

**CITY OF MITCHELL
CITY PLANNING COMMISSION AGENDA
CITY COUNCIL CHAMBERS, CITY HALL
612 N MAIN ST
MARCH 28, 2022 @ 12:00P.M. (NOON)**

- 1. Call To Order:**
- 2. Roll Call:**
- 3. Declaration Of Conflicts Of Interests**
- 4. Approve Agenda:**
- 5. Approval Of Previous Minutes 3-14-22.**

Documents:

[PLANNING COMMISSION UNSIGNED MINUTES 3-14-22.PDF](#)

- 6. Schedule Next Meeting-4-11-22 @ 12:00 P.M.**
- 7. Variance: Carey & Darlene Buhler, 600 Greenridge Lane (Tabled From 3-14-22).**
Carey & Darlene Buhler have applied for a Variance Permit for an attached garage and accessory building combination of 2,160 square feet vs 2,000 square feet and maximum height for an accessory building of 30' vs 22'; located at 600 Greenridge Lane, legally described as Lot 3, Block 2, Greenridge Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R1 Single Family Residential District.

Documents:

[BUHLER-APPLICATION.PDF](#)
[BUHLER-PRELIMINARY SITE PLANS.PDF](#)
[BUHLER-GIS.PDF](#)
[BUHLER-NOTICE OF HEARING.PDF](#)
[BUHLER-NEIGHBORS.PDF](#)
[BUHLER-LETTERS FROM NEIGHBORS.PDF](#)

- 8. Variance: Larry Weisser, 1510 & 1520 E 1st Ave.**
Robert D. Kummer of Infrastructure Design Group, Inc. representing Larry Weisser has applied for a Variance Permit for the following:

Lot A:

Minimum front yard setback of 19' vs 25' for an existing dwelling.

Lot B:

Minimum front yard setback of 19' vs 25' for an existing dwelling.

Minimum side yard corner setback of 12.2' vs 20' for an existing dwelling.

Minimum lot width of 67.06' vs 70'.

Minimum lot area of 9,580 square feet vs 10,000 square feet.

Located at 1510 and 1520 E 1st Ave, will be legally described as Lots A & B in Block 10 of S.T.

Greene's Addition, a replat of Lots 10, 11 and 12 in Block 10 of S.T. Greene's Addition to the City of Mitchell, Davison County, South Dakota and is currently legally described as Lots 10, 11 & 12, Block 10 of S.T. Greene Addition, City of Mitchell, Davison County, South Dakota, The said real property is zoned R2 Single Family Residential District.

Documents:

[WEISSER-APPLICATION.PDF](#)
[WEISSER-GIS.PDF](#)
[WEISSER-SITE PLAN.PDF](#)
[WEISSER-NOTICE OF HEARING.PDF](#)
[WEISSER-NEIGHBORS.PDF](#)
[WEISSER-LETTER FROM NEIGHBOR-THOMPSON.PDF](#)
[WEISSER-LETTER FROM NEIGHBOR-MITCHELL CHURCH OF CHRIST.PDF](#)

9. Plat: Lots A & B In Block 10 Of S.T. Greene's Addition, A Replat Of Lots 10, 11 And 12 In Block 10 Of S.T. Greene's Addition To The City Of Mitchell, Davison County, South Dakota; As Requested By Robert Kummer Of Infrastructure Design Group, Inc Representing Larry Weisser.

Documents:

[WEISSER-PLAT.PDF](#)
[WEISSER-GIS.PDF](#)

10. Variance: Cory Marek, 710 N Kittridge St.

Robert D. Kummer of Infrastructure Design Group, Inc. representing Cory Marek has applied for a Variance Permit for minimum front yard setback of 9' vs 25' for an existing dwelling. Located at 710 N Kittridge St, will be legally described as Lot A in Block 2 of Robert Wilkinson's Addition, a vacation and replat of Lot 5 and Lot 6 of Robert Wilkinson's Addition, to the City of Mitchell, Davison County, South Dakota and is currently legally described as Lots 5 & 6 in Block 2 & S ½ of Vacated 8th Ave & N ½ of Vacated Alley Abutting of Robert Wilkinson's Addition to the City of Mitchell, Davison County, South Dakota, The said real property is zoned R4 High Density Residential District.

Documents:

[MAREK-APPLICATION.PDF](#)
[MAREK-GIS.PDF](#)
[MAREK-NOTICE OF HEARING.PDF](#)
[MAREK-NEIGHBORS.PDF](#)
[MAREK-LETTER FROM NEIGHBOR-WILCOX.PDF](#)

11. Plat: Lots A And B In Block 2 Of Robert Wilkinson's Addition, A Vacation And Replat Of Lot 5 And Lot 6, Block 2 Of Robert Wilkinson's Addition, To The City Of Mitchell, Davison County, South Dakota; As Requested By Robert Kummer Of Infrastructure Design Group, Inc Representing Cory Marek.

Documents:

[MAREK-PLAT.PDF](#)
[MAREK-GIS.PDF](#)

12. Hearing And Action On Establishing The Boundaries And Approval Of The Project

Plan For Tax Increment Financing District #27.

Documents:

[TIF 27-PROJECT PLAN.PDF](#)
[TIF 27- NOTICE OF HEARING.PDF](#)

13. Hearing And Recommendation: An Ordinance Amending 10-9B-3, Woodland Heights Planned Development District.

Ethan Coop Lumber is requesting Lots 10-12, Block 5 of Woodland Heights Planned Development District be added to 10-9B-3 Subarea C. These 3 lots were never designated to a Subarea, the owner wishes to allow permitted uses of single-family dwellings and multi-family dwellings twelve (12) units or less (duplexes fit under multi-family dwellings).

Documents:

[ETHAN COOP-WOODLAND HEIGHTS PUD.PDF](#)
[ETHAN COOP-GIS.PDF](#)
[ETHAN COOP-ORDINANCE 02022-06-NOTICE OF HEARING.PDF](#)
[ETHAN COOP-NEIGHBORS.PDF](#)

14. Plat: Lot 4, Block 5 Of Woodland Heights First Addition, A Subdivision Of Lot 2, Crane's Addition In The SE 1/4 Of Section 34, T 103 N, R 60 W Of The 5th P.M., City Of Mitchell, Davison County, South Dakota; As Requested By Ethan Coop Lumber.

Documents:

[ETHAN COOP LUMBER-PLAT.PDF](#)
[ETHAN COOP LUMBER-GIS.PDF](#)

15. Plat: Lots 1 And 2 Of Rocky Todd Addition, A Subdivision Of Lot 12A-3 In The SW 1/4 Of Section 10, T 103 N, R 60 W Of The 5th P.M., City Of Mitchell, Davison County, South Dakota; As Requested By Todd Boyd.

Documents:

[BOYD-PLAT.PDF](#)
[BOYD-GIS.PDF](#)

16. Plat: Lots 29-A, 30-A, 31-A And 32-A, Block 10, Sunnyside Addition To The City Of Mitchell, Davison County, South Dakota; As Requested By Jeff Larson

Documents:

[LARSON-PLAT.PDF](#)
[LARSON-GIS.PDF](#)

17. Plat: Lots 6, 7, 8, 9, 10, 11 And 12, Block 2 MLC Addition, A Subdivision Of Block 3 And Lot 4B, Block 4, Morningview Addition To The City Of Mitchell, Davison County, South Dakota; As Requested By Mueller Lumber Company.

Documents:

[MLC-SURVEYORS AFFIDAVIT OF CORRECTION.PDF](#)
[MLC-ORIGINAL PLAT.PDF](#)
[MLC-GIS.PDF](#)

18. Plan Approval-Agronomy Plus Inc-2450 W Havens

Documents:

[AGRONOMY PLUS-PLAN.PDF](#)

19. Other Business:

20. Public Input: If You Need To Address The City Planning Commission On An Item That Was Not On The Agenda, Excluding Personnel Items, Please Come Forward To The Podium And State Your Name And Your Concern. Presentations Are Limited To Three Minutes. Items Will Be Considered But No Action Will Be Taken At This Time.

21. Adjournment:

"The City of Mitchell invites all interested parties to give oral or written comments. If special accommodations are required, please notify the Public Works Department at 605-995-8433 at least 24 hour prior to the scheduled meeting."

CITY OF MITCHELL
CITY PLANNING COMMISSION MINUTES
March 14, 2022

NOT APPROVED

1. Chairperson Larson called the March 14, 2022 City Planning Commission Meeting to order at 12:00 P.M. noon in the Council Chambers, City Hall, 612 N Main Street.
2. Roll Call-quorum is met, simple majority vote required for all items.
Present: Larson, Molumby, Osterloo, Sonne, Genzlinger, Jirsa (telephonically), Doescher.
Absent: Penney.
Staff Present: Jenniges, Schroeder, J Johnson, T Johnson, Sandoval, Hegg.
3. Declare conflicts of interest-Sonne item #7 and Genzlinger item #9.
4. Approval of proposed agenda: Motion by Genzlinger, seconded by Sonne, to approve the proposed agenda. Roll call vote: Roll call vote: Larson – aye, Molumby – aye, Jirsa –aye, Osterloo – aye, Genzlinger – aye, Sonne –aye, Penney– absent. 6 aye, 0 nay, 1 absent, motion carried.
5. Approval of proposed minutes: Motion by Molumby, seconded by Osterloo, to approve the minutes of the February 28, 2022 Planning Commission meeting. Roll call vote: Roll call vote: Larson – aye, Molumby – aye, Jirsa –aye, Osterloo – aye, Genzlinger – aye, Sonne –aye, Penney– absent. 6 aye, 0 nay, 1 absent, motion carried.
6. Schedule next meeting: Motion by Genzlinger, seconded by Osterloo, to schedule the next meeting for March 28, 2022. Roll call vote: Roll call vote: Larson – aye, Molumby – aye, Jirsa –aye, Osterloo – aye, Genzlinger – aye, Sonne –aye, Penney– absent. 6 aye, 0 nay, 1 absent, motion carried.
7. Plat: Plat of Lots 1 thru 15 and 22 thru 28 of Airport Addition, a subdivision of previously platted Lots 2 and 3 of Fiala's Addition in the E ½ of the SW ¼ of Section 4, T 103 N, R 60 West of the 5th P.M., City of Mitchell, Davison County, South Dakota; as requested by PSG Properties LLC. The applicant was not present to answer questions.

Jenniges explained a master plan was done previously in this area. City will require a new master plan including drainage for the area. The city will also require a Developers Agreement and the applicant may do a PUD at a later date as well.

Motion by Molumby, seconded by Jirsa, to approve the Plat. Roll call vote: Larson – aye, Molumby – aye, Jirsa –aye, Osterloo – aye, Genzlinger – aye, Sonne –abstain, Penney– absent. 5 aye, 0 nay, 1 abstain, 1 absent, motion carried.

8. Plat: Plat of Tract 1 in the West 626.84 feet of Lot 5 of Crane's Addition, in the SE ¼ of Section 34, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota; as requested by Ronald and Melisa Riggs. The applicant was not present to answer questions.

Jenniges explained this is outside of city limits but within the ETJ so it is the cities zoning jurisdiction. It is within 3 miles of the city so the county will also hear this plat. The applicants purchased the west 626.84' a few months ago and built a house on it and the location being plated is the location of the house that was built.

Motion by Genzlinger, seconded by Sonne, to approve the Plat subject to county approval. Roll call vote: Larson – aye, Molumby – aye, Jirsa – aye, Osterloo – aye, Genzlinger – aye, Sonne – aye, Penney – absent. 6 aye, 0 nay, 1 absent, motion carried.

9. Variance: Carey & Darlene Buhler have applied for a Variance Permit for an attached garage and accessory building combination of 2,160 square feet vs 2,000 square feet and maximum height for an accessory building of 30' vs 22'; located at 600 Greenridge Lane, legally described as Lot 3, Block 2, Greenridge Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R1 Single Family Residential District. The applicant was not present to answer questions. Notices were sent out to the neighbors and it was published in the official newspaper with no responses in favor and two letters opposed and one verbal opposed. There were 7 letters sent out.

Ryan Huber spoke against the variance. He said the height is too tall and will sneak out above the trees. He stated there are also covenants on the 8 lots in that development which he knows the city does not enforce. Concerned of living quarters being put in the second floor.

Jenniges stated R1 only allows for one dwelling unit per parcel and the building permit portion would restrict this.

Molumby said he received several calls against the variance. He has issues with the tin roof and height of the garage.

Osterloo questioned if it was in the front yard and public works decided it was not do to the lot configuration. Neighbor to the west has the same layout of a garage on the side yard. Osterloo questioned if the applicants could parcel off the garage if any variances would be needed to which was answered no.

Motion by Sonne, seconded by Jirsa, to table the variance for more information from the property owner. Roll call vote: Larson – aye, Molumby – aye, Jirsa – aye, Osterloo – aye, Genzlinger – abstain, Sonne – aye, Penney – absent. 5 aye, 0 nay, 1 abstain, 1 absent, motion carried.

10. Variance: DLJ LLC has applied for a variance of approximately 867 feet vs 1,000 feet as required to be from another medical cannabis dispensary, located at 501 E Juniper Ave,

legally described as Lot S-3A Ex E 63' in the Replat of Lot S in the NW ¼ of Section 27, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota. The said real property is zoned HB, Highway Business District. The applicant was not present to answer questions. Notices were sent out to the neighbors and it was published in the official newspaper with no new responses in favor and two new opposed.

Jenniges explained there is approximately 867' from an approved medical cannabis dispensary to the property line of DLJ LLC's location. The ordinance was amended and calls for 1,000' from an existing medical cannabis dispensary including rights-of-way.

Nickolas Kummer spoke in opposition of the variance. He is a owner of a neighboring property. He believes the variance should stay from property lines to property lines and not door to door like expressed at a council meeting. The distance between the two dispensaries is only 30 seconds driving and is either a right or a left turn off Burr St. There are already a high concentration of dispensaries within ¾ of a mile on the south side of town. He feels this will be a negative impact on the neighborhood.

Doug Daily representing Lori K Kummer Trust and Phil Lee spoke in opposition of the variance request and asks the commission to uphold the intent of the zoning ordinance. He stated when the City Council amended the ordinance they could have changed the distance or location of measuring at that time and they did not even knowing there was another application on the table. He stated there are three other dispensaries on the same corridor and no hardship has been shown to grant the variance. He believes there are other options and locations in town.

Osterloo stated he liked the new property line to property line amended ordinance and not in favor of potential door to door. He would like to keep the distance at 1,000' and Genzlinger agreed.

Motion by Genzlinger, seconded by Osterloo, to deny the Variance. Roll call vote: Larson – aye, Molumby – aye, Jirsa – aye, Osterloo – aye, Genzlinger – aye, Sonne – aye, Penney – aye. 6 aye, 0 nay, 1 absent, motion carried.

11. Conditional Use Permit: Genesis Farms LLC has applied for a Conditional Use Permit for a medical cannabis dispensary at 106 W 5th Ave, legally described as Lots 11 and 12, Block 12, Rowley's 1st Addition, City of Mitchell, South Dakota. The said real property is zoned CB Central Business District. The applicant was present to answer questions. Notices were sent out to the neighbors and it was published in the official newspaper with two new responses in favor and the two new responses against.

Jenniges explained GIS and site layout. Per ordinance medical cannabis dispensaries are a Conditional Use Permit in Central Business.

Emmet Reistroffer representing Genesis Farms LLC gave a background of their company and plan. This is 1.6 miles away from the nearest dispensary. The south end of town is already saturated in his opinion. They are looking at other locations but those would be

closer to residential than the current application. Remodeling an existing location is \$100,000 to \$200,000 whereas building from the ground up would be two to three times as much. This will not be a blighted area and will work with the landlord to keep up the property. Installing of 24/7 cameras on the exterior of the building will actually deter crime. They have rules to follow so they don't lose their license so they make sure cardholders follow the rules. The business people associated with this LLC have a 100% track record with the state for cannabis and with their liquor licenses have never had issues before either. He stated Central Business District is to support retail and integrate new businesses in the area. He stated Sioux Falls just removed places of worship within commercial districts from their distance requirements because they are popping up all over and not just in residential areas anymore, even at Shenanigans a church meets.

Brenda Weisser, an owner of a business next door, stated her opposition to the conditional use permit. She believes there are churches to close. She also already has issues with parking in front of her business.

Motion by Osterloo, seconded by Genzlinger, to approve the Conditional Use Permit. Roll call vote: Larson – nay, Molumby – aye, Jirsa – aye, Osterloo – aye, Genzlinger – aye, Sonne – aye, Penney – aye. 5 aye, 1 nay, 1 absent, motion carried.

12. Variance: Genesis Farms LLC has applied for a variance of 101 feet vs 300 feet as required to be from religious institution, located at 106 W 5th Ave, legally described as Lots 11 and 12, Block 12, Rowley's 1st Addition, City of Mitchell, South Dakota. The said real property is zoned CB, Central Business District. The applicant was present to answer questions. Notices were sent out to the neighbors and it was published in the official newspaper with two new responses in favor and one new response against.

Nathan Weber asked the commission to deny the application. He stated the council had time to change the ordinance when they took out rights-of-way and they did not take out churches from the 300' restriction. Word of Life Church is a place for 7th-12th grade kids to hang out. He also stated Big Friend/Little Friend is right next door to the proposed location.

Motion by Larson, seconded by Osterloo, to deny the Variance. Roll call vote: Larson – aye, Molumby – aye, Jirsa – aye, Osterloo – aye, Genzlinger – aye, Sonne – aye, Penney – absent. 6 aye, 0 nay, 1 absent, motion carried.

13. Other Business-None.

14. Public Comment-None.

15. Chairperson Larson adjourned the meeting at 12:49 P.M.

Jay Larson
Planning Commission Chairperson



TO: THE MITCHELL PLANNING COMMISSION AND CITY COUNCIL, THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA.

The undersigned applicant(s) and owner(s) is hereby making an application pursuant to the provisions of the City of Mitchell Zoning Code.

The names and addresses of the current property owners within one hundred and forty feet (140') of the applicant's property (excluding streets and alleys) will be notified upon the filing of this application.

Applicant(s) request that dates be set for public hearings before the Mitchell Planning Commission and City Council. Furthermore, the applicant(s) request the City of Mitchell to publish the appropriate notice(s) in accordance with the City of Mitchell's Ordinances.

☐ **Rezoning** *\$150 application fee due with the application.*

Applicant is request to rezone property from _____ District to _____ District.

☒ **Variance** *\$100 application fee due with application.*

Description of Variance: Variance Permit for an attached garage and accessory building combination of 2,160 square feet vs 2,000 square feet and maximum height for an accessory building of 30' vs 22'.

☐ **Conditional Use Permit** *\$150 application fee due with application*

Description of Conditional Use:

This Application is for the following described real property:

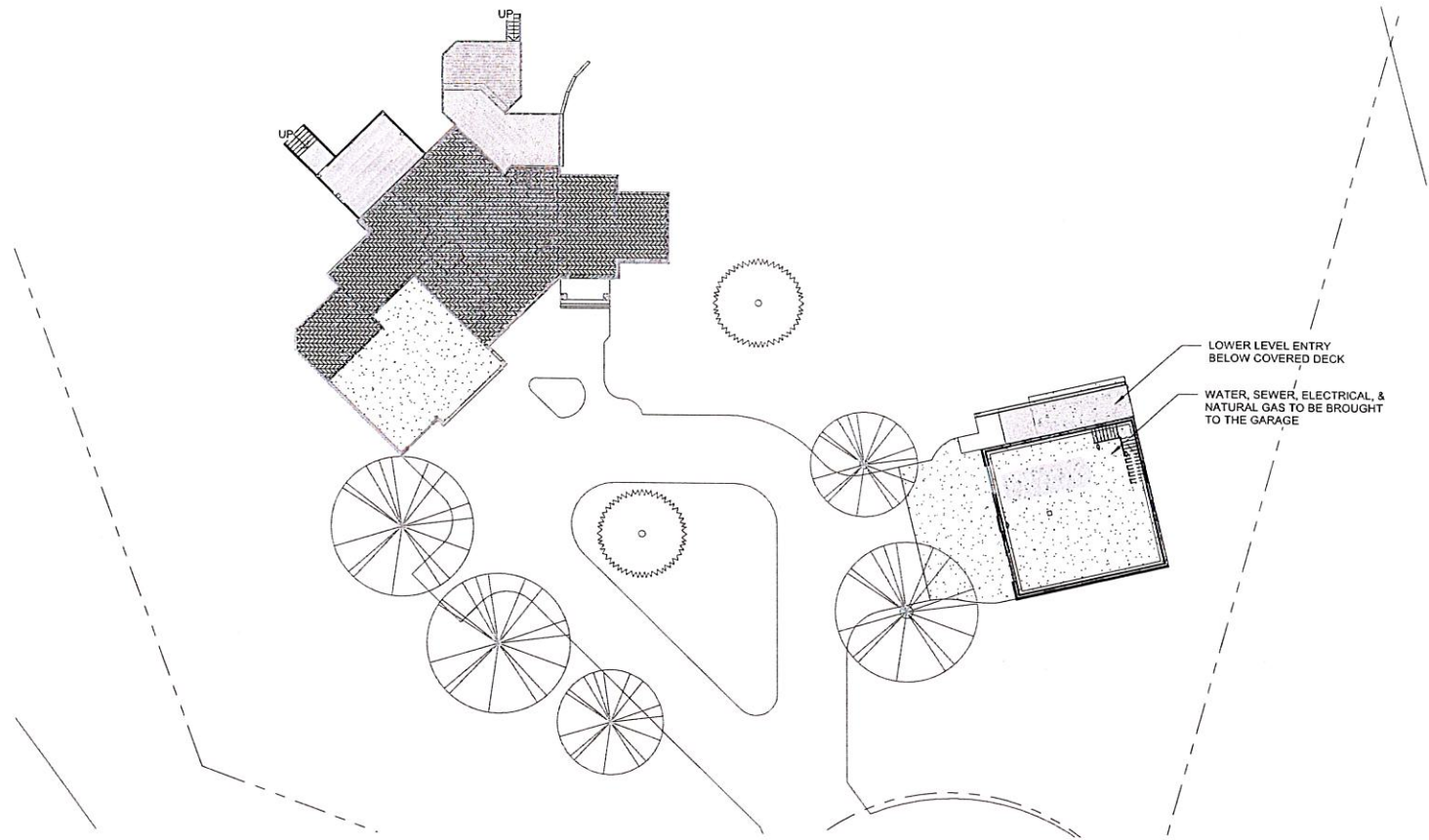
Legal Description: Lot 3, Block 2, Greenridge Addition, City of Mitchell, Davison County, South Dakota.

Property Address: 600 Greenridge Lane, Mitchell, SD 57301

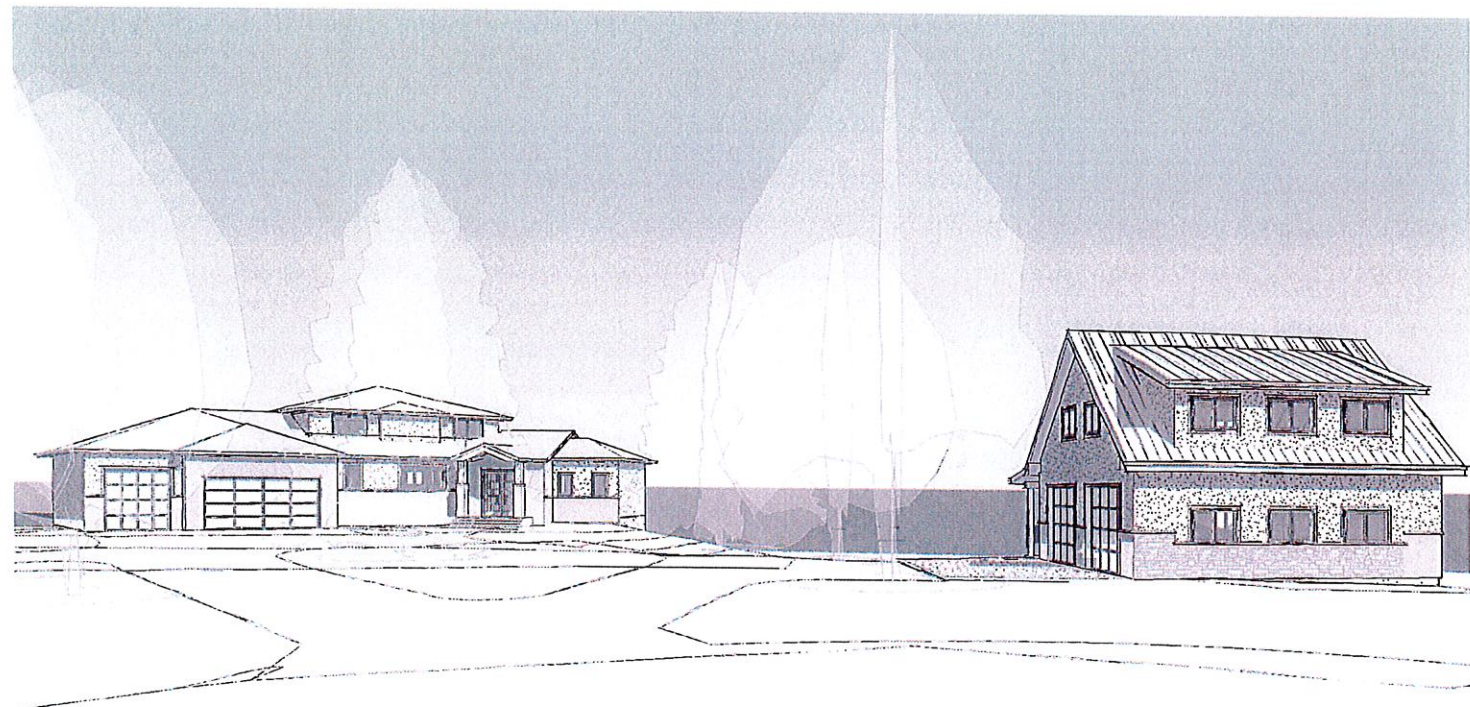
Dated this 16th of February, 2022

CAREY BUTLER
APPLICANT

Carey Butler
OWNER



1 SITE PLAN - PRESENTATION
1" = 20'-0"



2 WEST CAMERA VIEW - STREET VIEW

Buhlers Residence - Detached Garage

Mitchell, SD

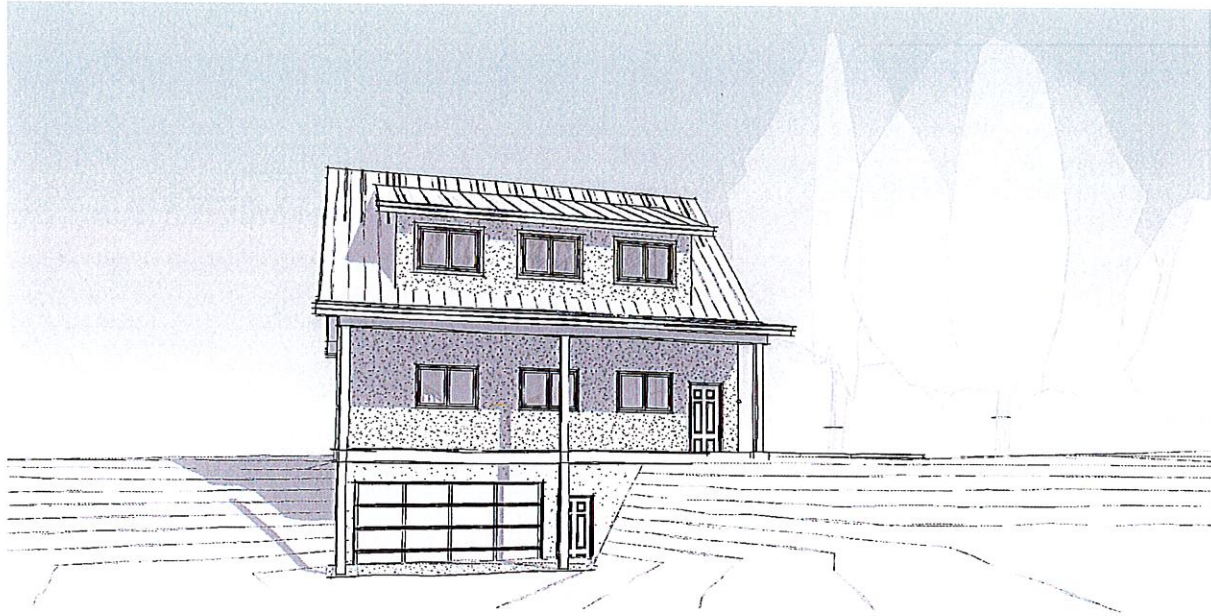
Site Plan 600 Greenridge Ln

Revision Schedule
No. Description Date

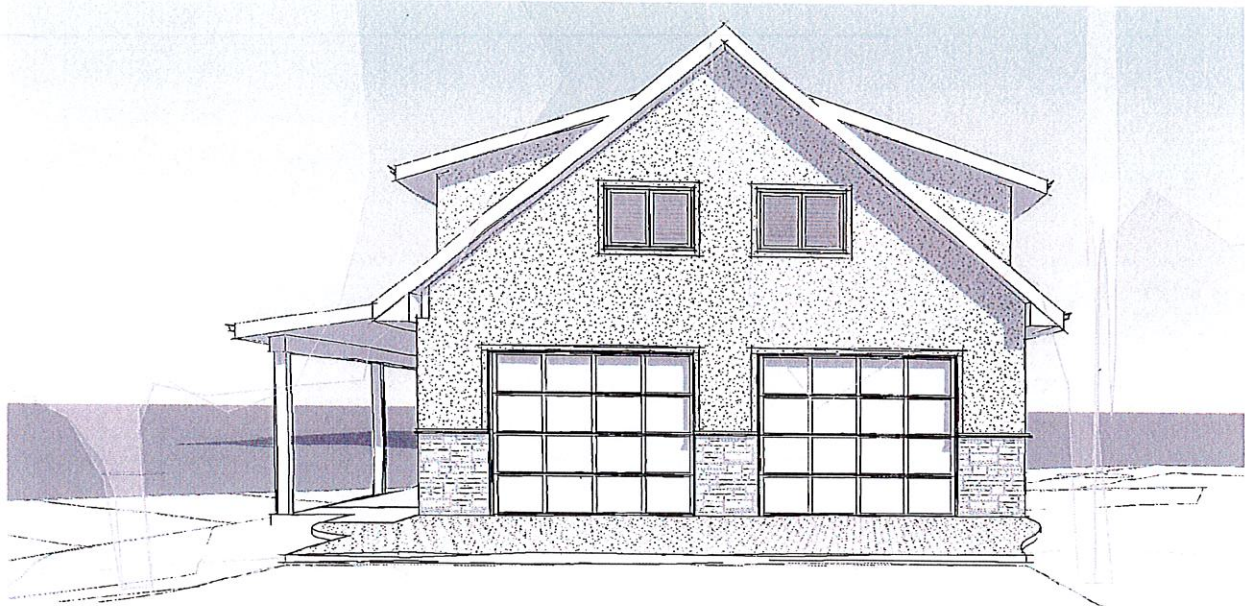
Drawn By: MH
Checked By: MH
Date: 9/18/21

