

FARGO CITY COMMISSION AGENDA
Monday, August 19, 2024 - 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 5, 2024).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. 1st reading of an Ordinance Amending Section 23-0211 of Article 23-02 of Chapter 23 of the Fargo Municipal Code Relating to the Electrical Code.
- 2. 2nd reading, waive reading and final adoption of an Ordinance Rezoning a Certain Parcel of Land Lying in YWCA Addition to the City of Fargo, Cass County, North Dakota; 1st reading, 8/5/24.
- 3. 2nd reading, waive reading and final adoption of an Ordinance Rezoning a Certain Parcel of Land Lying Presentation Addition to the City of Fargo, Cass County, North Dakota; 1st reading, 8/5/24.
- 4. Applications for Games of Chance:
 - a. Fargo Davies High School for a raffle on 8/23/24-2/28/25.
 - b. Fargo Davies High School for a raffle on 11/26/24-2/14/25.
 - c. Veterans Honor Flight of ND/MN for a raffle on 8/25/24.
 - d. YWCA Cass Clay for a raffle board on 09/05/24.
 - e. El Zagal Outdoors Unlimited for a raffle on 09/10/24.
- 5. Concur with the findings of staff and the Liquor Control Board and apply the administrative penalty of a \$500.00 fine for a first failure to the liquor license violations identified at Front Street Tap Room.
- 6. Concur with the findings of staff and the Liquor Control Board and apply the administrative penalty of a \$500.00 fine for a first failure to the liquor license violations identified at VFW.
- 7. Concur with the findings of staff and the Liquor Control Board and apply the administrative penalty of a \$500.00 fine for a first failure to the liquor license violations identified at Hi Ho South, Applebee's on 45th, Fargo Billiards, Delta Hotels, Chili's and Candlewood Suites.
- 8. Final Balancing Change Order No. 1 in the amount of \$11,443.18 for Project No. FM-15-F3.
- 9. Change Order No. 1 in the amount of \$82,514.40 for Project No. SR-24-B1.
- 10. Crossing Surface Installation Agreement with BNSF Railway Company for the resurfacing of the 27th Street North Railroad At-Grade Crossing (Project No. RR-25-A1).

11. Contract and bond for Project No. DR-21-A1.
12. Contract and bond for Project No. UR-24-A1.
13. Memorandum of Offer to Landowner for Permanent Easements (Street and Utility) and (Utility) with PB&J Properties, LLC (Improvement District No. PR-24-A1).
14. Resolution Authorizing the Issuance of Taxable Annual Appropriation Bonds, Series 2024F and Resolution Authorizing the Issuance of Annual Appropriation Bonds, Series 2024G.
15. Items from the FAHR Staff meeting:
 - a. Receive and file General Fund - Budget to Actual through 7/31/24.
 - b. Reallocation of \$200,000.00 from Municipal Court to the Police Department to pay the 2024 allocation to the late Axon invoice.
 - c. ND Forest Service grant awards in the amount up to \$43,300.00 and related expense for new trees in 2025.
 - d. Accept the Grant award from the Assistance to Firefighters Grant (FEMA) in the amount of \$51,814.54 and related expenses.
 - e. Change orders in the amount of \$69,830.00 related to the Transit AVA/AVL software replacement project.
 - f. Bid awards for Fire Station No. 5 Renovation Project in the amount of \$2,463,004.00, as presented (ITB24276).
16. Notice of Grant Award from the ND Department of Health and Human Services for MCH services (CFDA #93.994).
17. Master Services Agreement and Statement of Work with Doosan Digital Innovation America, LLC (RFP24272).
18. Resolution approving Plat of Prairie Farms Third Addition.
19. Receive and file the Bias Motivation and Hate Crime 2nd Quarter Report.
20. Bid award in the amount of \$1,031,160.00 to Northdale Oil for the purchase of contracted fuel for the 1st and 2nd Quarters of 2025 (RFP24274).
21. Resolution of Governing Body of Applicant for filing of an application with the ND Department of Environmental Quality for a loan under the Clean Water Act/or Safe Drinking Water Act (Project No. WA2402).
22. Resolution of Governing Body of Applicant for filing of an application with the ND Department of Environmental Quality for assistance performing a lead service line inventory in compliance with the Lead and Copper Rule Revisions.
23. Bills.

REGULAR AGENDA:

24. 1st reading of an Ordinance Enacting Article 10-14 of Chapter 10 of the Fargo Municipal Code Relating to Camping on Public Property.

PUBLIC HEARINGS - 5:15 pm:

25. **PUBLIC HEARING** – Application filed by Beyond Shelter, Inc. for a Payment in Lieu of Tax Exemption (PILOT) for a project to be located at 2131 and 2185 65th Avenue South which the applicant will use to construct affordable rental housing for seniors.
26. **PUBLIC HEARING** – Schatz Fifth Addition (5601 and 5671 34th Avenue South); approval recommended by the Planning Commission on 6/4/24:
 - a. Zoning Change from MR-3, Multi-Dwelling Residential to MR-3, Multi-Dwelling Residential with a PUD, Planned Unit Development Overlay.
 - b. 1st Reading of rezoning ordinance.
 - c. Planned Unit Development Master Land Use Plan.
 - d. Plat of Schatz Fifth Addition.
27. **PUBLIC HEARING** – Renaissance Zone Rehabilitation Project for Campsite 4, LLC (Project 365-F) for the rehabilitation of a commercial property located at 5 14 Street North.
28. **PUBLIC HEARING** – Fargo Growth Plan 2024.
29. Recommendation to adopt the Resolution Amending the Home Rule Charter – Sales, Use and Gross Receipts Taxes for the exclusive use by Police and Fire and placing the question on the November 5th ballot.
30. Applications for Property Tax Exemptions for Improvements Made to Buildings
 - a. Border Properties #1, LLC, 4321 14th Avenue North (5 years).
 - b. Samantha Smestad and Ryan Thompson, 1909 8th Street North (5 years).
 - c. Joe Boulger, 1542 8th Street North (5 years).
 - d. Preston Nesemeier, 1621 8th Avenue South (5 years).
 - e. Michael Shirk/Heath, 901 11th Avenue North (5 years).
 - f. KLH&J Land, LLC, 4001 15th Avenue North (5 years).
 - g. Kristin Bode, 78 18th Avenue North (5 years).
 - h. Mitchell and Kathleen Rumpel, 520 21st Avenue South (5 years).
31. Recommendation to amend the Findings of Fact, Conclusions and Order to allow for a 30-day extension for property located at 909 4th Street North.
32. Liaison Commissioner Assignment Updates.
33. **RESIDENT COMMENTS (Fargo residents will be offered 2.5 minutes for comment with a maximum of 30 minutes total for all resident comments. Residents who would like to address the Commission, whether virtually or in person, must sign-up at [FargoND.gov/VirtualCommission](https://www.fargoND.gov/VirtualCommission)).**

