



Regular Planning Commission Meeting

Tuesday, February 4, 2025, 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 THE JANUARY 2025 REGULAR MEETING MINUTES
5. PUBLIC HEARING
 - 5.1. CASE #2025-1 - THE EHR HILLS ADDITION - FUTURE LAND USE MAP AMENDMENT, ZONING MAP AMENDMENT, PRELIMINARY PLAT & INTERIM USE PERMIT

Public hearing request by Lee Grossman of SW&L Attorneys, representing Margo Ehr et al., owner for a request of a future land use map amendment, zoning map amendment, preliminary plat and Interim Use Permit. The property is currently zoned "R1" Single Family Residential District with the requested rezoning to "M1" Light Industrial District with a future land use map amendment from "Suburban Residential" to "Light Industrial". The requested Interim Use Permit is for mining or extraction of aggregate resources. The legal description for the property is Outlot 34 and a portion of Outlots 44 & 45 of the NE1/4 SE1/4 Section 30, Township 155, Range 82, Ward County, North Dakota.

The subject property's address is 2100 Valley St.

- 5.2. CASE # 2025-2 - LDO TEXT AMENDMENT

Public hearing request by Brian Billingsley, Community and Economic Development Director, representing the City of Minot, for a request of a Land Development Ordinance text amendment to add Section 2.26. 1-4 "GC Overlay"

Gateway Corridor Overlay District in order to establish this new overlay district to assist the City in corridor beatification goals, and amendments to Section 4.1-7 Industrial Uses focusing on relaxing setback regulations for certain industrial uses, Section 3.1-10 Outdoor Lighting to amend language in the Land Development Ordinance to refer to municipal codes, Section 4.1-3 Rural and Agricultural Uses regarding agricultural uses on residential lots outside of city limits, Section 3.1-9 Commercial and Industrial District Fencing Standards, Section 7.1-4 Screening Requirements to relax requirements of fencing standards on commercial lots, Section 7.1-1 Required landscaping, Section 7.1-2 General Requirements and Section 7.1-3 Minimum Landscaping Requirements to amend allowed landscaping within the city right of way.

6. MISCELLANEOUS AND DISCUSSION ITEMS

6.1. ADDITIONAL INFORMATION PROVIDED TO PLANNING COMMISSION

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 January 7, 2025, 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

Members Present: Tim Baumann, Erin Iverson, Kayla Johnson, Robert Kibler, Annette Mennem, Dustin Offerdahl, Serena Pontenila, Bradly Wolff, Tanner Dockter

Members Absent: Logan Longtin, Darrik Trudell, Robert Amick

City Staff Present: Corbin Dickerson, Emily Huettl, Brian Billingsley, Doug Diedrichsen, Dan Falconer, Alderman Samuelson, Alderman Fuller

Others Present: Sean Weeks, Jon Kutch, Jennifer Eckman, Jeff Sather, Cynthia Dickinson, Marjorie Taylor, Chet Hower, Daniel Stewart, Don Niccolini, Alissa Bach

2. PLEDGE OF ALLEGIANCE

3. INTRODUCTIONS AND DECORUM

3.1. INTRODUCTIONS AND DECORUM HANDOUT

4. PLANNING COMMISSION

4.1. APPROVAL OF THE DECEMBER 2024 REGULAR MEETING MINUTES

The motion to Approve December 2024 Planning Commission Meeting Minutes was initiated by Planning Commission Representative Kibler seconded by Planning Commission Representative Mennem and carried by the following roll call vote: ayes: Erin Iverson, Kayla Johnson, Robert Kibler, Annette Mennem, Dustin Offerdahl, Serena Pontenila, Bradly Wolff, Tanner Dockter; nays: None.

5. PUBLIC HEARING

5.1. CASE #2024-11-02 - HOMES ACRES 3RD ADDITION - CONDITIONAL USE PERMIT

Mr. Diedrichsen presented his staff report.

The Commissioners had a discussion.

Mr. Diedrichsen answered the Commissioners questions.

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

Sean Weeks appeared to testify.

Chairman Offerdahl closed the public hearing.

The motion to Approve based on Staff's recommendations and findings of fact was initiated by Planning Commission Representative Kibler seconded by Wolff and carried by the following roll call vote: ayes: Tim Baumann, Erin Iverson, Kayla Johnson, Robert Kibler, Annette Mennem, Dustin Offerdahl, Serena Pontenila, Bradly Wolff, Tanner

Dockter; nays: None.

5.2. CASE #2024-11-03 - EHC MINOT ADDITION - FUTURE LAND USE MAP AMENDMENT, ZONING MAP AMENDMENT, PRELIMINARY PLAT, AND ANNEXATION

Mr. Diedrichsen presented his staff report.

The Commissioners had a discussion.

Emily Huettl appeared to answer questions.

Mr. Diedrichsen answered questions.

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

Jon Kutch, President/CEO of Trinity appeared to testify in opposition to the proposal.

Daniel Stewart appeared to testify in favor of the proposal.

Jennifer Eckman, Airport Director, appeared to testify about adding conditions for FAA/MOT airport approval.

Don Niccolini of Exceptional Healthcare appeared to answer questions from Commissioners.

Alissa Bach appeared to testify in favor for the proposal.

Jeff Sather appeared to testify against the proposal.

Cynthia Dickson appeared to testify against the proposal.

Chairman Offerdahl closed the public hearing.

The motion to Approve based on Staff's recommendations and findings of fact was initiated by Planning Commission Representative Kibler seconded by Planning Commission Representative Johnson and carried by the following roll call vote: ayes: Kayla Johnson, Robert Kibler, Annette Mennem, Dustin Offerdahl, Serena Pontenila, Bradly Wolff, Tanner Dockter; nays: None.

5.3. CASE #2024-11-05 - OUR LADY GRACE ADDITION - ZONING MAP AMENDMENT, AND PRELIMINARY PLAT

Mr. Diedrichsen presented the staff report.

The Commissioners had a discussion.

Mr. Diedrichsen answered questions from Commissioners

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

Sean Weeks appeared to testify in favor.

Marjorie Taylor appeared to testify in opposition.

The Commissioners had a discussion.

Chairman Offerdahl closed the public hearing.

The motion to Approve based on Staff's recommendations and findings of fact was initiated by Planning Commission Representative Johnson seconded by Planning Commission Representative Iverson and carried by the following roll call vote: ayes: Erin Iverson, Kayla Johnson, Robert Kibler, Annette Mennem, Dustin Offerdahl, Serena Pontenila, Bradly Wolff, Tanner Dockter; nays: None.

5.4. CASE #2024-11-06 - RAMSTADS FIRST ADDITION - ZONING MAP AMENDMENT

Mr. Diedrichsen presented the staff report.

The Commissioners had a discussion.

Mr. Diedrichsen answered questions from Commissioners.

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

Chet Hower, Executive Director of Providence House in Minot, appeared to testify in favor.

Chairman Offerdahl closed the public hearing.

The motion to Approve based on Staff's recommendations and findings of fact was initiated by Wolff seconded by Planning Commission Representative Kibler and carried by the following roll call vote: ayes: Erin Iverson, Kayla Johnson, Robert Kibler, Annette Mennem, Dustin Offerdahl, Serena Pontenila, Bradly Wolff, Tanner Dockter; nays: None.

6. MISCELLANEOUS AND DISCUSSION ITEMS

7. ADJOURNMENT

With no further business, Chairman Offerdahl adjourned the meeting at 6:52pm.



Planning Commission
Staff Report

Application Date: 09/23/2024, 12/30/2025
Date of Staff Report: 01/17/2025
Date of Planning Commission Meeting: 2/04/2025

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

Case Number: 2025-01
Project Name: Ehr Hills Addition – Preliminary Plat, FLU Map Amendment, Zoning Map Amendment, IUP
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: Margo Ehr et. Al. & Sarah Walker, Ward County Water Resource Board

Entitlements Requested: Major Subdivision Preliminary Plat, Future Land Use Map Amendment, Zoning Map Amendment, Interim Use Permit

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): “M1” Light Industrial

Proposed Use(s): Stormwater management project, gravel mining activities would be permitted through IUP

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: Light Industrial

PROJECT DESCRIPTION:

Public hearing request by Lee Grossman of SW&L Attorneys, representing Margo Ehr et al., owner for a request of a future land use map amendment, zoning map amendment, preliminary plat and Interim Use Permit. The property is currently zoned “R1” Single Family Residential District with the requested rezoning to “M1” Light Industrial District with a future land use map amendment from “Suburban Residential” to “Light Industrial”. The requested Interim Use Permit is for mining or extraction of aggregate resources. The legal description for the

property is Outlot 34 and a portion of Outlots 44 & 45 of the NE1/4 SE1/4 Section 30, Township 155, Range 82, 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, with a request for amendments to the Future Land Use Map, Zoning Map and a request for an Interim Use Permit. 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 request for an amendment to the FLU stems from the applicant's belief that due to continued use of the property for industrial uses and its location adjacent to other industrial uses will make it unsuited to residential development in the future. The applicant has also requested an IUP to continue to mine gravel and clay on site. The placement of "R1" Single Family Residential zoning is remnant of the R1 zoning placed on the property by Ward County prior to it being brought into the ETJ.

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

A zoning and future land use map can be found in **Exhibit 3**.

Site pictures can be found in **Exhibit 4**.

Applicants Letter of Intent can be found in **Exhibit 5**.

