

CITY OF WATFORD CITY

P.O. BOX 494

WATFORD CITY, NORTH DAKOTA 58854

AGENDA

August Monday 26, 2013

PLANNING COMMISSION

Civic Center @ 6:00 P.M.

Call to Order Public Hearing

Public hearing to hear comment on a Zone Change Application submitted by Marianne Brackett for property located at 505 Main St S., Section 24, Township 150 North, Range 99 West, 10.55 acres, McKenzie County, ND. The application will re-zone AG property to C1.

Public hearing to hear comment on Simple Lot Split submitted by Cross Country Ranch/ Everett Mitchell, to make two parcels from one with the intent to sell, on C1 property located in the NE ¼ NE ¼ of Section 25, Township 150 North, Range 99 West, 2.0 acres, McKenzie County, ND.

Public hearing to hear comment on Subdivision Preliminary Plat, submitted by The Highlands at Watford City Phase II/ Adam Berger for property located in the SE ¼ of SW 1/4 of Section 20, NW ¼ Section 21, Township 150 North, Range 99 West, 40 acres, McKenzie County, ND.

Public hearing to hear comment on a Zone Change Application rezoning of MH to R1 on Lots 21, 22, 23, 24, 25, 26, 27, 28, 29, and 30 of the First Addition to North Watford.

Public Hearing to hear comment regarding the City's Master Land Use Plan.

Call to Order Regular Meeting

Minutes of July 29, 2013 Meeting

Unfinished Business:

1. Zone Change- Marianne Brackett
2. Simple Lot Split- Country Cross Ranch LLC
3. Preliminary Subdivision Plat- The Highlands at Watford City, Phase II
4. Zone Change- Mobile home district.
5. Watford City Master Land Use Plan.

New Business:

Review Building Permit

No.	Month	Applicant	Address	Parcel #	Description	Value	Date	Fee	PD
2618	July	Dakota West Credit Union	329 N Main St		Demolition	\$0.00	7/17/13	\$0.00	0
2619	July	E & M Services	305 12th St SE		Remodel	\$400,000.00	7/22/13	\$2,640.00	#2059
2620	July	Jeff Henry	313 3rd Ave NE		New Roof	\$3,000.00	7/22/13	\$79.00	#1061
2621	July	Fred Harder	220 4th St NE		New roof/Garage remodel	\$1,900.00	7/23/13	\$67.00	Paid
2622	July	Robert Kopp	525 3rd St NE		Remodel	\$1,000.00	7/24/13	\$40.00	#1208
2623	July	R&T Powerwashing	706 14th St SW		Well House/ Floating Slab	\$5,000.00	7/24/13	\$107.00	#1693
2624	July	Oppidan/ Feng Chen	113 6th Ave SW		Interior Happy Rice	\$150,000.00	7/24/13	\$1,265.00	#1250
2625	July	Sherman Raschien	2540 Schilke Dr.	20-17-05100	29,000 sq ft.. Storage Units	\$233,000.00	7/25/13	\$1,721.00	#1225
2626	July	Michael Brown	716 2nd Ave NE	82-80-00300	Fence	\$0.00	7/26/13	\$25.00	#1429
2627	July	Alfred Berg	301 7th St NE		New Shingles	\$2,000.00	7/29/13	\$70.00	#3928
2628	July	First Luthern Church	504 4th St NE		Fence	\$0.00	7/29/13	\$25.00	#8198
2629	July	Charlotte Willis	909 11th St SW		Fence	\$0.00	7/31/13	\$25.00	#1767
2630	Aug	Sonja Johnson	108 6th St SE		Siding/Windows	\$36,500.00	8/2/13	\$510.00	#51838
2631	Aug	Chris Buchholz	217 Park Ave E		Vinyl siding/ Windows	\$24,331.00	8/2/13	\$387.00	#51840
2632	Aug	Wallace Johnson	208 4th St NE		Vinyl siding/ Windows	\$24,990.00	8/2/13	\$387.00	#51839
2633	Aug	Edwin Olson	716 Park Ave E		Deck	\$2,500.00	8/2/13	\$72.00	#2460
2634	Aug	Rick Robinholt	Emerald Ridge		Moving 9 trailers	\$0.00	8/2/13	\$225.00	#2634
2635	Aug	Jeff Ranke	340 N Main		3 Story Credit Union	3.85 million	8/6/13	\$11,755.00	#077599
2636	Aug	Troy Knutson	220 7th St SE		Chain link fence	\$0.00	8/8/13	\$25.00	#4441
2637	Aug	1st Baptist Church	400 7th Ave NW		12x26 Building	\$21,000.00	8/9/13	\$231.00	#1102
2638	Aug	John Tennett	NE of 7th & Main		Foundations/garage framing/ siding	\$1,000,000.00	8/9/13	\$5,450.00	#1008
2639	Aug	James Ballard	105 9th Ave S		Strip Mall/ Subway	\$1,000,000.00	8/9/13	\$5,450.00	#7270
2640	Aug	Cory Kelly	1008 4th Ave SE		Fence	\$0.00	8/9/13	\$25.00	Cash
2641	Aug	Oppidan Inc	1009 6th Ave SW		New 10,800 Sq Ft Bldg.	\$435,200.00	8/12/13	\$2,833.60	#45405

Adjournment

Melissa Sandry
Secretary/Planning Assistant

*****If you are not able to attend a Planning Commission meeting, please notify Melissa prior to the meeting*****

PLANNING COMMISSION MINUTES
WATFORD CITY, ND
July 29, 2013

The regular monthly meeting of the Watford City Planning Commission was held on July 29, 2013 at 6:00 p.m. at the Civic Center. In attendance: Chairman Glen Beard, Board members: Jesse Lawrence, Sonja Johnson, and Rick Holm, Cory Johnson. Also present City Planner Curt Moen, City Attorney Wyatt Voll, Mildred Williams, Steve Williams, Seth Sampson, and Melissa Sandry. Excused absence: Doug Bolken, Shane Homiston.

Public Hearing called to order at 6:00 pm:

Public hearing to hear comment on a Zone Change Application submitted by Bakken Development Solutions, LLC, for property located in a portion of the NW ¼ Section 22, Township 150 North, Range 98 West, 6.61 acres, McKenzie County, ND. The application will re-zone C1 property to R4.

Public hearing to hear comment on Zone Change Application submitted by White Ram Enterprises, LLC/ Jeff Kovac, for property located at 903 3rd Ave SW, Section 24, Township 150 North, Range 99 West, 1.6 acres, McKenzie County, ND. The application will re-zone AG property to C1.

Public hearing to hear comment on Zone Change Application submitted by Patrick & Sally Golberg, for property located at 1809 S. Main St., Section 25, Township 150 North, Range 99 West, 7.080 acres, McKenzie County, ND. The application will re-zone AG property to R2.

Public hearing to hear comment on Simple Lot Split submitted by Bayfront Builders Inc. / Schafer Richardson, Inc., to combine lots 78, 79 into 1 lot, 80, 81 into 1 lot, 82, 83 into 1 lot, on R4 property for the purpose of placing one larger building instead of two smaller buildings, on property located on South Pheasant Ridge Street, on a portion of the NW ¼ Section 15, Township 150 North, Range 98 West, 6.71 acres, McKenzie County, ND.

