

# CITY OF WATFORD CITY

P.O. BOX 494

WATFORD CITY, NORTH DAKOTA 58854

## AGENDA

April 27, 2015

## PLANNING COMMISSION

Heritage Room in City Hall @ **6:00 P.M.**

- **Call to Order Public Hearing**

1. Public Hearing to hear comment on Preliminary Subdivision Plat submitted by Mychal Gorden for Stenehjem Holdings, LLC. / Erik Stenehjem on property located Lots 8-11 Block 4 of Fox Hills Village Subdivision 22.57 acres, Watford City, McKenzie County, ND.
2. Public Hearing to hear comment on Zone Change Application submitted by Mychal Gorden for Stenehjem Holdings, LLC. / Erik Stenehjem on Lot 8 Block 4 of Fox Hills Village Subdivision, .99 acres, Watford City, McKenzie County, ND. In consideration of rezoning R4 High Density Residential parcel to C1 Commercial.
3. Public hearing to hear comment on Zone Change Application submitted by Matrixx Equities Watford, LLC/Bob Watt for Edward & Charlotte Schilke on property located SW1/4 of Section 21, T150N, R98W, Watford Ranch Subdivision, 138 acres, Watford City, McKenzie County, ND. In consideration of rezoning AG Agriculture parcel to R4 High Density Residential 105.26 acres, C2 Commercial Service District 8.06 acres and CF Community Facilities 23.11 acres for a total of 138 +/- acres.
4. Public hearing to hear comment on Zone Change Application submitted by Chris Cope on behalf of Wise Services on property owned by Wise Ventures, LLC located at 605 24<sup>th</sup> St W, Parcel # 11-00-14760, 6.73 acres, McKenzie County, ND. In consideration of re-zoning AG Agriculture parcel to Industrial (Heavy) District.
5. Public Hearing to hear comment on Conditional Use Permit Application submitted by Chris Cope on behalf of Wise Services on property owned by Wise Ventures, LLC located at 605 24<sup>th</sup> St W, Parcel # 11-00-14760, 6.73 acres, McKenzie County, ND. In consideration of Conditional Use Permit to install bulk fuel tank.
6. Public hearing to hear comment on Conditional Use Permit Application submitted by Brent Kabat of Buell Consulting, Inc. on behalf of Verizon Wireless on property owned by Patrick & Sally Golberg located at 1809 Main Street South, 45.97 acres, Watford City, McKenzie County, ND. In consideration of placement of wireless telecommunications transmission facility.

7. Public Hearing to hear comment on Conditional Use Permit Application submitted by Brent Kabat of Buell Consulting, Inc. on behalf of Verizon Wireless on property owned by Mark Bruckelmeyer, James Beld & Doug Wendling, d.b.a. DMJ, LLC located at 12209 26 N. Street, 3.0 acres, McKenzie County, ND. In consideration of placement of wireless telecommunications transmission facility.
  
8. Public Hearing to hear comment on Simple Lot Split submitted by Adam Berger Development LLC for Diane Gariety & Pamela Scott, for property located in Section 13, T150N, R99W, Watford City, McKenzie County, ND. For the purpose of creating two (2) parcels from one parent parcel (1).

- **Close Public Hearing**
- **Call to Order Regular Meeting**
- **Approve Minutes from March 30, 2015 Meeting**
  - ❖ **Final Plat:** Homestead Park
  - ❖ **Final Plat:** Stepping Stone
  
- **New Business:**
  - May Meeting Date-Memorial Day Holiday
  
- **Review Building Permits:** Attached
- **Adjournment**

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Mildred Williams, Assistant City Planner

1.

# Preliminary Subdivision Plat

Submitted by Mychal Gorden  
for Stenehjem Holdings, LLC. /Erik Stenehjem

*Lots 8-11 Block 4  
Fox Hills Village Subdivision*

**DIVISION OF LAND / PLANNING APPLICATION**

**CITY OF WATFORD CITY**

PO Box 494 / 213 2nd St NE Watford City, ND 58854

APPLICATION TYPE	DATE FILED: <u>4.7.15</u>	APPLICATION NUMBER: <u>13-2015</u>
<b>SUBDIVISION PRELIMINARY MAP</b>	PROCESSED BY: <u>MW</u>	PLANNING AND ZONING: <u>4.27.15</u>
SUBDIVISION FINAL MAP	FEE: <u>\$ 1185.00</u>	CITY COUNCIL: <u>5.4.15</u>
SIMPLE LOT SPLIT	RECEIPT #: <u>CHK # 1297 Stenehjem Dev.</u>	SECTION / TOWNSHIP / RANGE: <u>21 150N 98W</u>
LARGE PARCEL MAP PRELIMINARY	RELATED CASE FILES:	FINAL ACTION LETTER ISSUED DATE:

LARGE PARCEL MAP FINAL
PARCEL MAP SUBSEQUENT
PARCEL MAP NON-SUBSEQUENT
FAMILY CEMETERY DESIGNATION
AGRICULTUAL EXEMPTION

PROPERTY OWNER: Stenehjem Holdings, LLC

APPLICANT: Erik Stenehjem

*CORRESPONDENCE FOR THIS APPLICATION SHOULD BE ADDRESSED TO:*

NAME: Mychal Gorden

PHONE: 928-230-9876

ADDRESS: PO Box 2346

CITY: Watford City STATE: ND ZIP CODE: 58854

EMAIL: mychal@mychalgordendesign.com

ASSESSOR'S PARCEL NUMBER(S): \_\_\_\_\_

LEGAL DESCRIPTION: Lots 8-11, Block 4, Fox Hills Village

PROPERTY ADDRESS AND NEAREST CROSS STREETS: Fox Hills Parkway

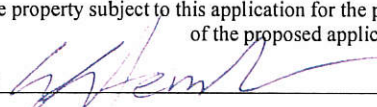
GROSS/NET ACREAGE: 22.57 NA NUMBER OF LOTS: 4 ZONING: R4 & C1

DESCRIBE THE METHOD OF PROVIDING WATER & SEWER: City Water & Sewer from Fox Hills SID project currently under construction

ARE ANY WAIVERS OR VARIANCES REQUIRED TO SUPPORT THIS APPLICATION?: \_\_\_\_\_

(IF YES, ATTACH A JUSTIFICATION LETTER DESCRIBING SUCH WAIVERS OR VARIANCES). WAIVERS AND VARIANCES SHOULD BE DISCUSSED WITH PLANNING DEPARTMENTS STAFF PRIOR TO FILING ANY REQUIRED APPLICATION.

(I, We), the undersigned swear and say that (I am, We are) the owner(s) of record on the tax rolls of the property involved in th is application, or (am, are) otherwise qualified to initiate this application under WATFORD CITY CODE; that the information on the plans and drawings attached hereto, and all of the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the City of Watford City and its designee, to enter the premises of the property subject to this application for the purposes of gathering information for the purpose of advising the public of the proposed application.

Property Owner (Signature): 

Property Owner (Print): Erik Stenehjem

Property Owner (Signature): \_\_\_\_\_

**SURVEYOR / ENGINEER INFORMATION** (Place Sureyor Stamp in Open Area)

NAME: Steven Rude, PLS LICENSE NO: LS-6261

ADDRESS: 103 1st Ave. West, Suite 300

CITY: Dickinson STATE: ND ZIP: 58601

PHONE: 701-225-9636

FAX/Email: 701-225-9616

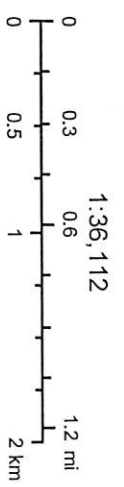


# Preliminary Plat: Fox Hill Village Lots 8-11 Block 4



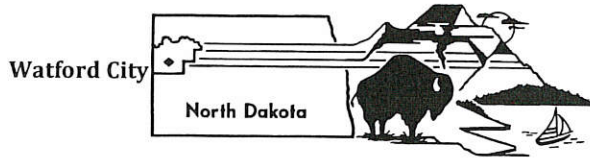
April 13, 2015

- World Transportation
- Lot Lines
- Watford City Limits
- Cherry Creek
- Extra-Territorial Area (ETA)
- Parcels Data from McKenzie County



GIS: Watford City, AE2S  
 Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors





## City of Watford City

213 2<sup>nd</sup> St. NE / PO Box 494

Watford City, ND 58854

Ph. 701-444-2533

Fax 701-444-3004

*Celebrating 100 Years - 2014*

[watford.mckenziecounty.net](http://watford.mckenziecounty.net)

April 17, 2015

### STAFF REPORT

#### Prelim Map 13-2015 (Lots 8-11 Blk 4 Fox Hills Village)

##### Applicant

Erik Stenehjerm

Mychal Gorden

PO Box 2346

Watford City, ND 58854

##### Property Owners

Stenehjerm Holdings, LLC

Property Address: Lots 8-11 Block 4 Fox Hills Village Subdivision

Subdivision Prelim Map: Lots 8-11 Blk 4 Fox Hills Village Subdivision (replat of Lot 5 in Blk 4)

Located: Northwest quarter of Sect 21, Township 150N, Range 98W

Discussion: The Fox Hills Village Subdivision is currently zoned with multiple zoning districts. The applicant requests to divide lot 5 into 4 parcels and rezone the northwest parcel to C1. The division will support the C1 development adjacent to the north and west along the parkway. The other parcels will remain R4 and be developed into multifamily residential projects.

-The site is in the City of Watford City, ETA and therefore falls within the jurisdiction of the Watford City Planning and Zoning Commission.

##### Surrounding Land Use Inventory:

West: Zoning -	C1, Watford City
Use -	Airport, future High School and Event Center
South: Zoning -	R4, CF Watford City
Use -	TBD with future development
North: Zoning -	R1, R2, R3, R4, Watford City
Uses -	Mixed Use Residential and Golf Course
East: Zoning -	Ag, C1 Watford City
Uses -	Agricultural Use and Commercial Trucking Business

##### Site Development

Access: *property is accessible off 4th Ave NE then Fox Hills Pkwy.*

Sewer: *sewer is in process to the property.*

Water: *city water is in process to the property.*

##### Recommendation:

It is recommended that the Watford City Planning Commission **approve** Lot 8-11 Fox Hills Village Subdivision Preliminary Map contingent upon:

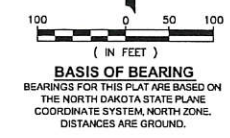
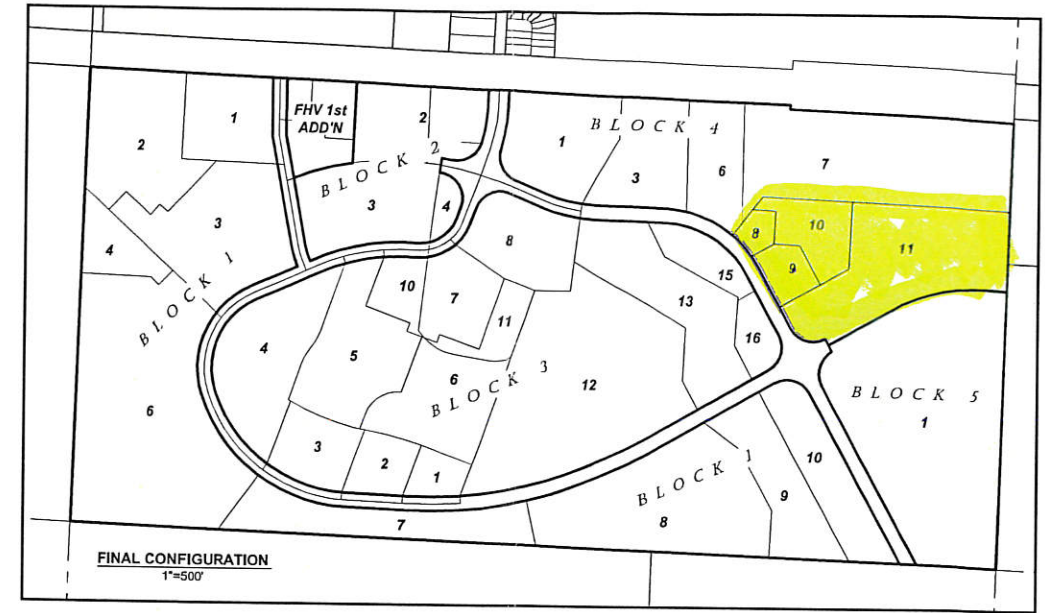
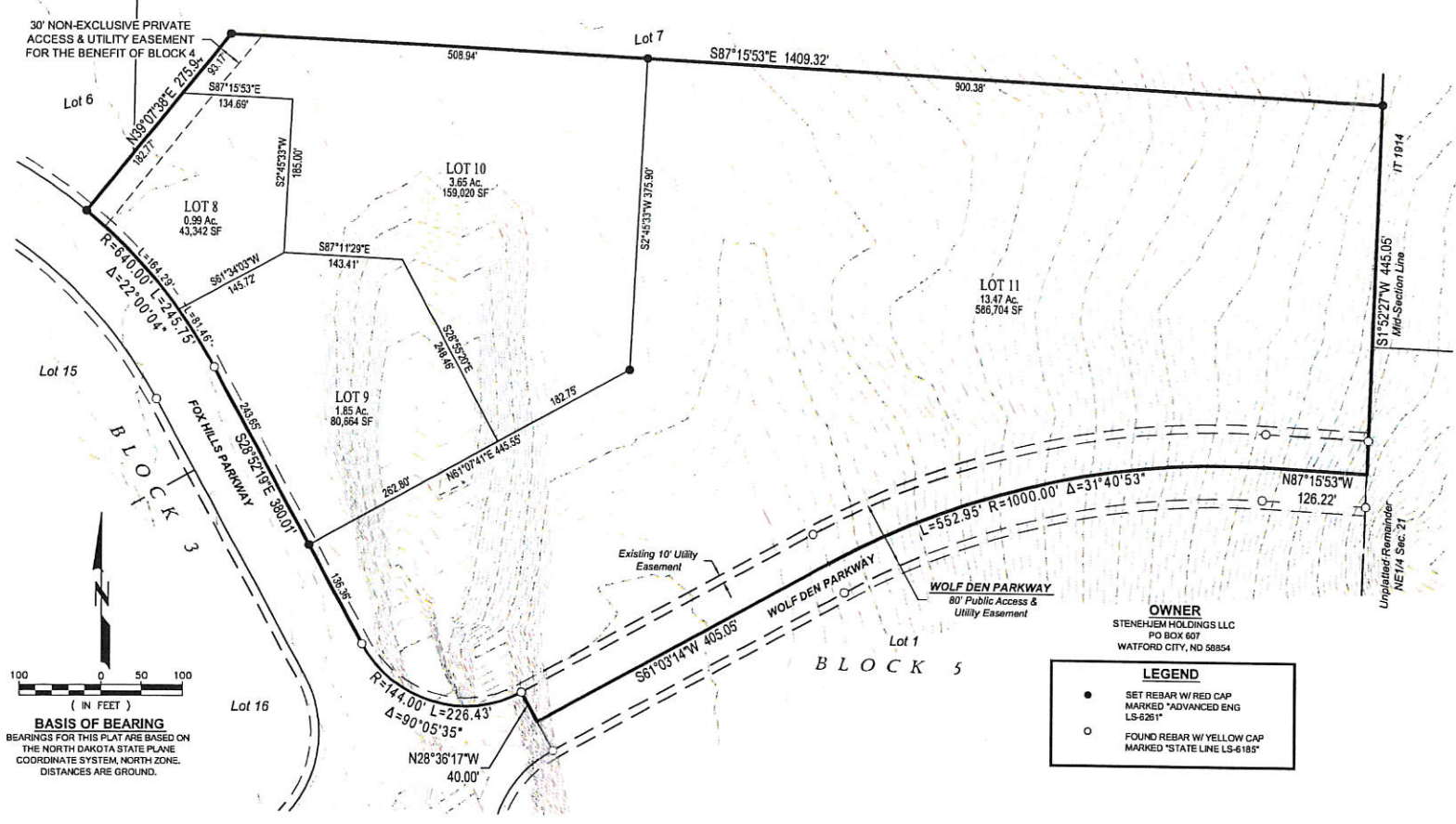
1. The development agreement is finalized before final map recordation.
2. SIA is finalized and approved before final map recordation by the Watford City planning department.
- 3.

