

# City Of East Grand Forks Planning And Zoning Commission

600 DeMers Avenue \* East Grand Forks, MN 56721  
(218) 773-0124 \* (218) 773-2507 \* nellis@egf.mn

## AGENDA

**WEDNESDAY December 13, 2023 – 12:00 P.M.**

### MEMBERS

Boushey \_\_\_\_\_ Christianson \_\_\_\_\_ Peterson \_\_\_\_\_ Erickson \_\_\_\_\_  
Ortzman \_\_\_\_\_ Powers \_\_\_\_\_ Audette \_\_\_\_\_

- A. CALL TO ORDER
- B. CALL OF ROLL
- C. DETERMINATION OF A QUORUM
- D. COMMUNICATION:
- E. APPROVAL OF MINUTES
  - 1. Matter Of Approval Of The November 8, 2023 Regular Meeting Minutes Of The East Grand Forks Planning Commission
- F. OLD BUSINESS

None.
- G. NEW BUSINESS
  - 1. PUBLIC HEARING. Matter of the request for preliminary approval of Green Acres Resubdivision plat and amendment to the Green Acres PUD Plan.....Ellis

Individuals with disabilities, language barriers or other needs who plan to attend the meeting and will need special accommodations should contact Nancy Ellis, ADA Coordinator at (218)-773-2208. Please contact us at least 48 hours before the meeting to give our staff adequate time to make arrangements. Also, materials can be provided in alternative formats: large print, Braille, cassette tape, or on computer disk for people with disabilities or with limited English proficiency (LEP) by contacting the ADA Coordinator (218)-773-2208 five (5) days prior to the meeting.

2. PUBLIC HEARING. Matter of the request to approve/amend a Special Use Permit for Strata Corporation to install a second temporary concrete ready mixed plant to the current site for use in the summer of 2024.....Ellis
3. PUBLIC HEARING. Matter of request from the Grand Forks – East Grand Forks Metropolitan Planning Organization to amend the City’s Comprehensive Plan in include the update to the Street & Highway Element of the Metropolitan Transportation Plan - Final Approval.....Stephanie Halford, MPO

H. OTHER BUSINESS

None.

I. ADJOURNMENT

**Randy Boushey, Gary Christianson, Karen Peterson, Chad Erickson,  
Brad Ortzman, Mike Powers, and Rick Audette**

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**EAST GRAND FORKS  
REGULAR  
PLANNING COMMISSION MINUTES  
Wednesday, November 8, 2023 – 12:00 Noon**

**CALL TO ORDER**

Mike Powers, President called the November 8, 2023 meeting of the East Grand Forks Planning Commission to order at 12:00 pm

**CALL OF ROLL**

On a Call of Roll the following members were present: Commissioners: Mike Powers, Richard Audette, Chad Erickson, Brad Ortzman, Karen Peterson and Gary Christian.

Absent: Randy Boushey

Guest(s) present: Teri Kouba, Stephanie Halford and Jason Carbee; Metropolitan Planning Organization

Staff present: Nancy Ellis, East Grand Forks City Planner; Brenda Ault, Executive Assistant, Ron Galstad, City Attorney and Reid Huttunen, City Administrator

**DETERMINATION OF A QUORUM**

A quorum was present.

**COMMUNICATION**

1. Commission comments on the EDA workshop in October. Commissioners Mike Powers, Brad Ortzman, Rick Audette, Gary Christianson, and City Administrator Huttunen attended the workshop. They reported that it was well attended and lots of good information was provided.

**APPROVAL OF THE MINUTES OF THE September 13, 2023 REGULAR MEETING**

A Motion was made by Commissioner Christianson, Seconded by Commissioner Audette to approve the minutes from the September 13, 2023 Regular Meeting M/S/P-Christianson, Audette; 6-0, mc.

**OLD BUSINESS**

None

**NEW BUSINESS**

**Public Hearing. Matter of request from the Grand Forks-East Grand Forks Metropolitan Planning Organization to amend the City's Comprehensive Plan to include the update to the Street & Highway element of the Metropolitan Plan**

CP Ellis informed the Commissioners that every 5-years the Forks MPO with partnership from the Cities (Grand Forks and East Grand Forks) and Counties (Grand

Forks and Polk) leadership review and update the community's Metropolitan Transportation Plan (MTP). This plan must identify how the community will manage and operate a multi-modal transportation system (including transit, highway, bicycle, pedestrian, and accessible transportation) to meet the region's economic, transportation, development, and sustainability goals for a 20 plus year planning horizon, while remaining fiscally constrained.

The plan has been broken up into three elements. Those elements are:

- The Transit Development Plan- adopted by the MPO Executive Board in December 2022;
- The Bicycle and Pedestrian Plan- adopted by the MPO Executive Board in July 2023; and
- The Street & Highway Plan

Once all three elements are done, or close to being done, they are combined into a cohesive MTP for adoption by the MPO Executive Board and approval by Federal Highway Administration (FHWA) and Federal Transit Administration (FTA).

This plan is being developed under the new transportation bill Infrastructure Investment and Jobs Act (IIJA), also known as the Bipartisan Infrastructure Law (BIL). IIJA continued the requirement for performance measures and targets to be set for all modes of transportation. The FTA and FHWA have put out regulations on how these performance measures and targets need to be presented.

To follow the regulations of IIJA, the MPO has given more prominence to the performance measures the MPO already collects data on. The MPO has also updated financial information to reflect the changes in funding that IIJA outlines. Staff from both Federal Highway Divisions, both State Departments of Transportation, both Counties and both Cities have been involved and concur with the update for the Street & Highway Plan Element.

