



Regular Planning Commission Meeting

Wednesday, November 6, 2024, at 5:30 PM

City Council Chambers, City Hall (10 3rd Ave SW)

Any person needing special accommodation for the meeting is requested to notify the City Clerk's office at 857-4752.

1. ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. INTRODUCTIONS AND DECORUM
 - 3.1. INTRODUCTIONS AND DECORUM HANDOUT
4. PLANNING COMMISSION
 - 4.1. APPROVAL OF OCTOBER 2024 REGULAR MEETING MINUTES
5. PUBLIC HEARING
 - 5.1. CASE #2024-09-02. ENGERS FIRST ADDITION - ZONING MAP AMENDMENT, FUTURE LAND USE MAP AMENDMENT

Public hearing request by Ole Bergstad, representing Donald & Marcia Jessen, owner for a request of a zoning map amendment and future land use map amendment on a property zoned "R4" Planned Residence District with the requested rezoning to "MH" Manufactured Home District and the requested change on the future land use map from Suburban Residential to Manufacture Home Community. The legal description for the property is Lot 13, Block 4 Enger's First Addition to the City of Minot.

The subject property address is 1019 43rd St. SE.

- 5.2. CASE #2024-09-03. CARVER ADDITION - PRELIMINARY PLAT

Public hearing request by Brad Vrem, representing Jeanne & Thomas Carver, owner for a request of a preliminary plat on a property zoned "AG" Agricultural District. The legal description for the property is the NW1/4SE1/4, Section 36, Township 156 North, Range 83 West, Ward County, North Dakota.

The subject property address is 5005 10th St. NE.

5.3. CASE #2024-09-05. GERLE FIRST ADDITION - ZONING MAP AMENDMENT, PRELIMINARY PLAT, ANNEXATION

Public hearing request by Rusten Roteliuk of Houston Engineering, representing Sharon Gerle, owner for a request of a zoning map amendment, preliminary plat and annexation on a property zoned "AG" Agricultural District with the requested rezoning to "M1" Light Industrial District. The legal description for the property is the NW1/4SE1/4 Less Highway Right-of-Way, Section 22, Township 155 North, Range 82 West, Ward County, North Dakota

The subject property address is 6405 HWY 2 E.

5.4. CASE #2024-09-06. THE EHR HILLS ADDITION - PRELIMINARY PLAT

Public hearing request by The Ward County Water Resource Board, representing Margo Ehr, owner for a request of a preliminary plat on a property zoned "R1" Single Family Residential District. The legal description for the property is Outlot 34 lying in the NE1/4SE1/4 less Sublot A, HWY right-of-way and portions of Outlot 44 & 45, Section 30, Township 155 North, Range 82 West, Ward County, North Dakota.

The subject property address is 2100 Valley St.

6. MISCELLANEOUS AND DISCUSSION ITEMS

7. ADJOURNMENT

INTRO

The Planning Commission evaluates land use applications for compliance with the standards and procedural requirements outlined within the Zoning Supplement to the City of Minot (Zoning Code) and North Dakota Century Code. Further, the Planning Commission is tasked to ensure development within the City of Minot aligns with the City of Minot 2012 Comprehensive Plan (Comprehensive Plan).¹

Planning Department staff are assigned to support the Planning Commission by reviewing applications for compliance with the Zoning Code and alignment with the Comprehensive Plan. Staff summarizes this information to the Planning Commission in the form of written staff reports, which include a recommendation. Oral presentations summarizing a staff report and any additional information obtained since the date said staff report was written is provided as determined necessary by the Planning Commission.

Planning Commission is not required to follow City staff recommendation. However, a deviation from staff's recommendation may require clarification to the findings of fact along with clearly stated reasoning for any alternative recommendation.

Finally, staff is not able to anticipate all information entered into the record via Planning Commissioner discussion or provided by the public during the open public comment period. Staff is available to answer any questions which may arise through discussion.

The Planning Commission renders a decision for variances, interim use permits, and conditional use permits that may be appealed to City Council. The Planning Commission provides recommendations to City Council for all other land use applications.

DECORUM

Persons attending public hearings are expected to conduct themselves with decorum to assure fairness and equity in the proceedings. Participants must:

- Step to the podium/microphone each time you wish to be recognized by the Planning Commission to offer a comment, or to ask or answer a question, and state your name for the record. To ensure minutes of the meeting accurately reflect the individual for which statements are made a sign-in sheet is provided at the podium for those wishing to speak.
- Address all testimony, comments and questions to the Chair of the Commission and not the other participants, the applicant, or the staff. The Chair of the Commission will determine the appropriateness of all questions and when and where to direct them.
- Allow others in attendance an opportunity to present their testimony. Do not interrupt the proceedings with applause, heckling, outbursts or other disruptive behavior.
- Address the issues and application that are before the Commission. These proceedings are not the forum to discuss the appropriateness of particular land use policies, regulations, or alternatives.
- Please silence your phones or set them to vibrate at this time.

¹ Per N.D.C.C 40-48-09, the basic purpose of the plan:

...The plan shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the municipality and its environs, which, in accordance with present and future needs, best will promote the amenities of life, health, safety, morals, order, convenience, prosperity, and general welfare as well as efficiency and economy in the process of development, including adequate provision for light and air, distribution of population, good civic design and arrangement, wise and efficient expenditure of public funds, the adequate provision of public utilities and other public requirements, the improvement and control of architecture, and the general embellishment of the area under its jurisdiction.

On October 1, 2024, a Regular Planning Commission Meeting of the Minot Planning Commission was held in the City Council Chambers, City Hall (10 3rd Ave SW). Chairman Offerdahl called the meeting to order at 05:21 PM.

1. ROLL CALL

Members Present: Tim Baumann, Erin Iverson, Robert Kibler, Logan Longtin, Serena Pontenila, Dustin Offerdahl, Bradly Wolff, Darrik Trudell

Members Absent: Elisha Gates, Kayla Johnson, Annette Mennem

2. PLEDGE OF ALLEGIANCE

3. INTRODUCTIONS AND DECORUM

3.1. INTRODUCTIONS AND DECORUM HANDOUT

4. PLANNING COMMISSION

4.1. APPROVAL OF SEPTEMBER 2024 REGULAR MEETING MINUTES

The motion to Approve the September 2024 regular meeting minutes was initiated by Planning Commission Representative Baumann seconded by Planning Commission Representative Iverson and carried by the following roll call vote: ayes: Tim Baumann, Erin Iverson, Robert Kibler, Logan Longtin, Dustin Offerdahl, Serena Pontenila, Bradly Wolff; nays: None.

5. PUBLIC HEARING

5.1. CASE#2024-08-01 - LARSON'S ADDITION - PRELIMINARY PLAT

Mr. Diedrichsen presented the Staff Report.

The Commissioners had a discussion.

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

Lance Johnson appeared to testify.

Chairman Offerdahl closed the public hearing.

The motion to Approve based on Staff Findings of Fact was initiated by Planning Commission Representative Kibler seconded by Planning Commission Representative Longtin and carried by the following roll call vote: ayes: Tim Baumann, Erin Iverson, Robert Kibler, Logan Longtin, Dustin Offerdahl, Serena Pontenila, Bradly Wolff; nays: None.

5.2. CASE#2024-08-03 - LAND DEVELOPMENT ORDINANCE TEXT AMENDMENT

Mr. Diedrichsen presented the Staff Report.

The Commissioners had a discussion.

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

Robert Thomas appeared to testify about ornamental lighting.

The Commissioners had a discussion.
Robert Thomas had more discussion.
Travis Zabloutney appeared to testify.
The Commissioners had a discussion.
Robert Thomas had more discussion.
Chairman Offerdahl closed the public hearing.
The Commissioners had a discussion.
The preliminary motion was to approve text amendments 1, 2, 4, 5, and 6. Item 3 will be sent back to Staff for a rewrite. The motion was initiated by Planning Commission Representative Baumann seconded by Planning Commission Representative Kibler.
The Commissioners had a discussion.
Mr. Diedrichsen offered an amendment to the motion.
The amended motion was initiated by Planning Commission Representative Baumann seconded by Planning Commission Representative Kibler and carried by the following roll call vote: ayes: Tim Baumann, Erin Iverson, Robert Kibler, Logan Longtin, Dustin Offerdahl, Serena Pontenila, Darrik Trudell, Bradly Wolff; nays: None.

5.3. CASE#2024-08-04 - AMENDMENTS TO THE COMPREHENSIVE PLAN FUTURE LAND USE MAP

Mr. Diedrichsen presented the Staff Report.
The Commissioners had a discussion.
Chairman Offerdahl opened the public hearing to the public for testimony.
Travis Zabloutney appeared to testify.
Chairman Offerdahl closed the public hearing.
The Commissioners had a discussion.
The motion to Approve with Staff Findings of Fact was initiated by Planning Commission Representative Baumann seconded by Planning Commission Representative Longtin and carried by the following roll call vote: ayes: Tim Baumann, Erin Iverson, Robert Kibler, Logan Longtin, Dustin Offerdahl, Serena Pontenila, Darrik Trudell, Bradly Wolff; nays: None.

5.4. CASE# 2024-08-05 - MOOSE LODGE ADDITION - PRELIMINARY PLAT

Mr. Diedrichsen presented the Staff Report.
The Commissioners had a discussion.
Jason Sorenson appeared to answer questions.
Chairman Offerdahl opened the public hearing to the public for testimony.
No one appeared to testify.
Chairman Offerdahl closed the public hearing.
The motion to Approve Based off of Staff's Findings of Fact was initiated by Planning Commission Representative Longtin seconded by Planning Commission Representative Iverson and carried by the following roll call vote: ayes: Tim Baumann, Erin Iverson, Robert Kibler, Logan Longtin, Dustin Offerdahl, Serena Pontenila, Darrik Trudell, Bradly Wolff; nays: None.

6. MISCELLANEOUS AND DISCUSSION ITEMS

Chairman Offerdahl welcomed Bradly Wolff, a new Planning Commissioner.

Brian Billingsley, the Community and Economic Development Director, mentioned the next Planning Commission meeting will be on Wednesday, November 6th due to the election.

7. ADJOURNMENT

With no further business, Chairman Offerdahl adjourned the meeting at 7:01 pm.



Planning Commission Staff Report

Application Date: 09/09/2024

Date of Staff Report: 10/14/2024

Date of Planning Commission Meeting: 11/06/2024

Staff Contact: Doug Diedrichsen, Principal Planner

Staff Recommendation: Approval

Case Number: 2024-09-02

Project Name: Engers First Addition - Zone Change, Future Land Use Map Amendment

Current Legal Description: Block 4, Lot 13 Engers First Addition to the City of Minot, North Dakota

Proposed Legal Description: No Change

Present Address: See Project Description

Owners: Donald & Marcia Jessen

Representative: Ole Bergstad

Entitlements Requested: See Project Description

Present Zone(s): "R4" Planned Residential District

Present Use(s): Vacant residential lot

Uses Allowed in Present Zone(s): See Chapter 2.2 for allowed and conditionally permitted uses within each district.

Present Future Land Use Map Designation:
Suburban Residential

Proposed Zone(s): "MH" Manufactured Home District

Proposed Use(s): Place a Manufactured home on a vacant residential lot in a residential neighborhood

Uses Allowed in Proposed Zone(s): See Chapter 2.2 for allowed and conditionally permitted uses within each district

Proposed Future Land Use Map Designation:
Manufactured Home Community

PROJECT DESCRIPTION:

Public hearing request by Ole Bergstad, representing Donald & Marcia Jessen, owner for a request of a zoning map amendment and future land use map amendment on a property zoned "R4" Planned Residence District with the requested rezoning to "MH" Manufactured Home District and the requested change on the future land use map from Suburban Residential to Manufactured Home Community. The legal description for the property is Lot 13, Block 4 Enger's First Addition to the City of Minot.

The subject property address is 1019 43rd St. SE.

An aerial, including the notification boundary, is provided in **Exhibit 1**.

BACKGROUND INFORMATION:

On August 29th the Planning Division received an email from the Inspections Division that a complaint had been received about a mobile home being placed on a vacant residential lot with “R4” Planned Residential District zoning. Mobile homes are not an entitlement granted in this “R4” district. Planning and inspections staff visited the site and found a contractor placing a mobile home on the property without a building permit (required for piers) or a moving permit to transport the structure. The home was also being placed where required setbacks were not met. A stop work order (see exhibit 4) was placed on the site and the contractor was told not to continue with work and to inform the owner of the mobile home to reach out to planning and inspections staff.

The applicant then appeared before City Council at an open forum. City Council instructed staff to work with the applicant to try and find any solutions that might be available. Staff informed the applicant that the only path was to request a future land use map amendment to accommodate the zoning map amendment request. The requested zone changes allow for the intended development by right, however it is not supported by the Future land use map and the 2040 Comprehensive Plan, thus a future land use map amendment must be considered as part of the rezoning request. The requested zoning change to “MH” would allow for the development intent of property by right (placement of a manufacture home).

The zoning and future land use map of the subject property provided in **Exhibit 2**.

Site photos are provided in **Exhibit 3**.

