

## PLANNING COMMISSION – PROCEDURAL INFORMATION

The City of Minot Planning Commission generally meets on the last Monday of each month, prior to the City Council meetings, regarding zone change requests and other matters pertaining to planning within Minot and the two-mile extraterritorial zone. Recommendations made by the Planning Commission may be discussed at the City Council meetings prior to the City Council making any decision. Planning Commission members are volunteers that are appointed by the Mayor and confirmed by the City Council. All agenda items are considered a public hearing unless otherwise specified.

Additionally, the attached items are listed in a sequential and tentative agenda which will be commencing at 6:30 P.M. on the date of the Monday meeting. However, the Planning Commission reserves the right, and gives notice at this time, that the sequential order of this agenda may be modified by the Planning Commission in accordance with the complexity and anticipated time periods which may be involved in the determination of each agenda item. Therefore, all individuals planning to attend the Planning Commission meeting should arrive at the City Council Chambers by 6:30 P.M. in order to ensure their presence and opportunity to participate in the discussion of the applicable agenda item.

**The procedure in addressing the Planning Commission's Agenda for tonight's meeting will be as follows:**

1. Approval of prior Commission minutes.
2. Consideration of Consent Items – The Planning Commission will determine which agenda items, if any, may be considered and approved on a consent basis. Consent approval means that these agenda items have not encountered any known opposition or protest, and will therefore be approved or recommended by the Planning Commission without further discussion. If anyone from the public desires to address or protest any agenda item being considered on a consent basis, they must inform the Commission Chairman of this request before the consent items are approved in a single motion by the Planning Commission. Failure to advise the Chairman of these circumstances and of the request to pull the item from the consent agenda will result in passage of the item without further discussion or consideration of the opposition's arguments.
3. After determination and approval of the consent items, the following format will be followed by the Commission with regard to the remaining agenda items.
  - a. Each remaining agenda item will be individually read aloud and the Chairman will state the reported City staff recommendation, if any;
  - b. The Chairman will call for comments by those individuals in attendance who are in favor of the agenda item and will also allow the Planning Commission members to direct questions, if any, to those individuals addressing the Planning Commission;
  - c. The Chairman will call for comments by those individuals in attendance who are opposed to the agenda item and will also allow the Planning Commission members to direct questions, if any, to those individuals addressing the Planning Commission;
  - d. The Chairman may permit, in his discretion, brief rebuttal or rejoinder comments from individuals in attendance with regard to the pending issue and will allow the Planning Commission members to direct questions, if any, to those individuals addressing the Planning Commission;
  - e. The Chairman will terminate comments and public input, with the agenda item now being discussed solely by the Planning Commission members following a formal Motion (appropriately seconded) for resolution of the agenda item;
  - f. Following appropriate discussion by the Commission members, the Chairman will call for a roll call vote on the pending motion before the Commission;
  - g. The decision or recommendation of the Planning Commission, as determined by the roll call vote, shall be pronounced by the Chairman and also noted for the subsequent preparation of the Commission minutes; and
  - h. All remaining agenda items will be addressed in the foregoing manner until full completion of the written and approved Agenda for tonight's Meeting.

**PLANNING COMMISSION  
MEETING AGENDA  
MARCH 28, 2016**

**CHAIR:** JOHN ZIMMERMAN

**VICE CHAIR:** PAM KARPENKO

**SUBJECT:** THE CITY PLANNING COMMISSION WILL MEET IN REGULAR SESSION AT 6:30 PM ON MONDAY, MARCH 28, IN CITY COUNCIL CHAMBERS, 515 2<sup>nd</sup> AVENUE SW.

**ROLL CALL.**

**PLEDGE OF ALLEGIANCE.**

**APPROVAL OF FEBRUARY 29, 2016, MINUTES OF REGULAR MEETING.**

**SUGGESTED ITEMS ON CONSENT:** 1, 2, & 4

**1. Fairville R-D 2 Plats P 169, Section 19-155-82**

Application by North Dakota State Fair, represented by Craig Rudland, for a Public Zone Plan Review to place an approximately 22'10" electronic sign at the entrance of the ND Fairgrounds property on Fairville R-D 2 Plats P 169, Section 19-155-82.

This property is located at 2005 E. Burdick Expressway.

**2. Krebsbach 2<sup>nd</sup> Addition, Block 2, less portion platted to Krebsbach 3<sup>rd</sup> Addition**

Application by Lowe's Garden Center Inc., represented by Philip Lowe, for an Interim Use Permit to place a seasonal retail greenhouse on Krebsbach 2<sup>nd</sup> Addition, Block 2, less portion platted to Krebsbach 3<sup>rd</sup> Addition. This will occur annually from April 15 to July 1.

This property is located at 1620 S. Broadway (Marketplace Foods).

**3. Proposed Lundeen's Addition, Lots 1-3**

Application by Jay Lundeen, represented by KLJ-Brice Nelson, to subdivide Northdale 3rd Addition, Lots 1 & 2 plus ½ vacated alley; Polaris Addition, Lot 1; Northgate Subdivision, Lot 2 into three lots to be known as Lundeen's Addition, Lots 1-3 for the purpose of expanding a current business.

Also, to change the zone from C2 (General Commercial) District and R3 (Multiple Residence) District to C2 (General Commercial) District on proposed Lundeen's Addition, Lot 1.

Also, to change the zone from R3 (Multiple Residence) District and C2 (General Commercial) District to R3 (Multiple Residence) District on proposed Lundeen's Addition, Lot 3. Proposed Lundeen's Addition, Lot 2 will remain C2 (General Commercial) District.

Also, for a variance to the required landscaping and buffer per Section 24-1 h) on proposed Lundeen's Addition, Lots 1 & 2.

This property is located at 2705 & 2911 N Broadway and 300 27th Ave NW.

**4. Marian Heights 3rd Addition, Block 1, Lot 5**

Application by Church of Jesus Christ of Latter-day Saints, represented by Dwight Clayton, to extend an Interim Use Permit passed in October 2013, to keep a manufactured unit to use as classroom on Marian Heights 3rd Addition, Block 1, Lot 5 until the end of 2016, at which time the expansion project will be completed.

This property is located at 2025 9th St NW.

**5. Minot Prairie Industrial Park, Block 1, Lot 1**

Continuation of an application by JRJ Land Holding, LLC- Mr. Kovach, represented by Buell Consulting, Inc., - Dave Fischer, to amend a Conditional Use Permit approved on March 2, 2015, to replace 12' x 30' Shelter with internal generator with up to four (4) outdoor equipment cabinets on a platform with an external generator and to construct a 159' communications tower on Minot Prairie Industrial Park, Block 1, Lot 1.

This property is located at 410 and 424 74th St SE.

**6. Outlot 70 less Lot A, Section 21-155-82**

Application by JaCraig Partners, represented by Jay Stein, for a variance to the building design requirements as stated in Section 15-9 of the Zoning Ordinance to construct a building approximately 100' x 60' on Outlot 70 less Lot A, Section 21-155-82.

This property is located at 205 42nd St SE.

**7. Amended Plat of Lots 1, 3, 5, & 6, Trestle View 2<sup>nd</sup> Addition, Lot 5**

Application by Northwest Dakota Cellular of North Dakota LP, dba Verizon Wireless, represented by Buell Consulting, Inc. - David Fischer, to amend a Conditional Use Permit approved on March 2, 2015, to replace the 12' x 30' shelter with outdoor equipment and a diesel generator and to construct a 89' communications tower on Amended Plat of Lots 1, 3, 5, & 6, Trestle View 2<sup>nd</sup> Addition, Lot 5.

This property is located at 229 54<sup>th</sup> St SW.

**8. Urban 5th Addition, Lot 1 Less N50'**

Application by Darin Scherr, represented by Michael Oakleaf, for a C4 Plan Review and Approval to construct a new office building on Urban 5th Addition, Lot 1 Less N50'.

This property is located at 920 37th Ave SW.

# VICINITY MAP for MARCH 2016 PLANNING AGENDA



# City of Minot

## Planning Commission

### Staff Report

Meeting Date:	03/28/2016	Item #: 1
Project #:	8016-3.3	Staff Recommendation: APPROVAL
Development Title:		
Current Legal Description:	Fairville R-D 2 Plats P 169, Section 19-155-82	
Address: (if applicable)	2005 E. Burdick Expressway	
Current Zoning:	P	Proposed Zoning: P
Guided Use:	Public	

**Applicant/Owner:** North Dakota State Fair  
 2005 Burdick Expressway East  
 Minot, ND 58701  
 701-857-7620  
 craig@ndstatefair.com

**Rep/Contractor:** Craig Rudland  
 2005 Burdick Expressway East  
 Minot, ND 58701  
 701-857-7620  
 craig@ndstatefair.com

**Zoning Ordinance Ref:** Section 22 – Signage Regulations  
 Section 16 - Public Zone:

**PROJECT DESCRIPTION:**

**REQUEST(S):** The applicant is requesting:

- For a **Public Zone Plan Review** to place an approximately 22’10” electronic sign at the entrance of the ND Fairgrounds property on Fairville R-D 2 Plats P 169, Section 19-155-82.
- This property is located at 2005 E. Burdick Expressway.

**EXECUTIVE SUMMARY AND CITY STAFF CONSIDERATIONS:**

**SUMMARY/CONDITIONS/ISSUE:**

The applicant is requesting a double sided, illuminated sign that is 22’10” in height, with a surface area of 119.25 S.F. The proposed location of the sign is within the boundaries of the property.

## FINDINGS OF FACT:

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### Finding of Facts:

1. Subject property is located within the Public zoning category and it is in compliance with the sign regulations of Section 22.9(a) of the Zoning Ordinance.
2. The dimensions and type of sign proposed are in compliance with Sections 22.9(a)(2)(3)& (5) of the Zoning Ordinance.

### Conditions (if approved):

1. The proposed sign should be built to the specifications proposed.
2. The applicant is in compliance with Section 22-9 (a)(2) Shall not exceed forty-five (45) feet in height.
3. Section 22-9 (a)(3) The sign face shall not exceed three (3) square feet per one (1) foot of lot frontage where the sign is to be placed, up to a maximum of one hundred-fifty (150) square feet (primary cabinet); but in any event, fifty (50) square feet is permitted. A secondary tenant and/or digital display panel (following the requirements in item d below) shall be permitted up to eighty percent (80%) of the primary cabinet sign area.
4. Section 22-9 (a)(5) All freestanding signs or monument/ground signs shall be located with the pole and edge of sign located completely within the property line

## DEVELOPMENT SUMMARY CHART:

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**Site Area:** The overall site area for the fairgrounds is 79.30 acres. The sign will be located on the out lot "A" of the approved plat.

## PLANNING DEPARTMENT CONSIDERATIONS

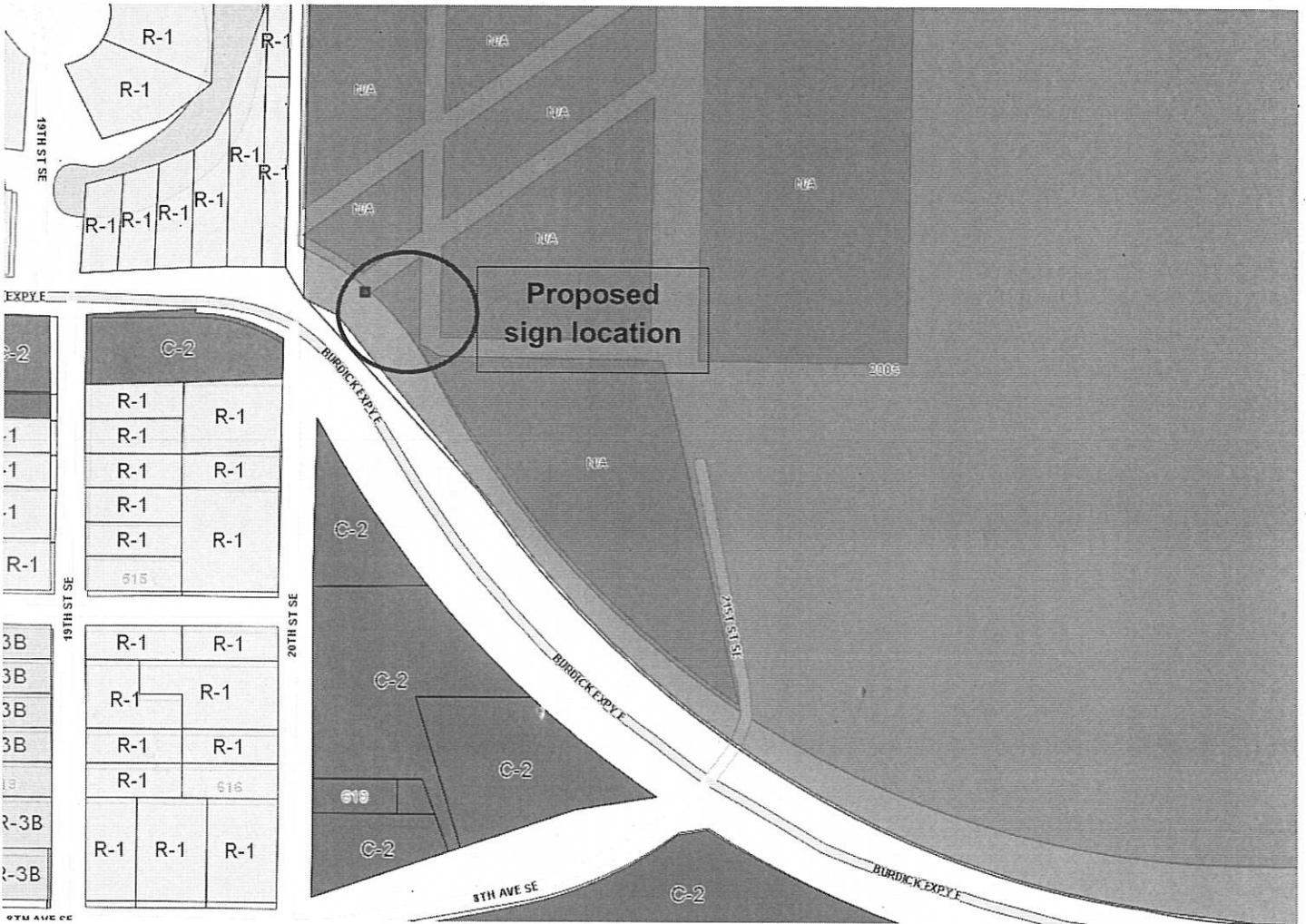
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### CURRENT ZONING, LAND USES & RELATIONSHIP TO THE COMPREHENSIVE PLAN:

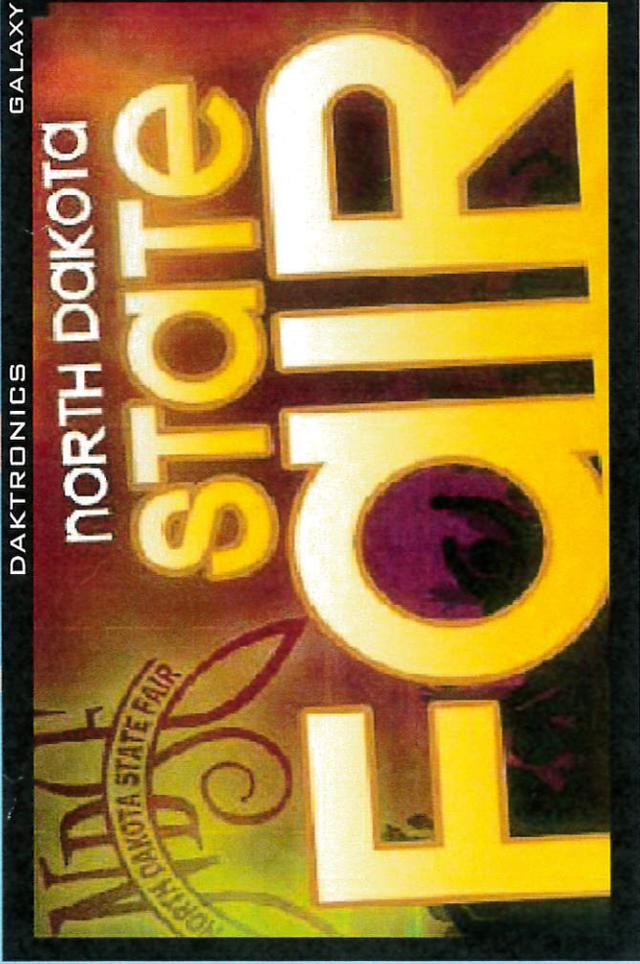
The property where the sign is being proposed is currently zoned Public and is guided on the Future Land Use Plan as Public. The proposed sign meets all of the regulations governing signs in that zoning district.

# PLANNING LOCATION MAP:

## Future Land Use Map

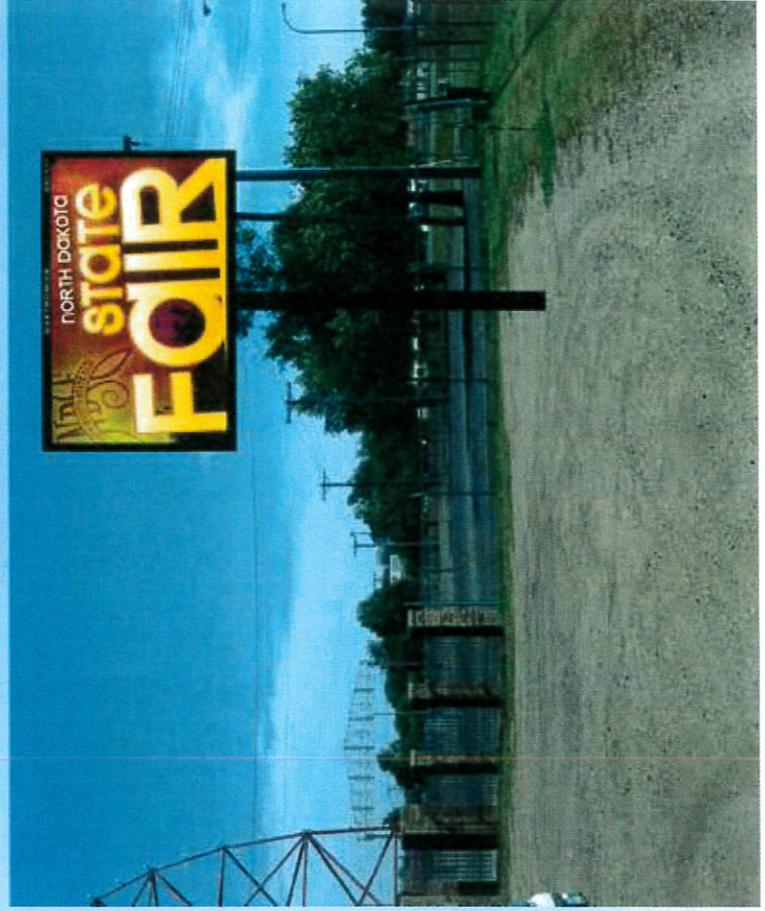






8'-10"

22'-10"

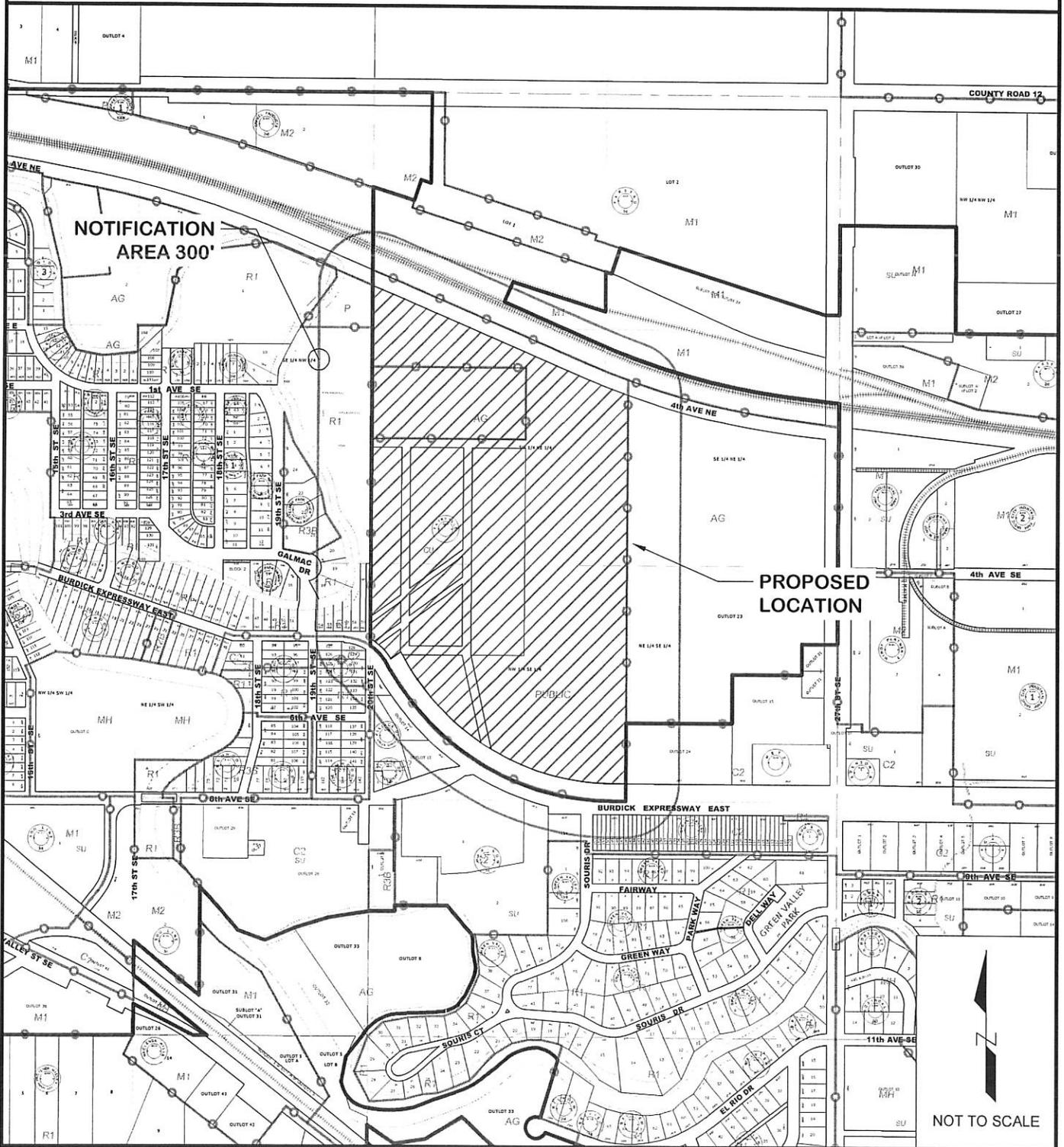


Fence is on PROPERTY LINE



# PROPOSED PUBLIC ZONE PLAN REVIEW FAIRVILLE

CITY OF MINOT, NORTH DAKOTA



MAP CREATED FEBRUARY 18, 2016



**Planning Commission  
Staff Report**

<b>Meeting Date:</b>	3/28/2016	<b>Item #:</b>	2
<b>Project #:</b>	8016-3.5	<b>Staff Recommendation:</b>	APPROVAL
<b>Development Title:</b>			
<b>Current Legal Description:</b>	Krebsbach 2 <sup>nd</sup> Addition, Block 2, less portion platted to Krebsbach 3 <sup>rd</sup> Addition		
<b>Address:(if applicable)</b>	1620 S. Broadway (Marketplace Foods).		
<b>Current Zoning:</b>	C2	<b>Proposed Zoning:</b>	C2
<b>Guided Use:</b>	Commercial		

**Applicant/Owner:** Lowe’s Inc  
P.O. Box 216  
Minot ND 58703  
[phil@lowesfloral.com](mailto:phil@lowesfloral.com)

**Rep/Contractor:** Phil Lowe  
P.O. Box 216  
Minot ND 58703  
[phil@lowesfloral.com](mailto:phil@lowesfloral.com)

**Zoning Ordinance Ref:** Section 30-4

**Section 30-4: Interim Uses:**

- a) Purpose: The purpose and intent of allowing interim uses is: 1) to allow a use for a limited period of time that reasonably utilizes the property where it is not reasonable to utilize it in the manner provided in the comprehensive guide; and 2) to allow a use that is presently acceptable but that, with anticipated development, will not be acceptable in the future.
- b) Application, Public Hearing, Notice and Procedure: The application, public hearing, public notice and procedure requirements for interim use permits shall be the same as those for conditional use permits as provided in Sec. 30-3 of this chapter.
- c) Standards: The Planning Commission shall recommend an interim use permit and the council shall issue such interim use permits only if it finds that such use at the proposed location:
  - 1) Meets the standards of a conditional use permit set forth in Chapter 30-3 of this chapter.
  - 2) Conforms to the zoning regulations, performance standards and other requirements.
  - 3) Is allowed as an interim use in the zoning district.
  - 4) Will terminate upon a date or event that can be identified with certainty.
  - 5) Will not impose, additional costs on the public if it is necessary for the public to take the property in the future.

