

AGENDA
MANDAN PLANNING & ZONING COMMISSION
COMMISSION ROOM 5:15 P.M.
FEBRUARY 23, 2015

Roll Call, Reading and Approval of the January 26, 2015 minutes.

NEW BUSINESS

- 1. A request from Leslie Volochenko for a preliminary plat and a change of zoning. The request is to change the zoning of Lot AE less Lot 1 & less R/W 8.79 acres of the SE ¼ in Section 26, Township 139N, Range 81W from A (Agricultural) to CC (Heavy Commercial). The property is located east of Mandan Avenue NE on Division Street NE.**

- 2. A request from LB Family Properties for a change in zoning. The request is to change the zoning of Lot 2, Block 1, less the south 125' of Highland 2nd Addition Replat of the SW ¼ in Section 1, Township 139N, Range 81W from CA (Light Commercial and Services) to CC (Heavy Commercial). The property is located on Collins Avenue at 12th Street NW.**

- 3. A request from Meadowlands Development LLC for a preliminary plat and a change in zoning. The request is to change the zoning of Lots 17-20 and parts of the South ½ of Section 26, Township 139N, Range 81W from RM (Multi-Family Residential) and MB (Heavy Industrial/Heavy Commercial) to RMH (Residential Mobile Home), CB (Heavy Commercial) and CC (Heavy Commercial). The property is located southeast of Frontier Mobile Home Development and north of 3rd Street SE.**

MANDAN PLANNING AND ZONING COMMISSION
MANDAN CITY HALL BUILDING
January 26, 2015

The Planning and Zoning Commission of Mandan duly met in session in the meeting room of the Mandan City Hall Building on January 26, 2015, at 5:15 p.m. CDT.

Commissioners Present: Zachmeier, Fleischer, Kelly, Klein, Van Beek, Leingang, Laber, Mehlhoff, Liepitz, Beach, Robinson.

Commissioners Absent: Knoll

Commissioner Fleischer motions to approve the December 22, 2014 minutes. Commissioner Laber seconds. Upon vote, the motion receives unanimous approval of the Board.

Chair Robinson moves Other Business to first item on the agenda.

OTHER BUSINESS

1. Public hearing for consideration and potential approval of the Bismarck-Mandan Metropolitan Planning Organization's (MPO) 2015-2040 Long Range Transportation Plan (LRTP). The plan is a guide for the development of the area's transportation system over the next 25 years. The overall goal is to improve mobility, accessibility and safety. The plan is updated every five years.

Bob Decker, City Planner, introduces the plan. This is one of several ongoing plans currently in process.

Jason Carbee, HDR Inc., gives an overview of the study. It has been a yearlong process. There was a public review period 1-2 months ago, of the draft. He wants to give an overview of some of the elements and changes. This plan is a federal requirement to get federal transportation funding for the MPO (Metropolitan Planning Organization). It is updated every five years. This is a technical analysis on what our needs are today and what are the needs in the future? What do people expect out of the transportation system? Combine those two questions to come up with the framework of the study. They had public input meetings on both sides of the river. There was also a focus group and website. A couple themes were to maintain and improve mobility and improve safety. Enhance bicycle and pedestrian connections. Combined with a vision of what people wanted and the technical analysis, they came up with this Long Range Transportation Plan. This was put together under the context of accelerated growth the area is seeing right now. Three categories for transportation funding are preservation (maintaining what we have), expansion (new projects) and the interstate systems. A greater portion of revenue will have to go towards maintaining what is existing. The biggest changes that were made from the draft were prioritizing projects. The projects were split into short term, midterm and long term. Some projects areas are Highway 1806 up to 27th down to Old Red Trail, McKenzie Drive extension, potential extension of Division Street connecting to Mandan Avenue and the reconstruction of Memorial Highway. A focus group of bicyclists gave them some ideas to facilitate safety improvements, new trails or neighborhood slow streets. Public transportation was also studied, looking at improving frequency and efficiency of the bus system in place. They are looking for approval or acceptance of the study.

Commissioner Laber motions to approve passing the Long Range Transportation Plan to go before the City Commission. Commissioner Kelly seconds. Upon vote, motion receives unanimous approval.

NEW BUSINESS

1. A request from Jessara LLC for a change in zoning. The request is to change the zoning of Lot 1, Block 2, Mandan Industrial Park 7th Addition from MC (Light Non-Nuisance Industrial/Heavy Commercial) to MA (Light Non-Nuisance Industrial/Heavy Commercial). The property is located at 4304 32nd Ave. NW.

Bob Decker, City Planner, this is mostly a cleanup issue to change the whole lot to MA zoning instead of the zoning splitting the lot. The zones are similar and there is not a lot of difference. The company wants to put up a building on part of the lot and will probably sell another portion of the lot. The location is on Old Red Trail. They are looking at having truck traffic come down a side street instead. The site plan will have to be reviewed when that comes in.

Commissioner Fleischer asks if the remaining MC zoned lots should be changed to MA. Bob says when the zoning code is updated that is something that can be looked at then.

Commissioner Leingang motions to approve the zone change from MC to MA. Commissioner Laber seconds. Upon vote, the motion passes unanimously.

2. A request from Patrick Koski, Charles & Jocelyn Varland, Tyler Leier, Diversity Homes and Investcore Inc. for a change of zoning. The request is to change the zoning of Lots 1-7, Block 1 and Lots 1-7, Block 3, Heart Ridge 2nd Addition from R7 (Single-Family Residential) to R3.2 (Two-Family Residential). The property is located on 18th Street SE.

Bob Decker, City Planner, says Mr. Patrick Koski originally submitted the zone change. He owns two of the lots and the other property owners had to submit their signatures for approval of the requested zone change. There is an issue with this already being a paved street and if it changes from single-family residential to twin homes, additional water and sewer connections will have to be put in. The street would have to be dug up to do that. The water line runs close to the curb, which makes it tricky to get the water connections in. The curb would have to be supported or replaced. There are 7 lots to the east of this property that is zoned R3.2, but only 2 of those lots have twin homes built on them and the others have single-family on them. So, the question is should we expand the twin homes to this area even though there is only two of them next door. A possibility would be to extend one row (the row to the south along 19th Street) for R3.2. There is a sewer lift station on the SW corner of this property that would have to be fenced in. He would like to see the sidewalks put in when the lots are developed rather than afterward. He points out that one existing twin home on Lot 1, Block 2, is skewed. The structure is crooked from the property line and the owners may not own what they think they do. He suggests this item can be tabled until some of these issues are addressed.

Commissioner Leingang says the lot owners surrounding Lots 1-7, Block 3, bought their lots next to what they thought was going to be R7. He cannot see changing that to R3.2. He could see the row along 19th Street changing to R3.2.

Commissioner Laber asks if Lot 7 would have enough square footage for a twin home, being the lift station cuts into the south part of the lot. Bob says the lots are twice the minimum for a single-family. A twin home could be built on that lot with a backyard around 30' deep.

Commissioner Klein asks the commissioners if they seen the opposition letter from Matt Wenger. Chair Robinson says he saw the email with Mr. Wenger's note attached. Bob says Mr. Wenger built his single-family home on a R3.2 lot. Mr. Wenger could not attend the meeting.

Commissioner Laber asks if the fence for the lift station the developer's responsibility or the city's. Bob says stations are not always fenced in and it depends on the location. In this case, it is next to residential. A condition can be put on this developer to put a fence on Lots 6 & 7. These two lots border the lift station area.

Doug Lalim, Building Official, thinks the infrastructure does not support R3.2. The lots may be large enough, but some of them are going to have large setbacks off both streets. He would not recommend the zone change to R3.2.

Bob says we are dealing with multiple applicants and he tends to agree with Doug. He would prefer it was tabled so everybody can think about this.

Matt Seng, lives on the NW corner of Ridge Drive & 18th Street, "Does anybody know what the values of the homes they plan on building there going to be? My concern is bringing down our property value by building smaller or cheaper homes there. Like the topic that was brought up before, these were designed for single-family homes. They're relatively narrow lots for a twin home. Meaning the building will probably, and I'm just assuming, the building will have to go deeper into the lots, which would inflict on our view. This puts more building per square foot...more people per area in there. Just another thing I'd like to say too when they have to dig in and put in new stubs...I believe the water lines on the north side of 18th? Can they bore under the street to get to the south lots? Does that all have to be dug up? Anytime they do that you end up with a patch work job. You end up with cracks that can allow water to get into the road. This road will need repair sooner that it would need to down the road. Who's going to have to pay for that? It changes the dynamic of the neighborhood. I've talked to other neighbors in the area. Nobody showed up tonight, but I know there are other people that are not for it. Would a petition do any good?"

Chair Robinson says at this time the motion is to table it until they come back with subdivision plans. We don't know exactly what their plans are to answer some of Matt's questions. We don't know home size and where they will be located on the lot. He tells Matt when it comes back he will have another chance to make comments.

Mayor Van Beek asks Matt if he is aware he built on a R3.2 lot. Matt says he knows now. It is legal to do that. Doug says the developer probably built the house and then sold it to Matt without Matt knowing what the zoning was.

Commissioner Leingang motions to table the zone change. Commissioner Mehlhoff seconds. Upon vote, the motion passes unanimously.

Commissioner Leingang motions to adjourn. Commissioner Laber seconds. Motion passes unanimously. Meeting adjourns at 6:54 p.m.

NEW BUSINESS ITEM # 1

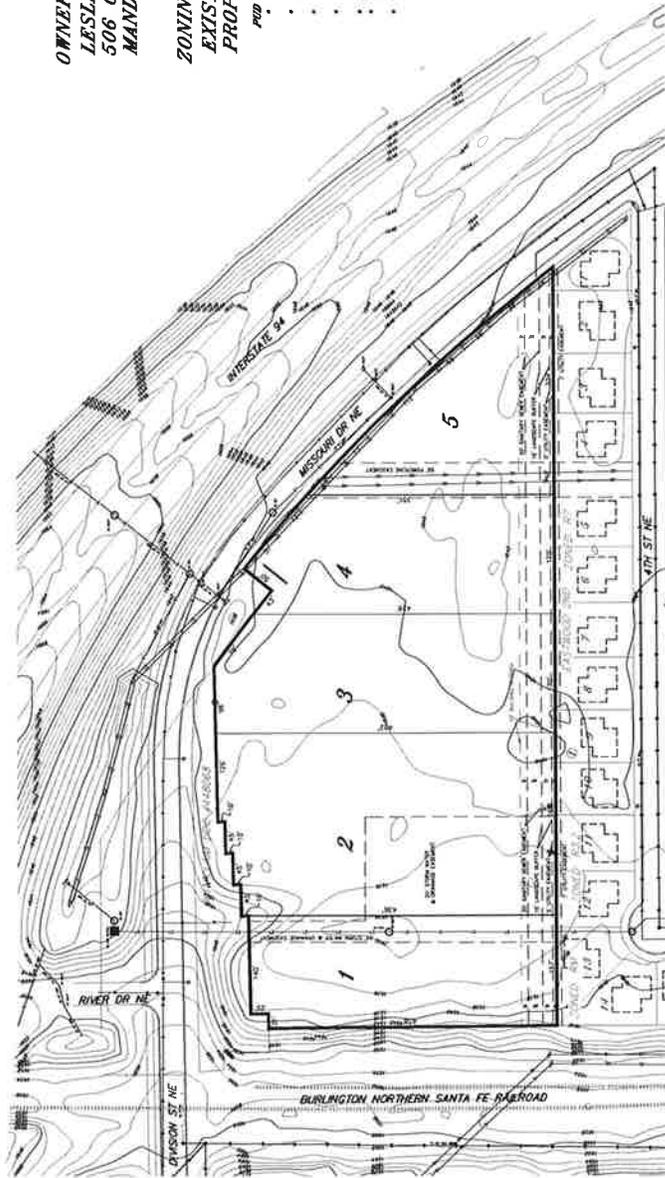
NEW BUSINESS ITEM # 1

Mandan Planning and Zoning Commission Agenda Item
 For Meeting on February 23, 2015
 Mandan Engineering and Planning Office Report
Preliminary Plat & Rezone Volochenko
 Requested Action
Change zoning from A to CC

Application Details					
Applicant Swenson, Hagen & Co.	Owner Leslie Volochenko	Subdivision Volochenko (proposed)	Legal Description Mandan Lands, not subdivided		
Location Along Division St. NE / Missouri Dr. NE east of Mandan Ave. NE		Proposed Land Use commercial	Parcel Size 8.79 acres	Number of Lots 5	
Existing Land Use vacant	Adjacent Land Uses Residential & commercial		Current Zoning A	Proposed Zoning CC	Adjacent Zoning R7, R3.2 & CC
Fees \$600	Date Paid Jan. 21, 2015	Adjacent Property Notification Sent Feb. 10, 2015		Legal Notices Published Feb. 13 & 20, 2015	

Project Description
Request is to rezone to allow development of area with commercial or light industrial.
Agency & Other Department Comments
Engineering & Planning Staff Comments
<ul style="list-style-type: none"> • Has rail access • Storm drain system runs through property and must be addressed • Within Gateway overlay zone so landscape buffering is required
Engineering & Planning Recommendation
<ol style="list-style-type: none"> 1. Consider using PUD to limit development options. 2. Approve preliminary plat subject to the following conditions: <ol style="list-style-type: none"> a. Execution of a subdivision developer agreement b. Completion of a stormwater management plan c. Creation of a PUD district with appropriate use restrictions
Proposed Motion

VOLOCHENKO ADDITION
 PART OF THE NE 1/4 OF SECTION 26
 T 139 N, R 81 W
 Mandan North Dakota



OWNER/DEVELOPER:
 LESLIE VOLOCHENKO
 506 COLLINS AVE
 MANDAN, ND 58554

ZONING:
 EXISTING: A
 PROPOSED: PUD

- PUD REQUIREMENTS:**
- OWNER SHALL INSTALL A CHAIN LINK FENCE WITH 24 INCHES ALONG SOUTH PROPERTY LINE
 - A 300' X 300' AREA, 16 FEET WIDE WILL BE CONSTRUCTED IN THE LANDSCAPE
 - LANDSCAPING CONTAINING 4 DECIDUOUS TREES, 4 CONIFEROUS TREES, AND 10 SHRUBS PER LOT SHALL BE INSTALLED IN THE LANDSCAPE
 - THE LANDSCAPE SHALL BE MAINTAINED ON A BASIS OF COMBINATION SHALL BE INSTALLED AND MAINTAINED ON EACH LOT
 - A 60' BUILDING SETBACK WILL BE REQUIRED ALONG THE SOUTH PROPERTY LINE
 - INDUSTRIAL GROUP B AND GENERAL FARMING GROUP WILL NOT BE ALLOWED IN THE
 - PARKING ALLOWED ON LOTS, EXCEPT THE SOUTH 15 FEET

5 LOTS, 9.00 ACRES



SCALE: 1" = 100'
 JANUARY 21, 2015

LOCATION MAP





BIBEL

1-94

Zone Change

CC

EASTWOOD 2ND

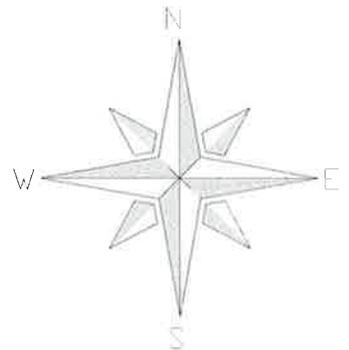
4TH STREET NE

KASPERS

3RD STREET

EASTS

2ND STREET NE



NEW BUSINESS ITEM # 2

NEW BUSINESS ITEM # 2

Mandan Planning and Zoning Commission Agenda Item
 For Meeting on February 23, 2015
 Mandan Engineering and Planning Office Report
Rezone Lot on Collins
 Requested Action
Change zoning from CA to CC

Application Details					
Applicant Swenson, Hagen & Co.	Owner LB Family Properties	Subdivision Highland 2 nd Replat	Legal Description Lot 2, Block 1, less south 125'		
Location Collins Ave. NW between 12 th St. NW & 13 th St. NW		Proposed Land Use commercial	Parcel Size 1.27 acres	Number of Lots 1	
Existing Land Use vacant	Adjacent Land Uses Eagles & health facility office, residential across street and behind property		Current Zoning CA	Proposed Zoning CC	Adjacent Zoning CA & R7
Fees \$400	Date Paid Feb. 2, 2015	Adjacent Property Notification Sent Feb. 11, 2015	Legal Notices Published Feb. 13 & 20, 2015		

Project Description

Request is to change zoning from CA to CC to allow car wash and storage units.