The Street & Highway Plan is a full update that includes maps, data, and information about the vehicular network throughout the Forks MPO area. The update recommends a future focus of preserving the existing roadway network in a "state of good repair". This focus has allocated most of the available future funding in preserving, rehabbing, or reconstructing the existing street and highway system. In fact, the revenue has not been sufficient to keep the system in the desired "state of good repair."

With the adoption of the Street & Highway Plan Element, the Multi-modal Metropolitan Transportation Plan (MTP) out to the horizon year of 2050 identifies the goals, performance, and recommended projects for the total transportation system. This assists in the goal of a transportation system in any city to provide access to facilities, goods, services and activities. Supporting different forms of transportation modes gives users the choice whether it is to make trips entirely by walking and biking or catching a ride on the public transit or in a vehicle transporting on the street highway network.

CP Ellis then invited the MPO to present their findings. Jason Carbee, MPO Consultant gave the presentation to the Commission. He stated there are 7 chapters. 1. Street & Highway Plans; an overview of the MPO Planning Process; 2. Goals, Objectives, and Performance Measures; 3. Plan Engagement; 4. Community Profile; 5. Existing Transportation System Performance; 6. Future Trends and Needs; 7. Street & Highway Strategies. The State of Good Repair Plan which is a committed project. Street & Highway Plan, with goals and objectives; Efficient and Reliable, Safe, Connected & Accessible, Preserved & Maintained, Sustainable & Resilient.

He gave an overview of the MPO Planning Process, explained the Federal Planning Requirements, in alignment with State planning, the open houses held, the online surveys, an overview of the community profile, traffic operations, safety, bicycle and the pedestrian system, gave an update to the forecasted household and employment growth. He also shared the short-term, mid-term and long-term plans for reconstruction & repair work.

CP Ellis asked for a motion to have the MPO draft the plan and if there are no changes between now and December, to hold it and recommend forwarding it on to the Council in December.

Commissioner Erickson motioned to have the MPO approve this document as a draft and potentially final plan, if there are no changes before December; and to recommend the Council approve the plan. Commissioner Audette seconded the Motion. M/S/P- Erickson, Audette; 6-0, mc.

### **OTHER BUSINESS**

None

### **ADJOURNMENT**

Commissioner Erickson motioned to adjourn the meeting at 12:50 pm, Commissioner Christianson seconded the Motion.

Respectfully submitted by,  
Brenda Ault  
Executive Assistant

## **NOTICE OF PUBLIC HEARING**

The Planning Commission of East Grand Forks has scheduled a Public Hearing to consider the application from Green Acres, Judd Stauss applicant, for Preliminary and possibly Final Plat approval of Green Acres Resubdivision being the Replat of Lots B, C, D, E, F and G, Block One of the Replat of Outlots 77, 78, 79, 80 and 94 of Auditor's Plat of Outlots 65 through 94 Section 36, Township 152 North, Range 50 West, to the City of East Grand Forks MN. This Public Hearing is scheduled for Wednesday, December 13, 2023 at 12:00 P.M. NOON in the East Grand Forks City Hall Training Room, located at 600 DeMers Avenue, East Grand Forks, MN.

In addition to the Preliminary and possibly final plat hearing, the Planning Commission will review an amendment to the Green Acres PUD concept plan for parking, setbacks, access, and utilities because of the splitting of the properties into the new plat. This lot is currently zoned PUD and a change to the PUD and approval of a PUD concept plan is required.

Reid Huttunen  
City Administrator  
City of East Grand Forks, MN

**City Of East Grand Forks**  
**Planning And Zoning Commission**

600 DeMers Avenue \* East Grand Forks, MN 56721  
(218) 773-0124 \* (218) 773-2507 fax nellis@egf.mn

# Memo

To: Planning Commission  
From: Nancy Ellis, City Planner  
Date: 12/7/2023  
Re: Green Acres Resubdivision being a Replat of Outlots 77, 78, 79, 80 and 94 of Auditor's Plat of Outlots 65 through 94

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## GENERAL INFORMATION

APPLICANTS/PROPERTY OWNERS: Judd Stauss with Green Acres, LLP applicant

REQUESTED ACTION: Applicant is requesting preliminary approval of Green Acres Resubdivision being the Replat of Outlots 77, 78, 79, 80 and 94 of Auditor's Plat of Outlots 65 through 94 Section 36, Township 152 North, Range 50 West to the City of East Grand Forks, MN.

SITE ZONING/LAND USE: PUD is the current zoning for Green Acres Resubdivision, Apartment Buildings.

SURROUNDING ZONING/LAND USE:

North: R-1 zoning, vacant NCTC property  
West: R-2 zoning, mobile home park  
South: PUD zoning, 4-plex apartments  
East: Outside City Limits, Vacant Land/Rural homes

LOCATION: The parcel is located east of 5<sup>th</sup> Ave NE and between 17<sup>th</sup> St NE and 20<sup>th</sup> St NE.

## COMMENTS

We have received an application from Judd Stauss to Replat Outlots 77, 78, 79, 80 and 94 of Auditor's Plat of Outlots 65 through 94 into Green Acres Resubdivision for sale of some of the property. Lot 2 will have the property line move to the east from the center of the garages to placing all the garages onto the lot where Green Acres built a new apartment complex. Most of the remaining lots will not be changed or have property lines moved; other than to add some parking spaces from Lot 3 to Lot 7. This is being done for the purpose of selling many of the buildings to a new property owner/apartment owner. In total, only two lots will have small lot line changes and the ingress/egress easements, as well as utility easements will remain. Because of the potential for each lot being owned by a different person, these access easements were dedicated on the plat and a reciprocal parking and access easement agreement was recorded with the plat.

