

**CITY OF JAMESTOWN**  
**102 3rd Ave SE**  
**Jamestown, ND 58401 - Phone: 701-252-5900**  
**DRAFT MINUTES - Planning Commission**  
**March 9, 2015 - 8:00 a.m.**

PRESENT: Hillerud, Ritter, Trautman, Bayer, Rhinehart, Schwartzkopf, Wollan

ABSENT: Rath, Frye and Bensch

1. Chairman Hillerud opened the meeting. Commission member Ritter made a motion to approve the minutes from the January 12, 2015 Planning Commission meeting. Seconded by Trautman. No opposition. Motion Carried.

2. Public Hearing: Preliminary Plat Request  
The preliminary plat of Anne Carlsen Center 2nd Subdivision, Lot 1, Block 1, a replat of Anne Carlsen Center Addition and platting of an unplatted portion of the North Half of Section 3, T139N, R64W, to the City of Jamestown, North Dakota.

Cindy Gray, SRF Consulting Group, reviewed the staff report recommending approval of the Preliminary Plat contingent on the completion of the developer's agreement.

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

Commission member Bayer asked if there was a timeline for the Developer's Agreement. Cindy Gray responded saying that the intent is that the requirements of the developer's agreement be fulfilled at the application for building permit stage. In the meantime, if the property was re-platted there may need to be an amendment to the agreement but wasn't sure and that this would be a question for the City Attorney.

Cindy Gray added that due to the location of the property adjacent to city limits, the ND Century Code would allow the City to add an agreement to not oppose annexation to the developer's agreement. She explained that Century Code allows this for property within ¼ mile of municipal limits.

Commission member Bayer made a motion to accept the findings of staff and approve the Preliminary Plat of Anne Carlsen Center 2<sup>nd</sup> Subdivision, a replat of Lot 1, Anne Carlsen Center Addition and an un-platted portion of the North ½ of Section 3, Twp 139N, R64W, contingent on the approval of the developer's agreement, as it meets the requirements of Section 9 of Appendix B.  
Seconded by Ritter. No opposition. Motion Carried.

3. Public Hearing: Preliminary Plat Request  
The preliminary plat of Schumacher Acres Addition, Lots 1 through 4 of Block 1 and Lots 1 through 4 of Block 2, a replat of Auditor's Lot 30-1 of Bloom Township within NE ¼ of Section 30, T140N, R63W, City of Jamestown, North Dakota.

Cindy Gray, SRF Consulting Group, reviewed the staff report recommending approval of the Preliminary Plan.

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

Commission member Bayer questioned whether 27<sup>th</sup> Ave NE had the necessary right of way. It was explained by Cindy Gray that the intent is for more right of way to be dedicated on the east side of the section line when that area is platted, but for now, the 33-foot section line easement exists east of the section line. Bayer also questioned whether our ordinance requires easements along public right of way being dedicated as part of a preliminary plat. The City Engineer, Reed Schwartzkopf, responded, stating that the City has not received feedback from private utility companies indicating the need for these easements. Further discussion took place regarding seeking input from utility companies during plat review.

Commission member Bayer made a motion to accept the findings of staff and approve the Preliminary Plat of Schumacher Acres Addition, a replat of Auditor's Lot 30-1 within the NE ¼ of Section 30, T140N, R63W, as it meets the requirements of Section 9, Appendix B, subject to follow-up by staff to work with utility providers to determine the extent to which utility easements are needed along street right of ways dedicated in the plat.

Seconded by Trautman. No opposition. Motion Carried.

4. Public Hearing – Zone Change:

Zone change request from A-1 (Agricultural District) and C-1 (Local Commercial District) to C-1 (Local Commercial District) for the proposed Lot 1, Block 1, Edgewood First Addition, within the NE ¼ of the SW ¼ of Section 2, Township 139 North, Range 64 W, of the Fifth Principal Meridian to the City of Jamestown and its extraterritorial lands.

Cindy Gray, SRF Consulting Group, reviewed the staff report recommending approval of the zone change.

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

Chairman Hillerud asked for clarification about the C-1 district's application on this property, and whether or not zoning as R-4 would be more appropriate. It was explained to him by Cindy Gray and Reed Schwartzkopf that the Growth Management Plan designates this area as transitional, allowing developers latitude for land use. By zoning this case as C-1 rather than R-4, it ensures this flexibility. Also noted, the C-1 district does apply R-4's requirements as described in Section 5.4.3 of Appendix C.

