

**CITY OF MITCHELL
CITY PLANNING COMMISSION AGENDA
CITY COUNCIL CHAMBERS, CITY HALL
612 N MAIN ST
JUNE 14, 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: MAY 24, 2021**

Documents:

[PLANNINGCOMMINUTES5242021.PDF](#)

- 6. Schedule Next Meeting: June 28, 2021 At 12:00 PM**

- 7. Variance: Justin Adams, 1021 University Blvd**

Justin Adams has applied for a front yard variance of 20 feet vs 25 feet as required to remove an existing garage and replace it with a new one at 1021 University Blvd, legally described as Lot 5, Block 11 & E 1/2 vacated alley abutting Lot 5, University Addition to the City of Mitchell, Davison County, South Dakota. The property is zoned R2 Single Family Residential District.

Documents:

[ADAMSAPP.PDF](#)
[ADAMSPLAN.PDF](#)
[ADAMSNOH.PDF](#)
[ADAMSNEIGHBORS.PDF](#)
[ADAMSAERIAL.PDF](#)

- 8. Variance: Mueller Lumber, 722 & 724 W Pine Ave**

Mueller Lumber has applied for a back yard variance of 20 feet vs 25 feet as required to build a twin home at 722 & 724 W Pine Ave, legally described as Lot 3 & West 38' of Lot 4, Block 6, MLC Addition, a subdivision of Lot 4A and 4B, Block 4, Morningview Addition to the City of Mitchell, Davison County, South Dakota. The property is zoned PD Planned Development District.

Documents:

[MUELLERAPP.PDF](#)
[MUELLERPLAN.PDF](#)
[MUELLERNOH.PDF](#)
[MUELLERNEIGHBORS.PDF](#)
[MUELLERLETTERS.PDF](#)
[MUELLERAERIAL.PDF](#)

- 9. Recommendation: Marshall Street Vacation South Of Birch Avenue Between Foster And Taylor Streets**

Documents:

[MARSHALL VACATION SOUTH OF BIRCH - LOCATION MAP.PDF](#)

- 10. Plat: A Plat Of Lot 5-C, Block 7 Of Westwood First Addition, A Subdivision Of The SW 1/4 Of Section 16, T 103 N, R 60 W Of The 5th P.M., City Of Mitchell, Davison County, South Dakota**

Documents:

[PLAT OF LOT 5-C, BLOCK 7 OF WESTWOOD FIRST ADDITION.PDF](#)
[PLAT OF LOT 5-C, BLOCK 7 OF WESTWOOD FIRST ADDITION - LOCATION MAP.PDF](#)

- 11. Plat: A Plat Of Lots 8 And 10 Of Park Acres First Addition In The NE 1/4 Of Section 6, T 103 N, R 60 W Of The 5th P.M., Davison County, South Dakota**

Documents:

[PLAT OF LOTS 8 AND 10 OF PARK ACRES FIRST ADDITION.PDF](#)
[PLAT OF LOTS 8 AND 10 OF PARK ACRES FIRST ADDITION - LOCATION MAP.PDF](#)

- 12. Plat: A Plat Of Lots 13, 14, 15, 16 And 17, Block 2; Lot 7, Block 3; And West Plum Avenue; All In MLC Addition A Subdivision Of Lot 4B, Block 4, And Block 5, Morningview Addition To The City Of Mitchell, Davison County, South Dakota**

Documents:

[PLAT - LOTS 13 - 17 BLOCK 2, LOT 7 BLOCK 3, IN MLC ADDITION.PDF](#)
[PLAT - LOTS 13 - 17 BLOCK 2, LOT 7 BLOCK 3, IN MLC ADDITION - FIGURE.PDF](#)

- 13. Approval: MLC Addition Master Plan**

Documents:

[MLC ADDITION MASTER PLAN.PDF](#)
[MLC ADDITION MASTER PLAN - LOCATION MAP.PDF](#)

- 14. OTHER BUSINESS:**

- 15. 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.

- 16. 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
MAY 24, 2021**

NOT APPROVED

Chairman Larson called the May 24, 2021 City Planning Commission Meeting to order at 12:00 PM (noon) in the Council Chambers, City Hall, 612 N Main Street.

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

Staff Present: Schroeder, T. Johnson, J. Johnson, Mayor Everson, Councilman Rice, Ellwein, W. London, Sandoval, Croce

Conflicts of Interest: None

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 Osterloo, seconded by Jirsa to approve the minutes of the May 10, 2021 Planning Commission meeting. All members present voting aye, motion carried.

Schedule Next Meeting: Motion by Genzlinger, seconded by Sonne to schedule the next meeting for June 14, 2021. All members present voting aye, motion carried.

Plat: Lot 2, Block 5 of the Woods First Addition, A Subdivision of the East ½ of the SW ¼ Section 23, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota. Schroeder stated that the plat follows the master plan. Schroeder also stated that the plat should be approved contingent on receiving the required elevation data required by the City's Engineering Department. Motion by Genzlinger, seconded by Osterloo to approve the plat with the contingency. All members present voting aye, motion carried.

Rezoning: Jason Heezen, 201 E Norway Avenue

Jason Heezen who owns real property legally described as LotA-3, Sub of Lot A, SW ¼, Section 27, 103-60, Ex. S 128 Feet Thereof, City of Mitchell, Davison County, South Dakota (201 E Norway Ave) is requesting that the property be rezoned from TWC Transportation, Warehousing, and Commercial District to R4 High Density Residential District and have the Official Zoning Map be changed to reflect the same. The purpose of the request is to convert the existing building into a four-plex. Mr. Heezen was present and gave a summary of his request and use of the property and answered questions from the Commission. Sonne asked about potential spot zoning. R4 is located across the street. Motion by Osterloo, seconded by Jirsa to recommend the Board of Adjustment approve the rezoning request. Roll Call: Jirsa yes, Osterloo yes, Genzlinger yes, Penney yes, Sonne yes, Larson yes. Six yes, zero no, motion carried.

Public Hearing: Hearing and Recommendation on an Ordinance Creating Zoning Regulations for Cannabis Establishments.

A public hearing was held at the City Hall Council Chambers which started at approximately 12:11 PM. City Attorney Justin Johnson gave an overview of the proposed ordinance.

Chairman Larson asked about licensing. Johnson responded with the timeline of presenting the licensing and zoning to the City Council.

Sonne asked about the difference of 300' and 1,000 feet buffers for school zones. Johnson stated that state law requires 1,000 feet from school.

Pam Bathke asked where the City came up with the 300 foot buffer zone limit. Johnson stated that 300 feet is the approximate distance of a city block.

Pam Bathke stated that state law requires a 500' buffer zone for other named types of locations for a drug free zone. She requested that the City consider using a 500' versus 300' buffer zone.

Sonne asked what happens when an existing entity capable of dispensing cannabis falls within a restricted area. Johnson stated there is the variance procedure for certain areas. Johnson discussed the possible role pharmacies will play in cannabis which the Mayor also commented.

Genzlinger recommended moving the buffer zones from 500' to 600' to bring the total distance to an even typical two block radius.

Chairman Larson stated that this is a preliminary hearing. He stated that many good thoughts have been laid out. He would not be opposed to moving the buffer zone to 500' or 600' versus 300'.

Johnson stated that the reason the 300' radius buffer zone was chosen was to not make the zones too restrictive. Johnson stated that if the buffer zone was expanded there would be the chance that certain zones would be zoned out such as the Central Business District.

The Mayor stated that the City does not want to be too restrictive with the buffer zones.

City Administrator Stephanie Ellwein stated that the buffer zone is not just from the business but from the edge of the property. The 300' buffer starts at the property line and extends out.

Chairman Larson stated that restrictive zoning is something that should be considered.

Jirsa asked if there was a buffer from the residential districts. Johnson stated that there is not a buffer from the residential district themselves. They are not allowed in residential but there is not a buffer. Johnson stated that adding a buffer zone to the residential would zone out a large portion of allowable area.

Pam Bathke thought the area at Spruce Street would be an option of good location.

Motion by Osterloo, seconded by Penney to recommend approval to the City Council of the ordinance creating zoning regulations for cannabis establishments. Roll Call: Jirsa yes, Osterloo yes, Genzlinger no, Penney yes, Sonne yes, Larson yes. Five yes, one no, motion carried.

The public hearing ended at 12:30 PM.

Public Comments: None

Chairman Larson adjourned the meeting at 12:31 PM.

APPLICATION FOR VARIANCES

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

The undersigned applicant(s) Justin Adams is making an application for a front yard variance of 20 feet vs 25 feet as required to remove an existing garage and replace it with a new one, pursuant to the provisions of the City of Mitchell Zoning Code as amended.

This Application is for the following described real property:

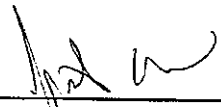
Lot 5, Block 11 & E ½ vacated alley abutting Lot 5, University Addition to the City of Mitchell, Davison County, South Dakota (1021 University Blvd).

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.

