

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
AUGUST 29, 2016**

CHAIR: JOHN ZIMMERMAN

VICE CHAIR: TYLER NEETHER

SUBJECT: THE CITY PLANNING COMMISSION WILL MEET IN REGULAR SESSION AT 6:30 PM ON MONDAY, AUGUST 29, 2016, IN CITY COUNCIL CHAMBERS, 515 2nd AVENUE SW.

ROLL CALL.

PLEDGE OF ALLEGIANCE.

APPROVAL OF JULY 25, 2016, MINUTES OF REGULAR MEETING.

1. Proposed Bluff Point Estates, Lots 1-33

Application by Duane Johnson, Future Builders, to subdivide an unplatted portion of the SE1/4, Section 36-155-83 into 33 lots to be known as Bluff Point Estates, Lots 1-33.

Also, the change the zone from AG (Agricultural) District to RM (Medium Density Residential) District with a PUD (Planned Unit Development) overlay on proposed Bluff Point Estates, Lots 1-33.

Also, to amend the Future Land Use map from Medium Density, Agricultural, and Commercial designations to Medium Density Residential on proposed Bluff Point Estates, Lots 1-33.

Also, to annex proposed Bluff Point Estates, Lots 1-33 and adjacent 13th ST SE & 37th Ave SE right-of-way into city limits.

This property is located on the southwest corner of 37th Ave SE and 13th ST SE.

2. Proposed Florez Addition, Lot 1

Application by Carl & Carol Florez to subdivide Roach's 3rd Addition, Block 5, Lots 5 & 6 into one lot to be known as Florez Addition, Lot 1.

Also, a variance to the required side yard setback for an existing detached garage from 3' to approximately 2' at the wall and approximately zero at the eave on proposed Florez Addition, Lot 1.

This property is located at 510 & 512 10th ST NE.

3. Goheens Addition, Block 6, Lot 5

Appeal by Roosevelt Watts of a denied variance to the City of Minot Zoning Ordinance Section 21-8 a) that states an accessory building shall be subordinate to the existing primary building on Goheens Addition, Block 6, Lot 5.

This property is located at 2019 4th ST NW.

4. Original Minot Addition, W1/2 of Block 3

Application by City of Minot represented by Lance Meyer, City Engineer, for a public plan review regarding the parking garage on Original Minot Addition, W1/2 of Block 3.

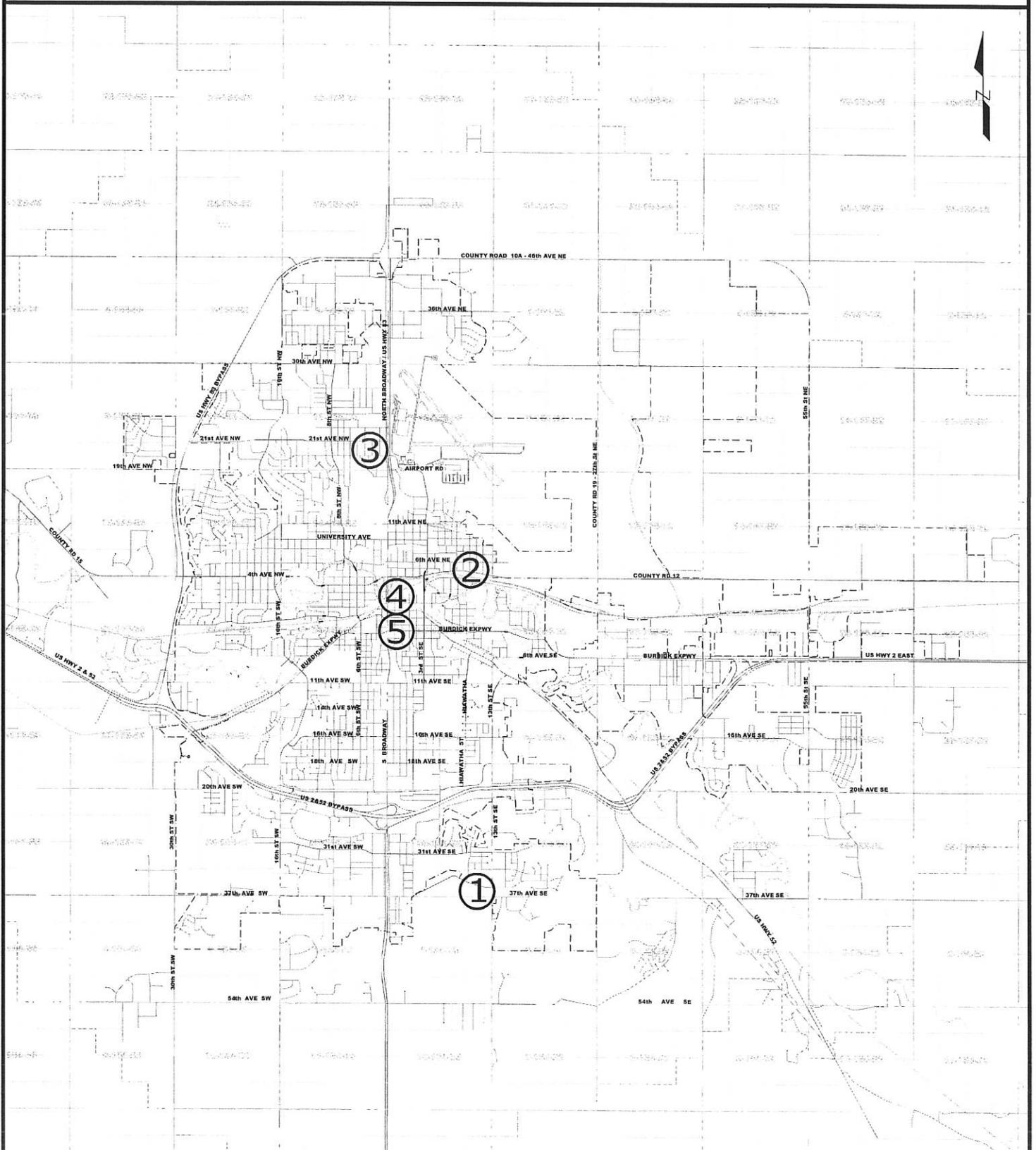
This property is located at 5 Central Ave W.

5. Original Minot Addition, Block 11, Lots 13-24

Application by City of Minot represented by Lance Meyer, City Engineer, for a public plan review regarding the parking garage on Original Minot Addition, Block 11, Lots 13-24.

This property is located at 205 1st ST SW.

VICINITY MAP for AUGUST 2016 PLANNING AGENDA



Meeting Date:	8/26/2016	Item #:	1
Project #:	8016-8.2	Staff Recommendation:	APPROVAL
Development Title:	Bluff Point Estates, Lots 1-33		
Current Legal Description:	An unplatted portion of the SE1/4, Section 36-155-83		
Address: (if applicable)			
Current Zoning:	AG	Proposed Zoning:	RMPUD
Guided Use:	AG, Medium Density, & Commercial		

Applicant/Owner: Future Builders
Duane Johnson
2915 10th ST SW
Minot ND 58701
701-838-1818
futurebuildersinc@gmail.com

Zoning Ordinance Ref: Section 28: Land Subdivision Regulations
Section 30-5: Text Amendments and Zoning District Changes
Section 13: PUD (Planned Unit Development)
Section 30-7: Annexation

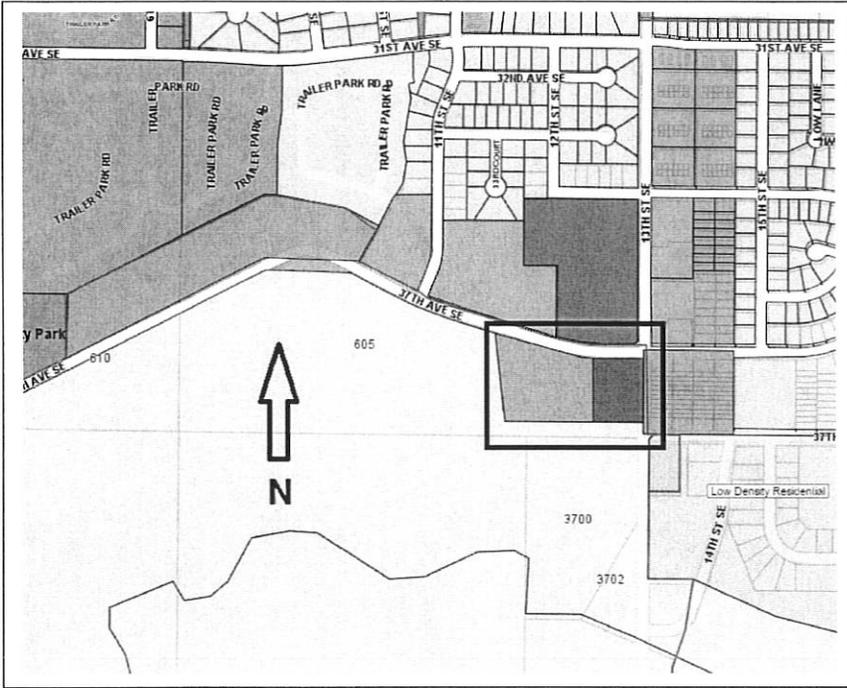
PROJECT DESCRIPTION:

REQUEST(S): The applicant is requesting:

- To subdivide an unplatted portion of the SE1/4, Section 36-155-83 into 33 lots to be known as Bluff Point Estates, Lots 1-33.
- Also, to change the zone from AG (Agricultural) District to RM (Medium Density Residential) District with a PUD (Planned Unit Development) overlay on proposed Bluff Point Estates, Lots 1-33.
- Also, to annex proposed Bluff Point Estates, Lots 1-33 and adjacent 13th ST SE & 37th Ave SE right-of-way into city limits.
- Also, to amend the Future Land Use map from Medium Density, Agricultural, and Commercial designations to Medium Density Residential on proposed Bluff Point Estates, Lots 1-33.

DEVELOPMENT SUMMARY CHART:

Site Area:	9.58 Acres
Building Area:	varying SF
Green Area Required:	Will be submitted and approved by Planning staff
Green Area Proposed:	N/A
Parking Required:	2 per unit plus 8 handicapped spaces



The subject property is located on the southwest corner of 37th Ave SE and 13th ST SE.

EXECUTIVE SUMMARY:

The applicant is requesting to construct a 32-unit Luxury Townhouse development at the intersection of 13th Street and 37th Avenue SE. This residential development will be governed by a Home Owners Association that will include private ownership of common areas, roads, and infrastructure. This property is currently zoned AG, Agricultural District and a request for rezoning, annexation, subdivision and PUD is included in the package. The applicant is requesting a rezone from Agriculture to Planned Unit Development Medium Density Residential. The proposed uses would not be in general compliance with the Comprehensive Plan in that the Comprehensive Plan has the east side of the proposed property planned as commercial. However, upon further investigation, staff has concluded that due to the topography of said portion of the property, it would not be feasible to use that section for commercial. Action is being taken to amend the future land use so that the proposed use will be in compliance.

Subdivision review is to be carried out simultaneously with the review of the proposed PUD.

Staff recommends approval of the requests with 14 conditions.

BACKGROUND AND ANALYSIS:

Planning and Zoning:

The property under consideration is currently zoned Agriculture and is guided on the Future Land Use Plan as Medium Density Residential and Commercial. Lots to the north are zoned Public and R3; lots to the east are zoned R3C; lots to the south are zoned Agriculture.

The Zoning Ordinance updates that have occurred over the past few years implemented a new zoning tool known as the Planned Unit Development (PUD). A PUD is used to describe a type of development and the regulatory process that permits a developer to meet overall community density and land use goals without being bound by existing zoning requirements. This would be the first PUD that the City will consider under current zoning ordinances. The PUD chapter encourages the developer of land to be more creative and efficient in the type of project proposed while protecting the surrounding natural features and providing upgraded amenities for both the tenants and the public.

Given that the PUD is supposed to meet the standards and purposes of the comprehensive plan, the PUD should therefore encourage high quality architecture, promote visual interest and reinforce visual appeal. Public engagement sessions expressed significant concern over unattractive buildings and places. As such, the Staff recommends approval of the concept but requires that the building design be modified to provide for side loaded garages. Given that that the developer proposes four front loaded garages for the development, the resulting form would result in garage doors dominating the façade and that should not be the epitome of what the city would consider an inspiring and visually appealing PUD development. This recommendation is made to support the view that an inspiring, well-designed PUD is in the best economic development interests of all residents and businesses.

Building Materials and Architecture / Landscaping and Buffer Screening Plans:

The builder has stated that this property will enjoy the view and preservation of south Minot's natural features. Building material exhibits appear to compliment the surrounding architecture and appear to be an upgrade from standard designs.

Revise architectural elevations to express an exceptional architectural character of the complex. Suggested features as dictated by the City of Minot Zoning Ordinance include:

1. A combination of primary and secondary roofs.
2. Primary roofs shall be articulated by at least one of the following: changes in plane and elevations combining low and high, dormers, gables.
3. Exterior building finishes and colors to include a variety of building materials, distributed through the facades and coordinated to create an architecturally balanced appearance. Facades of each attached unit shall be finished with a variety of colors to be less repetitive and exciting.

Landscaping and buffering is required and would need to meet ordinance requirements and approved by the Planning Department. Applicant has indicated that a plan is being worked on and will be provided to city staff for review prior to construction.

Planned Unit Development (PUD) Detail and Deviations:

This PUD appears to meet the general standards for approval as outlined in Section 13-4 in that it would be in harmony with surrounding uses, compliment the surrounding uses and zoning, provide a transition between residential and public open space, preserving health, safety and welfare of the citizens of Minot.

The proposed development will be required to provide for exceptional amenities that would promote the vision of the Comprehensive Plan. The development will be required to install sidewalks along the improved public right of way that will allow the neighborhood pedestrians to use it and enjoy the natural features adjacent to the site. The requirement to avoid the dominance of garage doors on the front façade will help provide for an outstanding architectural development on the site.

Signage:

No signage has been requested.

Public Land Dedication:

Public land dedication will be required and the applicants are making those arrangements with the Park District.

Traffic and Transportation Plan/Requirements:

The applicant has agreed on traffic requirements through a proposed Development Agreement. Also, the developer needs to indicate how trash disposal will be handled. Off Street parking is lacking. A minimum of 8 spots is required by the City Zoning Ordinance. The site plan should indicate the location of handicapped parking. A minimum of eight (8) accessible parking spaces are required.

The Developer may lower the number of units to accommodate the guest parking with creative open space designs connecting guest parking and open space to the internal circulation system.

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 along improved public right of ways.

FINDINGS OF FACT:

1. The Property is zoned Agriculture and its highest and best use would be residential.
2. The PUD would be consistent with the comprehensive plan for the city if certain conditions were met.
3. The PUD provides for preservation of surrounding natural amenities.
4. The subject property is designated as partially Medium Density Residential and partially Commercial.
5. The surrounding zones are complimentary to the proposed zone change.
6. The proposed use meets the requirements of the proposed zone.
7. The conditioned project details will provide a public benefit in that they are of improved site and architectural design and have shown preserved open space.

Conditions (if approved):

1. The developer must provide an explanation of the character of the planned development and the manner in which it has been planned to take advantage of the planned development regulations including public benefits it is providing.
2. A general indication of the expected schedule of development including progressive phasing and time

schedule.

3. That the building plans be modified to provide for side loaded garage door lots or designed to the extent that garage doors are not the dominant feature of the front façade. Revised elevation renderings shall be provided to the Planning Department for review and approval. The front façade of the side loaded garage should provide windows and or dormers in a style consistent with what is found on the residential units.
4. Primary roofs shall be articulated by at least one of the following: changes in place and elevations combining low and high, dormers, gables.
5. Exterior building finishes and colors to include a variety of building materials, distributed through the facades and coordinated to create an architecturally balanced appearance. Facades of each attached unit shall be finished with a variety of colors to be less repetitive and exciting
6. Rear decks and porches should be provided as part of the dwelling unit building plans.
7. That the petitioner submit a Detailed Development Plan describing:
 - a. Uses permitted
 - b. Modifications to Section 7-7. Lot, Height, Area and Yard Setback Requirements of the RM District
 - c. Modifications to Section 7-8. Design Requirements for Buildings Containing Three Units or Greater of Attached Units
8. Identify where and how trash will be handled on the site.
9. Storm Water Management Plans will be required and approved by the City Engineer.
10. Erosion Control practices will need to meet State of North Dakota requirements and approved by the City Engineer.
11. Developer's Agreement and/or Home Owners Association will be in place prior to the plat being recorded.
12. Sidewalks will be required along improved public right of ways and that there are connections from the buildings in the PUD to sidewalks.
13. The gateway into the development from the sidewalk should provide for a sense of arrival by clearly designated entry points. Pedestrian treatment within the development should provide a clear connection to adjacent sidewalks in the right-of-way.
14. Public Utility Fees will be required.

