



City of Vermillion Planning & Zoning Commission Agenda

5:30 p.m. Regular Meeting

Monday, March 8, 2021

City Council Chambers

City Hall, 25 Center Street, Vermillion, SD 57069

Virtual Meeting Available (see instructions below)

For virtual meeting:

1. Go to www.zoom.com
2. Click 'Join a Meeting' on upper right hand of Zoom screen
3. Enter meeting ID: 813 9077 7551
4. Enter passcode: 421383

1. Roll Call

2. Minutes

- a. February 8, 2021 Regular Meeting.

3. Declaration of Conflict of Interests

4. Adoption of the Agenda

5. Visitors to Be Heard

6. Public Hearings

7. Old Business

8. New Business

- a. Plan for TIF 7 (Bliss Pointe)
- b. Final Plat for Blocks 7, 8, 9 and 10; Bliss Pointe Addition to the City of Vermillion, Clay County, South Dakota.

9. Staff Reports

10. 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 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 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, February 8, 2021 Joint Planning Commission Meeting with Clay
County

The joint meeting of the Vermillion Planning and Zoning Commission and Clay County Planning Commission was called to order in the Council Chambers at City Hall on February 8, 2021 at 5:30 p.m.

1. Roll Call

City Planning and Zoning Commissioners Present: Fairholm (in person), Fitzgerald (in person), Forseth (teleconference), Gestring (in person), Heggstad (teleconference), Mrozla (in person), Tuve (in person), Wilson (in person), Iverson (in person).

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

County Planning Commissioners Present: Bottolfson (in person), Mockler (in person), Hubert (in person), Gilbertson (teleconference).

County Planning Commissioners Absent: Prentice

County Staff present: Drew Gunderson, Clay County Zoning Administrator

2. Minutes

a. November 23, 2020 Regular Meeting.

Moved by Commissioner Fairholm to adopt November 23, 2020 meeting minutes, seconded by Fitzgerald. Motion carried 9-0, (Fairholm - Yes, Fitzgerald - Yes, Forseth - Yes, Gestring - Yes, Heggstad - Yes, Mrozla - Yes, Tuve - Yes, Wilson - Yes, Iverson - Yes).

3. Declaration of Conflict of Interest

Forseth noted that he owns investment property.

4. Adoption of the Agenda

Moved by Tuve to adopt the agenda as printed, seconded by Wilson. Motion carried 9-0, (Fairholm - Yes, Fitzgerald - Yes, Forseth - Yes, Gestring - Yes, Heggstad - Yes, Mrozla - Yes, Tuve - Yes, Wilson - Yes, Iverson - Yes).

5. Visitors to be Heard

None

6. Public Hearings

a. Continuation of discussion requesting to rezone the east 26 1/3 rods of the SE ¼ of the SE ¼, 17-92-51, except Lot H6 thereof, Fairview Township, Clay County, South Dakota, from A-1: Agricultural District to RR: Rural Residential District. (The land requested to be rezoned is located in the northwest corner of East Main Street and 466th Avenue.)

Commissioner Iverson stated that this item was tabled at the October 26, 2020 meeting, and that prior to continuing discussion a motion needed to be made to put the item back on the table. Moved by Wilson to remove

item from table and begin discussion, seconded by Mrozla. Motion carried 9-0, (Fairholm - Yes, Fitzgerald - Yes, Forseth - Yes, Gestring - Yes, Heggestad - Yes, Mrozla - Yes, Tuve - Yes, Wilson - Yes, Iverson - Yes).

José Domínguez, City Engineer, stated that the County received a petition to rezone the aforementioned property (approximately 13.5 acres) from A-1: Agriculture District to RR: Rural Residential District to allow for development of residential lots. Dominguez stated that the item was discussed at the October 26, 2020 joint meeting with the County's Planning Commission. At that meeting the County's Commission recommended the County Commissioners not approve the rezone. The City's Planning Commission voted to table the item for further discussion at a later time. Dominguez informed the Commission that the County Commissioners considered the rezone at their November 24, 2020 meeting, and again at their January 12, 2021 meeting. At the last meeting the County Commission approved the rezone to advance to the second reading. Dominguez stated that Staff recommended approval of the rezone.

Iverson opened the floor for public comment.

Commissioner Fairholm asked Dominguez how many residential lots would be platted and if they would be served by City utilities. Dominguez answered that the exhibit provided with the application showed four residential lots, and that the City would not provide utilities to any of the lots.

Moved by Wilson to recommend that the City Council approve the rezone of the east 26 1/3 rods of the SE ¼ of the SE ¼, 17-92-51, except Lot H6 thereof, Fairview Township, Clay County, South Dakota, from A-1: Agricultural District to RR: Rural Residential District, seconded by Gestring. Motion carried 8-1 (Fairholm - No, Fitzgerald - Yes, Forseth - Yes, Gestring - Yes, Heggestad - Yes, Mrozla - Yes, Tuve - Yes, Wilson - Yes, Iverson - Yes).

- b. Request for a Conditional Use Request for a Conditional Use Permit to construct a manufactured home on Lot 8, Block 5, Seiler's Second Addition in the SW ¼, S12, T92N, R52W, 5th P.M., Clay County, South Dakota.

Dominguez stated that the County received an application for a conditional use to place a manufactured home in the subdivision along Princeton Street north of the bypass on January 20, 2021. The location is within the City and County's joint jurisdictional zoning area. Dominguez provided background regarding the current ordinance for the Joint Jurisdiction Zoning Area (JJZA), adopted in 2013, explaining that the document allows the City to have a say in existing, and proposed, land uses in an area that would directly affect the City's growth. Dominguez stated that the applicant is intending to move a mobile home into the lot, build a shed, and then a single-family detached home. No

timeframe was given by the applicant on the construction of the shed or the single-family detached home.

Dominguez explained that the JJZA zoning ordinance had four criteria that needed to be considered by the Planning Commission when considering items. The first criteria asks the Commission to consider the effect of the proposed use on adjacent properties, and notes that the proposed use should be generally compatible with the adjacent uses. Dominguez stated that the proposed and existing uses are similar in that they are residential. However, the type of construction is much different. Dominguez explained that single-family detached homes are built using the International Building Code (IBC), while mobile home are built using the HUD Manufactured Home Construction and Safety Standards (HUD). The IBC standards are stricter and meant for permanent construction. Dominguez also stated that this would be the only mobile home in the area, and that the area is almost completely developed with single-family detached homes. Dominguez stated that the second criteria ask for the Commission to consider any measures needed to ensure that the proposed use does not alter the general character of the area. Dominguez stated that in the event that the proposed use stays in the location permanently there are no measures that would make the proposed use conform to the general character of the area. The third criteria to be considered is the effects of noise, odor, traffic, air and water pollution, and other negative factors. Dominguez stated that there are no negative factors (besides general compatibility) associated with the proposed used. Dominguez stated that the fourth, and final criteria, asks if the proposed use will adversely affect the public. Dominguez stated that there is a high probability that the proposed use will negatively affect the neighborhood due to the differing residential styles (i.e. mobile home vs. ranch style houses), and the different building codes used during construction (i.e. IBC vs. HUD).

Dominguez also stated that it was not known if the applicant contacted the area's road district. The road district is in charge of the roads in the area and would need to extend the Purdue Street to provide access to the lot where the mobile home would be placed.

Dominguez stated that Staff recommends not granting the conditional use based on the dissimilarities in the styles and construction standards followed.

Iverson opened the floor for public comment.

Dominguez stated that a couple of letters were received from people that would not be able to attend the meeting. Dominguez read the letters from Mr. Jon Carey and Ms. Valerie Shostrom (1832 Creighton Avenue). Ms. Carey and Ms. Shostrom requested that the conditional use not be granted. The second letter was from Mr. Todd Christensen and Ms. Gail Christensen (1913 DePaul Avenue). Mr. and Ms. Christensen asked that that the conditional use be denied.

Mr. Craig Sorensen (1913 Creighton Avenue) stated that he was concerned with no timeframe given by the applicant on the construction of the shed or the home, and that if the item were to pass that a time limit should be considered by the commissions.

Mr. Norm Kaufman (1805 DePaul Avenue) stated that he lives across from the lot were the proposed mobile home would be placed. Mr. Kaufman is concerned with property values declining if the use is allowed, and possible difficulties denying future mobile homes in the area if this one was allowed.

Mr. Mike Heine (240 Purdue Street) stated that he lives to the west of the lot were the proposed mobile home would be placed. Mr. Heine shares the same concerns previously mentioned.

Mr. Shawn Fick (1930 DePaul Avenue) stated that he also shares the same concerns previously mentioned.

Ms. Charlene Schaefer (1914 DePaul Avenue) stated that the covenants for the area that do not allow mobile homes to be placed in the neighborhood should be followed. Ms. Schaefer also shared the same concerns previously mentioned.

Commissioner Gestring asked Dominguez if the covenants needed to be followed when making a decision. Dominguez stated that the ordinance and the covenants are two different things. The commissions should base their decision on the process provided for in the ordinance, and not on the covenants. The covenants are a contract between the property owners in the area, and not between the governing bodies and the public.

Discussion followed.

