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Larry M. Weil, Planning and Community Development Director  
Tim Solberg, Senior Planner  
Lisa Sankey, Assistant Planner

West Fargo Planning & Zoning Commission Agenda  
Monday, November 14, 2016 - West Fargo City Hall - 7:00 p.m.

1. Call to Order
2. Approval of Minutes – October 10, 2016
3. Public Hearing – A16-55 Conditional Use Permit for accessory building greater than 1,600 square feet at 4449 4<sup>th</sup> Street West (Lot 3, Block 1 of Nelson Acres 4th Addition), City of West Fargo, North Dakota – Randall
4. Detailed Development Plans - A16-52 Oak Ridge 11<sup>th</sup> Addition
5. **Continued** - Public Hearing – A16-53 Rezoning from Agricultural to R-2: Limited Multiple Dwellings property in the SE¼ of Section 31, T139N, R49W, City of West Fargo, North Dakota – J&O Real Estate
6. **Continued/Withdrawn** - A15-57 Gateway West Addition, Subdivision in the SE¼ of Section 18, T139N, R49W and Replat of Lot 13, Block 4 of Elmwood Court Addition, City of West Fargo, North Dakota –Vibuck
7. Comprehensive Plan Update
8. Non-agenda
9. Adjournment



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Larry M. Weil, Planning and Community Development Director  
Tim Solberg, Senior Planner  
Lisa Sankey, Assistant Planner

West Fargo Planning and Zoning Commission  
October 10, 2016 at 7:00 P.M.  
West Fargo City Hall

Members Present:            Jim Brownlee  
                                     Scott Diamond  
                                     David Gust  
                                     Leroy Johnson  
                                     Shane LeBahn  
                                     Tom McDougall  
                                     Jana Reinke

Members Absent:            Joe Kolb

Others Present:    Larry Weil, Lisa Sankey, Tim Solberg, Matt Welle, Jon Youness, Matt Marshall, Mike Graham, Dena Vanyo, Ed Eisenbeisz, Glen Mitzel, Dan Farnsworth

The meeting was called to order by Chair McDougall.

Commissioner Gust made a motion to approve the September 12, 2016 meeting minutes as written. Commissioner Brownlee seconded the motion. No opposition. Motion carried.

Chair McDougall opened public hearing A16-51 Eaglewood 6<sup>th</sup> Addition, a replat of Lot 4, Block 1 of Eaglewood 2<sup>nd</sup> Addition, City of West Fargo, North Dakota..

Tim reviewed the following:

The applicant is proposing to subdivide a previously platted large lot into 2 smaller lots for financing purposes. On October 6, 2014, the Commission approved a conditional use permit for the development of 4 12-unit structures and 1 10-unit structure based upon their proposed building construction. Development has occurred on the property for attached residential townhome units and is intended to continue with similar residential structures.

The applicant should provide a revised site plan illustrating that all structures which were developed would meet the applicable district standards in the proposed subdivision. Due to the number of separate buildings in the site, a previous condition recommended by staff was that the developer place a site map at the entrance to the complex to assist City and emergency response.

It is recommended that the City approve the proposed application on the basis that it is consistent with City plans and ordinances with recommended conditions of approval as follows:

1. Applicant provide a site plan to be reviewed prior to City Commission to determine where the previous conditionally permitted and permitted structures are on each lot and that the new lots will conform to applicable district standards.
2. A revised drainage plan is submitted and approved by the City Engineer.
3. A signed Final Plat is received with any necessary easements.
4. A certificate is received showing taxes are current.

Tim indicated a condition requiring the developer place a site map at the entrance to the complex to assist City and emergency response be added.

There were no comments from the public. The hearing was closed.

Commissioner Brownlee made a motion for approval based on staff recommendations with an additional condition #5 that the developer place a site map at the entrance to the complex to assist City and emergency response. Commissioner Diamond seconded the motion. No opposition. Motion carried.

Chair McDougall opened public hearing A16-52 Oak Ridge 11<sup>th</sup> Addition, Replat and Rezoning from C: Light Commercial to PUD: Planned Unit Development of Lots 1-5, Block 1 of Oakridge 9<sup>th</sup> Addition, City of West Fargo, North Dakota.

Tim reviewed the following:

The request is to rezone from C: Light Commercial to PUD and replat 5 commercial lots into 35 office and general commercial condominium lots with common lots, drives and amenities for the use of the development. Lots 1 and 22 of the preliminary plat are proposed to remain zoned C: Light Commercial. Lot 2 is proposed as a local retention pond for the development and should be included in the Planned Unit Development (PUD). Lots 3-21 and 23-35 of the preliminary plat are proposed to be developed as office condos with PUD standards as proposed and attached to the staff report, which provide for detailed permitted uses, yard requirements, and site, landscaping, and building construction standards.

The uses as proposed are similar to those within the C: Light Commercial and C-OP: Commercial Office Park districts, albeit with more detail. It may be appropriate for the uses to be further refined. Staff would point particularly to the following:

- Permitted Use #2: Display of vehicles. It may be more appropriate to provide for this use as a conditional use if it is desirable for it to be reviewed by Planning and Zoning Commission and City Commission.
- Permitted Use #4: Privately owned properties does not constitute a use. It would be appropriate to detail what this use may be.
- Permitted Use #8: Hotels & Motels. This use seems not possible in the development given the availability of parking and lot sizes as proposed.
- Permitted Use #11: The “such as” which includes hospitals and nursing homes does not seem possible in the development given the availability of parking and lot sizes as proposed.

The proposed yard requirements are consistent with the CO: Corridor Overlay district with an exception that the proposed front yard is 5’ greater than that of the CO district.

The property is proposed to be accessed from 32<sup>nd</sup> Ave E to the north and by way of a private drive on an existing easement between 6<sup>th</sup> St E and 4<sup>th</sup> St E, which would be extended within the proposed development to provide access to each separate lot. The private drive has been constructed to the west, but not yet to the east. The coordinated construction of the drive is essential to this development and will need to be included in a subdivision/PUD agreement. Given the private drive would become a more substantial access with multiple properties it should become a named street and included within the improvement district and/or PUD.

The applicant is seeking a full approach to 32<sup>nd</sup> Ave E. The previous plat of Oak Ridge 9<sup>th</sup> Addition included a discussion of this and it was noted on the plat that the access is “Right In, Right Out or ¾ Access”. A traffic study may be required with detailed development plans to determine that a full access at this location would not greatly affect the operation or safety of 32<sup>nd</sup> Ave E. The access easement to 32<sup>nd</sup> Ave E may need to be restricted to reduce crash potential by avoiding direct access within 150’ of arterial roadway and should be denoted on the plat similar to a local roadway and/or within the easement document.

Property owners within 150’ and applicable agencies and departments were notified and no comments were received.

It is recommended the City approve the proposed application in concept on the basis it is consistent with City plans and ordinances. Current recommended conditions to be considered as the detailed development plans are created are as follows:

1. The uses listed in the proposed district standards should be amended to reflect concerns noted by staff.
2. District standards should include provisions to require but not limited to CO: Corridor Overlay District, 4-440 Supplementary District Regulations, 4-450 Off-Street Parking and Loading Requirements, and 4-460 Sign Regulations.
3. A recommendation should be provided by City Engineer, Public Works Director, Police, and Planning regarding the proposed access to 32<sup>nd</sup> Ave E.

Tim stated that on Friday, staff reviewed 3 different concepts showing how the structures would look, which he reviewed.

Applicant Mike Graham stated he was available to answer any questions. He indicated this would provide an affordable option for smaller business owners.

Chair McDougall asked about the types of uses in mind with the garage door. Mr. Graham stated maybe a small band who need a place to practice and store equipment or someone with classic cars. These would be for people to buy not lease. Tim indicated outdoor storage and display wouldn't be allowed. Mr. Graham stated that the types of uses could be insurance agents, accountants, consultants, and advertising agencies. People who don't want to rent space in a strip mall

Chair McDougall stated if they are not intended to be leasable, what about subleasing. Mr. Graham stated that he's not willing to put it into the covenants. There's the potential someone may buy and not use it right away and could end up leasing it out. Chair McDougall asked about potential parking issues if there were 3-4 accountants in a building. Mr. Graham stated that if someone comes in and indicates they'll have 18 people working onsite, he can always turn down the sale. Tim stated that they'll have to look at parking during the detailed development plan phase.

Commissioner Brownlee asked for clarification on storage. Tim stated that in the Light Commercial District mini-storage isn't allowable. Discussion was held regarding types of storage. Larry stated that the primary function should be office with storage available for the use, not standalone storage. He also indicated concern with parking if the private drive becomes heavily trafficked. Mr. Graham stated that the private drive is already established. Larry stated concern with parking spots backing out onto the private drive. Tim indicated the site could be redesigned to address that.

Commissioner Brownlee asked about issues with infrastructure. Assistant City Engineer Matt Welle indicated sewer and water still needs to be extended to the site. The pond is private.

Economic Development Director Matt Marshall stated that there is a need for this type of use. Current options for small business owners are to rent in a strip mall or industrial area. This is a great option for smaller businesses.

There were no other comments from the public. The hearing was closed.

Commissioner Reinke asked about access onto 32<sup>nd</sup> Avenue. Tim stated that currently the property is zoned C and part of the PUD process involves the concept plans or the "big picture", then detailed development plans will need to come back. Therefore, access has yet to be determined. Mr. Welle stated that currently there's a median on 32<sup>nd</sup> Avenue and it's designed right-in/right-out.

Chair McDougall asked about east/west access. Tim stated that the easement is there, but the eastern portion hasn't been paved yet, nor has there been a call for improvements.

Commissioner Diamond asked what is located to the SE. Tim stated the 119-unit Hadley Meadows townhome project. A buffer will be required between the commercial and residential properties.

Commissioner Gust made a motion for approval of the concept based on the conditions listed in the staff report. Commissioner Diamond seconded the motion. No opposition. Motion carried.

