

PLANNING AND ZONING COMMISSION MEETING AGENDA

Monday July 30, 2018

6:00 PM City Hall, Heritage Room

- **CALL TO ORDER PUBLIC HEARING**

1. Public Hearing to hear comment on the Land Use application for a Conditional Use submitted by Richard Kaster on property owned by Main Street Connection LLC located: PID: 11-10-03300 in Lots 4 and 5, Block 2 Old West Subdivision in Ideal TWP, Section 25, Township 150N, Range 99W, 2.9 acres, 408 13rd Ave., Watford City, McKenzie County, North Dakota.
2. Public Hearing to hear comment on the Division of Land Use application for a Reversionary Parcel Map submitted by Steve Holen on behalf of McKenzie County School District for property located at PID: 82-05-04200,82-05-04300 Lots 6,7, and 8 Block 3 4th Addition Watford in Section 19, Township 150 Range 98W of Watford City, McKenzie County, North Dakota.
3. Public Hearing to hear comment on Land Use Application for Zone Change submitted by Steve Holen on behalf of McKenzie County School District for property located at PID: 82-05-04200,82-05-04300, and 82-01-15200 4th Addition Watford in Section 19, Township 150 Range 98W of Watford City, McKenzie County, North Dakota.
4. Public Hearing to hear comment on Land Use Application - Zone Change: Watford City Cemetery submitted by The City of Watford City. The proposed Zone Change is located in a portion of Section 15, Township 150 North, Range 98 West, Acres, Watford City, McKenzie County, North Dakota.
5. Public Hearing to hear comment on Land Use Application for a Conditional Use Permit: Watford City Cemetery submitted by The City of Watford City. The proposed Conditional Use is located in a portion of Section 15, Township 150 North, Range 98 West, Acres, Watford City, McKenzie County, North Dakota.
6. Public Hearing to hear comment on Division of Land Application for Subdivision Preliminary Plat: Watford City Cemetery submitted by The City of Watford City. The proposed subdivision is located in a portion of Section 15, Township 150 North, Range 98 West, Acres, Watford City, McKenzie County, North Dakota.
7. Public Hearing to hear comment on Land Use Application for Zone Change submitted by Brian Lindeman for property owned by Rick Holm. This property located at PID: 110007620, located: W ½ SW ¼ of Section 12, Township 150, Range 99 Watford City, McKenzie County, North Dakota.

- **CLOSE PUBLIC HEARING**
- **CALL TO ORDER REGULAR MEETING**

- **APPROVE MINUTES**
June 25, 2018

- **OLD BUSINESS**

- **NEW BUSINESS**

- **MECELLANEOUS**

Thomas Dwyer & Jake Walters – sign Oath of Office

- **REVIEW PERMITS**
June /July Records

ADJOURNMENT Approval will be contingent upon the following recommendations as set forth within the Planning Department Staff Report:

1.

Land Use Application

Conditional Use Permit

Richard Kaster on behalf of Main St. Connection LLC

408 13th SW

LAND USE

CONDITIONAL USE PERMIT



APPLICATION
THE CITY OF WATFORD CITY
213 2ND ST NE / PO BOX 494
WATFORD CITY, NORTH DAKOTA

APPLICATION FEE:
\$525.00

REQUIREMENTS: All applications must be legible, printed in ink or typed, and suitable for reproduction. *Original application with original signature is required.* A *Conditional Use Permit Application* may be submitted in order to consider a particular use of property not permitted within the property's current zoning district. A *Conditional Use Permit* may be granted for the property and not to a particular person or firm. *Conditional Use Permits* must still conform to the regulations as set within the City of Watford City Municipal Code of Ordinances. Along with this application, please submit the following: N.D. Professionally Engineered/ Surveyed Site Development Plan of the property in both .PDF format and 11"x17" size paper for review, a brief justification letter explaining the request for *Conditional Use Permit* and a copy of current property deed(s) and/or title report. For specific details regarding this process, please refer to the *City of Watford City Municipal Code of Ordinances: CHAPTER XV ARTICLE XXV: CONDITIONAL USES, SECTION 1-6.*

PROPERTY OWNER INFORMATION

OWNER NAME(S): LLC MAIN STREET CONNECTION LLC PHONE NUMBER: 920-264-7441 EMAIL: NRKASTER@YAHOO.COM

MAILING ADDRESS:
4300 N PINE TREE RD., ONEIDA, WI 54155

APPLICANT INFORMATION

Same as Owner

APPLICANT NAME: RICHARD KASTER, MANAGER PHONE NUMBER: 920-264-7441 EMAIL: NRKASTER@YAHOO.COM

MAILING ADDRESS:
4300 N PINE TREE RD ONEIDA, WI 54155

DEVELOPER INFORMATION

DEVELOPER NAME: PHONE NUMBER: EMAIL:

MAILING ADDRESS:

PROPERTY INFORMATION

PROPERTY ADDRESS: 408 13TH AVE. S.W. WATFORD CITY, ND ZONING DISTRICT: UNDRG #4 150-99 IDEAL

PARCEL NUMBER(S): 11-10-03300 LEGAL DESCRIPTION: (SECTION, TOWNSHIP, RANGE)
OLD WEST SUBD. IN IDEAL TWP. LOTS 4-5, BLK 2

CURRENT USE OF PROPERTY: PROPOSED USE OF PROPERTY:

DESCRIPTION

Please give a brief description of the proposed Conditional Use.

WE ARE REQUESTING THAT THE 3 MOBILE HOMES ON SITE MAY CONTINUE TO BE USED FOR EMPLOYEE HOUSING.

APPLICANT SIGNATURE: (IF DIFFERENT THAN OWNER)

As the applicant, I certify that all City Ordinances will be complied with and that the information given within this application as well as the plans submitted are in all respects true and correct to the best of my knowledge and belief.

APPLICANT SIGNATURE: Richard S. Kaster DATE: 7/3/2018

APPLICANT PRINT NAME: Richard S. Kaster APPLICANT TITLE: manager

manager - Main Street Connection LLC

PROPERTY OWNER(S) AFFIDAVIT

I/We, the undersigned, swear that I am / we are, the owner(s) and/or Mortgage holders of the property described within this application. I/We will make provisions to ensure compliance with the disclosure and recording requirements of McKenzie County and the City of Watford City. I/We certify that all information contained within this application are in all respects true and correct to the best of my/our knowledge and belief. I/We also hereby authorize City of Watford City Staff and/or its designee to access my property or premise for the purpose of gathering and verifying information in relation to this application and submitted plans.

PROPERTY OWNER SIGNATURE: <u><i>Richard S. Kaster</i></u>	DATE: <u>7/3/18</u>
--	------------------------

PROPERTY OWNER SIGNATURE: <u>Richard S. Kaster / Manager Main Street Connector LLC</u>	DATE: <u>7/3/18</u>
---	------------------------

PROPERTY OWNER NOTARY

On this 3rd day of JULY, 2018 before me, the undersigned, a notary public for the state of WISCONSIN, personally appeared, RICHARD S. KASTER, MANAGER known to me to be the person(s) who executed the certificate in witness whereof, I have hereunto set my hand and affixed my official seal the day and year in the certificate first written above.