Additionally, there is concern regarding encroachment or repairs of any private water, sewer, or other utility line that runs across one property to another separately owned property (that is not located in an easement). There will need to be an agreement between the two parties that they will allow the line to be fixed, that a contractor is allowed on the site to fix it, and payment will be determined between the two parties and not passed back to the City. The paperwork will be provided to our City Attorney for review.

This plat proposal will also require a PUD amendment. The new PUD concept plan shows the new apartment building, parking space changes for each building, small setback changes and ingress/egress easements. It will be attached for your review.

Finally, as far as a developer's agreement is concerned, no developer's agreement is necessary. All access to the new building will be an extension to the current access easements. Right-of-Way for future 17<sup>th</sup> St. NE (to the south of the lots) and 20<sup>th</sup> St NE (to the north of the lots) was dedicated on a previous plat and shown on this new plat.

## **STAFF RECOMMENDATION**

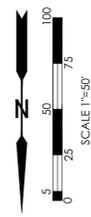
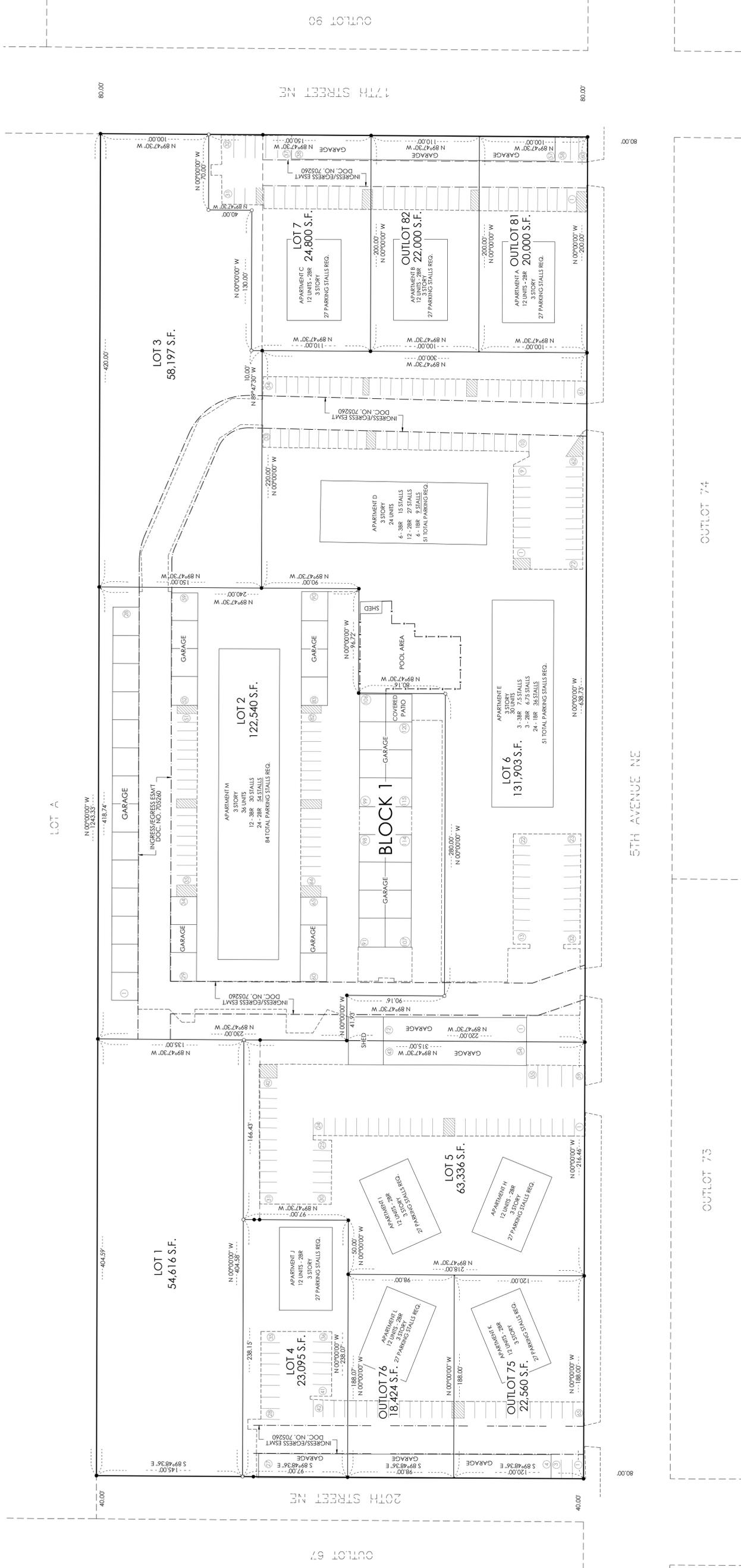
Staff recommends preliminary approval of the Green Acres Resubdivision to the City of East Grand Forks with shown lot line changes, utility, and road/access easements the PUD amendment with the following comments:

- 1) Submit a digital file to the planning office.
- 2) Provide utility access/shared work agreement paperwork to be reviewed and recorded with the plat.

