

PLANNING COMMISSION MINUTES

Regular Meeting

May 05, 2020

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**PLANNING COMMISSION MINUTES**

**Regular Meeting**

**May 05, 2020**

**Regular Meeting:** Planning Commission

**Location:** City Hall, Council Chambers, 515 2<sup>nd</sup> Avenue SW., City of Minot, N.D.

**Meeting Called to Order:** Tuesday, May 05, 2020, 5:30 p.m.

**Presiding Official:** Chairman, Charles DeMakis

**Members in Attendance:** Barnett, Baumann, Bullinger, DeMakis, Gates, Koop, Lider, Offerdahl, Sivertson

**Members Absent:** Hochhalter, Wegenast

**City Staff Present:** Community and Economic Development Director Billingsley, Principal Planner Lang, Assistant City Attorney Stalheim (Phone), Assistant City Engineer Huettl, Assistant City Planner Baumgartner (Took Minutes from Home)

**Others Present:**

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**Meeting Called to Order by Chairman Charles DeMakis.**

**Approval of the April 07, 2020 Regular Meeting Minutes**

Motion by Commissioner Koop to approve April 07, 2020 Planning Commission Meeting minutes, second by Offerdahl, and was carried by the following roll call vote: ayes: Barnett, Baumann, Bullinger, DeMakis, Gates, Koop, Lider, Offerdahl, Sivertson nays: none

**Motion carries**

**The following are the recommendations of the Planning Commission:**

**Item #1**

**Rezoning and Subdivision – Ramstad Heights 7<sup>th</sup> Addition**

Planning Commission recommends City Council approve a subdivision to subdivide property described as Lots 8A thru 14B, Block 2, Statesboro Addition to create a seven-lot subdivision to be known as Ramstad Heights 7<sup>th</sup> Addition and pass an ordinance on first reading to change the zone from R-4 (Planned Residential District) to R1S (Single-Family Residential District with Small Lot Flexibility.)

This property is located north of 35<sup>th</sup> Avenue NW on the west side of Kodiak Street, NW.

**Finding of Facts:**

The Minot Planning Commission should accept the following findings of facts:

- 1) The applicant has submitted a complete application.
- 2) The applicant's request is consistent with Minot's Comprehensive Plan.
- 3) This request meets all of the bulk requirements of Minot's Zoning Ordinance.
- 4) The Minot Planning Commission has the authority to hear this case and recommend that it be approved or denied. The public notice requirements were met, the hearing was legally noticed and posted and the hearing was held and conducted under the requirements of North Dakota Century

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Code and Minot City ordinances.

## **Staff Recommendations:**

Staff recommends the Planning Commission adopt the staff findings of fact and recommend approval of this preliminary plat application and rezoning, subject to the following conditions, to the City Council:

1. Abandoned utility services must be capped at the utility mains per Public Works Policy.
2. Developers Agreement is required to identify the required infrastructure improvements.
3. No later than six months after a subdivision design has been approved by the City Council, the applicant for design approval may submit the final form of the instrument or document to the City Engineer which is to be recorded in the office of the County Recorder in order to accomplish the subdivision or to establish the necessary predicate for the later accomplishment of the subdivision. That is, the subdivider shall submit the final form of the original of the appropriate instrument of conveyance, auditor's outlot plat, or plat, and the necessary copies thereof required by ordinance or by way of regulation. The City Engineer shall indicate his approval on the original by signing his name under a suitable statement or legend that expresses approval. However, if the documents or instrument for which approval is sought is a plat, then before the City Engineer approves it he shall first satisfy himself that the technical requirements of Section 28-27 have been complied with and that monuments have been placed at all block corners, lot corners, angle points, points of curves in streets which are depicted in the plat, and at such intermediate points as may be required.

Chairman DeMakis asked the Principal Planner for staff comments.

