

OFFICIAL MINUTES

Chairperson Al Heuton called the regular meeting of the City Planning Commission to order on Tuesday, July 11, 2017, at 5:30 PM in the Community Room #300 on the third floor of the City & County Government Center. Members present were Tanner Aiken, James Drew, Greg Fargen, Alan Gregg, Alan Johnson, Lee Ann Pierce, Kristi Tornquist and Heuton. Also present were City Planner Staci Bungard, Community Development Director Mike Struck, City Engineer Jackie Lanning, David Olson, David Jones, Rick Ribstein and others.

Item #1 – Roll Call

Item #2 – (Gregg/Aiken) Motion to approve the agenda. All present voted aye. MOTION CARRIED

Item #3 – (Tornquist/Pierce) Motion to approve the June 6, 2017 minutes with corrections. All present voted aye. MOTION CARRIED.

Item #4a – Den-Wil Investments Inc has submitted a final plat of Lots 9 & 10, Block 1 of Wilbert Square Addition.

(Pierce/Gregg) Motion to approve the final plat contingent upon an approved final drainage report and the final easement design being submitted. All present voted aye. **MOTION CARRIED.**

Item #5a – David Olson submitted an application for a Conditional Use on the South 50' of Lot 1, Block 2, Sheldens Subdivision of OL "P" and North 40' vacated street, vacant lot north of 703 Main Avenue South and Lot 2, Block 1, Sheldens Subdivision of OL "P", also known as 709 Main Avenue South. The request is to establish an outdoor storage yard as part of a contractors shop business..

(Pierce/Drew) Motion to approve the Conditional Use application.

(Drew/Gregg) Amendment to the motion to allow a temporary 6 month Conditional Use permit on 703 Main Ave S and allow the Conditional Use Permit on 709 Main Ave S under the condition that they fence according to city regulations. The motion as amended was voted on. All present voted aye. **MOTION CARRIED.**

Drew recused himself.

Item #6a – Alliance Investment Group LLC has submitted a petition to rezone Lot 3; W50' of Lot 2, excluding the S66' of the W50' thereof; E45' of Lot 2, excluding S66' of E45'; N100' of Lot 1, S50' of N150' of Lot 1; S60' of Lot 1, S66' of Lot 2, N15' of E100' of Lot 8; and N 56' of the S150' of E100' of Lot 8, all in Block 3 of Hill Park Addition, also known as 1112, 1114, 1118 and 1124 6th Street and 517 and 521 12th Avenue, from a Residence R-2 Two-Family District to a Planned Development District.

(Pierce/Gregg) Motion to take the rezone request off the table. All present voted aye. **MOTION CARRIED.**

(Aiken/Gregg) Motion to approve the rezone request from a Residence R-2 Two-Family District to a Planned Development District. Fargen abstained. All others voted aye. **MOTION CARRIED.**

(Gregg/Aiken) Motion to approve the Initial Development Plan. Fargen abstained. All others voted no. **MOTION FAILED.**

The meeting was adjourned.

Staci Bungard
City Planner

Al Heuton, Chairperson

OFFICIAL SUMMARY

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Item #4a – This is a final plat of two lots in the Wilbert Square Addition at the corner of 25th Avenue and Wilbert Court. The preliminary plat was approved in 2015 and the final plat is in compliance with the preliminary plat.

Item #5a – David Olson has been storing equipment and supplies at 703 Main Ave S since 2001 and then purchased 709 Main Ave S in 2005. David explained that they have purchased some land outside of town that he plans to relocate the business to. However, in the meantime, they are going to need to store their material and equipment on this property until the move. They plan to move about 90% of the material and equipment. Johnson asked if they have a timeline as to when they will get their items moved. David stated they are planning to have this done this Fall, but they need to complete rezoning with the County before the move. Johnson asked if they would be able to have the rezone completed within the next year? David stated yes.

Drew asked if they could fence the entire storage area. David stated they are willing to do whatever is requested of them, but they are planning to move in the Fall. Heuton asked what would be stored there after the move? David stated there would be some trailers and a few pallets of materials. Typically their material is delivered to the project site. He also stated that they would probably use the north side of 703 Main Ave for storing the trailers because it is easier to park the trailers there.

Bungard explained that they are proposing the Conditional Use Permit for two lots in the B-2 district. Currently it is classified as a contractor shop which is allowed. However, outdoor storage is only allowed through a Conditional Use Permit.

Tornquist thinks that since this is only being requested for a short period of time, then maybe the Commission should look at a temporary fix. Bungard stated that the Commission could put a deadline on what is granted. Tornquist asked if the landscaping strip and buffer would need to be completed even if the Planning Commission applies a short term fix. Bungard stated yes because this is a new request and they would need to comply with these rules.

David noted that he has been trying to buy commercial land in Brookings for years and there isn't anything available and this is the reason the 703 Main Ave has been used for storage.

Pierce asked if trailers could be parked on 703 Main Ave S without a Conditional Use Permit. Struck explained that a contractor shop is required to have everything in storage.

