

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
NOVEMBER 28, 2016**

CHAIR: JOHN ZIMMERMAN

VICE CHAIR: TYLER NEETHER

SUBJECT: THE CITY PLANNING COMMISSION WILL MEET IN REGULAR SESSION AT 6:30 PM ON MONDAY, NOVEMBER 28, 2016, IN CITY COUNCIL CHAMBERS, 515 2nd AVENUE SW.

ROLL CALL.

PLEDGE OF ALLEGIANCE.

APPROVAL OF OCTOBER 31, 2016, MINUTES OF REGULAR MEETING.

1. Holbach Homestead 2nd Addition, Lots 1 & 2

Application by LZ Holdings represented by Travis Zabloutney, to subdivide Holbach Homestead, Lot 1 into 2 lots to be known as Holbach Homestead 2nd Addition, Lots 1 & 2.

Also, to annex into City limits proposed Holbach Homestead 2nd Addition, Lots 1 & 2 and adjacent 20th Ave SE right-of-way.

This property is located at 1915 Hwy 2 Bypass E.

Other Business:

2. Notice is hereby given that on November 28, 2016; the Minot Planning Commission will hold a public hearing to discuss changes to the Zoning Ordinance regarding references to the City Council.

City of Minot

Planning Commission

Staff Report

Meeting Date:	11/28/2016	Item #:	1
Project #:	8016-11.1	Staff Recommendation:	APPROVAL With Conditions
Development Title:	Holbach Homestead 2 nd Addition		
Current Legal Description:	Lot 1, Holbach Homestead		
Address: (if applicable)	1915 Hwy. 2 East Bypass	Proposed Zoning:	N/A
Current Zoning:	M2		
Guided Use:	Commercial		

Applicant/Owner: LZ Holdings, LLC
 801 16th Avenue SE
 PO Box 105
 Minot ND 58702-0105
 701-721-3588
leannz@magiccityimplement.com

Representative: Travis Zabloutney
 1119 12th Avenue SE
 Minot, ND 58701
 701-721-2188
quadtrac@min.midco.net

Zoning Ordinance Ref: Section 28: Land Subdivision Regulations
 Section 30-7: Annexation

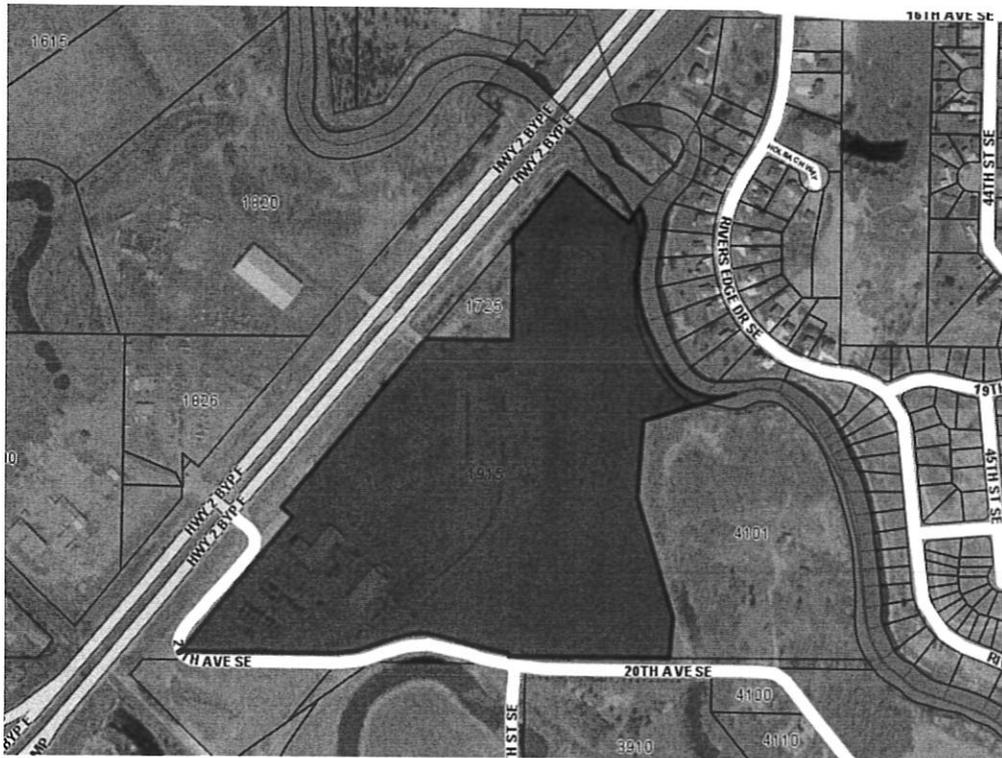
PROJECT DESCRIPTION:

REQUEST(S): The applicant is requesting:

- A two-lot industrial subdivision dividing the overall tract into one small and one large lot such that future sewer assessments will be based on the size of the smaller lot instead of the overall land area if it was not subdivided.
- Annexation into the corporate limits of the City of Minot since this property abuts the city limit line and the property will be served with City sanitary sewer.

DEVELOPMENT SUMMARY CHART:

Site Area: 48.52 acres or 2,113,716.62 s.f.
Building Area: Two existing buildings, no new construction proposed
Maximum Impervious N/A
Impervious cover proposed: N/A
Green Area Required: N/A
Green Area Proposed: N/A
Parking Required/Proposed: N/A



The property is generally located on the south side of the East Hwy. 2 Bypass in a low-lying area along the river, east of 20th Avenue SE and just west of a residential subdivision known as River Oaks Subdivision.

EXECUTIVE SUMMARY:

The applicant is requesting approval to subdivide and annex a parcel of land containing 48.52 acres. The proposed subdivision, to be known as Holbach Homestead 2nd Addition, consists of two lots; Lot 1 contains the majority of the property at 45.94 acres while Lot 2 consists of 2.58 acres. An existing building is located on Lot 2 and a second building is located on Lot 1 immediately behind the primary building. The use of the land is for a farm implement dealership. The applicant plans to connect the primary building to municipal sanitary sewer and assessments for the sewer district will be levied against the property once the sewer is installed. By splitting this building on 2.58 acres from the overall parcel the applicant is able to reduce the cost of the sewer assessment accordingly. In other words, instead of paying a sewer assessment based on 48 acres, the assessment will be based on 2.58 acres. The majority of the larger lot is in the 100 year floodplain and about 25 or so acres are currently being farmed.

Since this property will be served by municipal sewer the property needs to be annexed into the corporate limits of the City of Minot. The existing City limit line follows the centerline of the Mouse (Souris) River and this property abuts the river and therefore the City limit line at this location along the north east side of Lot 1 and can be annexed.