**Enc. Green Acres Resubdivision**

# GREEN ACRES PUD - CONCEPT DEVELOPMENT PLAN

(PRELIMINARY PUD)  
11-28-2023



## LEGEND

- MONUMENT FOUND
- SET MONUMENT
- PUD BOUNDARY
- INTERIOR LOT LINE
- EASEMENT LINE
- EDGE OF ROAD LINE
- BUILDING LINE
- PARKING LINE
- FENCE LINE

## LEGAL DESCRIPTION

LOTS 1, THROUGH 8, BLOCK 1, GREEN ACRES RESUBDIVISION TO THE CITY OF EAST GRAND FORKS, MINNESOTA  
AND  
OUTLOTS 75, 76, 81, AND 82 OF AUDITOR'S PLAT OF OUTLOTS 65 THROUGH 94 SECTION 36, TOWNSHIP 152 NORTH, RANGE 50 WEST, TO THE CITY OF EAST GRAND FORKS, MINNESOTA.

## PUD REQUIREMENTS

Lot Size Minimum = 2,000 S.F.  
Lot Width Minimum = 50 feet  
Front Property Line Setback = 30 feet  
Rear Property Line Setback = 25 feet (except private garages)  
Side Yard Setback for Lots Less Than 100 feet in Width = 4 feet  
Detached Private Garage Setback = 0 feet  
Maximum Impervious Lot Coverage = 85%  
Required Off-Street Parking and Loading Area Impervious Surface Minimum Setback Requirements for Front Property Line = 20 feet  
Required Off-Street Parking and Loading Area Impervious Surface Minimum Setback Requirements for Rear and Side Property Line = 0 feet

## PARKING DATA

All exterior parking stalls within this PUD shall be considered Community Parking Stalls and may be utilized by any buildings within Subject PUD.

- Parking Requirements:  
One (1) bedroom: 1.5 off-street spaces per unit  
Two (2) bedrooms: 2.0 off-street spaces per unit  
Three (3) bedrooms: 2.5 off-street spaces per unit
- Apartment A: 27 Parking Stalls Required  
Apartment B: 27 Parking Stalls Required  
Apartment C: 27 Parking Stalls Required  
Apartment D: 51 Parking Stalls Required  
Apartment E: 51 Parking Stalls Required  
Apartment F: 27 Parking Stalls Required  
Apartment G: 27 Parking Stalls Required  
Apartment H: 27 Parking Stalls Required  
Apartment I: 27 Parking Stalls Required  
Apartment J: 27 Parking Stalls Required  
Apartment K: 27 Parking Stalls Required  
Apartment L: 27 Parking Stalls Required  
Apartment M: 84 Parking Stalls Required
- Total Parking Required = 408 Spaces  
Total Parking Provided = 408 Spaces

## SITE DATA

Street Address: 5th Avenue Northeast  
R-3 High Density Residential District  
PUD Area = 577,465 S.F. (13.26 AC.)  
Max Impervious Area = 490,845 S.F. (89%)  
Existing Impervious Area = 289,453 S.F. (50.1%)

## GENERAL NOTES

All signs shall be approved by the East Grand Forks planning department.  
Driveways/approaches to refuse containers shall be constructed with 6 inch concrete on 6 inch Class 2 (or crushed concrete) with compacted base.

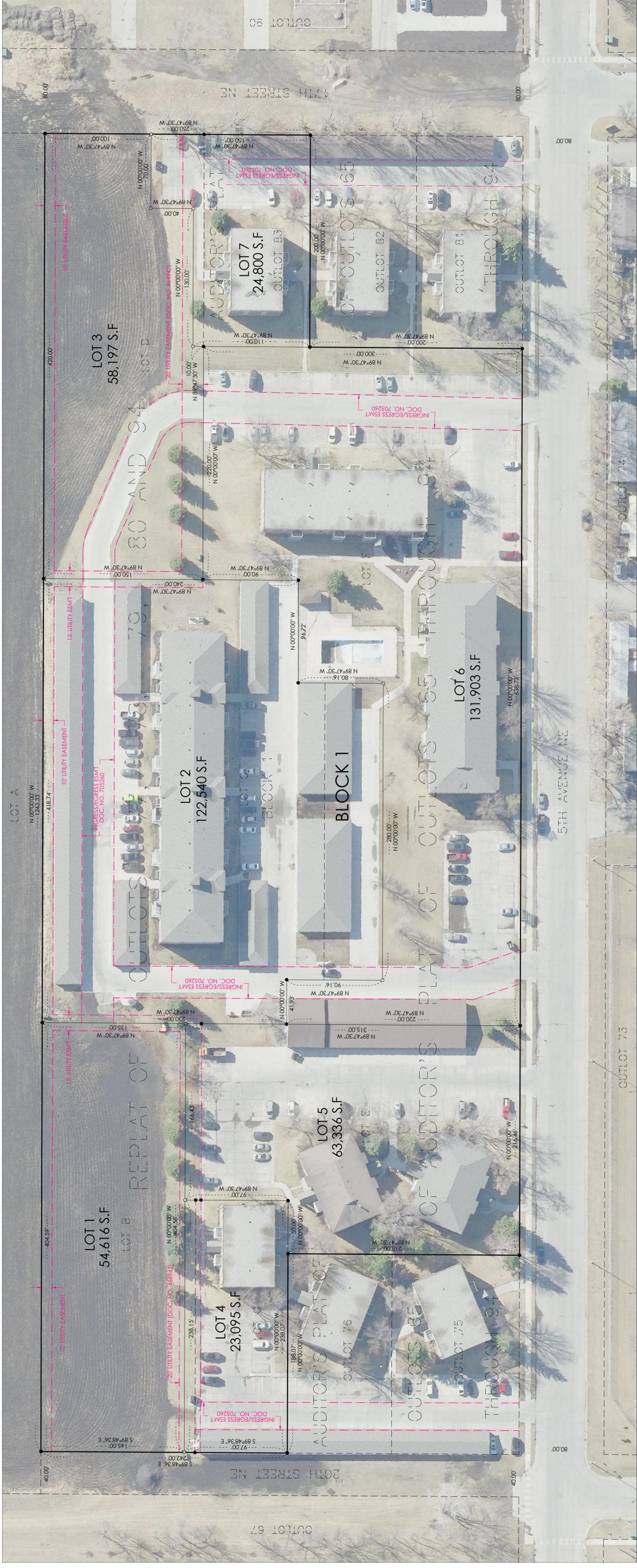
DEVELOPMENT PLAN		REVISED:	DATE: 11-28-23
GREEN ACRES 1800 5TH AVE. NE, EAST GRAND FORKS, MN 56721		DRAWN BY: BP	
REQUESTED BY: JUDOS STALLS GREEN ACRES EAST GRAND FORKS, MN 56721		PROJECT NO. 23-1127	SCALE: 1" = 50'
PRIBULA ENGINEERING, PLLC 208 3RD AVENUE NW EAST GRAND FORKS, MN 56721		DRAWING NO. C-1	701-772-7353

