

REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION WAS HELD ON JULY 20, 2015 IN THE COMMISSION ROOM AT CITY HALL IN WILLISTON, NORTH DAKOTA.

Chairman Aafedt called the meeting to order at 5:30pm. Roll Call was taken. A Quorum was present.

MEMBERS PRESENT: Long, Maristuen, Christensen, Boyeff, Aafedt.

MEMBERS ABSENT: Haugen, (one vacant seat)

OTHERS PRESENT: Kent Jarcik, Planning Director; Donald Kress, Principal Planner; Rachel Ressler, Senior Planner; Samantha Neill, Staff Planner; Christine Edwards Administrative Assistant; Bob Hanson, City Engineer; Bill Tracy; Building Official; Jordon Evert, Assist. City Attorney; Dave Tuan, Public Works Director; Howard Klug, City Commission President.

DISPOSITION OF MINUTES:

- Minutes were approved for June 15, 2015 regular meeting. MOTION BY HAUGEN, SECOND BY MARISTUEN. CARRIED ON VOICE CALL.

COMMUNICATION:

- NONE

PUBLIC HEARINGS:

- a. Preliminary plat for rearrangement of Lots 1R and 2R of the Roseland Subdivision, containing 5.563 acres, located at the corner of 42nd ST W and 9th Ave W. - TriLand Holdings/Sanderson Stewart

Aafedt introduced the first public hearing (as above) and asked Neill to present. Neill stated this application is a preliminary plat for rearrangement of Lots 1R and 2R of the rearrangement of Lot 1, Block 1, Roseland Subdivision (approx. 5.563 acres) to create nine lots. Neill said the original proposal titled "Badlands Subdivision," but that this plat will need to be re-named as a rearrangement of Roseland Subdivision pursuant to Williams County Recorder's plat naming requirements.

The applicant, who owns the entire property, wants to create individual parcels (both buildings and parking lots) to be able to sell them that way.

Neill explained that the property is zoned C-3: Neighborhood Commercial and no zone change is proposed. Access to the property from public streets will not be changed by this plat.

Two parking lots (Lots 8 and 9) are proposed to be owned by an association. These lots include a detention basin and the Wells Fargo ATM (in application stage now). Neill said conditions, covenants, and restrictions (CC&R's) will be required to insure maintenance and payment of property taxes for these lots. Planning staff will provide City standard wording to the applicant for the CC&R's. The CC&R's must be submitted to the City for review prior to final plat. Neill said that the parking lot lots will continue to be owned and maintained by Triland Holdings until lots in this plat are sold and as the parking lots will be separate lots, Triland

Holdings will need to provide a shared parking agreement that will be recorded with the plat. A standard development agreement with any project-specific special provisions will be required prior to final plat

Neill stated that there are utilities run to every building on the lots as well as future building sites. The complete site plan has already been approved by Planning and Zoning staff.

At the July 6th, 2015 ad hoc meeting, discussion included utilities which as stated earlier are already run to each building and future building sites. The easement that is depicted on the plat will not be affected by this subdivision.

Neill concluded her presentation. Aafedt opened the public hearing and asked for any public input. After calling for public input three times and hearing none, Aafedt closed the public hearing and asked for discussion or motion from the Commission.

MOTION BY CHRISTENSEN, SECOND BY MARISTUEN, to recommend to the City Commission approval Preliminary plat for rearrangement of Lots 1R and 2R of the Roseland Subdivision to create nine lots, located at the corner of 42nd ST W and 9th Ave W., City of Williston, contingent on addressing all staff comments. AYES: Long, Boyeff, Christensen, Maristuen, Aafedt. NAYS: None. ABSENT/NOT VOTING: Haugen, (one vacant seat). ABSTAINED: None.