6) Will be subjected to, by agreement with the owner, any conditions that the city council has deemed appropriate for permission of the use, including a condition that the owner will provide an appropriate financial surety to cover the cost of removing the interim use and any interim structures upon the expiration of the interim use permit.

d) Termination: An interim use permit shall terminate upon the occurrence of any of the following events; whichever first occurs: 1) The date stated in the permit; or 2) A violation of conditions under which the permit was issued.

#### PROJECT DESCRIPTION:

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**REQUEST(S):** The applicant is requesting:

- An **Interim Use Permit** to place a seasonal retail greenhouse on Krebsbach 2nd Addition, Block 2, less portion platted to Krebsbach 3rd Addition. This will occur annually from April 15 to July 1.
- This property is located at 1620 S. Broadway (Marketplace Foods).

#### EXECUTIVE SUMMARY AND CITY STAFF CONSIDERATIONS:

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##### SUMMARY/CONDITIONS/ISSUE:

The applicant is requesting to place a 20' x 60' seasonal greenhouse for the sale of plant materials. The Zoning Ordinance requires an interim use permit for this activity. Lowe's Floral has been selling plant materials in this manner for many years at various locations in the community. City staff has received no complaints over the years and supports the request.

#### FINDINGS OF FACT:

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##### Finding of Facts:

1. Subject property is zoned C2, General Commercial District.
2. The proposed use is an allowable use that requires an Interim Use Permit.

##### Conditions (if approved):

1. This will occur annually from April 15 to July 1.

#### DEVELOPMENT SUMMARY CHART:

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**Site Area:** 4.02 acres

#### PLANNING DEPARTMENT CONSIDERATIONS

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##### CURRENT ZONING, LAND USES & RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The property under consideration is currently zoned C2 and is guided on the Future Land Use Plan as Commercial. The proposed use would be in compliance with the Comprehensive Plan.

# PLANNING LOCATION MAP:

## Planning Map with Future Land Uses





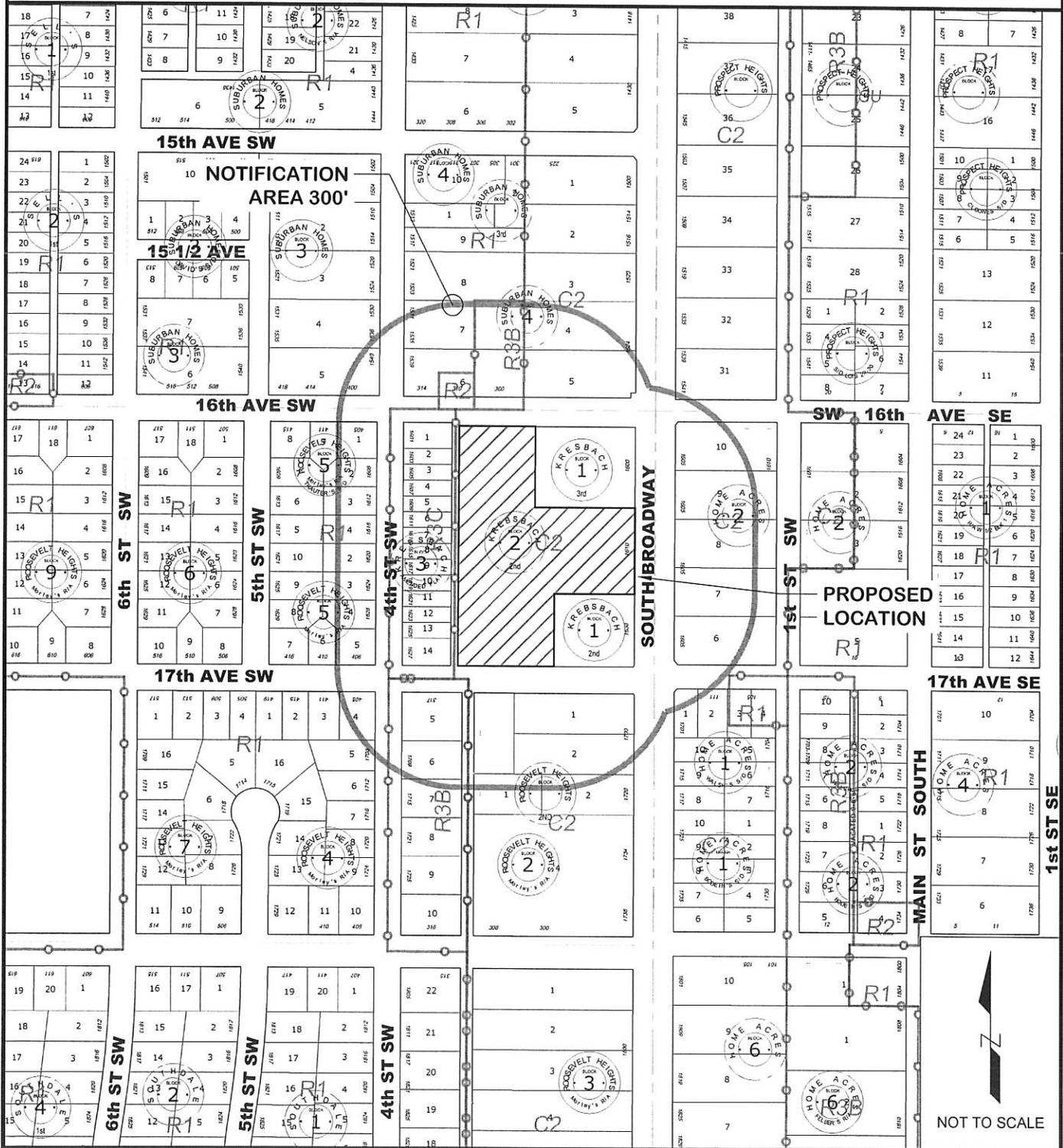
Google earth



20x60 greenhouse  
Same Location as in 2011

# PROPOSED INTERIM USE PERMIT KREBSBACH 2ND ADDITION, BLOCK 2 LESS PORTION TO KREBSBACH 3RD ADDITION

CITY OF MINOT, NORTH DAKOTA



MAP CREATED FEBRUARY 18, 2016

# City of Minot

## Planning Commission

### Staff Report

<b>Meeting Date:</b>	3/28/2016	<b>Item #:</b>	3
<b>Project #:</b>	8016-2.5	<b>Staff Recommendation:</b>	Denial
<b>Development Title:</b>	Lundeen's Addition, Lots 1-3		
<b>Current Legal Description:</b>	Northdale 3 <sup>rd</sup> Addition, Lots 1 & 2 plus ½ vacated alley & Polaris Addition, Lot 1 & Northgate Subdivision, Lot 2		
<b>Address: (if applicable)</b>	2705 & 2911 N Broadway & 300 27 <sup>th</sup> Ave NW		
<b>Current Zoning:</b>	C2 & R3	<b>Proposed Zoning:</b>	C2 & R3
<b>Guided Use:</b>	Commercial		

**Applicant/Owner:** Jay Lundeen  
 3516 N Broadway  
 Minot ND 58701  
 701.852.5126  
[jay@jeromescollision.com](mailto:jay@jeromescollision.com)

**Rep/Contractor:** Brice Nelson – KLJ  
 2900 10<sup>th</sup> St SW  
 Minot ND, 58701  
 701.839.3383  
[Brice.nelson@kljeng.com](mailto:Brice.nelson@kljeng.com)

**Zoning Ordinance Ref:** Section 28: Land Subdivision Regulation  
 Section 30-2: Variance  
 Section 30-5: Text Amendments and Zoning District Changes

#### **Section 11-3: Uses Permitted**

I) Automobile repair shops – major

- 1) There shall be no outdoor service operation of lubrication equipment, hydraulic lifts or service pits, tire changing, drive systems repair or tuning, or similar operations.
- 2) No outside storage of parts, equipment, or inoperable vehicles shall be allowed.
- 3) Sale of products other than those specifically mentioned in this sub-section shall be limited to those allowed in this district and shall be subject to approval as part of the conditional use permit.

**PROJECT DESCRIPTION:**

**REQUEST(S):** The applicant is requesting:

- To **subdivide** Northdale 3rd Addition, Lots 1 & 2 plus ½ vacated alley; Polaris Addition, Lot 1; Northgate Subdivision, Lot 2 into three lots to be known as Lundeen's Addition, Lots 1-3 for the purpose of expanding a current business.
- To **change the zoning** from C2, General Commercial District and R3, Multiple Residence District to C2, General Commercial District on the proposed Lundeen's Addition, Lot 1.
- To **change the zoning** from R3 - Multiple Residence District and C2 - General Commercial District to R3, Medium Density Residential District on proposed Lundeen's Addition, Lot 3. Proposed Lundeen's Addition, Lot 2 will remain C2, General Commercial District.
- Also, for a **variance** to the required landscaping and buffer per Section 24-1 h) on proposed Lundeen's Addition, Lots 1 & 2.
- This property is located at 2705 & 2911 N Broadway and 300 27th Ave NW.

## EXECUTIVE SUMMARY AND CITY STAFF CONSIDERATIONS:

### SUMMARY/CONDITIONS/ISSUE:

The applicant is requesting to subdivide Northdale 3<sup>rd</sup> Addition, Polaris Addition, and Northgate Subdivision to create 3 lots. The purpose for the subdivision is to expand Jerome's Collision Center. The applicant owns Northdale 3<sup>rd</sup> Addition, Lots 1 & 2 and Northgate Subdivision, Lot 2 plus ½ vacated alley between Northdale 3<sup>rd</sup> Addition and Polaris Addition, Lot 1. The applicant is proposing to purchase the other half of the vacated alley on the side of Polaris Addition to allow for a 30' private road way to connect Northdale 3<sup>rd</sup> Addition and Northgate Subdivision. On Northgate Subdivision, Lot 2, the applicant is proposing to split the lot into two lots; the east portion facing North Broadway and the west portion being land locked and connected by the ally to Northdale 3rd Addition. Proposed legal description is Lundeen's Addition, Lot 1, 2, & 3.

The applicant is proposing Lot 2 to be a future restaurant and Lot 1 to be a storage yard with a major repair shop. In Section 11-3 (l) (2) no outside storage of parts, equipment, or inoperable vehicles shall be allowed. Currently the applicant is storing parts, equipment, and/or inoperable vehicles on proposed Lundeen's Addition, Lots 2 within an enclosed fence. Staff acknowledges that the current activity is legal non-conforming use; therefore, a non-conforming use can't be transferred to an abutting lot.

The City Zoning Ordinance doesn't address flag lots; however the proposed subdivision will create a flag lot. This proposed subdivision is in compliance with the subdivision regulations; however, this subdivision is considered a flag lot, which is a common planning practice that is discouraged.

The applicant is also requesting a variance to Section 24-1(h) (1), which requires buffering between adjacent zoning districts when a more intensive zoning district is abuts a lesser intensive district. A 20' landscaping buffering is required to be installed between proposed Lundeen Addition Lot 3 and Lot 1. With the type of activity on this site, buffering is required to screen vehicle storage and movement from view of other adjacent properties. The request for a variance must demonstrate a hardship defined by the Zoning Ordinance. The applicant request does not adequately identify a hardship as outlined in Section 30-2,

therefore, staff cannot support the variance request. Without the variance approval the subdivision is not a viable option for applicant.

On the matter of a zoning change, staff recommends this action only if the subdivision is approved.

**FINDINGS OF FACT:**

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**Finding of Facts:**

1. Subject properties are zoned C2, General Commercial and R3, Medium Density Residential.
2. The request doesn't meet the general intent of Section 30-2 Variance, because it does not demonstrate a hardship on a legal non-confirming lot or other characteristics that variances are intended.
3. The expressed intended use of outdoor storage on Lot 1 is not a permitted use in the C2 zoning district.

**Conditions (if approved):**

1. Sidewalks will be required on proposed lot Lundeen's Addition, Lot 1 - 3
2. North portion of proposed lot 1 should have a frontage road access.
3. Buffer would be required along all lots abutting any R district.
4. A detailed drawing of existing and proposed easements on all properties to be included in the replat. Drawing must show easement type, width, and location.

**DEVELOPMENT SUMMARY CHART:**

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<b>Site Area:</b>	7.66 acres
<b>Building Area:</b>	N/A
<b>Green Area Required:</b>	Buffering along R3 zoning to the west.
<b>Green Area Proposed:</b>	None

**PLANNING DEPARTMENT CONSIDERATIONS**

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**CURRENT ZONING, LAND USES & RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

The property under consideration is currently zoned C2 (General Commercial) and is guided on the Future Land Use Plan as Commercial. The property is adjacent to R3 and R3B to the west and C2 on the north, south, and east. The proposed uses would be in compliance with the Comprehensive Plan.

**BUILDING MATERIALS AND ARCHITECTURE / LANDSCAPING AND BUFFER SCREENING PLANS:**

Applicant did submit building elevation for proposed Lundeen's Addition lot 2. The building material would need to meet and be approved by the Planning Department. The applicant is requesting a variance on the required landscaping and buffering as previously explained in the summary.

**VARIANCE REVIEW/HARDSHIP:**

Before granting a variance, the Planning Commission must specifically find that it can be granted without substantial detriment to the public good and without actually impairing the general purpose and intent of the comprehensive plan as established by the regulations and provisions contained in this ordinance.

- Narrowness or Shallowness or shape of lot.
- Exceptional topographical conditions.
- Property rights enjoyed by neighbors.
- Does NOT meet criteria for a variance (explain below).
- Exceptional practical difficulties.
- Unreasonable hardship.
- Other exceptional situation (explain below).

Zoning Ordinance, Section 30-2 a

**Granting of Variances:** The granting of variance shall be considered under the following conditions: Whereby, a reason of:

1. Exceptional shallowness or shape of a specific piece of property;
2. Exceptional topographical conditions, or
3. Other extraordinary or exceptional situation or condition of a specific piece of property the strict application of any provision of this ordinance would result in:
  - Exceptional practical difficulties (without the variance *reasonable use of the property* is not possible); or
  - Unreasonable hardships (due to circumstances unique to the property not created by the landowner, that would otherwise allow for *reasonable use of the property*) upon or fundamental unfairness to the owner of such property (as opposed to mere or even substantial inconvenience); or
  - The denial to a property owner of a similar property right enjoyed by other property owners in the neighborhood – the Planning Commission may authorize, after notice and hearing, a variance to the *strict application* of the terms of this ordinance to the extent that justice may be done.

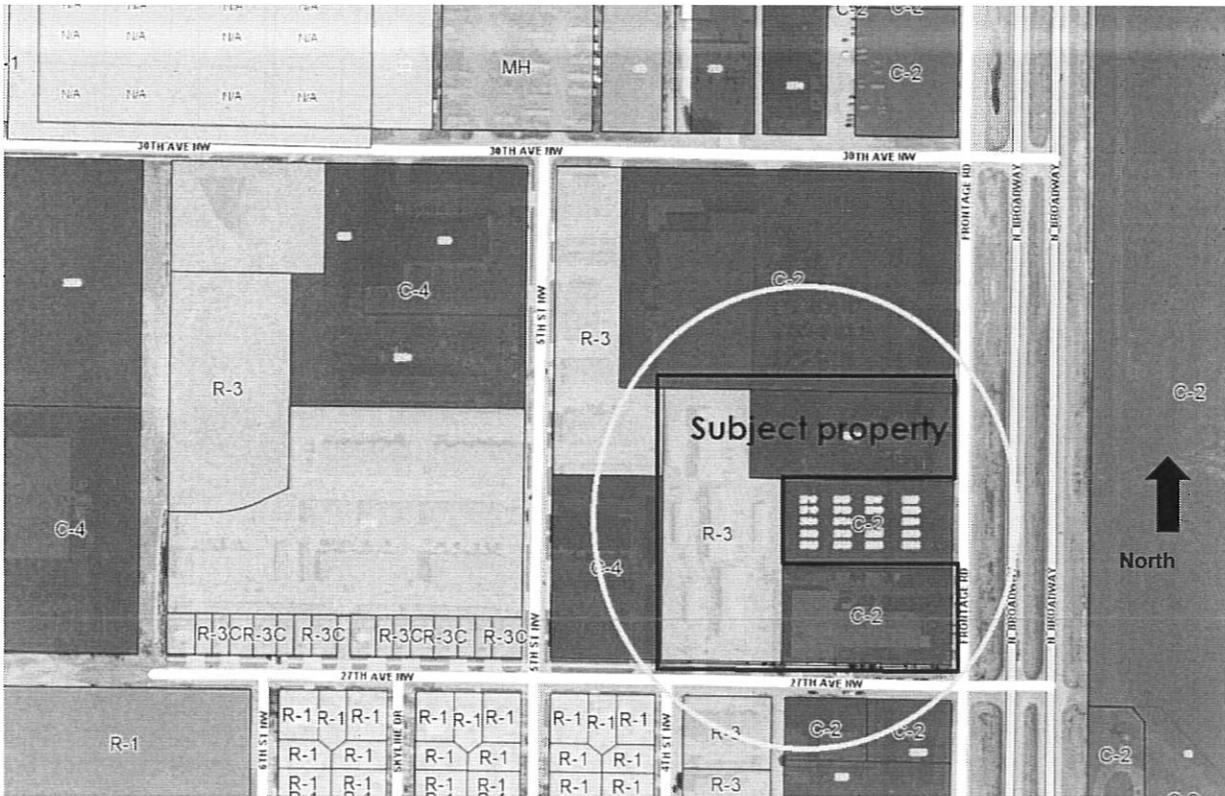
**ENGINEERING AND PUBLIC WORKS DEPARTMENT CONSIDERATIONS:**

**SIDEWALK REQUIREMENTS:**

Sidewalks will be required.

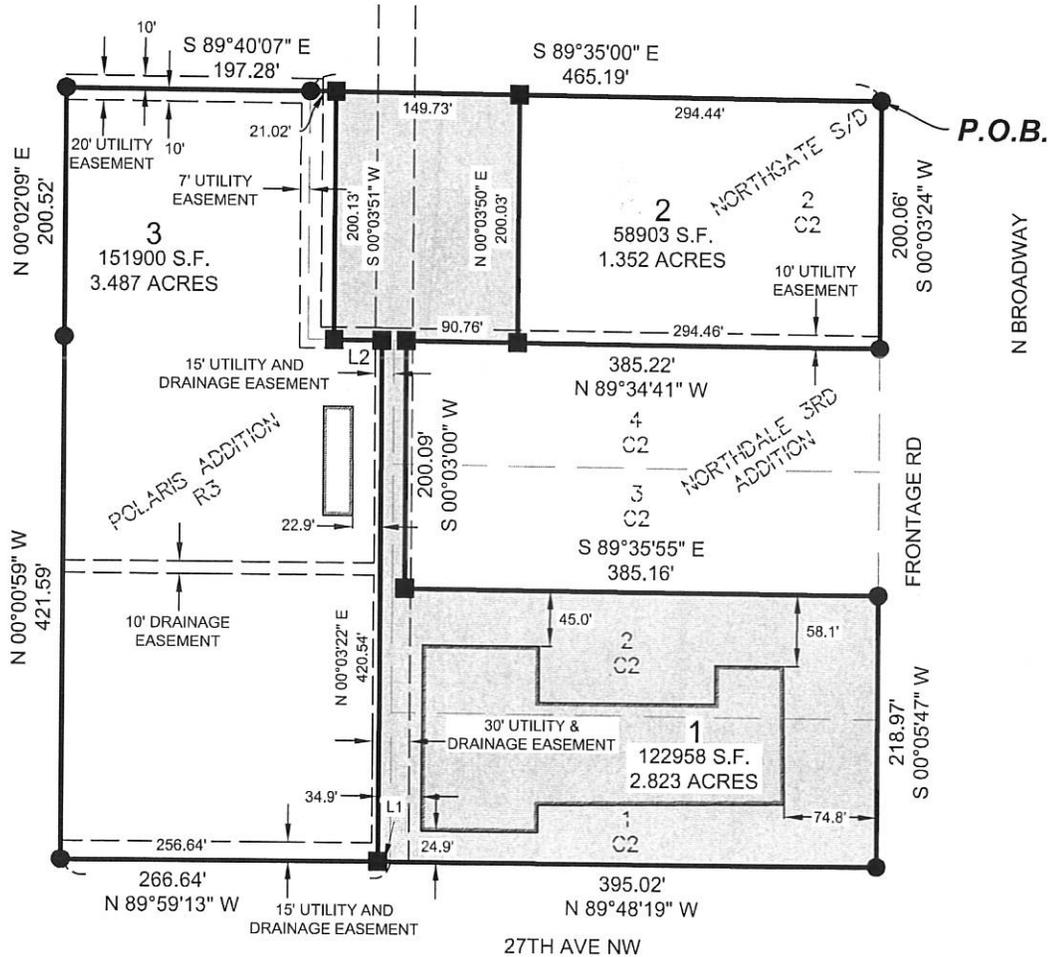
**PLANNING LOCATION MAP:**

Planning Map with Future Land Uses



PRELIMINARY PLAT  
**LUNDEEN'S ADDITION**

A REPLAT OF ALL OF LOT 1 AND LOT 2 OF NORTHDALE 3RD ADDITION, A PORTION OF THE VACATED ALLEY IN NORTHDALE 3RD ADDITION, ALL OF LOT 2 OF NORTHGATE SUBDIVISION, AND ALL OF LOT 1 OF POLARIS ADDITION TO THE CITY OF MINOT, WARD COUNTY, NORTH DAKOTA



PARCEL LINE DATA		
SEGMENT	BEARING	LENGTH
L1	N 89°59'13" W	10.00'
L2	N 89°42'46" W	38.97'

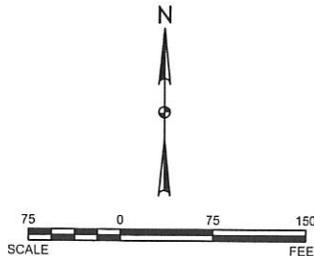
ENGINEER/SURVEYOR  
KLJ  
2900 10TH ST SW, SUITE A  
MINOT, NORTH DAKOTA 58701

- NUMBER OF LOTS: 3
- LOT 1 ACREAGE - 2.82 ACRES
- LOT 2 ACREAGE - 1.35 ACRES
- LOT 3 ACREAGE - 3.49 ACRES
- TOTAL ACREAGE - 7.66 ACRES

PLAT LEGEND

- FOUND MONUMENT
- MONUMENT TO BE SET
- ▭ PROPOSED LUNDEEN'S ADDITION LOT 1

ALL CONTOURS, ELEVATIONS, AND COORDINATES FOR THE PROJECT ARE BASED ON LOCAL SITE, NGVD 29, GEOD12A (CONUS), US SURVEY FEET. DISTANCES SHOWN ARE GROUND DISTANCES.







