City of Mitchell SOUTH DAKOTA

Planning Commission Agenda
City Council Chambers, City Hall, 612 N. Main Street
April 22, 2024

1. **12:00 PM Call to Order**
2. **Roll Call**
3. **Declaration Of Conflicts Of Interests**
4. **Approve Agenda**
5. **Approval of Previous Minutes: April 8, 2024**
6. **Schedule Next Meeting: May 13, 2024**
7. **Variance Permit: Adam Koch**

   Adam Koch has applied for a Variance Permit for a side yard setback of 3' vs 8' to build a 26' wide by 68' deep attached garage; located at 2212 Kelly Drive, legally described as Lot 1 Except the W 150', Country Living Estates in the NE ¼ of Section 14, T 103 N, R 60 W of the 5th PM., Davison County, South Dakota. The said real property is zoned UD Urban Development District.
8. **Variance Permit: Michael & Delana Krause**

   Michael & Delana Krause have applied for a Variance Permit for a combination of attached and detached accessory buildings of 2,716 square feet vs 2,000 square feet to build a new detached accessory building of 2,040 square feet; located at 1020 Chalkstone Dr, legally described as Lot 1, Block 1 Northridge Park, City of Mitchell, Davison County, South Dakota. The said real property is zoned R1 Single-Family Residential District.
9. **Variance Permit: Chuck Stevenson**

   Chuck Stevenson has applied for a Variance Permit for a combination of attached and detached accessory buildings of 4,216 square feet vs 2,000 square feet to build a new detached accessory building of 3,312 square feet; located at 114 S Harmon Dr, legally described as Lots 4 & 5A, Block 3 and that portion of vacated Indian Head Drive, all in Indian Head Second Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned RL Lake Residential District.
10. **Hearing and Action on Establishing the Boundaries and Approval of the Project Plan for Tax Increment Finanancing District #34**
11. **Plat: Lots 5-A and 5-B, a subdivision of Amoco Irregular Tract in the North 12 of the SE 1/4 of Section 27, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota; as requested by Eight West LLC**
12. **Discussion Item Only: 10-4-4-Similar Uses-Shipping Container Storage Units**

13. **Other Business:**

14. **Public Input:**

    If you need to address the Board 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.

15. **Adjourn**

Individuals with disabilities who require special assistance to take part in this meeting may contact one of the following at City Hall (605) 995-8420 at least 24 hours prior to the meeting with requests for assistance: Human Resources Officer or the City Administrator.

Planning Commission
City Council Chambers, City Hall, 612 N. Main Street
April 8, 2024

1. Call to Order

Chairperson Larson called the April 8, 2024 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: Doescher, Genzlinger, Havlik, Jirsa (telephonically), Larson, Schmitz (12:08), Sonne.
Absent: Osterloo
Staff Present: Dammann, Ellwein, Mayor Everson, Hegg, Jenniges, J Johnson, Schroeder.

3. Declaration Of Conflicts Of Interests

Sonne item #10.
Jirsa item #10.

4. Approve Agenda

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

5. Approval of Previous Minutes: March 25, 2024

Motion by Havlik, seconded by Genzlinger to approve the proposed minutes of the March 25, 2024 Planning Commission Meeting. Roll call vote: Genzlinger – aye, Havlik – aye, Jirsa – aye, Larson – aye, Osterloo – absent, Schmitz – absent, Sonne – aye. 5 aye, 0 nay, 2 absent; motion carried.

6. Schedule Next Meeting: April 22, 2024

Motion by Havlik, seconded by Genzlinger to set the date for the next Planning Commission Meeting for April 22, 2024. Roll call vote: Genzlinger – aye, Havlik – aye, Jirsa – aye, Larson – aye, Osterloo – absent, Schmitz – absent, Sonne – aye. 5 aye, 0 nay, 2 absent; motion carried.

7. Variance Permit: Lori Schulz

Lori Schulz has applied for a Variance Permit for a front yard setback of 15' vs 25' to build a 17’ x 9’ front porch; located at 714 E 1st Ave, legally described as Lot 11, Block 21 F.M.

Greens 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 were four letters received in favor that made the packet and one that did not make the packet. The applicant was present to answer questions.

Schulz stated the reason she would like to build the front porch is to get the south side of her house out of the elements and curb appeal. The sun heats up her windows and house in the summer, and she would like to have a roof over the stairs and door.

Motion by Havlike, seconded by Sonne to recommend approval of the variance. Roll call vote: Genzlinger – aye, Havlik – aye, Jirsa – aye, Larson – aye, Osterloo – absent, Schmitz – aye, Sonne – aye. 6 aye, 0 nay, 1 absent; motion carried.

8. Variance Permit: Lynn Eckmann

Lynn Eckmann has applied for a Variance Permit for a side yard corner setback of 8’ vs 20' to place a 12’ x 20’ storage shed; located at 1528 Pebble Beach Road, legally described as Lot 29, Block 4, Lakeview 1st 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 that made the packet and one in favor that did not make the packet. The applicant was present to answer questions.

Eckmann stated there is an existing concrete pad he would like to place the shed on so he can work on and store his race car.

Motion by Schmitz, seconded by Havlik to recommend approval of the variance. Roll call vote: Genzlinger – aye, Havlik – aye, Jirsa – aye, Larson – aye, Osterloo – absent, Schmitz – aye, Sonne – aye. 6 aye, 0 nay, 1 absent; motion carried.

9. Rezone Hearing and Recommendation: MAHI has requested a portion of Lot 1 and Lot 10, Block 1-B, Ridge View on Foster Addition be changed from UD Urban Development District to R3 Medium Residential District; portion of Lots 6 through 10, Block 1-B, Ridge View on Foster Addition be changed from R4 High Density Residential District to R3 Medium Density Residential District; portion of Tract DR1-A, Ridge View on Foster Addition be changed from R3 Medium Density Residential District to R4 High Density 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 that made the packet and one in favor that did not make the packet. The applicant was present to answer questions.

Jenniges noted that the new plat that was approved for this location did not line up with rezone that had been done previously. They are not changing anything major, just cleaning up three locations of zoning to match with the new plat boundaries.

Motion by Genzlinger, seconded by Havlik to recommend approval of the rezone. Roll call vote: Genzlinger – aye, Havlik – aye, Jirsa – aye, Larson – aye, Osterloo – absent, Schmitz –

aye, Sonne – aye. 6 aye, 0 nay, 1 absent; motion carried.

10. Hearing and Action on Establishing the Boundaries and Approval of the Project Plan for Tax Increment Financing District #33

Jenniges gave an overview of the area and the plat that was previously approved. He noted it was published in the paper with the old legals as well as the new legal from the plat that was just filed.

Johnson gave an overview of the TIF stating staff had done an initial review and it meets state requirements as well as the city's TIF handbook.

Ellwein noted that this is a grant pass through and does not go against the city's debt capacity. Also, the TIF creates jobs.

Austen Iverson noted they recently purchased Palace Motorsports on Sanborn Blvd and this TIF will move that business to this location. He will create jobs and can not do the project without the TIF.

Doescher questioned how soon the project would begin and Iverson answered as soon as possible and hoped to have the structure built this year yet, just maybe not fully completed.

Motion by Havlik, seconded by Schmitz, to set the boundaries for TIF District #33 to include the following:

Plat of Lot 1 of Archer First Addition, a subdivision of Lots B-1 and B-2 within Lot B, and Lot C, formerly a portion of Irregular Tract No. 4A in the South 1/2 of Section 22, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota.

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

Motion by Schmitz, seconded by Genzlinger to approve the project plan and recommend approval of TIF District #33. Roll call vote: Genzlinger – aye, Havlik – aye, Jirsa – abstain, Larson – aye, Osterloo – absent, Schmitz – aye, Sonne – abstain.   4 aye, 0 nay, 2 abstain, 1 absent; motion carried.

11. Other Business:

None.

12. Public Input:

None.

13. Adjourn

Chairperson Larson adjourned the meeting at 12:25 P.M.

____

Jay A. Larson
Planning Commission Chairperson

City of Mitchell SOUTH DAKOTA

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, plats being the exception.

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** *$250 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** *$150 application fee due with application.*

- Description of Variance: Side yard variance of 3' vs 8'
- Description of Hardship: Applicant would like to build an attached garage 26' wide by 68' deep. Variance was approved in July of 2020 but due to Covid-19 and lumber prices rising it was never built within the 2 years allotted.

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

- Description of Conditional Use: Click or tap here to enter text.

☐ **Plat Application** *$100 application fee due with application*

This Application is for the following described real property:

Legal Description: **Lot 1 Ex W 150 feet, Country Living Estates, NE 1/4 of 14-103-60**

