

CITY OF WATFORD CITY

P.O. BOX 494

WATFORD CITY, NORTH DAKOTA 58854

AGENDA

April Monday 29, 2013

PLANNING COMMISSION

City Hall @ 6:00 P.M.

Call to Order Public Hearing

Public hearing to hear comment on Zone Change Application submitted by Black Gold Development, LLC/Ed & Charlotte Schilke for property located:

1) Schilke 103 Acres APN: 20-0011700:

Section 17, Township 150 North, Range 98 West: (Said excepted tract contains 10.69 acres.)

2) McKenzie Meadows (Schilke) 17.45 Acres APN: 20-0011715,

3) GT Investments (Garland) 20 Acres APN: 20-0011705:

Township 150 North, Range 98 West: Section 17 E1/2NE1/4/NE1/4

The application will re-zone said mention property to R1, R2, R3, and R4 from AG, 140 acres, McKenzie County, ND

Public hearing to hear comment on Zone Change Application submitted by Heggen Equipment Inc., for property located 805 Main Street South. The application will re-zone AG property to C1 (Commercial), 11.38 acres, McKenzie County, ND.

Public hearing to hear comment on Conditional Use Permit Application submitted by Heggen Equipment Inc., for property located 805 Main Street South for employee housing on C1 property, 11.38 acres, McKenzie County, ND.

Public hearing to hear comment on Zone Change Application submitted by The Highlands @Watford City / Adam Berger for property located 4th Avenue NW and 6th Street NW, Irregular Tract No. 2201 in SE1/4 Section 13, T 150N, R99W, McKenzie County, ND. Application will re-zone AG property to R1, R3, R4, and C1, 42.66 acres, McKenzie County, ND

Public hearing to hear comment on Zone Change Application submitted by QEP Resources for property located 3112 4th Avenue NE. Application will re-zone AG to C1, 10.0 acres, McKenzie County, ND.

Public hearing to hear comment on Subdivision Preliminary Plat submitted by Cherry Creek Developers/ Glen McDonnell for property located 904 17th Avenue NE, Hawk Creek Subdivision, 40.19 acres, McKenzie County, ND.

Public hearing to hear comment on Amendment to Chapter XV, Article XXI of the Watford City Zoning Ordinance relating to Sign Regulations Sections 1,3 and 5.

Call to Order Regular Meeting

Minutes of March 25, 2013 Meeting

Minutes of March 27, 2012 Special Meeting

Unfinished Business:

1. Zone Change – Black Gold Development
2. Zone Change – Heggen Equipment
3. Conditional Use Permit – Heggen Equipment
4. Zone Change – The Highlands @ Watford City
5. Zone Change – QEP Resources
6. Subdivision Preliminary Plat – Cherry Creek Developers/ Glen McDonnell: Hawk Creek
7. Final Plat – Bison Run / Robin Greenhagen/Jackola
8. Zone Ordinance Amendment- Sign Regulations

New Business:

- Zoning Map, ETA (extra territorial area) Expansion
- Highway Frontage Overlay District

Review Building Permit

2518	March	Adam Guertin	6th Ave & 16th St.	82-15-0100	SIP Bldg/7600 sq ft min	\$300,000.00	3/27/13	\$2,090.00	1046
2519	March	Dakolan Resturant	604 2nd Ave NW		chain link fence	\$5,000.00	3/27/13	\$107.00	6168
2520	March	1st Dakota Enterprises	201 6th st NW		upgrade existing County Jail		3/28/13	\$2,414.50	#55800
2521	April	Todd Hayden	504 5th St NE		kitchen cupboards & flooring, front step	\$20,000.00	4/5/13	\$317.00	#6163

Building Permits 2013

No.	Month	Applicant	Address	Parcel #	Description	Value	Date	Fee	PD
2522	April	Kirby Voegele	401 5th Ave NE	82-39-00100	Kitchen remodel	\$13,000.00	4/5/13	\$219.00	
2523	April	Coburne/Rice Bld. Syst.	146 SL Cloud MN OR Po box 128 Sauk Rapids MN		Cashwise Grocery - INTERIOR ONLY	1.5 Million	4/9/13	\$7,000.00	#44599
2524	April	Alco/Rice Bld Syst.	146 SL Cloud MN OR Po box 128 Sauk Rapids MN		Alco retail store INTERIOR ONLY	\$500,000.00	4/9/13	\$3,190.00	#44599
2525	April	John Skurupey	308 6th Ave NE	82-40-01100	3 Windows	\$2,000.00	4/9/13	\$70.00	#2124
2526	April	Toddy's Residential Suites / South Park Extended stay	113 9th Ave SE		1080 sq ft addition onto Lounge.		4/12/13	\$1,265.00	#20023
2527	April	Greg Almquist	1420 11th Ave SE		6000 sq ft Steel Bldg.	\$80,000.00	4/17/13	\$950.00	#1236
2528	April	Beverly Paton	728 2nd Ave NE	82-21-00200	New siding and deck	\$12,000.00	4/18/13	\$205.00	#16856
2529	April	Kent Pederson	301 12th Ave		remodel	\$80,000.00	4/21/13	\$950.00	#1
2530	April	Ray Morken	1001 4th Ave SE	82-20-04400	Fence		4/22/13	\$25.00	Cash
2531	April	Katie Barber	413 2nd Ave NE	82-29-01600	Metal roof	\$12,000.00	4/22/13	\$205.00	#1134
2532	April	Prairie Companies/Prairie Housing	2008 17th Ave NE	20-00-06525	Moving/MH as office	\$1,200.00	4/24/13	\$71.00	CASH

Adjournment

Mildred Williams
Secretary/Planning Assistant

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

PLANNING COMMISSION MINUTES
WATFORD CITY, ND
April 29, 2013

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

Public Hearing called to order at 6:00 pm:

Public hearing to hear comment on Zone Change Application submitted by Black Gold Development, LLC/Ed & Charlotte Schilke for property located:

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Public hearing to hear comment on Subdivision Preliminary Plat submitted by Cherry Creek Developers/ Glen McDonnell for property located 904 17th Avenue NE, Hawk Creek Subdivision, 40.19 acres, McKenzie County, ND.

Public hearing to hear comment on Amendment to Chapter XV, Article XXI of the Watford City Zoning Ordinance relating to Sign Regulations Sections 1,3 and 5.

After discussion, Chairman Glen Beard closed the Public Hearing at 6:20 p.m.

The minutes for meeting held on March 27, 2013 and March 13th Special Meeting were

reviewed, D. Bolken moved to approve minutes as presented, seconded by C. Johnson. All ayes; motion carried

UNFINISHED BUSINESS:

1. **Zone Change – Black Gold Development** - Moved by D. Bolken to recommend approval to City Council for Zone Change submitted by Black Gold Development. This will rezone the property to R1, R2 R3, and R4 from AG, 140 acres. Seconded by R. Holm and carried by the following roll call vote: ayes; S. Johnson, R. Holm, D. Bolken, C. Johnson, J. Lawrence. Nays; None. Motion carried.
2. **Zone Change– Heggen Equipment** – Moved by R. Holm to recommend approval to City Council of Zone Change submitted by Heggen Equipment Inc., for property located 805 Main Street South. The application will re-zone AG property to C1, 11.38 acres. Seconded by J. Lawrence and carried by the following roll call vote: ayes; S. Johnson, R. Holm, D. Bolken, C. Johnson, J. Lawrence. Nays: None. Motion carried.
3. **Conditional Use Permit – Heggen Equipment** - – Moved by C. Johnson to recommend approval to City Council Conditional Use permit submitted by Heggen Equipment Inc., for property located 805 Main Street South for temporary employee housing on C1 property, 11.38 acres. McKenzie County, ND. Seconded by D. Bolken and carried by the following roll call vote: J. Lawrence, S. Johnson, C. Johnson, R. Holm, and D. Bolken. Nays: none. Motion carried.
4. **Zone Change – The Highlands @ Watford City** Moved by D. Bolken to recommend approval to City Council Zone Change submitted by The Highlands @ Watford City / Adam Berger for land located 4th Ave NW and 6th Street NW. Irregular tract No. 2201 in SE1/4 Section 13, T 150N, R99w, McKenzie County, ND. Application will re-zone AG property to R1, R3, R4, and C1, 42.66 acres, McKenzie County, ND. Seconded by R. Holm and carried by the following roll call vote: J. Lawrence, R. Holm, D. Bolken, S. Johnson and C. Johnson. Nays; None. Motion Carried.
5. **Zone Change – QEP Resources** - Moved by D. Bolken to recommend approval to City Council Zoning Change Application submitted by QEP Resources. The application will re-zone property located at 3112 4th Ave NE. Application will re-zone AG to C1, 10.0 acres, McKenzie County, ND. Seconded by R. Holm and carried by the following roll call vote: S. Johnson, R. Holm, D. Bolken, C. Johnson, and J. Lawrence. Nays; None. Motion Carried
6. **Subdivision Preliminary Plat – Hawk Creek / Cherry Creek Developers** - Moved by C. Johnson to recommend approval to City Council Subdivision Preliminary Plat submitted by Cherry Creek Developers / Glen McDonnell for property located 904 17th Ave NE, Hawk Creek Subdivision, 40.19 acres, McKenzie County, ND. Seconded by R. Holm and carried by the following roll call vote: S. Johnson, R. Holm, D. Bolken, and J. Lawrence, C. Johnson. Nays: None. Motion Carried.
7. **Final Plat – Bison Run / Robin Greenhagen** - Moved by R. Holm to recommend approval to City Council Final Plat submitted by Robyn Greenhagen for property Lot 2, SE1/4NW1/4 Section 7, T150N, R98W, Bison Run, 10.85 acre. Seconded by S. Johnson and carried by the

following roll call vote: C. Johnson, J. Lawrence, R. Holm, D. Bolken and. Nays: None. Motion Carried.

8. **Zone Ordinance Amendment – Sign Regulations** –Moved by C. Johnson to recommend consideration of Zoning Ordinance Amendment, Chapter XV – Zoning Ordinance, Article XXI- Sign Regulations, for consideration of adding other districts to Section III of Ordinance. Seconded by S. Johnson, and carried by the following roll call vote: R. Holm D. Bolken, C. Johnson, S. Johnson and J. Lawrence. Nays: None. Motion Carried.

NEW BUSINESS

1. Zoning Map – Provided Planning Commission with latest draft of Existing Zoning and Future Land use map. City Planner asked commission to review and submit corrections, edits to Mili.
2. Overlay District – International Planning and Zoning will move forward in process of adding to zoning process.

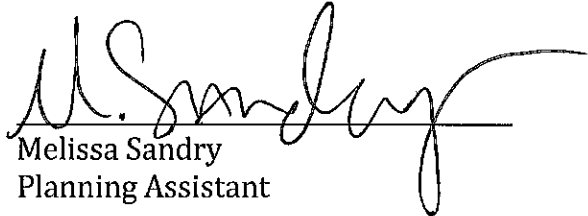
BUILDING PERMITS:

Revised Building Permits workbook; corrected errors under value and fees.

ADJOURNMENT:

R. Holm moved to adjourn, J. Lawrence seconded motion. All ayes, Motion carried. No further business, the meeting adjourned at 6:55 pm

Glen Beard
Chairman



Melissa Sandry
Planning Assistant

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

AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY

APPLICATION TYPE:	DATE FILED: 4/9/13	APPLICATION NUMBER: ZC-16-2013
<input checked="" type="checkbox"/> ZONE CHANGE- \$200.00 fee	PROCESSES BY:	MEETING DATES: P&Z: 4/29 CC: 5/6
<input checked="" type="checkbox"/> CONDITIONAL USE PERMIT \$350.00 fee plus publishing cost	FEES: \$200.00	ADVERTISE DATE: 4/17 + 4/24
<input checked="" type="checkbox"/> VARIANCE - \$200.00 fee	RECEIPT # pl. check 2/15/13	PROPERTY OWNERS NOTIFIED: X
<input checked="" type="checkbox"/> STREET NAME CHANGE	SECTION/TOWNSHIP/RANGE: Sect 17/T 150/R 9B	
<input checked="" type="checkbox"/> VACATION & ABANDONMENT	RELATED CASE NOS: annexation 4-2013 application	
<input checked="" type="checkbox"/> SIMPLE LOT SPLIT - \$450.00 fee	FINAL ACTION MEMORANDUM ISSUED:	DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: Ed & Charlotte Schilke, ST Investments Gary Barcland, PAUL Firara
 APPLICANT: ~~Black Gold Development LLC~~ - PAUL Firara, Dakota BOLD GOLF COURSE Development

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: Black Gold Development LLC
 ADDRESS: 1209 15th Ave SW
 CITY: Watford City STATE: ND ZIP CODE: 58854
 TELEPHONE: (701) 842-6658 (760) 401-1389 MAIL: paul@blackgolddev.com
 ASSESSOR'S PARCEL NUMBER(S): 20-0011715, 20-0011700 (Schilke) 20-00-11705 (ST Investments)
 LEGAL DESCRIPTION: Attached
 PROPERTY ADDRESS AND NEAREST CROSS STREETS: 17th Ave NE
 GROSS/NET ACREAGE: 140 Acres PRESENT ZONE CLASSIFICATION: Agricultural
 DESIRED ZONE CLASSIFICATION: R1, R2, R3, R4 CURRENT LAST USE: VACANT / Ag

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 to re-zone the land that currently lies around the northern portion of the proposed City Golf Course expansion for the use of a Master Planned Residential Community. The Developer is currently applying for annexation into the City limits and is seeking a zoning change from Agricultural to a mix of residential zones including: R1, R2, R3, & R4 zones. The total development is anticipating to provide a total of 1,400 Residential Dwellings

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.

[Signature]
Property Owner Signature

Cathy Garland
Print of Type Owner Name

NOTARY

State of Wyoming
County of Campbell
This instrument was acknowledged before me on 4-10-13 by Lany Garland
Date Name of Person



Deb Strohschein
Signature of Notarial Officer

Documents Required for Submitting Land Use Applications

APPLICATION TYPE	Application	Conceptual Site Plan	Site Plans	Deed	Legal Description	Justification Letter	Traffic Impact Analysis	Straight-line Drawing	Supplemental Info.	Application Fees
Conditional Use Permit	1	1	2	1*		1 ⁱⁱ	1 ⁱⁱ	1 ⁱⁱ	1 ⁱⁱ	\$350.00
Zone Change	1	1	2	1*	1*	1 ⁱⁱ	1 ⁱⁱ		1 ⁱⁱ	\$200.00
Variance	1	1	2			1 ⁱⁱ				\$200.00
Vacation and Abandonment	1		2	1*	1*	1 ⁱⁱ				Refer to Fee Schedule
Street Name Change*	1					1 ⁱⁱ				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.

LAND USE APPLICATION

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



 Property Owner Signature

PAOLO FICARA

 Print of Type Owner Name

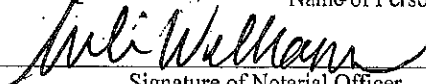
NOTARY

State of North Dakota
 County of McKenzie

This instrument was acknowledged before me on April 17, 2013 by Paolo Ficara Jr.

 Date Name of Person

MILDRED WILLIAMS
 Notary Public
 State of North Dakota
 My Commission Expires Feb. 25, 2019



 Signature of Notarial Officer

Documents Required for Submitting Land Use Applications

APPLICATION TYPE	Application	Conceptual Site Plan	Site Plans	Deed	Legal Description	Justification Letter	Traffic Impact Analysis	Straight-line Drawing	Supplemental Info.	Application Fees
Conditional Use Permit	1	1	4	1 ⁹		1 ¹¹	4 ¹²	1 ¹³	1 ¹⁴	\$350.00
Zone Change	1	1	4	1 ⁹	1 ⁸	1 ¹¹	4 ¹²		1 ¹⁴	\$200.00
Variance	1	1	4			1 ¹¹				\$200.00
Vacation and Abandonment	1		4	1 ⁹	1 ⁸	1 ¹¹				Refer to Fee Schedule
Street Name Change*	116					1 ¹¹				Refer to Fee Schedule

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

Procedures for Filing Land Use Applications:

- A. After assembling the required materials as outlined above, schedule an appointment by calling the Watford City Planning Department at (701) 444-2533. Filing an application without an appointment may delay your application processing and/or scheduled hearing(s). Only completed applications shall be accepted for filing.
- B. Review the Summary of Required Reviews or Hearings for your application type. ATTENDANCE AT ALL SCHEDULED MEETINGS IS MANDATORY, you may assign an agent to speak on your behalf. Failure to appear at any meeting may result in delays.
- C. Staff Report: To discuss a report or recommendation, contact the Planning Department to resolve concerns prior to the hearing.
- D. A letter indicating the Commission's decision and all conditions of approval is sent to the correspondent address on the application. All conditions must be met before an occupancy permit or a business license will be issued. In many cases, the Planning Commission is considered to be final action unless appealed, refer to the Summary or Required Reviews or Hearings.
- E. Any person may appeal, in writing, to the board within 30 calendar days from the date the Notice of Final Action was sent. The Office of the Zoning Administrator must physically receive the appeal by 4:00 pm. on the 30th calendar day.
- F. The Planning Commission has the authority to impose conditions, restrictions, safeguards and date of expiration on any land use application that is granted to ensure the health, safety and welfare of the neighborhood. Failure to comply with such conditions shall be deemed as a violation. Any such person who knowingly continues the violation after receiving written notification of the violation is guilty of misdemeanor.
- G. Site Development Plan Application is required on all Conditional Use Applications.

