

**CITY OF JAMESTOWN**  
**102 3rd Ave SE - Jamestown, ND 58401**  
**Phone: 701-252-5900**  
**MINUTES - Planning Commission – APRIL 10, 2017 - 8:00 a.m.**

**Members Present:** Hillerud, Ritter, Trautman, Rhinehart, Bayer, Rath, Paulson, Bensch

**Others:** City Staff

**Members Absent:** Frye

1. Chairman Hillerud called the meeting to order. Rhinehart made a motion to approve the minutes from the MARCH 13, 2017 Planning Commission meeting. Commission member Ritter seconded. Motion Carried.

2. Public Hearing: Final Plat – R.H. Rebel Addition

The final plat of R.H. Rebel Addition, Lots 1 through 5, Block 1, a replat of Lots 4, 5 and 7, Block 2 of First Northwest Addition; Lots 1, 4 and 5, Block 2 of Fourth Northwest Addition and Block 3 of Fourth Northwest Addition, City of Jamestown, Stutsman County, North Dakota. The property is located at 1618 Hwy 281 North, Jamestown, ND.

SRF Consulting Group, Inc. gave the staff report.

Chairman Hillerud opened the public hearing. No one appeared. Chairman Hillerud closed the public hearing.

Due to notable changes of the final plat from the previous owner conflict and current lack of written support from the other owner, SRF is recommending that this item be continued until the issues have been resolved or denial of the application.

Commission member Bensch made a motion to deny the Final Plat for R.H. Rebel Addition, a replat of Lots 4, 5, and 7, Block 2 of First Northwest Addition; Lots 1, 4, and 5, Block 2 of Fourth Northwest Addition, and Block 3 of Fourth Northwest Addition to the City Council. Seconded by Commission member Rath. Roll Call. Unanimous aye vote. Motion Carried.

3. Public Hearing: Land Use Amendment

Lands in Jamestown, a portion of Lot 1 within the NE ¼ of Section 26, Township 140N, Range 64W, lying and being north of a line extended from the intersection of the south boundary line of 9th Street with the east boundary line of said lot westward to the middle of the James River at right angles with the east boundary line of said lot, consisting of 8.4 acres in Stutsman County, North Dakota. The property is located at 901 4<sup>th</sup> Ave NW.

The property previously described is designated as Park/Open Space/Recreation in the adopted Future Land Use Plan, and a request has been made by the property owner(s) for an amendment to Low Density Residential.

SRF Consulting Group, Inc. gave the staff report.

Chairman Hillerud opened the public hearing. Nadine Readel appeared. She wanted to know if an engineer has looked at this specific property regarding flooding. Her house is not currently in the flood zone, but could this project change that? She stated that she is not comfortable with this and would like an engineer to study the land. Scott Harmstead spoke on the process of obtaining a elevation certificate from a registered engineer. Dean Hafner appeared. He spoke that no proposed infrastructure is located within the flood plain. He spoke that he plans to do slab on grade construction, which

in accordance with the regulations of FEMA requires that the structure's lowest floor be elevated to or above the base flood level and that the grade around the structure extends 10 to 15 feet beyond the walls before it drops below the base flood elevation. Chairman Hillerud closed the public hearing.

Commission member Bensch made a motion to accept the findings of staff and recommend approval of the land use plan amendment from Park/Open Space/Recreation to Low Density Residential for 8.4 acres located north and west of the intersection of 9<sup>th</sup> St NW and 4<sup>th</sup> Ave NW to the City Council.

Seconded by Commission member Rhinehart. Roll Call. Unanimous aye vote. Motion Carried.

4. Public Hearing: Zone Change Request

Lands in Jamestown, a portion of Lot 1 within the NE ¼ of Section 26, Township 140N, Range 64W, lying and being north of a line extended from the intersection of the south boundary line of 9th Street with the east boundary line of said lot westward to the middle of the James River at right angles with the east boundary line of said lot, consisting of 8.4 acres in Stutsman County, North Dakota from POC (Public, Open Development & Conservation District) to R-2 (One to Six Family Residential District). The property is located at 901 4<sup>th</sup> Ave NW

SRF Consulting Group, Inc. gave the staff report.

Chairman Hillerud opened the public hearing. Nadine Readel appeared and spoke on her concerns with this. Dean Hafner appeared. Chairman Hillerud closed the public hearing. Chairman Hillerud inquired to Hafner if he would be alright with zoning this land as R-1-A District. Hafner agreed to this change. The R-1A zoning allows for the construction of one family and two family dwellings.

Commission member Bayer made a motion to accept the findings of staff and recommend approval of the zone change from POC, Public Open Development & Conservation District to R-1-A, One to Two-Family Residential District for 8.4 acres located north and west of the intersection of 9<sup>th</sup> St NW and 4<sup>th</sup> Ave NW to the City Council, as it meets the requirements of Appendix C of the Jamestown Municipal Code. Seconded by Commission member Rath. Roll Call. Unanimous aye vote. Motion Carried.

5. Revised Planning Commission Action Items were discussed amongst Scott Harmstead and members of the planning commission. A recap was provided of the action items that were completed in 2016 along with a prioritized list of the action items for 2017. There are seven action items on the list for 2017 and they are prioritized from #1 through 6b. Chairman Hillerud recommended that the City Council be approached at an upcoming City Planning & Zoning Committee meeting to seek direction on the action items list with the following items noted:
- a. Amending the plat process to develop a separate "minor subdivision" plat process to simplify the review process for simple plats, such as minor alterations or splitting a lot into two lots. The end goal is to make the process more streamlined, less time consuming, and less expensive for the applicant.
  - b. Reviewing the zoning ordinance and subdivision regulations to determine if there is a need to address the need for new developments to provide public right of way. The concern is whether private roads should be allowed and if they are, should the ordinance dictate the standards and/or specifications that the private roads are constructed. In addition, there is a need to ensure that new roads are built to commonly accepted standards and whether existing standards should be reviewed to provide more flexibility to the applicant to better adapt to the different land use scenarios. Agreements can be explored to stipulate the cost of the original construction, the maintenance and replacement of private roads, surety that there are built to identified standards, responsible parties. The end goal is to protect the long-term interest of the city in the

event private roads are built. Scott Harmstead noted that the City Engineer should be involved in any changes to current regulations pertaining to this subject.

- c. It is unclear whether asphalt or concrete pavement or simply gravel is required as the accepted surface when new subdivisions are created. Is there a need to modify the current ordinances to strengthen the language? Is it the intent that all new roads be paved with concrete or asphalt? Another concern with having roads that aren't paved with concrete or asphalt is the storm water. Proper drainage improvements to be assured to avoid putting excess burden on existing infrastructure. Scott Harmstead noted that the City Engineer should be involved in any changes to current regulations pertaining to this subject.

6. Reminder: Special Planning Commission meeting will be Tuesday, April 18, 2017 at 8 a.m. to consider the preliminary and final plat for the Jamestown Southwest Addition.

7. Meeting adjourned.