

CITY OF WATFORD CITY
P.O. BOX 494
WATFORD CITY, NORTH DAKOTA 58854

AGENDA

June 23, 2014

PLANNING COMMISSION

Heritage Room, City Hall @ 5:00 P.M.

SPECIAL PLANNING & ZONING MEETING

Call to Order Public Hearing

1. Special Public Hearing to hear comment on a Zone Change Application submitted by Advanced Engineering & Judith H. Stenehjem Ltd. Ptr. The application requests to re-zone property located in Fox Hills Village Subdivision, NE1/4 Sec. 20, T150, and R98:
Lot 1-5 and a portion of 6 & 7= 39.42 acres to R4
Portion of Lot 2 Block 4 =25.88 acres to R4
2. Special Public Hearing to hear comment on Subdivision Preliminary Plat filed by Fox Hills Village, LLC on the following described property:
Lots 2-3 in Block1, Lots2-4 in Block 2 and Block 3&4 of Fox Hills Village
Parcel # 82-31-00200, 82-31-00400, 82-31-00500
NE1/4 Section 20, NW1/4 Section 21, T150N, R98W
295.79 gross / 274.36 net acres, McKenzie Co., North Dakota

Unfinished Business:

1. Zone Change- AE2s for Judith H. Stenehjem Ltd. Partnership
2. Preliminary Plat- Fox Hills Village, LLC.

Adjournment

Mildred Williams
Assistant City Planner

Adjournment

R. Holm moved to adjourn at 5:23 p.m., seconded by P. Riley.

Glenn Beard
Chairman

Mildred Williams

Mildred Williams
Assistant City Planner

**PLANNING COMMISSION MINUTES
WATFORD CITY, ND**

**June 23, 2014
SPECIAL MEETING**

A Special Planning & Zoning meeting of the Watford City Planning Commission was held on Monday, June 23rd, 2014 @ 5 p.m. at City Hall Heritage Room. In attendance: Chairman Glen Beard, Board members: Jesse Lawrence, Phil Riley, Sonja Johnson, Terri Wolff, Rick Holm and Cory Johnson also present City Attorney Wyatt Voll, Building Inspector Steven Williams, City Planner Curt Moen, Assistant City Planner Seth Sampson and Assistant City Planner Mildred Williams. Excused absence: none

With the above mentioned present the Public Hearing was called to order at 5:10 PM by Glen Beard. Under consideration were the following:

1. Special Public Hearing to hear comment on a Zone Change Application submitted by Advanced Engineering & Judith H. Stenehjem Ltd. Ptr. The application requests to re-zone property located in Fox Hills Village Subdivision, Watford City, North Dakota NE1/4 Sec. 20, T150, and R98:
Lot 1-5 and a portion of 6 & 7 = 39.42 acres to R4
Portion of Lot 2 Block 4 = 25.88 acres to R4
2. Special Public Hearing to hear comment on Subdivision Preliminary Plat filed by Fox Hills Village, LLC on the following described property:
Lots 2-3 in Block1, Lots2-4 in Block 2 and Block 3&4 of Fox Hills Village
Parcel # 82-31-00200, 82-31-00400, 82-31-00500
NE1/4 Section 20, NW1/4 Section 21, T150N, R98W
295.79 gross / 274.36 net acres, Watford City, North Dakota

After discussion Chairman Glen Beard closed the Public Hearing @ 5:15 p.m.

Unfinished Business:

1. Zone Change- AE2s for Judith H. Stenehjem Ltd. Partnership – Moved by P. Riely to recommend approval to City Council of Zone Change Application submitted by Advanced Engineering & Judith H. Stenehjem Lt. Ptrns. The application is amended by removing the request for 39.42 acres of R4. The approval is for 25.88 acres to R4 (High Density Residential) located NE1/4 Section 20, T150, R98 of Fox Hills Village Subdivision Lot 2 Block 4, Watford City, North Dakota. Seconded by J. Lawrence and carried by the following roll call vote: ayes; S. Johnson, R. Holm, T. Wolff, P. Riely, C. Johnson and J. Lawrence. Motion Carried.

2. Preliminary Plat- Fox Hills Village, LLC. – 295.79 gross acres. - Moved by J. Lawrence to recommend approval to City Council on a Preliminary Plat Application submitted by Fox Hills Village, LLC on Lots 2-3 in Block 1, Lots 204 in Block 2 and Block 3&4 of Fox Hills Village, Parcel #'s 82-31-00200, 82-31-00400, 82-31-00500, 295.79 gross/274.36 net acres, Watford City, North Dakota. Approval is contingent upon staff report recommendations as stated in Staff Report 01-2014 Preliminary Plat. Seconded by C. Johnson and carried by the following roll call vote: ayes S. Johnson, R. Holm, T. Wolff, P. Riely, C. Johnson and J. Lawrence. Motion Carried.

