

## **OFFICIAL MINUTES**

Chairperson Greg Fargen called the meeting of the City Planning Commission to order on Tuesday, June 7, 2022, 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, James Drew, Jacob Mills, Lee Ann Pierce, Nick Schmeichel, Roger Solum, and Fargen. Absent were Justin Borns and Gregg Jorgenson. Also present were Community Development Director Mike Struck, Brian Ardry, Eric Rasmussen, Seth Skogen via-telephone, Matthew Weiss-design Arc Group, and Kyle Rausch-Dakota Land Design.

### **Item #1 – Roll Call**

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

**Item #3a – (Mills/Aiken) Motion to approve the June 7, 2022 minutes. All present voted aye. MOTION CARRIED.**

### **Item #4 – Convene as Board of Adjustment.**

#### **Drew recused himself.**

**Item #5 –** Advance made a request for a variance on Lot 1 of Weichsel Addition, also known as 301 Division Avenue. The request is to construct an accessory structure ten feet from the rear lot line. An accessory structure location in an industrial district shall not be closer than thirty feet from an adjacent residential district.

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

#### **Drew returned to the Board of Adjustment.**

#### **Mills recused himself.**

**Item #6 –** Stencil Group made a request for a variance on Block 20 of Prairie Hills Addition (TBD Tall Grass Parkway). The request is to allow front yard parking within a residential district.

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

**Item #7 –** Stencil Group made a request for a variance on Lot 2 in Block 19 of Prairie Hills Addition (TBD Sweetgrass Drive). The request is to allow front yard parking within a residential district.

(Schmeichel/Aiken) Motion to approve the variance request as presented. Pierce no voted no. All others voted aye. **MOTION CARRIED.**

### **Mills returned to the Commission.**

**Item #8 – Convene as Planning Commission.**

**Item #9** – Seth Skogen has submitted an Initial Development Plan within a Planned Development District on Lot 2 of Block 13 in Morningside Addition.

(Pierce/Solum) Motion to approve the Initial Development Plan with an exception to the fifteen-foot bufferyard parking setback to the north. All present voted aye. **MOTION CARRIED.**

**Item #10-** Dakota Land Design LLC submitted an application for approval of a Commercial Corridor Design Review Overlay District site plan on Block 1 of Northern Plains Addition.

(Solum/Mills) Motion to approve the site plan review as presented with the following conditions: 1.) The parking plan should be amended to setback parking twenty-five feet from the front property line. 2.) An updated landscape plan should include required parking islands with tree plantings as well as appropriate tree and shrub plants for a Type A bufferyard. All present voted aye. **MOTION CARRIED.**

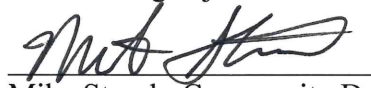
**Item #11-** The City of Brookings submitted amendments to Chapter 94, Zoning, pertaining to Section 94-127(a) and Section 94-127(f) related to standards for density and height in the Residence R-3 apartment district.

(Aiken/Mills) Motion to approve the amendments. All present voted aye. **MOTION CARRIED.**

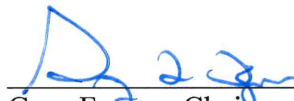
**Item #12-** The City of Brookings submitted amendments to Chapter 94, Zoning, pertaining to Section 94-128(a) and Section 94-128(f) related to standards for density and height in the Residence R-3A apartments/mobile homes/manufactured housing district.

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

The meeting adjourned at 7:27 p.m.



Mike Struck, Community Development Director



Greg Fargen, Chairperson

## **OFFICIAL SUMMARY**

Chairperson Greg Fargen called the meeting of the City Planning Commission to order on Tuesday, June 7, 2022, 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, James Drew, Jacob Mills, Lee Ann Pierce, Nick Schmeichel, Roger Solum, and Fargen. Absent were Justin Borns and Gregg Jorgenson. Also present were Community Development Director Mike Struck, Brian Ardry, Eric Rasmussen, Seth Skogen via-telephone, Matthew Weiss-designArc Group, and Kyle Rausch-Dakota Land Design.

**Item #5** – This request is to construct an accessory structure, but with the bufferyard requirement, a 30 foot setback is required to be met because this is an industrial district that is abutting a residential district. This structure is an open air structure with a roof.

Brian Ardry, President and CEO of Advance, explained that the building on this parcel used to be used as a shelter workshop. Due to changes in regulations, they are no longer able to operate this workshop out of this location so they are going to change what this building will be able to provide. He explained that currently the outdoor surface in this area makes it inaccessible for people with disabilities. This structure will allow people to do activities outside. Ardry explained that there really isn't another area on this parcel that a structure like this would work. Fargen asked if they will be installing any screening? Ardry stated yes, they would be installing a 6 foot fence per city ordinance.

Pierce wondered if the other structures that are too close to the property line were approved by variances. Struck stated yes. Schmeichel asked what the screening requirement would be? Struck explained that the bufferyard ordinance wasn't in place for the previous variance requests. Aiken and Fargen are in favor of this request, it is outside of the guidelines of the ordinance but they don't feel that it would be an issue to have this structure at this location.

