

**CITY OF MITCHELL
CITY PLANNING COMMISSION AGENDA
CITY COUNCIL CHAMBERS, CITY HALL
612 N MAIN ST
DECEMBER 13, 2021 @ 12:00P.M. (NOON)**

- 1. Call To Order:**
- 2. Roll Call:**
- 3. Declaration Of Conflicts Of Interests**
- 4. Approve Agenda:**
- 5. Approval Of Previous Minutes 11-22-21**

Documents:

[PLANNING COMMISSION UNSIGNED MINUTES 11-22-21.PDF](#)

- 6. Schedule Next Meeting-January 10, 2022 @ 12:00 P.M.**
- 7. Plat: Plat Of Lot 4A, Block 2 Of Circle K Ranch Second Addition, A Subdivision Of An Unplatted Portion Of The SE 1/4 Of Section 6 And All Of Previously Platted Lot 4, Block 2 Of Circle K Ranch Second Addition In The SE 1/4 Of Section 6, All In T 103 N, R 60 W Of The 5th P.M., Davison County, South Dakota; As Requested By Matthew & Angella Buenzow**

Documents:

[BUENZOW-PLAT.PDF](#)
[BUENZOW-GIS.PDF](#)

- 8. Plat: Plat Of Lot 4A Of Circle K Ranch First Addition, A Subdivision Of An Unplatted Portion Of The SE 1/4 Of Section 6 And All Of Previously Platted Lot 4 Of Circle K Ranch First Addition In The SE 1/4 Of Section 6, All In T 103 N, R 60 W Of The 5th P.M., Davison County, South Dakota; As Requested By Richard And Joleen Mueller.**

Documents:

[MUELLER-PLAT.PDF](#)
[MUELLER-GIS.PDF](#)

- 9. Plat: Plat Of Lots 81A & 82A Of Overlook Addition, An Addition To The City Of Mitchell, Davison County, South Dakota; As Requested By City Of Mitchell.**

Documents:

[CITY OF MITCHELL-PLAT.PDF](#)
[CITY OF MITCHELL-GIS.PDF](#)

- 10. Plan Approval-BWD Mitchell LLC D/B/A BesaMe Wellness-1400 S Burr St**
BWD Mitchell LLC d/b/a BesaMe Wellness is proposing to open a Medical Cannabis Facility . The business will be located at 1400 S Burr and is zoned Highway Business.

Documents:

[BWD MITCHELL LLC-GIS.PDF](#)
[BWD MITCHELL LLC-PLANS.PDF](#)
[BWD MITCHELL LLC-SIGNS.PDF](#)

11. Plan Approval-CJM Consulting Inc.-South Lake Estates

CJM Consulting is proposing their master plan for South Lake Estates. It is currently zoned Residential Lake.

Documents:

[CJM CONSULTING-SOUTH LAKE ESTATES.PDF](#)

12. Rezoning: City Of Mitchell, 40580 250th St And Abutting Parcels.

City of Mitchell is requesting the following property legally described as;

Parcel 1. The W 208.75 feet of the S 208.75 feet of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 36, T 104 N, R 61 W of the 5th P.M., Davison County, South Dakota;

Parcel 2. Kelley Tract 1, SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 36, T 104 N, R 61 W of the 5th P.M., Davison County, South Dakota;

Parcel 3. The SW $\frac{1}{4}$ of SE $\frac{1}{4}$ Less Kelley Tract 1, Section 36, T 104 N, R 61 W of the 5th P.M., Davison County, South Dakota;

Parcel 4. N $\frac{1}{2}$ & SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ Ex Irregular Tract 1 Ex W 208.75 feet of the S 208.75 feet Ex Lot 1 of DN & KN Addition of Section 36, T 104 N, R 61 W of the 5th P.M., Davison County, South Dakota;

from Davison County AG Agricultural to City of Mitchell UD Urban Development
AND THE OFFICIAL ZONING MAP BE CHANGED TO REFLECT THE SAME.

Documents:

[CITY OF MITCHELL-APPLICATION.PDF](#)
[CITY OF MITCHELL-GIS.PDF](#)
[CITY OF MITCHELL-NEIGHBORS.PDF](#)
[CITY OF MITCHELL-NOTICE OF HEARING.PDF](#)

13. Other Business:

14. 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.

15. 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
November 22, 2021

NOT APPROVED

1. Vice-Chairperson Molumby called the November 22, 2021 City Planning Commission Meeting to order at 12:00 P.M. noon in the Council Chambers, City Hall, 612 N Main Street.
2. Roll Call-quorum is met, simple majority vote required for all items.
Present: Molumby, Osterloo, Sonne, Genzlinger, Doescher.
Absent: Larson, Penney, Jirsa.
Staff Present: Jenniges, Schroeder, Hegg, Ellwein, Mayor Everson.
3. Declare conflicts of interest-None.
4. Approval of proposed agenda: Motion by Genzlinger, seconded by Osterloo, to approve the proposed agenda. All present members voting aye, motion carried.
5. Approval of proposed minutes: Motion by Osterloo, seconded by Sonne, to approve the minutes of the November 8, 2021 Planning Commission meeting. All present members voting aye, motion carried.
6. Schedule next meeting: Motion by Osterloo, seconded by Sonne, to schedule the next meeting for December 13, 2021. All present members voting aye, motion carried.
7. Plat: Plat of Singapore Slab Tract 1, a Subdivision of the E ½ of the SE ¼ of Section 32, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota; as requested by P & B Casey Farms, LLC. The applicant was not present but Brian Eliason representing the applicant was there to answer questions.

Motion by Genzlinger, seconded by Osterloo, to approve Plat with the condition an elevation certificate be provided. All present members voting aye, motion carried.

8. Plan Approval: Tara Volesky is proposing to remodel the interior and exterior of 100 W 5th Ave. The property is zoned Central Business. The plan has been sent to SHPO and waiting to hear back from them on their opinion.

Jenniges went over the plan that was presented to the board with the updating of interior and exterior finishes.

Genzlinger questioned if contractors had been selected for the project yet. Volesky stated 605 will be doing the awning, she will hire a professional painter and bid out the interior. Viking Glass will provide the new doors.

Motion by Osterloo, seconded by Genzlinger, to approve Plan with the condition of SHPO's approval . All present members voting aye, motion carried.

