

**OFFICIAL MINUTES**

Chairperson Tanner Aiken called the meeting of the City Planning Commission to order on Tuesday May 5, 2020, at 5:30 PM in the Chambers Room #310 on the third floor of the City & County Government Center. Members present were Jacob Mills, Eric Rasmussen and Aiken. Members present via phone were Ashley Biggar, Greg Fargen, Gregg Jorgenson, Jason Meusburger, and Lee Ann Pierce. Absent was James Drew. Also present was Community Development Director Mike Struck.

**Item #1 – Roll Call**

**Item #2 – (Rasmussen/Mills) Motion to approve the agenda. All present voted aye. MOTION CARRIED**

**Item #3 – (Mills/Rasmussen) Motion to approve the April 7, 2020 Planning Commission minutes. All present voted aye. MOTION CARRIED.**

**Item #4a** – Gerard and Jean Moriarty have submitted a petition for annexation of the Block 21 & 22 of Timberline Addition including the adjacent portions of right-of-way contained within, in the East 1,635' of the North ½ of the Northwest ¼ Except Clites Addition and Except the East 264' thereof in Section 34, Township 110 North, Range 50 West of the 5<sup>th</sup> P.M., Brookings County, South Dakota.

(Pierce/Biggar) Motion to approve the annexation request. All present voted aye. **MOTION CARRIED.**

**Item #4b** – Paul E Moriarty of Sioux Empire Development Corp. has submitted a petition for annexation of The North ½ of the South West ¼ of Section 34, Township 110 North, Range 50 West of the 5<sup>th</sup> P.M., Brookings County, South Dakota.

(Jorgenson/Rasmussen) Motion to approve the annexation request. All present voted aye. **MOTION CARRIED.**

**Item #5a** – Gerard and Jean Moriarty and Paul E Moriarty have submitted a petition to rezone Block 21&22 of Timberline Addition, in the East 1,635' of the North ½ of the Northwest ¼ Except Clites Addition and Except the East 264' thereof in Section 34, Township 110 North, Range 50 West of the 5<sup>th</sup> P.M., Brookings County, South Dakota from Agricultural, A District to Residence R-1C Single-Family District (Generally located North of Steamboat Trail and South of 8<sup>th</sup> Street South.)

(Meusburger/Biggar) Motion to approve the rezone request. All present voted aye. **MOTION CARRIED.**

**Item #6a** – Sioux Empire Development Corporation has submitted a Final Plat of Lots 29, 30, 31, 32 and 33, Block 10, Timberline Addition.

(Rasmussen/Fargen) Motion to approve the Final Plat contingent upon a secondary access being constructed in accordance with 51-64 of the Subdivision Regulations and the City Engineer being provided the lowest opening elevations prior to recording. All present voted aye. **MOTION CARRIED.**

**Item #6b** – Sioux Empire Development Corporation has submitted a Final Plat of Lot 10, Block 12, Timberline Addition.

(Jorgenson/Pierce) Motion to approve the Final Plat. All present voted aye. **MOTION CARRIED.**

**Item #6c** – PMVK Limited has submitted a Final Plat of Lots 1A, 1B and 1C, Block 2, Southland Addition.

(Meusburger/Mills) Motion to approve the Final Plat contingent upon all necessary drainage and utility easements being shown prior to recording. All present voted aye. **MOTION CARRIED.**

**Item #6d** – CD Properties LLC has submitted a Final Plat of Grand Arbor Avenue; East Briarwood Circle; and West Briarwood Circle in the N 1,320' of the N 1,350' of the NE ¼ Section 1-T109N-R50W, except the W312' thereof; except the E 1,128.5' thereof; except Outlots 2&3 thereof; and except the N 40' thereof (Arbor Hill Addition)

(Mills/Fargen) Motion to approve the Final Plat. All present voted aye. **MOTION CARRIED.**

**Item #7a** – The City of Brookings has submitted amendments to Sections 51-23 Plat Approval process, 51-43 Final Plat Approval, 51-51 Replat Requirements, pertaining primarily to administrative platting.

(Rasmussen/Mills) Motion to approve the amendments to Section 51-23 Plat Approval Process, 51-43 Final Plat Approval and 51-51 Replat Requirements. All present voted aye except Pierce voted no. **MOTION CARRIED.**

The meeting was adjourned at 6:30 p.m.

