

**CITY OF JAMESTOWN**  
**102 3rd Ave SE - Jamestown, ND 58401**  
**Phone: 701-252-5900**  
[www.JamestownND.gov](http://www.JamestownND.gov)

**MINUTES**  
**Planning Commission –February 13, 2023 - 8:00 a.m.**

**MEMBERS PRESENT:** Hillerud, Ritter, Frye, Paulson, Ostlie

**MEMBERS ABSENT:** Bayer, Cairy, Rath, Trautman

**OTHERS PRESENT:** Dalugama, Blackmore, Domek, Hellekson, Michel, CM Steele, CM Kamlitz, Perleberg (Midway Township Chairman), Harmstead (SRF Consulting)

1. Chairman Hillerud opened the meeting. Frye made a motion to approve the minutes from the November 14, 2022, Planning Commission meeting. The December and January meetings were cancelled. Seconded by Ritter. Roll Call. 5 ayes, 0 nays, 4 absent. Motion carried.
  
2. **PUBLIC HEARING:** The City of Jamestown Lot Combination- North 50' of Lots 9-10 and South 80' of Lots 9-12, Block 31, Original Townsite of the City of Jamestown, Stutsman County, North Dakota. The property is located at 101 2<sup>nd</sup> Ave SE and 107 2<sup>nd</sup> Ave SE, Jamestown, North Dakota.

Thushara Dalugama, City Planner, gave staff report for the City of Jamestown Lot Combination. The purpose of the lot combination is to make the property more viable for development upon a sale by the City. This property is currently vacant and is used as parking. Consolidation of the lots does not affect access to water, sewer, utility, stormwater, or public right of ways. This lot combination will have no impact on traffic. The current zoning for this property is C-2 (General Commercial District). The City of Jamestown has applied for a Zone Change Request for this property that will be going before the Planning Commission in March. The suggested motion is to accept the findings of staff and approve the lot combination. Chairman Hillerud opened the public hearing. No one was present for the hearing. Hillerud closed the public hearing. There were no questions or comments. Ritter made a motion to approve the findings of staff and approve the lot combination. Seconded by Frye. There was no further discussion. Roll call. 5 ayes, 0 nays, 4 absent. Motion carried.

3. **DISCUSSION:** Lake View Terrace.

Tom Blackmore, Building Inspector/Zoning Administrator, discussed questions and concerns that have been brought to his attention with properties located on Lake View Terrace. One of the property owners in Lake View Terrace wants to build an accessory building on his lot, however, based upon the current plat, it would not be allowed because the accessory building would be located outside the allowable building footprint shown on the plat. The question was asked where the setbacks that are shown on the plat came from, since they are greater than the requirements of the City, and whether they were going to be the standard for any future developments in the one mile extraterritorial. The setbacks that are shown on the current plat were based upon an agreement between the developer and Midway Township, which was approved by Resolution by the Jamestown City Council when the plat was

submitted for approval in 2011. Chairman Hillerud questioned the need for the 100' setbacks off the roadways of 6<sup>th</sup> Avenue NW and 28<sup>th</sup> Street NW, especially the setback shown on the south side of Lot 7 of Block 2, since the south property line on Lot 7 of Block 2 is shown to align with the center of the 66' section line road right of way, which would indicate that the north half of the road right of way was vacated. If the road right-of-way has been vacated is the 100' setback necessary? There was additional discussion regarding the 100' setbacks shown on the lots that border the east side of 6<sup>th</sup> Avenue and whether those easements could be reduced to create more buildable space for the property owners without having an adverse effect on the character of the development. Art Perleberg, Midway Township Chairman stated that the 100' setbacks are typical throughout the Midway Township to allow for road equipment and snow removal. Hillerud stated that if the 100' setbacks were reduced to fifty (50) feet it may resolve some issues with current and future residents when it comes to applying for building permits. Chairman Hillerud recommended that Zoning Administrator, Tom Blackmore, and Midway Township discuss the setbacks further and that the Planning Commission would be open to reducing the setbacks if it would be acceptable to both, the City and Midway Township.

4. Chairman Hillerud made a motion to adjourn. All in favor. Meeting adjourned.