Property Address: **2212 Kelly Dr**

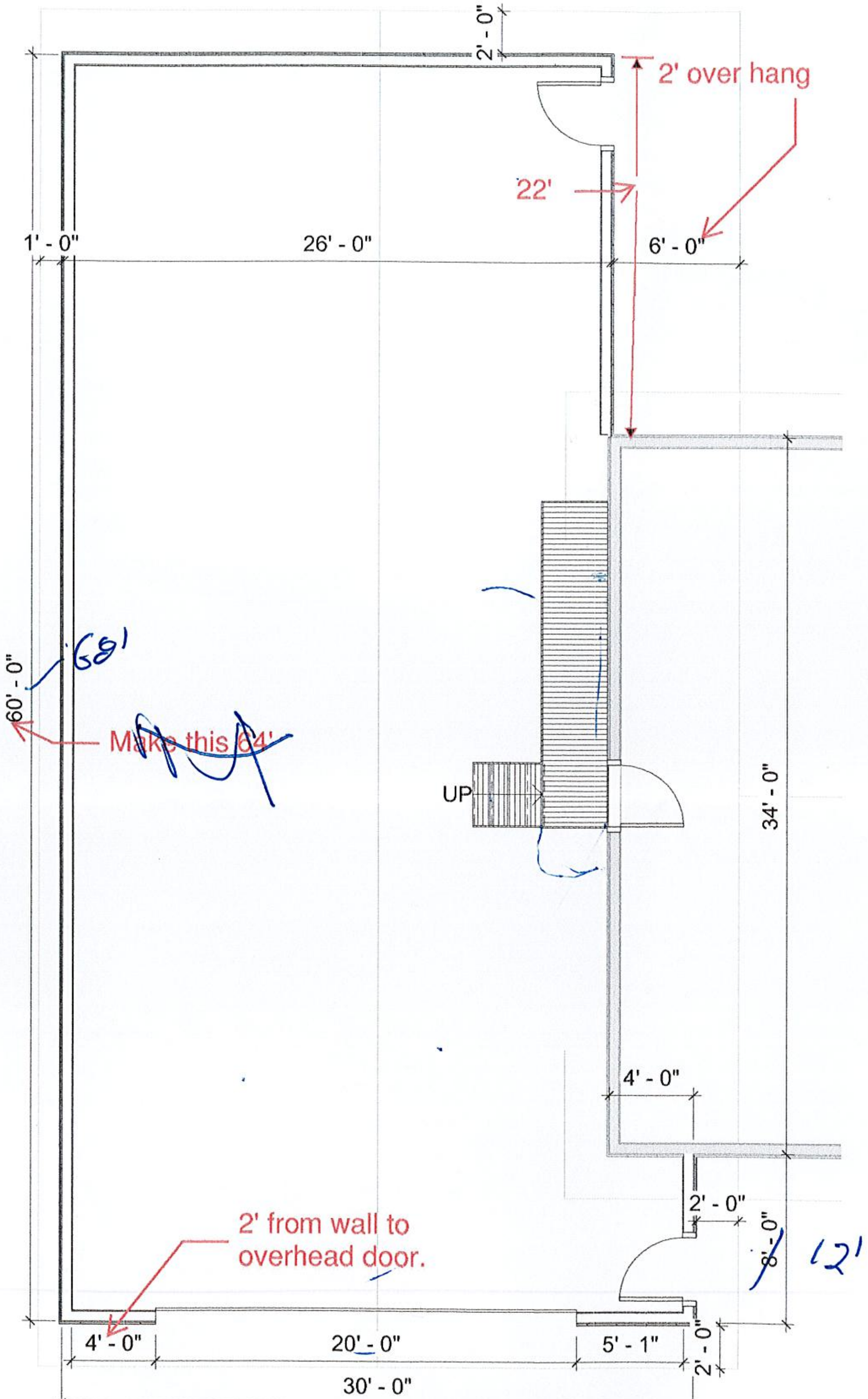
Dated this 25 of March, 2024

Adam Koch
APPLICANT

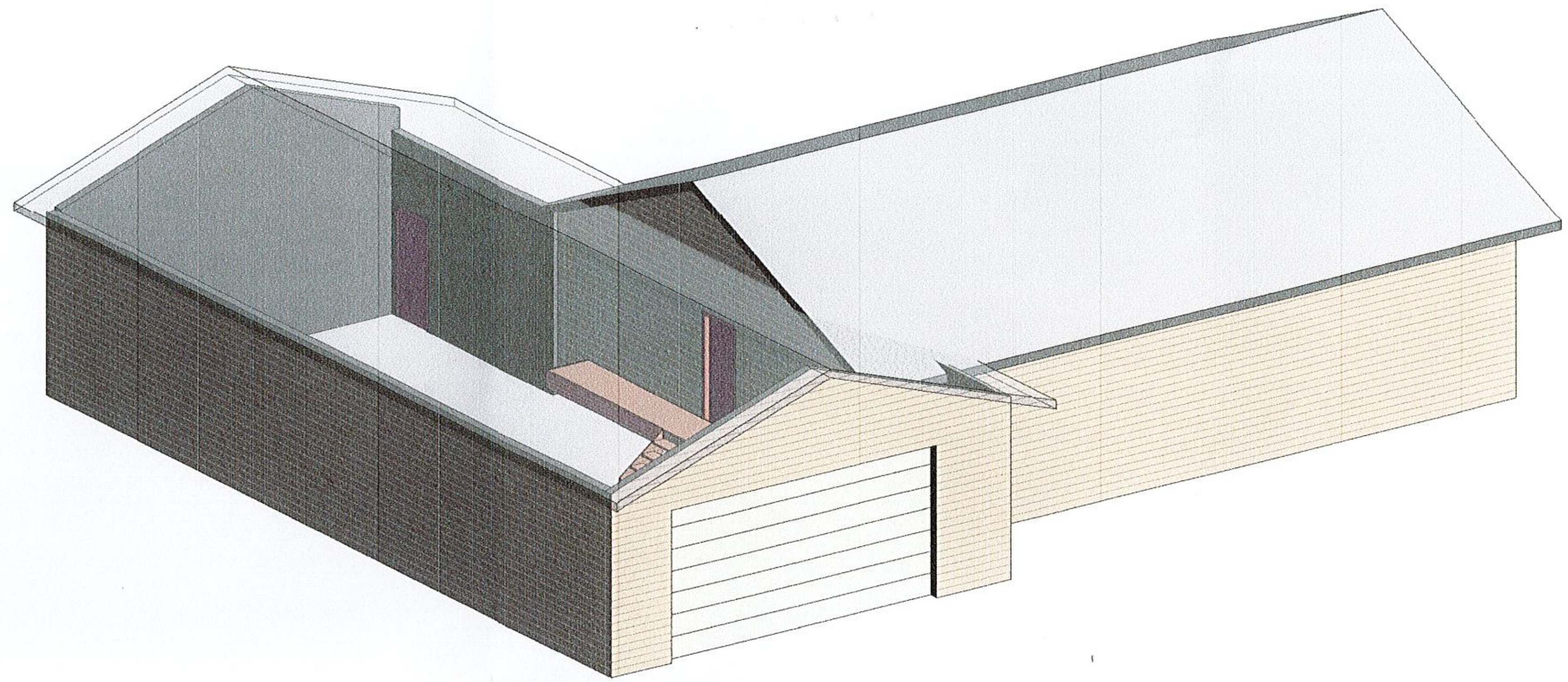
Adam & Katie Koch
OWNER


John & Sonja Van Erdewyk
Adam & Katie Koch
Variance Permit side yard setback of 3' vs 8'
to build an attached 26' x 68'
Previously approved ini July of 2020
Terry & Linette Reimnitz
Terry & Linette Reimnitz
Amanda & Greg Neppl
Kelsey Braun
Steven Lauck
2200
2212
2218
2300
KELLY DR
2209
2301
Paul & Tamie Reiland
Shawna Heck
Paul & Tamie Reiland

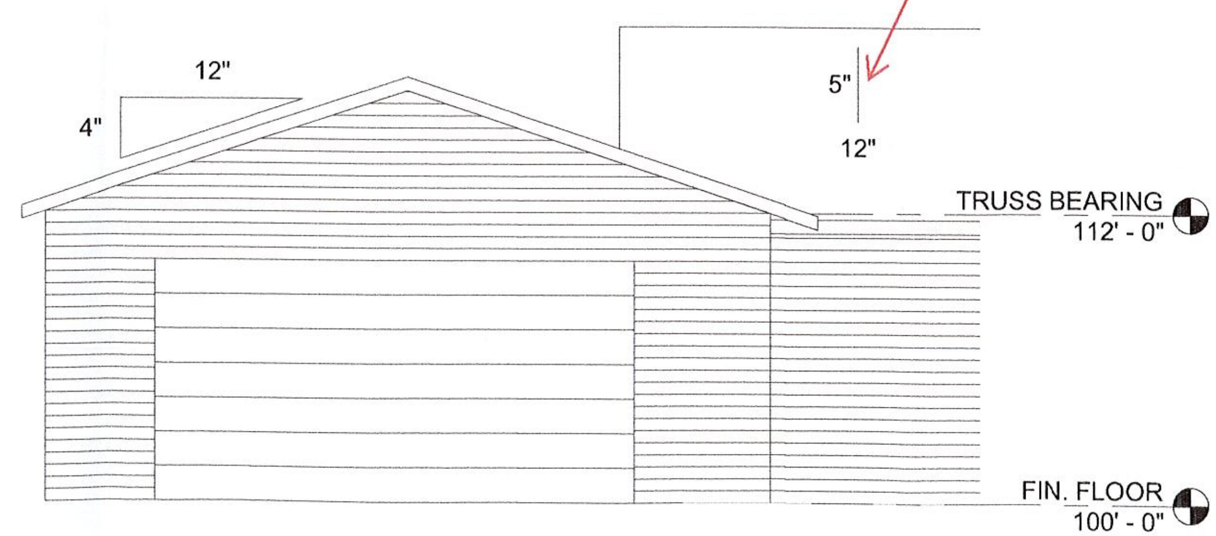

2212 KELLY DR



1 **MAIN LEVEL FLOOR PLAN**
1/8" = 1'-0"



2 **{3D}**



3 **SOUTH ELEVATION**
1/8" = 1'-0"

ADAM GARAGE
MITCHELL, SD

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 Adam Koch has applied for a Variance Permit for a side yard setback of 3’ vs 8' to build a 26’ wide by 68’ deep attached garage; located at 2212 Kelly Drive, legally described as Lot 1 Except the W 150’, Country Living Estates in the NE ¼ of Section 14, T 103 N, R 60 W of the 5th PM., Davison County, South Dakota. The said real property is zoned UD Urban Development District.

YOU ARE FURTHER NOTIFIED, that public hearings will be held by the City Planning Commission on Monday, April 22, 2024, 12:00 P.M. (Noon) and the Board of Adjustment on Monday, May 6, 2024 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 this 4th day of April, 2024.

Michelle Bathke

FINANCE OFFICER

Publish once: 10th day of April, 2024
Approximate Cost:

Adam & Katie Koch
2212 Kelly Dr
Mitchell, SD 57301

John & Sonja Van Erdewyk
1801 N Gale Rd
Mitchell, SD 57301

Terry & Linette Reimnitz
2200 Kelly Dr
Mitchell, SD 57301

Amanda & Gregory Neppl
2218 Kelly Dr
Mitchell, SD 57301

Paul & Tamie Reiland
2209 Kelly Dr
Mitchell, SD 57301

Shawna Heck
2301 Kelly Dr
Mitchell, SD 57301

Kelsey Braun
Steven Lauck
2300 Kelly Dr
Mitchell, SD 57301

City of Mitchell | Public Works
612 North Main Street | Mitchell, SD 57301
Phone: 605-995-8433 | Fax: 605-995-8410
CityOfMitchell.org

Mitchell
SOUTH DAKOTA
Outside expectations

April 10, 2024

TO WHOM IT MAY CONCERN:

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All interested parties may be present and be heard on said request, either in person or by agent. Please submit written comments by 5:00 P.M. the Friday prior to the meeting, in the City of Mitchell Public Works Office or Finance Office.

I/We PAUL & TAMIE REILAND
OWNER

2209 KELLY DR
ADDRESS

✓ APPROVE

______ DISAPPROVE

COMMENTS:

Outside expectations

City of Mitchell SOUTH DAKOTA

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, plats being the exception.

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** *$250 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** *$150 application fee due with application.*

- Description of Variance: Combination of attached and detached accessory buildings of 2,716 square feet vs 2,000 square feet to build a new detached accessory building of 2,040 square feet
- Description of Hardship: Existing two stall garage is not big enough to shelter vehicles/boats/mower/trailer.

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

- Description of Conditional Use: Click or tap here to enter text.

☐ **Plat Application** *$100 application fee due with application*

This Application is for the following described real property:

Legal Description: **Lot 1, Block 1 Northridge Park, City of Mitchell, Davison County, South Dakota**

Property Address: **1020 Chalkstone Dr**

Dated this 29th of March, 2024.

APPLICANT

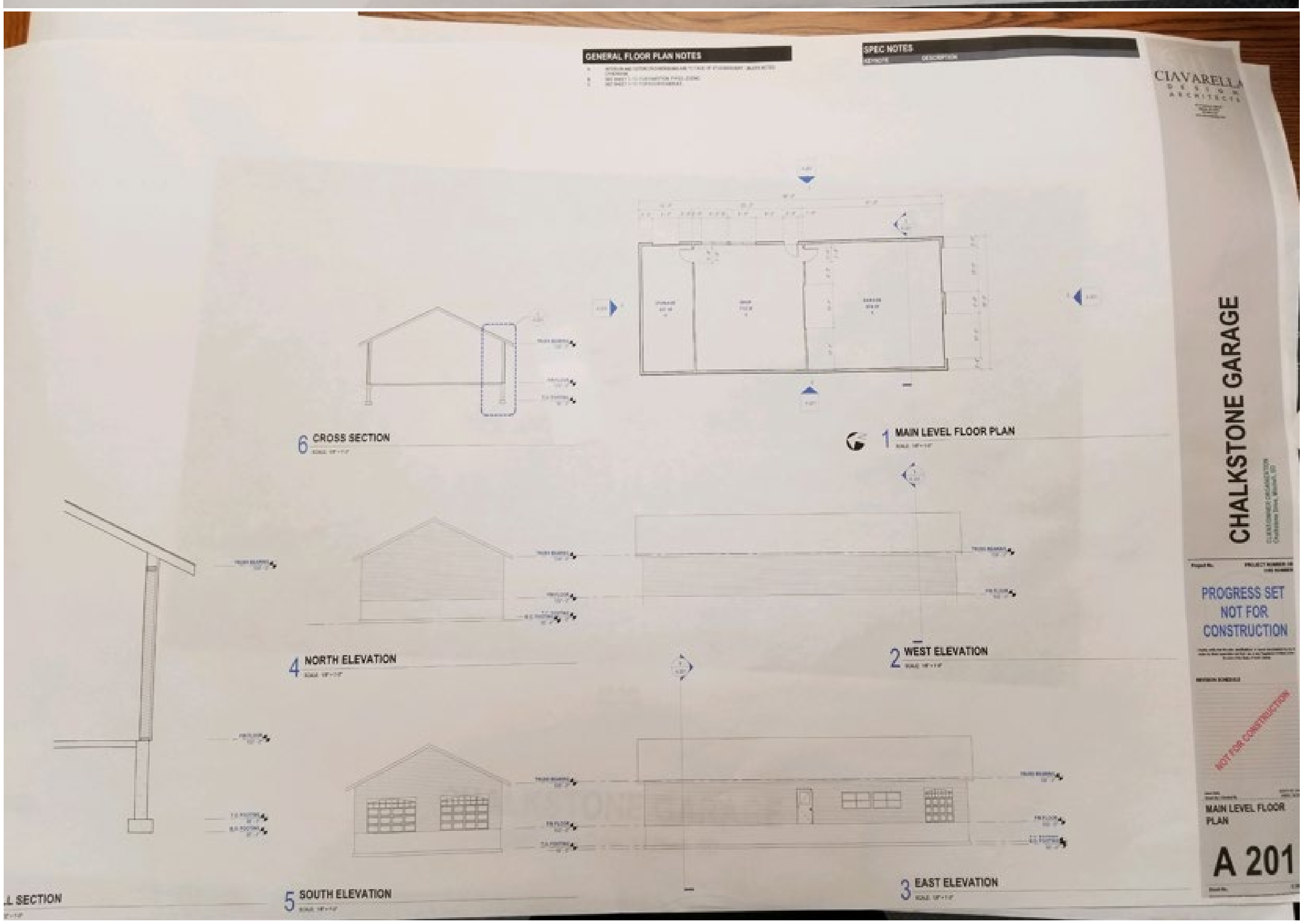
Delana M Krause

Michael & Delana Krause
OWNER


Todd Mabee Revoc Living Trust
Michael & Delana Krause
Variance Permit-Combination of attached and detached acessory buildings of 2,716 sq ft vs 2,000 sq ft to build new detached accessory building of 2,040 sq ft
Jane Hagen
1030
William & Jane Sebert
Mervin Bouchie
1520
1050
1020
1040
Clifford & Darlene Hart
523
1010
Bradley & Stacey Storm
1515
1055
NORTHRIDGE RD
NORTHRIDGE RD
1500
1001
Chet & Heather Carlson
1045
1431
1015
Jeanne Barnett
Gene Vold
905
Mark & Diana Wilson
1420
1011


