



CITY OF WATFORD C

#### CALL TO ORDER PUBLIC HEARING

1. The Public Hearing will be held to hear comment on amendments to City of Watford City Municipal Code of Ordinances Chapter XV–Zoning Ordinance, Articles X, XI, XII, XIII,XIII(A), XIV- Residential Zoning to Discuss if Parks should be a permitted use in these zoning districts or if we need to consider all parks to be zoned CF- Community Facilities.

#### **CLOSE PUBLIC HEARING**

#### CALL TO ORDER REGULAR MEETING

1. Division of Land Application, Final Plat- South Holms at 7 - Applicant Terrence and Diane Gariety.

#### MINUTES

February 28th, 2022, Meeting

#### PERMIT RECORDS

**February-March Permits** 

#### OLD BUSINESS

- 1. Division of Land Application for Simple Lot Split submitted by The Crossings at Watford City LLC.
- **NEW BUSINESS**
- ADJOURNMENT

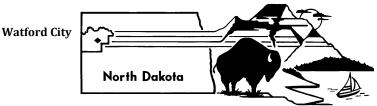
1.

Ordinances Chapter XV–Zoning Ordinance, Articles X, XI, XII, XIII, XIII(A), XIV- Residential Zoning to Discuss if Parks should be a permitted use in these zoning districts or if we need to consider all parks to be zoned CF- Community Facilities.

Uses										Z	oning Distr	rict									
USES	A1	A2	RR1	RR2.5	RR5	R1	R2	R2M	R3	RT	R4	MH	CG	RP	C1	CB	C2	CF	RC	ID	HI
Park (Public or Private)										Р											
Park or Garden (Public or Private)																			Р		
Parks and Gardens	Р	Р				Р	Р	Р	Р		Р										
Parks and Open Spaces.																Р	Р	Р			

# 2.

## Division of Land Application Final Plat Holms at 7



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 <u>cityofwatfordcity.com</u>

March 2022

#### STAFF REPORT Subdivision Final Plat

#### **APPLICANT:**

Terence Gariety 3743 NE 2th Ave. Portland, OR 97212

#### PROPERTY OWNERS:

Terence Gariety 3743 NE 24<sup>th</sup> Ave. Portland, OR 97212

#### PROPERTY LOCATION:

Section 13, Township 150 North, Range 99 West, Parcel ID: 82-73-00150, Watford City, McKenzie County, North Dakota.

#### REQUEST:

Preliminary review of a subdivision plat for the purpose of dividing the property into 6 lots for planned future development of Single-Family Homes.

#### CURRENT ZONING:

R1- Single Family Home Residential District

#### CURRENT USE:

Undeveloped

#### **REFERENCES**:

 City of Watford City Municipal Code of Ordinances: CHAPTER XV- ZONING ORDINANCE, ARTICLE XXX- SUBDIVISION REGULATIONS, SECTION 5- APPROVAL OF PLATS AND SECTION 6-PROCEDURE FOR APPROVAL OF PLATS: "Plat approval as required herein and in conformity with statutory authority within the Planning Commission's territorial jurisdiction, shall be by the Planning Commission, with confirmation approval by the City Council. In all cases where land is offered for dedication for streets, utilities, or other public purposes, the governing body affected shall act to accept or reject the offer of dedication and the deed for the fee to such lands. The approval of other jurisdictional Planning Commissions shall be required on all plats of land situated within the unincorporated jurisdiction of the City of Watford City, North Dakota."

#### SITE DEVELOPMENT:

- Access: The property is accessed from 7<sup>th</sup> Ave NW
- Sewer: City Sanitary Sewer Services are available within this area. Properties are not yet serviced.
- Water: City Water Services are available within this area. Properties are not yet serviced.

#### SURROUNDING LAND USE:

<u>North:</u>	Zoning- AG- Agricultural District Use - Undeveloped
<u>East:</u>	Zoning – CB- Central Business District Use - Wolf Creek Development
<u>South</u> :	Zoning- R1- Single Family Home Residential Use- Singe Family Home
<u>West:</u>	Zoning- R1- Single Family Home Residential Use- Singe Family Home

#### DISCUSSION:

Property owners, Terry and Diane Gariety have submitted a Division of Land Application for a Subdivision Final Plat for the purpose of splitting the existing parcel 82-73-00150 Into 6 smaller parcels. The owner's future plan is for these smaller parcels to be a subdivision with an intention for single family homes.

This Final plat will be a small subdivision that will complete housing along the east end of 7<sup>th</sup> Ave NW. The Final plat is proposing 6 smaller subdivided lots consisting of 11,987 square feet each.

There are issues regarding the timeline for completion of the road improvements proposed by the Developer. This is an existing, open City Street, therefore once the project is started it will need to be constructed in a timely manner. This will need to be highlighted in the SI&A document which we have not even discussed with the Developer yet. They have not submitted any cost estimates or bonding either for their proposed improvements.

Also, they have not submitted a justification letter, Title Commitment, or a Development Agreement for this development. Also, they did not come in and meet with City staff prior to Final map submittal which was a condition of approval for the Preliminary Plat. At this time City Staff would recommend denial due to lack of required submittals.

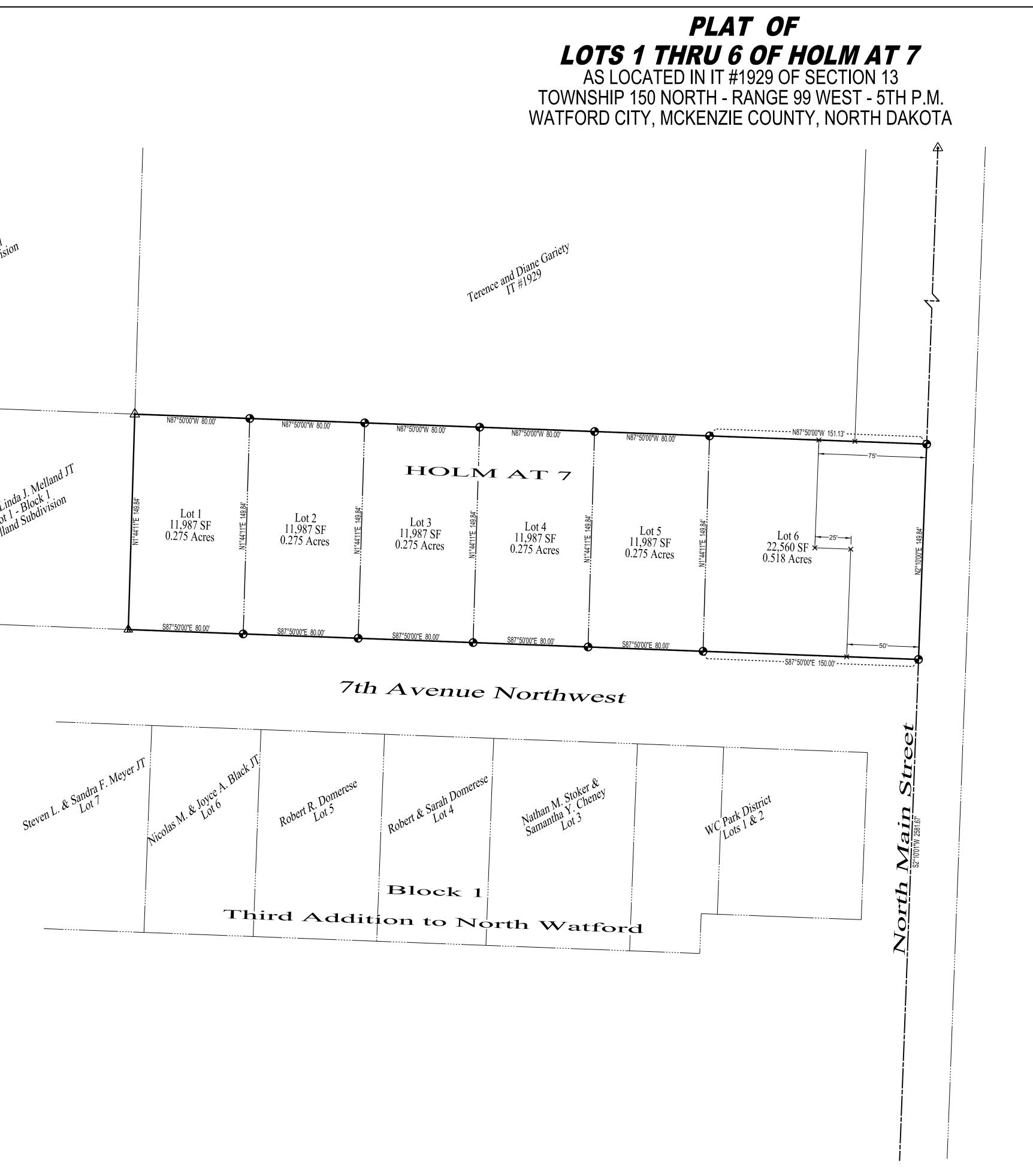
#### **RECOMMENDATION:**

It is the recommendation of the Planning Department Staff to <u>**Deny**</u> the Division of Land Application for Subdivision Preliminary Plat.

#### PLANNING DEPARTMENT STAFF CONTACT:

LaRissa Bertram Ibertram@nd.gov (701)444-8406

Rick Holm Lot 2 - Block 1 Melland Subdivision Melland							Teren
Gary L. & Linda J. Melland JT Gary L. & Lot I - Block 1 Melland Subdivision Melland	N1°44'11"E 149.84'	N87°50'00"W 80.00' Lot 1 11,987 SF 0.275 Acres	N1°44'11"E 149.84'	N87°50'00"W 80.00 Lot 2 11,987 SF 0.275 Acres	N1°44'11"E 149.84'	N87°50'00"W 80.00' Lot 3 11,987 SF 0.275 Acres	N1°44'11"E 149.84'
		S87°50'00"E 80.00'	-	S87°50'00"E 80.00'	_	S87°50'00"E 80.00'	

