



**City of Vermillion  
Planning Commission Agenda**

5:30 p.m. Regular Meeting  
Monday, October 27, 2014  
City Hall – Large Conference Room  
25 Center Street  
Vermillion, SD 57069

**1. Roll Call**

**2. Minutes**

- a. October 14, 2014 Regular Meeting.

**3. Adoption of the Agenda**

**4. Visitors To Be Heard**

**5. Public Hearings (Joint Hearing w/Clay County)**

- a. A request to re-zone land (two parcels) from Agriculture to L1: Light Industrial to build industrial structures. The legal descriptions of the properties are: the South 175 feet of the East 422.27 feet of the West 1,625.62 feet of Heikes Tract 4, a subdivision of the SE1/4 SE1/4, SW1/4 SE1/4, the S1/2 SW1/4 NE1/4 SE1/4, the E1/2 SE1/4 SE1/4 NW1/4 SE1/4, and the East 23.5 acres of the S1/2 of Lot 1 of the SW1/4, Section 7, T92N, R52W of the 5<sup>th</sup> P.M. and the South 175 feet of the East 633.49 feet of the West 1,203.35 feet of Heikes Tract 4, a subdivision of the SE1/4 SE1/4, SW1/4 SE1/4, the S1/2 SW1/4 NE1/4 SE1/4, the E1/2 SE1/4 SE1/4 NW1/4 SE1/4, and the East 23.5 acres of the S1/2 of Lot 1 of the SW1/4, Section 7, T92N, R52W of the 5<sup>th</sup> P.M.

**6. Old Business**

**7. New Business**

**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  
Tuesday, October 14, 2014 Regular Meeting

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

1. Roll Call

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

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

2. Minutes

a. September 22, 2014, Regular Meeting.

Moved by Fairholm to approve the September 22, 2014 Regular Meeting Minutes, seconded by Gruhn. Motion carried 6-0.

3. Adoption of the Agenda

Moved by Forseth to adopt the agenda, seconded by Gruhn. Motion carried 6-0.

4. Visitors to be Heard

5. Public Hearing

a. Zone Change Request - to exclude from the GB General Business District and include in the R-2 Residential District the following described real property: Lots 1 and 2 Blk 7 (**Addressed as 12 Shriner Street and 30 Shriner Street**, respectively), and Lot 3 Blk 5 (Addressed as **1129 Cottage**), Partridge Addition to the City of Vermillion, Clay County, South Dakota.

Farrel Christensen, Building Official, reported that Kevin and Cindy Brown own several lots along Shriner Street and the north end of Cottage Avenue. Farrel stated that Hazen Bye, representing the owners, contacted City Staff with the idea of changing the zoning for three of the lots from the General Business to R-2 Residential zoning district. Farrel stated that the three lots proposed for the zone change currently abut the existing R-2 zoning district. Farrel reported that there was a map in the packet showing the area proposed for the zone change. Farrel stated that a petition was received with the required number of signatures to allow the Planning Commission and City Council to consider the zone change. Farrel stated that the notice was published and that signs for the public hearing were placed on the property. Farrel reviewed the allowable uses in the R-2 Residential Zone. Discussion followed.

Moved by Forseth to recommend approval of the zone change to the City Council, seconded by Muenster. Motion carried 6-0.

6. Old Business

7. New Business

8. Adjourn

Moved by Forseth to adjourn, seconded by Fairholm. Motion carried 6-0.

Iverson declared the meeting adjourned at 5:40 p.m.

## *Planning Commission Agenda Memo*

**From:** Andy Colvin, Assistant City Manager

**Meeting:** October 27, 2014

**Subject:** A request to re-zone land (two parcels) from Agriculture to L1: Light Industrial to build industrial structures. The legal descriptions of the properties are: the South 175 feet of the East 422.27 feet of the West 1,625.62 feet of Heikes Tract 4, a subdivision of the SE1/4 SE1/4, SW1/4 SE1/4, the S1/2 SW1/4 NE1/4 SE1/4, the E1/2 SE1/4 SE1/4 NW1/4 SE1/4, and the East 23.5 acres of the S1/2 of Lot 1 of the SW1/4, Section 7, T92N, R52W of the 5<sup>th</sup> P.M. and the South 175 feet of the East 633.49 feet of the West 1,203.35 feet of Heikes Tract 4, a subdivision of the SE1/4 SE1/4, SW1/4 SE1/4, the S1/2 SW1/4 NE1/4 SE1/4, the E1/2 SE1/4 SE1/4 NW1/4 SE1/4, and the East 23.5 acres of the S1/2 of Lot 1 of the SW1/4, Section 7, T92N, R52W of the 5<sup>th</sup> P.M.

**Presenter:** Cynthia Aden, Clay County Zoning Administrator

**Background:** Sarah Chadima and Richard Hammond own property adjacent to City limits on 317<sup>th</sup> Street, north of Johnson Feed, Inc. The owners approached the County about constructing a shop building. In order to construct a contractor's shop and office, the property needs to be zoned Industrial. With the exception of the area to the south, all of the surrounding land is zoned A-1 Agricultural. City limits border the property on the south, which is zoned Heavy Industrial. The City and County Planning Commissions consider the petition jointly and each shall forward a recommendation to the respective governing bodies.