**CONCEPTUAL RESTAURANT ELEVATIONS**

JAY LUNDEEN  
 MINOT, NORTH DAKOTA

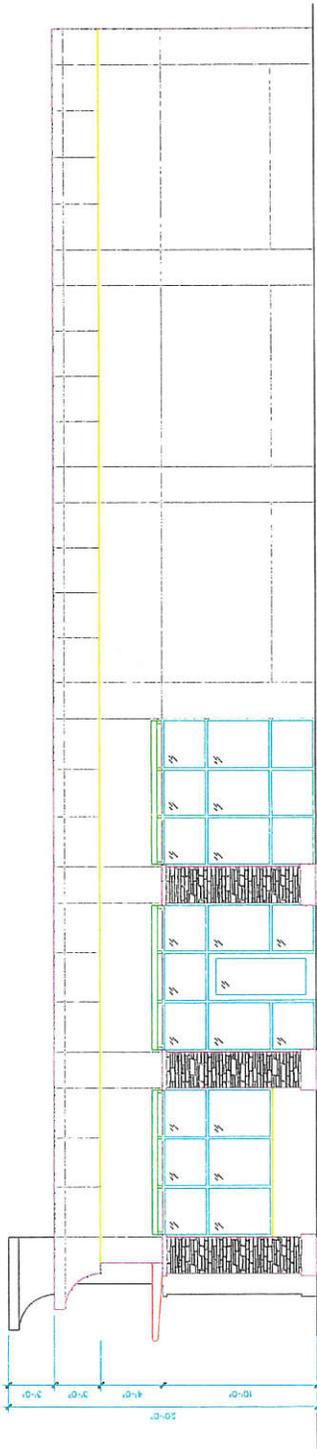
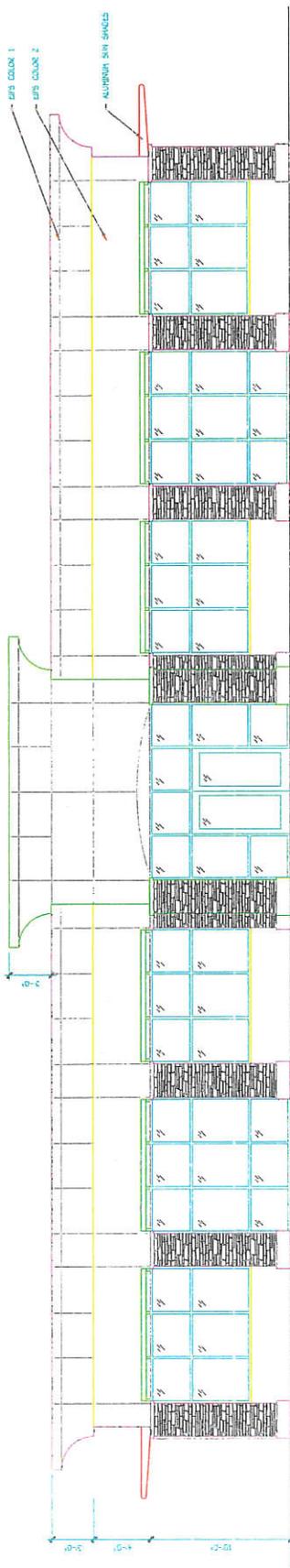
PROJECT # 11111111  
 ISSUE DATE 01.14.2016  
 DRAWN BY: JPL  
 CHECKED BY: JPL

REVISIONS

NO.	DESCRIPTION

CONSTRUCTION DOCUMENTS

SHEET NUMBER



RECEIVED



February 16, 2016

Sybil Tetteh  
Assistant City Planner  
City of Minot  
1025 31st Street SE  
Minot, ND 58702

Re: Jerome's Collision Center Site Plan Expansion

Dear Ms. Tetteh:

This letter has been written on behalf of our client, Jay Lundeen. Our client is seeking to acquire approval for a zone change, a subdivision preliminary plat and a variance to the zoning ordinances. Below we describe an explanation for the purpose to each request.

### **Zone Change**

Our client owns Jerome's Collision Center, which has been a successful business in Minot, ND since 1975. The lot which the business is located on North Hill at the intersection of 27<sup>th</sup> Avenue NW and the frontage road of US 83. Jay also owns the lot which is two lots north of his current location. Due to the success of his local business, the north lot is used to store vehicles, which is currently an eye sore especially on a main thoroughfare through the City. Our client has approached his neighbor to the west, owner of an apartment complex, and both parties have agreed to a land swap. The land swap requires his neighbor to acquire a strip of land which is currently zoned as C-2. This land would need to be re-zoned to an R-3. Jay would need to acquire a strip of land from his neighbor which is currently zoned as R-3. This parcel of land would need to be re-zoned to C-2. The exchange of land is equal in area and they are essentially adjacent to one another. By acquiring this zone change, Jerome's Collision Center can expand their business by building a road to connect the two properties together. Jay plans to fence both the road and the perimeter of the north lot, which will be used for his business. The vehicles which are currently located on the north lot will be relocated to the back side of the lot behind a fence after the project is completed. The ultimate plan is to develop the eastern portion of the lot into either an office or a restaurant. This will not happen this year, but it would be aesthetically pleasing at full build-out. This entire project hinges on the approval of the zone change from the Minot Planning Commission. We are asking for the approval of this zone change, which we feel is beneficial to both Jerome's Collision Center as well as the City of Minot.

### **Subdivision Preliminary Plat**

As described in the zone change, the land swap will create a change in property boundaries. Our client would like to change a portion of his north lot, the road and the existing Jerome's parcel all into one lot. The remaining portion of the north lot will be a second lot and the Polaris addition Lot 1, will become Lot 3 of the new subdivision plat. KLJ feels this is the cleanest and most efficient way to re-plat these properties. Both parties involved in this business deal have agreed to the terms. The property expansion to Jerome's Collision will enhance the business and help to beautify the City of Minot by relocating the current vehicles to the back of the lot behind a privacy fence and landscape screening. We are asking the Planning Commission to approve the request of the subdivision preliminary plat.

RECEIVED FEB 17 2016



## Variance

Our client is asking for a variance to reduce the buffer yard width from 20 feet to 10 feet, due to exceptional practical difficulties. Our client is also asking for a variance to reduce the required plant material in the buffer yard from 30 evergreen trees (15 per 100') to 17 total, due to the reduction in width. Our client is attempting to help his business and the City of Minot at the same time. By placing all of his overflow vehicles to the back of the north lot and placing a perimeter privacy fence, the eye sore of vehicles currently on the lot will be hidden. In the future when the remainder of the lot is developed, even the privacy fence will be masked from US 83 as well. The lot which is proposed to be developed is not a large lot; therefore, in order to attain the desired results of improving the lot both aesthetically and generating new business and commerce for the City the land needs to be maximized on usable space. Our client is asking for the variance on the landscape buffer and planting material requirements on the land adjacent to the landowner on the west due to exceptional practical difficulties. Furthermore, the road to be built connecting his properties has no room for landscaping if he is to maintain a safe width of 20'. The parking area obviously meets the city ordinances with required parking, but to fit the demand of the business the parking needs to extend into the landscape buffer area between his property and the R-3 property. Our client will place a 6-foot privacy fence on the perimeter of his property and maintain a 10-foot wide landscape vegetation strip between the fence and his parking. This is the maximum amount of landscaping the business can afford to give up and still maintain a good business plan for the expansion project.

If our client must maintain the 20-foot buffer between his property and the adjacent R-3 property, it will be detrimental to the growth of his business, which has been contributing and helping the citizens of Minot since 1975. If the variance is not granted, then Jerome's would not be able to complete this project, which would result in continuing to utilize the north lot in the manner it is currently being utilized. The traffic between Jerome's Collision and the north lot would need to continue to use the frontage road and no development of the lot would be possible. New business could not utilize the lot and the vehicles would need to be kept in the front of the lot due to convenience to maintain a successful business. Due to exceptional practical difficulties, we are asking the planning commission to grant a variance on the landscape requirement, which we feel would be beneficial to both Jerome's Collision and the City of Minot after the completed project has been built.

Sincerely,

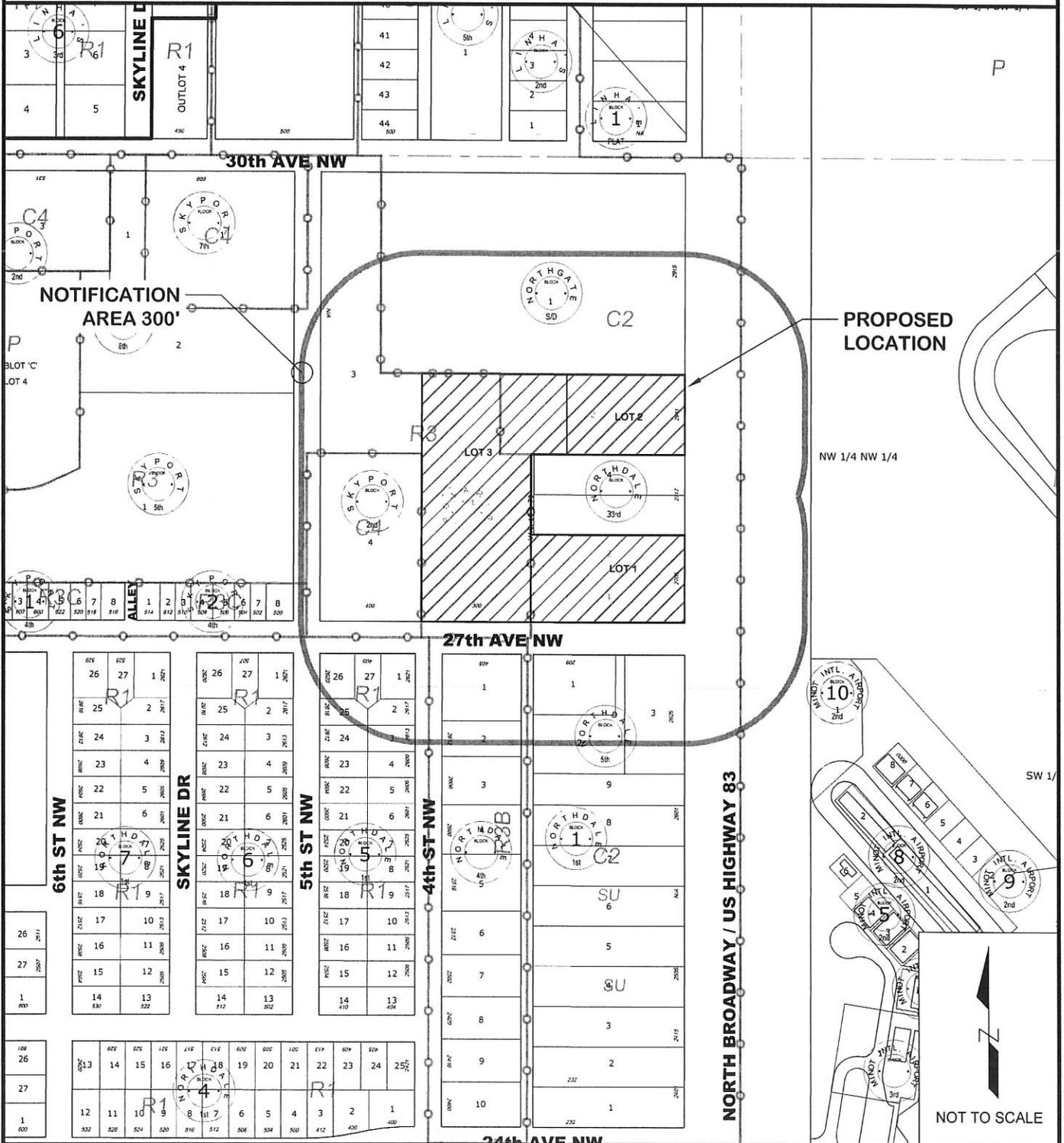
**KLJ**

A handwritten signature in blue ink that reads "Brice A. Nelson". The signature is written in a cursive, flowing style.

Brice A. Nelson PE  
Engineer III

Project #: 7615170  
cc: Jay Lundeen

**PROPOSED SUBDIVISION BY PLAT, ZONE CHANGE,  
AND VARIANCE IN ZONING REGULATION FOR  
LUNDEEN'S ADDITION**  
BEING NORTHDAL 3RD ADDITION, LOTS 1 & 2;  
NORTHGATE SUBDIVISION, LOT 2; AND POLARIS ADDITION, LOT 1  
CITY OF MINOT, NORTH DAKOTA



MAP CREATED JANUARY 21, 2016

# City of Minot

## Planning Commission

### Staff Report

<b>Meeting Date:</b>	03/28/2016	<b>Item #:</b>	4
<b>Project #:</b>	8016-3.6	<b>Staff Recommendation:</b>	APPROVAL
<b>Development Title:</b>			
<b>Current Legal Description:</b>	Marian Heights 3 <sup>rd</sup> Addition, Block 1, Lot 5		
<b>Address: (if applicable)</b>	2025 9 <sup>th</sup> St NW		
<b>Current Zoning:</b>	R1	<b>Proposed Zoning:</b>	R1
<b>Guided Use:</b>	Residential		

**Applicant/Owner:** Church of Jesus Christ of Latter-day Saints  
 2025 9<sup>th</sup> St NW  
 Minot, ND 58703

**Rep/Contractor:** Dwight M. Clayton  
 1929 N Washington St. Ste. G  
 Bismarck ND, 58501  
 (701)751.2775  
 claytondm@ldschurch.org

**Zoning Ordinance Ref:** Section 30-4: Interim Use

**Section 30-4: Interim Uses:**

- a) Purpose: The purpose and intent of allowing interim uses is: 1) to allow a use for a limited period of time that reasonably utilizes the property where it is not reasonable to utilize it in the manner provided in the comprehensive guide; and 2) to allow a use that is presently acceptable but that, with anticipated development, will not be acceptable in the future.
- b) Application, Public Hearing, Notice and Procedure: The application, public hearing, public notice and procedure requirements for interim use permits shall be the same as those for conditional use permits as provided in Sec. 30-3 of this chapter..
- c) Standards: The Planning Commission shall recommend an interim use permit and the Council shall issue such interim use permits only if it finds that such use at the proposed location:
  - 1) Meets the standards of a conditional use permit set forth in Chapter 30-3 of this chapter.
  - 2) Conforms to the zoning regulations, performance standards and other requirements.
  - 3) Is allowed as an interim use in the zoning district.
  - 4) Will terminate upon a date or event that can be identified with certainty.
  - 5) Will not impose, additional costs on the public if it is necessary for the public to take the property in the future.

6) Will be subjected to, by agreement with the owner, any conditions that the city council has deemed appropriate for permission of the use, including a condition that the owner will provide an appropriate financial surety to cover the cost of removing the interim use and any interim structures upon the expiration of the interim use permit.

d) Termination: An interim use permit shall terminate upon the occurrence of any of the following events; whichever first occurs: 1) The date stated in the permit; or 2) A violation of conditions under which the permit was issued.

**PROJECT DESCRIPTION:**

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**REQUEST(S):** The applicant is requesting:

- To extend an **Interim Use Permit** granted in October 2013, to keep a manufactured unit to use as classroom on Marian Heights 3<sup>rd</sup> Addition, Block 1, Lot 5 until the end of 2016, at which time the expansion project will be completed.
- This property is located at 2025 9<sup>th</sup> St NW.

**EXECUTIVE SUMMARY AND CITY STAFF CONSIDERATIONS:**

---

**SUMMARY/CONDITIONS/ISSUE:**

The applicant is requesting an extension to an interim use permit to allow the use of a temporary manufactured unit on site to use as classroom until the end of the year. This is the applicant first's extension request. Staff supports the request.

**FINDINGS OF FACT:**

---

**Finding of Facts:**

1. Subject property is zoned R1, Single-Family District the proposed structure is an allowable use in that district.
2. The structure has been previously approved by the City Council on 10/7/2013.
3. The applicant is requesting an extension of the permit that would allow for the temporary classroom to remain until the end of December 2016.

**DEVELOPMENT SUMMARY CHART:**

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**Site Area:** 139,194 SF

**PLANNING DEPARTMENT CONSIDERATIONS**

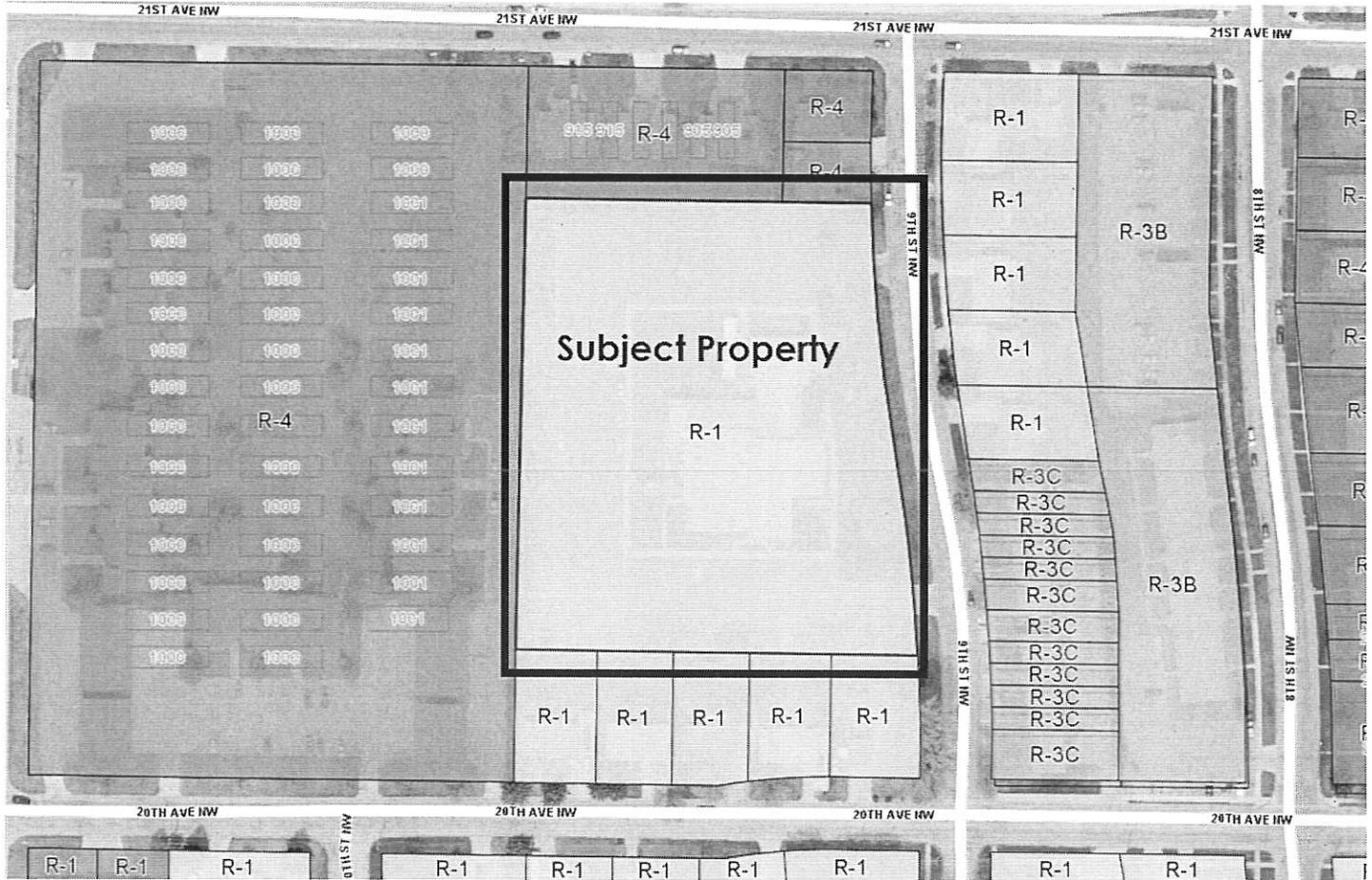
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**CURRENT ZONING, LAND USES & RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

The property under consideration is currently zoned R-1, Single Family Residential. Properties to the north and west are zoned R4; properties to the south and east are zoned R1. The property is guided on the Future Land Use Plan as Low Density Residential. The proposed use as a church is compatible in this land use designation.

# PLANNING LOCATION MAP:

## Planning Map with Future Land Uses



Temporary Trailer Request  
 Minot LDS Meetinghouse  
 2025 9th Street NW

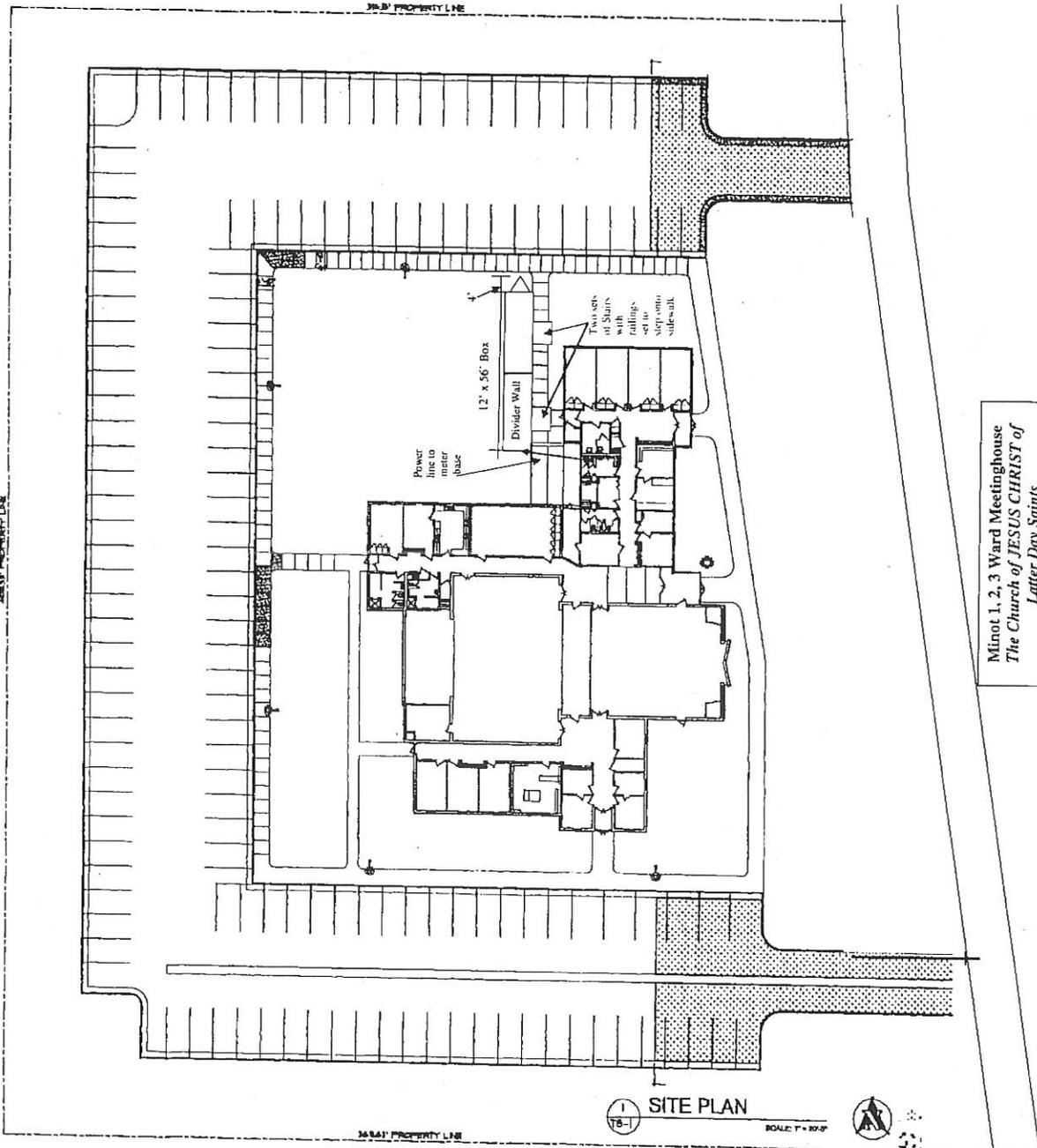
Trailer: 12' x 60' to be leased from Bruce's Manufactured Housing in Bismarck.

Set Up: Trailer will be placed, leveled with block foundation piers and tied down with multiple straps. Trailer will be skirting to provide finished appearance.

