

Unapproved Minutes
Vermillion Planning and Zoning Commission
Monday, May 22, 2023 Joint Planning and Zoning Commission Meeting

The joint meeting of the Vermillion Planning and Zoning Commission and the Clay County Planning Commission was called to order in the Council Chambers at City Hall on May 22, 2023 at 5:30 p.m.

1. Roll Call

City Planning and Zoning Commissioners Present: O'Kelley, Fitzgerald, Forseth, Fairholm, Heggstad, Tuve.

City Planning and Zoning Commissioners Absent: Merrigan, Steele, Wilson
City Staff present: José Domínguez, City Engineer; Kalin Bird, Building Official; Jack Baustian, Asst. to the City Manager

2. Minutes

Moved by Commissioner Tuve to adopt the May 8, 2023 meeting minutes as published, seconded by O'Kelley. Motion carried 6-0.

3. Declaration of Conflict of Interest

Forseth noted that he owns investment property in Vermillion.

4. Adoption of the Agenda

Moved by O'Kelley to adopt the agenda as published, seconded by Fitzgerald. Motion carried 6-0.

5. Visitors to be Heard

None

6. Joint Public Hearings

- a. Request for a Conditional Use Permit to construct an accessory structure on Lot 4, Block 3, Seiler's Second Addition in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 12, Township 92 North, Range 52 West of the 5th Prime Meridian, Clay County, South Dakota.

Dominguez stated that the County and the City had received a conditional use permit application on April 25, 2023 from the owner of the property, Mr. Tony Pick. The owner wants to construct an accessory structure on his property. The property is currently zoned RR: Rural Residential and accessory structures are allowed as a conditional use within this district. Dominguez explained that the JJZA regulations allow for the Commissions to award conditional uses after considering the criteria outlined in the ordinance. Dominguez recommended that the Commission grant the conditional use without any conditions.

Forseth opened the floor to public comment.

Mr. Tony Pick (1817 Creighton) stated that he wanted to build the structure to store large items that do not fit in his garage. Discussion followed.

Moved by Heggstad to grant the conditional use without any conditions, seconded by O'Kelley. Motion carried 6-0.

7. Joint New Business

None

8. Joint Old Business

None

9. City Public Hearings

- a. Request for a Conditional Use Permit to construct and operate a Fraternity on Lot 20, 21, and 22, Block 10, Bigelows University Addition, City of Vermillion, Clay County, South Dakota.

Dominguez presented to the Commission the agenda memo from the City's Planning and Zoning Commission packet. Dominguez explained that the conditional use application being considered is for the construction and operation of a fraternity at 327 North Pine Street. The Commission is allowed by ordinance to consider and review conditional use applications. Dominguez explained that as part of the review, the Commission needs to consider certain criteria set forth in section 155.095 of the Code of Ordinances. Dominguez recommended that the conditional use permit be granted with the condition that the property be replatted prior to occupancy being granted.

Forseth opened the floor to public comment.

Mr. Brandon Wilsey (8112 E. Roughlock, Sioux Falls) briefly outlined the project and answered questions regarding the proposed construction schedule. Discussion followed.

Moved by Heggstad to grant the conditional use with the condition that the property be replatted prior to occupancy being granted, seconded by O'Kelley. Motion carried 6-0.

10. City Old Business

None

11. City New Business

None

12. Staff Report

Dominguez spoke about the Slurry Seal project starting on May 23rd and finishing on May 26th.

13. Adjourn

Moved by Fitzgerald to adjourn, seconded by Fairholm. Motion carried 6-0, Forseth declared the meeting adjourned at 5:45 p.m.