

Horace Planning & Zoning Commission Meeting Agenda

Tuesday, October 25, 2022 – 6:00 pm Fire Hall Event Center – 413 Main Street, Horace, North Dakota

- 1. Declare Quorum
- 2. Regular Agenda
- 3. Approve the October 11, 2022, Planning & Zoning Commission Meeting Minutes
- 4. 1030 5th St E. Design Review | Jace Hellman, Community Development Director
 - a. Design Review
 - i. Discussion & Action
- 5. Adjournment



HORACE PLANNING and ZONING COMMISSION MEETING MINUTES

October 11, 2022 | 6 p.m. Horace Fire Hall Event Center | 413 Main Street, Horace ND 58047

Present: Russell Sahr, Amy Beaton (Via Microsoft Teams), Julie Hochhalter, Lukas Croaker, Jace Hellman, Stephen Hayton, Naomi Burkland (Planning and Zoning Portfolio)

Chair Sahr called the meeting to order at 6:00 p.m.

Agenda Item 1: Declare Quorum

Agenda Item 2: Regular Agenda

Commissioner Hochhalter motioned to approve the Regular Agenda. Seconded by Commissioner Beaton. All in favor, none opposed. Motion carried 3-0.

Agenda Item 3: Approve the September 13, 2022 Planning and Zoning Commission Meeting Minutes Commissioner Hochhalter motioned to approve the minutes from September 13, 2022. Seconded by Commissioner Beaton. All in favor, none opposed. Motion carried 3-0.

Agenda Item 4: 109 Apple Lane Variance | Jace Hellman, Community Development Director

Mr. Hellman presented the 109 Apple Lane Variance from the Horace City Code 17.3.8 (4). The application was for relief from Horace City Code 17.3.8 (4), which does not permit accessory structures within the front yard setback. The property is zoned R-E (Residential Estate), which requires a front yard setback of 50-feet. The applicant is requesting to build a detached garage which is approximately 20 feet from the property line. Mr. Hellman noted that the applicant received a permit in 2019 to build the detached structure 8-ft away from the front property line, however that permit approval has since expired due to inactivity. City staff are unable to determine how, as it was not compliant at that time. Mr. Hellman stated that the applicant has cited accessibility, distance of potential driveway, limits to aiding in street clearing and overall cost as unnecessary hardships that would occur if strict interpretation of the ordinance is applied. Several of the reasons that were stated are not specific to this property and would be required by many of the other properties zoned R-E within the City. Staff's interpretation is that a hardship must be more than preference or cost to comply with the standard. Following review of the application and site, staff is unable to identify the unnecessary hardship, such as site and topographical constraints, property shape or location, that would prohibit the applicant's ability to place a garage outside of the front yard setback established for the R-E District, and for that reason staff was unable recommend approval of the proposed variance application.

Chairman Sahr opened the public hearing at 6:06 PM and closed the public hearing at 6:22 PM.

Chairman Sahr discussed that the lot was more inline with an R-1 zoned lot in terms of dimensional standards and current setback of the existing house rather than an R-E zoned lot. Chairman Sahr recommended that the setback of the proposed accessory building be limited to 30 feet in order to match the existing residence.

Chairman Sahr recommended approval of the variance application with a 30-foot front yard setback. Seconded by Commissioner Beaton. Motion carried 2-1 (Commissioner Hochhalter was opposed).



Agenda Item 5: 1030 5th St E Conditional Use Permit | Variance | Jace Hellman, Community Development Director

Mr. Hellman presented the 1030 5th St E Conditional Use Permit and Variance. This permit would allow the applicant to operate a plumbing and HVAC office and shop, with all materials stored within the building, and staff would approve this request under that condition.

Chairman Sahr opened the public hearing at 6:28 PM and closed the public hearing at 6:29 PM.

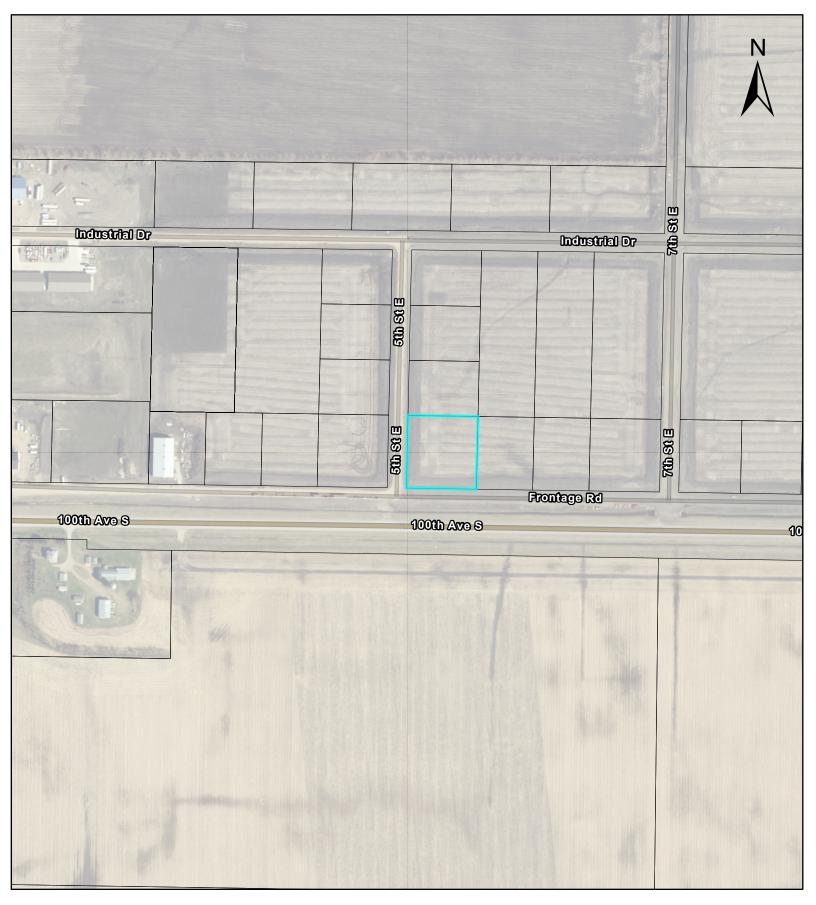
Commissioner Beaton motioned to approve the 1030 5th St E Conditional Use Permit with that all materials be stored within the building. Seconded by Commissioner Hochhalter. All in favor, none opposed. Motion carried 3-0.

Agenda Item 6: Big Erv's Façade Improvement | Jace Hellman, Community Development Director Chairman Sahr motioned to table the Big Erv's Façade Improvement Design Review due to lack of information. Seconded by Commissioner Hochhalter. All in favor, none opposed. Motion carried 3-0.

