

MINUTES
ABERDEEN CITY PLANNING COMMISSION
September 16, 2014

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

Johnson moved and Kezar seconded to approve the minutes of August 19, 2014, 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 “Park Ridge Estates Seventh Addition in the SE ¼ of Section 10, T123N-RR64W of the 5th P.M., Brown County, South Dakota,” (a.k.a. 1301 19th St N) was submitted by Daniel Harvey – Park Ridge Estates Corp. Chris Witzel stated that the petitioner is requesting this preliminary and final plat in order to convey the proposed newly platted property to another party or multiple parties in the future. Following discussion Johnson moved and Kezar seconded to approve with the stipulation that the property be rezoned to (R-2) Medium Density Residential District. Upon roll call, all members voting aye, the motion carried.
- 2) A petition to vacate the public right-of-way described as “Portion of Oakwood Lane right-of-way as shown,” (a.k.a. 1302 Birchwood Lane) was submitted by Michael & Marlyce Luitjens. Chris Witzel stated that the petitioner is requesting this vacation of right-of-way in order to combine their current lot with an unused piece of public right-of-way. With the recent addition of Oakwood Lane to the southeast of their property, the right-of-way set aside for a planned cul-de-sac is no longer needed and thus can be vacated. Following discussion Kezar moved and Lien seconded to approve, all members voting aye, the motion carried.
- 3) A preliminary and final plat described as “Luitjens Addition to Ashwood Heights Subdivision to the City of Aberdeen in the SW ¼ of Section 8, T123N-R63W of the 5th P.M., Brown County, South Dakota,” (a.k.a. 1302 Birchwood Lane) was submitted by Michael & Marlyce Luitjens. Chris Witzel stated that the petitioner is requesting this preliminary and final plat in order to combine their current lot with an adjacent piece of vacated public right-of-way. A corresponding petition to vacate the public right-of-way was submitted with this plat. Following discussion Lien moved and Johnson seconded to approve, all members voting aye, the motion carried.
- 4) A preliminary and final plat described as “O’Reilly Addition to the City of Aberdeen, in the NE ¼ of Section 19, T123N-R63W of the 5th P.M., Brown County, South Dakota,” (a.k.a. 1802 6th Ave SE) was submitted by O’Reilly Automotive Stores, Inc. Chris Witzel stated that the petitioner is requesting this preliminary and final plat in order to combine seven underlying lots into one lot to facilitate future commercial development. Following discussion Kezar moved and Lien seconded to approve, all members voting aye, the motion carried.
- 5) A preliminary and final plat described as “Markovetz 1st Improvement Subdivision in Aberdeen, South Dakota located in the SE ¼ of Section 14-T123N-R64W of the 5th P.M.,” (a.k.a. 313, 315, and 317 8th St S) was submitted by Jerry and Cheryl Markovetz. Chris Witzel stated that the petitioner is requesting this preliminary and final plat in order to reconfigure lot lines and clarify legal descriptions on three lots. A corresponding application was submitted to the Zoning Board of Adjustment for setback

variances on existing structures. Following discussion Kezar moved and Johnson seconded to approve, all members voting aye, the motion carried.

