



Planning Commission 10-14-25
City Council Chambers, City Hall, 612 N. Main Street
October 14, 2025

1. Call to Order

Chairperson Genzlinger called the October 14, 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: Bathke, Genzlinger, Gunkel, Havlik, Osterloo, Schmitz, Schreurs, Sonne.

Absent: None.

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

3. Declaration Of Conflicts Of Interests

Schmitz item #12.

Schreurs item #13.

4. Approve Agenda

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

5. Approval of Previous Minutes: August 25, 2025

Motion by Osterloo, seconded by Schreurs to approve the proposed minutes of the August 25, 2025 Planning Commission Meeting. All present voting aye; motion carried.

6. Schedule Next Meeting: October 27, 2025

Motion by Osterloo, seconded by Sonne to set the date for the next Planning Commission Meeting for October 27, 2025. All present voting aye; motion carried.

7. Rezone Hearing & Recommendation: Lyle Haring, 2635 Anthony Ave

Lyle Haring is requesting the following property legally described as; Lot 5, Block 1, CJM Second Addition in the NW 1/4 of Section 32, T 104 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota; be changed from CJM Second Addition Planned Unit Development to Urban Development District AND THE OFFICIAL ZONING MAP BE CHANGED TO REFLECT THE SAME.

Jenniges noted that a notice was sent out to the neighbors, it was published in the official newspaper and sign posted. There were two responses in favor that made the packet and two that did not but had no comments on it. The applicant was present to answer questions.

Jenniges gave an overview of the area using GIS. He said the applicant would like to plat his three parcels into one for taxing reasons, but one of his parcels is zoned differently, so he has to rezone to all be the same. The land is contiguous for the rezone and meets all zoning regulations of the new proposed zoning district.

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

8. Hearing and Recommendation: an Ordinance Amending 10-9C-01, Lot 5, Block 1 CJM second Addition

Lyle Haring is requesting to amend CJM Second Addition Planned Development District by changing 10-9C-1 Legal Description from "Block 1, Block 2, Block 8 and Block 9 of CJM Second Addition and a portion of Anthony Avenue and a portion of Livesay Lane, A

Subdivision of the NW ¼ of Section 32, T 104 N, R 60 W, of the 5th P.M., City of Mitchell, Davison County, South Dakota." to "Block 1, Block 2, Block 8 and Block 9 of CJM Second Addition and a portion of Anthony Avenue and a portion of Livesay Lane, A Subdivision of the NW ¼ of Section 32, T 104 N, R 60 W, of the 5th P.M., City of Mitchell, Davison County, South Dakota except Lot 5, Block 1, CJM Second Addition in the NW 1/4 of Section 32, T 104 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota"

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 made the packet and two that did not but had no comments on it. The applicant was present to answer questions.

Jenniges said that his goes with item number 7 on the agenda. Because the land Haring is requesting to be rezoned is in a PUD and that a PUD has a legal description with it. This request is to exclude Harings' legal description from the PUD.

Motion by Schreurs, seconded by Sonne to recommend approval of the ordinance amendment. All present voting aye; motion carried.

9. Variance Permit: Mark Van Den Hoek

Mark Van Den Hoek has applied for a Variance Permit for accessory building combination of 3,470 square feet vs 2,000 square feet to build a new accessory building of 1,920 square feet.

This is located at 3220 N Main St, legally described as the 400' E of Highway in Irregular Tract 4 in the NW ¼ of Section 10, T 103 N, R 60 W of the 5th P.M., 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. There was one response in favor that did not make the packet but had no comments. The applicant was not present to answer questions.

Jenniges gave an overview of the area using GIS. The applicant would like to build a 32' x 60' addition onto his existing shed which puts him over the 2,000 sq ft. It will meet setbacks of R3.

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

10. Hearing & Action on Establishing the Boundaries and Approval of the Project Plan for Tax Increment Financing District #44

Jenniges gave an overview of the area using GIS. This area has been platted in the past few months. Part of the TIF does overlap with county TID #2. However, they are not making any improvements to that lot until that TIF is paid off which is anticipated to be 2028. City staff did an internal review of the TIF and gave comments back to the applicant. This is a developer finance TIF for Economic Development. The applicant is requesting \$2,921,326, which is the full amount of the projected assessment value tax increase over the next 20 years. The project cost is \$9,271,970 with \$5,469,405.15 of TIF eligible costs. The project will consist of building a new restaurant/bar with a banquet room located within Lot 2B1. This will be a fine-dining concept employing up to 15 full-time employees and 25 part-time employees. The restaurant facility is estimated for completion in November 2026 with construction starting in the fall of 2025. Also in the area but not included with the TIF is a quick-service restaurant and a lodging facility. The developer will waive the discretionary tax abatement. They have also stated in the project plan that the project would not work but for the use of the TIF. All costs will be certified by the city finance prior to payment of grant funds. The applicant was present to answer questions.

