

at 1128, 1132, and 1136 14th Street North; 1404 12th Avenue North) (L2H Development, LLC): CONTINUED TO JUNE 7, 2016

c. Continued Hearing on an application requesting a Planned Unit Development Master Land Use Plan for Commercial and Residential Development on Lots 7-11, Block 14, Kirkham's Second Addition. (Located at 1128, 1132, and 1136 14th Street North; 1404 12th Avenue North) (L2H Development, LLC): CONTINUED TO JUNE 7, 2016

A hearing had been set for February 2, 2016. At the February 2, 2016 meeting the Hearing was continued to March 1, 2016. At the March 1, 2016 meeting the Hearing was continued to this date and time; however, the applicant has requested the application be continued to June 7, 2016.

Member Brust moved this item be continued to the June 7, 2016 Planning Commission Meeting. Second by Member Scherling. All Members present voted aye and the motion was declared carried.

Item 2: Hager's First Addition

a. Hearing on an application requesting a Zoning Change from AG, Agricultural to LI, Limited Industrial of the proposed Hager's First Addition. (Located at 2715 40th Avenue North) (Lowry Engineering): CONTINUED TO MAY 3, 2016

b. Hearing on an application requesting a Plat of Hager's First Addition (Minor Subdivision) on part of the Southeast Quarter of Section 14, Township 140 North, Range 49 West of the 5th Principal Meridian, Cass County, North Dakota. (Located at 2715 40th Avenue North) (Lowry Engineering): CONTINUED TO MAY 3, 2016

This was the time and date set; however, the applicant has requested the application be continued to May 3, 2016.

Member Brust moved this item be continued to the May 3, 2016 Planning Commission Meeting. Second by Member Scherling. All Members present voted aye and the motion was declared carried.

Item 3: Great Northern Sixth Addition

Hearing on an application requesting a Plat of Great Northern Sixth Addition (Minor Subdivision) a replat of Lot 1, Block 1, Great Northern Fifth Addition, and all of the vacated 36th Street North and 10th Avenue North adjacent to said Lot 1, Block 1, to the City of Fargo, Cass County, North Dakota. (3500 12th Avenue North) (Turman & Lang, Ltd.): CONTINUED TO MAY 3, 2016

This was the time and date set; however, the applicant has requested the application be continued to May 3, 2016.

Member Brust moved this item be continued to the May 3, 2016 Planning Commission Meeting. Second by Member Scherling. All Members present voted aye and the motion was declared carried.

Item 4: Ekman Dakota View Addition

Continued Hearing on an application requesting a Plat of Ekman Dakota View Addition (Minor Subdivision) a replat of Lots 1 and 2, Block 1, Dakota View Estates and Lot 1, Block 1, Ekman Addition to the City of Fargo, Cass County, North Dakota. (Located at 4002 and 4108 17th Avenue South) (Bridge Hospitality, LLC): APPROVED

A Hearing had been set for March 1, 2016. At the March 1, 2016 meeting, the Hearing was continued to this date and time.

Planning Administrator Nicole Crutchfield presented the staff report stating all approval criteria have been met and staff is recommending approval.

Member Schneider moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed minor subdivision plat, Ekman Dakota View Addition as outlined within the staff report, as the proposal complies with the adopted Area Plan, the Standards of Article 20-06, and all other applicable requirements of the Land Development Code. Second by Member Stofferahn. On call of the roll Members Scherling, Gunkelman, Fremstad, Stofferahn, Steffes, Magelky, Brust, Schneider, and Ulferts Stewart voted aye. Absent and not voting: Member Fischer. The motion was declared carried.

Item 5: Osgood Estates Fourth Addition

Continued Hearing on an application requesting a Plat of Osgood Estates Fourth Addition (Minor Subdivision) a replat of Lots 38 and 39, Block 1, Osgood Estates Addition to the City of Fargo, Cass County, North Dakota. (Located at 5060 and 5072 43rd Avenue South) (Milestone Properties LLC): CONTINUED TO MAY 3, 2016

A hearing had been set for February 2, 2016. At the February 2, 2016 meeting the Hearing was continued to this date and time; however, the applicant has requested the application be continued to May 3, 2016.

Member Scherling moved this item be continued to the May 3, 2016 Planning Commission Meeting. Second by Member Steffes. All Members present voted aye and the motion was declared carried.

Item 6: Butler Business Park Second Addition

Hearing on an application requesting a Plat of Butler Business Park Second Addition (Minor Subdivision) a replat of Lot 1, Block 1, Butler Business Park Addition to the City of Fargo, Cass County, North Dakota. (100 36th Street South) (Butler Business Park LLC): APPROVED

Nicole Crutchfield presented the staff report stating all approval criteria have been met and staff is recommending approval.