- 6) A petition to rezone from (C-2) Highway Commercial District to (R-3) High Density Residential District for property described as “Lot 6, Block 49, Bennett and Thomas Addition,” (a.k.a. 401 3rd St N) was submitted by Stephen J. Darling. Chris Witzel stated that the petitioner is requesting this petition to rezone in order to bring the property into compliance with the current residential use of the property. Following discussion Johnson moved and Lien seconded to approve, all members voting aye, the motion carried.
- 7) A petition to rezone from (C-2) Highway Commercial District to (R-3) High Density Residential District for property described as “Lots 76-77, Morning Heights Addition,” (a.k.a. 616 Harrison St S) was submitted by Ed Bauer. Chris Witzel stated that the petitioner is requesting this petition to rezone in order to bring the property into compliance with the current residential use of the property. A corresponding application was submitted to the Zoning Board of Adjustment for accessory structure building variances. Following discussion Kezar moved and Lien seconded to approve, all members voting aye, the motion carried.
- 8) A petition to rezone from (C-3) Central Business District to (R-3) High Density Residential District for property described as “North 24’ of Lot 3, Block 15, North Aberdeen Addition,” (a.k.a. 115 1st St N) was submitted by Wayne A. Beck. Chris Witzel stated that the petitioner is requesting this petition to rezone in order to bring the property into compliance with the current residential use of the property. This property was previously approved by the Zoning Board of Adjustment to bring the existing structures into compliance. Following discussion Johnson moved and Lien seconded to approve, all members voting aye, the motion carried.
- 9) A petition to rezone from (C-2) Highway Commercial District to (R-3) High Density Residential District for property described as “Lots 7-12, Block 15, Thomas Addition,” (a.k.a. 611 Kline St S) was submitted by Keith Kusler - Kusler Family Trust. Chris Witzel stated that the petitioner is requesting this petition to rezone in order to bring the property into compliance with the current residential use of the property to replace stairs on the rear of the house. A building permit was issued at the time of application. Following discussion Lien moved and Kezar seconded to approve, all members voting aye, the motion carried.
- 10) Permission to move a nonconforming building into an (I-2) Unrestricted Industrial District on property described as “Outlot 15, Industrial Park located in the NE ¼ of Section 17, T123N-R63W,” (a.k.a. 421 Commerce St) was submitted by Ronald Rivett - Office Building Partnership. Chris Witzel stated that the petitioner is requesting permission to relocate a 44’ x 54’ garage from 2411 6th Ave SE to the Industrial Park. This type of building is not allowed to be located in the Industrial Park based on its exterior appearance, flammability, and stick-built design. The Zoning Board of Adjustment approved the relocation of the building with the stipulation that the building be resided to be aesthetically similar to the existing primary structure and that all of the fire marshal’s requirements be met. Following discussion Kezar moved and Johnson seconded to approve with the stipulation that all Zoning Board of Adjustment requirements be met and all recommended precautions outline by the Fire Marshal be adhered to. Upon roll call, all members voting aye, the motion carried.
- 11) Permission to construct sign in (C-1) Neighborhood Commercial District for property described as “North 115’ of Lot 2 and North 115’ of West 100’, Block 16,” (a.k.a. 805 State St S) was submitted by John M. Carrels - Carrels & Bain Family Dental Care. Chris Witzel stated that the petitioner is requesting permission to replace commercial signs in a (C-1) Neighborhood Commercial District, which requires approval from this commission. The new wall sign and freestanding sign will meet all

square footage and setback requirements in the district; all sign locations will remain unchanged. A permit was issued at the time of application. Following discussion Johnson moved and Kezar seconded to approve, all members voting aye, the motion carried.