RECOMMENDATION

Staff recommends approval of the subdivision, rezoning, annexation and Comprehensive Plan Map Amendment with 14 conditions as expressed in the Findings of Fact Conditions section of this report.

**PRELIMINARY PLAT OF
BLUFF POINT ESTATES**
TO THE CITY OF MINOT, NORTH DAKOTA
(BEING AN UNPLATTED PORTION OF THE SE1/4
SECTION 36, TOWNSHIP 155 NORTH, RANGE 83 WEST,
WARD COUNTY, NORTH DAKOTA)

SOUTHWOOD
BLOCK 2

LOT 5
(SOUTHWOOD APARTMENTS LLC)
(R3 ZONING)

15TH

BLOCK 3

LOT 4
MINOT PUBLIC SCHOOLS
(P ZONING)

- DEDICATED RIGHT OF WAY
- COMMON ELEMENT
- LOT 33 COMMON ELEMENT WITH NATURAL FEATURES
- PRIVATE DRIVE
- 50' STORMSEWER EASEMENT

LOT BREAKDOWN

LOT 1 = 7822.05 SQ.FT.
LOT 2 = 5283.26 SQ.FT.
LOT 3 = 5864.09 SQ.FT.
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LOT 32 = 8609.98 SQ.FT.
LOT 33 = 198884.62 SQ.FT.
ROAD R/W = 23655.01 SQ.FT.
TOTAL = 417416.67 SQ.FT. OR 9.58 ACRES

UNPLATTED SE1/4
SEC. 1-154-83
JOHN D. COUGHLIN
(AG ZONING)

UNPLATTED S1/2NE1/4
SEC. 1-154-83
JOHN D. COUGHLIN
(AG ZONING)

OUTLOT 22
LINDA L HARRIS
(AG ZONING)

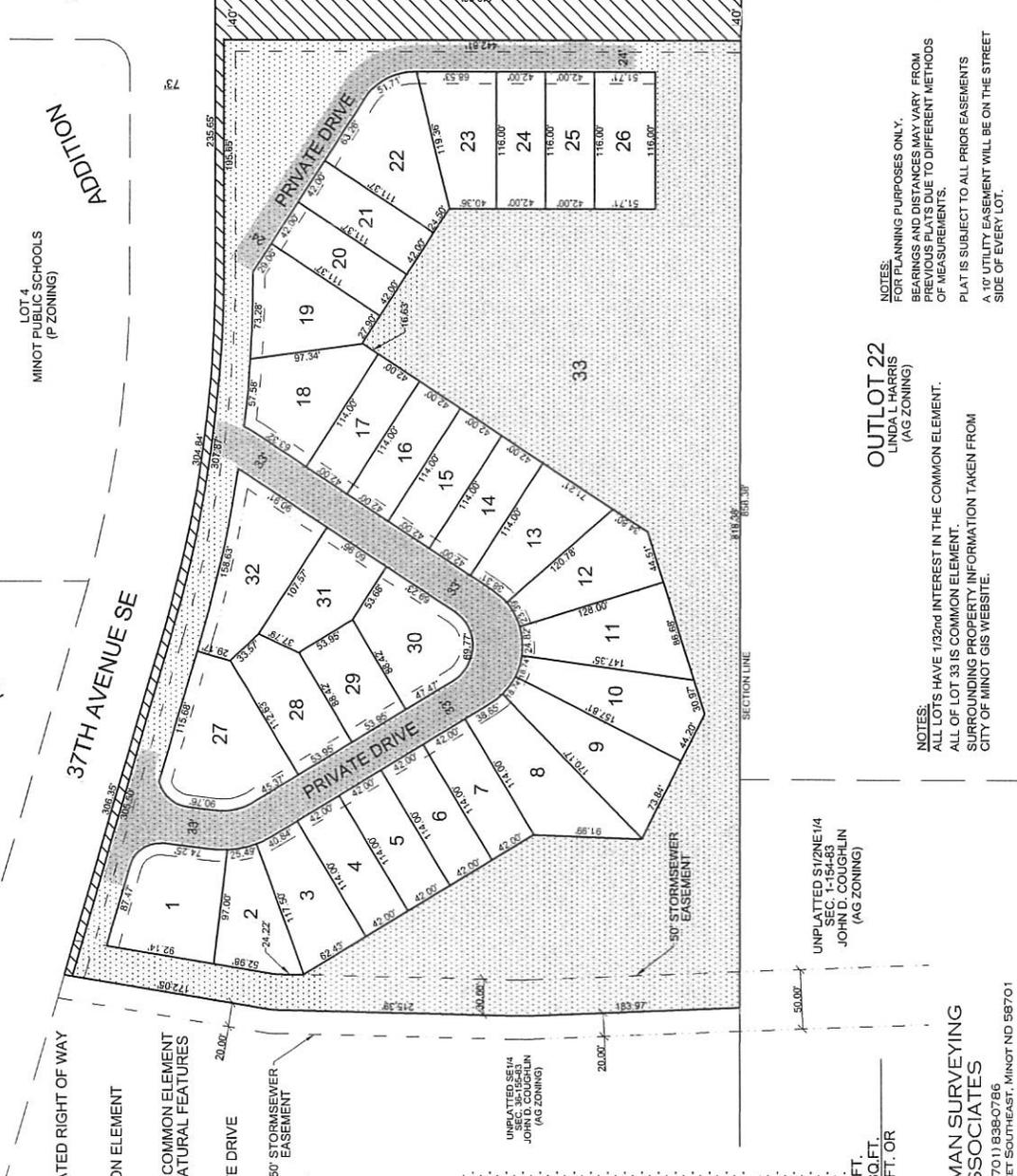
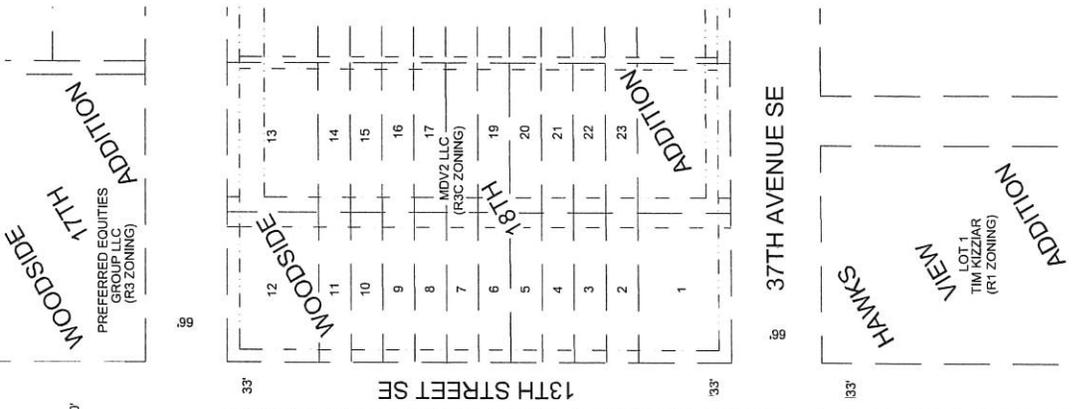
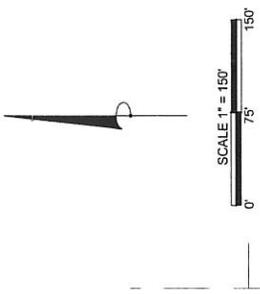
NOTES:
ALL LOTS HAVE 1/32nd INTEREST IN THE COMMON ELEMENT.
ALL OF LOT 33 IS COMMON ELEMENT.
SURROUNDING PROPERTY INFORMATION TAKEN FROM
CITY OF MINOT GIS WEBSITE.

NOTES:
FOR PLANNING PURPOSES ONLY.
BEARINGS AND DISTANCES MAY VARY FROM
RECORDS DUE TO DIFFERENT METHODS
OF MEASUREMENTS.
PLAT IS SUBJECT TO ALL PRIOR EASEMENTS
A 10' UTILITY EASEMENT WILL BE ON THE STREET
SIDE OF EVERY LOT.

**ACKERMAN SURVEYING
& ASSOCIATES**
(701) 838-0786
1907 17TH STREET SOUTHEAST, MINOT ND 58701



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(R3 ZONING)

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TOTAL = 477416.67 SQ.FT. OR 9.58 ACRES

UNPLATTED SE 1/4
SEC. 36 (R3 ZONING)
JOHN D. COUGHLIN

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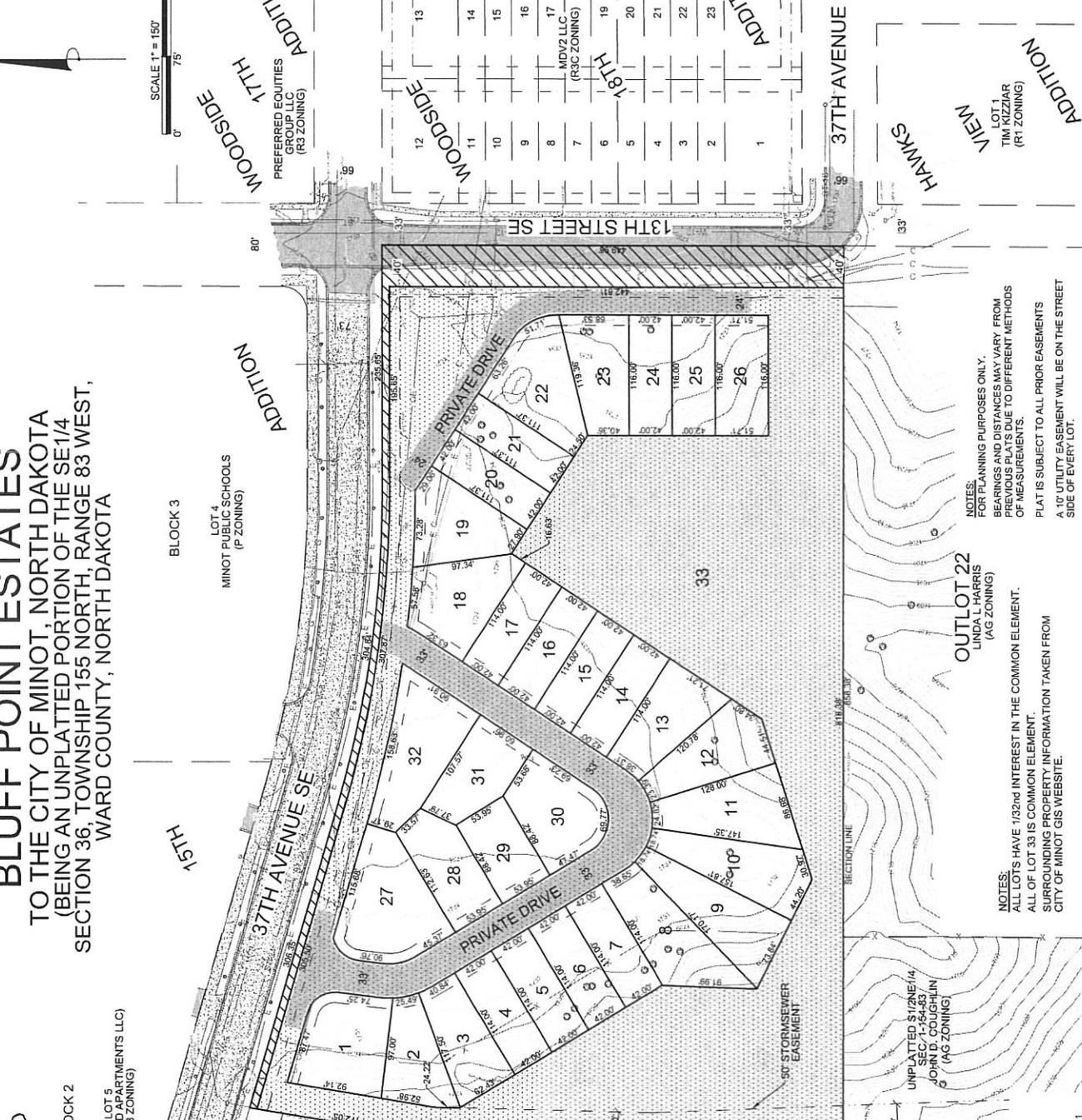


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LINDA L HARRIS
(AG ZONING)

UNPLATTED S 1/2 NE 1/4
SEC. 1-164-93
JOHN D. COUGHLIN
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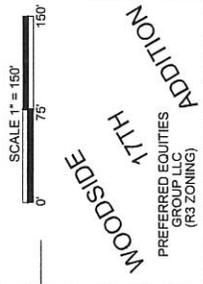


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BLOCK 3
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(P ZONING)



WOODSIDE
17TH
PREFERRED EQUITIES
GROUP LLC
(R3 ZONING)

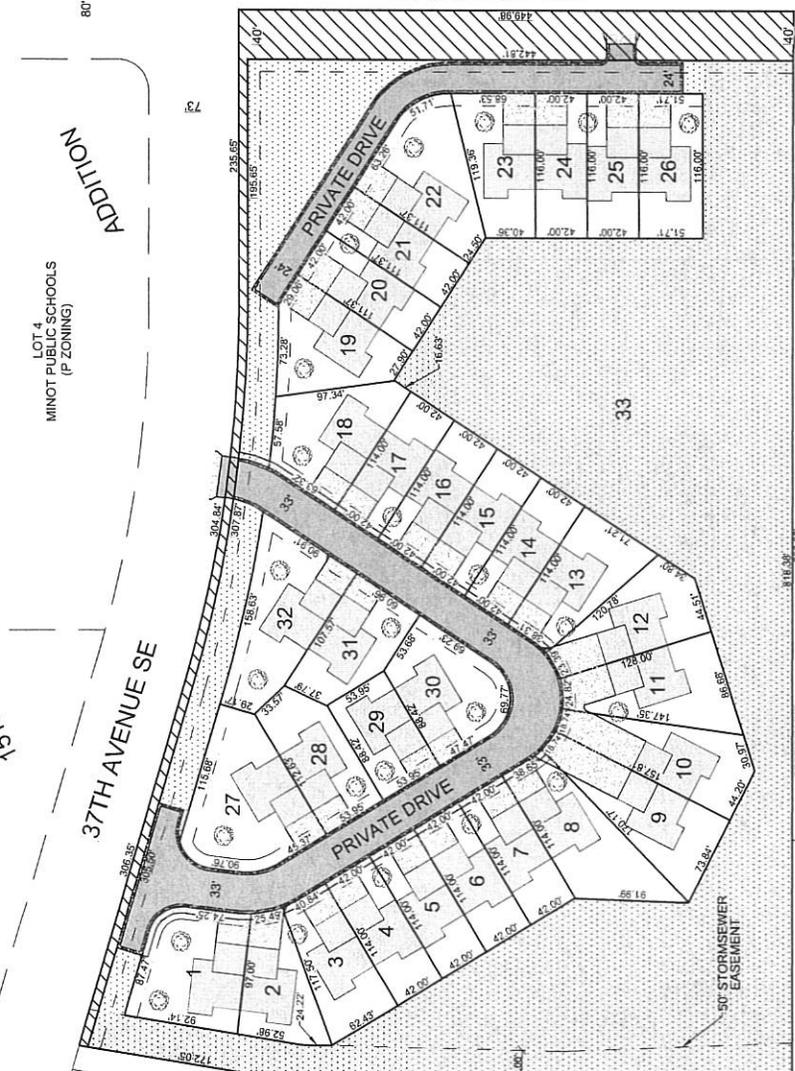
WOODSIDE
18TH
MDV2 LLC
(R3 ZONING)

HAWKS
VIEW
LOT 1
TIM KIZZAR
(R1 ZONING)

ADDITION
37TH AVENUE SE

ADDITION
15TH

ADDITION
13TH STREET SE



- LANDSCAPE TREE
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BUILDING SETBACKS
 40' SETBACK ON 37TH AVENUE SE & 13TH STREET SE
 25' MINIMUM SETBACK ON ALL CURB AND PAVEMENT EDGES LOTS 1 THRU 26
 20' MINIMUM SETBACK ON ALL CURB AND PAVEMENT EDGES LOTS 27 THRU 32
 30' MINIMUM SETBACK FROM CENTERLINE OF ELECTRIC TRANSMISSION LINE
 6' MINIMUM SETBACK ON ALL SIDE YARDS

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LOT 5
(SOUTHWOOD APARTMENTS LLC)
(R3 ZONING)

BLOCK 3
LOT 4
MINOT PUBLIC SCHOOLS
(P ZONING)

SCALE 1" = 150'

- LANDSCAPE TREE
- DEDICATED RIGHT OF WAY
- COMMON ELEMENT
- LOT 33 COMMON ELEMENT WITH NATURAL FEATURES
- PRIVATE DRIVE

LOT BREAKDOWN

LOT 1 = 7822.05 SQ.FT.
LOT 2 = 5283.26 SQ.FT.
LOT 3 = 5864.09 SQ.FT.
LOT 4 = 4788.00 SQ.FT.
LOT 5 = 4788.00 SQ.FT.
LOT 6 = 4788.00 SQ.FT.
LOT 7 = 4788.00 SQ.FT.
LOT 8 = 4788.00 SQ.FT.
LOT 9 = 4788.00 SQ.FT.
LOT 10 = 4788.00 SQ.FT.
LOT 11 = 4788.00 SQ.FT.
LOT 12 = 4788.00 SQ.FT.
LOT 13 = 4788.00 SQ.FT.
LOT 14 = 4788.00 SQ.FT.
LOT 15 = 4788.00 SQ.FT.
LOT 16 = 4788.00 SQ.FT.
LOT 17 = 4788.00 SQ.FT.
LOT 18 = 4788.00 SQ.FT.
LOT 19 = 4788.00 SQ.FT.
LOT 20 = 4788.00 SQ.FT.
LOT 21 = 4788.00 SQ.FT.
LOT 22 = 4788.00 SQ.FT.
LOT 23 = 4788.00 SQ.FT.
LOT 24 = 4788.00 SQ.FT.
LOT 25 = 4788.00 SQ.FT.
LOT 26 = 4788.00 SQ.FT.
LOT 27 = 4788.00 SQ.FT.
LOT 28 = 4788.00 SQ.FT.
LOT 29 = 4788.00 SQ.FT.
LOT 30 = 4788.00 SQ.FT.
LOT 31 = 4788.00 SQ.FT.
LOT 32 = 4788.00 SQ.FT.
LOT 33 = 198664.62 SQ.FT.

