

FARGO CITY COMMISSION AGENDA
Tuesday, September 8, 2020 - 5:00 p.m.

City Commission meetings are broadcast live on TV Fargo Channel 56 and online at 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.

- A. Pledge of Allegiance.
- B. Roll Call.
- C. Approve Order of Agenda.
- D. Minutes (Regular Meeting, August 24, 2020).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. Receive and file an Ordinance Relating to Central Business District.
- 2. 2nd reading and final adoption of an Ordinance Rezoning Certain Parcels of Land Lying in Northern Sheyenne Land Third Addition; 1st reading, 8/24/20.
- 3. Consent to Assignment with Tyler Technologies, Inc. and Bill of Sale with Red River Regional Dispatch Center.
- 4. Bid award for conducting a Professional Fundraising Assessment for the proposed Performance Center (RFP20065).
- 5. Amendment to Lease Agreement with the Downtown Community Partnership.
- 6. Request for Offers to Purchase City-Owned Property at 501 Main Avenue.
- 7. Applications for Games of Chance for the New Life Center for a raffle on 10/13/20.
- 8. Change Order No. 2 for an increase of \$51,362.90 and time extension to the substantial and final completion dates for Project No. UR-20-A1.
- 9. Declaration of Public Utility Easement.
- 10. Bid award for Project No. FM-16-A1.
- 11. Development and Assessment Agreement – North Industrial Addition with Ryan Fargo, LLC (Project No. VF-20-A).
- 12. Amendment (sixth) to Developer and Road Use Agreement with Block 9 Partners, LLC.
- 13. Seventh Amended Lease Agreement with North Dakota State University and the Fargo Dome Authority.
- 14. Direct the City Attorney to Amend Ordinance 13-0901.
- 15. Leave of absence request for Isabella Cody.

17. Amend the existing agreement with United Way and the Afro American Development Association (on behalf of ESHARA Partners) to increase funding by \$170,340.00 and to extend the Agreement through 12/31/20.
18. Accept the CDBG-CV allocation from HUD.
19. Resolution Approving Plat of Aldi First Addition.
20. Establishment of new hourly parking rates for Roberts Commons and Mercantile Garage, as presented.
21. Limitation of the "welcome" citations to one per vehicle and change citation verbiage to strengthen collection efforts.
22. Fargo Cass Public Health and the Harms Reduction Program to implement quarantine and isolation support to individuals in response to COVID-19, to include the temporary use of the former Police Station building for an engagement center to coordinate services.
23. Acceptance of the ND Department of Transportation Grant Funding for Seat-belt, Impaired Driving, Distracted Driving Enforcement and Education Activities and Under-age Drinking Enforcement (CFDA#20.616 and 20.600).
24. Resolution Designating the Official Snow Emergency Routes.
25. Bid award for Project No. SW20-01.
26. Solicitation of bids for the replacement and upgrade of lighting at the Metro Transit Garage.
27. ND Department of Transportation State Aid for Public Transit Agreement, Section 5310 Transit Grant Agreement for Capital Assistance Program and Section 5339 Transit Grant Agreement for Federal Transit Capital Investment.
28. Sole Source Procurement with Consolidated Water Solutions (Hydranautics) in the amount of \$161,019.78 for the reverse osmosis membranes (SSP20139).
29. Contract and bond for Project No. WA2004.
30. Bills.
31. Purchase Agreement with Back Forty LLP for permanent street right-of-way (Improvement District No. BN-21-A1).
32. Selection of Alternative D with Option 1 for the design of North University Drive (Improvement District No. BN-20-A1).
33. Exchange and LOMR Payment Agreement with Sitka Investments, LLC (Improvement District No. FM-20-C).
34. Request for infrastructure contingent upon the execution of the Special Assessment Security Agreement and Letter of Credit and to direct Engineering to begin the design (Improvement District No. BN-20-L1).

36. Contract and bond for Improvement District No. AN-20-A1.

REGULAR AGENDA:

37. Recommendation for appointment of the Police Chief.
38. Construction Update.
39. ***Public Input Opportunity* - PUBLIC HEARINGS - 5:15 pm:**
- a. WITHDRAWN – Application filed by AdShark Ventures, LLC for a property tax exemption for a project located at 5601 34th Avenue South, which the applicant will use in the operation of their operation of ecommerce services, utilizing online user-data, internet based platforms, website development and conversion rate optimization to drive sales and new customer growth; continued from the 8/24/20 Regular Meeting.
 - b. Application filed by Beyond Shelter, Inc. for a Payment in Lieu of Tax Exemption (PILOT) for a project located at 708 4th Avenue North, which the applicant will use in the operation of a 42-unit affordable rental housing for seniors.
 - c. RTFMA Addition (1326 16 1/2 Street South); approval recommended by the Planning Commission on 5/5/20:
 - 1. Zoning Change from SR-3, Single-Dwelling Residential to SR-5, Single-Dwelling Residential.
 - 2. 1st reading of rezoning Ordinance.
 - 3. Plat of RTFMA Addition.
 - d. MBA Investments Addition (1717 1st Avenue North; 112 and 202 16th Street North); approval recommended by the Planning Commission on 8/6/19:
 - 1. Zoning Change from GC, General Commercial to LI, Limited Industrial.
 - 2. 1st reading of rezoning Ordinance.
 - 3. Plat of MBA Investments Addition.
 - e. Public comment on the 2021 preliminary budget and recommended tax levies.
40. Resolution (Fargo-Moorhead Community Theatre-Island Park) approving the reconstruction and possible expansion of the Fargo-Moorhead Community Theatre.
41. Discussion on Clean-Up Week Activities:
 - a. Sole Source Procurement with Industrial Builders for assistance with Clean-Up Week Activities (SSP20141).
42. Commissioner Strand would like to discuss aerial spraying.
43. Appointments to the Human Relations Commission.
44. Recommendation to extend the Resolution Moratorium to Issue No More than Five Permits for Outdoor Sound Amplifying Equipment Use.
45. Applications for property tax exemptions for improvements made to buildings:
 - a. Zackary and Natalie Kollman, 3037 20th Street South (3 year).
 - b. Thomas and Keri Desutter, 2220 25th Avenue South (5 year).

46. **RESIDENT COMMENTS (each Fargo resident will be offered 2.5 minutes for comment with a maximum of 30 minutes total for all resident comments).**

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.



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September 8, 2020

To: Board of City Commissioners
Fr: Mayor Timothy J. Mahoney
Bruce P. Grubb, City Administrator
Michael Redlinger, Assistant City Administrator
Re: Recommendation for Appointment of the Police Chief

The Fargo Police Chief Selection Committee completed the final component of the selection process for Police Chief on August 20, 2020 following a full-day assessment with the three finalists. The assessment day included an opening discussion with candidates, a presentation, interview, mock news conference, and a closing discussion with the candidates. Following the assessment, the selection committee voted unanimously to recommend David Zibolski as the top candidate to the City Commission.

On August 24, 2020 a recommendation was advanced to the City Commission to extend a conditional offer of employment to David Zibolski. This offer was contingent upon the successful completion of all components of the Fargo Police Department's conditional offer phase for sworn personnel, including: a background investigation; medical exam; psychological exam; physical fitness test; polygraph; and drug screen. Mr. Zibolski has successfully completed all aspects of the conditional offer phase.

Based on the Police Chief Selection Committee's recommendation and the successful completion of the conditional offer phase, we are recommending the appointment of David Zibolski to the position of Police Chief. Upon approval, a full offer of employment will be extended to Mr. Zibolski with a tentative start date of October 5, 2020.

Attached, you will find the list of Police Chief Selection Committee members along with a summary of the selection process for your reference. Your consideration in this matter is greatly appreciated.

SUGGESTED MOTION: Appoint David Zibolski to the position of Police Chief.

Mayor Mahoney
Deputy Mayor Piepkorn
Bruce Grubb, City Administrator
Michael Redlinger, Assistant City Administrator
Jane Pettinger, Civil Service Chair
Dr. Rupak Gandhi, Superintendent of Fargo Public Schools
Dave Leker, Executive Director of Fargo Park District
Sergeant Michael Sanden
Officer Jessica White
Matuor Alier, Human Relations Commission
Lenore King, Native American Commission
Jason Boynton, Community Member
Nidal Omar, Community Member
Tonya Greywind, Community Member
Whitney Leedahll, Community Member

2020 Police Chief Selection Process

Date	Police Chief Selection Process
June 12	Application closing date
June 15	City Commission – selection committee discussion
June 16 – June 21	Community members - submission of statements of interest to serve on the selection committee
June 22 – July 9	City Commission Liaison/Administration/HR review of selection committee statements of interest
July 13	City Commission – approval of selection committee
July 16	Selection Committee Member Kick-Off Meeting
July 16 – July 23	Selection Committee - individual review of police chief applicants
July 21	Deadline for leadership characteristics / interview questions
July 24	City Commission Liaison/Administration/HR review of selection committee individual scoring & selection of candidates to be invited to virtual interview HR to schedule interviews
August 5 & 6	Selection Committee – virtual interview with top seven candidates
August 6 - 10	Candidate invitations and travel arrangements made by HR
August 19	Fargo Police Department – meetings with candidates and candidate tours
August 20	Assessment Day & Selection – Selection Committee recommendation for David Zibolski to advance as the top candidate
August 24 August 24 – September 3	City Commission Approved Conditional Offer for David Zibolski External Candidate – Conditional Offer Phase <ul style="list-style-type: none"> • PT Test (physical agility) • Medical Exam • Psychological Exam • Polygraph • Drug Screen • Fargo PD Background Investigation • Full Offer following successful completion of conditional phase
September 8	David Zibolski recommended to City Commission for appointment



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August 27, 2020

Board of City Commissioners
City Hall
Fargo, ND 58102

Dear Commissioners:

Attached is an application made by Beyond Shelter Inc. for a payment in lieu of tax (PILOT) according to N.D.C.C. Chapter 40-57.1. The PILOT requested is for a new 42-unit apartment project, for low income households 55 and older, located at 708 4th Ave N.

Notices to competitors have been published. The Tax Exempt Review Committee has met to consider this application. No potential competitors appeared at the Tax Exempt Review meeting. This project meets our current policy.

The recommendation of the Tax Exempt Review Committee is to approve a 20 year PILOT based on an exemption equivalent of 100% of the building value for the first 3 years, and an annual payment equal to \$200 per unit for each of the remaining 17 years, with an annual appreciation of 2%. The applicant will pay full land tax estimated at approximately \$3,000.

Included is a memorandum from PFM Financial Advisors LLC which contains a financial analysis of the feasibility of the project with three scenario assumptions with and without the incentive.

SUGGESTED MOTION:

Approval of a 20 year, payment in lieu of tax for Beyond Shelter, Inc. for a low income housing project at 708 4th Ave N. according to the attached payment schedule.

Sincerely,

A handwritten signature in blue ink that reads "Mike Spionskowski".

