



Planning Commission Minutes
City Council Chambers, City Hall, 612 N. Main Street
October 10, 2023

1. Call to Order

Chairperson Larson called the October 10, 2023 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: Genzlinger, Jirsa (telephonically), Larson, Osterloo, Penney (telephonically).

Absent: Doescher, Schmitz, Sonne

Staff Present: Dammann, Ellwein, Mayor Everson, Hegg, Jenniges, J Johnson, Sandoval, Schroeder.

3. Declaration Of Conflicts Of Interests

Genzlinger item #7 & #8.

4. Approve Agenda

Motion by Genzlinger, seconded by Osterloo to approve the proposed agenda. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – aye, Schmitz – absent, Sonne – absent. 5 aye, 0 nay, 2 absent; motion carried.

5. Approval of Previous Minutes: September 25, 2023

Motion by Osterloo, seconded by Genzlinger to approve the proposed minutes of the September 25, 2023 Planning Commission meeting. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – aye, Schmitz – absent, Sonne – absent. 5 aye, 0 nay, 2 absent; motion carried.

6. Schedule Next Meeting: October 23, 2023

Motion by Genzlinger, seconded by Osterloo to set the date for the next Planning Commission meeting for October 23, 2023. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – aye, Schmitz – absent, Sonne – absent. 5 aye, 0 nay, 2 absent; motion carried.

7. Conditional Use Permit: Zion Lutheran Church

Zion Lutheran Church has applied for a Conditional Use Permit to operate Religious Institute (Church Fellowship Hall and Office Space); located at 601, 605 and 611 E 4th Ave (620 E 3rd Ave existing church address), legally described as Lots 5-7, Block 32, Cooley & Guernsey Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R2 Single Family Residential District.

Jenniges noted that a notice was sent out to the neighbors, it was published in the official newspaper and sign posted. There was 1 letter received in favor. The applicant was present to answer questions.

Jenniges said this item and the next can be discussed at the same time as they are related, so Jenniges went over the variance for the proposed addition to the church. He also noted that the front of the church is actually the alley side and the street side is the rear yard. Both setbacks are 25' per code.

Jirsa stated he thought it would be pretty rare for both places to be occupied at the same time.

Motion by Osterloo, seconded by Penney to recommend approval of the conditional use. Roll call vote: Genzlinger – abstain, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – aye, Schmitz – absent, Sonne – absent. 4 aye, 0 nay, 2, absent, 1 abstain; motion carried.

8. Variance Permit: Zion Lutheran Church

Zion Lutheran Church has applied for a Variance Permit for the following:

1. Side yard setback along Burr St of 17.5' vs 20' to account for the point of the building overhang.
2. Front yard setback along alley of 16.5' vs 25' to account for pedestrian drop-off roof and overhang.
3. Off-street parking on-site of 0 vs 89 spaces. Standard parking and ADA parking is located on existing adjacent church property and additional parking is planned in the next phase of construction to the east of the subject property.

This is located at 601, 605 and 611 E 4th Ave (620 E 3rd Ave existing church address), legally described as Lots 5-7, Block 32, Cooley & Guernsey Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R2 Single Family Residential District.

Jenniges noted that a notice was sent out to the neighbors, it was published in the official newspaper and sign posted. There was 1 letter received in favor. The applicant was present to answer questions.

Shannon Sandoval, owner of 615 E 4th Ave, noted that there is no contract yet on his house. He questioned the east side yard setback. It was noted that the required side yard setback is 3' but the church is 7' from the property line. There is a fence there and he would like that to stay.

Eric Schram, representing Zion Lutheran Church, went over the phased/future drawings of the block. They have right of first refusal on a couple of lots, not with Sandoval's, but they are showing the possibility of getting it and putting a classroom addition on the building. They currently have enough classrooms. This is just for future planning 30 to 40 years down the road. There is parking figured into another phase where they have the right of first refusal. That parking would actually be utilized for the "church" portion and the existing church parking would be used for the church fellowship hall.

Motion by Osterloo, seconded by Jirsa to recommend approval of the variances. Roll call

vote: Genzlinger – abstain, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – aye, Schmitz – absent, Sonne – absent. 4 aye, 0 nay, 2 absent, 1 abstain; motion carried.

Penney left the meeting at 12:15 P.M.

9. Plan Approval: Bankwest, 1200 E Spruce St, zoned HB Highway Business

Jenniges explained Bankwest is building a new building just to the north of their existing building. Jenniges went over the plans presented to the board for their approval.

The applicant was not present to answer questions.

Motion by Jirsa, seconded by Genzlinger to approve the plan. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – absent, Schmitz – absent, Sonne – absent. 4 aye, 0 nay, 3 absent; motion carried.

