

REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION WAS HELD ON March 19, 2018, AT WILLISTON CITY HALL, 22 E. BROADWAY, WILLISTON, ND.

Vice Chairman Hansen called the meeting to order at 5:30pm. Roll Call was taken. A quorum was present.

MEMBERS PRESENT: Eynon, Bauer, Gjovig, Hansen, Christensen

MEMBERS ABSENT: Long, Aafedt

OTHERS PRESENT: Kent Jarcik, Planning Director; Rachel Laqua, Principal Planner; Jeremy Miller, Staff Planner; Mark Schneider, Development Services Director; Bob Hanson, City Engineer; Dave Bell, Public Works Director; Dave Tuan, City Administrator.

COMMUNICATIONS:

A. Approval of minutes of the February 20, 2018, Planning Commission Meeting.

**MOTION BY EYNON, SECOND BY BAUER, to approve the minutes as presented.
CARRIED ON VOICE CALL**

PUBLIC HEARINGS:

A. Ordinance 1036, Airport Zoning District - Staff

Vice Chairman Hansen introduced this item (as above) and asked Jarcik to present. Jarcik stated this item is the creation of a Municipal Airport District to allow for the entitlement of the new municipal airport to a district that will allow for the principal airport use and accessory support uses to the airport. Jarcik said the ordinance provides the basic parameters for regulating uses within the City owned airport property. In addition, it provides the basis for which non-conforming uses, variances, and administration and enforcement of this ordinance will be executed.

The airport district is set up to be administered by the Municipal Airport Director. The uses and development standards of the airport will be regulated under a separate set of regulations to be known as the "Williston Basin International Airport: Development Standards."

Jarcik said that this district will allow for the entitlement of the property to provide for the needed internal subdivision of the property to accommodate support uses and accessory uses of the airport. Platting of the property will be needed to create legal descriptions for lease agreements with tenants of future sites on airport property, such as hanger spaces.

Jarcik stated that this is really a shell ordinance to allow for the further development standards that the airport management is working on development standards as well as the internal subdivision. Jarcik then directed the Commission to the proposed ordinance in their packets and quickly runs through: Intent; Surfaces; Height Limits; Permitted Uses and Permits and reminds that these are all to be in the Development Standards that is being put together under

the airport manager's directions. He stated that the Airport Board and City Commission Board of Adjustments will handle all disputes as they do now and concluded his presentation.

Commissioner Eynon asked for clarification on solving disputes. He asked since the Airport Director had first decision on a dispute before the matter would go to the Board of Adjustments; would any of the joint powers agreement issues come to Planning & Zoning or just the other two commissions. Jarcik stated that the Joint Powers Board will be created of representatives from the City, the County and the Township. The Joint Powers Agreement is being put together now.

Commissioner Hansen opened the public hearing. Bill Owan, a land owner near the area of the new airport, approached the Commission and asked if the Airport Zoning only affects the airport property and if the City has any jurisdiction off of the airport land. Jarcik stated yes, the proposed Airport Zoning ordinance relates only to parcels within the airport property and the City would not have any jurisdiction off of airport land. Jarcik pointed to the intent statement of the airport zoning district ordinance, "**Intent**. This district will only apply to City owned airport land specifically and not adjacent private lands. Adjacent non-city owned properties will be governed under the Joint Powers Agreement". Owan asked if a zoning appeal was only available to decisions on the airport property. Jarcik answered yes with inclusion of an extra-territorial jurisdiction (ETJ) set by the FFA. Jarcik asked the airport director to further address that.

Anthony Dudas, Airport Director addressed the Commission and stated that the Joint Powers Agreement says 10,000 feet around the airport property boundary. He added that this was to prevent development at the end of the runway, tall or disruptive structures in the fly zone and other possible issues. Bill Owan suggested that the Joint Power Board include someone from Mont township; City Administrator Tuan and Anthony Dudas both stated that there will be township representatives on the Joint Powers Board.

