

**MINUTES**  
**ABERDEEN CITY PLANNING COMMISSION**  
**December 17 2013**

The City Planning Commission was called to order by Chairman Mike Jung. Members present at roll call were Kezar, Jung, Johnson, Woodward, and Rivett. Papousek and Lien were absent. Also present were Brett Bill, Planning & Zoning Director, Ken Hubbart, City Planner, and Paula Nelson, Planning Commission Secretary.

Johnson moved and Rivett seconded to approve the minutes of November 19, 2013, all members voting aye, the motion carried.

There being no old business Chairman Jung began with new business as follows:

- 1) A preliminary and final plat described as "Plat of Arbor Springs Third Addition to the City of Aberdeen, in the SW ¼ of Section 7, T123-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota," (a.k.a. 904 Harrison St N, 915 & 918 Arbor Lane, and 1201 & 1225 Eighth Ave NE) was submitted by Ronald & Patricia Fischer. Ken Hubbart stated that the petitioner is requesting this preliminary and final plat in order to combine two adjacent parcels to facilitate the construction of a new phase of a multifamily housing development. The new phase of construction will comply with all setback and density requirements of the zoning district. Following discussion Johnson moved and Kezar seconded to approve, all members voting aye, the motion carried.
- 2) A petition to vacate public ROW described as "That portion of South Arch Street Public ROW in Blocks 66 & 67, Hagerty & Lloyds Addition commencing at the North side of First Avenue SE Public ROW and continuing North 135' to point of termination," (a.k.a. 405 and 501 First Avenue SE) was submitted by Deborah & Nick Finnesand and Tyler Forsyth. Ken Hubbart stated that the petitioner is requesting this petition to vacate public right-of-way in order to eliminate an unused segment of ROW and combine the property with adjacent parcels to the East and West with the stipulation that a utility easement is granted for any utilities that may be located in the ROW. Craig Brown was present and expressed concern about needing access to his property through this parcel. Brett Bill explained how Mr. Brown needs to obtain permanent easements from the two adjacent property owners and explained when to file them at the Brown County Register of Deeds office. Following discussion Kezar moved and Rivett seconded to approve with the stipulation that a utility easement is granted for any public utilities in the ROW. Upon roll call, all members voting aye with Johnson abstaining, the motion carried.
- 3) A preliminary and final plat described as "Plat of Highway Lot H-1 of Dakota Midland Hospital Outlot 1 in the NW ¼ of Section 11, T123N-R64W of the 5<sup>th</sup> P.M., Aberdeen, Brown County, South Dakota," (a.k.a. 1500 Highway 281 N, the south end of the Aberdeen Christian School/Dakota Midland Campus) was submitted by Twelfth Street, LLC. Dr. Russ Pietz was present to represent the property. Ken Hubbart stated that the petitioner is requesting this preliminary and final plat in order to plat off a portion of their private property with the intent to dedicate it to the City as Public ROW for the currently private 15<sup>th</sup> Ave NW. Following

discussion Kezar moved and Rivett seconded to approve, all members voting aye, the motion carried.

