

OFFICIAL MINUTES

Chairperson Tanner Aiken called the meeting of the City Planning Commission to order on Monday, May 6, 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, Debra Spear, Jacob Mills, Roger Solum, Kyle Jamison, Jacob Limmer, Nick Schmeichel and Richard Smith. Also present were City Planner Ryan Miller and Community Development Director Michael Struck. Also present were Kaitlin Lee, Andy Lee, Debra Aalderks, Curt Kabris, Brian Brenner, Lyle Prussman, Shawn Storhaug, Matthew Weiss, Katie Murray, Robert Geary, Charles Ziegloff, Kurt Gutormson, Kyle Prodoehl and Patrick Daily.

Item #1 – Roll Call

Item #2 –Approval of Agenda

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

Item #3 –Approval of Minutes

(Solum/Mills) Motion to approve the April 2, 2024 minutes. All present voted aye. **MOTION CARRIED.**

Item #4 – Convene as Board of Adjustment

Item #4a – Kaitlin and Andy Lee have made a request for a variance on Lot 1 in Block 10 of Bane and Poole Addition, also known as 320 20th Avenue. The request is for a six-foot fence with a five-foot setback off of the Iowa Street right-of-way.

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

Item #4b – Debra Aalderks has made a request for variances on Lot 4 in Block 5 of Randi Peterson’s Addition, also known as 714 11th Avenue. The request was for a reduced lot area and a reduced lot width.

(Smith/Solum) Motion to approve the variance request subject to staff recommendation that the front yard shall be landscaped with the exception of a sidewalk. All present voted aye. **MOTION CARRIED.**

Item #4c – Brookings Municipal Utilities has made a request for a variance on Lots 11 and 12 in Block 1 of Hillcrest Addition, also known as 1461 6th Street. The request was for reduced lot areas and a reduced lot width for proposed subdivision of Lots 11 and 12.

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

Item #4d – Brookings Municipal Utilities has made a request for a variance on Lots 11 and 12 in Block 1 of Hillcrest Addition, also known as 1461 6th Street. The request was for a 172-foot telecommunication tower. In all business districts, except the RB-4, B-2A and B-5 districts, the maximum height for a telecommunications tower is 100 feet.

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

Item #4e – Brookings Municipal Utilities made a request for a variance on Lots 11 and 12 in Block 1 of Hillcrest Addition, also known as 1461 6th Street. The request was for a reduced setback for a telecommunications tower. The required setback is 172-feet to a residential district boundary. The proposed setback was 81-feet to a residential district boundary.

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

Item #5 – Reconvene as the Planning Commission.

Item #7 – Other Business

Item #7a – Brookings Municipal Utilities has applied for a Conditional Use Permit to construct a telecommunications tower within the City of Brookings at 1461 6th Street.

(Solum/Jamison) Motion to approve the conditional use permit. All present voted aye. **MOTION CARRIED.**

Item #7b – Lyle Prussman has applied for a Conditional Use Permit to build an apartment at 124 & 130 9th Street which was currently zoned as Residential R-2.

(Schmeichel/Solum) Motion to approve the conditional use permit with staff recommendations of drainage measures to be approved by City Engineering. Spear voted no. All others present voted aye. **MOTION CARRIED.**

Item #7c – Realmark Investments, Inc and TB Partnership LLC submitted a petition to rezone the south 40-feet of Lot 4, all of Lot 5 and the north 15-feet of Lot 6 in Block 1 of Sanderson's Addition, and Lots 13 - 16 in Block 2 of Sanderson's Addition, also known as 615, 618, 622, 626 and 628 Campanile Avenue and 1310 7th Street, from Residence R-2 two-family district to Planned Development District with Residence R-3 apartment underlying district.

(Mills/Schmeichel) Motion to approve the rezone to Planned Development District with Residence R-3 Apartment Underlying District. Spear voted no. All others present voted aye. **MOTION CARRIED.**

Item #7d – DesignArc Group submitted an initial development for Campanile Flats. The Initial Development Plan proposed a redevelopment of 1.18 acres of land along Campanile Avenue. The Initial Development Plan was submitted concurrently with a petition to rezone the property from a Residence R-2 two-family district to a Planned Development District with Residence R-3 apartment district underlying zoning.