Agency & Other Department Comments

Water and sewer service are available but details of how to connect will have to be worked out.

Engineering & Planning Staff Comments

This parcel is located in the middle of a small CA district (5 parcels) surrounded by residential. The function of a CA district is to provide services to a limited geographic area (neighborhood). The uses are generally low intensity. Residential uses are allowed. The FAR is a low 0.25 and there are setback requirements.

CC is CB without the residential. It allows much more intense uses and usually encompasses a larger land area. Businesses in a CC zone usually rely on attracting customers from a larger geographic area. CC allows denser development than CA since it has no front or side yard setback requirements and the FAR is 1.00 meaning that buildings could be built on the whole lot.

Even though the proposal shows a car wash and storage units, there is nothing to stop the property owner from building any use allowed in a CC district. Placing restrictions on the allowed uses in a zone is legally problematic. To be on the safe side, you should create a signed and recorded developer agreement limiting uses or create a PUD district that spells out what is allowed and what is not allowed.

The submitted plan calls for 36 storage units. This would serve a larger area than the immediate neighborhood. We have seen numerous storage unit projects built in the past couple years. One project owner indicated that he was having trouble keeping all of his rented. We have been told that even the storage unit manufacture's salesman has advised people against building any more.

A 4 bay car wash is designed to draw people from the community or region. It is not a neighborhood use.

Even though Collins is a main street out of downtown, it is not very wide and does not have direct access to the interstate. The area to the south of this parcel is heavily residential. The intersection of Old Red Trail and Collins to the north is only controlled with stop signs and can become congested when people are going to work or school, school lets out, Tesoro has a shift change or people are coming home from work.

This site is not within the limits of the Gateway Overlay Zone but it is close (650'). The newly adopted general requirements for landscaping would apply to this site. The requirements for CA would be greater than the requirements for CC due to the different setback standards.

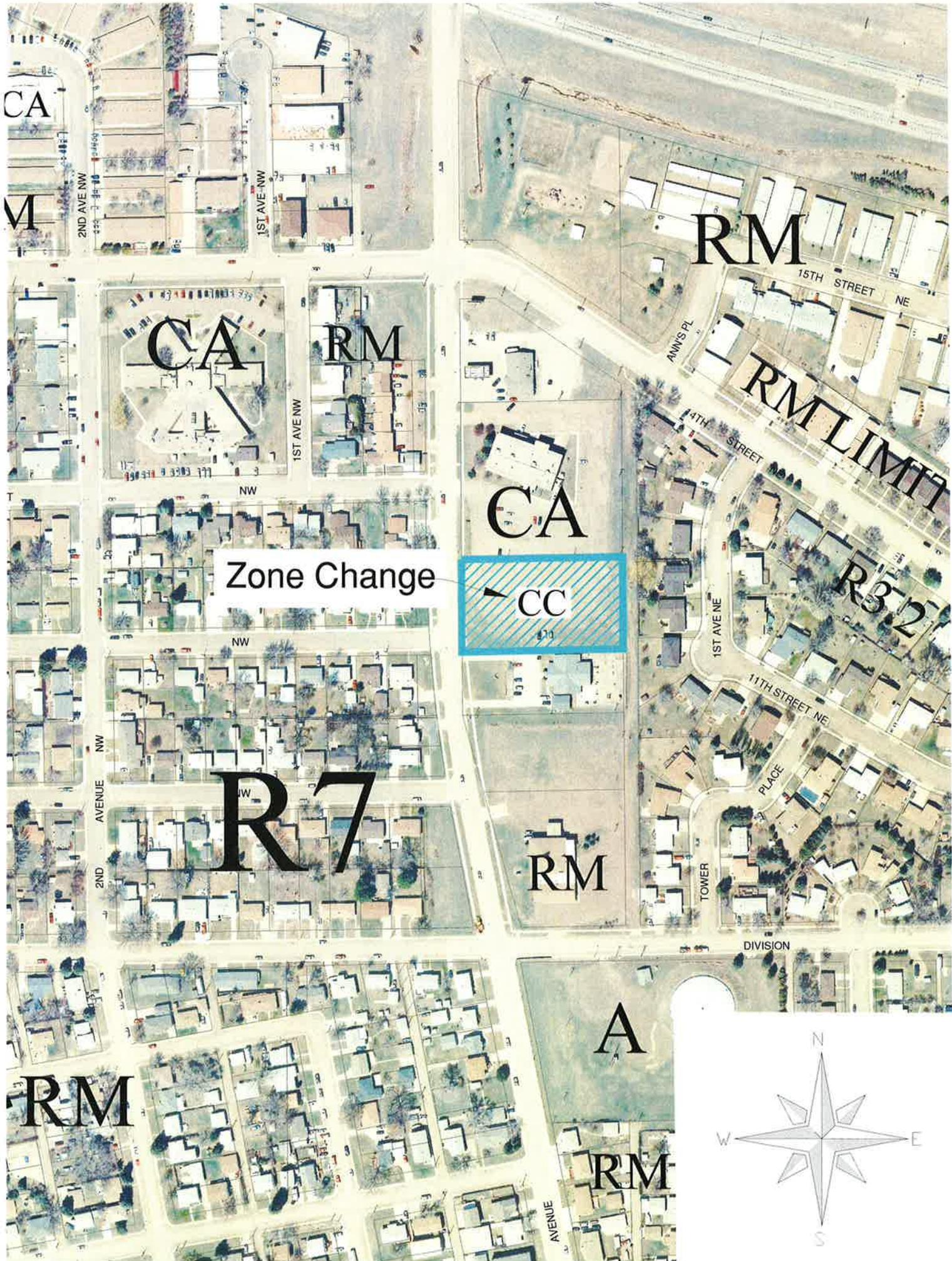
There is a water transmission line running through an undeveloped alley bordering the rear of the lot. There are other utilities in the alley. There is also an overhead power line in a 30' wide easement at the rear of the lot.

Engineering & Planning Recommendation

Prior to finalization of rezoning, execute a developer agreement with the following provisions:

1. Provide opaque commercial grade fence and landscape buffering along rear property line.
2. All lighting to be directed away from rear property line.
3. Due to relatively steep slope of lot, stormwater system to be designed to prevent uncontrolled water from running out onto Collins.
4. Detention areas to be landscaped with trees or shrubs.
5. Area between driveways to be landscaped with low shrubs or small trees that will not restrict visibility for exiting vehicles.
6. Provide access easement over property for utility companies and city to allow access to rear of lot.
7. Provide vehicle gate in rear fence for city and utility access to undeveloped alley bordering rear of property.
8. Other than standard city provided taps, extension of existing water and sewer in order to provide service to the property to be at property owner's expense.
9. Design of retaining wall on south property line to be reviewed and approved as part of stormwater plan.
10. Comply with requirements of industrial wastewater control ordinance and obtain an industrial wastewater discharge permit.

Proposed Motion



CA

RM

2ND AVE NW

1ST AVE NW

RM

15TH STREET NE

CA

RM

1ST AVE NW

ANN'S PL

RM LIMITED

CA

14TH STREET

Zone Change

CC

R3-2

NW

1ST AVE NE

2ND AVENUE NW

R7

11TH STREET NE

RM

TOWER

DIVISION

RM

A

RM

AVENUE

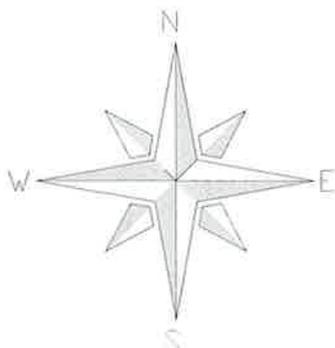
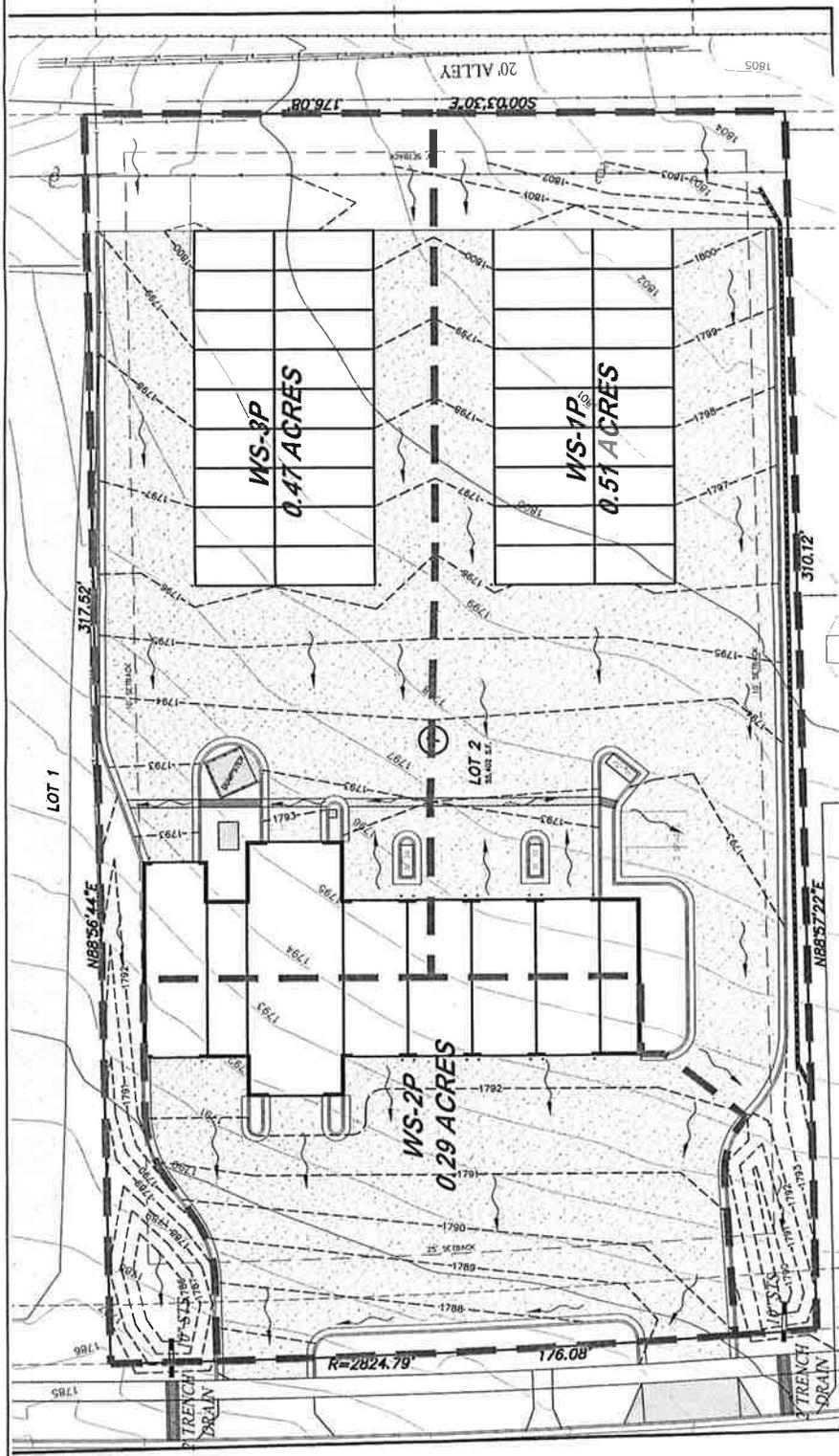


FIGURE THREE
 PROPOSED SITE MAP
 LOT 2 BLOCK 1 HIGHLAND 2ND REPLAT
 STORM WATER PERMIT APPLICATION



NAVD88
 SCALE - 1"=30'



LEGEND
 DRAINAGE ARROW

PROPOSED COVER CONSISTS OF
 GRASS, BUILDINGS, AND PAVING

COLLINS AVENUE

Email: majsmnd@bis.midco.net

Confirm email: majsmnd@bis.midco.net

Location of complaint (street address or other directions): Collins Ave

For property maintenance complaints - name of property owner (if known):

Nature of the complaint (please include specific reasons or details): We received the zone change for Collins Ave. My wife and I own property at 1405,1413, and 1415 Collins Ave. We feel this is not a good fit on a major road in Mandan where many people drive. It would be better suited out of the way. We want people who visit and live here to have a positive opinion. For this reason we do not approve this zone change, and we can not come to the meeting because of work commitments. Thanks

Do Not Click Reply - This e-mail has been generated from a super form.

NEW BUSINESS ITEM # 3

NEW BUSINESS ITEM # 3

Mandan Planning and Zoning Commission Agenda Item
 For Meeting on February 23, 2015
 Mandan Engineering and Planning Office Report
Preliminary plat & Rezone Meadowlands
 Requested Action
Change zoning from RM & MB to RH, CB & CC

Application Details					
Applicant Swenson, Hagen & Co.	Owner Barry Jennings	Subdivision Meadowlands (proposed)	Legal Description Multiple parcels, no existing subdivision		
Location Between 3 rd St SE and Memorial Highway		Proposed Land Use Manufactured homes and commercial	Parcel Size 42.9 acres	Number of Lots 12	
Existing Land Use vacant	Adjacent Land Uses Residential & commercial		Current Zoning RM & MB	Proposed Zoning RH, CB & CC	Adjacent Zoning RM, MA & MB
Fees \$700	Date Paid Jan. 21, 2015	Adjacent Property Notification Sent Feb. 12, 2015	Legal Notices Published Feb. 13 & 20, 2015		

Project Description

Request is to rezone to allow development of area with manufactured homes and multi-family or commercial.

