

Unapproved Minutes  
Vermillion Planning Commission  
Monday December 12, 2011 Regular Meeting

The regular meeting of the Vermillion Planning Commission was called to order in the Large Conference Room at City Hall on December 12, 2011 at 5:30 p.m.

1. Roll Call

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

Also present was Andy Colvin, Assistant to the City Manager.

2. Minutes

a. November 28, 2011 Regular Meeting.

Moved by Howe to approve the November 28, 2011 Regular Meeting Minutes, seconded by Manning. Motion carried 7-0.

3. Adoption of the Agenda

Moved by Manning to adopt the agenda as printed, seconded by Tuve. Motion carried 7-0.

4. Visitors to be Heard

5. Public Hearing

a. Petition for Rezoning - Lots 2, 3, and 4, Block 1, Bliss Second Addition to the City of Vermillion, Clay County, South Dakota from the Natural Resource Conservation (NRC) District to the Residential (R-1) District.

Andy reported that a zone change petition was submitted for the property and that all owners have signed. Andy stated that the change is necessary to permit the construction of single family homes and that the proposed change is consistent with the City's comprehensive plan.

Forseth inquired about the industrial zoning to the south and whether sufficient buffers have been established. Andy reported that residential uses are not required to have a buffer under the zoning ordinance. Forseth asked about buffers for existing industrial uses. Andy reported that residential uses are not required to have a buffer even when located to an industrial use.

It came to the attention of the board that the zoning map, included in the packets, erroneously included Lot 1 in the zone change petition. Andy clarified that Lot 1 is not proposed to be rezoned and that none of the lots being rezoned are adjacent to the industrial district.

Andy reported that construction of a single family home has begun and that the owner has signed a developer's agreement with the City Council.

## 6. Old Business

## 7. New Business

Andy reported that staff looked into a few options for the Neighborhood Commercial (NC) District based on concerns from a previous meeting that single family homes are nonconforming uses, and that restaurants, cafes and coffee shops are not permitted. Andy stated that single family homes can be exempt from the non-conforming use provisions, which would allow homeowners to obtain refinancing and rebuild their homes if destroyed.

Steve Howe inquired why single-family homes are permitted to rebuild, but multi-family homes are not. Andy reported that the structures along Dakota Street are primarily single family homes, with some conversions to multi-family.

Steve Howe requested to see a break-down of all of the uses along Dakota Street.

Andy also reported that the reason restaurant and coffee shop uses were removed from the NC district was out of concern that certain establishments would seek liquor or malt beverage licenses, permitting alcohol uses in close proximity to campus. Andy reported that a USD representative expressed concerns to the City Council and Planning Commission and the uses were removed from the ordinance. Andy stated that there could be restrictions placed within the zoning ordinance to allow oversight on where alcohol licenses are permitted.

The Planning Commission directed staff to develop amended regulations to allow mixed residential and commercial uses within the NC district.

## 8. Adjourn

Moved by Forseth to adjourn, seconded by Manning. Motion carried 7-0.

Chairman Iverson declared the meeting adjourned 5:55 p.m.