1520 NORTHRIDGE RD
1030 CHALKSTONE
010 CHALKSTONE DR
1020 CHALKSTONE DR
CHALKSTONE DR
RIDGE RD
1040 CHALKSTONE DR


1020
1010
1040
Chalkstone Dr
Chalkstone Dr
Chalkstone Dr
N Ridge Rd
SITE PLAN
CHALKSTONE GARAGE
Chalkstone Drive, Mitchell, SD
8/24/2023
CIAVARELLA


GENERAL FLOOR PLAN NOTES
SPEC NOTES
CIAVARELLA DESIGN ARCHITECTS
6 CROSS SECTION
1 MAIN LEVEL FLOOR PLAN
4 NORTH ELEVATION
2 WEST ELEVATION
5 SOUTH ELEVATION
3 EAST ELEVATION
CHALKSTONE GARAGE
PROGRESS SET NOT FOR CONSTRUCTION
NOT FOR CONSTRUCTION
MAIN LEVEL FLOOR PLAN
A 201

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 Michael & Delana Krause have applied for a Variance Permit for a combination of attached and detached accessory buildings of 2,716 square feet vs 2,000 square feet to build a new detached accessory building of 2,040 square feet; located at 1020 Chalkstone Dr, legally described as Lot 1, Block 1 Northridge Park, 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 Monday, April 22, 2024, 12:00 P.M. (Noon) and the Board of Adjustment on Monday, May 6, 2024 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 this 4th day of April, 2024.

Michelle Bathke

FINANCE OFFICER

Publish once: 10th day of April, 2024

Approximate Cost:

Michael & Delana Krause
1020 Chalkstone Dr
Mitchell, SD 57301

Todd Mabee Revoc Living Trust
1344 NW Ithaca Ave
Unit 1
Bend, OR 97703

Mervin Bouchie
1520Northridge Rd
Mitchell, SD 57301

Bardley & Stacey Storm
1010 Chalkstone Dr
Mitchell, SD 57301

Jane Hagen
1030 Chalkstone Dr
Mitchell, SD 57301

Clifford & Darlene Hart
1040 Chalkstone Dr
Mitchell, SD 57301

William & Jane Sebert
1050 Chalkstone Dr
Mitchell, SD 57301

Jeanne Barnett
Gene Vold
905 Chalkstone Dr
Mitchell, SD 57301

Mark & Diana Wilson
1431 Northridge Rd
Mitchell, SD 57301

Chet & Heather Carlson
1001 Chalkstone Dr
Mitchell, SD 57301

City of Mitchell | Public Works
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CityOfMitchell.org

Mitchell
SOUTH DAKOTA
Outside expectations

April 10, 2024

TO WHOM IT MAY CONCERN:

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I/We Michael & Delana Krause
OWNER

1020 Chalkstone Drive

ADDRESS

X APPROVE

_____ DISAPPROVE

COMMENTS:

Outside expectations

City of Mitchell | Public Works
612 North Main Street | Mitchell, SD 57301
Phone: 605-995-8433 | Fax: 605-995-8410
CityOfMitchell.org

Mitchell
SOUTH DAKOTA
Outside expectations

April 10, 2024

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I/We Bill & Jane Sebert
OWNER

1050 Chalkstone
ADDRESS

______ APPROVE

Not Sure

______ DISAPPROVE

COMMENTS:
What is the purpose of the Building?
Does the building meet the neighborhood Covenants?

Michael and Delana Krouse

BS

Bill Sebert <billsebert@dakotapump.com>
To Mark Jenniges

You replied to this message on 4/18/2024 7:53 AM.

Mark
Had a nice visit with Mike and Lonnie. I have no objection to the new garage they want to build. I will not be at the planning meeting on Monday.
Thanks
Bill

Bill Sebert
Dakota Pump
25524 413th Ave
Mitchell, SD 57301
t. 605.996.6636 ext. 104
w. DakotaPump.com

City of Mitchell | Public Works
612 North Main Street | Mitchell, SD 57301
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I/We Clifford & Darlene Hart
OWNER

1040 Chalkstone DR.
ADDRESS

✓ APPROVE

_____ DISAPPROVE

COMMENTS:

City of Mitchell | Public Works
612 North Main Street | Mitchell, SD 57301
Phone: 605-995-8433 | Fax: 605-995-8410
CityOfMitchell.org

Mitchell
SOUTH DAKOTA
Outside expectations

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I/We Jane Hagen
OWNER

1030 Chalkstone Dr.

ADDRESS

✓ APPROVE

_____ DISAPPROVE

COMMENTS:

City of Mitchell
SOUTH DAKOTA

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

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☐ **Rezoning** *$250 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** *$150 application fee due with application.*

- Description of Variance: Combination of attached and detached accessory buildings of 4,216 square feet vs 2,000 square feet to build a new detached accessory building of 3,312 square feet.
- Description of Hardship: Applicant would like to sell accessory building on Sam Street and move contents to new detached accessory buildings on his property.

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

- Description of Conditional Use: Click or tap here to enter text.

☐ **Plat Application** *$100 application fee due with application*

This Application is for the following described real property:

Legal Description: **Lots 4 & 5A, Block 3 and that portion of vacated Indian Head Drive, all in Indian Head Second Addition, City of Mitchell, Davison County, South Dakota**

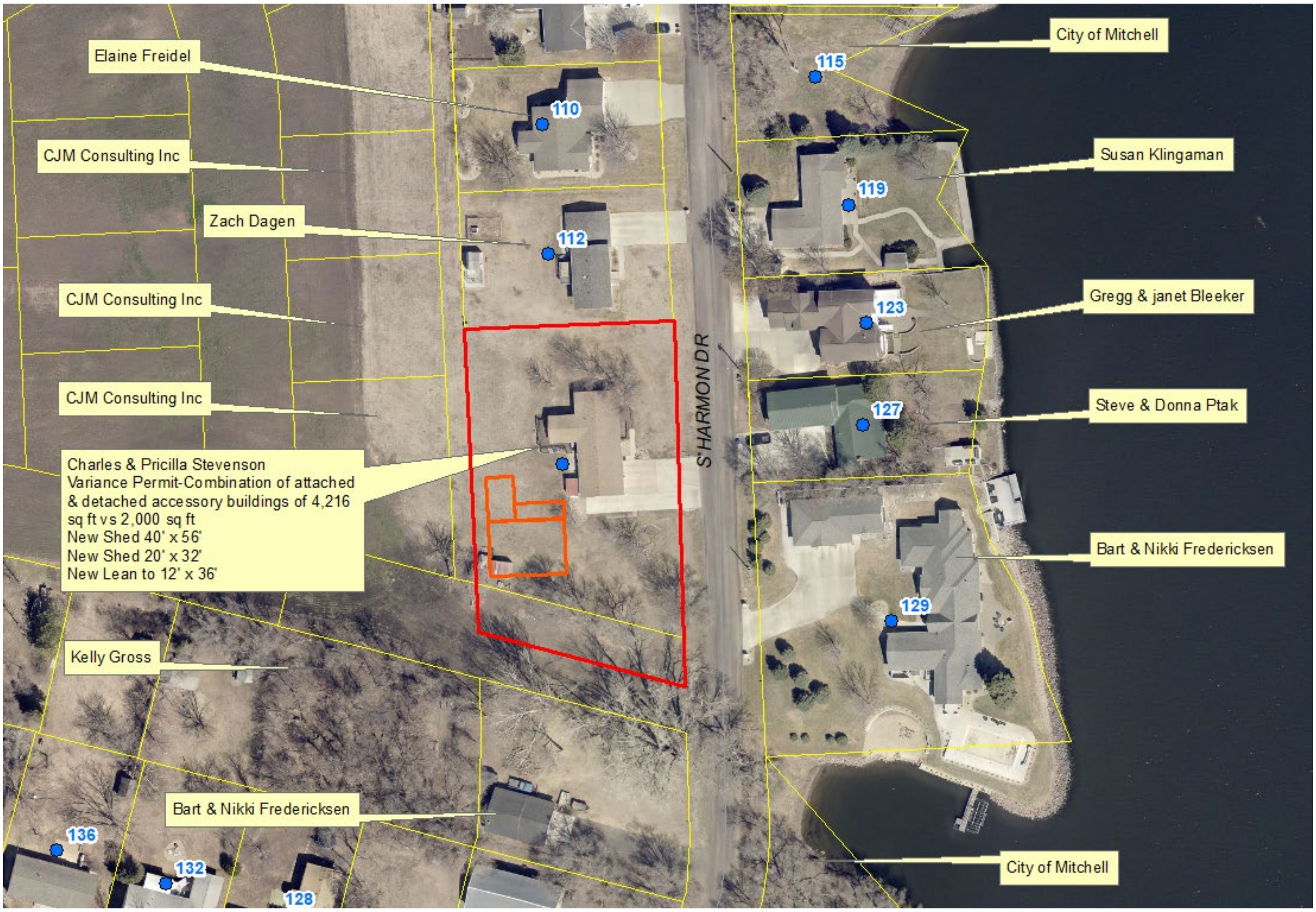
Property Address: **114 S Harmon Dr**

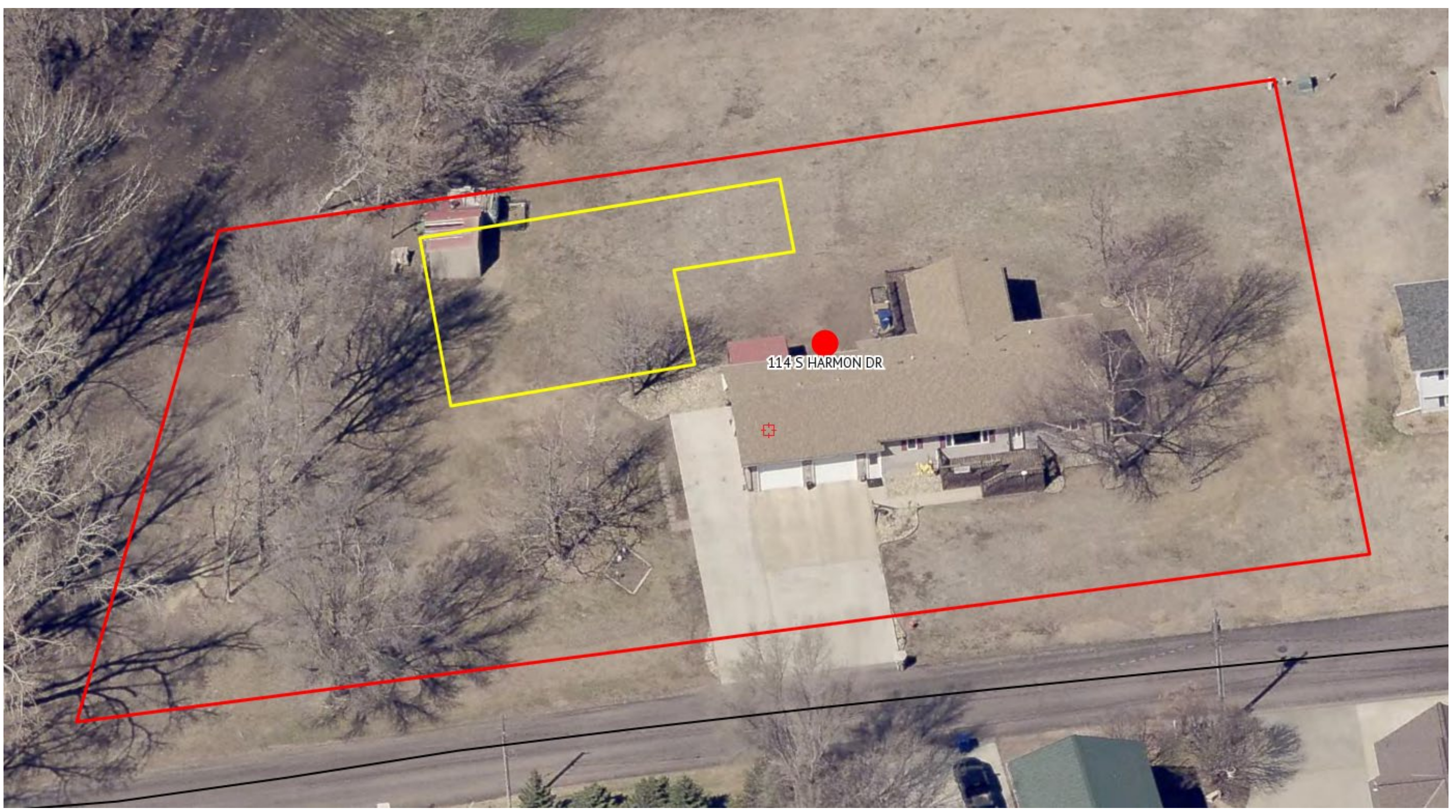
Dated this 1st of April, 2024.