Mike Spionskowski
Tax Exempt Review Committee

Payment In Lieu of Property Tax
Payment Schedule

Pursuant to N.D.C.C. Chapter 40-51.7

PROJECT OPERATOR: Beyond Shelter, Inc.

ASSUMPTIONS: **\$10,000,000 Improvement Value**

Year 1-3 100% improvement exemption

Year 4-20 \$200/unit/year PILOT with 2% annual appreciation

PAYMENT SCHEDULE:

	YEAR	PAYMENT
1	2023	\$0
2	2024	\$0
3	2025	\$0
4	2026	\$8,400
5	2027	\$8,568
6	2028	\$8,739
7	2029	\$8,914
8	2030	\$9,093
9	2031	\$9,274
10	2032	\$9,460
11	2033	\$9,649
12	2034	\$9,842
13	2035	\$10,039
14	2036	\$10,240
15	2037	\$10,444
16	2038	\$10,653
17	2039	\$10,866
18	2040	\$11,084
19	2041	\$11,305
20	2042	\$11,532

****Note - The applicant will pay property tax on the land in addition to these in lieu payments.**

Application For Property Tax Incentives For New or Expanding Businesses

N.D.C.C. Chapter 40-57.1

Project Operator's Application To City of Fargo
City or County

File with the City Auditor for a project located within a city; County Auditor for locations outside of city limits.

A representative of each affected school district and township is included as a non-voting member in the negotiations and deliberation of this application.

This application is a public record

Identification Of Project Operator

1.	Name of project operator of new or expanding business <u>Beyond Shelter, Inc.</u>
2.	Address of project <u>708 4th Avenue North</u>
	City <u>Fargo</u> County <u>Cass</u>
3.	Mailing address of project operator <u>PO Box 310</u>
	City <u>Fargo</u> State <u>ND</u> Zip <u>58107-0310</u>
4.	Type of ownership of project
	<input type="checkbox"/> Partnership <input type="checkbox"/> Subchapter S corporation <input type="checkbox"/> Individual proprietorship
	<input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Cooperative <input type="checkbox"/> Limited liability company
5.	Federal Identification No. or Social Security No. [REDACTED]
6.	North Dakota Sales and Use Tax Permit No. <u>NA</u>
7.	If a corporation, specify the state and date of incorporation <u>North Dakota, May 1999</u>
8.	Name and title of individual to contact <u>Dan Madler, CEO</u>
	Mailing address <u>PO Box 310</u>
	City, State, Zip <u>Fargo, ND 58107-0310</u> Phone No. <u>701-551-0488</u>

Project Operator's Application For Tax Incentives

9. Indicate the tax incentives applied for and terms. Be specific.	
<input type="checkbox"/> Property Tax Exemption _____ Number of years _____ Percent of exemption	<input checked="" type="checkbox"/> Payments In Lieu of Taxes _____ 2023 Beginning year _____ 2042 Ending year <u>see attach</u> Amount of annual payments (attach schedule if payments will vary)
10. Which of the following would better describe the project for which this application is being made:	
<input checked="" type="checkbox"/> New business project	<input type="checkbox"/> Expansion of a existing business project

Description of Project Property

11. Legal description of project real property

Lots four, five, and six, in Block Ten, of Roberts' Second Addition to the City of Fargo, situate in the County of Cass and the State of North Dakota.

12. Will the project property be owned or leased by the project operator? ☒ Owned ☐ Leased

If the answer to 12 is leased, will the benefit of any incentive granted accrue to the project operator?

☐ Yes ☐ No

If the property will be leased, attach a copy of the lease or other agreement establishing the project operator's benefits.

13. Will the project be located in a new structure or an existing facility? ☒ New construction ☐ Existing facility

If existing facility, when was it constructed? _____

If new construction, complete the following:

a. Estimated date of commencement of construction of the project covered by this application 7/5/21

b. Description of project to be constructed including size, type and quality of construction

42 unit apartment building for households 55 and older earning 60% of AMI or less, with ground floor parking and three stories of apartments above. Building will include an elevator, community room, fitness room, craft room, roof top patio, Property Manager office, and Resident Services Coordinator office. Light

c. Projected number of construction employees during the project construction 60

14. Approximate date of commencement of this project's operations 8/1/2215. Estimated market value of the property used for this project:

a. Land \$ 203,200

b. Existing buildings and structures for which an exemption is claimed..... \$ NA

c. Newly constructed buildings and structures when completed \$ 10,000,000

d. Total \$ 10,203,000

e. Machinery and equipment \$ NA

16. Estimate taxable valuation of the property eligible for exemption by multiplying the market values by 5 percent:

a. Land (not eligible) 

b. Eligible existing buildings and structures..... \$ 0

c. Newly constructed buildings and structures when completed..... \$ 500,000

d. Total taxable valuation of property eligible for exemption (Add lines b and c)..... \$ 500,000

e. Enter the consolidated mill rate for the appropriate taxing district 292.44

f. Annual amount of the tax exemption (Line d multiplied by line e) \$ 146,220.00

Description of Project Business

Note: "project" means a newly established business or the expansion portion of an existing business. Do not include any established part of an existing business.

17. Type of business to be engaged in: ☐ Ag processing ☐ Manufacturing ☐ Retailing
☐ Wholesaling ☐ Warehousing ☒ Services

18. Describe in detail the activities to be engaged in by the project operator, including a description of any products to be manufactured, produced, assembled or stored (attach additional sheets if necessary).

BSI will develop 42 units of affordable rental housing for seniors (55+) to be constructed in downtown Fargo. The building will be owned by a separate Limited Liability Limited Partnership with BSI as the managing General Partner.

19. Indicate the type of machinery and equipment that will be installed

NA

20. For the project only, indicate the projected annual revenue, expense, and net income (before tax) from either the new business or the expansion itself for each year of the requested exemption.

Year (12 mo. periods)	New/Expansion Project only Year 1	New/Expansion Project only Year 2	New/Expansion Project only Year 3	New/Expansion Project only Year 4	New/Expansion Project only Year 5
Annual revenue	<u>See</u>	<u>Attached</u>	<u>Proforma</u>		
Annual expense					
Net income					

21. Projected number and salary of persons to be employed by the project for the first five years:

Current positions & positions added the initial year of project

# Current Positions	New Positions Under \$13.00	New Positions \$13.01-\$15.00	New Positions \$15.01-\$20.00	New Positions \$20.01-\$28.00	New Positions \$28.01-\$35.00	New Positions Over \$35.00
<u>0</u>				<u>3</u>		

Year	(Before project)	Year 1	Year 2	Year 3	Year 4	Year 5
No. of Employees	(1) <u>0</u>					
	(2) <u>0</u>	<u>3</u>	<u>3</u>	<u>3</u>	<u>3</u>	<u>3</u>
Estimated payroll	(1) <u>0</u>					
	(2) <u>0</u>	<u>80,000</u>	<u>82,400</u>	<u>84,872</u>	<u>87,418</u>	<u>90,040</u>

(1) - full time
(2) - part time

Previous Business Activity

22. Is the project operator succeeding someone else in this or a similar business? ☐ Yes ☒ No
23. Has the project operator conducted this business at this or any other location either in or outside of the state?
☒ Yes ☐ No
24. Has the project operator or any officers of the project received any prior property tax incentives? ☒ Yes ☐ No
 If the answer to 22, 23, or 24 is yes, give details including locations, dates, and name of former business (attach additional sheets if necessary).
~~BSI or an affiliate of BSI, acting as a General Partner, has received PILOTs for the following affordable housing developments: Graver Inn, Sisters Path, Bluestem Townhomes, Bluestem Homes, Sunrise North, Cooper~~

Business Competition

25. Is any similar business being conducted by other operators in the municipality? ☒ Yes ☐ No
 If YES, give name and location of competing business or businesses
~~There are currently 11 other LIHTC projects and 1 Housing Incentive Fund project that are senior designated affordable rentals in Fargo. Note: BSI has developed 8 of the 12 senior designated projects.~~
 Percentage of Gross Revenue Received Where Underlying Business Has ANY Local Competition %

Property Tax Liability Disclosure Statement

26. Does the project operator own real property in North Dakota which has delinquent property tax levied against it? ☐ Yes ☒ No
27. Does the project operator own a greater than 50% interest in a business that has delinquent property tax levied against any of its North Dakota real property? ☐ Yes ☒ No
 If the answer to 26 or 27 is Yes, list and explain
 NA

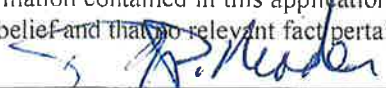
Use Only When Reapplying

28. The project operator is reapplying for property tax incentives for the following reason(s):
- ☐ To present additional facts or circumstances which were not presented at the time of the original application
 - ☐ To request continuation of the present property tax incentives because the project has:
 - ☐ moved to a new location
 - ☐ had a change in project operation or additional capital investment of more than twenty percent
 - ☐ had a change in project operators
 - ☐ To request an additional annual exemption for the year of _____ on structures owned by a governmental entity and leased to the project operator. (See N.D.C.C. § 40-57.1-04.1)

Notice to Competitors of Hearing

Prior to the hearing, the applicant must present to the governing body of the county or city a copy of the affidavit of publication giving notice to competitors unless the municipality has otherwise determined there are no competitors.

I, Daniel P. Madler, do hereby certify that the answers to the above questions and all of the information contained in this application, including attachments hereto, are true and correct to the best of my knowledge and belief and that no relevant fact pertaining to the ownership or operation of the project has been omitted.



Signature

Chief Executive Officer

Title

8-6-2020

Date

PRIVACY ACT NOTIFICATION

In compliance with the Privacy Act of 1974, disclosure of a social security number or Federal Employer Identification Number (FEIN) on this form is required under N.D.C.C. §§ 40-57.1-03, 40-57.1-07, and 57-01-15, and will be used for tax reporting, identification, and administration of North Dakota tax laws. Disclosure is mandatory. Failure to provide the social security number or FEIN may delay or prevent the processing of this form.

