



Planning & Zoning Commission Minutes

May 7, 2025, 5:30pm – City Council Chambers

3rd Floor City Hall, 255 N 4th Street

Notice is hereby given that the Planning and Zoning Commission will meet at the above date and time. Any member of the public seeking to submit comments relating to an Agenda item or public hearing may do so in person at the meeting or should submit their comments to www.grandforksgov.com/councilcomments or call 701-746-2661 for further information. All online comments received prior to 5:00 p.m. on the meeting day will be considered part of the record of the meeting as if personally presented.

1. Roll Call

Arel Budke Klava Kuhn Holt Matson Reichert Sande Wasvick

2. Reading and Approval of Minutes for April 2, 2025, meeting.

- Agenda Item Map

Motion by Sande, second by Klava to approve minutes as submitted. Motion carried unanimously.

3. Public Hearings, Final Approvals, Petitions, and Minor Changes

- 3-1 Ordinance to amend Zoning Map - Southern Estates PUD Amendment No. 18 – density increase and parking requirement reduction at Cardinal Point, located at 2150 47th Avenue South.

Brooks informed commissioners that the applicant is requesting to convert existing office/common space into 4 additional living units. Staff made a request for the applicant to improve some of the pedestrian pieces. Brooks reminded the commissioners the proposal is not to add more parking spaces onto the site as they have an adequate amount of parking spaces. There are 251 existing residential units, so the conversations would bring the unit count to a total of 255. Notices were sent out.

Public hearing opened. No comments. Public hearing closed.

Motion by Budke, second by Matson for approval of request. Motion carried 5-1 with Sande dissenting.

- 3-2 Replat of Lot A, Block 1, Highland Point Sixth Addition, located at 3800 South Washington Street.

Grasser informed commissioners this request is a minor replat which splits Lot A into two different lots, Lots C & D. The lot split is proposed in order to develop the lots into commercial uses. Access will be available off 15th St for both newly established lots. Lot C will have additional access through private access easement established on the property to the North. Lot D will have access through the lot to the South. Notices were sent out and staff did not receive any comments.

Public hearing opened. No comments. Public hearing closed.

Motion by Sande, second by Holt for approval of request. Motion carried unanimously.

- 3-3 Replat of Lots 6 and 7, Block 1, Heartland West Addition, located at 2900-3000 Heartland Drive.

Grasser informed commissioners this request is a minor replat which moves the southern lot line further south. Moving the lot line with separate these two lots that have been previously combined administratively and keeps the lot line from intersection. All existing utilities will remain the same.

Matson asked if there is an existing building here already. Grasser stated that there is an existing building where the lot line sits, however they did a lot combination administratively to construct it. To now sell the building, the lot has to be split with a new lot line established and splitting it up.

Public hearing opened. No comments. Public hearing closed.

Motion by Sande, second by Holt for approval of request. Motion carried unanimously.

- 3-4 Replat of Lot A, Block 2, Airport 7th Resubdivision, located at 4225 Gateway Drive.

Grasser informed commissioners this is a minor replat which requests splitting one lot into two lots for future commercial businesses. These two lots will share a combined driveway and parking lot off Career Drive.

Public hearing opened. No comments. Public hearing closed.

Motion by Matson, second by Sande for approval of request. Motion carried unanimously.

- 3-5 Replat of Lot 1, Block 1, Grand Valley First Addition, located at 1707 62nd Avenue South.
(Applicant has requested item be postponed for an additional month)

- 3-6 Sign Appeal at Memorial Village I, located at 2625 2nd Avenue North.

Brooks informed commissioners this item was initially brought forward last fall and commissioners requested to postpone this request. The current request is for a large digital sign on Memorial Village I and is about 25 ft in height. The sign placement on the building will be parallel to Columbia Road and be viewable from the intersection of Red Jarrett Way and Columbia Road. The advertising content on the sign will be limited to UND Events and occupants of Memorial Village I. This sign is not permitted to feature off-premises advertising.

Budke noted that in the packet there was reference to ribbon electronic message center on field house and asked for clarification on what the field house is.

Craig Tweten clarified that the fieldhouse is Memorial Village II. This request does not have any relation to that sign. Tweten noted that this sign will be an asset for UND to welcome individuals to campus or events happening on campus.

Public hearing opened. No comments. Public hearing closed.

Sande made a comment that the development is looking fantastic.

