

Unapproved Minutes

Vermillion Planning Commission

Monday, September 28, 2020 Planning and Zoning Commission Regular Meeting

The Vermillion Planning and Zoning Commission was called to order in the Upstairs Large Conference Room at City Hall (and through teleconference) on September 28, 2020 at 5:30 p.m.

1. Roll Call

**Planning and Zoning Commissioners Present:** Fairholm (in person), Fitzgerald (teleconference, 5:35 p.m.), Forseth (in person, 5:35 p.m.), Heggstad (teleconference, 5:45 p.m.), Mrozla (in person), Tuve (in person), Wilson (in person), Iverson (in person)

**Planning and Zoning Commissioners Absent:** Gestring.

**City Staff present:** José Domínguez, City Engineer (in person); James Purdy, Assistant City Manager (teleconference)

2. Minutes

a. September 14, 2020 Joint Meeting.

Moved by Fairholm to adopt both minutes as printed, seconded by Mrozla. Motion carried 5-0, (Fairholm - Yes, Mrozla - Yes, Tuve - Yes, Wilson - Yes, Iverson - Yes).

3. Declaration of Conflict of Interest

None

4. Adoption of the Agenda

Moved by Wilson to adopt the agenda as printed, seconded by Tuve. Motion carried 5-0, (Fairholm - Yes, Mrozla - Yes, Tuve - Yes, Wilson - Yes, Iverson - Yes).

5. Visitors to be Heard

None

6. Public Hearings

a. Request for a Conditional Use Permit to construct, and operate, motor vehicles sales, display, and rental at Lot 1, Block 1, Cottage Place Addition, City of Vermillion, Clay County, South Dakota.

Jose Dominguez, City Engineer, stated that the City received an application from AMS Building Systems, LLC, on behalf of the owner, Mr. Troy Gregoire to construct, and operate, a motor vehicles sales, display, and rental business within the property owned by Mr. Gregoire (50 West Main Street). The use would occupy the west portion of the lot. Dominguez stated that the use would be located within the Cottage Place PDD, and that the proposed use is allowed as a conditional use within the district.

Dominguez stated that SDCL 11-4-4.1 requires that the City consider the City's zoning ordinance and comprehensive plan when making a

decision regarding conditional uses. Section 155.095 of the City's Code of Ordinances lays out the process that needs to be followed by the City when considering a conditional use permit.

Dominguez recommended that the Commission take public comment and either grant, grant with conditions, or deny the conditional use permit application. Dominguez recommended granting the conditional use with no conditions, as the proposed use fits within the existing zoning district; the proposed use matches with the future uses proposed in the City's comprehensive plan Future Land Use map; and because no issues are expected regarding health, safety, and general welfare. Dominguez also stated that Mr. Nick Slattery (AMS Building Systems, LLC) is at the meeting on behalf of the owner to answer any questions.

Iverson opened the floor for public comment.

Fairholm asked Mr. Slattery if the proposed use would be similar to what Mr. Gregoire was planning on operating on the West Main Street lot by Bliss Pointe. Mr. Slattery stated that the use would be similar, and that Mr. Gregoire is planning on selling specialty vehicles (antique vehicles, foreign vehicles, etc...).

Fairholm asked Dominguez if the Cottage Place PDD had similar restrictions on the number of vehicles that can be displayed outside as was recently adopted in the zoning amendments for Bliss Pointe. Dominguez responded that the Cottage Place PDD had no restrictions on the number of vehicles that can be displayed outside. Discussion followed.

Fairholm moved to grant the conditional use permit with the condition that no more than 10 vehicles may be on display outside at any time, seconded by Wilson. Motion carried 7-0, (Fairholm - Yes, Fitzgerald - Yes, Forseth - Yes, Mrozla - Yes, Tuve - Yes, Wilson - Yes, Iverson - Yes).

- b. Recommendation on creation of Tax Increment District #7 for Outlot A, Bliss Pointe Addition, City of Vermillion, Clay County, South Dakota.

Jose Dominguez, City Engineer, reported that the Vermillion Chamber and Development Company has been going through great lengths to develop land suitable for residential development. To assist the VCDC with the development costs, it was proposed that the City create a tax increment district. The Commission is required to hold a public hearing and notice was sent to the School Board, the County Commission, and the Vermillion Basin Water Development District. Dominguez reviewed a map of the proposed district. Discussion followed.

Forseth moved to recommend approval of the creation of Tax Increment District #7 for Outlot A, Bliss Pointe Addition, to the City Council, seconded by Tuve. Motion carried 7-0 (one abstained) (Fairholm -

Yes, Fitzgerald - Yes, Forseth - Yes, Heggstad - Abstained (was not at meeting for a portion of the discussion item), Mrozla - Yes, Tuve - Yes, Wilson - Yes, Iverson - Yes).

7. Old Business

None

8. New Business

None

9. Staff Report

Dominguez reported on McHenry Street and Roosevelt Street construction.

10. Adjourn

Moved by Forseth to adjourn, seconded by Fairholm. Motion carried 8-0 (Fairholm - Yes, Fitzgerald - Yes, Forseth - Yes, Heggstad - Yes, Mrozla - Yes, Tuve - Yes, Wilson - Yes, Iverson - Yes). Iverson declared the meeting adjourned at 5:56 p.m.