Commission member Trautman questioned if there were adequate parking spaces required. It was determined by staff that there was sufficient parking according to the standards outlined by the City Ordinance, and that space for future parking needs was still available. Further discussion took place about how older zoning ordinances don't account for various types of housing that are currently proposed, often referred to as a range of life cycle housing choices for seniors. Gray explained that, depending upon the type of housing, such as various degrees of assisted living, memory care, etc., parking requirements can vary and be significantly lower than other types of multiple family housing. The Planning Commission agreed that more information about how other cities are approaching different types of senior housing options and the parking requirements for those types of housing options would be beneficial, and asked SRF to provide a summary of that information.

Commission member Trautman made a motion to accept the findings of staff and recommend approval of the zone change from A-1 and C-1 to C-1 for Lot1, Block 1 of the proposed Edgewood First Addition within the NE ¼ of the SW ¼ of Section 2, T139N, R64W to the City Council as it meets the requirements of Appendix C of the Municipal Code. Seconded by Rhinehart. No opposition. Motion Carried.

5. Public Hearing: Preliminary Plat Request

The preliminary plat of Edgewood First Addition, Lot 1, Block 1, part of the NE ¼ of the SW ¼ of Section 2, Township 139 North, Range 64 West, of the Fifth Principal Meridian, to the City of Jamestown, and the extraterritorial lands of the City of Jamestown, Stutsman County, North Dakota.

Cindy Gray, SRF Consulting Group, reviewed the staff report recommending approval of the Preliminary Plat.

Chairman Hillerud opened the public hearing. Bart Davis appeared before the Commission asking for clarification on what the procedure would be to get back the extra 20' of the 25<sup>th</sup> ST SW right of way if it is not needed. Cindy Gray responded that a vacation plat would be required, and right of way would go back to the adjacent property owners on the side of the right of way where the vacation occurs. The City Engineer confirmed this. Gray responded that she did not know if such a vacation would need to be initiated by the property owner or if the City would initiate the vacation. Schwartzkopf responded that the property owner would need to initiate the vacation plat.

In response to a question about easements from the Planning Commission, Reed Schwartzkopf, City Engineer, stated that no information has been provided by the rural water district relative to an easement needed to serve this property. In response to a question from the Planning Commission about right of way for 25<sup>th</sup> Street SW, Cindy Gray responded that this is the type of project for which it would be beneficial to have the traffic impact study requirements in place. She stated that she understands that the City Council directed the City Attorney's office to prepare the ordinance and offered that SRF, if given the go-ahead, could provide draft language to the City Attorney's office to speed up the process. In this particular case, with the recent approval of Menards and the construction of the Fairfield Inn nearby, it is important to get a better understanding of the demands that will be placed upon this corridor and the appropriate amount of right of way.

Chairman Hillerud closed the public hearing.

Commission member Trautman made a motion to approve the Preliminary Plat of Edgewood First Addition, within the NE ¼ of the SW ¼ of Section 2, T139N, R64W, as it meets the requirements of Section 9, Appendix B. Seconded by Ritter. No opposition. Motion Carried.

6. Other Business: Motion by Trautman to add the discussion of the Traffic Impact Study to the agenda. Seconded by Rhinehart. No opposition. Motion Carried.

Motion by Chairman Hillerud to recommend to the City Council that SRF Consulting Group, Inc. be given the go-ahead to develop draft Traffic Impact Study ordinance language that establishes procedures regarding when developers need to prepare a Traffic Impact Study, and that this draft language be provided to the City Attorney for review, in an effort to expedite the process of getting an ordinance in place. Seconded by Ritter. No opposition. Motion Carried.

Motion made by Bayer to add to the agenda discussion about utility easement concerns. Second by Trautman. No opposition. Motion Carried.

Motion by Bayer to request that staff review the city's ordinances to determine what the requirements are for utility easements on plats, and to report back to the Planning Commission, and to include this discussion on the agenda for the April Planning and Zoning meeting. Seconded by Ritter. No opposition. Motion Carried.

SRF Consulting Group, Inc will provide more clarification concerning parking spaces for assisted living property, nursing homes, memory care, etc. for April's Planning Commission meeting. No action was required.

Adjournment: Motion by Trautman, Seconded by Rhinehart to adjourn. No opposition. Motion Carried.