



Aaron Nelson, AICP Director of Planning and Zoning
Leslie McGillivray-Rivas, Sr. Planner
Lisa Sankey, Planner
Breanna Siegler, Office Manager

www.westfargond.gov

West Fargo Planning & Zoning Commission Agenda
Tuesday, October 10, 2023 - 5:30 p.m.

- A. Call to Order
- B. Approval of Order of Agenda
- C. Approval of Minutes- September 12, 2023
- D. Regular Agenda
 - 1. Public Hearing- A23-26 Wehri Residence Subdivision, a request for a Subdivision and Conditional Use Permit for non-farm single family dwelling in an A: Agricultural District at 1215 9th Street NW (parcels in the NW¼ SE ¼ of Section 31, T140N, R49W [Reed Township]), Cass County, North Dakota- Sankey
 - 2. Public Hearing- A23-27 Oak Ridge 19th Addition, a request for major subdivision and replat of Lots 31-33, Block 1 of Oak Ridge 18th Addition, Cass County, North Dakota- McGillivray-Rivas
- E. Non-Agenda Items
- F. Discussion Agenda
 - 1. Growth Area Master Plan



Aaron Nelson, Director of Planning and Zoning
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West Fargo Planning & Zoning Commission
Tuesday, September 12, 2023 at 5:30pm
West Fargo City Hall

Members Present: Joe Kolb, David Gust, Eric Dodds, Mike Thorstad, Kathi Schwan, Aleyna Leibfried

Members Absent: None

Others Present: Aaron Nelson, Lisa Sankey, Kat McNamara, Leslie McGillivray-Rivas, Breanna Siegler

Minutes Submitted by: Breanna Siegler, Office Manager

Meeting was called to order by Chair Kolb at 5:30pm.

Commissioner Leibfried moved and Commissioner Dodds seconded to approve order of agenda. No opposition. Motion passed.

Commissioner Dodds moved and Commissioner Thorstad seconded a motion to approve the minutes from August 8, 2023. No opposition. Motion passed.

Chair Kolb opened a Public Hearing for A23-24 Sukuts Estates, Conditional Use Permit for auto sales in a C: Light Commercial District at 101 Main Ave E (Lots 1 & 2, Block 3), City of West Fargo, North Dakota- Sankey. No public comments received, Chair Kolb closed the Public Hearing. Chair Kolb asked for clarification regarding the placement in the redevelopment corridor-landscaping specifically. Conditional use permit will include a vehicle limit of 10. If issues or complaints the CUP agreement would be notified and permit could possibly be revoked. Commissioner Leibfried motioned to approve CUP with conditions outlined. Commissioner Schwan seconded. No opposition. Motion passed.

Chair Kolb asked for clarification about what was going to be included in the retracement plot for agenda item A23-25 North Pond at the Preserve 17th Addition, a Replat of Lot 1, Block 1 of North Pond at the Preserve 13th Addition (300 23rd Ave)- City of West Fargo, North Dakota- Sankey. Planning staff confirmed that building referenced was on the corner of the parcel. Chair Kolb opened a public hearing. No public comment was given, Chair Kolb closed the hearing. Commissioner Gust asked how access to the new parcel would be given. Planner Sankey confirmed easement was included in application. Commissioner Dodds moved to approved with recommendations. Commissioner Gust seconded. No opposition. Motion passed.

Planning Director Aaron Nelson provided an update on the Downtown Master Plan Project and gave a brief overview of the steps taken year to date.

Chair Kolb opened the floor for non-agenda items. Director Nelson introduced new Senior Planner, Leslie McGillivray-Rivas. Leslie did an introduction. Planning Director Nelson brought forth intention to alter agenda structure to include a "discussion" portion at end of meetings. Director Nelson invited comments. Commissioner Leibfried asked if there was a time-frame goal for these discussions to be completed and brought forth concerns regarding time allocations. Director Nelson verified that the intention is one topic at a time and will be dependent on current agenda. These items will be discussion, not actionable items.

Commissioner Gust moved to adjourn meeting. Commissioner Leibfried seconded. No opposition. Motion passed. Meeting adjourned at 6:10pm.

CITY OF WEST FARGO PLANNING & COMMUNITY DEVELOPMENT

STAFF REPORT

A23-26 SUBDIVISION & CONDITIONAL USE PERMIT	
Wehri Residence Subdivision	
1215 9 th Street NW (Parcels located in NW¼ SE ¼ of Section 31, T140N, R49W [Reed Township], Cass County, North Dakota)	
Owner/Applicant: Chris & Kari Wehri	Staff Contact: Lisa Sankey
Planning & Zoning Commission Public Hearing:	10-10-2023
City Commission:	

PURPOSE:

Subdivide for a non-farm single-family residential use in an A: Agricultural zoning district.

STATEMENTS OF FACT:

Existing Land Use:	Non-Farm Single-Family Residential
Land Use Classification:	G-1 Sub-Urban – Restricted Growth Sector
Current Zoning District(s):	A: Agricultural
Zoning Overlay District(s):	None
Total area size:	6.9 acres
Proposed Lot Size(s):	Lot 1 – 3.4 Acres; Lot 2 – 3.5 Acres
Adjacent Zoning Districts:	A: Agricultural
Adjacent street(s):	No adjacent public streets. Access from 19 th Avenue NW via a private drive referred to as 9 th St NW
Adjacent Bike/Pedestrian Facilities:	None
Available Parks/Trail Facilities:	None
Land Dedication Requirements:	Park dedication required for the undeveloped lot in the subdivision.

DISCUSSION AND OBSERVATIONS:

- The property is in the City's extraterritorial (ET) area east of the West Fargo Municipal Airport.
- The applicant submitted an application for a conditional use permit and subdivision.
- The applicant intends to construct a new single family dwelling on proposed Lot 1 as reflected on the preliminary site plan.
- The current use of a non-farm single-family dwelling on proposed Lot 2 is considered a conditional use within the Agricultural District and was in place at the time of adoption into the City's ET jurisdictional boundary. Under Section 4-477, uses allowed as conditional uses without further action are deemed to be considered a conforming use in such district.
- The property is within a Special Flood Hazard Area (SFHA) Zone AE, as well as adjacent to a Floodway Zone AE along the eastern edge of the property. The new building would be required to meet all applicable Federal, State, and Local regulations.
- There are no available City services to the lot and it is accessed through private drive, which will be required to be reviewed prior to final consideration. Under the subdivision ordinance 4-0406.3A Frontage on Improved Roads, all proposed subdivisions shall have frontage on and access from an existing improved street shown on the Official City Map. If no such street is shown on the map,

STAFF REPORT

access and frontage must be shown on an existing recorded plat and must be suitably improved in accordance with applicable city, township, county, or state specifications. Being there is currently no legal access today, the applicant would be looking at obtaining a subdivision waiver and has obtained a real estate attorney who is working on easement paperwork and has spoken with adjacent property owners who are in agreement with signing the easement document once it's finalized.

- Public Dedication is a requirement as part of the platting. Cash-in-lieu would be staff's recommendation.
- A conditional use permit agreement is required to be signed prior to final approval/issuance of the Conditional Use 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.
 - Access to the property would be limited and possibly problematic at time of spring flooding is and has been historically an issue. Cass County and City of West Fargo Engineering have both commented regarding the potential for flooding within this area. The applicant is aware of these issues. Staff has reached out to Cass County Engineering, City Engineering, Reed Township and Fire Departments for comments.
 - There are also questions regarding the private drive/legal access to the property, as noted above in the discussion section, currently there is no legal access; however, the applicant has obtained an attorney and is in the process of creating an access easement document. Staff would not support approval of the conditional use permit until access is finalized.
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.
 - No concerns noted.
4. Utilities, with reference of locations, availability, and compatibility.
 - For the foreseeable future, the City has no way to provide utilities to this property, as it does not currently touch public right-of-way and no utility easements exist or are planned.
5. Screening and buffering with reference to type, dimensions, and character.
 - It is assumed that the property owner would understand the adjacency to an airport will create a noise that would be difficult to buffer from.
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.

