

approval of the proposed plat with the condition that the ingress/egress access easement be removed.

City Engineer April Walker concurred with staff's recommendation, and noted staff is working on a revision in the Land Development Code to address these types of requests.

Applicant Nate Vollmuth spoke on behalf of the application, and requested the condition be removed from staff's recommendation.

Member Magelky moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed Bentley Place First Addition subdivision plat as presented, deleting the condition that the proposed 50-foot wide ingress/egress access easement along 32nd Avenue South be removed from the plat, as the proposal complies with the GO2030 Fargo Comprehensive Plan, the Standards of Article 20-06, and Section 20-0906.F (1-4) of the Land Development Code and all other applicable requirements of the Land Development Code. Second by Member Schneider. On call of the roll Members Scherling, Brust, Fischer, Stofferahn, Steffes, Schneider, Magelky, and Ulferts Stewart voted aye. Absent and not voting: Members Gunkelman and Sobolik. The motion was declared carried.

Item 2: Interstate Business Park Addition

a. Continued Hearing on an application requesting a Zoning Change from AG, Agricultural to GC, General Commercial within the boundaries of the proposed Interstate Business Park Addition. (Located at 3801 26th Avenue South and 2852 Thunder Road South) (Kjos Investments, LLC) (dk): CONTINUED TO JANUARY 4, 2017

b. Continued Hearing on an application requesting a Plat of Interstate Business Park Addition (Major Subdivision) a replat of Lot 1, Block 1, Adams 7th Addition, and part of the Northeast Quarter of Section 22, Township 139 North, Range 49 West to the City of the 5th Principal Meridian, City of Fargo, Cass County, North Dakota. (Located at 3801 26th Avenue South and 2852 Thunder Road South) (Kjos Investments, LLC) (dk): CONTINUED TO JANUARY 4, 2017

A hearing had been set for August 2, 2016. At the August 2, 2016 meeting the Hearing was continued to September 6, 2016. At the September 6, 2016 meeting the Hearing was continued to October 4, 2016. At the October 4, 2016 meeting the Hearing was continued to November 1, 2016. At the November 1, 2016 meeting the Hearing was continued to this date and time; however, the applicant has requested this item be continued to January 4, 2017.

Item 3: Reeves Addition

Hearing on an application requesting a Zoning Change from GC, General Commercial to LI, Limited Industrial on part of Lot 20 and all of Lot 21, Block 18, Reeves Addition. (Located at 1409 and 1411 1st Avenue North) (Wade Wolf Properties LLC) (dk): CONTINUED TO JANUARY 4, 2017

A hearing had been set for this date and time; however, the applicant has requested this item be continued to January 4, 2017.

Item 4: Calico Prairie Addition

a. Hearing on an application requesting a Growth Plan Amendment on Lot 3, Block 2, Calico Prairie Addition. (Located at 4462 30th Avenue South) (Fargo Housing and Redevelopment Authority): APPROVED

b. Hearing on an application requesting a Zoning Change from LC, Limited Commercial to MR-3, Multi-Dwelling Residential on Lot 3, Block 2, Calico Prairie Addition. (Located at 4462 30th Avenue South) (Fargo Housing and Redevelopment Authority): APPROVED

Senior Planner Donald Kress presented the staff report and noted that staff held an open house on November 30, 2016. Mr. Kress stated all approval criteria have been met and staff is recommending approval.

Applicant Executive Director Lynn Fundingsland, Fargo Housing and Redevelopment Authority, spoke on behalf of the application.

Member Scherling moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed: 1) Growth Plan Amendment to the 2003 Future Land Use Plan to change the designation of the project site from "Commercial" to "Commercial or Medium/High Density Residential", and 2) Zone Change from LC, Limited Commercial to MR-3, Multi-Dwelling Residential as presented, as the proposal complies with the GO2030 Fargo Comprehensive Plan, the 2003 Southwest Future Land Use Plan, and Section 20-0906.F (1-4) of the Land Development Code and all other applicable requirements of the Land Development Code. Second by Member Steffes. On call of the roll Members Scherling, Stofferahn, Steffes, Magelky, Brust, Fischer, Schneider, and Ulferts Stewart voted aye. Absent and not voting: Members Gunkelman and Sobolik. The motion was declared carried.