People with disabilities who plan to attend the meeting and need special accommodations should contact the Commission Office at 701.241.1310 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.

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

24

ORDINANCE NO. _____

AN ORDINANCE ENACTING ARTICLE 10-14 OF
CHAPTER 10 OF THE FARGO
MUNICIPAL CODE RELATING TO CAMPING ON
PUBLIC PROPERTY

1
2
3 WHEREAS, the electorate of the city of Fargo has adopted a home rule charter in
4 accordance with Chapter 40-05.1 of the North Dakota Century Code; and,

5 WHEREAS, Section 40-05.1-06 of the North Dakota Century Code provides that the City
6 shall have the right to implement home rule powers by ordinance; and,

7 WHEREAS, Section 40-05.1-05 of the North Dakota Century Code provides that said
8 home rule charter and any ordinances made pursuant thereto shall supersede state laws in conflict
9 therewith and shall be liberally construed for such purposes; and,

10 WHEREAS, the Board of City Commissioners deems it necessary and appropriate to
11 implement revisions to the city of Fargo Municipal Code addressing camping and campsites in
12 the city of Fargo on public property by the adoption of this Ordinance and Resolution; and

13 WHEREAS, the Board of City Commissioners of the city of Fargo deems camping or
14 establishing a campsite on public property to be a public health and safety risk to both the
15 housed and unhoused and intends, through the adoption of this Ordinance and Resolution, to
16 create enforcement tools to prevent camping or the establishment of campsites on public
17 property, and to establish a program for the removal of the camping and campsite materials and
18 personal property associated with camping on public property; and

19 WHEREAS, the Board of City Commissioners of the city of Fargo intends to address the
20 social, public safety and health hazards, environmental issues, physical safety and property risks
21 of those persons experiencing homelessness and camping on public property, in a manner that is
22 compatible with the needs of everyone in Fargo to be healthy, safe, and have access to public
23 places, in an objectively reasonable time, place, and manner process; and

24 WHEREAS, the Board of City Commissioners of the city of Fargo intends to adopt by
Resolution reasonable policies related to the enforcement of this Ordinance prohibiting camping
on public property and the removal of prohibited and non-compliant camping sites.

NOW, THEREFORE, Be It Ordained by the Board of City Commissioners of the city of Fargo:

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

Section 1. Enactment.

10-1401. Definitions.

For the purpose of this Article, the following definitions will apply:

- 1 1. "City" means the city of Fargo, North Dakota.
- 2 2. "Camp" means to set up or to remain in a campsite.
- 3 3. "Campsite" means to pitch, erect, create, use, or occupy camp facilities for the purposes
4 of habitation or maintaining a temporary place to live, as evidenced by the use of camp
5 paraphernalia.
- 6 4. "Camp facilities" include, but are not limited to, lean-to, shacks, tents, huts, temporary
7 shelters, or vehicles.
- 8 5. "Camp paraphernalia" includes, but is not limited to, tarpaulins, cots, beds, sleeping bags,
9 pallets, mattresses, hammocks, stoves or fires, outdoor cooking devices or utensils and
10 similar equipment.
- 11 6. "Enforcement officer" means a sworn law enforcement officer employed by the city of
12 Fargo.
- 13 7. "Park areas" or "Park property" means those parks and recreation facilities identified in
14 the city of Fargo owned and maintained by the Park District of the city of Fargo.
- 15 8. "Public property" means vacant or occupied lands that are owned, possessed or under the
16 control of the city of Fargo, open to the public, premises, and buildings, including but
17 not limited to any building used in connection with the transaction of public business and
18 includes public rights-of-way. Public property as used in this Article shall include Park
19 areas and Park property designated by the Park District of the city of Fargo for inclusion
20 in this Article and corresponding Resolution, as the same shall be adopted from time to
21 time.
- 22 9. "Public rights of way" means the area between boundary lines of a public street or other
23 public easement that is reserved, used, or to be used for a public street, alley, or pathway.
10. "Store" or "storage" means to put aside or accumulate for use when needed, to put for
safekeeping, to place or leave in a location.

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

11. "Unsanitary" means a hazard to the health and safety of the public, to include but not limited to human waste, bodily fluids, or chemical contamination.

1 10-1402. Prohibited Camping.

2 No person may camp or establish any campsite in or upon any public property except as
3 expressly authorized by this Article 10-14 or by Resolution of the Board of City Commissioners
4 of the city of Fargo.

4 10-1403. Removal of a Campsite.

5 1. Any person camping unlawfully shall vacate and remove all belongings from the public
6 property within forty-eight (48) hours of receiving notice to vacate from an enforcement
7 officer.

7 2. After notice has been given to vacate a campsite and the allotted time has expired, the
8 City or its contractor shall remove the campsite, all camp facilities and camp
9 paraphernalia as the same has been deemed a public nuisance.

10 (a) All unclaimed personal property with apparent value or utility will be stored for
11 60 days as required by Fargo Municipal Code § 28-0101.

11 (b) All unclaimed items that have no apparent utility or value, are in an unsanitary
12 condition, or present an immediate hazard or danger, may be immediately
13 discarded upon removal of individuals from the campsite.

