

CITY OF JAMESTOWN
102 3rd Ave SE
Jamestown, ND 58401
Phone: 701-252-5900
DRAFT MINUTES - Planning Commission
SEPTEMBER 12, 2016 - 8:00 a.m.

Present: Hillerud, Trautman, Frye, Bayer, Paulson, Bensch, Ritter

Others: Fuchs, Buchanan, Dooley, Wollan, Klundt, Reuther, Liebig, Mayor Andersen

Absent: Rath, Rhinehart

1. Chairman Hillerud called the meeting to order. Chairman Hillerud brought to the attention a correction to the minutes. On page 2 paragraph 2 it says "seven lots" which should be eight lots. Commission member Ritter made a motion to approve the minutes from the August 8, 2016 Planning Commission meeting with the correction. Seconded by Commission member Bensch. Motion Carried.
2. Public Hearing: Plat request – Corell Addition (Continued from August)

The preliminary plat of Corell Addition, a replat of Lot 1, Block 1, Jamestown Hospital Healthcare Campus Addition within the NW 1/4 of Section 3, Township 139N, Range 64W, City of Jamestown, Stutsman County, North Dakota.

The property is located in the NE quadrant of 81st Avenue and 20th Street SW, south of Interstate 94.

Chris Clanahan, SRF Consulting Group, Inc. reviewed the staff report recommending approval of the preliminary plat. Chris went through the existing easements and recommended what should be shown and what should remain in the table. He also addressed the wetland covenant of dedication and noted that the applicant is still working on documentation regarding the maintenance responsibilities for the covenant of dedication and the ingress/egress easements.

Chairman Hillerud commented on the ingress/egress easements regarding the widths and if they would be sufficient. Commission member Bensch also asked if the 30 foot width would be enough. Scott Harmstead, SRF, said standard lane widths for local roads are 12 feet with two lanes equating to 24 feet, thus 30 feet is acceptable.

Commissioner member Bensch asked if the easements are void of record, and if they are not, they should be listed. Scott Harmstead, SRF, confirmed this.

Chairman Hillerud asked about signage on the private roads. Scott Harmstead, SRF, said they are not at this stage yet, as there will be plans looked at during the building permit process. Daren Peterka of Interstate Engineering addressed the street widths and signage. He stated that the development will have good signage and there will be curb and gutter in some areas, so it should be clear where the traffic will flow. Daren Peterka of Interstate Engineering also said they worked with the Fire Chief to make sure the largest fire truck could make the corners with radius as currently provided. Commission member Paulson asked if an easement is the same as a street ROW. Daren assured that an easement and a ROW are treated in a similar fashion.

Chairman Hillerud opened the public hearing. Clarice Liechty asked if an applicant speaks for all land owners. She said there is so much time spent at the Commission level without all owners knowing what is happening. Daren Peterka, IE, commented that you have to have an abstract and a title opinion before the plat comes to the Planning Commission. Commissioner member Bensch helped clarify that the owner told John Corell that he could not sell the property until the property was platted. Clarice Liechty said that she wanted to make sure of the process for the future. She also was concerned about the filling in of Wetland 1 and to make sure that it is legally binding to drain to the north and into I94 right-of-way. She asked if there are easements on the north,

can the water be drained to the north when these easements are in the same place. Chairman Hillerud said that the Planning Commission is not in the position to determine this. The Planning Commission's job is to make sure issues, such as drainage, are brought to light.

Beth Dooley, City Engineering Department, read the National Society of Professional Surveyors article on easements which basically states that when there is good data, a surveyor can use the data to identify exactly where the easement is, and thus can be shown on the plat. The duty of the surveyor is to identify all easements and put them on the plat in a table form or if possible drawn on the plat. She said this would help in guiding the Commission.

Chairman Hillerud closed the public hearing.

Commission members Bayer and Frey brought up that they are still not comfortable with the ingress/egress easements being proposed as private roads due to the concerns of snow removal and maintenance. Chairman Hillerud would like to see roll curbs on these private roads which would make some kind of distinction, so people are not driving here and there like at the Buffalo Mall. Jeff Fuchs said that there are no ordinances that require ingress/egress easements to be city streets. He also said there is an easement at the Buffalo Mall. Hillerud said that is exactly why they are concerned about this plat.

A motion was made by Commission member Trautman to accept the findings of staff and approve the Preliminary Plat for Corell Addition, a replat of Lot 1, Block 1 of the Jamestown Hospital Healthcare Campus Addition within the NW ¼ of Section 3, Township 139N, Range 64 West, as it meets the requirements of Section 9 of Appendix B of the Jamestown Municipal Code. Motion seconded by Commission member Bensch. Roll Call: 6 ayes, 1 nay (Frye) Motion Carried.

3. Public Hearing: Land Use Amendment

Lots 1 and 2 of Fairview First Subdivision and the south 400' of the west 1,690', less Highway 281 right-of-way within the SW ¼ of Section 14, Township 140, Range 64 West; located within the One Mile Extraterritorial Area of the City of Jamestown, Stutsman County, North Dakota from Agricultural and Light Industrial Land Use to Commercial Land Use. The properties are located at: 8211 and 8227 33rd Street SE

Chris Clanahan, SRF Consulting Group, Inc. reviewed the staff report recommending approval of the land use plan amendment.