DIVISION OF LAND / PLANNING APPLICATION

CITY OF WATFORD CITY

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

APPLICATION TYPE	DATE FILED:	APPLICATION NUMBER:
SUBDIVISION PRELIMINARY MAP	PROCESSED BY: <u>MMB</u>	PLANNING AND ZONING: <u>pt. 1</u>
SUBDIVISION FINAL MAP	FEE:	CITY COUNCIL: <u>approved May 6/23/14</u>
SAMPLE LOT SPLIT	RECEIPT #:	SECTION / TOWNSHIP / RANGE:
LARGE PARCEL MAP PRELIMINARY	RELATED CASE FILES:	FINAL ACTION LETTER ISSUED DATE:
LARGE PARCEL MAP FINAL	PROPERTY OWNER: <u>Fox House LLC</u>	<u>Fox Hills Village II LLC, Judith H Stenehjem (SLS) LTD PTR</u>
PARCEL MAP SUBSEQUENT	APPLICANT: <u>Advanced Engineering and Environmental Services</u>	
PARCEL MAP NON-SUBSEQUENT	CORRESPONDENCE FOR THIS APPLICATION SHOULD BE ADDRESSED TO:	
FAMILY CEANETERY DESIGNATION	NAME: <u>Todd Kelley</u>	
AGRICULTURAL EXEMPTION	PHONE: <u>701-842-3239</u>	
	ADDRESS: <u>PO Box 453</u>	
	CITY: <u>Watford City</u> STATE: <u>ND</u> ZIP CODE: <u>58854</u>	
	EMAIL: <u>todd.kelley@ae2s.com</u>	

ASSESSOR'S PARCEL NUMBER(S): 82-31-00200, 82-31-00400, 82-31-00500

LEGAL DESCRIPTION: Lots 2-3 in Block 1, Lots 2-4 in Block 2, and Block 3 and 4 of Fox Hills Village

PROPERTY ADDRESS AND NEAREST CROSS STREETS: Highway 23 and Prairie Hills Road

GROSS/NET ACREAGE: 295.79 / 274.36 NUMBER OF LOTS: 17 ZONING: C1, R2/3

DESCRIBE THE METHOD OF PROVIDING WATER & SEWER: Extension of & connection to existing city mains
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 DEPARTMENT'S 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 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 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): [Signature]
Property Owner (Print): STEVE SCHWARTZMAN
Property Owner (Signature): _____

SURVEYOR / ENGINEER INFORMATION (Place Surveyor Stamp in Open Area)

NAME: Steven Rude LICENSE NO: LS-6261
ADDRESS: 103 1st Avenue West, Suite 300
CITY: Dickinson STATE: ND ZIP: 58601
PHONE: 701-225-9636
FAX/Email: steven.rude@ae2s.com

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>6-5-14</u>	APPLICATION NUMBER: <u>14-2</u>
SUBDIVISION PRELIMINARY MAP	PROCESSED BY: <u>MW</u>	PLANNING AND ZONING:
SUBDIVISION FINAL MAP	FEE:	CITY COUNCIL:
SAMPLE LOT SPLIT	RECEIPT #:	SECTION / TOWNSHIP / RANGE:
LARGE PARCEL MAP PRELIMINARY	RELATED CASE FILES:	FINAL ACTION LETTER ISSUED DATE:
LARGE PARCEL MAP FINAL	PROPERTY OWNER: <u>Fox House LLC, Fox Hills Village II LLC</u> Judith H Stenehjem (SLS) LTD PTR	
PARCEL MAP SUBSEQUENT	APPLICANT: <u>Advanced Engineering and Environmental Services</u>	
NON-SUBSEQUENT FAMILY CEMETERY DESIGNATION	CORRESPONDENCE FOR THIS APPLICATION SHOULD BE ADDRESSED TO:	
AGRICULTURAL EXEMPTION	NAME: <u>Todd Kelley</u>	
	PHONE: <u>701-842-3239</u>	
	ADDRESS: <u>PO Box 453</u>	
	CITY: <u>Watford City</u> STATE: <u>ND</u> ZIP CODE: <u>58854</u>	
	EMAIL: <u>todd.kelley@ae2s.com</u>	

ASSESSOR'S PARCEL NUMBER(S): 82-31-00200, 82-31-00400, 82-31-00500

LEGAL DESCRIPTION: Lots 2-3 in Block 1, Lots 2-4 in Block 2, and Block 3 and 4 of Fox Hills Village

PROPERTY ADDRESS AND NEAREST CROSS STREETS: Highway 23 and Prairie Hills Road

GROSS/NET ACREAGE: 295.79 / 274.36 NUMBER OF LOTS: 17 ZONING: C1; R2/3

DESCRIBE THE METHOD OF PROVIDING WATER & SEWER: Extension of & connection to existing city mains
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 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 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 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): [Signature]
Property Owner (Print): Seals Walters, on behalf of Mark Briggs / Fox Hills Village II LLC
Property Owner (Signature): _____

SURVEYOR / ENGINEER INFORMATION (Place Surveyor Stamp in Open Area)

NAME: Steven Rude LICENSE NO: LS-6261
ADDRESS: 103 1st Avenue West, Suite 300
CITY: Dickinson STATE: ND ZIP: 58601
PHONE: 701-225-9636
FAX/Email: steven.rude@ae2s.com