# GREEN ACRES RESUBDIVISION

BEING A REPLAT OF LOTS B, C, D, E, F, AND G, BLOCK ONE OF THE REPLAT OF OUTLOTS 77, 78, 79, 80 AND 94 OF AUDITOR'S PLAT OF OUTLOTS 45 THROUGH 94  
 & BEING A REPLAT OF OUTLOT 83 OF AUDITOR'S PLAT OF OUTLOTS 65 THROUGH 94, SECTION 36, TOWNSHIP 152 NORTH, RANGE 50 WEST, TO THE CITY OF EAST GRAND FORKS, MINNESOTA

(PRELIMINARY PLAT)

12-5-2023



## OWNERS CONSENT AND DEDICATION

We, the undersigned, certify that all persons are the owners of the land depicted herein as "GREEN ACRES RESUBDIVISION" to the City of East Grand Forks, Polk County, Minnesota.

We do voluntarily consent to the execution of said plat and dedicate the streets, alleys, open spaces, slope easements, fireline easements, utility easements, drainage easements, bikeways, sidewalks, and other improvements on or under such streets, alleys, parks and public grounds, whether such improvements are shown or not, to public use forever. We agree not to vacate any portion of this plat without consent of the Planning and Zoning Commission and the City of East Grand Forks. Said "GREEN ACRES RESUBDIVISION" being described as follows:

Lots B, C, D, E, F, and G, Block 1 of the Replat of Outlots 77, 78, 79, 80 and 94 of Auditor's Plat of Outlots 45 Through 94, Section 36, Township 152 North, Range 50 West of the 5th Principal Meridian, to the City of East Grand Forks, Polk County, Minnesota.

AND  
 Outlot 83 of Auditor's Plat of Outlots 45 Through 94, Section 36, Township 152 North, Range 50 West of the 5th Principal Meridian, to the City of East Grand Forks, Polk County, Minnesota.

Owner:

Green Acres General Partnership  
 Judd Stauss, Managing Partner

STATE OF MINNESOTA  
 COUNTY OF POLK

This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2023, by Judd Stauss, Managing Partner of Green Acres General Partnership.

Notary Public, Polk County  
 State of Minnesota  
 My Commission Expires: \_\_\_\_\_

## CITY PLANNING COMMISSION APPROVAL

The subdivision of land shown hereon has been approved by the Planning Commission of the City of East Grand Forks at a meeting of said City Planning Commission on the \_\_\_\_\_ day of \_\_\_\_\_, 2023, in accordance with the laws of the State of Minnesota, ordinances of the City of East Grand Forks, and regulations of said City Planning Commission. In witness thereof I set the hands and seals the City Planner of the Planning Commission of the City of East Grand Forks.

Chad Erickson, Planning Commission Secretary

## CITY COUNCIL APPROVAL

The City of East Grand Forks, Minnesota has approved the subdivision of land shown hereon, at a regular scheduled meeting of the City Council held on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Raid Huhtonen, City Administrator  
 City of East Grand Forks, Minnesota

## COUNTY TREASURER TAX STATEMENT

I hereby certify that all taxes for 2023 on the land described herein are paid.

Polk County Treasurer, State of Minnesota

RECORDING CERTIFICATE  
 COUNTY RECORDER CERTIFICATE  
 DOCUMENT NUMBER

I hereby certify that this instrument was filed in the office of the Polk County Recorder for record on this \_\_\_\_\_ day of \_\_\_\_\_, 2023, at \_\_\_\_\_ o'clock \_\_\_\_\_ PM, and was duly returned in Book \_\_\_\_\_ of \_\_\_\_\_ on page \_\_\_\_\_.

Polk County Recorder, State of Minnesota

## GENERAL NOTES

The existing 100-year floodplain elevation is 820.00 (NGVD 29), the flood boundary and floodway map for the city of East Grand Forks, Polk County, Minnesota, was taken from FRM Community - Panel Number 275234.0005 C, dated July 20th, 1979.

## SURVEYOR'S CERTIFICATE

I, Nicholas P. Pribula, Registered Land Surveyor in the State of Minnesota, do hereby certify this map was prepared by me or under my direct supervision and all dimensions, angles, and bearings are correct as shown.

