



Planning Commission 6-23-25
City Council Chambers, City Hall, 612 N. Main Street
June 23, 2025

1. Call to Order

Chairperson Genzlinger called the June 23, 2025 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, Gunkel, Havlik, Osterloo, Schreurs, Sonne.

Absent: Schmitz.

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

3. Declaration Of Conflicts Of Interests

Sonne item #10 & #14.

4. Approve Agenda

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

5. Approval of Previous Minutes: June 9, 2025

Motion by Sonne, seconded by Osterloo to approve the proposed minutes of the June 9, 2025, Planning Commission Meeting. All present voting aye; motion carried.

6. Schedule Next Meeting: July 14, 2025

Motion by Havlik, seconded by Osterloo to set the date for the next Planning Commission Meeting for July 14, 2025. All present voting aye; motion carried.

7. Variance Permit: Maurice & Julie Hartmann

Maurice & Julie Hartmann have applied for a Variance Permit for a rear yard setback of 3' vs 25' for an attached garage. This is located at 1301 Roland Lane, legally described as Lot 14, Block 4, Firesteel Heights Subdivision, City of Mitchell, Davison County, South Dakota. The property is zoned R3 Medium Density Residential District.

Jenniges noted that a notice was sent out to the neighbors, it was published in the official newspaper and sign posted. The applicant would like to build a 28' x 32' attached garage. The trees would be cut down along N Foster St for access. There was one letter returned in

favor that made the packet and one response opposed that did not make the packet but was handed out. After receiving Bathke's letter, Jenniges noted that he had found a 5' wide utility easement along the rear property line on the plat. The applicant was present to answer questions.

Genzlinger questioned why the 3' request for a setback. The applicant stated he would like a 28' wide garage addition but would survive if it was moved to a 5' setback. He said there is only cable in the utility easement. He has to move his gas line for the addition.

Schroeder said Public Works would not recommend building over the easement. Genzlinger agreed that he would not want to see a utility company come and tear down his wall at his own expense.

Sonne said there are other sheds in the neighborhood that are at that distance from the setback.

Motion by Havlik, seconded by Schreurs to recommend approval of the variance at a 5' setback instead of the requested 3'. All present voting aye; motion carried.

8. Variance Permit: Karl Knight

Karl Knight has applied for a Variance Permit for a rear yard setback of 11' vs 25' for an attached covered patio. This is located at 318 Christine St, legally described as Lot 9, Block 9, Woods First Addition, City of Mitchell, 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 was one response in favor that did not make the packet but was handed out. The applicant was not present to answer questions.

Genzlinger stated his concerns about people enclosing the sides in the future and Osterloo said he had the same concern.

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

9. Conditional Use Permit: Myron VanBuskirk 2nd Amended & Restated Revoc Trust

Van Buskirk Homes LLC on behalf of Myron VanBuskirk 2nd Amended & Restated Revoc Trust has applied for a conditional use permit for multi-family dwelling units between 5-12 units; located in the 900 block of W Norway Ave, legally described as Lot 16F, a subdivision of Block 16, Sunnyside Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R3 Medium Density Residential District.

Jenniges noted that a notice was sent out to the neighbors, it was published in the official newspaper and sign posted. The applicant would like to build two, four-plex dwelling units on this parcel. There one response in favor and two responses opposed that made the packet and three responses that were opposed that did not make the packet but were handed out at the meeting. The applicant was present to answer questions.

Jordan Hefner representing the applicant, stated this location was originally supposed to be a

12-plex like is currently constructed to the south. Access will be from the west through the Wheatridge apartments across the drainage ditch. They will install two 24" culverts. They have changed their original plan and would like to build two 4-plex dwelling units running east/west. They believe this will be easier on the eyes than a 3-story building. All parking will be in between the buildings or in their garages like they were just approved for up north on Lakeview Ln. They have owned the land since 1992.

Havlik questioned if the city has any issues with the proposed conditional use permit.

Schroeder stated the applicant will be required to have a drainage plan and that there is already an existing detention pond to the west. He said the fire department would be reviewing the plan just like any regular building permit and following the procedures. It's not uncommon to do the hydrological survey after the CUP is approved as to not to spend extra costs if not approved.

Genzlinger questioned if there were any water problems with the area. Schroeder explained that Norway Ave does back up due to an undersized storm sewer in the area. The backup does go into the detention pond. The city has studied this area and it's on their radar for a future storm drainage project.

Dave Driscoll said the land does drain to the southeast during heavy rains. He has called the management system in the past about their weed control, but this year they have been mowing it. He is concerned about proper drainage and snow removal. He questioned if they would use the drainage ditch for snow storage. Hefner answered that they plan to use the hammerhead to place some of their snow but also might have to backdrag it to the apartment complex.

