

**CITY OF MITCHELL
CITY PLANNING COMMISSION MINUTES
JUNE 14, 2021**

NOT APPROVED

Chairman Larson called the June 14, 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, Molumby and Allen
Members Absent: NA

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

Conflicts of Interest: Sonne, Item 13.

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 Penney to approve the minutes of the May 24, 2021 Planning Commission meeting. All members present voting aye, motion carried.

Schedule Next Meeting: Motion by Molumby, seconded by Jirsa to schedule the next meeting for June 28, 2021. All members present voting aye, motion carried.

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.

Mr. Adams gave a summary of the proposed improvements. Mr. Osterloo asked the applicant questions regarding the plan and request.

John Hegg stated he has not seen the plans for the garage yet. He would receive them after the variance is approved, if approved.

Mr. Molumby asked if the dimension shown was to the overhang. Mr. Adams stated it was.

John Hegg stated that the property line is curved and not straight.

Mr. Osterloo asked about room for parking on Mr. Adams property with respect to blocking the sidewalk. Mr. Schroeder stated that there would be more than one parking stall length for parking on his property which would not affect the sidewalk if installed within the right-of-way.

Mr. Adam's stated that he cannot build the garage in his rear yard because there is no alley access.

Motion by Molumby, seconded by Genzlinger to recommend the Board of Adjustment approve the variance request. Roll Call: Jirsa yes, Osterloo no, Genzlinger yes, Molumby yes, Penney yes, Sonne yes, Larson yes. Six yes, one no, motion carried.

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.

Mr. Genzlinger asked if the variance was the same as the previous variance brought to Planning Commission. Mr. Mueller with Mueller Lumber stated the building layout was the same as the previous building layout approved. He stated the variance was due to uneven lot depths which border Norway Avenue. Mr. Larson commented on the existing conditions. Motion by Jirsa, seconded by Molumby to recommend the Board of Adjustment approve the variance request. Roll Call: Jirsa yes, Osterloo yes, Genzlinger yes, Molumby yes, Penney yes, Sonne yes, Larson yes. Seven yes, zero no, motion carried.

Recommendation: Marshall Street Vacation South of Birch Avenue between Foster and Taylor Streets
The property owners adjacent to the Marshall Street right-of-way south of Birch Avenue between Foster and Taylor Streets have requested that the right-of-way be vacated. Mr. Schroeder stated that there are numerous encroachments, there are no City utilities located in right-of-way, the access is only used by the mobile home park, and an easement will be retained for any public/private utilities. Mr. Larson stated his opinion of the City vacating right-of-way and his belief not to do so. Mr. Schroeder stated that Public Works supports the vacation with the belief that the right-of-way will not be used due to the geography to the south. Motion by Osterloo, seconded by Jirsa to recommend Council approve the vacation request. Mr. Sonne asked about access to the south. Mr. Schroeder stated that the access to the south is from Wallace Street and that the property owner to the south has agreed to the vacation. Roll Call: Jirsa yes, Osterloo yes, Genzlinger yes, Molumby yes, Penney yes, Sonne yes, Larson no. Six yes, one no, motion carried.

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.

Mr. Schroeder stated that the person purchasing the property has or recently purchased the properties to the east and south. Mr. Schroeder also stated that he was informed that the purchaser does not plan to build anything and as such does not need an elevation certificate. Mr. Genzlinger asked who owned the lot to the northeast and how does the access easement affect the property. Mr. Schroeder stated there is an existing access easement on that lot which was previously purchased with that easement existing. It was also stated that the property to the north is still owned by CJM Consulting. Motion by Genzlinger, seconded by Osterloo to approve the plat. All members present voting aye, motion carried.

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.

Mr. Schroeder stated that the person purchasing the property owns the property between and does not plan to construct a building on the lots and as such an elevation certificate is not required. Chuck Mauszycki Jr. stated the same. Motion by Molumby, seconded by Genzlinger to approve the plat. All members present voting aye, motion carried.

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

Mr. Schroeder stated that he has requested an updated drainage plan for the area as well as a set of plans with a timeline for completion of the detention pond. Mr. Schroeder stated that he has received the drainage plan but the additional requested documents have not been submitted. Mr. Schroeder recommended tabling the plat until the requested information has been provided.

Motion by Molumby, seconded by Osterloo to table the plats. All members present voting aye, motion carried.

Approval: MLC Addition Master Plan

Mr. Larson introduced the plan and provided past history of the plan. Mr. Mueller requested that the plan be tabled until the detention pond plans are completed. Mark Jenniges with the County stated that Plum Avenue would need to be approved by LEPC. Mr. Jenniges also stated that there is a county drain tile line that runs through the MLC Addition site which flows north to south.

Motion by Genzlinger, seconded by Osterloo to table the master plan. All members present voting aye, Sonne abstained, motion carried.

Other Business: None

Public Comment: None

Chairman Larson adjourned the meeting at 12:34 PM.

Date