The applicant is requesting approval to replat and rezone fourteen (14) existing lots described as; Lots 8A thru 14B, Block 2, Statesboro Addition into seven (7) R1S Lots to be known as Ramstad Heights 7<sup>th</sup> Addition. The purpose of this project is to create a single-family residential subdivision with smaller, more affordable lots. The existing lots are located at 3501 to 3529 Kodiak Street.

The developer is requesting rezoning from the existing defunct zoning district R4, Planned Residential District, to District R1S, Single-Family Residential with Small Lot Flexibility. Fourteen (14) existing twin home lots will be combined to form seven (7) new R1S lots for the new subdivision plat to be known as Ramstad Heights 7<sup>th</sup> Addition.

The proposed development concept follows the trend set by recent subdivision plats in this area including; Ramstad Heights Addition and Ramstad Heights 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, and 6<sup>th</sup> Additions wherein existing lots were combined to form larger lots. Combining two of the existing lots into one allows the proposed lots to meet the reduced minimum width and lot area requirements of the R1S district. The proposed lots meet the bulk requirements for R1S Zoning. The smaller lot size flexibility offers a more affordable starter home for empty nesters and young families. Currently, all fourteen (14) lots are designated "Medium Density Residential" (MDR) on the Future Land Use Map of the Comprehensive Development Plan. Single-family housing is allowed in this land use category along with two-family or duplex zoning. The R1S District supports a higher density of development than typical single-family development. Therefore, staff does not feel the land use map needs to be amended at this time.

The developer has contacted Planning Staff with concerns regarding the requirement for a Development Agreement as part of the land subdivision process. Staff advised the developer that this is an issue to be discussed with the Engineering Department. As this item moves forward to the City Council there will be an opportunity for the developer to discuss his concerns with the Engineering Department prior to the City Council meeting.

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Chairman DeMakis opened up comments from the commissioners. There were none.

Chairman DeMakis opened up comments from the public. There were none.

Motion by Commissioner Koop to approve based on finding of facts, staff recommendations and conditions, second by Commissioner Barnett, and was carried by the following roll call vote: ayes: Barnett, Baumann, Bullinger, DeMakis, Gates, Koop, Lider, Offerdahl, Sivertson nays: none

### **Motion carries**

#### **Item #2**

#### **Rezoning and Subdivision – Ramstad Heights 8<sup>th</sup> Addition**

Planning Commission recommends City Council approve a subdivision to subdivide property described as Lots 10A thru 18B, Block 7, Statesboro Addition to create a nine-lot subdivision to be known as Ramstad Heights 8<sup>th</sup> Addition and pass an ordinance on first reading to change the zone from R-4 (Planned Residential District) to R1S (Single-Family Residential District with Small Lot Flexibility.)

This property is located north of 32<sup>nd</sup> Avenue NW on the west of 14<sup>th</sup> Street NW.

#### **Finding of Facts:**

The Minot Planning Commission should accept the following findings of facts:

- 1) The applicant has submitted a complete application.
- 2) The applicant's request is consistent with Minot's Comprehensive Plan.
- 3) This request meets all of the bulk requirements of Minot's Zoning Ordinance.
- 4) The Minot Planning Commission has the authority to hear this case and recommend that it be approved or denied. The public notice requirements were met, the hearing was legally noticed and posted and the hearing was held and conducted under the requirements of North Dakota Century Code and Minot City ordinances.

#### **Staff Recommendations:**

Staff recommends the Planning Commission adopt the staff findings of fact and recommend approval of this preliminary plat application and rezoning, subject to the following conditions, to the City Council:

1. Abandoned utility services must be capped at the utility mains per Public Works Policy.
2. Developers Agreement is required to identify the required infrastructure improvements.
3. No later than six months after a subdivision design has been approved by the City Council, the applicant for design approval may submit the final form of the instrument or document to the City Engineer which is to be recorded in the office of the County Recorder in order to accomplish the subdivision or to establish the necessary predicate for the later accomplishment of the subdivision. That is, the subdivider shall submit the final form of the original of the appropriate instrument of conveyance, auditor's outlot plat, or plat, and the necessary copies thereof required by ordinance or by way of regulation. The City Engineer shall indicate his approval on the original by signing his name under a suitable statement or legend that expresses approval. However, if the documents or instrument for which approval is sought is a plat, then before the City Engineer approves it he shall first satisfy himself that the technical requirements of Section 28-27 have been complied with and that monuments have been placed at all block corners, lot corners, angle points, points of curves in streets which are depicted in the plat, and at such intermediate points as may be required.