Chuck Stevenson

APPLICANT

Priscilla & Charles Stevenson
OWNER


Elaine Freidel
CJM Consulting Inc
Zach Dagen
CJM Consulting Inc
CJM Consulting Inc
Charles & Pricilla Stevenson
Variance Permit-Combination of attached
& detached accessory buildings of 4,216
sq ft vs 2,000 sq ft
New Shed 40' x 56'
New Shed 20' x 32'
New Lean to 12' x 36'
Kelly Gross
Bart & Nikki Fredericksen
136
132
128
110
112
S HARMON DR
City of Mitchell
115
Susan Klingaman
119
Gregg & janet Bleeker
123
Steve & Donna Ptak
127
Bart & Nikki Fredericksen
129
City of Mitchell


114 S HARMON DR

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 Chuck Stevenson has applied for a Variance Permit for a combination of attached and detached accessory buildings of 4,216 square feet vs 2,000 square feet to build a new detached accessory building of 3,312 square feet; located at 114 S Harmon Dr, legally described as Lots 4 & 5A, Block 3 and that portion of vacated Indian Head Drive, all in Indian Head Second Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned RL Lake Residential District.

YOU ARE FURTHER NOTIFIED, that public hearings will be held by the City Planning Commission on Monday, April 22, 2024, 12:00 P.M. (Noon) and the Board of Adjustment on Monday, May 6, 2024 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 this 4th day of April, 2024.

Michelle Bathke

FINANCE OFFICER

Publish once: 10th day of April, 2024
Approximate Cost:

Charles & Priscilla Stevenson
114 S Harmon Dr
Mitchell, SD 57301

CJM Consulting Inc
375 London Bridge Rd
Unit 5
Lake Havasu, AZ 86403

Elaine Freidel
110 Harmon Dr
Mitchell, SD 57301

Zach Dagen
112 S Harmon Dr
Mitchell, SD 57301

Susan Klingaman
1516 5^{th} St
Alameda, CA 94501

Gregg & Janet Bleeker
123 S Harmon Dr
Mitchell, SD 57301

Steve & Donna Ptak
127 S Harmon Dr
Mitchell, SD 57301

Bart & Nikki Fredericksen
129 S Harmon Dr
Mitchell, SD 57301

Kelly Gross
132 S Harmon Dr
Mitchell, SD 57301

City of Mitchell
612 N Main St
Mitchell, SD 57301

City of Mitchell | Public Works
612 North Main Street | Mitchell, SD 57301
Phone: 605-995-8433 | Fax: 605-995-8410
CityOfMitchell.org

Mitchell
SOUTH DAKOTA
Outside expectations

April 10, 2024

TO WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED that Chuck Stevenson has applied for a Variance Permit for a combination of attached and detached accessory buildings of 4,216 square feet vs 2,000 square feet to build a new detached accessory building of 3,312 square feet; located at 114 S Harmon Dr, legally described as Lots 4 & 5A, Block 3 and that portion of vacated Indian Head Drive, all in Indian Head Second Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned RL Lake Residential District.

YOU ARE FURTHER NOTIFIED that the City Planning Commission will be conducting a hearing on this application on Monday, April 22, 2024, 12:00 P.M. (Noon) and the Board of Adjustment on Monday, May 6, 2024 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 be present and be heard on said request, either in person or by agent. Please submit written comments by 5:00 P.M. the Friday prior to the meeting, in the City of Mitchell Public Works Office or Finance Office.

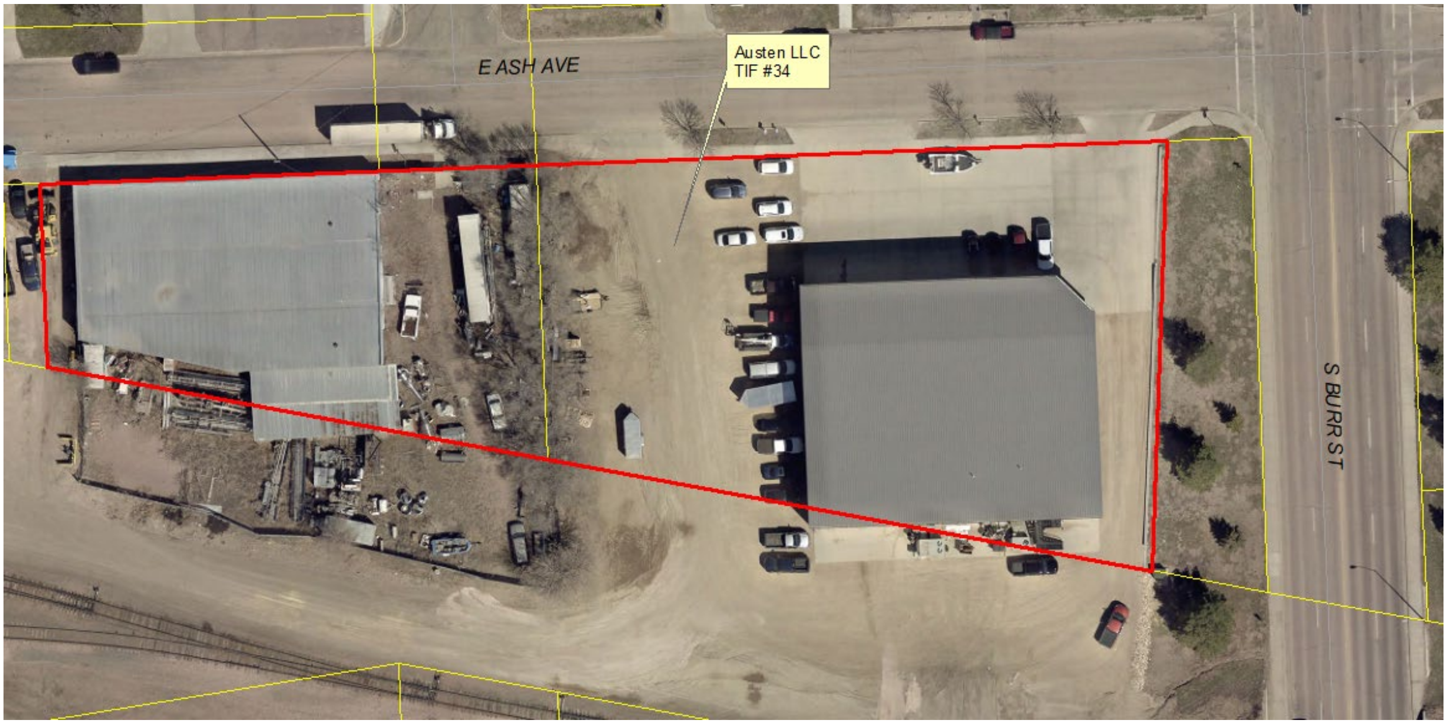
I/We Gregg & Janet Bleeker
OWNER

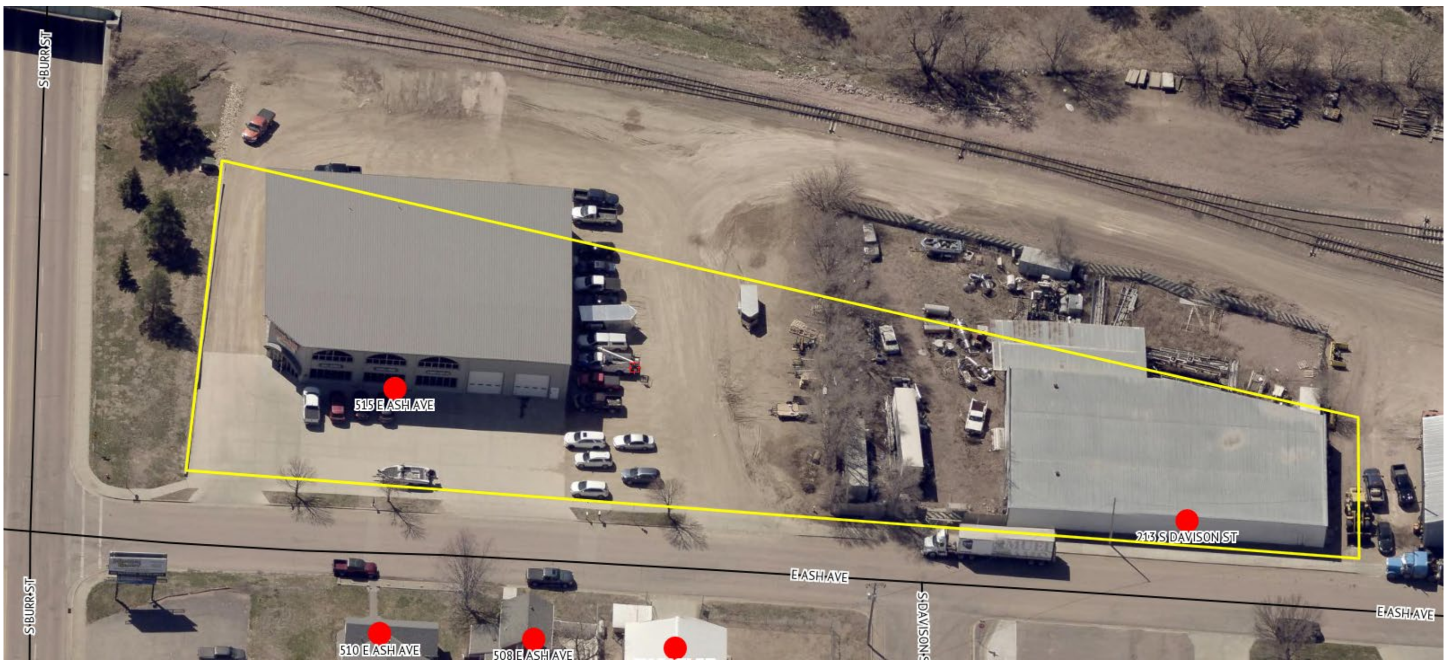
123 S. Harmon / Mitchell
ADDRESS

✓ APPROVE

______ DISAPPROVE

COMMENTS:


E ASH AVE
Austen LLC
TIF #34
S BURR ST


S BURR ST
515 E ASH AVE
213 S DAVISON ST
E ASH AVE
E ASH AVE
S BURR ST
510 E ASH AVE
508 E ASH AVE

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 April 22, 2024 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 Thirty-four (34).

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

PLAT OF LOT 1 OF FINLEY FIRST ADDITION TO THE 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.cityofmitchellsd.gov. Following such hearing, the matter will be heard and acted upon by the Mitchell City Council on May 6, 2024 at 6:00 pm in the City Hall Council Chambers.

Dated this 4th day of April, 2024.