##### Contact:

Mildred Williams, Assistant City Planner



**PRELIMINARY PLAT of**  
**LOTS 8-11 IN BLOCK 4 OF FOX HILLS VILLAGE**  
**A REPLAT OF LOT 5 IN BLOCK 4 OF FOX HILLS VILLAGE IN THE NW1/4 SECTION 21,**  
**T150N, R98W, 5th PM, WATFORD CITY, MCKENZIE COUNTY, NORTH DAKOTA**



**DESCRIPTION**  
 Lot 5 in Block 4 of Fox Hills Village in the NW1/4 of Section 21, T150N, R98W, 5th PM, Watford City, McKenzie County, North Dakota.  
 Said parcel contains 19.97 acres.

**CERTIFICATE OF CONSENT AND DEDICATION**  
 We, the undersigned, being sole owners and mortgage holders of the land platted herein, do hereby consent to the execution of this plat and dedicate the streets, alleys, parks, and public grounds as shown hereon and all utilities within such areas, including all storm drain systems, sanitary sewer systems, water distribution systems, culverts, and other public utility lines and appurtenances, whether such are shown or not, to the public forever. This offer of dedication shall remain in effect in perpetuity. If the offer of dedication is declined, the areas shown hereon to be dedicated as streets are hereby granted to the public as public access and utility easements until such time as said offer is accepted by the City. We further agree to not vacate any portion of this plat without the consent of the City of Watford City.

We also hereby dedicate easements to run with the land for water, sewer, gas, electric, telephone, or other public utility lines or services under, on, or over those certain strips of land designated hereon as "Utility Easements".

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

STENEHJEM HOLDINGS, LLC

General Partner \_\_\_\_\_  
 STATE OF \_\_\_\_\_ )  
 COUNTY OF \_\_\_\_\_ ) ss

Be it known that on this \_\_\_\_\_ day of \_\_\_\_\_, 2015, before me personally appeared Stephen L. Stenehjem, known to me to be the person described in the within instrument, and who acknowledged to me that he executed the same.

Notary Public for the State of \_\_\_\_\_  
 Residing at \_\_\_\_\_  
 My commission expires \_\_\_\_\_

**CERTIFICATE OF SURVEYOR**  
 I, Steven Rude, a Professional Land Surveyor in the State of North Dakota, hereby certify that this survey was conducted by me or under my direct supervision, that this plat is a correct representation of said survey, and that the monuments shown are of the nature and occupy the locations shown hereon.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Steven Rude, PLS  
 ND Reg. No. LS-6251  
 Advanced Engineering & Environmental Services, Inc.

STATE OF NORTH DAKOTA )  
 COUNTY OF \_\_\_\_\_ ) ss

Be it known that on this \_\_\_\_\_ day of \_\_\_\_\_, 2015, before me personally appeared Steven Rude, known to me to be the person described in the within instrument, and acknowledged to me that he executed the same.

Notary Public for the State of North Dakota  
 Residing at \_\_\_\_\_  
 My commission expires \_\_\_\_\_

**CERTIFICATE OF CITY COUNCIL**  
 The City Council of Watford City, ND, has approved the subdivision of land as shown on this plat and has approved the grounds as shown hereon as an amendment to the master plan of Watford City. The offer of dedication of all streets, storm drain systems, sanitary sewer systems, water distribution systems, culverts, and other public utility lines and appurtenances is declined at this time, but the offer shall remain open in perpetuity, and the areas shown hereon to be dedicated as streets shall be public access and utility easements until such time as the offer of dedication is accepted by the City. This action of the Council was taken by resolution approved the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Brent Sanford, Mayor  
 Attest: Peril Peterson, Auditor

STATE OF NORTH DAKOTA )  
 COUNTY OF MCKENZIE ) ss

Be it known that on this \_\_\_\_\_ day of \_\_\_\_\_, 2015, before me personally appeared Brent Sanford and Peril Peterson, known to me to be the persons described in the within instrument, and acknowledged to me that they executed the same.

Notary Public for the State of North Dakota  
 Residing at \_\_\_\_\_  
 My commission expires \_\_\_\_\_

**CERTIFICATE OF PLANNING & ZONING COMMISSION**  
 This plat is hereby approved by the Planning & Zoning Commission of Watford City in accordance with the laws of the State of North Dakota, ordinances of Watford City, and the regulations of the Planning and Zoning Commission of Watford City.

Glen Beard, Chairman  
 STATE OF NORTH DAKOTA )  
 COUNTY OF MCKENZIE ) ss

Be it known that on this \_\_\_\_\_ day of \_\_\_\_\_, 2015, before me personally appeared Glen Beard, known to me to be the person described in the within instrument, and acknowledged to me that he executed the same.

Notary Public for the State of North Dakota  
 Residing at \_\_\_\_\_  
 My commission expires \_\_\_\_\_

**CERTIFICATE OF UTILITY PROVIDER-MDU**  
 We, the undersigned utility providers, do hereby approve of the utility easements shown hereon.

MONTANA DAKOTA UTILITIES

Signature \_\_\_\_\_ Date \_\_\_\_\_

Printed Name \_\_\_\_\_  
 Title \_\_\_\_\_

STATE OF NORTH DAKOTA )  
 COUNTY OF MCKENZIE ) ss

Be it known that on this \_\_\_\_\_ day of \_\_\_\_\_, 2015, before me personally appeared \_\_\_\_\_ of Montana-Dakota Utilities, known to me to be the person described in the within instrument, and acknowledged to me that he/she executed the same.

Notary Public for the State of North Dakota  
 Residing at \_\_\_\_\_  
 My commission expires \_\_\_\_\_

**CERTIFICATE OF UTILITY PROVIDER-RTC**  
 We, the undersigned utility providers, do hereby approve of the utility easements shown hereon.

RESERVATION TELEPHONE COOPERATIVE

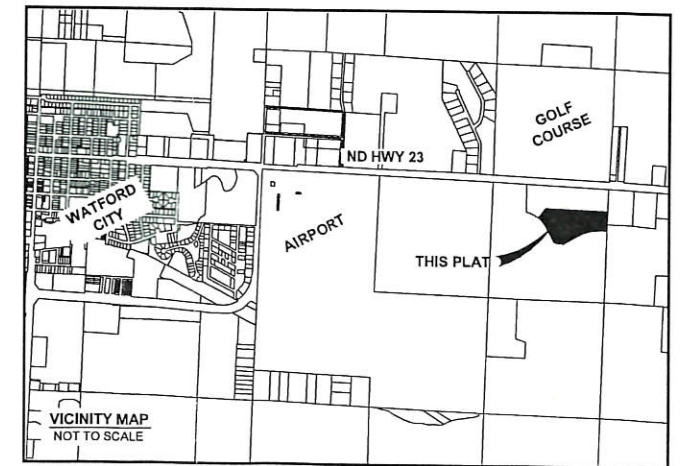
Signature \_\_\_\_\_ Date \_\_\_\_\_

Printed Name \_\_\_\_\_  
 Title \_\_\_\_\_

STATE OF NORTH DAKOTA )  
 COUNTY OF MCKENZIE ) ss

Be it known that on this \_\_\_\_\_ day of \_\_\_\_\_, 2015, before me personally appeared \_\_\_\_\_ of Reservation Telephone Cooperative, known to me to be the person described in the within instrument, and acknowledged to me that he/she executed the same.

Notary Public for the State of North Dakota  
 Residing at \_\_\_\_\_  
 My commission expires \_\_\_\_\_



**CERTIFICATE OF COUNTY AUDITOR**  
 I, Linda Svihovec, Auditor of McKenzie County, hereby certify that current taxes, delinquent taxes, delinquent special assessments or installments of special assessments, or tax estimates for the property shown hereon are unpaid in the amount of \$ \_\_\_\_\_ plus penalty and interest.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Linda Svihovec, Auditor

**CERTIFICATE OF RECORDER**

STATE OF NORTH DAKOTA )  
 COUNTY OF MCKENZIE ) ss

Filed for record in the office of the Recorder of McKenzie County, North Dakota, at \_\_\_\_\_ o'clock AM / PM this \_\_\_\_\_ day of \_\_\_\_\_, 2015, and assigned Document No. \_\_\_\_\_.

Ann Johnsrud, Recorder





April 7<sup>th</sup>, 2015

Mili Williams, Assistant City Planner  
City of Watford City  
112 2nd Ave NE, Watford City, ND 58854  
Watford City, ND 58854

Re: **Lot 5 / Block 4 Fox Hills Village**  
Preliminary Plat, Final Plat & Zone Change Applications

Dear Ms. Williams,

On behalf the Owner and Applicant, Stenehjem Holdings, LLC, please find enclosed the following items for your review of a preliminary plat, final plat and zone change for Lot 5, Block 4 (19.97 acres) in Fox Hills Village:

- A signed and notarized Division of Land / Planning Application for Preliminary Plat
- A signed and notarized Division of Land / Planning Application for Final Plat
- A signed and notarized Land Use Application for Zone Change
- Signed and notarized Affidavits to Accompany City of Watford City Division of Land Applications
- A review fee check in the amount of \$1,185 for Preliminary Plat
- A review fee check in the amount of \$60 for Final Plat
- A review fee check in the amount of \$300 for Zone Change
- A copy of the proposed Preliminary Subdivision map (digital PDF copy was also provided)
- A copy of the proposed Final Subdivision map (digital PDF copy was also provided)
- A copy of the proposed Zone Change map (digital PDF copy was also provided)

We are requesting that these applications be run simultaneously as it is a split of an existing parcel within Fox Hills Village and we are ready for final plat approval to begin efforts on the development of these parcels.

**Project Description**

This project consists of a preliminary plat, final plat, and zone use change, to create 4 parcels from the existing parcel that is Lot 5, Block 4 in Fox Hills Village. The existing parcel was created in 2014 as a part of Fox Hills Village. As site design and development has continued the need has come up to split this parcel into 4 and to rezone the northwest parcel to C1. This C1 parcel will support the C1 development adjacent to the north and west along the parkway. The other 3 parcels will remain R4 and will be developed into multifamily residential projects. The purpose of this subdivision is to split the lots to facilitate the development of these parcels. The proposed uses are consistent with the approved development agreement for Fox Hills Village.

Access/Streets. Physical and legal access to the properties will be off of Fox Hills Village Parkway and shared ingress and egress easements.



Grading and Drainage. Mass grading of the parcels has been completed. Regional storm water and detention ponds have been designed and are being constructed as part of the SID.

Utilities. All utilities are being extended to the parcels as a part of the Fox Hills Village SID project that is currently under construction.

Annexation and Zoning. The subject property is a part of the Fox Hills Village Subdivision in Watford City and currently zoned R4. The requested applications are to rezone one parcel to C1 and the other 3 parcels to remain R4.

Please contact me if you have any questions or require further information for this submittal.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mychal Gorden', with a stylized flourish at the end.

Mychal Gorden  
Mychal Gorden Design, Inc.

2.

# Zone Change Application

Submitted by Mychal Gorden  
For Stenehjem Holdings, LLC. /Erik Stenehjem  
*Lot 8 Block 4  
Fox Hills Village Subdivision*

**LAND USE APPLICATION pg. 1 of 2**  
Watford City Planning Department

AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY

APPLICATION TYPE	DATE FILED: <u>4.7.15</u>	APPLICATION NUMBER: <u>208-2015</u>
<u>ZONE CHANGE</u>	PROCESSES BY: <u>MW</u>	MEETING DATES: P&Z: <u>4.27.15</u> CC: <u>5.4.15</u>
CONDITIONAL USE PERMIT	FEE: <u>\$300-</u>	ADVERTISE DATE:
VARIANCE	RECEIPT #: <u>CHK # 1299</u>	PROPERTY OWNERS NOTIFIED:
VACATION & ABANDONMENT	SECTION/TOWNSHIP/RANGE: <u>NW1/4 21 150 N 98W</u>	
STREET NAME	RELATED CASE #:	
	FINAL ACTION MEMORANDUM MAILED:	DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: Stenehjem Holdings, LLC  
 APPLICANT: Erik Stenehjem

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: Mychal Gorden  
 ADDRESS: PO Box 2346  
 CITY: Watford City STATE: ND ZIP CODE: 58854  
 TELEPHONE: 928-230-9876 EMAIL: mychal@mychalgordendesign.com  
 ASSESSOR'S PARCEL NUMBER(S): \_\_\_\_\_  
 LEGAL DESCRIPTION: Lot 8, Block 4, Fox Hills Village  
 PROPERTY ADDRESS AND NEAREST CROSS STREETS: Fox Hills Parkway & Wolf Den Parkway  
 GROSS/NET ACREAGE: 0.99 PRESENT ZONE CLASSIFICATION: R4  
 DESIRED ZONE CLASSIFICATION: C1 CURRENT LAST USE: Agriculture

DESCRIBE YOUR REQUEST IN DETAIL. YOU MUST CITE ANY RELEVANT CODE SECTIONS, WAIVERS, OR CONDITIONAL USE PERMITS  
 (USE ADDITIONAL PAGES IF NEEDED)