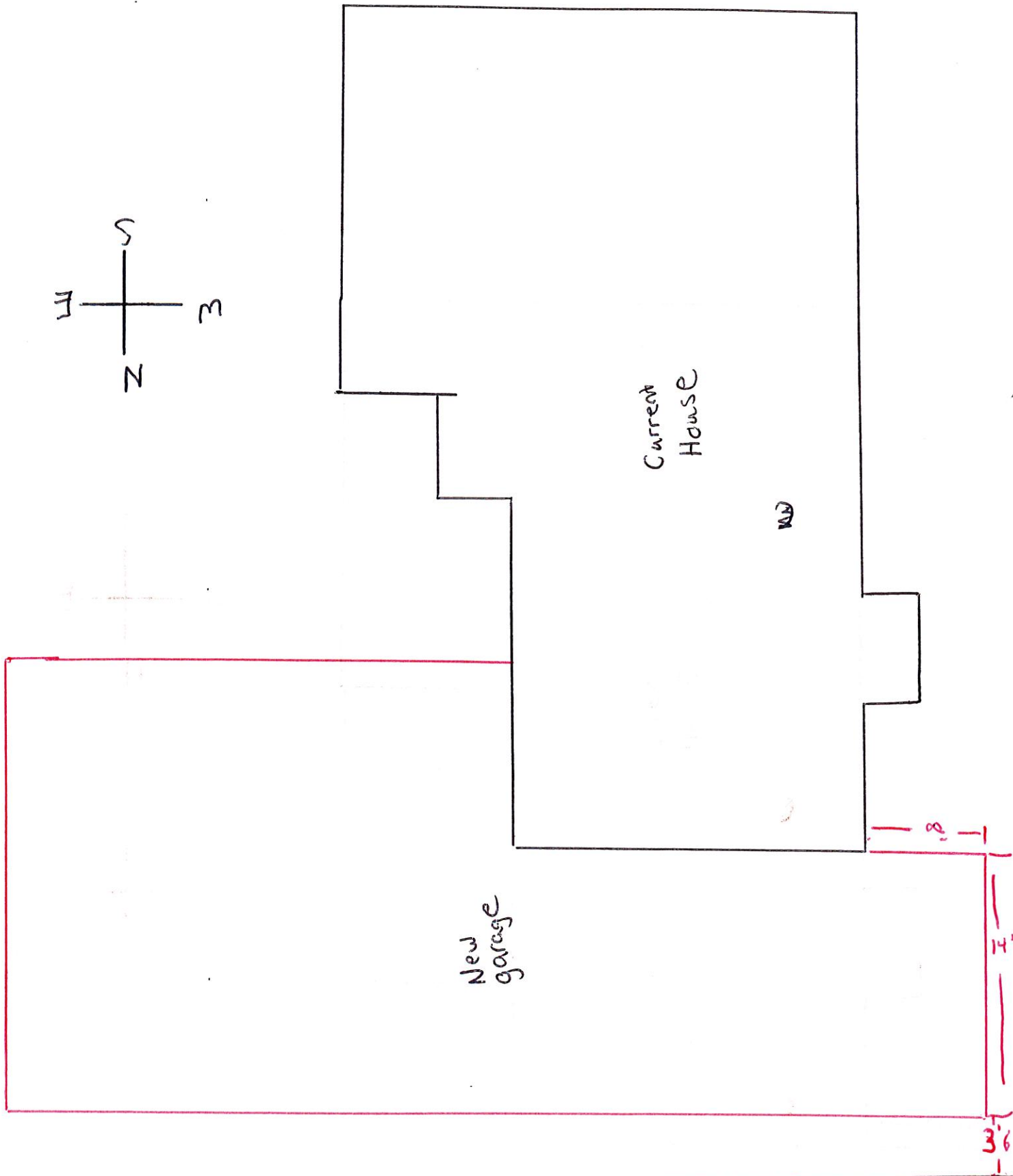
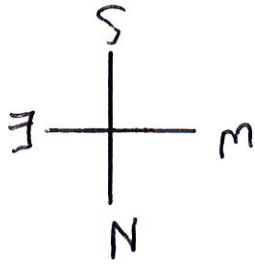
Dated this 18 of May, 2021.



APPLICANT



OWNER

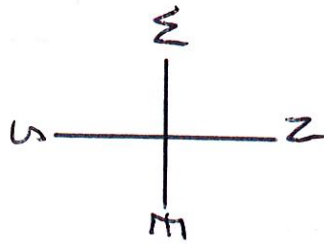


North Side lot line

ADAMS

Current
House

New
garage



21'

East Lot Line

University Blvd

NOTICE OF HEARING

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

You are hereby notified that Justin Adams has applied for a front yard variance of 20 feet vs 25 feet as required to remove an existing garage and replace it with a new one at 1021 University, legally described as Lot 5, Block 11 & E ½ vacated alley abutting Lot 5, University 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, June 14, 2021 at 12:00 pm (noon) and the Board of Adjustment will be holding a hearing on Monday, June 21, 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 18th day of May, 2021.

Michelle Bathke

Finance Officer

Publish June 2, 2021

Approximate Costs:

ADAMS

JUSTIN & ASHLEY ADAMS
1021 UNIVERSITY BLVD
MITCHELL SD 57301

RANDY & FLORA TIESZEN
1025 UNIVERSITY BLVD
MITCHELL SD 57301

ESVIN CRUZ
1017 UNIVERSITY BLVD
MITCHELL SD 57301

KELLY & KATINA KOST
1015 UNIVERSITY BLVD
MITCHELL SD 57301

JAY & SARAH STAR
1009 UNIVERSITY BLVD
MITCHELL SD 57301

SHAUNA KINER
1016 CT MERRILL
MITCHELL SD 57301

RICK & KAREN FARRIS
32 CYPRESS PT
MITCHELL SD 57301

CAROL RAGLE LIVING TRUST
100 N GUM AVE
VA BEACH VA 23452

KATHRYN & JEREMY MORRISON
420 MCCABE ST
MITCHELL SD 57301

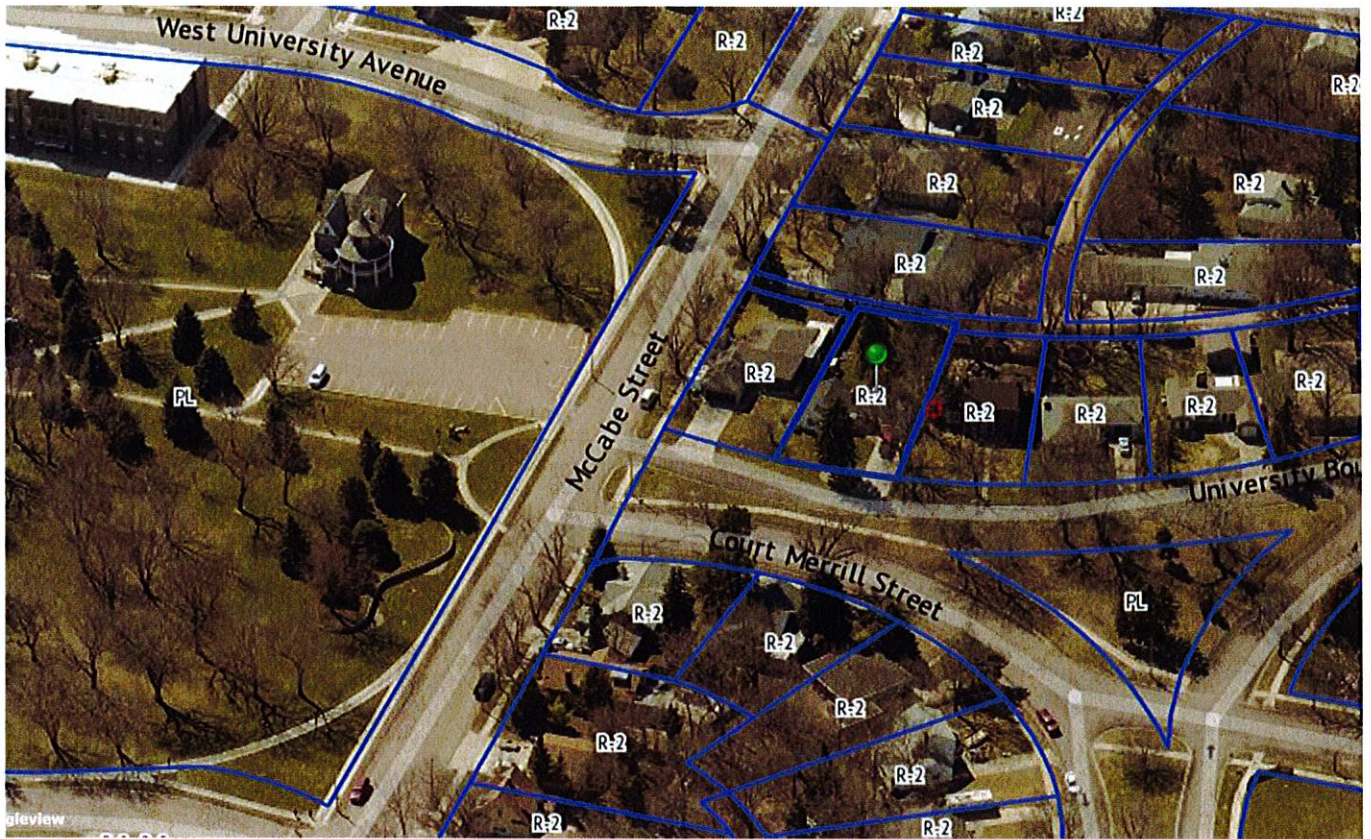
ANNE & BOBBY REINDL
340 MCCABE ST
MITCHELL SD 57301

JENNIFER & DOUGLAS DAILEY
410 MCCABE ST
MITCHELL SD 57301

BRIAN & TRACI PATRICK
418 MCCABE ST
MITCHELL SD 57301

RICHARD & RUTH SWARTOUT
613 MITCHELL BLVD
MITCHELL SD 57301

DAKOTA WESLEYAN UNIVERSITY
1200 W UNIVERSITY AVE
MITCHELL SD 57301



APPLICATION FOR VARIANCES

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

The undersigned applicant(s) Mueller Lumber is making an application for a back yard variance of 20 feet vs 25 feet as required to build a twin home, pursuant to the provisions of the City of Mitchell Zoning Code as amended.

This Application is for the following described real property:

Lot 3 & West 38' of Lot 4, Block 6, MLC Addition, a subdivision of Lot 4A and 4B, Block 4, Morningview Addition to the City of Mitchell, Davison County, South Dakota (722/724 W Pine).

The said real property is zoned (PD) Planned Development District.

