



## Legislation Details (With Text)

**File #:** ORD 17-017    **Version:** 2    **Name:**  
**Type:** Ordinance    **Status:** Public Hearing  
**File created:** 8/14/2017    **In control:** City Council  
**On agenda:** 9/12/2017    **Final action:** 9/12/2017  
**Title:** Public Hearing and Action on Ordinance 17-017, an Ordinance Rezoning Block 3 and 9 in the Wiese Addition from a Planned Development District to a Planned Development District with an underlying Business B-4 Highway District, also known as 3031 6th Street and 809 32nd Avenue.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Ordinance, 2. Planning Commission Minutes 8/1/2017, 3. Notice of Hearing, 4. Brookings Marketplace IDP, 5. Brookings Marketplace Rezoning Map, 6. Business B-4 Highway Business Regulations

Date	Ver.	Action By	Action	Result
9/12/2017	2	City Council	approved	Pass
8/22/2017	1	City Council	read into the record	

Public Hearing and Action on Ordinance 17-017, an Ordinance Rezoning Block 3 and 9 in the Wiese Addition from a Planned Development District to a Planned Development District with an underlying Business B-4 Highway District, also known as 3031 6<sup>th</sup> Street and 809 32<sup>nd</sup> Avenue.

### Summary:

Rezone two parcels of property to a Planned Development District (PDD) with an underlying Business B-4 Highway District.

### Background:

The City of Brookings is the owner of two parcels of property on the east side of Interstate 29 and north of 6<sup>th</sup> Street. The City entered into a Development Agreement with Bender Development team to develop the 26-acre former DOT site, as well as an option to redevelop the 5.8 acre site where the Research and Technology Center (R&T Center) sits into a retail development.

The State of South Dakota agreed to rezone Block 9 (the former DOT site) in 2000 from an I-1 District to a Planned Development District (PDD); however, an underlying zoning district was not applied. The City initiated a rezoning of Block 3 (R&T Center) in 2012 from a Business B-5 District to a PDD; however, an underlying zoning district was not applied at this time. In both instances, the underlying zoning district was not determined as the City wanted to retain flexibility with site options and wanted to allow a future developer to determine the underlying zoning district that best fits their development project.

The intent of a Planned Development District (PDD) is to provide flexibility from conventional zoning regulations with increased public review for PDD projects. The following criteria are evaluated during a review for a PDD request:

- (1) Encourage well-planned, efficient urban development.
- (2) Allow a planned and coordinated mix of land uses, which are compatible and harmonious, but were previously discouraged by conventional zoning procedures.
- (3) Encourage more creative, higher quality and more ecologically sensitive urban design with special consideration given to projects, which incorporate desirable design features such as underground parking, orientation or design to take advantage of passive solar energy, environmental preservation, historic preservation, handicapped accessible structures, unique use of open spaces, or other desirable design features.
- (4) Improve communication and cooperation among the city's land developers and interested residents in the urbanization of new lands and the renewal of existing deteriorated areas.

A rezoning request to a PDD is a two-step process with the first step pertaining to the approval of the PDD designation with an underlying zoning district identifying the acceptable uses within the proposed PDD. The second step of the process is review and approval of an Initial Development Plan (IDP) which will be a separate action item scheduled at a future City Council meeting in which the second reading and public hearing of the rezoning request will be heard.

The following information must be specified on the initial development plan:

- (1) Project name and legal description.
- (2) A preliminary subdivision plan in compliance with all applicable subdivision regulations.
- (3) The proposed development scheme showing the following information:
  - a. The proposed land uses including the number and type of proposed residential buildings, the proposed number of dwelling units per building, the number and type of any proposed nonresidential buildings, and their square footage.
  - b. The proposed maximum density of the development. Where unique physical, environmental or design characteristics exist or are proposed, lesser densities may be desirable.
  - c. The proposed maximum height. Where unique physical, environmental or design characteristics exist or are proposed, lesser heights may be desirable.
  - d. Proposed design features illustrating compatibility with the surrounding environment and neighborhood.
  - e. Anticipated sub-area development sequence.

The applicant is requesting the Business B-4 Highway District as the underlying zoning district with the follow regulations:

**Development Sequence:**

- The Brookings Marketplace development is proposed to occur in three phases. The subareas are shown on the attached site plan map with the first phase occurring between 6<sup>th</sup> Street and the drainage way. The extension of LeFevre Drive north of 6<sup>th</sup> Street will connect with Capitol Street. An east/west connection from 32<sup>nd</sup> Avenue to LeFevre Drive is planned between the R & T Center and My Place hotel. These two streets are planned as public streets. Additional

internal street networks providing access to parking areas and businesses have not been determined to date if they will be public or private streets.

The applicant is proposing retail junior box retail centers, strip commercial centers, restaurants and fast food uses, convenience store, sites for hotel development, and small office sites. The uses are consistent with uses in the B-4 District. The proposal entails approximately 207,000 - 218,250 square feet of retail development at full build out excluding the proposed hotel sites. The IDP provides approximate locations of structures with approximate square footage. For purposes of review and approval of the IDP, it is recommended to plan for maximum build out utilizing the highest density for each structure.

**Building Heights/Setbacks:**

- 35 foot setback along Highway 14/6<sup>th</sup> Street and Interstate 29 Ramp
- 25 foot setback along other streets
- Hotel Uses up to five (5) stories
- All Other Uses 1-2 stories

**Lot Area:**

- No minimum lot area. Lot area will be determined based upon the needs of each individual retailer.

**Parking:**

- Cross parking and access agreements are proposed to provide adequate and conveniently located parking. The total number of spaces provided with the project is 1,059.

**Access Drives:**

- The applicant is proposing six (6) access drives on the west side of LeFevre Drive and three (3) on the east side. The location of the access drives may be modified to align with access drives on adjacent property. Based upon the amount of street frontage along LeFevre, the requested number of access drives is appropriate for the development.

**Landscaping:**

- Greenspace is provided along the perimeter of the site, along streets, around buildings and parking lots. Specific details of the landscaping plan will be identified at the time of the Final Development Plan submittal. A natural drainage way divides the site and is incorporated in the overall design of the project. A proposed conservation/community gathering space is proposed adjacent to the drainage way. The specifics of this space will be determined based on input from the Corp of Engineers, project architects and engineers, and City of Brookings.

**Signage:**

- The applicant is proposing three (3) Development Signs and one (1) Pylon Sign. Additional signage will be the responsibility of each individual retailer.

**Bike Trail:**

- The development team is proposing a bike trail loop through the project and connecting to the existing trail on 32<sup>nd</sup> Avenue.

The Brookings Marketplace IDP is the conceptual layout for the property. It is anticipated Final

Development Plans will be submitted in phases as retailers sign letters of intent and plats are prepared for Planning Commission approval.

The Planning Commission voted 7 - 1 recommending approval of the rezoning request and Initial Development Plan.

**Attachments:**

Ordinance

Planning Commission Minutes 8/1/2017

Notice of Hearing

Brookings Marketplace IDP

Brookings Marketplace Rezoning Map

Business B-4 Highway Business Regulations