

**RESOLUTION NO. xxxx**

**BE IT, HEREBY, RESOLVED BY THE CITY COUNCIL** of the City of Minot, North Dakota, that a conditional use permit is granted to Don Malchose, Owner, Midwest Capital Group LLC, for a Conditional Use Permit to operate an indoor self-service storage facility and outdoor storage of vehicles, boats, RV's, etc. on property described as; LaViolette Addition, Lots 1 and 3, subject to the following conditions:

- 1) The applicant is allowed to use a portion of the site for outdoor storage of vehicles, boats, recreational vehicles, campers, etc. until June 1, 2020 without required screening with the understanding that the required screening will be constructed in the 2020 construction season in the form of additional storage buildings along the County Road 19 South frontage along with screening fences between the buildings. Issuance of a building permit for said storage buildings in the spring of 2020 shall show compliance with this condition. If no building permit is issued by June 1, 2020 the owner shall install an alternative method of screening that is approved by the City Planning Department, or all items stored in the outdoor storage area shall be removed from the site until the site can be brought into conformance.
- 2) City staff is requiring a modified site plan that depicts the limits of the area of the site that will be used for outdoor storage during this interim period.
- 3) Street trees are required along the frontages of County Road 19 South and 31<sup>st</sup> Street SE. These trees shall be minimum caliper of 1 ½ inch, of deciduous variety unless there are conflicts with overhead utilities in which case ornamental trees meeting the same size standard can be substituted. The Landscape Plan submitted shows a quantity of 51 trees. The owner may elect to preserve and protect the trees along 31<sup>st</sup> Street SE during construction as an acceptable substitute to planting new trees. There are three (3) gaps in the existing tree line that need to be filled by planting one (1) tree in each gap. Alternatively, the owner can replace the existing trees with new trees as the original landscape plan depicted.
- 4) No foundation plantings around the building or interior parking lot landscaping are required.
- 5) A buffer yard is required where R1 zoning abuts the subject property on the west side. Beginning at the south end of the property, the first three-hundred (300) feet north is not subject to the buffer yard requirement because the use is established as an electrical power substation. From that point north and then west along the north property line of the residential lot to 31<sup>st</sup> Street the buffer yard shall be installed. The minimum width of the buffer yard is twenty (20) Feet. The buffer yard shall be planted to turf grass, sod or seed, with one (1) tree per twenty (20) lineal feet, of which fifty percent (50%) shall be conifers at least five (5) feet in height at the time of planting. The remaining trees can also be conifers or deciduous or ornamental trees at 1 ½" caliper. The buffer yard shall not be paved or rocked and shall not be used for outdoor storage .
- 6) A Storm Water Management Plan is required and must be approved by the City of Minot Engineering Department and the Ward County Water Board.

- 7) Access to County Road 19 South must be approved by the Ward County Highway Department.
- 8) If substantial construction has not taken place within one (1) year of the date on which the conditional use permit was granted, the permit is void except that, on application, the council, after receiving recommendation from the Planning Commission, may extend the permit for such additional period as it deems appropriate. If the conditional use is discontinued for six (6) months, the conditional use permit shall become void. This provision shall apply to conditional use permits issued prior to the effective date of this title, but the six (6) month period shall not be deemed to commence until the effective date of this title.
- 9) An amended conditional use permit may be applied for and administered in a manner similar to that required for a new conditional use permit. Amended conditional use permits shall include reapplications for permits that have expired or have been denied, requests for substantial changes in conditions or expansions of use, and as otherwise described in this Ordinance. Applications for conditionally permitted uses which consist of multiple structures to be developed on the property shall include a conceptual development plan showing the structures proposed. The conditional use permit is approved for the use of the property which does not require an amendment each time a structure is proposed; however, once proposed development exceeds the approved conceptual development plan or if the characteristics of use change, an amended application shall be submitted for consideration.

Passed and adopted this 7th day of October, 2019.

APPROVED:

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Shaun Sipma, Mayor

ATTEST:

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Kelly Matalka, City Clerk