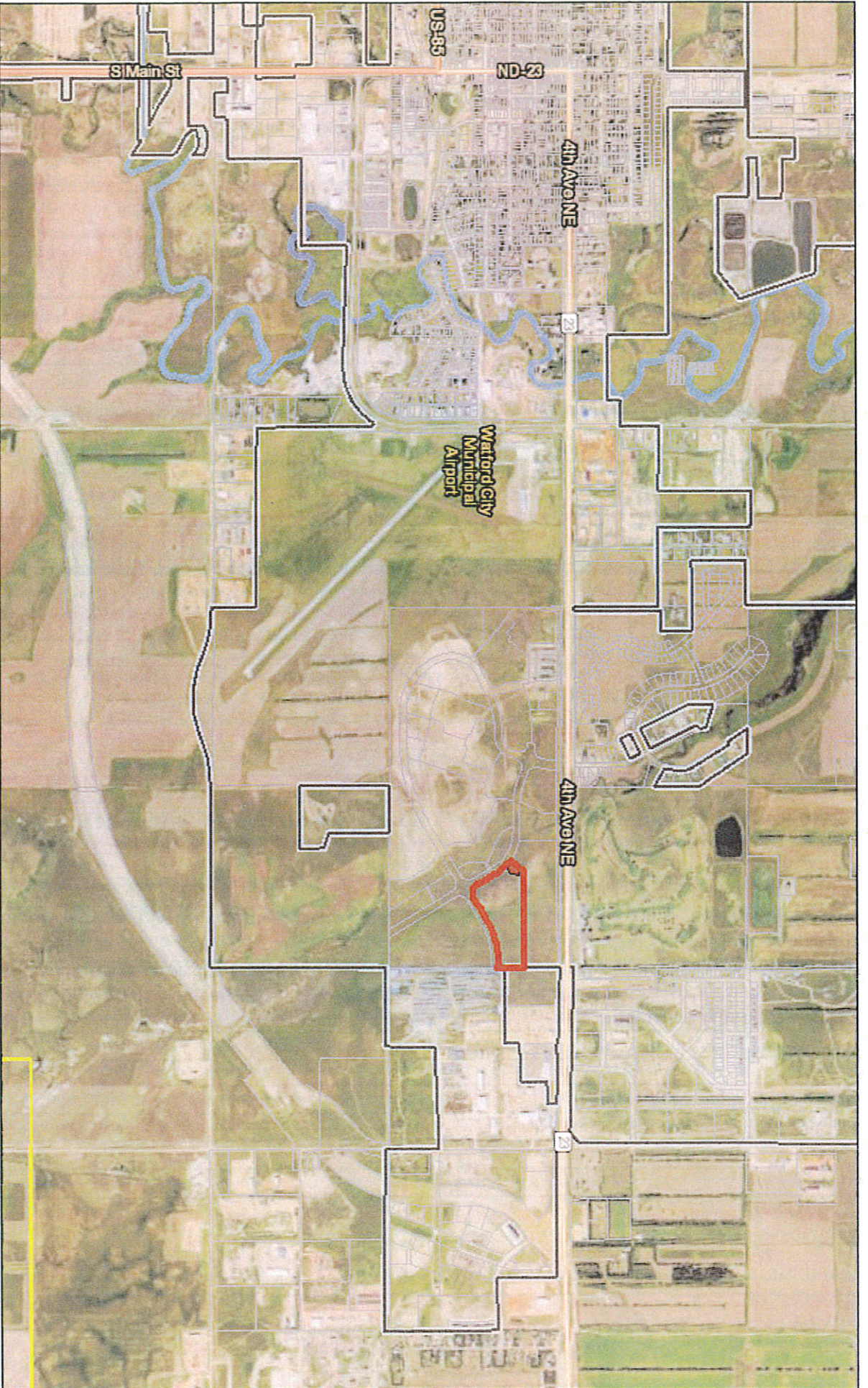
See attached justification letter.

Extension of City

DESCRIBE THE SOURCE OF WATER/SEWER: Water & Sewer Do you have a will serve letter  YES  NO

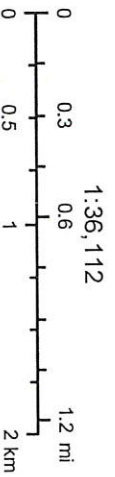


# Zone Change: Fox Hill Village Lot 8 Block 4



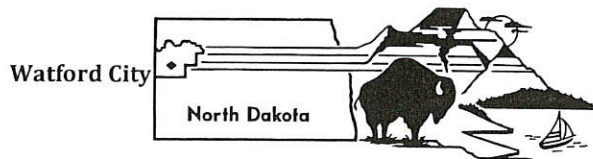
April 13, 2015

- World Transportation
- Lot Lines
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- Parcels Data from McKenzie County
- Watford City Limits
- Extra-Territorial Area (ETA)



GIS: Watford City AEZS  
Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors





## City of Watford City

213 2<sup>nd</sup> St. NE / PO Box 494

Watford City, ND 58854

Ph. 701-444-2533

Fax 701-444-3004

*Celebrating 100 Years - 2014*

[watford.mckenziecounty.net](http://watford.mckenziecounty.net)

April 17, 2015

### STAFF REPORT

#### ZC-8-2015 ZONE CHANGE

##### Applicant

Erik Stenehjem & Mychal Gorden

PO BOX 2346

Watford City, ND 58854

##### Property Owners

Stenehjem Holdings, LLC

Property Address: Fox Hills Parkway and Wolf Den Parkway

Zone Change Requested: Request Zone Change from R4 to C1, .99 acres

Reference: Watford City City Code Sec. XV – Article XXVI, Amendments

Discussion: Article XXVI, Section 1 of the Watford City Zoning Ordinance states that “A proposal for an amendment or a change in zoning may be initiated by the City Council, by the Planning Commission, or upon application of the owner of the property affected.”

-The property is located within the Fox Hills Village Subdivision just South of HWY 23.

-The existing property is **currently zoned as R4**. The applicant is **asking that the property be rezoned from R4 to approximately .99 acres of C1 (commercial)**.

-The site is within City ETA and therefore falls within the jurisdiction of the Watford City Planning and Zoning Commission.

-The City of Watford City mailed the property owners that hold an interest in the property and the adjoining property owners a notice regarding the city’s zone change request.

In granting a zone change, the Planning Commission must satisfy itself, from the evidence heard before it that the granting of the zone change is in the best long-term interests of the City of Watford City and the other affected properties. The Planning Commission shall also find that the zone change, if granted, is in harmony with the intended spirit and purpose of the zoning ordinance and does not constitute “spot zoning” so as to allow a use that would otherwise not be permitted. Under no circumstances shall the Planning Commission recommend a zone change not permissible under the terms of this ordinance.

##### Surrounding Land Use Inventory:

West: Zoning -	C1, Watford City
Use -	Airport, future High School and Event Center
South: Zoning -	R4, CF Watford City
Use -	TBD with future development
North: Zoning -	R1, R2, R3, R4, Watford City
Uses -	Mixed Use Residential and Golf Course
East: Zoning -	Ag, C1 Watford City
Uses -	Agricultural Use and Commercial Trucking Business

##### Comprehensive Zoning Plan and Zoning Comparison:

*The commission must exercise prudence when evaluating this request. All of the possible uses that could occur on this property and the possible effect on surrounding properties must be considered when evaluating whether this zone change should be approved. The zone requested*

**by the applicant, C1 (general commercial district) is intended for the purpose of allowing basic retail, service and office uses**

Site Development

*Access: The property will be accessible from Fox Hills Parkway*

*Sewer: sewer is in process to the property.*

*Water: city water is in process to the property.*

*Analysis: The proposed zoning of C1 is suitable for this area of the Fox Hills Village Subdivision.*

Recommendation:

It is recommended that the Watford City Planning Commission **Approve** a Zone Change Application submitted by Erik Stenehjem, Mychal Gorden for Stenehjem Holdings, LLC contingent on the following conditions:

1. Site Development Plan Application and generalized building plans must be submitted, reviewed and approved before any development is started on this property.
2. Zone change will only be in place for a year, if no further development is done within this time the property shall return back to its original zoning.

Contact:

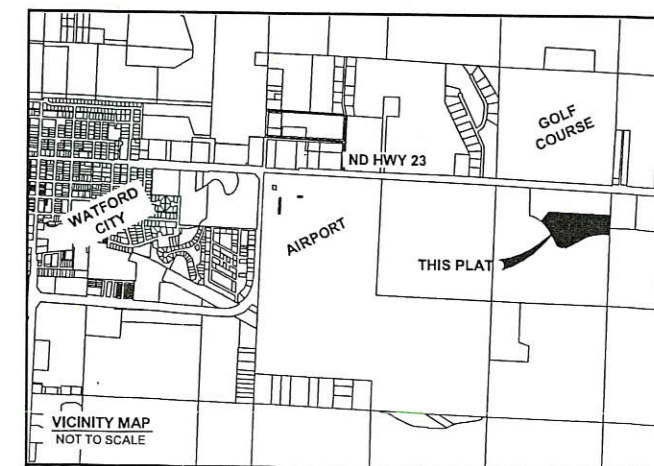
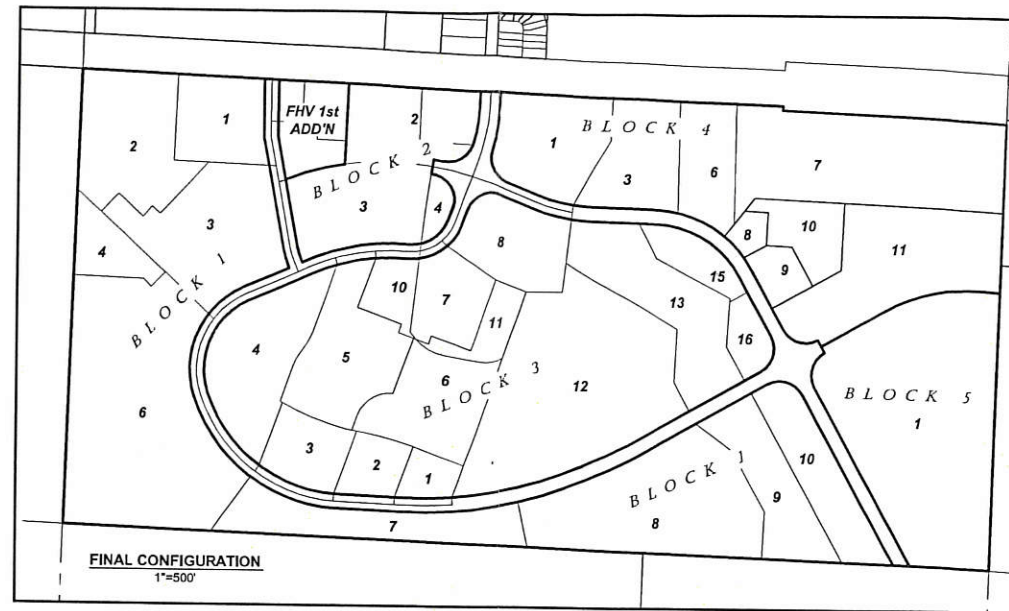
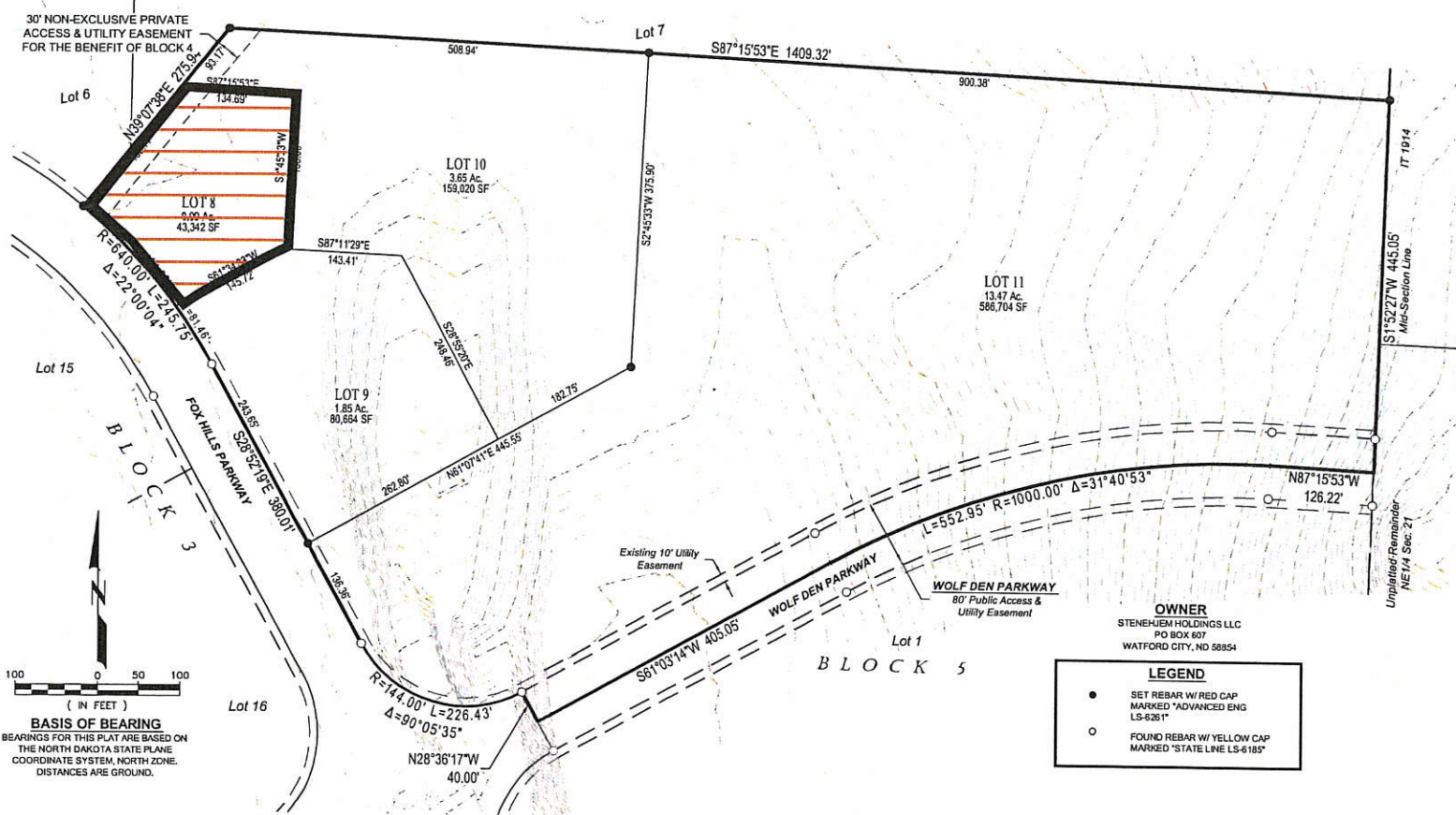
Mildred Williams, Assistant City Planner



# ZONE USE MAP



# PRELIMINARY PLAT of LOTS 8-11 IN BLOCK 4 OF FOX HILLS VILLAGE A REPLAT OF LOT 5 IN BLOCK 4 OF FOX HILLS VILLAGE IN THE NW1/4 SECTION 21, T150N, R98W, 5th PM, WATFORD CITY, MCKENZIE COUNTY, NORTH DAKOTA



**DESCRIPTION**  
Lot 5 in Block 4 of Fox Hills Village in the NW1/4 of Section 21, T150N, R98W, 5th PM, Watford City, McKenzie County, North Dakota.  
Said parcel contains 19.37 acres.