TOTAL = 417416.67 SQ.FT. OR 9.58 ACRES

ACKERMAN SURVEYING & ASSOCIATES
701 J. BIRCH STREET, MINOT, ND 58701



NOTES:
FOR PLANNING PURPOSES ONLY.
BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS PLATS DUE TO DIFFERENT METHODS OF MEASUREMENTS.
PLAT IS SUBJECT TO ALL PRIOR EASEMENTS
A 10' UTILITY EASEMENT WILL BE ON THE STREET SIDE OF EVERY LOT.

NOTES:
ALL LOTS HAVE 1/2" INTEREST IN THE COMMON ELEMENT.
ALL OF LOT 33 IS COMMON ELEMENT.
SHARING OF UTILITY INFORMATION TAKEN FROM CITY OF MINOT GIS WEBSITE.
BUILDING SETBACKS
40' SETBACK ON 37TH AVENUE SE & 13TH STREET SE
25' MINIMUM SETBACK ON ALL CURB AND PAVEMENT EDGES LOTS 1 THRU 26
20' MINIMUM SETBACK ON ALL CURB AND PAVEMENT EDGES LOTS 27 THRU 32
30' MINIMUM SETBACK FROM CENTERLINE OF ELECTRIC TRANSMISSION LINE
6' MINIMUM SETBACK ON ALL SIDETAROS

UNPLATTED S1/2NE/4
SEC 1-164-83
JOHN D. COUGHAN
(AG ZONING)

OUTLOT 22
LINDA E. HARRIS
(AG ZONING)

VIEW
LOT 1
TIM KIZZIAR
(R1 ZONING)

ADDITION

HAWKS

37TH AVENUE SE

ADDITION

18TH

WOODSIDE

MDV2 LLC
(R3C ZONING)

WOODSIDE
PREFERRED EQUITIES GROUP LLC
(R3 ZONING)

ADDITION

15TH

LOT 5
(SOUTHWOOD APARTMENTS LLC)
(R3 ZONING)

BLOCK 2

SOUTHWOOD



PRELIMINARY PLAT OF
BLUFF POINT ESTATES

TO THE CITY OF MINOT, NORTH DAKOTA

(BEING AN UNPLATTED PORTION OF THE SE1/4
SECTION 36, TOWNSHIP 155 NORTH, RANGE 83 WEST,
WARD COUNTY, NORTH DAKOTA)

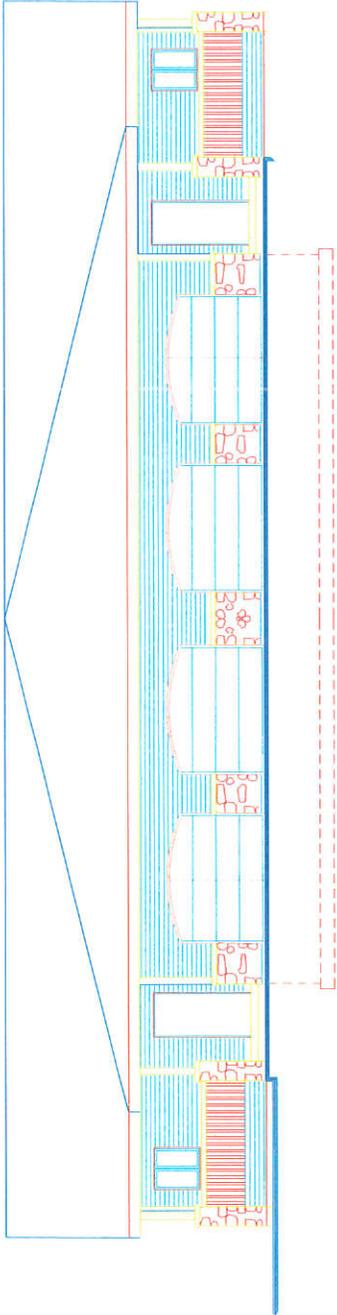
ACKERMAN SURVEYING & ASSOCIATES

701 J. BIRCH STREET, MINOT, ND 58701

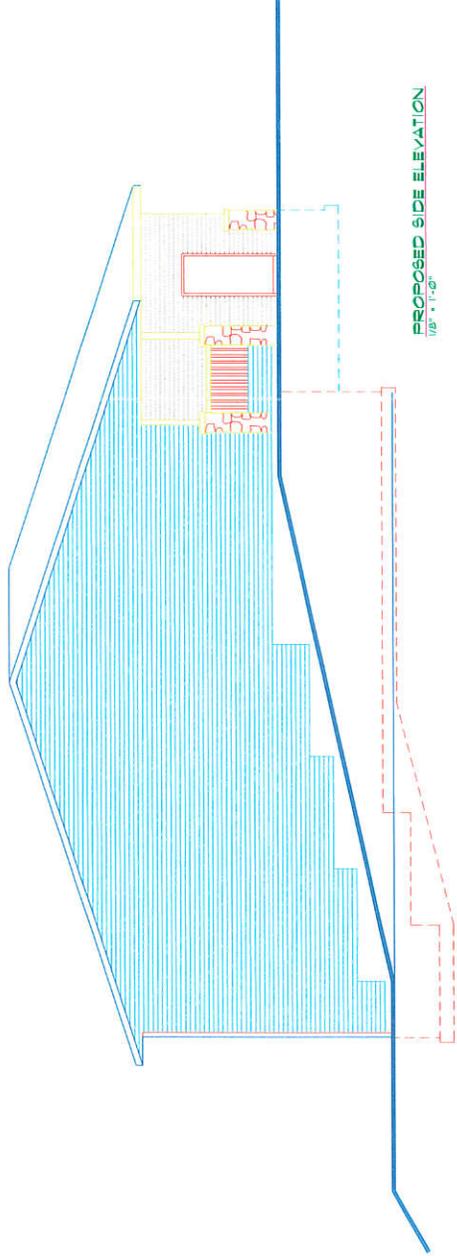
9.58 ACRES

ACKERMAN SURVEYING & ASSOCIATES

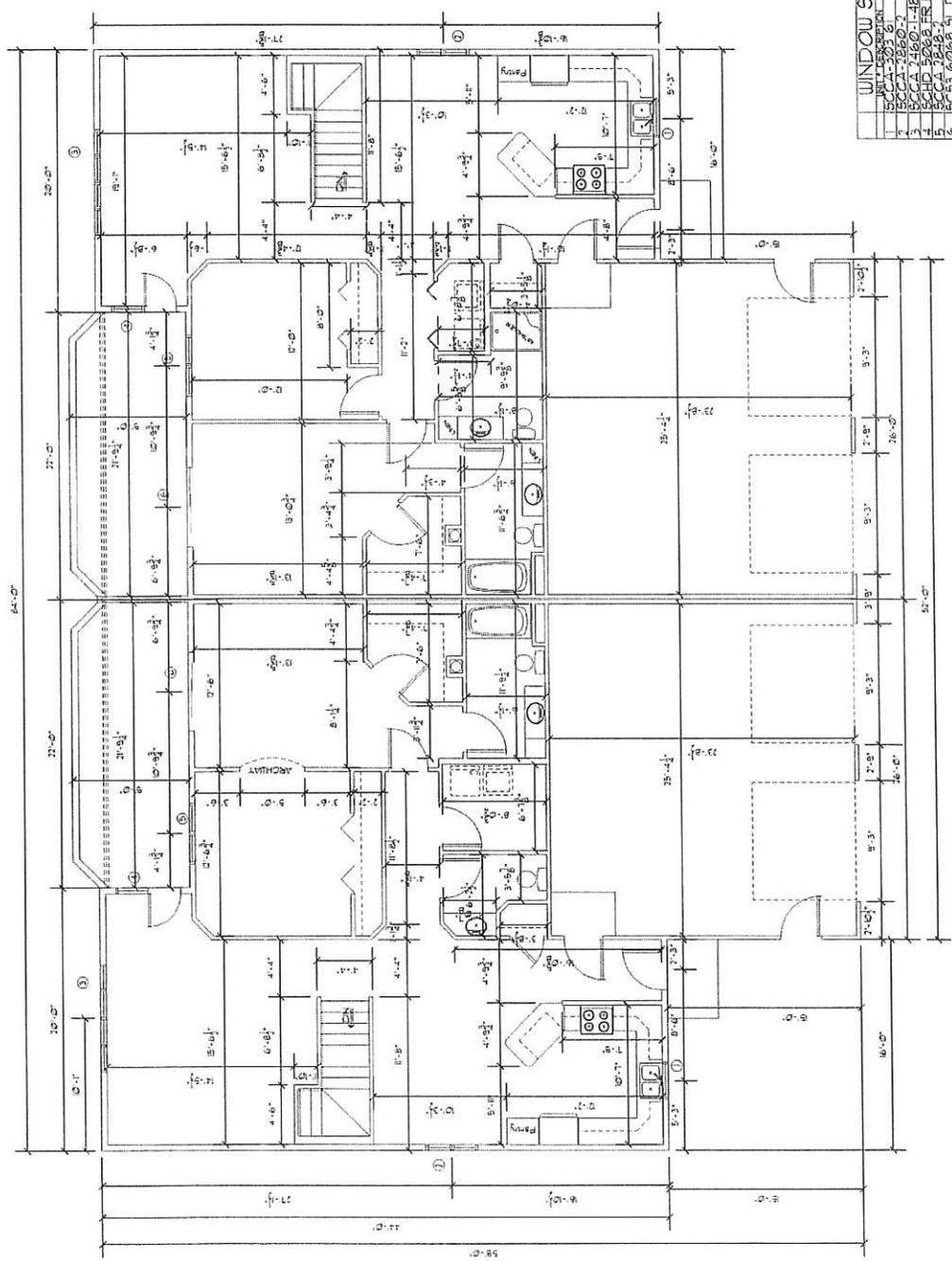
701 J. BIRCH STREET, MINOT, ND 58701



PROPOSED FRONT ELEVATION
1/8" = 1'-0"



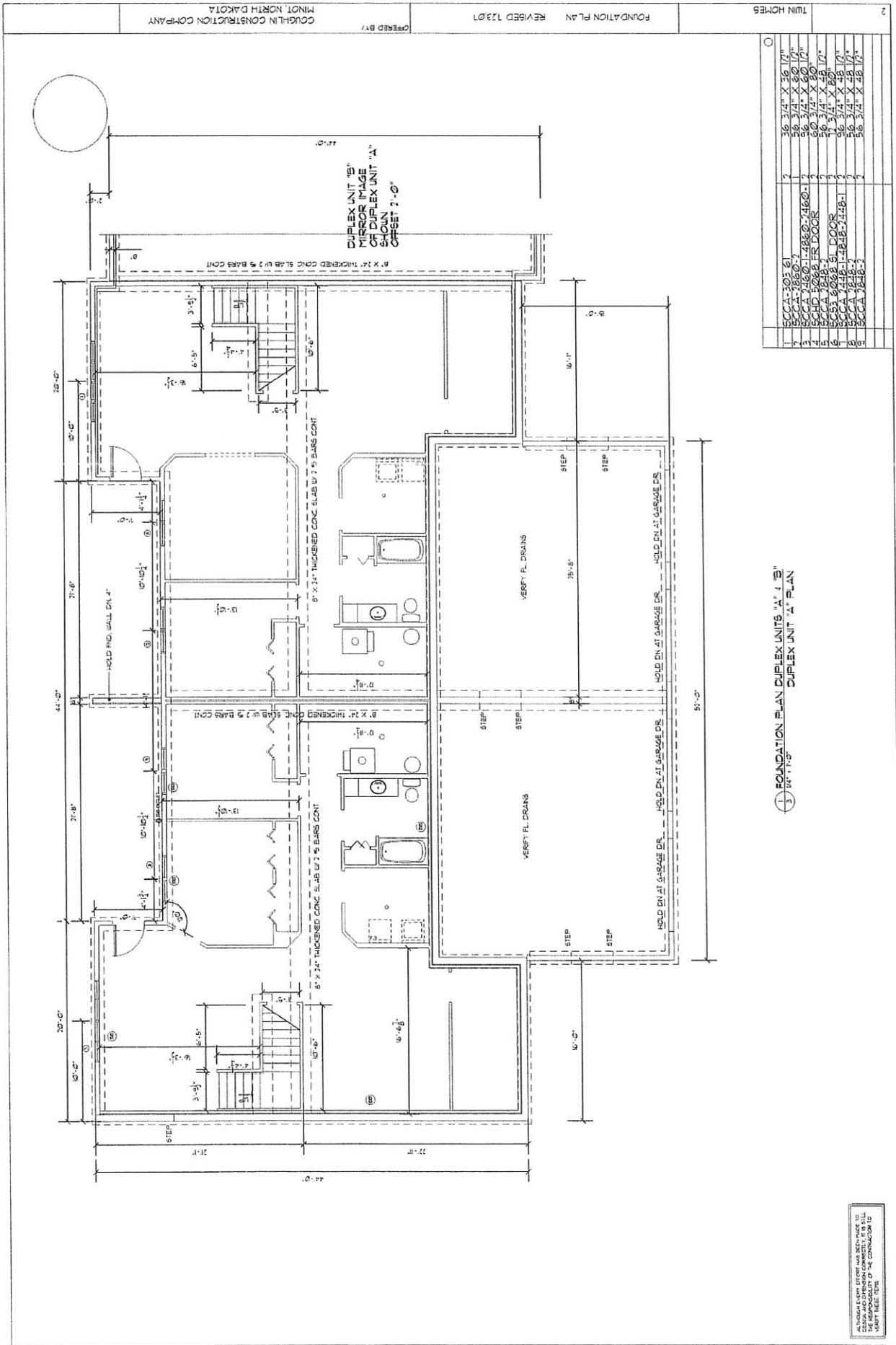
PROPOSED SIDE ELEVATION
1/8" = 1'-0"



WINDOW SCHEDULE

NO.	DESCRIPTION	SIZE
1	6" x 6" WINDOW	36 3/4" X 36 1/2"
2	6" x 6" WINDOW	56 3/4" X 60 1/2"
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ALL DIMENSIONS SHOWN ARE TO FACE UNLESS NOTED OTHERWISE. THE CONTRACTOR SHALL VERIFY THESE DIMENSIONS.