- b. Short plat for rearrangement of an 11.91 acre parcel in the SW1/4NW1/4 of Section 22, T154N, R101W, into two sublots, north of Hwy 2/85 and east of 27th Ave W and a zone change for the entire property from A: Agricultural to C-2: General Commercial - Martin Reiger/Jeff Ames

Aafedt introduced the second public hearing item (as above) and asked Kress to present. Kress requested that this item be tabled until the August 17, 2015 Planning Commission meeting to allow the applicant time to resolve a survey issue to the satisfaction of the City Engineer and also to allow more time for the North Dakota Dept. of Transportation to review and comment on this project in relation to traffic safety at the Buffalo Wild Wings intersection in addition to the capacity analysis of that intersection that City staff has already done. Kress stated that the applicant's representative, Jeff Ames, was advised of this recommendation and agreed with the same.

MOTION BY BOYEFF, SECOND BY CHRISTENSEN to table the item as recommended by staff. CARRIED ON VOICE CALL.

- c. Short plat for rearrangement of City Open Space Lot 12, Block 19, in the Harvest Hills Subdivision, located at Long Branch Ave and Rocky Wagon St, containing .26 acres - City of Williston/AE2S

Aafedt introduced the third public hearing (as above) and asked Neill to present. Neill explained that this application proposes to create two lots of a 0.26 acre single lot owned by the City. This is a Public Open Space lot and is known as Lot #12 in the Harvest Hills Subdivision. Each proposed new lot will be 0.13 acres in area. Neill stated that the purpose of this division is to allow the City to sell them to the owners of Lot 7, Martha Isom and James Russell. The owners will purchase both lots and maintain them. Zoning of all lots on this block is R-3: Low-rise multi-family residential.

Neill stated the sale arrangement is allowed by Resolution 15-098, adopted by the City Commission on May 26, 2015 and that platting the property into two equal parcels matching the property line that runs through the center of the block is a requirement of that resolution. Both lots resulting from the subdivision will be subject to the deed restrictions stated in the resolution. Neill directed the Commissioners to see a copy of Resolution 15-098 in their packets.

Neill gave a background stating that the City of Williston acquired Lot 12 through plat dedication upon approval of Harvest Hills Subdivision in 2012. The lot was to serve as open space in order to meet and satisfy Ordinance 613 and any applicable amendments thereto as well as the Subdivision Ordinance for the City of Williston.

At this time conveying, selling, or disposing of Lot 12 is in the City of Williston's best interests as the intent was never for the City to maintain these "pocket parks".

Neill said that in order to comply with the City ordinances and regulations, and due to the fact the Lot 12's use can only be open space, the lot is undevelopable. Because the lot is undevelopable, its estimated value is less than two thousand five hundred dollars (\$2,500.00). Due to the relatively small estimated value of the lot, the City now desires to convey, sell, and dispose of Lot 12 through private agreement. Neill explained that the division of Lot 12 into two smaller lots makes the lots too small to build a house on. The lots are designated to stay as an "open space" area, as these lots were a part of their required green space in this subdivision. The adjacent property owners (Martha Isom and James Russell) will buy these two lots from the City.

Resolution 15-098 requires that, to ensure the property remains open space the conveyance, sale, and disposal of said property shall be subject to following deed restriction(s):

1. Property must be maintained as open space by any Purchaser, their successors or assigns;
2. Property shall not have any structures or buildings placed on the property excepting two structures including a garden shed or play house structure not to exceed 120 square feet so long as it complies with all City ordinances and regulations;
3. Property shall not be used for storage of trailers, campers, mobile homes, manufactured homes, any form of temporary housing, or vehicles;
4. Property shall not be used as a dumping or outdoor storage ground for garbage, rubbish, non-working vehicles, or any unsightly materials;
5. A fence around the Property may be permitted around the northerly, westerly, and southerly boundaries so long as it does not exceed four feet in height and is a vinyl fence consistent with one of the two options attached as Exhibit A & B of this Resolution and meets the City's site triangle regulations;
6. A fence along the easterly boundary must comply with all zoning requirements and City ordinances and regulations; and
7. Any Purchaser, their successors or assigns must comply with all City ordinances and regulations.

The adopted resolution 15-098 will serve as a development agreement.