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>10.5.14</u>	APPLICATION NUMBER: <u>10.3</u>
SUBDIVISION PRELIMINARY MAP	PROCESSED BY: <u>MMW</u>	PLANNING AND ZONING: <u>Special mtg 10/23/14</u>
SUBDIVISION FINAL MAP	FEE:	CITY COUNCIL:
SAMPLE LOT SPLIT	RECEIPT #:	SECTION / TOWNSHIP / RANGE:
LARGE PARCEL MAP PRELIMINARY	RELATED CASE FILES:	FINAL ACTION LETTER ISSUED DATE:
LARGE PARCEL MAP FINAL	PROPERTY OWNER: <u>Fox House LLC, Fox Hills Village II LLC, Judith H Stenehjem (SLS) LTD P/R</u>	
PARCEL MAP SUBSEQUENT	APPLICANT: <u>Advanced Engineering and Environmental Services</u>	
NON-SUBSEQUENT	CORRESPONDENCE FOR THIS APPLICATION SHOULD BE ADDRESSED TO:	
FAMILY CEMETERY	NAME: <u>Todd Kelley</u>	
AGRICULTURAL EXEMPTION	PHONE: <u>701-842-3239</u>	
	ADDRESS: <u>PO Box 453</u>	
	CITY: <u>Watford City</u> STATE: <u>ND</u> ZIP CODE: <u>58854</u>	
	EMAIL: <u>todd.kelley@ae2s.com</u>	

ASSESSOR'S PARCEL NUMBER(S): 82-31-00200, 82-31-00400, 82-31-00500

LEGAL DESCRIPTION: Lots 2-3 in Block 1, Lots 2-4 in Block 2, and Block 3 and 4 of Fox Hills Village

PROPERTY ADDRESS AND NEAREST CROSS STREETS: Highway 23 and Prairie Hills Road

GROSS/NET ACREAGE: 295.79 / 274.36 NUMBER OF LOTS: 17 ZONING: C1; R2/3

DESCRIBE THE METHOD OF PROVIDING WATER & SEWER: Extension of & connection to existing city mains
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 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 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 City of Watford City of the proposed application.

Property Owner (Signature):

Property Owner (Print):

Property Owner (Signature):

SURVEYOR / ENGINEER INFORMATION (Place Surveyor Stamp in Open Area)

NAME: Steven Rude

LICENSE NO.: LS-6261

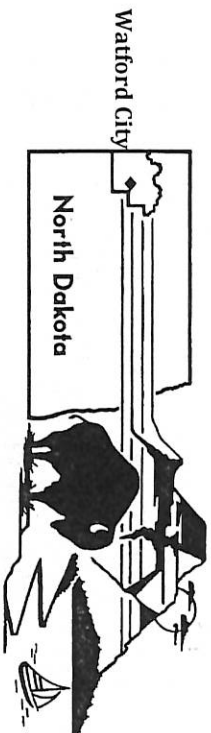
ADDRESS: 103 1st Avenue West, Suite 300

CITY: Dickinson

STATE: ND ZIP: 58601

PHONE: 701-225-9636

FAX/Email: steven.rude@ae2s.com



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

March 26, 2014

STAFF REPORT
Subdivision Prelim Map-01-2014

Applicant
AE2S
Todd Kelley
PO Box 453
Watford City, ND 58854

Property Owners
Fox House LLC, Fox Hills Village 2 LLC
Judith H Stenehjem

Property Address: Lots 2-3 Block 1, Lots 2-4 Block 2, and Block 3 and 4 of Fox Hills Village

Subdivision Prelim Map: Fox Hills Village 2

Located: NE ¼ Section 20 and NW ¼ Section 2, T150N, R98W, 5th PM Access will be via Prairie Hills Rd. & Long Drive Rd. continuation across HGWY 23

Discussion:

-Fox Hills Village2 is a mixed use subdivision a majority of which contains Medium and High Density Residential. The northern portion running along Highway 23 is the only Commercial area.

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

Surrounding Land Use Inventory:

West: Zoning -	AG & C1 Watford City
Use -	Agricultural/Commercial
South: Zoning -	AG, Watford City
Use -	Agricultural
North: Zoning -	AG/R1, Watford City
Uses -	Agricultural, Low Density Residential
East: Zoning -	C1, Watford City
Uses -	Commercial

Site Development

Access: The property is accessible from HGWY 23, Prairie Hills Rd.

Sewer: There is city sanitary sewer mains within the property.

Water: There is city water mains within the property.

Recommendation:

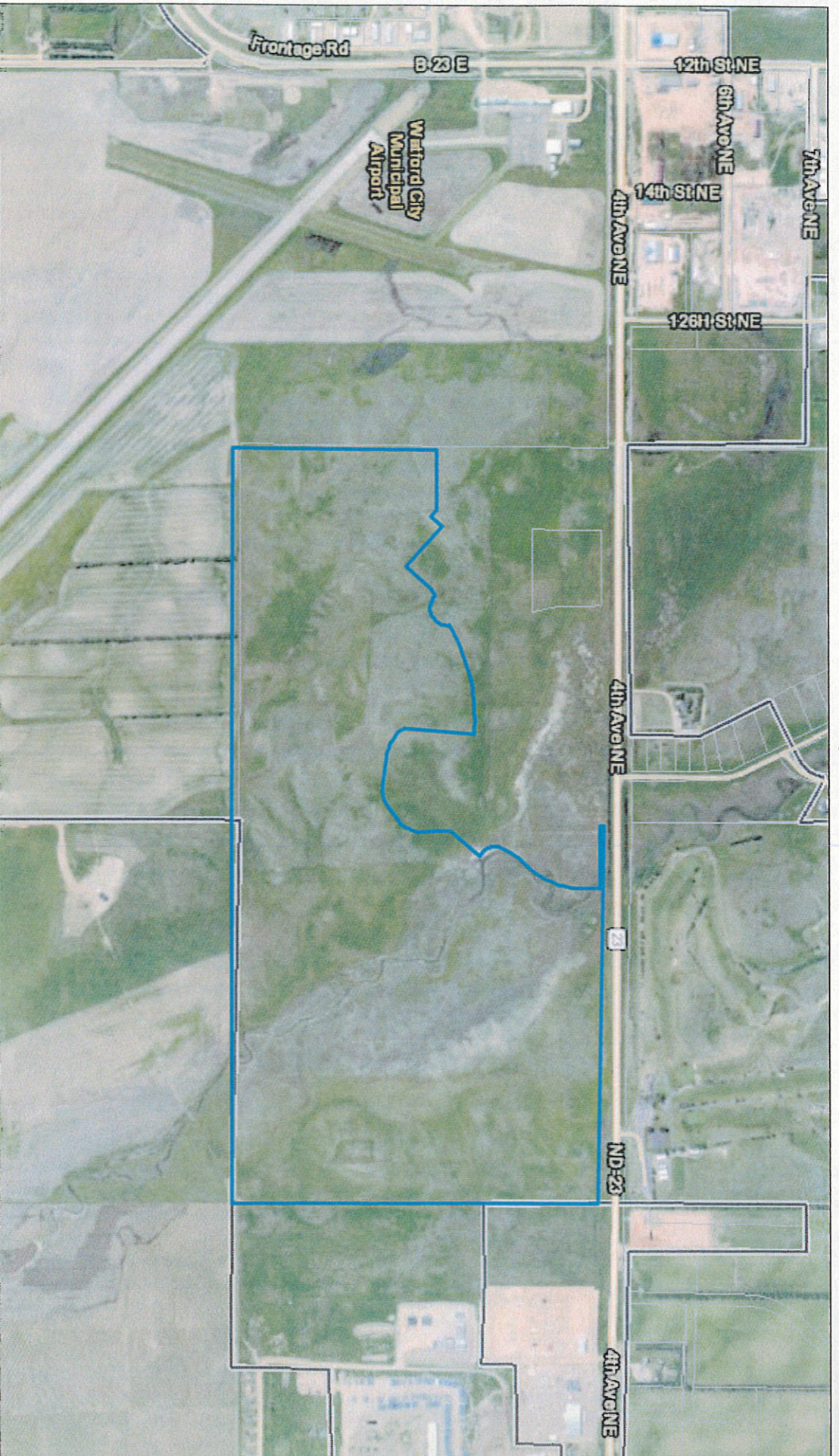
It is recommended that the Watford City Planning Commission approve the Fox Hills2 Preliminary Subdivision Map contingent upon:

1. All bonding for infrastructure is received for future phasing.
2. The Fox Hills2 development agreement is finalized and agreed upon with the Watford City planning department.
3. The developments SIA is finalized and approved by the Watford City planning department.





Contact:

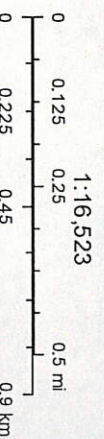
Seth Sampson
Assistant City Planner

Stenehjem



June 19, 2014

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



Source: Esri, DigitalGlobe, GeoEye, i-cubed, Earthstar, GeoGraphics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

PRELIMINARY PLAT of

**LOTS 2-5 IN BLOCK 1, LOTS 2-4 IN BLOCK 2, AND
BLOCKS 3 AND 4 OF FOX HILLS VILLAGE
IN THE NE1/4 SECTION 20 and NW1/4 SECTION 21, T150N, R98W, 5th PM, WATFORD CITY,
MCKENZIE COUNTY, NORTH DAKOTA**

DESCRIPTION

Lot 2 in Block 1 and Lot 2 in Block 2 of Fox Hills Village and undeveloped portions of the NE1/4 Section 20 and NW1/4 Section 21 south of the ND Highway 23 right-of-way, all in T150N, R98W, 5th PM, Watford City, McKenzie County, North Dakota. Said parcel contains .26579 acres.

CERTIFICATE OF CONSENT and DEDICATION

We, the undersigned, being sole owners and mortgage holders of the land platred herein, do hereby consent to the execution of this plat and dedicate the streets, alleys, parks, and public grounds as shown herein and all utilities within such areas, including easements and appurtenances, to the public use and enjoyment of the people of the State of North Dakota. We further agree that the dedication of the streets, alleys, parks, and public grounds as shown on 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 _____, 2014.