(Smith/Schmeichel) Motion to approve the initial development plan with the staff recommendations including the following requests exceptions: reduction of required parking by ten stalls, allow shared parking on lot across Campanile Ave, reduced setbacks for parking lot at 615 Campanile Ave, reduction to required landscape area in rear yard where parking is proposed, reduced bufferyard setback to the south, six-foot front yard encroachment for balconies.

(Schmeichel/Mills) Amendment to the motion removing the reduction of parking as an approved exception. All present voted no. **MOTION FAILED.**

Original motion was voted on. Spear voted no. All others present voted aye. **MOTION CARRIED.**

Item #7e – Mills abstained from Item 7e. Ryan Companies US, Inc. submitted an Initial Development Plan (IDP) for a Planned Development District (PDD) located on Block 9 of Weiss Addition, near the I-29/6th Street interchange.

(Smith/Jamison) Motion to approve the initial development plan with staff recommendation of no commercial signage allowed on Outlot A. Mills abstained from voting. All others present voted aye. **MOTION CARRIED.**

Item #7f – CD Properties LLC submitted a site plan for review within the Commercial Corridor Design Review Overlay District. The project is located on Lots 1-8 in Block 4 of Hill Park Addition along 6th Street between 12th Avenue and 13th Avenue.

(Schmeichel/Solum) Motion to approve the commercial corridor site plan with staff recommendation of the site plan including the following exceptions: Reduced parking of 147 spaces and balconies to encroach front yard setbacks of 12th and 13th Avenue by 3'7" Spear voted no. All others present voted aye. **MOTION CARRIED.**

Item #8a – Adjourn

The meeting adjourned at 8:17 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 Monday, May 6, 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, Debra Spear, Jacob Mills, Roger Solum, Kyle Jamison, Jacob Limmer, Nick Schmeichel and Richard Smith. Also present were City Planner Ryan Miller and Community Development Director Michael Struck. Also present were Kaitlin Lee, Andy Lee, Debra Aalderks, Curt Kabris, Brian Brenner, Lyle Prussman, Shawn Storhaug, Matthew Weiss, Katie Murray, Robert Geary, Charles Ziegloff, Kurt Gutormson, Kyle Prodoehl and Patrick Daily.

(Following is a summary of the meeting and not a word for word dictation. Please see the City's website to view the meeting video for full details. <https://cityofbrookings.legistar.com/calendar.aspx>)

Item #4a – Kaitlin and Andy Lee have an existing fence located on the property with a 22-foot setback from Iowa Street. The applicant would like to expand the fenced in area of their yard and propose a reduced fence setback of 5-feet from Iowa Street. The fence would be 6-feet in height. Similar variances have been approved for six-foot fences on corner lots. The applicant provided an example of a fence approved at 1705 Derald Drive. This variance was approved in November 2020 for a six-foot fence with a ten-foot setback from 17th Avenue. A comparable recent example was a variance approved in April 2024 for a fence at 1513 Franklin Avenue. This fence was approved with a 15-foot setback from Constitution Boulevard. Existing trees on the property and adjacent property would provide screening of the fence from the east and west. There were no site triangle encroachments with the proposed setback location of the fence.

The Lees spoke and thought that the setback would be a really good option and don't see how the reduced setback would cause any problems or affect that corner. There were no questions or opposition from audience.

Schmeichel inquired on sight triangle with driveway location. Miller confirmed that the proposed plan caused no sight triangle issues. Aiken commented that he recognized the corner lot may be a hardship.

Item #4b – 714 11th Avenue was occupied by a fraternity. The owner requests to change the use from a fraternity to a two-family dwelling. The lot is located within a Residence R-3 apartment district. Per Sec. 94-127, the minimum lot area for a two-family dwelling in the R-3 district is 8,400 square feet and the minimum lot width for a two-family dwelling is 65 feet. The existing lot is 8,250 square feet and 50-feet wide at 11th Avenue. The dwelling currently has seven bedrooms and the applicant proposed to convert the dwelling into two 3-bedroom units for a total of six bedrooms. Parking on site is sufficient. The conversion to a two-family dwelling would require permitting for an interior remodeling to conform to the adopted building code.

Aalderks stated that she was fine with the variance including the staff recommendation.

Mills inquired if the plan was to utilize the existing structure or raze it to build new. Aalderks explained that the dwelling was a duplex prior to the fraternity and she intended to return it to that status.

