

Cass County Planning Commission Meeting
Thursday, May 28, 2015 at 7:00 a.m.
Cass County Highway Department Conference Room
1201 West Main Avenue in West Fargo
Agenda

Business Items:

1. Call to Order
2. Establish Quorum of Members
3. Approve Meeting Minutes of March 26, 2015

Public Hearing Items:

4. Jahnke First Subdivision – A Minor Subdivision in Section 3 of Maple River Township
5. Other Business and/or Citizen Comments
6. Adjournment

**CASS COUNTY PLANNING COMMISSION
MARCH 26, 2015**

1. MEETING TO ORDER

A meeting of the Cass County Planning Commission was called to order on March 26, 2015, at 7:00 AM in the Highway Department Conference Room with members present as follows: Todd Ellig, Ken Lougheed, Keith Monson, Mary Scherling, Mark Wentz, and Mark Williams. Mark Brodshaug, David Gust, and Melissa Sobolik were absent. Also present was County Engineer Jason Benson, and County Planner Hali Durand.

2. MINUTES, APPROVED

MOTION, passed

Mr. Ellig moved and Mr. Monson seconded to approve the minutes of the January 22, 2015, meeting as presented. Motion carried.

3. ROACH SUBDIVISION (Minor Subdivision), Final Plat Approved

Mr. Lougheed opened the public hearing.

Ms. Durand said an application for a Minor Subdivision (plat) was received by the Cass County Planning Office for approval of a tract of land located in the Southwest Quarter of Section 34 in Everest Township for sale and residential development. The tract contains 11.903 acres of land, more or less.

Ms. Durand said she recommends the approval of the Final Plat as it meets the goals and objectives of the Cass County Comprehensive Plan, the Cass County Highway Access Plan, the Flood Damage Prevention Ordinance, and the Cass County Subdivision Ordinance.

Mr. Ellig asked if a deed restriction would be put in place. Ms. Durand said yes, and the property owners have been made aware of the deed restriction.

Ms. Durand said the township has also reviewed and supports the project.

The public hearing was closed.

MOTION, passed

Mr. Monson moved and Mr. Ellig seconded to approve the Final Plat for Roach Subdivision (Minor Subdivision) with the addition of a deed restriction added to the language. Motion carried.

4. LOT SPLITS

Ms. Durand said she continues to receive lot splits that should be going through the subdivision process. When Ms. Durand becomes aware of them, she contacts the landowners. There are five such instances at this time.

5. OTHER BUSINESS

Ms. Durand said there was a presentation at a Raymond Township meeting on a proposed pipeline in Mapleton and Raymond Townships. A tank facility has also been

proposed, which would house 2 to 4 tanks. The proposal will have to be approved by the Public Safety Commission.

Mr. Ellig said recently he has been struggling with the deed restriction policy as it was put in place to address the anticipated growth of Fargo. Mr. Ellig does not believe the restriction needs to be in place throughout the entire county as the needs of Fargo are much different than the rural areas. He does not know if it is feasible, but he would like to see a mechanism devised where deed restrictions would be put in place where they are warranted, but otherwise townships could use their discretion.

Mr. Benson said deed restrictions are part of the County Subdivision Ordinance and the County Comprehensive Plan, which aim to keep rural areas rural and focus new development in cities. In recent years, Burleigh County and the cities of Bismarck and Mandan have begun using similar approaches to re-write ordinances to address their own challenges with sprawling and rapid growth.

Mr. Lougheed said most restrictions are common sense and have been put in place because of lessons learned. Even so, he believes it does the county great service to continue discussing policies and restrictions to continuously re-evaluate whether or not they still serve a legitimate purpose.

Ms. Durand gave an update on old business. Job Third Subdivision, Johnson's Barn Subdivision, and Callies Run Subdivision have all been completed.

Ms. Durand asked if 7:00 AM is still the best time for the Planning Commission to meet. Mr. Lougheed said meetings used to begin at 8:00 AM, but attendance was poor and there were times where a quorum was not reached. The 7:00 AM meeting times have resulted in higher attendance and seem to work well for most of the board members.

6. **ADJOURNMENT**

On motion by Mr. Ellig, seconded by Mr. Wentz, and all voting in favor, the meeting was adjourned at 7:47 AM.

Staff Report

Title: Jahnke First Addition
Owner(s): Lowell & Melissa Jahnke
Applicant: Owners
Type of Request: Minor Subdivision (2 lots)
Status: Final Hearing at the May 28, 2015 Planning Commission Meeting

Proposal:

An application for a Minor Subdivision (plat) has been received by the Cass County Planning Office for approval of a tract of land located in part of the Northeast Quarter of Section 3 in Maple River Township to plat two lots for sale and residential development. The said tracts contain 6.236 acres of land, more or less.

Roads: Public Private Paved Gravel
Water Supply: Public Private Rural Water Shared Wells
Waste Water Treatment: Public On-Site Septic
Storm Sewer: Ditches Storm Sewer System
Ownership and maintenance responsibility of the subdivision: Public Private

Staff Analysis:

The proposed subdivision meets the goals and objectives of the Cass County Comprehensive Plan by achieving orderly, balanced, and sensible development and by providing essential facilities, services, and transportation.