BACKGROUND AND ANALYSIS:

Planning and Zoning:

The property is zoned M2 and is being used as a dealership for farm implements and equipment. The zoning will remain unchanged.

Subdivision Plat:

A two-lot subdivision has been submitted for review by the Planning Commission. The subdivision is titled "Hobach Homestead 2nd Addition." A fifteen foot (15') wide forcemain easement for the sewer is shown and labeled on the plat.

Building Materials and Architecture:

N/A

Landscaping, Screening and Buffer yards:

N/A

Building setbacks:

The proposed lot lines are located to meet or exceed the required setbacks for this zoning district.

Annexation:

This property must be annexed into the City corporate limits since it will be connected to City sewer.

Signage:

N/A

Public Land Dedication:

N/A

Variance/Hardship

N/A

Traffic and Transportation Plan/Requirements:

N/A

Storm Water Management Plan/Requirements:

N/A

Floodplain:

A good portion of the overall tract in Lot 1 is located in the 100-year floodplain.

Erosion Control Plan/Requirements:

N/A

City and Rural Utility Plan/Requirements:

Sanitary sewer is being designed to serve this area. The applicant plans to connect the primary building to this sewer for the wash bays and bathrooms. Assessments will be levied against the property to pay the proportionate share due for the sewer connection.

Sidewalk Requirements:

N/A

FINDINGS OF FACT:

1. The property contains existing improvements including two large buildings and the applicant would like to bring sanitary sewer service to the primary building located on proposed Lot 2.
2. In order to connect to City services the property must be annexed.
3. Proposed Lot 2 does not abut the existing City Limit line, but proposed Lot 1 does abut it. Therefore, both Lots 1 and 2 of Holbach Homestead 2nd addition shall be annexed into the City.

Conditions:

1. **Lot 1 and Lot 2 of proposed Holbach Homestead 2nd Addition shall be annexed into the corporate limits of the City of Minot and the existing building located on Lot 2 shall connect to City Sewer as per the approved design to City specifications and standards.**

RECOMMENDATION

1. **Staff recommends APPROVAL of the proposed subdivision to be known as Holbach Homestead 2nd Addition subject to Lot 1 and Lot 2 of said subdivision being annexed into the City of Minot and the existing building located on Lot 2 shall connect to City Sewer as per the approved design to City specifications and standards.**

**PRELIMINARY PLAT OF
HOLBACH HOMESTEAD 2ND ADDITION
TO THE CITY OF MINOT, NORTH DAKOTA**

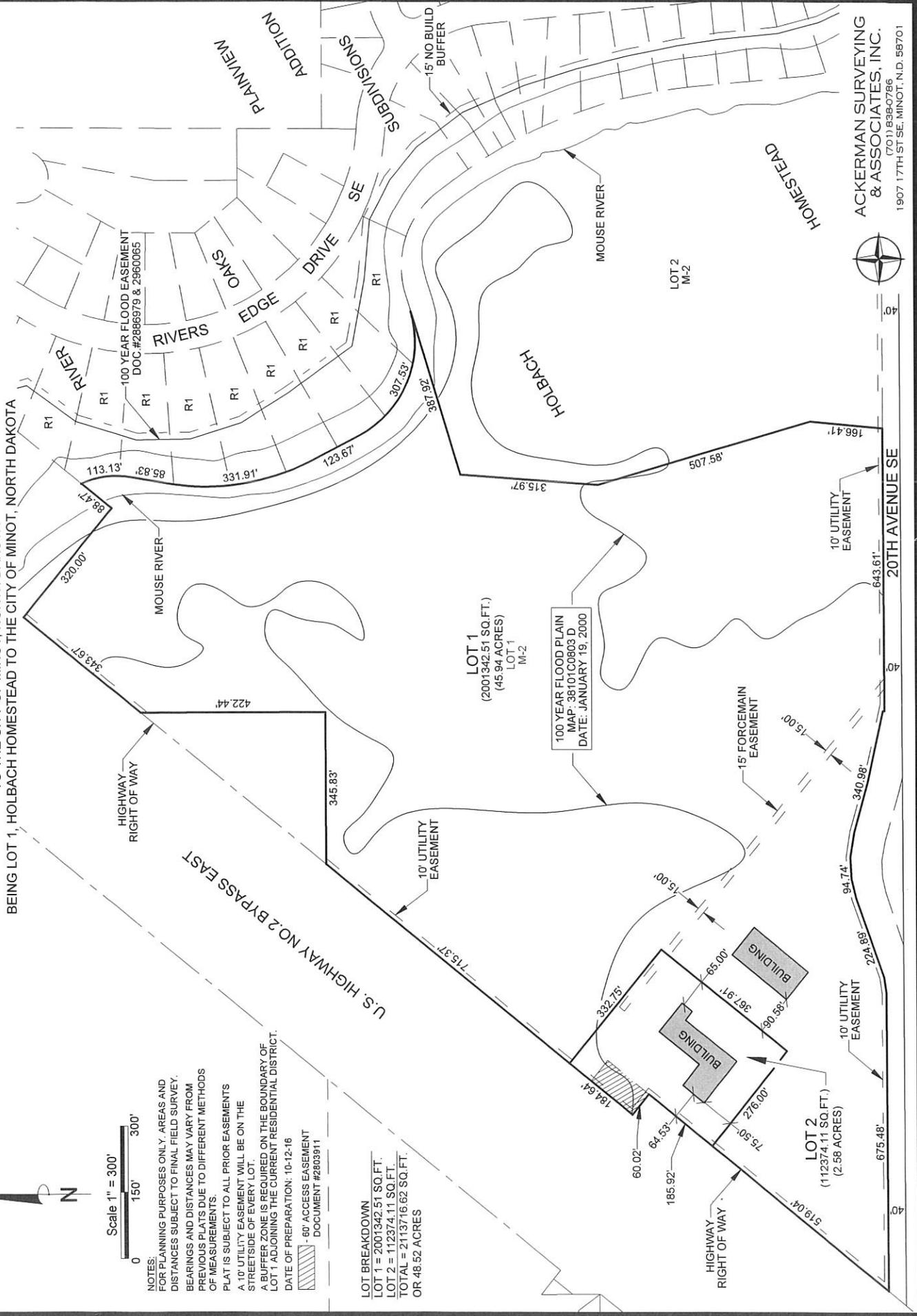
BEING LOT 1, HOLBACH HOMESTEAD TO THE CITY OF MINOT, NORTH DAKOTA



NOTES:
FOR PLANNING PURPOSES ONLY. AREAS AND DISTANCES SUBJECT TO FINAL FIELD SURVEY. 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.
A BUFFER ZONE IS REQUIRED ON THE BOUNDARY OF LOT 1 ADJOINING THE CURRENT RESIDENTIAL DISTRICT.
DATE OF PREPARATION: 10-12-16

