



**CITY OF MOORHEAD  
PLANNING COMMISSION / BOARD OF ADJUSTMENT  
MEETING MINUTES  
JULY 8, 2020 AT 5:00 PM**

Pursuant to due call and notice thereof, a regular meeting of the Planning Commission was held virtually from Moorhead City Hall, on July 8, 2020, at 5:00 PM.

**Roll call of the members was made as follows:**

Board Member, Ward 1:	Nicole Mattson	Present
Board Member, Ward 2:	Ben Hammer	Absent
Board Member, Ward 3:	Brent Behm	Present
Board Member, Ward 4:	James McKinstra	Absent
Board Member, At Large:	Timothy Stone	Joined meeting at 5:15
Board Member, City Council:	Steve Lindaas	Present
Board Member, County Board:	Jim Haney	Present

**I. Roll Call**

**II. Agenda**

**Motion to Approve made by Steve Lindaas and seconded by Brent Behm**

*Motion Passed: For: 4; Against: 0; Abstain: 0; Absent: 3*

**III. Approval of Minutes**

1. June 3, 2020

**Motion to Approve made by Steve Lindaas and seconded by Brent Behm**

*Motion Passed: For: 4; Against: 0; Abstain: 0; Absent: 3*

**IV. Citizens To Be Heard**

**V. Public Hearing – Board of Adjustment**

1. [Request of D. Restemayer for the following considerations at 201 & 309 17<sup>th</sup> St N:](#)

- A. Variance to exceed maximum impervious surface coverage
- B. Variance to exceed Street Side Yard Setback

**Motion to Open Public Hearing made by Steve Lindaas and seconded by Brent Behm**

*Motion Passed: For: 4; Against: 0; Abstain: 0; Absent: 3*

Staff briefed Commissioners on the request. The applicant, on behalf of D-S Beverages, is requesting two variances:

1. from the 10 foot street side yard setback and
2. to exceed the previous approval of 92% maximum impervious surface coverage.

The variances are needed to accommodate the expansion of an existing building and to allow a long-standing Moorhead business to remain in its current location. To date, no public comments have been received.

Staff recommends approval contingent upon the following conditions:

1. 201 & 309 17 Street North shall be combined into one parcel.
2. Building setback along east property line shall be a minimum of two feet from the property line.
3. Maximum impervious surface coverage shall not exceed 95% for the combined lots.
4. Building exterior shall be constructed to match the existing building, generally as detailed within the building elevations reviewed by the Moorhead Board of Adjustment and Appeals on July 8, 2020.
5. If approved by City Engineer, proposed street access spacing is supported by the Planning Commission/Board of Adjustment and Appeals.
6. If the proposed building expansion, outlined in the variance application, does not occur within one year of the date of the Board of Adjustment and Appeals approval, the variances are void, unless a petition for an extension is received according to Section 10-5-4 of the Moorhead City Code.
7. Owner responsible for coordinating and funding any costs relating to relocation or extension of utilities and/or easements for the project, as required.
8. Owner shall obtain all required permits.

**Motion to Close Public Hearing made by Steve Lindaas and seconded by Brent Behm**

*Motion Passed: For: 5; Against: 0; Abstain: 0; Absent: 2*

**Motion to Approve made by Steve Lindaas and seconded by Brent Behm**

Request of D. Restemayer for Variance to exceed street side yard setback at 201 & 309 17<sup>th</sup> St N contingent upon the following conditions:

1. 201 & 309 17 Street North shall be combined into one parcel.
2. Building setback along east property line shall be a minimum of two feet from the property line.
3. Maximum impervious surface coverage shall not exceed 95% for the combined lots.
4. Building exterior shall be constructed to match the existing building, generally as detailed within the building elevations reviewed by the Moorhead Board of Adjustment and Appeals on July 8, 2020.
5. If approved by City Engineer, proposed street access spacing is supported by the Planning Commission/Board of Adjustment and Appeals.
6. If the proposed building expansion, outlined in the variance application, does not occur within one year of the date of the Board of Adjustment and Appeals approval, the variances are void, unless a petition for an extension is received according to Section 10-5-4 of the Moorhead City Code.
7. Owner responsible for coordinating and funding any costs relating to relocation

- or extension of utilities and/or easements for the project, as required.
8. Owner shall obtain all required permits.