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

LAND USE APPLICATION pg. 2

Watford City Planning Department

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

Edward Schilke
Property Owner Signature

Charlotte A. Schilke
Print of Type Owner Name

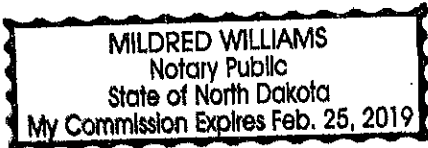
NOTARY

State of North Dakota
County of Mckenzie

This instrument was acknowledged before me on _____

11 April 2013 by _____
Date

Charlotte Schilke
Edward Schilke
Name of Person



Mildred Williams
Signature of Notarial Officer

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Variance	1	1	2			1 ¹¹				\$200.00
Vacation and Abandonment	1		2	1 ⁹	1 ⁸	1 ¹¹				Refer to Fee Schedule
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Watford City Planning Department
213 2nd St NE / PO Box 494
Watford City, ND 58854

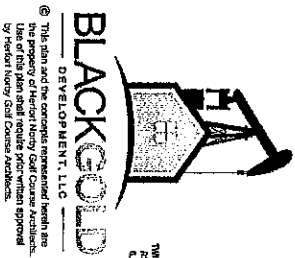
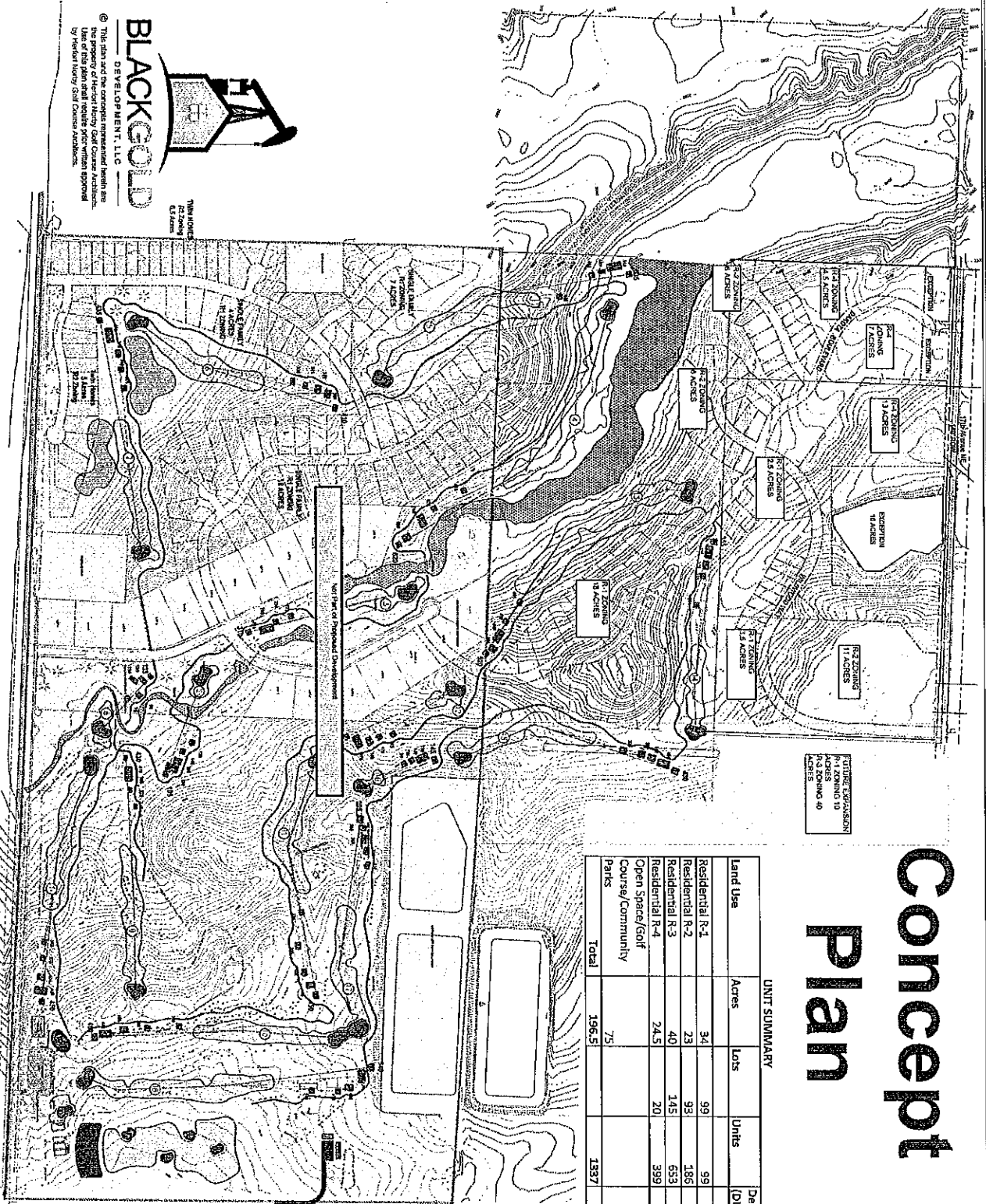
Phone: (701)444-2533 Fax: (701)444-3004 Website: www.mckenziecounty.net

Concept Plan

FIGURE EXPANSION
R-1 ZONING 10
ACRES
R-2 ZONING 10
ACRES

UNIT SUMMARY

Land Use	Acres	Lots	Units	Density (DU/AC)
Residential R-1	34	99	99	2.9
Residential R-2	23	93	186	8.1
Residential R-3	40	145	653	16.3
Residential R-4	24.5	20	399	16.3
Open Space/Golf Course/Community Parks	75			
Total	196.5		1337	

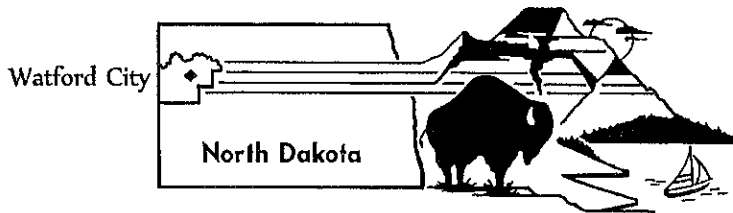


© The plan and the concepts represented herein are the property of Blackgold Development, LLC. Use of this plan shall require prior written approval by Blackgold Development, LLC.



Golf Course Architect:
 HERBERT A. MORAY
 HERBERT MORAY & ASSOCIATES
 100 East Second Street, Suite 200
 Chaska, MN 55318
 (952) 361-0644
 email: gathorby@earthlink.net; web: herbtomoray.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

*Consideration
development to 17th Ave W
Hunters Run + Black Gold
Responsible of East.*

April 23, 2013

STAFF REPORT

ZC-16-2013 ZONE CHANGE

Applicant

Black Gold Development LLC
1209 15th Ave SW
Watford City, ND 58854
"Hunters Run"

Property Owners

Ed & Charlotte Schilke
GT Investments-Gary Garland
Paul Ficara

Property Address: 17th Ave NE; 140 acres

Zone Change Requested:

A request to change the zoning of the above-referenced lot from A2 to R1, R2, R3, R4

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 off 17th Ave NE, Section 17, T150N, R98W and contains 140 Acres.

-The existing property is currently zoned as A2. The site will have access to city water and sewer service and is accessible from 17th Ave NE. The site is in the newly created Extra Territorial Area (ETA) and therefore falls within the jurisdiction of the Watford City Planning and Zoning Commission. The intent of the ETA is to regulate growth and development within one mile of the City but to not be restrictive in nature.

-The intent of the zone change application is to facilitate the development of a residential development. They have proposed 34 acres of R1 development, 23 acres of R2 development, 40 acres of R3 development, and 24.5 acres of R4 development.

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. A letter of concern was sent to the City regarding this development.

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 - A2, McKenzie County
Use - Agricultural
South: Zoning - A2, McKenzie County
Use - Residential
North: Zoning - A2, IP, McKenzie County
Uses - Agricultural/Industrial Park
East: Zoning - A2, McKenzie County
Uses - Agricultural/Proposed Lagoon

Comprehensive Zoning Plan and Zoning Comparison:

At this time, the city does not have a detailed Comprehensive Zoning Plan that can be used as a basis for this decision. Therefore, each request for a zoning amendment must be based solely on the judgment of the commission. The commission must exercise prudence when evaluating this request. All of the possible uses that could occur on this property and the possible effect on surrounding properties must be considered when evaluating whether this zone change should be approved. The "R-1,R-2,R-3,R-4" Residential Districts are 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 is accessible from 17th Ave NE.
Sewer: There are no municipal sewer services available. Access to municipal sewer could be made available to the south.
Water: There are no municipal water services available. Access to municipal water could be made available to the south.
Analysis: The proposed zoning will allow the developer to mix low, medium and high density residential dwelling.

Recommendation:

It is recommended that the Watford City Planning Commission approve a zone change from A2 to R-1, R-2, R-3, R-4 for the property subject to the following conditions for any future development within the site:

1. The developer must finalize all civil improvement plans and annexation must be completed.
2. The development plan is subject to final approval by the city council.
3. All changes to the approved development plan are subject to further review and approval by the P&Z commission and the city council.

Contact:

Curtis Moen
City Planner/Zoning Administrator

LAND USE APPLICATION

Watford City Planning Department

See Reverse for Submittal Requirements

AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY

APPLICATION TYPE:	DATE FILED: <u>4.9.13</u>	APPLICATION NUMBER: <u>WC 17-2013</u>
<input checked="" type="checkbox"/> ZONE CHANGE- \$200.00 fee	PROCESSES BY: <u>MW</u>	MEETING DATES: P&Z: <u>4/29</u> CC: <u>5/6</u>
<input type="checkbox"/> CONDITIONAL USE PERMIT- \$350.00 fee plus publishing cost	FEE: <u>\$200.00</u>	ADVERTISE DATE: <u>4/17 + 4/24</u>
<input type="checkbox"/> VARIANCE - \$200.00 fee	RECEIPT #: <u>4.22.13 CW</u>	PROPERTY OWNERS NOTIFIED:
<input checked="" type="checkbox"/> STREET NAME CHANGE	SECTION/TOWNSHIP/RANGE: <u>24 / 150 / 99</u>	
<input type="checkbox"/> VACATION and ABANDONMENT	RELATED CASE NOS:	
<input checked="" type="checkbox"/> SIMPLE LOT SPLIT - \$450.00	FINAL ACTION MEMORANDUM ISSUED:	DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: Sarah Heggen-Lewis, Marn Heggen & Ingrid McKay Heggen
 APPLICANT: Heggen Equipment Inc

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: Heggen Equipment Inc Attn: Clayton Munsen
 ADDRESS: PO Box 1408, 805 South Main St
 CITY: Watford City STATE: ND ZIP CODE: 58854
 TELEPHONE: 701-842-3636 EMAIL: cmunsen@restel.com
 ASSESSOR'S PARCEL NUMBER(S): 11-00-08700
 LEGAL DESCRIPTION: Sec 24 TWP-150 RANG-099 (see Attached)
 PROPERTY ADDRESS AND NEAREST CROSS STREETS: 805 Main St South
 GROSS/NET ACREAGE: 11.38 PRESENT ZONE CLASSIFICATION: Ag
 DESIRED ZONE CLASSIFICATION: Commercial CURRENT LAST USE:

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

Install temporary housing for employees.

temporary employee housing units

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

LAND USE APPLICATION

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

E Ingrid McKay Heggen
 Property Owner Signature

E Ingrid McKay Heggen
 Print of Type Owner Name

NOTARY

State of North Dakota
 County of Mckenzie

This instrument was acknowledged before me on 4-5-13 by E Ingrid Heggen
 Date Name of Person

SARA CEYNAR
 Notary Public
 State of North Dakota
 My Commission Expires Feb. 12, 2016

Sara Ceynar
 Signature of Notary Officer

Documents Required for Submitting Land Use Applications

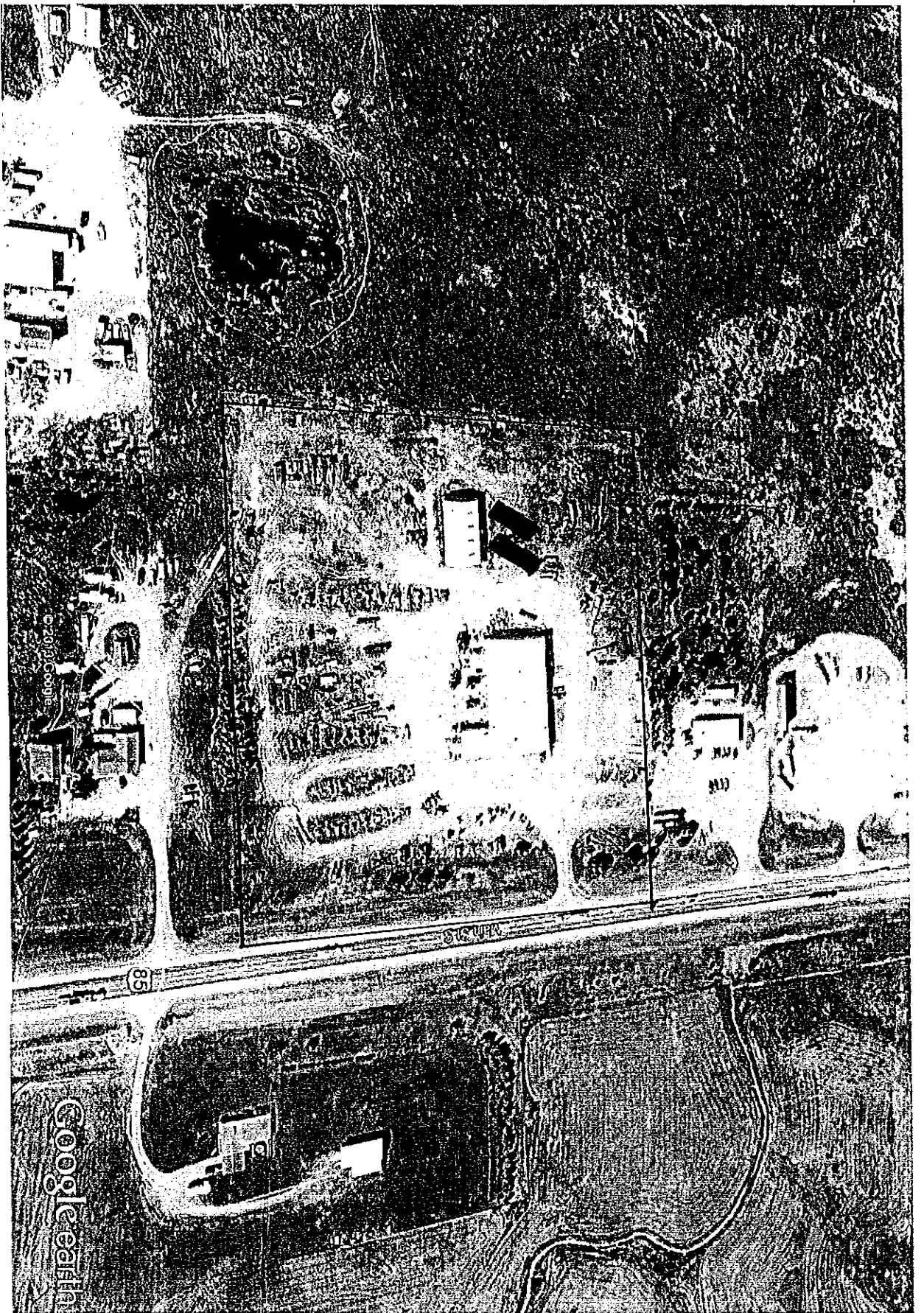
APPLICATION TYPE	Application	Conceptual Site Plan	Site Plans	Deed	Legal Description	Justification Letter	Traffic Impact Analysis	Straight-line Drawing	Supplemental Info.	Application Fees
Conditional Use Permit	1	1	4	1 ⁹		1 ¹¹	4 ¹²	1 ¹³	1 ¹⁴	\$350.00
Zone Change	1	1	4	1 ⁹	1 ⁸	1 ¹¹	4 ¹²		1 ¹⁴	\$200.00
Variance	1	1	4			1 ¹¹				\$200.00
Vacation and Abandonment	1		4	1 ⁹	1 ⁸	1 ¹¹				Refer to Fee Schedule
Street Name Change*	1 ¹⁶					1 ¹¹				Refer to Fee Schedule

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

Procedures for Filing Land Use Applications:

- A. After assembling the required materials as outlined above, schedule an appointment by calling the Watford City Planning Department at (701) 444-2533. Filing an application without an appointment may delay your application processing and/or scheduled hearing(s). Only completed applications shall be accepted for filing.
- B. Review the Summary of Required Reviews or Hearings for your application type. ATTENDANCE AT ALL SCHEDULED MEETINGS IS MANDATORY, you may assign an agent to speak on your behalf. Failure to appear at any meeting may result in delays.
- C. Staff Report: To discuss a report or recommendation, contact the Planning Department to resolve concerns prior to the hearing.
- D. A letter indicating the Commission's decision and all conditions of approval is sent to the correspondent address on the application. All conditions must be met before an occupancy permit or a business license will be issued. In many cases, the Planning Commission is considered to be final action unless appealed, refer to the Summary or Required Reviews or Hearings.
- E. Any person may appeal, in writing, to the board within 30 calendar days from the date the Notice of Final Action was sent. The Office of the Zoning Administrator must physically receive the appeal by 4:00 pm. on the 30th calendar day.
- F. The Planning Commission has the authority to impose conditions, restrictions, safeguards and date of expiration on any land use application that is granted to ensure the health, safety and welfare of the neighborhood. Failure to comply with such conditions shall be deemed as a violation. Any such person who knowingly continues the violation after receiving written notification of the violation is guilty of misdemeanor.
- G. Site Development Plan Application is required on all Conditional Use Applications.