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 due to the fact that the FLU designation was placed based on the existing zoning from Ward County and was mistakenly not further assessed as it was assigned a FLU designation. New development opportunities that are focused on a wide range of industrial uses catering to the agricultural and railroad industries continue to be the primary land use development opportunity in this area. The lack of any existing or planned infrastructure for sewer and water also limit the possibilities of residential development.

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.

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:

Staff finds a change is necessary to resolve a discrepancy between the zoning and the historic and current use along with the development potential of the subject property. The FLU Map denotes this area as Suburban Residential and the existing zoning is “R1”. The area was denoted as suburban residential because Ward County had placed an R1 zoning designation on the property. Since then this section of Valley St. has been developed as industrial serving the agricultural and railroad industries and no infrastructure has been developed to support residential development. With an amendment to the FLU Section 9.1-7 H. 1. is satisfied.

Staff finds that the City and other public agencies will be able to provide services to support the request and Section 9.1-7 H. 2 is satisfied with the condition that the developer construct all required infrastructure to city standards as outlined in the Land Development Ordinance (LDO) and city code of ordinances.

Given the industrial nature of the uses and zoning of the adjacent properties the change in zoning should not affect the uses or property values of the adjacent properties. With that, staff finds no evidence that the proposed development will substantially diminish the condition or value of property in the vicinity per Section 9.1-7 H. 3.

Staff finds the zoning change is consistent with the purpose of the Zoning Ordinance and other adopted policies of the City. Section 9.1-7 H. 4. is satisfied.

Interim Use Permit Analysis:

Section 9.1-5. of the Minot Land Development Code provides the procedures for permitting of interim uses within the City of Minot. Section 9.1-5. B. states that the application, public hearing, noticing, and procedural requirement for an interim use permit (IUP) are the same as those for a conditional use permit (CUP). Section 9.2 provides the noticing requirements for public hearings held by the Planning Commission. 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.

Section 9.1-5 C. states that the Planning Commission shall authorize an interim use permit only if they find that the following criteria are met:

1. An Interim Use Permit is the preferred method for authorizing the specified use, as defined by the zoning use matrix.
2. The date or event that will terminate the use can be identified with certainty.
3. The interim use will not impose additional costs on the public if it is necessary for the public to take the property in the future.
4. The interim use will be subjected to, by agreement with the owner, any conditions that the Planning Commission has deemed appropriate for permission of the use, including a condition that the owner will provide an appropriate financial surety to cover the cost of removing the interim use and any interim structures upon the expiration of the Interim Use Permit.

To that end, staff provides the following guidance:

Staff finds an interim use permit is the preferred method for authorizing mining or extraction of oil, mineral, or aggregate resources, as noted in Table 2.2 Table of Uses – Industrial Uses from the Land Development Ordinance (LDO) of the City of Minot, satisfying Section 9.1-5. C. 1.

Section 9.1-5. C. 2. relates to the identification of a certain date or event that will terminate the use. The extraction of clay from the site has been related to the construction of flood controls during emergency events. The risk of emergency flood events will persist until flood controls are completed. Public Works has estimated that flood controls will not be completed until at least 2035. Staff recommends including the following condition to memorialize the termination date:

The termination date shall be January 1, 2036.

Section 9.1-5. C. 3., relating to the interim use not imposing additional costs on the public if it is necessary for the public to take the property in the future is satisfied by the nature of the property owner. The owner will be

required to return the site to a natural state and will “ensure adequate drainage, and seed the reclaimed area to grass unless otherwise requested by MACEDC” to adequately restore the site.

Section 9.1-5. C. 4. relates to additional conditions of approval that the Planning Commission deems appropriate, which may include a financial surety to remove the interim use from the property. Staff finds this criterion satisfied and does not recommend additional conditions of approval.

Overall, staff finds that the Sections 9.1-5 C. 1. through 4. are met, subject to the two conditions previously noted.

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 Ehr 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 “M1” Light Industrial 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 buildings as a condition of approval of a site plan submitted as part of a building permit application 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 for a request for amendment to the Future Land Use Map as outlined in the 2040 City of Minot Comprehensive Plan.
- 4) The applicant's request is consistent with the bulk requirements of Chapter 2.18 – "M1" Light Industrial District of the Land Development Ordinance of the City of Minot (LDO).
- 5) 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.
- 6) Section 9.1-5. C. 1. is satisfied as the preferred method of permitting mining or extraction of oil, mineral, or aggregate resources is via interim use permits per Table. 2.2 Table of Uses of the Land Development

Ordinance of the City of Minot (LDO).

- 7) Section 9.1-5. C. 2. is satisfied with the inclusion of a condition memorializing the termination date as January 1, 2036.
- 8) Section 9.1-5. C. 4. is satisfied, as no further conditions are warranted other than relating to memorializing the termination date and the requirement to complete land reclamation at the termination of mining activities.
- 9) The applicable sections of Chapter 10.3 related to subdivision design are satisfied with conditions.
- 10) The Minot Planning Commission has the authority to recommend approval, with or without conditions, or recommend denial of the Major Subdivision Preliminary Plat, Future Land Use Map amendment and Zoning Map Amendment. 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.
- 11) The Minot Planning Commission has the authority to hear the Interim Use Permit 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.

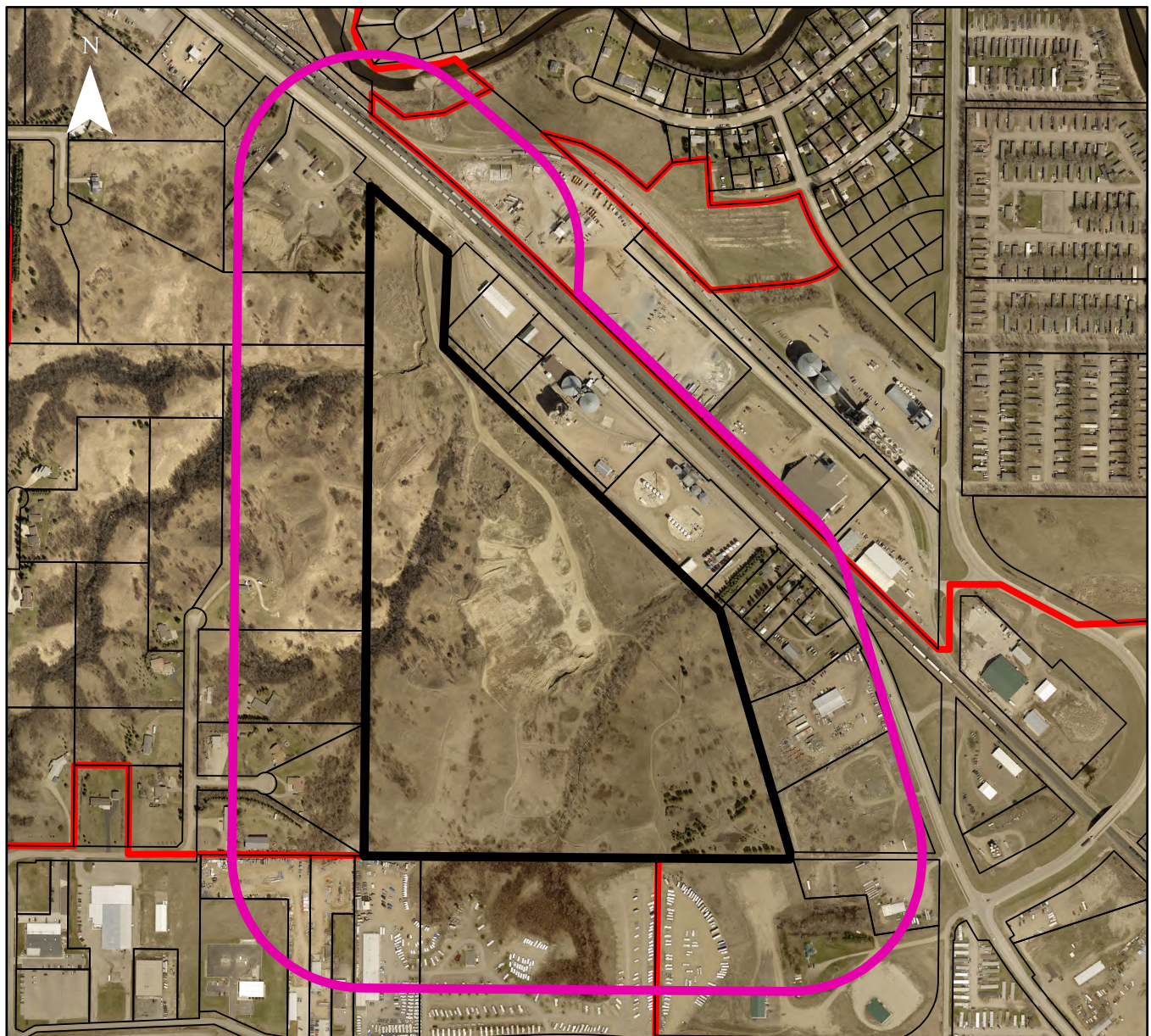
RECOMMENDATION:

Staff recommends the Planning Commission adopt staff findings of fact and recommend City Council approve the Major Subdivision Preliminary Plat for Ehr Hills Addition, Future Land Use amendment to Light Industrial, and Zoning Map Amendment to "M1" Light Industrial.

Staff recommends the Planning Commission adopt the staff findings of fact and approve the interim use permit for mining or extraction of oil, mineral, or aggregate resources with the following recommended conditions.

