

**Regular Meeting: Planning Commission Committee**

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

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

**Presiding Official:** Vice Chair Pam Karpenko

**City Clerk:** Kelly Matalaka

**Members in Attendance:** Jody Bullinger, Jon Hanson, Larry Holbach, Brenden Howe, Pam Karpenko, Todd Koop, Tyler Neether, Todd Wegenast, Travis Zabloutney

**Members Absent:** Wallace Berning, Bob Wetzler, John Zimmerman

**City Staff Present:** Asst. City Planner, City Engineer, City Manager, City Attorney, Assistant City Engineer, Chief Resilience Officer, Building Official, Police Chief, Public Information Officer.

**Others Present:** Aldermen Olson, Pankow.

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**Meeting Called to order by Vice Chair Pam Karpenko**

**Approval of the April 25, 2016 Regular Meeting Minutes.**

Motion by Holbach, seconded by Koop, to approve the April 25, 2016 regular meeting minutes, and was carried by the following roll call vote: ayes: Bullinger, Hanson, Holbach, Howe, Karpenko, Koop, Neether, Wegenast, Zabloutney. nays: none

**Motion passed**

**RECOMMENDATIONS**

**Approval of Agenda Item 3 included in the Consent Agenda.**

Motion by Neether, seconded by Hanson, to approve the item 3 on consent with staff finding of fact(s) and condition (s); and was carried by the following roll call vote: ayes: Bullinger, Hanson, Holbach, Howe, Karpenko, Koop, Neether, Wegenast. nays: none.

**Motion passed.**

**Item # 1:**

**The Planning Commission approved an application by Johanneson's, Inc. represented by John Meyers, for a C4 Plan Review and Approval to remodel the existing Marketplace Foods Store on Dakota Square 2nd Addition, Lot 3.**

This property is located at 1024 24th Ave SW.

**Finding of Facts:**

1. The subject property is zoned C4 (PUD) Planned Commercial District.
2. The proposed redevelopment meets the intent and design standards for PUD Zoning District.

**Conditions:**

1. Additional landscaping islands are required at the far end of the parking lot rows to provide shade and define the drive aisles.

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

**Motion passed.**

**Item #2:**

**The Planning Commission approved an application by Badlands Restaurant, represented by Abe Sakak, for a C4 Plan Review and approval to expand the outdoor patio space on Prairie Green 2nd Addition, Block 18, Lots 7-9; and Prairie Green 2nd Addition, Replat of Block 18 & Lots 1-6 of Block 19, Lot 2.**

This property is located at 1400 31st Ave SW.

**Finding of Facts:**

1. The subject property is zoned C4 (PUD) Planned Commercial District.
2. The proposed redevelopment meets the intent and design standards for PUD Zoning District.

**Conditions:**

1. Landscape will be required to be replaced on site where the proposed patio is located to meet landscaping standards. A landscaping plan will be required and approved by the Planning Department prior to the issuing of a building permit.

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

**Motion passed.**

**Item # 3:** As part of a consent motion, it is recommended

**The City Council schedule a public hearing to consider a resolution approving an application by Donald Anderson represented by Daniel Klingbeil, to vacate an alley between Maple St and 9th St SW, that portion between Burdick Expressway West and 6th Ave SW. Also described as the alley between Lots 4-10 of Block 41 of Brooklyn Addition, and Lots 4 & 6 of Reeves-Van's rearrangement of a portion of Block 41 of Brooklyn Addition.**

This property is located between 825 and 825.5 Burdick Expy W.

**Finding of Facts:**

1. The subject property is zoned C2, General Commercial.
2. The request meets Section 3-5 of the City Zoning Ordinance.

**Condition:**

1. Full easement will be granted to utility companies to maintain its facilities.

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

**Motion Passed**

**Other Business:**

**Item 4:**

**The City Council authorize a correction to the legal descriptions; Meadowbrook Estates 8<sup>th</sup> Addition will be known as Meadowbrook Estates 9<sup>th</sup> Addition, Meadowbrook Estates 9<sup>th</sup> Addition will be known as Meadowbrook Estates 10<sup>th</sup> Addition.**

Motion by Neether, seconded by Koop, to approve the corrections to legal descriptions and was carried by the following roll call vote: ayes: Bullinger, Hanson, Holbach, Howe, Karpenko, Koop, Neether, Wegenast, Zabolney. nays: none.

