

MANDAN PLANNING AND ZONING COMMISSION
MANDAN CITY HALL
May 27, 2020

The Planning and Zoning Commission of Mandan duly met in session in the meeting room of the Mandan City Hall on May 27, 2020, at 5:30 p.m. CDT. Due to the coronavirus situation, this meeting was held virtually on Zoom.

ROLL CALL

Commissioners Present: Boehm, Klemisch, Klein, Knoll, Leingang, Liepitz, Renner, Camisa, Robinson

Commissioners Absent: Helbling, Frank, Vayda

Commissioner Leingang motions to approve the April 27, 2020 minutes. Commissioner Knoll seconds. Upon vote, the motion passes unanimously.

PUBLIC HEARINGS

1. A request from JB Land, LLC, for consideration of approval of a final plat to be named Schaff Estates. Said property is all of the West ½ of Government Lot 1, in Section 7, Township 139N, Range 81W of Morton County, North Dakota.

A. Staff report

John Van Dyke, City Planner, presents.

The subject property is located about 1,800 ft. north of roughriders within the Mandan ETA. The applicant seeks to plat this auditor's lot of approximately 20 acres into two equal sized lots. No zoning change is requested and the use would be for rural residential.

The planned future land use is for commercial and medium density residential. 56th Ave NW (paved) which runs along the east of Roughriders Estates before changing into 24th Ave (gravel road) is a planned collector roadway. 37th St. to the north is the planned future bypass and future principal arterial. The two newly created lots would require a variance to the requirement that a paved road would be required in order to obtain a building permit for a residence.

Planning does not support the application for the following reasons:

- The proposed land use does not align with the future land use planned for the area.
- A variance to the paved road requirement would be necessary to permit a residence on each lot.
- Two ten-acre lots in such close proximity to city limits is sprawl. At a minimum, sprawl is an inefficient use of land, increasing the cost to develop surrounding private property and maintain public infrastructure.

- The application does not align with Goal 1, Policies, 1 & 3 of the Mandan Land Use and Transportation Plan related to a well-planned community.

With that, Wild Subdivision in the near vicinity was platted in 2017 as a 20-acre lot for the purposes of residential building construction. Staff provides recommended conditions and adjustments to the plat if the Planning and Zoning Commission deem it appropriate to recommend approval. Staff stands by the recommendation for denial.

Alternative #1

Recommend approval of one twenty-acre lot subject to a development agreement that limits the buildable area to no more than necessary to obtain a septic permit from Custer Health. Also subject to a ghost plat showing this area and how the land can be developed at a later date to meet the planned future land use for this area. A ghost plat has been provided by the applicant and may need to be amended depending on the desired site of the buildable area (See Exhibit #2). No development would be allowed outside of this area. Access should be limited to the existing driveway approach along 37th St. or via one of the approaches shown in the ghost plat along 24th Ave.

Alternative #2

Recommend approval of two ten-acre lots subject to a development agreement that limits the buildable area to no more than necessary to obtain a septic permit from Custer Health. Also subject to a ghost plat showing these two lots and how the land can be developed at a later date to meet the planned future land use for this area. As mentioned previously, a ghost plat has been provided by the applicant and may need to be amended depending on the desired site of the buildable areas (See Exhibit #2). No development would be allowed outside of these two areas. Access should be limited to the existing driveway approach along 37th St. or via one of the approaches shown in the ghost plat along 24th Ave.

Ellen Huber, Business Development and Communications Director does not support the use planned commercial areas utilized for residential purposes.

Natalie Pierce, Morton County Planning and Zoning Director does not support the application for the same reasons staff has indicated within this report.

Engineering and Planning recommends denial of the application for the preliminary plat as presented in Exhibit 1.

The NDDOT requests 100' right-of-way on the plat for the beltway. It is not on Exhibit 1 because we did not have the updated plat. John shows the updated plat on the screen.

Commissioner Camisa asks if the ghost plat is going to accompany the plat recording. John says a development agreement, with the ghost plat included, will be recorded. The recording number of that development agreement will be referenced to the plat. Is access going to be created on the plat? John says there is the existing driveway. Camisa would like to recommend the access information in the dedication when the plat goes to City Commission.

Jerry Schaff, applicant, agrees with having that dedication on the plat.

B. Open public hearing

There are no public comments.

C. Close public hearing

D. Commission action.

Commissioner Camisa motions to recommend approval of the final plat in Exhibit 1 subject to the recording number of the developer's agreement included on the final plat and the necessary right-of-way dedication for the Northern Bridge/Beltway corridor along with the access dedication. Commissioner Knoll seconds. Upon vote, the motion passes unanimously.

Commissioner Leingang motions to adjourn. Commissioner Klemisch seconds. Vote passes unanimously.

The meeting adjourns at 5:46 p.m.