____
Michelle Bathke – Finance Officer

Published once:10th day of April, 2024
Approximate publication cost: ____________

Tax Increment District

Number 34

City of Mitchell, SD

Economic Development Project Plan
In conjunction with

Austen LLC

Table of Contents

Introduction

Tax Increment Financing (TIF) is an incentive utilized by local governments to attract private development and investment. New investment equals new jobs, more customers, and in turn more investment opportunity. Additionally, TIFS are used to clean up blighted areas located within a city. The incentive can also help attract and retain existing businesses and workers that might otherwise find more attractive options elsewhere. The jobs and additional investment, both private and public, mean more money for the community. Tax Increment Financing helps to overcome costs that often prevent redevelopment, to include demolition and remodel costs in blighted areas of a community, and private investment from occurring in the community. As a result, the TIF area itself improves and property values increase.

Specifically, money for improvements and other incentives comes from the growth in property tax revenues – the tax increment. A tax increment is the difference between the amount of property tax revenue generated from property within the TIF district before TIF district designation. Property taxes collected of properties included in the TIF at the time of its designation continue to be distributed to the city, school district, county, and all other taxing districts in the same manner as if the TIF district did not exist. Only property taxes collected as a result of the incremental increase in the value of these properties after the formation of the TIF district are available for use by the counties or cities to fund project costs in the TIF district.

In addition to increasing property valuation, creating a Tax Incremental District for the benefit of economic development can mean revitalizing core business districts of cities in South Dakota that have deteriorated over time, causing businesses to leave the business corridor area and relocate, sometimes in other communities, leading to a “blighted” business corridor. It is up to local communities to attempt to revitalize and bring business district corridors back to “life” by maintaining existing buildings and providing new business opportunities and business expansion in business corridor districts. Using Tax Increment Financing is one of the most powerful economic development tools that helps accomplish revitalizing “blighted” areas which, in turn, creates jobs and economic development, to include additional sales tax for cities local communities and the State of South Dakota.

A local government, per South Dakota Codified Law, Chapter 11-9 can designate a specific area within its boundaries as a redevelopment area appropriate for a TIF district and prepare a plan for development. TIF projects must be recommended for approval by the County or City Planning Commission and the County or City Commission/Council.

Purpose and General Definitions as used in this Plan

The property upon which this Tax Incremental District (TID) is proposed to be implemented is located within Davison, South Dakota, and is located within the city limits of the City of Mitchell.

As such, the creation of City of Mitchell TIF #34 shall be conditioned upon the creation of the District by resolution, and the establishment of the TID boundaries and approval of the TID Project plan by the City of Mitchell Planning and Zoning Commission along with the City Council.

The purpose of the Plan, to be implemented by the City of Mitchell, South Dakota is to satisfy the requirements for a Tax Increment District #34 as specified in SDCL Chapter 11-9. 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. The Plan will describe the boundary, estimated costs, feasibility and impact of the District.

This Plan was prepared for adoption by the City Council in recognition that the area requires a coordinated cooperative strategy, with financing possibilities, to promote economic development and accomplish the City's development objectives for improving the continued viability by promoting economic development with the City, and specifically one of the City's business district corridors.

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 and redevelopment, and to promote economic development throughout the District. Portions of the tentative project as described in this Project Plan are not economically feasible and will not proceed but for the use of TIF. Not approving the use of TIF would result in losing out on additional employment opportunities and a potential new business expansion that would not be completed, as described in more detail in this Project Plan.

Development in the area is anticipated to occur starting in the Spring of 2024, 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, but more importantly to ensure that the Burr Street corridor is developed and revitalized.

The following terms found in this Plan are defined as the following:

"Base" or "Tax Increment 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 or Economic Development" SDCL §11-9-8.

(1) Not less than twenty-five percent, by area, or the real property within the district is a blighted area or not less than fifty percent, by area, of the real property within the district will stimulate and develop the general economic welfare and prosperity of the sate through the promotion and advancement of industrial, commercial, manufacturing, agricultural, or natural resources: and
(2) The improvement of the area is likely to significantly enhance the value of substantially all of the other real property in the district.

"City Council" means the City of Mitchell, South Dakota

"Calendar Year" means the starting date of January 1 to an ending date of December 31.

"Developer" means Austen LLC

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

"District" means the Tax Incremental District.

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

"Fiscal year" means the fiscal year for City of Mitchell.

"Generally Applicable Taxes" shall have the same meaning as set forth in 26 CFR § 1.141-4€

"Governing Body" means the Mitchell City Council, South Dakota

"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, sewer 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 of 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.

“Plan” means this Project Plan.

“Planning Commission” means the Mitchell City Planning Commission South Dakota.

“Project Costs” means any expenditure or monetary obligations by City of Mitchell, 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 City of Mitchell in connection with the implementation of this Plan.

“Project Plan” means a properly approved Plan for the development or redevelopment of a tax incremental district including all properly approved amendments thereto as recommended pursuant to SDCL§ 11-9-1 3.

“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 County 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 County, defined, and created by resolution of the governing body and name City of Mitchell Tax Incremental District 34.

“Tax Incremental 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.

Creation of City of Mitchell, South Dakota TID #34

Austen LLC owns the property located on South Burr St., Mitchell, South Dakota. This piece of property is currently known as the “Make It Mine” building. The building on the property has been utilized for approximately 9 years. The Developer has approached officials of the City of Mitchell regarding the possibility of creating a Tax Incremental Financing District (“TID”) to assist in the Project Costs within the Plan on land, which is located within City of Mitchell, South Dakota. As presented by Developer, the TID will consist of one phase, as follows.

The creation of the TID will allow for the construction of the 16,000 square foot facility to be added on to the existing Make it Mine building. One area of the new construction will be an 80’ x 125’ building used to relocate the Iverson ABRA bodyshop, a second area will be an 60’ x 100’ building to be used to relocate the ICC detail and washing bay. It is anticipated that the new Iverson ABRA and Iverson Chrysler Center detail department will facilitate the need to hire an additional 8-12 employees over the next 3 years in different capacities within the business. If the TIF is not approved, the total remodel project will not be completed and the expansion of those areas of the business that will allow for a significant number of new employees will not be completed. Timing and weather permitting, Developer intends to begin remodel/construction on the area in the Spring of 2024 with a completion date sometime late 2024.

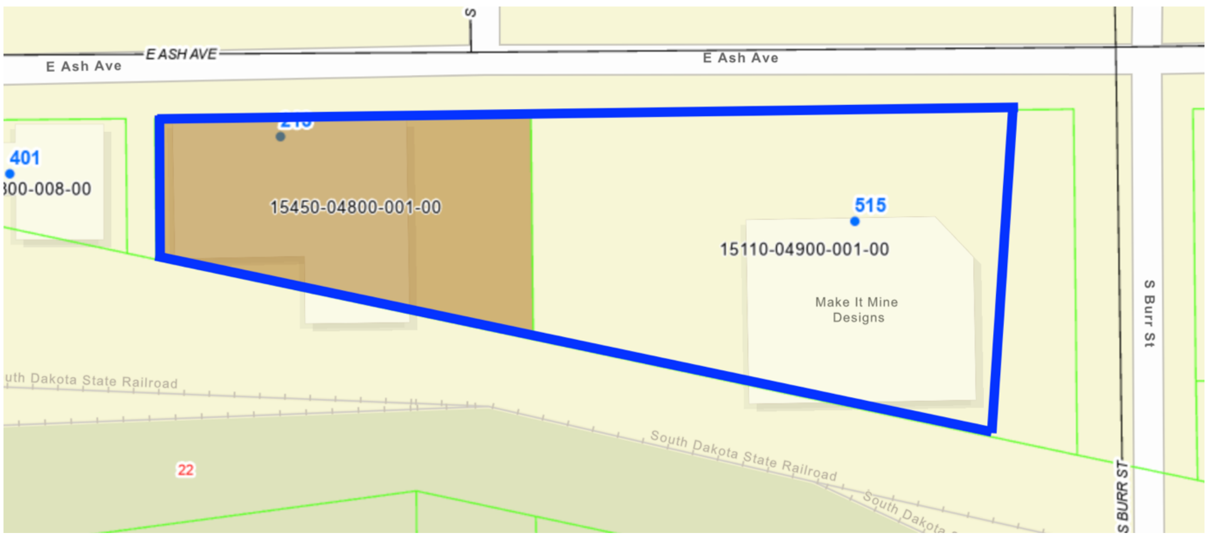
Property within Tax Increment District #34

The real property to be located within the Tax Incremental District is currently legally described as follows: LOT 1 OF FINLEY FIRST ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA.

The real property is described under attachment 3,

The Developer, Austen LLC, is the sole owner of all real property to be included in the TID.

A Map of the TIF boundary area (the perimeter in blue) is as follows:



Parcel	Full & True Value
15450-04800-001-00	$ 73,372.00
15110-04900-001-00	$ 1,251,865.00
TOTAL	$ 1,325,237.00

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Taxable Value of City of Mitchell

State law requires that tax increment districts cannot exceed ten percent of the taxable value of City of Mitchell. The current value for City of Mitchell is approximately $1,486,087,693.00. The Full and True Value of the taxable property for inclusion into this Tax Incremental District #34, as per Director of Equalization's records is $1,325,237.

11-9-7. Maximum percentage of taxable property in municipality permitted in districts. In order to implement the provisions of this chapter, 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 is as follows.

TIF #	Certified Base Value State of South Dakota Department of Revenue City of Mitchell
8	$6,002,565
9	$50,400
14	$37,850
16	$5,005,495
19	$13,370
20	$151,890
21	$125,082
23	$3,004,275
24	$401,798
26	$0
27	$1,002,685
28	$2,119,490
29	$397,815
30	$55,610
31	$615,554
32	$1,336,005
33	$1,081,478
34	$1,325,237
Total Base Value(s)	$20,937,169

The total value of all active TIF districts in City of Mitchell is less than ten (10) percent of total taxable value in the City. Using the estimates provided and including TID #34, the total Tax Increment Districts combined is less than 2% when compared to the 2023 Taxable Valuation.

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

In order to implement the provisions of SDCL Chapter 11-9, the following are Projected Costs and expenditures made or estimated to be made and the monetary obligations incurred or estimated to be incurred.

The City is working to develop an economic and competitive base to benefit the City and the State of South Dakota 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 economic development 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 City shall enter into all contracts with accordance with South Dakota law. A combination of private investment and tax increment financing will assist progress toward the overall objectives of the Developer, that being to further develop a lot on a main thoroughfare into Mitchell from Interstate 90 and to create new jobs for the City of Mitchell.

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.

Although the estimated costs of the Project are approximately $2,926,567 (which includes the cost of remodeling existing structure and construction), Developer is requesting a TIF in the amount of $946,767 and will pay the remaining costs through commercial financing. The requested TIF amount is set forth in the table below.

Kind of Project	Location[1]	Amount	Reference[3]
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	$946,767	11-9-15 (8)
Eligible Project Costs		$946,767	

[1] District shall mean Tax Increment District
[2] SDCL §11-9-15
[3]Reference

(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, over-excavation, and grading of land, including use of engineered fill and soil compaction; and the amount of interest payable on tax increment bonds 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 increment bonds 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 obligations prior to maturity and a reserve for the payment of principal and interest on obligations in an amount determined by the governing body to be reasonably required for the marketability of obligations;
(3) Real property assembly costs, including the actual cost of the acquisition by a municipality of real or personal property within a district less any proceeds to be received by the municipality from the sale, lease, or other disposition of 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 a district 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 a district, the implementation of project plans, or to stimulate and develop the general economic welfare and prosperity of the state. No payment or grant may be used for any residential structure pursuant to § 11-9-42.

Estimated costs for non-project costs and TIF eligible costs may vary from actual costs incurred during construction. The grant to Developer is not controlled by the individual line items for TIF eligible costs. TIF proceeds may flow through to Developer for certified TIF eligible expenses, without respect to a particular line item, based on the actual costs incurred for those TIF eligible expenses up to the total authorized TIF request amount of $946,767.

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Expenditures Exceeding Estimated Cost

Any expenditure which in sum would exceed the total amount of the TID amount of $946,767 will require an amendment to this Plan. All amendments would be undertaken pursuant to SDCL§11-9-23.

When 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 the original plan, the governing body would be required to amend the plan which requires the South Dakota Department of Revenue to redetermine the tax increment base when additional Project Costs are added to the Plan, SDCL §11-9-23.

