

REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION WAS HELD ON October 17, 2016 AT THE BROADWAY COMMONS, 302 E. BROADWAY, IN WILLISTON, NORTH DAKOTA.
(Meeting location changed for this meeting to accommodate remodeling work at the City Hall)

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

MEMBERS PRESENT: Boyeff, Hansen, Long, Christensen, Bauer, Maristuen

MEMBERS ABSENT: Aafedt

OTHERS PRESENT: Kent Jarcik, Planning Director; Rachel Laqua, Principal Planner; Josephine Ching, Staff Planner; Bob Hanson, City Engineer; Howard Klug, President of City Commission

DISPOSITION OF MINUTES:

- Minutes were approved for September 19, 2016 regular meeting.

MOTION BY BOYEFF, SECOND BY HANSEN to approve minutes as presented. CARRIED ON VOICE CALL. (unanimous)

COMMUNICATION:

- A. Planning article of the month; no discussion.

PUBLIC HEARINGS:

- A. NONE

COMMITTEE REPORT:

- NONE

UNFINISHED BUSINESS:

- A. NONE

NEW BUSINESS:

- A. Special Permitted Use request to add additional wells to existing oil well pad located in the NWNE, Sec. 30, T155N, R100W, City of Williston – Whiting Oil/Northern Improvement Co.

Maristuen introduced Item A of New Business (as above) and asked Ching to present. Ching explained the application requests a special permitted use (SPU) to add four additional oil wells to an existing pad.

The property is located within the City's one mile extra-territorial jurisdiction. The property is owned by Northern Improvement for the use of gravel pit/batch plant. The property is also used as an oil well site for Whiting Oil and Gas Cooperation.

There is an existing rural water line running along County Road 9. The applicant is working on connecting the well site to water and gas.

Ching said the property takes access from County Road 9 to a gravel road onto 56th Street NW. Pherrin Township was concerned with the road condition that the well-related traffic will generate on 56th Street NW. There is no access from the west side to the property because it is a private road.

Discussions at the October 3, 2016, Ad Hoc included:

Landscaping: Planning Staff explained that because the Comprehensive Plan projects this area to be rural large residential lots, staff recommended that landscaping be installed on the north side of the well site, along 56th Street NW. There was discussion about whether there is enough room for the applicant to install landscaping since it is beyond their surface agreement. Staff noted that there should be sufficient room for the applicant to install landscaping along 56th Street NW. The applicant has provided a landscaping plan. The evergreen trees that the applicant is proposing would be acceptable.

Fencing: The well pad is currently not fenced. Staff directed the applicant to install a minimum 6 feet high security fence in accordance with Section 25.A.2.

STAFF COMMENTS:

Township: Pherrin Township expressed concern with the road condition that the well related traffic will generate on 56th Street NW. The township would ask the applicant to maintain 56th Street NW in the same condition or in better condition than it is prior to the drilling phase. The applicant will need to work with the township because 56th Street W is a township road. If the commission wishes, an approved township agreement could be part of the requirements of approval.

Conditions Required for Approval:

1. Installation of fence with a minimum 6 feet high security fence in accordance with Section 25.A.2.
2. Installation of evergreen trees, as depicted in the landscape plan.
3. Road Maintenance and restoration agreements with Pherrin Township.

MOTION BY MARISTUEN, SECOND BY HANSEN, to approve the Special Permitted Use request to add additional wells to existing oil well pad located in the NWNE, Sec. 30, T155N, R100W, City of Williston, contingent on meeting all conditions required for approval (as above) and all staff comments. AYES: Hansen, Long, Boyeff, Christensen, Bauer, Maristuen, Aafedt. NAYS: None. ABSENT/NOT VOTING: None ABSTAINED: None.

A. SPU for an over-sized sign – Williston High School.

Maristuen introduced Item C of New Business (as above) and asked Ching to introduce. Ching said that the Williston High School is looking to add two monument signs, one at the north (37th Street W) and one at the south (32th Street W) entrance. The campus is located on A: Agricultural zoned property. Both of the signs have to go through the campus sign policy process that was passed in August, 2016 because currently by code only one sign per business establishment is allowed under A: Agricultural.

The applicant is proposing two 6.5 feet high by 14 feet wide monument sign. The monument sign will have a 4' x 8' digital sign, the high school logo, and the name of the high school.

Ching said that at the October 3, 2016, ad hoc meeting, the applicant clarified that both of the signs will be facing east/west and oriented north/south. Because the monument signage will have a digital sign, the ad hoc committee was concerned the digital sign on the north side of the lot may face directly into the back window of the residence to the east. Staff noted that there is a 50 feet buffer and a grade differential between the north entrance and the residence's property line.

Staff has examined the location further and has noted that the north monument sign might cause concerns from residence to the east due to the size of the sign and that the sign can easily be seen from the residence's back window. The applicant will need to meet the dynamic messaging requirements under Ordinance 1009. Ordinance 1009 lays out a variety of regulations for dynamic messaging signs, including that "dynamic messaging signs within 150 feet of a residential zone that face the residential zone shall display a static message between the hours of 9:00 p.m. and 7:00 a.m.", which may mitigate this concern. Laqua further explained that there is a tree row between the proposed sign location and the houses of both deciduous and evergreens; however, there are no evergreens in the area with direct site to the proposed sign. Staff would suggest that the applicant agree to add some evergreens into the tree row in that area. Architect Nick Lippert agreed to this idea.

The location where the applicant is proposing to have the north monument signage may create a visibility issue for drivers because the sign may obstruct the drivers' view to the west when they are exiting the parking lot. This is generally evaluated by applying site triangle standards, though the site triangle regulations apply only in residential zones. Ching said that staff would recommend the architect work with the City Engineer to be sure that this will not create an issue or to make proper adjustments/rotation to the sign; Lippert agreed.

MOTION BY LONG, SECOND BY CHRISTENSEN, to approve the over-sized sign package for the Williston High School, contingent on addressing all staff comments, and Architect working with the City Engineer to assure proper site triangle of the north sign. **AYES:** Long, Boyeff, Hansen, Christensen, Bauer, Maristuen, Aafedt. **NAYS:** None. **ABSENT/NOT VOTING:** None. **ABSTAINED:** None.

DATE OF NEXT REGULAR MEETING: November 21, 2016

MEETING ADJOURNED.



Kent Jarcik, Williston Planning Director

APPENDIX TO THE
CITY OF WILLISTON PLANNING & ZONING COMMISSION MEETING
October 17, 2016

- A.** Special Permitted Use request to add additional wells to existing oil well pad located in the NWNE, Sec. 30, T155N, R100W, City of Williston – Whiting Oil/Northern Improvement Co.

- B.** SPU for an over-sized sign – Williston High School.