**Motion Passed**

**Item 5:**

**The City Council pass an ordinance on first reading adopting changes to the City of Minot Zoning Ordinance, Chapters 5 through 9, Residential District, as recommended by the Steering Committee.**

Motion by Wegenast, seconded by Karpenko to approve changes to the City of Minot Zoning Ordinance, Chapters 5 to 9, Residential District, as recommended by the Steering Committee with the exception to Section 5-4, Accessory Building, part b) to read: Accessory Building for single-family dwellings may be for private use only.

Alderman Pankow gave a presentation outlining the proposed revisions to Chapters 5-9, as discussed by the Steering Committee. He stated, the changes will make the entire ordinance more uniform among all sections under each chapter.

Commissioner Zabolotney asked why office use was struck from the current ordinance, to which the Assistant City Planner stated, the intention is to ensure the building is not used as a business front with customer traffic. Commissioner Zabolotney suggested an amendment to the motion to add "for private use only," rather than listing the permitted uses. Both Wegenast and Karpenko amended their motions.

Whereupon a vote was taken on the above motion by Wegenast, seconded by Karpenko to approve changes to the City of Minot Zoning Ordinance, Chapters 5 to 9, Residential District, as recommended by the Steering Committee with the addition of the amendment by Commissioner Zabolotney and carried by the following roll call vote: ayes: Bullinger, Hanson, Holbach, Howe, Karpenko, Koop, Neether, Wegenast, Zabolotney. nays: none.

#### **Motion Passed**

##### **Item 6:**

**The City Council pass an ordinance on first reading adopting changes to the City of Minot Zoning Ordinance, Chapter 22, Signage Regulations, as recommended by the Steering Committee.**

Motion by Wegenast, seconded by Koop to pass an ordinance on first reading adopting changes to the City of Minot Zoning Ordinance, Chapter 22, Signage Regulations, as recommended by the Steering Committee.

Cindy Gray, a consultant from SRF Consulting presented the revisions to Chapter 22, Signage Regulations as decided by the Steering Committee. She addressed concerns regarding each section of the chapter and outlined the changes made throughout.

Commissioner Zabolotney expressed concern regarding Section 22-4, Prohibited Signs, part h) Roof signs. A revision to that line adds an exception to allow roof signs as a result of an approved deviation per Section 22-17. He explained, he does not believe authorization for a roof sign should be permitted at an administrative level.

The City Engineer stated, the intention is not to allow the Planning Director to make the decision but rather, Section 22-17 gives leeway on the height and placement of certain signs by minor deviations based on non-economic factors.

Motion by Zabolotney, seconded by Wegenast to remove the exception to Chapter 22, Signage Regulations, Section 22-4 part h) relating to rooftop signs and carried by the following roll call vote: ayes: Hanson, Holbach, Howe, Karpenko, Koop, Neether, Wegenast, Zabolotney. nays: Bullinger.

#### **Motion Passed**

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Whereupon a vote was taken on the above motion by Wegenast, seconded by Koop, as amended and carried by the following roll call vote: ayes: Bullinger, Hanson, Holbach, Howe, Karpenko, Koop, Neether, Wegenast, Zabloutney. nays: none.

**Motion Passed**

John Stewart, a representative for Newman Signs, came before the Commission to acknowledge several sections in Chapter 22, which were not entirely reflected in the memo. He stated, the efforts of the Steering Committee are a good start and he will be attending the City Council meeting to make sure he is aware of any other changes.

The City Manager gave his gratitude to the Steering Committee for their effort and for making the updates to the Zoning Ordinance their highest priority.

Meeting adjourned at 8:13 pm.