Neill said that at the July 6th, 2015 ad hoc meeting discussion included:

1. This park was intended to be used as a pocket park for the Harvest Hills Subdivision. The Park Department does not want to maintain the park because it is too small and is a stress on their resources. Also it is not set up with irrigation so it would be difficult to maintain.

Neill concluded her presentation and Aafedt opened the public hearing. After calling three times for public input and hearing none, Aafedt closed the public hearing and asked for discussion or a motion from the Commission.

MOTION BY MARISTUEN, SECOND BY LONG, to approve the Short plat for rearrangement of City Open Space Lot 12, Block 19, in the Harvest Hills Subdivision, located at Long Branch Ave and Rocky Wagon St, City of Williston, contingent upon addressing all staff comments. AYES: Long, Boyeff, Maristuen, Christensen, Aafedt. NAYS: None. ABSENT/NOT VOTING: Haugen and (one vacant seat). ABSTAINED: None.

- d. Short plat for rearrangement of Lots 1 and 4 of the Gilmore Inlots Subdivision and Lots 1, 2, and 3 of the LeDosquet Addition Subdivision, located between 2nd St W and Broadway, on 2nd Ave W, containing about .96 acres - William Rudolph, Opportunity Foundation, John Andelin/Westrum's Land Surveying

Aafedt introduced the forth item on the agenda (as above) and asked Kress to present. Kress said that staff would have to recommend this item be tabled until the August 17, 2015 Planning Commission meeting as staff has been unable to obtain a letter of concurrence from one of three property owners affected by this proposed plat; all three owners would have to sign the final plat. Kress stated that the applicant, Westrum's Land Survey, has been advised of this recommendation.

MOTION BY CHRISTENSEN, SECOND BY MARISTUEN, to table this item as requested by staff. CARRIED ON VOICE CALL

COMMITTEE REPORT: NONE

UNFINISHED BUSINESS: NONE

NEW BUSINESS:

- a. Special Permitted Use for a restaurant in the M-1 Zone, 1300 East Broadway, Williston - Marcy Harper, applicant/Expert Auto Glass, property owner

Aafedt introduced the first item of new business (as above) and asked Neill to present. Neill said that this application requests a special permitted use for a restaurant in a lot located in an M-1: Light Industrial zone. The lot is currently vacant and this use will occupy approximately 12,500 square feet (0.28 acres) of the north-eastern portion of Lot 1R of the Cook Subdivision. There is no minimum lot size in an M-1 zone. The restaurant will have bar-style seating on the inside as well as patio seating outside the restaurant. There will be one bathroom inside the restaurant for employees and customers. This use would require at least seven parking spaces.

Neill explained that access be two, two-lane entrances off of Bean Drive. The proposed building would be 16 feet wide and 35 feet long. The patio will be connected to the building and will be 16 feet wide by 10 feet long and there will be a drive-thru window on both sides of the building. Neill said this will be a permanent building.

There will be a minimum of 40 feet of stacking room to the nearest window and directional signage to navigate traffic flow patterns. There will be enough room for Public Works garbage trucks to access the dumpsters.

Neill said that contingent on approval of the SPU, the applicant must pave the required parking, drive-aisle, and aisle out to Bean Drive. The applicant will be required to install grass and maintain the landscaping on the entire property. A landscaped barrier will be added to the southern portion of the lot so no one accesses this restaurant from the south side.

Water and sewer is available in the middle of the lot. A site plan is attached.

Discussion at the July 6, 2015 ad hoc included:

TRAFFIC PATTERN: There was discussion on the traffic flow pattern on the lot. It was suggested that the applicant create a pattern that allowed for two two-way entrances off of Bean Drive. *The applicant has provided a revised plan; a copy is attached.*

PARKING: The applicant will have to create a plan that shows enough room for parked vehicles to back-out of the parking spaces. Public Works suggested they create a location that allows their vehicles to access the dumpsters. *These items are depicted on the revised plan. The parking spaces have the required 25-foot wide drive aisle. A designated area for a dumpster, convenient to an access driveway, is identified on the site plan.*

UTILITIES: Water and sewer are available on the lot.