Item 5: Hogans Addition

Hearing on an application requesting a Zoning Change from SR-2, Single-Dwelling Residential to SR-4, Single-Dwelling Residential on Lots 14-16, Block 1, Hogans Addition. (Located at 501 and 507 15th Avenue North, and 1510 5th Street North) (Jay Krabbenhoft, Jr.): APPROVED

Planner Maegin Elshaug 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 zone change from SR-2, Single-Dwelling Residential to SR-4, Single-Dwelling Residential as presented, as the proposal complies with the GO2030 Fargo Comprehensive Plan, Sections 20-0906.F (1-4) and all other applicable requirements of the Land Development Code. Second by Member Brust. On call of the roll Members Stofferahn, Scherling, Fischer,

Brust, Schneider, Magelky, Steffes, and Ulferts Stewart voted aye. Absent and not voting: Members Gunkelman and Sobolik. The motion was declared carried.

Item 6: Ohmers Addition

Hearing on an application requesting a Conditional Use Permit to allow for an Alternative Access Plan on Part of Lot 72, Ohmers Addition. (Located at 1211 University Drive North) (Pete Sabo): APPROVED WITH CONDITIONS

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

Martha Berryhill, 1354 12th Street North, spoke on behalf of the Roosevelt Neighborhood Association, sharing their concerns that the proposal will not provide adequate parking for this type of business.

Member Magelky moved the findings and recommendations of staff be accepted and the Conditional Use Permit to allow for an Alternative Access Plan on Part of Lot 72, Ohmers Addition 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. 45 off-street parking spaces are required on site.
2. Any expansion of the square footage of the facility will require an amendment to the Conditional Use Permit with review and approval by the Planning Commission.
3. The Conditional Use Permit will cease if the land use changes from restaurant/bar.
4. Bicycle parking facilities, such as a bike rack, shall be provided on-site.

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

Item E: Other Items:

Item 1: 2017 Planning Commission Meeting Calendar

Chair Ulferts Stewart presented this calendar which was included in the packet.

Item 2: Discussion of text amendment for telecommunications support structures (TSS) – small cell installations in the public right of way.

Aaron Nelson introduced this item, and explained staff has been directed by the City Commission to develop ordinances to accommodate recent requests regarding the small cell processes. Mr. Nelson stated the Land Development Code will require a review and updates to reflect these ordinances, which staff will bring before the Board in the next few months.

Division Engineer Brenda Derrig proceeded sharing additional documentation and details on the types of structures available for this new concept. She stated staff is working on a final ordinance to move forward with this item.

Item 3: Discussion on the Land Development Code (LDC) Residential Task Force White Paper

Planner Aaron Nelson reviewed the background of this task force and the “White Paper” document included in the packet, which staff presented at the November 16, 2016 Planning Commission Brown Bag. Mr. Nelson stated the task force will hold a final public meeting in January to finalize the details of the “White Paper”, before presenting to the City Commission for their final direction to staff.

Item 4: Land Development Code Update Strategy Discussion

Planning Director Jim Gilmour addressed this item and referred to documents staff submitted to the Board. He explained staff is looking for updated standards and guidelines to follow that better accommodate the emerging trends being requested by area developers. Mr. Gilmour stated staff feels there is a need to establish a Code Advisory Group to identify the issues and areas of the LDC that need to be amended.

Member Brust moved to establish a Code Advisory Group to provide development and implementation of a comprehensive revised Land Development Code. Second by Member Stofferahn. All Members present voted aye and the motion was declared carried.

Additional Conversation regarding Item E.2:

Based on comments from Commissioner Grindberg, City Attorney Erik Johnson revisited Item E.2 regarding the discussion of a Land Development Code text amendment to address small cell installations. Mr. Johnson stated there may be a need for the Planning Commission to meet again this month for a legal review, prior to the 12-19-16 City Commission meeting. Subsequent to the Planning Commission meeting, it was determined an additional meeting would not be necessary.

The time at adjournment was 4:14 p.m.