STAFF REPORT

9. General compatibility with adjacent properties and other property in the district.
- As surrounding areas urbanize in the future, there may be large special assessments levied against these properties.

NOTICES:

Sent to:	Property owners within 350', Applicable Agencies and Departments, including Reed Township officials, Cass County Planning and the Cass County Sanitarian.
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Comments Received:

- The County Engineer commented on the potential for flooding until the FM Diversion is complete.

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

- The G-1 Sub-Urban - Restricted Growth Sector includes areas between the current and proposed diversion that may have new development potential with construction of the FM Diversion. The G-1 area identifies significant tracts of land that are currently rural, but where directed and well-planned new development could occur around the identified potential Future Mixed-Use and Employment Centers. Therefore, major development without City services is not consistent with the Comprehensive Plan.
- However, in this instance, this application could be viewed as consistent with West Fargo 2.0, as opposed to the same request elsewhere in the ET area, as future high-density urban development is unlikely in this area due to lack of access and the applicant is essentially replacing an old house with a new house.
- Leaving the property zoned as Agricultural and meeting the provisions of City Ordinances as a conditional use permit would allow for the construction of a non-farm single family dwelling with certain conditions of the ordinance as well as any deemed necessary by the City Commission prior to final approval.

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. Proof or establishment of legal access to the property, in a form approved by the City Attorney and City Planner, prior to final review and approval by the City Commission.
2. Acknowledgement and/or waiver of right to protest future special assessments.
3. With the applicant intending to demolition the older farmhouse on proposed Lot 2, one dwelling unit per lot would appropriate.
4. Signed Conditional Use Permit Agreement is received.

Attachments

- Aerial map
- Zoning map

STAFF REPORT

- Preliminary plat
- Preliminary plat with aerial imagery
- Floor Plan
- Site Plan



A23-26
Proposed
Subdivision

12TH AVE NW

9TH ST NW

GOLDENWOOD DR

6TH ST NW

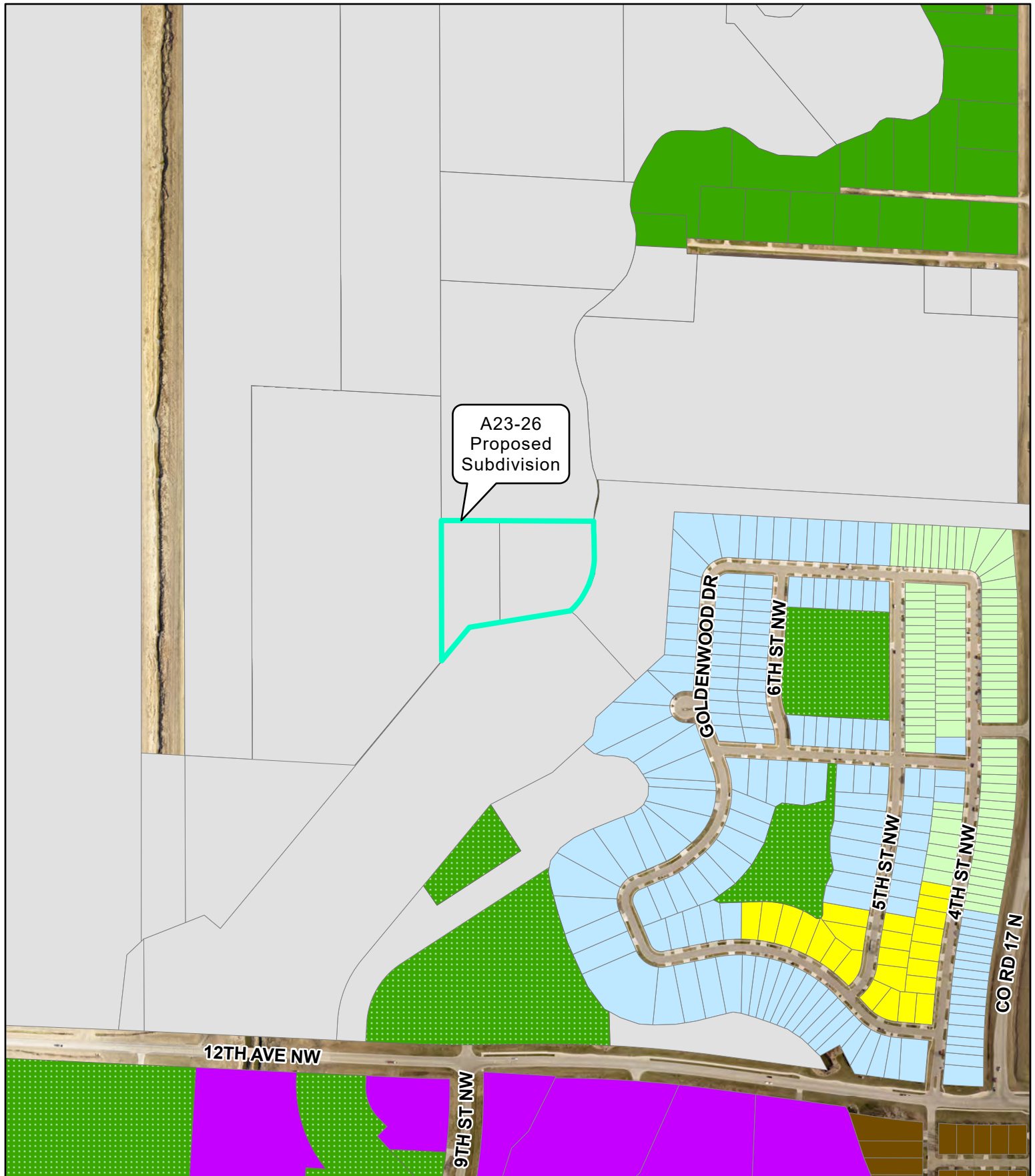
5TH ST NW

4TH ST NW

CO RD 17 N

Features

- Agenda Zone
- Lots



West Fargo Zoning

- A: Agricultural
- C: Light Commercial
- C-OP: Commercial Office Park
- DMU: Downtown Mixed Use
- EMU: Entertainment Mixed Use
- HC: Heavy Commercial

- LI: Light Industrial
- M: Heavy Industrial
- P: Public
- PUD: Planned Unit Development
- R-L1A: Large Lot Single Family Dwelling
- R-1A: Single Family Dwelling
- R-1: One and Two Family Dwelling

