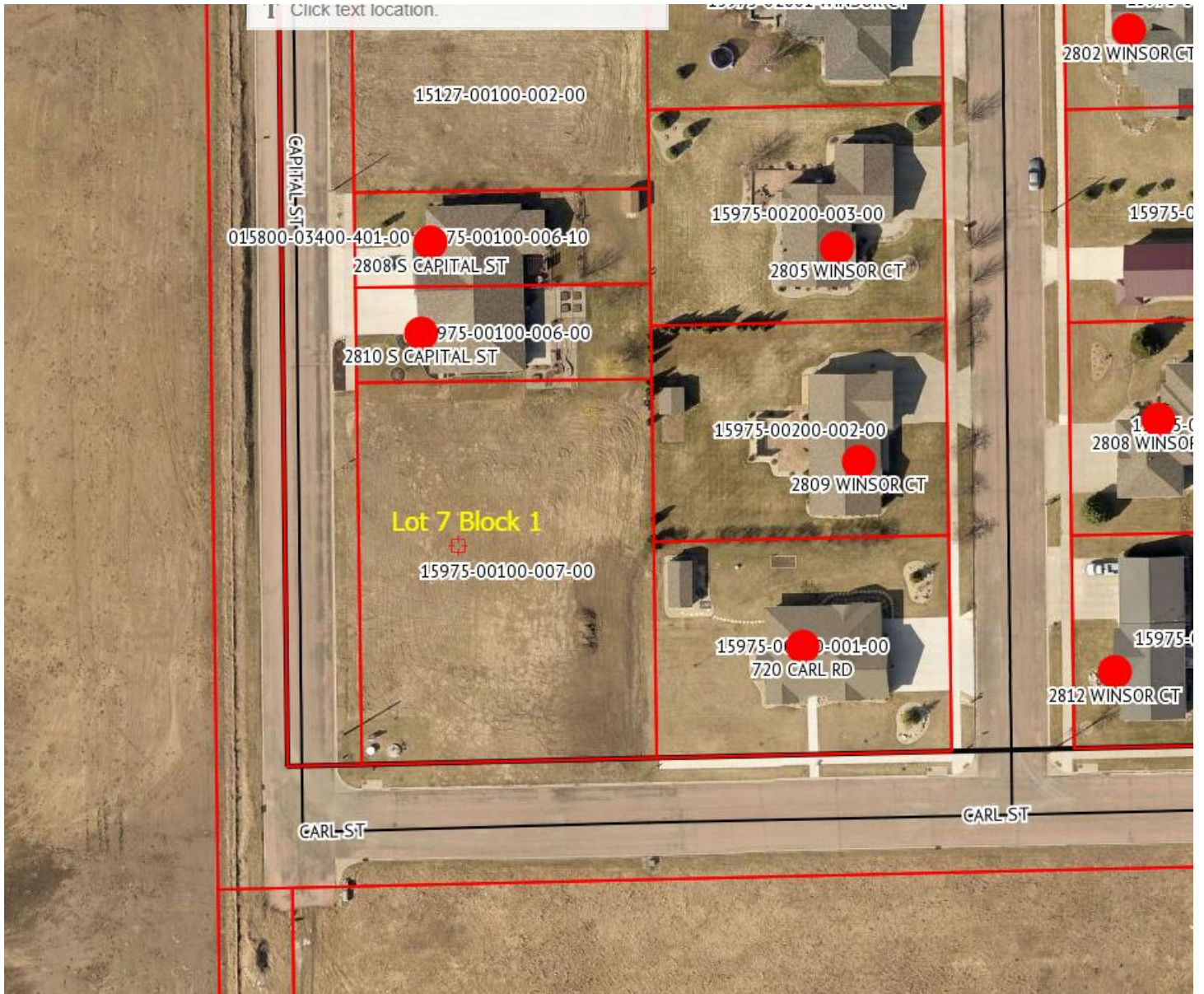
7. Accessory Buildings: Accessory buildings shall not exceed one thousand fifty
(1,050) square feet.

8. Minimum Lot Area And Width: The minimum lot area shall be at least ten
thousand (10,000) square feet and minimum lot width of seventy feet (70').

9. Minimum Yard Requirements (Setbacks):

- a. Front yard: Thirty feet (30').
- b. Back yard: Thirty feet (30').
- c. Side yard: Six feet (6').
- d. Side yard of corner lot: Fifteen feet (15').

Click text location.



NOTICE OF HEARING

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

You are hereby notified that the following proposed ordinance will be heard and considered by the City Planning Commission on May 10, 2021 at 12:00 pm (Noon) and the City Council will consider first reading of the proposed ordinance on May 17, 2021 at 6:00 pm and second reading and adoption of the proposed ordinance on June 7, 2021 at 6:00 pm. All the meetings will be held in the Council Chambers, City Hall, 612 N Main St, Mitchell, South Dakota. All interested parties may attend the hearings and provide testimony.

ORDINANCE NO.

An Ordinance amending 10-9B-3, Woodland Heights Planned Development District, Title 10 Zoning Regulations, City of Mitchell Municipal Code

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

Section 1. That 10-9B-3: Scope of Regulations, A., Subarea A., be amended by changing the Lot numbers from "Lots 1-11" to "Lots 1-6" so to be read as follows:

- A. Subarea A. Also known as Lots 1-6, Block 1, Woodland Heights First Addition, City of Mitchell, Davison County, South Dakota

Section 2. That 10-9B-3: Scope of Regulations, B., Subarea B., be amended by adding "Lot 7, Block 1" so to be read as follows:

- B. Subarea B. Also known as Lot 7, Block 1, Lots 1-14, Block 2, Lots 1-14, Block 3, Lots 1-10, Block 4, Lots 1-8, Block 5, Woodland Heights First Addition, City of Mitchell, Davison County, South Dakota

Section 3. The City Finance Officer shall publish notice of this ordinance and the same shall become effective 20 days after the completed publication thereof, unless the referendum shall be invoked as provided by law.

Passed and approved this 7th day of June, 2021.

MAYOR

ATTEST:

FINANCE OFFICER

First Reading: May 17, 2021
Second Reading: June 7, 2021
Adoption: June 7, 2021

Publish three times: April 28, May 5, and May 26, 2021
Approximate costs:

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



April 28, 2021

TO WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED, That Ethan Coop Lumber Co. has requested that Lot 7, Block 1, Woodland Heights Addition, Planned Unit Development (see enclosed photo). This Block was designated exclusively for two-family dwellings, but the owner wish to constructing a single family dwelling.

YOU ARE FURTHER NOTIFIED that the City Planning Commission will be conducting a hearing on this change to their development on May 10, 2021 at 12:00 pm (Noon) and the City Council will hold first reading of this ordinance chance on May 17, 2021 at 6:00 pm and second reading and final adoption on June 7, 2021 at 6:00 pm, all meetings will be in the Council Chambers, City Hall, 612 N Main St, Mitchell, South Dakota. All interested parties may attend the hearings.

I/we Jeffrey e Marie Halapin
Property Owner(s)

Address 720 CARL RD

✓ Approve

 Disapprove

Comments:

No response will indicate approval