Public hearing to hear comment on Conditional Use Permit Application submitted by McKenzie Building Center Inc. / Greg Bangert, for property located at 1504 4th Ave NE, Section 17, Township 150 North, Range 98 West, for Temporary Employee Housing on C1 property, 5.44 acres, McKenzie County, ND.

Public hearing to hear comment on Zone Change Application submitted by McKenzie County/ Linda Svihovec, for property located at 101 5th St NW, Section 24, Township 150 North, Range 99 West, McKenzie County, ND. The application will re-zone R1 property to CF.

Public hearing to hear comment on Subdivision Preliminary Plat, Fox Hills Village, submitted by DLM Development, LLC for property located Highway 23 and Long Drive, NE ¼ Section 20, NW ¼ Section 21, Township 150N, Range 98W, 306.79 acres, McKenzie County, ND.

Public hearing to hear comment on Zone Change Application submitted by Greg Elliot, for property located at 404 20th Ave SE, Section 30, Township 150 North, Range 99 West, 1.0 acre, McKenzie County, ND. The application will re-zone AG property to I-P.

Public hearing to hear comment on Simple Lot Split submitted by Blue Bison Development/ Robin Greenhagen, to create two parcels from one, on property located in a portion of Lot 2, S1/2 NW ¼ of Section 7, Township 150 North, Range 98 West, 60.86 acres, McKenzie County, ND.

After discussion, Chairman Glen Beard closed the Public Hearing at 6:07 pm.

The Minutes for meeting held on June 24, 2013 were reviewed, C. Johnson moved to approve minutes as presented, seconded by S. Johnson. All ayes; motion carried.

UNFINISHED BUSINESS:

1. **Zone Change – Bakken Land Holdings, LLC/ Bakken Development Solutions-** Moved by R. Holm to recommend approval to City Council for a Zone Change Application submitted by Bakken Development Solutions, LLC, for property located in a portion of the NW ¼ Section 22, Township 150 North, Range 98 West, 6.61 acres, McKenzie County, ND. The application will re-zone C1 property to R4. Seconded by S. Johnson and carried by the following roll call vote: ayes; S. Johnson, R. Holm, C. Johnson, and J. Lawrence. Nays: None. Motion carried
2. **Zone Change- White Ram Enterprises, LLC/ Jeff Kovac –** Moved by C. Johnson to recommend approval to City Council for a Zone Change Application submitted by White Ram Enterprises, LLC/ Jeff Kovac, for property located at 903 3rd Ave SW, Section 24, Township 150 North, Range 99 West, 1.6 acres, McKenzie County, ND. The application will re-zone AG property to C1. Seconded by R. Holm and carried by the following roll call vote: ayes; S. Johnson, R. Holm, C. Johnson, and J. Lawrence. Nays: None. Motion carried.
3. **Zone Change – Patrick & Sally Golberg –** Moved by R. Holm to recommend approval to City Council for a Zone Change Application submitted by Patrick & Sally Golberg, for property located at 1809 S. Main St., Section 25, Township 150 North, Range 99 West, 7.080 acres, McKenzie County, ND. The application will re-zone AG property to R2. Seconded by J. Lawrence and carried by the following roll call vote: J. Lawrence, S. Johnson, R. Holm, and C. Johnson. Nays: none. Motion carried.
4. **Simple Lot Split- Bayfront Builders Inc. -** Moved by C. Johnson to recommend approval to City Council for a Simple Lot Split submitted by Bayfront Builders Inc. / Schafer Richardson, Inc., to combine lots 78, 79 into 1 lot, 80, 81 into 1 lot, 82, 83 into 1 lot, on R4 property for the purpose of placing one larger building instead of two smaller buildings, on property located on South Pheasant Ridge Street, on a portion of the NW ¼ Section 15, Township 150 North, Range 98 West, 6.71 acres, McKenzie County, ND. Seconded by S. Johnson and carried by the following roll call vote: J. Lawrence, C. Johnson, R. Holm, S. Johnson. Nays; None. Motion Carried.
5. **Conditional Use Permit- McKenzie Building Center-** Moved by R. Holm to recommend approval to City Council for a Conditional Use Permit submitted by McKenzie Building Center. The application will allow for temporary employee housing on property located at 316 2nd Ave NW, Section 24, Township 150 North, Range 98 West, town lot 11, Block 1, McKenzie County, ND. Applicant needs to submit a plan that allows for emergency responders to have unlimited open access to the housing area, and be compliant with the regulations set forth in the staff report. Seconded by J. Lawrence and carried by the following roll call vote: S. Johnson, R.

Holm, C. Johnson, and J. Lawrence. Nays; None. Motion Carried.

6. **Zone Change- McKenzie County- Linda Svihovec** – Moved by C. Johnson to recommend approval to City Council for a Zone Change Application submitted by McKenzie County/ Linda Svihovec, for property located at 101 5th St NW, Section 24, Township 150 North, Range 99 West, McKenzie County, ND. The application will re-zone R1 property to CF. Seconded by J. Lawrence, and carried by the following roll call vote: R. Holm, S. Johnson, C. Johnson, and J. Lawrence. Nays: None. Motion Carried.
7. **Preliminary Subdivision Map- Fox Hills Village** - Moved by R. Holm to recommend approval to City Council for a Preliminary Subdivision Plat submitted by DLM Development, LLC, for property located Highway 23 and Long Drive, NE ¼ Section 20, NW ¼ Section 21, Township 150N, Range 98W, 306.79 acres, McKenzie County, ND. Seconded by R. Holm and carried by the following roll call vote: S. Johnson, R. Holm, and J. Lawrence. Nays; None. Motion Carried.
8. **Zone Change- Greg Elliot**- Moved by R. Holm to recommend approval to City Council for a Zone Change Application submitted by Greg Elliot, for property located at 404 20th Ave SE, Section 30, Township 150 North, Range 99 West, 1.0 acre, McKenzie County, ND. The application will re-zone AG property to I-P. Planning Commission requires that all work is to be done inside a shielded area and meet the staff report requirements. Seconded by S. Johnson and carried by the following roll call vote: ayes; S. Johnson, R. Holm, J. Lawrence, C. Johnson. Nays; None. Motion carried.
9. **Simple Lot Split- Blue Bison Development**- Moved by R. Holm to recommend approval to City Council Simple Lot Split submitted by Blue Bison Development, on property located in the NW ¼ Section 22, Township 150 North, Range 98 West, 60.86 acres, McKenzie County, ND. Applicant needs to have access easement and deed approved by the City. Seconded by J. Lawrence and carried by the following roll call vote: ayes; S. Johnson, R. Holm, J. Lawrence, and C. Johnson. Nays; None. Motion carried.

NEW BUSINESS

1. Final Subdivision Map- Bakken land holdings, LLC/ The Crossings- Contingent on Bonding and DA. Planning recommends as presented.
2. Zone Change- To be submitted by Planning & Zoning Commission- P&Z discussed changing the zone for property located at 4th St NW to 3rd St NW, 14 lots. Application will re-zone MH to R1. Planning Commission recommended a public hearing. R. Holm moved to approve, Seconded by J. Lawrence, all ayes.
3. Stop Signs- Planning and Zoning recommended to install stop signs in areas of concern. One at 6th Ave & Main, one at either 2nd, 3rd, 4th, or 5th St as well. Need to be lighted, have a cross walk, and appropriate signage. City Planner to work with Public Works for proper placement. J. Lawrence moved to approve, Seconded by R. Holm, all ayes.