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



Google earth

feet
meters



2000
600

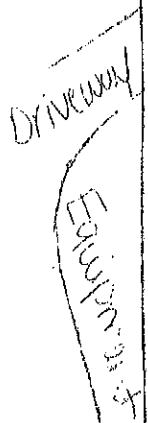
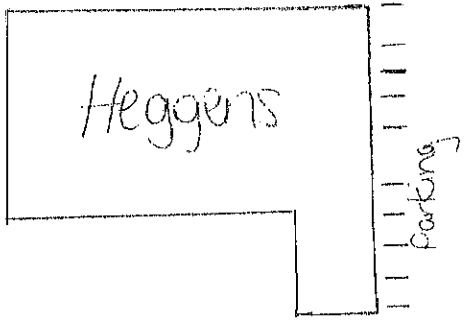
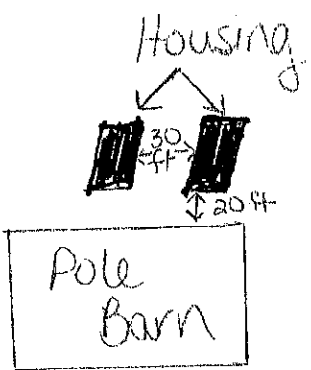


future housing

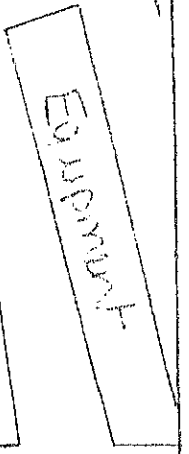
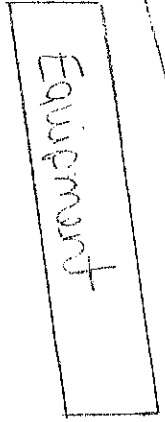
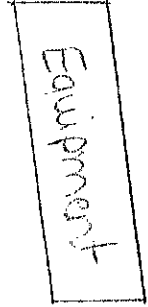
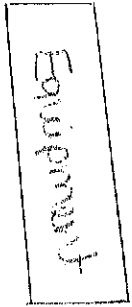
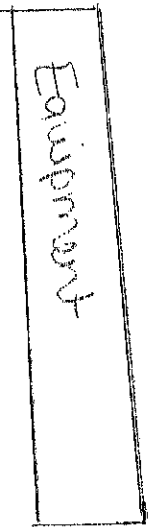
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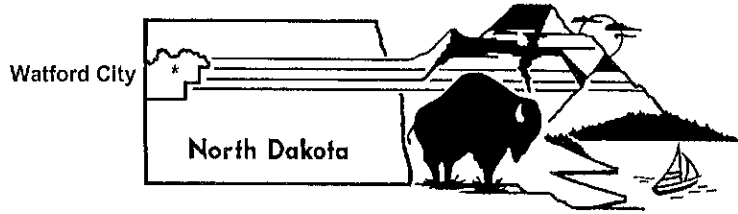
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Culvert



St NW 1





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

April 24, 2013

STAFF REPORT

ZC-17-2013

Zone Change

Applicant

Heggen Equipment
PO box 1408; 805 South Main St
Watford City, ND 58854

Property Owners

Sarah Heggen-Lewis
E Ingrid McKay Heggen

Property Address: Parcel #11-00-08700

Zone Change Requested:

A request to change the zoning of the above-referenced lot from A-2 (Agricultural 2) to C-1 (General Commercial District) to facilitate temporary employee housing.

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

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

The property is located on 805 South Main St. The subject property contains 11.38 acres.

The City of Watford City mailed the property owners that hold an interest in the property and the adjoining property owners a notice regarding the city’s zone change request. None of the noticed property owners contacted the city regarding the application.

In granting a zone change, the Planning Commission must satisfy itself, from the evidence heard before it that the granting of the zone change is in the best long-term interests of the City of Watford City and the other affected properties. The Planning Commission shall also find that the zone change, if granted, is in harmony with the intended spirit and purpose of the zoning ordinance 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 - A-2, McKenzie County
Use - Agricultural
South: Zoning - C-1, McKenzie County
Use - Commercial
North: Zoning - C-1, Watford City
Uses - Commercial
East: Zoning - C-1, Watford City
Uses - Commercial

Comprehensive Zoning Plan and Zoning Comparison:

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

Site Development

Access: The property is accessible from Hwy. 85/Main St. South.

Sewer: There are existing city sanitary sewer mains within the property.

Water: There are existing city water mains within the property.

Analysis: The proposed zoning of C-1 will allow for the consideration of the placement of temporary employee housing units and to bring the site into compliance with the existing zoning ordinance.

Recommendation:

It is recommended that the Watford City Planning Commission approve a zone change from A-2 to C-1 (General Commercial District) for the property subject to the following conditions:

1. The developer must submit a detailed site plan for review. The site plan must address drainage, access, utilities, lighting, drive aisles, parking, and the development standards for a commercial development.

Contact:

Curtis Moen
City Planner/Zoning Administrator
City of Watford City
(701) 444-2533

LAND USE APPLICATION

Watford City Planning Department
See Reverse for Submittal Requirements
AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY

APPLICATION TYPE:	DATE FILED: <u>4.9.13</u>	APPLICATION NUMBER: <u>CU 2-2013</u>
<input type="checkbox"/> ZONE CHANGE- \$200.00 fee	PROCESSES BY: <u>MW</u>	MEETING DATES: P&Z: <u>4/29</u> CC: <u>5/6</u>
<input checked="" type="checkbox"/> CONDITIONAL USE PERMIT- \$350.00 fee plus publishing cost	FEE: <u>\$350.00</u>	ADVERTISE DATE: <u>4/17 + 4/24</u>
<input type="checkbox"/> VARIANCE - \$200.00 fee	RECEIPT #:	PROPERTY OWNERS NOTIFIED:
<input checked="" type="checkbox"/> STREET NAME CHANGE	SECTION/TOWNSHIP/RANGE: <u>24/150/99</u>	
<input type="checkbox"/> VACATION and ABANDONMENT	RELATED CASE NOS:	
<input checked="" type="checkbox"/> SIMPLE LOT SPLIT - \$450.00	FINAL ACTION MEMORANDUM ISSUED:	DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: Sarah Heggen-Lewis, Marn Heggen or Ingrid McKay Heggen
 APPLICANT: Heggen Equipment Inc

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: Heggen Equipment Inc Attn: Clayton Monsen
 ADDRESS: PO Box 1408 j 805 South Main St.
 CITY: Watford City STATE: ND ZIP CODE: 58854
 TELEPHONE: 701-842-3636 EMAIL: cmonsen@restel.com
 ASSESSOR'S PARCEL NUMBER(S): _____
 LEGAL DESCRIPTION: Sec 24 TWP-150 RANG-099 (see Attached)
 PROPERTY ADDRESS AND NEAREST CROSS STREETS: 805 South Main St - v
 GROSS/NET ACREAGE: 11.38 PRESENT ZONE CLASSIFICATION: _____
 DESIRED ZONE CLASSIFICATION: _____ CURRENT LAST USE: _____

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

Install temporary housing for employees

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

LAND USE APPLICATION

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

Engrid McKay Heggen
 Property Owner Signature

E Engrid McKay Heggen
 Print of Type Owner Name

NOTARY

State of North Dakota
 County of McKenzie

This instrument was acknowledged before me on 4-5-13 by Engrid Heggen
 Date Name of Person

SARA CEYNAR
 Notary Public
 State of North Dakota
 My Commission Expires Feb. 12, 2016

Sara Ceynar
 Signature of Notary Officer

Documents Required for Submitting Land Use Applications

APPLICATION TYPE	Application	Conceptual Site Plan	Site Plans	Deed	Legal Description	Justification Letter	Traffic Impact Analysis	Straight-line Drawing	Supplemental Info	Application Fees
Conditional Use Permit	1	1	4	1 ⁹		1 ¹¹	4 ¹²	1 ¹³	1 ¹⁴	\$350.00
Zone Change	1	1	4	1 ⁹	1 ⁸	1 ¹¹	4 ¹²		1 ¹⁴	\$200.00
Variance	1	1	4			1 ¹¹				\$200.00
Vacation and Abandonment	1		4	1 ⁹	1 ⁸	1 ¹¹				Refer to Fee Schedule
Street Name Change*	1 ¹⁶					1 ¹¹				Refer to Fee Schedule

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

Procedures for Filing Land Use Applications:

- A. After assembling the required materials as outlined above, schedule an appointment by calling the Watford City Planning Department at (701) 444-2533. Filing an application without an appointment may delay your application processing and/or scheduled hearing(s). Only completed applications shall be accepted for filing.
- B. Review the Summary of Required Reviews or Hearings for your application type. ATTENDANCE AT ALL SCHEDULED MEETINGS IS MANDATORY, you may assign an agent to speak on your behalf. Failure to appear at any meeting may result in delays.
- C. Staff Report: To discuss a report or recommendation, contact the Planning Department to resolve concerns prior to the hearing.
- D. A letter indicating the Commission's decision and all conditions of approval is sent to the correspondent address on the application. All conditions must be met before an occupancy permit or a business license will be issued. In many cases, the Planning Commission is considered to be final action unless appealed, refer to the Summary or Required Reviews or Hearings.
- E. Any person may appeal, in writing, to the board within 30 calendar days from the date the Notice of Final Action was sent. The Office of the Zoning Administrator must physically receive the appeal by 4:00 pm. on the 30th calendar day.
- F. The Planning Commission has the authority to impose conditions, restrictions, safeguards and date of expiration on any land use application that is granted to ensure the health, safety and welfare of the neighborhood. Failure to comply with such conditions shall be deemed as a violation. Any such person who knowingly continues the violation after receiving written notification of the violation is guilty of misdemeanor.
- G. Site Development Plan Application is required on all Conditional Use Applications.

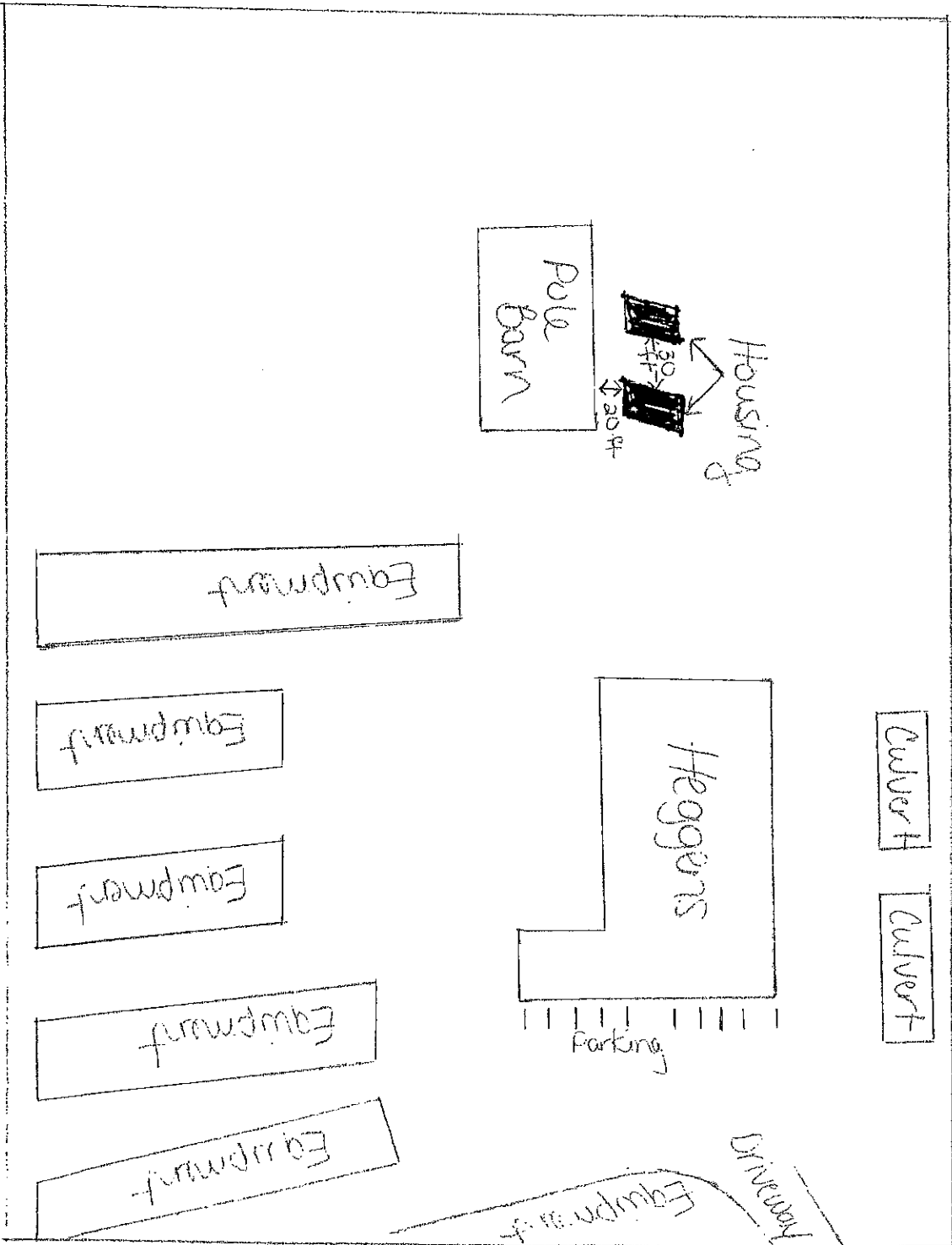


Google earth

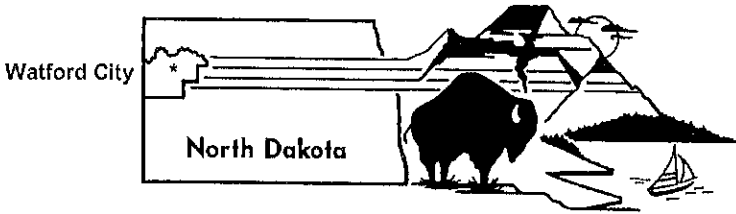
feet
meters



Future housing



North
↑



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

April 24, 2013

STAFF REPORT

CU-2-2013

Conditional Use

Applicant

Heggen Equipment Inc.
Po Box 1408; 805 South Main St.
Watford City ND, 58854

Property Owners

Sarah Heggen-Lewis
E. Ingrid McKay Heggen

Property Address: 805 South Main St., 11.38 Acres

Conditional Use Requested: Temporary employee housing

Reference: Watford City City Code Sec. XV – Article XXV, Conditional Uses

Discussion: This application was filed for the purpose of temporary employee housing within C-1 Commercial Zoning District.

The property is located at 805 South Main St., 11.38 acres.

The existing property is currently developed as a commercial site. The site has access to city water and sewer service and is accessed from Hwy. 85 S. The site is in the newly created Extra Territorial Area (ETA) and therefore falls within the jurisdiction of the Watford City Planning and Zoning Commission. The intent of the ETA is to regulate growth and development within one mile of the City but to not be restrictive in nature.

The 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.

