



**City of Vermillion
Planning Commission Agenda**

5:30 p.m. Regular Meeting
Monday, July 28, 2014
City Hall – Large Conference Room
25 Center Street
Vermillion, SD 57069

1. **Roll Call**
2. **Minutes**
 - a. July 14, 2014 Regular Meeting.
3. **Adoption of the Agenda**
4. **Visitors To Be Heard**
5. **Public Hearings**
6. **Old Business**
7. **New Business**
 - a. Comprehensive Plan Work Session – Chapter 7.
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 July 14, 2014 Regular Meeting

The regular meeting of the Vermillion Planning Commission was called to order by Vice-Chairman Forseth in the Large Conference Room at City Hall on July 14, 2014 at 5:30 p.m.

1. Roll Call

Present: Fairholm, Forseth, Gruhn, Holland, Jones, Manning, Muenster, Tuve and Iverson. Absent: None.

Staff present: Andrew Colvin, Assistant City Manager, Jose Dominguez, City Engineer and Farrel Christensen, Building Official.

2. Minutes

a. June 23, 2014 Regular Meeting.

Moved by Tuve to approve the June 23, 2014 Regular Meeting Minutes, seconded by Manning. Motion carried 8-0.

3. Adoption of the Agenda

Moved by Forseth to adopt the agenda, seconded by Gruhn. Motion carried 8-0.

4. Visitors to be Heard

5. Public Hearing

a. Application from Brookings Municipal Utilities d/b/a Swiftel Communications for a Conditional Use Permit to construct a Telecommunications Tower at (approximately) 604 High Street, Vermillion, Clay County, South Dakota.

Andy presented the application for a conditional use permit to the Planning Commission, reporting that Swiftel has submitted a proposal to construct a new telecommunications tower in the community, which will replace their existing facilities on the Market Street Water Tower. Curt Kabris, General Manager of Swiftel, provided background information to the Planning Commission, reporting that other sites were explored, including co-location on other towers and the new water tower, but none will provide the level of cellular service to the necessary areas of the community. Curt stated that the pole will be at such a height that other companies would want to co-locate on the tower in the future. Curt also reported that the proposed tower will be located in the Fairgrounds, west of High Street at the southwest corner of the demolition derby arena. In addition, the tower could be used for lighting the softball fields adjacent to the proposed location. Staff reported that the proposed location fits well into the zoning ordinance and meets the required 300 feet distance from residential property, but a variance will be required since the necessary height exceeds what is allowable by ordinance. In addition, the proposed tower is less than the required ½ mile from an existing tower, so a variance would be necessary for that as well.

The Planning Commission asked for public comment on the application for a conditional use permit. Sharon Jensen, Clay County Fair Board, wanted to know how close the tower and building would be to the fence and if parking would be negatively impacted. Curt provided a diagram showing the proposed facilities and indicates that the structure would be built

as close as possible to the fence, allowing room for parking and traffic. Jessica Kennedy, Clay County Fair Board, inquired about the schedule. Curt explained that the project would need to go through a bidding process and site work would not begin until fall.

Fairholm asked about the possibility of a scoreboard or lighting on the tower. Curt explained that lighting would be a problem, but a scoreboard would create issues with wind load and would require the tower to be very wide at the base.

Tuve inquired about the distance of the tower from the airport. Curt explained that FAA approval is necessary prior to constructing the tower.

Discussion followed on the proposed conditional use permit.

Moved by Fairholm to approve the conditional use permit application submitted by Swiftel, seconded by Muenster. Motion carried 8-0.

b. Zone Change petition to exclude from R-1 Residential District and include in the R-2 Residential District the following described real property, viz. The S 49' of Lot 3 and all of Lots 4,8,9 & 10 Blk 1 Russo 1st Addition and Lots 1,2,3,4,5,6,9,10,11,12,13 & 14 Blk 1 Urup's Addition.

Farrel presented the petition submitted by Harlowe Hatle to change the zoning in the described area from R-1 to R-2. Farrel reported that the applicant has collected the required number of signatures from adjacent property owners to bring the request forward for consideration. Farrel also reported that the applicants wish to change the zoning in order to bring existing building into conformance with the zoning regulations, since the current district makes them non-conforming uses.

Gary Groves, 215 Catalina, inquired about the height limitations and whether it will be greater in the R-2 district, allowing future structures to be taller. Farrel reported that the maximum height allowed in the R-2 district is 35 feet, which is the same height as the R-1 district. Farrel also indicated that any new structures would likely be built higher in order to meet on-site parking requirements, but anything more than a two-story building is unlikely since a maximum of four units is allowed.

Kathleen McElhinney, 35 Sycamore, inquired about whether it is ok for the structures to be over the lot line. Farrel stated that any new structures or significant improvements would require them to come into compliance with current ordinances and require re-platting. Concerns were also expressed about how parking would be impacted. Farrel reported that any future structures would need to meet off-street parking regulations.

Discussion followed on the proposed zone change.

Moved by Forseth to recommend approval of the zone change to the City Council, seconded by Tuve. Motion carried 7-1.

6. Old Business

7. New Business

8. Adjourn

Moved by Fairholm to adjourn, seconded by Forseth. Motion carried 8-0.

Forseth declared the meeting adjourned at 6:25 p.m.