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Larry M. Weil, Planning Director
Steven Zimmer, Senior Planner
Lisa Sankey, Assistant Planner

West Fargo Planning and Zoning Commission
November 14, 2011 at 7:00 P.M.
West Fargo City Hall

Members Present: Jason Gustofson
Connie Carlsrud
Frank Lenzmeier
Terry Potter
Tom McDougall
Edward Sheeley
Jerry Beck

Others Present: Larry Weil, Steven Zimmer, Lisa Sankey, Zerek Kroll

The meeting was called to order by Chair Lenzmeier.

Commissioner McDougall made a motion to approve the October 10, 2011 meeting minutes as printed. Commissioner Carlsrud seconded the motion. No opposition. Motion carried.

Chair Lenzmeier opened public hearing A11-44 Conditional Use Permit for Accessory Building in an Agricultural District at 1505 9th Street NW (Property in the NE $\frac{1}{4}$ of Section 31, T140N, R49W, Cass County, North Dakota), West Fargo, ND.

Steven reviewed the following information from the staff report:

The property is east of the West Fargo Airport, south of 19th Avenue NW and west of the Sheyenne River within the city's extraterritorial jurisdiction. The property is zoned Agricultural and is a lot of record, which requires a conditional use permit to construct an accessory building for non-farm single family uses. The proposed use is consistent with City Plans and Ordinances.

The applicant submitted a site plan and is proposing a 42' x 72' (3024 ft²) structure. The wall height would be 14.5' with a 4:12 roof pitch. This building will replace a building that had collapsed last year. According to the site plan, the proposed accessory building exceeds all setback requirements. The building will be used for storage of equipment and possibly as a shelter for the applicant's horses.

Notices were sent to property owners within 350' review and no comments have been received.

It is recommended to conditionally approve the application on the basis that the request is consistent with City plans and ordinances and is in character with the development in the area. The condition for approval is that the applicant complies with the City's flood plain standards.

There were no comments from the public. The hearing was closed.

Commissioner McDougall asked where this property was in relation to LeRoy Johnson's. Steven pointed it out on the map.

Commissioner McDougall made a motion for approval based on staff recommendations. Commissioner Beck seconded the motion. No opposition. Motion carried.

Chair Lenzmeier opened public hearing A11-45 Zoning Ordinance Amendment to Section 4-460 of the Sign Regulations providing for identification or institutional wall signs within the CO-I: Interstate Corridor Overlay District to be increased in area as a Conditional Use.

Larry reviewed the following information from the staff report:

Costco previously submitted preliminary site and elevation plans to the City for review and approval. The elevation plans show that the applicant intends to install 282 ft² wall signs on the north and east sides, which is larger than our Zoning Ordinance would allow under the Sign Regulations.

The applicant has requested the City consider amending the Sign Regulations to allow for larger wall signs when larger buildings are constructed, the buildings are set back a significant distance, and no freestanding signs are installed. The applicant is constructing a 151,000 ft² building which is located about 500' from the Interstate 94 right-of-way and about 800' from the Veteran's Boulevard right-of-way.

Currently the City's Sign Regulations allow for freestanding signs of up to 100 ft² for buildings having a setback of less than 100', or up to 200 ft² for buildings with setbacks of 100' or more. Building standards and site planning standards are governed by the CO-I: Interstate Corridor Overlay District for properties located along Interstate 94 and by the CO: Corridor Overlay District for properties located along Veteran's Boulevard. The sign area for freestanding and wall signs are determined by the zoning district, which is C: Light Commercial for the applicant's property.

Large big-box and office buildings are encouraged along the interstate in the City's Comprehensive Plan. Where large buildings are constructed along the interstate and significant setbacks can be achieved, it would seem reasonable that somewhat oversized wall signs would not take away from the gateway aesthetic qualities that the City is advocating in the Comprehensive Plan.

The staff has examined the Comprehensive Plan, as well as Zoning Ordinance District and Sign Regulation requirements. We felt that it would be reasonable to allow somewhat larger identification and institutional wall signs as a conditional use as long as there is a significant building wall area on which the sign is placed (large building), significant building setbacks are in place, and no freestanding signs are utilized on the property.

