



**City of Vermillion  
Planning Commission Agenda**

5:30 p.m. Regular Meeting  
Tuesday, October 14, 2014  
City Hall – Large Conference Room  
25 Center Street  
Vermillion, SD 57069

1. **Roll Call**

2. **Minutes**

- a. September 22, 2014 Regular Meeting.

3. **Adoption of the Agenda**

4. **Visitors To Be Heard**

5. **Public Hearings**

- a. Zone Change Request - to exclude from the GB General Business District and include in the R-2 Residential District the following described real property: Lots 1 and 2 Blk 7 (**Addressed as 12 Shriner Street and 30 Shriner Street**, respectively), and Lot 3 Blk 5 (Addressed as **1129 Cottage**), Partridge Addition to the City of Vermillion, Clay County, South Dakota.

6. **Old Business**

7. **New Business**

8. **Adjourn**

**WELCOME TO YOUR PLANNING COMMISSION MEETING**

If you wish to participate in the discussion, the meeting provides several opportunities. After the minutes are approved, the Chairperson will ask if any visitors wish to be heard. Any item not on the agenda may be discussed. During the discussion of agenda topics, anyone may comment. The Chairperson will recognize you if you raise your hand. Please introduce yourself with your name and address when addressing the Planning Commission. Discussion occurs before motions are made and seconded. Discussion also occurs after the motion is seconded and before the vote. You may participate each time if you wish. Your suggestions and ideas are welcome. The best decisions are made when everyone participates and provides information.

**Meeting Assistance:** The City of Vermillion fully subscribes to the provisions of the Americans with Disabilities Act of 1990. If you desire to attend this public meeting and are in need of special accommodations, please notify the City Manager's Office at 677-7050 at least 3 working days prior to the meeting so appropriate auxiliary aids and services can be made available.

Unapproved Minutes  
Vermillion Planning Commission  
Monday September 22, 2014 Regular Meeting

The regular meeting of the Vermillion Planning Commission was called to order by Chairman Iverson in the Large Conference Room at City Hall on September 22, 2014 at 5:30 p.m.

1. Roll Call

Present: Fairholm, Forseth, Muenster, Tuve and Iverson. Absent: Gruhn, Jones and Manning.

Staff present: Andrew Colvin, Assistant City Manager and Jose Dominguez, City Engineer.

2. Minutes

a. September 8, 2014, Regular Meeting.

Moved by Muenster to approve the September 8, 2014 Regular Meeting Minutes, seconded by Tuve. Motion carried 5-0.

3. Adoption of the Agenda

Moved by Forseth to adopt the agenda, seconded by Muenster. Motion carried 5-0.

4. Visitors to be Heard

5. Public Hearing

6. Old Business

7. New Business

a. Final Development Plan - Community-Oriented Healthcare Planned Development District.

Harold Holoch, consulting engineer with Banner Associates, reported that the Hospital Foundation and Sanford Vermillion are presenting a final development plan for Planning Commission approval. The final plan will include the construction of a maintenance garage, along with related landscaping. Tim Tracy, Sanford Vermillion CEO, informed the Planning Commission that the building will blend in with the residential area with respect to architecture and construction. Discussion followed on the plan.

Moved by Muenster to approve the final development plan, seconded by Forseth. Motion carried 4-0 with Tuve abstaining.

b. Final Plat of Lot A1, Accretion to Government Lots 3 and 4, Section 16; and Lot A1, Accretion to Lot A, Section 22; All in Township 92 North, Range 52 West of the 5<sup>th</sup> P.M., Clay County, South Dakota.

Jose Dominguez, City Engineer, reported on the location of the property being platted noting this plat falls within two different platting jurisdictions. The portion on Section 16 falls within the City's platting jurisdiction, but outside of the Joint Jurisdictional Zoning

Area. The other portion within Section 22 falls within the Joint Jurisdictional Zoning Area. Jose stated that, due to this, the plat has to first be approved by the City's Planning Commission and then the County's Planning Commission.

Moved by Tuve to approve the plat, seconded by Fairholm. Motion carried 5-0.

c. Comprehensive Plan Work Session

Toby Brown was present to coordinate a work session for the revision of the City's Comprehensive Plan. The Planning Commission discussed the future land use map, including the placement of commercial nodal developments, appropriate areas for residential development as well as the amount of available industrial land.

Fairholm left at 6:05 p.m.

8. Adjourn

Moved by Forseth to adjourn, seconded by Tuve. Motion carried 4-0.

Iverson declared the meeting adjourned at 6:50 p.m.

# *Planning Commission Agenda Memo*

**From:** Farrel Christensen, Building Official

**Meeting:** October 14, 2014

**Subject:** Zone Change petition to exclude from GB General Business District and include in the R-2 Residential District the following described real property, viz. Lots 1 & 2 Blk 7 and Lot 3 Blk 5 Partridge Addition

**Presenter:** Farrel Christensen

**Background:** Kevin and Cindy Brown have been trying to market the area along Shriner Street for commercial development for a number of years but have been unable to sell. A representative of the owners contacted City Staff with the idea of changing the zoning to R-2 medium density residential in order to develop the property. The current zoning is GB General Business.

