

Unapproved Minutes  
Vermillion Planning Commission  
Tuesday October 9, 2012 Regular Meeting

The regular meeting of the Vermillion Planning Commission was called to order in the conference room at City Hall on October 9, 2012 at 5:30 p.m.

1. Roll Call

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

Also present was José Dominguez, City Engineer, Farrel Christensen, Building Official and Andy Colvin, Assistant City Manager.

2. Minutes

a. September 24, 2012 Regular Meeting.

Moved by Muenster to approve the September 24, 2012 Regular Meeting Minutes, seconded by Reasoner. Motion carried 8-0.

3. Adoption of the Agenda

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

4. Visitors to be Heard

5. Public Hearing - Joint Hearing with Clay County Planning Commission

a. A request to re-zone land from Agriculture to Rural Residential for property located at 46171 Timber Road, Vermillion, South Dakota, which is Lot 1 of Parcel A, N1/2, SE1/4, 15-92-52, Vermillion Township, Clay County, South Dakota.

Cynthia Aden, Clay County Zoning Administrator, reported that an application was received from Richard Jahn to rezone his land for the purposes of constructing an additional single-family home. Mr. Jahn stated that his current lot is two acres in size and plans to split the lot into two 1-acre lots, which is only permissible in the Rural Residential district. Mr. Jahn further reported that he intends to rent the existing home once a new home is built. Mr. Jahn also stated that he may sell the house and move it off the lot entirely.

The City Planning Commission opened discussion of the request. Reasoner stated that the Comprehensive Plan discourages scattered development that cannot be annexed into the City and calls for agriculture to remain the dominant land use activity. Andy reported that scattered 2-4 acre developments were a major concern of both the City and County during the development of the joint jurisdictional zoning ordinance. Howe added that the city is not against development but that allowing a small development to rezone would allow others to do the same and set a precedent, causing more scattered development outside the City.

Travis Mockler, Clay County Planning Commissioner, stated that the City pushed this agreement and doesn't understand why the city has an interest in what happens in the County since there are no plans to annex. Mockler also stated that the Comprehensive Plan is a guide and not law so there is flexibility to allow development. John Davidson, Clay County Planning Commissioner, stated that the land for which Mr.

Jahn is seeking a rezone is already developed so permitting this zone change wouldn't impact the area. Mr. Davidson also suggested that the building permit could require the house to be moved once the new one is constructed. Melvin Walz stated that the land is among many other places that have been there for a long time and can't see why he can't rezone.

Andy suggested the City and County look at the AG district and consider adding a conditional use for very small development projects.

Moved by Reasoner to recommend denial of the zone change to the City Council, seconded by Howe. Motion carried 7-0.

## 6. Old Business

### 7. New Business

#### a. Final Development Plan Lot 6 Blk 1 Cottage Place Addition.

Jose reported that Banner Associates has submitted a final development plan for the Cottage Place Planned Development District on behalf of Troy Gregoire. Jose stated that the development plan meets ordinance requirements and approval is recommended.

Muenster inquired about noise from the permitted uses. Lance Weatherly, Banner Associates, reported that uses typically associated with noise are not permitted.

Reasoner stated that he believes the plan is a mistake and takes away from the quality of life of the neighborhood.

Moved by Forseth to approve the final development plan, seconded by Gruhn. Motion carried 6-1.

## 8. Staff Reports

Tom Reasoner gave a presentation on walkability of Vermillion neighborhoods.

### 9. Adjourn

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

Chairman Iverson declared the meeting adjourned 6:44 p.m.