



City of Vermillion
Planning Commission Agenda
5:30 pm Regular Meeting
Monday, September 24, 2012
City Hall
Large Conference Room
25 Center Street
Vermillion, SD 57069

1. **Roll Call**
2. **Minutes**
 - a. August 13, 2012 Regular Meeting.
3. **Adoption of the Agenda**
4. **Visitors To Be Heard**
5. **Public Hearings**
 - a. Application for Conditional Use Permit to construct five single-family attached (townhouse) dwellings for lots 9-13, Block 2, French Addition to the City of Vermillion.
6. **Old Business**
7. **New Business**
 - a. Final Plat of Lots 9-13, Block 2, French Addition to the City of Vermillion.
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 August 13, 2012 Regular Meeting

The regular meeting of the Vermillion Planning Commission was called to order in the conference room at City Hall on August 13, 2012 at 5:30 p.m.

1. Roll Call

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

Also present was José Dominguez, City Engineer.

2. Minutes

a. July 23, 2012 Regular Meeting.

Moved by Tuve to approve the July 23, 2012 Regular Meeting Minutes, seconded by Forseth. Motion carried 6-0.

3. Adoption of the Agenda

Moved by Forseth to adopt the agenda as printed, seconded by Muenster. Motion carried 6-0.

4. Visitors to be Heard

a. Vermillion Now! Update

Steve Howe, Executive Director of the VCDC, reported that Vermillion Now! passed its three year mark this summer. Steve reviewed the individual goals and the accomplishments made to date on the goals.

5. Public Hearing

6. Old Business

7. New Business

a. Preliminary Plat of Lots 9-13, Block 2, French Addition to the City of Vermillion.

Jose reported that Brandt Land Surveying has submitted a preliminary plat on behalf of the owner. The area to be platted is roughly 0.72-acres in area and is bordered on the north by the proposed French Drive and on the west by the Norbeck Street. Jose stated that the intent of the plat will be to subdivide the area into 5 lots planned for townhouses. The applicant will also be dedicating all of the required utility easements and land for the proposed French Drive. Brief discussion followed.

Moved by Tuve to approve the preliminary plat, seconded by Muenster. Motion carried 6-0.

8. Staff Reports

9. Adjourn

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

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



Council Agenda Memo

From: Farrel Christensen, Building Official

Meeting: September 24, 2012

Subject: Conditional Use Permit Application – Construction of Townhomes for Lots 9-13, Block 2, French Addition to the City of Vermillion

Presenter: Farrel Christensen

Background: Matt Mulheron has submitted an application for a Conditional Use Permit to construct five townhomes along Norbeck Street, east of the high school. The zoning ordinance was recently amended to add townhomes as a conditional use within the R-1 residential district.

Discussion: The property is located within the French Addition and is zoned R-1 residential. The proposed use is compatible with the adjacent uses as there are townhomes and twin homes to the south of the proposed use. The property owners have agreed to dedicate the needed ROW for the future French Drive and the site layout conforms to the minimum lot width standards established in the ordinance. A final plat for the area will be presented under new business later on the agenda.

Compliance with Comprehensive Plan: The Comprehensive Plan specifies that the City should encourage development within the undeveloped areas inside City limits. There has also been a great deal of discussion recently about the need for housing, with the French property mentioned as a prime area. Granting a conditional use permit, in this case, will provide additional housing in the community and infill according to the goals of the Comprehensive Plan.

Conclusion/Recommendations: The Planning Commission is asked to take public comment and grant or deny the conditional use permit application. The use seems to fit well in the area and will expand the employment and economic base of the community. Staff recommends approval of the conditional use permit conditional upon approval of the final plat.

CITY OF VERMILLION
PETITION FOR CONDITIONAL USE PERMIT

PETITIONER

NAME: Matt Mulheron
ADDRESS: 2600 E SD Hwy 50 Vermillion, SD
PHONE: (605) 670-1495

1. PROPERTY INFORMATION (Please attach additional sheets if necessary)

Parcel identification Number (Pin): See Map

Current Zoning Designation: R-1

Address: See Map

Legal Description: See Map

2. STANDARD FOR CONDITIONAL USE PERMIT

- A. Ingress and egress to property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe;

access will be from Norbeck; s/w will be provided along Norbeck; units will be slab on-grade HC accessible

- B. Off-street parking and loading areas where required;

Off-street parking will be provided in each unit.

- C. Refuse and service areas, with particular reference to 1. & 2. above;

each individual unit will be responsible

- D. Utilities, with reference to locations, availability, and compatibility;

all separate w/ all services being provided off Norbeck

- E. Screening and buffering with reference to type, dimensions and character;

- F. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with other properties in the district;

similar to the units along the south side of property.