FOUNDATION PLAN DUPLEX UNITS 'A' & 'B'
DUPLEX UNIT 'A' PLAN

1	SCCA-203-61	2	36 3/4" X 36 1/2"
2	SCCA-288-0-7	1	36 3/4" X 60 1/2"
3	SCCA-288-0-7	1	36 3/4" X 60 1/2"
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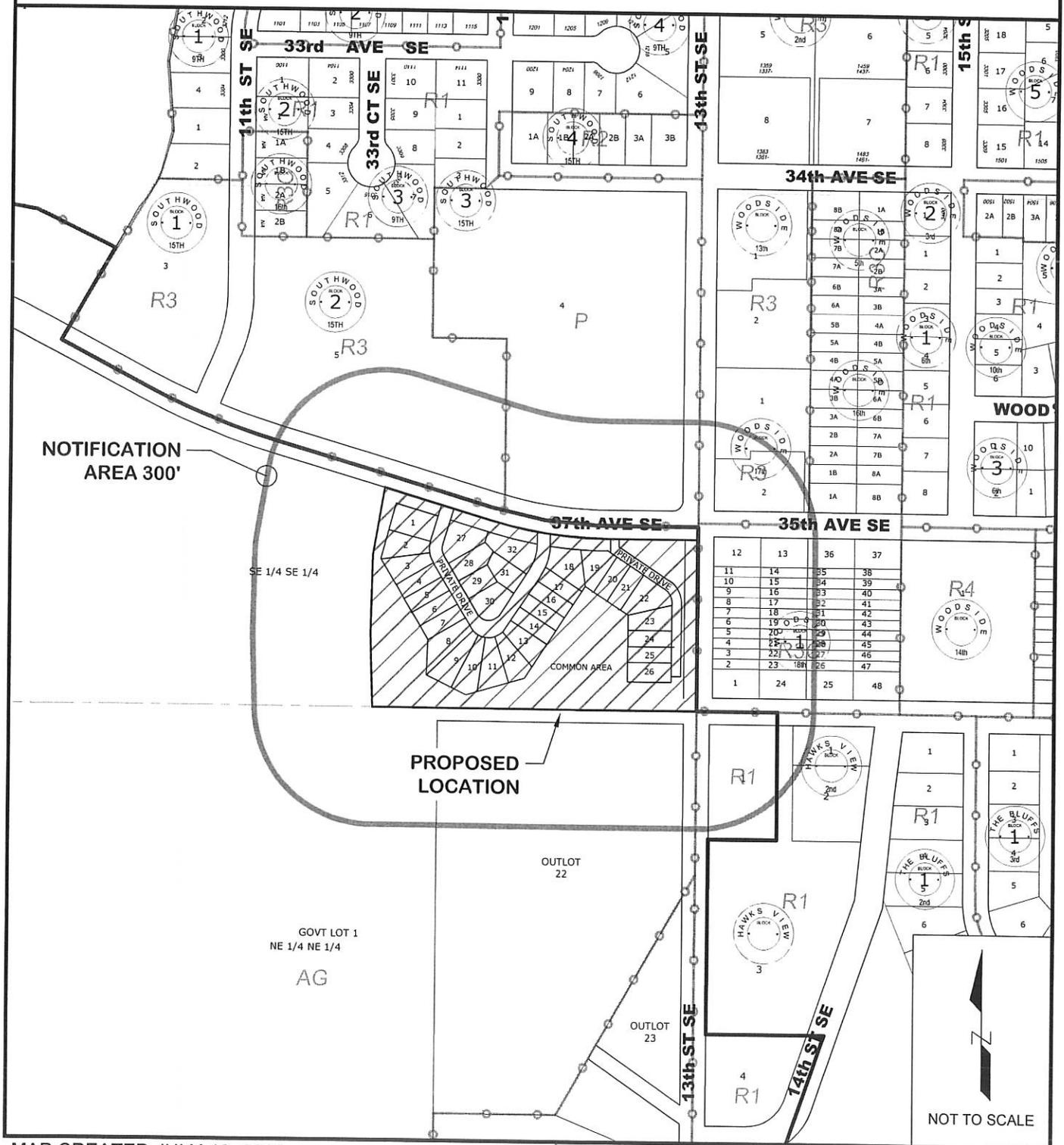
ALL DIMENSIONS SHOWN ARE TO FACE UNLESS OTHERWISE NOTED. DIMENSIONS TO FACE OF CONCRETE SHALL BE TO FACE OF FORMWORK UNLESS OTHERWISE NOTED.





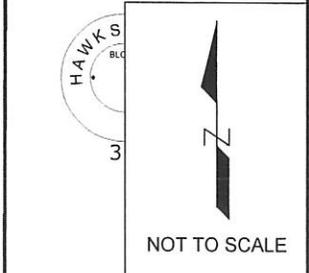
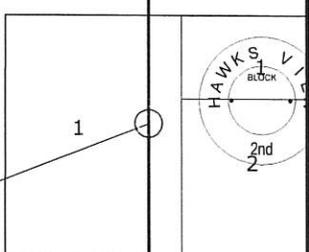
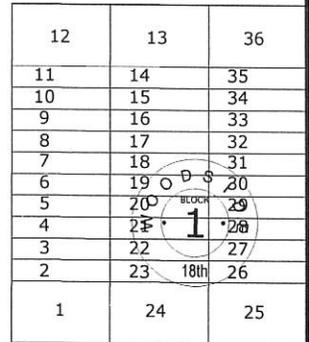
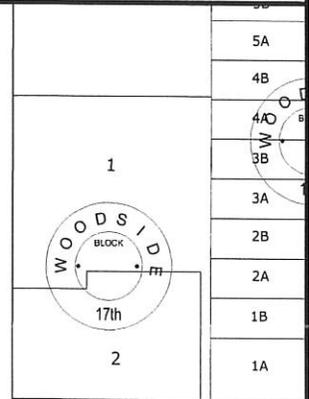
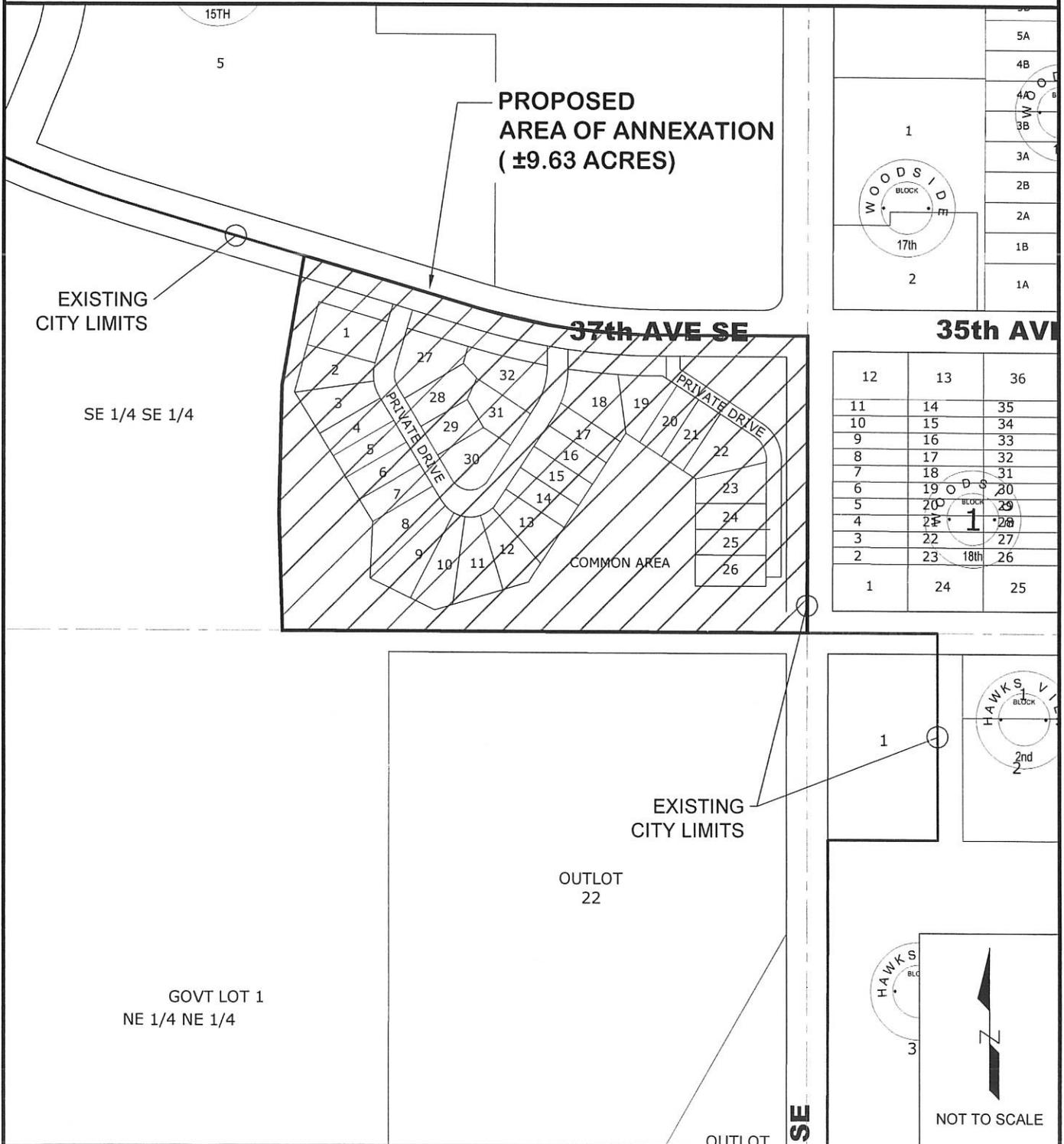
PROPOSED SUBDIVISION PLAT, ANNEXATION, AND PUD PLAN REVIEW BLUFF POINT ESTATES

BEING AN SECTION 36-155-83, AN UNPLATTED PORTION OF THE SE $\frac{1}{4}$
CITY OF MINOT, NORTH DAKOTA



ANNEXATION EXHIBIT

LEGAL DESCRIPTION: **BLUFF POINT ESTATES**
AND ADJACENT 13th ST SE AND 37th AVE SE RIGHT-OF-WAY
TO THE CITY OF MINOT, NORTH DAKOTA
SAID TRACT CONTAINS 9.63 ACRES MORE OR LESS



City of Minot

Planning Commission
Staff Report

Meeting Date:	8/29/2016	Item #:	2
			Denial – Variance
Project #:	8016-8.1	Staff Recommendation:	Approval – Subdivision
Development Title:	Florez Addition, Lot 1		
Current Legal Description:	Roach’s 3 rd Addition, Block 5, Lots 5 & 6		
Address: (if applicable)	510 & 512 10 th ST NE		
Current Zoning:	R1	Proposed Zoning:	R1
Guided Use:	Low Density Residential		

Applicant/Owner: Carl & Carol Florez
512 10th ST NE
Minot, ND 58703
425-785-9449
Cflore25@comcast.net

Rep/Contractor: Cameron Berdahl
1047 W Central Ave
Minot, ND 58701
701.833.5948
Cameronb_89@hotmail.com

Zoning Ordinance Ref: Section 28: Land Subdivision Regulation
Section 30-2: Variance

PROJECT DESCRIPTION:

REQUEST(S): The applicant is requesting:

- To subdivide Roach’s 3rd Addition, Block 5, Lots 5 & 6 into one lot to be known as Florez Addition, Lot 1.
- A variance to the required side yard setback for an existing detached garage from 3’ to approximately 2’ at the wall and approximately zero at the eave on proposed Florez Addition, Lot 1. This property is located at 510 & 512 10th ST NE.

EXECUTIVE SUMMARY AND CITY STAFF CONSIDERATIONS:

The property is zoned R1 Single Family Residential and is guided Low Density Residential on the future land use plan. All properties surrounding this are zoned R1 Single Family Residential. The existing use and proposed subdivision is consistent with the Comprehensive Plan. Staff is not able to support the variance as stated in the findings of fact.

BACKGROUND:

The applicant is requesting a variance to the side yard setback requirement to bring an existing detached garage into conformance. The applicant constructed this building without knowing the exact location of the property line. The permit for construction was dated July 12, 2012, and indicates that a 3' setback is required. The garage has been constructed so the variance is requested to prevent having to reconstruct the building in conformance with the code or relocate it. Section 21-8 Special Rule Concerning Accessory Buildings says that the walls of an accessory building may not be located less than three (3) feet from any lot line and that the eaves and other parts of the accessory building which project beyond the walls of the accessory building may not extend more than four (4) feet beyond such walls, nor within two (2) feet of any property line.

The reason for maintaining setback requirements is to maintain distance and privacy from abutting properties and structures. This property, as smaller R1 lots, makes the setbacks even more important.

In order to consider approval for a variance a hardship must be identified. As the property has sufficient room for another building or the relocation of this building, it is difficult to identify a hardship and therefore staff cannot recommend support for the variance. As the applicant can construct a garage in conformance, the property maintains property rights enjoyed by others. The fact that the garage has already been constructed does not provide grounds for a hardship. Increasing the distance of the garage to the property line will maintain appropriate distance to the abutting property. Staff recommends denial of the variance.

FINDINGS OF FACT:

1. The subject property is zoned R1 Single Family Residential.
2. The accessory structure on Lot 5 does not conform to the requirements of Section 21-8 of the Zoning Code.
3. The subject property has the available space to construct new or relocate the existing detached structure to bring it in to compliance.
4. The proposed variance request does not have the necessary hardship in which to support the variance request as this is a self-created hardship.

DEVELOPMENT SUMMARY CHART:

Site Area:	14990.62 SF
Building Area:	26'x14' detached structure

RECOMMENDATION

Staff recommends approval of the proposed subdivision of Roach's 3rd Addition, Block 5, Lots 5 & 6 into one lot to be known as Florez Addition, Lot 1 but recommends denial of the requested variance.

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.

LEGAL DESCRIPTION

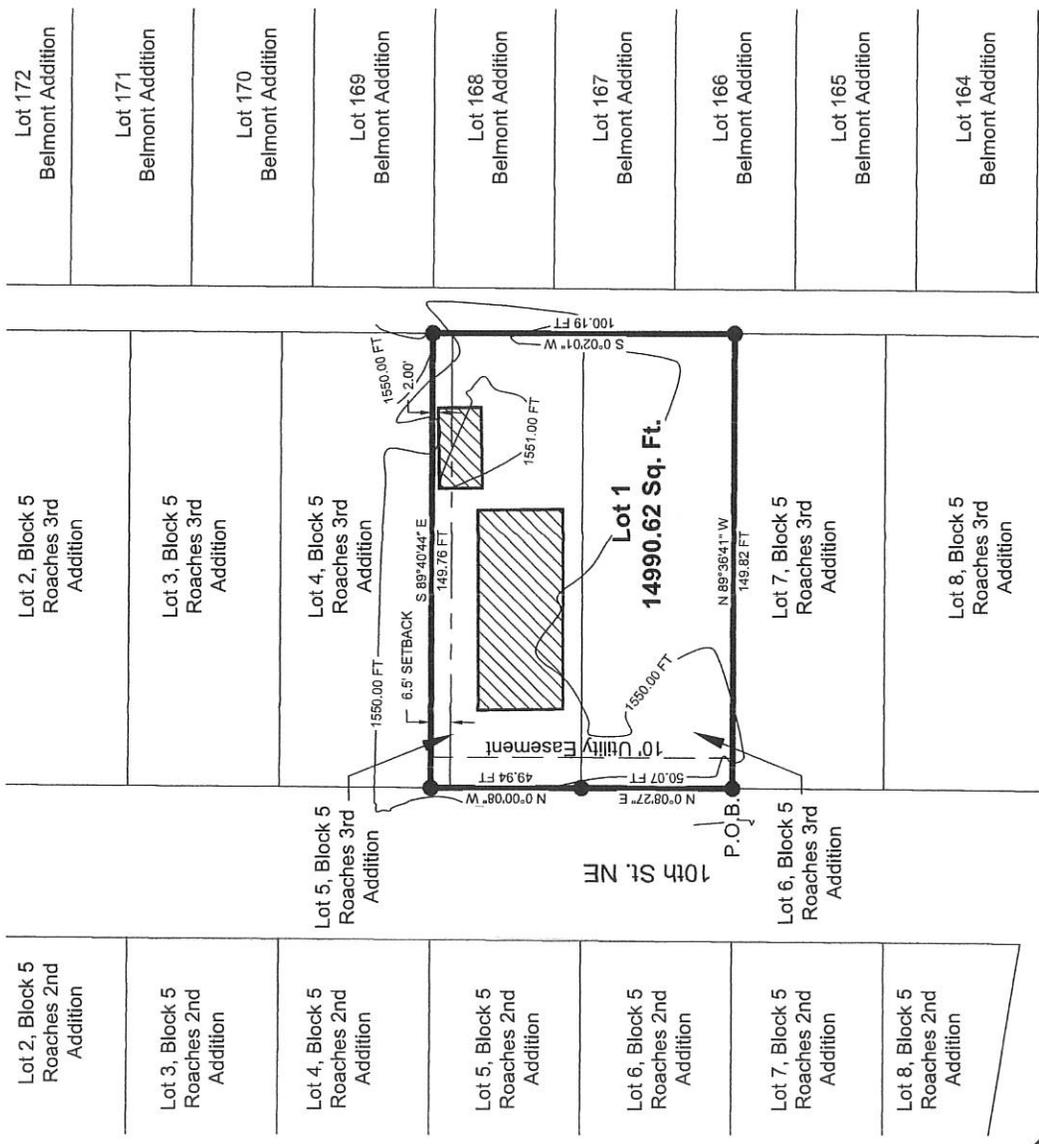
BEGINNING AT THE SOUTHWEST PROPERTY CORNER OF LOT 6, BLOCK 5 OF ROACHES 3RD ADDITION TO THE CITY OF MINOT, SAID PLAT BEING ON FILE AT THE WARD COUNTY COURTHOUSE, THENCE N 00°08'27" E, ALONG THE WEST PROPERTY LINE OF SAID LOT 6, BLOCK 5 OF SAID ROACHES 3RD ADDITION TO THE CITY OF MINOT, A DISTANCE OF 50.07 FT, TO A POINT BEING THE SOUTHWEST PROPERTY CORNER OF LOT 6, BLOCK 5 OF SAID ROACHES 3RD ADDITION TO THE CITY OF MINOT, THENCE N 00°00'08" W, ALONG THE WEST PROPERTY LINE OF SAID LOT 6, BLOCK 5 OF SAID ROACHES 3RD ADDITION TO THE CITY OF MINOT, A DISTANCE OF 49.94 FT, TO A POINT BEING THE NORTHWEST PROPERTY CORNER OF SAID LOT 5, BLOCK 5 OF SAID ROACHES 3RD ADDITION TO THE CITY OF MINOT, THENCE S 89°40'44" E, ALONG THE NORTH PROPERTY LINE OF SAID LOT 5, BLOCK 5 OF SAID ROACHES 3RD ADDITION TO THE CITY OF MINOT, A DISTANCE OF 149.76 FT, TO A POINT BEING THE NORTHEAST PROPERTY CORNER OF SAID LOT 5, BLOCK 5 OF SAID ROACHES 3RD ADDITION TO THE CITY OF MINOT, THENCE S 00°02'01" W, ALONG THE EAST PROPERTY LINES OF SAID LOTS 5 AND 6, BLOCK 5 OF SAID ROACHES 3RD ADDITION TO THE CITY OF MINOT, A DISTANCE OF 100.19 FT, TO A POINT BEING THE SOUTHWEST PROPERTY CORNER OF SAID LOT 6, BLOCK 5 OF SAID ROACHES 3RD ADDITION TO THE CITY OF MINOT, THENCE N 89°36'41" W, ALONG THE SOUTH PROPERTY LINE OF SAID LOT 6, BLOCK 5 OF SAID ROACHES 3RD ADDITION TO THE CITY OF MINOT, A DISTANCE OF 149.82 FT, TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 14990.62 SQ. FT.