RECOMMENDED IUP CONDITIONS:

- 1) A termination date of January 1, 2036.
- 2) The owner shall complete land reclamation to return the property to a natural state at the termination of mining activities or submit a development plan for a proposed development project.



0 500 1,000 2,000 Feet

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

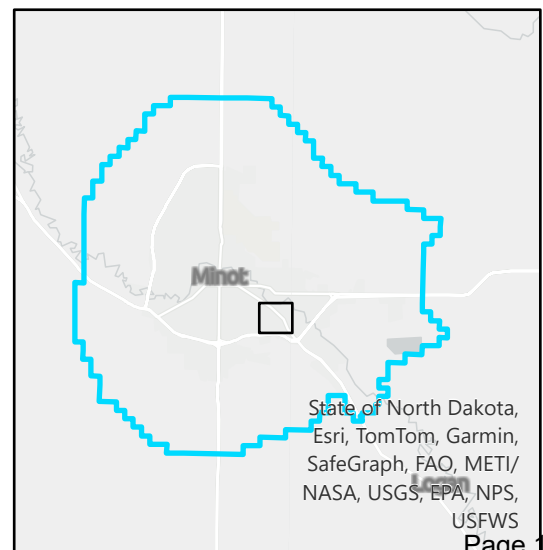
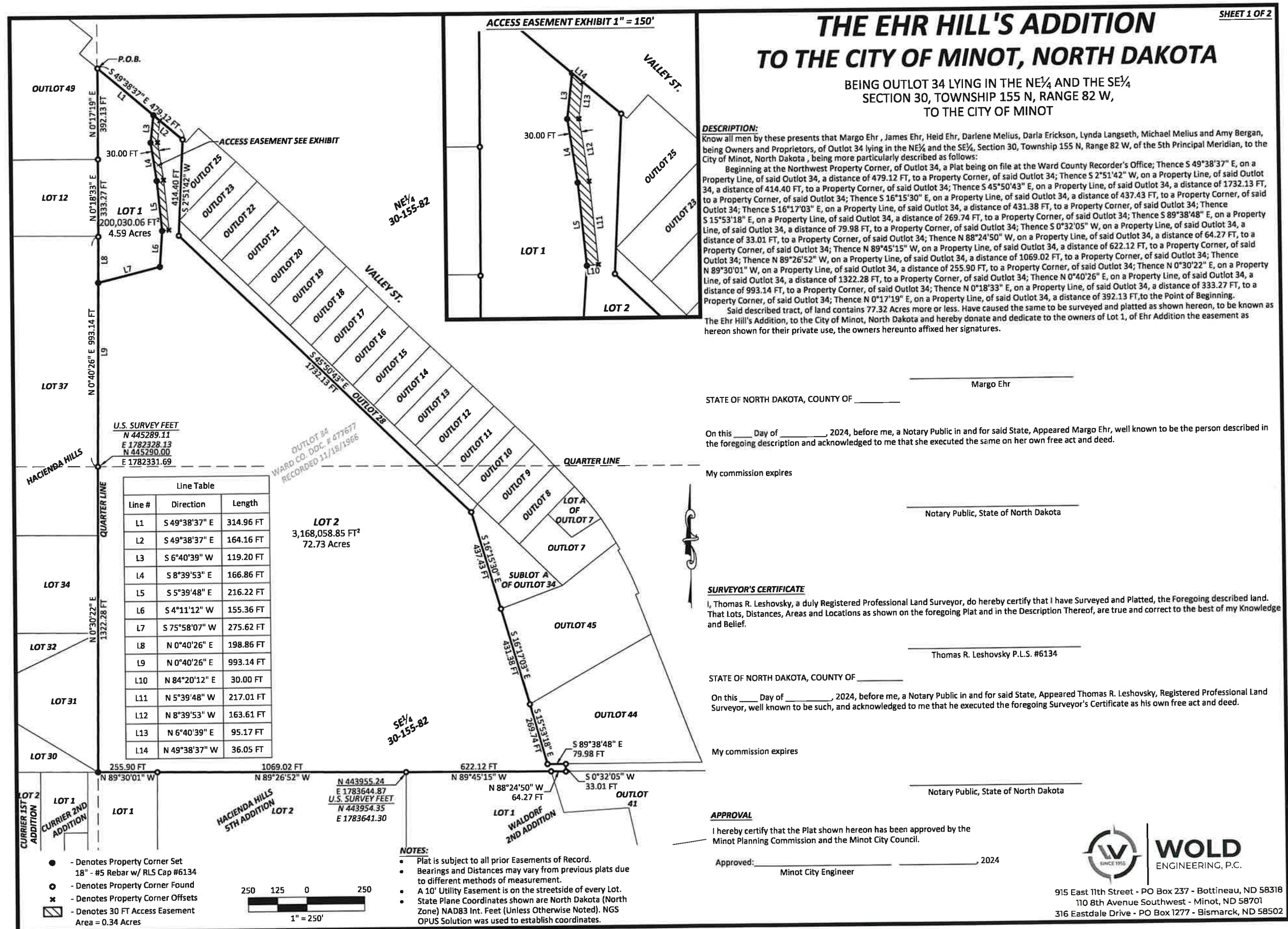


Exhibit 2



**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.

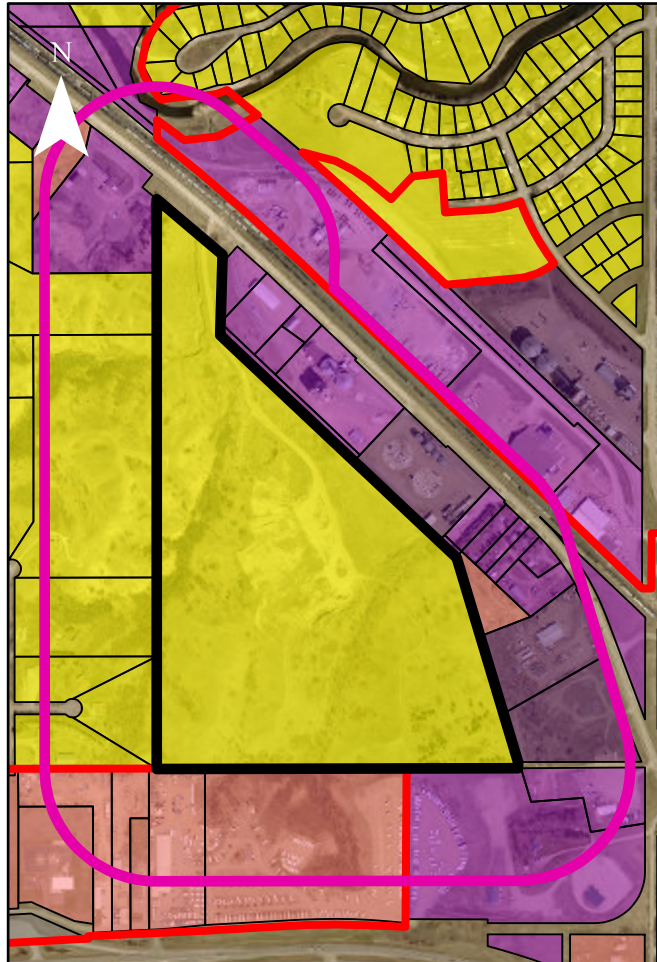
My commission expires

Notary Public, State of _____

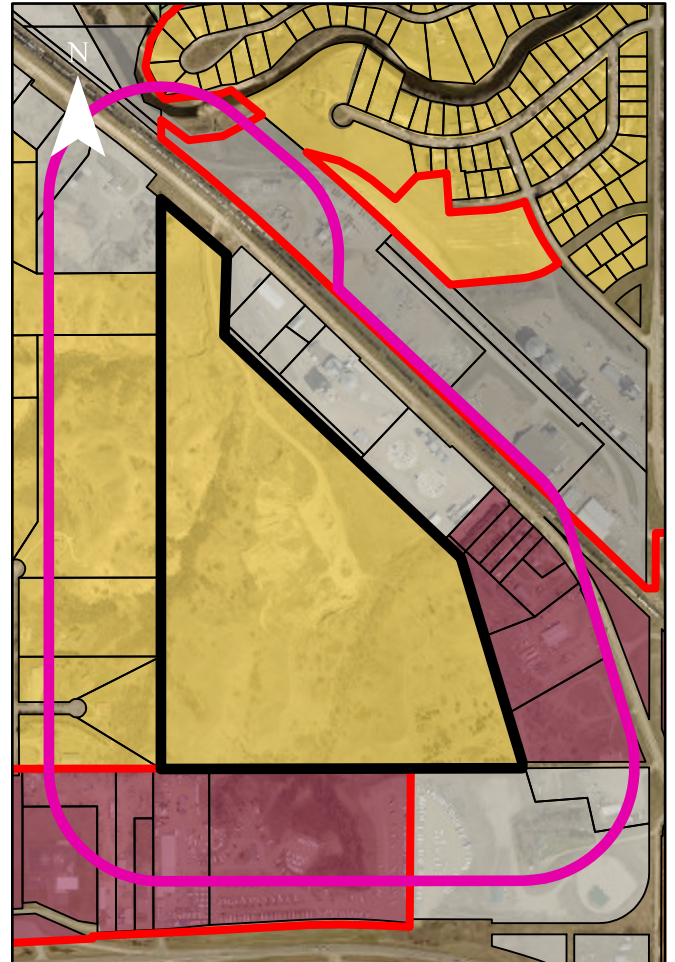


915 East 11th Street - PO Box 237 - Bottineau, ND 58318
110 8th Avenue Southwest - Minot, ND 58701
316 Eastdale Drive - PO Box 1277 - Bismarck, ND 58502

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

December 30, 2024

Sent via email only to:

City of Minot
Planning Department
1025 31st St. SE
PO Box 5006
Minot, ND 58702
planner@minotnd.gov



**Re: Ehr Hills Addition
Zoning Amendment / Interim Use Permit / Future Land Use Amendment
Letter of Intent**

Dear Planning Commission,

Please consider this a Letter of Intent for the Ehr Hills Addition zoning amendment, interim use permit, and future land use amendment. The owners are Margo Ehr, James Ehr, Heidi Ehr, Darlene Melius, Darla Erickson, Lynda Langseth, Michael Melius, and Amy Bergan.