Agenda Item 7: Willow Grove – Preliminary Concept Introduction | Jace Hellman, Community Development Director

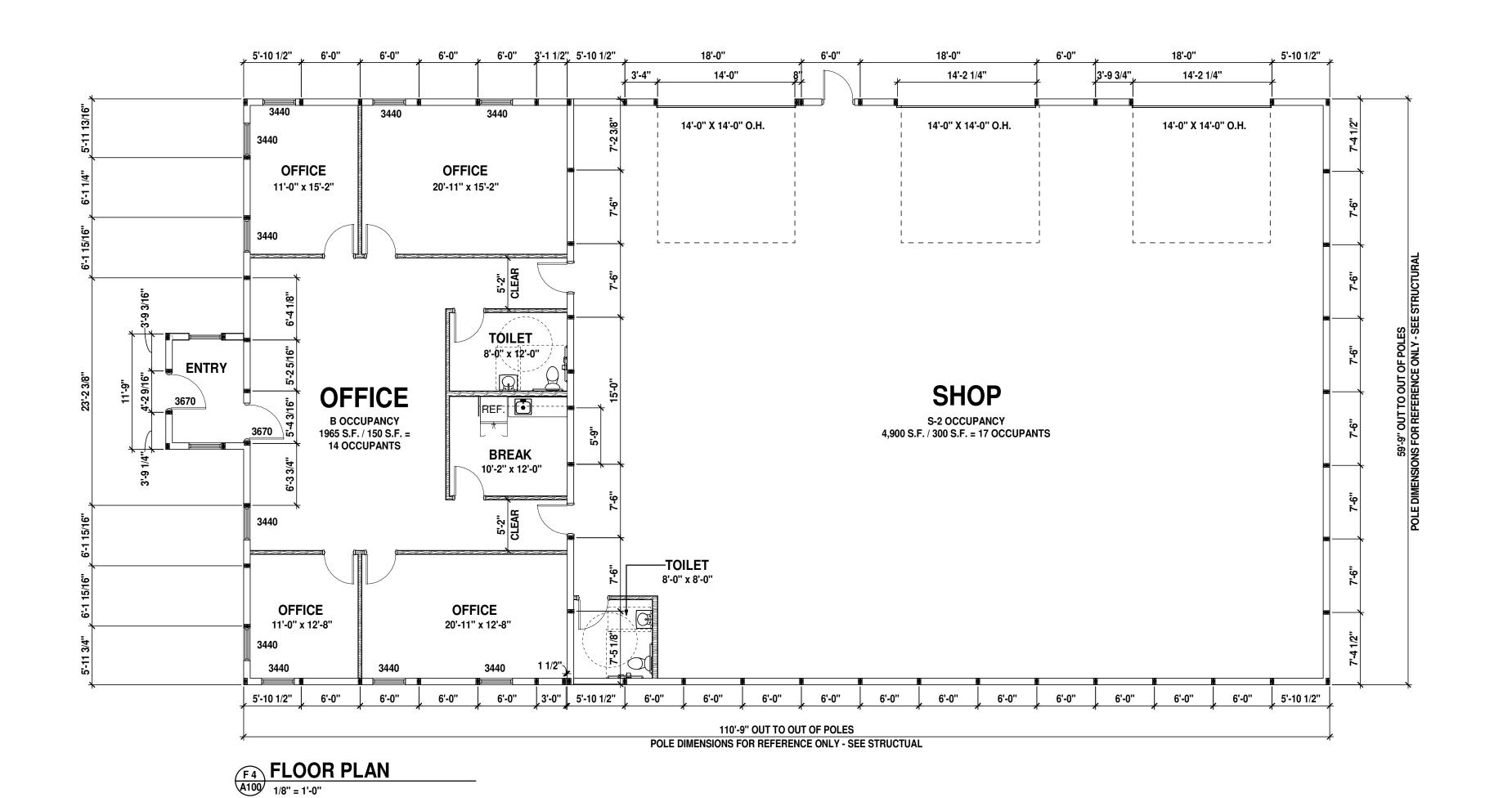
Jon Youness, with Eagle Ridge Development, presented the Preliminary Concept Introduction for Willow Grove. Roadways, a future roundabout, and landscaping were discussed.

Agenda Item 5: Adjournment at 6:47 p.m.



Application Location Map 1030 5th St E Horace, ND







3D VIEW NOT TO SCALE



3D VIEW NOT TO SCALE

RYAN BROTHER'S 60 X 111 WITH OFFICE

THOR BUILDERS

HORACE, NORTH DAKOTA

KEYNOTES:

BUILDING NOTES:

- SLAB ON GRADE WOOD POLE BUILDING CONSTRUCTION WITH METAL SIDING AND ROOF. BUILDING WILL BE USED FOR WORKSPACE AND OFFICE SPACE

- BUILDING IS NOT SPRINKLED

- BUILDING DOES NOT HAVE FIRE ALARM

- BUILDING SIZE = 6,660 S.F.

- BUILDING HEIGHT = 27'-8"

CODE REQUIREMENTS:

- SHOP AREA - OCCUPANCY S-2 (SECTION 311.2) - OFFICE AREA - OCCUPANCY B (SECTION XXX)

- NO REQUIRED SEPARATION BETWEEN B AND S-2 OCCUPANCIES

- CONSTRUCTION TYPE VB (TABLE 606.2)

- ALLOWABLE SQUARE FOOTAGE 9,000 (TABLE 506.2)

- NO TRAVEL DISTANCE OVER 100'-0"

- FIRE EXTINGUISHERS TO BE PLACED SO NO MORE THAN 75'-0" APART

- DRAFT STOPS REQUIRED AT 3,000 S.F. OF HORIZONTAL ATTIC SPACE

- BUILDING IS HEATED - DESIGN BUILD BY OWNER

- ELECTRICAL IS DESIGN BUILD BY OWNER

- SPECIAL INSPECTIONS NOT REQUIRED AS TRUSSES DO NOT SPAN OVER 60'-0"

- SIGNED ENGINEER TRUSS DRAWINGS WILL BE SUBMITTED

UNDER SEPARATE COVER

GENERAL NOTES

I hereby certify that this drawing, specification or report was prepared by me or under my direct supervision and that I am a duly registered Architect under the laws of the State of North Dakota.

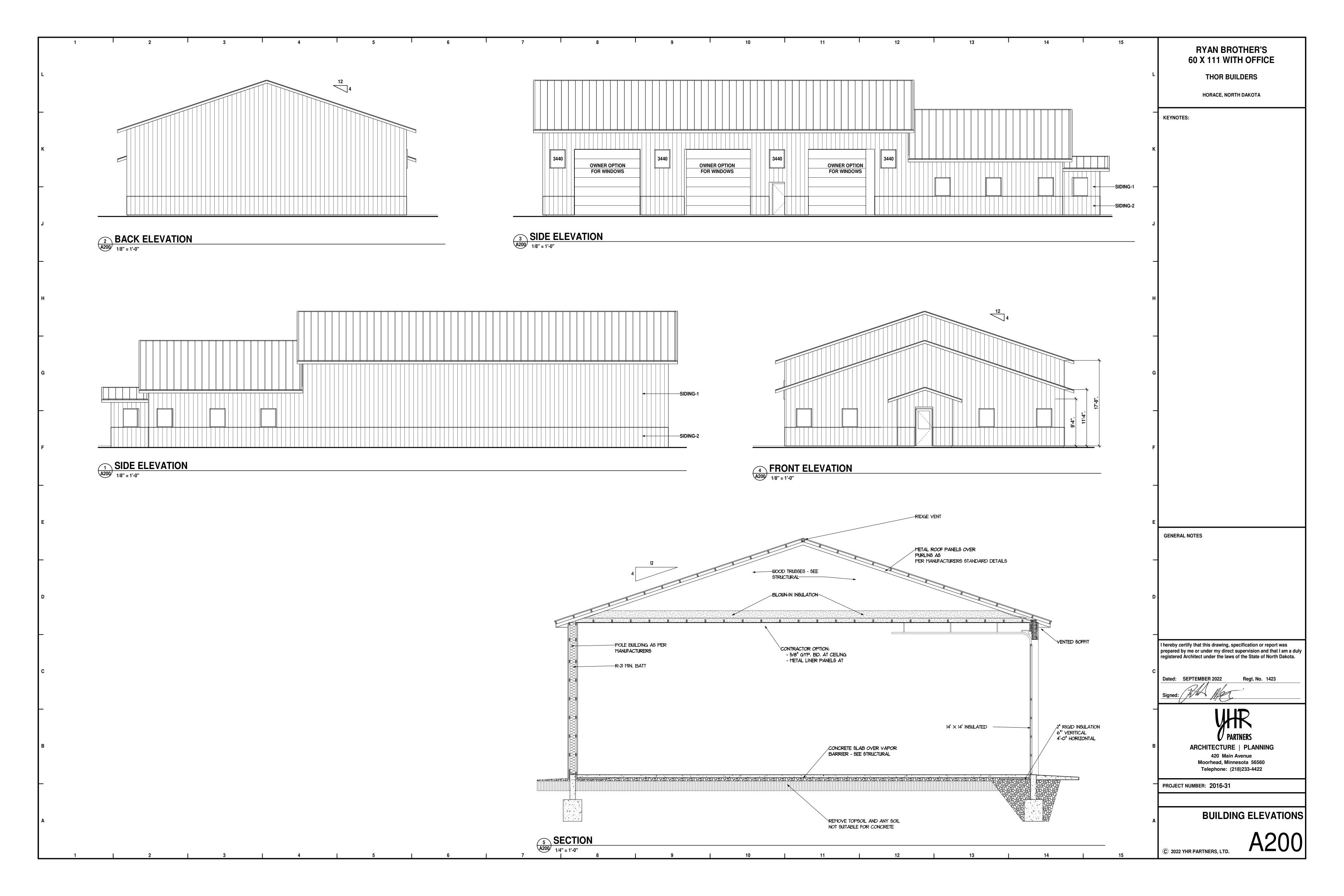
ARCHITECTURE | PLANNING 420 Main Avenue Moorhead, Minnesota 56560

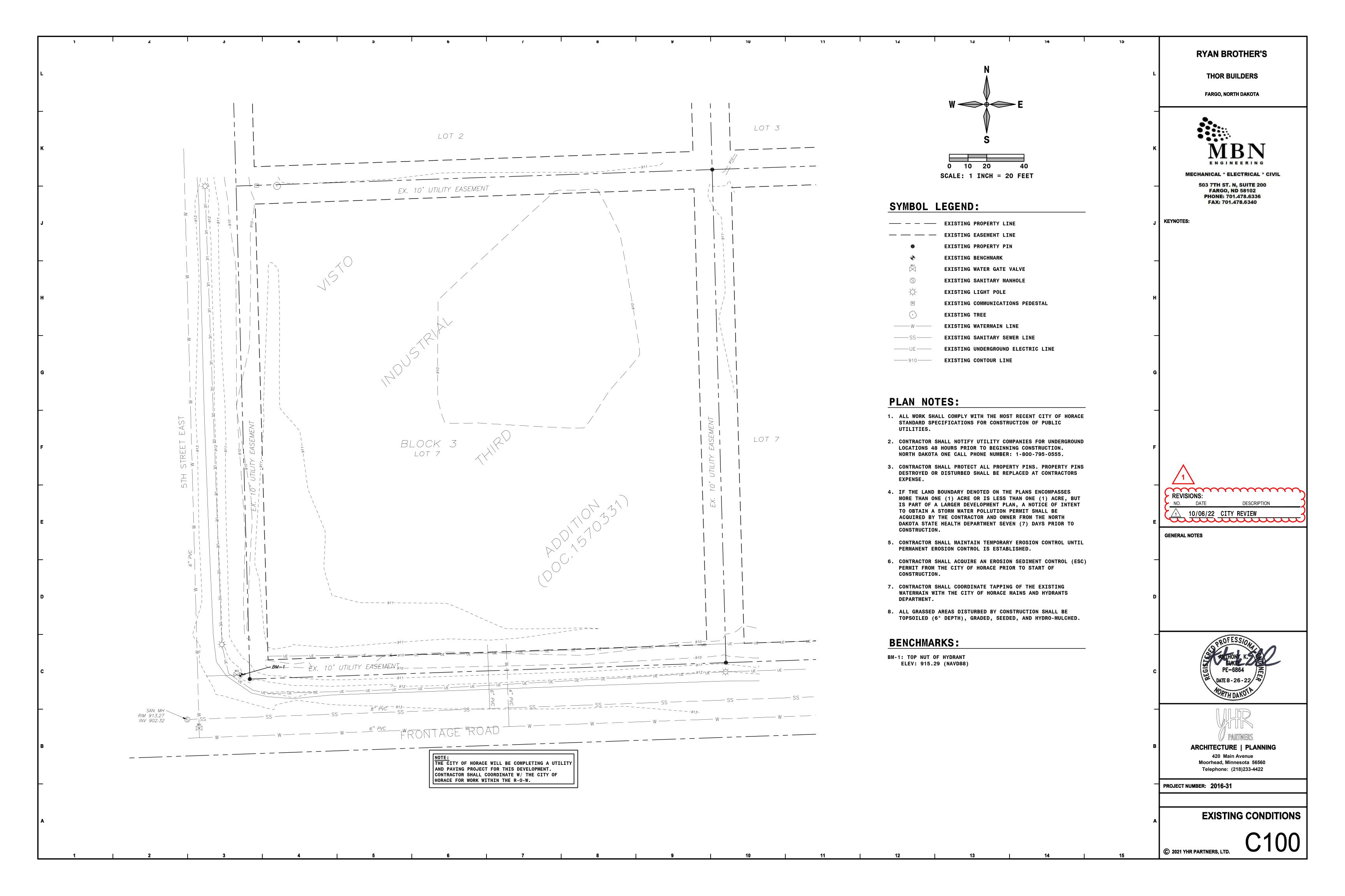
Telephone: (218)233-4422

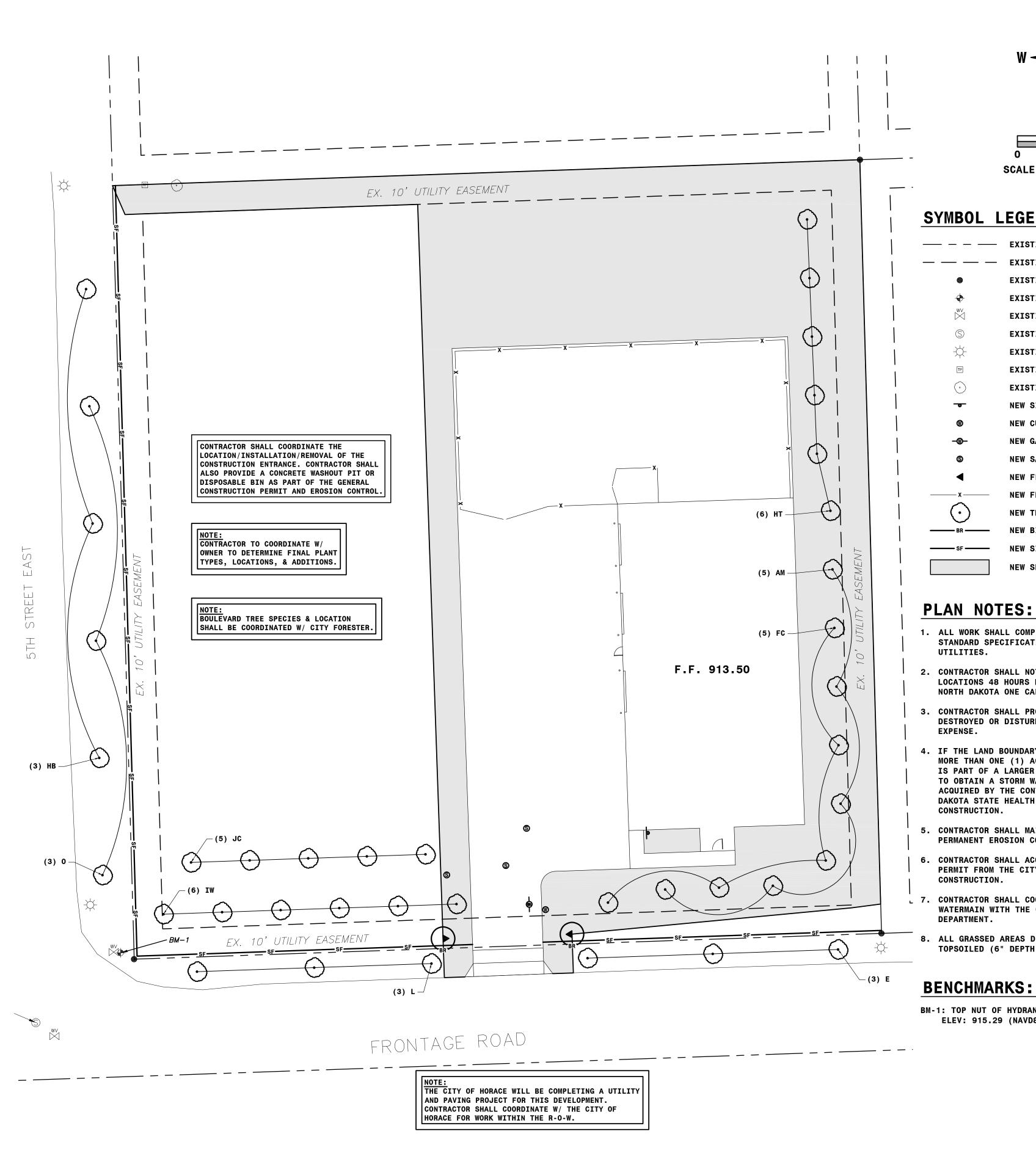
PROJECT NUMBER: 2016-31

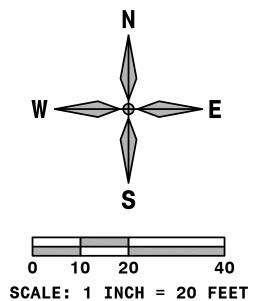
FLOOR PLAN

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SYMBOL LEGEND:

	EXISTING PROPERTY LINE
	EXISTING EASEMENT LINE
	EXISTING PROPERTY PIN
•	EXISTING BENCHMARK
₩v ⊠	EXISTING WATER GATE VALVE
S	EXISTING SANITARY MANHOLE
\	EXISTING LIGHT POLE
ТР	EXISTING COMMUNICATIONS PEDESTAL
\odot	EXISTING TREE
-	NEW SIGN
w	NEW CURB STOP
	NEW GATE VALVE
©	NEW SANITARY CLEANOUT
◄	NEW FLARED END SECTION
x	NEW FENCE
\odot	NEW TREE
BR	NEW BIOROLL
SF	NEW SILT FENCE
	NEW SEEDING AREA

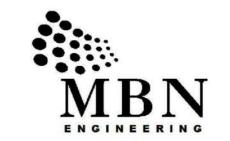
- 1. ALL WORK SHALL COMPLY WITH THE MOST RECENT CITY OF HORACE STANDARD SPECIFICATIONS FOR CONSTRUCTION OF PUBLIC
- 2. CONTRACTOR SHALL NOTIFY UTILITY COMPANIES FOR UNDERGROUND LOCATIONS 48 HOURS PRIOR TO BEGINNING CONSTRUCTION. NORTH DAKOTA ONE CALL PHONE NUMBER: 1-800-795-0555.
- 3. CONTRACTOR SHALL PROTECT ALL PROPERTY PINS. PROPERTY PINS DESTROYED OR DISTURBED SHALL BE REPLACED AT CONTRACTORS
- 4. IF THE LAND BOUNDARY DENOTED ON THE PLANS ENCOMPASSES MORE THAN ONE (1) ACRE OR IS LESS THAN ONE (1) ACRE, BUT IS PART OF A LARGER DEVELOPMENT PLAN, A NOTICE OF INTENT TO OBTAIN A STORM WATER POLLUTION PERMIT SHALL BE ACQUIRED BY THE CONTRACTOR AND OWNER FROM THE NORTH DAKOTA STATE HEALTH DEPARTMENT SEVEN (7) DAYS PRIOR TO
- 5. CONTRACTOR SHALL MAINTAIN TEMPORARY EROSION CONTROL UNTIL PERMANENT EROSION CONTROL IS ESTABLISHED.
- 6. CONTRACTOR SHALL ACQUIRE AN EROSION SEDIMENT CONTROL (ESC) PERMIT FROM THE CITY OF HORACE PRIOR TO START OF
- 7. CONTRACTOR SHALL COORDINATE TAPPING OF THE EXISTING WATERMAIN WITH THE CITY OF HORACE MAINS AND HYDRANTS
- 8. ALL GRASSED AREAS DISTURBED BY CONSTRUCTION SHALL BE TOPSOILED (6" DEPTH), GRADED, SEEDED, AND HYDRO-MULCHED.

BM-1: TOP NUT OF HYDRANT ELEV: 915.29 (NAVD88)

RYAN BROTHER'S

THOR BUILDERS

FARGO, NORTH DAKOTA



MECHANICAL * ELECTRICAL * CIVIL 503 7TH ST. N, SUITE 200 FARGO, ND 58102 PHONE: 701.478.6336 FAX: 701.478.6340

KEYNOTES:

LANDSCAPE REQUIREMENTS:

BOULEVARD STREET TREES

REQUIRED

ONE (1)-14" CALIPER STREET EVERY 35'

PROVIDED BOULEVARD STREET TREES = 12

ZONING: C-3 GENERAL COMMERCIAL

4 PLANT UNITS PER 1,000 SF REQUIRED PLANT UNITS = 270 UNITS PROVIDED PLANT UNITS = 270 UNITS

LANDSCAPING SCHEDULE:

CODE	PLANT TYPE	QUANTITY	UNITS
	LARGE DECIDUOUS TREE (10 UNITS EA), MIN $1\frac{1}{2}$ " CALIPER, MIN 30' MATURE HEIGHT		
AM	AMUR MAPLE	5	50
FC	FLOWERING CRABAPPLE	5	50
JL	JAPANESE LILAC	5	50
IW	IRONWOOD	6	60
нт	HAWTHORN	6	60
	COMPLETE UNIT TOTAL	27	270

CODE	PLANT TYPE	QUANTITY
	LARGE DECIDUOUS TREE, MIN $1\frac{1}{4}$ " CALIPER, MIN 30' MATURE HEIGHT	
L	LINDEN	3
0	OAK	3
E	ELM	3
НВ	HACKBERRY	3
	TOTAL	12

REVISIONS: NO. DATE DESCRIPTION 10/06/22 CITY REVIEW

GENERAL NOTES

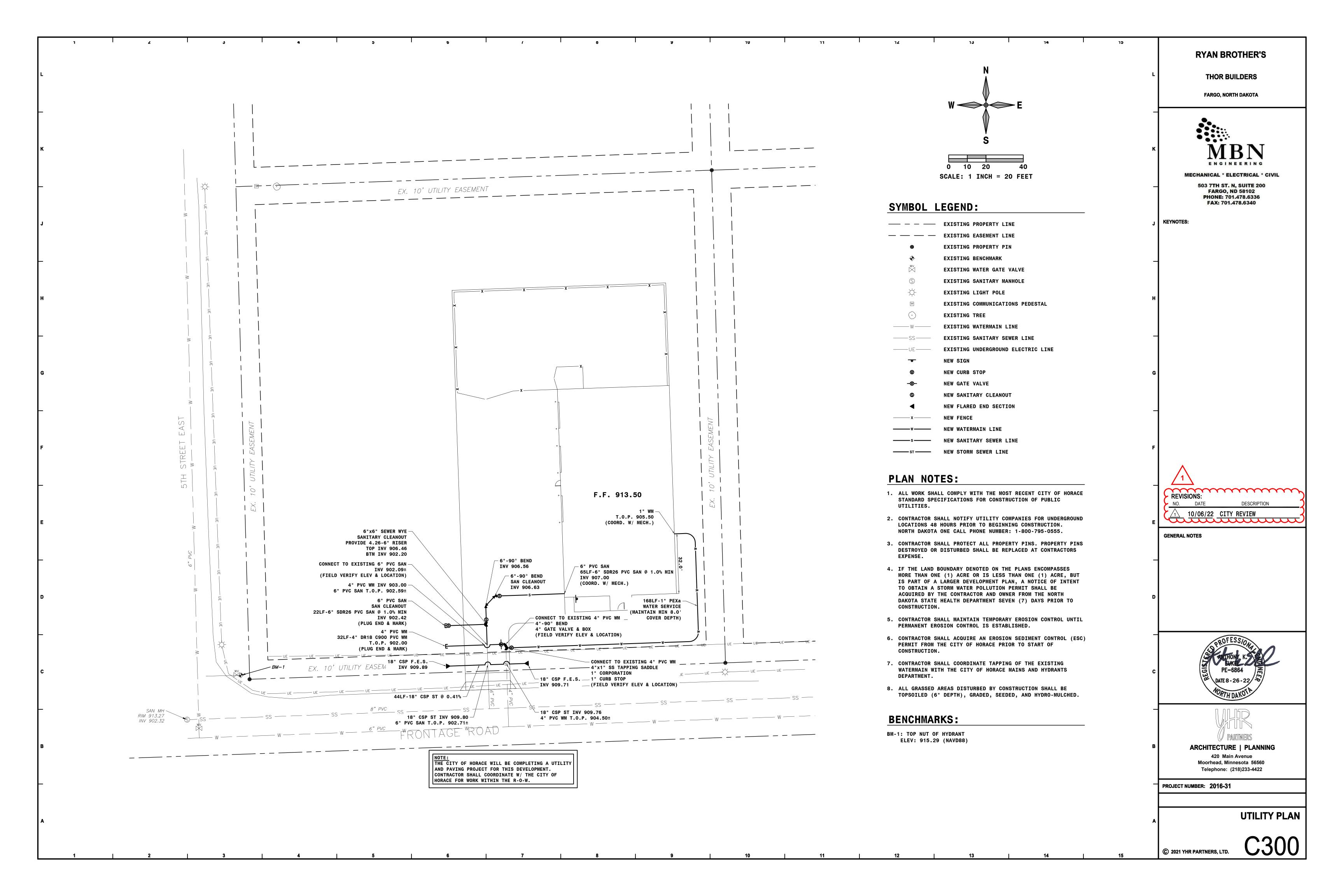


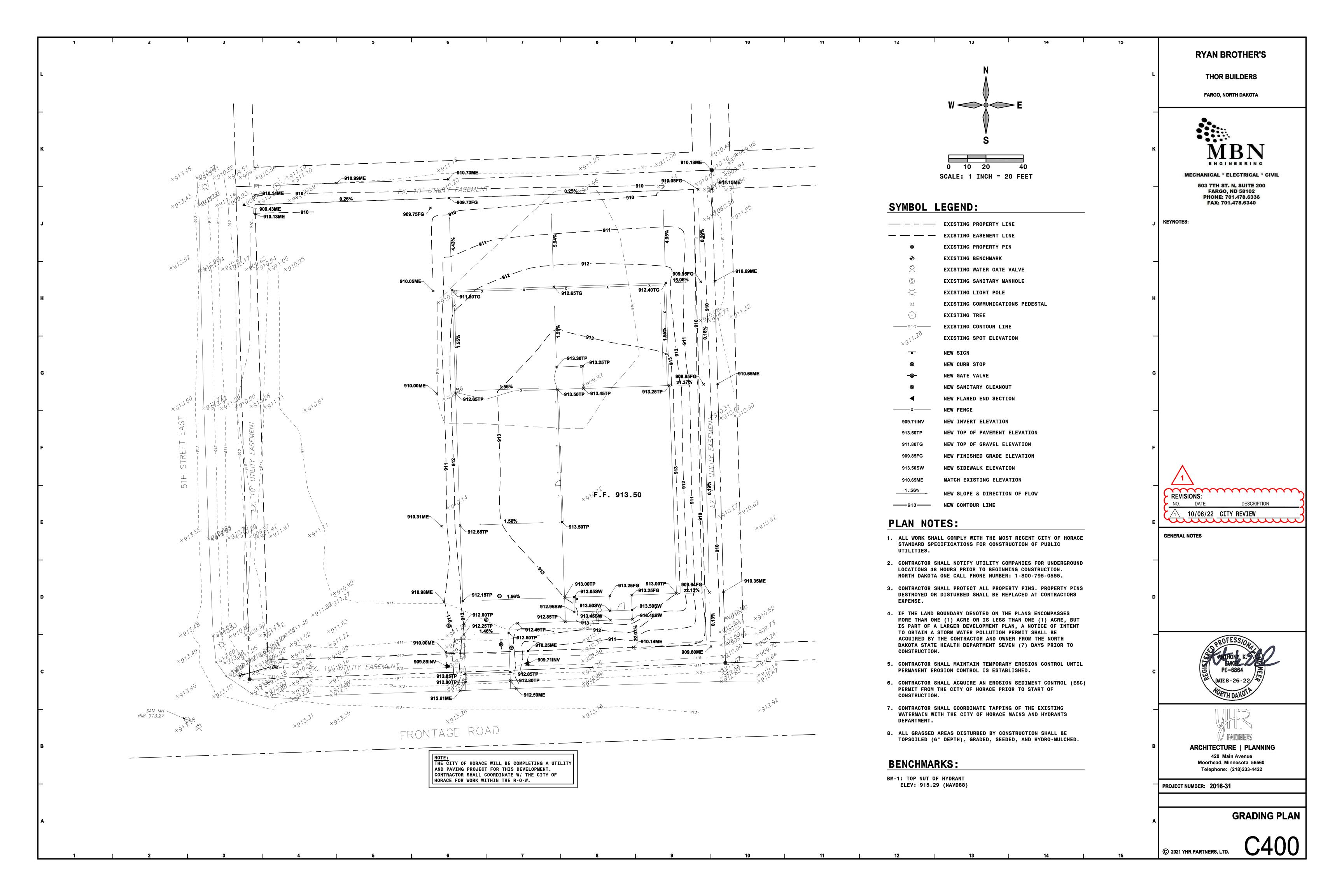


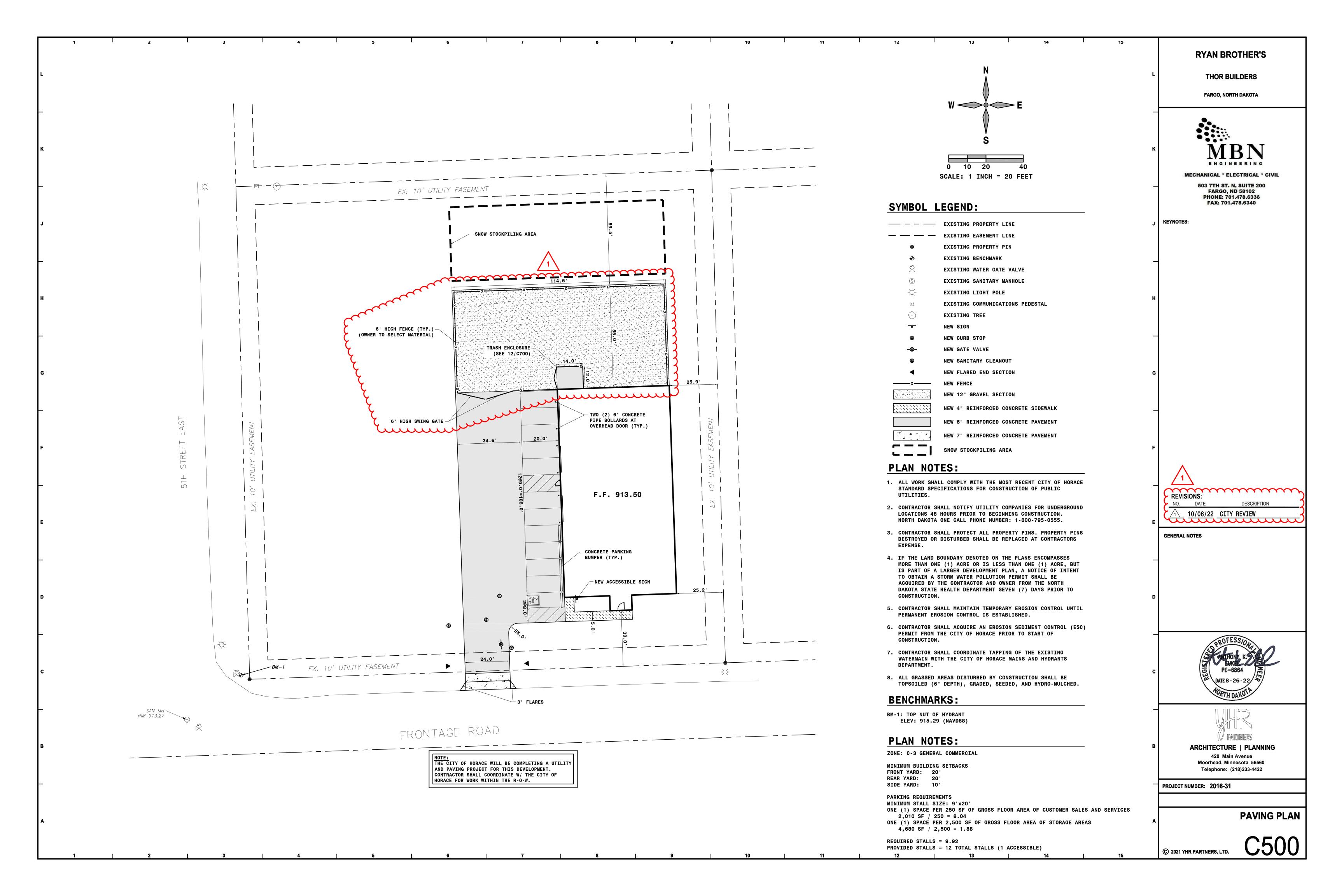
PROJECT NUMBER: 2016-31

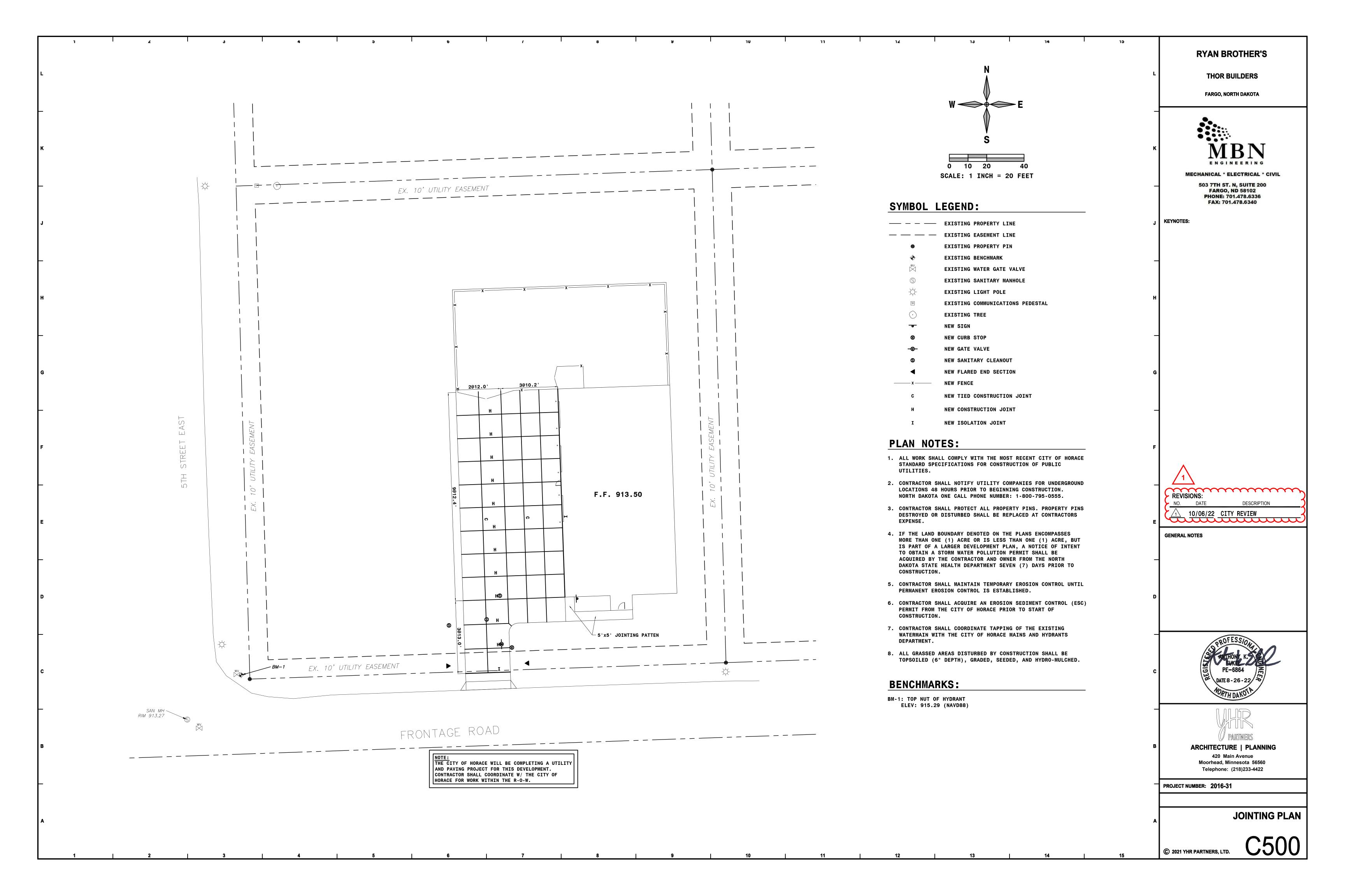
EROSION CONTROL / LANDSCAPING PLAN

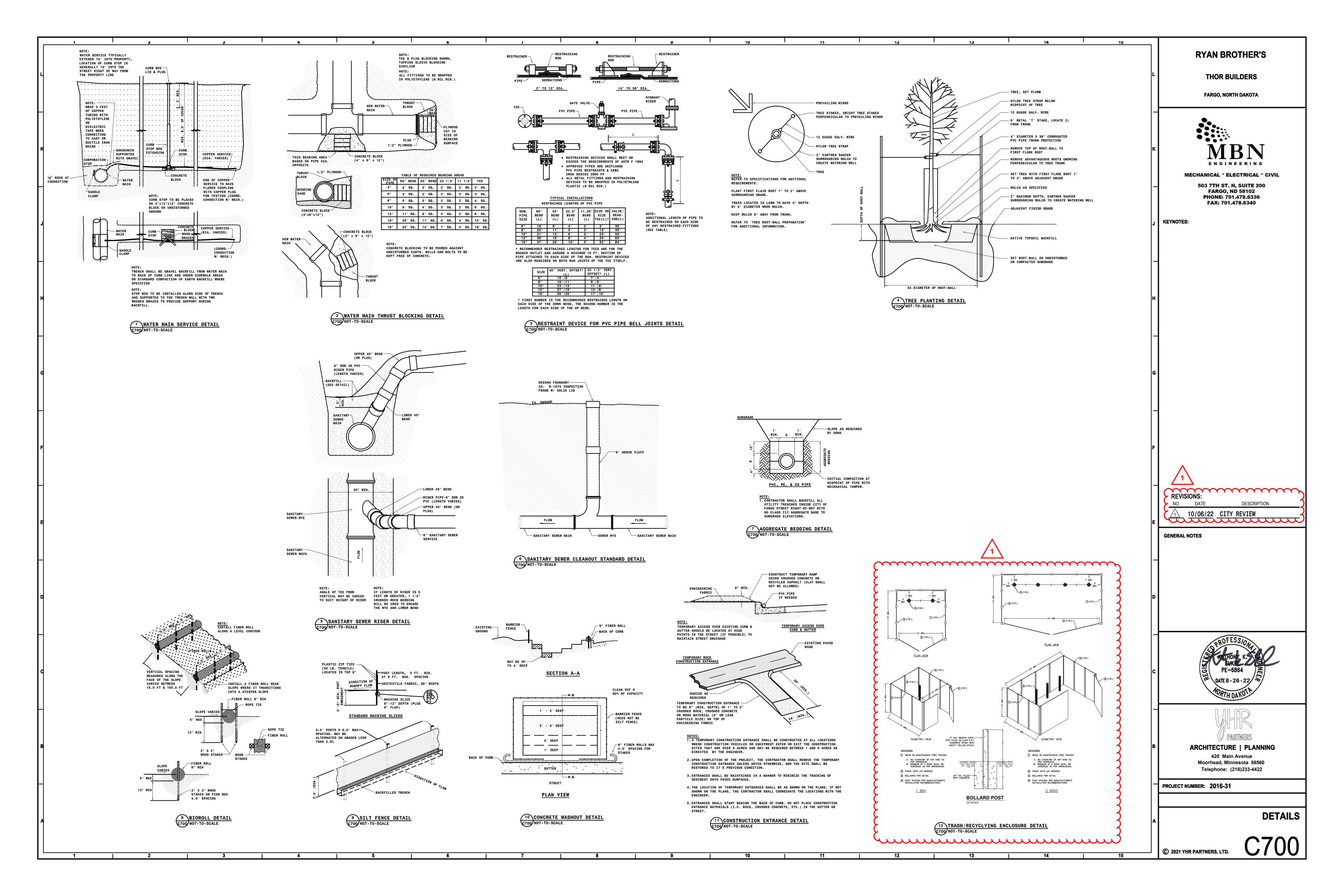
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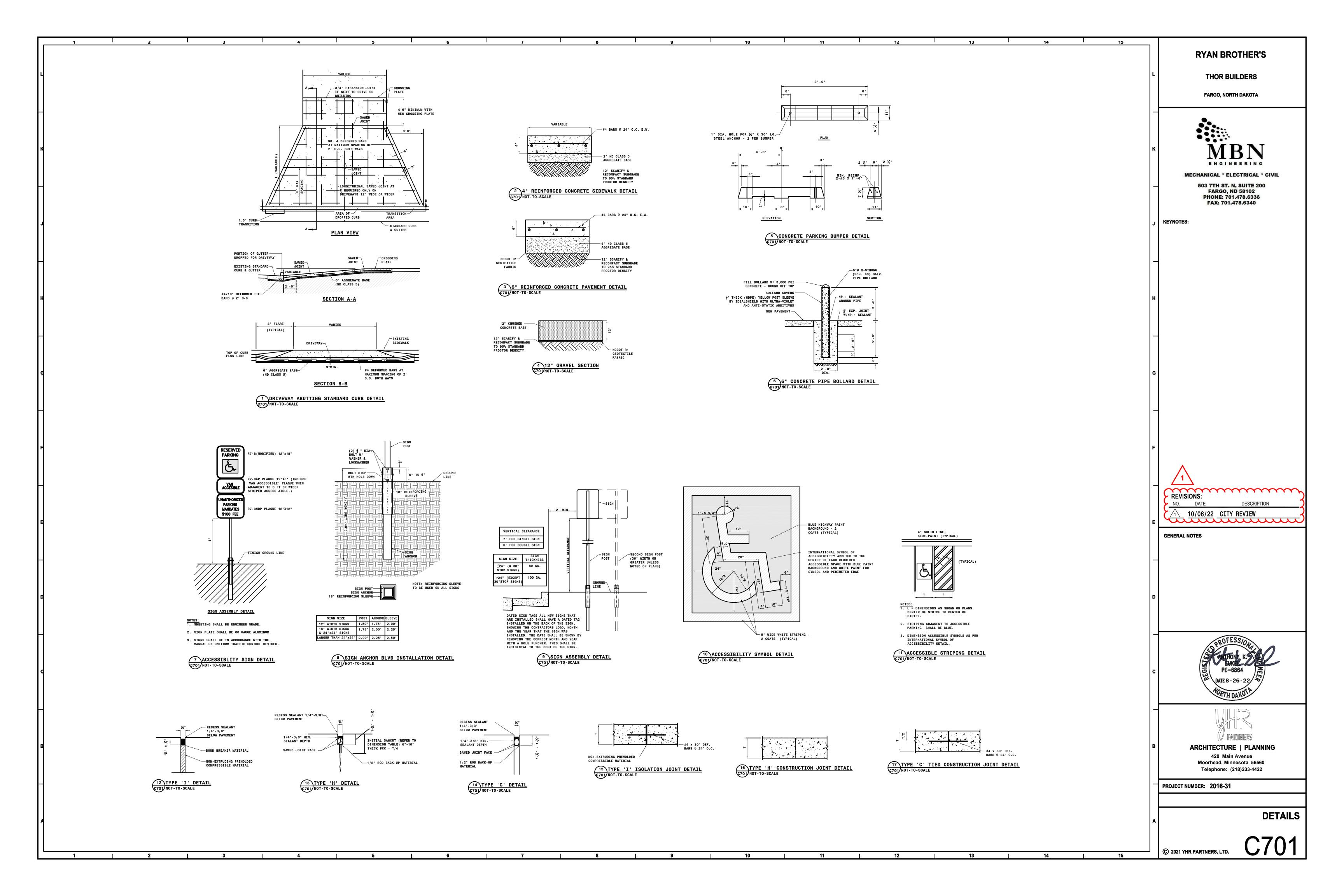














Community Development Building Permit Review

September 30, 2022

Project Name: Ryan Brother – New Commercial Office/Storage Building

Location: 1030 5th St E. Horace, ND 58047

Owner: Ryan Brothers Inc Applicant/Contact: Thor Buildings LLC

Thad Thorness

Thad@Thorbuildings.com

This review is related to the requirements specified in the City of Horace's Land Use Ordinance (Title 4). The following items must be addressed prior to the application being presented to the Planning and Zoning Commission for Design Review approval.

- Sheet A200: Provide product details on "Siding-1" and "Siding-2"
- **Sheet A200:** Horace City Code 17.8.12 (6)(a)(iii) requires the ground floor building facades of commercial buildings to have minimum of 20% glass windows.
 - The Planning and Zoning Commission does have the ability to waive this requirement on a case-by-case basis
- **Sheet C200:** Ensure Street trees have a spacing of 40 ft from point of intersection (Frontage Road and 5th St E)
- Sheet C200: provide a minimum of 9 different tree species per Horace City Code 17.8.8 (7)(a)
- **Sheet C200:** Apart from seeding, will there be additional landscaping located in the planter adjacent to the main entrance to the office?
 - o Provide Plant Detail
- **Sheet C200:** Apart from seeding, will there be additional landscaping located in the green space strip directly west of the drive aisle?
 - o Provide Plant Detail
- **Sheet C500:** What is the intended use of the identified gravel area?
 - o Will the area be enclosed and fully screened from view of the roadway
- **Sheet C500:** What is the intended use of the remaining portion of the property (West of the building along 5th St)
- Sheet C500: Provide trash enclosure placement and detail.

1030 5th St E is currently zoned C-3 (General Commercial), which requires a Conditional Use Permit to be granted prior to the issuance of a building permit. A complete Conditional Use Permit application has been submitted, and required noticing procedures are The first public hearing with the Planning and Zoning Commission, who will serve as the recommending body, is scheduled for October 11, 2022 at 6:00PM at the Fire Hall. The second public hearing with the City Council, who will make the final determination, is **tentatively** scheduled for November 7, 2022.

Once the above-mentioned corrections and questions have been addressed, pending any additional corrections, the Design Review will be presented to the Planning and Zoning Commission for their approval at their next available regularly scheduled meeting.

Following an approval of the Conditional Use Permit and Design Review, and all associated departmental signoffs have been received, a building permit may be issued for the proposed project upon your request.



Regards,

Jace Hellman City of Horace

Community Development Director



October 6, 2022

Jace Hellman City of Horace Community Development Director

RE: Ryan Brothers

New Commercial Office/Storage Building 1030 5th St E, Horace, ND 58047

MBN Project No. 22-131

Jace,

See MBN's Civil responses to your original comments below in **RED**. See attached updated Civil Set with revlouds illustrating the changes described. The updated set will be reissued through the portal, it is attached for your convenience.

- Sheet C200: Ensure Street trees have a spacing of 40 ft from point of intersection (Frontage Road and 5th St E)
 - Street trees have been spaced to a minimum of 40 ft.
- Sheet C200: provide a minimum of 9 different tree species per Horace City Code 17.8.8(7)(a)
 - Number of species has been added to 9.
- Sheet C200: Apart from seeding, will there be additional landscaping located in the planter adjacent to the main entrance to the office?
 - > Provide Plant Detail
 - No additional landscaping is being proposed in this area.
- Sheet C200: Apart from seeding, will there be additional landscaping located in the green space strip directly west of the drive aisle?
 - Provide Plant Detail
 - o No additional landscaping will be added in this area for potential future expansion.
- Sheet C500: What is the intended use of the identified gravel area?
 - Will the area be enclosed and fully screened from view of the roadway
 - The intended use for the gravel area is for trailer/material storage. 6' high fence w/ a gate is now shown around the entire permiter.
- Sheet C500: What is intended use of the remaining portion of the property (West of the building along 6th St)
 - Intended use has not been decided by Owner but remains open for potential future expansion.
- Sheet C500: Provide trash enclosure placement and detail.
 - o Trash enclosure is now shown on sheet C500 with a detail on sheet C700.

Please call our office at 701-478-6336 with any questions.

Sincerely,



126.50

Tony Eukel, P.E. Civil Engineer



420 Main Avenue, Moorhead, Minnesota 56560 Ph: 218.233.4422 www.yhr.com

October 6, 2022

Jace Hellman Community Development Director City of Horace 215 Park Drive E. Horace, ND 58047

Re: Ryan Brothers - New Commercial Office/Storage Building

In response to your review letter dated 9/30/22 for the above listed project. We have attached plans as needed. Numbers below correspond to your review letter.

Sheet A200 – all siding for the project will be ribbed vertical metal siding in 3'-0" widths. Sheet A200 – we will be going in front of the planning and zoning commission to waive this requirement.

See attached document from MBN concerning civil response with drawings.

YHR Partners Richard Meier, AIA Principal