**CERTIFICATE OF CONSENT and DEDICATION**  
We, the undersigned, being sole owners and mortgage holders of the land platted herein, do hereby consent to the execution of this plat and dedicate the streets, alleys, parks, and public grounds as shown hereon and all utilities within such areas, including all storm drain systems, sanitary sewer systems, water distribution systems, culverts, and other public utility lines and appurtenances, whether such are shown or not, to the public forever. This offer of dedication shall remain in effect in perpetuity. If the offer of dedication is declined, the areas shown hereon to be dedicated as streets are hereby granted to the public as public access and utility easements until such time as said offer is accepted by the City. We further agree to not vacate any portion of this plat without the consent of the City of Watford City.

We also hereby dedicate easements to run with the land for water, sewer, gas, electric, telephone, or other public utility lines or services under, on, or over those certain strips of land designated hereon as "Utility Easements".

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2015.  
STENEHEJEM HOLDINGS, LLC

General Partner  
STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) ss

Be it known that on this \_\_\_\_\_ day of \_\_\_\_\_, 2015, before me personally appeared Stephen L. Stenehjem, known to me to be the person described in the within instrument, and acknowledged to me that he executed the same.

Notary Public for the State of \_\_\_\_\_  
Residing at \_\_\_\_\_  
My commission expires \_\_\_\_\_

**CERTIFICATE OF SURVEYOR**  
I, Steven Rude, a Professional Land Surveyor in the State of North Dakota, hereby certify that this survey was conducted by me or under my direct supervision, that this plat is a correct representation of said survey, and that the monuments shown are of the nature and occupy the locations shown hereon.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Steven Rude, PLS  
ND Reg. No. LS-6261  
Advanced Engineering & Environmental Services, Inc.

STATE OF NORTH DAKOTA )  
COUNTY OF \_\_\_\_\_ ) ss

Be it known that on this \_\_\_\_\_ day of \_\_\_\_\_, 2015, before me personally appeared Steven Rude, known to me to be the person described in the within instrument, and acknowledged to me that he executed the same.

Notary Public for the State of North Dakota  
Residing at \_\_\_\_\_  
My commission expires \_\_\_\_\_

**CERTIFICATE OF CITY COUNCIL**  
The City Council of Watford City, ND, has approved the subdivision of land as shown on this plat and the grounds as shown hereon as an amendment to the master plan of Watford City. The offer of dedication of all streets, storm drain systems, sanitary sewer systems, water distribution systems, culverts, and other public utility lines and appurtenances is declined at this time, but the offer shall remain open in perpetuity, and the areas shown hereon to be dedicated as streets shall be public access and utility easements until such time as the offer of dedication is accepted by the City. This action of the Council was taken by resolution approved the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Brent Sanford, Mayor  
Attest: Perri Peterson, Auditor

STATE OF NORTH DAKOTA )  
COUNTY OF MCKENZIE ) ss

Be it known that on this \_\_\_\_\_ day of \_\_\_\_\_, 2015, before me personally appeared Brent Sanford and Perri Peterson, known to me to be the persons described in the within instrument, and acknowledged to me that they executed the same.

Notary Public for the State of North Dakota  
Residing at \_\_\_\_\_  
My commission expires \_\_\_\_\_

**CERTIFICATE OF PLANNING & ZONING COMMISSION**  
This plat is hereby approved by the Planning & Zoning Commission of Watford City in accordance with the laws of the State of North Dakota, ordinances of Watford City, and the regulations of the Planning and Zoning Commission of Watford City.

Glen Beard, Chairman  
Date \_\_\_\_\_

STATE OF NORTH DAKOTA )  
COUNTY OF MCKENZIE ) ss

Be it known that on this \_\_\_\_\_ day of \_\_\_\_\_, 2015, before me personally appeared Glen Beard, known to me to be the person described in the within instrument, and acknowledged to me that he executed the same.

Notary Public for the State of North Dakota  
Residing at \_\_\_\_\_  
My commission expires \_\_\_\_\_

**CERTIFICATE OF UTILITY PROVIDER-MDU**  
We, the undersigned utility providers, do hereby approve of the utility easements shown hereon.  
MONTANA DAKOTA UTILITIES

Signature \_\_\_\_\_ Date \_\_\_\_\_

Printed Name \_\_\_\_\_  
Title \_\_\_\_\_

STATE OF NORTH DAKOTA )  
COUNTY OF MCKENZIE ) ss

Be it known that on this \_\_\_\_\_ day of \_\_\_\_\_, 2015, before me personally appeared \_\_\_\_\_ of Montana-Dakota Utilities, known to me to be the person described in the within instrument, and acknowledged to me that he/she executed the same.

Notary Public for the State of North Dakota  
Residing at \_\_\_\_\_  
My commission expires \_\_\_\_\_

**CERTIFICATE OF UTILITY PROVIDER-RTC**  
We, the undersigned utility providers, do hereby approve of the utility easements shown hereon.  
RESERVATION TELEPHONE COOPERATIVE

Signature \_\_\_\_\_ Date \_\_\_\_\_

Printed Name \_\_\_\_\_  
Title \_\_\_\_\_

STATE OF NORTH DAKOTA )  
COUNTY OF MCKENZIE ) ss

Be it known that on this \_\_\_\_\_ day of \_\_\_\_\_, 2015, before me personally appeared \_\_\_\_\_ of Reservation Telephone Cooperative, known to me to be the person described in the within instrument, and acknowledged to me that he/she executed the same.

Notary Public for the State of North Dakota  
Residing at \_\_\_\_\_  
My commission expires \_\_\_\_\_

**CERTIFICATE OF COUNTY AUDITOR**  
I, Linda Svihovec, Auditor of McKenzie County, hereby certify that current taxes, delinquent taxes, delinquent special assessments or installments of special assessments, or tax estimates for the property shown hereon are unpaid in the amount of \$ \_\_\_\_\_ plus penalty and interest.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Linda Svihovec, Auditor

**CERTIFICATE OF RECORDER**

STATE OF NORTH DAKOTA )  
COUNTY OF MCKENZIE ) ss

Filed for record in the office of the Recorder of McKenzie County, North Dakota, at \_\_\_\_\_ o'clock AM / PM this \_\_\_\_\_ day of \_\_\_\_\_, 2015, and assigned Document No. \_\_\_\_\_

Ann Johnsnud, Recorder

3.

# Zone Change Application

Submitted by Matrixx Equities Watford, LLC.  
for Edward & Charlotte Schilke  
*Watford Ranch Subdivision*



**LAND USE APPLICATION pg. 1 of 2**  
 Watford City Planning Department

AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY

APPLICATION TYPE	DATE FILED: <u>3-11-15</u>	APPLICATION NUMBER: <u>9-2015</u>
<u>ZONE CHANGE</u>	PROCESSES BY: <u>MW</u>	MEETING DATES: P&Z: <u>4-27</u> CC: <u>5-4</u>
CONDITIONAL USE PERMIT	FEE:	ADVERTISE DATE: <u>4-15 + 4-22</u>
VARIANCE	RECEIPT #:	PROPERTY OWNERS NOTIFIED:
VACATION & ABANDONMENT	SECTION/TOWNSHIP/RANGE:	
STREET NAME	RELATED CASE #:	
	FINAL ACTION MEMORANDUM MAILED:	DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: Edward I. Schilke and Charlotte A. Schilke  
 APPLICANT: Matrixx Equities Watford, LLC

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: Bob Watt  
 ADDRESS: 14646 N. Kierland Blvd., #250  
 CITY: Scottsdale STATE: AZ ZIP CODE: 85254-2767  
 TELEPHONE: \_\_\_\_\_ EMAIL: bob@matrixxmgt.com  
 ASSESSOR'S PARCEL NUMBER(S): 20-00-15000  
 LEGAL DESCRIPTION: Southwest quarter of Section 21 Township 150 North, Range 98 West of the Fifth Principal Meridian, Mackenzie County, North Dakota  
 PROPERTY ADDRESS AND NEAREST CROSS STREETS: NE of 134th Ave. NW and 11th Ave. SE  
 GROSS/NET ACREAGE: 138 ac. PRESENT ZONE CLASSIFICATION: Agriculture  
 DESIRED ZONE CLASSIFICATION: R-4, C-2 and CF CURRENT LAST USE: Agriculture

DESCRIBE YOUR REQUEST IN DETAIL. YOU MUST CITE ANY RELEVANT CODE SECTIONS, WAIVERS, OR CONDITIONAL USE PERMITS (USE ADDITIONAL PAGES IF NEEDED)

Please see attached

DESCRIBE THE SOURCE OF WATER/SEWER: Watford City Do you have a will serve letter  YES  NO

Watford City Planning Department  
 213 2nd St NE - PO Box 494  
 Watford City, ND 58854  
 Phone: (701)444-2533 Fax: (701)444-3004 Website: www.mackenziecounty.net

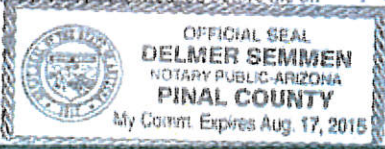
**LAND USE APPLICATION pg. 2**  
Watford City Planning Department

I (We), the undersigned swear and say that I (am, We are) the owner(s) of record on the tax rolls of the property involved in this application, or I (am, are) otherwise qualified to initiate this application under Watford City Code, that the information on the plans and drawings attached hereto, and all of the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. I (We) also authorize the Watford City Planning Department and its designee, to enter the premises of the property subject to this application for the purposes of gathering information for the purpose of advising the public of the proposed application.

*Edward J. Schulte* Property Owner Signature      *Charlotte W. Schulte* *Edward J. Schulte* Print off type Owner Name  
*Charlotte W. Schulte*

**NOTARY**

State of ARIZONA  
County of MARICOPA  
This instrument was acknowledged before me on 12/30/14 by Edward Schulte  
Date Name of Person



*Delmer Semmen*  
Signature of Notarial Officer

**Documents Required for Submitting Land Use Applications**

APPLICATION TYPE	Application	Conceptual Site Plan	Site Plans	Deed	Legal Description	Justification Letter	Traffic Impact Analysis	PDF	Supplemental Info	Application Fees
Conditional Use Permit	1c	1	1	1 <sup>a</sup>	1 <sup>a</sup>	1 <sup>a</sup>	1 <sup>b</sup>	1	1 <sup>a</sup>	\$525 + publishing costs
Zone Change	1	1	1	1 <sup>a</sup>	1 <sup>a</sup>	1 <sup>a</sup>	1c	1	1 <sup>a</sup>	\$300
Variance	1	1	1		1 <sup>a</sup>	1 <sup>a</sup>		1		\$300
Vacation and Abandonment	1		1	1 <sup>a</sup>	1 <sup>a</sup>	1 <sup>a</sup>		1		Refer to Fee Schedule
Street Name Change*	1	1	1			1 <sup>a</sup>		1		Refer to Fee Schedule

Superscript notes on this table refer to the same item number on the Explanation of the Document Submittal Requirements for Planning Applications  
\*Plus all sign costs

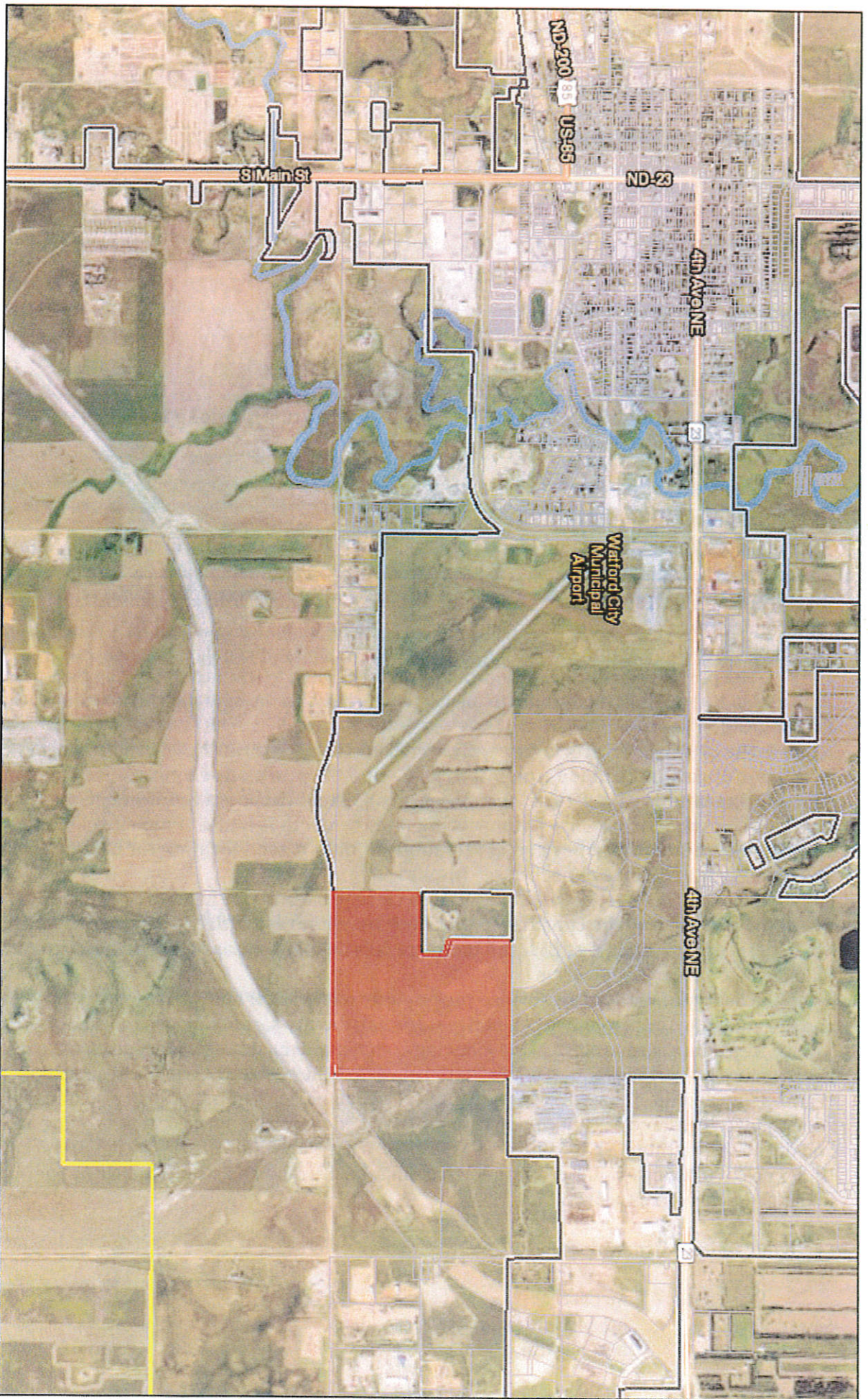
**Procedures for Filing Land Use Applications:**

- After assembling the required materials as outlined above, only completed applications shall be accepted for filing.
- Review the Summary of Required Reviews or Hearings for your application type. ATTENDANCE AT ALL SCHEDULED MEETINGS IS MANDATORY, you may assign an agent to speak on your behalf. Failure to appear at any meeting may result in delays.
- Staff Report: To discuss a report or recommendation, contact the Planning Department to resolve concerns prior to the hearing.
- A letter indicating the Commission's decision and all conditions of approval is sent to the correspondent address on the application. All conditions must be met before an occupancy permit or a business license will be issued. In many cases, the Planning Commission is considered to be final action unless appealed, refer to the Summary of Required Reviews or Hearings.
- Any person may appeal, in writing, to the board within 30 calendar days from the date the Notice of Final Action was sent. The Office of the Zoning Administrator must physically receive the appeal by 4:00 pm on the 30<sup>th</sup> calendar day.
- The Planning Commission has the authority to impose conditions, restrictions, safeguards and date of expiration on any land use application that is granted to ensure the health, safety and welfare of the neighborhood. Failure to comply with such conditions shall be deemed as a violation. Any such person who knowingly continues the violation after receiving written notification of the violation is guilty of misdemeanor.
- Site Development Plan Application is required on all Conditional Use Applications.

