

**MINUTES**  
**ABERDEEN CITY PLANNING COMMISSION**  
**April 15, 2008**

The City Planning Commission was called to order by Chairman Rich Kezar. Members present at roll call were Kezar, Cunningham, Jung, Mettler, and Slight-Hansen. Absent were: Arnold and Swingler. Also present were Brett Bill, Planning & Zoning Director, Ken Hubbard, Planner, Stuart Nelson, Assistant City Engineer, and Paula Nelson, Planning Commission Secretary.

Mettler moved and Cunningham seconded to approve the minutes of March 18, 2008, all members voting aye, the motion carried.

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

- 1) A petition to rezone from (C-2) Highway Commercial District to (I-2) Unrestricted Industrial District for property described as “Lot 1, Gross’s Addition in the NE ¼ of Section 21, T123N-R63W of the 5<sup>th</sup> P.M., Aberdeen, Brown County, South Dakota,” (a.k.a. 4856 6<sup>th</sup> Avenue SE - Directly west of Butler Machinery Company) was submitted by William Welk. William Welk was present to represent the property. Brett Bill stated that the petitioner is requesting this petition to rezone with the intention of utilizing the property to construct stick built residential structures, which will be moved and placed on individual lots in the surrounding area. The property is adjacent to an Unrestricted Industrial District to the north, thus this request is not considered to be spot zoning. A special exception has been granted, for this property, by the Aberdeen Board of Zoning Adjustment, on April 10, 2008, for the open storage of building materials and supplies. Following discussion Mettler moved and Jung seconded to approve, all members voting aye, the motion carried.
- 2) A vacation of right-of-way described as “West Palmer Circle from Stewart Drive to 8<sup>th</sup> Avenue NW, all located in the NW ¼ of Section 14, T123N-R64W, Aberdeen, Brown County, South Dakota,” (a.k.a. Directly east of the new Aberdeen Fire Station) was submitted by Rolling Hills Golf Development, LLC and the City of Aberdeen. Brett Bill stated that the petitioners are requesting to vacate a 60’ x 440’ undeveloped section of right-of-way and add it back into the adjacent properties. A preliminary and final plat for the adjacent property to the east has been submitted to the Planning and Zoning Department and approved by the Aberdeen Planning Commission with the stipulation that the vacation of West Palmer Circle is approved by the Planning Commission and the Aberdeen City Council and filed with the Brown County Register of Deeds prior to filing the plat. Following discussion Cunningham moved and Jung seconded to approve with the understanding that all rights have been reserved for any utilities that are currently located within the right-of-way. Upon roll call, all members voting aye, the motion carried.
- 3) A petition to rezone from (C-1/R-4) Neighborhood Commercial District/Special Density Residential District to (C-3/R-4) High Density Residential District/Special Density

Residential District for property described as “Lot 3, Block 23, Thomas Addition, located in the NE ¼ of Section 24, T123N-R64W of the 5<sup>th</sup> P.M., Aberdeen, Brown County, South Dakota,” (a.k.a. 1110 South Kline Street) was submitted by Peter Andrew. Brett Bill stated that the petitioner is requesting this petition to rezone with the intention of bringing the property into compliance with the existing residential land use. Following discussion Jung moved and Cunningham seconded to approve, all members voting aye, the motion carried.

