

MANDAN PLANNING AND ZONING COMMISSION

MANDAN CITY HALL BUILDING

September 22, 2014

The Planning and Zoning Commission of Mandan duly met in session in the meeting room of the Mandan City Hall Building on September 22, 2014 at 5:15 p.m. CDT.

Commissioners Present: Fleischer, Kelly, Klein, Knoll, Van Beek, Leingang, Liepitz, Robinson

Commissioners Absent: Zachmeier, Laber, Mehlhoff

Commissioner Leingang motions to approve the August 25, 2014 minutes. Commissioner Van Beek seconds. Upon vote, the motion receives unanimous approval of the Board.

New Business

1.A request from Steven & Kathleen Anderson for final plat approval of the Replat of Lot 1, Block 1, Meadow Ridge 3rd Addition. Said addition is all of Lot 1, Block 1, Meadow Ridge 3rd Addition of the NW ¼ of Section 22, Township 139N, Range 81W located at 704 26th Street NW.

Bob Decker, City Planner, describes and identifies the area. This is a replat of a development that will be a mix of various residential uses. There is a request for state funding to reconstruct 27th Street. The area is intensely developing. The zoning is RM and would allow for a higher density than what is planned. This is near the new middle school, so there is a lot of demand for housing. The plans call for 2 four-plexes.

Commissioner Liepitz asks what the minimum square footage is for those lots. Bob says RM allows 30 units per acre. The average lot size is 3600. The R3.2 zoning has a minimum square footage of 7000, but you can divide that in half and sell. Each half would then be 3500 square feet.

A commissioner asks if there are enough taps there to tie into. Bob says that will be verified and asks Doug Lalim, Building Official, if the issuance of a building permit is granted when that is verified. Bob thinks they may have to tear up part of the street to add taps, but expects they won't have to.

Commissioner Leingang motions to approve the final plat of the Replat of Lot 1, Block 1, Meadow Ridge 3rd Addition. Commissioner Kelly seconds. Upon vote, the motion receives unanimous approval of the Board.

2. A request from Premier Homes for final plat approval of the Replat of Lots 2-4, Block 1, Lakewood Commercial Park Addition in Section 6, Township 138N, Range 80W. The property is located on 46th Avenue SE.

Bob Decker, City Planner, describes and identifies the area. The title on the plat is in question and will have to be verified before recording. This conforms to the PUD zoning that was approved. They are working on water and sewer details. There is some existing. Lots 16 and 17 were originally going to be four-plex lots. Those lots may be used for commercial. There seems to be a lot of interest in potential commercial development. He suggests the

commission approves the recommendation for final plat to City Commission. The engineer will work on water, sewer and any other details that need to be ironed out before it goes to City Commission. Additional parking for visitors has to be addressed.

Commissioner Liepitz mentions a letter the commissioners received from resident Alan C. Reid, of 4801 Inlet Bay Drive, concerning the new development. In his letter, Alan is concerned about size of lots and feels the spacing is too tight and he is concerned there is not enough room for guest parking. Alan prefers if the homes and parking spaces were more spread out.

Bob says the engineer is looking at various ways to add parking spaces. Commissioner Liepitz asks if any curb space for parking would be available on the lots that are 30ø wide. Bob says the driveway apron and garages would allow 2 spaces each. The 30ø wide lots would each have one duplex unit. So a total building may sit on 60ø with each unit on its own 30ø lot.

Landon Niemiller, Swenson & Hagen, says there is space for 10 to 12 extra parking spaces spread throughout the plat. There are possible extra spaces south of Lots 34 and 60, to the west of Lot 25 and north of Lot 46.

Chair Robinson asks if this stays with the concept that came before the commission earlier and sent onto city commission. Bob says the PUD zoning came before the commission before. This is the formal plat with the lots actually drawn out.

Commissioner Leingang asks what the width of the streets is. Landon says they are 24ø paved with a 30ø easement.

Commissioner Klein asks if it is going to look similar to the streets with duplexes by Moritz Marine. Landon says that is probably a similar sized road. This development will have an association that takes care of it. It will be private roads. Commissioner Klein thinks it is going to be too crowded. Landon states that is why they have common Lot 1 along the water. This lot will give everybody a yard and water access. Bob says there are only so many docks permitted on the water, so each lot cannot have its own dock. The development will be controlled by a homeowners association.