The staff recommends the Sign Regulations of the Zoning Ordinance are amended allowing identification and institutional wall signs to be increased in size up to a maximum of 300 ft² as a conditional use, provided that certain criteria are met. The criteria would include the following: 1) The wall of the structure on which the wall sign is mounted shall be set back a minimum of 400' from public street or Interstate 94 right-of-way lines (measured from wall to parallel right-of-way); 2) The structure is at least 100,000 ft² in area; 3) No freestanding signs are utilized on the property; and 4) Only two wall signs are allowed, one for each of two sides.

If the Sign Regulations of the Zoning Ordinance are amended as recommended above, then the staff recommends that the Conditional Use Permit application for two wall signs measuring 282 ft² in area are approved as the above criteria are met. The north wall sign is approximately 500' from the I-94 right-of-way, and the east wall sign is approximately 800' from Veteran's Boulevard. The structure is 151,000 ft² in area. No freestanding signs are proposed for the property.

There were no comments from the public. The hearing was closed.

Commissioner McDougall asked about the potential for another big box store coming in and wanting to go across the street and requesting a huge freestanding sign in addition to wall signage. He guessed they would be amending the ordinance again.

Steven stated that this only pertains to the Interstate Corridor which is about 600' off the interstate. Costco has the prime location right off Veteran's Boulevard and the Interstate, so the only property available would be to the west, which probably wouldn't be ideal for that type of retail business. Costco is over 150,000 ft² in size and they don't want a sign on Veteran's Boulevard. The ordinance also specified that structures must be at least 100,000 ft² in area.

Discussion was held regarding potential for other businesses along the Interstate Corridor. These signs would still be conditionally permitted. Larry indicated Farm Credit Services could request a similar type sign if they built a structure

greater than 100,000 ft².

Commissioner McDougall made a motion for approval of the Zoning Ordinance Amendment based on staff recommendations. Commissioner Potter seconded the motion. No opposition. Motion carried.

Commissioner McDougall made a motion for approval of the Conditional Use Permit. Commissioner Potter seconded the motion. No opposition. Motion carried.

The next item on the agenda was Wind Ordinance, Landscaping and Addressing Standards.

Steven described the reasoning behind the ordinance standards. He stated that there are a number of requests each year from individuals wanting to install smaller wind energy systems on their residential lots. In terms of the landscaping standards, the City requires landscaping plans for developments along major arterial and collector streets; however, other than a hand drawn 13th Avenue Tree Planting Plan from 1985, there really aren't any guidelines. As for the addressing, there really haven't been any written standards put into place. The Police Department continues to have concerns with named streets, so staff would like to get some policies on paper.

Planning Intern Zerek Kroll used a Power Point presentation to review key points. The Wind Energy Systems addresses setback, aesthetics, height, blade, color, lighting, noise...

The landscaping standard is to serve as a guideline to preserve existing trees, planting of new trees and vegetation, serve as a guide for developers as part of the landscaping plan requirements...

Addressing ordinances would establish a street and address naming system for the public.

Commissioner McDougall indicated there was an error on 1.1.1 of the Wind Energy Ordinance, as it appeared some words were missing.

Commissioner Sheeley asked how many wind turbines there were in the City. Steven stated none. There have been a few requests; however, the City doesn't have any policies or ordinances in place yet.

Commissioner Beck asked who would enforce the ordinances. Steven stated that the City Forester is ultimately responsible for the landscaping. Zerek worked closely with Chad Zander in Public Works. The majority of the plantings are located in City right-of-way.

Chair Lenzmeier asked for clarification on the canopy of trees and if there might be a visibility issue. Zerek stated there would be standards regarding placement of trees and the number of trees and plantings would depend upon the amount of square footage. There is flexibility.

Commissioner Gustofson asked how this compared to Fargo's. Zerek stated that it's similar to Fargo's; however, this one has more recommendations, diagrams, instead of just text. He stated he used ordinances from several different entities as a basis for this ordinance. Fargo's ordinances don't address riverbank stabilization or specify plan species and varieties.

Commissioner McDougall asked if developers have seen this yet. Steven indicated they had not.

Zerek indicated that he will update the information and send out copies to Commissioners for review and input.

Commissioner McDougall made a motion to adjourn. Meeting adjourned.