Bob Horab asked how the Mainstay Hotel got built in the Sloulin Field fly zone with the FFA regulations. Anthony Dudas stated that the FFA is in this way a recommending committee but the community can and did in this case make an exception; the Joint Powers Board would prevent this from happening.

MOTION BY GIOVIG, SECOND BY EYNON to recommend approval of Ordinance 1036 adding section 24.1, Municipal Airport District to ordinance 613, otherwise known as the zoning ordinance of the City of Williston, as presented. **AYES:** Eynon, Bauer, Christensen, Gjovig, Hansen. **NAYS:** None **ABSENT/NOT VOTING:** Long, Aafedt. **ABSTAINED:** None.

- B. Amendment to the Harvest Hills Master Plan regarding City/Public Open Space #3, Block 7, City/Public Open Space #5, Block 11, City/Public Open Space #6, Block 13, City/Public Open Space #7, Block 14, City/Public Open Space #11, Block 19, Lot 1R and Lot 2R, Block 19, City/Public Open Space #1, Block 6, City/Public Open Space #2, Block 6, City/Public Open Space #4, Block 8, City/Public Open Space #8, Block 15, and City/Public Open Space #9, Block 16, and Lot 1R and Lot 2R, Block 19 of the Harvest Hills Subdivision.**

Vice Chairman Hansen introduced Items 5B, 5C and 5D and asked Jarcik to present. Jarcik stated that this proposal is a City initiated amendment to the Planned Unit Development of the Subdivision to allow the linear open spaces of the subdivision to be transferred to private ownership. He asked City Administrator Tuan to speak to the project from the City's standpoint.

Tuan said as a bit of history of Harvest Hills the developers proposed a different design than what the City was used to at time such as pocket parks. These open spaces ended up being unused where larger parks were used more commonly. Some of these spaces were irrigation and maintained and some were not.

The City has opted to allow adjacent owners to buy the additional land at a nominal cost to be used as expansion of yard space. The prices must be kept below \$2,500 or there would have to be a public bid opening. Tuan added that whatever cost there is will be mostly to cover administrative paperwork, remove City irrigation, etc... He said that the City wants to see them utilized and allowing adjacent property owners to purchase them also allows the Parks Department to put more time, money and effort into the larger more traditional parks. Tuan turned the presentation back to Jarcik.

Jarcik directed the Commission to the PUD Amendment document in their packets:

PUD Amendment for the City/Public Open Space Lots further described as:
City/Public Open Space #3, Block 7, City/Public Open Space #6, Block 13, City/Public Open Space #7, Block 14, City/Public Open Space #11, Block 19, City/Public Open Space #1, Block 6, City/Public Open Space #2, Block 6, City/Public Open Space #4, Block 8, City/Public Open Space #8, Block 15, and City/Public Open Space #9, Block 16, and Lot 1R and Lot 2R, Block 19 of the Harvest Hills Subdivision.

Amendment Description and Use Restrictions of the Lots:

The linear open spaces of the subdivision described above are to be transferred to private ownership. These open spaces are intended to be additional yard space to the adjacent residential lot, as described below with an example.

1. Primary single-family residential lot with a contiguous open space lot (for example, lot 1 and 1R, see map attached):
The adjoining lot 1R in the example attached could be used as residential lot space to the parent lot (1) as if they were one continuous merged lot. One residence with accessory uses per the PUD zoning requirements will be permitted for these two joined lots. While they are platted as two lots, per the restrictions of this amendment they are considered one lot for regulating the use of the property as related to the PUD zoning ordinance requirements. A deed restriction will be recorded against the properties to note that these two lots are joined and cannot be sold separately.
2. Primary single-family residential lot with a second non-contiguous lot (for example, lot 1 and 2R, see map attached):
 - a. Property (Lot 2R) 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 per structure so long as it complies with all City ordinances and regulations;
 - b. No structures may be placed or built across the bisecting property line of the two open space lots (in this example, lots 1R and 2R).
 - c. Property shall not be used for storage of trailers, campers, mobile homes, manufactured homes, any form of temporary housing, or vehicles;

