

**CITY OF MITCHELL  
CITY PLANNING COMMISSION MINUTES  
JULY 27, 2020**

**NOT APPROVED**

Chairman Larson called to order the July 27, 2020 City Planning Commission Meeting at 12:00 PM (Noon) in the Council Chambers, City Hall, 612 N Main St, Mitchell, SD.

Members Present: Larson, Molumby, Jirsa, Osterloo, Genzlinger, Penney, Vaux and Allen  
Members Absent: none

Staff Present: Putnam, Schroeder, J. Johnson, T. Johnson, Croce, Hegg, London, Sandoval, Ellwein, and Mayor Everson

Declaration of Conflicts of Interest: none

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

Approval of Minutes: Motion by Vaux, seconded by Jirsa to approve the minutes of the July 13, 2020 meeting. All members present voting aye, motion carried.

Schedule Next Meeting: Motion by Molumby, second by Osterloo to schedule the next meeting for August 10, 2020. All members present voting aye, motion carried.

Conditional Use Permit: Sklyer Seivert, applicant, and CJG Properties LLC, owner, have applied for a conditional use permit to operate a family residential child care center in the home located at 809 N Wisconsin St, legally described as Lot 4, Block 52, Capital Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R4 High Density Residential District. Ms. Seivert was present to answer questions. She responded to issues stated in the letters that were received by the commission. The fire marshal has inspected the property and he has no issues. The public notice has been provided to the local newspaper and letters to neighbors were sent. No one testified in opposition. Larson indicated there is quite a bit of traffic in the area. Motion by Osterloo, seconded by Jirsa to recommend the board of adjustment approve the permit with two conditions; 1. The permit is not transferable, 2. If the business ceases to operate for a period of six months or longer then a new permit would be required. Roll Call Vote: Jirsa yes, Osterloo yes, Molumby yes, Penney yes, Vaux yes, Genzlinger yes, Larson no. 6 yes, 1 no, motion carried.

Rezoning: Steven Ahlers has requested the property legally described as the W 56 feet of Outlot #7A, SW ¼ of Section 15, T 103 N, R 60 W, City of Mitchell, Davison County, South Dakota (126 W 15<sup>th</sup> Ave) from R2 Single Family Residential District to HB Highway Oriented Business District and he is requesting a front yard variance of 20 feet vs 25 feet under the R2 District, the HB district requires 30 feet, and a back yard variance of 15 feet vs 25 feet under the R2 District, the HB District setback is 0. He wishes to construct a storage garage that may be used for personal and commercial use.

Mr. Ahlers was present to answer questions. He stated that his units will not be climate controlled and will be less expensive than those in the old mall. He will be looking to provide a barrier between his property and the apartments to the west. The public notice has been provided to the local newspaper and letters to the neighborhood were sent. Commissioners questioned him on drainage, access, snow removal, and easements. Northwestern Energy has been made aware of this project. Schroeder informed the commission that a water line going north and south is along the west property line and that maintenance and repair of the line, may result in denying access to the units. Motion by Jirsa, seconded by Osterloo to table action on the rezoning until the next meeting and the applicant is to supply a revised plan showing drainage, snow removal, fencing, and pavement. Roll Call: Larson yes, Vaux yes, Jirsa yes, Osterloo yes, Molumby yes, Penney yes, Genzlinger no. 6 yes 1 no, motion carried.

Variance: Steven Ahlers has requested the property legally described as W 56 feet of Outlot #7A, SW ¼ of Section 15, T 103 N, R 60 W, City of Mitchell, Davison County, South Dakota (126 W 15<sup>th</sup> Ave) from R2 Single Family Residential District to HB Highway Oriented Business District and he is request a front yard variance of 20 feet vs 25 feet under the R2 District, the HB district requires 30 feet, and a back yard variance of 15 feet vs 25 feet under the R2 District, the HB District setback is 0. He wishes to construct a storage garage that may be used for personal and commercial use. Motion by Molumby, seconded by Osterloo to table the variances until next meeting. Roll Call; Vaux yes, Molumby yes, Genzlinger, yes, Osterloo yes, Jirsa yes, Larson yes, Penney absent. 6 yes, 1 absent. Motion carries.

Plat: Lots 1-5, EZ Green Acres Addition, in the Southeast Quarter of the Southwest Quarter of the Southeast Quarter (SE ¼, SW ¼, SE ¼ ) of Section 3, T 103 N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota. This property is outside the city limits, but within the city's zoning jurisdiction. The county has to review the plat. The property owner was present to answer questions. Putnam pointed out that both the county and the city have ordinances that address the naming of additions and it's possible that "Green Acres" may need to be changed. Motion by Genzlinger, seconded by Jirsa to approve the plat, provided the addition name is acceptable. All members present voting aye, motion carried.

Public Input: none

Chairman Larson adjourned the meeting at 12:30 PM.

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