STAFF ANALYSIS:

Amendment to the Comprehensive Plan of the City of Minot Analysis:

Chapter 10. Implementation of the 2040 Comprehensive Plan of the City of Minot (LDO) provides the following guidance for making amendments to the Comprehensive Plan: The Plan can be amended if new development opportunities arise that were not foreseen in the Plan or if there is a significant shift in public sentiment. If, for example, a property needs to be rezoned but the rezoning is inconsistent with the future land use map, the City can revise the Plan following a review process involving staff review, Planning Commission review, and a final decision made by the City Council. If conditions in the City change significantly or major revisions are needed, the Plan should be updated in its entirety. Staff may wish to perform a “soft update” in 5-10 years to ensure the Plan remains on track. This could assess progress toward implementation and allow for minor revisions to the Future Land Use Map, if needed, but would not involve the same level of undertaking as a full-scale update.

Staff provides the following guidance:

Staff finds that the requested changes are pertaining to “new development opportunities that were not foreseen” in the plan and the evolving development potential in the neighborhood. New development opportunities that are focused on a wide range of residential uses and housing types have been and continue to be the primary land use development opportunities in this neighborhood.

Zoning Map Amendment Analysis:

Section 9.1-7 of the Minot Land Development Code provides the procedures for amending the official zoning map of the City of Minot. Section 9.2 provides the noticing requirements for public hearings held by the Planning Commission. Section 9.1-7 D. recognizes that the future land use map may need to be amended to support any rezoning request. The applicant has submitted the necessary application documents required per Section 9.1-7 C. and noticing has been conducted as required per Section 9.2.

The subject property maintains the future land use designation of Suburban Residential on the 2040 Future Land Use Map (2040 FLU Map).

Lot 13 of Engers First Addition would become a Manufactured Home property. This lot is directly east of a property with a Future Land Use map classification of Manufactured Home Community and “R1” Single Family Residential District. The property is bordered on the north, east and south by lots with a Suburban Residential designation on the 2040 FLU Map and “R1” Single Family Residential District. Several properties in this immediate neighborhood have legal non-conforming developments on properties zoned “R1” (condos, apartments and manufactured homes).

Section 9.1-7 E. 2. requires the Planning Commission to provide findings of fact to ensure the criteria included in Section 9.1-7 H. has been satisfied in order to support any recommendation regarding any proposed changes to the zoning map. Staff provides the following guidance:

Section 9.1-7 H. is satisfied as it relates to whether or not the proposed zoning map amendment is justified due to a change in conditions, error in the zoning map, or in order to fulfill the future land use map of the Comprehensive Plan. The request reflects the changing conditions of the neighborhood as it has been continuously evolving in uses and housing types over time.

The City and other agencies will be able to provide necessary public services and facilities to serve the proposed development. All expansions of service would be completed at the expense of the developer. Section 9.1-7 H. 2 is satisfied.

Staff finds Section 9.1-7 H. 3 requiring that the proposed zoning map amendment will not substantially diminish the condition or value of property in the vicinity not applicable.

Section 9.1-7. H. 4. requires the zoning change to be consistent with the purpose of the Land Development Ordinance of the City of Minot, the Comprehensive Plan, and other adopted plans and policies of the City. The proposed development must comply with all development standards within the Land Development Ordinance of the City of Minot and the zoning map amendment will align with the proposed future land use designations of Manufactured Home Community within the 2040 Comprehensive Plan. The proposed development will be required to meet all of the design standards outlined in Section 2.12-6. K. Conformance with R1 Standards, as applied to a “MH” Manufactured Home District property being developed as a single-family lot and requiring conformance with “R1” District requirements. Therefore, Section 9.1-7. 4. is satisfied.

Comments:

1. There were no public comments at the time of writing this staff report.
2. The application was distributed to city departments and external public agencies within the City for review and no comments were received.

FINDINGS OF FACT:

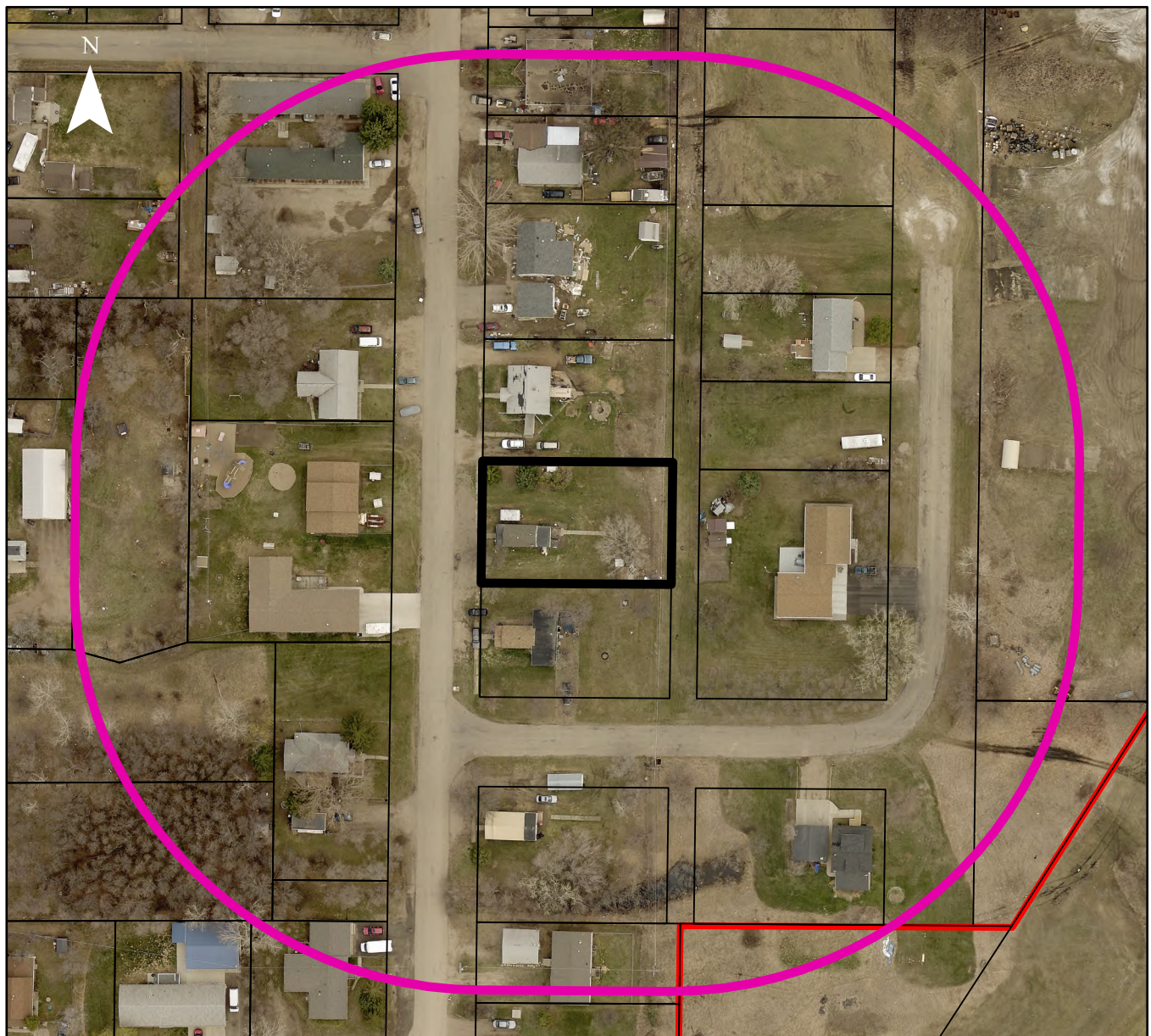
The Minot Planning Commission should accept the following findings of facts:

- 1) The applicants have submitted a complete application.
- 2) The present zoning is “R4” Planned Residential District and the 2040 Comprehensive Plan Future Land Use Map designates this area as Suburban Residential.
- 3) The proposed zoning amendment satisfies the evaluative criteria of Section 9.1-7. H. 1. thru 4. of the Land Development Ordinance as explained in the Staff’s Analysis section of the written report.
- 4) The proposed Future Land Use Map amendment satisfies the requirements for amendment as outlined in the 2024 Comprehensive Plan as explained in the Staff’s Analysis section of the written report.
- 5) The Minot Planning Commission has the authority to hear this case and provide a recommendation to City Council whether the zoning amendment, and Future Land Use Map amendment be approved, with or without conditions, 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.

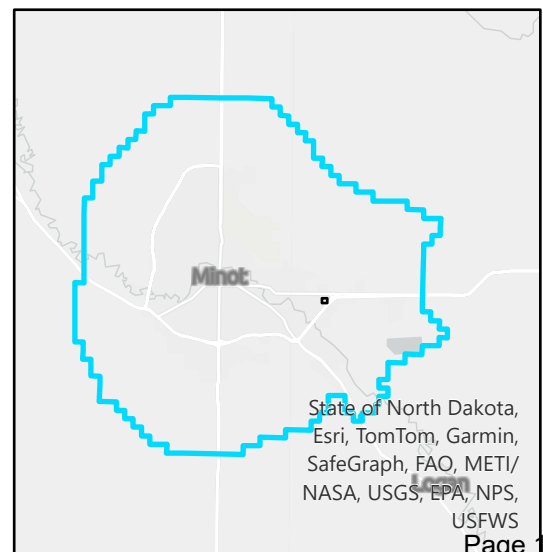
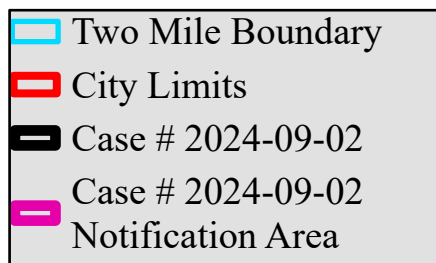
RECOMMENDATION:

Staff recommends the Planning Commission adopt staff's findings of fact and recommend approval to City Council for:

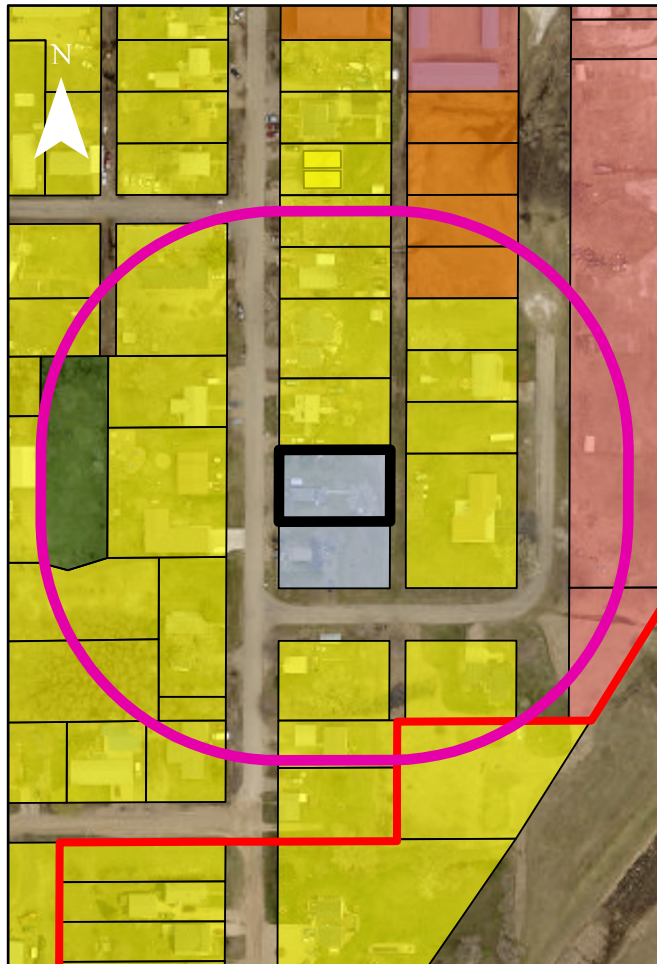
- 1) Staff recommends the Planning Commission adopt staff's findings of fact and recommend approval a Future Land Use map amendment from Suburban Residential Designation to Manufactured Home Community Designation.
- 2) Staff recommends the Planning Commission adopt staff's findings of fact and recommend approval to City Council for a zoning map amendment from "R4" Planned Residential District to "MH" Manufactured Home District with no conditions.