80' ACCESS EASEMENT
DOCUMENT #2809911

LOT BREAKDOWN
LOT 1 = 2001342.51 SQ.FT.
LOT 2 = 112374.11 SQ.FT.
TOTAL = 2113776.62 SQ.FT.
OR 48.52 ACRES



**ACKERMAN SURVEYING
& ASSOCIATES, INC.**
(701) 838-0786
1907 17TH ST SE, MINOT, N.D. 58701

**PRELIMINARY PLAT OF
HOLBACH HOMESTEAD 2ND ADDITION
TO THE CITY OF MINOT, NORTH DAKOTA**

BEING LOT 1, HOLBACH HOMESTEAD TO THE CITY OF MINOT, NORTH DAKOTA

Scale 1" = 300'

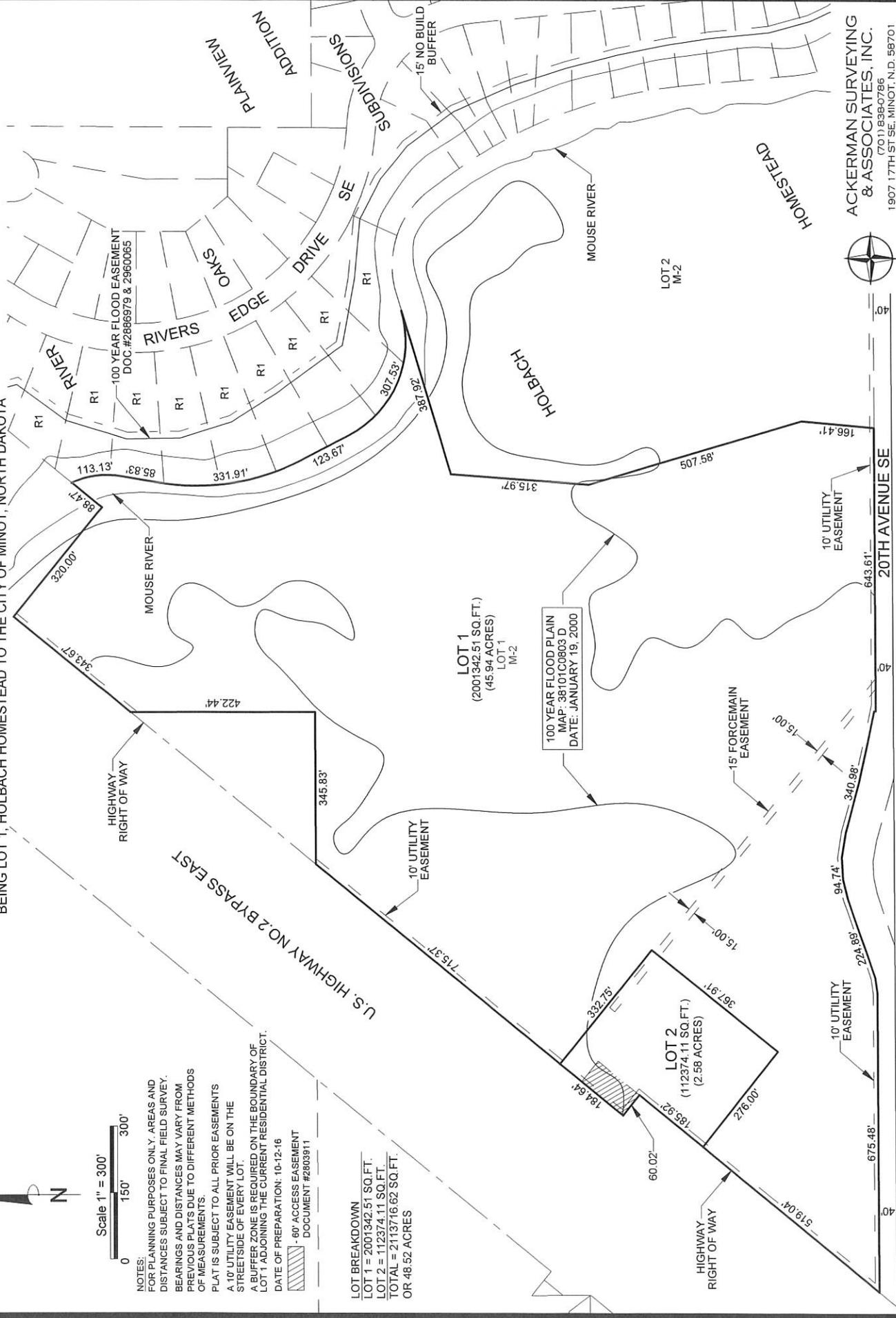


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A 10' UTILITY EASEMENT WILL BE ON THE STREET SIDE OF EVERY LOT.
A BUFFER ZONE IS REQUIRED ON THE BOUNDARY OF LOT 1 ADJOINING THE CURRENT RESIDENTIAL DISTRICT.
DATE OF PREPARATION: 10-12-16