- d. Property shall not be used as a dumping or outdoor storage ground for garbage, rubbish, non-working vehicles, or any unsightly materials;
 - e. Fencing shall comply with the standard ordinance requirements for front, side and rear yard setbacks and sight triangles for a single-family lot.
 - f. Lot 2R may be sold to a future property owner adjacent to the west (Lot 13). At time of sale this covenant could be amended through the City for the adjacent Lot 13 to incorporate this lot into their contiguous single-family lot with residence. The adjoining primary lot with residence would have use of this lot as defined above in #1, Primary residential lots with a contiguous open space lot.
3. Multi-family lot adjacent to an open space lot:
- a. The open space lot cannot be used to add additional density to the adjoining multifamily zoned lot.
 - b. A deed restriction will be recorded against the properties to note that these two lots are joined and considered one continuous lot and cannot be sold separately.
4. Additional Restriction for open space lots along Harvest Hills Drive.
- a. The lots along Harvest Hills drive are subject to a 10-foot no build easement from the property line (inside edge of sidewalk) inside the property running as a parallel strip along the sidewalk to the street frontage. The restriction would include fencing that would need to be outside of the 10-foot no build easement.
 - b. The property owner is responsible for maintaining the property within the 10-foot no build easement as well as the grass strip within the street boulevard.
 - c. There is an existing 10-foot private utility easement in this same area, an additional no build easement will be recorded over the top of this existing utility easement.
5. City/Public Open Space #5, Block 11.
- a. This is an 80-foot wide lot equivalent to the adjacent residential lots. This lot will be sold by the City as a buildable lot. The lot will be handled under a separate process for sale as a buildable lot.
 - b. Future owners of this lot will be subject to the requirements of number 4 of this document.
 - c. In the event the City does not initiate a separate process to sell this lot as a buildable lot, it could be available to the adjacent property owner under the terms of #1 and #4 above.

Jarcik stated that these open spaces are intended to be additional yard space to the adjacent residential lot, except for open space lot #5. Open Space lot #5 is an 80-foot wide lot equivalent to the adjacent residential lots. This lot is proposed to be sold by the City as a buildable lot and would be handled under a separate process for sale as a buildable lot. Jarcik said the PUD amendment document describes how these open spaces would be regulated as private property.

Jarcik explained that the original subdivision was set up with a combination of linear open spaces that acted more as enlarged boulevards and passive open space and not of the nature of larger programmed open space for active use. The original subdivision included a potential school site in phase II along 32nd Avenue. The concept was to consider shared use of the green space for public active open space.

The original intent of the linear open spaces was to be dedicated to the Parks District. In the end, the Park District did not accept the dedication of the linear open spaces as park space. The linear open spaces defaulted to the City and the City has been managing and providing the maintenance.

Jarcik stated that the rearrangement of Phases II and III changed the original open space plan for this portion of the subdivision. The potential for an elementary school was not located in the initially understood location along 32nd avenue. The linear parks were removed from these two phases and replaced with 16.67 acres allowing more active space that was dedicated to the Williston Park District. There is now active open space in the subdivision and there is potential for more of the dedicated space to be improved in the future as the subdivision continues to build out. Jarcik said the addition of this dedicated open space to the Park District in this rearrangement improved the future park spaces for the area.

The establishment of the park space in Phases II and III changed the concept for the entire subdivision. Jarcik explained that transferring the linear open spaces in the original Phase 1 to private ownership would be in line with the new pattern of development now in Phases 2 and 3. The amount of open space dedicated in phases 2 and 3 meets the park space objectives the Park District uses for providing park space within a Section of land. In addition, within the same section of land a school has developed to the west of the subdivision.

