

OPENING CEREMONIES AND PRESENTATIONS

I. CALL TO ORDER

Chairman Earl Abrahamson called the meeting to order at 7:30 am.

II. ROLL CALL

PRESENT: Chairman- Earl Abrahamson, Vice Chairman - Scott Kovash
Commissioners: Gene Jackson, Jay Elkin, Shirley Dukart and Scott Bullinger

ABSENT: Jason Fridrich, and Adam Ballesteros

STAFF: Planning Director, Walter Hadley, City Attorney, Jennifer Gooss, City Engineer Craig Kubas, and
City/County Planner Steve Josephson

STANDARD MOTIONS

III. MINUTES

Minutes for April 20th, 2016 submitted for approval.

MOTION: Jay Elkin

SECOND: Scott Kovash

DISPOSITION: Motion carried unanimously.

REGULAR AGENDA

1. **RENAISSANCE ZONE** - To consider a request for a Renaissance Zone Project at 46 1st Avenue West.

Kristi Schwartz presented an application for a Renaissance Zone Project located at 46 1st Avenue West. No public comment. City/County Planner Steven Josephson, City staff recommends approval.

MOTION: Scott Bullinger

SECOND: Shirley Dukart

*****Approval*****

I move the City of Dickinson Planning and Zoning Commission recommend Approval of K. Schwartz Properties LLC petition for a Renaissance Zone Tax Exemption as being compliant with the City of Dickinson's Renaissance Zone Plan, as amended in July, 2012, and with the City of Dickinson Comprehensive Plan, as well as being in the interest of the public health, safety and welfare.

(AND) the following additional requirements (IF THE PLANNING AND ZONING COMMISSION RECOMMENDS ANY ADDITIONS AND/OR DELETIONS TO THE PROPOSED MOTION LANGUAGE):

- 1. _____;
- 2. _____.

DISPOSITION: Motion carried unanimously.

2. PRELIMINARY REPLAT - To consider a preliminary replat of Riverfront Estates. The site is generally located in the North West 1/4 of Section 10, Township 139, Range 96W. The site is +/- 18 acres.

Ryan Rudolph presented a replat for Riverfront Estates. Planning Director Walter Hadley, staff recommends approval subject to conditions. A written comment from the current owner of one of the lots was submitted to the planning department questioning the 7sq feet of land owed to current owner of the lot in the event it's re plated. No public comment. Preliminary replat subject to Development Agreement.

Commissioner Jackson noted the existing Development Agreement addressed street construction he doesn't see this mentioned in the conditions and feels this needs to be added to the new Development Agreement. The applicant is requesting an extension the time line in order to finance the roadways. Staff is suggesting to stick with the 2016 timeframe if it goes past that then we can consider bonding. Commissioner Abrahamson is suggesting whether anything is being built or all lots are sold or not there is a time frame the road has to be in. City Engineer Craig Kubas agrees and thinks the original time line should be followed end of year 2016, if we want to move it to 2017 we can add that to the Development Agreement but there needs to be a drop dead date. City Attorney Jennifer Gooss added the Development Agreement and city ordinance requires some form of surety bond this will be enforced in the revisions to the DA.

MOTION: Gene Jackson

SECOND: Jay Elkin

(Commissioner Jackson made "motion with" conditions recommended by staff with proper guarantees to street construction)

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

Preliminary Plat for the Re plat of Riverfront Estates Subdivision Block 1, Lots 1-10

I move the City of Dickinson Planning and Zoning Commission recommend Approval of the Preliminary Plat for the Re plat of Riverfront Estates Subdivision, Block 1, Lots 1-10, as depicted in Attachment A, as meeting all the requirements of the Dickinson Municipal Code and also being in the interest of the public health, safety and welfare.

- a. The applicant shall provide lighting in accordance with the City's new decorative street lighting standards along the public road in a spacing that is acceptable to the City Engineer.
- b. The storm water management and grading plan shall be subject to approval by the City Engineer.
- c. All infrastructure plans shall be approved to the satisfaction of the City Engineer prior to the application being heard for final plat approval.
- d. Prior to final plat submittal, the Owner shall submit to the City a letter from the Parks Department approving the re plat and any public water/shoreline access provided as part of this proposal.

e. The applicant shall provide a street tree plan for the development for trees either planted on each lot within an easement to the city or within the public right of way. The configuration of the tree planting shall be approved by the City Engineer and the City Planning Director prior to the final plat being heard.

f. The applicant shall contact the U.S. Postal Service and locate and install cluster mail boxes to their specifications prior to any additional certificate of occupancies are issued in that development.

h. The applicant shall meet all required density, coverage, and all applicable City Code requirements for this type of development and obtain building permits prior to the start of construction of any additional units on site. If Attached single family individual ownership is desired on each lot then an additional lot configuration/split will be required and the applicant shall be advised that they will need a minimum of 45' of frontage and a 4,000 square foot lot to build and sell off units individually.

i. Prior to final plat application, the applicant shall provide final approvals from all agencies on the development checklist prior to being placed on the next Planning Commission agenda for consideration of final re plat approval.

(AND) the following additional requirements (IF THE PLANNING AND ZONING COMMISSION RECOMMENDS ANY ADDITIONS AND/OR DELETIONS TO THE PROPOSED MOTION LANGUAGE):

1. _____;
2. _____.

DISPOSITION: Motion carried unanimously.

3. **ZONING TEXT AMENDMENT** - To consider amendments to the zoning text in Chapter 39 "Zoning" under the following sections: 39.10 Sign Regulations.

City Attorney Jennifer Gooss discussed changes to the Chapter 39 "Zoning" due to a Supreme Court ruling this is under section 39.10 Sign Regulations. Attorney Gooss staff recommending approval. No public comment.

MOTION: Jay Elkin

SECOND: Scott Kovash

*****Approval*****

To amend the zoning text in Chapter 39 "Zoning" under the following sections: 39.10 Sign Regulations.
DISPOSITION: Motion carried unanimously

Work session:

- **All Commercially Zoned District Design Standards.**

The Burger King renovation was used as an example for discussing upgrades and future improvements with regards to design standards. Because Burger King isn't doing more than 50% of improvement to the structure

they are not required to follow our design standards they did however decide to meet our design standards. Commercially Zoned Design Standards in corridors are currently 300' from right-of-ways. Should we require standards if your past that 305'. What will the continuity standards be for our community whether it's commercially, residentially, lighting and infrastructure improvements?

Corridor discussion, 50% trigger for compliance conversation 300' buffer to protect our gateways.

30th Avenue should be included and is not on the map, some members felt that not appropriate. This is not appropriate in all areas, should 50% be 30%, 300 go to 400'? Blanket implementation is not feasible. This would catch and upgrade a lot of facilities now. General maintenance ok major structural would need to meet these guidelines. Not interior exterior only require an update if they get a Building Permit for renovations.

Commissioner Kovash raised his issues with regards to requirements on all buildings. New buildings and construction only; not existing, this is not up to us to decide that for existing buildings. Planning Director Hadley suggested a continued discussion and will provide a 400' buffer map and we will further discuss options of leaving total required compliance unless they choose to alter the exterior, then the standards should apply.

- ETZ Rezoning's

When the City's ETZ expanded last year several properties in the unincorporated county came under the City's zoning authority. Those properties should be rezoned to comply with the city's zoning ordinances. There was a lengthy discussion of zoning code enforcement in the ETZ. The City is committed to enforcing its zoning regulations in the ETZ and will continue to do so.

Staff will go forward with rezoning request to rezone properties in the ETZ to the appropriate zoning districts.

VI. ADJOURNMENT

MOTION: Scott Bullinger

SECOND: Scott Kovash

To Adjourn at 8:44

DISPOSITION: Motion carried unanimously.

PREPARED BY:

Brandy Goetz

APPROVED BY:

Walter Hadley