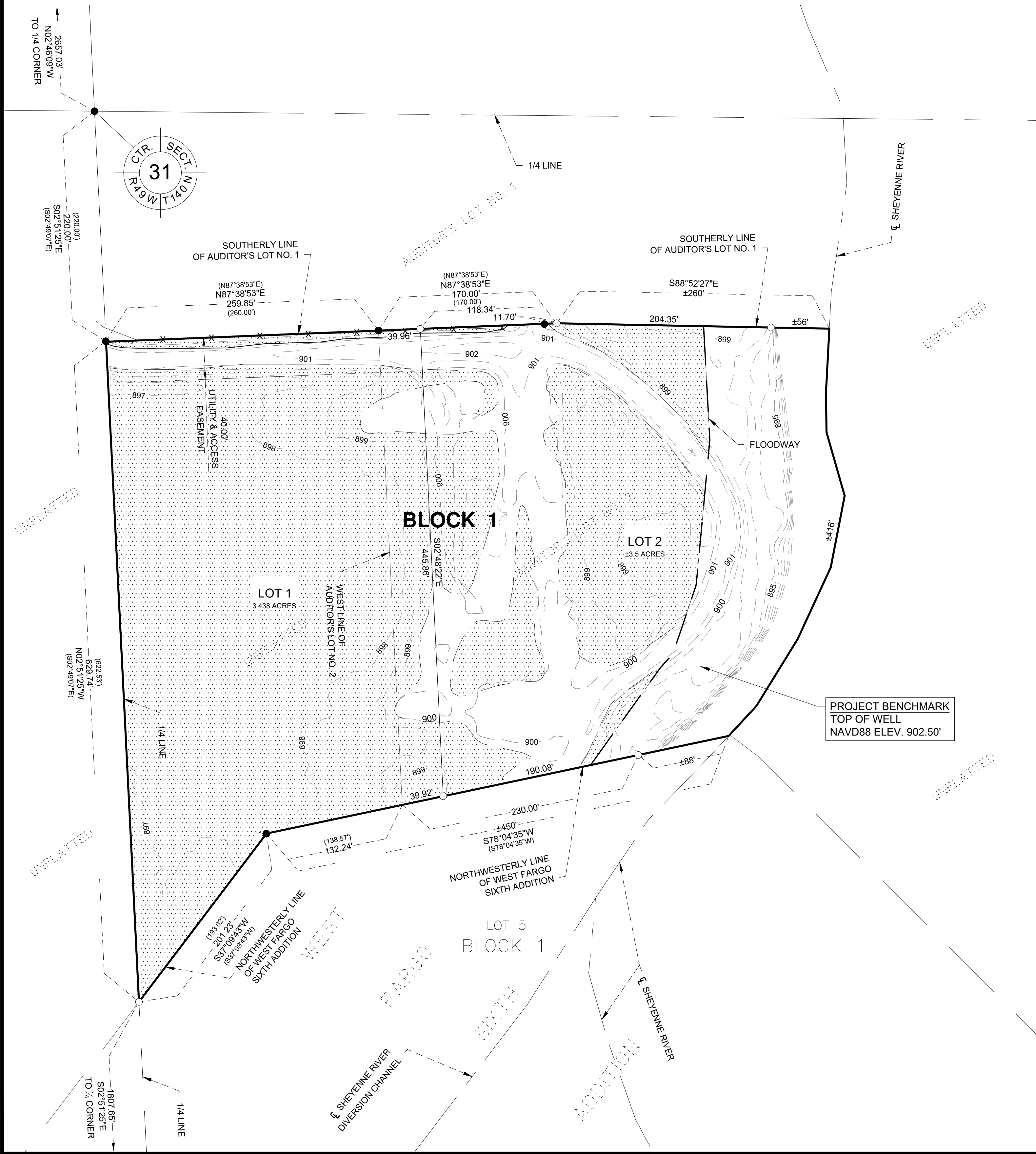
- R-1SM: Mixed One and Two Family Dwelling
- R-2: Limited Multiple Dwelling
- R-3: Multiple Dwelling
- R-4: Mobile Home
- R-5: Manufactured Home Subdivision
- R-1E: Rural Estate
- R-R: Rural Residential



0 500 1,000 US Feet

WEHRI RESIDENCE SUBDIVISION

BEING A REPLAT OF A PORTION OF AUDITOR'S LOT NO. 2, NORTHWEST QUARTER OF THE SOUTHEAST QUARTER;
AND A PLAT OF PART THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER;
ALL IN SECTION 31, T. 140 N., R. 49 W., 5th P.M.
CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA



LEGEND	
IRON MONUMENT FOUND	●
1/2" I.D. PIPE SET	○
MEASURED BEARING	N00°00'00"E
RECORD BEARING	(N00°00'00"E)
MEASURED DISTANCE	100.00'
RECORD DISTANCE	(100.00')
PLAT BOUNDARY	—
NEW EASEMENT LINE	- - -
EXISTING PLATTED LOT LINE	- - -
EXISTING UTILITY EASEMENT	- - -
FEMA FLOODWAY LINE	- - -
ZONE AE	[Pattern]

BEARINGS SHOWN ARE BASED ON THE
NORTH DAKOTA STATE PLANE COORDINATE
SYSTEM (NAD83) - SOUTH ZONE

NOTES:

- PORTIONS OF THE PROPERTY ARE SITUATED IN ZONE
AE AS DEPICTED ON FEMA FIRM PANEL 38017C0568G,
DATED JANUARY 16, 2015.
- ELEVATION DATUM = NAVD 1988
- BASE FLOOD ELEVATION = 899.8'

PRELIMINARY PLAT 9/29/23

WEHRI RESIDENCE SUBDIVISION

BEING A REPLAT OF A PORTION OF AUDITOR'S LOT NO. 2, NORTHWEST QUARTER OF THE SOUTHEAST QUARTER;
AND A PLAT OF PART THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER;
ALL IN SECTION 31, T. 140 N., R. 49 W., 5th P.M.
CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA

OWNER'S CERTIFICATE AND DEDICATION:

KNOW ALL PERSONS BY THESE PRESENTS: That Christopher Wehri and Kari Wehri, husband and wife; and Viking Properties LLC, a North Dakota limited liability company; are the owners and proprietors of that part of Auditor's Lot No. 2, Northwest Quarter of the Southeast Quarter, together with an unplatted portion of the Northwest Quarter of the Southeast Quarter, all in Section 31, Township 140 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota, described as follows:

Commencing at the northwest corner of the Southeast Quarter of said Section 31; thence South 02°51'25" East, along the west line of the Southeast Quarter of said Section 31, for a distance of 220.00 feet to the southwest corner of Auditor's Lot No. 1, Southeast Quarter, said Section 31, and the True Point of Beginning; thence North 87°38'53" East, along the south line of said Auditor's Lot No. 1, for a distance of 259.85 feet to the northwest corner of said Auditor's Lot No. 2; thence continue North 87°38'53" East, along the south line of said Auditor's Lot No. 1, and along the north line of said Auditor's Lot No. 2, for a distance of 170.00 feet; thence South 88°52'27" East, along the south line of said Auditor's Lot No. 1, and along the north line of said Auditor's Lot No. 2, for a distance of 260 feet, more or less, to the centerline of the Sheyenne River; thence southerly, along the centerline of said Sheyenne River, for a distance of 416 feet, more or less, to a point of intersection with the northwesterly line of West Fargo Sixth Addition; thence South 78°04'35" West, along the northwesterly line of said West Fargo Sixth Addition, for a distance of 450 feet, more or less, to a corner point on the northwesterly line of said West Fargo Sixth Addition; thence South 37°09'43" West, along the northwesterly line of said West Fargo Sixth Addition, for a distance of 201.23 feet to a point of intersection with the west line of the Southeast Quarter of said Section 31; thence North 02°51'25 West, along the west line of the Southeast Quarter of said Section 31, for a distance of 629.74 feet to the True Point of Beginning.

Said tract contains 6.9 acres, more or less.

And that said parties have caused the same to be surveyed and platted as **WEHRI RESIDENCE SUBDIVISION** to the City of West Fargo, Cass County, North Dakota, and do hereby dedicate to the current and future owners of Lot 2, the utility and access easement as shown on this Plat.

With this Plat, Christopher Wehri and Kari Wehri, husband and wife, as grantor, hereby quit claims, releases and conveys to Viking Properties LLC, as grantee, any and all rights in Lot 2 as depicted on this Plat; and with this Plat, Viking Properties LLC, as grantor, hereby quit claims, releases and conveys to Christopher Wehri and Kari Wehri, husband and wife, as grantees, any and all rights in Lot 1 as depicted on this Plat, except for the easement being dedicated in the above paragraph.