- 4) A petition to rezone from (C-3/R-4) Central Business District/Special Density Residential District to (R-3) High Density Residential District for property described as “Lot 8 and Lot 10, Block 20, First Addition, located in the SW ¼ of Section 13, T124N-R64W of the 5<sup>th</sup> P.M., Aberdeen, Brown County, South Dakota,” (a.k.a. 219 and 209 South 4<sup>th</sup> Street) was submitted by Donald Schatz and Gayland Weisenburger. Brett Bill stated that the petitioner is requesting this petition to rezone with the intention of bringing the property into compliance with the existing residential land use. Following discussion Cunningham moved and Mettler seconded to approve, all members voting aye, the motion carried.
- 5) A vacation of right-of-way described as “Alley right-of-way adjacent to Hoff’s O.L. 1 in Block 7, Thomas Addition, located in the NE ¼ of Section 24, Township 123 North, Range 64 West of the 5<sup>th</sup> P.M., Aberdeen, Brown County, South Dakota,” (a.k.a. 517 12<sup>th</sup> Avenue SE) was submitted by Leon R. McDonald. Brett Bill stated that the petitioner is requesting this vacation of right-of-way in order to add the unused, 16’ x 53.3’, portion of alley right-of-way into the adjacent property. The property line for Hoff’s O.L. 1 falls on the north side of the alley right-of-way, thus the alley right-of-way is running through Hoff’s O.L. 1. Following discussion Jung moved and Cunningham seconded to approve with the understanding that all rights have been reserved for any utilities that are currently located within the right-of-way. Upon roll call, all members voting aye, the motion carried.
- 6) A preliminary and final plat described as “Kent Addition to the City of Aberdeen, South Dakota, located in the SW ¼ of Section 14, T123N-R64W of the 5<sup>th</sup> P.M., Aberdeen, Brown County, South Dakota,” (a.k.a. 1407 3<sup>rd</sup> Avenue SW and 304 14<sup>th</sup> Street South) was submitted by Kent Properties, LLC. Brett Bill stated that the petitioner is requesting this preliminary and final plat in order to combine two lots into one for future residential development. Following discussion Cunningham moved and Mettler seconded to approve, all members voting aye, the motion carried.
- 7) A preliminary and final plat described as “Mehlhoff’s Fourteenth Addition to North Plains Subdivision to the City of Aberdeen, Brown County, South Dakota, located in the NW ¼ of Section 7, T123N-R63W of the 5<sup>th</sup> P.M., Aberdeen, Brown County, South Dakota,” (a.k.a. 1305, 1311 and 1317 Thomas Drive) was submitted by North Plains Estates II, Inc. Brett Bill stated that the petitioner is requesting this preliminary and final plat in order to reconfigure lot lines on three existing lots with the intention of conveying the lots for residential development. Following discussion Mettler moved and Cunningham seconded to approve, all members voting aye, the motion carried.

- 8) A preliminary and final plat described as “Prairie’s Edge Third Addition to the City of Aberdeen, Brown County, South Dakota, located in the NW ¼ of Section 8, T123N-R63W of the 5<sup>th</sup> P.M., Aberdeen, Brown County, South Dakota,” (a.k.a. Clear Water Court) was submitted by Prairie’s Edge Development, L.L.C. Brett Bill stated that the petitioner is requesting this preliminary and final plat with the intention of creating 8 lots for residential development. Following discussion Cunningham moved and Mettler seconded to approve, all members voting aye, the motion carried.
- 9) A preliminary and final plat described as “Jundt 1<sup>st</sup> Consolidated Subdivision in Aberdeen, South Dakota, located in the NE ¼ of Section 19, T123N-R63W of the 5<sup>th</sup> P.M., Aberdeen, Brown County, South Dakota,” (a.k.a. 811 South Merton Street) was submitted by Jake Jundt. Francis Brink of Brink Engineering was present to represent the property. Brett Bill stated that the petitioner is requesting this preliminary and final plat in order to clean up the legal description of the property with the intention of moving a stick built home onto the lot. The proposed lot does not meet the required 50’ of frontage required in the (R-3) High Density Residential District, thus a 7’ lot frontage variance will be required from the Aberdeen Board of Zoning Adjustment. An application for the variance has been made to the Planning and Zoning Department and was approved on April 10, 2008 by the Board of Zoning Adjustment. Following discussion Jung moved and Cunningham seconded to approve, all members voting aye, the motion carried.
- 10) A preliminary and final plat described as “Price’s 1<sup>st</sup> Consolidated Subdivision in Aberdeen, South Dakota, located in the NW ¼ of Section 19, T123N-R63W of the 5<sup>th</sup> P.M., Aberdeen, Brown County, South Dakota,” (a.k.a. 706 and 716 South Congress Street) was submitted by Kyle and Sarah Price. Francis Brink of Brink Engineering was present to represent the property. Brett Bill stated that the petitioners are requesting this preliminary and final plat in order to combine three lots into one, for the purpose of creating a larger lot, for residential construction. Following discussion Cunningham moved and Jung seconded to approve, all members voting aye, the motion carried.
- 11) Vacation of right-of-way described as “That portion of Ashwood Park Lane between Ashwood Drive and it’s point of termination 210’ east of origin (entire Ashwood Park Lane right-of-way), located in the SW ¼ of Section 8, Township 123 North, Range 63 West of the 5<sup>th</sup> P.M., Aberdeen, Brown County, South Dakota.” (a.k.a. 1516 and 1616 Ashwood Drive) was submitted by J & D Partnership - Lonnie Anderson, Partner. Brett Bill stated that Ashwood Park Lane is currently an unused right-of-way and the petitioner is requesting this vacation in order to replat the proposed vacated right-of-way into the adjacent properties. A preliminary and final plat has been submitted in conjunction with this petition to vacate right-of-way. Following discussion Jung moved and Mettler seconded to approve with the understanding that all rights have been reserved for any utilities that are currently located within the right-of-way. Upon roll call, all members voting aye, the motion carried.

