



**City of Vermillion
Planning Commission Agenda**

5:30 p.m. Regular Meeting
Monday, September 12, 2016
Large Conference Room – 2nd Floor
City Hall
25 Center Street
Vermillion, SD 57069

1. **Roll Call**
2. **Minutes**
 - a. July 25, 2016 Regular Meeting
3. **Adoption of the Agenda**
4. **Visitors to Be Heard**
5. **Public Hearings**
 - 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.
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
Monday, July 25, 2016 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 July 25, 2016 at 5:30 p.m.

1. Roll Call

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

Staff present: Andy Colvin, Assistant City Manager and Jose Dominguez, City Engineer.

2. Minutes

a. June 13, 2016 Regular Meeting.

Moved by Fairholm to approve the June 13, 2016 Regular Meeting Minutes, seconded by Tuve. Motion carried 7-0.

3. Adoption of the Agenda

Moved by Manning to adopt the agenda, seconded by Fairholm. Motion carried 7-0.

4. Visitors to be Heard

5. Public Hearing

6. Old Business

7. New Business

a. Plat of Lot 1, Block 1, Turner's Addition to the City of Vermillion, Clay County, South Dakota.

Jose Dominguez, City Engineer, reported that the plat has been reviewed by staff and meets all requirements of City Code. Jose also stated that the Comprehensive Plan encourages development of available land within City limits and the proposed plan will fulfill that goal. Ted Muenster inquired about the houses on Anderson and the size of the lots. Jose stated that most houses are two lots deep and there is room to build on the back end of the lots. Discussion followed.

Moved by Forseth to recommend approval of the plat to the City Council, seconded by Muenster. Motion carried 7-0.

Other Business

The Planning Commission recognized Andy Colvin and thanked him for his service to the City and Planning Commission over the years.

The commission wished Andy luck in his new position with the City of Norfolk, Nebraska.

8. Adjourn

Moved by Forseth to adjourn, seconded by Fairholm. Motion carried 7-0. Iverson declared the meeting adjourned at 5:45 p.m.

Planning Commission Agenda Memo

From: Jose Dominguez, City Engineer

Meeting: September 12, 2016

Subject: 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

Presenter: Farrel Christensen

Background: Burger King dba Dakota King, Inc. has submitted an application for a Conditional Use Permit to construct a parking and drive-thru area in the property they purchased south of the existing restaurant. The zoning ordinance requires a conditional use permit to construct parking areas in the R-2 residential district.

Discussion: The property in question, Lot 10 and the south half of Lot 11, is currently split between the R-2 residential district and the GB general business districts, respectively. Due to the zoning split the new owner will be required to accommodate all of the order stations within the GB general business district while a portion of the parking area would be in the R-2 residential district.

The neighborhood is composed of businesses and rentals. All of the businesses front Cherry Street.

Compliance with Comprehensive Plan: The Comprehensive Plan specifies that the City should 'focus on development and redevelopment within existing City limits area'. Granting a conditional use permit will meet this goal 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. Staff recommends approval of the conditional use permit.

PETITION FOR CONDITIONAL USE PERMIT

1. PETITIONER

NAME: Burger King dba Dakota King Inc
ADDRESS: 3800 West 53rd Street Sioux Falls, SD 57106
PHONE: 605-360-1709

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

Legal Description: Lot 10 & south half of Lot 11 Block 16 Bigelow's University
Zoning District: Residential
Address: 511 Norht Pine Street Vermillion SD
Adjacent Zoning:
North:commercial South:Residential East:residential West:USD - Government

Will utilities be installed and/or modified? No If yes, which utilities:

3. STANDARDS FOR CONDITIONAL USE PERMIT

Please address the following criteria. These standards will be addressed at the public hearing. Please attach additional sheets if necessary.

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.

Parking lot will be accessed through the Burger King parking lot. Existing curb cut to be removed

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

N/A

C. Refuse and service areas, with particular reference to the property location.

N/A

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

no utilities

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

Privacy fence to be constructed on south end of the lot

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.