Item #4c – Brookings Municipal Utilities is interested in purchasing the northern portion of the property which would require a replat of the two lots. The property would be split at the existing retaining wall north of the drive-thru use. Doing so will reduce the lot area of both future lots below the required 15,000 square feet and will reduce the lot width of one of the lots below the required 100 feet at street frontage. The proposed southern lot will remain in use as a commercial lot. The new dimensions of the southern lot will be roughly 104 x 96 and the proposed lot area will be 10,181 square feet. The proposed northern lot will be used by BMU for a proposed telecommunication tower replacing necessary wireless and radio facilities that will soon be moved from the existing location atop the 6th Street water tower.

Kabris with Swiftel explained that the water tower on 6th currently has leases with antennas that need a new location due to the water tower being decommissioned and needing to be removed. The new tower could handle four cellular phone carriers in the future. The proposed location maximized use to the university. FCC approved the plans with no lights on the tower at the proposed height. Schmeichel inquired if efforts were made to place towers on new water tower. Kabris said that it cannot move south at all and still serve its current radius. Schmeichel asked how tall the current water tower is. Kabris stated that the current water tower is 135' and the proposed tower is 150' with cell tower height extending higher. He also ventured that the current tower that was decommissioned was the same elevation as the new one on 4th street.

Item #4d – Brookings Municipal Utilities proposes to construct a new telecommunication tower on the northern half of the parcel which would replace wireless and radio facilities that will soon be moved from an existing location atop the 6th Street water tower. Sec. 94-396(5)(b)(2)(ii) states that the maximum height is 100 feet in all business districts except the RB-4, B-2A and B-5 districts. The proposed tower would have a maximum height of 172 feet. The proposed height and design have received FAA approval. BMU has been working on the relocation of the wireless and radio facilities over the past couple of years in preparation of the removal of infrastructure from the existing water tower. Relocation options for the infrastructure is limited by the needs of the multiple wireless providers who will lease space on the tower and have spacing and coverage requirements in order to properly serve the community.

Kabris was available for questions. Brenner, area property owner, inquired what carriers would be interested in placing antenna on the tower. Kabris stated that it would likely remain Verizon and AT&T. Brian also asked if there were any concerns about noise emitted and Kabris explained that the new technology does not have audible noise.

Item #4e – Brookings Municipal Utilities has made a request for a variance on Lots 11 and 12 in Block 1 of Hillcrest Addition, also known as 1461 6th Street. The request is for a reduced setback for a telecommunications tower. The required setback is 172-feet to a residential district boundary. The proposed setback is 81-feet to a residential district boundary.

Kabris was available for questions.

Item #7a – The proposed tower would be located in a Business B-2 district which has 25-foot front yard, 20-foot rear yard, 7-foot side yard setback for the tower and 5-foot side yard setback for equipment facilities. Additionally, the tower must be setback at least 100-feet from a residential district boundary line. A variance application was submitted for the tower based on the inability to meet this setback. The nearest residential district boundary is 81-feet and the required setback if approved for the

proposed height would be 172-feet. An additional variance request for the overall height has been submitted by BMU. The FAA has approved the height of the structure and will not require illumination or specific colors. The structure will be a monopole tower with the ability to support up to three wireless provider facilities as well as 20-foot radio antennas at the top of the tower. BMU proposed a fence around the northern and eastern side of the tower and buildings. Landscaping including arborvitae was proposed between the eastern fence and Jackrabbit Avenue. An existing retaining wall and building façade along the south and west would provide additional security and screening. Parking was proposed along the north side of the fence where access panels would be located.

Kabris was available for questions. Solum inquired on tower foundation plans. Kabris said that they planned to do a drill base and have completed boring samples showing good quality soil. They planned to adhere to TIA-222-I industry guidelines for tower construction that were updated after the derecho. Solum's concern was that the platform would encroach on Tropical Smoothie and Kabris assured him that was not a concern with their construction plan. Schmeichel inquired on the height of the building on site. Kabris stated that there would only be one building at this time that would be an 8-foot-tall structure while the 2 carriers have outdoor equipment.