The commission should carefully consider all of the possible implications associated with approving this Conditional Use. Chapter XV, Article XX of the City of Watford City ordinances require that "All required off-street parking areas, including access drives, shall be improved with asphalt, concrete or similar dust-free surface and all parking spaces shall be clearly marked." At the CU permit's annual review, if it is determined that there is a long-term need, the P&Z commission can recommend to the city council that the permittee pave the parking areas. However, the P&Z Commission cannot waive the requirement to provide paved parking and driving surfaces. They can only make a recommendation to the City Council to do so. Should the use become long-term the requirement to pave will be implemented.

Surrounding Land Use Inventory:

West: Zoning - A-2, McKenzie County
Use - Agricultural
South: Zoning - C-1, McKenzie County
Use - Commercial
North: Zoning - C-1, Watford City
Uses - Commercial
East: Zoning - C-1, Watford City
Uses - Commercial

A Conditional Use Permit may be granted following compliance with the procedure set forth in this section if the conditional use is one set forth in the District Regulations, provided that no application for a conditional use shall be granted unless all of the following conditions are found to be present:

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

Site Development

Access: The property is accessible from Hwy 85/Main Street South.

Sewer: There is access to city sanitary sewer mains from the property.

Water: There is access to city water mains from the property.

Analysis: The property is currently being used as an office/shop and the application for employee housing is an allowed use with a Conditional Use Permit in the C-1 District. The site consists of 11.38 acres and per the ordinance will be allowed one (1) mobile unit (HUD) or two (2) RV units (DMV) per acre.

Recommendation:

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

1. The conditional use permit will allow only factory manufactured campers and DOT approved recreational vehicles. No non-factory housing shall be permitted.
2. The conditional use permit is based on the number of spaces allowed per the lot size and shall not be expanded nor the intensity increased.
3. The conditional use permit shall be specific as to number of parking spaces to be provided. A minimum of 2 off-street parking spaces per site shall be provided.
4. A dust palliative should be required to be applied to parking areas from May through October.
5. Parking areas shall be surfaced with a minimum of 6" of crushed aggregate, not scoria. Scoria may be used as a base course.
6. Conditional Use Permit will expire after 6 months if no action is taken.
7. Conditional Use Permit shall be reevaluated after 1 year.
8. A site plan must be submitted showing the lot orientation and placement of the proposed units as well as parking, drive aisles and utility connections as per the ordinance.

Contact:

Curtis Moen
City Planner/Zoning Administrator
City of Watford City
(701) 444-2533

LAND USE APPLICATION

Watford City Planning Department
 See Reverse for Submittal Requirements
 AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY

APPLICATION TYPE:	DATE FILED: 4.5.13	APPLICATION NUMBER: 3018-2013
<input checked="" type="checkbox"/> ZONE CHANGE - \$200.00 fee	PROCESSES BY: MW	MEETING DATES: P&Z: 4/29 CC: 5/6
<input type="checkbox"/> CONDITIONAL USE PERMIT - \$350.00 fee plus publishing cost	FEE: \$2000	ADVERTISE DATE: 4/17 + 4/24
<input type="checkbox"/> VARIANCE - \$200.00 fee	RECEIPT #:	PROPERTY OWNERS NOTIFIED:
<input type="checkbox"/> STREET NAME CHANGE	SECTION/TOWNSHIP/RANGE: SE 1/4 Sect. 13 T19N R99W	
<input type="checkbox"/> VACATION and ABANDONMENT	RELATED CASE NOS:	
<input type="checkbox"/> SIMPLE LOT SPLIT - \$450.00	FINAL ACTION MEMORANDUM ISSUED:	DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: The Highlands at Watford City
 APPLICANT: The Highlands at Watford City

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: Adam Berger, Consolidated Investment Group
 ADDRESS: 18 Inverness Place East
 CITY: Englewood STATE: Colorado ZIP CODE: 80112
 TELEPHONE: 303-789-2664 x212 EMAIL: aberger@cinvest.com

ASSESSOR'S PARCEL NUMBER(S): 11-00-04830

LEGAL DESCRIPTION: See Exhibit A - Legal Description Attached

PROPERTY ADDRESS AND NEAREST CROSS STREETS: 4th Avenue NW at 6th Street NW

GROSS/NET ACREAGE: 42.66 Gross Acres PRESENT ZONE CLASSIFICATION: "A-1" Agricultural District

DESIRED ZONE CLASSIFICATION: R1, R3, R4 & C1 CURRENT LAST USE: Pasture

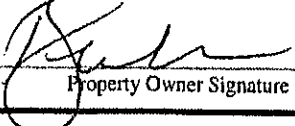
DESCRIBE YOUR REQUEST IN DETAIL. YOU MUST CITE ANY RELEVANT CODE SECTIONS, WAIVERS, OR CONDITIONAL USE PERMITS
 (USE ADDITIONAL PAGES IF NEEDED)

We are requesting a zoning change from Agriculture to a combination of R1, R3, R4 and C1 as identified on the Zoning Map. The proposed project is primarily a residential neighborhood offering a variety of housing options consisting of Single Family Detached, Townhomes, Apartments, supporting Open Space, and a small Commercial parcel. The total project area is 42.66 gross acres and a total of approximately 516 residential units and 1 commercial unit.

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

Land Use Applications Cannot be Accepted over the Front Counter
 Please Call (701) 444-2533 to schedule an appointment

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



 Property Owner Signature

TIM BERTOCH

 Print of Type Owner Name

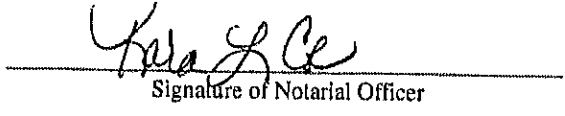
NOTARY

State of Colorado

County of Arapahoe

This instrument was acknowledged before me on 4/4/13 by Tim Bertoch
 Date Name of Person

KARA L COE
Notary Public
State of Colorado



 Signature of Notarial Officer

Documents Required for Submitting Land Use Applications

APPLICATION TYPE	Application	Conceptual Site Plan	Site Plans	Deed	Legal Description	Justification Letter	Traffic Impact Analysis	Straight-line Drawing	Supplemental Info.	Application Fees
Conditional Use Permit	1	1	4	1 ³		1 ¹¹	4 ¹²	1 ¹³	1 ¹⁴	\$350.00
Zone Change	1	1	4	1 ³	1 ⁸	1 ¹¹	4 ¹²		1 ¹⁴	\$200.00
Variance	1	1	4			1 ¹¹				\$200.00
Vacation and Abandonment	1		4	1 ³	1 ⁸	1 ¹¹				Refer to Fee Schedule
Street Name Change*	1					1 ¹¹				Refer to Fee Schedule

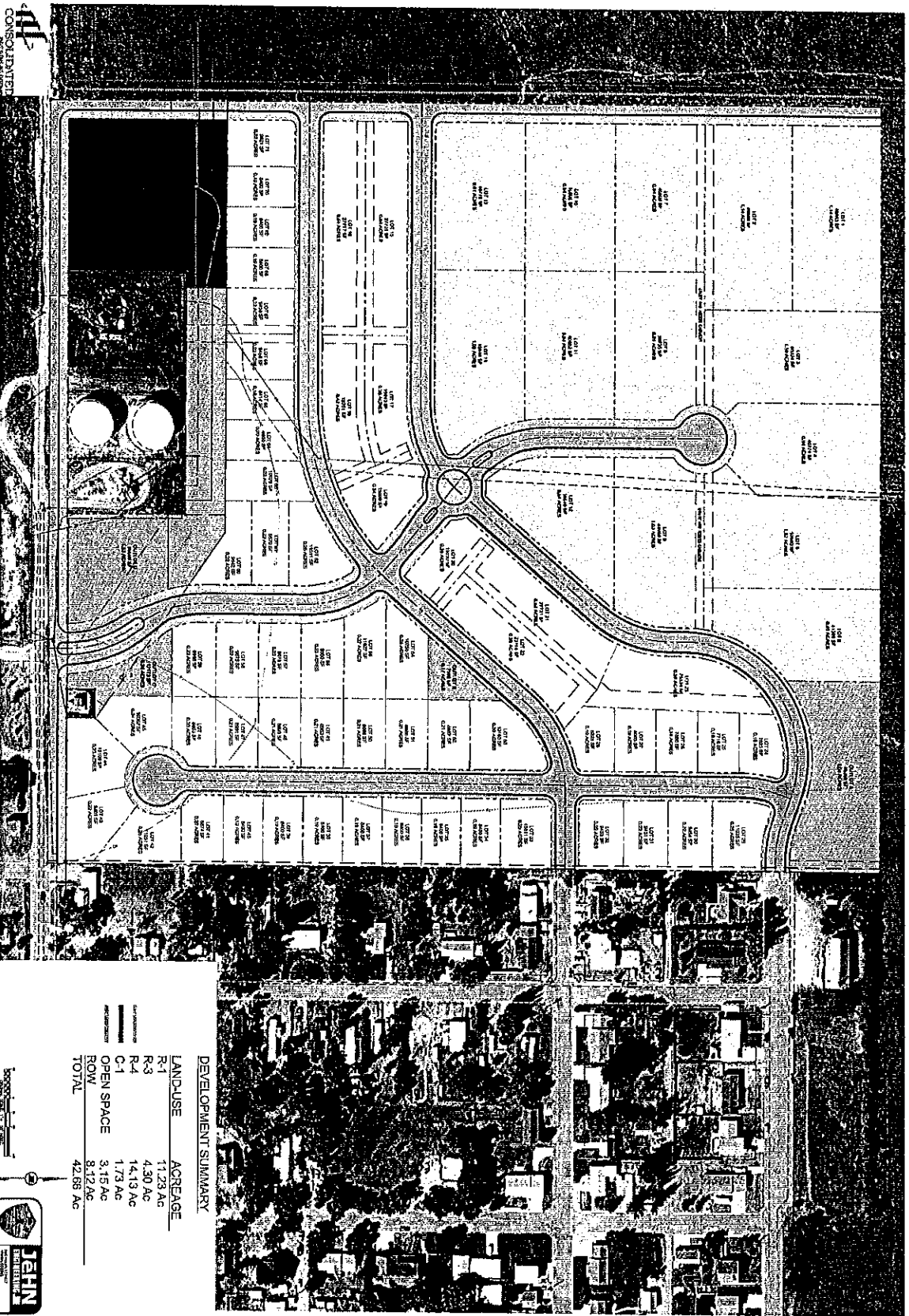
Superscript notes on this table refer to the same item number on the Explanation of the Document Submittal Requirements for Planning Applications

*Plus all sign costs

Procedures for Filing Land Use Applications:

- A. After assembling the required materials as outlined above, schedule an appointment by calling the Watford City Planning Department at (701) 444-2533. Filing an application without an appointment may delay your application processing and/or scheduled hearing(s). Only completed applications shall be accepted for filing.
- B. Review the Summary of Required Reviews or Hearings for your application type. ATTENDANCE AT ALL SCHEDULED MEETINGS IS MANDATORY, you may assign an agent to speak on your behalf. Failure to appear at any meeting may result in delays.
- C. Staff Report: To discuss a report or recommendation, contact the Planning Department to resolve concerns prior to the hearing.
- D. A letter indicating the Commission's decision and all conditions of approval is sent to the correspondent address on the application. All conditions must be met before an occupancy permit or a business license will be issued. In many cases, the Planning Commission is considered to be final action unless appealed, refer to the Summary or Required Reviews or Hearings.
- E. Any person may appeal, in writing, to the board within 30 calendar days from the date the Notice of Final Action was sent. The Office of the Zoning Administrator must physically receive the appeal by 4:00 pm. on the 30th calendar day.
- F. The Planning Commission has the authority to impose conditions, restrictions, safeguards and date of expiration on any land use application that is granted to ensure the health, safety and welfare of the neighborhood. Failure to comply with such conditions shall be deemed as a violation. Any such person who knowingly continues the violation after receiving written notification of the violation is guilty of misdemeanor.
- G. Site Development Plan Application is required on all Conditional Use Applications.

Zoning Map for The Highlands at Watford City



CONSOLIDATED
 NATIONAL DEVELOPMENT

DEVELOPMENT SUMMARY

LAND-USE	ACREAGE
R-1	11.23 Ac
R-3	4.30 Ac
R-4	14.13 Ac
C-1	1.73 Ac
OPEN SPACE	3.15 Ac
ROW	8.12 Ac
TOTAL	42.68 Ac





April 4th, 2013

Curtis Moen
City Planner/Zoning Administrator
City of Watford City
213 2nd St., NE
PO Box 494
Watford City, ND 58854

RE: Justification Letter – Zoning Change for The Highlands at Watford City, Watford City, ND

Dear Curt:

The Highlands at Watford City project is a new residential neighborhood located in the northwest quadrant of Watford City. The primary focus of the project is to provide an array of housing options to meet the increasing demand for housing within the City of Watford City.

The housing choices we propose carefully fit into the rolling topography of the site and provide excellent views to the surrounding lands. The range of housing options proposed include reasonably priced for sale and for rent residences, designed to cater to the wide range of full-time resident workers and their families who want to put down roots and make Watford City their home. Housing product types include; 47 single family detached lots categorized in the City's R1 designation averaging approximately 8,000 square feet; 85 attached Townhome lots designed to accommodate residences ranging in size from 1,650 to 1,850 square feet in the R3 zoning category, providing home ownership opportunities with low maintenance requirements, (Note: We are requesting, in a separate application, a slight variance for the front setbacks in this R3 zone as we are proposing a townhome type product with a front setback configuration similar to the Strata Estate Suites project); and up to 384 for rent apartments per the City's R4 zoning classification ranging from 1, 2 and 3 bedroom suites that can cater to individuals as well as families. A total of up to 516 residential units are planned.

The sites existing utility easements and topographic constraints have influenced the overall layout and orientation of the site. Nonetheless, the site provides excellent offsite views and a well scaled internal block structure. The proposed site also provides over 3 Acres of Open Space that will be used for landscaped entry features, on-site storm water retention, and an internal trail and sidewalk system that will provide outdoor recreation opportunities for residents and the adjacent community. In the southwest corner of the site the land plan calls for a C1 zoning classification for a small commercially zoned parcel of land of approximately 2 acres that can provide commercial amenities for the project and the adjacent community.

We believe this project conforms to Watford City's long term Growth Area Boundary and Zoning Plans and provides much needed diverse housing options for this exciting and growing community.

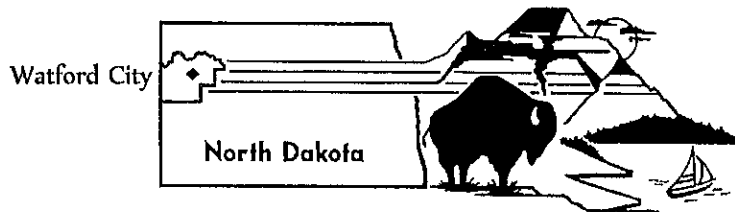
We look forward to working with you and the leadership of the City of Watford City to make this project an asset to current and future residents of Watford City.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Bertoch".

Tim Bertoch

cc: Adam Berger



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

April 24, 2013

STAFF REPORT

ZC-18-2013

Zone Change

Applicant

The Highlands at Watford City
Adam Berger, Consolidated Investment Group
18 Inverness Place East
Englewood, CO 80112

Property Owners

Same

Property Address: 4th Ave NW at 6th Street NW

Zone Change Requested:

A request to change the zoning of the above-referenced lot from A-1 (Agricultural District) R1, R3, R4 and C1. 42.66 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 at 4th Ave NW at 6th Street NW and contains 42.66 Gross Acres

The existing property is currently developed agricultural. There are currently no City streets and municipal utilities within the subject property at this time. The site is within the City ETA and is subject to City development standards.

The Highlands at Watford City is requesting a zone change from A1 to a combination of R1, R3, R4, and C1. The proposed project is primarily a residential neighborhood offering a variety of housing options consisting of single family detached, duplexes, townhomes, apartments supporting open space and a small commercial parcel. A total of approximately 516 residential units and 1 commercial unit are proposed.

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. Property owners have voiced opposition and have contacted the city regarding the application.

In granting a zone change, the Planning Commission must satisfy itself, from the evidence heard before it that the granting of the zone change is in the best long-term interests of the City of Watford City and the other affected properties. The Planning Commission shall also find that the zone change, if granted, is in harmony with the intended spirit and purpose of the zoning ordinance 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 -	R4, Watford City
Use -	Residential (high density)
South: Zoning -	R4, Watford City
Use -	Residential (high density)
North: Zoning -	R2, R3, Watford City
Uses -	Residential single and two family dwelling
East: Zoning -	R2, Watford City
Uses -	Residential medium density

Comprehensive Zoning Plan and Zoning Comparison:

At this time, the city does not have a detailed Comprehensive Zoning Plan that can be used as a basis for this decision. Therefore, each request for a zoning amendment must be based solely on the judgment of the commission. The commission must exercise prudence when evaluating this request. All of the possible uses that could occur on this property and the possible affect on surrounding properties must be considered when evaluating whether this zone change should be approved. The zone requested by the applicant (R1,R3,R4 and C1) is a mixture of the lowest intensity residential as well as the highest and most intense residential district with a small parcel of commercial within the development.