Developer's Agreement

The City of Mitchell will enter into a Developer's Agreement with the Developer with the following as the guidelines of the Agreement:

Financing Terms:

- Amount. The total amount of the TIF will not exceed $946,767.
- Interest Rate: The developer is not seeking to recover any interest cost through this TIF.
- Length. The TIF will not exceed 20 calendar years or when the $946,767 has been paid out in tax payment to the Developer from the taxes generated within the District, whichever comes first.

Legal Terms

- Should the State of South Dakota not classify the TIF as economic development, the TIF will not be finalized and will cease to exist.
- Developer will waive its right to the discretionary tax abatement for this Property.

Conditions of the Developer Agreement relating to Constitutional Debt:

> The exclusive funding mechanism for the 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 Developers Agreement 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 or creation. As such, it is further understood that the amount of $946,767 will be the maximum amount the City will ever pass on acting as a conduit for TIF #34 for eligible project costs.

All TIF revenue will be passed onto the Developer as a grant until the full amount has been paid or 20 years from the 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 construction of 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 of 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 $946,767 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 the 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 the Developer to incur various development and construct improvements upon the TID property and the failure to pay tax increment to Developer will be financially detrimental to future improvements on said property.

If at any time during the term of this Agreement, the governing body of the City shall fail or refuse to approve or authorize the funds due hereunder, and 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.

Developer Terms:

- Austen LLC will act as the Developer and all TIF proceeds will flow to Developer.
- Developer will certify the costs to the City for reimbursement.
- The City of Mitchell reserves the right to charge an annual administration expense. This fee will be used to offset any future expenses that may occur due to reporting. The amount will not exceed $5,000.00 in a calendar year.
- The Developer agrees to waive the discretionary formula for all construction within the TIF.

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, and agricultural development as evidenced by the Economic Development Study attached as Schedule 3.

Fiscal Impact Statement

Attached is Schedule 4, a Fiscal Impact Statement showing the impact of the Tax Increment District, until and after the TIF advances 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 the Tax Increment District #34 shall be the amount sufficient to reimburse the City for the payments made for Projected Costs and pay all tax increment bonds or monetary obligations in an amount not to exceed $946,767 principal and interest or such lesser amount as may be feasible with the estimated revenue generated by the Tax Increment District. The final terms and conditions will be set forth in the Developers 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 and the extinguishment of TIF monetary obligations, 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 the 2025 taxes payable in 2026. 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. Improvement Map. Zoning Change Map

The Conditions map, SDCL § 11-9-16 (1), is included as Attachment 2.

The Improvements map, SDCL § 11-9-16 (2), is included as Attachment 3.

The Zoning Change map, SDCL § 11-9-16 (3) is included as Attachment 4.

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

No changes to City ordinances nor the City Master Plan are required.

List of Estimated Non-Project Costs

The following is a list of 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
Non-Project Costs	$1,736,010
TOTAL	$1,736,010

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 and 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.

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List of Schedules:

SCHEDULE 1 – Estimated Project Cost

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 – Descriptions of Real Property

Attachment 2 – Conditions Map, SDCL § 11-9-16(1)

Attachment 3 – Improvements Map, SDCL § 11-9-16(2)

Attachment 4 – Zoning Change Map SDCL § 11-9-16(3)

Schedule 1 – "Detail of Project Costs"

Kind of Project	Location[1]	Amount	Reference[3]
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	$1,190,557	11-9-15 (8)
Eligible Project Costs		$1,190,557	

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Estimates of TID Eligible of Project Costs Requested

This City of Mitchell has determined that this will be an economic development Tax Increment District, thus the eligible cost will be in the form of a grant that will not exceed $946,767. This is a permitted use under SDCL 11-9-15 (See page 9 for statutory language).

MAKE IT MINE/IVERSON ABRA CONSTRUCTION COSTS			
	TOTAL COSTS	NON-PROJECT COSTS	TIF ELIGIBLE COSTS
Propety Acquisition	$ -		
Building	$ 938,246.00	$ 673,246.00	$ 265,000.00
Concrete	$ 198,311.00	$ 198,311.00	
Outside Concrete	$ 66,467.00	$ -	$ 66,467.00
Fire Suppression System	$ 86,053.00	$ -	$ 86,053.00
Overhead Doors	$ 74,355.00	$ 74,355.00	
Liner Panel	$ 22,650.00	$ 22,650.00	
Polyliner wash bay	$ 26,450.00	$ 26,450.00	
Plumbing	$ 144,372.00	$ 85,841.00	$ 58,531.00
Ari lines	$ 15,928.00	$ 15,928.00	
Electrical	$ 288,504.00	$ 168,504.00	$ 120,000.00
Water & Sewer to building	$ 35,658.00	$ -	$ 35,658.00
Fire Wall	$ 35,000.00	$ -	$ 35,000.00
Dirt Work	$ 220,360.00	$ -	$ 220,360.00
HVAC	$ 471,232.00	$ 236,232.00	$ 235,000.00
Interior Build Out	$ 139,654.00	$ 139,654.00	
Cabinets	$ 10,844.00	$ 10,844.00	
Storefront	$ 55,500.00	$ 55,500.00	
Interior Doors	$ 28,495.00	$ 28,495.00	
Engineering Fees	$ 68,488.00	$ -	$ 68,488.00
TOTAL	$ 2,926,567.00	$ 1,736,010.00	$ 1,190,557.00

It is anticipated that the Developer will fund the remodel costs with Developer's cash and a loan from a financial institution. Developer will certify actual costs to the City prior to being reimbursed for TIF Eligible Expenses from TIF proceeds received by the City.

Developer is not asking for the full amount of the project costs as it could not be supported by the estimated increment generated. Figures are intended to show that Developer will have significant costs invested in the Project in addition to proposed TIF funds.

The following information provides detail to the expense line items identified as Costs in the project.

Building Costs: Building costs are the costs to furnish material to construct a 80' x 125' x 25'-6" and a 60' x 100' x 25'-6" Behlen Mfg. Co pre-engineered building with a Single Slope.

Concrete: Concrete costs include 512 Linear ft of 4' frost walls and footings. This cost also includes the cost to pour the 16,000 square feet, 6-inch concrete floor.

Outside Concrete: Front concrete apron 36' x 225', concrete apron west 60' x 40'.

Fire Suppression System: Furnish and install sprinkler system for new building only.

Overhead Doors: 11 each 14' insulated commercial overhead doors with operators and remotes.

Liner Panel: Furnish and install full height liner panel on all interior walls of main shop.

Poly liner wash bay: Furnish and install poly liner with stainless steel fastener.

Plumbing: Complete all interior plumbing in the facility.

Ari Lines: Furnish and install air line system to body shop.

Electrical: – Wire the proposed building plans includes round bay LED lights in the shop area, power to garage doors, general outlets throughout, power to gas HVAC systems, power to electric water heater, power to the water heater, wire data drops throughout the building, power to Fire Alarm System.

Water and sewer to building: Water and sewer to building.

Fire Wall: Make existing end wall fire wall per code.

Dirt work: Demo existing building and trees, dig all footings and back fill for new addition, level gravel to grade ready for concrete floor to be poured.

Carpentry: Carpentry costs include the costs to furnish materials and install all interior build out for offices, break room, and show room. All walls drop sheet rock finished and painted. Drop ceilings throughout this area.

HVAC: Materials and labor for installation of HVAC system.

Interior build out: Furnish labor and materials for office and bathroom build out wood studs, sheet rock, painting, drop ceilings in all and doors.

Cabinets: Furnish and install cabinets for offices, ADA vanity restroom cabinets, and break room cabinets.

Storefront: Glass windows and doors to be installed in the storefront.

Interior doors: 13 each insulated hollow metal door and frames for office area.

Architectural Fees: Fees for architectural drawings and stamps.

Schedule 2 – "Economic Feasibility Study"

Developer has approached the City of Mitchell regarding the possibility of a Tax Incremental Financing District to assist with help in offsetting the costs associated with the new construction and addition to the Make it Mine building. The new construction will be used to relocate Iverson Abra (Body Shop) and the ICC detail department.

Developer is the owner of Make it Mine, Iverson Abra, and Iverson Chrysler Center, Inc. Iverson Chrysler Center (ICC) is a Franchise automotive dealership of Dodge, Ram, Jeep, and Chrysler. ICC has been operating in Mitchell, SD as full-service automotive dealership selling new and used cars for over 75 years.

The new construction will be the relocation and expansion of Iverson Abra and expansion of the ICC detail department. The new facility will provide an additional 16,000 square feet office and shop space. The location is on South Burr Street, off exit 332 on Interstate 90 and accessed from the south by South Dakota Highway 37 of Mitchell.

Iverson Chrysler Center's primary trade area is within 75 miles of Mitchell, SD. A majority of Iverson's customers are located within the trade area; however, customers drive from the 5-state area to purchase vehicles and have them serviced at ICC. The expansion of these two business entities will create additional jobs and more out of town customers to Mitchell, SD.

Construction Project:

Showroom and Shop Expansion	16,000 square feet
Capital Investment	$2,926,567
New Employees	12
Employee Pay and Benefits	$50,000-$75,000

The City has been asked to create a Tax Increment District to help offset the cost of the expansion associated with the project. The feasibility study provides that the Projected Costs can be financed through tax increment financing under South Dakota Tax Incremental District Law (South Dakota Codified Laws Chapter 11-9). Tax increment financing is an indispensable self-financing tool used throughout the United States to help 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 value 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 current Full and True Value of the property is $1,325,237. The improvements to be made to the property are estimated to add $2,663,175 to the assessed valuation. The estimated increment resulting from the improvements would be approximately $49,830 in new taxes once fully developed. Since only positive tax increment will be applied, the proposed project is feasible.

All the project costs are found to be necessary and convenient to the creation of the Tax Incremental District and the implementation of the project.

For purposes of this Project Plan, the Developer is projecting that construction of a 16,000 square foot facility will be fully constructed by the fall of 2024. It is anticipated that Developer will procure financing to fund the TID improvements by way of a loan. The City at no time shall ever be responsible for any loan the Developer secures. The City’s role is to simply act as a conduit for the revenue and pass on all positive increment to the Developer, of which, will never exceed $946,767 in total payments, or 20 years, whichever comes first.

A portion of the development within the District could qualify for the discretionary tax abatement. However, the Project Plan has been prepared anticipating that all development will “not” elect to utilize the “real property” tax discretionary formula.

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For purposes of this Project Plan, it is anticipated no increment generated by TID #34 will be available until calendar year 2025 and thereafter. The calculation of the estimated tax increment valuation and tax generated for City of Mitchell TID #34 is presented in the table below.

TID Tax Revenue Estimates Available for City of Mitchell TID #34

Construction Year	Valuation Year	Revenue Year	Valuation Increment	Total School Levy "Other"	County Mill Rate	City of Mitchell	Sub District Levy	Total Mill Rate*	Total Revenue Increment	Total Increment for Debt Servie	Cumulative Amount Paid out
2024											
2024	2025	2026	$ 2,663,175.00	0.0106	0.0035199	0.0045328	0.000058	0.0187107	$49,829.87	$ 49,830	$ 49,829.87
2025	2026	2027								$ 49,830	$ 99,659.74
2026	2027	2028								$ 49,830	$ 149,489.61
2027	2028	2029								$ 49,830	$ 199,319.47
2028	2029	2030								$ 49,830	$ 249,149.34
2029	2030	2031								$ 49,830	$ 298,979.21
2030	2031	2032								$ 49,830	$ 348,809.08
2031	2032	2033								$ 49,830	$ 398,638.95
2032	2033	2034								$ 49,830	$ 448,468.82
2033	2034	2035								$ 49,830	$ 498,298.68
2034	2035	2036								$ 49,830	$ 548,128.55
2035	2036	2037								$ 49,830	$ 597,958.42
2036	2037	2038								$ 49,830	$ 647,788.29
2037	2038	2039								$ 49,830	$ 697,618.16
2038	2039	2040								$ 49,830	$ 747,448.03
2039	2040	2041								$ 49,830	$ 797,277.90
2040	2041	2042								$ 49,830	$ 847,107.76
2041	2042	2043								$ 49,830	$ 896,937.63
2042	2043	2044								$ 49,830	$ 946,767.50

Assumptions

In Year 1 the facility will be completed.

Projections show the last payment of the TIF will be in 2044.

Once $946,767 is paid out from the TIF or 20 years are completed, The TIF will automatically expire.

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

Note: 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.

