

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

**MINUTES - DRAFT
Planning Commission
Monday, February 13, 2012 - 8:00 a.m.**

Members Present: Trefz, Purdy, Tressler, Ritter, Bergquist, Bensch, Johnson

Others Present: Reuther, Wollan, Harty, Fuchs, Schwartzkopf, Schulz, Klundt, Don Walicski

1. Chairman Trefz called the meeting to order. A motion was made by Tressler to approve the minutes of the January 9, 2012 Planning Commission Meeting and the minutes from the Special Long Range Planning Commission meeting held January 19, 2012. Bensch seconded. Unanimous Aye voice vote. Motion carried.
2. Request to set a Public Hearing relating to a zone change request of:
Block 1, Original Addition from R-3 (General Multiple Dwelling District) to C-1 (Local Commercial District).

Chairman Trefz explained this is the old Jamestown Hospital and the need is to modify the zoning to accommodate the proposed housing and office use of the building. A motion was made by Commission member Bensch to set a public hearing for next months' meeting for the requested zone change. Seconded by Ritter. Unanimous aye voice vote. Motion carried. Johnson questioned if the zone change includes the parking lots. Secretary Wollan explained that only the lots in Block 1 will be re-zoned.

3. Public Hearing:
The preliminary plat of Walicski's Extension, Part of the North Half of the Southwest Quarter of Section 23, T140N, R64W, City of Jamestown, Stutsman County, North Dakota.

Chairman Trefz opened the public hearing. Don Walicski, 1517 Hwy 281 North, spoke of the reason for the plat. The intention of the plat is to extend lots along Hwy 281 so that land owners can extend their ground in order to extend sewer services.

City Engineer Schwartzkopf stated that according to ND State law, the city cannot modify the sewer system. There are three options available:

- Extend sanitary sewer which is very costly.
- Owners would be forced to dig in holding tanks for pumping.
- Try to get enough people in the area to agree to the re-plat.

Mr. Walicski is using the plat approach. City Engineer Schwartzkopf proposes that the plat have the first right of refusal for adjacent property owners; if they refuse, the City would walk away from the issue. The City will be talking to owner of the second lot shown as auditor's lot 23-1 on the plat and the City attorney will be consulted. The City is out of options at this point.

Chairman Trefz explained that the plat is not contiguous and Commission member Ritter explained that some lots have been sold for cash, thereby avoiding the sewer system issue.

Chairman Trefz closed the public hearing.

Chairman Trefz related that the plat is unusual and the topography is steep, a better solution would be to re-plat the original plat.

Commission member Bensch asked if the auditors' lot shown on the preliminary plat would be Lot 2 and then, if possible, it would make the plat be contiguous. Chairman Trefz discussed the need to address a variance easement for access, as there is no street access. The City Attorney will have to be consulted as the plat is inside the City limits without City services.

Commission member Johnson related that if the septic system fails it is 'buyer beware' and the problem continues. Chairman Trefz explained that the lots are unbuildable and it is questionable as to sewer system availability. There will need to be a variance to street identification and connection to streets for a standalone plat with no sewer or water services from the City. The property is within the City limits.

A motion was made by Commission member Ritter to accept the preliminary plat as a tentative plat with the knowledge that specific variances will be required for final approval. Commission member Purdy seconded the motion. Secretary Wollan called the roll. Unanimous aye vote. Motion Carried.

4. Discuss changes to Ordinances and City Codes.

Chairman Trefz handed out copies of a memo from the Mayor as to how to proceed with identifying areas of City ordinances that need revisions. Six months will be spent going through ordinances with meetings being held the last Monday of every month at 3pm at City Hall.

Reminder: This Thursday morning, February 16, 2012 at 7:30am will be the next long range planning meeting at City Hall.

Chairman Trefz said that he met with City Attorney, Ken Dalsted regarding the ordinance dealing with revisions around the previous approved plat that dealt with setbacks that are different from City code. It was determined that a re-write of Sec.18 of Appendix B will solve some problems relating to setbacks. These revisions should be ready next month.

5. Commission member Purdy made a motion to adjourn, seconded by Tressler. Motion carried, meeting adjourned.