

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

MINUTES
Planning Commission – MAY 14, 2018 – 8:00 a.m.

Present: Hillerud, Frye, Bayer, Bensch, Trautman, Rath, Ritter, Paulson - Absent: Rhinehart
Others: Hellekson, Liebig, Reuther, Veil, Harty

1. Chairman Hillerud called the meeting to order. Commission member Trautman made a motion to approve the minutes from the April 9, 2018, Planning Commission meeting. Seconded by Commission member Rath. Unanimous aye vote. Motion carried.

2. Public Hearing: Horizon Estates First Addition Final Plat

The final plat of Horizon Estates First Addition, Block 1, Lots 1-4, and Block 2, Lots 1-11, a portion of Auditor's Lot 30-2 within the NE ¼ of Section 30, T140, R63W, Bloom Township, Jamestown, Stutsman County, North Dakota.

The property is located north of 5th St NE, east of 23rd Ave NE and west of 27th Ave NE, Jamestown, ND.

Scott Harmstead, SRF Consulting Group, Inc. gave the staff report. He explained the plat and said that the area is intended to be a low density, single-family residential subdivision. Mr. Harmstead stated that all conditions have been met except the title opinion. Approval of the final plat was recommended with the exception that the title opinion be received by staff prior to recording the plat.

Chairman Hillerud asked about ensuring a gravel surface for the temporary turnaround easement. Mr. Harmstead said this review is done at a staff level, just as other subdivision improvements are reviewed at the staff level, such as right of way improvements. Commission Member Rath noted that the plat should not be approved until all conditions are met.

Chairman Hillerud opened the public hearing.

Jim Schumacher, 8394 32nd St SE and owner of the plat area, discussed concerns related to the naming of the roads, and asked if all utility easements will be next to the curb. Mr. Schumacher asked if the new bike path will go to 27th Ave NE and where sidewalks would be located with the utility easement locations provided on the plat. Chairman Hillerud explained that the easements are shown on the plat, and the bike path is scheduled to be completed in the near future. Mr. Harmstead added that right of way in the plat provides ample room for sidewalks between the back of curb and right of way edge.

Jim Reuther, City Fire Chief, explained that response time for the emergency departments can be an issue if areas are unknown to the fire staff as many are volunteers. The quadrant area and street/avenue name are preferred for easier and more efficient locating.

Chairman Hillerud closed the public hearing.

Commission Member Trautman made a motion to accept the findings of staff and recommend approval of the final plat of Horizon Estates First Addition to the City Council with the caveat that the title opinion is provided prior to the final plat being placed on the City Council agenda. Seconded by Commission member Ritter. Roll Call. Unanimous aye vote. Motion carried.

3. Public Hearing: Land Use & Transportation Amendment

A tract of land located within the NW ¼ and the NE ¼ of Section 27, T140, R64W, Midway Township, Stutsman County, North Dakota. The property is located along the south side of 34th St SE approximately 0.2 miles east of its intersection with the US 52/281 Bypass. The property is designated as Agricultural/Rural Open Space in the adopted Future Land Use Plan, and a request has been made by the property owner(s) for an amendment to General Industrial.

Scott Harmstead, SRF Consulting Group, Inc. gave the staff report. Mr. Harmstead explained the property is in the one-mile extra territorial area and the site is roughly 1,000 feet east of the Hwy 281 Bypass. The 2015 Land Use & Transportation Plan currently provides for three different land use designations ranging from light industrial to heavy industrial land use. Mr. Harmstead explained that based on review of the Land Use and Transportation Plan and recent interpretation of industrial uses by the City Council and Planning Commission, the best fit for the proposed ready mix facility would be the General Industrial land use designation. Mr. Harmstead also noted that a protest letter was received from an adjacent property owner with regard to the upcoming zone change request.

Chairman Hillerud opened the public hearing.

Kelsey Krapp, attorney on behalf of the applicant, introduced his client, Travis Traut, the project owner. Mr. Traut explained that new ready mix operations have greatly improved and dust will be minimized. They will use a dust collection system which dumps dust back into the silo. Mr. Traut stated that the operators will be using aggregate materials that include granite, sand, etc. Commission member Bayer asked where the driveway will be and Mr. Traut showed the Commission where the driveway would be on the map provided by SRF Consulting Group, Inc.—the anticipated access location is along the northwest boundary of the proposed site. The Commission also asked if there are any other permits required; Mr. Krapp stated the ND Department of Health was contacted and that there are no air quality permits required.

