

PLANNING COMMISSION MINUTES

October 3, 2023

1. Chairman Haines called the meeting to order at 7:00 P.M.
2. Roll call-quorum is met, simple majority vote required for all items.
 - Present: : Bruce Haines, Steve Thiesse, Lewis Bainbridge, Dave Anderson, Ray Gosmire, Chris Nebelsick, & Karen Wegleitner.
 - Absent: Jeff Bathke & Mike Blaalid.
 - Guests: Alan Schraeder, Kristen Velez, Scott & Michele Rumbolz, Phil & Marsha Schulz, Eva Sargent Schraeder, Collin & Lexie Schulz, Brent Greenway, Peg Greenway, Brad Greenway, Mary & Dan Froning, Mitch Peterson, Collette Briggs, Julia Johnsen, Jeff McCormick, Chuck Mauszycki, Jr., Chuck Mauszycki Sr., Jeremy Jensen, & Todd Dikoff.
3. Consider the proposed agenda.
 - Motion by Chris Nebelsick, seconded by Dave Anderson, to approve the proposed agenda. All members voted aye, motion carried.
4. Declare conflicts of interest. None.
5. Consider the previous minutes. Motion by Dave Anderson, seconded by Lewis Bainbridge, to approve the September 5, 2023 proposed minutes. All members voted aye, motion carried.
6. Public input for items not on the agenda. Hearing none, the meeting continued.
7. Consider an application to re-zone a parcel from Agricultural to a Rural Residential District (RR) for a housing development; requested by Jensen Capital & Development, LLC.

This request is located in Lot D of Kotrba Subdivision in the SE1/4 of Section 15, T 103 N, R 61, W of the 5th P.M., Davison County, South Dakota.

Deputy Administrator Wegleitner gave an explanation of the re-zone application. The applicant was present to answer questions.

Discussion: Jeremy Jensen explained he purchased the property with the goal to make 20 2 acre lots as there is a need for his clients. He looked at different properties and this one offered paved roads, near the interstate/highway and close to a major business. He has talked to the infrastructure companies, and they provided him with letters of recommendation. The development will be a nice one with irrigation, paved roads with ditches on each side & turn around areas every 4 lots. There will be covenants and restrictions created. SPN will do the sight work. There are plans to leave some topography of the land and will flatten some land for roads.

Several people addressed their concerns with the proposed application. The re-zoning permit needs to follow specific guidelines based on the Davison County Comprehensive Plan & Ordinance and his proposal doesn't meet Section 11:06(D)(1)(2)(3)(4) in the Ordinance. Concerns of extra traffic the development would bring, and the safety concerns it would create for kids, school buses and other motorists. Where will the new approach go as there is a hill and would create safety issues with merging traffic from the development. Concerns of where the water will drain and will there be enough water to support 20 more houses in an area with water pressure issues already. Concerns of how a Rural Residential District will fit with the noises and smells of agricultural practices and on land that is zoned and meant for agriculture. With all the concerns addressed, there

were some abutting landowners in favor of the application. They discussed how everyone wants Mitchell to grow and we must start somewhere and why can't we make this work.

Questions:

Where will the approach go? They will have to obtain a permit from the highway superintendent for the approval of the approach.

Where will the water go? Jeff McCormick from SPN will complete a topographic map and will design the development around drainage needs.

Will this be an HOA development? Yes.

The board discussed their concerns about only one way in and out, safety issues with traffic and does it conform with the Comprehensive Plan. It was stated it is better to group houses together than to spread them out as it is becoming harder to build CAFOs due to residential setbacks.

- Motion by Dave Anderson, seconded by Steve Thiesse, to recommend approval of the Re-zone Permit to the County Commissioners.

Roll call vote:

Haines – nay, Thiesse – aye, Gosmire – nay, Bainbridge – nay, Nebelsick – aye, Blaaid – absent, Anderson – nay, motion denied.

8. Consider a variance application requested by Kristen Velez & DeWayne Woodraska of:
 1. +/- 14.97 acres, creating a lot size of +/- 10.03 acres, where the minimum lot size is 25 acres for a residence in the Ag. District.
 2. +/- 45', creating a setback of +/- 30' from the existing shed to the east property line, where the minimum front yard setback is 75' in the Ag District.

This request is located in NE1/4 of the NE1/4 of the NE1/4 of Section 22, T 102 N, R 62, W of the 5th P.M., Davison County, South Dakota. Deputy Administrator Wegleitner gave an explanation of the variance application. The applicant was present to answer questions.

Discussion: Kristen bought the land with the intentions of cleaning up the property and building a residence in the future. They've known of the land as her parents live across the road and have always wanted to buy it. The land was already surveyed out to 10 acres when bought and have plans to buy more of the surrounding land when available.

- Motion by Lewis Bainbridge, seconded by Ray Gosmire, to recommend approval of the Variance Permit to the Board of Adjustment.

Roll call vote:

Haines – aye, Thiesse – aye, Gosmire – aye, Bainbridge – aye, Nebelsick – aye, Blaaid – absent, Anderson – aye, motion carried.

9. Consider a plat of Tracts 1, 2 and 3 of Geuther's Addition in the SE1/4 of Section 28, T 103 N, R 62, W of the 5th P.M., Davison County, South Dakota; at the request of Collette Briggs, Julia Johnsen, & Eva Sargent.

This request is located in SE1/4 of Section 28, T 103 N, R 62, W of the 5th P.M., Davison County, South Dakota. Deputy Administrator Wegleitner gave an explanation of the plat proposal. The applicant was present to answer questions.

Discussion: The land was platted to divided the land between the family. No changes will be made to the land as they plan on farming it still. There are no access issues with any of the Tracts.

- Motion by Dave Anderson, seconded by Chris Nebelsick, to recommend approval of the Plat to the County Commissioners.

Roll call vote:

Haines – aye, Thiesse – aye, Gosmire – aye, Bainbridge – aye, Nebelsick – aye,
Blaalid – absent, Anderson – aye, motion carried.

10. Consider a plat of Blocks 1 and 2 of Maui Farms Second Addition and a portion of Sam Street, a Subdivision of previously platted Lot 4 in the E1/2 of the W1/2 of Section 31, T 104 N, R 60, W of the 5th P.M., Davison County, South Dakota; at the request of Maui Farms, Inc.

This request is located in Lot 4 in the E1/2 of the W1/2 of Section 31, T 104 N, R 60, W of the 5th P.M., Davison County, South Dakota. Deputy Administrator Wegleitner gave an explanation of the plat proposal. The applicant was present to answer questions.

Discussion: The city approved the plat. There are no concerns.

- Motion by Chris Nebelsick, seconded by Dave Anderson, to recommend approval of the Plat to the County Commissioners.

Roll call vote:

Haines – aye, Thiesse – aye, Gosmire – aye, Bainbridge – aye, Nebelsick – aye,
Blaalid – absent, Anderson – aye, motion carried.

11. Additional Comments from the Group

- None

12. Set date and time for next meeting – November 7, 2023 @ 7:00 P.M.

13. At 8:45 P.M., a motion was made by Lewis Bainbridge, seconded by Chris Nebelsick, to adjourn the meeting. All members voted aye, motion carried.



Bruce Haines
Planning Commission Chairperson

Karen Wegleitner

Karen Wegleitner
Deputy Director of Planning & Zoning