- 12) A preliminary and final plat described as “Sixth Addition to Ashwood Heights Subdivision to the City of Aberdeen, Brown County, South Dakota, located in the SW ¼ of Section 8, Township 123 North, Range 63 West of the 5<sup>th</sup> P.M., Aberdeen, Brown County, South Dakota,” (a.k.a. 1516 and 1616 Ashwood Drive) was submitted by J & D Partnership - John Dalager, Treasurer. Brett Bill stated that the petitioner is requesting this preliminary and final plat in order to plat vacated Ashwood Park Lane into the adjacent properties, with the intention of conveying the property to other parties, for residential development. This preliminary and final plat was submitted in conjunction with a petition to vacate Ashwood Park Lane. Following discussion Mettler moved and Jung seconded to approve, all members voting aye, the motion carried.
  
- 12) Permission to install partial walls under a canopy at a restaurant (Scotty’s) that is located in the (C-1) Neighborhood Commercial District on property described as “Lots 1-5, Block 31, Bennett and Thomas Addition, located in the NW ¼ of Section 13, Township 123 North, Range 64 West of the 5<sup>th</sup> P.M., Aberdeen, Brown County, South Dakota,” (a.k.a. 719 North Main Street - Scotty’s Drive-In) was submitted by Pat Rohl. Brett Bill stated that the property owner is requesting permission to install partial walls under a canopy at a restaurant that is located in the (C-1) Neighborhood Commercial District. The requested project will be in harmony with the character of the surrounding neighborhood while also helping to sustain the desirability and stability of the neighborhood. Following discussion Cunningham moved and Jung seconded to approve, all members voting aye, the motion carried.
  
- 13) Permission to remodel the interior and change signage for a business that is located in the (C-1) Neighborhood Commercial District on property described as “South ½ of Lot 6 and the South 2’3” Lot 1, Anna Kavens Subdivision of Lot 6, Block 35, Thomas Addition, located in the NW ¼ of Section 24, Township 123 North, Range 64 West of the 5<sup>th</sup> P.M., Aberdeen, Brown County, South Dakota,” was submitted by Tim Pierson. Tim Pierson and Larew Goehring were present to represent the property. Brett Bill stated that the new owner of this business is requesting permission to remodel the interior of the business as well as change the signage to reflect the business’s new name. The business is located within the (C-1) Neighborhood Commercial District, thus approval for the project must be obtained from this Commission. Following discussion Mettler moved and Jung seconded to approve with the stipulation that a building permit and sign permits are obtained prior to work commencing. Upon roll call, all members voting aye, the motion carried.

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

Submitted by,

Paula Nelson  
Planning Commission Secretary