

CITY OF WATFORD CITY

P.O. BOX 494

WATFORD CITY, NORTH DAKOTA 58854

AGENDA

Monday, January 30, 2012

PLANNING COMMISSION

City Hall

6:00 P.M.

Call to Order Public Hearing

Public Hearing to hear comment on a Subdivision Plat submitted by Badlands Development for property located at Section 24, Township 150 N, Range 99 W, Commercial Addition, Replat of Liberty Hill, Liberty Hill First Addition.

Public Hearing to hear comment on a Subdivision Plat submitted by Badlands Development for property located at a Part of the NW Qtr Section 24, Township 150 N, Range 99 W, Single Family Addition.

Public Hearing to hear comment on a Subdivision Plat submitted by Badlands Development for property located at North ½ of Section 24, Township 150 N, Range 99 W, Patio Home Addition, Replat of Liberty Hill, Liberty Hill First Addition.

Public Hearing to hear comment on a Subdivision Plat submitted by Badlands Development for property located at a part of the NW Qtr Section 24, Township 150 N, Range 99 W, Apartment Addition.

Call to Order Regular Meeting

Minutes of December 27, 2011 Meeting

Unfinished Business:

1. Subdivision Plat – Badlands Development – Commercial Addition
2. Subdivision Plat – Badlands Development – Single Family Addition
3. Subdivision Plat – Badlands Development – Patio Home Addition
4. Subdivision Plat – Badlands Development – Apartment Addition
5. Zone Change Application – Simonson (tabled 12-27-11) -
6. Temporary Housing Unit Fee

New Business:

1. Simple Lot Split - Land division creating 4 lots or less not requiring any dedication to the City of ROW or new infrastructure and following all other requirements for lot design standards established by the existing ordinance. A plat map representing the lot split must be submitted to the City and noticed and then based on Councils approval can be recorded.

Review Building Permits

TJT USA	100 Kennedy St	Single-wide trailer
TJT USA	100 Roosevelt St	Single-wide trailer
Karen Wurgler	600 2 nd Ave SE	kitchen remodel
Bob Price	200 4 th Ave NE	finish off basement



Whiting Oil	@Badlands Dev	New office building
Keith Tschetter	117 3 rd St NW	windows, flooring, fence
Guy Rolfsrud	704 Park Ave E	Re-roof
City of WC	100 Regan St	Single-wide trailer
Wise Services	109 Lincoln St	Single-wide trailer
Wise Services	113 Lincoln St	Single-wide trailer
Wise Services	117 Lincoln St	Single-wide trailer
Randall Browing	500 2 nd St NW	finish bath, kitchenette
Kelly Reynolds	124 Kennedy	Single-wide trailer
Kevin Harris	317 2 nd St NW	Addition & remodel

Adjournment


Peni Peterson
Secretary

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

One member will absent for the January meeting and one member will not be able to vote on an item. Please try to attend so we will have a quorum.



LAND USE APPLICATION

Watford City Planning Department

See Reverse for Submittal Requirements

AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY

APPLICATION TYPE:	DATE FILED:	APPLICATION NUMBER:
<input checked="" type="checkbox"/> ZONE CHANGE - \$50.00 Fee <i>pd</i>	PROCESSES BY:	MEETING DATES: P&Z: CC:
<input type="checkbox"/> CONDITIONAL USE PERMIT - \$10.00 Fee plus publishing cost	FEE:	ADVERTISE DATE:
<input type="checkbox"/> VARIANCE - \$50.00 Fee	RECEIPT #:	PROPERTY OWNERS NOTIFIED:
<input type="checkbox"/> STREET NAME CHANGE	SECTION/TOWNSHIP/RANGE:	
<input type="checkbox"/> VACATION and ABANDONMENT	RELATED CASE NOS:	
<input type="checkbox"/>	FINAL ACTION MEMORANDUM ISSUED:	DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: Greg + Monica Simonson
 APPLICANT: Greg + Monica Simonson

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: Greg + Monica Simonson
 ADDRESS: 501 17th Ave NE
 CITY: Watford City STATE: ND ZIP CODE: 58854
 TELEPHONE: 701-842-3393 FAX/CELL: 406-250-4720
 ASSESSOR'S PARCEL NUMBER(S): 20-00-12500
 LEGAL DESCRIPTION: Sec 18, T150 R 98W
 PROPERTY ADDRESS AND NEAREST CROSS STREETS: 501 17th Ave NE
 GROSS/NET ACREAGE: 41 Acres PRESENT ZONE CLASSIFICATION: AG
 DESIRED ZONE CLASSIFICATION: Mixed R-1, R-2, R-4 CURRENT LAST USE: AG

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

We would like to have a R-4 zone for southern 10 acres then have a R-2 on adjacent 10 ac to north be R-2 then northern most 20 be single family dwellings R-1

DESCRIBE THE SOURCE OF WATER/SEWER: Rural Water City Sewer Do you have a will serve letter YES 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.