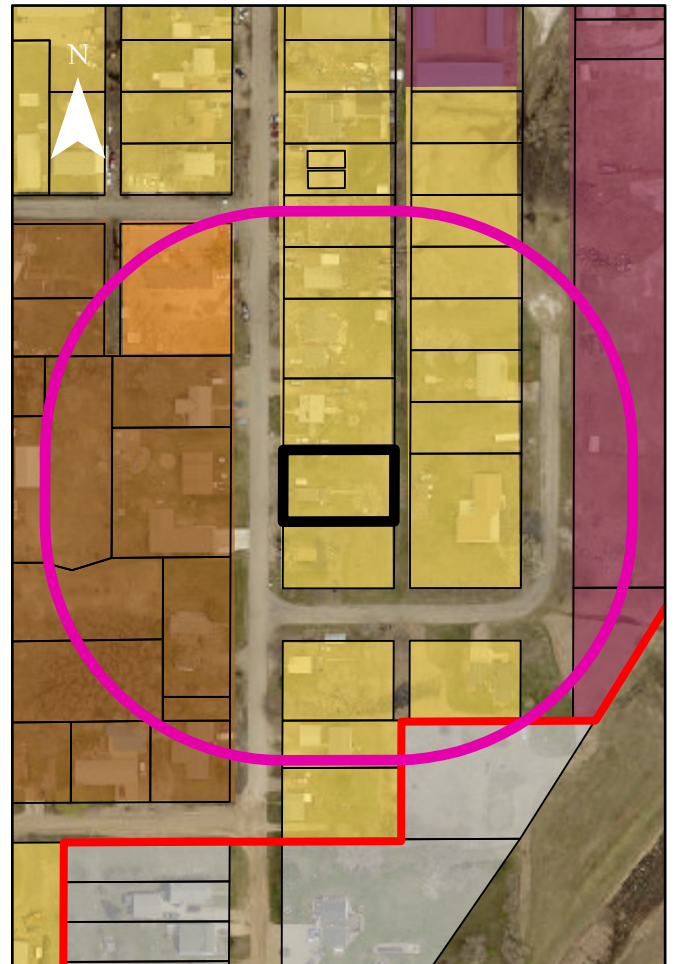
0 80 160 320 Feet



ZONING



FUTURE LAND USE



0 115 230 460 Feet

Zoning

	C2
	MH
	R1
	R3
	R4

Both Maps

	Case # 2024-09-02
	Case # 2024-09-02 Notification Area

Land Use Type

	Suburban Residential
	General Commercial
	Urban Residential
	Manufactured Home Community
	Light Industrial

Exhibit 3 – Site Photos



Facing North



Facing East



Facing East 2



Facing West



Facing Southwest



**Planning Commission
Staff Report**

Application Date: 09/10/2023
Date of Staff Report: 10/15/2024
Date of Planning Commission Meeting: 11/06/2024

Staff Contact: Doug Diedrichsen, Principal Planner
Staff Recommendation: Approval

Case Number: 2024-09-03
Project Name: Carver Addition – Preliminary Plat
Current Legal Description: See the project description below.

Proposed Legal Description: Lot 1 & 2 of Carver Addition to the City of Minot

Present Address: See the project description below.

Owners: Jeanne & Thomas Carver

Representative: Brad Vrem

Entitlements Requested: Major Subdivision Preliminary Plat

Present Zone(s): “AG” Agricultural District

Present Use(s): Crop Production, Single-Family Home

Uses Allowed in Present Zone(s): See Table 2.2 for allowed and conditionally permitted uses within each district.

Present Future Land Use Map Designation: Gateway Commercial

Proposed Zone(s): No Change

Proposed Use(s): Addition of a second single family home

Uses Allowed in Proposed Zone(s): See Table 2.2 for allowed and conditionally permitted uses within each district.

Proposed Future Land Use Map Designation: No Change

PROJECT DESCRIPTION:

Public hearing request by Brad Vrem, representing Jeanne & Thomas Carver, owner for a request of a preliminary plat on a property zoned “AG” Agricultural District. The legal description for the property is the NW1/4SE1/4, Section 36, Township 156 North, Range 83 West, Ward County, North Dakota

The subject property address is 5005 10th St. NE.

An aerial photo of the subject property can be found in **Exhibit 1**.

BACKGROUND INFORMATION:

The property owner seeks to subdivide a single lot into two lots. The proposed subdivision will create two lots from unplatted land. Lot 1 will be 10.00 acres and Lot 2 is 29.00 acres.

The preliminary plat can be found in **Exhibit 2**.

The zoning and future land use map designation of the subject property and surrounding area is provided in **Exhibit 3**.

Site photos are provided in **Exhibit 4**.

STAFF ANALYSIS:

Subdivision Design Standards:

Section 10.2-7 C. of the Land Development Ordinance of the City of Minot (LDO) covers the process of application and submittal for a major subdivision preliminary plat. The applicant has submitted the necessary application documents required per Section 10.2-7 C. 2. and noticing has been conducted as required per 9.2-1 (B) and (C).

Section 10.2-7. D. requires that staff's report consider the nature of the proposed development as prescribed within Section 10.2-5 relating to whether or not it meets the technical requirements of Article 10, and if not, whether any such requirements should be waived. To that end, staff provides the following guidance based on the various requirements of Chapter 10.3 – Design Standards:

Section 10.3-1, requiring the proposed subdivision to be designed in accordance with the standards of Chapter 10.3, the Land Development Ordinance as a whole, and a list of various other plans and codes, is satisfied.

Section 10.3-2 prohibits the approval of the subdivision of land that is unsuitable for development due to a variety of reasons. Staff finds the proposed preliminary layout, which proposes two lots, each with adequate terrain and access to be suitable for development. Staff finds Section 10.3-2 is satisfied.

Section 10.3-3. requires that a subdivision name not already be utilized elsewhere and spelled correctly. The name Carver Addition has not yet been taken and is spelled correctly. Section 10.3-3. is satisfied.

Section 10.3-4. A-F. relating to Street Names and Numbering is not applicable, as there are no additional streets proposed via this subdivision.

The requirements of Section 10.3-11. relating to the design of the individual lots has been satisfied as those properties to be zoned meet the minimum lots size of ten (10) acres in the “AG” Agricultural District.

Section 10.3-12 relating to block design is not applicable.

The requirements of Section 10.3-13. A. relating to the dedication of right-of-way, easements, and street widths is satisfied as the dedication of a thirty three foot (33’) right-of-way along the section line lying along the eastern boundary was dedicated and recorded on Doc. No. 2798547, recorded 10/29/2001 and dedication of ten foot (10’) utilities easement along the frontage of the property lines abutting streets are existing.

Sections 10.3-14 relates to sidewalks, which are exempted within the “AG” Agricultural District subdivision unless required by the City Engineering or their designee. Sidewalks are not being required and therefore Section 10.3-14 is satisfied.

Section 10.3-15 related to public utilities is satisfied. The land is outside of the service area of the municipal water and sewer system. Each site is suitable, at a minimum, for agricultural uses related to farming and ranching.

Section 10.3-21 related to financial security for necessary infrastructure improvements is not applicable.

Section 10.3-22 is satisfied, as the applicant is required to follow all City permitting processes for construction.

Comments:

1. There were no public comments at the time of writing this staff report.
2. The application was distributed to city departments and external public agencies within the City for review and no comments were received.

FINDINGS OF FACT:

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

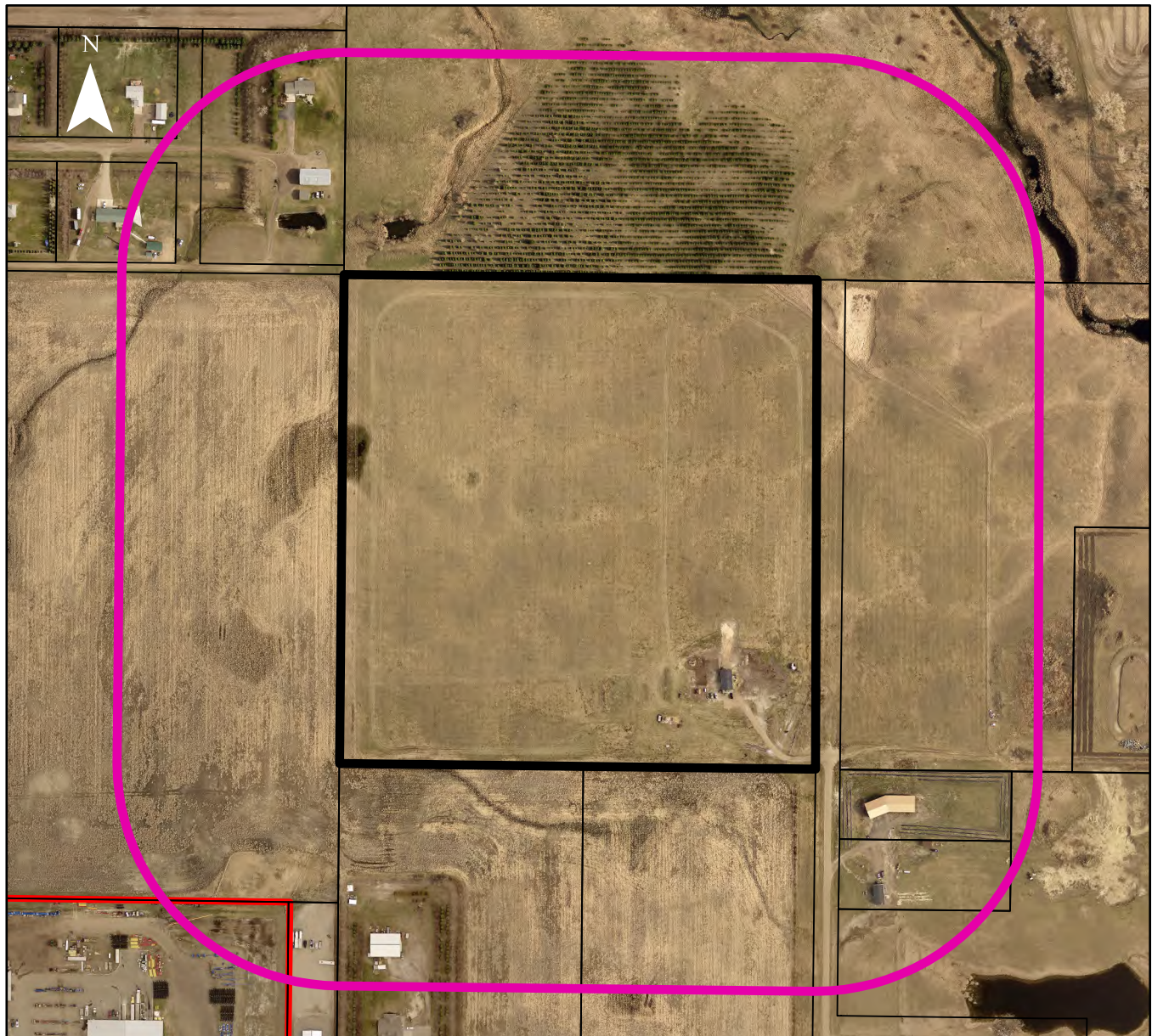
- 1) The applicants have submitted a complete application.
- 2) The property is zoned “AG” Agricultural District on the Official Zoning Map and has a “Gateway Commercial” designation on the Future Land Use Map of the 2012 Comprehensive Plan.
- 3) The applicant’s request is consistent with the bulk requirements 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.
- 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.

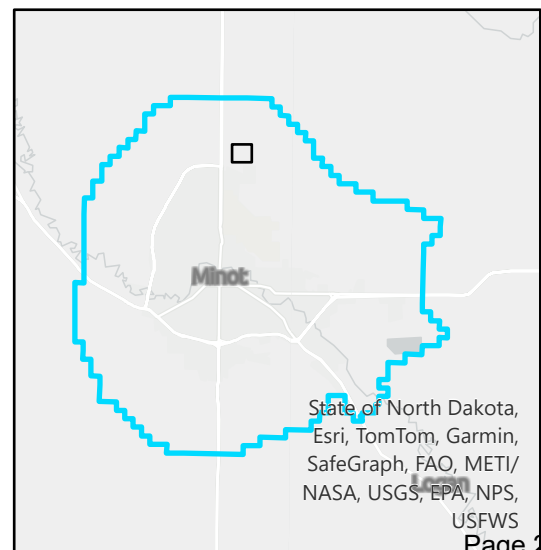
RECOMMENDATION:

Staff recommends the Planning Commission adopt staff findings of fact and recommend City Council approve the Major Subdivision Preliminary Plat for Carver Addition.



0 300 600 1,200 Feet

- Two Mile Boundary
- City Limits
- Case # 2024-09-03
- Case # 2024-09-03 Notification Area



State of North Dakota,
Esri, TomTom, Garmin,
SafeGraph, FAO, METI/
NASA, USGS, EPA, NPS,
USFWS



Carver Addition TO THE CITY OF MINOT, NORTH DAKOTA

NW 1/4 SE 1/4
SECTION 36, TOWNSHIP 156 N, RANGE 83 W,
of the 5th Principal Meridian, Ward County, North Dakota
TO THE CITY OF MINOT

DESCRIPTION:
Know all men by these presents that Thomas & Jeanne G. Carver, being Owners and Proprietors, of the NW 1/4 SE 1/4, Section 36, Township 156 N, Range 83 W, of the 5th Principal Meridian, to the City of Minot, North Dakota, being more particularly described as follows:
Beginning at the Northwest Corner of the Southeast Quarter of, Section 36, Township 156 N, Range 83 W of the 5th Principal Meridian, Ward County, North Dakota; Thence S 89°22'42" E, on the North Line of the Northwest Quarter of the Southeast Quarter, of said Section 36, a distance of 1286.94 FT; Thence S 0°37'05" W, on the West Line of the Public Right of Way, Document Number 2798547, a distance of 1321.29 FT to the a Point on the South Line of the Northwest Quarter of the Southeast Quarter, of said Section 36; Thence N 89°20'10" W, on the South Line of the Northwest Quarter of the Southeast Quarter, of said Section 36, a distance of 1285.26 FT to the Southwest Corner of the Northwest Quarter of the Southeast Quarter, of said Section 36; Thence N 0°32'42" E, on the West Line of the Northwest Quarter of the Southeast Quarter, of said Section 36, a distance of 1320.35 FT to the Point of Beginning.
Said described tract, of land contains 39.00 Acres more or less. Have caused the same to be surveyed and platted as shown hereon, to be known as Carver Addition, to the City of Minot, North Dakota, and hereby Grant to the owners of Lot 1 of Carver Addition the easement as hereon shown for their private use, in witness whereof, the owners hereunto affixed their signatures.

