

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
FEBRUARY 29, 2016**

CHAIR: JOHN ZIMMERMAN

VICE CHAIR: PAM KARPENKO

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

ROLL CALL.

PLEDGE OF ALLEGIANCE.

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

SUGGESTED ITEMS ON CONSENT: 2, 3, & 6

1. Blaisdell Bird Addition, Block 11, Lot 2

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

This property is located at 405 16th St NW.

2. Proposed Broadway Center 2nd Addition, Lots 1 & 2

Application by Oxford Real Estate Equities, LLC, represented by Bruce Danly, to subdivide Broadway Center 1st Addition, Block 1, Lot 5 into two lots to be known as Broadway Center 2nd Addition, Lots 1 & 2.

This property is located at 3425 S. Broadway.

3. Centennial Addition, Lots 15A & 15B

Application by Dan & Irene Keller to change the zone from R2 (Two-Family Residential) District to R1 (Single Family Residential) District for the purpose of bringing the property into compliance for a rear yard setback for an existing deck on Centennial Addition, Lots 15A & 15B.

This property is located at 1402 17½ Ave SW.

4. Linha's 5th Addition, Lot 1

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

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

5. Minot Prairie Park, Block 1, Lot 1

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

This property is located at 410 74th St SE.

6. Section 7-155-82, Outlot 1

Application by the City of Minot represented by Andy Solsvig to change the zone from R1 (Single-family) District to P (Public) on Section 7-155-82, Outlot 1.

Also, a Public Plan Review and Approval on Section 7-155-82, Outlot 1.

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



**Planning Commission
Staff Report**

Meeting Date:	02/29/2016	Item #:	1
Project #:	8015-10.4	Staff Recommendation:	Approval
Development Title:			
Current Legal Description:	Blaisdell Bird Addition, Block 11, Lot 2		
Address: (if applicable)	405 16 th St NW		
Current Zoning:	C1	Proposed Zoning:	C1
Guided Use:	Neighborhood Commercial		

Applicant/Owner: Jesse Braun
3515 5th Ave SW
Minot ND, 58701
(701)226 7737
Jessebraunelectric@gmail.com

Rep/Contractor: N/A

Zoning Ordinance Ref: Section 30-2: Variance
Section 30-6: Appeal

PROJECT DESCRIPTION:

REQUEST(S): The applicant is appealing:

- A decision by the Planning Commission to deny a variance to the front yard setback from the required 40' on a minor arterial to approximately 25' on 16th Street NW for the purpose of building an office with indoor parking and inventory storage on Blaisdell Bird Addition, Block 11, Lot 2. This property is located at 405 16th Street NW.

EXECUTIVE SUMMARY AND CITY STAFF CONSIDERATIONS:

SUMMARY/CONDITIONS/ISSUE:

The applicant was before the Planning Commission in October of 2015 for a variance request. The request was denied base on Staff's finding of facts. The applicant is appealing that decision by the Minot Planning Commission. The request entails a variance to the front yard setback of the subject property from the required 40' to 25' on 16th Street NW. 16th Street NW is classified as a minor arterial, based on the adopted 2035 Minot Transportation Plan, and requires a 40' setback for all new construction. Typical existing residential setbacks along the corridor are +/- 25'.

FINDINGS OF FACT:

Finding of Facts:

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

Conditions: *If Approved*

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

DEVELOPMENT SUMMARY CHART:

Site Area:	6100 SF
Building Area:	3080 SF
Green Area Required:	10 % = 610 SF
Green Area Proposed:	908 SF
Parking Required:	6 Spaces
Parking/ Loading Proposed:	6 Spaces

PLANNING DEPARTMENT CONSIDERATIONS

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

The property under consideration is currently zoned C1, Neighborhood Commercial, and is guided on the Future Land Use Plan as C1. Surrounding properties to the north are zoned C1 and R1, Single-Family Residential; to the south, east and west, properties are zoned C2, General Commercial. The proposed uses would be in compliance with the Comprehensive Plan.

BUILDING MATERIALS AND ARCHITECTURE / LANDSCAPING AND BUFFER SCREENING PLANS:

The proposed building will be subject to Section 10-7, building design and materials, and approved by the Planning Department. A landscaping plan was submitted and meets the requirements for C1 zoning.

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 impairing the general purpose and intent of the Comprehensive Plan as established by the regulations and provisions contained in the ordinance.

- | | |
|--|---|
| <input checked="" 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 checked="" type="checkbox"/> Property rights enjoyed by neighbors. | <input type="checkbox"/> Other exceptional situation (explain below). |
| <input type="checkbox"/> Does <u>NOT</u> meet criteria for a variance (explain below). | |

The applicant's lot does not meet the minimum lot area required in C-1 of 10,000 sf. The applicant's lot is 6,100 SF. As such, the site is an existing legal non-conforming use.

Zoning Ordinance, Section 30-2 a

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

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

ENGINEERING AND PUBLIC WORKS DEPARTMENT CONSIDERATIONS:

CITY AND RURAL UTILITY PLAN/REQUIREMENTS:

Public Utility Fees will be required.

SIDEWALK REQUIREMENTS:

Sidewalks will need to be repaired if damaged.

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.

PLANNING LOCATION MAP:

Planning Map with Future Land Uses





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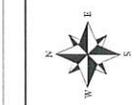
REV	ZONE	DESCRIPTION	DATE
INTERPRET DRAWING PER ANSI Y14.6 - 1988			
DRAWN	J. Korslien		2/01/2016
CHECKED	J. Braun		

JESSE BRAUN ELECTRIC LLC
 1620 4th Avenue NW Minot ND
 (701) 837-4750 Cell: (701) 226-7737
 jessebraunelectric@gmail.com

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A5 Designs LLC
 a5designsllc@gmail.com

Braun Electric New Shop/Offices Building #405 16th St NW
 Google Maps Plan



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REV	ZONE	DESCRIPTION	DATE

INTERPRET DRAWING PER ANSI Y14.6 - 1998

DRAWN	J. Korslien	2/01/2016
CHECKED	J. Braun	

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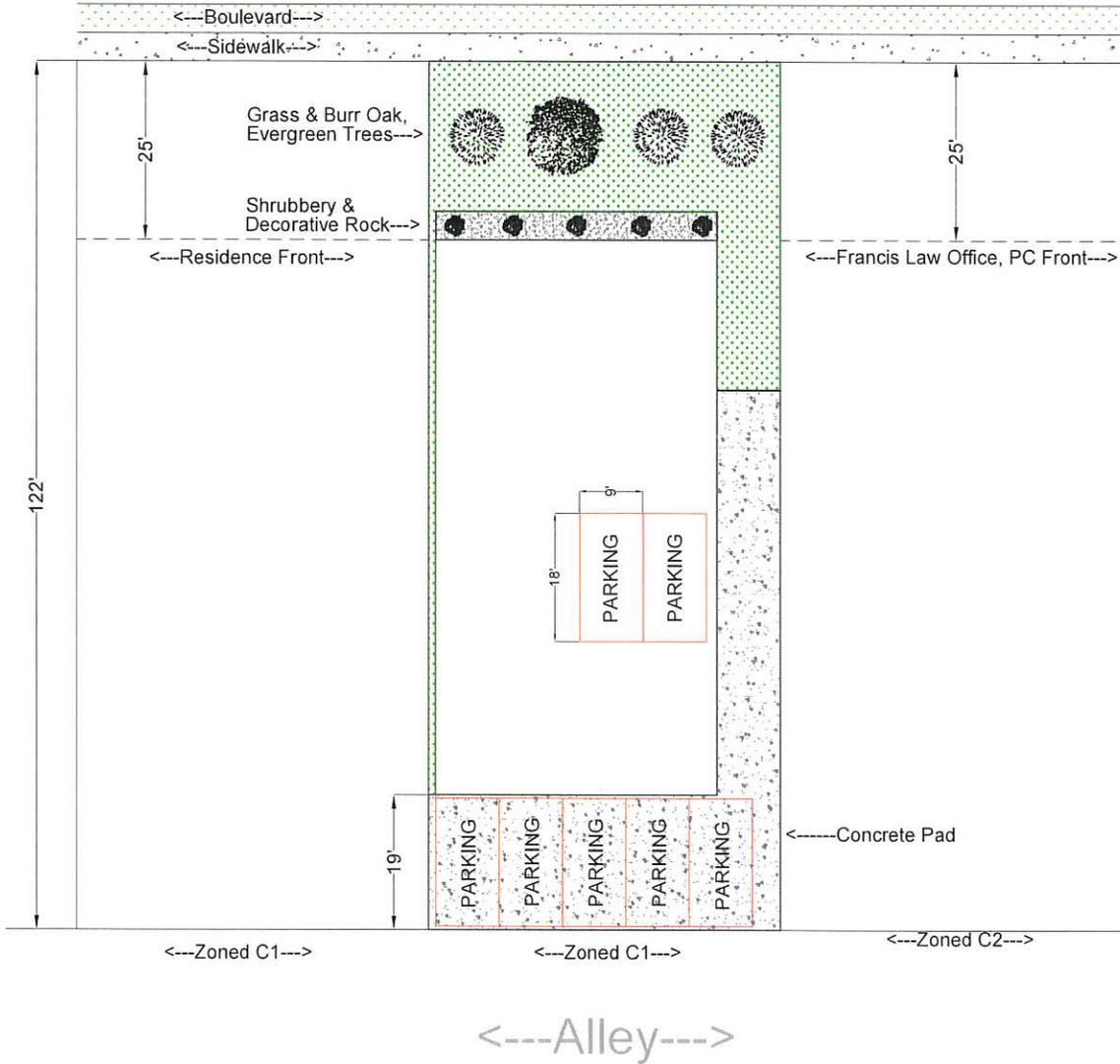


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Braun Electric New Shop/Offices Building #405 16th St NW
 City Of Minot Lot Map

<---16th Street NW--->



<---4th Ave NW--->

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	INTERPRET	DRAWING PER ANSI Y14.5 - 1998	2/01/2016
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CHECKED	J. Braun		

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Braun Electric New Shop/Offices Building #405 16th St NW
 Site Plan

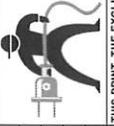
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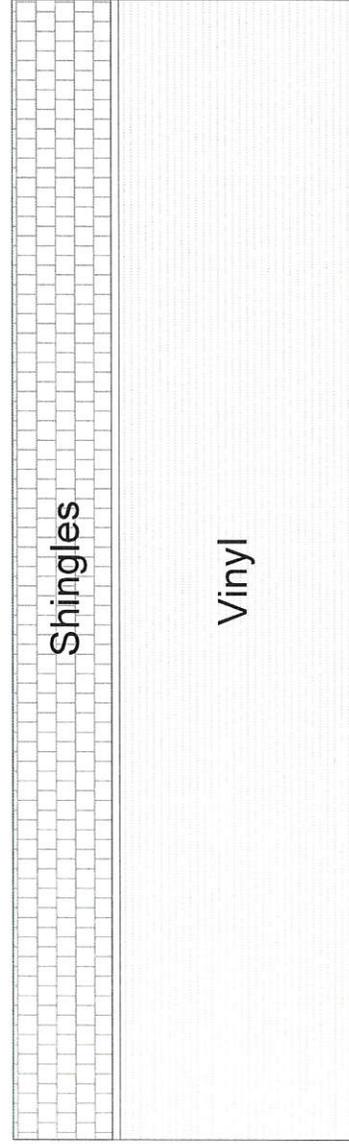
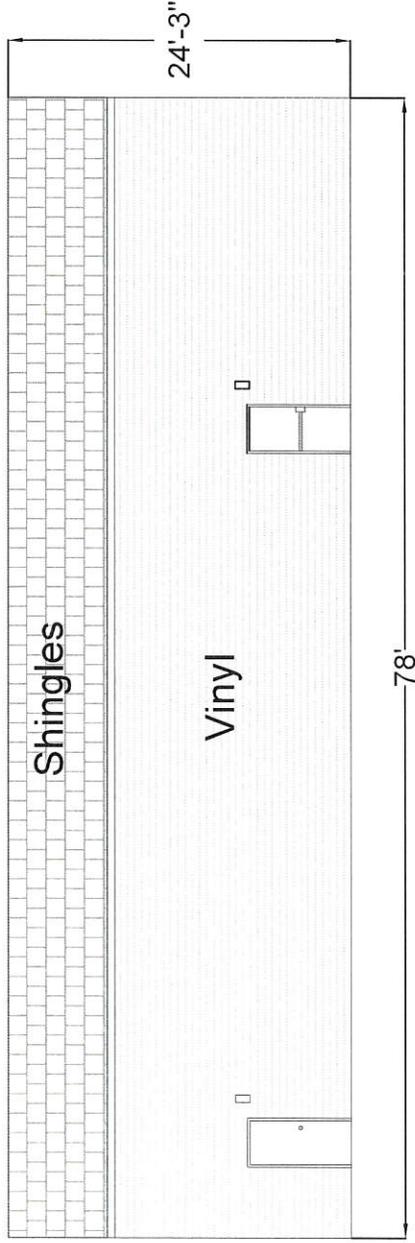
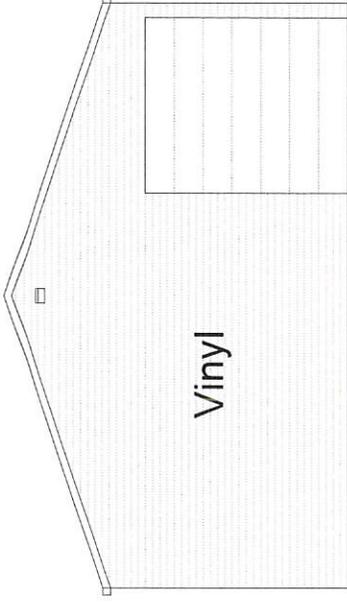
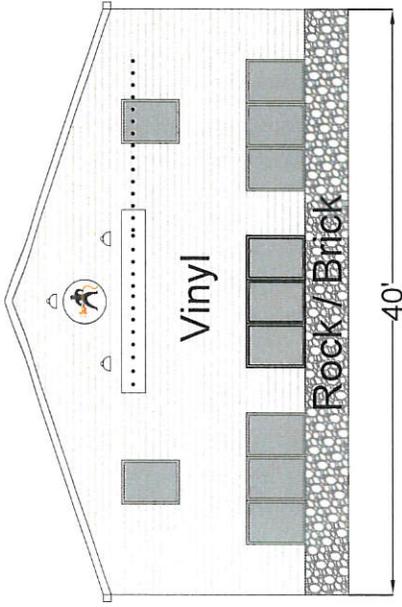
SHEET 3 OF 13

Type	Square Feet	% of Total Lot (6000sqft)
Building Structure	3080	51.333
Concrete Pad	1232	20.533
Decorative Rock	160	2.666
Grass	1528	25.466

Landscaping: 900sqft Required (15% ---> C1Lot 10% + Heat Island Reduction 5%)				
Type	Square Feet / Quantity	% of Total Lot (6000sqft)	Landscaping Value	Landscaping Square Feet
Grass	1528	25.466	Up to 20% Of Area Required	180
Decorative Rock	160	2.666	0%	0
Evergreen Tree	3	-	200 sqft	600
Burr Oak Tree	1	-	200 sqft	200
Shrub Type 1	2	-	16 sqft	32
Shrub Type 2	3	-	16sqft	48

Total	1060
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		JESSE BRAUN ELECTRIC LLC 1620 4th Avenue NW Minot ND (701) 837-4750 Cell: (701) 226-7737 jessebraunelectric@gmail.com		A5 Designs LLC a5designsllc@gmail.com Braun Electric New Shop/Offices Building #405 16th St NW Landscaping	
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REV	ZONE	DESCRIPTION	DATE		
			2/01/2015		
DRAWN	J. Kotslien				
CHECKED	J. Braun				



