

CITY OF WATFORD CITY

P.O. BOX 494

WATFORD CITY, NORTH DAKOTA 58854

AGENDA
May 26, 2015

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

- **Call to Order Public Hearing**

1. Public hearing to hear comment on Variance Application submitted by Roers Investments, Kent Roers on property located Lot 2 & 3 Block 1 the Crossings Subdivision, Section 22, T150N, R98W 17.81 acres, Watford City, McKenzie County, ND. (Frontier Avenue of the Crossings). Application requests variance of maximum height allowed in R4 High Density Residential District. Proposed building is 5 ft. above allowed height.
2. Public hearing to hear comment on Zone Change Application submitted by Mychal Gorden for Stenehjem Development, LLP on property located Lot 3 & 4 of Block 2 and Lot 8 Block 3 Fox Hills Village, NE ¼ Section 20, T150N, 98W, Watford City, McKenzie County, ND. 15.47 acres. Application requests rezoning R4 High Density Residential to C1 General Commercial District.

- ~~3.~~ Public hearing to hear comment on Preliminary Plat Application submitted by Mychal Gorden for Stenehjem Holdings, LLC on property located Lot 8 in Block 1 and Lots 8, 12, and 13 in Block 3 of Fox Hills Village Subdivision, NE ¼ Section 20, T150N, R 98W, Watford City, McKenzie County, ND. 58.45 acres, 75 lots. (Creekside @ Fox Hills Village)

Application Pulled.

- **Close Public Hearing**
- **Call to Order Regular Meeting**
- **Approve Minutes from April 27, 2015 Meeting & May 13, 2015 Special Meeting**
- **New Business:**
- **Review Permits:** Attached
- **Adjournment**


Mildred Williams, Assistant City Planner

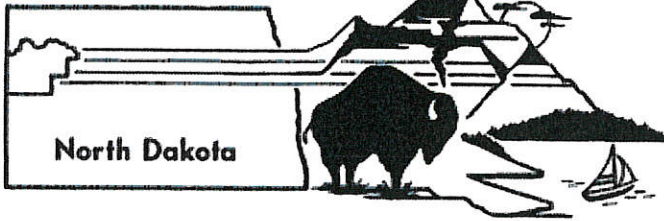
1.

Variance Application

Submitted by Roers Investments

Lots 2 & 3 Block 1

The Crossings Subdivision



North Dakota

LAND USE APPLICATION

City of Watford City Planning Department

GRAY AREA FOR STAFF USE ONLY

ZONE CHANGE	STAFF: <i>mw</i>	P&Z: <i>3/30/15</i> CC: <i>4/6/15</i>
CONDITIONAL USE	FEE: <i>\$300</i>	ADVERTISE DATE:
VARIANCE	RECEIPT #: <i>\$300 chk# 1325</i> <i>Roers Investment</i>	PROPERTY OWNERS NOTIFIED:
STREET NAME	SECTION/TOWNSHIP/RANGE: <i>The Crossings, Lot 2 & 3 in Block 1</i>	

FINAL ACTION MEMORANDUM MAILED: *\$2500.00 per ft. over allowed height to be collected w/building permit on / at building permit stage IF approved by P&Z / CC*

DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: *W No 2, LLC*
 APPLICANT: *same as owner*

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: *Kent Roers, Roers Investments*
 ADDRESS: *13774 Reimer Dr. North*
 CITY: *Maple Grove* STATE: *MN* ZIP CODE: *55311*
 TELEPHONE: *763-999-7051* EMAIL: *kent@roersinvestments.com*
 ASSESSOR'S PARCEL NUMBER(S): *82-23-03000 82-23-00200*
 LEGAL DESCRIPTION: *Lots 2 & 3 of Block 1 of the Crossings @ Watford City*
 PROPERTY ADDRESS AND NEAREST CROSS STREETS: *Frontier Avenue*
 GROSS/NET ACREAGE: *17.81 acres* PRESENT ZONE CLASSIFICATION: *R4 High Density*
 DESIRED ZONE CLASSIFICATION: *NA* CURRENT LAST USE: *NA*

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

we are requesting a variance for the height. Please see attached letter for further details.

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

LAND USE APPLICATION pg. 2
Watford City Planning Department

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

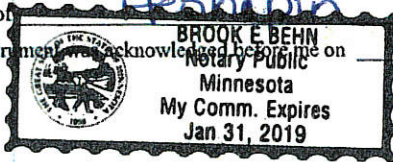
John R. Smith, Manager
Property Owner Signature

Glen R. Smith
Print of Type Owner Name

NOTARY

State of Minnesota
County of Hennepin

This instrument is my knowledge and belief on



1/22/15
Date

by Brook Behn
Name of Person

Brook Behn
Signature of Notarial Officer

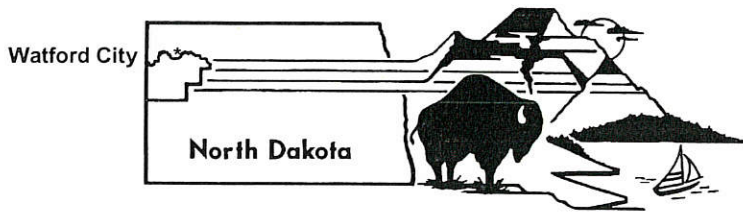
Documents Required for Submitting Land Use Applications

