

This document serves two purposes: 1) To provide a summary of the Planning Commission meeting and associated recommendations to City Council; and 2) To act as the Planning Commission minutes of the meeting. The minutes of the Planning Commission meeting are generally adopted at the following Planning Commission with or without changes.

Regular Meeting: Planning Commission.

Location: City Hall, Council Chambers, 10 3rd Avenue SW., City of Minot, N.D.

Meeting Called to Order: Tuesday, February 6, 2024 @ 5:30 pm.

Presiding Official: Chairman Offerdahl.

Members in Attendance: Commissioners Offerdahl, Baumann, Dohms, Iverson, Kibler, Johnson, Longtin, Mennem, Pontenila.

Members Absent: Commissioners Faken, Gates.

City Staff Present: Brian Billingsley (Community Development Director), Doug Diedrichsen (Principal Planner), Nick Schmitz (Assistant City Attorney), Emily Huettl (Assistant City Engineer), and Daniel Falconer (Associate Planner)

Others Present: Wayne Nelson (Averys 2nd Addition Preliminary Plat)

The following are the minutes of the Planning Commission meeting. The minutes are in DRAFT form until formally adopted by the Planning Commission:

Meeting Called to Order by Chairman Offerdahl at 5:30 pm

Item #1: Roll Call

Item #2: Pledge of Allegiance

Item #3: Planning Commission Introductions and Public Hearing Decorum

Item #4: Approval of Minutes

Motion by Commissioner Kibler to approve the December 5th, 2023 Planning Commission Meeting Minutes. Second by Commissioner Dohms and carried by the following roll call vote: ayes: all, nays: none.

Motion carries.

Item #5: Continued From December 5, 2023: Case #2023-11-01. Conditional Use Permit - Seeds Of Eden

Public hearing request by Isaiah Keller representing Lars Wikstrom on behalf of CXL, LLC, owner for a conditional use permit for a group home for up to twelve residents plus staff. The legal description for the property is Lot 1, Blaisdells Subdivision of Block 13 Ramstads Riverview Subdivision to the City of Minot, North Dakota.

The address for the property is 425 Main St. S.

Chairman Offerdahl asked for staff report to which Mr. Diedrichsen provided a verbal summary of the

written staff report. Mr. Diedrichsen provided an aerial view of the property as well as the current zoning of the property, "R3B" Multiple Residence District, which falls in the same standards as "RM" Medium Density Residential District. Mr. Diedrichsen advised group homes are permitted by right in that district, up to six residents plus staff. A Conditional Use Permit is required between seven and twelve residents. This applicant is requesting 12 residents which is why they are seeking a conditional use permit. The Future Land Use (FLU) Map denotes the property as Suburban Residential. Site photos were displayed showing the layout of the area as well as the proposed parking lot to be leased. Mr. Diedrichsen displayed the evaluative criteria and findings of fact, with a note that evaluative criteria 2 through 4 are now satisfied based on previous parking discussions. Mr. Diedrichsen stated staff is now recommending approval contingent upon Seeds of Eden's ability to maintain the parking lot lease or an alternative is in place prior to the lease being allowed to expire.

Commissioner Kibler asked how the city would know if the lease has been allowed to expire, but no parking solution was in place. Mr. Diedrichsen advised that the property owner should notify the city immediately, but ultimately it would surface as complaint from adjacent property owners. Chairman Offerdahl then asked if this lapse in lease would constitute a revocation of this conditional use permit. Mr. Diedrichsen then confirmed that statement. Commissioner Dohms asked if there are any plans for an expansion of scope. Mr. Diedrichsen confirmed that the conditional use permit has a maximum capacity of 12, with no room for expansion.

PUBLIC HEARING:

Chairman Offerdahl opened the public hearing to the public for testimony.

No one appeared to testify.

Chairman Offerdahl closed the public hearing.

FINDINGS OF FACT:

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

- 1) The applicant has submitted a complete application.
- 2) The property is zoned "R3B" Multiple Residence District
- 3) The City of Minot 2040 Comprehensive Plan Future Land Use Map designates this area as Suburban Residential.
- 4) The proposal satisfies the evaluative criteria per Section 9.1-4. F. 1 and 5. thru 8. as outlined in the Staff Analysis section of staff's written report.
- 5) The proposal satisfies the evaluative criteria per Section 9.1-4. F. 2 thru 4., as outlined in the Staff Analysis section of staff's written report.
- 6) The Minot Planning Commission has the authority to hear this case and decide whether it should be approved or denied, with or without conditions. 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 RECOMMENDATION:

Staff recommends the Planning Commission adopt the staff findings of fact and approve the conditional use permit for a group home with up to twelve (12) residents plus staff with the condition that the parking

lease be maintained for at least five (5) additional spaces, or an alternative is in place prior to the lease being allowed to expire.