NOTES

- FOR PRELIMINARY PURPOSES ONLY.
- PLAT IS SUBJECT TO ALL PRIOR EASEMENTS OF RECORD.
- BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS PLATS DUE TO DIFFERENT METHODS OF MEASUREMENT.
- ELEVATIONS SHOWN ARE IN NGVD29.
- NGS TRANSPORT WAS USED TO ESTABLISH THESE VALUES.
- AREA SHOWN ON PLAT IS IN FLOOD ZONE X, 500 YEAR FLOOD PLANE.
- INFORMATION BASED ON FIRM MAP #38101C0782 D, EFFECTIVE DATE: January 19, 2000.
- AREA SHOWN ON PLAT IS CURRENTLY ZONED AS R-1.

PRELIMINARY PLAT OF FLOREZ ADDITION BEING LOTS 5 AND 6 OF BLOCK 5 OF ROACH'S 3RD ADDITION TO THE CITY OF MINOT

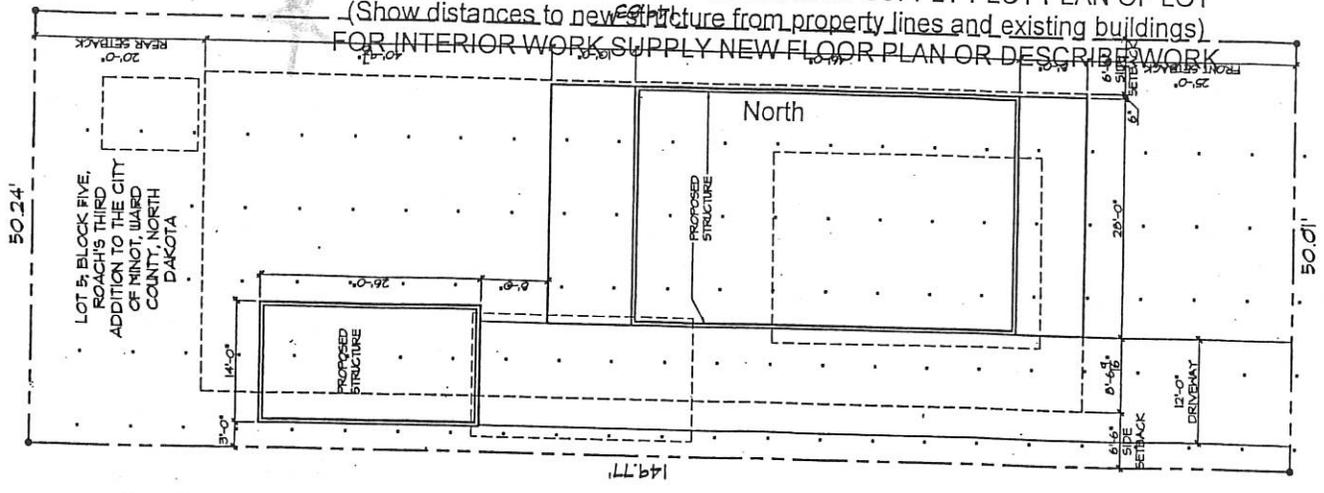


LEGEND

- = EXISTING MONUMENT
- ▨ = BUILDING



FOR NEW STRUCTURES AND ADDITIONS SUPPLY PLOT PLAN OF LOT
 (Show distances to new structure from property lines and existing buildings)
 FOR INTERIOR WORK SUPPLY NEW FLOOR PLAN OR DESCRIBED WORK



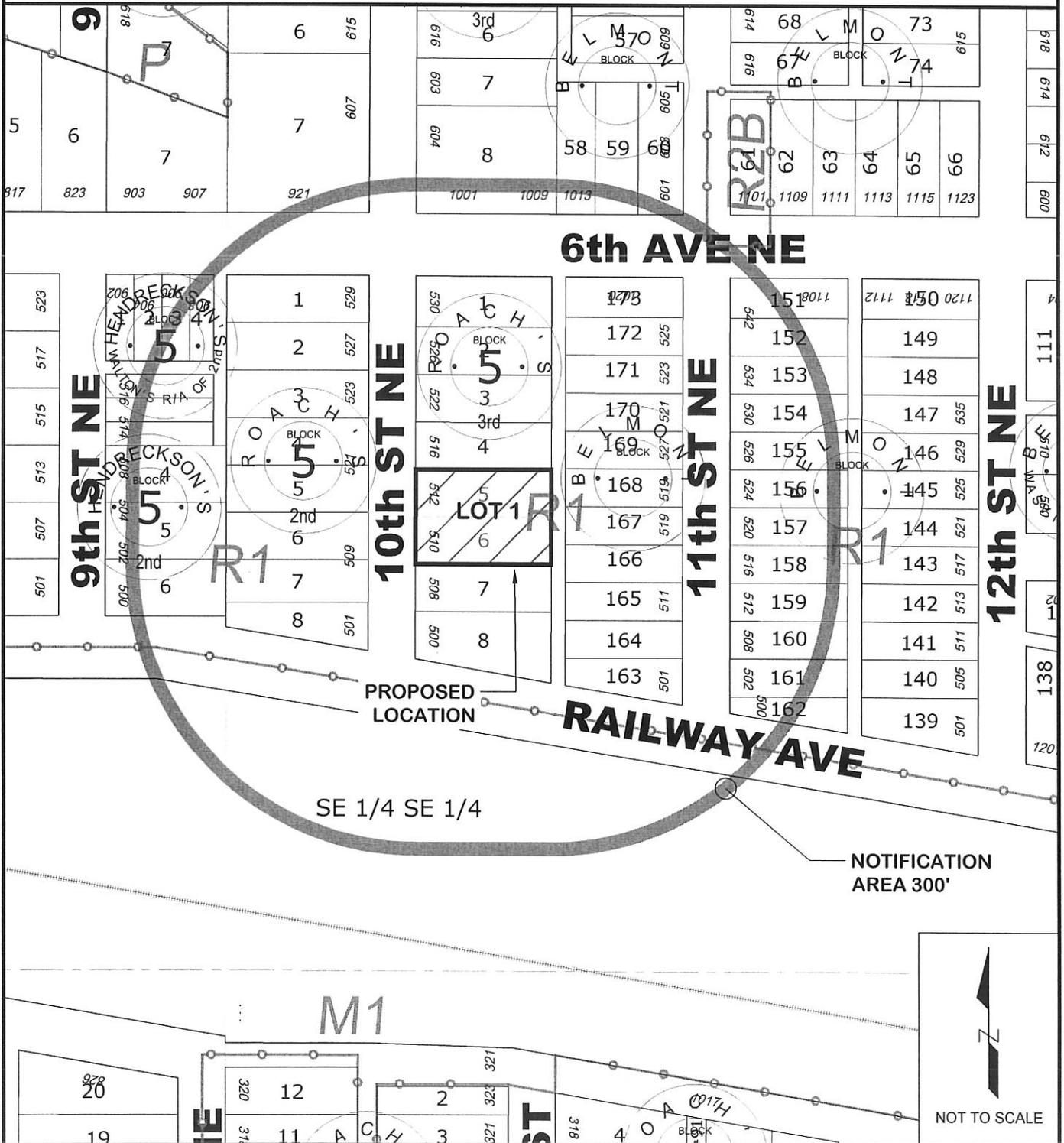
*****NO COMMERCIAL OR MULTI FAMILY BUILDING PERMITS WILL BE ISSUED, INCLUDING FOUNDATION PERMITS, WITHOUT WRITTEN CONFIRMATION THAT THE PROJECT SITE AND STORM WATER MANAGEMENT PLANS HAVE BEEN APPROVED BY ENGINEERING.**

CERTIFICATE OF OCCUPANCY CAN NOT BE ISSUED UNTIL ALL REQUIRED INSPECTIONS AS SHOWN ON THE HARD CARD ARE COMPLETE.

The City encourages and recommends the permit applicant/holder/owner hire a private, on-site inspector, surveyor, or other professional as the applicant/holder/owner deems necessary in order to ensure that all aspects of the plans and/or construction comply with applicable codes and all other requirements. The City of Minot will not provide continuous site observation of construction. The permit applicant/holder at all times remains responsible for ensuring that the plans and specifications comply with all requirements of all Minot City Codes and accepts full responsibility for all workmanship and construction. Because the permit applicant/holder is in control of the construction project, the permit applicant/holder agrees to indemnify and hold the City of Minot harmless from any and all claims, demands, losses, costs, expenses, or causes of action, including attorneys fees, arising out of the City's review, or failure to review the building plans, the City's inspection and observation, or failure to inspect or observe, any aspect of the construction project, and/or failure of the construction project to comply with the City of Minot's building code. This agreement applies to any such claim brought by any subsequent purchaser or owner of the property. I understand that I am responsible for the information shown hereon. I certify that I have investigated the location of my property lines, any easements or other restrictions on the property and the dimensions shown are accurate to the best of my knowledge. I understand that the City does not locate property lines and that I am responsible for locating all new work as shown.

AS PERMIT APPLICANT, I ACKNOWLEDGE THAT I HAVE BEEN MADE AWARE OF THE ABOVE STATEMENTS AND CONDITIONS. APPLICANT SIGN [Signature] DATE 7-12-12

**PROPOSED SUBDIVISION PLAT AND VARIANCE IN ZONING REGULATION
FLOREZ ADDITION
BEING ROACH'S 3RD ADDITION, BLOCK 5, LOTS 5 & 6
CITY OF MINOT, NORTH DAKOTA**



MAP CREATED JULY 26, 2016



**Planning Commission
Staff Report – APPEAL**

Meeting Date:	08/29/2016	Item #:	3
Project #:	8016-7.3	Staff Recommendation:	Denial
Development Title:			
Current Legal Description:	Goheens Addition, Blk 6, Lot 5		
Address: (if applicable)	2019 4 th St NW		
Current Zoning:	RM	Proposed Zoning:	RM
Guided Use:	Medium Density Residential		

Applicant/Owner: Roosevelt Watts
2019 4th St NW
Minot ND, 58703
(701)578-0009
wattsenterprises@srt.com

Rep/Contractor: N/A

Zoning Ordinance Ref: Section 30-6: Appeal
Section 30-2: Variance
Section 21-8: Height, Area, and Yard Requirement

No accessory building shall be permitted on any lot, in any zoning district, prior to the erection of the primary use structure thereon. **Also, accessory buildings shall be subordinate to the existing primary building or use, regardless of the zoning district in which the primary building or use is located.** For example, a subordinate building to a single-family dwelling (use) in an RM District shall comply with the accessory building regulations in Chapter 5.

PROJECT DESCRIPTION:

REQUEST: The applicant is appealing:

- A decision by the Planning Commission to deny a variance to the City of Minot Zoning Ordinance Section 21-8 a) that states an accessory building shall be subordinate to the existing primary building on Goheens Addition, Block 6, Lot 5. This property is located at 2019 4th ST NW.

EXECUTIVE SUMMARY AND CITY STAFF CONSIDERATIONS:

The applicant was before the Planning Commission in July, 2016, for a variance request. The request was denied based on staff finding of facts. The property is zoned RM Medium Density Residential and is guided Medium Density Residential on the future land use plan. All properties surrounding this are zoned RM

Medium Density Residential. The use is consistent with the land use and zoning. The proposed use would be in compliance with the Comprehensive Plan.

Staff is not able to support the variance as stated in the findings of fact.

BACKGROUND:

The applicant had requested a variance to the allowable size of an accessory building on the above mentioned property. The applicant applied for a foundation only permit in 2014, without a full set of building plans.

A majority of the accessory buildings within the block and adjacent block to the west conform to the size standards of Section 21-8, allowable square foot for accessory building. It appears if the applicant was granted the proposed variance; the accessory building of the subject property would be the largest garage on the block.

Although the Zoning Ordinance gives guidelines on the type of accessory building, it does not specify the size of foundation or concrete slab. By applying for only a foundation permit and not submitting building plans, further review of the accessory building was not possible. Therefore, staff could not, at the time, review and approve any proposed accessory building plans. Unfortunately, according to the criteria for the granting of a variance, the situation regarding the foundation size is self-created and not a valid reason to grant a variance from the Zoning Code.

FINDINGS OF FACT:

1. The property is zoned RM, Medium Density Residential District.
2. The request does not meet Section 21-8, allowable square foot for accessory building.
3. Section 30-2, the request does not meet the general intent of this section.
4. The proposed variance request does not demonstrate an undue hardship identified in Section 30-2.
5. The Inspection Department has provided guidance for a smaller structure as it relates to modifying the existing slab.

DEVELOPMENT SUMMARY CHART:

Site Area:	10,500 SF
Building Area:	1,512SF

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). |

Does NOT meet criteria for a variance (explain below).