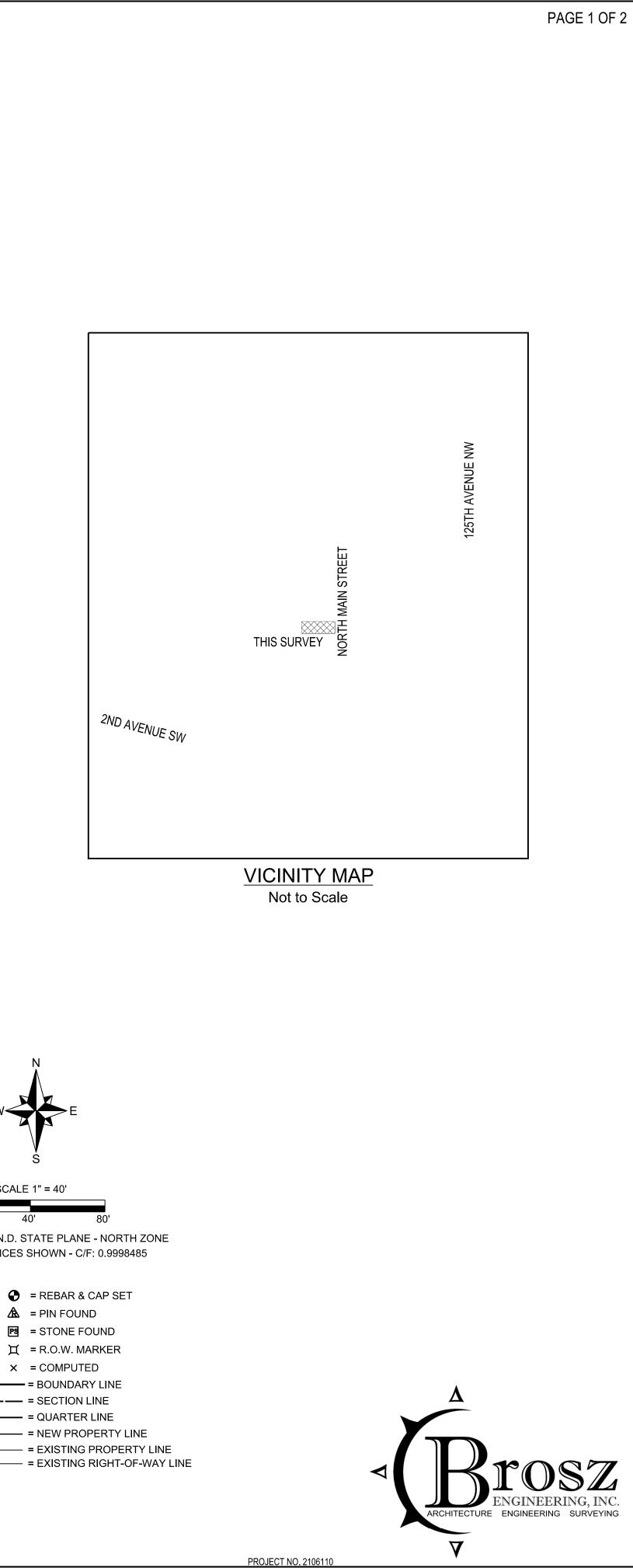






BASIS OF BEARING: N.D. STATE PLANE - NORTH ZONE GROUND DISTANCES SHOWN - C/F: 0.9998485

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×	= C
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 	= SE
 	= QI
 	= NI
 	= E>
 	= E>



#### **OWNER'S CERTIFICATE**

I, (WE) THE UNDERSIGNED, BEING THE SOLE OWNER(S) AND MORTGAGE HOLDER(S) OF THE LAND PLATTED HEREIN, DO HEREBY CONSENT TO THE EXECUTION OF THIS PLAT AND AGREE TO NOT VACATE ANY PORTION OF THIS PLAT WITHOUT THE CONSENT OF THE CITY OF WATFORD CITY. I (WE) DEDICATE EASEMENTS TO RUN WITH THE LAND FOR WATER, SEWER, GAS. ELECTRIC, TELEPHONE, OR OTHER PUBLIC UTILITY LINES OR SERVICES UNDER, ON, OR OVER THE LAND DEDICATED HEREON AS "UTILITY EASEMENTS" WHETHER SHOWN OR EXISTING. DATED THIS\_\_\_\_\_DAY OF \_\_\_\_\_\_,2021

TERRENCE AND DIANE GARIETY

DATE

STATE OF \_\_\_\_\_\_ COUNTY OF \_\_\_\_\_\_

ON THIS \_\_\_\_\_\_ DAY OF \_\_\_\_\_\_, 2021 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF \_\_\_, PERSONALLY APPEARED, RICK HOLM, KNOWN TO ME TO BE THE PERSON(S) WHO EXECUTED THE CERTIFICATE IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST WRITTEN ABOVE.

NOTARY PUBLIC FOR THE STATE OF

RESIDING AT RESIDING AT \_\_\_\_\_ MY COMMISSION EXPIRES \_\_\_\_\_

#### SURVEYOR'S CERTIFICATE

I, DUSTIN JORDAN, REGISTERED LAND SURVEYOR NO. 10478, IN THE STATE OF NORTH DAKOTA ON THE BASIS OF MY KNOWLEDGE, INFORMATION, AND BELIEF, DO HEREBY CERTIFY THAT AT THE REQUEST OF SAID OWNER(S), THE SURVEY REPRESENTED BY THIS DRAWING IS IN ALL RESPECTS CORRECT, AND WAS MADE BY ME OR UNDER MY DIRECT SUPERVISON, ON THE GROUND, TO THE NORMAL STANDARD CARE OF PROFESSIONAL LAND SURVEYORS PRACTICING IN THE STATE OF NORTH DAKOTA. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD AS PERFORMED BY MYSELF OR BY BROSZ ENGINEERING.

DUSTIN JORDAN **REGISTERED LAND SURVEYOR NO. 10478** 

#### STATE OF

COUNTY OF

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF ,PERSONALLY APPEARED, DUSTIN JORDAN, KNOWN TO ME TO BE THE PERSON(S) WHO EXECUTED THE CERTIFICATE IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST WRITTEN ABOVE.

NOTARY PUBLIC FOR THE STATE OF RESIDING AT

MY COMMISSION EXPIRES

PROPERTY DESCRIPTION LOTS 1 THRU 6 OF HOLM AT 7 AS LOCATED IN IT #1929 OF SECTION 13, T150N, R99W, 5TH P.M., WATFORD CITY, MCKENZIE COUNTY, NORTH DAKOTA.

## PLAT OF LOTS 1 THRU 6 OF HOLM AT 7 AS LOCATED IN IT #1929 OF SECTION 13

TOWNSHIP 150 NORTH - RANGE 99 WEST - 5TH P.M. WATFORD CITY, MCKENZIE COUNTY, NORTH DAKOTA

### PLANNING AND ZONING COMMISSION APPROVAL

THIS PLAT IN THE CITY OF WATFORD CITY IS HEREBY APPROVED IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA, ORDINANCES OF THE CITY OF WATFORD CITY NORTH DAKOTA , AND REGULATIONS OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF WATFORD CITY, NORTH DAKOTA.

JACOB WALTERS, CHAIRMAN

DATE

STATE OF NORTH DAKOTA COUNTY OF MCKENZIE

ON THIS \_\_\_\_\_\_ DAY OF \_\_\_\_\_\_2021. BEFORE ME. THE UNDERSIGNED. A NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED, JACOB WALTERS, CHAIRMAN, KNOWN TO ME TO BE THE PERSON(S) WHO EXECUTED THE CERTIFICATE IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST WRITTEN ABOVE.

NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA

RESIDING AT MY COMMISSION EXPIRES

#### WATFORD CITY APPROVAL

THE CITY OF WATFORD CITY, NORTH DAKOTA HAS APPROVED THE ATTACHED PLAT AS SHOWN HEREIN, AND LYING WITHIN THE JURISDICTION OF THE CITY OF WATFORD CITY, HAS APPROVED THE STREETS, ALLEYS, AND OTHER PUBLIC WAYS AND GROUNDS OF THE ATTACHED PLAT, SHOWN HERE AS AN AMENDMENT TO THE COMPREHENSIVE STREET AND HIGHWAY PLAN AND OTHER APPROPIATE PORTIONS OF THE COMPREHENSIVE PLAN OF THE CITY OF WATFORD CITY, NORTH DAKOTA. ALL STREETS, ALLEYS, AND OTHER PUBLIC WAYS AND GROUNDS OF THE ATTACHED PLAT ARE DEDICATED, BUT NOT ACCEPTED AT THIS TIME WITH THE OFFER TO REMAIN OPEN.

PHILIP RIELY, MAYOR

PENI PETERSON, CITY AUDITOR

DATE

#### STATE OF NORTH DAKOTA COUNTY OF MCKENZIE

ON THIS \_\_\_\_\_\_ DAY OF\_\_\_\_\_2021, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED, PHILIP RIELY, MAYOR AND PENI PETERSON, CITY AUDITOR, KNOWN TO ME TO BE THE PERSON(S) WHO EXECUTED THE CERTIFICATE IN WITNESS WHEREOF. I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST WRITTEN ABOVE.

NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA RESIDING AT

RESIDING AT \_\_\_\_\_ MY COMMISSION EXPIRES \_\_\_\_\_

### AUDITOR'S CERTIFICATE OF TAXES

TAXES, DELINQUENT TAXES, DELINQUENT SPECIAL ASSESSMENT OR INSTALLMENT OF SPECIAL ASSESSMENT OR TAX ESTIMATES FOR THE PROPERTY DESCRIBED ON THE ATTACHED INSTRUMENT ARE UNPAID IN THE THE AMOUNT OF \$ \_\_\_\_\_\_ PLUS PENALTY AND INTEREST.

CERTIFIED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

ERICA JOHNSRUD, MCKENZIE COUNTY AUDITOR

#### CERTIFICATE OF MCKENZIE COUNTY RECORDER

I HEREBY CERTIFY THAT THE ABOVE INSTRUMENT WAS FILED IN THE OFFICE OF THE MCKENZIE COUNTY RECORDER IN THE STATE OF NORTH DAKOTA AT \_\_\_\_\_\_ O'CLOCK A.M. / P.M. ON THE \_\_\_\_\_ DAY OF \_\_\_\_, A.D., 2021 AND WAS RECORDED AS DOCUMENT NO. \_\_\_\_\_\_.

KATIE PAULSON, MCKENZIE COUNTY RECORDER

RESERVATION TELEPHONE COOPERATIVE, AUTHORIZED AGENT PRINTED NAME: \_\_\_\_\_

STATE OF NORTH DAKOTA COUNTY OF MCKENZIE

ON THIS \_\_\_\_\_\_ DAY OF\_\_\_\_\_\_2021, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED, \_\_\_\_\_\_,KNOWN TO ME TO BE THE PERSON(S) WHO EXECUTED THE CERTIFICATE IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST WRITTEN ABOVE.

RESIDING AT MY COMMISSION EXPIRES

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RESIDING AT

### **RESERVATION TELEPHONE COOPERATIVE**

WE HEREBY APPROVE OF THE UTILITY EASEMENTS WHICH MAY RUN UNDER, ON, OR OVER THE LAND AS DEDICATED HEREON AS "UTILITY EASEMENTS" WHETHER SHOWN ON THE PLAT AS PRESENTED OR EXISTING.