Chairman DeMakis asked the Principal Planner for staff comments.

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This item is a “cookie-cutter” application to the first item- combining lots to build single-family homes and rezoning to R1S to take advantage of the smaller lot size standards. In this application, the applicant is requesting approval to replat and rezone eighteen (18) existing lots described as; Lots 10A thru 18B, Block 7, Statesboro Addition into nine (9) R1S Lots to be known as Ramstad Heights 8<sup>th</sup> Addition. The existing lots are located at 3201 to 3315 14<sup>th</sup> St NW.

The developer is requesting rezoning from the existing defunct zoning district R4, Planned Residential District, to District R1S, Single-Family Residential with Small Lot Flexibility. Eighteen (18) existing twin home lots will be combined to form nine (9) new R1S lots for the new subdivision plat to be known as Ramstad Heights 8<sup>th</sup> Addition.

Currently, all eighteen (18) lots are designated “Medium Density Residential” (MDR) on the Future Land Use Map of the Comprehensive Development Plan. Single-family housing is allowed in this land use category along with two-family or duplex zoning. The R1S District supports higher development density than traditional single-family residential development. Therefore, staff does not feel the land use map needs to be amended at this time.

The developer has contacted Planning Staff with concerns regarding the requirement for a Development Agreement as part of the land subdivision process. As this item moves forward there will be an opportunity for the developer to discuss his concerns with the Engineering Department prior to the City Council meeting.

Chairman DeMakis opened up comments from the commissioners. There were none.

Chairman DeMakis opened up comments from the public. There were none.

Motion by Commissioner Offerdahl to approve based on finding of facts, staff recommendations and conditions, second by Commissioner Baumann, and was carried by the following roll call vote: ayes: Barnett, Baumann, Bullinger, DeMakis, Gates, Koop, Lider, Offerdahl, Sivertson nays: none

### **Motion carries**

### **Item #3**

#### **Rezoning and Subdivision – Ramstad Heights 9<sup>th</sup> Addition**

Planning Commission recommends City Council approve a subdivision to subdivide property described as Lots 1A thru 13B, Block 8, Statesboro Addition to create a fourteen-lot subdivision to be known as Ramstad Heights 9<sup>th</sup> Addition and pass an ordinance on first reading to change the zone from R-4 (Planned Residential District) to R1S (Single-Family Residential District with Small Lot Flexibility.)

This property is located beginning approximately 100 feet north of 32<sup>nd</sup> Avenue NW on the east side of 14<sup>th</sup> Street NW extending north and transitioning to the north side of 14<sup>th</sup> Street NW to Kodiak Street NW.

### **Finding of Facts:**

The Minot Planning Commission should accept the following findings of facts:

- 1) The applicant has submitted a complete application.
- 2) The applicant’s request is consistent with Minot’s Comprehensive Plan.
- 3) This request meets all of the bulk requirements of Minot’s Zoning Ordinance.
- 4) The Minot Planning Commission has the authority to hear this case and recommend that it be approved or denied. The public notice requirements were met, the hearing was legally noticed and

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posted and the hearing was held and conducted under the requirements of North Dakota Century Code and Minot City ordinances.

