

FARGO CITY COMMISSION AGENDA  
Monday, March 25, 2019 - 5:00 p.m.

City Commission meetings are broadcast live on TV Fargo Channel 56 and online at [www.FargoND.gov/streaming](http://www.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 [www.FargoND.gov/citycommission](http://www.FargoND.gov/citycommission).

- A. Pledge of Allegiance.
- B. Roll Call.
- C. Approve Order of Agenda.
- D. Minutes (Regular Meeting, March 11, 2019).

**CONSENT AGENDA – APPROVE THE FOLLOWING:**

- 1. Receive and file an Ordinance Repealing and Re-enacting Article 17-02, 17-04 and 17-05 and Enacting Articles 17-06 through 17-16 of Chapter 17 of the Fargo Municipal Code Relating to Sewers and Sewerage.
- 2. 2nd reading and final adoption of an Ordinance Repealing and Re-Establishing a Conditional Overlay District On Certain Parcels of Land Lying in Schatz Fourth Addition; 1st reading 3/11/19.
- 3. Applications for property tax exemptions for improvements made to buildings:
  - a. Stacy A. Lieser, 1706 14th Street South (5 year).
  - b. American Federal Bank, 215 5th Street North (5 year).
  - c. Bruce Thompson, 910 7th Street North (5 year).
  - d. Erik Berg, 1110 3rd Avenue North, Unit 701W (5 year).
- 4. Applications for Games of Chance:
  - a. Fargo Rotary Club for a raffle on 5/22/19.
  - b. Kappa Alpha Theta-Gamma Nu for a raffle on 4/17/19.
  - c. Fargo Post 2 Baseball Club for a calendar raffle from 7/1/19 to 8/30/19.
  - d. Homeward Animal Shelter for a raffle on 4/11/19.
- 5. Bid award for Outdoor Warning Sirens (RFP19017).
- 6. Lot split and sale of excess land located at 2 6th Avenue North with the condition that the buyer will remove the existing gate well, storm sewer and fill in the existing pond.
- 7. Final Balancing Change Order No. 4 for an increase of \$373.00 for Project No. TR-17-B1.
- 8. Contract Amendment No. 6 with Houston Engineering Inc. in the amount of \$42,700.00 for Project No. FM-14-13.
- 9. Right of Way permit for storm sewer reconstruction with payment to BNSF in the amount of \$3,700.00 for Project No. UR-19-A1.
- 10. Maintenance Agreement (Public Right of Way) with Border States Paving.

- Page 21.
21. Purchase Agreement with Jeffrey L. Johnson and Marsha E. Johnson, Trustees of the Jeffrey L. Johnson Living Trust and Marsha E. Johnson and Jeffrey L. Johnson Trustees of the Marsha E. Johnson Living Trust for property located at 747 Royal Oaks Drive North (Project No. FM-19-B).
  12. Bid award for 2019 Flood Emergency Traffic Control Contractor Assistance – City Wide.
  13. Bid award for Project No. PR-19-A1.
  14. Bid advertisement for Project Nos. SL-19-A and UR-19-A.
  15. Task Order No.1 with Houston Engineering Inc. to provide Flood Survey Assistance (Project No. FE-19-C1) and bid awards for rapid deploy flood fighting products and rapid deploy product installation (Project No. FE-19-E1).
  16. Notice of Grant Award with the ND Department of Health for Title X Family Planning Program services (CFDA #93.217).
  17. Purchase of Service Agreement with the ND Department of Human Services, Behavioral Health Division for substance abuse prevention.
  18. Recommended amendments to the Metropolitan Council of Governments Articles of Association.
  19. Lease Agreement with FM Metropolitan Council of Governments.
  20. Request for a Fargo Police Department Summer Camp Mentor position.
  21. Purchase of one sweeper/scrubber from Tennant Sales and Service Company for a contract total of \$59,777.42 (PBC19871).
  22. Bid award for one 2019 excavator (RFP18309).
  23. Authorization of staff to enter into an Agreement with Reile's Transfer and Delivery, Inc. for transportation and handling of filled sandbags and at-the-ready services for filled sandbags used in the primary line of protection during the 2019 flood event.
  24. FAA Aerial Mosquito Spraying Authorization Application for Airborne Custom Spraying, Inc.
  25. Bid advertisement for near-term ozone improvements project (Project No. WA 1862) and raw water valve improvements project (Project No. WA 1951).
  26. Contract and bonds for Project Nos. SN-19-A1 and SR-19-A1.
  27. Bills.
  28. Bid awards for Improvement District Nos. BR-18-A1 and PR-19-E1.
  29. Request from KPH to complete work on Sundays and after hours (Improvement District No. BN-19-A1).
  30. Create Improvement District Nos. SL-19-E and TN-19-A.
  31. Contract and bond for Improvement District No. PN-18-C1.

**REGULAR AGENDA:**

32. Applications for Abatement or Refund of Taxes #'s 4481, 4482 and 4483 for the 2018 tax year filed by David Sholy for reduction in value of property from \$191,000.00 to \$115,000.00 at 346 27th Circle South; for reduction in value of property from \$207,000.00 to \$130,000.00 at 334 27th Circle South; and for reduction in value from \$346,600.00 to \$325,000.00 at 3510 Park Avenue South; denial is being recommended by the Assessment Department.
33. Public Hearings - 5:15 pm:
  - a. Proposal to alter and expand the Renaissance Zone boundary from 47 blocks to 48 1/2 blocks.
  - b. Plat of Maier Second Addition (1135, 1141 and 1201 49th Avenue South); approval recommended by the Planning Commission on 7/3/18.
  - c. Providence at Prairie Farms Addition (5764, 5788, 5810, 5830, 5850, 5866, 5882, 5892, 5906 and 5920 31st Street South); approval recommended by the Planning Commission on 7/3/18:
    1. Zoning Change from SR-4, Single-Dwelling Residential with a C-O, Conditional Overlay to SR-4, Single-Dwelling Residential, and SR-4, Single-Dwelling Residential with a C-O, Conditional Overlay to P/I, Public and Institutional with a C-O, Conditional Overlay.
    2. 1st reading of rezoning Ordinance.
    3. Plat of Providence at Prairie Farms Addition.
  - d. Airport First Addition (2102 12th Street North); approval recommended by the Planning Commission on 2/5/19:
    1. Zoning Change from LI, Limited Industrial to LC, Limited Commercial.
    2. 1st reading of rezoning Ordinance.
  - e. CONTINUE to 4/22/19 - Application filed by Pho D'Licious, Inc. d/b/a Pho D'Licious for a Class "H" Alcoholic Beverage License at 623 NP Avenue North.
  - f. Application filed by CRA3 Investments LLC d/b/a Wingstop for a Class "H" Alcoholic Beverage License at 2653 45th Street South.
  - g. Transfer of a Class "FA" Alcoholic Beverage License from Transcendent Hospitality Group LLC d/b/a Four Points by Sheraton to Fargo South Hospitality LLC d/b/a Four Points by Sheraton at 5064 23rd Avenue South.
  - h. Transfer of a Class "B-Limited" Alcoholic Beverage License from Lakemode Liquors, Inc. d/b/a Lakemode Liquors to Cash Wise Liquors LLC d/b/a Hornbacher's Wine & Spirits to be located at 4265 45th Street South, Suite 121.
34. Recommendation for appointments and reappointments to the following Boards and Commissions:
  - a. Airport Authority.
  - b. Fargo Dome Authority.
35. Resolution Opposing House Concurrent Resolution No. 3037 Nullifying North Dakota's Ratification of the Equal Rights Amendment.

36. Report on Tax Increment Financing Districts.
37. Recommendation to close TIF District No. 2001-01.
38. Performing Arts Center Taskforce Update.
39. Flood Update.

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 [www.FargoND.gov/citycommission](http://www.FargoND.gov/citycommission).



32

**ASSESSMENT DEPARTMENT**

March 20, 2019

Board of City Commissioners  
City Hall  
Fargo, ND 58102

Dear Commissioners:

Attached are *Applications For Abatement Or Refund Of Taxes* #4481, #4482, and #4483 for the 2018 tax year filed by David Sholy. Application #4481 is for 346 27<sup>th</sup> Circle S. requesting a reduction in value from \$191,000 to \$115,000. Application #4482 is for 334 27<sup>th</sup> Circle S. requesting a reduction in value from \$207,000 to \$130,000. Application #4483 is for 3510 Park Ave. S. requesting a reduction in value from \$346,600 to \$325,000.

334 27<sup>th</sup> Circle S. and 346 27<sup>th</sup> Circle S. are primarily unimproved sites utilized as part of the storage yard for the landscaping business S&S Landscaping. 334 27<sup>th</sup> Circle S. has a small storage building that was moved onto the site in 2012. These sites were part of a land reappraisal effort for 2018 of commercial land between Main Avenue and I-94.

3510 Park Ave. S. is a single family residence which was last reappraised in a mass appraisal using a cost model in 2016. The value was subsequently adjusted in 2017 and 2018 for market changes based on sales ratio analysis of similar properties.

All properties under appeal were valued using the same mass appraisal methods and techniques that were applied to similar properties in the city.

We have included information regarding how these properties were valued and how the values under appeal compare to sales of similar properties. The applicant has provided no appraisal or valuation analysis on these properties to support the valuations requested.

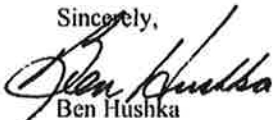
**SUGGESTED MOTIONS:**

**Deny Application For Abatement Or Refund Of Taxes #4481 on 346 27<sup>th</sup> Circle S. and retain the value of \$191,000 for the 2018 tax year.**

**Deny Application For Abatement Or Refund Of Taxes #4482 on 334 27<sup>th</sup> Circle S. and retain the value of \$207,000 for the 2018 tax year.**

**Deny Application For Abatement Or Refund Of Taxes #4483 on 3510 Park Ave. S. and retain the value of \$346,600 for the 2018 tax year.**

Sincerely,

  
Ben Hushka  
Fargo City Assessor

FARGO ASSESSOR

JAN 22 2019

RECEIVED

Application For Abatement  
Or Refund Of Taxes

Name of Applicant  
**SHOLLY COMPANY  
(David Sholly)**

County Auditor's File No.  
**4481**

Date Application Was Filed  
With The County Auditor  
**1/18/2019**

Date County Auditor Mailed  
Application to Township  
Clerk or City Auditor  
**1/18/2019**  
(must be within 90 business days of filing date)

Year	Reduction in Taxable Valuation	Reduction in Taxes

I further certify that the taxable valuation and the taxes ordered abated or refunded by the Board of County Commissioners are as follows:

Year	Taxable Value	Tax	Date Paid (if paid)	Payment Made Under Written Protest?	yes/no

show the following facts as to the assessment and the payment of taxes on the property described in this application.

Certification of County Auditor

I certify that the Board of County Commissioners took the action stated above and the records of my office and the office of the County Treasurer

County Auditor \_\_\_\_\_  
Chairperson \_\_\_\_\_

Dated \_\_\_\_\_

attached.

We reject this application in whole or in part for the following reason(s). Written explanation of the rationale for the decision must be

Based upon an examination of the facts and the provisions of North Dakota Century Code § 57-23-04, we approve this application. The taxable valuation is reduced from \$ \_\_\_\_\_ to \$ \_\_\_\_\_ and the taxes are reduced accordingly. The taxes, if paid, will be refunded to the extent of \$ \_\_\_\_\_. The Board accepts \$ \_\_\_\_\_ in full settlement of taxes for the tax year \_\_\_\_\_.

Application was \_\_\_\_\_ Approved/Rejected \_\_\_\_\_ by action of \_\_\_\_\_ County Board of Commissioners.

Action by the Board of County Commissioners

Dated this \_\_\_\_\_ day of \_\_\_\_\_ City Auditor or Township Clerk \_\_\_\_\_

On \_\_\_\_\_, the governing board of this municipality, after examination of this application and the facts, passed a resolution recommending to the Board of County Commissioners that the application be \_\_\_\_\_

Recommendation of the governing board of \_\_\_\_\_, the governing board of this municipality, after examination of this application and the facts, passed

Recommendation of the Governing Body of the City or Township

### Application For Abatement Or Refund Of Taxes

North Dakota Century Code § 57-23-04

RECEIVED  
CASS COUNTY AUDITOR  
JAN 18 2019 10:00 AM

File with the County Auditor on or before November 1 of the year following the year in which the tax becomes delinquent.

State of North Dakota Assessment District \_\_\_\_\_  
 County of Cass Property I.D. No. 01-5450-00050-000  
 Name Sholy Company Telephone No. 701-866-9692  
 Address 2777 - Fiechtner Drive, Fargo, ND 58103-2332

Legal description of the property involved in this application:

**346 - 27th Circle South, Fargo, ND 58103**

**Lot: 1 Block: 1 Addition: Master Addition Additional:  
MASTER LT 1 BLK 1**

Total true and full value of the property described above for the year 2018 is:

Land \$ 191,000  
 Improvements \$ \_\_\_\_\_  
 Total \$ 191,000  
 (1)

Total true and full value of the property described above for the year 2018 should be:

Land \$ 115,000  
 Improvements \$ \_\_\_\_\_  
 Total \$ 115,000  
 (2)

The difference of \$ 76,000 true and full value between (1) and (2) above is due to the following reason(s):

- 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C. § 57-02-27.2
- 2. Residential or commercial property's true and full value exceeds the market value
- 3. Error in property description, entering the description, or extending the tax
- 4. Nonexisting improvement assessed
- 5. Complainant or property is exempt from taxation. Attach a copy of Application for Property Tax Exemption.
- 6. Duplicate assessment
- 7. Property improvement was destroyed or damaged by fire, flood, tornado, or other natural disaster (see N.D.C.C. § 57-23-04(1)(g))
- 8. Error in noting payment of taxes, taxes erroneously paid
- 9. Property qualifies for Homestead Credit (N.D.C.C. § 57-02-08.1) or Disabled Veterans Credit (N.D.C.C. § 57-02-08.8). Attach a copy of the application.
- 10. Other (explain) \_\_\_\_\_

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go directly to question #5.

1. Purchase price of property: \$ 95,000 Date of purchase: January 18, 2005  
 Terms: Cash  Contract \_\_\_\_\_ Trade \_\_\_\_\_ Other (explain) \_\_\_\_\_  
 Was there personal property involved in the purchase price? No Estimated value: \$ \_\_\_\_\_  
 yes/no

2. Has the property been offered for sale on the open market? No If yes, how long? \_\_\_\_\_  
 yes/no  
 Asking price: \$ \_\_\_\_\_ Terms of sale: \_\_\_\_\_

3. The property was independently appraised: No Purpose of appraisal: \_\_\_\_\_  
 yes/no  
 Market value estimate: \$ \_\_\_\_\_  
 Appraisal was made by whom? \_\_\_\_\_

4. The applicant's estimate of market value of the property involved in this application is \$ 115,000

5. The estimated agricultural productive value of this property is excessive because of the following condition(s): \_\_\_\_\_

Applicant asks that Excessive tax increase (85.09%) be revised to more realistic number to accurately reflect property value.

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. Sec N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12.1-11-02, which provides for a Class A misdemeanor for making a false statement in a governmental matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant) \_\_\_\_\_

DATE

Signature of Applicant \_\_\_\_\_

1-15-2019  
Date

**346 27 Circle S**

01-5450-00050-000

**Sholy Company**

David Sholy

Sholy Company has filed an application for abatement and refund of taxes on the above referenced property. The application, County Auditor's File No. 4481, is requesting a value of \$115,000 or a reduction of \$76,000 for the 2018 assessment year.

The applicant provided two letters disputing the value increases but has provided no supporting documentation for the requested value reduction.

Recapped on the left portion of the following table is the value indication from the abatement application and the difference between that value and the Certified 2018 value. Also recapped on the right portion of the table is the "reviewed" 2018 value and the "certified" values for the 2018, 2017, 2016, and 2015 assessment years. Relevant sales and the valuation of competing properties as recapped in following tables provide the basis for the "reviewed" value and support the 2018 "certified" value.

<b>Sholy Company - 346 27 Cir S</b>		<b>Assessment Department</b>				
	<b>Abatement 2018</b>	<b>Reviewed 2018</b>	<b>Certified 2018</b>	<b>Certified 2017</b>	<b>Certified 2016</b>	<b>Certified 2015</b>
Land Value	\$ 115,000	\$ 191,000	\$ 191,000	\$ 106,000	\$ 106,000	\$ 106,000
Improvement Value	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
True & Full Value	\$ 115,000	\$ 191,000	\$ 191,000	\$ 106,000	\$ 106,000	\$ 106,000
Land Area (sf)	42,444	42,444	42,444	42,444	42,444	42,444
Land Value / sf (Land Area)	\$ 2.71	\$ 4.50	\$ 4.50	\$ 2.50	\$ 2.50	\$ 2.50
Dollar Change (from Respective Value) <sup>1</sup>	\$ (76,000)	\$ -	\$ 85,000	\$ -	\$ -	(Prior Year)
Percent Change (from Respective Value) <sup>1</sup>	-39.8%	0.0%	80.2%	0.0%	0.0%	(Prior Year)
Change Cause		No Change	Land Review / Reappraisal	No Change	No Change	

<sup>1</sup> Dollar & Percent Changes are calculated using the 2018 Certified True & Full Value.

This property was included in a land review / reappraisal effort for the 2018 assessment year, which included all commercially coded land between Main Avenue on the north and I-94 on the south.

The property consists of an unimproved site currently utilized as a storage yard for a local landscape company with all municipal and private services readily available to the site.

Local land sales (recapped in a table on the following page) supports the 2018 certified and reviewed value as recapped in the table above. Also recapped graphically are the land values (on a per square foot basis) of parcels surrounding this property. The income and cost approaches to value are not considered or utilized as this is vacant land and are not applicable valuation methods.

Based on the following analysis, the valuation of this parcel does not appear to be arbitrary, capricious, or excessive but fair and equitable based on the available sales.

**ASSESSMENT DEPARTMENT RECOMMENDATION**

**Retain the current value of \$191,000 as certified for 2018.**



# 346 27 Circle S

# Sholy Company

01-5450-00050-000

David Sholy

The vacant land sales recapped in the table below are all located within the vicinity of the subject property and occurred between January 2014 and October 2015. These vacant land sales are of similar zoning; bracket the subject site in size, with public and private utilities readily available. In addition, one property (in red text below) resold within less than one year and reflects a 16 percent appreciation in sale price. Also recapped is a current listing with an asking price of \$6.72 per square foot (currently valued at \$5.50 per square foot of land area). Overall, these vacant land sales and listing support the current land value of \$4.50 per square foot or \$191,000.

### Land Sales

Address	Sale Date	Sale Price Adjusted	Seg SF	Adj \$ / sf	Status At Sale Date	Zoning
3515 4 AVES						
3501 4 AVE S	02-Jun-15	\$ 348,100	120,661	\$ 2.88	Unimproved LI	
3803 MAIN AVE						
3817 MAIN AVE	09-Sep-15	\$ 399,300	118,089	\$ 3.38	Unimproved GC	
4215 MAIN AVE	05-Sep-14	\$ 477,800	127,734	\$ 3.74	Small Paving GC	
3454 4 AVES						
3502 4 Ave S	25-Nov-14	\$ 630,600	156,000	\$ 4.04	Unimproved LI	
3117 FIECHTNER DR S	21-Jan-14	\$ 177,200	43,601	\$ 4.06	Unimproved LI	
3117 FIECHTNER DR S	28-Nov-14	\$ 205,200	43,601	\$ 4.71	Unimproved LI	
3402 4 AVES						
425 34 ST S	25-Nov-14	\$ 360,600	85,793	\$ 4.20	Unimproved LI	
19 14 1/2 ST N	29-Jul-15	\$ 29,900	6,705	\$ 4.46	Unimproved LI	
777 34 ST S	18-Jun-15	\$ 856,100	164,656	\$ 5.20	Unimproved LI	
2730 7 AVES	12-Sep-14	\$ 150,800	28,178	\$ 5.35	Unimproved LI	
2701 5 AVES	01-Oct-15	\$1,333,000	244,990	\$ 5.44	Unimproved LI	
3401 WESTRAC DR S	24-Mar-14	\$ 487,900	87,120	\$ 5.60	Unimproved LI	
3501 WESTRAC DR S	06-Jan-15	\$ 440,900	78,408	\$ 5.62	Unimproved LI	
3361 WESTRAC DR S	11-Jun-15	\$ 795,300	139,099	\$ 5.72	Unimproved GC	
Minimum	21-Jan-14		6,705	\$ 2.88		
Maximum	01-Oct-15		244,990	\$ 5.72		
Median			102,605	\$ 4.58		
Mean			244,990	\$ 4.60		

ACTIVE LISTINGS AS OF	Jan-19	Adj Asking Price	Seg SF	Adj Asking \$ / sf	Status	Zoning
3361 WESTRAC DR S	LISTING	\$ 934,720	139,099	\$ 6.72	Unimproved GC	

SUBJECT PARCEL	2018 Value	Full Land Value	Seg SF	Value / sf	Status	Zoning
346 27 CIR S		\$ 191,000	42,444	\$ 4.50	Unimproved LI	

Recapped in the table below are sales of parcels located on 27 Circle S. These sales are "old" as they occurred prior to 2014; however, there are two resales (in red text below) indicating an annual compound appreciation rate of 2.3% and 4.2%. When applied to the subject's original purchase price (including unpaid special assessments), the resulting indicated value is between \$3.75 and \$4.77 per square foot. This also brackets the current valuation of this property.

Address	Parcel No	27 Circle S	Sale Date	Contract	Specials	Land Sale Price Adjusted	Seg SqFt	Adj Sale \$ / SF	Comp Rate	Zoning
346 27 CIR S	01-5450-00050-000									
334 27 CIR S	01-5450-00100-000		12-Jan-05	\$200,000	\$37,800	\$237,800	84,888	\$ 2.80		LI
345 27 CIR S	01-5450-00350-000		01-Aug-05	\$112,500	\$10,900	\$123,400	42,460	\$ 2.91		LI
345 27 CIR S	01-5450-00350-000		14-Aug-12	\$153,900	\$10,500	\$164,400	42,460	\$ 3.87	4.2%	LI
333 27 CIR S	01-5450-00300-000		14-Jun-06	\$106,300	\$ 8,500	\$114,800	42,504	\$ 2.70		LI
322 27 CIR S	01-5450-00150-000		02-Apr-07	\$102,500	\$ 8,000	\$110,500	40,750	\$ 2.71		LI
322 27 CIR S	01-5450-00150-000		30-Jul-10	\$110,800	\$ 7,400	\$118,200	40,750	\$ 2.90	2.3%	LI
300 27 CIR S	01-5450-00201-000		06-Jun-08	\$225,000	\$ 9,500	\$234,500	129,360	\$ 1.81		LI
321 27 CIR S	01-5450-00250-000		10-Jun-09	\$115,000	\$ 8,100	\$123,100	40,853	\$ 3.01		LI
309 27 CIR S	01-5450-00203-000		22-Sep-11	\$170,000	\$ 8,300	\$178,300	67,685	\$ 2.63		LI
315 27 CIR S	01-8433-00020-000		10-Oct-12	\$ 70,000	\$ 3,400	\$ 73,400	19,586	\$ 3.75		LI

Appreciated Value of Subject Parcel based on Annual Compound Rate of Resale of 345 \$4.77 4.2%  
 Appreciated Value of Subject Parcel based on Annual Compound Rate of Resale of 322 \$3.75 2.3%

# 346 27 Circle S

01-5450-00050-000

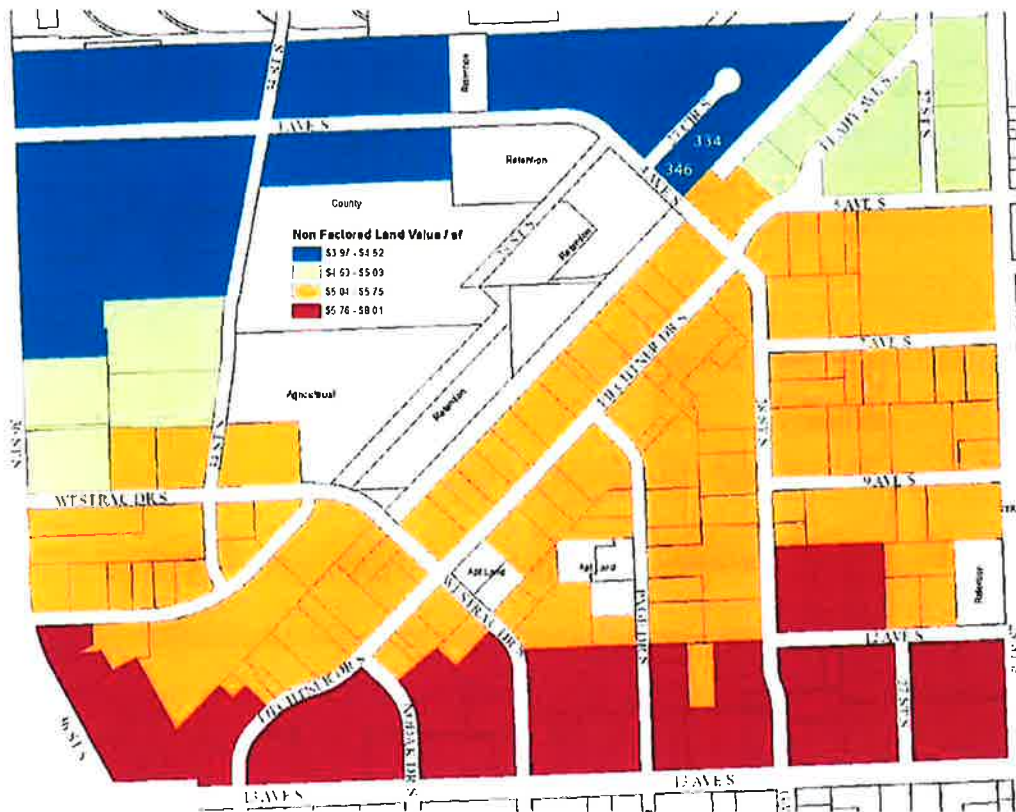
# Sholy Company

David Sholy

In a letter dated April 10, 2018, Mr. Sholy indicated he offered \$80,000 for a portion of the former rail right-of-way surrounded by his current holdings that consists of approximately 20,300 sf or \$3.94 per square foot. The counter offer by BNSF was \$95,000 or \$4.67 per square foot. The graphic below depicts the approximate portion of the rail right-of-way parcel sought.