FINAL DECISION:

Motion made by Commissioner Kibler based on staff's finding of fact and recommendation. Second by Commissioner Johnson. The motion was carried by the following vote: ayes: 8, abstain: 1, nays: 0. **Motion carries.**

Item #6: Case # 2024-01-01 Avery's 2nd Addition - Preliminary Plat

Public hearing request by Wayne Johnson, property owner for a preliminary plat to consolidate several properties into two (2) lots. The proposed subdivision is to be named Avery's Second Addition, being a replat of Outlot 27 of the SE ¼ SW ¼ SW ¼ SE ¼ and SE ¼ SW ¼ less a portion SW ¼ SE ¼ less road portion sold and Outlot 2, 8, 9, 12, 25, 26 and 28 and Lot 1 Avery's Addition, located in the southwest and southeast quarters of Section 32, Township 155N, Range 82W of the Fifth Principal Meridian, to the City of Minot, County of Ward, State of North Dakota.

The properties include 3200 County Road 19 S. and an unaddressed property south of 3200 County Road 19 South and east of 2900 34th Ave SE. west of 3220 & 3300 County Road 19 S.

Chairman Offerdahl asked for staff report to which Mr. Diedrichsen provided a verbal summary of the written staff report. Mr. Diedrichsen provided an aerial view of the property, the preliminary plat, the current zoning as "Agricultural District", and the Future Land Use (FLU) Map showing the property remaining as an agricultural district with a small portion being light industrial. Mr. Diedrichsen then presented site photos, and staff findings of fact. Mr. Diedrichsen stated staff is recommending that this preliminary plat be approved with the condition that the right-of-way along the section line and required utilities easements be dedicated on the final plat.

Commissioner Kibler asked about access points for the various lots. Mr. Diedrichsen stated that the right-of-way dedication and current roads allow access.

PUBLIC HEARING:

Chairman Offerdahl opened the public hearing to the public for testimony.

Wayne Johnson, owner of the property, approached to answer any questions the Commission might have. Mr. Johnson discussed the access points of the plat as well as the zoning. Mr. Diedrichsen stated that lots 1 and 2 will be zoned agricultural and no change of zoning has been requested. No questions from the Commission.

Chairman Offerdahl closed the public hearing.

FINDINGS OF FACT:

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

- 1) The applicants have submitted a complete application.

- 2) The property is zoned "AG" Agricultural District on the Official Zoning Map and has a "Rural Residential" and Light Industrial designation on the Future Land Use Map of the 2012 Comprehensive Plan.
- 3) The applicant's request is consistent with the bulk requirements of Chapter 2.4 – "AG" Agricultural District of the Land Development Ordinance of the City of Minot (LDO).
- 4) The applicable sections of Chapter 10.3 related to subdivision design are satisfied with the conditions of right-of-way dedications and easements be included on the final plat.
- 5) The Minot Planning Commission has the authority to recommend approval, with or without conditions, or recommend denial of the Major Subdivision Preliminary Plat. 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 RECOMMENDATION:

Staff recommends the Planning Commission adopt staff findings of fact and recommend City Council approve the Major Subdivision Preliminary Plat for Avery's 2nd Addition with the condition that the right-of-way along the section line and required utilities easements be dedicated on the final plat.

FINAL DECISION:

Motion made by Commissioner Baumann to approve based on staff's findings of fact and recommendation. Second by Commissioner Longtin. The motion carried by the following vote: aye: all, nays: none. **Motion carries.**

Item #7: Other Business

Commissioner Baumann sent out the following article for review and consideration: "As More Cities Eliminate Parking Minimums, What Happens Next?" (NAIOP Commercial Real Estate Development Association, As More Cities Eliminate Parking Minimums, What Happens Next?, Summer 2023 Issue, By. Robert Ferrin).

Commissioner Baumann also gave a short introduction and review of the topic of parking minimums. Chairman Offerdahl opened for questions. Commissioner Kibler asked about the effects of parking minimums on residential districts. Mr. Diedrichsen stated that the planning department is currently preparing a research project about parking minimums. Commissioner Dohms asked for the Planning Commission to receive a copy of the parking ordinances for the city of Minot. Commissioner Kibler asked about the origin of this proposal. Commissioner Baumann stated that this issue shows potential promise for the city and proposed the commission explore the topic. Commissioner Kibler then asked if there is a link between parking minimums and parking meters. Mr. Billingsley stated that metered parking only pertains to on-street parking as opposed to off-street parking which is governed by parking minimums. Also Mr. Billingsley stated that metered parking is prohibited in the state of North Dakota. Mr. Schmitz corroborated this. Commissioner Baumann concluded the discussion by asking each member to consider the proposal and to bring examples to the next meeting.

Mr. Diedrichsen introduced Mr. Falconer, the new associate planner.

Item #8: Adjournment

With no further business, Chairman Offerdahl adjourned the meeting at 6:18 pm. *Submitted by: Daniel Falconer, Associate Planner*