



**City of Vermillion
Planning Commission Agenda**

5:30 p.m. Regular Meeting
Monday, September 26, 2016
Large Conference Room – 2nd Floor
City Hall
25 Center Street
Vermillion, SD 57069

1. **Roll Call**
2. **Minutes**
 - a. September 12, 2016 Regular Meeting
3. **Adoption of the Agenda**
4. **Visitors to Be Heard**
5. **Public Hearings**
6. **Old Business**
7. **New Business**
 - a. Letter of Intent and Request from Vermillion Area Chamber and Development Company to Rezone Heikes Tract 2 from Natural Resource Conservation District to a Heavy Industrial District.
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
Monday, September 12, 2016 Regular Meeting

The regular meeting of the Vermillion Planning Commission was called to order by Vice Chairman Forseth in the Large Conference Room at City Hall on September 12, 2016 at 5:30 p.m.

1. Roll Call

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

Staff present: Shane Griese, Utilities Manager and Farrel Christensen, Building Official.

2. Minutes

a. July 25, 2016 Regular Meeting.

Moved by Manning to approve the July 25, 2016 Regular Meeting Minutes, seconded by Oehler. Motion carried 6-0.

3. Adoption of the Agenda

Moved by Wilson to adopt the agenda, seconded by Oehler. Motion carried 6-0.

4. Visitors to be Heard

5. Public Hearing

a. Request for Conditional Use Permit to Construct Parking and Drive-thru Order Area on Lot 10 & South Half of Lot 11, Block 16, Bigelow's University Addition to the City of Vermillion.

Vice Chairman Forseth opened the public hearing.

Farrel Christensen, Building Official, reported to the Planning Commission that an application was received from Burger King dba Dakota King, Inc. for a conditional use permit to construct a parking lot and drive-thru order area in the south half of lot 11. Farrel also reported that staff have reviewed the project plans and recommend that the Planning Commission consider placing conditions requiring the owner construct a fence along the south property line, use cut-off optics on the lighting, and address any possible drainage issues.

Several members of the public were present at the meeting that brought up issues regarding lights from vehicles affecting neighboring properties, noise from vehicles and drive-thru speaker boxes and other neighborhood concerns. Discussion followed.

Moved by Oehler to grant the Conditional Use Permit with the following conditions: 6-foot residential style privacy fence on the south property line and the south 44-feet of the east property line and that cut-off optics on any parking lot lights, seconded by Gruhn. Motioned carried 6-0.

6. Old Business

7. New Business

8. Adjourn

Moved by Oehler to adjourn, seconded by Wilson. Motion carried 6-0. Forseth declared the meeting adjourned at 6:25 p.m.

Planning Commission Agenda Memo

From: Jose Dominguez, City Engineer

Meeting: September 26, 2016

Subject: Letter of Intent and Request from Vermillion Area Chamber and Development Company to Rezone Heikes Tract 2 from Natural Resource Conservation District to a Heavy Industrial District

Presenter: Jose Dominguez

Background: Mr. Nate Welch, on behalf of the VCDC, has approached the City to rezone the Heikes Tract 2. This parcel of land is located on the northwest corner of the intersection between North Crawford Road and 316th Street. This tract of land was purchased by the VCDC in order to attract industry to the City. Additionally, the land has been classified as a Certified Ready Site by the Governor's Office of Economic Development. This parcel was annexed in 2010. When a property is annexed it automatically falls into the Natural Resource Conservation (NRC) district. This is the most restrictive zoning district within the City. Rezoning the land into the Heavy Industrial (HI) district would make the property more enticing to possible industrial prospects looking to relocate their business to the City.