Item #7b – Prussman has applied for a Conditional Use Permit to build an apartment in the Residence R-2 two-family district. The applicant received approval for a Conditional Use Permit for the proposed apartment in 2022 but the original Conditional Use Permit expired per Sec. 94-299 which states that the permit shall expire one year from the date upon which it becomes effective if no significant work has commenced. 124 and 130 9th Street were formerly occupied by single family homes that have recently been demolished. The owner of the two lots proposed to redevelop the lots into a four-unit apartment building which would be allowed by Conditional Use Permit in the R-2 zoning district. The original proposed apartment building would have included a total of four units with two 3-bedroom apartments and two 4-bedroom apartments. Since the initial approval, the minimum parking standards have been amended which would allow additional bedrooms based on the proposed off-street parking. Each proposed consisted of four 4-bedroom units on two-stories and each included a two-stall garage. The units and garages would be accessed from a driveway access along the west side of the building which utilized an existing access drive from 9th Street. The site plan was shifted three feet west since originally approved. This shift allowed for a 10-foot separation from the eastern property line which would provide greater fire separation. The three-foot of driveway located in the west side setback is allowed per ordinance. Screening will be required to the west.

Prussman, property owner, agreed with Miller's recommendation to move the building 3 feet to the west so they would have 10 feet of space on that side. However, he did not want the fence to go all the way to the property line on the northwest corner for line of sight and safety reasons. He would prefer to have the fence end where the building begins. Miller clarified that the fence would be required to screen the parking from adjacent single and two-family residence properties and would not be required the full length in this situation. Jamison asked if there was a city requirement on size of building that requires a stamp from a licensed architect. Miller said that would be addressed during the building permit phase. Jamison's only complaint was the visual aspect not fitting into the area with other dwellings since it's a two-story rectangle with little variation, specifically the north street-facing façade having no windows. Limmer asked what are allowable uses for the east lot and what is the plan. Miller stated that they are currently two vacant lots and that the west lot will have the apartments and the east-vacant lot may need replatting if they want to have a garage or other structure. The plan presented had a driveway with a concrete pad. Lyle confirmed that it would be concrete. Aiken agreed with Jamison's request for additional architecture on the north to help dress the building up on the street view.

Item #7c – Five lots located along Campanile Avenue and one lot located along 7th Street were included in a proposal for a redevelopment apartment project. The redevelopment proposal included the demolition of all structures on the lots for a proposed multi-story apartment building and adjacent parking lot. The applicant was seeking a planned development district to help tie in a cross-street parking lot into the primary development lot as well as provide some flexibility from zoning and landscape standards. A corresponding Initial Development Plan had also been submitted for Planning Commission review and recommendation.

Storhaug, property owner, and Weiss, architect, came to speak on behalf of the project. Weiss noted that due to the location of this project it will fit in nice with the existing structures in the area. He felt that converting this to a PDD would be perfectly acceptable since the property to the south was already a PDD.

Murray with Housing Hub Property Management represented a handful people on the block between 12th Ave and Campanile. It was Murray's understanding that west side property would become a concrete parking lot and create issues with water where the neighboring houses were already having water problems. Her other concern was the non-designated ally. Since there was not a lot of parking on the streets in the area, it was used to access parking and would be detrimental to the property owners if they lost alley access. Geary, representing his daughter at 917 7th Ave, asked how many apartments plan to be built. Aiken said the item up for discussion was just a rezone and the specifics would be addressed on the next agenda item. Ziegloff, tenant at 628 Campanile Ave, found out about the meeting through a sign in the lawn and already signed a lease for next year so he wanted to know what it meant for his lease. Aiken said he unfortunately would not have a lot of answers for Ziegloff and encouraged him to reach out to the property owner. Ziegloff also was concerned that it would not fit in with a big apartment complex being among people's back yard and that it's already cramped/tight for parking. Gutormson, property owner to the west of the west lot was concerned about drainage from concrete flowing into back yard. Also, he was worried about alley access, which he believed was a prescriptive right, that he used to access parking on his property. Gutormson cited ordinance 94-255 stating that there would be a negative impact to residential properties due to its dimensions and he promoted seeking 6th street location.

Mills highlighted that he appreciated public comment but the concerns discussed apply more to next item on the agenda, not the rezone. Aiken commented that the board had a lot of oversight and made a collaborative effort to make sure we have good development here. Prodoehl asked, besides the prescriptive rights issue, was there any reason to not go R-3 north of 6th St. He requested tabling the rezone and looking at it on a larger scale. Mills pointed out that the site plan does maintain an alley.

