



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

1. Call to Order

Chairperson Genzlinger called the July 22, 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, a simple majority vote is required for all items.

Present: Genzlinger, Havlik, Jirsa (telephonically), Osterloo, Schmitz, Schreurs, Sonne.

Absent: Doescher

Staff Present: Dammann, Mayor Hanson, Hegg, Jenniges, J Johnson, Schroeder.

3. Declaration Of Conflicts Of Interests

Jirsa item #8.

Sonne item #8.

4. Approve Agenda

Motion by Schmitz, seconded by Osterloo to approve the amended agenda. All present voting aye; motion carried.

5. Approval of Previous Minutes: July 8, 2024

Motion by Sonne, seconded by Havlik to approve the proposed minutes of the July 8, 2024 Planning Commission Meeting. All present voting aye; motion carried.

6. Schedule Next Meeting: August 12, 2024

Motion by Havlik, seconded by Osterloo to set the date for the next Planning Commission Meeting for August 12, 2024. All present voting aye; motion carried.

7. Variance Permit: Nathan Weber

Nathan Weber has applied for a Variance Permit for a rear yard setback of 11' vs 25' and accessory building of 4,224 square feet vs 2,000 square feet. This is located at 25154 407th Ave, legally described as W 175' of Lot 4, Black Eagle First Addition in the SW 1/4 of Section 8, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota. The property is zoned 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 were no letters returned for or against the variance. The applicant was present to answer questions.

Jenniges gave an overall history of the lots in the area. He also noted that per the Comprehensive Plan, it is classified as a mixed use area. Also, surrounding it, the Comprehensive Plan has it as low density-residential and the city has it as R4 high-density residential zoning, so some zoning updates should be done. There is a kitchen, bathroom and main room of over 120 square feet, so this meets the building code definition of a dwelling unit, just has a big accessory building with it. The requested setback was to help keep uniform spacing with the existing buildings out there. The layout of the area with the ingress/egress easement on the south side of the lots makes it seem like the front setback should be to the south, but it's really 407th Ave to the west.

The applicant stated the request is to keep the area uniform and aesthetically pleasing. This layout was agreed to by the owners of the area prior to purchasing. He has talked to the landowner to the north and setting the shed back further gives that neighbor a better sight line. Also, keeping the shed back further will help with backing trailers into the shed, 45' vs 60' makes a big difference.

Osterloo questioned if there was anything in the ordinance about a "shouse". Hegg answered that we define them as a dwelling unit because they meet those definitions. We do not have anything specifically pertaining to "shouse or barndominium". It's a dwelling unit with a garage by definition of the building code.

Motion by Jirsa, seconded by Havlik to recommend approval of the variance. All present voting aye; motion carried.

8. Hearing and Action on Establishing the Boundaries and Approval of the Project Plan for Tax Increment Financing District 37

Jenniges gave an overview of the area where TIF 37 would be located. He noted it was published in the official newspaper with a bigger boundary but only the recent plat legal description would need to be used which is what is in the project plan. Jenniges noted the applicant is requesting around \$519,000 with the TIF and they have eligible TIF expenses of around \$770,000. This is a grant pass through and does not go against the city's constitutional debt. The applicant has 5 years to spend the increment and 20 years to pay it back. The applicant is moving from their existing location and by doing so is expanding the footprint of their building as well as the footprint of the coverage area, which would create at least 3 more employees.

Johnson agreed with the overview Jenniges gave. This does not go against the city's constitutional debt and expires in 20 years or can be paid off earlier. The applicant is responsible for getting certified costs to the city. The city's TIF review committee met and reviewed the TIF with the final product of the plan being presented to this board.

Don Petersen of Morgan Theeler, representing the applicant, stated they sent the plan to the state, and they have preliminary approval of this being an Economic Development TIF.

Motion by Schmitz, seconded by Havlik, to set the boundaries for TIF District #37 to include the following:

Lot 4 of Iverson's Second Addition, a subdivision of Lot 1-C within 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, Osterloo – aye, Schmitz – aye, Schreurs – aye, Sonne – abstain. 5 aye, 0 nay and 2 absent; motion carried.

Motion by Osterloo, seconded by Havlik to approve the project plan and recommend approval of TIF District #37. Roll call vote: Genzlinger – aye, Havlik – aye, Jirsa – abstain, Osterloo – aye, Schmitz – aye, Schreurs – aye, Sonne – abstain. 5 aye, 0 nay and 2 absent; motion carried.

9. Other Business:

None.

10. Public Input:

None.

11. Adjourn

Chairperson Genzlinger adjourned the meeting at 12:15 P.M.



Kevin Genzlinger
Planning Commission Chairperson