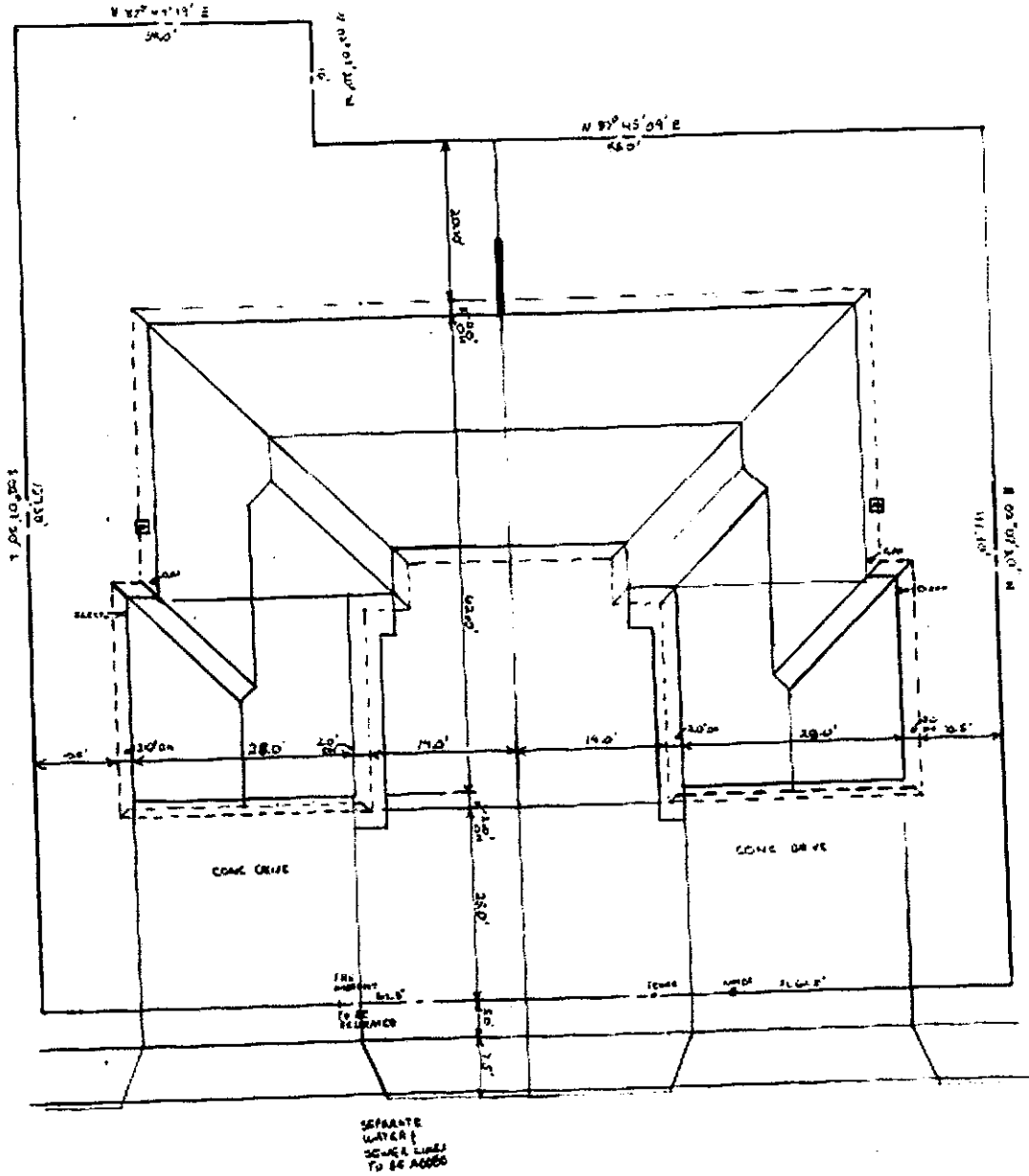
The names and addresses of the current property owners within one hundred and forty feet (140') of the applicant's property (excluding streets and alleys) will be notified upon the filing of this application.

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 20th of MAY, 2021.

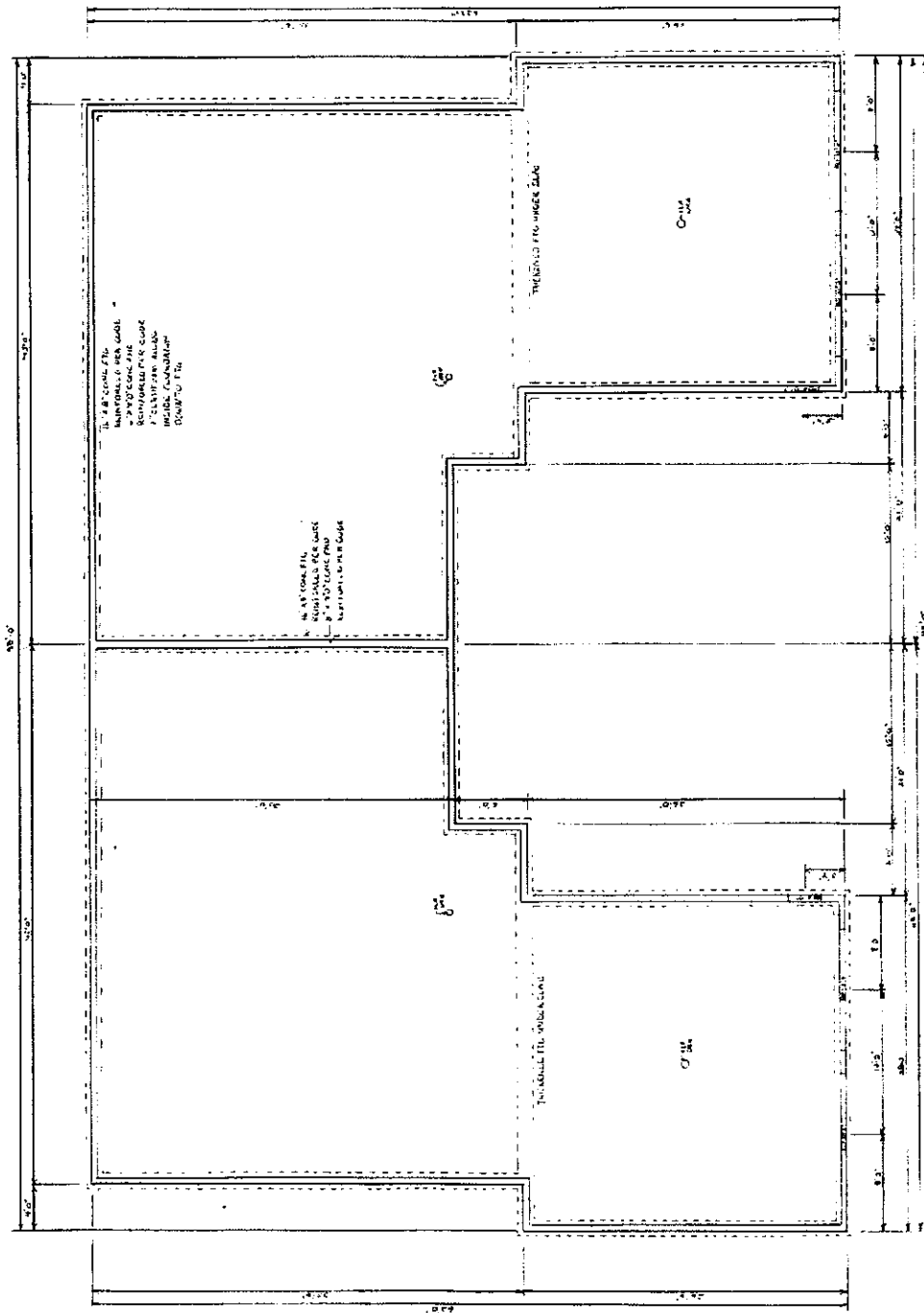
Mueller Lumber Co
APPLICANT

Robert W. Mueller
OWNER



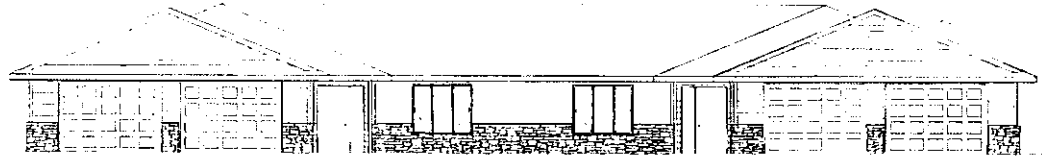
WEST PINE AVENUE

PLOT PLAN

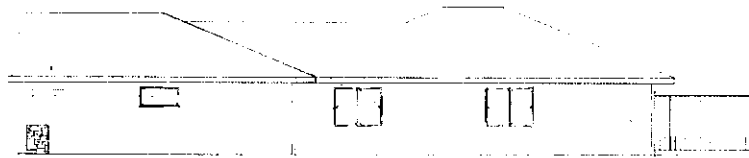


FOUNDATION PLAN

MUELLER TWIN HOMES	
DATE	10-1-21
BY	10-1-21
MUELLER LUMBER COMPANY	
7000 10th Ave. NW, Minneapolis, MN 55412	
202	

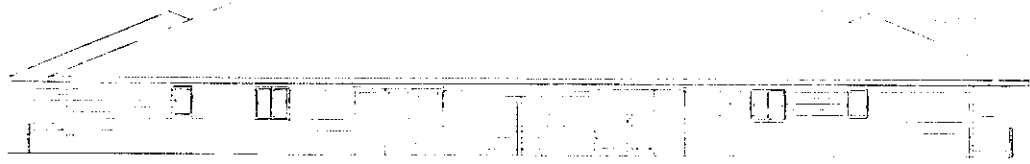


FRONT ELEVATION

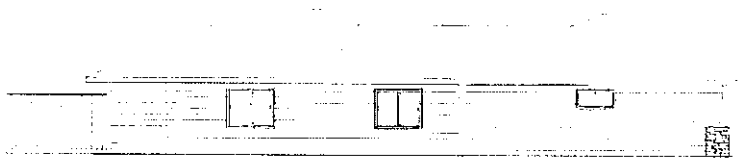


SIDE ELEVATION

MUELLER LUMBER	
DATE: 6-10	PROJECT: 1000
BY: J. D.	SCALE: 1/4" = 1'-0"
MUELLER LUMBER COMPANY	
1000 1st St. N.	MINNAPOLIS, MINN.