### **Staff Recommendations:**

Staff recommends the Planning Commission adopt the staff findings of fact and recommend approval of this preliminary plat application and rezoning, subject to the following conditions, to the City Council:

1. Abandoned utility services must be capped at the utility mains per Public Works Policy.
2. Developers Agreement is required to identify the required infrastructure improvements.
3. No later than six months after a subdivision design has been approved by the City Council, the applicant for design approval may submit the final form of the instrument or document to the City Engineer which is to be recorded in the office of the County Recorder in order to accomplish the subdivision or to establish the necessary predicate for the later accomplishment of the subdivision. That is, the subdivider shall submit the final form of the original of the appropriate instrument of conveyance, auditor's outlot plat, or plat, and the necessary copies thereof required by ordinance or by way of regulation. The City Engineer shall indicate his approval on the original by signing his name under a suitable statement or legend that expresses approval. However, if the documents or instrument for which approval is sought is a plat, then before the City Engineer approves it he shall first satisfy himself that the technical requirements of Section 28-27 have been complied with and that monuments have been placed at all block corners, lot corners, angle points, points of curves in streets which are depicted in the plat, and at such intermediate points as may be required.

Chairman DeMakis asked the Principal Planner for staff comments.

This is the third of three application tonight for Ramstad Heights to rezone to smaller lot size and combine existing duplex lots into single-family lots. In this application, the applicant is requesting approval to replat and rezone twenty-six (26) existing lots described as; Lots 1A thru 13B, Block 8, Statesboro Addition into fourteen (14) R1S Lots to be known as Ramstad Heights 9<sup>th</sup> Addition. The existing lots are located at 3206 to 3418 14<sup>th</sup> St NW.

The developer is requesting rezoning from the existing defunct zoning district R4, Planned Residential District, to District R1S, Single-Family Residential with Small Lot Flexibility. Twenty-six (26) existing twin home lots will be combined to form fourteen (14) new R1S lots for the new subdivision plat to be known as Ramstad Heights 9<sup>th</sup> Addition.

These properties are designated "Medium Density Residential" (MDR) on the Future Land Use Map of the Comprehensive Development Plan. Staff does not feel the land use map needs to be amended at this time.

The developer had expressed concerns regarding the development agreement.

Chairman DeMakis opened up comments from the commissioners. There were none.

Chairman DeMakis opened up comments from the public. There were none.

Motion by Commissioner Koop to approve based on finding of facts, staff recommendations and conditions, second by Commissioner Offerdahl, and was carried by the following roll call vote: ayes: Barnett, Baumann, Bullinger, DeMakis, Gates, Koop, Lider, Offerdahl, Sivertson nays: none

**Motion carries**

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### **Item #4**

#### **Subdivision Plat – Galmac 2<sup>nd</sup> Addition**

Planning Commission recommends City Council approve a subdivision to combine three existing lots described as Lots 14-16 and the west 13 feet of Lot 17, Galmac Subdivision of Elbow Park Manor Addition to create a one-lot subdivision to be known as Galmac 2<sup>nd</sup> Addition.

This property is located at 1814, 1900 and 1906 3<sup>rd</sup> Avenue SE.

#### **Finding of Facts:**

The Minot Planning Commission should accept the following findings of facts:

- 1) The applicant has submitted a complete application.
- 2) The applicant's request is consistent with Minot's Comprehensive Plan.
- 3) This request meets all of the bulk requirements of Minot's Zoning Ordinance.
- 4) The Minot Planning Commission has the authority to hear this case and recommend that it be approved or denied. The public notice requirements were met, the hearing was legally noticed and posted and the hearing was held and conducted under the requirements of North Dakota Century code and Minot City ordinances.