Watford City Planning Department  
213 2<sup>nd</sup> St NE / PO Box 494  
Watford City, ND 58854  
Phone: (701)444-2533 Fax: (701)444-3004 Website: www.mckenziecounty.net

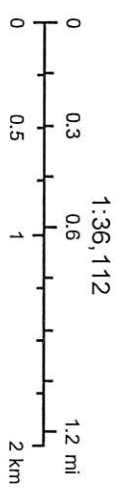


# Zone Change: Matrixx Equities Watford, LLC.



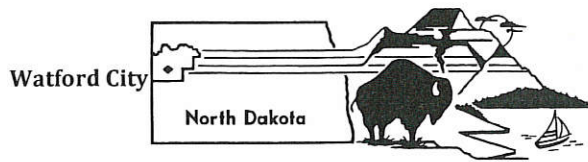
April 13, 2015

- World Transportation
- Watford City Limits
- Cherry Creek
- Lot Lines
- Parcels Data from McKenzie County
- Exl Territorial Area (ETA)



GIS: Watford City, AE2S  
Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap c  
rs





## City of Watford City

213 2<sup>nd</sup> St. NE / PO Box 494

Watford City, ND 58854

Ph. 701-444-2533

Fax 701-444-3004

*Celebrating 100 Years - 2014*

[watford.mckenziecounty.net](http://watford.mckenziecounty.net)

April 17, 2015

### STAFF REPORT ZC-9-2015 ZONE CHANGE

#### Applicant

Bob Watt, Scott Kusy  
Matrix Equities Watford, LLC  
14646 N. Kierland Blvd #250  
Scottsdale, AZ 85254

#### Property Owners

Edward and Charlotte Schilke

Property Address: North of 11<sup>th</sup> Ave SE

Zone Change Requested: Request Zone Change from AG to R4, C2, and CF

Reference: Watford City City Code Sec. XV – Article XXVI, Amendments

Discussion: Article XXVI, Section 1 of the Watford City Zoning Ordinance states that “A proposal for an amendment or a change in zoning may be initiated by the City Council, by the Planning Commission, or upon application of the owner of the property affected.”

-The property is located just north of 11<sup>th</sup> Ave SE, and to the East of the Airport Property. It is bordered by Fox Hills Subdivision to the north which is also the new High School and Events Center location.

-The existing property is **currently zoned as AG (agricultural)**. The applicant is **asking that the property be rezoned from AG to R4 C2 and CF for a planned mixed use development. The development is requesting zoning that is consistent to the surrounding properties. For example the subdivision directly bordering it to the north is made of mixed residential zoning. Also the southern portion of this subdivision is a good location for C2 zoning and consistent with what we expect to see in this region.**

**-Note, this property will be located in close proximity to the new High School and any zoning granted should be considered on how it may interact with the High Schools location.**

-The site is within City ETA and therefore falls within the jurisdiction of the Watford City Planning and Zoning Commission.

-The City of Watford City mailed the property owners that hold an interest in the property and the adjoining property owners a notice regarding the city’s zone change request.

In granting a zone change, the Planning Commission must satisfy itself, from the evidence heard before it that the granting of the zone change is in the best long-term interests of the City of Watford City and the other affected properties. The Planning Commission shall also find that the zone change, if granted, is in harmony with the intended spirit and purpose of the zoning ordinance and does not constitute “spot zoning” so as to allow a use that would otherwise not be permitted. Under no circumstances shall the Planning Commission recommend a zone change not permissible under the terms of this ordinance.

#### Surrounding Land Use Inventory:

West: Zoning -	C1, Watford City
Use -	Airport
South: Zoning -	AG, McKenzie County
Use -	Agricultural



North: Zoning - R1-2-3-4, CF, Watford City  
Uses - Mixed Use Residential, High School and future Event Center  
East: Zoning - AG, McKenzie County  
Uses - Agricultural

**Comprehensive Zoning Plan and Zoning Comparison:**

*The commission must exercise prudence when evaluating this request. All of the possible uses that could occur on this property and the possible effect on surrounding properties must be considered when evaluating whether this zone change should be approved. The zone requested by the applicant for R4 (high density residential) is intended for the purpose of allowing higher densities of residential units in the area. C2 (commercial service district) is intended for the purpose of grouping retail merchandising, service businesses, and appurtenant activities into a concentrated area serving the general shopping and service needs of the trade area.*

Site Development

*Access: The property will be accessible from 11<sup>th</sup> Ave SE  
Sewer: There are currently no existing city sanitary sewer mains within the property.  
Water: There are currently no existing city water mains within the property.  
Analysis: The proposed zoning of R4, C2 and CF for this property is suitable and reflects the City's view for this region of Watford City..*

Recommendation:

It is recommended that the Watford City Planning Commission **Approve** a Zone Change Application submitted by Matrix Equities contingent on the following conditions:

1. The developer must submit generalized building plans for any development on the property.
2. Site plan be submitted before any development is started on this property.
3. If no action is taken within 1 year it returns to previous AG zoning.

**Max zoning on previous staff report of 1200 residents—KEEP?**

R4 acres 15.26

C2 acres 8.06

CF acres 23.11

Total acreage = 136.43 acres

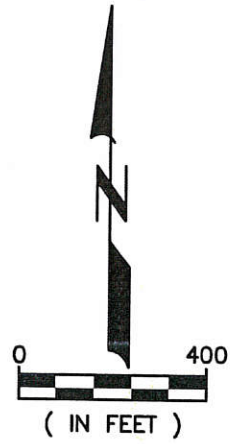
Contact:

Mildred Williams  
Assistant City Planner







# ZONE MAP AMENDMENT

A PORTION OF THE SW1/4 SECTION 21, T150N, R98W, 5th PM,  
WATFORD CITY, MCKENZIE COUNTY, NORTH DAKOTA

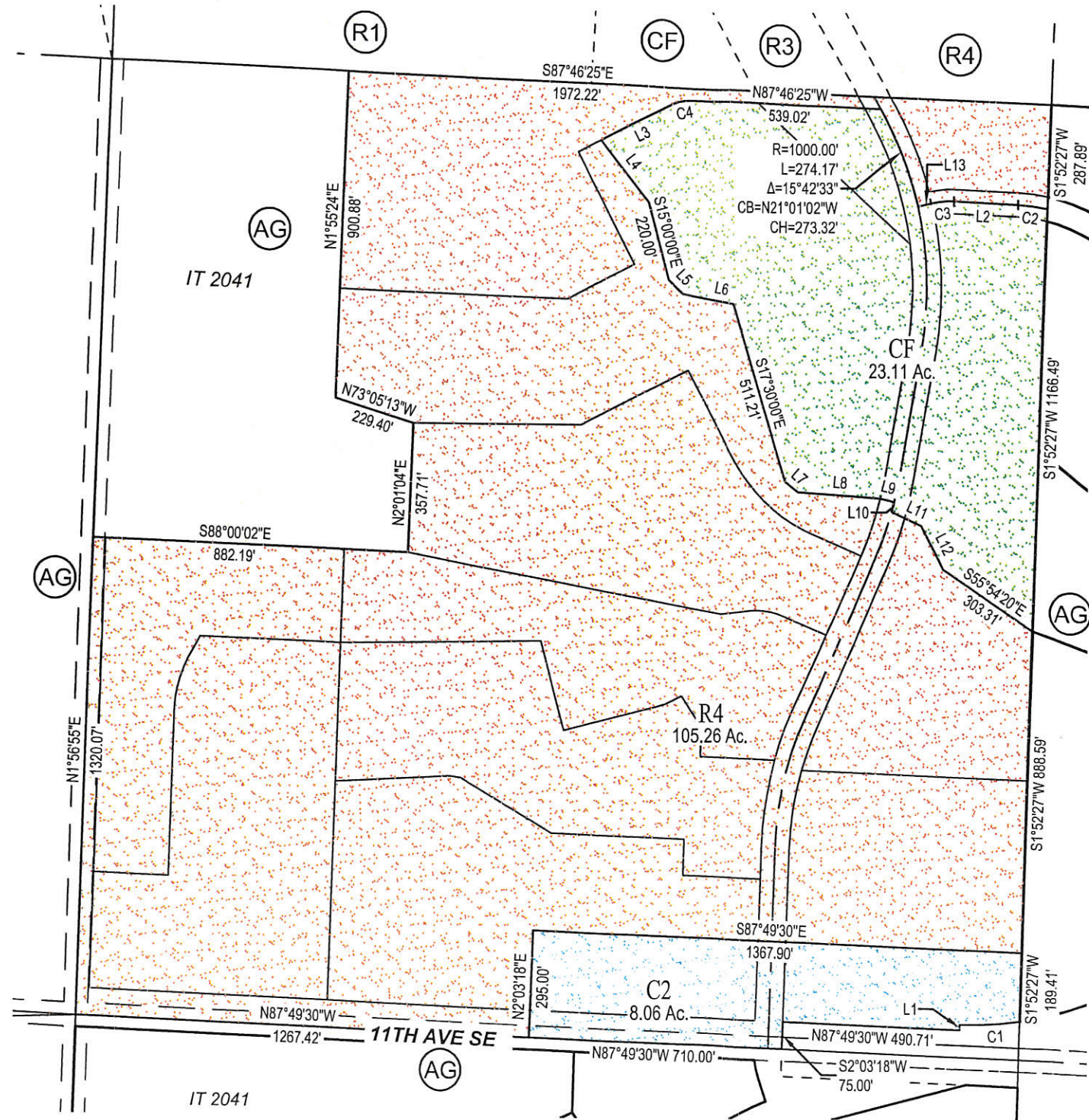


## LEGEND

-  PROPOSED R4  
105.26 Acres
-  PROPOSED C2  
8.06 Acres
-  PROPOSED CF  
23.11 Acres
-  EXISTING ZONING

LINE TABLE		
LINE	LENGTH	BEARING
L1	15.00'	S02°10'39"W
L2	180.39'	N87°24'43"W
L3	221.53'	S62°39'57"W
L4	215.55'	S38°00'00"E
L5	55.00'	S45°00'00"E
L6	145.00'	S79°00'00"E
L7	45.79'	S50°00'00"E
L8	229.53'	S86°00'00"E
L9	40.00'	S76°04'00"E
L10	27.49'	S14°43'16"W
L11	91.98'	S65°00'00"E
L12	135.00'	S27°00'00"E
L13	37.70'	S76°50'14"W

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	168.69'	910.00'	010°37'15"	S86°51'55"W	168.45'
C2	84.06'	480.00'	010°02'01"	N82°23'43"W	83.95'
C3	64.05'	233.00'	015°45'02"	S84°42'45"W	63.85'
C4	51.59'	100.00'	029°33'39"	S77°26'46"W	51.02'



Advanced Engineering and Environmental Services, Inc.  
103 1st Ave. West, Dickinson, ND  
Ph: 701-225-9636 Fax: 701-225-9616 Web:  
www.AE2S.com  
\\10.11.0.1\projects\Matrix Equities\P11842-2014-000  
Watford Ranch\100 Geomatics  
Services\Drawings\Plat-1ZMA-FR1.dwg



February 11, 2015

Curt Moen, City Planner / Zoning Administrator  
City of Watford City  
213 2nd St NE  
Watford City, ND 58854



**RE: Preliminary Plat (Subdivision) and Rezoning for Fox Ridge**

Dear Mr. Moen,

Please find enclosed the following items for your review of the proposed Fox Ridge community:

- A Division of Land / Planning Application
- A Rezoning Application
- A review checks
- A copy of the proposed preliminary plat.

**Project Description.** The purpose of this rezoning and plat is to further divide Fox Ridge into manageable parcels for future development of multi-family and commercial projects. We are submitting the plan in accordance with our previous discussions with Staff as well as in accordance with the Master Development Studies prepared by AE2S.

**Zoning.** Existing zoning is Agriculture and requested zoning is R-4, C-2 and CF.

**Annexation.** The entire subject property has previously been annexed into the corporate limits of Watford City.

**Dry Utilities.** Dry utilities are being designed and will connect local service providers via utility easements as design dictates.

**Water, Sewer, Storm.** Fox Ridge will connect to mainline stubs that will be installed along Fox Hills Parkway as part of the special improvement district. Service mains for water, sewer, and storm drainage facilities have been designed along Fox Hills Parkway and are scheduled for construction in 2015. Wastewater service will connect to a lift station to the north in Fox Hills Village. The City has been contacted for a will serve letter.

**Streets.** Public street improvements are scheduled for construction in 2015. Fox Hills Parkway bisects the property and will be the main public road. There will be two public roads that will intersect with Fox Hills Parkway and will connect to the adjacent eastern property of Watford Ranch. This improves the overall community connectivity and access to the new bypass. The preliminary plat makes allowances for ROW improvements along 11th Ave and the western property boundary. The final alignment of 11th Ave, has not been determined but the developer will work with the City and the neighboring property owner to find a solution.

