

MINUTES
ABERDEEN CITY PLANNING COMMISSION
May 20, 2008

The City Planning Commission was called to order by Chairman Rich Kezar. Members present at roll call were Arnold, Mettler, Kezar, and Cunningham. Absent were: Swingler, Jung, and Slight-Hansen. 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 April 15, 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 and (R-3) High Density Residential District to (R-3) High Density Residential District for property described as “Lot 4 and 5, Gage’s First Replat of Block 43, Bennett and Thomas Addition, located in the NW ¼ of Section 13, T123N-R64W of the 5th P.M., Aberdeen, Brown County, South Dakota,” a.k.a. 511 North 2nd Street was submitted by Carol Durand, Margaret Petrich, P.O.A. Brett Bill stated that the existing residence straddles the lot line between Lots 4 and 5 and it also straddles two zoning districts. The petitioner is requesting this petition to rezone with the intention of bringing both lots into compliance with the existing residential land use. Following discussion Arnold moved and Cunningham seconded to approve, all members voting aye, the motion carried.
- 2) A preliminary and final plat described as “Kent Second Addition to the City of Aberdeen, South Dakota, located in the SW ¼ of Section 14, T123N-R64W of the 5th P.M., Aberdeen, South Dakota,” a.k.a. 516 12th Street South and 1216 6th Avenue SW was submitted by Kent Properties, LLP. Brett Bill stated that the petitioner is requesting this preliminary and final plat in order to combine three lots and a portion of vacated right-of-way into two lots for future residential and commercial development. A petition to rezone proposed Lot 1 to (R-3) High Density Residential District has been submitted in conjunction with this plat. Following discussion Mettler moved and Arnold seconded to approve, all members voting aye, the motion carried.
- 3) A petition to rezone from (C-2) Highway Commercial District to (R-3) High Density Residential District for property described as “Lot 1, Kent Second Addition to the City of Aberdeen, South Dakota, located in the SW ¼ of Section 14, T123N-R64W of the 5th P.M., Aberdeen, Brown County, South Dakota,” a.k.a. 516 12th Street South and a portion of 1216 6th Avenue SW was submitted by Steven Lust. Brett Bill stated that the petitioner is requesting this rezoning with the intention of constructing a multi-family residential structure on the lot. This petition to rezone was submitted in conjunction with a preliminary and final plat. Following discussion Mettler moved and Arnold seconded to approve, all members voting aye, the motion carried.

- 4) A preliminary and final plat described as “NVC West Addition to the City of Aberdeen, Brown County, South Dakota, located in the SW ¼ of Section 13, T123N-R64W of the 5th P.M., Aberdeen, Brown County, South Dakota,” a.k.a. 319 8th Avenue NW was submitted by James Valley Cooperative Telephone Company. Robert Hornstra was present to represent the property. Brett Bill stated that the petitioner is requesting this preliminary and final plat in order to create three lots for commercial development and/or conveyance to other parties. Proposed Lot 3 does not meet the minimum lot size requirement of 75’ x 142’, thus a lot size variance must be obtained from the Aberdeen Board of Zoning Adjustment. Proposed Lot 3 currently contains a 120’ tall free standing cellular telephone tower. Following discussion Arnold moved and Cunningham seconded to approve with the stipulation that a lot size variance must be obtained from the Aberdeen Board of Zoning Adjustment for proposed Lot 3. Upon roll call, all members voting aye, the motion carried.
- 5) A preliminary and final plat described as “McDonald Consolidation Addition to the City of Aberdeen, South Dakota, located in the NE ¼ of Section 24, T123N-R64W of the 5th P.M., Aberdeen, Brown County, South Dakota,” a.k.a. 516 11th Avenue SE and 517 12th Avenue SE was submitted by Leon McDonald. Brett Bill stated that the petitioner is requesting this preliminary and final plat in order to clean up the legal description of the property, as well as include a portion of alley right-of-way that was vacated by the Aberdeen City Council on May 12, 2008. Following discussion Mettler moved and Cunningham seconded to approve, all members voting aye, the motion carried.
- 6) A vacation of right-of-way for property described as “The entire 16’ wide alley commencing at 3rd Avenue SE and continuing North for 211.2’, all within Block 1, Boyd’s 2nd Subdivision, located in the SW ¼ of Section 18, Township 123 North, Range 63 West of the 5th P.M., Aberdeen, Brown County, South Dakota,” a.k.a. 1109 3rd Avenue SE – was submitted by K.O. Lee Company. Brett Bill stated that the petitioner is requesting this vacation of right-of-way in order to clean up the legal description and replat the property. The alley right-of-way is 16’ x 211.2’ and contains a 4” City water line. If this plat is approved it should be stipulated that a 16’ wide easement is granted to the City for access to maintain the water line. Following discussion Cunningham moved and Arnold seconded to approve, all members voting aye, the motion carried.
- 7) A preliminary and final plat described as “Woolverton Second Subdivision to Aberdeen in the NE ¼ of Section 24, T123N-R64W of the 5th P.M., Aberdeen, Brown County, South Dakota,” a.k.a. 804, 812, 814, and 820 6th Avenue SE; 611 Penn Street South – Directly West of Marshall Spas and Pools was submitted by Murdy Properties, LLC. Brett Bill stated that the petitioner is requesting this preliminary and final plat, in order to combine six lots and vacated right-of-way into one lot for the purpose of commercial development. Since there are currently several residential structures located on the proposed lot and the Aberdeen Zoning Ordinance No. 1164 does not permit more than one primary structure on a lot, these structures must be removed in a timely manner in order to avoid conflicting