Nancy R. Kaster
Notary Public

Notary Public for the state of WI
Residing at ONEIDA, WI
My Commission Expires 8-21-2021



▼ OFFICE USE ONLY ▼

- COPY OF PROPERTY DEED
- COPY OF TITLE REPORT
- COPY OF TITLE MEMORANDUM
- .PDF & LEDGER SIZE REVIEW COPY OF SITE PLAN
- VICINITY MAP
- LEGAL DESCRIPTION
- JUSTIFICATION LETTER
- ORIGINAL SURVEYOR STAMP & SIGNATURE ON PLAN

LEGAL NOTICE DATES:

7/12/18
 / /

ADJACENT PROPERTY OWNER NOTICES MAILED

MEETING DATES:

PLANNING COMMISSION:

7/30/18

CITY COUNCIL:

8/6/18

INVOICE:

INVOICE NUMBER: _____

DATE CREATED: / / BY: _____

PAYMENT: \$ 525.00

DATE RECEIVED: / / AMOUNT: \$ _____

CARD CASH CHECK # _____

MAIN STREET CONNECTION LLC
4300 No. Pine Tree Road
Oneida , WI 54155

To all members of the Watford City Planning and Zoning Commissions and staff.

We hereby respectfully submit an application for a Conditional Use permit for property we own at 408 13th Ave SW and 1208 4th St. SW , in Watford City. The purpose is to request that we be allowed to continue utilizing three mobile homes on the property for employee housing.

When we purchased the property in July of 2013, it had an existing shop and three mobile homes on it that were used for employee housing. In addition there were a number of small travel trailers on site, which we felt made the property look junky, so we had them removed.

At the time of purchase, since the mobile homes had been in place for some time, we did not realize that a conditional use permit was never applied for, or that any additional permits might be needed. Some time in 2014 or 2015, I saw a news article that prompted me to inquire if we needed to renew any permits in order keep the mobile homes there. We were told that nothing needed to be done at that point as long as we kept the property neat and clean.

Since March of 2016 the property has been leased to H-2 Enterprises LLC. They use the shop and office, and property across the street for equipment and supplies such as hay bales etc. They are in the land restoration business and work behind pipeline installers to return the area to original condition. They are one of the largest seeding and reclamation operations in the USA. I have enclosed a copy of a page from their web site so that you get a better idea of who they are.

They use the mobile homes on our property for employee housing, and in season have one or more crews in the location. Sometimes, in addition to our site, they rent hotel rooms in town to accommodate extra people.

After working in the area for over 2 years, they feel that there is enough potential in the area to consider purchasing a property. They know that we cannot assure them that they will be able to keep using the mobile homes without a conditional use permit, and they have expressed that they may have to look for a different location, out of town, for their business. We would like to be able to retain them as tenants, and possibly sell them the property, if they would get more comfortable with the situation.

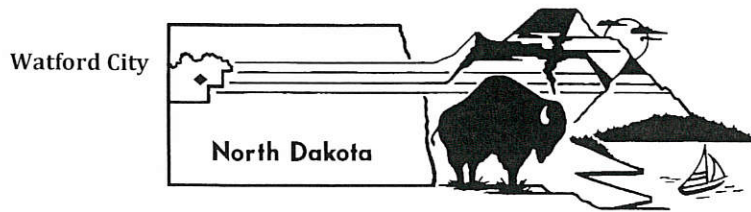
The aerial photo we have enclosed shows parking areas, and geographical relationship to neighboring properties. We are not requesting adding changes or additions to existing buildings or housing facilities. We appreciate your consideration in this manner.

Thank You,

Sincerely



Richard S. Kaster
Manager- Main Street Connection LLC



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

July 6, 2018

STAFF REPORT 10-2018 ANNUAL REVIEW for Conditional Use Permit

APPLICANT:

Richard Kaster - Manager
Main Street Connection, LLC.
4300 N. Pine Tree Road
Oneida, Wisconsin 54155

PROPERTY OWNER:

Main Street Connection, LLC.
4300 N. Pine Tree Road
Oneida, Wisconsin 54155

PROPERTY LOCATION:

Section 25, Township 150, Range 99 W., Parcel ID: 11-10-03300, 408 13th Ave SW, Watford City, McKenzie County, North Dakota.

REQUEST:

A Land Use Application for Conditional Use Permit has been submitted in consideration of temporary employee housing.

ZONING:

C-1, General Commercial Zoning District

CURRENT USE:

Commercial shop building, office, and three (3) mobile homes

REFERENCES:

- Watford City Municipal Code of Ordinances Chapter XV Zoning Ordinances, Article XXV, Conditional Uses; Article XXII- General Commercial District.

SECTION 1 INTENT AND PUPOSE OF DISTRICT:

“The "C-1" General Commercial District is intended for the purpose of allowing basic retail, service and office uses. This district is also intended to provide locations for commercial activity that do not require a central location downtown. Also included are business uses needing large floor areas, particularly those of a service nature and certain industrial uses that do not create obnoxious sounds, glare, dust, or odor. The District is not intended for heavy commercial uses, uses that would be considered industrial in nature, or those businesses that may not be considered compatible with adjacent traditional General Commercial uses.”

SECTION 3 CONDITIONAL USES:

“15. Temporary Workforce Housing”

- Watford City Municipal Code of Ordinances Chapter XV, Article XX- Parking and Loading Regulations:

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.”

- Watford City Municipal Code of Ordinances Chapter XV, Article XXV- Conditional Uses, Section 1- Requirements for Conditional Uses:

“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 of community.*
- 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; and*
- 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 13th Ave. SW & 4th St SW

Sewer: There is no access currently available for City sanitary sewer from the property.

Water: There is no access currently available for City water from the property.

SURROUNDING LAND USE:

<u>North:</u>	Zoning – AG- Agricultural District Use - DOT Work Yard
<u>East:</u>	Zoning – C-1 General Commercial Use – Commercial Business
<u>South:</u>	Zoning – C-1 General Commercial Use - Commercial Business
<u>West:</u>	Zoning – C-1 General Commercial Use - Commercial Business yard

DISCUSSION:

The Land Use Application for Conditional Use Permit has been filed for the consideration of allowing temporary workforce housing within C-1 General Commercial Zoned property. Planning Department Staff spoke with Richard Kaster, Manager representative of the property owner, Main Street Connection LLC. and he explained that these mobile homes were already placed on the property and have been continuously utilized since the property was purchased by Main Street Connection in July of 2013.

Back in 2011, a Land Use Application for Zone Change was received from a previous property owner, T&L Dirt Work, Inc. The application had requested to re-zone the property from AG- Agricultural District to C-1- General Commercial. The Planning Department Staff Report dated November 23, 2011 specifically stated that the property owner must apply for a Conditional Use Permit for employee housing on site. At this time, no housing units were located on the property. The Zone Change was approved by City Council on December 6, 2011 with the contingency that the applicant must apply for a Conditional Use Permit for the temporary work-force housing.

Sometime after the zone change approval of 2011, three mobile homes had been moved and set on the property. Presently, the City does not have any record of an approved Conditional Use Permit allowing the mobile homes to be on the Commercial zoned property. Mr. Kaster had explained to Staff that when the ownership of the property had changed, the mobiles were already on the property and information regarding any additional requirements for the use of the living units had not been relayed from the previous owner. Main St. Connection, LLC. currently leases the property to H-2 Enterprises, LLC. who use the property's existing shop, office, and three mobile homes. Mr. Kaster has also expressed that at this time, the need for the on-site living units is still a necessity for H-2 Enterprises' employees. The property owner has submitted this application as an attempt to bring the property into compliance with the city Ordinances so that they can continue to utilize their mobile homes for employee housing.

