

SPECIAL MEETING OF THE PLANNING AND ZONING COMMISSION WAS HELD ON THURSDAY, APRIL 7, 2011, IN THE COMMISSION ROOM AT CITY HALL IN WILLISTON, NORTH DAKOTA.

President Glenn Boyeff called the meeting to order at 4:00p.m. Roll call was taken. A quorum was present.

MEMBERS PRESENT: Cynthia Aafedt, Chris Brostuen, Deeann Long, Jon Maristuen, Glenn Boyeff.

MEMBERS ABSENT: Tim Kleven, Jerry Fleck

OTHERS PRESENT: Kent Jarcik, City Planner, Thomas Kalil, City Attorney, Elaine Sinness, Assistant City Planner, Monte Meiers, City Engineer, Doug Lalim, Building Official, Ward Koeser, City Commissioner.

Boyeff thanked the board for coming to this special meeting. He said the board will not make a precedence of doing these meetings and will try stay with the regular meeting schedule.

PUBLIC HEARING:

1. Preliminary Plat for Lots 1R, 2R, & 3R, Block 8 and Lots 1R& 2R, Block 7, Borsheim Subdivision & vacating of public right of ways – Borsheim Trust/ Lynn

2. Preliminary Plat for Lot 2R, Block 4, Borsheim Subdivision & vacating of public right of ways– Noble Casing, Inc.

Boyeff indicated both public hearings will be handled together but will require separate motions. He opened the public hearing and asked Jarcik to introduce the request. Jarcik pointed out the location of the plat (s) within the Borsheim Subdivision. He said a rezone request was approved by the City Commission in November of 2010, contingent on the rearrangement of the lots and blocks. He said the property is outside the City Limits and the lots will have individual water well and septic systems, which will require a non-protest annexation agreement.

Jarcik indicated the first plat will be for the rearrangement of Lots 1-12, Block 8 and Lots 1-5, Block 7 along with the vacation of the alleyway within Block 7. The property owners are The Borsheim Trust and Billy Lynn. The recommendation is to approve the Rearrangement for Block 7 and 8 and the vacation of the alleyway within Block 7, contingent on an additional 7' right of way on the north side for future 49th Street, a non-protest future annexation agreement, a non-protest street improvements of streets adjacent to the properties, final plat requirements to be met and a title opinion.

Jarcik indicated the second plat will be for the rearrangement of Lots 1-8, Block 4 along with the vacating of the alleyway within the block and that the property owner is Noble Casing, Inc. He indicated the fact sheet and attached map were incorrect regarding the vacating of alleyways and that a new version of the plat has been submitted for the board to consider. Jarcik went on to say the facts had indicated the vacating of a portion of 17th Avenue as well as the alley going east to 16th Avenue; however, since that time the only vacating requested will be the alleyway between Lots 1-8 within Block 4.

Jarcik said the recommendation is to approve the Rearrangement for Block 4 and the vacation of the alleyway, contingent on an additional 7' right of way on the north side for future 49th Street, a non-protest future annexation agreement, a non-protest street improvements of streets adjacent to the property, that final plat requirements be met and a title opinion.

Boyeff asked Craig McIvor, Dakota Reality, if he had comments. Mr. McIvor thanked the board for allowing a special meeting. He said what happened was that Noble Casing planned to build on the lots along 16th Avenue (Block 1, Lots 1,2,3); however, there is a high pressure gas line in that area and the future building (80'x200') would not fit on those lots so it was necessary to move the location to Block 4. He indicated there is a half acre lot (Lot 3) owned by someone other than the Borsheim's (Peterson), which has agreed to sell the lot; therefore, they will not need to sign the plat.

Mr. McIvor went on to explain that the replatting of Block 7 & 8 is also being considered which was actually requested by Kent to help clean up those lots as well. Jarcik said at the time of the rezoning of the area in November it was contingent on rearranging the lots and blocks. He said additional lots still need to be rearranged before the contingencies have been satisfied. Mr. McIvor indicated future platting would be completed at a later date.

John Haskins, adjoining property owner (Lots 4-6, Block 10), commented that he did not have a problem with the rearrangement of the property. His concerns were about the future traffic flow and as to whether the road running east and west will be developed (45th). He said the roads are in terrible condition and now it will be worse with new facilities being built. He said when he got a building permit, it was required that culverts be installed.

A short discussion took place regarding the need for future road improvements and the property not being part of the City and need for the development of 45th as lots are sold. Meiers said the road issue needs to be dealt with by the township or county. Boyeff said a non-protest for future street improvements will be necessary.

Rod Westrum, surveyor, explained that the additional 7' right of way will be added at the time of the final plat. Boyeff called three times for public comment, hearing none closed the public hearing.

MOTION BY BROSTUEN, SECOND BY MARISTUEN to recommend to the City Commission approval of the preliminary plat for Lots 1R, 2R, & 3R, Block 8 and Lots 1R&2R, Block 7, Borsheim Subdivision and the vacation of the alley in Block 7, contingent upon the additional seven foot (7') right of way (north side) along 49th Street, non-protest of future annexation, non-protest of future street improvement of streets adjacent to the property, meeting plat requirements and a title opinion. AYES: Aafedt, Maristuen, Long, Brostuen, Boyeff. NAYES: None. ABSENT NOT VOTING: Fleck, Kleven. MOTION CARRIED.

MOTION BY BROSTUEN, SECOND BY LONG to recommend to the City Commission approval of the preliminary plat for Lot 2R, Block 4, Borsheim Subdivision and the vacation of the alleyway, (between Lots 1-8) contingent upon the additional seven foot (7') right of way (north side) along 49th Street, non-protest for future annexation, non-protest of future street improvement of streets adjacent to the property, meeting plat requirements and a title opinion. AYES: Maristuen, Long, Brostuen, Aafedt, Boyeff. NAYES: None. ABSENT NOT VOTING: Fleck, Kleven. MOTION CARRIED.

Boyeff indicated that Nick Haugen is in the audience this evening and said he has been appointed by the County Commission to serve on this board starting in May. He welcomed him and said he looks forward to working with him.

Meeting adjourned. Next meeting is set for April 18, 2011.

Kent Jarcik, City Planner