4. Master Plan Amendment- Planning and Zoning motioned for a public hearing for comment. Will be advertised for 3 weeks. Plan is ready to start process, can be on August agenda. R. Hold moved to approve, seconded by C. Johnson, all ayes.

BUILDING PERMITS:

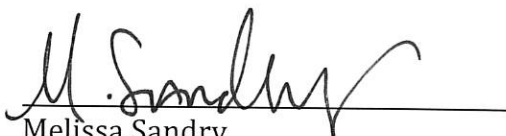
Building Permits reviewed and approved.

ADJOURNMENT:

R. Holm moved to adjourn, J. Lawrence seconded motion. All ayes, Motion carried. No further business, the meeting adjourned at 6.40 pm.



Glen Beard
Chairman



Melissa Sandry
Planning Assistant

LAND USE APPLICATION

Watford City Planning Department

See Reverse for Submittal Requirements

AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY

APPLICATION TYPE:	DATE FILED: 8/7/13	APPLICATION NUMBER: 20-30-2013
<input checked="" type="checkbox"/> ZONE CHANGE - \$200.00 fee	PROCESSES BY: MS	MEETING DATES: P&Z: 8/24cc: 7/9
<input type="checkbox"/> CONDITIONAL USE PERMIT - \$350.00 fee plus publishing cost	FEE: 200 ⁰⁰ -	ADVERTISE DATE: 8/14 8/21
<input type="checkbox"/> VARIANCE - \$200.00 fee	RECEIPT #: \$25657	PROPERTY OWNERS NOTIFIED:
<input checked="" type="checkbox"/> STREET NAME CHANGE	SECTION/TOWNSHIP/RANGE: Section 24 TISON Range	
<input type="checkbox"/> VACATION and ABANDONMENT	RELATED CASE NOS:	
<input type="checkbox"/> SIMPLE LOT SPLIT - \$450.00	FINAL ACTION MEMORANDUM ISSUED:	DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: Marianne E. Brackett
 APPLICANT: Marianne E. Brackett

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: DIANNA GUADAGUINO
 ADDRESS: 409 3rd St NW Lot 18
 CITY: WATFORD CITY STATE: ND ZIP CODE: 58854
 TELEPHONE: 701 609 6011 EMAIL: dianna@basinrock.com
 ASSESSOR'S PARCEL NUMBER(S): 11-00-10000
 LEGAL DESCRIPTION: It is 1/2 of NE 1/4 Sec 24 R 24 E 1/2 of 804
 PROPERTY ADDRESS AND NEAREST CROSS STREETS: 505 Main St South & 3 Ave SW
 GROSS/NET ACREAGE: 10.55 PRESENT ZONE CLASSIFICATION: Ag
 DESIRED ZONE CLASSIFICATION: C-1 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)

would like to change from Agriculture to C-1

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

(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.

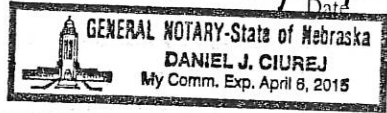
Marianne E. Brackett
Marianne E. Brackett
 Property Owner Signature

Marianne E. Brackett
 Print of Type Owner Name

NOTARY

State of Nebraska
 County of Douglas

This instrument was acknowledged before me on 7/30/13 by MARIANNE BRACKETT



[Signature]
 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	Straight-line Drawing	Supplemental Info.	Application Fees
Conditional Use Permit	1	1	4	1 ⁹		1 ¹¹	4 ¹²	1 ¹³	1 ¹⁴	\$350.00
Zone Change	1	1	4	1 ⁹	1 ⁸	1 ¹¹	4 ¹²		1 ¹⁴	\$200.00
Variance	1	1	4			1 ¹¹				\$200.00
Vacation and Abandonment	1		4	1 ⁹	1 ⁸	1 ¹¹				Refer to Fee Schedule
Street Name Change*	1 ¹⁶					1 ¹¹				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, schedule an appointment by calling the Watford City Planning Department at (701) 444-2533. Filing an application without an appointment may delay your application processing and/or scheduled hearing(s). 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 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 30th 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.

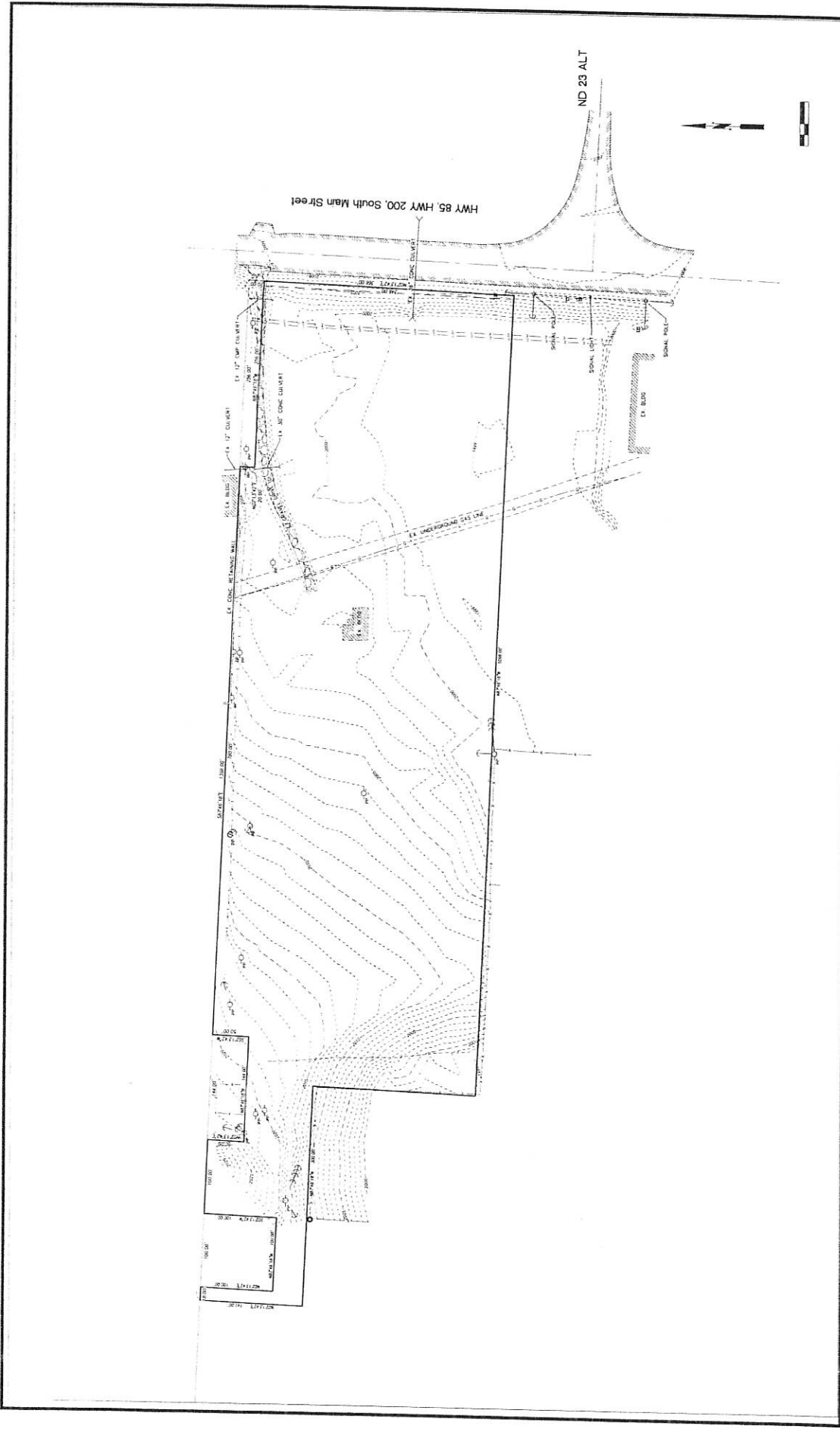
Watford City Planning Department
 213 2nd St NE
 Watford City, ND 58854
 Phone: (701)444-2533 Fax: (701)444-3004 Website: www.mckenziecounty.net