13 (c) Any personal property that remains unclaimed for 60 days after the campsite
14 cleanup may be disposed of in accordance with Fargo Municipal Code § 28-0101.

14 (d) Weapons, drug paraphernalia, and items which reasonably appear to be evidence
15 of a crime may be retained and/or disposed of by the police department in
16 accordance with the department's written policies and procedures.

17 10-1404. Penalties and Enforcement.

18 1. Violations of any provision of this Article is an infraction and may result in additional
19 violations of Fargo Municipal Code or North Dakota Century Code.

20 2. In addition to any other penalties that may be imposed, any campsite used in a manner
21 not authorized by this Article, or other provisions of this code shall constitute a public
22 nuisance and may be abated as such.

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

3. The remedies described in this Article shall not be the exclusive remedies of the City for violations of this Article.

Section 2. Penalty.

A person who willfully violates this Ordinance is guilty of an infraction. Every person, firm or corporation violating an ordinance which is punishable as an infraction shall be punished by a fine not to exceed \$1,000.00; the court to have power to suspend said sentence and to revoke the suspension thereof.

Section 3. Effective Date.

This Ordinance shall be in full force and effect from and after its passage, approval and publication.

Timothy J. Mahoney, M.D., Mayor

Attest:

Steven Sprague, City Auditor

First Reading:
Second Reading:
Final Passage:
Publication:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23



Economic Development Incentive Committee
Fargo City Hall
225 4th Street North
Fargo, ND 58102

August 9, 2024

25

Board of City Commissioners
City Hall
Fargo, ND 58102

RE: Beyond Shelter Inc.

Dear Commissioners:

Attached is the 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 application is for a 17-year exemption of the total improvement value of two low-income housing projects located at 2131 and 2185 65th Ave S.

Notices to competitors have been published. The Economic Development Incentive Committee (EDIC) has met to consider this application. No competitors appeared at the EDIC meeting. This project meets our current policy. The project will continue to pay the full land taxes annually.

The recommendation of the EDIC is to approve the proposed PILOT for this project.

SUGGESTED MOTION:

Approval of a 17-year property tax exemption PILOT for Beyond Shelter, Inc, for two low-income housing projects located at 2131 and 2185 65th Ave S, according to the attached schedule.

Sincerely,

Michael Splonskowski

Mike Splonskowski
City Assessor

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. (BSI) - a North Dakota nonprofit corp.</u>
2.	Address of project <u>2131 and 2185 65th Avenue South</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 <input checked="" type="checkbox"/> Payments In Lieu of Taxes
	<u> </u> Number of years <u>2027</u> Beginning year <u>2043</u> Ending year <u> </u> Percent of exemption <u>attached</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 an existing business project

Description of Project Property

11. Legal description of project real property

~~Lots One and Two, Block Three, South Ridge First 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 Ph I 08/2025

b. Description of project to be constructed including size, type and quality of construction
78-units of senior-designated affordable rental housing with detached garages constructed in Two (2) phases. Each phase will have 39-units.

c. Projected number of construction employees during the project construction 59 per phase, 118 total.

14. Approximate date of commencement of this project's operations Phase I 08/2026 and Phase II 08/2027.

15. Estimated market value of the property used for this project:

a. Land \$ 1,110,000

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

c. Newly constructed buildings and structures when completed \$ 16,500,000

d. Total \$ 17,610,000

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 \$ 825,000

d. Total taxable valuation of property eligible for exemption (Add lines b and c) \$ 825,000

e. Enter the consolidated mill rate for the appropriate taxing district 296.60

f. Annual amount of the tax exemption (Line d multiplied by line e) \$ 244,695.00

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 78-units of senior-designated affordable rental housing to be constructed in Two (2) phases. Each phase will have 39-units and a separate Limited Liability Limited Partnership (LLLP) owner. Through an affiliate, BSI will be the General Partner of the Two (2) LLLP ownership entities.

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	New/Expansion Project only	New/Expansion Project only	New/Expansion Project only	New/Expansion Project only
	Year 1	Year 2	Year 3	Year 4	Year 5
Annual revenue	\$622,163	\$634,607	\$647,299	\$660,245	\$673,450
Annual expense	\$549,531	\$564,607	\$580,135	\$596,130	\$612,604
Net income	\$72,632	\$70,000	\$67,164	\$64,115	\$60,846

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
0						2

Year	(Before project)	Year 1	Year 2	Year 3	Year 4	Year 5
No. of Employees	(1) 0					
	(2) 0	2	2	2	2	2
Estimated payroll	(1) 0					
	(2) 0	72,800	74,984	77,233	79,550	81,937

(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 PILOT's for the following affordable housing developments: The Plaza Apartments, The Milton Earl, HomeField Apartments, North Sky Apartments,~~

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 several other LIHTC projects that are senior designated affordable rental properties in Fargo.~~

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

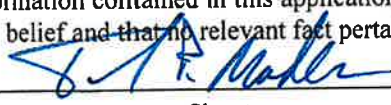
28. The project operator is reapplying for property tax incentives for the following reason(s):

- 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

07/16/2024

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:

<input type="checkbox"/> Property Tax Exemption	<input type="checkbox"/> Payments in lieu of taxes
____ Number of years	____ Beginning year ____ Ending year
____ Percent of exemption	____ Amount of annual payments (Attach schedule if payments will vary)