APPLICATION TYPE	Application	Conceptual Site Plan	Site Plans	Deed	Legal Description	Justification Letter	Traffic Impact Analysis	PDF	Supplemental Info.	Application Fees
Conditional Use Permit	1 ^G	1	1	1 ⁹	1 ⁸	1 ¹¹	1 ¹²	1	1 ¹⁴	\$525 + publishing costs
Zone Change	1	1	1	1 ⁹	1 ⁸	1 ¹¹	1 ¹²	1	1 ¹⁴	\$300
Variance	1	1	1		1 ⁸	1 ¹¹		1		\$300
Vacation and Abandonment	1		1	1 ⁹	1 ⁸	1 ¹¹		1		Refer to Fee Schedule
Street Name Change*	1	1	1			1 ¹¹		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
213 2nd St., NE
PO Box 494
Watford City, ND 58854
Ph. 701- 444- 2533
Fax 701- 444- 3004
www.mckenziecounty.net

May 19, 2015

STAFF REPORT
V-03-2015 VARIANCE (height)

Applicant
W No 2, LLC
13774 Reimer Dr. North
Maple Grove, MN 55311

Property Owner(s)
W No 2, LLC

Property Address: Lots 2 & 3 of Block 1 of the Crossings (Frontier Avenue)

Variance Requested: A request for height variance of allowable height.

Zone: R4 (high density residential)

Reference: Watford City City Code Sec. XV – Article XXVII, Variances and Sec. V, VI – Article XVI

Discussion: The applicant is requesting this variance in order to carry out the design intent and functional requirements of proposed building. Requested variance for proposed development would allow for a pitched roof, enabling “tuck-under” garages, maximizing green space and creation of outdoor amenities.

Article XXVII, Section 1 of the Watford City Zoning Ordinance outlines the following circumstances that **must be shown** in order to grant a variance:

1. Unique conditions apply to this property that do not generally apply to other properties in the vicinity as a result of exceptional narrowness, shallowness, or shape, by reason of exceptional topographical conditions, or other extraordinary or exceptional circumstances the strict application of the terms of this zoning ordinance actually prohibits the use of his property in the manner similar to that of other property in the zoning district where it is located.
2. The applicant must show that his property was acquired in good faith and where by reason of exceptional narrowness, shallowness or shape of his specific piece of property at the time of the effective date of this zoning ordinance or where, by reason of exceptional topographical conditions or other extraordinary or exceptional circumstances, the strict application of the terms of this zoning ordinance actually prohibits the use of his property in the manner similar to that of other property in the zoning district where it is located

Section 5 & 6 of Article XVI, Chapter VX of the Watford City Zoning Ordinance outlines the following regulations for height variance:

1. No building shall exceed (45) feet in height, except as provided in the additional height, area and use regulations or as approved by variance.
2. In instances where buildings are taller than forty-five (45) feet, there shall be an additional setback requirement at a ratio of three (3) additional feet of setback for each ten (10) feet of height above forty-five (45) feet.

In granting a variance, the Planning Commission must satisfy itself, from the evidence heard before it that the granting of the variance will alleviate a clearly demonstrable hardship approaching confiscation as distinguished from a special privilege or convenience sought by the owner. The planning Commission shall also find that the variance, if granted, is in harmony with the intended spirit and purpose of the zoning ordinance and does not constitute a direct and obvious amendment to the district regulations or district boundaries. Under no circumstances shall the Planning Commission grant a variance allowing a use within a district not permissible under the terms of this ordinance.

Recommendation: Staff recommends to approve the variance for five (5) additional feet over allowed height in R4 district with the following recommendations:

1. The building height requirements shall also meet the state building code requirements.
2. The type of material used for building construction must be adequate for variance requested height according to state code requirements.

Contact:

Mildred Williams
Assistant City Planner
miwilliams@nd.gov

Watford City
Planning & Zoning Department
213 2nd Street NE
Watford City, ND 58854

January 23, 2015

RE: Variance Request for The Crossings Apartment Development Height

Watford City Planning & Zoning Officials,

The Crossings Apartment Development is proposed as an upscale, phased development which includes 3-story apartments, as well as 4-story buildings with pitched roofs, a community building and attached tuck under garages. With the pitched roof design, The Crossings' 4-story apartments have a height of approximately 50 feet.

We are requesting a variance for the height of the above project which is proposed to be located in an R4 high density residential district per Article XIV of the Watford City Zoning Ordinance. Article XIV, Section 5 states: *no building shall exceed 45 feet in height, except as provided in the additional height, area and use regulation of this ordinance.*

The variance requested for this proposed development would be a benefit/positive impact the community of Watford City in the following ways:

- 1) 4-story Building with a pitched roof would maximize green space and enable the creation of outdoor amenities. The current height ordinance allows for a 4-story building; if a flat roof design is used.
- 2) Provide tuck-under garages; this design has been constructed in other communities with great success as residents value attached garages during the harsh winters.

Please note that this variance request would not increase the density currently allowed by the Zoning Ordinance (2000 SF/ unit) and in addition, building setbacks would be modified as required below in Article XXVII, Section 2.

Per Article XXVII, Section 2, item b: *Ten (10) feet in height may be allowed for each one (1) foot of building setback in addition to the setback required by the district regulation in which the property is located.*

Thank you for consideration of our request for a height variance for some of the buildings within this proposed development. We look forward to working with you.