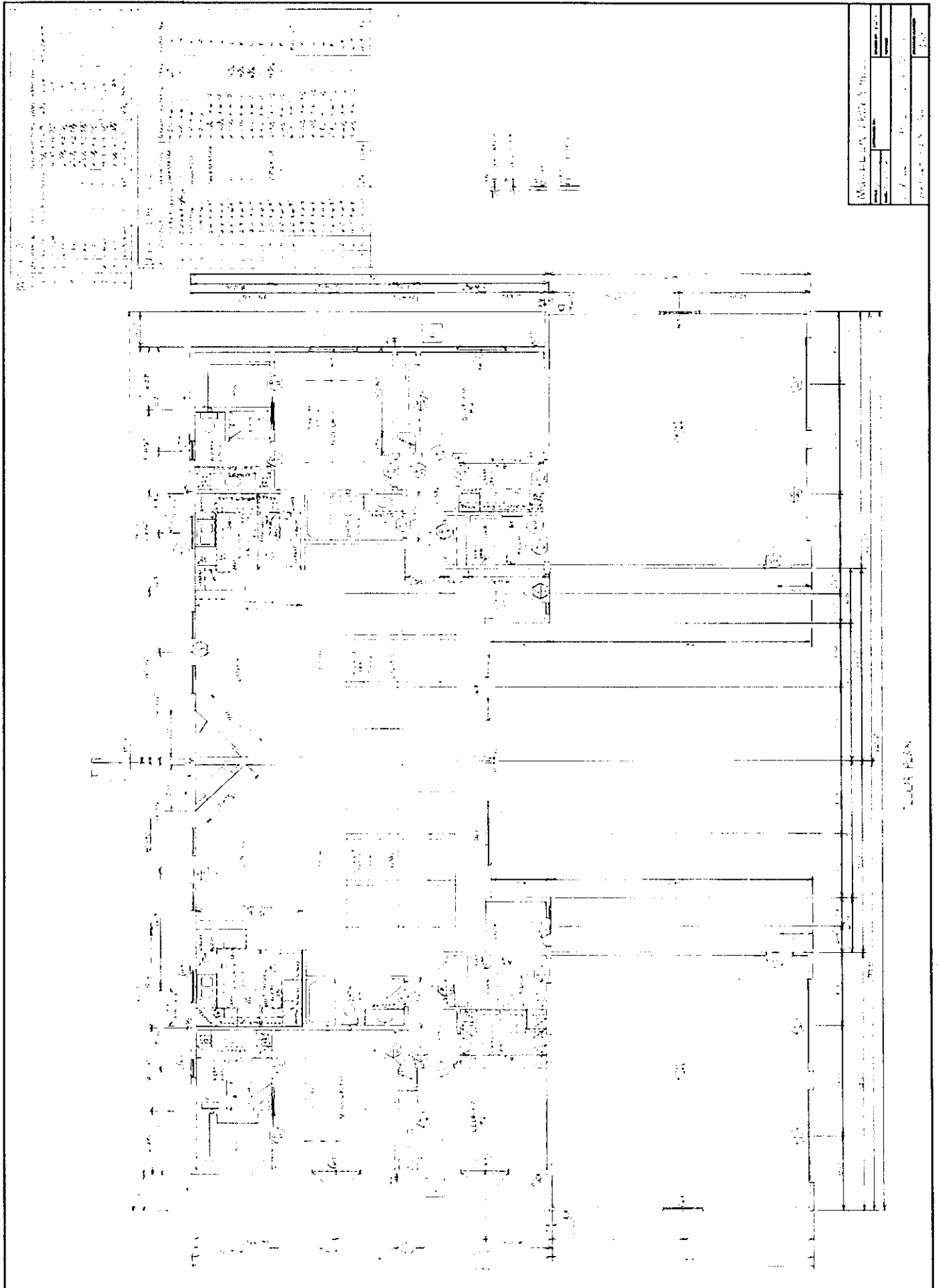


FRONT ELEVATION



SIDE ELEVATION

Mueller Lumber Co.	
1000 1st St.	Phone 1000
1000 1st St.	Phone 1000
MUELLER LUMBER CO.	
1000 1st St.	Phone 1000



NOTICE OF HEARING

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

You are hereby notified that Mueller Lumber is making an application for a back yard variance of 20 feet vs 25 feet as required to build a twin home at 722/724 W Pine, legally described at Lot 3 & West 38' of Lot 4, Block 6, MLC Addition, a subdivision of Lot 4A and 4B, Block 4, Morningview Addition to the City of Mitchell, Davison County, South Dakota. The property is zoned PD, Planned Development District.

The City Planning Commission will be conducting a hearing on this application on Monday, June 14, 2021 at 12:00 pm (noon) and the Board of Adjustment will be holding a hearing on Monday, June 21, 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 19th day of May, 2021.

Michelle Bathke

Finance Officer

Publish June 2, 2021

Approximate Costs:

MUELLER LUMBER

THURINGER LIVING TRUST
40814 256TH ST
MITCHELL SD 57301

MUELLER LUMBER CO
400 N OHLMAN ST
MITCHELL SD 57301

GARY & SANDRA BUTTERFIELD
PO BOX 57
MITCHELL SD 57301

ROGER & MARY SCHEURENBRAND
711 W NORWAY AVE
MITCHELL SD 57301

KELLY & KRISTINA SCHMIDT
713 W NORWAY AVE
MITCHELL SD 57301

JAMES & ELAINE HOMOLKA
715 W NORWAY AVE
MITCHELL SD 57301

JAN QUENZER
2406 THUNDERBIRD DR
MITCHELL SD 57301

GREG & CINDY SHEESLEY
1500 WESTVIEW DR
MITCHELL SD 57301

City of Mitchell | Mayor's Office
612 North Main Street | Mitchell, SD 57301
Phone: 605-995-8420 | Fax: 605-995-8054
CityOfMitchell.org



June 2, 2021

To Whom It May Concern:

YOU ARE HEREBY NOTIFIED, that Mueller Lumber has applied for a back yard variance of 20 feet vs 25 feet as required to build a twin home at 722/724 W Pine, Lot 3 & West 38' of Lot 4, Block 6, MLC Addition, a subdivision of Lot 4A and 4B, Block 4, Morningview Addition to the City of Mitchell, Davison County, South Dakota. The property is zoned (PD) Planned Development District.

YOU ARE FURTHER NOTIFIED, that the City Planning Commission will be conducting a hearing on this application on Monday, June 14, 2021 at 12:00 pm (noon) and the Board of Adjustment will be holding a hearing on Monday, June 21, 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 Gary & Sandy Butterfield
OWNER

700 W. Pine Ave
ADDRESS

X APPROVE

_____ DISAPPROVE

No response will indicate approval.

COMMENTS:

City of Mitchell | Mayor's Office
612 North Main Street | Mitchell, SD 57301
Phone: 605-995-8420 | Fax: 605-995-8054
CityOfMitchell.org



June 2, 2021

To Whom It May Concern:

YOU ARE HEREBY NOTIFIED, that Mueller Lumber has applied for a back yard variance of 20 feet vs 25 feet as required to build a twin home at 722/724 W Pine, Lot 3 & West 38' of Lot 4, Block 6, MLC Addition, a subdivision of Lot 4A and 4B, Block 4, Morningview Addition to the City of Mitchell, Davison County, South Dakota. The property is zoned (PD) Planned Development District.

YOU ARE FURTHER NOTIFIED, that the City Planning Commission will be conducting a hearing on this application on Monday, June 14, 2021 at 12:00 pm (noon) and the Board of Adjustment will be holding a hearing on Monday, June 21, 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 James Homolky
OWNER

715 W Norway Mitchell SD
ADDRESS

 APPROVE

✓ DISAPPROVE

No response will indicate approval.

COMMENTS:

Would have been if Plot Plan would have been readable!



SEC. 16, T 103 N, R 60 W



1 Inch = 100 Feet

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
- = FOUND NAIL
- ◇ = SET 3/8" X 12" SPIKE W/WASHER PJR-6702
- WM = WITNESS MONUMENT

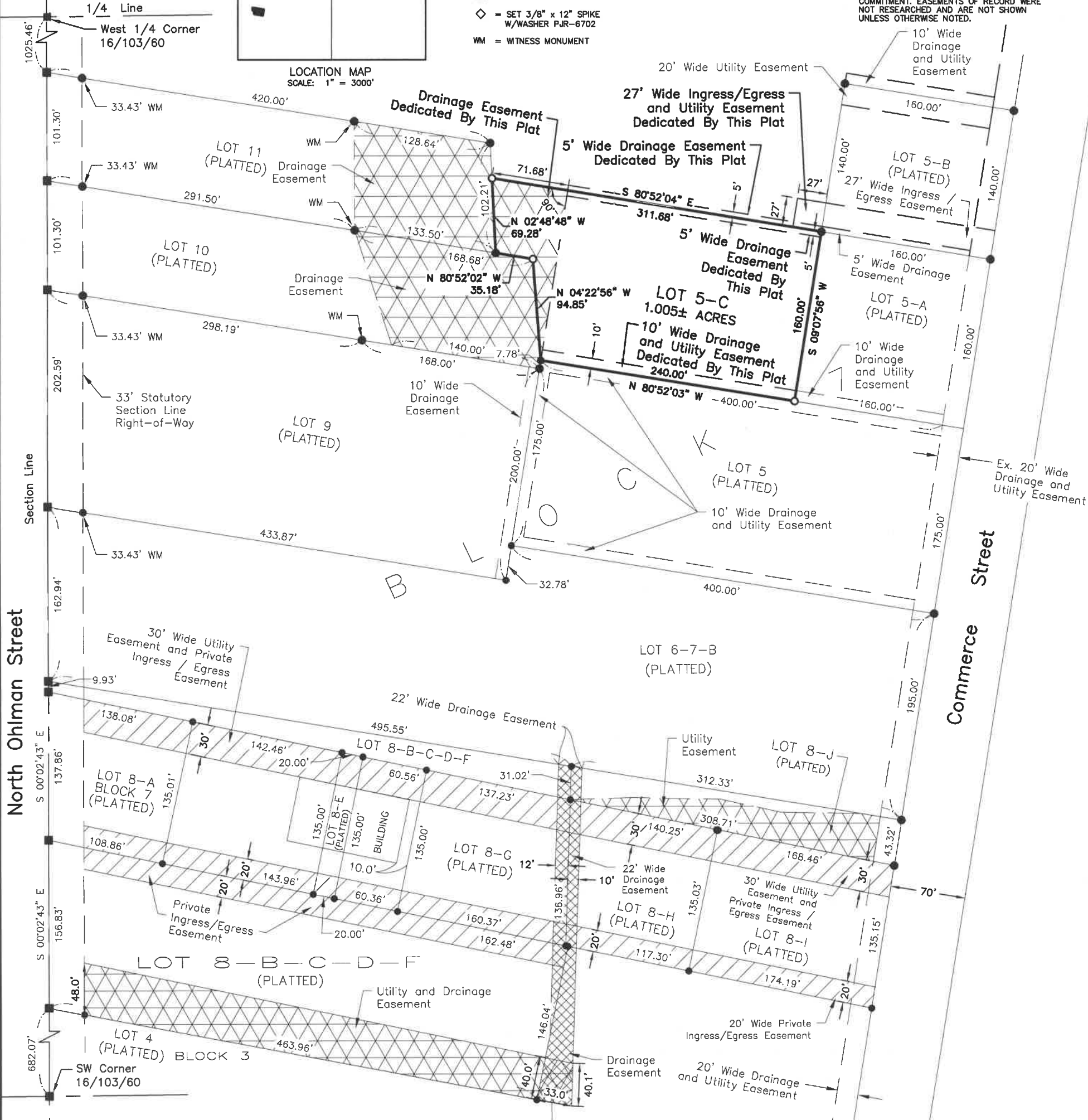
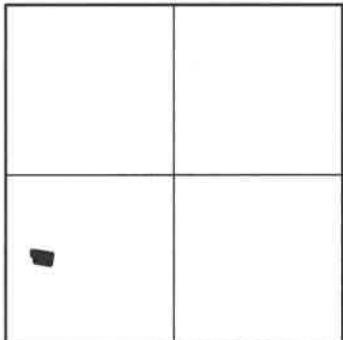
LOTS LABELED AS PLATTED OR FUTURE ARE AS OF 06/07/21 WHICH IS THE DATE THIS DRAWING WAS CREATED