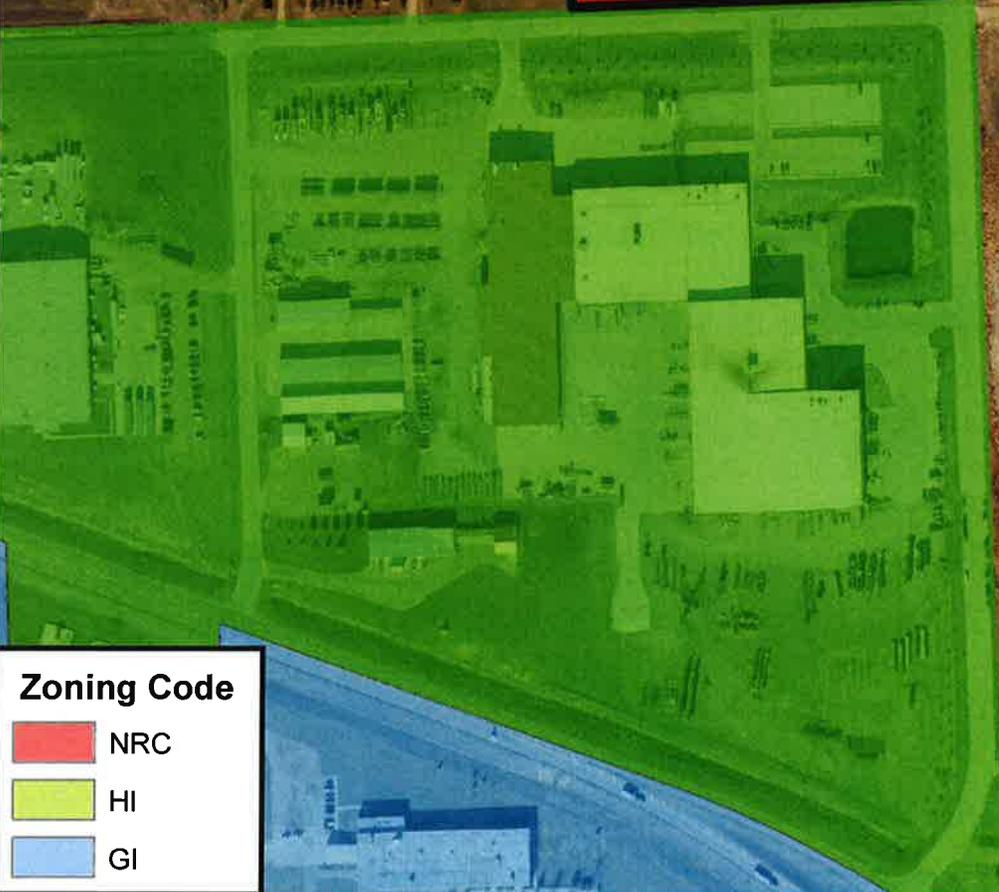
Discussion: Staff has met with Mr. Welch and discussed the best possible route to rezone this property. Due to the location of the property (on the periphery of the City) and the adjoining uses (farm and industrial uses) it was agreed that the best route would be to have the City rezone the property from NRC district to HI district. This parcel would be directly across a tract of land already zoned HI with industrial uses.

Compliance with Comprehensive Plan: The Comprehensive Plan encourages investment in the community. Rezoning this tract of land from NRC district to HI district would remove a hurdle in the process of attracting industry to the City. Additionally, rezoning this land to the HI district would seem a good fit with the surrounding area.

Conclusion/Recommendations: The requested action is to direct staff to work with the VCDC to rezone the land from the NRC to the HI district.



Heikes Tract 2



Zoning Code

	NRC
	HI
	GI



September 20, 2016

Mr. Jose Dominguez – City Engineer
25 Center Street
Vermillion, SD 57069

Re: Request for City-Initiated Zoning Change

Dear Mr. Dominguez:

This letter has been prepared on behalf of the Vermillion Area Chamber and Development Company (VCDC) to request City-initiated zoning changes from Natural Resource Conservation (NRC) to a Heavy Industrial District (HI).

The area in the proposed Heavy Industrial District includes the entire parcel at the northwest corner of the intersection between 317th Street and N Crawford Road. The legal description of the lot is stated as HEIKES TRACT 2.

Currently, this lot is zoned as NRC in accordance with Section 155.029 Annexations, subsection (B), of the City of Vermillion Code of Ordinances, which states that “Territory zoned as A-1 in the extraterritorial area or the county shall automatically be placed in the NRC zoning district (Ord. 1189, passed 7-7-2008)” when rezoned.

This request is to consider that Heikes Tract 2 be rezoned as Heavy Industrial (HI) and initiated by the City of Vermillion. A portion of this land will be used by the City of Vermillion for an electrical substation. The balance of the land will be used for economic development purposes. The property is recognized as a “Certified Ready Site” by the Governor’s Office of Economic Development. Rezoning the land in a timely fashion will assist the community in maintaining this status provided by the Governor’s Office for development purposes.

Thank you for your consideration on this matter.

Respectfully,

Nate Welch, Executive Director
Vermillion Area Chamber and Development Company