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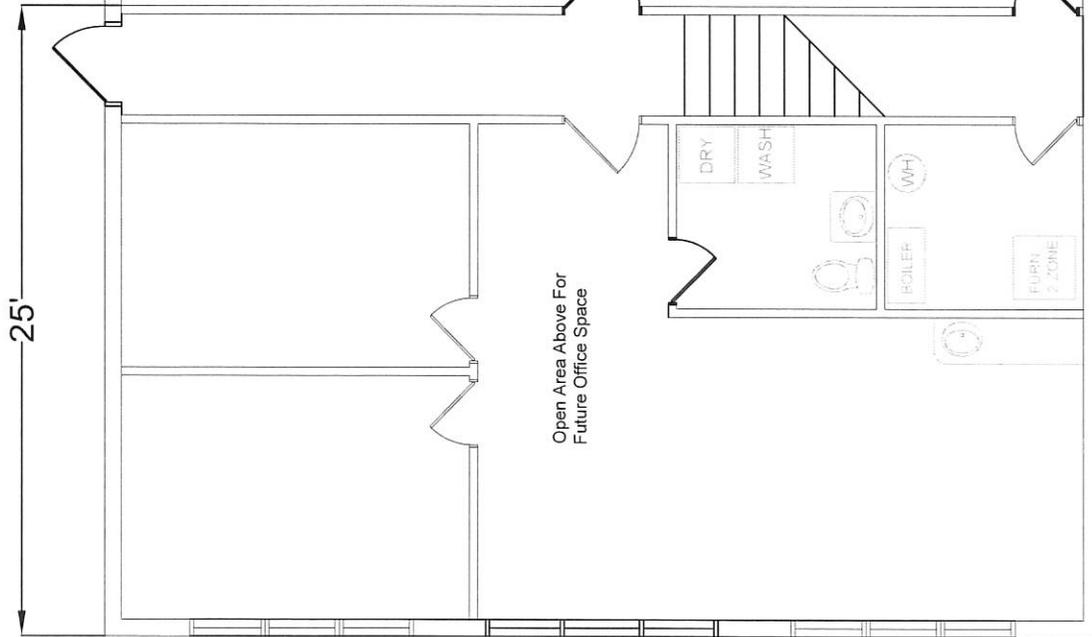
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DRAWN	J. Korslien		2/01/2016
CHECKED	J. Braun		

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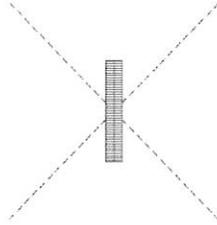
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Braun Electric New Shop/Offices Building #405 16th St NW
 Structure View W/ Dimensions



METER
200A



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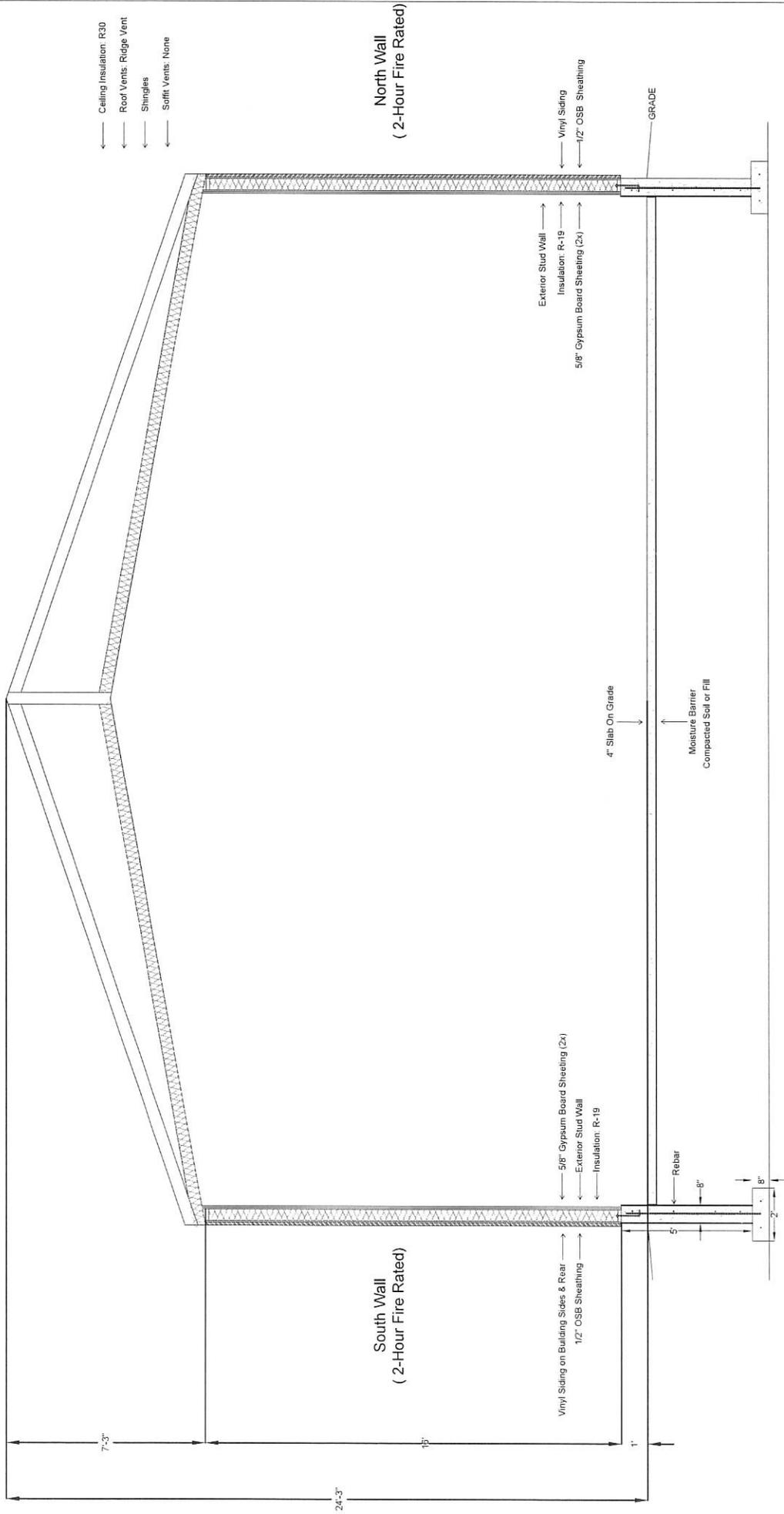
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DRAWN	J. Korslien		2/01/2016
CHECKED	J. Braun		

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 a5designsllc@gmail.com

Braun Electric New Shop/Offices Building #405 16th St NW
 Interior Layout

A9

SHEET 9 OF 13



- ← Ceiling Insulation: R30
- ← Roof Vents: Ridge Vent
- ← Shingles
- ← Soffit Vents: None

North Wall
(2-Hour Fire Rated)

South Wall
(2-Hour Fire Rated)

Exterior Stud Wall
Insulation: R-19
5/8" Gypsum Board Sheathing (2x)

5/8" Gypsum Board Sheathing (2x)
Exterior Stud Wall
Insulation: R-19

Vinyl Siding on Building Sides & Rear
1/2" OSB Sheathing

4" Slab On Grade

Rebar

5"

8"

8"

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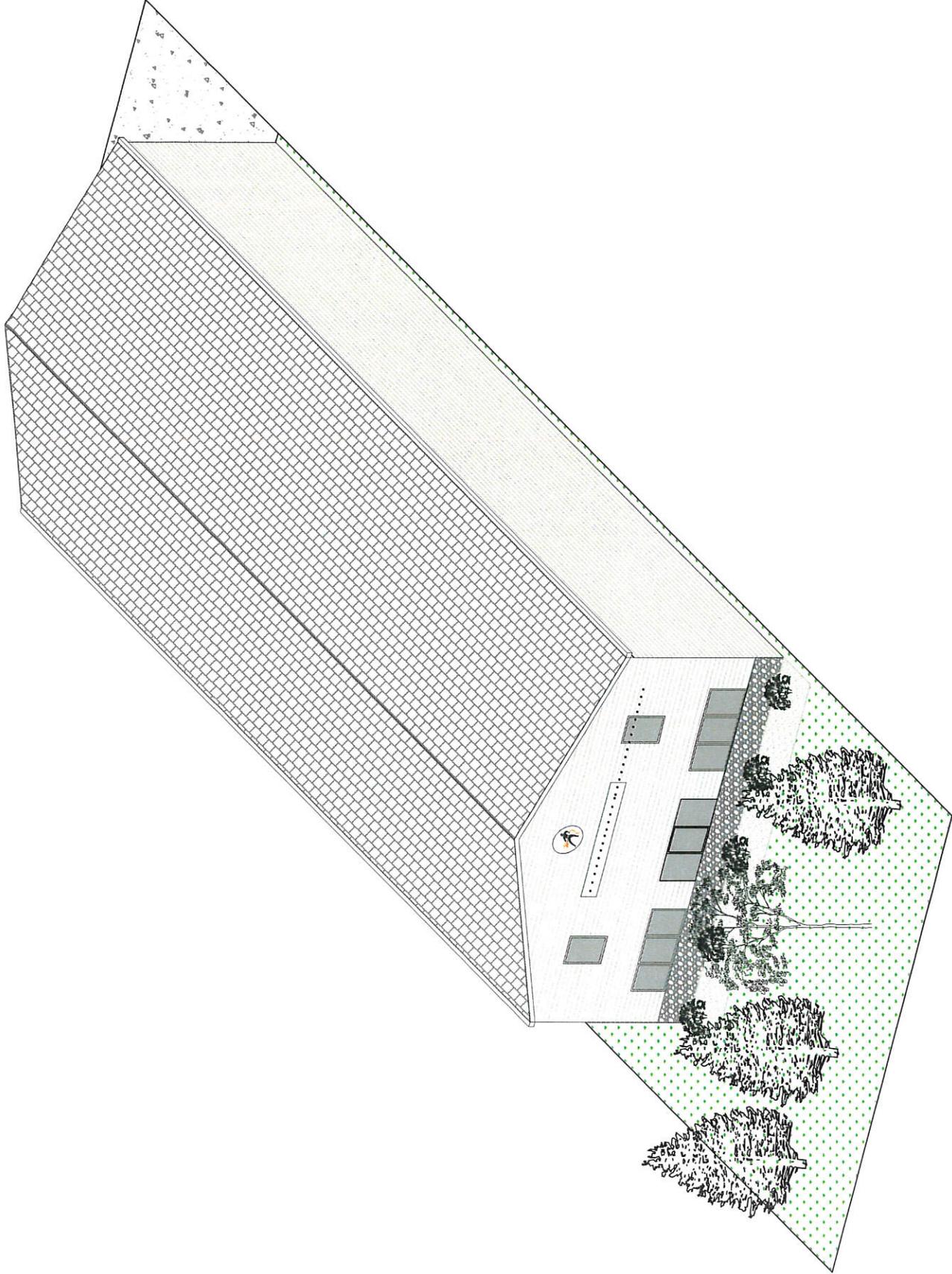
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REV	ZONE	DESCRIPTION	DATE
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		DRAWN J. Kotslien	
		CHECKED J. BRAUN	


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 jessebraunelectric@gmail.com

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Braun Electric New Shop/Offices Building #405 16th St NW
 Isometric View

A13
 SHEET 13 OF 13

City Of Minot Planning Commission,

I have visited with Jesse Braun and have a solid understanding of the building proposed for 405 16th St NW. I do not feel that granting of this variance will cause substantial detriment to the public good or impair the general purpose and intent of the comprehensive plan set forth by the city of Minot. Due to similar property rights enjoyed by other property owners, I am in support of the variance allowing the proposed building to be built with a 25' setback from the existing sidewalk on the east property line bordering 16th St NW. I also feel that the use of this building is in line with those uses permitted for properties zoned C1.



Signature

Willard C Johnson

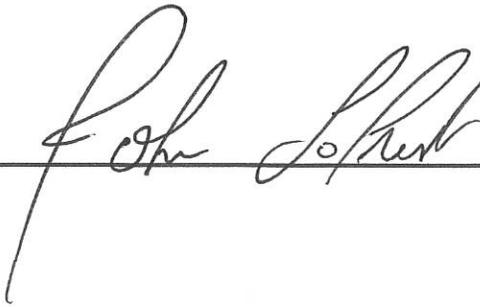
Print name

411-16th St NW

ADDRESS

City Of Minot Planning Commission,

I have visited with Jesse Braun and have a solid understanding of the building proposed for 405 16th St NW. I do not feel that granting of this variance will cause substantial detriment to the public good or impair the general purpose and intent of the comprehensive plan set forth by the city of Minot. Due to similar property rights enjoyed by other property owners, I am in support of the variance allowing the proposed building to be built with a 25' setback from the existing sidewalk on the east property line bordering 16th St NW. I also feel that the use of this building is in line with those uses permitted for properties zoned C1.



Signature

John Lopresti

Print name

412 17th Street NW, Minot

ADDRESS

City Of Minot Planning Commission,

I have visited with Jesse Braun and have a solid understanding of the building proposed for 405 16th St NW. I do not feel that granting of this variance will cause substantial detriment to the public good or impair the general purpose and intent of the comprehensive plan set forth by the city of Minot. Due to similar property rights enjoyed by other property owners, I am in support of the variance allowing the proposed building to be built with a 25' setback from the existing sidewalk on the east property line bordering 16th St NW. I also feel that the use of this building is in line with those uses permitted for properties zoned C1.



Signature

ARZIE FRANCIS

Print name

1602 4th Ave NW MINOT, ND 58703

ADDRESS

VARIANCE IN ZONING REGULATION PROPOSED FOR
BLAISDELL BIRD ADDITION, LOT 2, BLOCK 11
 CITY OF MINOT, NORTH DAKOTA





Planning Commission
Staff Report

Meeting Date:	02/29/2016	Item #:	02
Project #:	8016-2.1	Staff Recommendation:	APPROVAL
Development Title:	Broadway Center 2 nd Add, Lots 1 & 2		
Current Legal Description:	Broadway Center 1 st Add, Lot 5, Block 1		
Address: (if applicable)	3425 S. Broadway		
Current Zoning:	C2	Proposed Zoning:	C2
Guided Use:	Commercial		

Applicant/Owner: Oxford Real Estate Equities, LLC
2150 E Lake Cook Road, Suite 320
Buffalo Grove, IL 60089
(847)884-4820
bdanly@mac.com

Rep/Contractor: Bruce Danly
2150 E Lake Cook Road, Suite 320
Buffalo Grove, IL 60089
(847)884-4820
bdanly@mac.com

Zoning Ordinance Ref: Section 28: Land Subdivision Regulations

PROJECT DESCRIPTION:

REQUEST(S): The applicant is requesting:

- To **subdivide** Broadway Center 1st Addition, Block 1, Lot 5 into two lots to be known as Broadway Center 2nd Addition, Lots 1 & 2.

This property is located at 3425 S. Broadway.

EXECUTIVE SUMMARY AND CITY STAFF CONSIDERATIONS:

SUMMARY/CONDITIONS/ISSUE:

The applicant is requesting to subdivide the above mentioned legal description into two lots. The request meets the lot area for a commercial subdivision. Staff supports the request.