The property is located at 408 13th Ave. SE along the corner of 4th St SW and consists of a total of 2.9993 acres. The property is currently developed and primarily used for a Commercial business with a shop and office building in addition to the three mobile homes. According to City Ordinance, one (1) mobile unit (HUD) or two (2) RV units (DMV) per acre is allowable. Currently, the property has three (3) existing mobile homes. Given the property's size of 2.9993 acres, the three (3) mobile homes will be deemed allowable and compliant with the Ordinance requirements.

During a site visit, City Planning Department Staff noted that the property did not have a clear ingress/egress driveway. Vehicles are able to access the property at any point along the road. The applicant should create a clearly designated ingress / egress driveway or driveways for access to the shop and mobile homes. The access point(s) can be from either or both 13th Ave SE and 4th St SW. Staff also noticed some debris and damage to the property such as missing skirting on the mobile homes but Mr. Kaster had previously notified staff that the property had received some damages after

the recent severe storm which had actually produced a tornado in an area within close proximity to this property.

The City of Watford City mailed the property owners who hold an interest in the property as well as the adjoining property owners a notice regarding the Conditional Use Permit request. At the time of this report, none of the noticed property owners have contacted the city regarding the application.

RECOMMENDATION:

It is the recommendation of City Planning Department Staff to **Approve** the Land Use Application for the Conditional Use Permit for the use of Temporary Workforce Housing on C-1 General Commercial Zoned Property.

Approval will be contingent upon the following items:

- 1) Per City ordinance, the property will be allowed one (1) mobile unit (HUD) or two (2) RV units (DMV) per acre. The property currently consists of 2.9993 acres in which, at maximum, the three (3) existing mobile home units will be allowed to remain on the property.
- 2) Two parking spaces shall be provided per dwelling unit.
- 3) A dust palliative shall be required on unpaved parking areas and drive aisles from the months of May through October.
- 4) Parking areas shall be surfaced with a minimum of 6" of crushed aggregate, not scoria. Scoria may be used as a base course for the final surfacing.
- 5) The property must be maintained & follow all City ordinances pertaining to long grass, noxious weeds, and be kept free of garbage and/or debris.
- 6) The egress/ingress driveway(s) to the property should be clearly designated. Access can be determined from either 4th St SW and/or 13th Ave SW but in either case, the location should be clearly designated and any additional points of access should be abandoned.
- 7) The Conditional Use Permit shall be in place for 12 months at the end of which time, a review will be conducted to determine renewal or non-renewal of the Permit.

PLANNING DEPARTMENT STAFF CONTACT:

Becky Smith
basmith@nd.gov
(701)444-8402

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

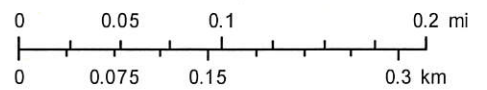
Main Street Connection



July 17, 2018

1:5,968

- Street Centerlines
- Place Names
- Walford City Limits
- Extra-Territorial Area (ETA)
- Cherry Creek
- Parcels from McKenzie County



GIS, Walford City, AE2S





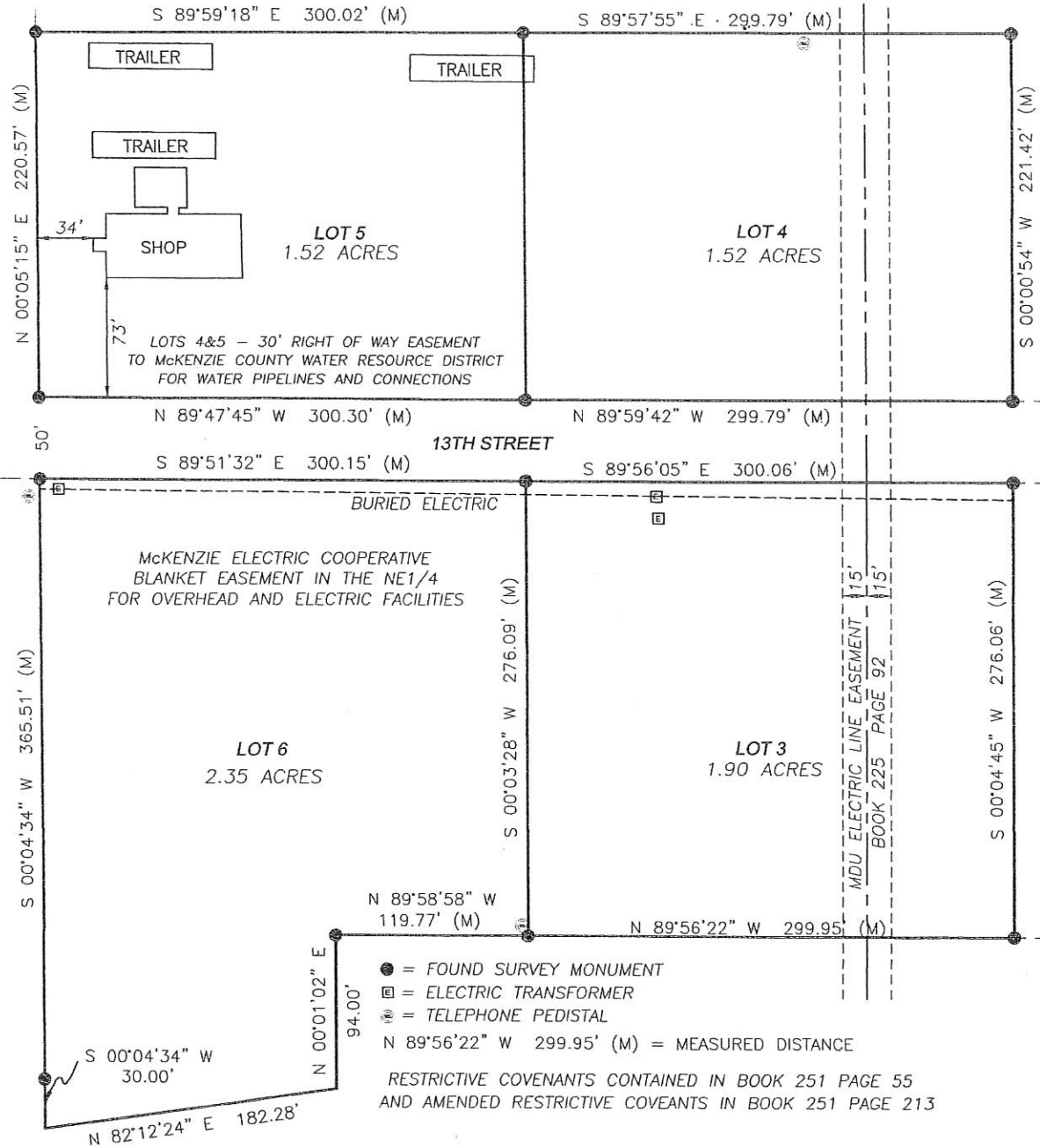






INSPECTION SURVEY

LOTS 3,4,5 & 6 – BLOCK 2 – OLD WEST SUBDIVISION



CERTIFICATE OF SURVEYOR

I, Adam C. Thompson, a North Dakota Professional Land Surveyor, do hereby certify, that I have performed the survey shown on the attached plat in July 2013, and that said survey is true and complete as shown and that the monuments found and set are of the character and occupy the positions shown thereon.

