



Planning Commission
City Council Chambers, City Hall, 612 N. Main Street
November 13, 2023

1. Call to Order

Chairperson Larson called the November 13, 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: Doescher, Genzlinger, Jirsa (telophoncially), Larson, Osterloo, Penney, Schmitz, Sonne.

Absent:

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 Penney to approve the proposed agenda. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – aye, Schmitz – aye, Sonne – aye. 7 aye, 0 nay; motion carried.

5. Approval of Previous Minutes: October 23, 2023

Motion by Osterloo, seconded by Genzlinger to approve the proposed minutes of the October 23, 2023 Planning Commission meeting. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – aye, Schmitz – aye, Sonne – aye. 7 aye, 0 nay; motion carried.

6. Schedule Next Meeting: November 27, 2023

Motion by Genzlinger, seconded by Penney to set the date for the next Planning Commission meeting for November 27, 2023. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – aye, Schmitz – aye, Sonne – aye. 7 aye, 0 nay; motion carried.

7. Conditional Use Permit: Jaun'l Gibson

Jaun'l Gibson has applied for a conditional use permit to operate a Family Residential Daycare; located at 613 E 3rd Ave, legally described as Lot 4, Block 37, Cooley & Guernsey Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R2

Single Family Residential District.

Jenniges noted that a notice was sent out to the neighbors, it was published in the official newspaper and sign posted. There was one response in favor that made that the packet and two in favor that did not make the packet but were handed out at the meeting. The applicant was not present to answer questions.

Jenniges explained that the applicant has been made aware of the conditions placed upon family residential daycare and that Fire Marshall Sandoval had completed his inspection with no concerns.

Motion by Penney, 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. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – aye, Schmitz – aye, Sonne – aye. 7 aye, 0 nay; motion carried.

8. Plan Approval: Independant Viking Glass-1908 W Havens Ave, zoned Highway Business District

Jenniges explained HT Construction has requested to build a 50' wide x 56' long cold storage shed for Independant Viking Glass. Jenniges noted that since the width is 50' wide it will not require an engineered stamped structural plan. Also noted is that they are building over an already impermeable surface so it will not affect the drainage.

The applicant was not present to answer questions.

Motion by Genzlinger, seconded by Schmitz to approve the plan. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – aye, Schmitz – aye, Sonne – aye. 7 aye, 0 nay; motion carried.

9. Plan Approval: Marco's Pizza-605 S Sanborn Blvd, zoned Highway Business District

Jenniges explained the applicant is dividing the building into two separate stores. Marco's Pizza will continue on the north side and a new smoothie shop will open on the south side.

They will have a drive thru window on the south side of the building and are using the alley to the west as their access point to the drive thru window. There is no order board as orders are called in ahead of time or taken at the window like the smaller coffee shops around town.

Jenniges noted that the city has some concerns using the alley for their primary entrance. However it was noted that the church also uses the alley before it's paved parking starts.

Schroeder stated that since this is an existing building/business, the city will allow it, but if it were a new build they would not

The applicant was not present to answer questions.

Sonne asked if the city were to do an assessment on the alley who would pay for it?

Schroeder laid out the process for assessments which would go to abutting land owners. The city will monitor complaints, if any, about the alley due to increased traffic in it and proceed accordingly.

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

10. Rezone Hearing and Recommendation: Mitchell Area Housing Inc on behalf of Avera Queen of Peace, land east of the hospital and south of 8th Ave to their existing parking lot, be rezoned from Ridge View on Foster Planned Development District & High Density Residential District (R4) to Medium Density Residential District (R3) and High Density Residential District (R4)

Mitchell Area Housing Inc (MAHI) on behalf of Avera Queen of Peace is requesting the following zoning change:

Lot D-1 in the NW ¼ of Section 23, T 103 N, R 60 W, Platted Various, City of Mitchell, Davison County, South Dakota from Planned Development District known as Ridge View on Foster Planned Development District to R3 Medium Density Residential District; portion within Lot R-1 in the NW ¼ of Section 23, T 103 N, R 60 W, Platted Various, City of Mitchell, Davison County, South Dakota from Planned Development District known as Ridge View on Foster Planned Development District to R3 Medium Density Residential District; portion within Irregular Tract 1 except Lot “NWPS” in the NW ¼ of Section 23, T 103 N, R 60 W, Platted Various, City of Mitchell, Davison County South Dakota from Planned Development District known as Ridge View on Foster Planned Development District to R3 Medium Density Residential District; all to be platted as Lots 1 through 17, Block 1, Ridge View on Foster Addition.

Portion within Lot R-1 in the NW ¼ of Section 23, T 103 N, R 60 W, Platted Various, City of Mitchell, Davison County, South Dakota from Planned Development District known as Ridge View on Foster Planned Development District to R4 High Density Residential District to be platted as portion of Lot 1, Block 3, Ridge View on Foster Addition.

Portion within Lot R-1 in the NW ¼ of Section 23, T 103 N, R 60 W, Platted Various, City of Mitchell, Davison County, South Dakota from Planned Development District known as Ridge View on Foster Planned Development District to R4 High Density Residential District to be platted as portion of Tract DR1, Ridge View on Foster Addition.

Portion within Irregular Tract 1 except Lot “NWPS” in the NW ¼ of Section 23, T 103 N, R 60 W, Platted Various, City of Mitchell, Davison County, South Dakota from Planned Development District known as Ridge View on Foster Planned Development District to R4 High Density Residential District to be platted as a portion Lot 1, Block 3, Ridge View on Foster Addition.

Portion within Irregular Tract 1 except Lot “NWPS” in the NW ¼ of Section 23, T 103 N, R 60 W, Platted Various, City of Mitchell, Davison County, South Dakota from R4 High Density Residential District to remain R4 High Density Residential District to be platted as a portion Lot 1, Block 3 and all of Lots 2 through 4, Block 3, Ridge View on Foster Addition.