**Discussion:** A committee composed of city and county elected officials and planning commissioners developed the joint zoning regulations with the assistance of staff and SECOG. During those discussions, a major concern from the County was to avoid scattered development on the fringe areas of the City; instead promoting development that can easily be annexed and served by the City. This concern was echoed by City officials as well.

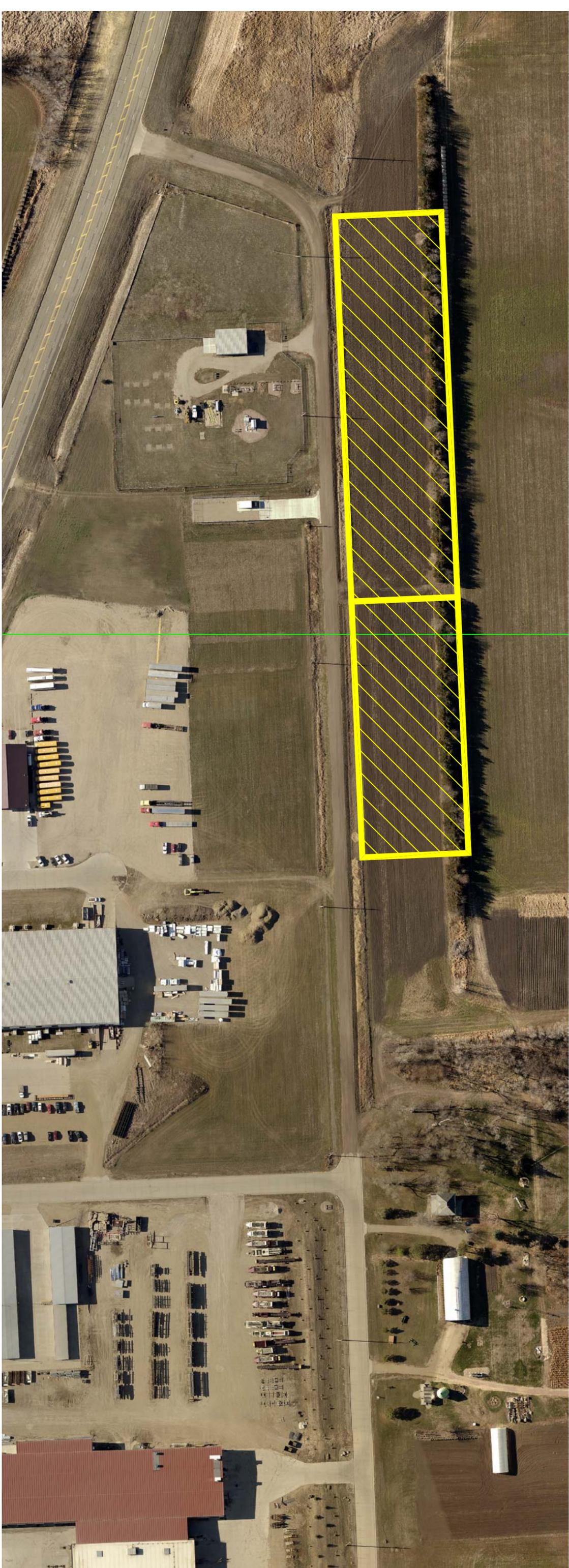
A few items the Planning Commission may want to consider in the request include:

- The future land use map – the comprehensive plan calls for this area to be primarily industrial according to the future land use map. With this in mind, the proposed change is consistent with the comprehensive plan.
- Access and utilities – the property is adjacent to 317<sup>th</sup> Street, which serves the property with respect to access. Rural utilities will serve the property until annexation takes place in the future, at which time the City would take over the utilities.

It should be noted that platting will be required prior to construction taking place on the lots.

**Compliance with Comprehensive Plan:** The Comprehensive Plan specifies that development should be encouraged in areas adjacent to the City where utilities can be provided easily. In addition, the proposed property is designated to be commercial according to the future land use map.

**Conclusion/Recommendations:** The City and County Planning Commissions are asked to take public comment and grant or deny the zone change petition. It is the responsibility of the applicant to demonstrate the need for a rezone. Based on the comprehensive plan, staff would recommend approval.