DATED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA

#### MONTANA DAKOTA UTILITIES COMPANY

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MONTANA DAKOTA UTILITIES COMPANY, AUTHORIZED AGENT

NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA

#### MCKENZIE ELECTRIC COOPERATIVE, INC

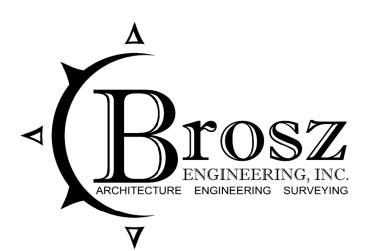
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MCKENZIE ELECTRIC COOPERATIVE, INC., AUTHORIZED AGENT

NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA

MY COMMISSION EXPIRES



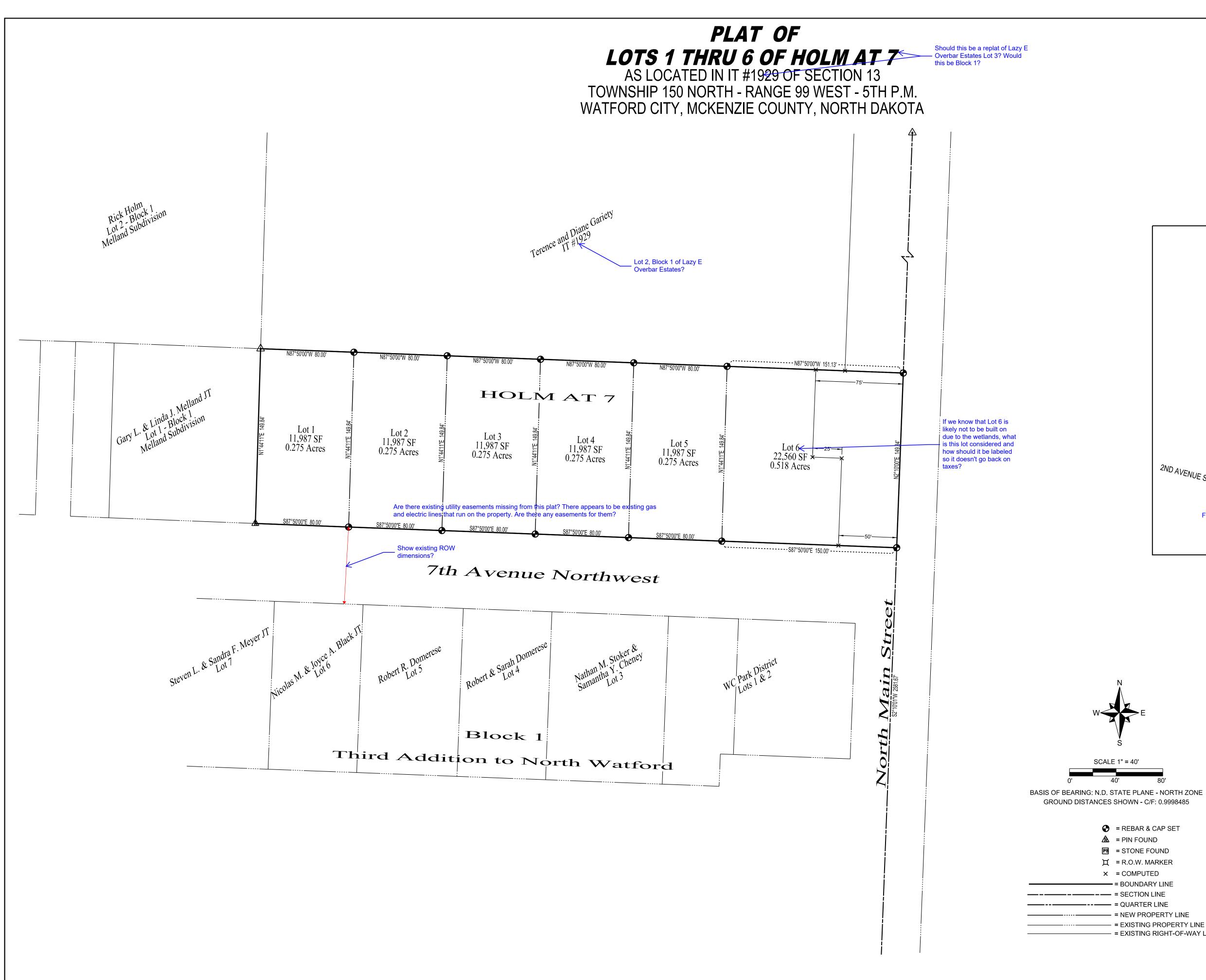


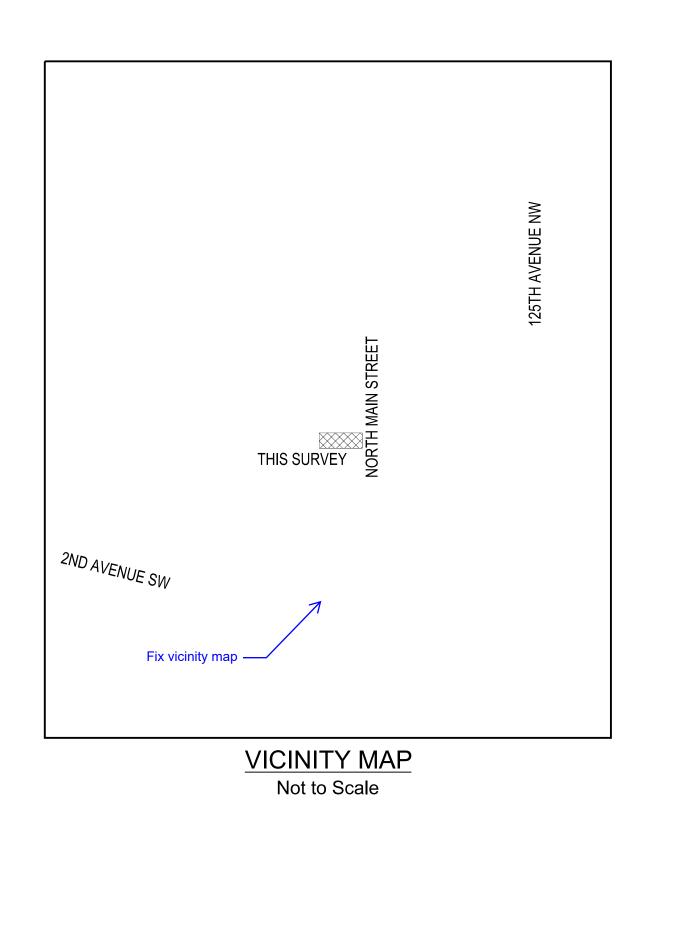
THE CITY OF WATFORD CITY213 2ND ST NE / PO BOX 494WATFORD CITY, NORTH DAKOTA

### FINAL PLAT AND PLAN REVIEW CHECKLIST

PROJECT INFORMATION		
PROJECT NAME: Holm at 7 Subdivision	PROJECT NUMBER: WCP22-1003	
REVIEWED BY: Grace Demars, City Engineer	DATE REVIEWED: 03/16/2022	
REVIEW SUBMITTAL REQU	JIREMENTS	CITY STAFF REVIEW
GENERAL		
Developers Agreement is signed by Developer.		
Subdivision Improvement, Maintenance, and Warranty Agree	ement is signed by Developer.	
PLAT		
Name of subdivision meets requirements.		
Basis of Bearing is identified.		>
Legal Description is provided.		
Plat error of closure is one foot in ten thousand feet.		
Location of monuments are noted and/or shown.		$\checkmark$
Locations of lots, streets, public highways, alleys, parks, and dimensions shown.	nd other features are shown with accurate	<b>&gt;</b>
Boundary lines for public easements are shown.		>
Lots are clearly numbered, and square footage of each lot p	rovided.	
Block numbers are shown in the center of the block. Streets are named.		
Name and address of the engineer, and/or developers or de registration number are shown.	esigner of the plat and the surveyor and his	<b>_</b>
Scale is not less than 1" = 100'.		
Myler language is correct for Owner, City, and Utilities.		
GENERAL PLANS		
Plans are signed and sealed by a Professional Engineer.		
Public Improvements Construction Schedule has been subm		N/A
Floodplain Development Permit Application has been submi	tted, if required.	IN/A
Erosion Control Review & Checklist has been submitted, if a		
Total disturbance area: Sq.Ft. and/or	Acres	
Storm Water Management Review & Checklist has been sub	omitted, if applicable.	
Total impervious area: Sq.Ft.		
Existing and proposed contours are provided.		
Wetlands and floodplain boundaries are identified and outlin	ed.	$\checkmark$
Locations and invert elevations of storm sewers, drainage d the platted area are provided.	litches, and culverts within 100 feet beyond	