Site Development

Access: The property is accessible from 7th Ave NW, 6th Ave NW, and 4th Ave NW. They are City maintained paved streets.

Sewer: City sewer will be available for this site.

Water: City water will be available for this site.

Analysis: The proposed zoning provides multiple options for housing unit types and features as well as a small site for commercial property.

Recommendation:

It is recommended that the Watford City Planning Commission approve a zone change from A-1 to R1, R3, R4, and C1 for the property subject to the following conditions:

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

Contact:

Curtis Moen
City Planner/Zoning Administrator

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

AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY

APPLICATION TYPE:	DATE FILED: 9/21/13	APPLICATION NUMBER: BC 19-2013
<input checked="" type="checkbox"/> ZONE CHANGE - \$200.00 fee	PROCESSES BY: MW	MEETING DATES: P&Z 12/29 cc: 5/16/13
<input type="checkbox"/> CONDITIONAL USE PERMIT \$350.00 fee plus publishing cost	FEE: MW	ADVERTISE DATE:
<input type="checkbox"/> VARIANCE - \$200.00 fee	RECEIPT: Cash receipt # 10282	PROPERTY OWNERS NOTIFIED:
<input type="checkbox"/> STREET NAME CHANGE	SECTION/TOWNSHIP/RANGE: Sect. 16 / T150N / R98W	
<input type="checkbox"/> VACATION & ABANDONMENT	RELATED CASE NOS: CU-1-2013	
<input type="checkbox"/> SIMPLE LOT SPLIT - \$450.00 fee	FINAL ACTION MEMORANDUM ISSUED:	DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: DEP Resources
APPLICANT: Gabe Hoff

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: Connie Ridd
ADDRESS: 3780 72nd Ave, P.O. Box 130
CITY: Parrshall STATE: ND ZIP CODE: 58770
TELEPHONE: 701-421-8467 EMAIL: Connie.Ridd@acres.com
ASSESSOR'S PARCEL NUMBER(S):
LEGAL DESCRIPTION: SW 1/4 SE 1/4 Section 16 Township 150N Range 98W
PROPERTY ADDRESS AND NEAREST CROSS STREETS: 217 1st Ave NE, Watford City, ND
GROSS/NET ACREAGE: 10 acres PRESENT ZONE CLASSIFICATION: AG
DESIRED ZONE CLASSIFICATION: CI CURRENT LAST USE:

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

DEP is requesting a zone change from AG to CI commercial property. We need this zone change in order to go through with the application previously submitted requesting a conditional use permit.

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

LAND USE APPLICATION pg. 2
Wattford 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 Wattford 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 Wattford 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.

Connie Ridd / DEP
Property Owner Signature

Connie Ridd / DEP
Print of Type Owner Name

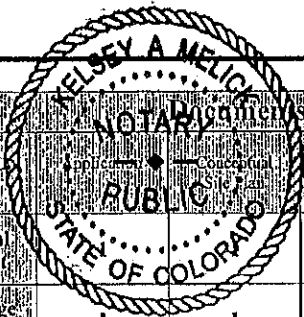
NOTARY

State of Colorado

County of Denver

This instrument was acknowledged before me on 3/21/2013 Date by Connie Ridd Name of Person

W. Melic
Signature of Notarial Officer

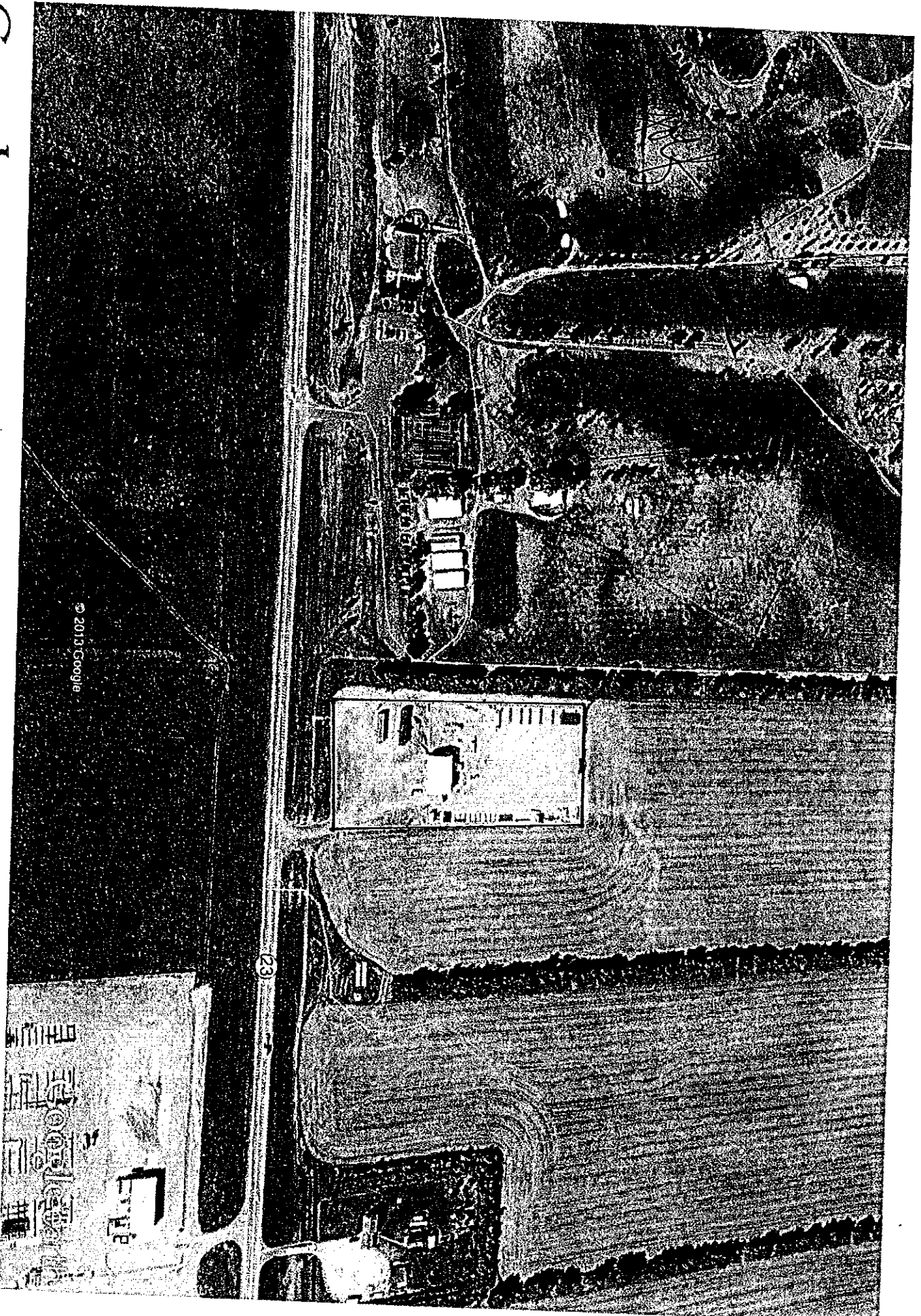


APPLICATION TYPE	Application Fee	City Fee	Site Plan Fee	Site Dev. Fee	Legal Description Fee	Justification Fee	Final Review Analysis Fee	Staff Report Fee	Supplemental Info Fee	Application Fees
Conditional Use Permit		2	1 ^o			1 ⁱⁱ	1 ⁱⁱ	1 ⁱⁱⁱ	1 ^{iv}	\$350.00
Zone Change	1	1	2	1 ^o	1 ^o	1 ⁱⁱ	1 ⁱⁱ		1 ^{iv}	\$200.00
Variance	1	1	2			1 ⁱⁱ				\$200.00
Excavation and Abandonment	1		2	1 ^o	1 ^o	1 ⁱⁱ				Refer to Fee Schedule
Street Name Change	1					1 ⁱⁱ				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

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- C. Staff Report: To discuss a report or recommendation, contact the Planning Department to resolve concerns prior to the hearing.
- D. A letter indicating the Commission's decision and all conditions of approval is sent to the correspondent address on the application. All conditions must be met before an occupancy permit or a business license will be issued. In many cases, the Planning Commission is considered to be final action unless appealed, refer to the Summary or Required Reviews or Hearings.
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- F. The Planning Commission has the authority to impose conditions, restrictions, safeguards and date of expiration on any land use application that is granted to ensure the health, safety and welfare of the neighborhood. Failure to comply with such conditions shall be deemed as a violation. Any such person who knowingly continues the violation after receiving written notification of the violation is guilty of misdemeanor.
- G. Site Development Plan Application is required on all Conditional Use Applications.



© 2013 Google

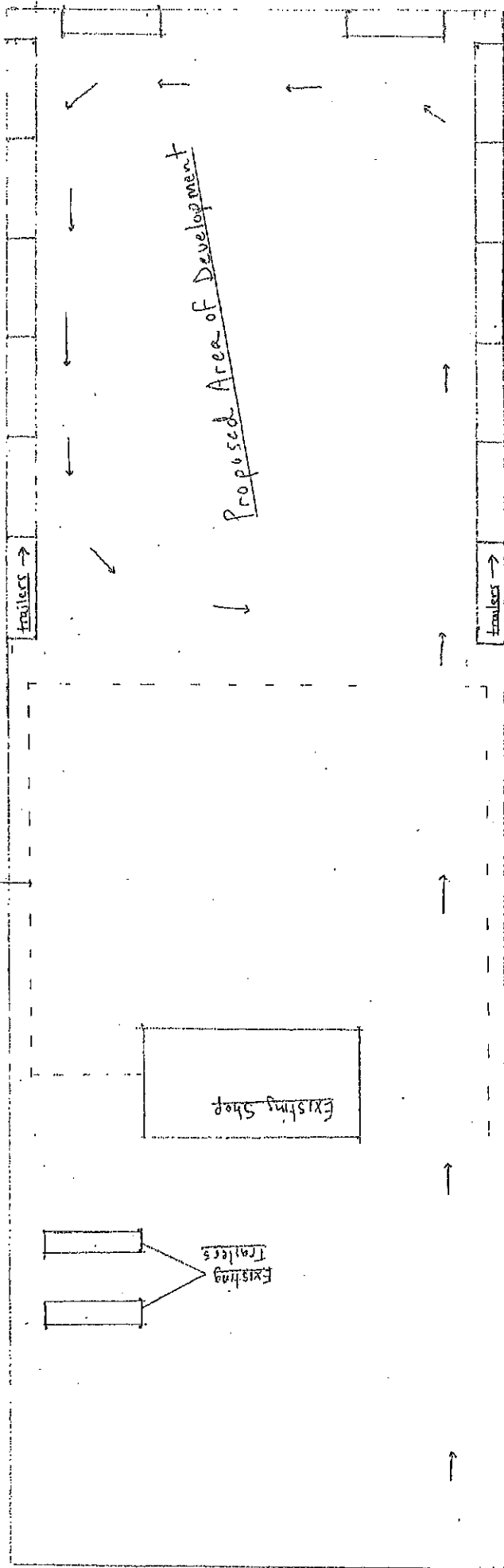
Google earth

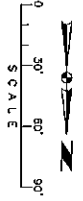
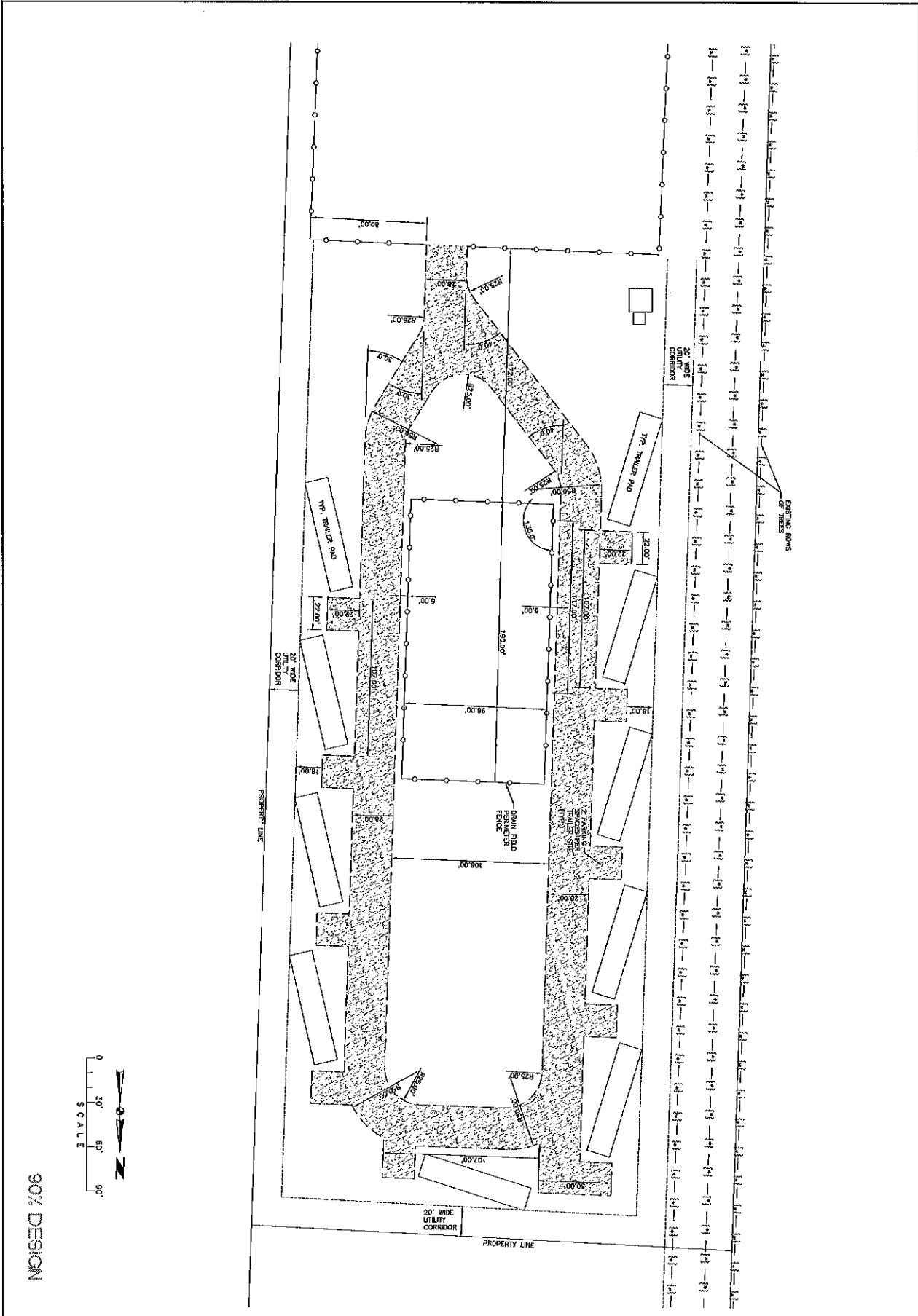