OWNERS:

Christopher Wehri and Kari Wehri, husband and wife

Christopher Wehri Kari Wehri
State of North Dakota)
) ss
County of Cass)

On this day of , 20 before me personally appeared Christopher Wehri and Kari Wehri, husband and wife, known to me to be the persons who are described in and who executed the within instrument and acknowledged to me that they executed the same as their free act and deed.

Viking Properties LLC

Christopher Wehri, Partner Kari Wehri, Partner
State of North Dakota)
) ss
County of Cass)

On this day of , 20 before me personally appeared Christopher Wehri, Partner and Kari Wehri, Partner of Viking Properties LLC, a North Dakota limited liability company, known to me to be the persons who are described in and who executed the within instrument and acknowledged to me that they executed the same on behalf of said limited liability company.

Notary Public:

SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT:

I, Curtis A. Skarphol, Professional Land Surveyor under the laws of the State of North Dakota, do hereby certify that this plat is a true and correct representation of the survey of said subdivision; that the monuments for the guidance of future surveys have been located or placed in the ground as shown.

Dated this day of , 20 .

Curtis A. Skarphol, Professional Land Surveyor No. 4723

State of North Dakota)
) ss
County of Cass)

On this day of , 20 before me personally appeared Curtis A. Skarphol, Professional Land Surveyor, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same as his free act and deed.

Notary Public:

CITY ENGINEER'S APPROVAL:

Approved by the West Fargo City Engineer this day of , 20 .

Daniel R. Hanson, City Engineer

State of North Dakota)
) ss
County of Cass)

On this day of , 20 before me personally appeared Daniel R. Hanson, West Fargo City Engineer, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same as his free act and deed.

Notary Public:

WEST FARGO PLANNING COMMISSION APPROVAL:

Approved by the City of West Fargo Planning Commission this day of , 20 .

Joseph P. Kolb, Chairman
West Fargo Planning Commission

State of North Dakota)
) ss
County of Cass)

On this day of , 20 before me personally appeared Joseph P. Kolb, Chairman, West Fargo Planning Commission, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same on behalf of the West Fargo Planning Commission.

Notary Public:

WEST FARGO CITY ATTORNEY APPROVAL:

I hereby certify that proper evidence of title has been examined by me and I approve the Plat as to form and execution this day of , 20 .

John T. Shockley, City Attorney

State of North Dakota)
) ss
County of Cass)

On this day of , 20 before me personally appeared John T. Shockley, City Attorney, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same as City Attorney.

Notary Public:

WEST FARGO CITY COMMISSION APPROVAL:

Approved by the West Fargo City Commission this day of , 20 .

Bernie L. Dardis
President of the West Fargo City Commission

Dustin T. Scott, City Auditor

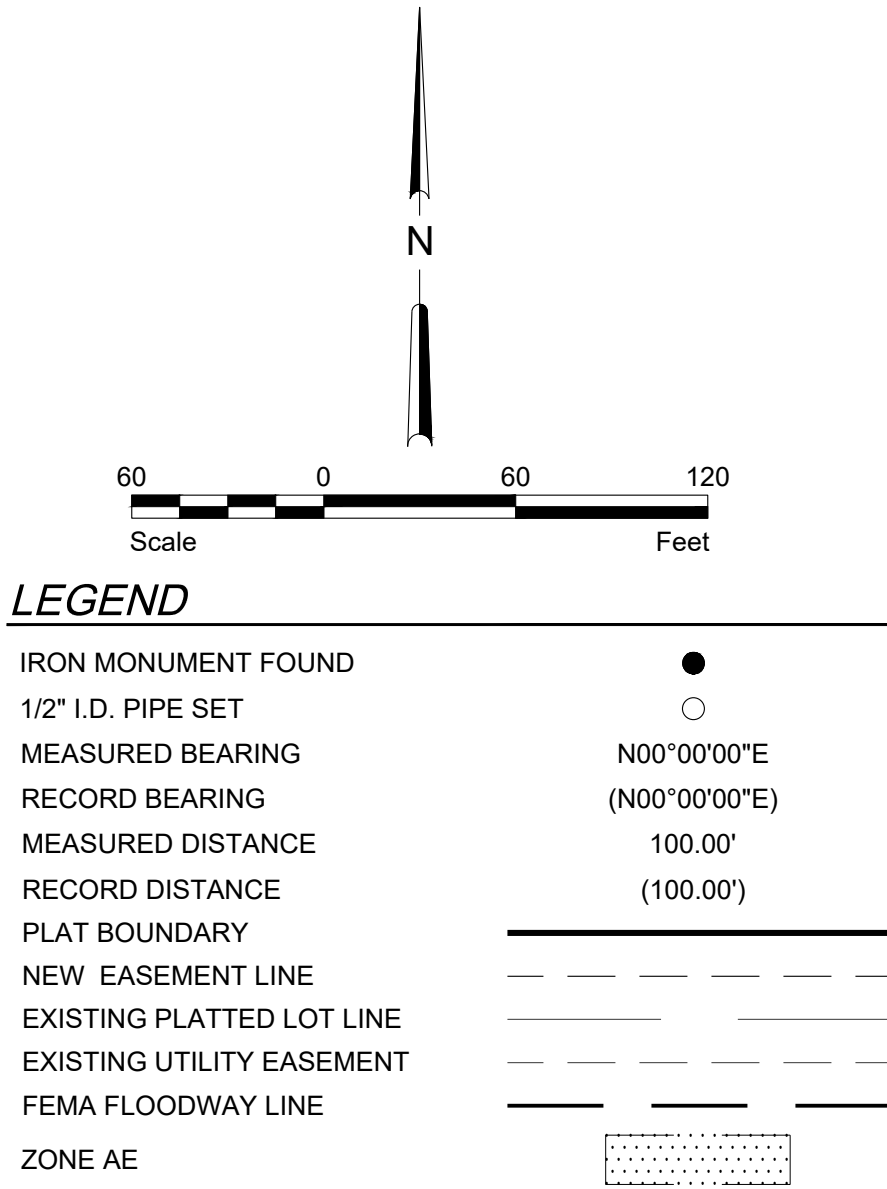
State of North Dakota)
) ss
County of Cass)

On this day of , 20 before me personally appeared Bernie L. Dardis, President of the West Fargo City Commission; and Dustin T. Scott, City Auditor, City of West Fargo, known to me to be the persons who are described in and who executed the within instrument and acknowledged to me that they executed the same on behalf of the City of West Fargo.

Notary Public:

WEHRI RESIDENCE SUBDIVISION

BEING A REPLAT OF A PORTION OF AUDITOR'S LOT NO. 2, NORTHWEST QUARTER OF THE SOUTHEAST QUARTER;
AND A PLAT OF PART THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER;
ALL IN SECTION 31, T. 140 N., R. 49 W., 5th P.M.
CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA



BEARINGS SHOWN ARE BASED ON THE
NORTH DAKOTA STATE PLANE COORDINATE
SYSTEM (NAD83) - SOUTH ZONE

NOTES:

1. PORTIONS OF THE PROPERTY ARE SITUATED IN ZONE
AE AS DEPICTED ON FEMA FIRM PANEL 38017C0568G,
DATED JANUARY 16, 2015.
2. ELEVATION DATUM = NAVD 1988
3. BASE FLOOD ELEVATION = 899.8'

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Said tract contains 6.9 acres, more or less.

And that said parties have caused the same to be surveyed and platted as **WEHRI RESIDENCE SUBDIVISION** to the City of West Fargo, Cass County, North Dakota, and do hereby dedicate to the current and future owners of Lot 2, the utility and access easement as shown on this Plat.

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OWNERS:

Christopher Wehri and Kari Wehri, husband and wife

Christopher Wehri

Kari Wehri

State of North Dakota)
) ss
County of Cass)

On this _____ day of _____, 20____ before me personally appeared Christopher Wehri and Kari Wehri, husband and wife, known to me to be the persons who are described in and who executed the within instrument and acknowledged to me that they executed the same as their free act and deed.

Viking Properties LLC

Christopher Wehri, Partner

Kari Wehri, Partner

State of North Dakota)
) ss
County of Cass)

On this _____ day of _____, 20____ before me personally appeared Christopher Wehri, Partner and Kari Wehri, Partner of Viking Properties LLC, a North Dakota limited liability company, known to me to be the persons who are described in and who executed the within instrument and acknowledged to me that they executed the same on behalf of said limited liability company.

Notary Public: _____

SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT:

I, Curtis A. Skarphol, Professional Land Surveyor under the laws of the State of North Dakota, do hereby certify that this plat is a true and correct representation of the survey of said subdivision; that the monuments for the guidance of future surveys have been located or placed in the ground as shown.

Dated this _____ day of _____, 20____.

Curtis A. Skarphol, Professional Land Surveyor No. 4723

State of North Dakota)
) ss
County of Cass)

On this _____ day of _____, 20____ before me personally appeared Curtis A. Skarphol, Professional Land Surveyor, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same as his free act and deed.

Notary Public: _____

CITY ENGINEER'S APPROVAL:

Approved by the West Fargo City Engineer this _____ day of _____, 20____.

Daniel R. Hanson, City Engineer

State of North Dakota)
) ss
County of Cass)

On this _____ day of _____, 20____ before me personally appeared Daniel R. Hanson, West Fargo City Engineer, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same as his free act and deed.

Notary Public: _____

WEST FARGO PLANNING COMMISSION APPROVAL:

Approved by the City of West Fargo Planning Commission this _____ day of _____, 20____.

Joseph P. Kolb, Chairman
West Fargo Planning Commission

State of North Dakota)
) ss
County of Cass)

On this _____ day of _____, 20____ before me personally appeared Joseph P. Kolb, Chairman, West Fargo Planning Commission, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same on behalf of the West Fargo Planning Commission.

Notary Public: _____

WEST FARGO CITY ATTORNEY APPROVAL:

I hereby certify that proper evidence of title has been examined by me and I approve the Plat as to form and execution this _____ day of _____, 20____.

John T. Shockley, City Attorney

State of North Dakota)
) ss
County of Cass)

On this _____ day of _____, 20____, before me personally appeared John T. Shockley, City Attorney, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same as City Attorney.

Notary Public: _____

WEST FARGO CITY COMMISSION APPROVAL:

Approved by the West Fargo City Commission this _____ day of _____, 20____.

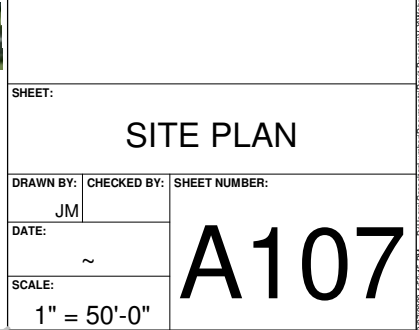
Bernie L. Dardis
President of the West Fargo City Commission

Dustin T. Scott, City Auditor

State of North Dakota)
) ss
County of Cass)

On this _____ day of _____, 20____, before me personally appeared Bernie L. Dardis, President of the West Fargo City Commission; and Dustin T. Scott, City Auditor, City of West Fargo, known to me to be the persons who are described in and who executed the within instrument and acknowledged to me that they executed the same on behalf of the City of West Fargo.

Notary Public: _____



SHEET:		
SITE PLAN		
DRAWN BY:	CHECKED BY:	SHEET NUMBER:
JM		A107
DATE:	~	
SCALE:		
1" = 50'-0"		

ADDRESS: 1215 9TH ST NW
WEST FARGO, ND 58078

LEGAL: WEHRI RESIDENCE ADDITION
BLOCK 1 - LOT 1

LOT SIZE: 3.438 ACRES

ZONING:

CITY OF WEST FARGO PLANNING & COMMUNITY DEVELOPMENT

STAFF REPORT

A23-27 REPLAT	
Oak Ridge 19 th Addition	
Lot 31, 32, 33, Block 1 of Oak Ridge 17 th Addition	
Applicant: Brennan Laudal Owner: Oak Ridge Condos, LLC (Lots 32 & 33) Owner: VR Holding, LLC (Lot 31) Owner: 3331,3337,3343 Oak Ridge Pond Way East, Mike Graham	Staff Contact: Leslie McGillivray-Rivas
Planning & Zoning Commission Public Hearing:	10-10-2023
City Commission:	

PURPOSE:

Replat of (3) three existing lots: lots 31, 32, 33 to create (2) two lots. The former lot 32 will be equally distributed between the existing lot 31 and lot 33. The owners of the existing office building on lot 31 (future lot 1) and a future office building on lot 33 (future lot 2) will share a common parking lot between the structures for private parking (former lot 32).

STATEMENTS OF FACT:

Existing Land Use:	Lots 31 & 32 Vacant, Lot 33: Commercial
Current Zoning District(s):	PUD Planned Unit Development
Proposed Lot size(s) or range:	Lot 1: 8,173 SF Lot 2: 9,789 SF
Total area size:	17,962 SF
Adjacent Zoning Districts:	North – PUD: Planned Unit Development (Commercial) South – PUD: Planned Unit Development (Residential Townhomes) East – PUD: Planned Unit Development (Residential Townhomes) West PUD: Planned Unit Development (Commercial)
Adjacent street(s):	Oak Ridge Pond Way E and 34 th Way E
Adjacent Bike/Pedestrian Facilities:	- Existing 10' sidewalk easement within Eastern Plat Boundary - Existing 5' interior sidewalk easements remain to serve the existing Lot 33 and proposed building to be built on existing Lot 31.
Available Parks/Trail Facilities:	Shadow Wood and Maple Ridge at the Preserve Parks accessible within ½ mile by sidewalks and trail.
Land Dedication Requirements:	Park land dedication provided previously with Oak Ridge Subdivision 7.

STAFF REPORT

DISCUSSION AND OBSERVATIONS:

- The applicant has submitted an application for a replat.
- The replat application approval process is necessary to reduce the existing three platted lots to create two lots. The land area of the existing central lot (Lot 32) will be equally divided between the newly created lots.
- The applicant has provided a proposed site and landscape plan to indicate proposed parking and building locations with associated site features upon approval of the creation of two lots. These documents should be considered conceptual in nature and will be reviewed in a separate administrative city process. The proposed plans will be required to meet the City of West Fargo's Planned Unit Development standards.
- A 10' Storm Sewer Easement exists with 5' dedicated on each side of the former Lot 31 and Lot 32. The easement will remain in place in its entirety on proposed Lot 1 of the replat.
- There is an existing building and business currently on Lot 31. This proposal will not affect operations.
- The proposed new lots meet the current zoning district requirements.
- The proposed replat does not propose to change or modify any recorded agreements regarding public easements, access, traffic circulation, right of way, parkland, landscape, or buffering, buildings, or signage.

NOTICES:

Sent to: Applicable agencies and departments

Comments Received:

- None to date.

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

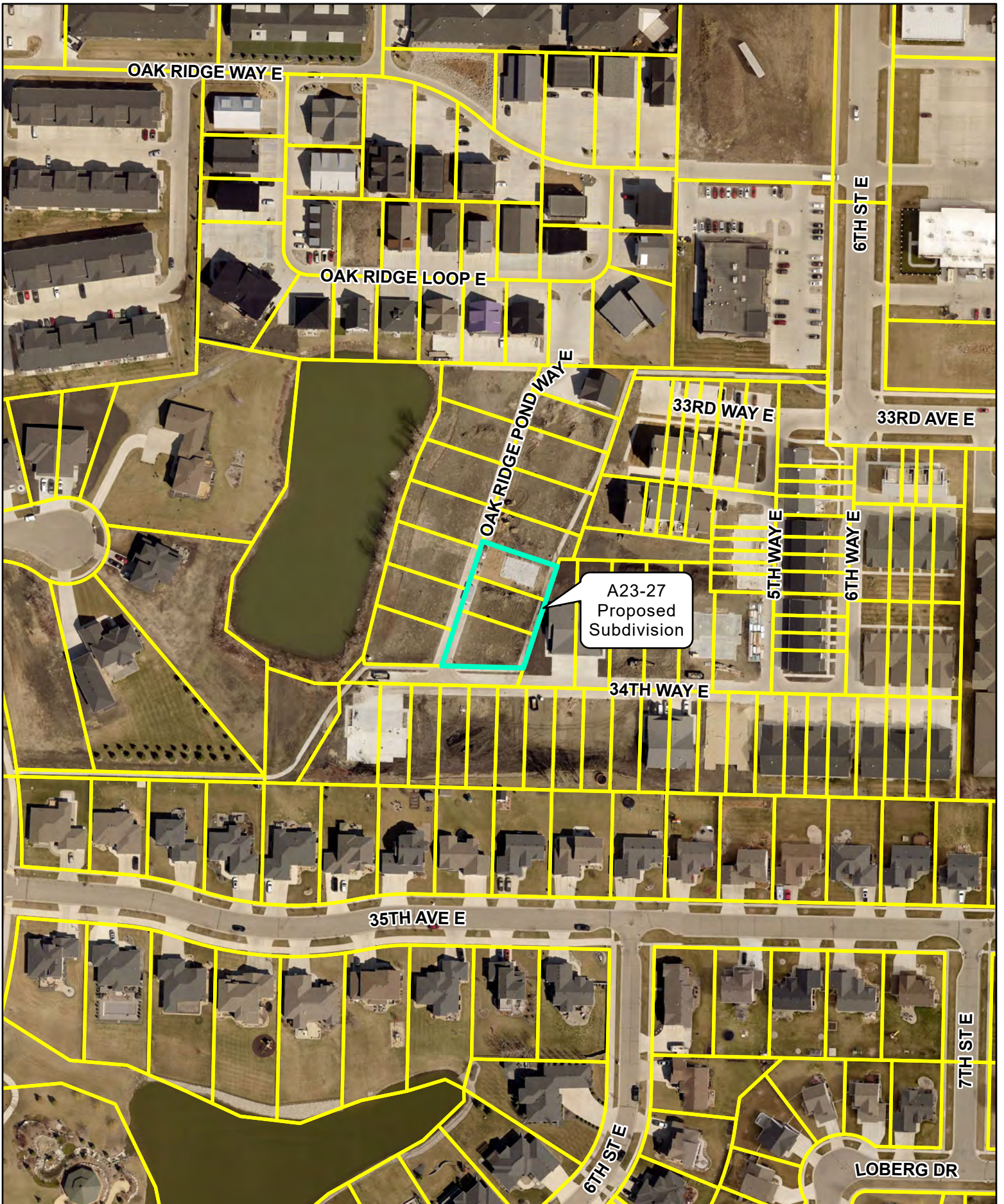
- The proposed plan is consistent with City plans and Ordinances.

RECOMMENDATIONS:

It is recommended that the City approve the proposed application on the basis that it is consistent with City plans and ordinances.

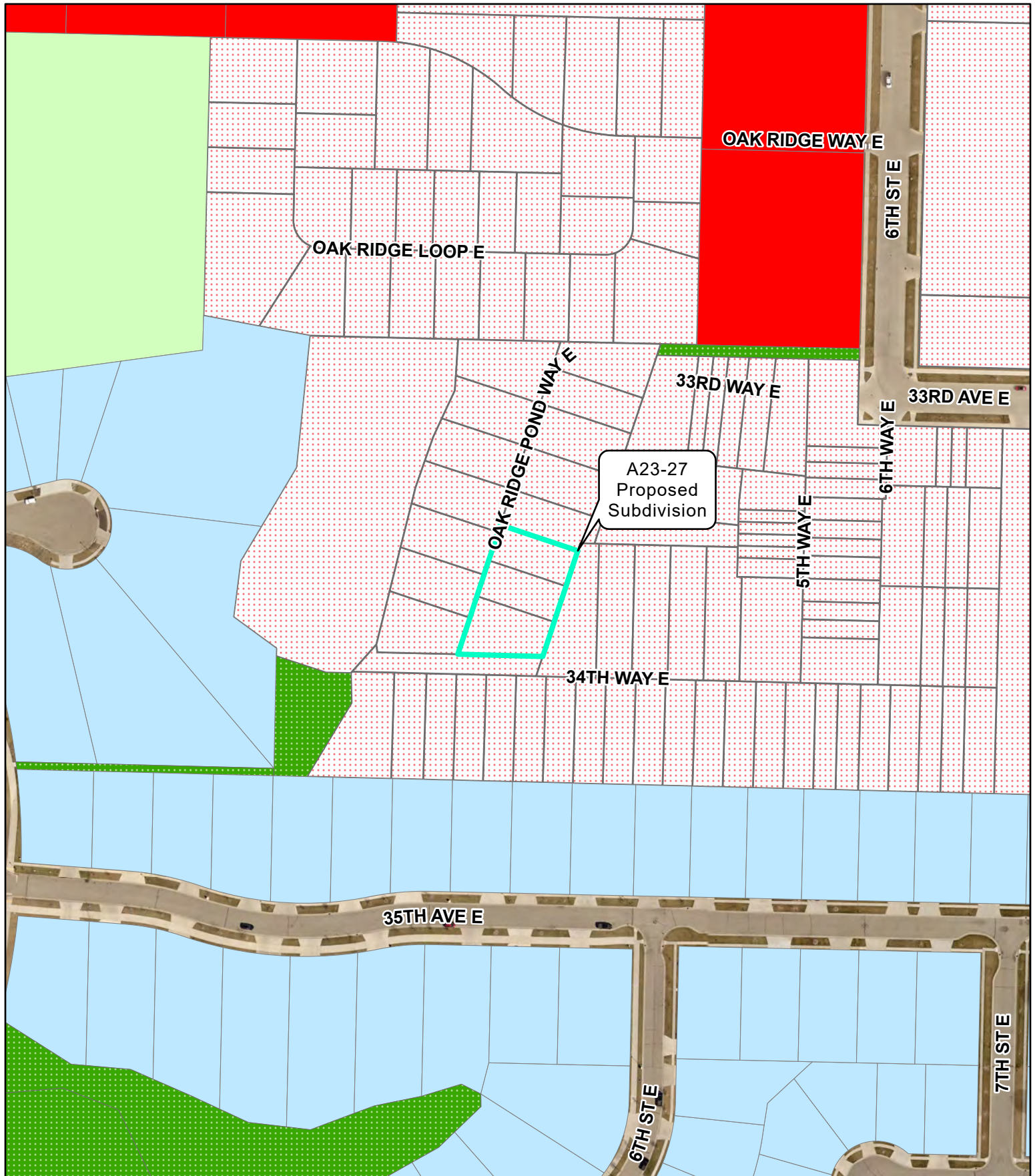
Attachments

- Aerial map
- Zoning map
- Preliminary plat
- Site Plan
- Landscape Plan



Features

 Agenda Zone  Lots



West Fargo Zoning

- A: Agricultural
- C: Light Commercial
- C-OP: Commercial Office Park
- DMU: Downtown Mixed Use
- EMU: Entertainment Mixed Use
- HC: Heavy Commercial

- LI: Light Industrial
- M: Heavy Industrial
- P: Public
- PUD: Planned Unit Development
- R-L1A: Large Lot Single Family Dwelling
- R-1A: Single Family Dwelling
- R-1: One and Two Family Dwelling

- R-1SM: Mixed One and Two Family Dwelling
- R-2: Limited Multiple Dwelling
- R-3: Multiple Dwelling
- R-4: Mobile Home
- R-5: Manufactured Home Subdivision
- R-1E: Rural Estate
- R-R: Rural Residential



0 150 300 US Feet

PLAT OF
OAK RIDGE NINETEENTH ADDITION
TO THE CITY OF WEST FARGO, A REPLAT OF LOTS 31 THROUGH 33, BLOCK 1,
OAK RIDGE EIGHTEENTH ADDITION, CASS COUNTY, NORTH DAKOTA

DEDICATION

We, the undersigned, do hereby certify that we are the owners of the land described in the plot of "OAK RIDGE NINETEENTH ADDITION" to the City of West Fargo, a Replat of Lots 31 through 33, Block 1, "OAK RIDGE EIGHTEENTH ADDITION" to the City of West Fargo, Cass County, North Dakota; that we have caused it to be plotted into lots and blocks as shown by said plot and certificate of Jacob R. Duchesneau, Registered Land Surveyor, and that the description as shown in the Certificate of the Registered Land Surveyor is correct.

Owner: Lot 1: VR HOLDING, LLC

Veronica L. Redfield, Member

State of North Dakota

County of Cass

On this _____ day of _____, 2023, before me, a Notary Public in and for said County and State, personally appeared Veronica L. Redfield, known to me to be a Member of VR HOLDING, LLC, that is described in and who executed the foregoing instrument and acknowledged to me that she executed the same on behalf of VR HOLDING, LLC.

Notary Public, Cass County, North Dakota

Lessee: Lot 1: V.C. Insurance Sales, Inc.

Veronica L. Redfield, President

State of North Dakota

County of Cass

On this _____ day of _____, 2023, before me, a Notary Public in and for said County and State, personally appeared Veronica L. Redfield, known to me to be the President of V.C. Insurance Sales, Inc. that is described in and who executed the foregoing instrument and acknowledged to me that she executed the same on behalf of V.C. Insurance Sales, Inc.

Notary Public, Cass County, North Dakota

Mortgagee: Lot 1: U.S. Small Business Administration

BY: _____

ITS: _____

State of _____

County of _____

On this _____ day of _____, 2023, before me, a Notary Public in and for said County and State, personally appeared _____, known to me to be the _____ of U.S. Small Business Administration that is described in and who executed the foregoing instrument and acknowledged to me that he/she executed the same in the name of U.S. Small Business Administration.

Notary Public, _____ County, _____

Owner: Lot 2: Oakridge Condos, LLC

Michael Graham, President

State of North Dakota

County of Cass

On this _____ day of _____, 2023, before me, a Notary Public in and for said County and State, personally appeared Michael Graham, known to me to be the president of Oakridge Condos, LLC, that is described in and who executed the foregoing instrument and acknowledged to me that he executed the same on behalf of Oakridge Condos, LLC.

Notary Public, Cass County, North Dakota

WEST FARGO CITY ATTORNEY APPROVAL

I hereby certify that proper evidence of title has been examined by me and I approve the plat as to form and execution this _____ day of _____, 2023.

John T. Shockley, City Attorney

State of North Dakota

County of Cass

On this _____ day of _____, 2023, before me, a Notary Public in and for said County and State, personally appeared John T. Shockley, 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 as the City Attorney.

Notary Public, Cass County, North Dakota

WEST FARGO PLANNING COMMISSION APPROVAL

This plot in the City of West Fargo is hereby approved this _____ day of _____, 2023.

Tom Madougal, Chairman

State of North Dakota

County of Cass

On this _____ day of _____, 2023, before me, a Notary Public in and for said County and State, personally appeared Tom Madougal, 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

WEST FARGO CITY COMMISSION APPROVAL

This plot in the City of West Fargo is hereby approved this _____ day of _____, 2023.

Bernie L. Bards, President of the West Fargo City Commission

Thao Pham, City Auditor

State of North Dakota

County of Cass

On this _____ day of _____, 2023, before me, a Notary Public in and for said County and State, personally appeared Bernie L. Bards, President of the West Fargo City Commission and Thao Pham, City Auditor, known to me to be the persons described in and who executed the foregoing instrument and acknowledged to me that they executed the same as in the name of the City of West Fargo.

Notary Public, Cass County, North Dakota

CITY ENGINEER'S APPROVAL

This plot in the City of West Fargo is hereby approved this _____ day of _____, 2023.

Don R. Hanson, City Engineer

Registered Professional Engineer

NO. PE-4682

State of North Dakota

County of Cass

On this _____ day of _____, 2023, before me, a Notary Public in and for said County and State, personally appeared Don R. Hanson, 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



CERTIFICATE

Jacob R. Duchesneau, being duly sworn, deposes and says that he is the registered land surveyor who prepared and made the attached plot of "OAK RIDGE NINETEENTH ADDITION" to the City of West Fargo, a Replat of Lots 31 through 33, Block 1, "OAK RIDGE EIGHTEENTH ADDITION" to the City of West Fargo, Cass County, North Dakota; that said plot is a true and correct representation of the survey thereof; that all distances are correctly shown on said plot; that monuments have been placed in the ground as indicated for the guidance of future surveys and that said addition is described as follows, to wit:

Lots 31 through 33, Block 1, OAK RIDGE EIGHTEENTH ADDITION to the City of West Fargo, according to the recorded plot thereof on file and of record in the Office of the Recorder, Cass County, North Dakota.

Said tract contains 17,881 square feet, more or less, and is subject to all easements, restrictions, reservations and rights of way of record, if any.

PRELIMINARY

Jacob R. Duchesneau

Registered Land Surveyor

REG. NO. LS-28251

State of North Dakota

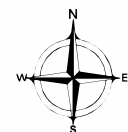
County of Cass

On this _____ day of _____, 2023, before me, a Notary Public in and for said County and State, personally appeared Jacob R. Duchesneau, 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