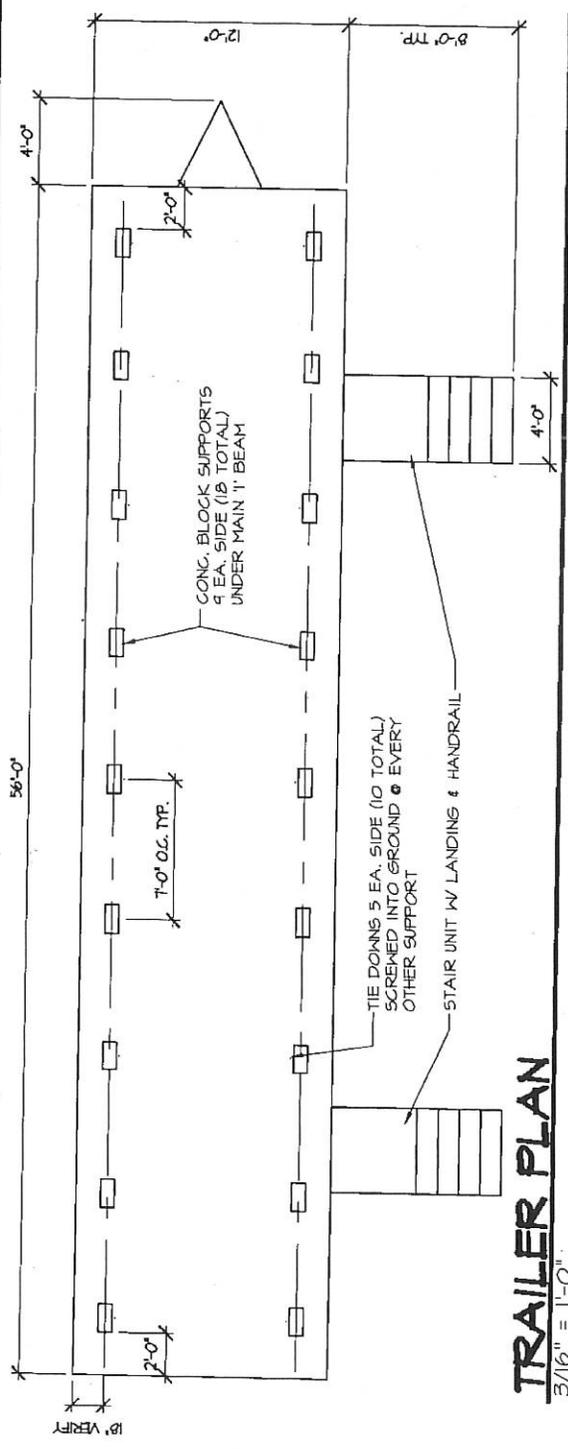
Power Source: 220 power line run from the trailer to the meter base located in the fenced area on the west side of the building.

Stairs consist of a landing/steps and are constructed of either pressure treated lumber or aluminum. They will be blocked and secured in place.

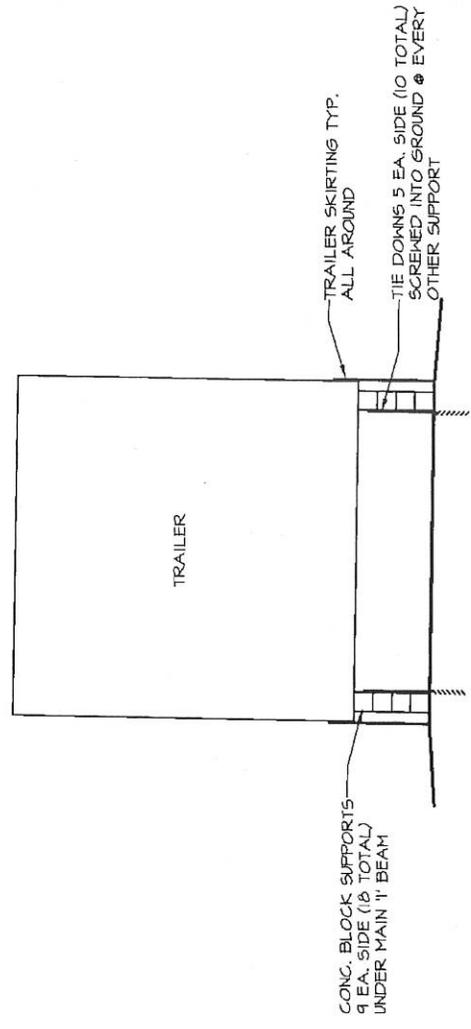
The picture below shows a similar trailer with the wooden steps and skirting. Larger photo attached to the application.



Minot 1, 2, 3 Ward Meetinghouse  
 The Church of JESUS CHRIST of  
 Latter Day Saints



**TRAILER PLAN**  
3/16" = 1'-0"



**TRAILER END SECTION/ELEVATION**  
1/4" = 1'-0"

The Church of Jesus Christ of Latter Day Saints  
Temporary Trailer Unit  
2025 9th Street NW Minot, ND

SCHULTZ FOSS  
ARCHITECTS, P.C.  
ARCHITECTURE INTERIORS PLANNING  
BLUNGS, MI. & GIBBLE INTERIORS PLANNING, ND.

A.I.  
Project No.

F

**COPY**

**RESOLUTION NO. 3236**

BE IT, HEREBY, RESOLVED BY THE CITY COUNCIL of the City of Minot, North Dakota, that an interim use permit be granted to Church of Jesus Christ of LDS, Dwight Clayton, to place a manufactured home on the existing site to use as classrooms until a permanent structure is completed on the lot located on Marian Heights 3<sup>rd</sup> Addition, Being Lot 5, Block 1, Marian Heights 3<sup>rd</sup> Addition; Address: 2025 9<sup>th</sup> St NW. Subject to the following condition:

1. This permit shall be valid for two years with the option to extend if additional time is needed for reconstruction.

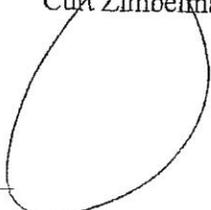
Passed and adopted this 7<sup>th</sup> day of October, 2013.

APPROVED:

  
\_\_\_\_\_  
Curt Zimbelman, Mayor

ATTEST:

  
\_\_\_\_\_  
Lisa Jundt, City Clerk



# PROPOSED INTERIM USE PERMIT MARIAN HEIGHTS 3RD ADDITION BLOCK 1 LOT 5

CITY OF MINOT, NORTH DAKOTA



MAP CREATED FEBRUARY 18, 2016

# City of Minot

## Planning Commission

### Staff Report

<b>Meeting Date:</b>	3/28/2016	<b>Item #:</b>	<b>5</b>
<b>Project #:</b>	8016-2.3	<b>Staff Recommendation:</b>	<b>APPROVAL</b>
<b>Development Title:</b>			
<b>Current Legal Description:</b>	Minot Prairie Industrial Park, Block 1, Lot 1		
<b>Address: (if applicable)</b>	410 & 424 74 <sup>th</sup> St SE		
<b>Current Zoning:</b>	M1	<b>Proposed Zoning:</b>	M1
<b>Guided Use:</b>	Industrial		

**Applicant/Owner:** JRJ Land Holding, LLC – Ross Kovach  
P.O Box 2028  
Pinedale, WY 82941  
(307)231-6766  
[rkovach@rosscocrane.com](mailto:rkovach@rosscocrane.com)

**Rep/Contractor:** Buell Consulting, Inc.-Brandon St. Michael  
1360 Energy Park Dr., Suite 210  
St. Paul, MN 55108  
(651)361-8110  
[Brandon@crossbarresource.com](mailto:Brandon@crossbarresource.com)

**Zoning Ordinance Ref:** Section 31: Towers  
Section 30-3: Conditional Use Permit

**PROJECT DESCRIPTION:**

**REQUEST(S):** The applicant is requesting:

- To amend a **Conditional Use Permit** (CUP) approved on March 2, 2015, Resolution 3395, to replace 12' x 30' Shelter with internal generator with up to four (4) outdoor equipment cabinets on a platform with an external generator and to construct a 159' communications tower on Minot Prairie Industrial Park, Block 1, Lot 1.
- This property is located at 410 and 424 74th St SE.

**Section 30-3. Conditional Use Permits:**

a) Intent: The provisions of this section are intended to permit certain land uses which, under special conditions and review, can be compatible with the uses permitted by right in a zoning district, and

desirable to the development of the City as a whole. Only those uses identified in the zoning district regulations are eligible for a Conditional Use Permit (CUP) under the procedure described below. A Conditional Use Permit shall not be granted unless it meets the minimum standards and requirements of the applicable zoning district where permitted.

- d) Before making a recommendation, the Planning Commission shall review the application for a Conditional Use Permit to ascertain compliance with the specific standards governing individual conditional uses, and that satisfactory provisions and arrangements has been made concerning the following, where applicable:
- 1) Ingress and egress to the property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
  - 2) Off-street parking and loading areas where required.
  - 3) Refuse and service areas.
  - 4) Utilities, with reference of locations, availability, and compatibility.
  - 5) Screening and buffering with reference to type, dimensions, and character.
  - 6) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district.
  - 7) Required yards and other open space.
  - 8) General compatibility with adjacent properties and other property in the district.

## EXECUTIVE SUMMARY AND CITY STAFF CONSIDERATIONS:

### SUMMARY/CONDITIONS/ISSUE:

The applicant is requesting to amend a previously approved Conditional Use Permit, Resolution 3395, to replace a 12' x 30' shelter (outdoor equipment and outdoor generator) with up to four outdoor equipment cabinets on a platform with an external generator screened by a privacy fence.

In addition, the applicant is proposing a monopole design which is the only type of tower that is allowed by the updated Zoning Ordinance. The monopole will be 159' in height. The applicant has provided justification for the height of the tower, which is required over 154', and design detail of what the proposed tower will look like. The Ordinance requires that monopoles be of a color that blends with the surroundings, therefore, design will not to be approved by the Planning Department unless it complies.

Staff supports the request.

### FINDINGS OF FACT:

#### Finding of Facts:

1. The subject property is zoned M1, Light Industrial.
2. The proposed tower would have additional space available for co-locating.
3. The proposed tower will be designed, constructed, operated, and maintained to be compatible in appearance with the existing or intended character of that area.

#### Conditions (if approved):

1. Applicant shall secure FAA approval prior to issuance of permits.

- 2. The applicant shall provide future cooperative co-location opportunities to improve service or to lease to other providers.
- 3. All standards set forth under the CUP must be addressed by the applicant.
- 4. Public Utility Fees will be required.

**DEVELOPMENT SUMMARY CHART:**

**Site Area:** 50' x 50 land lease

**PLANNING DEPARTMENT CONSIDERATIONS**

**CURRENT ZONING, LAND USES & RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

The property under consideration is currently zoned M1, Light Industrial, as are surrounding properties. Towers are a conditional use in the M1 zoning district. The property is guided on the Future Land Use Plan as Industrial and the use would be in general compliance with the Comprehensive Plan.

**PLANNING LOCATION MAP:**

Planning Map with Future Land Uses Here



# VERIZON WIRELESS

## ND01 SURREY NEW BUILD

### PROJECT INFORMATION

SITE NAME: ND01 SURREY  
 SITE ADDRESS: 424 74TH STREET SE  
 MINOT, ND 58703  
 COUNTY: WARD  
 LATITUDE: 46° 13' 54.48" (NAD83)  
 LONGITUDE: W101° 11' 07.38" (NAD83)  
 DRAWING BASED ON: 10-28-15  
 SITE DATA FORM DATED: 10-28-15  
 BUILDING TYPE: IIB  
 SITE AREA: 50' X 50' = 2,500 S.F.  
 ROOF LOAD: LEVELLOAD = 105 PSF

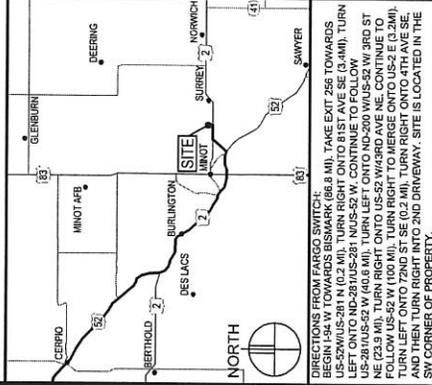
### ISSUE SUMMARY

REV.	DESCRIPTION	SHEET OR DETAIL
A	ISSUED FOR REVIEW 07-18-14	ALL
A-1	ISSUED FOR OWNER APPROVAL 08-19-14	ALL
0	ISSUED FOR BID/CONSTRUCTION 08-12-15	ALL
1	EQUIPMENT PLATFORM SDF-1208-15	ALL
3	ASPHALT ROAD REMOVAL 03-02-16	ALL

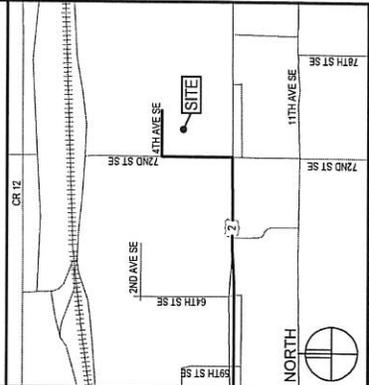
### SHEET INDEX

SHEET	SHEET DESCRIPTION
T-1	PROJECT INFORMATION, TOWER ELEVATION, AND SHEET INDEX
A-1	SITE PLAN, STANDARD DETAIL CHECKLIST, PHOTO
A-2	ENLARGED SITE PLAN
A-3	ANTENNA AND COAX KEY, CABLE BRIDGE PLAN
A-4	OUTLINE SPECIFICATIONS
G-1	GROUNDING NOTES AND DETAILS
G-2	GROUNDING PLAN
U-1	SITE UTILITY PLAN, HAND HOLE PLAN, PHOTO
SWPPP	STORM WATER PREVENTION PLAN, NOTES, DETAILS
	SURVEY

### AREA MAP



### VICINITY MAP



### VERIZON WIRELESS DEPARTMENTAL APPROVALS

NAME	DATE
TONY ZIMMERMAN	07-25-14
AARON STEINKE	07-25-14
MIKE THIEL	07-25-14

### LESSOR / LICENSOR APPROVAL

SIGNATURE	PRINTED NAME	DATE
PDF	ROSS KOVACH	08-28-14

LESSOR / LICENSOR: PLEASE CHECK THE APPROPRIATE BOX BELOW  
 NO CHANGES.  CHANGES NEEDED. SEE COMMENTS.

### CONTACTS

LESSOR / LICENSOR: RJL LAND HOLDINGS, LLC  
 410 74TH STREET SE  
 MINOT, ND 58703  
 ROSS AND JERRY (701) 837-0800

LESSEE: VERIZON WIRELESS  
 10801 BUSH LAKE ROAD  
 BLOOMINGTON, MN 55438  
 RON REITER (612) 726-0652

POWER UTILITY COMPANY CONTACT: VERENDRIVE ELECTRIC CO-OP  
 616 HWY 52 SW  
 BLOOMINGTON, MN 55438  
 (701) 538-2855

TELECO UTILITY COMPANY CONTACT: LLOYD FREEMAN (701) 624-0323  
 T.B.O.

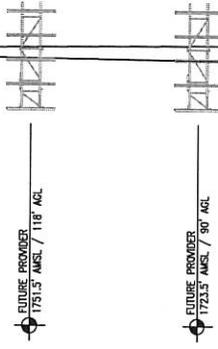
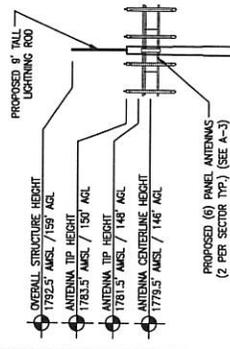
ARCHITECT: DESIGN 1 OF EDEN PRAIRIE, LLC  
 5973 VALLEY VIEW ROAD  
 EDEN PRAIRIE, MN 55344  
 (952) 903-9299

SURVEYOR: ULTEIG ENGINEERS  
 3330 38TH AVE S  
 FARGO, ND 58104  
 (701) 231-3211

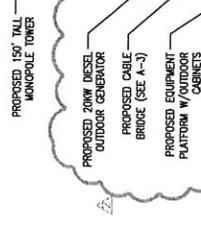
STRUCTURAL ENGINEER: N/A

GEOTECHNICAL ENGINEER: TERRACON CONSULTANTS, INC.  
 1555 NORTH 42ND STREET, UNIT B  
 FARGO, ND 58104  
 (701) 722-2833  
 WILLIAM R. OLSON, P.E.

### TOWER ELEVATION



NOTE:  
 1.) TOWER TO BE ERECTED AND INSTALLED IN ACCORDANCE WITH TOWER MANUFACTURER'S DRAWINGS AND SPECIFICATIONS. ALL DIMENSIONS AND HEIGHTS BETWEEN TOWER DRAWINGS AND ARCHITECTURAL DRAWINGS TO BE REPORTED TO VERIZON WIRELESS AND THE ARCHITECT IMMEDIATELY.  
 2.) TOWER FOUNDATION AND PLATFORM FOUNDATION TO BE EXCAVATED AND CONSTRUCTED IN ACCORDANCE WITH RECOMMENDATIONS AND SPECIFICATIONS OF THE GEOTECHNICAL REPORT WHICH IS NOT INCLUDED IN THIS REPORT. ALL DIMENSIONS BETWEEN THE REPORT AND THE OTHER DOCUMENTS TO BE REPORTED TO VERIZON WIRELESS AND THE ARCHITECT IMMEDIATELY.  
 3.) CONTRACTOR TO ENSURE TIP OF ANTENNAS DO NOT EXCEED TOWER HEIGHT.



1 NORTH ELEVATION  
 SCALE: 1" = 20'-0"

ROBERT J. DAVIS  
 REGISTERED ARCHITECT  
 1228 NORTH DAKOTA  
 EXPIRES 06-30-17

I hereby certify that the portion of this technical submission described below was prepared by me or under my direct supervision and I am a duly-registered Architect under the laws of the State of North Dakota. ROBERT J. DAVIS, Reg. No. 1228

DESIGN 1  
 9973 VALLEY VIEW RD.  
 EDEN PRAIRIE, MN 55434  
 (952) 903-9299  
 WWW.DESIGN1P.COM

VERIZON WIRELESS  
 10801 BUSH LAKE ROAD  
 BLOOMINGTON, MN 55438  
 (612) 726-0652  
 LOCATION CODE: 278589  
 PROJECT: 20130968801  
 ND01  
 SURREY  
 424 - 74TH STREET SE  
 MINOT, ND 58703

SHEET CONTENTS:  
 CONTACTS  
 ISSUE SUMMARY  
 SHEET INDEX  
 DEPARTMENTAL APPROVALS  
 PROJECT INFORMATION  
 AREA & VICINITY MAPS  
 ELEVATION  
 DRAWN BY: A. STANLEY  
 DATE: 06-10-14  
 CHECKED BY: TAB  
 REV. A: 07-18-14  
 REV. A.1: 08-18-14  
 REV. B: 08-12-15  
 REV. 0: 08-12-15  
 REV. 2: 12-08-15  
 REV. 3: 03-02-16

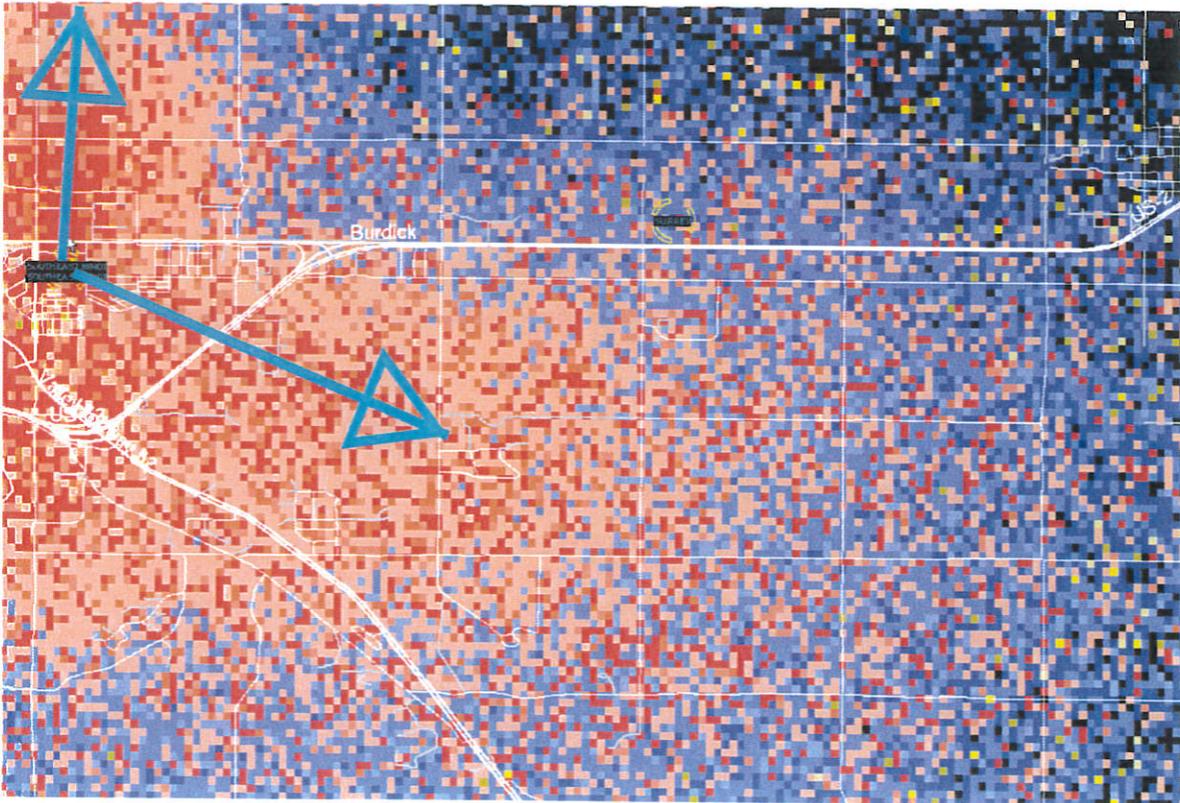


**Demonstration of Need for Proposed VZW Surrey site**  
**1-6-2015**  
**Anthony Zimmerman, RF Engineer, Verizon Wireless**

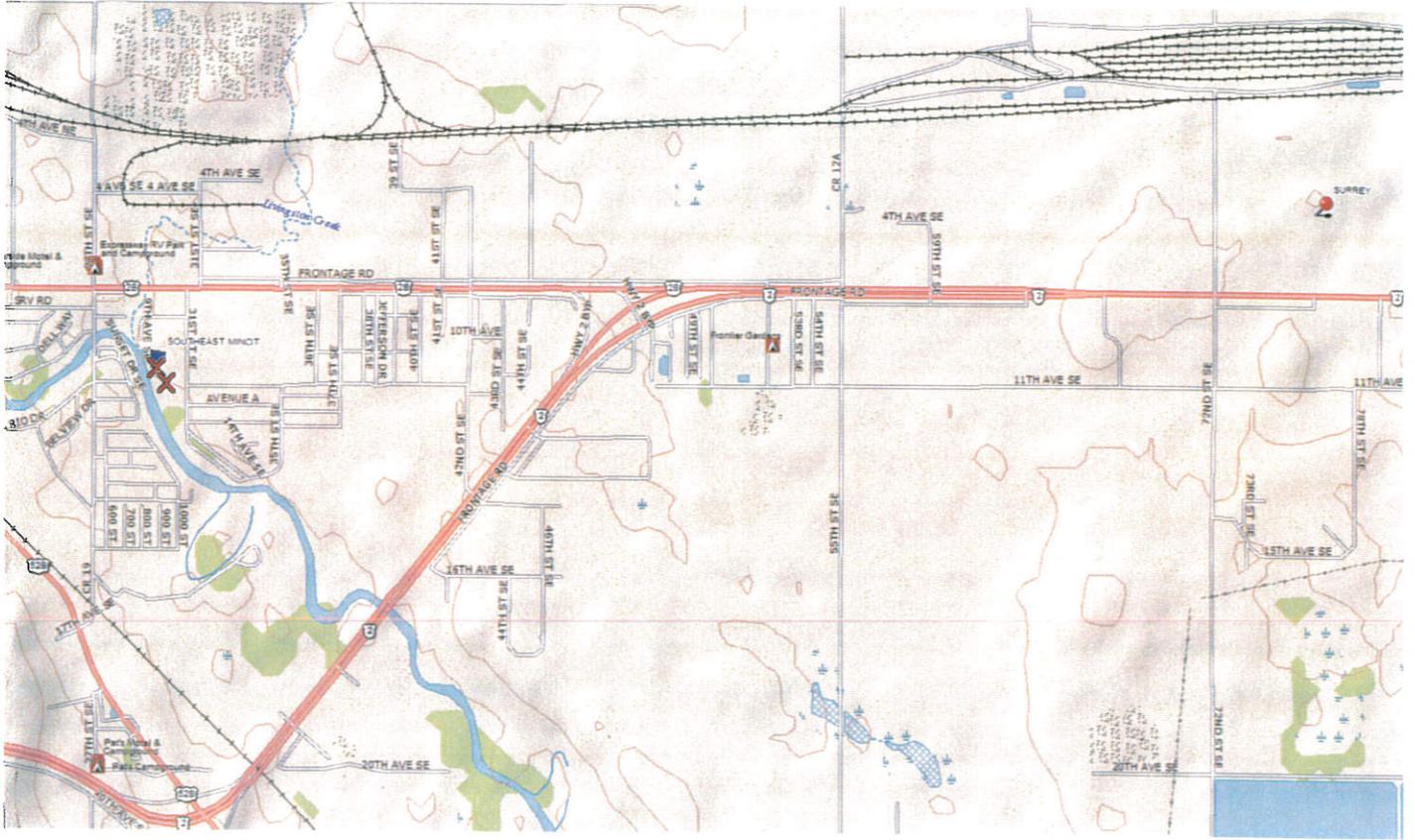
The following maps will demonstrate the need for the new Surrey cell site along HWY 2 on the east side of Minot.