BASIS OF BEARING: TRUE NORTH(GPS OBSERVED)

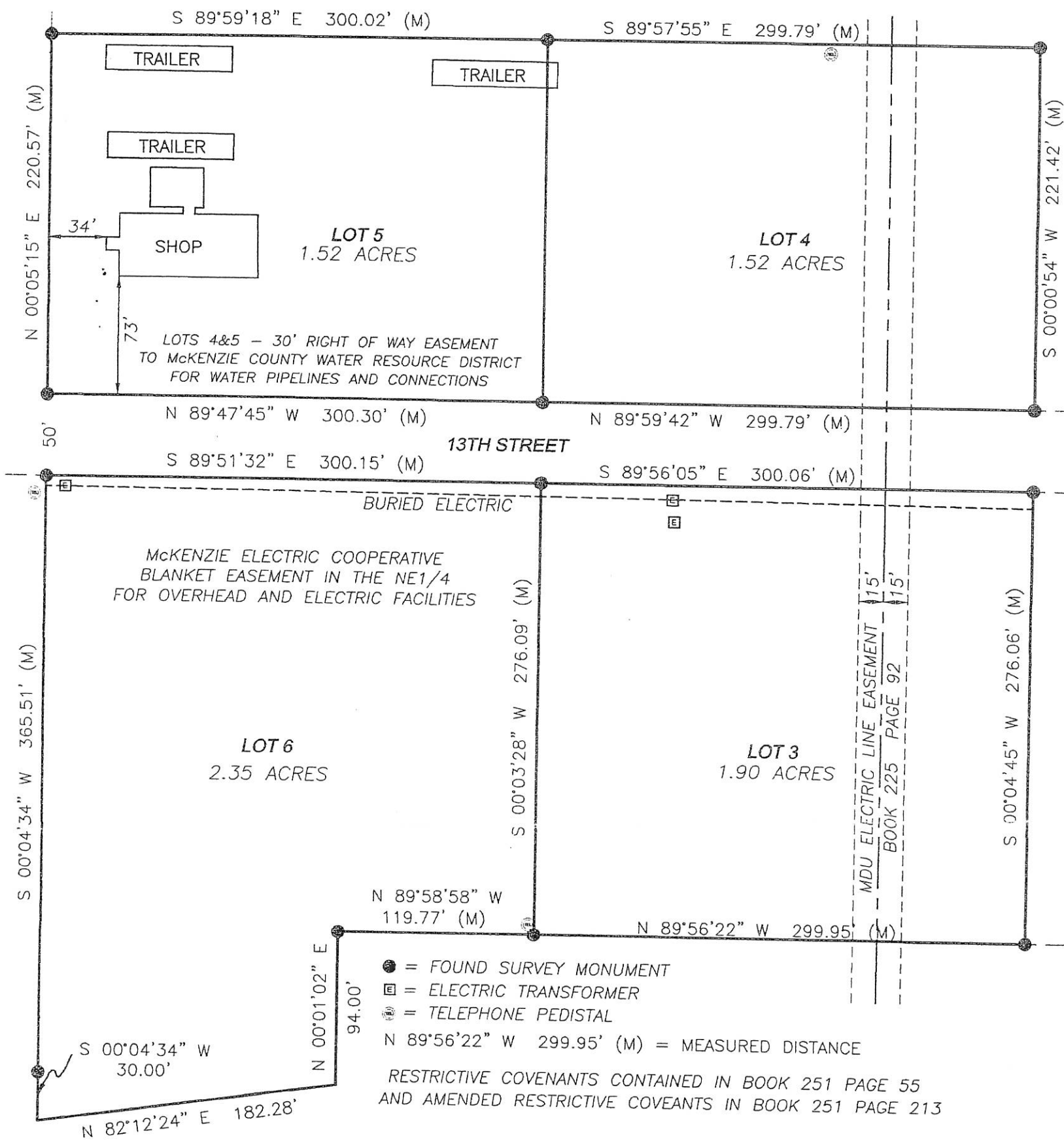
Adam C. Thompson
 ADAM C. THOMPSON, NORTH DAKOTA PLS. NO. 156175