No flood data has been mapped in this area and therefore the property is not determined to be in a floodway or floodplain, nor are there any wetlands near the proposed site.

Cass County Electric Cooperative and Xcel Energy have no issues or concerns with the proposed subdivision.

CenturyLink has no comments or concerns for this plat and stated facilities are on the north side of 42nd Street SE and on the east side of Highway 18.

The County Sanitarian stated, according to their records, the property has not had a soil test done to classify the soils for a septic system. A soil test would be required before an onsite sewage treatment system could be installed.

The proposed subdivision also meets the land use and lot size requirements of the township. The only comment from the Township is that the windbreak along the north border can accumulate snow and as another access is added, maintenance will need to be taken into consideration.

No public comments have been received.

A deed restriction will be drafted to comply with the density requirements.

Recommendation:

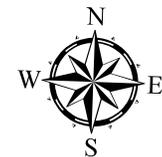
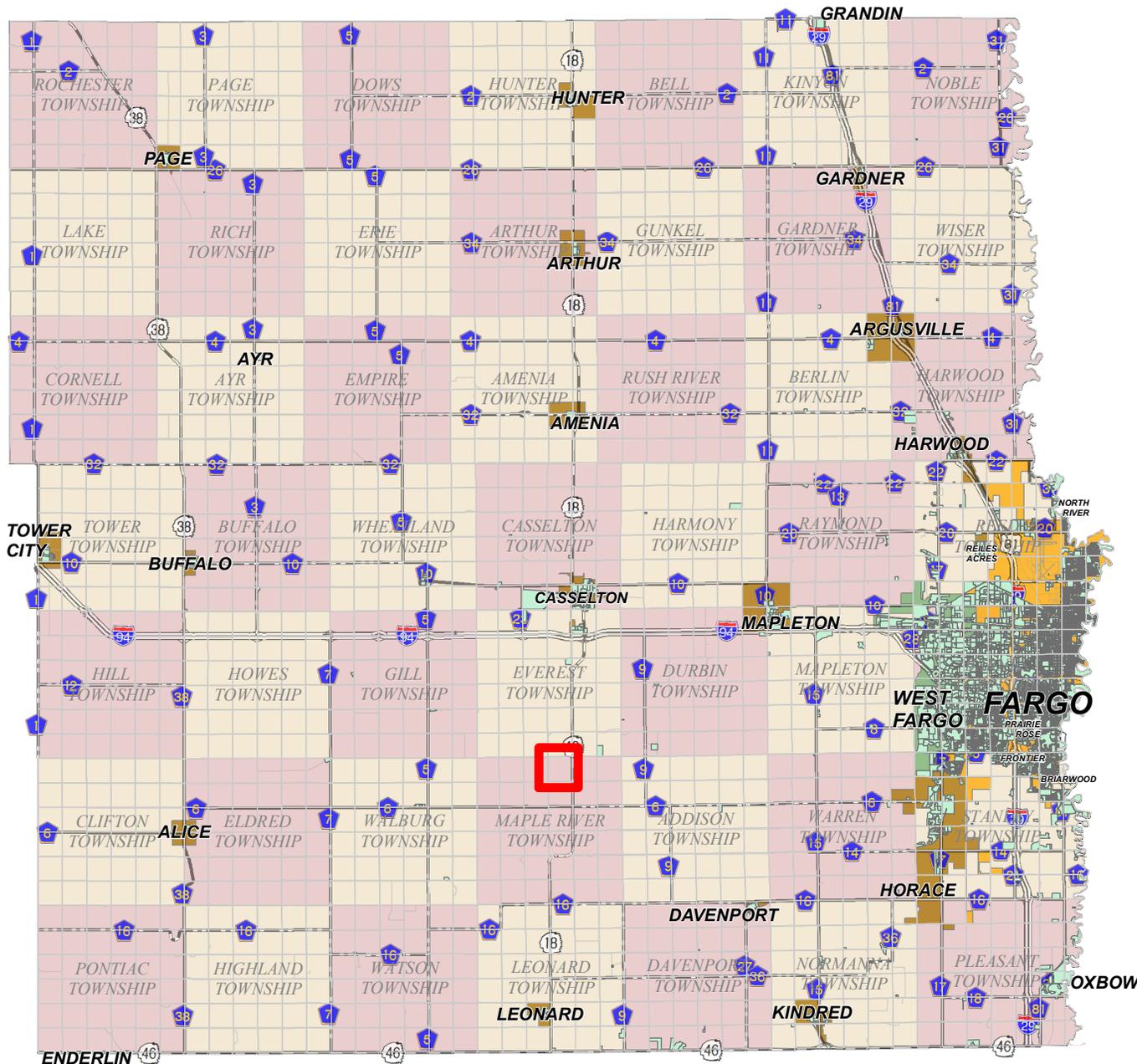
To approve the Jahnke First Subdivision as presented as it meets the goals and objectives of the Cass County Comprehensive Plan and the Cass County Subdivision Ordinance.