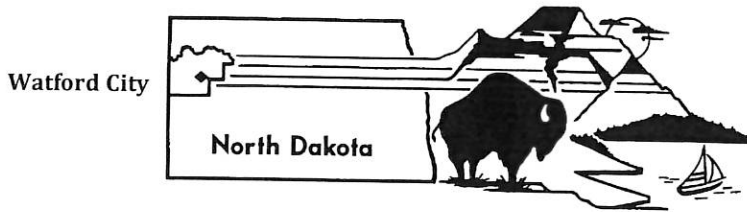
Google earth

feet
meters





	JOHNSON SURVEYING P.O. Box 2544 Fort Totten, ND 58077 208-660-2331 johnsonsurveying.com	TOPOGRAPHIC SURVEY for DIANNA WATFORD CITY, NORTH DAKOTA	1"=60' A. HOLT C. JOHNSON APRIL 2013	EXISTING CONDITIONS WATFORD CITY APRIL 2013	13-009 12-00000000 82 1 OF 1
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City of Watford City
Brent Sanford, Mayor
213 2nd St., NE
PO Box 494
Watford City, ND 58854
Ph. 701- 444- 2533
Fax 701- 444- 3004
www.mckenziecounty.net

August-14-2013

STAFF REPORT

ZC-30-2013

ZONE CHANGE

Applicant

Marianne E. Brackett
409 3rd St. NW
Watford City, ND 58854

Property Owners

Marianne E. Brackett

Property Address: 505 Main St South & 3rd Ave SW Lot 18

Zone Change Requested: A request to change the zoning of the above-referenced lot from AG (Agriculture) to C-1(Commercial)

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 on 505 Main St. South & 3rd Ave SW (10.55 acres)

The existing property is currently zoned Agriculture. The site is accessible from Hwy. 85 S & 3rd Ave SW. The site is in the newly created Extra Territorial Area (ETA) and therefore falls within the jurisdiction of the Watford City Planning and Zoning Commission. The intent of the ETA is to regulate growth and development within one mile of the City but to not be restrictive in nature.

The intent of the zone change application is to allow for development of the property into commercial lots.

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. None of the noticed property owners contacted the city regarding the application.

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 (established & proposed master plan) 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 Watford City
Use -	Agriculture
South: Zoning -	AG, Watford City
Use -	Agricultural
North: Zoning -	C-1, Watford City
Uses -	Commercial
East: Zoning -	C-1, Watford City
Uses -	Commercial

Comprehensive Zoning Plan and Zoning Comparison:

At this time, the city does not have a detailed Comprehensive Zoning Plan that can be used as a basis for this decision. Therefore, each request for a zoning amendment must be based solely on the judgment of the commission. 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 intent of the "C1" General Commercial District is to allow basic retail, service and office uses. This district is also intended to provide locations for commercial activity that do not require a central location downtown. Also included are business uses needing large floor areas, particularly those of a service nature and certain industrial uses that do not create obnoxious sounds, glare, dust, or odor. The District is not intended for heavy commercial uses, uses that would be considered industrial in nature, or those businesses that may not be considered compatible with adjacent traditional General Commercial uses.

Site Development

Access: The property is accessible from Hwy 85 & 3rd Ave SW.

Sewer: There are city sanitary sewer mains on the property.

Water: There are city water mains on the property.

Analysis: The proposed zoning will bring the use of the property into compliance for the intended use.

Recommendation:

It is recommended that the Watford City Planning Commission approve a zone change from AG to C1 (Commercial) for the property subject to the following conditions:

1. The developer must submit generalized building plans for the types of units proposed within the development for review and approval.
2. The development plan is subject to final approval by the city council.
3. All changes to the approved development plan are subject to further review and approval by the P&Z commission and the city council.

Contact:

Seth Sampson
Assistant City Planner
701-444-2533
ssampson@nd.gov

DIVISION OF LAND / PLANNING APPLICATION
CITY OF WATFORD CITY

*AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY
 FOR SUBMITTAL REQUIREMENTS, PLEASE SEE BELOW AND REVERSE*

APPLICATION TYPE	DATE FILED: 8/9/2013	APPLICATION NUMBER:	
<input checked="" type="checkbox"/> SUBDIVISION TENTATIVE MAP	PROCESSED BY: MS	PLANNING AND ZONING: 8/26	
<input type="checkbox"/> SUBDIVISION FINAL MAP	FEE: 1600 ⁰⁰⁻	CITY COUNCIL: 9/9 BOCC (IF APPLICABLE):	
<input type="checkbox"/> PARCEL MAP SUBSEQUENT	RECEIPT #:	SECTION, TOWNSHIP, RANGE: 13 150 99	CONFORMANCE TO WATFORD CITY CO COMP PLAN? YES <input type="checkbox"/> NO <input type="checkbox"/>
<input type="checkbox"/> PARCEL MAP NON-SUBSEQUENT	RELATED CASE FILES:	FINAL ACTION LETTER ISSUED DATE:	
<input type="checkbox"/> ROAD/STREET ABANDONMENT	<i>IMPORTANT INFORMATION AND SIGNATURE REQUIRED ON REVERSE (CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)</i> PROPERTY OWNER: Consolidated Investment Group LLC APPLICANT: Consolidated Investment Group LLC		
<input type="checkbox"/> LARGE PARCELS MAP TENTATIVE			
<input type="checkbox"/> LARGE PARCELS MAP FINAL			
<input type="checkbox"/> MAP OF REVERSION	<p align="center">CORRESPONDENCE FOR THIS APPLICATION SHOULD BE ADDRESSED TO:</p> NAME: Adam L. Berger Consolidated Investment Group 18 Inverness Place East Englewood, CO 80112 Property Name: The Highlands - Phase II		
<input type="checkbox"/> BOUNDARY LINE ADJUSTMENT MAP			
<input type="checkbox"/> AGRICULTURAL EXEMPTION			
<input type="checkbox"/> FAMILY CEMETERY DESIGNATION			

