

Unapproved Minutes
Vermillion Planning Commission
Monday May 23, 2011 Regular Meeting

The regular meeting of the Vermillion Planning Commission was called to order in the conference room at City Hall on May 23, 2011 at 5:30 p.m.

1. Roll Call

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

Also present were José Dominguez, City Engineer, Farrel Christensen, Building Official, Darby Ganschow, USD Representative, and Andy Colvin, Assistant to the City Manager.

2. Minutes

a. May 9, 2011 Regular Meeting.

Moved by Howe to approve the May 9, 2011 Regular Meeting minutes, seconded by Reasoner. Motion carried 5-0.

3. Adoption of the Agenda

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

4. Visitors to be Heard

5. Public Hearing

a. An Amendment to the Zoning Ordinance of the City of Vermillion to exclude from the R-2 Medium-Density Residential District and include in the R-1 Low-Density Residential District the area south of E. Clark Street, north of E. Main Street between N. Dakota Street and N. Plum Street.

Farrel reported that petitions were received from several property owners to rezone several blocks of residential property located south of USD Campus from R-1 residential to R-2 residential. Farrel noted that the biggest difference between the old and new zoning district will be that multi-family dwellings and Fraternity/Sorority Houses will not be allowed. Current uses will become non-conforming and allowed to exist until the use changes or they are damaged or destroyed. Farrel reported that the Comprehensive Plan addresses down-zoning, historic neighborhoods, but at the request of the property owners. Farrel noted that approximately 20% of the homeowners have signed petitions in favor of the zone change.

Chairman Iverson stated that this is a Public Hearing and asked if there is anyone in the audience who would like to speak on the proposed change.

Barb Iacino, 1105 East Cherry, spoke against the proposed change and asked those present for the purpose of the change. Ms. Iacino asked if there are problems with parties, rentals, parking, or other issues.

Kolly Fostvedt, 1510 Crestview, spoke against the proposed change. Mr. Fostvedt stated that he owns a historic home in the proposed district that was originally built to be a multiple family dwelling and that the proposed change would prevent him from rebuilding the structure should it be damaged or destroyed.

Lee McCahren, 114 N. University, asked about the procedure for taking proponent and opponent testimony.

Brian Hochhalter, Vermillion, spoke against the proposed change and asked whether he will be able to sell his rental property. Mr. Hochhalter stated that the area will look worse since, in many cases, the rental properties look better than the single family homes.

Dan Neufeld, 125 N. University, spoke in favor of the proposed change. Mr. Neufeld stated that the area is being taken care of and that the neighborhood should be kept as a prime residential area.

Glynis Erickson, Dakota Realty and Property Management at 125 E. Cherry, spoke against the proposed change and stated that her office has received lots of calls from property owners concerned about their property. Ms. Erickson stated that the proposed change will create too many non-conforming uses and may affect banking and loans for rental properties. Ms. Erickson also stated that the rental code takes care of many of the issues surrounding rentals, such as parking and the dividing of homes into multiple dwellings.

Lee McCahren, 114 N. University, asked City staff what affect the proposed change will have on Dr. Ateshzar's House. Farrel stated that the home is a single dwelling rental unit and would conform to the R-1 district.

Joan Holter, 219 N. Yale, spoke in favor of the proposed change and stated that Fraternities and Sororities affected by the change would likely build elsewhere should the current structure be significantly damaged or destroyed due to the limited area for parking. Ms. Holter also pointed to the Sioux Falls Cathedral District as a model of how a change of zoning to a more restrictive classification can increase property values.

Lindsey Hovden, speaking on behalf of Alpha Phi Sorority, objected to the change and stated that there is no other use for the Greek houses.

Don Foley, owner of three properties in the area, spoke against the proposed change stating that he has invested \$200,000 into his rental property because the area allowed multiple family dwellings. Mr. Foley stated that there is a deal between the City and property owners and that the deal should not be broken without good reason, which he has not heard.

Michelle Laughlin, 122 N. Yale, spoke in favor of the proposed change and stated that her house was a 7-unit rental before she restored it back to its original condition. Ms. Laughlin stated that her property value is now higher because of the restoration and that it would be a shame for it to go back to a rental.

Mary Dennison, Vermillion, spoke against the change and stated that the parking issues are caused by USD and 1-person rentals who allow several friends to move in, even though it violates City code. Ms. Dennison stated that the proposed change will not solve the parking problems.

Tom Craig, 512 Crawford Court, stated that the area was originally zoned for sororities, fraternities and multi-family dwellings. Mr. Craig stated that the area has not changed and that it should remain R-2.

Marty Gilbertson, 2021 Old Bridge Road, spoke against the proposed change. Mr. Gilbertson stated that he has purchased property and invested significantly in the neighborhood, and that the proposed change would mean money has been wasted.

Greg Card, 208 S. Crawford Road, spoke against the proposed change stating that he owns property in the area. Mr. Card stated that the comparison to the Cathedral District in Sioux Falls is like comparing apples to oranges because the area is prime for housing students due to the proximity to campus. Mr. Card also stated that people have made significant investments in the area and the change would be detrimental to those investments.

Lori Whitman, 221 N. Harvard, spoke against the proposed change and stated that she would like to see the petitions that have been submitted.

Dan Neufeld, 125 N. University, asked if the City wanted this zone change. Chairman Iverson stated that the change was requested by several property owners in the district.

Chad Grunewaldt, 100 N. Yale, spoke against the proposed change. Mr. Grunewaldt stated that he bought his current home because it had value as a duplex and if it is taken to the R-1 district, there is little incentive to invest in the property.

Barb Iacino, 1105 East Cherry, stated that the Ateshzar was an eyesore and historic preservation happened because of the landlord.

Chairman Iverson closed the public comment segment of the hearing and asked for questions and comments from the Planning Commission.

Commissioner Reasoner asked Darby Ganschow about the USD parking issue and if there are any plans to manage the problem. Darby stated that USD is aware of the parking issue around campus.

Commissioner Howe stated that the proposed change is far too reaching and will impact too many properties negatively.

Commissioner Manning stated that he used to live in the area and had two rental units across the street and that the proposed change will not solve any perceived problems.

Moved by Howe to recommend denial of the zone change request, seconded by Reasoner. Motion carried 5-0.

6. Old Business

7. New Business

8. Adjourn

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

Chairman Iverson declared the meeting adjourned 6:25 p.m.