



City of Vermillion Planning & Zoning Commission Agenda

5:30 p.m. Regular Meeting
Monday, August 14, 2023
Powell Conference Room

City Hall, 25 Center Street, Vermillion, SD 57069

1. **Roll Call**
2. **Minutes**
 - a. June 12, 2023 and July 24, 2023
3. **Declaration of Conflict of Interests**
4. **Adoption of the Agenda**
5. **Visitors to Be Heard**
6. **Public Hearings**
 - a. Ordinance 1487 to amend Title XV, Land Usage; Chapter 155 Zoning Regulations; Section 155.026 rezoning Tract 1, Jack Powell Addition; City of Vermillion, Clay County, South Dakota from the NRC Natural Resource Conservation District to the GB-General Business District.
7. **Old Business**
8. **New Business**
9. **Staff Reports**
10. **Adjourn**

WELCOME TO YOUR PLANNING and ZONING 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 and Zoning 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 accommodation, 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.

*Our future as a community depends on recognizing our past.
The City of Vermillion exists on the ancestral lands of the Oceti Sakowin and Omaha indigenous people.
We honor and appreciate those who have the longest relationship with this place.*

Unapproved Minutes
Vermillion Planning and Zoning Commission
Monday, June 12, 2023 Regular Planning and Zoning Commission Meeting

The regular meeting of the Vermillion Planning and Zoning Commission was called to order in the Powell Conference Room at City Hall on June 12, 2023 at 5:30 p.m.

1. Roll Call

City Planning and Zoning Commissioners Present: Wilson, O'Kelley, Fairholm, Fitzgerald, Tuve, Forseth, Steele (5:31 p.m.), Heggstad,
City Planning and Zoning Commissioners Absent: Merrigan
City Staff present: José Domínguez, City Engineer; Kalin Bird, Building Official; Jack Baustian, Asst. to the City Manager

2. Minutes

a. May 22, 2023 Joint Planning and Zoning Commission Meeting.

Fitzgerald stated that she was not the person that made the motion for item 6.a. Heggstad stated that she was responsible for the motion.

Moved by Commissioner Fitzgerald to adopt the May 22nd meeting minutes as corrected, seconded by O'Kelley. Motion carried 8-0.

3. Declaration of Conflict of Interest

Forseth noted that he owns investment property in lower Vermillion.

4. Adoption of the Agenda

Moved by Tuve to adopt the agenda as published, seconded by Wilson. Motion carried 8-0.

5. Visitors to be Heard

None

6. Public Hearings

None

7. Old Business

None.

8. New Business

a. Final Plat of Lot 8A and 8B, Block 7, Erickson Addition, City of Vermillion, Clay County, South Dakota.

Baustian presented to the Commission the agenda memo from the City's Planning and Zoning Commission packet. Baustian explained that the plat would split the existing Lot 8 into two lots. Lot 8B would contain the existing building and parking lot, while Lot 8A would be available for future development. Baustian also stated that the plat meets all the ordinance requirements except the fact that a utility easement is not being dedicated along the shared property line. Baustian recommended that the Commission recommend the Council approve the plat as submitted.

Discussion followed.

Moved by Tuve that the Council approve the plat as submitted, seconded by O'Kelley. Motion carried 8-0.

- b. Discussion on Boundary for the Joint Jurisdiction Zoning Area to Give Direction to Committee Working with Clay County on Amendments to the JJZA Comprehensive Plan.

Dominguez stated that at the May 4th meeting the Commission directed Staff and the delegates on possible amendments to the JJZA boundary. Dominguez reminded the Commission that the direction given at the May 4th meeting was that the new boundary should not be reduced in area, and that the boundary should be increase by an area equal to the annexations. The delegates met with the County delegates on May 25th to discuss possible changes to the boundary. Dominguez further explained that at the conclusion of the joint meeting, a boundary reducing the total area of the JJZA was tentatively agreed on. Dominguez stated that the current boundary is roughly 13,460-acres, while the one discussed was approximately 11,950-acres. Dominguez asked for further direction since the area of the discussed boundary was less than the current boundary.

