

CITY OF MITCHELL  
CITY PLANNING COMMISSION MINUTES

8/22/2022 - Minutes

**1. Call To Order:**

*Chairperson Larson called the August 22, 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), Larson, Osterloo, Penney, Schmitz, Sonne, Doescher.*

*Absent:*

*Staff Present: Ellwein, Mayor Everson, Hegg, Jenniges.*

**3. Declaration Of Conflicts Of Interests**

*None.*

**4. Approve Agenda:**

*Motion by Genzlinger, seconded by Schmitz 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 8-8-22.**

*Motion by Schmitz, seconded by Sonne to approve the proposed minutes of the August 8, 2022 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-9-12-22 @ 12:00 P.M.**

*Motion by Penney, seconded by Osterloo to set the date for the next Planning Commission meeting for September 12, 2022. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – aye, Schmitz – aye, Sonne – aye. 7 aye, 0 nay; motion carried.*

**7. Plan Approval-Gerald Claseman-25414 407th Ave.**

*Jenniges explained Claseman has requested a building permit to build a storage shed on his home property but it is zoned Highway business.*

*Motion by Schmitz, seconded by Genzlinger to recommend approval of the plan. 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.*

**8. Variance: Troyer Homeworks On Behalf Of James & Margo Taylor-723 W 4th Ave.**

*Troyer Homeworks on behalf of James & Margo Taylor has applied for a variance for minimum side yard corner setback of 0' vs 20' to construct a 3-season room on an existing deck located at 723 W 4<sup>th</sup> Ave, legally described as Lots 6 & W ½ of Lot 5, Block 100, Lawler's 2<sup>nd</sup> Addition, City of Mitchell, Davison*

County, South Dakota. The said real property is zoned Single Family Residential District (R2).

Jenniges explained neighbors were notified and it was published in the official newspaper with five responses in favor and none opposed. The applicant was present to answer questions.

Taylor stated there used to be a coal bin where the deck now sits. The deck does not encroach on the right of way however an 8ft tall fence that he took out a few years ago did encroach. He plans to cover two thirds of the deck with a three season porch. The three season porch sits far back from 4th Ave and is not in the sight triangle. He will find material to match with the historical house.

Osterloo noted that 4th Ave is also a one way which helps with any potential safety concerns.

Motion by Genzlinger, seconded by Osterloo to recommend approval of the variance. 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.

**9. Hearing And Recommendation: Ordinance #2022-14-Changing Zoning From High Density Residential District (R4) To A Planned Unit Development (PUD) To Be Named, Sharpstone District; As Requested By Sharpstone Deuce LLC.**

Sharpstone Deuce LLC is requesting to rezone the following: Lot 11 of Sharpstone Subdivision, a subdivision of the W ½ of the S ½ of the SW ¼ of the NW ¼ of Section 9, T 103 N, R 60 W of the 5<sup>th</sup> P.M., City of Mitchell, Davison County, South Dakota from High Density Residential District (R4) to a Planned Unit Development (PUD) to be named, Sharpstone District. The proposed PUD is enclosed.

Jenniges explained neighbors were notified and it was published in the official newspaper with eight responses in favor and two opposed. The applicant was present to answer questions. Jenniges stated the applicant approached the city about building in this location and after looking at an initial layout we recommended they do a PUD instead of requesting variances for the individual lots. This PUD follows what the area around is, which is R4, but the PUD is more restrictive with less permitted and conditional uses. The lot width and front yard setbacks are also different. There will be a one way street coming from N Ohlman and exiting onto Sharpstone Drive. The sidewalks will be abutting the street and with the angle of the driveways and the 15' setback there is enough room for vehicles not to be parked across the sidewalk.

The applicant stated he envisions people that are looking to downsize moving into them. There will be an HOA and they will be responsible for the road.

Rick Agnitsch questioned how big the houses were going to be which the applicant answered they would be 1,000 to 1,100 square feet houses with no basements.

Penny Virchow has concerns about drainage for the area. They have basements with sump pumps and they buried the lines into that field back in 2016 and is concerned they will now have issues and wonders who was going to pay for that. She believes the 3' side yard setback is to close. She was informed that is the same setback in R4 and the duplex she lives in is 0' setback. She wondered where the snow was going to be pushed and if her taxes will go up because of this development. She was informed the HOA will be responsible for removing the snow and have to abide by city ordinance and the city can not answer the tax question since the county regulates property taxes.

Dona Jares thinks they should take one house out from each side of the road to make bigger lots and more spaced out houses.

Louis Paulson appreciates the land has been mowed up kept up and not a used car lot anymore.

Genzlinger stated currently the applicant could apply for a conditional use permit to put up a 100 unit apartment, the PUD is more restrictive then the current R4 zoning and 3' is the same setback as they currently have.

Motion by Osterloo, seconded by Schmitz to recommend approval of the PUD to be named Sharpstone

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

**10. Other Business:**

*None.*

**11. 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.*

**12. Adjournment:**

*Chairperson Larson adjourned the meeting at 12:31 P.M.*

DRAFT