**Demand Map**

The Demand map below shows the customer demand coming from our existing Southeast Minot tower. We have two sectors on this existing site facing North and Southeast calling for offload due to high customer demand. There are no Existing towers located in this area of the community that is in need of offload. The goal of the Surrey site is to be located in a place that will provide offload for these two sectors and increase signal strength to the east of town. I have placed blue arrows on the map showing the sectors that need the offload and the direction they point.



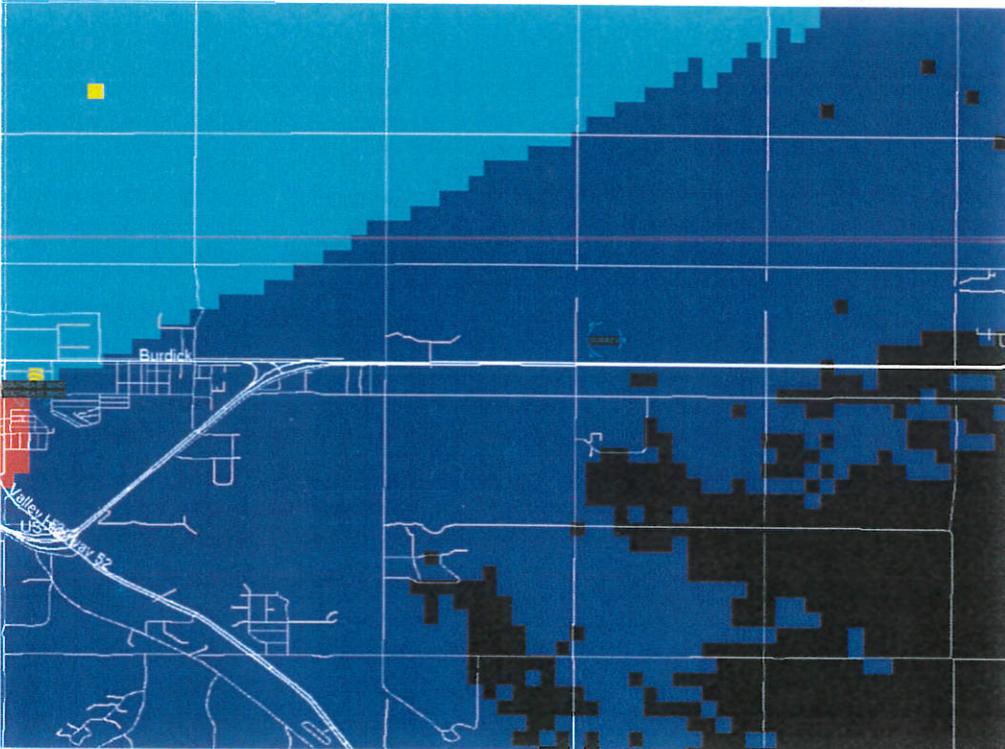
The following map shows our existing towers and the X's represent towers on the spreadsheet provide by the city of existing towers in the area. As you can see there are no existing towers in the area that would allow us to colocate on while providing the needed offload.



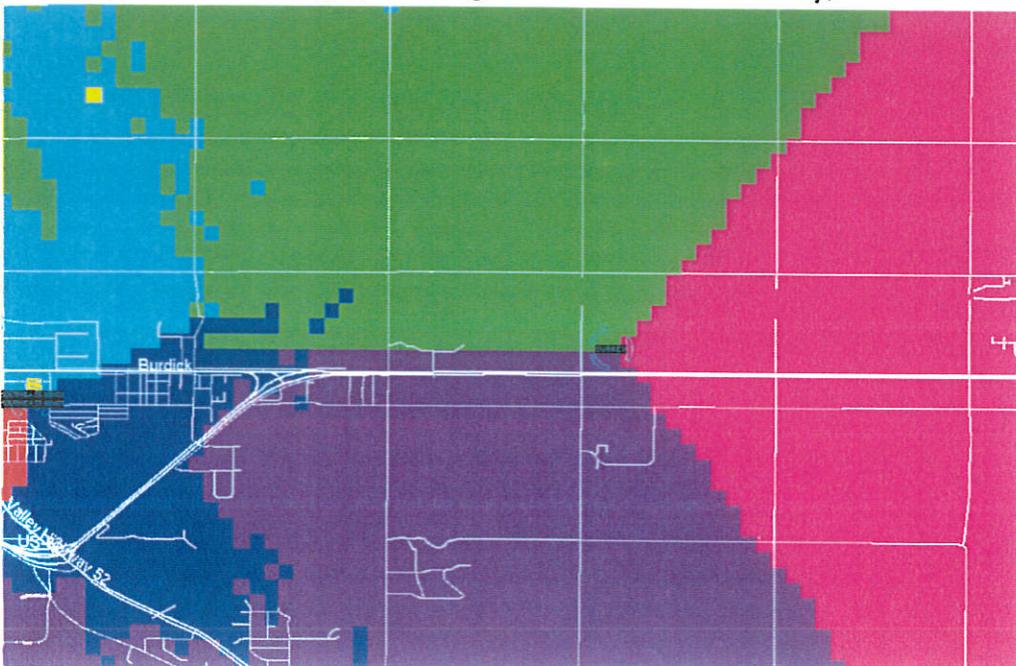
## Best Server Coverage

The next two maps show the before and after Best Server coverage. It is important for all sites in the Verizon network to have a manageable amount of traffic; if a site is experiencing too much traffic, then a new site is needed to offload a portion of that traffic which will increase the speeds experienced by users in the area served by the overloaded site. Of note in this case is the areas served by the existing Southeast Minot sites, North and Sotheast facing sectors. Both these sectors currently need offload due to high volumes of traffic. The first map shows the existing Best Server coverage, with no effect of the Surrey site. The second map will show the Best Server coverage including the proposed effect of the Surrey site.

Existing Best Server Coverage (Excluding Simulated Effect of Surrey)



Best Server Coverage (Including Simulated Effect of Surrey)



RESOLUTION NO. 3395

BE IT, HEREBY, RESOLVED BY THE CITY COUNCIL of the City of Minot, North Dakota, to approve a conditional use permit to Brandon St. Michael representing Verizon Wireless, to place a 150' communications tower and a 12'X30' shelter on Minot Prairie Industrial Park Addition, Block 1, Lot 1, subject to the following:

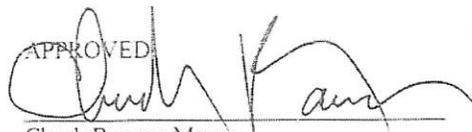
CONDITIONS:

1. The proposed equipment shelter shall be of the same appearance and materials as the existing building and approved by the Planning Department.
2. The proposed 80' antenna will need to meet section 31-6 of the Zoning Ordinance and approved by the Planning Department.
3. Erosion Control practices will need to meet the state of North Dakota requirements and approved by the City Engineer prior to issuance of any building permits.
4. Applicant shall secure FAA approval prior to issuance of permits.
5. The applicant shall provide future cooperative co-location opportunities to improve service or to lease to other providers.
6. All access roadways must be paved.
7. All standard set forth under CUP might be addressed by the applicant.
8. A maintenance free opaque fencing will be required around the base of the tower.

FINDING OF FACT FOR APPROVAL:

1. The subject property is zoned M1, Light Industrial.
2. The proposed use would have additional space available for co-locating.
3. The proposed tower will be designed, constructed, operated and maintained so to be compatible in appearance with the existing or intended character of that area.
4. Will not be hazardous or disturbing to existing or future neighboring uses.
5. The site will be adequately served by essential public facilities
6. The proposed tower and shelter will not create excessive additional requirements for public facilities and services at public cost.
7. Access to the site is ample and the addition of the storage is not expected to create traffic congestion.
8. The proposed installation of the storage is not expected to cause damage to natural, scenic feature and well not depreciate surrounding property values.

Passed and adopted this 2<sup>nd</sup> day of March, 2015.

APPROVED  
  
\_\_\_\_\_  
Chuck Barney, Mayor

ATTEST:

  
\_\_\_\_\_  
Lisa Jundt, City Clerk



# City of Minot

## Planning Commission

### Staff Report

<b>Meeting Date:</b>	3/28/2016	<b>Item #:</b>	6
<b>Project #:</b>	8016-3.2	<b>Staff Recommendation:</b>	DENIAL
<b>Development Title:</b>			
<b>Current Legal Description:</b>	Outlot 70 Less Outlot A, Section 21-155-82		
<b>Address:(if applicable)</b>	205 42 <sup>nd</sup> St SE		
<b>Current Zoning:</b>	M2SU	<b>Proposed Zoning:</b>	M2SU
<b>Guided Use:</b>	Industrial		

**Applicant/Owner:** JaCraig Partners  
 205 42<sup>nd</sup> St SE  
 Minot ND, 58701  
 701.852-5029  
[screeder@srt.com](mailto:screeder@srt.com)

**Rep/Contractor:** Jay Stein  
 205 42<sup>nd</sup> St SE  
 Minot ND, 58701  
 701.852-5029  
[screeder@srt.com](mailto:screeder@srt.com)

**Zoning Ordinance Ref:** Section 30-2: Variance  
 Section 15-9: Building Design & Materials

**PROJECT DESCRIPTION:**

**REQUEST(S):** The applicant is requesting for:

- A **variance** to the building design requirements as stated in Section 15-9 of the Zoning Ordinance to construct a building approximately 100' x 60' on Outlot 70 less Lot A, Section 21-155-82.
- This property is located at 205 42<sup>nd</sup> St SE.

**EXECUTIVE SUMMARY AND CITY STAFF CONSIDERATIONS:**

**SUMMARY/CONDITIONS/ISSUE:**

The applicant is requesting a variance to the required building variation materials in the M2 Zoning District. The applicant is proposing to construct a detached 100' x 60' storage building to match the other buildings already on site. The subject site currently has five buildings leased to various businesses. The

buildings on site range from a metal building design with exposed fasteners to a contemporary industrial building.

Staff could not identify any hardship with the request since the proposed building is a new structure, and the lot is not considered legal non-conforming. Staff does not support the request.

## FINDINGS OF FACT:

### Finding of Facts:

1. The subject property is zoned M2 Heavy Industrial District Special Use Permit. With a Special Use Permit to place two above ground fuel tanks, 1,000 gallon of diesel fuel and 100 gallons of methanol.
2. The proposed building is an allowable use within the M2 zoning district.
3. The request doesn't meet the general intent of Section 30-2 Variance because it does not demonstrate a hardship on a legal-non conforming lot or other characteristics that variances are intended for.

### Conditions (if approved):

1. The proposed building would need to meet Section 15-9(h): Architectural metal with semi or fully concealed fasteners provided such panels are factory fabricated and finished with a durable non-fade surface and would have to provide more than one different design element for the building.
2. 10% of the proposed new CUP landscaping will be required and approved by the Planning Department.
3. The applicant will have to provide the 10% landscaping from the previously approved CUP.
4. Pond and erosion control measures on site need to be brought into compliance with storm water management plan.

## DEVELOPMENT SUMMARY CHART:

<b>Site Area:</b>	13.81
<b>Building Area:</b>	6,000 SF
<b>Green Area Required:</b>	10% of development area
<b>Green Area Proposed:</b>	10%
<b>Parking/ Loading Proposed:</b>	6

## PLANNING DEPARTMENT CONSIDERATIONS

### CURRENT ZONING, LAND USES & RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The property under consideration is currently zoned M2-Heavy Industrial Special Use permit as are properties to the north, west, and east. Property to the south is zone C2, General Commercial and M1. Subject property is guided on the Future Land Use Plan as Industrial. The proposed uses would be in general compliance with the Comprehensive Plan.

Applicant is proposing a metal building with exposed fasteners. A 10% landscaping per development site is required and must be approved by the Planning Department.

### VARIANCE REVIEW/HARDSHIP:

Before granting a variance, the Planning Commission must specifically find that it can be granted without substantial detriment to the public good and without actually impairing the general purpose and intent of the comprehensive plan as established by the regulations and provisions contained in this ordinance.

- |   |   |
|---|---|
| <input type="checkbox"/> Narrowness or Shallowness or shape of lot.                               | <input type="checkbox"/> Exceptional practical difficulties.          |
| <input type="checkbox"/> Exceptional topographical conditions.                                    | <input type="checkbox"/> Unreasonable hardship.                       |
| <input type="checkbox"/> Property rights enjoyed by neighbors.                                    | <input type="checkbox"/> Other exceptional situation (explain below). |
| <input checked="" type="checkbox"/> Does <u>NOT</u> meet criteria for a variance (explain below): |   |

Zoning Ordinance, Section 30-2 a

**Granting of Variances:** The granting of variance shall be considered under the following conditions: Whereby, a reason of:

1. Exceptional shallowness or shape of a specific piece of property;
2. Exceptional topographical conditions, or
3. Other extraordinary or exceptional situation or condition of a specific piece of property the strict application of any provision of this ordinance would result in:
  - Exceptional practical difficulties (without the variance reasonable use of the property is not possible); or
  - Unreasonable hardships (due to circumstances unique to the property not created by the landowner, that would otherwise allow for reasonable use of the property) upon or fundamental unfairness to the owner of such property (as opposed to mere or even substantial inconvenience); or
  - The denial to a property owner of a similar property right enjoyed by other property owners in the neighborhood – the Planning Commission may authorize, after notice and hearing, a variance to the strict application of the terms of this ordinance to the extent that justice may be done.

**ENGINEERING AND PUBLIC WORKS DEPARTMENT CONSIDERATIONS:**

**STORM WATER MANAGEMENT PLAN/REQUIREMENTS:**

Storm Water Management Plans will be required and approved by the City Engineer prior to issuance of any building permits.

**EROSION CONTROL PLAN/REQUIREMENTS:**

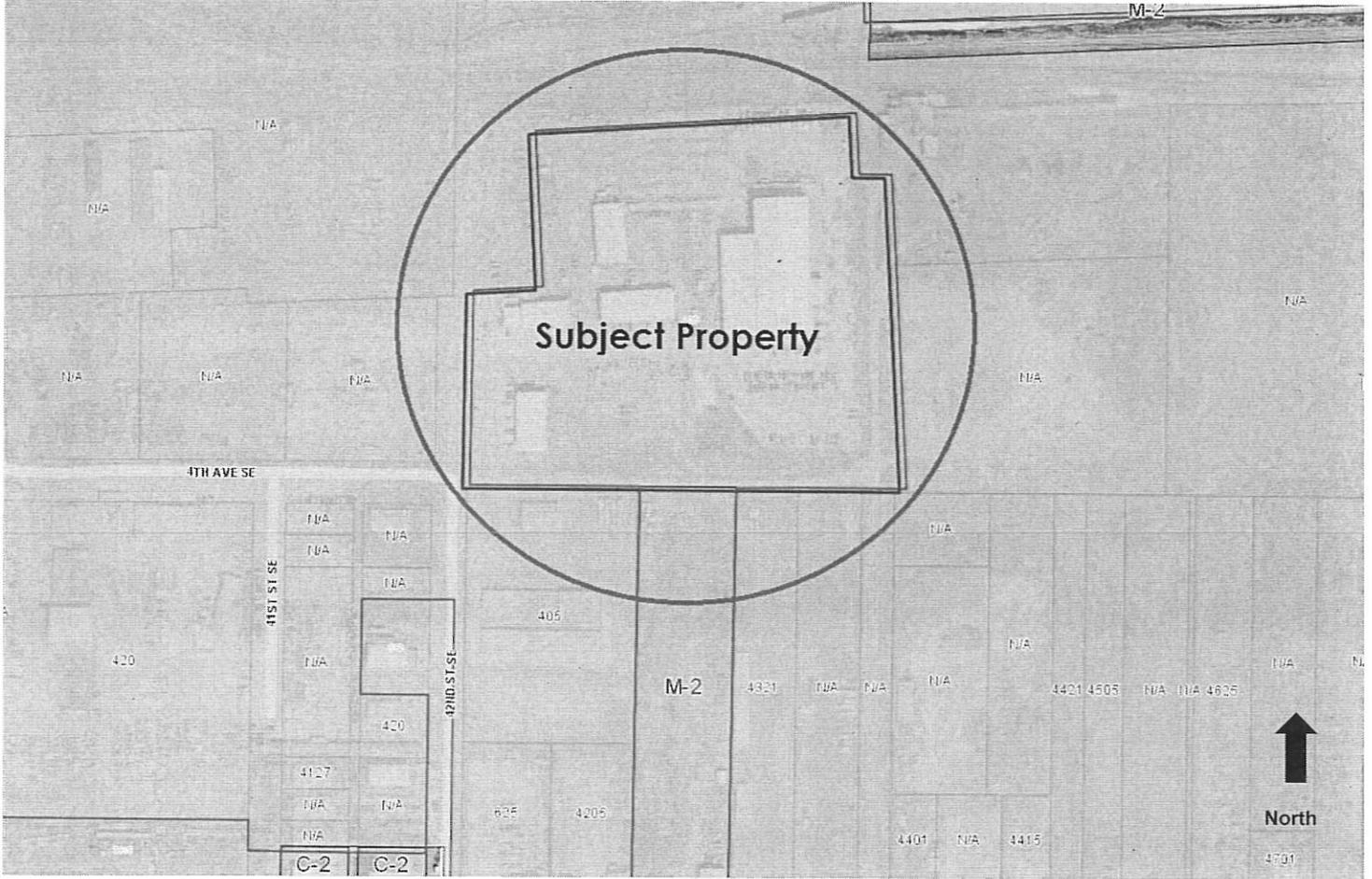
Erosion Control practices will need to meet the state of North Dakota requirements and approved by the City Engineer prior to issuance of any building permits.

**CITY AND RURAL UTILITY PLAN/REQUIREMENTS:**

Public Utility Fees may be required.

**PLANNING LOCATION MAP:**

Planning Map with Future Land Uses







Proposed site



Example of proposed building

North



EXM

N

Example of proposed building



Entrance to proposed building



Detention Pond



Example of proposed buildings

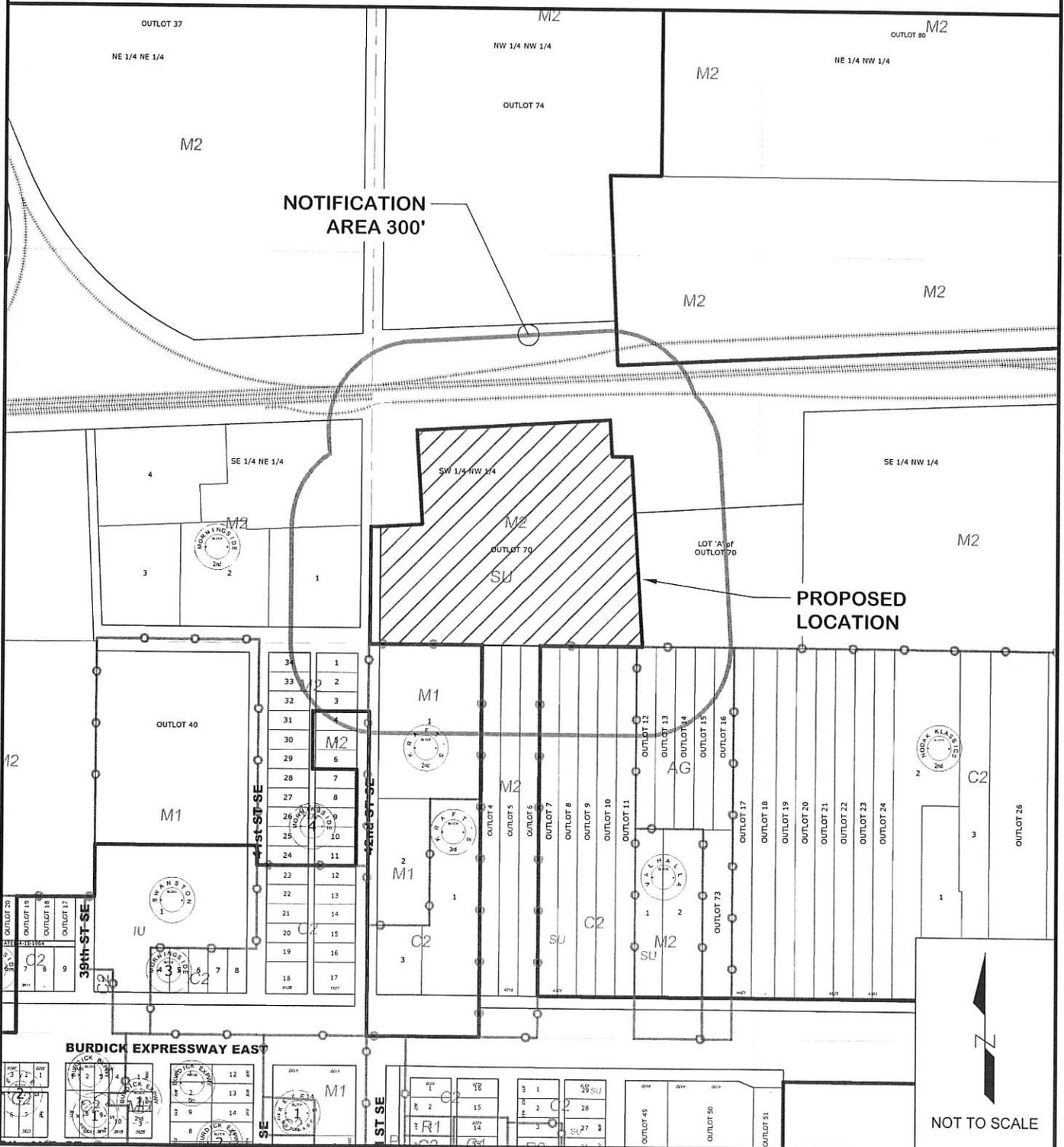




Fastners

# PROPOSED VARIANCE IN ZONING REGULATION SECTION 21-155-82, OUTLOT 70 LESS LOT A

CITY OF MINOT, NORTH DAKOTA



MAP CREATED FEBRUARY 18, 2016

# City of Minot

## Planning Commission

### Staff Report

<b>Meeting Date:</b>	03/28/2016	<b>Item #:</b>	7
<b>Project #:</b>	8016-3.1	<b>Staff Recommendation:</b>	APPROVAL
<b>Development Title:</b>			
<b>Current Legal Description:</b>	Trestle View 2 <sup>nd</sup> Addition, Lot 5		
<b>Address: (if applicable)</b>	229 54 <sup>th</sup> Street S.W.		
<b>Current Zoning:</b>	M1	<b>Proposed Zoning:</b>	M1
<b>Guided Use:</b>	Conceptual Greenway Connection		

**Applicant/Owner:** Paul Behm  
 10801 Bush Lake Road  
 Bloomington, MN 55438

**Rep/Contractor:** Dave Fischer  
 1360 Energy Park#210  
 St. Paul MN 55108  
 612-366-8944  
 dfischer@buellconsulting.com

**Zoning Ordinance Ref:** Section 14-4: Conditional Use Permit  
 Chapter 31 – Towers

#### PROJECT DESCRIPTION:

**REQUEST(S):** The applicant is requesting:

- To amend a **Conditional Use** Permit approved on March 2, 2015, to replace the 12' x 30' shelter with outdoor equipment and a diesel generator and to construct a 89' communications tower on Amended Plat of Lots 1, 3, 5, & 6, Trestle View 2<sup>nd</sup> Addition, Lot 5.
- This property is located at 229 54th St SW.