The graphic below displays the current land value on a per square foot basis for the parcels bounded by 25 St S on the east, the rail right-of way on the north, 36 St S on the west, and 13 Ave S on the south. The land values along 4<sup>th</sup> Ave S appear consistent ranging in value from \$3.97 and \$4.52 per square foot of land area and are the lowest values per square foot within this quadrant.





Subject Location Area (Spring 2017 – Fargo GIS Map)



Subject Property (Spring 2017 – Fargo GIS Map)

FARGO ASSESSOR

JAN 22 2019

RECEIVED

Application For Abatement Or Refund Of Taxes

SHOLY COMPANY (David Sholy)

Name of Applicant

4482

County Auditor's File No.

1/18/2019

Date Application Was Filed With The County Auditor

1/18/2019

Date County Auditor Mailed Application to Township Clerk or City Auditor

County Auditor Date

Year	Reduction in Taxable Valuation	Reduction in Taxes

I further certify that the taxable valuation and the taxes ordered abated or refunded by the Board of County Commissioners are as follows:

Year	Taxable Value	Tax	Date Paid (if paid)	Payment Made Under Written Protest?	Yes/No

I certify that the Board of County Commissioners took the action stated above and the records of my office and the office of the County Treasurer show the following facts as to the assessment and the payment of taxes on the property described in this application.

Certification of County Auditor

County Auditor Chairperson

Dated

We reject this application in whole or in part for the following reason(s). Written explanation of the rationale for the decision must be attached.

Based upon an examination of the facts and the provisions of North Dakota Century Code § 57-23-04, we approve this application. The taxable valuation is reduced from \$ to \$ and the taxes are reduced accordingly. The taxes, if paid, will be refunded to the extent of \$. The Board accepts \$ in full settlement of taxes for the tax year.

Application was Approved/Rejected by action of County Board of Commissioners.

Action by the Board of County Commissioners

Dated this day of City Auditor or Township Clerk

On the governing board of this municipality, after examination of this application and the facts, passed a resolution recommending to the Board of County Commissioners that the application be

Recommendation of the Governing Body of the City or Township

Application For Abatement Or Refund Of Taxes
North Dakota Century Code § 57-23-04

RECEIVED
CASS COUNTY AUDITOR
JAN 18 2019 AM 10:55

File with the County Auditor on or before November 1 of the year following the year in which the tax becomes delinquent.

State of North Dakota Assessment District
County of Cass Property I.D. No. 01-5450-00100-000
Name Sholy Company Telephone No. 701-866-9692
Address 2777 - Fiechtner Drive, Fargo, ND 58103

Legal description of the property involved in this application:

334 - 27th Circle South, Fargo, ND 58103
Lot: 2 Block: 1 Addition: Master Addition Additional:
MASTER LT 2 BLK 1

Total true and full value of the property described above for the year 2018 is:

Land \$ 207,000
Improvements \$
Total \$ 207,000 (1)

Total true and full value of the property described above for the year 2018 should be:

Land \$ 130,000
Improvements \$
Total \$ 130,000 (2)

The difference of \$ 77,000 true and full value between (1) and (2) above is due to the following reason(s):

- 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C. § 57-02-27.2
2. Residential or commercial property's true and full value exceeds the market value
3. Error in property description, entering the description, or extending the tax
4. Nonexisting improvement assessed
5. Complainant or property is exempt from taxation. Attach a copy of Application for Property Tax Exemption.
6. Duplicate assessment
7. Property improvement was destroyed or damaged by fire, flood, tornado, or other natural disaster (see N.D.C.C. § 57-23-04(1)(g))
8. Error in noting payment of taxes, taxes erroneously paid
9. Property qualifies for Homestead Credit (N.D.C.C. § 57-02-08.1) or Disabled Veterans Credit (N.D.C.C. § 57-02-08.8). Attach a copy of the application.
10. Other (explain)

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go directly to question #5.

1. Purchase price of property: \$ 105,000 Date of purchase: January 18, 2005
Terms: Cash X Contract Trade Other (explain)
Was there personal property involved in the purchase price? No Estimated value: \$
2. Has the property been offered for sale on the open market? No If yes, how long?
Asking price: \$ Terms of sale:
3. The property was independently appraised: No Purpose of appraisal:
Market value estimate: \$
Appraisal was made by whom?
4. The applicant's estimate of market value of the property involved in this application is \$ 130,000
5. The estimated agricultural productive value of this property is excessive because of the following condition(s):

Applicant asks that Excessive tax increase (74.29%) be revised to more realistic number to accurately reflect property value.

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12.1-11-02, which provides for a Class A misdemeanor for making a false statement in a governmental matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant)

Date

Signature of Applicant

1-15-2019 Date

**334 27 Circle S****Sholy Company**

01-5450-00100-000

David Sholy

Sholy Company has filed an application for abatement and refund of taxes on the above referenced property. The application, County Auditor's File No. 4482, is requesting an overall value of \$130,000 or a reduction of \$77,000 for the 2018 assessment year.

The applicant provided two letters disputing the value increases but has provided no supporting documentation for the requested value reduction.

Recapped on the left portion of the following table is the value indication from the abatement application and the difference between that value and the Certified 2018 value. Also recapped on the right portion of the table is the "reviewed" 2018 value and the "certified" values for the 2018, 2017, 2016, and 2015 assessment years. Relevant sales and the valuation of competing properties as recapped in following tables provide the basis for the "reviewed" value and support the 2018 "certified" value.

<b>Sholy Company - 334 27 Cir S</b>		<b>Assessment Department</b>				
	<b>Abatement 2018</b>	<b>Reviewed 2018</b>	<b>Certified 2018</b>	<b>Certified 2017</b>	<b>Certified 2016</b>	<b>Certified 2015</b>
Land Value <sup>1</sup>	\$ 114,000	\$ 191,000	\$ 191,000	\$ 106,000	\$ 106,000	\$ 106,000
Improvement Value <sup>1</sup>	\$ 16,000	\$ 16,000	\$ 16,000	\$ 16,000	\$ 16,000	\$ 16,000
True & Full Value	\$ 130,000	\$ 207,000	\$ 207,000	\$ 122,000	\$ 122,000	\$ 122,000
Building Area (sf)	1,600	1,600	1,600	1,600	1,600	1,600
Land Area (sf)	42,442	42,442	42,442	42,442	42,442	42,442
Total Value / sf (Bldg Area)	\$ 81.25	\$ 129.38	\$ 129.38	\$ 76.25	\$ 76.25	\$ 76.25
Improvement Value / sf (Bldg Area)	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00
Land Value / sf (Land Area)	\$ 2.69	\$ 4.50	\$ 4.50	\$ 2.50	\$ 2.50	\$ 2.50
Dollar Change (from Respective Value) <sup>2</sup>	\$ (77,000)	\$ -	\$ 85,000	\$ -	\$ -	(Prior Year)
Percent Change (from Respective Value) <sup>2</sup>	-37.2%	0.0%	69.7%	0.0%	0.0%	(Prior Year)
Change Cause		No Change	Land Review / Reappraisal	No Change	No Change	

<sup>1</sup> Applicant reflected entire value on land

<sup>2</sup> Dollar & Percent Changes are calculated using the 2018 Certified True & Full Value

This property was included in a land review / reappraisal effort for the 2018 assessment year, which included all commercially coded land between Main Avenue on the north and I-94 on the south.

The property consists of a site primarily utilized as a storage yard (with a small storage building of nominal value) for a local landscape company with all municipal and private services readily available to the site.

Local land sales (recapped in a table on the following page) supports the 2018 certified and reviewed value as recapped in the table above. Also recapped graphically are the land values (on a per square foot basis) of parcels surrounding this property. The income and cost approaches to value are not considered or utilized as this is primarily vacant land and are not applicable valuation methods.

Based on the following analysis, the valuation of this parcel does not appear to be arbitrary, capricious, or excessive but fair and equitable based on the available sales.

**ASSESSMENT DEPARTMENT RECOMMENDATION**

**Retain the current value of \$207,000 as certified for 2018.**

# 334 27 Circle S

01-5450-00100-000

# Sholy Company

David Sholy

The vacant land sales recapped in the table below are all located within the vicinity of the subject property and occurred between January 2014 and October 2015. These vacant land sales are of similar zoning; bracket the subject site in size, with public and private utilities readily available. In addition, one property (in red text below) resold within less than one year and reflects a 16 percent appreciation in sale price. Also recapped is a current listing with an asking price of \$6.72 per square foot (currently valued at \$5.50 per square foot of land area). Overall, these vacant land sales and listing support the current land value of \$4.50 per square foot or \$191,000 plus the improvement value of \$16,000 for a total value of \$207,000.

**Land Sales**

Address	Sale Date	Sale Price Adjusted	Seg SF	Adj \$ / sf	Status At Sale Date	Zoning
3515 4 AVES						
3501 4 AVES	02-Jun-15	\$ 348,100	120,661	\$ 2.88	Unimproved LI	
3803 MAIN AVE						
3817 MAIN AVE	09-Sep-15	\$ 399,300	118,089	\$ 3.38	Unimproved GC	
4215 MAIN AVE	05-Sep-14	\$ 477,800	127,734	\$ 3.74	Small Paving GC	
3454 4 AVES						
3502 4 Ave S	25-Nov-14	\$ 630,600	156,000	\$ 4.04	Unimproved LI	
3117 PECHTNER DR S	21-Jan-14	\$ 177,200	43,601	\$ 4.06	Unimproved LI	
3117 PECHTNER DR S	28-Nov-14	\$ 205,200	43,601	\$ 4.71	Unimproved LI	
3402 4 AVES						
425 34 ST S	25-Nov-14	\$ 360,600	85,793	\$ 4.20	Unimproved LI	
19 14 1/2 STN	29-Jul-15	\$ 29,900	6,705	\$ 4.46	Unimproved LI	
777 34 ST S	18-Jun-15	\$ 856,100	164,656	\$ 5.20	Unimproved LI	
2730 7 AVES	12-Sep-14	\$ 150,800	28,178	\$ 5.35	Unimproved LI	
2701 5 AVES	01-Oct-15	\$1,333,000	244,990	\$ 5.44	Unimproved LI	
3401 WESTRAC DR S	24-Mar-14	\$ 487,900	87,120	\$ 5.60	Unimproved LI	
3501 WESTRAC DR S	06-Jan-15	\$ 440,900	78,408	\$ 5.62	Unimproved LI	
3361 WESTRAC DR S	11-Jun-15	\$ 795,300	139,099	\$ 5.72	Unimproved GC	
Minimum	21-Jan-14		6,705	\$ 2.88		
Maximum	01-Oct-15		244,990	\$ 5.72		
Median			102,605	\$ 4.58		
Mean			244,990	\$ 4.60		

ACTIVE LISTINGS AS OF	Jan-19	Adj Asking Price	Seg SF	Adj Asking \$ / sf	Status	Zoning
3361 WESTRAC DR S	LISTING	\$ 934,720	139,099	\$ 6.72	Unimproved GC	

SUBJECT PARCEL	2018 Value	Full Land Value	Seg SF	Value / sf	Status	Zoning
334 27 CIR S	\$ 191,000	42,442	\$ 4.50	Improved w/ LI		

The improvement was moved onto this parcel in 2012 from a location near 25 St S (current location of the Border States warehouse) and consists of a 1,600 sf curvet style Quonset constructed in 1955. This building is valued at a flat rate of \$10.00 per square foot of building area or \$16,000. The current replacement cost approximates \$31,000 or \$19.60 per square foot of building area.

Recapped in the table below are sales of parcels located on 27 Circle S. These sales are "old" as they occurred prior to 2014; however, there are two resales (in red text below) indicating an annual compound appreciation rate of 2.3% and 4.2%. When applied to the subject's original purchase price (including unpaid special assessments), the resulting indicated value is between \$3.75 and \$4.77 per square foot. This also brackets the current land valuation of this property.

Address	Parcel No	27 Circle S Sub Date	27 Circle S Contract	Land Sale Specials	Sale Price Adjusted	Seg Sq Ft	Adj Sale \$ / SF	Comp Rate	Zoning
146 27 CIR S	01-5450-00050-000								
334 27 CIR S	01-5450-00100-000	12-Jan-05	\$200,000	\$37,800	\$237,800	84,888	\$ 2.80		LI
345 27 CIR S	01-5450-00350-000	01-Aug-05	\$112,500	\$10,900	\$123,400	42,460	\$ 2.91		LI
345 27 CIR S	01-5450-00350-000	11-Aug-12	\$153,900	\$10,500	\$164,400	42,460	\$ 3.87	4.2%	LI
333 27 CIR S	01-5450-00300-000	14-Jun-06	\$106,300	\$ 8,500	\$114,800	42,504	\$ 2.70		LI
322 27 CIR S	01-5450-00150-000	02-Apr-07	\$102,500	\$ 8,000	\$110,500	40,750	\$ 2.71		LI
322 27 CIR S	01-5450-00150-000	30-Jul-10	\$110,800	\$ 7,400	\$118,200	40,750	\$ 2.90	2.3%	LI
300 27 CIR S	01-5450-00201-000	06-Jun-08	\$225,000	\$ 9,500	\$234,500	129,360	\$ 1.81		LI
321 27 CIR S	01-5450-00250-000	10-Jun-09	\$115,000	\$ 8,100	\$123,100	40,853	\$ 3.01		LI
309 27 CIR S	01-5450-00203-000	22-Sep-11	\$170,000	\$ 8,300	\$178,300	67,685	\$ 2.63		LI
315 27 CIR S	01-8433-00020-000	10-Oct-12	\$ 70,000	\$ 3,400	\$ 73,400	19,586	\$ 3.75		LI

Appreciated Value of Subject Parcel based on Annual Compound Rate of Resale of 345 \$4.77 4.2%  
 Appreciated Value of Subject Parcel based on Annual Compound Rate of Resale of 322 \$3.75 2.3%

# 334 27 Circle S

01-5450-00100-000

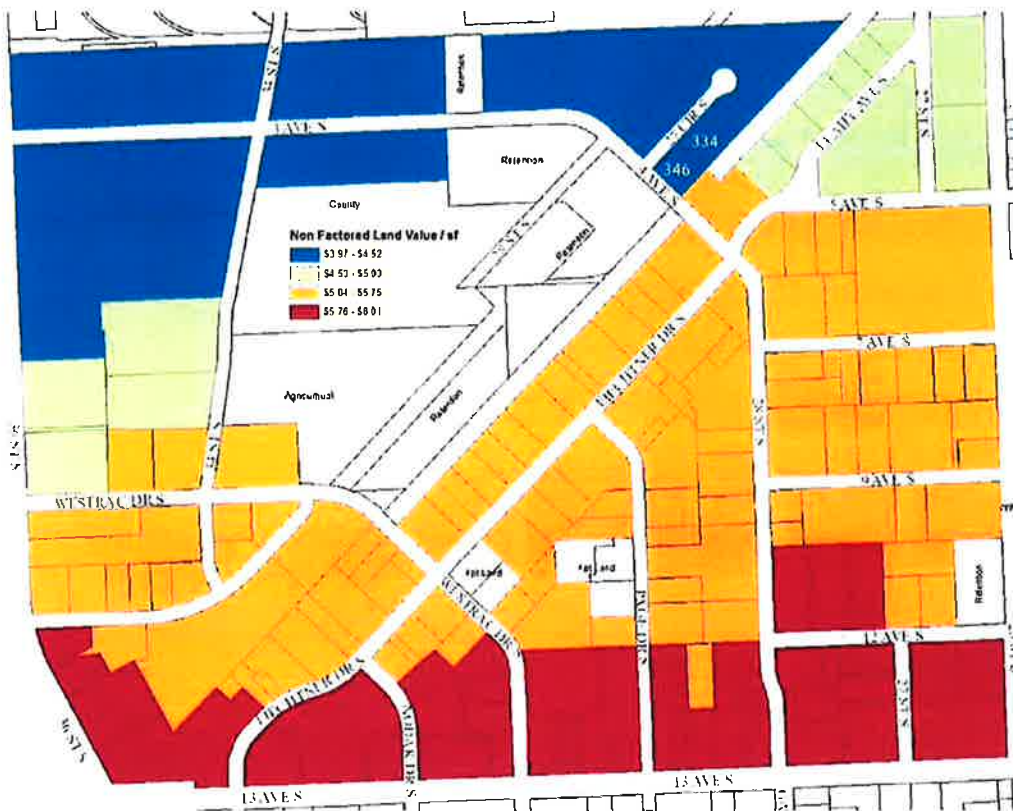
# Sholy Company

David Sholy

In a letter dated April 10, 2018, Mr. Sholy indicated he offered \$80,000 for a portion of the former rail right-of-way surrounded by his current holdings that consists of approximately 20,300 sf or \$3.94 per square foot. The counter offer by BNSF was \$95,000 or \$4.67 per square foot. The graphic below depicts the approximate portion of the rail right-of-way parcel sought.



The graphic below displays the current land value on a per square foot basis for the parcels bounded by 25 St S on the east, the rail right-of way on the north, 36 St S on the west, and 13 Ave S on the south. The land values along 4<sup>th</sup> Ave S appear consistent ranging in value from \$3.97 and \$4.52 per square foot of land area and are the lowest values per square foot within this quadrant.







Subject Location Area (Spring 2017 – Fargo GIS Map)



Subject Property (Spring 2017 – Fargo GIS Map)

FARGO ASSESSOR

JAN 22 2019

RECEIVED

Application For Abatement Or Refund Of Taxes

Name of Applicant David Sholy

County Auditor's File No. 4483

Date Application Was Filed With The County Auditor 11/8/2019

Date County Auditor Marked Application to Township Clerk or City Auditor 11/8/2019

(must be within the business days of filing this)

Year	Reduction in Taxable Valuation	Reduction in Taxes

I further certify that the taxable valuation and the taxes ordered abated or refunded by the Board of County Commissioners are as follows:

Year	Taxable Value	Tax	Date Paid (if paid)	Payment Made Under Written Protest?	yes/no

I certify that the Board of County Commissioners took the action stated above and the records of my office and the office of the County Treasurer show the following facts as to the assessment and the payment of taxes on the property described in this application.

Certification of County Auditor

County Auditor \_\_\_\_\_ Chairperson \_\_\_\_\_

Dated \_\_\_\_\_

We reject this application in whole or in part for the following reason(s). Written explanation of the rationale for the decision must be attached.

Based upon an examination of the facts and the provisions of North Dakota Century Code § 57-23-04, we approve this application. The taxable valuation is reduced from \$ \_\_\_\_\_ to \$ \_\_\_\_\_ and the taxes are reduced accordingly. The taxes, if paid, will be refunded to the extent of \$ \_\_\_\_\_. The Board accepts \$ \_\_\_\_\_ in full settlement of taxes for the tax year \_\_\_\_\_.

Application was \_\_\_\_\_ Approved/Rejected by action of \_\_\_\_\_ County Board of Commissioners.

Action by the Board of County Commissioners

Dated this \_\_\_\_\_ day of \_\_\_\_\_ City Auditor or Township Clerk \_\_\_\_\_

On \_\_\_\_\_ the governing board of this municipality, after examination of this application and the facts, passed a resolution recommending to the Board of County Commissioners that the application be \_\_\_\_\_

Recommendation of the Governing Body of the City or Township

Recommendation of the governing board of \_\_\_\_\_

### Application For Abatement Or Refund Of Taxes

North Dakota Century Code § 57-23-04

RECEIVED  
COUNTY AUDITOR  
JUN 18 2019 4:10:53

File with the County Auditor on or before November 1 of the year following the year in which the tax becomes delinquent.

State of North Dakota Assessment District \_\_\_\_\_  
 County of Cass Property I.D. No. 01-5710-00700-000  
 Name David Sholy Telephone No. 701-866-9692  
 Address 3510 - Park Avenue, Fargo, ND 58103-6275

Legal description of the property involved in this application:

**Lot: 2 Block: 4 Addition: Woodbury Park Addition  
Additional: WOODBURY PARK LT 2 BLK 4 REPLAT  
OF LEXUS 1ST**

Total true and full value of the property described above for the year 2018 is:

Land \$ 346,600  
 Improvements \$ \_\_\_\_\_  
 Total \$ 346,600  
 (1)

Total true and full value of the property described above for the year 2018 should be:

Land \$ 325,000  
 Improvements \$ \_\_\_\_\_  
 Total \$ 325,000  
 (2)

The difference of \$ 21,600 true and full value between (1) and (2) above is due to the following reason(s):

- 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C. § 57-02-27.2
- 2. Residential or commercial property's true and full value exceeds the market value
- 3. Error in property description, entering the description, or extending the tax
- 4. Nonexisting improvement assessed
- 5. Complainant or property is exempt from taxation. Attach a copy of Application for Property Tax Exemption.
- 6. Duplicate assessment
- 7. Property improvement was destroyed or damaged by fire, flood, tornado, or other natural disaster (see N.D.C.C. § 57-23-04(1)(g))
- 8. Error in noting payment of taxes, taxes erroneously paid
- 9. Property qualifies for Homestead Credit (N.D.C.C. § 57-02-08.1) or Disabled Veterans Credit (N.D.C.C. § 57-02-08.8). Attach a copy of the application.
- 10. Other (explain) \_\_\_\_\_

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go directly to question #5.

1. Purchase price of property: \$ 240,000 Date of purchase: 2005  
 Terms: Cash  Contract \_\_\_\_\_ Trade \_\_\_\_\_ Other (explain) \_\_\_\_\_  
 Was there personal property involved in the purchase price? No Estimated value: \$ \_\_\_\_\_  
 yes/no

2. Has the property been offered for sale on the open market? No If yes, how long? \_\_\_\_\_  
 yes/no  
 Asking price: \$ \_\_\_\_\_ Terms of sale: \_\_\_\_\_

3. The property was independently appraised: no Purpose of appraisal: \_\_\_\_\_  
 yes/no  
 Market value estimate: \$ \_\_\_\_\_  
 Appraisal was made by whom? \_\_\_\_\_

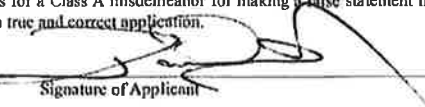
4. The applicant's estimate of market value of the property involved in this application is \$ 325,000

5. The estimated agricultural productive value of this property is excessive because of the following condition(s): \_\_\_\_\_

Applicant asks that Property valuation be reduced to a more realistic number - as current valuation is more than than other similar sites.

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12.1-11-02, which provides for a Class A misdemeanor for making a false statement in a governmental matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant) \_\_\_\_\_ Date \_\_\_\_\_ Signature of Applicant  Date 1-15-2019

**3510 Park Avenue S****David Sholy**

01-5710-00700-000

David Sholy

David Sholy has filed an application for abatement and refund of taxes on the above referenced property. The application, County Auditor's File No. 4483, is requesting a total value of \$325,000 or a reduction of \$21,600 for the 2018 assessment year.

The applicant provided two letters disputing the value increases but has provided no supporting documentation for the requested value reduction.

Recapped on the left portion of the following table is the value indication from the abatement application and the difference between that value and the Certified 2018 value. Also recapped on the right portion of the table is the "reviewed" 2018 value and the "certified" values for the 2018, 2017, 2016, and 2015 assessment years. Relevant sales and the valuation of competing properties as recapped in following tables provide the basis for the "reviewed" value and support the 2018 "certified" value.