Certification of Governing Body (To be completed by the Auditor of the City or County)

The municipality shall, after granting any property tax incentives, certify the findings to the State Tax Commissioner and Director of Tax Equalization by submitting a copy of the project operator's application with the attachments. The governing body, on the _____ day of _____, 20____, granted the following:

☐ **Property Tax Exemption**

_____ Number of years

_____ Percent of exemption

☐ **Payments in lieu of taxes**

_____ Beginning year _____ Ending year

_____ Amount of annual payments (Attach schedule if payments will vary)

Auditor

The Milton Earl
affordable senior housing in downtown Fargo

Location:

Lots 4, 5, and 6, Block 10, Roberts 2nd Addition, Fargo, Cass County, North Dakota

	2019	2020	2021	2022
Current assessed value	\$ 203,200	\$ 207,264	\$ 211,409	\$ 215,637
Estimated taxes	\$ 2,971	\$ 3,031	\$ 3,091	\$ 3,153

PILOT Request

Calendar Year	Year	PILOT	Estimated Land Tax	TOTAL
2023	1	\$ -	\$ 3,153	\$ 3,153
2024	2	\$ -	\$ 3,216	\$ 3,216
2025	3	\$ -	\$ 3,280	\$ 3,280
2026	4	\$ 8,400	\$ 3,346	\$ 11,746
2027	5	\$ 8,568	\$ 3,413	\$ 11,981
2028	6	\$ 8,739	\$ 3,481	\$ 12,221
2029	7	\$ 8,914	\$ 3,551	\$ 12,465
2030	8	\$ 9,092	\$ 3,622	\$ 12,714
2031	9	\$ 9,274	\$ 3,694	\$ 12,969
2032	10	\$ 9,460	\$ 3,768	\$ 13,228
2033	11	\$ 9,649	\$ 3,844	\$ 13,493
2034	12	\$ 9,842	\$ 3,920	\$ 13,762
2035	13	\$ 10,039	\$ 3,999	\$ 14,038
2036	14	\$ 10,240	\$ 4,079	\$ 14,318
2037	15	\$ 10,444	\$ 4,160	\$ 14,605
2038	16	\$ 10,653	\$ 4,244	\$ 14,897
2039	17	\$ 10,866	\$ 4,328	\$ 15,195
2040	18	\$ 11,084	\$ 4,415	\$ 15,499
2041	19	\$ 11,305	\$ 4,503	\$ 15,809
2042	20	\$ 11,531	\$ 4,593	\$ 16,125

Assumptions

First full year of operations	2023	
Year 1 - 3 PILOT	\$0	enables repayment of deferred developer fee from cash flow within 10 year window allowed by
Years 4 - 20	\$200 /unit	increasing annually by 2%

Both PILOT and land tax reflect 2% annual increase

The Milton Earl
708 4th Ave. N
Fargo, ND 58103

DEVELOPMENT COSTS	
ACQUISITION	184,710
SITE WORK	35,000
REHABILITATION & NEW CONSTRUCTION	8,396,237
PROFESSIONAL FEES	429,000
CONSTRUCTION INTERIM COSTS	269,413
PERMANENT FINANCING	35,000
SOFT COSTS	243,467
SYNDICATION COSTS	10,000
DEVELOPER FEES	1,250,000
PROJECT RESERVES	161,600
TOTAL	11,014,427

SOURCES OF FUNDS	
Investor Equity from LIHTC's	7,077,792
GP Equity	708
Bank Loan	1,000,000
Soft Loan 1 - HOME CHDO	500,000
Soft Loan 2 - HTF	1,185,927
Soft Loan 3 - AHP	1,000,000
Soft Loan 4 - CDBG	0
Soft Loan 5 - Other	0
Soft Loan 6 - Other	0
Other	0
Deferred Loan	0
Deferred Developer Fee	250,000
TOTAL	11,014,427

The Milton Earl
20 YEAR PRO FORMA

FOR THE PERIOD THROUGH

Rental Assumptions																					
Rent Increases / Yr																					
Op Cost Increase / Yr																					
Vacancy Rate																					
Management Fee																					
7%																					
5%																					
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OP Cost Increase / Yr

hard key through up to line 18 above

The Milton Earl
RENT SCHEDULE / INCOME

Income										Total
Unit Type	SF	Target %	Number of Units	TBR	Gross Rent	Utility Allowance	Tenant Pd. Rent	Monthly Revenue	Annual Revenue	Units Per Size
Efficiency							\$ -	\$ -	\$ -	
Efficiency							\$ -	\$ -	\$ -	
Efficiency							\$ -	\$ -	\$ -	
Efficiency							\$ -	\$ -	\$ -	
Efficiency							\$ -	\$ -	\$ -	
1 Bedroom	702.4	30	11	X	800	23	777	\$ 8,547	\$ 102,564	0
1 Bedroom	712	30	2	X	800	23	777	\$ 1,554	\$ 18,648	
1 Bedroom	702.4	40	3	X	800	23	777	\$ 2,331	\$ 27,972	
1 Bedroom	702.4	50	3		691	23	668	\$ 2,004	\$ 24,048	
1 Bedroom	712	50	4		691	23	668	\$ 2,672	\$ 32,064	
1 Bedroom	702.4	60	13		691	23	668	\$ 8,684	\$ 104,208	36
2 Bedroom	839	30	1	X	1060	32	1,028	\$ 1,028	\$ 12,336	
2 Bedroom	862	30	1		507	32	475	\$ 475	\$ 5,700	
2 Bedroom	839	50	1		807	32	775	\$ 775	\$ 9,300	
2 Bedroom	862	50	2		807	32	775	\$ 1,550	\$ 18,600	
2 Bedroom	839	60	1		859	32	827	\$ 827	\$ 9,924	6
3 Bedroom							\$ -	\$ -	\$ -	
3 Bedroom							\$ -	\$ -	\$ -	
3 Bedroom							\$ -	\$ -	\$ -	
3 Bedroom							\$ -	\$ -	\$ -	
3 Bedroom							\$ -	\$ -	\$ -	0
4 Bedroom							\$ -	\$ -	\$ -	
4 Bedroom							\$ -	\$ -	\$ -	
4 Bedroom							\$ -	\$ -	\$ -	
4 Bedroom							\$ -	\$ -	\$ -	
4 Bedroom							\$ -	\$ -	\$ -	0
GROSS RENTAL INCOME										42
								\$ 30,447	\$ 365,364	42



August 18, 2020

Memorandum

To: City of Fargo

From: PFM Financial Advisors LLC

Re: The Milton Earl Analysis

Beyond Shelter, Inc. ("Developer") is working to develop The Milton Earl which will be an affordable senior living facility consisting of 42 units to serve lower income households. Total cost is estimated to be approximately \$11.014 million.

PFM reviewed and replicated the projected cash flows of The Milton Earl as provided by the Developer. PFM found the assumptions used in the pro forma cash flow to be reasonable. In order to finance the project, the Developer invested equity in the form of Low-Income Housing Tax Credits (LIHTC) which they were able to leverage into approximately \$7,077,792 of tax credit equity, in addition to \$708,000 in general partner equity. The Developer also plans to receive soft loans from the HOME Community Housing Development Organization, Housing Trust Fund, and Affordable Housing Program totaling \$2,685,927 which will be repaid from net revenues of the project. The Developer plans to take out a permanent mortgage loan to fund the last funds needed in the amount of \$1,000,000; and utilize \$250,000 in deferred developer fees. The Milton Earl must have a minimum of 1.20x coverage on the permanent loan per the lender which is a reasonable coverage level for this type and size of project.

PFM ran three analyses:

- 1.) Full taxes paid only on the land and building value (\$10,215,637);
- 2.) Full taxes paid on land value (\$215,637) with requested PILOT; and
- 3.) Full taxes paid on land value plus North Dakota State PILOT.

PFM found that the project will be feasible under Scenarios 2 and 3. The project is not feasible under Scenario 1.

<u>Scenario</u>	<u>Minimum Coverage in First 10 Years</u>	<u>1.20x Coverage Achieved</u>
Scenario 1	-0.98x	N/A
Scenario 2	1.68x	Year 1
Scenario 3	1.44x	Year 1

CITY OF FARGO ASSESSMENT DEPARTMENT

Project Operator	Beyond Shelter, Inc.
Parcel Number	01-2382-01330-000
Address	708 4th Ave N
Date Application Received	8/7/2020
1st Publication Date	8/12/2020
2nd Publication Date	8/19/2020
TRC Meeting Date	8/25/2020
Commission Hearing Date	9/8/2020
Notice Delivery To School/County	8/11/2020
School/County 30-Day Response	9/10/2020
Exemption Type	PILOT
Estimated Improvements Value	\$10,000,000
Land Value	\$203,200
Anticipated Tax Growth	2.0%
Current Mill Levy @ Approval	292.44
Number of Years Granted	20

BENEFIT SUMMARY (PILOT TERM)	
Full Taxes (w/o Incentives)	
Land	\$59,424
Building	\$3,552,761
Total	\$3,612,185
Benefit	\$0
Full Incentive	
Land	\$59,424
Building	\$168,104
Total	\$227,528
Total Estimated Benefit	\$3,384,658
Partial Incentive (County Opt-Out)	
Total Tax (L&B)	\$689,361
Total Estimated Benefit	\$2,235,039

390

City of Fargo Staff Report			
Title:	RTFMA Addition	Date:	4/28/2020
		Update:	8/31/2020
Location:	1326 16 ½ Street South	Staff Contact:	Maggie Squyer, Assistant Planner
Legal Description:	Lot 19, Block 6, Morton & Doty's		
Owner(s)/Applicant:	Rebuilding Together Fargo-Moorhead Area/Nathan G. Anderson	Engineer:	Nile
Entitlements Requested:	Zoning Map Amendment (from SR-3, Single-Dwelling Residential to SR-5, Single-Dwelling Residential) and Minor Subdivision (A replat of Lot 19, Block 6, Morton & Doty's Addition)		
Status:	City Commission Public Hearing: September 8, 2020		

Existing
Land Use: Household Living
Zoning: SR-3, Single-Dwelling Residential
Uses Allowed: detached housing, attached housing, duplexes, day care facilities of limited size, parks and open areas, religious institutions, safety services, schools and basic utilities
Maximum Density Allowed: 8.7 units per acre

Proposed
Land Use: Household Living
Zoning: SR-5, Single-Dwelling Residential
Uses Allowed: No Change
Maximum Density Allowed: 14.5 units per acre

Proposal:
<p>The applicant is seeking approval of 1) a Zoning Map Amendment, and 2) a Minor Subdivision entitled RTFMA Addition. The proposed zoning map amendment would rezone the lot from SR-3, Single-Dwelling Residential, to SR-5, Single-Dwelling Residential, to increase the maximum density allowed per acre. The proposed minor subdivision would replat the subject property into two lots.</p> <p>Staff received one letter of opposition in response to this request for zone change. The author of the letter states concerns about unfair approval processes conducted by the City. A copy of the letter is attached below. It is worth noting that variances are reviewed by the Board of Adjustment, not the Planning Commission.</p> <p>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.</p> <p>Surrounding Land Uses and Zoning Districts:</p> <ul style="list-style-type: none"> • North: SR-3, Single-Dwelling Residential with a duplex • East: SR-3, Single-Dwelling Residential • South: SR-3, Single-Dwelling Residential • West: SR-3, Single-Dwelling Residential
Area Plans:
<p>The Lewis and Clark Neighborhood is currently undergoing planning efforts as part of the City's Core Neighborhood Plan.</p>
Schools and Parks:

Schools: The subject property is located within the Fargo School District, specifically Lewis and Clark Elementary, Carl Ben Eielson Middle, and South High schools.

Neighborhood: The subject property is located in Lewis & Clark Neighborhood.

Parks: The subject property is located within half of a mile from Tharaldson Little League Complex (1804 17th Avenue South) which offers playground equipment, picnic tables, and softball fields, among other amenities.

Pedestrian / Bicycle: The subject property is not connected to bike facilities.