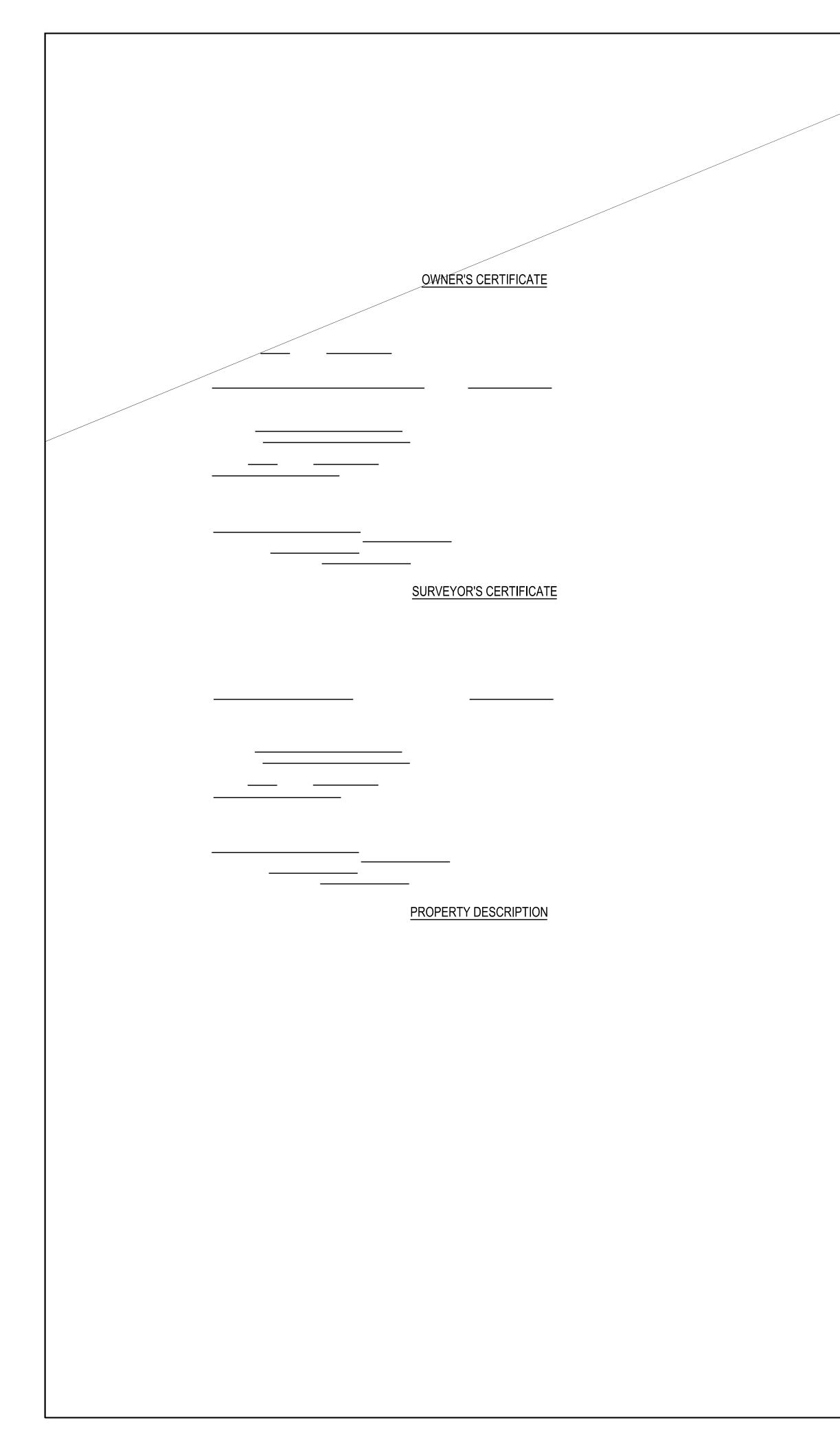
GENERAL PLANS	
Existing and proposed streets area depicted along with right of way and pavement widths. Widths meet requirements.	
Existing and proposed centerline grades of public and private streets are provided and meet requirements.	
Locations and widths of trails and sidewalks are provided and meet requirements.	
Proposed street centerline stationing is provided.	<u> </u>
Street angle of intersection is provided and meets requirements.	$\checkmark$
Street horizontal and vertical curve information is provided and meets requirements.	
Geotechnical report for pavement design has been provided.	
Street typical section has been provided and meets requirements.	
Traffic Impact Analysis has been provided, if required.	N/A
Locations and widths of existing and proposed utility easements are shown and meet requirements.	$\checkmark$
Location, width, size, type, and invert elevations of existing and proposed sanitary sewers, water mains, storm sewers, culverts, manholes, lift stations, hydrants, valves, and any other underground facilities within the plat and to 100 feet beyond are shown and meet requirements.	
Federal, State, and County permit approvals have been received.	
PUBLIC IMPROVEMENT CONSTRUCTION PLANS	
Plans are signed and sealed by a Professional Engineer.	
Title Page	
List of Standard Drawings	
Plan Notes	
Construction Details	
Typical Sections	
Quantities and Basis of Estimate	
Road centerline, storm sewer, sanitary sewer, and water main plan and profiles.	<u> </u>
Grading Plans	$\checkmark$
Striping and Signing Plans	
Lighting Plans	N/A
Cross Sections	$\checkmark$
Temporary Traffic Control Plan	
Trail Construction Plans	N/A
Erosion Control Plans	
Specifications are identified.	
Comments:	
Items not checked either need to be completed or updated.	
Many of the "Final Plat Submittal Requirements" on the Final Plat Application have not been received to o	late.
See additional review comments on Final Plat and Plans provided.	
7th Avenue NW is on CIP to have a mill & overlay in 2024 or 2031. Need to verify.	
Does the Developer intend to develop the land to the north of this property and how will that tie into this pr	roject?





= REBAR & CAP SET 🛕 = PIN FOUND PS = STONE FOUND 其 = R.O.W. MARKER × = COMPUTED ------ = BOUNDARY LINE ---- = QUARTER LINE — = NEW PROPERTY LINE ——— = EXISTING PROPERTY LINE — = EXISTING RIGHT-OF-WAY LINE





Do the Owner's Certificate and Watford City Approval language need to be updated? Brosz's address is missing from the plat. Required per ordinance.

#### PLANNING AND ZONING COMMISSION APPROVAL

#### WATFORD CITY APPROVAL

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NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA RESIDING AT \_\_\_\_\_\_ MY COMMISSION EXPIRES \_\_\_\_\_\_

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RESIDING AT \_\_\_\_\_ MY COMMISSION EXPIRES

PRINTED NAME: \_\_\_\_\_

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RESIDING AT

### RESERVATION TELEPHONE COOPERATIVE

WE HEREBY APPROVE OF THE UTILITY EASEMENTS WHICH MAY RUN UNDER, ON, OR OVER THE LAND AS DEDICATED HEREON AS "UTILITY EASEMENTS" WHETHER SHOWN ON THE PLAT AS PRESENTED OR EXISTING.

DATED ON THIS \_\_\_\_\_\_ DAY OF \_\_\_\_\_\_, 2021.

RESERVATION TELEPHONE COOPERATIVE, AUTHORIZED AGENT

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NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA

#### MONTANA DAKOTA UTILITIES COMPANY

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MONTANA DAKOTA UTILITIES COMPANY, AUTHORIZED AGENT

NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA

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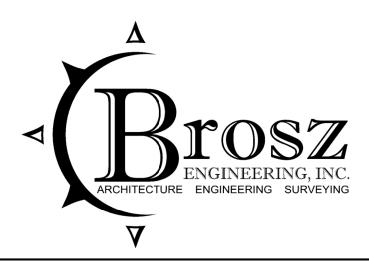
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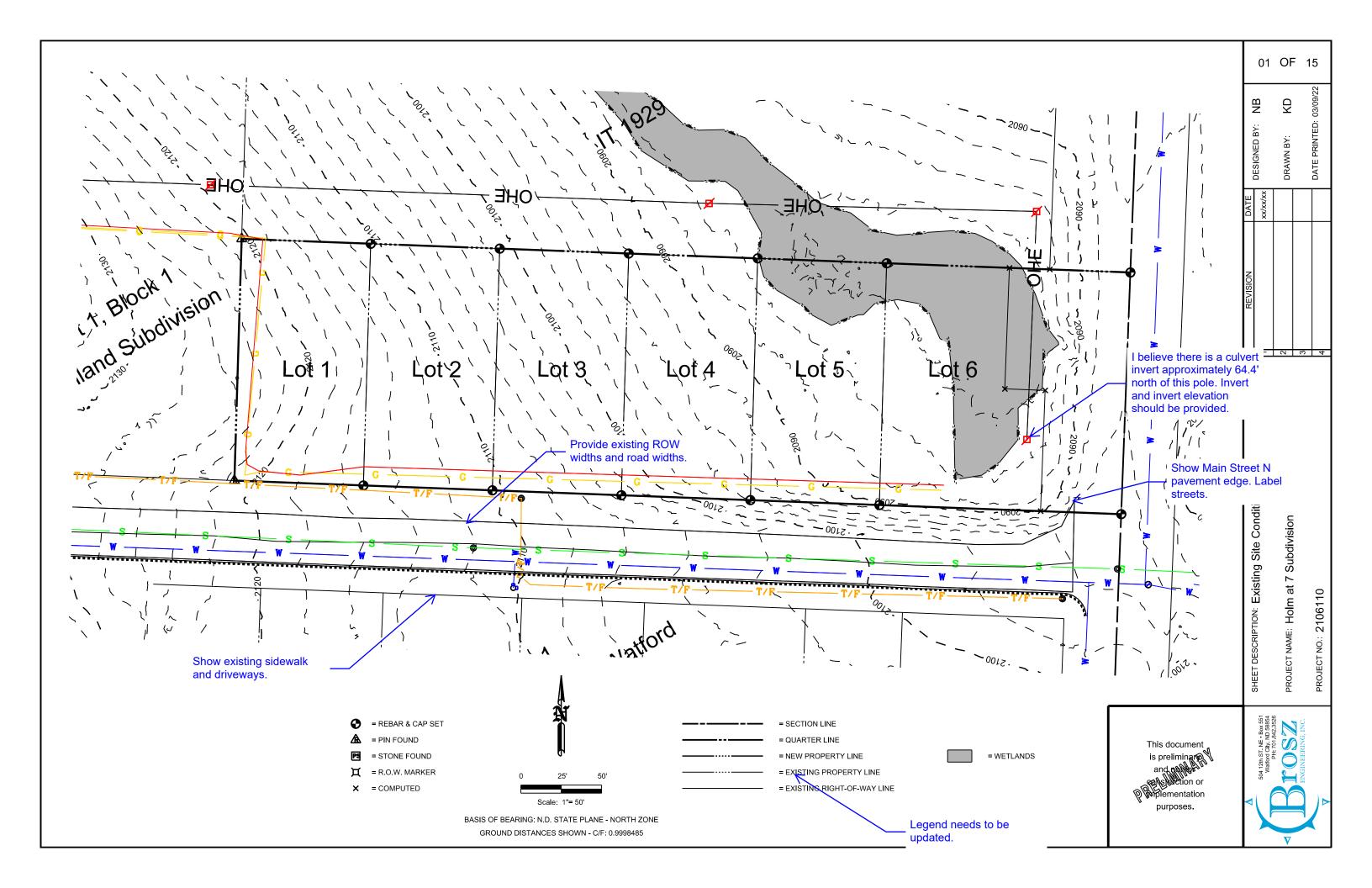
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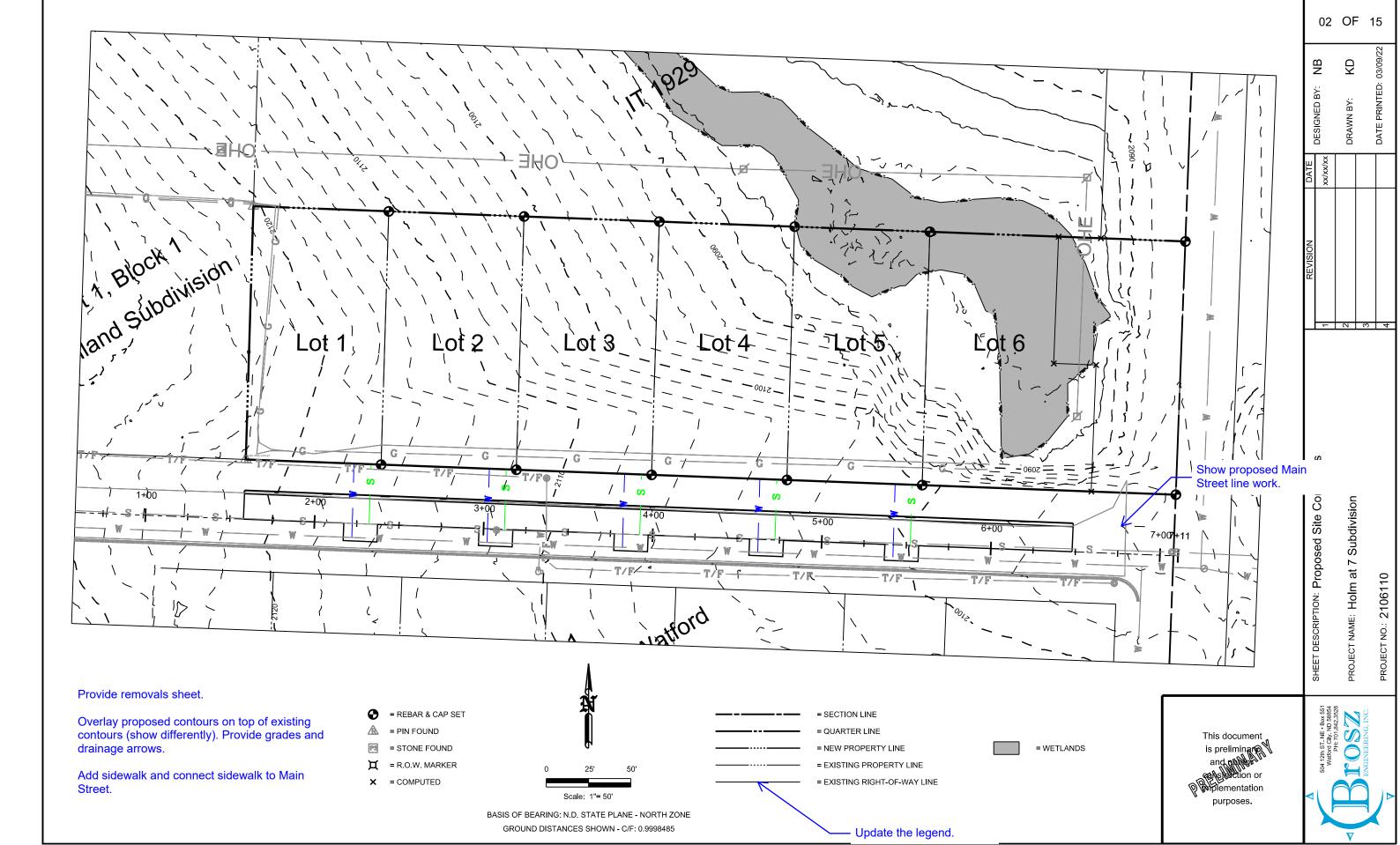
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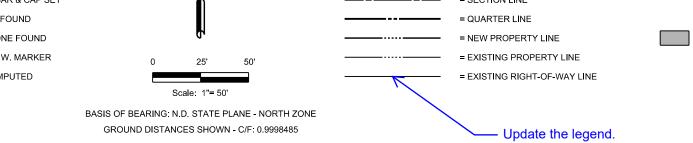
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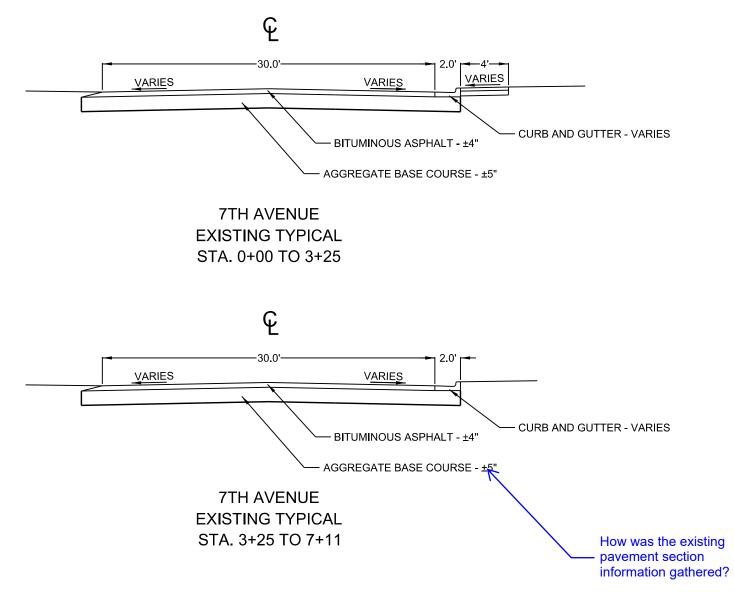
MY COMMISSION EXPIRES