Item #7d –The proposed redevelopment includes an apartment building located east of Campanile Avenue and south of 7th Street. The apartment building would include ground level parking accessed from the alley as well as additional parking adjacent to the alley. An additional lot across Campanile Avenue would serve as additional parking for the development. A mid-block pedestrian crossing and a total of 91 off-street parking stalls were proposed. The minimum off-street parking requirement is 101 parking stalls. The developer will also separately propose on-street parking along 7th Street. The developer sought a reduced bufferyard setback of 7-feet to the south. The first floor of the structure is located at the 7-foot side yard setback with additional floors setback to the 25-foot bufferyard setback. Parking stalls along the alley will prevent the project from meeting the required landscaping for an apartment use, which requires that all setback areas be landscaped. The developer is seeking a variance to remove landscape requirements where twelve parking stalls are located along the alley. The satellite

parking lot would also require exceptions. Shared parking is permitted when lots are adjacent. A cross street parking lot would not meet the definition of adjacent. Additionally, the parking lot must meet the setback requirements for the lot due to its accessory use for an apartment. The parking lot would need variances for setbacks to the north, west and east. The proposed setback from Campanile Ave was 10-feet. Setbacks to the north, south and alleyway are proposed to be 3.5 feet. The parking lot will be screened with fencing and landscaping. Lastly, the Initial Development Plan sought setback encroachments for balconies that would overhang the front yard setbacks of Campanile Ave and 7th Street by six-feet.

Storhaug, property owner, and Weiss, architect, came to speak on behalf of this request. Matthew proposed to meet engineering standards to capture all water with curb and gutter. One proposal reduced landscaping buffers to increase parking with a full loop and not tie into the alley. The alley is being maintained and an opaque 6' fence would be installed on the north and south sides of the parking lot. Proposed high density building to be of use near campus. Schmeichel asked for clarification of opaque fence due to headlights shining into people's homes. Weiss said it would be opaque to effectively, 100% as far as fence standards go, block the light when viewing from a 90-degree angle. There would also be some light blocking landscaping on the inside of the fence. Aiken followed up if there would be fencing on the west side of the lot and Weiss said it would not as proposed. Aiken expanded on his concern about light shining into people's back yard when turning through that lot. Weiss said if a fence was installed on the west side, it would be 2.5' from landscape buffer. Mills asked for more details on drainage plans and if there would be underground detention. Weiss pointed out that on right and left sides of Campanile Ave, each lot is under an acre so he believes it to be a grey area on what types of drainage would be required. Bioswales were proposed on the apartment side and if more drainage would be required to be captured, it would be underground system. The parking lot side would flow directly into the city sewer. Mills asked if they are requesting 10 less spaces than required, not considering the 13 boulevard spaces, Matthew said yes. Limmer asked Weiss to explain the need for a west parking lot instead of under the building. He stated that the site does afford a parking ramp design but it is difficult with that small of a site and cost prohibitive. Mills asked if all 84 units are single bedroom units. There were (40) 1-bedroom units, (8) 2-bedroom units and (36) efficiency units. Mills inquires if another story would be required to make it economical since other projects in the area required more units to be economical. Storhaug said that they originally looked at smaller building so they increased the unit count it to make it financially work. Jamison asked if the city required anything for pedestrian safety on the cross walk. Weiss had not figured that out yet, with this being a midblock crossing, there would be some signage at least. He did not know if raised pedestrian crossings, additional striping or twirling signs would be permitted. Jamison suggested a built-out curb, daylighting and a walk signal. Weiss liked those options and said it would be defines as a "choker" like those on main.

Murray asked for clarification on the curb and gutter on the parking lot and if it is just the city required curb and gutter or if it would be around the entire lot. Weiss stated that it would be the whole lot. Gutormson asked that the drainage slope to the east. He also inquired if alley access would be blocked with current plan. Storhaug stated that the alley would stay as it is. Kurt pointed out that traffic on Campanile Ave was always backed up and how would they widen the road in the future or what would it look like. Charles noted that from personal experience of being in the area for four years, he did not see the fit with 2-3 person homes who are used to having a view of the campanile in their back yards now having a five-story apartment building in their yard. Gutormson asked that since the City maintained the alley, even though it was not legally an alley, could they request it to be legally dedicated as an alley? Miller responded that there would be a process, separate from this agenda item, that they could discuss at a later date. Gutormson confirmed that the rezone would not impede with the

legal rights of the landowners using the alley. Prodoehl would like to see master plan for north of 6th St. as he also has some property there west of Medary and believed that a similar request would work well. He also noted that it may be worth revisiting the code to make those areas more usable.