<b>David Sholy - 3510 Park Ave S</b>		<b>Assessment Department</b>				
	<b>Abatement 2018</b>	<b>Reviewed 2018</b>	<b>Certified 2018</b>	<b>Certified 2017</b>	<b>Certified 2016</b>	<b>Certified 2015</b>
Land Value <sup>1</sup>	\$ 54,300	\$ 54,300	\$ 54,300	\$ 54,300	\$ 54,300	\$ 36,900
Improvement Value <sup>1</sup>	\$ 270,700	\$ 292,300	\$ 292,300	\$ 282,200	\$ 272,400	\$ 259,400
True & Full Value	\$ 325,000	\$ 346,600	\$ 346,600	\$ 336,500	\$ 326,700	\$ 296,300
Building Area (sf)	2,162	2,162	2,162	2,162	2,162	2,162
Land Area (sf)	11,985	11,895	11,895	11,895	11,895	11,895
Total Value / sf(Bldg Area)	\$ 150.32	\$ 160.31	\$ 160.31	\$ 155.64	\$ 151.11	\$ 137.05
Improvement Value / sf(Bldg Area)	\$ 125.21	\$ 135.20	\$ 135.20	\$ 130.53	\$ 125.99	\$ 119.98
Land Value / sf(Land Area)	\$ 4.53	\$ 4.56	\$ 4.56	\$ 4.56	\$ 4.56	\$ 3.10
Dollar Change (from Respective Value) <sup>2</sup>	\$ (21,600)	\$ -	\$ 10,100	\$ 9,800	\$ 30,400	(Prior Year)
Percent Change (from Respective Value) <sup>2</sup>	-6.2%	0.0%	3.0%	3.0%	10.3%	(Prior Year)
Change Cause		No Change	Index	Index	Mass Appraisal	

<sup>1</sup> Applicant reflected entire value on land.

<sup>2</sup> Dollar & Percent Changes are calculated using the 2018 Certified True & Full Value

This property was included in a mass reappraisal effort for 2016 and market trended (indexed) for 2017 and 2018 based on a study of sales of similar type properties.

The property consists of a good grade single-family two-story detached residence built in 2002 with 2,162 square of total living area, a full basement that is approximately 75-percent finished and an attached three-car garage. The most recent inspection occurred in November 2018 at the request of Mr. Sholy at which time a thorough review was completed.

Improved sales (recapped on the following page) supports the 2018 certified and reviewed value as recapped in the table above. The mass appraisal completed as of March 1, 2016 is included for reference (utilizing the cost approach to value), the letter submitted to Mr. Sholy with comparable sales after the review was completed, and the market appraisal completed in 2018. The income approach to value was not considered or utilized as it is not an applicable valuation technique for a single-family property.

Based on the following analysis, the valuation of this parcel does not appear to be arbitrary, capricious, or excessive but fair and equitable based on the available sales.

**ASSESSMENT DEPARTMENT RECOMMENDATION**

**Retain the current value of \$346,600 as certified for 2018.**

**3510 Park Avenue S****David Sholy**

01-5710-00700-000

David Sholy

The following cost approach (mass appraisal) is reflective of the valuation of this property for the 2016 assessment year. Following this reappraisal, the property value was market trended (indexed) for 2017 and 2018.



Printed By: RHARSHBERGER

Printed: 01/25/2019 2:25 PM

As of: 03/01/2016 2:11 PM

<b>Parcel Number</b>	<b>01-5710-00700-000</b>
<b>Segment</b>	<b>1</b>
<b>Owner</b>	<b>SHOLY, DAVID</b>
<b>Parcel Address</b>	<b>3610 PARK AVE S FARGO ND 58103</b>
<b>Mailing Address</b>	<b>3610 PARK AVE S FARGO ND 58103</b>

		Cost	Total
<b>Structure (Based on Area)</b>			
Property Type	Single Family		
Story Height	2 Story		
Grade	Good		
Land Rate Adjustment	Good Low		
Base Price Adjustment (% as Multiplier)	92		
Dwelling (SqFt & \$/SF)	2235	121.04	270,524
<b>Basement (Based on Area)</b>			
Main Floor Square Footage	1,127		
Basement Area (as %)	Full		
Basement Area Deduction Sqr Ft	0	-13.00	
Basement Finished (as %)	None		
Basement Area Sqr Ft	0	20.00	
<b>Interior Options</b>			
Built In's	Average		1,600
Fireplace(s)	Fireplace		4,400
Air Conditioning	Central		2,600
Bathrooms	2 +		5,200
Other #1			
Other #2			
Other #3			
<b>Exterior Options</b>			
Porch & Deck	None		
Garage Stalls	Three ( or Two w/ Loft)		17,300
Extras	None		
<b>Building Before Depreciation</b>			<b>301,624</b>
<b>Depreciation</b>			
Year Built & Age (in Years)	2002	14	
Building Condition	Average		
Depreciation (% & Amnt)		-14	-42,227
Func/External Inflation (% & Amnt)		5	12,970
<b>Parcel Totals</b>			
Building After Depreciation			272,400
Land Value			54,300
Parcel Total			326,700
Value / Sq Ft			146
<b>Indicated Value by the Cost Approach</b>			<b>326,700</b>

**3510 Park Avenue S**

01-5710-00700-000

**David Sholy**

David Sholy

Following the property review in November 2018, comparable sales were researched which are recapped in the letter submitted to Mr. Sholy on November 15, 2018 as reproduced below.



November 15, 2018

David Sholy  
3510 Park Ave S  
Fargo ND 58103

Address of Property: 3510 Park Ave S

Dear David Sholy:

I have found seven sales of two-story dwellings of same construction quality & condition. There are two sales in the Woodbury area also built by Heritage Homes. I did look at the information you provided and it seems these are mostly bi-level homes and not 2-story dwellings. I did change your square footage to remove the second story at the entry of your home. Your 2018 value will remain at \$346,600/\$160 per sf.

Address	Lot Value	Lvg Area	Baths	Bsmt Area	Bsmt Fin	Gar Stalls	Yr Built	Date Sold	Sale Price	\$ / sf
<b>Subjec</b>	<b>\$54,300</b>	<b>2102</b>	<b>3 ½</b>	<b>Full</b>	<b>75%</b>	<b>3</b>	<b>2002</b>			<b>\$160</b>
3505 Woodbury Ct S	\$49,400	2068	3 ½	Full	75%	2	2003	02/17	\$336,700	\$163
3852 Woodbury Ct S	\$51,800	2201	3 ½	Full	100%	3	2005	07/18	\$390,400	\$177
2935 32 St S	\$47,100	2009	3 ½	Full	None	2	2000	08/18	\$363,500	\$181
4101 Ashlon Ct S	\$28,700	1839	3 ½	Full	100%	3	2002	05/18	\$321,800	\$175
3762 Dorothea Ct S	\$45,000	1662	3 ½	Full	100%	2	2005	07/18	\$321,700	\$194
3757 Dorothea Ct S	\$42,500	2122	2 ½	None	None	3	2004	08/17	\$307,400	\$145
1529 55 Ave S	\$57,800	2188	3 ½	Full	75%	3	1999	05/17	\$403,700	\$185
<b>Mean (Average)</b>		<b>2013</b>							<b>\$349,300</b>	<b>\$174</b>
<b>Median</b>		<b>2068</b>							<b>\$336,700</b>	<b>\$177</b>

The assessment department strives for equity in property valuations. If at any time in the future you feel you have information that would support a value reduction, please contact our office and schedule a recheck. If you have any questions regarding this information, please contact me at 241-1340.

Sincerely,

Janell S Walz  
Class 1 Assessor/Supervisor  
[jwalz@fargond.gov](mailto:jwalz@fargond.gov)

225 4 St N • Fargo, ND 58102 • Phone (701) 241-1340 • Fax (701) 241-1339

**3510 Park Avenue S****David Sholy**

01-5710-00700-000

David Sholy

In addition to the sales search recapped above, a market appraisal, reproduced below, was also completed.

NAME: asRpt80100  
 DATE: 12/24/2018 10:33 AM  
 ENTITY: City of Fargo  
 USER: JSWalz

**Comparable Parcels From Assessors Database**

	Subject	Comp 1	Comp 2	Comp 3	
Property Address:	3510 PARK AVE S	3682 WOODBURY CT S	2524 PARKVIEW DR S	3505 WOODBURY CT S	
Parcel Number:	01-5710-00700-000	01-6530-00070-000	01-5180-00160-000	01-5710-00090-000	
Current Value:		347,900	362,100	342,300	
Property Type:	Single Family	Single Family	Single Family	Single Family	
Story Height:	2 Story	2 Story	2 Story	2 Story	
Homo Area:	Good Low	Good Low	Good Low	Good Low	
Year Built:	2002	2006	1998	2003	
Grade:	Good	Good	Good	Good	
Total Area:	2162	2201	2310	2068	2,500
Condition:	Average	Average	Average	Average	
Basement Area:	Full	Full	Full	Full	
# Stalls:	Three ( or Two w/	Three ( or Two w/	Two	Two	2,000
# Baths:	3 or 3½	3 or 3½	3 or 3½	3 or 3½	
Basement Finish:	75 %	Full	Full	75 %	-2,000
Land Value:	54,300	51,800	53,400	49,600	4,700
# Fireplaces:	Fireplace	Fireplace	Fireplace	Fireplace	
Air Conditioning:	Central	Central	Central	Central	
Build Ins:	Average	Average	Average	Average	
Deck:	Patio	Combination	Combination	None	1,500
Extras:	None	None	None	None	
<b>Recap</b>					
Current Value:		347,900	362,100	342,300	
Net Sum of Adj:		-1,500	-4,900	10,700	
Adjusted Sale Price:		346,400	357,200	353,000	
Absolute Sum of Adj:		6,500	10,700	10,700	
Number of Adj:		3	5	4	
Pct of Adj:		2%	3%	3%	
Weight Factor:		45.10	27.40	27.40	
Price Per Sq Ft:		158	156	166	
Current Value	346,600	160 / Sq Ft			
<b>Indicated Market Value as of 12/24/2018 is 350,800 - 162 / Sq Ft</b>					
Land	54,300				
Improvement	296,500				
Total	350,800				

Based on the preceding analysis, the valuation of this property appears fair and equitable.

***3510 Park Avenue S***

01-5710-00700-000

***David Sholy***

David Sholy

The graphic below depicts the subject property looking towards the south.



**Subject Property – Looking South**



330

**MEMORANDUM**

**TO:** City Commission  
**FROM:** Nicole Crutchfield, Planning Director *nc*  
**DATE:** March 21, 2019  
**RE:** RZ Boundary Adjustment Request

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The city received a request from LHS Investments LLC to add one (1) additional RZ blocks to the City of Fargo Renaissance Zone Plan (RZ Plan). The one block is located between 6<sup>th</sup> Avenue North, Oak Street North, the railroad and Wildflower Grove Park. LHS Investments LLC has plans to construct a multifamily development, on the proposed RZ Block 54.

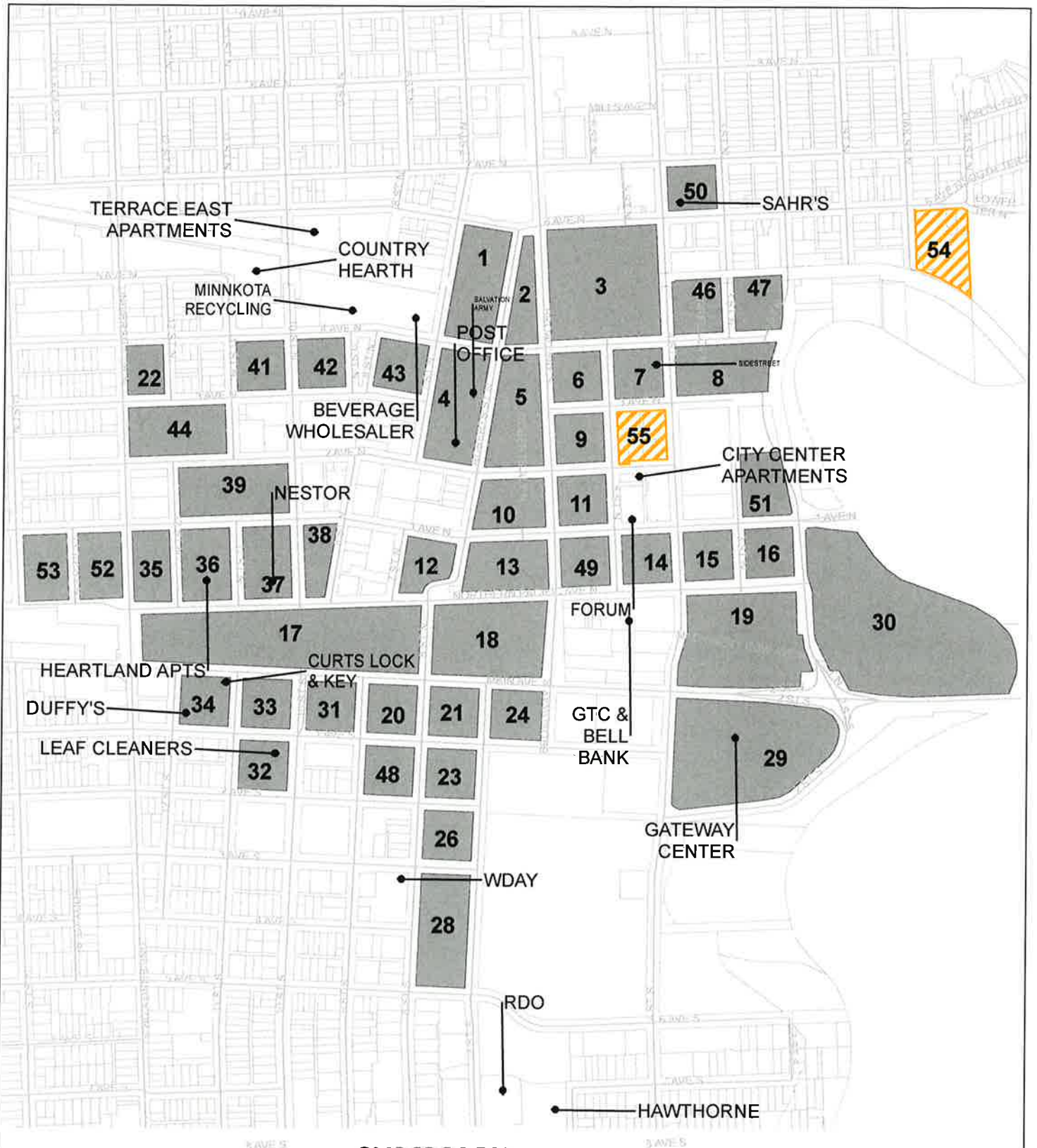
The city received a second request from 201 Hospitality LLC to add one (1) additional RZ blocks to the City of Fargo Renaissance Zone Plan (RZ Plan). The one block is located between 2<sup>nd</sup> Avenue North, 3<sup>rd</sup> Avenue North, 5<sup>th</sup> Street North and 4<sup>th</sup> Street North. 201 Hospitality LLC has plans to remodel the exterior and interior of the Radisson, on the proposed RZ Block 55.

The RZA unanimously recommended approval of both requests.

Attached is a copy of the applicant's request and corresponding material.

Recommended Action: Approve the proposed RZ boundary adjustment as recommended by the RZA and staff.

# PROPOSED RENAISSANCE ZONE BOUNDARY



## SUMMARY:

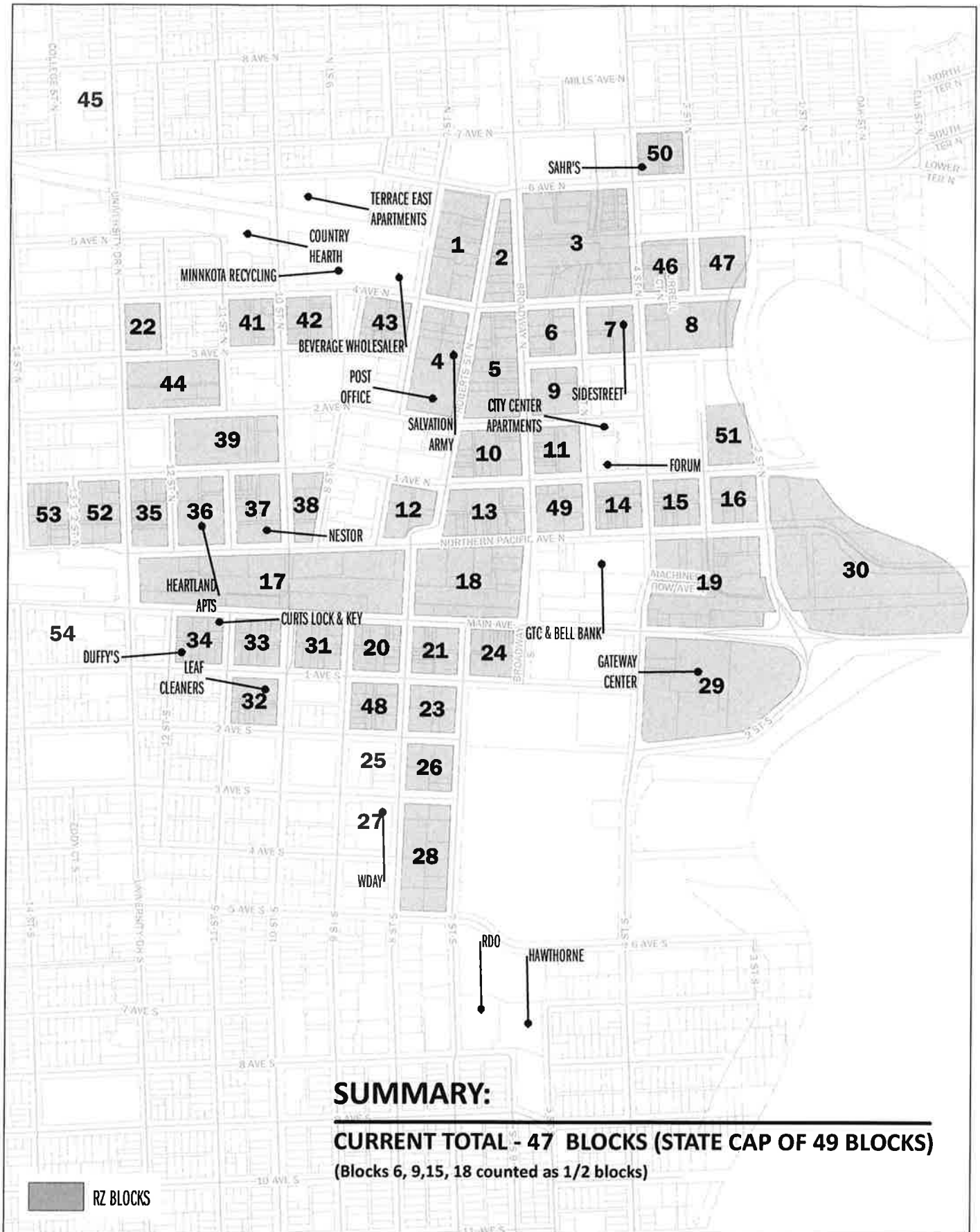
- RZ BLOCKS
- PROPOSED\_BLOCKS

**CURRENT TOTAL - 47 BLOCKS (STATE CAP OF 49 BLOCKS)**

(Blocks 6, 9, 15, 18 counted as 1/2 blocks)

**PROPOSED TOTAL - 48 1/2 BLOCKS**

# RENAISSANCE ZONE BOUNDARY



## SUMMARY:

**CURRENT TOTAL - 47 BLOCKS (STATE CAP OF 49 BLOCKS)**  
 (Blocks 6, 9, 15, 18 counted as 1/2 blocks)

 RZ BLOCKS

Block #	Previous Block #	Block Status	Average	Approximate Acreage Unimproved / Vacant	Block - Building Value	Block - Land Value	Total Value per Acre	Existing Buildings / Land Use	Desired Land Use and Primary Development Strategy	% Block	Zoning District
1	2a	RZ	4.67	1.48 ac / 32%	\$9,350,900	\$1,330,900	\$2,287,323	The Marks Apartments, Forum Distribution Center, Johnson Building, 306 Roberts St (John Merrell Co. Bldg)	NX - Redevelopment of (surface parking) commercial or residential S - Primary built-out other than two small surface parking lots and possible rehabilitation, renovation or new construction of the property at 669 4th Ave N		DMU
2	3a	RZ	2	0.44 ac / 22%	\$6,640,000	\$1,552,000	\$4,096,000	*Powers Hotel (400 Broadway), Lowman Block, Emphre, Asgite Block, Bismarck Tavern	Mixed Use - Ground floor retail/commercial with upper level housing		DMU
3	1	RZ	8.59	1.35 ac / 16%	\$14,655,000	\$3,678,100	\$2,134,354	Bloom Hotel, Goodyear, Great Northern Block Company, Ford Building, Amtrak, American Federal Bank and a few single family detached homes	NX and NE Corner - Clearance and redevelopment S and SW Corner (Broadway) and SE Corner - Clearance and Redevelopment, re-establish corners with multiple stories in height and ground level retail/commercial activity on 4th Avenue Possible vacate all or portion of the 5th St right-of-way	% Block	DMU
4	5t	RZ	4.61	1.14 ac / 25%	\$21,914,300	\$2,208,300	\$5,232,568	St. Marks Lutheran Church, United States Post Office, Salvation Army, Vers Apartments	N - Redevelopment for Housing (excluding Vers Apartment Building) S - Preservation (Federal Building)		DMU
5	2	RZ	4.34	1.57 ac / 36%	\$45,434,900	\$2,474,600	\$11,039,055	Loretta Building, Johnson Block, 300 Broadway, McKone Building (208 Broadway), *Fargo Theatre	N - Redevelopment for Housing (excluding Vers Apartment Building) S - Preservation (Federal Building)		DMU
6	3	RZ	1.92	0.21 ac / 11%	\$13,505,000	\$1,164,200	\$7,640,208	Deserci Block (Ergreen), Sons of Nowary Lodge (300 Broadway), Dixon Block, American Legion	W - Mixed use, ground floor retail/commercial with upper level residential E - Potential redevelopment opportunities, establish SE corner with multiple stories in height with upper level residential	% Block	DMU
7	6t	RZ	1.92	0.50 ac / 26%	\$7,667,600	\$1,112,000	\$4,572,708	Sanford Annex (215 3rd Ave N), Fargo Public Health, 404 4th Ave N (City Assessor)	W and NW Corner - Potential clearance and redevelopment, Mixed-Use or Housing E - Clearance and redevelopment in SE corner - multiple stories with ground level retail/commercial on 3rd Avenue, redevelopment of surface parking		DMU
8	4a	RZ	4.03	1.65 ac / 41%	\$5,166,600	\$1,927,700	\$1,760,372	Howard Johnson Motel, Pontoppidan Lutheran Church	W and NW Corner - Clearance and redevelopment E - Clearance and redevelopment with emphasis on ground level interaction with adjacent street right-of-way (ie. impact of zero setbacks on 3rd Avenue, 4th Avenue and 2nd Street)	% Block	DMU
9	4	RZ	2.06	1.54 ac / 75%	\$3,360,100	\$1,215,000	\$2,220,922	US Bank	Clearance and redevelopment - Mixed-use with ground level interaction with adjacent street ROW		DMU
10	6	RZ	2.64	0.80 ac / 30%	\$16,421,200	\$1,446,000	\$6,767,879	Black Building, Merchants National Bank (122 Broadway), Straus Building (102 Broadway), Stone Building (Avalon), Pioneer Life Insurance Building, Grever Inn Apartments	Preservation and Rehabilitation; and redevelopment of surface parking lots		DMU
11	7	RZ	1.92	0.60 ac / 31%	\$15,465,900	\$1,093,000	\$8,624,427	Wencke Building (109 Broadway), Odd Fellows Hall / Hotel Opulencia	Preservation and Rehabilitation; redevelopment of surface parking and specifically the SE corner at the 1st Ave N/2nd Street N intersection		DMU
12	10a	RZ	1.81	0.85 ac / 48%	\$6,705,400	\$840,000	\$4,168,729	Serkland Law Firm, BillMeyer Apartments, The Gardner,	NW Corner - Infill/redevelopment S - Clearance and redevelopment		DMU
13	10	RZ	3.22	0.81 ac / 25%	\$24,611,000	\$1,791,000	\$8,199,379	Chycarski, Syndicate Block (64-74 Broadway), Elliott Hotel Annex (605 1st Ave)	Redevelopment of surface parking lots Preservation and rehabilitation of historic or contributing structures		DMU
14	12	RZ	1.92	1.38 ac / 72%	\$2,065,000	\$963,000	\$1,577,083	Louden Building (64 4th St), Ball Building (65 5th St)	Clearance and redevelopment (excluding Loudon Building) - Mixed-use with ground level retail/commercial with upper level housing		DMU
15	13	RZ	1.92	0.74 ac / 39%	\$9,367,800	\$967,000	\$5,382,708	*Pence Automobile Co. Warehouse (301 NP Ave), United Automotive,	Redevelopment of surface parking lots; re-establish SW corner with multiple stories in height and ground level retail/commercial activity on NP and 4th St	% Block	DMU
16	14	RZ	1.92	65 ac / 33%	\$1,525,000	\$925,000	\$1,276,042	Petro Servo, National Muffler	M - Clearance and redevelopment S - Clearance and redevelopment		DMU
17	11a	RZ	16.53	4.95 ac / 30%	\$13,401,200	\$3,411,000	\$1,017,072	*Union Storage Swift & Company Building (10 8th St), BNSF Railway, McDonalds, Diamond Vogel Paints	N - Clearance, redevelopment and preservation - preservation of Union Storage/Armour Creamery buildings and Union Storage warehouse buildings in NE corner of the block. Remainder of the block identified as clearance or redevelopment, mixed-use and/or housing with zero or limited setbacks on NP Ave. and commercial or mixed-use on Main Ave with any surface parking located on the rear (preferred) or side yard		DMU
18	15	RZ	5.95	2.55 ac / 58%	\$22,360,600	\$2,956,900	\$4,732,243	Renaissance Hall, Old Broadway, Herbst Building (Cl Sport), *Northern Pacific Railroad Depot	N - Redevelopment of surface parking lot, mixed-use with ground level retail/commercial on NP Avenue S - Redevelopment of surface parking lots	% Block	DMU