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

BEARINGS ARE BASED ON AN ASSUMED COORDINATE SYSTEM USING GPS GRID BEARINGS/GRID DISTANCES

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.

LOCATION MAP
SCALE: 1" = 3000'



A PLAT OF LOT 5-C, BLOCK 7 OF WESTWOOD FIRST ADDITION, A SUBDIVISION OF THE SW 1/4 OF SECTION 16, 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 the State of South Dakota. At the request of CJM Consulting, Inc., a South Dakota corporation, as owner, and under its direction for purposes indicated therein, I did on or prior to June 4, 2021, survey those parcels of land described as follows: LOT 5-C, BLOCK 7 OF WESTWOOD FIRST ADDITION, A SUBDIVISION OF THE SW 1/4 OF SECTION 16, 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 _____, 2021.

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



A PLAT OF LOT 5-C, BLOCK 7 OF WESTWOOD FIRST ADDITION, A SUBDIVISION OF THE SW 1/4 OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

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

KNOW ALL MEN BY THESE PRESENTS that I, the undersigned, hereby certify that CJM Consulting, Inc., a South Dakota corporation, is the absolute and unqualified owner of all of the land included in the within and foregoing plat; the plat is of a parcel of ground located in THE SW 1/4 OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA; that the plat has been made at the request of CJM Consulting, Inc., a South Dakota corporation, and under its direction for the purposes indicated therein; which said property as so surveyed and platted shall hereafter be known as LOT 5-C, BLOCK 7 OF WESTWOOD FIRST ADDITION, A SUBDIVISION OF THE SW 1/4 OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, as shown by this plat; and CJM Consulting, Inc., a South Dakota corporation, hereby dedicates to the public, for public use forever as such, the streets and alleys, if any, as shown and marked on said plat; and that development of the land included within the boundaries of said Lot 5-C, Block 7 shall conform to all existing applicable zoning, subdivision, erosion, sediment control and drainage regulations and ordinances; further that there now exists Commerce Street. Pursuant to SDCL 11-3-8.1 and 11-3-8.2 the developer of the property described within this plat shall be responsible for protecting any waters of the state located adjacent to or within such platted area from pollution from sewage from such subdivision and shall, in prosecution of such protections conform to and follow all regulations of the South Dakota Department of Agriculture and Natural Resources relating to the same. Additionally, the developer of the property described within this plat shall be liable for any pollution that occurs from failure to execute such protections or follow such regulations, exception being those lots in subdivisions that show documentation that wastewater drainage shall be connected to a municipal system.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 2021.

Charles J. Mauszycki, Jr., Vice President of CJM Consulting, Inc.,
a South Dakota corporation

CORPORATION ACKNOWLEDGMENT

STATE OF SOUTH DAKOTA))SS
COUNTY OF DAVISON)

On this, the _____ day of _____, 2021, before me, _____, the undersigned officer, personally appeared Charles J. Mauszycki, Jr., of CJM Consulting, Inc., a South Dakota corporation, and that he, as such Vice President, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as Vice President.

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

Notary Public, South Dakota
My Commission Expires: _____

RESOLUTION OF CITY PLANNING COMMISSION

WHEREAS, the plat of LOT 5-C, BLOCK 7 OF WESTWOOD FIRST ADDITION, A SUBDIVISION OF THE SW 1/4 OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, 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 City Finance Officer of Mitchell, South Dakota, has been submitted to the City Planning Commission of the said City of Mitchell, South Dakota; and

WHEREAS, the City 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 City of Mitchell, South Dakota, heretofore adopted by this Commission;

NOW THEREFORE, be it resolved by the City Planning Commission of Mitchell, South Dakota, that the plat of LOT 5-C, BLOCK 7 OF WESTWOOD FIRST ADDITION, A SUBDIVISION OF THE SW 1/4 OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul J. Reiland, a Land Surveyor, be and the same is hereby approved and its adoption by the City Council of the City of Mitchell, South Dakota, is hereby recommended.

The undersigned does hereby certify that the foregoing resolution was passed by the City Planning Commission of Mitchell, South Dakota, at a meeting thereof held on the _____ day of _____, 2021.

Chairperson/Vice Chairperson of the City of Mitchell
Planning Commission



& 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



A PLAT OF LOT 5-C, BLOCK 7 OF WESTWOOD FIRST ADDITION, A SUBDIVISION OF THE SW 1/4 OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, 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 _____, 2021; and

WHEREAS, it appears from an examination of the plat of LOT 5-C, BLOCK 7 OF WESTWOOD FIRST ADDITION, A SUBDIVISION OF THE SW 1/4 OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, 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 LOT 5-C, BLOCK 7 OF WESTWOOD FIRST ADDITION, A SUBDIVISION OF THE SW 1/4 OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, 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 does hereby certify that the foregoing resolution was passed by the City of Mitchell, South Dakota, at a meeting held on the _____ day of _____, 2021.

Finance Officer/Deputy Finance Officer of the City of Mitchell

CERTIFICATE OF COUNTY TREASURER

The undersigned does 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 this office, have been fully paid.

Treasurer/Deputy Treasurer of Davison County

Date _____

DIRECTOR OF EQUALIZATION

The undersigned does hereby certify that a copy of the plat of LOT 5-C, BLOCK 7 OF WESTWOOD FIRST ADDITION, A SUBDIVISION OF THE SW 1/4 OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, has been received by me and is filed in this office.

Director of Equalization/Deputy Director of Equalization of Davison County

Date _____

REGISTER OF DEEDS

STATE OF SOUTH DAKOTA))SS
COUNTY OF DAVISON)

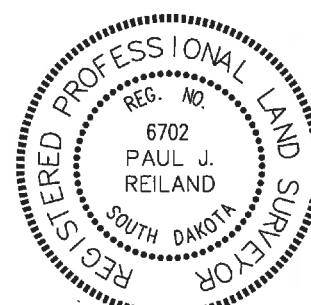
FILED for record this _____ day of _____, 2021, at _____, and recorded in Book _____ of Plats on Page _____ therein.

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





Property Location

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

BEARINGS ARE BASED ON AN
ASSUMED COORDINATE SYSTEM
USING GPS GRID BEARINGS/GRID
DISTANCES

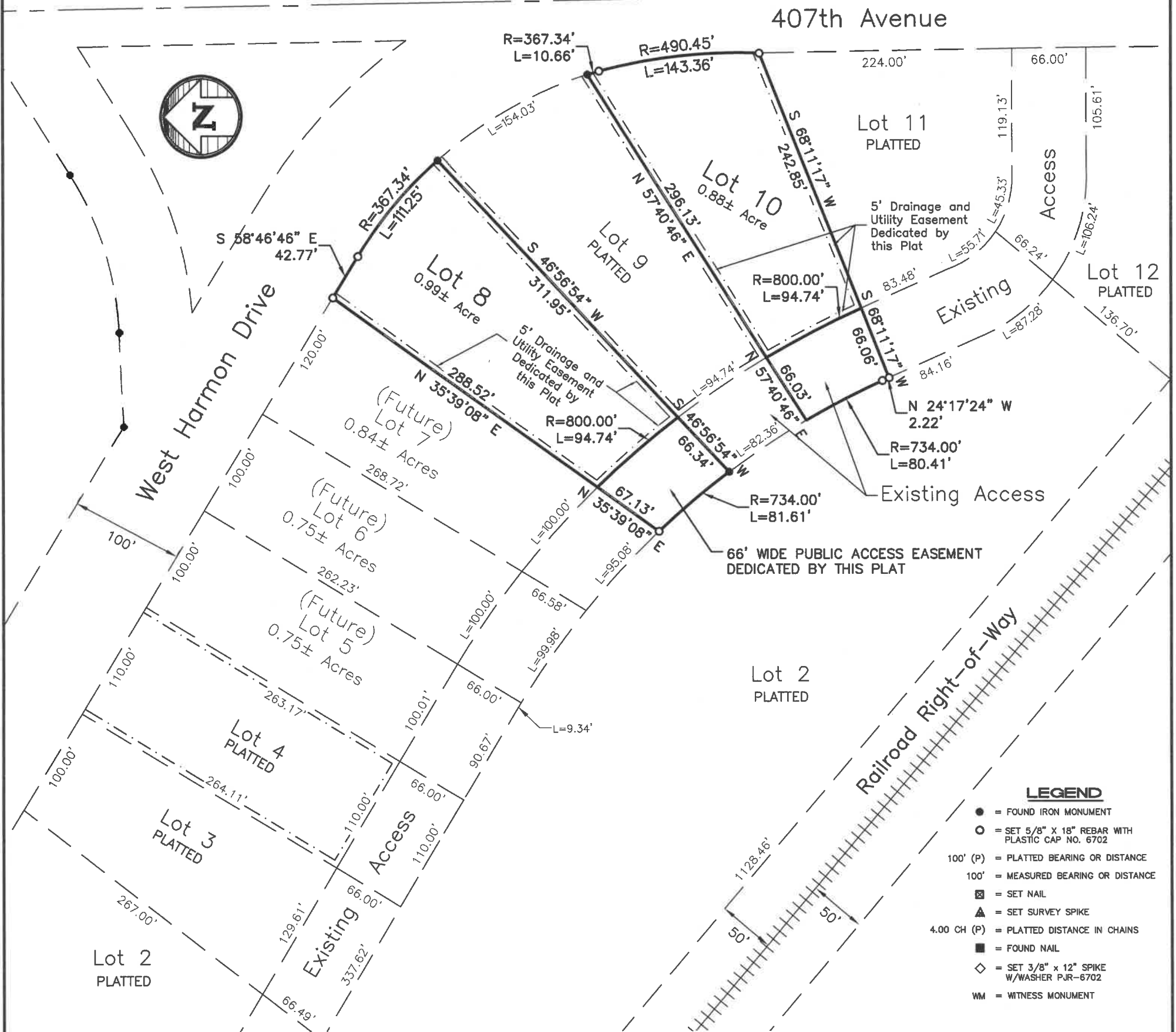
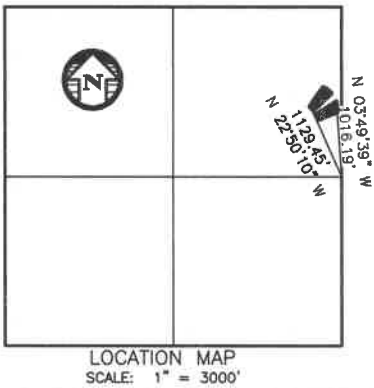
GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.