Nicholas P. Pribula, Registered Land Surveyor  
 Minnesota Registration, Number 46397

STATE OF MINNESOTA  
 COUNTY OF POLK

On this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me a Notary Public in and for said County and State, personally appeared Nicholas P. Pribula, to me known to be the person described herein and acknowledged to me that the foregoing instrument and acknowledged that he executed the same as his free act and deed.

Notary Public, Polk County  
 State of Minnesota  
 My Commission Expires: \_\_\_\_\_

## TAX STATEMENT

COUNTY AUDITOR TAX STATEMENT

No delinquent taxes due and transfer entered this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Polk County Auditor, State of Minnesota



## LEGEND

- MONUMENT FOUND
- SET MONUMENT
- PLAT BOUNDARY
- INTERIOR LOT LINE
- EASEMENT LINE

## VICINITY MAP

SCALE: 1" = 2000'



## PUBLIC NOTICE

You are hereby notified that the East Grand Forks City Planning Commission will meet in the Training Room of City Hall located at 600 Demers Ave on December 13, 2023 at 12:00 P.M. NOON to consider a request to establish and amend the Special Use Permit for the Strata Corporation. They plan to utilize the current ready mixed concrete facility area (property) to accommodate an additional temporary ready mixed concrete plant. This temporary plant will be used in addition to the existing plant to complete a road project during the summer of 2024. Once the project is completed, the temporary plant will be removed. You are hereby also notified that the East Grand Forks City Council will meet in the Council Chambers of City Hall located at 600 Demers Ave on December 19, 2023 at 5:00 P.M. to consider said request for a Special Use Permit for the temporary plant and consider the recommendation from the Planning Commission regarding this request.

Again, the request is as follows: 1) Strata Corporation currently operates a ready mixed concrete plant on property zoned as General Industrial (I-2); 2) This use is grandfathered in as a Special Use Permit (SUP), as it was at the location before the requirement of an SUP; 3) they are requesting an amendment to the SUP to accommodate an additional temporary ready mixed concrete plant to be used for a road project in 2024. It will be removed once the project is completed.

Any questions or comments can be directed to Nancy Ellis, Community Development Director, at [nellis@egf.mn](mailto:nellis@egf.mn) or 218-773-0124.

Reid Huttunen  
City Administrator  
City of East Grand Forks, MN  
Publish: November 29<sup>th</sup> and December 6<sup>th</sup> 2023

**City Of East Grand Forks**  
**Planning And Zoning Commission**

600 DeMers Avenue \* East Grand Forks, MN 56721  
(218) 773-0124 \* (218) 773-2507 fax nellis@egf.mn

# Memo

**To:** Planning Commission

**From:** Nancy Ellis, City Planner

**Date:** 12/8/2023

**Re:** Special Use Permit request for temporary concrete ready mixed plant on existing site

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**GENERAL INFORMATION**

APPLICANTS/PROPERTY OWNERS: Strata Corporation, property owner

REQUESTED ACTION: Applicant is requesting approval/amending of a Special Use Permit to install a second concrete ready mixed concrete plant for temporary use in the summer of 2024 for a road project on MN 220.

SITE ZONING/LAND USE: I-2 General Industrial is the current zoning.

SURROUNDING ZONING/LAND USE:

North: I-2 zoning, industrial uses

West: I-2 zoning, Public Works property and Water Treatment Plant

South: Red Lake River and R-1 zoning

East: I-2 zoning, empty lot and warehouses

**GENERAL COMMENTS**

Strata Corporation currently owns and operates a ready mixed concrete plant on 2<sup>nd</sup> St NE, just past the Public Works shop. They would like to install a second temporary ready mixed concrete plant to use in the summer of 2024 for a MnDOT road project on MN 220, just north of 23<sup>rd</sup> St NW. Once completed, the second temporary plant will be removed. The property size will not change, nor will the use of the site by the addition of the temporary plant. Concrete mixing plants are allowed in the I-2 General Industrial Zoning District with a Special Use Permit (SUP). The current plant was grandfathered in as a SUP, as it was in operation at the location before zoning/the requirement of the SUP, so they are asking to amend or issue an SUP to move in the

secondary plant for temporary use. I have listed the criteria for the special use permit process below and I am including the answers to the SUP from the Strata Corporation. Since this is an existing site, most of the criteria should already be met. Additional questions, such as time of operation, length of operation and noise have also been addressed and included for your review.

### **SPECIAL USE PERMIT PROCESS**

Within City Code is a section that lists “Criteria For Granting Special Use Permits”. This section states that the applicant must show that standards and criteria in Section 152.022 of the City Code will be satisfied. These standards and criteria shall include both general requirements for all special uses and, insofar as practicable, requirements specific to each designated special use. In granting a special use permit, the city council shall consider the effect of the proposed use upon the health, safety, and general welfare of occupants of surrounding lands. Among other things, the planning commission and city council shall make the following findings where applicable:

1. The use will not create an excessive burden on public facilities and utilities, which serve or are proposed to serve the area.
2. The use will be sufficiently compatible with, or separated by sufficient distance from, or screened from adjacent land uses so that there will be no deterrence to the use or development of adjacent land and uses.
3. Each structure or improvement is so designed and constructed that it is not unsightly in appearance to the extent that it will hinder the orderly and harmonious development of the district wherein proposed.
4. The use is consistent with the purposes of Chapter 10, and the purposes of the zoning district in which the applicant intends to locate the proposed use.
5. The use is not in conflict with the East Grand Forks Land Use Plan.
6. Adequate measures have been taken to provide ingress and egress so designed as to minimize traffic congestion, provide adequate access to public roads, and provide sufficient on-site parking.

