

**MINUTES  
PIERRE CITY PLANNING COMMISSION MEETING  
COMMISSION ROOM  
MONDAY, AUGUST 23, 2021 5:45 P.M.**

**Members present** were: Stacy Bartlett, Rick Dockter, Emeline Hoblick, Terry Keller, Laurie Schultz and Dave Templeton.

**Staff members present:** Sharon Pruess & John Childs.

**Guests present:** Harvey & Renee Wald, Chad Griese, Jerry Schimkat, and Cheryl Reed.

Chairman Templeton called the meeting to order at 5:40 p.m. The first item on the agenda is approval of the 8/9/21 minutes. Commissioner Schultz made a motion to approve the 8/9/21 minutes. Commissioner Dockter seconded the motion. All members voted to approve the minutes.

**Agenda Item: Public Hearing – Conditional Use Permit for a mixed business/residential use at 201 N. Euclid Avenue. Petitioners – Harvey & Renee Wald.**

Sharon Pruess, City Planner, provided a summary of the proposal. The property is located at 201 N. Euclid Avenue, northwest corner of Euclid Avenue and Prospect Street. Harvey & Renee Wald have purchased the former Maher Law Office building at the corner of Euclid Avenue and Prospect Street. They are proposing to operate a retail use on the main floor and to convert the second floor to their single-family residence. Both spaces are proposed to be occupied by the property owner. The single family unit on the 2<sup>nd</sup> floor is proposed to consist of 3 bedrooms and two baths. The single-family use in Local Business zoning requires a conditional use permit. The Terrace Apartments are to the north, the Chateau Apartments are to the west and the Hughes County Courthouse is across the street to the south. The petitioners have obtained signatures from all 3 of the adjacent property owners indicating they have no objection to the conditional use permit. A public notice has been sent to 3 adjacent property owners and a notice has been published in the newspaper. Harvey Wald has done a walk-through with the City's building services staff to help ensure the remodel complies with current building code. The conditional use permit is subject to input from the neighbors and the public at the public hearing.

Harvey Wald said that they are ready to move forward with renovation of the building. Commissioner Dockter asked what they have planned for a retail use on the main floor. Harvey said they are planning a quilt shop. Renee Wald said that they have been operating online for 5 years and are ready to move to a brick and mortar shop. The chairperson called for any comments from the general public and there were none.

Commissioner Bartlett made a motion to recommend approval of the conditional use permit at 201 N. Euclid Avenue for a mixed business/residential use in Local Business zoning. Commissioner Dockter seconded the motion and approval was unanimous.

**Agenda Item: Public Hearing – Request for a Conditional Use Permit for a Multiple Garage Use in the Central Business Zoning District at 422 S. Chapelle Street. Petitioner – Griese Properties LLC/Chad Griese.**

Sharon Pruess, City Planner, provided a summary of the proposal. The property is located at 422 S. Chapelle Street, east side of Chapelle Street. Chad Griese recently purchased a vacant lot on south Chapelle Street. He is proposing to construct 5 multiple garage units on the lot. The lot is zoned Central Business and the garage units would require a conditional use permit. The garage units are proposed to be 32' X 24' and would be for lease. The vacant lot does require some fill and a drainage plan. The lot fronts Chapelle Street along the west side and has alley frontage along the east and south boundary. The lot is surrounded by single family residential uses. The National Guard Museum is several lots to the north and Legislative Audit is across the street to the west. The petitioners have obtained signatures from 11 of the 13 adjacent property owners indicating they have no objection to the conditional use permit. One additional property owner responded by email with no objection. A public notice has been sent to 13 adjacent property owners and a notice has been published in the newspaper. The conditional use permit is subject to input from the neighbors and the public at the public hearing.

Commissioner Keller asked about the 20' and 22' setbacks and gravel/green areas on the site plan. Chad Griese indicated that he has some green areas planned along the west and north sides of the property. He said the majority of the property will be concrete with a strip of gravel along the alley or east side. Commissioner Hoblick asked if the property had been vacant a really long time. Chad said that the property had been vacant for many, many years and Pruess noted that the property had been owned by the Spears family. The chairperson called for any comments from the public and there were none.

Commissioner Dockter made a motion to recommend approval of the conditional use permit for 422 S. Chapelle Street for a multiple garage use in Central Business zoning. Commissioner Hoblick seconded the motion and approval was unanimous.