Staff Analysis:

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 property owner is interested in constructing a twin home on the subject property. For the twin home to be compliant with the Land Development Code, the minimum lot width must decrease from the existing 50 foot requirement in the SR-3 zoning district. At this time, SR-5 is the proper zoning district to accommodate single-dwelling developments on 25-foot wide lots. The smallest lot in the proposed subdivision is currently 3,746 square feet, which meets the minimum required lot area for the SR-5 zone. Staff finds that the requested zone change is justified by a change in conditions at this location 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 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 evidence that would suggest this proposal 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, staff has received three inquiries and one letter of opposition in response to these notices. The letter of opposition is attached below. 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 in a way that will protect the general health, safety, and welfare of the citizens. The Go2030 Comprehensive Plan supports infill and density in developed neighborhoods. Staff contends that the SR-5 zoning district is intended to provide pockets of higher density affordable housing which promotes a mix of housing options and increased opportunity for home ownership. 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)

Subdivision

The LDC stipulates that the following criteria be met before a major 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 subject property is located in the Lewis & Clark Neighborhood, which is currently under evaluation as part of the City's Core Neighborhood Plan. The proposed use is consistent with the existing zoning in the area. The proposed subdivision will replat one existing lot into two new lots. 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 three inquiries and one letter of opposition, as noted above. 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 20-0907.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.**

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 principals.

(Criteria Satisfied)

Staff Recommendation:

Suggested Motion: "To accept the findings and recommendations of the Planning Commission and staff and hereby waive the requirement to receive the Ordinance one week prior to the first reading and place the rezoning ordinance on for first reading and move to approve the proposed 1) zoning map amendment from SR-3, Single-Dwelling Residential to SR-5, Single-Dwelling Residential and 2) **RTFMA Addition** plat, as the proposal satisfactorily complies with the Go2030 Fargo Comprehensive Plan, Standards of Article 20-06 and Section 20-0906(F) (1-4) of the LDC, and all other applicable requirements of the LDC."

Planning Commission Recommendation: May 5, 2020

On May 5, with a 9-0 vote, with one Commissioner absent and one Commission seat vacant, the Planning Commission accepted the findings and recommendations of staff and recommended approval to the City Commission of the proposed 1) zoning map amendment from SR-3, Single-Dwelling Residential to SR-5, Single-Dwelling Residential and 2) **RTFMA Addition** plat, as the proposal satisfactorily complies with the Go2030 Fargo Comprehensive Plan, Standards of Article 20-06 and Section 20-0906(F) (1-4) of the LDC, and all other applicable requirements of the LDC.

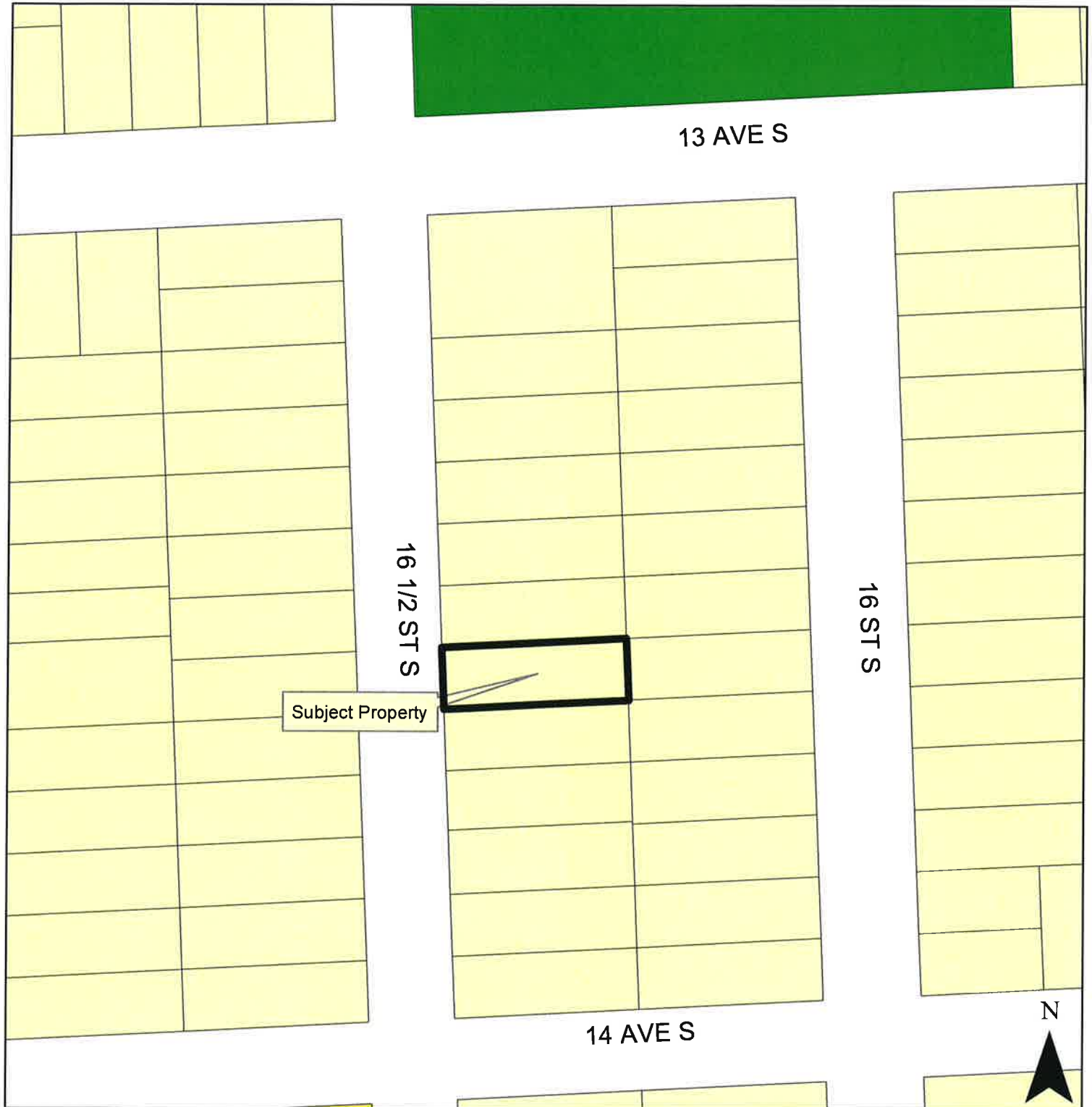
Attachments:

1. Zoning Map
2. Location Map
3. Preliminary Plat
4. Letter of Opposition

Zone Change (SR-3 to SR-5) & Plat (Minor)

RTFMA Addition

1326 16 1/2 St S



Zone Change (SR-3 to SR-5) & Plat (Minor)

RTFMA Addition

1326 16 1/2 St S



Dear Ms. Squyer,

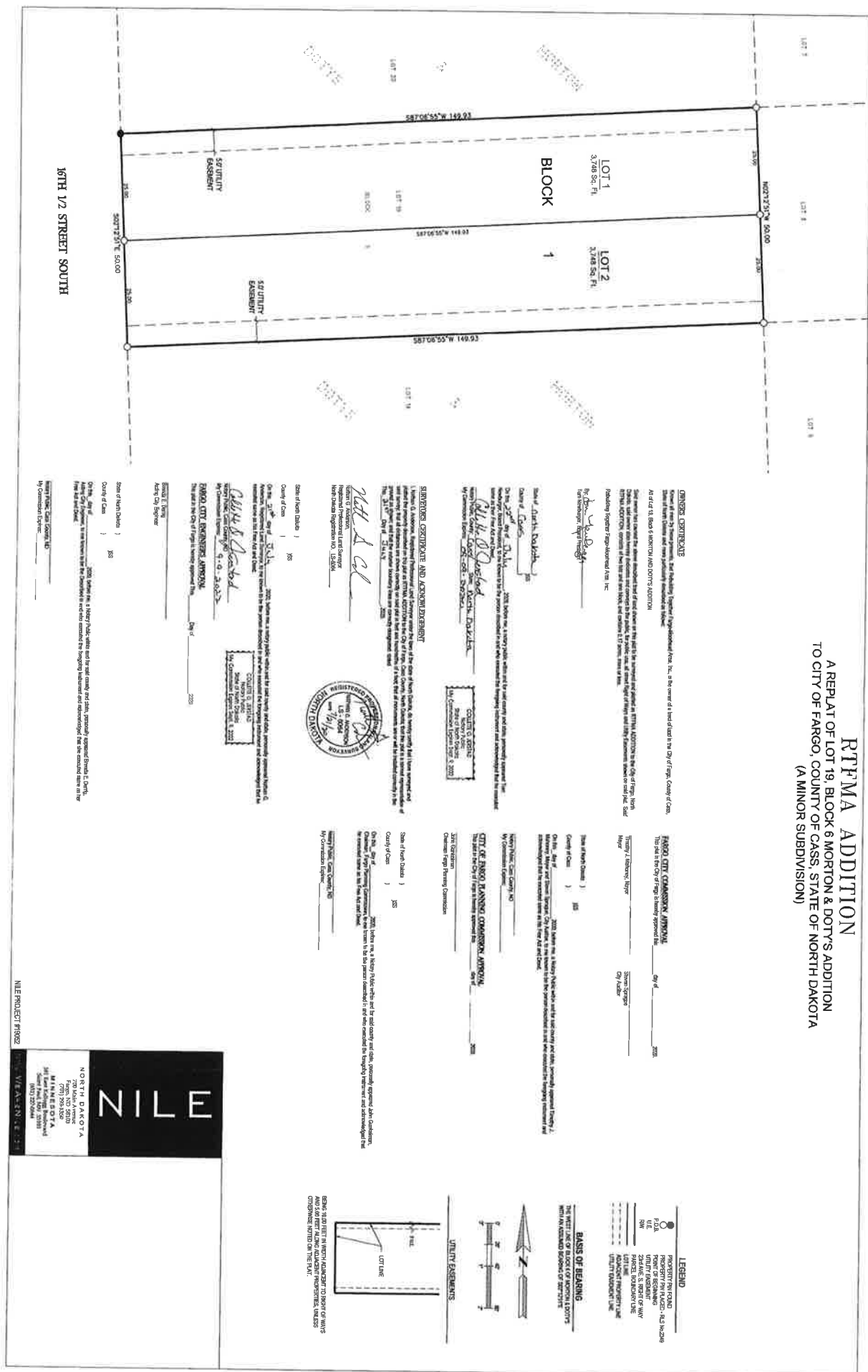
I received this letter about property at 1326 16 ½ Street South to change zoning from SR3 to SR5. I am opposed to the proposed change of this property from SR3 to SR5.

Back in 2000-2001, I tried to put a house on a lot at 305 21st Street South. I tried to get a variance to make this house a duplex and was denied, stating that I was required to have a 7500 square foot yard per unit. I was also denied when I tried to get a variance to build on a lot at 121 23rd Street South, stating I had to stay 10 feet off side lot (this made my driveway 8 feet wide). I haven't built and won't. I stated at the time that the city was going to lose money and I believe the city still is losing money to this day. It appears that the rules can be changed for some people but not for others. It seems that the people the city changes the rules for are the ones that we have to pay later (example: millions of dollars to buy out Oxbow to build a golf course and pool that only certain people can use). There is a reason the cities outside of Fargo and Moorhead are growing. I was told by a city employee that Fargo doesn't want single family housing as the city can make more money with multiple -family units and apartment buildings.