Judith H. Stenehjem (SLS) Ltd. Partnership

Stephen L. Stenehjem
Managing Member

STATE OF _____)
COUNTY OF _____) ss

Be it known that on this _____ day of _____, 2014, 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 _____

Dated this ____ day of _____, 2014.

Fox Hills Village II, LLC

Mark Bragg
Managing Member

STATE OF _____)
COUNTY OF _____) ss

Be it known that on this _____ day of _____, 2014, before me personally appeared Mark Bragg, 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 _____

Dated this ____ day of _____, 2014.

Fox House, LLC

By: _____
Title: _____

STATE OF _____)
COUNTY OF _____) ss

Be it known that on this _____ day of _____, 2014, before me personally appeared _____, known to me to be the person described in the within instrument, and who acknowledged to me that he/she 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 _____, 2014.

Steven Rude, PLS
ND Reg. No. L156261

Advanced Engineering & Environmental Services, Inc.

STATE OF NORTH DAKOTA)

COUNTY OF _____) ss

Be it known that on this _____ day of _____, 2014, 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 _____, 2014.

Brent Sanford, Mayor

Attest: Pent Peterson, Auditor

STATE OF NORTH DAKOTA)

COUNTY OF MCKENZIE) ss

Be it known that on this _____ day of _____, 2014, before me personally appeared Brent Sanford and Pent 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 _____, 2014, 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 COUNTY AUDITOR

I, Linda Sylvhove, Auditor of McKenzie County, hereby certify that all taxes, delinquent taxes, delinquent special assessments or installments of special assessments, or the estimates for the property shown hereon are unpaid in the amount of \$ _____ plus penalty and interest.

Dated this ____ day of _____, 2014.

Linda Sylvhove, Auditor

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 _____, 2014, 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-ATC

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 _____, 2014, 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 UTILITY PROVIDER-MEC

We, the undersigned utility providers, do hereby approve of the utility easements shown hereon.

MCKENZIE ELECTRIC COOPERATIVE

Signature _____

Date _____

Printed Name _____

Title _____

STATE OF NORTH DAKOTA)

COUNTY OF MCKENZIE) ss

Be it known that on this _____ day of _____, 2014, before me personally appeared _____ of McKenzie Electric 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 RECORDER

STATE OF NORTH DAKOTA)

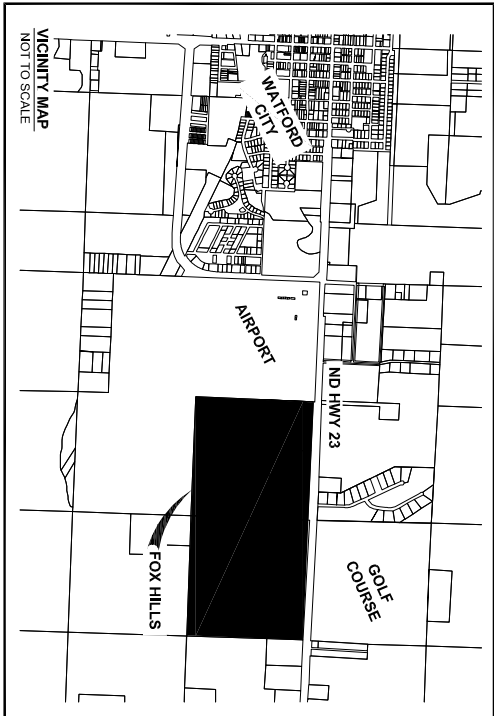
COUNTY OF MCKENZIE) ss

Filed for record in the office of the Recorder of McKenzie County, North Dakota, at _____ o'clock AM/ PM this _____ day of _____, 2014, and assigned Document No. _____.

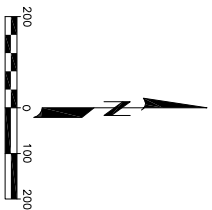
Ann Johnrud, Recorder

OWNERS

JUDITH H. STENEHJEM (SLS) LTD PARTNERSHIP
PO BOX 607
WATFORD CITY, ND 58864
FOX HILLS VILLAGE II, LLC
PO BOX 2286
WATFORD CITY, ND 58864
FOX HOUSE, LLC
41 EAST 65TH ST
NEW YORK CITY, NY 10065



PLAT of



LEGEND

○	SET REBAR W/RED CAP MARKED ADVANCED ENG
●	FOUND REBAR W/RED CAP MARKED ADVANCED ENG
WC	WITNESS CORNER
●	FOUND REBAR W/YELLOW CAP MARKED VEINICKA 797*
✱	FOUND TIEBAR ON HIGHWAY ROW

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

AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY

APPLICATION TYPE	DATE FILED: <u>6.5.14</u>	APPLICATION NUMBER:
<u>ZONE CHANGE</u>	PROCESSES BY: <u>mw</u>	MEETING DATES: <u>P&Z 6/23/14</u> CC: <u>Special meeting 6/23/14</u>
CONDITIONAL USE PERMIT	FEE:	ADVERTISE DATE: <u>6.11.14</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: Judith H Stenehjem (SLS) Ltd. Ptr.
 APPLICANT: Advanced Engineering and Environmental Services, LLC