Agency & Other Department Comments

- Need to establish mail delivery plan

Engineering & Planning Staff Comments

- There are issues with access to Memorial
 - Traffic study will be needed since this project impacts intersection of 3rd St NE and Memorial where installation of traffic signal is being considered
 - Access onto Memorial near BNSF bridge is limited by median (no left turn)
 - NDDOT has provided traffic study criteria
- Property boundaries between this owner and BNSF may be challenged due to BNSF driveway being shown on this property. Intent is to provide BNSF access to Memorial along a modified route.
- Some land swap with neighboring mobile home court will likely occur (brother owns mobile home court).
- Flood control questions need to be answered by Lower Heart.
- Construction near existing dike.
- Removal of part of old railroad embankment is proposed.
- Impacts on existing stormwater system.
- Need for land to relocate master sanitary sewer lift station or install gravity interceptor.
- Possible trade of land so property can be accessed on west side of existing master sanitary sewer lift station.
- Water and sewer are available but developer may need to extend off-site to reach existing.
- Potential uses for east side of property not yet determined.
- Initial layout for manufactured home park needs work because of utility conflicts. Zoning requires a minimum of 10 acres for this use.
- Proposed Comprehensive Plan shows this area as industrial.

Engineering & Planning Recommendation

Flood control dike provides a buffer with existing uses to the east. Area to the west is residential. Continuation of residential is acceptable.

1. Approve preliminary plat subject to the following conditions:
 - a. Preparation of a subdivision master plan meeting the requirements of Section 21-09-07

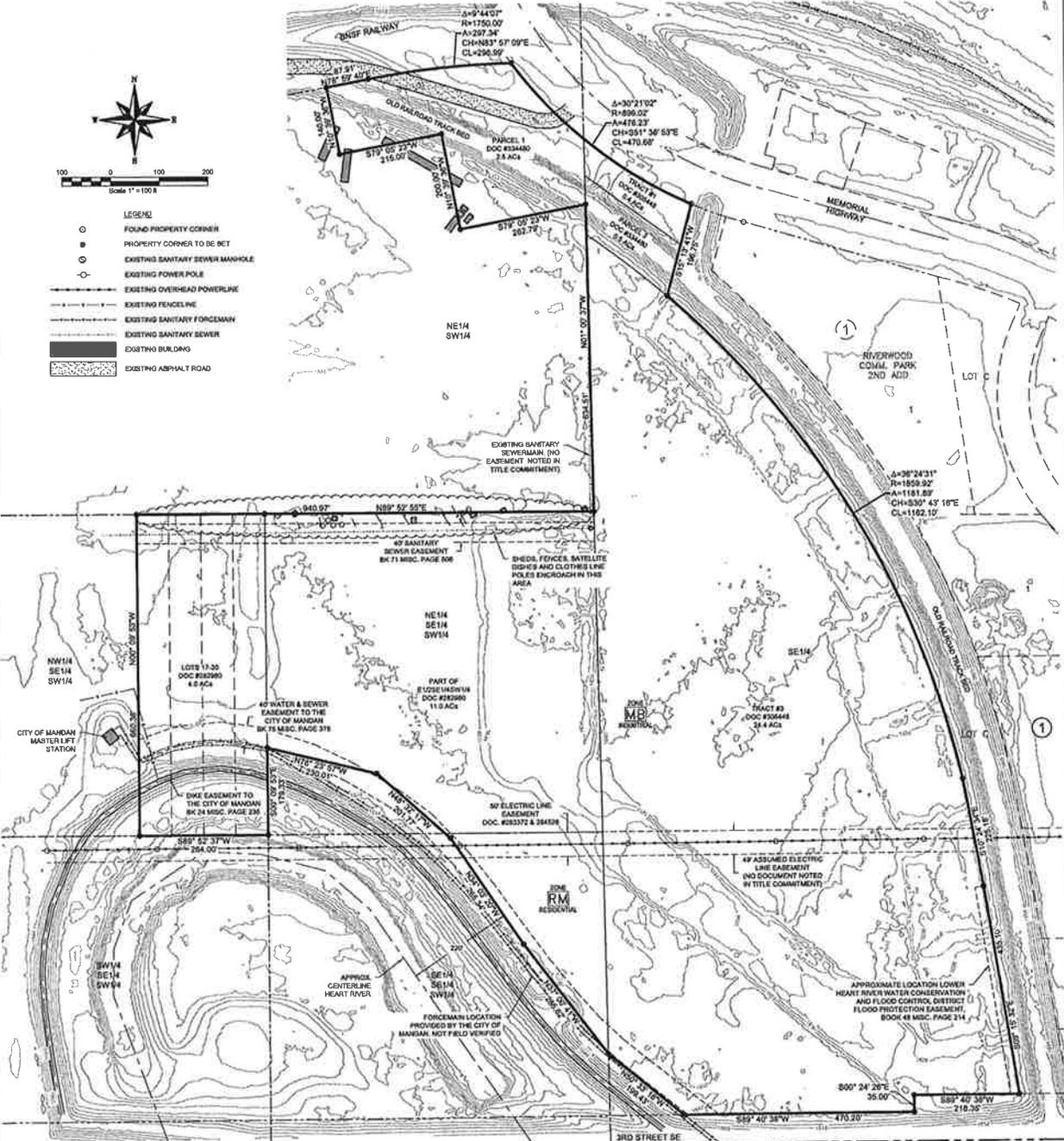
- b. Execution of a subdivision developer agreement
 - c. Completion of a stormwater management plan
 - d. Prepare traffic study of project impact on 3rd and Memorial
 - e. Approval from USPS, NDDOT, Lower Heart (& FEMA if needed), Park District and School District
2. Approve rezoning as proposed

Proposed Motion

Move to approve preliminary plat with conditions as recommended by staff and recommend that board approve rezoning as proposed.

ALTA/ASCM LAND SURVEY PLAT

PART OF THE S1/2 OF SECTION 26, T139N-R81W THE CITY OF MANDAN,
MORTON COUNTY, NORTH DAKOTA



LEGAL DESCRIPTION:

ALL TRACTS AS DESCRIBED IN DOCUMENTS 262980, 306446 AND 334480. SAID TRACTS OF LAND CONTAINING IN TOTAL 42.9 ACRES, MORE OR LESS.

NOTES:

1. THE ABOVE DESCRIPTION DESCRIBES THE SAME PROPERTY AS NOTED IN TITLE COMMITMENT NO. 20164292.
2. UTILITIES SHOWN BASED ON OBSERVED EVIDENCE DURING SURVEY AND PROVIDED BY THE CITY OF MANDAN.
3. ITEMS 11, 12, 13, 17, 18, 24, 27, 28, 30, 31, 32, 33, 34, 35, 36, 38, 40, 41, 42, 43, 44, 45, 48 AND 47 DO NOT EFFECT PROPERTY AS THEY FALL OUTSIDE THE PROPERTY BOUNDARIES.
4. ITEMS 15, 16, 21, 22, 27, AND 29 ARE EITHER THE ORIGINAL PATENT (18 & 40) OR RESOLUTIONS FOR AMVICATION OR ZONING THAT CANNOT BE SHOWN ON THE DRAWING DUE TO THE BOUNDARIES FALLING OUTSIDE THIS PROPERTY.
5. ALL OTHER ITEMS ARE SHOWN ON THE DRAWING.
6. CONTOURS BASED ON LIDAR DATA AS PROVIDED BY THE BISMARCK-MANDAN METROPOLITAN PLANNING ORGANIZATION (MPO) AND COMPILED FROM DIGITAL MANGSTY COLLECTED ON MAY 2ND & 3RD, 2013. VERTICAL DATUM USED: NAVD83.
7. PROPERTY IS IN ZONE X ACCORDING TO LETTER OF MAP REVISION (LWR), CASE NO. 06 OR SHARP, EFFECTIVE DATE, AUGUST 28, 2006.
8. NO WETLANDS ARE DESIGNATED ON THIS PROPERTY.

CERTIFICATION:

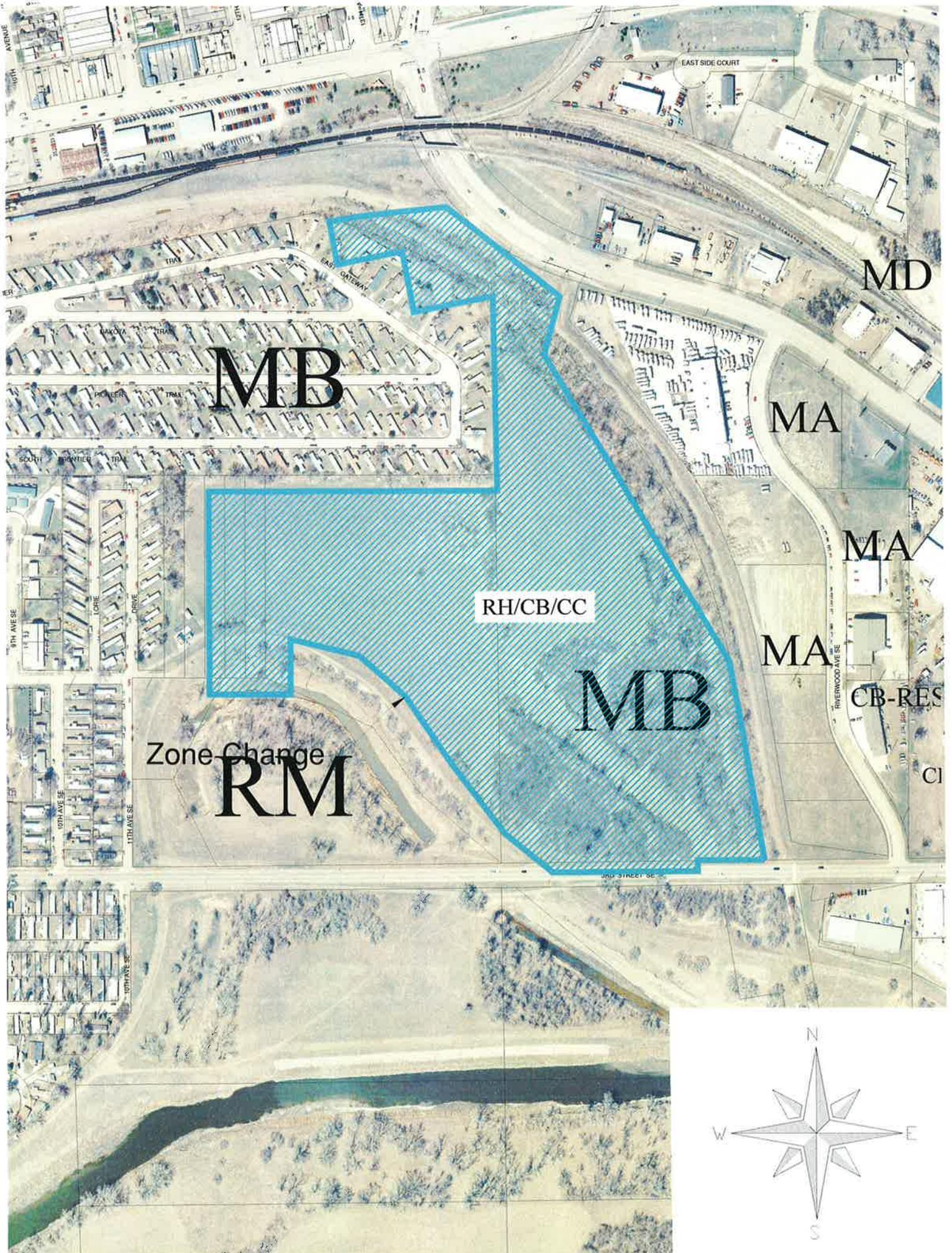
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, MEADOWLANDS DEVELOPMENT, LLC AND SECURITY FURST BANK OF NORTH DAKOTA:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ASCM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ANA AND NSRP, AND INCLUDES ITEMS 1, 2, 4, 6, 9, 11(a), 11(b) AND 19. THE FIELDWORK WAS COMPLETED ON NOVEMBER 26, 2014.

DATE OF PLAT OR MAP: DECEMBER 1, 2014



TOMAN ENGINEERING
501 1st Street NW, Mandan, ND 58554
Phone: 701-663-6463 * Fax: 701-663-0823



