

MANDAN PLANNING AND ZONING COMMISSION

MANDAN CITY HALL BUILDING

July 27, 2015

The Planning and Zoning Commission of Mandan duly met in session in the meeting room of the Mandan City Hall Building on July 27, 2015, at 5:15 p.m. CDT.

Commissioners Present: Klein, Van Beek, Leingang, Laber, Mehlhoff, Beach, Robinson

Commissioners Absent: Zachmeier, Fleischer, Kelly, Knoll, Liepitz

*Commissioner Leingang motions to approve the June 22, 2015 minutes. Commissioner Laber seconds. Upon vote, the motion receives unanimous approval of the Board.*

**NEW BUSINESS**

**1. A request from Enclave Equities LLC, with authorization from Mitzel Builders, Inc. for preliminary plat approval of Lakewood 9<sup>th</sup> Addition. Said addition is a portion of the NE ¼ of Section 1, Township 138N, Range 81W. The property is located west of 40<sup>th</sup> Avenue SE and south of 19<sup>th</sup> Street SE.**

Bob Decker, City Planner, describes and identifies the area. This request is driven by a proposal for an assisted living center on part of the property. The project includes several different zoning categories. A zone change request will be coming. There is a deadline in 2017 for the assisted living center. This area is in a flood plain and the elevation will have to be brought up to buildable grade.

*Commissioner Leingang motions to approve the preliminary plat with approval of the following, before it goes before City Commission: a developer's agreement, construction plans and stormwater plans. Commissioner Laber Seconds. Upon vote, the motion passes unanimously.*

**2. A request from Mariner Construction, Inc. and Dixon Properties, LLC for a change of zoning. The request is to change the zoning of Lot A of 19, Block 1, Twin City Industrial Sites from MC (Light Non-Nuisance Industrial/Heavy Commercial) to MB (Heavy Industrial/Heavy Commercial). The property is located at 301 and 305 Bisman Avenue SE.**

Bob Decker, City Planner, describes and identifies the area. This is the site of the old cheese plant. The west side of the property would be used as an asphalt plant. The current plant is west of town. The raw material used for the asphalt plant is stored in tanks just west of this site. Having it next door would reduce the hauling and traffic on Main Street. The Mariners have discussed it with neighbors who support the project and signed letters stating so. They also received letters giving the ok from utility companies and state air quality authorities. The road to this site is paved from Twin City Drive and Memorial Highway.

Steve Mariner, Mariner Construction, Advanced Truss Systems has lots 11, 12, 13, 14. Braun has 15. They've all signed in favor. Lots 17 & 18 have signed. Dixon Properties is the other half of the 19. He is also requesting. Farmers Union owns that whole piece to the west. They've signed also. Glass didn't sign but they were in favor. I would say it's like 90% that has signed.

Mayor Van Beek asks Steve to explain how the property will be used. Steve says the raw material for the oil comes from next door, CHS. They buy it from there and haul it through Mandan. That is about 600 trips a year. They run an estimated 9,000 truckloads on Main Street. This project would eliminate loads on Main Street. They would only use Main Street for projects in Mandan. They mix 3 different materials and blend it with the asphalt. They would be running natural gas so they wouldn't have any of the waste oil. They have a bag house not a scrubber that would be a lot cleaner. That is why he has the letter from the health department. Steve says Tim Olster at Advanced Truss plant told him they haven't noticed the odor from the oil for several years. There have been a lot of changes in how it is produced. The heat will not be an issue.

Mayor Van Beek asks about the tar smell. Steve says that comes from Tesoro.

*Commissioner Mehlhoff motions to approve the zone change. Commissioner Van Beek Seconds. Upon vote, the motion passes unanimously.*

**3. A request from Mandan 94 Investors, LLP, for a change of zoning. The request is to change the zoning of a portion of the south half of Section 22 together with Lot 2 of Lot A of the southwest quarter in Section 22, Township 139N, Range 81W from MA (Light Non-Nuisance Industrial/Heavy Commercial) to CC (Heavy Commercial). The property is located on Old Red Trail and is the site of the Mandan Sports Complex.**

Bob Decker, City Planner, describes and identifies the area. The current owner is requesting the zone change to commercial. The recently adopted comprehensive plan designated this area as commercial. There are a couple interstate billboards to the south. A traffic light at Collins may have to be factored in. There would have to be traffic control in the planning. The street (16<sup>th</sup>) would be extended west and loop around the complex and out to Old Red Trail.

Commissioner Mehlhoff asks if there has been any discussion on a PUD zoning. Bob says there hasn't been with the current owner. Parks and Recreation could look at that option after they acquire the property or if a different buyer would come in interested in the west or east ends of the property.

The road would along the north side of the bike path. The path is already Parks and Recreation property. A request has been made to the DOT to widen Old Red Trail adding a turning lane for the 2 complex approaches. MDU still owns the land with the substation on and Bob does not know at this time if they intend to keep it or move it.

Marlene Gardner, NoDak Plumbing, "Eighth street currently isn't paved. I want to know if they are going to pave it and what impact that's going to be to neighboring specials and that in the area. Old Red Trail. we live north of town and we travel on Old Red Trail a lot. That street is not very wide. The increased traffic when the refinery lets out you take your life in your hands trying to get on Old Red Trail, because they don't stop for anybody. The road is going to have to have some work done to it."

Bob Decker says there is a request for funding to widen Old Red Trail. Interim to at least add a turning lane for access to the sports complex. There are no plans to pave that north/south roadway. Other work done to Old Red Trail would be a later decision.

*Commissioner Van Beek motions to approve the zone change. Commissioner Klein Seconds. The motion passes with the following vote: Klein-aye, Van Beek-aye, Leingang-aye, Laber-aye, Mehlhoff-nay, Beach-aye, Robinson-aye.*

### **OTHER BUSINESS**

#### **Planning & Zoning Commission televised broadcasting.**

The meetings will now be televised by Dakota Media Access. The city has to pay for the service already. It will benefit the community and give them an option to keep them informed.

Bob will be sending commissioners Municode homework. The zoning use groups will be the sections reviewed.

*Commissioner Laber motions to adjourn. Commissioner Van Beek seconds. Motion passes unanimously. Meeting adjourns at 5:57 p.m.*