In permitting a new special use permit or alteration upon review of an existing special use permit, the planning commission may recommend, and the city council may impose, in addition to these standards and requirements expressly specified by this Chapter, additional conditions which the planning commission or city council considers necessary to protect the interests of the surrounding area or the City as a whole.

### **SITE PLAN COMMENTS**

Since this site already exists and the use or utilities will not change significantly, I have not made specific site plan comments.

### **STAFF RECOMMENDATION**

Staff recommends approval of the Special Use Permit (SUP) to operate a second concrete plant, provided:

1. It meets any additional conditions requested by the Planning Commission or Council regarding noise, time of operation, length of operation, traffic congestion or requested truck route to project



1600 North 48<sup>th</sup> Street  
PO Box 13500  
Grand Forks, ND 58203  
701.746.7491

Friday, November 17, 2023

Ms. Nancy Ellis, East Grand Forks Community Development Director  
East Grand Forks Planning Department  
600 Demers Avenue  
East Grand Forks, MN 56721  
218-773-0124  
Email: [nellis@egf.mn](mailto:nellis@egf.mn)

**RE: Strata Corporation Special Use Permit Extension**

Dear Nancy,

Below is the narrative information requested by the East Grand Forks Planning Department regarding Strata Corporation's request for a Special Use Permit Extension.

II.A.1. Strata Corporation plans to utilize the current ready mixed concrete facility area to accommodate an additional ready mixed concrete plant and ancillary activities associated with the plant under the current grandfathered special use permit. The proposed Use will not create an excessive burden on public facilities and utilities which serve the area as these activities are simply an extension of the current site activities under the current permitted Use.

II.A.2. As stated in A.1., Strata Corporation plans to utilize the current ready mixed concrete facility area to accommodate an additional ready mixed concrete plant and ancillary activities associated with the plant under the current grandfathered special use permit. The proposed Use will be sufficiently compatible with adjacent land use.

II.A.3. The proposed structures will not hinder the orderly and harmonious development of the district.

II.A.6. The proposed Use will use the existing ingress and egress which provide adequate access to public roads. Sufficient on-site parking will be provided.

II.A.7. The proposed structures will meet the required intent of the Building Code governing such installations.

II.A.8. The proposed Use will be an extension of the current Use and will not have any adverse effects or impacts on public facilities, utilities, and services including but not limited to streets, law enforcement, emergency services, fire protection, city administration, schools, or other utilities.

Sincerely,

A handwritten signature in blue ink that reads "Jay Evans". The signature is written in a cursive, flowing style.

Jay Evans  
Aggregate Performance Manager  
Strata Corporation

## RE: [EXTERNAL]Strata Corporation - SUP Draft Documents

Jay Evans <Jay.Evans@stratacorporation.com>

Mon 11/20/2023 1:46 PM

To: Nancy Ellis <nellis@egf.mn>

Cc: Mike Brorby <Mike.Brorby@stratacorporation.com>; Jesse Johansen <Jesse.Johansen@stratacorporation.com>; Preston Stunkel <Preston.Stunkel@stratacorporation.com>

Hi Nancy,

I will do my best to scope the operation below:

- The project timeline is from April – September 2024 with a targeted completion of Mid-September (before beet season). Obviously, this is weather dependent.
- The normal hours of operation would be 600 am – 600 pm with potentially some night pouring during the heat of the project.
- As far as trucks, we would anticipate a bell curve pattern starting with 50-100 truck trips at the beginning and end of the project with a peak number of 300-350 truck trips per day for the 8-12 days of mainline paving.
- Noise issues shouldn't be a problem as the plant and trucks will mimic what currently happens on site under our current Use.

I am available anytime this afternoon if you want to discuss this further, either call my cell below or let me know a time that works for you and I will give and you a call.

I will send over the original documents for your files along with the application fee.

Thanks,

**Jay Evans | Aggregate Performance Manager**

**STRATA CORPORATION**

p: 701-792-3165 c: 701-388-6475

e: [jay.evans@stratacorporation.com](mailto:jay.evans@stratacorporation.com)

1600 N. 48<sup>th</sup> St. | Grand Forks, ND 58203



**From:** Nancy Ellis <nellis@egf.mn>

**Sent:** Monday, November 20, 2023 1:22 PM

**To:** Jay Evans <Jay.Evans@stratacorporation.com>

**Cc:** Mike Brorby <Mike.Brorby@stratacorporation.com>; Jesse Johansen <Jesse.Johansen@stratacorporation.com>; Preston Stunkel <Preston.Stunkel@stratacorporation.com>

**Subject:** Re: [EXTERNAL]Strata Corporation - SUP Draft Documents

**Caution:** This is an external e-Mail - please use care when handling this message and attachments.

Thank you. I have reviewed and we have all of the documentation we need at this time. However, we may need to discuss length of time needed for the temporary plant, hours of operation, number of trucks per day during operation, any potential noise issues, etc. Please let me know when we can visit about these questions.

## PUBLIC NOTICE

The Grand Forks- East Grand Forks Metropolitan Planning Organization and the City of East Grand Forks has prepared an update to the Street and Highway Element of the Metropolitan Transportation Plan. As part of the Update process the Planning Commission will hold a public hearing to review and approve the Street and Highway Element Update. We encourage all people who wish to comment on the Street and Highway Element Update to attend the meeting. The hearing may include a presentation by the Grand Forks/East Grand Forks Metropolitan Planning Organization (MPO) of the final plan elements, changes to goals and performance measures, a list of projects and a constrained financial plan for the update.