Amendment to the Master Plan and Final Plan of the Planned Unit Development:

Jarcik said attached with the staff report you will find the PUD amendment document for the City/Public Open Space Lots to be recorded for the subdivision. A deed restriction will be recorded with each open space lot and parent lot which it is attached to. The deed restriction will require the two lots to remain together permanently and not sold separately as outlined in the amendment document included in the packet.

Underlying Zoning:

The underlying zoning of the open space lots is proposed to be amended to that of the adjacent residential zoning. The underlying zoning is proposed as:

City/Public Open Spaces #3, Block 7, #5, Block 11, #6, Block 13, #7, Block 14, #11, Block 19, Lot 1R and Lot 2R, Block 19 of the Harvest Hills Subdivision from P: Park and Open Space to R-3: Low-rise Multifamily and Townhouse; City/Public Open Spaces #1, Block 6, #2, Block 6, #4, Block 8, #8, Block 15, #9, Block 16 of the Harvest Hills Subdivision from P: Park and Open Space to R-4: High-rise Multifamily Residential.

Overlay Zoning:

The underlying zoning allows the overlay zoning of the original Harvest Hills PUD to apply to each lot.

Jarcik concluded his presentation and explained the public hearings and motions that will be required tonight.

Discussion started by Paul Bauer about Lot#5 and whether it could be available to the property owner to the north of it; Jarcik only previously mentioned the owner to the east. Jarcik said if it is sold as a buildable lot it becomes a public bid process. He also mentioned that between Lot #5 and the lots to the north is a 50 ft. buffer of trees.

City Administrator Tuan interjected that a buildable lot would be opened to a public bid process as it would need to be sold at market value but that if it did not sell the City would keep it.

Commissioner Giovig mentioned some concern that if the neighbors selected the lot they are on because it was next to an open space lot, selling it as buildable could become an issue. Tuan said that it is just a suggestion with intention to minimize City maintenance.

During Public hearing, Bob Horab asked if the lot on the north side of the Haliburton block could be considered buildable. Jarcik said that Haliburton currently maintains the lot and it is not considered buildable; Lot #5 is considered buildable because it is essentially a single family lot.

Rick Nice, owns a property next to one of the linear lots and is interested in possibly purchasing that asked about set-backs other than the 10 foot easement to for fencing specifically could he build garage with the set-backs matching that of his home. Tuan said that is the intention.

No other public comment; Hansen closed the public hearing and called for a motion from the Commission.

MOTION BY CHRISTENSEN, SECOND BY BAUER, to recommend approval for the amendment to the PUD Master Plan as described in the PUD amendment document for City/Public Open Spaces #3, Block 7, #5, Block 11, #6, Block 13, #7, Block 14, #11, Block 19, Lot 1R and Lot 2R, Block 19 of the Harvest Hills Subdivision from P: Park and Open Space to R-3: Low-rise Multifamily and Townhouse; City/Public Open Spaces #1, Block 6, #2, Block 6, #4, Block 8, #8, Block 15, #9, Block 16 of the Harvest Hills Subdivision located in the SE1/4 of Section 9, T154N, R101W, as presented, contingent on recordation of the PUD amendment document. **AYES:** Eynon, Bauer, Christensen, Gjovig, Hansen. **NAYS:** None **ABSENT/NOT VOTING:** Long, Aafedt. **ABSTAINED:** None.