9. Other Business-None.

10. Public Comment-None.

11. Vice-Chairman Molumby adjourned the meeting at 12:09 P.M.

Doug Molumby
Planning Commission Vice-Chairperson



1 Inch = 100 Feet

LEGEND

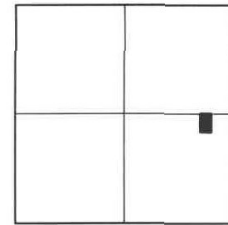
- = FOUND IRON MONUMENT
- = SET 5/8" X 18" REBAR WITH PLASTIC CAP NO. 8296
- 100' (P) = PLATTED BEARING OR DISTANCE
- 100' = MEASURED BEARING OR DISTANCE
- = SET NAIL
- ▲ = SET SURVEY SPIKE
- 4.00 CH (P) = PLATTED DISTANCE IN CHAINS
- = FOUND NAIL
- ◇ = SET 3/8" X 12" SPIKE W/WASHER PCK-8296
- WM = WITNESS MONUMENT

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

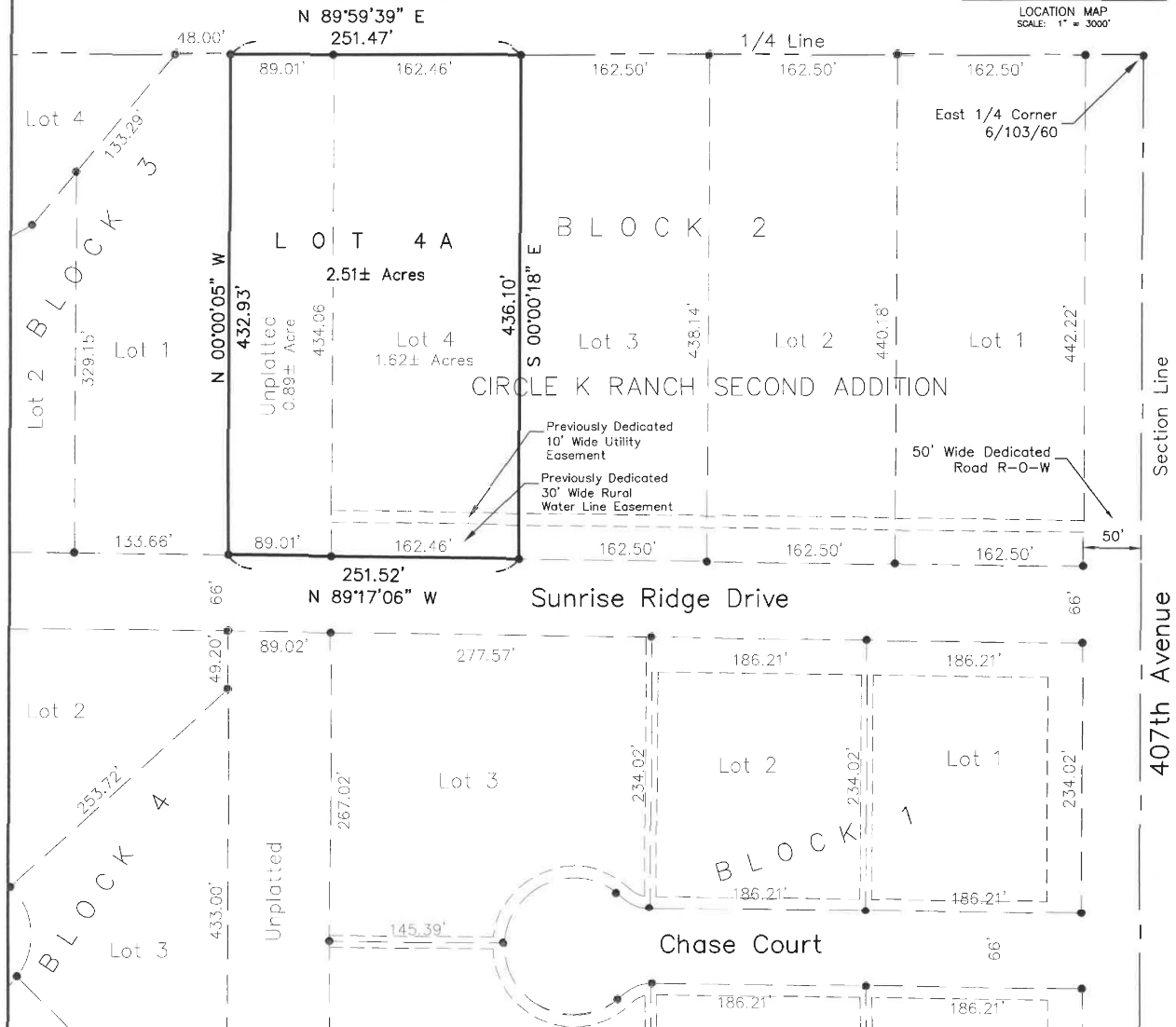
COORDINATE SYSTEM IS SOUTH DAKOTA SOUTH ZONE,
STATE PLANE - NORTH AMERICAN
DATUM 1983 - GEOID 12B.
GRID BEARINGS AND GROUND DISTANCES ARE SHOWN.

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.

SEC. 6, T 103 N, R 60 W



LOCATION MAP
SCALE: 1" = 3000'



A PLAT OF LOT 4A, BLOCK 2 OF CIRCLE K RANCH SECOND ADDITION, A SUBDIVISION OF AN UNPLATTED PORTION OF THE SE 1/4 OF SECTION 6 AND ALL OF PREVIOUSLY PLATTED LOT 4, BLOCK 2 OF CIRCLE K RANCH SECOND ADDITION IN THE SE 1/4 OF SECTION 6, ALL IN T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA

SURVEYOR'S CERTIFICATE

I, Paul C. Kiepke, the undersigned, do hereby certify that I am a Registered Land Surveyor in and for the State of South Dakota. At the request of the owners listed below, and under their direction for purposes indicated therein, I did on or prior to November 16, 2021, survey those parcels of land described as follows; LOT 4A, BLOCK 2 OF CIRCLE K RANCH SECOND ADDITION, A SUBDIVISION OF AN UNPLATTED PORTION OF THE SE 1/4 OF SECTION 6 AND ALL OF PREVIOUSLY PLATTED LOT 4, BLOCK 2 OF CIRCLE K RANCH SECOND ADDITION IN THE SE 1/4 OF SECTION 6, ALL IN T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA. This plat does hereby vacate previously platted LOT 4, BLOCK 2 OF CIRCLE K RANCH SECOND ADDITION, A SUBDIVISION OF THE SE 1/4 OF SECTION 6, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, AS RECORDED IN PLAT BOOK 20 ON PAGE 40.

In my professional opinion and to the best of my knowledge, information and belief, the within and foregoing plat is true and correct.

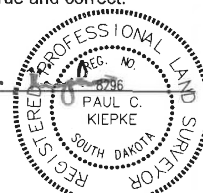
Dated this 22nd day of November, 2021.