Block #	Previous Block #	Block Status	Acreage	Approximate Acreage Undeveloped / Vacant	Block - Building Value	Block - Land Value	Total Value Per Acre	Existing Buildings / Land Use	Desired Land Use and Primary Development Strategy	X Block	Zoning District
19	16	RZ	6.62	2.74 ac. / 41%	\$16,251,200	\$1,347,200	\$2,658,369	Minneapolis Moline Building (Vogel Law), Advance Rumely Thresher Co. (300 NP Ave), AmeriPride, *Masonic Block (9 8th St S), Walking Block (806 Main Ave), *F.O. Kner Block (Nicholls), Floyd block (15 8th St S), *Wierbach Block (17-19 8th St S) and *Webster/Cole Building (21 8th St S)	NOX - Redevelopment/Infill on properties in NE and NW corners as well as surface parking lots S2 - Redevelopment and Rehab to mixed-use (commercial, retail, housing). The SE corner should be a 'gateway' structure and should include ground floor retail and significant interaction with Main Avenue and 2nd St		DMU
20	15a	RZ	1.92	0.78 ac. / 41%	\$4,822,200	\$721,000	\$2,887,083	*Masonic Block (9 8th St S), Walking Block (806 Main Ave), *F.O. Kner Block (Nicholls), Floyd block (15 8th St S), *Wierbach Block (17-19 8th St S) and *Webster/Cole Building (21 8th St S)	Preservation of contributing structures and redevelopment and infill to include: 718 Main Ave, surface parking lots and SW corner. Establish SW corner with mixed-use, multiple stories and ground level retail/commercial on both 7th Street and 1st Ave		DMU
21	18	RZ	1.89	0.65 ac. / 34%	\$5,647,300	\$765,000	\$3,393,280	Kennedy Okeefe (720 Main Ave), The Shields Block (724 Main Ave), Luger Furniture Store (716 Main Ave), LA (700 Main Ave), Landmark Building (15 7th St S)	Preservation and Rehabilitation - A number of the structures abutting Main Avenue have utilized the RZ benefits. Retail/Commercial ground level with housing on upper stories		DMU
22	5a2	RZ	1.58	0.91 ac. / 58%	\$12,174,000	\$415,000	\$7,967,089	Woodrow Wilson	Preservation and Rehabilitation		DMU
23	13t	RZ	2.06	1.25 ac. / 61%	\$4,328,100	\$765,000	\$2,472,379	Sanford Neuropsychiatric Institute	Preservation and Rehabilitation - A number of the structures abutting Main Avenue have utilized the RZ benefits. Retail/Commercial ground level with housing on upper stories		DMU
24	19	RZ	2.01	0.25 ac. / 12%	\$11,301,900	\$837,000	\$6,039,254	*Delandier's Building (800 Main Ave), Wimmers Jewelry	Redevelopment and Infill, mixed-use or housing		DMU
25		Candidate	2.01	1.28 ac. / 64%	\$880,400	\$458,200	\$665,970	Cass County Courthouse Parking, Neighborhood Commercial (NC) within existing single family residences	Redevelopment and Infill, mixed-use or housing		NO & MRS
26	14t	RZ	2.06	0.65 ac. / 32%	\$7,738,000	\$458,800	\$3,979,029	Park Ridge Apartments (200 8th St S), Residential Condominiums (220 8th St S), United Way, Runsvold Funeral Home	NOX - Rehabilitation EX - Clearance and re-development, specifically the NE and SE corners - establish corners with mixed-use or housing		EX - GC & LC, W3 - MRS
27		Candidate	2.11	1.05 ac. / 49%	\$5,359,400	\$501,000	\$2,777,441	WPAW Tower, Apartments (304 9th St S)	S2 and surface parking lots - Infill		LC & MRS
28	20	RZ	4.75	1.0 ac. / 21%	\$10,904,800	\$820,200	\$2,468,421	Park Terrace Apartments (315 7th St S and 420-422 8th St S), Islander Apartments (415 7th St S) - Primarily Residential Apartments and Condominiums	NOX - Clearance and re-development, specifically the NE and SE corners - establish corners with mixed-use or housing		EX - GC, W3 - MRS
29		RZ	13.03	5.85 ac. / 45%	\$12,834,800	\$4,883,000	\$1,359,770	Gateway Center Plaza (300 Main Avenue), Park East Apartments, Fargo High Rise, Professional Building (100 4th St S), Cenex (330 Main Ave)	NOX (Including Park East Apartments) - Redevelopment with mixed-use and ground level interaction on Main Avenue and the intersections of 2nd S/Main Ave and 4th S/Main Ave. Note that the 2007 Downtown Framework Plan highlights the importance of this block in terms of improving synergy and expanding the success of downtown onto Main Avenue. The Plan also states this block should be developed as a 'gateway' between the Fargo and Moorhead downtown areas with a focus on mixed-use, walkability, economic vitality and connectivity (greenway, streetscape, etc.). S3 - Infill opportunities of surface parking lots and specific focus on establishing a multi-story structure on the corner of 2nd S/4th St. Note proximity to a public parking ramp on 1st Avenue		DMU
30	17	RZ	10.46	9.75 ac. / 93%	\$1,314,400	\$3,635,000	\$473,174	Mid America Steel / Fargo Foundry Steel & Manufacturing Case Plaza	Clearance and Redevelopment - Mixed-use or housing; establish multi-story structure on the corner of 2nd S/1st Ave. Note that a portion of this acreage is within the 100 year floodplain		DMU
31	9t	RZ	1.92	0.61 ac. / 32%	\$2,771,400	\$593,500	\$1,752,552	A-1 Radiator (1 9th St S), Fargo Firehouse No. 2 (916 Main Ave), Christian Science Church (23 9th St S), Apartments (911 1st Ave S)	NOX - Clearance and Redevelopment S3 - Clearance and Redevelopment, housing		DMU
32	5t3	RZ	1.92	0.61 ac. / 32%	\$3,196,500	\$350,800	\$1,847,552	Leaf Cleaners/McGowan SF Residence (1002 1st Ave S), NW Corner and SW Corners - Clearance and Infill with commercial or mixed-use on NX and higher density housing on Boulger Funeral Home (123 10th St S)	Clearance and Redevelopment - Single family or low density residential is not a desired use in this block		GC & MRS
33	8t2	RZ	1.92	0.86 ac. / 45%	\$3,178,500	\$455,400	\$1,892,656	Vacant and underutilized commercial acreage on NX and low density residential on S3	Clearance and Redevelopment - Clearance and Redevelopment, commercial or mixed-use		DMU
34	7t2	RZ	1.92	1.07 ac. / 56%	\$1,827,800	\$459,600	\$1,191,354	Curts Lock & Key (1102 Main Ave), Duffly's (16 12th St S) - Commercial Properties	NOX - Clearance and Redevelopment, commercial or mixed-use S3 - Redevelopment or Infill, housing or mixed-use		DMU

Block #	Previous Block #	Block Status	Acres	Approximate Acreage Undeveloped / Vacant	Block - Building Value	Block - Land Value	Total Value per Acre	Existing Buildings / Land Use	Desired Land Use and Primary Development Strategy	% Block	Zoning District
35	8a	RZ	2.15	1.03 ac / 47%	\$3,702,000	\$919,400	\$2,149,488	Mathison's Express Printing (1213 NP Ave), United Refrigeration (1212th St N) - Office & Commercial Uses	Clearance and Redevelopment - Mixed-use, commercial / retail / office, ground floor commercial or retail and emphasis on interaction with NP Ave and University Dr right-of-way		DMU
36	9a	RZ	2.88	1.34 ac / 46%	\$2,225,400	\$838,000	\$1,065,681	Heartland Apartments, Urban Crossing Apartments (1102 1st Ave N)	Clearance and redevelopment (excluding Urban Crossing Apartments) - Mixed-use, commercial / retail and/or housing		DMU
37	-	RZ	2.69	1.39 ac / 52%	\$2,328,400	\$1,013,700	\$1,242,416	Westor (1001 NP Ave), Park Company Realtors - W5 Single-Family Residential	Clearance and redevelopment - Mixed-use or commercial/retail with ground floor interaction on 10th St and NP Ave; housing on upper floors or W5 of the block. Definition of block corners shall be critical on this block		DMU
38	8	RZ	1.6	0.50 ac / 31%	\$2,833,900	\$649,300	\$2,177,000	Jiffy Lube, Park Company Mortgage, Architecture/Interiors, World Vets Headquarters, Warehouse Apartments	Fossil SA - Clearance, infill and redevelopment; emphasis on defining the block corner on NP Ave and 10th St. Mixed-use, commercial or housing Remainder - Preservation and rehabilitation.		DMU
39	3b	RZ	4.49	3.18 ac / 71%	\$5,415,600	\$1,733,000	\$1,592,116	ND Farm Bureau / Nodak Mutual, Taco Bell, Pierce Co., surface parking	EA - Redevelopment, mixed-use or commercial with definition of block corners and ground floor interaction with adjacent right-of-way (primarily 1st Ave and 10th St)		DMU
41	1b	RZ	1.87	0.91 ac / 48%	\$12,540,700	\$530,100	\$6,985,733	Helenske Design Group (304 10th St N), Credit Union, Taco Johns - Apartment Building (303 11th St N)	EA - Clearance and redevelopment, mixed use or commercial with definition of block corners and ground floor interaction with adjacent right-of-way (most importantly 10th St)		DMU
42	-	RZ	1.87	1.25 ac / 67%	\$1,264,700	\$639,000	\$1,018,021	Stop-N-Go/Casey's General Store, Northern and surface parking (Elm/Northern)	W5 - Clearance and redevelopment; mixed use or commercial with definition of block corners and ground floor interaction with adjacent right-of-way (most importantly 10th St) EA - Infill, mixed-use or housing		DMU
43	-	RZ	1.92	.45 ac / 24%	\$2,369,500	\$500,200	\$1,494,635	Rape & Abuse Crisis Center (720 4th Ave N) and single-family duplex or apartments on the remainder of the block	EA - Clearance and redevelopment (preservation of SE corner); mixed use or housing W5 - Clearance and redevelopment; mixed-use or housing		DMU
44	-	RZ	3.92	1.50 ac / 38%	\$12,546,200	\$956,000	\$3,444,439	Twin Towers Condominiums (1110 3rd Ave N), Freighthouse Flats Apartments, University Dr Manor Apartments (201 2nd Ave N)	W5 - Infill, commercial or mixed-use adjacent to University Drive Remainder - Rehabilitation		DMU
45	-	Candidate	3.15	2.0 ac / 63%	\$1,425,000	\$757,000	\$692,698	SunWan, Blomson's and strip commercial/retail	Clearance, redevelopment and infill - mixed-use, commercial, retail, housing		GC / LC
46	-	RZ	1.85	0.75 ac / 41%	\$3,837,100	\$765,000	\$2,487,622	Fargo School District, Fargo Housing Authority (409 4th St N), N3 - Preservation / Rehabilitation Automated Maintenance Services (410 2nd St N) - and surface parking lots	EA - Clearance and redevelopment; mixed use or housing W5 - Preservation and rehabilitation		DMU
47	-	RZ	2.05	0.63 ac / 31%	\$2,862,000	\$805,000	\$1,788,780	Fargo School District Warehouse (419 3rd St N), Military Processing Center (225 4th Ave N) and Commercial/Retail Building (203 4th Ave N)	Clearance and redevelopment; mixed-use or housing with definition of block corner at 2nd Street and 4th Avenue		DMU
48	-	RZ	1.92	0.24 ac / 13%	\$3,798,100	\$431,600	\$2,202,969	Blenheim/Stratford/Mariborch Apartments (802-807 Ave S), Wellington Apartments (102 9th St S), FM Title (101 8th St S)	Clearance and redevelopment; mixed-use, office or housing W5 - Clearance and redevelopment; mixed use or housing		DMU & MR3
49	11	RZ	2.06	0.76 ac / 37%	\$14,945,100	\$1,171,000	\$7,923,350	Dakota Building (E1 Broadway), Royal Jewelers (69 Broadway), Red River Women's Clinic, Globe Building (302 1st Ave N)	EA - Infill and redevelopment; mixed-use with housing on upper floors W5 - Preservation and rehabilitation		DMU
50	-	RZ	1.73	1.21 ac / 70.2%	\$1,207,800	\$500,100	\$987,225	Sinclair Gas Station (602 4th St N), Arnold A World Dental Laboratory Inc (617 4th St N), Surface Parking lot - EX of the block is mostly single-family residential	Clearance and redevelopment; mixed-use, office or housing		W5 - DMU, NE - MR3, SE - LC
51	-	RZ	3.99	3.99 ac / 100%	\$27,089,000	\$191,500	\$6,837,218	Surface Parking Lot and Government Office Building	Redevelopment of surface parking lot and infill, commercial or mixed-use		DMU

Block #	Previous Block #	Block Status	Acreage	Approximate Acreage Undeveloped / Vacant	Block - Building Value	Block - Land Value	Total Value per Acre	Existing Buildings / Land Use	Deadend Land Use and Primary Development Strategy	X Block	Zoning District
52	-	RZ	2.46	1.51 ac / 61.4%	\$1,647,000	\$697,000	\$952,846	DFC Consultants LLC (1320 1 AVE N), Horab & Wentz Certified Public Accountants (1307 NORTHERN PACIFIC AVE N), Tringstad Engineering, PC (1313 NORTHERN PACIFIC AVE N), Dakota Rollers Auto (10 UNIVERSITY DR N), Bill's Video & TV Service (12 UNIVERSITY DR N), Vacant (20 UNIVERSITY DR N), Crown Trophy (26 UNIVERSITY DR N), Border Cities Service (16 UNIVERSITY DR N)	Redevelopment and infill, mixed-use or commercial		DMU
53	-	RZ	2.28	1.42 ac / 62.1%	\$1,995,700	\$419,800	\$1,059,430	2 Story Duplex (1340 1 AVE N), DFC Consultants Parking Lot (1330 1 AVE N), For Lease (18 1/2 1/2 ST N), 2 Story Single Family Residence (12 1/2 1/2 ST N), 2 Story Duplex (10 1/2 1/2 ST N), For Lease (2 1/2 1/2 ST N), Meinecke-Johnson Construction (15 1/2 ST N), 1 1/2 Story Single Family Residence (15 1/2 ST N), 2 Story Single Family Residence (17 1/2 ST N), 2 Story Single Family Residence (1344 1 AVE N), 2 Story Single Family Residence (1346 1 AVE N), Warehouse (1342 1 AVE N)	Redevelopment and infill, mixed-use, art center, commercial		W X LI, 1/2 DMU
54	-	RZ	3.35	3.35ac / 100%	\$334,400	\$514,200	\$253,313	Single Family Residence (6 E AVE N) Single Family Residence (515 Oak ST N) Single Family Residence (509 Oak ST N) Single Family Residence (505 Oak ST N)	Clearance and redevelopment; housing		MR-2 and DMU
55	-	RZ	2.07	0.76ac / 36.7%	\$22,632,500	\$1,266,900	\$11,545,604	City of Fargo Parking Ramp (411 2 AVE N) American Federal Bank (215 5 ST N) City of Fargo Police Department (225 4 ST N) Skyway (210 4 ST N) Auto Repair Shop (202 4 ST N) Radisson Hotel, Offices and Commercial Uses (201 5 ST N) Prairie Public Television (213 5 ST N)	Redevelopment and infill, mixed-use and commercial		DMU

\* Assessed valuations based on 2018 Assessor's Data





Exhibit A

515 Oak Street N – Keeney & Devitts 2nd Lot 11 Block 28

519 Oak Street N – Keeney & Devitts 2nd Lot 10 Block 28

14 6th Avenue N – Keeney & Devitts 2nd Lot E 40 FT of 8 & 9 Block 28

22 6th Avenue N – Keeney & Devitts 2nd LOT W 100 FT of 8 & 9 Block 28

10 6th Avenue N – Keeney & Devitts Lot W 40 FT of 6 & 7 Block 28

505 Oak Street N – Keeney & Devitts 2nd Lot 1 Block 28

509 Oak Street N – Keeney & Devitts Lot 12 Block 28

43 5th Avenue N – Keeney & Devitts Lot 2,3,4 & W 50 ft of 5 & W ½ of VAC ELM ST ADJ SD LTS & ½ of VAC 5<sup>TH</sup> AVE N ADJ TO LT2 Block 28

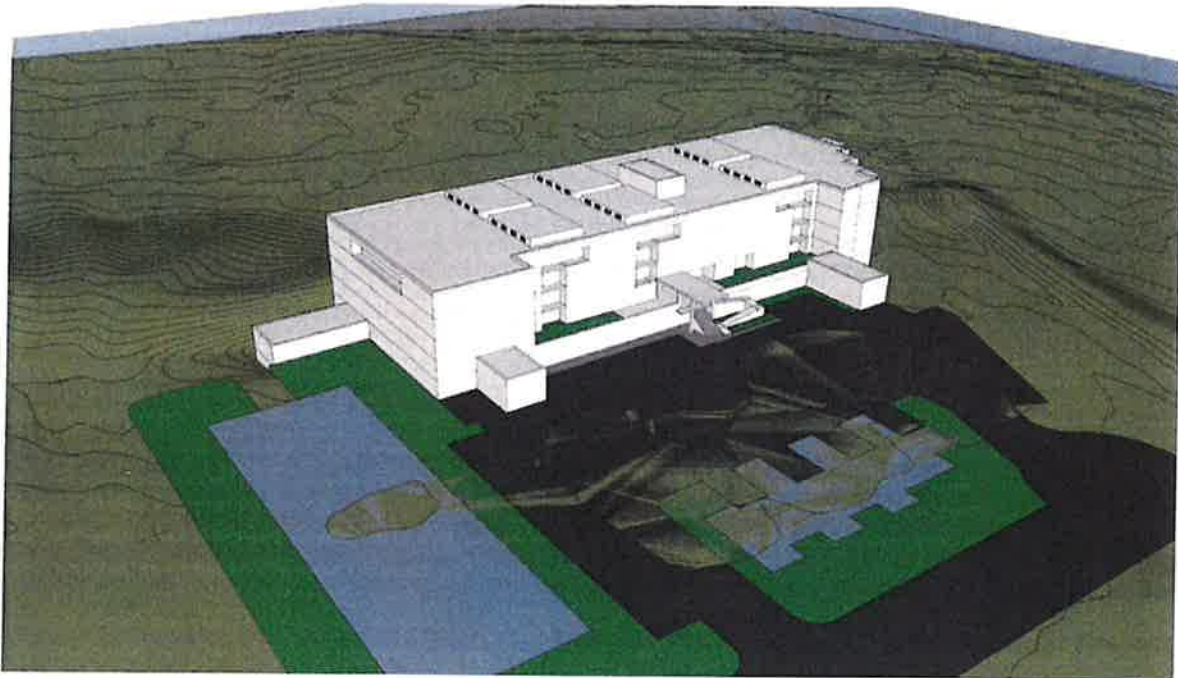
44 5th Avenue N – Keeney & Devitts THAT PT of BLK @&, LYING NLY of GREAT NORTHERN RR (NOW BNRR) R/W, LESS THAT PT WHICH IS W of ELY LT LN OF 8,9,10,11,12 & 1, BLK 28, KEENEY & DEVITTS 2, EXTENDED DIRECTLY SLY TO BN R/W, TOGETHER WITH THAT PT of VAC ELM ST LYING ADJ TO SAME & PT of VAC ELM ST LYING ADJ TO SAME & PT of VAC % AVE N LYING ADJ

48 5th Avenue N – Keeney & Devitts ALL THAT PT OF BLK 27 WHICH IS N of R/W of BNRR & W of E LT LNS of 8,9,10,11,12 & 1 EXTENDED of BLK 28

# DRAFT PROJECT SUMMARY

Multifamily Development

January 2019



## Lofts at Oak Grove

505 Oak St.  
Fargo, North Dakota

## INVESTMENT OVERVIEW

Lofts at Oak Grove is located in the historic Oak Grove neighborhood just blocks from Downtown Fargo. The property is situated off of Oak Street and 6<sup>th</sup> ave North and borders the Wildflower Grove park offering convenient access to the newly created Riverwalk trails and stunning views of the Red River, Hjemkomst Center, downtown Fargo skyline, etc...

Lofts at Oak Grove will start construction in spring 2019. Once construction is completed the property will be managed by Craig Property Management. LHS Investments LLC, the current ownership group, acquired the property in Aug. 2018. At that time significant capital expenditure had already been put into a similar project with a different ownership group. That ownership group dissolved and LHS Investments was formed to step in, take over, and acquire the remaining properties left to start a brand-new development plan.

The unit finishes will be clean and modern while offering premium amenities to its residents. There will be 3 unique offerings within the building. First floor will have more of an industrial feel to the units with concrete block, precast floors & high ceilings. The Second to Fourth floors will be a modern stick-built apartment units with 5 units featuring a two story floorplan. The highlight of the property would be the 5<sup>th</sup> floor (i.e. the Skyloft) which will be higher end units with design and amenities catering to a wealthier clientele. The First and Fifth floor units will have assigned parking within the second-floor parking garage, as well as a private elevator for the 5<sup>th</sup> floor residents. The Second thru Fourth floor residents will have access to the first-floor parking garage, which will be first come, first serve. There will also be ample visitor parking on site.

This project aligns with the goals of the 2015 Fargo Renaissance Zone Development Plan in the following way;

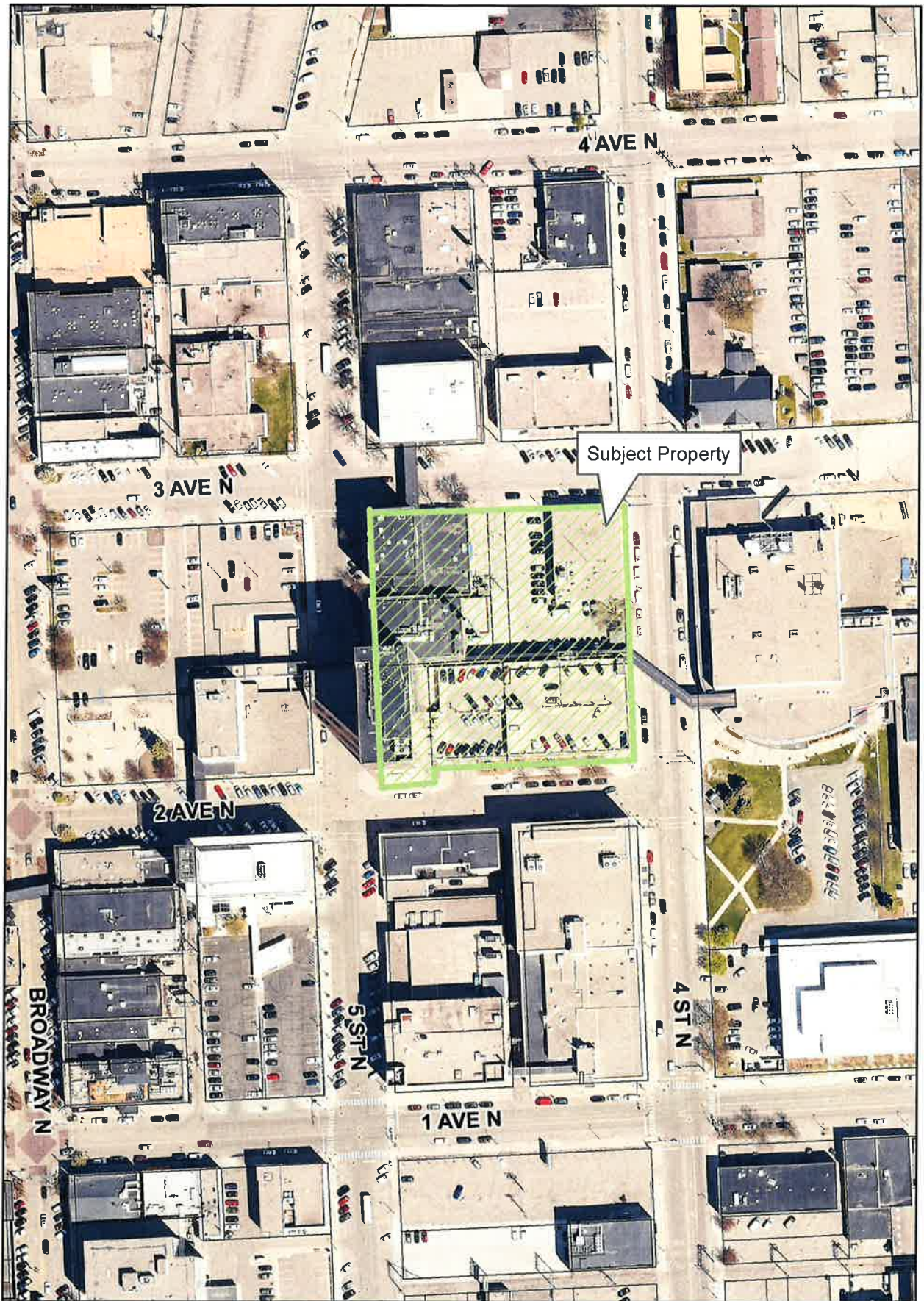
### Infill Policies/Initiatives

GO2030 – Neighborhoods, Infill and New Development; Initiative 01: Promote Infill. Develop policies to promote infill and density within areas that are already developed and are protected by a flood resiliency strategy.