#### EXECUTIVE SUMMARY AND CITY STAFF CONSIDERATIONS:

##### SUMMARY/CONDITIONS/ISSUE:

The Applicant's modification will consist of changes to how the tower's equipment will be housed. The applicant will be replacing the 12'x 30' equipment shelter with outdoor equipment and an outdoor diesel generator.

## FINDINGS OF FACT:

### Finding of Facts:

1. The Conditional Use Permit (CUP) was approved on March 2, 2015, by Resolution #3398.
2. The tower height will remain at 80'.
3. The applicant will adhere to all other requirements of the previous Conditional Use Permit except there will be a change to how the equipment is housed.

### Conditions (if approved):

1. The proposed tower will adhere to all of the conditions of Section 31 of the City of Minot Zoning Ordinance and previously conditions with Resolution #3398.
2. The applicant will comply with all of the requirements of the conditional use permit.

## DEVELOPMENT SUMMARY CHART:

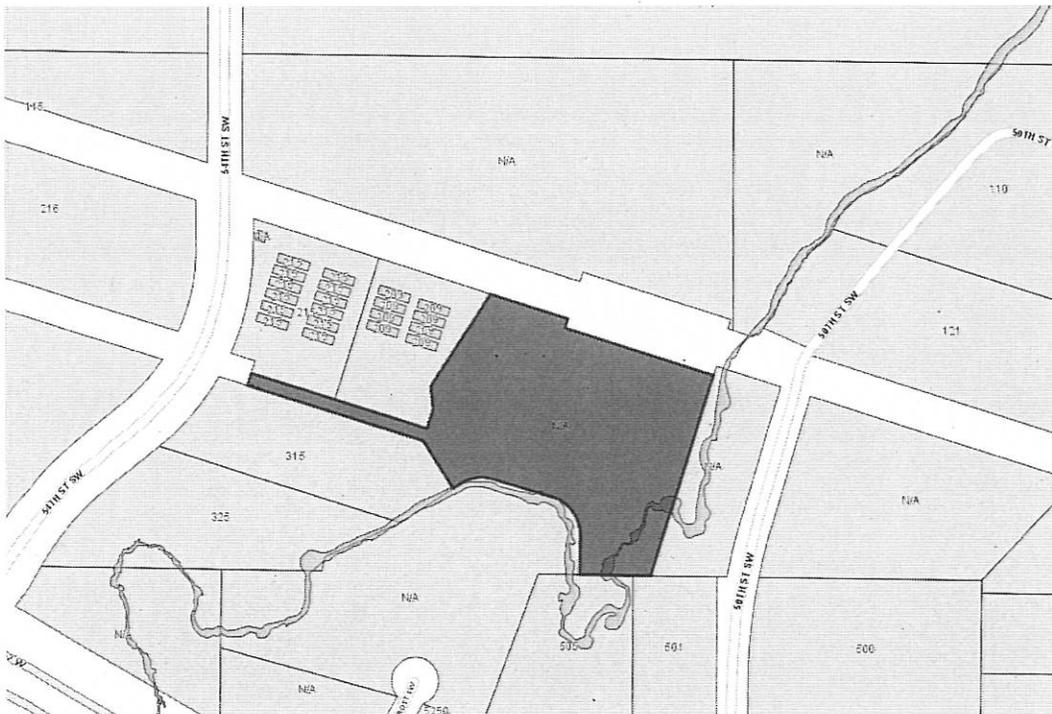
**Site Area:** The site area is a 60'x 60' leased area in lot 5 for the tower and the equipment.

## PLANNING DEPARTMENT CONSIDERATIONS

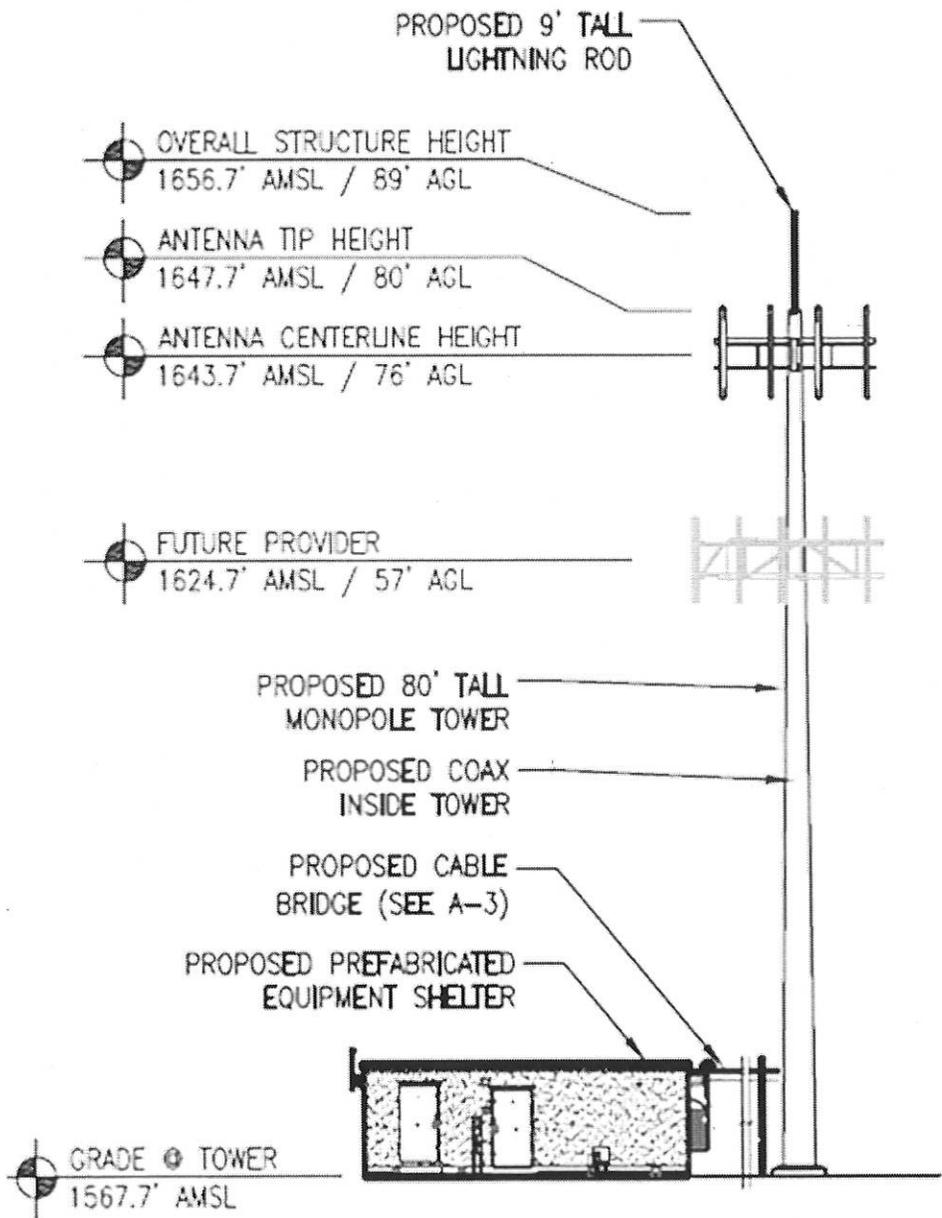
### CURRENT ZONING, LAND USES & RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The property where their equipment housing will be replaced with outdoor equipment is zoned M1, Light Industrial. The changing of the equipment will have no impact to the CUP, Zoning, or the Future Land Use designation.

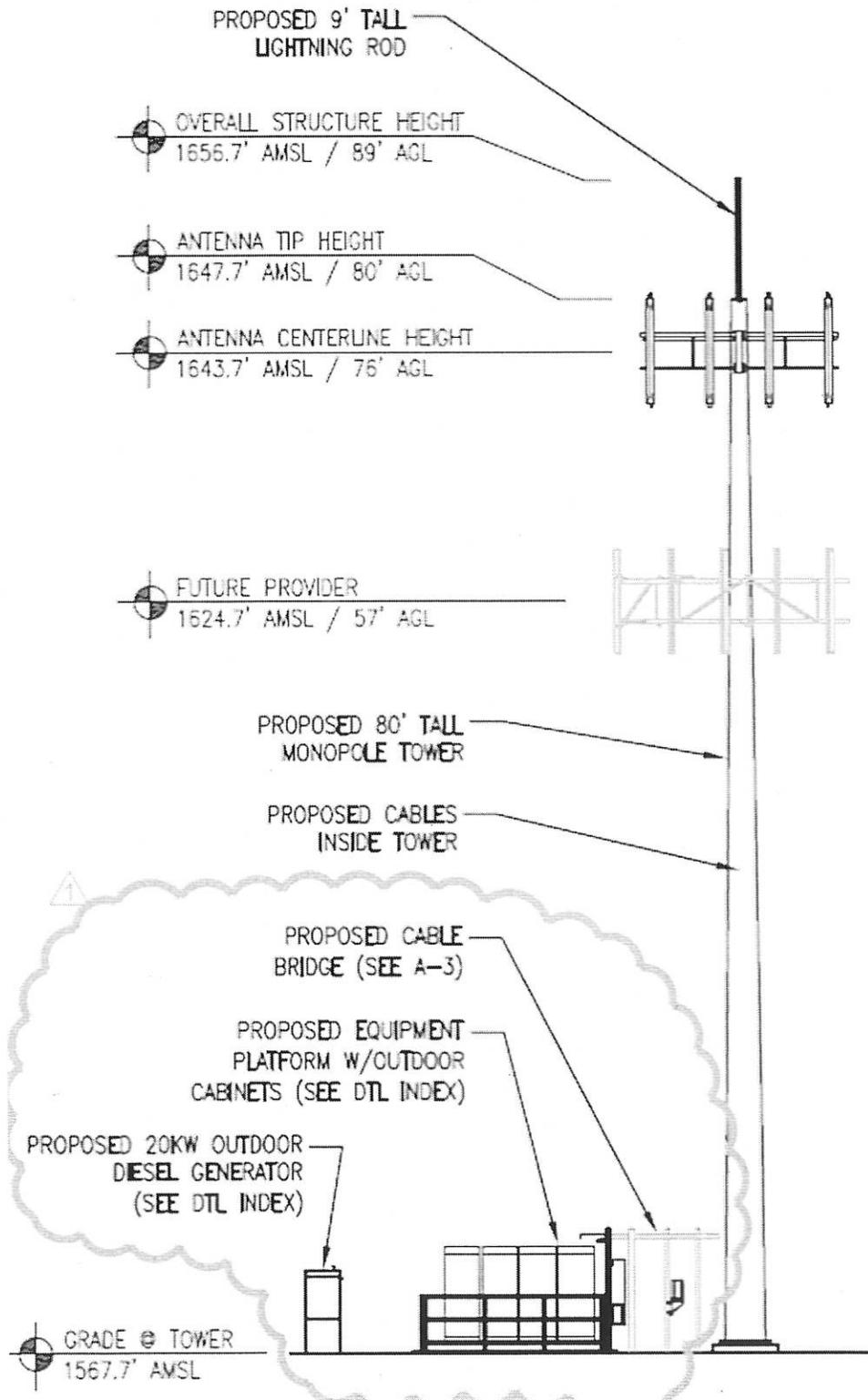
### Location Map



Approved Tower and Shelter in February 2015



**Propose amendment to CUP Tower and Equipment Platform**



RESOLUTION NO. 3398

BE IT, HEREBY, RESOLVED BY THE CITY COUNCIL of the City of Minot, North Dakota, to approve a conditional use permit to Brandon St. Michael, representing Verizon Wireless and Paul Behm, to place an 80' cellular communications tower with a 12'X30' shelter on Trestle View 2nd Addition, Lot 5, subject to the following:

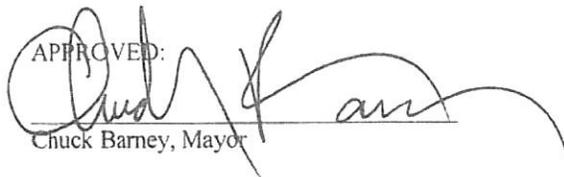
CONDITIONS:

1. The proposed equipment shelter shall be of the same appearance and materials as the existing building and approved by the Planning Department.
2. The proposed 80' antenna will need to meet section 31-6 of the Zoning Ordinance and approved by the planning Department.
3. Erosion Control practices will need to meet the state of North Dakota requirements and approved by the City Engineer prior to issuance of any building permits.
4. Applicant shall secure FAA approval prior to issuance of permits.
5. The applicant shall provide future cooperative co-location opportunities to improve service or to lease to other providers.
6. All access driveway must be paved.
7. All standard set forth under CUP might be addressed by the applicant.
8. A maintenance free opaque fencing will be required around the base of the tower.

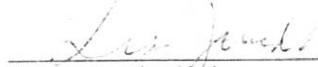
FINDING OF FACT FOR APPROVAL:

1. The subject property is zoned M1, Light Industrial.
2. The proposed use would have additional space available for co-locating.
3. The proposed tower will be designed, constructed, operated and maintained so to be compatible in appearance with the existing or intended character of that area.
4. Will not be hazardous or disturbing to existing or future neighboring uses.
5. The site will be adequately served by essential public facilities.
6. The proposed tower and shelter will not create excessive additional requirements for public facilities and services at public cost.
7. Access to the site is ample and the addition of the storage is not expected to create traffic congestion.
8. The proposed installation of the storage is not expected to cause damage to natural, scenic feature not depreciate surrounding property values.

Passed and adopted this 2<sup>nd</sup> day of March, 2015.

APPROVED:   
Chuck Barney, Mayor

ATTEST:

  
\_\_\_\_\_  
Lisa Jundt, City Clerk

# VERIZON WIRELESS

## ND01 MOUSE RIVER NEW BUILD

### PROJECT INFORMATION

SITE NAME: ND01 MOUSE RIVER  
 SITE ADDRESS: 229 54TH STREET SW  
 MINOT, ND 58702  
 COUNTY: WARD  
 LATITUDE: N 48° 14' 04.42" (NAD 83)  
 LONGITUDE: W 101° 22' 08.72" (NAD 83)  
 DRAWING BASED ON: 07-10-14  
 SITE DATA FORM DATED: 07-10-14  
 BUILDING TYPE: IIG  
 SITE AREA: 30' X 60' = 1800 S.F.  
 ROOF LOAD: L1VELOAD = 105 PSF

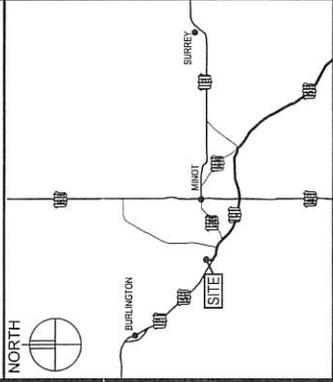
### ISSUE SUMMARY

REV.	DESCRIPTION	SHEET OR DETAIL
A	ISSUED FOR REVIEW 10-21-14	ALL
B	ISSUED FOR PERMITTING 11-07-14	ALL
F	ISSUED FOR BID/CONSTRUCTION 08-13-15	ALL
0	ISSUED FOR BID/CONSTRUCTION 08-13-15	ALL
1	EQUIPMENT PLATFORM, FIBER 12-21-15	ALL

### SHEET INDEX

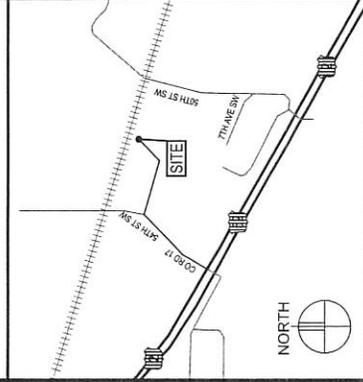
SHEET	SHEET DESCRIPTION
T-1	PROJECT INFORMATION, TOWER ELEVATION, AND SHEET INDEX
A-1	SITE PLAN & DETAIL INDEX
A-2	ENLARGED SITE PLAN
A-3	ANTENNA AND COAX KEY, CABLE BRIDGE PLAN, NOTES & PHOTOS
A-4	OUTLINE SPECIFICATIONS
G-1	GROUNDING KEY & NOTES
G-2	GROUNDING PLAN
U-1	SITE UTILITY PLAN
U-2	ENLARGED SITE UTILITY PLAN, HAND-HOLE PLAN
	SURVEY
	SWPPP

### AREA MAP



DIRECTIONS FROM FARGO SWITCH:  
 BEGIN ON I-94 WEST TOWARD BISMARCK, FOLLOW I-94 FOR 87 MILES THEN  
 TAKE EXIT 256 FOR US-52 W/US-381 N. THEN FOLLOW US-52 W FOR 1.68 MILES.  
 TURN RIGHT FOR 54TH STREET NW/COUNTY ROAD 17. THEN TAKE YOUR  
 SECOND RIGHT, FOLLOW ACCESS ROAD STRAIGHT UNTIL YOU REACH THE OPEN  
 LOT, TURN LEFT AND SITE WILL BE STRAIGHT AHEAD.

### VICINITY MAP



### VERIZON WIRELESS DEPARTMENTAL APPROVALS

NAME	DATE
RF ENGINEER TONY ZIMMERMAN	10-23-14
OPERATIONS MANAGER AARON STEINKE	10-24-14
CONSTRUCTION ENGINEER MIKE THIEL	10-27-14

### LESSOR / LICENSOR APPROVAL

SIGNATURE	PRINTED NAME	DATE

LESSOR / LICENSOR: PLEASE CHECK THE APPROPRIATE BOX BELOW  
 NO CHANGES.  CHANGES NEEDED. SEE COMMENTS.

### CONTACTS

LESSOR / LICENSOR:  
 PAUL BERGM  
 219 BOWLING HILLS DRIVE  
 MINOT, ND 58703  
 (701) 720-8897

LESSEE:  
 VERIZON WIRELESS  
 10801 BUSH LAKE ROAD  
 BLOOMINGTON, MN 55438  
 RON REITER (612) 720-0052

POWER/UTILITY COMPANY CONTACT:  
 XCEL ENERGY  
 1518 CHESTNUT AVE  
 MINNEAPOLIS, MN 55403  
 KEITH JOHNSON (701) 420-1450

TELCO UTILITY COMPANY CONTACT:  
 T.B.D.

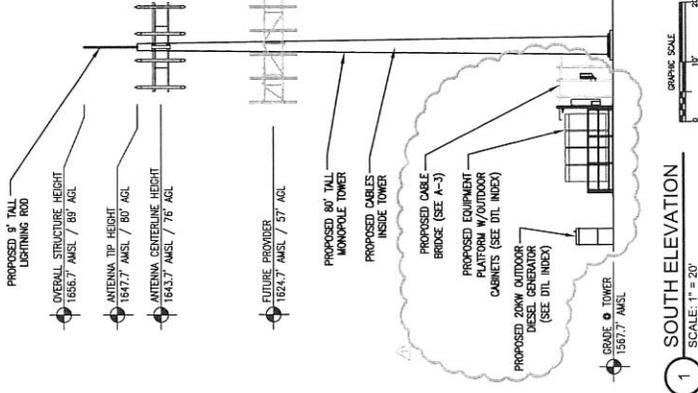
ARCHITECT:  
 DESIGN 1 OF EDEN PRAIRIE, LLC  
 9873 VALLEY VIEW ROAD  
 EDEN PRAIRIE, MN 55344  
 (952) 903-9289

SURVEYOR:  
 SAMBATEK  
 12800 WHITEWATER DRIVE, SUITE 300  
 MINNETONKA, MN 55343  
 (763) 476-8010  
 N/A

STRUCTURAL ENGINEER:  
 TERRACON CONSULTANTS, INC.  
 1555 N. 42ND STREET, UNIT B  
 GRAND FORKS, ND 58003  
 WILLIAM OLSON, PE (701) 772-2932

### TOWER ELEVATION

NOTE:  
 1.) TOWER TO BE ERECTED AND INSTALLED IN ACCORDANCE WITH TOWER MANUFACTURER'S DRAWINGS NOT INCLUDED WITH THIS PACKAGE. DISCREPANCIES BETWEEN TOWER MANUFACTURER'S DRAWINGS AND ARCHITECT DRAWINGS TO BE REPORTED TO VERIZON WIRELESS AND THE ARCHITECT IMMEDIATELY.  
 2.) TOWER FOUNDATION, SHELTER FOUNDATION AND THE ACCESS DRIVE TO BE EXCAVATED AND CONSTRUCTED IN ACCORDANCE WITH RECOMMENDATIONS AND SPECIFICATIONS OF THE ARCHITECT. DISCREPANCIES BETWEEN THE ARCHITECT'S DRAWINGS AND THIS PACKAGE DISCREPANCIES BETWEEN THE REPORT AND THE OTHER DOCUMENTS TO BE IMMEDIATELY REPORTED TO VERIZON WIRELESS AND THE ARCHITECT.  
 3.) CONTRACTOR TO ENSURE TIP OF ANTENNAS DO NOT EXCEED TOWER HEIGHT.