#### **Staff Recommendations:**

Staff recommends the Planning Commission adopt the staff findings of fact and recommend approval of this preliminary plat application and rezoning, subject to the following conditions, to the City Council:

1. No later than six months after a subdivision design has been approved by the City Council, the applicant for design approval may submit the final form of the instrument or document to the City Engineer which is to be recorded in the office of the County Recorder in order to accomplish the subdivision or to establish the necessary predicate for the later accomplishment of the subdivision. That is, the subdivider shall submit the final form of the original of the appropriate instrument of conveyance, auditor's outlot plat, or plat, and the necessary copies thereof required by ordinance or by way of regulation. The City Engineer shall indicate his approval on the original by signing his name under a suitable statement or legend that expresses approval. However, if the documents or instrument for which approval is sought is a plat, then before the City Engineer approves it he shall first satisfy himself that the technical requirements of Section 28-27 have been complied with and that monuments have been placed at all block corners, lot corners, angle points, points of curves in streets which are depicted in the plat, and at such intermediate points as may be required.

Chairman DeMakis asked the Principal Planner for staff comments.

This is a very straight-forward application. The applicant is requesting approval to replat three (3) existing lots described as; Lots 14, 15, 16 and the West 13 feet of Lot 17, Galmac Subdivision of Elbow Park Manor Addition into one (1) R1 Lot to be known as Galmac 2<sup>nd</sup> Addition. The purpose of this project is to merge all three parcels into one parcel in order to complete the appraisal for the sale of the property. The existing lots are located at 1814, 1900, and 1906 3<sup>rd</sup> Ave SE.

The three existing lots are under common ownership by the applicant. An existing house and garage are located on Lot 14, while Lots 15, 16, and the West 13' of Lot 17 are vacant. The owner of the properties is having all three lots merged to form Lot 1 of Galmac 2<sup>nd</sup> Addition.

The new lot will contain approximately 39,101.78 square feet of lot area or 0.9 acres, more or less. The proposed lot will exceed the minimum lot size requirements of 7,500 square feet in R1 zoning by a considerable margin. The location of the new lot lines meets all setback requirements in R1 Zoning.

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All of the properties involved in this subdivision are zoned R1, Single-Family Residential district and shall remain so. The land use designation on the Future Land Use Map of the Comprehensive Development Plan depicts these properties as "Low Density Residential," the proper and corresponding land use category for R1 zoning. The use of the proposed property is in conformance with the land use map designation.

Chairman DeMakis opened up comments from the commissioners. There were none.

Chairman DeMakis opened up comments from the public. There were none.

Motion by Commissioner Baumann to approve based on finding of facts, staff recommendations and conditions, second by Commissioner Offerdahl, and was carried by the following roll call vote: ayes: Barnett, Baumann, Bullinger, DeMakis, Gates, Koop, Lider, Offerdahl, Sivertson nays: none

**Motion carries**

### **Item #5**

#### **Subdivision Plat – The Bluffs 13<sup>th</sup> Addition, Lots 1A and 1B.**

Planning Commission recommends City Council approve a subdivision to adjust the lot line between Lots 5A and 5B, Block 4, Bluffs 2<sup>nd</sup> Addition by creating proposed Bluffs 13<sup>th</sup> Addition, Lots 1A and 1B.

This property is located at 3509 and 3513 Waggle Way.

#### **Finding of Facts:**

The Minot Planning Commission should accept the following findings of facts:

- 1) The applicant has submitted a complete application.
- 2) The applicant's request is consistent with Minot's Comprehensive Plan.
- 3) This request meets all of the bulk requirements of Minot's Zoning Ordinance.
- 4) The Minot Planning Commission has the authority to hear this case and recommend that it be approved or denied. The public notice requirements were met, the hearing was legally noticed and posted and the hearing was held and conducted under the requirements of North Dakota Century Code and Minot City ordinances.

#### **Staff Recommendations:**

Staff recommends the Planning Commission adopt the staff findings of fact and recommend approval of this preliminary plat application, subject to the following conditions, to the City Council:

- 1) No later than six months after a subdivision design has been approved by the City Council, the applicant for design approval may submit the final form of the instrument or document to the City Engineer which is to be recorded in the office of the County Recorder in order to accomplish the subdivision or to establish the necessary predicate for the later accomplishment of the subdivision. That is, the subdivider shall submit the final form of the original of the appropriate instrument of conveyance, auditor's outlot plat, or plat, and the necessary copies thereof required by ordinance or by way of regulation. The City Engineer shall indicate his approval on the original by signing his name under a suitable statement or legend that expresses approval. However, if the documents or instrument for which approval is sought is a plat, then before the City Engineer approves it he shall first satisfy himself that the technical requirements of Section 28-27 have been complied with and that monuments have been placed at all block corners, lot corners, angle points, points of curves in streets which are depicted in the plat, and at such intermediate points as may be required.