A **Developer Agreement** will be created to define development obligations and their associated timing, possible cost reimbursements or share for road improvements, utility improvements, and/or detention ponds as well as maintenance of the property as determined between the City and the Developer. It is the Developer's intent that all surfaces for vehicular travel shall be paved with an all-weather surface. Potable water will be provided by rural water district with lines up-sized as necessary to support the proposed development. All commercial buildings shall follow the 2012 International Building Code Standards. Storm water management will be handled via on-site detention basins for water quality and drainage control. Traffic improvements will be made as necessary to augment the ND-DOT improvements to Fox Hills Parkway and the Bypass Frontage Road per the development traffic study.

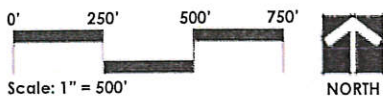
Best regards,

A handwritten signature in blue ink that reads 'Kenneth J. Puncerelli'.

Kenneth J. Puncerelli, CEO  
CORPORATE OFFICES  
88 Inverness Circle East, Suite J101  
Englewood, Colorado 80112  
phone 303.734.1777 | fax 303.734.1778  
kpuncerelli@LAIdesigngroup.com | www.LAIdesigngroup.com



### ILLUSTRATIVE SITE PLAN





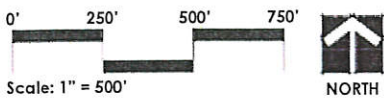
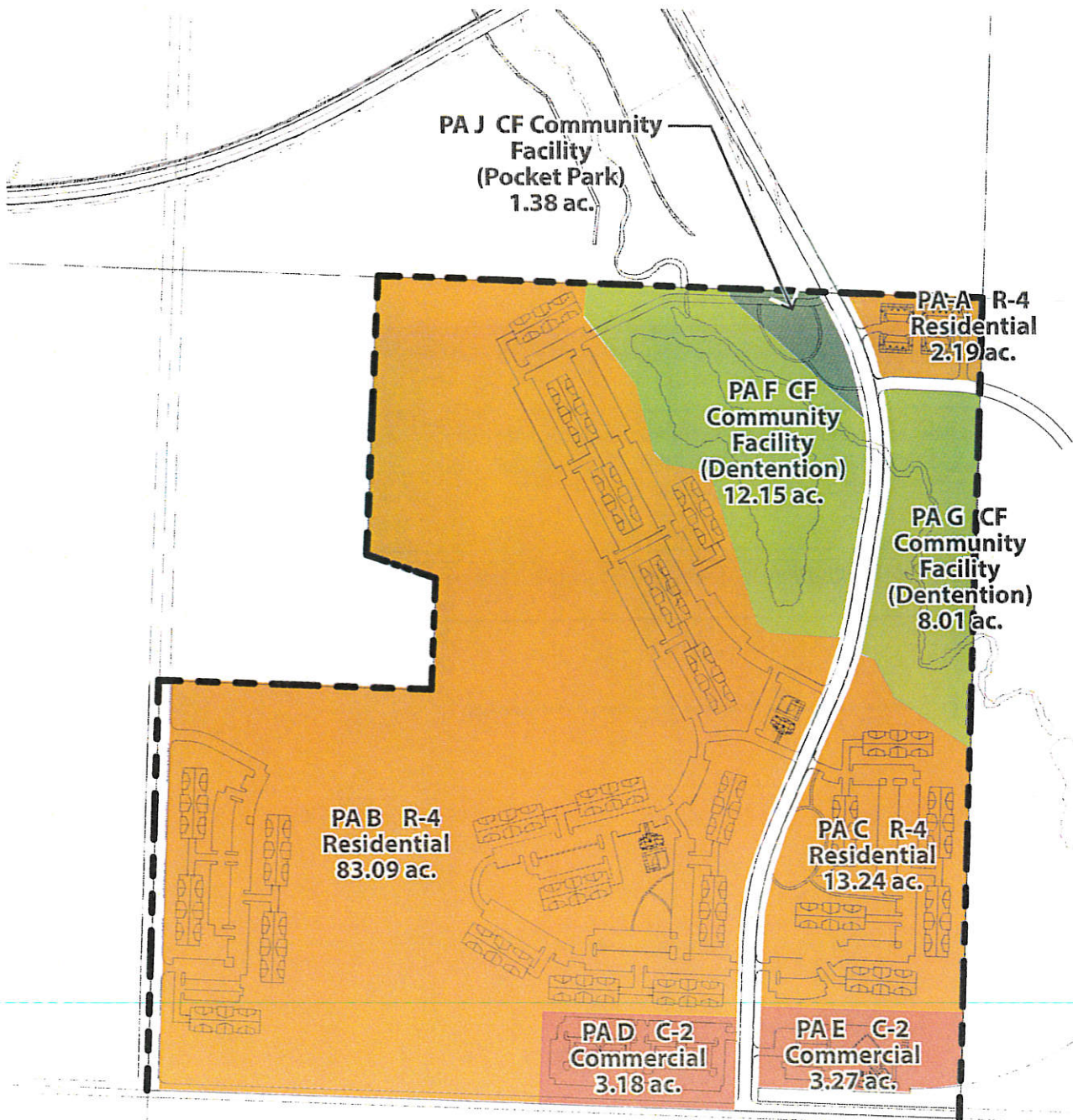
**LAND USE INFORMATION** (based on Zoning & Land Use Plan)

**Planning Summary**

PLANNING AREA	PRODUCT TYPE	UNIT COUNT PERMITTED	PARCEL AREA*	DENSITY DU/Acre
A	R-4 Residential	25 du	2.19 ac.	11.42
B	R-4 Residential	912 du	83.09 ac.	10.98
C	R-4 Residential	288 du	13.87 ac.	20.76
	<b>TOTAL R-4</b>		<b>99.15</b>	
D	C-2 Commerical		3.18 ac.	
E	C-2 Commerical		3.27 ac.	
	<b>TOTAL C-2</b>		<b>6.45</b>	
H	CF - Open Space and Detention		12.15 ac.	
I	CF - Open Space and Detention		8.01 ac.	
J	CF - Open Space		1.38 ac.	
	<b>TOTAL CF</b>		<b>21.54</b>	
	ROW Deadication		10.86	
<b>Total</b>		<b>1225 du</b>	<b>138.00 ac.</b>	

\* Acreage is approximate and does not reflect final boundaries, rights-of-way or road centerlines

# LAND USE PLAN





4.

# Zone Change Application

Submitted by Chris Cope  
On behalf of Wise Services  
*605 24<sup>th</sup> Ave SW*

**LAND USE APPLICATION pg. 1 of 2**  
Watford City Planning Department

AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY

APPLICATION TYPE	DATE FILED: 4-8-15	APPLICATION NUMBER: 2010-2015
<u>ZONE CHANGE</u>	PROCESSES BY: MW	MEETING DATES: P&Z: 4-27 CC: 5-4
CONDITIONAL USE PERMIT	FEE: \$300	ADVERTISE DATE: 4-15 + 4-22
VARIANCE	RECEIPT #: 154555	PROPERTY OWNERS NOTIFIED:
VACATION & ABANDONMENT	SECTION/TOWNSHIP/RANGE:	
STREET NAME	RELATED CASE #:	
	FINAL ACTION MEMORANDUM MAILED:	DOES THIS USE MASTER PLAN:

605 24th Ave SW

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: Wise Ventures, LLC  
 APPLICANT: Wise Services attn: Chris Cope

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: Chris Cope  
 ADDRESS: 605 24th Str. W.  
 CITY: Watford STATE: North Dakota ZIP CODE: 58854  
 TELEPHONE: (701) 300-0594 EMAIL: ccope@wiseusa.biz  
 ASSESSOR'S PARCEL NUMBER(S): 11-00-14760  
 LEGAL DESCRIPTION: please see attached zoning exhibit.  
 PROPERTY ADDRESS AND NEAREST CROSS STREETS: 605 24th Str. W. and Hwy 85  
 GROSS/NET ACREAGE: 6.73 acres PRESENT ZONE CLASSIFICATION: Agricultural  
 DESIRED ZONE CLASSIFICATION: Heavy Industrial CURRENT LAST USE: Agricultural

DESCRIBE YOUR REQUEST IN DETAIL. YOU MUST CITE ANY RELEVANT CODE SECTIONS, WAIVERS, OR CONDITIONAL USE PERMITS (USE ADDITIONAL PAGES IF NEEDED)

Wise Services desires to install a large industrial fuel tank on site. The current zoning for the site is Agricultural. Wise Services would like to change the zoning to Heavy Industrial.

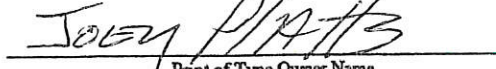
DESCRIBE THE SOURCE OF WATER/SEWER: \_\_\_\_\_ Do you have a will serve letter  YES  NO



**LAND USE APPLICATION pg. 2**  
Watford City Planning Department

(I, We), the undersigned swear and say that (I am, We are) the owner(s) of record on the tax rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Watford City Code; that the information on the plans and drawings attached hereto, and all of the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Watford City Planning Department and its designee, to enter the premises of the property subject to this application for the purposes of gathering information for the purpose of advising the public of the proposed application.

  
\_\_\_\_\_  
Property Owner Signature

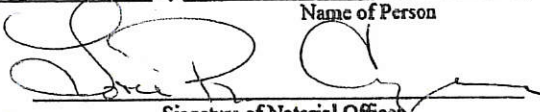
  
\_\_\_\_\_  
Print of Type Owner Name

**NOTARY**

State of Arizona  
County of Maricopa

This instrument was acknowledged before me on 4/7/15 Date by Lori R. Azar Name of Person



  
\_\_\_\_\_  
Signature of Notarial Officer

**Documents Required for Submitting Land Use Applications**

APPLICATION TYPE	Application	Conceptual Site Plan	Site Plans	Deed	Legal Description	Justification Letter	Traffic Impact Analysis	PDF	Supplemental Info	Application Fees
Conditional Use Permit	1G	1	1	1 <sup>p</sup>	1 <sup>s</sup>	1 <sup>ll</sup>	1 <sup>ll</sup>	1	1 <sup>ll</sup>	\$525 + publishing costs
Zone Change	1	1	1	1 <sup>p</sup>	1 <sup>s</sup>	1 <sup>ll</sup>	1 <sup>ll</sup>	1	1 <sup>ll</sup>	\$300
Variance	1	1	1		1 <sup>s</sup>	1 <sup>ll</sup>		1		\$300
Vacation and Abandonment	1		1	1 <sup>p</sup>	1 <sup>s</sup>	1 <sup>ll</sup>		1		Refer to Fee Schedule
Street Name Change*	1	1	1			1 <sup>ll</sup>		1		Refer to Fee Schedule

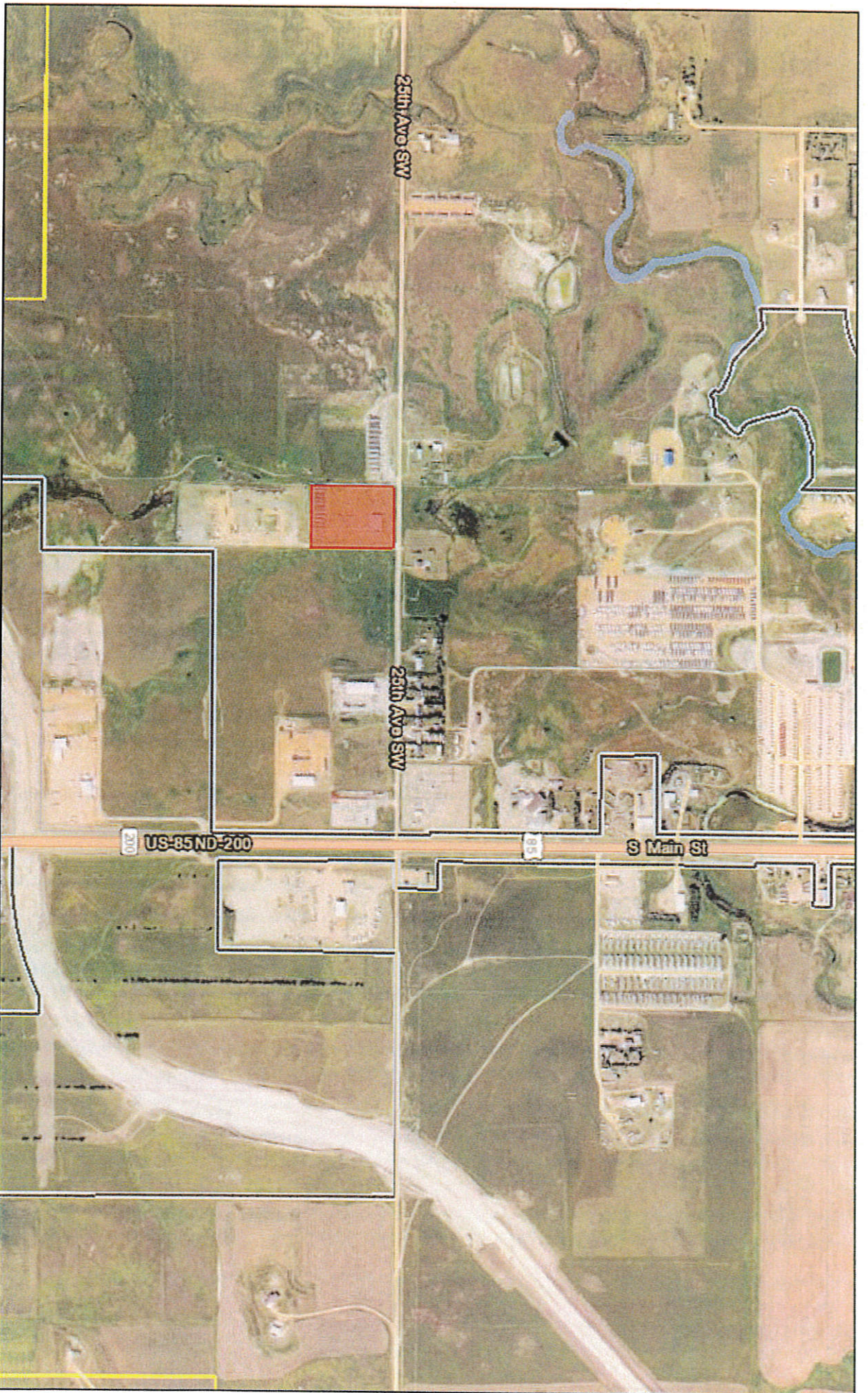
Superscript notes on this table refer to the same item number on the Explanation of the Document Submittal Requirements for Planning Applications  
\*Plus all sign costs

**Procedures for Filing Land Use Applications:**

- A. After assembling the required materials as outlined above, only completed applications shall be accepted for filing.
- B. Review the Summary of Required Reviews or Hearings for your application type. **ATTENDANCE AT ALL SCHEDULED MEETINGS IS MANDATORY**, you may assign an agent to speak on your behalf. Failure to appear at any meeting may result in delays.
- C. Staff Report: To discuss a report or recommendation, contact the Planning Department to resolve concerns prior to the hearing.
- D. A letter indicating the Commission's decision and all conditions of approval is sent to the correspondent address on the application. All conditions must be met before an occupancy permit or a business license will be issued. In many cases, the Planning Commission is considered to be final action unless appealed, refer to the Summary or Required Reviews or Hearings.
- E. Any person may appeal, in writing, to the board within 30 calendar days from the date the Notice of Final Action was sent. The Office of the Zoning Administrator must physically receive the appeal by 4:00 pm. on the 30<sup>th</sup> calendar day.
- F. The Planning Commission has the authority to impose conditions, restrictions, safeguards and date of expiration on any land use application that is granted to ensure the health, safety and welfare of the neighborhood. Failure to comply with such conditions shall be deemed as a violation. Any such person who knowingly continues the violation after receiving written notification of the violation is guilty of misdemeanor.
- G. Site Development Plan Application is required on all Conditional Use Applications.