10. Plan Approval: Truck Armor, 2424 W Havens, zoned HB Highway Business

Jenniges explained the applicant would like to put an addition to their building for cold storage. It is over 50' wide so it will have to be a stamped structural building. It is being built over gravel, so the ground is already non-poris. Access and drainage are to the south.

The applicant was present to answer questions.

Motion by Osterloo, seconded by Genzlinger to approve the plan. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – absent, Schmitz – absent, Sonne – absent. 4 aye, 0 nay, 3 absent; motion carried.

11. Plat: Lots 2-A, 2-B and 2-C, a subdivision of previously platted Lot 2, all in Block 8 of Westwood First Addition; as requested by Jensen Capital & Development LLC

Jenniges explained the applicant is subdividing an existing lot to build duplexes on. The new plats meets zoning ordinance requirements.

The applicant was not present to answer questions.

Motion by Genzlinger, seconded by Osterloo to approve the plat. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – absent, Schmitz – absent, Sonne – absent. 4 aye, 0 nay, 3 absent; motion carried.

12. Hearing and Action on Establishing the Boundaries and Approval of the Project Plan for Tax Increment Financing District #31

Justin Johnson noted that MADDC is the developer for this TIF and the TIF will get 15th Ave constructed. Staff did a review of the project and it met all city and state guidelines. He noted the infrastructure costs for the bid came in lower than the estimates. There has been discussion if interest can be used in project costs and that may change by the time council sees it.

Ellwien noted that there were only minor changes to the plan after staff reviewed it and that this is a good way to complete 15th Ave. This TIF does overlap with county TIF 2, which will pay off in 6 or 7 years and then the whole increment will go towards this TIF.

Genzlinger questioned the irregular shape of the TIF. Ellwein answered that rights-of-way were needed to connect the lots to help capture enough increments. At this time there is no planned development north of 15th Ave and it would have to be completed within 5 years.

Putting 15th Ave in will make north of 15th Ave more marketable and they could come back for another TIF at that time.

Don Petersen, representing MADDC, said one of the major contributors to the TIF is Echo.

They are planning to build a 20,000 to 25,000 square foot building. They needed more access to the building and that's what this TIF does by completing 15th Ave. By expanding to this new location, Echo will have 12 to 15 more employees. He noted that they intend to move the interest to not eligible project cost for reimbursement for the council meeting.

Motion by Genzlinger, seconded by Oster, to set the boundaries for TIF District #31 which is laid out on page 79 of 81 of the packet and page 39 of the TIF application to include the following:

Lot Two A (2A), Block One (1); Lot Four (4), Block Seven (7); Lot Twenty (20), Block Seven (7); and Lot Twenty-one (21), Block Seven (7), all in Westwood First Addition, a Subdivision of the Southwest Quarter (SW ¼) of section Sixteen (16), Township One Hundred Three (103) North, Range Sixty (60) West of the 5th P.M., City of Mitchell, Davison County, South Dakota; and

Lot One (1), Block Seven (7) of Westwood First Addition, less the portion of west 15th Avenue lying within, a Subdivision of the Southwest Quarter (SW ¼) of section Sixteen (16), Township One Hundred Three (103) North, Range Sixty (60) West of the 5th P.M., City of Mitchell, Davison County, South Dakota

Unplatted lots bounded by the south boundary of West 15th Avenue right-of-way on the north, the west side of Lot One (1) on the east, the north side of Lot Two (2) and Lot Twenty-one (21) on the south, and the east boundary of North Ohlman Street right-of-way on the west (upon completion and approval of a recently submitted plat, the above real property is anticipated to be legally described as Lot 22, Block 7 of Westwood First addition, and a portion of West 15th Avenue, a subdivision of the west ½ of Section 16, Township 103 North, Range 60 West of the 5th P.M., City of Mitchell, Davison County, South Dakota); and

West 15th Avenue right-of-way from its west intersection with Commerce Street, extending west to the centerline of the North Ohlman Street right-of-way; and

The east half of the North Ohlman Street right-of-way beginning at the south property line of Lot Twenty (20) to the south intersection of West 15th Avenue right-of-way; and

Commerce Street right-of-way beginning at the southern boundary of Lot Four (4) and extending north to a point Thirty-Five feet (35') north of the north right-of-way boundary of West 15th Avenue.

Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – absent, Schmitz – absent, Sonne – absent. 4 aye, 0 nay, 3 absent; motion carried.

Motion by Genzlinger, seconded by Osterloo to approve the project plan and recommend approval of TIF District #31. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – absent, Schmitz – absent, Sonne – absent. 4 aye, 0 nay, 3 absent; motion carried.

13. Other Business:

None.

14. Public Input:

None.

15. Adjourn

Chairperson Larson adjourned the meeting at 12:32 P.M.

A handwritten signature in blue ink, appearing to read "Kevin Genzlinger".

Kevin Genzlinger
Planning Commission Vice-Chairperson