Sincerely,



Kent Roers
Roers Investments



LOT 12 - 314,185 SF

3405/42 UNITS = 228 SF PER UNIT

LOT 14 - 401,216 SF

4024/78 UNITS = 230 SF PER UNIT

FRONTIER AVE.

PARKING FORMULA:
1 BD + 2 BD = () X 2 = TOTAL (1)
3BD X 2.5 = TOTAL (2)
TOTAL (1) + (2) = TOTAL PARKING REQ'D

LOT 10
BLOCK 1

BAKKEN VILLAGE

LINE TYPE KEY

---	PHASE LINE
---	20' PHASE LINE SETBACK
---	BUILDING SETBACK
---	EASEMENT LINE

LOT 9
BLOCK 1

	STANDARD T/U GARAGE
	STANDARD DETACHED GARAGE
	STANDARD SURFACE ADA STALL

SITE PLAN
SCALE: 1" = 40'-0"

LOT B - 60,391 SF

403/40 UNITS = 228 SF PER UNIT

LOT A (160 UNITS) + LOT B (30 UNITS) + LOT C (191 UNITS)

381 TOTAL UNITS - 798 REQ'D SPACES
343 NEW SURFACE STALLS (18 GUEST) = 361 STALLS
56 EXIST. SURFACE STALLS
223 T/U GARAGES
169 DETACHED GARAGES (24 DOUBLE) 193 STALLS
815 PROVIDED SPACES (18 GUEST) 833 TOTAL STALLS

BLOW UP OF ENTRY BOULEVARD

EXTENSIVE LANDSCAPING

ER #
IT SIGN

PROVIDE IRRIGATION
ON ONE SIDE OF THE
BLVD. TO THE OTHER

THE CROSSINGS AT WATFORD CITY
WATFORD CITY, NORTH DAKOTA

ROERS INVESTMENTS
11516 88TH AVE NORTH
MAPLE GROVE, MN 55369
ROERSINVESTMENTS.COM

COLE GROUP ARCHITECTS LLC
214 Park Avenue South
Suite 100
Bismarck, ND 58101
781.281.1400
info@colearchitects.com

These documents are not valid for building permit unless signed in ink and over sealed. Copies are not valid. I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly licensed Architect under the laws of the state of NORTH DAKOTA. Date: 11/20/13 Name: NORMAN E. COLE Signature: [Signature]

FILE: 140725 CON-3
Project No: 14073
Issue Date:
Revision:

2.

Zone Change Application

Submitted by Mychal Gorden
For Stenehjem Development, LLP.

*Lot 3 & 4 Block 2 and Lot 8 Block 3
Fox Hills Village Subdivision*

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

AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY

APPLICATION TYPE	DATE FILED: 5.6.15	APPLICATION NUMBER:
<u>ZONE CHANGE</u>	PROCESSES BY: MW	MEETING DATES: P&Z: 5-26-15 CC: 6-1-15
CONDITIONAL USE PERMIT	FEE: \$300	ADVERTISE DATE: 5-13 + 5-20
VARIANCE	RECEIPT #: 154559 #1313	PROPERTY OWNERS NOTIFIED:
VACATION & ABANDONMENT	SECTION/TOWNSHIP/RANGE: 20 / 150N / 98W	
STREET NAME	RELATED CASE #: Fox Hills Village	
	FINAL ACTION MEMORANDUM MAILED:	DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: Stenehjem Development, LLP
 APPLICANT: Kira Stenehjem

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: Mychal Gorden
 ADDRESS: PO Box 2346
 CITY: Watford City STATE: ND ZIP CODE: 58854
 TELEPHONE: 928-230-9876 EMAIL: mychal@mychalgordendesign.com
 ASSESSOR'S PARCEL NUMBER(S): 20-00-21700
 LEGAL DESCRIPTION: Lot 3 and 4 of Block 2 & Lot 8 of Block 3 - Fox Hills Village
 PROPERTY ADDRESS AND NEAREST CROSS STREETS: Fox Hills Parkway & Wolf Den Parkway
 GROSS/NET ACREAGE: 15.47 Net Acres PRESENT ZONE CLASSIFICATION: R4
 DESIRED ZONE CLASSIFICATION: C1 CURRENT LAST USE: Agriculture

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

To rezone R4 property adjacent to the High School & Event Center to C1 to facilitate commercial and professional office space development to support the High School and Event Center visitors as well as the single and multifamily development in the area.



Extension of City Water & Sewer via SID
 DESCRIBE THE SOURCE OF WATER/SEWER: _____ Do you have a will serve letter YES NO

LAND USE APPLICATION pg. 2
Watford City Planning Department

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

Kira Stenehjem
Property Owner Signature

Kira Stenehjem
Print of Type Owner Name

NOTARY

State of North Dakota

County of Mckenzie

This instrument was acknowledged before me on 5-6-15 by Kira Stenehjem
Date Name of Person

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

Teresa Heck
Signature of Notarial Officer

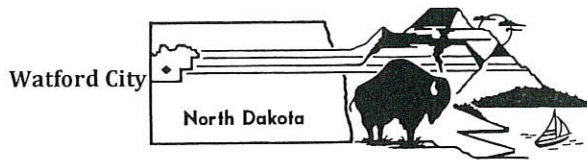
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Variance	1	1	1		1 ⁸	1 ¹¹		1		\$300
Vacation and Abandonment	1		1	1 ⁹	1 ⁸	1 ¹¹		1		Refer to Fee Schedule
Street Name Change*	1	1	1			1 ¹¹		1		Refer to Fee Schedule

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- G. Site Development Plan Application is required on all Conditional Use Applications.