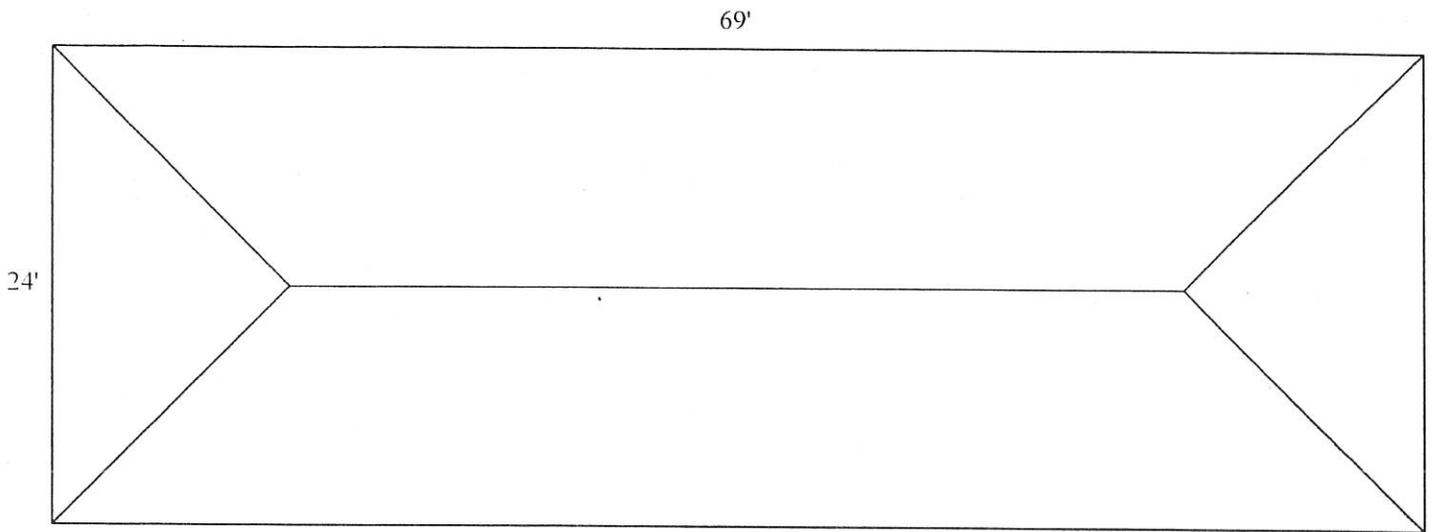
Zoning Ordinance, Section 30-2 a

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

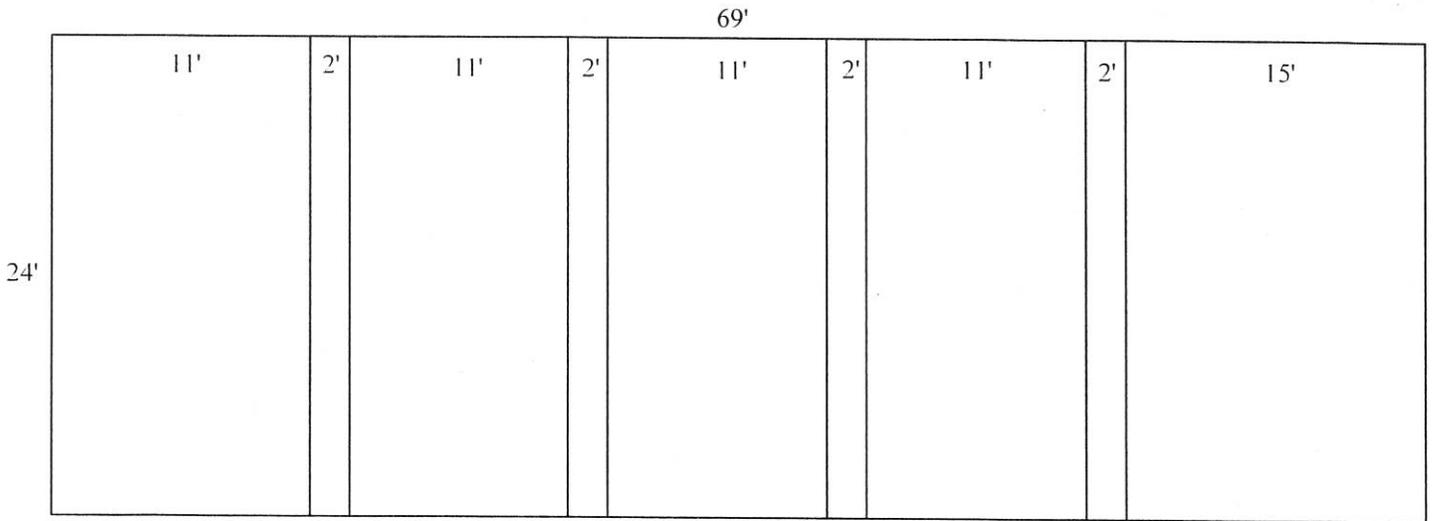
1. Exceptional shallowness or shape of a specific piece of property;
2. Exceptional topographical conditions, or
3. Other extraordinary or exceptional situation or condition of a specific piece of property the strict application of any provision of this ordinance would result in:
 - Exceptional practical 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.

RECOMMENDATION:

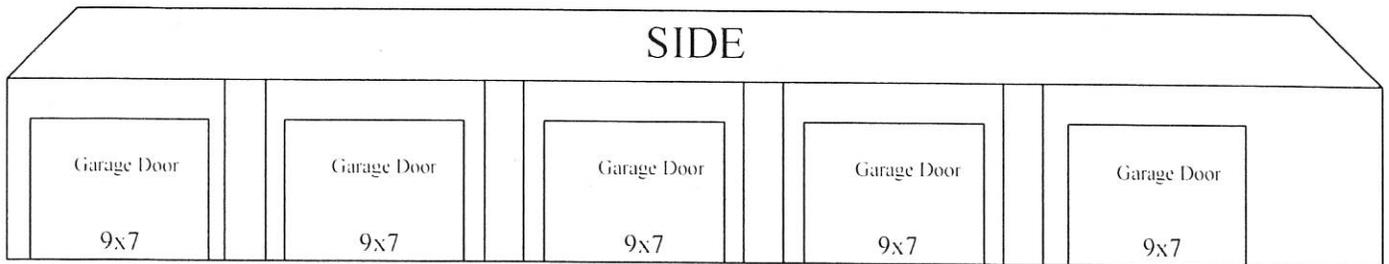
Because the request does not meet the criteria for the granting of a variance, Staff recommends denial of the petition.



TOP



BOTTOM



To the City of Minot Planning Commission:

RECEIVED JUL 20 2016

I apologize for having to write this letter, but I will be unable to come to both meetings regarding the petition by Roosevelt Watts. I am recovering from a very serious head injury, and must learn to use my legs again and the use of my arms, so this letter is very difficult to write but I feel it is very important for me to voice my concerns.

My home is at 410 20th Ave N.W. I also have an attached duplex at 412 20th Ave N.W. My tenants park outside their back door, and my garage is near by in the alley three doors down where Mr. Watts wants to build said garage. First of all Mr. Watts does not take care of the duplex he owns or the surrounding yard.

My concerns about this garage are many why is he building a garage that is larger than the four plex he owns?

1) The garage will look out of place with all the garages in the alley.

→

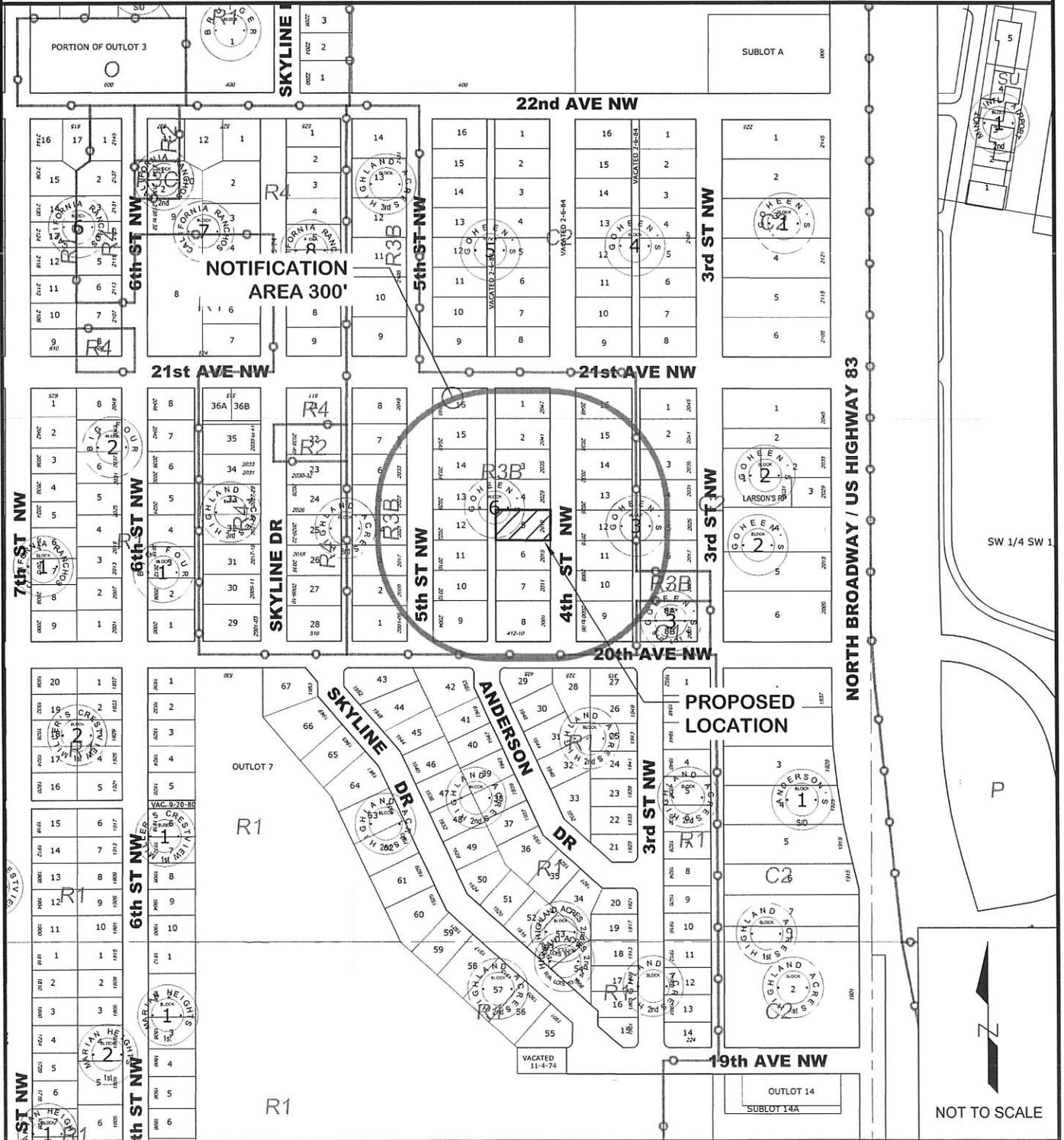
- 2) I am more than suspicious that Mr. Watts may be planning to run another one of his businesses out of this garage illegally.
- 3) After viewing the schematic drawing of said garage, I do not believe for one minute said remaining grounds will be landscaped as in said drawing. He does not maintain his property now, why would he start now.

I strongly protest Mr. Watts petition for a variance to allow this garage to exceed the size of the primary structure which is a large four-plex.

Thank-you for considering
my concerns to this important
matter. Sincerely,
Debra J. Huber

PROPOSED VARIANCE IN ZONING REGULATION GOHEEN'S ADDITION BLOCK 6 LOT 5

CITY OF MINOT, NORTH DAKOTA



NOT TO SCALE

MAP CREATED JUNE 24, 2016

City of Minot

Planning Commission

Staff Report

Meeting Date:	08/29/2016	Item #:	4
Project #:	8016-8.3	Staff Recommendation:	APPROVAL
Development Title:	Central Parking Ramp		
Current Legal Description:	Original Minot Addition, All W1/2 Block 3		
Address: (if applicable)	5 Central Ave W		
Current Zoning:	C3	Proposed Zoning:	C3
Guided Use:	Downtown Mixed Use		

Applicant/Owner: City of Minot
Representative: Lance Meyer, City Engineer

Zoning Ordinance Ref: Section 16 - Public Zone Plan Review

PROJECT DESCRIPTION:

REQUEST(S): The applicant is requesting:

- The City of Minot represented by Lance Meyer, City Engineer, for a public plan review regarding the parking garage on Original Minot Addition, W1/2 of Block 3. This property is located at 5 Central Ave W and is known as the Central Avenue Parking Garage.

EXECUTIVE SUMMARY AND CITY STAFF CONSIDERATIONS:

The City of Minot Engineer will present concepts to protect the parking structure known as the Central Avenue Ramp from the elements. City Staff has been working with V3 Studios/EAPC to develop concept plans for the exterior finishes to the parking structures. Two concepts have been developed for planning review.

The property is zoned P, Public. The uses are utilized by and provided for the public. Any proposed use or change in use of land or building shall be reviewed and approved by the Planning Commission, during a public hearing. The City Council is not required to provide action on a Public Plan Review but will take action on moving the project forward because of the expenses it will generate.

BACKGROUND:

The parking structures have not been completed but protecting them against the weather and elements is crucial to maintain their integrity. Both options will be designed to meet the zoning requirements in a phased approach. In the initial phase, the city will construct all items necessary to meet the zoning requirements with the exception of windows, awnings, and decorative cornices which will be installed by the developer or

tenants of the retail space when that construction takes place. Staff does not want to risk damage to those materials as the apartments above are built and the tenant build out construction plans are unknown.

Due to weather, the anticipated construction of the finishes would also be done in phases with a protective finishing put on the exterior yet this year, and the weather constrained materials being installed when weather allows, likely in the spring of 2017.

The Base Option includes an all EFIS surfacing with no other materials used. EFIS can be installed with various colors and architectural enhancements which is what this option would include.

The Alternative 1 option includes Nichiha panels on the bottom portion of the structure and EFIS above. Nichiha panels are a cement board material with different architectural finishes on the surface such as brick, stone, tile, etc. For some extra cost, these panels will provide additional aesthetic features to the buildings.

The following urban design issues should be addressed:

- *North Wall* is also an important façade facing the main street in downtown. Introduce some of the material to be used in east façade to add texture and color variation in harmony with the design palette.

To provide Council with the most flexible options regarding cost, the base option above will be bid with the Alternative 1 features bid as additive alternates. Thus, council will be able to choose the level of features added to the building.

It is recommended that the Planning Commission approve the concepts as presented.

FINDINGS OF FACT:

1. Subject property is zoned C3, Central Business District.
2. The property will provide covered fee parking for tenants and visitors to the downtown area.
3. The architecture of the building will compliment other architectural styles of the downtown.
4. The parking structure will provide parking for residents of the housing that will come at a later date.

DEVELOPMENT SUMMARY CHART:

Site Area: 42,000 SF

RECOMMENDATION

Staff recommends approval of Phase 1 improvements to the Central Parking Ramp as proposed.

Date: August 22, 2016
To: City of Minot Planning Commission
From: Lance Meyer, City Engineer
Re: Parking Structure Exterior Finishes
City Project 3738.4

City Staff has been working with V3 Studios/EAPC to develop concept plans for the exterior finishes to the parking structures. Two concepts have been developed for planning review. Both options will be designed to meet the zoning requirements in a phased approach. In the initial phase, the city will construct all items necessary to meet the zoning requirements with the exception of windows, awnings, and decorative cornices which will be installed by the developer or tenants of the retail space when that construction takes place. Staff does not want to risk damage to those materials as the apartments above are built and the tenant build out construction plans are unknown.

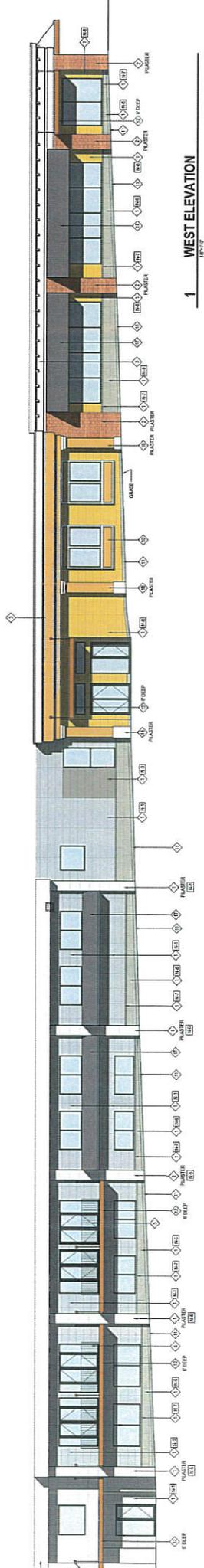
Due to weather, the anticipated construction of the finishes would also be done in phases with a protective finishing put on the exterior yet this year, and the weather constrained materials being installed when weather allows, likely in the spring of 2017.

The Base Option includes an all EFIS surfacing with no other materials used. EFIS can be installed with various colors and architectural enhancements which is what this option would include.

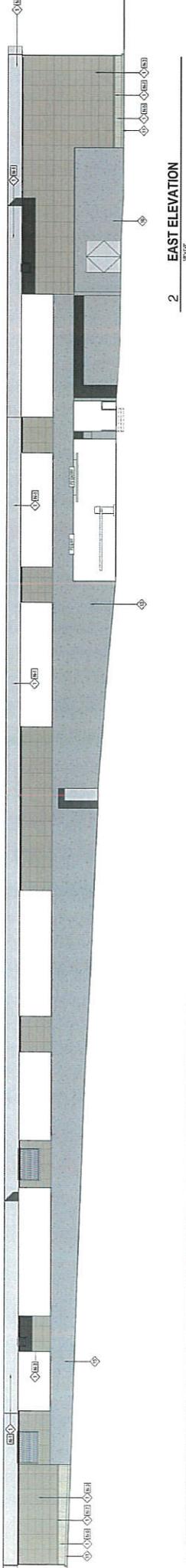
The Alternative 1 option includes Nichiha panels on the bottom portion of the structure and EFIS above. Nichiha panels are a cement board material with different architectural finishes on the surface such as brick, stone, tile, etc. For some extra cost, these panels will provide additional aesthetic features to the buildings.

To provide Council with the most flexible options regarding cost, the base option above will be bid with the Alternative 1 features bid as additive alternates. Thus, council will be able to choose the level of features added to the building.