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Chairman DeMakis asked the Principal Planner for staff comments.

Again, this is a very straight-forward application, in this case a lot line adjustment to shift the lot line between two existing lots, Lots 5A and 5B, Block 4 of The Bluffs 2<sup>nd</sup> Addition. The two new lots will be known as Lots 1A and 1B of The Bluffs 13<sup>th</sup> Addition. These properties are located at 3509 and 3515 Waggle Way.

The two existing lots are under common ownership by the applicant, both of the lots are currently vacant.

The new common lot line is platted to add lot area to proposed Lot 1B such that the two now lots become more comparable in lot size. The shift in the lot line makes it easier to accommodate the proposed duplex on the two lots making the amount of square footage for each of the two units more balanced. The existing common side lot line will be shifted approximately 14.85 feet to the north west as measured from its existing position along the rear lot line. Proposed Lot 1A will contain approximately 10,165 square feet or 0.23 acres of land while proposed Lot 1B will contain approximately 10,317 square feet or approximately 0.24 acres. Both of the proposed lots exceed the minimum lot size requirements of 3,500 square feet in R2 zoning by a considerable margin. The location of the new lot lines meets all setback requirements in R2 zoning bulk regulations.

Both of the properties involved in this subdivision are zoned R2, Two-Family Residential district and shall remain so. The land use designation on the Future Land Use Map of the Comprehensive Development Plan depicts these properties as "Low Density Residential." The use of these properties is in conformance with the land use map designation and it will not be amended.

Chairman DeMakis opened up comments from the commissioners. There were none.

Chairman DeMakis opened up comments from the public. There were none.

Motion by Commissioner Koop to approve based on finding of facts, staff recommendations and conditions, second by Commissioner Offerdahl, and was carried by the following roll call vote: ayes: Barnett, Baumann, Bullinger, DeMakis, Gates, Koop, Lider, Offerdahl, Sivertson nays: none

### **Motion carries**

### **Item #6**

### **Subdivision Plat and Annexation – SRT Addition, Lots 1 & 2**

Planning Commission recommends City Council approve a subdivision to combine a portion of Lots 6 and 7 and all of Lot 1, Jack's 4<sup>th</sup> Addition to create Lot 1. Lot 2 will consist of the remainder of Lot 6 of Jack's 3<sup>rd</sup> Addition, to be known as SRT Addition, Lots 1 & 2, and to pass an ordinance of first reading to annex Lot 1 in to the City of Minot corporate limits.

This property is located 3615 N. Broadway extending approximately 1,254 lineal feet west along the north side of 36<sup>th</sup> Avenue NW.

### **Finding of Facts:**

The Minot Planning Commission should accept the following findings of facts:

- 1) The applicant has submitted a complete application.
- 2) The applicant's request prompts amendments to the Future Land Use Map during the next update to the Comprehensive Development Plan.
- 3) This request meets all of the bulk requirements of Minot's Zoning Ordinance.



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- 4) The Minot Planning Commission has the authority to hear this case and recommend that it be approved or denied. The public notice requirements were met, the hearing was legally noticed and posted and the hearing was held and conducted under the requirements of North Dakota Century Code and Minot City ordinances.