City of Watford City

213 2nd St. NE / PO Box 494

Watford City, ND 58854

Ph. 701-444-2533

Fax 701-444-3004

Celebrating 100 Years - 2014

watford.mckenziecounty.net

May 19, 2015

STAFF REPORT ZC-11-2015 ZONE CHANGE

Applicant

Mychal Gorden

PO Box 2346

Watford City, ND 58854

Property Owners

Stenehjem Development, LLP

Kira Stenehjem

Property Address: Fox Hills Parkway and Wolf Den Parkway / Lot 3 & 4 Blk 2 and Lot 8 of Blk 3
Fox Hills Village Subdivision

Zone Change Requested: Request Zone Change from R4 to C1, .15.47 acres

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

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

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

-The existing property is **currently zoned as R4**. The applicant is **asking that the property be rezoned to C1 approximately 15.4 acres (commercial)**. Requested zone change would facilitate commercial & professional office development to support High School and Event Center visitors along with future residential neighborhoods.

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

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

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

Surrounding Land Use Inventory:

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

Comprehensive Zoning Plan and Zoning Comparison:

The commission must exercise prudence when evaluating this request. All of the possible uses that could occur on this property and the possible effect on surrounding properties must be considered when evaluating whether this zone change should be approved. The zone requested by the applicant, C1 (general commercial district) is intended for the purpose of allowing basic retail, service and office uses. 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 will be accessible from Fox Hills Parkway

Sewer: sewer is in process to the property.

Water: city water is in process to the property.

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

Recommendation:

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

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

Contact:

Mildred Williams, Assistant City Planner



©2015 Google

Google earth

feet
meters



2000
800



Google earth

Minutes

April 27, 2015

PLANNING & ZONING COMMISSION MEETING MINUTES

April 27, 2015

The regular monthly meeting of the Watford City Planning & Zoning Commission was held on Monday April 27, 2015 at 6:00 p.m. at City Hall in the Heritage Room. In attendance: Chairman Glen Beard, Board members: Rick Holm, Jesse Lawrence, Sonja Johnson, William Carlson, Shane Homiston and Cory Johnson. Also present: City Attorney Wyatt Voll, Assistant City Planner Mildred (Mili) Williams, Planning Assistant Becky O'Neill, and City Building Inspector Steven Williams. Absent: City Planner Curtis Moen.

With the above mentioned present, the Public Hearing was called to order at 6:00 p.m. by Chairman Glen Beard.

Under consideration were the following:

1. Public Hearing to hear comment on Preliminary Subdivision Plat submitted by Mychal Gorden for Stenehjem Holdings, LLC. / Erik Stenehjem on property located Lots 8-11 Block 4 of Fox Hills Village Subdivision 22.57 acres, Watford City, McKenzie County, ND.
MOTION by J. Lawrence, SECOND by W. Carlson to recommend Approval to City Council of the Preliminary Subdivision Plat contingent with the following recommendations set forth in the staff report:
 - a. The Development Agreement (DA) is finalized before final map recordation.
 - b. Subdivision Improvement, Maintenance, and Warranty Agreement (SIA) is finalized and approved by Watford City Planning Department before final map recordation.**Roll Call vote: Ayes; R. Holm, J. Lawrence, S. Johnson, W. Carlson, S. Homiston, C. Johnson, G. Beard. Nays; None. MOTION Carried.**
2. Public Hearing to hear comment on Zone Change Application submitted by Mychal Gorden for Stenehjem Holdings, LLC. / Erik Stenehjem on Lot 8 Block 4 of Fox Hills Village Subdivision, .99 acres, Watford City, McKenzie County, ND. In consideration of rezoning R4 High Density Residential parcel to C1 Commercial.
MOTION by C. Johnson, SECOND by R. Holm to recommend Approval to City Council of the Zone Change Application contingent with the following recommendations set forth in the staff report:
 - a. Site Development Plan Application and generalized building plans must be submitted, reviewed, and approved before any development is started on this property.
 - b. Zone change will only be in place for one year. If no further development is done within this time the property shall return back to its original zoning.**Roll Call vote: Ayes; R. Holm, J. Lawrence, S. Johnson, W. Carlson, S. Homiston, C. Johnson, G. Beard. Nays; None. MOTION Carried.**
3. Public hearing to hear comment on Zone Change Application submitted by Matrixx Equities Watford, LLC/Bob Watt for Edward & Charlotte Schilke on property located SW1/4 of Section 21, T150N, R98W, Watford Ranch Subdivision, 138 acres, Watford City, McKenzie County, ND. In consideration of rezoning AG Agriculture parcel to R4 High Density Residential 105.26 acres, C2 Commercial Service District 8.06 acres and CF Community Facilities 23.11 acres for a total of 138 +/- acres.
Discussion: The CF Community Facilities zoning pertains to the space for a proposed Linear Park.
MOTION by S. Homiston, SECOND by S. Johnson to recommend Approval to City Council of the Zone Change Application contingent with the following recommendations set forth in the staff report:
 - a. The Developer must submit generalized building plans for any development on the property.
 - b. A Site Plan be submitted before any development is started on this property.
 - c. If no action is taken within one year, the property returns to previous AG zoning.**Roll Call vote: Ayes; R. Holm, J. Lawrence, S. Johnson, W. Carlson, S. Homiston, C. Johnson, G. Beard. Nays; None. MOTION Carried.**
4. Public hearing to hear comment on Zone Change Application submitted by Chris Cope on behalf of Wise Services on property owned by Wise Ventures, LLC located at 605 24th St W, Parcel # 11-00-14760, 6.73 acres, McKenzie County, ND. In consideration of re-zoning AG Agriculture parcel to Industrial (Heavy) District.
Comments from Assistant City Planner, Mili Williams: it was written in the staff report to approve this request as presented however after further review with City Planner Curtis Moen, it is now recommended to either table or deny this application. This property is located within the City's ETA therefore it was previously under County jurisdiction with County Zoning. The City has been accepting the uses and zoning of our ETA properties as they have been previously set with the County. At this time, we have not received a clear confirmation from the County regarding this property's previous zoning. The property owners stated on the application that the property was currently zoned as AG Agriculture. This was confirmed from an Assistant Planner with the County. However, we later received another message with conflicting zoning information. And, as of just before this meeting, County Planner Walter Hadley replied stating