Auditor

Beyond Shelter, Inc. - Payment In Lieu of Property Tax Payment Schedule

07.15.24

Cal Year	Year	Phase I PILOT	Phase II PILOT	Total PILOT	Land Tax est. Pmt.	Total Payment
2027	1	\$ -	\$ -	\$ -	\$ 16,461	\$ 16,461
2028	2	\$ -	\$ -	\$ -	\$ 16,791	\$ 16,791
2029	3	\$ -	\$ -	\$ -	\$ 17,126	\$ 17,126
2030	4	\$ -	\$ -	\$ -	\$ 17,469	\$ 17,469
2031	5	\$ -	\$ -	\$ -	\$ 17,818	\$ 17,818
2032	6	\$ -	\$ -	\$ -	\$ 18,175	\$ 18,175
2033	7	\$ -	\$ -	\$ -	\$ 18,538	\$ 18,538
2034	8	\$ -	\$ -	\$ -	\$ 18,909	\$ 18,909
2035	9	\$ -	\$ -	\$ -	\$ 19,287	\$ 19,287
2036	10	\$ -	\$ -	\$ -	\$ 19,673	\$ 19,673
2037	11	\$ -	\$ -	\$ -	\$ 20,066	\$ 20,066
2038	12	\$ -	\$ -	\$ -	\$ 20,468	\$ 20,468
2039	13	\$ -	\$ -	\$ -	\$ 20,877	\$ 20,877
2040	14	\$ -	\$ -	\$ -	\$ 21,294	\$ 21,294
2041	15	\$ -	\$ -	\$ -	\$ 21,720	\$ 21,720
2042	16	\$ -	\$ -	\$ -	\$ 22,155	\$ 22,155
2043	17	\$ -	\$ -	\$ -	\$ 22,598	\$ 22,598
Totals:				\$ -	\$ 329,425	\$ 329,425

Assumptions:

- 1) First full year of operations for Ph I = 2027
- 2) estimated first full year of operations for Ph II = 2028
- 3) PILOT pmt = \$0
- 4) Land Tax est. Pmt. Increases by 2% per year

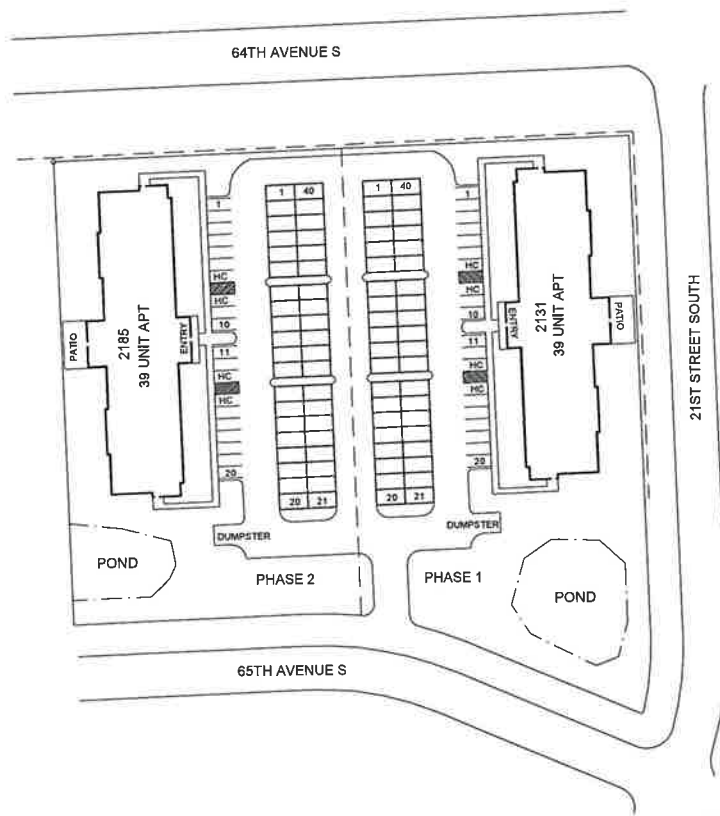
**65th Avenue Senior Apartments
2131 and 2185 65th Avenue South
Fargo, ND 58104**

DEVELOPMENT COSTS	
ACQUISITION	1,110,000
SITE WORK	35,950
OFF SITE WORK (Specials)	392,473
NEW CONSTRUCTION	16,500,000
FIXTURES, FURNITURE AND EQUIPMENT	280,000
PROFESSIONAL FEES	721,269
CONSTRUCTION INTERIM COSTS	1,040,517
PERMANENT FINANCING	18,255
SOFT COSTS	453,236
SYNDICATION COSTS	42,000
DEVELOPER FEES	2,400,000
PROJECT RESERVES	256,300
TOTAL	23,250,000

SOURCES OF FUNDS	
Investor Equity from LIHTC's	17,952,000
Bank Loan	530,000
City of Fargo - CDBG	486,000
City of Fargo - HOME	690,000
NDHFA - HOME	900,000
NDHFA - HTF	2,000,000
Deferred Developer Fee	692,000
TOTAL	23,250,000

20-year Cash Flow Projection

Project Name: 65th Avenue Senior Apartments		As of Date: July 16, 2024		Income Adjuster: 2.00%		Expense Adjuster: 3.00%				
	Year 11	Year 12	Year 13	Year 14	Year 15	Year 16	Year 17	Year 18	Year 19	Year 20
Income:										
Effective Gross Income	\$ 758,413	\$ 773,581	\$ 789,053	\$ 804,834	\$ 820,931	\$ 837,350	\$ 854,097	\$ 871,179	\$ 888,603	\$ 906,375
Expenses:										
Administrative Expenses	\$ 277,619	\$ 285,948	\$ 294,526	\$ 303,362	\$ 312,463	\$ 321,837	\$ 331,492	\$ 341,437	\$ 351,680	\$ 362,230
Utility Expenses	\$ 110,744	\$ 114,066	\$ 117,488	\$ 121,013	\$ 124,643	\$ 128,382	\$ 132,233	\$ 136,200	\$ 140,286	\$ 144,495
Maintenance Expenses	\$ 115,726	\$ 119,197	\$ 122,773	\$ 126,456	\$ 130,250	\$ 134,158	\$ 138,183	\$ 142,328	\$ 146,598	\$ 150,996
Fixed Expenses	\$ 131,279	\$ 135,217	\$ 139,274	\$ 143,452	\$ 147,756	\$ 152,189	\$ 156,755	\$ 161,458	\$ 166,302	\$ 171,291
Property Tax Abatement	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Reserve Account Contributions	\$ 39,993	\$ 41,193	\$ 42,429	\$ 43,702	\$ 45,013	\$ 46,363	\$ 47,754	\$ 49,187	\$ 50,663	\$ 52,183
Total Expense:	\$ 675,360	\$ 695,621	\$ 716,490	\$ 737,985	\$ 760,125	\$ 782,929	\$ 806,417	\$ 830,610	\$ 855,529	\$ 881,195
NOI	\$ 83,053	\$ 77,960	\$ 72,563	\$ 66,849	\$ 60,806	\$ 54,421	\$ 47,680	\$ 40,569	\$ 33,074	\$ 25,180
Bank - Perm Loan	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Debt Source 2	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
BSI Cashflow Loan	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Debt Source 4	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Debt Source 5	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Debt Source 6	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Debt Source 7	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Debt Source 8	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
LP Asset Mgmt Fee	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
GP Asset Mgmt Fee	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Deferred Developer Fee	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
BND FlexPACE Interest Buydown	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Debt Service:	\$ 47,000	\$ 47,000	\$ 47,000	\$ 47,000	\$ 47,000	\$ 47,000	\$ 47,000	\$ 47,000	\$ 47,000	\$ 47,000
Debt-Coverage Ratio (DCR)	1.77	1.66	1.54	1.42	1.29	1.16	1.01	0.86	0.70	0.54
Cashflow After Debt Service:	\$ 36,053	\$ 30,960	\$ 25,563	\$ 19,849	\$ 13,806	\$ 7,421	\$ 680	\$ (6,431)	\$ (13,926)	\$ (21,820)
Operating Expense Cushion:	5.34%	4.45%	3.57%	2.69%	1.82%	0.95%	0.08%	-0.77%	-1.63%	-2.48%



