



Planning Commission 11-24-25
City Council Chambers, City Hall, 612 N. Main Street
November 24, 2025

1. Call to Order

Chairperson Genzlinger called the November 24, 2025 City Planning Commission Meeting to order at 12:04 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: Bathke, Genzlinger, Helleloid, Osterloo, Sonne.
Absent: Gunkel, Schmitz, Schreurs.
Staff Present: Boehmer, Jenniges, J Johnson, Schroeder.

3. Declaration Of Conflicts Of Interests

None.

4. Approve Agenda

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

5. Approval of Previous Minutes: November 10, 2025

Motion by Osterloo, seconded by Sonne to approve the proposed minutes of the November 10, 2025 Planning Commission Meeting. All present voting aye; motion carried.

6. Schedule Next Meeting: December 8, 2025

Motion by Osterloo, seconded by Sonne to set the date for the next Planning Commission Meeting for December 8, 2025. All present voting aye; motion carried.

7. Conditional Use Permit: NIEW LLC

NIEW LLC has applied for a conditional use permit for Alcohol Sales (on-sale); located at 1218 E 1st Ave, legally described as Lots 11 & 12, Block 13, Gleeson's Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned NS Neighborhood Shopping District.

Jenniges noted that a notice was sent out to the neighbors, it was published in the official newspaper and sign posted. There were five responses in favor that made the packet, one in favor that did not make the packet and two responses opposed in the packet. The applicant

was present to answer questions.

Jenniges went over the documents provided by the applicant. They included a GIS showing consumption would only be inside the building. The proposed parking layout and the layout of the interior of the building.

Jenniges gave some history of the land. He said previous owners, in July 2010, applied for a CUP for a gas station that was approved within the R4 district but no alcohol sales are allowed within R4. In October 2010 there was an application to be rezoned from R4 to Highway Orientated Business District, but that was ultimately withdrawn. In November 2010, an application to be rezoned from R4 to Neighborhood Shopping District was approved. Alcohol Sales (off-sale) is a permitted use within NS. In August 2025, NS zoning was amended to have Alcohol Sales (on-sale) as a CUP as proposed by the mayor.

Bathke questioned the outline of the building for the consumption permit. Jenniges went through the process. The conditional use permit is the first step in the process. The applicant is just provided a drawing showing where the consumption permit would be requested.

Council would have the final say with that during the approval of the alcohol sales (on-sale) license. The applicants would then have to come back for a plan approval through the Planning Commission because of the building permit.

Genzlinger reminded the board and audience that the Planning Commission only makes a recommendation to the Board of Adjustment. This board is only looking at the property and if it's an appropriate use of the site.

Sonne questioned if there would be enough parking with this change of use. Jenniges answered that they would have plenty of parking if they add a total of 10 machines, which would only require 4 parking spaces and their drawings indicate they would have enough.

Jim Taylor, representing the applicant, wanted to reiterate the 2010 applicants were completely different people. The current owners purchased the business 12 years ago. They are in the early stages of the process of acquiring a retail wine license. There will be no expansion of the building, just remodeling of the interior for ingress/egress and isolating the casino floor from other retail areas. He also wanted to clarify that this would not be a bar, it would be adjunct to their convenience store operation.

Sarah Reyelts, owner, said they would only have a couple of machines and not be a bar. They will have cans or bottles of beer available for people to drink while they gamble. The intent is to not have people coming in to sit outside the casino and have a beer.

Bathke stated his concerns about the age of workers there. Reyelts answered they currently only have one clerk under the age of 21 and will have to work through that issue. Taylor said they will have to comply with all SD Gaming Commission rules prior to opening.

Motion by Sonne, seconded by Osterloo to recommend approval of the Conditional Use.

Genzlinger opened the floor for public comment.

Martin Eilts stated he has lived kiddy-corner from the establishment for the past 40 years. They stopped this 15 years ago and believe nothing has changed in the family-friendly

neighborhood. The churches, schools and hospital are still there. He believes the neighborhood doesn't want this and the people he talked to were against it. Having this approved might detour people from moving into the future development across the street to the south.

Genzlinger questioned if there were any other similar locations to this within the City.

Jenniges said there have been three over the years; this location, the old Rob's Shortstop and 5th and Sanborn. Genzlinger said he can see the mixed-use locations on corners of neighborhoods. He sees it in bigger cities. He questions whether, if it's not here, then where can it be?

Taylor said because of the significant redevelopment that will occur on the south side of this location with modern zoning and modern urban development with mixed-use development, the applicants are trying to become a community retail center. This will give them a broader scope of operations and help with redevelopment of the land across the street. Also, this will have minimal impact on the neighborhood.

Osterloo stated he doesn't see any problem with it. Dispensaries have distances they have to abide by, but these types of locations do not.

Sonne said he has some reservations based on the available space and traffic it could bring. The newly placed stop signs should greatly help the safety in the area. Future projects on First Ave should help with ingress/egress into the lot. He does not have any issues with the proposed use.

Eilts stated they sell a lot of beer for off-sale already and when trucks are there for delivery it can be difficult for safety. There is no parking for a half block on each side for the delivery trucks because it's all driveway.

Taylor said while on his way to work this morning he was blocked by a US food truck in the middle of the street at 4th Ave. The applicants plan to direct their distributors to use the alley.

Genzlinger requested a roll call vote: Genzlinger – aye, Gunkel – absent, Helleloid – aye, Osterloo – aye, Schmitz – absent, Schreurs – absent, Sonne – aye. 4 aye, 0 nay, 3 absent; motion carried.

8. Plan Approval: Porter Distributing Company

Jenniges gave an overview of the area using GIS. The applicant would like to build an addition onto the south side of their existing building. This is zoned Central Business District and has a 0' setback. The applicant was present to answer questions.

Genzlinger questioned if they had a licensed engineer or architect working on the project. The applicant stated they have Butler to stamp the building drawings, an architect in Sioux Falls for the concrete and Larry Jirsa for the fire code.

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

9. Other Business:

None.

10. Public Input:

None.

11. Adjourn

Chairperson Genzlinger adjourned the meeting at 12:27 P.M.

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

Kevin Genzlinger
Planning Commission Chairperson