MB

MD

MA

MA

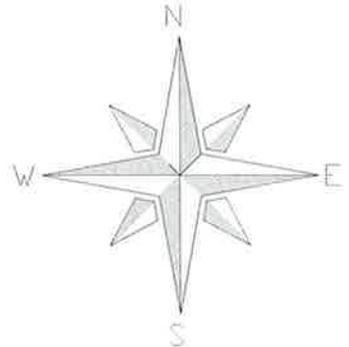
RH/CB/CC

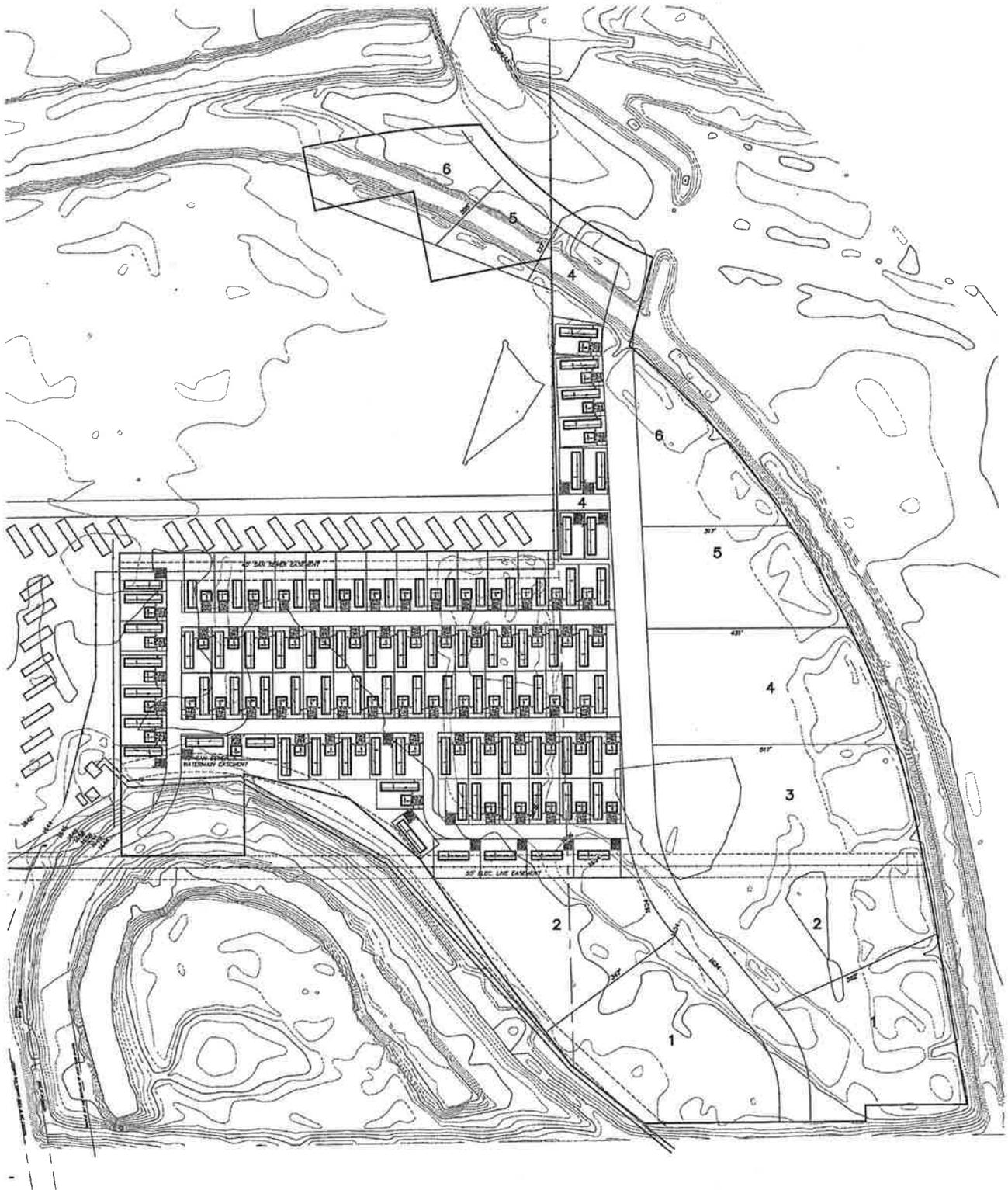
MA

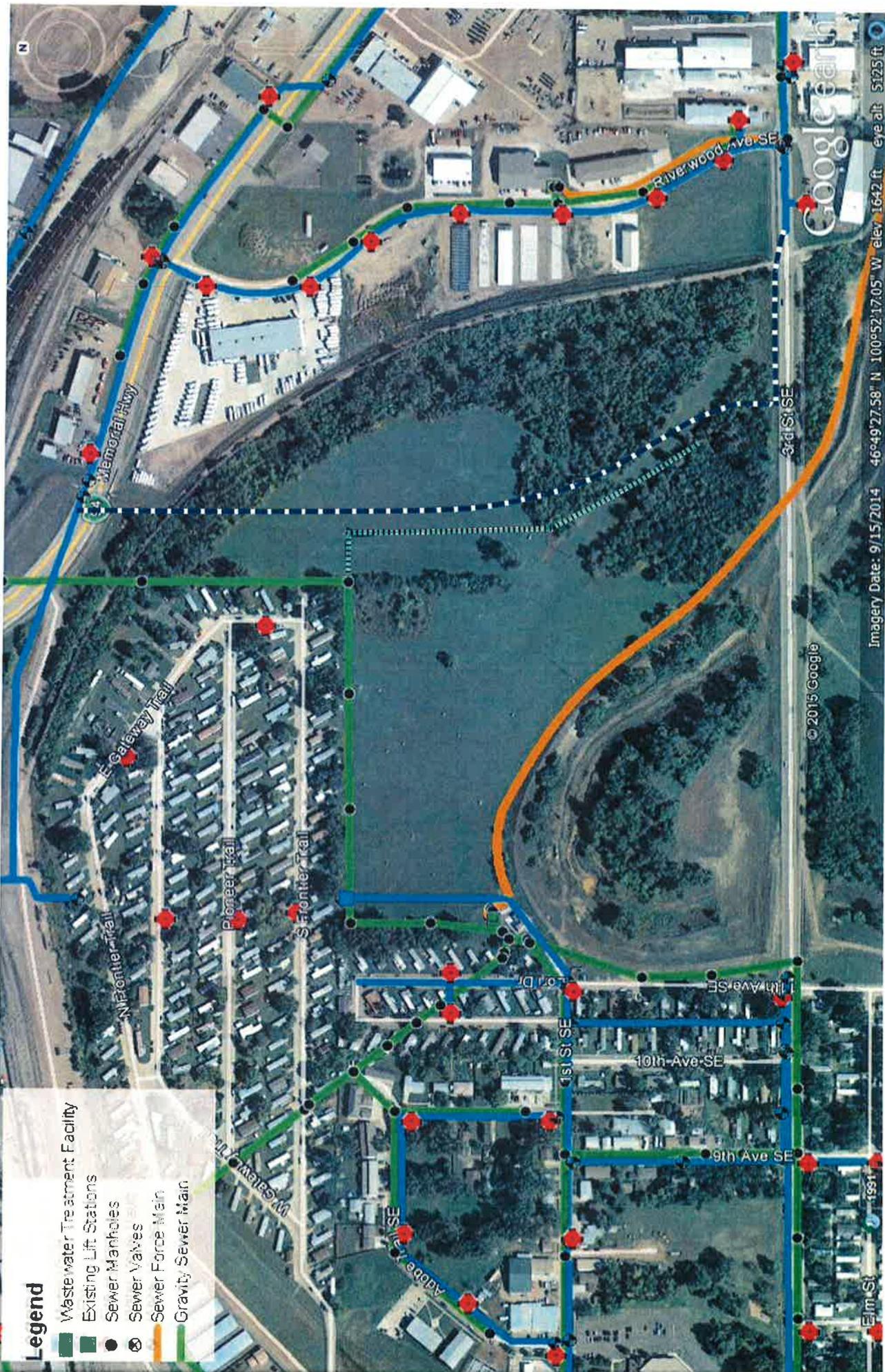
CB-RES

Zone Change
RM

MB



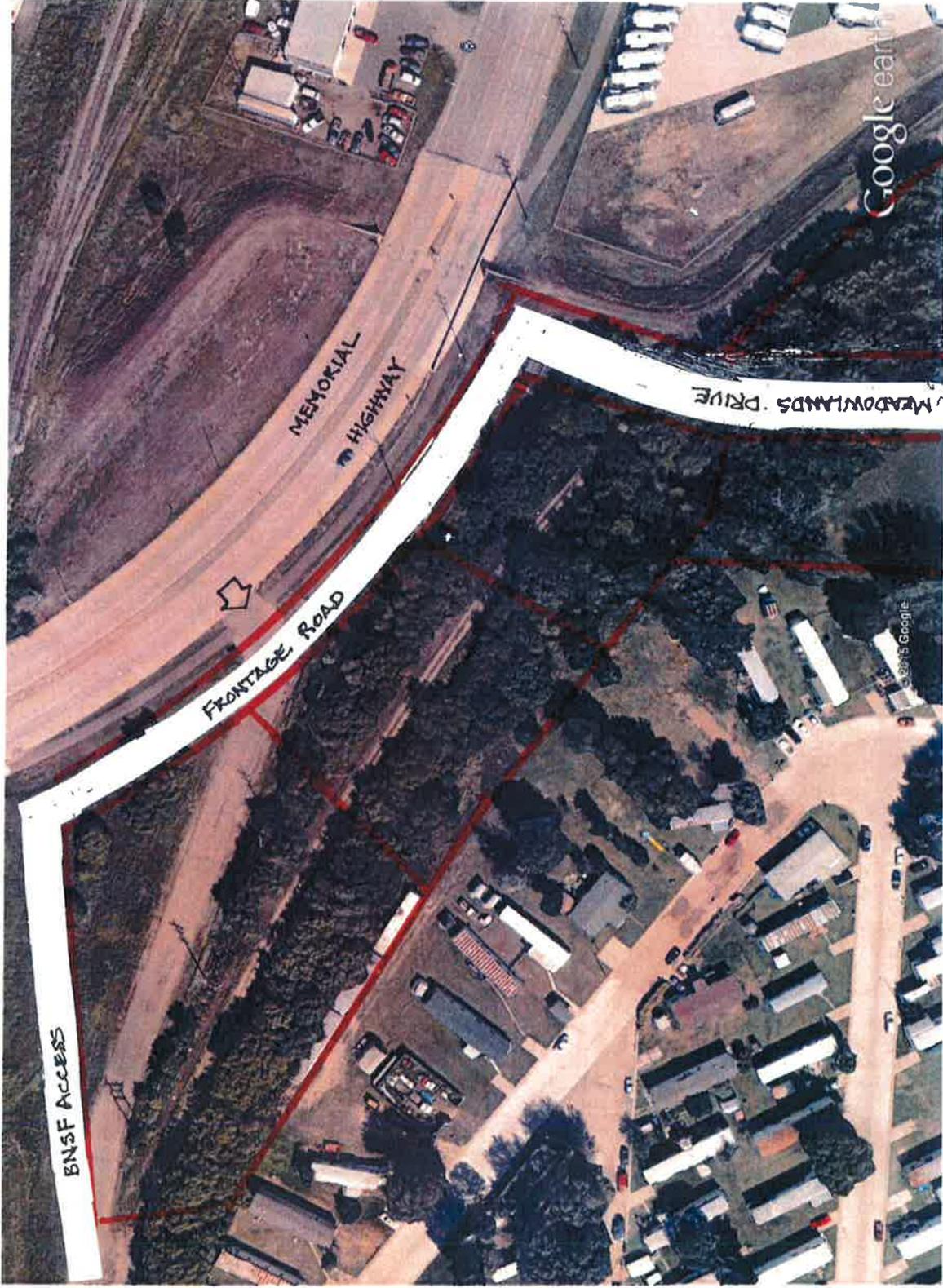




Legend

- Wastewater Treatment Facility
- Existing Lift Stations
- Sewer Manholes
- Sewer Valves
- Sewer Force Main
- Gravity Sewer Main

Google Earth
 Imagery Date: 9/15/2014 46°49'27.58" N 100°52'17.05" W elev. 1642 ft eye alt. 5125 ft
 © 2015 Google



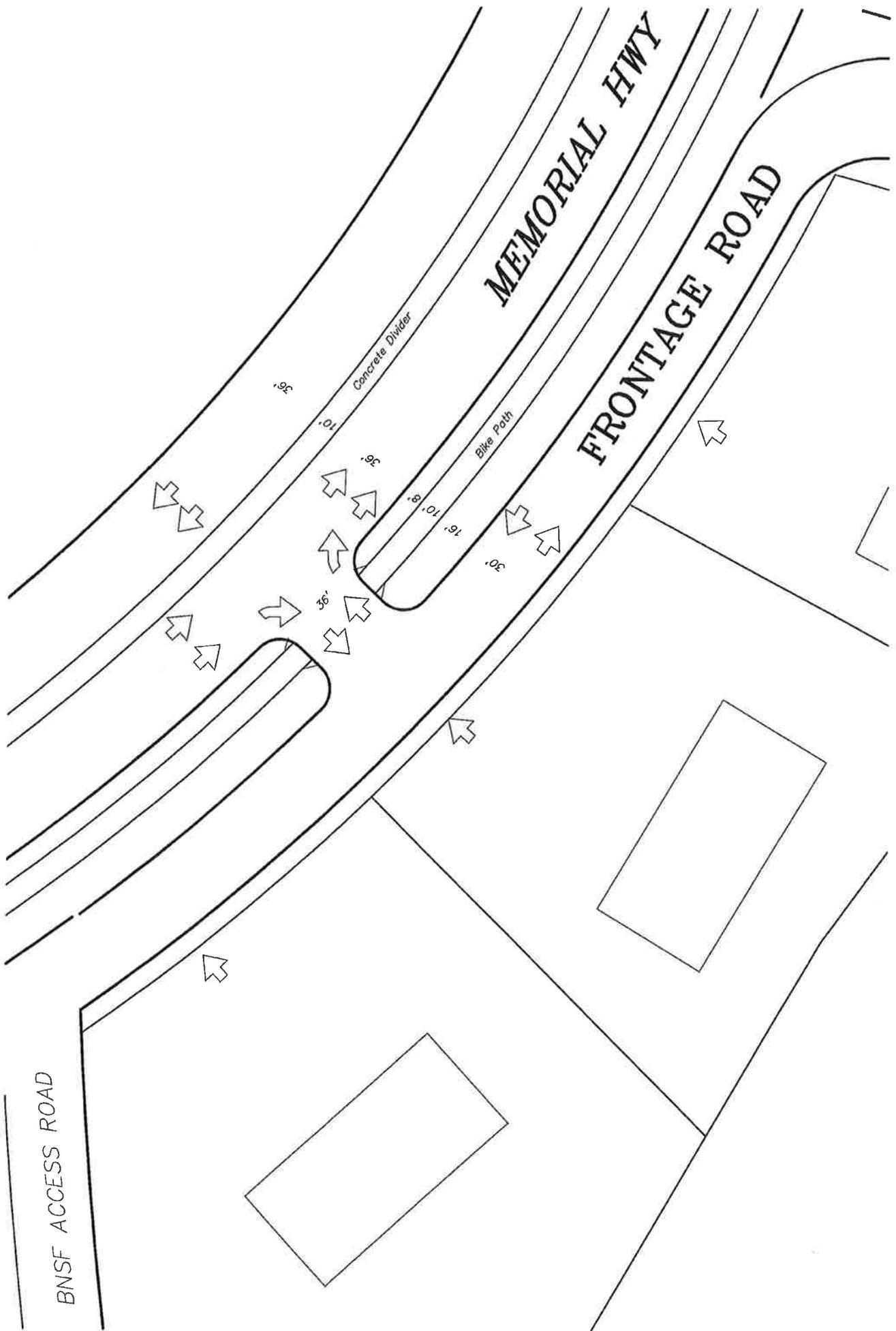
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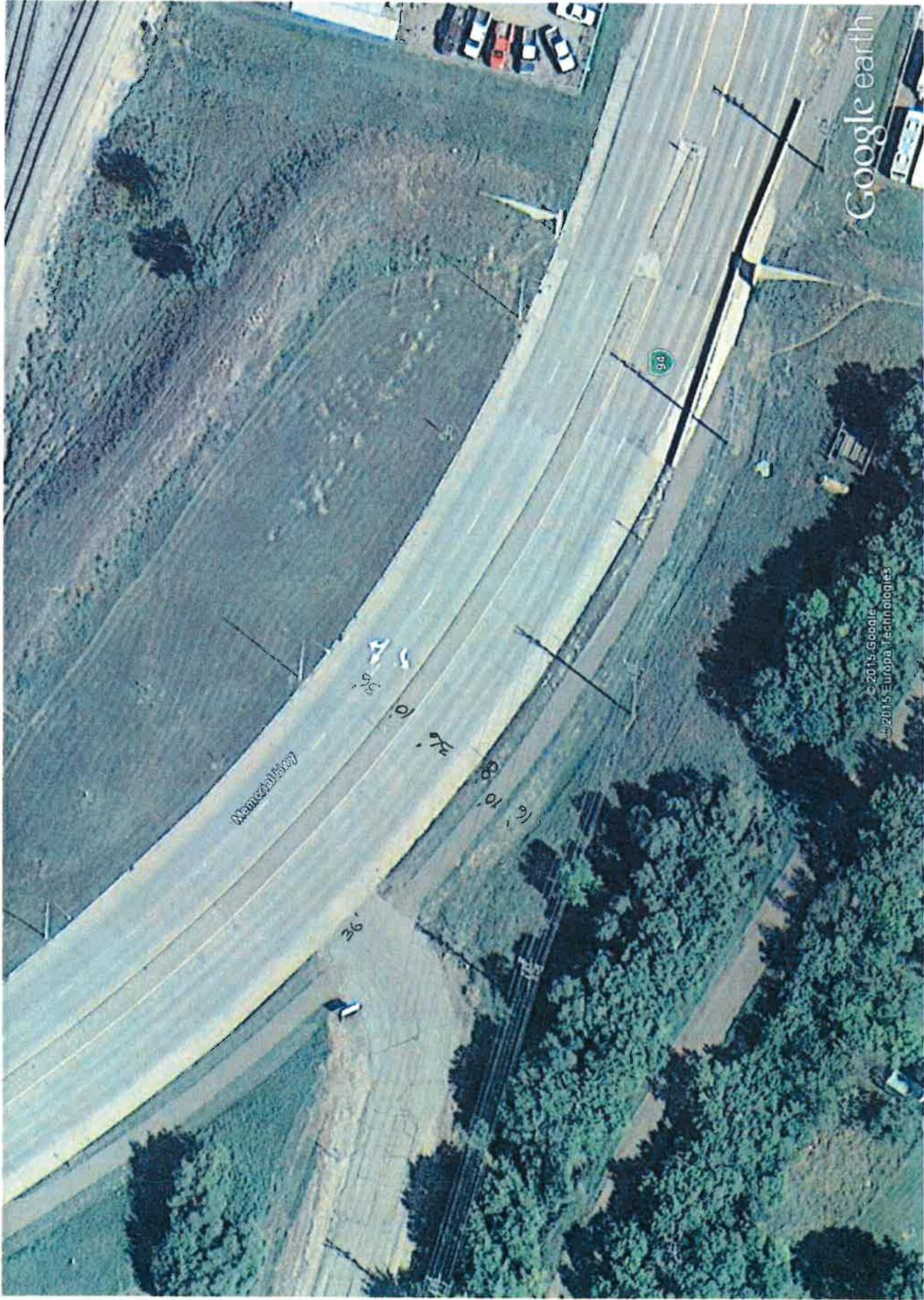
Google earth