- C. Underlying Zone Change of City/Public Open Space #3, Block 7, City/Public Open Space #5, Block 11, City/Public Open Space #6, Block 13, City/Public Open Space #7, Block 14, City/Public Open Space #11, Block 19, Lot 1R and Lot 2R, Block 19 of the Harvest Hills Subdivision from P: Park and Open Space to R-3: Lowrise Multifamily and Townhouse and City/Public Open Space #1, Block 6, City/Public Open Space #2, Block 6, City/Public Open Space #4, Block 8, City/Public Open Space #8, Block 15, and City/Public Open Space #9, Block 16 of the Harvest Hills Subdivision from P: Park and Open Space to R-4: Highrise Multifamily Residential.**

No Public Comment –

MOTION BY GIOVIG, SECOND BY CHRISTENSEN, to recommend approval to change the underlying zoning of City/Public Open Spaces #3, Block 7, #5, Block 11, #6, Block 13, #7, Block 14, #11, Block 19, Lot 1R and Lot 2R, Block 19 of the Harvest Hills Subdivision from P: Park and Open Space to R-3: Low-rise Multifamily and Townhouse; City/Public Open Spaces #1, Block 6, #2, Block 6, #4, Block 8, #8, Block 15, #9, Block 16 from P: Park and Open Space to R-4: High-rise multifamily Residential in the Harvest Hills Subdivision located in the SE1/4 of Section 9, T154N, R101W, as presented. **AYES:** Eynon, Bauer, Christensen, Gjovig, Hansen. **NAYS:** None **ABSENT/NOT VOTING:** Long, Aafedt. **ABSTAINED:** None.

D. Planned Unit Development (PUD) Zone Change, changing the PUD overlay requirements for City/Public Open Space #3, Block 7, City/Public Open Space #5, Block 11, City/Public Open Space #6, Block 13, City/Public Open Space #7, Block 14, City/Public Open Space #11, Block 19, Lot 1R and Lot 2R, Block 19, City/Public Open Space #1, Block 6, City/Public Open Space #2, Block 6, City/Public Open Space #4, Block 8, City/Public Open Space #8, Block 15, and City/Public Open Space #9, Block 16, and Lot 1R and Lot 2R, Block 19 of the Harvest Hills Subdivision.

No Public Comment –

MOTION BY BAUER, SECOND BY GIOVIG, to recommend approval of the PUD Overlay Zoning requirements as described in the PUD amendment for City/Public Open Spaces #3, Block 7, #5, Block 11, #6, Block 13, #7, Block 14, #11, Block 19, Lot 1R and Lot 2R, Block 19 of the Harvest Hills Subdivision from P: Park and Open Space to R-3: Low-rise Multifamily and Townhouse; City/Public Open Spaces #1, Block 6, #2, Block 6, #4, Block 8, #8, Block 15, #9, Block 16 of the Harvest Hills Subdivision located in the SE1/4 of Section 9, T154N, R101W, as presented. **AYES:** Eynon, Bauer, Christensen, Gjovig, Hansen. **NAYS:** None **ABSENT/NOT VOTING:** Long, Aafedt. **ABSTAINED:** None.

E. Amendment to the Final Plan

No Public Comment –

MOTION BY GIOVIG, SECOND BY CHRISTENSEN, to recommend approval for the amendment to the PUD final plan as described in the PUD amendment document for City/Public Open Spaces #3, Block 7, #5, Block 11, #6, Block 13, #7, Block 14, #11, Block 19, Lot 1R and Lot 2R, Block 19 of the Harvest Hills Subdivision from P: Park and Open Space to R-3: Low-rise Multifamily and Townhouse; City/Public Open Spaces #1, Block 6, #2, Block 6, #4, Block 8, #8, Block 15, #9, Block 16 of the Harvest Hills Subdivision located in the SE1/4 of Section 9, T154N, R101W, as presented, contingent on recordation of the PUD amendment document.

F. Short plat of City/Public Space #3 located at the intersection of Prairie Commons Street and Harvest Hills Drive.

Vice-Chairman Hansen stated that the next four items are the proposed lot splits of some of the open space lots discussed by Jarcik. Hansen asked Laqua to present.

Laqua stated that these four short plats split each public open space lot into two parts, in order for each piece to be sold to the adjacent lots.

