

**LINCOLN PLANNING AND ZONING
MEETING MINUTES
Tuesday, March 30, 2021**

The Lincoln Planning & Zoning meeting was called to order by Chairman Borstad at 7:00 pm, virtually by ZOOM.

Attendance: Roll Call

Present: Keli Berglund, Josh Borstad, Elizabeth Flemming Darrin Huston, Reuben Panchol, John Shorey, Paul Wilkens

Present:

Justin Hagel (City Attorney), Kevin Nelson (City Engineer), Dustin Theurer (Bismarck Rural Fire Chief)

Chairman Borstad called for consideration of the minutes for February 26, 2021. Panchol spelling correction. Motion to approve by Panchol, second by Shorey. Motion carried.

Procedural Changes

The city requesting a procedure change to Public Hearings and Public Notices.

Motion to approve procedural change to charge developers for the costs of republishing and mailing out notices if the Engineer/Developer requests a Public Hearing be tabled or removed from the agenda after Publication and/or mailing of notices. Motion to approve by Wilkens, second by Shorey. Motion carried.

Lincoln School Addition First Replat – Final Plat and Zoning Change

Landon Neimiller of Swenson & Hagen representing developers. Asking for replat and zoning change. The business owners would take care of the road maintenance, snow removal, sewer and water, utilities and would have shared access. This would be a business district for the area.

City Engineer Nelson stated the developer did submit a storm water management plan waiver and that has been approved. Nelson recommends moving forward and that Planning and Zoning Commission call for a public hearing for the zoning change and call for a public hearing of the plat.

Motion to recommend call for public hearing for the final plat and zoning for Lincoln School Addition. Motion by Berglund, second by Shorey. Motion carried.

Dakota Breeze Second Addition – Final Plat and Zoning Change

Motion by Chairman Borstad to open Public Hearing at 7:14 pm

Landon Neimiller of Swenson & Hagen representing developers. There is a need to resolve a couple issues, park amongst them, before we go into a public hearing. Change minimum size of lots for single family and twin homes. Twin homes to the west will be served by a private loop which will be maintained by HOA. Even with changes being made they're still keeping the planned use under 40 units per acre which is still low density residential. Single family homes will be next to them. An agreement has been made with Lincoln Park District regarding dedication of trails. The developers are proposing a master plan for a much larger park on the west side of Lagoon Road.

Chief Theurer received confirmation from Neimiller that no changes to the hammerheads. No issue.

There being no further comments, Chairman Borstad closed the public hearing at 7:18

Motion to approve the final plat and forward to City Council for consideration and possible approval. Motion by Panchol, second by Berglund. Motion carried.

Motion to approve the zoning and forward to City Council for consideration and possible approval. Motion by Berglund, second by Flemming. Motion carried.

Rusch Second Addition – Preliminary Plat and Zoning Change

Landon Neimiller of Swenson & Hagen representing developers. Developer wishes to replat and rezone a portion of his land within Rusch Gabbert Rusch Addition to include undeveloped property on Bennett Street. Majestic Place lot split. Lot 8 is now lots 1-3 and will be combined with adjoining property owner's lots.

Butler Loop is partially constructed with a couple twin homes right now. Would like to replat the large lot into more single family home lots versus the previous plan for large multifamily. PUD would make it easier for the private road maintenance to be written in to the PUD and rezoning to PUD would match area to the west.

Bennett Street is a collector road running north and south along the east edge of Rusch Gabbert Rusch Addition and Rusch Addition. The west side of that quarter line all was platted in a couple of phases so there are single family home lots and twin home lots on the west side of that right of way. They're unbuildable at this point because only half of the right of way has ever been dedicated. So this next portion here is where we're dedicating the east half of the road, and then creating new single family lots and twin home lots on the east side so that road can be built at some point and those homes on both sides of the right of way can be developed.

The annexation request is for the additional portions within Rusch Gabbert Rusch Addition. This annexation request would be for this plat and then probably next year would be the lots along Bennett Street within of Rusch Gabbert Rusch. Approximately three to four years of phasing to bring in all these lots but platting and zoning them all at this time.

Chairman Borstad asked if 28th Avenue is already extended out to where the north/south street would be and is there an issue with crossing the water. Are developers looking at any options to connect down to the south to Lincoln Road or extending that road down? Neimiller stated this gives another looping system for people within that subdivision to get in and out of the area.

Wilkins discussion regarding future changes, number of developers, affordable housing in this development (which would be the PUD along Majestic Place).

Berglund questioned developing strips of land with nothing being dedicated to the parks. Neimiller states the Park Board determined they would prefer money option for this rather than land dedication with the assumption that the developer wouldn't be doing strips like this in the future. Developers are laying out a master plan to get the road down on Lincoln Road and master plan for a large park for the area. The developers own roughly 300 acres in that area so looking at 8 to 9 acres for one large park. Flemming receives confirmation that in that 250 acres is where they propose the park land would be.

Engineer Nelson recommended considering this a new sketch plat for this development because of the significant changes. Neimiller in agreement as it was not meant to be forwarded last month.

Motion to approve the sketch plat and move on to the preliminary plat. Motion by Shorey, second by Huston. Nay vote by Wilkins. Motion carried.

Motion to adjourn by Huston, second by Shorey. Motion carried.

Adjourned at 7:48 pm

Minutes submitted by Secretary, Keli Berglund, subject to request and revision by the Planning and Zoning Commission.