This meeting is a waste of time and money; we already know that it will be approved. When I applied for the variances noted above, I was told that everything would be approved. However, at the last minute, a city of Fargo planning employee addressed the Board and told them she didn't want the variances approved. The variances were denied. It seems unusual that one employee has that much say in the process.

I know that this is probably a waste of time and the proposed variances will be approved.

Any questions give me a call Roger Unterseher 701-261-6372



OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

3902

AN ORDINANCE REZONING CERTAIN
PARCELS OF LAND
LYING IN THE PROPOSED RTFMA ADDITION
TO THE CITY OF FARGO,
CASS COUNTY, NORTH DAKOTA

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

WHEREAS, the Fargo Planning Commission recommended approval of the rezoning request on May 5, 2020; and,

WHEREAS, the rezoning changes were approved by the City Commission on September 8, 2020,

NOW, THEREFORE,

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

Section 1. The following described property:

All of RTFMA Addition to the City of Fargo, Cass County, North Dakota;
is hereby rezoned from "SR-3", Single-Dwelling Residential, District to "SR-5", Single-Residential, District.

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

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

1
2 Section 3. This ordinance shall be in full force and effect from and after its passage and
3 approval.
4

5
6
7 (SEAL)

Timothy J. Mahoney, M.D., Mayor

8 Attest:
9

10
11 _____
Steven Sprague, City Auditor

First Reading:
Second Reading:
Final Passage:

39d

City of Fargo Staff Report			
Title:	MBA Investments Addition	Date:	7/30/2019
		Update:	8/31/2020
Location:	1717 1 st Ave N; 112 & 202 16 th St N	Staff Contact:	Aaron Nelson
Legal Description:	Lots 5, 8, and part of Burlington Northern Right of Way, Block 1, P.M. Properties Subdivision and portions of Lots 3 and 9 and all of Lots 4-8, 14, 15, and a portion of vacated alley, Block 16, Reeves Addition to the City of Fargo, Cass County, North Dakota.		
Owner(s)/Applicant:	MBA Investments, LLC/Kevin Bartram	Engineer:	Moore Engineering, Inc.
Entitlements Requested:	Minor Subdivision (Replat of Lots 5, 8, and part of Burlington Northern Right of Way, Block 1, P.M. Properties Subdivision and portions of Lots 3 and 9 and all of Lots 4-8, 14, 15, and a portion of vacated alley, Block 16, Reeves Addition to the City of Fargo, Cass County, North Dakota and Subdivision Waiver for drain dedication) and Zoning Map Amendment		
Status:	City Commission Public Hearing: September 8, 2020		

Existing	Proposed
Land Use: Warehouse, industrial service, office, & self-storage	Land Use: Warehouse, industrial service, self-storage, & wholesale sales
Zoning: GC, General Commercial	Zoning: GC, General Commercial, & LI, Limited Industrial
Uses Allowed: GC, General Commercial, allows colleges, community service, daycare centers of unlimited size, detention facilities, health care facilities, parks and open space, religious institutions, safety services, adult entertainment centers, office, off-premise advertising, commercial parking, outdoor recreation and entertainment, retail sales and service, self-storage, vehicle repair, limited vehicle service, aviation, surface transportation, and major entertainment events.	Uses Allowed: GC, General Commercial, allows colleges, community service, daycare centers of unlimited size, detention facilities, health care facilities, parks and open space, religious institutions, safety services, adult entertainment centers, office, off-premise advertising, commercial parking, outdoor recreation and entertainment, retail sales and service, self storage, vehicle repair, limited vehicle service, aviation, surface transportation, and major entertainment events. 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.
Maximum Building Coverage Allowed: 85%	Maximum Building Coverage Allowed: 85%

Proposal:
The applicant is seeking City approval of 1) a minor subdivision, entitled <i>MBA Investments Addition</i> , and 2) a zoning map amendment. The proposed subdivision would replat the property into 3 lots, and includes a subdivision waiver that would modify the requirement regarding public dedication of land for storm water legal drain. The proposed zoning map amendment would rezone Lot 1 of the proposed subdivision from GC, General Commercial, to LI, Limited Industrial.

The primary purpose of the request is to facilitate transfer of ownership of Lot 1 of the proposed subdivision to the owner of the abutting property to the west of the subject property (Ferguson Waterworks). This transfer of ownership would be part of a larger land transaction that applicant is currently working on.

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: LI, Limited Industrial and GC, General Commercial, with warehouse and office uses
- East: GC, General Commercial, with warehouse and office uses
- South: LI, Limited Industrial and GC, General Commercial, with warehouse, office, residential, and retail sales & services uses
- West: LI, Limited Industrial and GC, General Commercial with wholesale sales & warehouse uses

Area Plans:

No area plans apply.

Schools and Parks:

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

Neighborhood: The subject property is located within the Madison neighborhood.

Parks: Unicorn Park (1603 3rd Avenue N) is located approximately 500 feet northeast of the subject property and offers the amenities of basketball, grill, multipurpose field, picnic table, playgrounds, and recreational trails.

Pedestrian/Bicycle: A sidewalk is located along the north side of 1st Ave N. 1st Ave N is a designated bike route.

Staff Analysis:

Subdivision

Drain Dedication:

Cass County Drain No. 3 passes underground through the western edge of the subject property. As this is a legal drain, the area of land within 175 feet of the centerline of the drain would be required to be dedicated to the public for drainage and flood protection purposes at the time of subdivision, pursuant to Section 20-0610 of the Land Development Code (LDC). The applicant has applied for a subdivision waiver in order to modify this dedication requirement.

While the drain is part of the legal storm water requirements and governed by the Southeast Cass Water Resource District, the pipes are within the city limits. Thus, the City of Fargo is required to maintain access and to be prepared to maintain and replace the pipe if needed. The City of Fargo Engineering Department and Southeast Cass Water Resource District has reviewed the request for subdivision waiver and have determined that the dedication of a drain easement for the area within 35 feet of the centerline of the drain would be adequate to provide necessary drainage and flood protection at this location.

The LDC stipulates that the following criteria are 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 location of the subject property is not included within an area plan. The subdivision is intended to replat the property into three lots to be used for existing uses and to allow for the expansion of a wholesale sales use (Ferguson Waterworks). The rezone of Lot 1 from GC, General Commercial, to LI, Limited Industrial, will accommodate the proposed change in use to wholesale sales.

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 one phone call from the public regarding this property. The caller asked for information and did not oppose the project. The project has been reviewed by the city's Planning, Engineering, Public Works, Inspections, and Fire Departments. These departments have found that the plat meets the standards of Article 20-06 and other applicable requirements of the Land Development Code. **(Criteria Satisfied)**

2. **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.**

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)**

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.**

The City Engineer has determined that a 35-foot easement from the centerline of the drain is sufficient to provide access for maintenance to this underground drain. These details regarding the use of the easement area will be incorporated into a license agreement, or similar document, which will need to be signed by both of the property owner and Cass County Water Resource District. **(Criteria Satisfied)**

2. **Section 20-0901.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.**

As this is an underground drain within a developed area of the City, the City Engineer has determined that the full dedication of land within 175 feet of the drain centerline is not necessary, and that the proposed drain easement 35 feet from the drain centerline is adequate to provide for maintenance of the drain. The plat depicts this easement in the configuration approved by the City Engineer. **(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.**

This subdivision waiver applies only to the drain dedication requirements of Section 20-0610 of the LDC for this particular property. **(Criteria Satisfied)**

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. Staff finds that the requested zone change is justified by a change in conditions, as the owner would like to redevelop the subject property. The zone change is requested in order to expand an adjacent business (Ferguson Waterworks).

(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.). 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 evidence that would suggest this proposal 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, staff has received one phone call from the public regarding this property. The caller asked for information and did not oppose the project. 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)**

Update 8/31/20

Since this application was reviewed by the Planning Commission in August of 2019, there have been a couple of updates to the subdivision plat. First, the applicant has adjusted the interior lot lines, which has resulted in Lot 1 increasing in area by 0.22 acres, Lot 2 increasing in area by 0.73 acres, and Lot 3 decreasing in area by 0.95 acres.

Additionally, a new Drain Easement with License Agreement has been established and is illustrated on the plat as Document No. 1598869. This easement agreement, between the owner and the Southeast Cass Water Resource District, outlines the use and maintenance of the legal drain along the western edge of the subdivision plat.

Lastly, staff has received one new written comment in opposition to the proposed rezone to LI (Limited Industrial), which is attached. The comments appear to be mostly concerned with the potential for expansion of LI to the property along 16th Street North, between 1st and 3rd Avenue North. Staff would note, however, that the proposed zone change from GC (General Commercial) to LI would only include Lot 1 of the proposed subdivision, which is in the western third of the subject property and is not located along 16th Street North. Lots 2 and 3 of the proposed subdivision would remain within the GC zoning district.

Staff Recommendation

Suggested Motion: "To accept the findings and recommendations of the Planning Commission and staff and hereby waive the requirements to receive the Ordinance one week prior to the first reading and place the rezoning Ordinance on for first reading, and approve the proposed 1) MBA Investments Addition subdivision plat; 2) Subdivision Waiver of LDC Section 20-0610(F) for drain dedication; and 3) zoning map amendment from GC, General Commercial, to LI, Limited Industrial, as presented, as the proposal satisfactorily complies with the Go2030 Fargo Comprehensive Plan, Standards of Article 20-06, Section 20-0906(F) (1-4), and Section 20-0907(D)(3), and all other applicable requirements of the LDC."