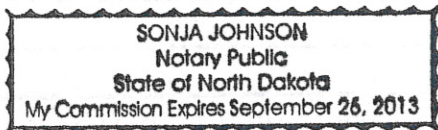

Property Owner Signature

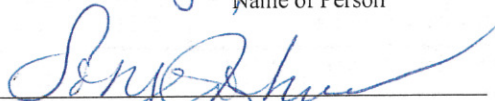
Gregory T. Simonson
Print of Type Owner Name

NOTARY

State of North Dakota
County of McKenzie

This instrument was acknowledged before me on 11-10-11 by Gregory T Simonson
Date Name of Person




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	\$10.00
Zone Change	1	1	4	1 ⁹	1 ⁸	1 ¹¹	4 ¹²		1 ¹⁴	\$50.00
Variance	1	1	4			1 ¹¹				\$50.00
Vacation and Abandonment	1		4	1 ⁹	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:

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

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

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



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

Dec. 21, 2011

STAFF REPORT

ZC-26-2011 Zone Change

<u>Applicant</u> Greg and Monica Simonson 501 17 th Ave. NE Watford City ND 58835	<u>Property Owners</u> Greg and Monica Simonson
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Property Address: 501 17th Ave. NE, Parcel # 20-00-12500

Zone Change Requested:

A request to change the zoning of the above-referenced lot from A-2 (Agricultural 2), to a mixture of R-4 High Density Residential, R-2 Two-Family and R-1 Single Family Residential Districts.

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 North Main Street at the intersection of Main and 17th Ave. NE. The subject property contains 41± acres.

The existing property is being developed on the northern most end as single family residential the rest of the property is currently vacant. There are no roads or utilities within the subject property.

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 - A-2, McKenzie County
Use - Agricultural/Residential
North: Zoning - A-2, McKenzie County
Uses - Agricultural/Residential
East: Zoning - A-2, McKenzie County
Uses - Agricultural

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 zones requested by the applicant (R-4, R-2 and R-1) are a mixture of density from the least to the highest and most intense residential district.

Site Development

Access: The property is accessible from 17th Avenue NE which is paved for a portion of the property frontage and from an as of yet to be determined access road on the southern property boundary that would be served from access to North Main St.

Sewer: There are no existing city sanitary sewer mains within the property. However, there are plans for a sewer main to be within reach of the site or to be built to service the property.

Water: There are no existing city water mains within the property. However, there is a rural water line that will be available to service the site. An expansion of the existing water main may be required for completion of the development.

Analysis: The proposed zoning provides a great deal of flexibility to develop the property to provide the density of multi-family and single family the developers require. R-4 allows for a minimum of 2,000 sq/ft. per unit.

Recommendation:

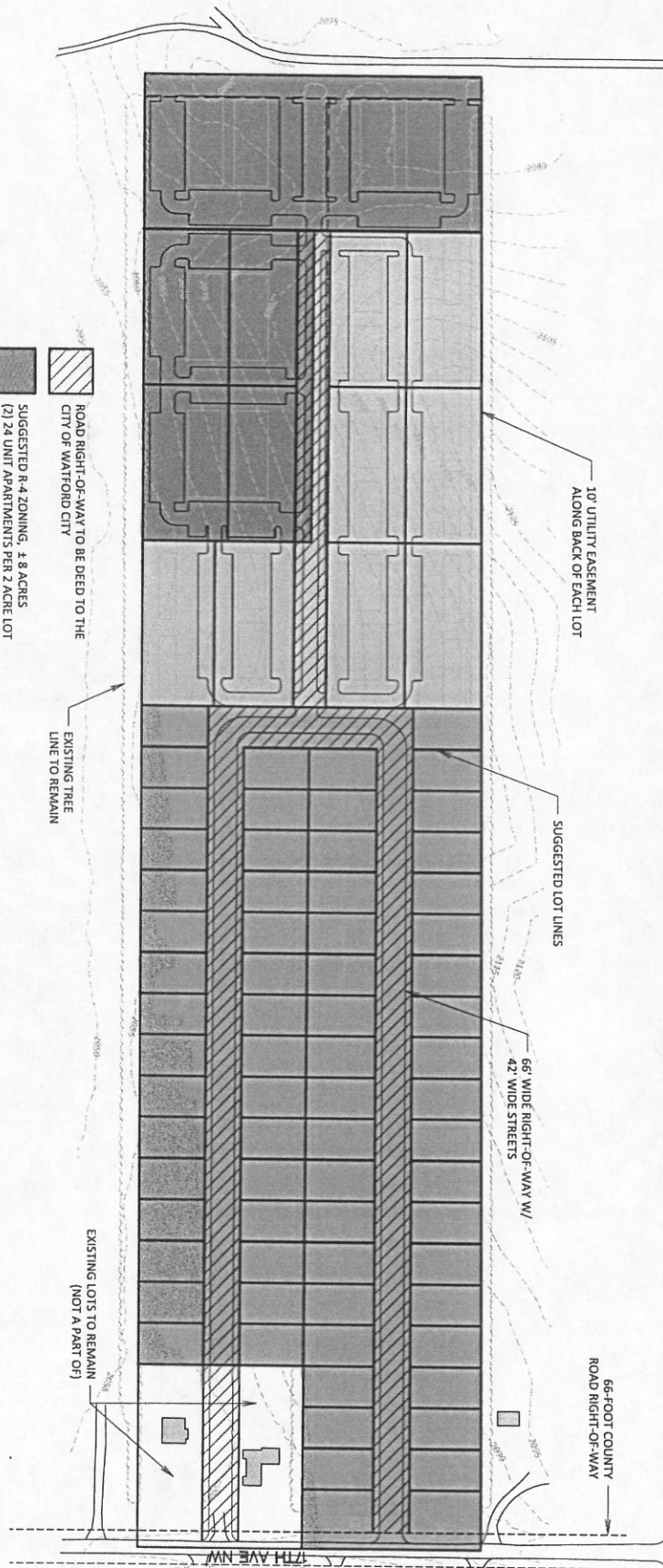
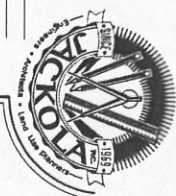
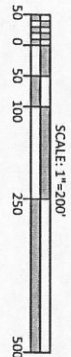
It is recommended that the Watford City Planning Commission approve a zone change to the proposed zoning for the property subject to the following conditions:





1. The developer must submit a detailed development plan showing lot layout and an approved drainage plan to the P&Z commission for its review and approval.
2. The developer must submit generalized building plans for the types of units proposed within the development to the P&Z commission for its review and approval.
3. The development plan is subject to final approval by the city council.
4. All changes to the approved development plan are subject to further review and approval by the P&Z commission and the city council.
5. The developer must participate in a Development Agreement with the City and all bonding and Warranty Agreements must be in place prior to recordation of the Final Plat.

Contact:

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

COUNTY ROAD 33 / MAIN STREET



-  ROAD RIGHT-OF-WAY TO BE DEED TO THE CITY OF WATFORD CITY
-  SUGGESTED R-4 ZONING, ± 8 ACRES (2) 24 UNIT APARTMENTS PER 2 ACRE LOT
-  SUGGESTED R-3 ZONING, ± 8 ACRES (4) 6 UNIT APARTMENTS PER 2 ACRE LOT
-  SUGGESTED R-1 ZONING, ± 1.19 ACRES SINGLE FAMILY HOME, 30.25 ACRE LOTS

SUMMARY:
 APARTMENTS: 8 LOTS = 192 UNITS
 SIMPLEX: 16 LOTS = 96 UNITS
 SINGLE FAMILY: 70 LOTS = 70 UNITS
 TOTAL: 94 LOTS = 358 UNITS

GREG SIMONSON
 SUBDIVISION
 WATFORD CITY, ND

CONCEPTUAL LOT LAYOUT
 1" = 200'

22350 HWY 33 SOUTH
 KAALSPELL, MT, 59901
 PHONE: 406-755-3208
 FAX: 406-755-3218
 WEB PAGE: WWW.JKROD.COM

12/20/2011

