



Regular Planning Commission Meeting

Tuesday, March 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 FEBRUARY 2025 REGULAR MEETING MINUTES
5. PUBLIC HEARING
 - 5.1. CASE #2025 - 3 - ST CROIX ADDITION - ZONE CHANGE

Public hearing request by Dylan Davis, owner for a request of a zoning map amendment on a property zoned "C2" General Commercial District with the requested rezoning to "CBD" Central Business District. The legal description for the property is Lot 2 St. Croix Addition to the City of Minot, Ward County, North Dakota

The subject property address is 508 E Central Ave.

- 5.2. CASE #2025 - 5 - DAWN TO DUSK ADDITION, LOT 2 - ZONE CHANGE

Public hearing request by Rusten Roteliuk, Houston Engineering, representing JACE Properties and Amanda Schatz, owner for a request of a zoning map amendment on a property zoned "C2" General Commercial District with the requested rezoning to "M1" Light Industrial District. The legal description for the property is Lot 2 Dawn to Dusk Addition to the City of Minot, Ward County, North Dakota

The subject property's address is unassigned.

- 5.3. CASE #2025 - 6 - LOT B OF OTLT 23 SEC 32-155-82 - ZONE CHANGE

Public hearing request by Conley Post, owner for a request of a zoning map amendment on a property zoned "C2" General Commercial District with the requested rezoning to "M1" Light Industrial District. The legal description for the property is Lot B of Outlot 23 Section 32, Township 155 North, Range 82 West, Ward County, North Dakota

The subject property address is 3050 HWY 52 S.

5.4. CASE #2025 - 7 - SIMPLOT - CUP

Public hearing request by Trent Johnson with Simplot, representing UHB, LLC, owner for a request of a conditional use permit on a property zoned "M1" Light Industrial District to store hazardous materials and compounds. The legal description for the property is Lot 1 of Northeast Business Park 2nd Addition to the City of Minot, Ward County, North Dakota.

The subject property address is 2708 30th Ave NE.

6. MISCELLANEOUS AND DISCUSSION ITEMS

6.1. DISCUSS APRIL PLANNING COMMISSION SCHEDULE

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 February 4, 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, Robert Kibler, Logan Longtin, Annette Mennem, Dustin Offerdahl, Serena Pontenila, Darrik Trudell, Tanner Dockter

Members Absent: Kayla Johnson, Bradly Wolff, Robert Amick, Casey Erickson

City Staff Present: Brian Billingsley, Doug Diedrichsen, Dan Falconer, Hannah Hornberger, Nick Schmitz

Others Present: Lynda Langseth, Mike Baker, Lexi Baker, Bruce Langseth, Rusten Roteliuk

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

The motion to Approve January 2025 Regular Meeting Minutes was initiated by Planning Commission Representative Kibler seconded by Planning Commission Representative Pontenila and carried by the following roll call vote: ayes: Tim Baumann, Erin Iverson, Robert Kibler, Logan Longtin, Annette Mennem, Dustin Offerdahl, Serena Pontenila, Darrik Trudell, Tanner Dockter; nays: None.

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

Mr. Diedrichsen discussed the staff report.
Commissioners and city staff had a discussion.

Chairman Offerdahl opened the public hearing to the public for testimony.
Lynda Langseth, representing the application, spoke in favor of the application.
Mike Baker, neighbor, spoke against the application.
Lexi Baker, neighbor, spoke against the application.
Dan Falconer, associate planner, read a letter from Brian Beeter about the property.
Rusten Roteliuk, Houston Engineering, answered questions from the planning

commission.

Bruce Langseth, member of the application, spoke in favor of the application.

City staff answered questions.

Chairman Offerdahl closed the public hearing.

Chairman Offerdahl clarified the motion.

Nick Schmitz, assistant attorney, clarified questions pertaining to the motion.

City Staff answered questions.

The motion to Approve FLU Amendment, Zoning Map Amendment, Prelim Plat & IUP with 600' buffer was initiated by Planning Commission Representative Baumann seconded by Trudell and carried by the following roll call vote: ayes: None; nays: Tim Baumann, Erin Iverson, Robert Kibler, Logan Longtin, Annette Mennem, Dustin Offerdahl, Serena Pontenila, Darrik Trudell, Tanner Dockter.

The motion to Approve FLU Amendment, Zoning Map Amendment, Prelim Plat & IUP was initiated by Planning Commission Representative Longtin seconded by Planning Commission Representative Kibler and carried by the following roll call vote: ayes: Tim Baumann, Erin Iverson, Robert Kibler, Logan Longtin, Annette Mennem, Dustin Offerdahl, Serena Pontenila, Darrik Trudell, Tanner Dockter; nays: None.

5.2. CASE # 2025-2 - LDO TEXT AMENDMENT

Mr. Diedrichsen discussed the staff report.

The Commissioners had a discussion.

Staff answered questions.

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

No one appeared to testify.

Chairman Offerdahl closed the public hearing.

The motion to Approve LDO Text Amendment was initiated by Planning Commission Representative Longtin seconded by Trudell and carried by the following roll call vote: ayes: Tim Baumann, Erin Iverson, Robert Kibler, Logan Longtin, Annette Mennem, Dustin Offerdahl, Serena Pontenila, Darrik Trudell, Tanner Dockter; nays: None.

6. MISCELLANEOUS AND DISCUSSION ITEMS

6.1. ADDITIONAL INFORMATION PROVIDED TO PLANNING COMMISSION

Additional materials were added to the public records for a prior application.

7. ADJOURNMENT

With no further business, Chairman Offerdahl adjourned the meeting at 7:11 pm.



**Planning Commission
Staff Report**

Application Date: 1/07/2025
Date of Staff Report: 2/18/2025
Date of Planning Commission Meeting: 03/04/2025

Staff Contact: Daniel Falconer, Associate Planner
Staff Recommendation: Approval

Case Number: 2025-03

Project Name: St. Croix Addition – Zone Change

Current Legal Description: Lot 2, St. Croix Addition to the City of Minot, Ward County, North Dakota

Proposed Legal Description: No Change

Present Address: 508 E Central Ave

Owners: Dylan Davis

Representative: N/A

Entitlements Requested: Zoning Map Amendment from “C2” General Commercial District to “CBD” Central Business District

Present Zone(s): “C2” General Commercial District

Present Use(s): Commercial Buildings

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

Present Future Land Use Map Designation: Downtown Fringe

Proposed Zone(s): “CBD” Central Business District

Proposed Use(s): Commercial Buildings

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

Proposed Future Land Use Map Designation: No Change

PROJECT DESCRIPTION:

Public hearing request by Dylan Davis, owner for a request of a zoning map amendment on a property zoned “C2” General Commercial District with the requested rezoning to “CBD” Central Business District.

The legal description for the property is Lot 2 St. Croix Addition to the City of Minot, Ward County, North Dakota.

The subject property address is 508 E Central Ave.

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

BACKGROUND INFORMATION:

The applicant desires to rezone the property from “C2” General Commercial District to “CBD” Central Business District in order to complete an adaptive reuse project for several buildings on-site. The requested zone change will allow for this multi-tenant property to better expand its commercial uses and align with other “CBD” Central Business District adjacent to the development.

The “CBD” Central Business District allows for uses that complement the adjacent downtown uses that have been developed nearby.

“CBD” Central Business District is a complimentary zoning district for properties falling in the Downtown Fringe future land use category as outlined in chapter 3 of the 2040 Comprehensive Plan.

The applicant’s letter of intent is provided in **Exhibit 2**.

The zoning and future land use map of the subject property and immediate vicinity is provided in **Exhibit 3**.

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

STAFF ANALYSIS:

Zoning Map Amendment Analysis:

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

The subject property future land use designation is Downtown Fringe, which aligns with the proposed zone change to “CBD” Central Business District. Staff finds no future land use map amendment is necessary.

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

Section 9.1-7 H. relates to whether or not the proposed zoning map amendment is justified due to a change in conditions, error in the zoning map, or in order to fulfill the future land use map of the Comprehensive Plan. The request stems from a desire to align with a complementary zone within the Downtown Fringe thus allowing the property to be developed in accordance with the Comprehensive Plan. Section 9.1-7 H. 1 is satisfied.

The City and other agencies will be able to provide necessary public services and facilities to serve the proposed development. Section 9.1-7 H. 2 is satisfied as no new public infrastructure is requested and any additions or changes to the on-site infrastructure would be at the developer's expense.