FINDINGS OF FACT:

Finding of Facts:

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

DEVELOPMENT SUMMARY CHART:

Site Area: 13.61 acres
Building Area: 130,698 SF

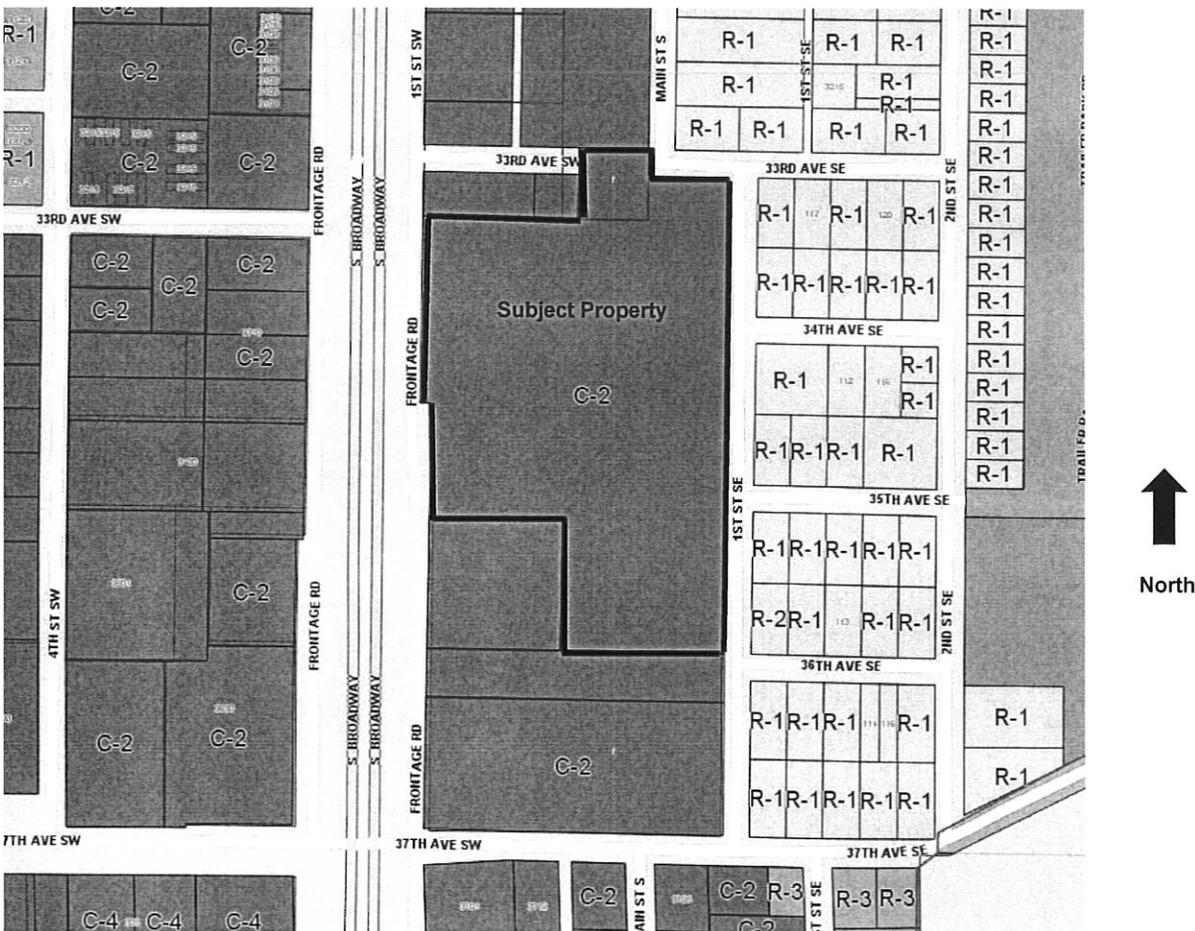
PLANNING DEPARTMENT CONSIDERATIONS

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

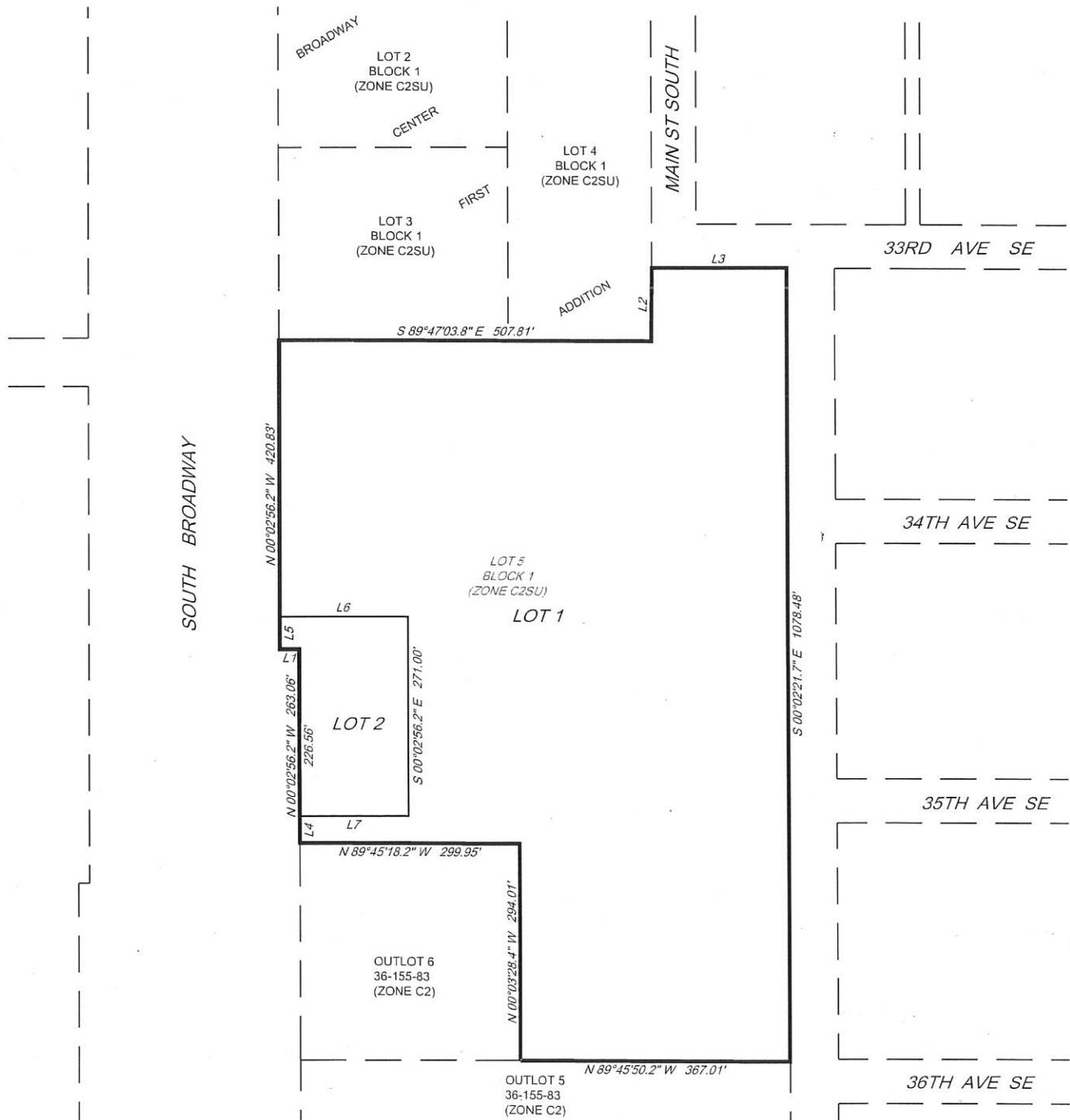
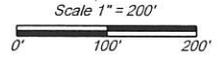
The property under consideration is currently zoned C2, General Commercial District, as are properties to the north, south, and west. Properties to the east are zoned R1, Single Family Residential District. The subject property is guided on the Future Land Use Plan as Commercial. The proposed uses would be in compliance with the Comprehensive Plan.

PLANNING LOCATION MAP:

Planning Map with Future Land Uses



PRELIMINARY PLAT OF
BROADWAY CENTER SECOND ADDITION
 TO THE CITY OF MINOT, NORTH DAKOTA
 (BEING A REPLAT OF LOT 5, BLOCK 1, BROADWAY CENTER FIRST ADDITION
 TO THE CITY OF MINOT, WARD COUNTY, NORTH DAKOTA)



BEARINGS & DISTANCES

LINE	BEARING	DISTANCE
L1	N 89°53'47.9" W	26.00'
L2	N 00°38'08.3" E	99.90'
L3	S 89°55'30.2" E	184.18'
L4	N 00°02'56.2" W	36.50'
L5	N 00°02'56.2" W	44.45'
L6	S 89°52'56.2" E	174.55'
L7	N 89°52'50.8" W	148.55'

LOT BREAKDOWN

LOT 1 =	12.66 ACRES
LOT 2 =	0.95 ACRES
TOTAL =	13.61 ACRES

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
 STREETSIDE OF EVERY LOT.
 DATE OF PREPARATION: 1/14/2016



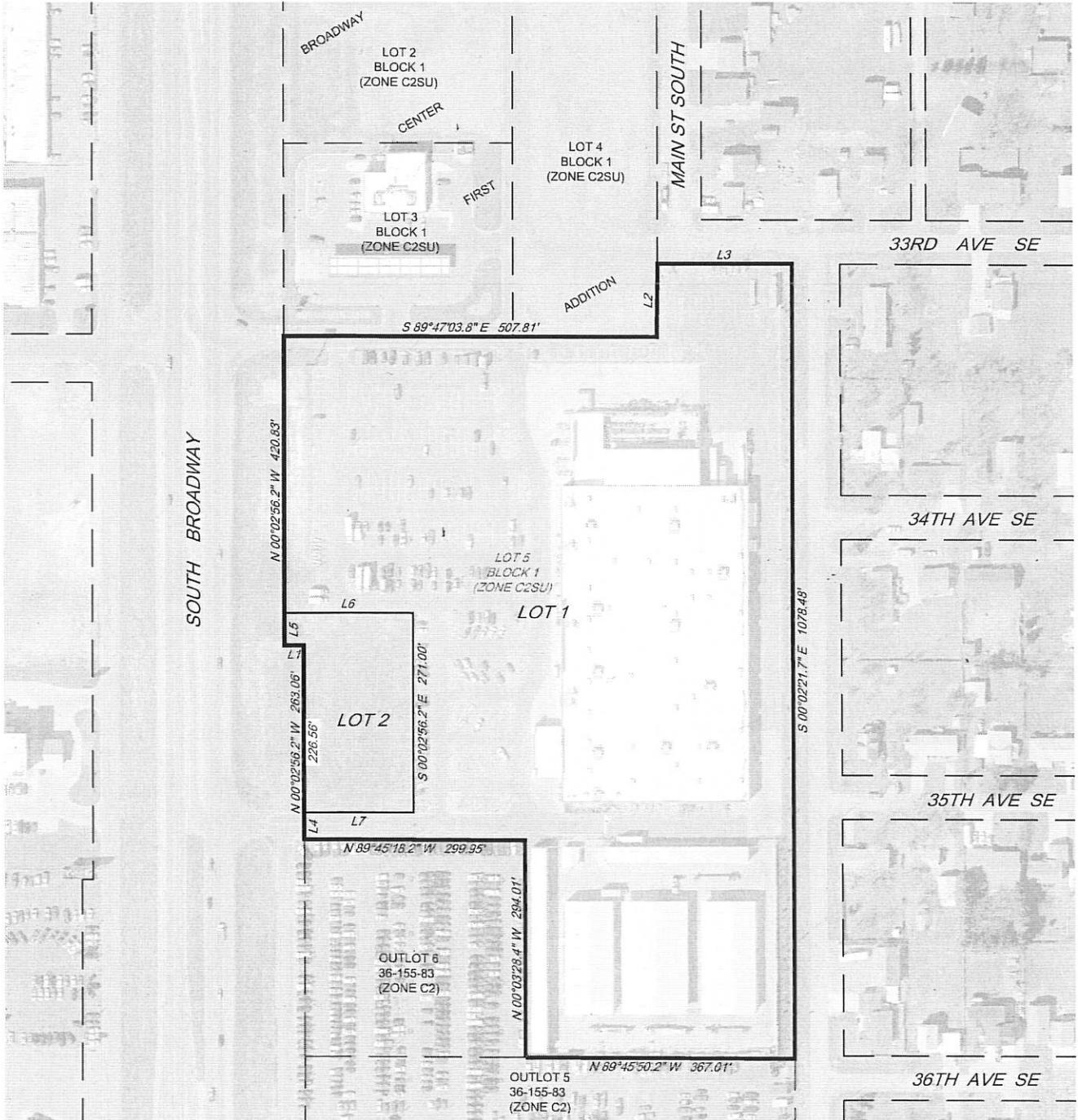
**ACKERMAN SURVEYING
 & ASSOCIATES, INC.**
 (701) 838-0786
 1907 17TH ST SE, MINOT, N.D. 58701

This document, together with the concepts and designs depicted herein, is intended only for the specific purpose and client for which it was prepared. Rouse of and improper reliance on this document without written authorization and adaptation by Ackerman Surveying & Associates, Inc. shall be without liability to Ackerman Surveying & Associates, Inc.

PRELIMINARY PLAT OF
BROADWAY CENTER SECOND ADDITION
 TO THE CITY OF MINOT, NORTH DAKOTA
 (BEING A REPLAT OF LOT 5, BLOCK 1, BROADWAY CENTER FIRST ADDITION
 TO THE CITY OF MINOT, WARD COUNTY, NORTH DAKOTA)



Scale 1" = 200'
 0' 100' 200'



LINE	BEARING	DISTANCE
L1	N 89°53'47.9" W	26.00'
L2	N 00°38'08.3" E	99.90'
L3	S 89°55'30.2" E	184.18'
L4	N 00°02'56.2" W	36.50'
L5	N 00°02'56.2" W	44.45'
L6	S 89°52'56.2" E	174.55'
L7	N 89°52'50.8" W	148.55'