Member Stofferahn moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed minor subdivision plat, Butler Business Park Second Addition as outlined within the staff report, as the

proposal complies with the adopted Area Plan, the Standards of Article 20-06, and all other applicable requirements of the Land Development Code. Second by Member Gunkelman. On call of the roll Members Steffes, Fremstad, Magelky, Gunkelman, Scherling, Brust, Stofferahn, Schneider, and Ulferts Stewart voted aye. Absent and not voting: Member Fischer. The motion was declared carried.

Item 7: Dakota Plaza Addition

Hearing on an application requesting a Conditional Use Permit to allow a telecommunication support structure within a GC, General Commercial zoning district on Lot 3, Block 1, Dakota Plaza Addition. (Located at 5406 53rd Avenue South) (Buell Consulting): APPROVED

Nicole Crutchfield presented the staff report. She noted a second condition has been added to the recommended motion requiring the TSS to be of a monopole stealth design, and not exceed 85-feet. Ms. Crutchfield stated all approval criteria have been met and staff is recommending approval.

Member Gunkelman moved the findings and recommendations of staff be accepted and the Conditional Use Permit to allow a Telecommunication Support Structure (TSS) within a GC, General Commercial zoning district be approved, as the proposal complies with Section 20-0909.D (1-6) and all other requirements of the Land Development Code, with the following conditions:

1. The base of the TSS must be enclosed by an opaque fence or wall of at least 6-feet in height, and of a character necessary to provide adequate visual screening and to limit access to the TSS.
2. The TSS must be of a monopole stealth design and not exceed 85-feet, as presented to the Planning Commission on April 5, 2016.

Second by Member Magelky. On call of the roll Members Gunkelman, Fremstad, Steffes, Magelky, Brust, Stofferahn, Schneider, Scherling, and Ulferts Stewart voted aye. Absent and not voting: Member Fischer. The motion was declared carried.

Item 8: Commerce on 52nd First Addition

Hearing on an application requesting a Conditional Use Permit to allow Industrial Service, Manufacturing and Production, and Warehouse uses within a GC, General Commercial zoning district on Lot 8, Block 1, Commerce on 52nd First Addition. (Located at 5126 51st Avenue South) (Dan Hicks/Property Resources Group): APPROVED

Planner Aaron Nelson presented the staff report stating all approval criteria have been met and staff is recommending approval.

Member Magelky moved the findings and recommendations of staff be accepted and the Conditional Use Permit to allow Industrial Services, Manufacturing and Production, and Warehouse uses be approved as the proposal complies with

Section 20-0909.D (1-6) and all other requirements of the Land Development Code, with the following conditions:

1. The property shall not be used in whole or in part for storage of rubbish or debris of any kind whatsoever nor for the storage of any property or items that will cause such lot to appear untidy, unclean or unsightly as determined by the Zoning Administrator; nor shall any substance, item or material be kept on any lot that will emit foul odors, including compost sites and fertilizer. All garbage containers, including dumpsters, shall be concealed from public view by fence, screen wall or building extension.
2. Outdoor storage areas shall not cover more than 50% of the open space of the development, nor be located within the front or street side setback areas of the development. Outdoor storage areas shall be fenced in a manner that is not visible from public right-of-way and shall have fence heights that will visually block any items stored within. Fences exceeding 8.5 feet in height must follow the required building setbacks as outlined within the Land Development Code.
3. Off-street parking, loading, and vehicular circulation areas (including circulation areas internal to storage yards) shall have an all-weather surface, as defined by the Land Development Code.
4. The manufacturing, production, or processing of food and/or animal products shall not be permitted.
5. The manufacturing, production, or processing of hazardous chemicals or materials shall not be permitted.
6. The Conditional Use Permit shall terminate if the industrial service, manufacturing and production, and warehouse uses cease for a period of more than 12 consecutive months.

Second by Member Scherling. On call of the roll Members Stofferahn, Steffes, Gunkelman, Fremstad, Schneider, Brust, Scherling, Magelky, and Ulferts Stewart voted aye. Absent and not voting: Member Fischer. The motion was declared carried.

**Item 9: Keeney and Devitt's Second Addition
Hearing on an application requesting a Zoning Change from MR-2, Multi-Dwelling Residential to DMU, Downtown Mixed-Use with a C-O, Conditional Overlay on Lots 8-10, Block 28, Keeney and Devitt's Second Addition. (14 and 22 6th Avenue North; and 519 Oak Street North) (Craig Properties, LLC): CONTINUED TO MAY 3, 2016**

Aaron Nelson presented the staff report and noted that staff held an open house on March 22, 2016. Mr. Nelson stated staff is looking for a motion from the Board to continue this item to the May 3, 2016 Planning Commission Meeting.

The Board further discussed the number of parking stalls by City code; what accommodations are being proposed for overflow parking; and any right-of-way restrictions regarding the adjacent railroad tracks.

Applicant T.J. Haugrud, THJ Developments, spoke on behalf of the project.

The following area property owners spoke in opposition of the proposal stating the following concerns: increased traffic and parking issues; neighborhood walkability and safety; installation of traffic signs and signals; flood protection; and the design of the proposed building blending in with the current neighborhood.