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Schedule 3 – "Economic Development Study"

SECTION 1 – INTRODUCTION

The City has been approached concerning the creation of a tax increment district located within City limits. 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, agricultural and natural resources, and the improvement of the area is likely to enhance significantly the value of substantially all the other real property in the district.

SECTION 2 – STUDY AREA BOUNDARY

The study area is described as the area depicted on the map attached to this Study. (Attachments 1 and 2)

SECTION 3 – ESTABLISHING ECONOMIC DEVELOPMENT

South Dakota law describes economic development as activity that stimulates and develops the general economic welfare and prosperity of the state through the promotion and advancement of industrial, commercial, manufacturing, agricultural, or natural resources. The area making up the boundaries of proposed City of Mitchell TID #34 currently consists of an office space/body shop and a large parking lot. Developer plans to make additions to an existing building to add a new Body Shop and Detail Department for ICC. Developer will have the capacity to add 12 new full-time jobs to its work force, consisting of Mechanics, Body Shop Technicians, Service Advisors, Detailers and Office Staff.

SECTION 4 – FINDING THE AREA THE IMPROVEMENTS TO THE AREA ARE LIKELY TO ENHANCE SIGNIFICANTLY THE VALUE OF SUBSTANTIALLY ALL OF THE OTHER REAL PROPERTY IN THE DISTRICT.

It is specifically found that once the improvements set forth within the City of Mitchell TID #34 Project Plan are commenced the improvements enhance significantly the value of substantially all of the other real property in the District and will help the entire City core business district continue to develop adding sales tax dollars to the City and to the State of South Dakota.

SECTION 5 – CONDITIONS WITHIN THE STUDY AREA; LAND USE AND PLANNING LAND USE, PLANNING AND COMPREHENSIVE PLAN

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

SECTION 6 – FINDINGS WITHIN THE STUDY AREA ANALYSIS

In accordance with state law, it is found 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 of South Dakota through the promotion and advancement of industrial, commercial, manufacturing, agricultural, and natural resources, 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).

The study area currently consists of a sign shop, body shop, and a large parking lot. The Dealer is proposing to relocate and expand a Body Shop and Detail shop to this Project. The location is located on the southeast side of Mitchell, with direct access from Highway 37 to the south and from exit ramp

332 off Interstate 90, The location provides access and development to the residents of Mitchell and the surrounding trade area.

In accordance with State law, the following addresses specific characteristics of economic development are found within the Study Area with corresponding portions of 11-9-8 and 11-9-11.

The investment of more than $2,926,567 in the study area will stimulate and develop the general economic welfare and prosperity of the state through the promotion and advancement of commerce during the construction period. More than fifty percent, 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 commerce. The development will cause more employment and develop an area on the main thoroughfare through Mitchell. The completion of the project will generate additional economic activity through retail commerce and development.

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<u>Schedule 4 – "Fiscal Impact Statement"</u>

Fiscal Impact State of City of Mitchell-Tax Increment District #34

INTRODUCTION

The fiscal impact state is intended to provide succinct analysis of the estimated impact of the Tax Increment District to the public pursuant to SDCL § 11-9-13 (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 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 #34.

"Taxing District" 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 additional improvements resulting from the remodeling and construction project which at completion will increase the Full and True taxable value of the property to approximately $4,251,804 with $2,926,567 coming from the improvements and renovations.
(2) The average levy of all taxing districts will be $18.711 per thousand dollars of taxable valuation.
(3) Tax Increment will start to be collected in 2026 and end prior to 2044.
(4) The discretionary formula will be waived by the Developer.

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	$1,325,237	0	0
Additional Improvements	$0	$2,926,567	$2,926,567
Total Positive Increment	$0	$2,926,567	$2,926,567

Schedule 5 – "Estimated Captured Taxable Values"

For purpose of the Project Plan, Developer assumes that **Developer will elect not to use the real property tax discretionary formula** currently utilized in City of Mitchell, South Dakota, Pertaining to payment of real property taxes (i.e., 20% Year 1; 40% Year 2; 60% Year 3; 80% Year 4; and 100% Year 5).

It is further assumed, for purposes on this Plan, that construction of the Body Shop and Detail department location will be completed by the fall of 2024, with improvements estimated to be assessed in the approximate amount of $2,663,175, which will generate $49,830 in annual real property taxes upon completion.

*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 attributed to the improvements to be constructed in the TID. The potential for total increment collections is estimated to be at the maximum range of $946,767 covering a span of captured tax years not to exceed 20 years. Collection is anticipated to begin in 2025, and the schedule carries out the tax captured 20 years from the date of Plan adoption.

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

2023 Property Tax Rate		
2023 Payable in 2024	**$ per $1,000 assessed**	
City of Mitchell	$	4.5328
Davison County	$	3.5199
Water District	$	0.0580
School District	$	10.6010
Total Tax Levy	$	18.7117

Utilizing the information regarding expected increment valuation and tax generation, it is possible to generate an expected revenue stream that can be utilized to fund the requested grant as a result of implementing the Project Plan.

Attachment 1

Description of Real Property:

The real property to be located within the Tax Increment District is legally described as follows:

LOT 1 OF FINLEY FIRST ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA.

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Attachment 2

Conditions picture for City of Mitchell Tax Increment District #34, SDCL § 11-9-16 (1). See also map on Page 29 below. The following are pictures showing the current conditions of the proposed location of TIF #34:

Attachment 3

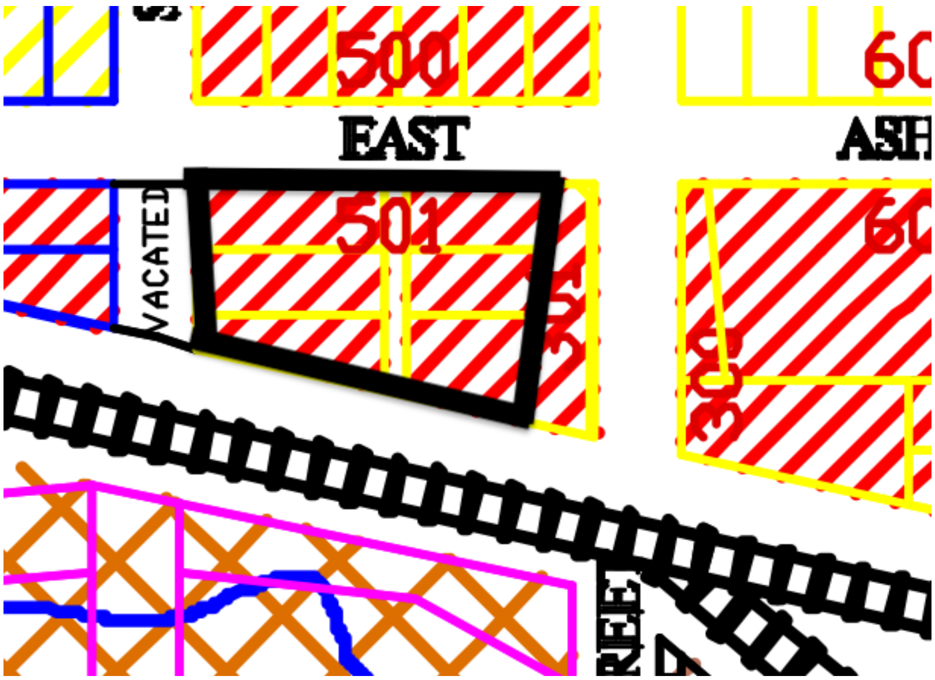
Improvements map for City of Mitchell Tax Incremental District #34, SDCL § 11-9-16 (2).

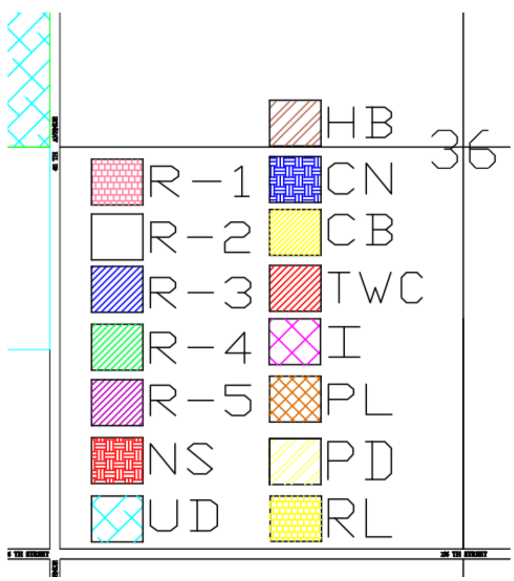
- Tentative layout is shown below:

Attachment 4

Zoning Change Map for City of Mitchell Tax Incremental District #34 SDCL § 11-9-16(3).

- TID outline below in black.
- No proposed changes as the property is currently zoned as TWC; Transportation, warehousing and commercial.



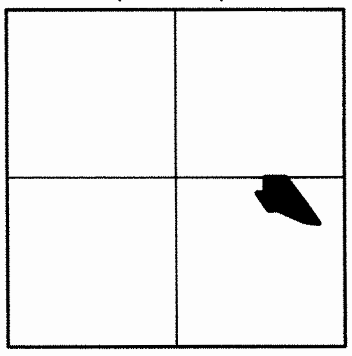


PREPARED BY: PAUL C. KIEPKE, R.L.S.
2100 NORTH SANBORN BLVD. – P.O. BOX 398
MITCHELL, SOUTH DAKOTA 57301
PHONE: (605) 996-7761

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

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. 27, T 103 N, R 60 W

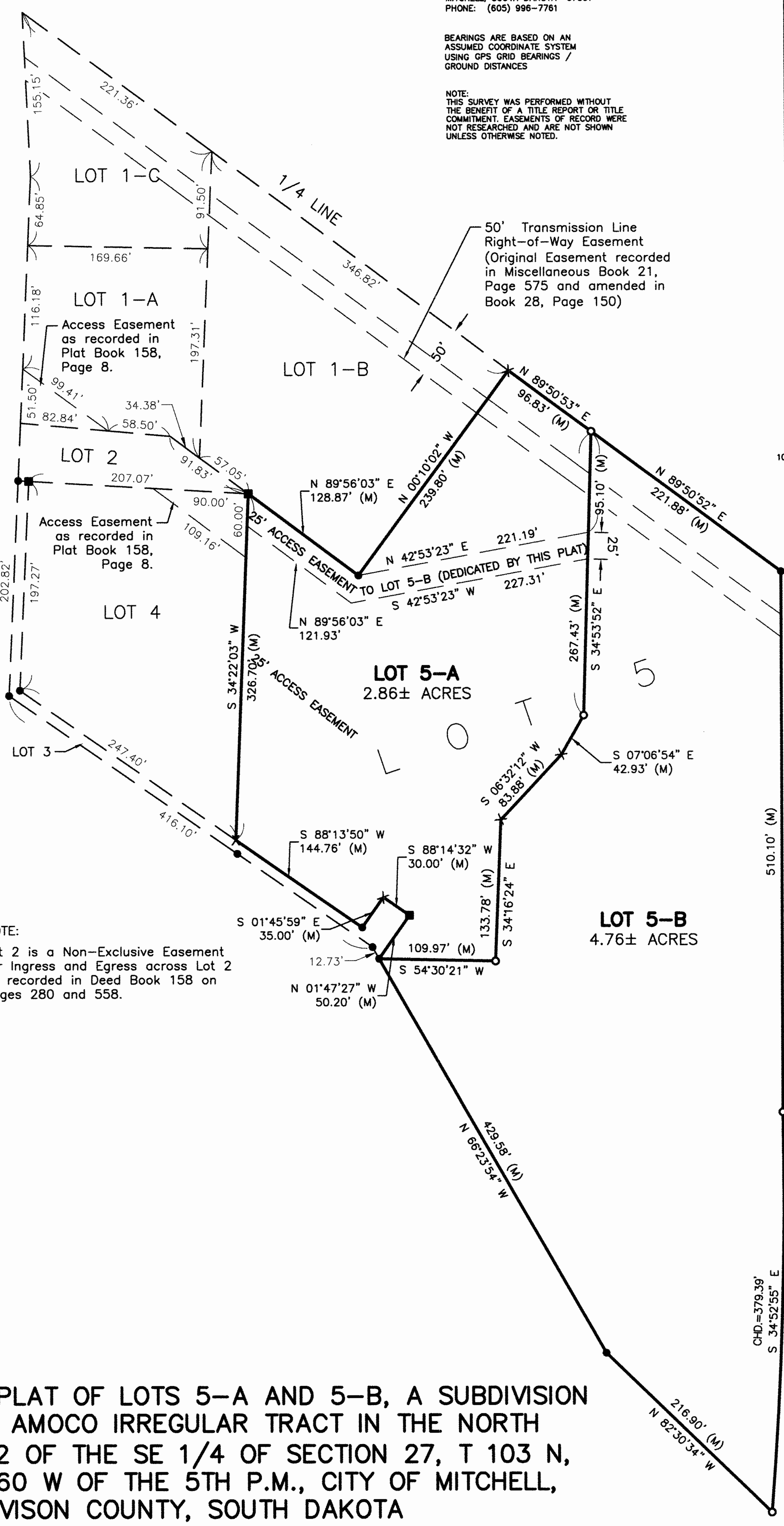


LOCATION MAP
SCALE: 1" = 3000'

1 Inch = 100 Feet

LEGEND

- ● = FOUND IRON MONUMENT
- O = SET 5/8" X 18" REBAR WITH PLASTIC CAP NO. 8296
- 100' = PLATTED BEARING OR DISTANCE
- 100' (M) = MEASURED BEARING OR DISTANCE
- X = X ON CONCRETE
- ■ = FOUND NAIL



NOTE:
Lot 2 is a Non-Exclusive Easement for Ingress and Egress across Lot 2 as recorded in Deed Book 158 on Pages 280 and 558.