that the property was actually zoned Industrial. The City feels that further research is necessary in order to confirm the property's previous zoning from the County. If the property is already zoned Industrial, this zone change may not be needed. Comments from City Attorney Wyatt Voll: if we table the item, City Council cannot take action and the application will need to be re-submitted next month. If we recommend denying the item, this will give staff the ability to work on confirming the zoning before next Monday's City Council meeting and allow for the Council to make a final decision to either approve or deny.

MOTION by W. Carlson, SECOND by C. Johnson to recommend Denial to City Council of the Zone Change Application due to the pending confirmation of the property's previous zoning from McKenzie County.
Roll Call vote: Ayes; R. Holm, J. Lawrence, S. Johnson, W. Carlson, S. Homiston, C. Johnson, G. Beard. Nays; None.
MOTION Carried.

5. Public Hearing to hear comment on Conditional Use Permit Application submitted by Chris Cope on behalf of Wise Services on property owned by Wise Ventures, LLC located at 605 24th St W, Parcel # 11-00-14760, 6.73 acres, McKenzie County, ND. In consideration of Conditional Use Permit to install bulk fuel tank.

Comments from Assistant City Planner Mili Williams: This application follows the previous zone change. This will allow for a bulk fuel tank to be installed. Because of the conflicting zoning, it will need to be verified the zoning is Industrial, Heavy Industrial in order for the bulk fuel storage to be an acceptable use on the property. This property also has existing employee housing located near proposed fuel storage site. The City will also need to verify with the County regarding this property's existing employee housing regulations. Since changes are being made to the property, this alters the uses in which they would have been grandfathered in from the County. The property will now have to be in compliance with City standards. An additional Conditional Use Permit may be required for the employee housing to continue to be on the property assuming it is zoned Industrial. (Not a permitted use in the City) The Commission also raised many concerns regarding the close proximity of the housing to the fuel storage location and that the bulk fuel storage will need to comply with any and all State and Federal requirements and regulations for safety and containment.

MOTION by S. Homiston, SECOND by R. Holm to Table the Conditional Use Permit Application due to the pending confirmation of the zoning and the additional use of existing employee housing on site.
Roll Call vote: Ayes; R. Holm, J. Lawrence, S. Johnson, W. Carlson, S. Homiston, C. Johnson, G. Beard. Nays; None.
MOTION Carried.

6. Public hearing to hear comment on Conditional Use Permit Application submitted by Brent Kabat of Buell Consulting, Inc. on behalf of Verizon Wireless on property owned by Patrick & Sally Golberg located at 1809 Main Street South, 45.97 acres, Watford City, McKenzie County, ND. In consideration of placement of wireless telecommunications transmission facility.

Discussion: The portable trailer will only be used until the tower and equipment storage building are completed and operational.

MOTION by W. Carlson, SECOND by R. Holm to recommend Approval to City Council of the Conditional Use Permit Application contingent with the following recommendations set forth in the staff report:

- a. Review and Approval of submitted Site Development Plan by Planning and Engineering Department.
- b. Conditional Use Permit shall be for a term of one year and reviewed every 6 months thereafter.

Roll Call vote: Ayes; R. Holm, J. Lawrence, S. Johnson, W. Carlson, S. Homiston, C. Johnson, G. Beard. Nays; None.
MOTION Carried.

7. Public Hearing to hear comment on Conditional Use Permit Application submitted by Brent Kabat of Buell Consulting, Inc. on behalf of Verizon Wireless on property owned by Mark Bruckelmeyer, James Beld & Doug Wendling, d.b.a. DMJ, LLC located at 12209 26 N. Street, 3.0 acres, McKenzie County, ND. In consideration of placement of wireless telecommunications transmission facility.

Residents of adjacent properties were in attendance and expressed concerns: The location of this tower will be very close to residential homes. This tower will be unsightly and feel it will lower property value of homes. There are many small children who live near this property and have often run across the property to catch the bus. Do not want children near equipment or tower since they could possibly be hurt. Concerned about safety of nearby homes during severe weather if the 80 foot tower were to fall. Comments from the Project Representative: The tower is carefully engineered and designed to withstand many different types of severe weather. The tower will accommodate a 50 foot setback from the property line. As the tower is designed, if it were to fail, it would not completely fall over horizontally to its side in its entire 80 foot length. The tower is designed to break at mid-point and would fall well within the 50 foot setback. (40 ft. most). Comments from Assistant City Planner, Mili Williams: The location of the tower and equipment will not be accessible to nearby residents or children. The site will be protected with a six (6) foot chain link fence topped with three (3) strands of barbed wire for a total height of seven (7) feet around the perimeter.

