RESOLUTION NO. xxx

BE IT, HEREBY, RESOLVED BY THE CITY COUNCIL of the City of Minot, North Dakota, that an amendment to a Conditional Use Permit is granted to Minot Storage, LLC. The initial Conditional Use Permit was granted to Scott Binz of Red Headed Rebel, LLC, to operate an enclosed climate controlled storage facility through Resolution No. 3621 on a property described as:

South Park Terrace 4th Addition, the north 200 feet of Lots 9, 10, 11 less Sublot A of Lot 9

Subject to the following Conditions:

1) Licensing:
   a) This Conditional Use Permit (CUP) shall serve as the license from the City of Minot to operate this facility under the terms of the permit at this location only and shall not be transferrable to another location.
   b) Upon issuance of this permit, the property owner shall be deemed the permittee or permit holder and agrees to the terms of this permit and to follow all ordinances and regulations of the City of Minot and all county, state, and federal laws and regulations.
   c) The CUP can be revoked at any time by the City Council following a show-cause hearing.

2) The City of Minot, its employees, agents, and assigns shall not be liable for any damages caused to neighboring properties as a result of the issuance of this permit and the operation of the climate-controlled storage facility.

3) Landscaping Plan. The following items shall be addressed to Planning Staff satisfaction with the building permit submittal for this project.
   a) A detailed Landscape Plan, drawn to scale, shall be submitted indicating the proposed location and species of all plant material along with a plant list summarizing the quantity, species, and size of all trees, shrubs, and other plant material.
   b) Show limits of seeding or sodding for turf grass.
   c) Include a planting bed at least four feet in width along the entire lineal footage of the east facing façade with foundation plantings such as shrubs, groundcovers, perennials, ornamental grasses, turf grass, or a combination. Include these plants in the plant list.
   d) Add four (4) additional trees along the west property line for a total quantity count of (10) trees in this area. At Least five (5) of the (10) trees must be conifers. The balance can be conifers or deciduous trees.
   e) All Plant material must meet minimum size standards as set forth in Chapter 24, Landscaping, of the Minot Zoning Ordinance.

4) Any outdoor storage shall comply with all screening requirements of the Minot Zoning Ordinance for C2 Zoning Districts.

5) 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.

6) 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.

The following condition from the initial Conditional Use Permit was removed:

1.c. A change in ownership shall be cause for an amended or new CUP.

Passed and adopted this 19th day of April 2021.

APPROVED:

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Shaun Sipma, Mayor

ATTEST:

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Kelly Matalka, City Clerk