

OFFICIAL MINUTES

Acting Chairperson Eric Rasmussen called the meeting of the City Planning Commission to order on Tuesday December 1, 2020, 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 – via telephone, Ashley Biggar, James Drew, Jason Meusburger, Jacob Mills, Lee Ann Pierce, and Rasmussen. Absent were Greg Fargen and Gregg Jorgenson. Also present were Community Development Director Mike Struck, City Planner Ryan Miller, City Engineer Jackie Lanning, Keith and Cathy Rounds, Brookings Area Habitat for Humanity- Dan McColley, Banner Associates – Justin Bucher, Resident from 2202 Rio Grand, Jeff Struwe, Janessa Retzer, and Jessica Koelln.

Item #1 – Roll Call

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

Item #3 – (Mills/Meusburger) Motion to approve the November 2, 2020 Planning Commission minutes. All present voted aye. MOTION CARRIED.

Item #4a – Alex Schafer has submitted an application for a Conditional Use Permit on Lot 5, Block 3, Legeros 2nd Addition, also known as 1420 Legeros Drive. The request is to operate a CNC Machine Shop within a single-family home, which is a major home occupation in the R-1C District.

(Meusburger/Drew) Motion to approve the Conditional Use Permit. All present voted aye.
MOTION CARRIED.

Item #5a – Blairhill Properties Inc has submitted a petition to rezone the West 755 feet of the North ½ of Northeast ¼ in Section 3, Township 109 North, Range 50 West (Generally located South of W 20th Street South and west of Valley View Addition. aka: River Run Addition) The request is to rezone from Residence R-1B Single-Family District to Residence R-3 Apartment District.

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

Item #6a – Blairhill Properties Inc has submitted a preliminary plat for Lots 1-27, Block 1; Lots 1-2, Block 2; Lots 1-21, Block 3; Lots 1-13, Block 4; Lots 1-12, Block 5; Lots 1-11, Block 6; all in River Run Addition.

(Meusburger/Mills) Motion to approve the preliminary plat contingent upon an approved preliminary drainage plan. All present voted aye. **MOTION CARRIED.**

Item #6b - Sioux Empire Development Corporation has submitted a preliminary plat of Lots 1-7, Block 1 in Moriarty Square Addition.

(Mills/Biggar) Motion to approve the preliminary plat contingent upon an approved preliminary drainage plan.

(Mills/Aiken) Motion to table to a future meeting. All present voted aye. **MOTION CARRIED.**

The meeting was adjourned at 7:00 p.m.

Mike Struck,
Community Development Director

Eric Rasmussen, Acting Chairperson

OFFICIAL SUMMARY

Acting Chairperson Eric Rasmussen called the meeting of the City Planning Commission to order on Tuesday December 1, 2020, 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 – via telephone, Ashley Biggar, James Drew, Jason Meusburger, Jacob Mills, Lee Ann Pierce, and Rasmussen. Absent were Greg Fargen and Gregg Jorgenson. Also present were Community Development Director Mike Struck, City Planner Ryan Miller, City Engineer Jackie Lanning, Keith and Cathy Rounds, Brookings Area Habitat for Humanity- Dan McColley, Banner Associates – Justin Bucher, Resident from 2202 Rio Grand, Jeff Struwe, Janessa Retzer, and Jessica Koelln.

Item #4a – Miller explained that the applicant would like to operate a CNC machine and 3-D printer within a single-family home. A conditional use permit is required to operate this major home occupation out of the residence. Due to the amount of square footage being occupied by this business and the machine that will be used, this does qualify as a major home occupation.

Item #5a – The applicant is requesting a rezone for 22 acres of land from R-1B Single-family to R-3 Apartment District. This land is located south of W 20th Street S and west of Valley View Addition. The Comprehensive Plan does designate this area as a medium density residential development. A single family district is what is being proposed by the upcoming preliminary plat. This preliminary plat is for 85 single-family lots, some with lot sizes smaller than the minimum lot area of 10,000 sf for an R1-B zoning. The lots along the east side of the development will be single-family attached, zero foot side yard homes which are allowed in the R-3 zoning district. The intention for this development is to be single family. Struck explained that there are advantages to the lot area and setback requirements in the R-3 district to allow for the zero foot side yard homes.