Chair McDougall opened Public Hearing A16-53 Rezoning from Agricultural to R-2: Limited Multiple Dwellings property in the SE¼ of Section 31, T139N, R49W, City of West Fargo, North Dakota.

Tim stated that this is a new application, which the applicant has asked to be continued. It's a backup plan. They would be building the exact same product, but asking for R-2 zoning. The developer had a neighborhood meeting on September 29<sup>th</sup> and have hired an attorney. The developer has also had some meetings with staff and City Commissioners. They are proposing another neighborhood meeting.

Tim suggested opening the public hearing, although there's not much to comment on. Three emails were submitted to commissioners this evening with concerns. Staff will notify the public again regarding future meetings.

Dena Vanyo, 112 50<sup>th</sup> Avenue East, stated that her husband Darrell was unable to attend tonight. They still don't want high density. A letter was sent to commissioners and staff asking for an amendment to the comp plan and they haven't heard anything back. Tim stated that the request was passed on to the City Attorney, who indicated the City is required to take applications sequentially. There is the PUD Application and the one for R-2 zoning, so staff does not have an official response yet.

Ed Eisenbeisz, 106 50<sup>th</sup> Avenue East, stated they've responded with opposition to both plans. He hopes commissioners read his letter. There's a total disregard to what they've said, no regard for the neighborhood. The addition of The Wilds doesn't reflect the Comp Plan. Serious consideration should be given to their concerns. He also stated that the developer hasn't shown up to the last two meetings.

Glen Mitzel, 166 50<sup>th</sup> Avenue East, stated that he'd like to point out that with R-2 zoning, 139 units would be allowed. They had concerns with 88 units.

Commissioner Gust made a motion to continue the public hearing until the next meeting. Commissioner Johnson seconded the motion. Commissioners LeBahn, Reinke, Johnson, Brownlee, McDougall, Gust voted in favor of the motion. Commissioner Diamond abstained. Motion carried 6-0.

Tim indicated property owners will be notified again regarding upcoming meetings.

The next item on the agenda was A16-54 Access onto 9th Street NW.

Larry reviewed the following from the staff report:

The applicant is proposing two access locations onto a collector street section that was recently reconstructed as part of a realignment street project for 9<sup>th</sup> Street NW (Cass County Highway #19). The salt/sand storage structure location on the property is greatly affected by soil conditions on the property. Soils on areas of the property are not suitable for building structures, so the structure was located to the stable area.

The applicant has indicated the accesses would be used for salt/sand trucks to enter, maneuver and exit the property. One access would be in front of the proposed salt/sand storage structure. Given the area is less developed and more industrial in nature, and with a proposed use being a low traffic generating use, the spacing of access locations may be adequate. The shared access with the north property would likely be the only access allowed for that property, as the access would be slightly more than 150 feet from the intersection of 12<sup>th</sup> Avenue NW. The classification of 12<sup>th</sup> Avenue NW is a minor arterial street, which would have even greater restrictions of access.

The City's development review group has met and reviewed the proposed site plan and access locations. It is their position the proposed access locations are justifiable. The Cass County Highway Engineer has also been notified.

Review by Planning & Zoning Commission and City Commission is consistent with City Plans and Ordinances. It is recommended that the City approve the proposed application on the basis it is consistent with City plans and ordinances with conditions of approval as follows:

1. The north access is granted as a shared access with the property to the north.

Mr. Welle stated that the existing salt storage is located near the water tower at the sanitation building south of Main Avenue and the City wanted it closer to the Public Works building on 12<sup>th</sup> Avenue NW.

Tim stated the City owns the proposed lot to the north and hopes to sell it. The road realignment lines up with the public works driveway. Mr. Marshall stated that use has yet to be determined, but is zoned industrial.

Chair McDougall asked if the City sold the north lot, where could another access be placed? Larry stated that would need to be considered when marketing the lot and may not be allowed if too close to 12<sup>th</sup>. It depends upon the use. There will already be a paved shared access in place to the south.

Commissioner Gust made a motion for approval based on staff recommendations. Commissioner Brownlee seconded the motion. No opposition. Motion carried.

The next item on the agenda was the Downtown Sheyenne St Corridor Study.

Dan Farnsworth, FM Metro COG, stated that last spring he reviewed Phase I of the Sheyenne Street Corridor Study which covered 13<sup>th</sup> Avenue to 52<sup>nd</sup> Avenue. Phase II is for downtown Sheyenne Street. A committee made up of representatives from Metro COG, the City, ND-DOT, local business owners, study consultants KLJ and Moore Engineering guided the review of the corridor.

Mr. Farnsworth then reviewed the following recommendations:

- Redevelopment Accommodations – roadway/sidewalk improvements related to downtown redevelopment
- Traffic Control at 4th Ave – a crosswalk beacon and pedestrian refuge island would help pedestrian access and safety
- Traffic Control at 7th Ave – as traffic is expected to increase, a signal at 7th Ave should be considered
- Three Lane Section with Bulb Outs from Main Ave to 7th Ave – it is recommended that Sheyenne St remains a three lane roadway (one lane each direction with center left turn lane). It is also recommended that bulb outs be installed at intersections to calm traffic, improve aesthetics and better accommodate pedestrians

Commissioner Reinke asked about potential issues with snow removal at the bulb-outs. Tim stated that the Public Works Director is on the committee. Commissioner Gust asked how they affect turn lanes and bike lanes. Mr. Farnsworth indicated bike lanes aren't proposed at this location. Discussion was held regarding traffic calming, similar to 8<sup>th</sup> Street West and 7<sup>th</sup> Avenue East.

Commissioner LeBahn asked diagonal parking at the new Sheyenne Plaza building. Tim stated that there is extra right-of-way available for this.

- Separated Bicycle Lanes from 7th Ave to 13th Ave – it is recommended that this roadway section convert the existing underutilized on-street parking on the east side of the roadway into a separated bicycle lane
- Bicycle Facilities from Main Ave to 7th Ave – a variety of bicycle improvements along 7th Ave and 1st St are recommended

Discussion was held regarding bicycle facilities and options for individuals choosing to bike along Sheyenne Street north of 7<sup>th</sup> Avenue being there will not be a designated bike lane. Larry stated that currently there is a side path law prohibiting people from riding bicycles on sidewalks. They could look at changes to the law. There is nothing prohibiting individuals from biking along Sheyenne Street provided they follow the rules of the road.

- Parking Standards – a variety of parking standards are provided for consideration
- Eastbound Right-Turn Lane at Main Ave – To improve intersection operations, an eastbound right-turn lane is recommended at the intersection of Sheyenne St and Main Ave.
- Access Management Plan – it is recommended that the proposed Access Management Plan as part of this study be incorporated to help alleviate issues related to excess access points
- Aesthetics Plan – aesthetic improvements are proposed which would make the corridor a more attractive place for businesses, patrons, and surrounding neighborhood

Tim stated that the corridor study is required to receive federal funding.

Commissioner Reinke asked about downtown revitalization. Larry stated that because of public support and comments received during the 1998 Comp Plan process. The community wanted to revitalize the area, wanted a downtown area.

Commissioner Gust made a motion recommending to the City Commission a resolution of support for the Sheyenne Street Corridor Study. Commissioner Reinke seconded the motion. No opposition. Motion carried.

Tim indicated A15-57 Gateway West Addition was continued. There was a conference call held with the ND-DOT and the City Commission reviewed alternatives to the interchange, which impacts this site. The ND-DOT management will be reviewing this in a couple weeks, so development will depend upon that meeting.

Under non-agenda, Tim indicated there will be Comp Plan kick-off meetings November 9<sup>th</sup> & 10<sup>th</sup> and encouraged commissioners to attend. The Comp Plan process will take about a year.

Commissioner Gust made a motion to adjourn. Commissioner Johnson seconded the motion. Meeting adjourned.

CITY OF WEST FARGO PLANNING & COMMUNITY DEVELOPMENT

STAFF REPORT

A16-55		CONDITIONAL USE PERMIT	
4449 4 <sup>th</sup> Street West			
Lot 3, Block 1 of Nelson Acres 4th Addition, City of West Fargo, North Dakota			
Applicant/Owner: Anthony Randall		Staff Contact: Tim Solberg	
Planning & Zoning Commission Introduction:		11-14-2016	
Public Hearing:		11-14-2016	
City Commission:			

PURPOSE:
Construct a 50' x 80' (4,000 square foot) accessory building for personal storage in a rural residential zoned district.

STATEMENTS OF FACT:	
Land Use Classification:	Low Density Residential
Existing Land Use:	Single Family Dwelling
Current Zoning District(s):	R-R: Rural Residential District
Zoning Overlay District(s):	NA
Total area size:	3.9 Acres
Adjacent Zoning Districts:	North, South and West: R-R: Rural Residential East: R-1E: Rural Estate District
Adjacent street(s):	4 <sup>th</sup> Street West (Local)
Adjacent Bike/Pedestrian Facilities:	None
Available Parks/Trail Facilities:	None

DISCUSSION AND OBSERVATIONS:
<ul style="list-style-type: none"> <li>The applicant has provided a site plan which proposes a 4,000 ft<sup>2</sup> accessory structure with 12' sidewalls to be built with a side yard setback of 35' and a rear yard setback of 70' which would meet the yard requirements of the R-R zoning district.</li> <li>The R-R zoning district allows for accessory structures greater than 1,600 ft<sup>2</sup> as a conditional use provided they are in character with the development pattern of the subdivision they are in.</li> <li>Oversized accessory buildings have been approved as a CUP within the Nelson Acres subdivisions. In 2004 the City received an application for a 9,600 square foot building which was scrutinized as not being in character with the development. The applicant revised the request to a 4,800 square foot structure which was approved. Other buildings have been held to the same standard. Staff believes that this size precedent should be considered in this instance as well.</li> <li>The applicant has stated that the structure would be built of residential materials, which match the exterior color and type of the main structure on the property. The provided elevations and floor plans show six overhead doors and an entrance door.</li> <li>It is important to note and make the applicant aware of the provisions for home occupations as well as the permitted uses with the district prior to obtaining a building permit. Given the large size of the accessory building, staff has included the provisions to the staff report for the Commission to reference and would encourage these to be noted in the conditional use permit.</li> </ul>

STAFF REPORT

- A conditional use permit agreement is required to be signed prior to issuance of a building permit and may include conditions deemed appropriate by the Commission.