Commission member Ritter asked if Grabinger's was located on the east portion of the area. Chris Clanahan, SRF, said yes. She asked if all owners were notified. Darrell Wollan, Zoning Administrator, said (City) ordinance says all owners within 150 feet of a zone change have been notified with letters.

Chairman Hillerud opened the public hearing. No one appeared.

Chairman Hillerud closed the public hearing.

A motion was made by Commission member Trautman to accept the findings of staff and recommend approval of the Land Use Plan Amendment from Agricultural and Industrial to Commercial for Lots 1 and 2 of the Fairview First Subdivision and the south 400 feet of the west 1,690 feet less Highway 281 right of way within the SW ¼ of Section 14, Township 140, Range 64 West to the City Council. Motion seconded by Commission member Paulson. Roll Call: 7 ayes, 0 nays. Motion Carried.

4. Public Hearing: Zone Change - The west 1,690' of the south 400', less the west 620' of the SW ¼ of Section 14, Township 140, Range 64 West, located within the One Mile Extraterritorial Area of the City of Jamestown, Stutsman

County, North Dakota, from C-2 (General Commercial District) and R-1 (One-Family Residential District) to C-1 (Local Commercial District). The property is located at: 8211 33rd Street SE

Chris Clanahan, SRF Consulting Group, Inc. reviewed the staff report recommending approval of the zone change. He said that no protests were received and noted that the 620 feet west of the subject area is intended to remain as C-2, General Commercial District, since it is more compatible with and provides an opportunity for highway commercial uses.

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

Hillerud asked if the only reason this is being zoned C-1 is so that they can build a home. Chris Clanahan, SRF, said yes.

A motion was made by Commission member Frey to accept the findings of staff and recommend approval of the zone change from C-2 General Commercial District and R-1 One-family Residential to C-1 Local Commercial District for the west 1,690 feet of the south 400 feet less the west 620 feet of the SW ¼ of Section 14, Township 140, Range 64 West to the City Council as it meets the requirements of Appendix C of the Jamestown municipal Code. Motion was seconded by Commission member Bayer. Roll Call: 7 ayes, 0 nays. Motion Carried.

5. Public Hearing: Text Amendment – Traffic Impact Study

A City of Jamestown initiated Text Amendment to amend and re-enact Sections 6.7 and 9 of Appendix B, and Section 11 of Appendix C of the City of Jamestown Zoning Ordinance pertaining to requirements for the study of traffic impacts created by new developments. The proposed amendment would establish requirements for the submittal of a traffic impact study for developments which meet defined criteria.

Chris Clanahan, SRF Consulting Group, Inc. reviewed the staff report recommending approval of the text amendment. He noted the primary revision to the ordinance resulted from the City Council's concern regarding the costs associated with the development of traffic impact studies and construction of required improvements.

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

Chairman Hillerud had a question on the appealing process. He asked if it would be more appropriate to have the City Council be the appealing body since the Planning Commission has already approved that the traffic impact study is required. Scott Harmstead, SRF, said yes, if the Commission feels more comfortable with that approach, the change can be easily made. Scott clarified that they will change it to say that the repeal process will be through the City Council.

Motion made by Commission member Trautman to accept the findings of staff, and recommend approval of the text amendment to Section 6.7 and Section 9 of appendix B and Section 11 of Appendix C requiring the submittal of a traffic impact study along with the identified changes to subsection "e" regarding appeals to the City Council. Motion was seconded by Bayer. Roll Call: 7 ayes, 0 nays. Motion Carried.

6. Public Hearing: Text Amendment – Senior Housing Definitions, etc.

A City of Jamestown initiated Text Amendment to amend and re-enact Section 3, Sections 5.2 to 5.6, and Section 7 of Appendix C of the City of Jamestown Zoning Ordinance pertaining to senior and assisted living uses. The proposed amendment would establish definitions, define allowed districts, and modify parking requirements for senior housing and assisted living use types.

Chris Clanahan, SRF Consulting Group, Inc. reviewed the staff report and recommended approval of the text amendment.

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

Hillerud commented on how this will give more accurate parking requirements for each facility classification.

Motion made by Commission member Ritter to accept the findings of staff, and recommend approval of the text amendment to Section 3, Sections 5.2 to 5.6, and Section 7 of Appendix C pertaining to senior and assisted living units to the City Council. Motion was seconded by Frye. Roll call: 7 ayes, 0 nays. Motion Carried.

Other Comments

Commission member Bayer suggested that communications be open with the City Council and staff about city streets and requirements. Commission member Frye added that it comes down to safety issues and emergency management concerns. Commission member Paulson gave the example of Menards and how long it took for the street lights to be put up. Chairman Hillerud and Commission member Frye said there is nothing to say there will not be multi-level buildings in this area which can result in significant increase of traffic by this development (Corell Addition Plat).

Commission member Ritter asked if the traffic impact study ordinance will apply to private roads. Scott Harmstead, SRF said that the traffic impact study will usually effect improvements needed for higher volume public streets. Commission member Trautman asked Jeff Fuchs if the City had a process to take over private streets. Jeff stated there is a process if there is mutual agreement between the owner and the city. Commission member Frye asked what happens when a property is foreclosed. Jeff Fuchs said it would depend on who the owners were (of those private roads).

7. Commission member Frye made a motion to adjourn. Seconded by Commission member Trautman Meeting adjourned.