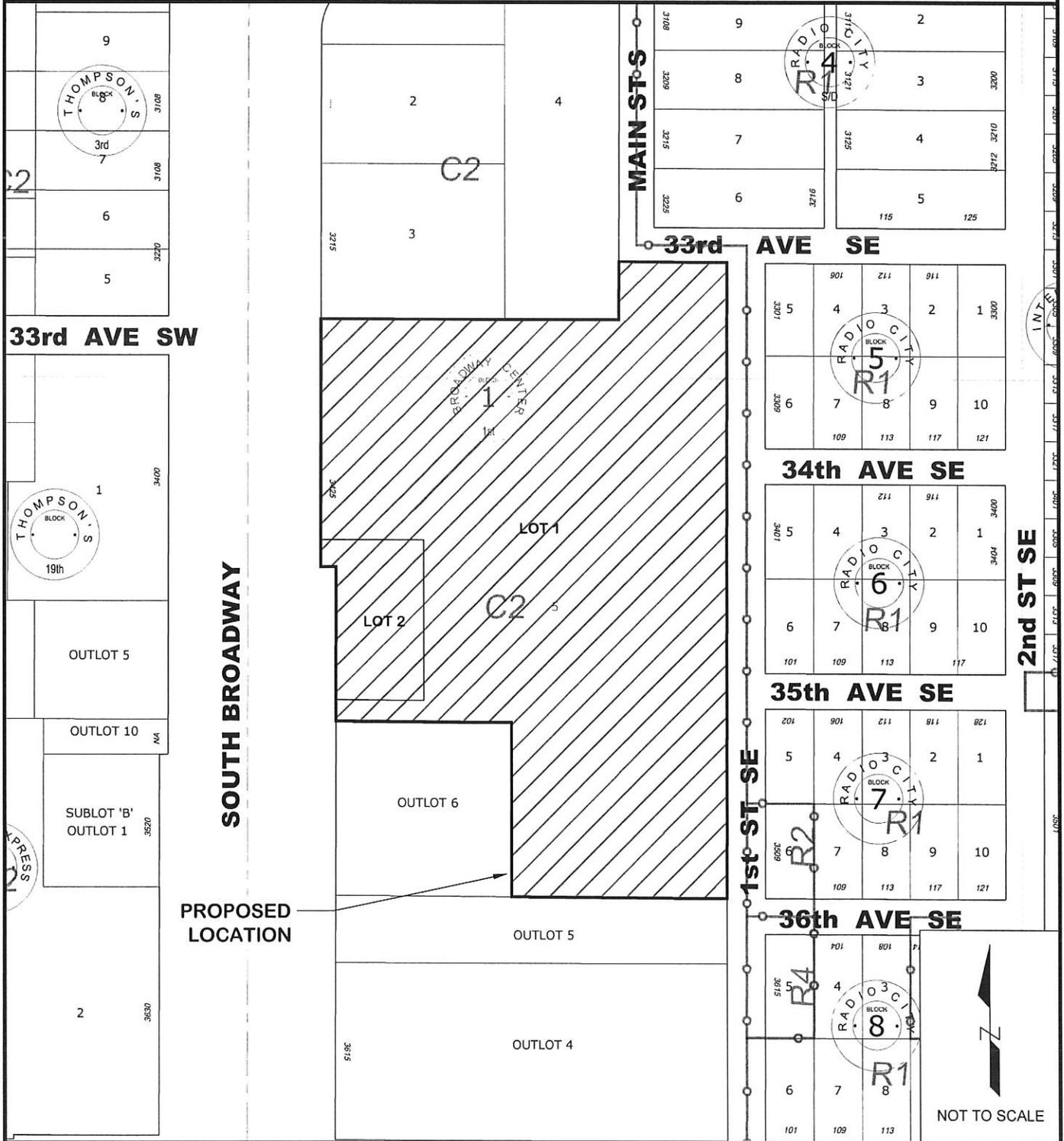
NOTES:
 FOR PLANNING PURPOSES ONLY.
 BEARINGS AND DISTANCES MAY VARY FROM
 PREVIOUS PLATS DUE TO DIFFERENT METHODS
 OF MEASUREMENTS.
 PLAT IS SUBJECT TO ALL PRIOR EASEMENTS
 A 10' UTILITY EASEMENT WILL BE ON THE
 STREETSIDE OF EVERY LOT.
 DATE OF PREPARATION: 1/14/2016

LOT BREAKDOWN
 LOT 1 = 12.66 ACRES
 LOT 2 = 0.95 ACRES
 TOTAL = 13.61 ACRES

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

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**PROPOSED SUBDIVISION PLAT FOR
BROADWAY CENTER 2ND ADDITION
BEING BROADWAY CENTER 1ST ADDITION, BLOCK 1, LOT 5
CITY OF MINOT, NORTH DAKOTA**





**Planning Commission
Staff Report**

Meeting Date:	02/29/2016	Item #:	3
Project #:	8016-2.2	Staff Recommendation:	APPROVAL
Development Title:			
Current Legal Description:	Centennial Addition, Lots 15A & 15B		
Address: (if applicable)	1402 17 ½ Ave SW		
Current Zoning:	R2	Proposed Zoning:	R1
Guided Use:	Low Density Residential		

Applicant/Owner: Dan & Irene Keller
 1402 17 ½ SW
 Minot, ND 58701
 (701) 838-9268
lkeller@srt.com

Rep/Contractor: N/A

Zoning Ordinance Ref: Section 30-5: Text Amendments and Zoning District Change

PROJECT DESCRIPTION:

REQUEST(S): The applicant is requesting:

- To change the zone from R2 (Two-Family Residential) District to R1 (Single Family Residential) District for the purpose of bringing the property into compliance with an existing deck on Centennial Addition, Lots 15A & 15B.

This property is located at 1402 17½ Ave SW.

EXECUTIVE SUMMARY AND CITY STAFF CONSIDERATIONS:

SUMMARY/CONDITIONS/ISSUE:

The applicant is requesting a zone change for the purpose of bringing the subject property into compliance for a rear yard setback for an existing deck. The property is currently zoned R2, Two-family Residential, with a rear yard setback requirement of 25'. With a zone change the required setback will be 20'. Staff supports request

FINDINGS OF FACT:

Finding of Facts:

1. Subject property is zoned R2, Two-Family Residential District.

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

DEVELOPMENT SUMMARY CHART:

Site Area: 8,961 SF
Building Area: 1,742 SF

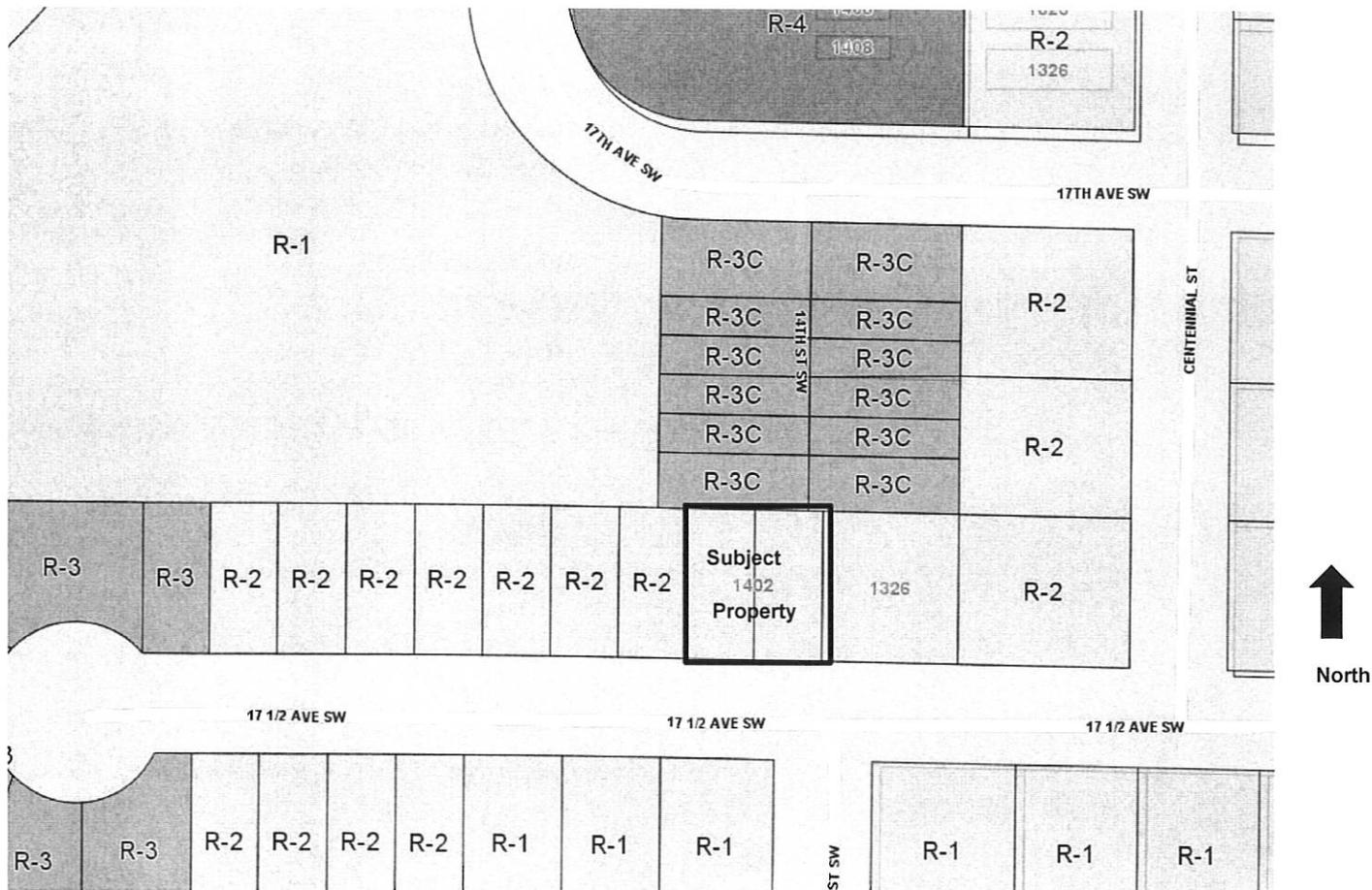
PLANNING DEPARTMENT CONSIDERATIONS

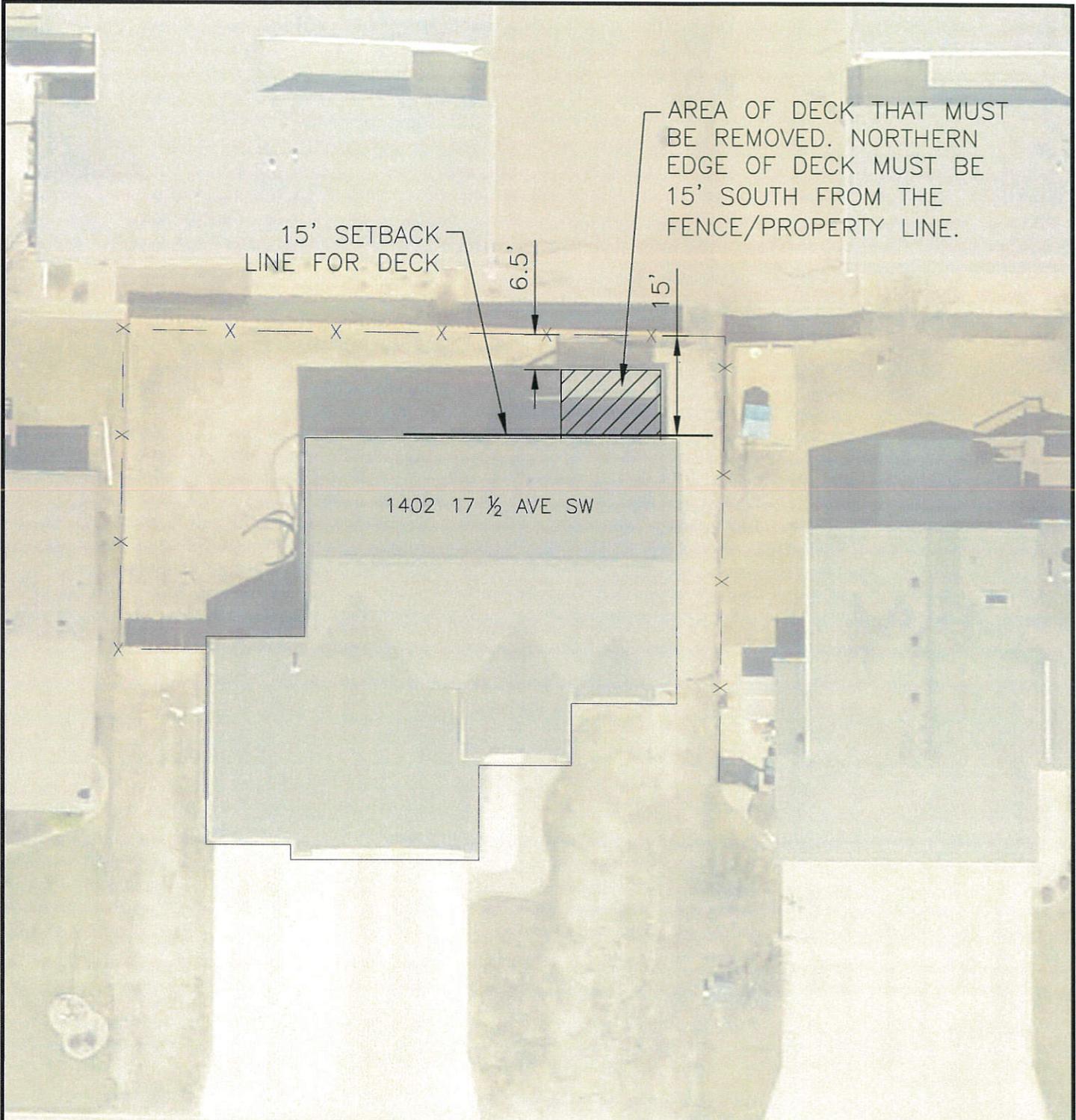
CURRENT ZONING, LAND USES & RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The property is zoned R-2, Two Family Residential, and is guided Low Density Residential on the Future Land Use Plan. The properties to the north are zoned R-3C, Medium Density Residential. The properties to the south are zoned R-1, Single Family Residential. The use is consistent with the land use and zoning.

PLANNING LOCATION MAP:

Planning Map with Future Land Uses





NOTE:
 THE DIMENSIONS ARE APPROXIMATE.
 THE AERIAL IMAGERY IS FOR
 REFERENCE ONLY AND IS NOT A
 PRECISE REPRESENTATION OF
 PROPERTY BOUNDARIES.

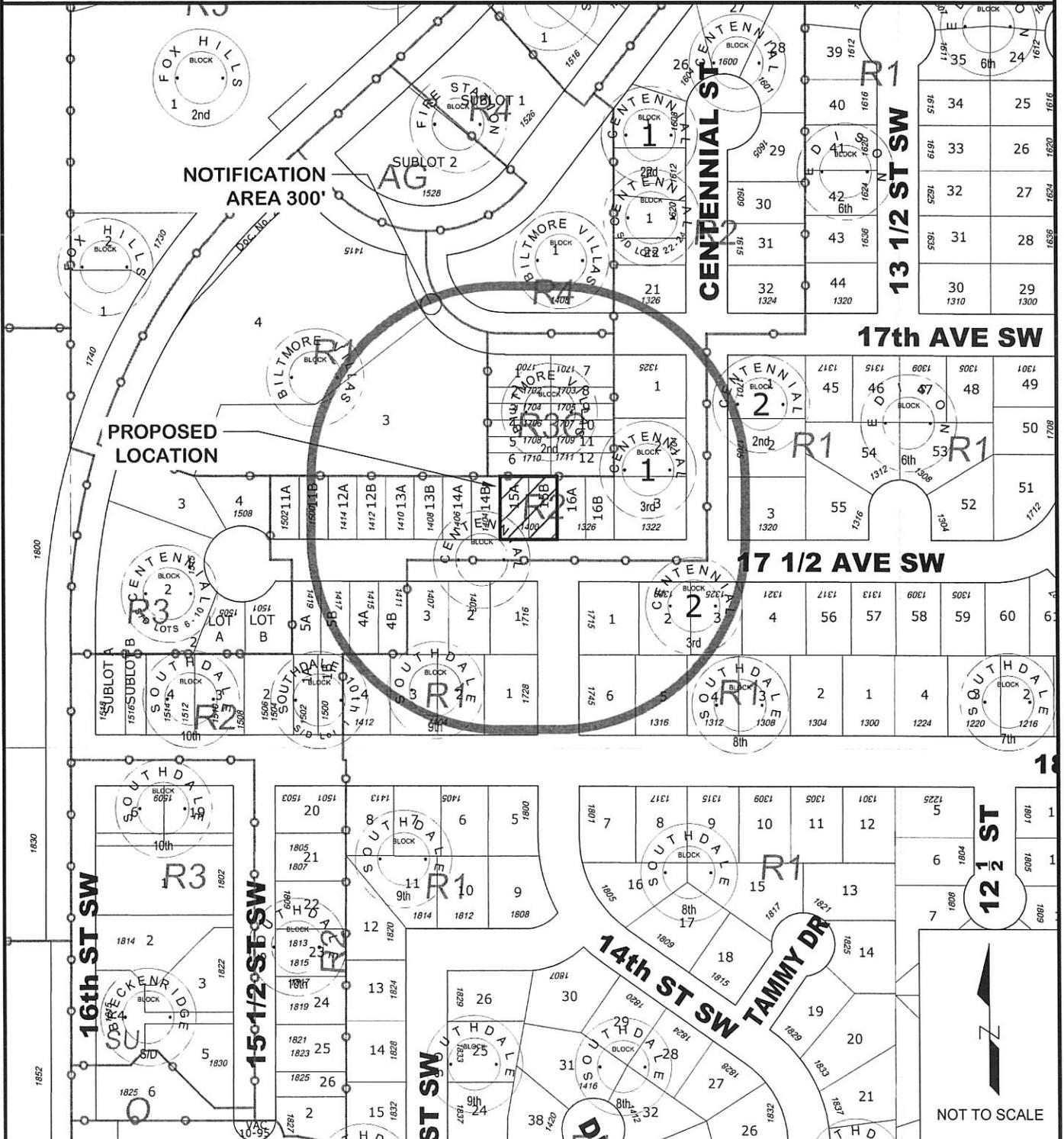


REAR YARD DECK SETBACK
 1402 17 ½ AVE SW
 Date: 11/18/2015



PROPOSED ZONE CHANGE FOR CENTENNIAL ADDITION, LOTS 15A & 15B

CITY OF MINOT, NORTH DAKOTA



MAP CREATED JANUARY 19, 2016



Planning Commission

Staff Report

Meeting Date:	02/29/2016	Item #:	4
Project #:	8016-2.4	Staff Recommendation:	APPROVAL
Development Title:			
Current Legal Description:	Linha's 5 th Addition, Lot 1		
Address: (if applicable)	300 30 th Ave, Unit D		
Current Zoning:	C2	Proposed Zoning:	C2
Guided Use:	Commercial		