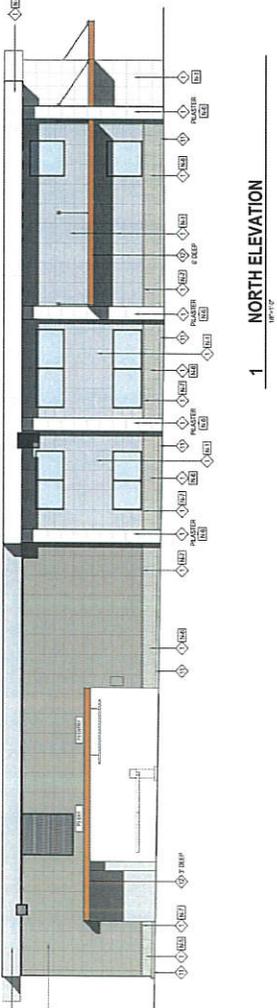
It is recommended that the Planning Commission approve the concepts as presented.



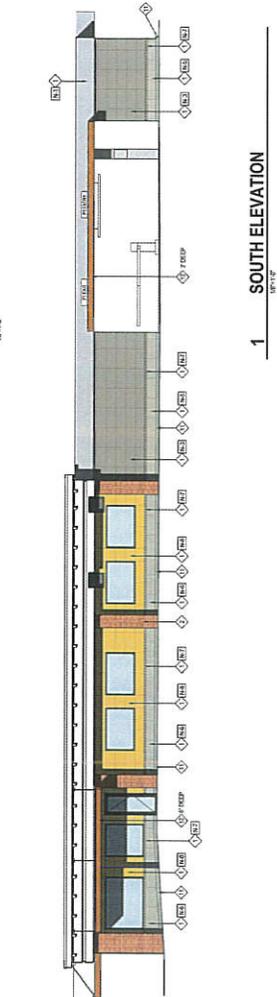
1 WEST ELEVATION
1" = 10'-0"



2 EAST ELEVATION
1" = 10'-0"



1 NORTH ELEVATION
1" = 10'-0"



1 SOUTH ELEVATION
1" = 10'-0"

ELEVATION KEY/NOTE LEGEND

- ① COMPOSITE PANEL GLAZING SYSTEM
- ② FACE BRICK
- ③ GRC CONCRETE
- ④ PRE-PAINTED STEEL SHEET CLADDING
- ⑤ NON-GLOSS ENAMEL PAINT - INTERIORS
- ⑥ NON-GLOSS ENAMEL PAINT - EXTERIORS
- ⑦ NON-GLOSS ENAMEL PAINT - ROOF
- ⑧ SPLIT LEVEL CONCRETE FLOORING
- ⑨ PRE-PAINTED STEEL CLADDING
- ⑩ PAINTED BRICK TYPIC
- ⑪ CONCRETE CLADDING
- ⑫ WHITE STEEL CLADDING
- ⑬ INDUSTRIAL GRAVEL MATCHING INTERIOR COLOR
- ⑭ INTERIOR PAINT COLOR (MATCHING EX)
- ⑮ PLASTER
- ⑯ CONCRETE
- ⑰ PRE-PAINTED PLASTER
- ⑱ HIGH-ARCHITECTURAL BRICK - GRAY
- ⑲ HIGH-ARCHITECTURAL BRICK - TUSCAN
- ⑳ HIGH-ARCHITECTURAL BRICK - MOON
- ㉑ HIGH-ARCHITECTURAL BRICK - PEARL
- ㉒ HIGH-ARCHITECTURAL BRICK - GARDEN
- ㉓ HIGH-ARCHITECTURAL BRICK - COUNTRY
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OPTION A

RENAISSANCE AND CENTRAL GARAGES 08.12.16

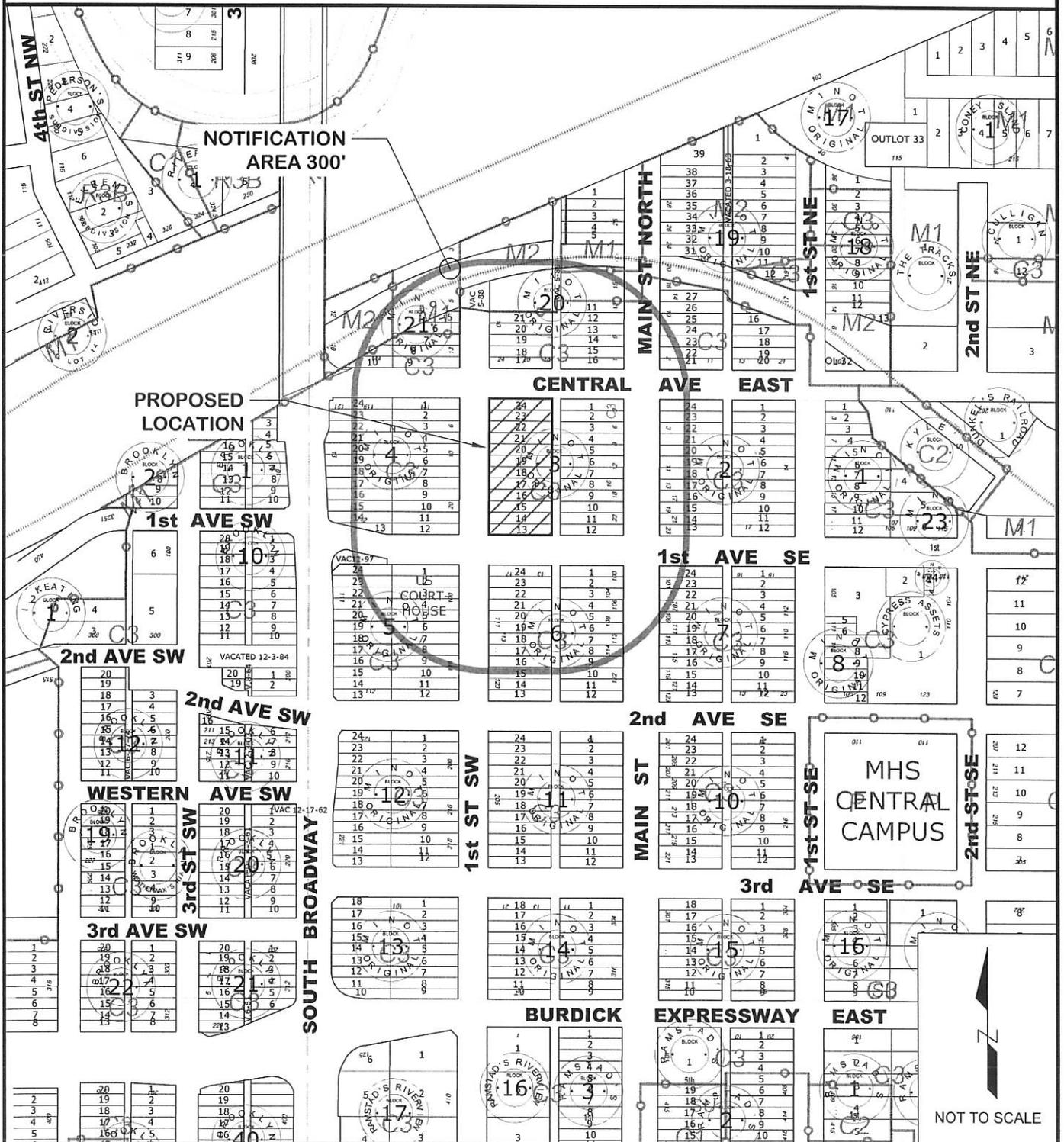
I hereby certify that the above information is correct and complete as far as the design and construction of the project is concerned. I am a duly qualified and registered architect in the State of Victoria.

3 studio architecture
 100/102 STURTEVANT STREET, MELBOURNE, VIC 3000
 PH: 03 9412 1111 FAX: 03 9412 1111
 WWW: 3STUDIOARCHITECTURE.COM.AU

DRAWN BY: [] CHECKED BY: [] DATE: [] SHEET NO: []
 SHEET 1 OF 1

A3.0

PROPOSED PUBLIC ZONE PLAN REVIEW
ORIGINAL MINOT, BLOCK 3, LOTS 13-24
 (CENTRAL PARKING RAMP)
 CITY OF MINOT, NORTH DAKOTA



City of Minot

Planning Commission

Staff Report

Meeting Date:	08/29/2016	Item #:	5
Project #:	8016-8.3	Staff Recommendation:	APPROVAL
Development Title:	Renaissance Parking Ramp		
Current Legal Description:	Original Minot Addition, Block 11, Lots 13-24		
Address: (if applicable)	5 Central Ave W		
Current Zoning:	C3	Proposed Zoning:	C3
Guided Use:	Downtown Mixed Use		

Applicant/Owner: City of Minot
Lance Meyer, City Engineer

Zoning Ordinance Ref: Section 16 - Public Zone

PROJECT DESCRIPTION:

REQUEST(S): The applicant is requesting:

A public plan review regarding the parking garage on Original Minot Addition, Block 11, Lots 13-24. This property is located at 205 1st ST SW.

EXECUTIVE SUMMARY AND CITY STAFF CONSIDERATIONS:

The City of Minot Engineer will present concepts to protect the parking structure known as the Central Avenue Ramp from the elements. City Staff has been working with V3 Studios/EAPC to develop concept plans for the exterior finishes to the parking structures. Two concepts have been developed for planning review.

The property is zoned P, Public. The uses are utilized by and provided for the public. Any proposed use or change in use of land or building shall be reviewed and approved by the Planning Commission, during a public hearing. The City Council is not required to provide action on a Public Plan Review, but will take action on moving the project forward because of the expenses it will generate.

BACKGROUND:

The parking structures have not been completed, but protecting them against the weather and elements is crucial to maintain their integrity. Both options will be designed to meet the zoning requirements in a phased approach. In the initial phase, the city will construct all items necessary to meet the zoning requirements with the exception of windows, awnings, and decorative cornices which will be installed by the developer or tenants of the retail space when that construction takes place. Staff does not want to risk damage to those materials as the apartments above are built and the tenant build out construction plans are unknown.

Due to weather, the anticipated construction of the finishes would also be done in phases with a protective finishing put on the exterior yet this year, and the weather constrained materials being installed when weather allows, likely in the spring of 2017.

The Base Option includes an all EFIS surfacing with no other materials used. EFIS can be installed with various colors and architectural enhancements which is what this option would include.

The Alternative 1 option includes Nichiha panels on the bottom portion of the structure and EFIS above. Nichiha panels are a cement board material with different architectural finishes on the surface such as brick, stone, tile, etc. For some extra cost, these panels will provide additional aesthetic features to the buildings.

The following urban design issues should be addressed:

- *East Elevation* is left unfinished in concrete facing according to the design. The assumption is it is facing an alley and will not be noticed, but actually the elevation is facing a public open greenspace as identified in the Downtown Plan and is very vital to the imagery of downtown. For this reason it is recommended that we consider finishing it, and treat as a visually appealing wall/façade. A solid base finish such as veneer concrete masonry or simulated masonry of same material used for siding may be used. This shall add texture and color variation to the wall in a creative way.
- *North Wall* is also an important façade facing the main street in downtown. Introduce some of the material to be used in east façade to add texture and color variation in harmony with the design palette.

To provide Council with the most flexible options regarding cost, the base option above will be bid with the Alternative 1 features bid as additive alternates. Thus, council will be able to choose the level of features added to the building.

It is recommended that the Planning Commission approve the concepts as presented.

FINDINGS OF FACT:

1. Subject property is zoned C3, Central Business District.
2. The property will provide covered fee parking for tenants and visitors to the downtown area.
3. The architecture of the building will compliment other architectural styles of the downtown.
4. The parking structure will provide parking for residents of the housing that will come at a later date.

DEVELOPMENT SUMMARY CHART:

Site Area: 42,000 SF

RECOMMENDATION

Staff recommends approval of Phase 1 improvements to the Renaissance Parking Ramp as proposed.

Date: August 22, 2016
To: City of Minot Planning Commission
From: Lance Meyer, City Engineer
Re: Parking Structure Exterior Finishes
City Project 3738.4

City Staff has been working with V3 Studios/EAPC to develop concept plans for the exterior finishes to the parking structures. Two concepts have been developed for planning review. Both options will be designed to meet the zoning requirements in a phased approach. In the initial phase, the city will construct all items necessary to meet the zoning requirements with the exception of windows, awnings, and decorative cornices which will be installed by the developer or tenants of the retail space when that construction takes place. Staff does not want to risk damage to those materials as the apartments above are built and the tenant build out construction plans are unknown.

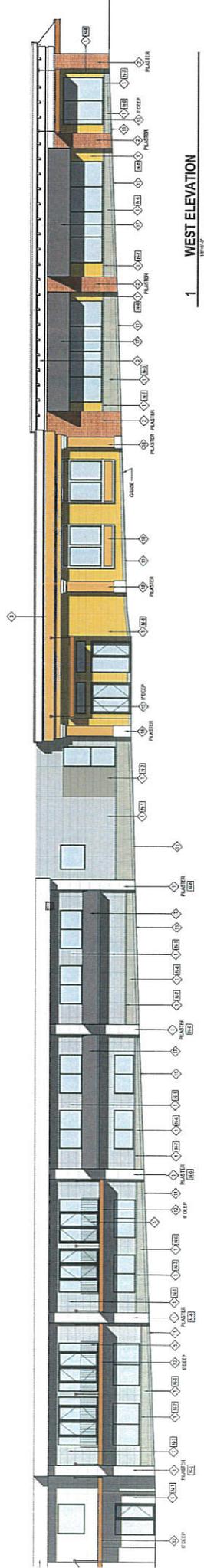
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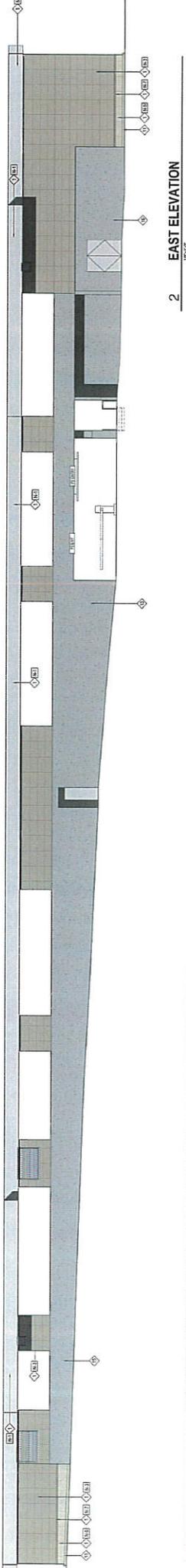
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To provide Council with the most flexible options regarding cost, the base option above will be bid with the Alternative 1 features bid as additive alternates. Thus, council will be able to choose the level of features added to the building.

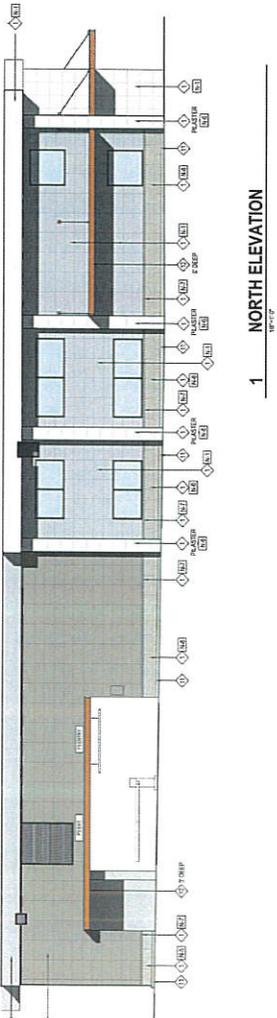
It is recommended that the Planning Commission approve the concepts as presented.