F S
N W

Existing Fenced Yard

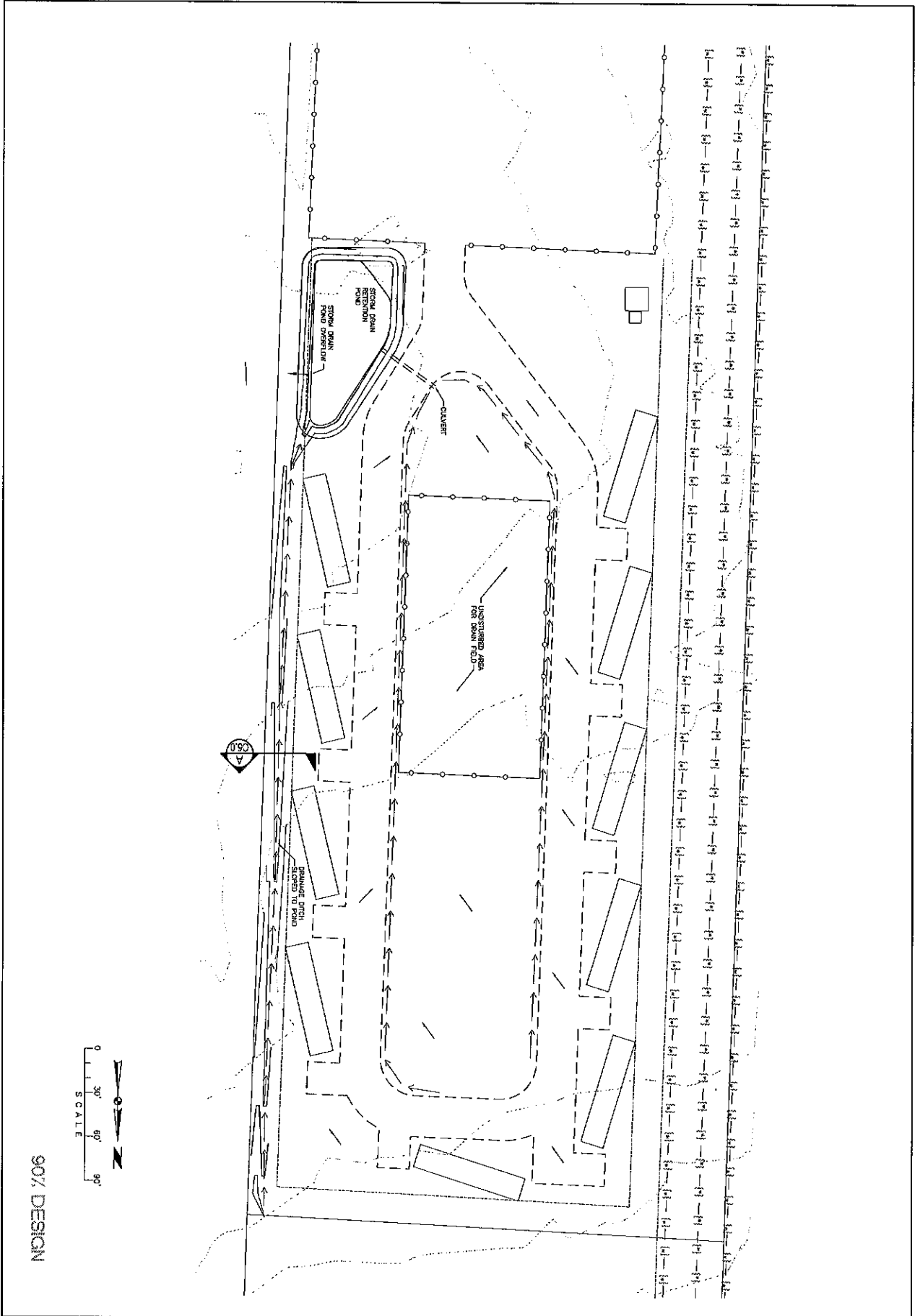
DEP Resources





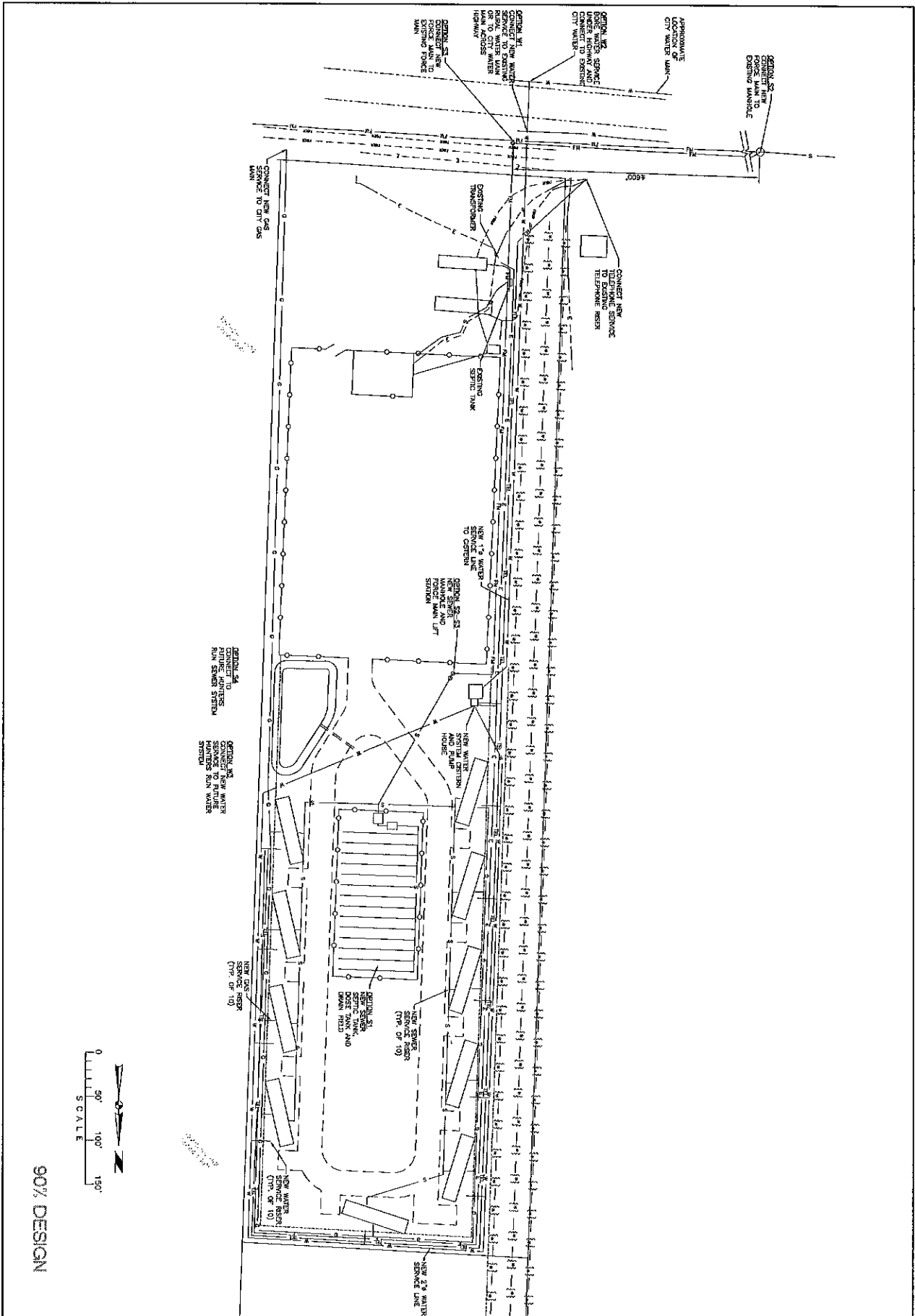
90% DESIGN


SHEET C2.0	QEP ENERGY SERVICES WATFORD CITY, NORTH DAKOTA		<p>TD&H Engineering 1776 13th St SW Watford City, ND 58201 701.852.2222</p>	REV	DATE	REVISION
	SITE LAYOUT PLAN			DATE	DATE	REVISION

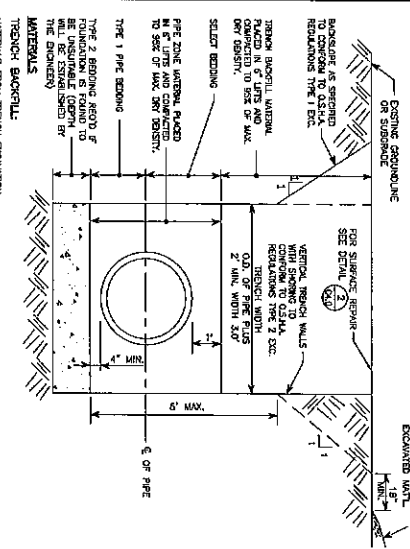


90% DESIGN

SHEET C3.0 13-814-C3.0.DWG	QEP ENERGY SERVICES WATFORD CITY, NORTH DAKOTA	TD&H Engineering 1000 14TH AVE S.W. WASHINGTON, MN 55389 763.429.1234 www.tdandh.com	PROJECT NO.: 13-814 DESIGNED BY: WND QUALITY CHECKED: WND DATE: 4/23/13 DRAWN BY: WND CHECKED BY: WND	REV DATE REVISION
	SITE GRADING PLAN		PROJECT LOCATION: GREAT FALLS DISTRICT COURT PARKWAY, WATFORD CITY, NORTH DAKOTA	REV DATE REVISION



SHEET C4.0	QEP ENERGY SERVICES WATFORD CITY, NORTH DAKOTA UTILITY SITE MAP	PROJECT NO. 13-814 DRAWING NO. C4.0 DATE 04/26/13 DESIGNED BY WJD CHECKED BY WJD IN CHARGE WJD	 TD&H Engineering 611 S. HARRISON ST. SUITE 200 WASHINGTON NORTH DAKOTA 58103
90% DESIGN		0 90' 100' 150' SCALE	REV DATE REVISION

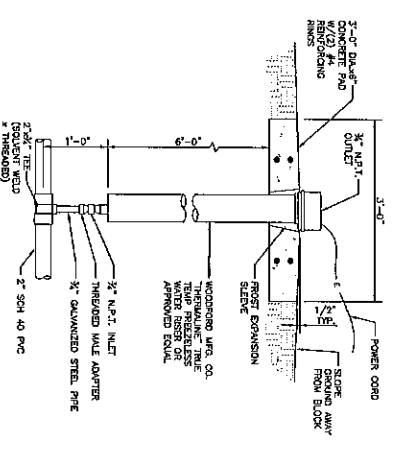


TYPICAL TRENCH EXCAVATION & BACKFILL DETAIL
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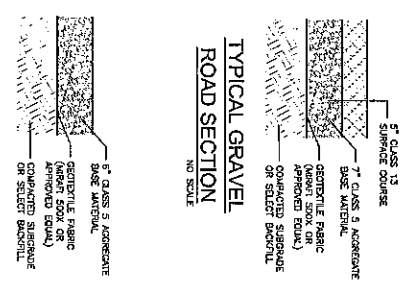
WHERE TRENCH EXCAVATION ENCOUNTERS WET OR UNSATURATED MATERIAL, SELECT BEDDING MUST BE TYPE 2 BEDDING UNLESS OTHERWISE SPECIFIED.

WHERE TRENCH EXCAVATION ENCOUNTERS WET OR UNSATURATED MATERIAL, SELECT BEDDING MUST BE TYPE 2 BEDDING UNLESS OTHERWISE SPECIFIED.

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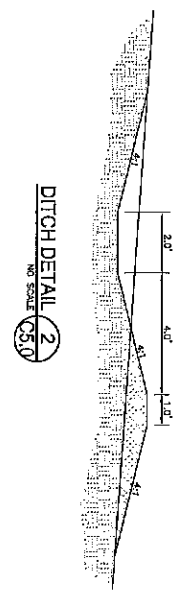
FREEZELESS WATER RISER DETAIL
 NO SCALE



TYPICAL GRAVEL ROAD SECTION
 NO SCALE



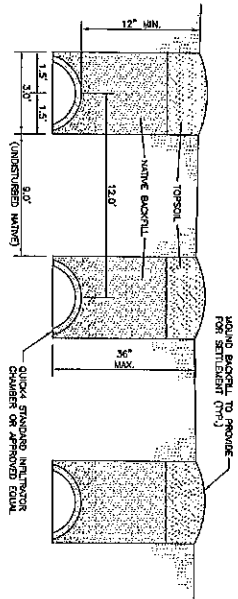
TYPICAL GRAVEL PARKING SECTION
 NO SCALE



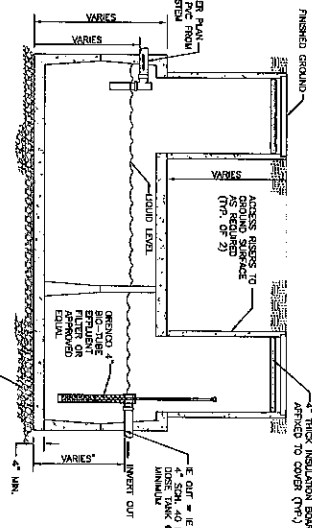
DITCH DETAIL
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90% DESIGN

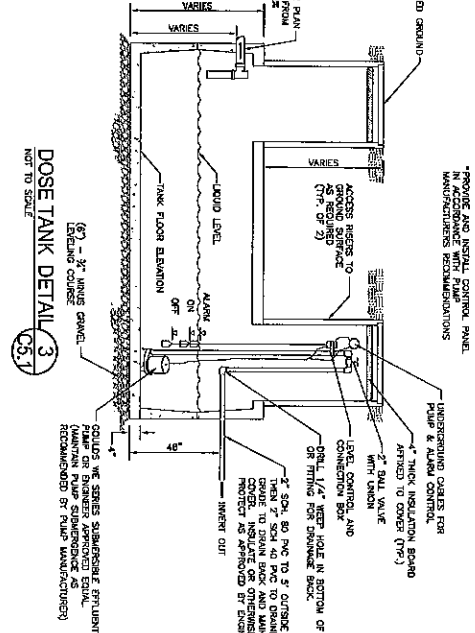
<p>QEP ENERGY SERVICES WATFORD CITY, NORTH DAKOTA</p>	<p>DESIGNED BY: TDC CHECKED BY: MWS DATE: 12-11-12 FILE NUMBER: 13-814</p>	<p>TD&H Engineering</p> <p>ONE AT FALLS EISENMAN KULSPILL DICKINSON LEWISTON WATFORD CITY</p>	<p>REVISIONS</p> <p>DATE</p>	<p>REGISTERED PROFESSIONAL ENGINEER NORTH DAKOTA</p>
			<p>BY: _____ DATE: _____</p> <p>DESCR: _____</p> <p>BY: _____ DATE: _____</p> <p>DESCR: _____</p>	
<p>13-814-C6.0.dwg SHEET C6.0</p>				



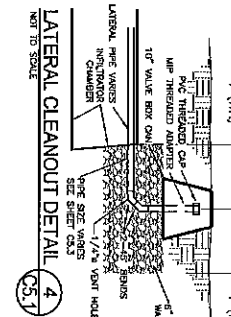
DRAINFIELD CHAMBERS DETAIL 1
 (C5.1)
 NO SCALE



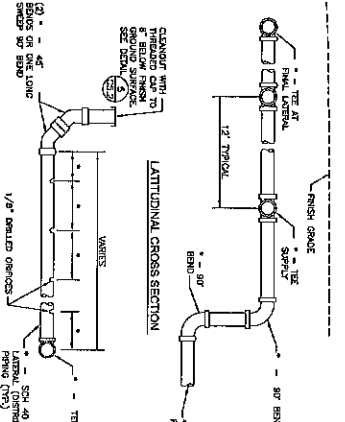
SEPTIC TANK DETAIL 2
 (C5.1)
 NOT TO SCALE



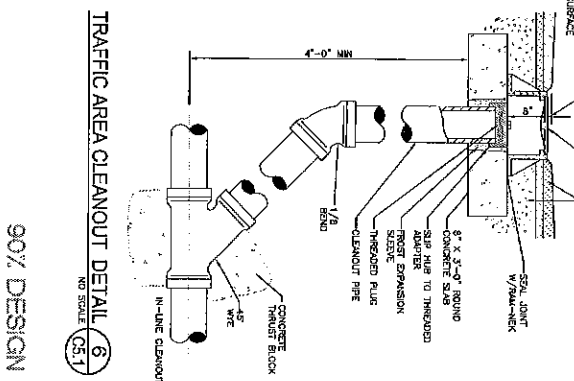
DOSE TANK DETAIL 3
 (C5.1)
 NOT TO SCALE



LATERAL CLEANOUT DETAIL 4
 (C5.1)
 NOT TO SCALE

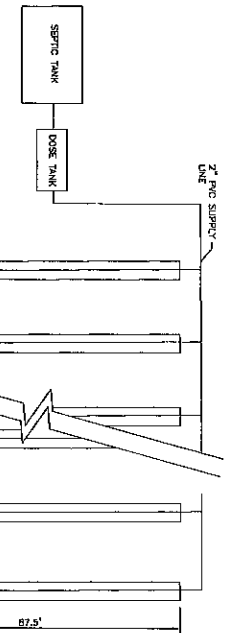


MANIFOLD - LATERAL DETAIL 5
 (C5.1)
 NOT TO SCALE



TRAFFIC AREA CLEANOUT DETAIL 6
 (C5.1)
 90% DESIGN
 NOT TO SCALE

- SEPTIC SYSTEM CONSTRUCTION NOTES**
1. THE SYSTEM INSTALLER SHALL BE RESPONSIBLE FOR ARRANGING INSPECTION OF THE SYSTEM WITH THE UPPER MISSOURI RIVER HEALTH COMMISSION. THE SYSTEM SHALL BE INSPECTED AND APPROVED BY THE COMMISSION BEFORE ANY FINAL CONSTRUCTION. THE SYSTEM SHALL BE INSPECTED AND APPROVED BY THE COMMISSION BEFORE ANY FINAL CONSTRUCTION.
 2. CONSTRUCTION EQUIPMENT WHICH WOULD CAUSE UNDESIRABLE CONSTRUCTION OF THE SYSTEM SHALL NOT BE USED. THE SYSTEM SHALL BE CONSTRUCTED ABOVE OPTIMUM MOISTURE CONTENT AS DETERMINED BY ASTM 158.