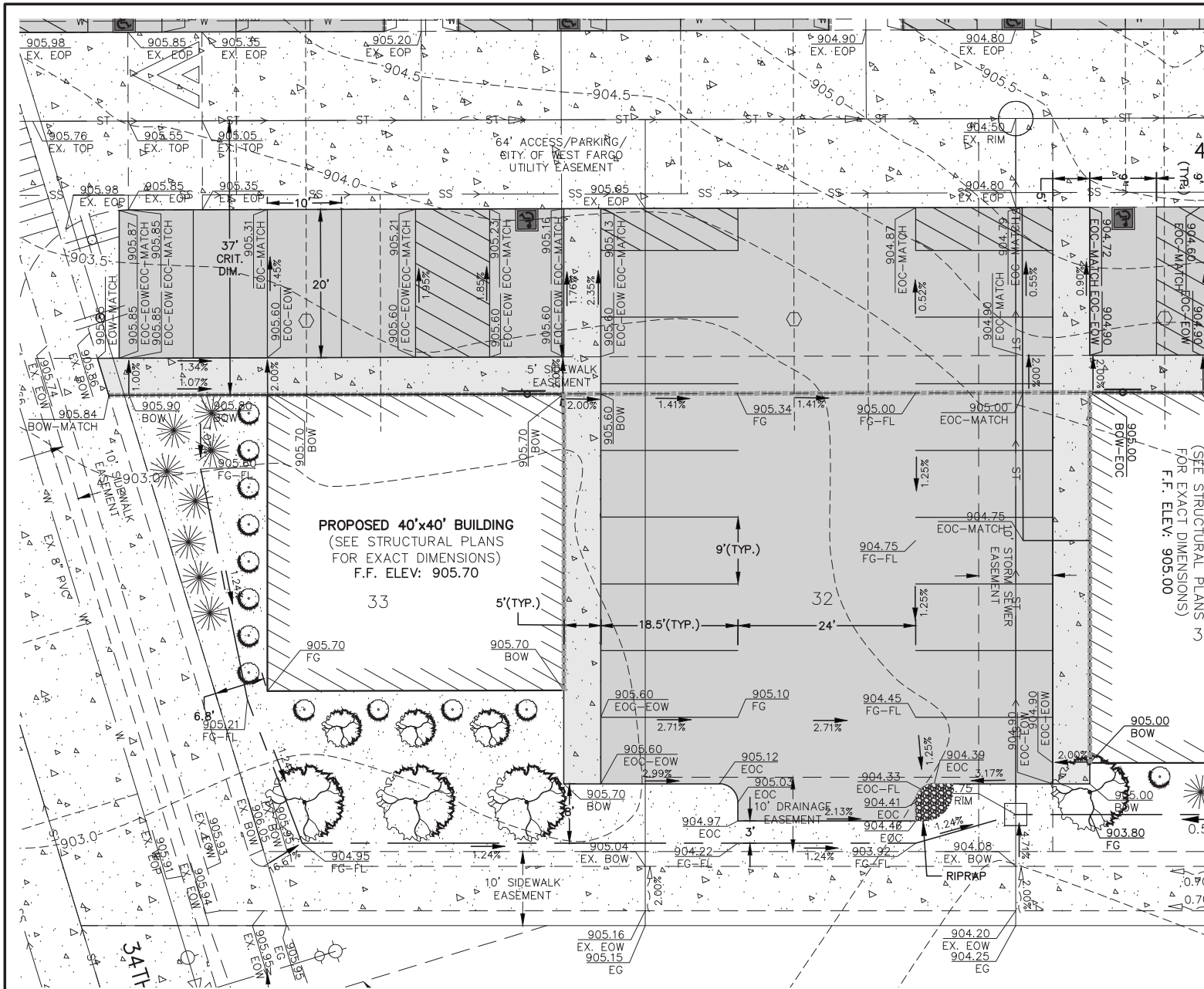
- LEGEND**
- IRON MONUMENT SET AND MARKED WITH LAND SURVEYOR NO. 28251
 - IRON MONUMENT FOUND
 - (31,985) LOT AREAS IN SQ. FT.
 - SECTION LINE
 - PLAT BOUNDARY LINE
 - LOT LINE
 - EASEMENT LINE
 - EXISTING LOT LINE
 - EXISTING STORM SEWER EASEMENT
 - EXISTING ACCESS/PARKING/CITY OF WEST FARGO UTILITY EASEMENT

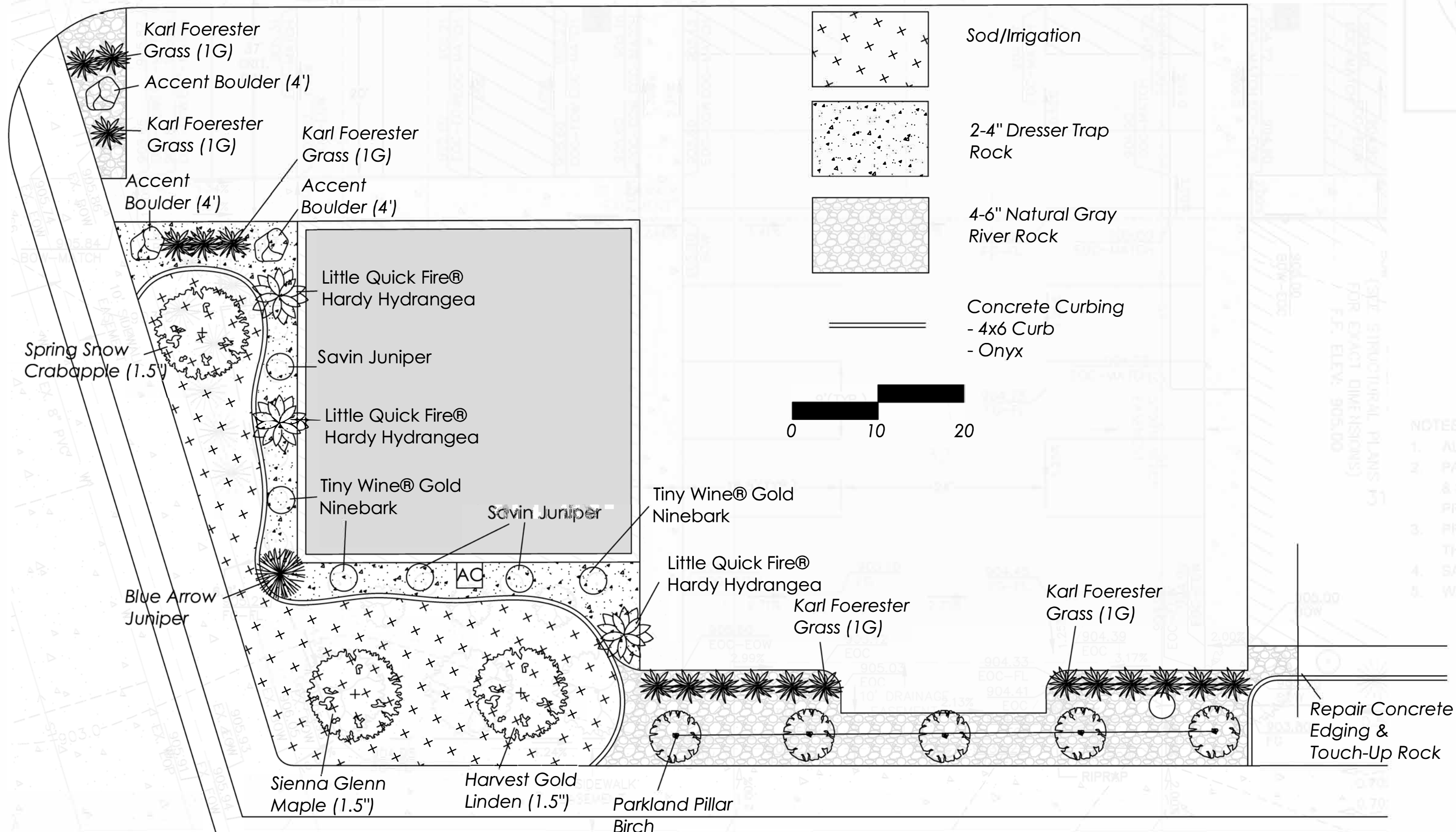


0 40
Scale in Feet

BASES OF BEARINGS:
THE WILDS SEVENTH ADDITION TO THE CITY OF WEST FARGO ACCORDING TO THE RECORDED PLAT THEREOF
TOTAL PLATTED AREA: 17,161 SQUARE FEET

SHEET 1 OF 1
PROJ. NO. 22273
moore
engineering, inc.





Oak Ridge Phase 2 Lot 33