EAPC
 TEL: 701,772,3000 FAX: 701,772,3605
 3190 Delaney Avenue, Grand Forks ND 58201
 www.eapc.net

CLIENT
BEYOND SHELTER INC.

PROJECT DESCRIPTION
2131/2185 39 UNIT APARTMENT

CITY
 STATE

ISSUE DATES

PRELIMINARY - NOT FOR CONSTRUCTION

Mark	Description	Date

PROJECT NO: Project Number
 DRAWN BY: Author
 CHECKED BY: Checker

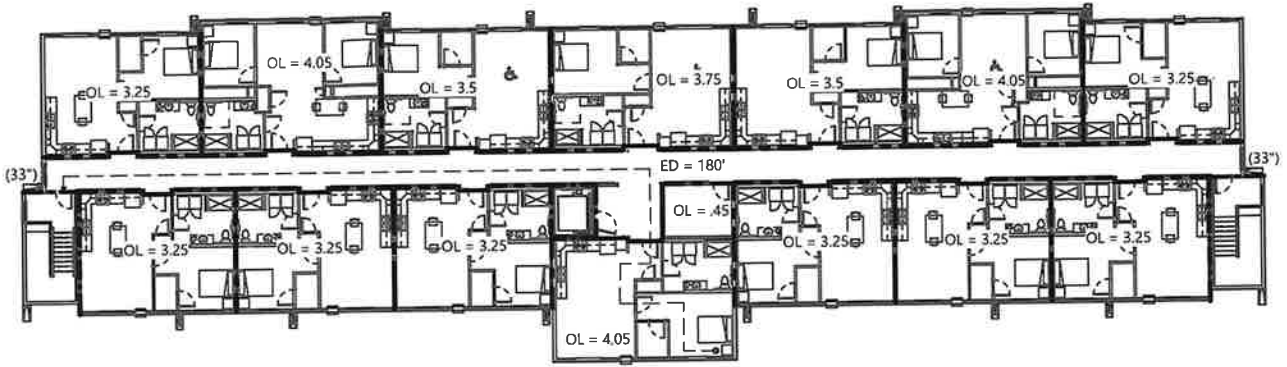
All data on this sheet, computer files, CAD data, notes, and other documents and information prepared by EAPC is the property of EAPC. EAPC and/or its employees, agents and other related parties, including the copyright owner(s).

STAMP

DRAWING TITLE
SITE PLAN

G100

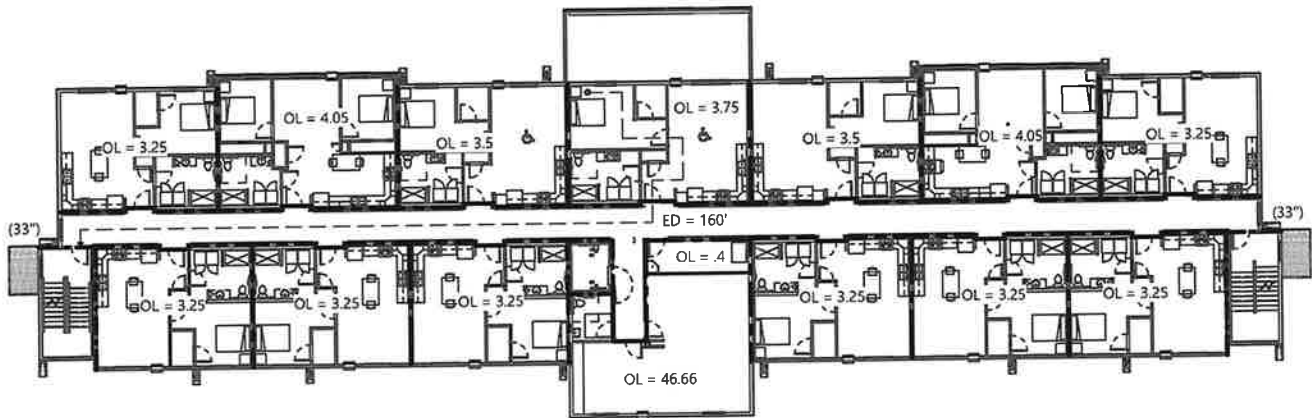
Level 1
 1" = 40'-0"