Cass County Highway Department

Vicinity Map

Jahnke First Subdivision

Being a plat of part of the
Northeast Quarter of
Section 3, Township 138 North,
Range 52 West of the
Fifth Principal Meridian,
Cass County, North Dakota.

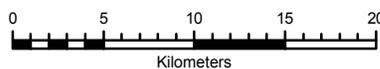


Hali A. Durand
County Planner

Cass County Highway Department
1201 Main Avenue West
West Fargo, ND 58078
701-298-2370

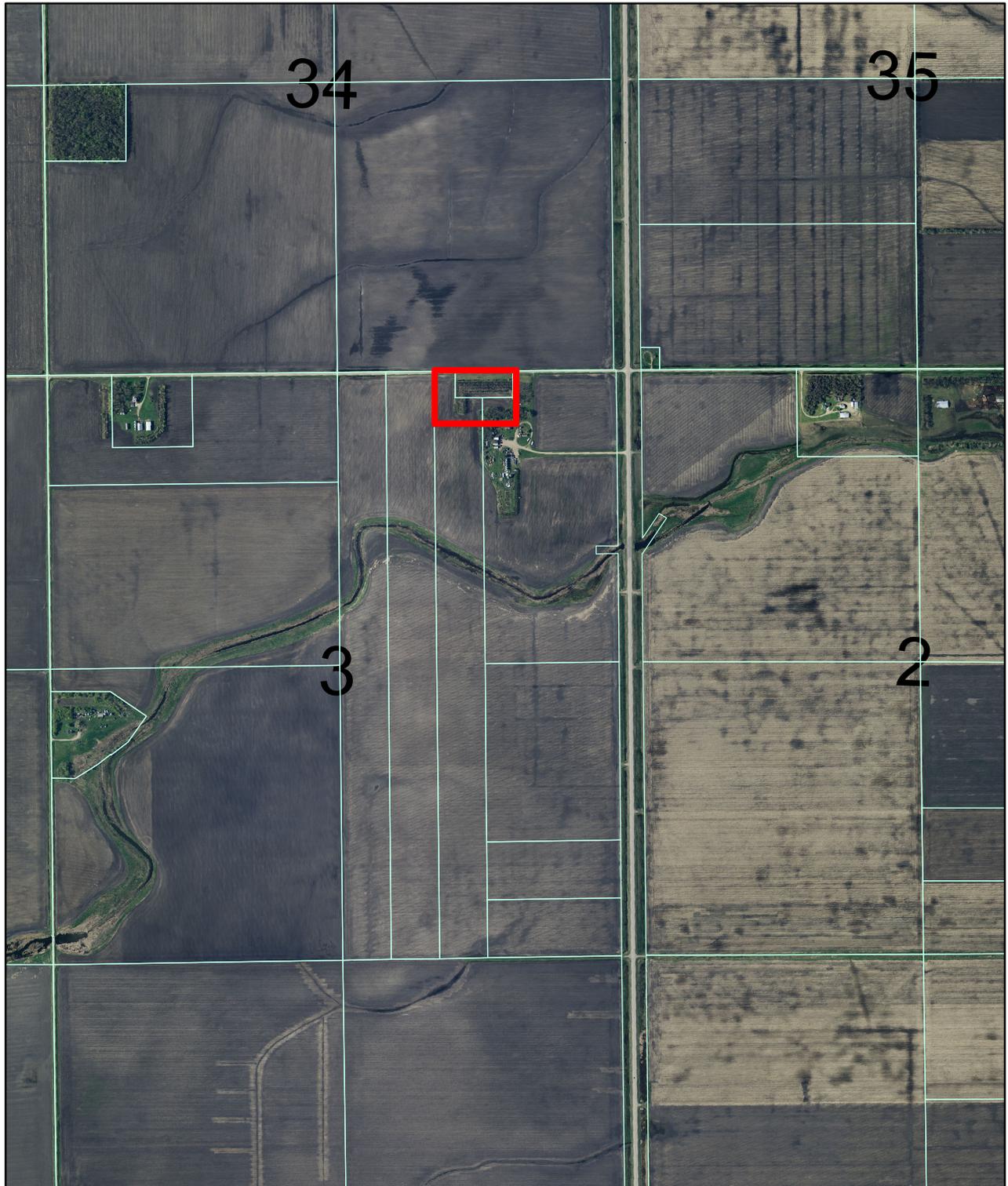
Web: <http://www.casscountynd.gov>
Email: highway@casscountynd.gov

May 11, 2015



Jahnke First Subdivision

Northeast quarter of Section 3, Township 138 North, Range 52 West
Maple River Township



Cass County Highway Department
1201 West Main Avenue
West Fargo, ND 58078

701-298-2370

Web: www.casscountynd.gov
Email: highway@casscountynd.gov