ASSESSOR'S PARCEL NUMBER(S): 11-00-04810

LEGAL DESCRIPTION: Township 150N, Range 99 W, 5th PM, Section 13 SE 1/4 of SW1/4

PROPERTY ADDRESS AND NEAREST CROSS STREETS: 4th Avenue NW 1/4 mile West of 6th Street NW

GROSS/NET ACREAGE: 40 Gross Acreage NUMBER OF LOTS: 85

DESCRIBE THE METHOD OF PROVIDING WATER & SEWER: City of Watford City

ARE ANY WAIVERS OR VARIANCES REQUIRED TO SUPPORT THIS APPLICATION?: NO 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

SURVEYOR / ENGINEER INFORMATION

SEND ALL CORRESPONDENCE TO:

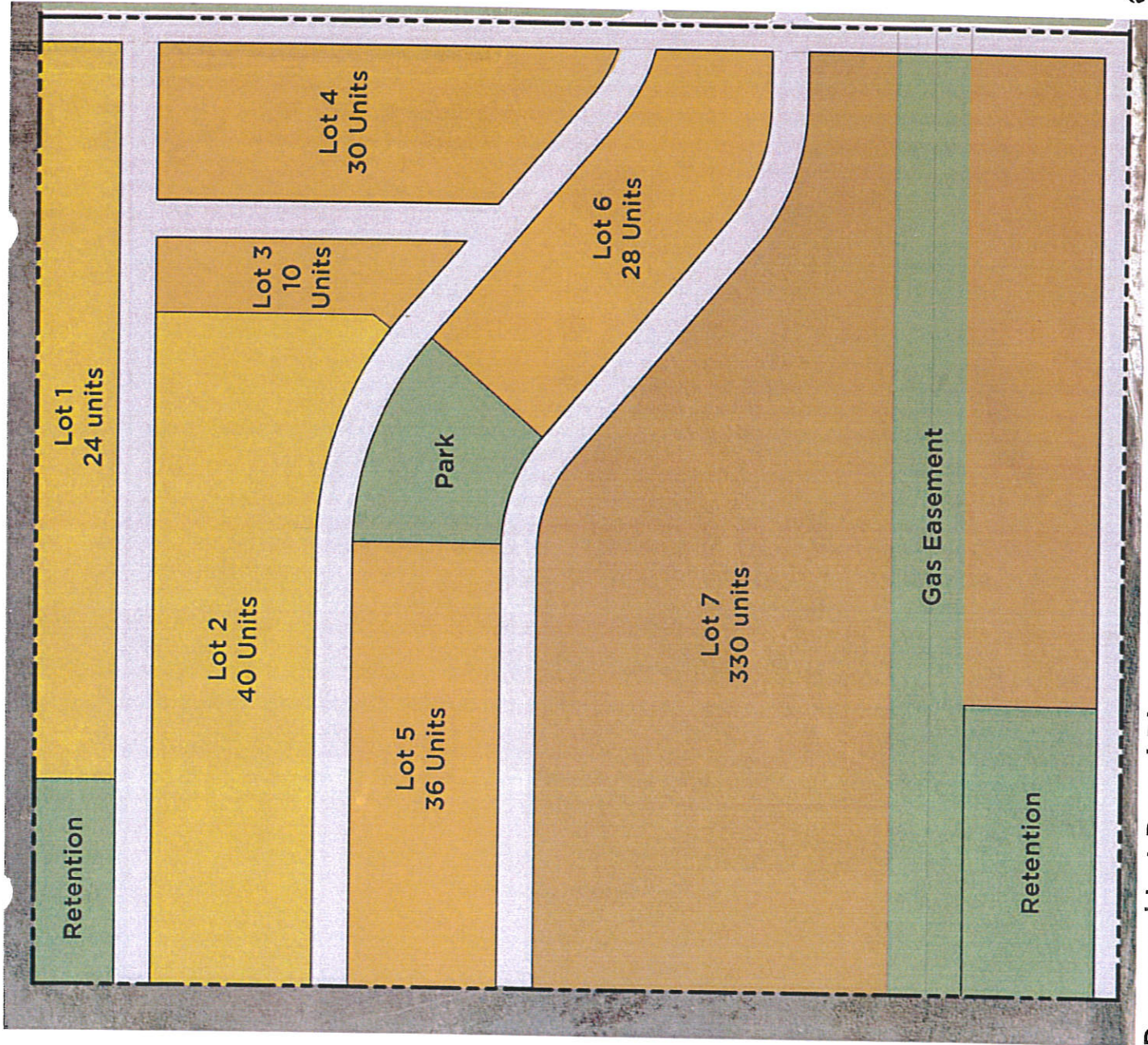
NAME: _____ LICENSE NO: _____
ADDRESS: _____
CITY: _____ STATE: _____ ZIP: _____
TELEPHONE: _____ FAX/CELL: _____

City of Watford City
PO Box 494
Watford City, ND 58854
Phone: (701) 444-2533
Fax: (701) 444-3004

(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 _____ 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): Tim Bertoch
Consolidated Investment Group LLC, Manager
Tim Bertoch
Vice President