A1.0

Lacey
997-1159



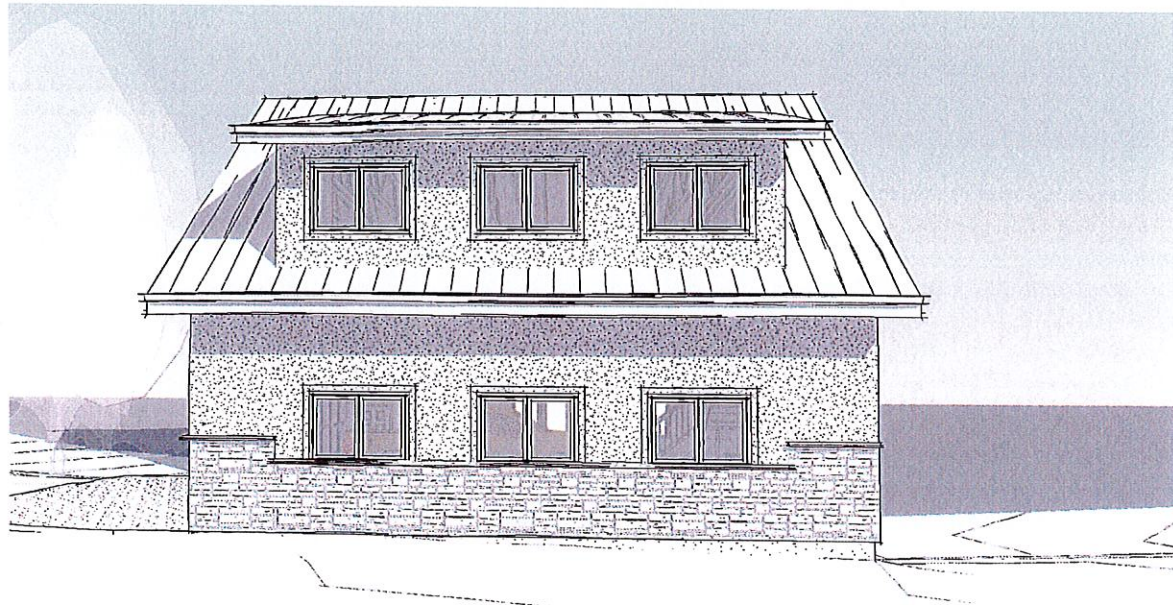
3 EAST CAMERA VIEW



1 NORTH CAMERA VIEW



4 SOUTH CAMERA VIEW



2 WEST CAMERA VIEW

Buhlers Residence - Detached Garage

Mitchell, SD

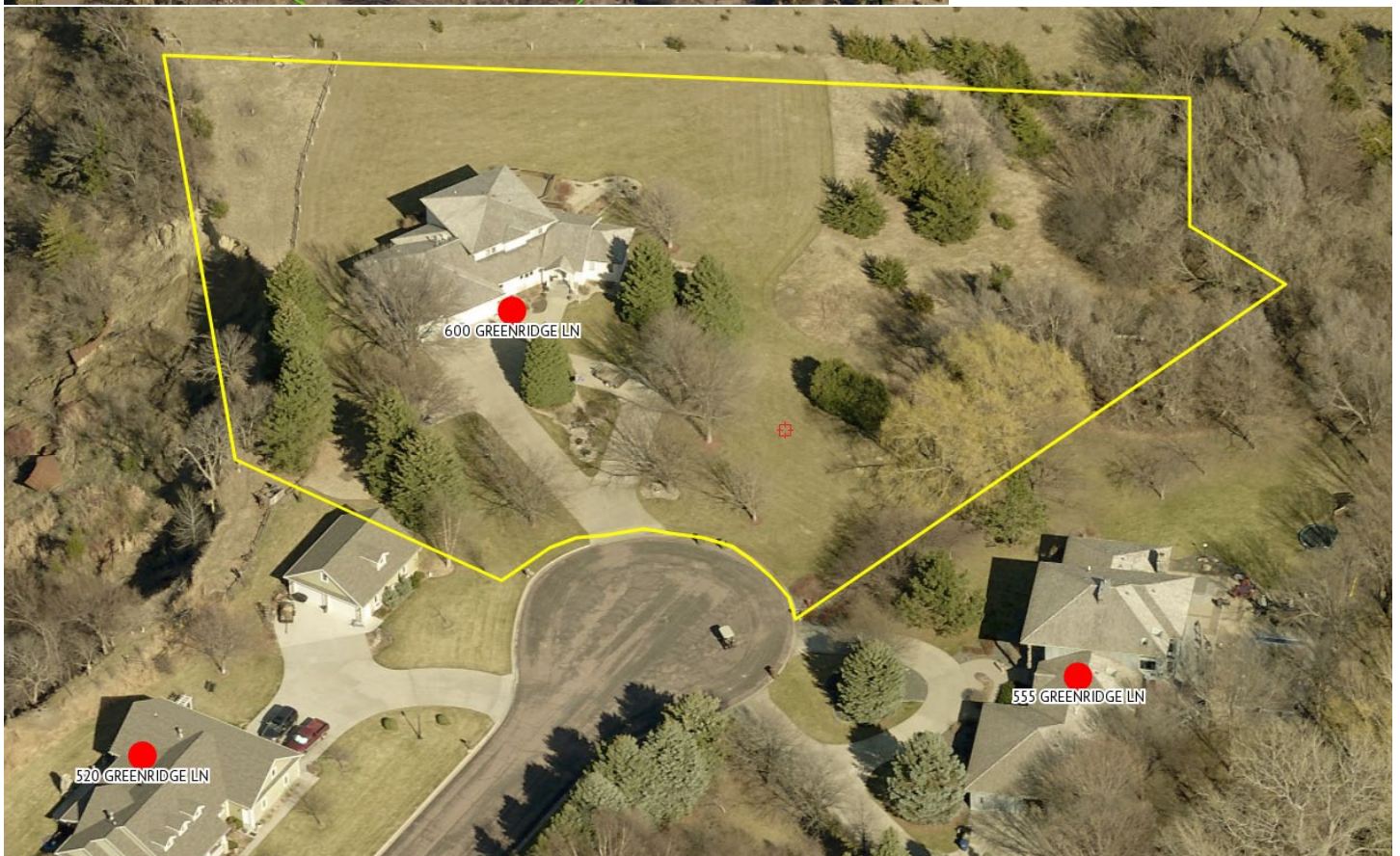
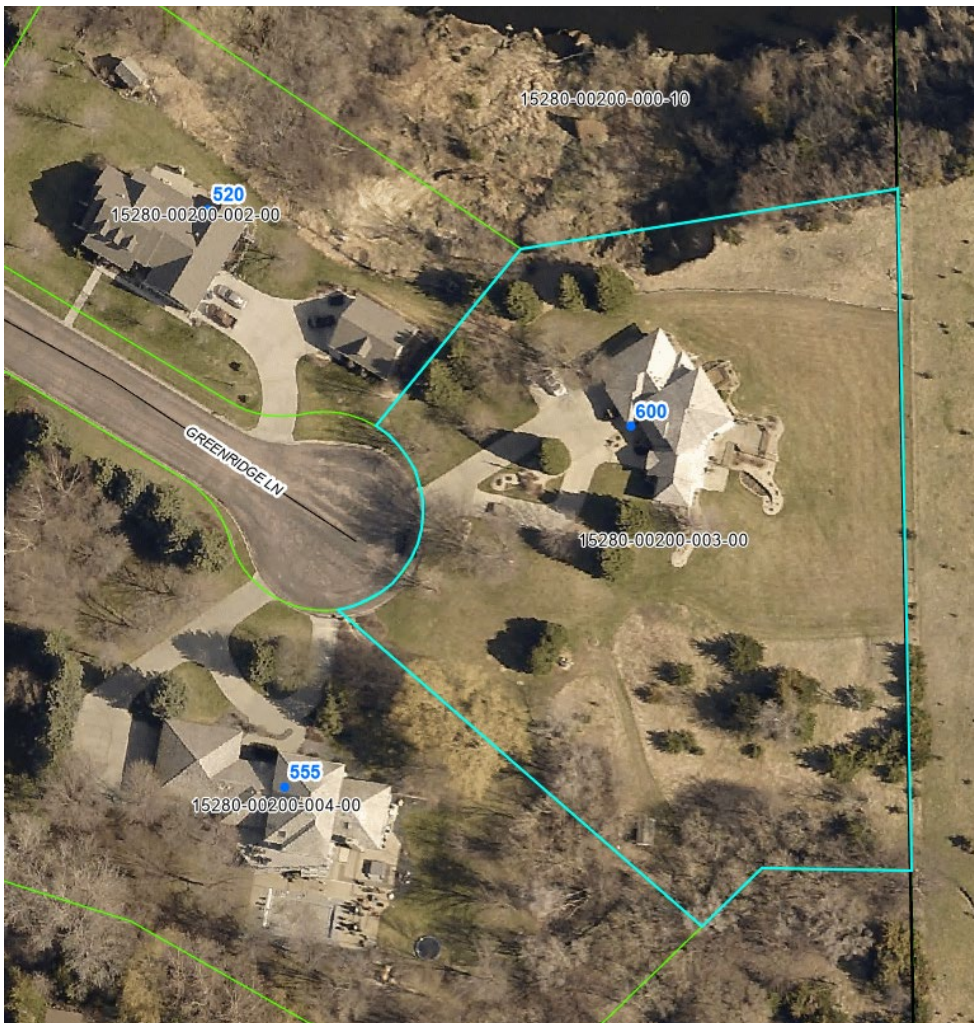
CAMERA VIEWS

Revision Schedule		
No.	Description	Date

Drawn By: MH
Checked By: MH
Date: 9/18/21

A3.1

9/18/2021 4:08:39 PM



NOTICE OF HEARING

To: The Planning Commission, Board of Adjustment of the City of Mitchell, Mitchell South Dakota, and to the general public:

YOU ARE HEREBY NOTIFIED that Carey & Darlene Buhler have applied for a Variance Permit for an attached garage and accessory building combination of 2,160 square feet vs 2,000 square feet and maximum height for an accessory building of 30' vs 22'; located at 600 Greenridge Lane, legally described as Lot 3, Block 2, Greenridge Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R1 Single Family Residential District.

YOU ARE FURTHER NOTIFIED, that public hearings will be held by the City Planning Commission on March 14, 2022, 12:00 P.M. (Noon) and the Board of Adjustment on March 21, 2022 at 6:00 P.M., at the Council Chambers, Mitchell City Hall, 612 N Main St. All interested parties may attend the public hearings and provide comments in regards to the applicant's request.

Dated at Mitchell, South Dakota, this 24th day of February, 2022.

Michelle Bathke

FINANCE OFFICER

Publish once: 2nd day of March, 2022

Approximate Cost:

Carey & Darlene Buhler
600 Greenridge Lane
Mitchell, SD 57301

Connie Borman
520 Greenridge Lane
Mitchell, SD 57301

Jerome & Terri Howe
500 Greenridge Lane
Mitchell, SD 57301

Todd Mabee Revocable Living
1344 NW Ithaca Ave
Unit #
Bend, OR 97703

Dustin & Jacquelyn Johnson
501 Greenridge Lane
Mitchell, SD 57301

Tim & Kelly Bottum
555 Greenridge Lane
Mitchell, SD 57301

Ryan & Anne Huber
600 Fair Oaks Ave
Mitchell, SD 57301

City of Mitchell | Mayor's Office
612 North Main Street | Mitchell, SD 57301
Phone: 605-995-8420 | Fax: 605-995-8054
CityOfMitchell.org



March 2, 2022

TO WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED that Carey & Darlene Buhler have applied for a Variance Permit for an attached garage and accessory building combination of 2,160 square feet vs 2,000 square feet and maximum height for an accessory building of 30' vs 22'; located at 600 Greenridge Lane, legally described as Lot 3, Block 2, Greenridge Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R1 Single Family Residential District.

YOU ARE FURTHER NOTIFIED that the City Planning Commission will be conducting a hearing on this application on Monday, March 14, 2022, 12:00 P.M. (Noon) and the Board of Adjustment on Monday, March 21, 2022 at 6:00 P.M, all meetings will be in the Council Chambers, City Hall, 612 N. Main St, Mitchell, SD. All interested parties may attend the hearings.

I/We Carey & Darlene Buhler
OWNER

600 Greenridge Ln, Mitchell
ADDRESS

X APPROVE

_____ DISAPPROVE

No response will indicate approval.

COMMENTS:

March 2, 2022

TO WHOM IT MAY CONCERN:

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I/We RYAN & ANNE HUBER
OWNER

600 FAIROAKS AVENUE, MITCHELL
ADDRESS

____ APPROVE

X DISAPPROVE

No response will indicate approval.

COMMENTS:

March 2, 2022

TO WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED that Carey & Darlene Buhler have applied for a Variance Permit for an attached garage and accessory building combination of 2,160 square feet vs 2,000 square feet and maximum height for an accessory building of 30' vs 22'; located at 600 Greenridge Lane, legally described as Lot 3, Block 2, Greenridge Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R1 Single Family Residential District.

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I/We Connie Bormann
OWNER

520 Greenridge Lane Mitchell SD 57301
ADDRESS

____ APPROVE

✓ DISAPPROVE

No response will indicate approval.

COMMENTS:

Way too tall
too big
metal roof
needs to match the house

March 2, 2022

TO WHOM IT MAY CONCERN:

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I/We Jerry and Terri Howe
OWNER

500 Greenridge Ln Mitchell, SD
ADDRESS

____ APPROVE

☒ DISAPPROVE

No response will indicate approval.

COMMENTS:



TO: THE MITCHELL PLANNING COMMISSION AND CITY COUNCIL OR BOARD OF ADJUSTMENT, THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA.

The undersigned applicant(s) and owner(s) is hereby making an application pursuant to the provisions of the City of Mitchell Zoning Code.

The names and addresses of the current property owners within one hundred and forty feet (140') of the applicant's property (excluding streets and alleys) will be notified upon the filing of this application.

Applicant(s) request that dates be set for public hearings before the Mitchell Planning Commission and City Council or City Board of Adjustment. Furthermore, the applicant(s) request the City of Mitchell to publish the appropriate notice(s) in accordance with the City of Mitchell's Ordinances.

☐ **Rezoning** \$150 application due with the application.

- Applicant is request to rezone property from _____ District to _____ District.

☒ **Variance** \$100 application due with the application.

- Description of Variance Requested: LOT A: Front yard setback from 25' to 19'

LOT B: Front yard setback from 25' to 19'

Side yard setback for corner lot from 20' to 12.8'

Lot width from 70' to 67' and minimum lot size from 10,000 sq. ft. to 9,580 sq. ft.

☐ **Conditional Use Permit** \$100 application due with the application.

- Description of Conditional Use: _____

This Application is for the following described real property:

- Legal Description: Lots A & B in Block 10 of S.T. Green's Add.
to the City of Mitchell.

- Property Address: 1510 & 1520 East 13th AVE

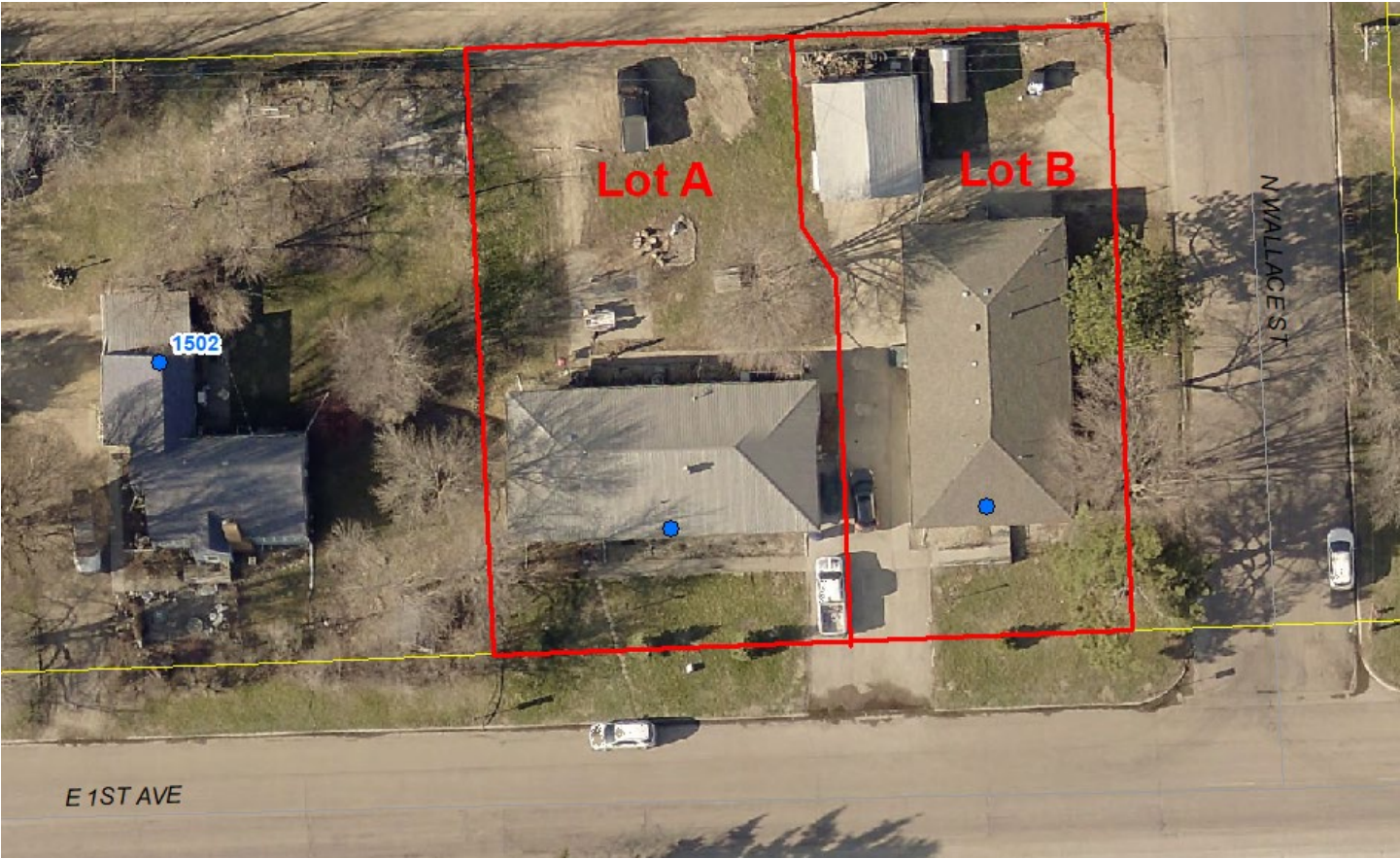
Dated this 2nd day of March, 2022

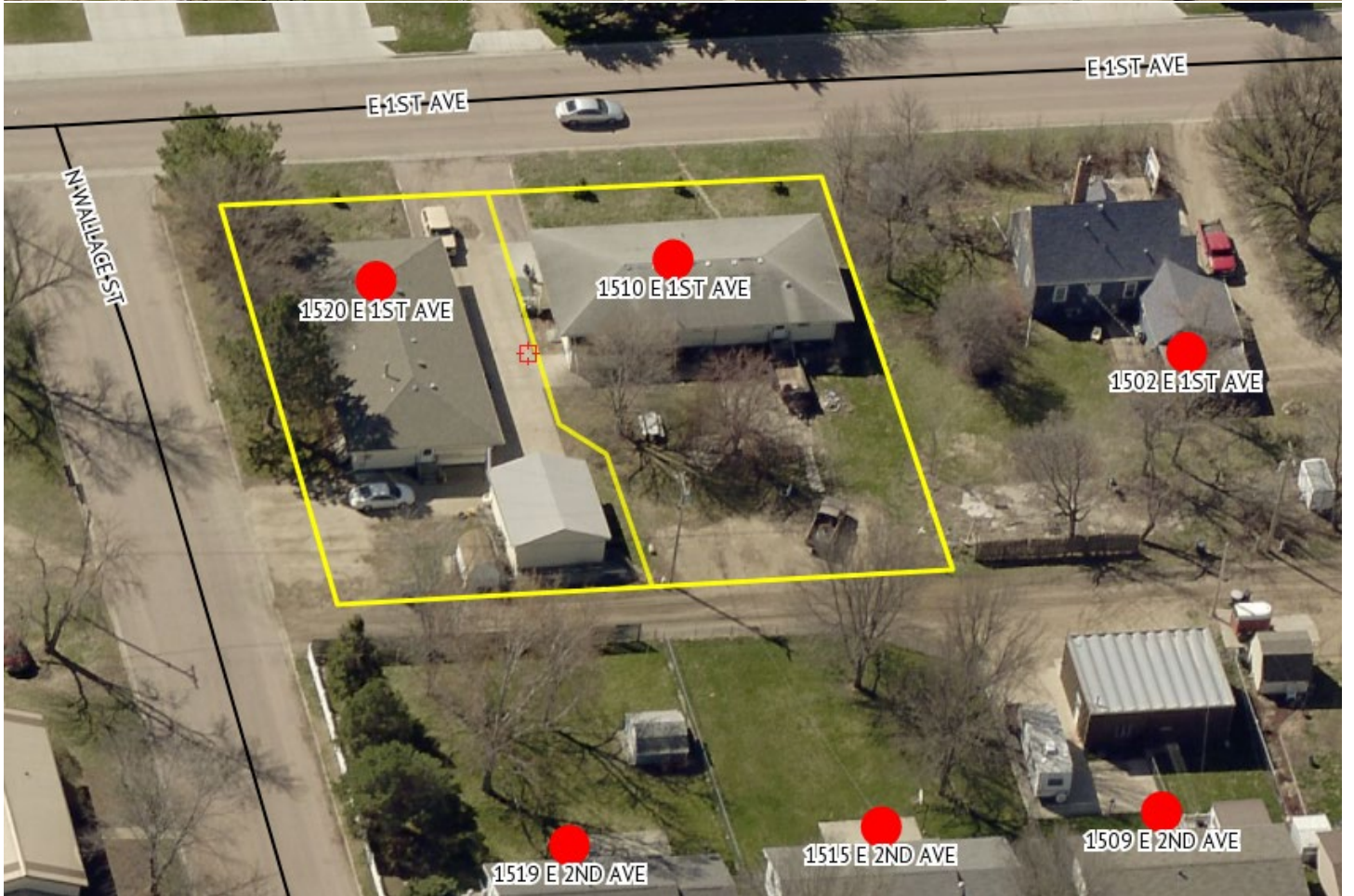
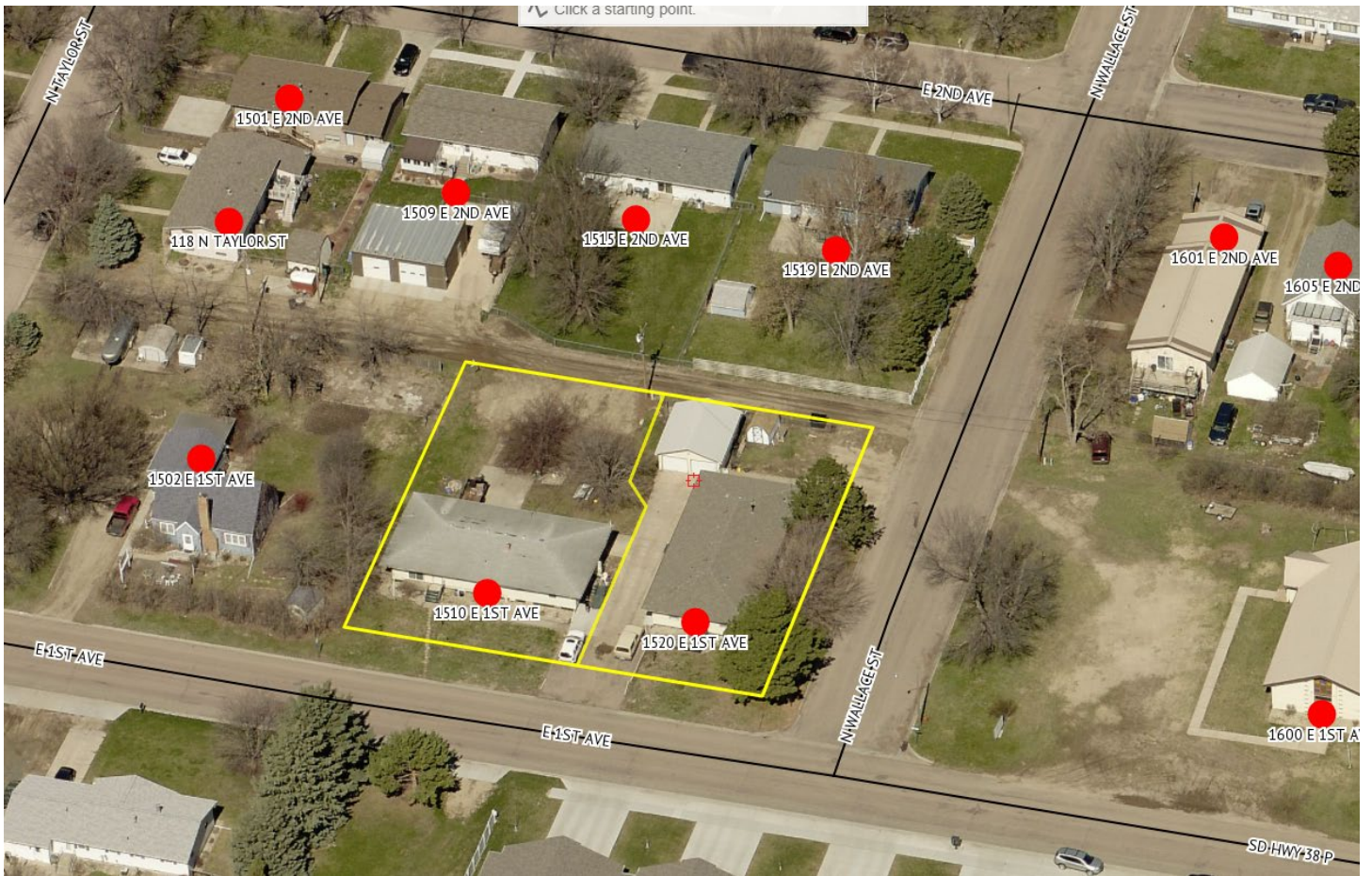
Robert D. Kummer

Applicant

Larry Weisser

Owner





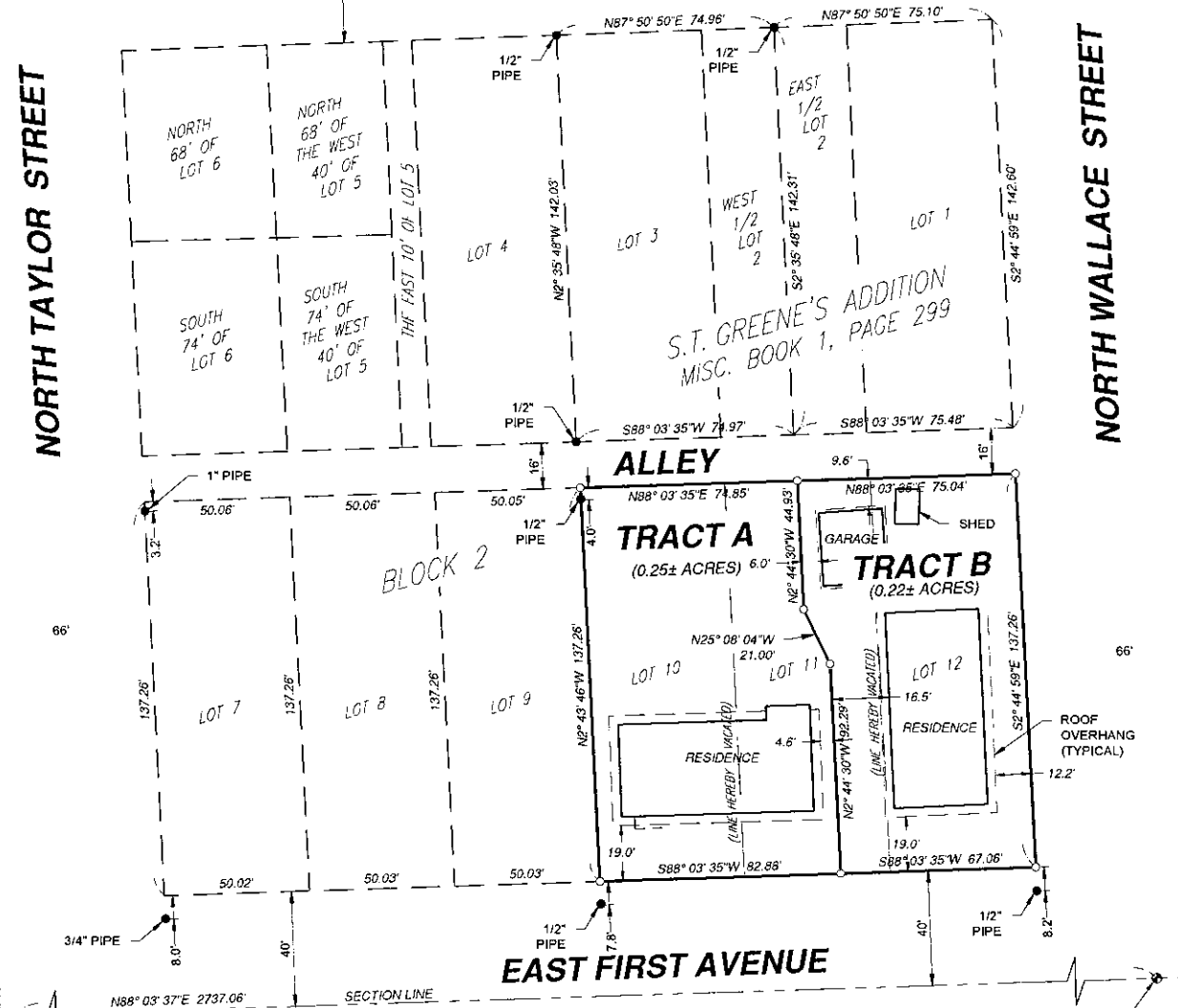
TRACT A AND TRACT B,

A SUBDIVISION OF LOT 10, LOT 11 AND LOT 12 IN BLOCK 10 OF S.T. GREENE'S
 ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

NORTH TAYLOR STREET

EAST SECOND AVENUE

NORTH WALLACE STREET



WEST 1/4 CORNER
 SEC. 23-103-60
 FND SURVEY MRKR
 SPIKE

CENTER 1/4 CORNER
 SEC. 23-103-60
 FND SURVEY MRKR
 SPIKE

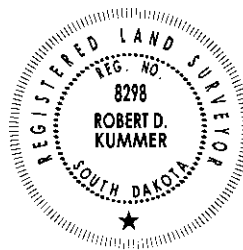
SURVEYOR'S NOTES

1. BEARINGS ARE BASED ON SOUTH DAKOTA STATE PLANE, SOUTH ZONE.
2. ALL DISTANCES ARE GROUND.
3. THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. EASEMENTS OF RECORD WERE NOT RESEARCHED.

PREPARED BY:

infrastructure
 design group, inc.

520 N LAWLER ST., SUITE 400
 MITCHELL, SD 57301
 PHONE: 605-292-0231
 WEB: infrastructuredg.com



LEGEND

- PROPOSED PROPERTY LINE
- - - EXISTING PROPERTY LINE
- FOUND SURVEY MONUMENT
- SET NO. 5 REBAR W/CAP RLS NO. 8298

TRACT A AND TRACT B,

A SUBDIVISION OF LOT 10, LOT 11 AND LOT 12 IN BLOCK 10 OF S.T. GREENE'S
 ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

PROJ. NO.: 21105

DATE: 6/21/2021

DRAWN BY: TJK

CHECKED BY: RDK

SHEET NO. 1 OF 2

NOTICE OF HEARING

To: The Planning Commission, Board of Adjustment of the City of Mitchell, Mitchell South Dakota, and to the general public:

YOU ARE HEREBY NOTIFIED that Robert D. Kummer of Infrastructure Design Group, Inc. representing Larry Weisser has applied for a Variance Permit for the following:

Lot A:

Minimum front yard setback of 19' vs 25' for an existing dwelling.

Lot B:

Minimum front yard setback of 19' vs 25' for an existing dwelling.

Minimum side yard corner setback of 12.2' vs 20' for an existing dwelling.

Minimum lot width of 67.06' vs 70'.

Minimum lot area of 9,580 square feet vs 10,000 square feet.

Located at 1510 and 1512 E 1st Ave, will be legally described as Lots A & B in Block 10 of S.T. Greene's Addition, a replat of Lots 10, 11 and 12 in Block 10 of S.T. Greene's Addition to the City of Mitchell, Davison County, South Dakota and is currently legally described as Lots 10, 11 & 12, Block 10 of S.T. Greene Addition, City of Mitchell, Davison County, South Dakota, The said real property is zoned R2 Single Family Residential District.

YOU ARE FURTHER NOTIFIED, that public hearings will be held by the City Planning Commission on Monday, March 28, 2022, 12:00 P.M. (Noon) and the Board of Adjustment on Monday, April 4, 2022 at 6:00 P.M., at the Council Chambers, Mitchell City Hall, 612 N Main St. All interested parties may attend the public hearings and provide comments in regards to the applicant's request.

Dated at Mitchell, South Dakota, this 10th day of March, 2022.

Michelle Bathke

FINANCE OFFICER

Publish once: 16th day of March, 2022

Approximate Cost:

Infrastructure Design Group Inc
C/O Robert Kummer
3241 E Bison Trail
Sioux Falls, SD 57108

Larry Weisser
612 S Langdon St
Mitchell, SD 57301

Eric & Desirae Kayser
1501 E 2nd Ave
Mitchell, SD 57301

Floyd & Kay Shattuck
1500 Sharpstone Dr
Apt 3
Mitchell, SD 57301

William Jr & Sheri Schmitz
1509 E 2nd Ave
Mitchell, SD 57301

Penny Overweg
1515 E 2nd Ave
Mitchell, SD 57301

Nickolas Rezac
1519 E 2nd Ave
Mitchell, SD 57301

Mitchell Church of Christ
1600 E 1st Ave
Mitchell, SD 57301

Donald Thompson
1605 E 2nd Ave
Mitchell, SD 57301

Lloyd & Sally Vaughn
1502 E 1st Ave
Mitchell, SD 57301

Fredrick Kobold
1501 E 1st Ave
Mitchell, SD 57301

Douglas Haas
1505 E 1st Ave
Mitchell, SD 57301

Copperleaf Townhomes LLC
630 Western Ave
Brookings, SD 57006



March 16, 2022

TO WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED that Robert D. Kummer of Infrastructure Design Group, Inc. representing Larry Weissner has applied for a Variance Permit for the following:

Lot A:

Minimum front yard setback of 19' vs 25' for an existing dwelling.

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I/We

Don Thompson

OWNER

1605 E 2nd Ave, Mitchell SD 57301

ADDRESS

X

APPROVE

DISAPPROVE

No response will indicate approval.

COMMENTS: AS long as visibility isn't obstructed at 1st & Wallace
Thank you!

Outside expectations



March 16, 2022

TO WHOM IT MAY CONCERN:

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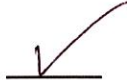
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I/We George Binkie for the Mitchell church of Christ
OWNER

1600 East 1st Ave Mitchell SD 57301

ADDRESS



APPROVE

DISAPPROVE

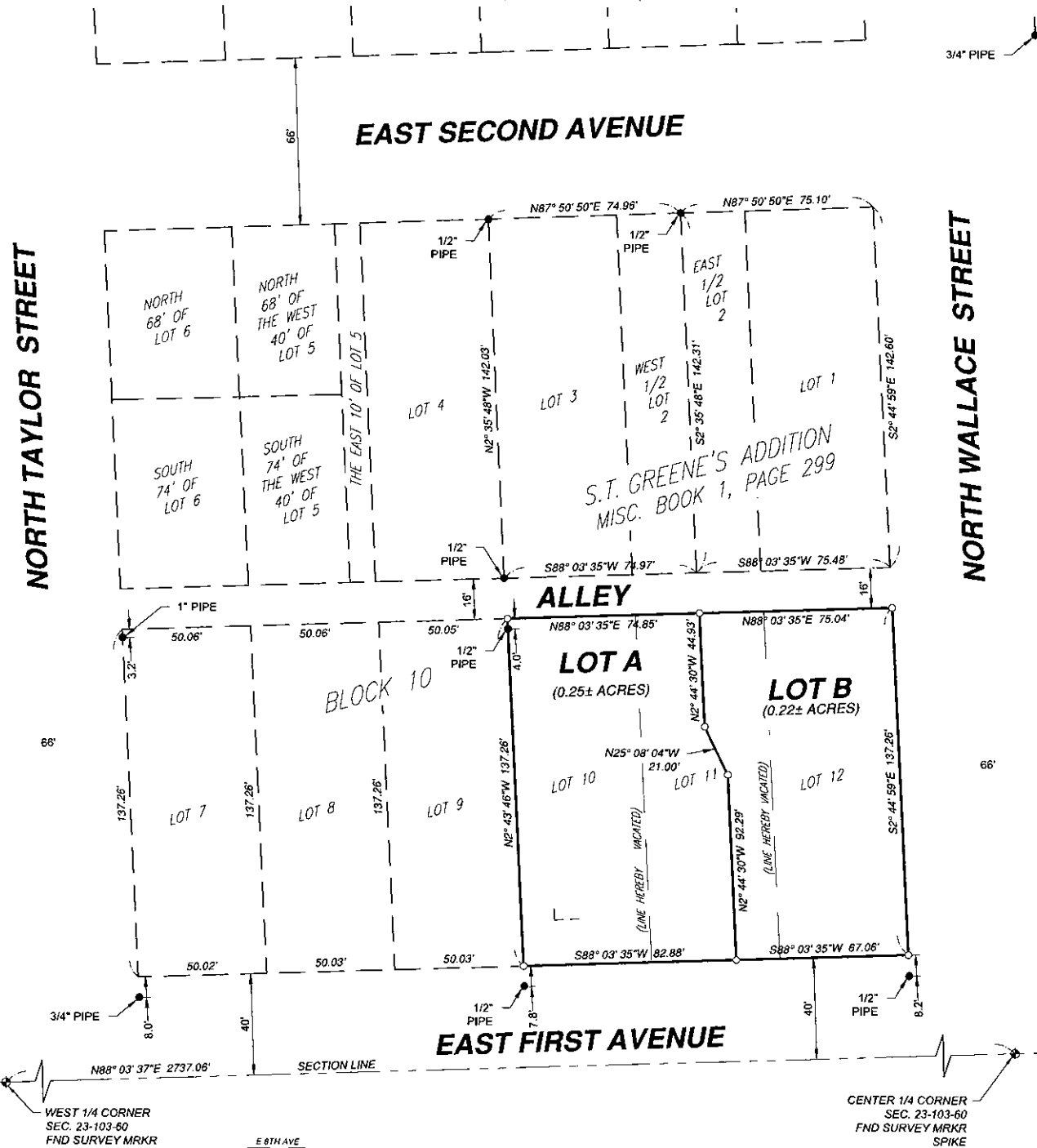
No response will indicate approval.