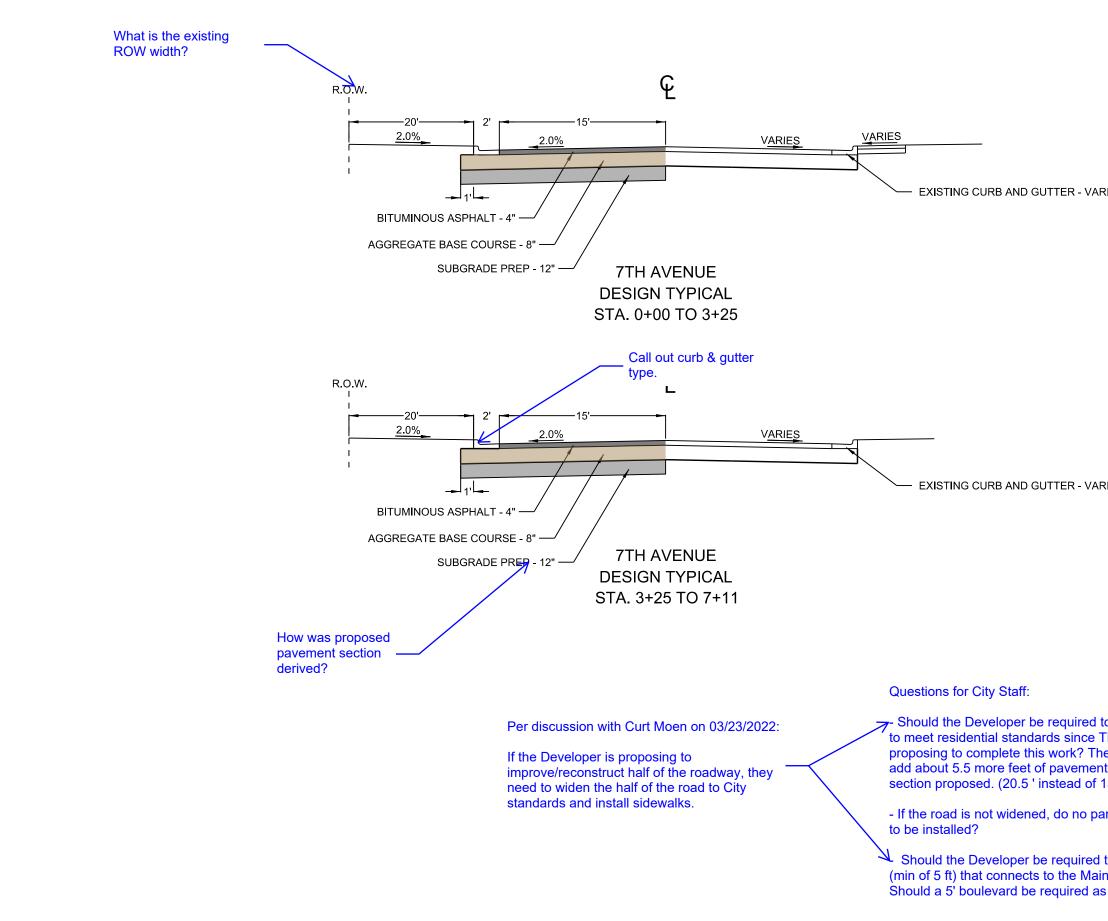




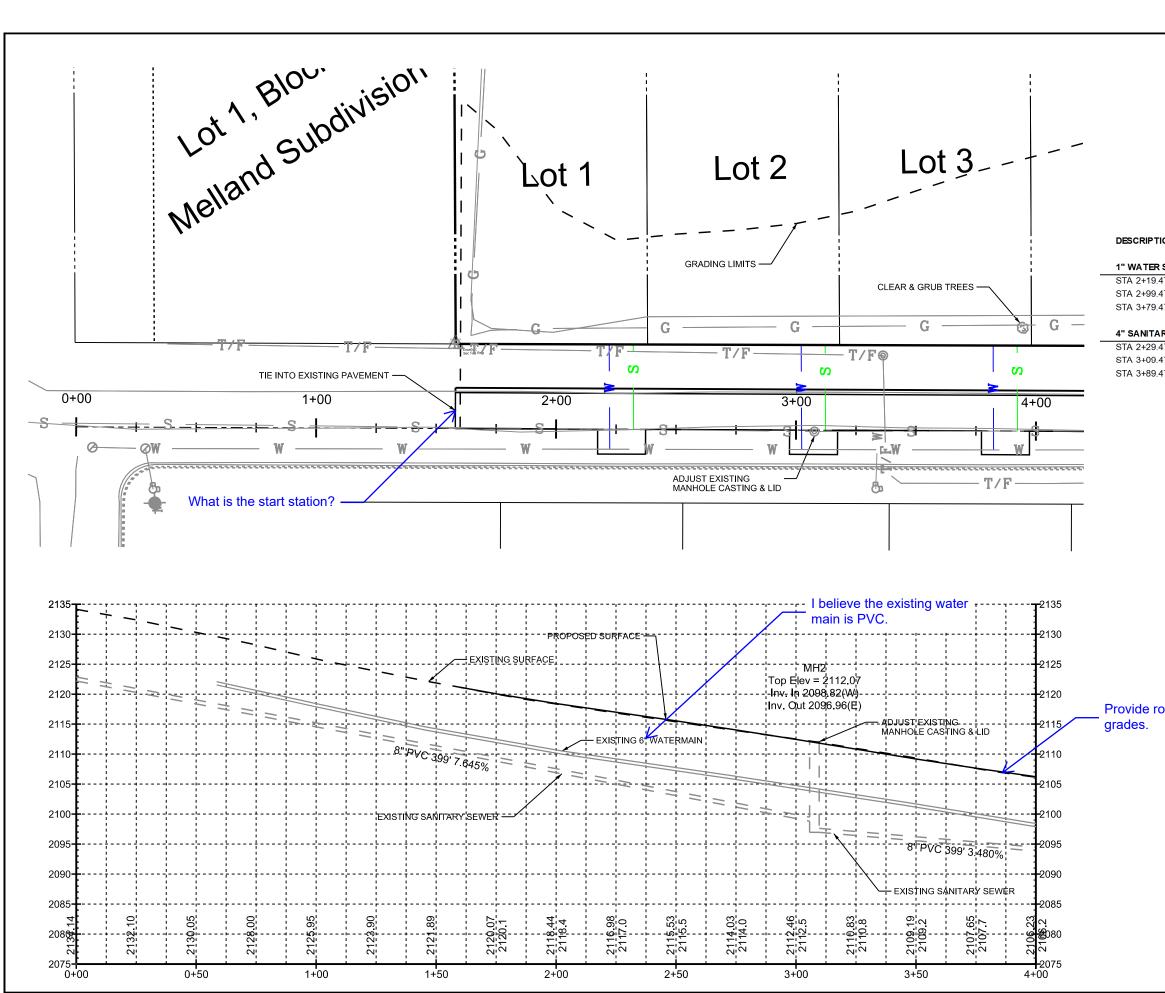




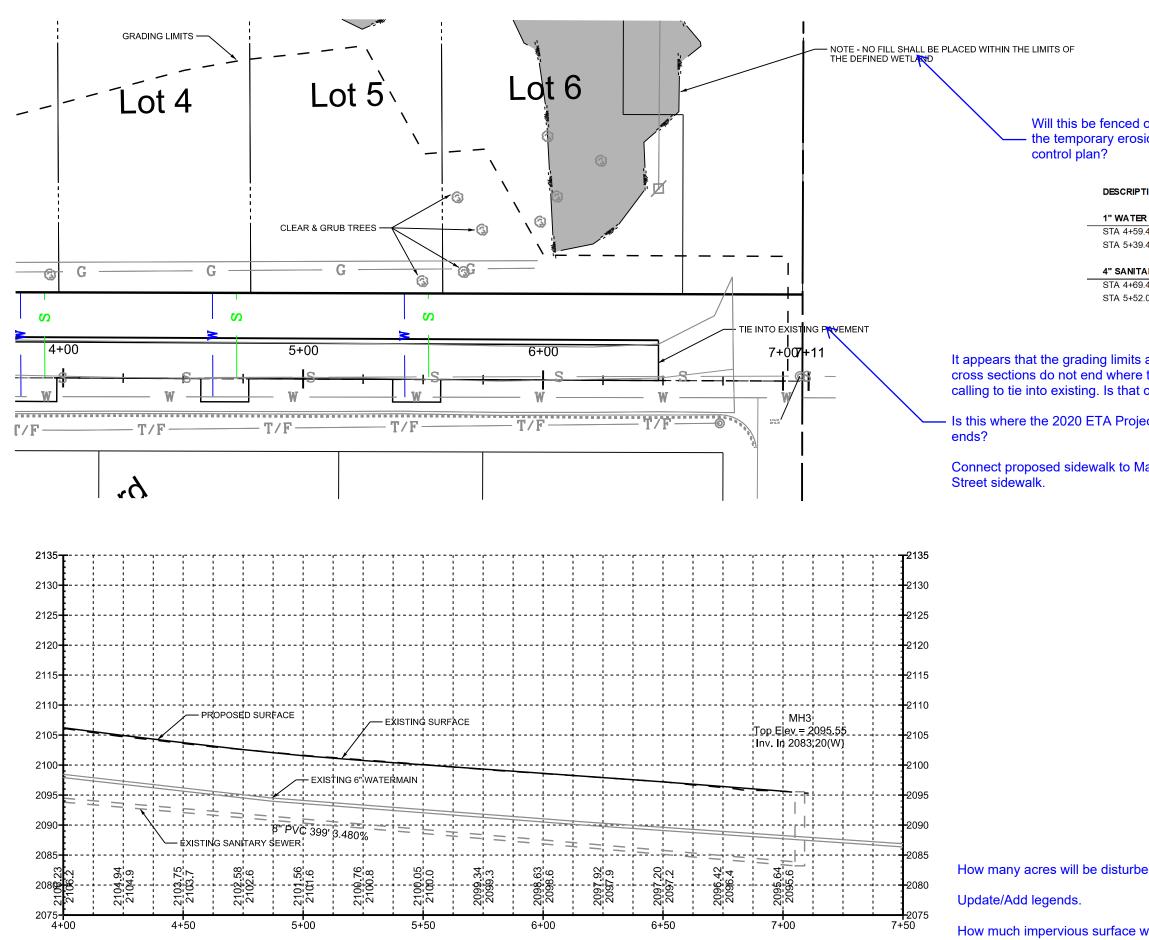
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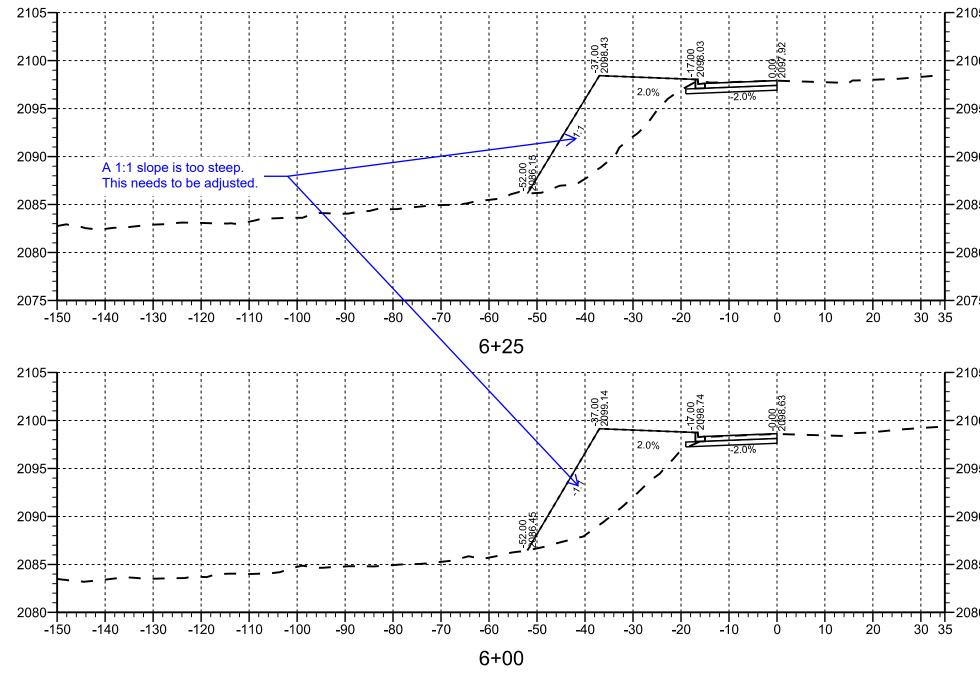
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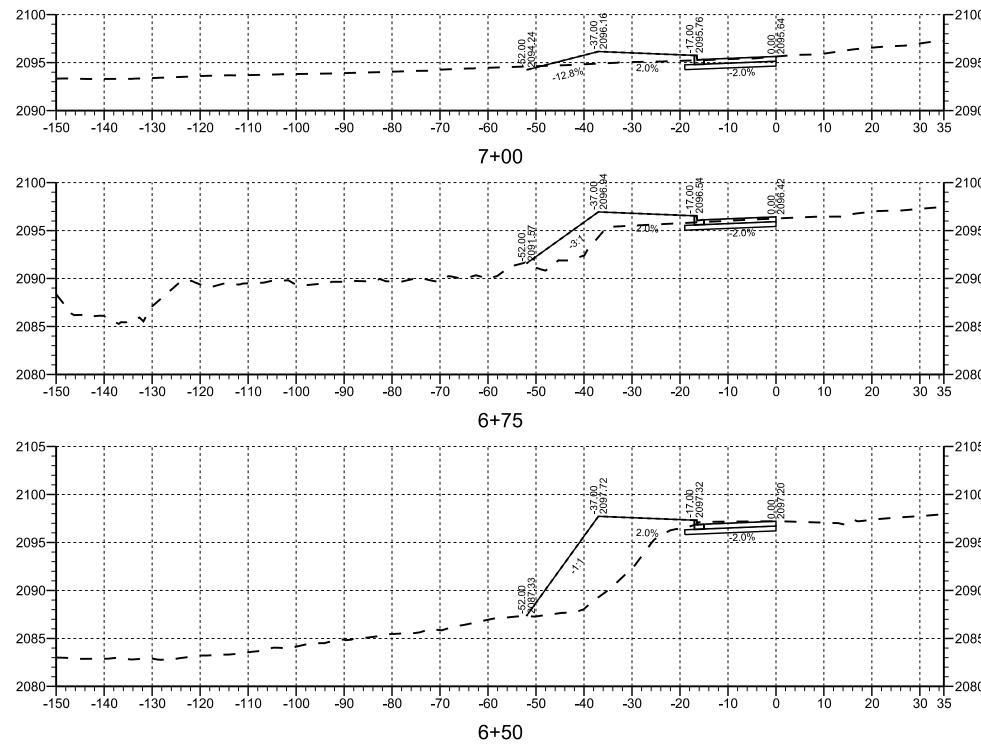
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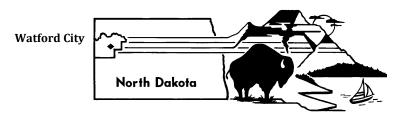
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3.

## Division of Land Application Simple Lot Split Paul Dries The Crossings at Watford City



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 <u>cityofwatfordcity.com</u>

March 2022

STAFF REPORT SLS 01- 2022

#### **APPLICANT:**

The Crossings at Watford City LLC P.O. Box 2009 Watford City ND, 58854

#### **PROPERTY OWNERS:**

The Crossings at Watford City LLC P.O. Box 2009 Watford City ND, 58854

#### PROPERTY LOCATION:

Section 22, Township 150 North N, Range 98 West, Parcel # 82-23-03900 &82-23-04100, Watford City, McKenzie County, North Dakota.

#### REQUEST:

Application submitted for the purpose of dividing one 5-acre lot out for commercial development.

#### ZONING:

R4- High Density Residential

#### CURRENT USE:

No development at this time.

#### SITE DEVELOPMENT:

Access: The property is accessible from Frontier Ave.

Sewer: The property does have access to City sanitary sewer.

Water: The property does have access to City water.

#### SITE DEVELOPMENT:

<u>North:</u> Zoning – C1- General Commercial Use - undeveloped

East: Zoning – CB- General Business District Use - undeveloped