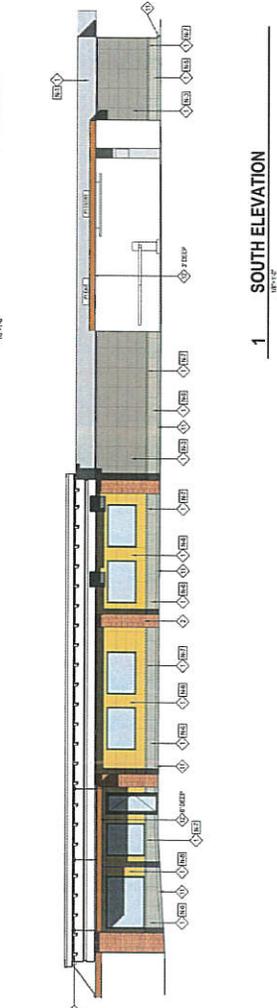
WEST ELEVATION
1 10'-0"



EAST ELEVATION
2 10'-0"



NORTH ELEVATION
1 10'-0"



SOUTH ELEVATION
1 10'-0"

ELEVATION KEYNOTE LEGEND

1	CONCRETE FINISH CLADDING SYSTEM
2	NOVINA 'ARCHITECTURAL BLEND' GRAY
3	NOVINA 'ARCHITECTURAL BLEND' TAUPE
4	NOVINA 'ARCHITECTURAL BLEND' MOON
5	NOVINA 'HERITAGE' MOTTLED PEARL
6	NOVINA 'HERITAGE' GRAY
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studio architecture

1000 10th Street, Suite 1000, San Francisco, CA 94103
 Tel: 415.774.1111 Fax: 415.774.1112
 www.studioarchitecture.com

DATE: 08.12.16
 SHEET NO: A3.0

OPTION A

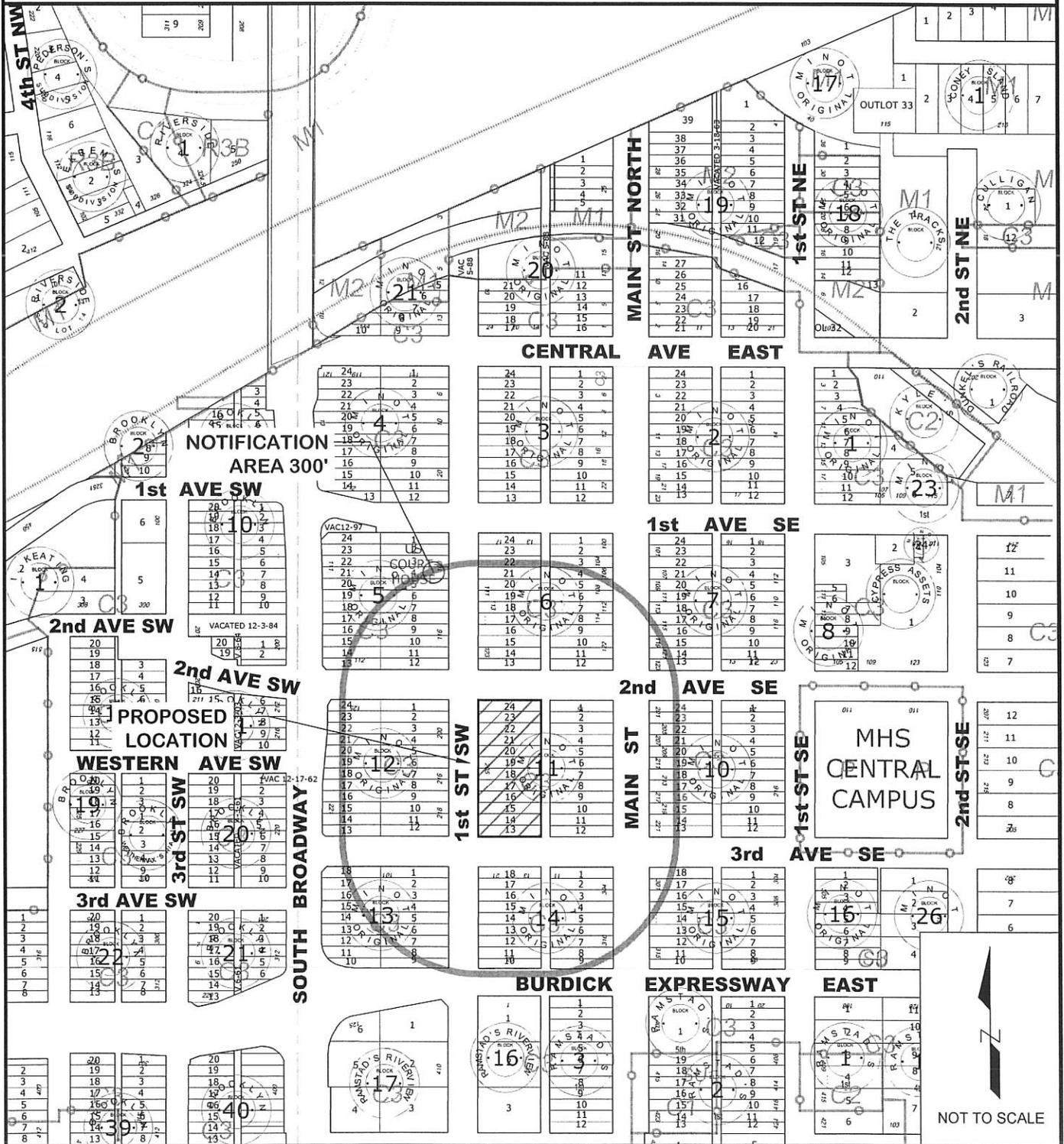
RENAISSANCE AND CENTRAL GARAGES 08.12.16

3 studio architecture

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DATE: 08.12.16
 SHEET NO: A3.0

PROPOSED PUBLIC ZONE PLAN REVIEW
ORIGINAL MINOT, BLOCK 11, LOTS 13-24
 (RENAISSANCE PARKING RAMP)
 CITY OF MINOT, NORTH DAKOTA



Regular Meeting: Planning Commission Committee

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

Meeting Called to Order: July 25, 2016 at 6:30 p.m.

Presiding Official: Vice Chair, Tyler Neether

City Clerk: Kelly Matalka

Members in Attendance: Matt Geinert, Jon Hanson, Larry Holbach, Pam Karpenko, Todd Koop, Tyler Neether, Todd Wegenast, Bob Wetzler

Members Absent: Wallace Berning, Jody Bullinger, Brenden Howe, Travis Zabloutney, John Zimmerman

City Staff Present: Planning Director, Asst. City Planner, City Engineer, City Attorney, Chief Resilience Officer, Traffic Engineer, Public Information Officer, Chief Olson, Public Works Director.

Others Present: Aldermen Jantzer, Olson, Schuler, Shomento.

Meeting Called to order by Vice Chairman Tyler Neether

Approval of the June 27, 2016 Regular Meeting Minutes with the amendment that John Zimmerman was the presiding official.

Motion by Karpenko, seconded by Koop, to approve the June 27, 2016 regular meeting minutes as amended, and was carried by the following roll call vote: ayes: Geinert, Hanson, Holbach, Karpenko, Koop, Neether, Wegenast, Wetzler. nays: none

Motion passed

RECOMMENDATIONS

Approval of Agenda Item 3 & 4 included in the Consent Agenda.

Commissioner Karpenko moved the Consent Agenda be approved as follows:

Item #3:

The City Council authorize the subdivision of Lots 6-10, Replat of Lots 7-9, Hacienda Hills Addition into 2 lots to be known as Hacienda Hills 11th Addition, Lots 1 & 2. This property is located east and west of 1701 12th Ave SE.

PLANNING COMMISSION

Regular Meeting

July 25, 2016

Page 2 of 6

Findings of Fact:

1. The property is zoned R1, Single-Family District.
2. The proposed subdivision meets the R1, single family, lot size requirements.
3. The subject property is identified as Medium Density Residential by the Future Land Use map. Medium Density Residential allows attached and detached townhome development at a density of 6-12 units per acre.

Conditions:

1. It is contingent upon the property owner to provide sidewalks at such time when 12th Ave. SE is rebuilt to urban road standards.

Item #4:

The City Council authorize the subdivision of River Oaks Subdivision, Block 2, Lot 19 and River Oaks 4th Addition, Block 1, Lot 1 into 2 lots to be known as River Oaks 5th Addition, Lots 1 & 2.

This property is located at 1801 & 1805 Rivers Edge Dr. SE.

Findings of Fact:

1. The property is zoned R1, Single-Family District.
2. The proposed subdivision meets the R1, single family, lot size requirements.
3. The subject property is identified as Low Density Residential by the Future Land Use map.

Conditions:

1. It is contingent upon the property owner to provide sidewalks at such time when Rivers Edge Dr. SE is rebuilt to urban road standards.

Motion seconded by Wegenast and was carried by the following roll call vote: ayes: Geinert, Hanson, Holbach, Karpenko, Koop, Neether, Wegenast, Wetzler. nays: none

Motion passed.

Item #1:

The Planning Commission denied an application by Roosevelt Watts for a variance to the City of Minot Zoning Ordinance Section 21-8 a) that states an accessory building shall be subordinate to the existing primary building on Goheens Addition, Block 6, Lot 5.

This property is located at 2019 4th ST NW.

The Planning Director stated, City Staff recommends denial of this application because the accessory building would be larger than the primary building which would be in contradiction of section 21-8 a) of the Minot Zoning Ordinance. The applicant has already placed concrete on the location which is a self-created hardship.

PLANNING COMMISSION

Regular Meeting

July 25, 2016

Page 3 of 6

Roosevelt Watts came before the Commission. He explained, he poured the concrete after receiving a permit from the City Inspector. He said, after the concrete was poured the first time, the City Inspector came back to inspect the area for a building permit. Because there are different requirements for concrete as a foundation for a building, Mr. Watts said he removed the first slab and replaced it using rebar and a thicker edging to support a building. He stated, he cannot install a smaller building since the thicker edging is around the outline of the proposed building.

Upon questioning by Commissioner Neether, Mr. Watts stated he received the initial permit September 17, 2014.

Roger Iverson of 21 30th St SW came forward in opposition to the application. He stated the proposed garage does not conform to the rest of the neighborhood.

Debra Huber of 410 20th Ave NW came before the Commission and read a letter of protest which she had sent to City staff. She voiced her concerns regarding the conformity of the garage to the rest of the neighborhood, the purpose of the building and the proposed landscaping. She also stated she had reached out to her Alderman regarding the issue.

Mr. Watts stated he has been a citizen of Minot for 22 years. Throughout this time, he has made improvements to his property, all of which increased the value and the amount of taxes he pays. He said he has never done anything wrong and did not believe building the garage would be an issue.

Upon questioning by Commissioner Neether, the City Engineer clarified how the permit process worked for this property. He stated, Mr. Watts initially applied for a permit to lay concrete which did not include any plans for a building. When he applied for the building permit, the building inspector was given the information about the garage which is why the slab had to be thickened and include rebar.

Commissioner Wegenast asked about the difference in size between the proposed building and what is allowable by ordinance. Commissioner Geinert said he measured the property and the proposed garage would be 69' long opposed to the permitted 59'. There would be no difference in width or height.

Commissioner Wetzler asked what the building would be used for, to which Mr. Watts replied by saying it would be a five stall garage for the four-plex he owns.

Whereupon a motion was made by Geinert, seconded by Wegenast, to deny the item with staff finding of fact(s); and was carried by the following roll call vote: ayes: Geinert, Hanson, Karpenko, Koop, Neether, Wegenast, Wetzler. Nays: Holbach

Motion passed.

Item #2:

The City Council deny an application to change the zone from C2 (General Commercial) District to RA (Agricultural Residential) District for the purpose of building a home. Also, to deny an amendment to the Future Land Use Map to change the designation from Office Business Park to Residential on Greenland 2nd Addition, Lot 1.

PLANNING COMMISSION

Regular Meeting

July 25, 2016

Page 4 of 6

This property is located at 1011 46th Ave NE.

Findings of Fact:

1. The property is zoned C2, General Commercial District.
2. The Future Land Use designation is Office Business Park.
3. The subject property would be provided access from a minor arterial.
4. The proposed zone change is not compatible with the Future Land Use map.
5. The proposed amendment to the Future Land Use map is not in harmony with the Comprehensive Plan.

Conditions (if approved):

1. Ward County would not allow any additional access points onto the NE Bypass and the lot would need to use the platted access from the north of the lot.
2. A buffer strip will be required to screen the industrial activity to the west.

Shane Trulson of 1201 46th Ave NE stated, his dad lives to the east of this property and he would like to build a house there. He said he would buffer the area with trees to create a separation between the business to the west which uses that property for storage.

Whereupon Commissioner Wegenast moved to deny the request for a zone change and future land use amendment based on City staff's findings of fact. Motion seconded by Koop and was carried by the following roll call vote: ayes: Geinert, Hanson, Holbach, Koop, Wegenast. Nays: Karpenko, Wetzler. Abstain: Neether

Motion passed.

Item #5

The Planning Commission denied an application for a variance to Section 23-6 (e) of the Zoning Ordinance regarding paving requirements on Minot AG Complex 6th Addition, Lot 5.

This property is located at 625 42nd ST NE

Findings of Fact:

1. The subject property is zoned M2, Heavy Industrial District.
2. The proposed addition is over 60% of the existing building and Section 15-9 e) 2) shall apply to this site.
3. Regarding Section 30-2, the request does not meet the general intent of this section as the proposed variance request does not demonstrate a hardship.

The Planning Director stated, the recommendation from the Planning department is to deny the variance. This item was before the Commission at the last meeting, it was brought before City Council and they sent it back to Planning Commission. He said, there have been several conversations with the applicant since then regarding changes to the required amount of spaces to be paved, and appropriate landscaping if the variance is not granted.

PLANNING COMMISSION

Regular Meeting

July 25, 2016

Page 5 of 6

Les Knudson, of AGT Foods, requested City Council delay the paving requirement until future development occurs. He said he has met with City staff who informed him there is no mechanism for enacting such a requirement.

Commissioner Holbach asked about future expansion of the company, to which Mr. Knudson stated, he cannot speak on behalf of the publicly traded company of AGT Foods, but he does expect to double the size of the facility over the next few years.

In response to the concerns over ADA parking requirements, Mr. Knudson assured the Commission the ADA requirements are being taken care of in the upcoming weeks since it is a federal requirement.

Upon questioning regarding the potential changes in landscaping, the Assistant City Planner stated, those requests were not in the original application. The City Attorney confirmed that would require an additional application for a variance.

Upon the request for clarification, the City Engineer explained, the variance requiring approval is whether or not the property owner needs to pave the parking lot.

Commissioner Karpenko asked if contingencies could be placed upon the property that would require the owner to pave the lot after the road leading to it is paved. The City Attorney replied by saying, there is no mechanism to enforce compliance and there is no such thing as a temporary variance.

Commissioner Wegenast moved the Planning Commission deny the variance based on City staff's findings of fact. Motion seconded by Commissioner Hanson and failed by the following roll call vote: ayes: Hanson, Neether, Wegenast, Wetzler. Nays: Geinert, Holbach, Karpenko, Koop

Motion Failed

Commissioner Karpenko moved the Planning Commission approve the variance. Motion seconded by Commissioner Koop and failed by the following roll call vote: ayes: Geinert, Holbach, Karpenko, Koop, Wetzler. Nays: Hanson, Neether, Wegenast

Motion Failed

Commissioner Karpenko moved the Planning Commission approve the variance. Motion seconded by Commissioner Holbach and failed by the following roll call vote: ayes: Geinert, Holbach, Karpenko, Koop, Wetzler. Nays: Hanson, Neether, Wegenast

Motion Failed

Other Business

The City Council introduce an ordinance on first reading to remove the concealed fastener requirement on M1 (Light Industrial) & M2 (Heavy Industrial) Districts of the Zoning Supplement to the City of Minot Code of Ordinances.

PLANNING COMMISSION

Regular Meeting

July 25, 2016

Page 6 of 6

The Planning Commission held a public hearing to consider a request to remove the concealed fastener requirement on M1 (Light Industrial) & M2 (Heavy Industrial) Districts of the Zoning Supplement to the City of Minot Code of Ordinances.

Rolly Ackerman of Ackerman Surveying, came forward and stated there have been several requests for variances on this issue and after meeting with industry professionals, is requesting the requirement be removed.

No one appeared in opposition.

Commissioner Karpenko moved to approve the request. Motion seconded by Commissioner Koop and carried by the following roll call vote: ayes: Geinert, Hanson, Holbach, Karpenko, Koop, Neether, Wegenast, Wetzler. nays: none

Motion Passed

Other Business

The City Council authorize a correction to the September 8, 2015, Subdivision - Edgeview Estates 8th Addition, Block 1, Lot 1-2, Block 2, Lots 1-3 to read as follows: Edgeview Estates 8th Addition; Block 1, Lots 1-3; Block 2, Lots 1 & 2.

Motion by Commissioner Karpenko, seconded by Commissioner Koop and carried by the following roll call vote ayes: Geinert, Hanson, Holbach, Karpenko, Koop, Neether, Wegenast, Wetzler. nays: none

Motion Passed

Other Business

The City Council authorize a correction to Ordinance No. 5005 – Rezoning Edgeview Estates 8th Addition; Block 1, Lot 1-2; Block 2, Lots 1-3 should read as follows: Edgeview Estates 8th Addition, Block 1, Lots 2 & 3, Block 2, Lots 1 & 2 – Change the zone from C2 (General Commercial) District to P (Public) District. Edgeview Estates 8th Addition, Block 1, Lot 1 will remain C2 (General Commercial) District.

Motion by Commissioner Karpenko, seconded by Commissioner Wetzler and carried by the following roll call vote ayes: Geinert, Hanson, Holbach, Karpenko, Koop, Neether, Wegenast, Wetzler. nays: none

Motion Passed

Meeting adjourned at 7:33 pm.