SURROUNDING NEIGHBOR INPUT: Neighbors will need to be contacted prior to the Planning and Zoning Commission Meeting. *Standard notification to neighbors in a 150-foot radius was sent out.*

BUILDING DEPARTMENT: The applicant will have to meet the Building Department Code requirements for bathrooms and seating.

SIGNAGE: This restaurant is only allowed to have signage on their lot. This would only include one freestanding sign and a maximum 20% of the building's façade for wall signage.

SPU CONDITION: The Commissioners decided that the applicant needs to get the description of the leased property and make that the only area on the lot that is allowed to have a restaurant.

Commissioners and staff would like to see a revised and detailed site plan and for the applicant to clarify the traffic flow pattern. *This revised plan is attached.*

Draft findings are attached to this fact sheet for your Commission's consideration.

Staff Comments:

CITY PLANNING

1. Staff wants to make it understood that this location is not visible from Hwy 1804 and no off-premise advertising will be permitted. All signage must be located on the applicant's lot.
2. The applicant will have to turn in a revised traffic pattern on their lot prior to Planning and Zoning Commission.
3. The two entrances off of Bean Drive, the entire traffic pattern, and the parking spaces are all required to be paved with concrete or hot-mix asphalt.

4. Applicant to provide a landscaped buffer so no one accesses the lot from the south.
5. All other technical comments will be given to the applicant.

Neill concluded her presentation and said that the applicant, Marcy Harper, was available to answer questions.

Commissioner Aafedt asked what difference there was between a bar and restaurant given the applicant's desire to serve beer. General discussion about beer sales vs. liquor sales and percentage of alcohol to food sales was had between Commissioners and applicant in consideration of Aafedt's question. Harper said she intended only to be able to offer a beer a long with sodas, juices and water as an option with sandwiches and the like. Ressler interjected that Harper will have to apply with the City Commission for a beer sales permit when she is ready to do that.

Commissioner Boyeff asked Building Official Bill Tracy if he had seen the building plans or reviewed the parking plans. Tracy had not but knew that the Planning Staff had approved the proposed parking plan. The Building Department will have to approve the building plans at the time a permit is pulled and approve the final project before issuing a certificate of occupancy. Planning and Zoning has approval of parking and landscaping.

Commissioner Maristuen asked Harper what her intended hours of operation would be. Harper stated that she would be serving coffee breakfast foods so would open early mornings until mid-evening with the possibility of staying open later on weekends.

Maristuen then asked City staff if there was any parking or plan for parking along Bean Drive. City Engineer Hanson and Public Works Director Tuan both stated that there is no parking now and no plans for parking in the future.

MOTION BY BOYEFF, SECOND BY CHRISTENSEN, to approve the Special Permitted Use request for a restaurant in an M-1: Light Industrial Zone, confined to the area designated on the site plan, in the northeast portion of Lot 1R, Cook Subdivision, City of Williston, AYES: Long, Maristuen, Christensen, Boyeff, Aafedt. NAYS: None ABSENT/NOT VOTING: Haugen and (one vacant seat). ABSTAINED: None.

- b. Special Permitted Use - Jarold 1 and 2 site, for the expansion of an existing well pad to accommodate three addition wells and associated standard equipment on the Jarold 1 and 2 site, south side of 84th Street, east of Highway 2/85 - StatOil, applicant/Kathleen F. Smith, property owner

Aafedt introduced the second item of new business (as above) and asked Kress to present. Kress stated that the applicant has requested this item and the following item (New Business Item c) be tabled until the August 17, 2015 Planning Commission meeting as the applicant is currently in negotiation with the City regarding the applicant's participation in the cost of improving 84th St. East.

MOTION BY CHRISTENSEN, SECOND BY LONG, to table New Business Item b and Item c as requested by the applicant until the August 17, 2015 Planning Commission meeting. CARRIED ON VOICE CALL.

- c. Special Permitted Use - Jarold 3 and 4 site, for the expansion of an existing well pad to accommodate three addition wells and associated standard equipment on the Jarold 3 and 4 site, south side of 84th Street, east of Highway 2/85 - StatOil, applicant/Kathleen F. Smith, property owner

TABLED along with New Business Item b, as above.