### **Staff Recommendations:**

Staff recommends the Planning Commission adopt the staff findings of fact and recommend approval of this annexation and preliminary plat application, subject to the following conditions, to the City Council:

- 1) The final plat shall show all existing easements
- 2) The final plat shall ensure access easement to Jack's 3<sup>rd</sup> Addition, Lot 8
- 3) No later than six months after a subdivision design has been approved by the City Council, the applicant for design approval may submit the final form of the instrument or document to the City Engineer which is to be recorded in the office of the County Recorder in order to accomplish the subdivision or to establish the necessary predicate for the later accomplishment of the subdivision. That is, the subdivider shall submit the final form of the original of the appropriate instrument of conveyance, auditor's outlot plat, or plat, and the necessary copies thereof required by ordinance or by way of regulation. The City Engineer shall indicate his approval on the original by signing his name under a suitable statement or legend that expresses approval. However, if the documents or instrument for which approval is sought is a plat, then before the City Engineer approves it he shall first satisfy himself that the technical requirements of Section 28-27 have been complied with and that monuments have been placed at all block corners, lot corners, angle points, points of curves in streets which are depicted in the plat, and at such intermediate points as may be required.

Chairman DeMakis asked the Principal Planner for staff comments.

The applicant is requesting approval of a new subdivision to create two new lots, Lots 1 and 2 of SRT Addition from part of Lots 6 and 7, Jack's Third Addition and all of Lot 1, Jack's 4<sup>th</sup> Addition. Lot 1 of the SRT Addition is going to be annexed into city limits now while Lot 2 will be annexed in at a later date. These properties are located at 3615 N Broadway and along the north side of 36<sup>th</sup> Ave NW.

The South 200 feet of Lot 7, Jack's Third Addition and all of Lot 1 of Jack's 4<sup>th</sup> Addition are currently owned by SRT while the South 323.95' of Lot 6, Jack's Third addition is currently owned by William Papineau. The portion of the subdivision that is currently owned by SRT was previously annexed into the city while the remainder has not. After the East 668' of the South 323.95' of Lot 6, Jack's Third Addition has been annexed into city limits it will be combined with Lot 7 of Jack's Third Addition and Lot 1 of Jack's Fourth Addition to form Lot 1 of the SRT Addition. The remainder of the South 323.95' will form Lot 2 of the SRT Addition.

Proposed Lot 1 will contain approximately 658,017 square feet or 15.01 acres of land while proposed Lot 2 will contain approximately 377,796 square feet or 8.673 acres. Both of the proposed lots exceed the minimum lot size requirements of 2 acres within Minot's Extraterritorial Jurisdiction and minimum lot width of 100' in C2 zoning by a considerable margin. The location of the new lot lines meets all setback requirements in C2 zoning bulk regulations.

The existing SRT property currently has a Conditional Use Permit (CUP) for a 70' tower and a communication building that will now apply to the entire new lot, Lot 1 of SRT Addition. All of the properties involved in this subdivision are zoned General Commercial District and shall remain so. The land use designation on the Future Land Use Map of the Comprehensive Development Plan depicts these properties as being a varying combination of Commercial, Industrial, Low Density Residential, and

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Public/Semipublic. These land use designations need to be amended to "Commercial", but this application does not require rezoning. City staff will address the land use issues with the next update to the Comprehensive Plan.

Access to Lot 8 of Jacks 3<sup>rd</sup> Addition must be established on the final plat because a subdivision plat cannot result in any "landlocked" lots.

Chairman DeMakis opened up comments from the commissioners.

Commissioner Baumann asked if there would be any additional financial burdens associated with the annexation of the property for the City to Principal Planner Lang responded that there would not be any.

Chairman DeMakis opened up comments from the public. There were none.

Motion by Commissioner Offerdahl to approve based on finding of facts, staff recommendations and conditions, second by Commissioner Sivertson, and was carried by the following roll call vote: ayes: Barnett, Baumann, Bullinger, DeMakis, Gates, Lider, Offerdahl, Sivertson nays: none Abstained: Koop

### **Motion carries**

With no other business before the committee, Chairman DeMakis adjourned the meeting at 5:59 PM.