

MANDAN PLANNING AND ZONING COMMISSION

MANDAN CITY HALL BUILDING

August 25, 2014

The Planning and Zoning Commission of Mandan duly met in session in the meeting room of the Mandan City Hall Building on August 25, 2014 at 5:15 p.m. CDT.

Commissioners Present: Zachmeier, Fleischer, Hilfer, Kelly, Klein, Knoll, Van Beek, Leingang, Laber, Mehlhoff, Liepitz, Robinson

Commissioners Absent:

*Commissioner Fleischer motions to approve the July 28, 2014 minutes. Commissioner Laber seconds. Upon vote, the motion receives unanimous approval of the Board.*

**New Business**

**1.Public Hearing for Fringe Area Road Master Plan Study.**

Bill Troe, Transportation Planner with SRF Consulting, says SRF has been working through the MPO to develop the Fringe Area Road Master Plan for outside the cities of Mandan, Lincoln and Bismarck. He points out a map on the hand out. The pink area indicates the Fringe Area Road Master Plan coverage. The yellow shows the boundaries of the municipalities included within the MPO area. The area covered to the north can go 3 to 5 miles. South of Mandan the area covered does not go as far because a lot of it is government land. The study looks at where development may occur over the next 20-40 years. The goal of the study was to look forward and identify future arterial roadway networks and a collector roadway network in those areas outside the cities in the MPO area. In the past, rural areas have come into the city and the road networks did not provide much continuity. The study's aim was to look at how the future road networks would tie in and prevent possible conflicts in the future. The maps in the packet show the collector and arterial alignments. The arterials are the one mile section line roads that can go on for more miles than collectors do. It is very difficult to get a straight section line road because of the terrain. The collectors are along the half section lines. They looked at major and minor collectors, with the minor collectors along the quarter mile section lines. The focus on the minor collectors was on the access points into arterials and not where there are actually placed in the development. They developed a series of design criteria or guidelines so there was consistency when they were identifying routes. He wants to address some major points that pertain mostly to Morton County versus across the river. The topography is one major point. They established some maximum grades that would be allowed over the course of a quarter mile. Morton County's terrain did not allow for a lot of arterial or collector roadways, if following the guidelines. It does not allow for the density you might see in Burleigh County. They had to take into account barriers like the railroad for example. They looked at following property lines and contours. Their review process over the last few months was done by a steering committee consisting of staff from several departments within the cities of Mandan, Lincoln and Bismarck. The counties of Morton and Burleigh and the NDDOT. They have had a couple of public meetings and have a website for public viewing ([www.fringeroadplan.com](http://www.fringeroadplan.com)). The red lines on the study map are for arterials in Morton County and the blue lines are collector roadways. The green dashed line represents the recommended alignment for the beltway in the region that has been discussed for quite some time. The green box is the proposed location for an interchange that was connected to that

study. The green dash to the south is a proposed alignment from the North/South Beltway Study done in 2007. They retained all the alignments from all those approved documents. The Harmon Lake area is very hilly and would be difficult and expensive to build roads for high density. The plan can be updated as development happens by using a Fringe Road Amendment Process, or a test. A series of tests would be evaluated without having to do a whole intense study.

Commissioner Laber asks if the area around exit 147 was studied. That area has exploded and was not evaluated.

Steve Saunders, MPO, says the cities and counties gave the MPO their selected sections for review.

Commissioner Leingang asks when the new I94 interchange can be expected. Bill Troe says it becomes that revolving question. There is a lot of competition with the rest of the state for money.

Commissioner Fleischer expresses concern that a new interchange is absent from the study. Bill Troe says this study does not spell out what should be done 5 years from now, 10 years from now, etc. The Long Range Transportation Plan does that. The purpose of this study is to try to get away from streets being put in by developers without continuity.

Bob Decker adds there are currently two other studies. The I94 Corridor Study and the Comprehensive Plan. This study is like an overview and the I94 and the Long Range Transportation Plan are more detailed.

Bob is looking for approval to recommend the study be part of the Comprehensive Plan.

