

**Planning Commission
Brookings, South Dakota
October 2, 2018**

OFFICIAL MINUTES

Chairperson Greg Fargen called the regular meeting of the City Planning Commission to order on Tuesday, September 4, 2018, at 5:30 PM in the Chambers Room #310 on the third floor of the City & County Government Center. Members present were James Drew, Alan Johnson, Charles Siver, Kristi Tornquist, Eric Rasmussen, Lee Ann Pierce and Fargen. Absent were Tanner Aiken and Gregg Jorgenson. Also present were City Planner Staci Bungard, Community Development Director Mike Struck, Wade Price, Lyle Anderson, Ryan Krogman, and others.

Item #5a – Grant Anderson, Patricia Anderson, and Lyle J. Anderson submitted a petition to rezone Lots 8&9, Block 11, Bane & Poole Addition, also known as 2115 3rd Street, from Residence R-1B Single-Family to Business B-2A District.

(Rasmussen/Drew) Motion to approve the rezone request. All present voted aye.

MOTION CARRIED.

OFFICIAL SUMMARY

Item #5a– This property is located on the corner of 22nd Avenue South and 3rd Street. The applicant has requested to rezone to the B-2A district, but staff felt that an RB-4 zoning would also be fitting as both of these districts are designed to be compatible with nearby residential development. However, upon further investigation, this residence would move into nonconforming status because residential structures in the RB-4 district are only allowed along a local street. The RB-4 District requires a 20 foot landscape buffer when located adjacent to residential districts and the B-2A district requires a 25 foot buffer. Both districts are designed to be compatible with nearby residential development, but the RB-4 District is specifically designed to allow flexibility by allowing residential or limited commercial along arterial and collector streets.

Pierce asked what the permitted uses were in a B-2A district compared to RB-4. The RB-4 allows for the permitted uses in the R-3 district, as long as one of the frontages shall abut upon a local street. Because 3rd Street is a collector street, then there are no R-3 permitted uses that would qualify. Tornquist asked if then only the RB-4 permitted uses would apply and not the R-3 uses. Bungard stated yes, because the R-3 District uses referenced in the RB-4 District would need to abut a local street.

Tornquist asked if the petitioners had a preference between the B-2A and RB-4 District. Mr. Anderson stated that they didn't have a preference either way. Fargen asked if the staff had a preference. Struck stated that since this isn't located on a local street, they are limited. He feels that the B-2A would be more fitting for this neighborhood. One use in the RB-4 district is a gas station and Struck doesn't feel that this would be fitting for the area. However, a mixed use project could be looked at through the Conditional Use process.

Pierce asked for clarification between the two districts setbacks. B-2A requires a 25 foot landscaped area that doesn't allow for any structures, access drives or parking lots. The RB-4 requires a 20 foot landscape buffer. Pierce wondered if the screening requirement pertained to both districts or just the RB-4 District. Struck explained that in any residential districts and in the RB-4 Neighborhood Business District, if a use requires 8 or more parking spaces, such parking should be screened from single family and two family uses by shrubs or berms or by a wall or fence approved by the Community Development Department. Bungard explained that the uses in the B-2A district are more compatible to the residential district.

Pierce is concerned that the setbacks might become a problem and someone wouldn't be able to build a viable building after the zoning is implemented. Struck explained that the setbacks actually are the same distance, one district is 25 foot front and rear yard setback and the other district is 20 foot front yard and 30 foot rear yard setbacks.

Krogman noted that as a neighbor, they would like the uses to remain similar to what is in the area.

Rasmussen agrees that the B-2A District would be a better fit for this neighborhood.