200

900







Google earth

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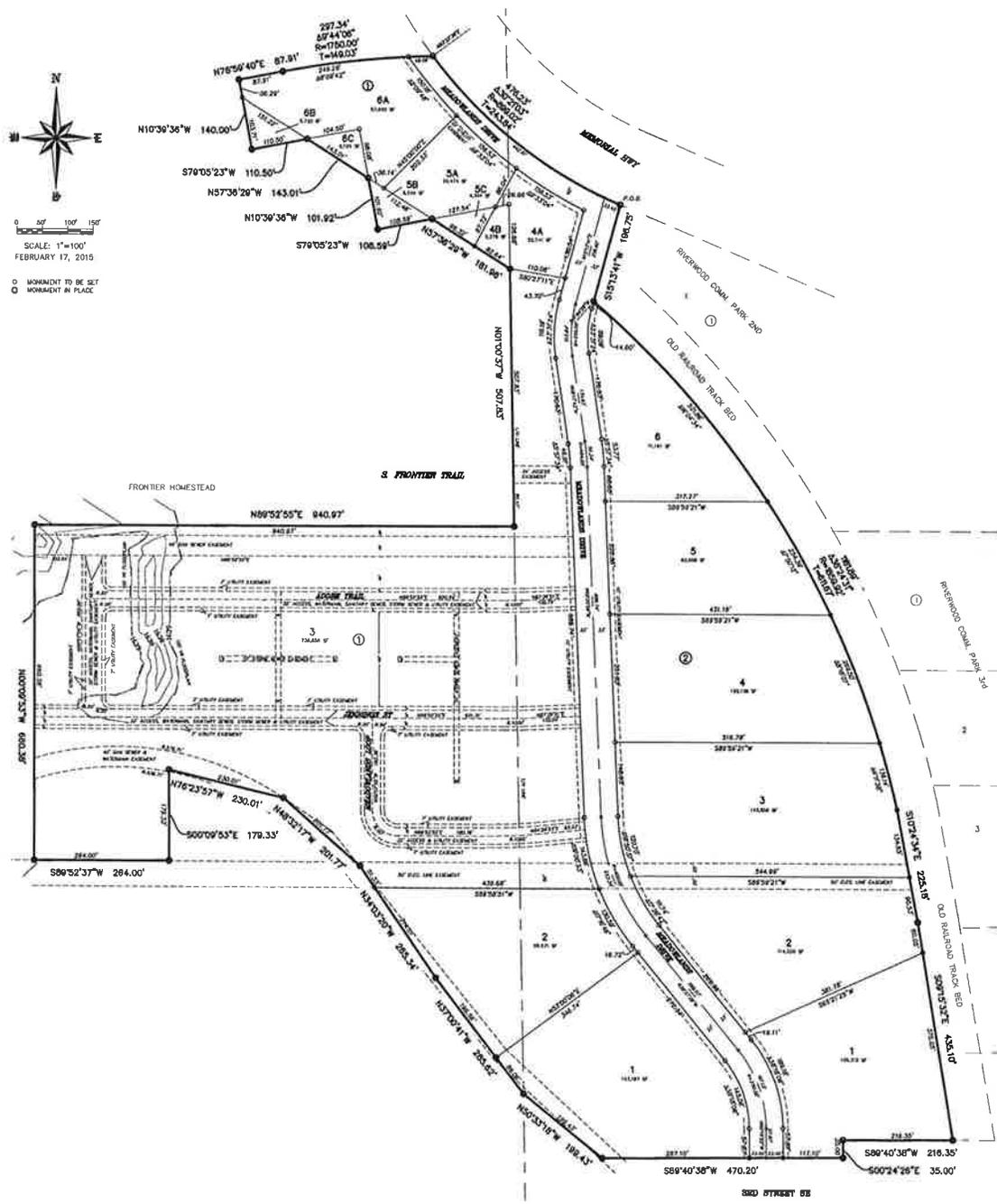
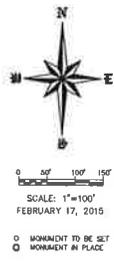


Google earth

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MEADOWLANDS ADDITION

PART OF LOT 1 BLOCK 1 FRONTIER HOMESTEAD AND PART OF THE S 1/2 OF SECTION 26, T. 139 N., R. 81. W. TO THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA



North Dakota Department of Transportation

Guidelines for New Development Adjacent to the ND State Highway System

June 2012

This document is intended to provide direction to stakeholders (such as developers, planning and zoning commissions and NDDOT District Engineers) on the traffic impacts of proposed developments.

To obtain NDDOT support for proposed developments having either direct or indirect access to the ND State Highway System, developers should submit the expected number of trips per day to the NDDOT District Engineer¹ (in writing). This submission should include a short discussion on how this number was estimated (usually based on expected number of employees, customers and/or deliveries, residents etc). If the new traffic generated by the development is proposed to use an existing access point, the current access point volume and build volumes should be submitted. The District Engineer may choose to pass on this information to the Central office for additional support/direction/review.

If the District Engineer decides that a traffic engineering analysis is necessary, the developer is responsible for providing a study completed by a professional engineer registered in the state of North Dakota. This decision is typically based on the anticipated number of trips generated by a development.

A “study intersection” is defined as an existing or proposed intersection that will introduce new turning traffic—resulting from the development—off of the ND State Highway system. An existing intersection, for example, would be a state highway and a county road where the proposed development would have access onto the county road. A proposed intersection would be a new access point or an existing access point that served as a field drive or private drive that would need to be modified to serve as a new access for the development directly onto the state highway system.

A trip is defined as a one-direction vehicle movement with either the origin or the destination (exiting or entering) inside the site. Over time, changes in land use within property may create additional trips which may necessitate revisions to the accesses—NDDOT reserves the right to request the developer provide further information about proposed modifications to their property.

Less than 100 trips per day and less than 30% trucks

A traffic engineering study is typically not necessary (except where the district engineer requests one based on issues such as terrain, sight distance or other engineering judgment), turn lanes or other traffic control modifications are typically not necessary. The developer should provide in writing:

- Size of property in acres and a description of how the property will be used
- The number of proposed buildings with square footages
- Number of employees/residents expected when the property is fully developed
- The expected number of trips per day (including number of truck trips)
- What hour of the day will generate the highest number of trips and how many trips are expected during that time period.

¹ Contact information at: <http://www.dot.nd.gov/travel/districtinfo.htm>

100 to 1,000 trips per day or truck percentage greater than 30%

A written traffic engineering study should include the items above and also provide the following:

- Verify the expected number of trips per day generated by the development²
- Discussion and/or diagrams showing site circulation (site plan)
- Sight distance evaluation at study intersections
- Study intersection design
 - Include a recommendation on the need for right and/or left turn lanes. This recommendation should follow NDDOT's "Guidelines for the Installation of Turn Lanes along State Highways".
 - If turn lanes are recommended, the study should use NDDOT design practices to indicate the length of the proposed turn lanes including tapers, etc.

1,000 to 5,000 trips per day

In addition to items listed above, the written traffic study should provide:

- Capacity analysis at study intersections
- Crash data analysis at existing study intersections (NDDOT will provide the crash data per the developer's request)
- Trip distribution (evaluate number, location, and spacing of access points). Provide expected directional distribution of trips (for example, 30% from the west, 70% from the east) and indicate if the truck directional distribution varies from the vehicle directional distribution.

Greater than 5,000 trips per day

In addition to items listed above, the written traffic study should provide:

- Background traffic growth and evaluation of future traffic
- Traffic signal warrant analysis – with a recommendation for signalization³, roundabout or other traffic control devices
- Lighting analysis at study intersections
- Evaluate adjacent intersections that may be impacted by the development (capacity analysis, crash history, etc). The study shall take into consideration any applicable transportation plans in the area.

² Typically this is done using the "Trip Generation" Manual from ITE.

³ Where a signal is recommended, the study shall provide further recommendations on the proposed signal timing and phasing, left turn phase type (protected, permissive), and coordination with other traffic signals.

Robert Decker

From: Dave Patience <patience@swensonhagen.com>
Sent: Tuesday, February 17, 2015 10:11 AM
To: Robert Decker
Cc: DOT District; Jim Neubauer; Ellen Huber; Jeff Wright; Douglas I. Lalim; Justin J. Froseth; Jennings Barry
Subject: Re: Access to Memorial

It may be worth moving the poser line.

If the cost is prohibitive the frontage road fits between the poles going east from the driveway with the first pole south of the road and the next 2 north of the frontage road before you get to the flood gates.

The road would turn south with the east right of way line at the toe of the dike.

The relocated BNSF driveway runs along the north line of the proposed Meadowlands Addition.

It appears from the photo that the existing Memorial Highway right of way line is approximately 16 feet southwest of the bike path.

I have allowed a 40 foot right of way for the frontage road with a 30 foot paved section with no parking along the frontage road.

On 2/17/2015 9:37 AM, Robert Decker wrote:

It looks like the power line may need to be moved. Show its location on your drawing, both now and future.

What is the proposed offset from the dike as the road curves south?

Where is the property line in relation to the rerouted BNSF driveway?

Where is the current Memorial ROW line?

How wide is the proposed new city street ROW?

Robert G. Decker, PE
Principal Planner, City of Mandan
205 2nd Ave NW, Mandan, ND 58554
Office: 701.667.3225, Fax: 701.667.3623
rdecker@cityofmandan.com, www.cityofmandan.com

From: Dave Patience [<mailto:patience@swensonhagen.com>]

Sent: Tuesday, February 17, 2015 9:23 AM

To: Robert Decker; Kim R. Fettig; Jennings Barry

Subject: Fwd: Scanned image from Swenson Hagen

Bob:

Attached is a refined layout of the proposed frontage road intersection showing the geometry and dimensions.

If we need to provide any other information for the preliminary plat we will do that.

If we need to meet to discuss any items I am available.

It is very important to us that we have a positive recommendation from the City Planning and Engineering Departments on the preliminary plat when we go to the City Planning Commission on February 23.

----- Forwarded Message -----

Subject: Scanned image from Swenson Hagen

Date: Tue, 17 Feb 2015 09:10:35 -0600

From: Copier@swensonhagen.com <Copier@swensonhagen.com>

Reply-To: Copier@swensonhagen.com

To: patience@swensonhagen.com

Reply to: Copier@swensonhagen.com <Copier@swensonhagen.com>

Device Name: Swenson Hagen

Device Model: MX-4141N

Location: Not Set

File Format: PDF MMR(G4)

Resolution: 300dpi x 300dpi

Attached file is scanned image in PDF format.

Use Acrobat(R)Reader(R) or Adobe(R)Reader(R) of Adobe Systems Incorporated to view the document.

Adobe(R)Reader(R) can be downloaded from the following URL:

Adobe, the Adobe logo, Acrobat, the Adobe PDF logo, and Reader are registered trademarks or trademarks of Adobe Systems Incorporated in the United States and other countries.

<http://www.adobe.com/>

--

David Patience, AICP

Land Development Specialist

email: patience@swensonhagen.com



SWENSON, HAGEN & COMPANY P.C.
CONSULTING ENGINEERS

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Robert Decker

From: Dave Patience <patience@swensonhagen.com>
Sent: Monday, February 16, 2015 10:36 AM
To: Robert Decker
Subject: Re: FW: Attached Image

We had the street up against Zins Mobile Home Park.

The developer did not want to drive by old trailers on the way to his new project.

He also did not want the BNSF people to have to drive thru someones lot to get to their access road.

Anything from DOT yet?

On 2/13/2015 2:38 PM, Robert Decker wrote:

Robert G. Decker, PE
Principal Planner, City of Mandan
205 2nd Ave NW, Mandan, ND 58554
Office: 701.667.3225, Fax: 701.667.3623
rdecker@cityofmandan.com, www.cityofmandan.com

From: Mandan Engineering [<mailto:engineering.copier@nd.gov>]
Sent: Friday, February 13, 2015 1:41 PM
To: Robert Decker
Subject: Attached Image

--
David Patience, AICP
Land Development Specialist
email: patience@swensonhagen.com



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Robert Decker

From: Dave Patience <patience@swensonhagen.com>
Sent: Friday, February 13, 2015 12:50 PM
To: Robert Decker; Jennings Barry
Subject: Re: Meadowlands Addition Mandan ND

We will need a decision from the owner regarding the ratio between singles and doubles.

We are conducting a survey to locate all utilities so we can identify easements.