G. Required yards and other open space;

H. General compatibility with adjoining properties and other property in the zoning district in which such use is to be located;

compatible with all construction south up to French Drive. Currently there are three sets of townhomes.

5. The Zoning Administrator shall set the date, time and place for a public hearing to be held by the Board of Adjustment. The Zoning Administrator shall notify the landowner by mail, and shall post notices of the public hearing at the city office and on the property affected by the proposed conditional use permit no less than 7 days prior to the scheduled public hearing. No less than 10 days before the public hearing, the Zoning Administrator shall publish notice of the public hearing in a legal newspaper of the city.

6. A conditional use permit shall automatically expire if the primary use for which it was granted has ceased for a period of 2 years or more; or, the primary use proposed under the conditional use permit has not been undertaken and completed according to the terms and conditions of the conditional use permit within 2 years of the approval of the conditional use permit.

7. Petitioner's Signature *[Signature]* Phone 670-1495 Date 8-31-12

8. Owner's Signature *[Signature]* Phone 670-1495 Date 8-31-12
(If different)

Date Fee Received: _____ Fee \$100.00 PAYABLE TO the City of Vermillion

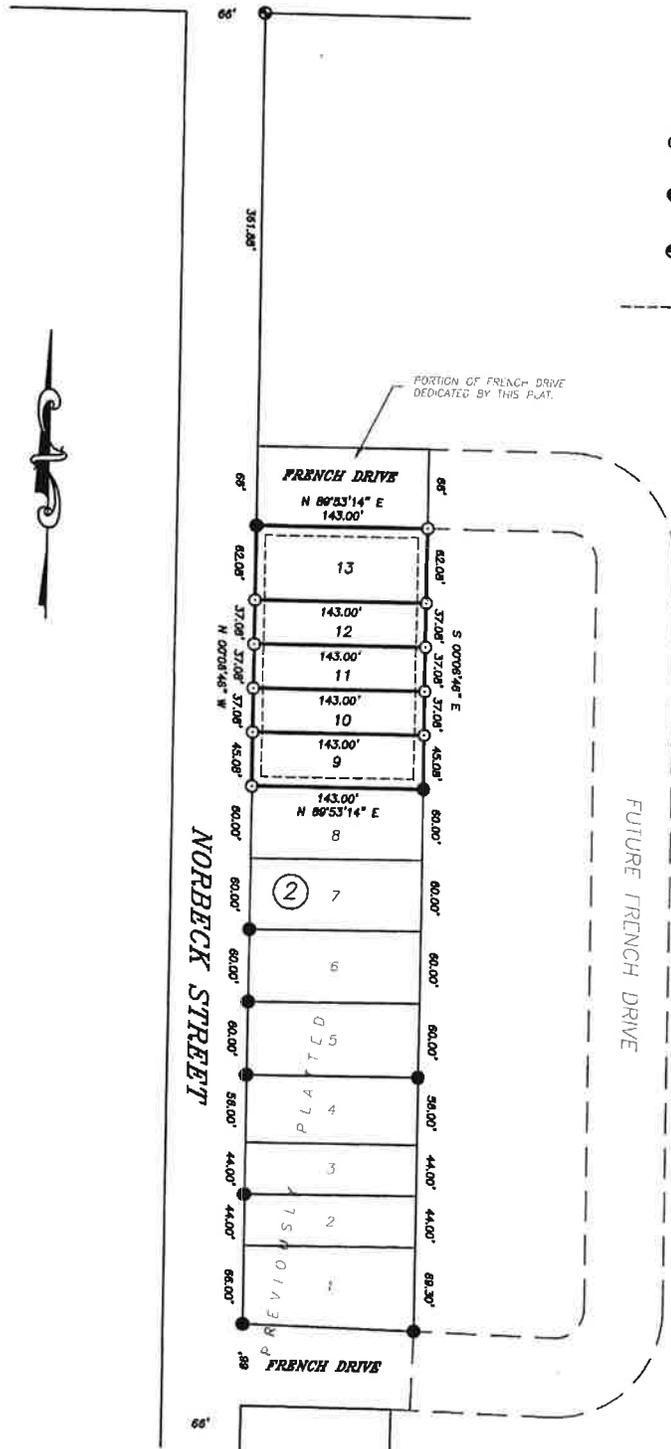
FAILURE OF THE APPLICANT OR HIS AGENT TO APPEAR AT THE HEARING WILL CAUSE THE COMMITTEE TO DENY THIS APPLICATION.

PRELIMINARY PLAT OF LOTS 9-13, BLOCK 2, FRENCH ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA.