*Motion Passed: For: 5; Against: 0; Abstain: 0; Absent: 2*

**Motion to Approve made by Steve Lindaas and seconded by Brent Behm**

Request of D. Restemayer for Variance to exceed maximum impervious surface coverage at 201 & 309 17<sup>th</sup> St N contingent upon the following conditions:

1. 201 & 309 17 Street North shall be combined into one parcel.
2. Building setback along east property line shall be a minimum of two feet from the property line.
3. Maximum impervious surface coverage shall not exceed 95% for the combined lots.
4. Building exterior shall be constructed to match the existing building, generally as detailed within the building elevations reviewed by the Moorhead Board of Adjustment and Appeals on July 8, 2020.
5. If approved by City Engineer, proposed street access spacing is supported by the Planning Commission/Board of Adjustment and Appeals.
6. If the proposed building expansion, outlined in the variance application, does not occur within one year of the date of the Board of Adjustment and Appeals approval, the variances are void, unless a petition for an extension is received according to Section 10-5-4 of the Moorhead City Code.
7. Owner responsible for coordinating and funding any costs relating to relocation or extension of utilities and/or easements for the project, as required.
8. Owner shall obtain all required permits.

*Motion Passed: For: 5; Against: 0; Abstain: 0; Absent: 2*

**VI. Public Hearing -- Planning Commission**

1. [Request of B. Brandt for the following considerations at 404 & 412 7th St S:](#)

- A. Rezone from RLD-3: Residential Low Density 3 to MU-2: Corridor Mixed Use
- B. Comprehensive Plan Amendment from Low Density Residential to Mixed Use

**Motion to Open Public Hearing made by Steve Lindaas and seconded by Brent Behm**

*Motion Passed: For: 5; Against: 0; Abstain: 0; Absent: 2*

Staff briefed the Commissioners on the request. The applicant is requesting to rezone 404 & 412 7<sup>th</sup> St S, an existing 12-unit apartment building and the adjacent Korsmo Funeral Service parking lot from RLD-3 to MU-2. A corresponding amendment to the Future Land Use designation is also requested.

The rezoning and comprehensive plan amendment are needed to accommodate a planned remodel of the apartment building to a mixed use building with a garage, 6 apartments and 1,866 sf of commercial space.

Staff stated the parking lot is not changing but was included in the application to help accommodate the setback of the new garage addition as the RLD-3 setbacks would not be feasible.

Staff suggests the Planning Commission recommend approval if they feel adequate neighborhood outreach and comments have been addressed. To date, we have received the following comments:

1. Jo Cavins, 424 7<sup>th</sup> St S (phone)
  - opposes rezoning
  - concerned about encroachment of businesses into residential area and loss of affordable housing
2. Laura Christenson, 611 4<sup>th</sup> Ave S (voicemail)
  - opposed to rezoning
  - concerned about impact to residential neighborhoods and increased traffic
  - stated there are already parking issues when there is a funeral event
  - also concerned about the impact to affordable units
3. Ronald Balko, 209 7<sup>th</sup> St S (voicemail)
  - opposes rezoning
  - stated there is no benefit of this change to their single-family neighborhood and people
4. Paul Smith, 609 4<sup>th</sup> Ave S (phone)
  - not necessarily in favor
  - concerned that the building will lose its affordability
  - project will not decrease traffic – would increase with commercial
  - agreed the current parking situation may be better with a shared parking arrangement for residential but still not in favor.
5. Matthew & Sara Dahmen, 425 7<sup>th</sup> St S & Helen Krause, 420 7<sup>th</sup> St S (letter)
  - do not support the rezoning
  - concerned about the incremental changes the neighborhood has had to endure over the years (Concordia improvements, demolition of 412 7<sup>th</sup> St S)
  - concerned about loss of affordable units in low crime area
  - do not support the mixed use extending beyond the ½ block along 8<sup>th</sup> St S
  - concerned about increased traffic
  - concerned about garage placement on 412 lot
6. Richard Chapman & Joy Lintelman, 507 7<sup>th</sup> St S (letter)
  - strongly oppose the rezoning
  - concerned about further infiltration of non-residential usage and commercial activity will erode the neighborhood quality
  - concerned about more traffic and activity
7. Carolyn Wintersteen, 521 9<sup>th</sup> St S (email)
  - strongly opposed to the rezoning
  - concerned about the continued degradation of neighborhoods by these small variances that do not adhere to the Comprehensive Plan