As soon as DOT tells us the existing location for the access to Memorial is acceptable we can do the geometry. The units shown on the sketch are just rubber stamp to get an idea for the layout. They do need to be adjusted. (this was just a sketch)

After the survey we can locate the proposed 1st Street access.

The owner says he intends some to have garages. All will have 2 off street parking spaces side by side.

The owner has not identified storage facilities.

I soon as we get a more detailed layout for the mobile home park I will forward to you.

On 2/13/2015 11:05 AM, Robert Decker wrote:

- The site plan only shows single wide units. There was discussion about some being double wide units.
- Regardless of whether or not there is a sewer easement north/south, you will need to provide access to our trunk sewer from Memorial south. That would appear to eliminate the units in the northeast corner. With the issues regarding access to Memorial, the street will likely need to move west.
- You show units encroaching on an electric easement and our sanitary sewer pressure line easement.
- You show access over the dike. We discussed providing a street west of the master lift.
- The last unit in the NW corner encroaches on the sewer line easement.
- I can't read the dimensions on the drawing. What width unit did you use?
- Will any spaces have a garage or will they all be parking slabs for 2 cars?
- Will the parking be side by side or front to back?
- Where will they park their camper or boat?

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Principal Planner, City of Mandan
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rdecker@cityofmandan.com, www.cityofmandan.com

From: Dave Patience [<mailto:patience@swensonhagen.com>]
Sent: Wednesday, February 11, 2015 4:46 PM
To: Robert Decker; Justin J. Froseth; Jennings Barry
Subject: Re: Meadowlands Addition Mandan ND

The owner has purchased this property with the intent to begin development this spring. With private construction (no City Improvement Districts) he could construct a mobile home park with private utilities and private streets within this site that could provide lots available for occupancy by the end of the construction season.

The owner intends to establish zoning prior to preparing any plans for specific land use. The

final plat, if approved, will have the approved zoning districts for each lot.

Any proposed plans for construction must be reviewed and approved by the City of Mandan and the State Health Department prior to the contractor receiving permits for installation and construction.

The plat should be filed as soon as practical. State Law does not allow the city to issue permits on unplatted property.

The zoning ordinance and the "Platting & Subdivision" instructions on the city web page do not condition the submittal of a final plat to a date after the Planning Commission approves the preliminary plat.

If the Planning Commission was to deny the preliminary plat then the submittal would be void or delayed.

I reviewed sub part 2 of the city ordinance and may need your help to identify any deficiencies. I did notice an application for approval of a preliminary plat is only allowed 30 days for review and action by the Planning Commission.

The preliminary plat contains all of the property owned by Meadowlands Development. Therefore I do not believe that a "Master Subdivision Plan" would contain any information that would be additional to what is shown on the preliminary plat.

The "Platting & Subdivision" page on the City web page does not reference the "Master Subdivision Plan". I have sent copies of the plat to the schools, parks & utilities.

I also noticed in the subdivision regulations that the City Planning Office is assigned to distribute copies of the plat to these entities and solicit comments.

I have attached a sketch of the frontage road (public) and Memorial Highway showing the BNSF access.

If the existing access was to be constructed as a public street intersection the impact to the path and the street would be minimized.

I did copy you on the MDU reply regarding the transmission line. The easement is present on the plat.

We are still reviewing the grades necessary to achieve an urban development and how to recover the existing low areas.

I have attached a copy of the proposed mobile home park. This is just a sketch.

The owner would not like to invest heavily in the plans until the city has officially approved the zoning.

The existing water, sanitary sewer & storm sewer are shown on the preliminary plat.

The engineering for the Mobile Home Park has not been started.

We do know that we have city water mains, sanitary sewer and storm sewer lines adjacent to this property.

The City employees at our February 5th meeting acknowledged the availability of these facilities and their capacity.

Any lines not contained within an existing easement will be identified and easements or alternate routes will be provided.

A master plan for storm water, sanitary sewer and water lines could be provided however if we are not allowed a public street to access Memorial Highway those will change.

The acceptance of a north-south road will also impact the necessity for a future City improvement district.

The Lower Heart District has been involved from the original purchase of this property by the owner.

The existing flood plain maps delineate the majority of the property as "Zone X".

The goal of the owner would be to file a LOMA to have all developed property "Zone X".

We will provide you with a overall storm water management plan for the property.

A site specific storm water management plan will need to accompany each individual plan for development of the property.

We can estimate the traffic from this development if necessary and reference that to the capacity of Memorial Highway and 3rd Street.

If the City wishes to trade land it would be necessary to have a commitment from both parties so as not to impact the design or construction.

I do believe we should meet as soon as possible to discuss these items prior to the February 17th date.

If we attend the February and March Planning Commission and the April City Commission construction season will be upon us.

On 2/10/2015 2:41 PM, Robert Decker wrote:

Staff has no objection to the proposed rezoning. Any final plat submitted will be for the purpose of defining the boundaries of the various zoning districts. No grading, installation of utilities or structure construction will be allowed until various plans and agreements have been finalized. We can approve the final plat but delay recording until other documents are finalized.

Staff won't accept a final plat for processing until P&Z has reviewed and approved the preliminary plat. A draft of the final plat can be submitted as an exhibit for the preliminary plat review.

The current submittal does not fully meet the preliminary plat requirements of Section 21-09-11 subpart 2. A complete submittal will be required before staff will schedule the preliminary plat for review by P&Z. The next P&Z meeting is scheduled for Monday, 2/23 beginning at 5:15 PM. Staff needs about a week to put together the agenda package and send it to P&Z members. 2/16 is a holiday so we will accept items until noon on 2/17.

In addition, because of the complexity of the issues in this area, staff will be recommending submittal of a master subdivision plan as outlined in Section 21-09-06.

Section 21-09-07 requires that a master subdivision plan be submitted to the Mandan park district, Mandan school district and utility companies. We will need a formal response from each before finalizing any P&Z approval of the master subdivision plan. The P&Z can take up to 90 days to review and decide on a master subdivision plan submittal.

Per 21-09-07, P&Z does not have to act on the preliminary plat until after the master subdivision plan is accepted. However, staff will be recommending that if the P&Z chooses to approve the preliminary plat that they condition the approval on completion of a master subdivision plan and execution of a developers agreement with the board of city commissioners prior to any grading, installation of utilities or construction of structures. A copy of a subdivision developer agreement template is attached for your use.

Issues to be addressed in the master subdivision plan that will be included in the conditions recommended by staff that are to be attached to the preliminary plat approval include:

- How are you going to configure the lots facing Memorial? Need a tentative site plan for where you would like to put buildings and access.
 - There is a multi-use path along Memorial that needs to stay. If you add a deceleration lane you will need to rebuild the path.
 - What are you going to do about the power line that cuts through that area?
 - Grading plan for how you plan to remove RR embankment and where dirt will be used
 - Do you plan to block access to BNSF or grant them access rights over your property? If you block their access they will need to create a new driveway that will impact what DOT might approve for your project.
- We need a plot plan for the manufactured home area if this is to be the first phase
 - Location of where water and sewer service is currently and how you propose to get it to the area
 - Any relocation of existing water and sewer that is required
 - Will a wastewater pumping system be required.
 - Access easements for existing water and sewer lines. Do you plan to use private streets to get to manholes or valves rather than driving along pipe.
 - Estimated flow demand for water and sewer
 - Location of other utility services to this area
 - Access plan showing what is public and what is private
- Will you be requesting an assessment district for streets and if so, which ones
- We need a water and sewer plan for each proposed lot or block
 - Where will service come from
 - What capacity will be needed
- We need a written statement from Lower Heart relative to floodplain issues
 - Must there be a formal FEMA signoff
 - Steps and timeline
 - Limits of encroachment for dike
- Need a preliminary stormwater management plan for the project area
 - Are there any upstream tributary areas
 - Planned discharge points
 - Detention requirements
 - Piping plan
 - Calculations for existing system to show that your plan will not overload existing system
- Estimated traffic for Memorial and 3rd
 - Vehicles per day growth over time
 - Type of vehicles
 - Turning requirements
- Dedication of land for relocation of master sanitary sewer lift station
 - Provide an area near the southeast corner

- Trade land for access to manufactured home park west of existing master lift

This is a lot to review. Please don't hesitate to call me with questions.

Robert G. Decker, PE
Principal Planner, City of Mandan
205 2nd Ave NW, Mandan, ND 58554
Office: 701.667.3225, Fax: 701.667.3623
rdecker@cityofmandan.com, www.cityofmandan.com

From: Dave Patience [<mailto:patience@swensonhagen.com>]
Sent: Friday, February 06, 2015 12:27 PM
To: DOT District; Justin J. Froseth; Robert Decker
Subject: Meadowlands Addition Mandan ND

I anticipate that the attached preliminary plat for Meadowlands Addition will be up for consideration at the Mandan Planning Commission February 23. The consideration at that time will be for the Planning Commission to approve the proposal by the owner to create a subdivision of this unplatted property. More important at this time is to determine if there will be access for a north south street at Memorial Highway and 3rd Street SE or if the Memorial Highway access is for a frontage road providing access to the 3 commercial lots along the frontage road and that a 3rd Street access provides access along with a 1st Street and Frontier Trail to the majority of the property? I intend on submitting a final plat on February 18 for a public hearing at the March 23 Planning Commission meeting and would like to resolve this matter prior to the public hearing.

--
David Patience, AICP
Land Development Specialist
email: patience@swensonhagen.com



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Robert Decker

From: Dave Patience <patience@swensonhagen.com>
Sent: Friday, February 13, 2015 11:05 AM
To: Robert Decker
Subject: Meadowlands

If we need to address other concerns on the Meadowlands project I am available on Tuesday February 17. In my traffic count I forgot to include the 1st Street access and the Zin Court access.

David Patience, AICP

Land Development Specialist

email: patience@swensonhagen.com



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Robert Decker

From: Dave Patience <patience@swensonhagen.com>
Sent: Friday, February 13, 2015 9:31 AM
To: Robert Decker
Subject: Re: Meadowlands Addition Mandan ND

You are correct the geometry for the intersection needs to be worked out. International Fire code requires 48 foot outside radius.

On 2/13/2015 8:49 AM, Robert Decker wrote:

You are going to need to push the frontage road back away from Memorial in order to get an adequate turning radius for trucks. The east edge of the frontage road pavement will need to be 60' to 70' from the west edge of the pavement on Memorial.

Robert G. Decker, PE
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205 2nd Ave NW, Mandan, ND 58554
Office: 701.667.3225, Fax: 701.667.3623
rdecker@cityofmandan.com, www.cityofmandan.com

From: Dave Patience [<mailto:patience@swensonhagen.com>]
Sent: Friday, February 13, 2015 8:43 AM
To: Robert Decker
Subject: Re: Meadowlands Addition Mandan ND

This was in the attachments I sent.

I would like to see a typical curb and gutter street intersection replace the driveway.

Each of the 3 lots would have a driveway.

BNSF would have access from the end of the frontage road.

On 2/13/2015 7:38 AM, Robert Decker wrote:

Do you have a drawing of how you propose to access Memorial and provide access to the property along Memorial?

Robert G. Decker, PE
Principal Planner, City of Mandan
205 2nd Ave NW, Mandan, ND 58554
Office: 701.667.3225, Fax: 701.667.3623
rdecker@cityofmandan.com, www.cityofmandan.com

From: Dave Patience [<mailto:patience@swensonhagen.com>]
Sent: Thursday, February 12, 2015 2:50 PM
To: Robert Decker
Subject: Re: Meadowlands Addition Mandan ND

in an effort to more uniform I would like the zoning to be approved at the same time the final plat is approved by the City Commission.

In an effort to get the preliminary plat considered at the February 23 meeting of P&Z we can provide what ever information is necessary.

The big item I see is if Kevin Levis will let us access Memorial Highway. Without that commitment we can not commit to a public street in the subdivision.
On 2/12/2015 1:32 PM, Robert Decker wrote:

We can recommend the rezoning if the preliminary plat is approved. The final plat would need to wait for the 3/23 meeting but the ordinance for the rezoning could be taken care of earlier if we have a boundary description for each zone. Otherwise we would schedule rezoning for 3/17 and 4/07 or 4/07 and 4/21 using the final plat description for the various zones.

The key to moving this forward is getting preliminary plat approval. The more information and answers we have by 2/23, the better.

Robert G. Decker, PE
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205 2nd Ave NW, Mandan, ND 58554
Office: 701.667.3225, Fax: 701.667.3623
rdecker@cityofmandan.com, www.cityofmandan.com

From: Dave Patience [<mailto:patience@swensonhagen.com>]
Sent: Thursday, February 12, 2015 12:05 PM
To: Robert Decker
Subject: Re: Meadowlands Addition Mandan ND

My understanding is that 2-23 P&Z is preliminary consideration 3-23 P&Z is public hearing on final plat & zoning then City Commission 4-07 & 4-21 ?
On 2/11/2015 4:56 PM, Robert Decker wrote:

The next meeting of the P&Z is 2/23. If P&Z approves, action on rezoning would require 2 meetings of the city commission 3/3 & 3/17 to adopt an ordinance

I'll have to study your comments

Robert G. Decker, PE
Principal Planner, City of Mandan
205 2nd Ave NW, Mandan, ND 58554
Office: 701.667.3225, Fax: 701.667.3623
rdecker@cityofmandan.com, www.cityofmandan.com

From: Dave Patience
[\[mailto:patience@swensonhagen.com\]](mailto:patience@swensonhagen.com)
Sent: Wednesday, February 11, 2015 4:46 PM
To: Robert Decker; Justin J. Froseth; Jennings Barry
Subject: Re: Meadowlands Addition Mandan ND

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Any lines not contained within an existing easement will be identified and easements or alternate routes will be provided.

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The goal of the owner would be to file a LOMA to have all developed property "Zone X".

We will provide you with a overall storm water management plan for the property.

A site specific storm water management plan will need to accompany each individual plan for development of the property.

We can estimate the traffic from this development if necessary and reference that to the capacity of Memorial Highway and 3rd Street.

If the City wishes to trade land it would be necessary to have a commitment from both parties so as not to impact the design or construction.

I do believe we should meet as soon as possible to discuss these items prior to the February 17th date.

If we attend the February and March Planning Commission and the April City Commission construction season will be upon us.

Robert Decker

From: Jeff Wright
Sent: Friday, February 13, 2015 7:45 AM
To: Robert Decker; David J. Auch; Justin J. Froseth
Subject: RE: Meadowlands Utilities

I think they can bore the strip, eliminating the need for traffic detours, permits, etc.

Dave, how far north of the strip is that watermain for sure?

Jeff Wright, Public Works Director
City of Mandan
411 6th Ave SW
Mandan, ND 58554
701-667-3240 - Office
701-319-7934 - Cell
701-667-3203 - Fax
jwright@cityofmandan.com

From: Robert Decker
Sent: Friday, February 13, 2015 7:42 AM
To: Jeff Wright; David J. Auch; Justin J. Froseth
Subject: FW: Meadowlands Utilities

What approvals or permits are needed from NDDOT to dig in Memorial? Could be issues with detour. May require night work.