the Zoning Ordinance. On January 10, 2008, the Aberdeen Board of Zoning Adjustment approved a setback variance for a 50' x 140' structure that will be located on this proposed lot. Following discussion Mettler moved and Arnold seconded to approve with the stipulation that all of the residential structures on the property are removed by November 1, 2008. Upon roll call, all members voting aye, the motion carried.

- 8) A petition to rezone from (A-1) Agricultural District to (R-2) Medium Density Residential District for property described as "Lot 1, Gugel's 1st Subdivision, Lot A and East 33' of South 175' of adjacent vacated street (Lot 9); Lot 2, 3, 4, 8 of Gugel's 1st Subdivision and East 33' of North 138' of adjacent vacated street (Lot 9); Lot 6, 7, 22 and 23 of Gugel's 2nd Subdivision, all located in the SW ¼ of Section 6, T123N-R63W of the 5th P.M., Aberdeen, Brown County, South Dakota," a.k.a. 1015, 1019 and 1217 24th Avenue NE was submitted by Kevin Dell, Tania J. Goos (Hauck) and Wylie Barnes. Brett Bill stated that the petitioners are requesting this petition to rezone with the intention of bringing all of the described property into compliance with the existing residential land use. Following discussion Arnold moved and Cunningham seconded to approve, all members voting aye, the motion carried.
- 9) A preliminary and final plat described as "Lamont Sixth Addition to Aberdeen in the NE ¼ of Section 20, T123N-R63W of the 5th P.M., Brown County, South Dakota," a.k.a. 3310 7th Avenue SE - Holiday Inn Express was submitted by Stiles and Byron, A Partnership - William S. Lamont, Managing Partner and Dacotahtel, LLC. Brett Bill stated that the petitioners are requesting this preliminary and final plat in order to create three lots to accommodate an existing motel, as well as future commercial development. Public right-of-way has been dedicated to provide additional access and frontage to proposed Lot 2 and to accommodate traffic flow around the proposed lots. The existing Holiday Inn Express is located on proposed Lot 1. On April 10, 2008, the Aberdeen Board of Zoning Adjustment approved variances to construct several buildings (walkways) across lot lines, as well as a parking variance and a height variance, all with the stipulation that the property must be replatted. Following discussion Cunningham moved and Mettler seconded to approve, all members voting aye, the motion carried.
- 10) A preliminary and final plat described as "Second Addition to the Boulevards Subdivision to the City of Aberdeen, Brown County, South Dakota," located in the SE ¼ of Section 6, T123N-R63W of the 5th P.M., Aberdeen, Brown County, South Dakota," a.k.a. 2420 and 2510 Quail Run Boulevard was submitted by Jeffry and Faye Stohr. Brett Bill stated that the petitioners are requesting this preliminary and final plat in order to combine two lots into one with the intention of constructing a single family residence. Following discussion Arnold moved and Mettler seconded to approve, all members voting aye, the motion carried.
- 11) Permission to remodel the kitchen area of a business that is located in the (C-1) Neighborhood Commercial District at property described as 1124 South Washington Street - Mugs Coffee House. Tim Pierson was present to represent the property. Brett Bill

stated that the new owner of this business is requesting permission to remodel the kitchen area of the business. The extent of the remodeling will include installing a new vent hood and air circulation system, as well changing the first floor roof on the North side of the structure. The business is located within the (C-1) Neighborhood Commercial District, thus approval for the project must be obtained from this Commission. Following discussion Cunningham moved and Arnold seconded to approve, all members voting aye, the motion carried.

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

Submitted by,

Paula Nelson
Planning Commission Secretary