

OPENING CEREMONIES AND PRESENTATIONS

I. CALL TO ORDER

Chairman Earl Abrahamson called the meeting to order at 7:14am.

II. ROLL CALL

PRESENT: Earl Abrahamson, Scott Kovash, Thomas Grimm, Gene Jackson,
Jason Fridrich

ABSENT: Jay Elkin

STAFF: Ed Courton – Community Development Director, Craig Kubas –
Contract City Engineer, Steve Josephson - City/County Planner
City Attorney - Matt Kolling

STANDARD MOTIONS

1. MINUTES

Minutes for March 19th, 2014 submitted for approval.

MOTION: Scott Kovash

SECOND: Thomas Grimm

Motion to approve Minutes for March 19th, 2014.

DISPOSITION: Motion carried unanimously.

REGULAR AGENDA

- 1. SPECIAL USE PERMIT** - To consider a request for a Special Use Permit for a propane storage tank. The site is located at 3205 110K Avenue SW. The site is zoned General Industrial and is +/-1.80 acres.

Derek with Rods Hot Oil to consider a request for a Special Use Permit for a propane storage tank. The site is located at 3205 110K Avenue SW. The site is zoned General Industrial and is +/-1.80 acres. Derek with Rods Hot Oil stated they applied for the permit in order to cut cost & make it more convenient. West Dakota oil would no longer need to come fill up their trucks, this will also prevent driving through town to get propane.

City/County Planner Steve Josephson made comments on the storage of Propane in the GI zoning as defined in the code. The storage of Propane is a heavy industry use and

requires a SUP. Mr. Josephson shared Fire Chief Sivak's comments. (Fire Chief Sivak sent a letter with comments) Staff recommends approval with conditions.
Fire Chief Sivak shared his cautions and concerns, Chief Sivak was in support of the SUP.
No public comment.

MOTION: Thomas Grimm

SECOND: Gene Jackson

*****Approval with Conditions*****

I move the City of Dickinson Planning and Zoning Commission recommend Approval of the petition for a Special Use Permit for a 6,000 gallon propane tank, subject to the conditions listed below, as meeting all the requirements of the Dickinson Municipal Code and also being in the interest of the public health, safety and welfare.

- 1. Development of the site shall be in conformance with the application materials in Attachment A.**
- 2. The propane tank shall be enclosed by a chain-link fence.**
- 3. As part of the development process the applicant shall coordinate with law enforcement and emergency responders, including the Dickinson Rural Fire Department, to facilitate public safety.**
- 4. Installation and operation of the propane tank shall comply with all applicable City, County, State and Federal requirements, including the NFPA 58 Liquefied Petroleum Gas Code Handbook.**
- 5. The SUP approval shall expire with any change of ownership. All subsequent owners of the property shall be required to reapply for SUP approval.**

DISPOSITION: Motion carried unanimously.

2. Removed

- 3. REZONE PETITION** - To consider a Rezoning Petition from Agriculture to Community Commercial. The site is generally located in the NE1/4 of Section 28, Township 140N, Range 96W and is north of 29th Street West. The site is +/- 3.86 acres.

Steve Rudd with advanced engineering on behalf of badlands storage to consider a Rezoning Petition from Agriculture to Community Commercial. The site is generally located in the NE1/4 of Section 28, Township 140N, Range 96W and is north of 29th Street West. The site is +/- 3.86 acres. Badlands Storage is already working with staff on a preliminary plat; this is just for a rezone at this time. Community Development Director Ed Courton staff finds it consistent with the comp plan recommends approval for the rezone. Duane Schwab stated he owns property near the area to be rezoned he is in favor of the rezone.

MOTION: Scott Kovash

SECOND: Gene Jackson

*****Approval with Conditions *****

I move the City of Dickinson Planning and Zoning Commission recommend Approval of the Rezoning petition from Agriculture to Community Commercial, as meeting all the requirements of the Dickinson Municipal Code and also being in the interest of the public health, safety and welfare.

1. Prior to submission to the City Commission, the applicant must pay the required Park Board payment in lieu of park dedication fee.

DISPOSITION: Motion carried unanimously.

- 4. PRELIMINARY PLAT** - To consider a Preliminary Plat for the Karsky Subdivision. The site is generally located in the NW 4 of Section 36, Township 140N, Range 97W. The site is +/- 5.00 acres.

Curtis Freeman with KLJ to consider a Preliminary Plat for the Karsky Subdivision. The site is generally located in the NW 4 of Section 36, Township 140N, Range 97W. The site is +/- 5.00 acres.

Mr. Josephson recommends a 40 foot easement on the east side be added to the minor plat.

City Engineer Craig Kubas stated this will be a public easement reserved for city roadway for future expansion.

City Attorney Matt Kolling explained the difference between a minor plat and preliminary plat. Discussion amongst Planning and Zoning Commission ensued.

Commissioner Abrahamson suggested a denial until Commissioner Elkin can way in.

Mr. Josephson suggested tabling the item until Commissioner Elkin can comment.

No public comment

MOTION: Thomas Grimm **SECOND:** Scott Kovash

******Motion to table until next meeting******

DISPOSITION: Motion carried unanimously

- 5. REZONE PETITION** - To consider a Rezone Petition from R1 to R2 for the Washington 5th Subdivision. The site is generally located in the NW ¼ of Section 2, Township 139N, Range 96W, south of 10th Street East and north of Franklin Street.

Brian Bachman with Meyer Real Estate to consider a Rezone Petition from R1 to R2 for the Washington 5th Subdivision. The site is generally located in the NW ¼ of Section 2, Township 139N, Range 96W, south of 10th Street East and north of Franklin Street.

Mr. Bachman stated they would like to change the zoning for a portion of Washington 5th to have R-1 single family housing and have R-2 up against Shinagle farm property. This project will allow homes similar to Sundance Coves' projects, i.e., housing that is less expensive. Mr. Bachman stated their goal is to provide housing under \$300,000.00.

Discussion ensued regarding surrounding land, Maximum units allowed, Water runoff, Park fees, and Zoning.

Tom and Elaine Spar made public Comments against Washington 5th.

Pam Reichert made public Comments against Washington 5th.

Mr. Abrahamson presents to the commission a petition letter opposing the rezoning. Multiple letters from parties on Garfield, Franklin and Shinagle Streets opposing the rezoning were also received.

Mr. Courton suggest the developer work with neighbors and come back with PUD.

MOTION: Gene Jackson **SECOND:** Scott Kovash

******Motion to table until next meeting******

DISPOSITION: Motion carried unanimously

- 6. PRELIMINARY PLAT** - To consider a Preliminary Plat for the Washington 5th Subdivision. The site is generally located in the NW ¼ of Section 2, Township 139N, Range 96W, south of 10th Street East and north of Franklin Street.

Brain Bachman Meyer Real Estate to consider a Preliminary Plat for the Washington 5th Subdivision. The site is generally located in the NW ¼ of Section 2, Township 139N, Range 96W, south of 10th

Chief Sivak made comments in regards to potential access problems and fire code issues, presenting these issues now should give the developer plenty of time to address them.

No public comment.

MOTION: Thomas Grimm

SECOND: Jason Fridrich

Preliminary Plat for Washington 5th Addition

*****Approval with Conditions*****

I move the City of Dickinson Planning and Zoning Commission recommend Approval of the Washington 5th Preliminary Plat, as depicted in Exhibit A, as meeting all the requirements of the Dickinson Municipal Code and also being in the interest of the public health, safety and welfare.

DISPOSITION: Motion carried unanimously

- 8. FUTURE LAND USE MAP AMENDMENT** - To consider an amendment to the Future Land Use Map of the Dickinson Comprehensive Plan from Mixed Use to Commercial. The site is generally located in the NE4 of Section 21, Township 140N, Range 96 W on the southwest corner of 33rd Street SW and North Dakota Highway 22. The site is +/-38.80 acres.

Dave Edquist with Holiday Station Stores, Inc. to consider an amendment to the Future Land Use Map of the Dickinson Comprehensive Plan from Mixed Use to Commercial.

Mr. Kubas noted that access onto Highway 22 will need to be coordinated with DOT.

Mr. Josephson explained that a Future Land Use amendment is required before a rezone can be done, and that staff recommends approval.

No public comment

MOTION: Gene Jackson

SECOND: Scott Kovash

*****Approval*****

I move the City of Dickinson Planning and Zoning Commission recommend Approval of the Holiday Station stores Future Land Use Map amendment petition from Mixed Use to Commercial as consistent with City of Dickinson Comprehensive Plan, meeting all the requirements of the Dickinson Municipal Code and also being in the interest of the public health, safety and welfare.

DISPOSITION: Motion carried unanimously

- 9. FUTURE LAND USE MAP AMENDMENT** - To consider an amendment to the Future Land Use Map of the Dickinson Comprehensive Plan from Residential to Commercial. The parcel is located at 2200 State Avenue North. The parcel is +/- 5.83 acres.

City/County Planner Steve Josephson presenting to consider an amendment to the Future Land Use Map of the Dickinson Comprehensive Plan from Residential to Commercial. The parcel is located at 2200 State Avenue North. The parcel is +/- 5.83 acres.

Mr. Grimm stated he is opting out of any decisions because his firm has done work on project.

Mr. Josephson noted the change to the Future Land Use Map must be made before a final plat can be approved.

No public comment

MOTION: Jason Fridrich **SECOND:** Gene Jackson

*****Approval*****

I move the City of Dickinson Planning and Zoning Commission recommend Approval of the Haught Future Land Use Map amendment petition from Residential to Commercial as consistent with City of Dickinson Comprehensive Plan, meeting all the requirements of the Dickinson Municipal Code and also being in the interest of the public health, safety and welfare.

DISPOSITION: Motion carried unanimously

Chairman Abrahamson asked if anyone had anything else before adjourning, Mr. Jackson asked that at the next meeting the west side Highway 22 development be discussed.

Mr. Courton noted the next agenda is comparable to this agenda so it will be added.

6. ADJOURNMENT

MOTION: Gene Jackson SECOND: Scott Kovash

To Adjourn at 9:48 am.

DISPOSITION: Motion carried unanimously.

PREPARED BY:

Brandy Goetz

APPROVED BY:

Ed Courton

Work Session: Billboards 10:02 am

Community Development Director, Ed Courton presented a map illustrating existing billboards (in red) and proposed Billboards (in blue). There are 50 billboards (per the map) in and around the city. City Attorney, Matt Kolling summarized the latest draft of the proposed sign code. Mr. Abrahamson stated that sign companies must get consent from property owners prior to submitting their sign permit applications. Mr. Jacksons discussed spacing, zoning, and a limitation on the total number of billboards. Planning Commission discussion ensued.

Mr. Jackson is concerned why City staff isn't limiting the number of billboards. Mr. Courton stated he didn't get any direction from the Planning Commission to limit billboards. Mr. Jackson discussed the proposed 1,500 foot digital billboard spacing requirement and illumination. Mr. Kolling stated the new sign code would also address illumination, spacing and require a minimum 300 foot spacing requirement from residential zoning districts.

There was a lengthy discussion about billboard spacing versus total number of billboards. Mr. Abrahamson says the federal government allows for a 500 foot spacing requirement that doesn't mean the city should. Further discussion ensued.

Mr. Courton stated the Planning Commission has the latest version of the sign code in front of them and they can vote on recommend approval, deny it or direct staff to revise it further. Mr. Kolling stated the City staff will forward today's comments to the City Commission for their decision. Further discussion ensued

Mike Derby with Dakota Outdoor Advertising wanted to see the draft version before it went to the City Commission. Matt Lutz with Newman Outdoor Signs asked for additional time to comment on it. Mr. Kolling stated that the City has worked with the sign industry and will provide them with the latest draft version for comment.

Work session ended at 11:34 am