



## City of Vermillion Planning Commission Agenda

5:30 pm Regular Meeting

Monday, August 22, 2011

City Hall

Large Conference Room – 2<sup>nd</sup> Floor

25 Center Street

Vermillion, SD 57069

1. **Roll Call**
2. **Minutes**
  - a. July 25, 2011.
3. **Adoption of the Agenda**
4. **Visitors To Be Heard**
5. **Public Hearings**
  - a. Petition to re-zone Lots 7 & 8 Block 29, Van Meters Sunset Hill Addition, from NC Neighborhood Commercial to R-2 Residential.
6. **Old Business**
7. **New Business**
8. **Staff Reports**
9. **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 July 25, 2011 Regular Meeting

The regular meeting of the Vermillion Planning Commission was called to order in the conference room at City Hall on June 25, 2011 at 5:30 p.m.

1. Roll Call

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

Also present were José Dominguez, City Engineer and Andy Colvin, Assistant to the City Manager.

2. Minutes

a. June 27, 2011 Regular Meeting.

Moved by Gruhn to approve the May 23, 2011 Regular Meeting Minutes, seconded by Reasoner. Motion carried 5-0.

3. Adoption of the Agenda

Moved by Forseth to adopt the agenda as printed, seconded by Tuve. Motion carried 5-0.

4. Visitors to be Heard

5. Public Hearing

6. Old Business

7. New Business

a. Final Plat of Lots 1 through 5, and R1, Block 1 of Bliss Second Addition.

José reported that McLaury Engineering has submitted a plat to subdivide approximately twenty (20) acres into five (5) residential lots along West Main Street. José reported that the proper easements have been obtained and the plat meets ordinance requirements. José also noted that the plat was first presented to the engineer's office prior to the adoption of the revised subdivision regulations, thus, the plat falls under the previous ordinance.

The Planning Commission inquired about the proposed zoning of the land once annexed into City limits and whether farming activities can continue. Staff reported that current uses will be allowed once annexed and zoned residential, which includes crops.

Moved by Manning to recommend approval of the plat to the City Council, seconded by Tuve. Motion carried 5-0.

8. Adjourn

Moved by Forseth to adjourn, seconded by Manning. Motion carried 5-0.

Chairman Iverson declared the meeting adjourned 5:41 p.m.



## *Council Agenda Memo*

**From:** Farrel Christensen, Building Official

**Meeting:** August 22, 2011

**Subject:** Lots 7 & 8 Block 29 Van Meters Sunset Hill Addition

**Presenter:** Farrel Christensen

**Background:** Bob Hanson & Kolly Fostvedt recently inquired about building a duplex on two lots along Mulberry Street. While reviewing the proposed project, staff was unable to approve the preliminary plan under the current zoning of NC (Neighborhood Commercial) that prohibits residential uses.

**Discussion:** The lots in the proposed plan are not on Main Street but located north of Hanson Funeral Home on Mulberry Street. The lot to the west of the proposed site is used as a parking lot for a church, on the east side is a vacant lot and across the street are single family homes. The intent of the existing NC district is to provide for developing and redeveloping areas located at the edge of residential developments, adjacent to the major streets that serve the area. It is the intent of this district to provide for a well-integrated service area, providing convenience of goods and personal services to primarily serve residents within 1 mile of the development.

Although the lots along E. Main Street seem to fit the NC district well, with a funeral home and two clinics already in place, the lots on Mulberry Street are only needed in the district for uses that require a great deal of depth. Mr. Hanson does not need the additional depth for the funeral home and believes the proposed duplex would be a good fit on Mulberry Street and in the R-2 district. Staff has reviewed the Comprehensive Plan and visited the site and feel the change would not be contrary to the public interest or the Comprehensive Plan. The proposed district is directly adjacent to an existing R-2 district to the north.

**Compliance with Comprehensive Plan:** The Comprehensive Plan specifies that the City should encourage development within the undeveloped areas inside City

limits. Changing the zoning to R-2 will enable to property owner to develop the property, fulfilling this goal.

**Conclusion/Recommendations:** The Planning Commission is asked to take public comment and make a recommendation to the City Council. The change seems to fit well in the neighborhood and will provide needed development within the City. Staff recommends approval.

