

Unapproved Minutes

Vermillion Planning Commission

Monday, October 15, 2019 Regular Planning and Zoning Commission Meeting

The regular meeting of the Vermillion Planning and Zoning Commission was called to order in the Large Conference Room at City Hall on October 15, 2019 at 5:30 p.m.

1. Roll Call

Present: Fairholm, Forseth, Muenster, Wilson, Iverson.

Absent: Kleeman, Gestring, Manning, Tuve.

Staff present: James Purdy, Assistant City Manager, José Domínguez, City Engineer.

2. Minutes

a. September 23, 2019 Regular Meeting.

Moved by Commissioner Wilson to adopt September 23, 2019 regular meeting minutes with change noted by Commissioner Muenster, seconded by Commissioner Muenster. Motion carried 5-0.

3. Declaration of Conflict of Interest

Commissioner Muenster noted that he owns investment property.

Commissioner Forseth noted that he owns investment property.

4. Adoption of the Agenda

Moved by Commissioner Fairholm to adopt the agenda as published, seconded by Commissioner Wilson. Motion carried 5-0.

5. Visitors to be Heard

None.

6. Public Hearing

None.

7. Old Business

None.

8. New Business

a. Final Plat of Lots 1 and 2 in Block 7 Brooks Industrial Park Addition to the City of Vermillion, Clay County, South Dakota

José Domínguez, City Engineer, explained that a final plat was submitted for an area located on the south side of SD Highway 50 Bypass directly west of Commerce Street to be platted into two smaller lots. Mr. Domínguez stated that all easements will be dedicated and noted that the large 66-foot easement bisecting Lot 1 and 2 could be turned into a public right-of-way and used to construct a public road. Access to the properties off this easement will not be granted until the right-of-way is acquired by the City. In review of the plat Staff

found many goals and objectives of the City's Comprehensive Plan may apply such as providing diverse employment opportunities and business retention and expansion. Overall Staff find the plat to meet ordinance requirements and recommend approval.

Answering a question posed by Commissioner Forseth, Mr. Domínguez explained that the ½ circle in the SE corner of Lot 2 is a cul-de-sac, as the property owners to the south do not wish to dedicate the south half of a proposed east-west street originating at Jefferson Street at present. The cul-de-sac would be the right-of-way.

Moved by Commissioner Muenster to recommend approval of the final plat of Lots 1 and 2 in Block 7 Brooks Industrial Park Addition to the City of Vermillion, Clay County, South Dakota, to the City Council, seconded by Commissioner Forseth. Motion carried 5-0.

b. Preliminary Plat of Anderson Tract 2 in the N ½ of the SE ¼ Section 17-T92N-R51W of the 5th P.M., Clay County, South Dakota.

José Domínguez, City Engineer, explained that a preliminary plat was submitted for an area located on the south side of SD Highway 50 Bypass directly west of 466th Avenue approximately 100 feet west of a commercial use (New 2 You Consignments).

Mr. Domínguez noted that Staff and the Planning Commission utilize a preliminary plat as a planning document to ensure utilities and transportation infrastructure are planned for future uses.

The area lies within the Joint Jurisdictional Zoning Area (JJZA) and is zoned A-1 Agriculture. The proposed use is for an agribusiness that would sell chemicals for agricultural uses which would be a conditional use in the A-1 district. The conditional use aspect of the proposal will be discussed at a joint meeting of the City and County planning commissions on October 28.

Staff foresees several issues with the proposed use at this particular location as it does not match the City's Comprehensive Plan for future use as outlined in the memo. This planning document will be utilized to find solutions. Overall Staff find the preliminary plat meets ordinance requirements and recommend approval of the preliminary plat.

At the request of Commissioner Fairholm, Mr. Domínguez clarified the process of the preliminary plat process stating that an approved preliminary plat remains on file for approximately 2 years. Between the time of approval and the expiration of the preliminary plat the applicant/owner can proceed with a final plat utilizing the plan in place. If the time expires or the plan changes i.e. size of parcels, the process would begin again with a new preliminary plat.

Mr. Fairholm noted that the nature of the proposed business' proximity to City limits is contrary to the City's comprehensive plan.

Mr. Domínguez clarified for Commissioner Muenster that the "conflict" with the plan is that the proposed use is considered an agribusiness and requires a conditional use permit. As long as the CUP is followed, there is no conflict. However, the greatest possible conflict foreseen by City Staff is ability of the proposed use to comply with the Urban Reserve section of the Comprehensive Plan as outlined in the memo.

Moved by Commissioner Muenster to accept the preliminary plat and refer to City Staff for further consideration, seconded by Commissioner Forseth. Motion carried 5-0.

9. Adjourn

Moved by Commissioner Forseth to adjourn, seconded by Commissioner Fairholm. Motion carried 5-0. Chairman Iverson declared the meeting adjourned at 5:50 p.m.