Robert G. Decker, PE
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205 2nd Ave NW, Mandan, ND 58554
Office: 701.667.3225, Fax: 701.667.3623
rdecker@cityofmandan.com, www.cityofmandan.com

From: Dave Patience [<mailto:patience@swensonhagen.com>]
Sent: Thursday, February 12, 2015 3:57 PM
To: Robert Decker; Robert Decker
Subject: Meadowlands Utilities

From our conversations last Thursday I have shown the proposed public water main (dashed blue) and the proposed public sewer main (dashed green) to be constructed by the developer within the public street right of way.

All other lines will be private service lines.

--

David Patience, AICP
Land Development Specialist
email: patience@swensonhagen.com

Robert Decker

From: Dave Patience <patience@swensonhagen.com>
Sent: Thursday, February 12, 2015 3:57 PM
To: Robert Decker; Robert Decker
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Attachments: MeadowlandsUtilities.pdf

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David Patience, AICP

Land Development Specialist

email: patience@swensonhagen.com



SWENSON, HAGEN & COMPANY P.C.
CONSULTING ENGINEERS

909 Basin Avenue
Bismarck, North Dakota 58504
Phone (701) 223 - 2600

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Robert Decker

From: Dave Patience <patience@swensonhagen.com>
Sent: Thursday, February 12, 2015 4:36 PM
To: Robert Decker; Justin J. Froseth
Subject: Traffic Counts

Currently Memorial Highway has a daily count of 11,000 units.

Currently 3rd Street has a count of 8,000 units.

If the built out density was 5 units/acre (mobile home court) on the entire site we would have 200 units at 10 vehicle trips per day or 2000 vehicle trips per day.

This would be a 10.5% increase in traffic volume.

--

David Patience, AICP

Land Development Specialist

email: patience@swensonhagen.com



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Robert Decker

From: Ellen Huber
Sent: Wednesday, February 11, 2015 3:25 PM
To: Robert Decker
Subject: RE: Meadowlands Addition

I think more industrial/heavy commercial would be great, but wondered if we need a buffer adjacent to the existing manufactured home court(s).

Ellen Huber, CEoD

Business Development & Communications Director
City of Mandan
205 Second Avenue NW, Mandan, ND 58554
www.cityofmandan.com/businessdevelopment
Office 701-667-3485, Cell 701-400-6249

From: Robert Decker
Sent: Wednesday, February 11, 2015 3:19 PM
To: Ellen Huber
Subject: FW: Meadowlands Addition

Do you think we need more housing or commercial in this area? Phil shows it as industrial.

Robert G. Decker, PE
Principal Planner, City of Mandan
205 2nd Ave NW, Mandan, ND 58554
Office: 701.667.3225, Fax: 701.667.3623
rdecker@cityofmandan.com, www.cityofmandan.com

From: Robert Decker
Sent: Wednesday, February 11, 2015 3:16 PM
To: 'Dave Patience'
Cc: Douglas I. Lalim; Jeff Wright; Justin J. Froseth
Subject: RE: Meadowlands Addition

Are you shifting from commercial to all housing on the east?

Robert G. Decker, PE
Principal Planner, City of Mandan
205 2nd Ave NW, Mandan, ND 58554
Office: 701.667.3225, Fax: 701.667.3623
rdecker@cityofmandan.com, www.cityofmandan.com

From: Dave Patience [<mailto:patience@swensonhagen.com>]
Sent: Wednesday, February 11, 2015 3:12 PM
To: Christi.Schaeftbauer@msd1.org; Robert Decker; Mandan Park District; Jennings Barry
Subject: Meadowlands Addition

Attached is a copy of the preliminary plat of Meadowlands Addition.
The property lies north of 3rd Street SE and south of Memorial Highway.
Possible uses for the property will be commercial lots along Memorial Highway, a Mobile Home Park along the west edge and medium density housing along the east and south.
Bob Decker Mandan City Planning asked that I send you a copy of the plat for comments.
Please comment prior to February 17

--
David Patience, AICP

Land Development Specialist

email: patience@swensonhagen.com



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Robert Decker

From: Dave Patience <patience@swensonhagen.com>
Sent: Wednesday, February 11, 2015 3:21 PM
To: Robert Decker
Subject: Re: Meadowlands Addition

That was the message I received from the owner.
On 2/11/2015 3:15 PM, Robert Decker wrote:

Are you shifting from commercial to all housing on the east?

Robert G. Decker, PE
Principal Planner, City of Mandan
205 2nd Ave NW, Mandan, ND 58554
Office: 701.667.3225, Fax: 701.667.3623
rdecker@cityofmandan.com, www.cityofmandan.com

From: Dave Patience [<mailto:patience@swensonhagen.com>]
Sent: Wednesday, February 11, 2015 3:12 PM
To: Christi.Schaeffbauer@msd1.org; Robert Decker; Mandan Park District; Jennings Barry
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Bob Decker Mandan City Planning asked that I send you a copy of the plat for comments.
Please comment prior to February 17

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David Patience, AICP
Land Development Specialist
email: patience@swensonhagen.com



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Robert Decker

From: Dave Patience <patience@swensonhagen.com>
Sent: Wednesday, February 11, 2015 2:59 PM
To: Justin J. Froseth; Robert Decker
Subject: Fwd: FW: Mandan
Attachments: ALTA Survey.pdf

----- Forwarded Message -----

Subject:FW: Mandan
Date:Wed, 11 Feb 2015 20:46:56 +0000
From:Wiseman, Doug <Doug.Wiseman@MDU.com>
To:'Dave Patience' <patience@swensonhagen.com>
CC:Pedersen, Allen <Allen.Pedersen@MDU.com>

Dave: Line in question is our 115kV line and is not going anywhere...at least not cheaply☺.

Doug Wiseman
SR. Region Electric System Engineer
Montana-Dakota Utilities Co.
(701) 224-5837-Office
(701) 391-5119-Cell

From: Dave Patience [mailto:patience@swensonhagen.com]
Sent: Wednesday, February 11, 2015 1:19 PM
To: Pedersen, Allen
Subject: Mandan

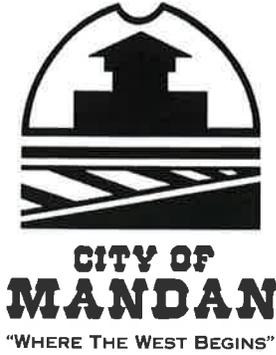
*** This is an EXTERNAL email. Exercise caution. ***

the attached survey shows a power line running east-west 500 feet north of 3rd Street SE in Mandan.
The easement is to MDU
will this line stay there or go somewhere else if we develop this property?

--

David Patience, AICP
Land Development Specialist
email: patience@swensonhagen.com

DRAFT



Subdivision Development Agreement

Subdivision Name

Developer

This Agreement is made and entered into on this **Day of Month, 20xx**, (hereinafter the "effective date") by and between the City of Mandan, hereinafter referred to as the "City", and **Developer's name**, herein after referred to as the "Developer". The address for the City of Mandan is 205 2nd Avenue NW, Mandan, North Dakota 58554. The address of the Developer is **Developer's address**.

WHEREAS, the Developer is the owner of property whose legal description is **legal description of property** (herein after referred to as the "Property"); and

WHEREAS, the Developer wishes to develop a portion of the Property into a Development named **name of development** (hereinafter referred to as the "Development"); and

WHEREAS, the master development plan for the Property is depicted in Exhibit A attached hereto and made a part of this Agreement by reference; and

WHEREAS, the map depicting the boundaries of the Development is attached hereto as Exhibit B and made a part of this Agreement by reference; and

WHEREAS, the Development is currently planned to include **#** single-family lots, **#** duplex lots, **#** multi-family units on **#** lots, **acres** of commercial divided into **#** lots and **acres** of industrial divided into **#** lots with **#** acres dedicated to **names of groups** for **purposes**; and

WHEREAS, the Developer intends to phase the Development over **#** years, with construction beginning in the **spring of 20xx**; and

WHEREAS, a new agreement will be required for development of other areas of the Property; and

WHEREAS, the Developer has requested and the City has approved that the zoning be changed from **current zoning** to **proposed zoning**; and

WHEREAS, the Developer intends to construct water system, sanitary sewer system, stormwater management system and street improvements required to provide service to the Development and connect same to City facilities; and

WHEREAS, the Developer intends to construct certain infrastructure improvements at a size required to provide service to areas beyond the Development; and

WHEREAS, the Developer intends to augment certain existing City infrastructure facilities in order to make them capable of serving the Development; and

WHEREAS, upon completion and acceptance by the City, the Developer intends to dedicate the Developer constructed or installed facilities to the City for ownership, operation and maintenance; and

WHEREAS, the City finds it necessary to have the Developer construct or install said infrastructure facilities to City design and construction standards; and

WHEREAS, the Developer desires to cooperate with the City and construct or install said facility improvements as specified by this Agreement.

NOW THEREFORE, it is agreed between the parties as follows:

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1. Parties to this Agreement.

- 1.1. **City.** The City is a North Dakota Home Rule Charter City vested with the authority to control access to its streets and municipal infrastructure. The City has authority to approve or disapprove of all subdivision plats within its territorial jurisdiction. The City has the express authority to withhold building permit approval for any structure or residence on the Property for a failure by the Developer to comply with the terms and conditions of this Agreement.
- 1.2. **Developer.** The Developer is a legally recognized North Dakota **type of company**, with the authority to own and develop land. The Developer is the legal and equitable owner of the Property. The individuals signing this Agreement are expressly authorized to execute this Agreement on behalf of the Developer.

2. Developer responsibilities.

- 2.1. **Recording of final plat.** The Developer shall not record the final plat until plans for infrastructure improvements have been completed to an extent acceptable to the City engineer.
- 2.2. **Design and installation of facilities.** The Developer shall design and construct or install all facilities within the proposed Development, including those that will be dedicated to the City for ownership, operation and maintenance after construction or installation and acceptance by the City.
- 2.3. **Designation of ownership responsibility.** The Developer shall clearly designate those facilities that will be owned and operated by a homeowner's association or other private entity. The proposed legal structure of any homeowner's association shall be provided to the City. A written operation plan for homeowner's association maintained facilities shall be prepared by the Developer. Covenants or other documents specifying ownership, operation and maintenance requirements shall be recorded and a copy of the recorded document provided to the City by the Developer.

- 2.4. **Commencement of construction.** Construction shall not commence until plans for all new facilities that will be dedicated to the City have been reviewed and approved by the City, three way construction agreements have been signed and construction permits have been issued by the City. If any portion of the Development is within a FEMA designated floodplain, the Developer must provide the City with documentation that FEMA has approved the Development and the stormwater management plan as it impacts the designated floodplain. The stormwater management plan must be reviewed and approved by the City engineer prior to commencement of any earthmoving.
- 2.5. **Responsible party.** The Developer is the “responsible party” for compliance with all federal and state environmental statutes, rules and regulations including storm water runoff regulations.
- 2.6. **Inspection of construction.** The Developer shall provide daily inspection of all construction activities. Inspection reports shall be submitted to the City at least once per week during any week that there is construction activity. The inspection reports shall include an estimate of percent complete for various items of construction. Any issues that arise during construction that require a change to the improvements that will be dedicated to the City shall be promptly communicated to the City. Deviations from the approved plans for facilities that will be dedicated to the City shall not be constructed until written approval has been issued by the City.
- 2.7. **Third parties.** If a third party is responsible for construction or installation of any facilities that will be dedicated to the City, the agreement and plan between the Developer and the third party shall be forwarded to the City for information. All contractors employed by the Developer shall be properly licensed in North Dakota.
- 2.8. **Statutes, rules, regulations, approvals and permits.** The Developer must comply with all applicable state and federal statutes, rules and regulations. The Developer is responsible to obtain all approvals and permits from agencies other than the City having jurisdiction over any aspect of the Development. Verification of same shall be submitted to the City.
- 2.9. **Utility services not provided by City.** The Developer is responsible to arrange for the installation of all utility services not provided by the City. Utilities are to be installed in designated easements shown on the plat unless prior written approval has been issued by the City to construct or install said utilities within or across a City right-of-way. The Developer must provide documentation to the City of approval from the appropriate state agency for installation of a utility within a state right-of-way or easement.
- 2.10. **Bonds and insurance.** The Developer is responsible to obtain all required bonds and insurance coverage and provide the City with appropriate documentation.
- 2.11. **As-built drawings and maintenance manuals.** The Developer shall prepare, or cause to have prepared, sealed and signed as-built drawings of all facilities that will be dedicated to the City. As-built plans and maintenance manuals shall be submitted in an electronic format designated by the City along with the number of paper copies designated by the City.
- 2.12. **Temporary stormwater construction facilities.** The Developer is responsible for removal of all temporary stormwater construction facilities after completion of the improvements.
- 2.13. **Designated access routes.** Heavy construction or delivery vehicles shall follow routes approved by the City. The Developer or contractor shall obtain approval for these routes from the City Public Works Director in advance in writing. The Developer

acknowledges that any vehicles being used at the site of the development or delivering materials or supplies to the site of the development that use non-approved routes to get to the site may result in the City issuing a stop work order to the Developer or any contractor working at the site.

