

CASS COUNTY PLANNING COMMISSION AGENDA FOR OCTOBER 28, 2010

Cass County Highway Department Conference Room
7:00 AM
1201 Main Avenue West, West Fargo, ND 58078

1. Call to Order
Establish Quorum of Members
Approve December 17, 2009 Minutes
2. Public Notification Procedures – Citizen Comment (Jill Hudson)
3. County Developments Update (Solberg)
4. Metro Flood Study/County-Wide Sales Tax Update (Berndt)
5. November/December Meeting Dates
6. Other Business and Citizen Comment
7. Adjournment

***Additional copies of the agenda and Planning Commission materials are available at:
<http://www.casscountynd.gov/county/Boards/PlanningCommission/>***

Planning Commissioners:
Please call Highway Department Secretary
at 298-2370 if you are unable to attend.

Persons with Disabilities needing accommodations should call 298-2370 prior to the meeting.

**CASS COUNTY PLANNING COMMISSION
DECEMBER 17, 2009**

1. MEETING TO ORDER

The meeting was called to order on December 17, 2009, at 7:00 AM in the Highway Department Conference Room with members present as follows: Ken Lougheed, Todd Ellig, Chad Peterson, Scott Wagner, Lou Bennett, Mike Zimney and Brad Wimmer. Keith Monson and Mark Johnson were absent. Also present was County Engineer, Keith Berndt, County Planner, Tim Solberg, Max Johnson, Phil Johnson, Roger Rustad, and Jeff Phillip.

2. MINUTES APPROVED

MOTION, passed

Mr. Wagner moved and Mr. Bennett seconded that minutes from the September 24, 2009 meeting be approved as written. Motion carried.

**3. Tulip Acres Subdivision (NE 1/4, Section 14, Warren Township) – Final Plat
Minor Subdivision**

Public hearing held; Final plat approved

Mr. Solberg reviewed the final plat for Tulip Acres Subdivision, a tract of land located in the NE ¼, Section 14 of Warren Township filed in the Cass County Planning office by Max Johnson. The purpose of the subdivision is to plat two lots for residential development. The plat is approximately 20.7 acres and is located just west of Horace. The subdivision will use existing gravel roads, private sewer systems, and Cass Rural Water as a water source. The proposed access will be off of 168th Ave SE, a township gravel road that is maintained up to a ¼ mile south of County Hwy 6, just south of the proposed plat. The plat is currently within Zone A of the Flood Insurance Rate Map. US Fish & Wildlife has delineated a wetland within the parcel. The developer has contacted US Fish & Wildlife and they have no interest in this land. They have also contacted the US Army Corps of Engineers. Soil testing has been completed.

Comprehensive Plan Consistency: Along with a deed restriction by the surrounding ¼ section, the plat would be consistent with the Comprehensive Plan as it pertains to density. The potential plat has not historically been inundated during spring flooding and access was reported to be dry during 2009 spring flooding. The plat is in Zone A and will need to comply with Warren Township floodplain regulations. The recommendation is also made that the elevation be one to two feet higher than the road to the north of the property. Mr. Solberg spoke with Warren Township and if all of the requirements are met on the county level, they will also meet the township requirements.

Design standards not met include: Directly adjacent property owners should be noted on plat. Presence in floodplain should be noted on plat. Access should be identified on plat with addition of negative access to Cass County Highway 6. Presence of wetlands need not be identified on plat.

With the following conditions being met on the final plat, staff recommends forwarding approval to the County Board of Commissioners:

Approve with the following conditions:

1. Meet recommendations of Planning Commission and Review Agencies.

2. Certified letter from Warren Township approving the plat for zoning and floodplain requirements.
3. Correct design standards as noted.
4. Addition of right of way to equal 75 feet along 168th Ave SE.
5. Submit deed restriction and record prior to plat.

Mr. Johnson stated that their plans are to build a new house on the north lot. They will leave the existing structures on the south lot for the time being.

The public hearing was opened. Hearing no public comment, the public hearing was closed.

MOTION, passed

Mr. Wagner moved and Mr. Ellig seconded to approve the final plat of Tulip Acres Subdivision subject to the following:

1. Meet recommendations of Planning Commission and Review Agencies
2. Certified letter from Warren Township approving the plat for zoning and floodplain requirements.
3. Correct design standards as noted.
4. Add the 75 foot right-of-way along 168th Ave SE.
5. Submit deed restriction and record prior to plat.

Mr. Zimney refrained from voting on this matter as he is employed by Ulteig Engineering which is the firm who prepared the plat. Motion carried.

4. ADJOURNMENT

MOTION, passed

On motion by Mr. Wagner, seconded by Mr. Peterson, and all voting in favor, the meeting was adjourned at 7:20 AM.