MAIN STREET

LEGEND

- SET 5/8" REBAR WITH L.S. CAP STAMPED "R.L.S. 5349"
- FOUND 5/8" REBAR WITH L.S. CAP STAMPED "GILLEN 1342"
- ⊙ FOUND 5/8" REBAR WITH L.S. CAP STAMPED "EFM 4478"
- 8' UTILITY EASEMENT



NOTE:
BASIS OF BEARING
BY GPS OBSERVATION

PREPARED BY:
BRANDT LAND SURVEYING
1202 WILLOWDALE ROAD
YANKTON, SD 57078
(605) 665-8455



Planning Commission Agenda Memo

From: Jose Dominguez, City Engineer

Meeting: September 24, 2012

Subject Final Plat of Lots 9-13, Block 2, French Addition to the City of Vermillion, Clay County, South Dakota

Presenter: Jose Dominguez

Background: Brandt Land Surveying has submitted a final plat on behalf of the owner. The area to be platted is roughly 0.72-acres in area and is bordered on the north by the proposed French Drive and on the west by the Norbeck Street. The area is east of Vermillion High School. The proposed plat will subdivide the area into 5-lots. It is planned for townhouses to be built on the lots.

The preliminary plat was reviewed and approved by the Planning Commission at the meeting held on August 13, 2012. At that meeting, the preliminary plat was approved without any conditions.

Discussion: Staff reviewed the final plat and find that it complies with all code provisions. The applicant will also be dedicating all of the required utility easements around the lots. In addition, the applicant will dedicate the necessary land for the dedication of French Drive. One of the goals of the Comprehensive Plan is to focus on developing undeveloped areas within City limits. The preliminary plat is the first step in the process to develop vacant land for residential use.

The owner has also been made aware that a Developer's Agreement will be required prior to any construction taking place. The agreement will allow the owner to develop without all of the utilities or streets being constructed.

Conclusion/Recommendations: Staff finds that the final plat meets all of the ordinance requirements and recommends that the Planning Commission recommend the City Council to approve the final plat. The plat will be reviewed by the Council on October 1, 2012.

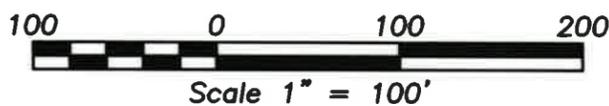
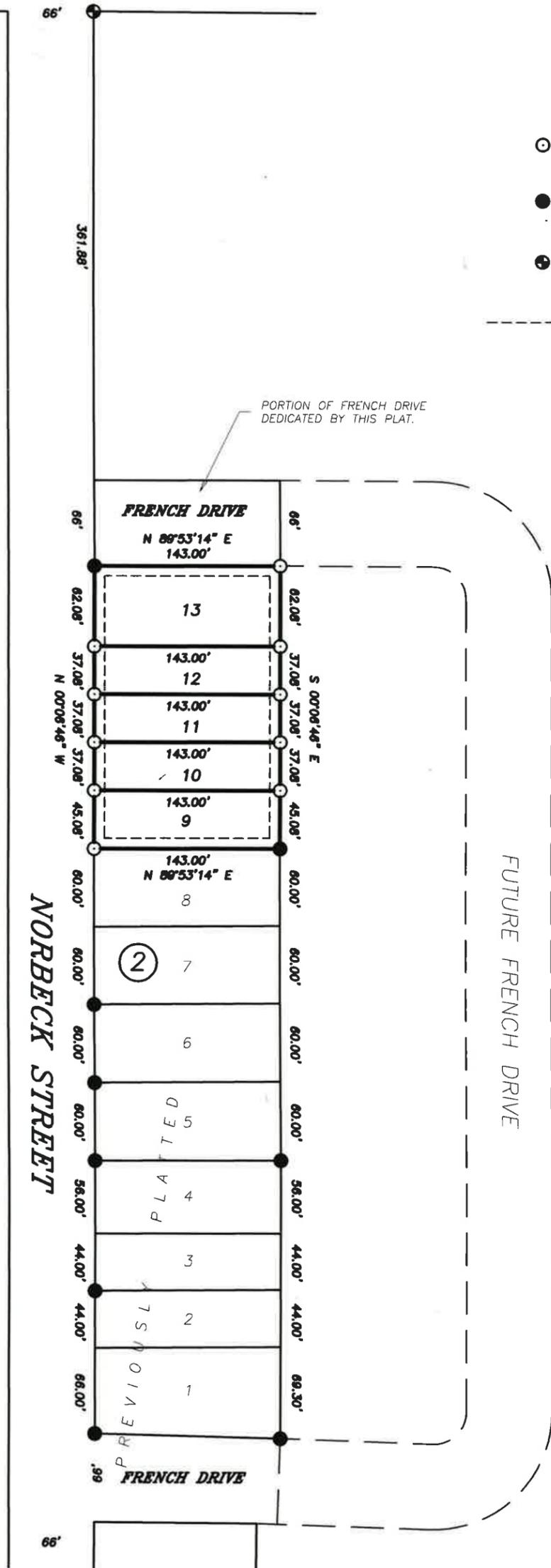
PLAT OF LOTS 9-13, BLOCK 2, FRENCH ADDITION TO THE CITY OF
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MAIN STREET