**CRITERIA FOR GRANTING CONDITIONAL USE PERMIT:**

With reference to the criteria for granting conditional uses, the following is noted:

1. Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
  - The property has adequate access and the improvements will not affect the current access.
2. Off-street parking and loading areas where required, with particular attention to the items in (1) above and the economic, noise, glare or odor effects of the special exception on adjoining properties and properties generally in the district.
  - No concerns noted
3. Refuse and service areas, with particular reference to the items in (1) and (2) above.
  - 4-448.8 would prohibit exterior storage of equipment or materials used in the occupation.
4. Utilities, with reference of locations, availability, and compatibility.
  - No concerns noted
5. Screening and buffering with reference to type, dimensions, and character.
  - No concerns noted
6. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district.
  - No concerns noted
7. Required yards and other open space.
  - No concerns noted.
8. Soil conditions, as they relate to on-site sewage disposal, water supply, basement excavating, road construction and related land use.
  - No concerns noted.
9. General compatibility with adjacent properties and other property in the district.
  - The land adjacent to this area is R-R: Rural Residential District and similar style and sized accessory buildings have been previously approved within the subdivision. The proposed use is viewed as generally compatible with adjacent properties and other property in the district. The proposed accessory building would be in character with the purpose of the subdivision. Larger accessory buildings are allowed for rural residential equipment storage, barns for farm animals, etc.

**NOTICES:**

Sent to: Property owners within 350'.

Comments Received:

- None

**CONSISTENCY WITH COMPREHENSIVE PLAN AND OTHER APPLICABLE CITY PLANS AND ORDINANCES:**

- The application is providing an accessory to an existing use and therefore the application may be considered consistent with the Comprehensive Plan.

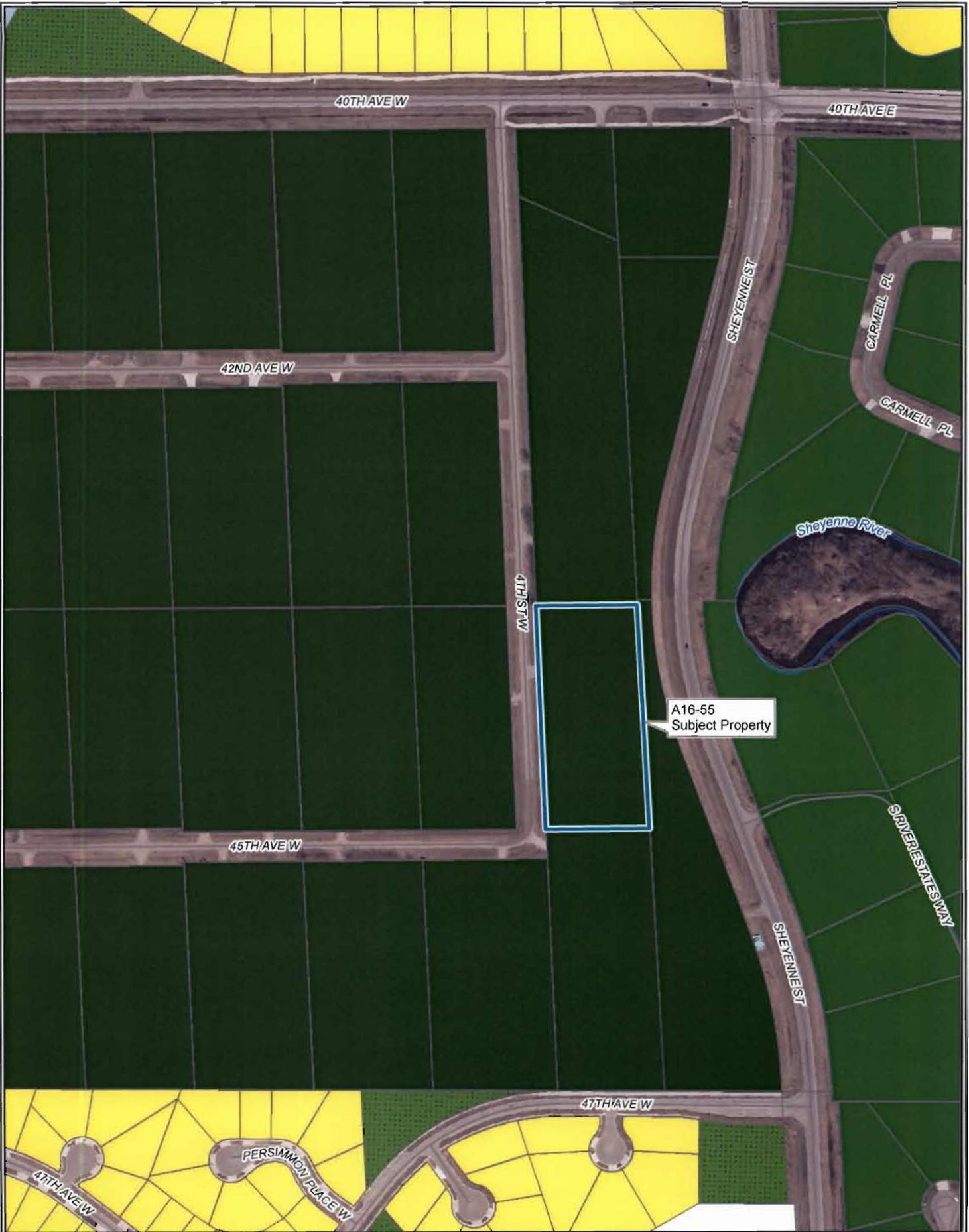
**RECOMMENDATIONS:**

It is recommended that the City approve the proposed application on the basis that it is consistent with City plans and ordinances with recommended conditions of approval as follows:

1. The accessory building is constructed of the same color and materials as the primary residential structure.
2. Use of the accessory building meet the requirements of the R-R District Standards and section 4-448: Provisions of Home Occupations.
3. A Signed Conditional Use Permit Agreement is received.



A16-55  
Subject Property



A16-55  
Subject Property



- |   |   |   |
|---|---|---|
| <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 10px; height: 10px; border: 1px solid black; background-color: white;"></span> A: Agricultural</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: red;"></span> C: Light Commercial</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: purple;"></span> C-PUD: PUD in General Commercial</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: pink;"></span> C-OP: Commercial Office Park</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: lightcoral;"></span> C-OP-PUD: PUD in Office Park</li> </ul> | <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: darkred;"></span> HC: Heavy Commercial</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: lightcoral;"></span> LI: Light Industrial</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: purple;"></span> CM-PUD: PUD in Light Industrial</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: darkred;"></span> M: Heavy Industrial</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: green;"></span> IP: Public</li> </ul> | <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: lightblue;"></span> P-PUD: PUD in Public</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: lightgreen;"></span> R-L1A: Large Lot Single Family Dwelling</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: yellow;"></span> R-1A: Single Family Dwelling</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: lightblue;"></span> R-1: One and Two Family Dwelling</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: blue;"></span> R-1SM: Mixed One and Two Family Dwelling</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: lightgreen;"></span> R-2: Limited Multiple Dwelling</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: orange;"></span> R-3: Multiple Dwelling</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: brown;"></span> R-4: Mobile Home</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: brown;"></span> R-5: Manufactured Home Subdivision</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: black;"></span> R-1E: Rural Estate</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: black;"></span> R-R: Rural Residential</li> <li><span style="display: inline-block; width: 10px; height: 10px; border: 1px solid black;"></span> R-PUD: PUD in Residential</li> </ul> |
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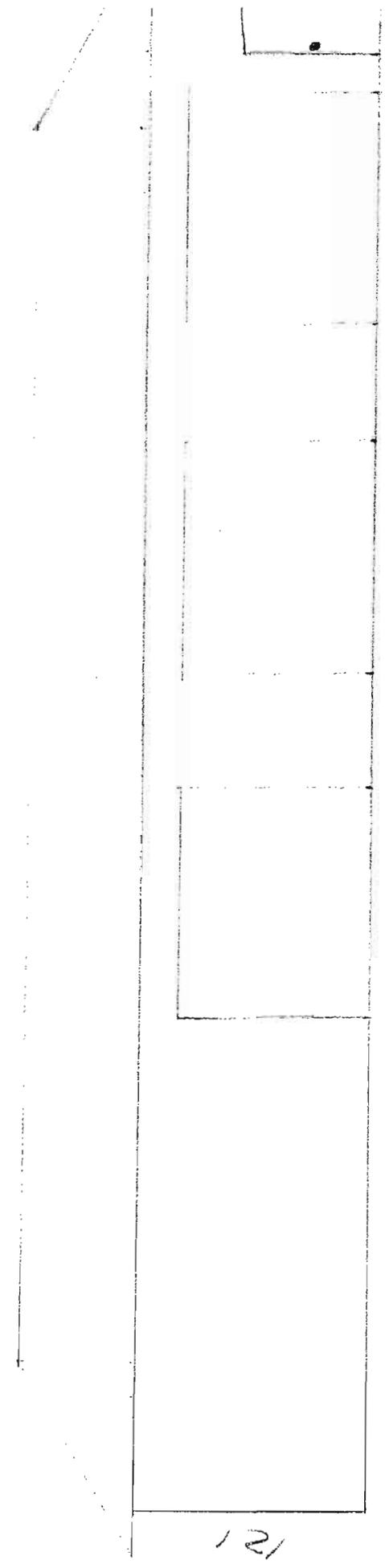
50' x 50' BUILDINGS