**Agenda Item: Public Hearing – Request to rezone Lot 1, Scdhimkat's First Addition from Agriculture to Light Industrial. Petitioner – Jerry Schimkat.**

Sharon Pruess, City Planner, provided a summary of the proposal. The property is located along the south side of Highway 34, just south of the Solem Public Safety Center and the National Guard Armory. The parcel is just north of the railroad right-of-way and PILC. Jerry Schimkat is proposing to rezone Lot 1 of Schimkat's First Addition from Agriculture to Light Industrial zoning to construct storage units. The vacant parcel is approximately 77' X 2,692' or 4.76 acres. The parcel is just south of Highway 34, the Solem Public Safety Center and the Nat'l Guard Armory. The proposed storage building is approximately 30' X 300' with approximately 54 storage units. The vacant parcel appears to have 2 existing Ag approaches. A change of use will require a highway access permit from DOT. Access is proposed off the westerly existing access approach. The property owner has been advised that the lot is within FEMA's mapped floodplain. A floodplain development permit is required. The property owner's engineer will need to determine a base flood elevation (BFE) for the proposed building site and the building

will need to be elevated a minimum of 2' above the BFE. This may require fill. A FEMA elevation certificate will be required to certify that the building is above the BFE. The property owner has obtained signatures from 7 of the 8 adjacent property owners indicating they have no objection to the rezoning. The 8<sup>th</sup> property owner the Dept. of Military/National Guard Armory received a copy of the petition but indicated in an email that they would not sign the petition and would not take a position on the request. A public notice has been sent to 8 adjacent property owners and a notice has been published in the newspaper.

Scott Schweitzer with Brosz Engineering said that he has been working with Jerry Schimkat and talking to the FEMA office in Denver to come up with a solution on the flood plain issue. He said that he does not agree with the way the floodplain is mapped on this property. Scott said that there is about an 8' elevation difference from one side of the property to the other. His next approach with FEMA is to establish a flow and flow depth. Where the floodplain map shows the stream is not where the stream runs. Jerry Schimkat added that the property has never had any water on it. Commissioner Schultz noted the drainage way along the west side of the property that runs from the cemetery/community garden area southerly to the solid waste facility. Scott Schweitzer said that there are drainageways along the east and west side of the property. He is planning for a surcharge from the uphill side and will establish the flow and flow depth. Commissioner Keller asked if the Department of Transportation (DOT) is agreeable to the access off the state highway. Commissioner Bartell said that the DOT will require a change in use permit and that the region engineer has been involved in discussions on the project. She said that as long as there are no structures within the state highway right-of-way. Pruess said that the city staff would continue to work with the State FEMA office for approval on the flood plain development permit. The chairperson opened the public hearing for comments and there were none.

Commissioner Keller made a motion to recommend approval of the request to rezone Lot 1, Schimkat's First Addition from Agriculture to the Light Industrial zoning district. Commissioner Schultz seconded the motion and approval was unanimous.

**Agenda Item: Plat – Lot 1R, Capitol Addition. Petitioner – Cheryl Reed.**

Sharon Pruess, City Planner, provided a summary of the proposal. *The property is located at* 1121 N. Poplar Street, *the* west side of Poplar Street, north of 7<sup>th</sup> Street. The property owner recently purchased vacant lots to the north of her residence. She would like to construct an additional garage on the vacant lots or add an additional parking pad area and driveway. Her existing residence has an attached 22' wide garage. It was discovered that the sewer and water service for her residence was not on her original lot but was approximately 30' north of her lot. The city staff has asked her to plat the lots as one large lot to facilitate the construction of the proposed garage and to insure she has permanent access to her sewer and water service. This will help prevent a nonconforming accessory structure on separate lots from being sold separately from the primary residence. Cheryl's lot is currently 75' X 150' or 11,250 sq. ft. The additional 6 lots brings her lot size to 225' X 150' or 33,750 sq. ft. The paved portion of Poplar Street does dead end approximately 25' north of her existing lot and is blocked with barricades. Poplar does drop off fairly sharply to the north. The staff recommends approval of the plat to facilitate the property owner's plans to building a detached garage or parking pad area. Approval

is also recommended to insure that the sewer and water services for the residence are not sold separately on adjacent lots. Commissioner Keller made a motion to recommend approval of the Plat of Lot 1R, Capitol Addition. Commissioner Dockter seconded the motion and approval was unanimous.

**Old or New Business/Public Comment Period per SDCL 1-21-1**

There was no additional old or new business. Chairperson Templeton asked if anyone in the audience would like to make any public comment. There was no public comment.

**Adjourn**

With no further business, Commissioner Dockter made a motion to adjourn, seconded by Commissioner Hoblick. All commissioners voted to approve the motion. Chairman Templeton declared the meeting adjourned at 5:58 p.m.

*Minutes by Sharon Pruess.*