- d. Review of vacation and discontinuance of a public right-of-way (portion of certain 33-foot wide road and utility easements) located in Lot 7, Block 1 and Lots 1, 4, 5, & 6 of Block 3 of Chandler Field Subdivision.

Aafedt introduced this forth item of new business (as above) and asked Kress to present. Kress sated that this application requests vacation of certain 33-foot wide public road and utility easements located in Lot 7, Block 1 and Lots 1, 4, 5, and 6 of Block 3, Chandler Field Subdivision.

Kress stated that these easements were required by the original Chandler Field plat as a precaution in case sufficient right of way for Chandler Loop West, Chandler Loop North, and Chandler Boulevard could not be obtained from the adjacent property owners. Kress said that right of way has since been acquired from the adjacent property owners. These easements, which are entirely on the Chandler Field property, are no longer necessary and can be vacated. Even though these easements are not dedicated rights of way, they are for public streets and utility purposes and so are being vacated by the same process as dedications, based on the recommendation of the City Attorney. Kress said that vacation of these easements does not affect street access or water and sewer connection to any lots.

A hearing on the vacation is scheduled before the City Commission at their July 28, 2015 meeting.

Discussion at the July 6, 2015 ad hoc meeting included:

Need to Reserve Portion of the Easement Along Chandler Loop West, Lots 1 and 6, Block 3: Based on discussion between Planning staff and the City Engineer, the committee recommended reserving a triangle of the existing easement that is the width of the easement (33 feet) and 150 south from the northwest corner of Lot 6, Block 3 (intersection of Chandler Loop West and Chandler Loop North) in the event that developer of the adjacent plat to the north, Westlands, is unable to obtain sufficient right of way from the property adjacent to the west of that plat for the continuation of Chandler Loop West and needs to install that road entirely on his property. The triangle of the existing Chandler Field easement is to be reserved to provide room to jog Chandler Loop West to the east to allow connection with the continuation of that road along the west side of the Westlands plat. The committee noted that vacation of this reserved triangle of the Chandler Field easement would be contingent on developer of the Westlands plat verifying that the required right of way on the property adjacent to his has been acquired for the extension of Chandler Loop West.

MOTION BY BOYEFF, SECOND BY CHRISTENSEN, to recommend approval of the vacation of certain 33-foot wide access and utility easements in Lot 7, Block 1 and Lots 1, 4, 5, and 6 of Block 3, Chandler Field Subdivision, reserving a 33 ft. by 150 ft. triangle of the easement along Lots 1 and 6, Block 3 contingent on developer of the Westlands plat (Granite Peak Development, ND, LLC) verifying that the requires right of way on the property adjacent to his has been acquired for the extension of Chandler Loop West. AYES: Long, Maristuen,

Christensen, Boyeff, Aafedt. NAYS: None ABSENT/NOT VOTING: Haugen and (one vacant seat). ABSTAINED: None.

- e. Special Permitted Use - for an emergency family crisis shelter to be located on Lots 1R & 2R, Block 1, Monica Johnson Subdivision, 3417 University Ave. – Family Crisis Shelter, applicant

Aafedt introduced this fifth item of new business (as above) and asked Ressler to present. Ressler stated that the project proposed is for a family crisis shelter to be located at 3417 University Ave., on the NW corner of 34th St. E and University Ave. The property, Lots 1R and 2R of the Monica Johnson Subdivision is 1.01 acres and currently zoned R1-A: Rural Residential. Surrounding zoning is R1-A with single family homes to the north, south and east and to the west a vacant lot. Ressler said that the current shelter is located downtown and does not have enough capacity to handle the need that the group is seeing.

Ressler said that the property is under contract pending approval of the SPU. There is a house currently on the property that would be demolished. The neighbors have been notified with the standard planning department notice in addition to a letter sent by the Family Crisis Shelter.

Ressler explained that the project involves an 8,760 sq. ft. house and office. Family Crisis Shelter anticipates being able to host 37 clients and 5 staff members. They are anticipating 5 offices, a meeting room, occupant bedrooms to meet a variety of needs, including a handicap/male/very sensitive client room, a kitchen and dining room, a family room, a donation center, and a garage.