12' WALLS

4/12 PITCH, HIP ROOF

STEEL FRAME

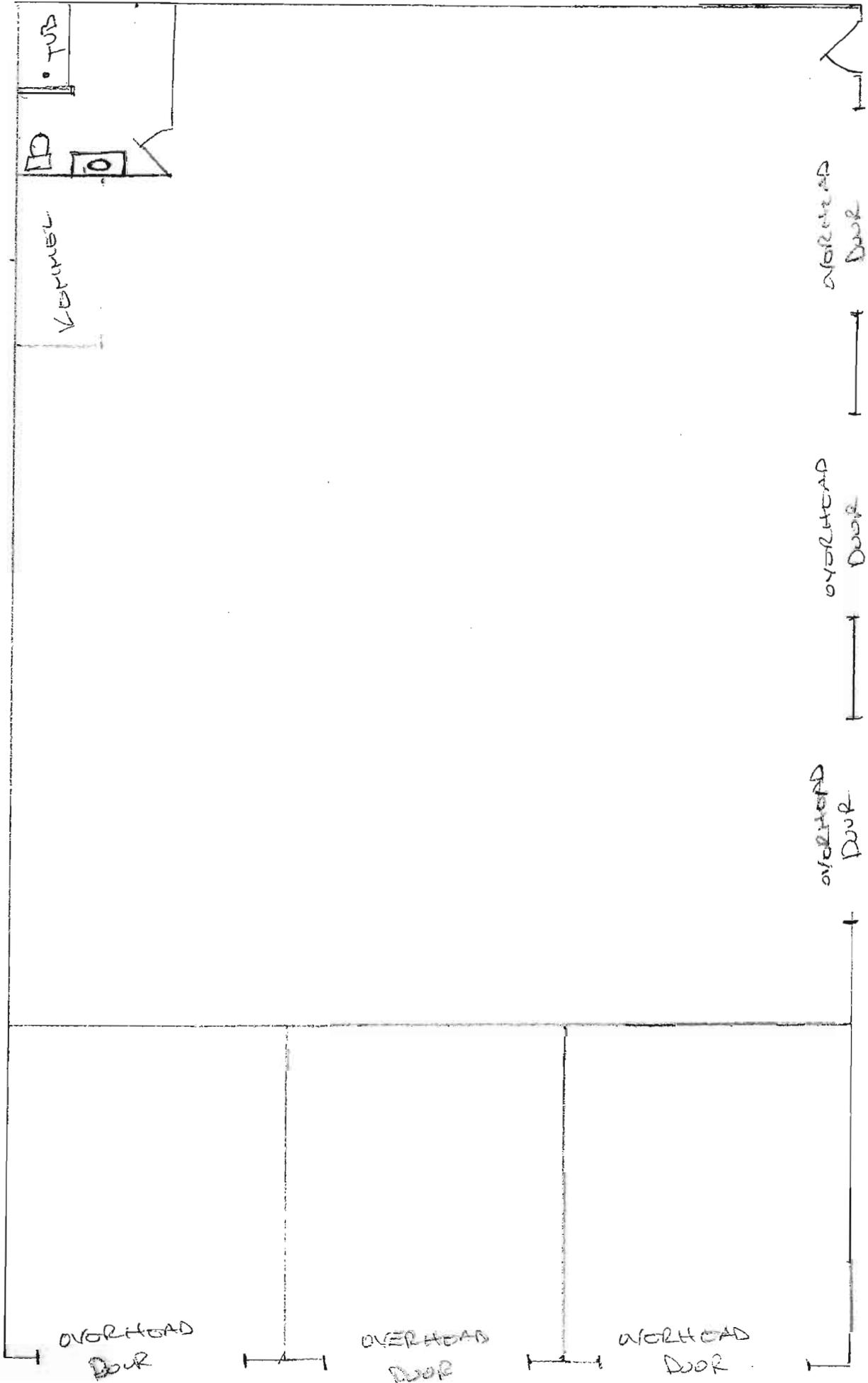
FINISH, CEILING TO MATCH FLOOR



30'

WEST ELEVATION

200'





Google Earth

feet  
meters



#### 4-421-A. "R-R" DISTRICT OR RURAL RESIDENTIAL DISTRICT.

Source: Ord. 748, Sec. 11 (2005)

4-421-A.1. STATEMENT OF INTENT. The provisions of the "R-R", Rural Residential District is to provide area for the development of single family homes on large lots outside of the urban service area (area which is intended to be served with municipal services within a ten-year period). This district may be applied to areas designated as Rural Residential or Agricultural Preservation on the Land Use Plan of the City's Comprehensive Plan. These areas are not protected by the Sheyenne Diversion project except for existing subdivisions, so on-site flood protection is required in conjunction with most development. Cluster residential development is encouraged in order to more easily provide for flood protection of structures, while preserving more open space.

4-421-A.2. MINIMUM DIMENSIONAL REQUIREMENTS. The minimum area for this district shall be fifteen (15) acres for areas designated as Rural Residential on the City's Land Use Plan and forty (40) acres for areas designated as Agricultural Preservation on the Plan.

#### 4-421-A.3. PERMITTED USES.

1. Single family detached dwellings.
2. State-licensed group homes serving six (6) or fewer developmentally disabled persons.
3. Publicly owned and operated parks, playgrounds, and recreational facilities.
4. Essential services and public buildings.
5. Home child care facilities serving up to a maximum of seven (7) children.
6. Churches, religious institutions and places of worship.

Source: Ord. 916, Sec. 15 (2012)

4-421-A-3-A. PROVISIONAL PERMITTED USES. The following uses may be permitted in the R-R District subject to the conditions hereinafter imposed for each use and subject further to review and approval by the City Planning Office:

1. Child care facilities in single family homes with eight (8) to twelve (12) children, subject to the following provisions:
  - a. The rear yard shall be fenced with a solid fence. In the event that an existing fence is in place which is not a solid fence, the Planning Office may allow the existing fence to continue until

such time that there is a complaint from an adjoining property owner. Upon receiving a complaint, the fence shall be changed to a solid fence.

- b. The children shall be dropped off and picked up in the driveway only.
- c. Adequate off-street parking shall be provided for the principal use, and child care facility including space(s) for dropping off children and employees.
- d. The hours of operation are limited to 6:00 a.m. to 10:00 p.m.

Source: Ord. 783, Sec. 8 (2006)

4-421-A.4 CONDITIONALLY PERMITTED USES. The following uses may be permitted in the "R-R" District subject to the conditions hereinafter imposed for each use and subject further to review and approval by the City Commission as required by Section 4-550 of this ordinance.

- 1. Private noncommercial recreational or cultural facilities, subject to the following conditions:
  - a. The proposed site for any of the uses permitted herein which would attract persons from, or are intended to serve, areas beyond the immediate neighborhood shall have at least one property line abutting a major thoroughfare, either existing or proposed, and the site shall be so planned so as to provide all ingress and egress directly onto or from said major thoroughfare.
  - b. Front, side and rear yards shall be at least sixty (60) feet wide, and shall be landscaped in trees, shrubs, and grass. All such landscaping shall be maintained in a healthy condition. There shall be no parking or structures permitted in these yards, except required entrance drives and those walls used to obscure the use from abutting residential districts.
- 2. Child care facilities in single family homes with thirteen (13) to eighteen (18) children.

Source: Ord. 783, Sec. 2 (2006)

- 3. Accessory buildings greater than 1,600 square feet, provided they are in character with the development patterns of the subdivision.

4. Clustered Rural Subdivisions, provided that:
  - a. The proposed area is unlikely to be served by City utilities within the next ten (10) years, as determined by the City Commission.
  - b. The Subdivision is designed to provide for resubdivision at such time that City utilities become available.
  - c. Lot sizes of less than five acres require provision for common sanitary waste treatment, such as common septic drainfields or other designs approved by the City Engineer and Cass County Health Department.
  - d. In clustered rural subdivisions, individual building lot sizes may be reduced to 15,000 square feet with remaining lot area and subdivision area requirements set aside as conservation areas which may be utilized in the future for urban development patterns.
  - e. Streets shall be improved, but may be built to a rural design standard, subject to proper drainage control.
  - f. The subdivision shall include covenants attached to each building lot, requiring house construction, which will accommodate convenient connection to future City utilities.
  - g. At least fifty percent (50%) of the land in the subdivision shall remain as open space to be used for agricultural crop production, recreation, or scenic conservation. Ownership of the open space shall be in common among the building lot owners.
  - h. The developer shall enter into a development contract with the City regulating the development process and each of the standards applicable to future residents of the subdivision.
5. Farm animals, provided the lots in the subdivision/development have a minimum of two acres. The number of animals allowed is one animal for the first two acres, plus one additional animal for each additional acre of lot area. Each lot may be reviewed individually or the subdivision or lots being rezoned may be reviewed as part of the rezoning or conditional use application.

4-421-A.5. YARD REQUIREMENTS.

	<u>One-Family</u>	<u>Accessory Buildings</u>	<u>Other Buildings</u>
Lot Area Minimum (sq ft)	2.5 acres <sup>(1)</sup>		
Lot Width Minimum (ft)	150		
Lot Depth Minimum (ft)	200		
Front Yard Minimum (ft) <sup>(2)</sup>	40	40	40
Rear Yard Minimum (ft)	30	30	30
Side Yard Minimum (ft) <sup>(3)</sup>	20	20	20
Maximum Lot Coverage <sup>(4)</sup>	15%		
Maximum Height (ft)	35	35	<sup>(5)</sup>
Net Density	1 unit per 3 acres <sup>(6)</sup>		

(1) Subdivisions within areas designated as Agricultural Preservation according to the Land Use Plan shall have a minimum lot size of 10 acres. Clustered rural subdivisions may have reduced lot sizes as provided for above.

(2) Front yard setbacks from existing or future streets shall be forty (40) feet from the road (street) right-of-way line, or the following, whichever is greater: Seventy-five (75) feet from the centerline of the street for local streets, ninety (90) feet for collector or minor arterial streets and one hundred fifteen (115) feet for primary arterial streets.

(3) On corner lots, a side yard facing a public way shall be a minimum of thirty (30) feet.

(4) For any main building and all accessory buildings.

(5) For any building over thirty-five (35) feet in height, required yards shall be increased by one (1) foot for every two (2) feet of building height over the limit.

