

CITY OF JAMESTOWN
102 3rd Ave SE
Jamestown, ND 58401
701-252-5900

MINUTES

Planning Commission-January 14, 2013 - 8:00 a.m.

Present: Purdy, Trautman, Hillerud, Bensch, Bergquist, Bensch, Johnson, Tressler, Ritter

Others present: Mayor Andersen, Fuchs, Suko, Klundt, Kourajian, Buchanan, Wollan, Harty

1. Chairman Trefz opened the meeting. A motion was made by Purdy to approve the minutes from the December 10, 2012 regular Planning Commission meeting. Seconded by Trautman. Unanimous aye voice vote. Motion Carried.
2. Public Hearing:
Zone Change Request - Lots 1 & 2, Block 4, Hi-Acres Hillcrest Addition from R-1 (One Family Residential District) to P-O-C (Public, Open Development and Conservation District).

Chairman Trefz opened the public hearing.

Stephanie Falkers, of SRF Consulting explained the reason for the zone change request and that two letters from property owners were received. Secretary Wollan stated we have a formal petition from affected property owners protesting the zone change was received on Friday, January 11, 2013.

Doug Panchot, director of Eventide in Jamestown stated they purchased the two lots adjacent to the property in 2010 and are requesting the zone change in order to continue with a complete campus makeover. He explained the history of the nursing home and their wish to enhance senior services with assisted living and more private rooms.

Joel Traiser of 1321 2nd St SE, spoke representing the neighbors in the area. 100% of people have protested the zone change. Mr. Traiser explained concerns relating to the height of the building and the possibility of more truck traffic. Several members asked questions and discussed the issues with Mr. Traiser.

Cindy Gray, SRF Consulting discussed looking at compatibility within the area, the land use standpoint, etc. A discussion was held relating to setbacks and the R-4 zone requirement.

Mr. Traiser again spoke that there was a lack of understanding of setbacks between the neighbors and the proposed plan. He asked Eventide to stake out the proposed building and have the architect drawings available as they have only been presented with one option thus far.

Commission member Ritter asked Mr. Panchot if they have any other plans, he stated no, not yet. Commission member Bensch asked if one wing goes to the SE, it would only affect the one lot that is in question for the zone change. Mr. Panchot stated they want to enhance the area.

Mayor Andersen, read from the City Code book relating to POC zoning and how it is different from other zoning and must include R-4 zone and a detailed plan must be submitted.

Chairman Trefz further explained that the zone change is protested at the Planning Commission level and would need 75% of City Council approval to pass.

The public hearing was closed.

A motion made by Johnson to request Eventide provide a schematic plan so that all neighbors can view the proposed development and to continue the request for zone change to the next Planning Commission date which would be February 11, 2013. Bensch seconded the motion. Unanimous aye voice vote. Motion Carried. No roll call.

Commission member Bergquist added that a group meeting to include everyone is needed so that opinions can be voiced.

3. Public Hearing:

The preliminary plat of Berndt's Addition, A replat of part of Blocks 40 & 47, Russell's Second Addition, together with Auditor's Lot 26-2, Auditor's Lot A-2, Parcel C and a portion of those unplatted lands within Government Lot 12 of Section 26, T140N, R64W, City of Jamestown, Stutsman County, North Dakota.

Stephanie, of SRF Consultants, explained the plat and recommended approval of preliminary plat.

Greg Rich of IE explained the plat and zoning issues.

Chairman Trefz closed public hearing.

Bensch made a motion to approve the Berndt Addition preliminary plat contingent upon rezoning of Lot 2, Ritter seconded.

Greg Rich, of Interstate Engineering, Inc. questioned if there is an ordinance that states each lot has to be zoned the same. Cindy Gray, of SRF Consulting said ideally the area should be zoned first, then platted concurrently.

Chairman Trefz stated the City Council returned the Berndt Addition plat to the Planning Commission as a preliminary, and it was re-advertised per City attorney decision. Mayor Andersen related that the City Council would support the Berndt Addition as a final plat.

The motion made by Bensch was amended to approve the Berndt Addition plat as the final. Ritter seconded. Roll call. All voted aye. Motion carried.

Bensch made a motion to recommend a zone change on Lot 2 of the Berndt Addition plat. Ritter Seconded. Roll call. All aye vote. Motion Carried.

4. Consider the final plat of Wanzek Addition. The public hearing for the Wanzek Addition preliminary plat was held at the August 13, 2012 Planning Commission meeting.

Chairman Trefz opened the public hearing.

Greg Rich handed out a map of the final plat of Wanzek Addition. Stephanie Falkers of SRF Consulting explained the plat.

Chairman Trefz inquired of Staff if all required engineering documents to approve as final are in hand. Mr. Wollan stated in the affirmative.

A motion was made by Trautman to approve the Wanzek Addition plat as final. Seconded by Purdy. Roll call. All aye vote. Motion carried.

5. Information from SRF Consulting.

Cindy Grey relayed some information about the firm, SRF Consulting. She described their purpose which has a three prong approach. One is serving as extension of staff for the Planning Commission and City Council and

providing analysis of requests and serving as zoning administrator to make recommendations and serve as a guide to work through technical issues with staff and applicants.

Short and long term growth management plans for future land and transportation use for the City which will be coordinated with the townships as well. This is hoped to be completed in late spring. Chairman Trefz stated the need for staff and members to be notified of projects, etc. ahead of time in order to consider all elements of a particular project. Cindy spoke of the short term land use plan and how the long term land use and transportation plan will fit together.

Members discussed the time line of information being given to them and when protest issues are dealt with. Cindy discussed the role of the Planning Commission as a liaison to the City Council decisions. Because the Planning Commission is not elected, the decisions can be made more objectively.

Jeff Fuchs, City Administrator, spoke about setting deadlines for submitting protests, and that the ordinance has not been followed as it is hard to enforce. Public hearings are for hearing protests, and cannot be required to be heard ahead of time.

6. Mayor Andersen updated the Planning Commission stating that the Land Use & Transportation Plan Consultants will be here for interviews next week. Also, there is a budget for City Code updates and the City Attorney's office will be working on this soon.
7. Commission member Purdy made a motion to adjourn. Meeting adjourned.