

## **OFFICIAL MINUTES**

Chairperson Jacob Limmer called the meeting of the Planning Commission to order on Tuesday, January 6, 2026, at 5:30 PM in the Council Chambers Room #310 on the third floor of the City & County Government Center. Members present were Tanner Aiken, Emily Braun, Billie Jo Hinrichs, Kyle Jamison, Scot Leddy, Jacob Limmer, Nick Schmeichel, Roger Solum and Debra Spear. Also present were Community Development Director Michael Struck and City Planner Ryan Miller. Also present were Chris Waibel, Jacob Mills, Nancy Stewart and Justin Bucher from the public.

### **Item #1** – Roll Call

### **Item #2** – Approval of Agenda

(Solum/Schmeichel) Motion to approve the agenda. All present voted aye. **MOTION CARRIED.**

### **Item #3** – Approval of Minutes

(Aiken/Solum) Motion to approve the December 2, 2025 Minutes. All present voted aye. **MOTION CARRIED.**

### **Item #4** – Open Forum

### **Item #5** – Convene as the Board of Adjustment

**Item #5a** – Chris Waibel has made a request for a sideyard setback variance on Lot 29 of River Ridge Addition, also known as 3334 Aspen Avenue. The request is to extend the existing garage within 5' - 3 ¼" of the side lot line. Staff recommends denial.

(Solum/Schmeichel) Motion to approve the sideyard setback variance. All present voted nay. **MOTION FAILED.**

### **Item #6** – Reconvene as the Planning Commission

**Item #6a** – Access Holdings LLC has submitted a petition to rezone. The request is to rezone Block 1 of Mills Third Addition in NW ¼ Excluding H1 & H2 there of Section 6-109-49 from Residential R-3A apartments/mobile homes/manufactured housing district to a Business B-2 District. Staff recommends approval.

(Schmeichel/Hinrichs) Motion to approve the rezone. All present voted aye. **MOTION CARRIED.**

**Item #6b** – Legacy Storage Condos LLC has submitted a petition to rezone Lot 1 of Clark 2nd Addition from the Agricultural District to an Industrial I-1 Light District. Staff recommends approval.

(Schmeichel/Aiken) Motion to approve the rezone. All present voted aye. **MOTION CARRIED.**

**Item #6c** – Amendments to Sec. 94-362-Home Occupations – See official summary.

**Item #6d** – Amendments to Subdivision Improvements and Design Standards – See official summary.

**Item #7** – Adjourn

(Schmeichel/Solum) Motion to adjourn. All present voted aye. **MOTION CARRIED**

The meeting adjourned at 6:53 p.m.

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Ryan Miller, City Planner

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Jacob Limmer, Chairperson

## **OFFICIAL SUMMARY**

Chairperson Jacob Limmer called the meeting of the Planning Commission to order on Tuesday, January 6, 2026, at 5:30 PM in the Council Chambers Room #310 on the third floor of the City & County Government Center. Members present were Tanner Aiken, Emily Braun, Billie Jo Hinrichs, Kyle Jamison, Scot Leddy, Jacob Limmer, Nick Schmeichel, Roger Solum and Debra Spear. Also present were Community Development Director Michael Struck and City Planner Ryan Miller. Also present were Chris Waibel, Jacob Mills, Nancy Stewart and Justin Bucher from the public.

### **Item #1** – Roll Call

### **Item #2** – Approval of Agenda

### **Item #3** – Approval of Minutes

### **Item #4** – Open Forum

### **Item #5** – Convene as the Planning Commission

**Item #5a** – Chris Waibel has made a request for a variance on Lot 29 of River Ridge Addition, also known as 3334 Aspen Avenue. The request is to extend the existing garage within 5'- 3 ¼" of the side lot line. The minimum required side yard setback in the Joint Jurisdiction Residence JJ-R1B single family district is 8-feet. The current placement of the principal structure and attached garage relative to the side lot line limits the opportunity to expand the garage in compliance with the required 8-foot side yard setback. The applicant seeks to add a third stall to the garage.

Waibel, applicant, noted that they are planning to add onto the garage to allow their family to grow into the home. He had a survey completed and spoke to the adjacent property owner to the south who did not have any concerns due to there being trees on the other property owners' side that will create a barrier. Waibel feels that the property is limited in growth due to how the dwelling was placed on the property. Schmeichel asked if there are any utility easements on the south side of the dwelling. Struck advised that there are no easements along the southern property line. Hinrichs asked what the gravel space adjacent to the garage is currently used for. Waibel said it was already rock when he purchased the property and they do not use it. Hinrichs inquired how a garage expansion would allow for the family to grow. Waibel stated that they have many outdoor activities that they would like to store in the garage. Aiken asked about the grading on the south. Waibel explained that the area is relatively flat and the drainage flows from south to the north then between his home and the property to the north. Waibel planned to keep the garage expansion at the same grade as the existing garage. Limmer added that he fails to see a hardship when taking the property size into consideration.