Registered Land Surveyor #SD8296

SPN

& Associates
Engineers, Planners and Surveyors

2100 North Sauborn 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

& Associates
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 2100 North Sanborn Blvd. - P.O. Box 398 Mitchell, South Dakota 57301
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A PLAT OF LOT 4A, BLOCK 2 OF CIRCLE K RANCH SECOND ADDITION, A SUBDIVISION OF AN UNPLATTED PORTION OF THE SE 1/4 OF SECTION 6 AND ALL OF PREVIOUSLY PLATTED LOT 4, BLOCK 2 OF CIRCLE K RANCH SECOND ADDITION IN THE SE 1/4 OF SECTION 6, ALL IN T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA

RESOLUTION OF CITY PLANNING COMMISSION

WHEREAS, the plat of LOT 4A, BLOCK 2 OF CIRCLE K RANCH SECOND ADDITION, A SUBDIVISION OF AN UNPLATTED PORTION OF THE SE 1/4 OF SECTION 6 AND ALL OF PREVIOUSLY PLATTED LOT 4, BLOCK 2 OF CIRCLE K RANCH SECOND ADDITION IN THE SE 1/4 OF SECTION 6, ALL IN T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul C. Kiepke, 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 4A, BLOCK 2 OF CIRCLE K RANCH SECOND ADDITION, A SUBDIVISION OF AN UNPLATTED PORTION OF THE SE 1/4 OF SECTION 6 AND ALL OF PREVIOUSLY PLATTED LOT 4, BLOCK 2 OF CIRCLE K RANCH SECOND ADDITION IN THE SE 1/4 OF SECTION 6, ALL IN T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul C. Kiepke, 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

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 4A, BLOCK 2 OF CIRCLE K RANCH SECOND ADDITION, A SUBDIVISION OF AN UNPLATTED PORTION OF THE SE 1/4 OF SECTION 6 AND ALL OF PREVIOUSLY PLATTED LOT 4, BLOCK 2 OF CIRCLE K RANCH SECOND ADDITION IN THE SE 1/4 OF SECTION 6, ALL IN T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, as prepared by Paul C. Kiepke, 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 4A, BLOCK 2 OF CIRCLE K RANCH SECOND ADDITION, A SUBDIVISION OF AN UNPLATTED PORTION OF THE SE 1/4 OF SECTION 6 AND ALL OF PREVIOUSLY PLATTED LOT 4, BLOCK 2 OF CIRCLE K RANCH SECOND ADDITION IN THE SE 1/4 OF SECTION 6, ALL IN T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul C. Kiepke, 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 LOT 4A, BLOCK 2 OF CIRCLE K RANCH SECOND ADDITION, A SUBDIVISION OF AN UNPLATTED PORTION OF THE SE 1/4 OF SECTION 6 AND ALL OF PREVIOUSLY PLATTED LOT 4, BLOCK 2 OF CIRCLE K RANCH SECOND ADDITION IN THE SE 1/4 OF SECTION 6, ALL IN T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul C. Kiepke, 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 LOT 4A, BLOCK 2 OF CIRCLE K RANCH SECOND ADDITION, A SUBDIVISION OF AN UNPLATTED PORTION OF THE SE 1/4 OF SECTION 6 AND ALL OF PREVIOUSLY PLATTED LOT 4, BLOCK 2 OF CIRCLE K RANCH SECOND ADDITION IN THE SE 1/4 OF SECTION 6, ALL IN T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul C. Kiepke, 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 LOT 4A, BLOCK 2 OF CIRCLE K RANCH SECOND ADDITION, A SUBDIVISION OF AN UNPLATTED PORTION OF THE SE 1/4 OF SECTION 6 AND ALL OF PREVIOUSLY PLATTED LOT 4, BLOCK 2 OF CIRCLE K RANCH SECOND ADDITION IN THE SE 1/4 OF SECTION 6, ALL IN 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 Commissioners of Davison County



SPN

& Associates
Engineers, Planners and Surveyors
2100 North Sanborn Blvd. - P.O. Box 398 Mitchell, South Dakota 57301
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1 Inch = 100 Feet

LEGEND

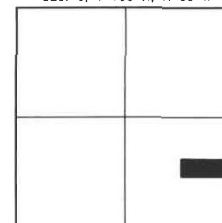
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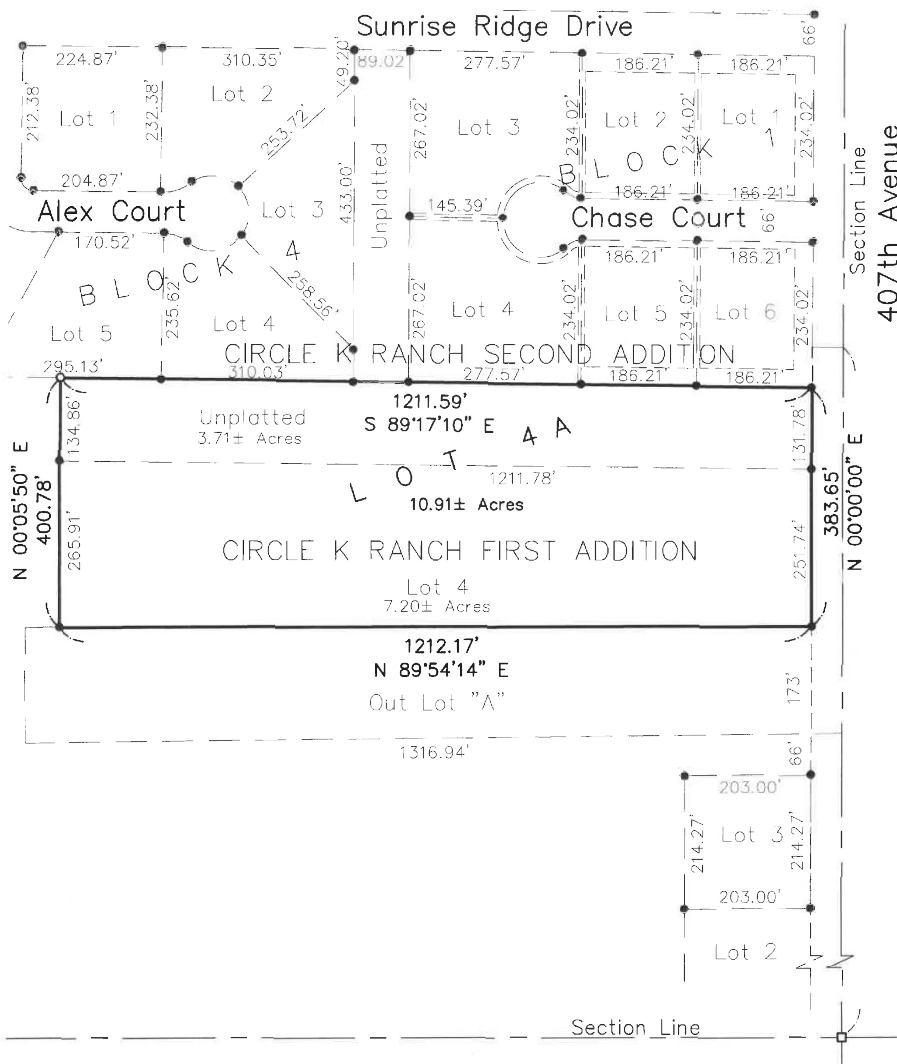
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SEC. 6, T 103 N, R 60 W



LOCATION MAP
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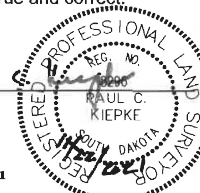
In my professional opinion and to the best of my knowledge, information and belief, the within and foregoing plat is true and correct.