Planning Commission Recommendation: August 6, 2019

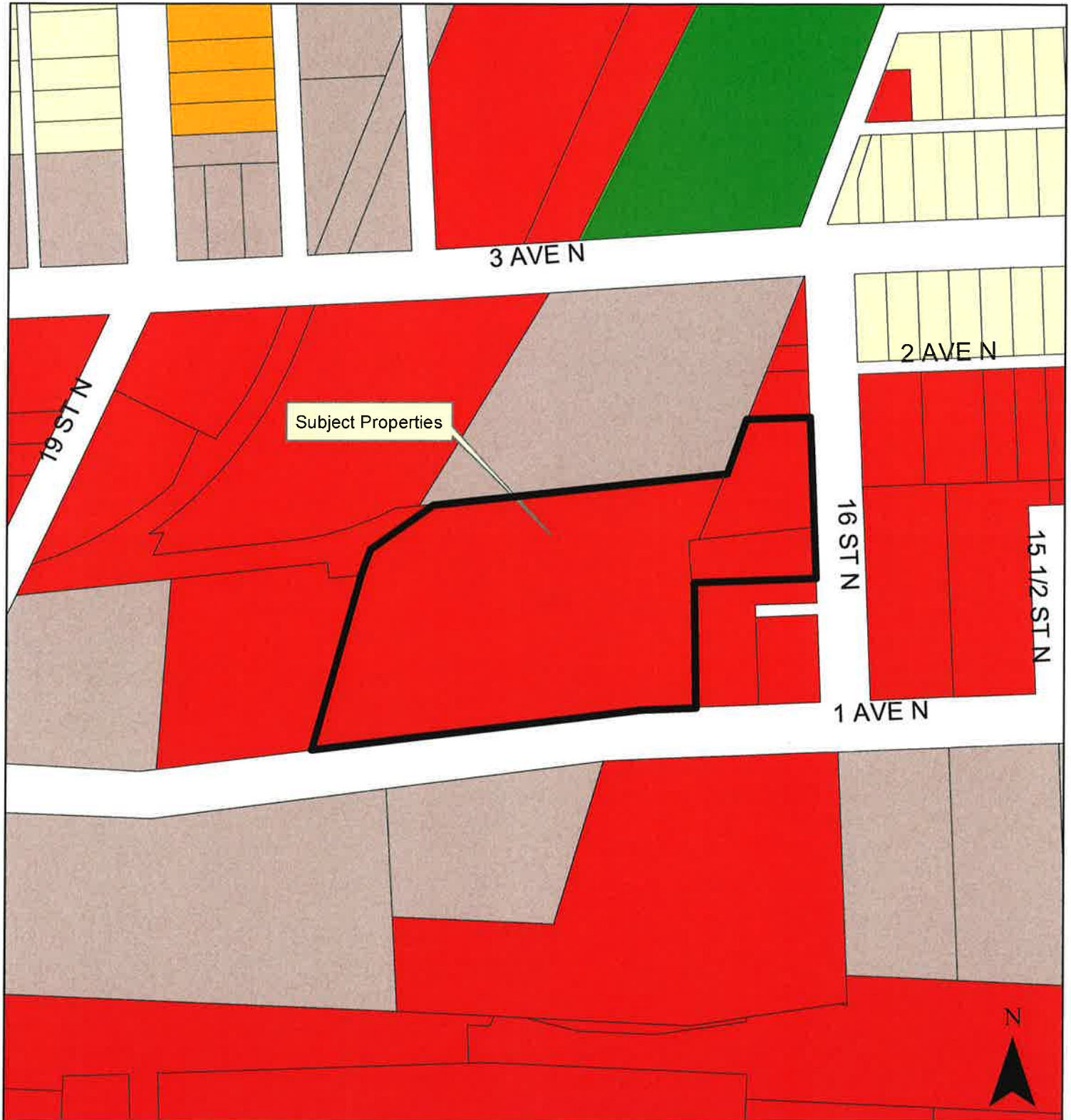
On August 6, 2019, with a vote of 8-0 with 3 commissioners absent, the Planning Commission recommended approval to the City Commission of the proposed 1) MBA Investments Addition subdivision plat; 2) Subdivision Waiver of LDC Section 20-0610(F) for drain dedication; and 3) zoning map amendment from GC, General Commercial, to LI, Limited Industrial, as presented, as the proposal satisfactorily complies with the Go2030 Fargo

Comprehensive Plan, Standards of Article 20-06, Section 20-0906(F) (1-4), and Section 20-0907(D)(3), and all other applicable requirements of the LDC.
Attachments:
<ol style="list-style-type: none">1. Zoning Map2. Location Map3. Subdivision Plat4. Public Comment

Plat (minor) Zone Change (GC to LI)

MBA Investments Addition

1717 1st Avenue North;
112 and 202 16th Street North



Legend

AG	LC	MHP	SR-2
DM	MR-1	NC	SR-1
GC	MR-2	P1	SR-5
GO	MR-3	UML	City Limits

300

Feet

Fargo Planning Commission

August 6, 2019

Plat (minor) Zone Change (GC to LI)

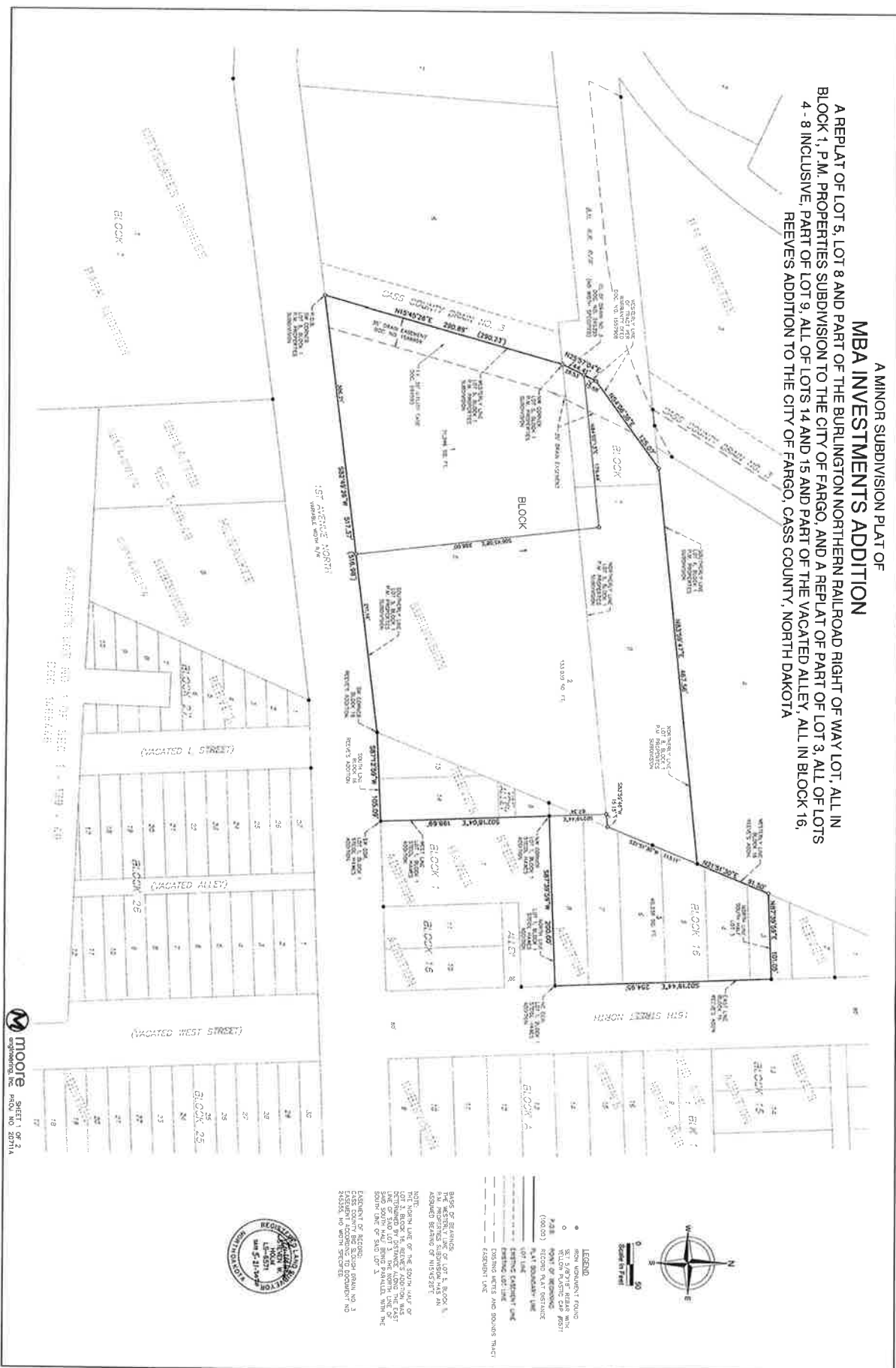
MBA Investments Addition

1717 1st Avenue North;
112 and 202 16th Street North



**A MINOR SUBDIVISION PLAT OF
MBA INVESTMENTS ADDITION
TO THE SUBDIVISION**

A REPLAT OF LOT 5, LOT 8 AND PART OF THE BURLINGTON NORTHERN RAILROAD RIGHT OF WAY LOT, ALL IN BLOCK 1, P.M. PROPERTIES SUBDIVISION TO THE CITY OF FARGO, AND A REPLAT OF PART OF LOT 3, ALL OF LOTS 4 - 8 INCLUSIVE, PART OF LOT 9, ALL OF LOTS 14 AND 15 AND PART OF THE VACATED ALLEY, ALL IN BLOCK 16, REEVES ADDITION TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA



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MBA INVESTMENTS ADDITION
A REPLAT OF LOT 5, LOT 8 AND PART OF THE BURLINGTON NORTHERN RAILROAD RIGHT OF WAY LOT, ALL IN
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4 - 8 INCLUSIVE, PART OF LOT 9, ALL OF LOTS 14 AND 15 AND PART OF THE VACATED ALLEY, ALL IN BLOCK 16,
REEVES ADDITION TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA

CERTIFICATE

BEFORE ME, a Notary Public in and for the State of North Dakota, on this 10th day of August, 2020, I was personally appeared John J. Balthus, President, and President, of the Fargo Planning Commission, a body corporate, and acknowledged to me that he executed the foregoing instrument and acknowledged to me that he executed the same in the free and lawful exercise of his authority and power as President of the Fargo Planning Commission, and that he executed the same for the purposes and consideration therein expressed.

I, a Notary Public in and for the State of North Dakota, do hereby certify that the foregoing instrument was duly executed by the person or persons named therein, and that the same is a true and correct copy of the original as the same appears from the records of the County of Cass, State of North Dakota.

WITNESS MY HAND AND SEAL OF OFFICE, this 10th day of August, 2020.

Notary Public, Cass County, North Dakota

John J. Balthus
REGISTERED LAND SURVEYOR
REG. NO. 13-0571
STATE OF NORTH DAKOTA



David J. Kelly
NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA



EXHIBIT

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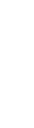
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REG. NO. 13-0571
STATE OF NORTH DAKOTA



(1 of 3)

Sunday, 08-23-20:

Dear Aaron Nelson
Planning Coordinator,

I feel it to be unlawful, unethical, bad business practice, poor common sense, dangerous, foolish and impossible, to allow ~~to act~~ on "LI" encroachment, to squeeze itself between "GC" parcels, on either end, of the same block, already zoned as "GC". I feel you would and will agree!

I would admonish you and your commission not to be swayed by name recognition, big money, lofty ambitions, greed, bullying and arrogance, and to be mindful of the "little guy," in all this!

MBA, merely, wants more land west of the Rail yard (Dreppers Brewery) for alcoholic functions) in a land swap with Ferguson Water Works!!

"LI" on Reeves Addition, 16th St. North, would create additional noise, traffic and

*Please, do not "piecemeal" } *Please, do not be swayed
16th St. North with "LI" } by special interests!
(Reeves Addition) zoning.

(2 of 3)

clientel living (yes, living) in storage units! That = area has experienced fires and death under such practices!