### **Item #6** – Convene as the Planning Commission

**Item #6a** – Access Holdings LLC has submitted a petition to rezone. The request is to rezone Block 1 of Mills Third Addition in NW ¼ Excluding H1 & H2 there of Section 6-109-49 from Residential R-3A District to a Business B-2 District. Adjacent property is zoned Civic to the north, Agriculture to the east, Residential R-3A apartments/mobile homes/manufactured housing to the south, and Business B-3

Heavy to the west. The proposed B-2 zoning would allow for commercial development that aligns with the Urban High Intensity future land use designation.

Mills, representing Access Holdings, explained that the property was recently annexed and they are exploring public utility options that were not previously available due to being outside of city limits. Stewart, neighbor, asked what area would be rezoned. Miller explained that no residential dwelling units would be rezoned as a part of this petition. Solum inquired about property access plans. Mills stated he would prefer a curb cut which is controlled by DOT but there is an existing access agreement to the service road.

**Item #6b** – Legacy Storage Condos LLC has submitted a petition to rezone Lot 1 of Clark 2nd Addition from the Agricultural District to an Industrial I-1 Light District. The rezone area is approximately 51 acres and located near the intersection of 34th Avenue and US Highway 14. The property was recently annexed into the City of Brookings, and its designation on the Future Land Use Map was amended from Urban Medium Intensity and Open Space to Business Park/Light Industry. This updated land use classification supports the Industrial I-1 Light District rezoning request. Adjacent property is zoned Agriculture to the north, east, and south, and Industrial I-1 Light and Business B-3 Heavy Districts to the west. The owners have submitted a preliminary plat for the same 51 acres, proposing 14 lots that would be zoned I-1 upon the approval of the rezoning request.

Bucher, representative of the developer, was available for questions.

**Item #6c** – Amendments to Sec. 94-362-Home Occupations discussion.

Miller stated that the primary changes to the ordinance was the addition of a no-impact home occupation, reorganization and removal of specific occupations being identified. He also pointed out home occupations becoming non-transferrable.

The Planning Commission discussed no-impact home occupations: Leddy asked how “substantial increase in traffic in a neighborhood” is defined. Miller stated that there is not a metric that the city set to measure traffic and no-impact home occupations would not require a permit so the traffic would not be monitored. Schmeichel requested to remove “or substantial increase in traffic” from 94-362 (b) (2) since there is no way to enforce it. Struck clarified the board's request to remove the “substantial traffic increase” but leave “no on-street parking.” Spear asked for a classification of a business that is primarily online with on-site pickups. Miller stated it would be a minor home occupation. Limmer asked if there were any unforeseen consequences such as allowing a business similar to the gunsmith that was recently seen by Planning Commission. Struck stated that it would qualify as a no-impact home occupation due to the sales and classes being completed off site. Struck went on to say that no-impact home occupations would be administratively issued with a checklist. Schmeichel asked if they should clarify in the ordinance that this classification is intended for virtual business only. Struck suggested amending the ordinance to read computer or internet based with subcategories instead of the current list. Jamison inquired if the intent was for sole proprietors or employees of companies who work from home. Struck stated that the current ordinance is for both due to the person changing the use of their home to also meet business purposes. Hinrichs noted that this would include anyone working from home which should be a given.

The Planning Commission discussed minor home occupations: Jamison asked if some illumination should be allowed on signage due to the region being dark such long hours in the winter months.

Struck explained that in a residential neighborhood, illuminated signs are prohibited. Jamison requested a distinction between illuminated and self-illuminated signage. Jamison also inquired about the definition of bulk storage. Miller explained that a reasonable amount of product to display is allowable but not so much as to take a parking stall or accessory structure and outdoor storage is prohibited. Miller will review amending how bulk storage is defined. Aiken asked if online sales should be included in the ordinance because it is not necessarily enforceable. Miller explained that it is a common home occupation so they wanted to make sure to include it in the ordinance. Jamison asked if mail order sales could take place with no-impact. Miller agreed that mail order sales could potentially be no-impact. Struck expanded that the primary concern of allowing mail order sales and bulk storage is having freight traffic within a residential neighborhood. Hinrichs requested clarifying the definition of the allowable 500 square feet to include accessory structures. Schmeichel asked for clarification on mechanical equipment which is not customarily used for a household. Struck explained the intention of the ordinance was modification to the mechanical systems beyond what is customary in a dwelling.

The Planning Commission discussed major home occupations: Hinrichs asked if there were parking restrictions for major home occupations. Struck stated that they are allowed two on premises parking spaces in addition to those required for the unit. Hinrichs also asked how many employees are allowable. Miller explained that they are allowed the residents of the dwelling in addition to one employee. Jamison asked if this was intended to be one employee total or one employee at a time. Miller said it is one employee at a time, the intent is how many employees are on site at the same time. Struck would like to further discuss the employee definition keeping the primary purpose of the property being residential and without creating a negative impact on the neighborhood. Aiken pointed out that major home occupations are heard by planning commission prior to approval.

**Item #6d** – Amendments to Subdivision Improvements and Design Standards was moved to February.

**Item #7** – Adjourn

The meeting adjourned at 6:53 p.m.

Struck mentioned that the Planning Commission Members will receive a notification to schedule a study session with the city attorney to review conflict of interest laws.

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Ryan Miller, City Planner

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Jacob Limmer, Chairperson