Discussion followed.

The Commission recommended that the current boundary be used; however, the boundary should be increased to account for the areas annexed into the City. The Commission further directed the delegates that at no point should the new boundary be smaller than the existing boundary.

9. Staff Report

Dominguez updated the Commission on the following projects: slurry seal, chip seal, miscellaneous concrete, and the Munger development.

Bird updated the Commission on the following building permits: Goodwill and Les Schwab.

10. Adjourn

Moved by Fairholm to adjourn, seconded by Steele. Motion carried 8-0, Forseth declared the meeting adjourned at 6:05 p.m.

Unapproved Minutes
Vermillion Planning and Zoning Commission
Monday, July 24, 2023 Regular Planning and Zoning Commission Meeting

The regular meeting of the Vermillion Planning and Zoning Commission was called to order in the Powell Conference Room at City Hall on July 24, 2023 at 5:30 p.m.

1. Roll Call

City Planning and Zoning Commissioners Present: Wilson, Fairholm, Wiemers, Forseth, Steele, Heggstad, Merrigan
City Planning and Zoning Commissioners Absent: O'Kelley, Tuve
City Staff present: José Domínguez, City Engineer; Kalin Bird, Building Official; Jack Baustian, Asst. to the City Manager

2. Minutes

- a. June 12, 2023 Regular Planning and Zoning Commission Meeting.

The minutes were not included in the packet so they were not reviewed. Staff will include the June 12, 2023 minutes in the packet for the next meeting.

3. Declaration of Conflict of Interest

Forseth noted that he owns investment property in lower Vermillion.

4. Adoption of the Agenda

Moved by Fairholm to adopt the agenda as published, seconded by Merrigan. Motion carried 7-0.

5. Visitors to be Heard

- a. Introduction of new Planning and Zoning Commissioner, Mr. Brandon Wiemers.

Forseth introduced Mr. Wiemers to the Planning and Zoning Commission. Wiemers gave a brief overview of his careers and how he has been involved in Vermillion through work and personal life.

6. Public Hearings

None

7. Old Business

None.

8. New Business

- a. Informational Item - City of Vermillion Housing Study, May 2022
(NO MEMO)

Dominguez presented to the Commission a PowerPoint presentation discussing the findings from the housing study. The presentation included some statistics about Vermillion, strengths that Vermillion has when compared to other communities, challenges that Vermillion has to

overcome to meet the housing needs, and the number of houses needed per year to continue a sustainable growth.

Discussion followed.

Mr. Jon Cole (Mayor of Vermillion) did a quick recap on the items that the City has been doing to increase the housing opportunities in Vermillion.

Commissioner Merrigan asked several questions regarding who has been developing with in the City (e.g. private or public) and if the construction standards being imposed are increasing the cost of construction in the City. Dominguez explained that in recent years most large developments have been done by the City or in partnership with the VCDC. The outlier to this was the development along South Mickelson which was paid through assessments or privately.

Commissioner Heggstad asked if the criteria used by the consultant that wrote the study regarding the number of houses was an industry standard or specific to Vermillion. Mayor Cole responded that the criteria allowed for the City's to maintain a sustained growth of what is needed in Vermillion. Bird added that the criteria also allowed developers enough time to complete projects without being a financial burden. Dominguez also commented that some of the criteria gave enough time for the City to plan for the infrastructure required to accommodate future growth.

Commissioner Fairholm asked about the recent City Council meeting where the Council did not approve the resolution that would have allowed Staff to submit a grant application for Jefferson Street. This project would have opened land for residential development. Dominguez explained that the Council did consider the resolution, but after public testimony the Council voted not to apply for the infrastructure improvement grant. Discussion followed. Fairholm expressed disappointment with the Council's decision regarding the Jefferson Street project.

