

**CITY OF JAMESTOWN
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**DRAFT MINUTES - Planning Commission
MAY 11, 2015 - 8:00 a.m.**

PRESENT: Hillerud, Frye, Bayer, Rath, Bensch, Ritter, Trautman, Rhinehart

OTHERS PRESENT: Buchanan, Reuther, Klundt, Schwartzkopf, Wollan, Harty

1. Chairman Hillerud called the meeting to order. Commission member Trautman made a motion to approve the minutes from the APRIL 13, 2015 Planning Commission meeting. Seconded by Ritter. Unanimous aye vote. Motion Carried.
2. Assisted Living, Nursing Homes, and Memory Care definition, use and parking discussion
Chris Clanahan of SRF Consulting Group, Inc. explained the Senior Housing & Care Facilities memo prepared by the SRF Consulting Group, Inc.

Discussion amongst the commission members revolved around the need of the ordinance amendment to define the various categories of facilities within the Senior housing industry and to establish varying levels of parking for each category based upon the type of occupant and the level of care provided.

Commission member Frye expressed concern that the Commission consider the public's safety when establishing the minimum parking requirements. He wants the minimum parking requirements established by the amendment to the ordinance to be set at a level that won't create future safety issues.

Clarice Liechty, 511 8th St SW, spoke relating to the requirements of operating assisted living units. She suggested that parking requirements be the same as for apartment buildings; 2 parking spaces for each unit. She stated that there is no legal authority to define assisted living, and no ordinance in place for complying with or defining 'assisted living'.

Chairman Hillerud explained that nursing homes, assisted living facilities and other forms of Senior housing are becoming more commonplace and that more discussion needs to take place between the developers and City staff during the design phase to establish what classification each specific facility falls into. He is concerned that the minimum parking requirements that are established under the current ordinance for use in Senior independent living facilities may need to be increased to be more in line with requirements for apartment buildings.

Cindy Gray, SRF Consulting Group, Inc. explained that the definitions are important so that when a developer comes forward with a plan for development, the terms are defined. Commission member Bayer related his experience with a family member and the definition of 'assisted living'.

Commission member Frye cautioned that care be taken when establishing the minimum parking requirements to avoid a domino effect that can take place when the requirements on one type of facility are changed and the impact of those changes on other types of facilities aren't thoroughly thought out.

Clarice Liechty spoke about the importance of the definitions in the City ordinance. Chairman Hillerud commented that the number of parking spaces needed per building would be changed by the amendment to the ordinance and that the Planning Commission is trying to clarify the ordinance so that the type of facility is more clearly defined and the parking ratios would be determined based upon the classification of the facility.

3. Utility Easement Discussion

Chris Clanahan explained the memo relating to utility easements requirements.

Commission member Bensch expressed concerns about easements in developments that have alleys and ones that don't and that access to the easements is not always easily provided.

City Engineer Schwartzkopf explained that different easements may need to be considered to address the varying setbacks allowed for different zoning districts. He suggested we circulate a standardized checklist to the utility companies, etc. and that it could be treated on a special condition basis. He cautioned about getting too concerned about fixing the past, however; we can make sure in the future we define the location of the easements whether they be property to property side, backside, etc. and define the terms used in street and alley right of way.

Commission member Frye commented that if the information was going to be provided to the utilities affected, that the language needs to reflect responsive action if not in agreement or non-response would mean agreement. He would like a meeting to take place with the utilities and City staff. City Engineer Schwartzkopf agreed.

Cindy Gray, SRF Consultant Group, Inc., agreed that a joint meeting would be beneficial in determining the minimum requirements for utility easements.

Commission member Trautman suggested that a formalized process be set, not a case by case basis.

Chairman Hillerud suggested the staff invite the utility companies to discuss these issues. Commission member Frye suggested that all utilities attend a meeting in order to be held accountable.

City Engineer Schwartzkopf suggested that a public meeting be held separately due to everyone's time limits. City staff could set up a time with SRF and with the utilities, then notify Planning Commission members of the discussion meeting. The intent would be to consider changes that may be made to the City ordinances. Chairman Hillerud agreed that City staff be directed to hold meeting with utility companies so that Planning Commission can proceed with the modification of the ordinance.

Clarice Liechty spoke of her concern with meetings being held and not following the public meetings law. City Engineer Schwartzkopf related that these types of meetings will not include decisions being made, but it will be treated as a public meeting. Clarice made it clear that discussion meetings must follow the open meetings law.

Geneva Kaiser, Stutsman Rural Water, spoke of her agreement of the opportunity to move forward with these issues concerning utility easements.

Chairman Hillerud stated that the Planning Commission doesn't need to be involved with the complex issues of the easements, but would like to be informed of items discussed.

4. Traffic Impact Study Discussion

Cindy Gray, SRF Consulting Group, Inc. explained the traffic impact study draft ordinance handout, its purpose, applicability, requirements & process.

City Engineer Schwartzkopf stated that the NDDOT would appreciate the language being standard transportation verbiage. He also stated that a traffic impact study could be part of the developers' agreement, and that the LUTP will have a lot of data that could be used for this purpose.

Chairman Hillerud asked if the areas to be studied would be defined and is concerned with who pays for the cost of the study as well as the improvements.

A lengthy discussion concerning traffic impact study requirements followed.

Clarice Liechty related that she would like the City to do the traffic study in the SW area where the land is owned by a varied number of people and that it would benefit the City and the land owners.

Cindy Gray, SRF Consulting Group, Inc. recommended that the City Attorney could look at the draft language and develop it as a text amendment. City Engineer Schwartzkopf requested the commission to authorize the City attorney to review.

Commission member Trautman made a motion to direct SRF Consulting Group, Inc. to submit a draft ordinance relating to the traffic impact study to the City Attorney for review and return of comments, if possible, before the next Planning Commission meeting. Commission member Bensch seconded the motion. Roll Call. Unanimous aye vote. Motion Carried.

5. Informational:

Public Hearing on the Land Use and Transportation Plan will be Monday, May 18, 2015 at 5:00 pm.

City Engineer Schwartzkopf stated that the NDDOT's comments have been returned, but no comments from the FHWA have been received. The City will still hold the public hearing.

6. Other business.

Secretary Wollan said there will be an application coming in for a zone change of the Eventide plat, it will still be R-4, however; another site plan needs to be approved. Also, Dakota Acres First Subdivision plat and zone change applications will be heard at the June 8th, 2015 Planning Commission meeting.

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