



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.

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 \$150 application due with the application.

- Applicant is request to rezone property from _____ District to _____ District.

Variance \$100 application due with the application.

- Description of Variance Requested: See attached.

Conditional Use Permit \$100 application due with the application.

- Description of Conditional Use: See attached.

We will install all required fire suppression systems/piping in addition to other life safety alarms/systems.

This Application is for the following described real property:

- Legal Description: ROWLEYS 1ST ADDN-NW(22) LOTS 11 AND 12 BLK 12 TOWNSHIP 103N RANGE 60W

- Property Address: 108 W 5th Ave, Mitchell, SD 57301

Dated this 20th day of December, 2021

Emmett Reistroffer
Emmett Reistroffer on behalf of Genesis Farms, LLC

Applicant

Gara Volesky
Owner
Property owner

City of Mitchell Variance and CUP application attachment

Description of Variance Requested:

Genesis Farms, LLC, with support from the property owner, Tara Volesky, seek a variance request to allow a medical cannabis dispensary to locate in the central business district, at 106 W. 5th Ave, because the proposed location is within 300 feet of two churches. The churches are located to the south of us on Main street. We believe one of the church locations is primarily a staff office, and the other church is no longer active, however we will attempt to contact and confirm the current use of the properties with both. We are confident we can address any concerns and answer any questions the churches or other neighbors may have about the dispensary. We will maintain hours of operation from 10am – 8pm Monday – Saturday and close the dispensary every Sunday. We will only install signage on the building in accordance with the rules and regulations required by the South Dakota Department of Health and the City of Mitchell. Our preference is that signage be minimal, discreet, and similar in appearance to a medical clinic or pharmacy. Under no circumstances will we install art or logos that display or depict images of cannabis. Under no circumstance will we allow consumption of cannabis on the premises. We will invest in odor control technology and mechanical systems, robust security systems (including video surveillance, alarms and more), specialized staff training, inventory control software and a secure entry/access control vestibule – to ensure the dispensary is operated professionally and in a manner that does not negatively impact or disrupt the surrounding neighborhood. We are committed to following all applicable laws and regulations and ensuring cannabis is safely and securely dispensed only to registered and verified patients and caregivers.

 12/20/21

Description of Conditional Use:

Genesis Farms, LLC, with support from the property owner, Tara Volesky, seek a Conditional Use to allow a medical cannabis dispensary to locate in the central business district, at 106 W. 5th Ave. We are confident we can address any concerns and answer any questions that members of the community may have. We will maintain hours of operation from 10am – 8pm Monday – Saturday and close the dispensary on Sundays. We will only install signage on the building in accordance with the rules and regulations required by the South Dakota Department of Health and the City of Mitchell. Our preference is that signage be minimal, discreet, and similar in appearance to a medical clinic or pharmacy. Under no circumstances will we install art or logos that display or depict images of cannabis. Under no circumstance will we allow consumption of cannabis on the premises. We will invest in odor control technology and mechanical systems, robust security systems (including video surveillance, alarms and more), specialized staff training, inventory control software and a secure entry/access control vestibule – to ensure the dispensary is operated professionally and in a manner that does not negatively impact or disrupt the surrounding neighborhood. We are committed to following all applicable laws and regulations and ensuring cannabis is safely and securely dispensed only to registered and verified patients and caregivers. We will make significant improvements to the building, including an interior buildout and improvements to the exterior façade, to create an environment that is clinical in nature and similar to a medical clinic or pharmacy. We will add the necessary ADA improvements/features and work with the City to improve the adjacent public sidewalk. We will design and operate the dispensary in a manner that ensures cannabis and related business activities are not visible to neighbors, and so that any cannabis related business activities do not negatively impact the neighbors in any way.

 12/20/21