CLAY COUNTY REZONING PETITION

REZONING PETITION 01

Petition Fee - \$150<sup>81/75</sup> cash

SECTION 1: APPLICANT/OWNER INFORMATION

	APPLICANT INFORMATION	OWNER INFORMATION	
NAME	Chadima Properties, LLC	Sarah Chadima + Richard Hammond	
ADDRESS	415 Oakmont Dr. Vermillion SD 57069		
TELEPHONE	605-670-2321		
FAX			
EMAIL	rhammond@vyn-midco.net		

SECTION 2: PROPERTY INFORMATION

STREET ADDRESS	land west of 1408 317 <sup>th</sup> street, Vermillion, SD 57069		
LEGAL DESCRIPTION	south 175 feet of East 633.49 feet of the west 1205.35 feet and south 175 feet of East 422.27 feet of the west 1625.62 feet of Heikes Tract #4 in SE 1/4, SE 1/4, SW 1/4, SE 1/4 of Section 7, T92N,		
TOWNSHIP NAME & SECTION #	T92N, R51W (Fairview) section 7	ZONING DISTRICT	R51W, Clay Co, SD A-1

SECTION 3: ZONING DISTRICT/LAND USE OF ADJACENT PROPERTY

North	A-1	South	H-1
East	A-1	West	A-1

SECTION 4: REASON FOR REZONING PETITION

To allow development of the property as a contractor's shop to house our digging equipment, an office for our business, and warehouse for storage of supplies/materials.  
Request rezone to Light Industrial.

Signature	Richard Hammond Sarah Chadima
Date	Sept 20, 2014

The applicant may be required to provide additional information and/or records.

Date Created: 9/22/2014



Overview



Legend

- Corporate Limits
- PLS Townships
- Parcels
- Roads

<b>Parcel ID</b>	11000-09251-074-06	<b>Alternate ID</b>	130025517	<b>Owner Address</b>	CHADIMA PROPERTIES LLC
<b>Sec/Twp/Rng</b>	7-92-51	<b>Class</b>	FARM		415 OAKMONT DR
<b>Property Address</b>		<b>Acres</b>	2.49		VERMILLION SD 57069-
<b>District</b>	VERMILLION TWP - VERMILLION SCH				
<b>Brief Tax Description</b>	S 175' OF E 633.49' OF W 1203.35' OF HEIKES TRACT 4 SE 1/4 SE 1/4, SW 1/4 SE 1/4, S 1/2 SW~1/4 NE 1/4 SE 1/4, E 1/2 SE 1/4 SE 1/4 NW 1/4 SE 1/4 & E 23.5 A OF~S 1/2 LOT 1 7-92-51 VERMILLION TWP~ (Note: Not to be used on legal documents)				

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Date Created: 9/22/2014



Overview



Legend

- Corporate Limits
- PLS Townships
- Parcels
- Roads

<b>Parcel ID</b>	11000-09251-074-07	<b>Alternate ID</b>	130025518	<b>Owner Address</b>	CHADIMA PROPERTIES LLC 415 OAKMONT DR VERMILLION SD 57069-
<b>Sec/Twp/Rng</b>	7-92-51	<b>Class</b>	FARM		
<b>Property Address</b>		<b>Acreage</b>	1.68		
<b>District</b>	VERMILLION TWP - VERMILLION SCH				
<b>Brief Tax Description</b>	S 175' OF E 422.27' OF W 1,625.62' HEIKES TRACT 4 SE 1/4 SE 1/4, SW 1/4 SE 1/4, S 1/2 SW~1/4 NE 1/4 SE 1/4, E 1/2 SE 1/4 SE 1/4 NW 1/4 SE 1/4 & E 23.5 A OF~S 1/2 LOT 1 7-92-51 VERMILLION TWP~ (Note: Not to be used on legal documents)				

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## **PUBLIC NOTICE**

### **Clay County Planning Commission and Vermillion City Planning Commission to Hold Joint Public Hearing on Re-Zoning application.**

Notice is hereby given that a Public Hearing will be held before the Clay County Planning Commission and the Vermillion City Planning Commission in joint session at 5:30 pm on October 27, 2014 at Vermillion City Hall to consider the following:

A request to re-zone land (two parcels) from Agriculture to L1: Light Industrial to build industrial structures. The legal descriptions of the properties are: the South 175 feet of the East 422.27 feet of the West 1,625.62 feet of Heikes Tract 4, a subdivision of the SE1/4 SE1/4, SW1/4 SE1/4, the S1/2 SW1/4 NE1/4 SE1/4, the E1/2 SE1/4 SE1/4 NW1/4 SE1/4, and the East 23.5 acres of the S1/2 of Lot 1 of the SW1/4, Section 7, T92N, R52W of the 5<sup>th</sup> P.M. and the South 175 feet of the East 633.49 feet of the West 1,203.35 feet of Heikes Tract 4, a subdivision of the SE1/4 SE1/4, SW1/4 SE1/4, the S1/2 SW1/4 NE1/4 SE1/4, the E1/2 SE1/4 SE1/4 NW1/4 SE1/4, and the East 23.5 acres of the S1/2 of Lot 1 of the SW1/4, Section 7, T92N, R52W of the 5<sup>th</sup> P.M.

All interested persons are encouraged to attend this public hearing. Those interested persons not able to attend are invited and encouraged to send written comments before October 27, 2014 to the Clay County Zoning Administrator, 211 W. Main Street, Suite 203, Vermillion, SD, 57069.

**Cynthia Aden**  
**Zoning Administrator**  
**Publish: October 16/17, 2014**