60' ACCESS EASEMENT
DOCUMENT #2803911

LOT BREAKDOWN
LOT 1 = 2001342.51 SQ. FT.
LOT 2 = 112374.11 SQ. FT.
TOTAL = 2113716.62 SQ. FT.
OR 48.52 ACRES



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(701) 8380786
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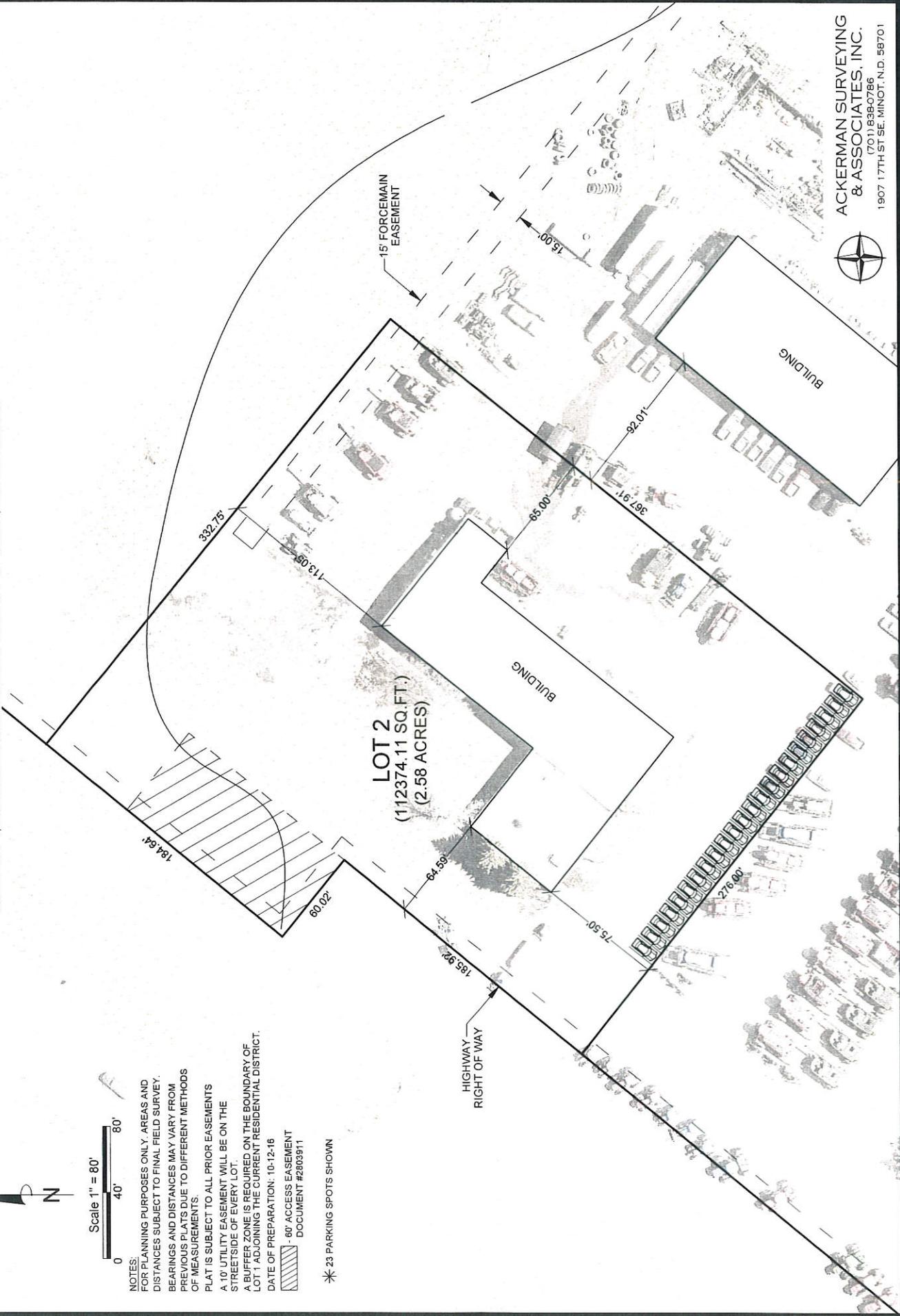
PRELIMINARY PLAT OF
HOLBACH HOMESTEAD 2ND ADDITION
 TO THE CITY OF MINOT, NORTH DAKOTA
 BEING LOT 1, HOLBACH HOMESTEAD TO THE CITY OF MINOT, NORTH DAKOTA



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 A BUFFER ZONE IS REQUIRED ON THE BOUNDARY OF LOT 1 ADJOINING THE CURRENT RESIDENTIAL DISTRICT.
 DATE OF PREPARATION: 10-12-16

- 80' ACCESS EASEMENT
 DOCUMENT #2603911

* 23 PARKING SPOTS SHOWN



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 (701) 838-0786
 1907 17TH ST SE, MINOT, N.D. 58701

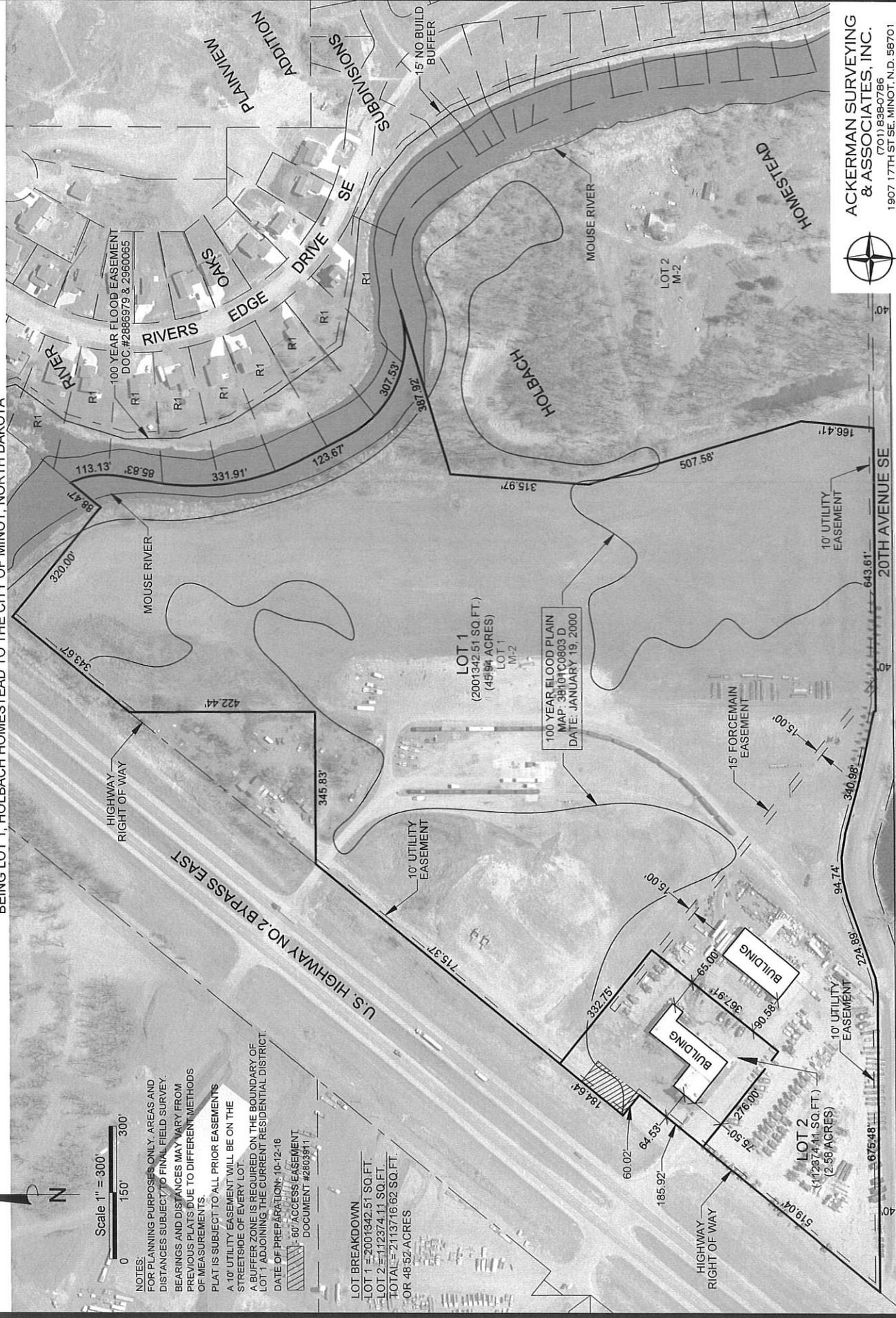
**PRELIMINARY PLAT OF
HOLBACH HOMESTEAD 2ND ADDITION
TO THE CITY OF MINOT, NORTH DAKOTA**