COMMENTS:

Outside expectations

LOT A & LOT B IN BLOCK 10 OF S.T. GREENE'S ADDITION

A REPLAT OF LOTS 10, 11 AND 12 IN BLOCK 10 OF S.T. GREENE'S ADDITION
 TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA



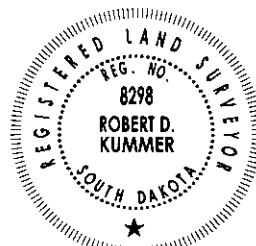
SURVEYOR'S NOTES

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2. ALL DISTANCES ARE GROUND.
3. THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. EASEMENTS OF RECORD WERE NOT RESEARCHED.

PREPARED BY:

infrastructure
 design group, inc.

520 N LAWLER ST., SUITE 400
 MITCHELL, SD 57301
 PHONE: 605-292-0231
 WEB: infrastructuredg.com



LOT A & LOT B IN BLOCK 10 OF S.T. GREENE'S ADDITION
 A REPLAT OF LOTS 10, 11 AND 12 IN BLOCK 10 OF S.T. GREENE'S ADDITION
 TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

LEGEND

- PROPOSED PROPERTY LINE
- - - EXISTING PROPERTY LINE
- FOUND SURVEY MONUMENT
- SET NO.5 REBAR W/CAP RLS NO. 8298

PROJ. NO.: 21105
 DATE: 6/21/2021
 DRAWN BY: TJK
 CHECKED BY: ROK
 SHEET NO: 1 OF 2

LOT A & LOT B IN BLOCK 10 OF S.T. GREENE'S ADDITION

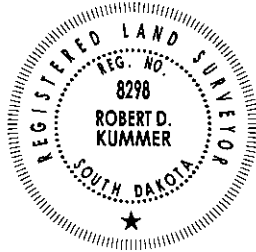
A REPLAT OF LOTS 10, 11 AND 12 IN BLOCK 10 OF S.T. GREENE'S ADDITION
TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

SURVEYOR'S CERTIFICATE

I, ROBERT D. KUMMER, A REGISTERED LAND SURVEYOR OF THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT I DID ON OR BEFORE MARCH 2, 2022 FOR THE PURPOSE OF REPLATTING FOR CONVEYANCE, DID SURVEY LOTS 10, 11 AND LOT 12 IN BLOCK 10 OF S.T. GREENE'S ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA AS SHOWN ON THE ABOVE PLAT. THE SAME SHALL HEREAFTER BE KNOWN AND DESCRIBED AS **LOT A & LOT B IN BLOCK 10 OF S.T. GREENE'S ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA.**

DATED THIS ____ DAY OF ____, 2022.

ROBERT D. KUMMER
REGISTERED LAND SURVEYOR NO. 8298



OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS THAT WE DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF ALL LAND INCLUDED IN THE ABOVE PLAT AND THAT SAID PLAT HAS BEEN MADE AT OUR REQUEST AND IN ACCORDANCE WITH OUR INSTRUCTIONS FOR THE PURPOSE OF TRANSFER, AND THAT THE DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION, AND EROSION AND SEDIMENT CONTROL LAWS, ORDINANCES, AND REGULATIONS. PURSUANT TO SDCL 11-3-8.1 AND 11-3-8.2 THE DEVELOPER OF THE PROPERTY DESCRIBED WITHIN THIS PLAT SHALL BE RESPONSIBLE FOR PROTECTING ANY WATER OF THE STATE LOCATED ADJACENT TO OR WITHIN SUCH PLATTED AREA FROM POLLUTION FROM SEWAGE FROM SUCH SUBDIVISION AND SHALL, IN PROSECUTION OF SUCH PROTECTIONS CONFORM TO AND FOLLOW ALL REGULATION OF THE SOUTH DAKOTA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES RELATING TO THE SAME. ADDITIONALLY, THE DEVELOPER OF THE PROPERTY DESCRIBED WITHIN THIS PLAT SHALL BE LIABLE FOR ANY POLLUTION THAT OCCURS FROM FAILURE TO EXECUTE SUCH PROTECTIONS OR FOLLOW SUCH REGULATIONS, EXCEPTION BEING THOSE LOTS IN SUBDIVISIONS THAT SHOW DOCUMENTATION THAT WASTEWATER DRAINAGE SHALL BE CONNECTED TO A MUNICIPAL SYSTEM.

WE HEREBY DEDICATE TO THE PUBLIC FOR PUBLIC USE FOREVER THE STREETS, ROADS AND ALLEYS, AND PARKS AND PUBLIC GROUNDS, IF ANY, AS SHOWN ON SAID PLAT, INCLUDING ALL SEWERS, CULVERTS, BRIDGES, WATER DISTRIBUTION LINES, SIDEWALKS, AND OTHER IMPROVEMENTS ON OR UNDER THE STREETS, ALLEYS, PARKS AND PUBLIC GROUNDS WHETHER SUCH IMPROVEMENTS ARE SHOWN OR NOT. I/WE ALSO HEREBY GRANT EASEMENTS TO RUN WITH THE LAND FOR WATER, DRAINAGE, SEWER, GAS, ELECTRIC, TELEPHONE, OR OTHER PUBLIC UTILITY LINES OR SERVICE UNDER, ON, OR OVER THOSE STRIPS OF LAND DESIGNATED HEREON AS EASEMENTS.

DATED THIS ____ DAY OF ____, 2022.

LARRY WEISSER (OWNER)

STATE OF: SOUTH DAKOTA)

.SS

COUNTY OF: DAVISON)

ON THIS ____ DAY OF ____, 2022, BEFORE ME, ____, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED, LARRY WEISSER, KNOWN TO ME OR SATISFACTORILY PROVEN TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES THEREIN CONTAINED.

IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL THIS

____ DAY OF ____, 2022.

NOTARY PUBLIC, SOUTH DAKOTA

MY COMMISSION EXPIRES: ____

RESOLUTION OF CITY PLANNING COMMISSION

WHEREAS, THE PLAT OF **LOT A & LOT B IN BLOCK 10 OF S.T. GREENE'S ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA** HAS BEEN SUBMITTED TO THE CITY PLANNING COMMISSION OF SAID CITY OF MITCHELL, SOUTH DAKOTA; AND

WHEREAS, THE CITY PLANNING COMMISSION, IN REGULAR MEETING ASSEMBLED, HAD DULY CONSIDERED SAID PLAT AND FINDS AS A FACT THAT SAID PLAT IS IN CONFORMITY AND DOES NOT CONFLICT WITH THE MASTER PLAN FOR THE CITY OF MITCHELL, SOUTH DAKOTA, HERETOFORE ADOPTED BY THIS COMMISSION;

NOW THEREFORE, BE IT RESOLVED BY THE CITY PLANNING COMMISSION OF MITCHELL, SOUTH DAKOTA, THAT THE PLAT OF **LOT A & LOT B IN BLOCK 10 OF S.T. GREENE'S ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA**, BE AND THE SAME IS HEREBY APPROVED AND ITS ADOPTION BY THE CITY COUNCIL OF THE CITY OF MITCHELL, SOUTH DAKOTA, IS HEREBY RECOMMENDED.

I, ____, CHAIRMAN/VICE CHAIRMAN OF THE CITY PLANNING COMMISSION FOR THE CITY OF MITCHELL, SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE FOREGOING RESOLUTION WAS PASSED BY THE CITY PLANNING COMMISSION OF MITCHELL, SOUTH DAKOTA, AT A MEETING THEREOF HELD ON THE ____ DAY OF ____, 2022.

CHAIRMAN/VICE CHAIRMAN CITY PLANNING COMMISSION

RESOLUTION OF CITY COUNCIL

WHEREAS, IT APPEARS THAT THE CITY PLANNING COMMISSION OF THE CITY OF MITCHELL, SOUTH DAKOTA, DID DULY CONSIDER AND DID RECOMMEND THE APPROVAL AND ADOPTION OF THE HERINAFTER DESCRIBED PLAT, AT ITS MEETING HELD ON THE ____ DAY OF ____, 2022; AND

WHEREAS, IT APPEARS FROM AN EXAMINATION OF THE PLAT OF **LOT A & LOT B IN BLOCK 10 OF S.T. GREENE'S ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA** THAT SAID PLAT IS IN ACCORDANCE WITH THE SYSTEM OF STREETS AND ALLEYS SET FORTH IN THE MASTER PLAN ADOPTED BY THE CITY PLANNING COMMISSION OF THE CITY OF MITCHELL, SOUTH DAKOTA, AND THAT SUCH PLAT HAS BEEN PREPARED ACCORDING TO LAW;

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MITCHELL, SOUTH DAKOTA, THAT THE PLAT OF **LOT A & LOT B IN BLOCK 10 OF S.T. GREENE'S ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA** BE AND THE SAME IS APPROVED AND THE DESCRIPTION SET FORTH THEREIN AND THE ACCOMPANYING SURVEYOR'S CERTIFICATE SHALL PREVAIL.

I, ____, FINANCE OFFICER/DEP. FINANCE OFFICER OF THE CITY OF MITCHELL, SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE FOREGOING RESOLUTION WAS PASSED BY THE CITY OF MITCHELL, SOUTH DAKOTA, AT A MEETING THEREOF HELD ON THE ____ DAY OF ____, 2022.

FINANCE OFFICER/DEP. FINANCE OFFICER

COUNTY TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT ALL TAXES WHICH ARE LIENS UPON ANY LAND INCLUDED IN THE ABOVE (AND THE FOREGOING) PLAT, AS SHOWN BY THE RECORDS OF MY OFFICE, HAVE BEEN FULLY PAID.

DATED THIS ____ DAY OF ____, 2022.

COUNTY TREASURER/DEPUTY TREASURER
DAVISON COUNTY, SOUTH DAKOTA

DIRECTOR OF EQUALIZATION

I HEREBY CERTIFY THAT A COPY OF THE PLAT OF **LOT A & LOT B IN BLOCK 10 OF S.T. GREENE'S ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA**, HAS BEEN RECEIVED BY ME AND FILED IN MY OFFICE.

DIRECTOR OF EQUALIZATION/DEPUTY DIRECTOR OF EQUALIZATION
DAVISON COUNTY, SOUTH DAKOTA

REGISTER OF DEEDS

FILED FOR RECORD THIS ____ DAY OF ____, 2022, AT ____

O'CLOCK __M., AND RECORDED IN BOOK ____ OF PLATS ON PAGE ____.

REGISTER OF DEEDS/DEPUTY REGISTER OF DEEDS
DAVISON COUNTY, SOUTH DAKOTA

PREPARED BY:

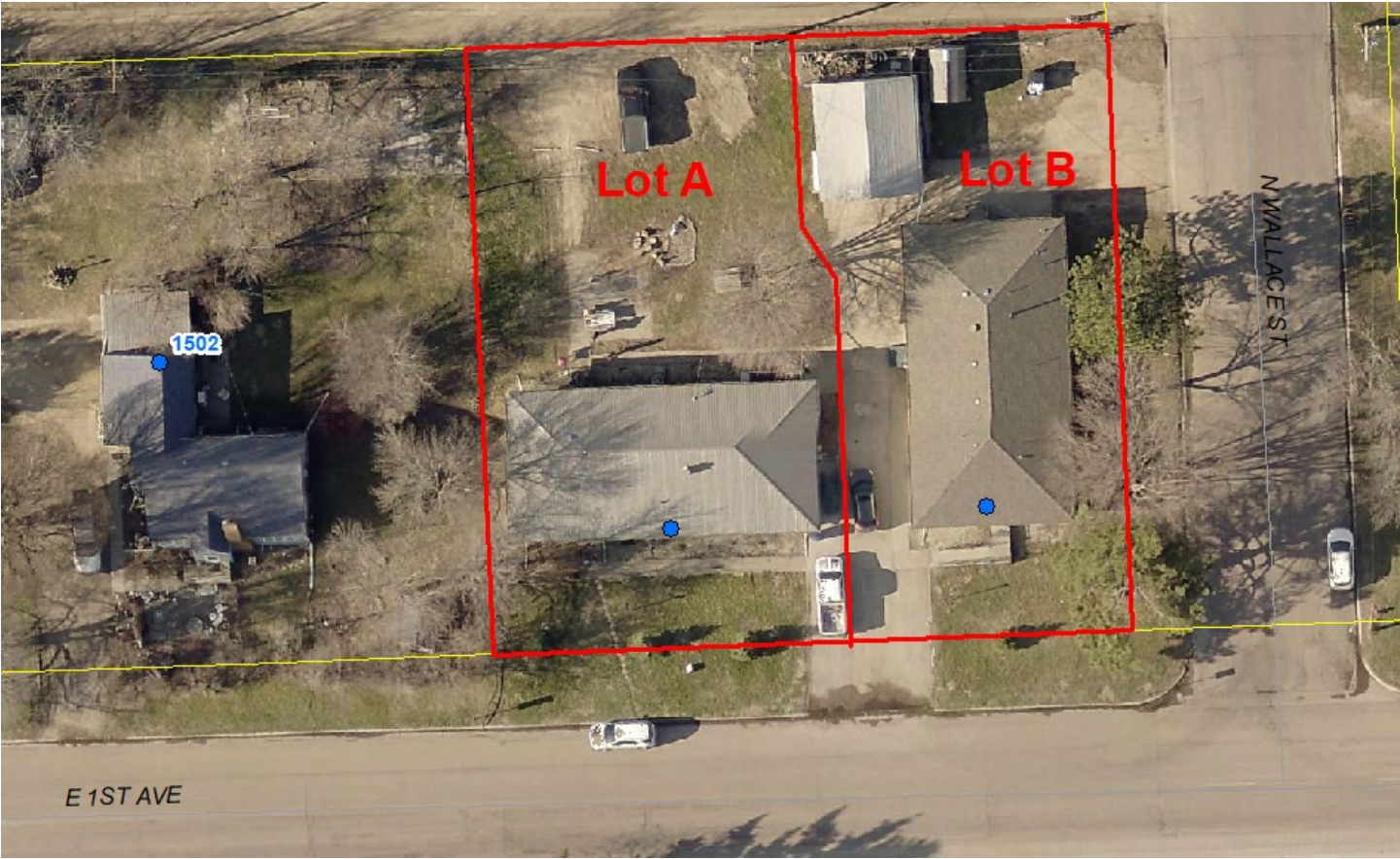
infrastructure
design group inc

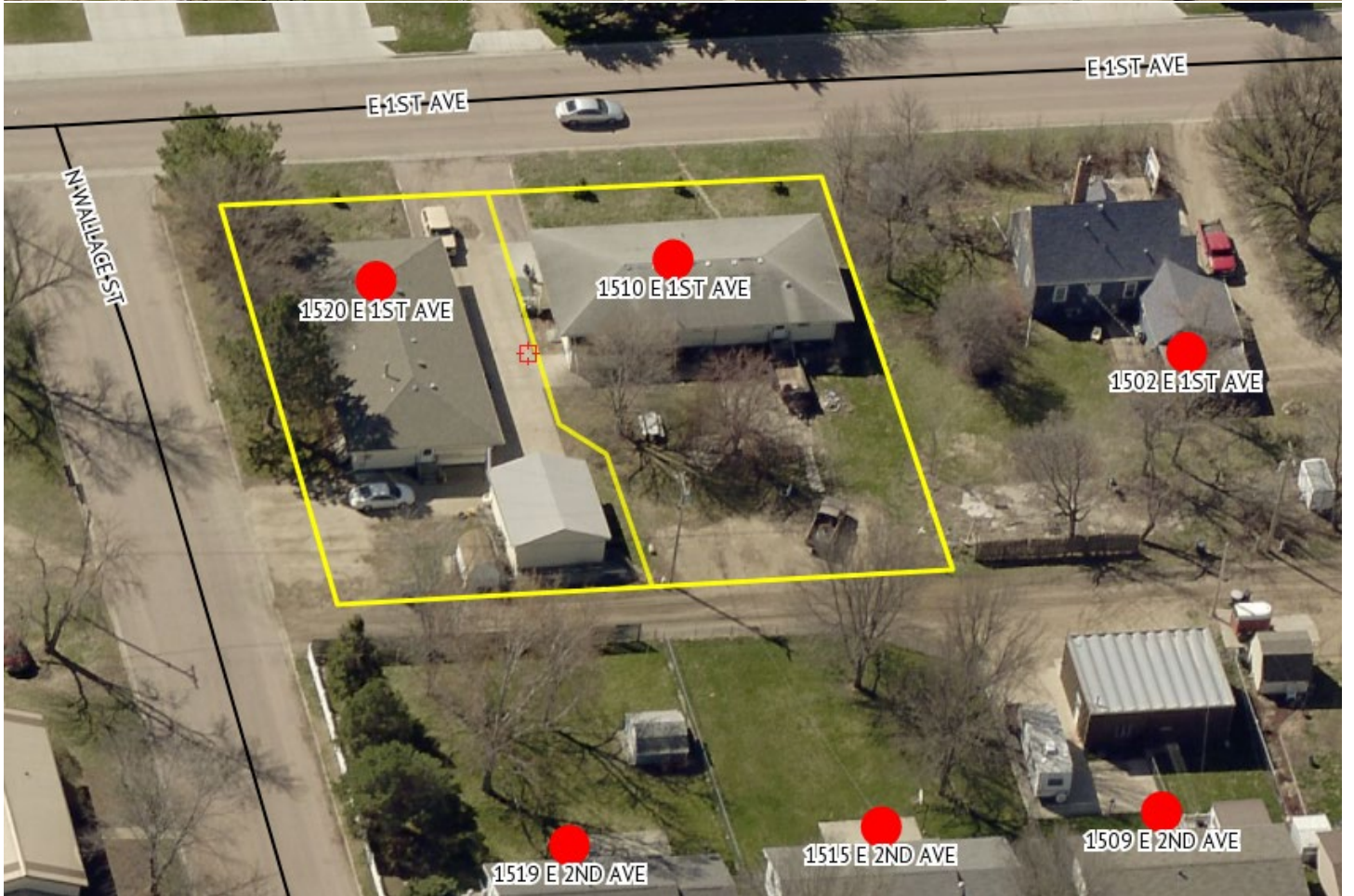
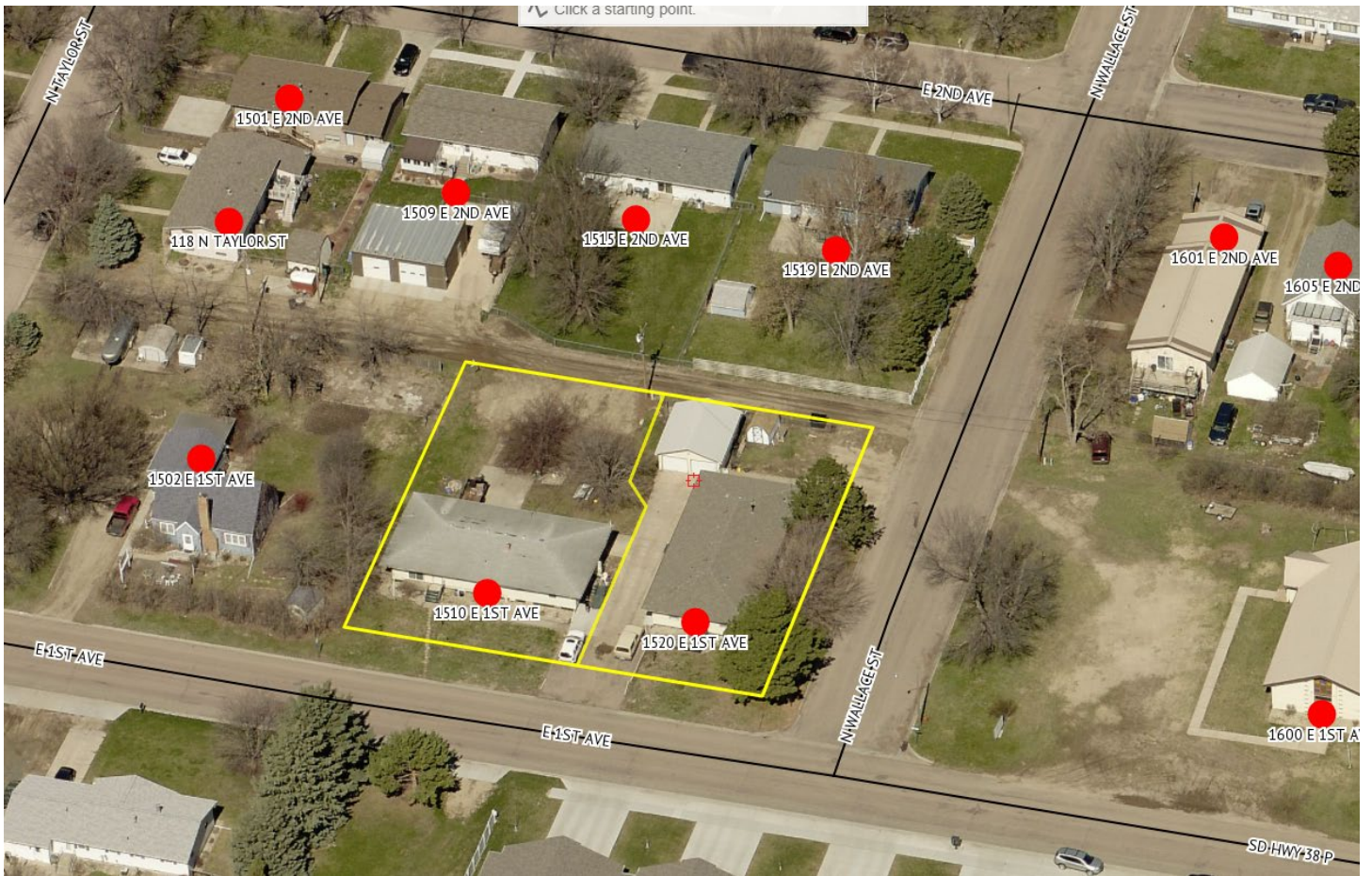
520 N LAWLER ST., SUITE 400
MITCHELL, SD 57301
PHONE: 605-292-0231
WEB: infrastructuredg.com

LOT A & LOT B IN BLOCK 10 OF S.T. GREENE'S ADDITION
A REPLAT OF LOTS 10, 11 AND 12 IN BLOCK 10 OF S.T. GREENE'S ADDITION
TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

PROJ. NO.: 21105
DATE: 6/21/2021

DRAWN BY: TJK
CHECKED BY: RDK
SHEET NO: 2 OF 2







TO: THE MITCHELL PLANNING COMMISSION AND CITY COUNCIL, THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA.

The undersigned applicant(s) and owner(s) is hereby making an application pursuant to the provisions of the City of Mitchell Zoning Code.

The names and addresses of the current property owners within one hundred and forty feet (140') of the applicant's property (excluding streets and alleys) will be notified upon the filing of this application.

Applicant(s) request that dates be set for public hearings before the Mitchell Planning Commission and City Council. Furthermore, the applicant(s) request the City of Mitchell to publish the appropriate notice(s) in accordance with the City of Mitchell's Ordinances.

☐ **Rezoning** *\$150 application due with the application.*

Applicant is request to rezone property from [Click or tap here to enter text.](#) District to [Click or tap here to enter text.](#) District.

☒ **Variance** *\$100 application fee due with application.*

Description of Variance: Reduction of the front yard setback from 25' to 9'. Access to the lot has changed due to 8th St. being vacated and replating.

☐ **Conditional Use Permit** *\$150 application fee due with application*

Description of Conditional Use: [Click or tap here to enter text.](#)

This Application is for the following described real property:

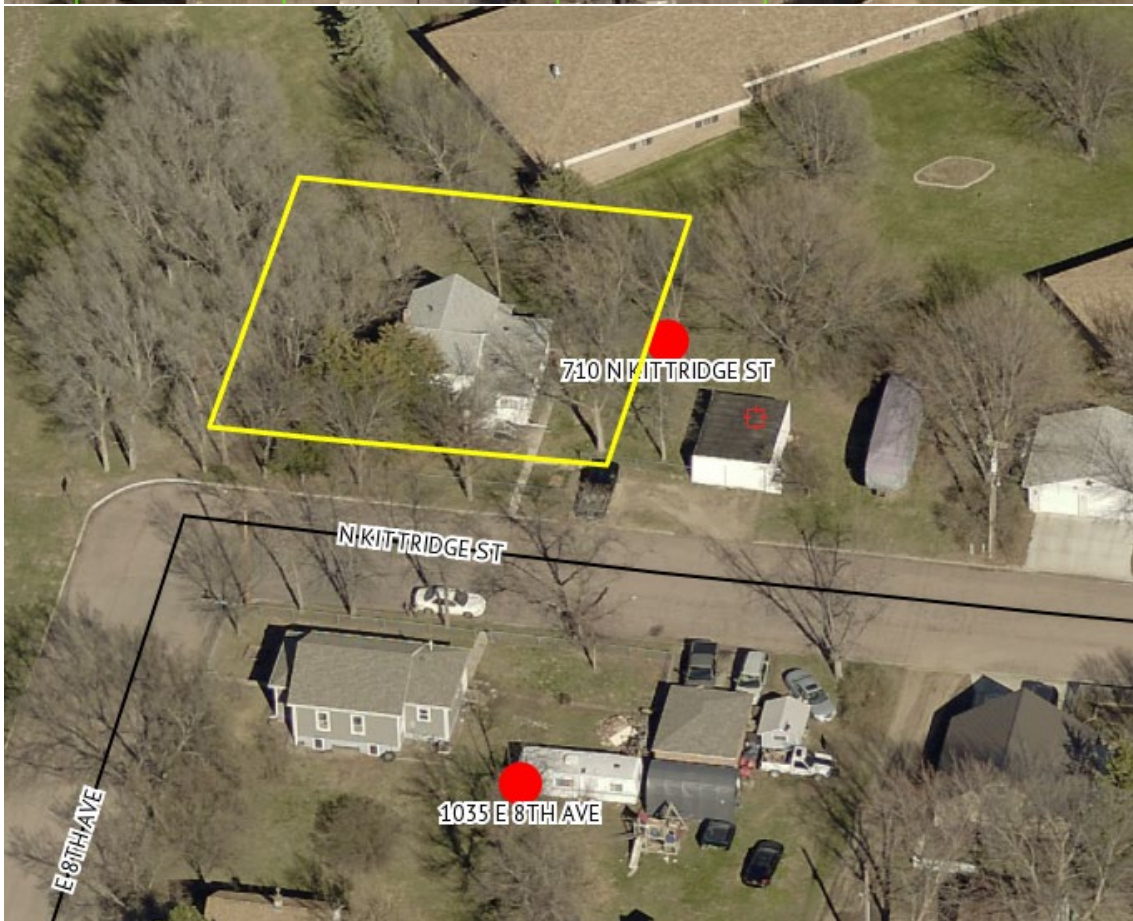
Legal Description: (Proposed Legal) Lot A in Block 2 of Robert Wilkinson's Addition to The City of Mitchell, Davison County, South Dakota.

Property Address: 710 N Kittridge St., Mitchell, SD 57301

Dated this 8th day of March, 2022

Robert Kummer, Infrastructure Design Group, Inc.
APPLICANT

Cory Marek
OWNER



NOTICE OF HEARING

To: The Planning Commission, Board of Adjustment of the City of Mitchell, Mitchell South Dakota, and to the general public:

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Dated at Mitchell, South Dakota, this 10th day of March, 2022.

Michelle Bathke

FINANCE OFFICER

Publish once: 16th day of March, 2022

Approximate Cost:

Infrastructure Design Group Inc
C/O Robert Kummer
3241 E Bison Trail
Sioux Falls, SD 57108

Cory & Destiny Marek
1421 Indian Village RD
Mitchell, SD 57301

Toshiba America Business
25530 Commercentre Dr
Lake Forest, CA 92630

John & Judith Magstadt
1015 E 8th Ave
Mitchell, SD 57301

Lester & Heather Wilcox
1035 E 8th Ave
Mitchell, SD 57301

CCP Firesteel LLC
PO Box 71970
Phoenix, AZ 85050

Judy Masten
1028 E 7th Ave
Mitchell, SD 57301

David Williams
1032 E 7th Ave
Mitchell, SD 57301

Paul & Norma Williams
1034 E 7th Ave
Mitchell, SD 57301

Michelle Feddersen
1100 E 7th Ave
Mitchell, SD 57301



March 16, 2022

TO WHOM IT MAY CONCERN:

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I/We Lester Wilcox
OWNER

1035 E 8th
ADDRESS

X APPROVE

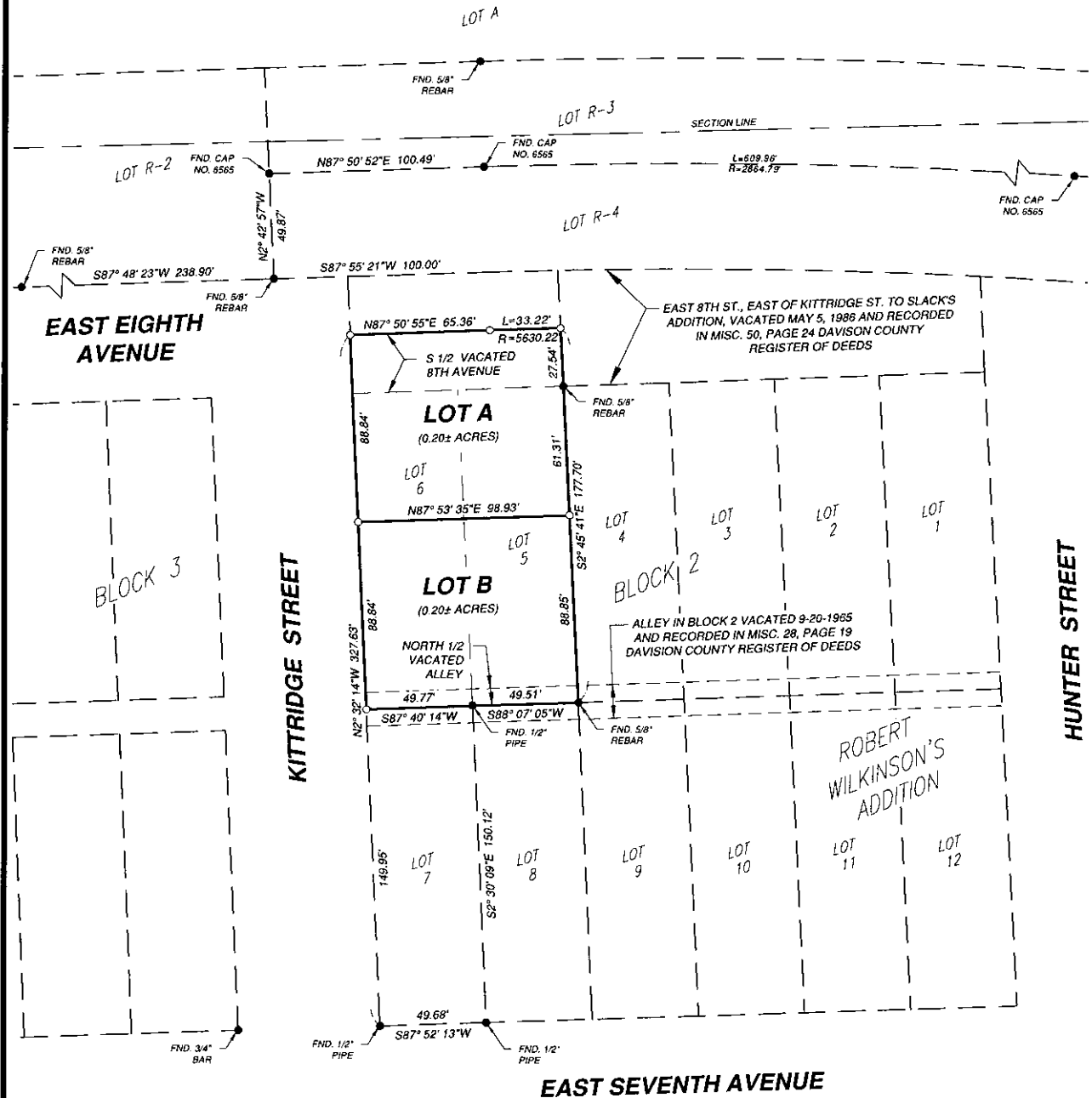
 DISAPPROVE

No response will indicate approval.

