

Planning Commission Minutes
City Council Chambers, City Hall, 612 N. Main Street
June 26, 2023

1. Call to Order

Chairperson Larson called the June 26, 2023 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: Jirsa, Larson, Osterloo, Schmitz, Sonne.

Absent: Doescher, Genzlinger, Penney.

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

3. Declaration Of Conflicts Of Interests

None.

4. Approve Agenda

Motion by Schmitz, seconded by Jirsa to approve the proposed agenda. All present voting aye; motion carried.

5. Approval of Previous Minutes: June 12, 2023

Motion by Jirsa, seconded by Osterloo to approve the proposed minutes of the June 12, 2023 Planning Commission meeting. All present voting aye; motion carried.

6. Schedule next Meeting: July 10, 2023

Motion by Jirsa, seconded by Sonne to set the date for the next Planning Commission meeting for July 10, 2023. All present voting aye; motion carried.

7. Conditional Use Permit: Jodi Hofer

Jodi Hofer has applied for a conditional use permit to operate a Family Residential Daycare; located at 314 E 10th Ave, legally described as Lot 10, Block 8, D A Scotts First Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R2 Single Family Residential District.

Jenniges explained notices were sent out to the neighbors, it was published in the official newspaper and a sign was posted. There were two responses back, one in favor and one opposed due to safety concerns of their "beware of dogs" sign. Jenniges also cited the three regular conditions put on a daycare conditional use. The applicant was not present to answer questions.

Motion by Schmitz, seconded by Jirsa to recommend approval of the conditional use with the following conditions; 1) the permit is non-transferable, 2) if the business ceases to operate for six months, then a new application would be required, 3) pass fire inspection. All present voting aye; motion carried.

8. Conditional Use Permit: Jennifer Gerfen

Jennifer Gerfen has applied for a conditional use permit to operate a Family Residential Daycare; located at 1026 N Langdon St, legally described as West 81' of Lot 5, Block 4 of DA Scotts Second Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R4 High Density Residential District.

Jenniges explained notices were sent out to the neighbors, it was published in the official newspaper and a sign was posted. There was one response returned in favor. The applicant was not present to answer questions.

Motion by Jirsa, seconded by Sonne to recommend approval of the conditional use with the following conditions; 1) the permit is non-transferable, 2) if the business ceases to operate for six months, then a new application would be required, 3) pass fire inspection. All present voting aye; motion carried.

9. Conditional Use Permit: Bailey Week

Bailey Week has applied for a conditional use permit to operate a Family Residential Daycare; located at 308 S Mentzer St, legally described as Lots 7 and 8, Block 9, Applegate Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R4 High Density Residential District.

Jenniges explained notices were sent out to the neighbors, it was published in the official newspaper and a sign was posted. There was one response returned in favor that did not make the packet. The applicant was not present to answer questions.

Motion by Osterloo, seconded by Schmitz to recommend approval of the conditional use with the following conditions; 1) the permit is non-transferable, 2) if the business ceases to operate for six months, then a new application would be required, 3) pass fire inspection. All present voting aye; motion carried.

10. Variance Permit: Aaron Pemrick

Aaron Pemrick has applied for a variance permit for a setback from an alley of 7' vs 16' for an overhead garage door parallel to the alley for a garage addition; located at 209 E 7th Ave, legally described as Lot 4, Block 7, Rowley's 1st Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned NS Neighborhood Shopping District.

Jenniges explained notices were sent out to the neighbors, it was published in the official newspaper and a sign was posted. There were two responses returned in favor. The applicant was present to answer questions.

Jenniges reminded the board that the applicant was approved at the last meeting for construction of the shed.

Schmitz reaffirmed that the garage addition met setbacks for Neighborhood Shopping District, which Jenniges said it did, and also confirmed that this is just about the overhead garage door being installed. Jenniges also noted that the applicant knows that he will not be able to park in front of the door.

Motion by Schmitz, seconded by Osterloo to recommend approval of the variance. All present voting aye; motion carried.

11. Hearing And Recommendation: An Ordinance Amending 10-9E-4, South Point Village Planned Development District

Loyd Companies is requesting to amend South Point Village Planned Unit Development by changing 10-9E-4 Permitted Uses from "Multi-family dwellings of twenty four (24) units or less" to "Multi-family dwellings":

Jenniges explained notices were sent out to the neighbors, it was published in the official newspaper and a sign was posted. There was one response returned in favor and one reminding the boards of their business across the street. The applicant was present to answer questions.

Jenniges explained that when the PUD was created there probably should have been a conditional use section for the unlimited portion of dwellings. He also explained there are some currently non-conforming properties in this PUD because prior permits were issued based on dwellings per building and not per parcel.

Drew O'Brian of Lloyd Companies acknowledged the letter from Menards that their business is across the street. He noted that they are already invested in some of the properties in the area.

Motion by Osterloo, seconded by Schmitz to recommend approval of the zoning amendment. Roll call vote: Genzlinger – absent, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – absent, Schmitz – aye, Sonne – aye. 5 aye, 0 nay, 2 absent; motion carried.

12. Plat: Lot A-2, a subdivision of Lot A-1 of N. Boyden First Addition, a subdivision of the SE 1/4 of the NE 1/4 of Section 23, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota

Jenniges showed an updated version of the plat that was received on Friday. The only change was the size of the parcel going from 3.11 acres to 2 acres. This parcel is outside the city limits but still falls under city of Mitchell zoning jurisdiction. County will hear the plat during their July meetings. The applicant was present to answer questions.

Motion by Jirsa, seconded by Schmitz to approve the plat. Roll call vote: Genzlinger – absent, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – absent, Schmitz – aye, Sonne – aye. 5 aye, 0 nay, 2 absent; motion carried.

13. Other Business:

None.

14. Public Input:

None.

15. Adjourn

Chairperson Larson adjourned the meeting at 12:16 P.M.



Jay A. Larson
Planning Commission Chairperson