Keith Rounds, owner of Blairhill Properties Inc, explained that having this land rezoned to R-3 will allow them to best utilize this land and to allow them to build the twin homes. They have no desire and will not allow any apartments to be built on these lots. They developed Valley View with the intent of providing affordable housing and that is the plan with this development.

Dan McColley, Executive Director of Brookings Area Habitat for Humanity, is in favor of this request. Developments like this are what Habitat needs for their program. This size of lots will allow for minimum income families to succeed with building their own home that will be affordable.

Struck explained that City Staff has fielded several calls regarding this request. The notice that was published and mailed to surrounding property owners is a little deceiving as it states “R-3 Apartment District” which is the official name of that zoning district.

Resident from 2202 Rio Grand is concerned about the timing of the notice that he received. Struck explained that the notice being mailed is a courtesy and not a requirement and staff followed publication requirements.

Jeff Struwe – 2004 Rio Grand – explained that to the west of him is a creek that runs to Valley View. He is wondering about the drainage in the northeast corner. Rasmussen explained to him that part of the process during preliminary platting is a drainage study and that will be required. Justin Bucher with Banner Associates has been working on the development of this area. They are currently working

on the drainage plan and it will be submitted to the City for approval. They have planned detention facilities to help with the drainage in this area. Pierce asked what this detention facility will look like. Bucher explained that it will be a pond with a berm around it. Water will leave through a culvert under 20th Street South.

Janessa Retzer, 2020 Rio Grand explained that when they purchased their homes in Valley View they were told that there wouldn't be development to the west of them because of the drainage ditch that was there. Valley View is very family oriented and she is wondering if this new development is going to have the same feel as Valley View. If the development is going to be different from their neighborhood, then maybe a fence could be put up to distinguish their neighborhood from this new one. She also stated that behind their house they have issues with water and flooding anytime it rains.

Jessica Koelln, 2016 Rio Grande, explained that they purchased their house in Valley View because they wouldn't have neighbors in their backyard to the west. There is a drainage ditch in their backyard that was supposed to prevent close neighbors. She is wondering if this new neighborhood will have covenant requirements. She too is concerned about the drainage and how this will work. She would like to see if some other verbiage could be used to prevent any apartments being built. Struck explained that the Residence R1-D district is similar but using this district will result in losing housing units. When this happens, each lot then becomes more expensive.

Item #6a – This preliminary plat is predominantly for residential lots. The planned street connectivity works well. A drainage plan will be required and the preliminary plat will not move forward until an approved drainage plan has been approved by City staff.

Cathy Rounds explained that there will be covenants and restrictions and these will have rules about what can be built in this development and there will be architectural review implemented. He stated that they will not allow for any apartments to be built. Drew wanted to clarify that the intent of this development is for single-family and duplexes, not tri-plex's or larger. Rounds stated that this is accurate.

Mills was wondering if this development would be getting done in phases and if sidewalks would be required to allow for pedestrian traffic. Struck explained that the 10 foot shared use path was stopped from going any further west until development to the west is complete. Mills wondered if there were TIF funds available to help with the installation of sidewalk to provide pedestrian access. Struck stated that they will know this once the current 20th Street South project is complete with final payments. Mills wondered if they could require the developer to install sidewalk.

Item #6b – This is a preliminary plat for commercial property on the south side of Hwy 14 Bypass and west of Western Ave. The developer is proposing storage buildings and contractor shops. Access to these properties will be controlled by the Department of Transportation. This area is difficult to serve with utilities and therefore they will be utilizing rural water and they will be required to install holding tanks. This plat is contingent upon an approved drainage plan.

Drew would like to approve the plat but require hookup to sanitary sewer. Pierce feels that the City is going backwards by allowing a development with holding tanks in the flood plain. Mills doesn't agree with this request either. Drew and Pierce agree with the plat but not the holdings tanks. Rasmussen stated that the Planning Commission doesn't have the rights to deny the holding tanks. Justin Bucher explained that the developer is still discussing options with Brookings Municipal Utilities but at this time they are still planning for holding tanks.

Struck explained that they have had discussion with Brookings Utilities. Brookings Utilities cannot deny the developer the option of installing holding tanks.

The meeting was adjourned at 7:00 p.m.

Mike Struck
Community Development Director

Eric Rasmussen, Acting Chairperson