Acreage Breakdown:
LOT 8: 0.99± Acre of which 0.13± Acre
lies within the 66' Public Access Easement

LOT 10: 0.88± Acre of which 0.13± Acre
lies within the 66' Public Access Easement



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 PJR-6702
- WM = WITNESS MONUMENT

A PLAT OF LOTS 8 AND 10 OF PARK ACRES FIRST ADDITION IN THE
NE 1/4 OF SECTION 6, T 103 N, R 60 W OF THE 5TH P.M., DAVISON
COUNTY, SOUTH DAKOTA

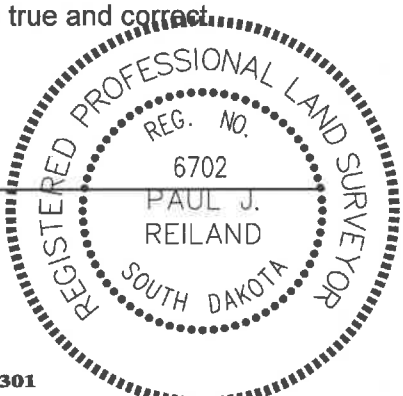
SURVEYOR'S CERTIFICATE

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 CJM Consulting, Inc., a South Dakota corporation, as owner, and under its direction for purposes indicated therein, I did on or prior to June 4, 2021, survey those parcels of land described as follows: LOTS 8 AND 10 OF PARK ACRES FIRST ADDITION IN THE NE 1/4 OF SECTION 6, T 103 N, R 60 W OF THE 5TH P.M., 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 _____, 2021.

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

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A PLAT OF LOTS 8 AND 10 OF PARK ACRES FIRST ADDITION IN THE NE 1/4 OF SECTION 6, T 103 N, R 60 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 _____, 2021; and
WHEREAS, it appears from an examination of the plat of LOTS 8 AND 10 OF PARK ACRES FIRST ADDITION IN THE NE 1/4 OF SECTION 6, T 103 N, R 60 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 8 AND 10 OF PARK ACRES FIRST ADDITION IN THE NE 1/4 OF SECTION 6, T 103 N, R 60 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 does hereby certify that the foregoing resolution was passed by the City of Mitchell, South Dakota, at a meeting held on the _____ day of _____, 2021.

Finance Officer/Deputy Finance Officer of the City of Mitchell

RESOLUTION OF COUNTY PLANNING COMMISSION

WHEREAS, the plat of LOTS 8 AND 10 OF PARK ACRES FIRST ADDITION IN THE NE 1/4 OF SECTION 6, T 103 N, R 60 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 8 AND 10 OF PARK ACRES FIRST ADDITION IN THE NE 1/4 OF SECTION 6, T 103 N, R 60 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 does hereby certify 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 _____, 2021.

Chairperson/Vice Chairperson of the
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 8 AND 10 OF PARK ACRES FIRST ADDITION IN THE NE 1/4 OF SECTION 6, T 103 N, R 60 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.
Dated this _____ day of _____, 2021.

Chairperson/Vice Chairperson of the Board of
County Commissoners of Davison County

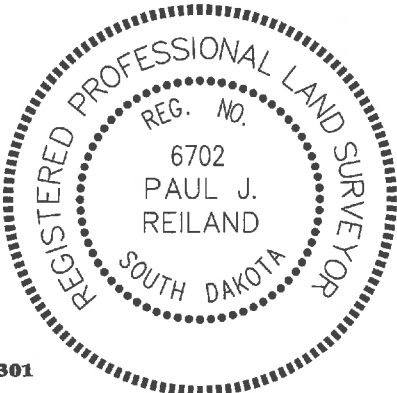
AUDITOR'S CERTIFICATE

The undersigned does 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 _____, 2021, approving the above named plat.