GO2030 – Neighborhoods, Infill and New Development; GUIDING PRINCIPLE: Fargo Will promote attractive and welcoming neighborhoods by promoting a diverse and Affordable housing stock. Fargo will support neighborhoods where residents can age in Place, children can walk to school and essential services are only a short walk away.

PROPERTY OVERVIEW

Property Name:	Lofts at Oak Grove
No. of Units:	TBD
Addresses:	505 Oak St N. Fargo ND, North Dakota
Est. Construction Costs:	\$19,000,000 (est)
Price Per Unit:	TBD
Est. Completion:	Aug / Sept 2020
No. of Buildings:	One Building
Unit Mix:	TBD
Garages:	None
Parking Spaces:	TBD
Storage Units	TBD
Apartment Heat:	TBD
Apartment Hot Water:	TBD
Electricity (Common Areas):	TBD
Electricity (Apartments):	TBD
Amenities:	Washer & Dryer in each unit, as well as, 2 coin operated laundry rooms / Controlled Access / Riverwalk access/ Community room / Exercise Room / Mailroom Lockers / Underground Parking / Bike Racks / Storage Units / Green Roof





2/1/2019

Renaissance Zone Proposal

The Radisson building has towered over Downtown Fargo since 1983. Although a great structure, minimal improvements have been made to the building during the past 36 years. Anyone, who has been in the building for an event or for an evening stay has developed an image of what they think hotel is. Those images haven't changed much with time. With the addition of the Block 9 project's new hotel and our aging reputation, we need to make an impactful change to our building. We need to make a change that not only improves our ability to complete, but elevates the look and feel of Downtown Fargo.

The Radisson executive team, including Radisson's President of the Americas, spent time with us here in Fargo and agree that our building and our city are ready for a Blu. Anyone that has stayed in a Radisson Blu, here in the U.S. or internationally, would tell you that it is a great experience. Radisson positions the "Blu" brand to be in the same tier as a J.W. Marriott with upscale rooms, engaging spaces, state of the art equipment and impressive service. These improvements will come with a high price tag, but we intend to bring that elevated experience to Fargo.

Our vision begins with the exterior of the building where new signage and accent lighting catch the eye and enhance the architecture. Inside we will update the décor that leads to the open three story atrium. The Radisson team will work with us to reinvent our restaurant and lounge. Our event spaces will be modernized to meet the needs of any group. Our current fitness center will be replaced with a much larger and well-equipped space that supports the healthier lifestyle of today's traveler.

When our guests arrive at their rooms, they will find a completely different experience than we can offer today. Radisson Blu rooms have clean lines and a contemporary but warm feel. The new bathrooms will have better lighting to highlight the new stone, tile and updated fixtures. Everything in the rooms will be rebuilt with the guest experience in mind.

With all of the resources going into the Block 9 project next door, we can choose to either accept our declining position or to improve in order to compete. Moving our building into the Renaissance Zone will open doors and help us compete. Downtown Fargo will be better with a Blu.

Thank you,

A handwritten signature in blue ink, appearing to read "Steve".

Steve Martodam  
Chief Operating Officer

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<b>City of Fargo Staff Report</b>			
<b>Title:</b>	Maier Second Addition	<b>Date:</b>	6/23/2018
		<b>Updated:</b>	3/20/2019
<b>Location:</b>	1135, 1141, and 1201 49 <sup>th</sup> Avenue South	<b>Staff Contact:</b>	Donald Kress, planning coordinator
<b>Legal Description:</b>	A portion of Lot 4, Block 2, Maier First Subdivision and unplatted tax Lots 23 and 24 in the Southeast Quarter of Section 37, Township 139 North, Range 49 West		
<b>Owner(s)/Applicant:</b>	City of Fargo	<b>Engineer:</b>	City of Fargo
<b>Entitlements Requested:</b>	<b>Major Subdivision</b> (Replat of a portion of Lot 4, Block 2, Maier First Subdivision and unplatted tax Lots 23 and 24 in the Southeast Quarter of Section 37, Township 139 North, Range 49 West of the 5 <sup>th</sup> Principal Meridian including a subdivision waiver to allow a reduced size cul-de-sac)		
<b>Status:</b>	City Commission Public Hearing: March 25, 2019		

<b>Existing</b>	<b>Proposed</b>
<b>Land Use:</b> Vacant	<b>Land Use:</b> Future Residential Development
<b>Zoning:</b> SR-2, Single Dwelling Residential	<b>Zoning:</b> No change
<b>Uses Allowed:</b> detached houses, daycare centers up to 12 children, parks and open space, religious institutions, safety services, schools, and basic utilities.	<b>Uses Allowed:</b> No change
<b>Maximum Lot Coverage Allowed:</b> 5.4 units per acre	<b>Maximum Lot Coverage Allowed:</b> No change

**Proposal:**

The applicant is seeking approval of a major subdivision, entitled Maier Second Addition, which is a replat of a portion of Lot 4, Block 2, Maier First Subdivision and unplatted tax Lots 23 and 24 in the Southeast Quarter of Section 37, Township 139 North, Range 49 West. The subject properties are located at 1135, 1141, and 1201 49<sup>th</sup> Avenue South and encompass approximately 21, 233 square feet. The applicant is proposing a one lot, one block major subdivision with a Subdivision Waiver to retain the existing cul-de-sac for the purpose of reconfiguring flood buy-out lots into one lot that will meet future development market demand. The Land Development Code requires that the turn-around diameter of a cul-de-sac provide 140 feet of right of way and 100 feet of pavement. The applicant proposes a subdivision waiver to retain the existing cul-de-sac with diameter measurements of 110 feet of right-of-way and 66 feet of pavement.

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: SR-2 and AG, Agricultural, with detached homes
- East: SR-2, vacant
- South: SR-2 and AG, Agricultural, vacant
- West: SR-2 with detached homes

<p><b>Area Plans:</b></p> <p>No area plans apply.</p>
<p><b>Schools and Parks:</b></p> <p><b>Schools:</b> The subject property is located within the Fargo School District and is served by Centennial Elementary, Discovery Middle, and Davies High schools.</p> <p><b>Neighborhood:</b> The subject property is located in the Rose Creek neighborhood.</p> <p><b>Parks:</b> Iwen Park Boat Access, Disc Gold Course, and BMX track are located less than 1,200 feet south of the subject properties. Amenities provided are boat ramp, cross country ski trails, disc golf, BMX track, and fishing.</p> <p><b>Pedestrian / Bicycle:</b> Off-road bike facilities are provided along University Drive South less than 600 feet west of the subject properties and are a component of the metro area bikeways system.</p>
<p><b>Staff Analysis:</b></p> <p><b>Discussion at the July 3, 2018 Planning Commission Hearing:</b>  The following property owners spoke regarding the proposal stating the following concerns: size of the cul-de-sac and limited parking during events, drainage issues, and future use of the property.</p> <p>Brian Johnson, 1209 49th Avenue South  Jim Zitzow, 4810 University Drive South  Ed Stalemo, 4802 University Drive South  Rodney Hubbard, 1202 48th Avenue South</p> <p>Discussion was held regarding a drainage easement and the current zoning of the property.</p> <p><b>City Engineer Comment on the Drainage Easement:</b>  The City Engineer has stated that the drainage easement should be recorded as a separate document rather than shown on the plat. The final owner may want to relocate the drainage swale on his property and it would be perfectly acceptable as long as he maintains the drainage. By recording the easement by document, amending it could be accomplished through an amendment of the location on the original document, it would not require editing the plat. This drainage easement is attached as part of the approval of this plat.</p> <p><b>Subdivision</b>  The LDC stipulates that the following criteria are met before a major subdivision can be approved</p> <p><b>1. Section 20-0907(C)(1)(Development Review Procedures—Subdivisions—Major Subdivisions) of the LDC stipulates that no major subdivision plat application will be accepted for land that is not consistent with an approved Growth Plan or zoned to accommodate the proposed development.</b>  The subject property is located within an existing residential subdivision development in the SR-2, Single Dwelling Residential, zoning district and no area plans exist for the property location. The SR-2 zoning district will have the potential to accommodate future development.  <b>(Criteria Satisfied)</b></p> <p><b>2. Section 20-0907.4 of the LDC further stipulates that the Planning Commission shall recommend approval or denial of the application and the City Commission shall act to approve or deny,</b></p>



**based on whether it is located in a zoning district that allows the proposed development, complies with the adopted Area Plan, the standards of Article 20-06 and all other applicable requirements of the Land Development Code.**

With the exception of the proposed cul-de-sac, the proposed development is consistent and compatible with the Go2030 Comprehensive Plan and the subdivision request meets the requirements of the Land Development Code (LDC). Additionally, in accordance with Section 20-0901(F) of the LDC, notices of the proposed plat have been sent out to property owners within 300 feet of the subject property. To date, staff has received five comments and inquiries regarding the project. The project has been reviewed by the city's Planning, Engineering, Public Works, Inspections, and Fire Departments and found to meet the standards of Article 20-06 and other applicable requirements of the Land Development Code.

**(Criteria Satisfied)**

**3. Section 20-0907.C.4.f of the LDC stipulates that in taking action on a Final Plat, the Board of City Commissioners shall specify the terms for securing installation of public improvements to serve the subdivision.**

Due to the existing infrastructure on the subdivision, no amenities plan will be required. Any improvements associated with the project (both existing and proposed) are subject to special assessments. City of Fargo special assessment policy would allocate the costs of public infrastructure improvements by the proportion of linear property frontage and storm sewer costs by a square footage basis.

**(Criteria Satisfied)**

**SUBDIVISION WAIVER FOR REDUCED CUL-DE-SAC DIMENSIONS**

The LDC stipulates that the following criteria are met before a subdivision waiver can be approved:

**1. Section 20-0907.D.3.a of the LDC stipulates that a Subdivision Waiver must not be detrimental to the public safety, health, or welfare or injurious to other property or improvements in the area in which the property is located.**

As discussed earlier in this staff report, staff is supportive of the requested subdivision waiver. Staff has no reason to believe that the requested subdivision waiver would be detrimental to the public safety, health, or welfare, or injurious to other property or improvements in the area. **(Criteria Satisfied)**

**2. Section 20-0907.D.3.b of the LDC stipulates that a Subdivision Waiver must represent the least deviation from this Land Development Code that will mitigate the hardship or practical difficulty that exists on the subject property.**

The applicant proposes to retain the existing cul-de-sac at the subject property. The subdivision waiver would mitigate the practical difficulty of diminished opportunities to develop the site if the cul-de-sac were to be enlarged to meet LDC Section 20-0611(G)(3). The current right-of-way and paved diameters of the existing cul-de-sac are 100 feet and 66 feet respectively. As a result, the existing diameters are 30 feet and 33 feet less than what is required. If each diameter of the cul-de-sac were to be increased to meet LDC requirements, it would require land from the proposed lot to be utilized in order to provide enough space so that it could be constructed. The subdivision waiver would allow the cul-de-sac to remain without having to sacrifice additional land from the proposed lot. Neither the Public Works nor Fire Departments have identified any issues with this proposal. **(Criteria Satisfied)**

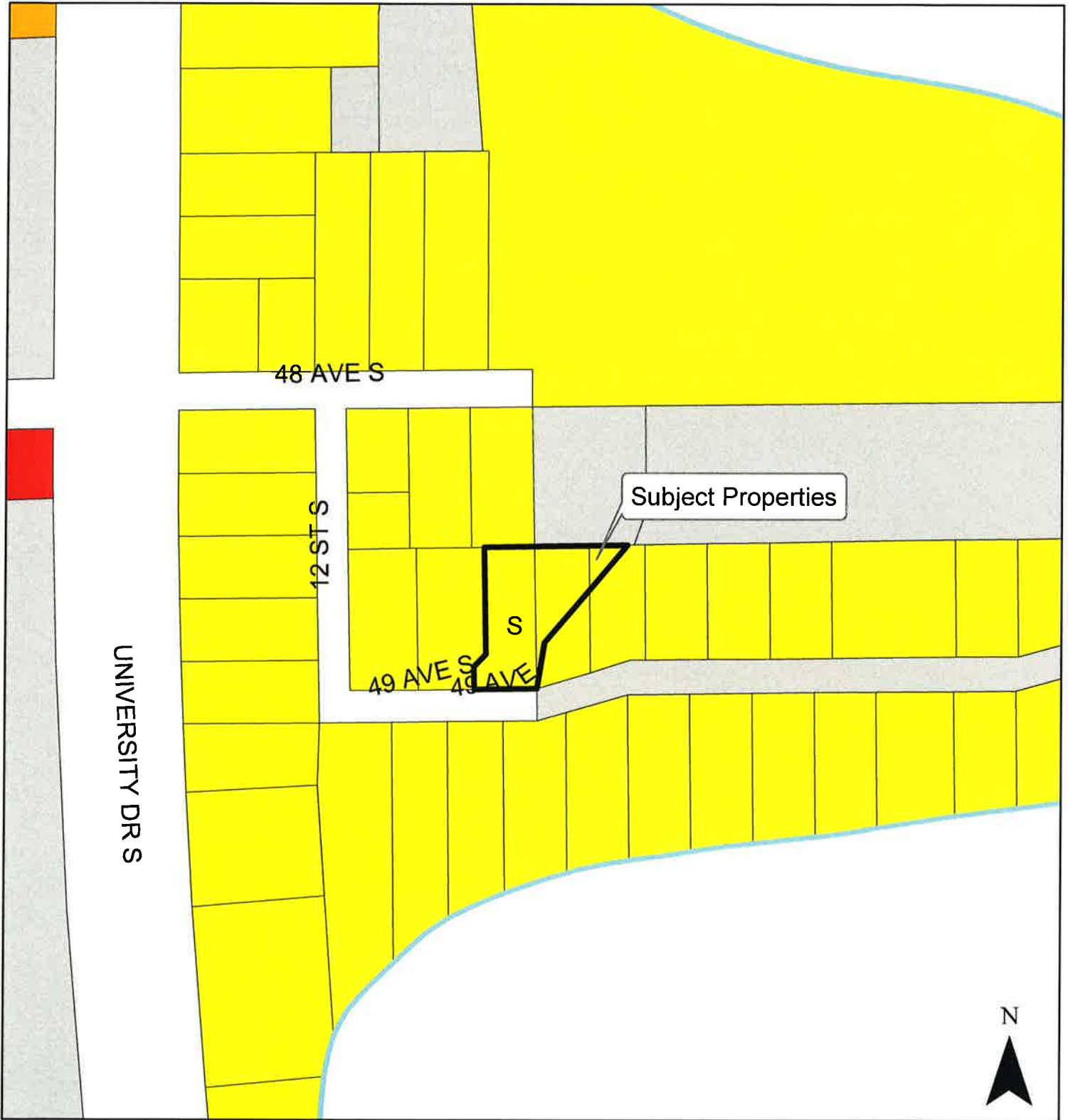
**3. Section 20-0907.D.3.c of the LDC stipulates that a Subdivision Waiver shall not have the effect of waiving any provisions of this development code other than the Subdivision Design and Improvement Standards of Article 20-06.**

<p>As outlined in this report, the requested subdivision waiver is intended to reduce the dimensions of the cul-de-sac as required by the Subdivision Design and Improvement standards of Section 20-0611 of the Land Development Code. This waiver only applies to this property. <b>(Criteria Satisfied)</b></p>
<p><b>Staff Recommendation</b></p>
<p>Suggested Motion: "To accept the findings and recommendations of staff and the Planning Commission and move to approve the proposed 1) subdivision plat of Maier Second Addition, including the attached drainage easement, and 2) Subdivision Waiver for of Section 20-0611(G)(3) of the LDC as outlined in this staff report, as the proposed complies with the standards of Article 20-06, Section 20-0907, and all other applicable requirements of the Land Development Code."</p>
<p><b>Planning Commission Recommendation: July 3 , 2018</b></p>
<p>On July 3, 2018, by a vote of 8-0 with two Commissioners absent, the Planning Commission voted to accept the findings and recommendations of staff and moved to recommend approval to the City Commission of the proposed 1) Subdivision Plat, Maier Second Addition, and 2) Subdivision Waiver of Section 20-0611 of the Land Development Code as outlined within the staff report with the condition that a drainage easement be added, as the proposal complies with the Standards of Article 20-06, Section 20-0907, and all other applicable requirements of the Land Development Code.</p>
<p><b>Attachments:</b></p>
<ol style="list-style-type: none"><li>1. Zoning Map</li><li>2. Location Map</li><li>3. Plat</li><li>4. Drainage Easement</li></ol>

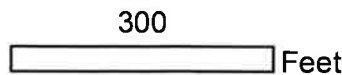
# Plat (Major)

## Maier Second Addition

1135, 1141 and  
1201 49th Avenue South



AG	LC	MHP	SR-1
DMU	LI	NCI	SR-2
GC	MR-1	NO	SR-3
GI	MR-2	P/I	SR-4
GO	MR-3	UMU	SR-5



Fargo Planning Commission  
July 3, 2018

# Plat (Major)

## Maier Second Addition

1135, 1141 and  
1201 49th Avenue South





**DECLARATION OF EASEMENT**  
**(Drainage Easement)**

The city of Fargo, a North Dakota municipal corporation, (the “Declarant”), is the owner of certain real property located in the city of Fargo, County of Cass, State of North Dakota. The Declarant does hereby declare a portion of such property for a permanent drainage easement, such property being more fully described as follows:

A 10.00 foot wide strip of land in Lot 1, Block 1 of MAIER SECOND ADDITION to the City of Fargo, Cass County, North Dakota centered on the following described line:

Commencing at the northwest corner of said Lot 1; thence South 1°12’03” East, along the west line of said Lot 1, a distance of 14.08 feet to the point of beginning of the line to be described herein; thence South 86°42’04” East a distance of 198.89 feet to a point on the southeasterly line of said Lot 1 and there terminating.

Sidelines of said 10.00 foot wide strip shall be lengthened or shortened so as to terminate on the west line of said Lot 1 on the west and on the southeasterly line of said Lot 1 on the east.

Said 10.00 foot wide strip contains 1,989 square feet, more or less.

Bearings are based on the City of Fargo ground control system.

The declaration is for the purpose of establishing and preserving a drainage easement on the property to the city of Fargo, and any sale or transfer of the above described parcel shall be subject to the terms and conditions of this Declaration of Easement in favor of the city of Fargo. No buildings or other obstacles of any kind shall be placed or located upon the tract in any manner which may interfere with said the drainage easement established herein. A fence may be placed across the drainage easement in such a manner that would not impair or impede the free flow of water in the drainage easement.

This easement created by the Declarant shall run with the land and shall inure to the benefit of the Declarant, and shall not merge with the common ownership of the Property. Any deed conveying the property shall reserve this Declaration of Easement in the city of Fargo.

(Signature on following page).

IN WITNESS WHEREOF, the Declarant has set its hand and caused this instrument to be executed this \_\_\_\_ day of \_\_\_\_\_, 2019.

City of Fargo, a North Dakota Municipal Corporation

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

ATTEST

\_\_\_\_\_  
Steven Sprague

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

On this \_\_\_\_ day of \_\_\_\_\_, 2019, before me, a notary public in and for said county and state, personally appeared **Timothy J. Mahoney, M.D.** and **Steven Sprague**, to me known to be the Mayor and Auditor, respectively, of the City of Fargo, described in and who have executed the within and foregoing instrument, and acknowledged to me that they executed the same.

(SEAL)

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

The legal description was prepared by:  
City of Fargo Engineering  
225 4<sup>th</sup> Street North  
Fargo, ND 58102  
701-241-1545

This document was prepared by:  
Nancy J. Morris  
Assistant City Attorney  
Erik R. Johnson & Associates, Ltd.  
505 Broadway N., Ste. 206  
Fargo, ND 58102  
701-280-1901  
nmorris@lawfargo.com



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City of Fargo Staff Report			
<b>Title:</b>	Providence at Prairie Farms Addition	<b>Date:</b>	5-25-18
		<b>Update:</b>	6-22-18
		<b>Update:</b>	3-25-19
<b>Location:</b>	5764, 5788, 5810, 5830, 5850, 5866, 5882, 5892, 5906, 5920 31 <sup>st</sup> St S	<b>Staff Contact:</b>	Kylie Bagley
<b>Legal Description:</b>	Lots 20-29, Block 1, Prairie Farms Addition		
<b>Owner(s)/Applicant:</b>	Prairie Grove, Inc. / Michael Domitrovich	<b>Engineer:</b>	Houston Engineering Inc.
<b>Entitlements Requested:</b>	<b>Minor Subdivision</b> (Replat of Lots 20-29, Block 1, Prairie Farms Addition) and <b>Zoning Change</b> (from SR-4, Single-Dwelling Residential with a C-O, to SR-4, Single-Dwelling Residential and from SR-4, Single-Dwelling Residential with a C-O, to P/I, Public and Institutional, with a C-O, Conditional Overlay on Lot 16, Block 1, Providence at Prairie Farms Addition)		
<b>Status:</b>	City Commission Public Hearing: March 25, 2019		

Existing
<b>Land Use:</b> Vacant
<b>Zoning:</b> SR-4, Single-Dwelling Residential with a C-O
<b>Uses Allowed:</b> detached houses, daycare centers up to 12 children, <del>attached houses, duplexes,</del> parks and open space, religious institutions, safety services, schools, and basic utilities
<b>With a Conditional Overlay (C-O) to prohibit the following uses within the Use Category of Household Living:</b> <ul style="list-style-type: none"> <li>• House, Attached – prohibited</li> <li>• Duplex - prohibited</li> </ul>
<b>Maximum Density Allowed:</b> Maximum 12.1 units per acre

Proposed
<b>Land Use:</b> Household Living and Park
<b>Zoning:</b> SR-4, Single-Dwelling Residential and P/I, Public and Institutional with a C-O
<b>Uses Allowed (SR-4):</b> detached houses, daycare centers up to 12 children, attached houses, duplexes, parks and open space, religious institutions, safety services, schools, and basic utilities
<b>Uses Allowed (P/I):</b> <del>colleges, community service, daycare centers of unlimited size, detention facilities, health care facilities, parks and open space, religious institutions, safety services, schools, offices, commercial parking, outdoor recreation and entertainment, industrial service, manufacturing and production, warehouse and freight movement, waste related use, agriculture, aviation, surface transportation, and major entertainment events.</del>
<b>With a Conditional Overlay (C-O) to restrict land uses to parks and open space and outdoor recreation and entertainment</b>
<b>Maximum Density Allowed:</b> Maximum 12.1 units per acre P/I Zoning District takes on the dimensional standards of the adjacent zoning district

Proposal:
The applicant is proposing a minor subdivision and zone change on the subject property. The subject properties are located at 5764, 5788, 5810, 5830, 5850, 5866, 5882, 5892, 5906, 5920 31 <sup>st</sup> St S, Lots 20-29, Block 1, Prairie Farms Addition, which encompasses approximately 4.5 acres. The applicant intends to replat in order to accommodate attached housing units.
The applicant is also proposing a zone change from SR-4, Single-Dwelling Residential with a Conditional Overlay to SR-4 Single-Dwelling Residential. In 2014 a conditional overlay was placed on SR-4 lots within Prairie Farms

Addition in order to remove attached housing and duplexes from the list of permissible uses which will limit larger lots within Block 4 and Block 6 to detached housing which otherwise could accommodate a number of attached units based on density provisions within the SR-4 district. The current owner has a clear vision for the site and intends to have attached housing units.

The applicant is also proposing a zone change on Lot 16, Block 1, Providence at Prairie Farms Addition, from SR-4, Single-Dwelling Residential, to P/I, Public and Institutional with a C-O, Conditional Overlay, in order to accommodate a public trail. This lot will eventually be owned by the Fargo Park District. The Conditional Overlay will restrict land uses to parks and open space and outdoor recreation and entertainment.

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.

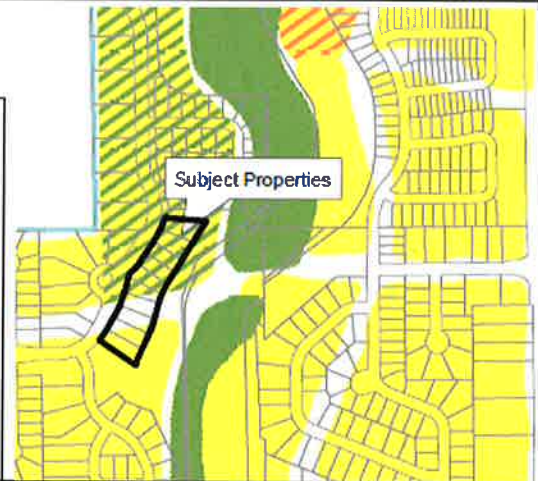
**Surrounding Land Uses and Zoning Districts:**

- North: Directly north is P/I, Public and Institutional, and SR-4, Single-Dwelling Residential, with vacant land and detached homes
- East: Directly east is P/I, Public and Institutional, with vacant land
- South: P/I and SR-4, Public and Institutional, and SR-4, Single-Dwelling Residential, with vacant land
- West: SR-4, Single-Dwelling Residential, with vacant land

**Area Plans:**

The subject property is located within the 2001 Growth Plan with the designation of Medium/High Density or Park/Open Space. The SR-4 zoning district complies with the Medium/High Density designation.

	Commercial
	Commercial or Medium/High Density
	Commercial or Medium/High or Park/Open Space
	Commercial or Park/Open Space
	Either Industrial or Commercial
	Either Office or Commercial
	Either Office or Medium/High Density Residential
	Industrial
	Low/Medium Density Residential
	Low/Medium Density or Medium/High Density
	Medium/High Density Residential
	Medium/High Density or Park/Open Space
	Office
	Office or Commercial or Medium/High Density
	Park/Open Space
	Public
	Public or Commercial
	Public or Low/Medium Density
	Public or Office
	Storm Water



**Schools and Parks:**

**Schools:** The subject property is located within the Fargo School District and is served by Centennial Elementary, Discovery Middle and Davies High schools.

**Neighborhood:** The subject property is located in the Maple Valley Neighborhood.

**Parks:** Prairie Farms Park (5970 31 Street South) is located directly east of the subject property.

**Pedestrian / Bicycle:** Off-road bike facilities run along 36<sup>th</sup> Street South and is a component of the metro area trail system.

**Staff Analysis:**

**ACCESS AND SITE DESIGN:** The project will take access from 31st Street South, an existing dedicated public street. The applicant intends to have a private driveway serving the individual lots, so there are not individual driveways directly onto 31<sup>st</sup> Street South. The private drive will have two accesses onto 31<sup>st</sup> Street South (see attached site plan).

**SITE DESIGN:** The applicant has provided a conceptual site plan, which is attached. It depicts the residences set back approximately 112 feet from the 31<sup>st</sup> Street South frontage, with the residences taking access from a private driveway that has two connections with 31<sup>st</sup> Street South. The area between 31<sup>st</sup> Street South and the private driveway is intended to be a landscaped area maintained by a homeowners association (HOA), though this area will be part of the individual homeowners' lots and not separate lots owned by the HOA.

**ATTACHED HOUSING:** This project applies Alternative Residential Development Options—Attached Housing (LDC Section 20-0506 B) that exempts attached housing from lot width, lot area, and building coverage requirements. No separate entitlement is required to apply these Alternate Residential Development Standards, as they are allowed by right but the application is confirmed for compliance with the subdivision process.

### **Zoning**

Section 20-906. F (1-4) of the LDC stipulates the following criteria be met before a zone change can be approved:

- 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?**

Staff is unaware of any zoning map error in regard to the subject property. The requested zoning change is justified by a change in conditions since the previous zoning classification was established. **(Criteria Satisfied)**

- 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?**

The development is served with city services (water, sewer, streets, police/fire protection, etc.) as well as other needed utility services as needed. The City Engineer and other applicable review agencies have reviewed this proposal. No deficiencies to provide the necessary public services, facilities and programs to this development have been identified. **(Criteria Satisfied)**

- 3. Will the approval of the zoning change adversely affect the condition or value of the property in the vicinity?**

Staff has no documentation or evidence that the approval of this zoning change would adversely affect the condition or value of the property in the vicinity. The proposed zone change is in keeping with adopted plans approved via public process. In addition, written notice of the proposal was sent to all property owners within 300 feet of the subject property. To date, staff has not received any verbal concerns or written comments regarding the proposed overlay zoning change. Staff finds that the approval will not adversely affect the condition or value of the property in the vicinity. **(Criteria Satisfied)**

- 4. Is the proposed amendment consistent with the purpose of this LDC, the 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 finds that the proposal is consistent with the purposes of the LDC, the Growth Plan, and other adopted policies of the City. **(Criteria Satisfied)**

### **Minor Subdivision**

The LDC stipulates that the following criteria is met before a minor plat can be approved:

- 1. Section 20-0907.B.3 of the LDC stipulates that the Planning Commission recommend approval or denial of the application, based on whether it complies with the adopted Area Plan, the standards of Article 20-06 and all other applicable requirements of the Land Development Code. Section 20-0907.B.4 of the LDC further stipulates that a Minor Subdivision Plat shall not be approved unless it is located in a zoning district that allows the proposed development and complies with the adopted Area Plan, the standards of Article 20-06 and all other applicable requirements of the Land Development Code.**

The subdivision is intended to replat Lots 20-29, Block 1, Prairie Farms Addition into 16 lots and 1 block to

accommodate future development. In accordance with Section 20-0901.F of the LDC, notices of the proposed plat have been sent out to property owners within 300 feet of the subject property. To date, staff has not received any inquiries. Staff has reviewed this request and finds that this application complies with standards of Article 20-06 and all applicable requirements of the Land Development Code. **(Criteria Satisfied)**

2. **Section 20-907.C.4.f of the LDC stipulates that in taking action on a Final Plat, the Board of City Commissioners shall specify the terms for securing installation of public improvements to serve the subdivision.**

While this section of the LDC specifically addresses only major subdivision plats, staff believes it is important to note that any improvements associated with the project (both existing and proposed) are subject to special assessments. Special assessments associated with the costs of the public infrastructure improvements are proposed to be spread by the front footage basis and storm sewer by the square footage basis as is typical with the City of Fargo assessment principles. **(Criteria Satisfied)**

**Planning Commission Recommendation: July 3, 2018**

On July 3, 2018, with a 8-0 vote, the Planning Commission accepted the findings and recommendations of staff and hereby recommended approval to the City Commission of the proposed: 1) Zoning Change from SR-4, Single-Dwelling Residential with a C-O, to SR-4 , Single-Dwelling Residential on Lots 1-15, Block 1, Providence at Prairie Farms Addition; and from SR-4, Single-Dwelling Residential with a C-O, to P/I, Public and Institutional, with a C-O, Conditional Overlay on Lot 16, Block 1, Providence at Prairie Farms Addition and 2) Subdivision Plat, **Providence at Prairie Farms Addition** as outlined within the staff report, as the proposal complies with the adopted Area Plan, the standards of Article 20-06, and all other applicable requirements of the Land Development Code".

**Staff Recommendation:**

Suggested Motion: "To accept the findings and recommendations of the Planning Commission staff and hereby waive the requirement to receive the Ordinance one week prior to the first reading and place the rezoning Ordinance on the first reading, and move to approve the proposed: 1) Zoning Change from SR-4, Single-Dwelling Residential with a C-O, to SR-4 , Single-Dwelling Residential on Lots 1-15, Block 1, Providence at Prairie Farms Addition; and from SR-4, Single-Dwelling Residential with a C-O, to P/I, Public and Institutional, with a C-O, Conditional Overlay on Lot 16, Block 1, Providence at Prairie Farms Addition and 2) Subdivision Plat, **Providence at Prairie Farms Addition** as outlined within the staff report, as the proposal complies with the adopted Area Plan, the standards of Article 20-06, and all other applicable requirements of the Land Development Code".

**Attachments:**

1. Zoning Map
2. Location Map
3. Preliminary Plat
4. Site Plan

# Plat (Minor) and Zone Change (SR-4 w/ C-O to SR-4 and P/I w/ C-O)

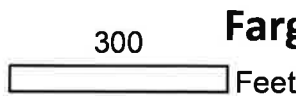
## Providence at Prairie Farms Addition

5764 - 5920 31st Street South



### Legend

AG	DMC	GO	LC	MR-1	MR-2	MR-3	MHP	NC	NO	P/I	UMI	SR-2	SR-3	SR-4	SR-5	SR-6	SR-7	SR-8	SR-9	SR-10	SR-11	SR-12	SR-13	SR-14	SR-15	SR-16	SR-17	SR-18	SR-19	SR-20	SR-21	SR-22	SR-23	SR-24	SR-25	SR-26	SR-27	SR-28	SR-29	SR-30	SR-31	SR-32	SR-33	SR-34	SR-35	SR-36	SR-37	SR-38	SR-39	SR-40	SR-41	SR-42	SR-43	SR-44	SR-45	SR-46	SR-47	SR-48	SR-49	SR-50	SR-51	SR-52	SR-53	SR-54	SR-55	SR-56	SR-57	SR-58	SR-59	SR-60	SR-61	SR-62	SR-63	SR-64	SR-65	SR-66	SR-67	SR-68	SR-69	SR-70	SR-71	SR-72	SR-73	SR-74	SR-75	SR-76	SR-77	SR-78	SR-79	SR-80	SR-81	SR-82	SR-83	SR-84	SR-85	SR-86	SR-87	SR-88	SR-89	SR-90	SR-91	SR-92	SR-93	SR-94	SR-95	SR-96	SR-97	SR-98	SR-99	SR-100
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Fargo Planning Commission  
July 3, 2018

# Plat (Minor) and Zone Change (SR-4 w/ C-O to SR-4 and P/I w/ C-O)

## Providence at Prairie Farms Addition

5764 - 5920 31st Street South



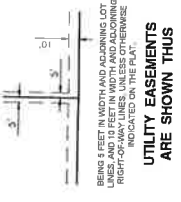
# PROVIDENCE AT PRAIRIE FARMS ADDITION

BEING A REPLAT OF LOTS 20 THROUGH 29, BLOCK 1,  
PRAIRIE FARMS ADDITION  
TO THE CITY OF FARGO,  
CASS COUNTY, NORTH DAKOTA  
A MINOR SUBDIVISION

- NOTES:**
1. NEGATIVE ACCESS EASEMENT, AS NOTED ON THIS PLAN, IS A PROPERTY EASEMENT WHICH PROVIDES A DIRECT, VERTICAL ACCESS TO A STREET OR PUBLIC HIGHWAY FROM THE LOT TO WHICH THE EASEMENT IS NOT A STRIP OF LAND OF ANY CERTAIN WIDTH, BUT IS ADJACENT TO THE LOT WITH THE BOUNDARY OF THE ADJACENT LOT ON LOTS.
  2. A PORTION OF THE PROPERTY IS EXCLUDED IN ZONE A-1 (100 YEAR FLOODPLAIN) AS DERIVED ON FEMA FIRM PANEL, INTROSPECT, DATED JAN. 11, 2015.
  3. BASE FLOOD ELEVATION = 962.7 (NAVD 1988)

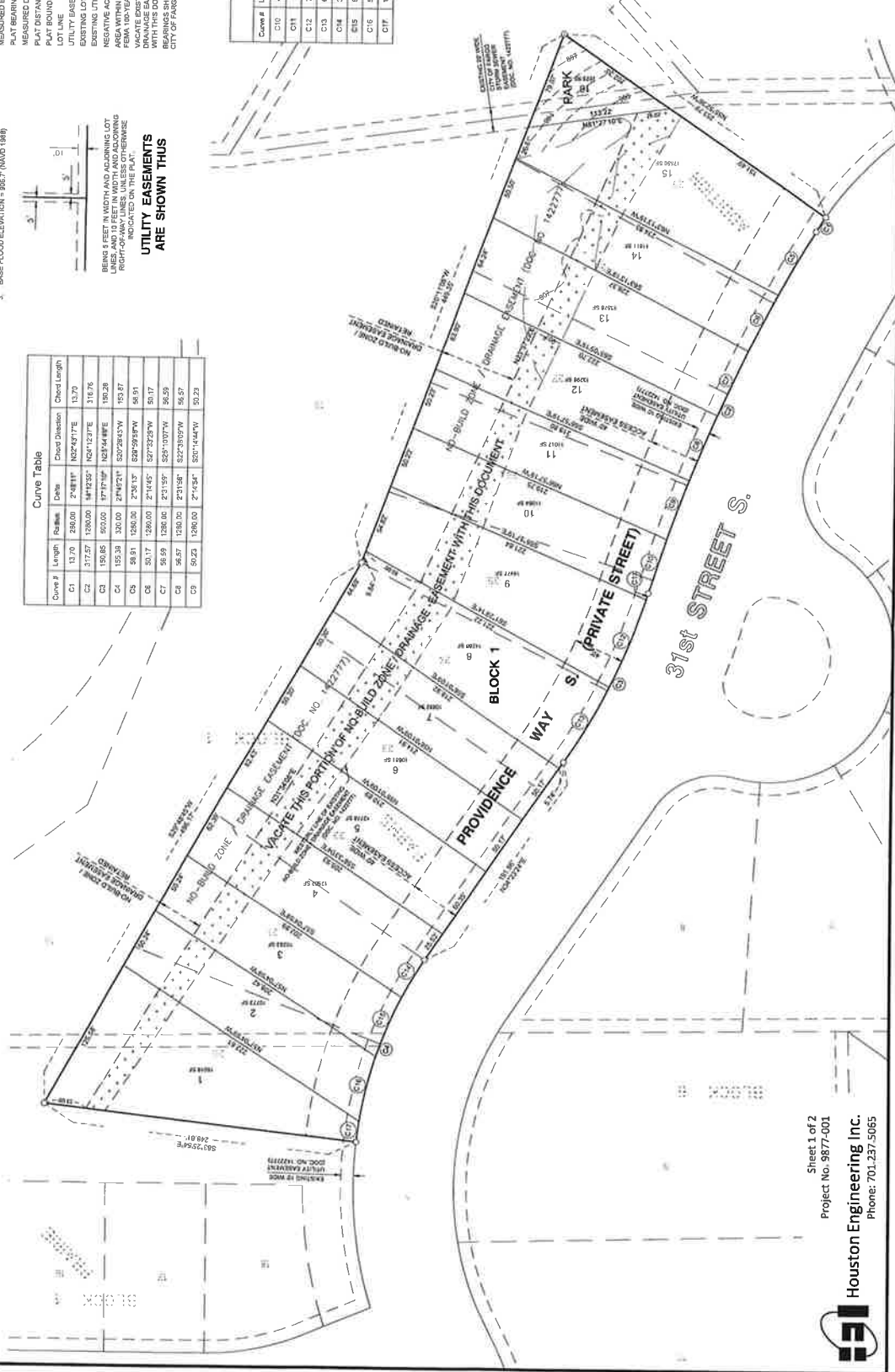
Curve Table

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	13.70	280.00	2°48'11"	N22°37'17"E	13.70
C2	277.57	1200.00	14°43'55"	N20°12'21"E	315.76
C3	150.85	500.00	7°51'24"	N37°54'48"E	150.28
C4	155.33	300.00	2°48'21"	S20°28'45"W	153.87
C5	38.91	1200.00	2°58'13"	S28°59'59"W	58.91
C6	50.17	1200.00	2°14'45"	S27°32'29"W	50.17
C7	95.89	1200.00	2°31'59"	S25°10'07"W	95.89
C8	96.87	1200.00	2°31'58"	S22°38'09"W	96.87
C9	50.23	1200.00	2°14'54"	S20°14'44"W	50.23



Curve Table

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C10	45.10	1200.00	2°03'07"	S18°05'49"W	45.09
C11	9.27	300.00	6°38'15"	S79°20'20"W	9.27
C12	75.92	500.00	6°41'59"	S20°02'35"W	75.85
C13	69.69	500.00	7°59'59"	S28°22'35"W	69.61
C14	34.99	300.00	6°14'54"	S31°12'51"W	34.88
C15	61.89	300.00	9°06'45"	S22°52'08"W	60.84
C16	63.00	300.00	9°29'24"	S14°17'03"W	60.94
C17	18.60	300.00	2°58'11"	S20°03'29"W	18.60



Sheet 1 of 2  
Project No. 9877-001  
Houston Engineering Inc.  
Phone: 701.237.5065



**PROVIDENCE AT PRAIRIE FARMS ADDITION**  
 BEING A REPLAT OF LOTS 20 THROUGH 28, BLOCK 1,  
 PRAIRIE FARMS ADDITION  
 TO THE CITY OF FARGO,  
 CASS COUNTY, NORTH DAKOTA  
 A MINOR SUBDIVISION

**OWNERS' CERTIFICATE**

KNOW ALL PERSONS BY THESE PRESENTS: That Prairie Grove, Inc., a North Dakota Corporation, is the owner and proprietor of Lots 20 - 28 (inclusive, Block 1, Prairie Farms Addition to the City of Fargo, Cass County, North Dakota) consisting of approximately 4.474 acres, more or less.

And that said party has caused the same to be surveyed and re-platted as PROVIDENCE AT PRAIRIE FARMS ADDITION to the City of Fargo, Cass County, North Dakota, does hereby vacate the No-Build Zone / Drainage Easement as designated for vacation on this plat, and does hereby dedicate Providence Way South (Private Street), also shown as "No-Access Easement" on the plat, to the current and future owners of Lots 1 - 15, Block 1.

**OWNER:**  
 Prairie Grove, Inc.

Name: \_\_\_\_\_  
 Title: \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared \_\_\_\_\_, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same on behalf of the said Corporation.

Notary Public: \_\_\_\_\_

**SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT**

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

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Curtis A. Skarphol,  
 Professional Land Surveyor No. 4723

**CITY ENGINEER'S APPROVAL**

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

Mark H. Bliznik, City Engineer

**FARGO PLANNING COMMISSION APPROVAL**

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

Shana Fischer, Chair  
 Fargo Planning Commission

**FARGO CITY COMMISSION APPROVAL**

Approved by the Board of City Commissioners and ordered filed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Timothy J. Mahoney, Mayor

Attest:

Steven Sprague, City Auditor

State of North Dakota }  
 County of Cass } ss

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared Timothy J. Mahoney, Mayor, City of Fargo, and Steven Sprague, City Auditor, City of Fargo, known to me to be the persons who are described in and who executed the within instrument and acknowledged to me that they executed the same on behalf of the City of Fargo.

Notary Public: \_\_\_\_\_

Sheet 2 of 2  
 Project No. 9877-001  
**Houston Engineering Inc.**  
 Phone: 701.237.5065





OFFICE OF THE CITY ATTORNEY  
FARGO, NORTH DAKOTA

336-2

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

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AN ORDINANCE REZONING CERTAIN PARCELS OF LAND  
LYING IN PROVIDENCE AT PRAIRIE FARMS ADDITION,  
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 Providence at Prairie Farms Addition, Fargo, Cass County, North Dakota; and,

WHEREAS, the Fargo Planning Commission recommended approval of the rezoning request on July 3, 2018; and,

WHEREAS, the rezoning changes were approved by the City Commission on March 25, 2019,

NOW, THEREFORE,

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

Section 1. The following described property:

Lots One (1) through Fifteen (15), Block One (1) of Providence at Prairie Farms Addition to the City of Fargo, Cass County, North Dakota,

is hereby rezoned from "SR-4", Single-Dwelling Residential, District with a "C-O", Conditional Overlay, District to "SR-4", Single-Dwelling Residential, District with the "C-O", Conditional Overlay, District being repealed.

Section 2. The following described property:

Lot Sixteen (16), Block One (1) of Providence at Prairie Farms Addition to the City of Fargo, Cass County, North Dakota,

is hereby rezoned from "SR-4", Single-Dwelling Residential, District with a "C-O", Conditional Overlay, District to "P/I", Public and Institutional with a "C-O", Conditional Overlay, District with

OFFICE OF THE CITY ATTORNEY  
FARGO, NORTH DAKOTA

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

the following restrictions:

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The following uses, as set forth in Section 20-0401 of the Land Development Code, shall continue to be uses permitted by right but subject to use-specific standards of Section 20-0402:

- 1. Parks and Open Areas; and,
- 2. Recreation and Entertainment, Outdoor;

and no other uses shall be allowed.

Section 3. 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 4. 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:

33d

<b>City of Fargo Staff Report</b>			
<b>Title:</b>	Airport First Addition	<b>Date: Updated:</b>	1/28/2019 3/20/2019
<b>Location:</b>	2102 12 <sup>th</sup> street North	<b>Staff Contact:</b>	Donald Kress, current planning coordinator
<b>Legal Description</b>	South 125 feet of Lot 4, Block 3, Airport First Addition		
<b>Owner(s)/Applicant:</b>	Brickstone Plaza LLP/ Rich Meier—YHR Partners	<b>Engineer:</b>	None
<b>Entitlements Requested:</b>	<b>Zone Change</b> (from LI, Limited Industrial to LC, Limited Commercial) <i>(NOTE: a Conditional Use Permit to allow residential living in the LC, Limited Commercial zone was approved by the Planning Commission on February 5, 2019)</i>		
<b>Status:</b>	City Commission Public Hearing: March 25, 2019		

<b>Existing</b>	<b>Proposed</b>
<b>Land Use:</b> Commercial	<b>Land Use:</b> Commercial; multi-dwelling residential
<b>Zoning:</b> LI, Limited Industrial	<b>Zoning:</b> LC, Limited Commercial
<b>Uses Allowed:</b> LI – Limited Industrial. 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, industrial service, manufacturing and production, warehouse and freight movement, wholesale sales, aviation, surface transportation.	<b>Uses Allowed:</b> LC – Limited Commercial. Allows colleges, community service, daycare centers of unlimited size, health care facilities, parks and open space, religious institutions, safety services, offices, off premise advertising signs, commercial parking, retail sales and service, self service storage, vehicle repair, limited vehicle service. <b>The approved CUP will allow residential living in the LC zone.</b>
<b>Maximum Lot Coverage</b> 85%	<b>Maximum Lot Coverage</b> 55%

**Proposal:**

The applicant requests one entitlement:

1. A zoning change from LI, Limited Industrial to LC, Limited Commercial.

This project proposes a zone change of the existing lot from LI, Limited Industrial to LC, Limited Commercial and also a conditional use permit (CUP) to allow residential living in the LC zone. The applicant plans to add two additional stories to the existing building. The first floor would remain commercial/office; the second and third floors would each have four apartment units, for a total of eight residential units. This would create a density of approximately 17 dwelling units per acre (this lot is slightly less than one-half acre in area). Graphics of the proposed building are attached. The conditional use permit was approved by the Planning Commission at their February 5, 2019 meeting. No City Commission action is required on the conditional use permit.

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: AG, Agricultural; undeveloped
- East: P/I, Public/Institutional; city-owned water storage
- South: SR-2, Single-Dwelling Residential; residential use
- West: AG, Agricultural; residential use; Sheyenne River (area to the west is in the extra-territorial jurisdiction)

**Area Plans:**

No area plans or growth plans apply

**Context:**

**Schools:** The subject property is located within the Fargo School District and is served by Washington Elementary, Ben Franklin Middle and North High schools.

**Neighborhood:** The subject property is located within Northport neighborhood.

**Parks:** Yunker Farm is located approximately 0.36 miles north of the project site and provides playgrounds for ages 5-12, picnic table, and dog park.

**Pedestrian / Bicycle:** There is an off-road bike facility along the west side of University Drive that is a component of the metro area bikeways system.

**Staff Analysis:**

**PROJECT HISTORY:**

On February 5, 2019, the Planning Commission approved a conditional use permit (CUP) for residential living in the LC, Limited Commercial zone. The Planning Commission is the approval body for CUP's. The CUP will not become effective, however, unless the City Commission approves the zone change. One condition of the CUP sets the maximum density on for this property at 24 dwelling units per acre, the same as the MR-3 zone, as the LC zone has no standard for density. The proposed project would create a density of 17 dwelling units per acre. Additional conditions of the CUP are:

- A minimum of 30% of the lot shall remain as open space.
- Bicycle parking facilities, such as bike racks or bike lockers, shall be provided on-site.

**COMPLIANCE WITH CURRENT STANDARDS:** At the time of building permit review, the project site will have to meet all current development standards, including parking, setbacks, landscaping, and street trees.

**MODIFICATION OF COVENANTS:** This project is within the Airport First Addition, which has covenants to which the City of Fargo is a party. These covenants date from 1969. One of the covenants prohibits any residential use in this subdivision. The applicant has undertaken the covenant amendment procedure that is stated in the covenants to remove this restriction. Planning staff has determined that the applicant has met the requirements to modify the covenant, and the Planning Commission at their February 5, 2019 meeting approved the proposed modification of covenants. No City Commission action is required for the modification of covenants.

**Zoning**

Section 20-906. F (1-4) of the LDC stipulates the following criteria be met before a zone change can be approved:

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?

Staff is unaware of any error in the zoning map as it relates to this property. The property is currently zoned LI, Limited Industrial. The proposed zoning of LC, Limited Commercial would be the same as the zoning south across 21<sup>st</sup> Avenue North. The applicant proposes the LC zone with a CUP to allow residential living, in order to create a mixed use project by expanding the existing commercial building with two stories of residential. **(Criteria Satisfied)**

**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?**

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. The existing lot fronts on dedicated public streets. These streets will provide access and public utilities to serve the development. **(Criteria satisfied)**

**3. Will the approval of the zoning change adversely affect the condition or value of the property in the vicinity?**

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 no comment about the project. Staff finds that the approval of the zoning change will not adversely affect the condition or value of the property in the vicinity. **(Criteria satisfied)**

**4. Is the proposed amendment consistent with the purpose of this LDC, the Growth Plan, and other adopted policies of the City?**

The LDC states "This Land Development Code is intended 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." No growth plan applies to this area. This project does implement one goal of the Go2030 plan which is higher quality affordable housing near NDSU. As this area is already developed and outside of the flood plain, the development of this site from purely commercial to commercial/residential mixed use can be considered infill, another goal of Go2030. Staff finds this proposal is consistent with the purpose of the LDC, the applicable comprehensive plan, and other adopted policies of the City. **(Criteria satisfied)**

**Staff Recommendation:**

Suggested Motion: "To accept the findings and recommendations of staff and the Planning Commission and hereby waive the requirement to receive the Ordinance one week prior to the first reading and place the rezoning Ordinance on the first reading, and move to approve the proposed zone change from LI, Limited Industrial to LC, Limited Commercial, for Airport First Addition, as presented, as the proposal complies with the Go2030 Fargo Comprehensive Plan, Section 20-0906.F (1-4) of the LDC, and all other applicable requirements of the LDC.

**Planning Commission Recommendation: February 5, 2019**

On February 5, 2019, by a vote of 7-0 (with four Commissioners absent), the Planning Commission voted to accept the findings and recommendations of staff and moved to recommend approval to the City Commission of the proposed zone change from LI, Limited Industrial to LC, Limited Commercial, for Airport First Addition, and approved the conditional use permit to allow residential living in the LC zone, as presented, as the proposal complies with the Go2030 Fargo Comprehensive Plan, Section 20-0906.F (1-4) of the LDC, and all other applicable requirements of the LDC, with the following conditions for the CUP:

- The maximum residential density shall be that of the MR-3 zoning district (24 units per acre).
- A minimum of 30% of the lot shall remain as open space.
- Bicycle parking facilities, such as bike racks or bike lockers, shall be provided on-site.

Additionally, in a separate motion at that same meeting, the Planning Commission approved the proposed modification of the covenants of the Airport First Addition.

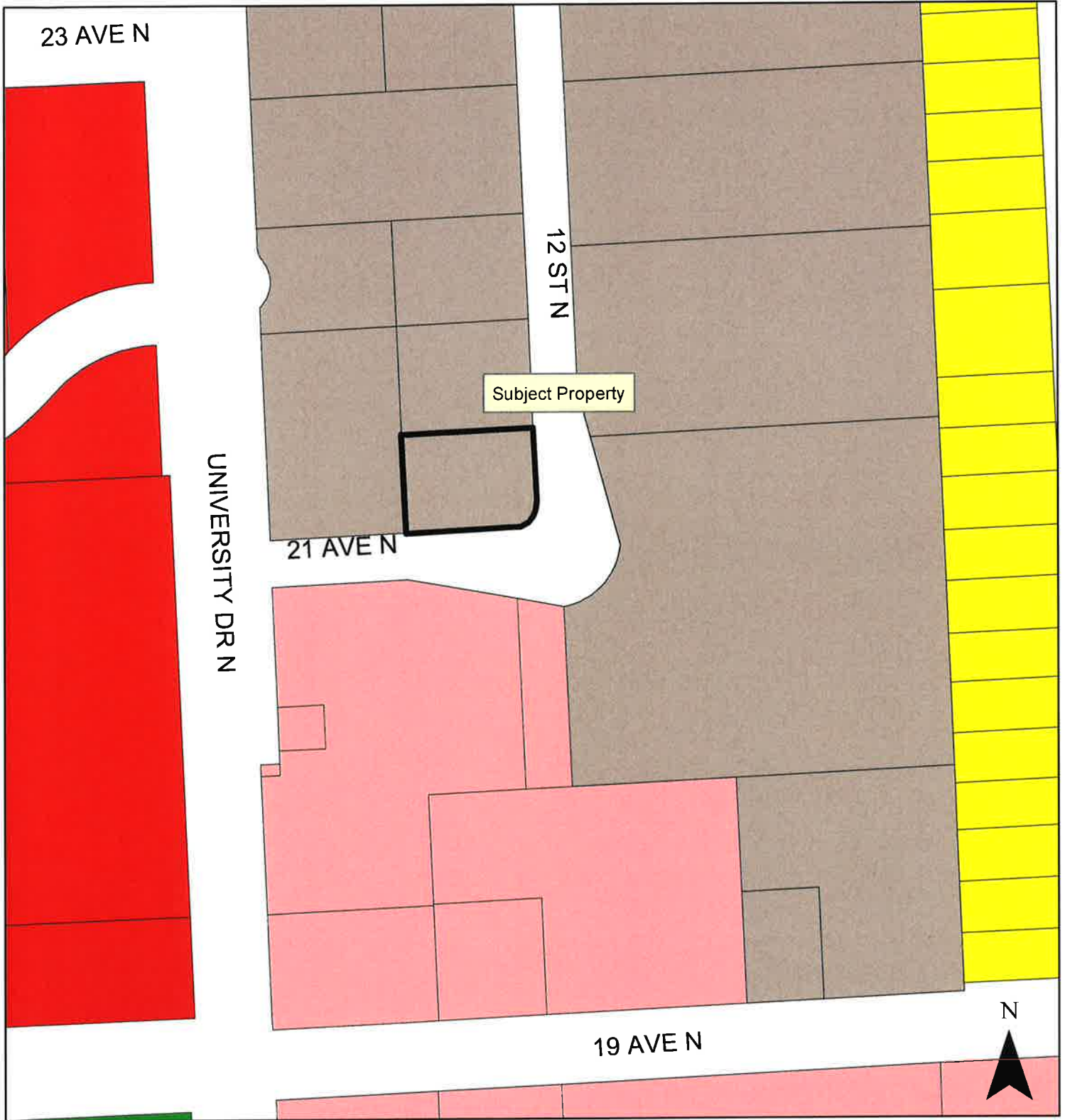
**Attachments:**

1. Zoning Map
2. Location Map
3. Graphics of proposed site development

# Zone Change (LI to LC) & CUP (Residential Living in LC)

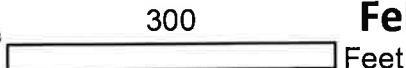
## Airport 1st Addition

2102 12th Street North



Legend

- AG
- GO
- LC
- MHP
- CUP
- City Limits
- MR-1
- MR-2
- MR-3
- UMI
- NOC
- P/I



Fargo Planning Commission  
February 5, 2019

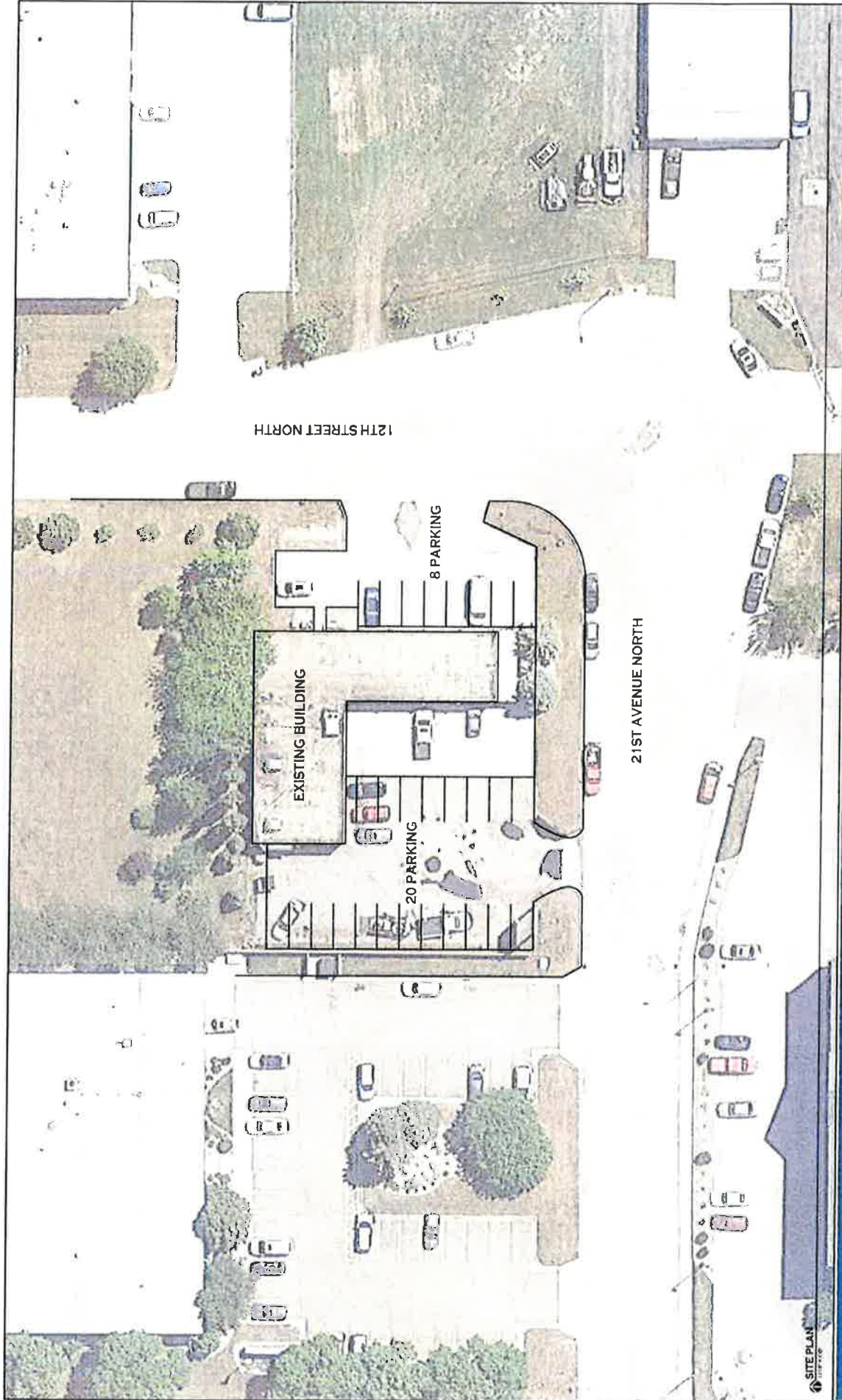
# Zone Change (LI to LC) & CUP (Residential Living in LC)

## Airport 1st Addition

2102 12th Street North

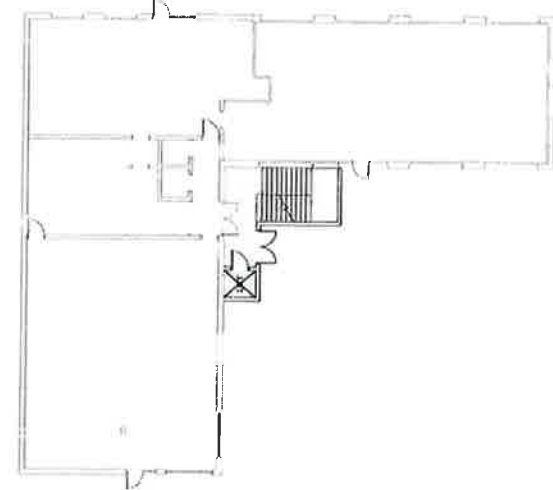




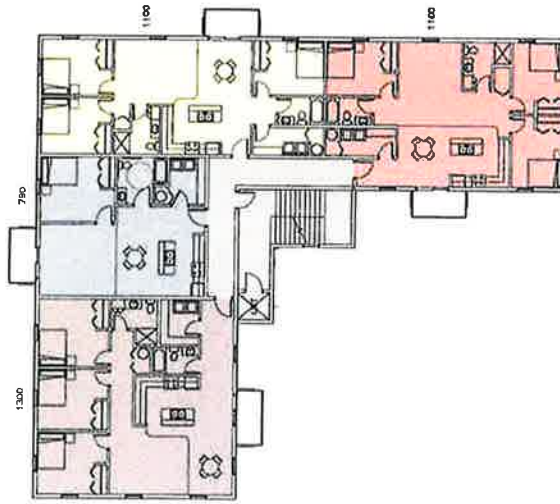


**BUSY BUBBLES REMODEL**  
BILL PROPERTIES

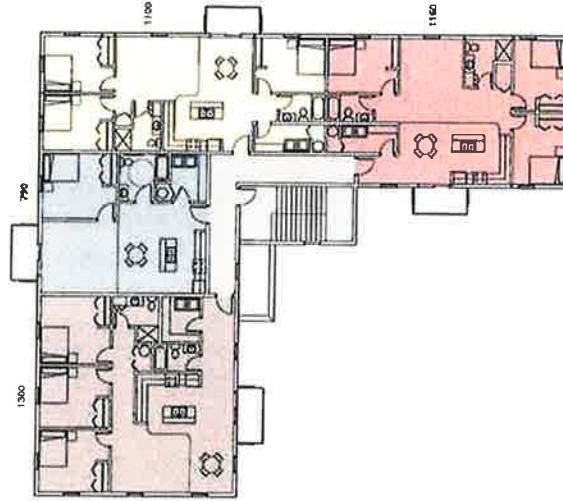
FARGO, NORTH DAKOTA  
07/12/18  
YHR PARTNERS  
YHR PARTNERS  
YHR PARTNERS



FIRST FLOOR PLAN - OPTION 4



SECOND FLOOR PLAN - OPTION 4



THIRD FLOOR PLAN - OPTION 4

# BUSY BUBBLES REMODEL

BILL PROPERTIES

FARGO, NORTH DAKOTA

07.1.27.18



2131 10TH AVENUE N.W.



# BUSY BUBBLES REMODEL

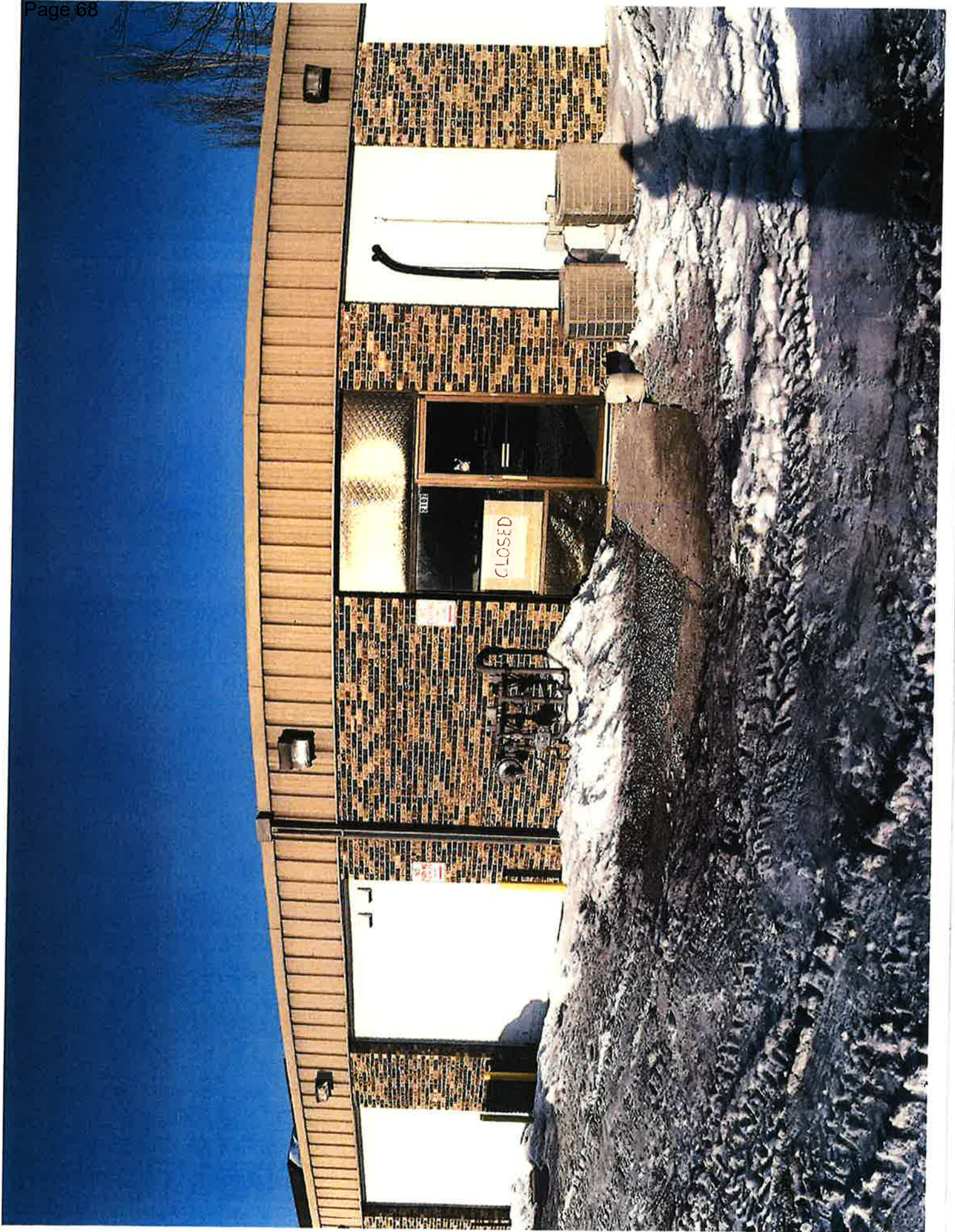
BILL PROPERTIES

FARGO, NORTH DAKOTA

127.112/18



127.112/18





OFFICE OF THE CITY ATTORNEY  
FARGO, NORTH DAKOTA

33d-2

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

1 AN ORDINANCE REZONING CERTAIN PARCELS  
2 OF LAND LYING IN AIRPORT FIRST ADDITION  
3 TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA

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

8 WHEREAS, the Fargo Planning Commission recommended approval of the rezoning  
9 request on February 5, 2019; and,

10 WHEREAS, the rezoning changes were approved by the City Commission on March 25,  
11 2019,

12 NOW, THEREFORE,

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

14 Section 1. The following described property:

15 The south 125 feet of Lot Four (4), Block Three (3) of Airport First Addition to the  
16 City of Fargo, Cass County, North Dakota;

17 is hereby rezoned from "LI", Limited Industrial, District to "LC", Limited Commercial, District;

18 Section 3. The City Auditor is hereby directed to amend the zoning map now on file in his  
19 office so as to conform with and carry out the provisions of this ordinance.  
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OFFICE OF THE CITY ATTORNEY  
FARGO, NORTH DAKOTA

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

Section 4. This ordinance shall be in full force and effect from and after its passage and approval.

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(SEAL)

Attest:

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

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

First Reading:  
Second Reading:  
Final Passage:

33f

**NOTICE OF HEARING**

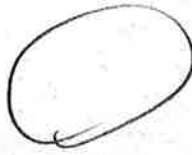
**Application for Alcoholic Beverage License**

Notice is hereby given that the Board of City Commissioners of the City of Fargo, North Dakota, will conduct a Public Hearing in the City Commission Room, City Hall, on Monday, March 25, 2019 at 5:15 o'clock p.m. to consider an application for a Class "H" Alcoholic Beverage License for CRA3 Investments, LLC d/b/a: Wingstop to be located at 2653 45 St S.

Any interested person may appear and will be heard.

City Auditor's Office  
(March 4, 2019)





## MEMORANDUM

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TO: Board of City Commissioners  
FROM: Steven Sprague, City Auditor  
SUBJECT: Liquor License Application – Wingstop  
DATE: March 20, 2019

The following application for a liquor license was received by the Auditor's office and reviewed by the Liquor Control Board:

License Class: H On-Sale Beer only, requires 50% food  
Business Name: Wingstop  
Location: 2653 45<sup>th</sup> Street South  
Applicants: Charles Anderson

Being no significant concerns, the Liquor Control Board voted to approve the issuance of the license. The complete application is available for review in the Auditor's Office.

**Recommended Motion:**

**Move to approve the issuance of a Class H alcoholic beverage license to Wingstop.**

## MEMORANDUM

**TO:** Chief David Todd

**FROM:** Sergeant Matt Christensen

**DATE:** March 7<sup>th</sup>, 2019

**SUBJECT: Application for a Class "H" Alcoholic Beverage License for CRA3 Investments, LLC d/b/a: Wingstop to be located at 2653 45<sup>th</sup> Street South, Fargo, ND.**

In accordance with Section 25-1505 of the Fargo Municipal Code, I have conducted an investigation into the character, reputation and fitness of the applicant(s) listed on the supplied application.

During this investigation I questioned the applicant's criminal background, credit history, past residence history as well as any interaction they have had with law enforcement in any state.

The following information was discovered through this investigation:

### **Charles R Anderson – Owner**

Criminal History- No areas of concern

Credit History- No areas of concern

### **Latoya Stevens – Manager**

Criminal History- No areas of concern

Credit History- No areas of concern

### **Investigation Notes**

This application is for a class "H" Alcoholic Beverage License which allows the beer to be sold in an "on sale" capacity at a table or booth with no bar and 50% food sales. The business model is that of a restaurant where food can be ordered in or to go, however the sale of beer would be for consumption on site only. The business will operate similar to other surrounding restaurants in the area to include Five Guys Burgers and Famous Dave's. This investigation did not uncover any issues that would predict any issues with the issuing of this particular license for this business.

**Business Location**

Wingstop will be located at 2653 45<sup>th</sup> ST S, Fargo, ND. Other businesses in the area with an alcoholic beverage license include: Old Chicago, Famous Dave's, Pizza Ranch, Applebee's, Golf Addiction, Prairie Brother's Brewing Co., and Deep Blue Seafood.

**Conclusion**

I believe I have discovered all information related to the listed applicant(s) and all information related to the issuance of the requested liquor license. I have provided this completed background investigation to Fargo Police Chief David Todd for his review and recommendation.

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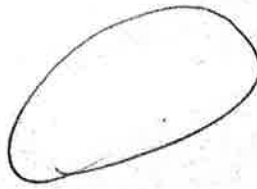
**NOTICE OF HEARING**

**Application for Alcoholic Beverage License Transfer**

Notice is hereby given that the Board of City Commissioners of the City of Fargo, North Dakota, will conduct a Public Hearing in the City Commission Room, City Hall, on Monday, March 25, 2019 at 5:15 o'clock p.m. to consider an application for transfer. A transfer requested of a Class "FA" Alcoholic Beverage License, Transcendent Hospitality Group LLC d/b/a Four Points by Sheraton to Fargo South Hospitality LLC. d/b/a Four Points by Sheraton to be located at 5064 23 Ave S, Fargo.

Any interested person may appear and will be heard.

City Auditor's Office  
(March 4, 2019)



## MEMORANDUM

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TO: Board of City Commissioners  
FROM: Steven Sprague, City Auditor  
SUBJECT: Liquor License Application – Four Points by Sheraton  
DATE: March 20, 2019

The following application for a liquor license transfer was received by the Auditor's office and reviewed by the Liquor Control Board:

License Class: FA food sales must exceed alcohol sales  
Business Name: Four Points by Sheraton  
Location: 5064 23<sup>rd</sup> Avenue South  
Applicants: Vicki Campbell, Todd Berning

Being no significant concerns, the Liquor Control Board voted to approve the transfer of the license from Transcendent Hospitality Group LLC d/b/a Four Points by Sheraton to Fargo South Hospitality Inc. d/b/a Four Points by Sheraton. The complete application is available for review in the Auditor's Office.

**Recommended Motion:**

**Move to approve the transfer of a FA alcoholic beverage license from Transcendent Hospitality Group LLC d/b/a Four Points by Sheraton to Fargo South Hospitality d/b/a Four Points by Sheraton.**

**MEMORANDUM**

**TO:** Chief David Todd

**FROM:** Sergeant Matt Christensen

**DATE:** March 7<sup>th</sup>, 2019

**SUBJECT: Application for transfer of a Class "FA" Alcoholic Beverage License from Transcendent Hospitality Group LLC d/b/a Four Points by Sheraton to Fargo South Hospitality LLC d/b/a Four Points by Sheraton to be located at 5064 23<sup>rd</sup> Avenue South, Fargo, ND.**

In accordance with Section 25-1505 of the Fargo Municipal Code, I have conducted an investigation into the character, reputation and fitness of the applicant(s) listed on the supplied application.

During this investigation I questioned the applicant's criminal background, credit history, past residence history as well as any interaction they have had with law enforcement in any state.

The following information was discovered through this investigation:

**Vicki Lynn Campbell - Owner**

Criminal History- No areas of concern

Credit History- No areas of concern

**Todd Nathaniel Berning – Owner**

Criminal History- No areas of concern

Credit History- No areas of concern

**Sara Mary Lussman – Manager**

Criminal History- No areas of concern

Credit History- No areas of concern

**Investigation Notes**

The business concept for this hotel will remain the same, as a hotel with a small lounge/restaurant on site. This application is for a transfer of the license to new ownership. During this investigation, there were not any issues found that would suggest the issuance of this liquor license would cause any problems.

**Business Location**

Four Points by Sheraton is located at 5064 23<sup>rd</sup> Avenue South, Fargo, ND. Other businesses in the area with an alcoholic beverage license include; Old Chicago, Famous Dave's, La Quinta Inn & Suites, and Fargo Courtyard by Marriott.

**Conclusion**

I believe I have discovered all information related to the listed applicant(s) and all information related to the issuance of the requested liquor license. I have provided this completed background investigation to Fargo Police Chief David Todd for his review and recommendation.

33h

**NOTICE OF HEARING**

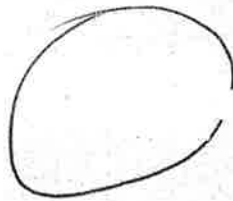
**Application for Alcoholic Beverage License Transfer**

Notice is hereby given that the Board of City Commissioners of the City of Fargo, North Dakota, will conduct a Public Hearing in the City Commission Room, City Hall, on Monday, March 25, 2019 at 5:15 o'clock p.m. to consider an application for transfer of a Class "B-Limited" Alcoholic Beverage License from Lakemode Liquors, Inc d/b/a Lakemode Liquors, to Cash Wise Liquors LLC d/b/a Hornbacher's Wine & Spirits to be located at 4265 45 St S, Suite 121, Fargo.

