

# Planning Commission Agenda Memo

**From:** Ryan Miller, City Planner

**Meeting:** May 4, 2021

**Subject:** Amend the Future Land Use Map – 34<sup>nd</sup> Ave & 8<sup>th</sup> St S.

**Person(s) Responsible:** Ryan Miller, City Planner

## **Summary:**

CKS Partners LLC has purchased 155.56 acres of land near the NE corner of 34<sup>th</sup> Ave and 8<sup>th</sup> St S. The owners are requesting an amendment to the future land use map for approximately 34 acres of this land in order to prepare for an annexation and rezone for future commercial and industrial development.

## **Background:**

The City of Brookings completed its 2040 Comprehensive Plan in 2018 after extensive community visioning and planning efforts. The compressive plan includes a future land use map that is substantially based upon the suitability of land for future development. The future land use map classifies land into categories that could support potential uses and zoning districts.

The CKS Partners land is currently in Brookings County and classified as an Open/Floodplain area in the future land use map of the 2040 comprehensive plan. The land is just east of the Telkamp Industrial Addition, an industrial area located along 34<sup>th</sup> Ave. The applicant wishes to change the land use classification in the future land use map from Open/Floodplain to Business Park/Light Industrial in order to prepare the land for annexation and a rezoning request for Industrial I-1 light district.

## **Findings of Fact:**

### Future Land Use Map

Currently, the land is situated in the Open/Floodplain land use classification, which is not supportive of future development. The comprehensive plan suggests that, due to the increased risk of life and property, development in the floodplain should be minimized. The area is part of the East Development Policy Area, which notes that the biggest limitations for the area is the floodplain east of 34<sup>th</sup> Ave.

The applicant is proposing to amend the land use classification to Business Park/Light Industrial for a proposed development of contractors shops. The Business Park/Light Industrial land use classification would be supportive of a rezoning request to heavy business and industrial zoning districts, including I-1.

### Development Suitability Model

The comprehensive plan uses a development suitability model which identifies land as having low, moderate, and severe limitations for development. Suitability factors include the presence of wetlands, depth to water, location within the floodplain, soil drainage class, slope of the land, land cover, and others. Land suitability is rated 1 to 10 with 10 having the most severe limitations.

Developers, the Planning Commission, City Staff, and City Council should use the development suitability map to determine if proposed developments adequately protect and preserve sensitive environmental areas. In the case that a proposed development falls within an area with potential suitability issues, it should undergo a detailed environmental analysis to determine how to address environmental concerns. Specifically, a geotechnical assessment should be performed in order to determine the impact that ground water will have on the development and surrounding developments.

The land is classified in the comprehensive plan as having severe limitations and a rating of 10, the worst score for suitability limitations. It should be noted that all land within the floodplain is automatically given a score of 10 regardless of other factors.

### Floodplain

The property is located within the 100-year floodplain. This area is prone to inundation by a 100-year flood event. Areas within the floodplain are severely limited from development and development should not occur in the 100-year floodplain unless the impacts can be responsibly mitigated. The property owner intends to raise the land by approximately 4' – 5.5' and submit a letter of map revision (LOMR) in order to remove the roughly 34 acres out of the floodplain.

This is a significant disturbance of land within the floodplain. It is common to find areas of high water near the proposed project area, including water running across 34<sup>th</sup> Ave during high rain events. The existing topography of the land east of 34<sup>th</sup> Ave is a contributing factor to the flooding of the street due to the lack of grade allowing the water to flow freely from the street's storm piping. Any development of this land will be required to accommodate this flow to ensure it is able to discharge downstream.

Generally, water in this area flows from the northeast to the south. Re-grading roughly 34 acres of land within this area could potentially change the direction of flow and negatively impact nearby areas.

In addition, the groundwater table in this area is typically very shallow. The can exacerbate surface flooding conditions, created weakened subgrades for future structures, and reduce the effective storage capacity of any future stormwater detention which would be required.

### Wellhead Protection Area

Potential impacts to the wellhead protection area have varied based on preliminary development plans. The recent most plans, however, suggest that up to 4.75 acres of

the project area could encroach the wellhead protection area. Additionally, the applicant is considering locations within the wellhead protection area for potential drainage ponds depending on the results of drainage studies.

#### Other Factors

- Potential wetlands are present within the proposed project area. The applicant has suggested the possibility of completing a wetland delineation.
- The suitability of soils for development could be an issue due to the location within the floodplain and persistently wet nature of the area. The applicant has contracted with an engineering firm to drill test borings to evaluate the suitability of the subsoil materials for use as engineered fill, as well as validating suitability for roads and building sites in the proposed development.
- A drainage plan will be required for development on the site and the applicant is considering a potential drainage pond on the southeast corner of the development area. Additional drainage ponds to the east, which would be located within a wellhead protection area, are also being considered.
- Infrastructure is available to the area, increasing the suitability of development.

#### Update – May 4

The Development Review Team has reviewed and discussed the item twice since the initial Planning Commission introduction on April 6. Additional information was presented by the applicant that have addressed a number of the concerns noted above. After reviewing the additional materials, the Development Review Team is no longer opposed to the comprehensive plan amendment request if the following conditions can be met:

- Zone A of the Wellhead Protection Area shall not be disturbed without the express written consent of the City of Brookings and Brookings Municipal Utilities.
- Filling of the floodplain of the developable acres, generally including all access drives, internal roads, parking areas, storages areas, and all other areas that would be considered useable, must meet the base flood elevation, or higher, and officially removed from the regulatory floodplain following procedures set forth by FEMA.
- One for one volumetric quantity of storm water storage mitigation of any loss of flood water storage in the floodplain as a result of the proposed development shall be re-created upstream of the proposed development within the same hydrological reach.

**Recommendations:**

The Development Review Team does not oppose the request.

**Options:**

The Planning Commission has the following options:

1. Approve as presented
2. Approve as amended
3. Deny
4. Table

**Supporting Documentation:**

1. Notice
2. Proposal
3. Aerial Map
4. Proposed Amendment Area
5. Future Land Use Map
6. Development Suitability Map
7. Floodplain Map
8. Wellhead Protection Zone Map
9. Amended Project Area **(New)**
10. Amended Site Plan **(New)**