(6) The net density for subdivisions within areas designated as Agricultural Preservation according to the Land Use Plan shall be no greater than one unit per ten (10) acres.

4-421-A.6. OTHER APPLICABLE REGULATIONS.

- Section 4-440 Supplementary District Regulations
- Section 4-450 Off-Street Parking and Loading Requirements
- Section 4-460 Sign Regulations

Any subdivision which is submitted, shall have an accompanying area development plan showing how development could occur on each lot at a density suitable for a single-family residential district should the area ever be served by municipal sanitary sewer and/or water. Also, an area plan shall be submitted showing the sewer and water system(s) or septic tanks/drain fields and well placement(s) with approval by the County Sanitarian.

shall be brought into compliance within twelve (12) months of written notification by certified mail to the property owner.

Source: Ord. 748, Sec. 16 (2005)

4-448. PROVISIONS OF HOME OCCUPATIONS. Home occupations, as defined by this Ordinance, shall be subject to the following standards:

1. No person other than members of the family residing on the premises shall be engaged in such occupations.
2. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than twenty-five (25) percent of the main floor area of the dwelling unit shall be permanently set aside to be used in the conduct of the home occupation.
3. There shall be no change to the outside appearance of the premises that would reflect the presence of a home occupation other than one sign, not to exceed one square foot, non-illuminated, and mounted flat against the wall of the principal building.
4. No use shall create noise, dust, vibration, smell, smoke, glare, electrical interference, fire hazard, or any other hazard or nuisance detectable to the normal senses off the lot or in a neighboring dwelling unit. In the case of electrical interference, no equipment shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.
5. For uses within the dwelling unit, the entrance to the space devoted to such occupation shall be within the dwelling unit, or designed such that it is not noticeable from the public street.
6. All parking associated with the principal use and the home occupation shall be accommodated on site. Parking spaces exceeding the required spaces for the principal use shall be included within the lot coverage for the property. The lot coverage for the property cannot exceed that allowed by the district in which the use is located.
7. The home occupation must be conducted entirely within a building.
8. There shall be no exterior storage of equipment or materials used in the occupation.

9. Certain types of uses are not viewed as customary home occupations and are therefore prohibited within residential zoning districts. Such prohibited uses include the following:

- a. Vehicle and large equipment repair, including any type of repair or assembly of vehicles or equipment with internal combustion engines (such as autos, motorcycles, scooters, snowmobiles, outboard marine engines, lawn mowers, chainsaws, and other small engines) or of large appliances (such as washing machines, dryers, and refrigerators) or any other work related to automobiles and their parts. Such uses may be considered as a conditional use in the Rural Residential District.
- b. Dispatch centers where employees come to the site to be dispatched to other locations.
- c. Mortuaries.
- d. Animal care or boarding facilities including kennels, stables and all other types of animal boarding and care facilities. Such uses may be considered as a conditional use within the Rural Estate and Rural Residential District.

10. As a conditional use, the City may consider a home occupation use adding one nonresident employee, or may consider uses which have customers coming to the site. Any home occupation in existence prior to the adoption of this ordinance which would require a conditional use permit to operate, shall be required to obtain a conditional use permit once the City has received a complaint. The City may place any conditions on the home occupation as deemed necessary to insure that it will not be a detriment to the character and livability of the surrounding neighborhood.

11. Any home occupation in existence prior to the adoption of this ordinance which would not be allowed by this ordinance must either comply with the provisions of this ordinance or cease to operate on the premises within a period of twenty-four (24) months of written notification by certified mail.

Source: Ord. 748, Sec. 17 (2005)

#### 4-449. WIRELESS TELECOMMUNICATIONS.

1. Purpose. In order to accommodate the communication needs of residents and businesses while protecting the public health, safety, and general welfare of the community,

CITY OF WEST FARGO PLANNING & COMMUNITY DEVELOPMENT

STAFF REPORT

A16-52		REPLAT AND REZONING	
Oakridge 11 <sup>th</sup> Addition			
Lots 1-5 Block 1 of Oakridge 9 <sup>th</sup> Addition, City of West Fargo, North Dakota			
Applicant: Mike Graham		Staff Contact: Tim Solberg	
Owner: The Village Family Service Center			
Planning & Zoning Commission Introduction:		10-10-2016	
Public Hearing:		10-10-2016 – Approval Concept Plans	
Detailed Development Plans:		11-14-2016	
City Commission Introduction:			
Public Hearing & 1 <sup>st</sup> Reading:			
2 <sup>nd</sup> Reading and Final Plat Approval:			

**PURPOSE:**  
 Rezone from C: Light Commercial to PUD and replat five commercial lots into office and general commercial condominium lots with common lots, drives and amenities for the use of the development.

STATEMENTS OF FACT:	
Land Use Classification:	General Commercial
Existing Land Use:	Vacant
Current Zoning District(s):	C: Light Commercial
Zoning Overlay District(s):	Corridor Overlay
Proposed Zoning District(s):	PUD: Planned Unit Development (Proposed Lot 1 and 22, Block 1: Unchanged)
Proposed Lot size(s) or range:	5,350 ft <sup>2</sup> – 94,285 ft <sup>2</sup>
Total area size:	8.56 Acres
Adjacent Zoning Districts:	North – R-1SM: Mixed One and Two Family South – PUD: Planned Unit Development (Residential Townhomes) and R-1: One and Two Family East – C: Light Commercial and A: Agriculture West – C: Light Commercial and R-2: Limited Multiple Dwelling
Adjacent street(s):	32 <sup>nd</sup> Avenue East (Minor Arterial)
Adjacent Bike/Pedestrian Facilities:	Path along 32 <sup>nd</sup> Ave E
Available Parks/Trail Facilities:	Shadow Wood Park facilities within ½ mile
Public Dedication Requirements:	Provided with previous subdivision

**DISCUSSION AND OBSERVATIONS:**

- The applicant has submitted an application, preliminary plat, site plan, area plan, and proposed district standards.
- The site plan and preliminary plat currently provides 35 new lots.
- Lots 1 and 22 of the preliminary plat are proposed to remain zoned C: Light Commercial.
- Lot 2 is proposed as a local retention pond for the development and should be included in the

## STAFF REPORT

## Planned Unit Development (PUD).

- Lots 3-21 and 23-35 of the preliminary plat are proposed to be developed as office condos with PUD standards as proposed and attached hereto which provide for detailed permitted uses, yard requirements, and site, landscaping, and building construction standards.
- The proposed uses as proposed are similar to those uses within the C: Light Commercial and C-OP: Commercial Office Park districts, albeit with greater detail. It may be appropriate for the uses to be further refined. Staff would point particularly to the following:
  - Permitted Use #2: It may be more appropriate to provide for this use as a conditional use if it is desirable for it to be reviewed by Planning and Zoning Commission and City Commission.
  - Permitted Use #4: Privately owned properties does not constitute a use. It would be appropriate to detail what this use may be.
  - Permitted Use #8: This use seems to not be possible in the development given the availability of parking and lot sizes as proposed.
  - Permitted Use #11: The "such as" which includes hospitals and nursing homes does not seem possible in the development given the availability of parking and lot sizes as proposed.
- The proposed yard requirements are consistent with the CO: Corridor Overlay district with an exception that the proposed front yard is 5' greater than that of the CO district.
- Landscaping requirements may be easier for the purposes of administration and enforcement to match those of the City's landscaping standards found in Section 4-449-A.
- Signage in the proposed standards states "Per the B3 Zoning District. The City does not have a B3 Zoning District. It would be appropriate to require signage to be under the provisions of the City sign regulations found in section 4-460.
- Parking should be regulated under the provision of the City's off-street parking and loading regulations found in section 4-450.
- The development should also be regulated by the City's supplementary district regulations found in section 4-440 as are all other recently established planned unit developments.
- The property is proposed to be accessed from 32<sup>nd</sup> Ave E to the north and by way of a private drive on an existing easement between 6<sup>th</sup> St E and 4<sup>th</sup> St E which would be extended within the proposed development to provide access to each separate lot.
- The private drive has been constructed to the west, but not yet to the east. The coordinated construction of the drive is essential to this development and will need to be included in a subdivision/PUD agreement. Given the private drive would become a more substantial access with multiple properties it should become a named street and included within the improvement district and/or PUD.
- The applicant is seeking a full approach to 32<sup>nd</sup> Ave E. The previous plat of Oak Ridge 9<sup>th</sup> Addition included a discussion of this and it was noted on the plat that the access is "Right In, Right Out or ¾ Access". A traffic study may be required with detailed development plans to determine that a full access at this location would not greatly affect the operation or safety of 32<sup>nd</sup> Ave E.
- The access easement to 32<sup>nd</sup> Ave E may need to be restricted to reduce crash potential by avoiding direct access within 150' of arterial roadway and should be denoted on the plat similar to a local roadway and/or within the easement document.

CITY OF WEST FARGO PLANNING & COMMUNITY DEVELOPMENT

STAFF REPORT

**NOTICES:**

Sent to: Property owners within 150' and applicable agencies and departments

Comments Received:

- None

**CONSISTENCY WITH COMPREHENSIVE PLAN AND OTHER APPLICABLE CITY PLANS AND ORDINANCES:**

- The proposed plan is consistent with City plans and Ordinances:
  - Under the heading Land Use and Community Growth, Goal 3, Objective d. states "To encourage the development of diverse and interrelated retail and commercial use south of I-94."
  - Under the heading Economic Development, Goal 2, Objective b. states "To encourage the construction of additional commercial and industrial development within the community to diversify the tax base and provide a variety of higher wage employment opportunities."
  - Under the heading Economic Development, Goal 2, Objective d. states "To create a new base for economic development south of I-94."

**RECOMMENDATIONS:**

It is recommended that the City approve the proposed application in concept on the basis that it is consistent with City plans and ordinances. Current recommended conditions to be considered as the detailed development plans are created are as follows:

1. The uses listed in the proposed district standards should be amended to reflect concerns noted by staff.
2. District standards should include provisions to require but not limit to CO: Corridor Overlay District, 4-440 Supplementary District Regulations, 4-450 Off-Street Parking and Loading Requirements, and 4-460 Sign Regulations.
3. A recommendation should be provided by City Engineer, Public Works Director, Police, and Planning regarding the proposed access to 32<sup>nd</sup> Ave E.