DRAINFIELD PLAN

SHEET C5.1	QEP ENERGY SERVICES WATFORD CITY, NORTH DAKOTA	SEWER SEPTIC TANK AND DRAINFIELD DETAILS	TD&H Engineering	REVISIONS	REGISTERED PROFESSIONAL ENGINEER WASHINGTON STATE LICENSE NO. 12345
				BY: _____ DATE: _____ DESCR: _____ BY: _____ DATE: _____ DESCR: _____ BY: _____ DATE: _____ DESCR: _____	
13444-00000	DESIGNER: _____ CHECKER: _____ DATE: _____ REVISIONS: _____	PROJECT NO.: _____ SHEET NO.: _____ TOTAL SHEETS: _____	PROJECT: _____ LOCATION: _____ CLIENT: _____	PROJECT NO.: _____ SHEET NO.: _____ TOTAL SHEETS: _____	PROJECT: _____ LOCATION: _____ CLIENT: _____

Surrounding Land Use Inventory:

West: Zoning -	C-F, Watford City
Use -	Golf Course
South: Zoning -	A-2, McKenzie County
Use -	Agricultural/Commercial
North: Zoning -	A-2, McKenzie County
Uses -	Agricultural
East: Zoning -	A-2, McKenzie County
Uses -	Agricultural/Residential

Comprehensive Zoning Plan and Zoning Comparison:

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

Site Development

Access: The property is accessible from Hwy 23 E/4th Ave NE.

Sewer: There is access to city sanitary sewer mains from the property.

Water: There is access to city water mains from the property.

Analysis: The proposed zoning of C-1 will allow for the consideration of the placement of temporary employee housing units and to bring the site into compliance with the existing zoning ordinance.

Recommendation:

It is recommended that the Watford City Planning Commission approve a zone change from A-2 to C-1 (General Commercial District) for the property subject to the following conditions:

1. The applicant must submit a detailed site plan for review. The site plan must address drainage, access, utilities, lighting, drive aisles, parking, and the development standards for a commercial development.

Contact:

Curtis Moen
City Planner/Zoning Administrator
City of Watford City
(701) 444-2533

DIVISION OF LAND / PLANNING APPLICATION
CITY OF WATFORD CITY

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

APPLICATION TYPE	DATE FILED: <u>4.5.13</u>	APPLICATION NUMBER:
<input checked="" type="checkbox"/> SUBDIVISION TENTATIVE MAP	PROCESSED BY: <u>MW</u>	PLANNING AND ZONING: <u>4/29/13</u>
<input type="checkbox"/> SUBDIVISION FINAL MAP	FEE: <u>\$870⁰⁰</u>	CITY COUNCIL: <u>5/6/13</u> BOCC (IF APPLICABLE): _____
<input type="checkbox"/> PARCEL MAP SUBSEQUENT	RECEIPT #: <u>CHK#097 4.8.13 pd.</u>	SECTION, TOWNSHIP, RANGE: <u>7 15DN 98W</u> CONFORMANCE TO WATFORD CITY CO COMP PLAN? YES <input type="checkbox"/> NO <input type="checkbox"/>
<input type="checkbox"/> PARCEL MAP NON-SUBSEQUENT	RELATED CASE FILES:	FINAL ACTION LETTER ISSUED DATE:
<input type="checkbox"/> ROAD/STREET ABANDONMENT	<i>IMPORTANT INFORMATION AND SIGNATURE REQUIRED ON REVERSE (CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)</i>	
<input type="checkbox"/> LARGE PARCELS MAP TENTATIVE	PROPERTY OWNER: <u>CHERRY CREEK DEVELOPERS, LLC</u>	
<input type="checkbox"/> LARGE PARCELS MAP FINAL	APPLICANT: <u>SAME</u>	
<input type="checkbox"/> MAP OF REVERSION	CORRESPONDENCE FOR THIS APPLICATION SHOULD BE ADDRESSED TO:	
<input type="checkbox"/> BOUNDARY LINE ADJUSTMENT MAP	NAME: <u>CHERRY CREEK DEVELOPERS, LLC, GLEN McDONNELL</u>	
<input type="checkbox"/> AGRICULTURAL EXEMPTION	ADDRESS: <u>904 17th AVE. NE</u>	
<input type="checkbox"/> FAMILY CEMETERY DESIGNATION	CITY: <u>WATFORD CITY</u> STATE: <u>ND</u> ZIP CODE: <u>58854</u>	
	TELEPHONE: <u>(817) 610-1867</u> EMAIL: <u>glen@cherrycreeknd.com</u>	

ASSESSOR'S PARCEL NUMBER(S): 20-00-04400

LEGAL DESCRIPTION: SEC 7, T150N, R98W *Hawk Creek*

PROPERTY ADDRESS AND NEAREST CROSS STREETS: 904 17th AVE. NE / 12th ST NE

GROSS/NET ACREAGE: 40.19 NUMBER OF LOTS: 12

DESCRIBE THE METHOD OF PROVIDING WATER & SEWER: WATFORD CITY

ARE ANY WAIVERS OR VARIANCES REQUIRED TO SUPPORT THIS APPLICATION?: NO (IF YES, ATTACH A JUSTIFICATION LETTER DESCRIBING SUCH WAIVERS OR VARIANCES). WAIVERS AND VARIANCES SHOULD BE DISCUSSED WITH PLANNING DEPARTMENTS STAFF PRIOR TO FILING ANY REQUIRED APPLICATION.

SUBMITTAL REQUIREMENTS: All submittals shall be legible, printed in ink or typed and suitable for reproduction.

- Two copies of each map page sized suitable for reproduction (8.5"x 11" or 11"x 17") are required. Full size copies of maps (24"x 36") must be submitted with each application as required on the reverse. **PLEASE NOTE THAT ALL MAPS (except Mylar) MUST BE FOLDED SO THEY CAN BE PLACED IN A LEGAL SIZE FILE.**
- All maps must be drawn by a Professional Engineer or Land Surveyor.

PROCEDURES FOR FILING DIVISION OF LAND APPLICATIONS.

- To file a Map Application, assemble the required documents and submit packet. Only completed applications shall be accepted for filing.
- Refer to "DOCUMENT REQUIRED" for your application type. Staff reports and recommendations are mailed to the applicant and surveyor/engineer addresses listed on the application. To discuss a report or recommendation please contact the Planning Department.
- All conditions of approval must be met before a map will be recorded.

DOCUMENTS REQUIRED FOR SUBMITTING PLANNING APPLICATIONS

MAP TYPE	Application & Affidavit	Number of Map Copies	Mylar	Intent to Serve Will Serve Letter	Title Report	Application Fees
Subdivision Map Tentative	1 ^{1&4}	12		1	1	
Subdivision Map Final	1 ¹	4	1 ³	1 ²	1	
Parcel Map Subsequent	1 ^{1&4}	7	1 ³	1 ²	1	
Parcel Map Non-subsequent	1 ^{1&4}	7	1 ³	1 ²	1	
Road/Street Abandonment	1 ¹		1 ³			
Large Parcels Map Tentative	1 ^{1&4}	7		1 ²	1	
Large Parcels Map Final	1 ¹	4	1 ³	1 ²	1	
Map of Reversion	1 ¹	7	1 ³	1 ²	1	
Boundary Line Adjustment	1 ¹	7	1 ³	1 ²	1	
Family Cemetery Designation	1 ¹	1				no charge

¹ If needed signing authority must be provided, corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is a corporation or provides signature in a representative capacity.

² If located within a water/sewer utility's service area, "Intent to Serve" required at tentative / first submittal stage, "Will Serve" required at technical review / final submittal stage.

³ Mylar maps are submitted for recording after all reviews and approvals are completed.

⁴ Affidavit to ensure the payment of taxes for compliance with the disclosure and recording requirements.

<p style="text-align: center;">SURVEYOR / ENGINEER INFORMATION</p> <p>NAME: <u>PETER PROFFIT</u> LICENSE NO: <u>PE-7745</u></p> <p>ADDRESS: <u>228 MAIN ST.</u></p> <p>CITY: <u>WATFORD CITY</u> STATE: <u>ND</u> ZIP: <u>58854</u></p> <p>TELEPHONE: <u>920-727-7392</u> FAX/CELL: <u>920-753-9118</u></p>	<p style="text-align: center;">SEND ALL CORRESPONDENCE TO:</p> <p style="text-align: center;">City of Watford City PO Box 494 Watford City, ND 58854 Phone: (701) 444-2533 Fax: (701) 444-3004</p>
--	---

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

CHERRY CREEK DEVELOPERS INC.

Property Owner (Signature): BY: [Signature] Property Owner (Print): BY: GLEN McDONNELL

MANAGER MANAGER

Property Owner (Signature): _____ Property Owner (Print): _____

AFFIDAVIT TO ACCOMPANY CITY OF WATFORD CITY DIVISION OF LAND APPLICATION

AP#: _____

Application/Owner: CHERRY CREEK DEVELOPERS, LLC

In the State of NORTH DAKOTA County of McKENZIE

I/We CHERRY CREEK DEVELOPERS, LLC

I/We will make provisions to ensure for compliance with the disclosure and recording requirements of McKenzie County/Watford City related to the applicable map application type as follows:

(check appropriate map type)

Subdivision of Land Tentative Map

Parcel Map

Subdivision of Land Final Map

CHERRY CREEK DEVELOPERS, LLC

BY: [Signature]

(Signature)

(Signature)

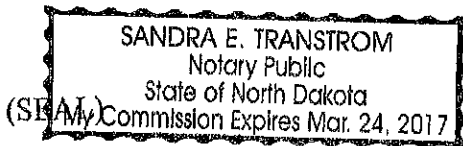
CHERRY CREEK DEVELOPERS, LLC
BY: GLEN McDONNELL, MANAGER

(Printed name & title)

(Printed name & title)

I, Sandra E. Transtrom a Notary Public of the County and State aforesaid, hereby certify that Glen McDonnell personally known to me to be the affiant in the foregoing affidavit, personally appeared before me this day and having been by me duly sworn deposes and says that the facts set forth in the above affidavit are true and correct.

Witness my hand and official seal this the 4 day of April, 2013.



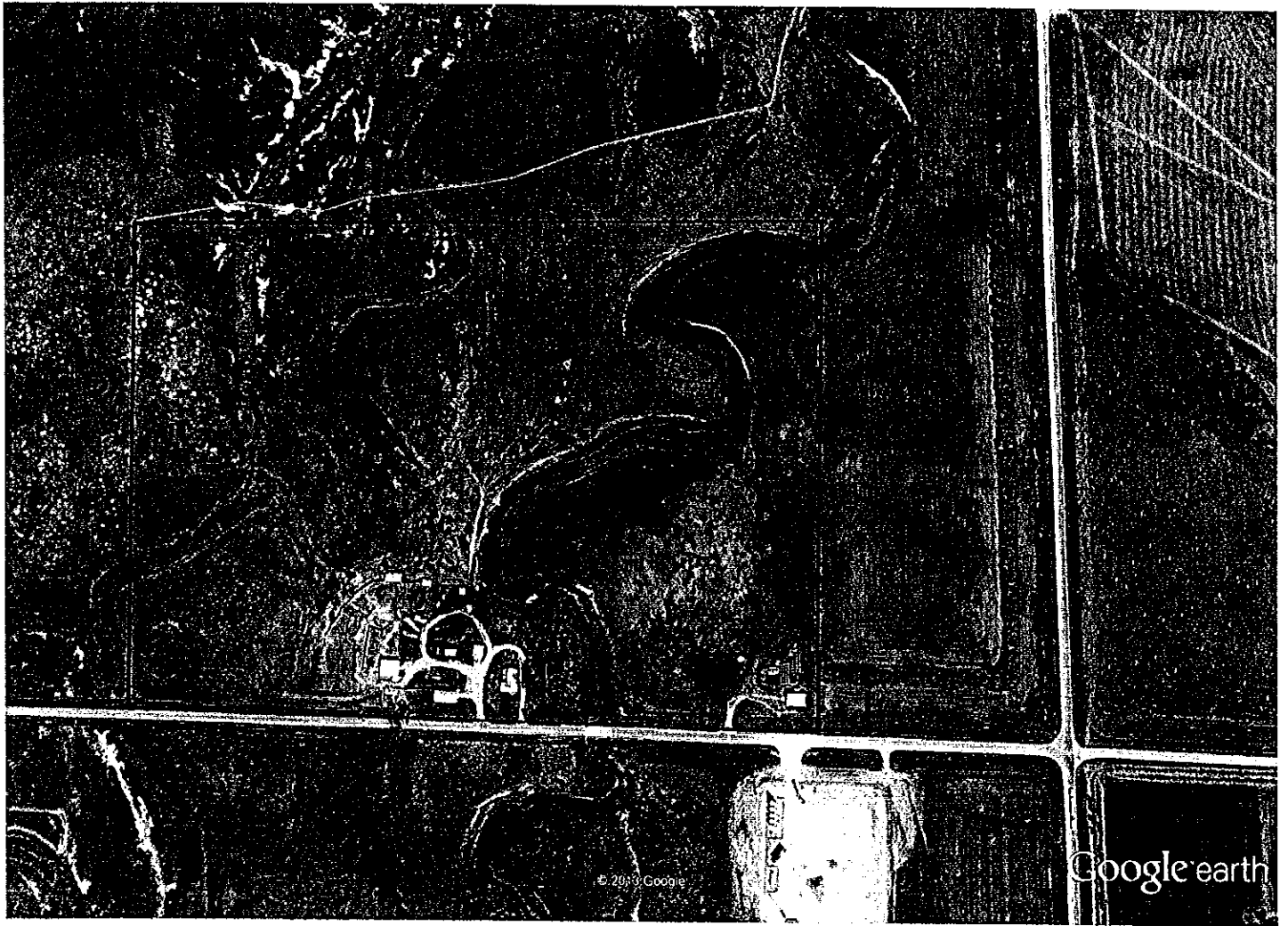
Sandra E. Transtrom
Notary Public

My Commission expires:

3/24/2017

State of: North Dakota

County of: McKenzie



Google earth

Google earth

feet
meters



DIVISION OF LAND / PLANNING APPLICATION

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

<input type="checkbox"/> APPLICATION TYPE	DATE FILED: <u>4/9/13</u>	APPLICATION NUMBER:
<input type="checkbox"/> SUBDIVISION PRELIMINARY MAP	PROCESSED BY: <u>MW</u>	PLANNING AND ZONING: <u>4/21</u>
<input checked="" type="checkbox"/> SUBDIVISION FINAL MAP	FEE: <u>\$500.00</u>	CITY COUNCIL: <u>5/6</u>
<input type="checkbox"/> PARCEL MAP SUBSEQUENT	RECEIPT #: <u>PA 4/16 CAR # 1044</u>	SECTION / TOWNSHIP / RANGE:
<input type="checkbox"/> NON-SUBSEQUENT	RELATED CASE FILES:	FINAL ACTION LETTER ISSUED DATE:
<input type="checkbox"/> ROAD/STREET ABANDONMENT	PROPERTY OWNER: <u>MARLENE + R.D. NELSON</u>	
<input type="checkbox"/> LARGE PARCELS MAP	APPLICANT: <u>BLUE BISON DEVELOPMENT</u>	
<input type="checkbox"/> LARGE PARCELS MAP FINAL	CORRESPONDENCE FOR THIS APPLICATION SHOULD BE ADDRESSED TO:	
<input type="checkbox"/> MAP OF REVERSION	NAME: <u>ROBIN GREENHAGEN</u>	
<input type="checkbox"/> BOUNDARY LINE ADJUSTMENT MAP	PHONE: <u>(701) 580 5501</u>	
<input type="checkbox"/> AGRICULTURAL EXEMPTION	ADDRESS: <u>P.O. Box 2603</u>	
<input type="checkbox"/> FAMILY CEMETERY DESIGNATION	CITY: <u>WATFORD CITY</u> STATE: <u>ND</u> ZIP CODE: <u>58854</u>	
	EMAIL: <u>robin@dakota.ridge.us</u>	

ASSESSOR'S PARCEL NUMBER(S): 20-00-05400

LEGAL DESCRIPTION: (SEE ATTACHED)

PROPERTY ADDRESS AND NEAREST CROSS STREETS: WEST OF N. MAIN ST / SOUTH OF 30TH AVE

GROSS/NET ACREAGE: 10.85 NUMBER OF LOTS: 50 ZONING: R-2

DESCRIBE THE METHOD OF PROVIDING WATER & SEWER: CITY SERVICES

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

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

Property Owner (Signature): [Signature]