Applicants are seeking to preserve the current use of their property, which has an active aggregate mining site and paintball range. The property is currently under an R1 Single Family Residential District. The property was grandfathered in for these uses because the uses existed before the property was rezoned.

The legal description is:

Lot 2 of Outlot 34 lying in the NE1/4 and the SE1/4 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 property address is:

2100 Valley St., Minot, ND 58701

Currently the property is experiencing significant erosion from stormwater and sheetwater runoff during high water events like spring melt and heavy thunderstorms. The Ward County Water Resource District has agreed to purchase a portion of the property to mitigate erosion effects and control drainage. The property will be subdivided into two lots. The Water Resource District will own Lot 1 and the Applicants will own Lot 2 of the proposed lot subdivision. Lot 1 will be approximately 4.59 acres; Lot 2 will be approximately 72.73 acres.

Wold Engineering has completed a preliminary plat of the proposed subdivision, which is on file with the Planning Department.

The property is currently zoned R1. Applicants seek a zoning map amendment for Lot 2 to M1 Light Industrial. Applicants seek an interim use permit for Lot 2 to continue operating the aggregate mining site and paintball range. Applicants seek a future land use map amendment for Lot 2. Applicants understand City Staff will complete the future land use map amendment.

The property is located in an area that is not suitable for future residential development. It is on the northeast side of a significant hillside. It is southwest of the CHS elevator and Dakota Agronomy elevator along Valley Street. The current use of an aggregate mining site and paintball range on Lot 2 is likely the highest and best use of the property, considering Lot 1 has experienced significant erosion and needs future earthwork construction to mitigate the erosion.

Applicants seek an interim use permit until the aggregate mining site is no longer active or operational. This will likely occur when Minot has completed its flood protection infrastructure improvement program. The interim use will not impose additional costs to the public because Applicants are simply seeking to continue the current use allowed if the property was not being subdivided.

The Planning Commission Staff has already reviewed a similar application made September 23, 2024. That application was withdrawn because Applicants were made aware of the zoning restrictions against the aggregate mining site that would have been imposed without a zoning amendment, interim use permit, and future land use amendment. Applicants ask the Planning Commission to consider the information previously provided, including an aerial photo of the property, a preliminary plat, a zoning and future land use map designation, and site photos.

Sincerely,

/s/ Lee M. Grossman

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**Ehr Hills Addition
Planning Commission Application**

Owners:

Margo Ehr, James Ehr, Heidi Ehr, Darlene Melius, Darla Erickson, Lynda Langseth,
Michael Melius, Amy Bergan

Legal Description:

Lot 2 of Outlot 34 lying in the NE1/4 and the SE1/4 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.

Property Address:

2100 Valley St., Minot, ND 58701



Planning Commission Staff Report

Application Date: 12/30/2024
Date of Staff Report: 01/17/2025
Planning Commission Meeting: 02/04/2025

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

Case Number: 2025-02

Project Name: Text Amendment – Winter 2025

Current Legal Description: N/a

Proposed Legal Description: N/a

Present Address: N/a

Entitlements Requested: Amendment to the
Land Development Ordinance of the City of
Minot

Owners: N/a

Representative: Brian Billingsley,
Community and Economic
Development Director, City of Minot

Present Zone(s): N/a

Present Use(s): N/a

Uses Allowed in Present Zone(s): N/a

Present Future Land Use Map Designation: N/a

Proposed Zone(s): N/a

Proposed Use(s): N/a

Uses Allowed in Proposed Zone(s): N/a

Proposed Future Land Use Map Designation: N/a

PROJECT DESCRIPTION:

Public hearing request by Brian Billingsley, Community and Economic Development Director, representing the City of Minot, for a request of a Land Development Ordinance text amendment to add Section 2.26. 1-4 "GC Overlay" Gateway Corridor Overlay District in order to establish this new overlay district to assist the City in corridor beautification goals, and amendments to Section 4.1-7 Industrial Uses focusing on relaxing setback

regulations for certain industrial uses, Section 3.1-10 Outdoor Lighting to amend language in the Land Development Ordinance to refer to municipal codes, Section 4.1-3 Rural and Agricultural Uses regarding agricultural uses on residential lots outside of city limits, Section 3.1-9 Commercial and Industrial District Fencing Standards, Section 7.1-4 Screening Requirements to relax requirements of fencing standards on commercial lots, Section 7.1-1 Required landscaping, Section 7.1-2 General Requirements and Section 7.1-3 Minimum Landscaping Requirements to amend allowed landscaping within the city right of way.

Note: The decision was made to move Outdoor Lighting enforcement out of the purview of the Community Development Department and the LDO and place it under the purview of the City's Legal Department and municipal code. Second reading of this section will be held to coincide with the second reading of the new municipal code amendment.

BACKGROUND INFORMATION:

The proposed text amendments are part of a "clean-up" ordinance that is performed, at a minimum, twice annually.

The text amendments, including a brief explanation for each of the respective six (6) changes, may be found in **Exhibit 1**.

STAFF ANALYSIS:

Amendment to the Land Development Ordinance of the City of Minot Analysis:

Section 9.1-8 of the Land Development Ordinance of the City of Minot (LDO) provides the procedures for amending the LDO. Section 9.2 provides the noticing requirements for public hearings held by the Planning Commission. 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.

Section 9.1-8 I. requires the Planning Commission and City Council to find the following, as applicable:

1. The amendment must not adversely affect the public health, safety, or welfare.
2. The amendment is supported by a strategy, recommendation, or other concepts from the Comprehensive Plan.
3. The amendment is necessary because of changed social or economic conditions in the areas affected.
4. The amendment is necessary to improve the ordinance by introducing best practices or makes the ordinance easier to understand and use by the public.

Staff provides the following guidance:

Staff finds Section 9.1-8 I. 1. is applicable and satisfied, as the proposed changes aim to address concerns that have been brought to the attention of staff over time, providing paths forward for new uses and/or reducing

requirements for redevelopment when certain site characteristics exist. The changes will not adversely affect the public health, safety, and/or welfare in each instance.

Section 9.1-8. I. 2. is not applicable. While the Comprehensive Plan generally speaks to zoning, the proposed changes do not specifically fulfill any of the objectives and simultaneously are not deterred by, or interfere with, the fulfillment of the Comprehensive Plan.

Section 9.1-8. I. 3. is applicable, and satisfied. Proposed changes ensure a development environment that allows for ease of development within the city.

Section 9.1-8. I. 4. is applicable and satisfied, as the proposed changes are an effort to ensure that known potential inhibitors to development are not replicated the subsequent building season. The proposed changes will make the code easier to understand and use by staff and the general public.

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 applicant has submitted a complete application.
- 2) Section 9.1-8 I. 1., 3., and 4. are applicable and satisfied as noted in the Staff Analysis section of staff's written report.
- 3) Section 9.1-8 I. 2. is not applicable.
- 4) The Minot Planning Commission has the authority to hear this case and recommend that 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 staff findings of fact and recommend approval to City Council of the zoning text amendment as provided in Exhibit 1.

Chapter 2.26. – “GC Overlay” Gateway Corridor Overlay District

SECTION 2.26-1. GENERAL DESCRIPTION

The Gateway Corridor Overlay District is intended to provide a high level of design and landscaping requirements on properties adjacent to the principal arterials that comprise the entrance corridors of Minot. The purpose of this district is to create attractive entrance corridors using high design standards that are still compatible with responsible commercial and industrial development.

SECTION 2.26-2. USES

As allowed in the base zoning districts.

SECTION 2.26-3. LOT, HEIGHT, AREA, AND YARD SETBACK REQUIREMENTS

As specified in the base zoning districts.

SECTION 2.26-4. OVERLAY RESTRICTIONS

As with other land development projects, any building constructed or remodeled in the Gateway Corridor Overlay District shall meet specified development requirements. Projects in the “GC Overlay” districts shall meet the building construction materials and design standards set forth in the C2 zoning district as required in Section 4.2-6 of this ordinance and the C2 landscaping requirements as required in Article 7. Compliance with these requirements will be reviewed at the time of site plan review and building permit application.

SECTION 4.1-7. INDUSTRIAL USES

G. Manufacture or Storage of Fertilizer, Petroleum, and Similar Hazardous Materials and Compounds

1. C2, M1 & M2 District:

a. Storage or handling of hazardous materials, hazardous substances, or hazardous waste as these terms are defined by the Code of Federal Regulations (list and definitions of hazardous materials), if the amount of hazardous materials, hazardous substance, or hazardous waste on a particular premise at any one time exceeds the “reportable quantity.” The reportable quantity shall be as specified in Title 49 of the Code of Federal Regulations at Section 172.101.

b. Refer to buffer yard requirements within Article 7 when abutting a less intensive zoning district.

~~c. Any new use shall be located a minimum distance of one thousand (1,000) feet from a classified street.~~

c. Any new use shall be evaluated on a case-by-case basis for any distance requirements from classified roads and existing adjacent uses.

d. Hazardous materials are limited to those reviewed and approved by the Fire Chief or their designee and must be included as a condition on the conditional use permit, if one is necessary.

2. I2 District:

Facilities located within an industrial park shall be exempt from fencing and screening requirements, provided the perimeter of the industrial park is fully screened from adjacent streets and properties as set forth in Article 7.

SECTION 3.1-10. OUTDOOR LIGHTING

D. Exemptions and Prohibited Lighting

~~The following installations are exempt from the provisions of this section.~~

~~1. Nonconforming fixtures, provided that any change in use, replacement, structural alteration, or restoration shall be made in conformance to this section.~~

~~2. Fossil fuel lighting, such as fixtures using natural gas combustion as a light source.~~

~~3. Ornamental or thematic lighting in the Minot downtown area, planned unit developments, partnering project as with Minot Park District, and other special projects, provided that such lights do not exceed sixteen feet (16') in height. Ornamental lights in excess of sixteen feet (16') high may be approved for specific design purposes by the Community Development Director.~~

~~4. Construction or emergency lighting, provided that such lighting is removed on completion of the construction project or emergency.~~

~~5. Temporary event lighting such as searchlights, subject to issuance of a temporary use permit or interim use permit by the Building Official for a specific duration of time.~~

~~6. Exemptions granted by the Director of Public Works for special conditions, upon issuing a written finding that conditions exist that make conforming fixtures inadequate to the specific task.~~

Refer to Section 23-113 of the Minot Code of Ordinances for exemptions and prohibited lighting standards.

Chapter 4.1. – Use and District Standards

Section 4.1-1. Purpose

In order to mitigate the potential adverse impacts of certain uses, supplemental use regulations are provided in addition to the regulations set forth in each zoning district chapter and Article 3, Standards General to All Development. These regulations can apply to permitted uses, conditional uses, and interim uses.

Section 4.1-2. Using this Chapter

The Zoning and Land Use Table indicates which land uses are subject to supplemental regulations and provides references to applicable sections of the Ordinance.

Section 4.1-3 through Section 4.1-8 codify the supplemental regulations. For some land uses, the nature and extent of supplemental regulations varies by zoning district. Reference the appropriate zoning district(s) as needed.

Section 4.1-3. Rural and Agricultural Uses

A. *Animal Production and Livestock Sales*

1. All Districts Where Permitted:

- a. Animal feeding operations (AFOs) are prohibited within the City and its extraterritorial area.
- b. Ranching activities, excluding AFOs, are permitted in the extraterritorial area only.
- c. No disposal of garbage, rubbish, or other animal waste associated with animal production shall occur within five hundred (500) feet of any pre-existing residential districts, including all residential districts and shall only be conducted on premises outside the Corporate Limits of the City.

2. ~~RR-District~~ Any Residential District in the Extraterritorial Zoning Jurisdiction:

- a. Lots containing one (1) acre or more may maintain two (2) horses, llamas, or other equine and/or hooved animals and their immature offspring. Such site may have up to one (1) additional animal for each additional acre of dedicated site area, up to a maximum total of twenty (20) animals. Numbers of turkeys, guineas, peacocks; chickens, ducks, game hens, pheasants and similar birds shall not exceed six (6) per acre with a maximum of twenty (20). The number of rabbits shall not exceed twenty (20) animals. Quantities for other species will be determined on a case-by-case basis by the Planning Division.

C. Commercial and Industrial District Fencing Standards

1. Fences in commercial and industrial districts shall not exceed eight feet (8') in height unless an exception is granted in writing by the Planning Division.

- ~~2. Fence materials allowed in commercial districts shall include maintenance free, wood, PVC vinyl, stone, masonry, black powder coated chain link, or related materials. Traditional chain link (non black powder coated) may be erected in limited circumstances including schools, parks, or other public or semi-public facilities zoned "P" Public District following commercial standards or as noted as a condition of approval for conditionally permitted uses within commercial districts (e.g. Commercial Self Storage).~~
- ~~3. Privacy slats are not allowed in commercial zones except as permitted for trash and/or recycling enclosure gates per Article 7: Landscaping.~~
2. Fence materials allowed in commercial and industrial districts shall include maintenance free, wood, PVC vinyl, stone, masonry, ~~black powder coated~~ chain link, or related materials, ~~including traditional chain link fencing with or without privacy slats.~~ There are special situations where chain link with or without privacy slats is not allowed such as Section 4.2-3, Section 7.1-3 B. 2. C, and Section 7.1-4 B & D.
3. The determination of what constitutes "related materials" shall be made by the Planning Division. Any appeal to a determination by the Planning Division shall follow the appeals processes as provided in Section 9.1-9. Appeal of Administrative Decisions or related procedure available at the time of the appeal should the Land Development Ordinance of the City of Minot be changed in the future.
4. Sheet metal shall not be an approved fencing material in any zoning district.
5. No business sign or logo advertising the location in which the fence is located shall be attached to or painted on the fence.
6. Barbed wire, concertina wire, or electrified fencing is allowed when installed with a minimum clearance of six feet (6') in height. Such fencing is not allowed in the "CBD" Central Business District. This standard is further subject to limitations for barbed wire or electric fences within City limits as provided by Section 22-1 of the Municipal Code of Ordinances.

SECTION 7.1-4. SCREENING REQUIREMENTS

A. Loading and Service Areas

1. Except at access points, one hundred percent (100%) screening of service areas typically found at the rear or on the side of commercial and industrial use areas is required when visible from a public or private street and/or from adjacent residential properties.

2. In commercial and industrial zones outdoor storage of inventory, loading docks, cargo containers, trailers, storage tanks, cardboard bailers, stockpiles of cardboard, wooden pallets or other shipping and packing materials, and similar service and storage areas shall be screened from view with an opaque barrier not less than six feet (6') in height. Said screening must consist of one or more of the following alternatives:

- a. A solid wood, PVC, chain link with slats or masonry fence that complements the colors of the primary building
- b. A landscape screen consisting of a hedge or evergreen shrubs that will reach a height at maturity of at least six feet (6'), or evergreen conifer trees for taller screening, when appropriate.,
- c. An earthen berm planted to turf grass with side slopes no steeper than one foot of fall to four feet of run (25% grade) to be mowable, or if steeper, a planting plan using groundcover plants other than turf grass shall be approved by the Planning Division.
- d. A combination of these elements.
- e. Screening may be interrupted to provide access drives to service areas or for loading purposes, however, such interruptions shall not exceed twenty percent (20%) of the length of the required screened area.

~~f. Chain link fencing and chain link fencing with privacy slats is not allowable in commercial zoning districts (See Diagram 7.1-4(a)).~~

~~3. In industrial zones M1 and M2 chain link fencing and chain link fencing with privacy slats is allowable.~~

SECTION 7.1-1. REQUIRED LANDSCAPING

F. Single Family and Two-Family Lots

- 1. Single-family and two-family lots shall have primarily turf (seeding, sod), or alternative plant or other landscaping material approved by the Planning Division, established within the front yard within 120 days of the City issuing a Certificate of Occupancy (excluding time between October 1st and May 1st in which the turf shall be established within the next growing season).
- 2. All silt fence or erosion controls required by NPDES must be maintained until turf is established.
- 3. Any required sidewalk installation must be established for all portions of a yard within one (1) year of the issuance of a Certificate of Occupancy.

4. The public right-of-way from the curb to the property line is required to be ~~seeded or sodded or planted to an approved alternative plant material landscaped~~ and maintained by the property owner.

5. To ensure continuity in streetscape design and to reduce costs associated with transportation projects, ~~no landscape rock shall be allowed between the public sidewalk and the street curb (street right-of-way) and~~ this area shall not be paved with concrete or asphalt, other than a driveway apron as permitted per Section 6.1-5 C. Conventional Paving. Exceptions to this requirement may be granted in-writing by the City Engineer or their designee. Verbal authorization shall not constitute an exception to this requirement. Stamped concrete may only be installed between the public sidewalk and the street curb by the City, who will then maintain the stamped concrete.

I. Landscaping Within Boulevard or Right-of-Way Limited

To ensure continuity in streetscape design and to reduce costs associated with transportation projects, ~~no landscape rock shall be allowed between the public sidewalk and the street curb (street right-of-way) and~~ this area shall not be paved with concrete or asphalt. Exceptions to this requirement may be granted in-writing by the City Engineer or their designee. Verbal authorization shall not constitute an exception to this requirement. Stamped concrete may only be installed between the public sidewalk and the street curb by the City, who will then maintain the stamped concrete.

SECTION 7.1-2. GENERAL REQUIREMENTS

Inorganic Landscaping Materials

1. No artificial trees, shrubs, plants, or turf shall be used to fulfill the minimum requirements for landscaping.
2. Inorganic materials, such as stone, boulders, loose rock, and decorative pavers, may be used as follows:
 - a. Loose landscape rock with supplemental landscaping is allowed in the ten foot (10') wide landscape strip reserved for street trees, ~~however, loose rock is not allowed in the public right-of-way between the sidewalk and the street curb~~. Decorative pavers may be installed between the sidewalk and street curb if approved by the Engineering Department, however, this area shall not be paved with concrete or asphalt.

SECTION 7.1-3. MINIMUM LANDSCAPING REQUIRED

~~3. Limitations to Landscape Rock. No landscape rock shall be allowed between the public sidewalk and the street curb (street right-of-way) and this area shall not be paved with concrete or asphalt. Decorative pavers of a complimentary color may be installed between the public~~

~~sidewalk and the street curb in lieu of grass if approved by the Engineering Department. Stamped concrete may only be installed between the public sidewalk and the street curb by the City, who will then maintain the stamped concrete.~~



January 7, 2025

Members of the Minot Planning Commission
City Hall
10 3rd Ave SW
Minot, ND 58701

Dear Members of the Minot Planning Commission:

With this letter, I want to take a moment to address an important matter that has understandably raised questions and concerns within our community. Many of you may have read the article published in the *Minot Daily News* on Friday, January 3, 2025, regarding a proposed for-profit micro hospital with an emergency department that is set to go before the City of Minot Planning Commission.

This development warrants serious discussion, as its implications and consequences could significantly impact not just Trinity Health, but the overall healthcare landscape in our community. I wish to share my thoughts on what this proposal means for Minot and the people we serve, and why we must carefully consider the long-term effects on our region's healthcare system.

Key Concerns Regarding the Introduction of a For-Profit Micro-Hospital in Our Minot Community

Overview

As the CEO of a local not-for-profit health system that is deeply integrated into this community, I am concerned about the proposed for-profit micro-hospital. While the concept may appear beneficial on the surface, its focus on niche, high-margin services undermine the comprehensive care model we currently provide and jeopardizes the well-being of our residents. Below, I outline the key concerns and the top five reasons why allowing a for-profit micro-hospital in our rural community is detrimental.

Key Concerns

1. Emergency and Trauma Care

- Micro-hospitals lack the infrastructure, staffing, and expertise to handle serious trauma cases or emergencies.

- These facilities often focus on lower-acuity, high-profit cases and are unequipped for Level I, II, or III trauma care.
- By referring complex cases to facilities in Bismarck, the micro-hospital would create delays in life-saving care, putting patients at significant risk.
- The burden of providing round-the-clock emergency care, regardless of a patient's ability to pay, will fall back on the local health system, straining its resources.

2. Mental and Behavioral Health Services

- Rural communities already face severe shortages in mental health and behavioral health services.
- The for-profit micro-hospital has no incentive to provide these essential services.
- Without partnership with the local health system, individuals in crisis may fall through the cracks, exacerbating mental health disparities in the region.
- Increased referrals to out-of-town providers (e.g., Bismarck) disrupt continuity of care, leading to poorer outcomes and higher costs for patients and families.

3. Strain on the Local Health System

- The micro-hospital's focus on profitable service lines, such as imaging and outpatient procedures, will siphon away insured patients who help sustain the local hospital.
- This "cherry-picking" of profitable services undermines the local health system's ability to fund non-revenue-generating but critical services like obstetrics, pediatrics, mental health/behavioral health, and charity care.
- The local health system will face financial instability, potentially leading to service reductions or even closures in extreme cases, leaving the community without comprehensive care.

4. Fragmentation of Care

- The micro-hospital's lack of integration with the existing health system creates silos that harm patients and increase healthcare costs.
- Referrals to Bismarck instead of leveraging the local health system highlight a profit-driven, transactional approach to care.
- Patients experience disrupted care coordination, delayed follow-ups, and higher likelihood of medical errors due to this fragmented system.

5. Economic and Workforce Impact

- The micro-hospital's limited services do not contribute meaningfully to local employment or economic development.
- The for-profit micro hospital will poach skilled staff from the local health system, exacerbating workforce shortages in critical areas such as nursing, emergency medicine, and behavioral health.

Top Five Reasons Why a For-Profit Micro-Hospital is a Bad Idea for Our Rural Community

1. Niche Services Undermine Comprehensive Care
 - Micro-hospitals prioritize high-margin services, leaving critical services like trauma, mental health, and maternity care underfunded and unsupported.
2. “Cherry-Picking” Patients and Profits
 - By targeting insured or well-paying patients, micro-hospitals shift the burden of uncompensated care to the local health system, threatening its financial stability.
3. Disruption of Emergency and Trauma Care
 - The lack of trauma capabilities and reliance on distant referrals create dangerous delays in care, especially for time-sensitive conditions like strokes, heart attacks, and severe injuries.
4. Erosion of Local Health Infrastructure
 - Competition for profitable cases and healthcare workers weakens the local health system’s ability to maintain services that benefit the entire community.
5. Missed Opportunities for Partnership and Collaboration
 - The micro-hospital’s failure to partner with the local health system demonstrates a lack of commitment to the community’s well-being and long-term health outcomes.

Conclusion

A for-profit micro-hospital is not only unnecessary but also harmful to our rural community. It will disrupt care, weaken our established health system, and prioritize profits over the health and well-being of our residents. Our local health system has demonstrated a commitment to comprehensive, community-focused care, and we urge all decision-makers to consider the long-term implications of introducing a for-profit competitor that fails to align with our community’s needs.

Instead, we should all be fostering collaboration and supporting the growth of the existing health system to ensure equitable, sustainable, and high-quality healthcare for all residents.

Sincerely,



John M. Kutch
President & CEO

Attachments

Key Concerns Regarding the Impact of a For-Profit Micro-Hospital in Our Community

Purpose: To outline concerns about the entry of a for-profit micro-hospital into the community and its potential negative impacts on healthcare, economic development, and community well-being.

Overview: Highlight the difference between the community's existing healthcare infrastructure and the for-profit model's priorities.

Key Concerns

Financial and Economic Impact

1. Market Saturation
 - Increased competition will dilute patient volumes for existing local health system in a market with stagnant growth, potentially destabilizing established healthcare providers.
 - Unnecessary duplication of services will lead to inefficiencies in resource allocation.
2. Job Displacement Risks
 - The micro-hospital will attract staff from existing facilities, creating/exacerbating workforce shortages.
 - Limited employment opportunities offered by a micro-hospital compared to full-scale hospitals.
3. Impact on Taxpayer Dollars
 - Potential reliance on public funding or tax incentives by the micro-hospital without substantial long-term economic benefits to the community.

Impact on Healthcare Quality and Access

1. Focus on Profit Over Patient Care
 - For-profit models prioritize high-margin services (e.g., imaging, minor surgeries), neglecting community health needs such as primary care, behavioral health/mental health, or chronic disease management.
2. Limited Scope of Services
 - Micro-hospitals offer fewer services and lack the comprehensive care capabilities of full-service hospitals.
 - Patients may need to be transferred to larger facilities for complex or specialized care, delaying treatment and increasing costs.
3. Cherry-Picking Patients
 - For-profit entities will target insured or well-paying patients, leaving uninsured or underinsured individuals to seek care at community hospitals, increasing the burden on nonprofit or public healthcare systems.
 - Local hospital will face financial strain, jeopardizing their ability to provide critical safety net services like charity care and emergency preparedness.

Regulatory and Oversight Concerns

1. Transparency Issues
 - For-profit micro-hospitals may not be held to the same standards of accountability and community engagement as nonprofit institutions.
 - Questions regarding quality metrics, patient outcomes, and community investment.
2. Risk of Closure
 - If profit targets are not met, the micro-hospital may close or reduce operations, leaving gaps in care and creating instability.

Broader Economic and Development Concerns

1. Impact on Economic Development Goals
 - Potential conflict with community development plans aimed at equitable and sustainable growth.
 - The micro-hospital model may not align with broader community goals, such as improving health outcomes for all residents.
2. Strain on Local Businesses and Resources
 - Smaller independent healthcare providers, walk-in clinics, and other primary care practices could face significant competitive pressure, risking closures or reduced services.
3. Reputational Risks
 - A failed or underperforming for-profit micro-hospital could negatively impact perceptions of the local healthcare ecosystem, deterring further investment in the area.

Recommendations for Action

Strengthen Existing Healthcare Infrastructure

- Invest in the local community hospitals and clinics to enhance their competitiveness and ability to serve diverse populations.

Collaborate with Economic Development Entities

- Work with the MACEDC and local government to ensure healthcare investments align with the community's needs and long-term development strategies.

Conclusion

1. Reinforce the importance of protecting the community's health and economic stability.
2. Call for strategic decision-making to mitigate risks and promote sustainable, growth with the existing healthcare sector.
3. Propose ongoing monitoring and dialogue to ensure that any healthcare developments prioritize community well-being over profit motives.

As vested and concerned community leaders that make up the Minot Planning Commission, a proposed opening of a for-profit micro hospital raises serious questions about its impact on our community's healthcare infrastructure and its resources.

Critical questions that the City of Minot Planning Commission should address before moving forward with this proposal:

- What is the long-term impact on existing healthcare systems in Minot, and how will the for-profit micro hospital address workforce shortages without exacerbating the strain on *all* local healthcare providers?

With an already limited pool of healthcare professionals, introducing a competing facility will destabilize the current system by creating staffing shortages and reduce the capacity of existing providers to offer comprehensive care. Will this facility avoid “cherry-picking” profitable services while leaving critical, less lucrative care gaps for the community to bear?

- How will the for-profit micro hospital ensure that it does not impose additional burdens on community services, such as emergency response, law enforcement, and social support systems?

For-profit micro hospitals often lack the infrastructure to handle the full spectrum of emergency cases, leaving local police, EMS, and other agencies to manage complex or non-profitable cases. What assurances are in place that this facility will not shift these costs and responsibilities onto already stretched public services?

- What is the true cost-benefit analysis for the community, and how does the micro hospital plan to prove its necessity in a town of 50,000 residents?

Without population growth, how does the facility justify its presence without simply competing for existing patients? What guarantees will it provide to demonstrate that its operation will not harm the economic and service stability of the community's not-for-profit health systems and the one in particular that has served this community for over a century?

The Planning Commission should consider tabling this proposal to protect the community from unintended consequences and ensure that all decisions serve the long-term interests of Minot and its residents.

The Minot Planning Commission is a commission that deeply values our community's well-being and is attuned to economic development and business dynamics.

There are significant concerns about the validity and necessity of a for-profit micro hospital in a community of 50,000 residents.

10 Questions That Should Be Addressed to Justify a Second Hospital in Our Community and Mitigate the Potential Harm to our Community:

1. **Workforce Availability:** With the current shortage of healthcare professionals, how does the for-profit micro hospital plan to recruit and retain staff without poaching from existing healthcare providers, thereby destabilizing the local healthcare workforce?
2. **Community Need:** Given the population size and existing healthcare capacity in Minot, what specific data or evidence supports the claim that our community requires additional hospital services?
3. **Service Duplication:** What services will this micro hospital provide that are not already adequately covered by *all* existing local healthcare providers? Will it offer comprehensive care, or will it focus solely on profitable, limited services?
4. **Economic Impact:** How will the for-profit micro hospital contribute to the local economy beyond its immediate operations? Will its profits remain in the community, or will they be sent out of state to corporate offices or shareholders?
5. **Emergency Preparedness:** Trinity Health has historically been the anchor institution for disaster preparedness and emergency response. What role will the for-profit micro hospital play during crises, and how will it coordinate with existing institutions to avoid duplication or confusion?
6. **Healthcare Fragmentation:** How will the introduction of a micro hospital affect the continuity of care for patients, particularly those with chronic or complex conditions who rely on integrated health services provided by Trinity Health?
7. **Population Sustainability:** With a population of 50,000, how does the for-profit micro hospital expect to sustain its operations long-term without destabilizing existing healthcare institutions or "cherry-picking" the most profitable patients?
8. **Community Involvement:** Who will govern and oversee the micro hospital's operations, and how will the local community's needs and interests be represented in its decision-making processes?
9. **Unintended Consequences:** What safeguards are in place to prevent the micro hospital from causing harm to the broader healthcare infrastructure, such as reductions in essential but less profitable services that Trinity Health currently provides?
10. **Transparency:** What commitments will the for-profit micro hospital make to be transparent about its operations, financial practices, and community reinvestments, given the significant differences in accountability compared to a not-for-profit health system?

These are questions are critical to understanding the potential risks and consequences of introducing a for-profit micro hospital into our community. The answers must be comprehensive and clear to ensure that this proposal genuinely benefits Minot rather than causing harm to the healthcare infrastructure, workforce, and economic stability we have worked so hard to build.

Trinity Health's Community Contribution Over the Past 20 Years Includes:

- \$3.9M to Minot Center for Family Medicine
- \$2.9M to Minot Family YMCA
- \$2.1M to Minot State University
- \$850K to Norsk Hostfest
- \$400K to North Dakota State Fair
- \$350K to MACEDC
- \$300K Minot Park District / MAYSA
- \$185K City of Minot / Stop Light
- \$75K Minotauros Hockey
- \$60K Minot Civic Organizations
- \$40K Minot Zoological Society
- \$30K K-9 Units for Minot Police Department, Burlington Police Department and Berthold Police Department
- And Many Other Local Public Organizations and Agencies





TRINITY
HEALTH

Economic Impact Analysis Calendar Year 2021



Direct Impact

- Spend on Buildings & Equipment: \$194,689,263
- Spend on Goods & Services: \$185,876,611
- Total Payroll: \$217,764,797
- Paid in Property and Sales Tax: \$1,913,405



Indirect Impact

- Number of Trinity Health Jobs: 2,801
- Estimated Number of Indirect Jobs: 1,204
- Average Annual Pay for the Local Community: \$55,465
- Estimated Annual Dollar Value of Jobs Create: \$66,779,860



Total Impact

- Direct Impact: \$600,244,076
- Indirect Impact: \$66,779,860
- Overall Impact: \$667,023,936

*Multipliers: LMI Economic Impact Database, 1995 Base Realignment and Closure Indirect Job Multipliers, Feb 95
Avg Annual Pay: Current tables for Average Annual Pay are accessible at <http://www.bls.gov/cow> Data: Calendar Year 2020*



TRINITY
HEALTH

Economic Impact Analysis Calendar Year 2022

City of Minot



Direct Impact

- Spend on Buildings & Equipment: \$137,676,174
- Spend on Goods & Services: \$217,787,956
- Total Payroll: \$272,870,831
- Paid in Property and Sales Tax: \$3,284,064



Indirect Impact

- Number of Trinity Health Jobs: 2,640
- Estimated Number of Indirect Jobs: 1,135
- Average Annual Pay for the Local Community: \$56,851
- Dollar Value of Jobs Created: \$64,525,885



Total Impact

- Direct Impact: \$631,619,025
- Indirect Impact: \$64,525,885
- Overall Impact: \$696,144,910

*Multipliers: LMI Economic Impact Database, 1995 Base Realignment and Closure Indirect Job Multipliers, Feb 95
Avg Annual Pay: Current tables for Average Annual Pay are accessible at <http://www.bls.gov/cew> Data: Calendar Year 2020*

Economic Impact Analysis Calendar Year 2023



Multipliers: LMI Economic Impact Database, 1995 Base Realignment and Closure Indirect Job Multipliers, Feb 95
Avg Annual Pay: Current tables for Average Annual Pay are accessible at [http://www.bls.gov/cew/Data/Calendar Year 2020](http://www.bls.gov/cew/Data/Calendar%20Year%2020)



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A new state-of-the-art inpatient Hospital & 24/7 ER is coming to your community!

- *Short Wait Times*
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- *Personalized care plans during your hospital stay or ER visit*
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- *Emergency Physicians*
- *Rapid access to your medical record*
- *All insurances accepted*, Medicare, Medicaid, and Tricare.
- We *honor all in-network benefits* for emergency services.



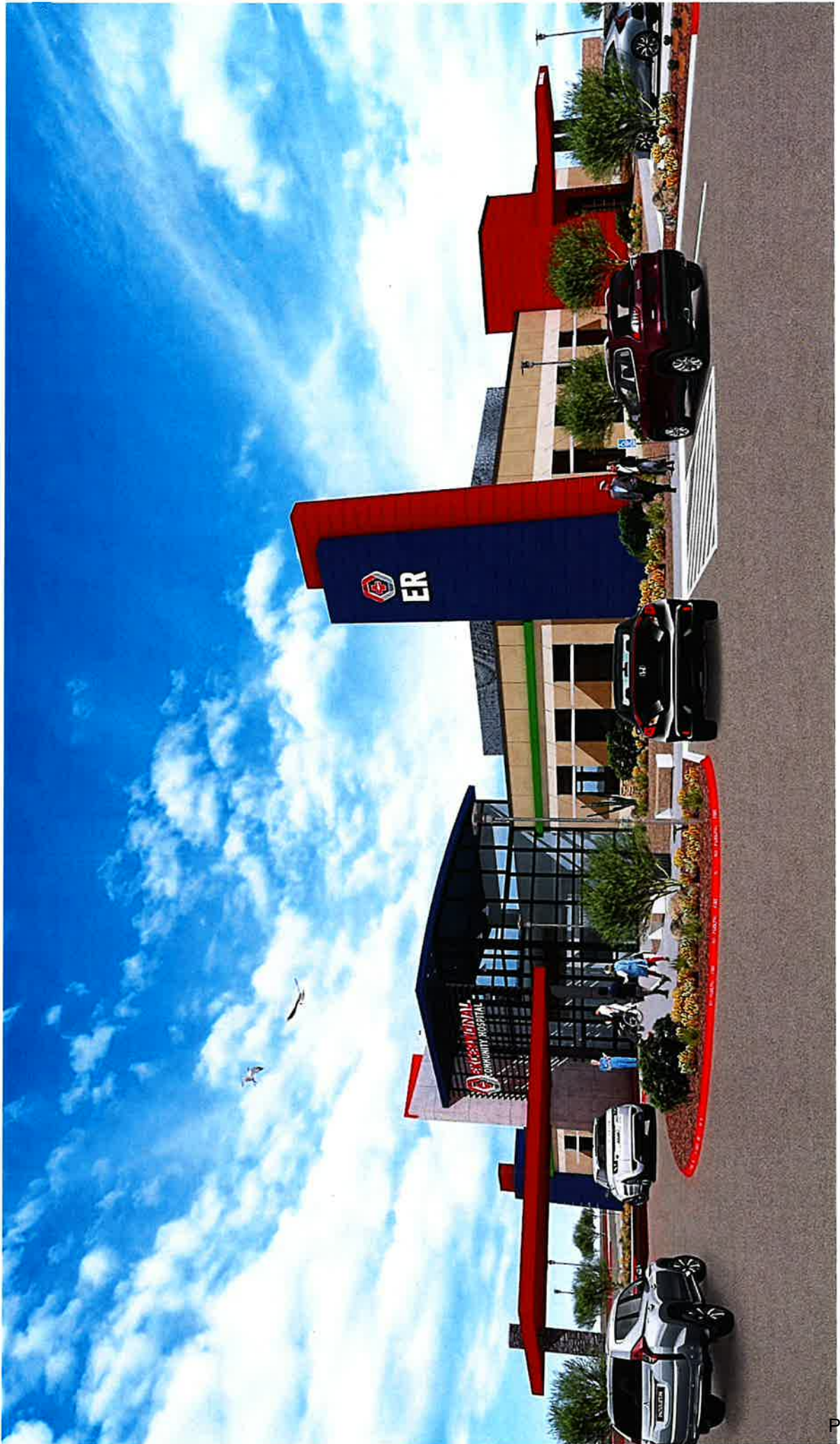
EXCEPTIONAL
COMMUNITY HOSPITAL



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January 9, 2025

Robert Kibler
Minot Planning Commission Member
1100 72nd Ave NE
Minot, ND 58701

Dear Mr. Kibler:

I am writing to address a recent statement you made regarding unavailability to medical care in North Minot during the 2011 flood. In particular, you mentioned that residents in North Minot did not have access to any medical care or services during this time. While I understand that public remarks can sometimes unintentionally overlook details, I would like to respectfully clarify and provide a reminder of the efforts Trinity Health made to ensure uninterrupted access to healthcare services during the flood.

As outlined in the *Minot Daily News* (insert date of article) at the time, Trinity Health proactively planned and executed a comprehensive strategy to address the medical needs of North Minot residents when access to downtown Minot was compromised. Specifically, Trinity Health partnered with Minot Public Schools and Lewis and Clark Elementary School administration to establish an emergency and urgent care center in the school gymnasium. This facility served as a critical hub for medical services, ensuring that residents on North Hill had access to care.

Key elements of this initiative included:

- Securing a temporary helipad permit in collaboration with the Federal Aviation Administration to support air transport when needed.
- Working closely with the Minot Fire Department, Minot Police Department, and North Dakota State Emergency Preparedness to ensure public safety and efficient operations at the care site.
- Services provided at the at the Lewis and Clark Emergency and Urgent Care Center included lab, radiology, adult and pediatric clinic service, emergency services and mental health services.

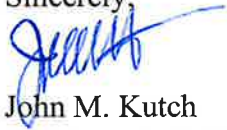
The dedicated efforts of our staff, many of whom were personally affected by the flood, ensured that no resident in North Minot was left without access to urgent or emergent care during this challenging time.

It has been brought to my attention by several Trinity Health employees who served at the Lewis and Clark Emergency and Urgent Care Center that they felt disheartened by the omission of this recognition in your remarks. These individuals worked tirelessly under extraordinary circumstances to uphold Trinity Health's century-long tradition of service to the Minot community.

As a leader who values collaboration and community resilience, I am confident that this was an oversight rather than an intentional exclusion. I trust you will join me in acknowledging the extraordinary work performed by Trinity Health staff during the flood and their steadfast commitment to meeting the healthcare needs of all Minot residents.

Thank you for your continued service to our community. I've attached the article from the *Minot Daily News* for your reference and would be happy to provide any additional information or meet to discuss this matter further.

Sincerely,



John M. Kutch
President & CEO



Jeffrey Sather, MD
Emergency Services
Medical Director

cc: Mayor
City Manager
Minot Planning Commission
Trinity Health Board of Directors
MACEDC Board of Directors

www.MinotDailyNews.com

REGION

Tuesday, June 28, 2011 • Section B

Managing Editor: Kent Olson 857-1939 or 1-800-735-3229;
e-mail kolson@minotdailynews.com

Online
POLL

VOTE TODAY

Have you given a polite wave or verbal compliment to a trucker, Guardsman, law enforcement officer or any others on the job battling the Souris River flood?

► Yes ► No

Vote at www.MinotDailyNews.com

YESTERDAY'S RESULTS

How would you rate traffic control on U.S. Highway 83 Bypass West?

A 19% B 16% C 22%
D 19% F 32%

2by2

Yesterday's winning
2by2 numbers:
Red 07-26 White 16-22

For a complete list of winning numbers
visit the North Dakota Lottery Website
at ndlottery.com

BRIEFLY

Rugby woman dies after accident

TOWNER — A Rugby woman died after she lost control of her vehicle on a gravel road south of here.

According to the North Dakota Highway Patrol, the 19-year-old woman was northbound on Seventh Avenue Northeast, six miles south of Towner, when she lost control of her vehicle.

The woman's vehicle entered the west ditch and overturned, causing the woman to be partially ejected. The vehicle came to a rest in water on its top in the west ditch facing east. The woman was extracted from the vehicle and transported to Trinity Hospital, in Minot, where she died.

— James C. Falcon

Court disrupted by flooding issues

Local court cases have been disrupted by issues related to the flooding disaster in the Minot area.

Due to evacuations and flooding in the Minot area, all non-essential court hearings at the Ward County Courthouse have been canceled until July 11.

According to Carolyn Woolf, district court administrator, only emergency juvenile hearings, mental health matters and jail appearances will be held through the week ending July 8.

Notices of rescheduled dates will be mailed to parties involved in any other hearings.

In addition, federal court operations in Minot have been moved to Bismarck or rescheduled due to flooding concerns, also until July 11.

Any questions re-



LEFT: Katie Black, left, receives vaccination information from Nancy Stevenson, RN for First District Health Unit, right, at the health unit's satellite office at Lewis & Clark on Monday.

ABOVE: Mark Anderson, left, is treated by Dr. Scott Knutson, emergency medicine physician for Trinity Health, right, at Trinity Health's North Hill medical unit on Monday.

Photos by Kaitie Tengnesdal/NDN

Help on the hill

Trinity activates North Hill medical unit

By **KATINA
TENGESDAL**
Staff Writer
ktengesdal@minotdailynews.com

Trinity Health activated its North Hill medical unit at Lewis & Clark Elementary School on Saturday to serve the North Minot community's basic health care and emergency medical needs.

The unit was originally established as a pre-hospital staging area for emergency situations in the event that road closures prevented access to Trinity Hospital and its clinics on the south side, but due to excessive delays and difficulties getting around Minot, officials decided to activate the facility. So far, the unit has seen about 20 patients a day.

See **TRINITY** — Page B4



Lois Larson, left, is checked by Laurel Kleven, RN, triage nurse for Trinity Health, at Trinity Health's North Hill medical unit on Monday.

Kaitie Tengnesdal/NDN

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By KATINA
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See TRINITY — Page B4



Lois Larson, left, is checked by, Laurel Kleven, RN, triage nurse for Trinity Health, at Trinity Health's North Hill medical unit on Monday.

Katina Tengesdal/MDN

but
only
to
ier,

□ Trinity

Continued from Page B1

"As long as Broadway is passable and able to allow emergency vehicles to get through, we are running all ambulances straight into the ER. If we do get cut off, we have the capability to stabilize ambulance patients here," Dr. Scott Knutson, emergency medicine physician for Trinity Health, said.

The unit has six beds set up and has enough gurney capacity to handle 20 patients, Knutson said. At any given time, the unit has two ER nurses, a radiology technician, a respiratory therapist and two registrars on staff. A community ambulance crew is also standing by at the unit.

In addition to that staff, one provider and one nurse have been added as clinic staff for other healthcare needs. Staff from the Center for Family Medicine in Minot have been helping out at the unit to add to Trinity's staff.

The unit has basic X-ray and lab services, four oxygen concentrators, four ventilators and features two back-up power generators to continue operations if power was lost. It also has access to patients' electronic health records.

"There have been a lot of people visiting here, for things such as chest pain, lacerations, shortness of breath, patients with depression or anxiety, patients who've had surgery and



Katina Tengesdal/MDN

Medical staff work from the nurse's station set up in the center of the Lewis & Clark Elementary school gym.

needed staples taken out, and people with asthma and emphysema type problems," Knutson said.

"All of those people might have had problems if they had to wait a whole lot longer. We're offering a service that's providing reassurance that we're available if needed," he added.

Pregnant patients have also had questions about services offered at the unit. While the unit's staff doesn't plan on attending deliveries, equipment and personnel will be available in an urgent situation.

"We do have the supplies available to assist with delivery, and we have OB

providers and pediatricians on call. Those services are ready to go here, but anybody close to labor should coordinate that with their OB provider. They may plan for induction or to stay with friends or neighbors on the south side of town," Knutson said.

Emergency mental health services are also being provided at the unit, in conjunction with Trinity Health and North Central Human Services.

North Central Human Services has established a satellite office at Lewis & Clark, with hours from 8 a.m. to 5 p.m. on weekdays. Human service center professionals working out of that office include mental health nurses, counselors, case managers who serve people with developmental disabilities or serious mental health illnesses, addiction treatment professionals and community services staff.

"We opened up this morning (Monday) in partnership with Trinity. We're not making appointments, but we're here for crisis situations. We have clients on both sides of the river, and we are here to serve the needs of clients on this side of the river who might be in crisis," Laurie Gotvaslee, assistant director for North Central Human Services, said.

"We've worked closely with Trinity for years on mental health and addiction so it just seemed right to assist," she added.

First District Health Unit has set up a satellite office at Lewis & Clark as well, in response to people requesting vaccinations. First District was providing tetanus vaccine to people who visited the office Monday.

HERE WE ARE!