**PLANNING AND ZONING RECOMMENDATION:**

At their October 10, 2016 meeting, the Planning and Zoning Commission approved the request subject to the three conditions listed above.

**DETAILED DEVELOPMENT PLANS:**

The applicant has provided updated district standards and site plan for the proposed planned unit development. The proposed district standards have not fully addressed the concerns noted in the concept plans, but have increased the amount of uses previously proposed. Staff concerns are noted below:

- Permitted Use #2: It may be more appropriate to provide for this use as a conditional use if it is desirable for it to be reviewed by Planning and Zoning Commission and City Commission.
- Permitted Use #3: This is a very open ended use that may be difficult to review. It

STAFF REPORT

should be removed.

- Permitted Use #4: Privately owned properties does not constitute a use. It would be appropriate to detail what this use may be.
- Permitted Use #5: This is a very open ended use that may be difficult to review. It would be appropriate to further clarify or remove.
- Permitted Use #6: This is a very open ended use that may be difficult to review. It would be appropriate to further clarify or remove.
- Permitted Use #10: This use seems to not be possible in the development given the availability of parking and lot sizes as proposed.

The proposed standards have also included landscaping requirements. These landscaping requirements should be in addition to the City's landscaping requirements of section 4-449-A.

The proposed standards include a discussion on restrictions on alterations which are more appropriately managed within restrictive covenants and not by the City within a PUD.

The proposed standards include provisions for parking. The proposed site plan does not provide any additional off-street parking spaces, nor are the 24' wide proposed private streets within the development able to accommodate additional parking. Without additional parking provided it is more appropriate that each lot provide the required parking of the City's off-street parking and loading regulations found in section 4-450.

The provided site plan does not address the concerns noted during Planning Commission review of the concept plans that the east-west private drive has parking backing directly onto what is likely to become a well trafficked roadway.

A revised preliminary plat noting the access to the access easement within 150' of 32<sup>nd</sup> Ave E has not yet been received. Further review and recommendation of the access has not yet occurred.

The detailed development plans were provided to Planning late Friday November 4, 2016 and have not yet been provided to agencies and departments for review because staff has been receiving revisions. Detailed development plans are requested at minimum two weeks prior to the next Planning & Zoning Commission meeting to give staff, agencies, and departments the opportunity to review.

It is recommended that the City either deny the proposed application on the basis that it is not consistent with City plans and ordinances, or that consideration of the detailed development plans be tabled in order to give the applicant time to address the concerns of staff and for additional staff and agencies to have further time to consider the application.

## OAKRIDGE OFFICE PARK PUD STANDARDS

Statement of Intent: The provisions of the PUD for Oakridge Office Park are intended to provide high quality, aesthetically attractive properties and grounds for commercial establishments looking for high visibility, easy access with ownership opportunities. Users will typically be owner operated small businesses with few or no employees, focused on one to one business interactions. Examples of users would be a consultant with an office manager as the lone employee; a personal trainer focusing on one on one training; a chiropractor with a receptionist; a photographer that does one on one sessions. By the nature of the businesses, customer use will typically be limited to one or two at a time. Because of the size and nature of the buildings and the permitted uses, the Park will produce less vehicular traffic and parking demand than a typical office park. Cross parking easements will be discussed and encouraged where appropriate.

### Permitted Uses in the office park of Oakridge Office Park:

1. Commercial and professional office buildings, single or multi-tenant.
2. Display of retail goods like cars, recreational vehicles, trucks or any other item traditionally associated with having a showroom, only with the approval of a Conditional Use Permit by the Planning and Zoning Commission and City Commission.
3. General Commercial and Office uses.
4. Privately owned properties.
5. Personal Services.
6. Entertainment, social or recreational businesses.
7. Repair services such as radio, appliance or shoe repair shops.
8. Savings and loans, credit unions, financial and mortgage services.
9. Medical and dental facilities.
10. Elder care facilities.
11. Veterinary clinics without overnight facilities.
12. Photography, videography and related businesses.
13. Massage, acupuncture and related businesses.
14. Personal training, sports training and related businesses.
15. Art studios and galleries.
16. Music and dance studio and related businesses.
17. Antique and architectural goods sales.
18. Chiropractic services.
19. Consulting services.
20. Training facilities.
21. Short term/shared office space rentals and related businesses.
22. Architectural services.
23. Engineering services.
24. Accounting and/or tax services.
25. Financial advising and related businesses.
26. Computer/technology services.
27. Real estate sales and/or services.
28. Marketing services.
29. Education and related businesses.
30. Physical, occupational, speech, behavioral therapy and related businesses.

### Site Development Standards:

#### 1. Yard Requirements

- a. Front Yard: 15' from front property line
- b. Side Yard: 10' from side property line.
- c. Rear Yard: 10' to primary structures, 3' to accessory.

## 2. Landscaping Requirements

- a. On all property within this PUD, no less than 15% of the property shall be landscaped with trees, shrubs, grass and other cultured plantings. The number of trees shall be no less than the total number of feet of the length of the lot perimeter divided by 50 feet or five (5) trees whichever is greater from a list of trees provided by the West Fargo City Forester.
- b. Within parking lots, one (1) landscaped island of at least 150 square feet shall be provided for every 20 parking spaces.
- c. Ponds for the management of storm water shall not count toward the minimum landscaped standard.

## 3. Signage

Per the C: Light Commercial Zoning District.

## 4. Restrictions on Alterations

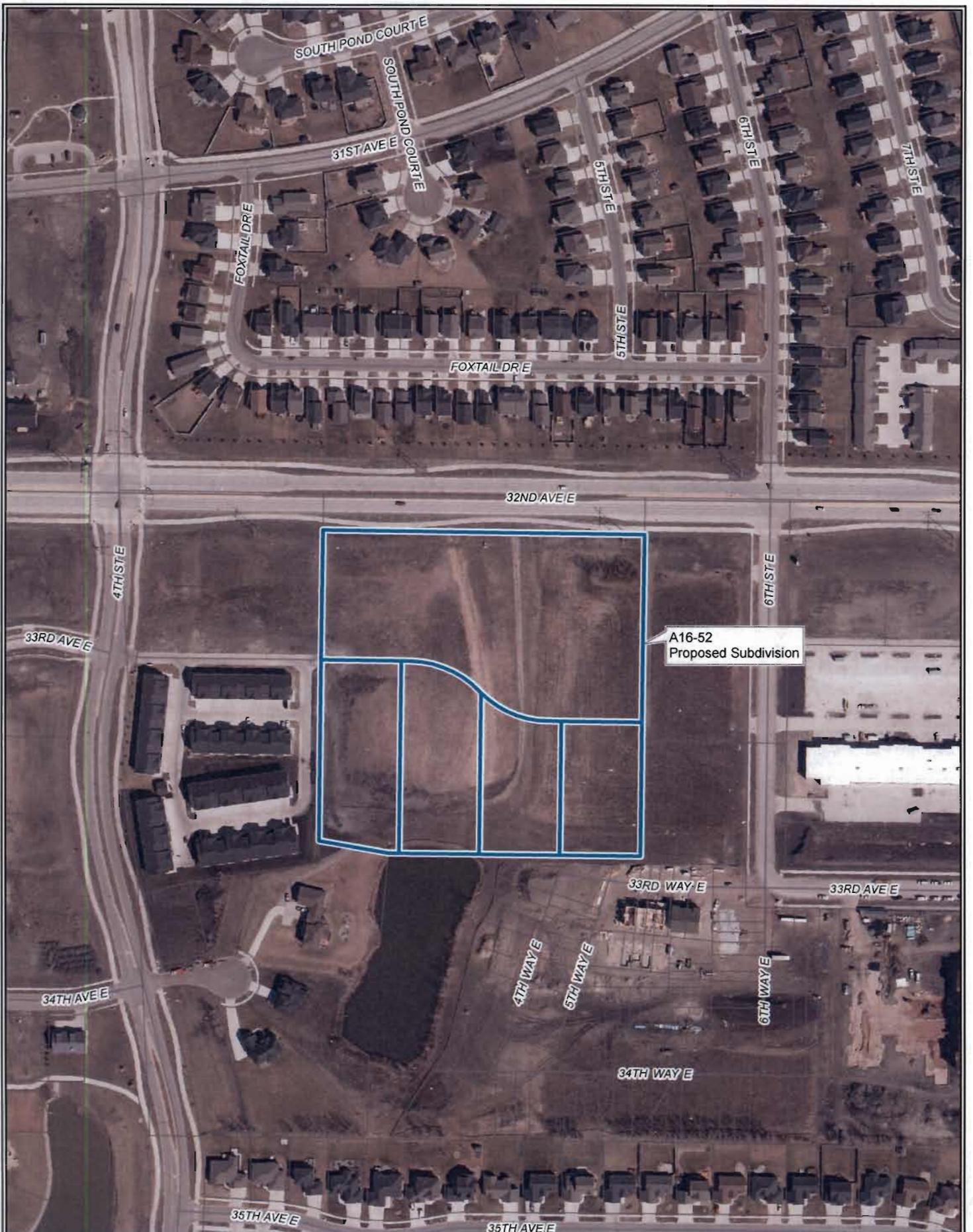
- a. Except as expressly provided elsewhere in this section, no structure, building, addition, deck, patio, fence, wall, enclosure, window, exterior door, antenna or other type of sending or receiving apparatus, sign, display, color change, material topographical or landscaping change, nor any other exterior improvements to or alteration of any Building or any other part of the Site which affects the Property, or which is visible from the exterior (collectively referred to as "Alterations"), shall be commenced, erected or maintained, unless and until the plans and specifications showing the nature, kind, shape, height, color, materials and locations of the Alterations shall have been approved in writing by the Condo Management.