Colleen Hunt of 920 W Norway, apt #203, questioned the access to the property and her concerns about them going through their property. She thinks there should be a fence installed to block traffic. She is also concerned about foot traffic crossing their property.

Richard Stedman also agreed access is very easy for walking traffic and that some people from the apartment complex use their trash.

Norma Eppel has concerns about traffic in the area before construction starts and if they will access using their condo parking lot. She said she has lived there 25 years and the ditch gets full and takes 8 to 10 hours to drain. Currently the land absorbs the rain but with the new building the water will have to go to into the ditch. There has been water two feet away from some air conditioners and garages already.

Paige Radke of 1513 S Miller requested to see a site plan. Hefner showed her a black and white site plan and passed it around to the board for them to see it as well.

Schreurs and Havlik voiced their concerns about walking traffic using the easiest and quickest route as well.

Hefner stated within their plan is a fence on the south and possibly on the east side of the land. However, a fence around the whole property would cost \$60,000, which ends up raising rent prices.

Ann Morris stated she wanted a guarantee that no one would be using their parking lot or

accessing the site through their parking lot. Hefner reassured her that no one would be accessing the site through the parking lot because of the SWPPP that will be required during construction.

Motion by Schreurs, seconded by Havlik to recommend approval of the conditional use. All present voting aye; motion carried.

10. Hearing & Action on Establishing the Boundaries and Approval of the Project Plan for Tax Increment Financing District #43

Jenniges gave a description of the proposed TIF 43. This would be a developer financed grant pass through TIF. This land is located within city limits and is bare ground currently.

This would be called Peaceful Pines Senior Living. It is a 59,000-square-foot facility that includes 21 assisted living units, 18 independent living units and 16 memory care units along with other amenities. They anticipate a \$1.5 million dollar payroll and the creation of 30-plus jobs. This would be a 14-month construction period. The current base tax value is \$26,040.

The TIF eligible costs and request is \$2,893,558 of which is \$375,000 for administrative costs to the City of Mitchell. The new estimated tax value will be \$172,653 which would produce an estimated increment of \$2,935,106. The property is currently going through a rezoning process. There is a Department of Revenue Classification Letter within the packet with a preliminary determination of this being an economic development TIF.

Johnson said city staff did their regular review of the TIF. This TIF meets the statutory requirements and city guidelines. This parcel is located within city limits and that's why this is a city TIF and not a county TIF. He stated that there would be no additional rezoning required. The zoning going through the process is in conjunction with the TIF.

Motion by Havlik, seconded by Osterloo, to set the boundaries for TIF District #43 to include the following:

Lot 2 of Singapore Slab Tract 1, a subdivision of the East 1/2 of the SE 1/4 of Section 32, T 104 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota.

Roll call vote: Genzlinger – aye, Gunkel – aye, Havlik – aye, Osterloo – aye, Schmitz – absent, Schreurs – aye, Sonne – abstain. 5 aye, 0 nay, 1 abstain and 1 absent; motion carried.

Motion by Osterloo, seconded by Havlik to approve the project plan and recommend approval of TIF District #43. Roll call vote: Genzlinger – aye, Gunkel – aye, Havlik – aye, Osterloo – aye, Schmitz – absent, Schreurs – aye, Sonne – abstain. 5 aye, 0 nay, 1 abstain and 1 absent; motion carried.

11. Plat: Focus Land & Cattle LLC

Plat of Tract 2 of Tupper's Addition, in the NE 1/4 of the NE 1/4 of Section 8, T 102 N, R 60 W of the 5th P.M., Davison County, South Dakota.

Jenniges gave an overview of the area with GIS. It is located outside the ETJ but within three miles of city limits. Therefore, it is the county's zoning jurisdiction. The county will hear this at their July meetings. The applicant is platting off the land to sell with the property to the north, and it will remain as pasture land. The access to 408th Ave will have to be approved by the County Highway Superintendent. The applicant was not present to answer questions.

Motion by Havlik, seconded by Schreurs to approve the plat. All present voting aye; motion carried.

12. Plat: CJM Consulting Inc

Plat of Lots 1A, 2B1 and 2C1, Block 4 of Westwood First Addition, and a Portion of Commerce Street, a subdivision of the NW 1/4 of Section 16, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota.

Jenniges gave an overview of the area with GIS. This is the next phase of the project for a potential steakhouse. This was previously platted but was in the county. Lots 2C1 and 2B1 have been annexed into city limits. This plat is vacating some existing parcel lines and straightening out Commerce Street, which will be a public ROW. The applicant was not present to answer questions.

Osterloo questioned if 20' was a wide enough easement to access Lot 2D to which Jenniges answered yes. Schroeder also answered that if a future buyer of Lot 2D wanted a wider easement that could be done with the purchase agreement at that time.

Motion by Osterloo, seconded by Havlik to approve the plat. All present voting aye; motion carried.