Moved by Tuve to deny the conditional use permit to construct a manufactured home on Lot 8, Block 5, Seiler's Second Addition in the SW ¼, S12, T92N, R52W, 5th P.M., Clay County, South Dakota, seconded by Wilson. Motion to deny carried 9-0 (Fairholm - Yes, Fitzgerald - Yes, Forseth - Yes, Gestring - Yes, Heggstad - Yes, Mrozla - Yes, Tuve - Yes, Wilson - Yes, Iverson - Yes).

Iverson recessed the meeting at 5:55 p.m. on February 8, 2021 and asked to reconvene in the Large Upstairs Conference Room in City Hall at 6:05 p.m. on February 8, 2021.

- c. Request for a Conditional Use Permit to construct single-family attached homes on Lots 6A, and 6B Block 6, Bliss Pointe Addition to the City of Vermillion.

Dominguez stated that a conditional use permit was received requesting a conditional use to construct two single-family attached dwellings on Rockwell Trail. The proposed construction is in Area B of the Bliss Pointe PDD and is intended for low to medium-density single-family

residential uses. Dominguez noted that the design has also been approved by the Bliss Pointe Architectural Review Committee.

Dominguez explained that this item was previously discussed, and approved, by the Commission at the December 10, 2018 meeting. However, due to the fact that the applicant did not start working on the approved conditional use within a year of approval, the conditional use expires. Dominguez outlined the criteria for review. Dominguez stated that the applicable criteria have been met by the applicant. Dominguez recommended that the conditional use should be granted without conditions.

Iverson opened the floor for public comment.

Moved by Wilson to grant the conditional use permit to construct single-family attached homes on Lots 6A, and 6B Block 6, Bliss Pointe Addition to the City of Vermillion, seconded by Mrozla. Motion carried 9-0 (Fairholm - Yes, Fitzgerald - Yes, Forseth - Yes, Gestring - Yes, Heggestad - Yes, Mrozla - Yes, Tuve - Yes, Wilson - Yes, Iverson - Yes).

- d. Amending Title XV, Chapter 155, Section 155.058 (E), Bliss Pointe Planned Development District, to Amend the Lot and Yard Regulations for Single-Family Detached Dwellings by reducing the Lot Area from 6,500 to 5,400 square feet, reducing the Frontage from 50 to 44 feet, and reducing the Building Line from 65 to 44 feet.

Dominguez stated that on December 3, 2020 the City received an application from the Vermillion Chamber and Development Company (VCDC) to amend the current Bliss Pointe PDD. The application requested that the Lot and Yard Regulations for single-family detached dwellings be changed by reducing the lot area from 6,500 to 5,400 square feet, reducing the frontage from 50 to 44 feet, and reducing the building line from 65 to 44 feet.

Dominguez explained that the item was published, posted, and noticed mailed as required by statute and ordinance.

Dominguez further stated that one of the original intents of Bliss Pointe was to increase the housing stock in the community. This requires that the VCDC offer a wide variety of housing styles. Reducing the lot and yard regulations for single-family detached dwellings would allow for the construction of less expensive, quality housing. Dominguez stated he believed the change would allow for a larger range of housing in the development. Referring to the exhibits provided by the applicant, Dominguez explained that the proposed amendments would mainly affect the center block of Bliss Pointe phase two. Dominguez also stated that the exhibits provided by the VCDC are intended to help the Commission visualize the development with the narrower lots on the center block. The Commission is not approving the lot layout presented in the exhibits. At this time Dominguez further explained that for the layout of the

center block to be approved, the preliminary plat would have to be amended, and the final plat would need to be approved.

Dominguez stated that staff recommends that the Commission recommend approval of the ordinance amendments to the City Council.

Iverson opened the floor for public comment.

Mr. Brandon Wiemers (1409 Cornell) stated that the proposed amendment would allow for lots that are too small. Mr. Wiemers also stated that the size of the lots will not necessarily allow for an affordable house to be constructed, but rather for a smaller expensive house. Mr. Wiemers also stated once residents pay an HOA fee it will be further less affordable.

Ms. Tricia Unterbrunner (320 Joplin) stated that new construction should not have detached garages as shown on the exhibit.

Mr. Nate Welch (President of VCDC, 2 E Main) stated that the proposed amendments would allow the VCDC more flexibility in meeting the needs of the community by being able to offer different style of housing. The smaller lots would fit with individuals that want smaller dwellings, and less outside maintenance.

Commissioner Fairholm asked Dominguez if the preliminary plat for phase two had already been approved. Dominguez responded that it had, but that the approval preliminary plat showed a different layout for the center block. Fairholm asked if the proposed zoning amendment affected all of Bliss Pointe, or just phase 2, and if the larger lots could be split into smaller lots. Dominguez answered that the proposed amendment would be for the entirety of Bliss Pointe, and that larger lots could be combined and split into the smaller lots. Dominguez noted that this was unlikely to happen in phase one, as there are few lots left that could be combined and split into smaller lots.

Fairholm expressed concerns that the proposed plan did not meet one of the original intents of Bliss Pointe, which was affordable housing. Fairholm also stated that he was concerned with the safety of the public with houses backing against Stanford Street, as well as the aesthetics of those same houses viewed from Stanford Street.

Moved by Fairholm to recommend adoption of the ordinance amendments as presented and that a 5-foot berm be placed on the backyards of houses backing against Stanford Street. Discussion followed.

Commissioner Mrozla expressed concern with how a berm would look along Stanford Street.

Commissioner Wilson also expressed concerns with the looks of a berm. Wilson also mentioned that a barrier of some form should be necessary since the backyards would back to a street, and a bike trail.

Iverson asked what the price difference would be between a house built on a 65-foot lot versus one built on a 44-foot lot. Mr. Welch stated that a typical cost for a house was around \$200 per square foot, and that the cost would vary depending on the size wanted by the owner. Mr. Welch explained that a 1,000 square foot house in a 44-foot lot would cost approximately \$200,000, and that a 1,500 square foot house in a 65-foot lot would cost approximately \$300,000. Discussion followed.

Mr. Tanner Mart (Mart Brothers Construction, 1102 317th Street) stated that these lots might not be for all owners as some of the items frequently requested might not fit in a smaller lot (e.g. three car garages, large main floors, large backyards, etc...). Discussion followed.

Mr. Anthony Nelson (438 Prentis) stated that his family is considering purchasing a lot in Bliss Pointe and that he is concerned if the proposed amendments would affect future house prices. Mr. Nelson also expressed concerns with a future TIF being able to pay for the improvements if the lots were reduced in size.

Fairholm stated that he is still concerned with affordable housing for young professionals moving to, or staying in, Vermillion.

Fairholm restated his prior motion to recommend adoption of the ordinance amendments as presented and that a 5-foot berm be placed on the backyards of houses backing against Stanford Street, seconded by Wilson.

Commissioner Gestring suggested that a different buffer should be considered since a 5-foot berm would occupy a large part of the backyard. Fairholm amended his motion to replace "5-foot berm" with "a natural barrier for purposes of aesthetics and safety", Wilson agreed with the amendment to the original motion. Motion carried 6-2 (Fairholm - Yes, Fitzgerald - No, Forseth - Yes, Gestring - Yes, Heggstad - Yes, Mrozla - Abstain, Tuve - Yes, Wilson - Yes, Iverson - No).

Fairholm requested that the meeting minutes reflect his disappointment on the lack of affordable housing in phase two, and that additional and more creative work should be done by the VCDC to improve the design of the development before the idea is presented again. Fairholm also stated that it was bad practice for projects to be in the bid process before approval.

7. Old Business

None

8. New Business

None

9. Staff Report

Dominguez stated that the City and the County committee met to discuss the goals, objectives and policies for the Comprehensive Plan for the Joint Jurisdictional Area.

Dominguez stated that the City's project along Hwy. 50 that was bid with the DOT came in slightly over the engineer's estimate. However, there are sufficient funds in the budget to accommodate construction cost.

Purdy noted that the Council approved the Downtown Streetscape project to go out to bid. The bids are due March 4th.

10. Adjourn

Moved by Fairholm to adjourn, seconded by Tuve. Motion carried 9-0 (Fairholm - Yes, Fitzgerald - Yes, Forseth - Yes, Gestring - Yes, Heggstad - Yes, Mrozla - Yes, Tuve - Yes, Wilson - Yes, Iverson - Yes). Iverson declared the meeting adjourned at 7:16 p.m.

Planning & Zoning Commission Agenda Memo

From: James Purdy, Assistant City Manager

Meeting: March 8, 2021

Subject: Plan for TIF 7 (Bliss Pointe)

Presenter: James Purdy

Background: The Vermillion Area Chamber and Development Company (VCDC) has been planning to develop the second phase of the Bliss Pointe Planned Development Zoning District. In order to assist with development costs, the VCDC requested the City create a tax increment financing district (TIF). The district was created by the City Council on February 16, 2021 after a recommendation from the Planning and Zoning Commission (Commission). The next step for the City in setting up the TIF District for Bliss Pointe Phase II is approval of the TIF 7 Plan.