<u>South</u>:Zoning – R4- High Density Residential Use - undeveloped

<u>West:</u> Zoning – CB- Central Business District Use - undeveloped

#### REFERENCES:

- Watford City City Code Sec. XV Article XXX, Section 13 Simple Lot Split" A simple lot split shall be allowed when street improvements, water or sewer line improvements or other public improvements are not required, and no more than four (4) lots are created. Upon approval by the City Council, a simple lot split may be recorded. Notwithstanding the foregoing, all lot design standards and zoning requirements are required to be met."
- Watford City City Ordinance Number 443 amending Section 14 of Article XXX of Chapter XV of The City of Watford City Ordinances Relating to Exception to Subdivision Requirements.

#### DISCUSSION:

This Division of Land Application for Minor Plat Simple Lot Split has been submitted by Paul Dries representing The Crossings at Watford City LLC for an interested party in the property for the purchase of the 5-acre parcel for commercial development. This Simple Lot Split Application has been reviewed by City Staff and would recommend approval.

This lot currently is a vacant lot that the interested parties' intents to construct and develop on the property. The building will be used for an office space.

This map was seen Planning and Zoning February meeting and Commission stated that they did not make a motion on this. The applicant sent a letter of extension. This was received on March 1<sup>st</sup>, 2022. The items that were in question have been addressed and City Council will see this map at their April 4<sup>th</sup> meeting.