13. Plan Approval: Superior Steel

Jenniges gave an overview of the area using GIS. The applicant would like to fill in the portion between the buildings. This is zoned Highway Oriented Business District and requires approval from the board prior to the issuance of a building permit. The east building was approved in October 2023. After the addition is built, they will remodel the 20' x 30' existing building on the west side. The applicant was not present to answer questions.

Genzlinger said he doesn't foresee any neighbors having an issue with it and shouldn't affect in drainage in the area. Jenniges noted that the surface for the addition is already a hard surface.

Motion by Osterloo, seconded by Schreurs to approve the plan. All present voting aye; motion carried.

14. Plat: JTZ Properties LLC

Plat of Lots 3 and 4 of Singapore Slab Tract 1, a subdivision of the East 1/2 of the SE 1/4 of Section 32, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota.

Jenniges gave an overview of the area using GIS. The applicant is platting out two lots for future development of the area. These are currently outside the city limits but within the ETJ, so it is the City of Mitchell's zoning jurisdiction. The county will hear this at their July meetings. The applicant was present to answer questions.

Motion by Havlik, seconded by Osterloo to approve the plat. Roll call vote: Genzlinger – aye, Gunkel – aye, Havlik – aye, Osterloo – aye, Schmitz – absent, Schreurs – aye, Sonne – abstain. 5 aye, 0 nay, 1 abstain and 1 absent; motion carried.

15. Plat: Prairie Ethanol LLC

Plat of Tract 5 of Prairie Ethanol Addition in Lot 1 of the Southwest Quarter of Section 24, Township 104 North, Range 61 West of the 5th P.M., Davison County, South Dakota.

Jenniges gave an overview of the area with GIS. It is located outside the ETJ but within three miles of city limits. Therefore, it is the county's zoning jurisdiction. The county will hear this at their July meetings. The applicant is purchasing the land to expand their rail system. The applicant was not present to answer questions.

Jenniges noted he had received an update version of the plat since the packet had been sent out. The new plat has some updated language within the signature blocks.

Motion by Schreurs, seconded by Sonne to approve the plat with the amended language. All present voting aye; motion carried.

16. Plat: Prairie Ethanol LLC

Plat of Tract 6 of Prairie Ethanol Addition in the Northwest Quarter of Section 25, Township 104 North, Range 61 West of the 5th P.M., Davison County, South Dakota.

Jenniges gave an overview of the area with GIS. It is located outside the ETJ but within three miles of city limits. Therefore, it is the county's zoning jurisdiction. The county will hear this at their July meetings. The applicant is purchasing the land to expand their rail system. The applicant was not present to answer questions.

Jenniges noted he had received an update version of the plat since the packet had been sent out. The new plat has some updated language within the signature blocks.

Motion by Osterloo, seconded by Sonne to approve the plat with the amended language. All present voting aye; motion carried.

17. Plat: Prairie Ethanol LLC

Plat of Tract 7 of Prairie Ethanol Addition in the Northeast Quarter of Section 25, Township 104 North, Range 61 West of the 5th P.M., Davison County, South Dakota.

Jenniges gave an overview of the area with GIS. It is located outside the ETJ but within three miles of city limits. Therefore, it is the county's zoning jurisdiction. The county will hear this at their July meetings. The applicant is purchasing the land to expand their rail system. The applicant was not present to answer questions.

Jenniges noted he had received an update version of the plat since the packet had been sent out. The new plat has some updated language within the signature blocks.

Motion by Schreurs, seconded by Sonne to approve the plat with the amended language. All present voting aye; motion carried.

18. Plat: Prairie Ethanol LLC

Plat of Tract 8 of Prairie Ethanol Addition in the Southeast Quarter of Section 25, Township

104 North, Range 61 West of the 5th P.M., Davison County, South Dakota.

Jenniges gave an overview of the area with GIS. It is located outside the ETJ but within three miles of city limits. Therefore, it is the county's zoning jurisdiction. The county will hear this at their July meetings. The applicant is purchasing the land to expand their rail system. The applicant was not present to answer questions.

Jenniges noted he had received an update version of the plat since the packet had been sent out. The new plat has some updated language within the signature blocks.

Motion by Sonne, seconded by Schreurs to approve the plat with the amended language. All present voting aye; motion carried.

19. Plan Approval-Corona Village

Jenniges gave an overview of the area with GIS. This is zoned Highway Oriented Business District. The applicant would like to apply for a building permit to put a roof on the front of the building for an outdoor seating area and also expand some storage in the back of the building. It meets all setbacks. The applicant was not present to answer questions.

Motion by Osterloo, seconded by Schreurs to approve the plan. All present voting aye; motion carried.

20. Other Business:

None.

21. Public Input:

None

22. Adjourn

Chairperson Genzlinger adjourned the meeting at 12:58 P.M.



Kevin Genzlinger
Planning Commission Chairperson