Commissioner Leingang asks what the width of 46th street is by the new gas station. He says there was supposed to be no parking. Bob thinks there is parking on one side. Commissioner Leingang means 46th Avenue south of McKenzie there is one side parking, but people park on both sides and he asks if the streets in this development will be too narrow for side street parking. Bob says two cars would still be able to pass if a car was parked on the side. The duplex units will each have 4 off-street parking spaces with the garages and driveways.

Commissioner Liepitz asks how far away the extra parking would be if, for example, grandma came over for dinner. Landon says probably 5 lots away.

Commissioner Leingang asks Bob if the city could ever end up with those streets years from now. Bob says the city would never accept it. The Fire Department has looked at this and determined they would have enough room and would not have to back up. Bob continued explaining the access easement goes through the commercial parking lot for anybody that comes from the residential area or an emergency vehicle. That parking lot has to remain open and maintained.

This development will be done in phases starting on the north side. This could take 3-5 years to complete. This is the first PUD development being implemented and the plans can be modified. There seems to be a lot of interest in the commercial space, so this may come back with a replat expanding the commercial space to the south.

Commissioner Fleischer motions to approve the final plat of the Replat of Lots 2-4, Block 1, Lakewood Commercial Park Addition. Commissioner Liepitz seconds. Upon vote, the motion receives unanimous approval of the Board.

OTHER BUSINESS

1. Consider scheduling a public hearing on proposed Ordinance 1188 adding language to the city code related to landscaping.

Bob brings this in front of the commission to consider scheduling a public hearing. The idea is to have a minimum requirement for all lots within the city to have some form of landscaping. Some communities are very specific about what they want and some are only concerned with commercial/industrial. There are communities that impose requirements for residential. There are instances where a newly built home sits for 3 or 4 years and there is still no grass or landscaping. He would like to see a time frame that they would be expected to have landscaping done by, if the yard is visible from the street. There was a lot of discussion on what would be considered landscaping and what the minimum should be. Bob is looking for approval to schedule a public hearing on this ordinance giving the commissioner's time to review it and come back with their comments.

Commissioner Leingang motions to schedule a public hearing at the next meeting. Commissioner Klein seconds. Upon vote, the motion passes unanimously.

2. Consider for adoption an ordinance amending the language contained in city code relating to minor subdivision plats.

Bob is also looking for a motion to schedule a public hearing on this ordinance. When Bob reviewed the language for minor and major plats, it was quite similar. The minor plat procedure is cumbersome for more simple replats like moving lot lines or lot splits, for example. He modified the language for a minor plat to make it a more administrative procedure where staff would review it and send it right to City Commission as a consent item. Right now we see a lot of auditor's plats because they try to bypass the cumbersome process of a minor plat. Building Inspection will not issue a building permit for an auditor's plat, so they end up coming back to do a formal minor plat. This would make the detail more reasonable.

Chair Robinson asks what the criteria are for determining minor or major plat. Bob says a minor plat is 5 acres or less, no new public right-of-way, no revisions to existing water and sewer service connections and gradation of no more than 2 additional lots.

Commissioner Fleischer points out a typo with the omission of item B.

Commissioner Fleischer asks what process we have to ensure plats are filed with the county after it is approved and signed. Bob suggests he can add a sunset clause saying the approval

is only good for one year. Doug Lalim, Building Official, says they could never build if they do not file the plat. It is not added to the assessing system until the plat is recorded with the county.

Commissioner Leingang thinks the 5 acre maximum for a minor plat should be changed to 4 acres.

3. Consider for adoption an ordinance amending the language contained in city code relating to terms of office for members of the Planning and Zoning Commission.

This is to edit the code in adding a start date of January 1 to a new commissioner's term.

Malcolm Brown is reviewing the language whether a city commissioner can be appointed to planning and zoning. A clause could be added saying the mayor may be allowed to appoint another city commissioner to the planning commission.

Commissioner Leingang motions to schedule a public hearing for items 2 and 3, at the next meeting. Commissioner Knoll seconds. Vote passes unanimously.

Commissioner Leingang motions to adjourn. Commissioner Van Beek seconds. Vote passes unanimously.

The meeting adjourns at 6:09 p.m.

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