As the Commission is aware, the TIF 7 plan includes an option for there to be a public alley, which is contrary to a prior decision made by the Commission. Staff would like to provide the Commission with a brief overview of events. On August 24, 2020, Banner Associates submitted a preliminary plat on behalf of the owner, the VCDC, which was reviewed by the Planning and Zoning Commission at the meeting. The area or the preliminarily platted is roughly 15-acres in area and is bordered on the west by lots fronting Joplin Street, on the north by Slate Road, on the east by Stanford Street, and on the south by the lots fronting Rockwell Trail. The preliminary plat proposed to subdivide the area into 47-residential lots. At that meeting, the preliminary plat proposed an alley in the center block. Staff recommended the Commission approve the preliminary plat, but either remove the alley entirely, or make it a private street with the funding mechanism to be determined by the developer. After discussion, a motion was made to approve the preliminary plat with the recommendation that the alley be omitted. The motion carried 6-0 with one abstention and two absent. On September 14, 2020, the Planning and Zoning Commission met to consider a final plat of Outlot A (essentially an outline of Phase II) that was submitted by Banner Associates on behalf of the VCDC. Staff recommended approval of a final plat, and the final plat was approved 8-0 with one absent.

On February 8, 2021, the Planning and Zoning Commission met to consider an application from the VCDC to amend the lot and yard regulations in the Bliss Pointe PDD. There was a brief discussion of the alley issue at this meeting.

The lot and yard regulations in Bliss Pointe have been discussed by the City Council at their February 16th evening meeting, March 1st noon meeting, and March 1st evening meeting. While the specific item under consideration was the zoning amendment, the Council made staff aware of their desire to see a public alley included in the TIF plan (if pursued by the VCDC) of the same dimensions and layout as depicted in the exhibits. It is for that reason, the draft plan for TIF #7 includes an option for a public alley. The TIF plan is designed very conservatively, and includes the high end of the costs related to the center block (17 lots) and the low end of revenue (10 lots). There may be 47 or 54 lots in total. The VCDC has yet to determine the design layout of Phase II, but staff has designed the TIF plan to be flexible and work with either design being considered by the VCDC. The projections indicate the bond will be paid off in 2036, and the TIF will be paid off in 2038.

If the VCDC were to proceed with the alley concept and if the alley were to be included as public infrastructure, the item will need to be presented again to the Commission in the form of a preliminary plat, which would also need to be approved as a final plat. Staff's recommendation will be that the alley be 30 feet wide in total with 20 feet paved. This would accomplish three things: bring the size of the alley into closer conformance with other alleys in the community, allow for more buildable space on the lots, and reduce the cost of construction and maintenance. This would require two variances, one for the width of the right-of-way and another for the width of the pavement.

Discussion: The state statute pertaining to the TIF plan is as follows:

11-9-13. Project plan for each district--Contents. The planning commission shall adopt a project plan for each tax incremental district and submit the plan to the governing body. The plan shall include a statement listing:

- (1) The kind, number, and location of all proposed public works or improvements within the district;
- (2) An economic feasibility study;
- (3) A detailed list of estimated project costs;
- (4) A fiscal impact statement which shows the impact of the tax increment district, both until and after the bonds are repaid, upon all entities levying taxes upon property in the district; and
- (5) A description of the methods of financing all estimated project costs and the time when related costs or monetary obligations are to be incurred.

No expenditure may be provided for in the plan more than five years after a district is created unless an amendment is adopted by the governing body under § 11-9-23.

Enclosed is a draft plan for TIF #7. The Planning and Zoning Commission is asked to consider and adopt the plan, which will be forwarded to the City Council for approval on March 15.

Compliance with Comprehensive Plan: The City's Comprehensive Plan calls for the development of undeveloped ground within the City. In addition, Bliss Pointe Phase II will be increasing the workforce housing stock in Vermillion and providing the community additional varieties of new single-family attached and detached homes. Both of these goals will be accomplished by creating a new tax increment district to help with infrastructure costs.

Conclusion/Recommendations: Staff recommends the Planning Commission review the plan and forward a recommendation of approval to the City Council.

PROJECT PLAN

CITY OF VERMILLION
TAX INCREMENT DISTRICT #7
BLISS POINTE PLANNED DEVELOPMENT DISTRICT

District Created – February 16, 2021

Plan Approved March ____, 2021

DRAFT

INTRODUCTION

Tax Increment Financing is a method of financing improvements and development in an area which has been determined to be blighted or will stimulate and develop the general economic welfare according to the criteria set forth in SDCL Ch. 11-9. The improvements are completed without incurring a general obligation for the taxpayers of the entire City of Vermillion (City hereafter). Tax Increment Financing (TIF) is an incentive utilized by local governments to stimulate development and investment. TIF helps to overcome the extraordinary costs that often prevent private investment from occurring in difficult to develop areas of the community. As a result, the TIF area itself improves and property values increase.

The assessed value of a district is determined by the South Dakota Department of Revenue at the time the district is created by the City Council. This valuation is termed the Tax Increment Base Valuation for the district, or simply the “Base Valuation.” As the property taxes for the property are paid, that portion of the taxes paid on the Base Valuation continues to go to those entities (City, County, School, etc.), which levy property taxes.

When in succeeding years, the assessed valuation of the district increases, the total property taxes paid by the owners of property in the district will increase accordingly. That increase in taxable valuation is the “increment.” When the tax bills are paid, only that portion of the tax bill, which results from the Base Valuation, is paid to the taxing entities. The remainder of the tax bill, known as the tax increment, is deposited in a special fund. It is this plan which determines how these accumulated funds will be used. The property in the proposed Tax Incremental District will be developed for residential housing. The City will issue a Private Placement Bank Qualified Tax Increment bond to finance the site improvements and if needed other advances from the City and/or Vermillion Chamber and Development Company (VCDC) will be made for interest or contingency, to be repaid after the bond is retired.

This financing method is invaluable for encouraging growth and development of blighted properties including open area impairing growth, since the amount of funds available for use by the project plan is directly related to the increase in valuation which a given project or development will create. TIF projects must be recommended for approval by the Vermillion City Planning and Zoning Commission and the Vermillion City Council.

OVERVIEW

The City Council via a resolution on February 16, 2021 created the boundaries of Tax Increment District #7 (TIF 7 hereafter). The Tax Increment District consists of Outlot A Bliss Pointe Addition to the City of Vermillion that is approximately 15 acres in size. This property is located west of Stanford Street east of Joplin Street and north of Rockwell Trail. The TIF property being developed is the second phase of the approximately 50 acres purchased by the VCDC to help address the housing needs of the community. The development of this property will have a significant impact on housing options for families looking to relocate to Vermillion or move on to the next level of homeownership. This property is all located within the Bliss Pointe Planned Development District. The Planned Development District is divided into four areas. Area A is

single-family detached dwellings; Area B and Area C are a mix of single-family detached dwellings and single-family attached dwellings; Area D is for light commercial, including primarily office and retail. The property in TIF 7 is all in Area B and Area C. A map of TIF 7 and the Bliss Pointe Planned Development District are included as part of this plan.

The plan proposes to fund the infrastructure development costs to be incurred by the VCDC for the proposed district. These costs consist of grading, water, sanitary sewer, street surfacing, public alley, mailboxes, street lighting and other utility services. Costs for construction or maintenance of private alleys and roads or barriers such as a fence or berm located on private property are not infrastructure development costs eligible costs to be paid for by the TIF. The VCDC will be marketing the lots with the lot sale proceeds used to retire the remaining VCDC debt on the land purchase with the excess available for TIF payments.

The TIF financing method is invaluable for encouraging growth and development in areas with special development problems or opportunities, since the amount available for use by the project plan is directly related to the increase in valuation which a given project or development creates.

The project area of TIF 7 has never been developed. The area of TIF 7 has been farm ground to the best knowledge of the City and the VCDC.

There are no existing structures within the TIF 7 project boundaries. This area consisted of undeveloped farm ground, some of which was annexed into City Limits in 2013 after being purchased by the VCDC. All of the property in Bliss Pointe and TIF 7 is within City limits. Following annexation, the entire property was rezoned into the Bliss Pointe Planned Development District.

As noted in this section of the plan, the project area was rezoned into the Bliss Pointe Planned Development District in 2013 with this phase consisting of single-family detached residential lots and single family attached lots. The Planned Development District zoning was recently amended to allow for smaller residential lots, a reduction in the frontage requirement, and building line.

The following maps are provided at the end of the project plan in compliance with state law and to better describe the project plan:

- Attachment 1 – Existing Conditions map
- Attachment 2 – List of Real Property improvements
- Attachment 3 – Zoning district of TIF 7 Project area
- Attachment 4 – Map of TIF 7 Project with proposed improvements
- Attachment 5 – Map of TIF 7 Project with proposed improvements with alternate option for center block

ELEMENTS OF THE PROJECT PLAN

1. In accordance with SDCL 11-9-13 the following is the kind, number, location and dollar amount of estimated Project Costs, costs of public works and improvements.

The public works activities will consist of (1) grading, (2) storm sewer, (3) water, (4) sanitary sewer, (5) street lighting, (6) streets, (7) public alley, (8) electric utility connections, (9) natural gas service, and (10) mailboxes will be located within the District on the streets and servicing the lots shown in Attachment 4 and Attachment 5.¹ The VCDC will contract for the improvements within the TIF district that will be funded by grants from the City from the TIF bond proceeds. All improvements will be in the TIF district. The estimated project costs are as follows:

<u>Kind of Project Cost</u>	
Capital Cost	246,992
Financing Costs	1,031,592
Real Property Assembly	0
Professional Fees	7,750
Administrative Costs	0
Relocation Costs	0
Organizational Costs	0
Discretionary Costs and Grants	<u>2,031,792</u>
 Total Eligible Project Costs	 3,318,127

* The City reserves the right to move project costs from one category to another without requiring an amendment to the plan.