Genzlinger questioned what would happen if they didn't have the other developments within the area to produce the projected assessment increases. Ellwein said that the developer would be responsible for paying for any shortages that happen. The TIF is not front end loaded, meaning they don't get all the money up front, they get money as the assessment of the project moves forward and the difference in taxes from the frozen assessment to the new assessment.

Don Petersen, of Morgan Theeler, representing the applicant, stated that the developer knows if this area does not fully develop that they will have to pay for the shortage. The TIF is one of four major hurdles for the project, and it will not move forward without the TIF.

Chuck Mauszycki Sr stated the project wouldn't move forward without the TIF. So far they are meeting their goals and timelines. They are almost ready for the project to go out for bid and 6 of the 16 investors will be part of the build.

Steve Sibson stated that he is in favor of the project and the Mauszycki family is a long-time family friend. Sibson said he has been working with the state on TIF's and that there are problems with this project plan. He believes county TIF 2 should be an added pdf to this project since it's overlapping. There is no way to prove the "but for" clause because they don't have enough financials in the project plan. He believes the land base value is calculated incorrectly because it's assessed as ag land, but it's zoned commercial, so it should have a higher base value. He believes that the project does not need a TIF to continue.

Genzlinger stated he believed the land being assessed as ag and not commercial like the property to the south, because it has been farmground, and it has not been developed and has no buildings on it.

Motion by Havlik, seconded by Schreurs, to set the boundaries as presented for TIF District

#44 to include the following:

LOTS TWO B ONE (2B1) AND TWO C ONE (2C1), A SUBDIVISION OF LOT TWO (2), BLOCK FOUR (4), WESTWOOD FIRST ADDITION IN THE NORTHWEST QUARTER (NW1/4) OF SECTION SIXTEEN (16), TOWNSHIP ONE HUNDRED THREE (103) NORTH, RANGE SIXTY (60), WEST OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA;

THAT PORTION OF COMMERCE STREET LOCATED ALONG THE WESTERLY BORDER OF LOTS TWO B ONE (2B1) AND TWO C ONE (2C1); AND

LOT ONE (1), BLOCK TEN (10), A SUBDIVISION OF BLOCK FOUR (4) OF WESTWOOD FIRST ADDITION IN THE NORTHWEST QUARTER (NW1/4) OF SECTION SIXTEEN (16), TOWNSHIP ONE HUNDRED THREE (103) NORTH, RANGE SIXTY (60) WEST OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA;

All present voting aye; motion carried.

Motion by Schmitz, seconded by Sonne to approve the project plan and recommend approval of TIF District #44. All present voting aye; motion carried.

11. Plat: DWU, Kittle & Reider

Plat of Lots 7A & 9A in Tract D, Wild Oak Golf Club Addition to the City of Mitchell, in the SE 1/4 of Section 23, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota

Jenniges gave an overview of the area using GIS. Kittle and Reider are purchasing Lot 8 from DWU, which this plat is vacating Lot 8 that DWU owned. Kittle and Reider are vacating and replanting their original lots to include the land they are purchasing from DWU. The applicants were not present to answer questions.

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

12. Plan Approval: Schmitz Construction, 926 N Main St, zoned Central Business District

Jenniges gave an overview of the area using GIS. The applicant has requested to demo a couple portions of the building and request a building permit to add back an addition. The applicant was present to answer questions.

Schmitz stated that they had originally just planned to demo one of the structures, but after getting into the second area, they decided that would need to be demoed as well and built back new.

Genzlinger stated he was happy to see someone is doing something with this building as it needs some repair.

Motion by Havlik, seconded by Schreurs to approve the plan. Roll call vote: Genzlinger – aye, Gunkel – aye, Havlik – aye, Osterloo – aye, Schmitz – abstain, Schreurs – aye, Sonne – aye. 6 aye, 0 nay, 1 abstain; motion carried.

13. Plat: Servicemen's Memorial Cemetery Association Inc

Plat of Veterans Memorial Park Tract 1, a subdivision of the SE 1/4 of the WSE 1/4 of the SW 1/4 of Section 9, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota.

Jenniges gave an overview of the area using GIS. This is being platted for a bathroom to be built on the property. After the bathroom is built, the City of Mitchell will acquire ownership of the lot. The parent parcel is still in the county, so County Planning Commission and County Commission will also hear this at their next meetings. Zoning and building authority still lies with the City of Mitchell. The applicant was present to answer any questions.

Motion by Sonne, seconded by Schmitz to approve the plat.

Dwight Stadler stated he is the treasurer for the Servicemen's Memorial Cemetery, and he is requesting the plat be tabled. They were not notified that the plat had been completed, and the plat boundaries are in the wrong location.

Substitute motion by Sonne, seconded by Schmitz to postpone the plat until the correct one is provided. All present voting aye, with Schreurs abstaining; motion carried.

14. Other Business:

None.

15. Public Input:

None.

16. Adjourn

Chairperson Genzlinger adjourned the meeting at 12:40 P.M.



Kevin Genzlinger
Planning Commission Chairperson