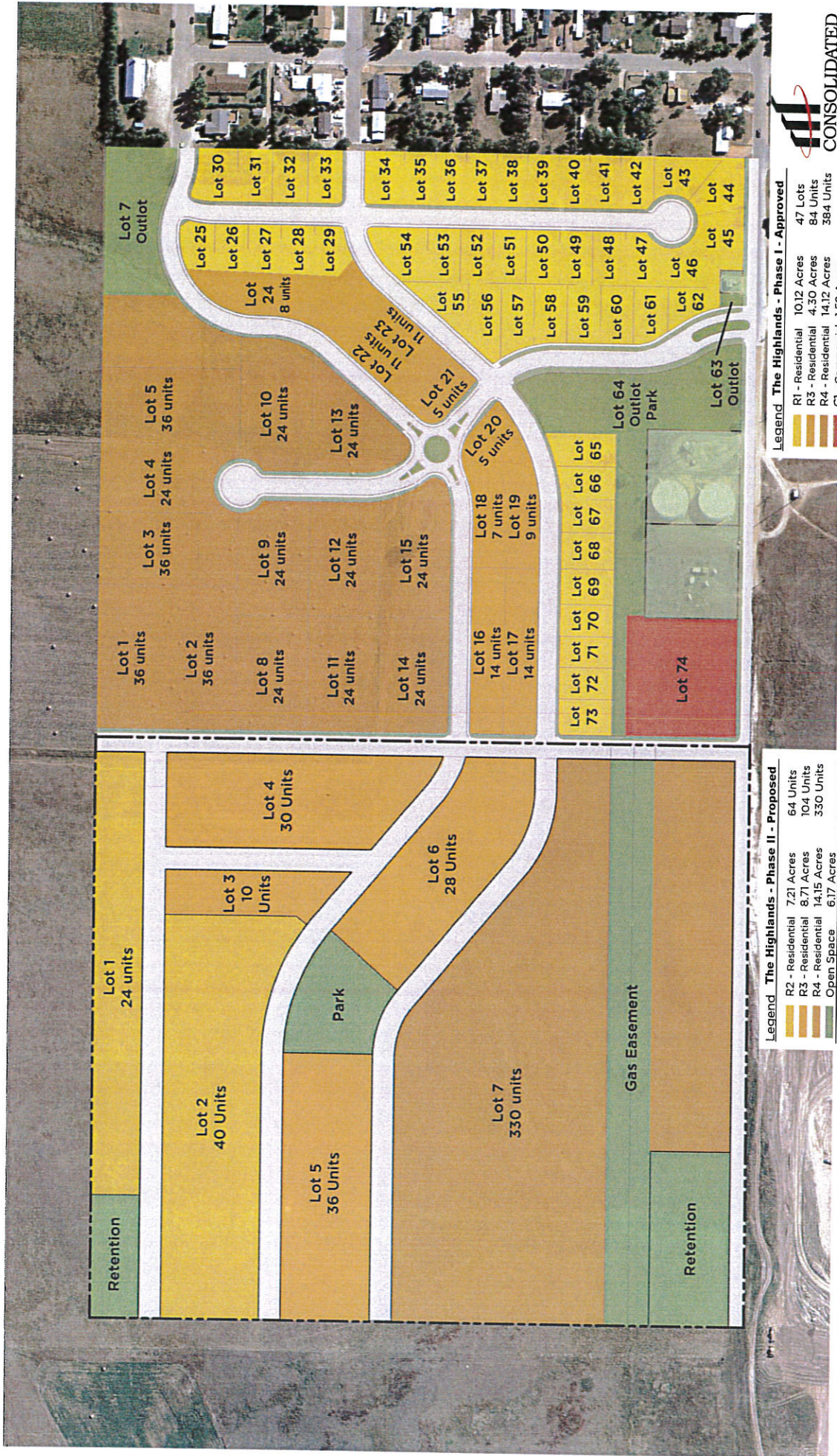


Proposed Lot Parcel Plan - The Highlands at Watford City - Phase II



Legend

R2 - Residential	7.21 Acres	64 Units
R3 - Residential	8.71 Acres	104 Units
R4 - Residential	14.15 Acres	330 Units
Open Space	6.17 Acres	
Total		498 Units



Legend - The Highlands - Phase I - Approved

R1 - Residential	10.12 Acres	47 Lots
R3 - Residential	4.30 Acres	84 Units
R4 - Residential	14.12 Acres	384 Units
C1 - Commercial	1.52 Acres	
Open Space	3.63 Acres	
Total		515 Units

Legend - The Highlands - Phase II - Proposed

R2 - Residential	7.21 Acres	64 Units
R3 - Residential	8.71 Acres	104 Units
R4 - Residential	14.15 Acres	330 Units
Open Space	6.17 Acres	
Total		498 Units



Proposed Lot Parcel Plan - The Highlands at Watford City Phase I&II

LAND USE APPLICATION

Watford City Planning Department

See Reverse for Submittal Requirements

AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY

APPLICATION TYPE:	DATE FILED: <u>8/13</u>	APPLICATION NUMBER:
<input type="checkbox"/> ZONE CHANGE - \$200.00 fee	PROCESSES BY: <u>MS</u>	MEETING DATES: P&Z: <u>8/26</u> CC: <u>9/9</u>
<input type="checkbox"/> CONDITIONAL USE PERMIT - \$350.00 fee plus publishing cost	FEE: <u>450.00</u>	ADVERTISE DATE: <u>8/14</u> <u>8/21</u>
<input type="checkbox"/> VARIANCE - \$200.00 fee	RECEIPT #: <u>525654</u>	PROPERTY OWNERS NOTIFIED:
<input type="checkbox"/> STREET NAME CHANGE	SECTION/TOWNSHIP/RANGE: <u>Sec. 25, TISON, R99W</u>	
<input type="checkbox"/> VACATION and ABANDONMENT	RELATED CASE NOS:	
<input checked="" type="checkbox"/> SIMPLE LOT SPLIT - \$450.00	FINAL ACTION MEMORANDUM ISSUED:	DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: Country Cross Ranch LLC
 APPLICANT: Everett Mitchell

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: Everett Mitchell
 ADDRESS: PO Box 388 Glendive MT 59330
 CITY: Glendive STATE: MT ZIP CODE: 59330
 TELEPHONE: 406-687-3230 EMAIL: Everett.Mitchell@oilfield.com
 ASSESSOR'S PARCEL NUMBER(S): 11-10-03100
 LEGAL DESCRIPTION: NE 1/4 NE 1/4 Sec. 25, TISON, R99W 5th PM
 PROPERTY ADDRESS AND NEAREST CROSS STREETS:
 GROSS/NET ACREAGE: 2.0 acres PRESENT ZONE CLASSIFICATION: C1
 DESIRED ZONE CLASSIFICATION: C1 CURRENT LAST USE: Farm/Res

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

Interested in selling the property in one acre parcels. For commercial development.

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

LAND USE 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 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.

Everett Mitchell
Property Owner Signature

Everett Mitchell
Print of Type Owner Name

NOTARY

State of North Dakota

County of Mckenzie

This instrument was acknowledged before me on Aug 6th 2013 by Everett Mitchell
Date Name of Person

PENI PETERSON
 Notary Public
 State of North Dakota
 My Commission Expires June 1, 2017

Peni Peterson
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	Straight-line Drawing	Supplemental Info.	Application Fees
Conditional Use Permit	1	1	4	1 ⁹		1 ¹¹	4 ¹²	1 ¹³	1 ¹⁴	\$350.00
Zone Change	1	1	4	1 ⁹	1 ⁸	1 ¹¹	4 ¹²		1 ¹⁴	\$200.00
Variance	1	1	4			1 ¹¹				\$200.00
Vacation and Abandonment	1		4	1 ⁹	1 ⁸	1 ¹¹				Refer to Fee Schedule
Street Name Change*	1 ¹⁶					1 ¹¹				Refer to Fee Schedule

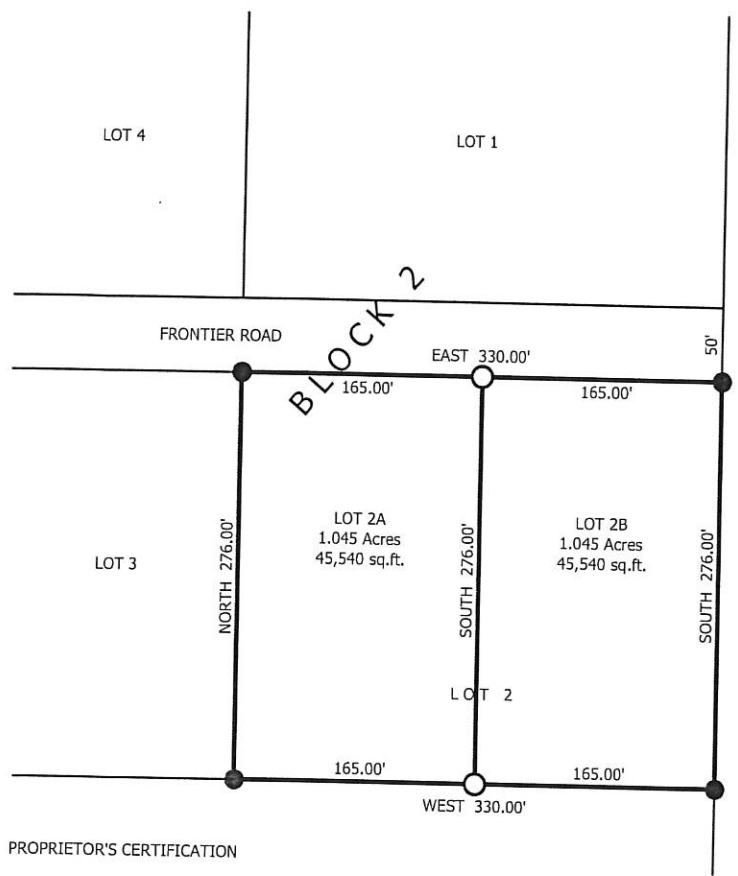
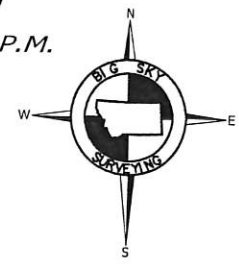
Superscript notes on this table refer to the same item number on the Explanation of the Document Submittal Requirements for Planning Applications
*Plus all sign costs