Schmeichel has heard the main concern of the alley and wanted to know if it was left in place on the proposed plan due to code or law. Miller clarified, that it was a private alleyway, it had been used as a public alley but was private until the midpoint. The site plan showed no changes to the alley and any major changes such as the setbacks would need to be seen again if proposed. Mills was excited about project with need for density in the area. His primary concern was detention and drainage not following traditional rules due to being on two parcels and his other concern was reduction in parking because there was no control over boulevard parking and recently reduced parking requirements. Miller stated that drainage rules applied but the plan was not required at this point. Limmer suggested that the number of exceptions made for this project seems to be ‘crowbarring’ the project into the neighborhood. Leddy thanked the developers and commented that it would change the landscape. He stated that parking was a huge concern and making the exception would also cause a loss of parking on the street. Leddy also commented that bioswales become ineffective over time and they need to make sure to have adequate drainage.

Church at 1204 7th St. said that when school was in session the streets were full and need all available parking. Struck clarified that there would not need to be a reduction of ten parking spaces if the boulevard was approved. The current code requires one parking spot per bed plus 10%. Since the apartment was near campus, he anticipated some people with no vehicle. Jamison agreed that given the proximity to campus that there would be people without a vehicle. Struck went on to say that boulevard parking was intended for service or delivery vehicles and safety backing out of boulevard parking was a concern. Aiken inquired if every bed has a parking space. Struck said that at full occupancy, with the ten-parking space reduction, only one bed would be without a parking space.

Schmeichel clarified that it was one parking space per bed and if the boulevard parking was approved, they would be over required parking requirement. Schmeichel expressed his desire to withdraw his amendment. Jamison inquired if there was indoor bike parking. Storhaug stated that there would be bike parking on west side of the building but he did not want to promise something that was not set in stone.

Prodoehl would like to see master plan, an area designated R-3 and the same variances seen at the meeting extended to other builders. Miller stated that the master plan included mixed uses, not just R-3. Struck clarified that the city would not force a rezone at this time, however each individual project with individual variances, could be brought to be seen by the board.

Item #7e – Ryan Companies US, Inc. had proposed a redevelopment of the site with a mix of retail uses. The redevelopment would include four developable lots and one Outlot for storm drainage. Access to the site was proposed from an extension of LeFevre Drive as well as through a future connection between 32nd Avenue and LeFevre Drive. A future extension of LeFevre Drive may connect with Capital Street. The developer had an option for a potential future phase of development to the north. Lot 1 was located in the southwest corner of the development. Lot 1 was proposed as a 2.83-acre lot accessed from a private shared access road connecting to LeFevre Drive. Lot 1 was proposed as a grocery store. Lot 2, located at the corner of 6th Street and LeFevre Drive, was proposed as a 2.48-acre lot with a proposed gas station/convenience store. Lot 3 is the largest proposed lot at 3.79 acres located in the northwest corner of the development. Lot 3 would be accessed from a private shared access road connecting to LeFevre Drive and was proposed as a medium box retail establishment.

Lot 4 is located to the east of Lot 3 also with access along a private shared access road connecting to LeFevre Drive. Lot 4 was proposed as a 1.94-acre lot designed for a potential retail drive-thru establishment. Outlot A was a proposed 1.07 acre stormwater drainage lot at the corner of the private road and LeFevre Drive and would contain a detention pond.

The development proposed front yard, rear yard and side yard setbacks that match those required in the B-2 district. The IDP requested to eliminate the required landscape setbacks of five feet along-side lot lines. The applicant sought this relief due to the location of lot lines along the centerlines of proposed shared access drives. The development proposed to follow standards for minimum lot area, minimum lot width and maximum building height in the B-2 district. The applicant sought variations from sign regulations for the development. Lots 1, 3 and 4 proposed a maximum allowance of 460 square feet of freestanding signs per lot of which at most one per lot would be a 300-square foot and 60-foot-tall pylon. The remaining freestanding signs would have to meet B-2 standards which limit freestanding signs to 160 square feet and 30-feet high. The proposed pylon for Lot 4 may be located on either Lot 4 or Outlot A. Lot 2 proposed a maximum allowance of 620 square feet of freestanding signs of which at most one would be a 300-square foot and 60-foot-tall pylon. The remaining freestanding signs would have to meet B-2 standards. Preliminary and final platting would follow the Initial and Final Development Plans. Revised drainage and traffic studies would be required prior to preliminary plat review.