Applicant/Owner: Community Medical Services
9449 N. 90th St., Ste 210
Scottsdale AZ, 85258
(602)248-8886
alewis@cmsaz.net

Rep/Contractor: Andy Lewis
9449 N. 90th St., Ste 210
Scottsdale AZ, 85258
(602)248-8886
alewis@cmsaz.net

Zoning Ordinance Ref: Section 11- 4 e): C2 Conditional Uses
Section 30-3: Conditional Use Permits

PROJECT DESCRIPTION:

REQUEST(S): The applicant is requesting:

- A Conditional Use Permit to allow an Opioid Treatment Clinic in a C2 (General Commercial) District on Linha's 5th Addition, Lot 1.

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

EXECUTIVE SUMMARY AND CITY STAFF CONSIDERATIONS:

SUMMARY/CONDITIONS/ISSUE:

The applicant is requesting a Conditional Use Permit to operate an outpatient addiction treatment program located at 300 30th Ave, Unit D. Since the September 7, 2015 update of the Zoning Ordinance, a clinic is permitted with a Conditional Use Permit in C2.

Currently the subject site has a laundromat occupying one of the units. With a medical clinic, the site would utilize all its parking availability and it's the responsibility of the property owner to inform potential

tenants about parking and a possible parking agreement. Total parking stalls of 31 are required and there are 34 stalls provided. Staff supports request.

FINDINGS OF FACT:

Finding of Facts:

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

DEVELOPMENT SUMMARY CHART:

Site Area:	1.83 acres
Building Area:	1,500 SF
Parking Required:	31 Spaces
Parking/ Loading Proposed:	34 Spaces

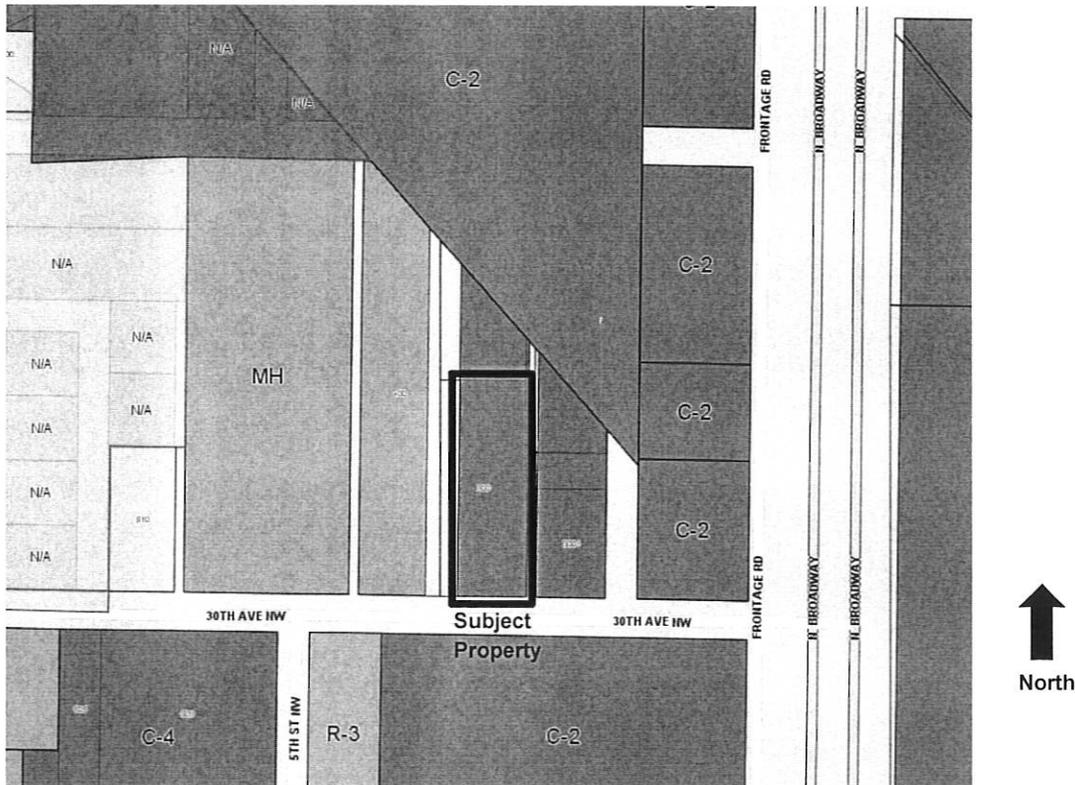
PLANNING DEPARTMENT CONSIDERATIONS

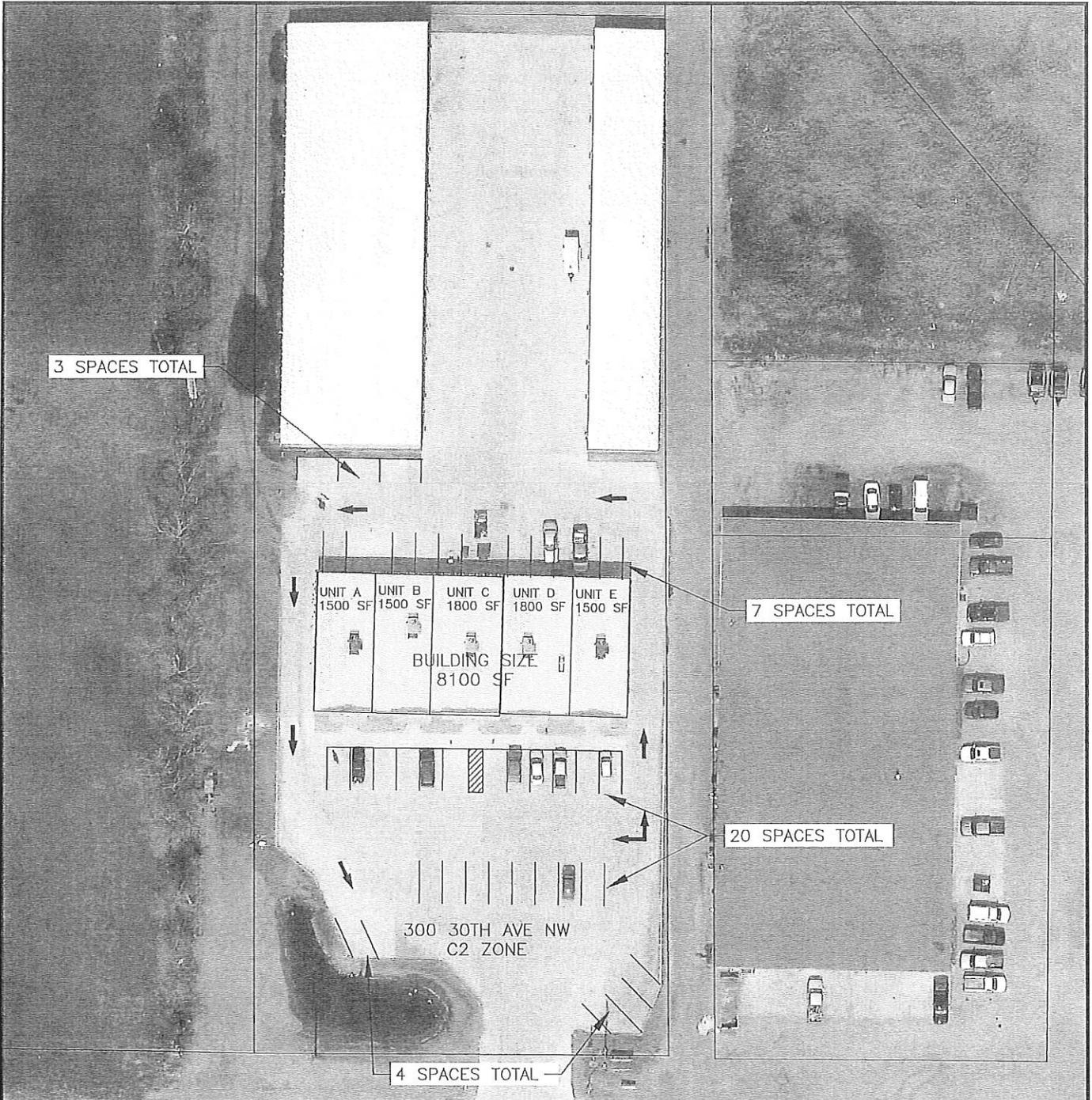
CURRENT ZONING, LAND USES & RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The property under consideration is currently zoned C2, General Commercial, as are all surrounding properties. Subject property is guided on the Future Land Use Plan as Commercial. The proposed uses would be in compliance with the Comprehensive Plan.

PLANNING LOCATION MAP:

Planning Map with Future Land Uses

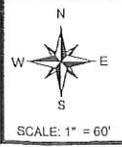




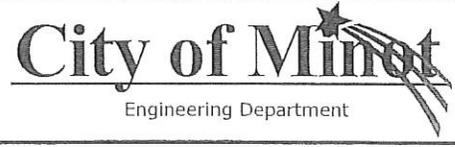
PARKING CALCULATIONS
 BUILDING 8100 SF
 ZONING ORDINANCE 23-1
 UNIT A = LAUNDRY MAT (jj) 1 PER 200 = 8 REQUIRED
 UNIT B = OFFICE SPACE (cc) 3 PER 1000 = 5 REQUIRED
 UNIT D = MEDICAL OFFICE (w) 4 PER 1000 = 8 REQUIRED + 4 STAFF = 12
 UNIT C = OFFICE SPACE (cc) 3 PER 1000 = 6 REQUIRED
 UNIT E = OFFICE SPACE (cc) 3 PER 1000 = 5 REQUIRED

TOTAL REQUIRED = 31 SPACES
 TOTAL PROVIDED = 34 SPACES

NOTE:
 THE PARKING STALL LOCATIONS
 ARE APPROXIMATE. THE AERIAL
 IMAGERY IS FOR REFERENCE ONLY.



PARKING LOT — PROPOSED OPIOD CLINIC
 WITH OFFICE SPACE FOR UNIT B, C & E
 300 30TH AVE NW
 Date: 1/12/2016



f



Community Medical Services

9449 N. 90th St., Ste 210 Scottsdale AZ 85258

Conditional Use Permit Application **Written Description**

Property:

300 30th Ave., NW, Unit D, Minot, ND
Existing Office and Retail Space

Suite 1 Size:

1,500 rentable square feet

Zoning:

C-2

Parking:

Meets the 4/1000 parking requirement.
See parking specification layout
34 open parking spots

About Us:

Community Medical Services (CMS) is a CARF-accredited outpatient addiction treatment program with locations in Arizona and Montana. CMS began working in the addiction treatment field over 35 years ago and is nationally recognized by AATOD (American Association for the Treatment of Opioid Dependence). Our certified medical practitioners and clinicians provide substance abuse treatment in the form of counseling, case management, medical evaluations and medication assisted therapy to adults diagnosed with Opioid Dependency Disorder. Our program is a voluntary adult outpatient program giving clients the opportunity to manage their addictions.

Harmonious with general and applicable objectives of city:

The proposed use of this property is applicable with the zoning regulations of the city. The location is ideal for our use due to the easy access just off of N. Broadway, which will serve the community well. Due to the early morning hours of our program, there will not be any additional impact the neighbors or increased traffic concerns.

Continued on following page



Community Medical Services

9449 N. 90th St., Ste 210 Scottsdale AZ 85258

Public Health, Safety, Convenience:

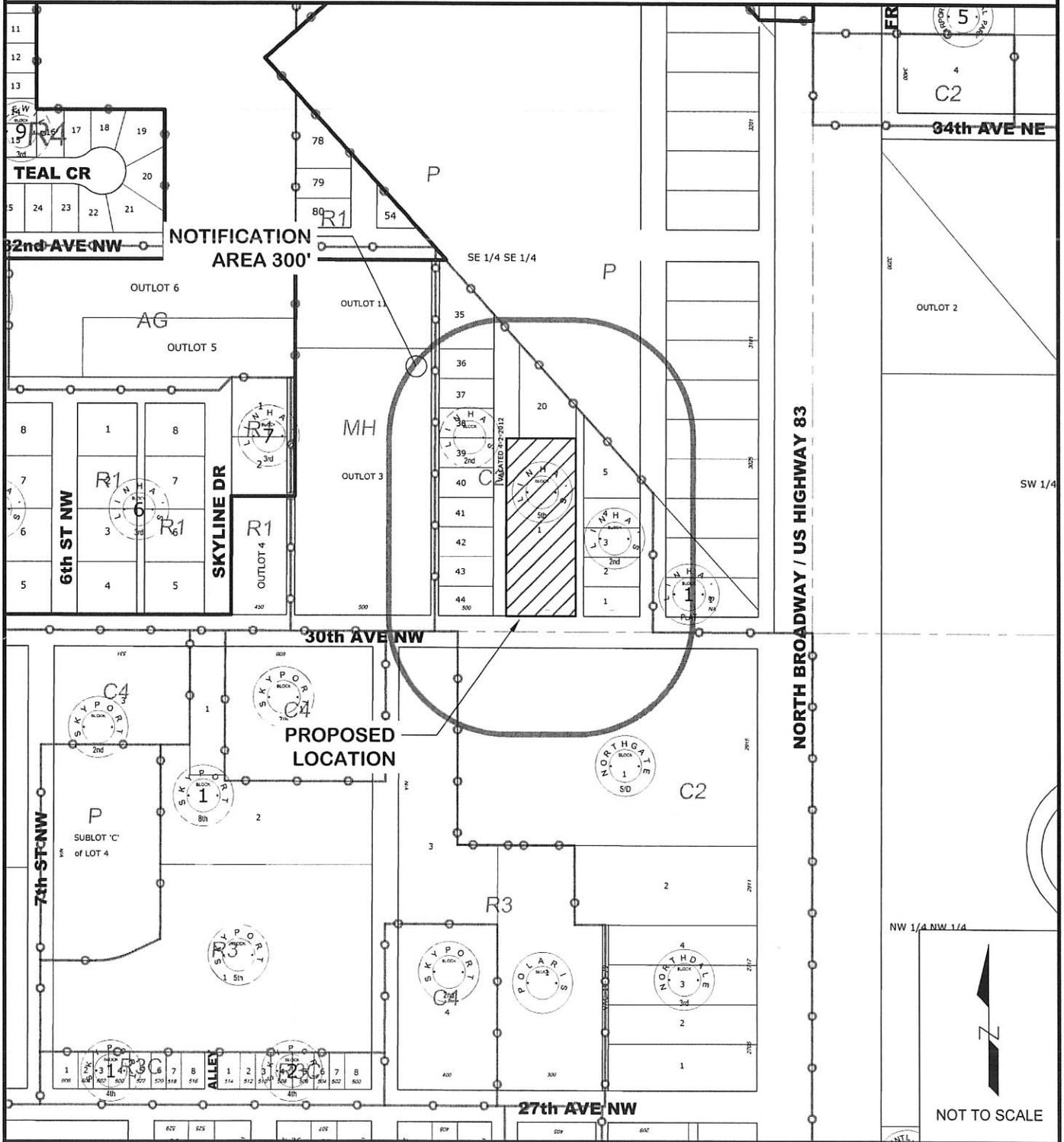
This use will not be detrimental to or endanger the public health or safety. The Minot citizens that will come for our program's treatment do so, on a voluntary basis, and follow strict program requirements that include, but are not limited to: No violence; No loitering; Meet with Medical Practitioners on a regular basis; Meet with counselors on a regular basis; Clean or compliant drug tests performed each month; etc. Studies have shown that Medication Assisted Treatment decreases the individual crime rates of patients receiving the treatment and there is no increase in crime rates in the community surrounding Opioid Treatment Programs.