MOTION by W. Carlson, SECOND by S. Homiston to recommend Approval to City Council of the Conditional Use Permit Application contingent with the following recommendations set forth in the staff report:

- a. Review and Approval of submitted Site Development Plan by Planning and Engineering Department.
- b. Conditional Use Permit shall be for a term of one year and reviewed every 6 months thereafter.

Roll Call vote: Ayes; R. Holm, J. Lawrence, S. Johnson, W. Carlson, S. Homiston, C. Johnson, G. Beard. Nays; None.
MOTION Carried.

8. Public Hearing to hear comment on Simple Lot Split submitted by Adam Berger Development LLC for Diane Gariety & Pamela Scott, for property located in Section 13, T150N, R99W, Watford City, McKenzie County, ND. For the purpose of creating two (2) parcels from one parent parcel (1).

MOTION by R. Holm, SECOND by S. Johnson to recommend Approval to City Council of the Simple Lot Split Application contingent with the following recommendations set forth in the staff report:

- a. **Verification of South ¼ shown on the plat: discrepancy of the exact location of monument. Developer and Engineer for the development along with City Engineers shall work to correct the issue prior to recordation of the plat.**
- b. **Development must submit Site Development Plan Application to the Planning Department for approval. After Approval, building permits may be applied for.**
- c. **Development on the lot can proceed without the DA and SIA finalized agreements if willing to extend and widen 8th Street to serve the LDS lot and provide the necessary utilities. The Church will not be eligible for a final Certificate of Occupancy until the road and utility improvements are complete.**

Roll Call vote: Ayes; R. Holm, J. Lawrence, S. Johnson, W. Carlson, S. Homiston, C. Johnson, G. Beard. Nays; None. MOTION Carried.

Closed Public Hearing at 6:31 PM.

Call to Order Regular Meeting at 6:31 PM.

Minutes:

The Minutes of March 30, 2015 Regular Meeting were presented.

No comments.

MOTION by C. Johnson, SECOND by R. Holm to Approve Minutes as presented.

Roll Call vote: Ayes; R. Holm, J. Lawrence, S. Johnson, W. Carlson, S. Homiston, C. Johnson, G. Beard. Nays; None. MOTION Carried.

Final Plat - Homestead Park

Discussion: A ROW dedication from the property owners along the north side of 17th Ave should be added to the plat with a signature block instead of stating "To be Dedicated by Others". Will be for a dedication of 50 feet for expanding 17th Ave in the future.

MOTION by R. Holm, SECOND by C. Johnson to recommend Approval to City Council of the Final Plat Application contingent with the following recommendations:

- a. **A signature block for the property owner's dedication of Right of Way Easements along 17th Ave is added to the plat.**
- b. **Specialized Agreement between Developer and Watford City is drafted, finalized, and approved by the City Attorney and Watford City Planning Department.**

Roll Call vote: Ayes; R. Holm, J. Lawrence, S. Johnson, W. Carlson, S. Homiston, C. Johnson, G. Beard. Nays; None. MOTION Carried.

Final Plat - Rolfson/Stepping Stone, Paul Ficara

MOTION by J. Lawrence, SECOND by C. Johnson to recommend approval to City Council of the Final Plat Application contingent with the following conditions set forth in the staff report:

- a. **The Stepping Stone Development Agreement (DA) is finalized before final map recordation.**
- b. **Subdivision Improvement, Maintenance and Warranty Agreement (SIA) is finalized and approved by the Watford City Planning Department before final map recordation.**

Also to include further recommendation:

- c. **Appropriate bonding is in place.**

Roll Call vote: Ayes; R. Holm, J. Lawrence, S. Johnson, W. Carlson, S. Homiston, C. Johnson, G. Beard. Nays; None. MOTION Carried.

New Business:

1. **May Meeting Date: Memorial Day Holiday.**

Our regular monthly Planning & Zoning Commission Meeting is scheduled to be held on the Monday holiday. The Commission proposed to re-schedule the meeting to be held the day after on Tuesday May 26th instead.

Roll Call vote: Ayes; R. Holm, J. Lawrence, S. Johnson, W. Carlson, S. Homiston, C. Johnson, G. Beard. Nays; None.

2. **Chairman Glen Beard raised discussion: Situation of the vehicles parking on both sides of the street along 5th St. near the Court House. Parking on both sides makes the road very narrow and difficult to see around at intersections parking so close to stop signs. City Attorney Wyatt Voll suggested that this issue would be better addressed by discussing it with the City's Superintendent of Public Works Justin Smith, to install no-parking signs or curb painting. No further discussion.**

Review Permits: Permits were reviewed as presented.

Discussion from Commission: Overall numbers seem slightly lower but agreed that the increased number of Single Family Homes is a nice change instead of more apartment units. Would like to see this comparison continue monthly.

Adjournment at 6:42 PM

MOTION by R. Holm, SECOND by C. Johnson.