SCALE	DATE
1" = 100'	7.30.2013
DRAWN BY	JOB NO.
A. THOMPSON	13104

STATELINE SURVEYS, INC
 406.377.1483
 PO BOX 668
 GLENDIVE, MT 59330

INSPECTION SURVEY

LOTS 3,4,5 & 6 - BLOCK 2 - OLD WEST SUBDIVISION

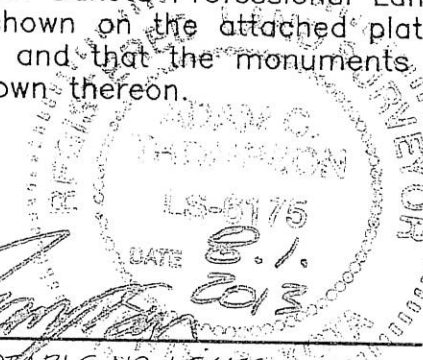


CERTIFICATE OF SURVEYOR

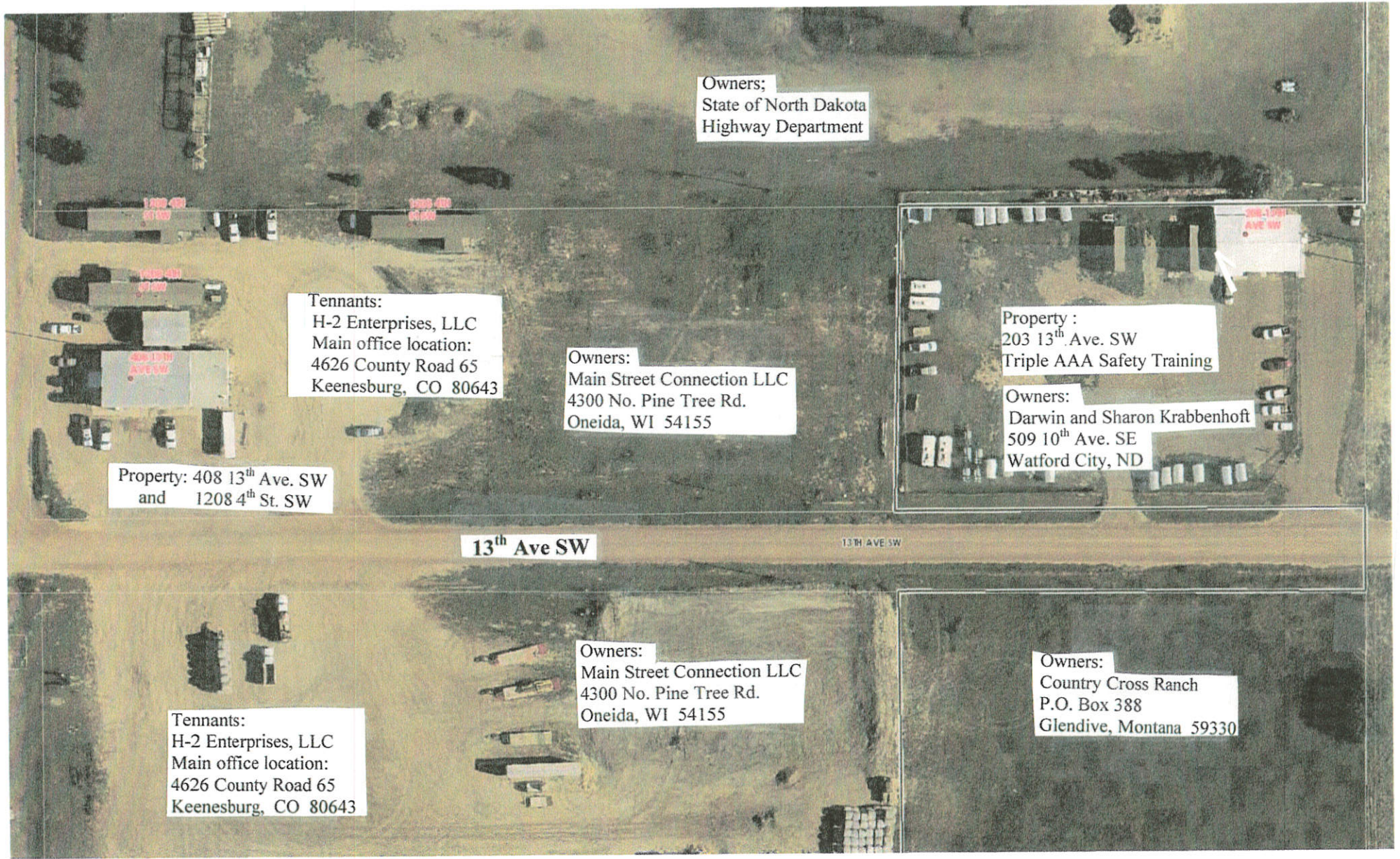
I, Adam C. Thompson, a North Dakota Professional Land Surveyor, do hereby certify, that I have performed the survey shown on the attached plat in July 2013, and that said survey is true and complete as shown and that the monuments found and set are of the character and occupy the positions shown thereon.

BASIS OF BEARING: TRUE NORTH(GPS OBSERVED)

Adam C. Thompson
 ADAM C. THOMPSON, NORTH DAKOTA PLS. NO. 156175



SCALE	DATE	STATELINE SURVEYS, INC 406.377.1483 PO BOX 668 GLEN DIVE, MT 59330
1" = 100'	7.30.2013	
DRAWN BY	JOB NO.	
A. THOMPSON	13104	



Owners;
State of North Dakota
Highway Department

Tennants:
H-2 Enterprises, LLC
Main office location:
4626 County Road 65
Keenesburg, CO 80643

Owners:
Main Street Connection LLC
4300 No. Pine Tree Rd.
Oneida, WI 54155

Property :
203 13th Ave. SW
Triple AAA Safety Training

Owners:
Darwin and Sharon Krabbenhoft
509 10th Ave. SE
Watford City, ND

Property: 408 13th Ave. SW
and 1208 4th St. SW

13th Ave SW

13TH AVE SW

HWY 85

Owners:
Main Street Connection LLC
4300 No. Pine Tree Rd.
Oneida, WI 54155

Tennants:
H-2 Enterprises, LLC
Main office location:
4626 County Road 65
Keenesburg, CO 80643

Owners:
Country Cross Ranch
P.O. Box 388
Glendive, Montana 59330



ABOUT US

H2 Enterprises started in 1985 and is built on strong family values and a commitment to our great land. We take pride in being efficient, doing the job right, and providing the best value to our clients – all while maintaining our culture of health, safety and environmental awareness – just as we did many years ago.

What was started by a farming family in Northern Colorado, has grown into one of the largest seeding and reclamation operations in the United States. H2 Enterprises has worked on projects in 36 states and has reclaimed over 6,500 miles of Right Of Way (ROW) to date. To accomplish our goals, we have designed and custom-built a fleet of equipment capable of handling all terrain and job tasks.

Our team of highly trained, experienced, and innovative employees set us apart from others in the field. Our employees are truly our biggest asset and we are privileged to work with some of the best seeding and reclamation experts in the industry.

We look forward to working with you for all your reclamation needs.

Contact us today to learn how we can accomplish your goals or visit our culture page if you're interested in joining our team.



H2 Enterprises is a leading provider of heavy construction equipment, fleet management, and maintenance services for the construction industry.



CAPABILITIES

H2 Enterprises is a leading provider of heavy construction equipment, fleet management, and maintenance services for the construction industry. We have a proven track record of providing exceptional service to our customers, and we are committed to providing the same level of service to you. Our fleet of equipment is well-maintained and ready to go, and our fleet management services can help you optimize your fleet and reduce your costs. Our maintenance services can help you keep your equipment running smoothly and extend its life. Contact us today to learn more about our capabilities and how we can help you.

- Equipment Leasing
- Equipment Sales
- Fleet Management
- Fleet Maintenance
- Fleet Repair
- Fleet Replacement
- Fleet Tracking
- Fleet Training
- Fleet Insurance
- Fleet Financing
- Fleet Compliance
- Fleet Safety
- Fleet Security
- Fleet Support
- Fleet Consulting
- Fleet Optimization
- Fleet Efficiency
- Fleet Productivity
- Fleet Reliability
- Fleet Durability
- Fleet Flexibility
- Fleet Scalability
- Fleet Sustainability
- Fleet Innovation
- Fleet Leadership
- Fleet Excellence
- Fleet Success

Smith, Becky A.

From: nrkaster@yahoo.com
Sent: Wednesday, July 18, 2018 11:59 AM
To: Smith, Becky A.
Subject: Mobiles homes at 408 13th Ave

CAUTION: This email originated from an outside source. Do not click links or open attachments unless you know they are safe.

Hi Becky,

I just wanted to let you know, that in case someone goes past to look at the condition of our property on 13th Ave where we have applied for the Conditional Use Permit on the three mobile homes, we had storm damage there. The property usually looks better than it does now.

There was quite a bit skirting that blew out and was damaged or blown away. We have contacted our insurance company and are waiting for word from them on how to proceed with repairs. Please excuse the appearance for now. We will get things straightened away as soon as possible.

Thank You,
Rick Kaster

Surrounding Land Use Inventory:

West: Zoning - A-2, McKenzie County
Use - Commercial
South: Zoning - A-2 McKenzie County
Use - Agricultural
North: Zoning - A-2, McKenzie County
Uses - Commercial
East: Zoning - A-2, McKenzie County
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) is the "C-1" General Commercial District it is intended for the purpose of allowing basic retail, service and office uses. This district is also intended to provide locations for commercial activity that do not require a central location downtown. Also included are business uses needing large floor areas, particularly those of a service nature and certain industrial uses that do not create obnoxious sounds, glare, dust, or odor. The District is not intended for heavy commercial uses, uses that would be considered industrial in nature, or those businesses that may not be considered compatible with adjacent traditional General Commercial uses.

Site Development

Access: The property is accessible from 13th Ave. SW which is unpaved.

Sewer: There are no existing city sanitary sewer mains within the property. The property will be serviced by an individual sewage disposal system.

Water: There are no existing city water mains within the property. The property will be serviced by either rural water or private well.