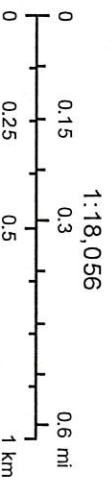


# Zone Change: Wise Services 605 24th Ave SW



April 13, 2015

- World Transportation
- Wattford City Limits
- Ex Territorial Area (ETA)
- Lot Lines
- Cherry Creek
- Parcels Data from McKenzie County



GIS: Wattford City, AE2S  
 Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap

tors





April 20, 2015

World Transportation

Place Names



Watford City Limits

StreetCenterlines

Block Number



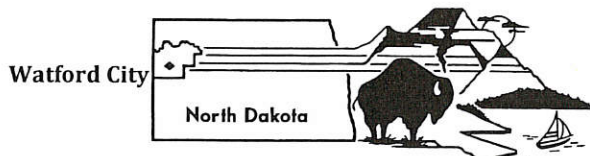
Extra-Territorial Area (ETA)

Lot Number



Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors





## City of Watford City

213 2<sup>nd</sup> St. NE / PO Box 494

Watford City, ND 58854

Ph. 701-444-2533

Fax 701-444-3004

*Celebrating 100 Years - 2014*

[watford.mckenziecounty.net](http://watford.mckenziecounty.net)

April 20, 2015

### STAFF REPORT

### ZC-10-2015 ZONE CHANGE

#### Applicant

Wise Services  
Chris Cope  
605 24<sup>th</sup> Ave SW  
Watford City, ND 58854

#### Property Owners

Wise Ventures, LLC  
Joey Platts

**Property Address:** 605 24<sup>th</sup> Ave SW

**Zone Change Requested:** Request in Zone Change from Agriculture Land currently operating as Construction/Trucking Business to Heavy Industrial.

**Reference:** Watford City City Code Sec. XV – Article XXVI, Amendments

**Discussion:** Article XXVI, Section 1 of the Watford City Zoning Ordinance states that “A proposal for an amendment or a change in zoning may be initiated by the City Council, by the Planning Commission, or upon application of the owner of the property affected.”

The property is approximately 0.4 miles west of ND 85 South. 24<sup>th</sup> Ave SW is a two lane street in poor condition. The newly created bypass is approximately half mile to the south. The existing property is currently zoned Agriculture. The applicant is asking for 6.73 acres to be rezoned to Heavy Industrial, applicant has submitted Condition Use Permit to allow for bulk fuel storage on the site. In total the applicant is requesting 6.73 acres be rezoned to Heavy Industrial. The site is within the recently expanded City ETA (Sept. 2014) and therefore falls within the jurisdiction of the Watford City Planning and Zoning Commission. Wise Services has been operating under McKenzie County Planning & Zoning as a commercial business on Agriculture land under a Conditional Use Permit with 10 single wide mobile homes on south side of property.

The City of Watford City mailed the property owners that hold an interest in the property and the adjoining property owners a notice regarding the city’s zone change request.

In granting a zone change, the Planning Commission must satisfy itself, from the evidence heard before it that the granting of the zone change is in the best long-term interests of the City of Watford City and the other affected properties.

The Planning Commission shall also find that the zone change, if granted, is in harmony with the intended spirit and purpose of the zoning ordinance and does not constitute “spot zoning” so as to allow a use that would otherwise not be permitted.

Under no circumstances shall the Planning Commission recommend a zone change not permissible under the terms of this ordinance.



**Surrounding Land Use Inventory:**

West: Zoning - AG, McKenzie County  
Use - Single Wide Housing development, permitted by County.  
South: Zoning -  
Use -  
North: Zoning - AG, McKenzie County  
Uses - Agricultural  
East: Zoning - AG  
Uses - Undeveloped

**Comprehensive Zoning Plan and Zoning Comparison:**

*The commission must exercise prudence when evaluating this request. All of the possible uses that could occur on this property and the possible effect on surrounding properties must be considered when evaluating whether this zone change should be approved. The zone requested by the applicant for HI (Heavy Industrial) Zoning is intended to provide for more intense industrial uses engaged in basic processing or manufacturing of products from raw materials and with tolerable levels of noise, dust, odor, vibration or smoke and to preclude encroachment of land uses such as residential uses that could be in conflict with the industrial and manufacturing environment.*

**Site Development:**

Access: The property will be accessible from 24<sup>th</sup> Ave SW  
Sewer: There are no existing city sanitary sewer mains within the property.  
Water: There are no existing city water mains within the property.  
Analysis: The proposed zoning will allow the applicant to place a bulk fuel storage plant out of city limits, to be surrounded by more appropriate zoning for such Industrial applications. Currently diesel trucks leave Wise Services, travel into Watford City City limits fuel and return south on Hwy 85 to the truck bypass route. Installation of a fueling tanks on site would allow for trucks to be fueled on site then proceed south to hwy bypass without generating truck traffic within city limits.

**Recommendation:**

It is recommended that the Watford City Planning Commission **Approve** a Zone Change Application submitted by Wise Services, Chris Cope contingent on the following conditions:

1. The developer must submit detailed building and site plans for development on the property of the bulk fuel storage.
2. Condition Use Permit submitted in conjunction with zone change will be reviewed every 6 months and subject to inspection any time the City deems necessary.
3. Any future changes to the property must be first reviewed and approved by the Planning Department.
4. All changes to the approved development plan are subject to further review and approval.

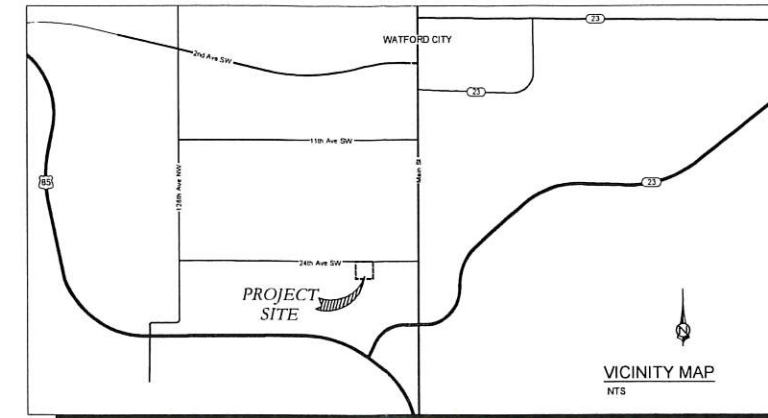
**Redundant #3 & #4**

**?? the housing on south side of property in relations to the fuel tank?**

**Contact:**

Mildred Williams  
Assistant City Planner





**PROPERTY DESCRIPTION**

PER WARRANTY DEED RECORDED 21 NOV, 2012 IN MCKENZIE COUNTY (DOCUMENT NO. 443165):

A TRACT OF LAND LOCATED IN THE NW 1/4 NE 1/4 OF SECTION 36, T150N, R99W, MCKENZIE COUNTY, NORTH DAKOTA, COMMENCING AT THE NORTH QUARTER CORNER OF SECTION 36; THENCE S00°03'09"W ALONG THE WEST SIDE OF THE NORTHEAST QUARTER, A DISTANCE OF 33.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF 25TH STREET NORTHWEST, THIS IS ALSO THE POINT OF BEGINNING; THENCE S89°49'41"E, ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 475.29 FEET; THENCE S00°03'34"W, A DISTANCE OF 617.00 FEET; THENCE N89°49'41"W, A DISTANCE OF 475.21 FEET; THENCE N00°03'09"E, ALONG THE WEST SIDE OF SAID QUARTER, A DISTANCE OF 617.00 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 6.73 ACRES MORE OR LESS.

**ZONING DESIGNATIONS**

EXISTING - AGRICULTURAL  
PROPOSED - HEAVY INDUSTRIAL

**CIVIL SCIENCE**  
INFRASTRUCTURE, INC.

NOT FOR CONSTRUCTION

RELEASE OF DRAWINGS  
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ZONING EXHIBIT  
WISE SERVICES  
WATFORD CITY, MCKENZIE COUNTY, NORTH DAKOTA

PROJ. #	Fx 15131 00
DRAWN BY	DRAWN BY
DESIGN BY	DESIGN BY
CHECKED BY	CHECKED BY
SCALE OF SHEET	
HOR SCALE	1" = 50'
VER SCALE	N/A
SHEET	



Wise Services, LLC 605  
24<sup>th</sup> Ave. W.  
Watford, ND 58854

April 8, 2015

Watford City  
213 Second St NE  
Watford ND 58854

**RE: Justification Letter for Wise Services Zone Change Request**

To Whom It May Concern:

Wise Services desires to install a nine-foot diameter diesel fuel storage tank on its existing industrial site located at 605 24<sup>th</sup> Ave. W. The current zoning designation for the site is Agricultural. The requested zoning is Heavy Industrial. The site is located within Watford City's ETA. The following outlines the plans and purposes for the site.

Currently the large diesel trucks that originate from the Wise Services site on 24<sup>th</sup> Avenue West must drive north on Highway 85 to get fuel in Watford City. Once they are fueled the trucks then return south on Highway 85 to the truck bypass route and then are able to get to the various destinations via the bypass route. The installation of the proposed fuel tank will enable the trucks to be fueled on site and drive south directly to the truck bypass route negating the need for a truck trip into Watford City.

The installation of this tank will save the drivers time and reduce truck traffic going north on Highway 85 into Watford City.

Thank you for your consideration.

Sincerely,



Chris Cope

Enclosure

5.

# Conditional Use Permit Application

Submitted by Chris Cope  
On behalf of Wise Services  
*605 24<sup>th</sup> Ave SW*



**LAND USE APPLICATION pg. 1 of 2**  
Watford City Planning Department

AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY

APPLICATION TYPE	DATE FILED: 4-8	APPLICATION NUMBER:
ZONE CHANGE	PROCESSES BY: MW	MEETING DATES: P&Z: 4-27 CC: 5-4
<u>CONDITIONAL USE PERMIT</u>	FEE: \$575	ADVERTISE DATE: 4-15 + 4-22
VARIANCE	RECEIPT #: 154955	PROPERTY OWNERS NOTIFIED:
VACATION & ABANDONMENT	SECTION/TOWNSHIP/RANGE:	
STREET NAME	RELATED CASE #:	
	FINAL ACTION MEMORANDUM MAILED:	DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: Wise Ventures, LLC  
 APPLICANT: Wise Services

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: Chris Cope  
 ADDRESS: 605 24th Str. W.  
 CITY: Watford STATE: North Dakota ZIP CODE: 58854  
 TELEPHONE: (701) 300-0594 EMAIL: ccope@wiseusa.biz  
 ASSESSOR'S PARCEL NUMBER(S): 11-00-14760  
 LEGAL DESCRIPTION: please see attached site plan.  
 PROPERTY ADDRESS AND NEAREST CROSS STREETS: 605 24th Str. W. and Hwy 85  
 GROSS/NET ACREAGE: 6.73 acres PRESENT ZONE CLASSIFICATION: Agricultural  
 DESIRED ZONE CLASSIFICATION: \_\_\_\_\_ CURRENT LAST USE: \_\_\_\_\_

DESCRIBE YOUR REQUEST IN DETAIL. YOU MUST CITE ANY RELEVANT CODE SECTIONS, WAIVERS, OR CONDITIONAL USE PERMITS (USE ADDITIONAL PAGES IF NEEDED)

Wise Services desires to install a large industrial fuel tank on site. Wise Services is applying for a Conditional Use Permit to be permitted to install this tank.

DESCRIBE THE SOURCE OF WATER/SEWER: \_\_\_\_\_ Do you have a will serve letter  YES  NO



## LAND USE APPLICATION pg. 2

(I, We), the undersigned swear and say that (I am, We are) the owner(s) of record on the tax rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Watford City Code; that the information on the plans and drawings attached hereto, and all of the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the *Watford City Planning Department and its designee*, to enter the premises of the property subject to this application for the purposes of gathering information for the purpose of advising the public of the proposed application.

  
 \_\_\_\_\_  
 Property Owner Signature

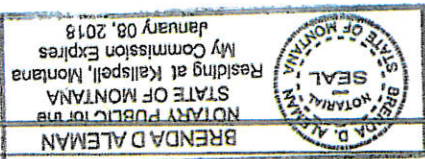
  
 \_\_\_\_\_  
 Print of Type Owner Name

NOTARY

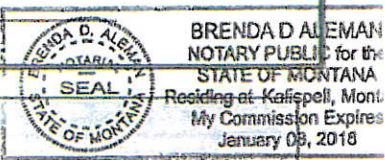
State of Montana

County of Flakehead

This instrument was acknowledged before me on 3-5-2015 by Joey Plattz  
 Date Name of Person



  
 Signature of Notarial Officer



### Required Documents for Land Use Application

APPLICATION TYPE	Application	Conceptual Site Plan	Site Plans	Deed	Legal Description	Justification Letter	Traffic Impact Analysis	* pdf/* dwg	Supplemental Info.	Application Fees
Conditional Use Permit	1	1	1	1 <sup>o</sup>	1 <sup>n</sup>	1 <sup>st</sup>	1 <sup>st</sup>	1	1 <sup>st</sup>	\$525 + publishing costs
Zone Change	1	1	1	1 <sup>o</sup>	1 <sup>n</sup>	1 <sup>st</sup>	1 <sup>st</sup>	1	1 <sup>st</sup>	\$300
Variance	1	1	1		1 <sup>n</sup>	1 <sup>st</sup>		1		\$300
Street Name Change*	1	1	1			1 <sup>st</sup>		1		Refer to Fee Schedule

- ❖ Site Development Plan Application is required on all Conditional Use Applications.
- ❖ Only completed applications shall be accepted for filing.
- ❖ Review the Summary of Required Reviews or Hearings for your application type. ATTENDANCE AT ALL SCHEDULED MEETINGS IS HIGHLY SUGGESTED, you may assign an agent to speak on your behalf. Failure to appear at any meeting may result in delays.
- ❖ Staff Report: To discuss a report or recommendation, contact the Planning Department to resolve concerns prior to the hearing.
- ❖ A letter indicating Watford City City Council's decision and all conditions of approval is sent to the correspondent address on the application. All conditions must be met before an occupancy permit or a business license will be issued. In many cases, the Planning Commission is considered to be final action unless appealed, refer to the Summary or Required Reviews or Hearings.
- ❖ Any person may appeal, in writing, to the board within 30 calendar days from the date the Notice of Final Action was sent. The Office of the Zoning Administrator must physically receive the appeal by 4:00 pm. on the 30<sup>th</sup> calendar day.
- ❖ The Planning Commission and City Council has the authority to impose conditions, restrictions, safeguards and date of expiration on any land use application that is granted to ensure the health, safety and welfare of the neighborhood. Failure to comply with such conditions shall be deemed as a violation. Any such person who knowingly continues the violation after receiving written notification of the violation is guilty of misdemeanor.