Property Owner (Print): R.D. Nelson

Property Owner (Signature): _____

Property Owner (Print): _____

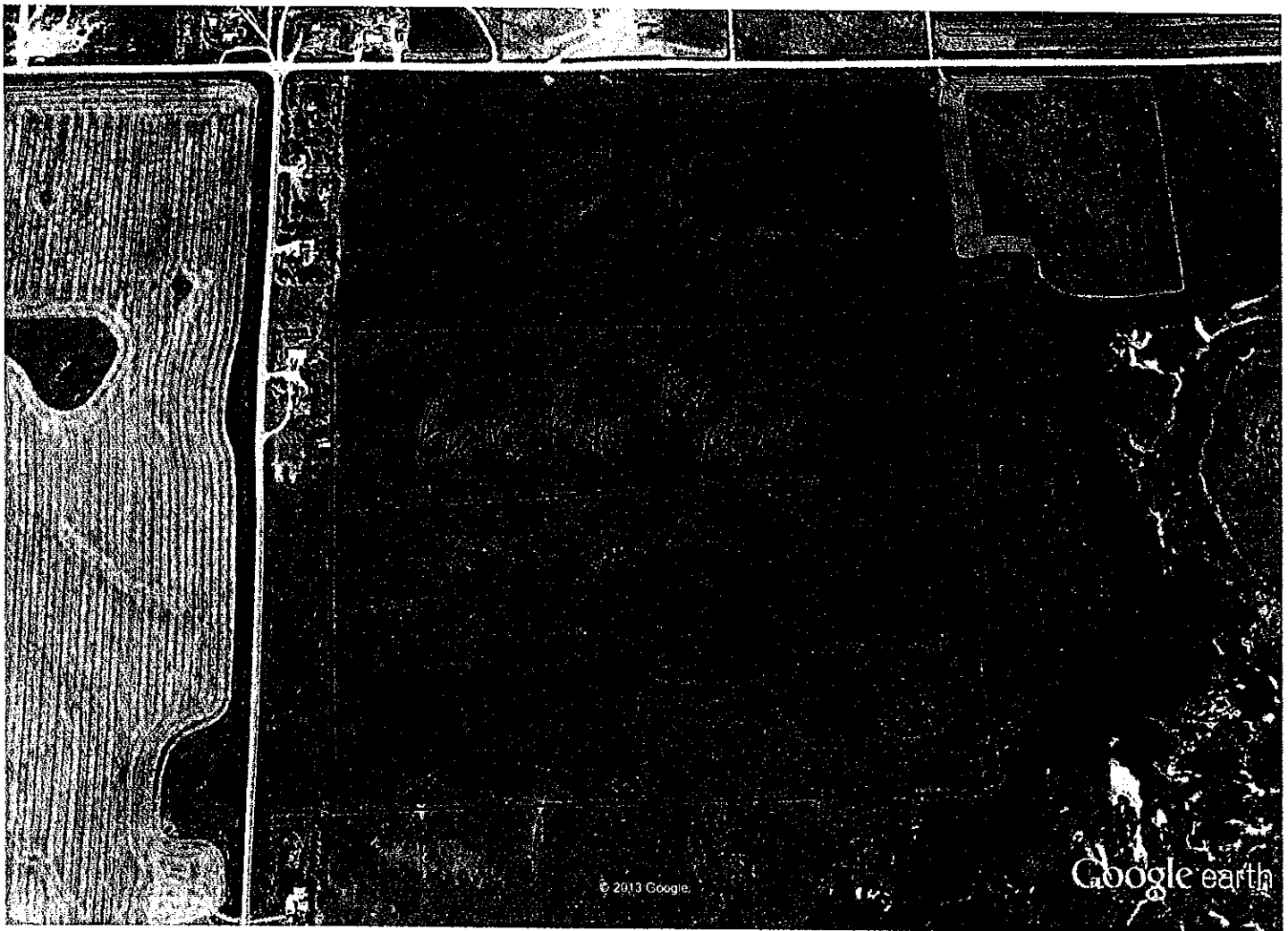
SURVEYOR / ENGINEER INFORMATION

NAME: Rory Young LICENSE NO: PE-8109

ADDRESS: P.O. Box 2268

CITY: WATFORD CITY STATE: ND ZIP: 58854

PHONE: (406) 755 3208 FAX/Email: ryoung@jackola.com



Google earth



60 acres
Bison Run 1st "phase"

BISON RUN SUBDIVISION

LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 150 NORTH, RANGE 98 WEST, 5th PRINCIPAL MERIDIAN, MCKENZIE COUNTY, NORTH DAKOTA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST QUARTER OF SAID SECTION 7; THENCE S87°45'58"E ALONG THE NORTH LINE OF SECTION 7, A DISTANCE OF 245.05 FEET TO THE NORTHWEST CORNER OF DAKOTA RIDGE SUBDIVISION; THENCE S02°09'43"W ALONG THE WEST LINE OF SAID SUBDIVISION, A DISTANCE OF 1464.07 FEET TO THE POINT OF BEGINNING;

THENCE S87°46'21"E, A DISTANCE OF 1206.61 FEET;

THENCE S02°11'43"W, A DISTANCE OF 123.16 FEET;

THENCE N87°48'17"W, A DISTANCE OF 5.54 FEET;

THENCE S02°11'43"W, A DISTANCE OF 186.00 FEET;

THENCE N87°48'17"W, A DISTANCE OF 420.00 FEET;

THENCE S02°11'43"W, A DISTANCE OF 100.00 FEET;

THENCE N87°48'17"W, A DISTANCE OF 74.45 FEET;

THENCE N02°11'43"E, A DISTANCE OF 100.00 FEET;

THENCE N87°48'17"W, A DISTANCE OF 520.43 FEET;

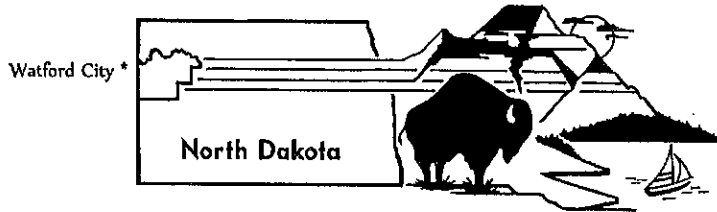
THENCE S02°09'43"W, A DISTANCE OF 472.88 FEET;

THENCE S77°09'43"W, A DISTANCE OF 183.57 FEET;

THENCE N87°50'17"W, A DISTANCE OF 8.68 FEET;

THENCE N02°09'43"E, A DISTANCE OF 830.34 FEET TO THE POINT OF BEGINNING.

THIS TRACT CONTAINS 10.845 ACRES AND SUBJECT TO AND TOGETHER WITH ALL APPURTENANT EASEMENTS, RECORDED AND UNRECORDED.



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

February 28, 2013

Sign Ordinance Amendments

Chapter XV- Zoning Ordinance, Article XXI- Sign Regulations

SECTION 1.- INTENT:

It is the intent of this ordinance to promote the health, safety and welfare of the residents and visitors of the city by regulating and controlling the size, location, type, quality of materials, height, maintenance and construction of all signs and sign structures. And to prohibit signs of a commercial nature from districts in which commercial activities are not permitted in this ordinance; to limit signs in the more restricted commercial districts, except as otherwise permitted in this ordinance, to those of an on-site variety and to control the number and area of signs in certain other districts.

SECTION 3. In districts; C-1, C-B and I-P

7a. In a unified shopping center, one (1) additional sign may be erected to identify the center. The sign may be free standing or attached to the building wall. Said sign shall display no more than the name of the shopping center and the businesses located on the lot. The sign shall not exceed thirty- five (35) feet in height and sixteen (16) feet in width and its bottom edge shall be at least eight (8) feet above ground level.

C-2/Heavy Industrial
CF
A2 AI
Welcome to WC sign

R.P. - Commercial use in RP.

ORDINANCE NO.

AN ORDINANCE ADDING SECTION ___ TO ARTICLE XIII (B) OF CHAPTER XV OF THE CITY OF WATFORD CITY ORDINANCES RELATING TO HIGHWAY CORRIDOR ZONING DISTRICT.

I. Corridor Overlay District – Purpose

The purpose of Corridor Overlay District for transportation corridors identified herein is to promote and protect the public health, safety and welfare by providing for consistent and coordinated treatment of properties bordering and within the identified transportation corridors in the City of Watford City, North Dakota, and in the City of Watford City's Extraterritorial Area Jurisdiction (ETA). The identified corridors are important transportation corridors, and will continue as such with future growth of the city. These transportation corridors are expected to carry significant volumes of traffic, making development along these transportation corridors highly visible to the traveling public. Therefore, it is the purpose of this District to ensure high aesthetic quality of development along these important transportation corridors through:

(A) The establishment of enhanced standards for buildings, landscaping, and other improvements constructed on the properties bordering and within the identified transportation corridors; and

(B) The establishment of development requirements which will encourage high quality of design of development of those properties and promote the quality, scale, and character of development consistent with existing and planned uses bordering and within the identified transportation corridors.

The Corridor Overlay District will not replace present or future zoning, but the requirements shall be in addition to the present and future zoning.

II. Corridor Overlay District – Permitted Uses

The overlay district provisions apply to any base zoning district set forth in this chapter that exists within the defined overlay area. Permitted uses shall be subject to the provisions of this section and shall be further subject to requirements of the applicable base zoning district.

III. Corridor Overlay District – Application and Exemptions

A) These standards apply to sites (including all principal and accessory buildings) that are within the Corridor Overlay District unless otherwise specified herein, and apply to all use categories.

B) Farm structures are exempt from these requirements provided they meet the base zoning district requirements.

C) Existing single-family structures are exempt from these requirements provided they meet the base zoning district requirements.

D) Expansions to buildings that exist on the date this ordinance is adopted are exempt from the requirements of this ordinance for any building additions that do not exceed fifty percent (50%) of the existing building square footage. If multiple building expansions are conducted after the adoption of this ordinance, the expansion that causes the total square footage of expansions to reach or exceed a 50% expansion of the original building square footage shall thereafter be required to conform to the requirements of this chapter.

E) If overlapping regulations appear in other sections of this Land Development Code, those regulations stated herein shall take precedence.

F) Unless otherwise noted in this Section, the standards of the underlying base zoning districts shall apply

IV. Corridor Overlay District – Standards

(A) Building Design

1. Building design shall incorporate materials to convey permanence, substance, timelessness, and restraint. Each building shall be constructed with one or more of the following material(s) consisting of at least fifty percent (50%) of the exterior materials.

2. Any exterior building wall visible from the corridor shall be constructed of one or more of the following (minimum of 50%):

a. Clay or masonry brick

b. Customized concrete masonry with striated, scored, or broken faced brick type units (sealed) with color consistent with design theme.

c. Poured in place, tilt-up, or precast concrete. Poured in place and tilt-up walls shall have a finish of stone, a texture, or a coating.

d. Architectural flat metal panels or glass curtain walls.

e. Stucco or Exterior Finish Insulation Systems (EFIS).

f. Natural stone.

g. Residential grade permanent siding provided that buildings are enhanced by the application of brick, decorative masonry, or decorative stucco surfaces in combination with decorative fascia, overhangs, and trim. Wooden siding may be used as a substitute for residential grade permanent siding.

h. Metal siding systems may be used along the corridor provided that metal is limited to 70% of the building face. In addition the building must be enhanced by the application of brick, decorative masonry, or decorative stucco surfaces in combination with decorative fascia, overhangs, and trim.

i. Additional materials may be approved by the City Planner provided that the substituted or additional materials meet the purpose and intent of this chapter and are similar in nature to those specified materials herein.

3. Non-decorative exposed concrete block buildings are prohibited.

4. Ground floor building facades of commercial and office buildings visible from identified corridors shall have a minimum of 20 percent glass windows.

5. Any portion of a building façade that exceeds one hundred (100) feet shall incorporate windows or architectural and design elements to break up the expanse of wall. Examples include, but are not limited to, windows, lighting, material changes, articulated wall surfaces, architectural treatments such as sculptured wall features or shadow lines, vertical accents, texture changes or color changes. Landscaping may be used in combination with the design elements listed above.

6. Sloped roofs shall not exceed one hundred (100) feet in length without a change in roof plane, or gable, or dormer.

7. Building design shall incorporate architectural characteristics that emphasize human scale design features, and minimize the mass and scale of buildings through the use of features including, but not limited to: variation in the rooflines and form, designs that visually define “tops” and “bottoms” of buildings, use of protected or recessed

entries, use of vertical elements on or in front of expansive blank walls, use of focal points, inclusion of windows on elevations facing streets and pedestrian areas.

8. Building entrances, excluding emergency exits, shall be designed as focal points and shall be enhanced through the use of elements such as canopies, overhangs, peaked roofs, paving materials, planters, landscaping features, and outdoor seating areas.

9. Roof-mounted and ground mounted mechanical equipment shall be fully screened from the identified corridor. Penthouses for mechanical equipment shall be incorporated into the building façade design, consistent with the exterior building design requirements.

10. Exterior mechanical equipment shall be shielded in a manner that protects adjacent properties from visual impacts and noise levels.

B) Multi-building or Mixed Use Projects

1. Prior to issuance of a building permit on a multi-building development, the applicant shall submit plans that demonstrate the use of consistent design elements throughout the project. Subsequent building permits shall conform to the design elements presented.

2. Multi-building developments shall include prominent focal points, which shall include, but not be limited to architectural structures, art, historical and/or landscape features. These features shall be located at, or visible from, vehicular and pedestrian entrances to the site.

3. Free standing garage clusters of multiple family residential sites shall not be placed along the corridor overlay districts unless the overall appearance is similar to the primary residential building.

C) Site Design

1. Building and Parking Setbacks

a. Buildings on sites located at major intersections along the identified corridor (i.e. at intersections with designated future arterial roadways or traffic corridors as identified herein) shall be sited in the corner of the intersection with parking areas in the rear or side yard.

b. The City Planner shall consider all site design proposals with the requirements set forth herein. In those instances in which a prevailing setback has previously been established, the City Planner may require compliance with the prevailing setback rather than the provisions set forth below.

2. Natural Features

Significant natural or existing features, such as drainage swales, existing trees, and shelterbelts, shall be incorporated into the site design to the extent that retention of the feature allows reasonable use of the site, as determined by the City Planner.

3. Functional Site Elements

a. Trash enclosures and trash compactors shall be located such that they are not visible from the identified corridor.

b. Outdoor storage that does not consist of display of merchandise shall be located such that it is not visible from the identified corridor, by placing the outdoor storage on the opposite side of the building from the identified corridor, or by placing outdoor storage in an enclosed area that has the appearance of being integral to

the building. All outdoor storage shall be fully screened from view through the use of an opaque decorative fencing material or architectural screen walls.

c. Loading and delivery areas shall not be located along the front or side of the building that fronts on the identified corridor, unless compliance is not reasonable feasible. Such areas shall be screened from view through the use of landscaping or architectural building elements that are consistent with the architecture and building materials used in the primary buildings.

d. Contractor yards, service yards, heavy equipment, salvage, and items of a similar nature shall be located away from public street frontages and shall be screened with opaque fencing.

4. Pedestrian Accommodations for Commercial Projects

a. Pedestrian walkways shall be provided between building entrances/exits and parking areas, and within parking areas to provide a designated walking area, especially where there is a need to connect dispersed buildings with parking areas.

b. Pedestrian walkways shall be provided between buildings and sidewalks or multi-use paths along adjacent streets.

c. On multi-building sites and mixed use sites, the site design shall provide functional pedestrian spaces, plazas, and seating areas between or in front of buildings. Designs shall include some areas with weather protection, such as overhangs, awnings, and canopies to increase usefulness in a variety of weather conditions.

d. Canopy shade trees, landscape features, and seating, or other pedestrian amenities near colonnades, storefronts, and pedestrian routes shall be incorporated into the site.

5. Lighting for Commercial Projects

a. Pedestrian scale lighting fixtures shall be provided in areas designed for pedestrian activity (walkways, plazas, outdoor seating areas).

b. Lighting fixtures shall coordinate and complement the general architectural style of the development.

c. Lighting should accent entryways and other site focal points, such as significant architectural, landscaping, or artistic features shall be provided

V. Administration

Submittal of plans. All plans for construction and renovation of structures within the district shall be submitted to the City Planner or his designee. The owner of the property to be constructed upon or renovated, or their authorized agent, shall submit two (2) full sized and to-scale plans and two (2) reduced copies of the necessary drawings to the planning staff.

VI. Appeals

Any applicant may appeal a decision of the City Planner on the interpretation of the requirements herein. The appeal shall be filed with the City Planner within ten (10) business days following the decision

1. The City Planner will notify all property owners abutting the subject property prior to the Planning and Zoning Commission taking action on the appeal.

2. The applicant or any property owner shall have the right to appeal the decision of the Planning & Zoning Commission to the City Council.

3. The appeal fee shall be established by the City Commission and included in the City's Fee Schedule.

_____ moved the adoption of the foregoing Ordinance. The motion was seconded by _____.
On roll call vote of the Council members, the following Council members voted "AYE": _____,
and the following Council members voted "NAY": _____ Absent and not voting: _____.

WHEREUPON, the motion was passed and the Ordinance declared adopted this ____ day of _____, 2013.

Mayor Brent Sanford
City of Watford City

ATTEST:

Peni Peterson, City Auditor

First Reading:
Second Reading:
Published: