

City Commission meetings are broadcast live on TV Fargo Channel 56 and online at [FargoND.gov/streaming](http://FargoND.gov/streaming). They are rebroadcast Mondays at 5:00 p.m., Thursdays at 7:00 p.m. and Saturdays at 8:00 a.m. They are also included in the video archive at [FargoND.gov/CityCommission](http://FargoND.gov/CityCommission).

- A. Pledge of Allegiance.
- B. Roll Call.
- C. Approve Order of Agenda.
- D. Minutes (Regular Meeting, December 14, 2020).

**CONSENT AGENDA – APPROVE THE FOLLOWING:**

1. City of Fargo Resolution Authorizing Officers to Make Deposits and Withdrawals and designated depositories.
2. Bid awards for janitorial services:
  - a. Main Library (RFP21014-A).
  - b. City Hall/West Wing/Sky Commons (RFP21014-B)
  - c. Fargo Cass Public Health (RFP21014-C).
3. Change Order No. 1 for an increase of \$57,084.00 for Project No. FM-16-A1.
4. Negative Final Balancing Change Order No. 2 in the amount of -\$4,980.00 for Project No. AN-20-B1.
5. Negative Final Balancing Change Order No. 2 in the amount of -\$107.50 for Project No. TR-19-A1.
6. Estimate in the amount of \$93,700.00 for Cass County Electric Cooperative to bring permanent power to the new flood control lift station (Project No. FM-16-A1).
7. Revision to Section 2100 Concrete Paving, and Curbs and Gutter of the Standard Specifications for Construction.
8. Second Amendment to Agreement with Ovations Food Services, L.P. d/b/a Spectra Food Services and Hospitality.
9. Grant award in the amount of \$25,000.00 from the ND Department of Commerce for the Hospitality Economic Resiliency Grant (no local match is necessary).
10. State Water Commission request for cost reimbursement for the FM Metro Area Flood Risk Management Project for costs totaling \$1,070,511.23.
11. Public Assistance Grant Program Subgrant Agreement with the ND Department of Emergency Services.
12. Property Use Agreement and Release Form with Faith Journey Lutheran Church.

13. Set January 11, 2021 at 5:15 p.m. as the date and time for a hearing on a dangerous building at 1418 1st Avenue North.
14. Bid award and Agreement with Ed's Towing Service, Inc. for removal, impound and disposition of junk cars for 2021.
15. Change Order No. 4 for an increase of \$69,942.00 for demo of old City Hall.
16. Agreement Amendment with Reach Partners, Inc. in the amount of \$30,000.00 for project management of the quarantine and isolation setup at 222 4th Street North, contingent upon Finance Committee approval.
17. Contract Amendment and Change Order with MDM Construction, LLC in an amount not to exceed \$225,000.00 for construction services at 222 4th Street North.
18. Amendment to Contract Nos. 38190960 and 381809878 with the ND Department of Transportation (CFDA #s 20.513 and 20.526).
19. Sole Source Procurement with Midwest Ironworks for Project No. WA1905 (SSP21017).
20. Bills.
21. Negative Final Balancing Change Order No. 1 in the amount of -\$7,031.50 for Improvement District No. AN-19-J1.
22. Negative Final Balancing Change Order No. 1 in the amount of -\$4,018.44 for Improvement District No. PR-20-C1.
23. Create Improvement District No. AN-20-E.
24. Contract and bond for Improvement District No. BN-20-M1.

#### **REGULAR AGENDA:**

25. **RESIDENT COMMENTS (Fargo residents will be offered 2.5 minutes for comment with a maximum of 30 minutes total for all resident comments. Residents who would like to address the Commission, whether virtually or in person, must sign-up at [FargoND.gov/VirtualCommission](http://FargoND.gov/VirtualCommission)).**
26. **\*Public Input Opportunity\* - PUBLIC HEARINGS - 5:15 pm:**
- a. Zoning change from LC, Limited Commercial and MR-2, Multi-Dwelling Residential to MR-2, Multi-Dwelling Residential, Darling's First Addition (721 University Drive South); approval recommended by the Planning Commission on 12/1/20.
    - 1. 1st reading of rezoning Ordinance.
  - b. Zoning Change to establish the Oak Grove Neighborhood Historic Overlay District on Blocks 29, 30, 39, 40 and 41, Keeney and Devitts Second Addition; Blocks 1, 2 and 3 Oak Grove Addition; and Blocks 2, 3 and 4, Lindsays Addition (located in the area roughly bounded on the North by 8th Avenue North, East by Short Street North, South by 6th Avenue North and some areas further south towards the Red River, and West between 1st and 2nd Streets North); approval recommended by the Planning Commission on 12/1/20.
    - 1. 1st reading of rezoning Ordinance.

- c. Hearing on a dangerous building located at 1021 10th Street North.
- 27. Recommendation for appointments to the Sustainability and Resiliency Committee and to solicit the public to serve as At-Large appointees.
- 28. COVID-19 Update:
  - a. Police Department complaint calls and enforcement update.
  - b. Business Assistance Program update.
- 29. Recommendation for the purchase of property at 501 Main Avenue.
- 30. Applications for property tax exemptions for improvements made to buildings:
  - a. Karri and Robert Becker, 60 Fremont Drive South (3 year).
  - b. Jane Voglewede and David Abbott, 2961 Peterson Parkway North (3 year).
  - c. Edward and Carolyn Bean, 3541 29th Street South (3 year).
  - d. Jonathan and Sadie Erickson, 161 South Woodcrest Drive North (5 year).
  - e. Michael and Delpha Haugrud, 1533 10th Street South (5 year).
- 31. Application for Games of Chance for the Vietnam Veterans of America Chapter 941 for a raffle on 4/30/21.

People with disabilities who plan to attend the meeting and need special accommodations should contact the Commission Office at 701.241.1310. Please contact us at least 48 hours before the meeting to give our staff adequate time to make arrangements.

Minutes are available on the City of Fargo website at [FargoND.gov/CityCommission](https://FargoND.gov/CityCommission).

26a

<b>City of Fargo Staff Report</b>			
<b>Title:</b>	Darling's First Addition	<b>Date:</b>	11/24/2020
		<b>Updated:</b>	12/23/2020
<b>Location:</b>	721 University Drive South	<b>Staff Contact:</b>	Maggie Squyer
<b>Legal Description:</b>	Lot 6, Block 2, Darling's First Addition		
<b>Owner(s)/Applicant:</b>	C/D Fraser LTD/Lowry Engineering	<b>Engineer:</b>	Lowry Engineering
<b>Entitlements Requested:</b>	<b>Zone Change</b> (from LC, Limited Commercial and MR-2, Multi-Dwelling Residential to MR-2, Multi-Dwelling Residential)		
<b>Status:</b>	City Commission Public Hearing: December 28, 2020		

<b>Existing</b>	<b>Proposed</b>
<b>Land Use:</b> Community Service	<b>Land Use:</b> Unchanged
<b>Zoning:</b> LC, Limited Commercial and MR-2, Multi-Dwelling Residential	<b>Zoning:</b> MR-2, Multi-Dwelling Residential
<b>Uses Allowed:</b> LC allows colleges, community service, day care facilities of unlimited size, health care facilities, parks and open areas, religious institutions, safety services, basic utilities, offices, off-premise advertising signs, commercial parking, retail sales and services, self-service storage, vehicle repair, limited vehicle service, and telecommunications facilities of limited size.  MR-2 allows detached houses, attached houses, duplexes, multi-dwelling structures, group living, group living restricted residency, community services, day care facilities of limited size, parks and open areas, religious institutions, safety services, schools, basic utilities, and telecommunications facilities of limited size.	<b>Uses Allowed:</b> MR-2 allows detached houses, attached houses, duplexes, multi-dwelling structures, group living, group living restricted residency, community services, day care facilities of limited size, parks and open areas, religious institutions, safety services, schools, basic utilities, and telecommunications facilities of limited size.
<b>Maximum Building Coverage Allowed in LC:</b> 55%	<b>Maximum Building Coverage Allowed in MR-2:</b> 35%
<b>Maximum Building Coverage Allowed in MR-2:</b> 35%	

**Proposal:**

The applicant is seeking City approval of a Zoning Map Amendment to establish a single zoning district on the subject property. 721 University Drive South is currently dual-zoned LC, Limited Commercial and MR-2, Multi-Dwelling Residential. The subject property functions as part of the larger Fraser campus, which is a non-profit organization that provides community support for at-risk teens. The current use of the property is classified as community service, which is allowed by right in the MR-2 zoning district.

At the December 1<sup>st</sup> Planning Commission meeting, residents of the Jefferson/Carl Ben Neighborhood raised concerns about Fraser expanding their multi-dwelling residential facilities in the neighborhood. The applicant, Jon Lowry, confirmed that the subject property would be used as office and administrative support space for Fraser staff and partners rather than additional housing for at-risk teens.

This project was reviewed by the City's Planning and Development, Engineering, Public Works, and Fire Departments ("staff"), whose comments are included in this report.

**Surrounding Land Uses and Zoning Districts:**

- North: MR-2, Multi-Dwelling Residential (Fraser)
- East: SR-3, Single-Dwelling Residential (Fraser)
- South: P/I, Public and Institutional
- West: SR-3, Single-Dwelling Residential



<b>Area Plans:</b>
The subject property is located in the Jefferson/Carl Ben Neighborhood, which is currently under evaluation as part of the Core Neighborhoods Plan.
<b>Context:</b>
<p><b>Schools:</b> The subject property is located within the Fargo Public School District and is served by Jefferson Elementary, Carl Ben Eielson Middle and South High schools.</p> <p><b>Neighborhood:</b> The subject property is located within the Jefferson/Carl Ben Neighborhood.</p> <p><b>Parks:</b> Island Park (302 7<sup>th</sup> Street South) and Dill Hill Park (652 6<sup>th</sup> Avenue South) are located within half of a mile of the subject property. These parks provide baseball/softball fields, a basketball court, tennis courts, a swimming pool, playground equipment, and picnic shelters.</p> <p><b>Pedestrian / Bicycle:</b> A bike path is located three blocks east of the property along 9<sup>th</sup> Avenue South.</p>
<b>Staff Analysis:</b>
<p><b>Zoning</b> Section 20-906. F (1-4) of the LDC stipulates the following criteria be met before a zone change can be approved:</p> <p><b>1. Is the requested zoning change justified by a change in conditions since the previous zoning classification was established or by an error in the zoning map?</b> Staff is unaware of any error in the zoning map as it relates to this property. The property is currently dual-zoned LC, Limited Commercial and MR-2, Multi-Dwelling Residential. The proposed MR-2 zoning district is consistent with the existing zoning of the lots directly north of the subject property, which share the same owner and function as the same community service use. Approval of the proposed zone change would eliminate the dual zoning of the property. Staff finds that the change in zoning is justified as the owner has a clear picture of the type of development that will occupy the land. <b>(Criteria Satisfied)</b></p> <p><b>2. Are the City and other agencies able to provide the necessary public services, facilities, and programs to serve the development allowed by the new zoning classifications at the time the property is developed?</b> City staff and other applicable review agencies have reviewed this proposal. Staff finds no deficiencies in the ability to provide all of the necessary services to the site. <b>(Criteria satisfied)</b></p> <p><b>3. Will the approval of the zoning change adversely affect the condition or value of the property in the vicinity?</b> Staff has no documentation or evidence to suggest that the approval of this zoning change would adversely affect the condition or value of the property in the vicinity. Written notice of the proposal was sent to all property owners within 300 feet of the subject property. To date, Planning staff has received one phone call and two letters of opposition to the project, which states concerns over how Fraser's programs fit into the surrounding neighborhood. Copies of the letters are attached. Staff finds that the approval of the zoning change will not adversely affect the condition or value of the property in the vicinity. <b>(Criteria satisfied)</b></p> <p><b>4. Is the proposed amendment consistent with the purpose of this LDC, the Growth Plan, and other adopted policies of the City?</b> The purpose of the LDC is to implement Fargo's Comprehensive Plan and related policies in a manner that protects the health, safety, and general welfare of the citizens of Fargo. Staff finds this proposal is consistent with the purpose of the LDC, the 2007 Growth Plan, and other adopted policies of the City. <b>(Criteria satisfied)</b></p>
<b>Staff Recommendation:</b>
Suggested Motion: "To accept the findings and recommendations of Planning Commission and staff hereby waive the requirements to receive the Ordinance one week prior to the first reading and place the zoning Ordinance on for first reading, and move to approve the proposed zoning map amendment from LC, Limited Commercial and MR-2, Multi-Dwelling Residential to MR-2, Multi-Dwelling Residential as the proposal complies with the 2007 Growth Plan, Standards of Section 20-0906.F (1-4), and all other applicable requirements of the LDC."
<b>Planning Commission Recommendation:</b> December 1, 2020

On December 1, with a 9-0 vote and no Commissioners absent and two Commission seats vacant, the Planning Commission accepted the findings and recommendations of staff and recommended approval to the City Commission of the proposed zoning map amendment from LC, Limited Commercial and MR-2, Multi-Dwelling Residential to MR-2, Multi-Dwelling Residential as the proposal complies with the 2007 Growth Plan, Standards of Section 20-0906.F(1-4), and all other applicable requirements of the LDC.

**Attachments:**

1. Location Map
2. Zoning Map
3. Letters of Opposition



## Zone Change (LC & MR-2 to MR-2)

### Darling's First Addition

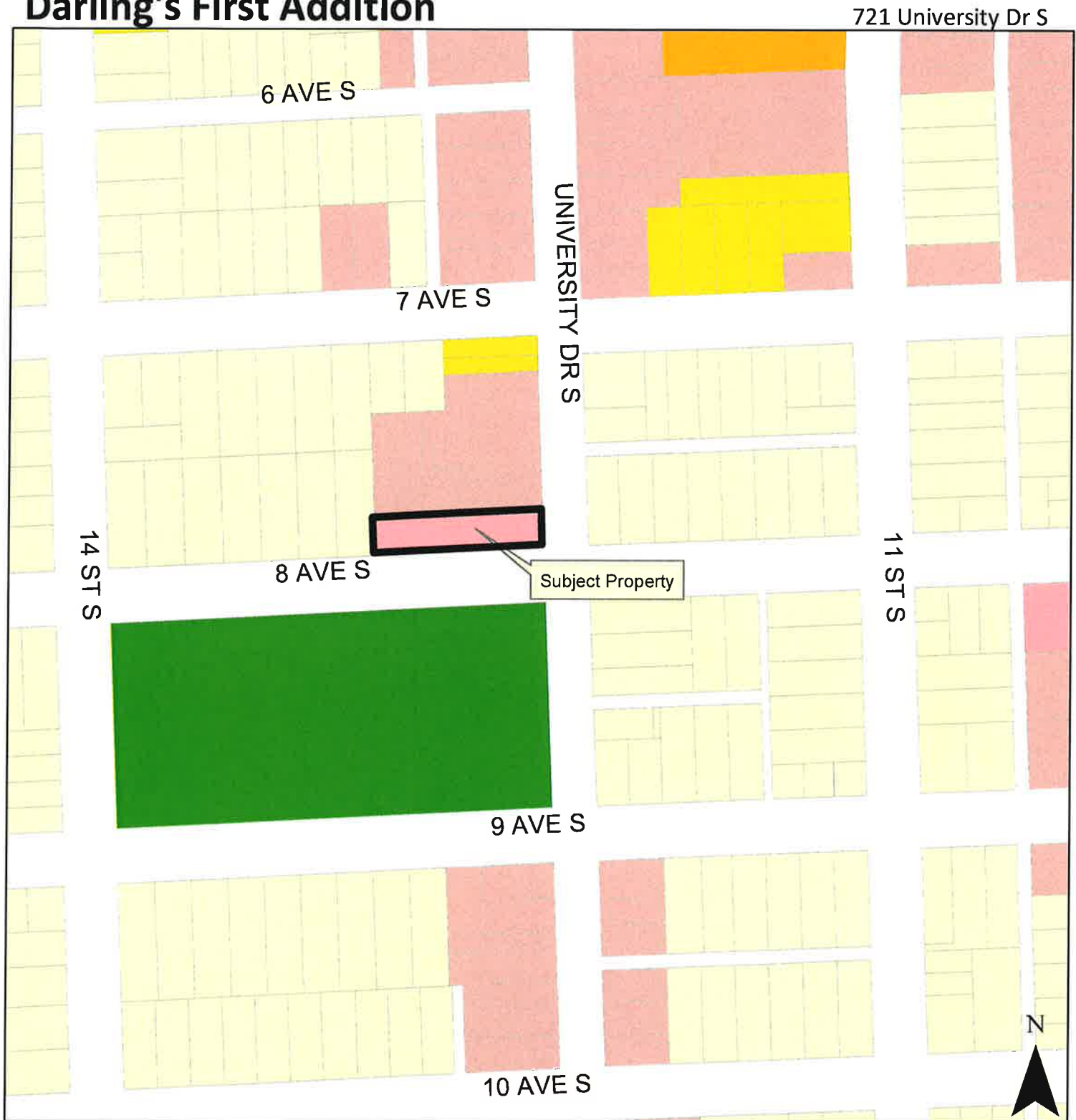
721 University Dr S





# Zone Change (LC & MR-2 to MR-2)

## Darling's First Addition



1121 8<sup>th</sup> Ave. S.  
Fargo, ND 58103  
November 22, 2020

Maggie Squyer  
Planning and Development  
City Auditor's office  
225 4<sup>th</sup> St. N  
Fargo, ND 58102

**Re: Zoning for lot 6, block 2, Darlings First Addition.**

City of Fargo Planning Commission:

This letter is in response to the Nov 13, 2020, notice concerning a public meeting on Dec 1, 2020, regarding the desire to change the zoning for lot 6, block 2, Darlings First Addition. I would like to protest this zoning request.

For many years, Fraser provided care for developmentally disabled individuals, which created no problems for our neighborhood. However, several years ago, their mission seemed to change, although there was no information shared with the neighborhood that would be impacted by this change. Now the home at 1129 8<sup>th</sup> Ave. South, seems to be a refuge for homeless teenagers and this has had a negative effect on our neighborhood. There have been countless incidents where police have been called, with screaming, acting out people that the police have had to deal with. This morning was a perfect example of this; I was awakened at 4:45AM to someone screaming obscenities at someone. This went on for at least 10 minutes. Fortunately, I don't have children, as it would be very frightening to them.

This has been very difficult for some in our neighborhood. An eighty-year-old lady who lives across the street from this house, and has lived in that house for over 30+ years, is seriously considering moving because she is frightened by the activity in that house. The house next door to that house has remained on the market for the last three months, even though it seems to be in fine shape and has a desirable price.

I am not even certain how the purposes of the facilities on South University have been changed in the last few years, as no information has been shared with the neighborhood. Again, I am aware of police calls, fights, screaming, fireworks, etc., going on there. Now, they seem intent on expanding again, without any input from the surrounding neighborhood. They don't seem to realize that they are a part of a neighborhood, one that is valued by those who live in it. They make no effort to be a part of the neighborhood and seem unconcerned by the effect that their chaos creates for those of us living in it.

I am all for helping people, but Fraser seems to be doing a poor job of supervising their programs. We should not have to live in fear of those in our neighborhood. I have truly lost faith in their ability to situate these programs in a neighborhood setting.

Sincerely,

*Marlys K. Borkhuis*

Dennis and Kathy Hogan  
710 Univ Dr S  
Fargo, ND 58103-2632  
Nov. 24, 2020

Maggie Squyer  
Planning and Development  
City Auditor's office  
225 4<sup>th</sup> St. N  
Fargo, ND 58102

Re: Zoning for lot 6, block 2, Darlings First Addition.

City of Fargo Planning Commission:

This letter is in response to the Nov 13, 2020 notice concerning a public meeting on Dec 1, 2020 regarding the desire to change the zoning for lot 6, block 2, Darlings First Addition. We are protesting this zoning request. Over the last several years, we have experienced numerous incidents of neglect, violence, drug dealing, thefts and disruptive behaviors in our neighborhood with the change of services provided in the facilities. We are concerned about the ability to supervise the existing programs and services that are currently provided now and further expansion. Without any information on the proposed expansion of their services, it is difficult to understand how it will impact the neighborhood, but any additional services are very concerning.

The house at 1129 8<sup>th</sup> Ave, S, directly south of us, was converted from a single-family home to provide services for adults with intellectual disabilities. For many years, there were no major problem. Without notice to the neighborhood, the services in that location were changed and problems began. We have since learned that the home provides some type of service to homeless young adults although we have not been included in any neighborhood discussion, received any written information about the purpose of the services or who to contact with questions or concerns. We have contacted the Executive Director on several occasions.

We support the concept of help for those with these needs but need to maintain the security of the neighborhood. Over the last 2 or 3 years, there has been an ongoing pattern of disruptive behavior, violence and apparent illegal activities such as drug dealing, possible human trafficking, doing fireworks on the 4<sup>th</sup> of July, loud parties, riding a 4 wheeler in the alley at night without lights, and numerous physical fights. Some of these appear to be drug related. There has been a significant increase in the amount of garbage left in the alley including alcohol and a knives. The police have been asked to make extra patrols, and the neighbors have been alerted to suspicious activity.

This fall a woman wrapped in a blanket entered a neighbor's front porch without permission. She asked for help as Kathy walked by the neighbor's home. The woman was naked. Kathy suggested she go to Fraser and ask for help, the woman responded saying she was not allowed there anymore.

Because it appears there is major turnover of staff, there is little opportunity for staff to set realistic boundaries for the constant changing population or work with the neighbors. It is unclear what boundaries and standards for behavior has both on and adjacent to their property.

We are concerned that taking on additional services and possibly additional clients without consideration of the neighborhood impact. As an historical neighborhood, we believe that additional expansion seriously jeopardizes the safety and integrity of the neighborhood.

We strongly urge you to consider the needs and wishes of the local residents before approving a zoning change that will continue this pattern of problems.

Please do not approve this zoning change.

Respectfully,



Dennis Hogan



Kathy Hogan



OFFICE OF THE CITY ATTORNEY  
FARGO, NORTH DAKOTA

ORDINANCE NO. \_\_\_\_\_

2601

AN ORDINANCE REZONING CERTAIN PARCELS OF LAND  
LYING IN DARLING'S FIRST ADDITION TO THE CITY OF FARGO,  
CASS COUNTY, NORTH DAKOTA

WHEREAS, the Fargo Planning Commission and the Board of City Commissioners of the City of Fargo have held hearings pursuant to published notice to consider the rezoning of certain parcels of land lying in Darling's First Addition to the City of Fargo, Cass County, North Dakota; and,

WHEREAS, the Fargo Planning Commission recommended approval of the rezoning request on December 1, 2020; and,

WHEREAS, the rezoning changes were approved by the City Commission on December 28, 2020,

NOW, THEREFORE,

Be It Ordained by the Board of City Commissioners of the City of Fargo:

Section 1. The following described property:

Lot Six (6), Block Two (2) of Darling's First Addition to the City of Fargo, Cass County, North Dakota;

is hereby rezoned from "LC", Limited Commercial, District and "MR-2", Multi-Dwelling Residential, District to "MR-2", Multi-Dwelling Residential, District.

Section 2. The City Auditor is hereby directed to amend the zoning map now on file in his office so as to conform with and carry out the provisions of this ordinance.

OFFICE OF THE CITY ATTORNEY  
FARGO, NORTH DAKOTA

ORDINANCE NO. \_\_\_\_\_

Section 3. This ordinance shall be in full force and effect from and after its passage and approval.

(SEAL)

Attest:

\_\_\_\_\_  
Timothy J. Mahoney, M.D., Mayor

\_\_\_\_\_  
Steven Sprague, City Auditor

First Reading:  
Second Reading:  
Final Passage:

266

<b>City of Fargo Staff Report</b>			
<b>Title:</b>	<b>Oak Grove Neighborhood Historic Overlay District</b>	<b>Date:</b>	11/23/2020
		<b>Update:</b>	12/22/2020
<b>Location:</b>	Approximately located on the North by 8th Avenue North, East by Short Street North, South by 6th Avenue North and South Terrance North, and some areas further south towards the Red River, and West between 1st and 2nd Street North	<b>Staff Contact:</b>	Maegin Elshaug
<b>Owner(s)/Applicant:</b>	Carol Pearson	<b>Engineer:</b>	N/A
<b>Reason for Request:</b>	Zoning Change to Apply Historic Overlay to Existing Base Zoning		
<b>Status:</b>	City Commission Public Hearing: 12-28-2020		

<b>Existing</b>	<b>Proposed</b>
<b>Land Uses:</b> Residential, Religious Institution, Retail Sales and Service, Office, Schools.	<b>Land Use:</b> Unchanged
<b>Zoning:</b> SR-3, MR-2, LC, GC	<b>Zoning:</b> Unchanged, (with Historic Overlay)
<b>Uses Allowed:</b> <b>SR-3:</b> Single-Dwelling Residential, allows detached houses, daycare centers up to 7 children, parks and open space, religious institutions, safety services, schools, and basic utilities. <b>MR-2:</b> Multi-Dwelling Residential, allows detached houses, attached houses, duplexes, multi-dwelling structures, daycare centers up to 12 children, group living, parks and open space, religious institutions, safety services, schools, and basic utilities. <b>LC:</b> Limited Commercial. Allows colleges, community service, daycare centers of unlimited size, health care facilities, parks and open space, religious institutions, safety services, basic utilities, offices, off premise advertising signs, commercial parking, retail sales and service, self service storage, vehicle repair, limited vehicle service. <b>GC:</b> General Commercial. Allows colleges, community service, daycare centers of unlimited size, detention facilities, health care facilities, parks and open space, religious institutions, safety services, adult entertainment centers, offices, off-premise advertising, commercial parking, outdoor recreation and entertainment, retail sales and service, self storage, vehicle repair, limited vehicle service, aviation, surface transportation, and major entertainment events.	<b>Uses Allowed:</b> Unchanged
<b>Maximum Density Allowed:</b> SR-3 = 8.7 units per acre    MR-2 = 20 units per acre LC = 55% lot coverage      GC = 85% lot coverage	<b>Maximum Density Allowed:</b> Unchanged
<b>Proposal</b>	

A request was received to establish the Oak Grove Neighborhood Historic Overlay District on properties situated in Fargo, approximately located on the North by 8th Avenue North, East by Short Street North, South by 6th Avenue North and South Terrace North, and some areas further south towards the Red River, and West between 1st and 2nd Street North (See Figure 1). The 175 parcels are primarily zoned residential: with 152 SR-3 zoned lots; 20 MR-2 zoned lots; 2 LC zoned lots; and 1 GC zoned lot. The LC and GC zoned properties have a residential land use.

The Oak Grove Historic Overlay was brought to the Historic Preservation Commission in 2020 by a homeowner within the Oak Grove Neighborhood. After meeting with the Historic Preservation Commission, neighborhood volunteers cataloged the homes by architectural style, year built and took photos of each home in their current state.

This report has been prepared by the staff of the Fargo Department of Planning and Development, but it also includes the actions of the Historic Preservation Commission in their review and recommendation for approval to the Planning Commission and City Commission for the creation of a Historic Overlay District in the Oak Grove neighborhood. In accordance with Section 20-0804 of the Land Development Code, the Historic Preservation Commission is charged with the preservation, protection, and regulation of historic properties within the City of Fargo for the educational, cultural, economic, and general welfare of the public; to safeguard the heritage of the City by preserving and regulating historic properties that reflect elements of its cultural, social, economic, political and architectural history; to preserve the City's economic base by the stimulation of the tourist industry; to establish and improve property values; to foster economic development; to manage growth; to foster civic pride in the beauty and noble accomplishments of the past; and to promote the use of historic properties for the education, pleasure and welfare of the residents of the City of Fargo. To that end, the Historic Preservation Commission has reviewed the Oak Grove Neighborhood Historic Overlay District Development Standards (attached to this report) and concurred they meet the goals and intent of Historic Overlay Districts.

The H-O, Historic Overlay district regulations are intended to:

1. Protect and conserve the heritage of the City;
2. Safeguard the character and heritage of historic districts or landmarks that embody important elements of the City's social, economic, political or architectural history;
3. Promote conservation of historic resources for the education, pleasure and cultural enrichment of residents of the City; and
4. Stabilize and enhance property values throughout historic areas, thus contributing to the improvement of the health and welfare of residents and visitors.

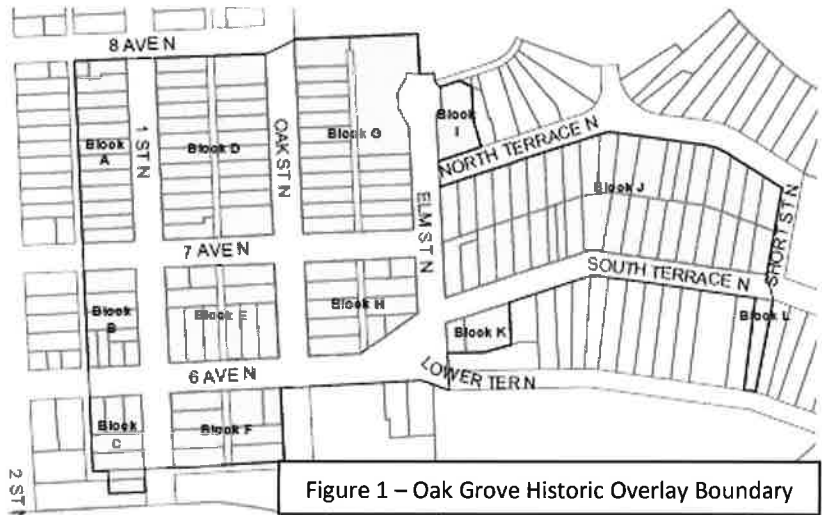


Figure 1 – Oak Grove Historic Overlay Boundary

#### Area Plans:

The subject property is not included in a growth plan or neighborhood land use plan.

**Context:**

**Neighborhood:** Horace Mann

**Schools:** The subject property is located within the Fargo Public School District and is served by Roosevelt and Horace Mann Elementary, Ben Franklin Middle and North High School. Oak Grove Lutheran School is located just west of the subject property.

**Parks:** Wildflower Grove Park is located in the Horace Mann Neighborhood, just south of the subject property, and provides uses such as picnic tables and recreational trails.

**Trails:** Located along the east edge of the subject properties is a shared use path trail that runs along the river. This connection links to the metro area bikeway system.

**Staff Analysis:**

**Section 20-0305.E Procedure for Designation of H-O District**

**1. Areas eligible for inclusion in an H-O District**

***Each area for which an H-O district is established must contain at least one site, building, or structure which is an historic resource, as defined in this ordinance.***

The proposal includes all or portions of 12 blocks and 175 lots of primarily residential properties and homes constructed largely during the late 19<sup>th</sup> century and first half of the 20<sup>th</sup> century, of which the Historic Preservation Commission has concluded are of historic significance and thus are an historic resource. **(Criteria Satisfied)**

**2. Report and evidence to be provided prior to enactment of H-O Districts.**

***Prior to a hearing by the Planning Commission on an application for creation or amendment of an H-O District, the Planning Department staff and the Historic Preservation Commission and staff shall provide in a report, the information and evaluation which will serve as the basis for any proposal to establish an H-O district. The following information shall be included in the required report: (Criteria Satisfied – see below)***

**a. *Explanation of the reasons that an H-O district should be established for the subject area (with supporting documentation).***

This report in its entirety provides evidence to support the creation of the Oak Grove Historic Overlay District. However, in summary, it is suggested that the district should be established for the following reasons: to protect the area's character-defining features which include its residential nature, period architecture, the pedestrian quality of the streetscape, the relationship of primary to secondary structures, and the relationship of the built environment to public open space. **(Criteria Satisfied)**

**b. *A description of the area to be included within the boundaries of the H-O district. Such description must include a narrative description, maps, property addresses and parcel numbers. The narrative description must describe existing land uses, the condition of structures, architectural styles, historic status, environmental features in the area, and other relevant information.***

The proposed Oak Grove Neighborhood Historic Overlay District (see Figure 1 above) includes the area bounded on the North by 8th Avenue North, East by Short Street North, South by 6th Avenue North and South Terrance North, and some areas further south towards the Red River, and West between 1st and 2nd Street North. The table in Appendix A of the attached Oak Grove Neighborhood Historic Overlay District Special Development Standards identifies all of the individual properties included in the Oak Grove Neighborhood Historic Overlay District. Each property is described by parcel number, address, original style, block letter, year built and type of building. **(Criteria Satisfied)**

**c. *An analysis of the character-defining features within the proposed H-O district. This section will identify the elements within the proposed district that give the district its historic character.***

The most important character-defining elements identified in the Oak Grove H-O District are:

**1) Historic significance: Age of Construction, Neighborhood Development, Demolition, Design, Historic Persons, and Interesting Features:**

**Age of Construction:** Majority of the homes within the proposed overlay district were built prior to 1952.

**Design:** Prevalent architectural styles include, but are not limited to, Gable Front, Craftsman, Stick, Cottage and Dutch Colonial.

The Oak Grove Neighborhood features tree-lined streets, front porches on most houses, and sidewalks, all of which contribute to a pedestrian-friendly environment. Though there are exceptions, for the most part garages are detached and located to the rear of homes.

**Neighborhood History:**

See attached "Oak Grove Historical Overlay District Historical Narrative".

**2) Residential Neighborhood**

The Oak Grove Neighborhood is a residential neighborhood of primarily detached homes in mixed style and scale.

**3) Pedestrian quality of the streetscape**

The character of this neighborhood is defined by the pedestrian quality of the streetscape. Sidewalks are present throughout the district and building facades are articulated in a way that engages the street and does not overwhelm the pedestrian.

a. **Scale.** Structures built in this district are characterized by both roof shape and the general pattern of building footprints. As is typical of this architectural period, pitched roofs are the norm.

b. **Porches.** A residential porch, open or enclosed, is a design element that consciously transitions a person from public to semi-public to private space. It matches the home and often articulates details of the styling of the home and is an element that engages the pedestrian.

c. **Front yards.** Front yard spaces are traditional, with the standard being represented by the pattern: curb, boulevard, sidewalk, lawn, foundation planting, house

**4) Relationship of primary and secondary structures**

Garages and accessory structures do not dominate the streetscape of the primary structure on a

property. Garages for most of the properties in the Oak Grove Neighborhood are set back from the main house, detached, and located toward the rear half of the yard.

**5) Relationship of the Built environment to Trees and Public Open Space:**

Oak Grove Neighborhood streets are lined by shade trees that contribute to a canopy over the street. As in many older neighborhoods, the tree canopy has seen some decline in recent years. Oak Grove Wildflower Park is located just south of the proposed Oak Grove Historic Overlay District.

- d. *Recommended guidelines, standards and policies to be included in the regulations for the proposed H-O district pertaining to preservation or future development. Examples include signage, architectural character, building height, setbacks, and vehicular and pedestrian circulation patterns.***

See attached "Oak Grove Historic Overlay District Special Development Standards".  
(Criteria Satisfied)

- e. *The recommendation of the Historic Preservation Commission regarding the application shall be reported to the Planning Commission and the Board of City Commissioners.***

On November 17, 2020, the Historic Preservation Commission unanimously recommended approval of the Oak Grove Neighborhood Historic Overlay District to the Planning Commission and City Commission. (Criteria Satisfied)

- f. *A recommendation from the staff of the Planning Department regarding the establishment of the proposed H-O district, and the specific recommended wording for the proposed ordinance to facilitate implementation of the ordinance and to ensure clarity and consistency with other historic districts and other provisions of the Land Development Code. The report may also include any other recommended implementation measures deemed necessary to further the goals and objectives of the proposed H-O district.***

The Planning Department is recommending approval of the proposed Oak Grove Neighborhood Historic Overlay District. (Criteria Satisfied)

**Zoning Criteria 20-0906.F (1-4)**

In addition to the regulations cited above, the LDC stipulates that the Planning Commission and Board of City Commissioners shall also consider the following criteria in their review of an overlay zoning designation request. Proposed zoning map amendments that satisfy all of the following criteria may be approved:

- 1. The requested zoning change is justified by a change in conditions since the previous zoning classification was established or by an error in the zoning map;**

Staff is unaware of any zone map error. Staff suggests that the proposed zone change to establish a historic overlay zoning district is justified by a change in the following conditions: 1) community interest to preserve the historic character and period architecture of the homes within the neighborhood; 2) strong support by the Historic Preservation Commission to establish an overlay zoning district to protect and preserve the historical nature of the neighborhood and structures; and 3) the support of the community as a whole to protect and support core residential neighborhoods as is garnered via the GO2030 Fargo Comprehensive Plan update. Staff therefore finds that the zoning changes are justified by a change in conditions. (Criteria Satisfied)

- 2. The City and other agencies will be able to provide necessary public services, facilities, and programs to serve the development allowed by the new zoning classification at the time the property is developed;**

The proposed overlay zoning district will have little impact on the city's ability to provide the necessary public services, facilities, and programs to serve the development. The change will require additional planning staff review for exterior changes that require building permits and, at times, review and action by the Historic Preservation Commission if a substantial change to an existing structure is proposed or if a new structure or demolition of a structure is proposed. The city and other agencies are able to provide these services. **(Criteria Satisfied)**

- 3. The approval will not adversely affect the condition or value of property in the vicinity;**

Staff has no documentation or evidence that the approval of this overlay zoning district would adversely affect the condition or value of the property in the vicinity. Research provided by the Historic Preservation Commission suggests that the application of a historic overlay to properties actually enhances the value of affected property over time. In most cases the overlay bolsters the local economy from tourism and new families moving into the neighborhood or community from other towns, because of the overlay. As with all zone change petitions, the City has notified the affected property owners within the proposed overlay district as well as all property owners within 300 feet of the perimeter of the overlay district. As of the publication of this report, staff has received eight (8) inquiries, with two (2) letters received that are included in this packet. As stated earlier, the proposed overlay is intended to protect the condition and value of properties within the Oak Grove Neighborhood Historic Overlay district by providing guidelines for any construction or expansion project that requires a permit. **(Criteria Satisfied)**

- 4. The proposed amendment is consistent with the purpose of this LDC, the applicable Growth Plan and other adopted policies of the City.**

The purpose of the LDC is to implement Fargo's Comprehensive Plan and related policies in a manner that protects the health, safety, and general welfare of the citizens of Fargo. Staff suggests that the proposed historic overlay zoning district is supported by the existing city plans and policies and GO2030. Therefore, staff finds that this proposal is consistent with the purpose of the LDC, the applicable Growth Plan and other adopted policies of the City. **(Criteria Satisfied)**

**Update 12/22/2020:** Since the publication of the staff report for the Planning Commission meeting, staff received two additional letters regarding the application. The Planning Commission received these letters prior to the hearing on December 1, 2020, and are included in the packet. After the Planning Commission meeting, staff received one additional call of inquiry, with no noted comments, as well as one letter from the Horace Mann Area Neighborhood Association, included in the packet.

**Historic Preservation Commission (11-17-2020) recommendation:**

The Historic Preservation Commission unanimously recommended approval of the Oak Grove Neighborhood Historic Overlay District to the Planning Commission and City Commission.

**Recommendation:**

**Suggested Motion:** "To accept the findings and recommendations of the Historic Preservation Commission, Planning Commission, and staff and hereby waive the requirement to receive the Ordinance one week prior to the first reading and place the rezoning Ordinance on for first reading, and move to approve the zoning change of the Oak Grove Historic Overlay District to the City Commission on the basis that the proposal satisfactorily complies



with the GO2030 Comprehensive Plan, Section 20-0305.E.1 & 2 (a-f), Section 20-0906.F (1-4), and all other applicable requirements of the Land Development Code.”

**Planning Commission Recommendation (12-1-20):**

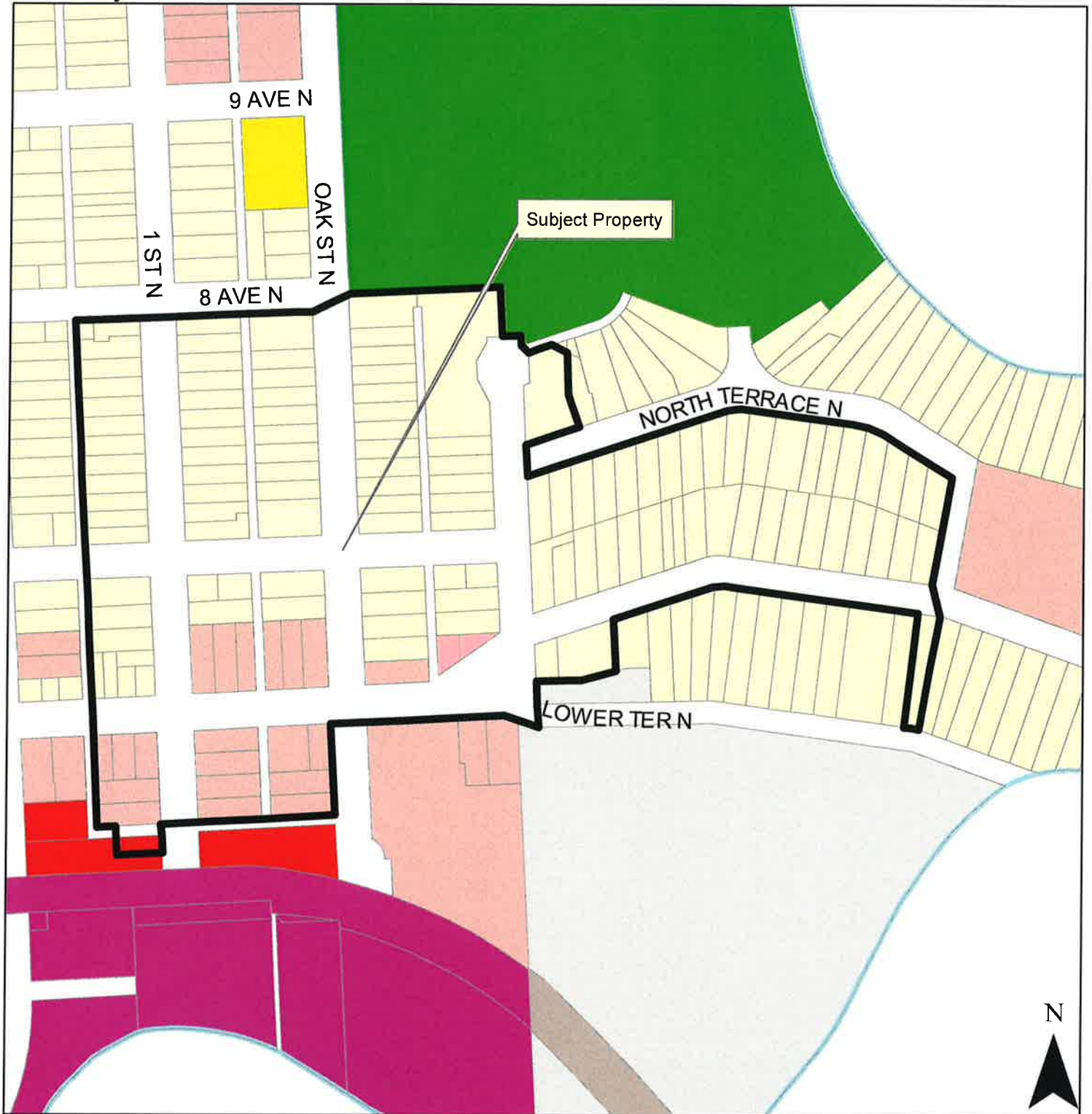
On December 1, with a 9-0 vote, with two seats vacant, the Planning Commission accepted the findings and recommendations of the Historic Preservation Commission and staff and recommended approval of the Oak Grove Historic Overlay District to the City Commission on the basis that the proposal satisfactorily complies with the GO2030 Comprehensive Plan, Section 20-0305.E.1 & 2 (a-f), Section 20-0906.F (1-4), and all other applicable requirements of the Land Development Code.

**Attachments**

1. Zoning Map
2. Location Map
3. Public Comment

# Zone Change (to establish a Historic Overlay District)

Oak Grove Addition, Lindsays Addition  
Keeney & Devitts Second Addition





# Zone Change (to establish a Historic Overlay District)

Oak Grove Addition, Lindsays Addition  
Keeney & Devitts Second Addition



**Maegin Elshaug**

---

**From:** Helen Hanson <hansonorganizing@gmail.com>  
**Sent:** Thursday, October 8, 2020 3:29 PM  
**To:** Maegin Elshaug  
**Subject:** Historic Overlay in Oak Grove Addition

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe.

My husband and I would like to go on record opposing the proposal to establish an Historic Overlay District to the Oak Grove neighborhood. Our address is 61 North Terrace, which is in the boundary.

A number of years ago when our neighborhood went through a process to be considered an Historic Neighborhood, we were assured this wouldn't affect or limit our rights as homeowners to make changes to our property as we chose. Since that was the case, we didn't object to the proposal.

I think there are ulterior motives driving this proposal. Specifically, there are concerns by a few neighbors that the Oak Grove high school would tear down the houses they own to add parking for their students.

I see the value in allowing Oak Grove to manage their parking issues, as our streets get restricted when there are events at the school.

Personally, I object to the overlay as it could potentially prevent a property owner from making changes and improvements to their property.

--

Sincerely, Jeff and Helen Hanson  
[hansonorganizing@gmail.com](mailto:hansonorganizing@gmail.com)  
701-200-0236



## Maegin Elshaug

---

**From:** Mike Slette <mike.slette@oakgrovelutheran.com>  
**Sent:** Friday, November 20, 2020 1:55 PM  
**To:** Maegin Elshaug  
**Subject:** Historic Overlay District in the Oak Grove Neighborhood

**CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe.

Dear Maegin,

I write this email to share concerns related to the Historic Overlay District designation for "the Oak Grove Neighborhood" and the potential negative impact such a designation could have on Oak Grove Lutheran School's North Campus.

Within the application reviewed and approved by the Historic Preservation Commission earlier this week, the following mention is made of the school—"Oak Grove School retains much of its pastoral qualities, making it an eastern boundary of the neighborhood." What is not captured in that reference is that Oak Grove was established on that site in 1906 as Oak Grove Lutheran Ladies Seminary, a high school offering a top quality education for young women from across the state. Jackson Hall was built in 1921 within "the second period of expansion" of the neighborhood, and continues to majestically anchor the east side of the school's campus. While not physical attributes, it is also important to note that Oak Grove was among the first twenty-five schools in North Dakota to earn accreditation through NCA in 1926, the same year boys were first admitted to the school. All this is to reflect that Oak Grove Lutheran School has been a vibrant and thriving part of the Oak Grove Neighborhood for now over 114 years, today serving more students across both our campuses than any time in the school's history.

In looking at the map of the proposed Oak Grove Historic Overlay District, empty lots on the north side of N Terrace and the south side of S Terrace indicate many sites formerly occupied by homes. Virtually every one of those sites is now part of City's flood protection infrastructure meaning those homes were given up for the greater good of the rest of the neighborhood and the community. The City's approved upgrade of the flood protection infrastructure for the neighborhood coming in 2021 is further evidence of the long-term value of those difficult decisions made over the years.

It is with an eye to the greater good of Oak Grove Lutheran School that I ask the Planning Commission, and the City Commission as appropriate, to consider the impact of the Historic Overlay District designation on the future of the school. A letter written in opposition to the Historic Overlay designation by neighbors Jeff and Helen Hanson refers to a perceived "ulterior motive" to restrict the school's ability to expand parking at some point in the future. Interestingly enough, the house just to the west of our campus on N Terrace was built in 1952 which, for "...the purposes of this Historic Overlay, properties built before 1952 are considered an HNS [Historic Neighborhood Structure]." Whether ulterior motives or unintended consequences, I'm asking that serious consideration be given to the impact the Historic Overlay District designation would have on Oak Grove's commitment to fulfill our mission for the benefit of our students, their families and the greater community.

For well over a century Oak Grove Lutheran School has been an important partner in education with the metro area's other outstanding public and private schools. We intend to continue that tradition for another 114+ years keeping our history and the history of the Oak Grove Neighborhood alive and well. Thank you for your thoughtful discernment.

Warm regards,

*Mike*

**Michael A. Slette**

President | Oak Grove Lutheran School

***Inspiring students to impact God's world***

124 N Terrace, Fargo, ND 58102-3818

Office: 701.373.7116 | Cell: 701.371.5557 | [mike.slette@oakgrovelutheran.com](mailto:mike.slette@oakgrovelutheran.com)



<http://www.oakgrovelutheran.com>

***The mission of Oak Grove Lutheran School is to express God's love by nurturing students for academic achievement, lifelong Christian commitment and loving service throughout the world.***

To Maegin Elshaug, Fargo Planning Commission, and Fargo City Commissioners:

The following are my comments in response to the letter written by Mike Slette:

An HOD application process is by nature a blend of private individual interests and communal neighborhood interests. Because an application is generated by neighbors, those who work on the project, as well as those who support it, seek to protect their own private property; they also work to protect the interests of the neighborhood as a whole. This is not an entity from which a participant would recuse themselves for conflict of interest. Thus, the use of the term "ulterior motive" in its negative connotation is inappropriate in this case. Everyone has a mix of motives, both individual and communal. For example, many in the neighborhood are concerned about development pressures, whether on the west end or in any other direction, that may jeopardize the neighborhood. What happened to the Roosevelt neighborhood is fresh on everyone's mind.

We acknowledge and honor Oak Grove School's long history and important contributions to the community and region. As educators ourselves for a combined 79 years, my husband and I wholeheartedly support and encourage the school's mission.

Oak Grove School has always shared the peninsula with the Oak Grove Neighborhood. As neighbors, both the school and the neighbors have shared the same challenges that come with living on this river-bound landscape. In addition to flood battles, we all must also contend with a limited footprint that constrains both storage and parking. The shifting river soils make storage difficult in lower levels and basements. Limited space on the peninsula means that parking has always been a challenge. But these difficulties are not the burden of the neighborhood to solve for the school.

Historically, the Oak Grove Neighborhood has repeatedly experienced loss of homes and a diminished footprint for the greater good of the school. Most recently in 2004 and 2005, a portion of North Terrace was vacated, a home was demolished, and mature trees were lost for construction of the Scheels Center for the Arts. Previously in the 1990s (prior to the 1997 flood) several homes east of Short Street purchased on behalf of Oak Grove School were demolished and replaced with a parking lot. That parking was later sacrificed for the Scheels Center.

To my knowledge, the school has never communicated to neighbors any plans they have that would be impacted by the Historic Overlay District. This HOD would have no impact on the school within its current footprint.

We feel that these shared problems require creative answers and multiple solutions; further expansion by the school that will impose yet more loss to the neighborhood cannot be the sole possibility.

With regard to the year for the cutoff for historical significance, we based our choice of the early 1950s on a statement by Dr. Steve Martens in the narrative of his application to the National Register of Historic Neighborhoods, a designation Oak Grove received in 2011. Martens mentioned the early 1950s as the years when the latest wave of houses were built in the Oak Grove Neighborhood. Although some houses predate 1900, Martens lists principle periods of development as "1910-1919,... 1920-1929,... and... the 1930s to the 1950s" (p. 5), all with a variety of historically significant architectural styles. The reason for mention of this date in the letter is unclear.

In closing, many of us in the Oak Grove Neighborhood are increasingly apprehensive that what just happened to the Roosevelt Neighborhood could happen to us. A number of us have undertaken this HOD application to proactively protect what remains of this unique and historic neighborhood we love. Please help us protect our neighborhood!

Thank you,  
Carol Pearson



Received 11/24/20

Fargo Planning Commission,

I'm writing to show support for establishing  
the Oak Grove Neighborhood Historic Overlay District.

I live at 65 N Terrace N in the Oak Grove  
neighborhood and fully support the historic  
overlay district.



— Matthew Oland  
65 N Terrace N  
Fargo, ND 58102



To: Mayor Mahoney and City Commissioners  
200 3rd Street North,  
Fargo, ND 58102

December 21, 2020

Dear Mayor Mahoney & Commissioners,

As members of Horace Mann Area Neighborhood Association, we are writing a letter of support for Carol Pearson and her team in Oak Grove neighborhood for their efforts to bring a Historic Overlay District to their area. Oak Grove Neighborhood rests within the greater Horace Mann neighborhood and has long been its jewel. As it is situated on the Eastern most front, bordering the Red River, Oak Grove has lost many homes to flood mitigation. Our association goal to protect as many remaining single-family homes, as well as historic structures, is addressed and supported with the application of an HOD.

We feel that when we have pride in our homes and an engaged neighborhood everyone wins. The homeowners, the neighborhoods and the city. Please vote 'yes'.

Respectfully submitted;  
HMANA Board  
Tracy Walvatne  
Dawn Nygord  
Jordan Runsvold  
Merrill Piepkorn  
David Huebner  
Warren Kessler

OFFICE OF THE CITY ATTORNEY  
FARGO, NORTH DAKOTA

ORDINANCE NO. \_\_\_\_\_

2661

AN ORDINANCE REZONING CERTAIN PARCELS OF LAND  
LYING IN KEENEY AND DEVITT'S SECOND ADDITION,  
OAK GROVE ADDITION,  
AND LINDSAY'S ADDITION  
TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA

WHEREAS, the Fargo Planning Commission and the Board of City Commissioners of the City of Fargo have held hearings pursuant to published notice to consider the rezoning of certain parcels of land lying in Kenney and Devitt's Second Addition, Oak Grove Addition, and Lindsay's Addition to the City of Fargo, Cass County, North Dakota; and,

WHEREAS, the Fargo Planning Commission recommended approval of the rezoning request on December 1, 2020; and,

WHEREAS, the rezoning changes were approved by the City Commission on December 28, 2020,

WHEREAS, pursuant to Section 20-0804 of the Fargo Land Development Code (LDC) the Historic Preservation Commission has the power, among other powers and duties enumerated therein, to perform functions which may be assigned or delegated to it by the Board of City Commissioners; and,

WHEREAS, the Board of City Commissioners has found and deemed said certain parcels to be an area that has historic or cultural significance and, in accordance with LDC §20-0305, has determined that establishment of an H-O, Historic Overlay District, is appropriate;

NOW, THEREFORE,

Be It Ordained by the Board of City Commissioners of the City of Fargo:

Section 1. The following described property:

Lots Four (4) through Eleven (11), Block Twenty-Nine (29); Lots Four (4) through Seven (7) and the North One-Half (½) of Lots Twenty-one (21) through Twenty-Five (25), Block Thirty (30); Lots Two (2) through Six (6), Block Thirty-Nine (39); and Blocks Forty (40) and Forty-One (41) of Kenney and Devitt's Second Addition to the City of Fargo, Cass County, North Dakota;

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Lots Thirteen (13) through Twenty-four (24), Block Two (2), and Blocks Three (3) and Four (4) of Lindsay's Addition to the City of Fargo, Cass County, North Dakota;

Lot One (1), Exc S 50 Ft, Lot Two (2), Less S 50 Ft & a Tract of Land in Lots Three (3) and Four (4), Block One (1), Oak Grove, Desc as follows: Beginning at NW corner of said Lot Three (3); then at an assumed Brg of N 71 Deg 51 Min 52 Sec E along N line of said Block One (1) a distance of 77.70 ft; then S 02 Deg 52 Min 45 sec E a distance of 113.75; then S 74 Deg 33 Min 56 Sec W a distance 76.81 Ft, more or less, to a point on W line of Lot Three (3); then N 02 Deg 52 Min 32 Sec W a distance of 110 Ft, more or less, to point of beginning, and Lot Eighteen (18), Block One (1) of Oak Grove Addition to the City of Fargo, Cass County, North Dakota;

Block Two (2) of Oak Grove Addition to the City of Fargo, Cass County, North Dakota;

and

Lots (1) and Two (2) and part of Lot Three (3) less part of Lot Two (2) Block Three (3) Desc as follows: Beginning at the Northeast corner of said Lot Two (2), then S 02°52'08" E along the Easterly line of said Lot Two (2) for a distance of 26.61 Ft, then N 65°40'34" W for a distance of 38.01 Ft to a point of intersection with the Northerly line of said Lot Two (2), then N 71°50'43"E along the Northerly line of said Lot Two (2) for a distance of 35.05 Ft to the point of beginning. Said tract contains 450 Sq Ft, more or less, Block Three (3) of Oak Grove Addition to the City of Fargo, Cass County, North Dakota;

are hereby rezoned to apply a "H-O", Historic Overlay, District".

Said property shall be referred to as the Oak Grove Neighborhood Historic Overlay District.

Pursuant to LDC §20-0305.C, the following special development standards shall apply to all properties, new and existing, within the Oak Grove Neighborhood Historic Overlay District:

**Oak Grove Neighborhood Historic Overlay District Special Development Standards**

**A. Authority**

In accordance with Section 20-0305.C of the LDC, the following special development standards or regulations shall apply to all properties (new and existing) within the Oak Grove Neighborhood Historic Overlay District.

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**B. Properties**

Appendix A identifies all of the individual properties included in the Oak Grove Neighborhood Historic Overlay District. Each property is described by address, block number, type of building, style of architecture, and year built.

**C. Definitions**

1. **Historic Neighborhood Structure (HNS)** is a structure that was built within the Historic Overlay District boundaries at the time the original addition(s) was developed. For the purposes of this Historic Overlay, properties built before 1952 are considered a HNS. Houses built after 1952 that are doing exterior renovations should consider Section C.5. (Style) of this ordinance as a guide.
2. **Open Space** is defined in Section 20-1202(43) of the LDC as “an outdoor, unenclosed area, located on the ground or on a roof, balcony, deck, porch or terrace designed and accessible for outdoor living, recreation, pedestrian access or landscaping, but not including roads, parking areas, driveways or other areas intended for vehicular travel”.
3. **Principal Building** refers to the primary structure on a property, i.e., a house or commercial structure.
4. **Accessory Building or Structure** refers to a structure that is subordinate to the principal building, i.e., a garage, shed, or guest house.
5. **Style** is the vocabulary used to classify structures according to their appearance, structure, materials, and historic period. The styles of the Historic Neighborhood Structures within the Oak Grove Neighborhood Historic Overlay District are characterized by:
  - a. Overall scale and relationship of height to width;
  - b. Façade proportions and relationship of solids to voids;

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- c. Window/door size, design, and operation;
- d. Size, shape and proportions of entrances and porches;
- e. Materials, texture, and pattern;
- f. Roof forms;
- g. Orientation, spacing, and site coverage of structures; and
- h. Landscaping, walls, and fences.

Style Reference: A Field Guide to American Houses, Virginia and Lee McAlester, Alfred A. Knopf, Inc., 1984.

**D. Certificate of Appropriateness**

In accordance with Section 20-0912 of the LDC, no building permit shall be issued for the following until a Certificate of Appropriateness has been reviewed and approved in accordance with said Section 20-0912: (Note: A Certificate of Appropriateness is required only if a building permit is required)

- 1. Any change to the exterior appearance of any principal building, accessory building or structure. (Note: A Certificate of Appropriateness is not applicable for interior changes)
- 2. Any new construction of a principal building, accessory building or structure.
- 3. The demolition of any principal building, accessory building or structure.
- 4. The moving of any principal building, accessory building or structure.
- 5. Placement or construction of a sign.

**E. Exemptions**

**1. Post-1952 Structures**

With respect to residential structures built after 1952 and before the effective date of this ordinance, said structures shall be exempt from the requirement of obtaining a Certificate of Appropriateness prior to obtaining a building permit for any change to the exterior appearance of any principal building, accessory building, or structure. Owners or permittees of such structures are encouraged to conform with the style elements of this ordinance.

**2. Government Agency Owned Property**

Any property that is owned by a government agency will be exempt from this ordinance.

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**3. Flood Protection**

Any property that the City of Fargo purchases from high-risk, flood prone areas will be exempt from this ordinance. Property buyouts allow for a significantly stronger primary line of protection by reducing the number of emergency measures required to protect the people and property located in high-risk areas.

**F. Special Development Standards – General**

**1. Open Space**

At least 70% of a parcel's front yard shall be maintained as open space.

**2. Front Yard Parking**

Except for parking on driveways that run through the front yard to a garage, no parking is allowed in the front yard.

**3. Side Yard Fencing**

Stand-alone side yard fencing shall terminate a minimum of 2-feet behind the front façade of the principal structure.

**G. Special Development Standards – Exterior Renovation**

In conjunction with Section 20-0912.C(1) of the LDC, the City Planner shall consider the following criteria in review of a request for a Certificate of Appropriateness regarding the exterior renovation of a Historic Neighborhood Structure's principal building, accessory building, or structure. A request that satisfies all of the following criteria shall be approved. Substitute materials are permissible if matching the existing material is not technically or economically feasible.

**1. Principal Building**

**a. Exterior Cladding**

1. Exterior cladding shall match the original principal building in design, dimension, detail, texture, and pattern.
2. If the principal building is void of its original exterior cladding, full replacement cladding shall be of a design compatible with the historic style of structures located within the district. Repair or

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partial replacement of non-original exterior cladding shall be exempt from this regulation.

b. Windows and Doors

1. Windows and doors shall match the original principal building in design and operation.
2. If the principal building is void of its original windows or doors, replacement windows and doors shall be of a design compatible with the historic style of structures located within the district.
3. Window or door openings shall not be increased or decreased by more than 10% in dimension or total area. Any changes in dimension or area will require review by the Fargo Historic Preservation Commission.

c. Roofs

1. Roof functional and decorative features, such as roofing materials, cresting, dormers, chimneys, cupolas, vents, and gutters shall match the original in design, dimension, detail, texture, and pattern.
2. Skylights are prohibited on all roof planes parallel to and facing the street.

d. Entrances, Porches, and Decks

1. A renovated front entrance addition to the principal building shall have no fewer than four steps, or an equivalent ramp distance, from the ground level to the bottom of the front entrance door or shall have the first-floor plane in a style compatible with Historic Neighborhood Structure.

**2. Accessory Buildings or Structures**

- a. Alterations to accessory buildings and structures shall be compatible with the style of the principal building and shall be subordinate to the principal building.



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**H. Special Development Standards - Additions**

In conjunction with Section 20-0912.C(2) of the LDC, the Historic Preservation Commission shall consider the following criteria in review of a request for a Certificate of Appropriateness regarding an addition to a Historic Neighborhood Structure's principal building, accessory building or structure. A request that satisfies all the following criteria shall be approved. Substitute materials are permissible if matching the existing material is not technically or economically feasible.

**1. Principal Building**

**a. Exterior Cladding**

1. Exterior cladding of the addition shall match the original principal building in design, dimension, detail, texture, and pattern.
2. If the principal building is void of its original exterior cladding, the cladding of the addition shall match the existing cladding of the principal structure.

**b. Windows and Doors**

1. Windows and doors of the addition shall match the original principal building in style, design and operation.
2. If the principal building is void of its original windows or doors, the window and doors of the addition shall match the existing principal building.
3. A garage door of an attached, front-yard entered garage addition shall not exceed 10 feet in width or 8 feet in height. A double-stall garage will require 2 doors.

**c. Roofs and Dormers**

1. The roof form of an addition to the principal building shall be consistent with the roof style and pitch of the principal building.
2. Flat roofs and shed roofs are prohibited, except on porches and where consistent with the roof form of the original principal building.
3. All gable roofs shall have a minimum pitch of 6:12. All hip roofs must have a minimum pitch of 3:12.

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4. The reconstruction or addition of dormers to an existing principal building, or the addition of dormers to an addition to a principal building, shall be consistent with the style of a Historic Neighborhood Structure.
5. Roof functional and decorative features, such as roofing materials, cresting, dormers, chimneys, cupolas, vents, and gutters shall match the original principal building in design, dimension, detail, texture, and pattern.
6. If the roof of the principal building is void of its original functional and decorative features, the roof of the addition shall match the existing roof of the principal structure.
7. Skylights are prohibited on all roofs parallel to and facing the street.

d. Entrances, Porches, and Decks

1. A new front entrance addition to the principal building shall face the street.
2. A new front entrance addition to the principal building shall have no fewer than four steps, or an equivalent ramp distance, from the ground level to the bottom of the front entrance door or shall have the first-floor plane in a style compatible with Historic Neighborhood Structure.
3. Reconstruction of an open or screened porch (not an enclosed porch which provides year-round living space) which was historically a part of the original principal building shall be allowed to be rebuilt, and as may be necessary to accurately reconstruct, shall be allowed to vary by right from any existing zone district setback standards of

the LDC. The burden of establishing that a porch was part of the original structure is the owner's burden to prove.

4. Decks are prohibited in front yards.
5. On corner lots, decks are allowed on street side yards with screening, either by fence or landscaping.

e. Height and Elevation

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1. The height of a new addition to a principal building shall not exceed the overall scale of a HNS with a maximum eave height of 25 feet.
2. The height of a new addition to the principal building shall not be greater than the height of the principal building, except in the case of a second story addition to a single-story principal building, the result of which is the creation of a two-story principal building consistent with a HNS.

**2. Accessory Buildings or Structures**

- a. Additions to existing accessory buildings or structures shall be subordinate in scale and compatible with the design and style of the principal structure.
- b. An addition to an existing accessory building that does not meet the dimensional setback standards of the LDC and does not increase in total floor area of the existing accessory building by more than 40%, is permissible by right, provided that: 1) the existing non-conforming setback is not increased; 2) the property line from which the non-conforming setback is determined is verified by a registered land surveyor; and 3) the new accessory building addition is limited in height to no more than one-story with 10-foot maximum sidewalls.

**I. Special Development Standards - New Construction**

In conjunction with Section 20-0912.C(2) of the LDC, the Historic Preservation Commission shall consider the following criteria in review of a request for a Certificate of Appropriateness regarding the new construction of a Historic Neighborhood Structure's principal building, accessory building or structure. A request that satisfies all of the following criteria shall be approved.

**1. Principal Building**

**a. Proportion**

1. The size and mass of the principal building in relation to open spaces, windows, door openings, porches, and balconies, must be

visually compatible with the structures and places to which it is visually related.

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2. The relationship of the width of the principal building to the height of the front elevation must be visually compatible with historic structures within the Oak Grove Neighborhood Historic District.

3. The relationship of solids to voids in the front facade of a principal building must be visually compatible with historic structures within the Oak Grove Neighborhood Historic District.

4. The relationship of the principal building to the open space between it and adjoining structures must be visually compatible with historic structures within the Oak Grove Neighborhood Historic District.

b. Exterior Cladding

1. The relationship of the materials, detail, and pattern of the facade of a principal structure must be visually compatible with structures and places to which it is visually related.

c. Windows and Doors

1. The relationship of the width of the windows and doors to the height of windows and doors in the principal structure must be visually compatible with historic structures within the Oak Grove Neighborhood Historic District.

2. Any garage door visible from the street shall not exceed 10 feet in width and 8 feet in height.

d. Roofs and Dormers

1. The roof shape of the principal building must be visually compatible with structures, to which it is visually related.

2. Flat roofs and shed roofs are prohibited, except on porches and where consistent with the roof form of a HNS.

3. All gable roofs shall have a minimum pitch of 6:12. All hip roofs must have a minimum pitch of 3:12.

4. Dormers of the principal building shall be consistent with the style of the structure.

5. Skylights are prohibited on all roofs parallel to and facing the street.

e. Entrances, Porches, and Decks

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1. The front entrance of the principal building shall face the street.
2. The front entrance to the principal building shall have no fewer than four steps, or an equivalent ramp distance, from the ground level to the bottom of the front entrance door or shall have the first-floor plane in a style compatible with Historic Neighborhood Structure.
3. Decks are prohibited in front yards.
4. On corner lots, decks are allowed on street side yards with screening, either by fence or landscaping.

f. Height and Elevation

1. The height of the principal building must be visually compatible with historic structures within the Oak Grove Neighborhood Historic District.
2. The height of the principal building shall not exceed the overall scale of HNS with a maximum eave height of 25 feet.
3. The principal building shall be constructed to have the first-floor plane in a style compatible with Historic Neighborhood Structure.

2. Accessory Buildings or Structures

- a. New accessory building or structures shall be subordinate in scale and compatible with the design and style of the principal building.
- b. Excluding Historic Neighborhood Structures designed with an attached garage, all garage structures shall be in the rear yard. Any garage door visible from the street shall not exceed 10 feet in width or 8 feet in height.
- c. Reconstruction (including its enlargement by up to 40% in total floor area) of an existing accessory building, which does not meet the dimensional setback standards of the LDC, is permissible by right, provided that: 1) the existing non-conforming setback is not increased; 2) the property line from which the setback is determined is verified by a registered land surveyor; and 3) the new accessory building is limited in height to no more than one-story with 10-foot maximum sidewalls.

**J. Special Development Standards - Demolition**

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In conjunction with Section 20-0912.C(2) of the LDC, the Historic Preservation Commission shall consider the following criteria in review of a request for a Certificate of Appropriateness regarding the demolition of a principal building, accessory building or structure. A request that satisfies the following criteria shall be approved.

1. The requested demolition is justified by the state of deterioration, disrepair and structural stability of the structure, or the building has been condemned.
2. The requested demolition is not detrimental to the overall style of the historic district.
3. The requested demolition is consistent with the purpose of the Comprehensive Plan and other adopted policies of the City.

**K. Variance of Special Development Standards**

To allow for a variance of hardships that may arise from the strict application of any of the foregoing Special Development Standards, the Historic Preservation Commission may consider requests to deviate from any applicable standard(s) and allow for an exception(s). A two-thirds vote of the Historic Preservation Commission is required for approval of any exception to the Special Development Standards.

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Oak Grove Neighborhood Historic Overlay District Boundary  
Map





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**APPENDIX A – List of Properties**

Graphic above indicates overlay boundaries with blocks identified by letter. Block letters (A–L) correspond to “list of properties” that follows. The boundary includes 175 parcels.

PARCEL NUMBER	PROPERTY ADDRESS	HOUSE STYLE	BLOCK	YEAR BUILT	TYPE
01-1760-00500-000	746 1 St N	Bungalow	A	1920	Single Family
01-1760-00490-000	110 8 Ave N	Gable Front	A	1922	Single Family
01-1760-00480-000	740 1 St N	Post Victorian	A	1908	Single Family
01-1760-00470-000	734 1 St N	Post Victorian	A	1920	Single Family
01-1760-00460-000	732 1 St N	Bungalow	A	1900	Single Family
01-1760-00450-000	730 1 St N	Post Victorian	A	1904	Single Family
01-1760-00440-000	728 1 St N	Cross Gabled	A	1900	Duplex
01-1760-00430-000	724 1 St N	Cross Gabled	A	1895	Triplex
01-1760-00420-000	718 1 St N	Post Victorian	A	1894	Single Family
01-1760-00410-000	716 1 St N	Bungalow	A	1892	Single Family
01-1760-00400-000	708 1 St N	Post Victorian	A	1916	Single Family
01-1760-00390-000	706 1 St N	Gable Front	A	1917	Single Family
01-1760-00380-000	111 7 Ave N	Gable Front	A	1915	Duplex
01-1540-03220-000	620 1 St N	Cross Gabled	B	1898	Single

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					Family
01-1540-03210-000	616 1 St N	Gable Front	B	1915	Single Family
01-1540-03200-000	612 1 St N	Bungalow	B	1915	Single Family
01-1540-03190-000	109 6 Ave N	Gable Front	B	1905	Single Family
01-1540-03180-000	111 6 Ave N	Cottage	B	1905	Single Family
01-1540-03170-000	107 6 Ave N	Post Victorian Hip Roof	B	1905	Single Family
01-1540-03160-000	604 1 St N	Post Victorian	B	1908	Single Family
01-1540-03150-000	101 6 Ave N	Bungalow	B	1905	Single Family
01-1540-02110-000	512 1 ST N	Post Victorian	C	1901	Single Family
01-1540-02120-000	516 1 ST N	Undefined	C	1985	Single Family
01-1540-02130-000	108 6 Ave N	Gable Front	C	1900	Single Family
01-1540-02135-000	104 6 Ave N	Bungalow	C	1931	Apartment
01-1540-02137-000	106 6 Ave N	Post Victorian Gable Front	C	1900	Single Family
01-1540-02100-000	510 1 St N	Cottage	C	1905	Single Family
01-1760-00510-000	747 1 ST N	Gable Front	D	1905	Single Family
01-1760-00520-000	745 1 ST N	Cross Gable	D	1880	Single
01-1760-00530-000	739 1 ST N	Post Victorian	D	1914	Single
01-1760-00540-000	733 1 ST N	Cross Gable	D	1914	Single
01-1760-00550-000	729 1 ST N	Cross Gable	D	1920	Single
01-1760-00560-000	725 1 ST N	Cross Gable	D	1915	Single
01-1760-00570-000	723 1 ST N	Gable Front	D	1882	Single
01-1760-00580-000	721 1 ST N	Contemporary	D	2015	Single
01-1760-00590-000	713 1 ST N	Cross Gable	D	1949	Single
01-1760-00600-000	707 1 ST N	Bungalow	D	1973	Single
01-1760-00610-000	703 1 ST N	Gable Front	D	1902	Single
01-1760-00620-000	701 1 ST N	Gable Front	D	1918	Single

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01-1760-00660-000	710 OAK ST N	Bungalow	D	1922	Single
01-1760-00671-000	714 OAK ST N	Bungalow	D	1922	Single
01-1760-00671-000	712 OAK ST N	Hip Roof Cottage	D	1920	Single Family
01-1760-00680-000	716 OAK ST N	Cross Gable	D	1920	Single
01-1760-00690-000	720 OAK ST N	Cottage	D	1923	Single
01-1760-00700-000	724 OAK ST N	Gable Front	D	1920	Single Family
01-1760-00710-000	726 OAK ST N	Cross Gable	D	1914	Single
01-1760-00720-000	734 OAK ST N	Bungalow	D	1936	Single
01-1760-00730-000	740 OAK ST N	Cross Gable	D	1895	Single
01-1760-00740-000	744 OAK ST N	Cross Gable	D	1897	Single
01-1760-00640-030	702 OAK ST N UNIT C	Undefined	D	1966	Condo
01-1760-00640-060	702 OAK ST N UNIT F	Undefined	D	1966	Condo
01-1760-00640-050	702 OAK ST N UNIT E	Undefined	D	1966	Condo
01-1760-00640-010	702 OAK ST N UNIT A	Undefined	D	1966	Condo
01-1760-00640-020	702 OAK ST N UNIT B	Undefined	D	1966	Condo
01-1760-00640-080	702 OAK ST N UNIT H	Undefined	D	1966	Condo
01-1760-00640-040	702 OAK ST N UNIT D	Undefined	D	1966	Condo
01-1760-00640-070	702 OAK ST N UNIT G	Undefined	D	1966	Condo
01-1540-03270-000	71 6 AVE N	Gable Front	E	1897	Single
01-1540-03280-000	67 6 AVE N	Post Victorian	E	1910	Single
01-1540-03290-000	63 6 AVE N	Craftsman Bungalow (modified)	E	1923	Conversion
01-1540-03300-000	51 6 AVE N	Revival	E	1905	Single
01-1540-03310-000	59 6 AVE N	Post Victorian	E	1905	Single
01-1540-03320-000	55 6 AVE N	Post Victorian	E	1905	Single

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1	01-1540-03330-000	616 OAK ST N	Gable Front	E	1907	Single
2	01-1540-03340-000	618 OAK ST N	Post Victorian	E	1922	Single
3	01-1540-03355-000	74 7 AVE N	Post Victorian	E	1915	Single
4	01-1540-03357-000	64 7 AVE N	Post Victorian	E	1921	Single
5	01-1540-03360-000	615 1 ST N	Post Victorian	E	1910	Single
6	01-1540-01920-000	512 OAK ST N	Post Victorian Gable Front	F	1907	Single Family
7	01-1540-01930-000	514 OAK ST N	Post Victorian Gable Front	F	1907	Single Family
8	01-1540-01940-000	52 6 AVE N	Gable Front	F	1902	Duplex
9	01-1540-01950-000	60 6 AVE N	Hip Roof Cottage	F	1902	Single Family
10	01-1540-01960-000	521 1 ST N	Colonial Revival	F	1922	Single Family
11	01-1540-01970-000	517 1 ST N	Hip Roof Cottage	F	1914	Single Family
12	01-1540-01980-000	513 1 ST N	Hip Roof Cottage	F	1914	Single Family
13	01-1540-01990-000	509 1 ST N	Story Gable Front	F	1901	Conversion
14	01-1760-00750-000	747 OAK ST N	Gable Front	G	1954	3 Plex
15	01-1760-00760-000	743 OAK ST N	Cross Gable	G	1914	Single
16	01-1760-00770-000	737 OAK ST N	Bungalow	G	1959	Duplex
17	01-1760-00780-000	733 OAK ST N	Bungalow	G	1972	Duplex
18	01-1760-00790-000	727 OAK ST N	Gable Front	G	1905	Single
19	01-1760-00800-000	725 OAK ST N	Gable Front	G	1915	Single
20	01-1760-00810-000	711 OAK ST N	Gable Front	G	1914	Single
21	01-1760-00820-000	709 OAK ST N	Gable Front	G	1924	Single
22	01-1760-00830-000	707 OAK ST N	Cross Gable	G	1915	Single
23	01-1760-00840-000	705 OAK ST N	Gable Front	G	1895	Single
	01-1760-00850-000	703 OAK ST N	Gable Front	G	1916	Single
	01-1760-00860-000	701 OAK ST N	Gable Front	G	1908	Single
	01-1760-00870-000	702 ELM ST N	Gable Front	G	1917	Single
	01-1760-00880-000	706 ELM ST N	Cross Gable	G	1915	Single
	01-1760-00890-000	708 ELM ST N	Gable Front	G	1915	Single
	01-1760-00900-000	714 ELM ST N	Gable Front	G	1915	Single
	01-1760-00910-000	718 ELM ST N	Gable Front	G	1922	Single

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01-1760-00920-040	722 ELM ST N	Undefined	G	1976	Apartment
01-1760-00921-010	730 ELM ST N	Undefined	G	1976	Apartment
01-1760-00922-070	746 ELM ST N	Undefined	G	1976	Apartment
01-1760-00922-020	746 ELM ST N UNIT C2	Undefined	G	1976	Condo
01-1760-00921-080	736 ELM ST N UNIT B8	Undefined	G	1976	Condo
01-1760-00921-020	730 ELM ST N UNIT B2	Undefined	G	1976	Condo
01-1760-00921-070	736 ELM ST N UNIT B7	Undefined	G	1976	Condo
01-1760-00921-040	736 ELM ST N UNIT B4	Undefined	G	1976	Condo
01-1760-00921-030	736 ELM ST N UNIT B3	Undefined	G	1976	Condo
01-1760-00922-080	746 ELM ST N UNIT C8	Undefined	G	1976	Condo
01-1760-00922-040	746 ELM ST N UNIT C4	Undefined	G	1976	Condo
01-1760-00922-030	746 ELM ST N UNIT C3	Undefined	G	1976	Condo
01-1760-00922-060	746 ELM ST N UNIT C6	Undefined	G	1976	Condo
01-1760-00922-050	746 ELM ST N UNIT C5	Undefined	G	1976	Condo
01-1760-00922-010	746 ELM ST N UNIT C1	Undefined	G	1976	Condo
01-1760-00920-080	722 ELM ST N UNIT A8	Undefined	G	1976	Condo
01-1760-00920-030	722 ELM ST N UNIT A3	Undefined	G	1976	Condo
01-1760-00920-070	722 ELM ST N UNIT A7	Undefined	G	1976	Condo
01-1760-00920-020	722 ELM ST N UNIT A2	Undefined	G	1976	Condo

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01-1760-00920-060	722 ELM ST N UNIT A6	Undefined	G	1976	Condo
01-1760-00920-010	722 ELM ST N UNIT A1	Undefined	G	1976	Condo
01-1760-00920-050	722 ELM ST N UNIT A5	Undefined	G	1976	Condo
01-1760-00921-060	730 ELM ST N UNIT B6	Undefined	G	1976	Condo
01-1760-00921-050	730 ELM ST N UNIT B5	Undefined	G	1976	Condo
01-1540-03370-000	601 OAK ST N	Craftsman	H	1928	Duplex
01-1540-03380-000	9 6 AVE N	Bungalow	H	1922	Single Family
01-1540-03390-000	5 6 AVE N	Hybrid Contemporary (Art Moderne)	H	1927	3 Plex
01-1540-03400-000	616 ELM ST N	Contemporary Flat Roof	H	1930	Single Family
01-1540-03410-000	620 ELM ST N	Bungalow	H	1897	Single
01-1540-03420-000	10 7 AVE N	Gable Front	H	1897	Single
01-1540-03430-000	624 ELM ST N	Bungalow	H	1897	Single
01-1540-03440-000	619 OAK ST N	Gable Front	H	1895	Duplex
01-1540-03450-000	611 OAK ST N	Gable Front	H	1895	Single
01-1540-03460-000	609 OAK ST N	Post Victorian Gable Front	H	1895	Single Family
01-1540-03470-000	607 OAK ST N	Colonial Revival	H	1895	Single Family
01-2200-00758-000	2 NORTH	Undefined	I	1984	Apartment
01-2200-00759-000	2 NORTH	Undefined	I	1984	Apartment
01-2200-00760-000	6 NORTH TERRACE N UNIT 3	Undefined	I	1984	Condo
01-2200-00761-000	6 NORTH	Undefined	I	1984	Condo
01-2200-00762-000	6 NORTH TERRACE N UNIT 5	Undefined	I	1984	Condo

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01-2200-00763-000	6 NORTH TERRACE N UNIT 6	Undefined	I	1984	Condo
01-2200-00350-000	3 NORTH TERRACE N	Craftsman	J	1921	Single Family
01-2200-00360-000	5 NORTH TERRACE N	Cottage	J	1938	Single Family
01-2200-00370-000	9 NORTH TERRACE N	Cottage	J	1929	Single Family
01-2200-00380-000	15 NORTH TERRACE N	Colonial Revival	J	1929	Single Family
01-2200-00390-000	17 NORTH TERRACE N	Cottage	J	1941	Single Family
01-2200-00400-000	21 NORTH TERRACE N	Cottage	J	1941	Single Family
01-2200-00410-000	25 NORTH TERRACE N	Cottage	J	1938	Single Family
01-2200-00420-000	29 NORTH TERRACE N	Gable Front	J	1924	Single Family
01-2200-00430-000	33 NORTH TERRACE N	Craftsman	J	1922	Single Family
01-2200-00440-000	37 NORTH TERRACE N	Gable Front	J	1922	Single Family
01-2200-00450-000	43 NORTH TERRACE N	Craftsman	J	1920	Single Family
01-2200-00460-000	47 NORTH TERRACE N	Craftsman	J	1921	Single Family
01-2200-00480-000	51 NORTH TERRACE N	Craftsman	J	1926	Single Family
01-2200-00490-000	57 NORTH TERRACE N	Cottage	J	1920	Single Family
01-2200-00500-000	59 NORTH TERRACE N	Colonial Revival	J	1921	Duplex
01-2200-00510-000	61 NORTH TERRACE N	Craftsman	J	1925	Single Family



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01-2200-00520-000	65 NORTH TERRACE N	Craftsman	J	1922	Single Family
01-2200-00530-000	69 NORTH TERRACE N	Cottage	J	1922	Single Family
01-2200-00540-000	612 SHORT ST N	Colonial Revival	J	1952	Single Family
01-2200-00550-000	70 SOUTH TERRACE N	Bungalow	J	1927	Single Family
01-2200-00560-000	64 SOUTH TERRACE N	Craftsman	J	1927	Single Family
01-2200-00570-000	62 SOUTH	Hipped Roof	J	1917	Single
01-2200-00580-000	60 SOUTH TERRACE N	Gable Front	J	1915	Single Family
01-2200-00590-000	52 SOUTH TERRACE N	Bungalow	J	1916	Single Family
01-2200-00600-000	50 SOUTH TERRACE N	Bungalow	J	1917	Single Family
01-2200-00610-000	44 SOUTH TERRACE N	Gable Front	J	1915	Single Family
01-2200-00620-000	40 SOUTH TERRACE N	Gable Front	J	1955	Single Family
01-2200-00630-000	36 SOUTH TERRACE N	Gable Front	J	1926	Single Family
01-2200-00640-000	34 SOUTH TERRACE N	Gable Front	J	1920	Single Family
01-2200-00650-000	30 SOUTH TERRACE N	Gable Front	J	1914	Single Family
01-2200-00660-000	28 SOUTH TERRACE N	Gable Front	J	1895	Single Family
01-2200-00670-000	26 SOUTH TERRACE N	Gable Front	J	1920	Single Family
01-2200-00680-000	24 SOUTH TERRACE N	Gable Front	J	1920	Single Family
01-2200-00690-000	18 SOUTH TERRACE N	Gable Front	J	1919	Single Family

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01-2200-00700-000	16 SOUTH TERRACE N	Gable Front	J	1946	Single Family
01-2200-00710-000	12 SOUTH TERRACE N	Gable Front	J	1919	Single Family
01-2200-00720-000	8 SOUTH TERRACE N	Bungalow	J	1919	Single Family
01-2200-00740-000	4 SOUTH TERRACE N	Post Victorian	J	1919	Single Family
01-2200-00010-000	1 SOUTH TERRACE N	Colonial Revival	K	1908	Single Family
01-2200-00035-000	7 SOUTH TERRACE N	Post Victorian	K	1911	Single Family
01-2200-00220-000	73 SOUTH TERRACE N	Gable Front	L	1914	Single Family

Section 2. The City Auditor is hereby directed to amend the zoning map now on file in his office so as to conform with and carry out the provisions of this ordinance.

Section 3. This ordinance shall be in full force and effect from and after its passage and approval.

\_\_\_\_\_  
Timothy J. Mahoney, M.D., Mayor

(SEAL)

Attest:

\_\_\_\_\_  
Steven Sprague, City Auditor

First Reading:  
Second Reading:  
Final Passage:



## Inspections Office

Fargo City Hall  
225 Fourth Street North  
Fargo, ND 58102  
Phone: 701.241.1561  
Fax: 701.476.6779  
[www.FargoND.gov](http://www.FargoND.gov)




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### Memorandum

DATE: December 23, 2020  
TO: Mayor Mahoney and Board of City Commissioners  
FROM: Bruce Taralson, Inspections Director  
SUBJECT: Dangerous Building Notice and Order at 1021 10 Street N., Fargo, ND

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The property owner of 1021 10 Street N., Fargo, ND, has failed to comply with my order to obtain a permit to repair or demolish the heavily damaged structure at that location within the time allowed for that removal. In accordance with Fargo Municipal Code Article 21-0405, a hearing date has been set for December 28, 2020. 

The recommendation is to **designate this building to be a dangerous building, direct the City Attorney to prepare findings of fact in this matter, and order its removal on February 25, 2021. Please direct the appropriate staff to secure the removal of this building at that time.**



## Inspections Office

Fargo City Hall  
225 Fourth Street North  
Fargo, ND 58102  
Phone: 701.241.1561  
Fax: 701.476.6779  
[www.FargoND.gov](http://www.FargoND.gov)

### **DANGEROUS BUILDING ORDER TO COMMISSION- Detail and Timeline regarding 1021 10 Street N., Fargo, ND.**

The hearing scheduled for Dember 28, 2020, is required under Article 21-0405 for the purpose of allowing any interested parties the opportunity to comment, and to allow the Owner of the said property the opportunity to appear and show cause why the City of Fargo should not cause the removal of this building.

The Inspections Department is requesting that the City Commission deem this building as a Dangerous Building and order the demolition of the building due to the extent of damage found. This building meets 6 of the 10 criteria found in the ordinance which only one might be required. Our report on ordinance requirements is as follows:

1. The Inspections Department received a complaint regarding the condition of the property.
2. The Inspections Department inspected the property.
3. The Inspections Department placarded building as a Dangerous Building.
4. The Inspections Department posted a Dangerous Building notice on the structure allowing 30 days to obtain permit or demolish.
5. The Inspections Department is reporting to City Commission today.

In your packets, you will find the Dangerous Building Notice. Article 21-0404 requires the Inspections Department give a 30-day notice to the Owner of the property prior to any action by the City Commission or staff. Our timeline shows the building was placarded and the Dangerous Building order was posted on October 8, 2019.

Also in your packets, you will find copies of the photos taken of the property as well as a copy of the letter of determination of value from the Assessor's office, dated September 23, 2020. Article 21-0402 stipulates that if costs to repair the building exceed 50% or more of the current value, the building can be ordered demolished or repaired. We have taken the path of demolition due to the amount of repair the building requires to be habitable.

**PROPERTY INFORMATION-** Building is currently vacant and is uninhabitable due to condition and current Inspections order. Deterioration is extensive. Building constructed in 1903.

**Description:** Single-story, wood-framed structure.

**Description of damage:**

- Exterior rubbish and volunteer growth.
- Rear stairs were built without a permit and do not meet current code.
- Chimney is crumbling.
- Windows have been boarded up and doors have been secured by contractor.
- Interior water damage.
- Significant roof deterioration.
- Signs of squatters.
- Basement pier is leaning.
- Concrete and wood exterior steps are deteriorated.
- Concrete block foundation is buckling.

**Timeline of events:**

**1999-2012:** Multiple failed rental housing inspections.

**8/14/2008:** Junked vehicle removal notice.

**9/4/2008:** Junked vehicle removal notice.

**10/5/2011:** Inspections received complaint of people living in house without water.

**5/15/2017:** Permit issued to Owner to demolish interior – filed as incomplete.

**7/25/2018:** Permit issued to Owner to demolish interior – filed as incomplete.

**8/1/2019:** Inspections received complaint regarding condition of property.

**10/8/2019:** Dangerous Building Notice was posted on structure and mailed to Owner by registered mail.

**9/23/2020:** Deputy Assessor, James Haley, inspected interior and determined that the cost to cure the deterioration of the building exceeds 50% of the most recent certified True & Full Improvement Value.

**10/05/2020:** Structure was secured by contractor. Junk was removed from yard.

**12/10/2020:** Inspections requested Dangerous Building *Order to Show Cause* Hearing to be scheduled for December 28, 2020.

**12/15/2020:** Notice of Hearing posted on building and mailed to Owner via registered mail.

**12/21/2020:** As per Water Department, no water use since October of 2011.

**12/22/2020:** As per Xcel Energy, electricity has not been used since 2012.

**12/28/2020:** Dangerous Building Hearing.

**01/12/2021:** Anticipated issuance of *Findings of Fact* document.

**01/26/2021:** Deadline to appeal to District Court.

**02/25/2021:** Deadline for Owner to demolish or City of Fargo to proceed with action on City Commission's recommendation to demolish.

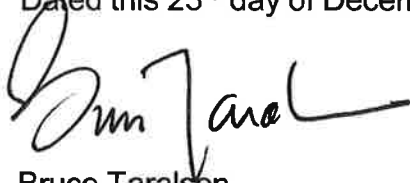
Please note, this timeline does not include complaints received by other departments or a total calculation of overall staff time spent on this property.

Upon your finding for Owner to comply with this demolition order, you are required by Article 21-0405.C,D&E, to notify the Owner of your determination, and that if the Owner fails to comply with that order for demolition within 10 days, The City Commission can order city staff to take action on demolition and assess costs back to the property.

I suggest you agree with my notice and find this to be a dangerous building, and direct the City Attorney to prepare findings of fact in this matter. I also ask that you direct staff to proceed with all necessary measures to secure removal of this building should the Owner fail to do so. Article 21-0412 allows for Owner appeal to City Commission action to District Court, which requires a \$500 deposit with the City Auditor.

Respectfully submitted,

Dated this 23<sup>rd</sup> day of December, 2020.

A handwritten signature in black ink, appearing to read "Bruce Taralson", written over a horizontal line.

Bruce Taralson  
Inspections Director

**Fargo Inspections**  
City of Fargo  
225 Fourth Street North  
Fargo, North Dakota 58102  
Phone: 701-241-1561  
Fax: 701-476-6779



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## **Notice of Dangerous Building Hearing – Order to Show Cause**

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**Date: December 15, 2020**

**Location: 1021 10 Street N., Fargo, ND 58102**

**Property Owner: Jesse & Ivette Lugo**

**Address of Property Owner: 109 3 Avenue W., West Fargo, ND 58078-1709**

**Inspector: Bill Thompson**

**Date of Posting: December 15, 2020**

### **Ordinance 21-0405 of the Fargo Municipal Code states:**

The board of city commissioners shall:

A. Upon receipt of a report of the building inspector as provided for in § 21-0404, subsection (F), give written notice to the owner, occupant, mortgagee, lessee and all other persons having an interest in said building as shown by the records of the register of deeds of the county of Cass to appear before it on the date specified in the notice to show cause why the building or structure reported to be a "dangerous building" should not be repaired, vacated, or demolished in accordance with the statement of particulars set forth in the building inspector(s) notice provided for herein in § 21-0404, subsection (E).

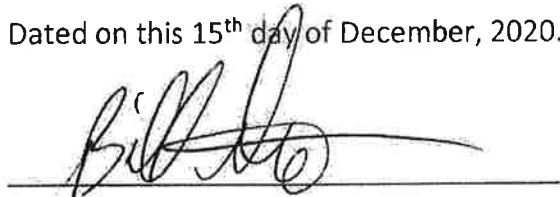
B. Hold a hearing and hear such testimony as the building inspector or the owner, occupant, mortgagee, lessee or any other person having an interest in said building as shown by the records of the register of deeds of the county of Cass shall offer relative to the "dangerous building."



A public hearing regarding the dangerous building located at 1021 10 Street N., Fargo, ND has been scheduled for Monday, December 28, 2020 at 5:00PM. The hearing will take place in the City Commission Chambers, located at 225 4<sup>th</sup> Street N., Fargo, ND 58102.

Any interested person or party is encouraged to attend, and any interested party will be given a chance to speak during the meeting. Please be aware that due to the Covid-19 pandemic, there are restrictions to the number of attendees allowed into the meeting space. Please arrive early to ensure a seat in the chambers, and wearing a mask is required to help prevent the spread of Covid-19.

Dated on this 15<sup>th</sup> day of December, 2020.

A handwritten signature in black ink, appearing to read "Bill Thompson", written over a horizontal line.

Bill Thompson  
Building Inspector

A handwritten signature in black ink, appearing to read "Bruce Taralson", written over a horizontal line.

Bruce Taralson  
Inspections Director

**AFFIDAVIT OF SERVICE BY CERTIFIED MAIL**

STATE OF NORTH DAKOTA     )  
                                          ) ss.  
COUNTY OF CASS             )

**Re: Notice of Order to Show Cause (OTSC) Hearing regarding the  
Dangerous Building at 1021 10 Street N., Fargo, ND  
CM Receipt#: 92750901193562000025838045**

Gretchen Morlan, being first duly sworn and being of legal age, deposes and says that on the 15<sup>th</sup> day of December, 2020, she served the attached notice, upon Jesse & Ivette Lugo, by placing true and correct copies thereof in an envelope addressed as follows:

Jesse & Ivette Lugo  
109 3 Ave W  
West Fargo, ND 58078-1709

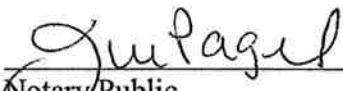
and deposited the same, with postage prepaid, in the United States mail at Fargo, North Dakota, Certified Mail.

  
\_\_\_\_\_  
Gretchen Morlan

Subscribed and sworn to before me this 15<sup>th</sup> day of December, 2020.



(SEAL)

  
\_\_\_\_\_  
Notary Public  
Cass County, North Dakota

**AFFIDAVIT OF SERVICE**

STATE OF NORTH DAKOTA     )  
                                          ) ss.  
COUNTY OF CASS             )

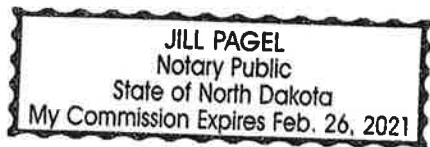
**Re: Posting of Notice of Dangerous Building Hearing -- Order to Show Cause**

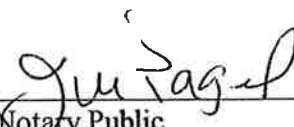
Bill Thompson, being first duly sworn and being of legal age, deposes and says that on the 15<sup>th</sup> day of December 2020, he posted the attached notice upon the following address:

1021 10 Street N  
Fargo, ND 58102

  
\_\_\_\_\_  
Bill Thompson

Subscribed and sworn to before me this 15<sup>th</sup> day of December, 2020.



  
\_\_\_\_\_  
Notary Public  
Cass County, North Dakota

(SEAL)



**ASSESSOR'S OFFICE**

Fargo City Hall  
225 4<sup>th</sup> Street North  
Fargo, ND 58102  
Phone: 701.241.1340 | Fax: 701.241.1339  
[www.FargoND.gov](http://www.FargoND.gov)

**MEMORANDUM:**

DATE: 09/23/2020  
TO: Bruce Taralson, Inspections Administrator  
FROM: James Haley, Deputy Assessor  
SUBJECT: 1021 10 St N

On September 23, 2020, I viewed photographs and reviewed inspection documents of 1021 10 St N dated 09/22/2020.

My calculations indicate that the cost to cure the deterioration of the subject building exceeds 50% of the most recent certified True & Full Improvement Value.

# Fargo Inspections

City of Fargo  
225 4th Street North  
701-241-1561  
701-476-6779 fax



## NOTICE OF DANGEROUS BUILDING

TO: Jesse & Ivette Lugo  
109 3 Avenue West  
West Fargo, ND 58078

YOU ARE HEREBY Given Notice of the following:

1. That this Notice is being given to you pursuant to Fargo Municipal Code, Article 21-04 concerning Dangerous Buildings.

2. That the building with which this Notice is concerned is commonly known as 1021 10 St N, and is located on that tract of land in the city of Fargo, more particularly described as follows:

Chapins, Block 13, S 55 FT OF E

(hereinafter referred to as "the building")

3. That an inspection was made of the building on October 4, 2019 by Steve Eickhoff, Building Inspector of the City of Fargo.

4. That the building inspector for the City of Fargo has found the building, consisting of a story and a half, wood-framed structure to be a Dangerous Building within the standards set forth in the Fargo Municipal Code, Article 21-04, Dangerous Buildings and IPMC Code 108.1.5 concerning Dangerous Structures.

5. This building has been found to be a dangerous building by the building inspector. This notice is to remain on this building until it is repaired, vacated, or demolished in accordance with the notice which has been given the owner, occupant, lessee, or mortgagee of this building and all other persons having an interest in said building as shown by the records of the register of deeds of the county of Cass. It is unlawful to remove this notice until such notice is complied with. Source: 1952 Rev. Ord. 21-0404.

6. That the owner of the building must demolish the building within 30 days from the date of this notice or obtain a permit to repair. To obtain a permit, see 'Conditions Found Statement' below.

7. The building is unsafe and constitutes a public nuisance pursuant to Fargo Municipal Code, Article 21-04 concerning Dangerous Buildings and Section 116 of the International Building Code as adopted by Article 21-0101 of the Fargo Municipal Code.

8. You are further given Notice that unless the building is demolished within the time period set forth herein, the City of Fargo will take such steps as are necessary to cause said building to be demolished pursuant to Fargo Municipal Code, Article 21-04 concerning Dangerous Buildings and the International Building Code and the owner will be assessed such costs as are provided for therein.

9 Order for vacation of building. The undersigned building official has determined that the building or structure must be vacated as required by Section 108.2 of the International Property Maintenance Code, 2015 edition. Therefore, it is hereby ordered that the building or structure shall be vacated immediately, and remain vacated, on this 8<sup>th</sup> day of October, 2019.

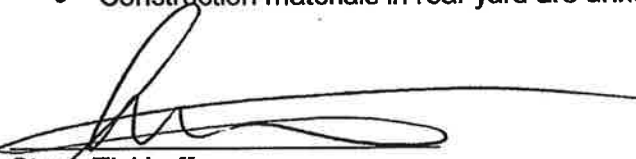
11. Order to secure building. The undersigned building official has determined that the building must remain secured. Therefore, it is hereby ordered that all means of entering the building remain secured to prevent unauthorized entrance. An inspector will continue to verify compliance. Failure to keep the building secured will result in the City of Fargo hiring an independent contractor to secure the building. All expenses for securing the building will be assessed against the property.

Dated this 8 day of October, 2019.

**Conditions Found Statement**

On , Building Inspector Steve Eickhoff, was present at 1021 10 St N, Fargo, ND to address investigating a complaint. The following violations were found:

- Some house windows are boarded up.
- Some house windows are broken.
- Doors are not secured.
- Rear stairs were built without a permit and do not meet current code.
- Construction materials in rear yard are unkempt and deteriorating.



Steve Eickhoff  
Building Inspector  
City of Fargo, ND

October 8<sup>th</sup> 2019  
Date Signed



Bruce Taralson  
Inspections Administrator

10/9/19  
Date Signed



**AFFIDAVIT OF SERVICE BY CERTIFIED MAIL**

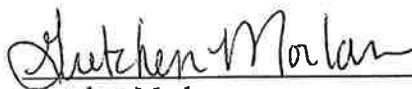
STATE OF NORTH DAKOTA     )  
                                          ) ss.  
COUNTY OF CASS             )

**Re: Notice of Dangerous Building**  
**CM Receipt#: 7018 3090 0000 3038 3700**

Gretchen Morlan, being first duly sworn and being of legal age, deposes and says that on the 8th day of October, 2019, she served the attached *Notice of Dangerous Building*, upon Jesse & Ivette Lugo, by placing true and correct copies thereof in an envelope addressed as follows:


Jesse & Ivette Lugo  
109 3 Avenue West  
West Fargo, ND 58078

and deposited the same, with postage prepaid, in the United States mail at Fargo, North Dakota, Certified Mail.

  
\_\_\_\_\_  
Gretchen Morlan

Subscribed and sworn to before me this 8th day of October, 2019.



  
\_\_\_\_\_  
Notary Public  
Cass County, North Dakota

(SEAL)


**AFFIDAVIT OF SERVICE**

STATE OF NORTH DAKOTA     )  
                                          ) ss.  
COUNTY OF CASS             )

**Re: Posting of Notice of Dangerous Building**

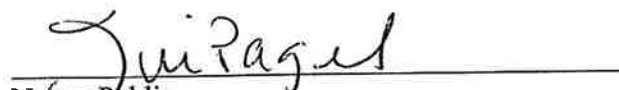
Steve Eickhoff, being first duly sworn and being of legal age, deposes and says that on the 8<sup>th</sup> day of October 2019, he posted the attached *Notice of Dangerous Building*, upon the following address:

1021 10 Street North  
Fargo, ND 58102

  
Steve Eickhoff

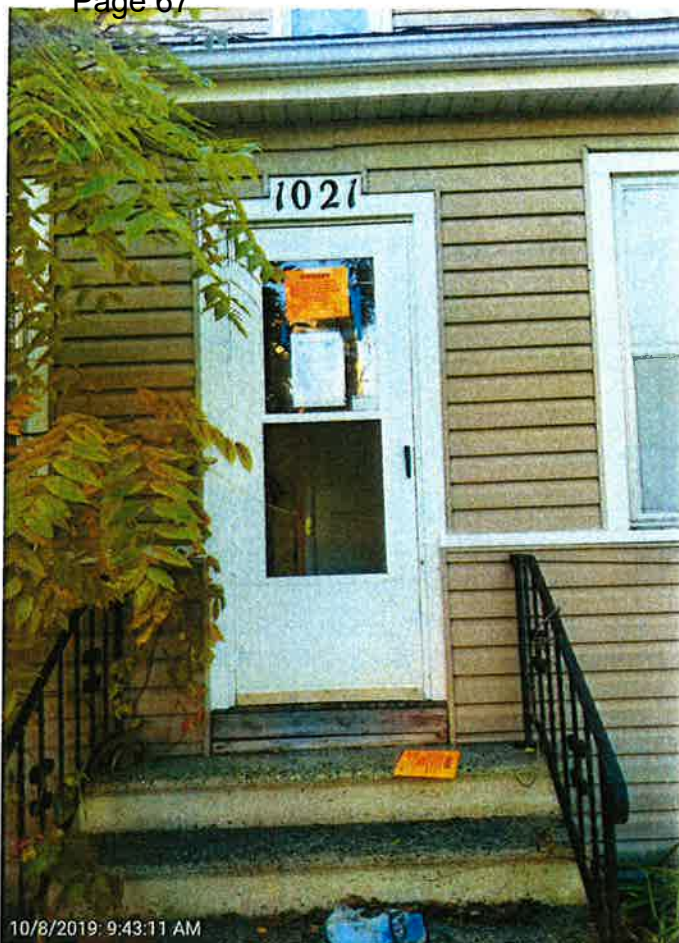
Subscribed and sworn to before me this 8th day of October, 2019.



  
Notary Public  
Cass County, North Dakota

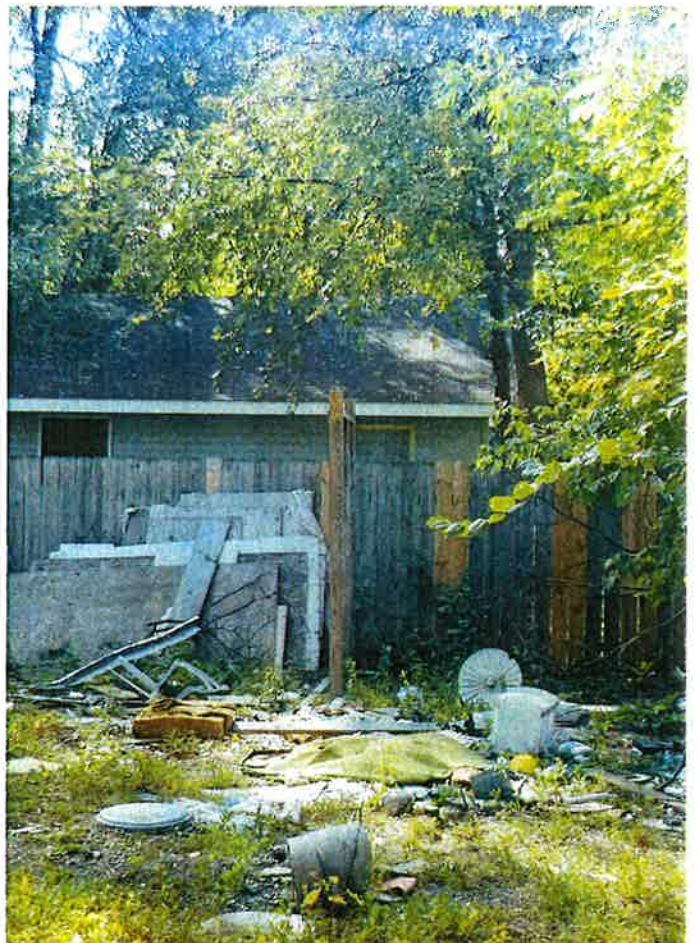
(SEAL)





10/8/2019



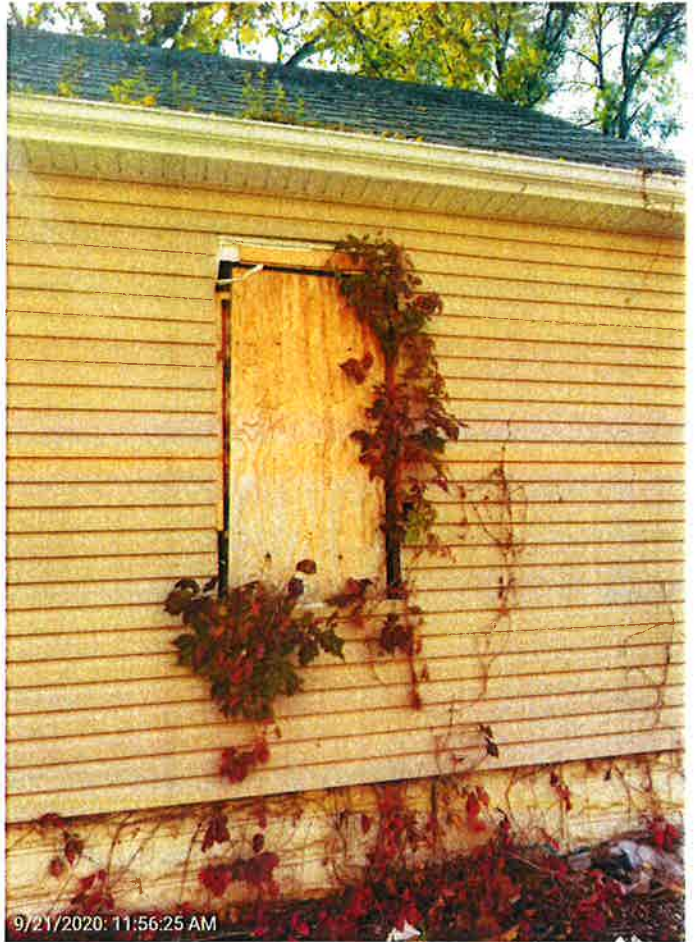


9/21/2020





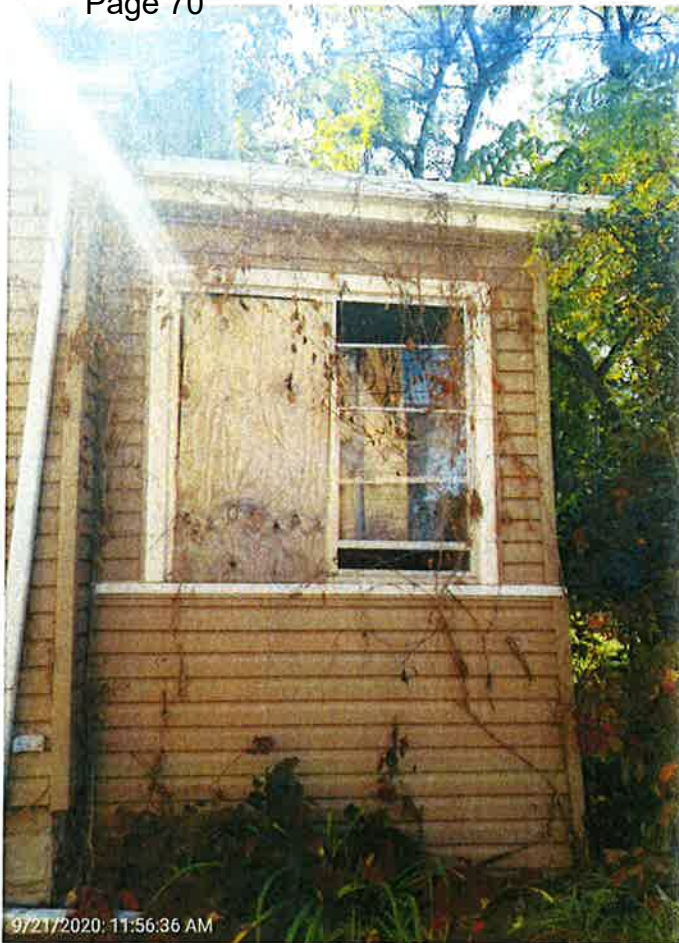
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9/21/2020: 11:56:25 AM

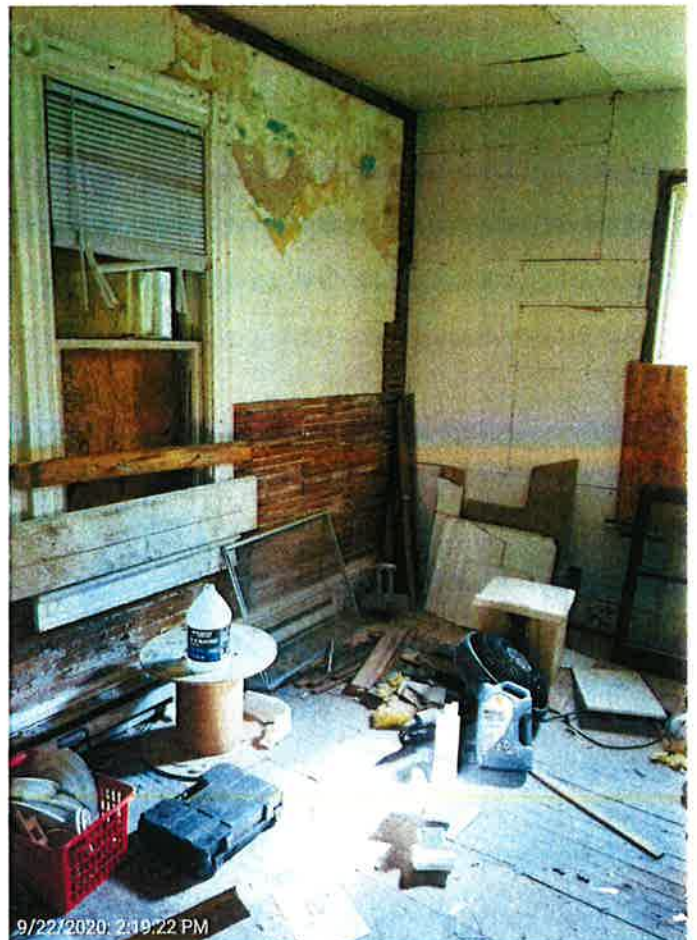
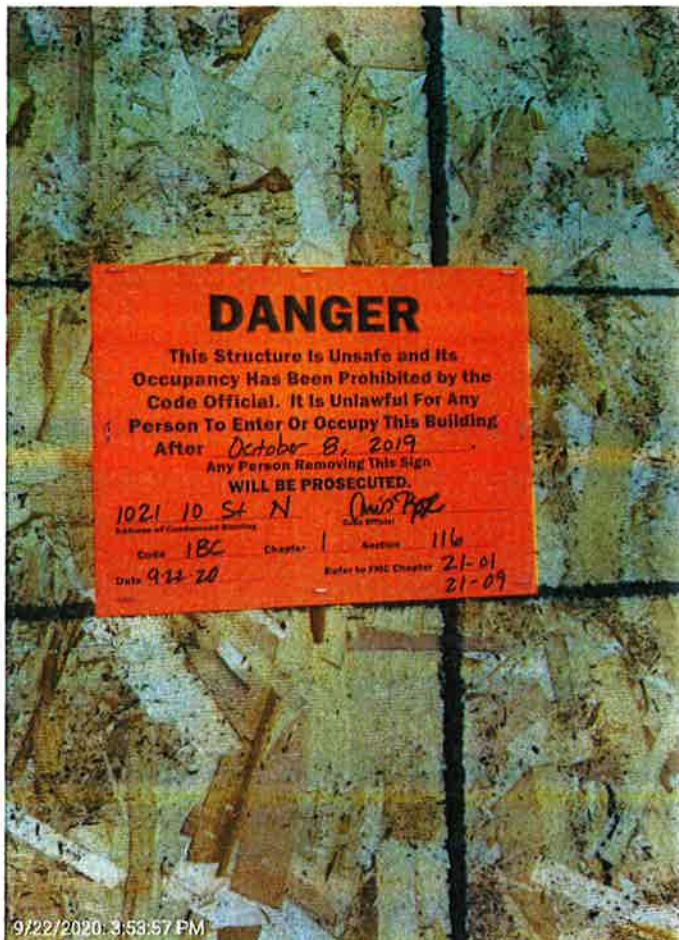
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9/21/2020





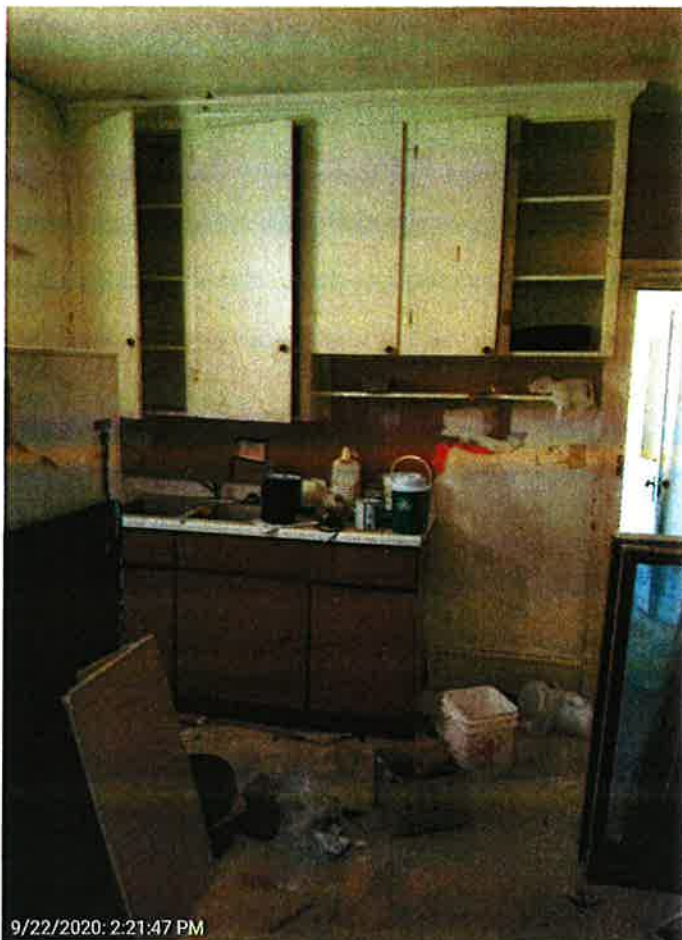
9/22/2020





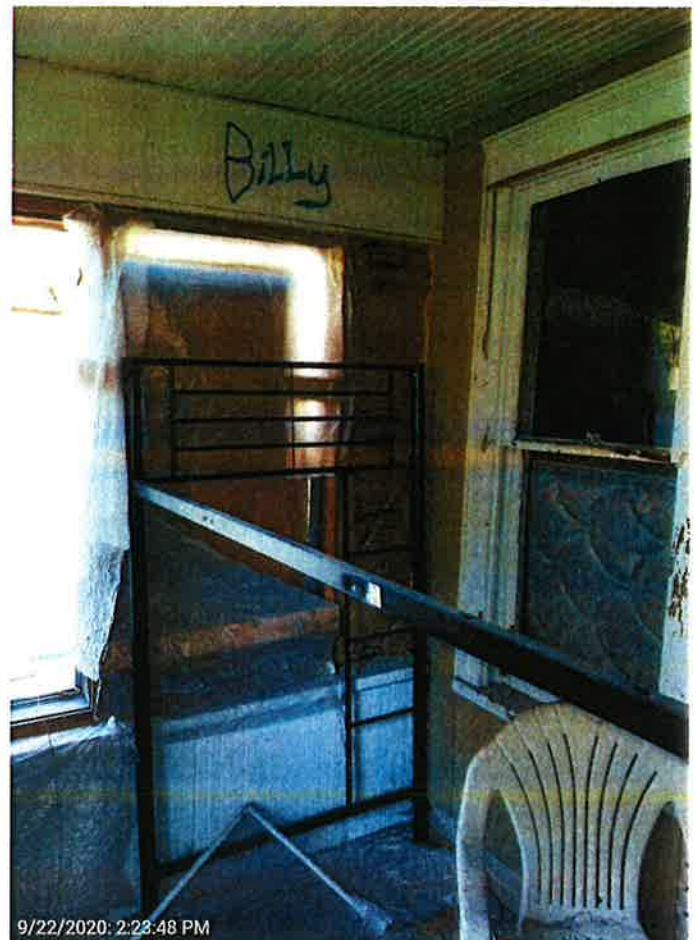
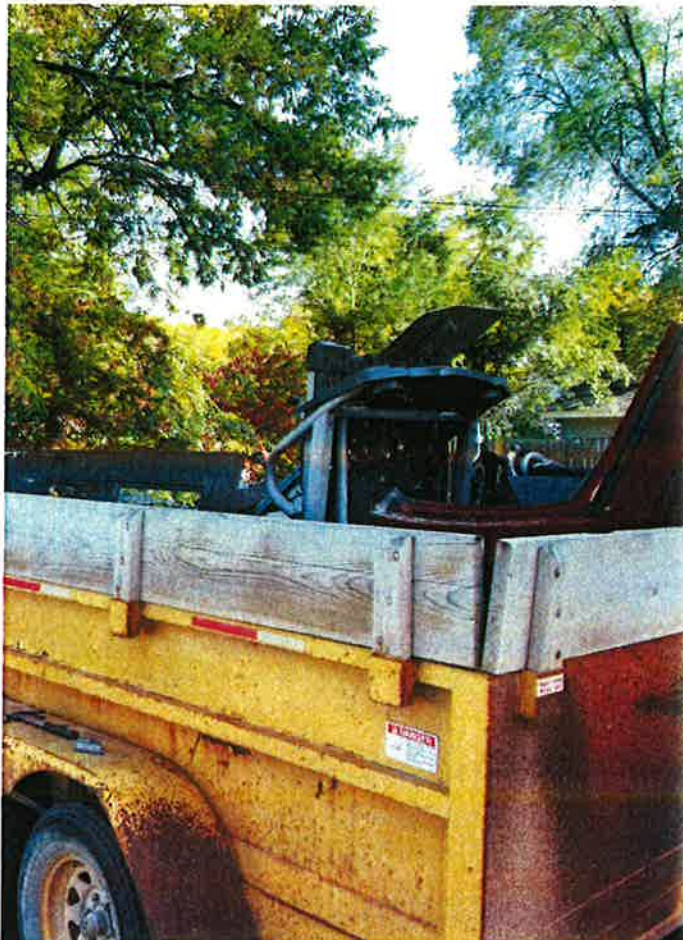
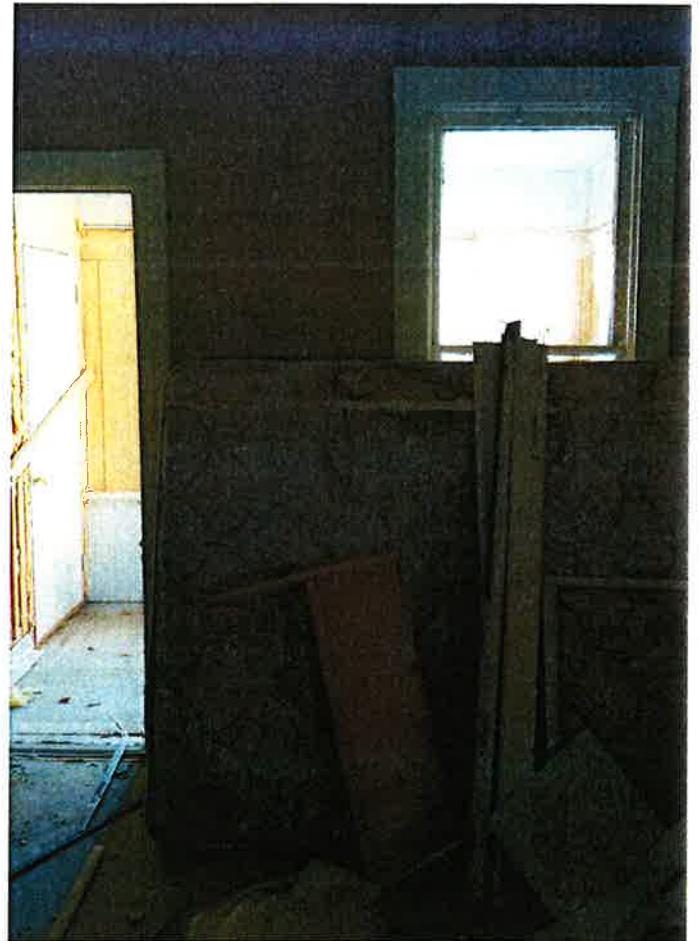
9/22/2020





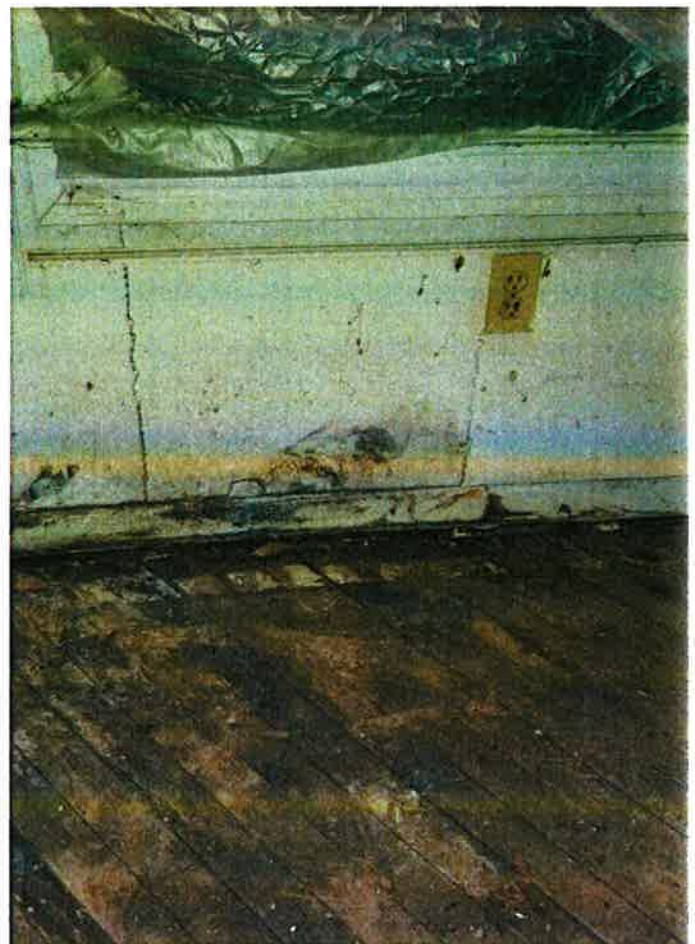
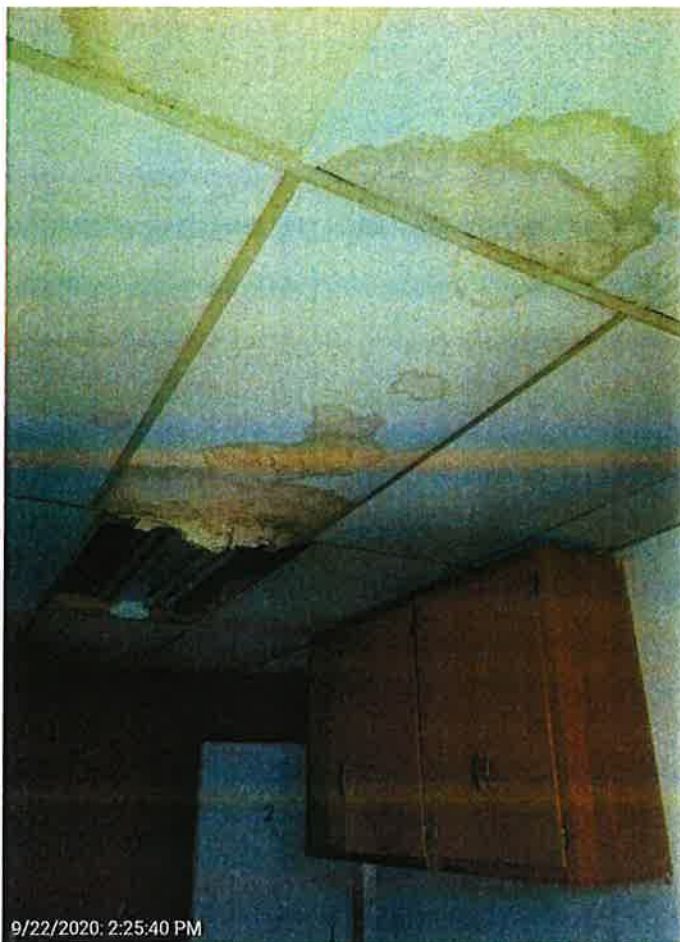
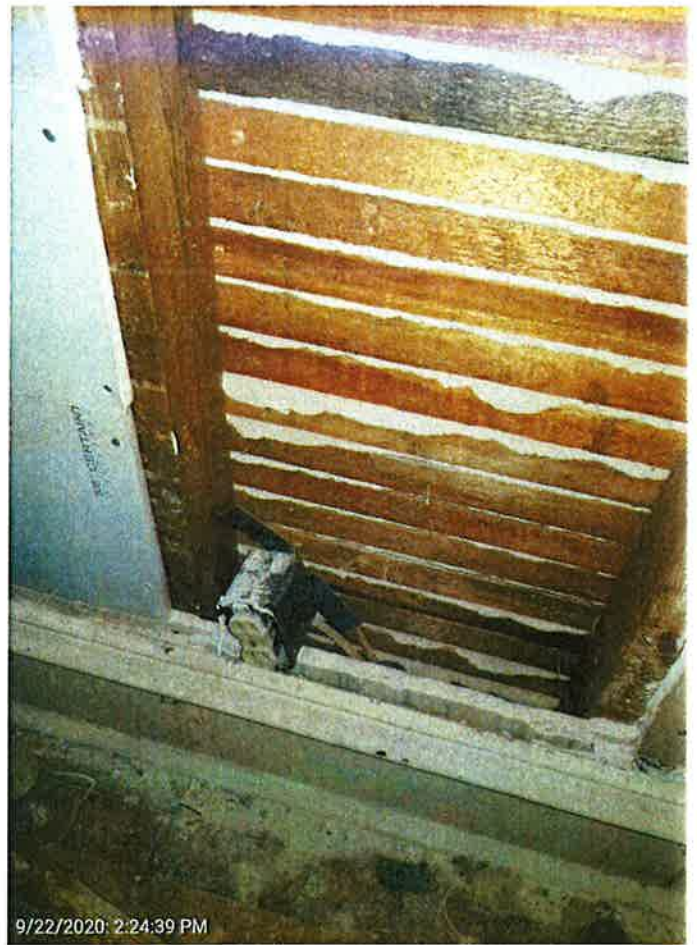
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9/22/2020





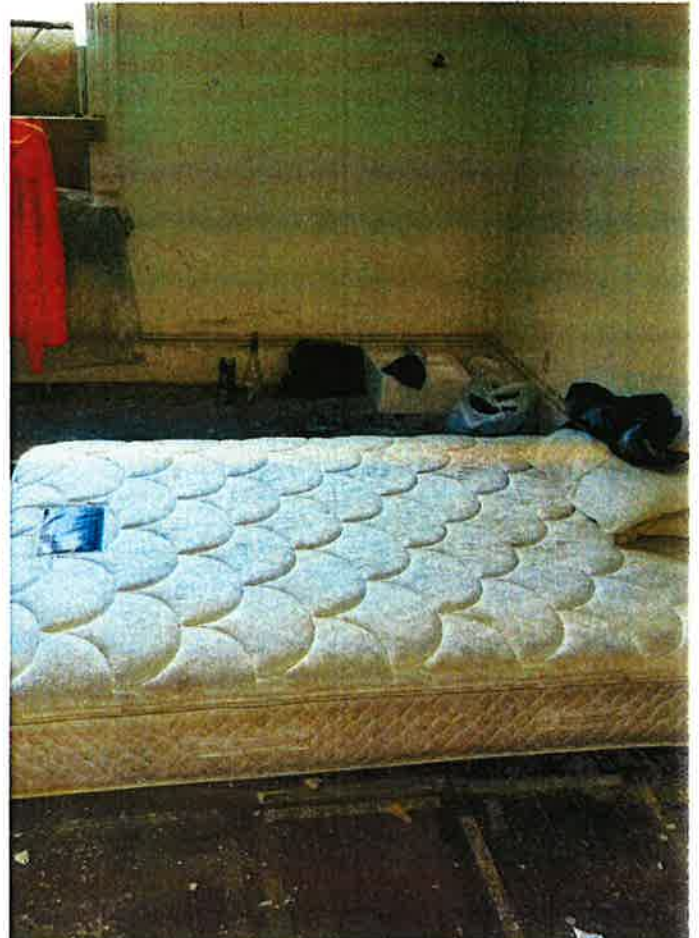
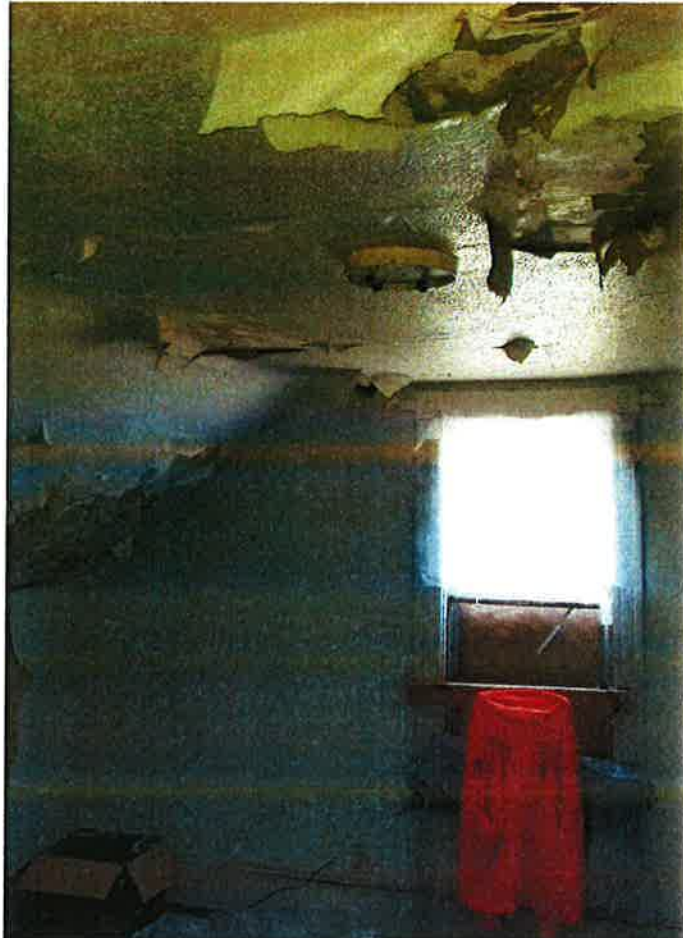
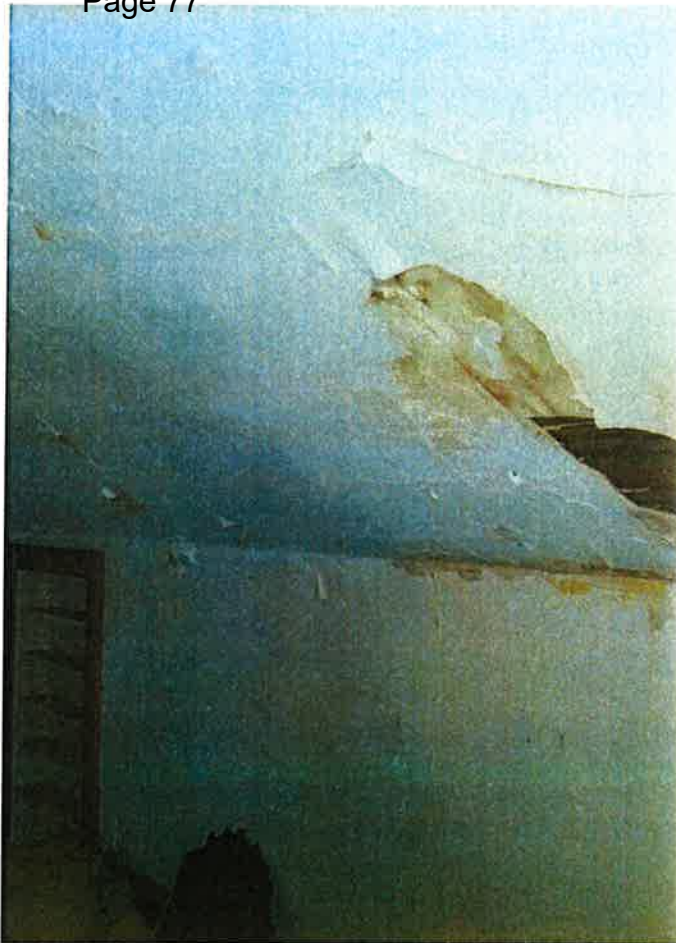
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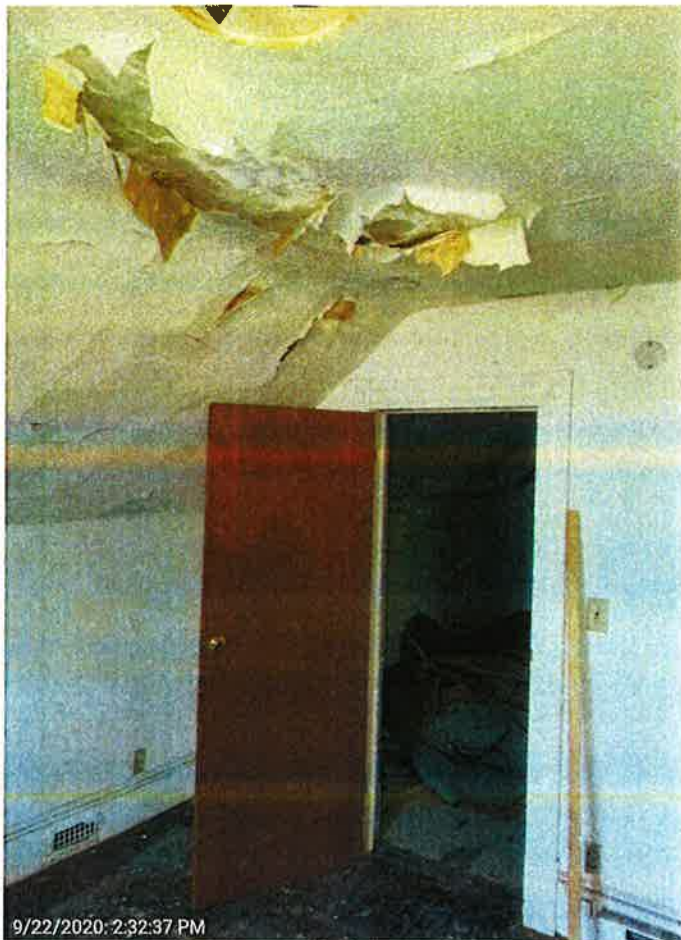
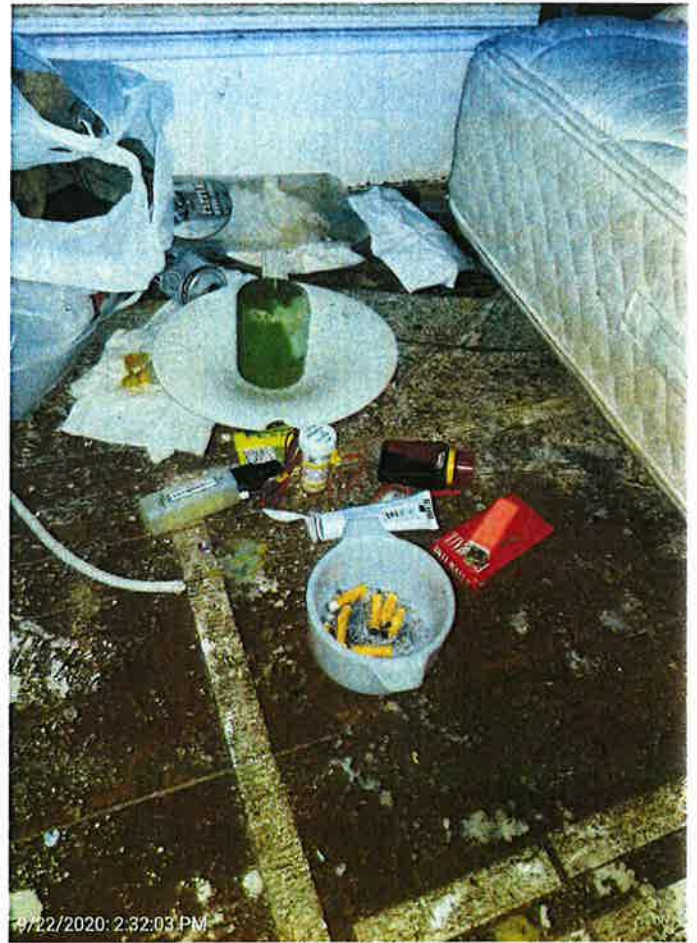
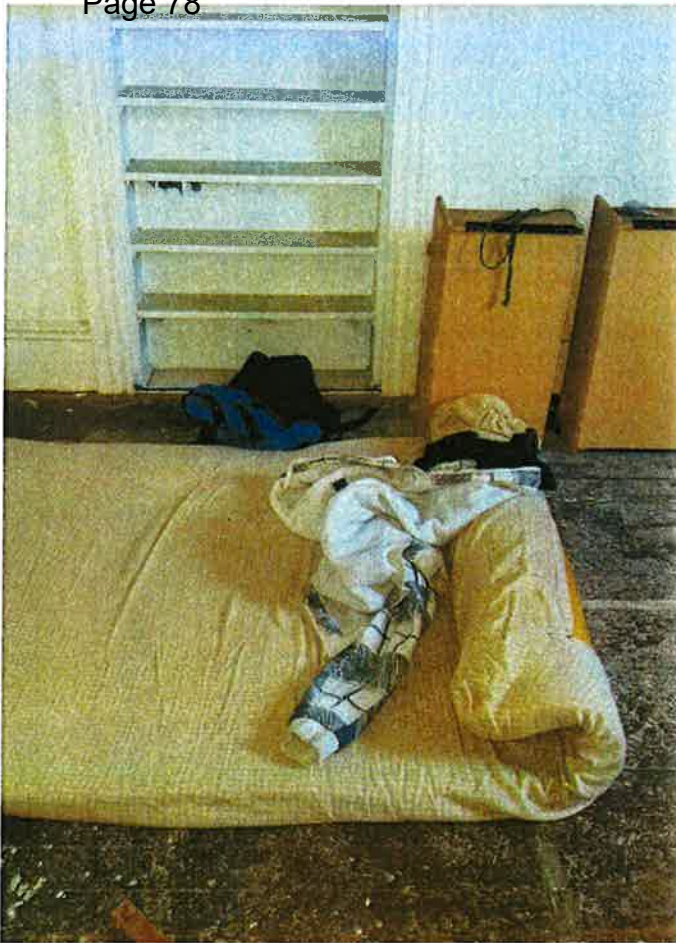
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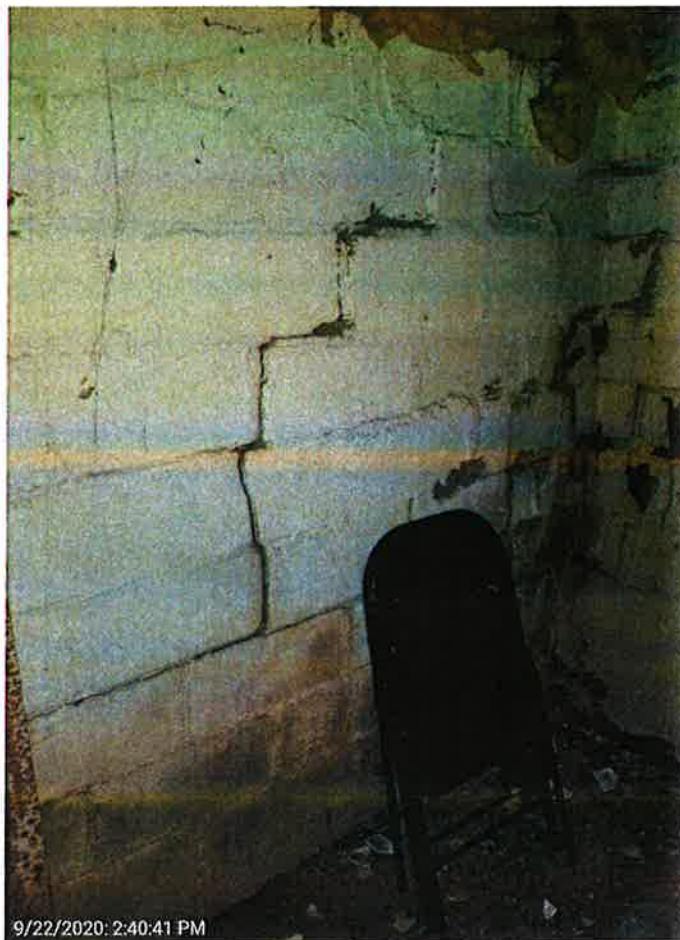
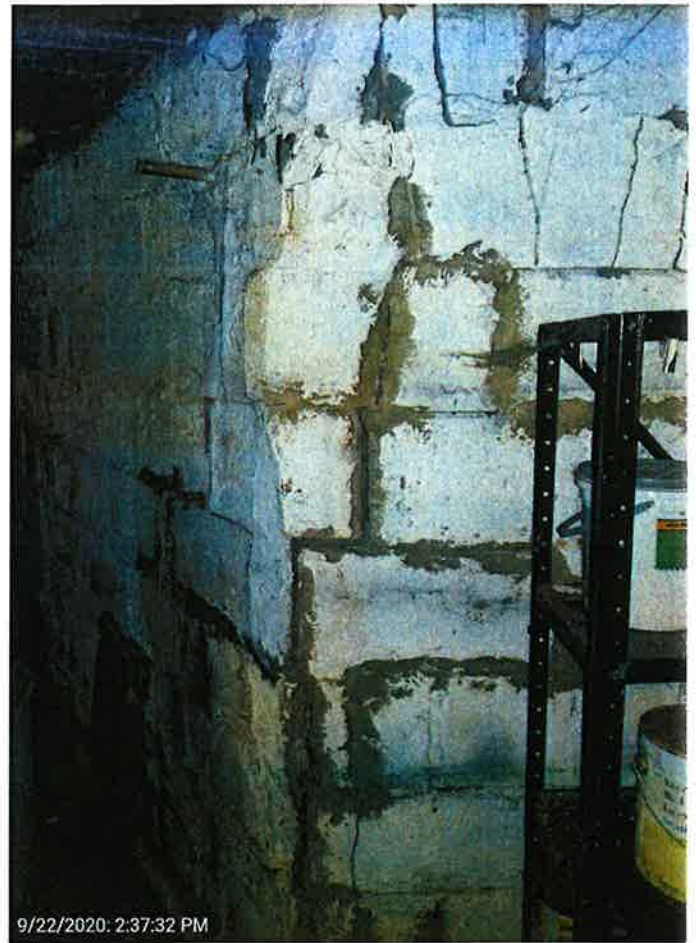


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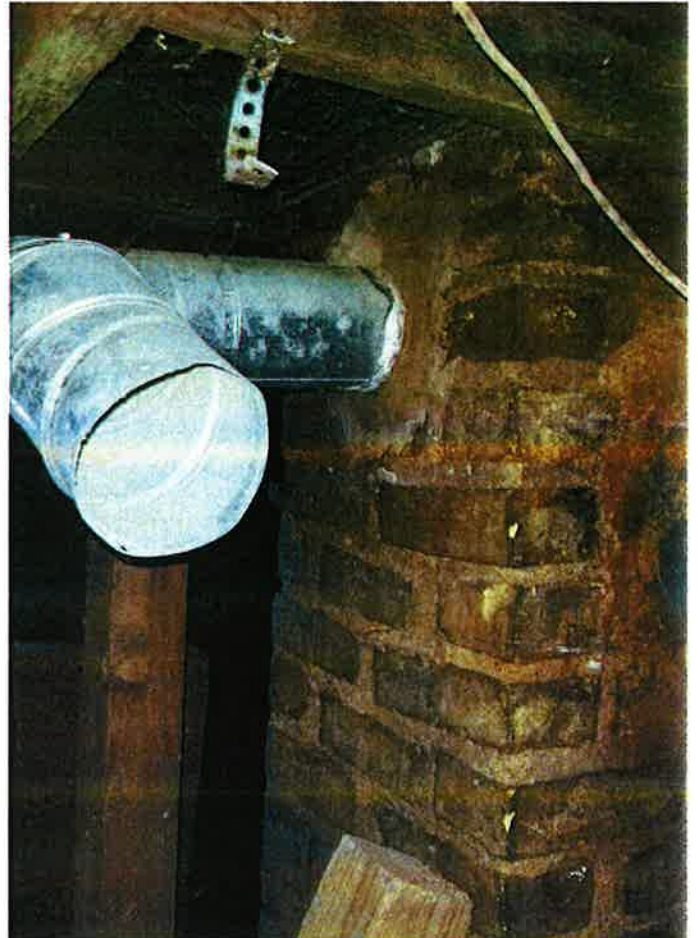






9/22/2020





9/22/2020





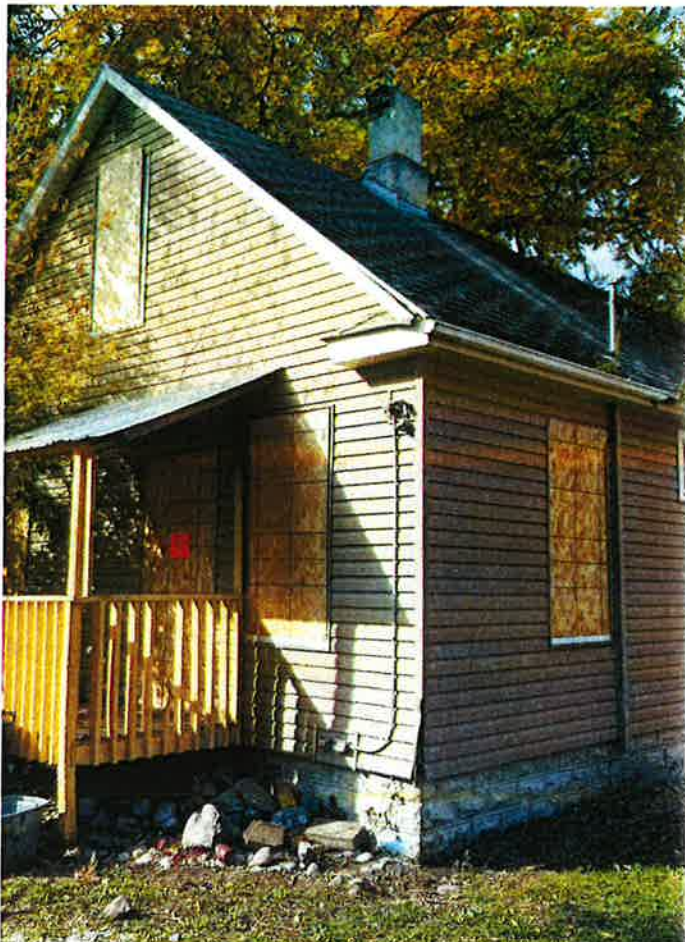
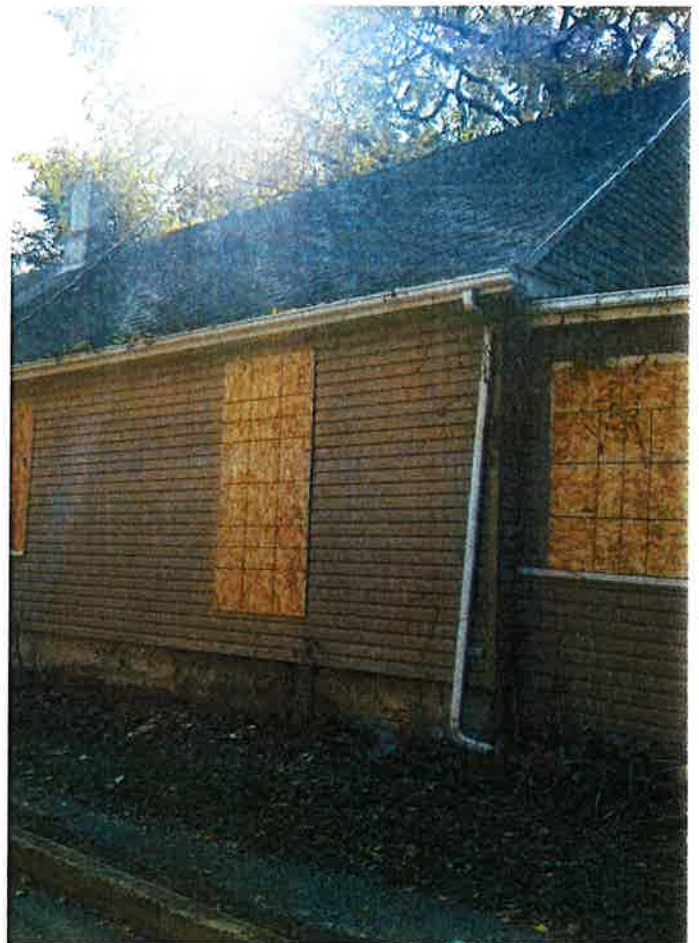
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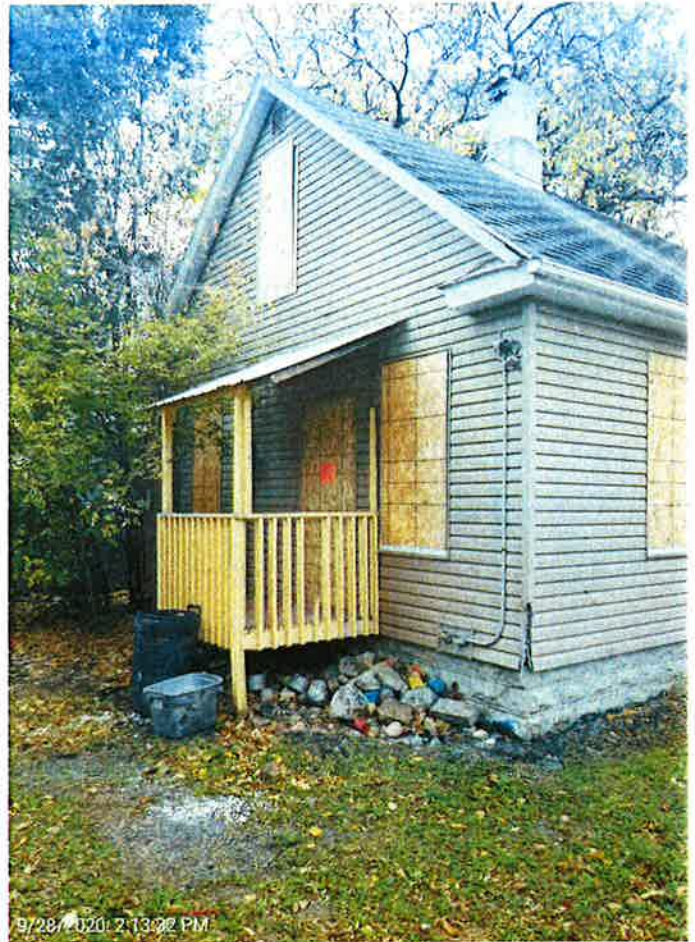
9/22/2020





9/23/2020



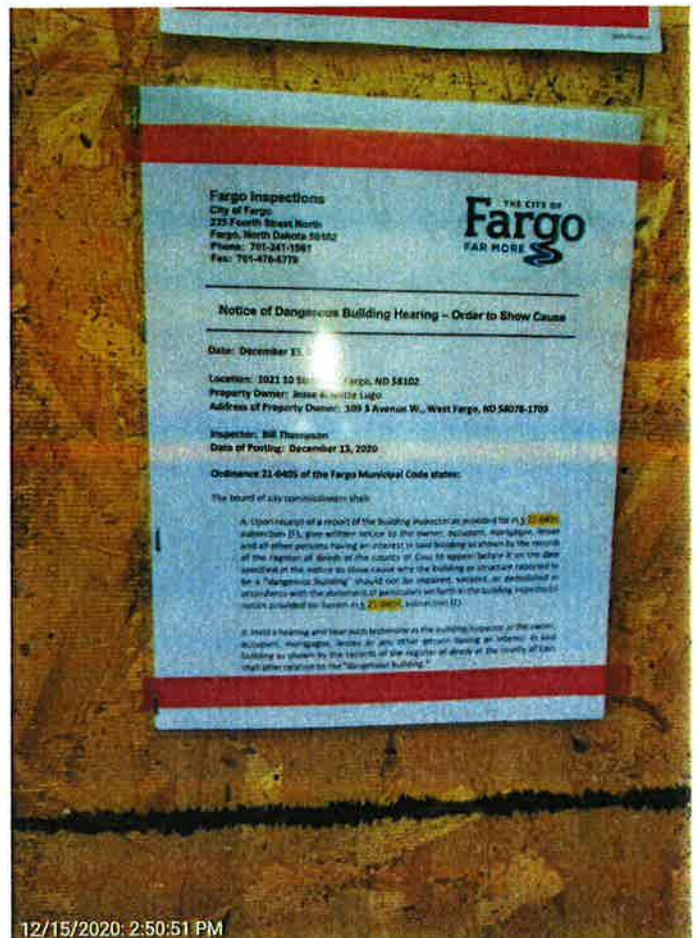
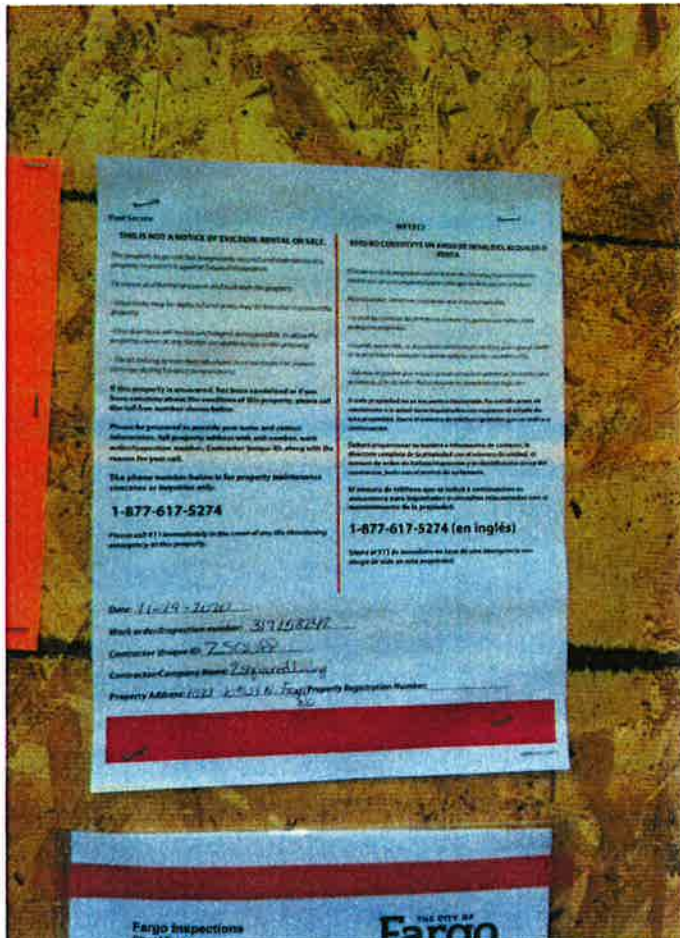


9/28/2020



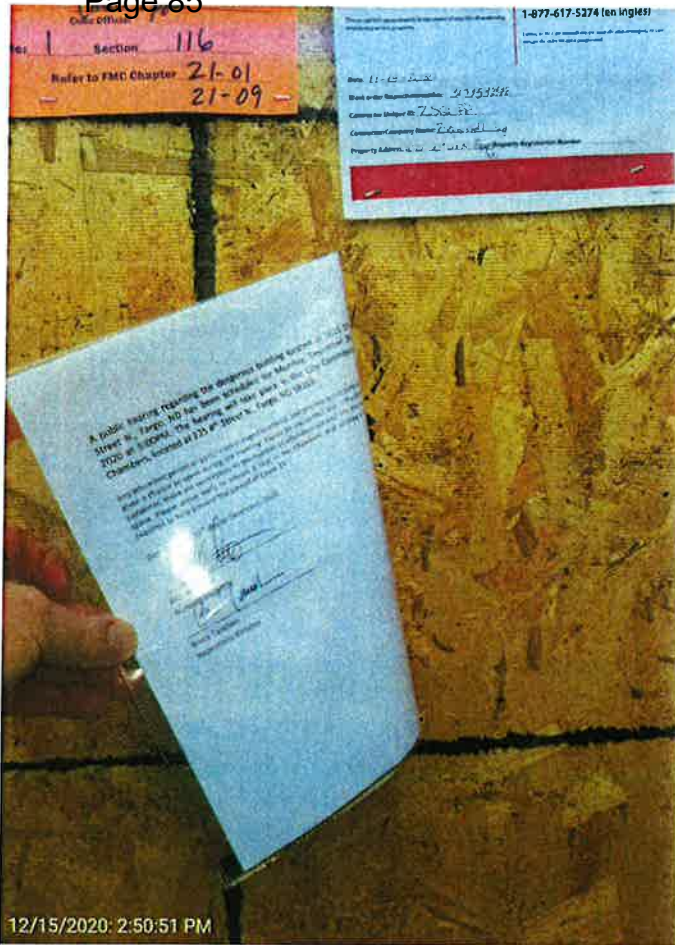


10/13/2020



12/15/2020







OFFICE OF THE CITY ADMINISTRATOR  
Bruce P. Grubb

27

December 24, 2020

**To:** Board of City Commissioners  
**From:** Bruce P. Grubb, City Administrator **BPG**  
**Subject:** Sustainability and Resiliency Committee

**Background:**

On March 28, 2005, the City Commission created a committee called the Renewable Energy and Conservation Committee (RECC). The RECC's purpose was to make recommendations for increasing energy conservation and the use of renewable energy in City operations and facilities.

Subsequently, on April 11, 2005, the City Commission appointed the following members to the RECC:

**Mike Williams** – City Commissioner

**Harold Peterson** – Fleet Services Manager

**Pat Zavoral** – City Administrator

**Jim Gilmour** – Planning Director

**Bruce Grubb** – Enterprise Director

**Ron Gronneberg** – Information Services Director

**Dennis Walaker** – Operations Director

**Joe Richardson** – South Agassiz Resource Council

Commissioner Williams served as chair of the RECC and established the meeting agendas and discussion topics. The names and job titles shown above have changed significantly over the past 15-years with four of the eight members no longer with the City.

**Climate Change Town Hall:**

On November 27, 2019, Commissioner Strand hosted a Climate Change Town Hall meeting in the City Commission Chambers. The Commissioner invited comments from the public regarding their view on climate change and the role cities could play with respect to this matter. A summary of the Town Hall public comments has been attached for your reference as Exhibit A.

At the conclusion of the Town Hall meeting, Commissioner Strand, Mayor Mahoney, Michael Redlinger and I met to discuss the public comments and a future course of action. It was decided that the first step would be the preparation of a "white paper" reviewing past efforts related to Renewable Energy, Emissions Reductions, Energy Efficiency, Climate Resiliency and Environmental Stewardship. A copy of the white paper has been attached for your reference as Exhibit B.

Additionally, it was suggested that the RECC be reactivated and new appointees named to the Committee.

### **City-wide Initiatives:**

A number of City-wide initiatives have been pursued over the years, some dating back to the early 1990's. The initiatives have been described in the white paper under the following categories:

- ❖ **Climate Resiliency**
- ❖ **Renewable Energy**
- ❖ **Emissions Reductions**
- ❖ **Energy Efficiency**
- ❖ **Environmental Stewardship**

### **Internal Staff Meeting:**

On August 22, 2020, an internal staff meeting was held to review the white paper and discuss potential next steps. The internal meeting included select staff members based on their prior experience working in the areas of renewable energy, energy efficiency and emissions reductions. The staff members present included:

**John Strand** – City Commissioner

**Bruce Grubb** – City Administrator

**Mike Redlinger** – Asst. City Administrator

**Ben Dow** – Public Works

**Brock Morrison** – Facilities Management

**Bruce Taralson** – Building Inspections

**Terry Ludlum** – Solid Waste Utility

**Gregg Schildberger** – Communications and Public Affairs

At the conclusion of the meeting, it was suggested that an informational meeting of the City Commission would be an appropriate next step. The informational meeting for the City Commission was held on November 13, 2020, and a presentation of the white paper was provided.

### **SRC Suggested Appointments:**

It is recommended that the former Renewable Energy and Conservation Committee be renamed the Sustainability and Resiliency Committee (SRC). The role of the SRC would be to make recommendations to the City Commission for actions or policy adoptions related to climate resiliency, renewable energy, emissions reductions, energy efficiency and environmental stewardship. It is further recommended that the following individuals be appointed as members to the SRC:

### **SRC Appointed Members:**

**John Strand** – Commissioner (Chair)

**Tim Mahoney** – Mayor

**Bruce Grubb** – City Administrator

**Brenda Derrig** – City Engineer

**Public At-large** – TBD

**Public At-large** – TBD

**Public At-large** – TBD

**Nicole Crutchfield** – Director of Planning and Development

**Ben Dow** – Public Works Director

**Brock Morrison** – Director of Facilities Management

**Bruce Taralson** – Inspections Administrator

**SRC Ex Officio Members (non-voting):**

*Xcel Energy Representative*

*Cass County Electric Cooperative Representative*

*Fargo School District Representative*

*Fargo Park District Representative*

**Public At-large Appointments:**

It is recommended that the public at-large appointments be made after the completion of a public solicitation for interested persons. It is further recommended that the other appointed SRC members serve as the selection committee for the public at-large appointments.

Your consideration in this matter is greatly appreciated.

**Suggested Motion:**

Approve the above referenced appointments to serve as members of a Sustainability and Resiliency Committee and approve a public solicitation for interested parties to serve as public at-large appointments.

- C: Tony Grindberg, Xcel Energy  
Marshall Albright, Cass County Electric Cooperative  
Rupak Gandhi, Fargo School District  
Dave Leker, Fargo Park District



## **Climate Change Town Hall Discussion – Exhibit A**

- **Name, Residency (if stated):** (Time on video that they spoke)
  - General overview of their comments/concerns
  - Action they would like to see City officials take
- **Jake Lauer and Sonia Kay, South Fargo residents:** (5:02 – 8:34)
  - Would like Valley View Estates (41 acres) to become a showcase for sustainable housing within North Dakota, used to promote more greenspace in city neighborhoods, along with the use of geothermal heating and solar power. This model neighborhood would bring down cost of sustainable power options in these homes, create more jobs, and bring down Fargo's carbon footprint.
- **Joe (no last name given), South Fargo resident:** (8:45 – 13:20)
  - Previously had worked hard to get a measure placed on a ballot in 2006 requiring more renewable energy to be used within the city by 2020 (he states that a little over 40% of voters were in support of the measure in 2006).
  - Very disappointed that the City of Fargo still does not have any quantifiable objectives towards combating climate change, reducing their carbon footprint or utilizing more renewable resources. Would really like to see City Commission lay down markers of "this is what we are going to do to fight climate change by 2030, 2040, etc."
- **Bryce Vincent Haugen, retired Marine Corps Veteran:** (13:30 – 17:40)
  - Speaking on behalf of Mayor Pete Buttigieg's campaign, would like to discuss what can be done globally rather than locally. 3 pillars: create a green economy with quantifiable goals to reach in the years ahead, prepare communities for climate disruption, and become a global leader and enlist every American to help fight climate change.
- **Larry Peterson, Fargo resident:** (18:03 – 18:41)
  - Has ideas for how the city itself could bring down its carbon footprint and lead by example.
  - City vehicles could be more energy efficient, the city's light fixtures could use energy-efficient bulbs, the empty land that's owned by the city could have trees planted there, and the city could change building codes to push for more efficient housing.
- **Dean Halls, Fargo (?):** (18:45 – 20:15)
  - The renewable connect program allows residents to request that the energy they use comes from 100% renewable resources and costs very little to opt into. But this program is not available to any residents in North Dakota. Believes the City Commission should speak to Xcel about this issue.
  - Asks the City Commission to push Xcel Energy to extend its renewable connect program into North Dakota.
- **Dennis Korn, North Dakota resident:** (20:20 – 23:55)
  - Says that there should be an understanding among people that preventing climate change can be a profitable endeavor. Has personally seen the devastation of

climate change and says that there are signs of climate change across the world. Urges for everyone to take it seriously.

- Would like everyone, but particularly the City Commission, to try to become more educated about climate change.
- Jerry Fairfield, Fargo resident: (24:05 – 25:35)
  - Says that fossil fuels are a big part of this state and that people need to stop looking at words like “republican” and “democrat” and start voting for people that wish to do good things for you. Encourages those in the audience to consider running for office.
- Dennis (?), Moorhead resident: (25:52 – 26:25)
  - Really inspired by the amount of youth at the town hall discussion, just wanted to encourage them to come up and speak.
- Mike Moberg, West Fargo resident: (26:33 – 29:15)
  - Has a degree in Meteorology. Believes that climate change is not a real issue. States that back in 1980 and 1996 the globe was heating up so it was called “global warming” but since 1996 the temperature has stayed the same so they switched the name to “climate change”. Climate is changing all the time. Likes the idea of greener energy sources like wind and solar but asks at what cost.
  - Doesn’t want public policies to be put in place to fix an issue that we may not really have.
- Penelope, young resident: (29:45 – 30:25)
  - Climate change is a humongous problem but it can also bring us all together like the flood of 2007. Everyone, regardless of who they are, can work together to fight this issue. Leaders need to address the climate crisis and work with all of us to help fix it.
- John, Fargo resident: (30:35 – 33:40)
  - Former scientist. Runs a solar panel business in Fargo and explains that it can be difficult to work with Xcel or Cass County Electric to install solar panels on a home. Says that these electric companies take a huge portion of the profit made off of solar panels which means that many people who install them may not make their money back. Says that energy companies will not voluntarily lower their fees for solar panels.
  - Would like City of Fargo to take some of the money they receive off of the energy tax and spend it on making renewable resources more available to those who want it.
- John Rodenbiker, Fargo resident: (34:30 – 38:50)
  - Vice President of the Fargo Board of Education (but does not speak for them). Believes that climate change is a serious issue, details the various pacts and agreements made by countries around the world to fight climate change over the years. Says that school board will soon be looking at a proposal to fight climate change using various techniques within the schools.
  - Wishes the city would take more policy-based actions to fight the climate crisis and emergency.

- Ed Melroe, Fargo/Moorhead resident. (38:55 - 42:02)
  - Talks about how LA previously passed a policy stating that 10% of cars on the roads had to be electric and how big companies and lobbyists came in and took away that policy, hurting the progress that had previously been made against climate change. Says that this shows how cities can make a difference in climate change based on their policies. Oil industry is a huge component in all of this.
  - Would really like Fargo to become a city known for its policies and actions put in place to combat climate change.
- Paul Jensen, resident. (42:10 – 45:56)
  - Represents the Citizens Local Energy Action in town. Explains that, for the US in general, the output of Co2 is 15 metric ton per capita but that for ND it's 70 metric ton per capita. Says that while ND doesn't have as dramatic of changes as other states on the coasts like rising tides, ND does have an increase in tornados and floods.
  - Encourages city leaders to look into using renewable resources such as wind and solar energy more. Would like to see the city become less dependent on fossil fuel energy. Would also like for the city to improve its electric car charging infrastructure as electric cars become more popular. Says the Citizens Local Energy Action would like to collaborate with the city.
- Dwayne Privila, Fargo resident. (46:00 – 49:17)
  - Catholic Priest for a retirement home in Fargo. Has been an advocate for greener energy and preventing climate change for years. Believes that communities, churches, universities, etc. could also take small steps to help combat climate change instead of asking the local government to do it all. Encourages individuals to join local climate change groups to help enhance their voice and asks for local groups like universities to have more conversations around this subject.
- Ryan Livdahl, Fargo resident. (49:35 – 51:42)
  - Asks that the City Commission declare a climate emergency for the City of Fargo. Would also appreciate it if the City had an increased focus on bike lanes to allow people to travel using options other than cars.
- Nicole Stepan, MSUM student. (51:50 – 53:41)
  - Climate change is a problem now. We are running out of time. If we don't cut down Co2 levels within our lifetime we will create negative feedback loops that will decimate the Earth for generations to come.
  - Wants City of Fargo to declare a climate emergency. Wants the city to dedicate itself towards reducing its carbon footprint and promoting sustainable energy options. Would like to see a climate change task force created by bringing together entities from private and public sectors to promote climate change prevention moving forwards.
- Quinn Oberlin, Moorhead resident. (53:55 – 55:20)
  - Works in the childcare industry and ideally each child would be outside for one hour per day if the temperature allows it. The problem is that the playground equipment can increase and decrease (depending on the season) the temperature

on the playground and thus making it unsuitable for children to play on almost year round. Children aren't able to get outside to play at a young age.

- Would like the City of Fargo to push for more greenspace around daycares and childcare centers and/or to push for more playground equipment that utilizes eco-friendly options instead of plastic and steel which fluctuate in temperature very rapidly.
- Amelia, high school student. (55:30 – 56:58)
  - Wonders how many City of Fargo Commissioners have read the IPCC special report on climate change, guesses that it's not all of them. Says that if current commissioners will not step up and act then they should step down and make room for those that will.
  - Would like the City of Fargo to declare a climate emergency and begin taking steps to reduce the Red River Valley's carbon footprint. Recommends City Commissioners read the IPCC special report on climate change.
- Mila, young resident. (57:16 – 57:44)
  - Has seen two different kinds of birds shift their migration patterns to different times over her lifetime. Would like to live a long, happy and healthy life with plenty of nature and resources available to her and the future generations.
  - Asks the City of Fargo to declare a climate emergency. Asks City Commissioners to take a bolder stance on the subject.
- Penner, young Fargo resident. (57:51 – 59:32)
  - Climate change is a huge problem and we need to speak up about it not just as people but as a city. ND as a state isn't doing anything to help combat climate change.
  - Asks the City of Fargo to declare a climate emergency. Would like Fargo to become an example for the rest of the state on how to be greener and use more sustainable energy.
- Donna Clark, Moorhead resident. (59:41 – 1:03:11)
  - Has been working on these kinds of issues since the 1970's. She has taken steps to divest herself/her retirement fund from the fossil fuel industry. Encourages people to reflect and decide what sacrifices they can make for this cause.
- Matt, FM resident. (1:03:18 - 1:04:44)
  - He is one of the residents in Fargo who have had solar panels installed on their property. Had many other people who were interested in his project but the rate at which he is reimbursed for excess solar generation is very low (as previously mentioned).
  - Would like City to work with utility companies to make solar power a more financially beneficial project. Would also like to see some incentives given to those who choose to use solar or wind energy.
- Meg Riddle, Fargo resident. (1:04:52 – 1:06:12)
  - Wants to acknowledge some of the good things the City of Fargo has done thus far like making downtown a more pedestrian and bike friendly area.

- Would love to see some sort of tax incentive or something given to residents who use solar or wind energy. Maybe look into offering residents free bus passes when they get a library card (other cities have successfully done this in the past).
- Carol Pearson, Fargo resident. (1:06:17 – 1:08:43)
  - Believes that if solutions aren't going to be put in place on the national level then they need to be put in place on the state and local levels instead. Gives an example of a grassroots coalition she has personally seen do great work to bring people together and solve an issue in a previous town she had been in.
  - Would like to see more coalitions created in the community that are grassroots and are not so polarized and divided as our current ones are to tackle these problems.
- Sonny Brannock, Fargo resident. (1:08:44 – 1:11:12)
  - Says that the prairie used to cover 40% of the U.S. and now we're down to less than 1%. Prairies are great at Carbon sequencing just as trees are. Encourages homeowners to create their own prairie gardens in their backyards.
  - Would like the city to look at their public lands and ask what they can do to restore some of the native prairie lands back into the city whether it be along roadways or within empty spaces. Would also like an emphasis to be put on pollinator plants in these spaces as well to help the insects in ND thrive.
- Jacob, Fargo resident (1:11:48 – 1:14:13)
  - Rising Co2 levels caused by climate change will cause more flooding and can lead to increases in various diseases. A specific example of this is Mold *Aspergillus Fumigatus* which is a common mold found in crop lands and grain bins. An increase in flooding in ND results in an increase in the growth of this mold, and an increase in temperature does the same. If the mold is able to grow in an area with high Co2 levels then the allergy response people will have to it will become more severe and life-threatening.
- Mike Williams, Fargo resident (1:14:32 – 1:17:36)
  - Back in 2003 ND only had 3% wind power in the state and now we're at 27% and this was due to MN (ND's number 1 utility customer) requesting/requiring more renewable energy. Fargo was chosen in 2007 as the #1 most environmentally friendly city in America because the city was taking action by switching to LED lights and using hybrid busses and increasing public transit ridership.
  - City of Fargo needs to do more with the 2030 plan and need to track/measure our progress to hold the city accountable. Would like to see more town halls occur as well so that everyone can begin to work together and discuss options.
- Bobishki Miquiad A.K.A. Tracy, Fargo resident (1:18:07 – 1:19:22)
  - Red River Valley is her ancestral homeland and she is thankful to witness so many people wanting to protect our air, our land and our water. So happy to see so many young people fighting for the future generations.
  - Wants the City of Fargo to declare a climate emergency.
- Zach, Fargo resident (1:19:30 – 1:20:06)

- Believes that this whole town hall is disgusting and ridiculous. All the kids at this meeting want to be Swedish and are actors.
- Patrick Summer, Fargo resident (1:20:10 – 1:23:05)
  - Has a difficult time talking to his kids about climate change because he wonders what the adults have been doing for the past 30 years. We cannot be a part of the problem anymore we must be part of the solution. The first step is acknowledging the severity of the problem.
  - Wants the city to declare a climate emergency. Has ideas about an LED light system for the city at night, said he was going to forward them to Commissioner Strand.
- Eric, NDSU student (1:23:14 – 1:24:11)
  - Asks that people look at the topographical map of Fargo. The highest point in the city of Fargo is the landfill. MinnKota is the company that deal with all recycling in Fargo-Moorhead and while the recycling plant in Fargo is still operational, the one in Moorhead just shut down. Confused and disappointed by that business shutting down.
- Isabelle Michael, Fargo South student (1:24:15 – 1:25:23)
  - Preventing climate change isn't just the right thing to do, it's what we need to do.
  - Wants city to declare a climate emergency. Would also like the city to try to encourage residents and companies to go green by making it more appealing. Encourages the city to standardize education on the subject as well as the different options for energy and going waste free.
- Athena Gracyn, Moorhead resident (1:25:25 - 1:27:27)
  - Worried about farmers and their struggles with the changing climate. Potatoes are rotting in the ground, beets are unable to be harvested, and increased rains have caused big equipment to get stuck in the mud and then prevented farmers from being able to harvest. Many farmers from the area are asking about crop insurance to cover their losses.
  - Requests that the city commissioners speak with the legislative leaders in ND about how to talk to farmers seriously about climate change and how to innovate to help the current issues they face.
- Neva Francis, Fargo resident (1:27:34 – 1:30:24)
  - Appreciates that after the local climate strike the local leaders responded by putting on this town hall. Thankful to be listened to instead of pushed away. Wants us to do everything we can to help her and the future generations.
  - Asks the City of Fargo to declare a climate emergency
- No information given (1:30:33 – 1:31:26)
  - Asks if Mayor Mahoney and Commissioner Strand will commit to declaring a climate emergency before Earth Day and Commissioner Strand said, "Absolutely".
- (Couldn't understand what she said), young resident (1:31:27 – 1:32:18)
  - Loves the arctic and worries that if we keep polluting at this rate then we may lose polar bears and arctic foxes. Summers in the deserts are hotter now too, people

have to seek out water to survive. We have to stop it now or we will lose all the ice and no one will like that.

- Hillary Ray, Moorhead resident (1:32:20 – 1:33:05)
  - Our reliance on fossil fuels is due to more than just financial reasons. We deploy troops to defend oil fields in other countries. Locally produced renewable energy represent true energy security.
- Jennifer, Fargo resident (1:33:10 – 1:34:14)
  - Glad to see some progress since she was younger towards a cleaner and greener world. Tells the young people to not give up even though it will be a long road.
- Leo, West Fargo resident (1:34:20 – 1:34:58)
  - Endless economic growth on a finite planet is impossible, and will never be possible. In order to create a habitable planet for future generations we need to adjust our priorities.
  - Asks for City of Fargo to declare a climate emergency.
- Jean Boltlin, resident (1:35:03 – 1:37:00)
  - Asks to avoid 5g and demand the release of suppressed renewable energy technology to create zero-point energy and a more efficient healthcare system that can better take care of people.
  - Would like City Commissioners to demand the release of suppressed technology, avoid the 5g, and go into zero-point energy.
- Closing Statements by Mayor Mahoney and Commissioner Strand

## **City Efforts at Climate Resiliency, Renewable Energy, Emissions Reductions, Energy Efficiency and Environmental Stewardship – Exhibit B**

### **Climate Resiliency**

- **FM Area Diversion (Flood Resilience)**

The Red River Valley has a long history of frequent flooding on the Red River and its tributaries. The FM Area Diversion Project will provide permanent flood protection to the metro area. The project will qualify substantial portions of the FM metropolitan area for 100-year flood accreditation by the Federal Emergency Management Agency (FEMA) under the National Flood Insurance Program (NFIP). The project studied numerous alternative solutions and ultimately selected a diversion channel as the preferred alternative to provide the most resilient project. The project will be constructed such that, it will the ability to fight larger flood events that may exceed the 100-year flood. The FM Diversion Project is an effort to increase the region's climate resiliency against flooding.

- **Red River Valley Water Supply (Drought Resilience)**

Fargo currently serves as a regional supplier of drinking water to Fargo, West Fargo and the Cass Rural Water Users District. Studies have shown that, under extended drought conditions, the Red River and Sheyenne River lack sufficient water to meet the regional water needs. Other studies have shown that, under extended drought conditions, the Missouri River is the only reliable source of water in the State of North Dakota. The Red River Valley Water Supply Project (RRVWSP) is a project to deliver Missouri River water to the Red River Valley and central North Dakota. Fargo, as a member of the Lake Agassiz Water Authority (LAWA) and a key sponsor of the RRVWSP, has nominated an allocation for water from the RRVWSP. The RRVWSP is a long-term effort to increase the region's climate resiliency against drought and water supply shortages.

- **Drought Management Plan (Drought Resilience)**

In 2003, the Fargo adopted its first Drought Management Plan and began tracking drought conditions that could affect the City's water supplies. The Drought Management Plan identified indicators of drought and actions that could be taken to restrict or conserve water use. The Drought Management Plan was a short-term effort to increase the region's climate resiliency against drought and water supply shortages.

In 2015, the City updated its Drought Management Plan to include water use restrictions in the event of infrastructure limitations at the Water Treatment Plant or in the water distribution system.

### **Renewable Energy**

- **Landfill Gas Collection and Reuse**

The Fargo landfill is the only landfill in the state of North Dakota that currently captures and reuses landfill gas. In 2001, the City landfill began installing a gas collection system in an effort to control an "odor" (public nuisance) problem in the area around the landfill. Initially, the collected gas was destroyed through a flaring process. However, other opportunities were explored for a beneficial reuse of the gas. A list of the beneficial uses currently being employed are described in the following sections.



➤ **Industry Renewable Fuel Alternative**

In late 2001, the practice of flaring landfill gas was noticed by officials at a nearby industry. The industry expressed an interest in utilizing the gas based on previous experience they had at another location. As a result, the City and the industry contracted for the City to sell landfill gas to the industry for their use as a renewable fuel as an alternative to natural gas. In 2002, the landfill began delivering an agreed upon amount of landfill gas to the industry and they continue to purchase and utilize the gas to this day.

➤ **Electricity Generation**

Over time as the landfill continued to grow, the amount of gas available for capture grew as well. Therefore, the landfill has continued to expand the gas collection system. In an effort to utilize the additional gas, a 750-kW landfill gas-burning generator was installed at the landfill in the mid-2000s. An analysis was completed to compare direct use of the electricity at the landfill versus selling the electricity to the adjacent power grid. Ultimately, it was determined that it was economically beneficial to sell the electricity to the adjacent power grid, owned and operated by a local power cooperative.

➤ **Transfer Station Heat**

In addition to electricity generation, portion of the collected landfill gas is used to heat the landfill transfer station building. The transfer station building was constructed with a dual fuel heating system that can burn either landfill gas or natural gas.

➤ **Compressed Natural Gas**

The landfill is currently completing a project to convert a portion of the collected landfill gas to natural gas quality. This is done by removing impurities from the landfill gas. The converted gas can then be further compressed and utilized in number of applications, including renewable fuel for vehicles or direct connection to existing natural gas supply lines.

- **Landfill Transfer Station Solar Panels**

In 2007, the landfill constructed a transfer station building in an effort to control wind-blown litter. The transfer station included a bank of solar panels along the south roofline. The solar panels produce electricity that is used directly at the landfill.

- **Landfill Wind Turbine**

In 2007, the landfill installed a commercial wind turbine as part of a renewable energy project. The wind turbine produces electricity that is used directly at the landfill.

- **City Hall Dual EV Charging Station**

Fargo recently received grant funding through the VW Settlement in the amount of \$88,453.40 for the acquisition and installation of an EV charging station at City Hall. The VW grant is a 100% grant which requires no local match. The charging station will be an 80-amp dual station for light duty electric vehicles. The EV charging station will be available to the public and provide a resource to those living and working in Fargo's downtown.

- **Central Garage Fuel Blending Station**

In 2012, the underground fuel storage tanks at Central Garage were nearing end of life. Rather than simply replacing the storage tanks, the City took the opportunity to install a new fueling station that allowed for blending fuel products. The fuel blending station allows the City to blend unleaded gasoline and diesel fuel with other renewable fuels such as ethanol or biodiesel.

- **Wastewater Reuse/Water Reclamation for Ethanol Production**

In 2007, Fargo and worked with a local industry on a unique water reclamation partnership to utilize treated wastewater effluent as a water supply to produce ethanol. After the wastewater treatment process, the treatment plant discharges treated effluent to the Red River of the North. A portion of the treated effluent is diverted to a membrane treatment facility to provide additional treatment to achieve industrial water quality standards. From October 2008 through January 2020, Fargo has supplied the ethanol producer with approximately 3.8 billion gallons of treated wastewater effluent for the production of ethanol.

- **Geothermal Heating at Water GSR and Sanitary Sewer Lift Stations #60 & #61**

Fargo utilizes geothermal heating and cooling at three of its major utility facilities including the Ground Storage Reservoir and Sanitary Lift Stations #60 & #61. Geothermal heating provides a clean renewable heating and cooling system at the lift stations, reducing the need for natural gas and electricity. Where traditional heating systems rely on electricity or natural gas to operate, the geothermal heating systems relies on the earth's heat stored below the ground. The geothermal system require a very small amount of electricity to operate. For every unit of electricity used to operating the geothermal system, the heat pumps can deliver up to five times the energy from the ground. The result has been an overall reduction in energy consumption.

- **Water Ground Storage Reservoir Community Solar Garden**

In 2016, the City of Fargo partnered with Cass County Electric Cooperative to complete the Prairie Sun Community Solar project. The project was the first active community solar project in the state of North Dakota. The project included the installation of a 102kW solar array (CCEC) on 30,000 square feet of land (City) near a ground storage water reservoir at 52<sup>nd</sup> Avenue South and 63<sup>rd</sup> Street.

- **Wastewater Treatment Plant Digester Gas Collection and Reuse**

Fargo's wastewater treatment plant utilizes anaerobic digestion for stabilization of the solids removed in the treatment process. Anaerobic digestion produces a biogas that is approximately 70% methane. The biogas is collected and utilized as an alternative fuel at the facility. The primary use is to fuel boilers, which produce heat for the anaerobic digesters and multiple administrative buildings. The biogas is a renewable fuel and reduces the amount of natural gas required at the facility. On an annual basis, nearly 20 billion BTUs of biogas is collected and reused at the wastewater treatment plant.

- **RoCo Smart Energy Ramp Project**

The North Dakota Industrial Commission recently awarded funding to eSmart Systems to partner with the City of Fargo on a RoCo Smart Energy Ramp Project. The Smart Energy Ramp Project is a public-private

effort to demonstrate the use of renewable energy and artificial intelligence in an urban environment. The project will retrofit the RoCo parking ramp with the following:

- EV Chargers
- Photovoltaic Arrays
- Battery Storage
- Programmable LED Lights/Lighting Controls

In addition, eSmart Systems will provide the City with Intelligent Control Software. The control software will be provided under a Software-as-a-Service (SaaS) model. As part of eSmart's contribution to the project, the City will receive a 10-year subscription to use the software to optimize the use of the above equipment in providing service, controlling energy costs, and maximizing the use of renewable energy.

The RoCo Smart Energy Project is a partnership between ChargePoint, Microsoft, Xcel Energy, Kilbourne Group, Border States Electric, MBN Engineering, and the City of Fargo. The demonstration project will be a tool to evaluate the viability of installing future charging/solar/battery equipment in other parking facilities.

- **Community Wind Turbine Project**

In 2010, the City pursued a wind turbine project by submitting a loan application to the federal Qualified Energy Conservation Bonds (QECB) program. The wind turbine was to be located on a quarter section of leased land along I-94 east of Valley City. The location was selected because of an excellent wind regime in that area. The purpose of the 1.5 megawatt (MW) wind turbine project was to generate renewable electricity to be sold to the local power company. The project was intended, in part, to reduce the City's carbon footprint by offsetting electrical usage in City facilities. Due to difficulties with procurement of equipment and a reduction in renewable energy pricing, the project was never completed.

## **Emissions Reductions**

- **Hybrid MAT Buses**

The Metropolitan Area Transit system has added hybrid buses to the local public transportation system. The hybrid buses run on a diesel-electric propulsion system. The engine and transmission system run on electricity up to approximately 35 miles per hour (mph). After the bus reaches 35 mph, the diesel system takes over. The hybrid system results in 25-50% better fuel economy than a conventional diesel system. Hybrid buses equipped with the Allison EP System™ produce much lower hydrocarbon and carbon monoxide emissions than conventional diesel buses, lowering particulate emissions by 90% and NOX emissions by 50%.

- **Hybrid SUV Fleet Vehicles**

Central Garage has added hybrid SUVs to the City's fleet vehicles. The hybrid SUVs run on a gasoline-electric propulsion system for better fuel economy and fewer emissions than conventional gasoline SUV vehicles.

- **Landfill Gas Collection and Reuse**

The landfill gas collection and reuse program was described previously in this white paper. In terms of emissions reductions, on average, the gas collection system captures 5,900 metric tons of methane per year. This translates to 147,500 metric tons of avoided CO2 emissions and is equivalent to the electrical use of 28,500 residential homes.

- **Recycling and Waste Diversion**

Fargo's recycling and waste diversion programs can also be equated to emissions reductions. In 2019, the recycling programs collected 7,800 tons of recyclable material. This translates to 24,140 metric tons of avoided CO2 emissions and is equivalent to the electrical use of 3,200 residential homes.

- **Low Emissions Fire Truck – VW Settlement**

Fargo recently received grant funding through the VW Settlement in the amount of \$632,500 for the replacement of a 1997 high emission diesel ladder truck. The VW grant is a 50% grant which requires a 50% local match. The new truck will be a low emission diesel powered ladder truck. With this replacement, Fargo expects a 90% reduction in exhaust pollutants versus the older high emission diesel truck.

## **Energy Efficiency**

- **City Hall**

The design of new City Hall incorporated a number of energy efficient features including, but not limited to, the following:

- Low energy LED lighting and control system with motion detection
- High efficiency HVAC system
- High efficiency glass windows
- Insulation that exceeds building code requirements
- Third party independent building commissioning

- **Main Library Lighting Conversion to LED Programmable**

The Fargo Public Library has identified a need to upgrade the lighting fixtures at two of its locations. The project is an effort to increase energy efficiency and reduce maintenance costs. The project will involve the replacement of existing florescent lamps with new LED lamps. The existing fluorescent downlight fixtures will be retrofitted with new LED downlight fixtures. The sensors and central lighting controls will be adjusted to ensure efficient dimming and daylight harvesting. It is estimated that the improvements will have a five-year return on investment.

- **Central Garage Lighting Conversion to LED Programmable**

In 2010, Fargo received a North Dakota Energy Efficiency grant that helped fund a partial lighting conversion from incandescent bulbs to LED bulbs at Central Garage. Since completion of the partial lighting conversion, Central Garage has continued a phased approach to convert other parts of the building to LED lighting. By the end of 2020, all 95,000 square feet in Central Garage will be converted to LED with 75% controlled by motion detectors.

- **Traffic Signal Conversion to LED**

Between 2004 – 2008, all traffic signal lights in Fargo were converted from incandescent lights to LED lights. LED lights have a ten year life, whereas the former incandescent lights had a two year life. An energy comparison of incandescent versus LED is shown below:

- 1,981 red lights were converted from a 150-watt incandescent to a 7-watt LED
- 2,394 yellow lights were converted from a 116-watt incandescent to an 11-watt LED
- 2,170 green lights were converted from a 116-watt incandescent to an 8-watt LED
- 1,143 pedestrian crossing lights were converted from a 90-watt incandescent to a 6-watt LED

- **Street Light Conversion to LED**

As of January 1, 2018, approximately 3,186 street lights out of a City-wide total of 14,000 have been converted from high-pressure sodium lights to LED lights. Each year, approximately 500 additional street lights are converted from high-pressure sodium to LED. In addition, all new street light installations are LED lights. An energy comparison of high-pressure sodium versus LED is shown below:

- 400-watt HPS fixture replaced with 216-watt LED fixture (or the existing fixture is left in place and is retro fitted with a 150-watt LED bulb)
- 250-watt HPS fixture replaced with 160-watt & 120-watt LED fixture (or the existing fixture is left in place and is retro fitted with 80-watt & 67-watt LED bulb)
- 150-watt HPS fixture replaced with 90-watt LED fixture (or the existing fixture is left in place and is retro fitted with 50-watt LED bulb)
- 100-watt HPS fixture replaced with 70-watt LED fixture (or the existing fixture is left in place and is retro fitted with 45-watt LED bulb)

- **Water Treatment Plant Expansion**

The Water Utility recently completed an expansion of the Water Treatment Plant, which increased the facility's peak treatment capacity from 30 million gallons per day to 45 million gallons per day. A number of energy efficient features were incorporated into the design of the facility including, but not limited to, the following:

- The most high efficient pumps and motors available on the market
- A white membrane roof material to absorb less heat
- Rain water harvesting system that utilizes collected rain water for irrigating
- Low energy LED lights throughout
- Insulation that exceeds building code requirements
- High efficiency glass windows throughout
- Utilize SCADA to chart trends and track energy usage

- **Wastewater Treatment Plant Expansion**

The Wastewater Utility is currently undergoing an expansion of the Wastewater Treatment Plant, which will increase the peak treatment capacity from 26 million gallons per day to 50 million gallons per day. A

number of energy efficient features were incorporated into the design of the facility including, but not limited to, the following:

- The most high efficient pumps and motors available on the market
- High efficiency turbo blowers, aeration diffuser equipment and mixing equipment
- HVAC equipment that utilize heat recovery systems
- Low energy LED lights throughout
- Water conserving plumbing fixtures throughout
- Insulation that exceeds building code requirements
- Utilize digester gas for heating the building
- Utilize SCADA to chart trends and track energy usage

- **Variable Frequency Drives (VFDs)**

The Wastewater and Storm Water Utilities routinely install variable frequency drives (VFDs) throughout the treatment facilities and larger lift stations. VFDs allow the speed of pumps to be controlled. This results in less energy consumption because wastewater and storm water flows can be pumped at lower pump speeds.

- **Xcel Energy and Cass County Electric Cooperative Load Shedding Programs**

The City is contracted with both Xcel Energy and CCEC under their load shedding/inadvertent demands programs. These programs help reduce peak energy demands on the Xcel and CCEC systems by the City switching to alternative power/fuel during the peak periods. The programs also reduce cost to the City by providing a reduced rate for electricity and natural gas charges.

- **Adoption of 2018 International Energy Conservation Code**

- Building thermal envelope requirements for all residential and commercial buildings for energy efficiency R & U factor standards for construction
- Fenestration requirements
- Building mechanical and electrical systems requirements
- Allowance for computer generated performance to help with balancing of different types of buildings
- Economizer requirements added in IECC 2021, with exceptions
- Systems commissioning requirements added in IECC 2012, with exceptions

- **City Facilities Energy Load Profile Study**

In 2020, the City Facilities department will initiate a study to begin looking at energy use in municipal buildings. The ultimate goal of the initial effort is to develop a baseline of energy use and emissions in City buildings. Once a baseline has been developed, staff will look for achievable energy efficiency measures and emissions reduction strategies. Initially, staff would start with select facilities to include those served by Xcel Energy and Cass County Electric Cooperative.

## Environmental Stewardship

- **Wastewater Reuse/Water Reclamation for Ethanol Production**

In 2007, Fargo and worked with a local industry on a unique water reclamation partnership to utilize treated wastewater effluent as a water supply to produce ethanol. A portion of the treated effluent is diverted to a membrane treatment facility to provide additional treatment to achieve industrial water quality standards. From October 2008 through January 2020, Fargo has supplied approximately 3.8 billion gallons of treated wastewater effluent for the production of ethanol. The project eliminated the need for the ethanol producer to seek a water supply from surface or groundwater sources. As a result, the project is environmentally friendly.

- **Wastewater Reuse/Water Reclamation for Process Water**

Treated wastewater effluent will also be utilized throughout the new treatment plant expansion for certain processes, cleaning and wash down purposes. On a daily basis, up to 1.9 million gallons of treated wastewater effluent will be reused avoiding the need to use water from the water distribution system.

- **Rainwater Harvesting and Reuse**

The Water Treatment Plant expansion project included a rain water harvesting system that utilizes collected rain water for irrigating the adjacent grounds. This was a conservation effort to reduce water usage at the Water Treatment Plant.

The Metro Transit Garage includes a rain water harvesting system that utilizes collected rain water for irrigating the adjacent grounds. This was a conservation effort to reduce water usage at the Metro Transit Garage.

- **Main Library Green Rooflets**

Fargo's Main Library includes two green rooflets over the east and west entrances to the building. The rooflets were installed during construction of the library in 2008.

- **The Fargo Project – Storm Water Management and Creative Place-making**

The World Garden Commons at Rabanus Park is the first phase of The Fargo Project, a collaboration between artists and residents to transform an 18-acre dry detention basin into an ecological community commons. While the basin continues to hold storm water during summer rains, added ecological benefits include improvements in water quality, increased infiltration, creation of habitat, and increase in animal species. Other benefits include community driven design, pathways to connect the neighborhood, and a space that allows community to experience nature in an urban setting. Principles of The Fargo Project include letting the water lead, learning from the natural environment, involving the community and experiencing nature and ecology. The project introduces adaptive management as a project management principle.

- **Landfill Yard Waste Composting**

The Fargo landfill has been composting yard waste (grass clippings and leaves) since the early 90s in an effort to keep those compostable organic materials out of the landfill. The finished and screened compost material is made available to the public and has become very popular with Fargo residents.

- **Landfill Food Waste Composting**

The Fargo landfill partnered with Microsoft to conduct a food waste composting “pilot project”. Microsoft provided biodegradable paper products and utensils from its food service/cafeteria to conduct the pilot project. Microsoft was interested in having their biodegradable food waste products composted rather than landfilled.

The pilot project concluded that the rate of decomposition varied greatly between yard waste and biodegradable food waste products, and therefore, not suitable for the Fargo’s yard waste composting program.

- **Household Hazardous Waste and Electronics Recycling**

In the early 90s, the Environmental Protection Agency promulgated their “Subtitle D” regulations for municipal solid waste (MSW) landfills. Subtitle D required that all MSW landfills be constructed with synthetic liners and leachate collection systems at the base of the landfill. Subsequent to Subtitle D, the North Dakota Department of Health began requiring double liners and double leachate collection systems for all industrial landfills or MSW landfills that received 500 tons per day or more. The City was successful in getting a waiver to the State rules by constructing and operating a Household Hazardous Waste Facility to keep hazardous materials out of the landfill waste stream.

In 2019, approximately 12,500 residents dropped off 144 tons of material at the HHW facility and 3,300 residents picked up 113 tons of product to be reused. In addition, a one-day electronics recycling event allowed 624 residents the opportunity to drop off 44 tons of electronics for recycle and reuse.

- **Solid Waste Curbside and Drop Site Recycling**

The annual goal of the Solid Waste Utility is to divert 40% of all material from the landfill waste stream by offering programs that reuse, reduce, and recycle. Prominent annual diversion programs include yard waste (9,800 tons), wood waste (9,200 tons), and curbside/drop site recycling programs (7,800 tons).

- **Solid Waste Special Recycling Programs**

On a seasonal basis, the Solid Waste Utility also conducts special recycling campaigns for disposable items such as electronics, aluminum cans, phone books, etc.

- **Sump Pump Program**

Fargo's Sump Pump and Foundation Drain Enforcement Program was designed to protect homes and property throughout the City from sewer backup. The program’s mission is to ensure proper discharge of foundation drain water to the storm sewer system instead of the sanitary sewer system. The program reduces the risk of sanitary sewer backups during heavy rainfall. The program reduces the volume of water in the sanitary sewer system, thus reducing the amount of water to be pumped and treated, saving electricity and chemicals.



- **Energy Efficiency and Conservation Block Grant Program**

In 2009, the City received a direct allocation for Energy Efficiency and Conservation Block Grants (EECBG) from the Department of Energy. The allocation was in the amount of \$948,900 for promoting energy efficiency and conservation, and to create and retain jobs. In 2010, an additional \$100,000 was received from the North Dakota State Energy Program to supplement the EECBG dollars. The funding received was used to develop the GO2030 Comprehensive Plan, provide energy efficient upgrades to City-owned facilities, and to purchase an asphalt recycler.

- **GO2030 Comprehensive Plan**

In 2011, the City of Fargo adopted a strategic plan applicable to the whole city promoting principles of energy conservation and strategies to promote walkability, infill and density. This visioning document adopts the following vision "In 2030 Fargo will be a vibrant and sustainable city with a high quality of life, robust economy, and welcoming community atmosphere".

- **Downtown InFocus Strategic Plan**


In 2019, the City of Fargo adopted a strategic plan for Downtown. The plan includes multi-modal transportation and green infrastructure principles, such as storm water management, for greater environmental resilience.



29

**MEMORANDUM**

**TO: BOARD OF CITY COMMISSIONERS**

**FROM: JIM GILMOUR, STRATEGIC PLANNING DIRECTOR** 

**DATE: DECEMBER 22, 2020**

**SUBJECT: SALE OF 501 MAIN AVENUE**

This is a recommendation to accept an offer from JLG Development and F.I Salter to purchase property at 501 Main Avenue. The property will be developed into a mixed-use development consistent with City plans. The recommended proposal is attached.

**Background**

The financing plan for the Mercantile Parking Garage included sale of the City parking lot located on the northwest corner of Main Avenue and Broadway. This plan was approved along with the Mercantile Parking Garage in October 2019. There is ample parking across the street in the Island Park Ramp, and development of this property was included in the Downtown InFocus Plan.

The City Commission approved a resolution to authorize the sale of the property and advertise for offers on the property. The request for offers required the property to be developed with certain conditions consistent with City plans.

Those submitting offers were required to develop the property with main floor commercial or office space, to be at least four stories in height and the floors above the first floor to be office or housing.

**Review of Offers**

Four offers were submitted for the property. A group was assembled to review the offers, including Commissioner Dave Piepkorn (liaison to the Parking Commission and Renaissance Zone Authority member), Mayor Tim Mahoney, Assistant City Administrator Michael Redlinger, Finance Director Kent Costin, City Engineer Brenda Derrig, Strategic Planning Director Jim Gilmour and Assistant Planning Director Mark Williams.

Two offers clearly met the development criteria. One of the offers was to maintain the property as surface parking. Another only had a smaller amount of main floor commercial space and other space under the building was surface parking.

It was the unanimous recommendation of the review group that the proposal from JLG Development and F.I. Salter was the best proposal.

#### JLG – FI Salter Offer

JLG/FI Salter offered to build a six-story mixed-use building. The first two floors will be offices and tenants are already committed to lease in the building. Floors 3 to 5 will be apartments (a total of 55 units) and 10 condominiums will be on the top floor. The lower level will be parking.

Key factors in the recommendation include:

- The purchase price would be \$505,000 which is slightly over the \$500,000 minimum.
- The project would provide more housing Downtown, consistent with the Downtown plan. The housing provides a mix of housing, with condominiums on the top floor and nine smaller studio apartments on each of the floors below. The other housing units will be 36 one-bedroom units and 10 two-bedroom units.
- The main floor office tenants will be making use of parking in the Island Park Ramp across the street. I estimate that 50 parking spaces would be rented and the developer thinks the number of spaces could be as high as 92. The use of parking spaces will better utilize the Island Park Ramp and provide additional revenue to the parking fund.
- The developer has an option to purchase a portion of the surface parking east of the City property to expand the development site. The Lake Agassiz Regional Council property acquisition allows for a \$21 million development that provides additional development along Main Avenue and more property tax revenue in the future.
- The building is a good design, with materials that fit with Downtown plans and design standards.
- The developer is agreeing to drop the request for access to Broadway.
- Development incentives will be limited to the 5-year Renaissance Zone program, consistent with the criteria for offers.
- The developer wants to work with the City to provide a "Hawk" crossing from the parking ramp. There is presently a two-block segment between Main Avenue and Broadway and 4th Street without a pedestrian crossing.
- The developer wants to work with the City to create a public art plaza west of the site that would enhance their building and the corner of Broadway and Main Avenue.

The proposed timeline is to complete the platting, Development Agreement and Renaissance Zone Authority review in the first quarter of 2021, start construction in May and complete the project by the fall of 2022.

**RECOMMENDED MOTION:**

Accept the offer from JLG Development and FI Salter for 501 Main Avenue and direct City staff to plat the property prior to the sale and draft a Development Agreement consistent with City plans and the offer from the developer.



THE CITY OF  
**Fargo**  
FAR MORE

# COMMUNITIES THAT THRIVE.



501 MAIN AVENUE  
DEVELOPMENT

NOVEMBER 2, 2020





The Argyle, currently under construction at the City's primary downtown intersection, is a ~\$5M mixed-use project designed and developed by JLG Architects. The Argyle will house commercial uses on the lower two floors and market rate apartments above.



THE ARGYLE  
GRAND FORKS, ND 58001



City of Fargo Auditor's Office  
225 4th Street North  
Fargo, ND 58102  
Attention: Jim Gilmour, Director of Strategic Planning and Research  
RE: Disposition of 501 Main Avenue

Dear Jim,

Our co-development team, JLG Development (a line of business within JLG Architects) and F.I. Saller, are excited and pleased to respond to the City's Request for Offer on the land at 501 Main. We have assembled a team that is well-seasoned and experienced in developing, designing, and constructing mixed-use destination centers, and we see this site as an opportunity to create a new "front door" to the south end of Broadway, which will serve as one of the primary gateways to downtown Fargo. As co-developers, we bring regional success and experience to the table – and, when combined with ICS as the builder, create what we believe is a perfect team to execute this project. F.I. Saller has been working for 130 years in all aspects of commercial real estate and development, and will share responsibilities with JLG Development. JLG Development has developed several projects over the years and it is proud to have a project that is similar to this proposal currently under construction in downtown Grand Forks (we are also the designer on several downtown Fargo buildings, including two under construction right now). ICS, our team builder, is very familiar with the co-development team, and is a long-term partner with both JLG Development and F.I. Saller, having constructed numerous projects over the last ten years via a design-build (CMAA) delivery method that is committed to working with the best providers in the local contracting community.

This team has worked diligently to put together a project we feel is viable and sustainable as a long-term vital asset to the City of Fargo that will both perform for years to come and "fill in a missing gap" at the south end of Broadway.

The team has secured two major reputable anchor tenants, established a working partnership with the project's neighbor to the east (Late Agassiz Regional Development Group or LADG) – which includes an agreement in principle on land acquisition necessary to support our design proposal – and has developed several concepts as to how the right-of-way on the east side of Broadway could be reimagined to become the "Gateway Plaza" that the City's *Downtown Infocus Plan* desires. The team also feels strongly about identifying an appropriate opportunity for the inclusion of public art pieces (which we understand to be in line with the *Public Art Master Plan*) and would support activating the Broadway intersection with Main Avenue to provide new placemaking at a high traffic location.

We believe our solution 1) fits with the ongoing development and re-development of downtown, 2) aligns to the *Comprehensive Plan (Go2030)* and 3) supports the *Downtown Master Plan (Downtown Infocus)*. And, perhaps most importantly, 4) converts a long-vacant brownfield site into a long-term higher tax base community asset.

Thank you for your consideration of our offer. We look forward discussing the strong merits of our project with you. As JLG celebrates its 15th year in downtown Fargo, we would be excited and honored to be your partner in developing this site as a new southern gateway to downtown Fargo.

Sincerely,

*Jason Haugenson*

Jason Haugenson, CPA | Director of Development  
JLG Architects  
jhaugenson@jlgarchitects.com

*Sandy Hoff*

Sandy Hoff, LREA | President  
F.I. Saller  
shoff@fialler.com





### Proposed Offer / Purchaser and Proposed Project Budget

The JLG Development/EL Salter co-development team has looked at a broad range of use options for the site, and have arrived at what we feel is a strong and viable proposal — which calls for the acquisition of additional land directly adjacent to the subject land identified in the City's RFC.

Our offer amount on the 501 Main land to the City of Fargo is \$505,000.

### THE NAME AND MAILING ADDRESS OF THE PURCHASER IS:

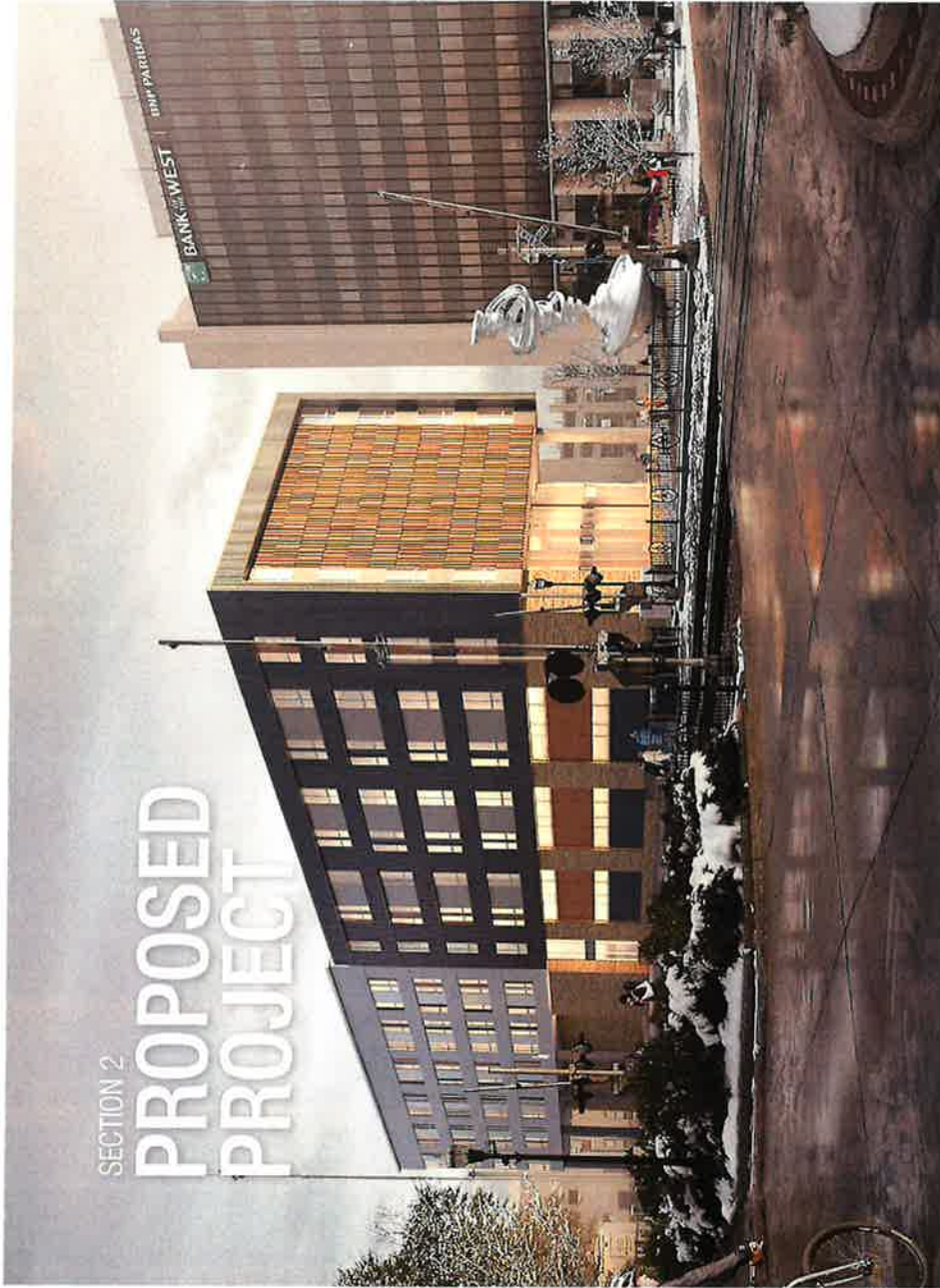
EL Salter | c/o Sandy Hoff | 800 B W Railroad Street, Duluth, MN 55802

The co-development team expects to spend additional funds to acquire a portion of the adjacent land to the east from the Lake Agassiz Development Group (LADG). The team has negotiated an agreement in principle that has received preliminary LADG Board of Directors approval.

We anticipate the total project cost to be in the \$21.0M - \$21.5M range, with a rough split of \$18.5M to hard costs and \$2.5M to soft costs.



# SECTION 2 PROPOSED PROJECT



## Additional Considerations

The proposed JLG Development/FI Saller solution assumes approval of the following:

### DEVELOPER / CITY OF FARGO

- Access approval to Broadway from west perimeter (rightturn exiting only curb cut) to support better traffic flow and Tenant East requirements
- Phase I/Phase II Environmental considered for risk mitigation to unknown site conditions
- Renaissance Zone Application approval
- Main Avenue pedestrian crossing to structured parking to the south as a response to increase conception in the parking lot
  - At-grade HAWK crossing or
  - Skyway across Main Avenue connection to existing stair tower on structured parking and to second floor of proposed solution
- Clean title and ALTA survey on existing property (to support land sale); timed to Spring 2021 construction start
- City of Fargo/BNSF parking easement transferred to buyer/developer

### DEVELOPER

- Successful closing on land acquisition with Lake Agassiz Development Group (LADG)
- Secured financing for the project

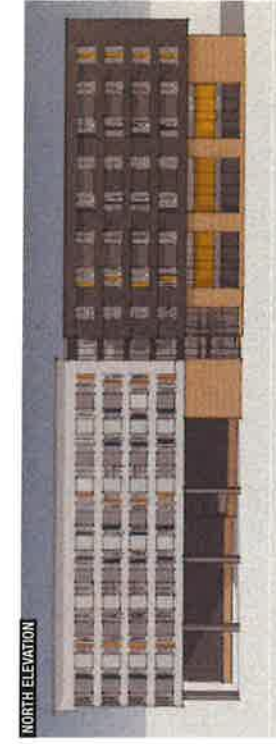
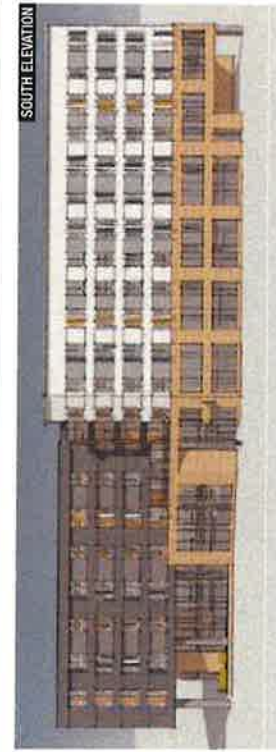
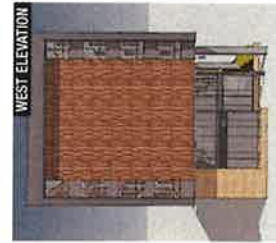
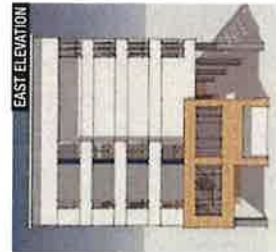
## Project Description

The proposed solution is a six- (6) story mixed-use building serviced by both underground and surface parking. The total size is 97,090 SF with parking (83,490 SF without parking).

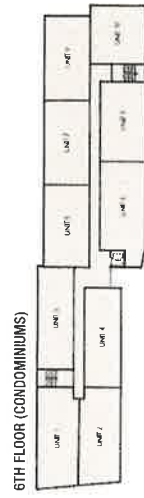
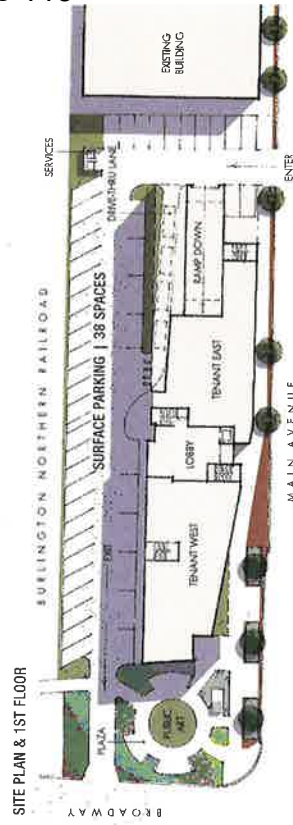
The solution provides for a strong mix of living quarters ranging from apartments on floors three through five — which include studios, one-bedroom, and two-bedroom units, along with a collection of sixth-floor premium condominiums ranging from 1,100 SF to 1,500 SF (1,300 SF being typical).

The third floor offers a shared interior amenity space and lounge area next to a southward-facing outside patio space with exciting views of Main Avenue and the activity to the south.

The lower two floors are suitable for office/commercial and retail uses. These spaces are fed from a common entry experience and atrium space that will define and establish the overarching quality of the building.







As the building sits on a corner — with a considerable amount of visibility to the north side — the building does not have a “back” side. The design has addressed this by extending a similar vocabulary and approach to the north elevation that is complementary to the balance of Broadway.

The solution directly promotes and celebrates the development of the adjoining right-of-way parcel at the south end of Broadway in conjunction with the building and site as a new downtown gateway inclusive of a public greenspace and public art.

The solution also benefits from a partnership with its neighbor to the east — the Lake Agassiz Development Group (LADG) — with whom we have evolved the project and have a developed a strong working synergy.

We anticipate collaborating with the City of Fargo to establish improved access and circulation for the site as it engages Broadway and to take advantage of an under-used structured parking garage (Island Park Ramp) to the south. The project contemplates the potential for a connected tempered skyway to the structured parking to the south that would connect to the building at the second level — benefiting building residents and business tenants, the LADG, and other potential users of the City-owned parking structure.

With specific materials and scale considerations for the massing of the building skillfully woven into the design proposal that are complementary to, and synergistic with, the surrounding neighborhood, the solution will feel right at home in its context and will establish itself as a cornerstone anchor.

The building summary is as follows:

Area Summary	Square Footage	Studio	1 BD	2 BD	Total Units
<b>Parking</b> Underground 29 spaces / Surface 38 spaces	<b>13,600 Total</b>	*	*	*	*
<b>First Floor</b> Two tenant spaces and shared common area	<b>10,620 Total</b>	*	*	*	*
1st Tenant West	4,565				
1st Tenant East	3,965				
1st Common	1,590				
1st Vertical Penetration	500				
<b>Second Floor</b> Two tenant spaces and shared common area	<b>12,965 Total</b>	*	*	*	*
2nd Tenant West	5,305				
2nd Tenant East	5,500				
2nd Common	1,435				
2nd Vertical Penetration	725				
<b>Third Floor</b> Lounge, patio and apartment units	<b>15,220 Total</b>	3	10	4	17
3rd Lounge	520				
3rd Patio	598				
3rd Residential	14,102				
<b>Fourth Floor</b> Apartment units	<b>14,895 Total</b>	3	13	3	19
<b>Fifth Floor</b> Apartment units	<b>14,895 Total</b>	3	13	3	19
<b>Sixth Floor</b> Total Square Footage 10 residential condominiums ranging from 1,100 SF to 1,500 SF	<b>14,895 Total</b>	*	*	*	*
<b>Building Total Square Footage</b>	<b>97,090</b>	<b>9</b>	<b>36</b>	<b>10</b>	<b>55</b>

## Project Context & Response to Surrounding Downtown Environment

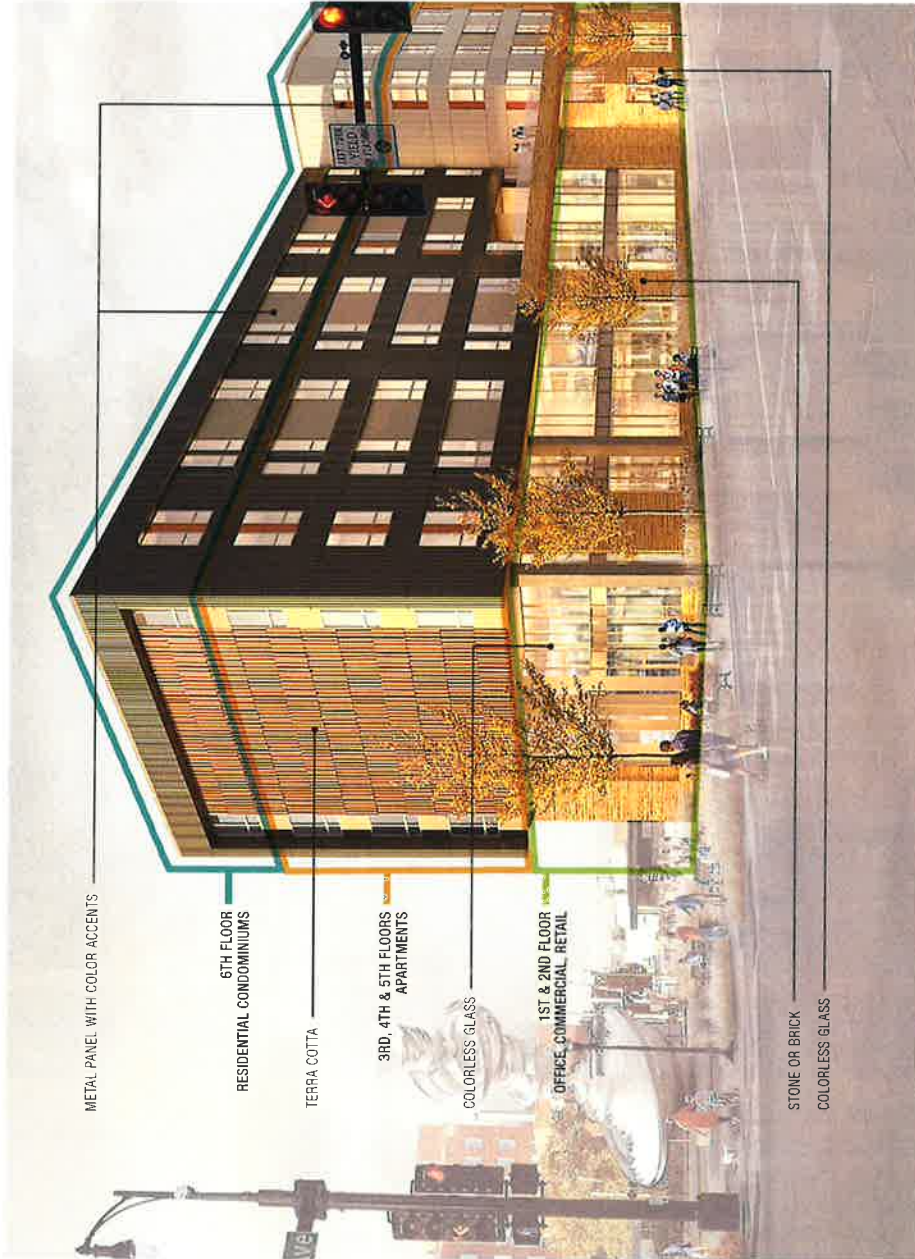
The JIG Development/FI, Salter solution is highly visible from all sides and anchors a high traffic corner with an existing eclectic mix of building types and architectural styles. There are some common qualities to the buildings adjacent; including clearly-defined lower levels which incorporate clear glass, crisply defined and repetitive window patterns, color/detail used as an accent, and exterior materials that are substantive and durable. There is also a simple and strong clarity to the massing of the adjacent buildings.

The proposed solution is a four-story mass over a two-story mass, and includes the straightforward use of clear glass, stone or brick, and metal panel with colored accents aligned to the massing.

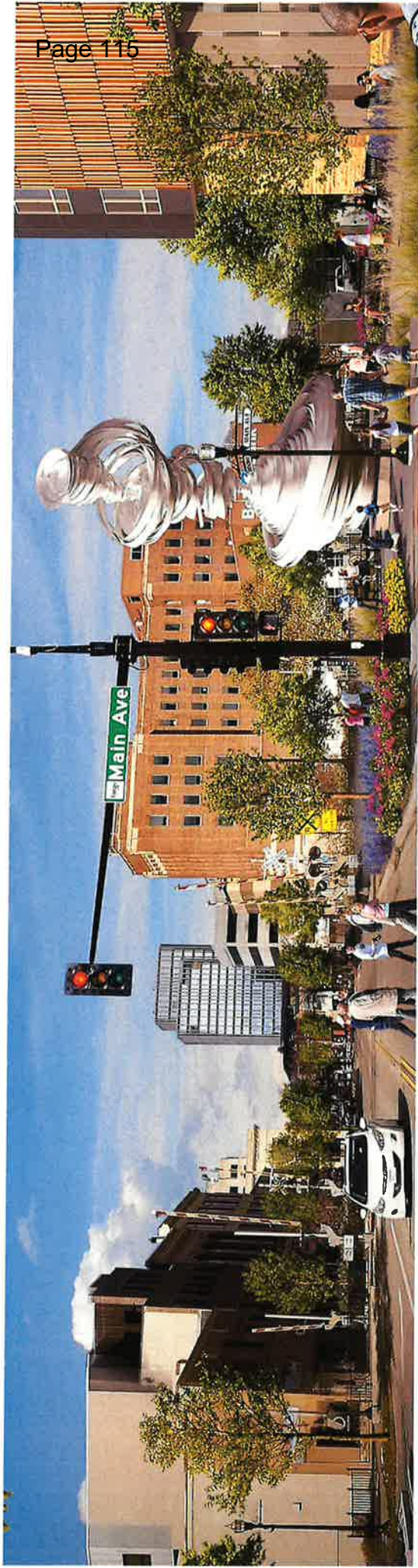
Consistent and crisp punched openings form a consistent rhythm on both the north and south elevations on the upper levels. There is the intentional use of warm materials at the street level for an inviting and engaging presence with the adjoining streets.

Finally there is a nod to the Cass Gilbert-designed, terra-cotta-roofed train depot through the material on the west elevation, which provides a complimentary background to the southern downtown gateway and a back drop for the gateway plaza and potential public art.

With its clean lines, fresh feel, and deliberate acknowledgment of its context in its design, the proposed solution will have a timeless and substantive quality that will anchor and elevate Broadway.

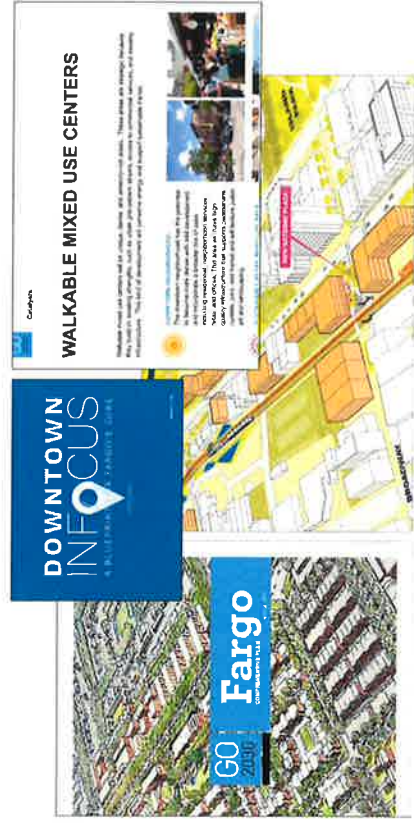






### Alignment to City of Fargo Planning Direction

The City of Fargo has done a great job with the most recent Comprehensive Plan (GO2030), and Downtown Master Plan (Downtown Infocus) in establishing guidance and direction for the ongoing growth of the community. In accordance with those plans, the JLG Development/FI, Saller solution will activate and celebrate the southern downtown entry while providing new mixed-use spaces to create opportunities for job growth and community connection, a variety of housing, and the potential for a new public amenity. The proposed solution is aligned to the documented aspirations for development at this location and will successfully convert a surface parking lot to a higher and better use. The co-development team looks forward to the energy and social value this project will generate.



### Public Art and Placemaking Opportunity

The south end of Broadway has a history of engaging the public via art, and the JLG Development/FI, Saller team appreciates the recent efforts that have been made to chart an affirmative and sustainable course forward for artist expression, as documented in the Public Art Master Plan (PAMP).

The recently-completed Main Avenue improvement project provides a new sense of the street as a friendly, accessible, and safe pedestrian and bicyclist's environment that invites folks from the south side of Main into the downtown.

As a team, we look forward to an opportunity to partner to develop a gateway park that incorporates public art and supports it with surrounding landscape and site amenities which welcome the community to downtown Fargo and creates a strong "place" at the south end of Broadway.

*The time is ripe for Fargo to grow its public art program to reinforce and amplify the city's role as a cultural hub.*

## F A R G O



## PUBLIC ART MASTER PLAN

Continue developing current projects, including art for City Hall, commissioning art for public spaces, and funding independently developed projects by individual artists and teams.

## GOAL



## GOAL



Handle and manage present building and report systems for public art, including administration, education, communications and maintenance.

## GOAL



Pursue artistic excellence and foster diverse forms of public art.

## GOAL



Establish incentives for developers willing to fund public art and provide appropriate resources and services to further encourage their investment in public art.



## Proposed Access, Parking & Construction Staging

Preliminary discussions with City of Fargo Engineering have confirmed these priorities and best practices:

- Communication and planning
- Coordination of all potential services in a timely fashion and/or creation of pathways for potential services to come for efficient, cost-effective, conflict-free/rework-free design and construction
- Planning that keeps pedestrians and vehicles safe and moving

In addition we feel that the following considerations will help drive a successful outcome on a tight site at a high-traffic location:

Use of the Lake Agassiz Building for the project construction office

- The close proximity to the site will allow our team ease of accessibility for all construction-related items

Limited construction laydown

- Just-in-time delivery to minimize staging space required
- Proper selection of a crane or hoisting equipment to afford less disruption in the local area and minimize building safety risk during the construction of the project

Traffic control/flow

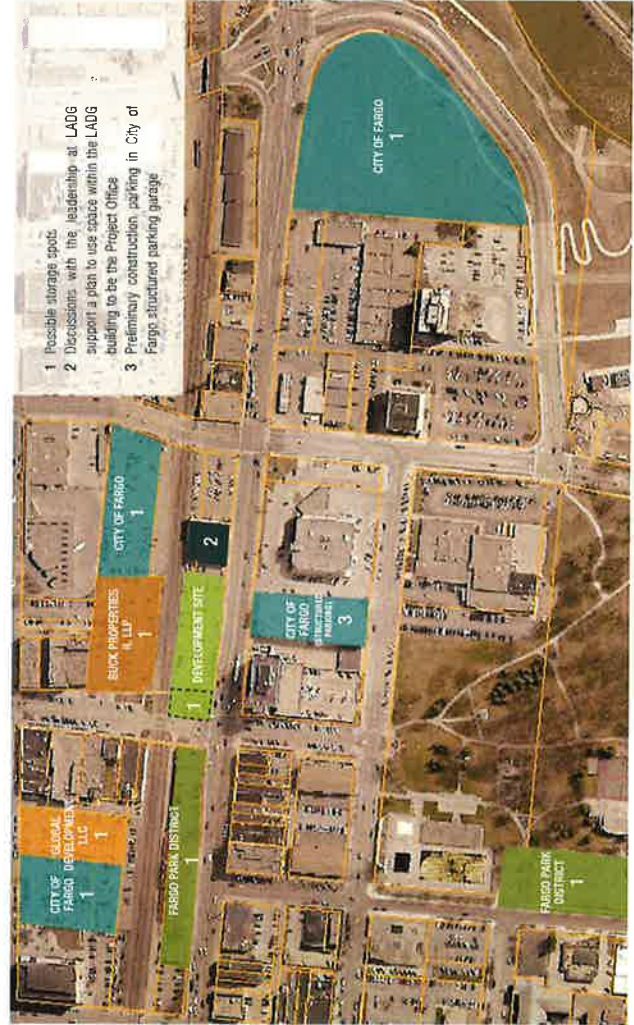
- Communicate with all local authorities and stakeholders to ensure transparent information transfer throughout construction, including signage, proper safety measures, etc.

Railway protection

- Our team is well-versed and knowledgeable in working with local authorities and railway workers to ensure all safety protocols are communicated, followed, and demonstrated

Communication plan with City and neighborhood

- Transparent and relevant communication with the City of Fargo, residents, and neighbors is critical. ICS is well-versed in public communications and will ensure that various channels are vetted and implemented for a wide reach

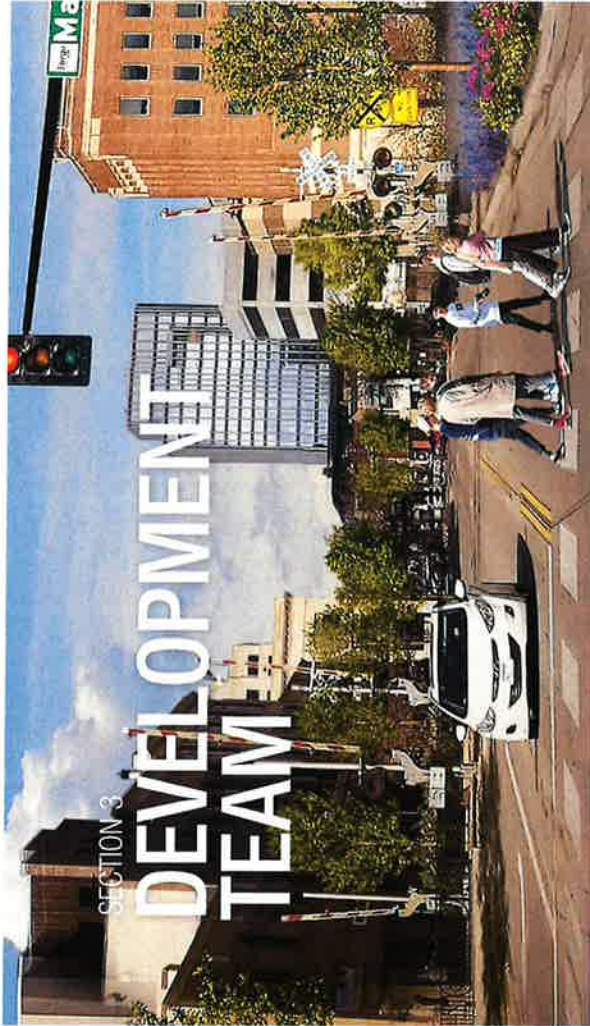


## Proposed Timeline

The project timeline is predicated on an efficient kickoff with completed entitlements to support a spring of 2021 construction start. We recognize that there are many activities that can happen concurrently to get the land transaction ready and easements transferred. Assuming a Spring 2021 start (which will have us staging the release of construction drawings) the JLG Development/Fl. Salar team anticipates a roughly fourteen (14) month construction period, followed by approximately three months of FF&E and move-in activities, with occupancy anticipated at the end of summer of 2022.







### Team Members

The team has a wide range of proven experience at the regional and local level. Our skill sets and experiences are complementary, synergistic and diverse — with many different project types and management responsibilities accumulated within the experiences of the various team members from JLG Development, FL Saller and ICS.

This experience ranges from developing a campus for a large American-based corporation, to award winning work in re-developing a brownfield site on Lake Superior to helping communities throughout the region and across multiple project types get their projects built successfully.

#### JLG DEVELOPMENT | CO-DEVELOPER | ARCHITECTURE

The JLG team brings the financial acumen and savvy of its' CEO to the Team — who led JLG's transition to becoming 100% employee owned, and has been involved with prior development efforts at JLG. JLG is interested in being more active in developing its' own projects and doing so from a focused perspective — specifically developing projects that are aligned to its' brand and values and to extend the service offerings in the communities we serve. Several years ago JLG made a strategic hire to bring additional experience to promote and elevate this strategy and complement the experiences of its CFO.

#### FL SALTER REAL ESTATE SERVICES | CO-DEVELOPER

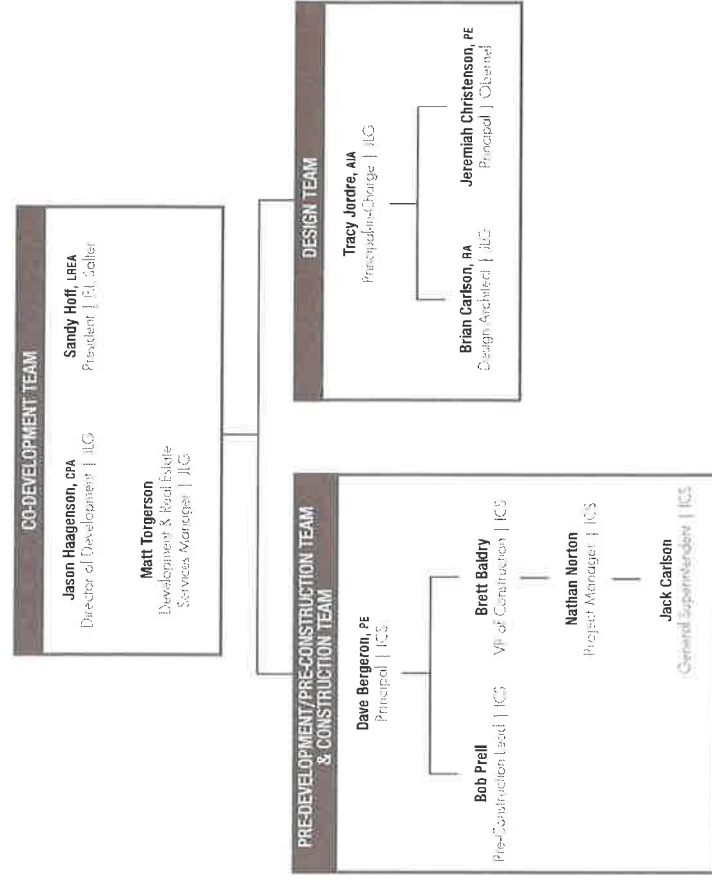
FL Saller Co. is a 130-year-old real estate firm offering a diverse range of real estate services including property development, leasing, management, building maintenance, brokerage, real property valuation and consulting.

Always looking for an opportunity to create new experiences that bring vitality to the communities that it serves has been then hallmark of FL Saller for years. As an experienced developer that has worked on complex projects requiring considerable patience and commitment, the FL Saller team views this project as a perfect fit for its' ongoing aspirations and sees improving and enhancing the communities it works in as a key measure of success.

#### ICS | CONTRACTOR | COST ESTIMATOR

At ICS, we don't simply build buildings, we build a real connection with our project partners. No matter where you are in the process, our team of construction professionals work across all phases of a project's life-cycle, bringing innovation, clear communication, and unparalleled technical expertise so you can make informed decisions that will positively impact your facility and the people it serves.

### Organizational Chart



CO-DEVELOPMENT TEAM



**JASON HAAGENSOHN**  
JFA  
**Director of Development**  
JLG Architects  
20 Years Experience

Jason will be responsible for establishing and executing Project Development strategy

Jason serves as the Chief Financial Officer at JLG Architects and sits on the JLG Architects Board of Directors. Jason is a licensed CPA with over 20 years of professional accounting experience. Jason has led the development of The Argyle and management of the rehabilitated historic Opera House Lofts in Grand Forks, ND. During his tenure with the company, JLG's revenue has grown fivefold and the firm has significantly evolved from a closely-held private entity to a 100% employee-owned firm. Jason graduated from the University of Jamestown with degrees in both Accounting and Management Information Science — along with a minor in Business Administration.

**SELECT EXPERIENCE**

- The Argyle, Grand Forks, ND
- Opera House Lofts, Grand Forks, ND



**SANDY HOFF**  
JFA  
**President**  
F.L. Salter  
Licensed Real Estate Agent  
Licensed Commercial Real Estate Appraiser  
35 Years Experience

Sandy will collaborate with JLG to create a vibrant, mixed-use facility.

Sandy is president of F.L. Salter Real Inc. Mr. Hoff is a certified general real property appraiser and real estate broker with over 35 years of diverse real estate experience. Mr. Hoff has participated in the operation and startup of multiple business ventures including Lake Superior Helicopters, Shamrock Marina, Computer Resources, Timber Trails Estates, Harley Hills Residential Development and more. Mr. Hoff has provided development consulting services to a diverse range of commercial enterprises and most recently was the co-developer for the \$32,000,000 Pier B Resort Hotel on Duluth's waterfront.

**SELECT EXPERIENCE**

- Co-Developer of the Pier B Resort Hotel, Duluth, MN
- Developer of Timber Trails Estates, Hermantown, MN
- Developer of Hartley Hills, Duluth, MN
- Co-Developer Pier B Waterfront Condominiums, Duluth, MN
- JLG Architects, Minneapolis, MN
- Co-Developer Community Health Medical Center, Superior, WI
- Co-Developer Northshore Glamping & Hotel Company, Beaver Bay, MN



**MATT TORGERSON**  
**Development & Real Estate Services Manager**  
JLG Architects  
35 Years Experience

Matt will serve to keep the team focused on the matters at hand to deliver a successful project.

As Development & Real Estate Services Manager at JLG, Matt is a result driven, detail oriented professional with diverse and broad experience ranging from corporate strategic and master planning, to ground up development, to site/project specific design and construction to residential design and construction. Matt has over 35 years of design and construction experience, has taught an Assistant Professor of Landscape Architecture Program at NDSU and has worked in corporate real estate and facilities for nearly 20 years. Matt has managing all aspects of a diverse real estate and facilities portfolio — full cycle from site selection, lease or purchase negotiation and execution through design, construction and facilities operations management and life cycle/customer requirements improvements.

**SELECT EXPERIENCE**

- The Argyle, Grand Forks, ND
- JLG Architects, Minneapolis, MN
- Microsoft Fargo Campus, Fargo, ND\*
- Microsoft Sales Office, Edina, MN\*
- Microsoft Sales Office, Des Moines, IA\*

*\*Prior to current firm*

PRE-DEVELOPMENT/PRE-CONSTRUCTION TEAM & CONSTRUCTION TEAM



**DAVE BERGERON**  
JFA  
**Principal**  
ICS  
Professional Engineer, ND  
27 Years Experience

Dave will work corroboratively to create a customized approach for an overall successful project.

With over 27 years of relevant experience, Dave possesses a diverse and extensive background in partnering with K12 school districts to develop and implement financially strong long-term strategic facility plans. He has developed more than \$500 million dollars of comprehensive long-range plans, making make him an excellent team member for the 501 Main Avenue project.

**SELECT EXPERIENCE**

- City of Grand Rapids, New Fire Hall, Grand Rapids, MN
- Carrington Schools, Carrington, ND
- North Border School District, Wahalla, ND
- Thompson Public Schools, Thompson, ND
- East Grand Forks School District, East Grand Forks, MN
- Mahanomen Area Schools, Mahanomen, MN
- Brainerd Public Schools, Brainerd, MN
- Waubesa Public Schools, Waubesa, MN
- Brandon-Evanville Public Schools, Brandon, MN
- Park Rapids Schools, Park Rapids, MN



**BRETT BALDRY**  
**VP of Construction**  
ICS  
20 Years Experience

Brett will be responsible for project development and construction, as well as contractor coordination.

With over 20 years of experience in the construction industry, Brett will lead all construction and project management for the 501 Main Avenue project. With extensive expertise in project budgeting, schedule management, project documentation, and contractor management, Brett will ensure a successful project for the City of Fargo. He is also valued for his oversight and task management skills, and will provide valuable insight and recommendations related to constructability and phasing issues.

**SELECT EXPERIENCE**

- Washington County 2025 Campus Improvements, North Service Center, and Hardwood Creek & Library & County Service Center, Various Cities, MN\*
- Hutchinson Public Schools, Hutchinson, MN
- Forest Lake Public Safety & City Hall, Forest Lake, MN\*
- Anoka County Courthouse, Anoka, MN
- Anoka County Centennial Library, Anoka, MN
- Columbia Heights Public Library, Columbia Heights, MN



**BOB PRELL**  
JFA  
**Pre-Construction Lead**  
ICS  
40 Years Experience

Bob will be responsible for constructability review, value analysis and cost control, as well as schedule management.

With over 40 years in the construction industry, Bob is a great fit to lead the charge in providing the City of Fargo with professional services from the entire team. Bob is well-versed in all phases of construction and will effectively collaborate with all team members throughout this project. His knowledge of construction phasing and communication skills with all stakeholders make him a great team member.

**SELECT EXPERIENCE**

- Concordia University, St. Paul, MN
- Southern MN Educational Consortium (SMEC), Austin, MN
- Cochran-Fountain City School District, Fountain City, WI
- St. Olaf Student Housing, Northfield, MN
- CLUES Office Expansion, St. Paul, MN
- Portage County, Stevens Point, WI

DESIGN TEAM



**NATHAN NORTON**

**Project Manager**  
ICS  
14 Years Experience

Nathan will be responsible for pre-construction services and detailed cost-value analysis during design.

With over 14 years of experience in various types of construction projects including both public and private sector clients, Nathan will be responsible for pre-construction services including cost value analysis, design oversight, and project management through construction. With an educational background in construction management, he will work closely with all project team members to ensure the accuracy of all project-related documentation and project management, ensuring a successful project for the City of Fargo.

**SELECT EXPERIENCE**

- St. Louis County School (South Ridge School & Cherry School), Virginia, MN
- Walker Hackmeck Askey Improvements, Walker, MN
- Sourcewell Addition, Staples, MN
- Mid-State Education, Little Falls, MN
- Pillager Public School Addition, Pillager, MN
- Freshwater Level Four Facility, Wadena, MN
- MN Adult and Teen Challenge, Brainerd, MN
- Red Lake Housing Authority, Red Lake, MN



**JACK CARLSON**

**General Superintendent**  
ICS  
25 Years Experience

Jack will monitor progress of the construction site, ensure safety protocols are being upheld, and provide site support.

Jack will serve as the General Superintendent for the 501 Main Avenue project. He has been involved in the construction industry for over 25 years, with substantial experience working within the municipal community. He will work closely with Brett to provide input and planning resources throughout the project. His experience with large-scale municipal projects will benefit the City and the entire project team to reach a successful, on-time completion.

**SELECT EXPERIENCE**

- Anoka County Fleet Services Facility, Anoka, MN
- Washington County 2025 Campus Improvements, Siltwater, MN
- Hardwood Creek Library and County Service Center, Forest Lake, MN
- Bielenberg Sports Center, Woodbury, MN
- West Rapids Elementary, Grand Rapids, MN
- East Rapids Elementary, Grand Rapids, MN
- Cohasset Elementary, Cohasset, MN
- Portage County, Stevens Point, WI



**TRACY JORDRE**  
AIA, LEED, AIA

**Principal-in-Charge of Architecture**  
JLG Architects  
Registered Architect, ND  
24 Years Experience

Tracy will work to review programming that is developed and oversee its implementation into the design.

As a Principal and the leader of JLG's Corporate Design Studio with over 20 years of design experience, Tracy's many years of relationship building with development teams and her in-depth knowledge of commercial office buildings and mixed-use projects makes her the perfect manager — keeping your goals and expectations in mind, so the design team can exceed them whenever possible. Tracy earned a Bachelor of Architecture and a Bachelor of Environmental Science from North Dakota State University in 1996 and is a registered architect in many states. Tracy has been a LEED Accredited Professional for over ten years and previously led JLG's conversation division.

**SELECT EXPERIENCE**

- The Argyle, Grand Forks, ND
- Sellkirk Lofts, Grand Forks, ND
- The Landing, Fargo, ND
- Pure Development, Grand Forks, ND
- JLG Architects, Minneapolis, MN
- The Black Building, Fargo, ND



**BRIAN CARLSON**  
AIA

**Design Architect**  
JLG Architects  
Registered Architect, ND  
22 Years Experience

Brian will lead the planning and design of the project and ensure the Owner's design goals are met.

A Project Designer with JLG, Brian has over 20 years of experience. Brian has been involved in virtually every housing project that JLG has worked on since he was hired in 1998. His experience, understanding of multi-family housing and mixed-use construction, imagination, and ability to adapt design style to the context of a site and client's tastes, are a fierce combination that bring out the best possible solutions and drive value for our clients. With a focus on urban-infill projects and a commitment to historic preservation, Brian believes good design addresses the realities of today's construction methods and economics, while creating spaces that respond to and complement the historic nature of our city centers. He received a Bachelor of Architecture and a Bachelor of Science in Environmental Design from North Dakota State University.

**SELECT EXPERIENCE**

- The Argyle, Grand Forks, ND
- Mercantile, Fargo, ND
- Sellkirk Lofts, Grand Forks, ND
- Pure Development, Grand Forks, ND



**JEREMIAH CHRISTENSON**

**Principal**  
Oberhel Engineering  
Professional Engineer, ND  
19 Years Experience

Jeremiah will be responsible for mechanical heating, ventilation, air condition, and plumbing systems.

Jeremiah has been involved in a variety of specialized HVAC design throughout his career. He has spent a significant portion of his time involved in commercial, office, and mixed-use facilities. Jeremiah designs for the end user, creating a healthy, safe, and comfortable environment.

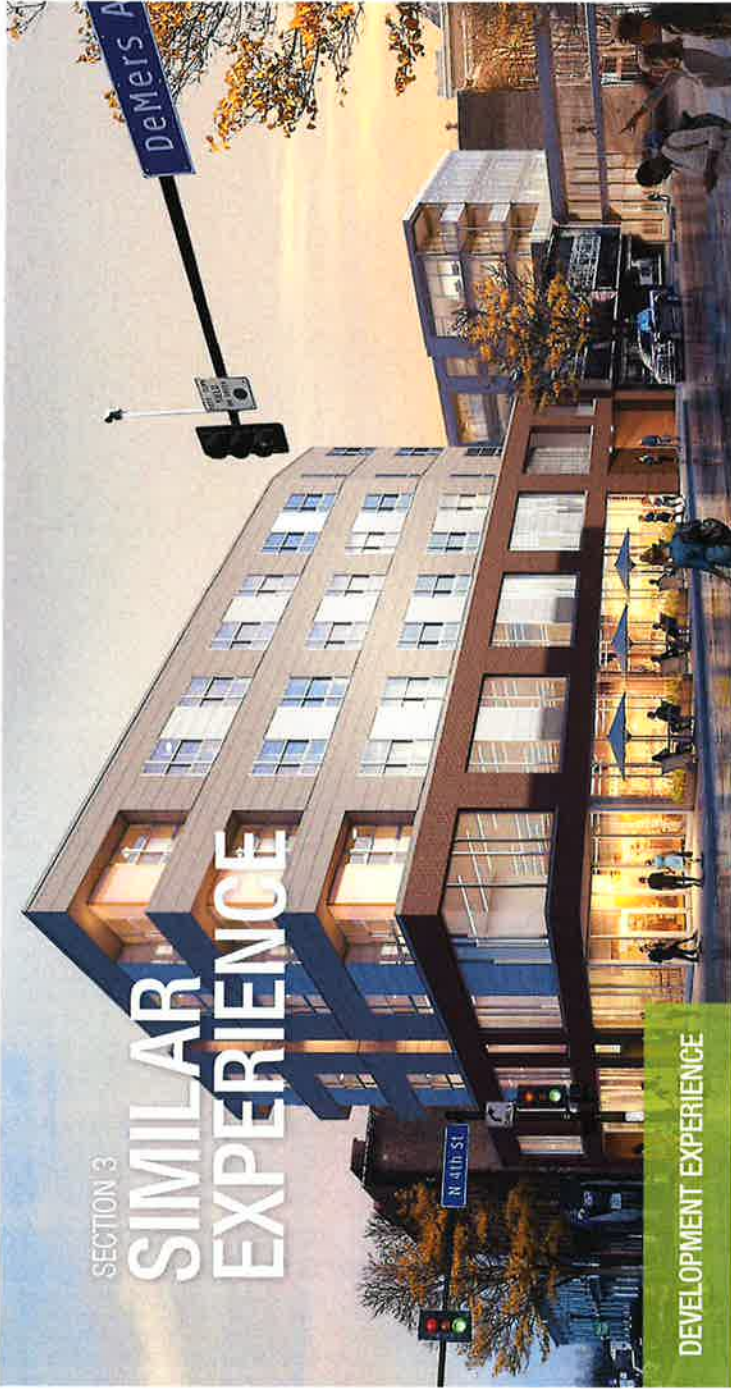
**SELECT EXPERIENCE**

- Black Building (Various Projects), Fargo, ND
- Broadway Square, Fargo, ND
- South Dakota Multi Agency Office Space, Rapid City, SD
- Mountall/Williams Electrical Coop Headquarters, Williston, ND
- Iowa River Landing Hotel & Mixed-Used Spaces, Coralville, IA
- Black Gold Office Building, Grand Forks, ND
- Sweeney Controls Corporate Office, Fargo, ND
- Spirit Lake/Fort Totten Mini Mall, Fort Totten, ND
- Capital Square Development, Bismarck, ND
- Grand Forks City Hall, Grand Forks, ND
- Fargo City Hall, Fargo, ND

*Photo by courtesy of JLG Architects*

*Photo by courtesy of JLG Architects*





## The Argyle Mixed-Use Office Building

GRAND FORKS, NORTH DAKOTA

**Relevance:** This project re-develops and activates a prominent location in downtown Grand Forks and is both developed and designed by JLG Architects.

The Argyle brings life and vitality to Downtown Grand Forks through the reinvigoration of a vacant lot on a prominent corner. Designed to promote walkability and downtown vibrancy, The Argyle includes street-level commercial space, second floor office space, and three floors of residential space. The location creates a strong brand presence for the first- and second-floor tenants and provides a fresh working environment overlooking the Red River. Modern architecture utilizes a combination of traditional building materials to respect the historic nature of the downtown business district, with the transparency and lighting effects of an exciting contemporary look.

**Completion Date**  
Summer 2021

**Delivery Method**  
Design/Bid/Build

**Square Footage**  
30,895 new construction

**Cost Information**  
Construction Budget: \$5,000,000

**Client Reference**  
City of Fargo  
201/762.0374







Alex Giuliani (left) and Sandy Hoff – seen on Nov. 23, 2016 – just received a state ReScape Award from Minnesota Brownfields for their redevelopment of the former Lafarge cement terminal property, now the home of Pier B Resort.

Bob King | [king@duluthnews.com](mailto:king@duluthnews.com)

Competing against some of the most prominent commercial developments firms and projects in the state, Sandy Hoff and his development partner Alex Giuliani, received the 2016 Minnesota Brownfields Environmental Impact award for the redevelopment of the Lafarge Cement terminal into the Pier B resort hotel. This award is presented to developers that demonstrate innovation, collaboration, and exemplary results in revitalizing formerly contaminated sites into vibrant economic contributors to the community.



## Pier B Resort Hotel DULUTH, MINNESOTA

**Relevance:** This project transformed Duluth's waterfront by cleaning up a 100-year old brownfield site and creating a new waterfront hospitality experience for visitors.

<b>Completion Date</b>	2016
<b>Square Footage</b>	84,000
	140 rooms
<b>Cost</b>	Construction Cost: \$32,000,000



"Turning Cement Dust into Community Gold" was our motto as we commenced transforming the former Lafarge Cement facility into a modern resort and waterfront marina. Redeveloping this brownfield site was one of the most complicated in our region's history as it included influence from over nine government agencies and necessitated remediation of contaminated soils under 23' of water. The entire 7.5 Acre site is an engineered structure which provided numerous problem-solving opportunities. Having been recognized as the "Best of the Best" hospitality facility in our region multiple years running, we are proud to have created a true gem for our community.





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JLG Architects



## Pier B Residential Condominiums

DULUTH, MINNESOTA

**Relevance:** Merging historic preservation with modern architecture will be achieved when the old cement silos are converted into waterfront residential condominiums.

Towering 120' and perched 10' from the harbor, the new Pier B Residential condominium project will comprise 75,000 square feet and will include the most unique living experience in the upper Midwest. This redevelopment project is located in the existing abandoned cement silos which will afford dramatic architectural features and stunning views of Lake Superior and the Duluth Harbor.

**Completion Date**  
Spring 2022  
**Square Footage**  
75,000  
**Cost**  
Construction Budget: \$21,000,000





## Reference Letters



14275 Golf Course Drive Suite 140 • Baxter, MN 56425 • (218) 454 7270

October 19, 2020

Re: Fargo, ND development project Letter of Reference for Sandy Hoff

To Whom It May Concern:

Our firm assisted Mr. Hoff's development team to create the Pier B Resort Hotel on the western edge of Duluth's downtown waterfront district. This project was, and remains, Duluth's largest private development on the Lake Superior Waterfront since the 1960s.

Owned 50/50 by the City of Duluth and the Lafarge Cement company, this 75-acre brownfield site was passed over by experienced developers from the Twin Cities and Duluth as they recognized the daunting development challenges posed by this property. However, Mr. Hoff and his team accomplished what many thought was impossible, by consolidating ownership of the site and coordinating with governmental agencies to create the Pier B Resort Hotel.

The persistence, ingenuity and dedication of Mr. Hoff's development team resulted in a truly remarkable new hospitality experience for our region. I am confident Mr. Hoff will create similar success with the Fargo development opportunity. If you have questions, please contact me.

Regards,

Jamie Tatge  
President  
Leisure Hotels and Resorts  
218-330-9554  
jtatge@leisurehotel.com

[www.LEISUREHOTELS.com](http://www.LEISUREHOTELS.com)



October 30, 2020

Re: Fargo, ND Development Project  
Letter of Reference for Sandy Hoff

To Whom It May Concern

I am writing today to share my experiences working with Sandy Hoff. I am currently the President and CEO of APEX, the Area Partnership for Economic Expansion. My previous position was with the City of Duluth (City), where I was the Director of Business and Community Development and Executive Director of the Duluth Economic Development Authority (DEDA). While at the City, I had the good fortune to work with Sandy from start to near finish of the Pier B Resort Project. This project is a shining star on the waterfront, and a place where I frequently go to relax and unwind with friends and business colleagues alike.

The actual pier, Pier B, was owned by the DEDA and sold to Sandy and his team of investors. The ownership, complexity, and special challenges of the site made development a very visible and public process. It required a developer with an outstanding skillset, including vision, communications, financial acumen, regulatory knowledge, and above all, passion, to see the project through and make it happen.

After participating in this project, I would trust Sandy Hoff with the most important projects anywhere, and I think he will do a great job working with the team in Fargo, ND. If I can answer any questions, or be of further service, please feel free to contact me direct at [brian@apexgetsbusiness.com](mailto:brian@apexgetsbusiness.com), or 218.730.7330.

Sincerely

Brian W. Hanson  
President & CEO, APEX

306 West Superior Street, Suite 902, Duluth, MN 55802  
(218) 740-3667  
[www.apexgetsbusiness.com](http://www.apexgetsbusiness.com)



## The Landing Mixed-Use

FARGO, NORTH DAKOTA

**Relevance:** This project will be visually stunning as you travel north on 10th Street and will set a prominent new west entry for downtown.

As land for redevelopment downtown is limited, this four-story, 154-unit mixed-use project with below grade parking serves as a gateway to its evolving neighborhood and extends downtown a few blocks west. The design incorporates walk-up units and an expansive loading dock embracing a connection to the street as well as a nod to the site's historic roots as a planing mill. Rooftop patios connect the indoor community spaces to outdoor experiences. Residents enjoy this amenity along with a dog walk, dog spa, lounge, fitness space, ground level restaurant, and access to multiple stalls of parking per unit. JLG is the architect on The Landing project and did not act as nor assist in the development role.

**Completion Date**  
2022

**Square Footage**  
222,000

**Cost Information**  
Project Budget: \$30,000,000

**Client Reference**  
Dale Doubs, Kilbourne Group  
701.355.6611



## Cityscapes

FARGO, NORTH DAKOTA | NORTH DAKOTA STATE UNIVERSITY DOWNTOWN

**Relevance:** A project that revitalized a portion of downtown Fargo with multiple floors of NDSU managed housing over a mixed-use first floor and lower level parking.

Cityscapes Plaza is a five-story mixed-use building located on a key site in downtown Fargo, North Dakota. The project is owned by Cityscapes Development, but the upper four floors are managed by NDSU for students attending the new downtown campus of NDSU and are comprised of 104 apartments providing 214 student beds. The 42,920 square foot ground floor is devoted to retail space, including a food court. The basement level provides parking for 75 cars in a heated parking garage. Fast Track Construction ensured that the building was completed in time to welcome students from the new NDSU Downtown Business College.

**Completion Date**  
2007

**Square Footage**  
175,470 (new construction)

**Cost Information**  
Construction Cost: \$13,500,000

**Client Reference**  
Mike Ballinger, CEO  
701.280.5885







GRAND FORKS, NORTH DAKOTA

Located in the heart of downtown Grand Forks, North Dakota, Selkirk Loft's Redevelopment provides an engaging and creative environment that integrates commercial space with downtown housing and a community park space utilizing many of the existing art pieces currently on site, as well as makes room for new art to be commissioned. This addition of commercial space and downtown housing elevates an already active streetscape by attracting a variety of businesses and people and assists in creating a vibrancy that is activated throughout the entire day. The park has become an even more vibrant location for events, concerts, outdoor dining, and recreation while the 4th Street side enhances the shopping experience for downtown patrons.

**Design Awards**  
ALA North Dakota Merit Award

29 JLG Architects



<b>Completion Date</b> 2016	<b>Square Footage</b> 50,400 new construction	<b>Client Reference</b> Kevin Rillema 781.772.4101
--------------------------------	--------------------------------------------------	----------------------------------------------------------



## FARGO, NORTH DAKOTA

This six-story mixed-use project will provide much needed urban housing adjacent to services in a walkable neighborhood providing further activation of the street and community. The mixed-use portion of the project is designed to wrap the parking ramp, which is also part of the project. Project contains just under 100 dwelling-units with 20,000-sf of commercial space on first level. JLG is only the architect on the Mercantile project and did not act as nor assist in the development role.

<b>Completion Date</b> 2001	<b>Size</b> 140,000 ramp 120,000 monopile	<b>Cost Information</b> Project Budget: \$29.5M	<b>Client Reference</b> Keith Leary, Kilcoeur 201.252.2179
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## Pure North Development

GRAND FORKS, NORTH DAKOTA

**Relevance:** This project provides much needed street level amenities and housing serving the entire downtown community at the core of Grand Forks.

Located on the west end of Grand Forks' downtown core, the Hugo's mixed-use project proposes a transformation of an entire block which is currently underdeveloped. It addresses a growing demand in cities, including Grand Forks, not just for new housing options, but for businesses which support a growing downtown population. A primary commercial component of the project will be a grocery store. The location provides residents of downtown and the surrounding neighborhoods with convenient access to essential items, and adds a basic service important to continued development.

The building will include ground-floor commercial space with three floors of residential use above. The largest tenant will be a 20,000 square-foot grocery store. The store will feature a mezzanine level and outdoor patio, inviting customers to eat and socialize on-site. Building residents will have the convenience of a direct connection to the grocery. A branch bank with three drive-through lanes maintains the convenience necessary for downtown businesses and nearby residents. Fifty apartment units located above the commercial spaces are a mix of one-, two- and three-bedroom units. Amenities will include private balconies at each unit, a fourth-story lounge, and rooftop patio overlooking DeMers Avenue.



IN CONSTRUCTION

<b>Completion Date</b>	2021
<b>Square Footage</b>	106,800 new construction
<b>Delivery Method</b>	Design-Bid-Build
<b>Cost Information</b>	Construction Budget: \$7,755,281 Construction Cost in construction: \$7,172,510
<b>Client Reference</b>	Kevin Breiman, Dorco Commercial & Development 701.772.5101



## Clues (Comunidades Latinas Unidas En Servicio)

ST. PAUL, MINNESOTA

**Relevance:** Constructed successfully on a tight urban sight with lots of jurisdictional constraints, limited parking and adjacent occupied buildings.

Almost doubling the size of their St. Paul headquarters, CLUES (Comunidades Latinas Unidas En Servicio) has entered a new season as an organization. For over 35 years, the Twin Cities Latino/a communities served by CLUES have benefited from programming that supports health and family wellbeing, economic vitality, education and cultural, and civic engagement.

The expansion became a reality through years of planning, fundraising, and building. CLUES, through the capital campaign, raised a \$7.5 million project budget. CLUES is also now home to Minnesota's first exclusively Latino Art Gallery, a key feature of the expansion. Through the perspective of featured artists, the space will amplify narratives that provide a sense of belonging and power to the community.

In total, the expansion brought the size of the CLUES headquarters building to 40,000 square feet. They added six new classrooms, flexible meeting space, and a Latino Elder Day Center. While each room promotes specific intentions, they support the larger purpose of strengthening the community's social fabric.

<b>Completion Date</b>	2019
<b>Square Footage</b>	42,000
<b>Cost</b>	Construction Cost: \$7,500,000
<b>Client Reference</b>	Ruby Lee, President 651.279.4216





## SMEC Southern MN Education Consortium

ADAMS, MINNESOTA

**Relevance:** ICS led a team to deliver a comprehensive set of services on an aggressive schedule with multiple end-user clients.

ICS partnered with the Southern MN Education Consortium (SMEC) to review multiple scenarios to consolidate the consortium's services as a single, central location. SMEC purchased a 9.56-acre property in Adams, MN where ICS assisted in several months of development and refinement. The new facility takes care of two areas crucial to the coop - an alternative learning center (ALC) and the ability to offer level-four programming for students. The new center fits about 18 level-four program students and up to 50 ALC students. In collaboration with MLA Architects, the new facility also includes areas for various classrooms, administration areas, conference rooms, cafeteria/commons space, and more.

<b>Completion Date</b>	2020
<b>Square Footage</b>	13,000
<b>Cost</b>	Construction Cost: \$4,100,000
<b>Client Reference</b>	Don Amagosi, Executive Director damagosi@smec.k12.mn.us



## St. Olaf - Ole Avenue Project

NORTHFIELD, MINNESOTA

**Relevance:** Within significant City constraints and considerations and with heavy community and client engagement, ICS delivers a successful housing project.

A ICS is managing the construction of the Ole Avenue project on St. Olaf's campus. This project includes a new 300-bed residence hall, 140 townhouse beds set in townhouse-style residences, 200 additional parking stalls, green space, and other improvements. Over the last 30 years, the campus has grown and the need for space has increased. Featuring more lounges and study areas, the new residence hall will significantly reduce overcrowding and restore community spaces designed to enhance student interaction. ICS is also providing owner representation services for the upcoming President's Residence project for St. Olaf College.

<b>Completion Date</b>	Fall 2022
<b>Square Footage</b>	550 beds
<b>Cost</b>	Projected Cost: \$40,000,000
<b>Client Reference</b>	Janet Hansen, VP & CFO 507/786.3018





October 29th, 2020

Mr. Jason Haagenston  
JLG Architects  
JLG Development  
214 Broadway  
Fargo, ND 58102

Mr. Sandy Hoff  
F.J. Salter  
8008 W. Railroad Street  
Duluth, MN 55802

RE: Letter of Interest & Support - Acquisition & Development - 501 Main Avenue

Dear Jason & Sandy,

Based upon our preliminary review of the project details you have provided to date, the 501 Main Avenue project has all of the makings to be a viable, flexible, and functional project for our community.

With regards to our working relationship with JLG Architects, I can say that you have proven to be a reputable and experienced Architecture Firm with significant experience not only in Fargo and the State of North Dakota, but throughout our Region.

In discussing the project at a high level with Mr. Haagenston, the team you have assembled appears to have not only a good working relationship, but a proven track record of successfully completing projects on time and on budget. This is paramount, not only, for the successful completion of the project, but the long-term viability of the project.

The proposed location for this Downtown Fargo In-Fill project appears to be a very sound location for a mixed use development project. It appears that the adjacent City Owned Parking Facility, in conjunction with the proposed surface and underground parking should provide sufficient to very good parking spaces to your proposed project.

First International Bank & Trust has been a Family Owned Community Bank, based in North Dakota, for 110 years. Our bank has sound experience with Mixed-Use and Multi-Family development projects in Downtown Fargo. Our bank also has a proven track record of supporting the community of Fargo and investing in our community to keep it progressing forward.



501 25th St S  
P.O. Box 10938  
Fargo, ND 58103  
(701) 232-1700  
firstbank.com

Mr. Jason Haagenston and Mr. Sandy Hoff  
October 29th, 2020  
Page 2

As you progress on your Request for Offer with the City of Fargo Auditor's Office, please keep us updated. We are hopeful that you are successful in your proposal and we look forward to discussing this project with you further and in more detail.

With the right combination of Equity and Pre-leases/sales, coupled with property tax exemptions (Renaissance Zone) this proposed project has the potential to be a win, win, win for all of the parties involved. With the above items, this could be a very good partnership.

We appreciate the opportunity to be of service to you and your team. Please let me know with any questions or discussion, as you move forward. I can be reached at my direct office phone (701) 893-3550.

Thank You. Sincerely,

Kevin Jordre  
Branch President - Fargo South  
Direct Phone: (701) 893-3550  
kjordre@fbt.com



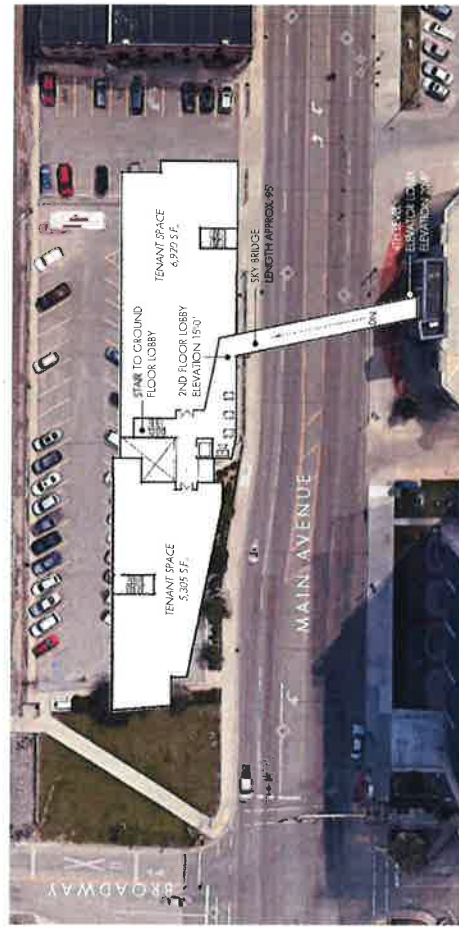
# APPENDIX

## Skyway / Safe Pedestrian Crossing to Island Park Ramp

The JIG Development/FL Salter co-development team sees an opportunity for a win-win situation to create additional value for the solution by increasing use of the Island Park Ramp while providing additional parking capacity that is convenient to support the proposed development.

While not required, we believe that a safe, mid-block, at-grade crossing or tempered skyway would support the City in capturing additional revenue from an under-scribed structured parking facility while making the proposed project more attractive to residents and businesses.

The co-development team is excited to continue discussions as to what is possible. We are, however, prepared to move forward without a connection and could not absorb the full cost commitment of these improvements to the project.



# **REQUEST FOR OFFERS TO PURCHASE CITY-OWNED PROPERTY** Disposition of 501 Main Avenue, Fargo September 9, 2020

The City of Fargo is seeking offers to purchase City-owned property at 501 Main Avenue. Offers must include a preliminary proposal for future land use. Preference to offers showing highest and best use of the property may be given priority over the highest offer received. Acceptance of offer is subject to the conditional approval of the City Commission, negotiation of terms of an agreement by which the successful offer and the City will be bound and final approval of said agreement by the City Commission. No offer less than \$500,000 will be accepted. **Offers are due November 2, 2020.** The offer accepted will be for the proposal that most effectively addresses minimum development requirements.

## **BACKGROUND**

The City of Fargo owns a parking lot at 501 Main Avenue. The land was purchased from the BNSF railroad for use as a parking lot. The parking lot isn't needed with adequate space available in the Island Park Ramp across the street.

## **PROPOSED REDEVELOPMENT OF SITE MUST INCLUDE:**

- Construction of a building of at least four stories in height.
- Commercial or offices on the first floor.
- Floors above the first floor may be offices or housing.
- Be consistent with the character of adjacent properties, especially the property to the east.

## **DESCRIPTION OF SUBJECT PROPERTY**

- Address: 501 Main Avenue
- Property Description: The property includes land owned by the City and land that is licensed from the railroad. Property excluded is land used for right-of way and will not be included in the purchase.
- Zoning: DMU. The City of Fargo Land Development Code establishes development standards.
- Incentives: The property is located in the Renaissance Zone. Incentives will be limited to those allowed by the Renaissance Zone program.
- Opportunity Zone: The property is located in a Federal Opportunity Zone.
- Current Use: Surface parking lot.
- Subdivision of property: The City will work with the purchaser of the property to plat the property prior to the purchase.

## **SUBMISSION REQUIREMENTS**

All offers must be received by **November 2, 2020 at 4:00 p.m.** Any offers received after that time will be rejected. Submit offers containing the required information, along with a signed copy of this request to:

Auditor's Office  
225 4th Street North, Fargo, ND 58102  
Attn: Jim Gilmour  
Re: Disposition of 501 Main Avenue

The following information must be provided about the purchaser:

- Name and mailing address

The following information must be provided about the preliminary proposal unless noted optional:

- Project description
- Timeline
- Proposed project budget
- Preliminary plans (Minimal preparation suggested – concept and diagrammatic only)
  - o Schematic drawings - site plan, floor plan, elevations of the proposed structure
  - o Proposed access, parking and construction staging

## **EVALUATION OF PROPOSALS**

The City reserves the right, in its sole discretion, to reject any and all proposals or accept any proposal in whole or in part. The City will evaluate proposals based on the following criteria:

- Project's consistency with downtown plans
- Proposer's ability to complete the project
- The amount of the offer

## **OFFER**

The minimum offer accepted must be equal to or more than \$500,000 and meet the requirements to develop the property.

  
Sandy Hoff, LREA  
President  
F.I. Saller

  
Jason Haagen, CPA  
Director of Development  
JLG Development







30a

December 9, 2020

Board of City Commissioners  
City Hall  
Fargo, ND 58102

Dear Commissioners:

Chapter 57-02.2 of the North Dakota Century Code provides for a property tax exemption for certain types of improvements made to existing buildings.

I have attached a copy of an application for real estate tax exemption of building improvements for the property at 60 Fremont Dr S as submitted by Karri & Robert Becker. A description of the property involved, types of improvements to be made, and assessment information are indicated on the application.

It is my opinion that the value of some of the improvements, referred to in the application, qualifies for the exemption. This exemption would be for the years 2021, 2022 & 2023.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$140 with the City of Fargo's share being \$25.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mike Splonskowski".

Mike Splonskowski  
City Assessor

bsb  
attachment

**Application For Property Tax Exemption For Improvements  
To Commercial And Residential Buildings**  
North Dakota Century Code ch. 57-02.2  
(File with the local city or township assessor)

**Property Identification**

1. Name of Property Owner KARRI & ROBERT BECKER Phone No. \_\_\_\_\_

2. Address of Property 60 FREMONT DR S

City FARGO State ND Zip Code 58103

3. Legal description of the property for which the exemption is being claimed. LT 6 BLK 16 BLUEMONT LAKES 7TH ADDN

4. Parcel Number 01-0176-03540-000 Residential ☒ Commercial ☐ Central Business District ☐

5. Mailing Address of Property Owner SAME

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

**Description Of Improvements For Exemption**

6. Describe the type of renovating, remodeling or alteration made to the building for which the exemption is being claimed (attach additional sheets if necessary). REMODEL UPPER & LOWER LEVEL ~~REMODEL~~  
\* Bathrooms only \* Bathrooms only

7. Building Permit No. 20060436 8. Year Built 1985

9. Date of Commencement of making the improvement August 2020 (I don't remember exact date)

10. Estimated market value of property before improvement \$ 162,300

11. Cost of making the improvement (all labor, material and overhead) \$ 27,400<sup>00</sup>

12. Estimated market value of property after improvement \$ \_\_\_\_\_

**Applicant's Certification and Signature**

13. I certify that the above information is correct to the best of my knowledge and I apply for this exemption.

Applicant's Signature Robert Becker Date 11.26.20

**Assessor's Determination**

14. The local assessor finds that the improvements in this application has ☒ has not ☐ met the qualifications for exemption for the following reason(s): \_\_\_\_\_

Assessor's Signature Mike J. [unclear] Date 12-10-2020

**Action of Governing Body**

15. Action taken on this application by local governing board of the county or city: Denied ☐ Approved ☐

Approval subject to the following conditions: \_\_\_\_\_

Chairman of Governing Body \_\_\_\_\_ Date \_\_\_\_\_

\* Please note: the only rooms remodeled were the bathrooms.  
 1- upper level + 1- lower level. No other rooms were remodeled. Karri Becker



306

December 9, 2020

Board of City Commissioners  
City Hall  
Fargo, ND 58102

Dear Commissioners:

Chapter 57-02.2 of the North Dakota Century Code provides for a property tax exemption for certain types of improvements made to existing buildings.

I have attached a copy of an application for real estate tax exemption of building improvements for the property at 2961 Peterson Pkwy N as submitted by Jane Voglewede & David Abbott. A description of the property involved, types of improvements to be made, and assessment information are indicated on the application.

It is my opinion that the value of some of the improvements, referred to in the application, qualifies for the exemption. This exemption would be for the years 2021, 2022 & 2023.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$130 with the City of Fargo's share being \$20.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mike Splonskowski".

Mike Splonskowski  
City Assessor

bsb  
attachment



**Application For Property Tax Exemption For Improvements  
To Commercial And Residential Buildings**

North Dakota Century Code ch. 57-02.2  
(File with the local city or township assessor)

**Property Identification**

VOGLEWEDE

1. Name of Property Owner Jane Vogeweide + David Abbott Phone No. 701-238-8200

2. Address of Property 2961 Peterson Pkwy N

City FARGO State ND Zip Code 58102

3. Legal description of the property for which the exemption is being claimed. Block 4; Lot 20

4. Parcel Number 01-0735-00770-000 Residential ☒ Commercial ☐ Central Business District ☐

5. Mailing Address of Property Owner Same

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

**Description Of Improvements For Exemption**

6. Describe the type of renovating, remodeling or alteration made to the building for which the exemption is being claimed (attach additional sheets if necessary). Remodel Bathroom

7. Building Permit No. 19120038 8. Year Built 1984

9. Date of Commencement of making the improvement 12/3/19

10. Estimated market value of property before improvement \$ 378,100

11. Cost of making the improvement (all labor, material and overhead) \$ 35,000

12. Estimated market value of property after improvement \$ 388,100

**Applicant's Certification and Signature**

13. I certify that the above information is correct to the best of my knowledge and I apply for this exemption.

Applicant's Signature Jane Vogeweide Date 12-7-2020

**Assessor's Determination**

14. The local assessor finds that the improvements in this application has ☒ has not ☐ met the qualifications for exemption for the following reason(s):

Assessor's Signature Willa Blomhoul Date 12-10-2020

**Action of Governing Body**

15. Action taken on this application by local governing board of the county or city: Denied ☐ Approved ☐

Approval subject to the following conditions: \_\_\_\_\_

Chairman of Governing Body \_\_\_\_\_ Date \_\_\_\_\_



December 11, 2020

Board of City Commissioners  
City Hall  
Fargo, ND 58102

Dear Commissioners:

Chapter 57-02.2 of the North Dakota Century Code provides for a property tax exemption for certain types of improvements made to existing buildings.

I have attached a copy of an application for real estate tax exemption of building improvements for the property at 3541 29 St S as submitted by Edward & Carolyn Bean. A description of the property involved, types of improvements to be made, and assessment information are indicated on the application.

It is my opinion that the value of some of the improvements, referred to in the application, qualifies for the exemption. This exemption would be for the years 2021, 2022 & 2023.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$115 with the City of Fargo's share being \$20.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mike Splonskowski".

Mike Splonskowski  
City Assessor

bsb  
attachment

**Application For Property Tax Exemption For Improvements  
To Commercial And Residential Buildings**

**North Dakota Century Code ch. 57-02.2**  
(File with the local city or township assessor)

**Property Identification**

1. Name of Property Owner	Edward & Carolyn Bean			Phone No.	701 261 9687
2. Address of Property	3541 29 St S				
City	FARGO	State	ND	Zip Code	58104
3. Legal description of the property for which the exemption is being claimed.	Lt 14 Blk 2 Hunters Prairie				
4. Parcel Number	01-1395-00300-000	Residential	<input checked="" type="checkbox"/>	Commercial	<input type="checkbox"/>
		Central Business District	<input type="checkbox"/>		
5. Mailing Address of Property Owner	Same				
City		State		Zip Code	

**Description Of Improvements For Exemption**

6. Describe the type of renovating, remodeling or alteration made to the building for which the exemption is being claimed (attach additional sheets if necessary).	Reside dwelling	
7. Building Permit No.	20050787	8. Year Built
		1995
9. Date of Commencement of making the improvement	May 2020	
10. Estimated market value of property before improvement	\$	190,700
11. Cost of making the improvement (all labor, material and overhead)	\$	19,000
12. Estimated market value of property after improvement	\$	199,300

**Applicant's Certification and Signature**

13. I certify that the above information is correct to the best of my knowledge and I apply for this exemption.
Applicant's Signature <u>Edward &amp; Carolyn Bean</u> Date <u>12/9/2020</u>

**Assessor's Determination**

14. The local assessor finds that the improvements in this application has <input checked="" type="checkbox"/> has not <input type="checkbox"/> met the qualifications for exemption for the following reason(s):
Assessor's Signature <u>Walter J. Jankowski</u> Date <u>12-11-2020</u>

**Action of Governing Body**

15. Action taken on this application by local governing board of the county or city: Denied <input type="checkbox"/> Approved <input type="checkbox"/>
Approval subject to the following conditions:
Chairman of Governing Body _____ Date _____

Could not →

Submit Via Email





December 11, 2020

Board of City Commissioners  
City Hall  
Fargo, ND 58102

Dear Commissioners:

Chapter 57-02.2 of the North Dakota Century Code provides for a property tax exemption for certain types of improvements made to existing buildings.

I have attached a copy of an application for real estate tax exemption of building improvements for the property at 161 South Woodcrest Dr N as submitted by Jonathan & Sadie Erickson. A description of the property involved, types of improvements to be made, and assessment information are indicated on the application.

It is my opinion that the value of some of the improvements, referred to in the application, qualifies for the exemption. This exemption would be for the years 2021, 2022, 2023, 2024 & 2025.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$730 with the City of Fargo's share being \$125.

Sincerely,

A handwritten signature in cursive script that reads "Mike Splonskowski".

Mike Splonskowski  
City Assessor

bsb  
attachment

**Application For Property Tax Exemption For Improvements  
To Commercial And Residential Buildings**  
North Dakota Century Code ch. 57-02.2  
(File with the local city or township assessor)

**Property Identification**

1. Name of Property Owner Jonathon & Sadie Erickson Phone No. 701/306-9145

2. Address of Property 161 South Woodcrest Dr. N.

City FARGO State ND Zip Code 58102

3. Legal description of the property for which the exemption is being claimed. Block 16; Lot 14 Woodcrest 3rd  
01-4060-00610-000

4. Parcel Number 19100129 Residential ☒ Commercial ☐ Central Business District ☐

5. Mailing Address of Property Owner Same

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

**Description Of Improvements For Exemption**

6. Describe the type of renovating, remodeling or alteration made to the building for which the exemption is being claimed (attach additional sheets if necessary). Remodel Kitchen

7. Building Permit No. 19100129 8. Year Built 1973

9. Date of Commencement of making the improvement 10/3/19

10. Estimated market value of property before improvement \$ 270,400

11. Cost of making the improvement (all labor, material and overhead) \$ 159,514

12. Estimated market value of property after improvement \$ 326,100

**Applicant's Certification and Signature**

13. I certify that the above information is correct to the best of my knowledge and I apply for this exemption.

Applicant's Signature Jon Erickson Date 12/6/20

**Assessor's Determination**

14. The local assessor finds that the improvements in this application have ☒ has not ☐ met the qualifications for exemption for the following reason(s): \_\_\_\_\_

Assessor's Signature Vicky J. Schuchert Date 12-11-2020

**Action of Governing Body**

15. Action taken on this application by local governing board of the county or city: Denied ☐ Approved ☐

Approval subject to the following conditions: \_\_\_\_\_

Chairman of Governing Body \_\_\_\_\_ Date \_\_\_\_\_



December 9, 2020

Board of City Commissioners  
City Hall  
Fargo, ND 58102

Dear Commissioners:

Chapter 57-02.2 of the North Dakota Century Code provides for a property tax exemption for certain types of improvements made to existing buildings.

I have attached a copy of an application for real estate tax exemption of building improvements for the property at 1533 10 St S as submitted by Michael & Delpha Haugrud. A description of the property involved, types of improvements to be made, and assessment information are indicated on the application.

It is my opinion that the value of some of the improvements, referred to in the application, qualifies for the exemption. This exemption would be for the years 2021, 2022, 2023, 2024 & 2025.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$105 with the City of Fargo's share being \$20.

Sincerely,

A handwritten signature in cursive script that reads "Mike Splonskowski".

Mike Splonskowski  
City Assessor

bsb  
attachment



**Application For Property Tax Exemption For Improvements  
To Commercial And Residential Buildings**

North Dakota Century Code ch. 57-02.2  
(File with the local city or township assessor)

**Property Identification**

1. Name of Property Owner	Michael & Delpha Haugrud		Phone No.	701 541 0918
2. Address of Property	1533 10 St S			
City	FARGO	State	ND	Zip Code 58103
3. Legal description of the property for which the exemption is being claimed.	Lt 9 Blk 20 Huntingtons			
4. Parcel Number	01-1400-035600-000	Residential	<input checked="" type="checkbox"/>	Commercial <input type="checkbox"/> Central Business District <input type="checkbox"/>
5. Mailing Address of Property Owner	Same			
City		State		Zip Code

**Description Of Improvements For Exemption**

6. Describe the type of renovating, remodeling or alteration made to the building for which the exemption is being claimed (attach additional sheets if necessary).	Reside dwelling	
7. Building Permit No.	20110088	8. Year Built 1941
9. Date of Commencement of making the improvement	9/21/2020	
10. Estimated market value of property before improvement	\$	199,600
11. Cost of making the improvement (all labor, material and overhead)	\$	10810
12. Estimated market value of property after improvement	\$	207,500

**Applicant's Certification and Signature**

13. I certify that the above information is correct to the best of my knowledge and I apply for this exemption.	
Applicant's Signature	Date 12/9/2020

**Assessor's Determination**

14. The local assessor finds that the improvements in this application has <input checked="" type="checkbox"/> has not <input type="checkbox"/> met the qualifications for exemption for the following reason(s):
Assessor's Signature Date 12-10-2020

**Action of Governing Body**

15. Action taken on this application by local governing board of the county or city: Denied <input type="checkbox"/> Approved <input type="checkbox"/>
Approval subject to the following conditions:
Chairman of Governing Body Date

**Submit Via Email**

# APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT

OFFICE OF ATTORNEY GENERAL

SFN 9338 (08/2019)

Application for:

☒ Local Permit

\* ☐ Restricted Event Permit (one event per year)

Name of Nonprofit Organization or group of people permit is issued to <b>Vietnam Veterans Of America Chapter 941</b>		Date(s) of Activity to 4/30/2021		For a raffle, provide drawing date(s): 4/30/21	
Person Responsible for the Gaming Operation and Disbursement of Net Income <b>David Gill</b>		Title <b>Treasurer</b>		Business Phone Number <b>(701) 200-8785</b>	
Business Address <b>Po Box 7327</b>		City <b>Fargo</b>		State <b>ND</b>	Zip Code <b>58106-7327</b>
Mailing Address (if different) <b>1215 18th St S</b>		City <b>Moorhead</b>		State <b>MN</b>	Zip Code <b>56560-3126</b>
Name of Site Where Game(s) will be Conducted <b>Fargo Air Museum</b>		Site Address <b>1609 19th Ave N</b>			
City <b>Fargo</b>		State <b>ND</b>	Zip Code	County <b>Cass</b>	
Check the Game(s) to be Conducted: * Poker, Twenty-one, and Paddlewheels may be Conducted only by a Restricted Event Permit.					
<input type="checkbox"/> Bingo <input checked="" type="checkbox"/> Raffle <input type="checkbox"/> Raffle Board <input type="checkbox"/> Calendar Raffle <input type="checkbox"/> Sports Pool <input type="checkbox"/> Poker * <input type="checkbox"/> Twenty-one * <input type="checkbox"/> Paddlewheels *					

### DESCRIPTION AND RETAIL VALUE OF PRIZES TO BE AWARDED

Game Type	Description of Prize	Retail Value of Prize
Raffle	2000 Harley	\$4,700.00
Raffle	Cash	\$500.00
Raffle	Cash	\$250.00


Game Type	Description of Prize	Retail Value of Prize
<b>Total:</b>		(Limit \$40,000 per year) \$

**Intended uses of gaming proceeds:** provide programs and services that improve the well-being of all veterans

Does the organization presently have a state gaming license? ☒ No ☐ Yes - If "Yes," the organization is not eligible for a local permit or restricted event permit and should call the Office of Attorney General at 1-800-326-9240.

Has the organization or group received a restricted event permit from any city or county for the fiscal year July 1-June 30? ☐ No ☒ Yes-If "Yes," the organization or group does not qualify for a local permit or restricted event permit.

Has the organization or group received a local permit from any city or county for the fiscal year July 1-June 30? ☒ No ☐ Yes-If "Yes," indicate the total value of all prizes previously awarded: \$ \_\_\_\_\_. This amount is part of the total prize limit of \$40,000 per year.

Signature of Organization or Group's Top Official 	Date 12/21/2020	Title Treasurer	Business Phone Number (701) 200-8785
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