**Discussion:** The area in question is located adjacent to an existing R-2 District and would therefore not create an issue of spot-zoning. The proposed district would be separated from the remaining GB district by Shriner Street on the northwest and share a lot line with vacant Lot 4 on the northeast. Surrounding property uses include the new water tower and City Service Center to the west, the Prairie Eye Clinic to the north, vacant lots to the northeast and east. The lots to the south of the proposed zone change are completely developed and occupied by single family homes with the exception of a group of 4 unit apartments at the corner of Cottage and Alumni. Allowable uses are more restrictive under the R-2 district than the GB, but do include apartment uses that have proven to be contentious in other areas of the City. Apartments are limited to no more than 4 units per lot in the R-2 district but in this case the lots are big enough to be subdivided.

**Compliance with Comprehensive Plan:** The Comprehensive Plan's Future Land Use Map shows this area as a transition area between commercial and residential.

**Conclusion/Recommendations:** The petitioners obtained the required number of signatures to allow the Planning Commission to consider the zone change, but due to the

5. Public Hearings; item a

large lots owned by the petitioners no neighborhood owners were needed. As a result it is difficult to gauge if there is neighborhood support for the proposed zone change. Notification signs were placed on the lots in question and public notice was placed in the paper. Currently no neighborhood owners have contacted the City in regard to the proposed zone change.

**GB**  
LOTUSWOOD  
226.75± Acres

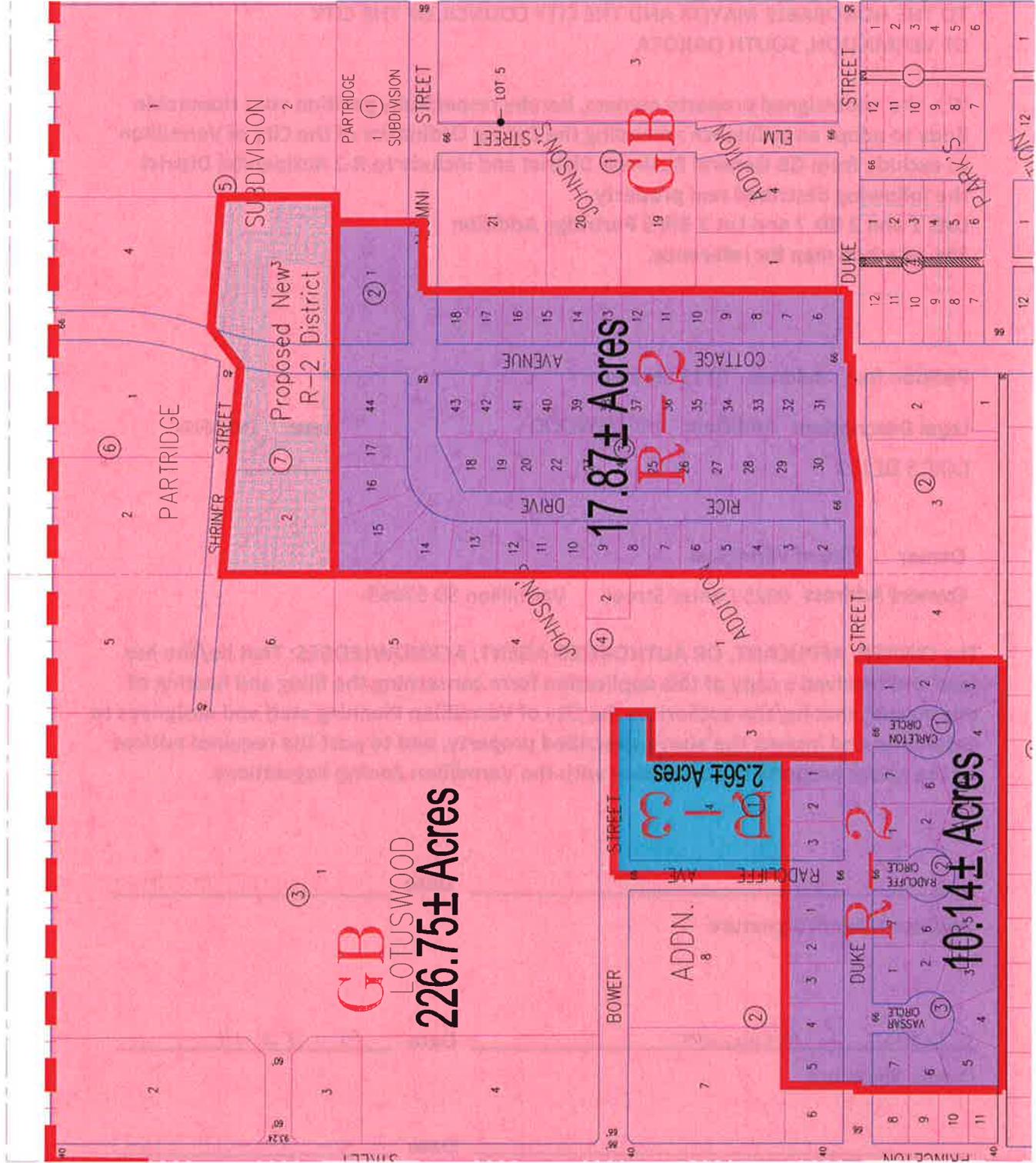
⑤  
SUBDIVISION  
⑦ Proposed New<sup>3</sup>  
R-2 District