Procedures for Filing Land Use Applications:

- A. After assembling the required materials as outlined above, schedule an appointment by calling the Watford City Planning Department at (701) 444-2533. Filing an application without an appointment may delay your application processing and/or scheduled hearing(s). 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 30th 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.

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

OLD WEST SUBDIVISION
 NE1/4 NE1/4, Sec. 25, T 150 N R 99 W, 5th P.M.
 McKenzie County, North Dakota



U.S. HIGHWAY 85 & 200

PROPRIETOR'S CERTIFICATION

KNOW ALL PERSONS BY THESE PRESENTS: That Country Cross Ranch, LLC, owners and proprietors of the following described property situated in Watford City, County of McKenzie, State of North Dakota to wit:

LOT 2A
 That portion of the NE1/4 NE1/4 of Section 25, T. 150 N., R. 99., W. 5th Principle Meridian, McKenzie County, North Dakota. Described as Follows; LOT 2A of the original LOT 2, BLOCK 2, of OLD WEST SUBDIVISION containing 1.045 acres of land more or less. Subject to and Together with all easements of record.

LOT 2B
 That portion of the NE1/4 NE1/4 of Section 25, T. 150 N., R. 99., W. 5th Principle Meridian, McKenzie County, North Dakota. Described as Follows; LOT 2B of the original LOT 2, BLOCK 2, of OLD WEST SUBDIVISION containing 1.045 acres of land more or less. Subject to and Together with all easements of record.

In witness whereof said Country Cross Ranch, LLC have hereunto set there hands this 16 day of Aug 2013

Everett Mitchell
 Country Cross Ranch, LLC.
 Everett Mitchell, Member

STATE OF ND,
 County of McKenzie

MORGAN KERBER
 Notary Public
 State of North Dakota
 My Commission Expires Nov. 6, 2018

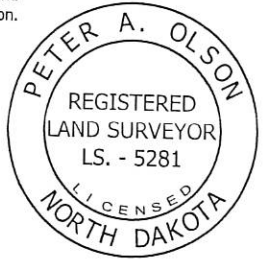
The foregoing instrument was acknowledged before me on August 16, 2013, by Everett Mitchell, member of Country Cross Ranch, LLC.
Morgan Kerber
 Notary Public, McKenzie County, ND.
 My Commission Expires Nov 6, 2018

CERTIFICATE OF SURVEYOR

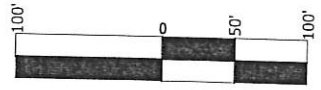
I, Peter A. Olson, a Professional Land Surveyor, registered in the State of North Dakota, do hereby certify that the survey shown on the attached plat of LOT 2A & LOT 2B of the original LOT 2, BLOCK 2, OLD WEST SUBDIVISION was made by me or under my direct supervision. The field survey was performed in August of 2013 and the monuments found and set are of the character shown thereon. This Plat does not represent a complete title search.

Dated this 6th day of August, 2013.

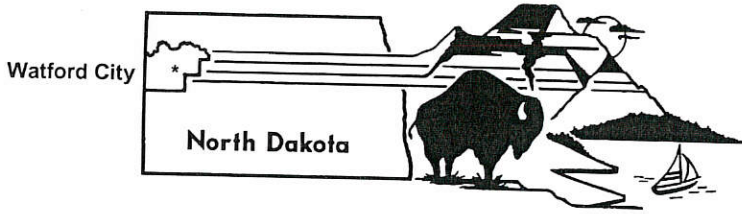
Peter A. Olson
 Peter A. Olson, P.L.S.
 North Dakota Registration No. 5281 LS
 BIG SKY Surveying, PC
 P.O. Box 170, Sidney, MT 59270
 (406) 488-9452



- Find Property Corner IRON PIN
- Set Property Corner 1/2" x 18" rebar w/ plastic cap marked OLSON LS - 5281



Scale 1" = 100'



City of Watford City
213 2nd St., NE
PO Box 494
Watford City, ND 58854
Ph. 701- 444- 2533
Fax 701- 444- 3004
www.4eyes.net

Aug, 14th 2013

STAFF REPORT

SLP-06-2013

Simple Lot Split

Applicant

Everett Mitchell
PO BOX 338
Glendive, MT 59330

Property Owners

Country Cross Ranch LLC

Property Address: NE1/4 NE1/4 Sec25, T150N, R99W

Simple Lot Split Requested:

LOG-DATA REFERENCE ONLY
SLS Staff Reports not created for SLS

Reference:

Discussion: Interested in selling the property in one acre parcels for commercial development
Surrounding Land Use Inventory:

West: Zoning -	C-1
Use -	commercial shop
South: Zoning -	AG
Use -	agriculture
North: Zoning -	C-1
Uses -	commercial shop
East: Zoning -	AG
Uses -	agriculture

Comprehensive Zoning Plan and Zoning Comparison:

At this time, the city does not have a detailed Comprehensive Zoning Plan that can be used as a basis for this decision. Therefore, each request for a zoning amendment must be based solely on the judgment of the commission. The commission must exercise prudence when evaluating this request. All of the possible uses that could occur on this property and the possible affect on surrounding properties must be considered when evaluating whether this zone change should be approved. The zone requested by the applicant (C-1, General Commercial District) is to allow for the flexibility required for the development of a commercial shop or development.

Contact:

Seth Sampson
Assistant City Planner
City of Watford City (701) 444-2533

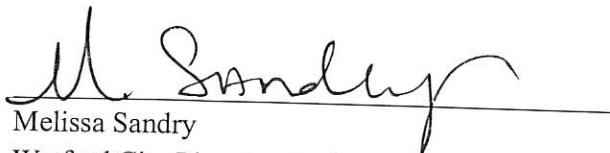
NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE the Watford City Planning Commission will hold a Public Hearing on August 26, 2013 at 6 p.m. at the Civic Center to hear comment on rezoning of MH to R1 on property located in Section 13, Township 150N, Range 99W, Lots 21, 22, 23, 24, 25, 26, 27, 28, 29, and 30 Block 0.

The purpose of the change is to remove MH zoning from within R1 zoned district.

This proposal will be available to the public for inspection and copying at the office of the City Auditor from 8:00am to 4:00pm Monday through Friday.