*Commissioner Labor motions to recommend the Fringe Area Road Master Plan Study to the City Commission. Commissioner Zachmeier seconds. Upon vote, the motion receives unanimous approval of the Board.*

**2. A request from Mitzel Builders Inc. for annexation and final plat approval of Plainview Heights 15<sup>th</sup> Addition. The annexation was recommended by Planning and Zoning on February 24, 2014. Said addition is a portion of the SW ¼ of Section 2, Township 138N, Range 81W located on Belgian Bend SE and Nordland Way SE.**

Bob Decker, City Planner, describes and identifies the area. The developer is bringing this back for final plat approval and annexation at the same time. The commission has reviewed the preliminary and the annexation before. There will be a temporary turn around for fire and the end of the road. There will be a detention pond to the west.

Chair Robinson asks if there have been any major changes since February. Bob says no changes have been made.

A commissioner asks where the truck traffic will come in and out when the construction starts. Brian Eisemann, representing Mitzel Builders, says that is difficult to answer. They do not control the truck traffic to the sites. In past developments, the trucks used 14<sup>th</sup> or 8<sup>th</sup>. He asks for clarification on the truck traffic for the streets or individual home building. The developer can have some control over the subdivision construction but not after that. A

commissioner suggests using 8<sup>th</sup> Street. Brian says that request can be put into the construction plans.

Commissioner Laber asks if water detention is on the plat. Brian says the runoff east of 8<sup>th</sup> will flow to the Plainview Heights 13<sup>th</sup> and 14<sup>th</sup> area detention. West of 8<sup>th</sup> will flow west where there will be a future detention pond that will accommodate future development as well. The water will be contained on Mitzel Builders property.

*Commissioner Leingang motions to approve the annexation and final plat of Plainview Heights 15<sup>th</sup> Addition. Commissioner Kelly seconds. Upon vote, the motion receives unanimous approval of the Board.*

**3. A request from RBROS Developers, LLC, for final plat approval of Mandan Industrial Park 9<sup>th</sup> Addition. Said Addition is part of Auditor's Lot "B" of the SE ¼ of Section 17 and part of Lot 2, Sunview Heights of the SW ¼ in Section 16, Township 139N, Range 81W.**

Bob Decker, City Planner, describes and identifies the area. This is a replat. They are building additional storage units on the parcel. What they are doing is permitted by the zoning. This corrects an oversight on the original plat and shows a right of way on 34<sup>th</sup> Street NW. This item is before the board tonight to consider the plat and not the use of the property.

Commissioner Laber asks about the piece of 34<sup>th</sup> Street NW shown on the plat. This intersects with Old Red Trail. Bob says it is designated as a right-of-way. That portion was never designated as a right-of-way, but was shown going across Lot 2 on the Sunset Heights Addition plat. It was an oversight. It is now a defacto right-of-way because it has been there a long time. This just documents it on the plat.

*Commissioner Fleischer motions to approve the final plat of Mandan Industrial Park 9<sup>th</sup> Addition. Commissioner Mehlhoff seconds. Upon vote, the motion receives unanimous approval of the Board.*

**4. A request from Daffinrud Family Limited Partnership for preliminary plat approval of Lakewood Commercial Park 3<sup>rd</sup> Addition Fourth Replat. Said addition being a replat of Lot 2A, Block 3, of the Replat of Lots 1, 2, 3 and 4, Lakewood Commercial Park 3<sup>rd</sup> Addition in Section 6, Township 138N, Range 80W. Said property is located on Shoal Loop SE.**

Bob Decker, City Planner, describes and identifies the area. There is a map that did not make the commissioner's packets. The name has been changed to Fourth Replat because there was a third done. This is a lot split. The northern portion is already developed. The owners want to sell the southern portion. They had to submit a formal plat for the city to sign off. To shorten the process, Bob suggests approving the preliminary and final plat now.