Auditor\Deputy Auditor of Davison County



& 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



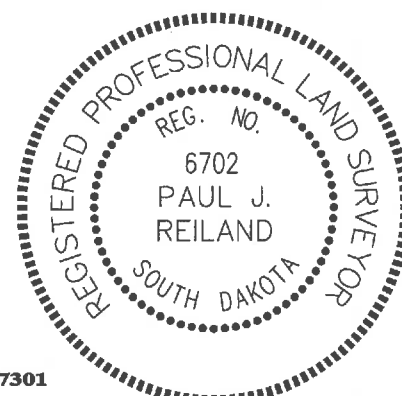
CERTIFICATE OF HIGHWAY AUTHORITY

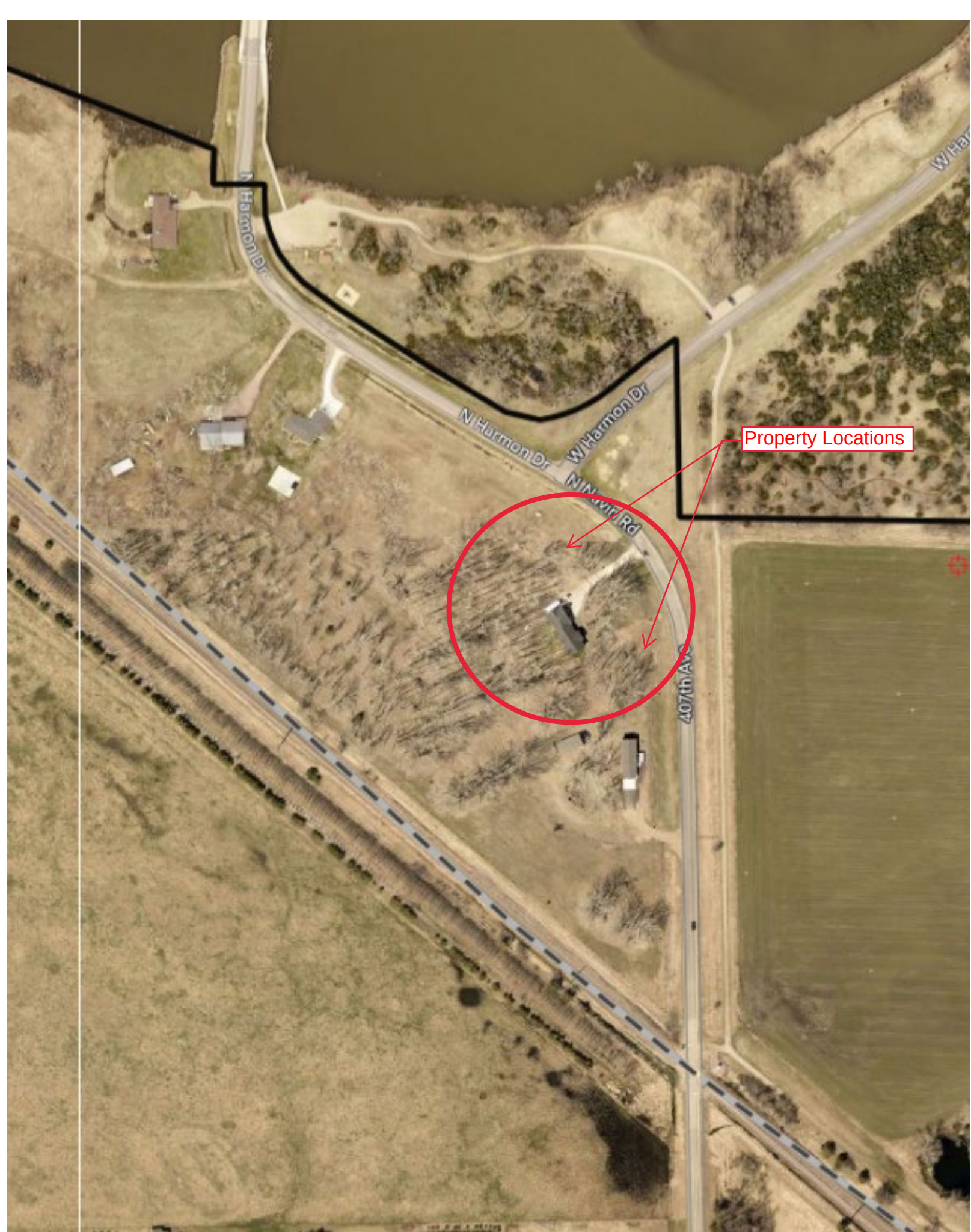
Date: _____

Date _____

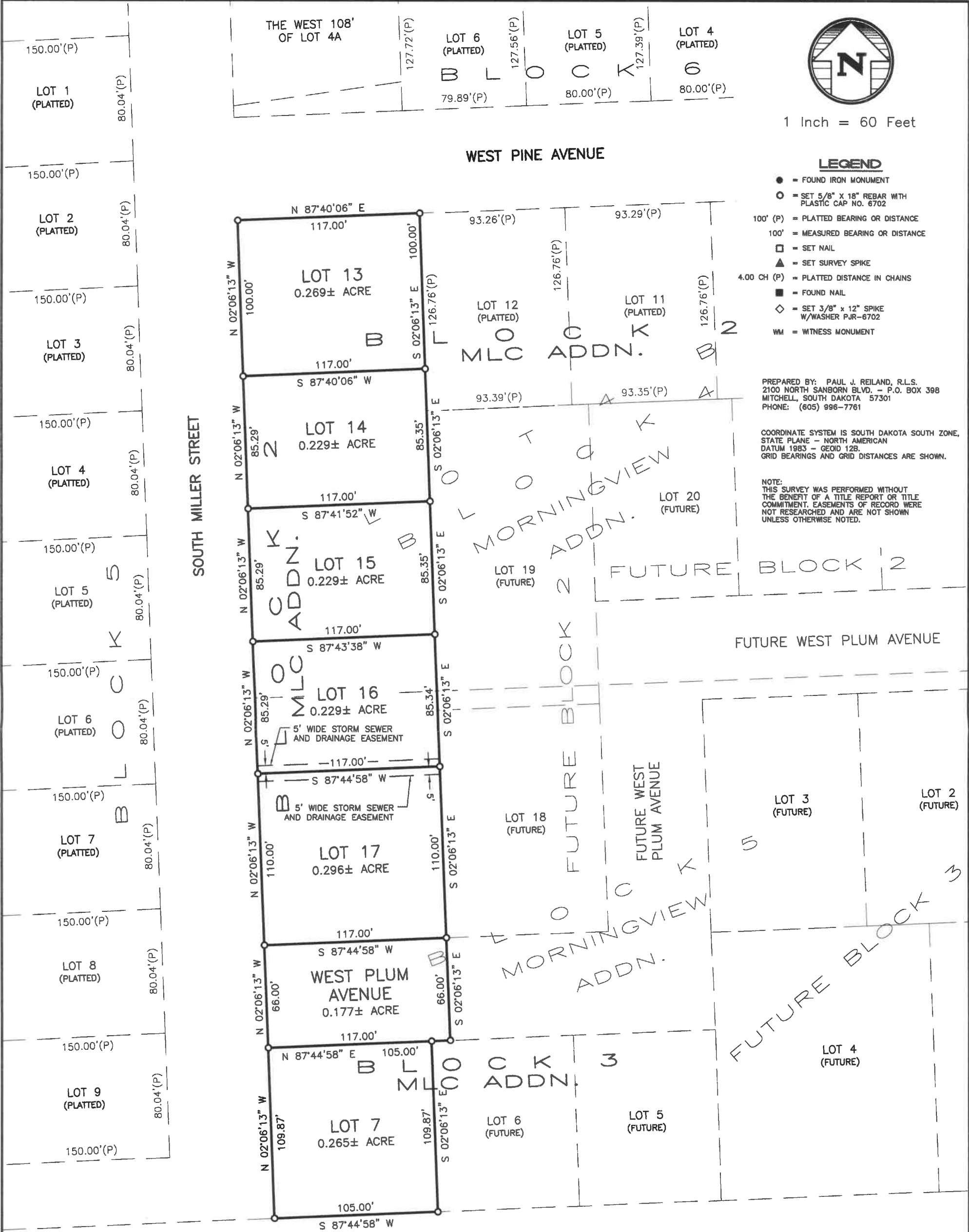
Date _____

By: _____ Deputy





Property Locations



1 Inch = 60 Feet

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
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- 4.00 CH (P) = PLATTED DISTANCE IN CHAINS
- = FOUND NAIL
- ◇ = SET 3/8" X 12" SPIKE W/WASHER PJR-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

COORDINATE SYSTEM IS SOUTH DAKOTA SOUTH ZONE,
STATE PLANE - NORTH AMERICAN
DATUM 1983 - GEOID 12B.
GRID BEARINGS AND GRID DISTANCES ARE SHOWN.

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.

A PLAT OF LOTS 13, 14, 15, 16 AND 17, BLOCK 2; LOT 7, BLOCK 3; AND WEST PLUM AVENUE; ALL IN MLC ADDITION, A SUBDIVISION OF LOT 4B, BLOCK 4, AND BLOCK 5, MORNINGVIEW ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

SPN

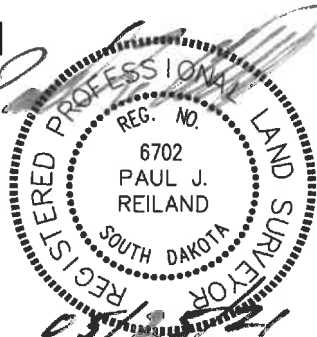
& Associates

Engineers, Planners and Surveyors

2100 North Sanborn Blvd. - P.O. Box 398 Mitchell, South Dakota 57301

Phone: (605) 996-7761

Fax: (605) 996-0015



A PLAT OF LOTS 13, 14, 15, 16 AND 17, BLOCK 2; LOT 7, BLOCK 3; AND WEST PLUM AVENUE; ALL IN MLC ADDITION, A SUBDIVISION OF LOT 4B, BLOCK 4, AND BLOCK 5, MORNINGVIEW ADDITION TO THE 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 Robert W. Mueller, and under his direction for purposes indicated therein, I did on or prior to May 10, 2021, survey those parcels of land described as follows: LOTS 13, 14, 15, 16 AND 17, BLOCK 2; LOT 7, BLOCK 3; AND WEST PLUM AVENUE; ALL IN MLC ADDITION, A SUBDIVISION OF LOT 4B, BLOCK 4, AND BLOCK 5, MORNINGVIEW ADDITION TO THE 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 25 day of May, 2021.



Registered Land Surveyor #SD6702

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

KNOW ALL MEN BY THESE PRESENTS that Robert W. Mueller, the undersigned, hereby certifies that Mueller Lumber Company, a South Dakota corporation, is the absolute and unqualified owner of all of the land included in the within and foregoing plat; the plat is of a parcel of ground located in LOT 4B, BLOCK 4, AND BLOCK 5, MORNINGVIEW ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA; that the plat has been made at my request, and under my direction for the purposes indicated therein; which said property as so surveyed and platted shall hereafter be known as LOTS 13, 14, 15, 16 AND 17, BLOCK 2; LOT 7, BLOCK 3; AND WEST PLUM AVENUE; ALL IN MLC ADDITION, A SUBDIVISION OF LOT 4B, BLOCK 4, AND BLOCK 5, MORNINGVIEW ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, as shown by this plat; and I hereby dedicate to the public, for public use forever as such, the streets and alleys, if any, as shown and marked on said plat; and that development of the land included within the boundaries of said Lots 13, 14, 15, 16 and 17, Block 2; and Lot 7, Block 3 shall conform to all existing applicable zoning, subdivision, erosion, sediment control and drainage regulations and ordinances; further that there now exists West Pine Avenue and South Miller Street. Pursuant to SDCL 11-3-8.1 and 11-3-8.2 the developer of the property described within this plat shall be responsible for protecting any waters of the state located adjacent to or within such platted area from pollution from sewage from such subdivision and shall, in prosecution of such protections, conform to and follow all regulations of the South Dakota Department of Agriculture and Natural Resources relating to the same. Additionally, the developer of the property described within this plat shall be liable for any pollution that occurs from failure to execute such protections or follow such regulations, exception being those lots in subdivisions that show documentation that wastewater drainage shall be connected to a municipal system.

IN WITNESS WHEREOF, I have hereunto set my hand this day of , 2021.

Robert W. Mueller, President of Mueller Lumber Company,
a South Dakota corporation

CORPORATION ACKNOWLEDGMENT

STATE OF SOUTH DAKOTA)
)SS
COUNTY OF DAVISON)

On this, the day of , 2021, before me, , the undersigned officer, personally appeared Robert W. Mueller, of Mueller Lumber Company, a South Dakota corporation, and that he, as such President, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as President.

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

Notary Public, South Dakota
My Commission Expires:

RESOLUTION OF CITY PLANNING COMMISSION

WHEREAS, the plat of LOTS 13, 14, 15, 16 AND 17, BLOCK 2; LOT 7, BLOCK 3; AND WEST PLUM AVENUE; ALL IN MLC ADDITION, A SUBDIVISION OF LOT 4B, BLOCK 4, AND BLOCK 5, MORNINGVIEW ADDITION TO THE CITY OF MITCHELL, 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 City Finance Officer of Mitchell, South Dakota, has been submitted to the City Planning Commission of the said City of Mitchell, South Dakota; and
WHEREAS, the City 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 City of Mitchell, South Dakota, heretofore adopted by this Commission;
NOW THEREFORE, be it resolved by the City Planning Commission of Mitchell, South Dakota, that the plat of LOTS 13, 14, 15, 16 AND 17, BLOCK 2; LOT 7, BLOCK 3; AND WEST PLUM AVENUE; ALL IN MLC ADDITION, A SUBDIVISION OF LOT 4B, BLOCK 4, AND BLOCK 5, MORNINGVIEW ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul J. Reiland, a Land Surveyor, be and the same is hereby approved and its adoption by the City Council of the City of Mitchell, South Dakota, is hereby recommended.
The undersigned does hereby certify that the foregoing resolution was passed by the City Planning Commission of Mitchell, South Dakota, at a meeting thereof held on the day of , 2021.