Cheryl Bergian, 703 1st Street North
Lon Johnston, 509 Oak Street North
Tim Flakoll, 1350 2nd Street North
Carol Pearson, 69 Oak Terrace North
Merrill Piepkorn, 1321 3rd Street North
Noel Anderson 1241 1st Street North, also submitted a document to the Board
Robert Ryan, 512 1st Street North
Mary Jo Cayley, 702 Elm Street North
Jordan Runsvold, 1030 Oak Street North
Paul Seminary, 59 6th Avenue North

At 4:00 p.m. the Board took a five-minute recess.

After recess: All Members present except Member Fischer. Chair Ulferts Stewart presiding.

Developer Jesse Craig, Craig Development, spoke on behalf of the proposal.

Chair Ulferts Stewart moved this item be continued to the May 3, 2016 Planning Commission meeting. All Members present voted aye and the motion was declared carried.

Item 10: Veterans Square Addition

Hearing on an application requesting a Plat of Veterans Square Addition (Minor Subdivision) a replat of Lot 1, Block 3, Valley View Third Addition, to the City of Fargo, Cass County, North Dakota. (5600 38th Avenue South) (Lightowler Johnson Associates): APPROVED

Aaron Nelson presented the staff report stating all approval criteria have been met and staff is recommending approval.

Member Brust moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed minor subdivision plat, Veterans Square Addition as outlined within the staff report, as the proposal complies with the adopted Area Plan, the Standards of Article 20-06, and all other applicable requirements of the Land Development Code. Second by Member Scherling. On call of the roll Members Fremstad, Scherling, Brust, Stofferahn, Steffes, Schneider,

Magelky, Gunkelman, and Ulferts Stewart voted aye. Absent and not voting: Member Fischer. The motion was declared carried.

Item 11: Amity South at Cottagewood Second Addition

a. Hearing on an application requesting a Zoning Change from MR-3, Multi-Dwelling Residential with a PUD, Planned Unit Development Overlay to MR-3, Multi-Dwelling Residential with a new PUD, Planned Unit Development Overlay on Lots 1-96, Block 1, Amity South at Cottagewood Second Addition. (3801 and 4101 51st Avenue South) (Verity Homes): APPROVED

b. Hearing on an application requesting a Planned Unit Development Master Land Use Plan for Lots 1-96, Block 1, Amity South at Cottagewood Second Addition. (3801 and 4101 51st Avenue South) (Verity Homes): APPROVED

c. Hearing on an application requesting a Plat of Amity South at Cottagewood Second Addition (Minor Subdivision) a replat of all of Amity South at Cottagewood Addition, to the City of Fargo, Cass County, North Dakota. (3801 and 4101 51st Avenue South) (Verity Homes): APPROVED

Aaron Nelson presented the staff report stating all approval criteria have been met and staff is recommending approval.

Applicant representative Art Goldammer of Verity Homes spoke on behalf of the proposal.

Member Gunkelman moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the following: 1) Zoning Change from MR-3, Multi-Dwelling Residential with a PUD, Planned Unit Development Overlay to MR-3, Multi-Dwelling Residential with a new PUD, Planned Unit Development Overlay; 2) Subdivision plat, Amity south at Cottagewood Second Addition; and 3) PUD, Planned Unit Development Master Land Use Plan as outlined within the staff report, as the proposal complies with the adopted Area Plan, the Standards of Article 20-06, and all other applicable requirements of the Land Development Code. Second by Member Steffes. On call of the roll Members Brust, Schneider, Scherling, Steffes, Stofferahn, Fremstad, Magelky, Gunkelman, and Ulferts Stewart voted aye. Absent and not voting: Member Fischer. The motion was declared carried.

At 5:05 p.m. the Board took a five-minute recess.

After recess: All Members present except Member Fischer. Chair Ulferts Stewart presiding.

Item E: Other Items:

Item 1: Downtown Riverfront Renewal Plan: APPROVED

Planning Director Jim Gilmour presented the 2016-02 Downtown Riverfront Renewal Plan, and noted copies of the proposal have been submitted to the Board. He explained that the role of the Planning Commission's review of this plan is to make sure

the plan is consistent with the GO2030 Fargo Comprehensive Plan, Renaissance Zone Plan, and previous downtown plans. Mr. Gilmour stated staff is recommending approval to present this plan before the City Commission.

Member Schneider moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed 2016-02 Downtown Riverfront Renewal Plan based on the finding that it is consistent with the GO2030 Fargo Comprehensive Plan, and previous downtown plans. Second by Member Stofferahn. On call of the roll Members Scherling, Gunkelman, Fremstad, Stofferahn, Steffes, Magelky, Brust, Schneider, and Ulferts Stewart voted aye. Absent and not voting: Member Fischer. The motion was declared carried.

The time at adjournment was 5:20 p.m.