* (REEVES ADDITION) Block: 16th St. No. between 3rd Ave. No. and 1st Ave. No. was once all houses, with the Milwaukee - Road Railroad passing across its roadway and had houses around the corner of 1st Ave. No. → westward! It (16th St. No.) is very quiet and peaceful, in the evenings and weekends!

"LI" would be too close to Unicorn Park and city sanctioned single family homes! If anything, let's go back to Light Commercial, as a gentle buffer to these 3rd Ave. No. houses!!

I am the "LAST BASTION" between this park and these homes! Our family has owned this home since October 1957! (Being displaced by the June tornado of 1957)!

If any zoning change be in the offing, let my house

(3 of 3) * Please, keep 16th St. (3rd Ave. No. ← 1st Ave. No.) North at the very least "GC"!!

be "grandfathered" into these single family homes on 3rd Ave. North, so I can qualify for certain advantages of such distinction, and as a Disabled Veteran!"

* Don't let someone's greed turn 16th St. No. into a street laden parking lot for alcoholic party goers and concerts!! One can say one thing ~~that~~ and do something else, once a zoning has changed!

That vacated alley in question is still on city abstracts and represents, still, a remnant of single family housing!

Don't allow any "I" footprint on 16th St. North, between 3rd Ave. North and 1st Ave. North!! Such would be a travesty!! It would be too close to my house, Unicorn Park and 3rd Ave. North's single family housing!!

Sincerely,
— Lawrence Alvin Swatfager.
* P.S. 16th St. No. gets clogged, now, with cars, from Drekkers & Ice House gym on 1st Ave. No.!!

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

39nd2

AN ORDINANCE REZONING CERTAIN PARCELS OF LAND
LYING IN THE PROPOSED MBA INVESTMENTS ADDITION
TO THE CITY OF FARGO,
CASS COUNTY, NORTH DAKOTA

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

WHEREAS, the Fargo Planning Commission recommended approval of the rezoning request on August 6, 2019; and,

WHEREAS, the rezoning changes were approved by the City Commission on September 8, 2020,

NOW, THEREFORE,

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

Section 1. The following described property:

Lot One (1), Block One (1) of the MBA Investments Addition to the City of Fargo, Cass County, North Dakota;

is hereby rezoned from "GC", General Commercial, District to "LI", Limited Industrial, District.

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

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

1
2 Section 3. This ordinance shall be in full force and effect from and after its passage and
3 approval.
4

5
6 (SEAL)


Timothy J. Mahoney, M.D., Mayor

7 Attest:
8

9
10 _____
Steven Sprague, City Auditor

First Reading:
Second Reading:
Final Passage:

39e

TO: BOARD OF CITY COMMISSIONERS
FROM: MAYOR TIMOTHY J. MAHONEY 
DATE: AUGUST 31, 2020
RE: 2021 PRELIMINARY BUDGET PUBLIC HEARING

The Board of City Commissioners approved the Preliminary Budget for 2021 on August 10, 2020. A public hearing, which is required by the North Dakota Century Code, is scheduled on September 8, 2020 at 5:15 pm.

The purpose of the public hearing is to allow public comment on the preliminary budget and recommended tax levies.

The City Commission will consider the Final Budget for 2021 on September 21, 2020.



CONMY ♦ FESTE
Attorneys

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E.T. Conmy, Jr. (1912-2006)
Charles A. Feste (1928-2013)

Also Licensed in Minnesota

† Certified Civil Trial Specialist -
National Board of Trial Advocacy

September 3, 2020

(40)

VIA HAND-DELIVERED

Board of City Commissioners
City Hall
225 4th Street North
Fargo, ND 58102

**RE: FARGO-MOORHEAD COMMUNITY THEATRE – request
for approval of re-construction/expansion of Theatre building
at Island Park**

Dear Commissioners,

The Fargo-Moorhead Community Theatre requests your approval of its plan to reconstruct and possibly expand the footprint of the existing theatre building located at Island Park, along 4th Street South. The FM Community Theatre building was first located at Island Park as a result of an arrangement with the Fargo Park District in the mid-1960s. The approval of the City of Fargo was required at the time because Island Park was initially dedicated to the City by the Northern Pacific Railroad for use as a park and the transfer of ownership by the City to the Park District recognized the same park purpose. The continuation of the theatre, with the possible expansion, makes your approval necessary once again. Ultimately, your approval is contingent upon the Park District's and the railroad's (BNSF) approval also being granted.

A representative of the FM Community Theatre will be present at the City Commission meeting to provide additional context and explanation, as will I.

SUGGESTED MOTION: I move for the approval of the Resolution approving the reconstruction and possible expansion, as presented.

Sincerely,



Ryan McCamy

Enclosures:

- (1) Proposed Resolution
- (2) Blueprint

Commissioner _____ moved for the approval of the following:

RESOLUTION

[Fargo-Moorhead Community Theatre – Island Park]

WHEREAS, the Northern Pacific Railroad Company platted the “Town of Fargo” by instrument recorded in 1874, which plat included a dedication of certain real property as “Island Park” and contained a notation of “Public Park, solely”; and,

WHEREAS, at a meeting of the board of the city council of the city of Fargo held on March 27, 1911, said board resolved to convey certain control and interest in “Island Park” to the Park District of the City of Fargo, said entity having been, at the time, recently established by ordinance of the City of Fargo pursuant to authority created by North Dakota state statute; and,

WHEREAS, the City of Fargo quitclaimed its interest in Island Park to the Park District of the City of Fargo, said deed recognizing that the conveyance was “...subject to the reservation that the [premises] be used for Park purposes only...”, said deed dated July 29, 1955 and recorded August 3, 1955 in Book 234 of Deeds, page 238; and,

WHEREAS, on September 1, 1964, the Board of City Commissioners unanimously approved a Resolution reciting that the construction of a new theatre at Island Park by the Fargo-Moorhead Theatre Corporation was in the public interest and approving the plan of the Fargo-Moorhead Theatre Corporation to build and construct said theatre, contingent upon a lease and agreement being entered into between said corporation and the Park Board; and,

WHEREAS, the Fargo-Moorhead Community Theatre, a non-profit corporation, being the successor in interest to the Fargo-Moorhead Theatre Corporation, a non-profit corporation, in conjunction with necessary reconstruction following a roof collapse of the theatre due to snow load in 2019 causing the theatre to close, has requested to rebuild the current theatre, as well as additional land for an expansion of the Fargo-Moorhead Community Theatre building and other improvements lying in Island Park, the area of said land to increase from 30,401 square feet to 45,138 square feet; and,

WHEREAS, the Fargo-Moorhead Community Theatre has requested the consent of the City of Fargo to said continued use of said portion, as well as the granting of the additional land for expansion, of Island Park by the Fargo-Moorhead Community Theatre and the board of city commissioners of the City of Fargo wish to grant such consent;

NOW, THEREFORE, BE IT HEREBY RESOLVED:

That the plan of the Fargo-Moorhead Community Theatre to reconstruct the current theatre, as well as expand the theatre land located in Island Park as so designated by the board of commissioners of the Park District of the City of Fargo is hereby approved and consent hereby granted, said approval and consent being contingent upon the approval of Burlington Northern

and Sante Fe, the successor in interest to the Northern Pacific Railroad Company, and of the board of commissioners of the Park District of the City of Fargo.

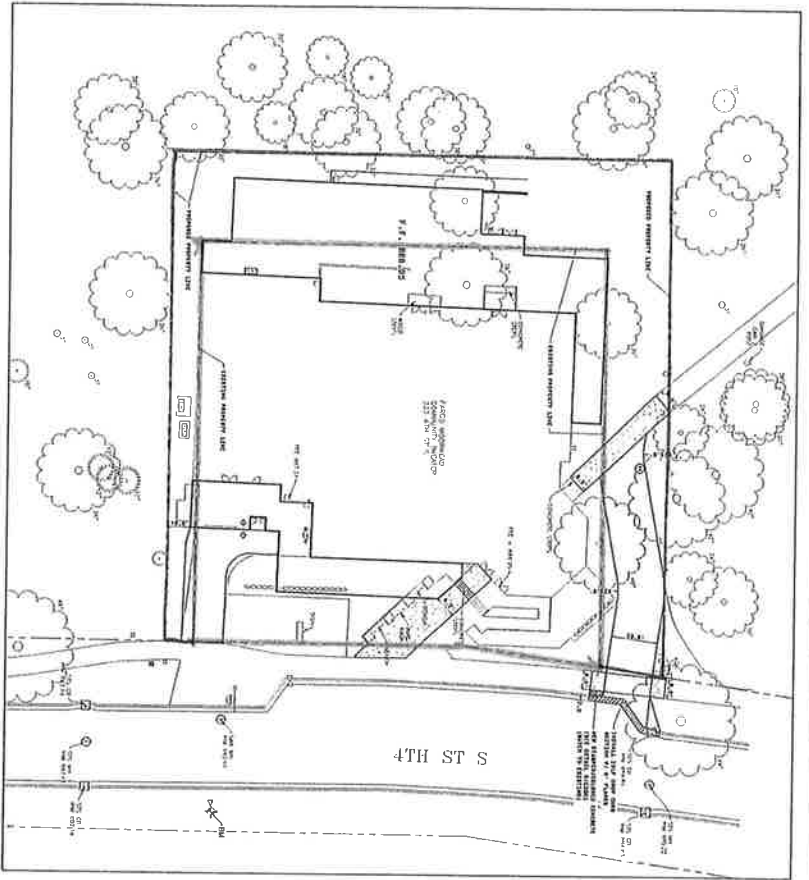
Said motion was seconded by Commissioner _____ and, upon call of the roll Commissioners _____ voted "aye", Commissioners _____ voted "nay" and with Commissioners _____ being absent the Resolution was declared as approved and enacted.

Resolution approved the ____ day of _____, 2020.

Timothy J. Mahoney, M.D., Mayor

Attest:

Steven Sprague, City Auditor



Current land square footage = 30,401 sq. ft.
Proposed land square footage = 45,138 sq. ft.

SYMBOL LEGEND:

	EXISTING PROPERTY LINE
	EXISTING EASEMENT
	EXISTING FIRE HYDRANT
	EXISTING WATER MAIN
	EXISTING SEWER MAIN
	EXISTING STORM SEWER
	EXISTING UTILITY EASEMENT
	EXISTING BUILDING FOOTPRINT
	EXISTING PARKING AREA
	EXISTING DRIVEWAY
	EXISTING SIDEWALK
	EXISTING STREET
	EXISTING FENCE LINE
	NEW 4' EASEMENT
	NEW 6' EASEMENT
	NEW 10' EASEMENT
	NEW 15' EASEMENT
	NEW 20' EASEMENT
	NEW 25' EASEMENT
	NEW 30' EASEMENT
	NEW 35' EASEMENT
	NEW 40' EASEMENT
	NEW 45' EASEMENT
	NEW 50' EASEMENT
	NEW 55' EASEMENT
	NEW 60' EASEMENT
	NEW 65' EASEMENT
	NEW 70' EASEMENT
	NEW 75' EASEMENT
	NEW 80' EASEMENT
	NEW 85' EASEMENT
	NEW 90' EASEMENT
	NEW 95' EASEMENT
	NEW 100' EASEMENT

PLAN NOTES:

1. ALL EXISTING UTILITIES SHALL BE MAINTAINED AND NOT REMOVED UNLESS OTHERWISE NOTED.
2. EXISTING UTILITIES SHALL BE MAINTAINED AND NOT REMOVED UNLESS OTHERWISE NOTED.
3. EXISTING UTILITIES SHALL BE MAINTAINED AND NOT REMOVED UNLESS OTHERWISE NOTED.
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10. EXISTING UTILITIES SHALL BE MAINTAINED AND NOT REMOVED UNLESS OTHERWISE NOTED.