The Condo Management shall be the sole judge of whether the criteria are satisfied.

- b. The following antennas may be installed on a Building, as permitted by applicable federal law: (i) one (1) antenna one (1) meter or less in diameter for the purpose of receiving direct broadcast/satellite service or video programming services, or (ii) any antenna for receiving television broadcast signals; provided that the Condo Management may require that the antenna be installed so as to minimize its visibility from the front of the Building and otherwise camouflage its appearance, unless such requirements would (i) unreasonably delay installation, (ii) unreasonably increase the cost of installation, maintenance or use of the antenna, or (iii) preclude reception of an acceptable quality signal. Such installation shall be subject to all governmental laws, codes and ordinances. The Condo Management shall have authority to impose further, reasonable requirements consistent with law. The Owner is responsible for all maintenance and repair of any antenna installed on a Building.

## 5. Parking

- a. Per similar uses in C: Light Commercial Zoning District, one space required for every 250 square feet of professional, finished space, plus one space per 1,000 square feet of storage space. One space per building will be designated ADA parking. Cross parking easements will be considered.

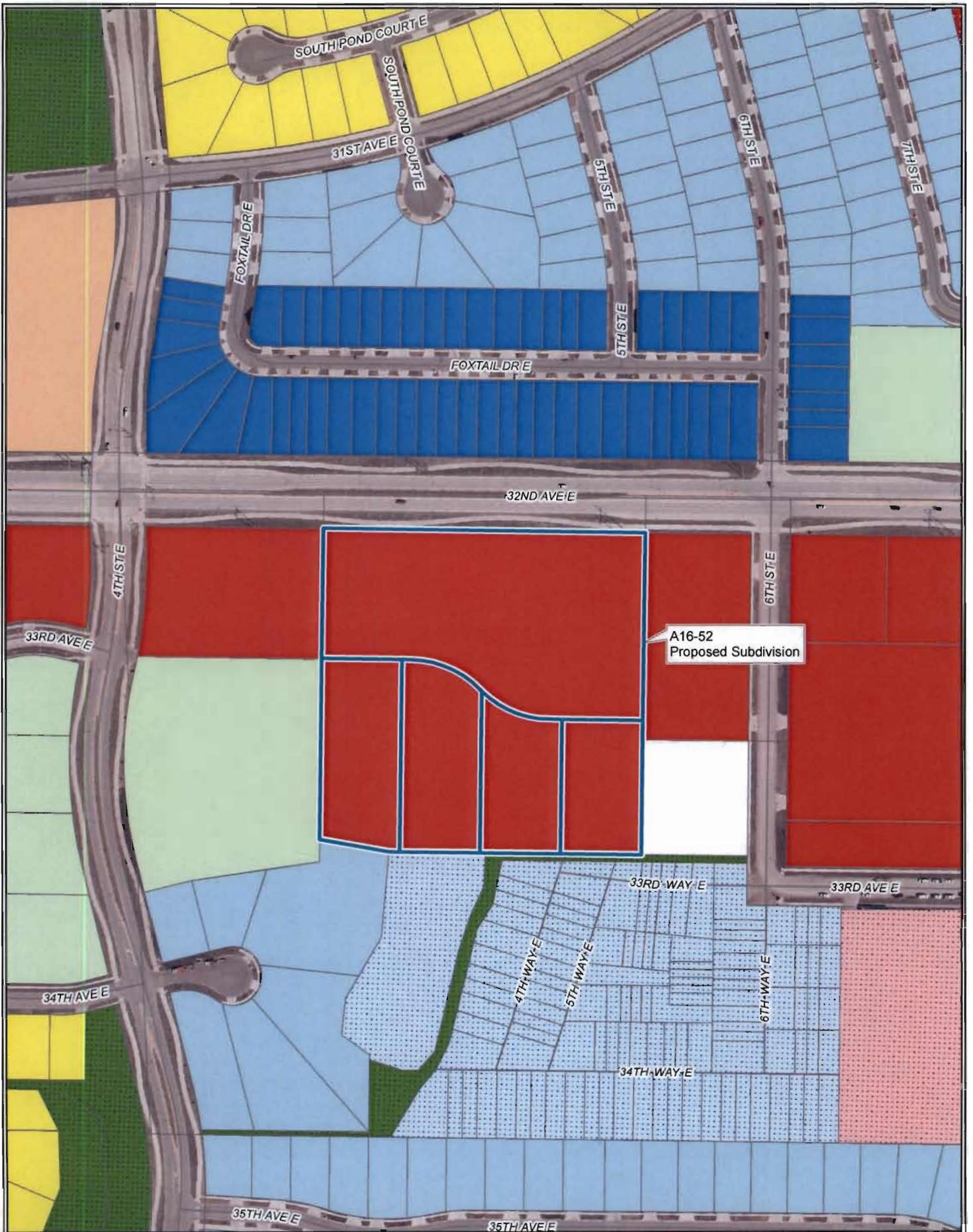


A16-52  
Proposed Subdivision



- |   |  |   |  |   |
|---|--|---|--|---|
| <ul style="list-style-type: none"> <li><span style="color: red;">■</span> A: Agricultural</li> <li><span style="color: red;">■</span> C: Light Commercial</li> <li><span style="color: red;">■</span> C-PUD: PUD in General Commercial</li> <li><span style="color: red;">■</span> C-OP: Commercial Office Park</li> <li><span style="color: red;">■</span> C-OP-PUD: PUD in Office Park</li> </ul> | <ul style="list-style-type: none"> <li><span style="color: brown;">■</span> HC: Heavy Commercial</li> <li><span style="color: brown;">■</span> LI: Light Industrial</li> <li><span style="color: brown;">■</span> CM-PUD: PUD in Light Industrial</li> <li><span style="color: brown;">■</span> M: Heavy Industrial</li> <li><span style="color: brown;">■</span> P: Public</li> </ul> | <ul style="list-style-type: none"> <li><span style="color: green;">■</span> P-PUD: PUD in Public</li> <li><span style="color: green;">■</span> R-L1A: Large Lot Single Family Dwelling</li> <li><span style="color: green;">■</span> R-1A: Single Family Dwelling</li> <li><span style="color: green;">■</span> R-1: One and Two Family Dwelling</li> </ul> | <ul style="list-style-type: none"> <li><span style="color: blue;">■</span> R-1SM: Mixed One and Two Family Dwelling</li> <li><span style="color: blue;">■</span> R-2: Limited Multiple Dwelling</li> <li><span style="color: blue;">■</span> R-3: Multiple Dwelling</li> <li><span style="color: blue;">■</span> R-4: Mobile Home</li> </ul> | <ul style="list-style-type: none"> <li><span style="color: brown;">■</span> R-5: Manufactured Home Subdivision</li> <li><span style="color: brown;">■</span> R-1E: Rural Estate</li> <li><span style="color: brown;">■</span> R-R: Rural Residential</li> <li><span style="color: brown;">■</span> R-PUD: PUD in Residential</li> </ul> |
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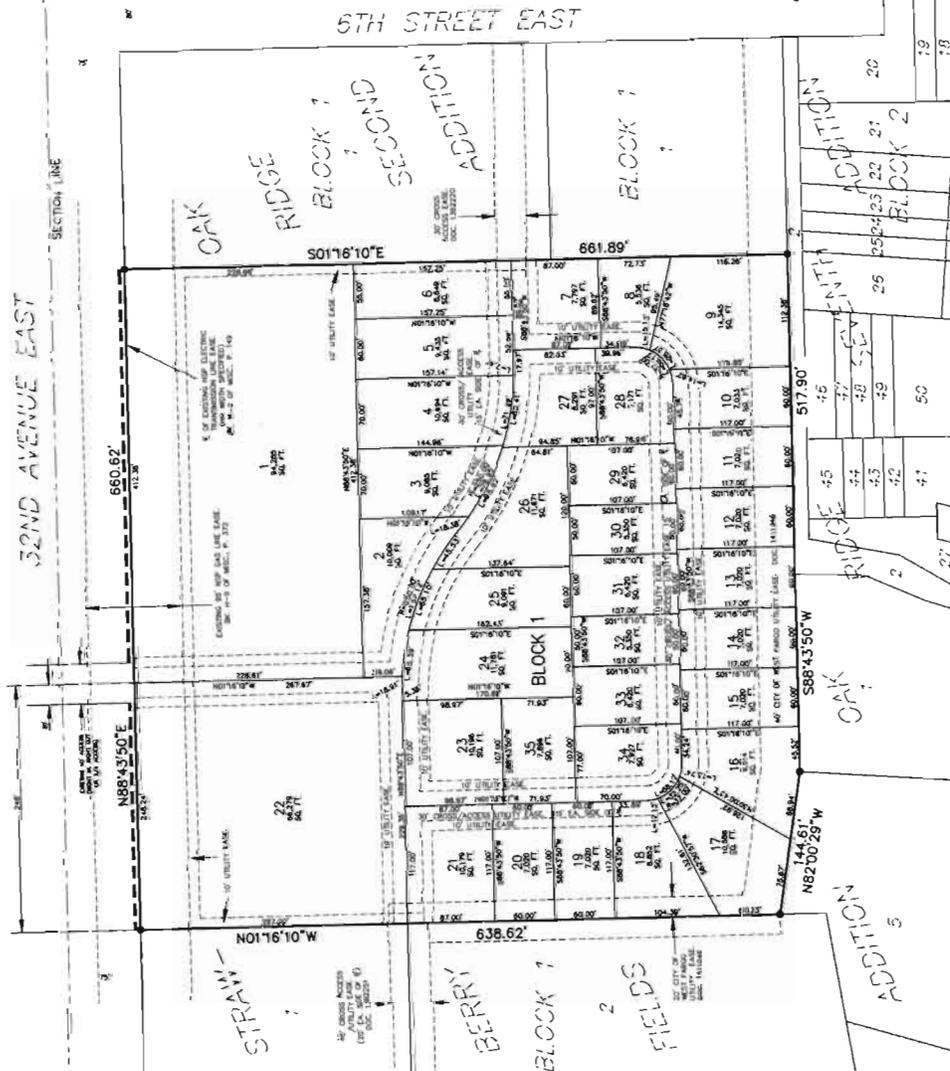
A16-52  
Proposed Subdivision