Dated this 22nd day of November, 2021.

Registered Land Surveyor #SD8296

SPN

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

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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;

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Chairperson/Vice Chairperson of the City of Mitchell
Planning Commission

RESOLUTION OF CITY COUNCIL

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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 LOT 4A OF CIRCLE K RANCH FIRST ADDITION, A SUBDIVISION OF AN UNPLATTED PORTION OF THE SE 1/4 OF SECTION 6 AND ALL OF PREVIOUSLY PLATTED LOT 4 OF CIRCLE K RANCH FIRST ADDITION IN THE SE 1/4 OF SECTION 6, ALL IN T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul C. Kiepke, 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

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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 LOT 4A OF CIRCLE K RANCH FIRST ADDITION, A SUBDIVISION OF AN UNPLATTED PORTION OF THE SE 1/4 OF SECTION 6 AND ALL OF PREVIOUSLY PLATTED LOT 4 OF CIRCLE K RANCH FIRST ADDITION IN THE SE 1/4 OF SECTION 6, ALL IN 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 Commissioners of Davison County



SPN

& Associates
Engineers, Planners and Surveyors
2100 North Sanborn Blvd. - P.O. Box 398 Mitchell, South Dakota 57301
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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

CERTIFICATE OF HIGHWAY AUTHORITY

The locations of the existing approach(es) is hereby approved. Any change in the location of the existing approach(es) shall require additional approval.

By: _____
Highway Authority

Title: _____

Date: _____

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 my office, have been fully paid.

Treasurer/Deputy Treasurer, Davison County

Date

DIRECTOR OF EQUALIZATION

The undersigned does hereby certify that a copy of the plat of LOT 4A OF CIRCLE K RANCH FIRST ADDITION, A SUBDIVISION OF AN UNPLATTED PORTION OF THE SE 1/4 OF SECTION 6 AND ALL OF PREVIOUSLY PLATTED LOT 4 OF CIRCLE K RANCH FIRST ADDITION IN THE SE 1/4 OF SECTION 6, ALL IN T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, has been received by me and is filed in my office.

Director of Equalization/Deputy Director of Equalization, Davison County

Date

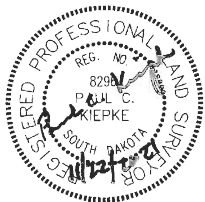
REGISTER OF DEEDS

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



PLAT OF LOTS 81A & 82A OF OVERLOOK ADDITION

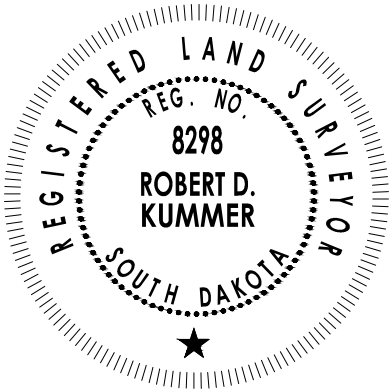
AN ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

SURVEYOR'S CERTIFICATE

I, ROBERT D. KUMMER, A REGISTERED LAND SURVEYOR OF THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT I DID ON OR BEFORE DECEMBER 7, 2021, FOR THE PURPOSE OF PLATTING, DID SURVEY LOTS 81 AND 82 OF OVERLOOK ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA AS SHOWN ON THE ABOVE PLAT. THE SAME SHALL HEREAFTER BE KNOWN AND DESCRIBED AS **LOTS 81A & 82A OF OVERLOOK ADDITION, AN ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA.**

DATED THIS ____ DAY OF _____, 2021.

ROBERT D. KUMMER
REGISTERED LAND SURVEYOR NO. 8298



OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS THAT WE DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF ALL LAND INCLUDED IN THE ABOVE PLAT AND THAT SAID PLAT HAS BEEN MADE AT OUR REQUEST AND IN ACCORDANCE WITH OUR INSTRUCTIONS FOR THE PURPOSE OF TRANSFER, AND THAT THE DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION, AND EROSION AND SEDIMENT CONTROL LAWS, ORDINANCES, AND REGULATIONS. 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 WATER 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 REGULATION OF THE SOUTH DAKOTA DEPARTMENT OF ENVIRONMENT 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.

WE HEREBY DEDICATE TO THE PUBLIC FOR PUBLIC USE FOREVER THE STREETS, ROADS AND ALLEYS, AND PARKS AND PUBLIC GROUNDS, IF ANY, AS SHOWN ON SAID PLAT , INCLUDING ALL SEWERS, CULVERTS, BRIDGES, WATER DISTRIBUTION LINES, SIDEWALKS, AND OTHER IMPROVEMENTS ON OR UNDER THE STREETS, ALLEYS, PARKS AND PUBLIC GROUNDS WHETHER SUCH IMPROVEMENTS ARE SHOWN OR NOT. I/WE ALSO HEREBY GRANT EASEMENTS TO RUN WITH THE LAND FOR WATER, DRAINAGE, SEWER, GAS, ELECTRIC, TELEPHONE, OR OTHER PUBLIC UTILITY LINES OR SERVICE UNDER, ON, OR OVER THOSE STRIPS OF LAND DESIGNATED HEREON AS EASEMENTS.

DATED THIS ____ DAY OF _____, 2021.

CITY OF MITCHELL (OWNER)
TITLE: _____

STATE OF: SOUTH DAKOTA)
COUNTY OF: DAVISON)

ON THIS ____ DAY OF _____, 2021, BEFORE ME, _____, THE

UNDERSIGNED OFFICER, PERSONALLY APPEARED, _____, OF THE CITY OF MITCHELL, AND HE/SHE, AS SUCH BEING AUTHORIZED SO TO DO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED, BY SIGNING THEIR NAME.

IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL THIS
______ DAY OF _____, 2021.

NOTARY PUBLIC, SOUTH DAKOTA

MY COMMISSION EXPIRES: _____

RESOLUTION OF CITY PLANNING COMMISSION

WHEREAS, THE PLAT OF **LOTS 81A & 82A OF OVERLOOK ADDITION, AN ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA**, HAS BEEN SUBMITTED TO THE CITY PLANNING COMMISSION OF 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 81A & 82A OF OVERLOOK ADDITION, AN ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA**, BE AND THE SAME IS HEREBY APPROVED AND ITS ADOPTION BY THE CITY COUNCIL OF THE CITY OF MITCHELL, SOUTH DAKOTA, IS HEREBY RECOMMENDED.

I, _____, CHAIRMAN/VICE CHAIRMAN OF THE CITY PLANNING COMMISSION FOR THE CITY OF MITCHELL, SOUTH DAKOTA, DO 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.

CHAIRMAN/VICE CHAIRMAN CITY PLANNING COMMISSION

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 81A & 82A OF OVERLOOK ADDITION, AN ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, 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 81A & 82A OF OVERLOOK ADDITION, AN ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA** BE AND THE SAME IS APPROVED AND THE DESCRIPTION SET FORTH THEREIN AND THE ACCOMPANYING SURVEYOR'S CERTIFICATE SHALL PREVAIL.

I, _____, FINANCE OFFICER/DEP. FINANCE OFFICER OF THE CITY OF MITCHELL, SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE FOREGOING RESOLUTION WAS PASSED BY THE CITY OF MITCHELL, SOUTH DAKOTA, AT A MEETING THEREOF HELD ON THE ____ DAY OF _____, 2021.

FINANCE OFFICER/DEP. FINANCE OFFICER

COUNTY TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT ALL TAXES WHICH ARE LIENS UPON ANY LAND INCLUDED IN THE ABOVE (AND THE FOREGOING) PLAT, AS SHOWN BY THE RECORDS OF MY OFFICE, HAVE BEEN FULLY PAID.

DATED THIS ____ DAY OF _____, 2021.

COUNTY TREASURER/DEPUTY TREASURER
DAVISON COUNTY, SOUTH DAKOTA

DIRECTOR OF EQUALIZATION

I HEREBY CERTIFY THAT A COPY OF THE PLAT OF **LOTS 81A & 82A OF OVERLOOK ADDITION, AN ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA**, HAS BEEN RECEIVED BY ME AND FILED IN MY OFFICE.

DIRECTOR OF EQUALIZATION/DEPUTY DIRECTOR OF EQUALIZATION
DAVISON COUNTY, SOUTH DAKOTA

REGISTER OF DEEDS

FILED FOR RECORD THIS ____ DAY OF _____, 2021, AT ____

O'CLOCK __.M., AND RECORDED IN BOOK ____ OF PLATS ON PAGE ____.

REGISTER OF DEEDS/DEPUTY REGISTER OF DEEDS
DAVISON COUNTY, SOUTH DAKOTA

PREPARED BY:



