

**CITY OF MITCHELL
CITY PLANNING COMMISSION MINUTES
DECEMBER 10, 2018**

NOT APPROVED

Chairman Larson called the December 10, 2018 City Planning Commission to order at 12:00 pm in the Council Chambers, City Hall, 612 N Main St.

Members Present: Larson, Genzlinger, Jirsa, Molomby, and Osterloo

Members Absent: Fergen, Quenzer, and Allen

Staff Present: Putnam, London, Hegg, Croce, T. Johnson, J. Johnson, Ellwein, Jennegis

Declaration of Conflicts of Interest: none

Approval of Agenda: Motion by Osterloo, seconded by Molomby to approve the agenda as presented. All members present voting aye, motion carried.

Approval of Minutes: Motion by Molomby, seconded by Genzlinger to approve the minutes of the November 13, 2018 minutes.

Schedule Next Meeting: Motion by Molomby, seconded by Osterloo to schedule the next planning commission meeting for January 14, 2018. All members present voting aye, motion carried.

Plan Approval: Village Bowl, 1500 N Duff, zoned Highway Oriented Business District (revised from the previous plan). Putnam reported the owner wishes make the addition larger than the one that was approved last month. There were some questions about the location of air conditioners. Motion by Osterloo, seconded by Jirsa to approve the plan and ask that Hegg review the code. All members present voting aye, motion carried.

Plat: Tract 1 of Odland's First Addition An Addition in the East 860 feet (E 860') of the South 646 feet (S 646') of the Southeast Quarter (SE ¼) of Section 18, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota. The city and county recently approved a version of the plat. This plat is outside the city's zoning jurisdiction, but within the 3-mile platting jurisdiction. Mark Jenniges, Davison County Deputy Zoning Administrator, reported that once construction commenced that a county variance may be needed. However, it was also determined that vacating the previous plat and submitting a new one would be a better option. The county planning commission has approved the plat and the county commission will hear it on December 11, 2018. Motion by Molomby, seconded by Genzlinger to approve the plat, all members present voting aye, motion carried.

Variance: Boyd Reimnitz owner of 620 W 5th Ave, legally described as the W 50' of Lots 7, 8, and 9, Block 17, Rowley's 2nd Addition, City of Mitchell, Davison County, South Dakota, is requesting a side-yard on a corner variance of 12' vs 20' as required for the placement of a detached garage. The property is zoned R2 Single Family Residential District.

No one was present to testify in regards to this application. There were no written objections. Putnam noted the garage would be one that was on the Rosewood Court's property. London wants to insure the property complies with nuisance standards. The public notice was published on November 29, 2018 and letters to the neighboring property owners were sent at that time. Motion by Genzlinger, seconded by Osterloo to recommend the Board of Adjustment approve the variance with the stipulation that the parking of vehicles does not extend into the sidewalk. All members present voting aye, motion carried.

Conditional Use Permit: (Tabled from 12/19/2016 BOA minutes) West Havens Storage LLC has applied for a conditional use permit for construction of self-service storage facility at 1522 W Havens Ave, legally described as the East 140' of Irregular Tract 4A located in the SW ¼, Section 21, T 103 N, R 60 W of the 5th P.M., Less PE-1, Platted Various, City of Mitchell, Davison County, South Dakota. The Board of Adjustment tabled this conditional use permit indefinitely and the applicant was required to submit a drainage plan. The SPN prepared the plan and the Public Works Department reviewed it. Caleb Koener was present to explain the proposal and the drainage plan. No one else testified in regards to the permit. Koener assured the commission the appropriate easements are in place. Hegg provided a report on the required setbacks in regards to the building code and type of construction. Motion by Osterloo, seconded by Jirsa to recommend the Board of Adjustment approve the conditional use permit with the condition that the access easement from Ohlman Street and the easement through the north property to Elm Street is recorded. Roll Call: Larson aye, Genzlinger aye, Jirsa aye, Molumby aye, Osterloo aye, Quenzer absent, Fergen absent. Five ayes, 0 no, 2 absent, motion passes.

Discussion: Anytime Fitness, 1620 S Burr St, HB District, Expansion of Parking Lot. T. Johnson provided the commission an overview of the changes in right-of-way and property ownership as result of the S. Burr Street SDDOT project. He indicated that Kelly Hohn owner of the building has expressed an interest in expanding his parking lot toward the east. This would require a transfer from city property. S. Ellwein reminded the commission that this project was part of a TIF District and she suggested the commission note the importance of the appearance of this entrance. Commissioners and staff noted the need for additional parking, while at the same time noting the aesthetics of this area. Staff will take the comments under advisement. No action taken.

Discussion of reducing the width of the right-of-way of North Main Street St 12th avenue to the By-pass. T. Johnson and Putnam pointed out to the commission how the ROW varies and the possibility of adjusting the ROW, which may provide some property owners additional property. The location of utilities should be a consideration. T. Johnson also noted that SPN provided a history of the ROW. Many steps would be required prior to official actions. This agenda item was to solicit comments from the commission. No action taken.

Discussion: Small Cell Wireless Communication Facilities Ordinance: J. Johnson provided the commission background about the new FCC regulations in regards to construction of small cell wireless communication facilities. He submitted a proposed ordinance that is similar to a model ordinance that has been a result of a working group from the South Dakota Municipal League. The draft sets forth various standards and an appeal process that would involve the approval or denial by the planning commission. The ordinance may have some minor adjustments prior to final adoption. There was discussion about maintenance, abandonment, snow or ice, and locating in areas in which there may be a concern. This was for information only, no action taken.

Public Input: none

Chairman Larson adjourned the meeting at 1:30 pm.

Chairperson

Date