---

Mike Struck  
Community Development Director

---

Tanner Aiken, Chairperson

## **OFFICIAL SUMMARY**

Chairperson Tanner Aiken called the meeting of the City Planning Commission to order on Tuesday May 5, 2020, at 5:30 PM in the Chambers Room #310 on the third floor of the City & County Government Center. Members present were Jacob Mills, Eric Rasmussen and Aiken. Members present via phone were Ashley Biggar, Greg Fargen, Gregg Jorgenson, Jason Meusburger, and Lee Ann Pierce. Absent was James Drew. Also present was Community Development Director Mike Struck.

**Item #4a** – This is an annexation request of about 12 acres of agricultural land and 1.5 acres of right-of-way, just outside of the city limits. This is consistent with the City's Comprehensive Plan. Rasmussen wondered why Block 23 isn't included in this request. Struck explained that the applicants live near this annexation area and they are going to keep the Block 23 portion with their acreage at this time.

**Item #4b** – This request is to annex approximately 80 acres of agricultural land that is immediately south of the Timberline Addition. This is consistent with the City Comprehensive Plan.

**Item #5a** – This request is to rezone 2 blocks of undeveloped property to Residence R-1C. The Comprehensive Plan calls for low density in this area.

**Item #6a** – The developer is requesting to final plat 5 residential lots in the Timberline Addition. This plat is subject to the secondary access requirements. City will hold this plat and will not file it until the secondary access has been complete.

**Item #6b** - This plat is for 1 residential lot in the Timberline Addition. Zoning and Subdivision regulations are met. Rasmussen noted that Steamboat Trail, just west of this lot is nearly ready for paving. He wonders what the City's plan is for paving W. 16<sup>th</sup> Ave. Struck explained that this is on the City's Capital Improvement Plan to be paved within the next few years.

**Item #6c** – This is a Final plat of 3 lots in the Southland Addition. The Preliminary Plat was approved in 2018. Struck explained that the developer is planning to build a tri-plex and they will sell each unit individually. Mills asked how it would be handled if the developer didn't get the foundation built right on the property lines. Struck explained that a replat would have to be done by the developer to fix the issue.

**Item #6d** – This is a plat of right-of-ways for Grand Arbor Avenue (extension to the south), East Briarwood Circle, and West Briarwood Circle in Arbor Hill Addition. A cul-de-sac is the only option for W. Briarwood Circle because of a land lock situation. The street extensions will allow for another phase of residential development.

**Item #7a** – Struck explained that staff has initiated these changes for the administrative process of platting. If the Planning Commission agrees, they will no longer approve Final Plats and staff of the City will approve and provide recommendation to the City Manager. The City Manager would then have the authority to sign off on Final Plats. Because the City Engineer and Community Development Director work so closely together, they feel that their approval of these plats will help with the time frame of these Final Plats. Struck explained that often times the Planning Commission isn't making a motion on an "actual" Final Plat. Most plats are contingent upon drainage and utility easements and what the commission is seeing at the commission meeting could be significantly different than the

actual final plat. City staff has a checklist that they follow for verification of plats prior to being filed. Pierce asked if there would be any provisions for public notice. Struck stated “no, currently there is public notice provided except on the agenda.” Pierce is then concerned that someone that is watching platting wouldn’t have an opportunity to discuss the plat if they had concerns. Struck stated that discussion and questions on platting should be handled at the Preliminary Platting stage. Final Plats should be consistent with Preliminary Plats with no major changes. Pierce wondered when a Preliminary Plat would not be required. Struck explained that if it was one lot that wasn’t requiring a significant impact on a development, they may not require a Preliminary Plat.

Struck explained that by changing this process, it will allow staff additional time to work on these plat reviews and get additional reviews and comments from other departments such as Brookings Municipal Utilities.

Mills understands that there is often a timeline crunch during certain times of the year. He feels that this could have a positive impact. He is in support of this change.

Pierce is concerned that a Final Plat may come through that isn’t in conformance with the Approved Preliminary Plat. Struck explained that if a Final Plat isn’t in conformance, staff sends the plat back to the developer to have them make it come into conformance, or amend the Preliminary Plat. Mills feels that the City’s process already takes care of issues of the plats not meeting conformance. Pierce feels that something should be stated in the ordinance that if there is any substantial change in a plat it shouldn’t be finalized and something should be stated in the ordinance. Rasmussen feels that the way the ordinance is written covers Pierce’s concern. Rasmussen agrees that the Planning Commission should not have to approve the Final Plats. Fargen is in favor with the ordinance amendments as proposed by staff. Aiken agrees with Fargen and Rasmussen.

The meeting was adjourned at 6:30 p.m.

---

Mike Struck,  
Community Development Director

---

Tanner Aiken, Chairperson