Analysis: The proposed zoning of C-1 provides the developer with the flexibility to construct a commercial "truck and equipment yard with office and storage" and allows for a conditional use to be applied for to provide temporary housing.

Recommendation:

It is recommended that the Watford City Planning Commission approve a zone change from A-2 to C-1 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, drive aisles, parking and the City development standards. For Temporary Workforce Housing a Conditional Use Permit must be applied for.

Contact:

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

PLANNING COMMISSION MINUTES
WATFORD CITY, ND
November 28, 2011

"The regular monthly meeting of the Watford City Planning Commission was held on Monday, November 28, 2011, at 6:00 p.m. at City Hall. Present: Chairman Glen Beard. Board members: Jesse Lawrence, Cory Johnson and Sonja Johnson. Absent: Rick Holm (excused), Doug Bolken (unexcused). Also present was City Planner Curt Moen, City Attorney Wyatt Voll and Administrative Assistant Dawn Tschetter.

1. **Zone Change Application – T & L Dirtwork, Inc.** - Moved by CJohnson to recommend to City Council to approve the Zone Change Application submitted by T & L Dirtwork, Inc. to rezone 408 13th Ave SW, Lots 3,4,5,6, Block 2, Old West Subdivision, McKenzie County. The applicant is requesting this property be rezoned C-1 from A-2 with the conditions set forth under Recommendations in the Staff Report. Seconded by Lawrence and carried by the following roll call vote: ayes: SJohnson, CJohnson, Lawrence. Motion carried. The applicant was also informed that should they want to have employee housing on site they will need to apply for a Conditional Use Permit. "

CITY OF WATFORD CITY
CITY COUNCIL MEETING MINUTES
December 6, 2011

"Minutes of the regular City Council meeting held on December 6, 2011 at 6:00 p.m. at City Hall. Present were Mayor Brent Sanford and Council Members Justin Voll, Kris Pacheco, Deanne Valenzuela, and Shane Homiston. Absent were Council Members Dave Uhlich (excused) and Bruce Erickson (unexcused). Also present was City Planner Curt Moen, Attorney Wyatt Voll, Superintendent of Public Works Justin Smith and Auditor Laura Anderson. Mayor Sanford called the meeting to order with the Pledge of Allegiance.

Upon the recommendation of the Planning Commission, Council Member Homiston moved to approve the Zone Change Application submitted by T & L Dirtwork, Inc. to rezone 408 13th Ave SW, Lots 3, 4, 5, 6, Block 2, Old West Subdivision, McKenzie County to C-1 from A-2 with the conditions set forth under Recommendations in the Staff Report. Motion seconded by Council Member Valenzuela and carried by the following roll call vote: ayes: Homiston, Valenzuela and Pacheco; nays: none."

2.

Division of Land Application

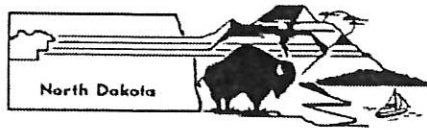
Reversionary Parcel Map

McKenzie County School District

PID: 82-05-04300; 82-05-04200; 82-01-15200

DIVISION OF LAND

REVERSIONARY PARCEL MAP



APPLICATION
THE CITY OF WATFORD CITY
213 2ND ST NE / PO BOX 494
WATFORD CITY, NORTH DAKOTA

APPLICATION FEE:
Fee waived \$675.00

REQUIREMENTS: All applications must be legible, printed in ink or typed, and suitable for reproduction. *Original application with original signature is required.* A *Reversionary Parcel Map* shall be allowed in order to revert property back to acreage or to a configuration which may combine parcels as they may have been previously mapped. *Reversionary Parcel Maps* shall be allowed when street improvements, utility or other public improvements, public easements, or right of ways, whether public or private are not required or created. This parcel map will also not require the creation of new or enlarged parks, playgrounds, or open spaces. All lot design standards and zoning requirements are required to be met. Parcels must conform to the minimum lot area and width and not involve lots which have more than one zoning classification. A *Reversionary Parcel Map* is not intended to be used as one in a series as to circumvent the Subdivision process. Along with this application, please submit the following: N.D. Professionally Engineered/Surveyed map of parcels in both .PDF format and 11"x17" size paper for review, a brief justification letter explaining the request/reasoning for *Reversionary Map* and a copy of property deed(s) and/or title report. Once approved by City Council, a 24" x 36" size mylar plat will need to be submitted for signatures and recordation. For specific details regarding this process, please refer to the *City of Watford City Municipal Code of Ordinances: CHAPTER XV ARTICLE XXX SECTION 13.*

PROPERTY OWNER INFORMATION

OWNER NAME(S): McKenzie County Public School District #1	PHONE NUMBER: (701) 444-3626	EMAIL: sholen@watford-city.k12.nd.us
---	---------------------------------	---

MAILING ADDRESS:
P.O. Box 589, Watford City, ND 58854

APPLICANT INFORMATION

Same as Owner

APPLICANT NAME: Steven Holen	PHONE NUMBER: (701) 444-3626	EMAIL: sholen@watford-city.k12.nd.us
---------------------------------	---------------------------------	---

MAILING ADDRESS:
P.O. Box 589, Watford City, ND 58854

DEVELOPER INFORMATION

DEVELOPER NAME: NA	PHONE NUMBER: NA	EMAIL: NA
-----------------------	---------------------	--------------

MAILING ADDRESS:
NA

PROPERTY INFORMATION

PROPERTY ADDRESS: 329 East Park Avenue	ZONING DISTRICT:
---	------------------

PARCEL NUMBER:	SUBDIVISION:	LOT #	BLOCK #
----------------	--------------	-------	---------

LEGAL DESCRIPTION: (SECTION, TOWNSHIP, RANGE)	NEW LEGAL DESCRIPTION:
---	------------------------

EXISTING ACREAGE/SQ.FT.: approximately 21,000 sq.ft.	NEW ACREAGE/SQ.FT.: approximately 21,000 sq.ft.
---	--

CURRENT USE OF PROPERTY: None - former coal plant building	PROPOSED USE OF PROPERTY: Intermediate school playground
---	---

DESCRIPTION Please give a brief description of the request or reason for Reversionary Map.

The school district is pursuing a project to convert the former coal plant property to a playground for use by the Intermediate elementary school. With the change in use; the school district is open to rezoning and reversionary actions to comply with previous changes to CF for school district owned properties.

APPLICANT SIGNATURE: (IF DIFFERENT THAN OWNER)
 As the applicant, I certify that all City Ordinances will be complied with and that the information given within this application as well as the plans submitted are in all respects true and correct to the best of my knowledge and belief.

APPLICANT SIGNATURE: _____ DATE: ____/____/____

APPLICANT PRINT NAME: _____ APPLICANT TITLE: _____

PROPERTY OWNER(S) AFFIDAVIT
 I/We, the undersigned, swear that I am / we are, the owner(s) and/or Mortgage holders of the property described within this application. I/We will make provisions to ensure compliance with the disclosure and recording requirements of McKenzie County and the City of Watford City. I/We certify that all information contained within this application are in all respects true and correct to the best of my/our knowledge and belief. I/We also hereby authorize City of Watford City Staff and/or its designee to access my property or premise for the purpose of gathering and verifying information in relation to this application and submitted plans.