14 UNITS

3 THIRD FLOOR LIFE SAFETY PLAN

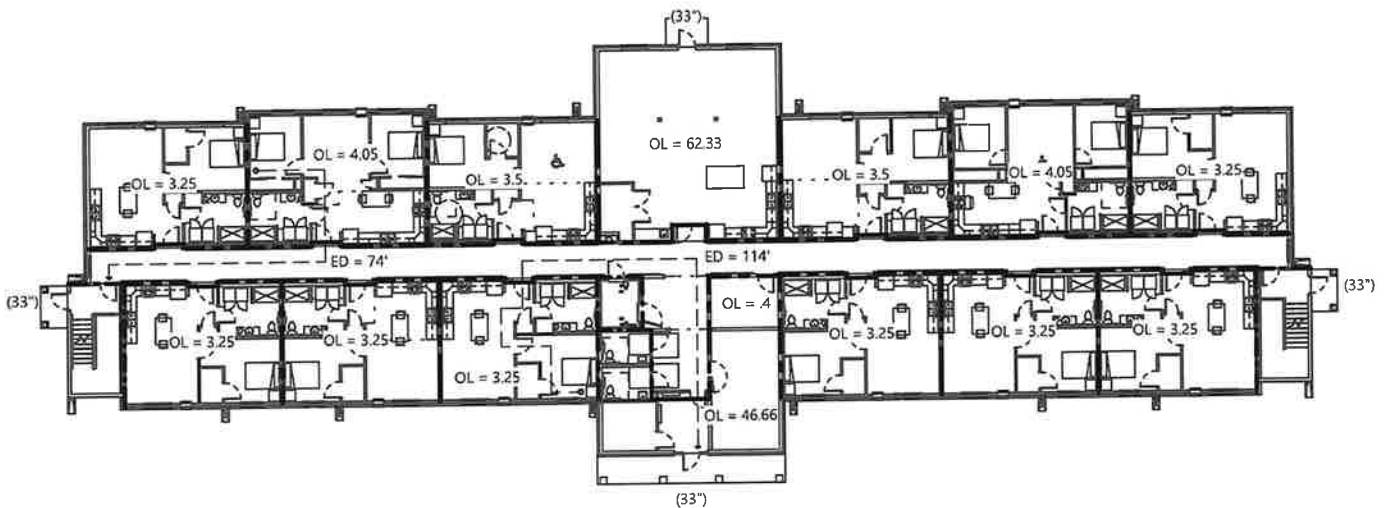
1/16" = 1'-0"



13 UNITS

2 SECOND FLOOR LIFE SAFETY PLAN

1/16" = 1'-0"



12 UNITS

1 FIRST FLOOR LIFE SAFETY PLAN

1/16" = 1'-0"



PHASE I: Proposed Incentive Schedule. Calculations are based off construction cost and do not account for annual fluctuations in market value or mill levies.

		Incentive %	Payments	Full Taxes Due	Benefit	Total Est Tax
IncntYr 1	2027	100	\$0	\$122,348	\$122,348	\$9,046
IncntYr 2	2028	100	\$0	\$124,794	\$124,794	\$9,046
IncntYr 3	2029	100	\$0	\$127,290	\$127,290	\$9,046
IncntYr 4	2030	100	\$0	\$129,836	\$129,836	\$9,046
IncntYr 5	2031	100	\$0	\$132,433	\$132,433	\$9,046
IncntYr 6	2032	100	\$0	\$135,082	\$135,082	\$9,046
IncntYr 7	2033	100	\$0	\$137,783	\$137,783	\$9,046
IncntYr 8	2034	100	\$0	\$140,539	\$140,539	\$9,046
IncntYr 9	2035	100	\$0	\$143,350	\$143,350	\$9,046
IncntYr 10	2036	100	\$0	\$146,217	\$146,217	\$9,046
IncntYr 11	2037	100	\$0	\$149,141	\$149,141	\$9,046
IncntYr 12	2038	100	\$0	\$152,124	\$152,124	\$9,046
IncntYr 13	2039	100	\$0	\$155,166	\$155,166	\$9,046
IncntYr 14	2040	100	\$0	\$158,270	\$158,270	\$9,046
IncntYr 15	2041	100	\$0	\$161,435	\$161,435	\$9,046
IncntYr 16	2042	100	\$0	\$164,664	\$164,664	\$9,046
IncntYr 17	2043	100	\$0	\$167,957	\$167,957	\$9,046

TOTALS

\$0

\$2,448,427

THE CITY OF
Fargo
FAR MORE 
ASSESSMENT DEPARTMENT

PHASE II: Proposed Incentive Schedule. Calculations are based off construction cost and do not account for annual fluctuations in market value or mill levies.

		Incentive %	Payments	Full Taxes Due	Benefit	Total Est Tax
IncntYr 1	2028	100	\$0	\$122,348	\$122,348	\$7,415
IncntYr 2	2029	100	\$0	\$124,794	\$124,794	\$7,415
IncntYr 3	2030	100	\$0	\$127,290	\$127,290	\$7,415
IncntYr 4	2031	100	\$0	\$129,836	\$129,836	\$7,415
IncntYr 5	2032	100	\$0	\$132,433	\$132,433	\$7,415
IncntYr 6	2033	100	\$0	\$135,082	\$135,082	\$7,415
IncntYr 7	2034	100	\$0	\$137,783	\$137,783	\$7,415
IncntYr 8	2035	100	\$0	\$140,539	\$140,539	\$7,415
IncntYr 9	2036	100	\$0	\$143,350	\$143,350	\$7,415
IncntYr 10	2037	100	\$0	\$146,217	\$146,217	\$7,415
IncntYr 11	2038	100	\$0	\$149,141	\$149,141	\$7,415
IncntYr 12	2039	100	\$0	\$152,124	\$152,124	\$7,415
IncntYr 13	2040	100	\$0	\$155,166	\$155,166	\$7,415
IncntYr 14	2041	100	\$0	\$158,270	\$158,270	\$7,415
IncntYr 15	2042	100	\$0	\$161,435	\$161,435	\$7,415
IncntYr 16	2043	100	\$0	\$164,664	\$164,664	\$7,415