Any interested person may appear and will be heard.

City Auditor's Office  
(March 4, 2019)





## MEMORANDUM

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TO: Board of City Commissioners  
FROM: Steven Sprague, City Auditor  
SUBJECT: Liquor License Application – Hornbacher's  
DATE: March 20, 2019

The following application for a liquor license was received by the Auditor's office and reviewed by the Liquor Control Board:

License Class: B-Limited Off-Sale  
Business Name: Hornbacher's  
Location: 4265 45<sup>th</sup> Street S #121  
Applicants: Coborn's Inc.; Christopher Coborn

Being no significant concerns, the Liquor Control Board voted to approve the transfer of the license from Lakemode Liquors to Coborn's Inc. d/b/a Hornbacher's Wine & Spirits. The complete application is available for review in the Auditor's Office.

**Recommended Motion:**

**Move to approve the transfer of a Class B-Limited alcoholic beverage license from Lakemode Liquors to Hornbacher's Wine & Spirits**

**MEMORANDUM**

**TO:** Chief David Todd

**FROM:** Sergeant Matt Christensen

**DATE:** March 7<sup>th</sup>, 2019

**SUBJECT: Application for transfer of a Class "B-Limited" Alcoholic Beverage License from Lakemode Liquors, Inc d/b/a Lakemode Liquors, to Cash Wise Liquors LLC d/b/a: Hornbacher's Wine & Spirits to be located at 4265 45<sup>th</sup> ST S, Suite 121, Fargo, ND.**

In accordance with Section 25-1505 of the Fargo Municipal Code, I have conducted an investigation into the character, reputation and fitness of the applicant(s) listed on the supplied application.

During this investigation I questioned the applicant's criminal background, credit history, past residence history as well as any interaction they have had with law enforcement in any state.

The following information was discovered through this investigation:

**Christopher Michael Coborn - Applicant**

Criminal History- No areas of concern

Credit History- No areas of concern

**Matthew Leiseth - Manager**

Criminal History- No areas of concern

Credit History- No areas of concern

**Investigation Notes**

Hornbacher's Inc is selling their business to Coborn's who would like to take possession of the "B-Limited" Alcoholic License with the intent of continuing the business operation under the current name of Hornbacher's Wine & Spirits. Coborn's currently has stores in Fargo and has had a positive relationship with the Police Department due to the working relationship with Loss Prevention and dealing with shoplifters. During this investigation, there were not any issues found that would suggest the issuance of this liquor license would cause any problems.

**Business Location**

Hornbacher's Wine & Spirits will be located at 4265 45<sup>th</sup> Street South. Suite 121, Fargo, ND. Other businesses in the area with an alcoholic beverage license include; Bulldog Tap, Taco Trombo, 47 degrees North, Hennessy's Irish Pub, and Lucy's North China Cuisine.

**Conclusion**

I believe I have discovered all information related to the listed applicant(s) and all information related to the issuance of the requested liquor license. I have provided this completed background investigation to Fargo Police Chief David Todd for his review and recommendation.

3Aa

**Dr. Timothy J. Mahoney, Mayor**  
Fargo City Hall  
200 3rd Street North  
Fargo, ND 58102  
Phone 701.241.1310 | Fax: 701.476.4136  
TMahoney@FargoND.gov

MEMORANDUM

**TO: BOARD OF CITY COMMISSIONERS**

**FROM: MAYOR TIMOTHY J. MAHONEY**



**DATE: MARCH 13, 2019**

**SUBJECT: AIRPORT AUTHORITY APPOINTMENT**

The term of Stephen Blazek expires on April 8, 2019.

Richard Engen has submitted an application indicating an interest in serving on the Board and I am recommending his appointment. I have attached a copy of his application for your information.

Your favorable consideration of this recommendation will be greatly appreciated.

**RECOMMENDED MOTION:** Approve the appointment of Richard Engen as a member of the Airport Authority for a five-year term ending April 8, 2024.

wwappt19aaengen

**Kember Anderson**

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**From:** noreply@cityoffargo.com  
**Sent:** Tuesday, March 27, 2018 12:47 PM  
**To:** Commissions Applications  
**Subject:** New Form Submission: Getting involved in government

**Name:**  
*[Richard W Engen]*  
**Mailing Address:**  
*[3535 Woodbury Ct S]*  
**City:**  
*[Fargo]*  
**State:**  
*[North Dakota]*  
**Zip:**  
*[58103]*  
**Work Phone:**  
*[7012711590]*  
**Home Phone:**  
*[7013611590]*  
**E-mail:**  
*[Rick@time2plan.com]*

**Which boards or commissions would you like to be considered for?**

*[Airport Authority]*

**Briefly state why you would like to be on this panel:**

*[As a longtime resident of Fargo, I believe the Hector International Airport is a focal point of the region! I believe my past work on the City of Fargo Parking Commission brings a unique view to the authority's opportunity and challenges going forward]*

**How many hours per month could you volunteer as a panel member?**

*[10 to 20]*

**Please list any past experience you have with city government here or in other cities:**

*[City of Fargo Parking commission]*

**Please describe any professional experience you have related to the responsibilities of the panel you are interested in:**

*[I believe my 20 plus years in the financial services industry will lend to future opportunities and help with the financial strength of the authority. My knowledge of cybersecurity challenges of this country will also be valuable for the safety of the authority.]*

**We will retain your application for three years and consider you for the board you have indicated interest in when a vacancy arises.**

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**Dr. Timothy J. Mahoney, Mayor**

Fargo City Hall  
200 3rd Street North  
Fargo, ND 58102

Phone 701.241.1310 | Fax: 701.476.4136

**TMahoney@FargoND.gov**

MEMORANDUM

**TO: BOARD OF CITY COMMISSIONERS**

**FROM: MAYOR TIM MAHONEY**

**DATE: MARCH 20, 2019**

**SUBJECT: FARGO DOME AUTHORITY APPOINTMENTS**

The terms of Blake Nelson, Park District nominee, Nancy Jordheim, Board of Education nominee and Darrell Vanyo, Cass County Commission nominee on the Fargo Dome Authority expire on April 1, 2019.

The Park Board, Board of Education and County Commission have each submitted at least two names for consideration. Their letters are attached.

I am recommending the reappointment of Blake Nelson as the Park District nominee, Nancy Jordheim as the Board of Education nominee and Vern Bennett as the Cass County Commission nominee, for four-year terms ending April 1, 2023.

Your favorable consideration of this recommendation will be greatly appreciated.

**RECOMMENDED MOTION:** To concur with the Mayor's recommendation to reappoint Blake Nelson and Nancy Jordheim and to appoint Vern Bennett to the Fargo Dome Authority for four-year terms ending April 1, 2023.

mmappt19da



FARGO BOARD OF EDUCATION  
415 4th Street North  
Fargo, ND 58102  
701.446.1000 • FAX: 701.446.1200  
BOARD MEMBERS: 701.446.1005  
www.fargo.k12.nd.us

Rebecca Knutson, *President*  
Brandi Aune  
Jim Johnson  
Robin Nelson  
John Rodenbiker

Kristi Ulrich, *Vice President*  
Jennifer Benson  
Brian Nelson  
David Paulson

Rupak Gandhi, *Superintendent*  
AnnMarie Campbell, *Executive Assistant*

March 18, 2019

Mayor Tim Mahoney  
City of Fargo  
200 3rd Street North  
Fargo, ND 58102

Dear Mayor Mahoney,

Per Fargo City Ordinance, the Fargo School Board must submit at least two names to the City of Fargo to fill a term on the Fargo Dome Authority. The term held by Nancy Jordheim expires on April 1. The Fargo School Board met on Tuesday, March 12 and nominated Nancy Jordheim and Todd Olson to be candidates to fill the term. Both individuals have agreed to serve if appointed.

If there is additional information required, please let me know.

Sincerely,

A handwritten signature in cursive script, appearing to read "Rebecca Knutson".

Rebecca Knutson, *President*  
Fargo Board of Education

Enclosures: Resumes for Nancy Jordheim and Todd Olson

ac

**Nancy Jordheim**  
**3303 W. Prairiewood Drive South, Fargo, North Dakota**

**Educational Background:**

Various credits to complete Endorsement for Superintendency and HR work  
Moorhead State University - Masters in Guidance and Counseling, 1990  
Arizona State University - Masters in Education, 1975  
North Dakota State University - BS - English and Speech, 1971  
West Fargo High School - 1968

**Work Experience:**

Assistant Superintendent for Human Resources, Fargo Public Schools - July 1995 - 2012  
Principal, Ben Franklin Junior High School, January 1994 - July 1995  
Counselor, Fergus Falls High School, Fall 1993  
Assistant Principal, Fargo South High School, 1989-1993  
Counselor - Fargo South High School, 1986-1989  
Instructor - Concordia College, 1978-1986  
Teacher - Fargo South High School, 1976-1978  
Teacher - West Fargo High School, 1975-1976  
Teacher - Powell Junior High School, Mesa, Arizona, 1971-1975

**Community Involvement:** (highlights)

Fargo Public Schools Foundation Board  
Imagine Thriving Board member and immediate past president  
Fargodome Authority – currently representing the Fargo Schools  
Council on Nursing Education (National Accreditation Board for schools of Nursing)  
Fargo Lions Sight Trip to Mexico to provide glasses to the under privileged  
City of Fargo Civil Service Commission  
Fargo-Moorhead Youth Symphony  
United Blood Services – Blood Board  
Sanford Foundation Board or Directors – Scholarship and Grant Committee  
NDSU Foundation Board of Directors – including the Scholarship and Grants Committee  
NDSU Alumni Association & Executive Board – Past President  
Advisory Board for the Education and Counseling department at NDSU, MSUM, and CC  
Project Tomorrow - City of Fargo Action Committee Chairperson  
125 Anniversary Celebration Board of Directors  
Meritcare Hospital Board of Directors  
HERO – (Health Equipment Recycling Operation) Board of Directors  
Hospice of the Red Rive Valley Board of Directors  
United Way - Community Relations Committee and evaluator for programming grants

My goal is to connect and serve where and when needed persons within our community so as to increase everyone's capacity. Thus many projects are specific and short in duration, but hopefully have launched new programming and provided venues for all persons involved to grow.



**Todd Olson**  
4705 Douglas Dr. S.  
Fargo, ND 58104

**Employment**     Director of Student Activities, Fargo Public Schools, 2012 – Present  
                         Director of Athletics, Grand Forks Public Schools, 2005 – 2012  
                         Mathematics Instructor, Grand Forks Central High School, 1991-2005

**Education**        Mayville State University, B.S. Ed. Mathematics Education  
                         University of North Dakota, M. Ed. Education Administration

**Professional  
Experience**        President, North Dakota High School Activities Association Board of Directors  
                         President, Metro Area Tournament Committee  
                         President, National Interscholastic Athletic Administrators Association  
                         President, North Dakota Interscholastic Athletic Administrators Association  
                         NDHSAA Tournament Manager’s Committee  
                         Tournament Manager for 60 NDHSAA State Tournaments



**Board of County  
Commissioners**

March 19, 2019

Chad M. Peterson  
Fargo, North Dakota

Mayor Tim Mahoney  
City of Fargo  
225 4<sup>th</sup> Street North  
Fargo ND 58102

Rick Steen  
Fargo, North Dakota

Vern Bennett  
Fargo, North Dakota

RE: Fargo Dome Authority Nominees

Duane Breitling  
West Fargo, North Dakota

Dear Mayor Mahoney:

Mary Scherling  
Stanley Township,  
North Dakota

The Board of Cass County Commissioners would like to submit the names of Mary Scherling, Chad Peterson, and Vern Bennett as nominees for appointment to the Fargo Dome Authority.

Please let us know if you need any additional information.

Sincerely,

A handwritten signature in cursive script, appearing to read "Heather Worden".

Heather Worden, Administrative Assistant  
Cass County Commission

cc: Cass County Commissioners

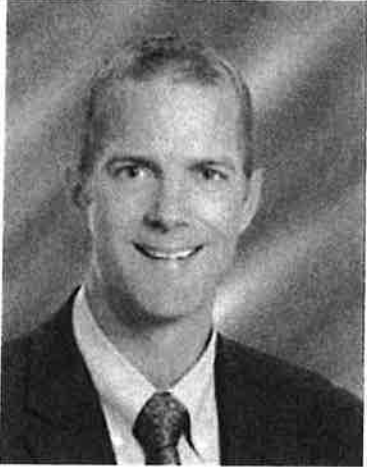
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Heather Worden  
Commission Assistant

PO Box 2806  
211 Ninth Street South  
Fargo, North Dakota 58108  
701-241-5609  
[www.casscountynnd.gov](http://www.casscountynnd.gov)

## Blake Nelson

SVP/Controller at Bell State Bank & Trust



## Jerry Rostad

Assistant CIO for North Dakota University System  
Fargo Park Board Commissioner



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**CITY OF FARGO RESOLUTION TO OPPOSE HCR 3037 NULLIFYING  
NORTH DAKOTA'S RATIFICATION OF THE EQUAL RIGHTS AMENDMENT**

**WHEREAS**, The Equal Rights Amendment was passed by Congress on March 22, 1972 and sent to the states for ratification; and

**WHEREAS**, Forty-three years ago, North Dakota became the 34th state to ratify the ERA; and

**WHEREAS**, The North Dakota Senate will be voting on House Concurrent Resolution No. 3037 which nullifies the ratification of the ERA passed by the ND legislature in 1975; and

**WHEREAS**, The passage of this Resolution will communicate a lack of support in this state for continued efforts by women to achieve equal pay for equal work, protection of rights in the workplace and in public spaces, and it will disaffirm the important role women play in the economy of this state; and


**WHEREAS**, In this time of low unemployment and multiple open positions to which businesses are attempting to attract applicants to, the City of Fargo needs to be mindful of the existence of a welcoming attitude toward potential workforce participants.

**NOW, THEREFORE, BE IT RESOLVED**, That the Fargo City Commission oppose the passage of HCR 3037 and communicate that opposition to legislators representing the citizens of the City of Fargo and to the Governor.



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MEMORANDUM

**TO: BOARD OF CITY COMMISSIONERS**  
**FROM: JIM GILMOUR, STRATEGIC PLANNING DIRECTOR**   
**DATE: MARCH 18, 2019**  
**SUBJECT: REPORT ON TAX INCREMENT FINANCING DISTRICTS**

This is the report the City Commission requested on Tax Increment Financing (TIF) Districts. The attached information includes:

- Beginning year of the TIF district
- Base year property value and current property value
- Fund balances
- Outstanding obligations and plans
- Anticipated 2019 revenue
- The expected year that the TIF district can be closed

There are sixteen TIF Districts listed in the report where the City will receive TIF revenue in 2019. Two additional TIF Districts have been approved by the City Commission, but revenue will not start until the projects have increased in value. Those two projects are Block 9 and the District 2015-02, which are located on the northeast corner of Broadway and 4th Avenue North.

**Increase in Incremental Value**

Property value within these districts has increased and therefore the property taxes being paid by property owners in these districts has also increased. Overall, property values increased from a base value of \$10 million to a value of \$347 million in 2018. TIF property tax revenue is now \$4.6 million and the base property tax revenue is about \$130,000.00.

**Duration of TIF Districts**

Prior to 2011, there was no limit on how long a TIF District could be in place. TIF Districts are now limited to 25 years in duration. City of Fargo policy has been to limit TIF districts that provide repayment of development costs to developers to 15 years.


The projected end of the TIF district is estimated based on the anticipated time-period needed to generate TIF revenue sufficient to pay for all costs or the limit established either by ND Century Code or by the Development Agreement.



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**MEMORANDUM**

**TO: BOARD OF CITY COMMISSIONERS**

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

**DATE: MARCH 18, 2019**

**SUBJECT: CLOSING OF TIF DISTRICT 2001-01**

The Finance Committee is recommending that TIF District 2001-01 be closed. There is sufficient TIF Revenue in this fund to build approved and contemplated projects, which can be implemented over the next two to five years.

**History**

TIF District 2001-01 was created to provide infrastructure to the section of land immediately southwest of I-29 and I-94. These projects included the construction of 42nd Street between I-94 and 32nd Avenue South, including costly power line relocation. Since the creation of the TIF district, property tax values in the District have increased from \$347,289.00 to \$226,094,311.00

**Future Property Tax Revenue**

If the TIF District closes, jurisdictions that receive property tax revenue will receive additional property taxes from the properties in this area. Based on last year's mill rates and last year's property values, listed below is how much additional property tax revenue that each jurisdiction will receive in 2020:

- West Fargo Schools            \$1,409,543.00
- City of Fargo                    \$ 539,244.00
- Cass County                    \$ 507,524.00
- Fargo Park District            \$ 294,258.00
- Others                            \$ 80,781.00

**RECOMMENDED MOTION:** To close TIF District 2001-01 by directing the City Assessor to report to the County Auditor that additional TIF funds are not needed and that TIF District 2001-01 not be included in this year's report to the County.

**Pending Closeout of TIF Districts**

I have include a second summary sheet, which shows that seven TIF Districts are projected to end in the next four years. These seven districts include the four largest districts in incremental value.

The incremental value of these sixteen districts will decrease from \$363 million to \$33 million and the TIF revenue will decrease from \$4.6 million to \$433,000.00. See the table below:

	<b>Value of Increment</b>		<b>TIF Revenue</b>
<b>End of Year 2018</b>	\$ 363,624,727	<b>TIF Revenue 2019</b>	\$ 4,618,957
<b>End of Year 2019</b>	\$ 137,530,416	<b>TIF Revenue 2020</b>	\$ 1,787,607
<b>End of Year 2020</b>	\$ 103,925,416	<b>TIF Revenue 2021</b>	\$ 1,326,933
<b>End of Year 2021</b>	\$ 95,280,760	<b>TIF Revenue 2022</b>	\$ 1,216,928
<b>End of Year 2022</b>	\$ 33,863,340	<b>TIF Revenue 2023</b>	\$ 433,328

**Financial Security**

Increased financial security has been emphasized for TIF Districts created since 2006. Most TIF Districts now use a TIF note where the developer does not receive reimbursement for eligible costs until TIF revenue is received by the City.

**Pending Projects and TIF District 2001-01**

All TIF funded activities have been completed in fourteen out of the sixteen districts. TIF District 2001-01 contemplates four additional projects, including one that will be constructed this summer. Plans are underway to build 23rd Avenue South to the east of 42nd Street this summer, which will be paid for with both TIF revenue and special assessments.

Projects in TIF District 2001-01 that could also be constructed with TIF funds include widening 23rd Avenue from 45th Street to 42nd Street, a traffic signal at 42nd Street and 30th Avenue South, and storm water facilities and bike paths with the development of property northeast of 42nd Street and 23rd Ave. South.

There are sufficient funds to construct all of these projects, and the Finance Committee will be recommending that this TIF District be closed.

TIF DISTRICT	Description	Location	Base Value	Value of Increment	Total Value	Year Approved	Projected End	2019 Revenue	Debt/Obligations/Plans	Fund Balance
C - 1 Downtown	Dakota Building - IP Ramp	Downtown	\$ 2,846,200	\$ 19,638,000	\$ 22,484,200	1982	2020	\$ 269,208	\$ 1,237,587	\$ 266,212
Great Northern Depot	Utilities for depot renovation	Downtown	\$ 298,700	\$ 1,085,300	\$ 1,384,000	1996	2039	\$ 14,878	\$ 188,720	\$ (188,720)
Section 22	Utilities for Commercial development	SW of I-29 & I94	\$ 347,289	\$ 226,094,311	\$ 226,441,600	2001	2019	\$ 2,831,350	\$ 3,900,000	\$ 4,693,706
Horse Park	Utilities for Horse Park	19th Ave. N.	\$ 78,040	\$ 5,234,960	\$ 5,313,000	2002	2038	\$ 56,894	Portion of Specials	\$ -
Fayland Properties	Utilities for Industrial Park	NW of 12th Ave and 45th	\$ 102,000	\$ 58,992,500	\$ 59,094,500	2006	2022	\$ 750,358	\$ 2,659,315	\$ -
Bdwy & Bristol	Renovation of Fargoan Buildings	Downtown	\$ 480,100	\$ 13,967,000	\$ 15,375,400	2006	2026	\$ 86,965	\$ 611,960	\$ -
Ruers - 19th Ave.	Commercial and Apartments	NDSU Area	\$ 1,408,400	\$ 6,689,400	\$ 7,169,500	2006	2020	\$ 191,467	\$ 275,671	N.A. - Note
Bison Block I	Commercial and Apartments	NDSU Area	\$ 208,080	\$ 2,424,920	\$ 2,633,000	2007	2022	\$ 33,242	\$ 650,085	N.A. - Note
Bison Block II	Commercial and Apartments	NDSU Area	\$ 316,980	\$ 2,068,620	\$ 2,385,600	2009	2024	\$ 28,358	\$ 415,077	N.A. - Note
Shotwell Commons	Commercial and Apartments	NDSU Area	\$ 334,140	\$ 3,919,860	\$ 4,254,000	2009	2024	\$ 53,735	\$ 351,847	N.A. - Note
914 LLC, Weston	Owner occupied housing	Clara Barton Neighborhood	\$ 462,444	\$ 6,201,556	\$ 6,664,000	2011	2021	\$ 76,513	\$ 159,695	N.A. - Note
Butler Business Park	Apartment Building	3202 Broadway	\$ 195,900	\$ 2,443,100	\$ 2,639,000	2014	2021	\$ 33,491	\$ 90,558	N.A. - Note
710 Lofts	Commercial Development	SE of I29 and Main Avenue	\$ 2,117,700	\$ 11,407,600	\$ 13,525,300	2014	2029	\$ 145,100	\$ 2,360,851	N.A. - Note
Roberts Street Parking	Apartment Building	707 10th St. N.	\$ 163,400	\$ 1,539,600	\$ 1,703,000	2015	2030	\$ 21,106	\$ 285,325	N.A. - Note
Junction 29 Apartments	Mixed Use including city parking	Downtown	\$ 236,000	\$ 483,000	\$ 719,000	2015	2035	\$ 6,621	Portion of Parking Debt	\$ -
	Apartment Building	NDSU Area	\$ 1,011,000	\$ 1,435,000	\$ 2,446,000	2015	2030	\$ 19,672	\$ 213,107	N.A. - Note
TOTAL			\$ 10,606,373	\$ 363,624,727	\$ 374,231,100			\$ 4,618,957		

NOTE: The Fund Balances for the C-1 and Section 22 TIF Districts do not include funds transferred to already approved capital projects



<u>TIF DISTRICT</u>	<u>Description</u>	<u>Location</u>	<u>Value of Increment</u>	<u>Year Approved</u>	<u>Projected End</u>	<u>2019 Revenue</u>
Section 22	Utilities for Commercial development	SW of I-29 & 194	\$ 226,094,311	2001	2019	\$ 2,831,350
C - 1 Downtown Roers - 19th Ave.	Dakota Building - IP Ramp Commercial and Apartments	Downtown NDSU Area	\$ 19,638,000 \$ 13,967,000	1982 2006	2020 2020	\$ 269,208 \$ 191,467
Shotwell Commons 914 LLC, Weston	Owner occupied housing Apartment Building	Clara Barton Neighborhood 3202 Broadway	\$ 6,201,556 \$ 2,443,100	2011 2014	2021 2021	\$ 76,513 \$ 33,491
Fayland Properties Bison Block I	Utilities for Industrial Park Commercial and Apartments	NW of 12th Ave and 45th NDSU Area	\$ 58,992,500 \$ 2,424,920	2006 2007	2022 2022	\$ 750,358 \$ 33,242
Bison Crossing Bison Block II	Commercial and Apartments Commercial and Apartments	NDSU Area NDSU Area	\$ 2,068,620 \$ 3,919,860	2009 2009	2024 2024	\$ 28,358 \$ 53,735
Bdwy & Bristol Butler Business Park	Renovation of Fargoan Buildings Commercial Development	Downtown SE of I29 and Main Avenue	\$ 6,689,400 \$ 11,407,600	2006 2014	2026 2029	\$ 86,965 \$ 145,100
710 Lofts Junction 29 Apartments	Apartment Building Apartment Building	707 10th St. N. NDSU Area	\$ 1,539,600 \$ 1,435,000	2015 2015	2030 2030	\$ 21,106 \$ 19,672
Roberts Street Parking Horse Park	Mixed Use including city parking Utilities for Horse Park	Downtown 19th Ave. N.	\$ 483,000 \$ 5,234,960	2015 2002	2035 2038	\$ 6,621 \$ 56,894
Great Northern Depot	Utilities for depot renovation	Downtown	\$ 1,085,300	1996	2039	\$ 14,878
<b>TOTAL</b>			<b>\$ 363,624,727</b>			<b>\$ 4,618,957</b>

<u>Value of Increment</u>	<u>TIF Revenue</u>
End of Year 2018 \$ 363,624,727	TIF Revenue 2019 \$ 4,618,957
End of Year 2019 \$ 137,530,416	TIF Revenue 2020 \$ 1,787,607
End of Year 2020 \$ 103,925,416	TIF Revenue 2021 \$ 1,326,933
End of Year 2021 \$ 95,280,760	TIF Revenue 2022 \$ 1,216,928
End of Year 2022 \$ 33,863,340	TIF Revenue 2023 \$ 433,328