Discussion followed.

b. Informational Item - 2015 through 2023 Residential Construction in Vermillion (NO MEMO)

Dominguez presented to the Commission a PowerPoint presentation discussing the number of residential building permits issued since 2015. The presentation included slides showing the total number of residential permits issued. Other slides in the presentation further broke down the residential permits by the type of construction (e.g. multi-family, attached or detached).

Discussion followed.

9. Staff Report

Dominguez updated the Commission on the following projects: chip seal, Lions Park, and the Prentis Park baseball field.

10. Adjourn

Moved by Merrigan to adjourn, seconded by Wilson. Motion carried 7-0, Forseth declared the meeting adjourned at 6:34 p.m.

Planning & Zoning Commission

Agenda Memo

From: Jose Dominguez, City Engineer

Meeting: August 14, 2023

Subject: Ordinance 1487 to amend Title XV, Land Usage; Chapter 155 Zoning Regulations; Section 155.026 rezoning Tract 1, Jack Powell Addition; City of Vermillion, Clay County, South Dakota from the NRC Natural Resource Conservation District to the GB-General Business District.

Presenter: Jose Dominguez

Background: The City, owner of the land, is requesting to rezone Tract 1, Jack Powell Addition, from the NRC Natural Resource Conservation District to the GB-General Business District. Tract 1 consists of 7 acres and is bounded on the east by Stanford Street (SD Hwy. 19) and the remaining sides by Tract 2 of Jack Powell Addition.

A resolution annexing this tract of land was approved by the City Council on July 17th. When land is annexed into the City it automatically enters the City as NRC Natural Conservation District. This is the strictest zoning district within the City. After annexation, the owner of the land has one year to rezone the land without a petition or without posting signs for the meeting.

The City has published a notice in the Plain Talk advertising tonight's meeting and on the City's website. Additionally, and not required, the City also posted notices on the land being rezoned notifying the public of tonight's meeting.

Discussion: The surrounding area to the one being considered are zoned GI-General Industrial (east) and NRC Natural Conservation districts (west, north, and south). However, in the future, the City will be asking for the area north of Tract 1 to be rezoned to GB-General Business district and the area west and south to be rezoned to the R-3 Residential district.

Zoning Tract 1 into the GB-General Business district will allow for the proposed law enforcement center to be constructed. The law enforcement center would be considered a permitted use in the proposed district.

Compliance with Comprehensive Plan: The 2035 Comprehensive Plan is primarily geared towards planning for future development of the community. The rezoning request before the Planning Commission does have a strong connection to different goals set out in the 2035 Comprehensive Plan.

Conclusion/Recommendations: The Planning Commission is asked to hold a public hearing and recommend approval or denial for the rezoning of Tract 1, Jack Powell Addition; City of Vermillion, Clay County, South Dakota from the NRC Natural Resource Conservation District to the GB-General Business District.

The City Council will consider this rezone at the August 21st meeting.

SD Hwy 50 (Bypass)