Jim Wentland, 8169 34th St SE, property owner of land adjacent to the proposed ready mix operation to the east, questioned the dust generated by the facility. Mr. Wentland expressed his concerns and asked if such a facility could be located closer to the US 281 Bypass. He also stated that his property is zoned residential. Mr. Wentland also asked about the truck washout area.

Mr. Traut explained the dust system that would be used at the proposed facility. Mr. Traut explained that the exact location of the truck washout area had not yet been determined. Mr. Traut noted his desire to be a good neighbor with respect to the adjacent properties.

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 Agricultural/Rural Open Space to General Industrial for a 10-acre site located on the south side of County Road 40, approximately 1,000 feet east of its intersection with the US 281 Bypass. Seconded by Commission Member Frye. Roll Call. Unanimous aye vote. Motion carried.

4. Public Hearing: Zone Change

A tract of land located within the NW ¼ and the NE ¼ of Section 27, T140, R64W, Midway Township, Stutsman County, North Dakota from A-1, Agricultural District to M-2, General Industrial & Manufacturing District. The property is located along 34th St SE approximately 0.2 miles east of the Bypass.

Scott Harmstead, SRF Consulting Group, Inc. gave the staff report. He said that the current zoning is A-1, Agricultural. Mr. Harmstead stated he had previously described the protest letter received. Seasonal traffic impacts were explained and the only concerns from the Stutsman County Highway Superintendent dealt with establishing a safe access to County Road 40.

The City Engineer did not require a traffic impact study. A stormwater permit application is required for the proposed development and a draft application was provided with the staff report. Chairman Hillerud asked if there is a better defined zone for this use and if the use is allowed in the M-1 District.

Mr. Harmstead replied that Zoning Ordinance was amended in 2014 to allow the proposed use in the M-1 District. Jamison Veil, Planning & Zoning Administrator, stated that the applicant had requested to apply for the M-2 District to allow for potential expansion in the future for rock crushing and washing, which is allowed in the M-2 District with a special use permit.

Chairman Hillerud opened the public hearing.

Jim Schumacher, 8394 32nd St SE, appeared to support the project and its developers for their investment in this type of business as competition is needed in this industry for the Jamestown area.

Chairman Hillerud closed the public hearing.

Commission Member Bayer made a motion to accept the findings of staff and recommend approval to the City Council of the zone change from A-1 District to the M-2 District for 10 acres located within the northwest quarter and the northeast quarter of Section 27, Township 140 North, Range 64 West. Seconded by Commission Member Rath. Roll Call. Unanimous aye vote. Motion carried.

5. Public Hearing: Preliminary Plat

The preliminary plat of Country Grain Cooperative Subdivision, Lot 1, Block 1 being within the Extraterritorial Jurisdiction of the City of Jamestown, a tract of land located within the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of Section 27, T140, R64W, Midway Township, Stutsman County, North Dakota. The property is located along the south side County Road 40, approximately 1,000 feet east of its intersection with the US 281 Bypass.

Scott Harmstead, SRF Consulting Group, Inc. gave the staff report. Scott explained the preliminary plat and explained the access from County Road 40, and that existing county right of way is adequate. There was no utility easement input from any rural or city utility companies. Comments from the County Highway Department were received and were noted as part of the zoning change request. Mr. Harmstead recommended that the plat conditions as provided in the staff report be amended as follows:

- Access to the proposed lot shall be determined in coordination with the County Highway Department.
- Provide a 10' wide utility easement along CR 40 within the subject lot, as required by city ordinance.
- A title opinion is required prior to submittal of the final plat.

Jamison Veil, Planning & Zoning Administrator, added that he had been in contact with the City Attorney about the title opinion, and it is being worked on now, so it should be ready before the final plat is considered by the City.

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

Commission Member Paulson made a motion to accept the findings of staff and approve the preliminary plat with the conditions as amended by staff. Seconded by Commission Member Ritter. Roll Call. Unanimous aye vote. Motion carried.

6. Chairman Hillerud stated the City Council has been receptive to the zoning ordinance action item list presented from the Planning Commission. Mr. Harmstead added that the action item relating to the downtown parking amendment may be more of an involved ordinance amendment in scope than previously thought.
7. Commission member Ritter called for adjournment, seconded by Commission member Rath. Meeting adjourned.