Currently, the site plan shows 14 client and staff parking spaces inside a secure fence, and 4 visitor parking spaces outside of the fence. The parking requirement is one parking space per bedroom, and one per 250 sq. feet of office space. Ressler said the parking provided is sufficient.

Ressler directed the Commissioners to the site plan in their packets. The private yard and most of the house is shown with a fence; Planning would request this be a vinyl fence. The shelter will also need to provide landscaping that will help to screen such a long fence, and will need to provide street trees on University Avenue. They will need to provide parking lot screening and street trees on the south side of the property along 34th St as well. The rest of the lot will need to be grassed. Curb cut is already there for parking and the property will not access the alleyway.

Discussion at the July 6, 2015 ad hoc meeting focused on:

1. Size of rooms. *Some of the rooms are not the correct size to meet building code at the moment. This will need to be modified.*
2. Parking. *The shelter will need to work with the Fire Chief to provide a turnaround for fire trucks, if needed. Parking and driveway will need to be paved with concrete or hot mix asphalt.*
3. Trash Pickup. *The shelter will need to work with Public Works to ensure the correct size of trash cans is provided. (Applicant has already discussed this with Public Works)*
4. Neighborhood safety. *The police chief confirmed to staff that they have had almost no issues with safety over the years, and that the extent of calls has been someone sneaking around a few times several years ago.*
5. Shelter's work. *The shelter board went over their need for a larger space and the importance of providing the service they do. They explained that they have had a difficult time finding residential lots large enough and that they have been working toward this*

goal for the last 5 years, including having the money needed for this project in their bank account.

Ressler stated that the Planning Department has received a couple of e-mails and one phone call from neighbors with concern about the shelter being placed in on the proposed lots; copies of the e-mails were provided to Commissioners. Ressler concluded her presentations and stated that several members of the Family Crisis Shelter board were in attendance to answer questions and that they have a presentation of their own to make.

Commissioner Boyeff first questioned the 6 ft. proposed fence as to whether it would meet setbacks at that height on 34th Ave. Ressler assured him it would and would be further explained by Family Crisis Shelter's presentation.

Heidi Grundahl, President of Family Crisis Shelter Board, explained that the shelter provides counseling and emergency shelter to victims of domestic violence. Grundahl stated that in the past several years with the population growth in Williston the current shelter has been unable to accommodate the need and have had to house victims in motels or transport them out of the community. They have spent five years looking for an area large enough for an expanded shelter that would be in the core of the town for Williston Police Department support.

Grundahl then asked their Architect to explain the proposed lay out. Janet Prchal with Hulsing Architects explained that at the rear of building would be a secure garage for staff parking, donation and client drop off. The building will be a long single-story house facing 34th Ave. E. and running length wise down University Ave. The business offices will be located in the front of the building facing 34th Ave. E, behind the business offices will be a sensitive client room (example: male victim) followed by counseling rooms and a common area then client rooms and finally donation storage. There will be a 6 ft. vinyl privacy fence that will start at the point of the end of the business offices to the back of the property. This will not affect the site triangle at the corner of University and 34th Ave. E. The one-story design with the 6 ft. privacy fence was designed to minimize the visual size of the building and give the appearance of a single-family home.

Commissioner Christensen asked how many times in the previous 12 months law enforcement had to be called to the current Family Crisis Shelter, Ben White, Sheriff's Deputy attending on behalf of the Family Crisis Shelter, said only one or two times in the past 2 years and they were not serious issues.

Several members of the audience lived in the neighborhood of the proposed shelter and spoke to their concerns of its placement:

- Jim Linqvist said there is already not enough parking for residents on 34th St., he lives a block and a half away from proposed shelter, surrounded by work force housing, points out Garry Hanson's Automotive "junk yard" constantly taking up on-street parking (*Proposed shelter would provide parking in a private lot on-site and not intend to use on-street parking*)
- Mr. Gunderson, 3411 34th Ave. E, in favor of a shelter but not in this neighborhood
- Ashley Stevens, 3501 34th Ave. E, concerned about the size of the shelter, the number and type of people at the shelter, concerned about her safety, not in this neighborhood
- Brandon Rodd, 3511 34th Ave. E, says that the streets are over traveled as it is, concerned about children at the shelter being allowed to play outside and what would protect his children from negative influences? Not in this neighborhood

- Kelly Blumberg, believes the building is too large for this area, the area is already overloaded with apartments, suggests it would be best to find another area and asked would “you” want this in your neighborhood
- Dennis Knutson, 3601 University, suggested that with the City limits having been extended this could be placed elsewhere
- Robin Knutson, 3501 34th Ave., asked how much work actually went into looking for land for the shelter and suggested that the current owners of the lots in question actually worked for the Family Crisis Shelter and she believed it to be a conflict of interest for the Shelter to purchase the land. *(Jonathan Scully, owner/seller of the lots, addressed this by stating that at no time has he or his wife ever worked for the Crisis Shelter but in the past have done some volunteer work with them through their church. Scully’s no longer actually live in Williston)*

Aafedt asked about the current shelter; how many can it house and how often are clients being housed in hotels. Lana Bonnet, Director of the Family Crisis Shelter, stated that the current shelter can only house 12 people and with the growing population they are forced to house victims in hotels quite often. To address the current need for this larger shelter she provided the following statistics:

(number of days for this comparison is calculated as number of service days per client)

- In 2006 the shelter housed 22 people for a total of 55 days
- In 2009 the shelter housed 75 people for a total of 221 days
- In 2012 the shelter housed 110 people for a total of 958 days; and
- In 2014 the shelter housed 170 people for a total of 20,280 days

In response to the Commission’s desire for more information on the shelter services and activities Lana Bonnet stated:

- Clients are referred by law enforcement, emergency room, social services, church contacts
- Clients must sign a no drug and/or alcohol policy and submit to testing if warranted, anyone failing a test is evicted
- Parking and traffic would be minimal and likely restricted to staff as clients rarely have vehicles during the time they are seeking services
- Intention is that clients stay no more than 30 days but that can be extended if they are truly working toward self supportive goals such as employment, waiting for apartment to come available
- The shelter offers support groups, housing applications, job interview skills, obtaining medical care, meals, etc.
- The goal is to help these victims get out and stay out of abusive situations; however when clients have to be housed in various hotels it is hard to spread staff around enough to provide the best service possible to these clients and they often end up going back because they feel there is no other options. Perpetual circle.

Tanna Hendrickson stated that she has lived across from the current shelter for 15 years and has not experienced any trouble with clients, children, visitors, law enforcement or parking.

Heidi Grundahl stated that the shelter is not publicly funded so there is no special tax or property tax consequence to the community or neighborhood. They are proposing a beautiful building and improved landscaping and lot use so property values would not be affected.

Boyeff asked Public Works Director about No Parking signs on either University or 34th Ave. E. Tuan stated that University, in this area, is posted No Parking. Boyeff questioned whether

there could be consideration of creating a no parking zone in front of the Gary Hanson's auto yard to assist the neighbors with that concern.

Commissioner Maristuen stated that he attended the ad hoc meeting on July 6, 2015 and had an opportunity to visit with the Family Crisis Shelter board member and see what they are proposing. He understands the community concerns about work-force housing issues or man camps and the crowding in certain neighborhoods but believes this to be a positive project and nice facility. With that Maristuen made a motion on this item.

MOTION BY MARISTUEN, SECOND BY CHRISTENSEN to approve the special use permit for a family crisis shelter on Lots 1R and 2R, Block 1, of the Monica Johnson Subdivision, City of Williston, contingent on a structure on property that meets building and zoning codes, buffering according to the analysis of the ad hoc committee, providing street trees and landscaping according to the analysis of the ad hoc committee and incorporating all staff comments regarding site design. AYES: Long, Maristuen, Christensen, Boyeff, Aafedt. NAYS: None ABSENT/NOT VOTING: Haugen and (one vacant seat). ABSTAINED: None.

- f. Final plat for East Side Industrial Subdivision located in the SW1/4, Sec. 17 and the NW1/4 of Sec. 20, T154N, R100W (east of County 9 and south of the landfill), City of Williston – Martin Reiger/Jeff Ames

Aafedt introduced the final item of new business (as above) and asked Ressler to present. Ressler explains the location of this project and the surrounding zoning and reminds the Commission that this project was proposed in 2014 for an industrial subdivision. The property received preliminary plat and zone change approval in July of 2014 from the City Commission. The property owners have clarified their intent and use of the property in the last year. Prior to the zone change approval (which was contingent on the final plat being recorded), part of the property was zoned M-2: Heavy Industrial, and part was zoned A: Agricultural; the entire property will be zoned M-2: Heavy Industrial. Ressler said the property is located on top of filled, abandoned coal mines and salt disposal pits. There is a disclaimer on the plat, as well as an exhibit showing the known locations of those mines. At the preliminary plat stage, the commission asked that this disclaimer also be recorded against each individual property.

The lots were originally in a slightly different configuration. Due to the mines and the steep terrain in the area, the lots have been rearranged to create more usable lots. There is one large lot of 125 acres and 8 smaller lots ranging from 2.45 acres to 9.6 acres.

Ressler said that access to lots is proposed to be through a 75' Road and Utility Easement, which is noted on the plat as "28th Avenue". The easement extends from the south side of the plat to the north side of the plat, but access to Lots 1 of Block 1 and Lots 6-8 of Block 2 are provided from the south access road, formerly known as Halliburton Drive and currently known as 6th St E. The plat provides a cul-de-sac at the south side of Lot 6, Block 2, in order to avoid a large hill. The northern part of "28th Avenue" takes access from 11th St E, and provides access to Lots 1-5 of Block 2. Ressler said the easement would not need to be paved, as it is not a public street, is located in the ETJ, has no potential for further subdivision, and is an entirely industrial area.

Water supply will be from a planned high pressure Western Area Water Service Project Water Transmission line to be installed in this area. The applicant will need to work this out with Western Area Water Supply and Rural Water to the satisfaction of the City Engineer. Water will be provided through this line prior to habitable buildings; exact date of construction is not currently available. All sewers in the subdivision will be septic tank drain field systems and

each lot will be responsible for its own detention of storm water to the satisfaction of the City Engineer.

Ressler said that most staff comments have been addressed at this point. Remaining comments from the City Engineer are regarding the abandon coal mines and salt pits underneath the property and the low lying area on the south side of Lot 1. City Engineer is working on an easement protecting these slopes from grading and development and a full map depicting all mines and salt pits in the area.

Maristuen asked Ressler what the items lined out from the original ad hoc meeting notes (as shown in Commission packets and fact sheet) meant, Ressler said that all lined through items had been addressed.

MOTION BY LONG, SECOND BY BOYEFF to recommend approval of the final plat of 164.81 acres in the SW1/4 of Section 17 and in the NW1/4NW1/4 of Section 20, T154N R100W, contingent on addressing all ad hoc and staff comments, a development agreement being signed and a note regarding the various mines and salt disposals under the property being recorded against the title of each lot. AYES: Long, Maristuen, Christensen, Boyeff, Aafedt. NAYS: None ABSENT/NOT VOTING: Haugen and (one vacant seat). ABSTAINED: None.

DATE OF NEXT REGULAR MEETING: August 17, 2015

MEETING ADJOURNED.



Kent Jarcik, Williston Planning Director

APPENDIX
to the
JULY 20, 2015 PLANNING AND ZONING COMMISSION MINUTES

- a. Special Permitted Use for a restaurant in the M-1 Zone, 1300 East Broadway, Williston - Marcy Harper, applicant/Expert Auto Glass, property owner
- b. Special Permitted Use - for an emergency family crisis shelter to be located on Lots 1R & 2R, Block 1, Monica Johnson Subdivision, 3417 University Ave. – Family Crisis Shelter, applicant