**Item #6** – This lot has 3 front yards, with Goldenrod Trail to the north, Tall Grass Parkway to the west and Chokecherry Lane to the east and immediately to the south is a wetland area. In this development they are proposing underground parking on the south side. With the way the building is designed, they are going to have front yard parking on 3 sides.

Jacob Mills, representing The Stencil Group, provided the Commission with additional information regarding the master plan that Mills had for Prairie Hills dated back to 2010 and a letter of approval from the board members of The Landing showing their support for this project. Mills explained that Mills Development had a master plan for Prairie Hills but with time, things change, but they have always had a plan for a development that transitioned well between districts. Their plan has always been to have the parking towards the commercial side and the buildings being the buffer between the districts. Stencil Group proposed an idea of building an apartment complex and Prairie Hills worked with them on the architectural design for their proposal. Mills also noted that there is sufficient underground parking for each unit to have one parking spot underground. Additionally, the legal description will be adjusted at the time of platting.

Pierce noted that because this lot has 3 front yards, this does make it a hardship. Aiken agrees with Pierce and also believes that the slope to the south, to maintain the drainage to the existing wetland, also creates some constraints with the designed parking and this is also something to consider.

**Item #7** – This is a request for a variance for front yard parking in a residential district. Jacob Mills, representing The Stencil Group, provided additional information to the Commission which included 12 years of master plans for Prairie Hills which is where the Preliminary Planning is established and other examples of front yard parking in front of other apartments./residential structures. Mills feels that there is a hardship in the body of the work and the plan that is out there. Mills feels that the ordinance is being applied unfairly to certain districts and projects. There are some residential districts that have front yard parking and additionally there is screening from parking for residential districts. Mills stated that the design that Stencil Group has is a good design and he would like this request approved. Eric Rasmussen, representing Prairie Hills LLC, feels that the spirit of the front yard parking ordinance was to prevent parking in residential areas in front of houses. The plan that The Stencil Group has, provides for better walk-ability due to the design of the development and Prairie Hills. Rasmussen explained that Innovation Village, The Neighborhoods, and Heron Cove are examples of front yard parking that was allowed.

Pierce feels that when this ordinance was adopted, if the ordinance was to exclude apartment buildings, it would be noted in the ordinance. Pierce feels that this design could be changed and there would not be a variance needed. Solum feels that a theme is being developed and he doesn't think it would make sense to move the building forward and push the parking to the back. The plan fits well with the rest of the development. Schmeichel is concerned that if they don't approve this variance and they require them to move the building forward, it will then mess with the design of the building. Aiken wonders what the true spirit of the ordinance is, was this intended for rental houses, what is the true intent? Struck explained that this ordinance was adopted before his time with the City. He did note that there are some developments that are Mixed Use and some front yard parking could be allowed. Struck also agreed that some additional design work would be required for both the building and parking lot if the building needed to be moved forward to the front of the lot. Aiken wondered if the design could be changed with the right-of-ways. Struck and Mills explained that the underground infrastructure is already in place.

**Item #9** – This development area was recently rezoned to a Planned Development District with a B-2 underlying district. The Planning Commission approved the rezone, the City Council approved the rezone but the City Council denied the Initial Development Plan that was submitted. The developer provided a new site plan for this development. The access point remains in the same place at the north end of the property. The building has been moved closer to the street (22<sup>nd</sup> Avenue) and the drive-thru is still being planned. The bufferyards to the residential area will be achieved and the landscaping along 22<sup>nd</sup> Avenue will be achieved. The planned parking is acceptable and sufficient for this design.

Weiss explained that safety was the biggest concern they dealt with when designing this building, along with the small size of the lot.

**Item #10** – This project is located on Main Avenue South. The developer is proposing a 1 story structure that will be used for specialty medical/dental services. Initially the developer planned for parking which included some spots in the front yard, but staff is recommending removal of these spots to move the parking and then the parking lot will be behind the front plain of the building. The southeast portion of this development does abut residential but the developer has moved the parking lot and building further away from that district that required by ordinance.

**Item #11** – Struck explained that staff has reviewed some of the ordinances that appear to be “road blocks” for some of the developers. Staff would like to eliminate the per unit density requirement due to developers moving towards smaller units and focusing more on efficiency and one bedroom apartments, allowing for more units within a building footprint. Increasing the maximum height

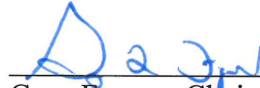
allowed for 9 foot ceilings heights would increase the height of a 4-story building from 45 feet to 60 feet. This also would allow for 2-foot trusses to accommodate HVAC systems. And the third part of the amendment is to clarify conditional requirements regarding bufferyards when buildings of more than 30 feet in height when adjacent to any residential zoned property.

**Item #12 –** Amendments for this Residential R-3A District are the same proposed adjustments as the R-3 District.

The meeting adjourned at 7:27 p.m.



Mike Struck, Community Development Director



Greg Fargen, Chairperson