Chairperson/Vice Chairperson of the City of Mitchell
Planning Commission



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

RESOLUTION OF CITY COUNCIL

Finance Officer/Deputy Finance Officer of the City of Mitchell

Date _____

Date _____

By _____ Deputy



SPN

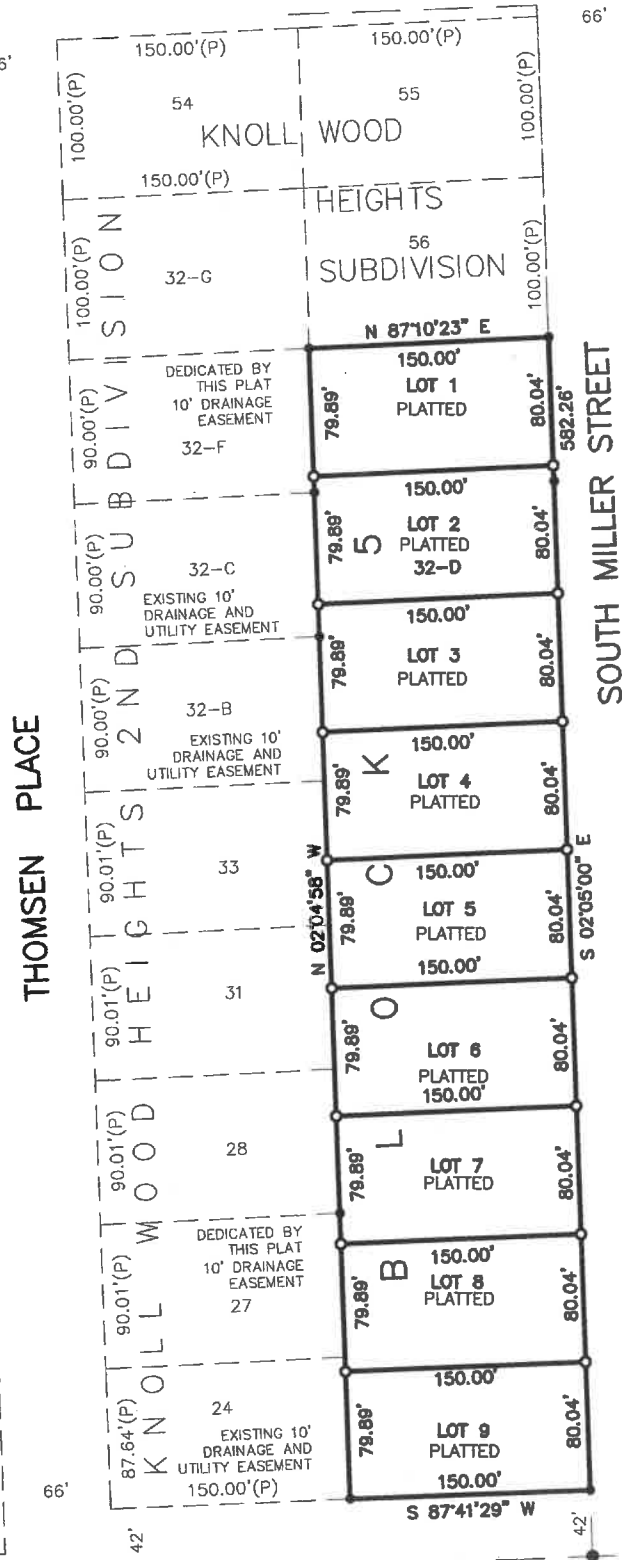
Phone: (605) 996-7761 Fax: (605) 996-0015





SCALE: 1" = 120'

West Norway Avenue

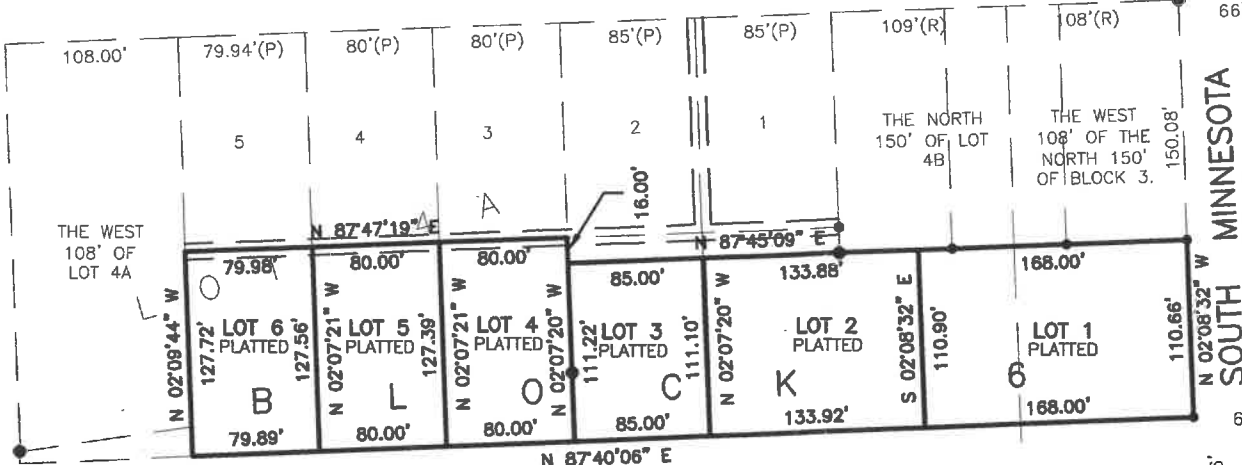


SOUTH MILLER STREET

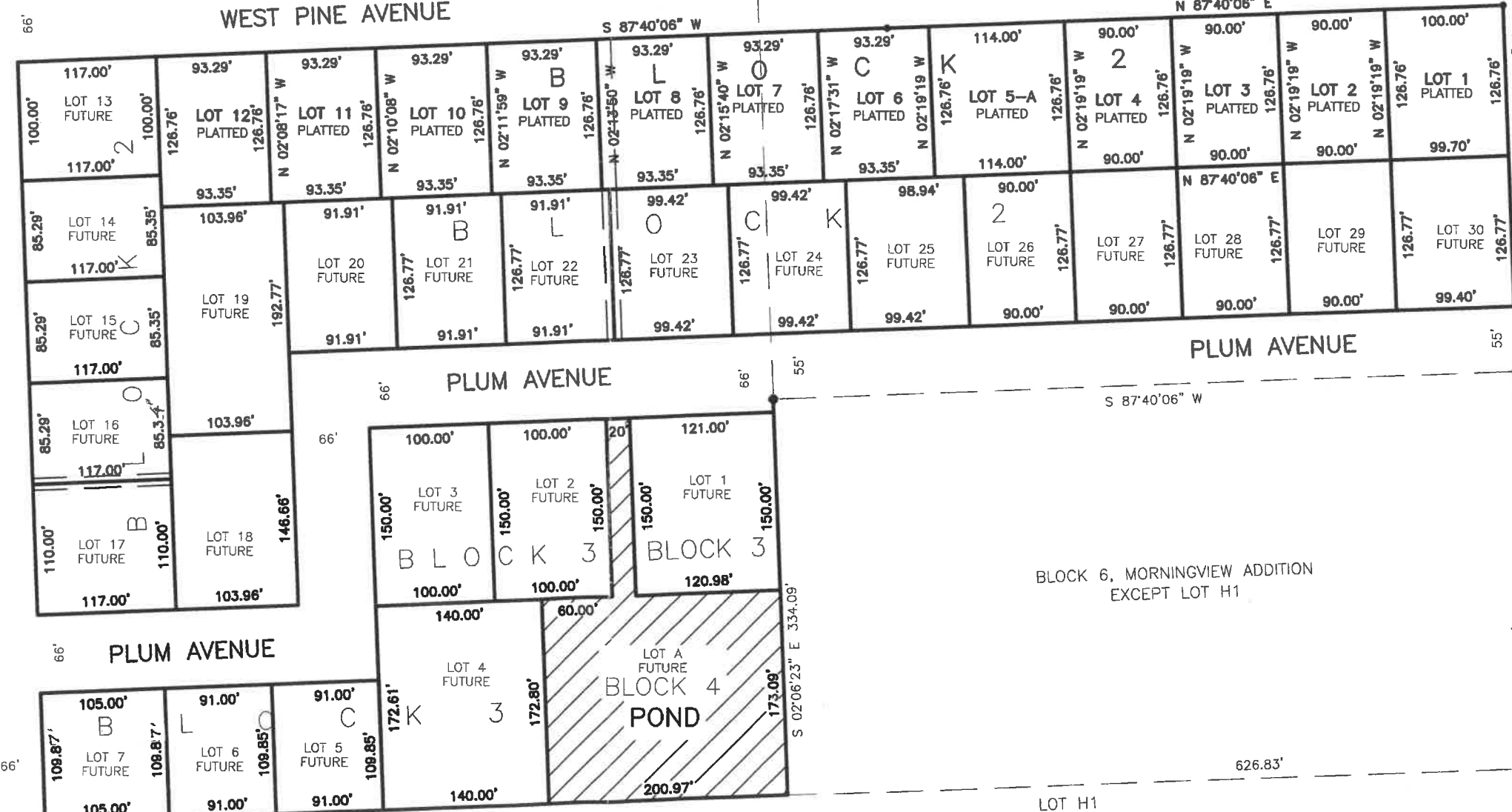
I-90 RIGHT-OF-WAY

LOT H1

West Norway Avenue



West Pine Avenue



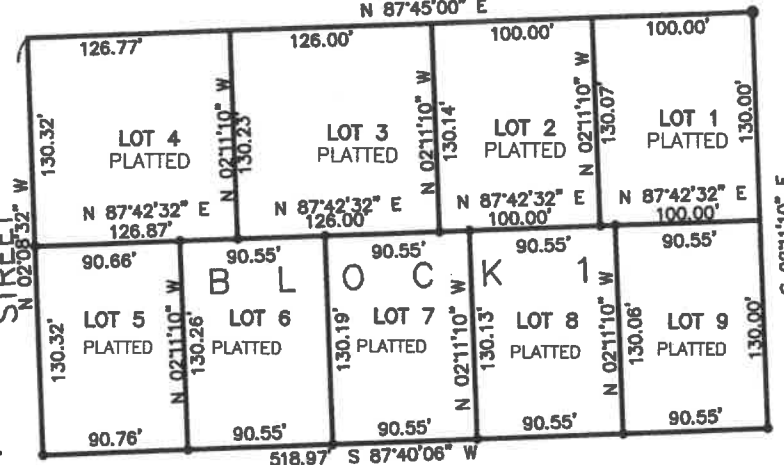
Plum Avenue

Plum Avenue

BLOCK 6, MORNINGVIEW ADDITION
EXCEPT LOT H1

LOT H1

West Norway Avenue



West Pine Avenue

SOUTH WISCONSIN STREET

BLOCK 2B

BLOCK 7

SPN

& Associates

Engineers, Planners and Surveyors

1404 North 9th Street, Suite 100, South Dakota 57301

MUELLER LUMBER
MLC ADDITION

DATE REVISED: 5/28/2021