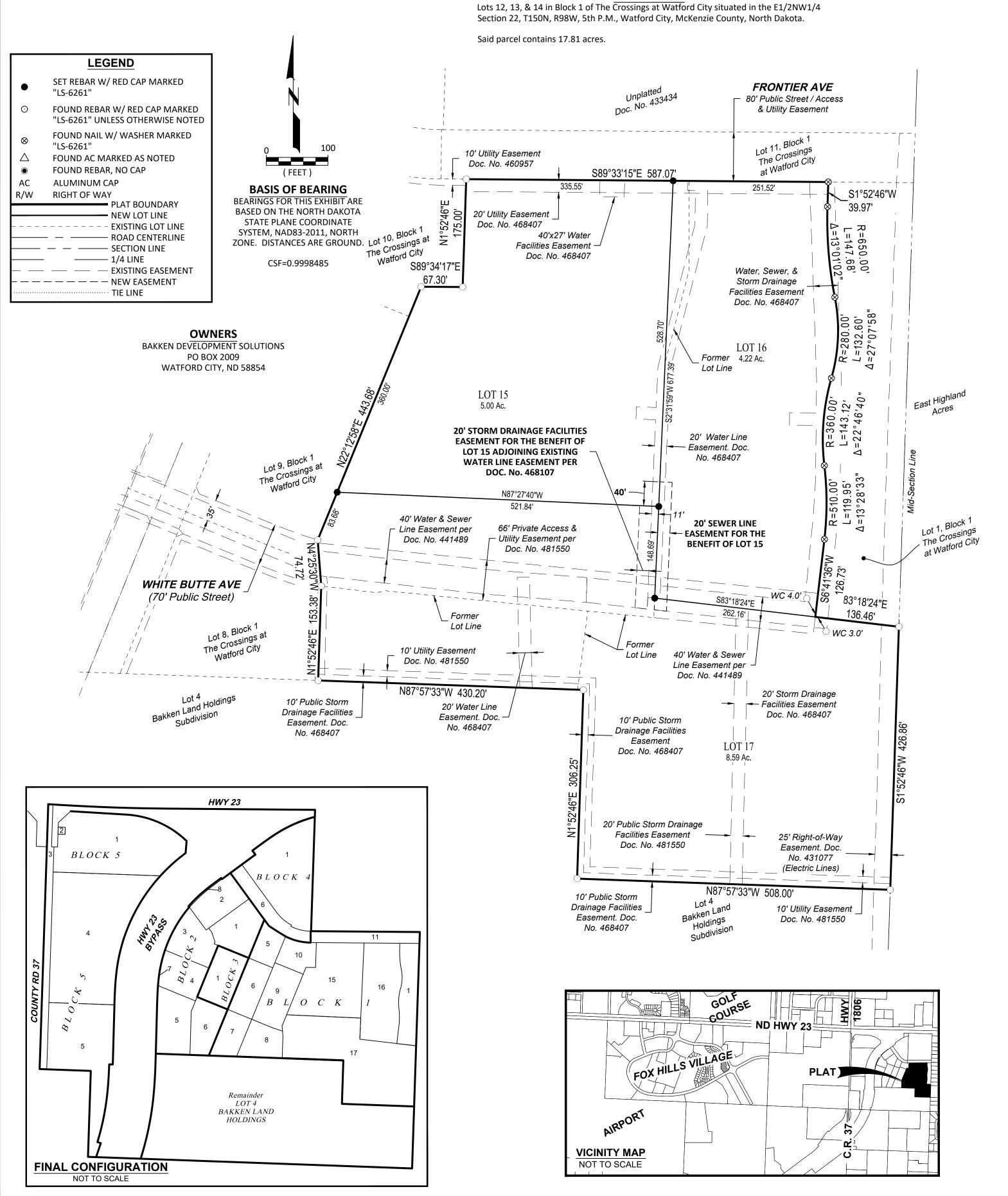
The City of Watford City mailed the adjacent property owners as well as the property owners who hold an interest in the property, a notice regarding the Land Use Application which was received for Zone Change. At the time of this report, none of the noticed property owners have contacted The City regarding this Application.

#### PANNING DEPARTMENT STAFF CONTACT:

LaRissa Bertram <u>lbertram@nd.gov</u> (701)444-8406

## PLAT of LOTS 15-17 in BLOCK 1 of THE CROSSINGS AT WATFORD CITY A REPLAT OF LOTS 12, 13, & 14 IN BLOCK 1 OF THE CROSSINGS AT WATFORD CITY IN THE E1/2NW1/4 SECTION 22, T150N, R98W, 5th P.M., WATFORD CITY, MCKENZIE COUNTY, NORTH DAKOTA

DESCRIPTION



	TE OF CONSENT and DEDICATION	CERTIFIC	ATE OF UTILITY PROVIDER-MDU				
	ortgage holders of the land platted herein, do hereby consent to the ny portion of this plat without the consent of the City of Watford City. We	We, the undersigned utility providers, do hereby approve of the utility easements shown hereon.					
hereby dedicate easements to run with the land	for water, sewer, gas, electric, telephone, or other public utility lines or ereon as "utility easements" whether shown or existing.	MONTANA DAKOTA UTILITIES					
Dated this day of	<u>,</u> 2022.	Signature	Date				
Bakken Development Solutions, LLC		Printed Name	Title				
			nue				
Paul Dries Chief Operating Officer		STATE OF NORTH DAKOTA ) ) ss COUNTY OF McKENZIE )					
STATE OF )		Be it known that on this	day of, 2022, before me personally ontana-Dakota Utilities, known to me to be the person described				
) ss COUNTY OF )		appeared of Me the within instrument, and acknowledg	ontana-Dakota Utilities, known to me to be the person described ed to me that he/she executed the same.				
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	he State of North Dakota, hereby certify that this survey was conducted by is a correct representation of said survey, and that the monuments shown	Signature					
are of the nature and occupy the locations show		Printed Name	Title				
Dated this day of	, 2022. PRELIMINARY	STATE OF NORTH DAKOTA )					
Steven Rude, PLS		) ss COUNTY OF McKENZIE )					
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# Minutes

February 28th 2022



#### PLANNING AND ZONING COMMISSION MEETING MINUTES Monday February 28th, 2022

The regularly scheduled August meeting of the Watford City Planning & Zoning Commission was held on Monday February 28th, 2022, at City Hall in the Heritage Room. In attendance: Chairman Jacob Walters, Vice Chairman Gregg Schuetze, and Commission Members Eva Bertagnolli, Warren Hovland, Troy Knutson, Jesse Lawrence, Marco Pelton and Ross Sundeen. Also in attendance: Assistant City Planner LaRissa Bertram, City Engineer Grace Demars, City Building Inspector Steven Williams, and City Attorney Wyatt Voll.

With the above-mentioned present, the public hearing was called to order at 6:00 P.M. by Chairman Jacob Walters.

Under consideration was the following agenda:

1. Land Use Application for Conditional Use Permit submitted by Michels Pipeline, Inc. for the property located at PID 20-00-14950 for consideration of a temporary laydown yard for storing equipment and materials for a pipeline project.

Assistant City Planner LaRissa Bertram explained the reason for the original Conditional Use Permit (CUP) Application based off the discussion portion of the Staff Report, highlighted that if the CUP is granted it would only be valid for six months or they would need to reapply. At this time there was no longer a need for the pipeline to continue the use of the property for a lay down yard and it was recommended for termination. There were no further comments.

MOTION: G. Schuetz, SECOND: E. Bertagnolli to recommend <u>Termination</u> to City Council of the Land Use Application for Conditional Use Permit for consideration of a temporary laydown yard for storing equipment and materials for a pipeline project. Approval is contingent upon the following conditions as set forth within the Planning Department Staff Report:

ROLL CALL VOTE: AYES: Bertagnolli, Hovland, Knutson, Lawrence, Pelton, Schuetze, Sundeen, Walters NAYS: none MOTION: CARRIED  Land Use Application, Conditional Use Permit – for Conditional Use Permit Application originally submitted by U.S. Forest Services for property located at 1901 Main St. S. Section 25, Township 150N Range 99, Watford City, McKenzie County, ND. Public Hearing will be held for the consideration of the Conditional Use Permit to allow for employee housing on C1- General Commercial Zoned property. (trailers)

Assistant City Planner LaRissa Bertram stated that this property was originally denied in July of 2021 with the motion of giving the property owner and the Forest Service 12 months to work with the City to bring this property into compliance and have it be a permitted use. After many extensive back and forth conversations between the property owner and the Representative of the Property Owner Steven Rude it was made very clear that there would only be one way to allow this property to be a permitted use and that would be by obtaining an additional 4 acres to create a 5 acre parcel then allowing them to rezone to MH- Mobile Home Park and continue on their use.

Steven Rude (property owner representative) was in attendance and he asked the commission to look at the site as a whole. With our ordinance requirements this site was missing the bar by one item or another. For instance, this would not be allowed to be an apartment because of the structure type. Where in reality this is exactly what these trailers are used for are apartment type uses. Steven also noted that the purchase of more real state was not an option for the Girard's at this time. Commission member

Marco Pelton then enquired on why the Forest Service originally needed to have employee housing. Lucus Head Forest Ranger was also in attendance and stated that this was prior to his time but, from what he understood this was in the county when they had originally moved to Watford City, and they have always been allowed to have some sort of employee housing be it Rv's or trailers.

City Attorney Wyatt Voll explained that prior to enough housing the CUP for Temporary workforce housing was used as a "Stop Gap" for the entities that needed places for their employees to go. Now that we have seen an increase in apartment type housing throughout the community there is no longer a need for employee type housing.

Chairman Jake Walters also asked why there was not a special CUP for government entities. Wyatt noted that is a slippery slope and it wouldn't be in the best interest of the city to move in that type of direction.

Steven Rude had asked the commission why this type of use wouldn't be allowed within the Community Facility Zoning. Assistant City Planner noted that this was once discussed but, having ownership of the property being private and Zones Stay with the property forever until applied for a change it wouldn't be something to consider since this building would not be owned by a public entity. There were no further comments.

MOTION: R. Sundeen, SECOND: J. Lawrence to recommend <u>Deny</u> to City Council of the Land Use Application, Conditional Use Permit – for Conditional Use Permit Application originally submitted by U.S. Forest Services for property located at 1901 Main St. S. Section 25, Township 150N Range 99, Watford City, McKenzie County, ND. Public Hearing will be held for the consideration of the Conditional Use Permit to allow for employee housing on C1- General

#### **Commercial Zoned property. (trailers)**

#### ROLL CALL VOTE: AYES: Bertagnolli, Hovland, Knutson, Lawrence, Pelton, Schuetze, Sundeen, Walters NAYS: none MOTION: CARRIED

 Land Use Application for Zone Change Application submitted by Jon Girard for property located at 1905 Main St. S. Section 25, Township 150N Range 99, Watford City, McKenzie County, ND. Public Hearing will be held for the consideration to change the current Zoning from C1- General Commercial to R3-Medium Density Residential. (Apartment)

Assistant City Planner LaRissa Bertram stated that after many recent discussions of phasing out temporary workforce housing, the continuation of the use of a Conditional Use Permit for Temporary Workforce Housing by City Council was denied in July 2021. The recommendation was made based on removing temporary housing Conditional Use Permits from City jurisdiction. No negative changes to the specific properties were noted in issuing the denial of the continuation of the Conditional Use Permit. City Staff has been working with the Forest Service as well as the property owners of the land on bringing their property into compliance. Originally, the parties submitted an application to rezone all 3 parcels (IT 827, 1168, 1136) to C2- Commercial Service District. City Staff stated that the Zone requested would not be recommended for approval because the use of that (C2) zone was not intended for what the parties were intending. At this time, the property owner has applied only for the apartments parcel (IT 827) to be rezoned from C1- General Business District to R3- Medium Density Residential. The property owner has also applied for the other two ITs (1168, and 1136)to be rezoned to C2- Commercial Service District.