COMMENTS:

LOTS A & B IN BLOCK 2 OF ROBERT WILKINSON'S ADDITION

A VACATION AND REPLAT OF LOT 5 AND LOT 6 IN BLOCK 2 OF ROBERT WILKINSON'S ADDITION,
 CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA



SURVEYOR'S NOTES

- BEARINGS ARE BASED ON SOUTH DAKOTA STATE PLANE, SOUTH ZONE.
- ALL DISTANCES ARE GROUND.
- THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. EASEMENTS OF RECORD WERE NOT RESEARCHED.

VICINITY MAP
(NOT TO SCALE)

LEGEND

- PROPOSED PROPERTY LINE
- EXISTING PROPERTY LINE
- EXISTING R/WAY LINE
- EXISTING EASEMENT LINE
- FOUND SURVEY MONUMENT AS NOTED
- SET NO.5 REBAR W/CAP RLS NO. 8298
- CALCULATED POSITION

REGISTERED LAND SURVEYOR
 REG. NO. 8298
 ROBERT D. KUMMER
 SOUTH DAKOTA

LOTS A & B IN BLOCK 2 OF ROBERT WILKINSON'S ADDITION

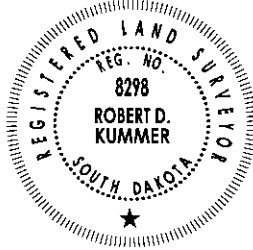
A VACATION AND REPLAT OF LOT 5 AND LOT 6 IN BLOCK 2 OF ROBERT WILKINSON'S ADDITION,
CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

SURVEYOR'S CERTIFICATE

I, ROBERT D. KUMMER, A REGISTERED LAND SURVEYOR OF THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT I DID ON OR BEFORE MARCH 2, 2022, FOR THE PURPOSE OF REPLATTING FOR CONVEYANCE, DID SURVEY LOT 5 AND LOT 6 IN BLOCK 2 OF ROBERT WILKINSON'S ADDITION, AND THE SOUTH HALF (S 1/2) OF VACATED 8TH AVENUE AND THE NORTH HALF (N 1/2) OF THE VACATED ALLEY ABUTTING SAID LOTS, ALL IN THE CITY OF MITCHELL IN THE NORTH HALF OF THE NORTHEAST QUARTER (N 1/2 NE 1/4) OF SECTION 22, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA AS SHOWN ON THE ABOVE PLAT. THE SAME SHALL HEREAFTER BE KNOWN AND DESCRIBED AS **LOTS A & B IN BLOCK 2 OF ROBERT WILKINSON'S ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA.**

DATED THIS ____ DAY OF ____, 2022.

ROBERT D. KUMMER
REGISTERED LAND SURVEYOR NO. 8298



OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS THAT WE DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF ALL LAND INCLUDED IN THE ABOVE PLAT AND THAT SAID PLAT HAS BEEN MADE AT OUR REQUEST AND IN ACCORDANCE WITH OUR INSTRUCTIONS FOR THE PURPOSE OF TRANSFER, AND THAT THE DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION, AND EROSION AND SEDIMENT CONTROL LAWS, ORDINANCES, AND REGULATIONS. PURSUANT TO SDCL 11-3-8.1 AND 11-3-8.2 THE DEVELOPER OF THE PROPERTY DESCRIBED WITHIN THIS PLAT SHALL BE RESPONSIBLE FOR PROTECTING ANY WATER OF THE STATE LOCATED ADJACENT TO OR WITHIN SUCH PLATTED AREA FROM POLLUTION FROM SEWAGE FROM SUCH SUBDIVISION AND SHALL, IN PROSECUTION OF SUCH PROTECTIONS CONFORM TO AND FOLLOW ALL REGULATION OF THE SOUTH DAKOTA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES RELATING TO THE SAME. ADDITIONALLY, THE DEVELOPER OF THE PROPERTY DESCRIBED WITHIN THIS PLAT SHALL BE LIABLE FOR ANY POLLUTION THAT OCCURS FROM FAILURE TO EXECUTE SUCH PROTECTIONS OR FOLLOW SUCH REGULATIONS, EXCEPTION BEING THOSE LOTS IN SUBDIVISIONS THAT SHOW DOCUMENTATION THAT WASTEWATER DRAINAGE SHALL BE CONNECTED TO A MUNICIPAL SYSTEM.

WE HEREBY DEDICATE TO THE PUBLIC FOR PUBLIC USE FOREVER THE STREETS, ROADS AND ALLEYS, AND PARKS AND PUBLIC GROUNDS, IF ANY, AS SHOWN ON SAID PLAT, INCLUDING ALL SEWERS, CULVERTS, BRIDGES, WATER DISTRIBUTION LINES, SIDEWALKS, AND OTHER IMPROVEMENTS ON OR UNDER THE STREETS, ALLEYS, PARKS AND PUBLIC GROUNDS WHETHER SUCH IMPROVEMENTS ARE SHOWN OR NOT. I/WE ALSO HEREBY GRANT EASEMENTS TO RUN WITH THE LAND FOR WATER, DRAINAGE, SEWER, GAS, ELECTRIC, TELEPHONE, OR OTHER PUBLIC UTILITY LINES OR SERVICE UNDER, ON, OR OVER THOSE STRIPS OF LAND DESIGNATED HEREON AS EASEMENTS.

WE FURTHER CERTIFY THAT THIS PLATTING OF SAID DESCRIBED **LOTS A & B IN BLOCK 2 OF ROBERT WILKINSON'S ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA** DOES HEREBY VACATE THE FOLLOWING PLATTING:

LOT 5 AND LOT 6 IN BLOCK 2 OF ROBERT WILKINSON'S ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, AS RECORDED IN BOOK 8 OF PLATS ON PAGE 149, HEREBY VACATED, BEING SITUATED WITHIN THE DESCRIBED LOTS A & B IN BLOCK 2 OF ROBERT WILKINSON'S ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA AS SURVEYED.

DATED THIS ____ DAY OF ____, 2022.

CORY L. MAREK (OWNER)

DESTINY J. MAREK (OWNER)

STATE OF: SOUTH DAKOTA)

:SS

COUNTY OF: DAVISON)

ON THIS ____ DAY OF ____, 2022, BEFORE ME, ____, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED, CORY L. MAREK AND DESTINY J. MAREK, KNOWN TO ME OR SATISFACTORILY PROVEN TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES THEREIN CONTAINED.

IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL THIS

____ DAY OF ____, 2022.

NOTARY PUBLIC, SOUTH DAKOTA

MY COMMISSION EXPIRES: ____

RESOLUTION OF CITY PLANNING COMMISSION

WHEREAS, THE PLAT OF **LOTS A & B IN BLOCK 2 OF ROBERT WILKINSON'S ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA** HAS BEEN SUBMITTED TO THE CITY PLANNING COMMISSION OF SAID CITY OF MITCHELL, SOUTH DAKOTA; AND

WHEREAS, THE CITY PLANNING COMMISSION, IN REGULAR MEETING ASSEMBLED, HAD DULY CONSIDERED SAID PLAT AND FINDS AS A FACT THAT SAID PLAT IS IN CONFORMITY AND DOES NOT CONFLICT WITH THE MASTER PLAN FOR THE CITY OF MITCHELL, SOUTH DAKOTA, HERETOFORE ADOPTED BY THIS COMMISSION;

NOW THEREFORE, BE IT RESOLVED BY THE CITY PLANNING COMMISSION OF MITCHELL, SOUTH DAKOTA, THAT THE PLAT OF **LOTS A & B IN BLOCK 2 OF ROBERT WILKINSON'S ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA**, BE AND THE SAME IS HEREBY APPROVED AND ITS ADOPTION BY THE CITY COUNCIL OF THE CITY OF MITCHELL, SOUTH DAKOTA, IS HEREBY RECOMMENDED.

I, ____, CHAIRMAN/VICE CHAIRMAN OF THE CITY PLANNING COMMISSION FOR THE CITY OF MITCHELL, SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE FOREGOING RESOLUTION WAS PASSED BY THE CITY PLANNING COMMISSION OF MITCHELL, SOUTH DAKOTA, AT A MEETING THEREOF HELD ON THE ____ DAY OF ____, 2022.

CHAIRMAN/VICE CHAIRMAN CITY PLANNING COMMISSION

RESOLUTION OF CITY COUNCIL

WHEREAS, IT APPEARS THAT THE CITY PLANNING COMMISSION OF THE CITY OF MITCHELL, SOUTH DAKOTA, DID DULY CONSIDER AND DID RECOMMEND THE APPROVAL AND ADOPTION OF THE HEREINAFTER DESCRIBED PLAT, AT ITS MEETING HELD ON THE ____ DAY OF ____, 2022; AND

WHEREAS, IT APPEARS FROM AN EXAMINATION OF THE PLAT OF **LOTS A & B IN BLOCK 2 OF ROBERT WILKINSON'S ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA** THAT SAID PLAT IS IN ACCORDANCE WITH THE SYSTEM OF STREETS AND ALLEYS SET FORTH IN THE MASTER PLAN ADOPTED BY THE CITY PLANNING COMMISSION OF THE CITY OF MITCHELL, SOUTH DAKOTA, AND THAT SUCH PLAT HAS BEEN PREPARED ACCORDING TO LAW;

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MITCHELL, SOUTH DAKOTA, THAT THE PLAT OF **LOTS A & B IN BLOCK 2 OF ROBERT WILKINSON'S ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA**, BE AND THE SAME IS APPROVED AND THE DESCRIPTION SET FORTH THEREIN AND THE ACCOMPANYING SURVEYOR'S CERTIFICATE SHALL PREVAIL.

I, ____, FINANCE OFFICER/DEP. FINANCE OFFICER OF THE CITY OF MITCHELL, SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE FOREGOING RESOLUTION WAS PASSED BY THE CITY OF MITCHELL, SOUTH DAKOTA, AT A MEETING THEREOF HELD ON THE ____ DAY OF ____, 2022.

FINANCE OFFICER/DEP. FINANCE OFFICER

COUNTY TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT ALL TAXES WHICH ARE LIENS UPON ANY LAND INCLUDED IN THE ABOVE (AND THE FOREGOING) PLAT, AS SHOWN BY THE RECORDS OF MY OFFICE, HAVE BEEN FULLY PAID.

DATED THIS ____ DAY OF ____, 2022.

COUNTY TREASURER/DEPUTY TREASURER
DAVISON COUNTY, SOUTH DAKOTA

DIRECTOR OF EQUALIZATION

I HEREBY CERTIFY THAT A COPY OF THE PLAT OF **LOTS A & B IN BLOCK 2 OF ROBERT WILKINSON'S ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA**, HAS BEEN RECEIVED BY ME AND FILED IN MY OFFICE.

DIRECTOR OF EQUALIZATION/DEPUTY DIRECTOR OF EQUALIZATION
DAVISON COUNTY, SOUTH DAKOTA

REGISTER OF DEEDS

FILED FOR RECORD THIS ____ DAY OF ____, 2022, AT ____

O'CLOCK __.M., AND RECORDED IN BOOK ____ OF PLATS ON PAGE ____.

REGISTER OF DEEDS/DEPUTY REGISTER OF DEEDS
DAVISON COUNTY, SOUTH DAKOTA

PREPARED BY:

infrastructure
design group, inc.

520 N LAWLER ST., SUITE 400
MITCHELL, SD 57301
PHONE: 605-292-0231
WEB: infrastructuredg.com

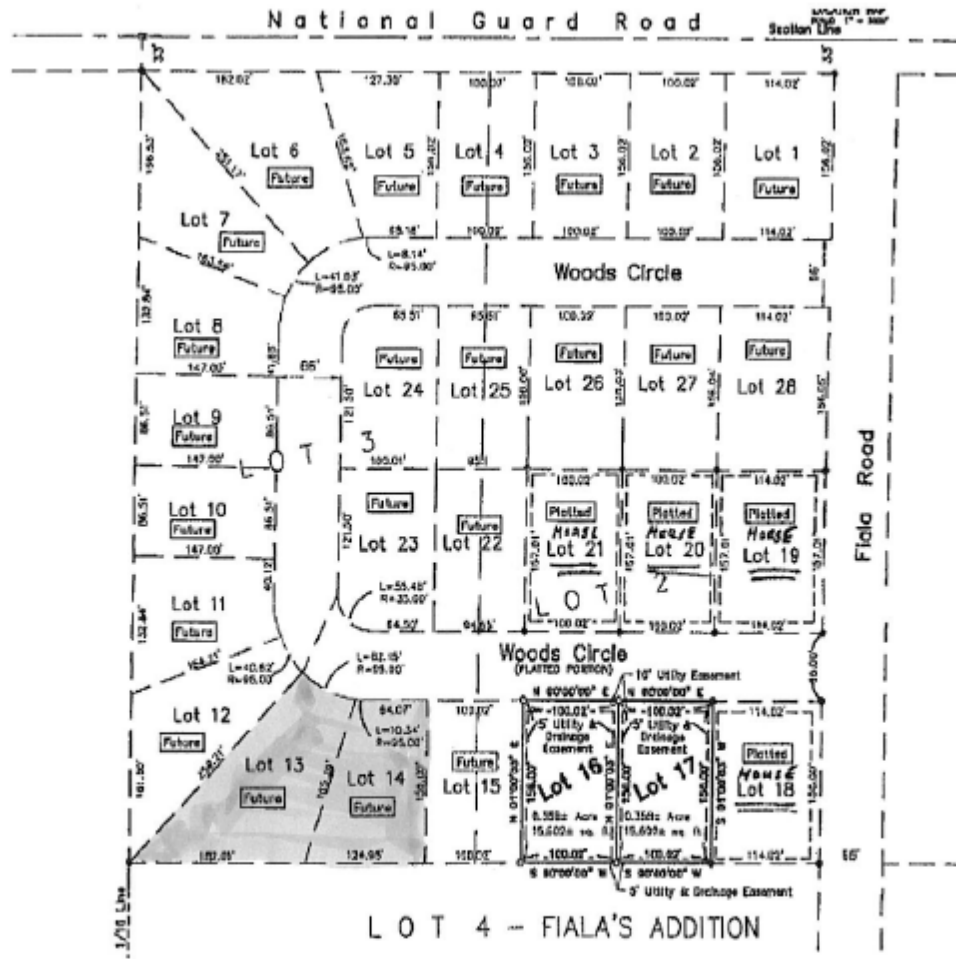
LOTS A & B IN BLOCK 2 OF ROBERT WILKINSON'S ADDITION
A VACATION AND REPLAT OF LOT 5 AND LOT 6 IN BLOCK 2 OF ROBERT WILKINSON'S ADDITION,
CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

PROJECT NO.: 21168
DATE: 3/2/2022
DRAWN BY: TJK
CHECKED BY: RDK
SHEET NO: 1 OF 2



TAX INCREMENTAL DISTRICT NUMBER 27 CITY OF MITCHELL TAX INCREMENTAL PROJECT PLAN

Mitchell TIF District 27 Boundary Map



Excluded from TIF Boundaries

Table of Contents

INTRODUCTION AND PURPOSE	1
GENERAL DEFINITIONS AS USED IN THIS PLAN.....	1
PROPERTY WITHIN THE TAX INCREMENT DISTRICT	5
CREATION OF CITY OF MITCHELL TID NUMBER 27.....	5
LISTING OF KIND, NUMBER, LOCATION AND DETAILED COSTS OF PROPOSED PUBLIC WORK AND IMPROVEMENTS ...	7
TAXABLE VALUE OF MITCHELL.....	7
EXPENDITURES EXCEEDING ESTIMATED COST	10
DEVELOPER'S AGREEMENT	10
DETAILED LIST OF ESTIMATED PROJECT COSTS.....	12
FEASIBILITY STUDY	12
ECONOMIC DEVELOPMENT STUDY	12
FISCAL IMPACT STATEMENT	12
METHOD OF FINANCING, TIMING OF COSTS AND MONETARY OBLIGATIONS.....	13
MAXIMUM AMOUNT OF TAX INCREMENTAL REVENUE	13
DURATION OF TAX INCREMENTAL PLAN	13
ESTIMATED IMPACT OF TAX INCREMENT FINANCING ON REVENUES OF TAXING JURISDICTIONS	13
CONDITIONS MAP, IMPROVEMENTS MAP, ZONING CHANGE MAP.....	13
CHANGES TO THE CITY OF MITCHELL MASTER PLAN, MAP, BUILDINGS CODES AND CITY ORDINANCES.....	13
LIST OF ESTIMATED NON-PROJECT COSTS	13
STATEMENT OF DISPLACEMENT AND RELOCATION PLAN	14
PERFORMANCE BOND, SURETY BOND OR OTHER GUARANTY.	14
LIST OF SCHEDULES	15
ATTACHMENTS	15
SCHEDULE 1 - "DETAIL OF PROJECT COSTS".....	16
SCHEDULE 2 – "ECONOMIC FEASIBILITY STUDY"	20
SCHEDULE 3 - "ECONOMIC DEVELOPMENT STUDY"	23
SCHEDULE 4 – "FISCAL IMPACT STATEMENT"	25
SCHEDULE 5 – "ESTIMATED CAPTURED TAXABLE VALUES"	27
ATTACHMENT 1	30
ATTACHMENT 2	31
ATTACHMENT 3	32

INTRODUCTION AND PURPOSE

The purpose of this Plan, to be implemented by the City of Mitchell, Davison County, South Dakota, is to satisfy the requirements for a Tax Incremental District Plan Number 27, City of Mitchell, Davison County as specified in SDCL Chapter 11-9. There are 11 mandated requirements of the Plan, each to be addressed in this Plan. The principal purpose of the Plan is to define eligible property and to define a Tax Increment Plan for funding eligible activities in an eligible area of the city.

This Plan was prepared for adoption by the City Planning Commission and the City Council in recognition that the area requires a coordinated, cooperative strategy, with financing possibilities, to promote economic development through the construction of Affordable Housing through a single-family affordable housing residential development project (the "Project"). The Project shall consist of one (1) Phase. The proposed TIF boundaries consist of approximately eight (8) acres. Four (4) existing lots within the proposed development have existing single-family dwellings located upon them. Two (2) proposed lots will not be included within TIF boundaries, leaving a total of twenty-two (22) lots left to be developed into affordable single-family houses. All houses built within the TIF District boundaries shall have an original selling price at or below the first-time homebuyer's purchase price limit being used by the South Dakota Housing Development Authority at the time of sale or completion of initial construction (which, at the time of the drafting of this Project Plan for Mitchell, Davison County, South Dakota is \$300,000 for a single-family residence, whether single residence or a portion (unit) of a twin home. The intent of the Project is to create new, affordable/workforce homeownership opportunities for the City of Mitchell, South Dakota community.

The driving interest in the establishment of this Plan is to offer tax increment financing as a tool to stimulate and leverage private sector development to provide Affordable/Workforce Housing and to promote economic development throughout the TIF District and the City of Mitchell.

Development in the area is anticipated to occur in the near future, with the potential for tax increment financing to provide the impetus and means to undertake this development at a faster pace than might occur otherwise.

The area is known as Airport Addition Housing Development, consisting of twenty-six (26) lots, four (4) of which have already been developed as affordable single-family homes, and all four (4) of which had an original selling price or construction cost at or below the first-time homebuyer's purchase price limit. Two (2) lots, which are referred to as Lots Thirteen (13) and Fourteen (14) on the Master Plan will be excluded from the TIF boundaries. The remaining twenty-two (22) undeveloped lots located within the TIF boundaries are owned by PSG Properties LLC, a South Dakota limited liability company whose Members are Paul Groeneweg and Stephanie Groeneweg, husband and wife ("Owner"). The Developer is Groeneweg Construction LLC, a South Dakota single member limited liability company whose sole Member is Paul Groeneweg. The Developer and Owner plan to develop the remaining twenty-two (22) lots into an affordable/ workforce housing project.

GENERAL DEFINITIONS AS USED IN THIS PLAN

The following terms found in this Plan have the following meanings:

"Base" or "Tax Incremental Base" means the aggregate assessed value of all taxable property located within a Tax Incremental District on the date the district is created, as determined by SDCL § 11-9-20.

"Blighted" means property that meets any of the following criteria:

Any area, including slum area, in which the structures, buildings, or improvements, by reason of:

- (1) dilapidation, age, or obsolescence;
- (2) inadequate provisions for ventilation, light, air, sanitation, or open spaces;
- (3) high density of population and overcrowding;
- (4) the existence of conditions which endanger life or property by fire and other causes; or
- (5) any combination of such factors;

are conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and which is detrimental to the public health, safety, morals, or welfare, is a blighted area¹; or

Any area which by reason of:

- (1) the presence of a substantial number of substandard, slum, deteriorated, or deteriorating structures;
- (2) predominance of defective or inadequate street layouts;
- (3) faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- (4) unsanitary or unsafe conditions;
- (5) deterioration of site or other improvements;
- (6) diversity of ownership, tax, or special assessment delinquency exceeding the fair value of the land;
- (7) defective or unusual conditions of title;
- (8) the existence of conditions which endanger life or property by fire and other causes; or
- (9) any combination of such factors;

substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations, or constitutes an economic or social liability and is a menace to the public health, safety, morals, or welfare in its present condition and use, is a blighted area²; or

Any area which is predominantly open and which because of obsolete platting, diversity of ownership, deterioration of structures or of site improvements, or otherwise, substantially impairs or arrests the sound growth of a municipality, is a blighted area.³

"City of Mitchell" means Mitchell, South Dakota.

"Department of Revenue" means the South Dakota Department of Revenue.

"Developer" means Groeneweg Construction LLC, a South Dakota limited liability company.

¹ SDCL § 11-9-9

² SDCL § 11-9-10

³ SDCL § 11-9-11

"Developer's Agreement" means the agreement between Groeneweg Construction LLC and the City of Mitchell concerning this Tax Incremental District.

"District" means the Tax Incremental District.

"Economic Development" means all powers expressly granted and reasonably inferred pursuant to SDCL §9-54.

"Fiscal year" means that fiscal year of City of Mitchell.

"Generally Applicable Taxes" shall have the same meaning as set forth in 26 CFR § 1.141-4(e).

"Governing body" means City of Mitchell City Council.

"Grant" means the transfer for a governmental purpose of money or property to a transferee that is not a related party to or an agent of the municipality;

"Infrastructure Improvements" means a street, road, sidewalk, parking facility, pedestrian mall, alley, bridge, sewer, sewage treatment plant, property designed to reduce, eliminate, or prevent the spread of identified soil or groundwater contamination, drainage system, waterway, waterline, water storage facility, rail line, utility line or pipeline, or other similar or related structure or improvement, together with necessary easements for the structure or improvement, for the benefit of or for the protection of the health, welfare, or safety of the public generally.

"Municipality" means any incorporated city or county in this state.

"Owner" means PSG Properties LLC, a South Dakota limited liability company.

"Planning Commission" means City of Mitchell Planning Commission.

"Plan" means this Project Plan.

"Project Costs" means any expenditure or monetary obligations by Developer, whether made, estimated to be made, incurred or estimated to be incurred, which are listed as Project Costs herein will include any costs incidental thereto but diminished by any income, special assessments, or other revenues, other than tax increments, received, or reasonably expected to be received, by Developer in connection with the implementation of this Plan.

"Project Plan" means properly approved Plan for the development or redevelopment of a tax incremental district including all properly approved amendments thereto as recommended pursuant to SDCL § 11-9-13.

"Public Works" means the Infrastructure Improvements, the acquisition by purchase or condemnation of real and personal property within the Tax Incremental District and the sale, lease, or other disposition of such property to private individuals, partnerships, corporations, or other entities at a price less than the cost of such acquisition which benefit or further the health, safety, welfare and economic development of the City and Project Costs.

"Taxable Property" means all real taxable property located in a Tax Incremental District.

"Tax Incremental District" means a contiguous geographic area within a City and/or County defined and created by resolution of the governing body and named City of Mitchell Tax Incremental District #27.

"Tax Increment Valuation" is the total value of the Tax Incremental District minus the tax incremental base pursuant to § 11-9-19.

“Tax Increment Law” means South Dakota Codified Laws Chapter 11-9.

PROPERTY WITHIN THE TAX INCREMENT DISTRICT

Lots Two (2) and Three (3) of Fiala’s Addition in the East Half of the Northwest Quarter (E1/2 NW1/4) of Section Four (4), Township One Hundred Three (103) North, Range Sixty (60), West of the 5th P.M., City of Mitchell, Davison County, South Dakota, except Lots 16, 17, 18, 19, 20, and 21 of Airport Addition, A subdivision of previously platted Lots 2 and 3 of Fiala’s Addition in the E ½ of the NW ¼ of Section 4, T103N, R60W, City of Mitchell Davison County, South Dakota, and except those areas depicted as Future Lots 13 and 14 on the plat of Lot 21 of Airport Addition, A subdivision of previously platted Lots 2 and 3 of Fiala’s Addition in the E ½ of the NW ¼ of Section 4, T103N, R60W, City of Mitchell Davison County, South Dakota;

And

Lots 16, 17, 18, 19, 20, and 21 of Airport Addition, A subdivision of previously platted Lots 2 and 3 of Fiala’s Addition in the E ½ of the NW ¼ of Section 4, T103N, R60W, City of Mitchell Davison County, South Dakota.

The area making up Tax Increment District #27 is shown on the Boundary Map attached to the following page.

CREATION OF CITY OF MITCHELL TID NUMBER 27

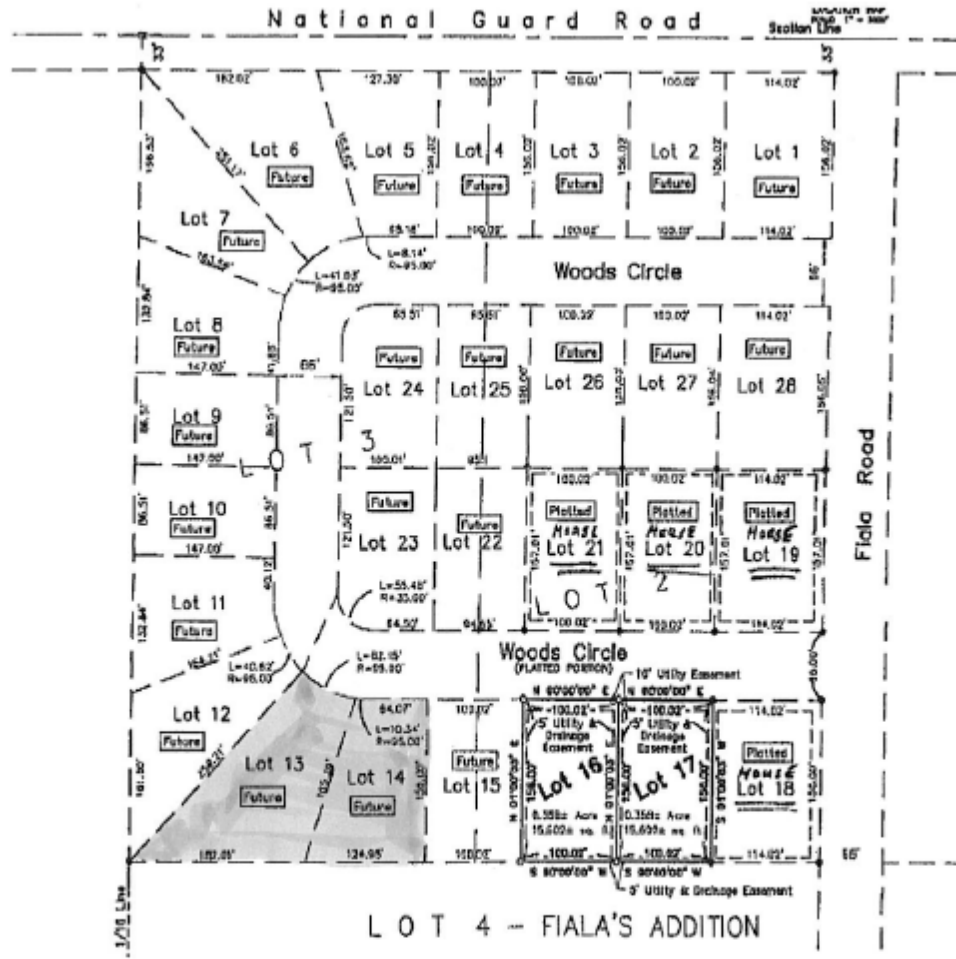
Developer desires to create a Tax Incremental Financing District (“TID”) to assist in the construction of public infrastructure and other TID eligible expenses on land located within the corporate limits of the City of Mitchell, Davison County, South Dakota. As presented by the Developer, the TID will consist of one phase as follows:

Site preparation, street, curb and gutter, drainage and other TID-eligible expenses for the Affordable/Workforce Housing Project proposed for the TID area.

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Figure 1. TID 27 Boundary

Mitchell TIF District 27 Boundary Map



Excluded from TIF Boundaries

LISTING OF KIND, NUMBER, LOCATION AND DETAILED COSTS OF PROPOSED PUBLIC WORKS AND IMPROVEMENTS⁴

In order to implement the provisions of SDCL Chapter 11-9, the following are Project Costs and expenditures made or estimated to be made and the monetary obligations incurred or estimated to be incurred by the Developer. The Project Costs may, by South Dakota law, include capital costs, financing costs, real property assembly costs, professional fee costs, imputed administration costs, relocation costs, organizational costs, discretionary costs and grants, plus any costs incidental thereto, diminished by any income, special assessments, or other revenues, other than tax increments, received, or reasonably expected to be received, by the City.

The City is working to develop an economic and competitive base to benefit the City and the state as a whole. All project costs are found to be necessary and convenient to the creation of the Tax Incremental District and its implementation. The project constitutes an Affordable/Workforce Housing Project and is a proper public purpose of the City. The City exercises the powers expressly stated in and reasonably inferred by SDCL §11-9-15 and Chapter 9-54. The Developer or its assignee shall enter into all contracts in accordance with South Dakota law.

A combination of private investment and tax increment financing will assist progress toward the following additional objectives:

- To address and remedy conditions in the area that impair or arrest the sound growth of the City;
- To implement the Comprehensive Plan and its related element;
- To redevelop and rehabilitate the area in a manner which is compatible with and complementary to unique circumstances in the area;
- To effectively utilize undeveloped and underdeveloped land;
- To improve pedestrian, bicycle, vehicular, and transit-related circulation and safety;
- To ultimately contribute to increased revenues for all taxing entities;
- To encourage the voluntary construction of residential homes, improvements, and conditions;
- To watch for market and/or project opportunities to promote economic development, and when such opportunities exist, to take action within the financial, legal and political limits of the City to acquire land, pursue redevelopment, improvement and construction projects; and
- To improve areas that are likely to significantly enhance the value of substantially all property in the district.

TAXABLE VALUE OF CITY OF MITCHELL

State law requires that tax increment districts cannot exceed ten percent of the taxable value of any municipality. The taxable value for the City of Mitchell is approximately \$972,276,515. The base value of the taxable property for inclusion into this Tax Incremental District, as per the Director of Equalization's records is \$909,719.

⁴ SDCL §11-9-16(1)

South Dakota Codified Law 11-9-7 provides that in order to implement the provisions of this chapter (the TIF statute), the resolution required by §11-9-5 shall contain a finding that the aggregate assessed value of the taxable property in the district plus the **tax incremental base of all other existing districts does not exceed ten percent** of the total assessed value of taxable property in the municipality.

Total base value of active TIF Districts in the City of Mitchell, South Dakota is as follows:

TIF #	Certified Base Value State of South Dakota Department of Revenue City of Mitchell
7	\$265,415
8	\$6,002,565
9	\$50,400
14	\$37,850
16	\$5,005,495
18	\$2,204,600
19	\$13,370
20	\$151,890
21	\$142,235
23	\$3,004,275
24	\$612,635
26	\$45,070
27	\$909,719
Total Base Value(s)	\$18,445,519

The total value of all active TIF districts in the City of Mitchell is less than ten percent (10%) of total taxable value in the City. Using the estimates provided, with TIF #27 included, the total Tax Increment Districts combined is less than 2% when compared to the 2022 Taxable Valuation.

Kind, Number, Location and Detailed Costs of Public Works and Improvements. SDCL §11-9-13(1).

In order to implement the provisions of SDCL Chapter 11-9, the following are Project Costs and expenditures made or estimated to be made and the monetary obligations incurred or estimated to be incurred. The Project Costs may, in any TIF, include capital costs, financing costs, real property assembly costs, professional fee costs, imputed administration costs, relocation costs, organizational costs, discretionary costs and grants, plus any costs incidental thereto.

The City is working to develop an economic and competitive base to benefit the City and the State of South Dakota as a whole, to include additional affordable/workforce housing. All Project Costs are found to be necessary and convenient to the creation of the Tax Incremental District and its implementation. The Project constitutes

affordable/workforce housing which is a proper public purpose of the City. The City exercises the powers expressly stated in and reasonably inferred by SDCL §11-9-15 and Chapter 9-54. The Developer/City shall enter into all contracts in accordance with South Dakota law.

A combination of private investment and tax increment financing will assist progress toward the overall objectives of future development of the City of Mitchell. The Project is part of the overall mission of the City of Mitchell, which includes:

- To recruit new business(s) to the City of Mitchell
- To retain and expand existing business(s) within the City of Mitchell
- To address and remedy conditions in the area that impair or arrest the sound growth of City of Mitchell;
- To develop, redevelop and rehabilitate the area in a manner which is compatible with and
- complementary to unique circumstances in the area;
- To effectively utilize undeveloped and underdeveloped land;
- To ultimately contribute to increased revenues for all taxing entities;
- To improve areas that are likely to significantly enhance the value of substantially all property in the district.

The Affordable Housing Project will help in addressing all of the above.

Costs of Public Works or Improvements

In accordance with SDCL § 11-9-14 the following is the kind, number, location and dollar amount of estimated Project Costs, costs of public works and improvements.

The following are listed as estimated costs of the Project.

Kind of Project	Location ¹	Amount	Reference ²
Capital Costs (Street, Water & Sewer) (Cleaning & grading of land & associated costs)	District		11-9-15(1)
Financing Costs	District		11-9-15(2)
Real Property Assembly	District		11-9-15(3)
Professional Fees	District		11-9-15(4)
Administrative Costs	District		11-9-15(5)
Relocation Costs	District		11-9-15(6)
Organizational Costs	District		11-9-15(7)
Discretionary Costs and Grants	District	\$627,889	11-9-15(8)
Eligible Project Costs		\$627,889	

¹ District shall mean the Tax Increment District.