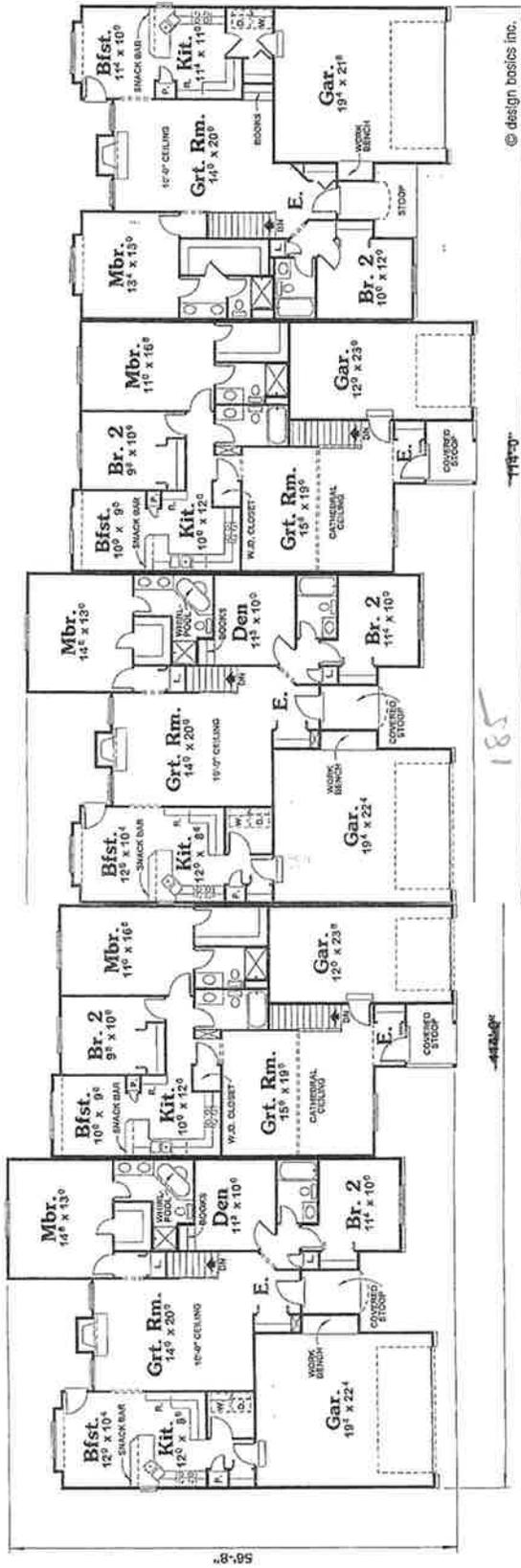
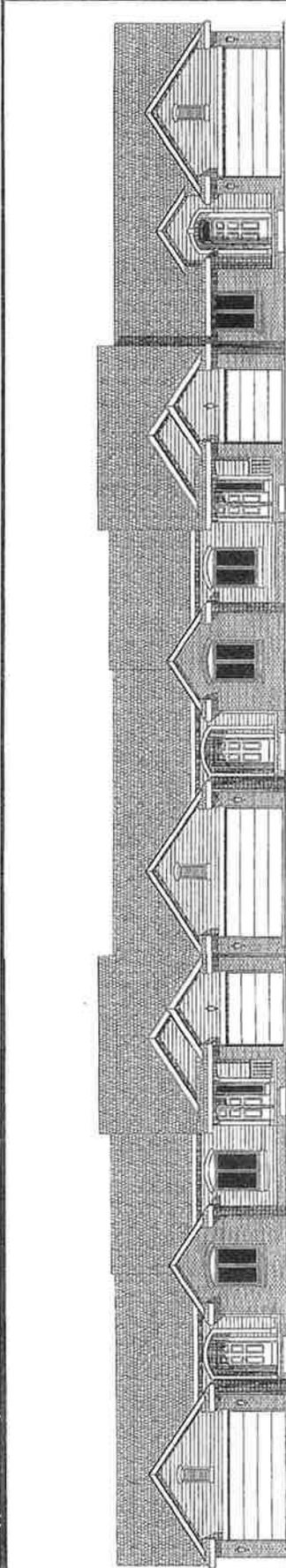
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LEFT SIDE MIDDLE RIG

3/1/23