The plats themselves currently show the lots being merged with the adjacent lots; this is not occurring. The open space lots will only be split. Laqua showed the Commissioners on the Harvest Hills map how the lots are proposed to be split.

Commissioner Hansen opened the public hearing and asked for input from the members of the audience. Zach Hart approached the Commission as an interested neighboring property owner and asked if the City had an idea of the cost and increase in taxes. City Administrator Tuan stated that the sale of the lots would likely be \$1,000 to \$1,500. As to the taxes Tuan said that is up to the County Assessor. Rick Nice asked if there could possibly be a 3-5 year tax abatement on the purchase and Tuan simply said that would be an uphill battle.

With no other public input Hansen closed the public hearing and asked for the wishes of the Commission.

MOTION BY EYNON, SECOND BY BAUER, to approve the short plat of Public Open Space Lot #3, contingent on recordation requirements being met. **AYES:** Eynon, Bauer, Christensen, Gjovig, Hansen. **NAYS:** None **ABSENT/NOT VOTING:** Long, Aafedt **ABSTAINED:** None.

G. Short plat of City/Public Space #6 of the Harvest Hills Subdivision located at the intersection of 32nd Street West and Harvest Hills Drive.

No Public Comment -

MOTION BY EYNON, SECOND BY GIOVIG, to approve the short plat of Public Open Space Lot #6, contingent on recordation requirements being met. **AYES:** Eynon, Bauer, Christensen, Gjovig, Hansen. **NAYS:** None **ABSENT/NOT VOTING:** Long, Aafedt **ABSTAINED:** None.

H. Short plat of City/Public Space #7 of the Harvest Hills Subdivision located at the intersection of Rocky Wagon Street and Harvest Hills Drive.

No Public Comment -

MOTION BY EYNON, SECOND BY CHRISTENSEN, to approve the short plat of Public Open Space Lot #7, contingent on recordation requirements being met. **AYES:** Eynon, Bauer, Christensen, Gjovig, Hansen. **NAYS:** None **ABSENT/NOT VOTING:** Long, Aafedt **ABSTAINED:** None.

I. Short plat of City/Public Space #11 of the Harvest Hills Subdivision located at the intersection of Rocky Wagon Street and Harvest Hills Drive.

No Public Comment -

MOTION BY EYNON, SECOND BY GIOVIG, to approve the short plat of Public Open Space Lot #11, contingent on recordation requirements being met. **AYES:** Eynon, Bauer, Christensen, Gjovig, Hansen. **NAYS:** None **ABSENT/NOT VOTING:** Long, Aafedt **ABSTAINED:** None.

UNFINISHED BUSINESS:

- A. Tabled rezone, from the Feb. 19, 2018 meeting, of Lots 1, 2, 3, & 4, Block 3 of the Wegley Addition, from M-1: Light Industrial to HCC: Highway Corridor Commercial, so that the proper steps can be taken to issue an SPU at the time the property is rezoned.**

Vice Chairman Hansen introduced this item as above and asked Miller if there was a staff update. Miller stated that these properties were tabled at the February 20th, 2018, Planning and Zoning Commission meeting as it was originally believed that these properties would need an SPU due to the outdoor storage of flammable liquids. After discussion with the Fire Chief, it was determined that the quantity and type of flammable liquids being stored would not require an SPU.

MOTION BY BAUER, SECOND BY EYNON, to approve the rezone of Lots 1, 2, 3 & 4 (from M-1: Light Industrial to HCC: Highway Corridor Commercial) of the Wegley Addition as presented.

AYES: Eynon, Bauer, Christensen, Gjovig, Hansen. **NAYS:** None **ABSENT/NOT VOTING:** Long, Aafedt. **ABSTAINED:** None.