Fargen noted that the proposed fence on 709 Main Ave S doesn't really separate the lot and storage from the neighbors. And he wondered if additional fencing would cause an issue for moving of equipment and materials. David stated that additionally fencing wouldn't be the easiest, but he is willing to do whatever the commission requires. Lanning noted that if the Commission requires fencing, then the setbacks would need to be followed.

Pierce asked if a Conditional Use on 709 and a temporary Conditional Use on 703 would be sufficient? Bungard explained that indoor storage would be required on both lots without the Conditional Use permit. David stated that he would then prefer to have a Conditional Use granted on both lots.

Drew noted that there is contractor storage across the street that isn't fenced and he wondered if there was a conditional use granted for that business? Bungard noted that there are some conditional uses granted in this area.

Item #6a –Heuton explained to the Commission that they can approve the rezone request but not the plan as proposed. If the rezone request is approved, it will move forward to the City Council. However, the developers will be required to provide a revised/updated plan to the Planning Commission before any permits can be issued.

Bungard showed an updated plan which was provided by the developer. She reviewed the items that were changed or updated from the last meeting, per request of the commission. Some additional land area has been added to the south for additional parking, increasing the number of spaces from 100 to 118. Additionally, the height of the building has been moved down to 48' from 50'. With the additional land to the south, an additional ingress/egress will be implemented and the drive-thru has been adjusted to meet the city requirements. Additional fencing has been implemented for additional buffering to the residential area and the developer has added additional landscaping. The drive isles in the parking areas do meet the requirements of the City.

Jones explained that as the developers, they have implemented changes to comply with the requests from the previous meeting. They have added some additional landscaping to soften the look of the building and improve the curb appeal. They do want to position the building close to the curb, for better planning for parking by placing the parking at the rear. Jones noted that all of the apartments are single unit efficiency apartments. So the 71 proposed apartments will only house 71 beds. The properties which will be removed currently house 34-36 tenants, so the net gain is about half of what the developers are proposing. They added parking based on recommendations from the Commission meeting last month, but they weren't able to get to the required number based on city ordinance. He feels that this building will actually make this area of town very appealing. Being close to campus and downtown is what they feel this city needs.

Tornquist asked if adjustments were made to the setback. Drew stated yes. Tornquist asked if additional landscaping was being planned, as requested by the commission from the original request. Bungard noted that they are now going to use fencing as a buffer to the residential area and additional trees are being planned.

Pierce asked if the drainage could be explained and how it is going to work. Drew answered that Banner Associates is currently working on the drainage study for the site. And they plan to use underground storage tanks for retaining the water.

Mary and Orrin Erickson, 506 11th Avenue, feel the commission needs to keep the surrounding property owners in mind when making a decision. This area has always been zoned R-2 Residential. Orrin feels that the scale of the project is way too big for this area. Mary feels that a 6 foot fence isn't going to do justice with a 4 story building. The tenants on the top floors of the building are going to encroach and be able to see in on the neighbors. Orrin also feels that the additional traffic is going to cause a problem.

Lee Kratochvil, 421 12th Avenue, feels the parking being proposed is highly inadequate. He reminded the commission that there will be employees that will take up parking and clients visiting the commercial units will use up parking spaces. How is there going to be sufficient parking for the tenants that are renting? Many of these apartments will be occupied by two people. So where do these extra vehicles go? There will be additional on-street parking that will cause traffic issues. Also, if the commission requires additional parking, then there will be a drainage issue. He really likes the idea of the building, but if the developers would lower the height of the building, and lessen the number of units, the parking would be more in line with what is required.

Tom Becker, 1119 4th Street, wondered if any type of traffic impact study was completed? Heuton stated no. Tom suggests that a study be completed. Not just on the parking but also on the flow of traffic coming off of 6th Street onto the side streets.

David Kneip, 1218 6th Street, (also representing Todd Voss at 1212 6th Street), recalls being opposed to the Gatzke proposal which is down the street. He recalls being concerned about that traffic impact on the neighborhood. However, there hasn't been much of an impact at all. And because of this, he feels this is a good

project. He noted that a study was done by some realtors, and people noted that they liked having shopping available, close to them.

Jo Puetz Anderson, 614 11th Avenue, is concerned about the traffic. There is currently an issue and this proposal isn't going to improve this. She feels the developers should have to meet the minimum requirements for parking and if the developer were to build one story shorter the parking would be improved drastically. Due to the increased density, there is going to be additional traffic and she is concerned about the safety, especially the safety for the children. She wonders if a different type of paving could be required for the parking lot to help with the drainage.

Van Fishback agrees that the city is changing. Van reminded that a year ago, Mayor Reed implemented a committee to create a comprehensive plan for the city. He feels that the city and developers should operate under the comp plan. And the commission should look at the comp plan and see if this proposal "fits" the plan.

Johnson appreciates the thought and idea of the comp plan. With this request there are several variances being requested for the parking and setbacks. And it bothers him that the ordinances that have been enforced have been variable and the planning commission isn't following the rules of the ordinances, by making exception to the rules for proposals like this one.