520 N LAWLER ST., SUITE 400
MITCHELL, SD 57301
PHONE: 605-292-0231
WEB: infrastructuredg.com

PLAT OF LOTS 81A & 82A OF OVERLOOK ADDITION

AN ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

PROJ. NO.: 21105

DATE: 6/21/2021

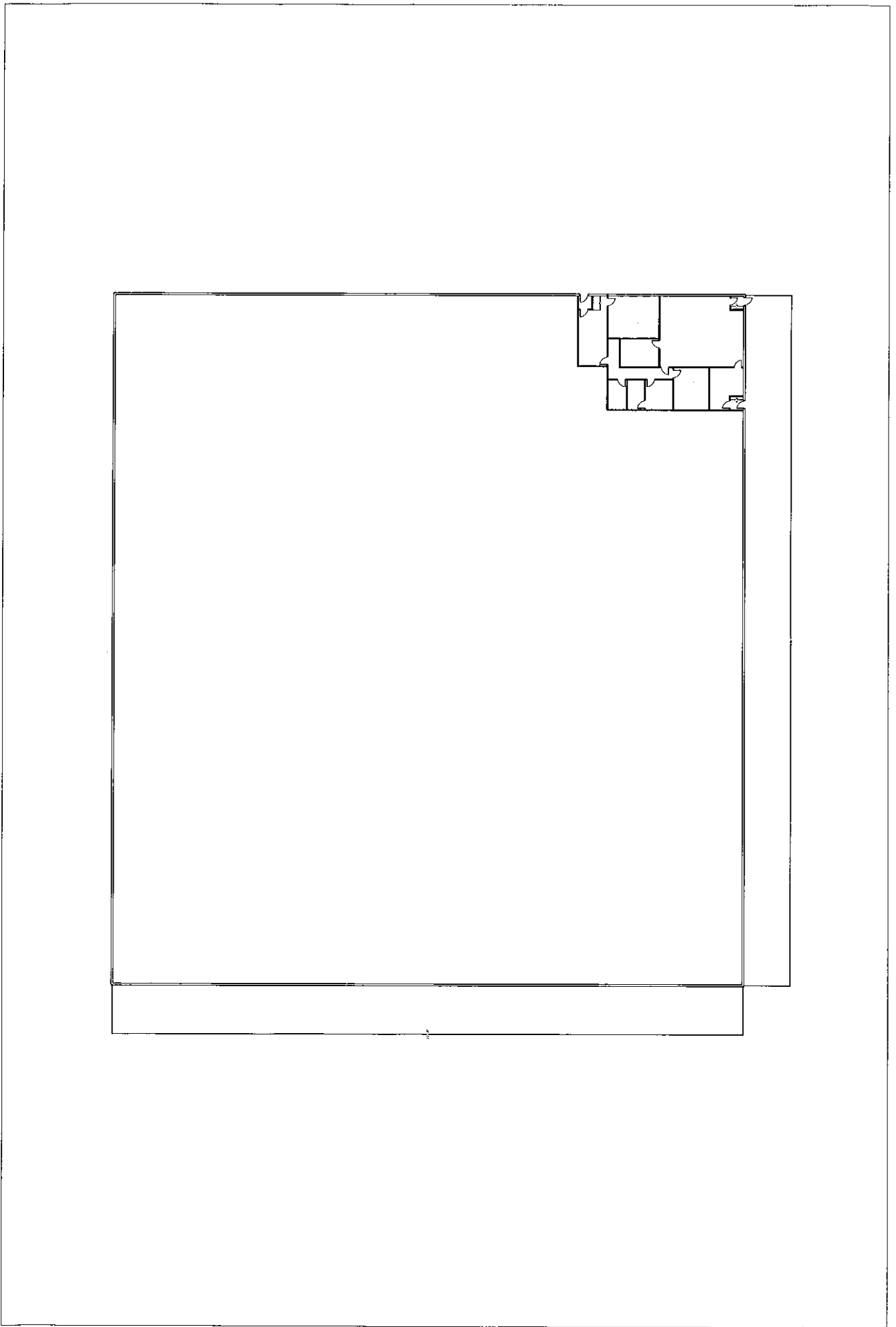
DRAWN BY: TJK

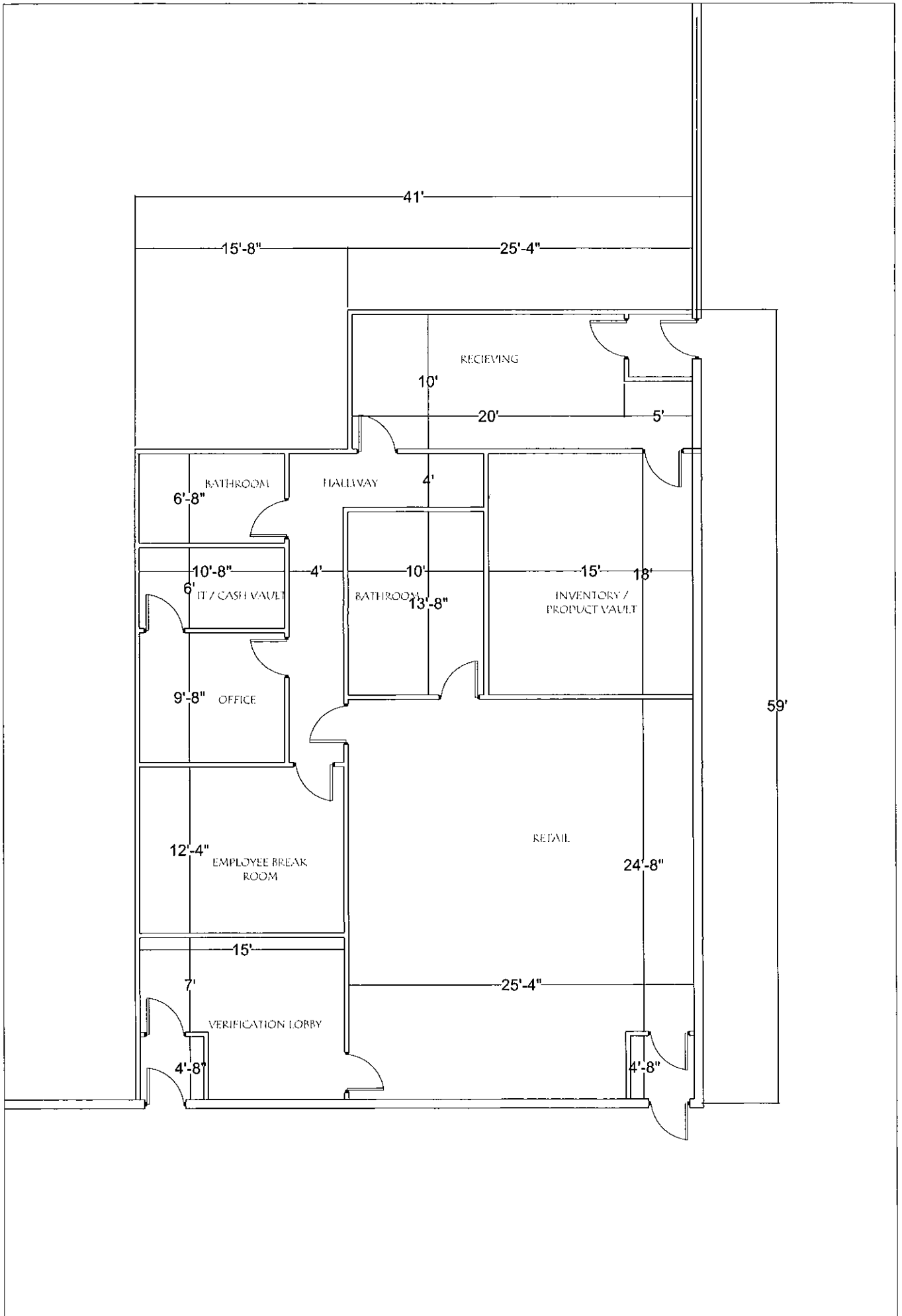
CHECKED BY: RDK

SHEET NO: 2 OF 2



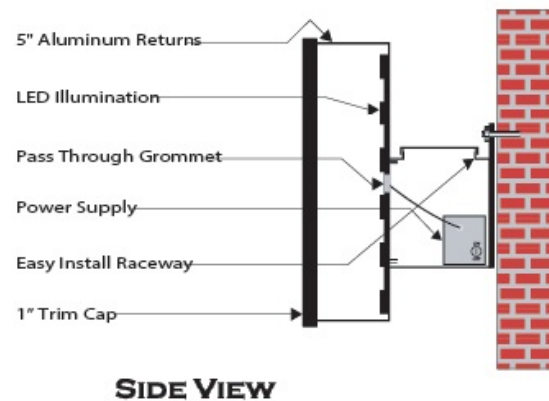
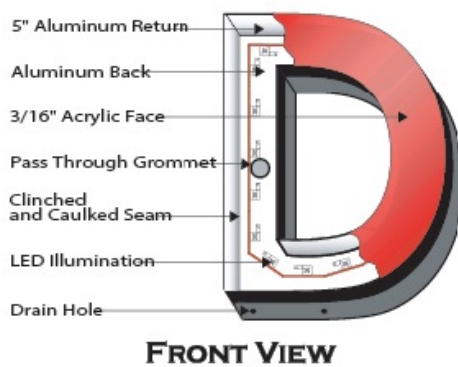








Front Lit Channel Letters (Raceway)