The zoning ordinance for the Bliss Pointe Planned Development District was originally adopted in 2013. It was amended with Ordinance 1416 in August 2020 to remove multi-family uses in Area C and add single-family detached dwellings as a permitted use in Area C. It was again amended with Ordinance 1430, adopted by the City Council on March 1, 2021 to reduce the minimum lot area from 6,500 to 5,400 square feet, reduce the frontage from 50 feet to 44 feet, and reduce the building line from 65 feet to 44 feet. These changes should help the area in TIF 7 be easier to develop and provide for more lots to generate property taxes to retire the debt. No other changes will be needed to the City's master plan, building codes or city ordinances as a result of this project plan.²

2. Economic feasibility study³

Current Valuation

Outlot A of the Bliss Pointe Addition is located on one parcel of property in the Clay County records. In accordance with SDCL 11-9-20, the certification of the base value has been requested from the South Dakota Department of Revenue following creation and approval of the district by the City Council. The anticipated certified base value of the property in TIF 7 is \$37,299 (the current value of the parcel).

¹ SDCL § 11-9-13(1)

² SDCL § 11-9-16(4)

³ SDCL § 11-9-13(2)

Expected Increase in Valuation

Estimated Future Valuation of Proposed District

Estimated Assessed Value of District	\$37,299
Estimated Assessed Value of Project (year 20)	\$12,643,279
Other Anticipated Increases in Assessed Value	0
Estimated Increase in Assessed Value of Land*	0
Estimated Total Valuation (year 20)	\$ 12,736,583

*For purposes of TIF 7, the increase in land value is not included in these estimates. Any additional value will pay off the loan earlier than anticipated.

Revenue Estimates from Tax Increments

The TIF 7 Plan anticipates 38 semi-annual payments over 19 years. The potential negative short-term impact on various taxing districts will be offset by the increase in the tax base in future years.

2020 Owner Occupied Tax Levies and Percentage of Total Levy

<u>Taxing Entity</u>	<u>Tax Levy*</u>	<u>Percentage of Total Levy</u>
Vermillion Public School District	8.647	45.52%
Clay County	4.337	22.83%
City of Vermillion	5.98	31.48%
Vermillion Basin Water District	.031	.16%

*Rates per \$1,000 of assessed valuation

The estimated tax increment available to pay for project costs in the TIF 7 Plan is calculated by multiplying the anticipated tax rate by the increment in valuation. This calculation results in the following tax increments, which become available as taxes are paid for the applicable periods. The housing sites will be sold by the VCDC starting in 2021 with structures to be constructed thereafter. The projection is that structures will be completed by 2026.

Projected Tax Increment Income

Assessment <u>Date</u>	Year <u>Taxes Paid</u>	Projected Increment <u>In Valuation</u>	Adjusted <u>Value</u>	Total Tax Increment <u>Payments</u>	Six Month <u>Total</u>
Nov-21	2023	\$0	\$0	\$0	\$0
Nov-22	2024	\$1,797,800	\$1,797,800	\$40,328	\$20,164
Nov-23	2025	\$3,692,762	\$3,692,762	\$82,836	\$41,418
Nov-24	2026	\$6,037,564	\$6,037,564	\$135,435	\$67,717
Nov-25	2027	\$8,428,892	\$8,428,892	\$189,077	\$94,538
Nov-26	2028	\$11,109,176	\$11,109,176	\$249,201	\$124,601
Nov-27	2029	\$11,220,268	\$11,220,268	\$251,693	\$125,847
Nov-28	2030	\$11,332,471	\$11,332,471	\$254,210	\$127,105
Nov-29	2031	\$11,445,795	\$11,445,795	\$256,752	\$128,376
Nov-30	2032	\$11,560,253	\$11,560,253	\$259,320	\$129,660
Nov-31	2033	\$11,675,856	\$11,675,856	\$261,913	\$130,956
Nov-32	2034	\$11,792,614	\$11,792,614	\$264,532	\$132,266
Nov-33	2035	\$11,910,541	\$11,910,541	\$267,177	\$133,589
Nov-34	2036	\$12,029,646	\$12,029,646	\$269,849	\$134,925
Nov-35	2037	\$12,149,942	\$12,149,942	\$272,548	\$136,274
Nov-36	2038	\$12,271,442	\$12,271,442	\$275,273	\$137,636
Nov-37	2039	\$12,394,156	\$12,394,156	\$278,026	\$139,013
Nov-38	2040	\$12,518,098	\$12,518,098	\$280,806	\$140,403
Nov-39	2041	\$12,643,279	\$12,643,279	\$283,614	\$141,807
Total Tax Increment Expected to Accrue by 12-1-2041				\$4,172,589	

* The above table reflects an estimate of the valuations and tax increment of the District. Actual valuations and increments may vary.

NOTE: Tax increment payments are calculated using the estimated taxable value as follows:

Single-family detached dwellings	230,000
Single-family attached dwellings	200,000

Property taxable values are projected to increase by 1% per year over the life of the TIF district with the tax calculated using the 2020 mill levy payable in 2021.

3. Detailed list of project costs⁴

⁴ SDCL §11-9-13(3)

The VCDC as the land owner/developer will be making the improvements to the property for the residential lots. The VCDC will use the lot sale proceeds to retire the VCDC debt on the land and assist with the debt service of the TIF bonds. Lot sale proceeds to be paid to the City for debt service on the TIF bond will be made in the following manner:

Prior to May 1, 2021 – 100% of lot sale proceeds will go to the VCDC for debt retirement on the purchase of the property, maintenance of the property, and preparation costs

After May 1, 2021 and before May 1, 2022 – 50% of the lot sale proceeds after closing costs up to a total sale amount of \$250,000 will go to the VCDC for debt retirement on the purchase of the property and maintenance. The balance of the lot sale proceeds will be paid to the City for debt service on the TIF bond.

After May 1, 2022 - 25% of the lot sale proceeds will go to the VCDC maintenance costs. The balance of the sale proceeds will be paid to the City for debt service on the TIF bond.

Rebate payments may be made to the VCDC for installation of natural gas service. Should such rebate payments be received during the life of the TIF, the VCDC may retain 25% of the amount and shall rebate the remaining 75% to the City for debt service on the TIF bond.

The City will make grants of the bond proceeds to VCDC to assist with the financing of the improvements.

The estimated cost of engineering, grading, street paving, public alley, water, sanitary sewer, electric, natural gas, and street lighting along with a contingency are estimated at \$2,031,792. The site improvements will begin in the spring of 2021 and are anticipated to be completed by Fall 2021.

The TIF bond proceeds will be granted to the VCDC for the improvement costs while the VCDC will fund \$63,900 of the site engineering costs. The City will annually consider budgeting for the funding of the contingency in excess of \$89,800 included in this plan, along with the capitalized interest costs estimated at \$246,992 to reduce the amount of the bond. The costs advanced by the VCDC and City will be reimbursed with interest after the TIF bonds are retired.

The debt on the Tax Increment District Project Costs covered in the Plan will be retired by deposits made in the TIF 7 as taxes are paid on the property in succeeding years and from lot sales proceeds from the VCDC. The City's Finance Office will make the disbursements from the fund in accordance with this Plan. According to SDCL 11-9-25, positive tax increments will be allocated to that fund until the debt from the project costs are retired, and in no event may the positive tax increments be allocated longer than twenty years after the calendar year of creation. The final payment based upon the estimates in this plan is scheduled to be made in June 2036 depending upon the interest rate on the bonds and projections of taxable value generated within the district.

Total Estimated Project Costs to be Paid by the Tax Increment District:

Capital Costs:

Capitalized Interest		246,992
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Financing Costs:

Bond Interest Payments	859,802	
Interest on Funds Advanced	<u>171,791</u>	1,031,592

Professional Fees:

Bond Issuance Costs		7,750
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Discretionary Costs and Grants:

Engineering

Design	63,900	
Construction Admin/Inspection	29,500	

Construction

Grading	470,238	
Traffic Control	5,786	
Erosion Control	32,838	
Storm Sewer	88,943	
Water	247,636	
Sanitary Sewer	266,120	
Street lighting	17,727	
Surfacing	723,171	
Concrete Stabilization	99,961	
Alley Paving	113,420	
City to reimburse Storm Sewer	(88,943)	
City cost share surfacing	(80,575)	
City to reimburse concrete stabilization	(99,961)	

Utility Services

Electric Service Fee	13,230	
Mail Boxes	12,000	
Natural Gas extension to property	27,000	
Contingency at 5% of Construction Costs	<u>89,800</u>	<u>2,031,792</u>

Total Project Costs		3,318,127
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* The City reserves the right to move project costs from one category to another without requiring an amendment to the plan. These estimated engineering, construction, utility services and contingency project costs are intended to be expended as grants as allowed by SDCL Ch 11-9.

Capital Costs – The capital costs of \$246,992 are for capitalized interest for 2021 through 2026 or until the tax increment revenues are sufficient to meet the interest payments.

Financing Costs – The financing costs for this Project Plan are dependent on the interest rate obtained. The interest rate on the bonds is the twenty-year Treasury Bill rate plus 50 basis points which will be adjusted every five years but no rate adjustment will increase/decrease the rate more than one percent from the previous rate. The interest rate estimated for this project is 4% for the TIF bonds and 1% less for the VCDC/City advances. It is estimated that the TIF Bond financing costs will total \$859,802. The interest funds advanced of \$246,992 is based upon the estimated interest until the TIF revenues are sufficient to make the interest payment. If a lower interest rate is obtained, the project costs will be repaid more quickly and the property will be returned to the tax rolls sooner.

Real Property Assembly Costs – No real property assembly costs are anticipated as the VCDC/City will not be acquiring any real or personal property. The VCDC is and has been the owner of Outlot A Bliss Pointe Addition since 2013, which is prior to TIF being created.

Professional Service Costs – Professional service costs are estimated at \$7,750 for Bond Counsel and is anticipated in the Project Plan.

Imputed Administrative Costs – All Tax Increment District actions require municipal staff time to prepare and enact. The City, to assist in the project, will forgo any administrative costs.

Relocation Costs – No relocation costs are anticipated in the Project Plan. No residents or families will be displaced by the project. There are no families or persons residing on the premises. A relocation plan is not needed.⁵

Organizational Costs – No organizational costs are anticipated in the Project Plan.

Payments and Grants – The VCDC as owner/developer of the land will be contracting for the engineering, construction, utility improvements including contingency that will be covered by grants from the City from the TIF proceeds.

List of Estimated Non-Project Costs – It is anticipated that there will be limited non-project costs for the TIF district.⁶ The VCDC is considering a private road or private alley within the District. The cost of construction or maintenance of a private road or private alley is not an eligible project cost. The VCDC is considering a berm, fence or other barrier along the east side of the District. The berm, fence, or barrier and any related landscaping is not an eligible project cost. A permanent development sign identifying Bliss Pointe is not an eligible project cost.

4. Fiscal impact statement⁷

There will be no adverse impact on the City, County, or School District during the duration of the TIF 7 since the development would not have occurred without the creation of TIF 7. In fact, by setting a new and updated base value, there will be additional revenue being created. Further,

⁵ SDCL § 11-9-16(6)

⁶ SDCL § 11-9-16(5)

⁷ SDCL § 11-9-13(4)

a positive impact on these taxing jurisdictions will occur when TIF 7 is dissolved and the development in TIF 7 will become part of the tax base of all affected taxing jurisdictions. When this occurs, the tax rates of the taxing jurisdictions will be lower than they would have been had the TIF 7 not been established.

It is anticipated that the taxable value of the single-family dwelling constructed on the parcels included in TIF 7 will increase an average of 1% per year over the life of the TIF. The residential dwellings will be constructed during the first few years of the TIF, and will retain their value over the life of the TIF. The impact of tax incremental financing on the assessed value of each taxing jurisdiction in which TIF 7 is located in whole or in part would also remain stable from year to year. Based on this assumption, it is anticipated that tax increment will be captured annually as shown. The estimate is based on the qualifications identified in this report and does not include tax rate changes after 2020.

Total assessed value of TIF 7 upon certification is estimated to be approximately \$37,300.

Below is information which shows the impact of TIF 7, both until and after the Developer's debt is retired, upon all entities levying taxes upon property in TIF 7.

<u>Year</u>	<u>Valuation</u>	Vermillion		Vermillion		<u>Total</u>
		<u>School</u>	<u>Clay</u>	<u>City of</u>	<u>Basin Water</u>	
<u>Paid</u>	<u>Increase*</u>	<u>District</u>	<u>County</u>	<u>Vermillion</u>	<u>District</u>	
2023	0	0	0	0	0	0
2024	1,797,800	15,546	7,797	10,751	56	34,149
2025	3,692,762	31,931	16,016	22,083	114	70,144
2026	6,037,564	52,207	26,185	36,105	187	114,684
2027	8,428,892	72,885	36,556	50,405	261	160,107
2028	11,109,176	96,061	48,180	66,433	344	211,019
2029	11,220,268	97,022	48,662	67,097	348	213,129
2030	11,332,471	97,992	49,149	67,768	351	215,260
2031	11,445,795	98,972	49,640	68,446	355	217,413
2032	11,560,253	99,962	50,137	69,130	358	219,587
2033	11,675,856	100,961	50,638	69,822	362	221,783
2034	11,792,614	101,971	51,145	70,520	366	224,001
2035	11,910,541	102,990	51,656	71,225	369	226,241
2036	12,029,646	104,020	52,173	71,937	373	228,503
2037	12,149,942	105,061	52,694	72,657	377	230,788
2038	12,271,442	106,111	53,221	73,383	380	233,096
2039	12,394,156	107,172	53,753	74,117	384	235,427
2040	12,518,098	108,244	54,291	74,858	388	237,781
2041	12,643,279	109,326	54,834	75,607	392	240,159

* The above table reflects an estimate of the valuations and tax increment of the District. Actual valuations and increments may vary.

5. Methods of Financing⁸

Below is a description of the methods of financing all estimated project costs and the time when related costs or monetary obligations are to be incurred.

The City will issue a Private Placement Tax Incremental Revenue bond for \$1,980,000 in April 2021. The interest rate on the bonds will be the current twenty-year Treasury Bill rate plus 50 basis points. The rate will be adjusted every five years to the current twenty-year treasury bill rate plus half a 50 basis points but may not increase or decrease by more than one percent from the previous rate nor above the 5.5% ceiling.

The VCDC will advance \$63,900 for the preliminary engineering to be reimbursed, plus interest at 1% less than the rate on the TIF bond, after the TIF bond is repaid.

The City will annually consider budgeting for the funding of the contingency in excess of \$89,800 included in this plan, and the capitalized interest until the TIF revenues are sufficient to cover the bond interest. The advances are to be reimbursed, plus interest at 1% less than the rate on the TIF bond, after the TIF bond is repaid.

⁸ SDCL § 11-9-13(5)

The projected amortization for the TIF Bond is as follows:

No.	Payment Date	Beginning Balance	Interest	Capital Int Payment	Tax Inc Payment	Principal Payment	Loan Balance	Cummulative Interest
1	6/15/2021	1,980,000	10,120	10,120			1,980,000	10,120
2	12/15/2021	1,980,000	39,600	39,600			1,980,000	49,720
3	6/15/2022	1,980,000	39,600	39,600			1,980,000	89,320
4	12/15/2022	1,980,000	39,600	39,600			1,980,000	128,920
5	6/15/2023	1,980,000	39,600	39,600	-		1,980,000	168,520
6	12/15/2023	1,980,000	39,600	39,600	-		1,980,000	208,120
7	6/15/2024	1,980,000	39,600	19,436	20,164		1,980,000	247,720
8	12/15/2024	1,980,000	39,600	19,436	20,164		1,980,000	287,320
9	6/15/2025	1,980,000	39,600		41,418	1,818	1,978,182	326,920
10	12/15/2025	1,978,182	39,564		41,418	1,854	1,976,328	366,484
11	6/15/2026	1,976,328	39,527		67,717	28,191	1,948,137	406,010
12	12/15/2026	1,948,137	38,963		67,717	28,755	1,919,382	444,973
13	6/15/2027	1,919,382	38,388		94,538	56,151	1,863,231	483,361
14	12/15/2027	1,863,231	37,265		94,538	57,274	1,805,958	520,625
15	6/15/2028	1,805,958	36,119		124,601	88,481	1,717,476	556,744
16	12/15/2028	1,717,476	34,350		124,601	90,251	1,627,225	591,094
17	6/15/2029	1,627,225	32,545		125,847	93,302	1,533,923	623,638
18	12/15/2029	1,533,923	30,678		125,847	95,168	1,438,755	654,317
19	6/15/2030	1,438,755	28,775		127,105	98,330	1,340,425	683,092
20	12/15/2030	1,340,425	26,809		127,105	100,296	1,240,129	709,900
21	6/15/2031	1,240,129	24,803		128,376	103,573	1,136,555	734,703
22	12/15/2031	1,136,555	22,731		128,376	105,645	1,030,910	757,434
23	6/15/2032	1,030,910	20,618		129,660	109,042	921,869	778,052
24	12/15/2032	921,869	18,437		129,660	111,222	810,646	796,490
25	6/15/2033	810,646	16,213		130,956	114,743	695,903	812,703
26	12/15/2033	695,903	13,918		130,956	117,038	578,865	826,621
27	6/15/2034	578,865	11,577		132,266	120,689	458,176	838,198
28	12/15/2034	458,176	9,164		132,266	123,102	335,073	847,362
29	6/15/2035	335,073	6,701		133,589	126,887	208,186	854,063
30	12/15/2035	208,186	4,164		133,589	129,425	78,761	858,227
31	6/15/2036	78,761	1,575		80,336	78,761	-	859,802

* The above table reflects an estimate of the valuations and tax increment of the District. Actual valuations and increments may vary.

The projected amortization of the City/VCDC advances to the project is as follows:

DRAFT

No	<u>Date</u>	<u>Beginning Balance</u>	<u>Advance</u>	<u>Interest</u>	<u>Tax Inc Payment</u>	<u>Advance Balance</u>	<u>Cummulative Interest</u>
	4/30/2021	-	63,900			63,900	
1	6/15/2021	63,900	10,120	245		74,265	245
2	12/15/2021	74,265	39,600	1,133		114,997	1,377
3	6/15/2022	114,997	39,600	1,744		156,342	3,122
4	12/15/2022	156,342	39,600	2,384		198,326	5,506
5	6/15/2023	198,326	39,600	3,008		240,934	8,514
6	12/15/2023	240,934	39,600	3,674		284,208	12,188
7	6/15/2024	284,208	19,436	4,334		307,978	16,522
8	12/15/2024	307,978	19,436	4,697		332,111	21,219
9	6/15/2025	332,111		5,037		337,148	26,256
10	12/15/2025	337,148		5,142		342,289	31,397
11	6/15/2026	342,289		5,191		347,480	36,589
12	12/15/2026	347,480		5,299		352,780	41,888
13	6/15/2027	352,780		5,350		358,130	47,238
14	12/15/2027	358,130		5,461		363,592	52,700
15	6/15/2028	363,592		5,545		369,136	58,245
16	12/15/2028	369,136		5,629		374,766	63,874
17	6/15/2029	374,766		5,684		380,450	69,558
18	12/15/2029	380,450		5,802		386,251	75,360
19	6/15/2030	386,251		5,858		392,110	81,218
20	12/15/2030	392,110		5,980		398,089	87,198
21	6/15/2031	398,089		6,038		404,127	93,235
22	12/15/2031	404,127		6,163		410,290	99,398
23	6/15/2032	410,290		6,257		416,547	105,655
24	12/15/2032	416,547		6,352		422,899	112,007
25	6/15/2033	422,899		6,414		429,313	118,421
26	12/15/2033	429,313		6,547		435,860	124,968
27	6/15/2034	435,860		6,538		442,398	131,506
28	12/15/2034	442,398		6,636		449,034	138,142
29	6/15/2035	449,034		6,736		455,770	144,878
30	12/15/2035	455,770		6,837	-	462,606	151,714
31	6/15/2036	462,606		6,939	54,588	414,957	158,653
32	12/15/2036	414,957		6,224	134,925	286,257	164,878
33	6/15/2037	286,257		4,294	136,274	154,277	169,172
34	12/15/2037	154,277		2,314	136,274	20,318	171,486
35	6/15/2038	20,318		305	20,623	-	171,791

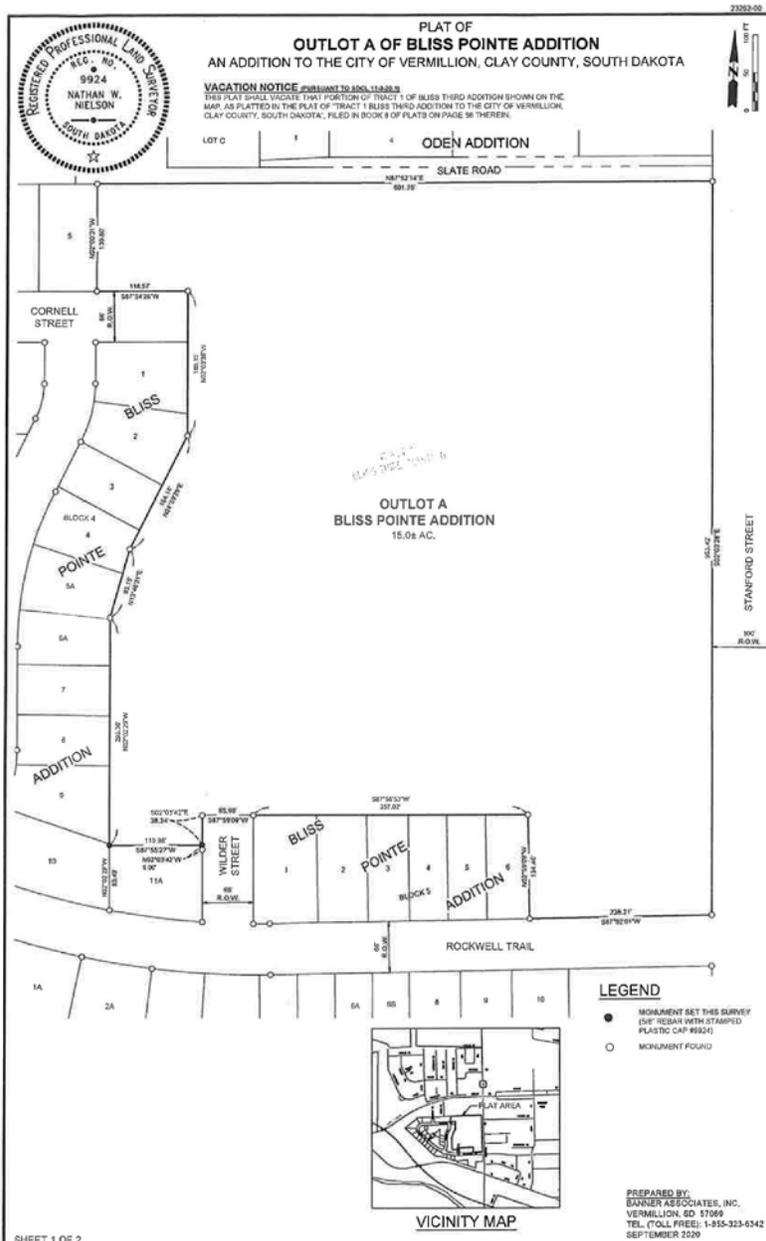
* The above table reflects an estimate of the valuations and tax increment of the District. Actual valuations and increments may vary.

Attachment 1

Existing Conditions Map
(SDCL § 11-9-16(1))

Legal Description

Outlot A Bliss Pointe Addition to the City of Vermillion, Clay County, South Dakota according to the recorded plat thereof.



Attachment 2

List of Real Property Improvements

Improvements to be located in the tax increment district are shown below:

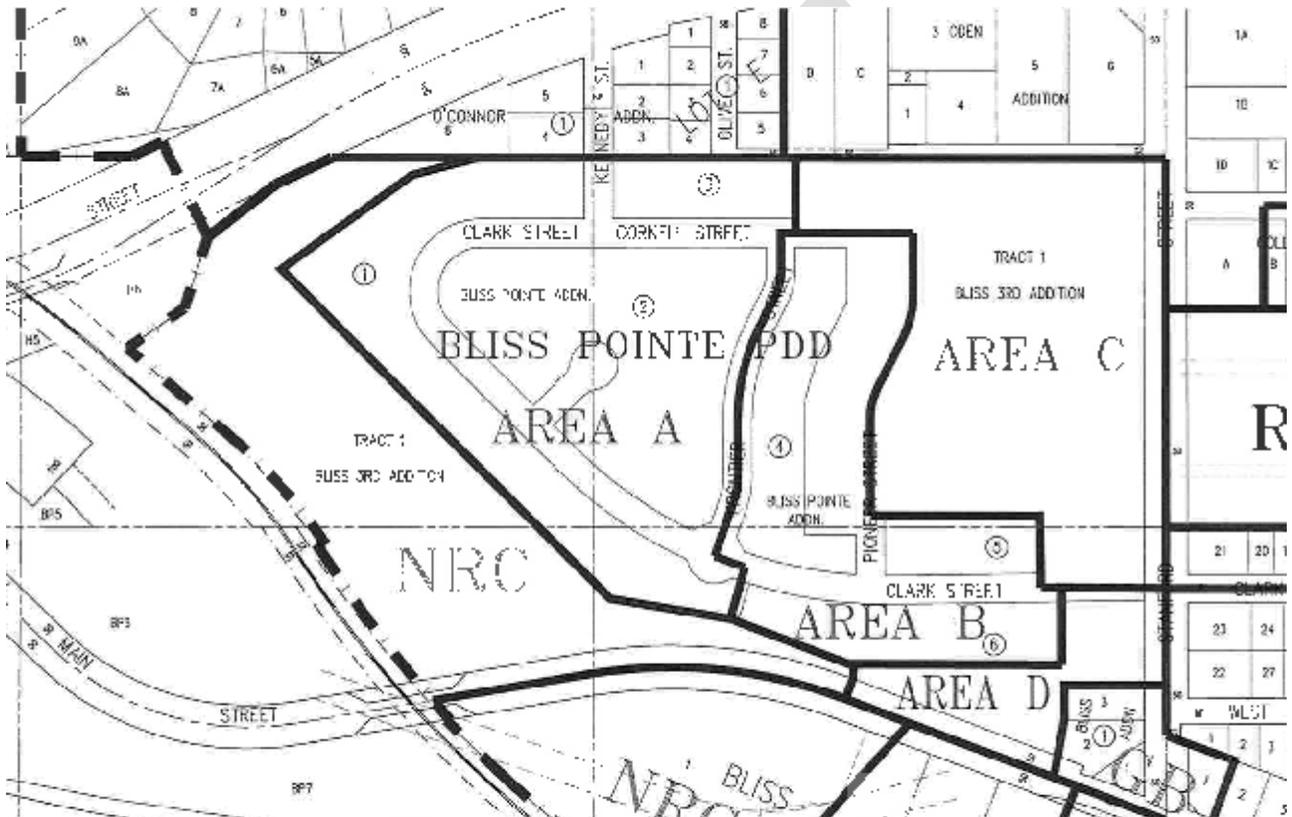
Engineering and Construction Inspection
Grading
Traffic Control
Erosion Control
Storm Sewer
Water
Sanitary Sewer
Electric
Natural Gas
Street Lighting
Surfacing
Public Alley
Mailboxes
Contingency
Financing Costs
Bond Issuance Costs

All improvements will be made within boundaries of the Tax Increment District Number 7 as shown in Attachment 4.

Attachment 3
(SDCL § 11-9-16(3))
Zoning Changes

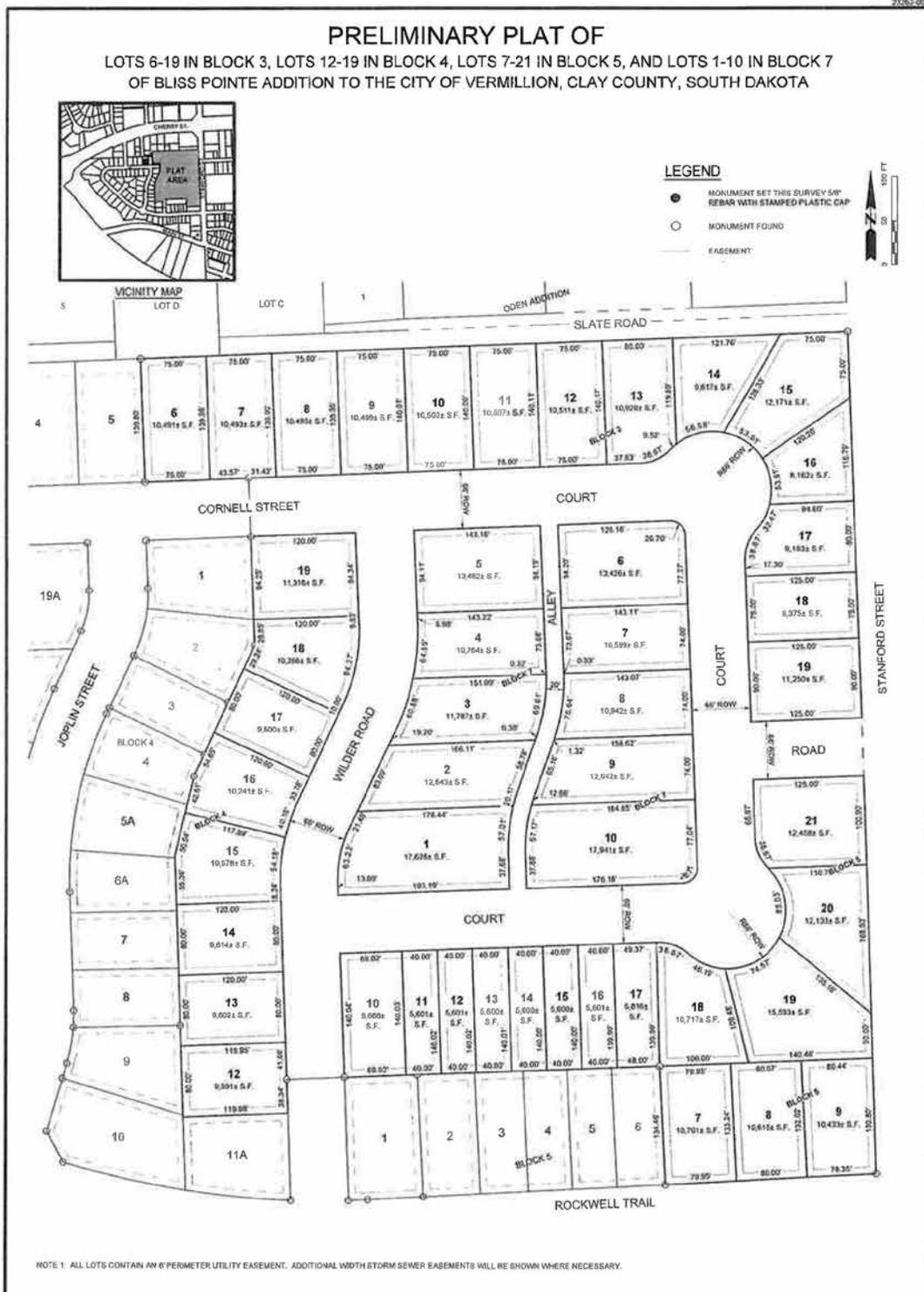
All zoning changes have taken place prior to this plan

The property is zoned Bliss Pointe Planned Development District



Attachment 4
(SDCL § 11-9-16(2))

Map of TIF 7 Project with proposed improvements



Attachment 5
(SDCL § 11-9-16(2))

Map of TIF 7 Project with proposed improvements
with an option for smaller lots in the center block.



Planning & Zoning Commission Agenda Memo

From: Jose Dominguez, City Engineer

Meeting: March 1, 2021

Subject: Final Plat of Blocks 7, 8, 9 and 10, Bliss Pointe Addition to the City of Vermillion, Clay County, South Dakota

Presenter: Jose Dominguez

Background: Banner Associates have submitted a final plat on behalf of the owner, the Vermillion Chamber and Development Company (VCDC). The area to be platted is roughly 15-acres in area and is bordered on the west by lots fronting Joplin Street, on the north by Slate Road, on the east by Stanford Street, and on the south by the lots fronting Rockwell Trail.

The preliminary plat for this part of Bliss Ponte was presented to the Planning and Zoning Commission (Commission) at the August 24, 2020 meeting. The preliminary plat presented proposed to subdivide the area into 47-residential lots.

On September 14, 2020, the Commission considered the final plat that separated the land to be developed from the land below the bluff.

Discussion: This plat creates all of the blocks, which will later be populated with lots. Additionally, the plat dedicates all of the proposed right-of-ways, with the exception of anything occurring within Block 7. All of the required utility easements are also being dedicated along the periphery of each individual block.

Regarding Block 7, at this point the VCDC has not made a decision if they will be constructing a public alley, a private street, or no street. Depending on their decision, additional meetings will need to occur to have their plan reviewed. If they decide on constructing a public alley, both a preliminary plat and final plat will need to be approved by the Commission and the Council.

Additionally, the right-of-ways need to be dedicated so that the public improvements are constructed within the public's domain.

Compliance with Comprehensive Plan: The Comprehensive Plan encourages redevelopment and investment in the community. Additionally, the Comprehensive Plan also focuses on developing undeveloped areas within the City.

Conclusion/Recommendations: As noted above, staff finds that the final plat meets all of the ordinance requirements. Staff recommends approval of the final plat. The plat will be considered by the City Council at their March 15th meeting.

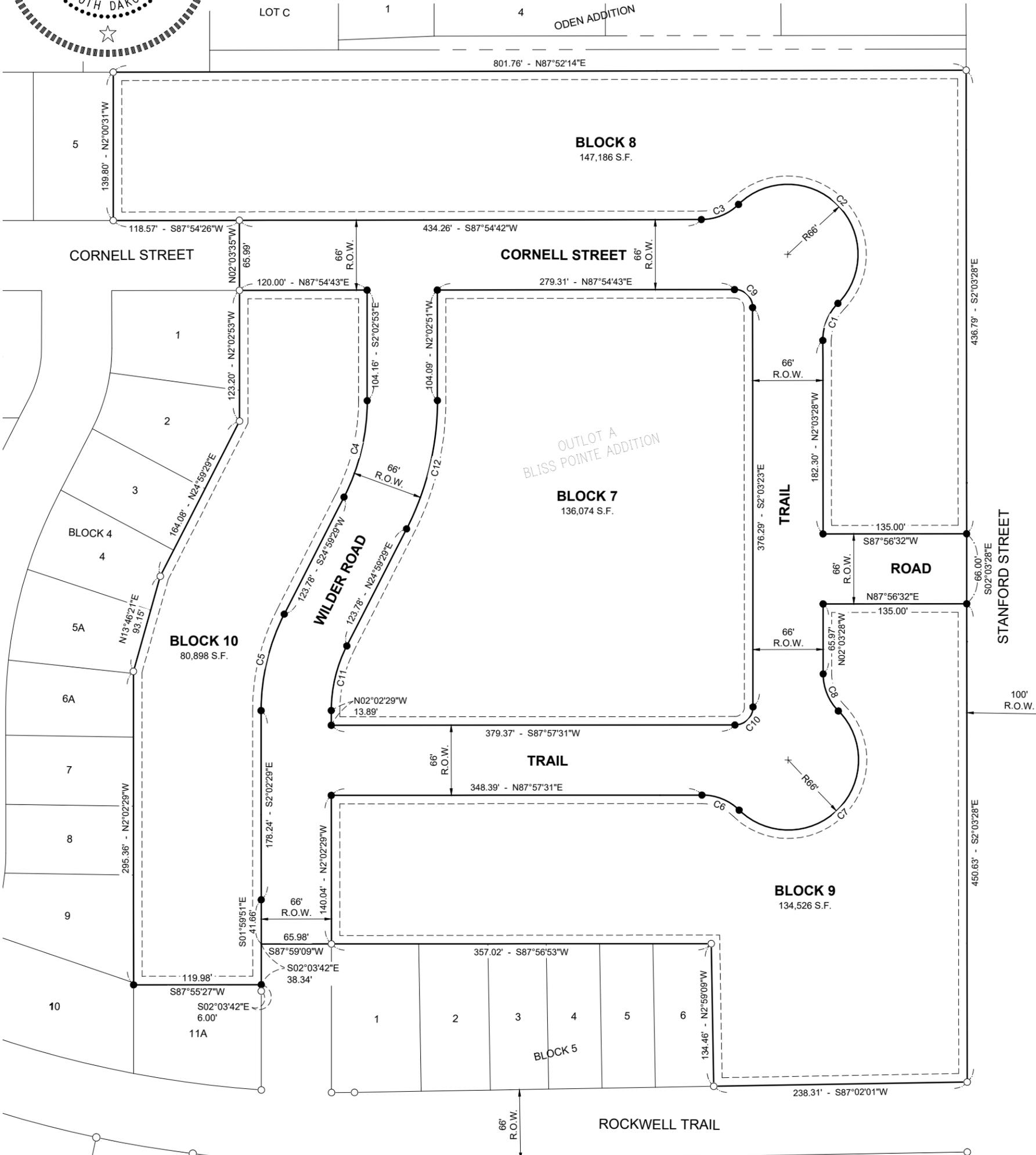


PLAT OF
BLOCKS 7, 8, 9 AND 10 OF BLISS POINTE ADDITION
 AN ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA



VACATION NOTICE (PURSUANT TO SDCL 11-3-20.1)

THIS PLAT SHALL VACATE THE PLAT OF "OUTLOT A OF BLISS POINTE ADDITION AN ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA", FILED IN BOOK 8 OF PLATS ON PAGE 403 THEREIN.

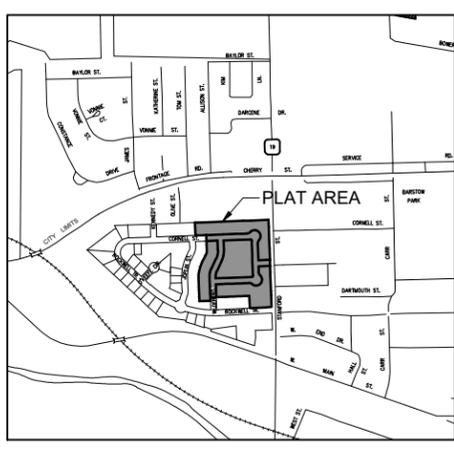


LEGEND

- MONUMENT SET THIS SURVEY (5/8" REBAR WITH STAMPED PLASTIC CAP #9924)
- MONUMENT FOUND
- 8' UE UTILITY EASEMENT (8' FROM PROPERTY UNLESS SPECIFIED OTHERWISE)

SURVEYORS NOTE: TOTAL AREA OF RIGHT OF WAY ON THIS PLAT IS 155,778 SqFt.

CURVE TABLE				
CURVE #	ARC LENGTH	RADIUS	CHORD LENGTH	CHORD BEARING
C1	38.67'	50.00'	37.71'	N20°05'58"E
C2	205.80'	66.00'	131.99'	N47°04'29"W
C3	38.67'	50.00'	37.72'	S65°45'11"W
C4	94.27'	200.00'	93.40'	S11°29'17"W
C5	94.36'	200.00'	93.49'	S11°28'30"W
C6	38.67'	50.00'	37.72'	N69°53'00"W
C7	205.78'	66.00'	131.99'	N42°57'05"E
C8	38.67'	50.00'	37.71'	S24°12'54"E
C9	26.71'	17.00'	24.05'	S47°04'20"E
C10	26.71'	17.00'	24.04'	S42°57'04"W
C11	63.22'	134.00'	62.64'	N11°28'30"E
C12	125.53'	266.00'	124.37'	N11°28'18"E



VICINITY MAP

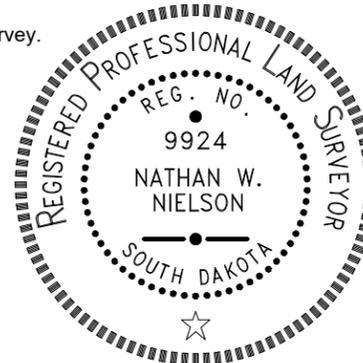
SURVEYOR'S CERTIFICATE

I, Nathan W. Nielson, a Professional Land Surveyor in the State of South Dakota, do hereby certify that I did, on or before **March 5, 2021**, at the request of the owner(s) listed hereon, survey a portion of that parcel of land described as **OUTLOT A OF BLISS POINTE ADDITION, AN ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA**, and platted the same as shown on the above plat.

The same shall hereafter be known and described as **BLOCKS 7, 8, 9 AND 10 OF BLISS POINTE ADDITION AN ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA**.

I have surveyed the tract of land shown, and to the best of my knowledge and belief, said plat is an accurate representation of said survey.

IN WITNESS WHEREOF, I have set my hand and seal the _____ DAY OF _____, 20 _____.



Nathan W. Nielson
Registered Land Surveyor
Registration No. 9924

Banner Associates, Inc.
14 W. Main St., Suite A
Vermillion, South Dakota 57069
Tel. (Toll Free): 1-855-323-6342

CERTIFICATE OF OWNER

We, **VERMILLION CHAMBER OF COMMERCE AND DEVELOPMENT COMPANY**, do hereby certify that we are the owners of a portion of the land included in the above plat and that the plat has been made at my request and in accordance with my instructions for the purposes indicated herein.

We, **VERMILLION CHAMBER OF COMMERCE AND DEVELOPMENT COMPANY**, certify that said plat was made at our request and direction for the purpose of locating, marking, and platting the same, and that said property is free of all encumbrances. We also certify that development of this land shall conform to all existing applicable zoning, subdivision, and erosion and sediment control regulations. It is further provided that any streets, roads, alleys, and/or other easements shown on this plat are hereby, or have been previously, dedicated for the purpose indicated thereon.

We, **VERMILLION CHAMBER OF COMMERCE AND DEVELOPMENT COMPANY**, certify that this plat will not place any existing lot or building in violation of any applicable ordinance, code, regulation, law including but not limited to zoning, building, subdivision, and flood prevention.

Pursuant to SDCL 11-3-20.1, I further certify that this platting of said described **BLOCKS 7, 8, 9 AND 10 OF BLISS POINTE ADDITION AN ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA**, does hereby vacate the following platting:

The Plat of **OUTLOT A OF BLISS POINTE ADDITION AN ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA** on file at the Register of Deeds office in Plat Book 8 Page 403, said plat or part thereof, hereby vacated, being situated within described **BLOCKS 7, 8, 9 AND 10 OF BLISS POINTE ADDITION AN ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA**, as surveyed.

IN WITNESS WHEREOF, I have set my hand the _____ DAY OF _____, 20 _____.

NATHAN WELCH, PRESIDENT AND C.E.O.
VERMILLION CHAMBER OF COMMERCE & DEVELOPMENT COMPANY

STATE OF _____ }
COUNTY OF _____ } SS

On the _____ day of _____, 20_____, before the undersigned officer, personally appeared **NATHAN WELCH, PRESIDENT AND C.E.O., VERMILLION CHAMBER OF COMMERCE AND DEVELOPMENT COMPANY**, known to me or satisfactorily proven to be the person(s) whose name are subscribed to the within instrument and acknowledged that he/she executed the same for the purposes therein contained.

IN WITNESS WHEREOF I have hereunto set my hand and official seal this _____ day of _____, 20 _____.

Notary Public

My Commission Expires

VERMILLION CITY COUNCIL RESOLUTION

WHEREAS, it appears that the owner(s) thereof has/have caused a plat to be made of the following described real property: Plat of **BLOCKS 7, 8, 9 AND 10 OF BLISS POINTE ADDITION AN ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA**.

BE IT RESOLVED, that the attached and foregoing plat has been submitted to and a report and recommendation hereon, made by the Vermillion Planning Commission to the Vermillion City Council and has recommended approval.

BE IT FURTHER RESOLVED, that the attached and foregoing plat has been submitted to the Governing Body of the City of Vermillion, which has examined the same; that it appears the system of streets and alleys set forth therein conforms to the system of streets and alleys of Vermillion; that all taxes and special assessments, if any, upon the tract or subdivision have been fully paid; that such plat and survey thereof have been executed according to law; the same is hereby accordingly approved. Dated this _____ day of _____, 20 ____.

Mayor, City of Vermillion, South Dakota

CERTIFICATE OF COUNTY TREASURER

The undersigned, County Treasurer of Clay County, South Dakota, hereby certifies that all taxes that are liens upon the land included in the above plat, as shown by the records of this office, have been fully paid. Dated this _____ day of _____, 20 ____.

Treasurer, Clay County, South Dakota

CERTIFICATE OF DIRECTOR OF EQUALIZATION

The undersigned, Director or Equalization of Clay County, South Dakota, hereby certifies that I have received a copy of the foregoing plat. Dated this _____ day of _____, 20 ____.

Director of Equalization, Clay County, South Dakota

CERTIFICATE OF REGISTER OF DEEDS

Filed for record this _____ day of _____, 20 _____, _____ o'clock _____ M, and recorded in Book _____ of Plats, on page _____.

Register of Deeds, Clay County, SD