ROBERT J. DAVID  
 REGISTERED ARCHITECT  
 1228  
 NORTH DAKOTA  
 EXPIRES 06-30-17

I hereby certify that the portion of this document which is indicated as prepared by me or under my direct supervision and responsible charge, is true and correct and that I am a duly licensed professional engineer in the State of North Dakota.  
 ROBERT J. DAVID, Reg. No. 1228  
 Signed: *Robert J. David*  
 12-21-15  
 Date:

DESIGN 1  
 8973 VALLEY VIEW RD.  
 EDEN PRAIRIE, MN 55344  
 (952) 903-9289  
 WWW.DESIGN1PE.COM

VERIZON WIRELESS  
 10801 BUSH LAKE ROAD  
 BLOOMINGTON, MN 55438  
 (612) 720-0052

LOCATION CODE  
 266981

PROJECT  
 20130895197

ND01  
 MOUSE RIVER

229 54TH STREET SW  
 MINOT, ND 58702

SHEET CONTENTS:

CONTACTS	ISSUE SUMMARY
PROJECT INFORMATION	TABCCB
SITE PLAN & DETAIL INDEX	10-06-14
ENLARGED SITE PLAN	10-21-14
ANTENNA AND COAX KEY, CABLE BRIDGE PLAN, NOTES & PHOTOS	11-07-14
OUTLINE SPECIFICATIONS	08-01-15
GROUNDING KEY & NOTES	08-01-15
GROUNDING PLAN	08-01-15
SITE UTILITY PLAN	08-01-15
ENLARGED SITE UTILITY PLAN, HAND-HOLE PLAN	12-21-15
SURVEY	
SWPPP	

DRAWN BY: A. STANLEY  
 CHECKED BY: TABCCB  
 PRE. REV. A.1  
 REV. A  
 REV. B  
 REV. F  
 REV. 0  
 REV. 1

T-1

ROBERT J. DAVIS  
REGISTERED ARCHITECT  
1228  
NORTH DAKOTA

EXPIRES 06-30-17

I hereby certify that the portion of the site plan shown is a true and correct copy of the original as submitted to me and approved by me or under my direct supervision and responsible charge. This plan is filed in the office of the State of North Dakota. ROBERT J. DAVIS, Reg. No. 1228

*Robert J. Davis*  
Signed: 12-21-15  
Date:

**DESIGN 1**  
8973 VALLEY VIEW RD.  
EDEN PRAIRIE, MN 55344  
952.935.8209  
WWW.DESIGN1RIP.COM

**VERIZON WIRELESS**  
1001 BUSH LAKE ROAD  
BLOOMINGTON, MN 55438  
(612) 720-0002

LOCATION CODE  
266981

PROJECT  
20130895197

ND01  
MOUSE RIVER

229 54TH STREET SW  
MINOT, ND 58702

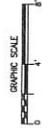
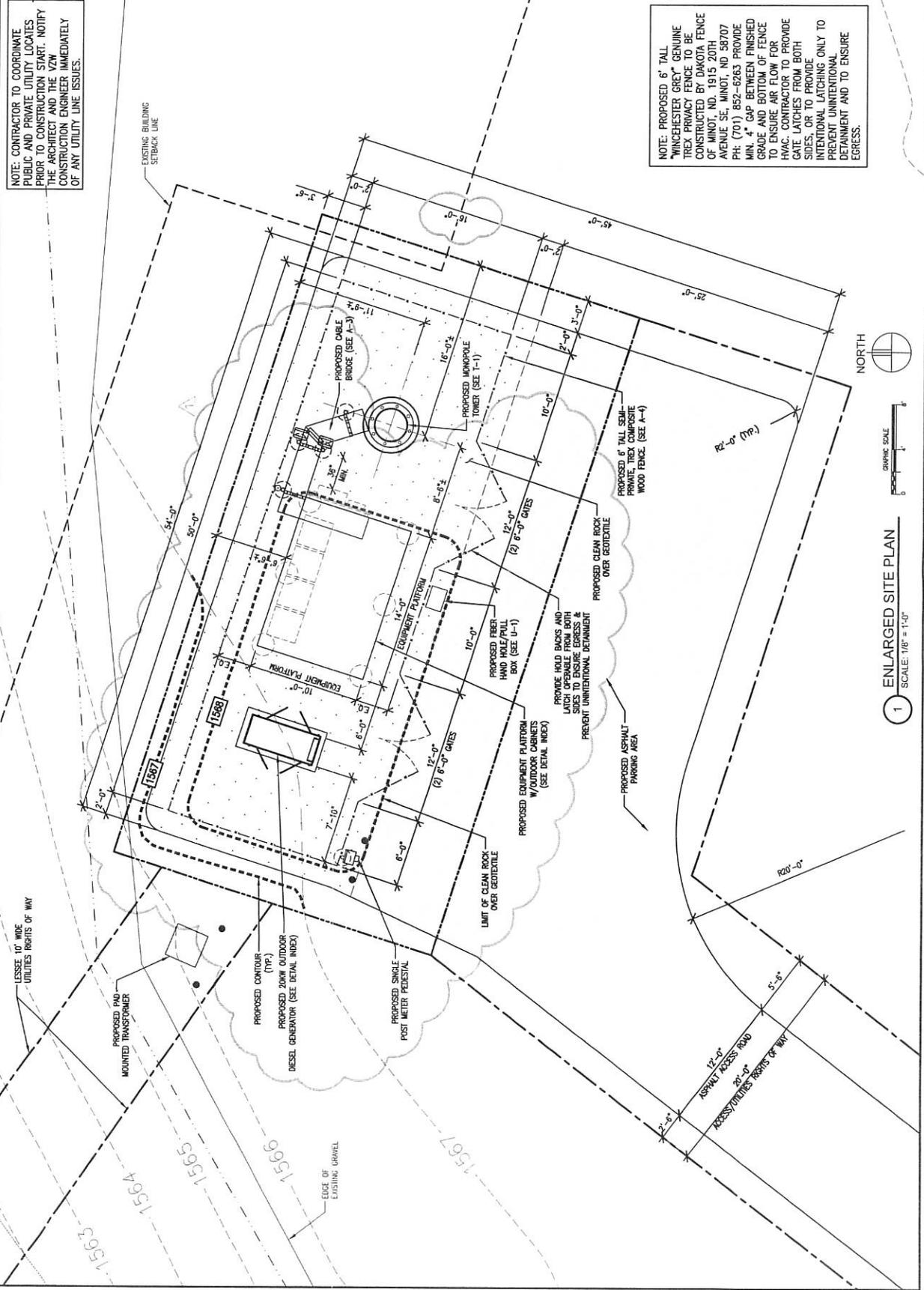
SHEET CONTENTS:  
ENLARGED SITE PLAN

A-2

DRAWN BY:	A. STANLEY
DATE:	09-30-14
CHECKED BY:	TABCCB
PRIE REV. A.1	10-06-14
REV. B	11-07-14
REV. F	06-01-15
REV. D	08-03-15
REV. I	12-21-15

NOTE: CONTRACTOR TO COORDINATE PUBLIC AND PRIVATE UTILITY LOCATES PRIOR TO CONSTRUCTION START. NOTIFY THE ARCHITECT AND THE VERIZON CONSTRUCTION ENGINEER IMMEDIATELY OF ANY UTILITY LINE ISSUES.

NOTE: PROPOSED 6" TALL "WINCHESTER GREY" GENUINE TREX PRIVACY FENCE TO BE CONSTRUCTED BY DAKOTA FENCE OF MINOT, ND, 1915 20TH AVENUE SE, MINOT, ND 58707 PH: (701) 852-6263 PROVIDE MIN. 4" GAP BETWEEN FINISHED GRADE AND BOTTOM OF FENCE TO ENSURE AIR FLOW FOR HVAC. CONTRACTOR TO PROVIDE GATE LATCHES FROM BOTH SIDES, OR TO PROVIDE INTENTIONAL LATCHING ONLY TO PREVENT UNINTENTIONAL DETAINMENT AND TO ENSURE EGRESS.



1 ENLARGED SITE PLAN  
SCALE: 1/8" = 1'-0"



I hereby certify that the portion of this technical submission described below was prepared by me or under my direct supervision and responsible charge. I am a duly registered Architect under the laws of the State of North Dakota. ROBERT J. DAVIS, Reg. No. 1228  
 Date: 12-21-15  
 Signature: *Robert J. Davis*

**DESIGN**  
 1000 W. VIEW RD.  
 BISMARCK, ND 58104  
 (701) 323-9298  
 WWW.DESIGN1EP.COM

**VERIZON WIRELESS**  
 1000 W. VIEW RD.  
 BISMARCK, ND 58104  
 (701) 720-8002

LOCATION CODE  
 2669881  
 PROJECT  
 201-30895197

ND01  
 MOUSE RIVER  
 229 54TH STREET SW  
 MINOT, ND 58702

SHEET CONTENTS:  
 SITE PLAN

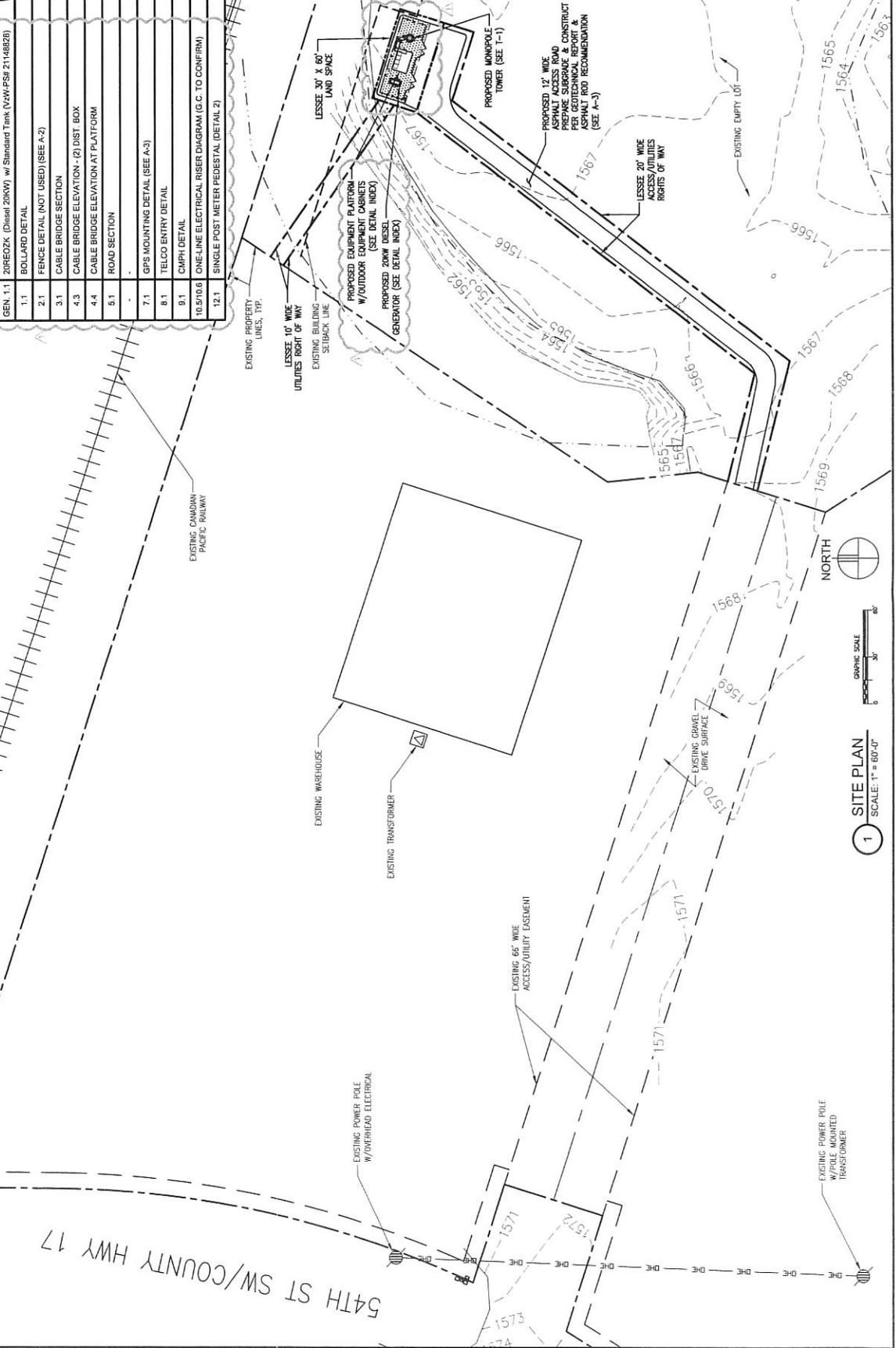
DRAWN BY:	A. STANLEY
DATE:	09-30-14
CHECKED BY:	TABICGB
PREP. BY:	AS.1
REV. A:	10-06-14
REV. B:	10-21-14
REV. C:	11-07-14
REV. D:	08-01-15
REV. E:	08-13-15
REV. F:	12-21-15

A-1

GENERATOR TYPE:  
DIESEL

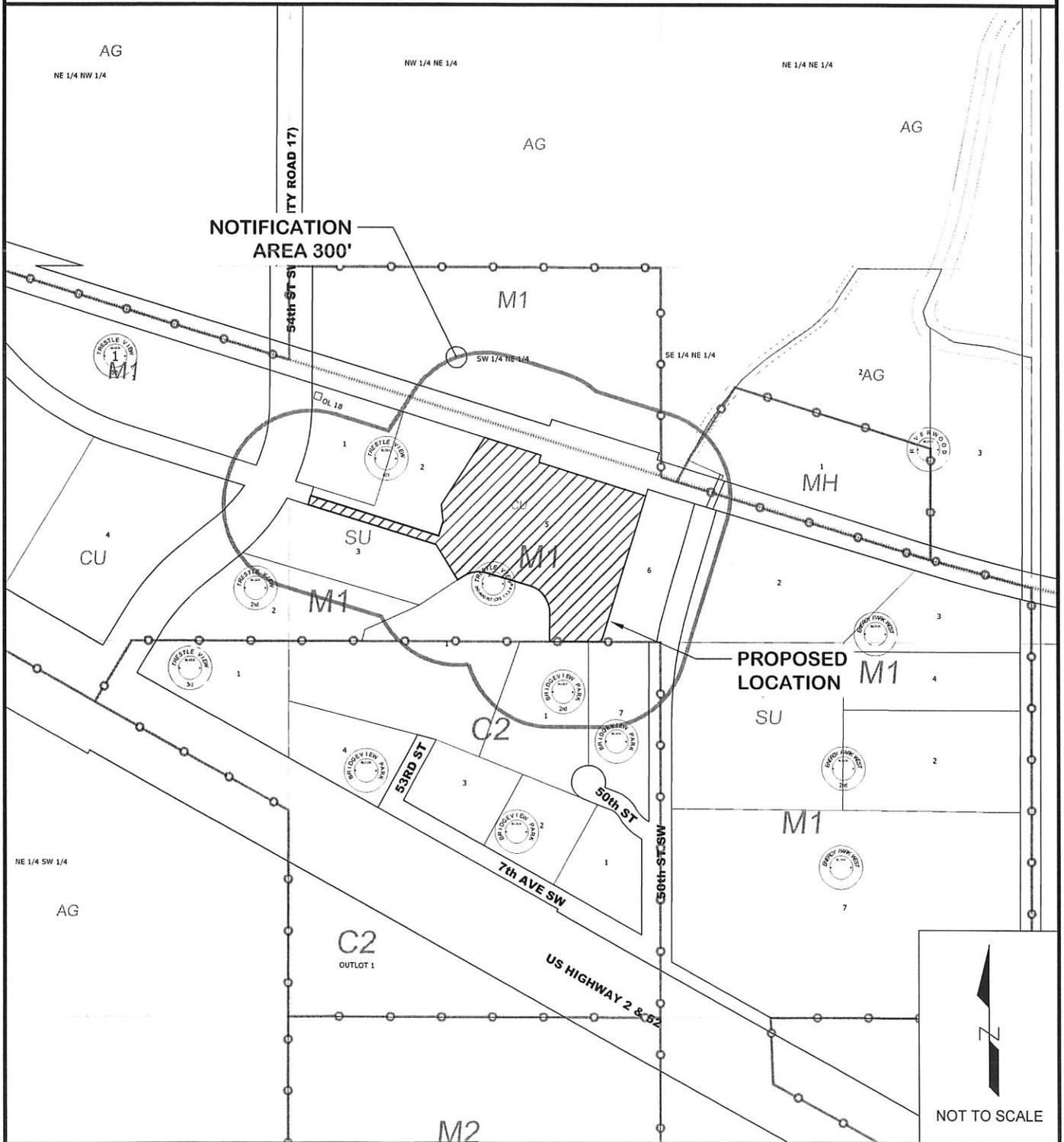
FROST DEPTH  
DESIGN = 6'-0"

DETAIL	DETAIL DESCRIPTION
PLTRM	10' X 14' EQUIPMENT PLATFORM W/SMALL CANOPY
GEN. 1.1	20REQZK (Diesel 20KW), w/ Standard Tank (V-2W-PS# 21148228)
1.1	BOLLARD DETAIL
2.1	FENCE DETAIL (NOT USED) (SEE A-2)
3.1	CABLE BRIDGE SECTION
4.3	CABLE BRIDGE ELEVATION - (2) DIST. BOX
4.4	CABLE BRIDGE ELEVATION AT PLATFORM
5.1	ROAD SECTION
7.1	GPS MOUNTING DETAIL (SEE A-3)
8.1	TELCO ENTRY DETAIL
9.1	CMPH DETAIL
10.51/16	ONE-LINE ELECTRICAL RISER DIAGRAM (G.C. TO CONFIRM)
12.1	SINGLE POST METER PEDESTAL DETAIL 2)



# PROPOSED CONDITIONAL USE PERMIT AMENDED PLAT OF LOTS 1, 3, 5 & 6, TRESTLE VIEW 2ND ADDITION, LOT 5

CITY OF MINOT, NORTH DAKOTA



MAP CREATED FEBRUARY 18, 2016

# City of Minot

## Planning Commission

### Staff Report

<b>Meeting Date:</b>	3/28/2016	<b>Item #:</b>	8
<b>Project #:</b>	8016-3.4	<b>Staff Recommendation:</b>	APPROVAL
<b>Development Title:</b>			
<b>Current Legal Description:</b>	Urban 5 <sup>th</sup> Addition, Lot 1 Less N50'		
<b>Address:(if applicable)</b>	920 37 <sup>th</sup> Ave SW		
<b>Current Zoning:</b>	C4	<b>Proposed Zoning:</b>	C4
<b>Guided Use:</b>	Commercial		

**Applicant/Owner:** Darin Scherr  
 1425 24<sup>th</sup> Ave SW  
 Minot ND, 58701  
 (701)837.0086  
[Darin.scherr@edwardjones.com](mailto:Darin.scherr@edwardjones.com)

**Rep/Contractor:** Michael Oakleaf  
 P.O. Box 458  
 Minot ND, 58702  
 (701)839-5819  
[hightarch@srt.com](mailto:hightarch@srt.com)

**Zoning Ordinance Ref:** Section 13: "PUD" Planned Unit Development

#### PROJECT DESCRIPTION:

**REQUEST(S):** The applicant is requesting:

- This property is located at 920 37<sup>th</sup> Ave SW.
- A C4-Commerical PUD Plan Review and approval to construct a new office building on Urban 5<sup>th</sup> Addition, Lot 1 Less N50'.

#### EXECUTIVE SUMMARY AND CITY STAFF CONSIDERATIONS:

##### SUMMARY/CONDITIONS/ISSUE:

The applicant is requesting a Plan Review and approval to construct a new office building. The subject property is 39,060 S.F. or .89 acres, and is considered a legal non-conforming lot due to its size. The site was zoned C4 in 1987.

**FINDINGS OF FACT:****Finding of Facts:**

1. Subject property is zoned C4-Commerical PUD.
2. The proposed development is in compliance with Section 13-4: General Standards for Approval.

**Conditions** (if approved):

1. Storm Water Management Plans will be required and approved by the City Engineer.
2. Erosion Control practices will need to meet the State of North Dakota requirements and approved by the City Engineer.
3. Sidewalks will be required.
4. Public Utility Fees will be required.

**DEVELOPMENT SUMMARY CHART:**

<b>Site Area:</b>	39,060 SF
<b>Building Area:</b>	8000 SF
<b>Green Area Required:</b>	10%
<b>Green Area Proposed:</b>	10%
<b>Parking Required:</b>	27 space
<b>Parking/ Loading Proposed:</b>	37 space

**PLANNING DEPARTMENT CONSIDERATIONS****CURRENT ZONING, LAND USES & RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

The property under consideration is currently zoned C4, Planned Commercial District. Properties to the east and north are zoned C2, General Commercial; properties to the west are zoned R3, Medium Density Residential; properties to the south are zoned MH, Manufactured Home District. The subject property is guided by the Future Land Use Plan as Commercial. The proposed uses would be in compliance with the Comprehensive Plan.

**BUILDING MATERIALS AND ARCHITECTURE / LANDSCAPING AND BUFFER SCREENING PLANS:**

The applicant has submitted building elevations meeting the C2 design criteria. The applicant has also provided 10 percent of the required landscaping.

**PLANNED UNIT DEVELOPMENT (PUD) DETAIL AND DEVIATIONS:**

The subject site was zoned C4 in 1985 with a lot size of 39,060 SF. The property is considered legal non-conforming due to the lot size. The applicant is proposing to construct an office building consisting of an eye clinic, Attorney's office, Edward Johns, and an undetermined tenant. The building elevation meets design elements and building material for a PUD.

The applicant has provided public benefits such as integrated sidewalks on to the site, public art pedestal, trail, and benches.

**ENGINEERING AND PUBLIC WORKS DEPARTMENT CONSIDERATIONS:**

**STORM WATER MANAGEMENT PLAN/REQUIREMENTS:**

Storm Water Management Plans will be required and approved by the City Engineer prior to issuance of any building permits.

**EROSION CONTROL PLAN/REQUIREMENTS:**

Erosion Control practices will need to meet the state of North Dakota requirements and approved by the City Engineer prior to issuance of any building permits.

**CITY AND RURAL UTILITY PLAN/REQUIREMENTS:**

Public Utility Fees will be required.

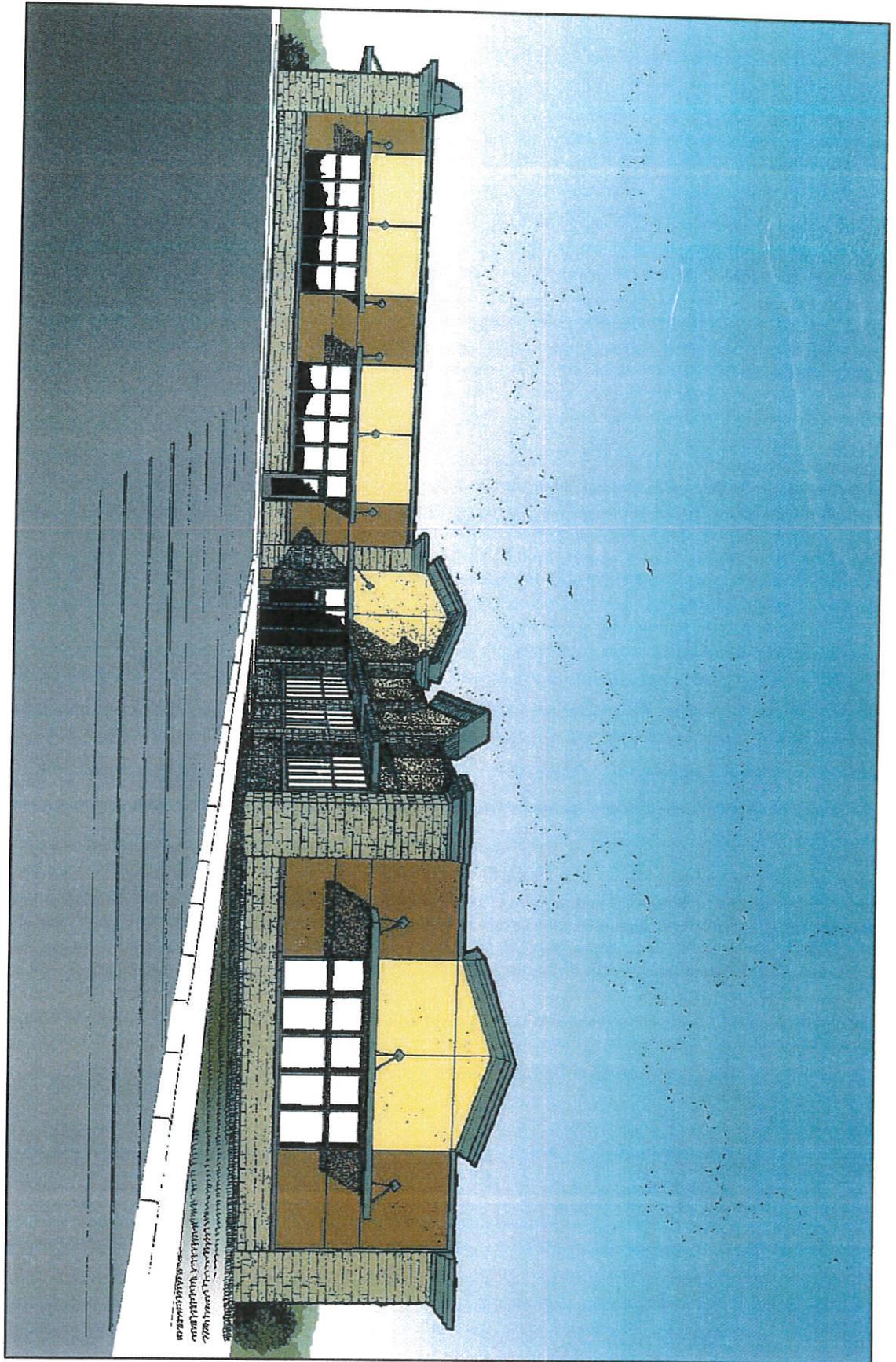
**SIDEWALK REQUIREMENTS:**

Sidewalks will be required.