TOTALS

\$0

\$2,280,470

26

City of Fargo Staff Report			
Title:	Schatz 5th Addition	Date:	5/30/2024
		Update:	8/14/2024
Location:	5601& 5671 34 Avenue South	Staff Contact:	Maegin Elshaug, planning coordinator
Legal Description:	Auditor's Lot 1 of Schatz Third Addition and Lot 1, Block 2, Schatz Third Addition		
Owner(s)/Applicant:	Cedars South, LLC /The Haven on Veterans LLC/Eagle Ridge Development	Engineer:	RJN Survey
Entitlements Requested:	PUD Master Land Use Plan on the proposed Lot 1, Block 1, Schatz 5 th Addition; Zoning Change (from MR-3, Multi-Dwelling Residential to MR-3, Multi-Dwelling Residential with PUD, Planned Unit Development Overlay) on the proposed Lot 1, Block 1, Schatz 5 th Addition; and Minor Subdivision (a replat of Auditor's Lot 1 of Schatz Third Addition and Lot 1, Block 2, Schatz Third Addition to the City of Fargo, Cass County, North Dakota.)		
Status:	City Commission Public Hearing: August 19, 2024		

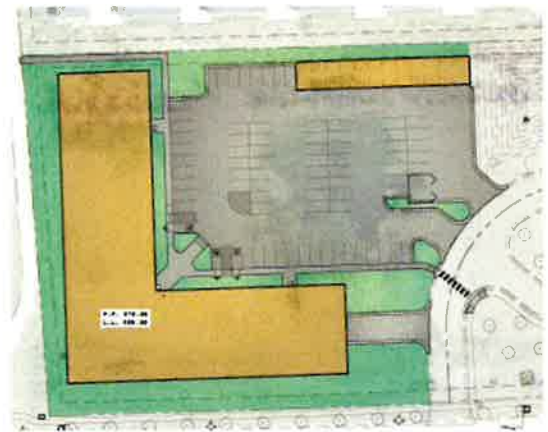
Existing	Proposed
Land Use: vacant and multi-dwelling residential (apartments)	Land Use: multi-dwelling residential (apartments)
Zoning: MR-3, Multi-Dwelling Residential	Zoning: MR-3, Multi-Dwelling Residential and MR-3 with PUD, Planned Unit Development Overlay
Uses Allowed: MR-3, Multi-Dwelling allows detached houses, attached houses, duplexes, multi-dwelling structures, group living, daycare centers up to 12 children or adults, parks and open areas, religious institutions, safety services, schools, and basic utilities.	Uses Allowed: unchanged
Maximum Density Allowed (Residential): MR-3 allows a maximum of 24 units per acre	Maximum Density Allowed (Residential): MR-3 allows a maximum of 24 units per acre and the PUD will allow a minimum of 32 units per acre.

Proposal:
<p>The applicant requests three entitlements:</p> <ol style="list-style-type: none"> 1. PUD Master Land Use Plan on the proposed Lot 1, Block 1, Schatz 5th Addition; 2. Zone Change (from MR-3, Multi-Dwelling Residential to MR-3, Multi-Dwelling Residential with PUD, Planned Unit Development Overlay) on the proposed Lot 1, Block 1, Schatz 5th Addition; 3. Minor Subdivision (replat of Auditor's Lot 1 of Schatz Third Addition and Lot 1, Block 2, Schatz Third Addition). <p>Note that the PUD Master Land Use Plan and Zone Change are on the proposed Lot 1 only.</p> <p>Update 8/8/24: The PUD was updated with minor changes since the Planning Commission, including to account for an intended setback modification on the north side and a change relating to dumpster screening due to location. This has been updated in the ordinance. Additionally, the Planning Commission approved a PUD Final Plan for the development at their August 6, 2024 Planning Commission meeting. Approval was contingent in City Commission's approval of this zoning change and PUD Master Land Use Plan.</p> <p>Note on Contingent Approval: The contingent motion below allows the City Commission to approve the plat at this time. Once the final technical review is complete and the City Engineer has signed the plat, then the City can then</p>

proceed with recording the plat, if approval is received as referenced below.

PUD Master Land Use Plan

The image to the right is the proposed master land use plan submitted by the applicant, which shows the building location, parking and circulation, and open space.



Proposed PUD Master Land Use Plan

PUD Overlay

The applicant has applied for a PUD Overlay, which includes modifications or requirements of the following:

- Residential Density
- Setback
- Building Coverage
- Parking
- Additional Standards relating to design and pedestrian connectivity.

The draft PUD Overlay is attached.

The PUD narrative includes information related to the request to modify parking requirements based on number of bedrooms. The City Traffic Engineer has reviewed the request for modification to parking requirements and concurs with the proposal.

Minor Subdivision

In order to accommodate the development, the applicant has applied for a subdivision, Schatz 5th Addition, to create one (1) block and two (2) lots for the subject property. The auditor's lot was created by a separate document in 2020, which will become Lot 1 of the new plat. An updated amenities plan relating to stormwater management will accompany the plat.

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. The applicant will also need to submit for building permits, where all review departments will review the plans for compliance with their respective codes.

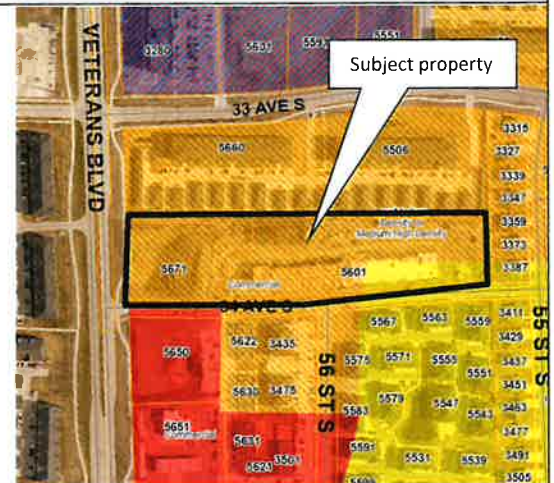
Surrounding Land Uses and Zoning Districts:

- North: MR-3, Multi-Dwelling Residential with apartments;
- East: SR-3, Single-Dwelling Residential with detached homes;
- South: Across 34 Avenue South is LC, Limited Commercial with CO, Conditional Overlay and MR-1, Multi-Dwelling Residential with commercial and apartments;
- West: Across Veterans Boulevard is the City of West Fargo with apartments.

