City of Minot

Regular Planning Commission Meeting
Tuesday, December 3, 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 NOVEMBER 2024 REGULAR MEETING MINUTES
5. PUBLIC HEARING
   - 5.1. CASE# 2024-10-02 MEADOWVIEW ADDITION - CONDITIONAL USE PERMIT

     Public hearing request by Nathan & Kendra Faa, representing Faa Addiction Services, owner for a request of a conditional use permit for a Group Home (7-12 residents plus staff) on a property zoned "R1" Single Family Residential District. The legal description for the property is Lot 8, Block 7 Meadowview Addition to the City of Minot, North Dakota.

     The subject property address is 908 24th Ave NW.
6. MISCELLANEOUS AND DISCUSSION ITEMS
   - 6.1. ELECTION OF COMMISSION OFFICERS
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 November 6, 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 05:30 PM.

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. INTRODUCTIONS AND DECORUM

    3.1. INTRODUCTIONS AND DECORUM HANDOUT

Chairman Offerdahl welcomed Robert Amick to the Planning Commission.

4. PLANNING COMMISSION

    4.1. APPROVAL OF OCTOBER 2024 REGULAR MEETING MINUTES

The motion to Approve the October 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, Kayla Johnson, Annette Mennem, Dustin Offerdahl, Serena Pontenila, Bradly Wolff, Robert Amick; nays: None.

5. PUBLIC HEARING

    5.1. CASE #2024-09-02. ENGERS FIRST ADDITION - ZONING MAP AMENDMENT, FUTURE LAND USE MAP AMENDMENT

Mr. Diedrichsen presented the Staff Report.
Chairman Offerdahl opened the public hearing to the public for testimony.
WIlliam Niemann appeared to testify against the measure.
Jo Vannett appeared to testify against the measure.
Lisa Bergstad appeared to testify in support of the measure.
Donald Jessen appeared to testify in support of the measure.
Chairman Offerdahl closed the public hearing.
The Commissioners had a discussion.
The motion to Approve based on Staff recommendations and findings of fact was initiated by Planning Commission Representative Baumann seconded by Planning Commission Representative Pontenila.
The Commissioners had a discussion.
The motion was carried by the following roll call vote: ayes: Tim Baumann, Erin Iverson, Kayla Johnson, Annette Mennem, Dustin Offerdahl, Serena Pontenila, Bradly Wolff, Robert Amick; nays: None.

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

Mr. Diedrichsen presented the Staff Report.
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 on Staff recommendations and findings of fact was initiated by Wolff seconded by Planning Commission Representative Johnson and carried by the following roll call vote: ayes: Tim Baumann, Erin Iverson, Kayla Johnson, Annette Mennem, Dustin Offerdahl, Serena Pontenila, Bradly Wolff, Robert Amick; nays: None.

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

Mr. Diedrichsen presented the Staff Report.
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 on Staff recommendations and findings of fact was initiated by Planning Commission Representative Pontenila seconded by Planning Commission Representative Iverson and carried by the following roll call vote: ayes: Tim Baumann, Erin Iverson, Kayla Johnson, Annette Mennem, Dustin Offerdahl, Serena Pontenila, Bradly Wolff, Robert Amick; nays: None.

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

This item was not discussed. The property owner decided to pull the application.

6. MISCELLANEOUS AND DISCUSSION ITEMS

Mr. Diedrichsen and Mr. Billingsley presented the 2025 meeting schedule.
The Commissioners had a discussion.
The motion to Approve the 2025 Planning Commission meeting schedule was initiated by Planning Commission Representative Iverson seconded by Planning Commission Representative Johnson and carried by the following roll call vote: ayes: Tim Baumann, Erin Iverson, Kayla Johnson, Annette Mennem, Dustin Offerdahl, Serena Pontenila, Bradly Wolff, Robert Amick; nays: None.

7. ADJOURNMENT

With no further business, Chairman Offerdahl adjourned the meeting at 6:12 pm.

City of Minot

Planning Commission
Staff Report

Application Date: 10/17/2024	**Staff Contact:** Doug Diedrichsen, AICP Candidate, Principal Planner
Date of Staff Report: 11/15/2024	**Staff Recommendation:** Approval

Case Number: 2024-10-02

Project Name: Meadowview Addition – CUP

Current Legal Description: Lot 8, Block 7 Meadowview Addition

Proposed Legal Description: No Change

Present Address: 908 24th Ave NW.