NEW BUSINESS:

- A. Remote Parking Agreement – rearrangement of Lot 1R, Block 2R, Crow Fly High Subdivision and Lot 19R, Block 1, Monroe Subdivision**

Vice Chairman Hansen introduced this item of New Business (as above) and asked Laqua to present. Laqua explained that this application is a request for a remote parking agreement between a lot owned by the Williston Holding Company and two lots owned by the City of Williston. The lots in question are located just west of Applebee's.

The applicant has requested remote parking in order to satisfy the required parking for a new building. The applicant intends to build a new Pizza Hut location on the site. The required parking for the restaurant and employees is 18 spaces. The applicant is requesting to use the neighboring lot, which is owned by the City of Williston, to provide 14 of those spaces.

The applicant is separately working with the City Attorney and City Commission on extending the currently held lease, or replacing it with an easement. The applicant, in total, is looking to provide 32 spaces on city-owned property; however, of those, only 14 are required by ordinance.

The property the applicant is proposing to build in has some severe space restrictions, including a large utility easement on the west side of the property. They have placed their building and drive through to maximize the lot.

The access is placed to the north, so as not to interrupt 26th St traffic flows, and there is water and sewer available to the lot.

PROPERTY HISTORY

Laqua said that portions of both City properties on this same block have been held in a long term lease for parking by the current owner of the lot in question. The process the City Attorney and City Commission are working through would modify this slightly, and change the allowable parking and easement area to that shown in the site plan attached.

In addition, this block has not been developed in the past due to concerns from the airport. Since the airport is moving, this block also is in consideration for necessary Right of Way acquisition to rearrange the 26th Street intersection. The City has commissioned several alternatives for that intersection. The site plan shown by the applicant takes into consideration the most land-intensive of those alternatives, and is arranged so that the remote parking and primary lot should not be affected.

REMOTE PARKING CONSIDERATIONS

As part of the review for remote parking, the following items are required to be considered:

1. *There are restrictions of topography, title, lot design, existing building footprint, or required access that prohibit the parking requirement from being met on the same lot as the principal use.* This lot is small, and The property the applicant is proposing to build in has some severe space restrictions, including a large utility easement on the west side of the property. They have placed their building and drive through to maximize the lot.
2. *The property owner has maximized the space available on the lot that the principal use is on to accommodate the required parking.* The lot has been maximized to include all required infrastructure and as much parking as possible.
3. *The handicapped parking requirement is met on the lot that the principal use is on.* All ADA required spaces are met on the applicant's property.
4. *The parking on a remote parking lot shall not cause a recognizable impact on traffic or adjacent land uses of either the lot that the principal use is on nor the remote lot.* There should be no traffic impact – the access will be on the City lot and will provide a greater separation distance from 26th street. In addition, the parking provided on the City lots has been arranged to accommodate the intersection alternative that requires the most acquisition of right of way.
5. *The parking on a remote lot shall not adversely affect the public health, safety, and welfare.* The use should not adversely affect the public health, safety and welfare.
6. *Parking spaces available on the remote parking lot are not required to satisfy the required parking for any other use.* There is no other use on the two City lots.

MOTION BY LONG, SECOND BY GJOVIG To approve the remote parking agreement on the following an 11,650.85 sq. ft. tract in SE portion of rearrangement of Lot 1, Block 25 and the remainder of Lot 1, Block 2R, of the Crow Fly High Subdivision and Lot 19R, Block 1, Monroe Subdivision.

AYES: Eynon, Bauer, Christensen, Gjovig, Hansen. **NAYS:** None **ABSENT/NOT VOTING:** Long, Aafedt **ABSTAINED:** None.

COMMITTEE REPORT:

A. NONE

DATE OF NEXT REGULAR MEETING: Monday, April 16, 2018.

MEETING ADJOURNED.



Kent Jarcik, Williston Planning Director

APPENDIX

To the March 19, 2018 Planning & Zoning Commission Meeting

1. Remote Parking Agreement – rearrangement of Lot 1R, Block 2R, Crow Fly High Subdivision and Lot 19R, Block 1, Monroe Subdivision