Motion by Sande, second by Matson for approval of request.

Budke noted that he will be voting against this. When this request came forward last fall, he voted against the electronic signs on MV II as well. He would rather let the building's architecture and design do the talking.

Motion carried 5-1 with Budke dissenting.

4. Communications and Preliminary Approvals

- 4-1 Plat of 47th Avenue South Addition, located at 3000-3400 47th Avenue South with Street & Highway ordinance dedication.

Andrea informed commissioners this request is to plat currently undeveloped land for the necessary roadways and connections needed to facilitate the future interchange along the 47th corridor. The proposed plat and annexations include portions of S 30th St, S 34th St, and 47th Ave S. Edwardson noted that the developer is not requesting area to be developed yet.

Matson asked for clarification if this complied with what DOT wants for connections. Al Grasser provided background information on the 47th Avenue environmental document. Grasser noted that this is the first step in the project. Grasser spoke about different intersections allowed by the DOT. Reichert asked why 34th is curved. Grasser stated this gets back to what DOT is allowing for intersection spacing requirements between intersections.

Motion by Matson, second by Sande for approval of applicant request. Motion carried unanimously.

- 4-2 Annexation of 47th Avenue South Addition, located at 3000-3400 47th Avenue South

The proposed annexations include portions of S 30th St, S 34th St, and 47th Ave S. The annexation meets the policy of the City of Grand Forks, and is necessary to build out the needed infrastructure for 47th interchange.

Motion by Matson, second by Sande for approval of applicant request. Motion carried unanimously.

- 4-3 Plat of Birkholz Eighth Addition, located at 1800 Block of S 42nd Street with Street & Highway ordinance dedication.

Reichert informed the commissioners he would need to recuse himself from items 4-3, 4-4, and 4-5.

Matson moved to recuse Reichert, seconded by Budke. Motion carried unanimously.

Vice President Reichert temporarily relinquished the Chair for items 4-3, 4-4, and 4-5. Secretary Sande took over as Chair for items 4-3, 4-4, and 4-5.

Brooks informed commissioners this proposed development was presented last month as an information-only item. The development is about 30 acres and features multi-family residential, single-family attached residential, and commercial uses. This property is considered a County island since it is surrounded by city limits and/or City right-of-way. County islands are priorities for annexation and platting.

Brooks noted the access points to the development from both S 42nd St and 17th Ave S are under review and pending final locations as potential conflicts given the proximity to the intersection of 42nd & 17th. The engineering department has consultants, Bolton & Menk, conducting an amendment to a recent traffic study that was completed in the area, to determine if the proposed access need to be relocated. Results of the traffic study are expected to be received mid-May.

Brooks explained the bike/ped connections. Existing and planned bicycle and pedestrian accesses dead end into the development currently and final connecting pieces throughout the development are needed to complete the system.

Brooks noted the 8% park dedication requirement. Staff have not had the park dedication meeting yet with the developer. It is possible that it will turn into a cash donation instead to the park district. Sande asked for clarification if they will still need the holding pond if they do not do a park. Brooks stated that they will still need to meet the requirements for a regional pond. Brooks informed commissioners of the floodplain management. Brooks noted the developers are setting up a neighborhood meeting that will be held at a later date, prior to final action.

Brooks informed commissioners that the applicant is asking for 50 units an acre, which would be around a total of 500 units. Access points would be 17th Ave S and S 42nd St. The commercial is currently at the corner and the lower density is around the coulee. Brooks noted the applicant is requesting to go up to 85% impervious lot coverage on the multi-family site which will require the pond to get bigger as well.

Matson would like more information on the 17th access and any concerns with the proximity to 42nd. Brooks stated that there is a concern about where the access lines up currently and will wait to see what the traffic plan comes back with. Klava asked for clarification if 42nd will go to 4 lanes where it is currently 2 lanes. Brooks stated that he does anticipate the north of 17th to be similar as it drops to the south.

Budke provided comments regarding considerations of pedestrian easements. Budke feels that access is important at this location and not just vehicular access. Sande noted that she finds it concerning to put any of those pedestrian accesses in. Sande would not support putting crossings in people's yards as it causes an angst for property owners and is an expense to the city to put those in. Sande feels the safest thing is to use the bike path that is well established on S 42nd St.

Alex Reichert, one of the developers, noted that they asked for 50 units to have the most flexibility when designing the development. Matson asked for clarification when the traffic study will be happening. Brooks clarified it should happen within two weeks before final approval. Matson feels that he does not have any concerns with the annexation but there seems to be a lot of red ink on the plat right now. Mike Opp added that the goal for this development is to build as many units as they can. They just want to make sure they don't put the bar too low so that they can't do it. Budke asked if it would make sense to offset the connection so it's between 18th and Empire apartments. Brooks spoke about the potential of another property in that location developing and where they would have their access. Sande asked if the developer will be using the bridge over the coulee as part of their development. Reichert stated that was not something they were looking at doing. Brooks clarified that it was a staff requirement to include on the plat.

Motion by Matson, second by Klava for preliminary approval of applicant request. Motion carried unanimously with Reichert recused.

- 4-4 Ordinance to amend the zoning map to rezone from A-1 Agricultural Preservation District to Birkholz Eighth PUD, located at 1800 Block of S 42nd Street.

Motion by Matson, second by Holt for preliminary approval of applicant request to increase density to 50 units per acre with 85% impervious allowance, pending compliance with all necessary feasibility studies as determined by city staff. Motion carried unanimously with Reichert recused.

- 4-5 Annexation of Birkholz Eighth Addition, located at 1800 Block of S 42nd Street.

Motion by Klava, second by Matson for preliminary approval of applicant request. Motion carried unanimously with Reichert recused.

Vice President Reichert resumed the Chair.

- 4-6 Ordinance to Amend Section 18-1001 (4) of Grand Forks City Code, to require a simple majority for zoning amendment approvals.

Brooks informed commissioners that staff are seeking to align a procedural requirement regarding the number of City Council votes needed for approval of a rezoning request, to align with all other approvals in the Land Development Code as well as standard City Council approvals. To make the process consistent, staff is recommending Council approval requirements be simplified to follow their normal approval requirements of a simple majority (4-3 in favor) to approve rezoning requests.

Motion by Budke, second by Matson for preliminary approval of applicant request. Motion carried unanimously.

- 4-7 Ordinance to Amend the zoning map to rezone from I-1 Light Industrial District to B-3 General Commercial District, properties located at 2009, 2013, 2019, & 2105 Gateway Drive.

Edwardson informed commissioners this request is to rezone four lots from I-1 to B-3. Grand Forks Growth and Support Center occupies the building located at 2105 & 2019 Gateway Dr. They are looking at purchasing 2013 & 2009 to utilize them for additional office space. The applicant is running into issues completing the sale because the property is zoned as I-1, making their existing operation and proposed acquisition non-conforming use. The existing use and proposed use at the new property are permitted within the B-3 district. The remaining I-1 properties in the area are being approached by staff to consider rezoning to B-3 as well.

Motion by Sande, second by Budke for preliminary approval of applicant request. Motion carried unanimously.

- 4-8 Ordinance to Amend Chapter XVIII Land Development Code, Article 4 (18-04) Nonconforming Uses of the Grand Forks City Code.

Edwardson informed commissioners of the major policy changes staff are recommending. 1) Encourage permit repairs and maintenance of non-conforming properties. 2) remove amortization option of non-conforming uses. 3) Include HB1500 language to permit residential properties to be rebuilt if certain requirements are met. 4) Allow for all existing structures to be rebuilt to existing footprints with conditions. 5) Including an appeals section to clearly indicate process should staff decision wish to be appealed.

Motion by Holt, second by Budke for approval of applicant request. Motion carried unanimously.

5. Reports from the Planning Department

- 5-1 Non-Conforming Lots Report

Grasser noted that staff and the non-conforming lot subcommittee looked at the 43 lots along the Washington, Gateway, and Demers Corridor. They had lot by lot discussions and the committee determined that all 43 identified lots will have a letter sent and be given an opportunity to rezone their property to residential in order to bring their use into conformance. No comments from commissioners on the draft letter.

5-2 Monthly Update

Grasser presented the monthly update. UND Housing Parking Lot was approved. Empire Townhomes Phase IV, UND Flight Operations Building, and Craftmasters site plans are currently under review. Parking sub-committee met on April 15th. Non-conforming sub-committee met on April 2nd. The Sign sub-committee met on April 22nd.

6. Other Business

7. Adjournment

Reichert adjourned the meeting at 6:45PM.