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: Todd Kelley
 ADDRESS: PO Box 453
 CITY: Watford City STATE: ND ZIP CODE: 58854
 TELEPHONE: 701-842-3239 EMAIL: todd.kelley@ae2s.com
 ASSESSOR'S PARCEL NUMBER(S): 82-31-00500
 LEGAL DESCRIPTION: Lot 1 Block 3, of the Fox Hills Village Subdivision Plat
 PROPERTY ADDRESS AND NEAREST CROSS STREETS: Highway 23 and Long Drive
 GROSS/NET ACREAGE: 228.52 Ac. PRESENT ZONE CLASSIFICATION: C1 & R2/3
 DESIRED ZONE CLASSIFICATION: R4 CURRENT LAST USE: Undeveloped
 DESCRIBE YOUR REQUEST IN DETAIL. YOU MUST CITE ANY RELEVANT CODE SECTIONS, WAIVERS, OR CONDITIONAL USE PERMITS (USE ADDITIONAL PAGES IF NEEDED)

The following parcels are referenced from the proposed Plat of Lots 2-3 in Block 1, Lots 2-4 in Block 2, and Blocks 3 & 4 of Fox Hills Village:

- 1- Rezone Lots 1-7 Block 3 to R4 (39.42 Ac.).
- 2- Rezone a portion of Lot 2 Block 4 to R4 (25.8 Ac.) with the remaining area to remain C1 25.31 Ac.) and R2/3 (29.87 Ac.).

DESCRIBE THE SOURCE OF WATER/SEWER: Extension of & Connection to existing City Mains Do you have a will serve letter ☐ YES ☐ NO

LAND USE APPLICATION pg. 2

Waford 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 Waford 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 Waford City Planning Department and its designer, 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 North Dakota

County of Mckenzie

This instrument was acknowledged before me on

6-5-14 Date

by Stephen L. Stenehjem Name of Person

TERESA HECK
Notary Public
State of North Dakota
My Commission Expires Aug 7, 2019

Teresa Heck
Signature of Notarial Officer

Documents Required for Submitting Land Use Applications

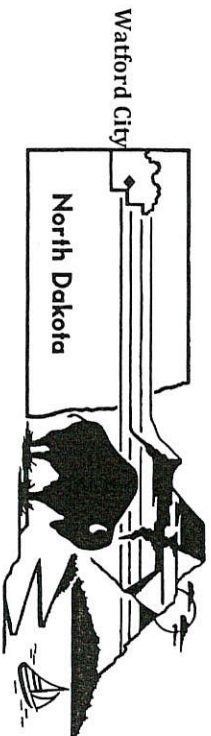
APPLICATION TYPE	Application	Conceptual Site Plan	Site Plans	Deed	Legal Description	Justification Letter	Traffic Impact Analysis	PDF	Supplemental Info	Application Fees
Conditional Use Permit	1c	1	1	1 ^p	1 ^s	1 ^u	1 ^u	1	1 ^u	\$525 + publishing costs
Zone Change	1	1	1	1 ^p	1 ^s	1 ^u	1 ^u	1	1 ^u	\$300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



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

June 19, 2014

STAFF REPORT **ZC-14-2014 ZONE CHANGE**

Applicant

AE2S
Todd Kelley
PO Box 453
Watford City, ND 58854

Property Owners

Judith H Stenehjem

Property Address: Highway 23 and Long Drive- Lot 1 Block 3 of Fox Hills Subdivision

Zone Change Requested: Request in Zone Change from C1 & R2/R3 to R4 zoning.

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 south of HWY 23**, just to the SW of the Golf Course and to the East of the airport. There are currently no structures on this location. The property requesting zone change is directly south of Fox Hills apartment complexes. The zoning surrounding this property mostly consists of medium to high density residential, with commercial to its north.

-The existing property is **currently zoned as R2/R3 (Medium Density Residential)**. The applicant is asking for **lots 1-7 of Block 3 and Lot 2 Block 4 currently zoned for R2/R3, be zoned as strictly R4 only**. Combined these lots are a total of 64.5 Acres.

-In total the applicant is requesting 64.5 acres be rezoned to R4 (High Density Residential)

-The request for the zone change is to allow for higher density residential units on this property.

-The site is within City Limits 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 -	AG & C1, Watford City
Use -	Commercial/Airport & Agriculture
South: Zoning -	R2,R3, Watford City
Use -	Medium Density Residential
North: Zoning -	C1, Watford City
Uses -	Commercial
East: Zoning -	C1 & R2/3, Watford City
Uses -	Commercial & Medium Residential

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 (R-4) High Density Residential is intended for the purpose of allowing high and low density multi-family dwellings along with compatible two-family and single-family dwelling units and some community facilities.

Site Development

Access: *The property will be accessible from a continuation of Prairie Hills Road as well as Long Drive Rd. continuing south off Highway 23*

Sewer: *There are no existing city sanitary sewer mains within the property. Access is available to the north.*

Water: *There are no existing city water mains within the property, access is available to the North.*

Analysis: *The proposed zoning will allow the applicant to accommodate future development of R4 High Density Residential. The city is not agreeable that the intent of this application is to build R4 development on Lots 1-7 Block 3, but rather to just rezone the property.*

The city does not have issue with Lot 2 Block 4 being rezoned as R4 however.