Thomas Carver
Thomas Carver
Jeanne G. Carver
Jeanne G. Carver

On this 14th Day of September, 2024, before me, a Notary Public in and for said State, Appeared Thomas Carver and Jeanne G. Carver, well known to be the person described in the foregoing description and acknowledged to me that she executed the same on her own free act and deed.

My commission expires

KIMBERLY J P FLATEN
Notary Public
State of North Dakota
My Commission Expires May 31, 2027

Kimberly J P Flaten
Notary Public, State of North Dakota

SURVEYOR'S CERTIFICATE

I, Thomas R. Leshovsky, a duly Registered Professional Land Surveyor, do hereby certify that I have Surveyed and Platted, the Foregoing described land. That Lots, Distances, Areas and Locations as shown on the foregoing Plat and in the Description Thereof, are true and correct to the best of my Knowledge and Belief.

Thomas R. Leshovsky
Thomas R. Leshovsky P.L.S. #6134

STATE OF NORTH DAKOTA, COUNTY OF Ward

On this 18th Day of September, 2024, before me, a Notary Public in and for said State, Appeared Thomas R. Leshovsky, Registered Professional Land Surveyor, well known to be such, and acknowledged to me that he executed the foregoing Surveyor's Certificate as his own free act and deed.

My commission expires

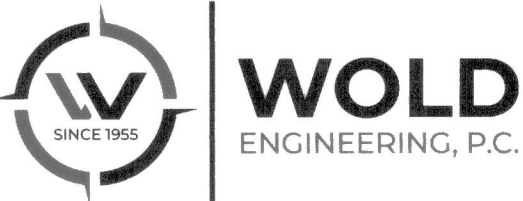
KIMBERLY J P FLATEN
Notary Public
State of North Dakota
My Commission Expires May 31, 2027

Kimberly J P Flaten
Notary Public, State of North Dakota

APPROVAL

I hereby certify that the Plat shown hereon has been approved by the Minot Planning Commission and the Minot City Council.

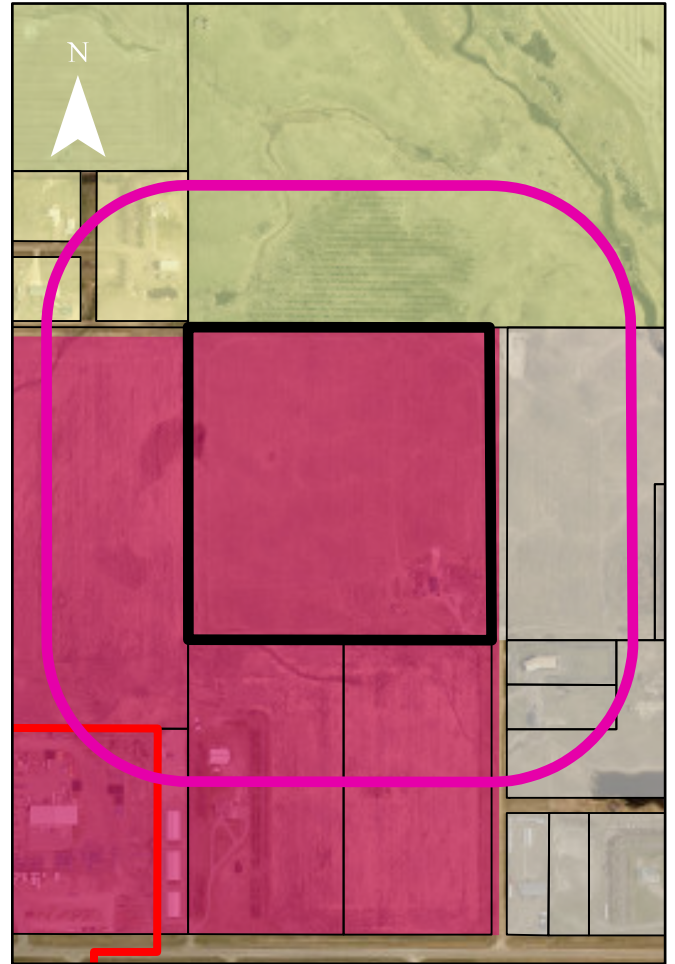
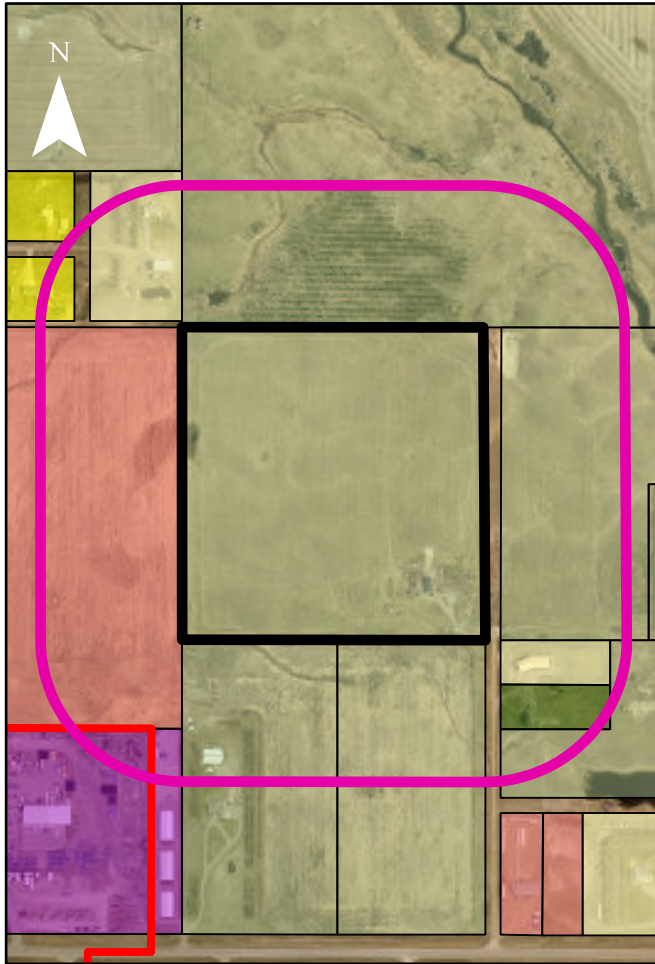
Approved: _____, 2024
Minot City Engineer



915 East 11th Street - PO Box 237 - Bottineau, ND 58318
110 8th Avenue Southwest - Minot, ND 58701
316 Eastdale Drive - PO Box 1277 - Bismarck, ND 58502

ZONING

FUTURE LAND USE



0 380 760 1,520 Feet

Zoning	
	AG
	C2
	M1
	MH
	R1
	RR

Both Maps	
	Case # 2024-09-03
	Case # 2024-09-03 Notification Area

Land Use Type	
	Agricultural and Open Space
	Rural Residential
	Gateway Commercial
	Light Industrial

Exhibit 4 – Site Photos



Facing North



Facing Northwest



Facing South



Facing West



**Planning Commission
Staff Report**

Application Date: 09/25/2024 Date of Staff Report: 10/15/2024 Planning Commission Meeting: 11/06/2024		Staff Contact: Doug Diedrichsen, Principal Planner Staff Recommendation: Approval	
Case Number: 2024-02-03 Project Name: Gerle First Addition – Prelim Plat, Annex, Zone Change Current Legal Description: See Project Description Proposed Legal Description: Lots 1 & 2 of Gerle First Addition to the City of Minot Present Address: 6405 HWY 2 E.		Representative: Rusten Roteliuk, Houston Engineering Owner: Sharon Gerle Entitlements Requested: Preliminary Plat approval, Zoning Map Amendment from “Ag” Agricultural District to “M1” Light Industrial District on Lot 2 and Annexation of Lot 2	
Present Zone(s): “Ag” Agricultural District Present Use(s): Agricultural Land Uses Allowed in Present Zone(s): See Chapter 2.2 for allowed and conditionally permitted uses within each district. Present Future Land Use Map Designation: Light Industrial		Proposed Zone(s): “M1” Light Industrial District Proposed Use(s): No Change on Lot 1, Industrial construction yard on Lot 2 Uses Allowed in Proposed Zone(s): See Chapter 2.2 for allowed and conditionally permitted uses within each district Proposed Future Land Use Map Designation: No Change	

PROJECT DESCRIPTION:

Public hearing request by Rusten Roteliuk of Houston Engineering, representing Sharon Gerle, owner for a request of a zoning map amendment, preliminary plat and annexation on a property zoned “AG” Agricultural District with the requested rezoning to “M1” Light Industrial District. The legal description for the property is the NW1/4SE1/4 Less Highway Right-of-Way, Section 22, Township 155 North, Range 82 West, Ward County, North Dakota

The subject property address is 6405 HWY 2 E.

An aerial map of the subject property may be found in **Exhibit 1**

BACKGROUND INFORMATION:

The property owner seeks subdivide, annex Lot 2 and rezone Lot 2 from “AG” Agricultural (AG) to “M1” Light Industrial District (M1). The subject property was designated light industrial in the 2040 Comprehensive Plan amendment approved October 21st, 2024. Annexation will address its position adjacent to city limits and will be evaluated by City Council along with the recommendation from Planning Commission on the preliminary plat and zoning map amendment request.

The applicant’s additional submittals related to the application for an preliminary plat, annexation and zoning map amendment may be found in **Exhibit 2**.

The zoning and future land use map are provided in **Exhibit 3**.

Site photos are provided in **Exhibit 4**.

STAFF ANALYSIS:

Annexation:

The City of Minot follows North Dakota Century Code (NDCC) Chapter 40-51.2 procedures involving annexation requests. NDCC 40-51.2-03 provides for owners of property to request annexation and City Council may approve such requests by ordinance. Staff is supportive of the annexation request.

Subdivision Design Standards:

Section 10.2-7 C. of the Land Development Ordinance of the City of Minot (LDO) covers the process of application and submittal for a major subdivision preliminary plat. The applicant has submitted the necessary application documents required per Section 10.2-7 C. 2. and noticing has been conducted as required per 9.2-1 (B) and (C).

Section 10.2-7. D. requires that staff’s report consider the nature of the proposed development as prescribed within Section 10.2-5 relating to whether or not it meets the technical requirements of Article 10, and if not, whether any such requirements should be waived. To that end, staff provides the following guidance based on the various requirements of Chapter 10.3 – Design Standards:

Section 10.3-1, requiring the proposed subdivision to be designed in accordance with the standards of Chapter 10.3, the Land Development Ordinance as a whole, and a list of various other plans and codes, is satisfied.

Section 10.3-2 prohibits the approval of the subdivision of land that is unsuitable for development due to a variety of reasons. Staff finds the proposed preliminary layout, which proposes two lots, each with adequate terrain and access to be suitable for development. Staff finds Section 10.3-2 is satisfied.

Section 10.3-3. requires that a subdivision name not already be utilized elsewhere and spelled correctly. The name Gerle First Addition has not yet been taken and is spelled correctly. Section 10.3-3. is satisfied.

Section 10.3-4. A-F. relating to Street Names and Numbering is not applicable, as there are no additional streets proposed via this subdivision.

The requirements of Section 10.3-11. relating to the design of the individual lots has been satisfied as those properties to be zoned meet the minimum lots size of ten (10) acres in the "AG" Agricultural District.

Section 10.3-12 relating to block design is not applicable.

The requirements of Section 10.3-13. A. relating to the dedication of right-of-way, easements, and street widths is satisfied with dedication of ten foot (10') utilities easements along street frontages as denoted on the preliminary plat. The existing utilities easement (Doc. No. 692673) is also denoted on the preliminary plat.

Sections 10.3-14 relates to sidewalks, which are exempted within the "AG" Agricultural District and "M1" Light Industrial subdivision unless required by the City Engineering or their designee. Sidewalks are not being required and therefore Section 10.3-14 is satisfied.

Section 10.3-15 related to public utilities is satisfied. Any expansion or connection to public utilities would be at the expense of the developer. Connection fees would apply at the rate set for this district, to be collected at the time of building permit application.

Section 10.3-21 related to financial security for necessary infrastructure improvements is not applicable.

Section 10.3-22 is satisfied, as the applicant is required to follow all City permitting processes for construction.

Zoning Map Amendment Analysis:

Section 9.1-7 of the Minot Land Development Code provides the procedures for amending the official zoning map of the City of Minot. Section 9.2 provides the noticing requirements for public hearings held by the Planning Commission. Section 9.1-7 D. recognizes that the future land use map may need to be amended to support any rezoning request. The applicant has submitted the necessary application documents required per Section 9.1-7 C. and noticing has been conducted as required per Section 9.2.

The subject property future land use designation is Light Industrial, which aligns with the proposed zone change to “M1” Light Industrial District. Staff finds no future land use map amendment is necessary.

Section 9.1-7 E. 2. requires the Planning Commission to provide findings of fact to ensure the criteria included in Section 9.1-7 H. has been satisfied in order to support any recommendation regarding any proposed changes to the zoning map or Future Land Use Map. Staff provides the following guidance:

Section 9.1-7 H. relates to whether or not the proposed zoning map amendment is justified due to a change in conditions, error in the zoning map, or by in order to fulfill the future land use map of the Comprehensive Plan. The request stems from an effort to fulfill the future land use map, as the “M1” Light Industrial District is a complimentary zone to the Light Industrial designation on the FLU map. Section 9.1-7 H. 1 is satisfied.

The City and other agencies will be able to provide necessary public services and facilities to serve the proposed development. Section 9.1-7 H. 2 is satisfied.

Section 9.1-7 H. 3 requires that the proposed zoning map amendment will not substantially diminish the condition or value of property in the vicinity. Staff finds no evidence that the zoning map amendment to “M1” Light Industrial District will diminish the condition or value of property within the vicinity. The adjacent properties have primary been developed with industrial or high intensity commercial uses. Section 9.1-7. H. 3. is satisfied.

Section 9.1-7. H. 4. requires the zoning change to be consistent with the purpose of the Land Development Ordinance of the City of Minot, the Comprehensive Plan, and other adopted plans and policies of the City. The proposed development must comply with all development standards within the Land Development Ordinance of the City of Minot and the zoning map amendment aligns with the future land use designation of Light Industrial in the City of Minot 2040 Comprehensive Plan. Therefore, Section 9.1-7. 4. is satisfied.

Comments:

1. There were no public comments at the time of writing this staff report.
2. The application was distributed to city departments and external public agencies within the City for review and the following comments were received.
 - a. City of Minot Engineering Department:
 - i. Site Plan and Storm Water Management Plan will be required for future development.
 - ii. Sewer connection fees are applicable for future development.
 - iii. Any proposed new access or change of use of access onto US Highway 2 East is at the discretion of the NDDOT.
 - iv. A traffic study may be required for future development.

FINDINGS OF FACT:

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

- 1) The applicants have submitted a complete application for annexation, preliminary plat and zoning map amendment.
- 2) 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).
- 3) The applicable sections of Chapter 10.3 related to subdivision design are satisfied.
- 4) The present zoning is "AG" Agricultural District.
- 5) The City of Minot 2040 Comprehensive Plan Future Land Use Map designates this area as Light Industrial.
- 6) Section 9.1-7 H. 1. is satisfied, as the FLU map denotes this area as Light Industrial and the proposal is to zone the property as "M1" Light Industrial in alignment with the FLU map designation.
- 7) Section 9.1-7 H. 2 is satisfied, as the City and other public agencies will be able to provide services to support the request.
- 8) Section 9.1-7 H. 3 is satisfied, as there exists no evidence that the proposed development will substantially diminish the condition or value of property in the vicinity.
- 9) The zoning map amendment is consistent with the purpose of the Minot Land Development Ordinance and other adopted policies of the City per Section 9.1-7 H. 4.
- 10) The Minot Planning Commission has the authority to hear this case and provide a recommendation to City Council whether 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.

RECOMMENDATION:

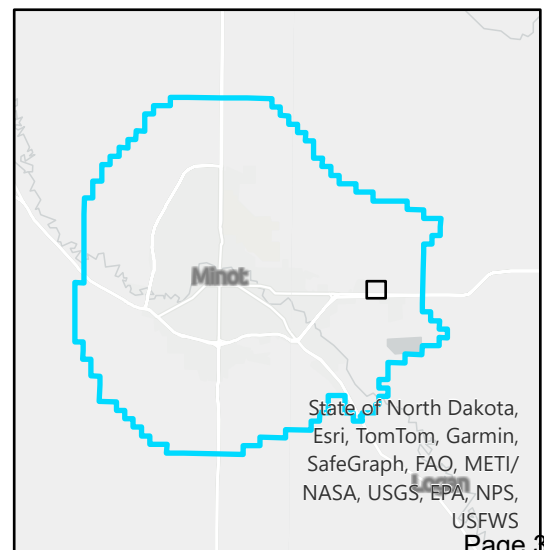
Staff recommends the Planning Commission adopt the staff findings of fact and recommend approval to City Council for a zoning map amendment from "C2" General Commercial District to "M1" Light Industrial District and Planning Commission recommend approval of the preliminary plat with the following conditions.

- 1) Site Plan and Storm Water Management Plan will be required for future development.
- 2) Sewer connection fees are applicable for future development.
- 3) Any proposed new access or change of use of access onto US Highway 2 East is at the discretion of the NDDOT.
- 4) A traffic study may be required for future development.



0 287.5 575 1,150 Feet

- Two Mile Boundary
- City Limits
- Case # 2024-09-05
- Case # 2024-09-05 Notification Area

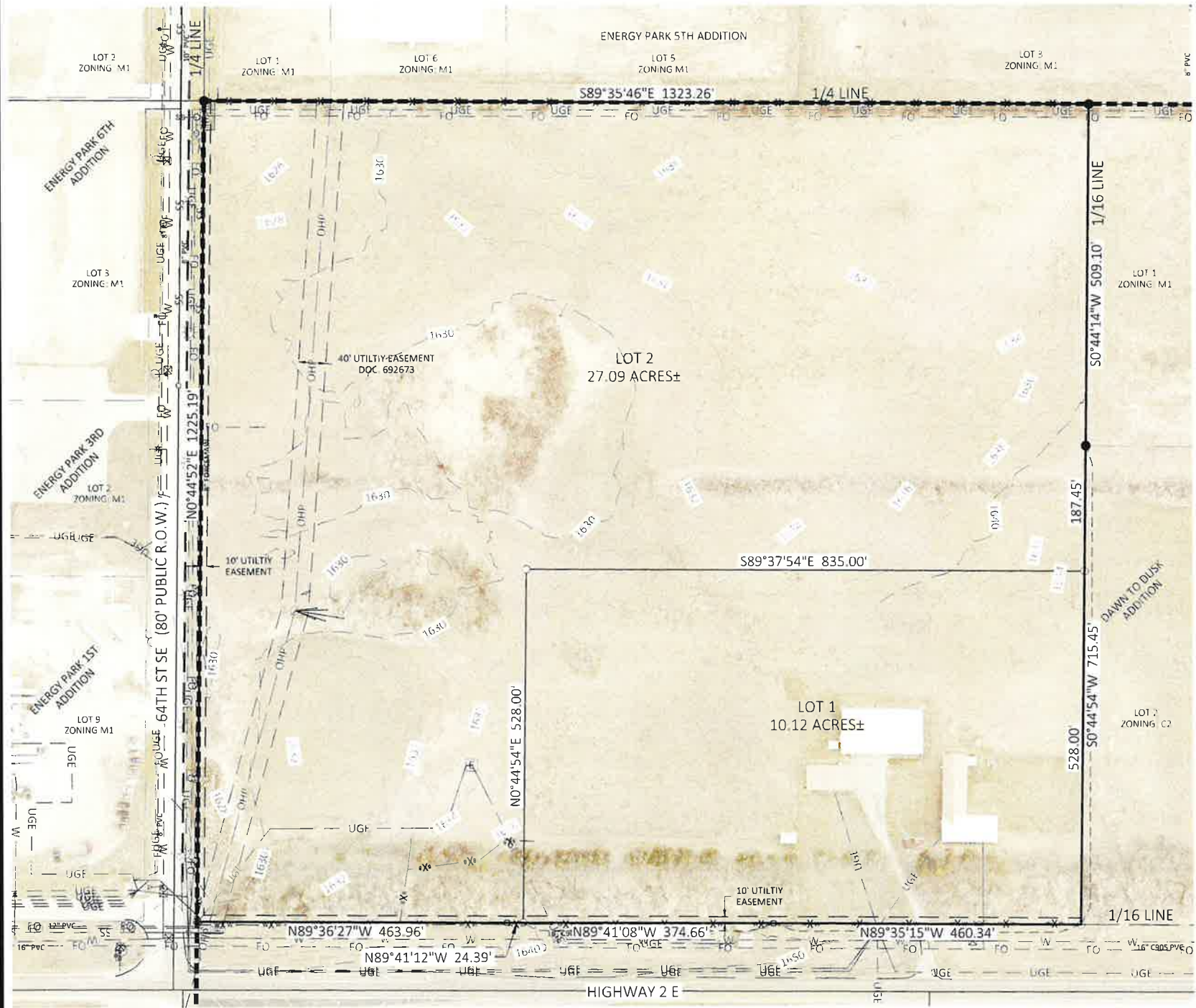


State of North Dakota,
Esri, TomTom, Garmin,
SafeGraph, FAO, METI/
NASA, USGS, EPA, NPS,
USFWS

GERLE FIRST ADDITION

BEING A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 155 NORTH, RANGE 82 WEST OF THE FIFTH PRINCIPAL MERIDIAN TO THE CITY OF MINOT, COUNTY OF WARD, STATE OF NORTH DAKOTA

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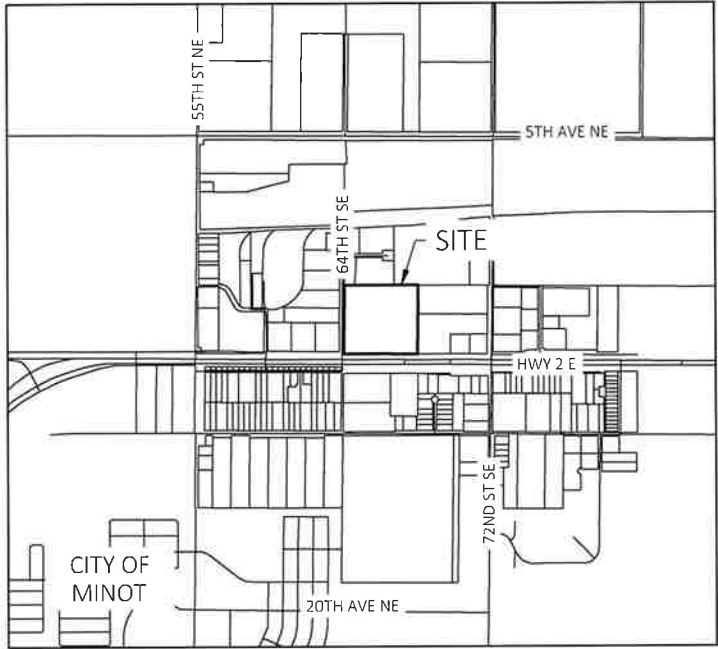
PLAT INFORMATION

EXISTING ZONING: AG
PROPOSED ZONING: LOT 1: AG
LOT 2: M1
TOTAL ACREAGE: 37.21± ACRES

COORDINATES SHOWN ARE NORTH DAKOTA STATE PLANE (NORTH ZONE) COORDINATES IN TERMS OF U.S. FEET.
BEARINGS SHOWN ARE NORTH DAKOTA STATE PLANE (NORTH ZONE) BEARINGS.

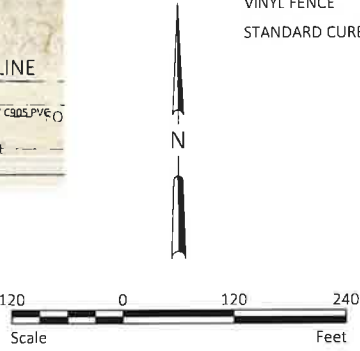
DISTANCES SHOWN ARE GRID DISTANCES IN TERMS OF U.S. SURVEY FEET. USE COMBINATION FACTOR OF 1.0001470216 TO CONVERT STATE PLANE DISTANCES TO GROUND DISTANCES.
CONTOURS VERTICAL DATUM: NAVD 88
TOPOGRAPHIC CONTOURS ARE DERIVED FROM SURVEY

LOCATION MAP



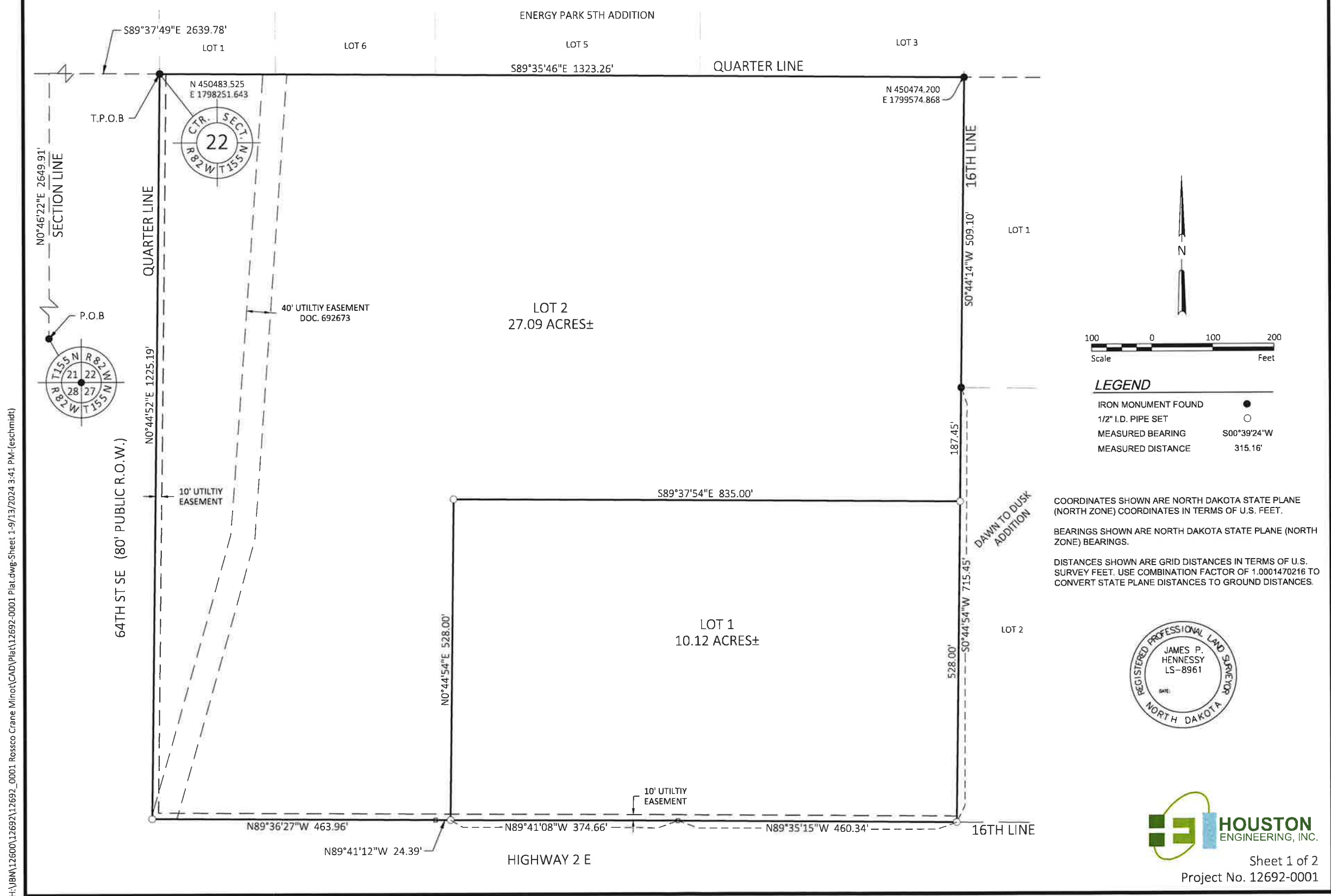
LEGEND

IRON MONUMENT FOUND	●
IRON MONUMENT SET	○
PLAT BOUNDARY	—
LOT LINE	---
UTILITY EASEMENT	- - - - -
EXISTING LOT LINE	- - - - -
EXISTING UTILITY EASEMENT	- - - - -
CITY LIMITS	- - - - -
WATER MAIN	— W —
SANITARY SEWER MAIN	— SS —
SANITARY SEWER FORCE	— SSF —
SANITARY MANHOLE	⊗
FIRE HYDRANT	⊗
GATE VALVE	⊗
UTILITY POLE	⊗
W / GUY WIRE	⊗ →
LIGHT POLE	⊗
TELEPHONE RISER	⊗
ELECTRICAL BOX	⊗
OVERHEAD POWER	— OHP —
UNDERGROUND ELECTRIC	— UGE —
UNDERGROUND FIBER OPTIC	— FO —
SIGN	⊗
VINYL FENCE	— x x —
STANDARD CURB & GUTTER	—



GERLE FIRST ADDITION

BEING A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF
SECTION 22, TOWNSHIP 155 NORTH, RANGE 82 WEST OF THE FIFTH PRINCIPAL MERIDIAN
TO THE CITY OF MINOT, COUNTY OF WARD, STATE OF NORTH DAKOTA



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COORDINATES SHOWN ARE NORTH DAKOTA STATE PLANE (NORTH ZONE) COORDINATES IN TERMS OF U.S. FEET.
BEARINGS SHOWN ARE NORTH DAKOTA STATE PLANE (NORTH ZONE) BEARINGS.
DISTANCES SHOWN ARE GRID DISTANCES IN TERMS OF U.S. SURVEY FEET. USE COMBINATION FACTOR OF 1.0001470216 TO CONVERT STATE PLANE DISTANCES TO GROUND DISTANCES.

GERLE FIRST ADDITION

BEING A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 155 NORTH, RANGE 82 WEST OF THE FIFTH PRINCIPAL MERIDIAN TO THE CITY OF MINOT, COUNTY OF WARD, STATE OF NORTH DAKOTA

Owner's Certificate:

Know All Persons By These Presents: That Sharon M. Gerle is the owner and proprietor of the Northwest quarter of the Southeast quarter of Section 22, Township 155 North Range 82 West of the 5th Principal Meridian, Ward County, North Dakota, more particularly described as follows:

Beginning (P.O.B) at the Southwest corner of Section 22, Township 155 North, Range 82 West of the Fifth Principal Meridian, Ward County, North Dakota; Thence N00°46'22"E, along the West line of said Section 22, a distance of 2,649.91 feet to the West Quarter Corner of said Section 22; Thence S89°37'49"E, along the East-West Quarter line of said Section 22 a distance of 2,639.78 feet to the Northwest corner of the Southeast Quarter of said Section 22, said point also being the

True Point of Beginning (T.P.O.B): Thence S89°35'46"E, along the North line of the Southeast Quarter of said Section 22 a distance of 1,323.26 feet to the Northeast corner of the Northwest Quarter of said Southeast Quarter; Thence S00°44'14"W along the East line of said Northwest Quarter of the Southeast Quarter, a distance of 509.10 feet; Thence S00°44'54"W along the East line of said Northwest Quarter of the Southeast Quarter, a distance of 715.45 feet to the North Right-of-Way line of U.S. Highway No. 2; Thence N89°35'15"W along said North Right-of-Way line, a distance of 460.34; Thence N89°41'08"W along said North Right-of-Way line, a distance of 374.66 feet; Thence N89°41'12"W along said North Right-of-Way line, a distance of 24.39 feet; Thence N89°36'27"W along said North Right-of-Way line, a distance of 463.96 feet to a point on the West line of the Northwest Quarter of the Southeast Quarter of said Section 22; Thence N00°44'52"E along the West line of said Northwest Quarter of the Southeast Quarter, a distance of 1,225.19 feet to the **True Point of Beginning (T.P.O.B)**.

All located in the Northwest Quarter of the Southeast Quarter of Section 22, Township 155 North Range 82 West of the Fifth Principal Meridian, City of Minot, County of Ward, State of North Dakota.

Bearings are based on the West Quarter line of the Southeast Quarter of Section 22 being N0°43'26"E between the Southwest corner of the Northwest Quarter of the Southeast Quarter and the Northwest corner of the Southeast Quarter Section 22.

Said tract of land contains 1,620,951.934 sqft. or 37.212 acres, more or less.

And that said party has caused the same to be surveyed and platted as Gerle First Addition to the City of Minot, Ward County, North Dakota.

In witness whereof I have set my hand and seal.

Owners:

Sharon M. Gerle
Deed Holder

State of _____)
) s.s.
County of _____)

On this _____ day of _____, 20____, before me, a notary public within and for said county and state, personally appeared Sharon Gerle, Deed Holder, known to me known to be the person(s) described herein and who executed the foregoing instrument and acknowledged to me that they executed same as their free act and deed.

Notary public: _____

Surveyor's Certificate:

I, James P. Hennessy, Professional Land Surveyor under the laws of the State of North Dakota, do hereby certify on this _____ day of _____, 20____ that the plat hereon is a true and correct representation of the survey thereof, that all distances are correctly shown on said plat in feet and decimals of a foot, and that the monuments for the guidance of future surveys have been placed in the ground as shown.

James P. Hennessy, Professional Land Surveyor
North Dakota PLS No. 8961

State of _____)
) s.s.
County of _____)

On this _____ day of _____, 20____, before me, a notary public within and for said county and state, personally appeared James P. Hennessy, to me known to be the person described herein and who executed the foregoing instrument and acknowledged that he executed same as his free act and deed.

Notary public: _____

City Engineer's Approval:

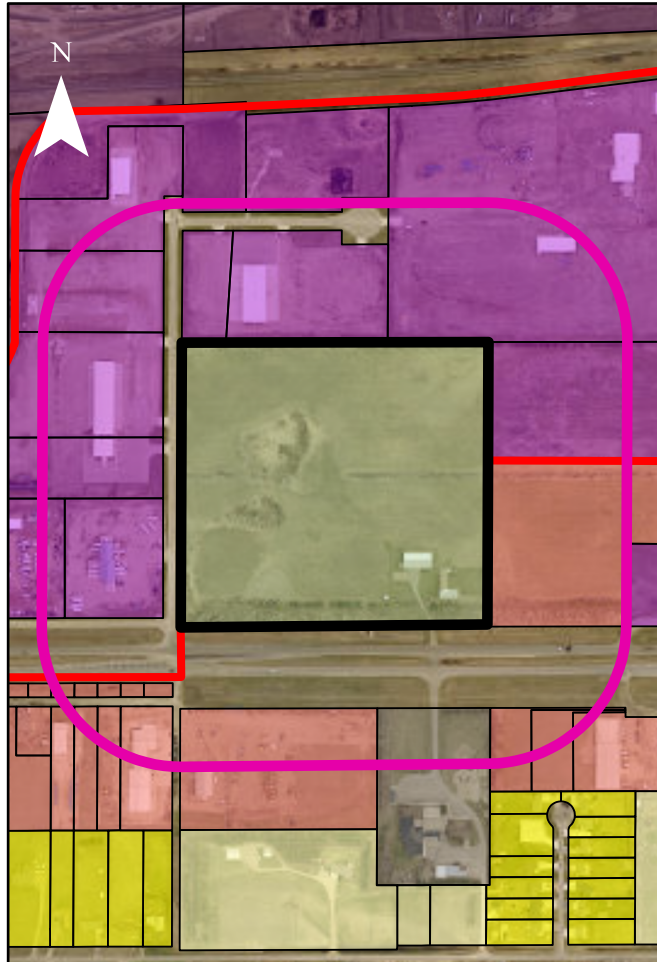
I hereby certify that the plat hereon depicted has been approved by the Minot Planning Commission and the Minot City Council.

Lance Meyer, City Engineer

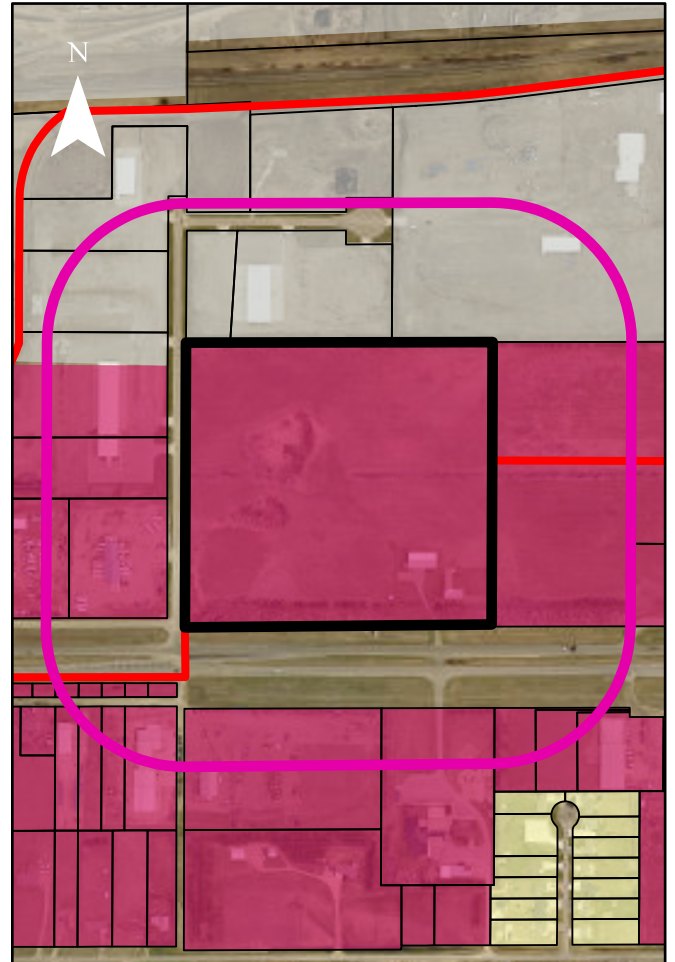
Date



ZONING



FUTURE LAND USE



0 387.5775 1,550 Feet

Zoning

	AG
	C2
	M1
	M2
	P
	R1
	RR

Both Maps

	Case # 2024-09-05
	Case # 2024-09-05 Notification Area

Land Use Type

	Light Industrial
	Rural Residential
	Suburban Residential
	Gateway Commercial
	Light Industrial

Exhibit 4 – Site Photos



Facing East



Facing Northwest



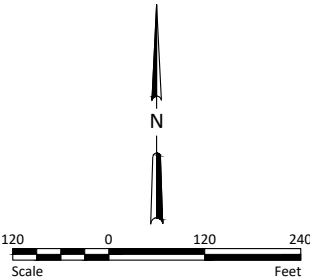
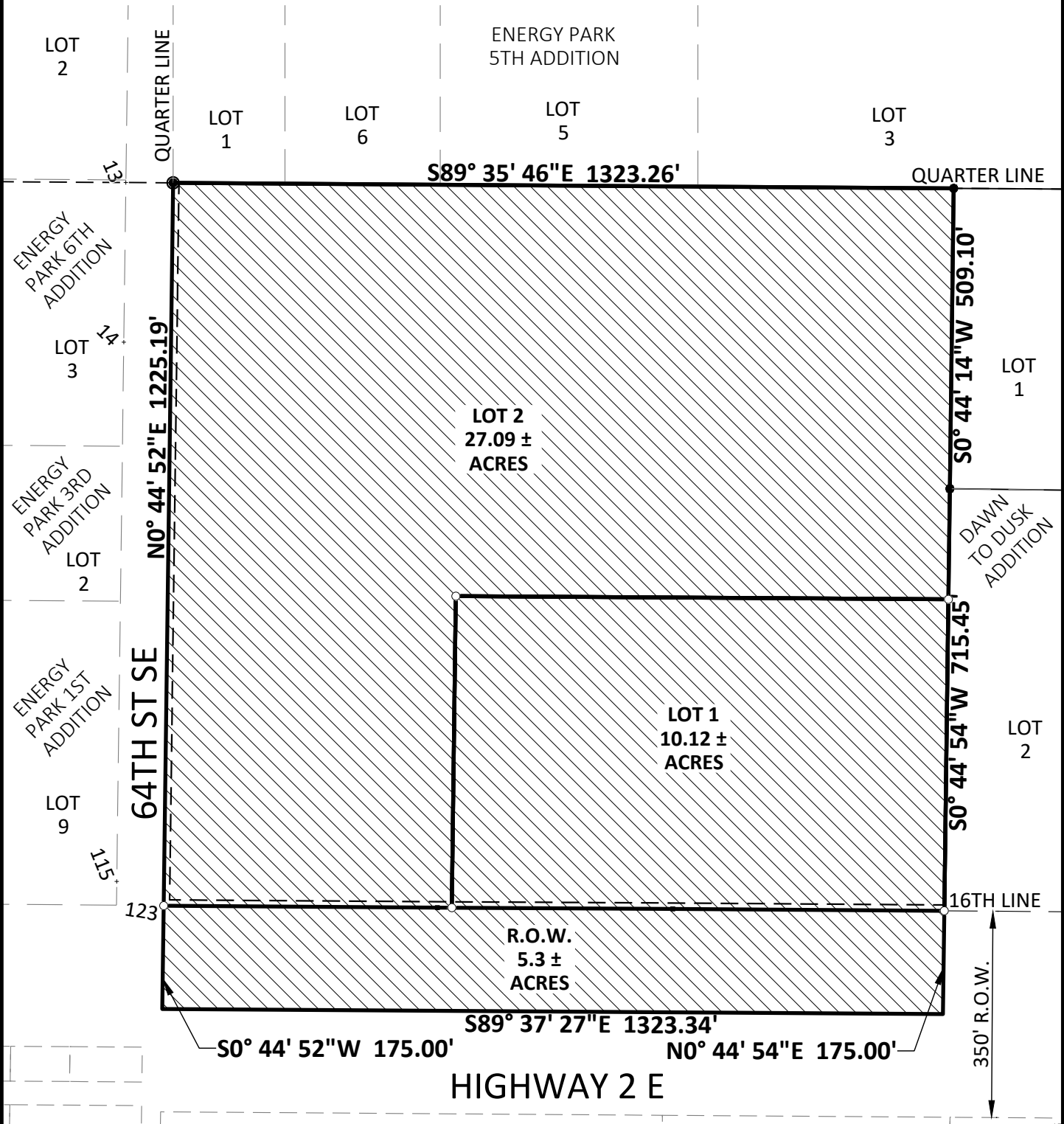
Facing South



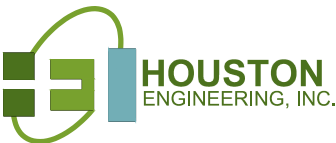
Facing West

ANNEXATION EXHIBIT

BEING A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 155 NORTH, RANGE 82 WEST OF THE FIFTH PRINCIPAL MERIDIAN TO THE CITY OF MINOT, COUNTY OF WARD, STATE OF NORTH DAKOTA



- IRON MONUMENT FOUND
- IRON MONUMENT SET
- EX. PROPERTY LINE
- PROPERTY BOUNDARY LINE
- PROPOSED ANNEXATION



PAGE 1 OF 2
DRAWN BY: ES
CHECKED BY: JH
DATE 10/29/2024

ANNEXATION EXHIBIT

**BEING A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF
SECTION 22, TOWNSHIP 155 NORTH, RANGE 82 WEST OF THE FIFTH PRINCIPAL MERIDIAN
TO THE CITY OF MINOT, COUNTY OF WARD, STATE OF NORTH DAKOTA**

DESCRIPTION

S89°35'46"E, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 22 A DISTANCE OF 1,323.26 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SOUTHEAST QUARTER; THENCE S00°44'14"W ALONG THE EAST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, A DISTANCE OF 509.10 FEET; THENCE S00°44'54"W ALONG THE EAST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, A DISTANCE OF 715.45 FEET TO THE NORTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 2; THENCE S00°44'54"W, A DISTANCE OF 175.00 FEET TO THE CENTER OF THE RIGHT OF WAY OF U.S. HIGHWAY NO. 2; THENCE N89°37'27"W, A DISTANCE OF 1332.34 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 22; THENCE N0°44'52"E ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, A DISTANCE OF 175.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 2; THENCE N00°44'52"E CONTINUING ON AND ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, A DISTANCE OF 1,225.19 FEET.

SAID TRACT OF LAND CONTAINS ± 42.51 ACRES MORE OR LESS AND IS SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF RECORD.

SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NORTH DAKOTA.

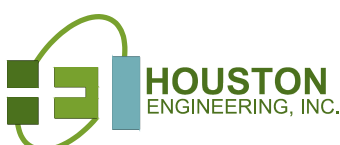
JAMES P. HENNESSEY
REGISTERED LAND SURVEYOR
ND LS-8961

DATE _____

[illegible]

ON THIS _____ DAY OF _____ 20____, JAMES P. HENNESSEY,
PERSONALLY APPEARED BEFORE ME, KNOWN TO ME TO BE THE PERSON
DESCRIBED IN AND WHO EXECUTED THE WITHIN AND FOREGOING INSTRUMENT
AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NOTARY PUBLIC, COUNTY: _____ STATE: _____



PAGE 2 OF 2
DRAWN BY: ES
CHECKED BY: RR
DATE 10/29/2024



Planning Commission
Staff Report

Application Date: 09/23/2024
Date of Staff Report: 10/15/2024
Date of Planning Commission Meeting: 11/06/2024

Staff Contact: Doug Diedrichsen, Principal Planner
Staff Recommendation: Approval

Case Number: 2024-09-06
Project Name: Ehr Hills Addition – Preliminary Plat
Current Legal Description: See the project description below.

Proposed Legal Description: Lot 1 & 2 of Ehr Hills Addition to the City of Minot

Present Address: See the project description below.

Owners: Margo Ehr et.al.

Representative: Sarah Walker, Ward County Water Resource Board

Entitlements Requested: Major Subdivision Preliminary Plat

Present Zone(s): “R1” Single Family Residential District

Present Use(s): Gravel Mining

Uses Allowed in Present Zone(s): See Table 2.2 for allowed and conditionally permitted uses within each district.

Present Future Land Use Map Designation: Suburban Residential

Proposed Zone(s): No Change

Proposed Use(s): Stormwater management project. Legal non-conforming gravel mining activities would no longer be allowed in a platted residential subdivision.

Uses Allowed in Proposed Zone(s): See Table 2.2 for allowed and conditionally permitted uses within each district.

Proposed Future Land Use Map Designation: No Change

PROJECT DESCRIPTION:

Public hearing request by The Ward County Water Resource Board, representing Margo Ehr, owner for a request of a preliminary plat on a property zoned “R1” Single Family Residential District. The legal description for the property is Outlot 34 lying in the NE1/4SE1/4 less Sublot A, HWY right-of-way and portions of Outlot 44 & 45, Section 30, Township 155 North, Range 82 West, Ward County, North Dakota.

The subject property address is 2100 Valley St.

An aerial photo of the subject property can be found in **Exhibit 1**.

BACKGROUND INFORMATION:

The property owner seeks to subdivide a single lot into two lots. The proposed subdivision will create two lots from unplatted land. Lot 1 will be 4.59 acres and Lot 2 is 72.73 acres.

The preliminary plat can be found in **Exhibit 2**.

The zoning and future land use map designation of the subject property and surrounding area is provided in **Exhibit 3**.

Site photos are provided in **Exhibit 4**.

STAFF ANALYSIS:

Subdivision Design Standards:

Section 10.2-7 C. of the Land Development Ordinance of the City of Minot (LDO) covers the process of application and submittal for a major subdivision preliminary plat. The applicant has submitted the necessary application documents required per Section 10.2-7 C. 2. and noticing has been conducted as required per 9.2-1 (B) and (C).

Section 10.2-7. D. requires that staff's report consider the nature of the proposed development as prescribed within Section 10.2-5 relating to whether or not it meets the technical requirements of Article 10, and if not, whether any such requirements should be waived. To that end, staff provides the following guidance based on the various requirements of Chapter 10.3 – Design Standards:

Section 10.3-1, requiring the proposed subdivision to be designed in accordance with the standards of Chapter 10.3, the Land Development Ordinance as a whole, and a list of various other plans and codes, is satisfied.

Section 10.3-2 prohibits the approval of the subdivision of land that is unsuitable for development due to a variety of reasons. Staff finds the proposed preliminary layout, which proposes two lots, each with adequate terrain and access to be suitable for development. Staff finds Section 10.3-2 is satisfied.

Section 10.3-3. requires that a subdivision name not already be utilized elsewhere and spelled correctly. The name Her Hill's Addition has not yet been taken and is spelled correctly. Section 10.3-3. is satisfied.

Section 10.3-4. A-F. relating to Street Names and Numbering is not applicable, as there are no additional streets proposed via this subdivision.

The requirements of Section 10.3-11. relating to the design of the individual lots has been satisfied as those properties to be zoned meet the minimum lots size in the “R1” Single Family Residential District.

Section 10.3-12 relating to block design is not applicable.

The requirements of Section 10.3-13. A. relating to the dedication of right-of-way, easements, and street widths is not satisfied as the dedication of ten foot (10’) utilities easement along the frontage of the property lines abutting streets are not denoted on the plat. Dedication of the ten foot (10’) utilities easement along Valley St. should be a condition of approval for a final plat.

Sections 10.3-14 relates to sidewalks. Sidewalks will be required at the time of construction of any homes and therefore Section 10.3-14 is satisfied.

Section 10.3-15 related to public utilities is satisfied. The land is outside of the service area of the municipal water and sewer system.

Section 10.3-21 related to financial security for necessary infrastructure improvements is not applicable.

Section 10.3-22 is satisfied, as the applicant is required to follow all City permitting processes for construction.

Comments:

1. There were no public comments at the time of writing this staff report.
2. The application was distributed to city departments and external public agencies within the City for review and no comments were received.

FINDINGS OF FACT:

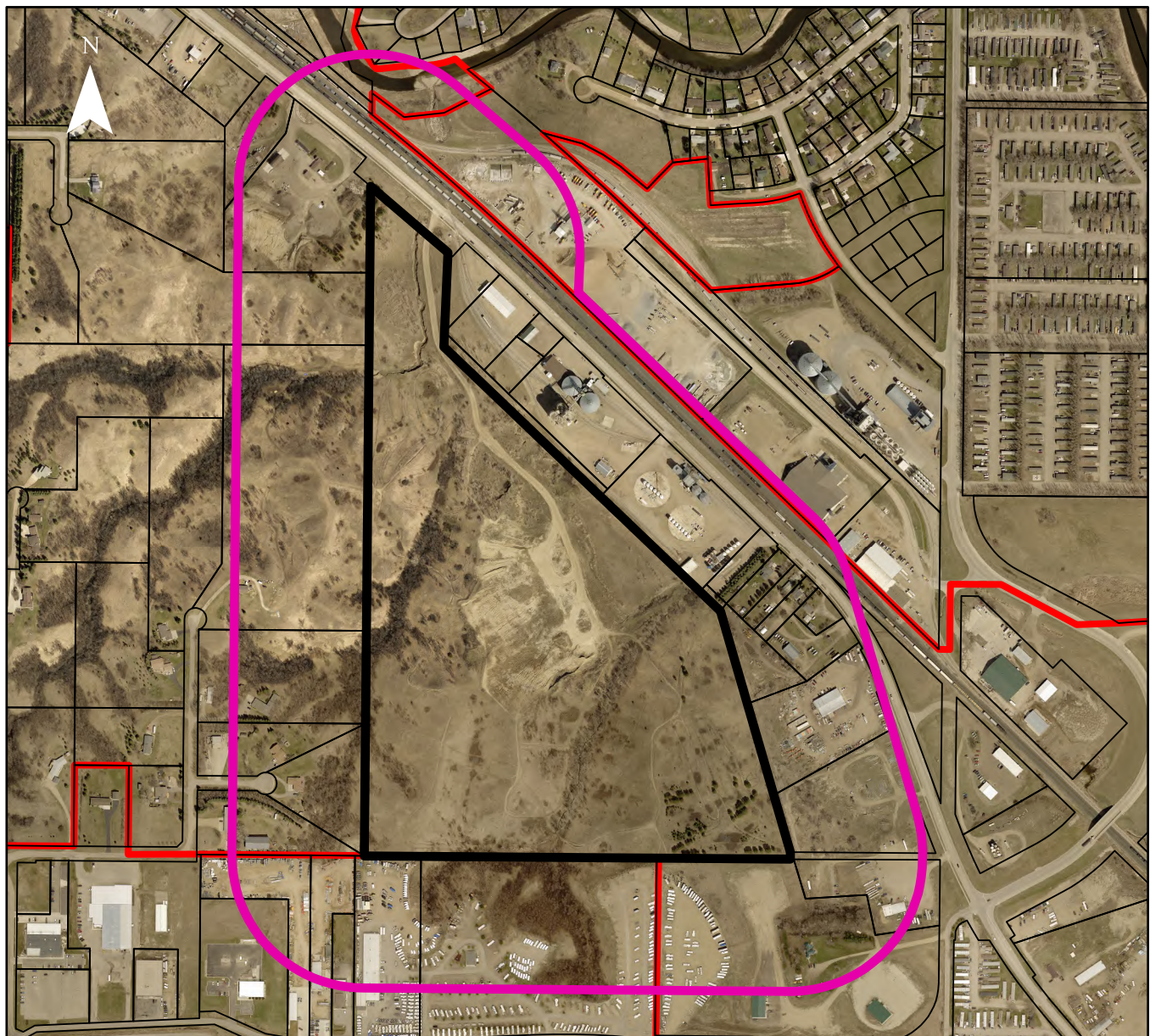
The Minot Planning Commission should accept the following findings of facts:

- 1) The applicants have submitted a complete application.
- 2) The property is zoned “R1” Single Family Residential District on the Official Zoning Map and has a “Suburban Residential” 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 – “R1” Single Family Residential 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 conditions.
- 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.

RECOMMENDATION:

Staff recommends the Planning Commission adopt staff findings of fact and recommend City Council approve the Major Subdivision Preliminary Plat for Ehr Hills Addition with the condition that a 10' Utility easement be placed on the final plat along the street frontage.



0 500 1,000 2,000 Feet

- Two Mile Boundary
- City Limits
- Case # 2024-09-06
- Case # 2024-09-06 Notification Area

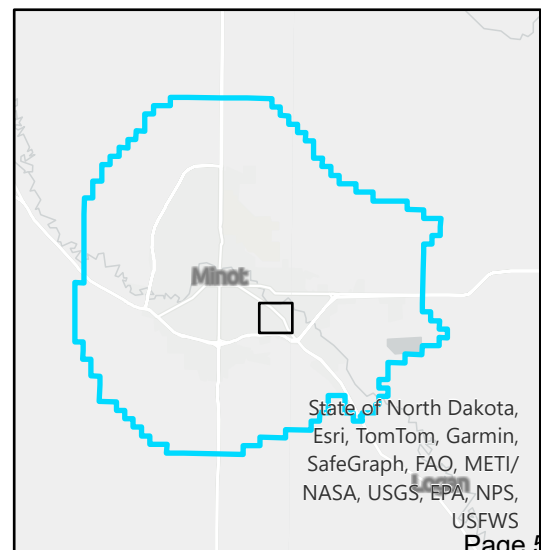
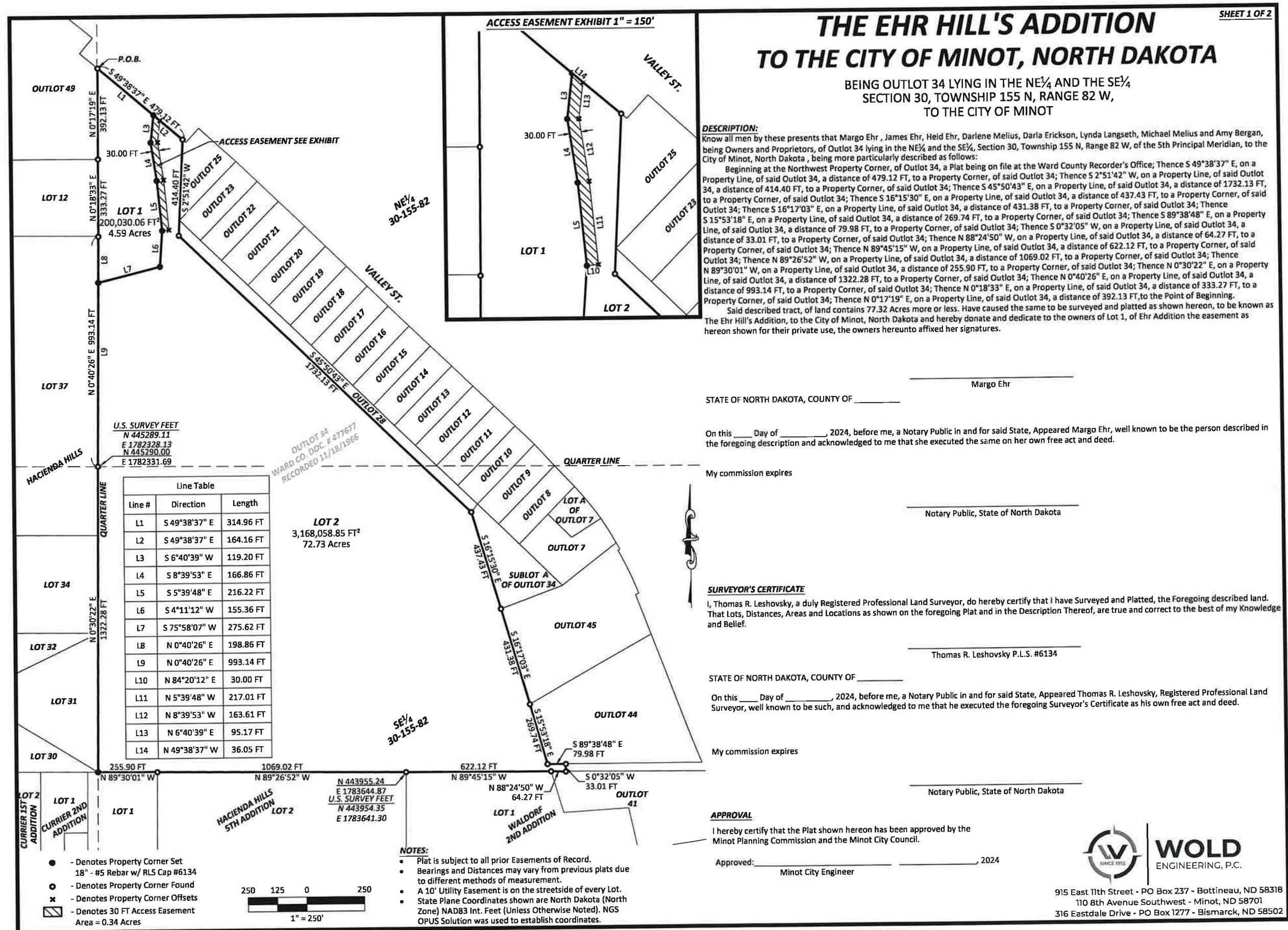


Exhibit 2



**THE EHR HILL'S ADDITION
TO THE CITY OF MINOT, NORTH DAKOTA**

BEING OUTLOT 34 LYING IN THE NE¼ AND THE SE¼
SECTION 30, TOWNSHIP 155 N, RANGE 82 W,
TO THE CITY OF MINOT

SHEET 2 OF 2

STATE OF _____, COUNTY OF _____ James Ehr

On this ____ Day of _____, 2024, before me, a Notary Public in and for said State, Appeared James Ehr, well known to be the person described in the foregoing description and acknowledged to me that he executed the same on his own free act and deed.

My commission expires

Notary Public, State of _____

STATE OF _____, COUNTY OF _____ Darlene Melius

On this ____ Day of _____, 2024, before me, a Notary Public in and for said State, Appeared Darlene Melius, well known to be the person described in the foregoing description and acknowledged to me that she executed the same on her own free act and deed.

My commission expires

Notary Public, State of _____

STATE OF _____, COUNTY OF _____ Lynda Langseth

On this ____ Day of _____, 2024, before me, a Notary Public in and for said State, Appeared Lynda Langseth, well known to be the person described in the foregoing description and acknowledged to me that she executed the same on her own free act and deed.

My commission expires

Notary Public, State of _____

STATE OF _____, COUNTY OF _____ Amy Bergan

On this ____ Day of _____, 2024, before me, a Notary Public in and for said State, Appeared Amy Bergan, well known to be the person described in the foregoing description and acknowledged to me that she executed the same on her own free act and deed.

My commission expires

Notary Public, State of _____

STATE OF _____, COUNTY OF _____ Heid Ehr

On this ____ Day of _____, 2024, before me, a Notary Public in and for said State, Appeared Heid Ehr, well known to be the person described in the foregoing description and acknowledged to me that she executed the same on her own free act and deed.

My commission expires

Notary Public, State of _____

STATE OF _____, COUNTY OF _____ Darla Erickson

On this ____ Day of _____, 2024, before me, a Notary Public in and for said State, Appeared Darla Erickson, well known to be the person described in the foregoing description and acknowledged to me that she executed the same on her own free act and deed.

My commission expires

Notary Public, State of _____

STATE OF _____, COUNTY OF _____ Michael Melius

On this ____ Day of _____, 2024, before me, a Notary Public in and for said State, Appeared Michael Melius, well known to be the person described in the foregoing description and acknowledged to me that he executed the same on his own free act and deed.

My commission expires

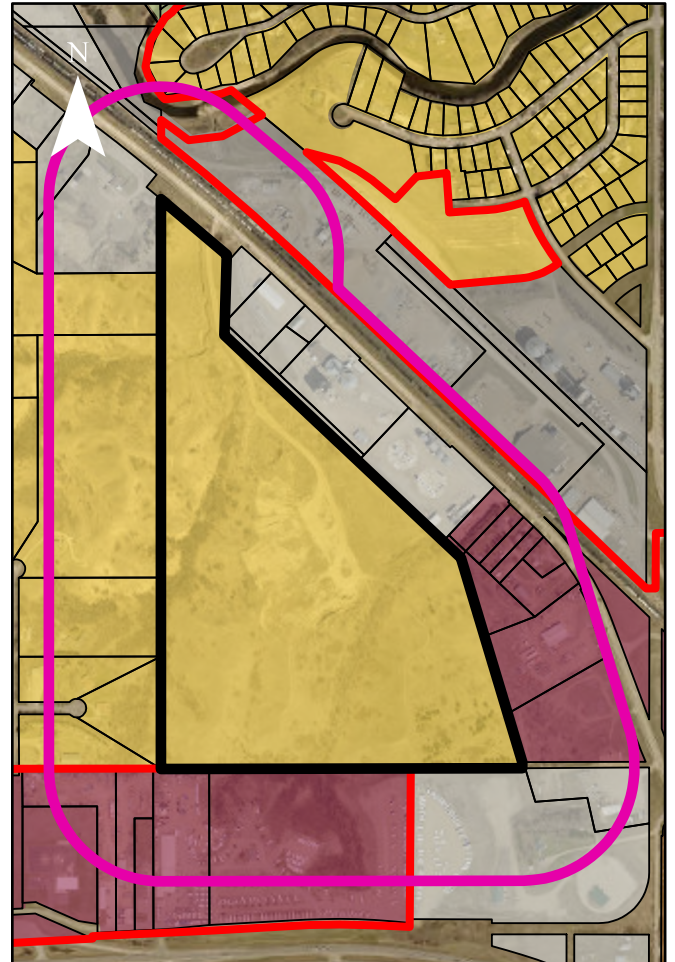
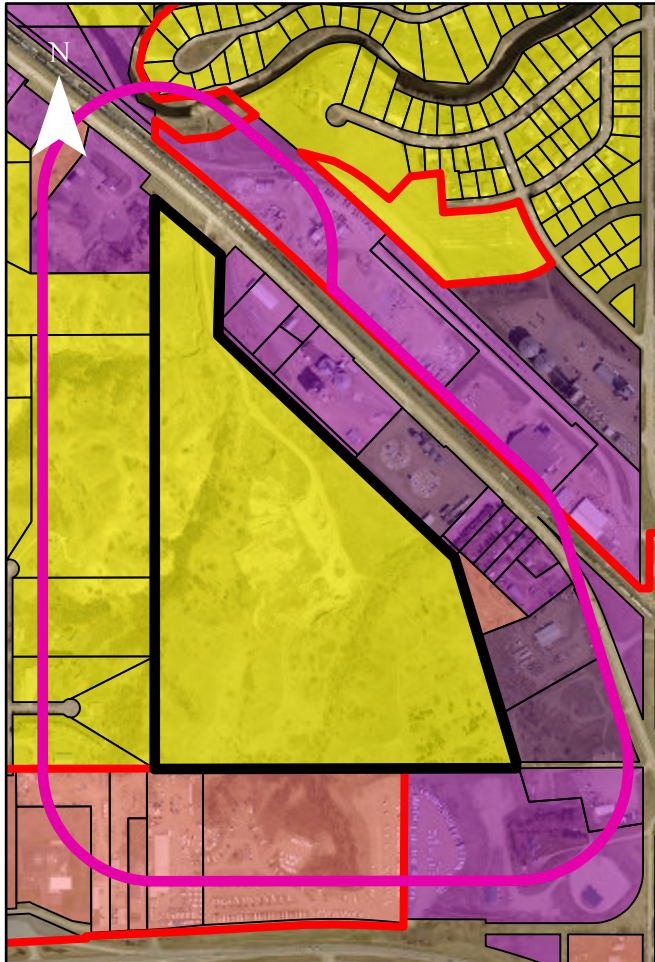
Notary Public, State of _____



915 East 11th Street - PO Box 237 - Bottineau, ND 58318
110 8th Avenue Southwest - Minot, ND 58701
316 Eastdale Drive - PO Box 1277 - Bismarck, ND 58502

ZONING

FUTURE LAND USE



0 480 960 1,920 Feet

Zoning

	C2
	M1
	M2
	MH
	P
	R1

Both Maps

	Case # 2024-09-06
	Case # 2024-09-06 Notification Area

Land Use Type

	Suburban Residential
	General Commercial
	Heavy Industrial
	Manufactured Home Community
	Agricultural and Open Space
	Suburban Residential
	Manufactured Home Community
	General Commercial
	Light Industrial

Exhibit 4 – Site Photos



Facing Southeast



Facing Northwest



Facing Southwest



Facing Proposed Drainage Area