The next regularly scheduled Planning & Zoning Commission meeting will be Tuesday May 26, 2015 at 6:00 p.m.

**Glen Beard
Chairman**

**Becky O'Neill
Planning Assistant**

Minutes

Special Meeting
May 13, 2015

May 13, 2015
SPECIAL MEETING

PLANNING & ZONING COMMISSION MEETING MINUTES

A special meeting of the Watford City Planning & Zoning Commission was held on Wednesday May 13, 2015 at 5:30 PM at City Hall in the Heritage Room. In attendance: Chairman Glen Beard, Commission Members: Rick Holm, Jesse Lawrence, Sonja Johnson, and William Carlson. Also present: City Attorney Wyatt Voll, Assistant City Planner Mildred (Mili) Williams, Planning Assistant Becky O'Neill, and City Building Inspector Steven Williams. Absent: Commission Members Shane Homiston and Cory Johnson, City Planner Curtis Moen.

With the above mentioned present, the Public Hearing was called to order at 5:29 p.m. by Chairman Glen Beard.

Under consideration were the following:

1. Subdivision Final Plat submitted by Mychal Gorden for Stenehjem Holdings, LLC. / Erik Stenehjem on property located Lots 8-11 Block 4 of Fox Hills Village Subdivision 22.57 acres, Watford City, McKenzie County, ND.
MOTION by R. Holm, SECOND by J. Lawrence to recommend Approval to City Council of the Final Subdivision Plat.
Roll Call vote: Ayes; R. Holm, J. Lawrence, S. Johnson, W. Carlson, G. Beard. Nays; None.
MOTION Carried.

Closed Public Hearing at 5:31 PM

Adjournment at 5:31 PM

MOTION by R. Holm, SECOND by S. Johnson

The next regularly scheduled Planning & Zoning Commission meeting will be Tuesday May 26, 2015 at 6:00 p.m.

Glen Beard
Chairman

Becky O'Neill
Planning Assistant

Permits

2015 PERMITS

Permit #	Month	Property Owner	Contractor	Project Address	Parcel #/Subdivision	Description of Work	Value	Issue Date	Permit Fee	Payment
3352	April	Indigo Signworks	RTC	601 14th St SW		Install Illuminated Sign on Bldg	\$ -	4/21/2015	\$ 100.00	Card
3353	April	Rita & Wayne Olson	Self	1021 5th Ave SE		Replace 4 Windows & Sliding on Mobile Home & Storage Shed	\$ 4,000.00	4/22/2015	\$ 93.00	Check #1011
3354	April	Andrew & Chelsey Schatz	Self	301 Park Ave		Bathroom Remodel	\$ -	4/24/2015	\$ 79.00	Check #1246
3355	April	E&M Services	SW Williams & Son Construction	313 12th St SE		Exercise Room Remodel	\$ 6,000.00	4/22/2015	\$ 121.00	Check #2090
3356	April	Erik & Kelsey Linsehl	Self	3912 4th Ave NE		30x72 Pole Building	\$ 17,197.61	4/12/2015	\$ 277.77	Check # 5361
3357	April	Wolf Run Village, Inc.	Edward Homes, Inc.	301 3rd St SE		Demo House	\$ -	4/30/2015	\$ 25.00	Check #860
3358	May	Kari Pederson	Ed Evanson & Darby Hanson	509 3rd St NW		New Sliding Windows, Garage Door	\$ 25,000.00	5/1/2015	\$ 387.00	Card
3249 renewal	May	MRY Development LLC	Missouri Land Company	1605 W Pharsant Ridge St Lot 1	Pharsant Ridge	Single Family Home	\$ -	5/1/2015	\$ 20.00	Card
3260 renewal	May	MRY Development LLC	Missouri Land Company	1320 W Pharsant Ridge St Lot 24	Pharsant Ridge	Single Family Home with Walk-Out	\$ -	5/1/2015	\$ 20.00	Card
3261 renewal	May	MRY Development LLC	Missouri Land Company	1417 W Pharsant Ridge St Lot 11	Pharsant Ridge	Single Family Home	\$ -	5/1/2015	\$ 20.00	Card
3262 renewal	May	MRY Development LLC	Missouri Land Company	1312 W Pharsant Ridge St Lot 28	Pharsant Ridge	Single Family Home with Walk-Out	\$ -	5/1/2015	\$ 20.00	Card
3359	May	Arnold & Dina Swenson	Self	208 3rd St NW		Remove & Replace Shingles on Garage	\$ 4,374.00	5/4/2015	\$ 98.24	Check #1667
3230 renewal	May	Eleanor Faerney	Patrick Faerney	101 2nd St SW		28x36 Garage	\$ -	5/4/2015	\$ 20.00	Cash
3099 renewal	May	One Way Service, Inc.	GC Buildings	401 14th St SW #1	RENEWED	60x90 Warehouse	\$ -	5/4/2015	\$ 20.00	Check #5971
3360	May	Badlands Development/Nuverra	Premier Portablerasha Felipe	1813 4th St SE #77		Adding 10x20 Prefab Shed	\$ 5,389.41	5/4/2015	\$ 112.45	Card
3361	May	Stenethlem Development	DW Excavating, Inc.	401, 405, 409, 413 Long Drive	Rolling Hills	City Water Connection from As-Built	\$ -	5/4/2015	\$ 25.00	Check #4029
3362	May	Wolf Creek Development	Goulet Construction	734 2nd St NE Lot 22 Bk 4	Dry Creek	Duplex Unit with Attached 1 Car Garage	\$ 100,000.00	5/7/2015	\$ 1,015.00	Check #1470
3363	May	Wolf Creek Development	Goulet Construction	730 2nd St NE Lot 23 Bk 4	Dry Creek	Duplex Unit with Attached 1 Car Garage	\$ 100,000.00	5/7/2015	\$ 1,015.00	Check #1470
3364	May	Wolf Creek Development	Goulet Construction	726 2nd St NE Lot 24 Bk 4	Dry Creek	Duplex Unit with Attached 1 Car Garage	\$ 100,000.00	5/7/2015	\$ 1,015.00	Check #1470
3365	May	Wolf Creek Development	Goulet Construction	722 2nd St NE Lot 25 Bk 4	Dry Creek	Duplex Unit with Attached 1 Car Garage	\$ 100,000.00	5/7/2015	\$ 1,015.00	Check #1470
3366	May	Terry & Amy Elliot	Self	1309 10th St SW		18x20 Garden Storage Shed	\$ 5,000.00	5/7/2015	\$ 107.00	Card
3367	May	Roger Hoffman	R & T	Pink house N side of 4th Ave NE		Demo house, foundation & windmill	\$ -	5/8/2015	\$ 25.00	Check # 4334
3368	May	Cheryl Renville	Olson Construction	101 5th St NE		Construct New 1 Car Garage	\$ 10,000.00	5/12/2015	\$ 177.00	Check #2962
3369	May	Cliff Loomer	Self	112 2nd St SW		Remove & Replace Sliding	\$ 3,476.00	5/12/2015	\$ 85.66	Check #2031
3370	May	Kenneth & Trudy Hixon	Sanlar Construction	208 5th St NW		Remove & Replace Sliding	\$ 19,900.00	5/13/2015	\$ 315.60	Card
3371	May	Scott & Pam Haugen	Badger State Construction Big Mountain Homes	818 Cattail Drive Lot 16	Mckenzie Ridge	Modular SFH with Attached 4 Bay Garage/Shop	\$ 410,000.00	5/14/2015	\$ 3,030.00	Check # 5099
3372	May	RJR Enterprises LLC	Bakken Fence	304 16th Ave SW	Prairie View RV Park	Chain link fence around dumpsters	\$ -	5/14/2015	\$ 29.00	Check # 5026
3373	May	Manlyr Wurgle	Self	509 2nd St NE		12x20 Storage Shed	\$ 3,000.00	5/15/2015	\$ 79.00	Check #3364
3374	May	First International Bank & Trust	Koosman Construction	417 Long Drive Lot 5 Bk 1	Rolling Hills	2,700sqft 2 story Single Family Home	\$ 270,000.00	5/15/2015	\$ 2,120.00	Check #1445
3375	May	Watford Main St Properties	R&R Construction	236 N Main St		Install Business signs on front of building	\$ -	5/18/2015	\$ 100.00	Card
3376	May	DMJ LLC	Brick Stone Construction	12209 26N St NW		Fence on N & W side property line	\$ -	5/21/2015	\$ 25.00	Check #1013
3377										

