

## **OFFICIAL MINUTES**

Chairperson Tanner Aiken called the meeting of the City Planning Commission to order on Tuesday, January 2, 2024, at 5:30 PM in the Council Chambers Room #310 on the third floor of the City & County Government Center. Members present were Scot Leddy, Jacob Limmer, Nick Schmeichel, Richard Smith, Roger Solum, Debra Spear and Aiken. Jacob Mills and Kyle Jamison were absent. Also present were City Planner Ryan Miller, Community Development Director Mike Struck, Rich Uckert, Justin Bucher, Matt Schreiber, James Drew-CD Properties, Zach Togel – Kwik Trip, Brent – Kwik Trip.

**Item #4b** – CD Properties submitted a petition to rezone Outlots 2 and 3 excluding the north forty feet in the northeast quarter of Section One, Township One Hundred Nine, Range Fifty in the City of Brookings, Brookings County, South Dakota.

(Schmeichel/Solum) Motion to approve the rezone request. Limmer, Spear, Smith, Solum and Schmeichel voted aye. Leddy vote nay. **MOTION CARRIED.**

## **OFFICIAL SUMMARY**

**Item #4b** – This rezone request is to rezone two properties along 20<sup>th</sup> Street South. The proposed zoning will be Business B-2A Office District. The recent amendment to the future land use map supports this request.

Uckert, 2017 Grand Arbor Avenue, isn't sure if he is in favor or against this request because he isn't sure what is planned. He isn't in favor of a coffee house as the business is very busy all the time and typically will have a drive-up window. With the setbacks he is concerned that proper screening can be accomplished. Uckert would like to see some appropriate screening required between the zoning districts. Future owners may not be as good neighbors as CD Properties.

Bucher, 2011 Grand Arbor Avenue, is not sure if he is in favor or against this request. He feels that there are businesses and uses that won't cause much concern. He is concerned that a future owner may do what they want in the future and the current owner is a good neighbor. There are some other areas along 20<sup>th</sup> Street South that had developments but those areas had apartment complexes, this area is surrounded by single-family residential. Bucher is also concerned that a Cannabis Dispensary is allowed in the B-2A zoning district and he would not be in favor of this use.

Schreiber, 1911 Fox Hill Circle, is also concerned about this request. The lighting, the traffic of a drive-thru and a marijuana dispensary are concerns of his.

Drew explained that the intent would be to the true focus of the B-2A professional office. He understands the concerns of the neighbors. Drew would be in favor of the Commission removing the Coffee House and the Marijuana Dispensary from the permitted uses.

Schmeichel asked for clarification on how permitted uses are issued. Miller explained that as long as the applicant meets the standards, staff can issue permitted and special permitted uses. Conditional Uses area required to come in front of the commission. Schmeichel asked if broadcast station or studio includes a tower and what are the height limitations for these? Miller explained that a broadcast tower would be a

Conditional Use. Schmeichel does feel that B-2A zoning is a good choice for this area. He is however worried about a business with a drive-thru such as a coffee house.

Aiken noted that this area is along a Commercial Corridor so a future plan/site plan will have to go through the Commercial Corridor Overlay District Design Review and will have to meet all those requirements and standards. Miller stated that this is accurate and there will be a few more times that the commission will see a plan for this site. The site plan will have to meet all the standards of the Commercial Corridor District.

Leddy understands the concerns of the neighbors. He also knows of the good work that James Drew and his business do. Schmeichel would like to know why a Coffee House is a permitted use in the B-2A Office District zoning. Struck explained that in years past a coffee shop was different and as times have evolved, the drive-thru option has become an important part of a coffee shop. Schmeichel is also concerned about the amount of traffic that could be created if a coffee house was built here.