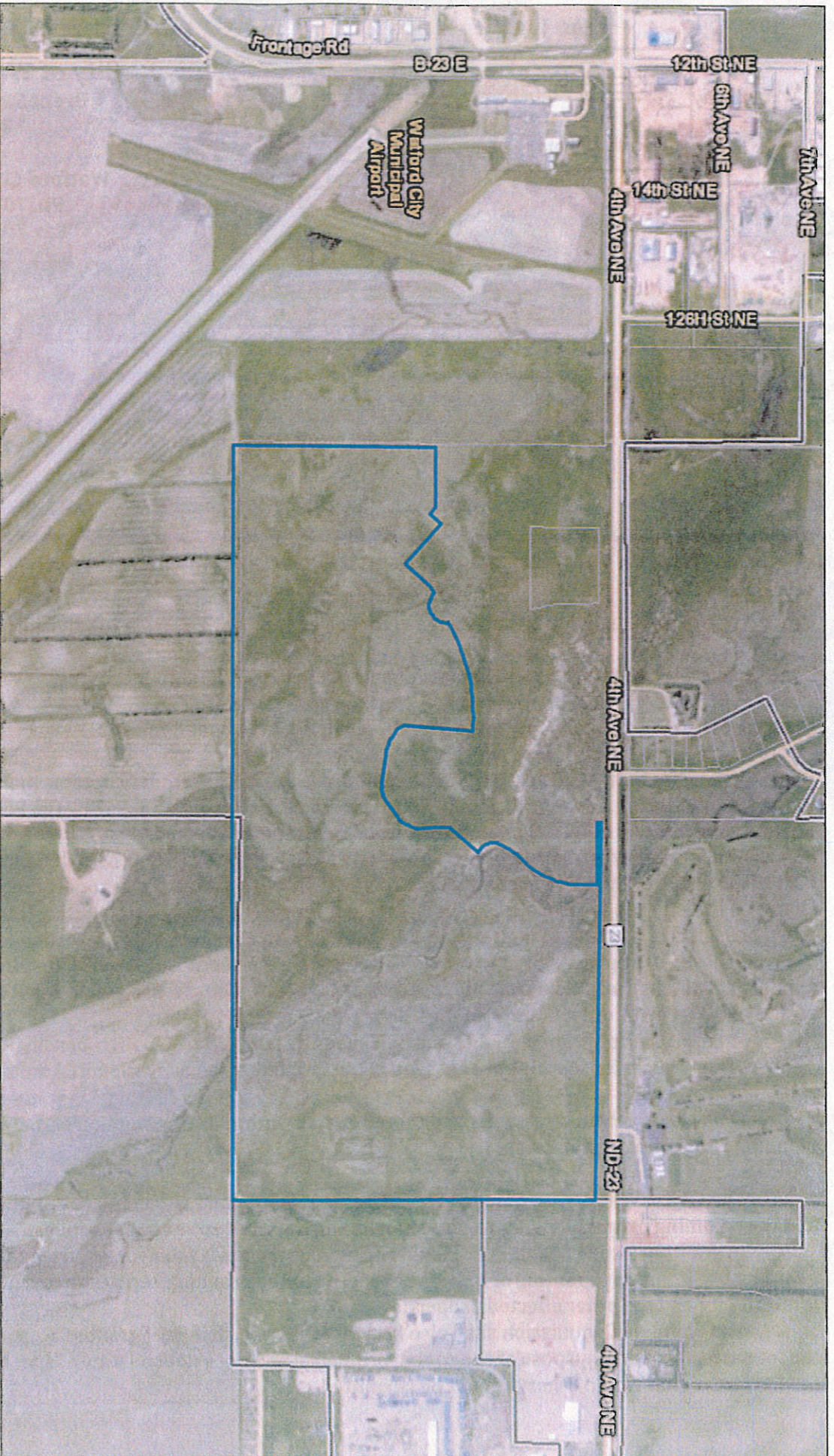
Recommendation:

It is recommended that the Watford City Planning Commission **DENY** a Zone Change Application submitted by Todd Kelley w/ AE2S. The application for a change to the R4 Zoning District is not to facilitate the construction of an R4 project.





Contact:

Seth Sampson
Assistant City Planner

Stenehjem



June 19, 2014

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

1:16,523

0 0.125 0.25 0.45 0.5 mi

0 0.225 0.45 0.9 km

Source: Esri, DigitalGlobe, GeoEye, iSat, Earthstar, GeoGraphics, CNES/Airbus, US, USDA, USGS, AEX, swissstop, and the GIS User Community

GIS, Watford City, AEXS

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Watford City Planning Commission will hold a Special Public Hearing on June 23, 2014 5:00 P.M. at City Hall to hear comment on a Zone Change Application submitted by Advanced Engineering & Judith H. Stenehjem Ltd. Prt. The application requests to re-zone property located in Fox Hills Village Subdivision, NE1/4 Sec. 20, T150, R98:

For the purpose of re-zoning: Lot 1 -5 and a portion of 6 & 7= 39.42 acres to R4
Portion of Lot 2 Block 4 =25.88 acres to R4

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

Dated this 5th day of June, 2014



Mildred Williams
Watford City Assistant Planner

Run: 1 time

Published: McKenzie County Farmer June 11, 2014

Faxed: June 5, 2014

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Watford City, ND 58854-0563

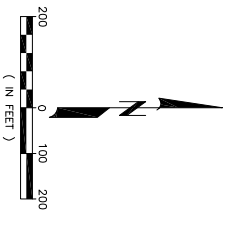
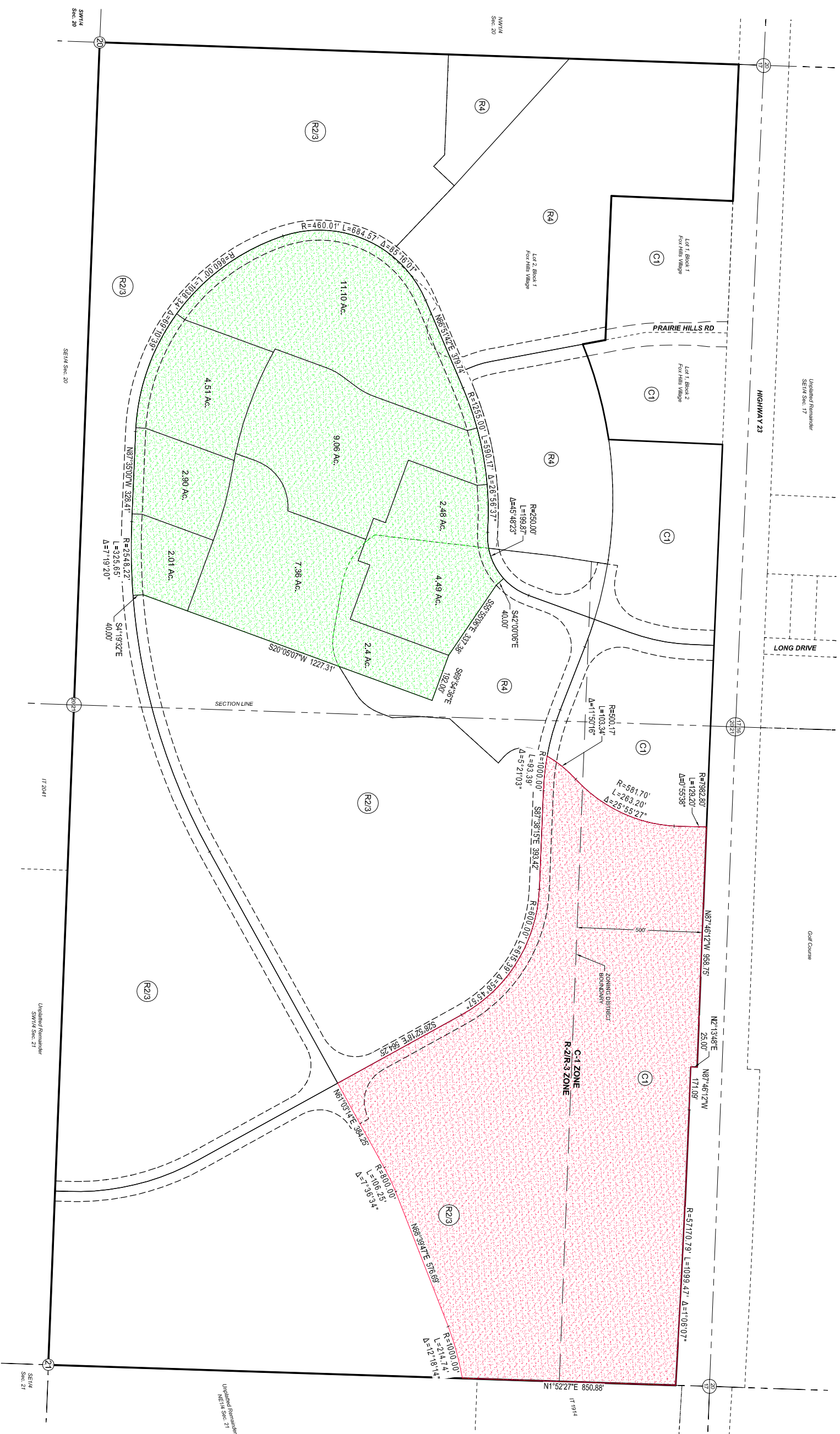
Fox Hills Village, LLC
C/o Mark Bragg
100 Main St N
Watford City, ND 58854

Larry Kummer
PO Box 220
Watford City, ND 58854-0220

Stephen L. Stenehjem
Po Box 607
Watford City, ND 58854

ZONE MAP AMENDMENT

**IN THE NE1/4 SECTION 20 and NW1/4 SECTION 21,
T150N, R98W, WATFORD CITY, NORTH DAKOTA**



BASIS OF BEARING
BEARINGS FOR THIS PLAN ARE BASED ON
THE NORTH DAKOTA STATE PLANE
COORDINATE SYSTEM, NORTH ZONE.
DISTANCES ARE GROUND.