

Unapproved Minutes
Vermillion Planning Commission
Monday October 26, 2009 Regular Meeting

The regular meeting of the Vermillion Planning Commission was called to order in the conference room at City Hall on October 26, 2009 at 5:30 p.m.

1. Roll Call

Present: Howe, Muenster, Reasoner, Schempp, Tuve and Iverson. Absent: Fairholm, Forseth, and Magee.

Also present were Farrel Christensen, Building Official, Jose Dominguez, City Engineer and Andrew Colvin, Assistant to the City Manager.

2. Minutes

a. October 13, 2009 Regular Meeting.

Moved by Muenster to approve the October 13, 2009 Regular Meeting minutes, seconded by Tuve. Motion carried 6-0.

3. Adoption of the Agenda

Moved by Tuve to adopt the agenda, seconded by Muenster. Motion carried 6-0.

4. Visitors to be Heard

5. Public Hearing

a. A Petition to exclude from the R-1 Residential District and include in the GB General Business District the S 111.75' OF E 143' OF LOT M-2 NE 1/4 13-92-52 MISC ENTRIES also know as 916 Ratingen Strasse.

Farrel introduced the zone change petition to the Planning Commission, reporting that Duane and Lorraine Brunick have applied to change the zoning of the property from its current single-family residential district to general business. Farrel reported that the proposed change would create an island of commercial property within a primarily residential and institutional area of the community. Farrel also reported that it is questionable whether or not the size of the lot could accommodate a commercial use with the setback requirements, parking, and screening when adjacent to residential uses. Farrel indicated that staff recommends denying the application to rezone.

Members of the Brunick family approached the commission with their request, indicating they would like to rezone the property and move the home to a different location to accommodate a business. The Brunick family indicated that there have been offers from the University to purchase the property, which were lower than what the property owners had expected.

Discussion followed on the availability of a business plan and the possibility of re-zoning to the neighborhood commercial district. The Brunick family indicated they do not have a specific business plan to share at this time, but the proposed use would be a fast food restaurant. Staff indicated that the neighborhood commercial district would not allow a fast food restaurant as a use of the property.

Tom Frieberg, legal counsel for the University, approached the commission, indicating that the proposed change is an attempt to use the zoning process as a bargaining tool for the purchase of the property.

Discussion and questions followed on the zone change request.

Moved by Howe to table action on the request until a business plan is presented. Motion failed for lack of a second.

Moved by Muenster to deny the zone change request, seconded by Reasoner. Motion carried 5-1.

6. Old Business

No Old Business.

7. New Business

a. Final Plat of Lots 4 and 5, Goeman Tract 2.

City Engineer, Jose Dominguez, presented the plat to the Planning Commission. Jose indicated that the plat meets ordinance requirements and cites the required street dedications. Jose also recommended the plat be approved on the condition that the plat is revised to include an 8-foot utility easement. Brief discussion followed.

Moved by Howe to recommend approval of the final plat to the City Council, seconded by Muenster. Motion carried 6-0.

b. Work Session for Comprehensive Plan Revision.

Toby Brown from SECOG was present to conduct a comprehensive plan workshop. Toby worked with the members to identify assets and challenges to the future growth of the community.

8. Staff Reports

9. Adjourn

Moved by Howe to adjourn, seconded by Tuve. Motion carried 6-0.

Chairman Iverson declared the meeting adjourned at 8:20 p.m.