Drive thru order stations to relocated on south side of property. Lot light to be installed with lights directed onto lot

G. Required yards and other open space.

N/A

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

Main use will be parking and drive thru order area



Signature of Petitioner

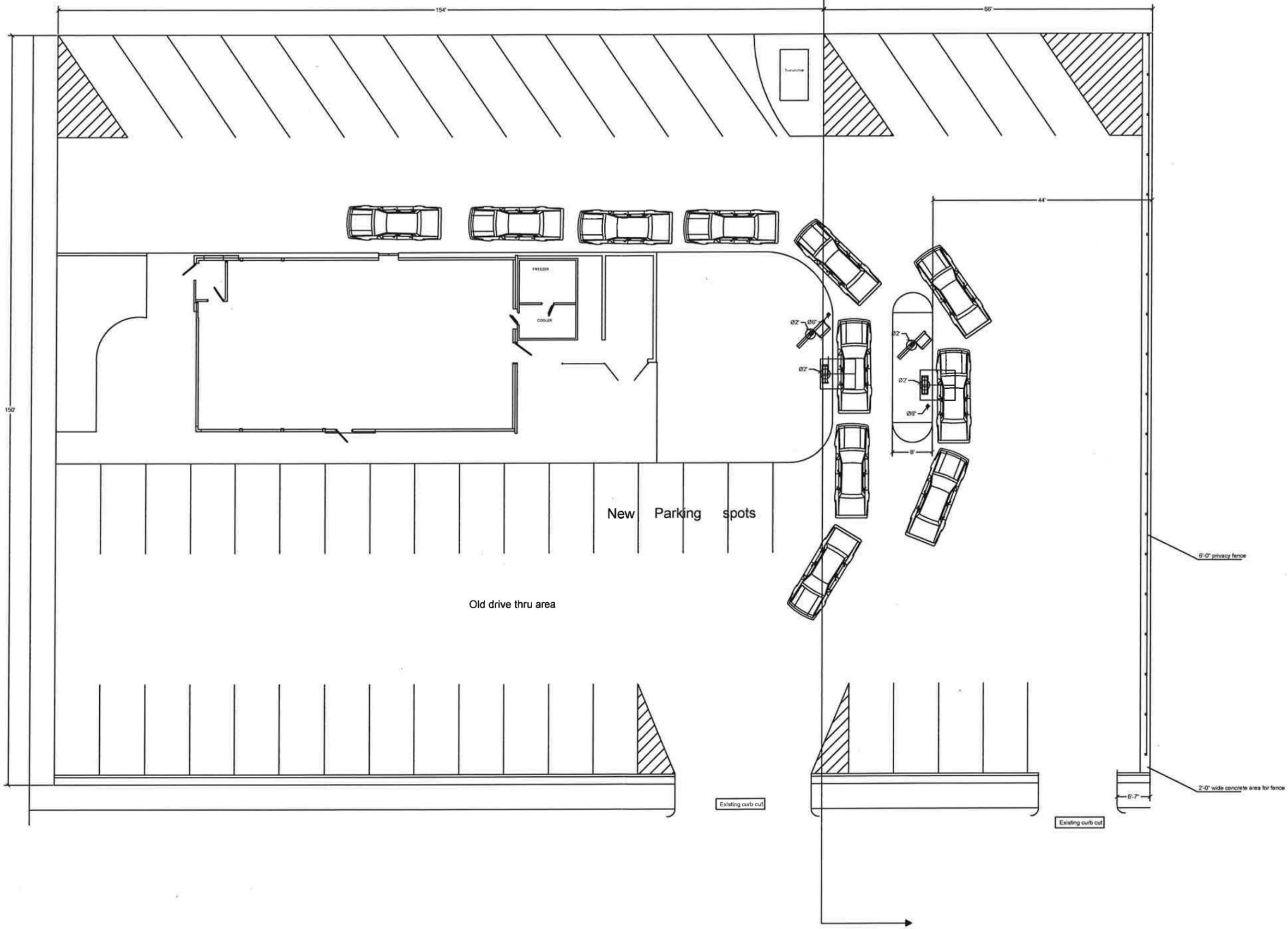


Signature of Owner (If Different)

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

FOR OFFICE USE ONLY	DATE: <u>7 / 15 / 16</u>
FEE RECEIVED: <input checked="" type="radio"/> YES <input type="radio"/> NO	
BUILDING OFFICIAL: _____	
HEARING SCHEDULE: _____ / _____ / _____	

Lot 10 and the south 1/2 of lot 11
block 16 Bigelows Addition
addressed as 511 N Pine Street





Burger King

Purchased by
Burger King

Zoning Code

GB

R-2

R-4

STATE