² SDCL §11 -9-15

(1)) Capital costs, including the actual costs of the construction of public works or improvements, buildings, structures, and permanent fixtures; the demolition, alteration, remodeling, repair, or reconstruction of existing buildings, structures, and permanent fixtures; the acquisition of equipment; the clearing and grading of land; and the amount of interest payable on tax incremental bonds or notes issued pursuant to this chapter until such time as positive tax increments to be received from the district, as estimated by the Project Plan, are sufficient to pay the principal of and interest on the tax incremental bonds or notes when due;

- (2) Financing costs, including all interest paid to holders of evidences of indebtedness issued to pay for Project Costs, any premium paid over the principal amount thereof because of the redemption of such obligations prior to maturity and a reserve for the payment of principal of and interest on such obligations in an amount determined by the governing body to be reasonably required for the marketability of such obligations;
- (3)) Real property assembly costs, including the actual cost of the acquisition by a municipality of real or personal property within a tax incremental district less any proceeds to be received by the municipality from the sale, lease, or other disposition of such property pursuant to a Project Plan;
- (4) Professional service costs, including those costs incurred for architectural, planning, engineering, and legal advice and services;
- (5) Imputed administrative costs, including reasonable charges for the time spent by municipal employees in connection with the implementation of a Project Plan;
- (6)) Relocation costs;
- (7) Organizational costs, including the costs of conducting environmental impact and other studies and the costs of informing the public of the creation of tax incremental districts and the implementation of project plans; and
- (8) Payments and grants made, at the discretion of the governing body, which are found to be necessary or convenient to the creation of tax incremental districts or the implementation of project plans.

All of the above are estimates of the costs involved in the project, and the actual total may be greater or smaller. An itemized listing of the estimated costs is set forth on Schedule 1. Because the cost estimates are only estimated costs, the total authorized TID costs of \$627,889 is the controlling value with respect to authorized TID Project Costs, rather than the particular line item amounts contained in the above Chart and Schedule 1. The line item categories proposed are for guidance only, and actual costs will be determined upon completion of the improvements. The above total represents eligible Project Costs. Only such amounts as are feasible will be allowed by the City or by monetary obligation. Developer reserves the right to be reimbursed for any expenses and advances made by the Developer for the TIF project from TIF funds, so long as the total amount of funds advanced for the TIF District do not exceed \$627,889.

*Costs incurred may be allocated and may be completed in any order.

Expenditures Exceeding Estimated Cost

Any expenditures which in sum would exceed the total amount of the TID amount of \$577,781 will require an amendment of this Plan. All amendments would be undertaken pursuant to SDCL §11-9-23.

If the expenditures within the Plan are increased in excess of the total above, the Department of Revenue will be required to reset the base, in accordance with SDCL §11-9-23.

If the Project Costs are not provided for in the original plan, the governing body would be required to amend the plan which requires the South Dakota Department of Revenue to re-determine the tax increment base when additional Project Costs are added to a plan. SDCL §11-9-23.

Developer's Agreement

The City of Mitchell will enter into a Contract for Private Development with the Developer and Owner with the following as the guidelines for the Agreement:

Financing Terms:

- Amount. The total amount of the TIF will not exceed \$627,889.
- Interest Rate. There may be no interest rate associated with this TIF.
- Length. The TIF will not exceed 20 calendar years from the year of creation.
- Expiration. The TIF will expire at the end of 20 years or when the \$627,889 has been paid out in tax payment to the Developer from the taxes generated within the District, whichever comes first. Should there be a balance on the TIF note at the end of year 20, the TIF will still expire.

Legal Terms:

- Should the State of South Dakota not classify the TIF as Affordable Housing or Economic Development, the TIF will not be finalized and will cease to exist.
- Any owners of real property located within the TIF District will waive their right to the discretionary tax abatement program authorized and in effect for Mitchell, Davison County, South Dakota.

Conditions of the Developer Agreement relating to Constitutional Debt:

The exclusive funding mechanism for this TID will be a grant pass-through of positive tax increment from the TID receipted into the TIF Fund. It is specifically a condition of the proposed Contract for Private Development that the City's obligation to pay is limited to the proceeds of the positive tax increment from the TID receipted into the TIF Fund. The City shall have no obligation to commit any City funds from any other source into the TIF Fund other than the positive tax increment from the TID receipted into the TIF Fund. It is also to be specifically agreed that the City has made no representation that the proceeds from the TIF Fund shall be sufficient to retire any indebtedness incurred by Developer. The parties further acknowledge that SDCL 11-9-25 limits the duration of allocation of the positive tax increment payments and the fund created by the TID to 20 years from the year of creation. As such, it is further understood that the amount of \$627,889 will be the maximum amount the City will ever pass on acting as a conduit for TIF #27 for eligible project costs, including any and all interest which may apply.

All TIF revenue will be passed onto the Developer as a grant until the full amount has been paid or 20 years from the year of creation, whichever happens first. The payment of tax increment funds under this Agreement is a grant under SDCL Chapter 11-9 (the "Grant"). The Grant is a personal property right vested with the Developer on the effective date of the Developer Agreement. The City will grant this amount to the Developer and thus not have to account for any assets on the City's financial statement. The Developer will be responsible for obtaining their financing and the City will not be liable for any Developer debt.

Upon completion of the purchase and construction of the Project involving eligible project costs, the Developer shall certify to the City's Finance Officer the eligible project costs in sufficient detail to determine that payment of grant funds is solely for eligible project costs. The Developer shall provide contractor/ supplier invoices or other supporting documentation upon request of the Finance Officer. Upon certification and verification of eligible project costs, the City shall pass-through all available tax increment fund revenues not to exceed \$627,889 in a manner consistent with this section.

Given that the exclusive funding mechanism for this TID is the grant pass-through of positive tax increment from the TIF Fund, that no tax increment bonds will be issued in relation to this TID, and that the City shall have no obligation to commit other City funds, the City's obligation hereunder shall not in any way be construed to be a debt of the City in contravention of any applicable constitutional or statutory limitation or requirement concerning the creation of indebtedness by the City, nor shall anything contained herein constitute a pledge of the general credit, tax revenues, funds or moneys of the City. In recognition that the City cannot appropriate funds that have not accrued, the City's exclusive obligation shall be to budget and appropriate the positive tax increment from the TID receipted into the TIF Fund on an annual basis during the City's then current fiscal year, as may be required. Notwithstanding anything to the contrary contained in the proposed Agreement, the City hereby acknowledges and agrees that the obligations of the City under this Agreement are a material inducement for Developer to purchase the real property and to incur various development and construct improvements upon the TID property and the failure to pay tax increment to Developer will be financial detrimental to future improvements on said property.

If at any time during the term of this Agreement, (i) the governing body of the City shall fail or refuse to approve or authorize the funds due hereunder, and (ii) if the TID is eligible to be terminated pursuant to SDCL 11-9-46, then the Agreement shall terminate upon the end of the fiscal year for which funds were approved or authorized, without penalty to the City, if both (i) and (ii) occur.

Developer Terms:

- Groeneweg Construction LLC will act as the Developer and all TIF proceeds will flow to Groeneweg Construction LLC according to the terms of the Developer's Agreement.
- Groeneweg Construction LLC will certify the costs to the City for reimbursement.
- Developer shall submit a report to the City no later than November 15 of each calendar year on a form provided by the City.
- In Developer's deed to an initial owner, Developer shall include a covenant that the property be "owner-occupied" for a period of 2 year from the time of the initial sale. However, in the event Developer holds one or more "developed" lots with completed single family dwellings that have not sold within three (3) months of completion of construction, Developer reserves the right to rent such a property as a single family dwelling with the rental amount to be at or below the calculated rent for the State of South Dakota 80% area median income being utilized by the South Dakota Housing Development Authority at the time such rental agreement is entered into.
- In the event that a home is constructed which exceeds the affordable housing value criteria, whether by developer or an initial buyer, Developer shall be ineligible to collect further TIF proceeds.

Detailed List of Estimated Project Costs

Attached as Schedule 1 is a detailed list of estimated Project Costs as per SDCL § 11-9-13(3). No expenditure for Project Costs is provided for more than five years after the District is created.

Feasibility Study

An economic feasibility study per SDCL § 11-9-13(2) is attached as Schedule 2.

Economic Development Study

Not less than 50% of the area within the proposed district will stimulate and develop the general economic welfare and prosperity of the state through commercial, manufacturing, agricultural development and affordable housing as evidenced by the Economic Development Study attached as Schedule 3.

Fiscal Impact Statement

Attached as Schedule 4 is a Fiscal Impact Statement showing the impact of the Tax Increment District, until and after the bonds are repaid, upon all entities levying property taxes in the district. Required as per SDCL § 11-9-13(4).

Method of Financing. Timing of Costs and Monetary Obligations

The payment of Project Costs is anticipated to be made by the City to Developer from the special fund of the Tax Incremental District. SDCL § 11-9-13(5). Pursuant to the Developer's Agreement, the City will pay to the Developer all available tax increment funds it receives from the District.

Maximum Amount of Tax Incremental Revenue

The maximum amount of tax incremental revenue bonds or monetary obligations to be paid through Tax Incremental District #27 shall be the amount sufficient to reimburse the City for the payments made for Project Costs and pay all tax increment bonds or monetary obligations in an amount not to exceed \$627,889 principal and interest or such lesser amount as may be feasible with the estimated revenue generated by the Tax Incremental District. The final terms and conditions will be set forth in the Developer's Agreement.

Duration of Tax Incremental Plan

The duration of the Plan will extend to the number of years it will take for the reimbursement of the City, the extinguishment of bonds and the monetary obligation except that the Plan duration **shall not exceed 20 calendar years** of revenue from the date of creation of the District.

Estimated Impact of Tax Increment Financing on Revenues of Taxing Jurisdictions

The site will generate taxes to the local jurisdictions at or above the assessed value of the Base. All taxing districts shall receive that base which will be the value set for 2022 taxes payable in 2023. The tax increment will be available to the taxing jurisdictions at or before twenty (20) years after the creation of the District. Schedule 5 details the tax capture implications to each of the local taxing jurisdictions. After the repayment of the bonds and monetary obligations, taxing entities will receive their proportionate share of tax dollars for the base value and the tax incremental values.

Conditions Map, Improvements Map, Zoning Change Map

The Conditions Map, SDCL § 11-9-16(1), is included as Attachment 1.

The Improvements Map, SDCL § 11-9-16(2), is included as Attachment 2.

The Zoning Change Map, SDCL § 11-9-16(3), is included as Attachment 3.

Changes to the City of Mitchell Comprehensive/Master Plan/Map, Building Codes & County Ordinances per SDCL § 11-9-16(4)

The City will not have to rezone the real property located within the TIF boundaries, as it is zoned R L.

List of Estimated Non-Project Costs

The following is a list of the Non-Project Costs per SDCL § 11-9-16(5). All costs are listed as taxable value; actual non-project costs will exceed the following amounts.

Item	Amount
Single-family residential homes – tax-assessed values	\$5,520,500
TOTAL	\$5,520,500

Statement of Displacement and Relocation Plan

No residents or families will be displaced by the Project. SDCL § 11-9-16(6)

Performance Bond Surety Bond or other Guaranty

As security for its fulfillment of the agreement with the governing body, a purchaser or lessee of redevelopment property may furnish a performance bond, with such surety and in such form and amount as the governing body may approve or make such other guaranty as the governing body may deem necessary in the public interest. This additional security may be provided for in a Developer's Agreement.

LIST OF SCHEDULES

SCHEDULE 1 Detail of Project Costs
SCHEDULE 2 Economic Feasibility Study
SCHEDULE 3 Economic Development Study
SCHEDULE 4 Fiscal Impact Statement
SCHEDULE 5 Estimated Captured Taxable Values

LIST OF ATTACHMENTS

Attachment 1. Legal Description of Real Property
Attachment 2. Map of Real Property/Improvement
Attachment 3. List of Proposed Changes in Zoning Ordinances

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SCHEDULE 1 – "DETAIL OF PROJECT COSTS"

Kind of Project Cost	Number of Projects	Location ⁵	Amount	Reference ⁶
Capital Costs		District	\$0	11-9-14(1)
Financing Costs		District	\$0	11-9-14(2)
Real Property Assembly		District	\$0	11-9-14(3)
Professional Fees		District	\$0	11-9-14(4)
Administrative Costs		District	\$0	11-9-14(5)
Relocation Costs		District	\$0	11-9-14(6)
Organizational Costs		District	\$0	11-9-14(7)
Discretionary Costs and Grants	1	District	\$627,889	11-9-14(8)
Eligible Project Costs			\$627,889	

⁵ District shall mean the Tax Increment District.

⁶ SDCL §11-9-14

- (1) Capital costs, including the actual costs of the construction of public works or improvements, buildings, structures, and permanent fixtures; the demolition, alteration, remodeling, repair, or reconstruction of existing buildings, structures, and permanent fixtures; the acquisition of equipment; the clearing and grading of land; and the amount of interest payable on tax incremental bonds or notes issued pursuant to this chapter until such time as positive tax increments to be received from the district, as estimated by the Project Plan, are sufficient to pay the principal of and interest on the tax incremental bonds or notes when due;
- (2) Financing costs, including all interest paid to holders of evidences of indebtedness issued to pay for Project Costs, any premium paid over the principal amount thereof because of the redemption of such obligations prior to maturity and a reserve for the payment of principal of and interest on such obligations in an amount determined by the governing body to be reasonably required for the marketability of such obligations;
- (3) Real property assembly costs, including the actual cost of the acquisition by a municipality of real or personal property within a tax incremental district less any proceeds to be received by the municipality from the sale, lease, or other disposition of such property pursuant to a Project Plan;
- (4) Professional service costs, including those costs incurred for architectural, planning, engineering, and legal advice and services;
- (5) Imputed administrative costs, including reasonable charges for the time spent by municipal employees in connection with the implementation of a Project Plan;
- (6) Relocation costs;
- (7) Organizational costs, including the costs of conducting environmental impact and other studies and the costs of informing the public of the creation of tax incremental districts and the implementation of project plans; and
- (8) Payments and grants made, at the discretion of the governing body, which are found to be necessary or convenient to the creation of tax incremental districts or the implementation of project plans.

TIF ELIGIBLE EXPENSES/RESPONSIBLE DEVELOPER

SDCL 11-9-15

Kind of Project	Cost Estimate
Costs of Public Infrastructure	\$562,889*
Professional Fees/Engineering, Design & Legal	\$65,000**
TOTAL COSTS	\$627,889

*An estimate of infrastructure costs is attached to this Schedule.

**This cost includes professional engineering and design fees incurred by Developer directly related to this project and legal fees directly related to the creation of the TIF.

Based upon the foregoing tables and for purposes of this Project Plan, the completion of the first Homes are contemplated to be in calendar year 2022.

There will be additional Homes built within the District 2023, 2024, 2025 and 2026.

It is anticipated that the Developer will procure financing to fund the public infrastructure going into the TID improvements by way of a loan in the amount of \$526,965 with American Bank & Trust of Stickney, South Dakota.

It is assumed that all obligations within the TID will be adequately secured as to allow the payment of principal and interest when due.

The attached table is an illustration of an amortization schedule for the loan--for illustrative purposes only. It provides for the drawdown of funds as indicated in the table. An interest rate of 4.5% is utilized for the. The actual amortization schedule and interest rate will be set when Developer borrows funds.

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TO ACCOMMODATE TABLES]

Estimate of Infrastructure Costs

Cost Estimate Groeneweg Construction Airport Addition Mitchell, South Dakota

Item #	Description	Estimated Quantity	Engineer's Estimate	
			Unit Price	Total Price
1	Detention Basin Excavation	1,500 CY	\$8.00	\$12,000.00
2	Storm Sewer Manhole	2 EA	\$5,000.00	\$10,000.00
3	Storm Sewer Inlet	1 EA	\$2,500.00	\$2,500.00
4	15" RCP Storm Sewer Pipe	650 LF	\$60.00	\$39,000.00
5	RCP Flared End Section	1 EA	\$1,500.00	\$1,500.00
6	Remove, Salvage and Reset 12" RCP	60 LF	\$25.00	\$1,500.00
Water				
7	6" Water Main	1,015 LF	\$37.00	\$37,555.00
8	6"x1" Corp Stop w/ Service Saddle	22 EA	\$350.00	\$7,700.00
9	1" Curb Stop w/ Box	22 EA	\$350.00	\$7,700.00
10	1" Copper Service Pipe	770 LF	\$30.00	\$23,100.00
11	6" Gate Valve w/ Box	3 EA	\$1,500.00	\$4,500.00
12	8"x6" MJ Water Main Tee	1 EA	\$900.00	\$900.00
13	6"x6" MJ Water Main Tee	2 EA	\$850.00	\$1,700.00
14	Fire Hydrant Assembly	2 EA	\$3,600.00	\$7,200.00
15	Tracer Wire Box for Water Main	22 EA	\$150.00	\$3,300.00
16	Connect to Existing Water Main	3 EA	\$1,500.00	\$4,500.00
Sanitary Sewer				
17	Sanitary Sewer Manhole	5 EA	\$3,600.00	\$18,000.00
18	Additional Depth of Sanitary Sewer Manhole	19.6 EA	\$250.00	\$4,900.00
19	8" PVC Sanitary Sewer Main	1,080 LF	\$50.00	\$54,000.00
20	Post Televising Sanitary Sewer Main	1,080 LF	\$2.00	\$2,160.00
21	4" PVC Sanitary Sewer Service	705 LF	\$30.00	\$21,150.00
22	8" x 4" Sanitary Sewer Wye	22 EA	\$250.00	\$5,500.00
23	Sanitary Sewer Service Cap	22 EA	\$250.00	\$5,500.00
24	Connect to Existing Sanitary Sewer Main	3 EA	\$1,200.00	\$3,600.00
25	Tracer Wire Box for Sanitary Sewer Service	22 EA	\$250.00	\$5,500.00
26	Bypass Pumping	1 LS	\$5,000.00	\$5,000.00
Street				
27	Street Excavation	2,500 CY	\$8.00	\$20,000.00
28	Asphalt Surfacing	810 TN	\$95.00	\$76,950.00
29	Gravel Base Course	2,400 TN	\$20.00	\$48,000.00
30	Concrete Curb and Gutter	2,542 LF	By Developer	
31	Concrete Fillet Section	20 SY	By Developer	
32	6" Concrete Valley Gutter	17 SY	By Developer	
Miscellaneous				
33	Clear and Grub Area	1 LS	\$5,000.00	\$5,000.00
34	Strip & Replace Topsoil	2,500 SY	\$1.50	\$3,750.00
35	Traffic Control	1 LS	\$5,000.00	\$5,000.00
36	Erosion Control	1 LS	\$2,500.00	\$2,500.00
37	Incidental Construction	1 LS	\$13,600.00	\$13,600.00
38	Mobilization	1 LS	\$37,200.00	\$37,200.00
Total for Bid Schedule A Items 1 - 38 Inclusive			\$501,965.00	

*Cost of items 30-32 to be provided by Developer equal \$60,924., bringing estimated infrastructure costs to \$562,889.

American Bank & Trust Loan

Input Data		Assumptions:
Advance Date of Bond	6/1/2022	
First Payment Date	6/1/2024	
Bond Amount	627,889	
Rate	4.50%	
Maturity Date	6/1/2042	
Repayment Frequency	Semi-Annual	

Payment Dates	Number Days Between Payments	Actual Interest Expense	Principal Balance	Capitalized Interest Amount	Principal Payment	Pmt Amt
06/01/22			627,889.00			
06/01/24	731	57,373.36	676,371.05	48,482.05		8,891.31
12/01/24	183	15,471.99	682,951.73	6,580.68	-	8,891.31
06/01/25	182	15,537.15	680,706.26	-	2,245.47	17,782.62
12/01/25	183	15,571.16	678,494.79	-	2,211.46	17,782.62
06/01/26	182	15,435.76	664,831.72	-	13,663.07	29,098.83
12/01/26	183	15,208.03	650,940.91	-	13,890.80	29,098.83
06/01/27	182	14,808.91	625,334.78	-	25,606.13	40,415.04
12/01/27	183	14,304.53	599,224.27	-	26,110.51	40,415.04
06/01/28	183	13,707.26	563,625.18	-	35,599.09	49,306.35
12/01/28	183	12,892.93	527,211.75	-	36,413.42	49,306.35
06/01/29	182	11,994.07	489,899.47	-	37,312.28	49,306.35
12/01/29	183	11,206.45	451,799.57	-	38,099.90	49,306.35
06/01/30	182	10,278.44	412,771.66	-	39,027.91	49,306.35
12/01/30	183	9,442.15	372,907.46	-	39,864.20	49,306.35
06/01/31	182	8,483.64	332,084.76	-	40,822.71	49,306.35
12/01/31	183	7,596.44	290,374.85	-	41,709.91	49,306.35
06/01/32	183	6,642.32	247,710.82	-	42,664.03	49,306.35
12/01/32	183	5,666.39	204,070.86	-	43,639.96	49,306.35
06/01/33	182	4,642.61	159,407.12	-	44,663.74	49,306.35
12/01/33	183	3,646.44	113,747.21	-	45,659.91	49,306.35
06/01/34	182	2,587.75	67,028.61	-	46,718.60	49,306.35
12/01/34	183	1,533.28	19,255.54	-	47,773.07	49,306.35
06/01/35	182	438.06	-	-	19,255.54	49,306.35
12/01/35	183	-	-	-	-	49,306.35
06/01/36	183	-	-	-	-	49,306.35
12/01/36	183	-	-	-	-	49,306.35
06/01/37	182	-	-	-	-	49,306.35
12/01/37	183	-	-	-	-	49,306.35
06/01/38	182	-	-	-	-	49,306.35
12/01/38	183	-	-	-	-	49,306.35
06/01/39	182	-	-	-	-	49,306.35
12/01/39	183	-	-	-	-	49,306.35
06/01/40	183	-	-	-	-	49,306.35
12/01/40	183	-	-	-	-	49,306.35
06/01/41	182	-	-	-	-	49,306.35
12/01/41	183	-	-	-	-	49,306.35
06/01/42	182	-	-	-	-	49,306.35
				55,062.73	682,951.73	1,622,259.75

SCHEDULE 2 – “ECONOMIC FEASIBILITY STUDY”

The City of Mitchell has been approached by the Developer concerning the creation of a tax increment district to be located within the City of Mitchell, Davison County, South Dakota. The Project will consist of an Affordable Housing/Workforce Housing Project located on a tract of land containing twenty- (26) lots, four (4) of which have already been developed into single-family residential homes with initial tax-assessed values at or below the first-time homebuyer purchase price limits for Mitchell, South Dakota. Owner owns the remaining twenty-two (22) undeveloped lots and has plans for building an Affordable Housing/Workforce Housing Project.

Owner’s purpose for purchasing the property is to have the Developer develop a single-family home development consisting of twenty-six (26) single-family residential development units, four (4) of which have already had single-family homes constructed upon them. All new homes built in the remaining 22 lots of the development shall be built as “single family affordable housing,” all having an original selling price at or below the first-time home buyer’s purchase price limit being used by the South Dakota Housing Development Authority. The intent of the Project is to create new, affordable/work force homeownership opportunities for the City of Mitchell, South Dakota, as there is a shortage of such housing in the City of Mitchell. The Owner will, prior to the sale of the first lot, cause covenants to be placed on the 22 lots to be developed by Developer, incorporating the requirement that all homes constructed on the 22 lots shall have an assessed value, upon completion of the construction or original purchase of the house and lot, to include the value of the real estate and the home, at or below the first-time home buyer’s purchase price limits for Mitchell, South Dakota being used by the South Dakota Housing Development Authority.

The Developer has indicated that the project is not feasible without the assistance of the Tax Increment District. This is a “but for” type of tax increment district financing. The project will not proceed further and within a reasonable time frame “but for” the assistance from the City through the creation of a tax increment district for the project. With the assistance of a TIF, the project will be able to be built out much quicker and provide the affordable workforce housing sooner (as it is needed now) than having the project built out over a 15-year-plus time period, if at all.

The City has made it clear that City funding for these public improvements must be supported by the tax revenues generated by the Project, and not by the general revenues of the City. The vehicle through which this can be accomplished is through tax increment financing under the South Dakota Tax Incremental District Law (South Dakota Codified Laws Chapter 11-9). Tax increment financing is an indispensable self-financing tools used throughout the United States to help local governments successfully develop and redevelop areas and encourage economic development.

In tax increment financing, the current real property tax assessed value of all properties in a designated project area (“tax increment financing district”) is established as the “base value.” As development in the tax increment financing district increases the assessed values of the redeveloped properties, a portion of the additional tax revenue generated by the increase in assessed value over the base value is set aside and committed by the City to the reimbursement of approved project costs.

Tax increment financing is permitted only in connection with a “Project Plan” duly adopted by the City.

The estimated increment resulting from the improvements would be up to the sum of \$1,671,565 if the TIF were to stay in existence for the full 20 years, as evidenced by the Tables on pages 21 and 22.

Revenue Assumptions / Feasibility Study

Levies are based on 2021 payable in 2022

Construction Year	Valuation Year	Revenue Year	250K Purchase Price Units Built (Total)	Valuation Increments	Valuation Total	Davison County	City of Mitchell	JR	Mitchell School District	Total Mill Rate*	Non-Ag Factor	Total Revenue Increment	Cumulative Amt Paid
2022	2023	2024	2 (2)	\$ 452,500.00	\$ 452,500.00	0.0042	0.005758	0.000063	0.007832	0.017863	0.905	\$ 8,083.01	\$ 8,083.01
2023	2024	2025	2 (4)	\$ 452,500.00	\$ 905,000.00	0.0042	0.005758	0.000063	0.007832	0.017863	0.905	\$ 16,166.02	\$ 24,249.02
2024	2025	2026	2 (6)	\$ 452,500.00	\$ 1,357,500.00	0.0042	0.005758	0.000063	0.007832	0.017863	0.905	\$ 24,249.02	\$ 48,498.05
2025	2026	2027	2 (8)	\$ 452,500.00	\$ 1,810,000.00	0.0042	0.005758	0.000063	0.007832	0.017863	0.905	\$ 32,332.03	\$ 80,830.08
2026	2027	2028	2 (10)	\$ 452,500.00	\$ 2,262,500.00	0.0042	0.005758	0.000063	0.007832	0.017863	0.905	\$ 40,415.04	\$ 121,245.11
2027	2028	2029	-			0.0042	0.005758	0.000063	0.007832	0.017863	0.905	\$ 40,415.04	\$ 161,660.15
2028	2029	2030	-			0.0042	0.005758	0.000063	0.007832	0.017863	0.905	\$ 40,415.04	\$ 202,075.19
2029	2030	2031	-			0.0042	0.005758	0.000063	0.007832	0.017863	0.905	\$ 40,415.04	\$ 242,490.23
2030	2031	2032	-			0.0042	0.005758	0.000063	0.007832	0.017863	0.905	\$ 40,415.04	\$ 282,905.26
2031	2032	2033	-			0.0042	0.005758	0.000063	0.007832	0.017863	0.905	\$ 40,415.04	\$ 323,320.30
2032	2033	2034	-			0.0042	0.005758	0.000063	0.007832	0.017863	0.905	\$ 40,415.04	\$ 363,735.34
2033	2034	2035	-			0.0042	0.005758	0.000063	0.007832	0.017863	0.905	\$ 40,415.04	\$ 404,150.38
2034	2035	2036	-			0.0042	0.005758	0.000063	0.007832	0.017863	0.905	\$ 40,415.04	\$ 444,565.41
2035	2036	2037	-			0.0042	0.005758	0.000063	0.007832	0.017863	0.905	\$ 40,415.04	\$ 484,980.45
2036	2037	2038	-			0.0042	0.005758	0.000063	0.007832	0.017863	0.905	\$ 40,415.04	\$ 525,395.49
2037	2038	2039	-			0.0042	0.005758	0.000063	0.007832	0.017863	0.905	\$ 40,415.04	\$ 565,810.53
2038	2039	2040	-			0.0042	0.005758	0.000063	0.007832	0.017863	0.905	\$ 40,415.04	\$ 606,225.56
2039	2040	2041	-			0.0042	0.005758	0.000063	0.007832	0.017863	0.905	\$ 40,415.04	\$ 646,640.60
2040	2041	2042	-			0.0042	0.005758	0.000063	0.007832	0.017863	0.905	\$ 40,415.04	\$ 687,055.64
2041	2042	-	-										
2042	-	-	-										

Owner Occupied

True & Full Value \$ 250,000.00

Tax Assessed Value \$ 226,250.00

Assumptions:

* Assumes Mill Levies remain constant for the duration of the TIF

Notes:

These numbers are for projection purposes only and do not reflect what the actual number(s) may be. The projection numbers are based on assumptions provided by the developer.

Revenue Assumptions / Feasibility Study

Levies are based on 2021 payable in 2022

Construction Year	Valuation Year	Revenue Year	300K Purchase Price Units Built (Total)	Valuation Increments	Valuation Total	Davison County	City of Mitchell	JR	Mitchell School District	Total Mill Rate*	Non-Ag Factor	Total Revenue Increment	Cumulative Amt Paid
2022	2023	2024	2 (2)	\$ 543,000.00	\$ 543,000.00	0.00421	0.005758	0.000063	0.007832	0.017863	0.905	\$ 9,699.61	\$ 9,699.61
2023	2024	2025	2 (4)	\$ 543,000.00	\$ 1,086,000.00	0.00421	0.005758	0.000063	0.007832	0.017863	0.905	\$ 19,399.22	\$ 29,098.83
2024	2025	2026	3 (7)	\$ 814,500.00	\$ 1,900,500.00	0.00421	0.005758	0.000063	0.007832	0.017863	0.905	\$ 33,948.63	\$ 63,047.46
2025	2026	2027	3 (10)	\$ 814,500.00	\$ 2,715,000.00	0.00421	0.005758	0.000063	0.007832	0.017863	0.905	\$ 48,498.05	\$ 111,545.50
2026	2027	2028	2 (12)	\$ 543,000.00	\$ 3,258,000.00	0.00421	0.005758	0.000063	0.007832	0.017863	0.905	\$ 58,197.65	\$ 169,743.16
2027	2028	2029	-			0.00421	0.005758	0.000063	0.007832	0.017863	0.905	\$ 58,197.65	\$ 227,940.81
2028	2029	2030	-			0.00421	0.005758	0.000063	0.007832	0.017863	0.905	\$ 58,197.65	\$ 286,138.47
2029	2030	2031	-			0.00421	0.005758	0.000063	0.007832	0.017863	0.905	\$ 58,197.65	\$ 344,336.12
2030	2031	2032	-			0.00421	0.005758	0.000063	0.007832	0.017863	0.905	\$ 58,197.65	\$ 402,533.77
2031	2032	2033	-			0.00421	0.005758	0.000063	0.007832	0.017863	0.905	\$ 58,197.65	\$ 460,731.43
2032	2033	2034	-			0.00421	0.005758	0.000063	0.007832	0.017863	0.905	\$ 58,197.65	\$ 518,929.08
2033	2034	2035	-			0.00421	0.005758	0.000063	0.007832	0.017863	0.905	\$ 58,197.65	\$ 577,126.74
2034	2035	2036	-			0.00421	0.005758	0.000063	0.007832	0.017863	0.905	\$ 58,197.65	\$ 635,324.39
2035	2036	2037	-			0.00421	0.005758	0.000063	0.007832	0.017863	0.905	\$ 58,197.65	\$ 693,522.04
2036	2037	2038	-			0.00421	0.005758	0.000063	0.007832	0.017863	0.905	\$ 58,197.65	\$ 751,719.70
2037	2038	2039	-			0.00421	0.005758	0.000063	0.007832	0.017863	0.905	\$ 58,197.65	\$ 809,917.35
2038	2039	2040	-			0.00421	0.005758	0.000063	0.007832	0.017863	0.905	\$ 58,197.65	\$ 868,115.01
2039	2040	2041	-			0.00421	0.005758	0.000063	0.007832	0.017863	0.905	\$ 58,197.65	\$ 926,312.66
2040	2041	2042	-			0.00421	0.005758	0.000063	0.007832	0.017863	0.905	\$ 58,197.65	\$ 984,510.31
2041	2042	-	-										
2042	-	-	-										

Owner Occupied
 True & Full Value \$ 300,000.00
 Tax Assessed Value \$ 271,500.00

Assumptions:

* Assumes Mill Levies remain constant for the duration of the TIF

Notes:

These numbers are for projection purposes only and do not reflect what the actual number(s) may be.
 The projection numbers are based on assumptions provided by the developer.

SCHEDULE 3 – “ECONOMIC DEVELOPMENT STUDY”

SECTION 1- INTRODUCTION

The City has been approached concerning the creation of a tax increment district located within the City of Mitchell, Davison County, South Dakota. In order to determine whether a tax increment district (TID) may be created, the governing body must make a finding that not less than 50%, by area, of the real property within the district will stimulate and develop the general economic welfare and prosperity of the State through the promotion and advancement of industrial, commercial, manufacturing, Affordable Housing, agricultural and natural resources, and the improvement of the area is likely to enhance significantly the value of substantially all of the other real property in the district. This Schedule will address Economic Development through the development of an Affordable/Workforce Housing Project within the City of Mitchell city limits.

SECTION 2 - STUDY AREA BOUNDARY/FINDING OF BLIGHT

The Study area is described as the area depicted on the map attached to this Project Plan as Attachment 2 and includes the legal descriptions set forth within this Project Plan. The TIF district contains over 8 acres of open ground. It currently has no site improvements, other than those limited services serving the four existing homes in the district. An open area such as this within the City limits of the City of Mitchell substantially impairs and arrests the sound growth of the City as defined by SDCL 11-9-11, which provides an open area as blighted. A factor keeping this area from being fully developed is the cost of public infrastructure. The approval of this TIF will provide a way for the Developer to provide the required infrastructure improvements, which could not be done without the TIF. The TIF will also allow the Developer to sell the lots for less, thus making the area amenable to Affordable Housing.