# Conditional Use Permit: Wise Services 605 24th Ave SW



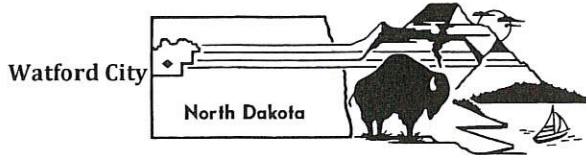
April 13, 2015

- World Transportation
- Watford City Limits
- Ext. Territorial Area (ETA)
- Lot Lines
- Cherry Creek
- Parcels Data from McKenzie County



GIS: Watford City, AEC2S  
Esr1, HERE, DeLorme, MapmyIndia, © OpenStreetMap c





## City of Watford City

213 2<sup>nd</sup> St. NE / PO Box 494  
Watford City, ND 58854  
Ph. 701-444-2533  
Fax 701-444-3004  
*Celebrating 100 Years - 2014*  
[watford.mckenziecounty.net](http://watford.mckenziecounty.net)

April 20, 2015

### STAFF REPORT CU-01-2015

### Conditional Use

Applicant  
Wise Services, LLC  
Chris Cope  
605 24<sup>th</sup> Ave SW  
Watford City, ND. 58854

Property Owner  
Wise Ventures

**Property Address:** 605 24<sup>th</sup> Ave SW, 6.73 acres, Parcel # 11-00-14760

**Conditional Use Requested:** Bulk fuel tank on existing commercial property.

**Zone:** 6.73 acres previously under McKenzie County jurisdiction zoned AG. Applicant has submitted zone change application in conjunction with this conditional use permit application.

**Reference:** Watford City City Code Sec. XV – Article XII, Conditional Uses, Industrial Zoning District.

**Discussion:** The applicant filed an application for a conditional use permit on pending Industrial (Heavy) zoned property. Currently large diesel trucks that originate from Wise Services on 24<sup>th</sup> Ave SW must drive north on Hwy 85 to fuel in Watford City, after fueling trucks return south on Hwy 85 to the newly created truck bypass to various destinations. Installation of proposed fuel tank would enable trucks to fuel on site and drive south directly to Hwy 85 for destination, reducing truck traffic into and out of Watford City City limits.

Article XXV, Section 1 of the Watford City Zoning Ordinance reads as follows regarding Conditional Uses: A Conditional Use Permit may be granted following compliance with the procedure set forth in this section if the conditional use is one set forth in the District Regulations, provided that no application for a conditional use shall be granted unless all of the following conditions are found to be present:

1. The conditional use will not be detrimental to or endanger the public health, safety or general welfare;
2. The existing permitted uses in the neighborhood will not in any manner be substantially impaired or diminished by the establishment of the conditional use;
3. The conditional use will not impede the normal and orderly development of the surrounding property for uses permitted in the district;
4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided;
5. Adequate measures have or will be taken to provide access and exit so designed as to minimize traffic congestion in the public streets; and
6. The conditional use shall conform to all special provisions of the district in which it is located. The Conditional Use Permit may be issued for a specified period of time, with automatic cancellation at the end of that time unless it is renewed, or conditions may be applied to the issuance of the Permit and periodic review may be required to determine if the conditional use has any detrimental affects on neighboring uses or districts. The Permit shall be granted for a particular use and not for a particular person or firm.



The City of Watford City mailed the adjoining property owners a notice regarding the application. None of the noticed property owners contacted the city.

In granting a conditional use, the Planning Commission must satisfy itself from the evidence heard before it that the granting of the conditional use will not: adversely affect the health, safety, and welfare of the public; detract from the neighborhood; adversely affect future development; or cause traffic congestion. The Planning Commission may impose requirements upon the applicant to ensure that the proposed Conditional Use does not create a nuisance, is harmonious with adjacent development, and does not detract from property values. A Conditional Use Permit is only valid so long as the approved use is operated per the terms of the permit, i.e., if the use were changed from Temporary Workforce Housing to Manufacturing Operation, the permit would no longer be valid. A Conditional Use Permit should be specific as to: days/hours of operation, storage of appurtenant equipment, and provisions for parking, loading, and site improvements, and the type(s) of business(es) that can be operated under the terms of the permit. The Conditional Use Permit should be specific as to length of term. A Conditional Use Permit should be reviewed annually. After the use is established, the term of renewal can be increased or decreased as deemed appropriate.

**Surrounding Land Use Inventory:**

West: Zoning - AG, McKenzie County  
Use - Single Wide Housing development, permitted by County.

South: Zoning -  
Use -

North: Zoning - AG, McKenzie County  
Uses - Agricultural

East: Zoning - AG  
Uses - Undeveloped

**Site Development:**

Access: The property will be accessible from 24<sup>th</sup> Ave SW  
Sewer: There are no existing city sanitary sewer mains within the property.  
Water: There are no existing city water mains within the property.  
Analysis: The proposed conditional use permit and zoning application will allow the applicant to place a bulk fuel storage plant out of city limits, to be surrounded by more appropriate zoning for such Industrial applications. Currently diesel trucks leave Wise Services, travel into Watford City City limits fuel and return south on Hwy 85 to the truck bypass route. Installation of a fueling tanks on site would allow for trucks to be fueled on site then proceed south to hwy bypass without generating truck traffic within city limits.

**Recommendation:**

The proposed CUP application is an acceptable use in the pending I (Industrial, Heavy) district as this property is proposed to be zoned. **The conditional use permit is to be reviewed every 6 months and site inspections as city officials deem necessary for compliance.**

Staff recommends **approval** of the conditional use subject to the following conditions:

1. Site plan be submitted to the Planning Department for bulk fuel storage placement.
2. Conditional Use Permit shall be for a term of one year and reviewed every 6 months thereafter.

**Contact:**

Mildred Williams  
Assistant City Planner  
[miwilliams@nd.gov](mailto:miwilliams@nd.gov)

Wise Services, LLC  
605 24<sup>th</sup> Ave. W.  
Watford, ND 58854

April 8, 2015

Watford City  
213 Second St NE  
Watford ND 58854

**RE: Justification Letter for Wise Services Conditional Use Permit Request**

To Whom It May Concern:

Wise Services desires to install a nine-foot diameter diesel fuel storage tank on its existing industrial site located at 605 24<sup>th</sup> Ave. W. This Conditional Use Permit application accompanies a zone change request. The requested zoning is Heavy Industrial. The site is located within Watford City's ETA. The following outlines the plans and purposes for the site.

Currently the large diesel trucks that originate from the Wise Services site on 24<sup>th</sup> Avenue West must drive north on Highway 85 to get fuel in Watford City. Once they are fueled the trucks then return south on Highway 85 to the truck bypass route and then are able to get to the various destinations via the bypass route. The installation of the proposed fuel tank will enable the trucks to be fueled on site and drive south directly to the truck bypass route negating the need for a truck trip into Watford City.

The installation of this tank will save the drivers time and reduce truck traffic going north on Highway 85 into Watford City.

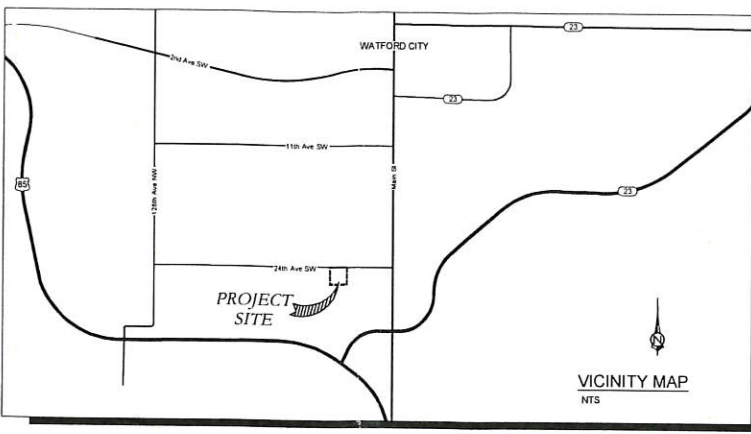
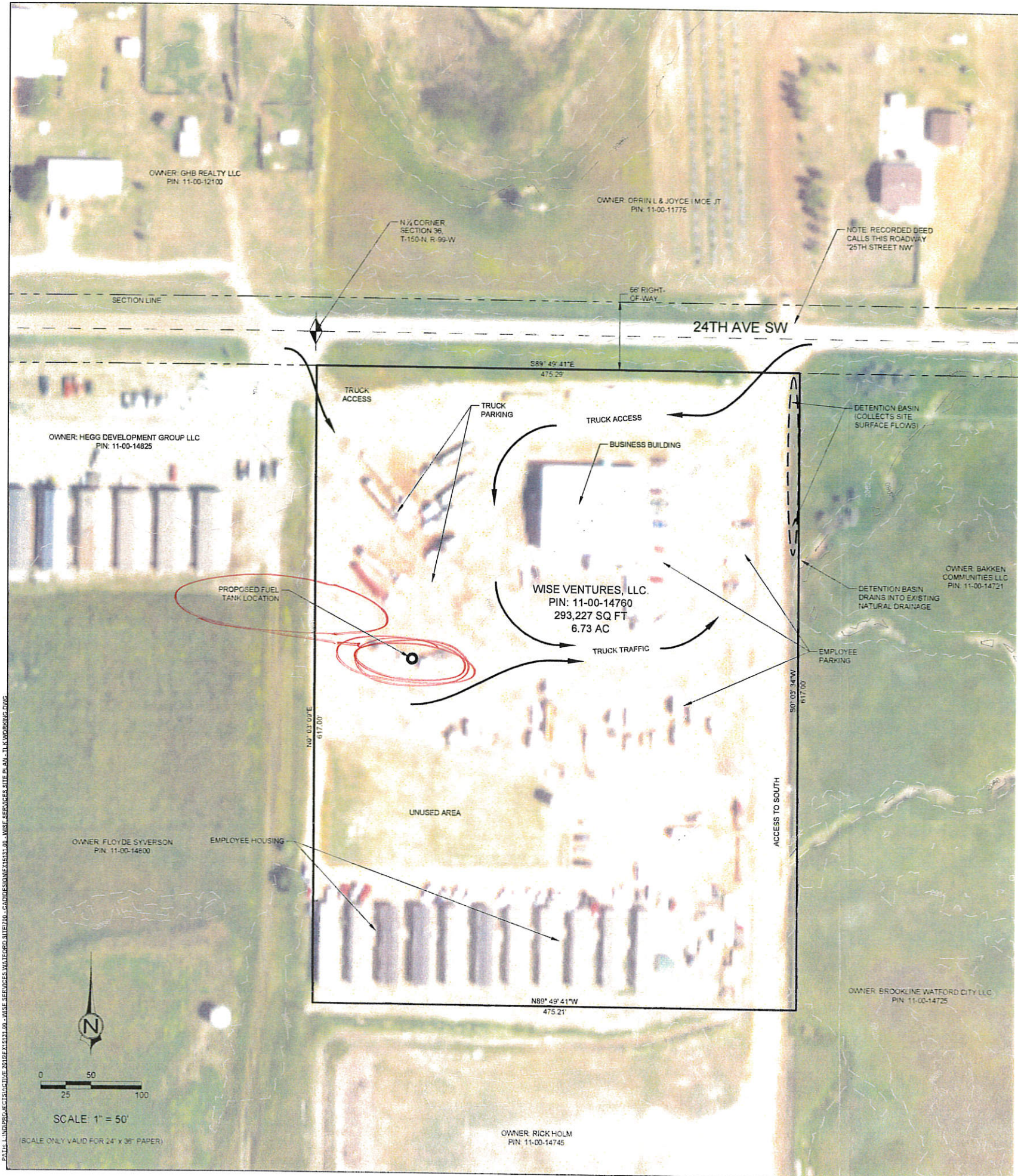
Thank you for your consideration.

Sincerely,

Chris Cope

Enclosure





**PROPERTY DESCRIPTION**

A TRACT OF LAND LOCATED IN THE NW 1/4 NE 1/4 OF SECTION 36, T150N, R99W, MCKENZIE COUNTY, NORTH DAKOTA. COMMENCING AT THE NORTH QUARTER CORNER OF SECTION 36; THENCE S00°03'09"W ALONG THE WEST SIDE OF THE NORTHEAST QUARTER, A DISTANCE OF 33.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF 25TH STREET NORTHWEST. THIS IS ALSO THE POINT OF BEGINNING; THENCE S89°49'41"E, ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 475.29 FEET; THENCE S00°03'34"W, A DISTANCE OF 617.00 FEET; THENCE N89°49'41"W, A DISTANCE OF 475.21 FEET; THENCE N00°03'09"E, ALONG THE WEST SIDE OF SAID QUARTER, A DISTANCE OF 617.00 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 6.73 ACRES MORE OR LESS.

**CIVIL SCIENCE**  
INFRASTRUCTURE, INC.  
222 AIRPORT ROAD  
WILLISTON, ND 58801  
701.774.8200

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PROJECT EXCEPT BY WRITTEN  
AUTHORIZATION OF CIVIL SCIENCE, INC.

**SITE LAYOUT**  
WISE SERVICES  
WATFORD CITY, MCKENZIE COUNTY, NORTH DAKOTA

PROJ #	Fx 15131 00
DRAWN BY	DRAWN BY
DESIGN BY	DESIGN BY
CHECKED BY	CHECKED BY
SCALE OF SHEET	
HOR SCALE	1" = 50'
VER SCALE	N/A