Heuton read a letter from Pat Fishback who is against this proposal. The character of 6th Street will be lost if the demolition of several houses is allowed for this project. She feels that if these house are in need of repair, they then could be rehabilitated. 6th Street is an entrance to Brookings and it is important to keep the character of the entrance and the neighborhood.

Tornquist read a letter from Shari DeBoer who is urging the commission to deny the request because of the parking and traffic issues. This development will only complicate these issues.

Fargen appreciates that the developers accommodated the changes that the commission requested. The 6th Street corridor is important to everyone, so what exactly are people expecting the corridor to look like? This area isn't in the south campus project area, but to him it is neighboring so it is close enough. Fargen stated that the south campus corridor was designed to have all of the area zoned B-2. But he was concerned, at that time, that there wasn't going to be developers that could invest in a project big enough to fit into this zoning. But this project does. He also reminded everyone that a goal of the city has been to maximize density and that is what this proposal is doing. Fargen wants everyone to look at the parking that is being requested based upon what the requirements are and the developers have done a good job with providing maximum parking. Greg is wondering what the "long term look of this neighborhood" should be. The likelihood of these properties being rehabilitated back into single family houses isn't very likely.

Pierce also likes the project which is being proposed. And as she serves on the Comprehensive Master Plan Advisory Committee they continue to ask, "what do we want 6th Street to look like in the future?" In the public meetings that have been held, 6th Street is always a topic of concern. People often think that 6th Street should always look like it does now and this isn't possible. She feels that a large project like this is ideal, rather than having several little businesses come up along 6th Street.

Aiken feels that this is a great opportunity for growth for Brookings but he isn't sure if this is what we want 6th Street to look like. He did look at the properties in this proposal and there really isn't much that will be lost. But he is struggling with the item of parking. And he too feels that a traffic study is a good idea for this area.

Heuton asked Lanning if a traffic study could be an option for this area. Lanning noted that an outside consultant would need to be utilized for a study as this is outside the scope of the Traffic Safety Committee.

Gregg doesn't feel that traffic will be an issue as most of the tenants will be students or staff from campus and they will most likely walk.

Tornquist asked if trees would be planted in the grass area in front of this building. Struck explained that they would have to request permission from SDDOT to plant trees. Tornquist is also concerned about how close this building will be to 6th Street. Is this really the look that we are wanting for 6th Street?

Gregg doesn't feel that the traffic being close to the pedestrians is really a concern. There are many larger cities that have developments like this near a busy road and there really isn't an issue there.

Heuton has studied this request a few times and a couple different ways. He likes the quality of the building being proposed. He appreciates the fact that this is being developed by local developers. He also likes the location of this development being near campus. Increasing density in areas is important and doing this near campus makes sense. He feels that the 6th Street entrance to town is very important when looking at developing this area of town. Heuton reminded everyone that the parking is always an issue, but on the recent 6th Street PDD request, the planning commission did approve the parking with a lesser number of parking spots. Heuton commented that approving the location and setback of this project will set a precedence for future development on 6th Street.

Heuton asked Struck if changes can be requested at the time of approving this request? Struck stated yes. So setbacks, height requirements and other items can be approved or tweaked before being submitted to the City Council. With this type of request, a Final Development Plan will be required to be provided to the Planning Commission.

Tornquist remains concerned about the setback on 6th Street. Gregg isn't concerned about the traffic with this plan. Aiken agrees that the setback on 6th Street isn't really a safety issue. Pierce remains concerned about the "look" of 6th Street and is this the look that we are wanting?

Heuton asked what concerns the commission had with the 40 foot buffer along the residential area. Fargen feels that adequate screening is sufficient for the buffer. Aiken feels that more "land" buffering would be nice in this area than what is being proposed. He has also heard concerns from others regarding the buffer between this development and the residential area.

Heuton wondered if the Developers would be interested in working with the city on a possible Tax Increment Funding project. Drew stated that this could be an option. He also noted that they would like to keep the heights of the ceiling as proposed to make this project a little more high-end. But if needed, they could lower the ceilings and meeting the requirements of the B-2 district.

Tornquist suggests that they eliminate a story of the building which would require less parking and then also require larger setbacks. Trying to accommodate the parking is resulting in the setback variance request and with less parking, the setbacks could possibly be met.

Jones feels that parking really isn't that big of an issue. Most of these units will be single family and a few may have two vehicles. But they already have enough parking available for each unit to have one vehicle. He has drove around town and noticed that other developments like this in town do not have issues with parking. He also stated that the parking is complimentary in a development like this. When the commercial uses are active during the day, the tenants will not be utilizing the parking spots.

Ribstein noted that the comprehensive plan is a great idea. And he appreciates the city working on this. But the plan isn't in place right now, and they are here today asking for this request and the commission to based there decision off of the current plan.

(The video, with the full discussion of this item, can be viewed on the City website.)

Item #7a – This item has been tabled to the next Planning Commission meeting.

The meeting was adjourned.

Staci Bungard
City Planner

Al Heuton, Chairperson