

CITY OF MITCHELL
CITY PLANNING COMMISSION MINUTES
NOVEMBER 28, 2022

11/28/2022 - Minutes

1. Call To Order:

Vice Chairperson Genzlinger called the November 28, 2022 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: Genzlinger, Jirsa (telephonically), Osterloo, Penney, Schmitz, Sonne, Doescher.

Absent: Larson

Staff Present: Ellwein, Mayor Everson, Hegg, Jenniges, J Johnson, Sandoval, Schroeder.

3. Declaration Of Conflicts Of Interests

None.

4. Approve Agenda:

Motion by Penney, seconded by Osterloo to approve the proposed agenda. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – absent, Osterloo – aye, Penney – aye, Schmitz – aye, Sonne – aye. 6 aye, 0 nay, 1 absent; motion carried.

5. Approval Of Previous Minutes 11-14-22.

Motion by Osterloo, seconded by Sonne to approve the proposed minutes of the November 14, 2022 Planning Commission meeting. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – absent, Osterloo – aye, Penney – aye, Schmitz – aye, Sonne – aye. 6 aye, 0 nay, 1 absent; motion carried.

6. Schedule Next Meeting-12-12-22 @ 12:00 P.M.

Motion by Osterloo, seconded by Penney to set the date for the next Planning Commission meeting for December 12, 2022. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – absent, Osterloo – aye, Penney – aye, Schmitz – aye, Sonne – aye. 6 aye, 0 nay, 1 absent; motion carried.

7. Variance: Ethan Coop Lumber On Behalf Of Robert And Sherri Porter-5210 Fiala Rd.

Ethan Coop Lumber on behalf of Robert and Sherri Porter have applied for a variance permit for an attached garage of 3,136 square feet vs 2,000 square feet located at 5210 Fiala Rd, legally described as Lot 14 of Fiala's Addition in the NW 1/4 of Section 4, T 103 N, R 60, W of the 5th P.M., Davison County, South Dakota. The said real property is zoned Lake Residential District (RL).

Jenniges explained neighbors were notified and it was published in the official newspaper with three responses in favor that made the packet and one more in favor after the packet was published. The applicant was present to answer any questions.

Jenniges explained the zoning ordinance allowing only 2,000 square feet and referenced the proposed drawings of the house and garage connected with a breeze way.

Motion by Schmitz, seconded by Osterloo to recommend approval of the variance. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – absent, Osterloo – aye, Penney – aye, Schmitz – aye, Sonne – aye. 6 aye, 0 nay, 1 absent; motion carried.

8. Conditional Use Permit: HiWings LLC-40580 250th St.

HiWings LLC has applied for a conditional use permit for Alcohol Sales (on-site); located at 40580 250th St, legally described as Kelley Tract 1, a subdivision of the Southwest ¼ of the Southeast ¼; Kelley Tracts 1A and 2, a subdivision of the South ½ of the Southeast ¼; West 208.75' of South 208.75' of the Southeast ¼ of the Southeast ¼; all in Section 36, T 104 N, R 61 W of the 5th P.M., City of Mitchell, Davison County, South Dakota. The said real property is zoned UD Urban Development District.

Jenniges explained neighbors were notified and it was published in the official newspaper with no responses for or against. The applicant was present to answer any questions.

Jenniges also reminded the board that they were recently approved for a conditional use permit for an assembly hall. They would like to transfer a liquor license to the venue and it would be for all four parcels on the property just like the assembly hall conditional use is.

Austen Iverson representing HiWings LLC thanked the board for the recommendation on the assembly hall and then stated they will be would like to transfer an existing liquor license to this facility. By selling liquor and beer instead of BYOB they will have staff members on site to serve to prevent over serving and also underage drinking. This will be a more controllable with staff on-site selling it.

Jeff Harris noted he is a neighbor and not against just questions the zoning ordinance of urban development and the possibility of a shooting range in the future. He was informed the shooting range has nothing to do with this property or application and that he is invited to come ask questions about that with the mayor or public works outside of the meeting.

Motion by Schmitz, seconded by Osterloo to recommend approval of the conditional use. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – absent, Osterloo – aye, Penney – aye, Schmitz – aye, Sonne – aye. 6 aye, 0 nay, 1 absent; motion carried.

9. Plat: Lot I, A Subdivision Of Lot H Of Brech's Subdivision In The W 1/2 Of The SE 1/4 Of Section 4, T 103 N, R 60 W Of The 5th P.M., Davison County, South Dakota; As Requested By Daniel & Quincy Brech.

Jenniges explained this is just outside of city limits so it is still the city's zoning jurisdiction. The county will hear this at their next meeting. The land is currently zoned TWC which only requires a 35' front yard setback and 0' on the other sides. The existing shed is in compliance and there is enough room on the remainder of Lot H to build upon.

The applicant was not present to answer any questions.

Motion by Schmitz, seconded by Sonne to approve the plat. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – absent, Osterloo – aye, Penney – aye, Schmitz – aye, Sonne – aye. 6 aye, 0 nay, 1 absent; motion carried.

10. Plat: Lots 1 And 2 In Block 4 Of Sunny Side Addition, An Addition To The City Of Mitchell, Davison County, South Dakota; As Requested By Mitchell Hotels LLC.

Jenniges reminded the board of the conditional use permit that was approved earlier this year for multifamily living replacing the hotel and under that plan they were not using the conference center or the restaurant. There has been a new buyer of the conference center and restaurant and so they are dividing the parcel into two for the separate ownership. There are easements on the plat for shared walls, ingress/egress/, maintenance, parking and drainage/utility.

The applicant was not present to answer any questions.

Motion by Osterloo, seconded by Penney to approve the plat. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – absent, Osterloo – aye, Penney – aye, Schmitz – aye, Sonne – aye. 6 aye, 0 nay, 1 absent; motion carried.

11. Other Business:

None.

12. 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.

None.

13. Adjournment:

Vice Chairperson Genzlinger adjourned the meeting at 12:17 P.M.