

Unapproved Minutes
Vermillion Planning and Zoning Commission
Monday, May 10, 2021 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 May 10, 2021 at 5:30 p.m.

1. Roll Call

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

City Planning and Zoning Commissioners Absent: Gestring

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

2. Minutes

a. April 12, 2021 City Planning and Zoning Commission Meeting.

Moved by Commissioner Heggstad to adopt the April 12, 2021 meeting minutes, seconded by Mrozla. Motion carried 8-0.

3. Declaration of Conflict of Interest

Forseth noted that he owns investment property in Vermillion.

4. Adoption of the Agenda

Moved by Tuve to adopt the agenda as printed, 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. Preliminary Plat for Lots 1, 2 and 3, AMS Industrial Park Addition, City of Vermillion, Clay County, South Dakota.

Dominguez explained that a preliminary plat was submitted by Banner Associates on behalf of the owner, AMS Building Systems, LLC, (AMS). Dominguez further explained that the area is roughly 53-acres that may be split into three lots. The preliminary plat also includes the extension of Jefferson Street.

Dominguez stated that the area falls within the Joint Jurisdiction Zoning Area. However, preliminary plats are only considered by the

City's Commission. Dominguez also stated that the City is working with AMS to annex the area being preliminarily platted.

Dominguez explained that preliminary plats are used by the City to plan for future infrastructure improvements that may be needed to develop the area. In this case, 317th Street from Norbeck to Jefferson Streets and on Jefferson Street from SD Hwy. 50 to the north edge of the preliminary plat would be paved. Additionally, the development would require the installation of a lift station, sanitary sewer and water main. Dominguez recommended that the Commission approve the preliminary plat.

Iverson opened the floor for public comment. Discussion followed.

Moved by Fairholm to approve the preliminary plat as presented, seconded by Mrozla. Motion carried 8-0.

b. Discussion on Possible Amendment to Zoning Ordinance Regarding Medical Marijuana.

Dominguez explained that in November 2020 South Dakota voters approved an initiated measure allowing for medical marijuana within the state. The laws regulating this use would take effect in July 1, 2021. Dominguez stated that in order to comply with the new statute the City needs to have regulation to accommodate the new uses.

Dominguez stated that this item will be considered by the Commission and the City Council on May 17th. On that date the Commission will review the proposed ordinance and make a recommendation to the City Council. The City Council, later on the day, will consider the first reading of the ordinance.

Additionally, Dominguez stated that Staff is proposing a similar approach as those used by the City to regulate alcohol use. That is, having zoning ordinances regulating the location of the use, and also having a permitting process that would regulate the actual use. The Commission only reviews the zoning portion.

Dominguez explained that the proposed zoning amendment would keep all of the medical marijuana items within a new chapter separated into several sections. The sections would address definitions, where cannabis products may be sold, grown, tested, or manufactured. Dominguez recommended that the Commission consider the information provided and direct Staff if any changes are required. Dominguez reminded the Commission that the actual ordinance amendment will be considered by the Commission on May 17th.

Iverson opened the floor for public comments.

Commissioner Fairholm expressed concerns with the proposed locations where dispensaries would be located. Fairholm explained that his

concern is with the possible future amendments of the "medical marijuana" chapter if "recreational marijuana" is allowed. Fairholm stated the Commission consider not allowing dispensaries within the CB-Central Business District and the NC-Neighborhood Commercial District. This was due the distance from residential uses close to the districts. Discussion followed.

9. Staff Report

Dominguez stated that various projects within the City are in progress. These included: Downtown Streetscape, Hwy. 50 Drainage Improvements, Bliss Pointe Phase 2, USD's addition to Lee Med, and USD's construction of a new parking lot across Pizza Ranch on North Dakota Street.

Commissioner Iverson asked for an explanation regarding the steep slope on the new sidewalk in the Downtown area. Dominguez explained that the area Iverson is referencing is the "transition area" and not regulated by ADA. As such there are no standards to follow. Discussion followed.

10. Adjourn

Moved by Forseth to adjourn, seconded by Fairholm. Motion carried 8-0, Iverson declared the meeting adjourned at 6:15 p.m.