Section 9.1-7 H. 3 requires that the proposed zoning map amendment will not substantially diminish the condition or value of property in the vicinity. Staff finds no evidence that the zoning map amendment to "CBD" Central Business District will diminish the condition or value of property within the vicinity. Section 9.1-7. H. 3. is satisfied.

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

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:

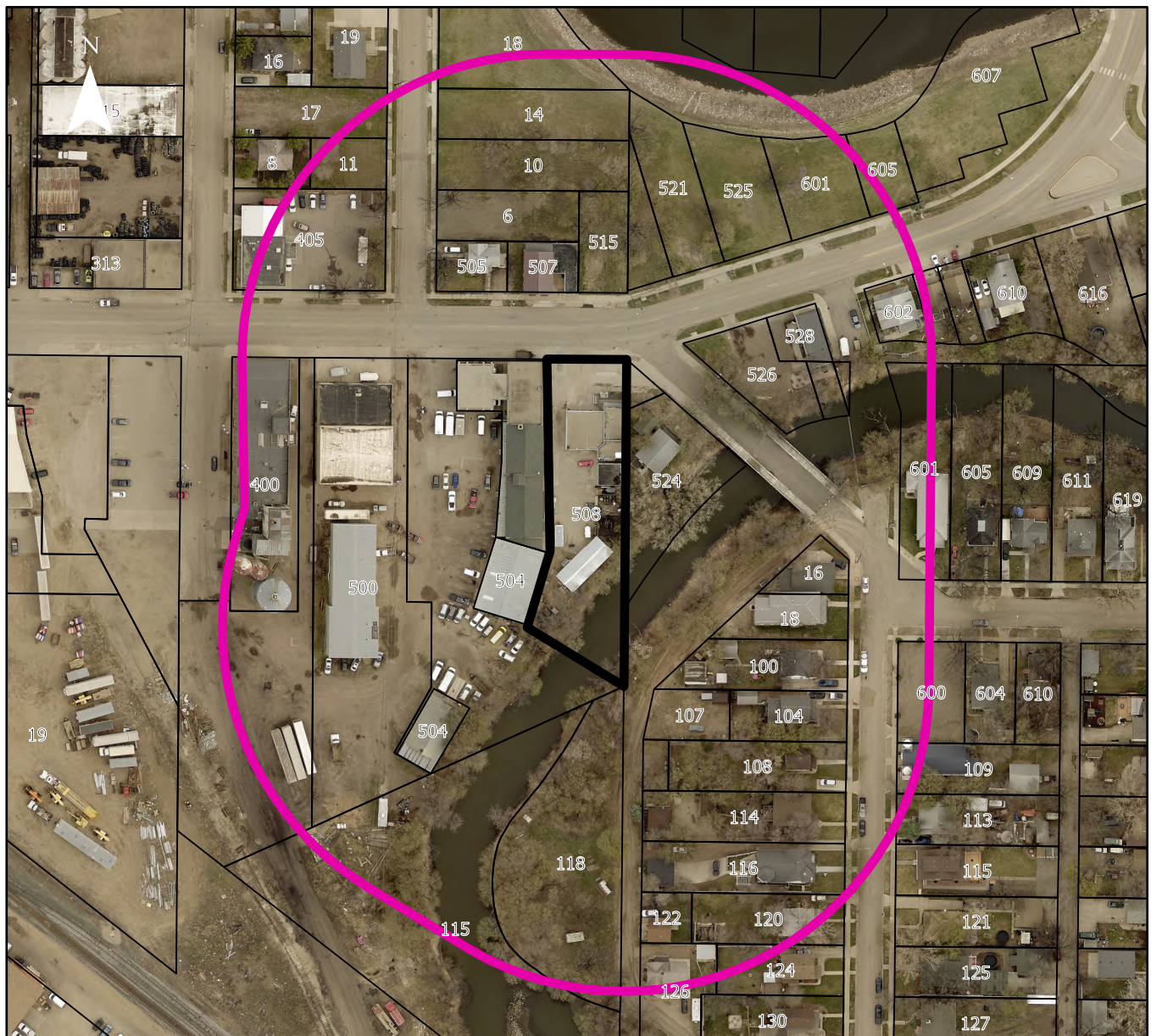
The Minot Planning Commission should accept the following findings of facts:

- 1) The applicants have submitted a complete application.
- 2) The present zoning is "C2" General Commercial District.
- 3) The City of Minot 2040 Comprehensive Plan Future Land Use Map designates this area as Downtown Fringe.
- 4) The proposed zoning map amendment satisfies the evaluative criteria of Section 9.1-7. H. 1. thru 4. of the Land Development Ordinance as outlined in the Staff Analysis section of staff's written report.

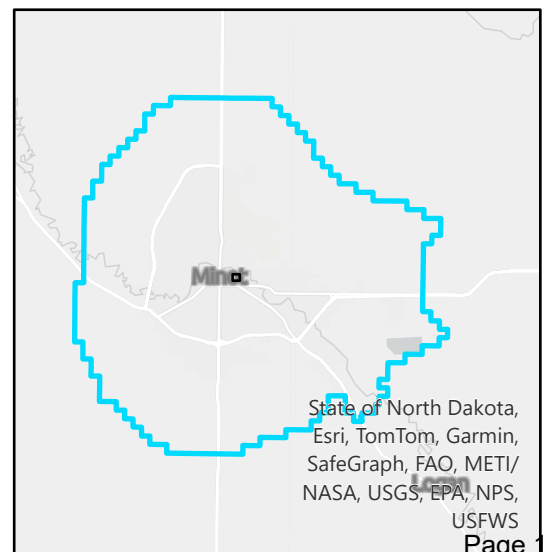
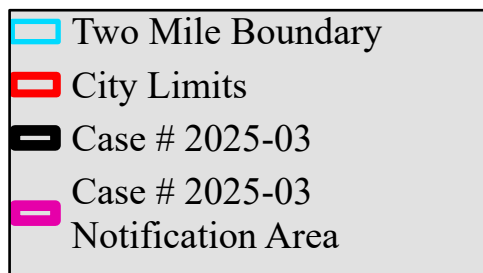
- 5) The Minot Planning Commission has the authority to hear this case and provide a recommendation to City Council whether the zoning map amendment be approved, with or without conditions, or denied. The public notice requirements were met, the hearing was legally noticed and posted, and the hearing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

RECOMMENDATION:

Staff recommends the Planning Commission adopt staff's findings of fact and recommend approval to City Council for a zoning map amendment from "C2" General Commercial District to "CBD" Central Business District with no conditions.



0 112.5 225 450 Feet



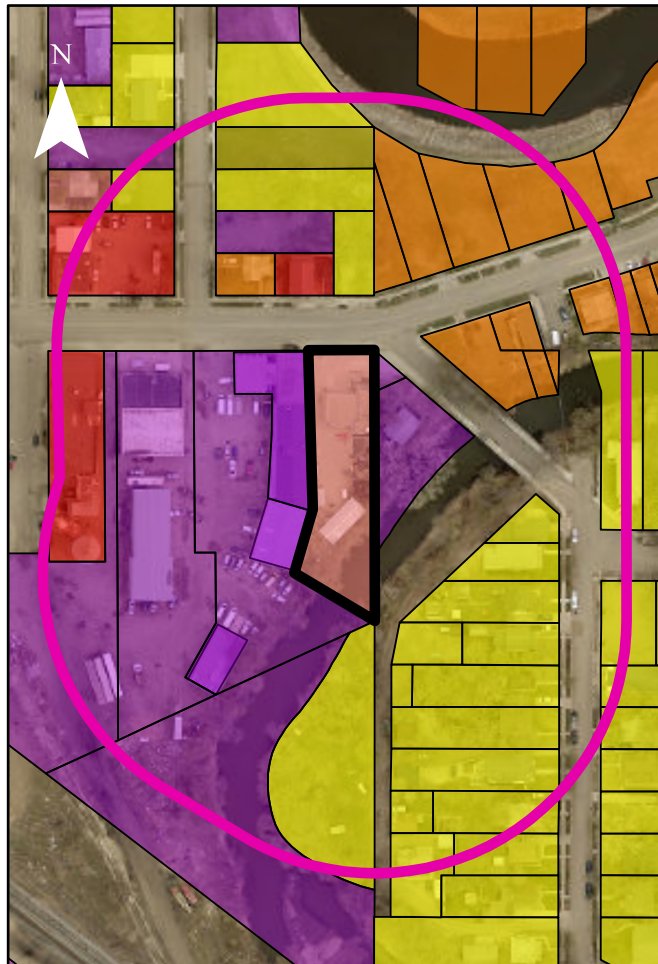
510 East Central Ave Letter of Intent

This property is currently zoned C2. Unit A is a brewery and tap room. Unit B is being used as brewery storage. Unit C is vacant, and Unit D is a woodworking shop.

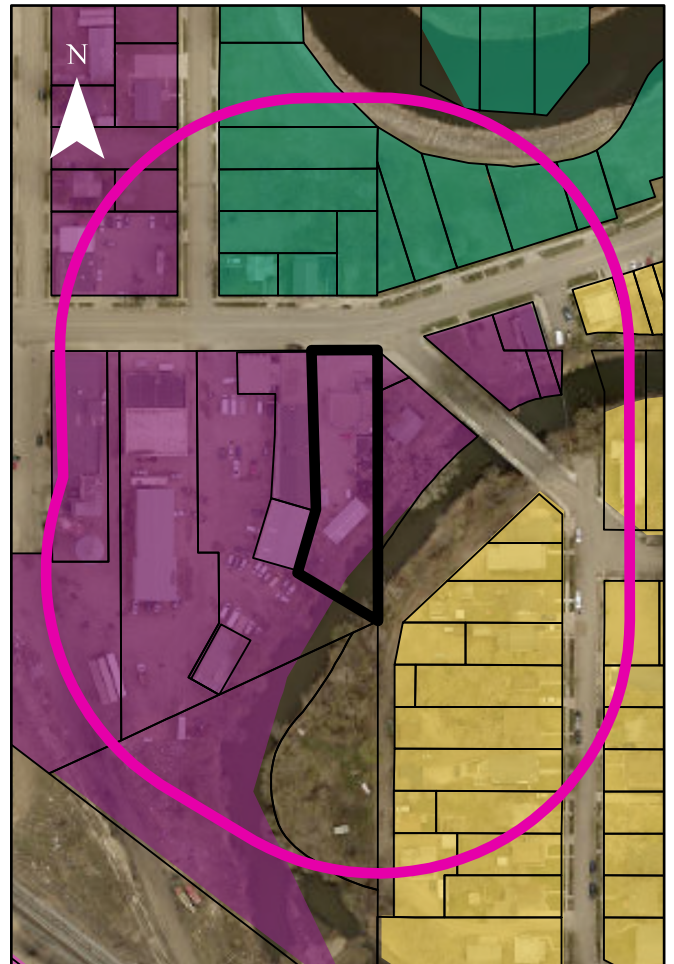
We are planning on demolishing Unit C and building a new structure to house bathrooms and brewery storage. The tenant in Unit D will vacate and this structure will be used as a flex space for the brewery. This would include using the space for live music, trivia, yoga, private events, etc. We are proposing to rezone the property to be zoned as C3. This plan is not viable with the current building restrictions and parking requirements under C2 zoning.

Ackerman-Estvold is working on the new building plans to ensure the new structure will abide by the city's codes and the aesthetic will fit the property.

ZONING



FUTURE LAND USE



0 112.5 225 450 Feet

Zoning

	C2
	CBD
	M1
	R1
	R2
	R3
	R3B

Both Maps

	Case # 2025-03
	Case # 2025-03 Notification Area

Land Use Type

	Suburban Residential
	Riverfront Activation
	Downtown Mixed Use
	Downtown Fringe
	Riverfront Activation

Exhibit 4 – Site Photos



Facing East



Facing South



Facing West



Facing North



Planning Commission Staff Report

Application Date: 01/21/2025

Date of Staff Report: 02/19/2025

Date of Planning Commission Meeting: 03/04/2025

Staff Contact: Doug Diedrichsen, Principal Planner

Staff Recommendation: Recommend Approval

Case Number: 2025-05

Project Name: Dawn to Dusk Addition – Zone Change

Current Legal Description: Lots 2 of Dawn to Dusk Addition

Proposed Legal Description: No Change

Present Address: Unassigned

Owners: JACE Properties, LLC

Representative: Rusten Roteliuk, Houston Engineering

Entitlements Requested: Zoning Map Amendment from “C2” General Commercial District to “M1” Light Industrial District

Present Zone(s): “C2” General Commercial District

Present Use(s): Vacant

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

Present Future Land Use Map Designation: Light Industrial

Proposed Zone(s): “M1” Light Industrial District

Proposed Use(s): No Change

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

Proposed Future Land Use Map Designation: No Change

PROJECT DESCRIPTION:

Public hearing request by Rusten Roteliuk, Houston Engineering, representing JACE Properties and Amanda Schatz, owner for a request of a zoning map amendment on a property zoned “C2” General Commercial District with the requested rezoning to “M1” Light Industrial District. The legal description for the property is Lot 2 Dawn to Dusk Addition to the City of Minot, Ward County, North Dakota

The subject property's address is unassigned.

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

BACKGROUND INFORMATION:

The applicant desires to rezone the property from "C2" General Commercial District to "M1" Light Industrial District in order to create a vacant industrial property. No development proposals or plans have been submitted for the subject property.

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

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

STAFF ANALYSIS:

Zoning Map Amendment Analysis:

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

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

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

Section 9.1-7 H. 1. relates to whether or not the proposed zoning map amendment is justified due to a change in conditions, error in the zoning map, or by in order to fulfill the future land use map of the Comprehensive Plan. The request stems from a request that would fulfill the future land use map designation of Light Industrial, Section 9.1-7 H. 1 is satisfied.

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

Section 9.1-7 H. 3 requires that the proposed zoning map amendment will not substantially diminish the condition or value of property in the vicinity. Staff finds no evidence that the zoning map amendment to “M1” Light Industrial District will diminish the condition or value of property within the vicinity. Section 9.1-7. H. 3. is satisfied.

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

Comments:

- 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.

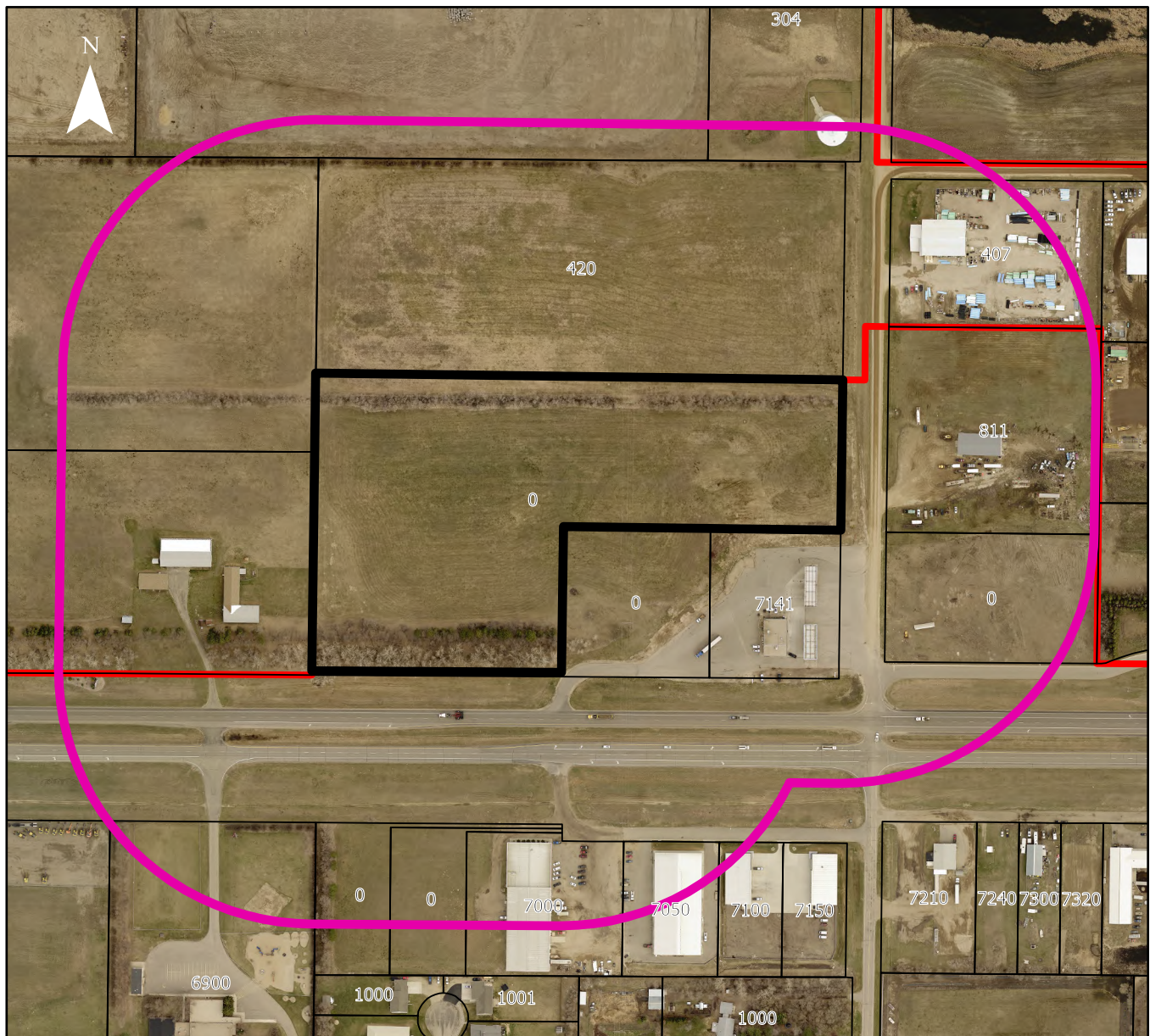
FINDINGS OF FACT:

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

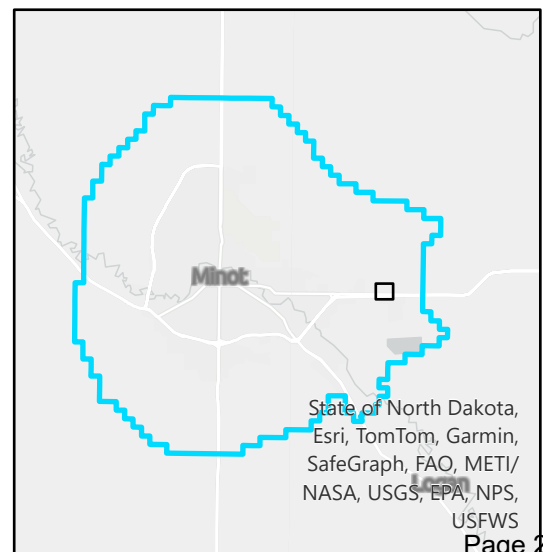
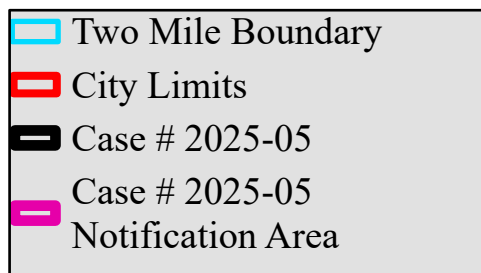
- 1) The applicants have submitted a complete application.
- 2) The present zoning is “C2” General Commercial District.
- 3) The City of Minot 2040 Comprehensive Plan Future Land Use Map designates this area as Light Industrial.
- 4) The proposed zoning map amendment satisfies the evaluative criteria of Section 9.1-7. H. 1. thru 4. of the Land Development Ordinance 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 provide a recommendation to City Council whether the zoning map amendment be approved, with or without conditions, or denied. The public notice requirements were met, the hearing was legally noticed and posted, and the hearing was held and conducted under the requirements of North Dakota Century Code and Minot City ordinances.

RECOMMENDATION:

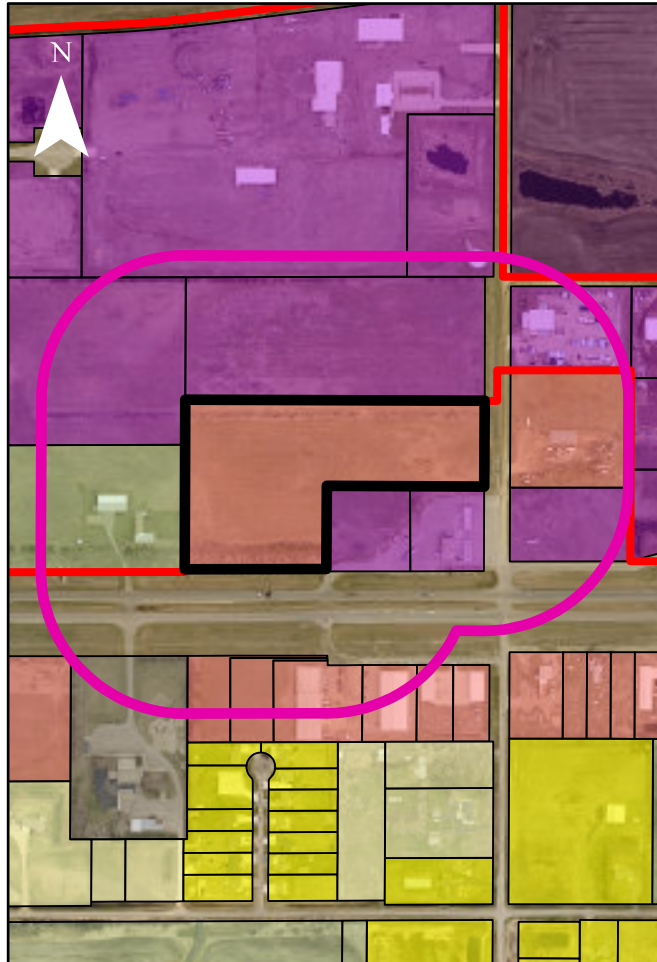
Staff recommends the Planning Commission adopt staff’s findings of fact and recommend approval to City Council for a zoning map amendment from “C2” General Commercial District to “M1” Light Industrial District with no conditions.



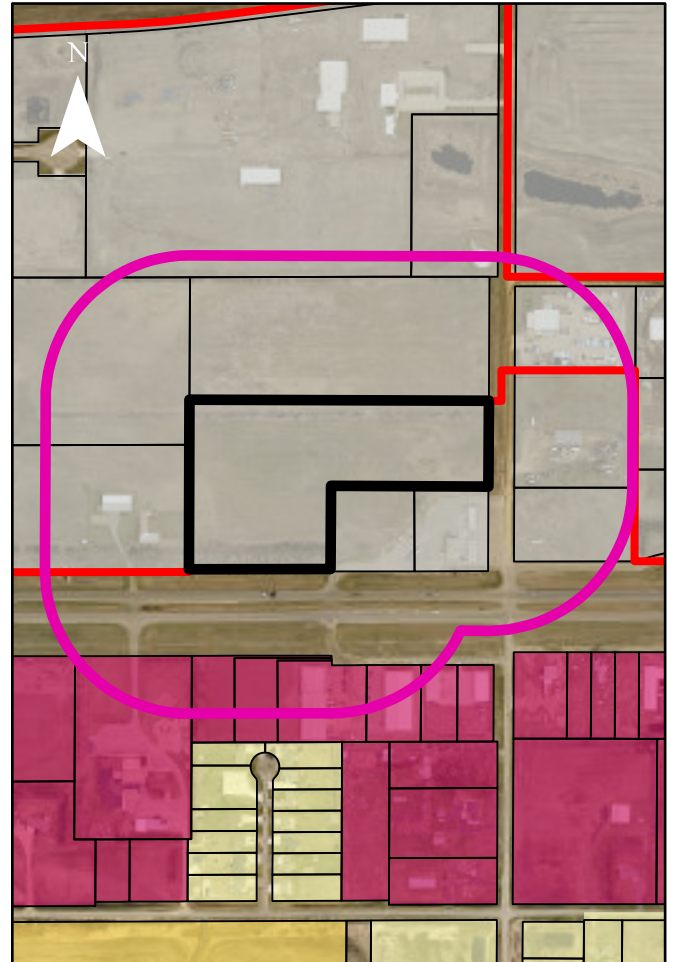
0 262.5 525 1,050 Feet



ZONING



FUTURE LAND USE



0 375 750 1,500 Feet

Zoning

	AG
	C2
	M1
	M2
	P

Both Maps

	Case # 2025-05
	Case # 2025-05 Notification Area

Land Use Type

	Rural Residential
	Suburban Residential
	Gateway Commercial
	Light Industrial

Exhibit 3 – Site Photos



Facing Northwest



Facing South



Facing West



Facing North



Planning Commission Staff Report

Application Date: 01/27/2025

Date of Staff Report: 02/19/2025

Date of Planning Commission Meeting: 03/04/2025

Staff Contact: Doug Diedrichsen, Principal Planner

Staff Recommendation: Recommend Approval

Case Number: 2025-06

Project Name: Lot B of Otl 23 Post – Zone Change

Current Legal Description: Lot B of Outlot 23, Section 32, Township 155 North, Range 82 West

Proposed Legal Description: No Change

Present Address: 3050 HWY 52 S

Owners: Post Construction Inc.

Representative: Conley Post

Entitlements Requested: Zoning Map Amendment from “C2” General Commercial District to “M1” Light Industrial District

Present Zone(s): “C2” General Commercial District

Present Use(s): Vacant

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

Present Future Land Use Map Designation: Light Industrial

Proposed Zone(s): “M1” Light Industrial District

Proposed Use(s): Construction Office and Construction Yard

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

Proposed Future Land Use Map Designation: No Change

PROJECT DESCRIPTION:

Public hearing request by Conley Post, owner for a request of a zoning map amendment on a property zoned “C2” General Commercial District with the requested rezoning to “M1” Light Industrial District. The legal description for the property is Lot B of Outlot 23 Section 32, Township 155 North, Range 82 West, Ward County, North Dakota

The subject property's address is 3050 HWY 52 S.

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

BACKGROUND INFORMATION:

The applicant desires to rezone the property from "C2" General Commercial District to "M1" Light Industrial District in order to create a vacant industrial property. A development proposal plan has been submitted for the subject property to construct an office/shop building and construction yard.

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

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

STAFF ANALYSIS:

Zoning Map Amendment Analysis:

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

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

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

Section 9.1-7 H. 1. relates to whether or not the proposed zoning map amendment is justified due to a change in conditions, error in the zoning map, or by in order to fulfill the future land use map of the Comprehensive Plan. The request stems from a request that would fulfill the future land use map designation of Light Industrial, Section 9.1-7 H. 1 is satisfied.

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

Section 9.1-7 H. 3 requires that the proposed zoning map amendment will not substantially diminish the condition or value of property in the vicinity. Staff finds no evidence that the zoning map amendment to “M1” Light Industrial District will diminish the condition or value of property within the vicinity. Section 9.1-7. H. 3. is satisfied.

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

Comments:

- 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.

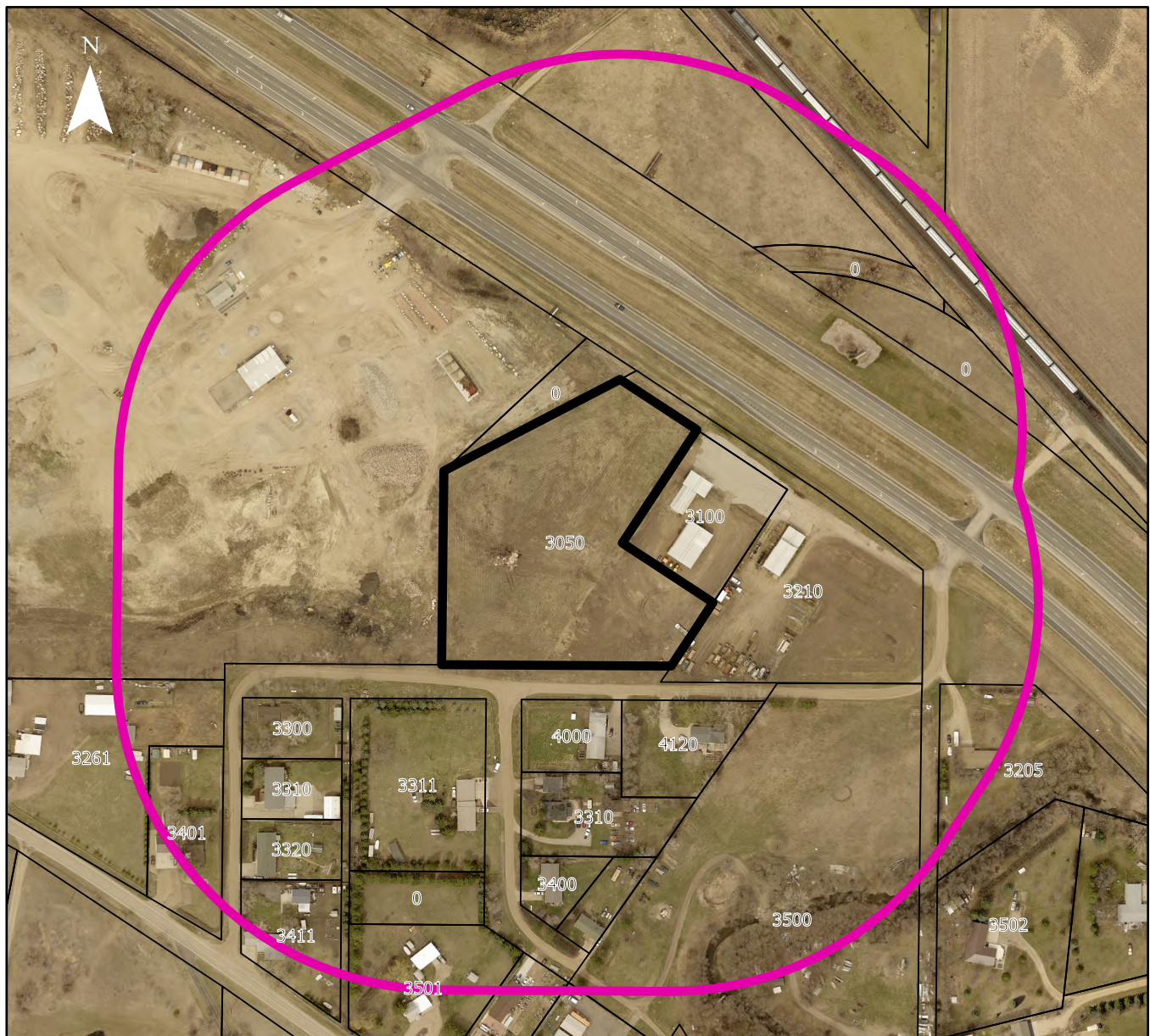
FINDINGS OF FACT:

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

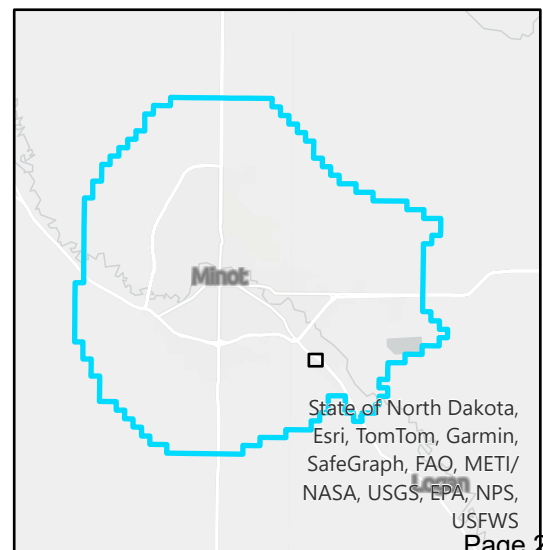
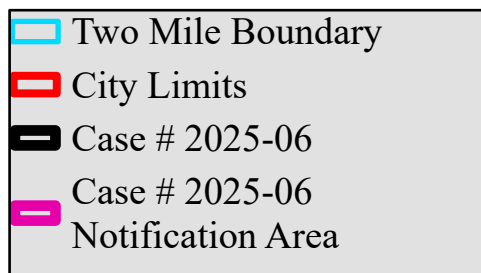
- 1) The applicants have submitted a complete application.
- 2) The present zoning is “C2” General Commercial District.
- 3) The City of Minot 2040 Comprehensive Plan Future Land Use Map designates this area as Light Industrial.
- 4) The proposed zoning map amendment satisfies the evaluative criteria of Section 9.1-7. H. 1. thru 4. of the Land Development Ordinance 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 provide a recommendation to City Council whether the zoning map amendment be approved, with or without conditions, or denied. The public notice requirements were met, the hearing was legally noticed and posted, and the hearing was held and conducted under the requirements of North Dakota Century Code and Minot City ordinances.

RECOMMENDATION:

Staff recommends the Planning Commission adopt staff’s findings of fact and recommend approval to City Council for a zoning map amendment from “C2” General Commercial District to “M1” Light Industrial District with no conditions.

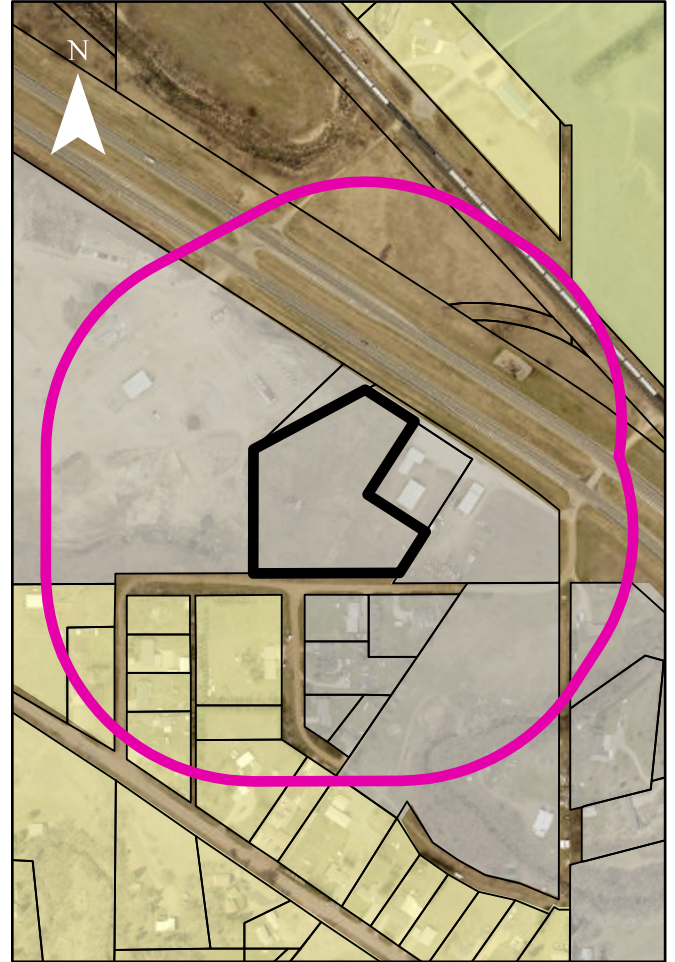
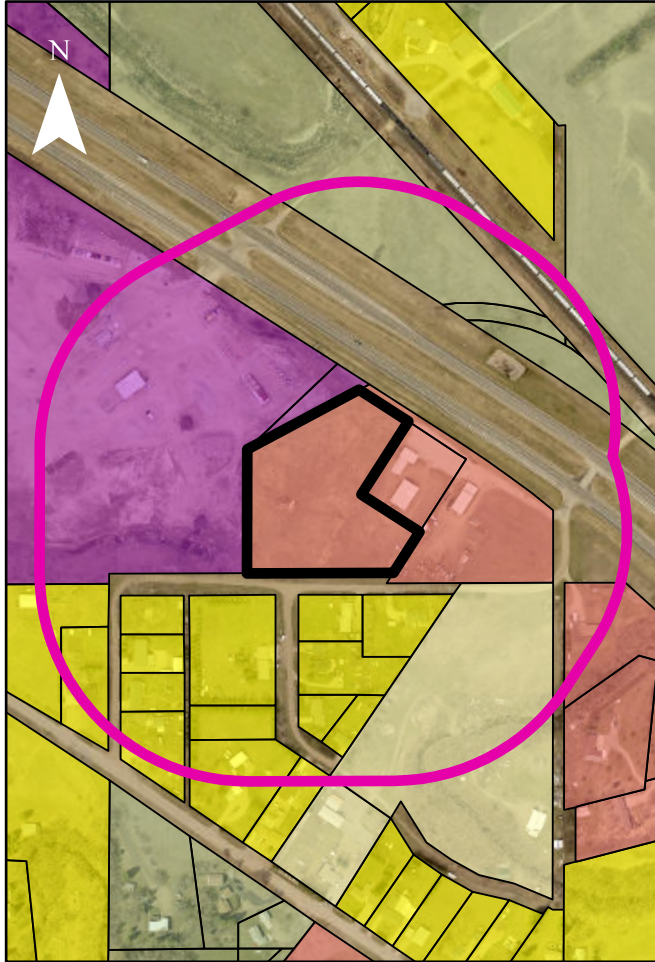


0 210 420 840 Feet



ZONING

FUTURE LAND USE



0 260 520 1,040 Feet

Zoning

	AG
	C2
	M1
	R1
	RR

Both Maps

	Case # 2025-06
	Case # 2025-06 Notification Area

Land Use Type

	Agricultural and Open Space
	Rural Residential
	Light Industrial

Exhibit 3 – Site Photos



Facing Southeast



Facing Northwest



Facing North



Facing West – Proposed Building site



Planning Commission Staff Report

Application Date: 01/27/2025

Date of Staff Report: 02/19/2025

Date of Planning Commission Meeting: 03/04/2025

Staff Contact: Doug Diedrichsen, Principal Planner

Staff Recommendation: Recommend Approval

Case Number: 2025-07

Project Name: Simplot – CUP – Annex

Current Legal Description: Lot 1 Northeast
Business Park 2nd Addition

Proposed Legal Description: No Change

Present Address: 2708 30th Ave NE

Owners: UHB, LLC.

Representative: Trent Johnson, Simplot

Entitlements Requested: Conditional Use Permit –
Sales and Storage of Bulk Agricultural Chemicals

Present Zone(s): “M1” Light Industrial District

Present Use(s): Vacant Building

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: Light
Industrial

Proposed Zone(s): No Change

Proposed Use(s): Sales and storage of Bulk Agricultural
Chemicals

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 Trent Johnson with Simplot, representing UHB, LLC, owner for a request of a conditional use permit on a property zoned “M1” Light Industrial District to store hazardous materials and compounds. The legal description for the property is Lot 1 of Northeast Business Park 2nd Addition to the City of Minot, Ward County, North Dakota.

The subject property address is 2708 30th Ave NE.

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

BACKGROUND INFORMATION:

The subject property is located along 30th Ave. NE off County Road 19 North. Nearby businesses include CHS Agronomy, located across 30th Ave. NE to the north, abutting agricultural land to the East, West and South. The applicant plans to utilize the area to build a bulk agricultural chemicals sales and storage facility including a building with office, retail and shop space. Such a use would be categorized as hazardous materials storage under the Minot Land Development Ordinance. The area requested to store hazardous materials is noted in the Letter of Intent as the existing buildings and storage of reportable quantities of hazardous materials is limited to this area of the site. Section 2.18-4 Hazardous Uses of the Minot Land Development Ordinance Except for welding shops, hazardous uses shall require a conditional use permit which involves the storage or handling of hazardous materials, hazardous substances, or hazardous waste as terms are defined by the Code of Federal Regulations (CFR). Hazardous Materials are defined in the CFR as Includes hazardous materials, hazardous substances, or hazardous waste as these terms are defined by the Code of Federal Regulations, 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. Such facilities may include storage tanks, offices and such shops as are necessary for the business.

The applicants' Letter of Intent can be found in **Exhibit 2**.

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

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

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 Land Development 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:

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 Light Industrial and the existing underlying zoning of "M1" light Industrial. Section 9.1-4 F. 1. is satisfied.

Staff finds Section 9.1-4. F. 2. through 4. is satisfied with conditions, as these requirements will help to ensure harmony with adjacent uses. The subject property is visible from public streets requiring screening to a minimum height of six feet (6') as outlined in Section 4.1-7. H. 2. b Industrial Uses "M1" Districts. The requirements for a screening are included in the conditions below.

The conditions are as follows:

- All outdoor storage areas shall be fully screened to a minimum height of six feet (6') or to the height of storage racking, up to a maximum height of ten feet (10'), at the time of installation.

Staff finds Section 9.1-4. F. 5. related to the provision of appropriate public services such as utilities and drainage systems is satisfied with conditions. The subject property is subject to Chapter 31 of the Code of Ordinances, City of Minot, North Dakota.

- Sewer connection fees are required for future development.
- A Stormwater Management Plan is required for future development.

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. Improvements, if any are required, must be at the expense of the developer to satisfy these two evaluative criteria. Nonetheless, the following condition of approval is recommended to be included to ensure clarification regarding this requirement:

- A final site plan is required for review for future development.
- Driveway placement and separation is subject to approval by the City Engineer or their designee and will be evaluated at the time of site plan review.

Finally, Section 9.1-4. F. 8. is satisfied, as the request will not 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 comments were received from the Engineering Department and were included in the conditions outlined for Sections 9.1-4. F. 5. 6. and 7.

FINDINGS OF FACT:

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

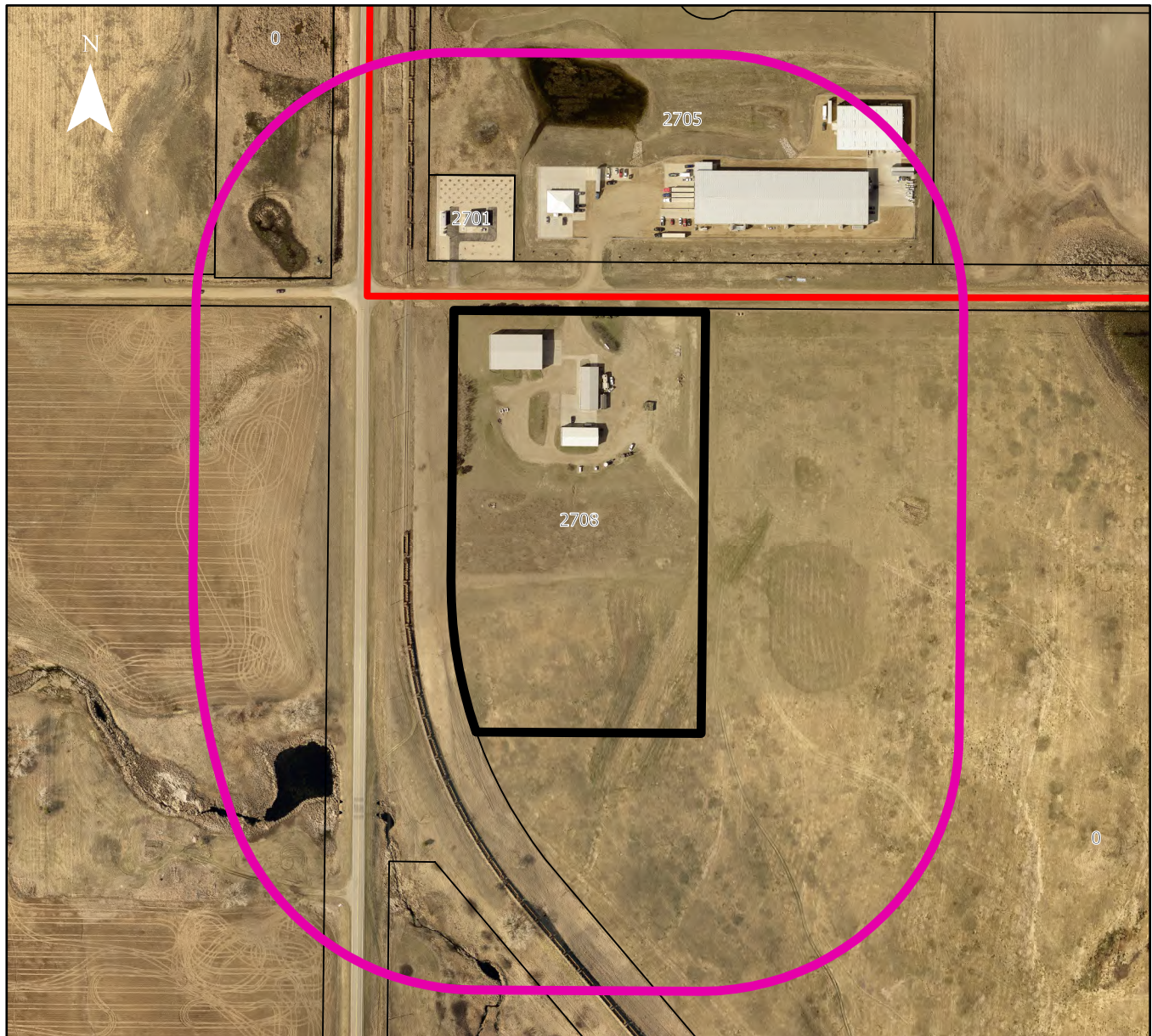
- 1) The applicant has submitted a complete application.
- 2) The property is zoned “M1” Light Industrial District.
- 3) The applicant will be required to complete an application for annexation in order to access city services
- 4) The City of Minot 2040 Comprehensive Plan Future Land Use Map designates this area as Gateway Commercial.
- 5) The proposed development meets the use standards subject to conditions for a Hazardous material storage in a “M1” Light Industrial District per Section 4.1-7. G. 1. a-d as outlined in the Staff Analysis section of Staff’s written report.
- 6) The development meets the use standards subject to conditions for Warehousing (Open) in a “M1” Light Industrial District per Section 4.1-7. H. 2. b with conditions as outlined in the Staff Analysis section of staff’s written report.
- 7) The Minot Planning Commission has the authority to hear this case and decide whether it should be approved or denied. The public notice requirements were met, the hearing was legally noticed and posted and the hearing was held and conducted under the requirements of North Dakota Century Code and Minot City ordinances.

RECOMMENDATION:

Staff recommends the Planning Commission adopt the staff findings of fact and recommend approval of a conditional use permit for a hazardous material storage with the following recommended conditions:

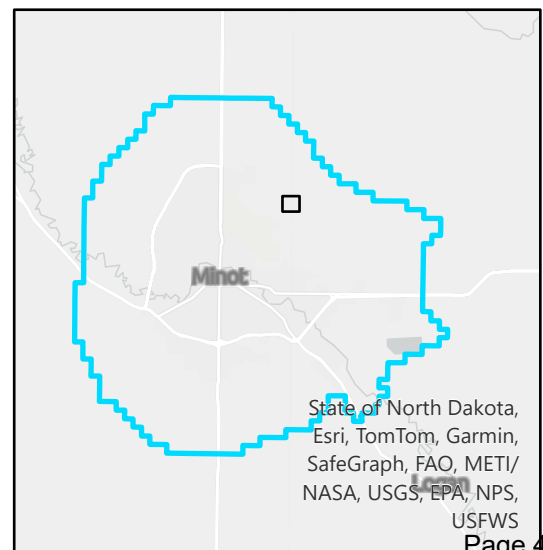
RECOMMENDED CONDITIONS:

- 1) The hazardous material storage areas shall strictly comply with the quantities, materials, and location as presented in Letter of Intent (Exhibit 3) and attached hereto as part of this permit.
- 2) All outdoor storage areas shall be fully screened to a minimum height of six feet (6') or to the height of storage racking, up to a maximum height of ten feet (10'), at the time of installation.
- 3) Any future expansion of the scope of this project beyond existing buildings, including construction of additional storage capacity for bulk hazardous materials, will require an amendment to this conditional use permit.
- 4) Hazardous materials are limited to those reviewed and approved by the Fire Chief or their designee.
- 5) Driveway placement and separation is subject to approval by the City Engineer or their designee and will be evaluated at the time of site plan review of any expansion of the site.
- 6) A stormwater management plan is required for future development.
- 7) A final site plan is required for review for future development.
- 8) Sewer and water connection fees are required for development.



0 260 520 1,040 Feet

- Two Mile Boundary
- City Limits
- Case # 2025-07
- Case # 2025-07 Notification Area





GROWER SOLUTIONS

6600 North Washington Street Grand Forks ND 58203

Phone 701-739-7299 Email trent.e.johnson@simplot.com

Conditional Use Permit Application

DATE: January 27th, 2025

PROPERTY OWNER: UHB, LLC

APPLICANT: Simplot Grower Solutions rep: Trent Johnson Operations Manager

PROJECT NAME: Minot Warehouse

REQUEST: Request to allow Storage and Distribution of products to supply Agricultural Input Dealers

PROJECT ADDRESS: 2708 30th Ave NE, Minot, ND 58701

PARCEL ID: NE 081 450 000 010

EXISTING ZONING: M-1

BRIEF PROJECT DESCRIPTION

Simplot is proposing to begin operations as a storage and distribution warehouse to supply agricultural retailers with farm input products that support the farming industry by first leasing, then purchasing the property at 2708 30th Ave NE. The site is 13 acres, previously developed with existing buildings and supportive infrastructure, and has an existing access from 30th Ave NE. The existing infrastructure on the property is well suited to begin basic non-hazmat storage and distribution operations, with final approval/permitting for full hazmat operations pending Simplot meeting all hazmat material storage requirements in the following months.

JUSTIFICATION:

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

Response: Our uses are consistent with the policy and purpose of the Comprehensive Plan, as the M-1 district is designed to provide an area of service that aligns with our business model of storage and distribution of agricultural products.

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.

Response: Our long-standing history as a responsible community and business member already within the hundreds of locations we serve across the United States and Canada, as it pertains to the health, safety, welfare, comfort, or convenience of the public is a major responsibility we uphold with every facet of our operations. Simplot operates their individual business locations with extensive internal SAP's, continuous employee training, documented protocols and oversight that ensure safe responsible operations. Our new operations in Minot would exactly mirror the already rigorous standards of conducting business within a community that Simplot currently executes across the country.

3. The proposed conditional use will not cause substantial injury to the value of other property within the area in which it is located.

Response: The proposed conditional use will not cause substantial harm to the value of other property in the area. In fact, the engagement of this existing property is expected to enhance both its own value and the value of the surrounding properties, as our business model coincides with the current and long-term development plan for the area.

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 sitting, nature and height of the existing and proposed buildings and structures, and the extent and effectiveness of proposed buffering or landscaping.

Response: The proposed conditional use is designed to ensure that its location, size, and operational intensity do not hinder the development or use of neighboring properties in line with the zoning district. Simplot is committed to engage a site plan that incorporates appropriate measures to minimize visual impact and maintain a pleasant environment. In fact, the proposed site already provides adequate design and storage to mitigate the above concerns upon beginning operations, and Simplot is also committed to taking necessary measures that ensure ongoing operations develop in such a way that we continue to provide an example toward existing standards.

5. Adequate public services and facilities exist or will be provided by the developer at the time of development, including adequate utilizes, water and sewer systems, drainage structures, and other such facilities and services which are necessary to serve the development.

Response: Adequate public or private services and facilities currently exist on the site to support the addition of Simplot and this conditional use permit, which includes utilities, water and sewer systems, and drainage structures, all of which are fully operational and adequately serve existing structures.

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.

Response: The proposed conditional use will not impose excessive additional requirements on public facilities or services, nor will it result in costs for the public. The site is already supported by existing infrastructure, and the current structures will be efficiently managed without significant demand on public resources. However, we will be immediately seeking to elevate our permit status to hazmat storage, that will require municipal water supply to a fire suppression system for the main storage warehouse in the NW corner of this property. The required city infrastructure is already in place directly across the street, adjacent to the property which currently supplies a neighboring business with similar

infrastructure requirements for permitting, CHS Inc. Simplot will acquire the necessary permits and contract work for the completion of the fire suppression system, and it's supply line connection to the existing municipal system.

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.

Response: The existing property has a well-established access point along its Northern part. The existing access road is adequate for the current structures and are designed to prevent traffic safety hazards and minimize congestion on surrounding public streets.

8. The request will not result in the destruction, loss, damage of a natural, scenic, or historic feature of major importance.

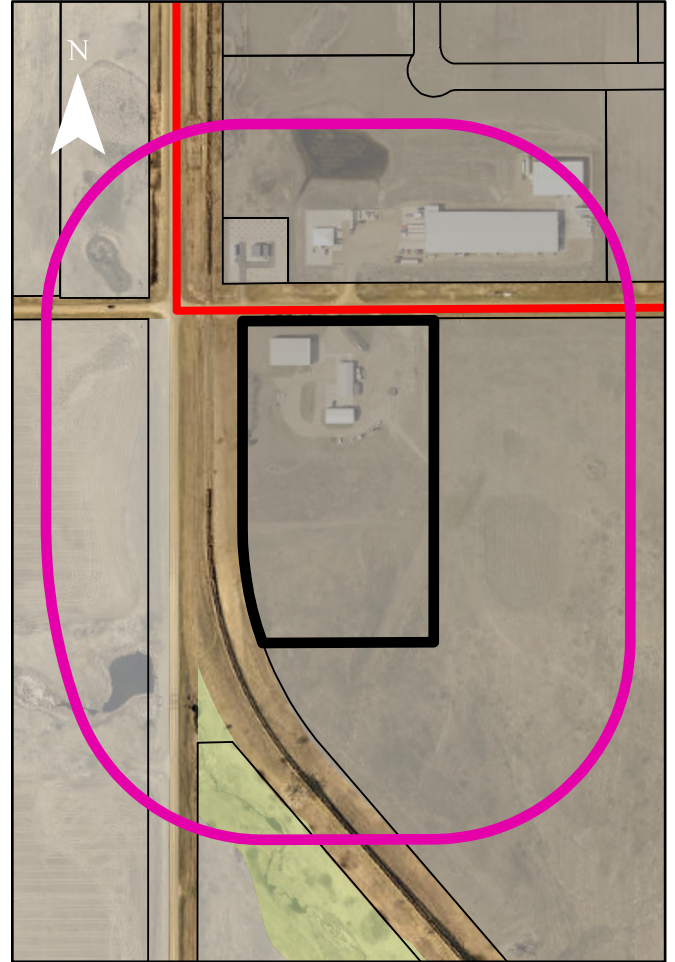
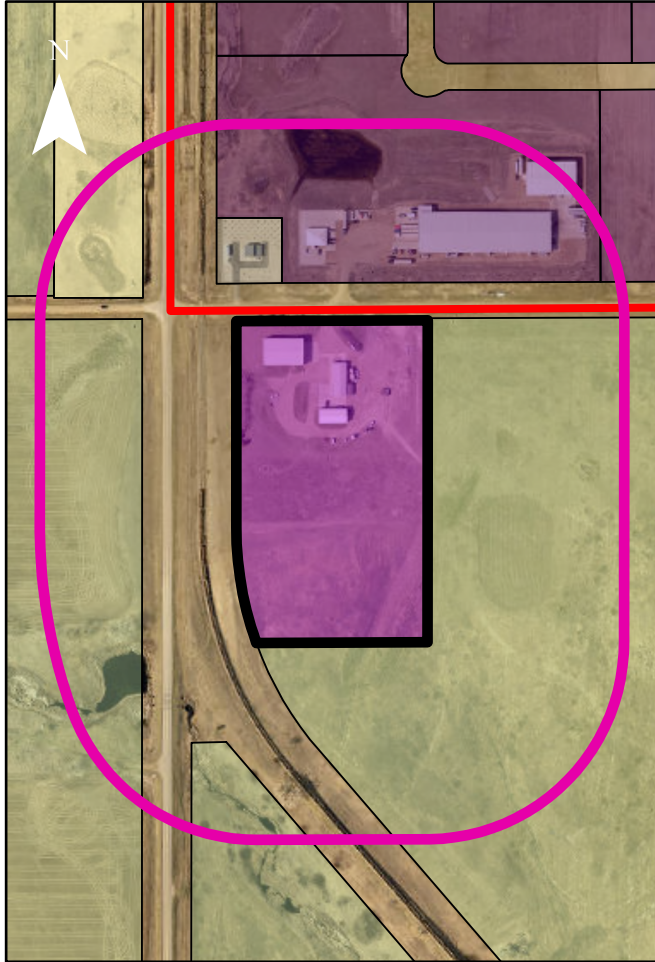
Response: The proposed business operations will not lead to the destruction, loss, or damage of any natural, scenic, or historic features of significance. The site has been carefully evaluated to ensure that the existing structures were constructed in a way that preserves the integrity of the surrounding environment while serving as acceptably safe, secure, and contained structures for the storage of all products we distribute from within our operations.

9. How you plan to mitigate any potential nuisances produced by the proposed conditional use? Examples included restricted hours of operation, considerations for noise mitigation, lighting and health and safety.

Response: Our operations will generally occur during typical business hours, generally 7:00 am to 7:00 pm with industry standard truck traffic for receiving and delivering product, very similar to the neighboring business of CHS Inc, but with much less frequency in comparison. Our business is cyclical with the cropping calendar, we have our larger volumes of movement during the growing season months, and much less activity during the fall and winter months. This proposed site will only serve customers limited to a very specific segment of the Ag business sector, licensed agricultural input supply retailers, who depend exclusively on our delivery fleet and warehousing services. Also, we will ensure outdoor property lighting is to be energy efficient and shielded to direct light away from neighboring properties. Additionally, Simplot is well versed with its own long established protocols for safety and security, the ongoing training of its employees required to maintain a highly educated, safe and responsible workforce, along with executing environmentally sound operational protocols that align with all federal DOT, state, county, and city regulations.

ZONING

FUTURE LAND USE



0 275 550 1,100 Feet

Zoning

	AG
	M1
	M2
	P
	RR

Both Maps

	Case # 2025-07
	Case # 2025-07 Notification Area

Land Use Type

	Agricultural and Open Space
	Light Industrial
	Heavy Industrial

Exhibit 4 – Site Photos



Facing South



Facing Southwest



Facing West



Facing North