PROPERTY OWNER SIGNATURE: [Signature] DATE: 7/12/2018

PROPERTY OWNER SIGNATURE: _____ DATE: ____/____/____

PROPERTY OWNER NOTARY

On this 12th day of July, 2018 before me, the undersigned, a notary public for the state of North Dakota, personally appeared, Steve Holen known to me to be the person(s) who executed the certificate in witness whereof, I have hereunto set my hand and affixed my official seal the day and year in the certificate first written above.

[Signature]
 Notary Public

Notary Public for the state of North Dakota
 Residing at Watford City
 My Commission Expires Oct 6, 2021

(NOTARIAL SEAL)
BECKY SMITH
 Notary Public
 State of North Dakota
 My Commission Expires Oct. 6, 2021

▼ OFFICE USE ONLY ▼

<input type="checkbox"/> COPY OF PROPERTY DEED <input type="checkbox"/> COPY OF TITLE REPORT <input type="checkbox"/> COPY OF TITLE MEMORANDUM <input type="checkbox"/> .PDF & LEDGER SIZE REVIEW COPY OF PLAT <input type="checkbox"/> VICINITY MAP <input type="checkbox"/> LEGAL DESCRIPTION <input type="checkbox"/> JUSTIFICATION LETTER <input type="checkbox"/> ORIGINAL SURVEYOR STAMP & SIGNATURE ON 24"X36" PLAT	LEGAL NOTICE DATES: <u>7, 12, 18</u> _____ <input checked="" type="checkbox"/> ADJACENT PROPERTY OWNER NOTICES MAILED	MEETING DATES: PLANNING COMMISSION: <u>7, 30, 18</u> CITY COUNCIL: <u>8, 6, 18</u>
	INVOICE: INVOICE NUMBER: _____ DATE CREATED: ____/____/____ BY: _____	
PAYMENT: \$675.00 DATE RECEIVED: ____/____/____ BY: _____ <input type="checkbox"/> CARD <input type="checkbox"/> CASH <input type="checkbox"/> CHECK # _____		



PO Box 589 - 100 Third Street NE
Watford City, North Dakota 58854
Ph: (701) 444-3626 Fax: (701) 444-6345
sholen@watford-city.k12.nd.us
Steven Holen, Superintendent

McKenzie County School District #1

July 20th, 2018

Re: Zone change and reversionary map parcel letter of justification

Planning and Zoning committee members,

The McKenzie County Public School District #1 is requesting a zone change and reversionary map proposal for the purpose of coming into compliance with city code for these properties and to reflect the correct zoning based on the current and planned used of these school district owned parcels. These applications reflect a change from the current R-3 zoning to the current CF zoning used for community facilities. The school district is currently using CF zoning on its other owned parcels and this change request would align with the zoning of other school district parcels at this time. Please consider these two requests for proposed changes at the upcoming planning and zoning committee meeting. If you have any further questions on these applications, please contact me at your convenience.

Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to be "S. Holen", with a long horizontal line extending to the right.

Dr. Steven Holen
Superintendent of Schools
McKenzie County Public School District #1 - Watford City
(701) 444-3626

"Making the Challenges of Proficiency and Student Development #1"

"The McKenzie County Public School District #1 will empower every student with the knowledge and skills necessary to succeed today and in the future."

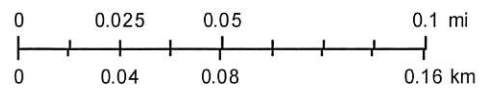
Reversionary Map



July 18, 2018

1:2,984

- McKenzie County Address
- Waford City Limits
- StreetCenterlines
- Extra-Territorial Area (ETA)
- Place Names
- Cherry Creek
- Block Number
- Parcels from McKenzie County



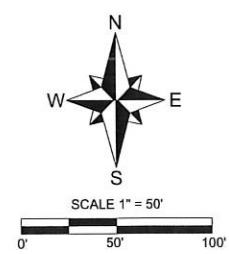
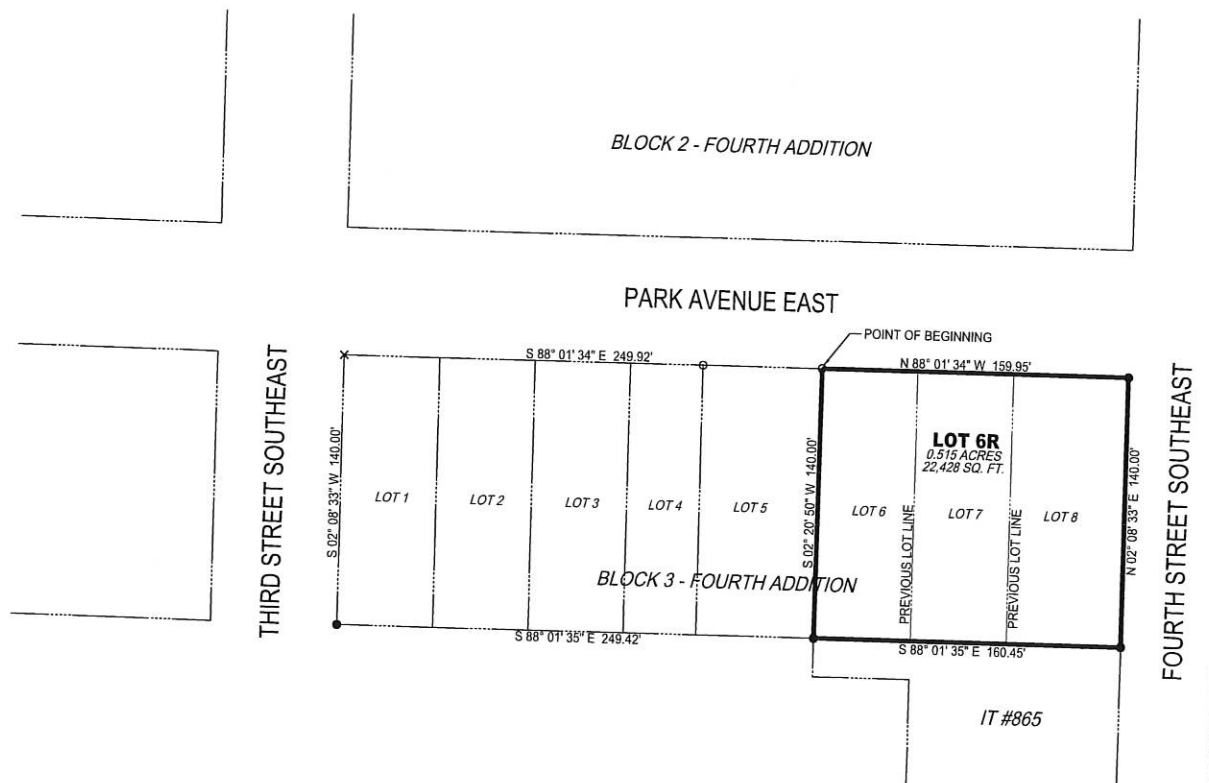
GIS, Waford City, AE2S





**PRELIMINARY REPLAT OF
LOTS 6,7, & 8 OF BLOCK 3 OF THE FOURTH ADDITION
TO THE CITY OF WATFORD CITY
NOW KNOWN AS LOT 6R OF BLOCK 3 OF THE FOURTH ADDITION
TO THE CITY OF WATFORD CITY**