**PUBLIC COMMENTS VIA PHONE DURING VIRTUAL MEETING:**

Caller 1: Jamaal Abegaz, 909 19<sup>th</sup> St S

- stated that the neighborhood was asked in the past what they wanted and they wanted it to stay residential

- concerned about the loss of affordable units

Caller 2: Brad Benton, 416 7<sup>th</sup> St S

- stated he lives directly south of the project and is strongly opposed
- stated he had seen the plans and they are lovely, as this building has been an eyesore for some time, but that he doesn't want commercial tenants
- stated this would erode the neighborhood and why would the City want to do that
- stated it would destroy the current balance of the zoning map and that there is nothing stopping the owner from just remodeling the building for residential

Caller 3: Emily Schwartz, 415 7<sup>th</sup> St S

- stated she moved to this area because it was a charming neighborhood
- stated she was disappointed when the bungalow south of this building was demolished and the parking lot was installed; this increased traffic in the neighborhood
- stated she is not interested in staying here if changed to commercial and was also concerned about loss of affordable housing

Caller 4: Matthew Dahmen, 425 7<sup>th</sup> St S (also submitted letter)

- stated he was also speaking for Helen Krause, who has lived in the neighborhood for 55 years and he's lived in the neighborhood for 22 years
- strongly opposes rezone
- stated there is a need for affordable housing
- stated updates would be great for the building
- stated neighborhood has already been experiencing constant creep with the demolition of the bungalow at 412, gave up a block of 7<sup>th</sup> St for Concordia, etc.
- concerned about traffic

**Motion to Close Public Hearing made by Steve Lindaas and seconded by Brent Behm**

*Motion Passed: For: 5; Against: 0; Abstain: 0; Absent: 2*

**Motion to Recommend Denial to the City Council made by Steve Lindaas and seconded by Brent Behm**

Request of B. Brandt for the following considerations at 404 & 412 7th St S:

- A. Rezone from RLD-3: Residential Low Density 3 to MU-2: Corridor Mixed Use

*Motion Passed: For: 5; Against: 0; Abstain: 0; Absent: 2*

**Motion to Recommend Denial to the City Council made by Steve Lindaas and seconded by Brent Behm**

Request of B. Brandt for the following considerations at 404 & 412 7th St S:

- B. Comprehensive Plan Amendment from Low Density Residential to Mixed Use

*Motion Passed: For: 5; Against: 0; Abstain: 0; Absent: 2*

**VI. Reports / Information**

1. [Impervious Surface](#) - Potential Code Update Introduction

Kristie Leshovsky, Community Development Director, presented the Commission a memo to discuss changing City Code as it relates to neighborhood-based stormwater impervious surface

standards/plans.

Issue was reviewed a few years ago with engineering and stormwater staff. No new language has been drafted yet, but staff wanted to introduce Commissioners to the potential update to address allowing variation in coverage in areas that can accommodate additional surfacing.

2. [2020 Development Update](#)

**VII. Adjournment**

**Motion to Adjourn at 6:09 p.m. made by Steve Lindaas and seconded by Brent Behm**

*Motion Passed: For: 5; Against: 0; Abstain: 0; Absent: 2*

The proceedings of this meeting are digitally recorded and are available for public review.

APPROVED BY:

ATTEST:



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Nicole Mattson  
Chair

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Robin Huston  
City Planner

*Respectfully submitted by:  
Mary Schmitt, Planning and Neighborhood Services*