Daily, Lead Developer on the Project with Ryan Companies, wanted to share his excitement about potential of Aldi and other realtors. Schmeichel asked if they were meeting all the requirements where there was not a variance submitted including parking requirements. Per Miller, yes, the only variances would be the landscape setbacks along the private road & parking lot and the sign heights. Schmeichel wanted to know why go that high with sign height after the sign laws were updated about a year ago. Miller said that this is an industrial and highway area so they wanted a B-4 feel. Struck noted that all 4 quadrants of interchange have higher signs so they would like to elevate the signs to create more visibility.

Item #7f –CD Properties LLC submitted a site plan for review within the Commercial Corridor Design Review Overlay District. The project was located on Lots 1-8 in Block 4 of Hill Park Addition along 6th Street between 12th Avenue and 13th Avenue. The proposed redevelopment included a four-story mixed-use building with three commercial suites located along 12th Avenue and 117 apartment units. The development would be accessed by two access drives, one from 12th Avenue and one from 13th Avenue. A rear parking lot was located between the proposed building and the alleyway with 68 parking spaces. An additional 53 parking spaces were located below the building on the ground level. The developer proposed a shared parking agreement with the Lofts at Park Hill to the west across 12th Avenue. The total off-street parking proposed was 137 parking spaces of the required 160 parking spaces. The developer was seeking variances to remove the required spaces for 10% of the number of units (reducing the total required off-street parking to 147 spaces) and to allow shared parking on a neighboring lot across 12th Avenue. The developer also requested boulevard parking along 12th Avenue. The review and approval of proposed boulevard parking is a separate review process outside of the commercial corridor design review overlay district site plan review. No parking stalls were located in the front yard of the 6th Street commercial corridor. Seven parking spaces were located within the front yards of 12th Avenue and 13th Avenue, which is allowed for mixed-use developments. Parking would be screened from the south with a mix of proposed landscaped berms and trees. The building was proposed as a four-story mixed-use building with a mezzanine above a portion of the upper-level units. The balconies would encroach the front yard setbacks along 12th Avenue, 6th Street and 13th Avenue. The commercial corridor design review overlay district standards allow for the

encroachment of balconies by 25% of the front yard setback when located along an arterial or collector street. Balconies along 6th Street would conform to this, however, exceptions were necessary for the balconies along 12th Avenue and 13th Avenue to extend 3'7" into the front yard setback areas. The proposal met all remaining commercial corridor design review overlay district and required landscaping standard.

Weiss, architect on the project, and Storhaug, assisting with the project, were available for questions. Weiss pointed out that the decks overhanging east and west were not a concern because they were not above the doors. He encouraged mixed use on the lot but struggles with parking and noted it is common with mixed use spaces for commercial to use parking during the day and residential to use it in the evening. Mills requested difference between staff recommendation and the request. Miller detailed that there were 16 additional spaces on the property across the road to the west and that they would like to remove the additional 10% parking spaces since there's a plan for boulevard parking. If the boulevard parking was included, they would meet the requirements. Struck stated that staff suggested mixed use to address the parking issues. By adding commercial they lost parking on the main level but they have done parking counts and spoke to neighbors who didn't see an issue. There was a house on the block that could be demolished and turned into parking if needed although it's not ideal. Storhaug stated that the city did not want to maintain boulevard parking so the developer must sign an agreement to maintain boulevard parking. Boulevard parking would be public parking but limited to no overnight parking for snow removal and maintenance. Struck discussed that the city wanted to be sure that these were short term parking spaces. Struck suggested a bump-in sidewalk to get parking further off of the street and to make maintenance easier. Mills would like to put a "bug" in Miller or Struck's ear about rules on balconies at setback lines because it was a nice feature. Struck agreed it was a nice feature to offer this property and as long as it was not over an entrance for items to fall on people, it made sense.

The meeting adjourned at 8:17 p.m.

Ryan Miller, City Planner

Tanner Aiken, Chairperson