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| <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 10px; height: 10px; border: 1px solid black; background-color: white;"></span> A: Agricultural</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: #f08080;"></span> C: Light Commercial</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: #add8e6;"></span> C-PUD: PUD in General Commercial</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: #90ee90;"></span> C-OP: Commercial Office Park</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: #90ee90; border: 1px solid black;"></span> C-OP-PUD: PUD in Office Park</li> </ul> | <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: #800000;"></span> HC: Heavy Commercial</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: #c0c0c0;"></span> LI: Light Industrial</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: #d3d3d3;"></span> CM-PUD: PUD in Light Industrial</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: #000000;"></span> M: Heavy Industrial</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: #000000;"></span> P: Public</li> </ul> | <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: #90ee90; border: 1px solid black;"></span> P-PUD: PUD in Public</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: #90ee90; border: 1px solid black;"></span> R-L1A: Large Lot Single Family Dwelling</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: #90ee90; border: 1px solid black;"></span> R-1A: Single Family Dwelling</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: #90ee90; border: 1px solid black;"></span> R-1: One and Two Family Dwelling</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: #90ee90; border: 1px solid black;"></span> R-1SM: Mixed One and Two Family Dwelling</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: #90ee90; border: 1px solid black;"></span> R-2: Limited Multiple Dwelling</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: #90ee90; border: 1px solid black;"></span> R-3: Multiple Dwelling</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: #90ee90; border: 1px solid black;"></span> R-4: Mobile Home</li> </ul> | <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: #800000; border: 1px solid black;"></span> R-5: Manufactured Home Subdivision</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: #800000; border: 1px solid black;"></span> R-1E: Rural Estate</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: #800000; border: 1px solid black;"></span> R-R: Rural Residential</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: #800000; border: 1px solid black;"></span> R-PUD: PUD in Residential</li> </ul> |
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**PLAT OF OAK RIDGE ELEVENTH ADDITION  
TO THE CITY OF WEST FARGO, A REPLAT OF BLOCK 1, OAK RIDGE NINTH ADDITION  
TO THE CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA**



**LEGEND**

- IRON MONUMENT FOUND
- YELLOW PLASTIC CAP #2006
- ARL LENGTH
- CENTRAL ANGLE
- ADDRESS CONTROL
- 10' UTILITY EASEMENTS

**Scale:** 1" = 40'

**North Arrow:** N

**Basement Bearings:** ONE REVERSE TO THE OTHER AS RECORDED IN THE CITY OF WEST FARGO AS RECORDED.

**GENERAL NOTE:** BEING FIRST TIME PERSON APPROVES AND SAYS THAT HE IS THE REGISTERED LAND SURVEYOR WHO PREPARED AND HAS THE ATTACHED PLAT OF "OAK RIDGE ELEVENTH ADDITION" TO THE CITY OF WEST FARGO, A REPLAT OF BLOCK 1, OAK RIDGE NINTH ADDITION TO THE CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA, THAT SAID PLAT WAS CORRECTLY PREPARED AND ALL NECESSARY RECORDS ARE CORRECTLY KEPT ON FILE IN THE OFFICE OF THE REGISTERED LAND SURVEYOR. THAT ALL NECESSARY RECORDS ARE CORRECTLY KEPT ON FILE IN THE OFFICE OF THE REGISTERED LAND SURVEYOR. THAT ALL NECESSARY RECORDS ARE CORRECTLY KEPT ON FILE IN THE OFFICE OF THE REGISTERED LAND SURVEYOR.



DAVID S. HOYER, REGISTERED LAND SURVEYOR  
1015 W. 13th St., Suite 208  
FARGO, ND 58103  
STATE OF NORTH DAKOTA  
DAY OF \_\_\_\_\_ 2016, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE PERSONALLY APPEARED DAVID S. HOYER, REGISTERED LAND SURVEYOR, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA  
MY COMMISSION EXPIRES: \_\_\_\_\_

**DESCRIPTION:** THE UNDERSIGNED DO HEREBY CERTIFY THAT I AM THE OWNER OF THE LAND DESCRIBED IN THE PLAT OF "OAK RIDGE ELEVENTH ADDITION" TO THE CITY OF WEST FARGO, A REPLAT OF BLOCK 1, OAK RIDGE NINTH ADDITION TO THE CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA, THAT I HAVE CAUSED IT TO BE PLATED INTO LOTS AND BLOCKS AND I HAVE CAUSED THE NECESSARY RECORDS TO BE KEPT ON FILE IN THE OFFICE OF THE REGISTERED LAND SURVEYOR. THAT I HAVE CAUSED THE NECESSARY RECORDS TO BE KEPT ON FILE IN THE OFFICE OF THE REGISTERED LAND SURVEYOR.

OWNER: THE VILLAGE FAMILY SERVICE CENTER  
GARY WOLST, PRESIDENT  
STATE OF NORTH DAKOTA  
DAY OF \_\_\_\_\_ 2016, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE PERSONALLY APPEARED GARY WOLST, PRESIDENT OF THE VILLAGE FAMILY SERVICE CENTER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE NAME OF THE VILLAGE FAMILY SERVICE CENTER.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA  
MY COMMISSION EXPIRES: \_\_\_\_\_

**WEST FARGO PLANNING COMMISSION APPROVAL**  
THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2016.

TOM MCDONNELL, CHAIRMAN  
STATE OF NORTH DAKOTA  
DAY OF \_\_\_\_\_ 2016, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE PERSONALLY APPEARED TOM MCDONNELL, CHAIRMAN OF THE WEST FARGO PLANNING COMMISSION, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE NAME OF THE WEST FARGO PLANNING COMMISSION.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA  
MY COMMISSION EXPIRES: \_\_\_\_\_

**CITY ENGINEER'S APPROVAL**  
THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2016.

ROBERT T. SCOTT, CITY ENGINEER  
STATE OF NORTH DAKOTA  
DAY OF \_\_\_\_\_ 2016, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE PERSONALLY APPEARED ROBERT T. SCOTT, CITY ENGINEER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA  
MY COMMISSION EXPIRES: \_\_\_\_\_

**WEST FARGO CITY ATTORNEY APPROVAL**  
I DO HEREBY CERTIFY THAT PROPER NOTICE OF TITLE HAS BEEN EXAMINED BY ME AND I APPROVE THE PLAT AS TO FORM AND EXECUTION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2016.

TOM T. SUNDSETT, CITY ATTORNEY  
STATE OF NORTH DAKOTA  
DAY OF \_\_\_\_\_ 2016, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE PERSONALLY APPEARED TOM T. SUNDSETT, CITY ATTORNEY, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE NAME OF THE CITY OF WEST FARGO.

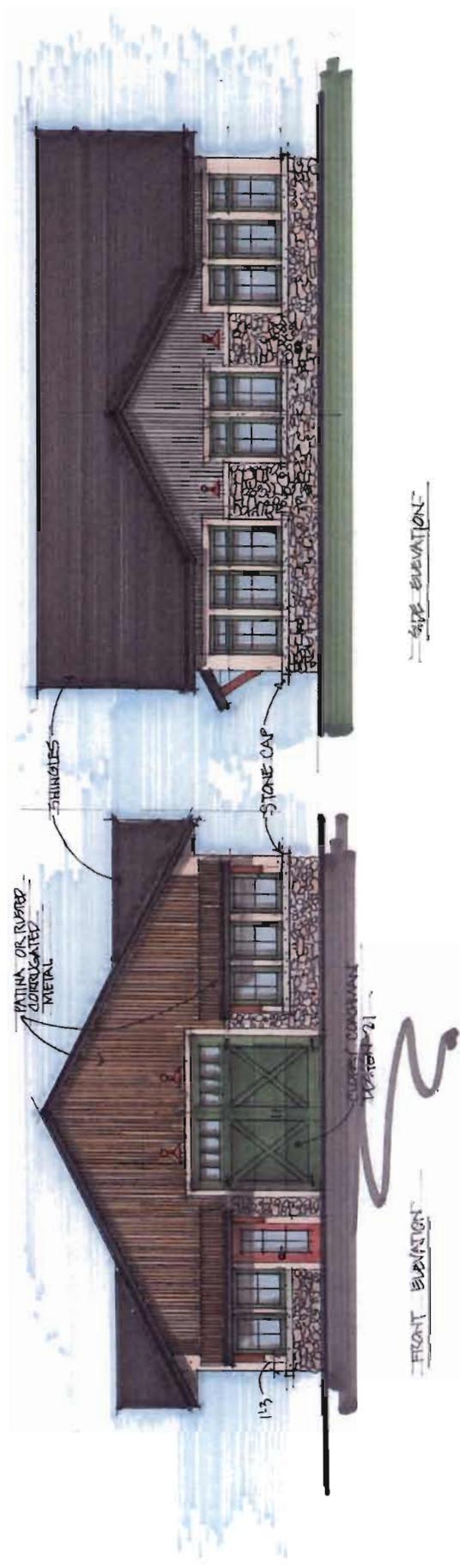
NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA  
MY COMMISSION EXPIRES: \_\_\_\_\_

**MOORE ENGINEERING, INC.**  
SHEET 1 OF 1  
NO. 139P









FRONT ELEVATION

SIDE ELEVATION

GRAHAM DEVELOPMENT  
COMMERCIAL CONDOS

CHRIS HAWLEY ARCHITECTS  
2534 UNIVERSITY DR. S SUITE #3  
FARGO, ND 58103  
(701) 479-4600  
CH@CHRISHAWLEYARCHITECTS.COM



FRONT ELEVATION

RIGHT SIDE ELEVATION

SIRAHVA DEVELOPMENT  
COMMERCIAL CONDOS

CHRIS HAWLEY ARCHITECTS  
2534 UNIVERSITY DR. S SUITE #3  
FARGO, ND 58103

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