

**BOARD OF PLANNING COMMISSIONERS
MINUTES**

Regular Meeting:

Tuesday:

June 7, 2016:

The Regular Meeting of the Board of Planning Commissioners of the City of Fargo, North Dakota, was held in the City Commission Room at City Hall at 3:00 o'clock p.m., Tuesday, June 7, 2016.

The Planning Commissioners present or absent were as follows:

Present: Mara Brust, Shara Fischer, Kristy Fremstad, John Gunkelman, Mary Scherling, Rocky Schneider, Kelly Steffes, Jan Ulferts Stewart

Absent: Mike Magelky, Scott Stofferahn

Chair Ulferts Stewart called the meeting to order.

Business Items:

Item A: Approve Order of Agenda

Member Fremstad moved the Order of Agenda be approved as presented. Second by Member Fischer. All Members present voted aye and the motion was declared carried.

Planning Administrator Nicole Crutchfield noted the applications for Kirkham's Second Addition items 1a. Growth Plan Amendment; 1b. Zoning Change; and 1c. Planned Unit Development Master Land Use Plan included on the April 5, 2016 Agenda and approved by the Board to be continued to the June 7, 2016 meeting, have since been requested by the applicant to be continued to the November 1, 2016 Planning Commission Meeting. Ms. Crutchfield stated that this item was not included on today's agenda and asked for the Board's approval for the continuation.

Member Brust moved this item be continued to the November 1, 2016 Planning Commission meeting. Second by Member Fremstad. All Members present voted aye and the motion was declared carried.

Item B: Minutes: Regular Meeting of May 3, 2016

Member Scherling moved the minutes of the May 3, 2016 Planning Commission meeting be approved. Second by Member Gunkelman. All Members present voted aye and the motion was declared carried.

Item C: Wednesday June 15, 2016 Brown Bag Luncheon

Topic: Presentation by North Dakota State University (NDSU) President, Dean L. Bresciani.

Item D: Public Hearing Items:

Item 1: Keeney and Devitt's Second Addition

Continued Hearing on an application requesting a Zoning Change from LC, Limited Commercial and MR-3, Multi-Dwelling Residential to DMU, Downtown Mixed-Use with a C-O, Conditional Overlay on the east half of Block 37, Keeney and Devitt's Second Addition. (Located at 602, 608, 612, and 616 3rd Street North; 304 and 312 7th Avenue North) (Kilbourne Group): WITHDRAWN

A Hearing had been set for May 3, 2016. At the May 3, 2016 meeting the Hearing was continued to this date and time; however, the application has been withdrawn by the applicant.

Item 2: Great Northern Sixth Addition

Continued Hearing on an application requesting a Plat of Great Northern Sixth Addition (Minor Subdivision) a replat of Lot 1, Block 1, Great Northern Fifth Addition, and all of the vacated 36th Street North and 10th Avenue North adjacent to said Lot 1, Block 1, to the City of Fargo, Cass County, North Dakota. (3500 12th Avenue North) (Turman & Lang, Ltd.): APPROVED

A Hearing had been set for April 5, 2016. At the April 5, 2016 meeting the Hearing was continued to May 3, 2016. At the May 3, 2016 meeting the Hearing was continued to this date and time.

Planner Maegin Rude presented the staff report stating all approval criteria have been met and staff is recommending approval.

Applicant representative Joseph Turman of Turman & Lang, Ltd., spoke on behalf of the application.

Member Steffes moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed subdivision plat, Great Northern Sixth Addition as outlined within the staff report, as the proposal complies with the adopted Area Plan, the Standards of Article 20-06, and all other applicable requirements of the Land Development Code. Second by Member Fischer. On call of the roll Members Brust, Schneider, Scherling, Steffes, Fischer, Fremstad, Gunkelman, and Ulferts Stewart voted aye. Absent and not voting: Members Magelky and Stofferahn. The motion was declared carried.

Item 3: Osgood Townsite Thirteenth Addition

Hearing on an application requesting a Plat of Osgood Townsite Thirteenth Addition (Minor Subdivision) a replat of part of Lot 2, Block 5, Osgood Townsite Seventh Addition to the City of Fargo, Cass County, North Dakota. (Located at 4550 49th Avenue South) (Paces Lodging): APPROVED

Maegin Rude presented the staff report stating all approval criteria have been met and staff is recommending approval.

Member Fremstad moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed minor subdivision plat, Osgood Townsite Thirteenth Addition as outlined within the staff report, as the proposal complies with the adopted Area Plan, the Standards of Article 20-06, and all other applicable requirements of the Land Development Code. Second by Member Brust. On call of the roll Members Fremstad, Brust, Scherling, Schneider, Steffes, Gunkelman, Fischer, and Ulferts Stewart voted aye. Absent and not voting: Members Magelky and Stofferahn. The motion was declared carried.

Item 4: Timber Creek Sixth Addition

Hearing on an application requesting a Plat of Timber Creek Sixth Addition (Minor Subdivision) a replat of Lots 1 and 2, Block 1, Timber Creek Fifth Addition to the City of Fargo, Cass County, North Dakota. (Located at 5100 and 5130 Prosperity Way) (PLC Investments LLC): APPROVED WITH CONDITIONS

Planner Derrick LaPoint presented the staff report stating all approval criteria have been met and staff is recommending approval.

Member Fischer moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed subdivision plat, Timber Creek Sixth Addition as outlined within the staff report, as the proposal complies with the adopted Area Plan, the Standards of Article 20-06, and all other applicable requirements of the Land Development Code, with the following condition:

1. The proposed lots shall be required to provide on-site retention as outlined in the original amenities plan.

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

Item 5: Eagle Valley Second Addition

Hearing on an application requesting a Plat of Eagle Valley Second Addition (Minor Subdivision) a replat of Lots 1-14, Block 1; Lots 1-32, Block 2; and Lots 1-18, Block 3 of Eagle Valley Addition to the City of Fargo, Cass County, North Dakota. (Located at 7312-7477, 7489 17th Street South; and 7310-7491 18th Street South) (Eagle Ridge Development, LLC): APPROVED

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

Member Fremstad moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed subdivision plat, Eagle Valley Second Addition, as outlined within the staff report, as the proposal complies with the adopted Area Plan, the Standards of Article 20-06, and all other applicable requirements of the Land Development Code. Second by Member Steffes. On call of the roll Members Scherling, Fremstad, Fischer, Brust, Schneider, Gunkelman,

Steffes, and Ulferts Stewart voted aye. Absent and not voting: Members Magelky and Stofferahn. The motion was declared carried.

Item 6: Golden Valley Addition

Hearing on an application requesting a Zoning Change from SR-2, Single-Dwelling Residential to SR-4, Single-Dwelling Residential with a C-O, Conditional Overlay on Lots 1-19, Block 1; Lots 1-16 and 22-26, Block 2; Lots 1-20, Block 3; Lots 1-20, Block 4; and Lots 1-6, Block 5, Golden Valley Addition. (Located at 2500-6973 and 6978-7099, Golden Valley Parkway; 7000-7078 26th Street South; 2608-2778 70th Avenue South; and 2610-2781 Golden Lane South) (Eagle Ridge Development, LLC): APPROVED

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

Applicant John Youness, Eagle Ridge Development, spoke on behalf of the proposal.

Member Steffes moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed zoning change from SR-2, Single-Dwelling Residential to SR-4, Single-Dwelling Residential with a C-O, Conditional Overlay as presented, on the basis that it satisfactorily complies with the GO2030 Fargo Comprehensive Plan, Standards of Section 20-0906.F (1-4), and all other applicable requirements of the Land Development Code. Second by Member Scherling. On call of the roll Members Steffes, Fremstad, Gunkelman, Scherling, Fischer, Brust, Schneider, and Ulferts Stewart voted aye. Absent and not voting: Members Magelky and Stofferahn. The motion was declared carried.

Item 7: Maple Valley Addition

Continued Hearing on an application requesting a Conditional Use Permit to allow Residential Land Use within a LC, Limited Commercial zoning district on Lot 55, Block 1, Maple Valley Addition. (Located at 3599 60th Avenue South) (Brookstone Property): CONTINUED TO JULY 5, 2016

A Hearing had been set for May 3, 2016. At the May 3, 2016 meeting the Hearing was continued to this date and time.

Maegin Rude presented the staff report. Ms. Rude stated staff is recommending denial as not all of the approval criteria have been met.

Discussion by the Board included the proximity and size of the proposed development to existing interstates and roadways; the need for a sound barrier wall to diminish roadway noise and the need for more affordable single-family housing.

Applicant Matthew Hauff, Brookstone Property, spoke on behalf of the proposal.

At 4:00 p.m. the Board took a five-minute recess.

After recess: All Members present except Members Magelky and Stofferahn. Chair Ulferts Stewart presiding.

Member Gunkelman moved to accept the applicant's proposed project, as he feels they meet a critical need for affordable housing for families.

The motion failed for lack of a second.

Further discussion by the Board clarified that the applicant is requesting a Conditional Use Permit in order to build housing in a LC, Limited Commercial zoned district.

Member Brust moved this item be continued to the July 5, 2016 Planning Commission meeting. Second by Member Schneider. On call of the roll Members Fremstad, Fischer, Steffes, Brust, Schneider Scherling, and Ulferts Stewart voted aye. Member Gunkelman voted nay. Absent and not voting: Members Magelky and Stofferahn. The motion was declared carried.

**Item 8: Rocking Horse East 2nd Addition
Hearing on an application requesting a Planned Unit Development Master Land Use Plan and Final Plan for a Commercial Development Land Use on Lots 5-7, Block 1, Rocking Horse East 2nd Addition. (Located at 5555, 5575, and 5601 51st Avenue South) (Terry Becker Construction LLC): APPROVED**

Derrick LaPoint presented the staff report noting copies of a draft PUD have been submitted to the Board. Mr. LaPoint stated all approval criteria have been met and staff is recommending approval.

Applicant Terry Becker spoke on behalf of the proposal.

Member Schneider moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed Planned Unit Development (PUD) Master Land Use Plan and Final Plan for Commercial Development as outlined within the staff report, as the proposal complies with the adopted Area Plan, the Standards of Article 20-06, and all other applicable requirements of the Land Development Code. Second by Member Gunkelman. On call of the roll Members Steffes, Fischer, Gunkelman, Fremstad, Schneider, Brust, Scherling, and Ulferts Stewart voted aye. Absent and not voting: Members Magelky and Stofferahn. The motion was declared carried.

**Item 9: Woodhaven Plaza Addition
Hearing on an application requesting a Conditional Use Permit to allow for an Alternative Access Plan on Lot 3, Block 1, Woodhaven Plaza Addition. (Located at 4044 40th Avenue South) (Aldevron LLC): APPROVED WITH CONDITIONS**

Maegin Rude presented the staff report stating all approval criteria have been met and staff is recommending approval with conditions.

Board discussion ensued regarding condition number 3 and the need to be more specific with the type of medical office covered by the Conditional Use Permit.

Commissioner Sobolik recommended changing condition number 3 to read “research medical office” instead of “medical office”.

Applicant Ronald Robinson, Aldevron LLC, spoke on behalf of the application.

Member Schneider moved the findings and recommendations of staff be accepted and the Conditional Use Permit to allow an Alternative Access Plan on Lot 3, Block 1, Woodhaven Plaza Addition be approved as outlined in the staff report with the change to condition number 3 to read “research medical office”, as the proposal complies with Section 20-0909.D (1-6) and all other requirements of the Land Development Code, with the following conditions:

1. 88 off-street parking spaces are required on-site, for up to a 50,000 square foot facility.
2. In order to accommodate future change of use, the site plan shall depict undeveloped area sufficient to accommodate the Land Development Code’s parking requirement of other office, which is currently 1 space per 300 square feet of gross floor area.
3. The Conditional Use Permit will cease if the land use changes from “research medical office”.
4. Any expansion of the square footage of the medical office use will require an amendment to the Conditional Use Permit with review and approval by the Planning Commission.

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

Item 10: Habitat Addition

a. Continued Hearing on an application requesting a Zoning Change from SR-3, Single-Dwelling Residential to SR-5, Single-Dwelling Residential with a PUD, Planned Unit Development Overlay on Block 1 of the proposed Habitat Addition. (Located at 1015, 1017, and 1021 13th Avenue South) (Lake Agassiz Habitat for Humanity): APPROVED

b. Continued Hearing on an application requesting a Planned Unit Development Master Land Use Plan and Final Plan of the proposed Habitat Addition. (Located at 1015, 1017, and 1021 13th Avenue South) (Lake Agassiz Habitat for Humanity): APPROVED

c. Continued Hearing on an application requesting a Plat of Habitat Addition (Minor Subdivision) a replat of Lot 24, Block RR, Erskine’s Addition and a plat of

**Auditor's Lot 1 of the Southwest Quarter of Section 7, Township 139 North, Range 48 West of the 5th Principal Meridian, Cass County, North Dakota. (Located at 1015, 1017, and 1021 13th Avenue South) (Lake Agassiz Habitat for Humanity):
APPROVED**

A Hearing had been set for May 3, 2016. At the May 3, 2016 meeting the Hearing was continued to this date and time.

Maegin Rude presented the staff report noting additional documents she has submitted to the Board. She also noted staff did receive several phone calls and e-mails from area property owners regarding parking concerns. Ms. Rude stated all approval criteria have been met and staff is recommending approval.

North Dakota State University (NDSU) Professor Malini Srivastava spoke on behalf of applicant NDSU, and the proposed project.

NDSU student Nick Braaksma, one of the nine students who designed the proposed two-story detached homes, presented the background of the project.

Lake Agassiz Habitat for Humanity Executive Director Rob Rich, spoke on behalf of the project.

Board discussion included the following concerns: how snow removal will be handled; if the proposed parking spaces will be sufficient for the number of residents; and if the project remains with the Lake Agassiz Habitat for Humanity in the future.

The following area residents spoke in support of the application:

Joe Burgum, 514 10th Avenue South

The following area property owners spoke in opposition of the proposal stating their concerns about parking; devaluation of area property; access in and out of the development; amount of traffic that exists on adjacent roadways; and snow removal issues.

Steve Stremick, 1155 13th Avenue South
Sande Bonde, 1009 13th Avenue South

Member Brust moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed: 1) Zoning Change from SR-3, Single-Dwelling Residential to SR-5, Single-Dwelling Residential with a PUD, Planned Unit Development Overlay; 2) Subdivision Plat, Habitat Addition; and 3) a Planned Unit Development (PUD) Master Land Use Plan, and hereby approve the Final Plan as outlined within the staff report, contingent on City Commission approval of the Zoning Change, Subdivision Plat, and PUD Master Land Use Plan, as the proposal complies with the adopted Area Plan, the Standards of Article 20-06, and all other applicable requirements of the Land Development Code. Second by Member

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

At 5:36 p.m. the Board took a fifteen-minute recess.

After recess: All Members present except Members Magelky and Stofferahn. Chair Ulferts Stewart presiding.

Item 11: Hager's First Addition

a. Continued Hearing on an application requesting a Zoning Change from AG, Agricultural to LI, Limited Industrial of the proposed Hager's First Addition. (Located at 2715 40th Avenue North) (Lowry Engineering): APPROVED

b. Continued Hearing on an application requesting a Plat of Hager's First Addition (Major Subdivision) on part of the Southeast Quarter of Section 14, Township 140 North, Range 49 West of the 5th Principal Meridian, Cass County, North Dakota. (Located at 2715 40th Avenue North) (Lowry Engineering): APPROVED

A Hearing had been set for April 5, 2016. At the April 5, 2016 meeting the Hearing was continued to May 3, 2016. At the May 3, 2016 meeting the Hearing was continued to this date and time.

Maegin Rude presented the staff report stating all approval criteria have been met and staff is recommending approval.

Member Steffes moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed: 1) Zoning Change from AG, Agricultural to LI, Limited Industrial and 2) Subdivision Plat, Hager's First Addition as outlined within the staff report, as the proposal complies with the adopted Area Plan, the Standards of Article 20-06, and all other applicable requirements of the Land Development Code. Second by Member Fremstad. On call of the roll Members Brust, Schneider, Scherling, Steffes, Fischer, Fremstad, Gunkelman, and Ulferts Stewart voted aye. Absent and not voting: Members Magelky and Stofferahn. The motion was declared carried.

Item 12: Veterans Square Addition

a. Hearing on an application requesting a Conditional Use Permit to allow Residential Land Use on Lot 5, Block 1, Veterans Square Addition (formerly known as Lot 1, Block 3, Valley View Third Addition). (Located at 5600 38th Avenue South) (Lexstar Development): APPROVED WITH CONDITIONS

b. Hearing on an application requesting a Zoning Change from LC, Limited Commercial to GC, General Commercial on Lot 5, Block 1, Veterans Square Addition (formerly known as Lot 1, Block 3, Valley View Third Addition). (Located at 5600 38th Avenue South) (Kelly Parrett/Lexstar Development): APPROVED WITH CONDITIONS

Member Brust declared a conflict of interest on this item and was excused from voting.

Aaron Nelson presented the staff report. He referred to the draft outline of the proposed modifications to the Conditional Overlay that was included in the packet. Mr. Nelson stated all approval criteria have been met and staff is recommending approval with conditions.

Board discussion evolved regarding the recommended height restriction proposed for the Conditional Overlay. Member Gunkelman amended the recommended motion to state a maximum building height of 110 feet or less.

Member Gunkelman moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed: 1) zoning change from LC, Limited Commercial with a C-O, Conditional Overlay to GC, General Commercial with a C-O, Conditional Overlay, on the basis that it satisfactorily complies with the GO2030 Fargo Comprehensive Plan, Standards of Section 20-0906.F (1-4) and all other applicable requirements of the Land Development Code; and 2) the Conditional Use Permit to allow Residential Land Use within the GC, General Commercial zoning district be approved, as the proposal complies with the Standards of Section 20-0909.D (1-6) and all other applicable requirements of the Land Development Code, with the following conditions:

1. The maximum residential density shall be that of the MR-3, Multi-Dwelling Residential zoning district (24 units per acre).
2. The minimum open space required for each lot shall be 30% of the lot area.
3. Bicycle parking facilities, such as bike racks or bike lockers, shall be provided on-site.

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

Item 13: Edition Addition

a. Hearing on an application requesting a Zoning Change from AG, Agricultural to MR-3, Multi-Dwelling Residential with a C-O, Conditional Overlay of the proposed Edition Addition. (Located at 5035 38th Street South) (Enclave Development, LLC): APPROVED

b. Hearing on an application requesting a Plat of Edition Addition (Major Subdivision) on an unplatted part of the Southeast Quarter of Section 34, Township 139 North, Range 49 West of the 5th Principal Meridian, Cass County, North Dakota. (Located at 5035 38th Street South) (Enclave Development, LLC): APPROVED

Member Brust declared a conflict of interest on this item and was excused from voting.

Derrick LaPoint presented the staff report noting additional documents he submitted to the Board. Mr. LaPoint stated all approval criteria have been met and staff is recommending approval.

Applicant Austin Morris from Enclave Development, spoke on behalf of the proposal.

Brian Pattengale, Houston Engineering, spoke on behalf of the proposal.

Member Gunkelman moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed: 1) Zoning Change from AG, Agriculture to MR-3, Multi-Dwelling Residential with a C-O, Conditional Overlay and 2) Subdivision Plat, Edition Addition as outlined with the staff report, as the proposal complies with the adopted Area Plan, the Standards of Article 20-06, and all other applicable requirements of the Land Development Code. Second by Member Fischer. On call of the roll Members Scherling, Gunkelman, Fremstad, Steffes, Fischer, Schneider, and Ulferts Stewart voted aye. Member Brust abstained from voting. Absent and not voting: Members Magelky and Stofferahn. The motion was declared carried.

Item 14: Text Amendment

Hearing on an application requesting a Text Amendment to amend Section 20-0212.D.4, Parking, of Article 20-02, Chapter 20 of the Fargo Municipal Code (Land Development Code) relating to parking lot buffer standards. (Kilbourne Group): APPROVED

Maegin Rude presented the staff report and stated all approval criteria have been met and staff is recommending approval.

Applicant Mike Zimney from Kilbourne Group spoke on behalf of this proposal.

Member Scherling moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed text amendment to amend Section 20-0212.D.4 of Article 20-02 of Chapter 20 of the Fargo Municipal Code (Land Development Code), as the proposal meets the approval criteria of Subsection 20-0904(E) (1-4) of the Land Development Code. Second by Member Steffes. On call of the roll Members Scherling, Fremstad, Fischer, Brust, Schneider, Gunkelman, Steffes, and Ulferts Stewart voted aye. Absent and not voting: Members Magelky and Stofferahn. The motion was declared carried.

Item 15: Bison Village Addition

a. Hearing on an application requesting a Zoning Change from SR-4, Single-Dwelling Residential and MR-3, Multi-Dwelling Residential with a C-O, Conditional Overlay to MR-3, Multi-Dwelling Residential, SR-4, Single-Dwelling Residential, and P/I, Public and Institutional with a C-O, Conditional Overlay of the

proposed Bison Village Addition. (Located at 1001 32nd Avenue North) (Roers Development): APPROVED

b. Hearing on an application requesting a Plat of Bison Village Addition (Major Subdivision) within the Southwest Quarter of Section 19, Township 140 North, Range 48 West of the 5th Principal Meridian, Cass County, North Dakota. (Located at 1001 32nd Avenue North) (Roers Development): APPROVED

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

Applicant Larry Nygard, Roer's Development, spoke on behalf of the proposal.

Area property owner Thomas Lawrence, 2701 9-1/2 Street North, spoke in favor of the proposal.

Member Steffes moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the following: 1) proposed zoning map amendment from MR-3, Multi-Dwelling Residential and SR-4, Single-Dwelling Residential with a C-O, Conditional Overlay to MR-3, Multi-Dwelling Residential, SR-4, Single-Dwelling Residential, and P/I, Public and Institutional with a C-O, Conditional Overlay; 2) Bison Village Addition plat; and 3) subdivision waiver of Section 20-0610(F) as presented, as the proposal satisfactorily complies with the GO2030 Fargo Comprehensive Plan, the Standards of Article 20-06 Section 20-0906(F) (1-4) and Section 20-0907(D)(3), and all other applicable requirements of the Land Development Code. Second by Member Fischer. On call of the roll Members Steffes, Fremstad, Gunkelman, Scherling, Fischer, Brust, Schneider, and Ulferts Stewart voted aye. Absent and not voting: Members Magelky and Stofferahn. The motion was declared carried.

At 7:14 p.m. the Board took a seven-minute recess.

After recess: All Members present except Members Magelky and Stofferahn. Chair Ulferts Stewart presiding.

Item 16: Keeney and Devitt's Second Addition

Continued Hearing on an application requesting a Zoning Change from MR-2, Multi-Dwelling Residential to DMU, Downtown Mixed-Use with a C-O, Conditional Overlay on Lots 8-10, Block 28, Keeney and Devitt's Second Addition. (14 and 22 6th Avenue North; and 519 Oak Street North) (Tricon Properties, LLC): WITHDRAWN

A Hearing had been set for April 5, 2016. At the April 5, 2016 meeting the Hearing was continued to May 3, 2016. At the May 3, 2016 meeting the Hearing was continued to this date and time; however, the application has been withdrawn by the applicant.

Item 17: Keeney and Devitts 2nd Addition

a. Hearing on an application requesting a Zoning Change from MR-2, Multi-Dwelling Residential to MR-2, Multi-Dwelling Residential with a PUD,

Planned Unit Development on Lots 8-11, Block 28, Keeney and Devitts 2nd Addition. (Located at 515 and 519 Oak Street North, and 14 and 22 6th Avenue North) (H2 Incorporated): APPROVED

b. Hearing on an application requesting a Planned Unit Development Master Land Use Plan (PUD) and Final Plan on Lots 8-11, Block 28, Keeney and Devitts 2nd Addition. (Located at 515 and 519 Oak Street North, and 14 and 22 6th Avenue North) (H2 Incorporated): APPROVED

Aaron Nelson presented the staff report noting two documents he submitted to the Board. Mr. Nelson stated all approval criteria have been met and staff is recommending approval.

Applicant T.J. Haugrud spoke on behalf of the proposal.

The following area property owners spoke in favor of the updated changes made by the applicant to the original proposal:

Jordan Runsvold, 1030 Oak Street North
Peg Winters, 818 1st Street North, Unit D

Member Brust moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the 1) zone change from MR-2, Multi-Dwelling Residential to MR-2, Multi-Dwelling Residential with a Planned Unit Development (PUD) Overlay and 2) PUD, Planned Unit Development Master Land Use Plan, as the development proposal complies with the GO2030 Fargo Comprehensive Plan, Growth Plan, the Standards of Article 20-06 and Section 20-0906.F of the Land Development Code, and all other applicable requirements of the Land Development Code. Second by Member Gunkelman. On call of the roll Members Steffes, Fischer, Gunkelman, Fremstad, Schneider, Brust, Scherling, and Ulferts Stewart voted aye. Absent and not voting: Members Magelky and Stofferahn. The motion was declared carried.

Item E: Other Items:

Item 1: Tax Increment Financing (TIF) Renewal Plan for TIF 2016-03, 828 14th Street North: APPROVED

Planning Director Jim Gilmour presented the 2016-03 Tax Increment Financing (TIF) Renewal Plan. Mr. Gilmour stated staff is recommending approval to present this plan before the City Commission.

Member Scherling moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed 2016-03 TIF, Tax Increment Financing Renewal Plan, based on the findings that it is consistent with the GO2030 Fargo Comprehensive Plan. Second by Member Steffes. On call of the roll Members Gunkelman, Fremstad, Fischer, Steffes, Brust, Schneider, Scherling, and

Ulferts Stewart voted aye. Absent and not voting: Members Magelky and Stofferahn. The motion was declared carried.

Item 2: Nomination and Election of Officers: CONTINUED TO JULY 5, 2016

Nominating Committee Chair Member Scherling shared her suggestion that the Planning Commission Chair serve on a two-year rotation basis, and when this term expires the Vice Chair becomes the Chair. Ms. Scherling stated the nominations and election of Officers will be continued to the July 5, 2016 Planning Commission Meeting.

Item 3: Review and Adopt Rules of Internal Procedure and Operations of the City of Fargo Planning Commission

Chair Ulferts Stewart presented this item.

Member Fischer moved the Adoption of Rules of Internal Procedure and Operations of the City of Fargo Planning Commission be approved as presented. Second by Member Gunkelman. All Members present voted aye and the motion was declared carried.

Chair Ulferts Stewart announced there is a change to the starting time of the July 5, 2016 Planning Commission meeting to 2:00 p.m., as the City Commission will meet the same day at 5:15 p.m.

Nicole Crutchfield noted the motion approved for continued Item 7, Maple Valley Addition, will need a motion to amend the time stated from 1:00 p.m. to 2:00 p.m.

Member Brust moved to amend the time included in the motion for Item 7, Maple Valley Addition, to state the start time of 2:00 p.m. Second by Member Gunkelman. All Members present voted aye and the motion was declared carried.

The time at adjournment was 7:50 p.m.