- 12) Permission to renovate a building in the Aberdeen Commercial Historic District for property described as “Lot 1, Jensen’s Corner Subdivision,” (a.k.a. 518 Main St S) was submitted by Frank Jensen – Domino’s Pizza. This item was moved to the end of the agenda.
- 13) Permission to replace signage on a business located in Aberdeen Commercial Historic District for property described as “Lots 17-18, Block 6, Original Plat,” (a.k.a. 10 Second Ave SE) was submitted by Pam Vermeulen – Nail Fantasy Spa & Gift Shop. This item was moved to the end of the agenda.
- 14) Permission to replace a wall sign on a business located in Aberdeen Commercial Historic District for property described as “Lot 5, Dacotah Bank Addition,” (a.k.a. 308 Main St S) was submitted by Dacotah Bank. This item was moved to the end of the agenda.
- 15) Tax Increment Finance District No. 23 Project Plan described as “Lots 1-3, Spitzer-Miller 1st Addition and Lot 1A & 2A in Block 43 of Thomas Addition,” (a.k.a. 1108, 1111, 1116 Main St S, 20 11th Ave SE, and 23 12th Ave SE) was submitted by Depot Revival, LLC. Attorney Rod Tobin, Attorney Matt Campbell, and Tom Hurlbert were present to represent the property. Chris Witzel stated the petitioner is requesting this Tax Increment Finance District (TIF) to fund the necessary interior and exterior restoration of the historic depot. These renovations to the historic depot will allow it to achieve its highest and best use, as a renovated business/retail space. This TIF project plan has been previously reviewed by the City Finance Officer and has been given his tentative approval. The TIF #23 Project Plan proposal appears to meet the requirements set forth by South Dakota Codified Law. Following discussion Kezar moved and Johnson seconded to approve, all members voting aye, the motion carried.
- 16) A preliminary and final plat described as “Rivett Sixth Avenue Second Addition to Aberdeen in the SW ¼ of Section 17, T123N-R63W of the 5th P.M., Brown County, South Dakota,” (a.k.a. 2411 and 2415 6th Ave SE and 402 Harvard St S) was submitted by Ronald Rivett. Chris Witzel stated that the petitioner is requesting this preliminary and final plat in order to reconfigure the lot lines to facilitate future commercial development. Following discussion Johnson moved and Lien seconded to approve, all members voting aye, the motion carried.
- 12) Permission to renovate a building in the Aberdeen Commercial Historic District for property described as “Lot 1, Jensen’s Corner Subdivision,” (a.k.a. 518 Main St S) was submitted by Frank Jensen – Domino’s Pizza. Frank Jensen and Darin Duvall were present to represent the property. Chris Witzel stated that the petitioner is requesting permission to renovate a historic building located in the Aberdeen Commercial Historic District, ordinance states that the Planning Commission must approve prior to construction. The façade renovation will include replacing existing green fascia with black steel, remove service door and replace with two 4’ x 6’ windows, add flagstone rock to the southeast corner from ground to fascia, and remove concrete “stump” by southeast corner of building. This project is on a building deemed non-contributing to the historic district, and thus has been approved by the State Historic Preservation Office. The BID #1 Architectural Design Review Committee reviewed the request and has chosen to deny the proposed changes. Citing the use of steel siding, which is not allowed in the Aberdeen Commercial Historic District as per city ordinance. Following discussion Kezar moved and Lien seconded to deny, all members voting nay with Johnson abstaining, the motion failed for lack of quorum. Following further discussion Kezar moved and Lien seconded to approve the replacement of green steel with black steel as per the materials list submitted to City. Upon roll call, all members voting aye, with Johnson abstaining, the motion failed for lack of quorum.

- 13) Permission to replace signage on a business located in Aberdeen Commercial Historic District for property described as “Lots 17-18, Block 6, Original Plat,” (a.k.a. 10 Second Ave SE) was submitted by Pam Vermeulen - Nail Fantasy Spa & Gift Shop. Chris Witzel stated that the petitioner is requesting permission to replace an existing wall sign with a new awning and blade sign on a building located within the Aberdeen Commercial Historic District, ordinance states that the Planning Commission must approve prior to construction. The new awning and blade sign will meet all square footage requirements and design standards within the district. This project was reviewed by the BID #1 Architectural Design Review Committee; their recommendations are listed on the attached document. Following discussion Lien moved and Kezar seconded to approve with the stipulation that the awning material be approved by the Architectural Design Review Committee prior to construction commencing. Upon roll call, all members voting aye, the motion carried.

- 14) Permission to replace a wall sign on a business located in Aberdeen Commercial Historic District for property described as “Lot 5, Dacotah Bank Addition,” (a.k.a. 308 Main St S) was submitted by Dacotah Bank. Chris Witzel stated that the petitioner is requesting permission to replace an existing wall sign on a building located within the Aberdeen Commercial Historic District. The new channel letter wall sign will meet all square footage requirements and design standards within the district. This project was reviewed and approved by the BID #1 Architectural Design Review Committee. Following discussion Kezar moved and Johnson seconded to approve, all members voting aye, the motion carried.

Chairman Jung opened the floor for discussion on newly adopted downtown ordinance:

- Mark Rich & Matt Deilke, representatives for downtown property owners, spoke in reference to the recently approved downtown ordinance and stated their recommendation was for an immediate repeal of the ordinances as written.
- Chairman Jung suggested that these property owners, as a group, work together with the Aberdeen Downtown Association, to make a better ordinance that works for both sides.
- Kim Lien stated that she was not pleased to hear about the “fear mongering tactics” these downtown property owner representatives used to scare property owners not even affected by this ordinance. Lien further stated that these representatives should, in the future, get more factual information before proceeding with their concerns.
- Rich Kezar pointed out that when this board approved the new ordinance, which was basically rewritten before City Council approved it, no downtown property owners were even in attendance. Kezar recommended these property owners follow through all the necessary steps to try to get this ordinance changed.

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

Submitted by,

Paula Nelson
Planning Commission Secretary