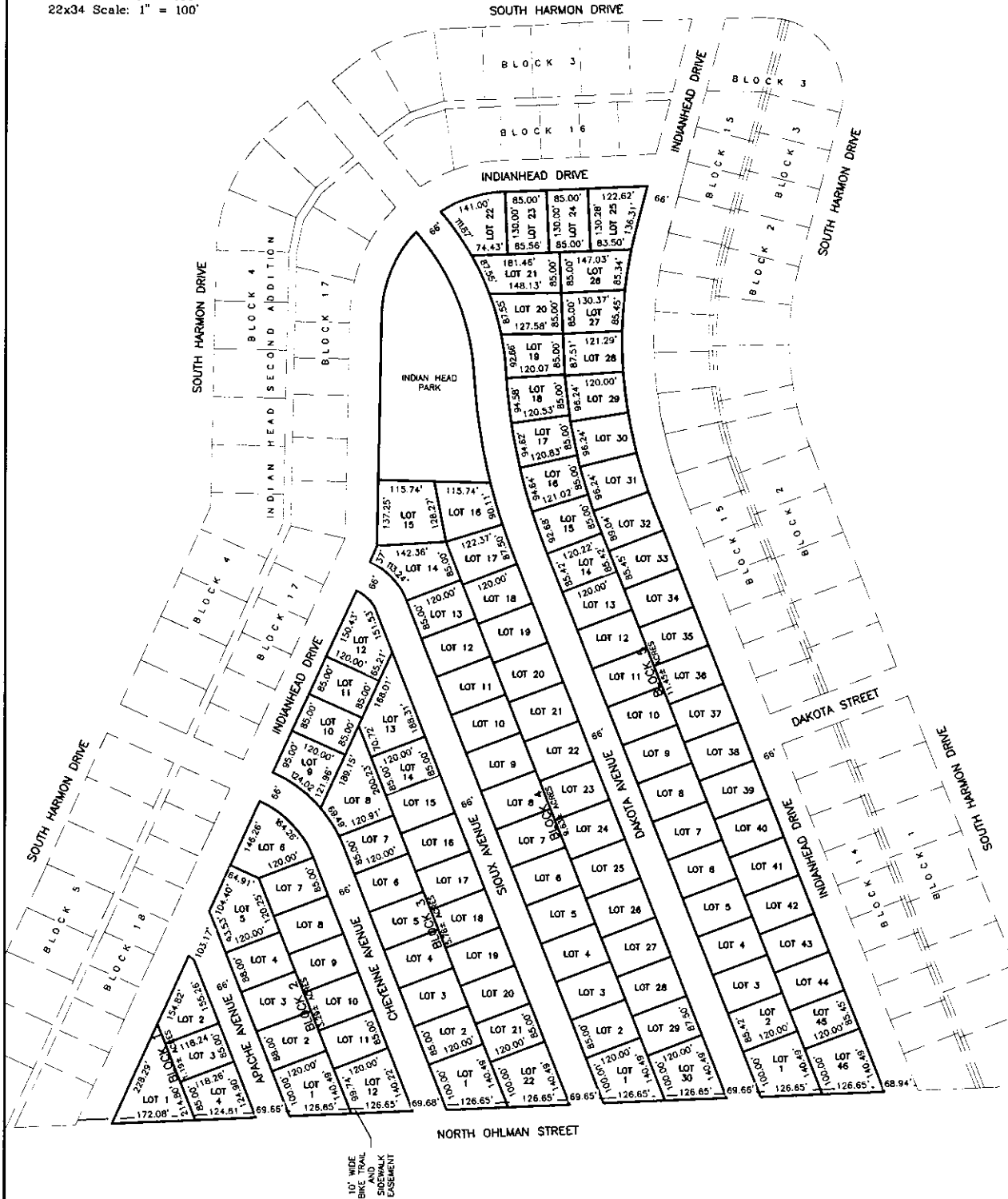




GRAPHIC SCALE



11x17 Scale: 1" = 200'
22x34 Scale: 1" = 100'



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



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

The undersigned applicant(s) and owner(s) is hereby making an application pursuant to the provisions of the City of Mitchell Zoning Code.

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 or City Board of Adjustment. Furthermore, the applicant(s) request the City of Mitchell to publish the appropriate notice(s) in accordance with the City of Mitchell's Ordinances.

☒ **Rezoning** \$150 application due with the application.

- Applicant is request to rezone property from AG District to UD District.

☐ **Variance** \$100 application due with the application.

- Description of Variance Requested: _____

☐ **Conditional Use Permit** \$100 application due with the application.

- Description of Conditional Use: _____

This Application is for the following described real property:

- Legal Description: W 208.75' of S 208.75' of SE 1/4 of SE 1/4; Kelly Tract 1 in the SW 1/4 of SE 1/4; SW 1/4 of SE 1/4 less Kelly Tract 1; N 1/2 of SE 1/4 Ex Irregular Tract 2 Ex W 208.75' of S 208.75' Ex Lot 1 of DN + KN Addition; All in Section 36, T104N, R61W of the 5th P.M., Davison County, South Dakota
- Property Address: 40580 250th St and multiple parcels

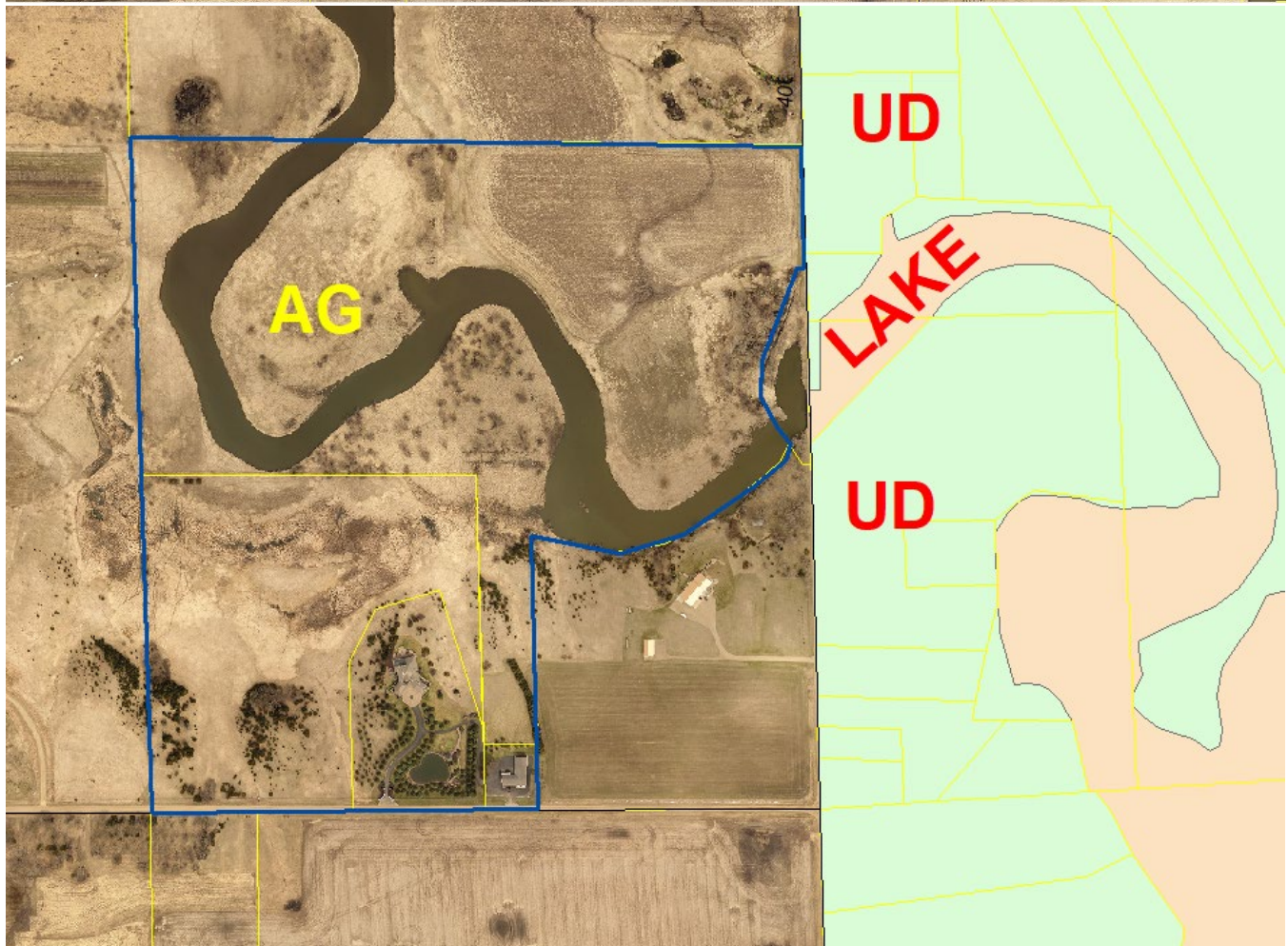
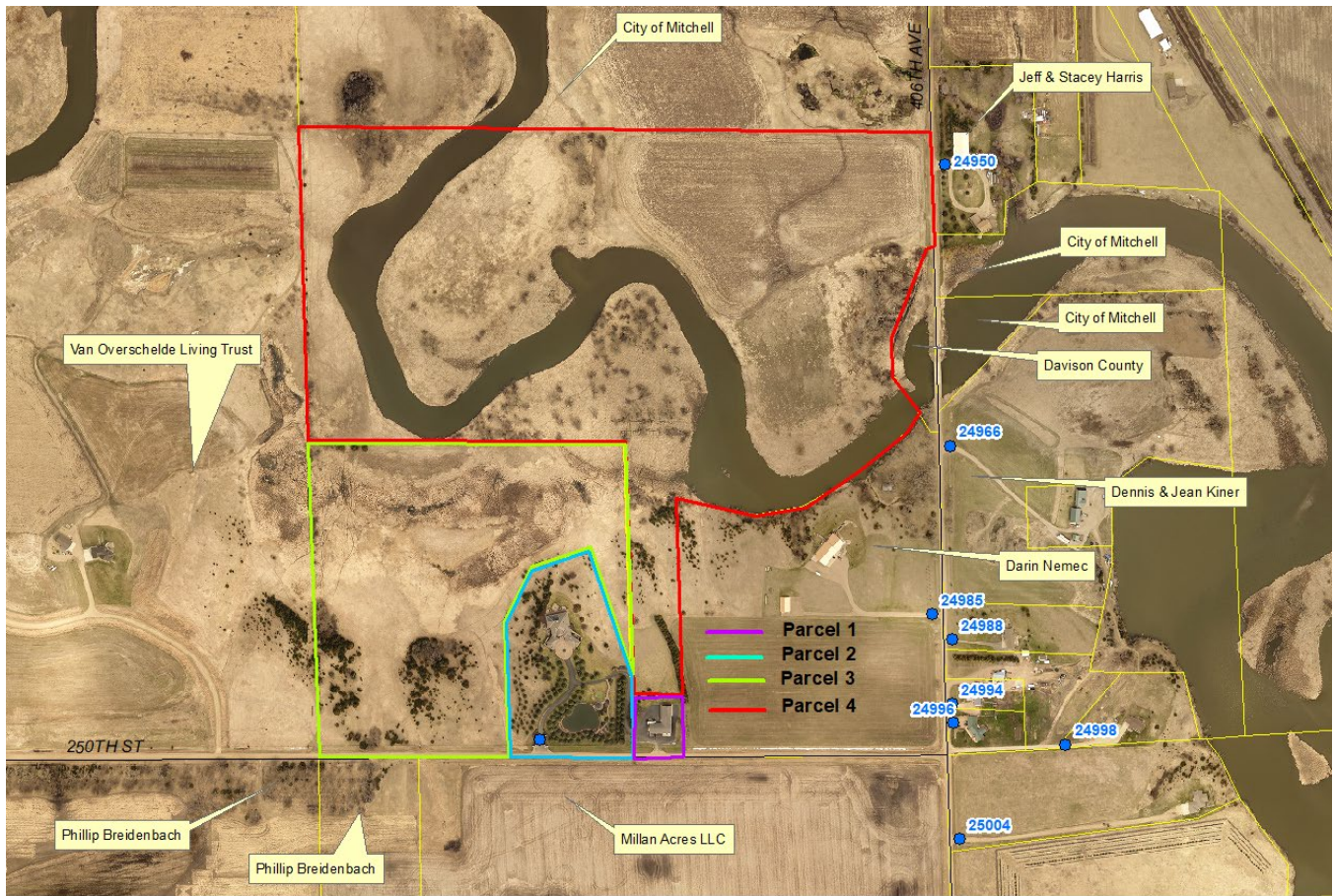
Dated this 23rd day of November, 2021.