Dated this 8th day of August, 2013



Melissa Sandry
Watford City Planning Assistant

Run:

Published: McKenzie County Farmer

Faxed:

Mailed to:

Karn Pederson
PO Box 1045
Watford City, ND 58854

Darin Wold & Jeanna Janeway
305 6th Ave NE
Watford City, ND 58854

Arden Nils & Judith Omlid
PO Box 823
Watford City, ND 58854

Leonard & Melessia Cannavo
PO Box 1072
Watford City, ND 58854

Kenneth Wilcox

PO Box 84
Alexander, ND 58831

Johnson Enterprises LLP
PO Box 1331
Watford City, ND 58854

Cecil & Patricia Wilson
1742 Spring Creek Rd
Watford City, ND 58854

Kevin & Colleen Waliezer
PO Box 407
Watford City, ND 58854

Basin Rock LLC
Charles & Colene Ninneman
409 3rd St NW
Watford City, ND 58854

Michael Dollinger
PO Box 839
Watford City, ND 58854

Dustin Kersey
PO Box 953
Watford City, ND 58854

Carla Kleppen
PO Box 327
Watford City, ND 58854

Donald & Linda Olson
416 4th St NW
Watford City, ND 58854

Jamison Hardin
PO Box 103
Watford City, ND

Lucas & Kristina Casazza
PO Box 782
Watford City, ND 58854

Hank Bolmah
PO Box 516
Mandaree, ND 58757

David & Ava Berg
PO Box 667
Watford City, ND 58854

Paul & Vivian Linseth
PO Box 667
Watford City, ND 58854

Kristine Medeiros & Arden Omlid
PO Box 167
Watford City, ND 58854

Shelly Suelzle
PO Box 100
Watford City, ND 58854

Rae Hayden
PO Box 291
Watford City, ND 58854

Jay & Sheree Diede
PO Box 840
Watford City, ND 58854

John Zenz
PO Box 73
Watford City, ND 58854

Ward & Elsie Simonton
126 Driftwood Ln
Watford City, ND 58854

Stuart & Whitney McDaniel
PO Box 791
Watford City, ND 58854

Patrick & Kori Berdahl
PO Box 681
Watford City, ND 58854

Neal & Lisa Shipman
PO Box 587
Watford City, ND 58854

Timothy & Kathleen Mueth
PO Box 828
Watford City, ND 58854

Donald & Helen Allen
PO Box 561
Watford City, ND 58854

Lennie Haule
PO Box 347
Watford City, ND 58854

Verna Braaten
9229 Arlington Blvd Apt. 316
Fairfax, VA 22031

Ronald & Kathy Klang
PO Box 1035
Watford City, ND 58854

Clinton & Dawn Loomer
PO Box 114
Watford City, ND 58854

STIM- Tech Inc.
PO Box 297
Rock Springs, WY 82902

Jason & Dan Brew
PO Box 796
Watford City, ND 58854

Sheldon McGorman
PO Box 60
Watford City, ND 58854

Daniel & Kelly Cook
PO Box 1251
Watford City, ND 58854

Auto Property Solutions LLC
14921 E Truman Rd
Independence, MO 64050

Phillip & Cherleen England
PO Box 953
Watford City, ND 58854

Lyle Bruins
PO Box 98
Watford City, ND 58854

**Property Owners

Darin Wold & Jenna Janeway

Arden Nils & Judith Eileen Omlid

Karn Pederson

Johnson Enterprises

Cecil & Patricia Wilson

Kevin & Colleen Waliezer

Jamison Hardin

Donald & Linda Olson

Dustin Kersey

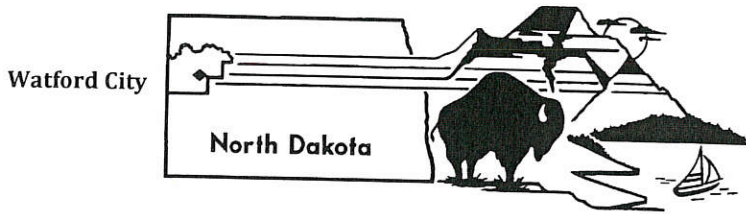
Carla Kleppen

Kenneth Willcox

Leonard & Melissa Cannova



DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments. Printed: 08/23/13



City of Watford City
Brent Sanford, Mayor
213 2nd St., NE
PO Box 494
Watford City, ND 58854
Ph. 701- 444- 2533
Fax 701- 444- 3004
www.mckenziecounty.net

August 23, 2013

STAFF REPORT

ZC-31-2013

ZONE CHANGE

Applicant

City of Watford City

Property Owners

*see attached list

Property Address: Section 13, T150N, R99W, Lots 21,22,23,24,25,26,27,28,29 and 30 of Block 0, 400-500 Block 4th Street NW.

Zone Change Requested: A request to change the zoning of the above-referenced lot from MH (Mobile Home Park District) to R-1(Single Family Dwelling District)

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 400-500 block of 4th Street NW and 400 – 500 block of 3rd Street NW; 10 lots.

The existing property is currently zoned Mobile Home Park. The site is accessible from 4th Street NW and 3rd Street NW.

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. None of the noticed property owners contacted the city regarding the application.

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 (established & proposed master plan) 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 -	R-1 Watford City
Use -	Single Family Dwelling
South: Zoning -	R-1, Watford City
Use -	Single Family Dwelling
North: Zoning -	R-1, Watford City
Uses -	Single Family Dwelling
East: Zoning -	R-1, Watford City
Uses -	Single Family Dwelling

Site Development

Access: The property is accessible from 4th Street NW & 3rd Street NW.

Sewer: There are city sanitary sewer mains on the property.

Water: There are city water mains on the property.

Analysis: The proposed zoning will bring the use of the property into a uniform use and compliance with established and proposed master plan.

Recommendation:

It is recommended that the Watford City Planning Commission approve a zone change from MH – R1 (Single Family Dwelling) with the following recommendations:

1. All future development will follow City of Watford City Zoning requirements as stated under Chapter 15-Zoning Ordinance Watford City, North Dakota, Article X-R1 Single Family Dwelling District.
2. The developer must submit generalized building plans within the development to the P&Z commission for its review and approval.
3. The development plan is subject to final approval by the city council.
4. All changes to the approved development plan are subject to further review and approval by the P&Z commission and the city council.

Contact:

Mildred Williams
Assistant City Planner
miwilliams@nd.gov

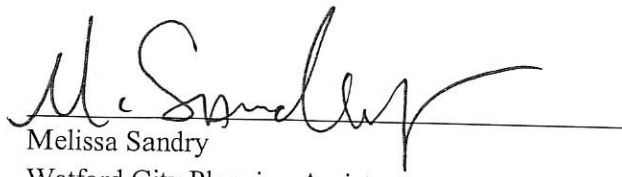
NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE the Watford City Planning Commission will hold a Public Hearing on August 26, 2013 at 6 p.m. at the Civic Center to hear comment regarding the City's Master Land Use Plan.

The purpose of the hearing is to establish future land use.

This proposal will be available to the public for inspection and copying at the office of the City Auditor from 8:00am to 4:00pm Monday through Friday.

Dated this 1th day of August, 2013

A handwritten signature in black ink, appearing to read "Melissa Sandry", written over a horizontal line.

Melissa Sandry
Watford City Planning Assistant

Run: 8/7/13 & 8/14/13

Published: McKenzie County Farmer