Portion within Irregular Tract 1 except Lot “NWPS” in the NW ¼ of Section 23, T 103 N, R 60 W, Platted Various, City of Mitchell, Davison County, South Dakota from R4 High Density Residential District to remain R4 High Density Residential District to be platted as a portion Tract DR1; Block 2; Lots 1 and 2, Block 4, Ridge View on Foster Addition.

North 183' of Irregular Tract 2 in the NW ¼ of Section 23, T 103 N, R 60 W, Platted Various, City of Mitchell, Davison County, South Dakota from R4 High Density Residential District to remain R4 High Density Residential District to be platted as Lots 1 through 13, Block 5; Block 6, Ridge View on Foster.

Jenniges noted that a notice was sent out to the neighbors, it was published in the official newspaper and sign posted. There was one response with concerns about traffic that made the packet as well as one response against that made the packet. There were two responses against that did not make the packet and one response in favor that did not make the packet but were handed out at the meeting. The applicant was present to answer questions.

Jenniges explained this was rezoned in 2020 and the location in the zoning ordinance was written over with the Lakeridge Development, so because of that clerical error it needs to be recodified and the previous layout of the lots doesn't match exactly what the PUD was so that also required changes. The proposed plat in 2020 was never approved, so the legals still revert back to the previous 4 parcels. There are portions of R4 that are also just being recodified as R4 to clear up any confusion and have the whole Ridge View on Foster Development be done as one completed item.

Terry Sabers representing MAHI stated the need for housing and, more importantly, workforce housing. Because of the clerical error, they decided to do away with the PUD previously approved and just use the existing zoning in the area of R3 and R4. They have an agreement with MTC to build residential dwellings along 8th Ave that will match the existing R3 houses. Lot 10 on the corner is a bigger lot and could have a twin home on it.

Mike Lauritsen of MADC stated a recent study showing the need for 400 houses within the next 10 years and Mitchell is only building 20 a year, so there is a shortage. There is 8 million in infrastructure costs and with the grants they have or are expecting to receive they will be able to cut the cost of the lots down to \$25,000 instead of \$80,000 to \$90,000 per lot.

Larson questioned if there are any infrastructure issues in the development to which Schroeder states there are none that can't be resolved during the design of the project.

Motion by Schmitz, seconded by Genzlinger to recommend approval of the rezone. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – aye, Schmitz – aye, Sonne – aye. 7 aye, 0 nay, 0 absent; motion carried.

11. Plat: Lots 1 through 17, Block 1; Tract DR1; Block 2; Lots 1 through 4, Block 3; Lots 1 and 2, Block 4; Lots 1 through 13, Block 5; Block 6; Nagle Lane; Peace Place; Nursia Drive; and North Calhoun Street, All in the Ridge View on Foster Addition in the NW ¼ of Section 23, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota; as requested by Avera Queen of Peace

Jenniges explained this plat goes along with the rezone that was just recommended for approval in the prior item. The plat meets all zoning code regulations. There will have to be a resolution to change an existing road name to Nusia Drive where there is only one parcel addressed on that road and they have no issues with it.

Carolyn Knight, resident at 1700 Bridle Dr, stated she had sent a letter with her concerns

about the rezone and development. Her and her husband are retired and her husband is in memory care. They moved to this location from 601 E 6th to get away from all the traffic. She has concerns about what costs she will have to incur if the project moves forward. Also, she believes the cart is in front of the horse as the ground breaking has already taken place for the project.

Terry Sabers said with the grants they are looking at receiving there should be no cost to her for the development or if there is they are willing to work with her on it.

Motion by Jirsa, seconded by Shmitz to approve the plat. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – aye, Schmitz – aye, Sonne – aye. 7 aye, 0 nay, 0 absent; motion carried.

12. Plat: Lot A of Jerry's Addition in the NW 1/4 of Section 29, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota; as requested by Jerry Claseman

Jenniges explained this is outside the city limits but within the ETJ, so it is the city's zoning jurisdiction. It is located within 3 miles of city limits, so the county also has to hear the plat which the County Planning Commission has already done and approved at their Nov 7 meeting and the County Commission will hear it at their Nov 14 meeting. This is zoned Highway Business. They are combining a couple of different parcels so there will be some vacated lot lines. Ingress/egress will be from W Havens but will have to be approved by the County Highway Superintendent prior to an approach being installed. The plat meets all zoning requirements. The applicant was present to answer questions.

Jerry Claseman stated they have no plans at this time for the lot, he is just giving it to his daughter and son-in-law.

Motion by Genzlinger, seconded by Sonne to approve the plat. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – aye, Schmitz – aye, Sonne – aye. 7 aye, 0 nay; motion carried.

13. Plat: Tract 1 of Horseman's Addition to the City of Mitchell, Davison County, South Dakota; as requested by Horseman Sports Inc

Jenniges explained the applicant is selling the land to an abutting landowner which is already encroaching upon their land. There is an undeveloped platted public alley that the city would have no issues with the neighbors getting together to petition to vacate. Ingress/egress is from Rowley St. The plat meets all zoning requirements. The applicant was not present to answer questions.

Motion by Penney, seconded by Schmitz to approve the plat. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – aye, Schmitz – aye, Sonne – aye. 7 aye, 0 nay; motion carried.

14. Other Business:

None.

15. Public Input:

None.

16. Adjourn

Chairperson Larson adjourned the meeting at 12:42 P.M.

A handwritten signature in black ink, appearing to read "Jay A. Larson". The signature is fluid and cursive, with the first name "Jay" being more prominent.

Jay A. Larson
Planning Commission Chairperson