- 2.14. **Indemnity.** The Developer shall indemnify the city against any claims for damages arising out of the actions of the Developer, Developer's engineer or contractors employed by the Developer or Developer's engineer.
3. **City responsibilities.**
- 3.1. **Design and installation requirements.** The City engineer shall provide the Developer with detailed requirements for design and installation of improvements that are to be dedicated to the City.
- 3.2. **Review.** The City will provide prompt review and comment on all plan submittals. The Developer is encouraged to submit plans electronically to insure faster review. The Developer shall designate the person with whom the City is to correspond regarding plan review.
- 3.3. **Plan development.** Plans may be developed in phases and the City may grant approvals and issue permits to commence site preparation and grading work prior to finalization of street and utility plans.
- 3.4. **Base size and oversizing.** The Developer is responsible for the full cost of base size public facilities required to serve the Development. The City will cost share in public facilities that must be oversized in order to provide service to future developments. The City will reimburse the developer for increase in public facility size over base size based on unit prices bid to the Developer or the difference between two bid items. The Developer shall provide the City with bid prices and quantities. The City will review and notify the Developer, in writing prior to construction, of City acceptance of bid prices and quantities. The City may determine that the bid prices are not competitive based on previous City projects or other data available to the City. In such event, the City may specify to the Developer an alternative price that the City will use for calculation of reimbursement for oversizing.
- 3.5. **Issuance of building permit.** The City will not issue a building permit for construction of any above ground improvements on a lot unless and until:
- 3.5.1. Underground and above ground utilities serving the lot that will be dedicated to the City have been constructed or installed, inspected and approved by the City;
- 3.5.2. Curb, gutter and street drainage improvements from the lot to an existing public street have been completed, inspected and approved by the City;
- 3.5.3. An aggregate base course with a minimum width of 24 feet from the lot to an existing public street has been constructed or installed, inspected and approved by the City;
- 3.5.4. If the street is a dead end, either temporary or permanent, a 60 foot diameter or other suitable configuration turnaround with a 12 foot wide aggregate base course has been constructed, inspected and approved by the City;
- 3.5.5. Street signs identifying each street between the lot and an existing public street have been installed, inspected and approved by the City;
- 3.5.6. All sidewalks and driveway aprons have been installed or appropriate financial arrangements have been made to insure completion.
- 3.5.7. All stormwater management control elements required for construction on the lot have been installed, inspected and approved by the City;

- 3.5.8. Best management practices are in place to prevent damage to newly constructed or installed facilities and existing public facilities;
- 3.5.9. The plat has been properly recorded and the City has been provided with documentation of same; and
- 3.5.10. A bond or letter of credit has been posted by the Developer for 130% of the value of the work required to complete the streets and related improvements.
- 3.6. **Substantial completion and warranty period.** The City will issue a formal notice of substantial completion for those improvements that will be owned and operated by the City, at which time the one year warranty period shall commence. The City will notify the Developer as to whom to contact regarding takeover of operation and maintenance by the City. Any required operation and maintenance manuals shall be forwarded to designated City staff prior to the date that the City takes over operation and maintenance.
- 3.7. **Certificate of occupancy.** A certificate of occupancy will not be issued for any lot until all improvements between the lot and an existing public street have been constructed or installed, inspected and a formal notice of substantial completion for public improvements has been issued by the City.
- 3.8. **Acceptance of Developer constructed or installed improvements.** The Developer constructed or installed public improvements will not be formally accepted until the City has approved as-built and maintenance manual submittals. Formal acceptance of the Developer constructed or installed improvements shall be by Board of City Commissioners resolution with an attached listing of improvements being accepted.
- 3.9. **End of warranty inspection.** The City will schedule with the Developer an end of warranty inspection no sooner than one month prior to the end of the warranty period. If deficiencies are found that require correction, the warranty period for those items will be extended. For minor repairs, the developer and the city will agree on the length of the warranty extension. For major repairs or replacement, the warranty period shall be extended a full year from the date the city accepts the repairs or replacements. If all as-built plans and operation and maintenance manuals have not been provided to the City, the warranty period shall be extended until they have been received, reviewed and accepted by the City.
4. **Developer constructed or installed facilities.** The Developer is responsible for the construction or installation of all improvements required for the development. The Developer has the option to petition the City to have the City construct or install certain improvements.
 - 4.1. **Connection to existing City water system.** The Developer shall connect to **location, size and pressure of existing facilities.**
 - 4.2. **Water system within the Development.** The Developer shall fund, design and construct or install **description of each segment of subdivision water system including, but not limited to, pipe size, pipe material, valves, PRV stations, booster pump stations, storage tanks, service connections within the public rights-of-way or easements, curb stops and fire hydrants.** Fire hydrants shall be installed between two and seven feet behind the back of curb unless an alternative location is approved in writing in advance by the City Engineer and Fire Chief. The City Engineer and Fire Chief may require the installation of protective bollards around certain fire hydrants. The water service connection must be installed to the property line prior to issuance of a building permit.

- 4.3. **Augmentation of existing City owned water facilities.** The Developer shall fund, design and construct or install an augmentation of **required augmentation**.
- 4.4. **Connection to existing City sanitary sewer system.** The Developer shall connect to **location, size and available capacity of existing facilities**.
- 4.5. **Sanitary sewer system within the Development.** The Developer shall fund, design and construct or install **description of each segment of subdivision sanitary sewer system including pipe size, pipe material, pipe slope and capacity, manholes, service line locations and sizes within the public rights-of-way or easements, pumping station details and pressure line sizes and capacities.** All sanitary sewer service connections must be installed to the property line prior to issuance of building permits. Pumping stations shall include SCADA, odor, corrosion and grease control. Permanent pump stations shall include backup power. Design of future gravity outfall for temporary pump station shall be provided. Temporary pump station shall have quick connect for portable generator.
- 4.6. **Augmentation of existing City owned sanitary sewer facilities.** The Developer shall fund, design and construct or install an augmentation of **required augmentation**.
- 4.7. **Connection to existing City storm sewer system.** The Developer shall connect to **location, size and available capacity of existing facilities**.
- 4.8. **Stormwater management system within the Development.** The Developer shall fund, design and construct or install, after City review and approval, a stormwater management system meeting City, state and federal requirements.
 - 4.8.1. The stormwater management system shall be designed such that the post development peak discharge flow rate at any point where drainage leaves the boundary of the development is no greater than the pre-development peak discharge flow rate at that point for a 50 percent probability six hour, 10 percent probability six hour, 1 percent probability six hour, 50 percent probability twenty-four hour, 10 percent probability twenty-four hour and 1 percent probability twenty-four hour storm event.
 - 4.8.2. Except for sheet flow conditions due to roadway cross slopes, stormwater runoff shall not be channeled across roadway surfaces. Drainage system inlets shall be placed to capture water before it can pond or travel across a roadway.
 - 4.8.3. If there is a designated floodplain within or adjacent to the Development, the stormwater management plan must be submitted to FEMA for review and approval concurrently with submittal to the City. The City may indicate tentative approval but the City will not issue any form of final approval until FEMA approval has been received. Building permits may be issued after tentative approval by the City but the City reserves the right to place a stop work order on any building permit if there is a problem receiving FEMA approval of the stormwater management plan.
 - 4.8.4. All stormwater management plans and calculations must be sealed and signed by a professional engineer registered in the state of North Dakota.
 - 4.8.5. Those facilities that will be owned, operated and maintained by a homeowner's association shall be clearly delineated on the stormwater management plan. Occupancy permits will not be issued until these facilities are designed, constructed and operational.
 - 4.8.6. Those stormwater management facilities serving an area outside the development that will be constructed by the developer but deeded to the city for

ownership, operation and maintenance are listed below. Occupancy permits will not be issued until these facilities are designed, constructed and operational.

4.8.6.1. xxx.

4.8.7. The Developer intends to request that the City design, construct and assess properties within the Development for the regional stormwater management facilities listed below. Occupancy permits will not be issued until these facilities are designed, constructed and operational.

4.8.7.1. xxx

- 4.9. Augmentation of existing City owned storm sewer facilities. The Developer shall fund, design and construct or install an augmentation of **required augmentation**.
- 4.10. Connection to existing City street system. The Developer shall connect to **location, size and available capacity of existing facilities**.
- 4.11. Street system within Development. The Developer shall fund, design and construct or install all streets and related improvements within the Development. Certain improvements must be completed to a condition acceptable to the City Engineer and Chief Building Official in order to issue building permits or approve occupancy permits.
- 4.11.1. The Developer shall dedicate rights-of-way widths as listed below.
- 4.11.1.1. Street A shall be 80 feet.**
- 4.11.1.2. Street B shall be 66 feet.**
- 4.11.2. The Developer shall construct the streets with the street profiles listed below.
- 4.11.2.1. Street A shall include:**
- 4.11.2.1.1. 4 eleven foot travel lanes;**
- 4.11.2.1.2. 2 eight foot parking lanes;**
- 4.11.2.1.3. 2 eighteen inch curb and gutter sections; and**
- 4.11.2.1.4. 2 five foot sidewalks located one foot from the property lines within 8.5 foot boulevard areas.**
- 4.11.2.2. Street B shall include:**
- 4.11.2.2.1. 2 ten foot travel lanes;**
- 4.11.2.2.2. 2 eight foot parking lanes;**
- 4.11.2.2.3. 2 eighteen inch curb and gutter sections; and**
- 4.11.2.2.4. 2 five foot sidewalks located one foot from the property lines within 13.5 foot boulevard areas.**
- 4.11.3. All street and traffic signs must be installed prior to issuance of building permits.
- 4.11.4. The first lift of pavement is required before building permits can be issued.
- 4.11.5. Multi-use paths providing access to facilities outside the Development shall be completed prior to issuance of the first occupancy permit along the multi-use path. Sidewalks fronting individual lots must be constructed prior to issuance of occupancy permits for those individual lots.
- 4.11.5.1. Sidewalks or multi-use paths that cross driveways shall be 6 inches thick.
- 4.11.5.2. Sidewalks or multi-use paths may be 4 inches thick outside of the area where the sidewalk or multi-use path crosses a driveway.
- 4.11.5.3. Sidewalks and multi-use paths at intersections must meet ADA design requirements.
- 4.11.6. Final paving is required prior to issuance of occupancy permits.

- 4.12. **Neighborhood mailboxes.** The Developer is required to fund and install neighborhood mailboxes to United States Postal Service requirements. The City shall review mailbox plans for potential conflicts with City facilities and services.
5. **City constructed or installed assessment district facilities.**
- 5.1. **Developer request to create assessment district.** If formally requested by the Developer, the City may consider forming an assessment district to construct or install certain street improvements within the Development.
- 5.2. **No guarantee district will be created.** The City cannot guarantee that creation of an assessment district will be approved.
- 5.3. **Dollar limit on assessments.** The City may impose a dollar limit for lot assessments when creating an assessment district. If that is the case, the Developer is responsible to fund any cost over and above the lot assessment limit set by the City.
- 5.4. **Developer notification to proceed with formation of assessment district.** Once bids have been received that provide a cost for the project and an estimate of the cost to the Developer, the Developer shall notify the City in writing whether or not to proceed with the assessment district.
- 5.5. **Developer bond or letter of credit.** If the Developer wishes to proceed with the assessment district, the Developer shall post a bond or letter of credit in an amount equal to 130% of the amount the Developer will be obligated to pay for the assessment district. The City shall not approve moving forward with the assessment district until the bond or letter of credit has been received from the Developer.
- 5.6. **No guarantee of time of completion.** If creation of an assessment district is approved, the City cannot guarantee a time of completion for assessment district funded improvements. Issuance of building or occupancy permits within the Development may be delayed pending completion of assessment district funded improvements. Lots within the Development will be assessed for assessment district funded improvements.
- 5.7. **Developer selection of facilities to be included in assessment district.** [The Developer intends to formally request that the City construct or install the improvements listed below and assess properties within the Development for the improvements. A formal request to create an assessment district will be submitted to the City within 90 days of execution of this agreement. *Or* Developer chooses not to request that the City create an assessment district.]
- 5.7.1. **Construct street drainage facilities.**
- 5.7.2. **Construct curb and gutter.**
- 5.7.3. **Construct initial paving required for issuance of building permit.**
- 5.7.4. **Construct final paving required for issuance of occupancy permit.**
- 5.7.5. **Construct multi-use paths, sidewalks and driveway aprons.**
- 5.7.6. **Install street lights.**
- 5.7.7. **Install street and traffic control signs.**
6. **Buyer disclosure.**
- 6.1. **Assessment district.** The Developer shall disclose to each buyer of a lot within the Development at time of closing if there will be assessments imposed on the lot by the City. The discloser shall be a separate document with a bold heading and readable font. The document shall explain the assessment process. The document shall require buyer acknowledgement and be included in the documentation provided to future buyers of the lot.

- 6.2. **Sidewalks and boulevards.** The Developer shall disclose to each buyer of a lot within the Development at time of closing that the lot owner is responsible to maintain the sidewalk and boulevard in the public right-of-way bordering the lot. The buyer is responsible to establish an acceptable vegetative cover on the boulevard within one year of issuance of an occupancy permit. The buyer is responsible to obtain any permit required for planting within the boulevard. The document shall require buyer acknowledgement and be included in the documentation provided to future buyers of the lot.
- 6.3. **Water and sewer service lines.** The Developer shall disclose to each buyer of a lot within the Development at time of closing that the lot owner is responsible to maintain the water and sewer service lines within the lot. The buyer is responsible to obtain any permit required for excavation or repair of water and sewer service lines. The document shall require buyer acknowledgement and be included in the documentation provided to future buyers of the lot.
7. **Financial Guarantee.**
- 7.1. **Developer guarantee for selected improvements.** The Developer shall post a bond or letter of credit in an amount equal to at least 150% of the estimated cost of those improvements that provide access and service to other properties. These improvements include water lines, sanitary sewers, stormwater detention facilities and streets.
- 7.1.1. Prior to finalizing the financial guarantee, the Developer shall submit to the City the name and other information regarding the proposed issuer of the guarantee. The city reserves the right to reject the proposed guarantee.
- 7.1.2. The improvements that must be included in the guarantee are listed below.
- 7.1.2.1.
- 7.2. **Developer guarantee for damage to public infrastructure.** The Developer shall post a bond or letter of credit in the amount of 10% of the cost of public improvements to be constructed by the Developer to be used to repair damage to streets and other public facilities caused by construction activity or equipment on any public street within the City or extraterritorial jurisdiction.
- 7.2.1. The city shall advise the Developer in writing of any damage. The Developer shall have the option to repair the damage. If the Developer fails to complete repairs within a reasonable time as specified by the City, the City may notify the bonding company or complete the repairs and deduct the money from the letter of credit.

Malcolm Brown, City Attorney

Greg Welch, Finance Director

Doug Lalim, Chief Building Official

Ellen Huber, Business Development

Jeff Wright, Public Works Director

Justin Froseth, City Engineer

Mayor Arlyn Van Beek
City of Mandan

Attest:

Jim Neubauer
City Manager

Name of Developer
Title

Attest:

Agency Transmittal and Acknowledgement
Name of Development

Approval Signatures

EMS Company Name has reviewed the plans for this proposed subdivision and can provide service.

Signature Title Date

Solid Waste Collection Company Name has reviewed the plans for this proposed subdivision and can provide service.

Signature Title Date

TV Cable Company Name has reviewed the plans for this proposed subdivision and can provide service.

Signature Title Date

Telephone Company Name has reviewed the plans for this proposed subdivision and can provide service.

Signature Title Date

Natural Gas Company Name has reviewed the plans for this proposed subdivision and can provide service.

Signature Title Date

United States Postal Service has reviewed the plans for this proposed subdivision and can provide service.

Signature Title Date

Electric Company Name has reviewed the plans for this proposed subdivision and can provide service.

Signature Title Date

Pipeline Company Name has reviewed the plans for this proposed subdivision and has/does not have facilities within the proposed subdivision area.

Signature Title Date

Rural Water has reviewed the plans for this proposed subdivision and has/does not have facilities within the proposed subdivision area.

Signature	Title	Date
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City Departments have reviewed the plans for this proposed subdivision and have no objections to this proposed subdivision being approved.

Engineering and Planning

Signature	Title	Date
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Building Inspection

Signature	Title	Date
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Fire

Signature	Title	Date
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Police

Signature	Title	Date
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Water

Signature	Title	Date
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Wastewater

Signature	Title	Date
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Storm Drainage

Signature	Title	Date
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Streets

Signature	Title	Date
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Solid Waste

Signature	Title	Date
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