

OFFICIAL MINUTES

Chairperson Tanner Aiken called the meeting of the City Planning Commission to order on Tuesday, October 3, 2023, at 5:30 PM in the Council Chambers Room #310 on the third floor of the City & County Government Center. Members present were Greg Fargen, Kyle Jamison, Jacob Mills, Nick Schmeichel via telephone, Richard Smith, Roger Solum, and Aiken. Scot Leddy and James Drew were absent. Also present were City Planner Ryan Miller, Community Development Director Mike Struck, Alyssa Carroll, Mike Billet, and Tom Squires with designArc.

Item #1 – Roll Call

Item #2 - (Solum/Mills) Motion to approve the agenda. All present voted aye. **MOTION CARRIED.**

Item #3 – (Mills/Fargen) Motion to approve the September 5, 2023 minutes. All present voted aye. **MOTION CARRIED.**

Item #4 – Convene as the Board of Adjustment

Item #4a – Alyssa Carroll made a request for a variance on Lot 5 in Block 8 of Moriarty-Fourth Addition, also known as 1807 Torrey Pines Drive. The request is to build a deck exceeding 30 inches in height with a zero-foot side yard setback. Porches, decks and platforms exceeding 30 inches in height shall not project into any required yard area.

(Schmeichel/Mills) Motion to approve the variance request. All present voted no. **MOTION FAILED.**

Item #4b – Michael Billet made a request for a variance on Lot 2 in Block 9 of Camelot Square Addition, also known as 1310 Westminster Drive. The request is to build a 10-foot deck within the front yard setback area. Porches, decks and platforms 30 inches in height or less above grade may extend into the front yard a distance not greater than 20 percent of the minimum required setback (five feet).

(Fargen/Solum) Motion to approve the variance request. All present voted aye. **MOTION CARRIED.**

Item #5 – Reconvene as the Planning Commission

Jamison recused himself from the Commission.

Item #5a – CD Properties submitted an application for a Commercial Corridor Design Overlay District review.

(Smith/Mills) Motion to approve the Commercial Corridor Design Overlay District application with the exceptions 1.) Allowing a 28-foot setback to the east property line. 2.) Allowing a 10-foot landscaped berm to the east of the structure in lieu of the required three-foot foundation plantings. All present voted aye. **MOTION CARRIED.**

Jamison returned to the Commission.

Item #5b – The City of Brookings submitted amendments to Chapter 94, Zoning, pertaining to Sec. 94-136, Sec. 94-137, and Sec. 94-161 for the purposes of adding a Public Transportation Facility as a permitted use in the Industrial I-1 Light District, Industrial I-2 Heavy District and Industrial I-1R Restricted District.

(Solum/Fargen) Motion to approve the amendment to Chapter 94, Zoning.

(Mills/Solum) Amendment to the motion to allow a Public Transportation Facility in the B-1 and B-2 Business Districts as a permitted special use with the condition that the structures should not exceed 3,000 square feet. Amendment was voted on. All present voted aye. **AMENDMENT CARRIED.**

Motion as amended was voted aye. All present voted aye. **MOTION CARRIED.**

Item #5c - Nominating Committee – Mills and Aiken volunteered.

The meeting adjourned at 6:30 p.m.

Ryan Miller, City Planner

Tanner Aiken, Chairperson

OFFICIAL SUMMARY

Chairperson Tanner Aiken called the meeting of the City Planning Commission to order on Tuesday, October 3, 2023, at 5:30 PM in the Council Chambers Room #310 on the third floor of the City & County Government Center. Members present were Greg Fargen, Kyle Jamison, Jacob Mills, Nick Schmeichel via telephone, Richard Smith, Roger Solum, and Aiken. Scot Leddy and James Drew were absent. Also present were City Planner Ryan Miller, Community Development Director Mike Struck, Alyssa Carroll, Mike Billet, and Tom Squires with designArc.

Item #4a – This request is for a zero-foot side yard setback for a deck expansion. This deck will expand a current deck and would wrap around an above ground pool. This deck would be built up to the fence that is located on the side property line. Carroll explained that she is looking to extend her deck so it can be the height of the pool around the pool. She has spoken to one of the neighbors that is in favor of the request. Mills asked what the height of the deck will be? Carroll explained that the deck addition will be one step down from the current deck so will be about 52 to 54 inches high and it will have a railing. Smith asked Carroll if she had considered the staff recommendation to build on the opposite side of the pool. Carroll explained that this would be difficult due to the location of the steps and she had thought about building to the north but there is a significant slope on her lot. Carroll explained that the deck will actually be about 6 to 12 inches from the property line. Mills asked if this deck was 30 inches or less would this deck be allowed? Struck answered yes. Because this request is for over 30 inches in height, it is stricter when projecting into the setback. Schmeichel asked if city staff could comment on the slope to the backyard. Struck explained that they are not able to comment on the slope since staff has not been in the backyard to see this. Mills is concerned about the height of this deck and being so close to the privacy fence and the privacy would not be accomplished. Solum asked the applicant how high the privacy fence is. Carroll believes it is 8 feet high. Carroll explained that if she were to build to the north, she would then be in her rear yard setback. Fargen feels that this deck could be built at a lower level or could be built on the other side of the pool. Aiken agrees with Fargen and is also concerned about the privacy of the neighbors.

Item #4b – This request is to build a deck with a 15-foot front yard setback. There have been other variances that have been approved for similar instances in the neighborhood. Billet stated he would like to make improvements to his house by adding this deck on. Mills asked what the height will be? Billet explained that it will be around 30 inches. Aiken asked why Billet chose this size. Billet explained that it fit well in between the windows and it would allow sitting room. Mills asked if this was 30 inches or less would he need this variance? Struck explained yes because it extends into the front yard more than 20 percent.

Item #5a – This site plan review is for property at 2008 22nd Ave South or the intersection of 22nd Avenue South and 20th Street South. The request meets all the requirements with exception of two variances. One to allow for a 28-foot setback to the east property line and allowing a 10-foot landscaped berm to the east of the structure in lieu of the required 3-foot foundation plantings. This building will have a drive-thru lane along the east side and with an installation of a sidewalk for staff and the drive-thru it was hard to meet the landscape requirement. The applicant has made adjustments to the site plan based on recommendations from staff and DRT.

Mills asked if bicycle parking is being incorporated? Squires stated that there is a bike rack located by the patio. Would sidewalk be required to be installed along 22nd Avenue? Struck stated that this is a typical development process. When there is more development to the north, sidewalk will be required to be installed.

Item #5b – This ordinance amendment is being brought forward by city staff to add Public Transportation Facilities, as a permitted use, in the I-1, I-2 and I-1R districts. The types of buildings that are used for these businesses are typically located within Industrial Districts. Mills is wondering if it is appropriate to keep this type of use in the B-1 and B-2 Business Districts if we are going to add it to the Industrial Districts? Jamison is concerned that removing this use from certain districts could pose a problem in the future. Mills feels that a Public Transportation Facility of less than 2,000 sf could be allowed in the B-1 and B-2 Business Districts.

The meeting adjourned at 6:30 p.m.

Ryan Miller, City Planner

Tanner Aiken, Chairperson