Reverence Letters:

Included for reference of good neighborly and harmonious way of business

PROPOSED CONDITIONAL USE PERMIT FOR LINHA'S 5TH ADDITION LOT 1

CITY OF MINOT, NORTH DAKOTA



MAP CREATED JANUARY 19, 2016

City of Minot

Planning Commission

Staff Report

Meeting Date:	02/29/2016	Item #:	5
Project #:	8016-2.3	Staff Recommendation:	APPROVAL
Development Title:			
Current Legal Description:	Minot Prairie Industrial Park, Block 1, Lot 1		
Address: (if applicable)	410 74 th St SE		
Current Zoning:	M1	Proposed Zoning:	M1
Guided Use:	Industrial		

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

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

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

PROJECT DESCRIPTION:

REQUEST(S): The applicant is requesting:

- To amend a Conditional Use Permit approved on March 2nd, 2015, to replace 12' x 30' shelter with an internal generator with up to four (4) outdoor equipment cabinets on a platform with an external generator on Minot Prairie industrial Park, Block 1, Lot 1.

This property is located at 410 74th St SE.

Section 30-3. Conditional Use Permits:

a) Intent: The provisions of this section are intended to permit certain land uses which, under special conditions and review, can be compatible with the uses permitted by right in a zoning district, and desirable to the development of the City as a whole. Only those uses identified in the zoning district regulations are eligible for a Conditional Use Permit (CUP) under the procedure described below. A

Conditional Use Permit shall not be granted unless it meets the minimum standards and requirements of the applicable zoning district where permitted.

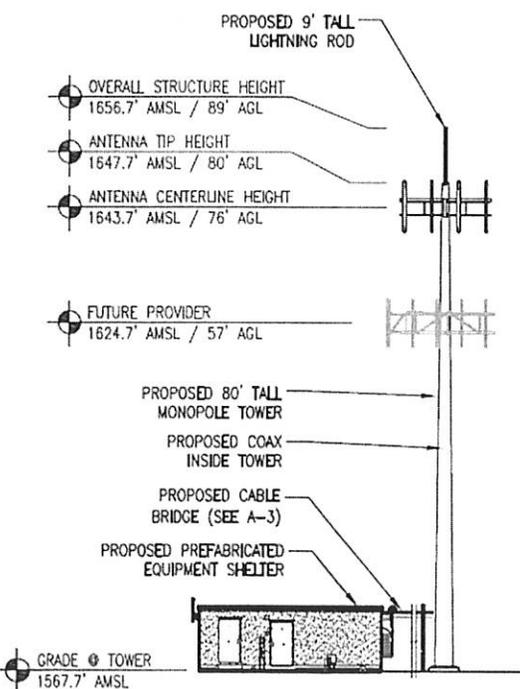
- d) ...Before making a recommendation, the Planning Commission shall review the application for a Conditional Use Permit to ascertain compliance with the specific standards governing individual conditional uses, and that satisfactory provision and arrangement have been made concerning the following,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

EXECUTIVE SUMMARY AND CITY STAFF CONSIDERATIONS:

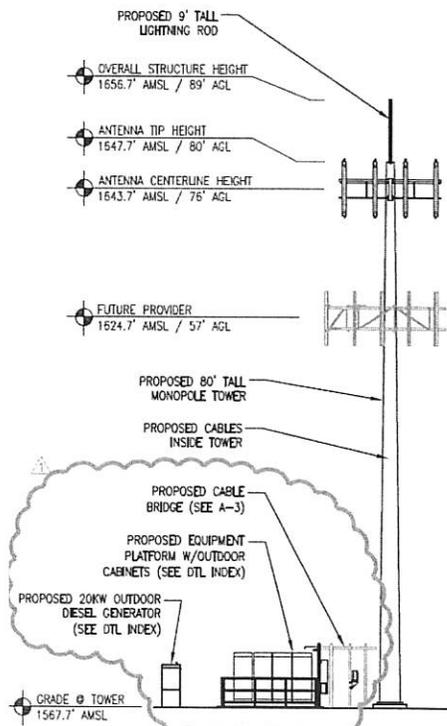
SUMMARY/CONDITIONS/ISSUE:

The applicant is requesting to amend a previously approved Conditional Use Permit to replace a 12' x 30' shelter (outdoor equipment and outdoor generator) with up to 4 outdoor equipment cabinets on a platform with external generator screened with a privacy fence. Staff supports request.

Equipment Shelter Approved in Feb. 2015



Amended CUP for Four (4) Equipment Cabinets



The applicant is proposing a monopole design which is the only type of tower that is allowed by updated ordinance. The pole will be 89' in height. The applicant has provided design detail of what the proposed antenna will look like. The ordinance requires that monopoles be of a color that blends with the surroundings, therefore, design will not to be approved by the Planning Department unless it complies.

FINDINGS OF FACT:

Finding of Facts:

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

Conditions:

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

DEVELOPMENT SUMMARY CHART:

Site Area: 50' x 50' land lease space

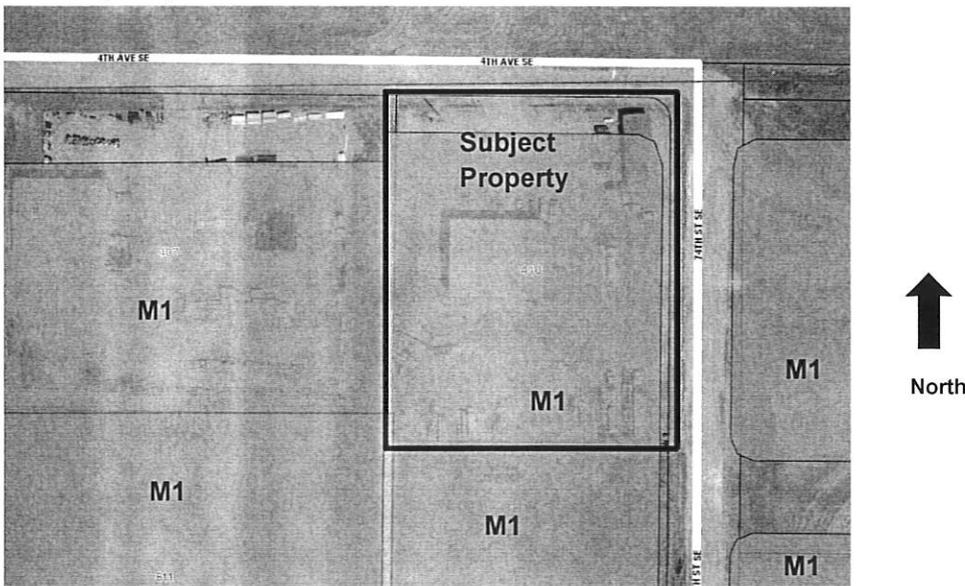
PLANNING DEPARTMENT CONSIDERATIONS

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

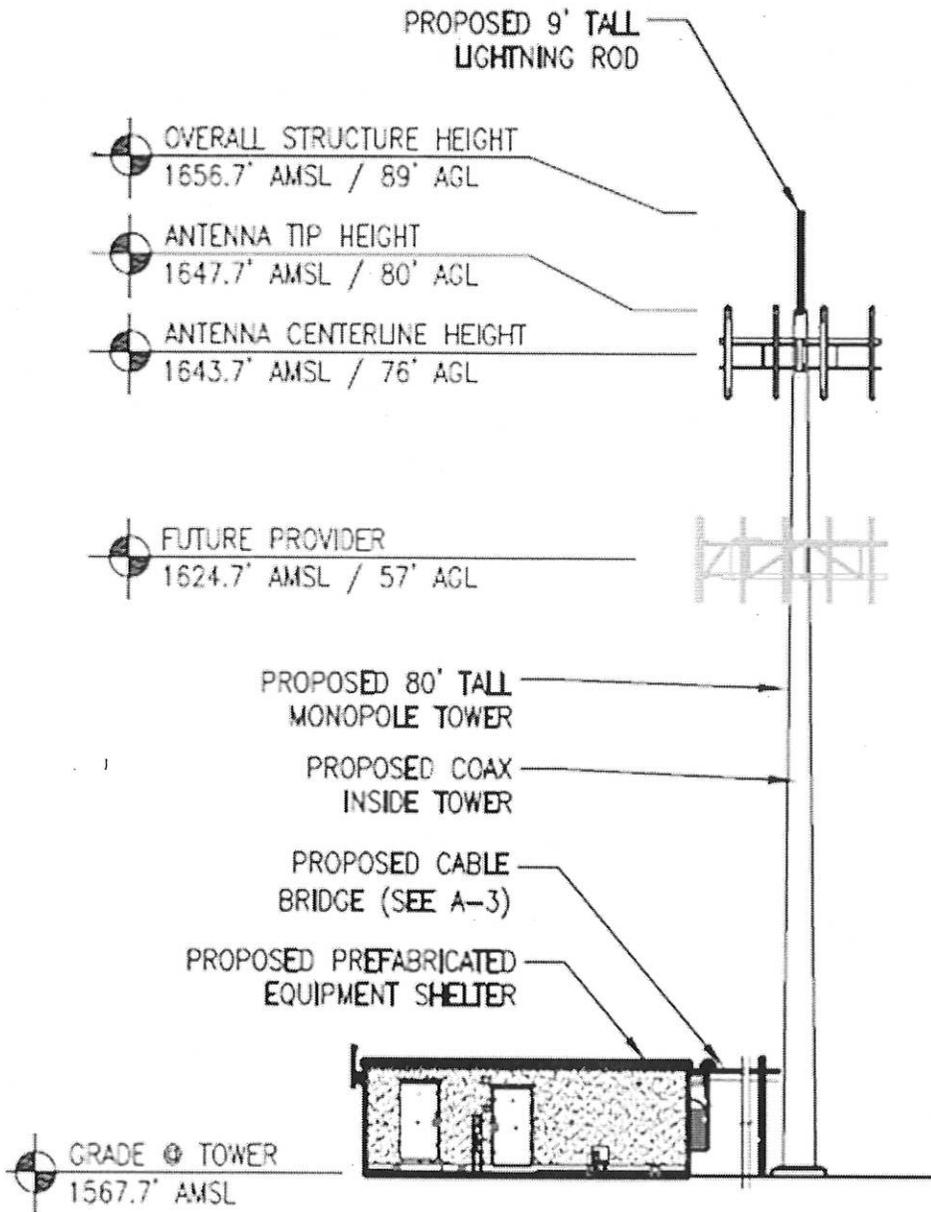
The property under consideration is currently zoned M1, Light Industrial, as are surrounding properties. Towers are a conditional use in the M1 zoning district. The property is guided on the Future Land Use Plan as Industrial and the use would be in general compliance with the Comprehensive Plan.

PLANNING LOCATION MAP:

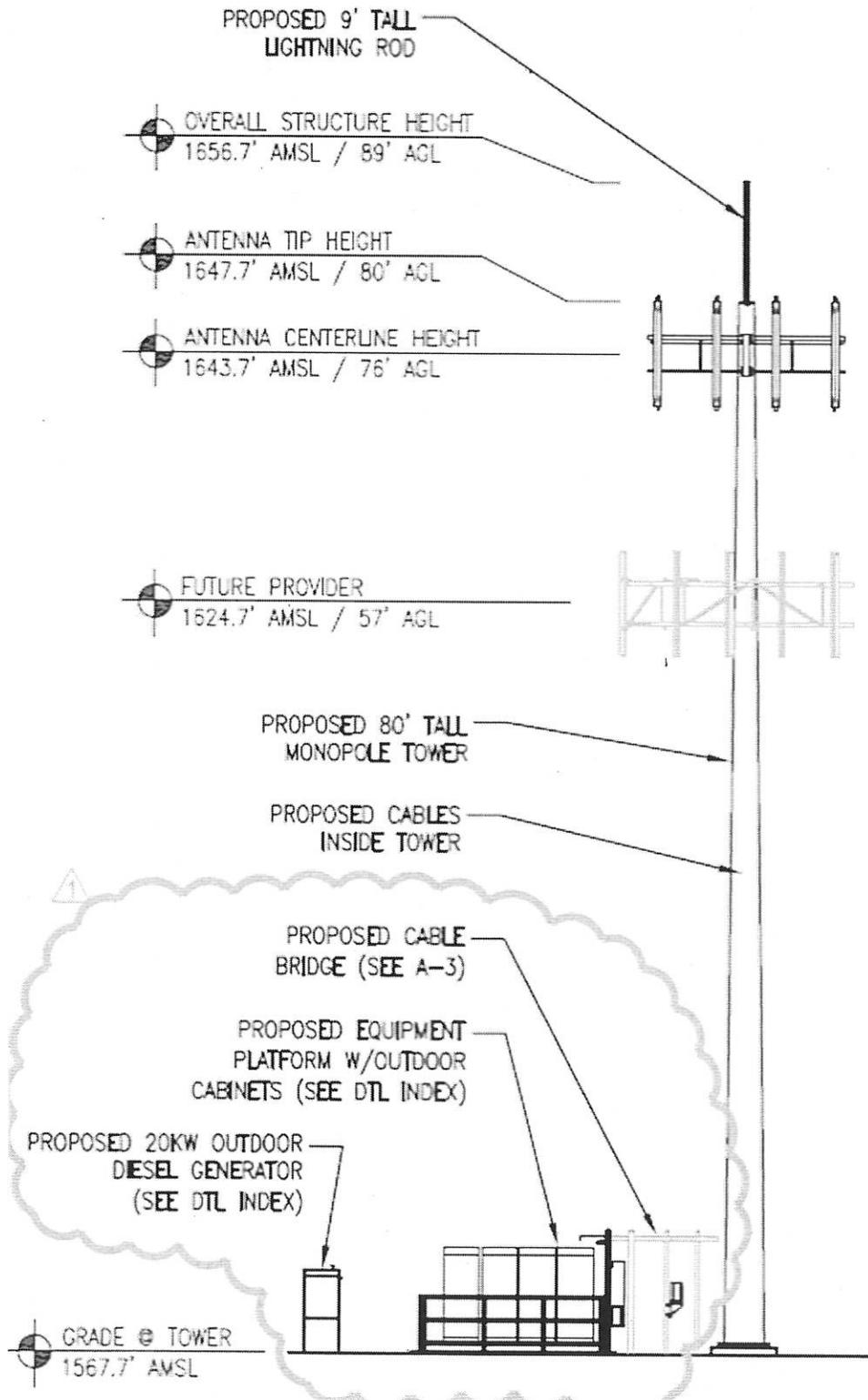
Planning Map with Future Land Uses



Approved Tower and Shelter in February 2015



Propose amendment to CUP Tower and Equipment Platform



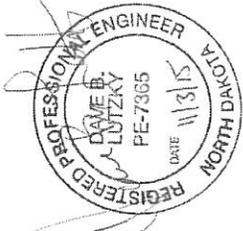
Design 1

Eden Prairie, MN

Date	Description	By

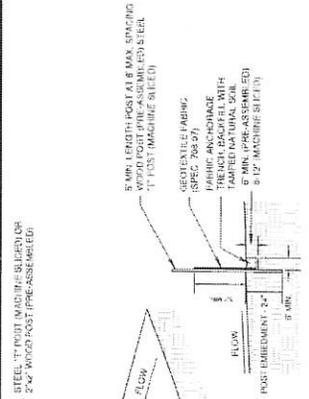
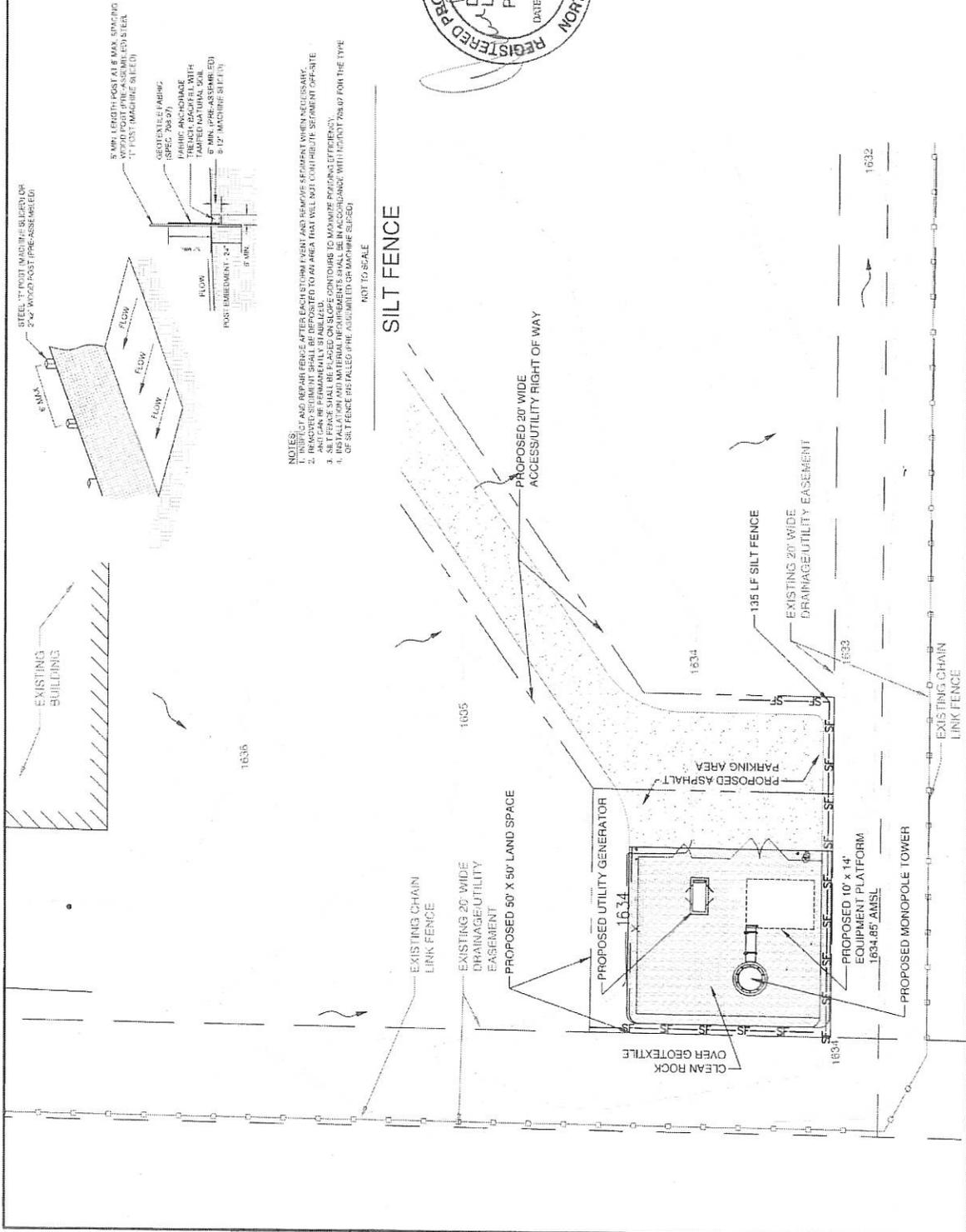
LEGEND

	8-FOOT CONTOURS
	PROPOSED CONTOURS
	EXISTING FENCE
	PROPERTY LINE
	LEASE AREA
	PROPOSED SECURITY FENCE
	SITE DRAINAGE
	PROPOSED SILT FENCE
	PROPOSED ASPHALT OVERLAY AND BRICK
	PROPOSED GRAVEL OVER ASPHALT



ND01 Survey Survey
Erosion Control Plan

Project Number: 15-0001
Sheet: 2 of 2



- NOTES:**
1. ALL SILT FENCES SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE TYPE OF SILT FENCE RETALLED (PHE, ALUMINUM OR MACHINE SERVED).
 2. PROPOSED SILT FENCES SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE TYPE OF SILT FENCE RETALLED (PHE, ALUMINUM OR MACHINE SERVED).
 3. PROPOSED SILT FENCES SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE TYPE OF SILT FENCE RETALLED (PHE, ALUMINUM OR MACHINE SERVED).
 4. PROPOSED SILT FENCES SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE TYPE OF SILT FENCE RETALLED (PHE, ALUMINUM OR MACHINE SERVED).

NOT TO SCALE

SILT FENCE

RESOLUTION NO. 3395

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

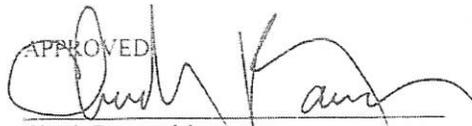
CONDITIONS:

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

FINDING OF FACT FOR APPROVAL:

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

Passed and adopted this 2nd day of March, 2015.

APPROVED


Chuck Barney, Mayor

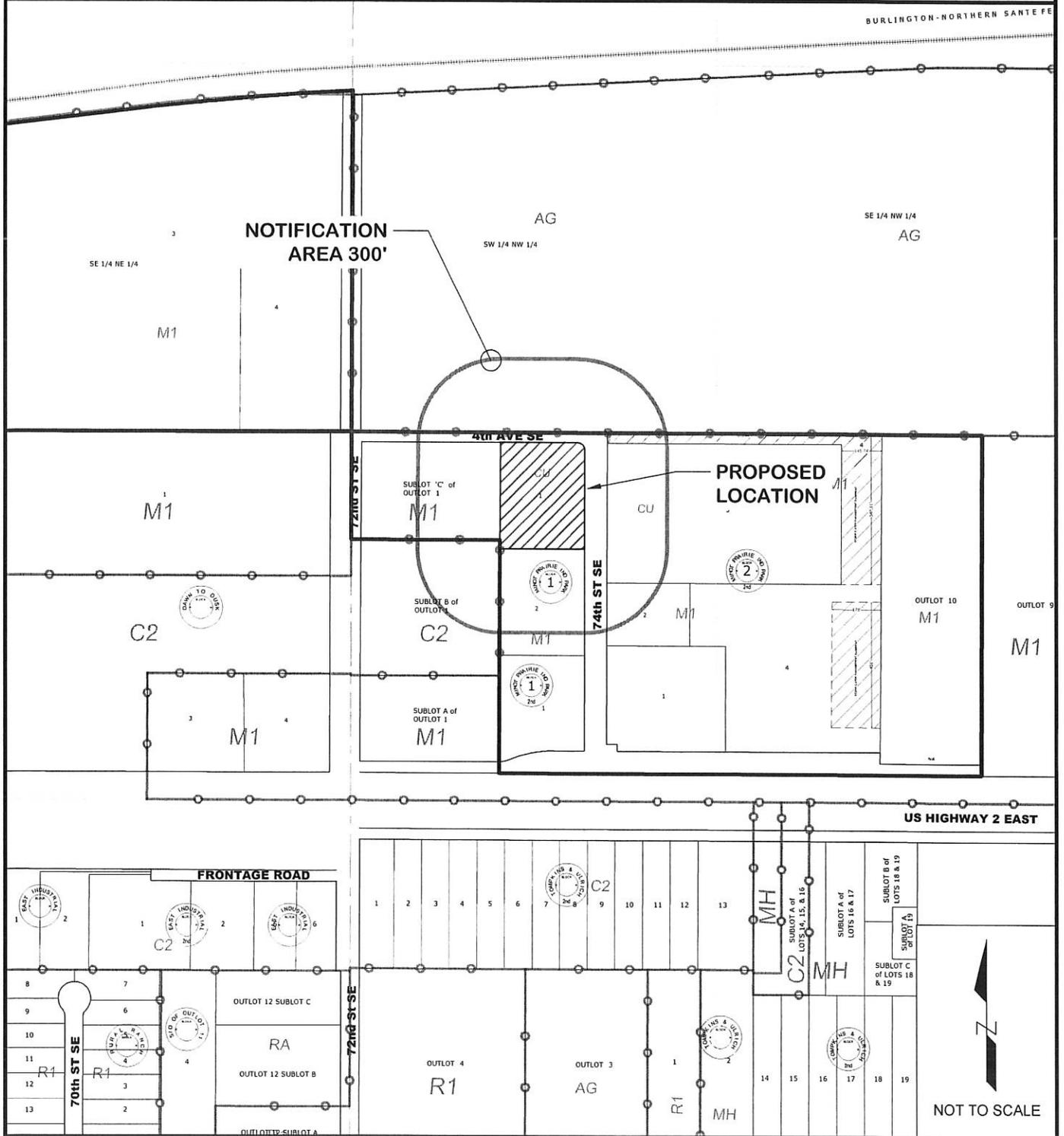
ATTEST:



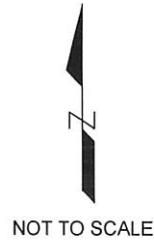
Lisa Jundt, City Clerk

PROPOSED CONDITIONAL USE PERMIT FOR MINOT PRAIRIE INDUSTRIAL PARK, BLOCK 1, LOT 1

CITY OF MINOT, NORTH DAKOTA



MAP CREATED JANUARY 20, 2016



City of Minot

Planning Commission

Staff Report

Meeting Date:	02/29/2016	Item #:	6
Project #:	8016-2.6	Staff Recommendation:	APPROVAL
Development Title:			
Current Legal Description:	Section 7-155-82, Outlot 1		
Address: (if applicable)	25 Airport Road		
Current Zoning:	R1	Proposed Zoning:	P
Guided Use:	Public		

Applicant/Owner: Minot International Airport - City of Minot
25 Airport Rd
Minot ND, 58703
(701)857-4724
Andrew.solsvig@minotnd.org

Rep/Contractor: Andy Solsvig
25 Airport Rd
Minot ND, 58703
(701)857-4724
Andrew.solsvig@minotnd.org

Zoning Ordinance Ref: Section 30-5: Zone Change
Section 16-7: Review Required

Any proposed use or change of use of land or building by any public agency, or others on public land shall be submitted to the Planning Commission for review and approval.

PROJECT DESCRIPTION:

REQUEST(S): The applicant is requesting:

- To change the zone from R1 (Single-family) District to P (Public) District on Section 7-155-82, Outlot 1. Also, a Public Plan Review and Approval on Section 7-155-82, Outlot 1.

This property is located south of 30th Avenue NE and west of 27th Street NE.

EXECUTIVE SUMMARY AND CITY STAFF CONSIDERATIONS:

SUMMARY/CONDITIONS/ISSUE:

The request of a zone change is consistent with the use of the airport. A Public Plan Review and Approval is required with a zone change to Public. Staff supports request.

FINDINGS OF FACT:

Finding of Facts:

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

DEVELOPMENT SUMMARY CHART:

Site Area: 24.79 acres

PLANNING DEPARTMENT CONSIDERATIONS

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

The property under consideration is currently zoned R1, Single-Family Residential, and surrounded by public land. The property is guided Public.

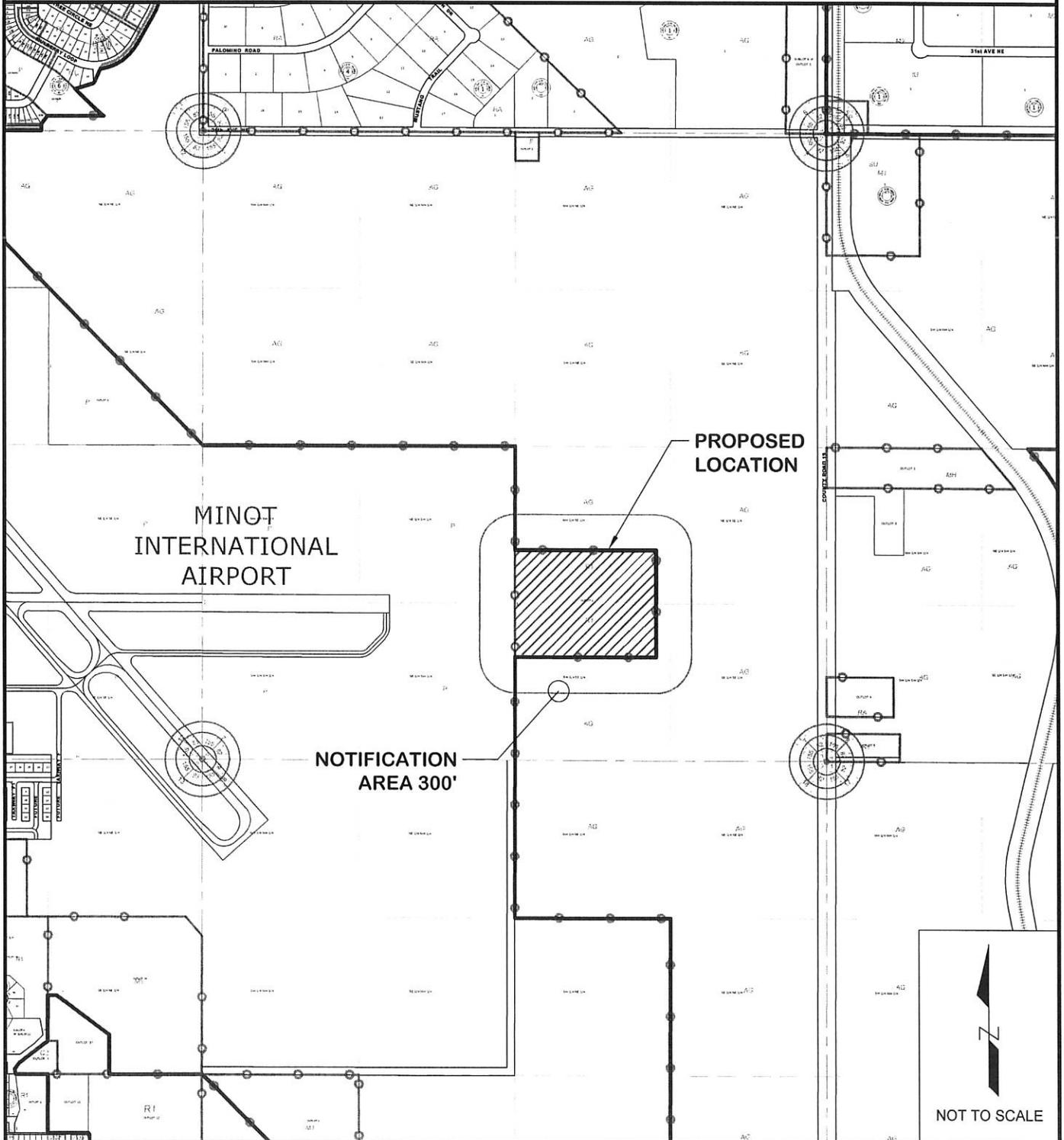
PLANNING LOCATION MAP:

Planning Map



PROPOSED ZONE CHANGE AND PUBLIC PLAN REVIEW SECTION 7-155-82, OUTLOT 1

CITY OF MINOT, NORTH DAKOTA



MAP CREATED JANUARY 21, 2016

PLANNING COMMISSION

Regular Meeting

January 25, 2016

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Regular Meeting: Planning Commission Committee

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

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

Presiding Official: Vice-chair Pam Karpenko

Secretary: Sybil Tetteh

Members in Attendance: Vice-chair Pam Karpenko, Wallace Berning, Jody Bullinger, Jon Hanson, Todd Koop, Larry Holbach, Brenden Howe, Todd Wegenast, Tyler Neether, Travis Zaboltny

Members Absent: Chairman John Zimmerman, Kevin Mehrer, Bob Wetzler

City Staff Present: Sybil Tetteh, Asst. City Planner; Kelly Hendershot, City Attorney; Lance Meyer, City Engineer; Donna Bye, Chief Resilience Officer; Jacqueline Aucker, Assistant City Engineer/Acting Planning Director; Sunil Jeboo, Traffic Engineer; Mitch Flanagan, Building Official; Jason Sorenson, Asst. Public Works Director; Police Chief, Jason Olson; Brian Andersen, Fire Marshal; Bob Lindee, Public Information Officer

Others Present: Aldermen Pankow, Miller, Hatlelid, Schuler, Olson, Shomento, Mark Sweeney, Mark

Vickerman, and others.

Meeting Called to order by Vice-chair Pam Karpenko

Approval of 11/30/2015 Regular Meeting Minutes

Motion by Holbach, second by Koop, to approve the 11/30/2015 Regular Meeting Minutes, and was carried by the following roll call votes: ayes: Karpenko, Berning, Bullinger, Hanson, Koop, Holbach, Howe, Wegenast, Neether, Zaboltny. Nays: none.

Motion passed

RECOMMENDATIONS

Approval of Agenda Items (4, 6, 8, & 9) included in the Consent Agenda.

Motion by Wegenast, second by Neether, to approve consent items with staff finding of fact(s) and condition(s); and was carried by the following roll call votes: ayes: Karpenko, Berning, Bullinger, Hanson, Koop, Holbach, Howe, Wegenast, Neether, Zaboltny. Nays: none.

Motion passed.

Item # 1:

The Planning Commission approved a request by Jeff Allen represented by KLJ- Mark Sweeney, for a C4 Plan Review and Approval for the expansion of the Dakota Square Mall to allow the addition of three retail shops on Dakota Square 2nd Addition, Lot 11 less portion Dakota Square 3rd Addition.

Also, that the City Council approve a resolution to vacate and reestablish a 30' water main easement on Dakota Square 2nd Addition, Lot 11 less portion Dakota Square 3rd Addition.

This property is located 2400 10th St SW.

Conditions (if approved):

1. A parking study shall be reviewed and approved by the Traffic Engineer.
- ~~2. 10 percent landscaping is required per site to meet required minimum.~~
3. Public Utility Fees will be required.

FINDING OF FACT:

1. Subject property is zoned C4 (PUD) Planned Commercial District.
2. Proposed addition meets intent of the ordinance.
3. Proposed addition doesn't reduce parking requirements.

Mark Sweeney – KLJ was present to answer any questions.

Motion by Zablotney, second by Koop, to approve items with staff finding of fact(s) and condition(s) and strikethrough of condition number 2; and was carried by the following roll call votes: Karpenko, Berning, Conklin, Hanson, Koop, Holbach, Howe, Wegenast, Mehrer, Neether, Zablotney, Wetzler Nays: none

Motion passed.

Item # 2:

The Planning Commission denied a request by Mark Vickerman, for a variance to the rear yard setback from the required 25' to approximately 2' for the purpose of building a 12' x 20' cooler on Northdale 1st Addition, N25', Lot 7, all Lot 8 & S75', Lot 9 Less E40, Block 1.

This property is located at 2601 N. Broadway.

FINDING OF FACT:

1. Subject property is zoned C2, General Commercial District.
2. Section 30-2 Variance: The request doesn't meet the general intent of this section.
3. When alternatives exist to meet the goal of the application, staff affirms no hardship exists to granting a variance.
4. Granting of the variance cannot be done without substantial detriment to the public good and without impairing the general purpose and intent of the Comprehensive Plan.

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Mark Vickerman representing Columbian Club Association Inc. stated that the specific reason for placing the cooler at the proposed location is because of the design and layout of the building and proximity to the kitchen. Proposed location by staff to put the cooler either on the north or east side of the building will require the staples be brought into the kitchen through the dining and the lounge area. Based on that factor, a slab was placed on the southwest corner of the building by the alley for easy access for delivery. Mr. Vickerman stated he was not on the board and not aware that the slab has been poured without a permit.

Mr. Vickerman stated that he understands the site is legal non-conforming and the board is willing to provide some landscaping and a fence to the north and west of the building to reduce visibility and help protect the lot.

City Manager asked Mr. Vickerman if the slab had been poured without a permit. He answered yes, as stated in the staff report.

Commissioner Zablotney asked if other methods have been discussed to accomplishing the goal of the applicant. Mr. Vickerman stated what was discussed is what has been proposed and any other location will require bringing staples through the dining or the lounge area.

Commissioner Karpenko asked the time of delivery of staples and when dinner is served. Mr. Vickerman stated delivery is in the morning and the dining room is opened at 5pm.

Assistant Public Works Director discussed snow storage and removal on the alley and stated that he's not aware of any problems in the area. Most alleys don't have enough room to move snow.

Building Official stated that this came to his attention in November of 2015. He called the applicant to inform him that the site was not meeting setback requirements and the location of the cooler is a code violation. He asked for analysis that would show the walls meet a 1 hour fire rating. The Building Official did not get a response back and the slab was poured without benefit of a permit. The Building Official also stated that these conditions were made known to the applicant two years before the slab was poured.

Motion by Wegenast, second by Zablotney, to deny the item and was carried by the following roll call votes: Karpenko, Berning, Conklin, Hanson, Koop, Holbach, Howe, Wegenast, Mehrer, Neether, Zablotney, Wetzler Nays: none

Motion passed.

Item # 3:

That the City Council pass a resolution to approve a request by Minot Automotive Center, dba Cartiva Of Minot, represented by Brad Myerchin, for a Conditional Use Permit to allow the sale of cars in a C2 (General Commercial) District on Replat Portion of Block 1 & All Blocks 2 & 3 of Norton's Addition, Lots 1 & 2, Block 2.

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This property is located at 8 20th Ave SE.

CONDITIONS (if approved):

1. Parking lot would need to be striped for parking stalls, including ADA compliance stalls.

FINDING OF FACT:

1. The property is zoned C2, General Commercial District.
2. Section 11-4 a), the requested use is allowed with a conditional use permit.
3. Section 23-1. Off-street parking requirements can be met on the property.
4. Section 30-3 a) and d) Intent of land use and the required information for Planning Commission consideration of the Zoning Ordinance have been met.

There was no representative to discuss this item.

Motion by Neether, second by Howe, to approve items with staff finding of fact(s) and condition(s); and was carried by the following roll call votes: Karpenko, Berning, Conklin, Hanson, Koop, Holbach, Howe, Wegenast, Mehrer, Neether, Zablotney, Wetzler Nays: none

Motion passed

Item #4: As part of consent motion, it was recommended:

The Planning Commission approved a request by Jacob & Jozey Keith for the following variances on a corner lot for the purpose of building an attached garage on Parkland Addition, Block 2, Lot 1.

- A variance to the front yard setback along 4th Ave NW from the required 25' to approximately 20'4".
- A variance to the south side yard setback from the required 5' to approximately 3'8".
- A variance to the front yard setback along 6th St NW on the existing home from the required 25' to approximately 20'7".

This property is located at 327 6th St NW.

Conditions (if approved):

1. Section 7-6: The total coverage and floor area of all accessory building shall not exceed those of the primary structure.
2. Section 21-8 h): In the R1, R2, RM and RH districts any accessory structure, (over 120 square feet in size) including detached garage, shall be constructed with a complimentary building design and roof style as the principle structure (house) using the same or similar building materials and colors.

Finding of Facts:

1. Subject property is zoned R3B, Multiple Density Residential.
2. Section 30-2: The request meets the general intent of this section.

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3. A variance can be granted based on the shallowness or shape of the lot and property right enjoyed by others.
4. Granting of the variance can be done without substantial detriment to the public good and without impairing the general purpose and intent of the Comprehensive Plan.

Motion by Wegenast, second by Neether, to approve consent item with staff finding of fact(s) and condition(s); and was carried by the following roll call votes: ayes: Karpenko, Berning, Bullinger, Hanson, Koop, Holbach, Howe, Wegenast, Neether, Zabloutney. Nays: none.

Motion passed.

Item # 5:

That the City Council pass a resolution to approve a request by Levi Kraft for a Conditional Use Permit to allow the sale of cars in a C4 (Planned Commercial) District on Prairie Green 2nd Addition, Block 1, Lot 5.

This property is located at 1200 31st Ave SW.

Conditions (if approved):

1. Parking lot would need to be striped for parking stalls, including ADA compliance stalls.
2. Applicant would need to demonstrate there is enough parking for guests and employees.

Finding of Facts:

1. The property is zoned C4, (Planned Commercial).
2. Section 11-4 a), the requested use is allowed with a conditional use permit.
3. Section 23-1. Off-street parking requirements can be met on the property.
4. Section 30-3 a) and d) Intent of land use and the required information for Planning Commission consideration of the zoning ordinance have been met.

There was no representative to discuss this item.

Motion by Wegenast, second by Howe, to approve item with staff finding of fact(s); and was carried by the following roll call votes: Karpenko, Berning, Bullinger, Hanson, Koop, Holbach, Howe, Wegenast, Neether, Zabloutney. Nays: none.

Motion passed.

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

That City Council introduce an ordinance on first reading approving a request by the City of Minot represented by Andy Solsvig, to annex into city limits Section 7-155-82, SE¼, Less Outlot 1 and County Road.

Also, that City Council introduce an ordinance on first reading to approve the change the zone from AG (Agricultural) District to P (Public) District on Section 7-155-82, SE¼, Less Outlot 1.

Also, the Planning Commission approved a Public Plan Review and Approval on Section 7-155-82, SE¼, Less Outlot 1.

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

Finding of Facts:

1. The property is zoned AG, Agricultural District and a zone change to P, Public is pending.
2. The property is currently located outside city boundaries.
3. Section 30-5, intent of land use and the required information for Planning Commission consideration of the zoning ordinance have been met.

Motion by Wegenast, second by Neether, to approve consent item with staff finding of fact(s) and condition(s); and was carried by the following roll call votes: ayes: Karpenko, Berning, Bullinger, Hanson, Koop, Holbach, Howe, Wegenast, Neether, Zaboltny. Nays: none.

Motion passed.

Item # 7:

That the City Council pass a motion approving a request by Northern Lights Property Development LLC, represented by KLJ - Andrew Werder to subdivide Tollberg Shores Addition, Lots 1-2, Block 8 & Lot 6, Block 2 into two lots to be known as Tollberg Shores 2nd Addition, Block 1, Lots 1 & 2.

This property located along 16th St NW and north of 24th Ave NW.

FINDING OF FACT:

1. The subject property is zoned R1, Single-Family Residential.
2. Proposed subdivision meets lot size requirements.

Commissioner Zaboltny asked if the City or the Park District is prepared take subject property. City Engineer stated that as part of the Northern Lights development agreement this was identified as a regional detention pond for a significant portion of northwest Minot. Water has been regulated through inlet and outlet of this pond that allows overflows to Livingston Coulee. The City is working with the Park District to potentially turn this into a park.

Motion by Wegenast, second by Koop, to approve item with staff finding of fact(s) and condition(s); and was carried by the following roll call votes: Karpenko, Berning, Bullinger, Hanson, Koop, Holbach, Howe, Wegenast, Neether, Zaboltny. Nays: none.

Motion passed.

Item # 8: As part of consent motion, it was recommended:
That the City Council pass a resolution to approving a request by Ken Herslip, represented by KIJ - Mark Sweeney to vacate 40th Ave SE between Lots 1-2, Urijah's 1st Addition.

This property is located at 3600 40th Ave SE.

Finding of Facts:

1. The subject property is zoned R1, Single-Family Residential.
2. Proposed subdivision meets lot size requirements.

Motion by Wegenast, second by Neether, to approve consent item with staff finding of fact(s) and condition(s); and was carried by the following roll call votes: ayes: Karpenko, Berning, Bullinger, Hanson, Koop, Holbach, Howe, Wegenast, Neether, Zabloutney. Nays: none.

Motion Passed

Item # 9: As part of consent motion, it was recommended:
That the City Council pass a motion approving the request by West Oaks Development, LLC and Dick Butts to subdivide West Oaks 4th Addition, Lot 2 and West Oak 5th Addition, Lot 2 into two lots to be known as West Oaks 7th Addition, Block 1 Lots 1-2.

This property is located at 12 & 14 Oak Dr.

CONDITIONS:

1. Sidewalks will be required.

FINDING OF FACT:

1. Subject property is zoned R1.
2. The proposed lots meet the lot requirements of the R-1 Zoning District.

Motion by Wegenast, second by Neether, to approve consent item with staff finding of fact(s) and condition(s); and was carried by the following roll call votes: ayes: Karpenko, Berning, Bullinger, Hanson, Koop, Holbach, Howe, Wegenast, Neether, Zabloutney. Nays: none.

Motion Passed

Other Business

That the City Council pass a resolution to reenact a moratorium on billboards for a period of 6 months from the expiration date of February 3rd, 2016

A memo and a Resolution were drafted addressing the reason for the extension. The extension will give the Steering Committee a chance to examine the impact of digital billboards in our community.

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Motion by Karpenko, second by Howe to approve item and was carried by the following roll call votes: Karpenko, Berning, Bullinger, Hanson, Koop, Holbach, Howe, Wegenast, Neether, Zabloutney. Nays: none.

Motion Passed.

Commission Wegenast requested that the Steering Committee and the Commission review the city roof sign ordinance, due to the fact that requests for roof sign has been denied by Planning Commission but over turned by City Council.

Meeting adjourned.