SECTION 3 - ESTABLISHING AFFORDABLE HOUSING CRITERIA

Owner has purchased real estate consisting of 26 lots located in an area known as Airport Addition in Mitchell, South Dakota. Owner has appointed Developer to develop the real estate into an affordable housing/workforce housing development. The Project will consist of up to 26 residential dwelling units, four of which have already been built upon, and the 22 undeveloped lots in the Project. All homes built in the Project shall be built to comply as “single-family affordable housing,” all having an original selling price/construction price, to include the real estate cost and construction cost, at or below the first-time home buyer’s purchase price limits for Mitchell, South Dakota being used by the South Dakota Housing Development Authority at the time of initial sale/initial construction. The intent of the Project is to create new, affordable/workforce homeownership opportunities for the City of Mitchell, South Dakota to offer to new and existing residents.

Section 4 - Finding That the Improvements to the Area are Likely to Enhance Significantly the Value of Substantially All of the Other Real Property in the District

The primary goal of the TID is to provide additional Affordable/Workforce Housing by developing a project to be constructed upon real property located within the TID boundaries, to complete site preparation and public infrastructure necessary to serve the real property located within the TID boundaries to include internal streets.

The TID area consists of 4 developed lots and 22 undeveloped lots within the corporate city limits of the City. The completion of the Affordable Housing development will allow for the creation of new jobs and the retention of existing jobs and develop not only the general economic welfare and prosperity of the City of Mitchell, but also of the State of South Dakota through promotion and advancement of commercial and industrial business. Owner will cause

a set of covenants to be placed against the 22 undeveloped lots to assure that Affordable Housing guidelines are followed for all first-time sales of homes/construction of homes in the 22 undeveloped lots in the TID boundaries.

It is specifically found that once the improvements set forth within City TID #27 Project Plan are completed, this Project will significantly enhance the value of substantially all of the other real property in the TID District. It is anticipated that the Project will provide additional development and employment opportunities in the Mitchell and Davison County area through providing Affordable/Workforce Housing options in Mitchell, South Dakota.

Section 5 - Conditions within the Study Area; Land Use and Planning

Land Use and Planning

Comprehensive Plan

The proposed use of the district is consistent with the City of Mitchell Comprehensive Plan.

SECTION 6 - FINDINGS WITHIN THE STUDY AREA ANALYSIS

In accordance with state law, it is found that not less than fifty percent (50%) by area of the real property within the District will stimulate and develop the general economic welfare and prosperity of the State of South Dakota through the promotion and advancement of industrial, commercial, manufacturing, agricultural, and natural resources by increasing the number of Affordable Housing/Workforce Housing single family homes in Mitchell, Davison County area, as well as creating new employment opportunities and retaining existing jobs for the Mitchell area, and it is found that the improvement of the area is likely to enhance significantly the value of substantially all of the other real property in the District in accord with SDCL 11-9-8(1) and (2).

SCHEDULE 4 - "FISCAL IMPACT STATEMENT"

FISCAL IMPACT STATEMENT - TAX INCREMENT DISTRICT NUMBER 27

INTRODUCTION

The fiscal impact statement is intended to provide a succinct analysis of the estimated impact of the Tax Increment District to the public pursuant to SDCL § 11-9-16(4). It is not intended to rival the level of detail required by a detailed financial analysis. A fiscal impact statement shows the impact of the Tax Increment District, both until and after the bonds or obligations are repaid, upon all entities levying taxes upon property in the district.

DEFINITIONS

"Assumptions" means factors or definitions used in the fiscal analysis. Assumptions may include facts and figures identified by the District and educated guesses that are sometimes necessary when not all of the information is available. Assumptions are often used to extrapolate an estimate. Assumptions may include an estimate of tax levies of each taxing entity, the school aid formula contribution, the value of the real property, etc.

"Base Revenues" means the taxes collected on the base value.

"Fiscal Impact" means the increase or decrease in revenues and generally refers to an impact to revenues caused by the district.

"Revenue" means ad valorem taxes.

"Tax Increment District" means City of Mitchell Tax Increment District Number 27.

"Taxing Districts" means all political subdivisions of the state which have ad valorem taxing power over property within the boundaries of the Tax Increment District.

"Tax Increment Revenues" means all revenues above the Base Revenues.

ASSUMPTIONS:

1. The property will have improvements which at completion will be valued for taxable purposes at a minimum of \$5,520,500.
2. The average tax levy of all taxing districts will be \$17.863 per thousand dollars of taxable valuation (2022).
3. Tax increment will start to be collected in 2024 and end in or prior to 2042.
4. The discretionary formula will be waived by the Developer as well as any property owner located within the TIF District.
5. Interest: The loan obligations may be capitalized.

FISCAL IMPACT:

The total fiscal impact upon the taxing entities during the term of the Tax Increment District will be an estimated \$1,671,566. There will be no fiscal impact for the first year of the Tax Increment District.

FISCAL IMPACT

The total fiscal impact upon the taxing entities during the term of the Tax Increment District is as follows:

Valuation Assumptions	Base Full/True Value	Increase	Positive Increment
Land/Existing Improvements	\$909,719	0	
Additional Improvements		\$5,520,500	\$5,520,500
Total Positive Increment		\$5,520,500	\$5,520,500

SCHEDULE 5 – "ESTIMATED CAPTURED TAXABLE VALUES"

It is assumed, for purposes of this Plan, that four (4) single-family residences will be constructed in Year 1 of the TIF; four (4) single-family residences will be constructed in Year 2 of the TIF; five (5) single-family residences will be constructed in Year 3 of the TIF; five (5) single-family residences will be constructed in Year 4 of the TIF; and four (4) single-family residences will be constructed in Year 5 of the TIF, for a total of 22 single-family residences.

Actual valuation shall depend upon the value determined by the Davison County Director of Equalization when assessed, with the application of dollars-per-thousand from local taxes. All tax increment revenues shall be from Generally Applicable Taxes attributable to the improvements to be constructed in the TID. The potential for total increment collections are estimated to be at the maximum range of \$1,671,566 covering a span of captured tax years not to exceed twenty (20). Collection is anticipated to begin in 2024, and the schedule carries out the tax captured 20 years from the date of Plan adoption.

The following dollars-per-thousand rates are the current taxing rates of the local taxing jurisdictions:

Taxing Districts	Levy (\$ per 1000)
Davison County	\$4.21
Mitchell School District	\$7.832
City of Mitchell	\$4.758
JR Water	\$.063
Total Tax Levy	\$17.863

Using the information regarding expected increment valuation and tax generation, it is possible to generate an expected revenue stream that can be utilized to retire debt that will be created as a result of implementing the Project Plan.

See Tables on Page 28 & 29.

Revenue Assumptions / Feasibility Study

Levies are based on 2021 payable in 2022

Construction Year	Valuation Year	Revenue Year	250K Purchase Price Units Built (Total)	Valuation Increments	Valuation Total	Davison County	City of Mitchell	JR	Mitchell School District	Total Mill Rate*	Non-Ag Factor	Total Revenue Increment	Cumulative Amt Paid
2022	2023	2024	2 (2)	\$ 452,500.00	\$ 452,500.00	0.0042	0.005758	0.000063	0.007832	0.017863	0.905	\$ 8,083.01	\$ 8,083.01
2023	2024	2025	2 (4)	\$ 452,500.00	\$ 905,000.00	0.0042	0.005758	0.000063	0.007832	0.017863	0.905	\$ 16,166.02	\$ 24,249.02
2024	2025	2026	2 (6)	\$ 452,500.00	\$ 1,357,500.00	0.0042	0.005758	0.000063	0.007832	0.017863	0.905	\$ 24,249.02	\$ 48,498.05
2025	2026	2027	2 (8)	\$ 452,500.00	\$ 1,810,000.00	0.0042	0.005758	0.000063	0.007832	0.017863	0.905	\$ 32,332.03	\$ 80,830.08
2026	2027	2028	2 (10)	\$ 452,500.00	\$ 2,262,500.00	0.0042	0.005758	0.000063	0.007832	0.017863	0.905	\$ 40,415.04	\$ 121,245.11
2027	2028	2029	-			0.0042	0.005758	0.000063	0.007832	0.017863	0.905	\$ 40,415.04	\$ 161,660.15
2028	2029	2030	-			0.0042	0.005758	0.000063	0.007832	0.017863	0.905	\$ 40,415.04	\$ 202,075.19
2029	2030	2031	-			0.0042	0.005758	0.000063	0.007832	0.017863	0.905	\$ 40,415.04	\$ 242,490.23
2030	2031	2032	-			0.0042	0.005758	0.000063	0.007832	0.017863	0.905	\$ 40,415.04	\$ 282,905.26
2031	2032	2033	-			0.0042	0.005758	0.000063	0.007832	0.017863	0.905	\$ 40,415.04	\$ 323,320.30
2032	2033	2034	-			0.0042	0.005758	0.000063	0.007832	0.017863	0.905	\$ 40,415.04	\$ 363,735.34
2033	2034	2035	-			0.0042	0.005758	0.000063	0.007832	0.017863	0.905	\$ 40,415.04	\$ 404,150.38
2034	2035	2036	-			0.0042	0.005758	0.000063	0.007832	0.017863	0.905	\$ 40,415.04	\$ 444,565.41
2035	2036	2037	-			0.0042	0.005758	0.000063	0.007832	0.017863	0.905	\$ 40,415.04	\$ 484,980.45
2036	2037	2038	-			0.0042	0.005758	0.000063	0.007832	0.017863	0.905	\$ 40,415.04	\$ 525,395.49
2037	2038	2039	-			0.0042	0.005758	0.000063	0.007832	0.017863	0.905	\$ 40,415.04	\$ 565,810.53
2038	2039	2040	-			0.0042	0.005758	0.000063	0.007832	0.017863	0.905	\$ 40,415.04	\$ 606,225.56
2039	2040	2041	-			0.0042	0.005758	0.000063	0.007832	0.017863	0.905	\$ 40,415.04	\$ 646,640.60
2040	2041	2042	-			0.0042	0.005758	0.000063	0.007832	0.017863	0.905	\$ 40,415.04	\$ 687,055.64
2041	2042	-	-										
2042	-	-	-										

Owner Occupied

True & Full Value \$ 250,000.00

Tax Assessed Value \$ 226,250.00

Assumptions:

* Assumes Mill Levies remain constant for the duration of the TIF

Notes:

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Revenue Assumptions / Feasibility Study

Levies are based on 2021 payable in 2022

Construction Year	Valuation Year	Revenue Year	300K Purchase Price Units Built (Total)	Valuation Increments	Valuation Total	Davison County	City of Mitchell	JR	Mitchell School District	Total Mill Rate*	Non-Ag Factor	Total Revenue Increment	Cumulative Amt Paid
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2030	2031	2032	-			0.00421	0.005758	0.000063	0.007832	0.017863	0.905	\$ 58,197.65	\$ 402,533.77
2031	2032	2033	-			0.00421	0.005758	0.000063	0.007832	0.017863	0.905	\$ 58,197.65	\$ 460,731.43
2032	2033	2034	-			0.00421	0.005758	0.000063	0.007832	0.017863	0.905	\$ 58,197.65	\$ 518,929.08
2033	2034	2035	-			0.00421	0.005758	0.000063	0.007832	0.017863	0.905	\$ 58,197.65	\$ 577,126.74
2034	2035	2036	-			0.00421	0.005758	0.000063	0.007832	0.017863	0.905	\$ 58,197.65	\$ 635,324.39
2035	2036	2037	-			0.00421	0.005758	0.000063	0.007832	0.017863	0.905	\$ 58,197.65	\$ 693,522.04
2036	2037	2038	-			0.00421	0.005758	0.000063	0.007832	0.017863	0.905	\$ 58,197.65	\$ 751,719.70
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2039	2040	2041	-			0.00421	0.005758	0.000063	0.007832	0.017863	0.905	\$ 58,197.65	\$ 926,312.66
2040	2041	2042	-			0.00421	0.005758	0.000063	0.007832	0.017863	0.905	\$ 58,197.65	\$ 984,510.31
2041	2042	-	-										
2042	-	-	-										

Owner Occupied
True & Full Value \$ 300,000.00
Tax Assessed Value \$ 271,500.00

Assumptions:

* Assumes Mill Levies remain constant for the duration of the TIF

Notes:

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The projection numbers are based on assumptions provided by the developer.

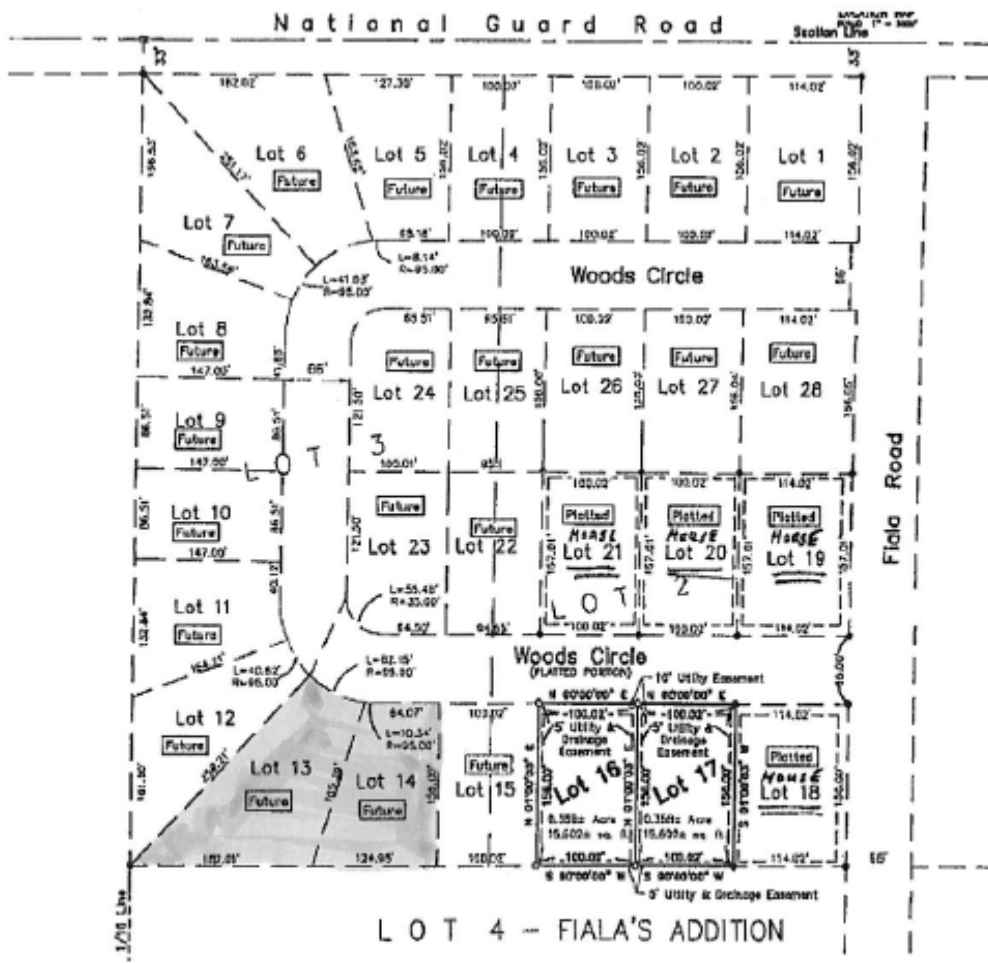
ATTACHMENT 1

LEGAL DESCRIPTION OF REAL PROPERTY

Lots Two (2) and Three (3) of Fiala's Addition in the East Half of the Northwest Quarter (E1/2 NW1/4) of Section Four (4), Township One Hundred Three (103) North, Range Sixty (60), West of the 5th P.M., City of Mitchell, Davison County, South Dakota, to include platted Lots Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19), Twenty (20) and Twenty-one (21), and the public rights of way as platted, but excluding future Lots Thirteen (13) and Fourteen (14) as depicted on the Master Plan for the development.

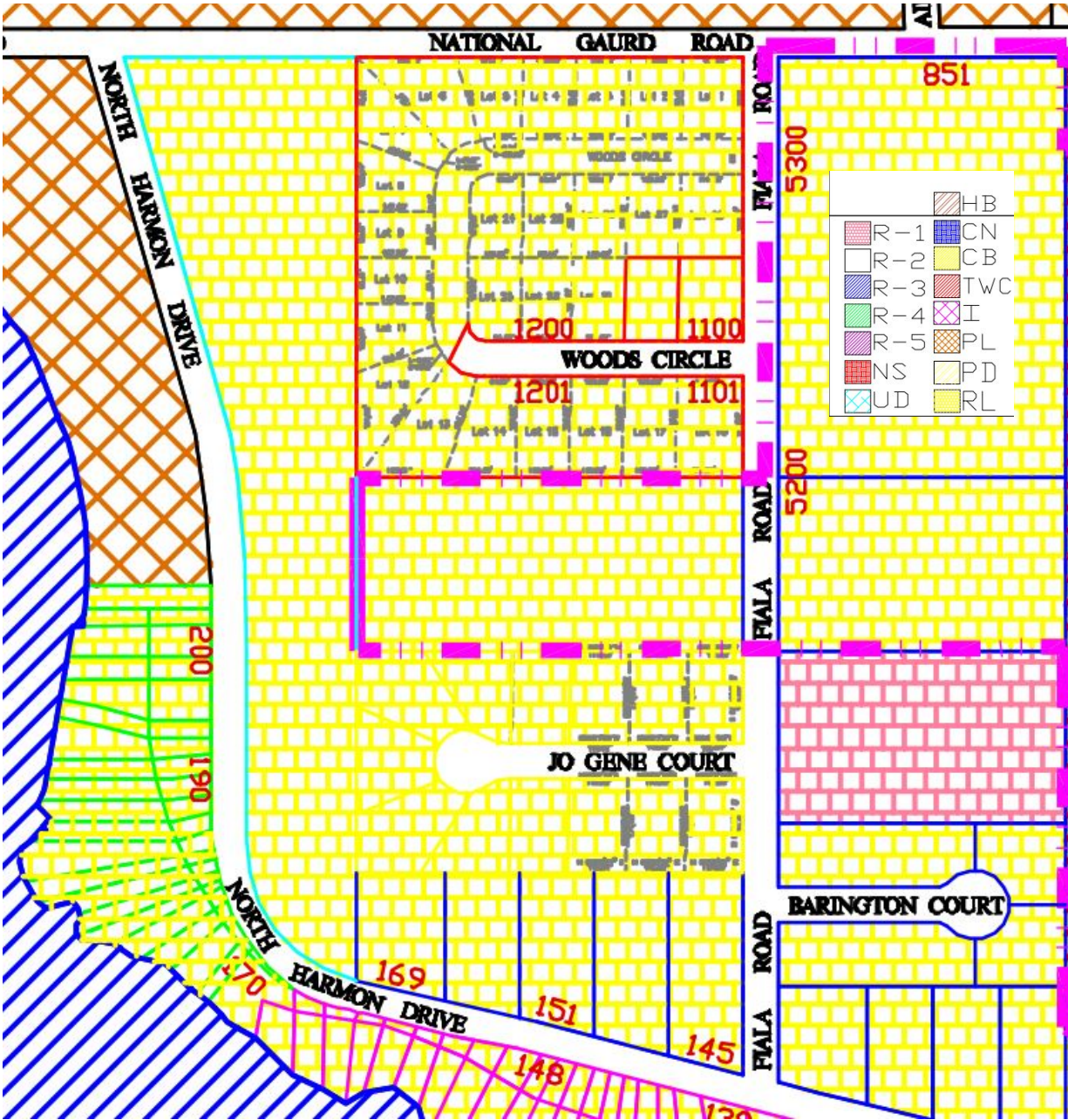
ATTACHMENT 2

MAP OF REAL PROPERTY/IMPROVEMENTS



Excluded from TIF Boundaries

ATTACHMENT 3
LIST OF PROPOSED CHANGES IN ZONING ORDINANCES



No changes, as the area is zoned Lake Residential.

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN to the general public and all interested parties that the City of Mitchell Planning Commission will conduct a public hearing and acted upon in the City Hall Council Chambers at 612 North Main Street, Mitchell, South Dakota at 12:00 pm (noon) on March 28, 2022 in regards to a proposed project plan and the establishment of boundaries for the proposed tax increment financing district known as City of Mitchell Tax Incremental District Number Twenty-seven (27).

The following real property is to be included in this district and is legally described as follows:

Lots Two (2) and Three (3) of Fiala's Addition in the East Half of the Northwest Quarter (E1/2 NW1/4) of Section Four (4), Township One Hundred Three (103) North, Range Sixty (60), West of the 5th P.M., City of Mitchell, Davison County, South Dakota, except Lots 16, 17, 18, 19, 20, and 21 of Airport Addition, A subdivision of previously platted Lots 2 and 3 of Fiala's Addition in the E ½ of the NW ¼ of Section 4, T103N, R60W, City of Mitchell Davison County, South Dakota, and except those areas depicted as Future Lots 13 and 14 on the plat of Lot 21 of Airport Addition, A subdivision of previously platted Lots 2 and 3 of Fiala's Addition in the E ½ of the NW ¼ of Section 4, T103N, R60W, City of Mitchell Davison County, South Dakota;

And

Lots 16, 17, 18, 19, 20, and 21 of Airport Addition, A subdivision of previously platted Lots 2 and 3 of Fiala's Addition in the E ½ of the NW ¼ of Section 4, T103N, R60W, City of Mitchell Davison County, South Dakota.

At the above stated time and place, all interested parties will be afforded a reasonable opportunity to express their views on the proposed creation of the Tax Incremental District and its proposed boundaries. The project plan may be viewed on the city's website at www.cityofmitchell.org. Following such hearing, the matter will be heard and acted upon by the Mitchell City Council on April 4, 2022 at 6:00 pm in the City Hall Council Chambers.

Dated this 10th day of March, 2022.

Michelle Bathke – Finance Officer

Published once: 16th day of March, 2022

Approximate publication cost: _____

ARTICLE B. WOODLAND HEIGHTS PLANNED DEVELOPMENT DISTRICT
SECTION:

10-9B-1: Legal Description

10-9B-2: Purpose

10-9B-3: Scope Of Regulations

10-9B-1: LEGAL DESCRIPTION:

All of Lot Three (3) and Lot Two (2), to Include Tracts One (1), Two (2), Three (3), and Five (5) of Block One (1) in the said Lot Two (2) but except the West Forty (40) feet and the North Forty (40) feet of the said Lot Two (2), except lots Two A (2A), Two B (2B), Two C (2C), Two D, (2D), Two E (2E) and Two F (2F), of the said Lot Two (2) and except Tracts Four (4), Six (6) and Seven (7), Block One (1) of the said Lot Two (2), All in Crane's Addition in the Southeast Quarter (SE 1/4) Section Thirty-Four (34), Township One Hundred Three (103) North Range (60) West, City of Mitchell, Davison County, South Dakota.
(Ord. 2408, 10-1-2012)

10-9B-2: PURPOSE:

This area is intended to provide residential opportunities and provide for densities, which reflect both the cost and best utilization of land. (Ord. 2408, 10-1-2012)

10-9B-3: SCOPE OF REGULATIONS:

The regulations in this article or set forth elsewhere in the zoning code when referred to in this article are the district regulations that shall be governed by the Woodland Heights planned development district.

A. Subarea A: Also known as lots 1-6, block 1, Woodland Heights First Addition, city of Mitchell, Davison County, South Dakota.

1. Permitted Uses:

Accessory buildings.

Two-family dwellings.

2. Conditional Uses:

Home occupations.

3. Parking Regulations: Parking shall be regulated in conformance with this title. (Ord. 2408, 10-1-2012)

4. Sign Regulations: Sign regulations shall be in conformance with title 9, chapter 4 of this code. (Ord. 2512, 4-6-2015)

5. Maximum Building Height: No principal building shall exceed two and one-half (2 1/2) stories or thirty five feet (35') in height and no accessory building shall exceed one story or seventeen feet (17') in height.

6. Maximum Coverage: No more than forty five percent (45%) of the lot area shall be covered by structures.

7. Accessory Buildings: Accessory buildings shall not exceed one thousand fifty (1,050) square feet.

8. Minimum Lot Area And Width: The minimum lot area shall be at least ten thousand (10,000) square feet and minimum lot width of seventy feet (70').

9. Minimum Yard Requirements (Setbacks):

- a. Front yard: Thirty feet (30').
- b. Back yard: Thirty feet (30').
- c. Side yard: Six feet (6').
- d. Side yard of corner lot: Fifteen feet (15').

B. Subarea B: Also known as Lot 7, Block 1, lots 1-14, block 2, lots 1-14, block 3, lots 1-10, block 4, lots 1-8, block 5, Woodland Heights First Addition, city of Mitchell, Davison County, South Dakota.

1. Permitted Uses:

Accessory buildings.

Single-family dwellings.

2. Conditional Uses:

Home occupations.

3. Parking Regulations: Parking shall be regulated in conformance with this title. (Ord. 2408, 10-1-2012)

4. Sign Regulations: Sign regulations shall be in conformance with title 9, chapter 4 of this code. (Ord. 2512, 4-6-2015)

5. Maximum Building Height: No principal building shall exceed two and one-half (2 1/2) stories or thirty five feet (35') in height and no accessory building shall exceed one story or seventeen feet (17') in height.

6. Maximum Coverage: No more than forty five percent (45%) of the lot area shall be covered by structures.

7. Accessory Buildings: Accessory buildings shall not exceed one thousand fifty (1,050) square feet.

8. Minimum Lot Area And Width: The minimum lot area shall be at least ten thousand (10,000) square feet and minimum lot width of seventy feet (70').

9. Minimum Yard Requirements (Setbacks):

- a. Front yard: Thirty feet (30').
- b. Back yard: Thirty feet (30').
- c. Side yard: Six feet (6').
- d. Side yard of corner lot: Fifteen feet (15').

C. Subarea C: Also to be known as **Lots 10-12 block 5**, block 6, Woodland Heights Addition First Addition, city of Mitchell, Davison County, South Dakota.

1. Permitted Uses:

Accessory buildings.

Multi-family dwellings twelve (12) units or less.

Single-family dwellings.

2. Conditional Uses:

Home occupations.

Multi-family dwelling twelve (12) units or more.

3. Parking Regulations: Parking shall be regulated in conformance with this title. (Ord. 2408, 10-1-2012)

4. Sign Regulations: Sign regulations shall be in conformance with title 9, chapter 4 of this code. (Ord. 2512, 4-6-2015)

5. Maximum Building Height: No principal building shall exceed six (6) stories or sixty five feet (65') in height and no accessory buildings shall exceed one story or seventeen feet (17') in height.

6. Maximum Coverage: No more than seventy five percent (75%) of the lot area shall be covered by structures.

7. Minimum Lot Area And Width: The minimum lot area shall be at least ten thousand (10,000) square feet and minimum lot width of seventy feet (70').

8. Minimum Yard Requirements (Setbacks):

a. Front yard: Thirty feet (30').

b. Back yard: Thirty feet (30').

c. Side yard: Six feet (6').

d. Side yard of corner lot: Fifteen feet (15'). (Ord. 2408, 10-1-2012; Ord. O2021-08, 6-7-2021)



NOTICE OF HEARING

TO: The City of Mitchell Planning Commission, City Council of the City of Mitchell, and the General Public.

You are hereby notified that the following proposed ordinance will be heard and considered by the City Planning Commission on Monday, March 28, 2022 at 12:00 pm (Noon) and the City Council will consider first reading of the proposed ordinance on Monday, April 4, 2022 at 6:00 pm and consider second reading and final adoption on Monday, April 18, 2022 at 6:00 pm. All meetings will held in the Council Chambers, City Hall, 612 N Main St, Mitchell, South Dakota. All interested parties may attend the hearings and provide testimony.

ORDINANCE O2022-06

An Ordinance amending 10-9B-3, Woodland Heights Planned Development District, Title 10 Zoning Regulations, City of Mitchell Municipal Code

NOW BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA:

Section 1.

That 10-9B-3: Scope of Regulations, C., Subarea C., be amended by changing the Lot numbers from “Block 6” to “Lots 10-12 Block 5, Block 6” so to be read as follows:

A. Subarea C. Also known as Lots 10-12 Block 5, Block 6, Woodland Heights First Addition, City of Mitchell, Davison County, South Dakota.

Section 2.

The City Finance Officer shall cause notice of adoption of this ordinance to be published in the official newspaper and twenty (20) days after the completed publication, unless the referendum is invoked, this ordinance shall become effective.

Adopted by majority vote of the Mitchell SD City Council in regular session this ____ day of _____, 2022.

Robert B. Everson, Jr. – Mayor

Attest:

(seal)

Michelle Bathke – City Finance Officer

First Reading: _____

Second Reading: _____

Adoption: _____

Published: _____

**Publish three times: Wednesday March 16, 2022, Wednesday March 23, 2022 and
Wednesday April 6, 2022**

Approximate Costs:

Ethan Coop Lumber
PO Box 167
Ethan, SD 57334

Stacey Malde
PO Box 127
Mitchell, SD 57301

Robert & Lori Schleich
2809 Cottonwood Cr
Mitchell, SD 57301

Bradley Sachtjen
1100 Carl Rd
Mitchell, SD 57301

David & Linda Wosje Trust
1100 Sunset RD
Mitchell, SD 57301

David & Janice Williams
2851 Hwy 37
Mitchell, SD 57301

Know County Partnership
2807 Gamble Ct
Mitchell, SD 57301

South Dakota DOT
700 E Broadway Ave
Pierre, SD 57501

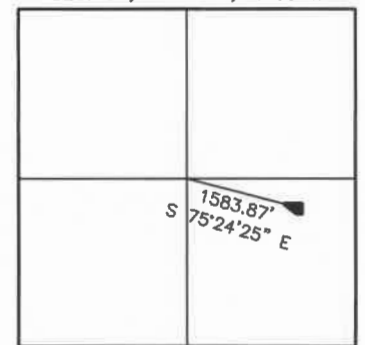


GRAPHIC SCALE



(IN FEET)

1 inch = 100 ft.

LOCATION MAP
SCALE: 1" = 3000'

LEGEND

- = FOUND IRON MONUMENT
- = SET 5/8" X 18" REBAR WITH PLASTIC CAP NO. 6702
- 100' (P) = PLATTED BEARING OR DISTANCE
- 100' = MEASURED BEARING OR DISTANCE
- ⊠ = SET NAIL
- ▲ = SET SURVEY SPIKE
- 4.00 CH (P) = PLATTED DISTANCE IN CHAINS
- = FOUND NAIL
- ◇ = SET 3/8" X 12" SPIKE W/WASHER PJR-6702
- WM = WITNESS MONUMENT

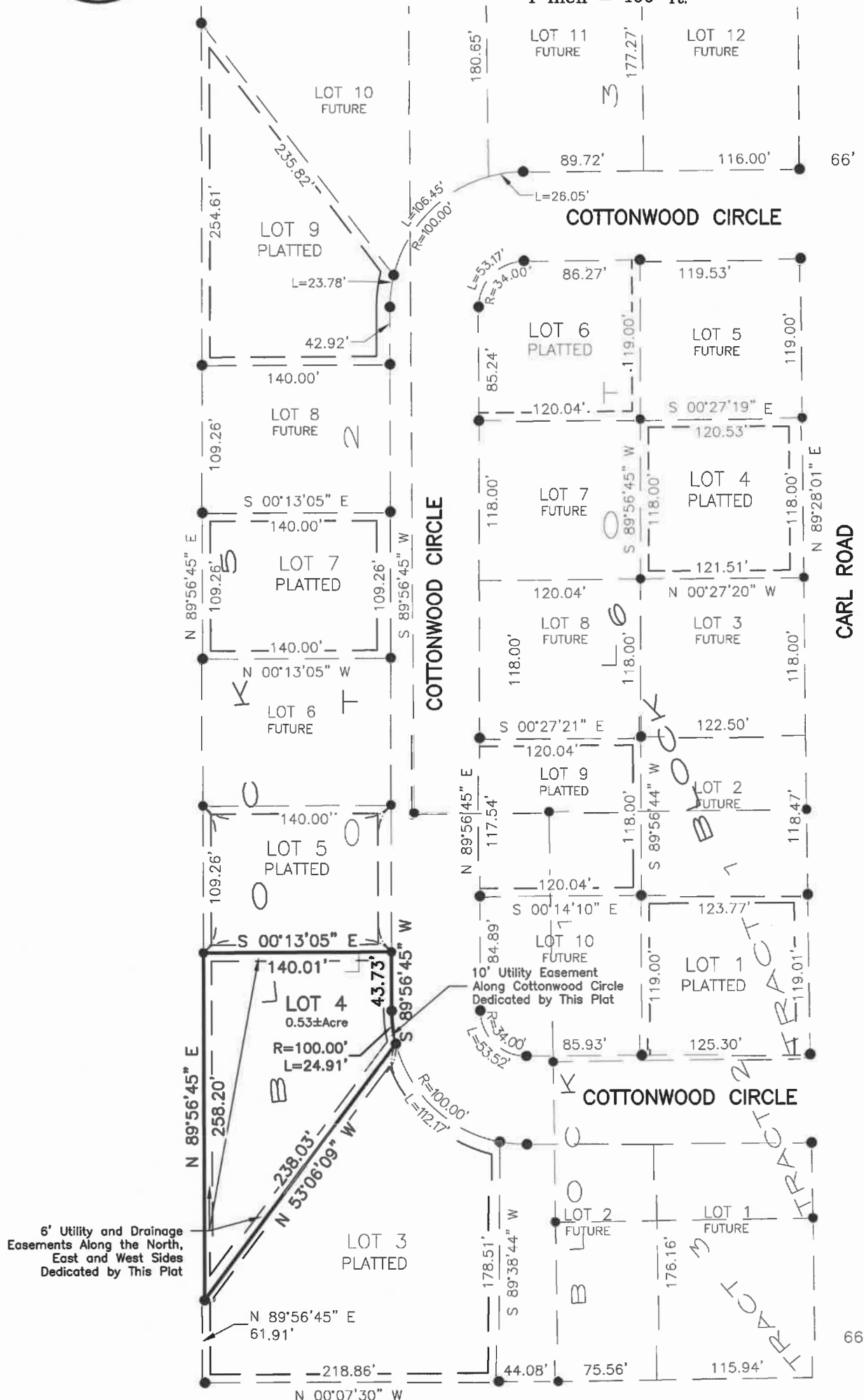
PREPARED BY: PAUL J. REILAND, R.L.S.
2100 NORTH SANBORN BLVD. - P.O. BOX 398
MITCHELL, SOUTH DAKOTA 57301
PHONE: (605) 996-7761

BEARINGS ARE BASED ON AN
ASSUMED COORDINATE SYSTEM
USING GPS GRID BEARINGS/GRID
DISTANCES

EASEMENTS WITHIN LOT 4, BLOCK 5
DEDICATED BY THIS PLAT:

- 6' UTILITY AND DRAINAGE
EASEMENTS ALONG THE NORTH,
EAST AND WEST SIDES

- 10' UTILITY EASEMENT ALONG
COTTONWOOD CIRCLE



A PLAT OF LOT 4, BLOCK 5 OF WOODLAND HEIGHTS FIRST ADDITION, A
SUBDIVISION OF LOT 2, CRANE'S ADDITION IN THE SE 1/4 OF SECTION 34,
T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY,
SOUTH DAKOTA

SURVEYOR'S CERTIFICATE

I, Paul J. Reiland, the undersigned, do hereby certify that I am a Registered Land Surveyor in and for the State of South Dakota. At the request of Ethan Co-op Lumber Association, Inc., a South Dakota corporation, as owner, and under its direction for purposes indicated therein, I did on or prior to March 14, 2022, survey those parcels of land described as follows: LOT 4, BLOCK 5 OF WOODLAND HEIGHTS FIRST ADDITION, A SUBDIVISION OF LOT 2, CRANE'S ADDITION IN THE SE 1/4 OF SECTION 34, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA.