Stanford

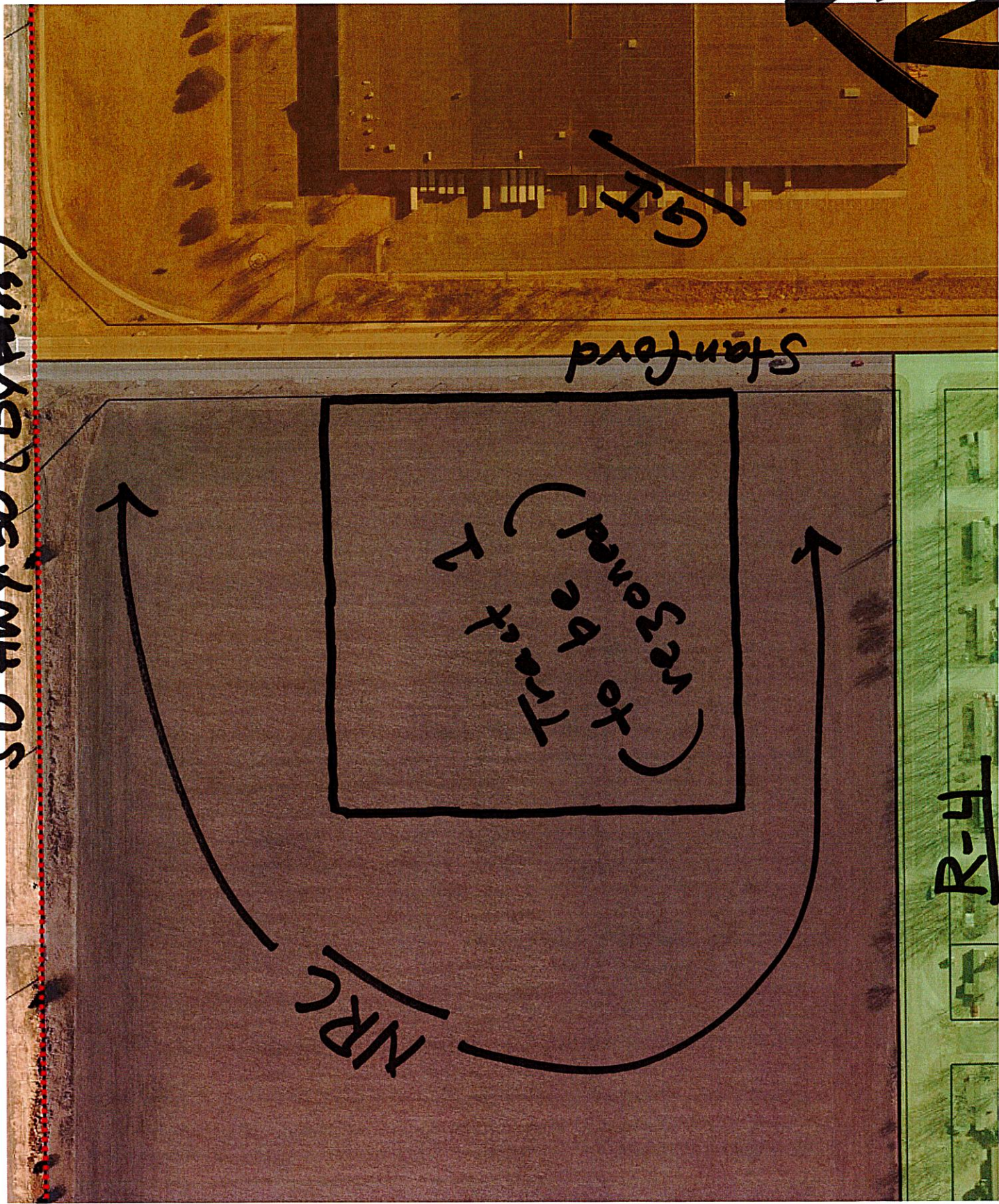
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NRN

R-4



PROPOSED ORDINANCE 1487

AN ORDINANCE AMENDING CITY OF VERMILLION CODE OF ORDINANCES TITLE XV, LAND USAGE; CHAPTER 155 ZONING REGULATIONS; SECTION 155.026 REZONING TRACT 1, JACK POWELL ADDITION, CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA FROM THE NRC NATURAL CONSERVATION DISTRICT TO THE GB-GENERAL BUSINESS DISTRICT

BE IT ORDAINED, by the Governing Body of the City of Vermillion, South Dakota that the City of Vermillion Code of Ordinances Title XV, Section 155.026, Adoption of Official Zoning Map, be amended as follows:

Rezoning Tract 1, Jack Powell Addition, City of Vermillion, Clay County, South Dakota be hereby excluded from the NRC Natural Conservation District and included in the GB-General Business District.

Dated at Vermillion, South Dakota this 5th day of September, 2023.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

BY _____
Jonathan D. Cole, Mayor

ATTEST:

BY _____
Katie E. Redden, Finance Officer

First Reading: August 21, 2023
Second Reading: September 5, 2023
Published: September 15, 2023
Effective: October 5, 2023