YEAR TO DATE
PERMIT TOTALS

2014	
MONTH	# ISSUED
January	32
February	4
March	15
April	58
May	17
June	58
July	44
August	69
September	47
October	112
November	30
December	25

2015	
MONTH	# ISSUED
January	13
February	9
March	17
April	40
May	19
June	
July	
August	
September	
October	
November	
December	

2014 YTD	126
2015 YTD	98

YEAR TO DATE	98
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2014	
MONTH	VALUE
January	\$ 11,496,850.00
February	\$ 356,500.00
March	\$ 571,600.00
April	\$ 31,273,167.16
May	\$ 1,786,980.00
June	\$ 6,908,100.00
July	\$ 36,790,552.15
August	\$ 17,672,259.00
September	\$ 57,892,817.00
October	\$ 38,350,860.25
November	\$ 11,666,600.00
December	\$ 28,226,284.01

2015	
MONTH	VALUE
January	\$ 560,000.00
February	\$ 14,071,200.00
March	\$ 6,851,622.00
April	\$ 4,729,086.61
May	\$ 1,156,139.41
June	
July	
August	
September	
October	
November	
December	

2014 YTD	\$ 45,485,097.16
2015 YTD	\$ 27,368,048.02

YEAR TO DATE	\$ 27,368,048.02
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YEAR TO DATE
PERMIT TOTALS

2014 TOTAL RESIDENTIAL PERMITS			
TYPE	# UNITS	# BUILDINGS	TOTAL VALUE
Single Family Home	47	47	\$ 14,127,000.00
Duplex	178	89	\$ 20,786,000.00
Apt. 3-4 units	72	18	\$ 4,960,000.00
Apt. 5 + units	1,363	60	\$ 121,448,774.50
YEAR TOTAL	1,660	214	\$ 161,321,774.50

2015 YTD RESIDENTIAL PERMITS			
TYPE	# UNITS	# BUILDINGS	TOTAL VALUE
Single Family Home	31	31	\$ 9,450,000.00
Duplex	4	2	\$ 400,000.00
Apt. 3-4 units	0	0	\$ -
Apt. 5 + units	10	2	\$ 611,500.00
YEAR TO DATE	45	35	\$ 10,461,500.00