In my professional opinion and to the best of my knowledge, information and belief, the within and foregoing plat is true and correct.

Dated this _____ day of _____, 2022.

Registered Land Surveyor #SD6702

SPN

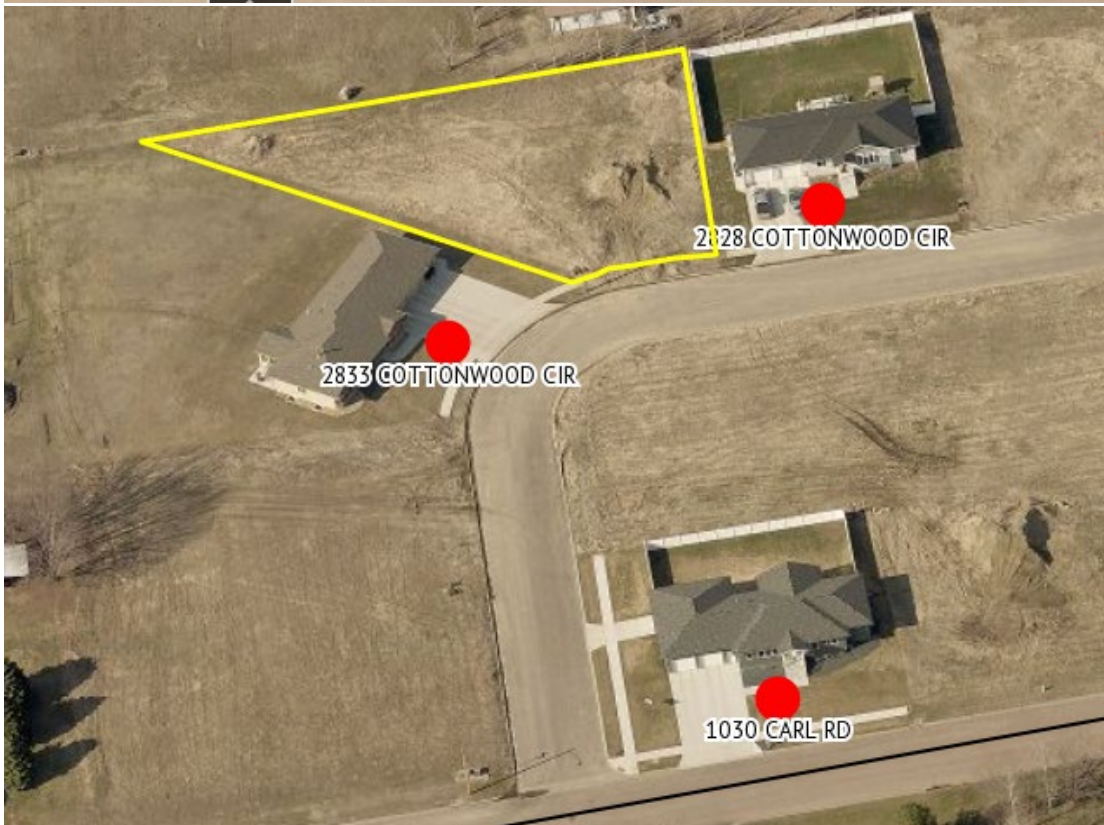
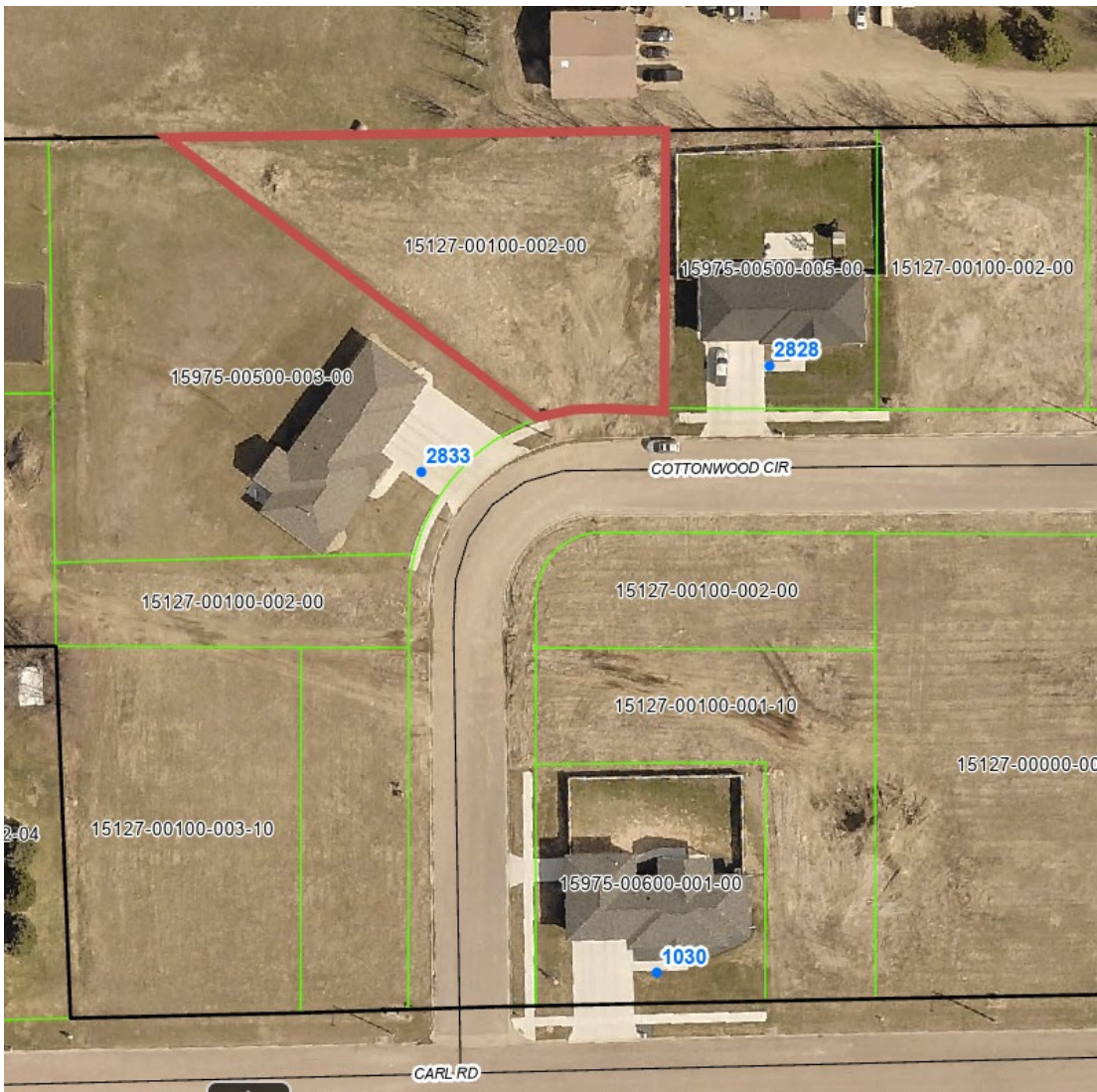
& Associates

Engineers, Planners and Surveyors

2100 North Sanborn Blvd. - P.O. Box 398 Mitchell, South Dakota 57301
Phone: (605) 996-7761 Fax: (605) 996-0015









1 Inch = 100 Feet

LEGEND

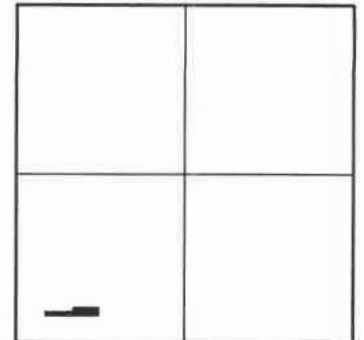
- = FOUND IRON MONUMENT
- = SET 5/8" X 18" REBAR WITH PLASTIC CAP NO. 13714
- 100' (P) = PLATTED BEARING OR DISTANCE
- 100' = MEASURED BEARING OR DISTANCE
- = SET NAIL
- △ = SET SURVEY SPIKE
- 4.00 CH (P) = PLATTED DISTANCE IN CHAINS
- = FOUND NAIL
- ◇ = SET 3/8" X 12" SPIKE W/WASHER JAW-13714
- WM = WITNESS MONUMENT

PREPARED BY: JEREMY A. WOLBRINK, R.L.S.
2100 NORTH SANBORN BLVD. - P.O. BOX 398
MITCHELL, SOUTH DAKOTA 57301
PHONE: (605) 996-7761

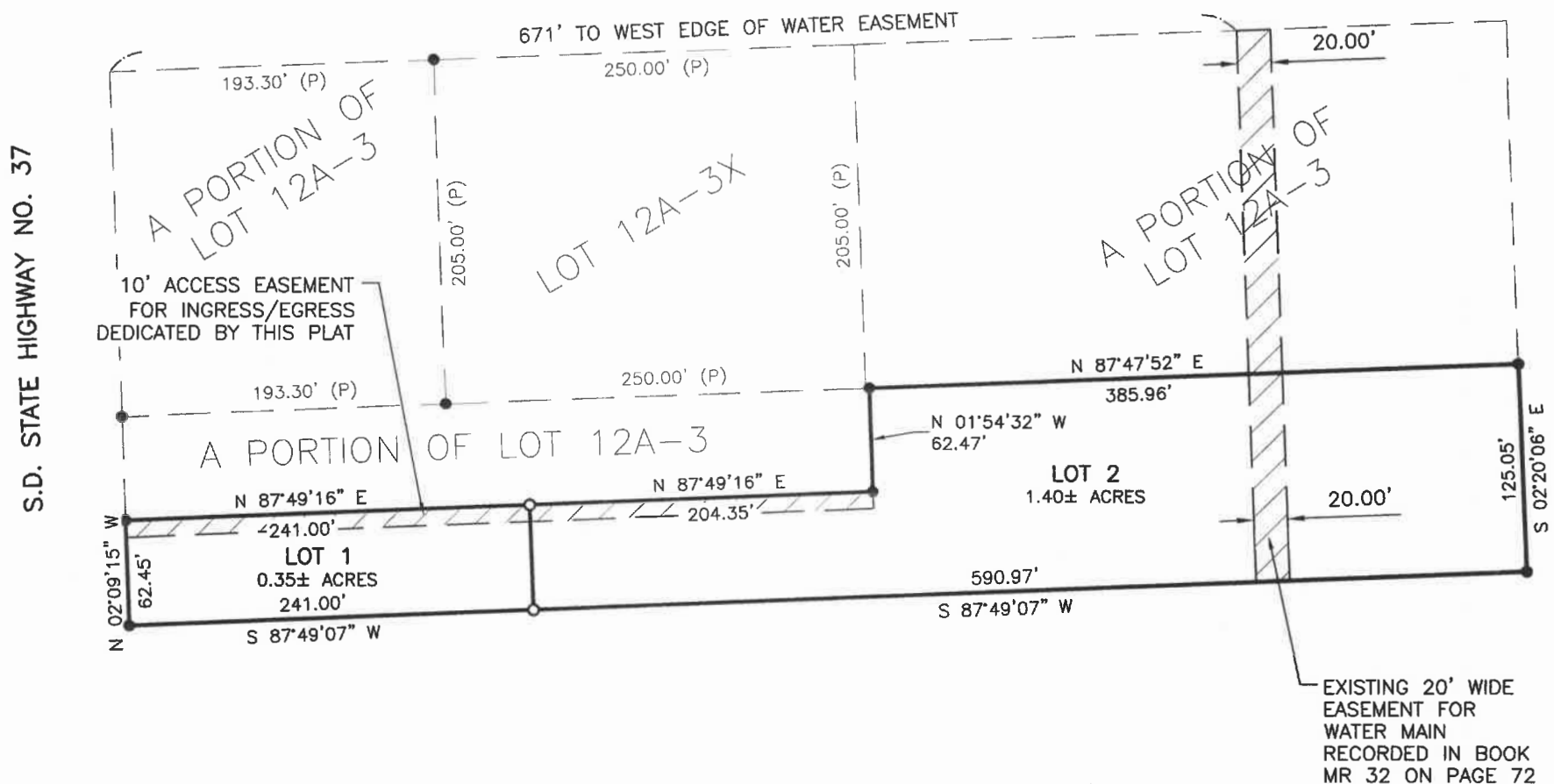
COORDINATE SYSTEM IS SOUTH DAKOTA SOUTH ZONE,
STATE PLANE - NORTH AMERICAN
DATUM 1983 - GEOID 12B.
GRID BEARINGS AND GROUND DISTANCES ARE SHOWN.

NOTE:
THIS SURVEY WAS PERFORMED WITHOUT
THE BENEFIT OF A TITLE REPORT OR TITLE
COMMITMENT. EASEMENTS OF RECORD WERE
NOT RESEARCHED AND ARE NOT SHOWN
UNLESS OTHERWISE NOTED.

SEC. 10, T 103 N, R 60 W



LOCATION MAP
SCALE: 1" = 3000'



A PLAT OF LOTS 1 AND 2 OF ROCKY TODD ADDITION, A SUBDIVISION OF LOT 12A-3 IN THE SW 1/4 OF SECTION 10, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

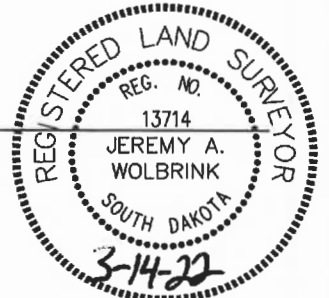
SURVEYOR'S CERTIFICATE

I, Jeremy A. Wolbrink, the undersigned, do hereby certify that I am a Registered Land Surveyor in and for the State of South Dakota. At the request of Kay F. Brink Everson, as owner, and under her direction for purposes indicated therein, I did on or prior to March 3, 2022, survey those parcels of land described as follows: LOTS 1 AND 2 OF ROCKY TODD ADDITION, A SUBDIVISION OF LOT 12A-3 IN THE SW 1/4 OF SECTION 10, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA.

In my professional opinion and to the best of my knowledge, information and belief, the within and foregoing plat is true and correct.

Dated this 14th day of March, 2022.

Jeremy A. Wolbrink
Registered Land Surveyor #SD13714



SPN

& Associates
Engineers, Planners and Surveyors
2100 North Sanborn Blvd. - P.O. Box 398 Mitchell, South Dakota 57301
Phone: (605) 996-7761 Fax: (605) 996-0015

A PLAT OF LOTS 1 AND 2 OF ROCKY TODD ADDITION, A SUBDIVISION OF LOT 12A-3 IN THE SW 1/4 OF SECTION 10, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA.

OWNER’S CERTIFICATE, DEDICATION AND AGREEMENT OF PROTECTION OF WATER

KNOW ALL MEN BY THESE PRESENTS that I, the undersigned, hereby certify that I am the absolute and unqualified owner of all of the land included in the within and foregoing plat; the plat is of a parcel of ground located in THE SOUTH 125 FEET OF LOT 12A-3 IN THE SW 1/4 OF SECTION 10, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, based on the deed recorded in Book 617 on Page 580; that the plat has been made at my request and under my direction for the purposes indicated therein; which said property as so surveyed and platted shall hereafter be known as LOTS 1 AND 2 OF ROCKY TODD ADDITION, A SUBDIVISION OF LOT 12A-3 IN THE SW 1/4 OF SECTION 10, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, as shown by this plat; and I hereby dedicate to the public, for public use forever as such, the streets and alleys, if any, as shown and marked on said plat; and that development of the land included within the boundaries of said Lots 1 and 2 shall conform to all existing applicable zoning, subdivision, and erosion and sediment control regulations; further that there now exists S.D. State Highway No. 37; furthermore this plat dedicates an access easement for ingress and egress to Lot 2 as shown. Pursuant to SDCL 11-3-8.1 and 11-3-8.2 the developer of the property described within this plat shall be responsible for protecting any waters of the state located adjacent to or within such platted area from pollution from sewage from such subdivision and shall, in prosecution of such protections conform to and follow all regulations of the South Dakota Department of Agriculture and Natural Resources relating to the same. Additionally, the developer of the property described within this plat shall be liable for any pollution that occurs from failure to execute such protections or follow such regulations, exception being those lots in subdivisions that show documentation that wastewater drainage shall be connected to a municipal system.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 2022.

Kay F. Brink Everson

STATE OF _____)
)SS
COUNTY OF _____)

On this, the _____ day of _____, 2022, before me, _____, the undersigned officer, personally appeared Kay F. Brink Everson, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same for the purposes therein contained.

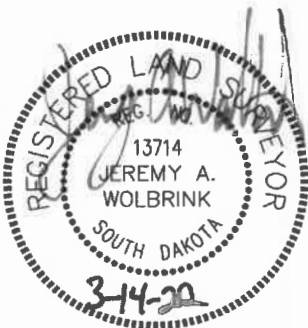
IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public, _____
My Commission Expires: _____

RESOLUTION OF CITY PLANNING COMMISSION

WHEREAS, the plat of LOTS 1 AND 2 OF ROCKY TODD ADDITION, A SUBDIVISION OF LOT 12A-3 IN THE SW 1/4 OF SECTION 10, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, prepared by Jeremy A. Wolbrink, duly licensed Land Surveyor in and for the State of South Dakota, heretofore filed in the office of the City Finance Officer of Mitchell, South Dakota, has been submitted to the City Planning Commission of the said City of Mitchell, South Dakota; and
WHEREAS, the City Planning Commission, in regular meeting assembled, had duly considered said plat and finds as a fact that said plat is in conformity and does not conflict with the Master Plan for the City of Mitchell, South Dakota, heretofore adopted by this Commission;
NOW THEREFORE, be it resolved by the City Planning Commission of Mitchell, South Dakota, that the plat of LOTS 1 AND 2 OF ROCKY TODD ADDITION, A SUBDIVISION OF LOT 12A-3 IN THE SW 1/4 OF SECTION 10, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, prepared by Jeremy A. Wolbrink, a Land Surveyor, be and the same is hereby approved and its adoption by the City Council of the City of Mitchell, South Dakota, is hereby recommended.
The undersigned hereby certifies that the foregoing resolution was passed by the City Planning Commission of Mitchell, South Dakota, at a meeting thereof held on the _____ day of _____, 2022.

Chairperson/Vice-Chairperson of Mitchell City Planning Commission







1 Inch = 60 Feet

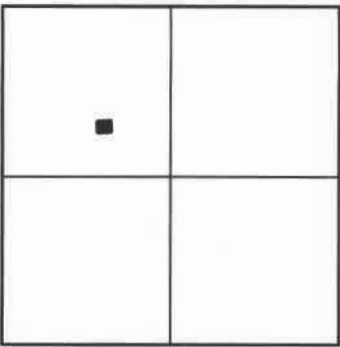
- LEGEND**
- = FOUND IRON MONUMENT
 - = SET 5/8" X 18" REBAR WITH PLASTIC CAP NO. 8296
 - 100' (P) = PLATTED BEARING OR DISTANCE
 - 100' = MEASURED BEARING OR DISTANCE
 - = SET NAIL
 - ▲ = SET SURVEY SPIKE
 - 4.00 CH (P) = PLATTED DISTANCE IN CHAINS
 - = FOUND NAIL
 - ◇ = SET 3/8" X 12" SPIKE W/WASHER PCK-8296
 - WM = WITNESS MONUMENT

PREPARED BY: PAUL C. KIEPKE, R.L.S.
2100 NORTH SANBORN BLVD. - P.O. BOX 398
MITCHELL, SOUTH DAKOTA 57301
PHONE: (605) 996-7761

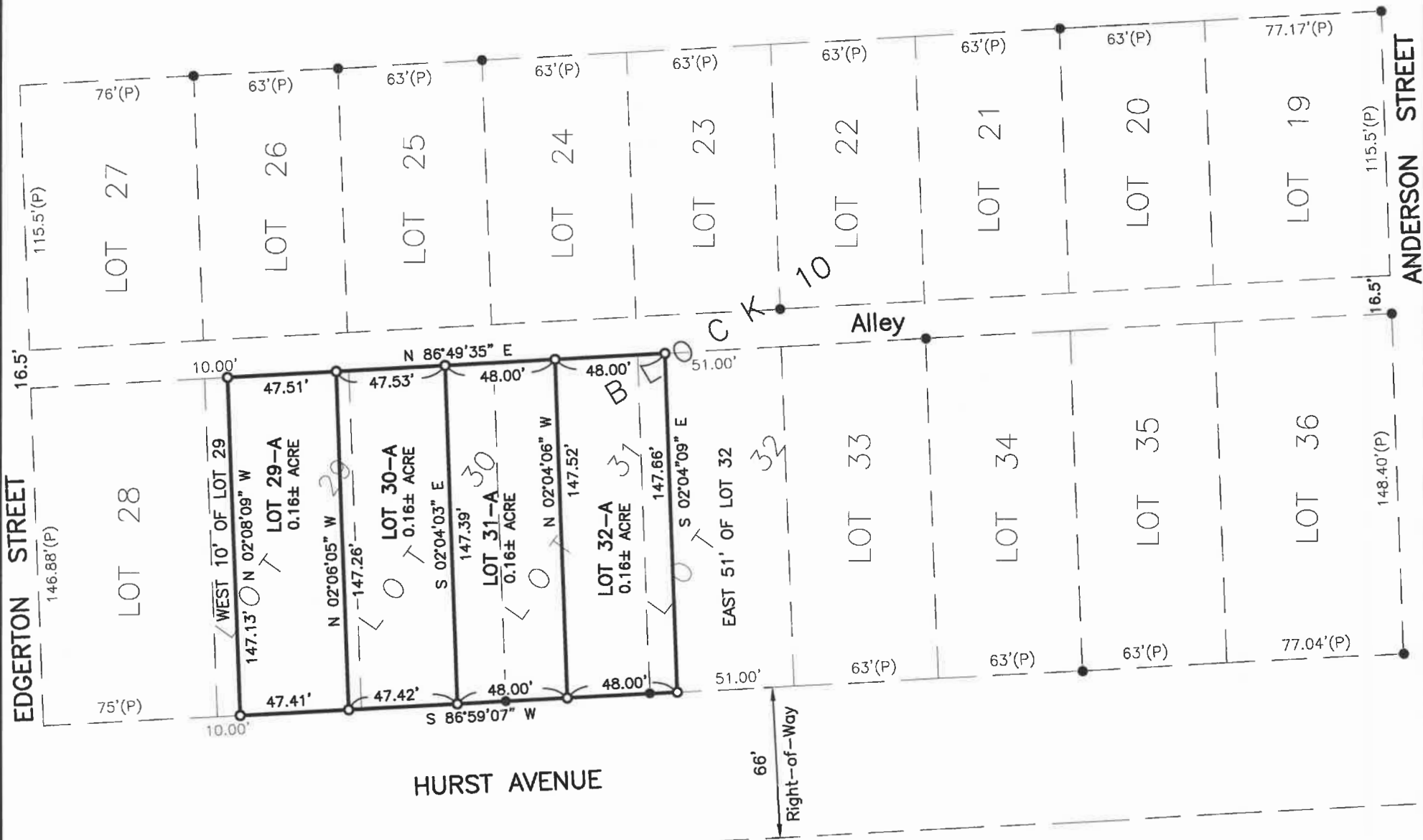
COORDINATE SYSTEM IS SOUTH DAKOTA SOUTH ZONE,
STATE PLANE - NORTH AMERICAN
DATUM 1983 - GEOID 12B.
GRID BEARINGS AND GROUND DISTANCES ARE SHOWN.

NOTE:
THIS SURVEY WAS PERFORMED WITHOUT
THE BENEFIT OF A TITLE REPORT OR TITLE
COMMITMENT. EASEMENTS OF RECORD WERE
NOT RESEARCHED AND ARE NOT SHOWN
UNLESS OTHERWISE NOTED.

SEC. 28, T 103 N, R 60 W



LOCATION MAP
SCALE: 1" = 3000'



**A PLAT OF LOTS 29-A, 30-A, 31-A AND 32-A, BLOCK 10, SUNNYSIDE
ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA**

SURVEYOR'S CERTIFICATE

I, Paul C. Kiepke, the undersigned, do hereby certify that I am a Registered Land Surveyor in and for the State of South Dakota. At the request of Quality Homes, LLC, a South Dakota Limited Liability Company, as owner, and under its direction for purposes indicated therein, I did on or prior to March 17, 2022, survey the parcel of land described as follows: LOTS 29-A, 30-A, 31-A AND 32-A, BLOCK 10, SUNNYSIDE ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA. This plat does hereby vacate previously platted LOT 29 EXCEPT THE WEST 10' THEREOF; ALL OF LOTS 30 AND 31; AND LOT 32 EXCEPT THE EAST 51' THEREOF, ALL IN BLOCK 10, SUNNYSIDE ADDITION, CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, AS RECORDED IN PLAT BOOK 11 ON PAGE 61.

In my professional opinion and to the best of my knowledge, information and belief, the within and foregoing plat is true and correct.
Dated this _____ day of March, 2022.

Registered Land Surveyor #SD8296



SPN

& Associates

Engineers, Planners and Surveyors

2100 North Sanborn Blvd. - P.O. Box 398 Mitchell, South Dakota 57301
Phone: (605) 996-7761 Fax: (605) 996-0015

OWNER'S CERTIFICATE, DEDICATION AND AGREEMENT OF PROTECTION OF WATER

& Associates
Engineers, Planners and Surveyors
 2100 North Sanborn Blvd. - P.O. Box 398 Mitchell, South Dakota 57301
 Phone: (605) 996-7761 Fax: (605) 996-0015

RESOLUTION OF CITY COUNCIL

The undersigned does hereby certify that the foregoing resolution was passed by the City of Mitchell, South Dakota, at a meeting held on the _____ day of _____, 2022.

Finance Officer/Deputy Finance Officer of the City of Mitchell

The undersigned hereby certifies that all taxes which would, if not paid, be liens upon any of the land included in the within and foregoing plat, as shown by the records of this office, have been fully paid.

Date _____

The undersigned does hereby certify that a copy of the plat of LOTS 29-A, 30-A, 31-A AND 32-A, BLOCK 10, SUNNYSIDE ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, has been received by me and is filed in this office.

Date _____

STATE OF SOUTH DAKOTA))SS
COUNTY OF DAVISON)

therein and recorded on Microfilm Number _____.

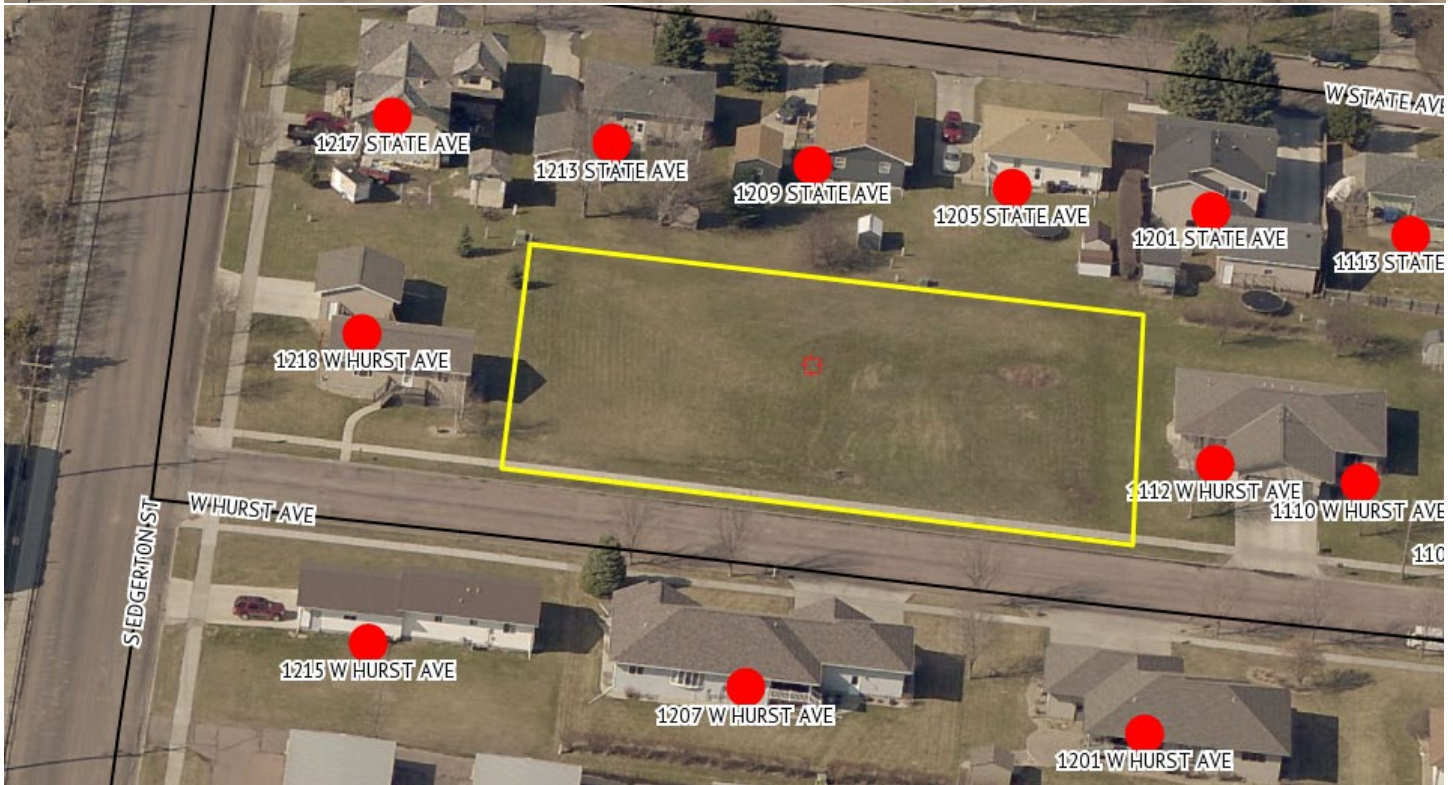
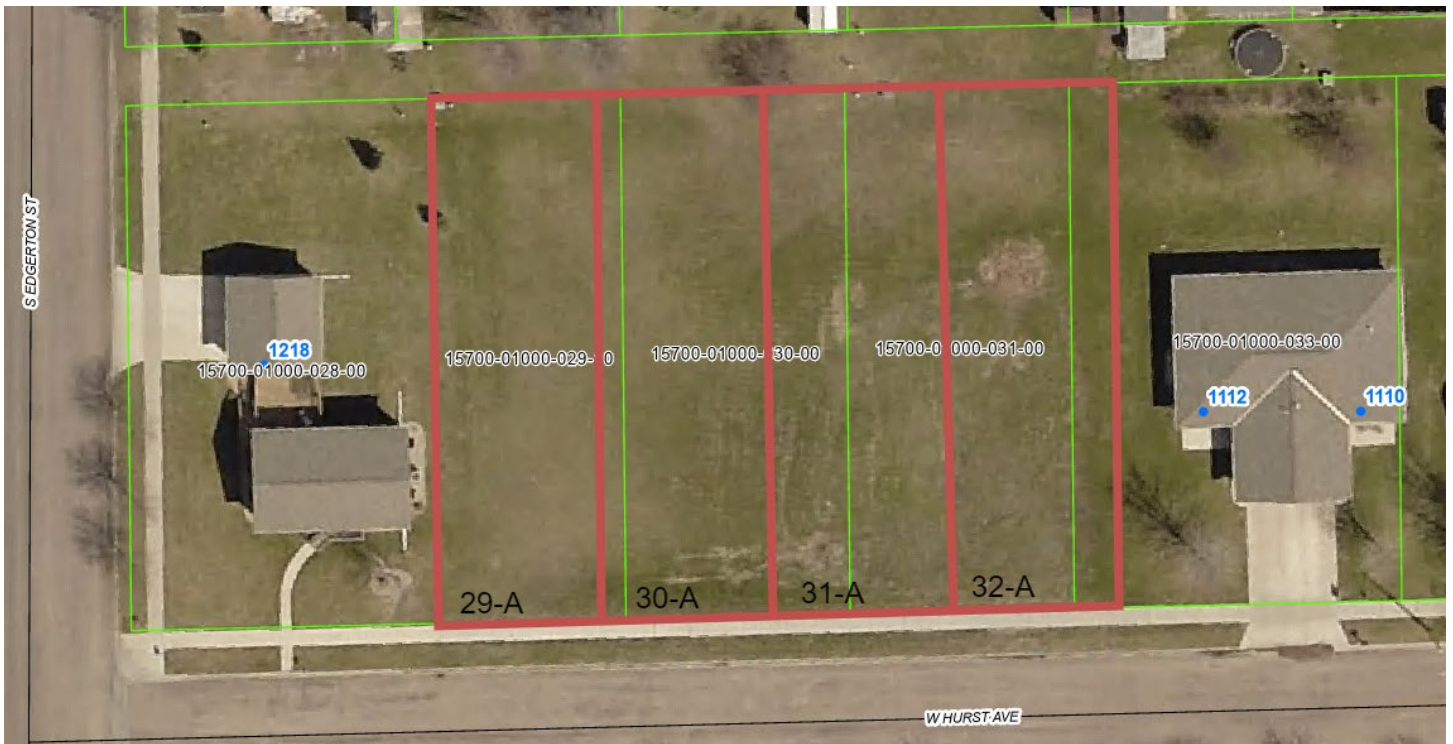
By

Deputy



SPN

Phone: (605) 996-7761 Fax: (605) 996-0015



LEGEND

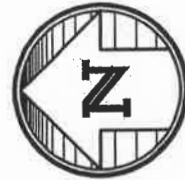
PROJECT NO. 20-15434:10A

PREPARED BY: PAUL J. REILAND, R.L.S.
2100 NORTH SANBORN BLVD. - P.O. BOX 398
MITCHELL, SOUTH DAKOTA 57301
PHONE: (605) 996-7761

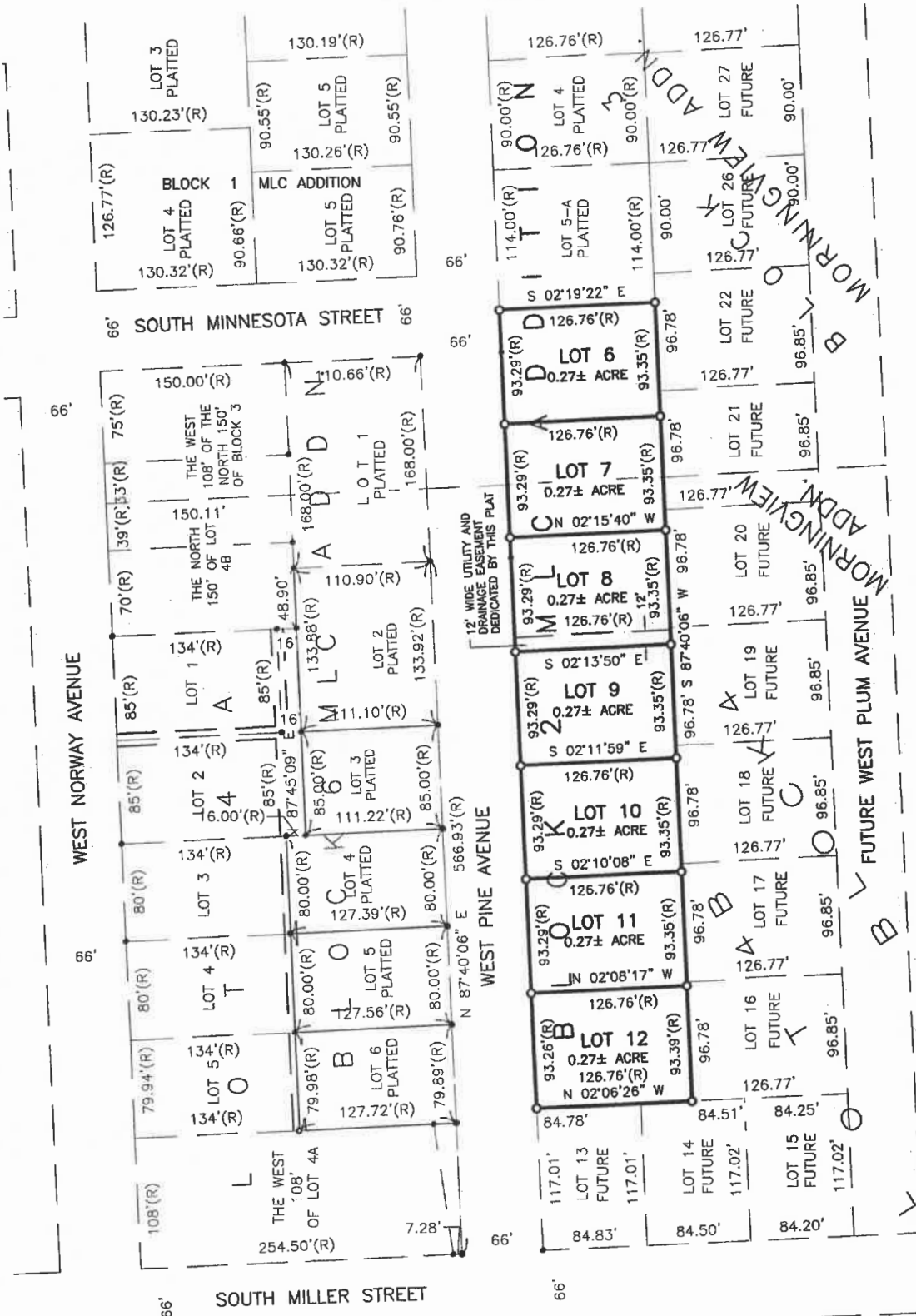
COORDINATE SYSTEM IS SOUTH DAKOTA SOUTH
ZONE, STATE PLANE - NORTH AMERICAN
DATUM 1983 - GEOID 12B.