Commission member Ross Sundeen asked what would make this so that it wasn't "spot zoning" and City Attorney Wyatt Voll noted that it was because to the North of the property the zoning is R2- two dwelling home residential and that was what made it not allowable to do so. There were no further comments.

MOTION: E. Bertagnolli, SECOND: G. Schuetze to recommend <u>Approval</u> to City Council of the Land Use Application for Zone Change Application submitted by Jon Girard for property located at 1905 Main St. S. Section 25, Township 150N Range 99, Watford City, McKenzie County, ND. Public Hearing will be held for the consideration to change the current Zoning from C1- General Commercial to R3- Medium Density Residential. (Apartment)

#### ROLL CALL VOTE: AYES: Bertagnolli, Hovland, Knutson, Lawrence, Pelton, Schuetze, Sundeen, Walters NAYS: none MOTION: CARRIED

4. Division of Land Application for Simple Lot Split submitted by The Crossings at Watford City LLC. for property located at PID: 82-23-03900 & 82-23-04100, Lots 12 and 14 of Block 1 of The Crossings, Section 22, Township 150 N, Range 98W, Watford City, McKenzie County, ND. Public Hearing will be held for the consideration to of splitting a 5-acre parcel for purchase for commercial development.

Assistant City Planner LaRissa Bertram stated this application was submitted in the intent that a 5acre parcel was divided off for future commercial development. City Engineer Grace Demars had a few items that she wanted addressed prior to the map being recorded. It was stated by City Attorney Wyatt Voll that due to the timeline the comments Grace needed addressed would not meet our thirty-day timeline for tabling and they would ultimately have to resubmit at that time. Or the property owner could request and extension. Once that extension is requested the comments could be addresses at and the Map could move forward with recording. It was then discussed amongst commissioners that they would move forward with approval with the intent that the property owner would request and extension if the property owner did not request an extension by March 8<sup>th</sup> the map would be denied. There were no further comments.

MOTION: R. Sundeen, SECOND: J. Lawrence to recommend <u>Deny</u> unless an extension letter is submitted to City Council of the Division of Land Application for Simple Lot Split submitted by The Crossings at Watford City LLC. for property located at PID: 82-23-03900 & 82-23-04100, Lots 12 and 14 of Block 1 of The Crossings, Section 22, Township 150 N, Range 98W, Watford City, McKenzie County, ND. Public Hearing will be held for the consideration to of splitting a 5-acre parcel for purchase for commercial development.

#### ROLL CALL VOTE: AYES: Bertagnolli, Hovland, Knutson, Lawrence, Pelton, Schuetze, Sundeen, Walters NAYS: none MOTION: CARRIED

 Land Use Application for Zone Change submitted by The Crossings at Watford City LLC. for property located at PID: 82-23-03900 & 82-23-04100, Lots 12 and 14 of Block 1 of The Crossings, Section 22, Township 150 N, Range 98W, Watford City, McKenzie County, ND. Public Hearing will be held for the consideration to of Rezoning the previously slit 5acre parcel for purchase from R3- Medium Density Residential to C1- General Commercial for commercial development.

Assistant City Planner LaRissa Bertram stated this application was submitted in association with the previous plat. The intent for this zone change is to develop a commercial property. It was discussed among commission members for approval if the plat follows through. There were no further comments

MOTION: J. Lawrence, SECOND: M. Pelton to recommend <u>Approval</u> to City Council of the Land Use Application for Zone Change submitted by The Crossings at Watford City LLC. for property located at PID: 82-23-03900 & 82-23-04100, Lots 12 and 14 of Block 1 of The Crossings, Section 22, Township 150 N, Range 98W, Watford City, McKenzie County, ND. Public Hearing will be held for the consideration to of Rezoning the previously slit 5-acre parcel for purchase from R3- Medium Density Residential to C1- General Commercial for commercial development.

Approval shall be contingent upon the following conditions:

- If no action is taken indicating C1- General Business District within one (1) year of approval of the zone change, the change shall be nullified, and the land will revert to its original R4- High Density Residential District Zoning.
- If the plat does not move forward with approval this Zone Change will be denied.

ROLL CALL VOTE: AYES: Bertagnolli, Hovland, Knutson, Lawrence, Pelton, Schuetze, Sundeen, Walters NAYS: none MOTION: CARRIED

#### CLOSE PUBLIC HEARING: 07:29 PM

#### CALL TO ORDER REGULAR MEETING: 07:29 PM

#### MINUTES: January 30th, 2022

Minutes were reviewed as presented. No additional comments.

MOTION: J. Lawrence, SECOND: G. Schuetze to Approve the meeting minutes as presented. VOICE VOTE: AYES: all in favor NAYS: none

#### PERMIT RECORDS:

Reviewed permit records as presented. No additional comments.

#### NEW BUSINESS:

No new business presented.

#### OLD BUSINESS:

ADJOURNMENT: 07:33 PM

**MOTION** by J. Lawrence

The next regularly scheduled Planning and Zoning Commission Meeting will be held on <u>Monday March 28<sup>th</sup>,2022 at 06:00 pm</u>.

Jacob Walters, Chairman

LaRissa Bertram, Assistant City Planner

# Permit Records

February-March

#### 2022 Permit Records City of Watford City

PERMIT #	PERMIT TYPE	MONTH	ISSUE DATE	PROPERTY OWNER	CONTRACTOR	ADDRESS	LOT/BLOCK	SUBDIVISION	PARCEL #	DESCRIPTION OF WORK	VALUE	PERMIT FEE
5180	EXCAVATION	Jan	1/11/2022	Jordan and Riley Hanson	Woodrock inc.	911 13th Ave. SW	Lot 4 Block 3	Tara Estates	82-64-04030	Sewer Repair w/in 15ft of back of curb 8' deep; remove blockage and patch hole	\$ 10,000.00 \$	177.00
5181	COMMERCIAL BUILDING	Jan	1/24/2022	SUSO3 Watford Management	Darr Construction	113 6th Ave Se St.		South Park 1st Add	82-74-00500	Build out for Chiropractic Clinic	\$ 60,000.00 \$	790.00
5182	RESIDENTIAL BUILDING	Jan	1/26/2022	LT Development Group	Mark Campbell	1221 9th St SE	Lot 15 of Block 3	Tara Estates	82-64-02150	1750 Sq ft home with 576 sq ft attached garage	\$ 152,000.00 \$	3,478.00
5183	WATER/SEWER ACCESS	Jan	1/26/2022	LT Development Group	Mark Campbell	1221 9th St SE	Lot 15 of Block 3	Tara Estates	82-64-02150	1' water line 3/4' meter with SFH sewer connection	\$ - \$	3,132.53
5184	RESIDENTIAL BUILDING	Jan	1/26/2022	LT Development Group	Mark Campbell	1217 9th St SE	Lot 16 of Block 3	Tara Estates	82-64-02160	1750 Sq ft home with 576 sq ft attached garage	\$ 152,000.00 \$	3,478.00
5185	WATER/SEWER ACCESS	Jan	1/26/2022	LT Development Group	Mark Campbell	1217 9th St SE	Lot 16 of Block 3	Tara Estates	82-64-02160	1' water line 3/4' meter with SFH sewer connection	\$ - \$	3,132.53
5186	EXCAVATION	Jan	1/27/2022	City of Watford City	BEK Consulting LLC	141 3rd ST. SW				WATER MAIN BREAK	\$ 5,000.00 \$	107.00
5187	RESIDENTIAL BUILDING	February	2/9/2022	Marshall and Hannah Krebs	Self	117 7th Ave NE	Lot 4 Block 6	Veeder estates	82-75-05800	Finish Basement	\$ 12,000.00 \$	205.00
5188	RESIDENTIAL BUILDING	February	2/14/2022	Paramount Builders Inc	Paramount Builders Inc	1504 Eagleview Ct.	Lot 19 Block 1	Fox Hills	83-25-11900	Inslate & sheet rock garage walls	\$ 1,500.00	
5189	EXCAVATION	February	2/14/2022	City of Watford City	BEK Consulting LLC	N Golf Course	NA	NA	NA	8" Gate Vaulve on Forcemain	\$ 24,000.00 \$	373.00
5190	EXCAVATION	February	2/14/2022	City of Watford City	BEK Consulting LLC	300 E Park Ave	NA	NA	NA	Emergency Repair of Water Leak on East Park Ave Just South of Middle School	\$ 5,000.00 \$	107.00
4911	RENEWAL	February	2/18/2022	KLT Enterprises LLC	Branch Construction Services LLC	1116 Tara Lane SW	Lot 49	Tara Estates		touch ups and final inspections	\$ - \$	20.00
4953	RENEWAL	February	2/18/2022	KLT Enterprises LLC	Branch Construction Services LLC	1124 Tara Lane SW	Lot 48	Tara Estates		touch ups and final inspections	\$ - \$	20.00
5019	RENEWAL	February	2/18/2022	KLT Enterprises LLC	Branch Construction Services LLC	1232 Tara Lane SW	Lot 41	Tara Estates		touch ups and final inspections	\$ - \$	20.00
5191	DEMOLITION	February	2/18/2022	James T Brooks	Self	418 6th St NE				tear down house & attached middle building on lot.	\$ - \$	25.00
5192	SIGN	February	2/23/2022	Blue Goose LLP	DRS Ennterprises LLC	217 M St	lot 8 block 6	Original Townsite of W.C.	82-0109300	Stud Mounted Sign Installed on Front of Building	\$ - \$	100.00
5193	COMMERCIAL BUILDING	March	3/10/2022	Shane Mckinney	Same	1101 2nd Ave Se				replace front door, patch drywall, install new windows	\$ 2,000.00 \$	49.00
5194	COMMERCIAL BUILDING	March	3/10/2022	James T Brooks	Faicon Construction	418 6th St NE	Lot 1 Block 2	Stevens Addtions		poor floor in N. Shop 30x40 thick edge, Raise door up replace garage door	\$ 9,000.00 \$	163.00
5195	COMMERCIAL BUILDING	March	3/22/2022	Bakken Villiage LLC	Priority Plumbing	104 Prospect St Ste 107	Lot 9 block 1	The Crossings	82-23-03200	buidling additional walls to enclose office, conference room, and storage room	\$ 7,500.00 \$	99.40
5196	RESIDENTIAL BUILDING	March	3/24/2022	Debre Kellog	Sanford Construction	1513 Meadow Lark Court				Building an interior basement walls add 2 bedrooms finish basement	\$ 30,000.00 \$	220.00