

**CASS COUNTY PLANNING COMMISSION
SEPTEMBER 26, 2019**

1. MEETING TO ORDER

A meeting of the Cass County Planning Commission was called to order on September 26, 2019, at 7:00 AM in the Vector Control Conference Room with members present as follows: Ken Lougheed, Keith Monson, Dr. Tim Mahoney, Brad Olson, Keith Fisher and Duane Breitling. David Gust was absent. Also present were County Planner, Barrett Voigt, and Assistant County Engineer, Tom Soucy.

2. MINUTES, APPROVED

MOTION, passed

Mr. Olson moved and Mr. Breitling seconded to approve the minutes of the April 25, 2019 meeting as presented. Motion carried.

3. PUBLIC HEARING ITEMS

a. Minor Subdivision Plat of Cornell Second Subdivision, located in Cornell Township

Mr. Lougheed opened the public hearing.

Mr. Voigt provided an overview of an application for a minor subdivision entitled Cornell Second Subdivision filed by Shawn Thomasson from Moore Engineering on behalf of Feder Properties LLP. The proposal requested approval for a one (1) Lot, one (1) Block subdivision for the purpose of a lot line adjustment to correct a property line error of Cornell First Subdivision. The proposal would add approximately more than 2 acres of land on to the west side of Lot 1, Block 1, Cornell First Subdivision to satisfy the needs of the applicant. Because a deed restriction was already recorded for the transfer of development rights for Cornell First Subdivision, the applicant requested to continue to use the development rights transferred from that deed restricted property to allow for the new lot creation. No public comments were received prior to the meeting and staff recommended approval of the subdivision application as outlined in the staff report.

The public hearing was closed.

MOTION, passed

Mr. Monson moved and Dr. Mahoney seconded to approve the minor subdivision and variance request with the conditions outlined by the County Planner.

Motion carried.

b. Minor Subdivision Plat of Hefty Seed Subdivision, located in Everest Township

Mr. Lougheed opened the public hearing.

Mr. Voigt provided an overview of an application for a minor subdivision entitled Hefty Seed Subdivision filed by Tom Warner of FEC on behalf of Thomas & Mary Weiss. The applicant requested approval for a minor subdivision to plat a one (1)

Lot, one (1) Block subdivision of approximately 15 acres to construct a structure for retail commercial land use purposes. The proposed lot location was proposed for the northwest corner of the intersection of County Road 23 and U.S. Interstate 94 and had secured a county access permit. No public comment were received prior to the meeting, however comments were received from various government agencies. The NDDOT requested that snow storage not be placed in their easement or right of way. As a result, staff requested a conditions of approval for a transfer of development rights and the prohibition of snow storage in the U.S. Interstate 94 right of way.

Discussion was held regarding the elevation and drainage. 3 feet of fill will be brought in to address drainage.

The public hearing was closed.

MOTION, passed

Mr. Fisher moved and Mr. Olson seconded to approve the minor subdivision with the conditions outlined by the County Planner.

Motion carried.

c. Application requesting a Text Amendment to amend Section 203 of the Cass County Subdivision Ordinance (CCSO) relating to subdivision ordinance exemptions (Cass County).

Mr. Lougheed opened the public hearing.

The County Planner requested approval of a text amendment of §203 of the Cass County Subdivision Ordinance (CCSO) for the purpose of expanding the list of exemptions of the CCSO to allow for the exemption of diversion, sale or transfer of land for federal, state or local government.

The County Planner stated that he felt the additional exemption language needed to be added so that the ordinance text document would match the subdivision application process in practice. The County Planner also stated that he wanted to provide transparency to the public regarding which government activities don't require platting such as flood buyout, diversion, and/or public recreation facility development activities and proposals, etc. No public comment was received prior to the meeting and staff recommended approval of the text amendment application.

The public hearing was closed.

MOTION, passed

Mr. Breitling moved and Mr. Fisher seconded to approve the text amendment as outlined by the County Planner.

Motion carried.

4. NEW BUSINESS

a. New Planning Commissioner Elissa Novotny

Mr. Lougheed welcomed Elissa Novotny to the Planning Commission.

b. New Subdivision and Zoning Ordinance Consultant Selection Steering Committee Solicitation.

The County Planner explained that the Planning budget was approved and a line item within the budget was for \$60,000.00 to rewrite the subdivision ordinance and zoning ordinance. The proposal of the new ordinance would meet the goals of the Comprehensive Plan. The new ordinance document proposal would serve two purposes. The first is to provide an opportunity for consultants to investigate a better way to manage the land use management process in the county. The second objective is to provide a zoning template for townships that choose not to have the county manage their zoning ordinances. This template would provide an opportunity for townships to adopt sections of the ordinance for their own township ordinances. The County Planner stated that the RFP would be released Friday, September 27, 2019 and that proposals were due October 29, 2019. The County Planner provided a full breakdown of the schedule to the Planning Commission board members and explained that a Selection Committee would be formed using a wide range of representation to include County Commissioners, Planning Commissioner that would be selected at the meeting, Township Supervisors and County Staff. The committee would be responsible to select the consultant to implement the application request and it was anticipated that the project would be multi-phased lasting approximately 2 years.

Ms. Novotny volunteered to serve on the Selection Committee. It was agreed that Mr. Voigt would contact Mr. Gust to verify interest in participating on the committee.

5. ADJOURNMENT

On motion by Mr. Olson, seconded by Mr. Breitling, and all voting in favor, the meeting was adjourned at 7:30 AM.