NOTE:
THIS SURVEY WAS PERFORMED WITHOUT
THE BENEFIT OF A TITLE REPORT OR TITLE
COMMITMENT. EASEMENTS OF RECORD WERE
NOT RESEARCHED AND ARE NOT SHOWN
UNLESS OTHERWISE NOTED.

- = FOUND IRON MONUMENT
- = SET 5/8" X 18" REBAR WITH
PLASTIC CAP NO. 6702
- 100' (R) = RECORD BEARING OR DISTANCE
- 100' = MEASURED BEARING OR DISTANCE
- ☒ = SET NAIL
- ▲ = SET SURVEY SPIKE
- 4.00 CH (P) = PLATTED DISTANCE IN CHAINS
- = FOUND NAIL
- ◇ = SET 3/8" X 12" SPIKE
W/WASHER PJR-6702
- WM = WITNESS MONUMENT



NOT TO SCALE



LOTS 6, 7, 8, 9, 10, 11 AND 12, BLOCK 2, MLC ADDITION, A SUBDIVISION
OF BLOCK 3 AND LOT 4B, BLOCK 4, MORNINGVIEW ADDITION TO THE CITY
OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

SPN & Associates
Engineers, Planners and Surveyors
2100 North Sanborn Blvd. - P.O. Box 398 Mitchell, South Dakota 57301
Phone: (605) 996-7761 Fax: (605) 996-0015

EXHIBIT "A"
SHEET 2 OF 4

OWNER'S CERTIFICATE, DEDICATION AND AGREEMENT OF PROTECTION OF WATER

KNOW ALL MEN BY THESE PRESENTS that Robert W. Mueller, the undersigned, hereby certifies that Mueller Lumber Company, a South Dakota corporation, is the absolute and unqualified owner of all of the land included in the within and foregoing plat; the plat is of a parcel of ground located in BLOCK 3 AND LOT 4B, BLOCK 4, MORNINGVIEW ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA; that the plat has been made at my request, and under my direction for the purposes indicated therein; which said property as so surveyed and platted shall hereafter be known as LOTS 6, 7, 8, 9, 10, 11 AND 12, BLOCK 2, MLC ADDITION, A SUBDIVISION OF BLOCK 3 AND LOT 4B, BLOCK 4, MORNINGVIEW ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, as shown by this plat; and I hereby dedicate to the public, for public use forever as such, the streets and alleys, if any, as shown and marked on said plat; and that development of the land included within the boundaries of said Lots 6, 7, 8, 9, 10, 11 and 12, Block 2 shall conform to all existing applicable zoning, subdivision, erosion, sediment control and drainage regulations and ordinances; further that there now exists West Pine Avenue. Pursuant to SDCL 11-3-8.1 and 11-3-8.2 the developer of the property described within this plat shall be responsible for protecting any waters of the state located adjacent to or within such platted area from pollution from sewage from such subdivision and shall, in prosecution of such protections, conform to and follow all regulations of the South Dakota Department of Agriculture and Natural Resources relating to the same. Additionally, the developer of the property described within this plat shall be liable for any pollution that occurs from failure to execute such protections or follow such regulations, exception being those lots in subdivisions that show documentation that wastewater drainage shall be connected to a municipal system.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 2022.

Robert W. Mueller, President of Mueller Lumber Company, a South Dakota corporation

CORPORATION ACKNOWLEDGMENT

STATE OF SOUTH DAKOTA))SS
COUNTY OF DAVISON)

On this, the _____ day of _____, 2022, before me, _____, the undersigned officer, personally appeared Robert W. Mueller, of Mueller Lumber Company, a South Dakota corporation, and that he, as such President, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as President.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public, South Dakota
My Commission Expires: _____

RESOLUTION OF CITY PLANNING COMMISSION

WHEREAS, the plat of LOTS 6, 7, 8, 9, 10, 11 AND 12, BLOCK 2, MLC ADDITION, A SUBDIVISION OF BLOCK 3 AND LOT 4B, BLOCK 4, MORNINGVIEW ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul J. Reiland, duly licensed Land Surveyor in and for the State of South Dakota, heretofore filed in the office of the City Finance Officer of Mitchell, South Dakota, has been submitted to the City Planning Commission of the said City of Mitchell, South Dakota; and

WHEREAS, the City Planning Commission, in regular meeting assembled, had duly considered said plat and finds as a fact that said plat is in conformity and does not conflict with the Master Plan for the City of Mitchell, South Dakota, heretofore adopted by this Commission;

NOW THEREFORE, be it resolved by the City Planning Commission of Mitchell, South Dakota, that the plat of LOTS 6, 7, 8, 9, 10, 11 AND 12, BLOCK 2, MLC ADDITION, A SUBDIVISION OF BLOCK 3 AND LOT 4B, BLOCK 4, MORNINGVIEW ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul J. Reiland, a Land Surveyor, be and the same is hereby approved and its adoption by the City Council of the City of Mitchell, South Dakota, is hereby recommended.

The undersigned does hereby certify that the foregoing resolution was passed by the City Planning Commission of Mitchell, South Dakota, at a meeting thereof held on the _____ day of _____, 2022.

Chairperson/Vice Chairperson of the City of Mitchell Planning Commission

RESOLUTION OF CITY COUNCIL

WHEREAS, it appears that the City Planning Commission of the City of Mitchell, South Dakota, did duly consider and did recommend the approval and adoption of the hereinafter described plat, at its meeting held on the _____ day of _____, 2022; and

WHEREAS, it appears from an examination of the plat of LOTS 6, 7, 8, 9, 10, 11 AND 12, BLOCK 2, MLC ADDITION, A SUBDIVISION OF BLOCK 3 AND LOT 4B, BLOCK 4, MORNINGVIEW ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, as prepared by Paul J. Reiland, a duly licensed Land Surveyor in and for the State of South Dakota, that said plat is in accordance with the system of streets and alleys set forth in the Master Plan adopted by the City Planning Commission of the City of Mitchell, South Dakota, and that such plat has been prepared according to law;

THEREFORE, be it resolved by the City Council of Mitchell, South Dakota, that the plat of LOTS 6, 7, 8, 9, 10, 11 AND 12, BLOCK 2, MLC ADDITION, A SUBDIVISION OF BLOCK 3 AND LOT 4B, BLOCK 4, MORNINGVIEW ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul J. Reiland, be and the same is hereby approved and the description set forth therein and the accompanying surveyor's certificate shall prevail.

The undersigned does hereby certify that the foregoing resolution was passed by the City of Mitchell, South Dakota, at a meeting held on the _____ day of _____, 2022.

Finance Officer/Deputy Finance Officer of the City of Mitchell

DIRECTOR OF EQUALIZATION

The undersigned does hereby certify that a copy of the Surveyor's Affidavit of Correction for the plat of LOTS 6, 7, 8, 9, 10, 11 AND 12, BLOCK 2, MLC ADDITION, A SUBDIVISION OF BLOCK 3 AND LOT 4B, BLOCK 4, MORNINGVIEW ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, has been received by me and is filed in this office.

Director of Equalization/Deputy Director of Equalization of Davison County

Date



1 Inch = 100 Feet

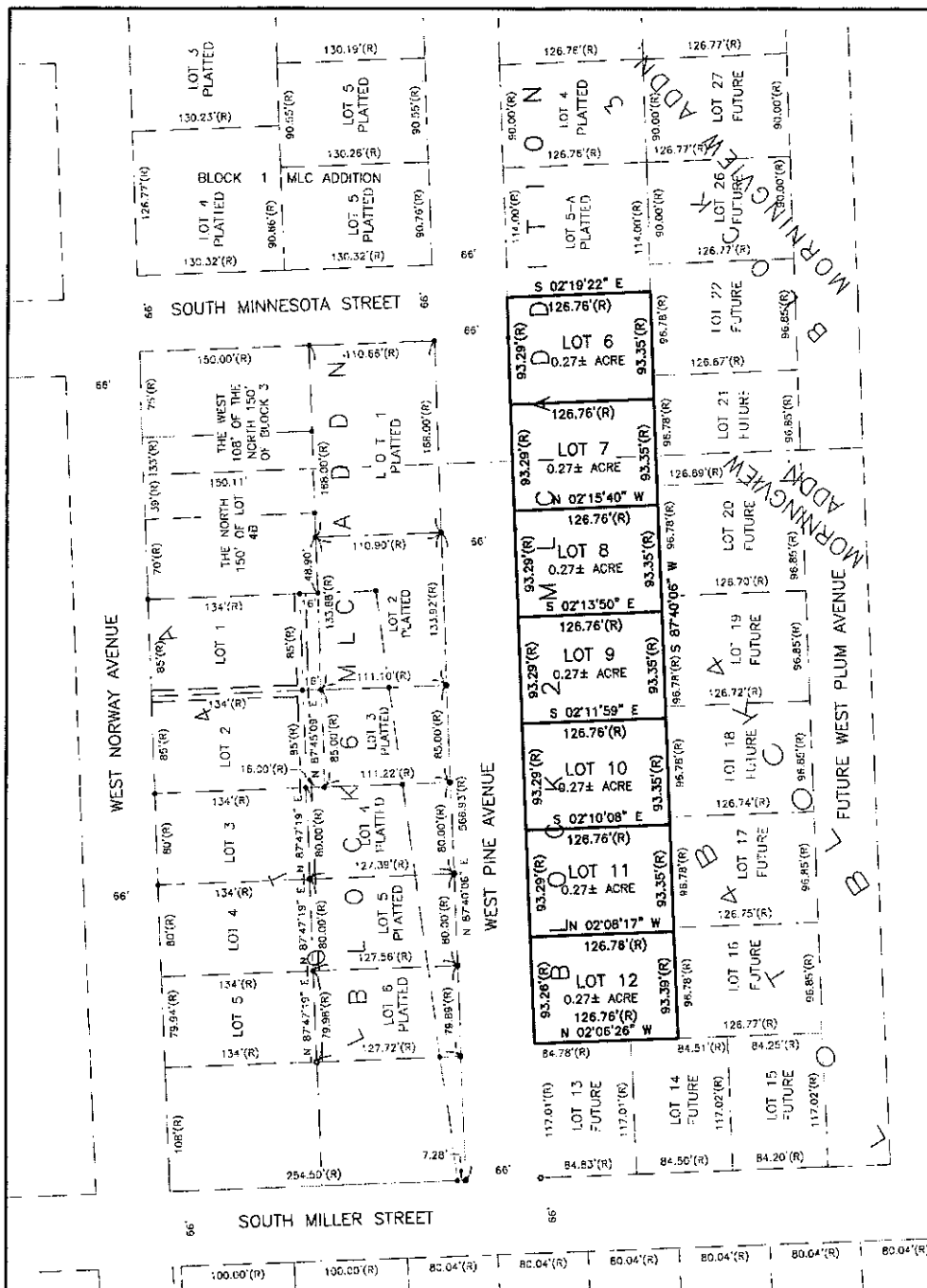
LEGEND

- = FOUND IRON MONUMENT
- = SET 5/8" X 18" REBAR WITH PLASTIC CAP NO. 8702
- 100' (R) = RECORD BEARING OR DISTANCE
- 100' = MEASURED BEARING OR DISTANCE
- ⊠ = SET NAIL
- ▲ = SET SURVEY SPIKE
- 4.00 CH (P) = PLATTED DISTANCE IN CHAINS
- = FOUND NAIL
- ◇ = SET 3/8" X 12" SPIKE W/ WASHER P.W.-8702
- WM = WITNESS MONUMENT

PREPARED BY: PAUL J. REILAND, R.L.S.
3100 NORTH SANBORN BLVD. - P.O. BOX 308
MITCHELL, SOUTH DAKOTA 57301
PHONE: (605) 996-7761

COORDINATE SYSTEM IS SOUTH DAKOTA SOUTH
ZONE, STATE PLANE - NORTH AMERICAN
DATUM 1983 - ZONE 12B.

NOTE:
THIS SURVEY WAS PERFORMED WITHOUT
THE BENEFIT OF A TITLE REPORT OR TITLE
COMMITMENT. EASEMENTS OF RECORD WERE
NOT RESEARCHED AND ARE NOT SHOWN
UNLESS OTHERWISE NOTED.



A PLAT OF LOTS 6, 7, 8, 9, 10, 11 AND 12, BLOCK 2, MLC ADDITION, A SUBDIVISION OF LOT 4B, BLOCK 4, MORNINGVIEW ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

SURVEYOR'S CERTIFICATE

I, Paul J. Reiland, the undersigned, do hereby certify that I am a Registered Land Surveyor in and for the State of South Dakota. At the request of Robert W. Mueller, and under his direction for purposes indicated therein, I did on or prior to September 2, 2020, survey those parcels of land described as follows: LOTS 6, 7, 8, 9, 10, 11 and 12, BLOCK 2, MLC ADDITION, A SUBDIVISION OF LOT 4B, BLOCK 4, MORNINGVIEW ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA.

In my professional opinion and to the best of my knowledge, information and belief, the within and foregoing plat is true and correct.

Dated this _____ day of _____, 2020.

Registered Land Surveyor #SD6702



SPN

& Associates

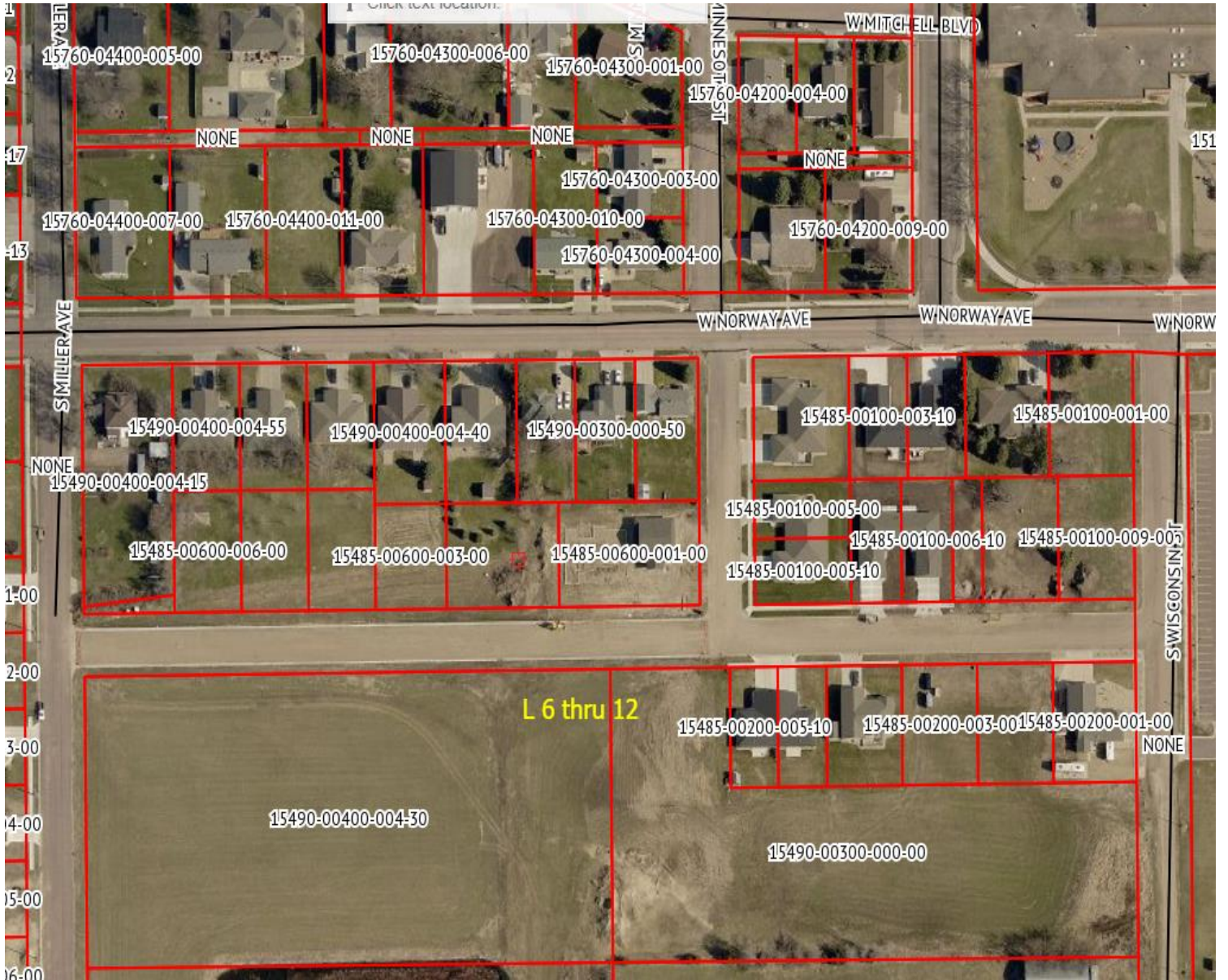
Engineers, Planners and Surveyors

3100 North Sanborn Blvd. - P.O. Box 308 Mitchell, South Dakota 57301
Phone: (605) 996-7761 Fax: (605) 996-0015

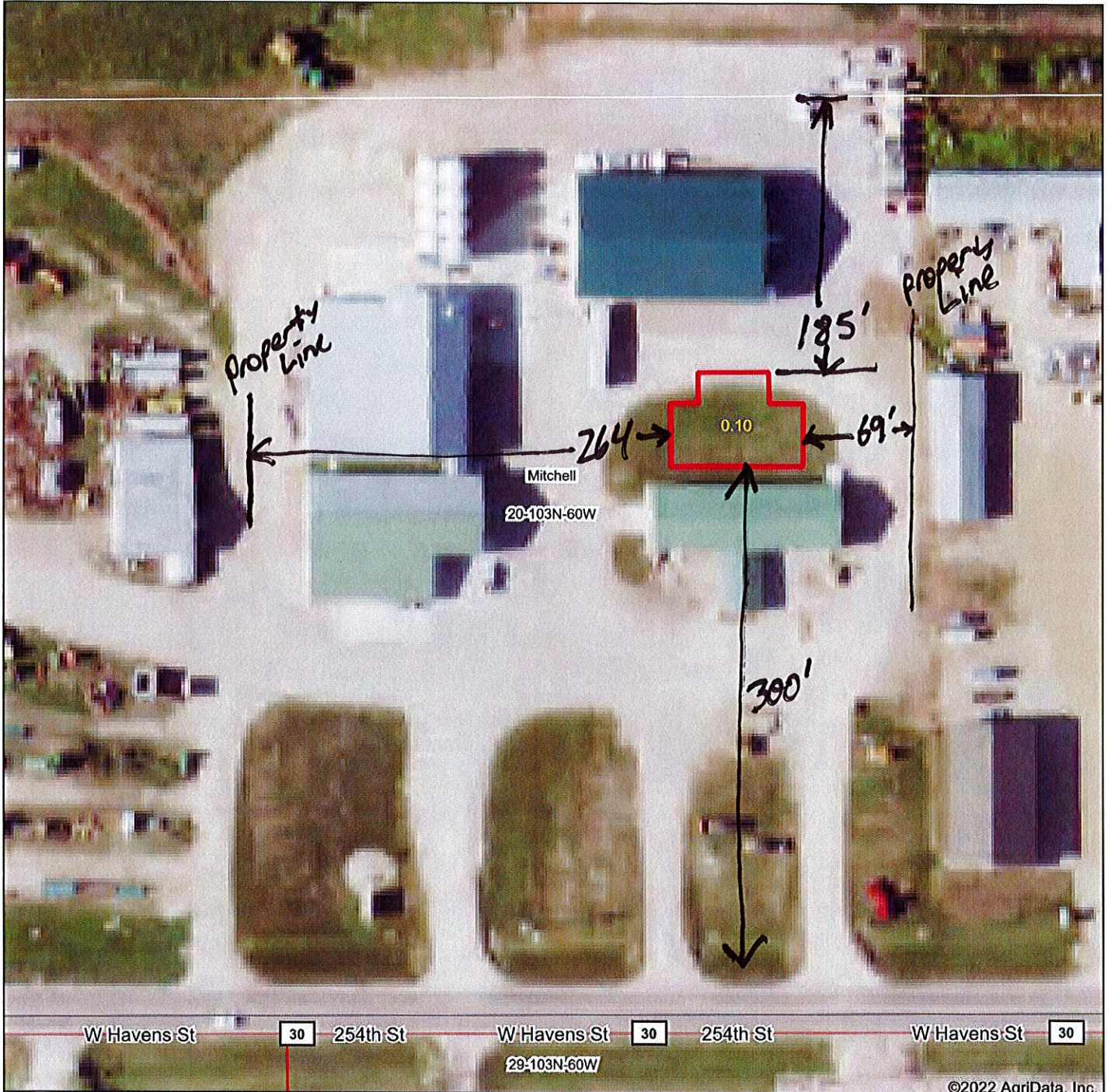


2100 North Sanborn Blvd. - P.O. Box 398 Mitchell, South Dakota 57301
Phone: (605) 996-7761 Fax: (605) 996-0015





Aerial Map



Map Center: 43° 42' 9.88, -98° 3' 33.22

0ft 100ft 199ft

20-103N-60W
Davison County
South Dakota



3/16/2022

Maps Provided By:

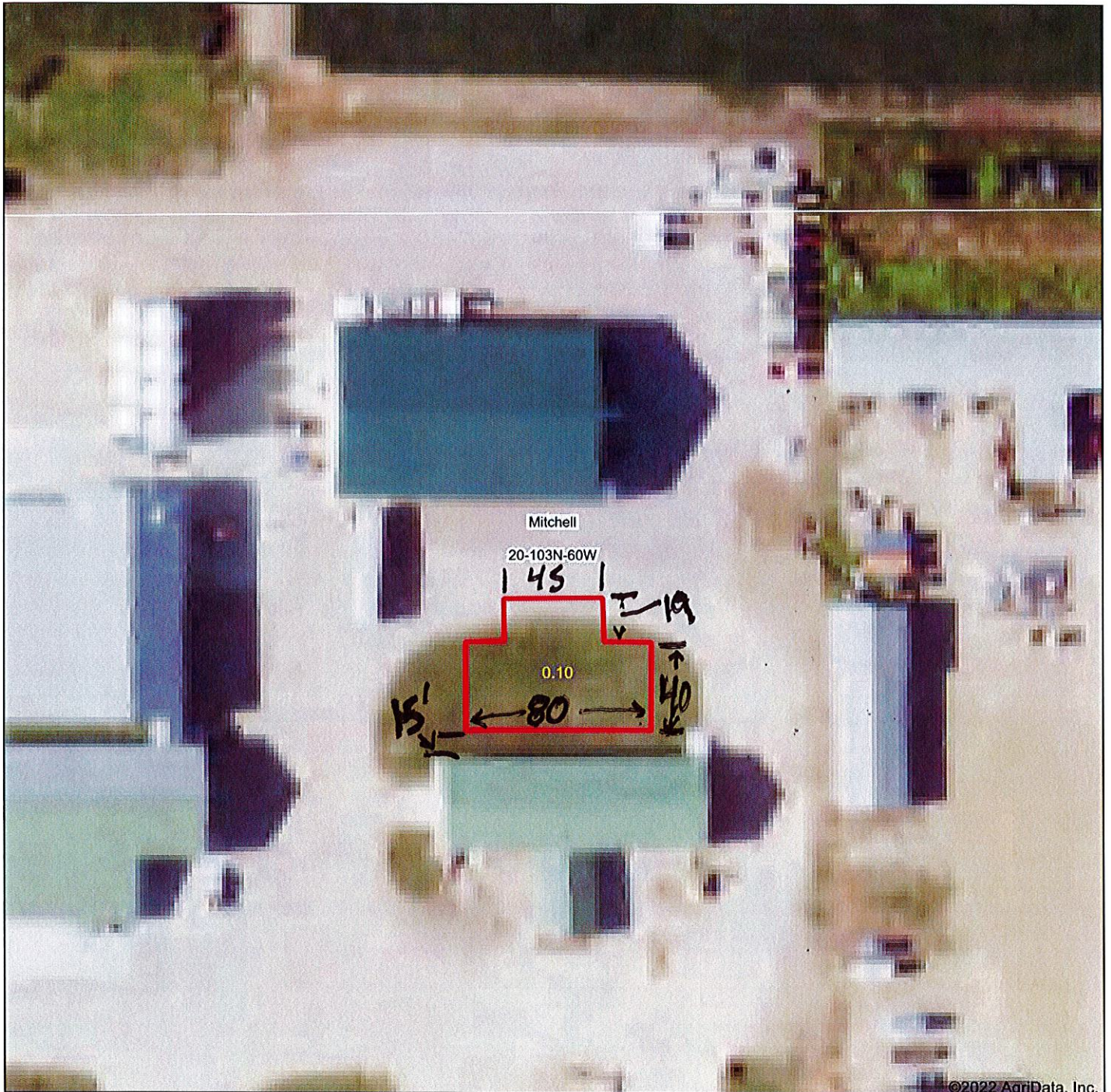


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Field borders provided by Farm Service Agency as of 5/21/2008.

Aerial Map



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Map Center: 43° 42' 11.2, -98° 3' 31.64

0ft 71ft 143ft

20-103N-60W
Davison County
South Dakota

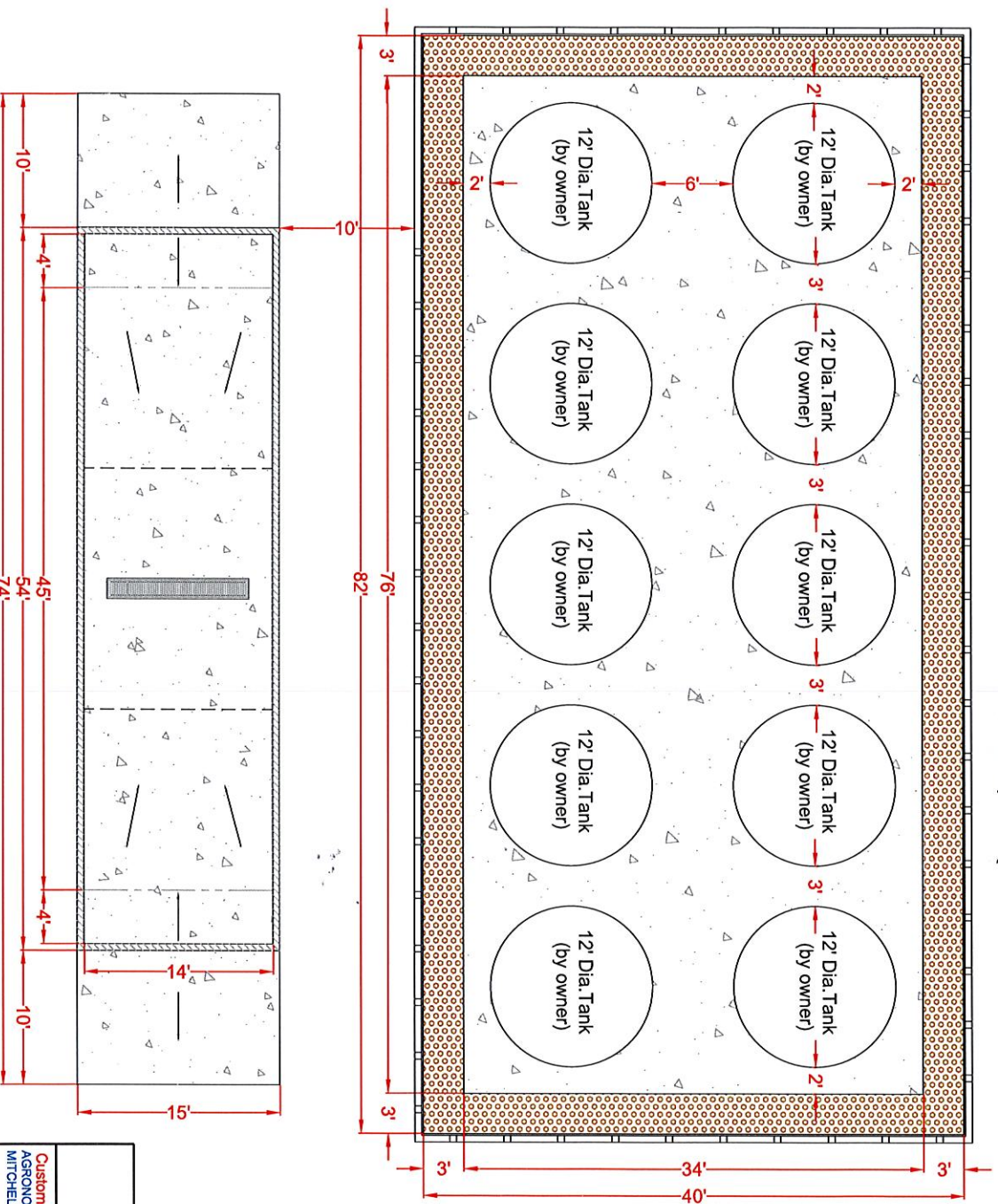


3/16/2022

Maps Provided By:
surety
CUSTOMIZED ONLINE MAPPING
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Field borders provided by Farm Service Agency as of 5/21/2008.

PRELIMINARY DRAWING: WOODEN SECONDARY CONTAINMENT SYSTEM - AGRONOMY PLUS - MITCHELL, SD (NOT FOR CONSTRUCTION)



J.C. RAMSDELL
ENVIRONMENTAL SERVICES, INC.

408 S. VETERANS ST., PLANDOME, SD 57258 PHONE: 605-897-2706

Customer:
AGRONOMY PLUS
MITCHELL, SD

Project:
PRELIMINARY CONCEPT DRAWING

Scale: NONE **Drawing Number:** APMS-WCLP **Page:** 1 OF 1

Date: 02-09-2022 **Drawn by:** TJ