BEING LOT 1, HOLBACH HOMESTEAD TO THE CITY OF MINOT, NORTH DAKOTA



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DATE OF PREPARATION: 10-12-16
60' ACCESS EASEMENT DOCUMENT #28089911

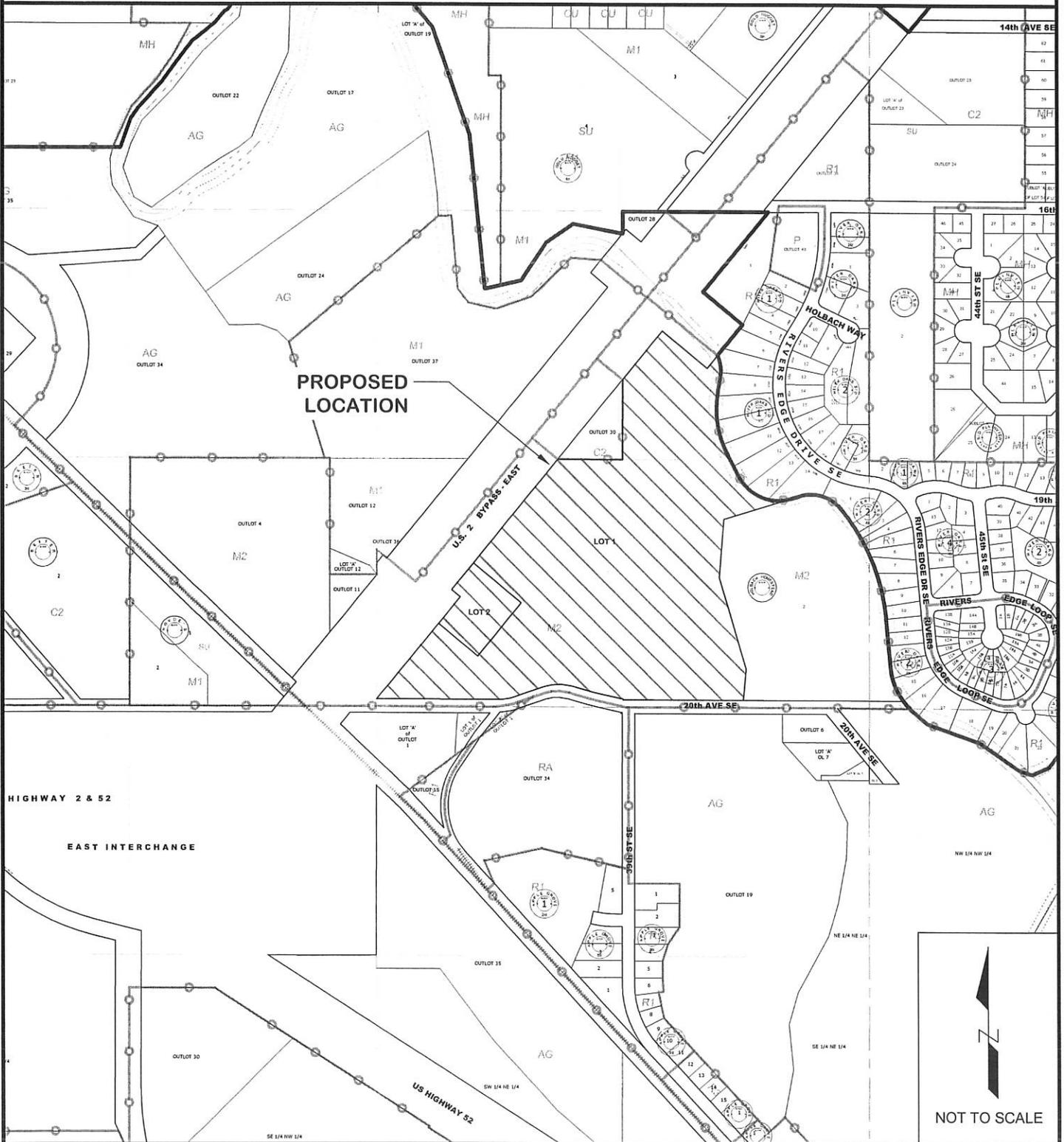
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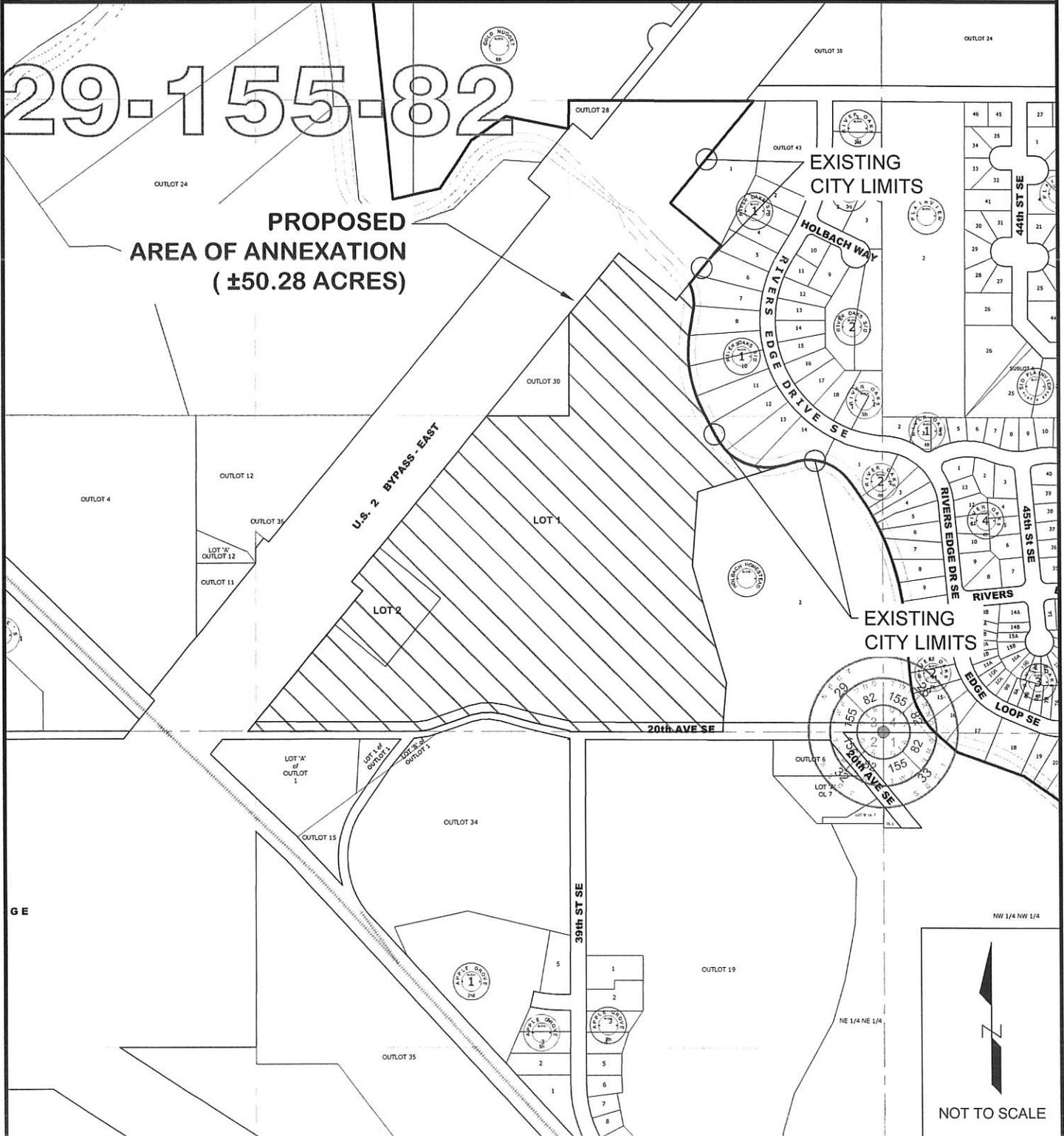