17.87± Acres

**R-2**  
**GB**

**B-1**  
2.56± Acres

**R-2**  
10.14± Acres



# PETITION FOR ZONE CHANGE

TO THE HONORABLE MAYOR AND THE CITY COUNCIL OF THE CITY OF VERMILLION, SOUTH DAKOTA

1. As authorized by § 155.101 of the City of Vermillion Zoning Ordinance (I) (we) (Name & Address):

Kevin and Cynthia Brown  
1818 Constance Vermillion SD 57069

Hereby petition to rezone property owned by (Name & Address): Kevin and Cynthia Brown

From the classification GB, General Business to R-2, Residential District

2. The legal description of that part of the property to be rezoned is (include only the description of the land proposed to be rezoned. You may need to have a surveyor draft this description):

Lot 4 Blk 6 (57,499) 30 Shiner PIN 15575-00700-02000  
Lot 3 Blk 6 (87,536) 1129 Cottage PIN 16575-06500-03000  
Lot 1 Blk 7 Johnson Add 1124 Cottage PIN 15575-00700-01000

Parcel Identification Number (PIN): \_\_\_\_\_

3. The proposed change is to facilitate the use of the land for (be specific-list all proposed uses):

town homes, duplex, apartment

4. Please address the following criteria as best as you can. These are the "standards for rezoning" which will be addressed at the public hearing. (Use additional sheets if necessary).

A. In detail, explain what public facilities and services serve the proposed development at present, or how they will be provided.

a building new town house will provide  
affordable homes for families

B. Explain how the provision for these facilities will not be an unreasonable burden to local government.

New build will look good in the community  
and offer new families to move to Vermillion

C. What have you done to determine that the land is suitable for the development proposed?

at this time we have tried to go for sell  
and haven't so we think it would be more  
desirable for investor or

D. Explain what will have to be done so the development will not cause unreasonable air and water pollution, soil erosion or adverse effects on rare or irreplaceable natural areas.

follow building code

E. Explain any potential for conflict with existing land uses in the area.

none

(OVER)

F. Demonstrate the need of the proposed development at this location. Realtors have asked for building lot for apt and town home

G. What is the availability of alternative locations? Be specific. not aware of any at this time that are listed for sale

H. If cropland is being consumed by this Zone Change, what is the productivity of the agricultural lands involved? N/A

I. If cropland is being consumed by this zone change, explain how the proposed development will be located to minimize the amount of agricultural land converted. N/A

5. Planning Commission recommendation, The Zoning Administrator shall set the date, time and place for a Planning Commission public hearing. The Zoning Administrator shall post a sign of the public hearing on the property affected by a change of zone no less than 7 days prior to the scheduled public hearing. The notice shall be published in a legal newspaper of the city once not less than 10 days prior to the public hearing. Any person may appear in person, or by agent or attorney. Minutes of the public hearing shall be recorded and kept in the records of the City Council. The Planning Commission shall either recommend or not recommend approval of the amendment to the City Council.

6. City Council action, The Zoning Administrator shall set the date, time and place for a City Council public hearing. The Zoning Administrator shall post a sign of the public hearing on the property affected by a change of zone no less than 7 days prior to the scheduled public hearing. Any person may appear in person, or by agent or attorney. Minutes of the public hearing shall be recorded and kept in the records of the City Council. The City Council shall either approve or not approve the ordinance describing the proposed amendment or change of zone to these zoning regulations, in accordance with standard procedures for reading, approval, publication and effective date. When a proposed amendment or change of zone is approved by the City Council, the amendment shall take effect 20 days after publication, unless the referendum shall have been invoked.

7. Petitioner's Signature [Signature] Phone 670-2294 Date 7/18/14

8. Owner's Signature [Signature] Phone 670-2294 Date 7/18/14  
(If different)

Date Fee Received: \_\_\_\_\_ Fee \$150.00 PAYABLE TO the City of Vermillion

**FAILURE OF THE APPLICANT OR HIS AGENT TO APPEAR AT THE HEARING WILL CAUSE THE COMMITTEE TO DENY THIS APPLICATION.**