*Commissioner Leingang motions to approve the preliminary and the final plat. Commissioner Klein seconds. Upon vote, the motion receives unanimous approval of the Board.*

**5. A request from Wade Vogel for a change in zoning. The request is to change the zoning of Lots 2-4, Block 1, Lakewood Commercial Park from MA (Light Non-Nuisance Industrial/Heavy Commercial) to PUD District (Planned Unit Development).**

**The Mandan City Commission on July 15<sup>th</sup> recommended this request back to the Planning & Zoning Commission for suggested PUD review. Said property is located opposite Raging Rivers Waterpark on 46<sup>th</sup> Avenue SE.**

Bob Decker, City Planner, describes and identifies the area. The Planning & Zoning Commission reviewed and recommended this request as a change to CB (Heavy Commercial) with restrictions on July 15. At the City Commission meeting, Shauna suggested the PUD option. The PUD would give flexibility in defining the use of the property. This would be the first time designating a PUD property. Bob drafted possible requirements and restrictions. This was discussed with the park district as required by the PUD stipulations. The park district was concerned about pedestrian access going across the street to and from the water park. He suggests a Hawk Signal at that intersection. It is a specific style of pedestrian signal. The developer would be responsible to install it or have it installed. The developer indicated this development could take several years to completion. Bob says there is ample time to tweak the requirements.

Commissioner Laber asks about a common use recreation area. She thought it was going to be close to the water, but sees the common use area in the middle. Bob says a small internal park was requested. The majority of the lots back up to the water and have access. The internal lots would have an access point based on the planning of the development. Commissioner Laber thought there was going to be a common water access area for the internal lots and does not see it on the plat. Bob points out a private street on the north end that dead ends and could be a potential access point.

Landon Niemiller, Swenson and Hagen, says there will be an access easement for everybody in the development. The entire west and north side is water access. The water access is defined as a common Lot 1.

Commissioner Liepitz asks if there is a phasing plan. Bob says there is not a formal plan, but will have one for the final PUD approval. The developer is at the beginning stages. He suggests recommending PUD to the City Commission who would have two opportunities to adopt the ordinance. The plan is to develop this over several years. The first phase would be the duplexes on the north end. The two larger parcels shown with four-plexes would be reserved in case of commercial interest.

Chair Robinson asks if this is the last time Planning & Zoning will see this. Bob says if they approve the change to PUD it would then go to City Commission for final decision. Bob suggests tabling the item if the commission wants more time to review.

Commissioner Klein asks if the area is really large enough for everything that is planned. Bob says the minimum square foot lot for a duplex is 7000. The area is about 20 acres. They would have to follow all building requirements. Commissioner Klein thinks surrounding apartments and condos are dense and where there should be maybe 5 there is 8. Bob says the idea for the frontage on 46<sup>th</sup> is to get as much commercial as possible. The residential would go in the rear.

Commissioner Zachmeier asks how wide the streets are. Bob says the streets are wide enough for fire trucks. There will not be a turn around. Instead, there will be a through street, so emergency vehicles would not have to back up.

Commissioner Laber asks where on the plat the Hawk Pedestrian Signal would go. Bob says the narrative describes it will go on the southern entrance point opposite the southern access point to the existing water park parking lot.

*Commissioner Leingang motions to approve the zone change from MA to PUD. Commissioner Laber seconds. Upon vote, the motion receives unanimous approval of the Board.*

## **OTHER BUSINESS**

### **1. Election of Commission officers and nominations for Vice President and President of the board. Terms that expires this year: Chair Robinson and Commissioner Hilfer. Designation of Planning Secretary.**

Commissioner Hilfer submitted her resignation. She has served two terms. Bob says staff will advertise for two open positions. The Municipal Code does not specifically spell out when terms start. Commissioner Laber wants the opportunity to meet with each applicant. The applicants will be invited to a Planning & Zoning meeting.

*Commissioner Fleischer motions to appoint Chair Robinson as Chairman and Commissioner Liepitz as Vice Chairman. Commissioner Laber seconds. Upon vote, the motion passes unanimously.*

Bob suggests formally designating a Planning Secretary.

*Commissioner Leingang motion to designate Nancy Moser as Planning Secretary. Commissioner Van Beek seconds. Upon vote, the motion passes unanimously.*

### **2. Staff report.**

Bob says the first Municode review is done. A draft will be coming in the next month or so. A study session will be scheduled with Planning & Zoning and City Commission.

The Landscaping draft will be coming back to the commission for review.

Commissioner Laber asks if the fees have been revised. Bob says he has updated the fees. It has been a few years since this was done. Morton County reviews their fee structure every year. Bob will take the resolution to City Commission in September and the fees will be implemented October 1.

*Commissioner Leingang motions to adjourn. Commissioner Klein seconds. Vote passes unanimously.*

The meeting adjourns at 6:24 p.m.

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