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POTTER'S  
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JEFFERSON ST.  
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HAWTHORN ST.  
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MICKELSON AVE.  
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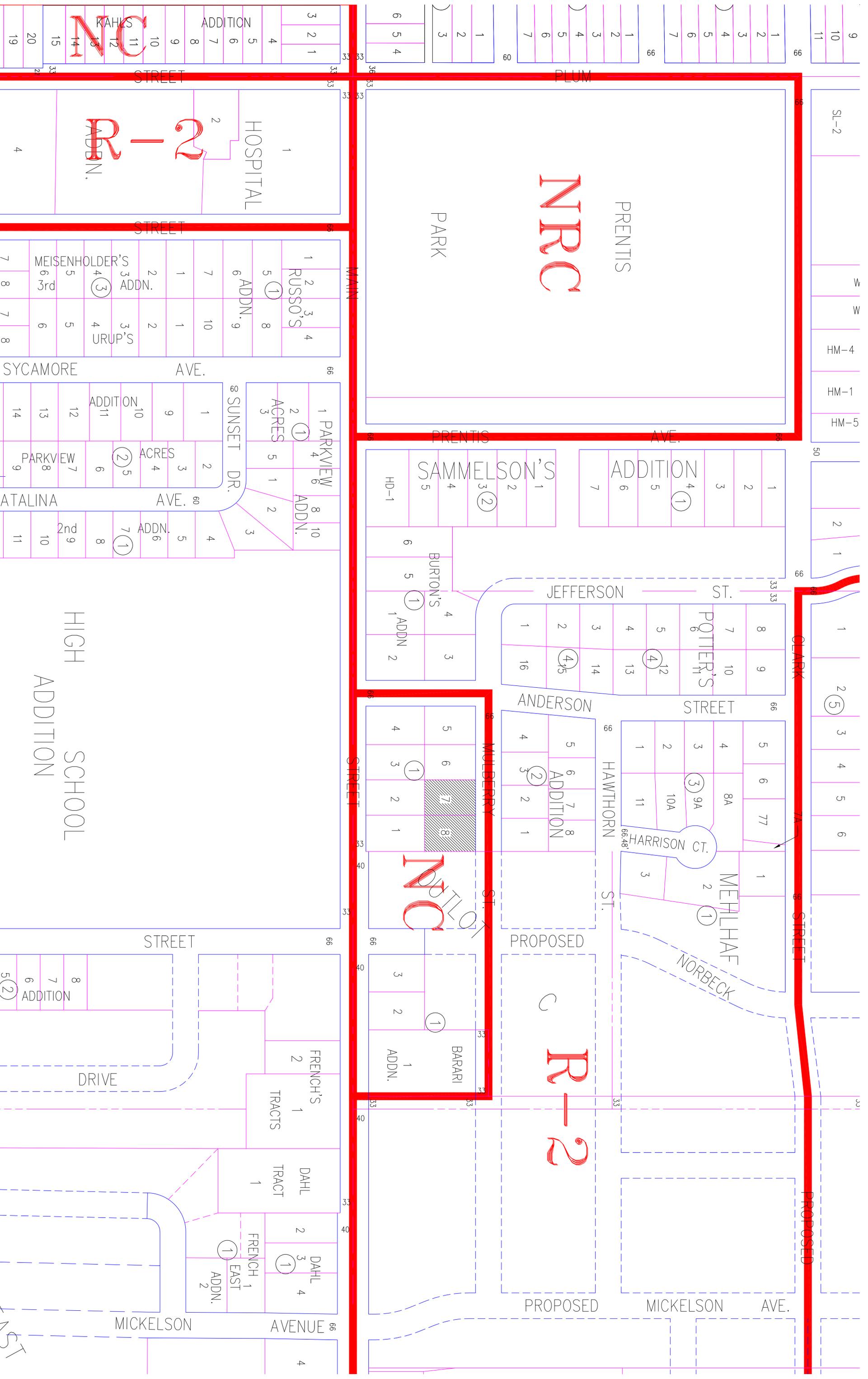
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PROPOSED

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FRENCH EAST ADDN.  
MICKELSON AVENUE

MICKELSON AVE.  
PROPOSED



**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):

Robert Hansen + William C. Hansen  
2028 Augusta Dr. Verm. SD PO Box 101 Irene, SD

Hereby petition to rezone property owned by **Hanson Funeral Home Inc**

57037

From the classification **NC to R-2**

2. The legal description of that part of the property to be rezoned is: **Lots 7 & 8 Blk 1 Potters Addition**

Parcel Identification Number: **15580-00100-070-00**

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

to build residential housing.

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.

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

These lots are currently across from residential homes.

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

It is currently across the street from residential homes.

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.

If homes are built on these lots, all city codes will be followed  
Ex. sidewalks, etc...

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

We don't foresee any conflict building homes in residential area.

(OVER)

F. Demonstrate the need of the proposed development at this location. To continue residential in this area.

G. What is the availability of alternative locations? Be specific. Not looking for locations - we currently own this land.

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 \_\_\_\_\_ Phone \_\_\_\_\_ Date \_\_\_\_\_

8. Owner's Signature Walt Hansen Phone 624-2829 Date 7/27/11  
(If different)

Date Fee Received: \_\_\_\_\_ Fee \$50.00 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.**

## NOTICE OF HEARINGS

**NOTICE IS HEREBY GIVEN** that the Planning Commission of the City of Vermillion, South Dakota, will meet at 5:30 p.m. on Monday, the 22<sup>nd</sup> day of August, 2011, in the 2<sup>nd</sup> floor Meeting Room at 25 Center Street in the City of Vermillion, at which time the said Planning Commission will hear, consider and act upon a recommendation for the following;

A Petition to amend the Zoning Ordinance of the City of Vermillion From NC Neighbor Commercial District to R-2 Medium Density Residential District for the following described real property, viz. Lots 7 & 8 Block 29 Van Meters Sunset Hill Addition

**NOTICE IS HEREBY GIVEN** that the Governing Body of the City of Vermillion, South Dakota, will meet at 7:00 p.m. on Tuesday, the 6<sup>th</sup> day of September, 2011 in the City Council Chambers at 25 Center Street in the City of Vermillion, at which time the said Governing Body will hear, consider and act upon the following:

A Petition to amend the Zoning Ordinance of the City of Vermillion From NC Neighbor Commercial District to R-2 Medium Density Residential District for the following described real property, viz. Lots 7 & 8 Block 29 Van Meters Sunset Hill Addition

Notice is further given that at the times and places aforesaid any person may appear and be heard upon all matters pertaining to the said zone change and that at said time and place the Governing Body Will consider and decide whether or not this ordinance change should be approved.

Farrel Christensen, City Building Inspector

Publish: August 12, 2011