A PLAT OF LOTS 5-A AND 5-B, A SUBDIVISION OF AMOCO IRREGULAR TRACT IN THE NORTH 1/2 OF THE SE 1/4 OF SECTION 27, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

REGISTERED PROFESSIONAL LAND SURVEYOR
REG. NO. 8296
PAUL C. KIEPKE
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

A PLAT OF LOTS 5-A AND 5-B, A SUBDIVISION OF AMOCO IRREGULAR TRACT IN THE NORTH 1/2 OF THE SE 1/4 OF SECTION 27, T 103 N, R 60 W OF THE 5TH P.M., 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 Eight West, L.L.C., a South Dakota limited liability company, as owner, and under its direction for purposes indicated therein, I did on or prior to March 22, 2024, survey the parcels of land described as follows: LOTS 5-A AND 5-B, A SUBDIVISION OF AMOCO IRREGULAR TRACT IN THE NORTH 1/2 OF THE SE 1/4 OF SECTION 27, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA. This plat does hereby vacate previously platted LOT 5, A SUBDIVISION OF AMOCO IRREGULAR TRACT IN THE NORTH 1/2 OF THE SE 1/4 OF SECTION 27, T103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, AS RECORDED IN BOOK 9, PAGE 8.

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 22nd day of March, 2024.

Registered Land Surveyor #SD8296

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

KNOW ALL MEN BY THESE PRESENTS that I, the undersigned, hereby certify that Eight West, L.L.C., a South Dakota limited liability company, 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 previously platted LOT 5, A SUBDIVISION OF AMOCO IRREGULAR TRACT IN THE NORTH 1/2 OF THE SE 1/4 OF SECTION 27, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA; that the plat has been made at the request of Eight West, L.L.C., a South Dakota limited liability company, and under its direction for the purposes indicated therein; which said property as so surveyed and platted shall hereafter be known as LOTS 5-A AND 5-B, A SUBDIVISION OF AMOCO IRREGULAR TRACT IN THE NORTH 1/2 OF THE SE 1/4 OF SECTION 27, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, as shown by this plat; and that Eight West, L.L.C., a South Dakota limited liability company, hereby dedicates 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 5-A and 5-B shall conform to all existing applicable zoning, subdivision, erosion, sediment control, and drainage regulations and ordinances; further that there now exists a Non-Exclusive Easement for ingress and egress across Lot 2 as recorded in Deed Book 158; and an Access Easement for ingress and egress across Lot 4 as recorded in Plat Book 36, Page 84; furthermore this plat dedicates an access easement for ingress and egress across Lot 5-A for access to Lot 5-B.

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.

This plat does hereby vacate previously platted LOT 5, A SUBDIVISION OF AMOCO IRREGULAR TRACT IN THE NORTH 1/2 OF THE SE 1/4 OF SECTION 27, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, AS RECORDED IN BOOK 9, PAGE 8.

IN WITNESS WHEREOF, I have hereunto set my hand this _______ day of ________________, 2024.

Rikesh Patel, as Member of Eight West, L.L.C., a South Dakota limited liability company

ACKNOWLEDGMENT

STATE OF SOUTH DAKOTA)
)SS
COUNTY OF DAVISON)

On this, the _______ day of ______________, 2024, before me, ____, the undersigned officer, personally appeared Rikesh Patel, and that he, as such Member of Eight West, L.L.C., a South Dakota limited liability company, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of Eight West, L.L.C., a South Dakota limited liability company, by himself as Member of Eight West, L.L.C., a South Dakota limited liability company.

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

Notary Public, South Dakota
My Commission Expires: ____________________________

REGISTERED PROFESSIONAL LAND SURVEYOR
REG. NO. 8296
PAUL C. KIEPKE
SOUTH DAKOTA

SPN & Associates
Engineers, Planners and Surveyors
2100 North Sanborn Blvd. - P.O. Box 398 Mitchell, South Dakota 57301
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A PLAT OF LOTS 5-A AND 5-B, A SUBDIVISION OF AMOCO IRREGULAR TRACT IN THE NORTH 1/2 OF THE SE 1/4 OF SECTION 27, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

RESOLUTION OF CITY PLANNING COMMISSION

WHEREAS, the plat of LOTS 5-A AND 5-B, A SUBDIVISION OF AMOCO IRREGULAR TRACT IN THE NORTH 1/2 OF THE SE 1/4 OF SECTION 27, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul C. Kiepke, 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 5-A AND 5-B, A SUBDIVISION OF AMOCO IRREGULAR TRACT IN THE NORTH 1/2 OF THE SE 1/4 OF SECTION 27, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul C. Kiepke, 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 ___________________, 2024.

____

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 _________________, 2024; and

WHEREAS, it appears from an examination of the plat of LOTS 5-A AND 5-B, A SUBDIVISION OF AMOCO IRREGULAR TRACT IN THE NORTH 1/2 OF THE SE 1/4 OF SECTION 27, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, as prepared by Paul C. Kiepke, 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 5-A AND 5-B, A SUBDIVISION OF AMOCO IRREGULAR TRACT IN THE NORTH 1/2 OF THE SE 1/4 OF SECTION 27, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul C. Kiepke, 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 __________________, 2024.

____

Finance Officer/Deputy Finance Officer of the City of Mitchell

CERTIFICATE OF COUNTY TREASURER

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.

_______________________________________ ________________

Treasurer/Deputy Treasurer of Davison County Date

DIRECTOR OF EQUALIZATION

The undersigned does hereby certify that a copy of the plat of LOTS 5-A AND 5-B, A SUBDIVISION OF AMOCO IRREGULAR TRACT IN THE NORTH 1/2 OF THE SE 1/4 OF SECTION 27, T 103 N, R 60 W OF THE 5TH P.M., 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

REGISTER OF DEEDS

STATE OF SOUTH DAKOTA)
)SS
COUNTY OF DAVISON)

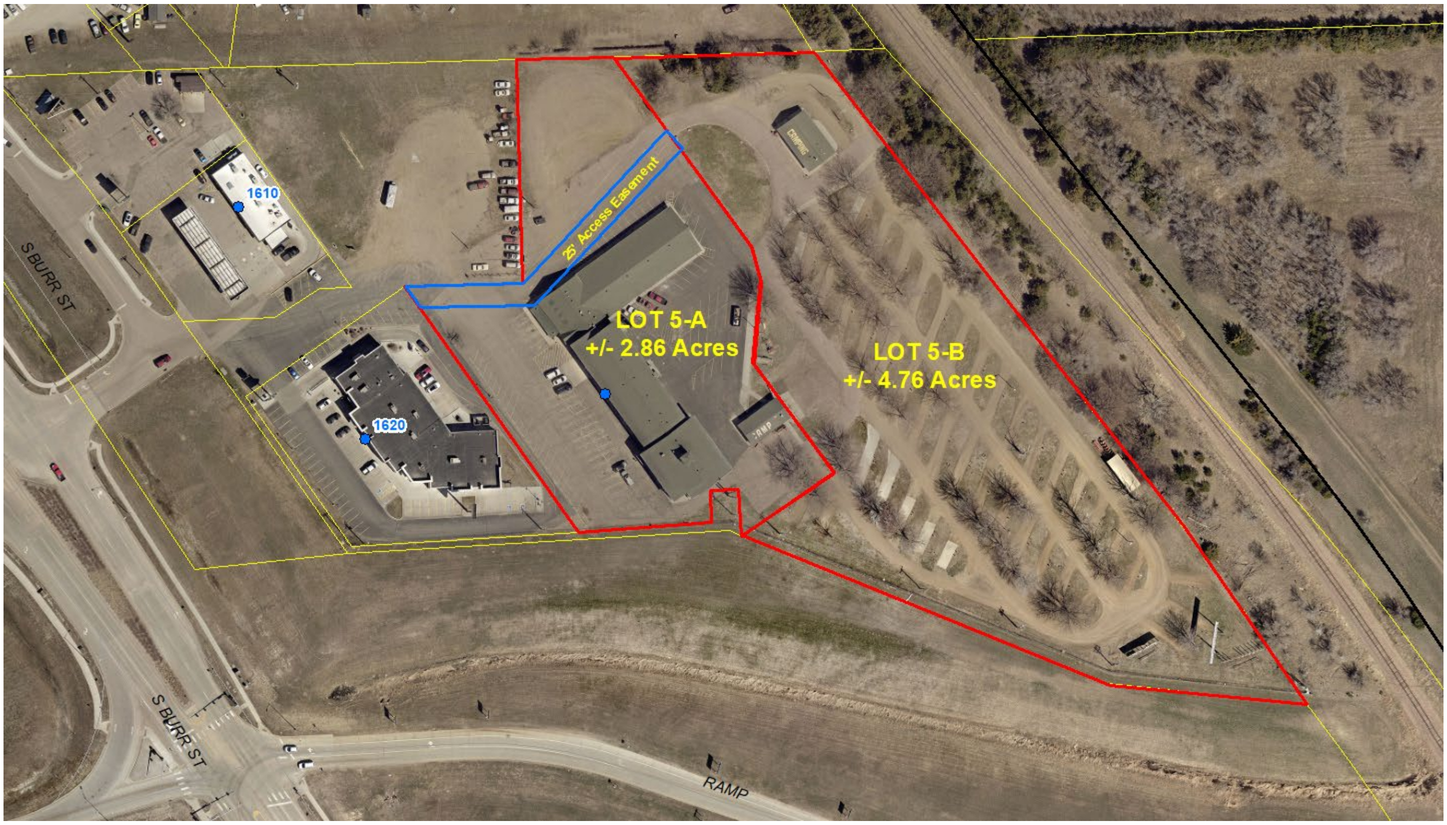
FILED for record this ______ day of _________________, 2024, at _______________, and recorded in Book ______ of Plats on Page ________ therein and recorded on Microfilm Number __________.

_______________________________________ By_______________________________

Register of Deeds, Davison County Deputy

REGISTERED PROFESSIONAL LAND SURVEYOR
REG. NO. 8296
PAUL C. KIEPKE
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


1610
S BURR ST
25' Access Easement
LOT 5-A
+/- 2.86 Acres
LOT 5-B
+/- 4.76 Acres
1620
S BURR ST
RAMP


1700 S BURR ST

10-4-4: SIMILAR USES:
In order to ensure that the uses will permit uses similar to those identified in each district, the planning commission, board of adjustment, and city council, upon their own initiative or upon written application, shall determine whether a use not specifically listed as a permitted, accessory, or conditional use in a district shall be deemed a permitted, accessory, or conditional use in one or more districts on the basis of similarity to use specifically listed. (Ord. 2408, 10-1-2012)

OUTSIDE COMMERCIAL STORAGE: The short term or long term leasing for the parking or storage of motor vehicles, equipment, or personal items outside.

OUTSIDE STORAGE: The keeping in an unroofed area of any goods, junk, material or merchandise in the same place for more than one month.

SELF-SERVICE STORAGE FACILITY: A building or group of buildings consisting of individual, self-contained units leased to individuals, organizations, or businesses for self-service storage of personal property.