City of Mitchell

Applicant

City of Mitchell

Owner



City of Mitchell
612 N Main St
Mitchell, SD 57301

Millan Acres LLC
25533 404th Ave
Mitchell, SD 57301

Phillip Breidenbach
106 Longwood Green Ct
Aiken, SC 29803

Van Overschelde Living Trust
40528 250th St
Mitchell, SD 57301

Jeff & Stacey Harris
24950 406th Ave
Mitchell, SD 57301

Dennis & Jean Kiner
24998 406th Ave
Mitchell, SD 57301

Darin Nemec
PO Box 608
Mitchell, SD 57301

Davison County
200 E 4th Ave
Mitchell, SD 57301

NOTICE OF HEARING

TO: Mitchell City Planning Commission, 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 December 13, 2021 at 12:00 p.m., the City Council will consider 1st Reading of the Ordinance on Monday, December 20, 2021 at 6:00 p.m. and 2nd Reading and Adoption on Monday, January 3, 2022 at 6:00 p.m. 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. O2021-17

AN ORDINANCE OF THE CITY OF MITCHELL, THAT CHANGES THE ZONING DISTRICT CLASSIFICATION OF THE REAL PROPERTY LEGALLY DESCRIBED AS;

Parcel 1. The W 208.75 feet of the S 208.75 feet of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 36, T 104 N, R 61 W of the 5th P.M., Davison County, South Dakota;

Parcel 2. Kelley Tract 1, SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 36, T 104 N, R 61 W of the 5th P.M., Davison County, South Dakota;

Parcel 3. The SW $\frac{1}{4}$ of SE $\frac{1}{4}$ Less Kelley Tract 1, Section 36, T 104 N, R 61 W of the 5th P.M., Davison County, South Dakota;

Parcel 4. N $\frac{1}{2}$ & SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ Ex Irregular Tract 1 Ex W 208.75 feet of the S 208.75 feet Ex Lot 1 of DN & KN Addition of Section 36, T 104 N, R 61 W of the 5th P.M., Davison County, South Dakota;

from Davison County AG Agricultural to City of Mitchell 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: THE ZONING DISTRICT CLASSIFICATION OF THE REAL PROPERTY LEGALLY DESCRIBED AS

Parcel 1. The W 208.75 feet of the S 208.75 feet of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 36, T 104 N, R 61 W of the 5th P.M., Davison County, South Dakota;

Parcel 2. Kelley Tract 1, SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 36, T 104 N, R 61 W of the 5th P.M., Davison County, South Dakota;

Parcel 3. The SW $\frac{1}{4}$ of SE $\frac{1}{4}$ Less Kelley Tract 1, Section 36, T 104 N, R 61 W of the 5th P.M., Davison County, South Dakota;

Parcel 4. N ½ & SE ¼ of the SE ¼ Ex Irregular Tract 1 Ex W 208.75 feet of the S 208.75 feet Ex Lot 1 of DN & KN Addition of Section 36, T 104 N, R 61 W of the 5th P.M., Davison County, South Dakota;

from Davison County AG Agricultural to City of Mitchell UD Urban Development District AND THE OFFICIAL ZONING MAP BE CHANGED 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 ____ day of _____, 2022.

MAYOR

ATTEST:

FINANCE OFFICER

{SEAL}

FIRST READING: December 20, 2021

SECOND READING: January 3, 2022

ADOPTION: January 3, 2022

Published three times: December 1, 8 and 22, 2021

Approximate Costs: