



## **HORACE PLANNING and ZONING COMMISSION MEETING MINUTES**

February 28, 2023 | 6 p.m.

Horace Fire Hall Event Center | 413 Main Street, Horace ND 58047

**Present:** Planning and Zoning Commissioners, Amy Beaton (Via Phone), Julie Hochhalter, Russell Sahr and Doug Wendel; and Community Development Director Jace Hellman

*Due to Chair Beaton calling into the meeting, Vice Chair Hochhalter ran the meeting.*

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

### **Agenda Item 1: Declare Quorum**

### **Agenda Item 2: Regular Agenda**

Commissioner Wendel moved to approve the Regular Agenda. Seconded by Commissioner Sahr. All in favor, none opposed. Motion carried 4-0.

### **Agenda Item 3: Approve the February 14, 2023, Planning and Zoning Commission Meeting Minutes**

Commissioner Sahr moved to approve the minutes from February 14, 2023. Seconded by Chair Beaton. All in favor, none opposed. Motion carried 4-0.

### **Agenda Item 4: 7675 Jacks Way – Rezone and Conditional Use Permit | Jace Hellman, Community Development Director**

Mr. Hellman presented the application for Rezone and Conditional Use Permit. Mr. Hellman explained that a portion of this property was zoned C-1 prior to the replat approval of Lakeview Heights 5<sup>th</sup> Addition, and that at the time of the application for rezone and plat were approved for Lakeview Heights 5<sup>th</sup> Addition, the entire property was zoned C-2. Mr. Hellman noted that a Conditional Use Permit was required in both the C-2 and C-1 zones, however the C-2 zoning district did not allow conditional use permits to be approved within 200 feet of a residential district. Mr. Hellman went on to say that the reason for requiring a conditional use permit is to ensure that the surrounding properties would be not impacted by the proposed use.

Vice Chair Hochhalter opened the public hearing for both the rezone and conditional use permit at 6:04 PM.

Commissioner Wendel asked what the properties across the street were designated as. Mr. Hellman explained that the properties were designated as Community Focus, and with that designation we could expect commercial and higher density residential. Commissioner Sahr mentioned that much of that property was now owned by one developer. Commissioner Wendel asked when the new land use ordinance was in place, how will it affect this conditional use permit. Mr. Hellman explained that the new ordinance would still require a conditional use permit. Additionally, Mr. Hellman added that the upcoming ordinance amendment would not impact the decision of this proposal, as it is required to be approved under the standards of the current ordinance. Commissioner Wendel asked if the access onto 76<sup>th</sup> Ave S would be a right in only. Mr. Hellman mentioned that that was the decision provided by the County when Lakeview Heights 5<sup>th</sup> Addition went through the approval process.

Vice Chair Hochhalter closed the public hearing for both the rezone and conditional use permit at 6:16 PM.

Commissioner Sahr moved to approve the rezone as presented for 7675 Jacks Way. Seconded by Commissioner Wendel. All in favor, none opposed. Motion carried 4-0.



Commissioner Sahr moved to approve the conditional use permit for 7675 Jacks Way with the condition that landscaping be provided to screen the car wash stacking area and dress up the corner. Seconded by Commissioner Wendel. All in favor, none opposed. Motion carried 4-0.

**Agenda Item 5: Rivers Edge 2<sup>nd</sup> Addition – Plat Amendment | Jace Hellman, Community Development Director**

Mr. Hellman presented the proposed modifications to the approved Rivers Edge 2<sup>nd</sup> Addition plat. Mr. Hellman discussed the changes page by page with the commission. As discussed in the meeting, the changes included the expansion of HOA lots, the addition of an HOA lot, the renaming of a street stub from 78<sup>th</sup> to 77<sup>th</sup>, removal of excess Right of Way along Memory Lane, and the reduction of buildable lots.

Commissioner Wendel moved to recommend approval of the proposed plat modification for Rivers Edge 2<sup>nd</sup> Addition. Seconded by Commissioner Sahr. All in favor, none opposed. Motion Carried 4-0.

**Agenda Item 6: Adjournment at 6:34 p.m.**