**PROPOSED SUBDIVISION BY PLAT
HOLBACH HOMESTEAD 2ND ADDITION
BEING HOLBACH HOMESTEAD LOT 1
CITY OF MINOT, NORTH DAKOTA**



ANNEXATION EXHIBIT

LEGAL DESCRIPTION: HOLBACH HOMESTEAD ADDITION
LOTS 1 & 2, AND ADJACENT 20TH AVE SE RIGHT-OF-WAY
TO THE CITY OF MINOT, NORTH DAKOTA
SAID TRACT CONTAINS 50.28 ACRES MORE OR LESS



TO: Planning Commission
FROM: Robert C. Davis, Planning Director
DATE: November 28, 2016
RE: Amendment to the Zoning Ordinance – References to the City Council

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 30 (ADMINISTRATIVE PROCEDURES), SUBSECTIONS 30-2(H) (VARIANCES), 30-3(E) (CONDITIONAL USE PERMITS), 30-5(C) AND (I) (TEXT AMENDMENTS AND ZONING DISTRICT CHANGES), AND 30-7(C) (ANNEXATION) OF THE CITY OF MINOT ZONING ORDINANCES

WHEREAS, the City of Minot is a political subdivision lawfully recognized in the state of North Dakota as a Home Rule City and possessing municipal powers and authority pursuant to its Home Rule Charter and the provision of North Dakota Century Code (NDCC) § 40-05.1, as well as statutory provisions codified in NDCC 40-05-01,

WHEREAS, the City of Minot had an election in June 2016 to change the form of the City of Minot government from a City Council form to a Modern Council form, to change the makeup of the governing body from fourteen aldermen, with a non-voting mayor, to six aldermen, with a voting mayor, and to change the election of aldermen from by ward to at-large,

WHEREAS, the change to a Modern Council is scheduled to take effect in June 2017, after a special election to elect the six at-large aldermen,

WHEREAS, the City of Minot City Council authorized the City of Minot Mayor to appoint an ad hoc committee to discuss upcoming changes to the City government,

WHEREAS, the appointed ad hoc committee discussed the changes at several open meetings where the public was notified of the meeting, invited to attend the meeting, and permitted to comment at the meeting, and the committee made recommendations to the full City Council to amend certain provisions of the City of Minot Code of Ordinances and the City of Minot Zoning Code,

WHEREAS, the Planning Commission of the City of Minot recommended approval of the amendments to subsections 30-2(h), 30-3(e), 30-5(c), 30-5(i), and 30-7(c) of the City of Minot Zoning Code,

WHEREAS, the City of Minot desires to amend sections of the City of Minot Zoning Code to reflect the new “majority” and “super majority”

Planning Department

857-4100

§1. Subsection 30-2(h) of section 30-2 (Variances) of Chapter 30 (Administrative Procedures) of the City of Minot Zoning Ordinance is hereby amended to read as follows:

h) Variances shall be approved by a majority vote of the Planning Commission (and majority vote of the City Council (4 affirmative votes) in the event of an appeal).

§2. Subsection 30-3(e) of section 30-3 (Conditional Use Permits) of Chapter 30 (Administrative Procedures) of the City of Minot Zoning Ordinance is hereby amended to read as follows:

e) Council Action: When it has been determined by the City Council (with approval by majority vote, 4 affirmative votes) that such conditional use will promote the public health, safety, and welfare, and that such proposal is, in general, compatible with adjacent or nearby land uses, the zoning code, and the City's comprehensive plan, the City Council may approve the conditional use permit. In authorizing this permit, the City Council may impose such conditions it deems necessary, i.e. landscaping, architectural design, type of construction, construction commencement and completion dates, sureties, lighting, fencing, signage, planting screens, operational control, hours of operation, compatibility of appearance, improved traffic circulation, deed restrictions, highway access restrictions, increased yards, or parking requirements, to fulfill the purpose and intent of this Ordinance. Any conditions imposed by the Council shall be attached to the conditional use permit and failure to comply with any condition in a conditional use permit shall be a violation of this Ordinance

§3. Subsection 30-5(c) of section 30-5 (Text Amendments and Zoning District Changes) of Chapter 30 (Administrative Procedures) of the City of Minot Zoning Ordinance is hereby amended to read as follows:

c) Waiver of Notice: The requirement that notice be mailed to landowners may be waived in whole or in part (by such devices as selective or random mailing) in respect to proposals for zone changes or proposed amendments to these regulations that are initiated by the city itself. Such waiver shall be by resolution joined in by a **super majority** of the city council and may be made at any time before or after the public hearing

§4. Subsection 30-5(i) of section 30-5 (Text Amendments and Zoning District Changes) of Chapter 30 (Administrative Procedures) of the City of Minot Zoning Ordinance is hereby amended to read as follows:

i) Action by the City Council: After receipt of the recommendation on any amendment from the Planning Commission, or in any event of the failure of the Planning Commission to so report, within ninety (90) days from the time of referral of the proposed amendment to the Planning Commission, the City Council shall hold a public hearing, after which the proposed amendment may be passed. City Council approval shall be by majority vote (4 affirmative votes).

§5. Subsection 30-7(c) of section 30-7 (Annexation) of Chapter 30 (Administrative Procedures) of the City of Minot Zoning Ordinance is hereby amended to read as follows:

c) Approval of annexation requires a minimum of **four (4)** votes of the City Council.

§6. This Ordinance shall become effective on June 27th, 2017.

PASSED FIRST READING: _____

PASSED SECOND READING: _____

ATTEST:

APPROVED:

Kelly Matalka, City Clerk

Chuck Barney, Mayor

Regular Meeting: Planning Commission Committee

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

Meeting Called to Order: October 31, 2016 at 6:30 p.m.

Presiding Official: Chairman, John Zimmerman

City Clerk: Kelly Matalka

Members in Attendance: Wallace Berning, Jody Bullinger, Jon Hanson, Larry Holbach, Pam Karpenko, Tyler Neether, Todd Wegenast, Bob Wetzler, John Zimmerman

Members Absent: Matt Geinert, Jessica Henderson, Todd Koop

City Staff Present: Planning Director, Principal Planner, Assistant City Planner, Acting City Manager, City Attorney, Airport Director, City Engineer, Asst. City Engineer, Traffic Engineer, Fire Chief, Building Official, Public Works Director, Asst. Public Works Director.

Others Present: Aldermen Hedberg, Jantzer, Schuler, Shomento, Sipma.

Meeting Called to order by Chairman John Zimmerman

Approval of the September 26, 2016 Regular Meeting Minutes.

Motion by Holbach, seconded by Karpenko, to approve the September 26, 2016 regular meeting minutes, and was carried by the following roll call vote: ayes: Berning, Bullinger, Hanson, Holbach, Karpenko, Neether, Wegenast, Wetzler, Zimmerman. nays: none

Motion passed

RECOMMENDATIONS

Item #1:

The City Council approve an application by Duane Johnson, Future Builders, to subdivide an unplatted portion of the SE1/4, Section 36-155-83 into 31 lots to be known as Bluff Point Estates, Lots 1-31.

The City Council pass an ordinance 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 1-31.

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The City Council pass an ordinance to annex proposed Bluff Point Estates, Lots 1-31 and adjacent 13th ST SE & 37th Ave SE right-of-way into city limits.

The City Council adopt a resolution to amend the Future Land Use map from Medium Density, Agricultural, and Commercial designations to Medium Density Residential on proposed Bluff Point Estates, Lots 1-31.

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

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 on the Future Land Use Map and said map shall be amended to accommodate the change in use.
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:

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 the extent that garage doors are not the dominant feature of the front façade. Revised elevation renderings have been provided to the Planning Department for review and approval. The side facade 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 more 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
 - d. Provisions of Section 7-8. Homeowner's Association requirements.
8. Identify where and how trash will be handled on the site.

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9. Provide sizes of all proposed plant materials as shown on the Landscape Plan.
10. Provide irrigation notes on the Landscape Plan.
11. Storm Water Management Plans will be required and approved by the City Engineer.
12. Erosion Control practices will need to meet State of North Dakota requirements and approved by the City Engineer.
13. Developer's Agreement and/or Home Owners Association will be in place prior to the plat being recorded.
14. Sidewalks will be required along improved public right of ways and that there are connections from the buildings in the PUD to sidewalks that serve the neighborhood.
15. 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.
16. Public Utility Fees will be required.
17. A suitable vehicular turn-around for emergency services shall be provided on the east private drive as approved by Engineering.

Principal Planner, Lance Lang described the progress that was made since the application was brought to a previous meeting of the Planning Commission. He stated, three additional conditions were added and staff now believes the proposed luxury condo units will meet the definition of a PUD.

Rolly Ackerman, of Ackerman Surveying and Associates, showed a video of a three dimensional flyover of the proposed project. It illustrated a private common area, shared lawn and public running path, for which more specific details will be provided when landscaping plans are complete.

Upon questioning regarding the time schedule, Duane Johnson of Future Builders stated, the project will begin in the spring and will take two years.

Whereupon a motion was made by Karpenko, seconded by Wegenast to approve the items with staff findings of fact and conditions; and was carried by the following roll call vote: ayes: Berning, Bullinger, Hanson, Holbach, Karpenko, Wegenast, Wetzler, Zimmerman. nays: none. abstain: Neether.

Motion Passed

Item #2:

The City Council approve an application by Golf Minot, Inc. represented by Chris Strange, to subdivide The Bluffs Addition, Block 1, Lot 16, 20, 21, 24, 28-30, 32, 33, 35-37, 47, & 49; The Bluffs 2nd Addition, Block 1, Lots 8, 10-13, 16-20, 26-29, 31, 35, 38, 40, 45, & 47-50; The Bluffs 5th Addition, Lots 1 & 2; The Bluffs 6th Addition, Lots 2 & 3 into 38 lots to be known as The Bluffs 7th Addition, Lots 1-38.

This property is the Country Club Golf Course, various properties adjacent to the golf course and 4260 27th St SE.

Findings of Fact:

1. The Property is zoned R-1, Single-Family Residential and its highest and best use is low density residential.
2. Golf courses, public and private, are an allowable use in R-1 zoning.

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3. Golf courses are compatible with surrounding single-family land use.
4. The existing zoning is consistent with the comprehensive plan for the city.
5. The property owners of the lots in question have agreed to purchase the additional land from the golf course.
6. The existing development pattern has been established through previous platting in terms of access points, road alignments, overall lot and block configurations, and availability of public services.

Mr. Lang explained, this application is a housekeeping project for the developer and landowners. The applicant is requesting an adjustment of lot lines in order to give the landowners an opportunity to purchase additional land to extend their properties.

Chris Strange, the applicant, stated, he is selling the land that is not being used by the golf course to the surrounding owners. He said they held several public meetings and have had positive support and participation.

Whereupon a motion was made by Neether, seconded by Wegenast to approve the item based on staff's findings of fact; and was carried by the following roll call vote: ayes: Berning, Bullinger, Hanson, Holbach, Karpenko, Neether, Wegenast, Wetzler, Zimmerman. nays: none

Motion passed.

Item #3:

The City Council pass an ordinance approving a request by the City of Minot represented by Dan Jonasson, to annex into city limits Outlots 6, 20, 27, & 28, Section 21-155-83.

This property is located east of the Hwy 83 Bypass, between 7th Ave SW and 14th Ave SW.

Mr. Lang explained, the proposed area to be annexed is undevelopable land and it sits low in the floodplain. The annexation is the appropriate step prior to approval of the subdivision, zone change and variance requested in the next item.

Whereupon a motion was made by Karpenko, seconded by Wegenast, to approve the item based on staff's findings of fact; and was carried by the following roll call vote: ayes: Berning, Bullinger, Hanson, Holbach, Karpenko, Neether, Wegenast, Wetzler, Zimmerman. nays: none

Motion passed.

Item #4:

The City Council subdivide, Outlots 6, 20, 27, & 28, Section 21-155-83; Outlots 8, 17-20, 22, and unplatted portions of the NW1/4SW1/4, SW1/4SW1/4, SE1/4SE1/4SE1/4NW1/4SE1/4 & SE1/4SE1/4, Section 22-155-83; Outlot 31, Section 27-155-83; Napa Valley Addition, Block 5, Lot 1; Napa Valley 18th Addition, Lots 1 & 2 into 7 lots to be known as Napa Valley 19th Addition; Block 1, Lots 1-3; Block 2, Lot 1; Block 3, Lots 1 & 2, Block 4, Lot 1.

PLANNING COMMISSION

Regular Meeting

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The City Council pass an ordinance to rezone proposed Napa Valley 19th Addition, Block 1, Lots 1-3 from AG (Agricultural) District, P (Public) District, C1 (Neighborhood Commercial) District, and R1 (Single Family Residential) District to R1 (Single Family Residential) District.

The City Council pass an ordinance to rezone proposed Napa Valley 19th Addition, Block 2, Lot 1, Block 3, Lots 1 & 2, Block 4, Lot 1 to P (Public) District.

The Planning Commission approved a variance to the required front yard setback in P zoning districts from twenty five feet (25') to fourteen feet (14') for a proposed pump house on Lot 1, Block 3 of proposed Napa Valley 19th Addition.

This property is the Souris Valley Golf Course and dog park and ball diamonds to the north, and lots to the northeast of the golf course.

Findings of Fact:

1. The property is primarily in the 100-year and 500-year floodplain, and as such, not developable except for recreational uses.
2. The existing outlots along U.S. Hwy. 83 By-Pass are also in the floodplain, have never been annexed even though they abut the corporate limits, and would continue to be an "island" of un-annexed land if they are not brought into the City limits at this time.
3. The highest and best use of this land is recreational and open space, with very limited low density residential north of 7th Avenue SW.
4. The various zoning categories in place on this property today including AGP, AG, R-1 and C-1 would better represent the use of the land as recreational and open space if the zoning districts were changed to P, Public zone, while the three existing R-1 lots can remain R-1. Golf courses, public and private, are an allowable use in R-1 zoning.
5. Platting of this property allows for the dedication of public right-of-way to complete the 7th Avenue SW corridor and also dedication of the permanent flood control levees.
6. The applicant has requested a variance based on a demonstrable hardship such that the proposed pump house cannot be located on the irregularly shaped lot without the setback variance.

Mr. Lang stated, the site is already the location of a dog park, baseball diamonds, and golf course in which the zoning can be consolidated into Public Districts. The proposed pump house will replace the existing Perkett pump station but a variance is required because of the irregular shape of the lot. The items requested in the application work in conjunction with the US Army Corps of Engineers to accomplish the comprehensive flood protection project which will be constructed in the future.

Whereupon a motion was made by Wegenast, seconded by Karpenko to approve the items based on staff's findings of fact; and was carried by the following roll call vote: ayes: Berning, Bullinger, Hanson, Holbach, Karpenko, Neether, Wegenast, Wetzler, Zimmerman. nays: none

Motion Passed

Item #5:

The City Council pass an ordinance to change the zone from AG (Agricultural) District to C2 (General Commercial) District on Trinity Health Addition, Lot 1.

The City Council adopt a resolution for a conditional use permit to build a new hospital and for that hospital to exceed the allowable maximum height of 60' to approximately 100' on Trinity Health Addition, Lot 1.

The City Council adopt a resolution to amend the Future Land Use Map from General Mixed Use, Medium Density Residential, & Low Density Residential to Hospital on Trinity Health Addition, Lot 1.

This property is located along 37th Ave SW, between 20th St SW and Crossing St SW.

Findings of Fact:

1. The property location is well suited for C2 zoning and a proposed hospital.
2. The existing Future Land Use map contemplates a mixture of uses and must be amended to conform to the proposed zoning before the subject property can be rezoned to C2.
3. Hospitals require a Conditional Use Permit to locate and operate in C2 zones.
4. Since efficiency is of utmost importance to providing the best possible hospital services, the building can operate more efficiently as it grows vertically by adding stories and maintaining a compact footprint, as opposed to sprawling out across a large footprint adding more distance between functional areas. Therefore, the height variance is justifiable from a maximum height of sixty feet (60') to an increase of one hundred feet (100') as allowed by the conditional use permit.

Conditions:

1. Final building elevations and materials are submitted prior to the issuance of any building permits.
2. An illustrative Landscaping Plan is submitted prior to the issuance of any building permits.
3. A traffic impact analysis is submitted prior to the issuance any building permits.

Mr. Lang reviewed the findings of fact and conditions.

Sean Weeks of Ackerman Estvold, representing the applicant, stated, they are fine with the conditions and said, the landscape plan will be provided with subsequent development.

Wayne Estopinal, with TEG Architects gave a presentation on the design of the facilities. He showed diagrams and explained the design features for the proposed buildings. He stated, they are working with the natural topography to enhance the land in that area.

Whereupon a motion was made by Neether, seconded by Karpenko, to approve the items with staff findings of fact and conditions; and was carried by the following roll call vote: ayes: Berning, Bullinger, Hanson, Holbach, Karpenko, Neether, Wegenast, Wetzler, Zimmerman. nays: none

Motion Passed

Other Business

The City Council authorize a correction to Resolution no. 3517, A Conditional Use Permit reassigned to a new legal description for a cell tower to read: Hilltop 6th Addition, Lot 2.

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

Meeting adjourned at 7:42 pm.