This public hearing will provide the final Street and Highway Element for residents to review as well as any changes to the Update between the presentation of the draft and the public hearing. The hearing will be held on December 13, 2023 at 12pm NOON in the City Council Training Room, City Hall, 600 DeMers Avenue, East Grand Forks. If you are unable to attend the public hearing, please feel free to call 218-773-0124 to receive more information or you may view the draft Update to the Street and Highway Element on the MPO's website: [www.theforksmpo.org](http://www.theforksmpo.org). You can also email your input to Nancy Ellis at [nellis@egf.mn](mailto:nellis@egf.mn); or Teri Kouba at [teri.kouba@theforksmpo.org](mailto:teri.kouba@theforksmpo.org).

Dated this 29<sup>th</sup> day of November 2023.

Signed  
Reid Huttunen  
City Administrator

(please publish as a legal notice)  
(please publish as soon as possible)  
(please submit bill to the GF-EGF Metropolitan Planning Organization)

**City Of East Grand Forks**  
**Planning And Zoning Commission**

600 DeMers Avenue \* P.O. Box 373 \* East Grand Forks, MN 56721  
(218) 773-0124 \* (218) 773-0128 fax    www.nellis.egf.mn

# Memo

**To:** Planning Commission

**From:** Forks MPO

**Date:** 12/13/2023

**Re:** Matter of request from the Grand Forks – East Grand Forks Metropolitan Planning Organization to the Planning and Zoning Commission on request to amend the City’s Comprehensive Plan in include the update to the Street & Highway Element of the Metropolitan Transportation Plan

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**BACKGROUND AND SUPPORTING DOCUMENTATION OF REQUEST:**

Every 5-years the Forks MPO with partnership from the Cities (Grand Forks and East Grand Forks) and Counties (Grand Forks and Polk) leadership review and update the community’s Metropolitan Transportation Plan (MTP). This plan must identify how the community will manage and operate a multi-modal transportation system (including transit, highway, bicycle, pedestrian, and accessible transportation) to meet the region’s economic, transportation, development, and sustainability goals for a 20 plus year planning horizon, while remaining fiscally constrained.

The plan has been broken up into three elements. Those elements are:

- The Transit Development Plan- adopted by the MPO Executive Board in December 2022;
- The Bicycle and Pedestrian Plan- adopted by the MPO Executive Board in July 2023; and
- The Street & Highway Plan

Once all three elements are done, or close to being done, they are combined into a cohesive MTP for adoption by the MPO Executive Board and approval by Federal Highway Administration (FHWA) and Federal Transit Administration (FTA).

This plan is being developed under the new transportation bill Infrastructure Investment and Jobs Act (IIJA), also known as the Bipartisan Infrastructure Law (BIL). IIJA continued the requirement for performance measures and targets to be set for all modes of transportation. The FTA and FHWA have put out regulations on how these performance measures and targets need to be presented.

To follow the regulations of IIJA, the MPO has given more prominence to the performance measures the MPO already collects data on. The MPO has also updated financial information

to reflect the changes in funding that IIJA outlines. Staff from both Federal Highway Divisions, both State Departments of Transportation, both Counties and both Cities have been involved and concur with the update for the Street & Highway Plan Element.

The Street & Highway Plan is a full update that includes maps, data, and information about the vehicular network throughout the Forks MPO area. The update recommends a future focus of preserving the existing roadway network in a “state of good repair”. This focus has allocated most of the available future funding in preserving, rehabbing, or reconstructing the existing street and highway system. In fact, the revenue has not been sufficient to keep the system in the desired “state of good repair”

With the adoption of the Street & Highway Plan Element, the Multi-modal Metropolitan Transportation Plan (MTP) out to the horizon year of 2050 identifies the goals, performance, and recommended projects for the total transportation system. This assists in the goal of a transportation system in any city to provide access to facilities, goods, services and activities. Supporting different forms of transportation modes gives users the choice whether it is to make trips entirely by walking and biking or catching a ride on the public transit or in a vehicle transporting on the street highway network.

Other than grammatical wording changes, the most significant change is the addition of an illustrative project section. These project lists highlight the community’s priorities.

For more information please visit: <https://www.gfegfstreets.com/> or [https://www.theforksmpo.org/plans\\_projects/2050\\_metropolitan\\_transportation\\_plan](https://www.theforksmpo.org/plans_projects/2050_metropolitan_transportation_plan)

### **FINDINGS AND ANALYSIS:**

- The current MPO Street & Highway Plan Element of the MPO’s Metropolitan Transportation Plan needs to be updated at least every five years.
- The City of East Grand Forks’ City Comprehensive Plan does contain the MPO’s Metropolitan Transportation Plan and needs to also consider the amendment.
- The recommended amendment does maintain a financial plan that is fiscally constrained.
- The City of East Grand Forks City Comprehensive Plan needs to be amended to contain the updated Street & Highway Plan Element.

### **SUPPORT MATERIALS:**

- Draft Street & Highway Plan can be found at: [www.gfegfstreets.com](http://www.gfegfstreets.com)
- Draft resolution amending the City’s Comprehensive Plan.

### **RECOMMENDATION:**

Staff recommends Planning Commission give final approval to amend the City’s Comprehensive Plan to include the update to the Metropolitan Transportation Plan – (Street & Highway Element)