**PLANNING LOCATION MAP:**

Planning Map with Future Land Uses

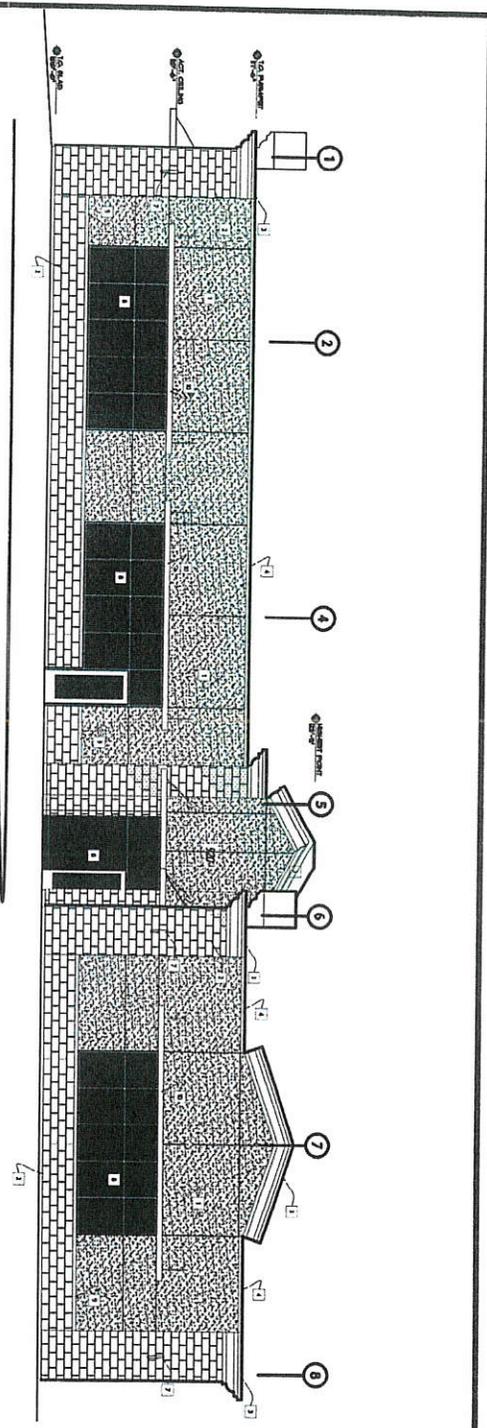




**CONCEPT RENDERINGS**  
**SCALE: 1/8" = 1'-0"**

SHEET NUMBER	<b>920 37TH AVENUE STRIP MALL</b>		
	37TH AVENUE MINOT, NORTH DAKOTA		
CONSTRUCTION NO. 00000000	PROJECT # 2016-01	DATE 02/12/2016	<small>HIGHT CONSTRUCTION, LLC          PO BOX 458, MINOT, ND 58702-9458          701.839.5819 www.hightconstruction.com</small>
DESIGNED BY: JMW	DRAWN BY: JMW	CHECKED BY: JMW	
REVISIONS			



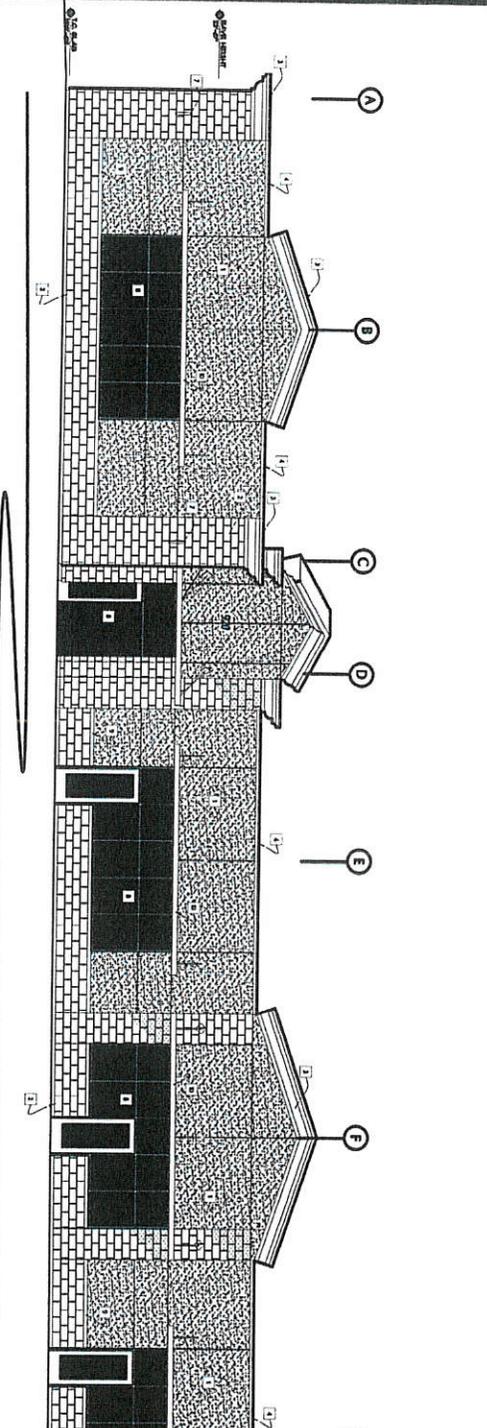


**CONCEPT FRONT ELEVATION**

SCALE: 5/32"=1'-0"

**MATERIAL LEGENDA:**

- 1 2X6 BRICK STRIP ROOFING, CORNER
- 2 2X6 BRICK STRIP ROOFING, CORNER
- 3 2X6 BRICK STRIP ROOFING, CORNER
- 4 2X6 BRICK STRIP ROOFING, CORNER
- 5 2X6 BRICK STRIP ROOFING, CORNER
- 6 2X6 BRICK STRIP ROOFING, CORNER
- 7 2X6 BRICK STRIP ROOFING, CORNER
- 8 2X6 BRICK STRIP ROOFING, CORNER
- 9 2X6 BRICK STRIP ROOFING, CORNER
- 10 2X6 BRICK STRIP ROOFING, CORNER



**CONCEPT SIDE ELEVATION**

SCALE: 5/32"=1'-0"

<p>PROJECT NUMBER</p>	<p><b>920 37TH AVENUE STRIP MALL</b></p> <p>37TH AVENUE MINOT, NORTH DAKOTA</p>	<p><b>HIGHT CONSTRUCTION</b></p> <p>HIGHT CONSTRUCTION, LLC PO BOX 458, MINOT, ND 58702-0458 701.830.8819 www.hightconstruction.com</p>
<p>PROJ. # 2016-04</p> <p>ISSUE DATE 02/17/2016</p> <p>DRAWN BY AMO</p> <p>CHECKED BY AMO</p> <p>REVISIONS</p>	<p>CONCEPT STRIP MALL PLAN</p>	

# HIGHT CONSTRUCTION

*Experience Built Into  
Every Project*

March 11, 2016

ATTN: Sybil Tetteh  
City of Minot Planning Department  
515 2<sup>nd</sup> Avenue SW  
Minot, ND 58702

**RE: Amended 920 37<sup>th</sup> Ave Strip Mall Narrative and Expected Schedule**

Hello Sybil,

Thank you for your call earlier this week clarifying what sorts of things you were looking for in a PUD. We have amended the site plan and the narrative that accompanies it can be found below.

**Narrative**

The purpose of this narrative is to define the local amenities that will be produced from the execution of this project in order to satisfy the requirements of a PUD. The benefits that may be derived from this project for the local community are: sidewalks, benches and public art.

The first amenity that this project will provide the community is in the area of added sidewalks. Not only will sidewalks be provided for the patrons arriving by motor vehicle, additional sidewalks are being added in order to connect the overall community. These additional sidewalks will enhance the safety and convenience of users that would be travelling from the neighborhood in the rear to get to the businesses to the SE.

The second amenity that this project will afford the community is through added public benches. These benches will be located in areas that will provide some sort of enjoyment for the community whether it be in an area to escape the summer sun or to enjoy public art.

Having said that, a third amenity this project will provide the community is public art. A pedestal will be built to display the public art of the owner's choice.

**Schedule**

If this project is allowed to move forward, the intent is to have the skin complete by this coming winter. Although none of us can foresee the future, we have no doubts that this schedule is possible. If you have any questions, please don't hesitate to contact me.

Sincerely,  
Michael W. Oakleaf, AIA



**Regular Meeting: Planning Commission Committee**

**Location:** City Hall, Council Chambers, 515 2nd Avenue SW, City of Minot, ND

**Meeting Called to Order:** February 29, 2016 at 6:30 p.m.

**Presiding Official:** Chairman John Zimmerman

**City Clerk:** Kelly Mataalka

**Members in Attendance:** Wallace Berning, Jody Bullinger, Jon Hanson, Larry Holbach, Brenden Howe, Pam Karpenko, Todd Koop, Kevin Mehrer, Tyler Neether, Todd Wegenast, Travis Zabolney, John Zimmerman

**Members Absent:** Bob Wetzler

**City Staff Present:** Asst. City Planner, City Manager, Asst. City Attorney, City Engineer, Chief Resilience Officer, Assistant City Engineer/Acting Planning Director, Public Works Director, Asst. Public Works Director; Police Chief, Fire Chief.

**Others Present:** Aldermen Connole, Hatlelid, Jantzer, Schuler, Olson, Shomento, and others.

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**Meeting Called to order by Chairman Zimmerman**

**Approval of the January 25, 2016 Regular Meeting Minutes with a correction that Todd Wegenast abstained from the approval of the November 30, 2015 minutes.**

Motion by Neether, seconded by Koop, to approve the January 25, 2016 regular meeting minutes with a correction that Todd Wegenast abstained from the approval of the November 30, 2015 minutes, and was carried by the following roll call vote: ayes: Berning, Bullinger, Hanson, Holbach, Howe, Karpenko, Koop, Mehrer, Neether, Wegenast, Zabolney, Zimmerman. nays: none

**Motion passed**

**RECOMMENDATIONS**

**Approval of Agenda Items (2 & 6) included in the Consent Agenda.**

Motion by Karpenko, seconded by Koop, to approve consent items with staff finding of fact(s) and condition(s); and was carried by the following roll call vote: ayes: Berning, Bullinger, Hanson, Holbach, Howe, Karpenko, Koop, Mehrer, Neether, Wegenast, Zabolney, Zimmerman. nays: none

**Motion passed.**

**Item # 1:**

**The Planning Commission approved an appeal by Jesse Braun for a variance to the front yard setback from the required 40' on a minor arterial to approximately 25' on 16th St NW for the purpose of building a shop on Blaisdell Bird Addition, Block 11, Lot 2.**

This property is located at 405 16<sup>th</sup> St NW

**Conditions:** (if approved)

1. Relinquishing the right-of-way access and the removal of the existing driveway along 16<sup>th</sup> Street NW will be required. A right-of-way permit from the City and restoration of the boulevard would be required.
2. Sidewalks will need to be repaired if damaged.
3. Public Utility Fees and appropriate construction permits will be required.
4. 10% of the property must have landscaping to meet the required minimum landscaping.

**Finding of Fact:**

1. Subject property is zoned C1, Neighborhood Commercial.
2. The request for a variance meets the general intent of Section 30-2.
3. The proposed use is in compliance with the Comprehensive Plan.

Jesse Braun came before the Commission and stated the proposed property will be an office building for client contact and lighting displays as well as interior storage for his business, Jesse Braun Electric, LLC.

Upon questioning by Commissioner Zablotney as to what has changed since the request was denied before, the acting Planning Director stated there was a misinterpretation when the property was previously denied. After further discussion with Mr. Braun, his proposal does align as a conforming use for the C1 zone.

Chairman Zimmerman stated the area didn't have long term thought out zoning so it is now on a case by case basis by looking at the neighborhood and the part of town. He continued by saying the applicant is here for approval for the variance setback as it has already been determined that it is a conforming use.

Commissioner Zablotney questioned whether or not staff was enforcing the zoning ordinance, to which the Acting Planning Director stated, the variance was denied before based on the property being a shop. The request for a variance meets the general intent of Section 30-2.

Upon questioning by Commissioner Neether, the Acting Planning Director stated the setback is legal on the north side of the property and the only thing he needs is approval for the setback of the variance along 16<sup>th</sup> Street NW.

Commissioner Zablotney stated it is a misfit building in a residential commercial area, not an industrial area.

Whereupon a vote was taken on the motion by Wegenast, seconded by Neether, to approve the appeal with staff finding of fact(s) and condition(s); and was carried by the following roll call votes: Bullinger, Holbach, Karpenko, Koop, Mehrer, Neether, Wegenast, Zimmerman. nays: Berning, Howe, Zablotney, abstain: Hanson

**Motion passed.**

**Item #2:** As part of a consent motion, it is recommended

**The City Council pass a motion to approve a request by Oxford Real Estate Equities, LLC, represented by Bruce Danly, to subdivide Broadway Center 1st Addition, Block 1, Lot 5 into two lots to be known as Broadway Center 2nd Addition, Lots 1 & 2.**

This property is located at 3425 S. Broadway.

**Finding of Facts:**

1. Subject property is zoned C2, General Commercial District.
2. Proposed subdivision meets lot size requirements.

Motion by Karpenko, seconded by Koop, to approve consent items with staff finding of fact(s); and was carried by the following roll call vote: ayes: Berning, Bullinger, Hanson, Holbach, Howe, Karpenko, Koop, Mehrer, Neether, Wegenast, Zablotney, Zimmerman. nays: none

**Motion passed.**

**Item # 3:**

**The City Council introduce an ordinance on first reading to approve a request by Dan & Irene Keller to change the zone from R2 (Two-Family Residential) District to R1 (Single Family Residential) District for the purpose of bringing the property into compliance for a rear yard setback for an existing deck on Centennial Addition, Lots 15A & 15B.**

This property is located at 1402 17½ Ave SW.

**Finding of Facts:**

1. Subject property is zoned R2, Two-Family Residential District.
2. The request to rezone would bring property into compliance with the R1, Single-Family Residential District.
3. Section 30-5, intent of land use and the required information for Planning Commission consideration of the zoning ordinance have been met.

Commissioner Zimmerman stated he received some questions from some neighbors of the property. They asked what the current distance is from the structure to the rear property line. The Acting Planning Director responded by saying the deck did not meet the requirements before but after the applicant removed a portion of the deck, it is now ten feet from the property line. According to Section 21-d-5 of the zoning ordinance, a structure may project beyond the eaves into the rear yard setback, which in R1 is 20', as long as it does not exceed ten feet into the setback. If the zone is changed to R1, then it would be in compliance with that zone.

The second question was answered by the City Engineer who stated there is not a drainage plan as R1 and R2 properties are exempt from the storm water management plan.

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Motion by Neether, seconded by Koop, to approve the item with staff finding of fact(s) and was carried by the following roll call vote: ayes: Berning, Bullinger, Hanson, Holbach, Howe, Karpenko, Koop, Mehrer, Neether, Wegenast, Zablotney, Zimmerman. nays: none

**Motion passed.**

**Item # 4:**

**The City Council adopt a resolution to approve a request by Community Medical Service, represented by Andy Lewis, for a Conditional Use Permit to allow an Opioid Treatment Clinic in a C2 (General Commercial) District on Linha's 5th Addition, Lot 1.**

This property is located at 300 30th Ave NW, Unit D.

**Finding of Fact:**

1. Subject property is zoned C2, General Commercial.
2. Section 11- 4 e), the request is allowed with a Conditional Use Permit.
3. Section 30-3 a) and d) Intent of land use and the required information for Planning Commission consideration of the zoning ordinance have been met.

Commissioner Zablotney asked whether or not this issue has been considered by City Council to determine if the type of facility is allowed in the City.

Chairman Zimmerman stated, for this agenda item, Planning Commission is there to decide the item on the agenda as presented by the applicant, not to determine citizen's views on the nature of the business. The City Council, which is a representation of the citizens, will make a decision based on the findings brought to them.

The Assistant City Planner responded by saying, the issue came up in 2014 and after the Police Department and City Attorney did the proper research, opioid treatment clinic was added to the list of acceptable businesses in a C2 zone. It has not yet had the opportunity to be presented to Council as it has run into issues with parking and needs to first have that approved by the Planning Commission.

The City Manager added that a one year moratorium was imposed in October 2014 in order to gather more information on the subject. After much research and several public meetings, an ordinance was developed that would be fair and would apply to any clinical facility in the City. The next step is to find a proper location that meets all of the requirements, then it will be discussed in front of the City Council.

Nick Stavros, a representative of Community Medical Services, appeared before the Commission. He stated the importance of this nationwide priority. The response of treatment has not paralleled the increase in deaths occurring across the country, particularly because of cities and states preventing facilities from opening. He brought handouts listing statistics behind opioid abuse on a state and national level in support of the need for a clinic in Minot. He stated, North Dakota is one of only two states in the country without an opioid treatment facility despite having three of the top ten fastest growing cities in the country.

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Chairman Zimmerman called a recess at 7:14 pm due to a medical emergency. The Commission reconvened at 7:33 pm with the following roll call: Berning, Bullinger, Hanson, Holbach, Howe, Karpenko, Koop, Mehrer, Neether, Wegenast, Zablotney, Zimmerman

At the direction of Chairman Zimmerman, Mr. Stavros gave a brief summary of the steps Community Medical Service has taken in this process so far. He stated, the need for a clinic in North Dakota was determined two and a half years ago. The company made contact with the State and the Department of Health and Human Services and went through the extensive process to site a property located on Broadway. At that point the City issued the moratorium but Community Medical Services kept the property for over a year. They attended numerous meetings with City staff and held several public forums to address concerns. It was determined the property on Broadway was an ineligible location for the clinic. They found other possible locations but parking has been an issue with each one of them, which is why, he concluded, they are looking for approval for the Conditional Use Permit.

Chairman Zimmerman requested that Mr. Stavros address some of the top concerns among those opposing this type of clinic. He stated the number one concern is that the clinic will bring drug addicts and crime to the community, to which he rebutted, statistics show a decrease in crime around a treatment center and stated it is more likely for a convenience store to attract crime than a clinic. The second concern he mentioned was regarding increased traffic. He used their current clinic in Billings, MT as an example that there was no significant increase in traffic. He also stated there are other treatment centers proposed in Bismarck and West Fargo so Minot would not necessarily receive traffic from all over the state. The third concern he mentioned was the negative attitude toward patients but he responded by saying it is a voluntary clinic and patients are there seeking help.

Chairman Zimmerman called upon City Council President, Jantzer to elaborate on City Council's process on the subject so far. President Jantzer stated, they initially did not have adequate information to make a decision on the topic so they enacted the one year moratorium. He stated that what the Planning Commission needs to decide on tonight are zoning requirements to ensure that the location selected is in compliance with the zoning ordinance.

Commissioner Zablotney asked for clarification on whether the City Council has voted to allow the facility to which Chairman Zimmerman responded by saying the applicant is applying for a Conditional Use Permit. The application has been vetted by city staff and a recommendation has been made. After the Planning Commission makes a decision on the conditional use permit, then it will go to Council for review.

The Assistant City Planner stated there is no reason to prevent this use according to the zoning ordinance. The Commission cannot deny a business with a right to exist.

Commissioner Neether asked the Assistant City Attorney to read the definition of a "clinic" as written in the ordinance, to which she responded; "an establishment where outpatients obtain medical examination, medical treatment, or medical advice, and/or employees of the establishment disperse medication to outpatients. This definition includes, but is not limited to, medical clinics, eye clinics, dental clinics, and opioid treatment centers"

Chairman Zimmerman called upon Chief Olson to describe the research he had done regarding the other facilities he has visited and police departments he has contacted. Chief Olson explained that he attended meetings with the Department of Health, has listened to treatment professionals and understands there is a need for such a clinic to an extent that the legislature has changed the North Dakota Century Code to allow such facilities to exist. Chief Olson contacted the Chief of Police in Kalispel, MT, who was unaware that a facility was located in the area and had no concerns regarding increased crime. He described his experience observing operations in Billings, MT. He stated, it is in a strip mall near several other businesses in the neighboring blocks. He witnessed an average of 10-15 patients at a time, with each visit taking about 30-45 minutes. He said, when he spoke to the neighboring businesses that they didn't have anything negative to say about the clinic, if they were aware of the clinic at all.

Upon questioning by Chairman Zimmerman, as to whether this type of facility is warranted in Minot, Chief Olson replied that heroin seizures and illegal drug possession have increased significantly so the demand for such a facility seems apparent. He stated he is not an expert on the treatment of drug addiction but believes it is unlikely to have a negative impact on the community and may provide viable treatment.

Upon questioning by Commissioner Berning about the hours of operation, Mr. Stavros stated that nationally, average hours are 5am-11am in order for their patients to make an appointment before going to work. He also answered that Community Medical Service is funded through Medicaid, insurance and privately.

Carolyn Bodell, of 1625 12<sup>th</sup> St SW, asked if there were notifications sent to the properties near the location, to which the Acting Planning Director stated, notifications were sent to properties within a 300 foot radius and it was also published in the newspaper. She clarified, twelve notifications were sent and City staff spoke with one company, MLT, in response to concerns.

Commissioner Zablotney asked what the parking requirement is for the property. The Acting Planning Director referred him to the documentation supplied by City staff which shows a requirement of 31 spaces and a map of the location which shows 34 provided spaces. She continued by saying, the amount of parking is adequate based on the ordinance and if necessary, there is a code enforcement officer to handle future disputes.

Whereupon a vote was taken on the motion by Wegenast, seconded by Neether, to approve the item with staff finding of fact(s) and was carried by the following roll call vote: ayes: Hanson, Holbach, Karpenko, Koop, Mehrer, Neether, Wegenast, Zimmerman. nays: Berning, Bullinger, Howe, Zablotney

**Motion passed**

**Item #5:**  
**The Planning Commission held a request by JRJ Land Holding, LLC- Mr. Kovach, represented by Buell Consulting, Inc., - Brandon St. Michael, to amend a Conditional Use Permit approved on March 2nd, 2015, to replace 12' x 30' Shelter with internal generator with up to four (4) outdoor equipment cabinets on a platform with an external generator on Minot Prairie Industrial Park, Block 1, Lot 1.**

This property is located at 410 74th St SE.

**Finding of Facts:**

1. The subject property is zoned M1, Light Industrial.
2. The proposed tower would have additional space available for co-locating.
3. The proposed tower will be designed, constructed, operated, and maintained to be compatible in appearance with the existing or intended character of that area.

**Conditions:**

1. The proposed 80' antenna will need to meet section 31-6 of the Zoning Ordinance and be approved by the Planning Department.
2. Applicant shall secure FAA approval prior to issuance of permits.
3. The applicant shall provide future cooperative co-location opportunities to improve service or to lease to other providers.
4. All standard set forth under CUP must be addressed by the applicant.

Dave Fischer, a representative from Buell Consulting, Inc., explained they would like to replace a shelter with outdoor equipment cabinets and a generator with a 159' tower. He also asked if the Commission could remove the requirement for paving the gravel road.

The Acting Planning Director stated, the submitted application indicates an 89' tower, not 159'.

After consulting with an associate and comparing drawings, it was decided they would gather more information and return for the next meeting.

Motion by Wegenast, second by Neether, to hold the item until the next Planning Commission meeting on March 28th; and was carried by the following roll call votes: ayes: Karpenko, Berning, Bullinger, Hanson, Koop, Holbach, Howe, Wegenast, Neether, Zabloutney. nays: none. Abstain: Zabloutney

**Motion passed.**

**Item # 6: As part of consent motion, it is recommended:**

**The City Council introduce an ordinance on first reading to approve a request by the City of Minot represented by Andy Solsvig to change the zone from R1 (Single-family) District to P (Public) on Section 7-155-82, Outlot 1.**

**Also, the Planning Commission approved a Public Plan Review on Section 7-155-82, Outlot 1.**

This property is located south of 30th Ave NE and west of 27th St NE.

**Finding of Facts:**

1. The property is zoned R1, Single-Family Residential, and a zone change to P, Public, is pending.
2. Any proposed use or change of use of land or building by any public agency, or others on public land shall be submitted to the Planning Commission for review and approval.

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Motion by Karpenko, seconded by Koop, to approve consent items with staff finding of fact(s); and was carried by the following roll call vote: ayes: Berning, Bullinger, Hanson, Holbach, Howe, Karpenko, Koop, Mehrer, Neether, Wegenast, Zablotney, Zimmerman. nays: none

**Motion passed.**

Meeting adjourned at 8:58 pm.