- 4) A petition to rezone from (C-3/R-4) Central Business/Special Density Residential District to (R-3) High Density Residential District for property described as “Lot 2, Burns Rearrangement of Lots 5-6, Block 20, First Addition to Aberdeen,” (a.k.a. 312 Third Avenue SW) was submitted by Debra Griffin. Ken Hubbard stated that the petitioner is requesting this petition to rezone in order to bring the property into compliance with its existing residential use for the purpose of aiding in financing for a purchaser wishing to continue the residential use of the property. Following discussion Johnson moved and Woodward seconded to approve, all members voting aye, the motion carried.
- 5) A petition to vacate public ROW described as “The entire 60’ wide Player Avenue Public ROW commencing at the East side of Stewart Drive Public ROW and extending East 119.27’ to point of termination,” (a.k.a. 821 Circle Drive, 426 and 526 Stewart Drive) was submitted by Veterans of Foreign Wars, Ronald VanMeter and William Schaeffhauer, II. Ken Hubbard stated that the petitioner is requesting this petition to vacate Public ROW in order to combine the unused ROW with two adjacent parcels of land. Following discussion Johnson moved and Rivett seconded to approve with the stipulation that a 30’ wide utility easement centered on the existing sanitary sewer line is granted for maintenance purposes. Upon roll call, all members voting aye with Kezar abstaining, the motion carried.
- 6) A preliminary and final plat described as “Plat of Torigian Addition to the City of Aberdeen, in the NW ¼ of Section 19, T123N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota,” (a.k.a. 1505 Tenth Ave SE) was submitted by Joel & Diane Torigian. Ken Hubbard stated that the petitioner is requesting this preliminary and final plat in order to clarify the legal description of the property in order to construct an addition to an existing residence. Following discussion Kezar moved and Johnson seconded to approve, all members voting aye, the motion carried.
- 7) A preliminary and final plat described as “Plat of J. J. Aldinger Addition to the City of Aberdeen, in the NE ¼ of Section 13, T123N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota,” (a.k.a. 618 Lloyd St N) was submitted by Joni Aldinger. Ken Hubbard stated that the petitioner is requesting this preliminary and final plat in order to clarify the legal description of the property in order to permit a future construction project. Following discussion Rivett moved and Johnson seconded to approve, all members voting aye, the motion carried.
- 8) A petition to rezone from (R-2) Medium Density Residential District and (R-1) Low Density Residential District to (R-1) Low Density Residential District for property described as “Lots 6, 7, 8, and 9, Forest Acres – US Bank Second Addition to the City of Aberdeen, in the SE ¼ of Section 23, T123N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota,” (a.k.a. 1710 & 1714 Eighth St S and 810 & 811 Taylor Dr) was submitted by Donald Weigel, Rebecca Jeschke, Scott Grebner, and Cindi Walsh. Ken Hubbard stated that the petitioner is requesting this petition to rezone in order to eliminate the split zoning that was caused by replatting a vacated ROW and adjacent property into the applicant’s lots. The Planning Commission approved that plat with the stipulation that a petition to rezone was submitted and approved. Following

discussion Kezar moved and Rivett seconded to approve, all members voting aye, the motion carried.

- 9) A preliminary and final plat described as “Plat of UPS Addition to the City of Aberdeen, in the NW ¼ of Section 24, T123N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota,” (a.k.a. 932 Fourth St S and 410 Tenth Ave SW) was submitted by BTOH, LLC. Ken Hubbard stated that the petitioner is requesting this preliminary and final plat in order to clarify the legal description of the property as was required to obtain a building permit for an addition that was constructed last summer. The north portion of this lot is currently zoned R-3 (High Density Residential District), thus a petition to rezone the entire property to (I-2) Unrestricted Industrial District will be required to bring the property into compliance to plat the property. Following discussion Johnson moved and Rivett seconded to approve with the stipulation that the entire property be rezoned to (I-2) Unrestricted Industrial District prior to filing the plat with the Register of Deeds Office, all members voting aye, the motion carried.
- 10) Permission to operate a bakery in a (C-1/R-4) Neighborhood Commercial/Special Density Residential District described as “Lot 1, Briscoe First Addition to the City of Aberdeen, in the SE ¼ of Section 13, T123N-R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota,” (a.k.a. 224 First Avenue SE) was submitted by Briscoe Rentals and Alex & Perri Malsom. Ken Hubbard stated that the petitioner is requesting to permit a bakery in a portion of an existing building in a (C-1/R-4) Neighborhood Commercial District/Special Density Residential District, which required prior approval from the Planning Commission. This is a permitted use in the district and will conform to all applicable zoning regulations of the district. Following discussion Johnson moved and Kezar seconded to approve with the stipulation that a building permit is obtained prior to construction and all zoning and building requirements are met.
- 11) Permission to construct an addition to a building in an (I-1) Industrial Park Zoning District on property described as “Lot 1, Bellikka’s Prairie Tool Addition to Aberdeen, NE ¼ of Section 17, T123N-R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota,” (a.k.a. 723 Commerce St N) was submitted by B & B Real Estate. Ken Hubbard stated that the petitioner is requesting to permit the construction of an addition to an existing structure in an (I-1) Industrial Park District, which requires prior approval from the Planning Commission. If this request is approved, a setback variance must be obtained from the Board of Zoning Adjustment at the regularly scheduled meeting on January 9<sup>th</sup>, 2014. Following discussion Kezar moved and Johnson seconded to approve with the stipulation that a setback variance and a building permit are obtained prior to construction. Upon roll call, all members voting aye, the motion carried.

There being no further business before the Commission, Johnson moved and Rivett seconded to adjourn the meeting.

Submitted by,

Paula Nelson  
Planning Commission Secretary