

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

**DRAFT MINUTES - Planning Commission
JULY 13, 2015 - 8:00 a.m.**

Present: Hillerud, Trautman, Frye, Bayer, Rath, Rhinehart, Ritter

Others Present: Fuchs, Kourajian, Klundt, Schwartzkopf, Harty

Absent: Bensch

1. Chairman Hillerud opened the meeting. Trautman made a motion to approve the minutes from the June 8, 2015 Planning Commission meeting. Seconded by Ritter. Motion Carried.

2. Commission member Frye made a motion to approve the minutes from the June 22, 2015 Special Planning Commission meeting. Seconded by Rhinehart. Motion Carried.

3. Public Hearing: Preliminary Plat Request

The preliminary plat of Marjo Second Addition, a replat of Block 4, Marjo First Addition and an unplatted parcel in the NW ¼ of Section 30, Township 140 North, Range 63 West, being within the City of Jamestown, Stutsman County, North Dakota. *Property Address: 1902 & 2202 13th Street NE and 1509 10th Street NE – Jamestown, ND*

Chris Clanahan of SRF Consulting Group, Inc. gave the staff report.

Cindy Gray of SRF Consulting Group, Inc. responded to Chairman Hillerud's question as to whether the utility companies have responded to the request for input regarding the need for utility easements for the property. She stated that there are about 5 entities that have been emailed the preliminary plat. Staff has recommended to applicant a 10' easement for utilities.

Commission member Bayer requested to abstain from voting on this issue as he has a conflict of interest relating to this plat.

Darin Peterka, of Interstate Engineering, Inc. spoke relating to utility easements and noted that there is individual access for utilities. Darin related that the applicant is open to do a utility easement probably on the east side.

Cindy Gray of SRF Consulting Group, Inc. suggested that the plat be continued.

A motion was made by Ritter to deny the preliminary plat due to the requirement of 10' wide utility easements. Seconded by Rath. No Roll call.

An amended motion was made by Ritter to continue with the review of the preliminary plat with requirement of 10' wide utility easements. Seconded by Rath. Roll Call. Six aye votes, one abstain (Bayer). Motion Carried.

4. Public Hearing: Final Plat Request

The final plat of Marjo Second Addition, a replat of Block 4, Marjo First Addition and an unplatted parcel in the NW ¼ of Section 30, Township 140 North, Range 63 West, being within the City of Jamestown, Stutsman County, North Dakota. *Property Address: 1902 & 2202 13th Street NE and 1509 10th Street NE – Jamestown, ND*

A motion was made by Commission member Ritter to continue the review of the final plat, seconded by Commission member Trautman. Roll Call. Unanimous aye vote. Motion Carried.

5. Public Hearing: Preliminary Plat Request (CONTINUED TO THE AUGUST MEETING). The preliminary plat of Messner Addition, within SE ¼ of Section 23, T140N, R64W, being within Stutsman County, City of Jamestown, North Dakota.

Commission member Frye made a motion to continue the Preliminary Plat Request of Messner Addition to the August Planning Commission meeting. Commission member Bayer seconded. Roll Call. Unanimous aye vote. Motion Carried.

6. Public Hearing: Preliminary Plat Request

The preliminary plat of Verke Liechty Addition, a replat of the south 41.71 feet of Block 6, Buffalo Mall Subdivision located in and being a part of the SE ¼ of Section 2, Township 139, Range 64 within the City of Jamestown, Stutsman County, North Dakota. *Property Address: 930 25th Street SW – Jamestown, ND*

Chris Clanahan gave the staff report.

Chairman Hillerud opened the public hearing.

Clairce Liechty, 511 8th Ave SW, partial owner of the property being re-platted related that she is available for questions. City Engineer Schwartzkopf clarified that the reason for the plat was the access points.

Chairman Hillerud closed the public hearing.

A motion was made by Commission member Frye to accept the findings of staff and approve the preliminary plat of Verke Liechty Addition, a replat of the south 421.71 feet of Block 6 of Buffalo Mall Subdivision within the SE ¼ of Section 2, Township 139N, Range 64 West as it meets the requirements of Section 9 of Appendix B. Seconded by Commission member Trautman. Roll Call. Unanimous aye vote. Motion Carried.

7. Public Hearing: Zone Change Update – Eventide Addition

Lot 1, Block 1, Eventide Addition to the City of Jamestown, Stutsman County, North Dakota, relating to the update of plan requirements according to Section 5.4.3 of Appendix C. *Property Address: 1300 2nd Place NE – Jamestown, ND*

Chris Clanahan of SRF Consulting Group, Inc. gave the staff report.

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

Chairman Hillerud explained the need for the hearing was a requirement of the ordinance and that the ordinance states that if the applicant intends to make changes to an approved zone change document, the applicant must return to the planning commission with new documentation that shows the requested changes and get approval for the revised zone change through the same process as the original approval was given. He further stated that some of his concerns relating to the new documentation that was submitted at the last hearing had to do with the fact that there was a line shown on the drawings that was identified as a property line and that if it was a property line, was there going to be a division of property, were there going to be two owners and were the parking requirements being met for both properties? Commission member Bayer asked about stormwater detention. City Engineer Schwartzkopf relayed there would be no problem with stormwater and there is no underground storm sewer piping in the area. He also stated that the pre-construction and post-construction runoff would be minimally changed.

Cindy Gray, SRF Consulting Group, Inc. explained that there are some protest signatures that have been received today. The protest is based on the size of the property within the notification area and these findings will be presented to the City Council after being reviewed and verified.

Discussion among members included Commission member Bayer questioning the fact that the assisted living area was being addressed in the new documents but skilled living areas are not. Commission member Trautman reiterated that any changes have to be approved again. Chairman Hillerud explained that the Planning Commission's job is to make sure zone change applications are reviewed and follow the requirements of the City Ordinance.

A motion was made by Commission member Trautman to accept the findings of staff and recommend approval of the zone change update for the P-O-C District for Lot 1, Block 1, Eventide Addition to the City Council as it meets the requirements of Appendix C of the Municipal Code. Seconded by Commission member Rhinehart. Roll Call. Five aye votes. Two nay votes (Bayer, Ritter). Motion Carried.

Cindy Gray, SRF Consulting Group, Inc. will evaluate the protest signatures for presentation to the City Council.

8. Discussion relating to Extra-Territorial R-O-W (SRF Consulting). Cindy Gray, SRF Consulting Group, Inc. explained the need for a discussion with the County.
9. Traffic Impact Study Ordinance Update (SRF Consulting). Cindy Gray, SRF Consulting Group, Inc. reported that the status has not changed since last month, still waiting for the City Attorney's review.
10. Discussion relating to utility easements (SRF Consulting). Cindy Gray, SRF Consulting Group, Inc. reported that they met with Otter Tail Power and explained what was required of them, and that they didn't know how to follow through. The first step is to get the utility companies and public works to meet to discuss some scenarios to see if there is a minimum requirement that would be needed. Chairman Hillerud stated that it would be easier to have utility easement requirements up front in order to move forward with the platting process.
11. Other Business – Chairman Hillerud reminded everyone that there is still one seat open on the Commission, there has been one application received and is pending and waiting for assignment.

Darin Peterka of Interstate Engineering, Inc. appeared with a revised plat with utility easements for the Marjo Second Addition. It was noted that no action can be taken as there had already been a motion to continue the plat into next month's hearing.

Clarice Leichy, 511 8th Ave SW, spoke requesting larger maps of the public notices.

Jeff Fuchs, City Administrator related that state statues preside over the legal notices.

Rich Wolf, Otter Tail Power Company, expressed that they are willing to get together with other utility companies and the City to discuss the utility easements.

12. Adjournment – Commission member Rath made a motion to adjourn. Meeting adjourned.