AS LOCATED IN THE NW1/4 OF SECTION 19
TOWNSHIP 150 NORTH - RANGE 98 WEST - 5TH P.M.
WATFORD CITY, MCKENZIE COUNTY, NORTH DAKOTA



- = REBAR & CAP SET
 - = PIN FOUND
 - = STONE FOUND
 - ⌈ = R.O.W. MARKER
 - x = PK NAIL IN CONCRETE SET
- BASIS OF BEARING: N.D. STATE PLANE - NORTH ZONE
GROUND DISTANCES SHOWN - C/F: 0.9998485
- = BOUNDARY LINE
 - = SECTION LINE
 - = QUARTER LINE
 - = SIXTEENTH LINE
 - = PROPERTY LINE
 - = RIGHT-OF-WAY LINE



PROJECT NO. N17-W1041

OWNER'S CERTIFICATE

I, (WE) THE UNDERSIGNED, BEING THE SOLE OWNER(S) AND MORTGAGE HOLDER(S) OF THE LAND PLATTED HEREIN, DO HEREBY CONSENT TO THE EXECUTION OF THIS PLAT AND AGREE TO NOT VACATE ANY PORTION OF THIS PLAT WITHOUT THE CONSENT OF THE CITY OF WATFORD CITY. I (WE) DEDICATE EASEMENTS TO RUN WITH THE LAND FOR WATER, SEWER, GAS, ELECTRIC, TELEPHONE, OR OTHER PUBLIC UTILITY LINES OR SERVICES UNDER, ON, OR OVER THE LAND DEDICATED HEREON AS "UTILITY EASEMENTS" WHETHER SHOWN OR EXISTING.
DATED THIS _____ DAY OF _____, 2018

MCKENZIE COUNTY SCHOOL DISTRICT #1 _____ DATE _____

STATE OF _____
COUNTY OF _____

ON THIS _____ DAY OF _____, 2018 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF _____, PERSONALLY APPEARED, _____, FOR MCKENZIE COUNTY SCHOOL DISTRICT #1, KNOWN TO ME TO BE THE PERSON(S) WHO EXECUTED THE CERTIFICATE IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST WRITTEN ABOVE.

NOTARY PUBLIC FOR THE STATE OF _____
RESIDING AT _____
MY COMMISSION EXPIRES _____

SURVEYOR'S CERTIFICATE

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

DUSTIN JORDAN _____ DATE _____
REGISTERED LAND SURVEYOR NO. 10478

STATE OF _____
COUNTY OF _____

ON THIS _____ DAY OF _____, 2018 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF _____, PERSONALLY APPEARED, DUSTIN JORDAN, KNOWN TO ME TO BE THE PERSON(S) WHO EXECUTED THE CERTIFICATE IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST WRITTEN ABOVE.

NOTARY PUBLIC FOR THE STATE OF _____
RESIDING AT _____
MY COMMISSION EXPIRES _____

PROPERTY DESCRIPTION

OLD DESCRIPTION: LOTS 6,7, & 8 OF BLOCK 3 OF THE FOURTH ADDITION TO THE CITY OF WATFORD CITY, AS LOCATED IN THE NW1/4 OF SECTION 19, T150N, R98W, 5TH P.M., MCKENZIE COUNTY, NORTH DAKOTA.

NEW DESCRIPTION: LOT 6R OF BLOCK 3 OF THE FOURTH ADDITION TO THE CITY OF WATFORD CITY, AS LOCATED IN THE NW1/4 OF SECTION 19, T150N, R98W, 5TH P.M., MCKENZIE COUNTY, NORTH DAKOTA.

SAID TRACT CONTAINS 0.515 ACRES MORE OR LESS.

PLANNING AND ZONING COMMISSION APPROVAL

THIS PLAT IN THE CITY OF WATFORD CITY IS HEREBY APPROVED THIS _____ DAY OF _____, 2018 IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA, ORDINANCES OF THE CITY OF WATFORD CITY NORTH DAKOTA, AND REGULATIONS OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF WATFORD CITY, NORTH DAKOTA.

GLEN BEARD, CHAIRMAN _____ DATE _____

STATE OF NORTH DAKOTA
COUNTY OF MCKENZIE

ON THIS _____ DAY OF _____, 2018, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED, GLEN BEARD, CHAIRMAN, KNOWN TO ME TO BE THE PERSON(S) WHO EXECUTED THE CERTIFICATE IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST WRITTEN ABOVE.

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

WATFORD CITY APPROVAL

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

JUSTIN VOLL, MAYOR _____ DATE _____

PENI PETERSON, CITY AUDITOR _____ DATE _____

STATE OF NORTH DAKOTA
COUNTY OF MCKENZIE

ON THIS _____ DAY OF _____, 2018, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF NORTH DAKOTA, PERSONALLY APPEARED, JUSTIN VOLL, MAYOR AND PENI PETERSON, CITY AUDITOR, KNOWN TO ME TO BE THE PERSON(S) WHO EXECUTED THE CERTIFICATE IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THE CERTIFICATE FIRST WRITTEN ABOVE.

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

AUDITOR'S CERTIFICATE OF TAXES

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

CERTIFIED THIS _____ DAY OF _____, 2018.

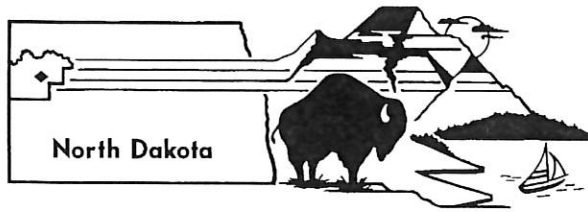
ERICA JOHNSRUD, MCKENZIE COUNTY AUDITOR

CERTIFICATE OF MCKENZIE COUNTY RECORDER

I HEREBY CERTIFY THAT THE ABOVE INSTRUMENT WAS FILED IN THE OFFICE OF THE MCKENZIE COUNTY RECORDER IN THE STATE OF NORTH DAKOTA AT _____ O'CLOCK A.M. / P.M. ON THE _____ DAY OF _____, A.D., 2018 AND WAS RECORDED AS DOCUMENT NO. _____.

ANN M. JOHNSRUD, MCKENZIE COUNTY RECORDER

Watford City



City of Watford City

213 2nd St., NE / PO Box 494

Watford City, ND 58854

Ph. 701- 444- 2533

Fax 701- 444- 3004

cityofwatfordcity.com

July 6, 2018

STAFF REPORT

Division of Land- Reversionary Map

APPLICANT:

Steve Holen
P.O. Box 589
Watford City, ND 58854

PROPERTY OWNERS:

McKenzie County School District
P.O. Box 589
Watford City ND, 58854

PROPERTY LOCATION:

Section 19, Township 150 Range 98W, PID: 82-05-04200, 82-05-04300 Lots 6, 7, and 8, Block 3, of the 4th Addition to Watford, 321, 329 Park Ave E., Watford City, McKenzie County, North Dakota.

REQUEST:

The application has been submitted for a Division of Land-Reversionary Map. The McKenzie County School District would like to combine 2 existing City lots with the end result being one parcel.

ZONING:

R3- Medium Density Residential District

CURRENT LAND USE:

The lots had previously contained the school's old coal building and a house but both structures have since been demolished. These properties are currently vacant.