Entitlements Requested: See Project Description

Owners: Faa Addiction Services

Representative: Nathan & Kendra Faa

Present Zone(s): "R1" Single Family Residential District

Present Use(s): Group Home with up to 6 residents plus staff

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): Group Home with up to 12 residents plus staff

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 Nathan & Kendra Faa, representing Faa Addiction Services., owner for a request of a conditional use permit for a Group Home (7-12 residents plus staff) on a property zoned "R1" Single Family Residential District. The legal description for the property is Lot 8, Block 7 Meadowview Addition to the City of Minot, North Dakota.

The address for the property is 908 24th Ave NW

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

BACKGROUND INFORMATION:

The subject property is located at 908 24th Ave NW. The property is operated by Faa Addiction Services and owned by Nathan & Kendra Faa and is utilized as a sober living housing facility, which is categorized as a group home under the Land Development Ordinance of the City of Minot (LDO). As of the writing of this staff report, there are nine (9) residents plus staff members onsite. The LDO permits up to six (6) residents and one (1) staff member within the "R1" Single Family Residential District. The applicant seeks to gain entitlements for the nine (9) residents currently residing within the home, which requires a conditional use permit.

A copy of the letter of intent may be found in **Exhibit 2**.

A floor plan can be found in **Exhibit 3.**

A map of the area zoning and future land use can be found in **Exhibit 4**.

Site photos can be found in **Exhibit 5.**

STAFF ANALYSIS:

Conditional Use Permit Analysis:

Section 9.1-4 of the Minot Land Development Ordinance (Zoning Ordinance) recognizes that certain land uses, when under special conditions and review can be compatible with uses that are permitted by right in a zoning district. The review of the conditional use permit (CUP) application and any special conditions imposed by either the Zoning Ordinance or City Staff should occur via a thorough public process as prescribed by Section 9.2-1 including a public hearing, direct noticing to neighboring property owners, and general public noticing within the Minot Daily News. Per Section 9.1-4 I., an amendment to a CUP follows the same process as a new application. The applicant has submitted the necessary application documents required per Section 9.1-4 C. and noticing has been conducted as required per Section 9.2-1.

Section 9.1-4 F. states that the Planning Commission shall find that the application meets all of the following, as applicable:

1. The request will be harmonious with the general and applicable specific objectives of the City's Comprehensive Plan and this Ordinance.

2. The proposed conditional use at the specified location will not be detrimental to or endanger the health, safety, welfare, comfort, or convenience of the public.
3. The proposed conditional use will not cause substantial injury to the value of other properties within the area in which it is located.
4. The location, size, design, and operating intensity of the proposed conditional use will not prevent the development and use of neighboring property in accordance with the applicable zoning district. In making this determination, the Planning Commission will consider the siting, nature, and height of existing and proposed buildings and structures, and the extent and effectiveness of proposed buffering or landscaping.
5. Adequate public services and facilities exist or will be provided by the developer at the time of development, including adequate utilities, water and sewer systems, drainage structures, and other such facilities and services which are necessary to serve the development.
6. The request will not create excessive additional requirements for public facilities and services at public cost and will not be detrimental to the economic welfare of the community.
7. Adequate access roads or entrance and exit drives exist or will be provided by the developer to prevent traffic safety hazards and minimize traffic congestion on public streets.
8. The request will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

Staff finds the proposed use to be harmonious with the comprehensive plan future land use map designation of Suburban Residential and the LDO. Section 9.1-4 F. 1. is satisfied.

Related to Section 9.1-4. F. 2 thru 4 generally relate to the overall impact of a proposal on property within the vicinity. Group homes for up to six (6) residents and staff as a general land use category are already permitted within "R1" Single Family Residential Districts without the requirement of a conditional use permit. Staff finds that with no substantive change in the existing density of residents and required onsite off street parking the impact to other properties in the vicinity would be negligible, staff finds that Section 9.1-4. F. 2 thru 4 is satisfied.

Staff finds Section 9.1-4. F. 5. related to the provision of appropriate public services such as utilities and drainage systems is satisfied, as no new public utilities are being sought and existing public utilities are adequate to support the proposed use.

Staff finds that Sections 9.1-4. F. 6. and 7. related to maintaining community economic welfare and providing adequate road access, respectively, are satisfied. There is currently adequate access onto 24th Ave. NW, and improvements, if any were required, would be at the expense of the developer to satisfy these two evaluative criteria going forward.

Finally, Section 9.1-4. F. 8. is satisfied, as Staff does not have any evidence that the request will result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

Comments:

a) There were no public comments at the time of writing this staff report.
b) 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 applicant has submitted a complete application.

2) The property is zoned "R1" Single Family Residential District

3) The City of Minot 2040 Comprehensive Plan Future Land Use Map designates this area as Suburban Residential.

4) The proposal satisfies the evaluative criteria per Section 9.1-4. F. 1 thru 8. as outlined in the Staff Analysis section of staff's written report.

5) The Minot Planning Commission has the authority to hear this case and decide whether it should be approved or denied, with or without conditions. The public notice requirements were met, the hearing was legally noticed and posted and the hearing was held and conducted under the requirements of North Dakota Century Code and Minot City ordinances.

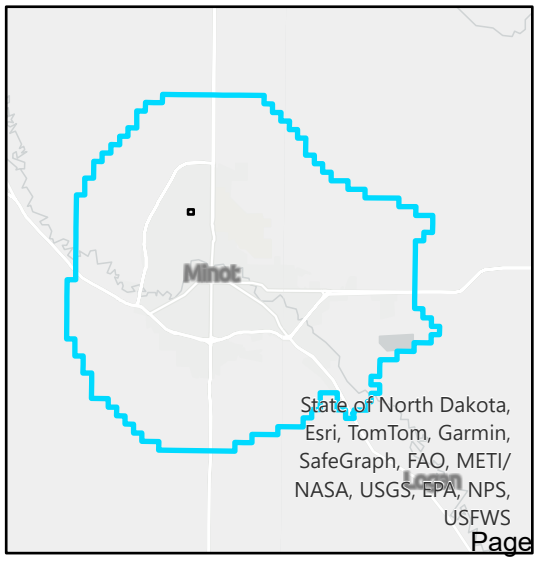
RECOMMENDATION:

Staff recommends the Planning Commission adopt the staff findings of fact and approve the conditional use permit for a group home with up to nine (9) residents plus staff.

City of Minot

EXHIBIT 1

- Two Mile Boundary
- City Limits
- Case # 2024-10-02
- Case # 2024-10-02 Notification Area



FAA
Addiction Services

900 N. Broadway Suite 111
Minot, N.D. 58703
Main Office: 701-537-4191

October 17, 2024

Exhibit 2

City of Minot
Planning Department
1025 31st St. SE
Minot, ND 58701

Re: Letter of Intent

To whom it may concern,

Faa Addiction Services (FAS) of Minot, North Dakota is a licensed Outpatient Alcohol and Drug Treatment provider. FAS provides sober living (recovery housing) to our male clients while they take part in our day treatment program. This home is located at 908 24*th* Ave N.W. and serves to provide our clients with a safe and sober living environment while participating in treatment services.

All business and addiction counseling services are provided at our main office located at 900 N. Broadway and clients do not receive counseling services within the home. FAS employs sober living aides to provide support to the clients residing in the house to assist with transportation, case-management and discharge planning.

The clients participating in FAS's day treatment program have been assessed by a licensed addiction counselor and deemed appropriate for outpatient services while in sober living – clients are not in medical need of detox management, medical and mental health conditions are stable/manageable, and if residing in sober living are not registered sex offenders. The sober living home has the capacity to house up to nine individuals and FAS is requesting the ability to house this number of individuals.

Sincerely,

Nathan Faa, BS LCAC
Executive Director | Licensed Clinical Addiction Counselor

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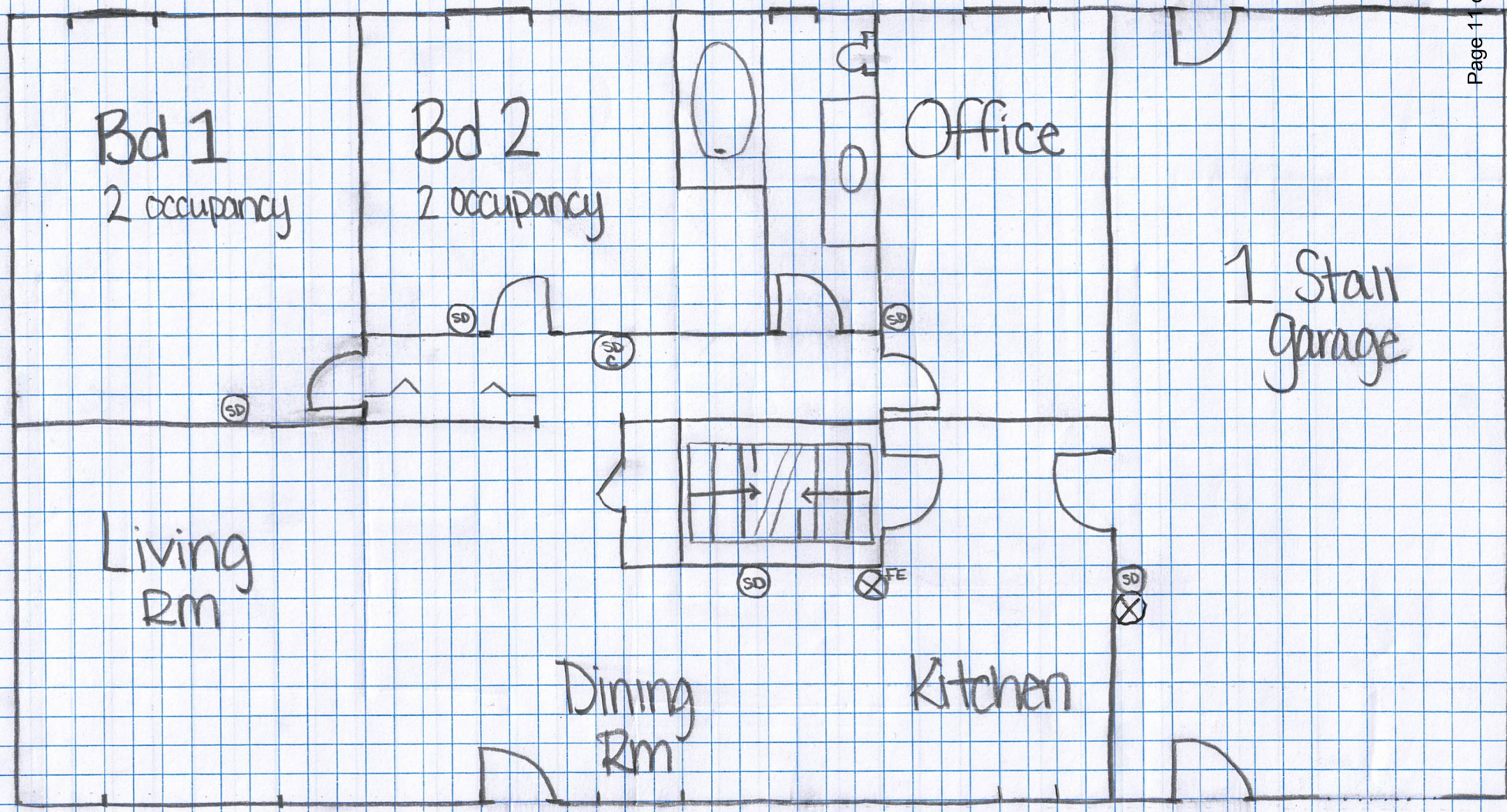
Exhibit 3

Main Floor



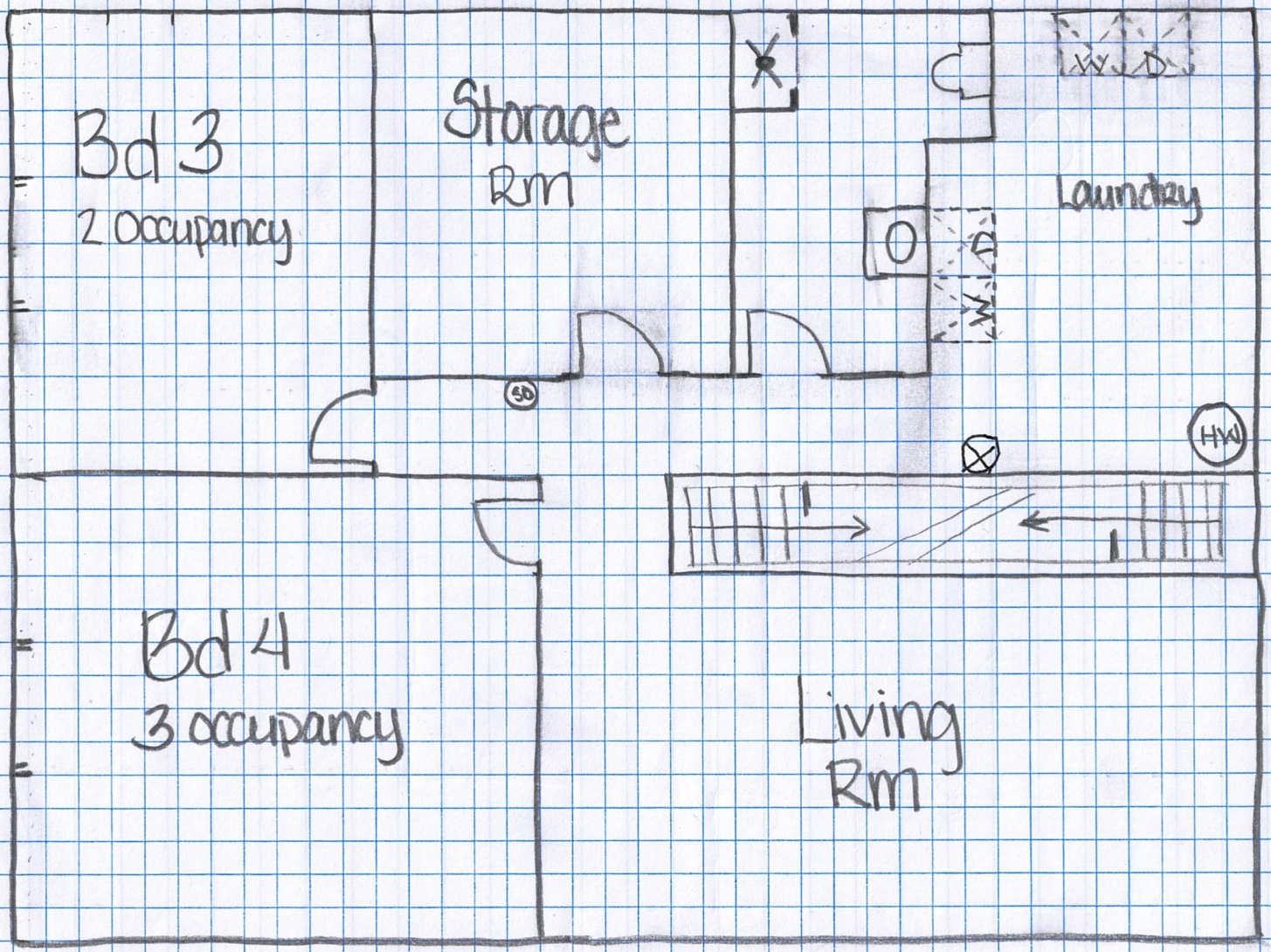
□ = 1'

⊗FE fire extinguisher

(SD/C) = Smoke Detector / CO

(SD) = Smoke Detector

Basement



□ = 1'

⌐¬ = Egress Window

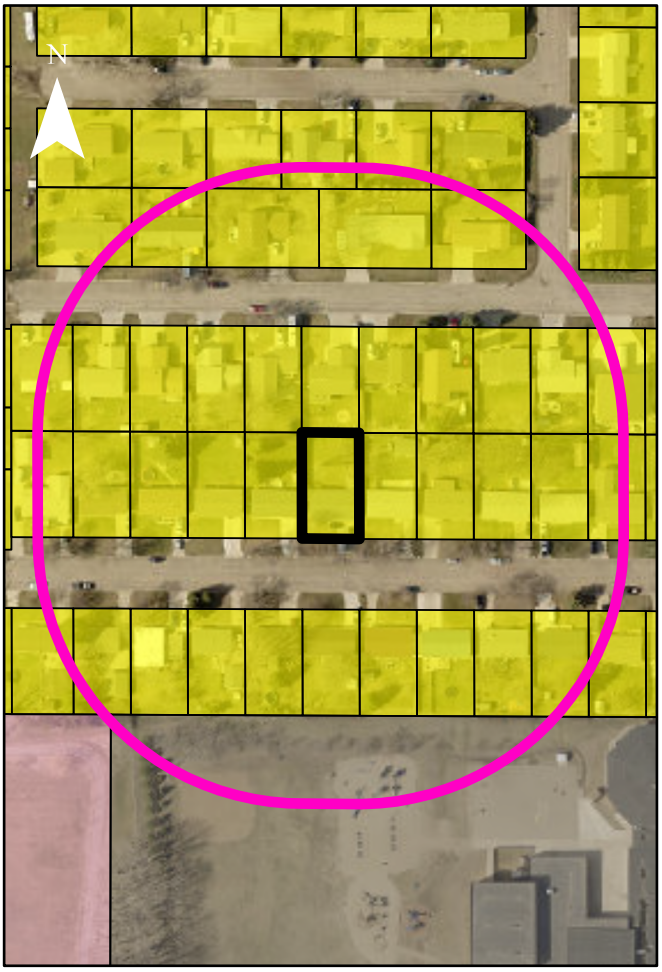
(SD) = Smoke Detector

⊗ = Fire Extinguisher

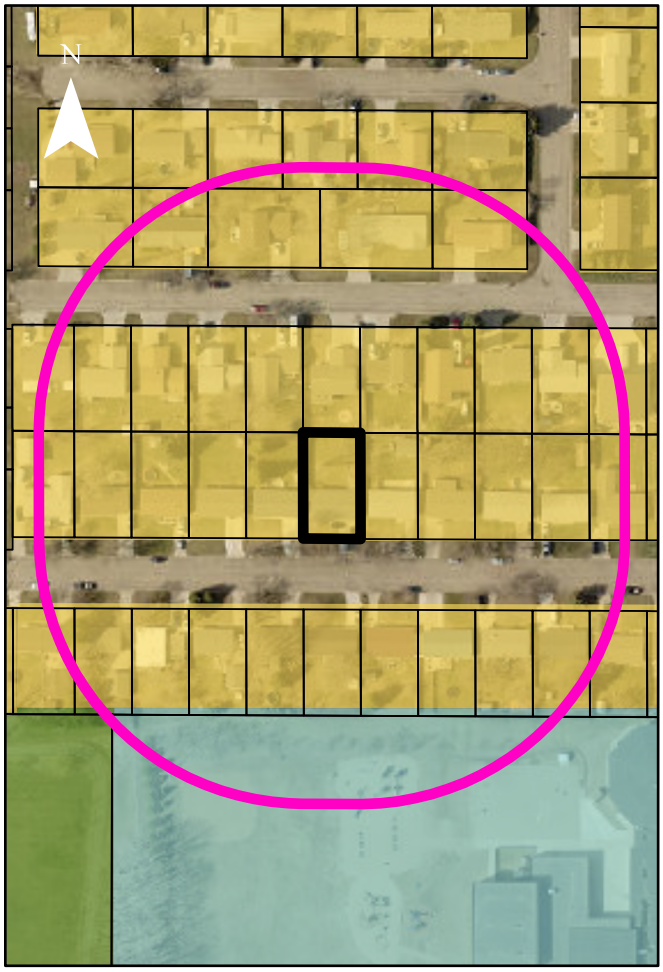
City of Minot

Exhibit 4

ZONING



FUTURE LAND USE



0 105 210 420 Feet

Zoning

- C1
- P
- R1

Both Maps

- Case # 2024-10-02
- Case # 2024-10-02 Notification Area

Land Use Type

- Public Institutional
- Suburban Residential
- Parks And Recreation

Exhibit 5 – Site Photos

Facing West

Facing East

Facing North

Facing South