BENCHMARKS:

1. 10' x 10' x 10' CONCRETE BENCHMARK
2. 10' x 10' x 10' CONCRETE BENCHMARK

JLG
JLG ARCHITECTS
1000 13TH AVE S
FARGO, ND 58103
701.785.1234
www.jlgarchitects.com

MBN
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PHYSION ARCHITECTS
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701.785.1234
www.physionarchitects.com

JLG ARCHITECTS
FARGO MOORHEAD COMMUNITY THEATRE
FARGO, ND

C100
SITE PLAN
08/21/20
BID PACK 1A
5000



September 1, 2020

The Honorable Board of City Commissioners
City of Fargo
Fargo, ND 58102

**RE: Authorization to Hire Industrial Builders to Provide Assistance with Clean Up
Week Activities**

Commissioners:

With the 2020 COVID 19 crisis, many alterations to our annual city services have occurred. One of the biggest changes most residential homeowners have experienced has been the delay of our annual cleanup week. When cleanup week was delayed this spring, it was anticipated that the COVID 19 risk factor would decrease by fall, and it could be conducted in our regular manner. The scheduled cleanup week start date of September 14th is quickly approaching, and the risk of COVID 19 unfortunately has not faded. For these reasons, Terry Ludlum, Bruce Grubb and I have been desperately trying to come up with a plan to conduct cleanup week while maintaining the health security of our staff. Through our discussions, we have reached the conclusion that the only way to have cleanup week is through the use of contractor assistance and to host it over a two-week period. Based on our current trucking contracts associated with winter snow services, we would like to piggyback on that pricing and sole source any remaining costs with Industrial Builders to perform cleanup week beginning Monday, September 14, 2020.

On Monday, August 31, 2020, the Finance Committee reviewed and authorized the hiring of Industrial Builders to assist with clean up week activities. At this time, we are requesting City Commission approval.

RECOMMENDED MOTION: I/we hereby move to proceed with hiring Industrial Builders to assist with the 2020 cleanup week activities at an estimated cost of \$398,496.00 (SSP20141).

Respectfully submitted,

Benjamin Dow
Director of Public Works

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MEMORANDUM

TO: BOARD OF CITY COMMISSIONERS

FROM: MAYOR TIMOTHY J. MAHONEY



DATE: SEPTEMBER 8, 2020

SUBJECT: HUMAN RELATIONS COMMISSION APPOINTMENTS

The terms of Adam Martin, Barry Nelson and Rachel Hoffman on the Human Relations Commission expired on July 1, 2020. Mr. Nelson would like to continue his service on the Board; however, Mr. Martin and Ms. Hoffman have resigned their positions.

I am recommending the reappointment of Mr. Nelson. Carolyn Becraft and Ahmed Shiil have expressed interest in serving on the Human Relations Commission; therefore, I am recommending that they be appointed for three-year terms ending July 1, 2023. Web applications for Ms. Becraft and Mr. Shiil are attached for your reference.

Your favorable consideration of these recommendations is greatly appreciated.

RECOMMENDED MOTION: To approve the reappointment of Barry Nelson and the appointment of Carolyn Becraft and Ahmed Shiil for three-year terms ending July 1, 2023.

Attachments
mmappts20hrc

From: noreply@cityoffargo.com
Sent: Saturday, June 15, 2019 2:52 PM
To: Commissions Applications
Subject: New Form Submission: Getting involved in government
Attachments: Bio-2019.pdf

Name:

[Carolyn Becraft]

Mailing Address:

[2723 70th Avenue South]

City:

[Fargo]

State:

[ND]

Zip:

[58104]

Work Phone:

[BLANK]

Home Phone:

[7038679468]

E-mail:

[chbecraft@verizon.net]

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

[Human Relations Commission]

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

[I have been an advocate for, and liaison to, underserved communities for most of my professional career. I have lived in and been active in diverse communities and am attuned to the myriad of issues involved. In my executive capacities I established commissions to identify and address human rights issues.]

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

[10 hours]

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

[Fargo-I grew up in Fargo and am returning to live here full time. I have considerable legislative experience though not at the city level.]

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

[Through a Ford Foundation Grant I led a project that advocated for military women and military families at the national level. The projects work resulted in numerous changes to laws and policies to benefit these groups. I served as the Deputy Assistant Secretary of Defense for Military Community and Family Policy overseeing all aspects of worldwide military communities with the exception of housing. I then served as the Assistant Secretary of the Navy (Manpower and Reserve Affairs) where I was responsible for all personnel policy for the Navy and Marine Corps. My entire career has been dedicated to advancing civil rights and human rights.]

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

From: noreply@cityoffargo.com
Sent: Wednesday, June 13, 2018 1:06 PM
To: Commissions Applications
Subject: New Form Submission: Getting involved in government

Name:
[Ahmed Shiil]
Mailing Address:
[3660 42nd St. #111]
City:
[Fargo]
State:
[NORTH DAKOTA]
Zip:
[58104]
Work Phone:
[701-237-5050]
Home Phone:
[612-701-4160]

E-mail:
[ashiil@unitedwaycassclay.org]

Which boards or commissions would you like to be considered for?
[Human Relations Commission]

Briefly state why you would like to be on this panel:
[I am very passionate about community service. I am passionate about making a difference in ALL lives and alleviating barriers that exist and finding success in communities.]

How many hours per month could you volunteer as a panel member?
[3-5]

Please list any past experience you have with city government here or in other cities:
[Although I do not have any experience in city government, I have vast experience in Higher Education, private and non-profit organizations.]

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

[I have extensive professional experience working with diverse population. As a Property Manager, I have worked over 7 years in low income housing . I have worked in Higher Education serving diverse student needs and advising. In my current position as Community Impact Manager at United Way Cass-Clay, my main focus area at the moment is Workforce Development Pathways Initiative. Identifying and removing the gaps and barriers that currently exist for New Americans and low income individuals to enter the workforce and retain family sustaining employment.]

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



45a

August 31, 2020

Board of City Commissioners
City Hall
Fargo, ND 58102

Dear Commissioners:

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

I have attached a copy of an application for real estate tax exemption of building improvements for the property at 3037 20 St S as submitted by Zackary & Natalie Kollman. A description of the property involved, types of improvements to be made, and assessment information are indicated on the application.

It is my opinion that the value of some of the improvements, referred to in the application, qualifies for the exemption. This exemption would be for the years 2020, 2021 & 2022.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$90 with the City of Fargo's share being \$15.

Sincerely,

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

Mike Splonskowski
City Assessor

bsb
attachment

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

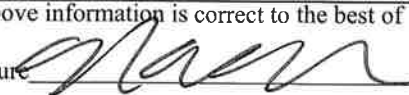
Property Identification

1. Name of Property Owner	ZACKARY & NATALIE KOLLMAN		Phone No.	701-306-9398
2. Address of Property	3037 20 ST S			
City	FARGO	State	ND	Zip Code 58103
3. Legal description of the property for which the exemption is being claimed.	LT 7 EXC N 22 FT BLK 6 RHEAULT ADDN			
4. Parcel Number	01-2350-00785-000	Residential <input checked="" type="checkbox"/>	Commercial <input type="checkbox"/>	Central Business District <input type="checkbox"/>
5. Mailing Address of Property Owner	3037 20 ST S			
City	FARGO	State	ND	Zip Code 58103

Description Of Improvements For Exemption

6. Describe the type of renovating, remodeling or alteration made to the building for which the exemption is being claimed (attach additional sheets if necessary).	KITCHEN REMODEL; SOME NEW FLOORING
7. Building Permit No.	2006-0537-REN
8. Year Built	1983
9. Date of Commencement of making the improvement	6/30/2020
10. Estimated market value of property before improvement	\$ 156,000
11. Cost of making the improvement (all labor, material and overhead)	\$ 25,000
12. Estimated market value of property after improvement	\$

Applicant's Certification and Signature

13. I certify that the above information is correct to the best of my knowledge and I apply for this exemption.
Applicant's Signature  Date 8/25/2020

Assessor's Determination

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

Action of Governing Body

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



456

August 31, 2020

Board of City Commissioners
City Hall
Fargo, ND 58102

Dear Commissioners:

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

I have attached a copy of an application for real estate tax exemption of building improvements for the property at 2220 25 Ave S as submitted by Thomas & Keri Desutter. A description of the property involved, types of improvements to be made, and assessment information are indicated on the application.

It is my opinion that the value of some of the improvements, referred to in the application, qualifies for the exemption. This exemption would be for the years 2020, 2021, 2022, 2023 & 2024.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$150 with the City of Fargo's share being \$25.

Sincerely,

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

Mike Splonskowski
City Assessor

bsb
attachment

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

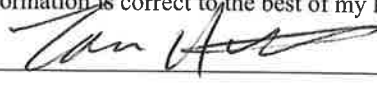
Property Identification

1. Name of Property Owner	THOMAS & KERI DESUTTER		Phone No.	701-205-7920
2. Address of Property	2220 25 AVE S			
City	FARGO	State	ND	Zip Code 58103
3. Legal description of the property for which the exemption is being claimed.	LT 10 BLK 4 WENTZ ADDN			
4. Parcel Number	01-3750-00750-000	Residential <input checked="" type="checkbox"/>	Commercial <input type="checkbox"/>	Central Business District <input type="checkbox"/>
5. Mailing Address of Property Owner	2220 25 AVE S			
City	FARGO	State	ND	Zip Code 58103

Description Of Improvements For Exemption

6. Describe the type of renovating, remodeling or alteration made to the building for which the exemption is being claimed (attach additional sheets if necessary).	REMODEL, KITCHEN REMODEL, REMOVED WALL, SHEETROCK	
7. Building Permit No.	2005-0837-REN	8. Year Built 1978
9. Date of Commencement of making the improvement	7-16-2020	
10. Estimated market value of property before improvement	\$ 206,700	
11. Cost of making the improvement (all labor, material and overhead)	\$ 40,000+/-	
12. Estimated market value of property after improvement	\$	

Applicant's Certification and Signature

13. I certify that the above information is correct to the best of my knowledge and I apply for this exemption.
Applicant's Signature  Date 8-26-2020

Assessor's Determination

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

Action of Governing Body

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