Continued on next page

Area Plans:

The subject property was originally part of the Southwest Area Plan as designated within the *Urban Fringe and Extraterritorial Area of the City of Fargo* land use plan adopted in 2001. This area was most recently updated in 2010 (see exhibit to right), which shows the subject property as being appropriate for low/medium density or medium/high density residential. The zoning district is MR-3, Multi-Dwelling Residential, which will remain as the underlying zoning district of the PUD.



Context:

Neighborhood: Brandt Crossing

Schools: The subject property is located within the West Fargo School District, specifically Independence elementary, Liberty middle high and Sheyenne high schools.

Parks: The subject property is located within a quarter-mile of Brandt Crossing Park and Dog Park (5509 & 5050 33rd Avenue South), with amenities of a basketball court, playground, recreational trails, shelter and dog park.

Pedestrian/Bicycle: A shared-use path is located just east of the subject property on the west side of Veterans Boulevard, which connects to the metro area trail system.

Transit/MatBUS: Route 24 runs near the subject property along 32nd Avenue South and Veterans Boulevard South, about a quarter-mile from the subject property.

Staff Analysis:

Zoning

Section 20-0906. 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. Staff finds that the requested zoning change is justified by change in conditions since the previous zoning classification was established, as the applicant is proposing to construct a more dense residential product. The PUD zoning is an overlay with an underlying zoning district of MR-3, Multi-Dwelling Residential. The MR-3 zone is an appropriate underlying zone for the project, as the project proposes a high-density multi-dwelling building with no commercial uses. The proposed PUD zoning is overlain on the underlying zone and is intended to accommodate the development of the proposed project. **(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 subject property is adjacent to existing developed public rights of way, which provide access and public utilities to serve the property, including Veterans Boulevard and 34th Avenue South. **(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 supporting evidence to suggest that the approval of this zoning change would adversely affect the condition or value of the property in the vicinity. In accordance with the notification requirements of the Land Development Code, notice was provided to neighboring property owners within 300 feet of the project site. To date, staff has received one inquiry with no noted concern. **(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. Staff finds that the proposed PUD is in keeping with Fargo's Comprehensive Plan. Specifically, the City's Go2030 Comprehensive Plan supports development within areas of the City that are already serviced with utilities and also supports developments with increased density. Staff finds this proposal is consistent with the purpose of the LDC, the Go2030 Comprehensive Plan, and other adopted policies of the City. **(Criteria Satisfied)**

Master Land Use Plan

Section 20-0908.B(7) of the LDC stipulates that the Planning Commission and Board of City Commissioners shall consider the following criteria in the review of any Master Land Use Plan:

1. The plan represents an improvement over what could have been accomplished through strict application of otherwise applicable base zoning district standards, based on the purpose and intent of this Land Development Code;

The plan represents an improvement over what could have been accomplished through strict application of the base zoning district to create a high-density development. It modifies certain development standards of the MR-3 zone and general development standards in order to provide a higher density housing than would be allowed under the MR-3 zoning. **(Criteria Satisfied)**

2. The PUD Master Land Use Plan complies with the PUD standards of Section 20-0302;
All standards and requirements as set forth in the LDC have been met. **(Criteria Satisfied)**

3. The City and other agencies will be able to provide necessary public services, facilities, and programs to serve the development proposed, 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 subject property fronts on existing developed public rights of way, which provide access and public utilities to serve the property. **(Criteria Satisfied)**

4. The development is consistent with and implements the planning goals and objectives contained in the Area Plan, Comprehensive Plan and other adopted policy documents;
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. Staff finds that the proposed PUD is in keeping with Fargo's Comprehensive Plan. Particularly, the City's Go2030 Comprehensive Plan supports development within areas of the City that are already serviced with utilities and also supports developments with increased density. Staff finds this proposal is consistent with the purpose of the LDC, the Go2030 Comprehensive Plan, and other adopted policies of the City. **(Criteria Satisfied)**

5. The PUD Master Land Use Plan is consistent with sound planning practice and the development will promote the general welfare of the community.
The PUD is consistent with sound planning practice and the development will promote the general welfare of the community by providing a residential housing option an area of the City that already has access to City services and is close to recreational facilities, shopping, and commercial uses. **(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 property is currently zoned MR-3, Multi-Dwelling Residential and proposed to be zoned MR-3 with a PUD, Planned Unit 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 received one inquiry with no noted concern. **(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)**

Staff Recommendation:

Suggested Motion: "To accept the findings and recommendations of Planning Commission and staff and hereby waive the requirement to receive the rezoning 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 Change from MR-3, Multi-Dwelling Residential to MR-3, Multi-Dwelling Residential with a PUD, Planned Unit Development overlay; 2) a PUD Master Land Use Plan; and 3) minor subdivision, **Schatz 5th Addition**, contingent on final technical review of the plat, including the City Engineer's signature, as outlined within the staff report, as the proposal complies with Go2030 Comprehensive Plan, the adopted Area Plan, Section 20-0906.F(1-4), Section 20-0908.B(7), the standards of Article 20-06, Section 20-0907.B. and C of the LDC, and all other applicable requirements of the Land Development Code".

Planning Commission Recommendation:

At the June 4, 2024 Planning Commission hearing, that Commission, by a vote of 10-0 with no Commissioners absent and one Commission seat vacant, moved to accept the findings and recommendations of staff and moved to recommend approval to the City Commission of the proposed 1) Zoning Change from MR-3, Multi-Dwelling Residential to MR-3, Multi-Dwelling Residential with a PUD, Planned Unit Development overlay; 2) a PUD Master Land Use Plan; and 3) minor subdivision, Schatz 5th Addition, as outlined within the staff report, as the proposal complies with Go2030 Comprehensive Plan, the adopted Area Plan, Section 20-0906.F(1-4), Section 20-0908.B(7), the standards of Article 20-06, Section 20-0907.B. and C of the LDC, and all other applicable requirements of the Land Development Code.

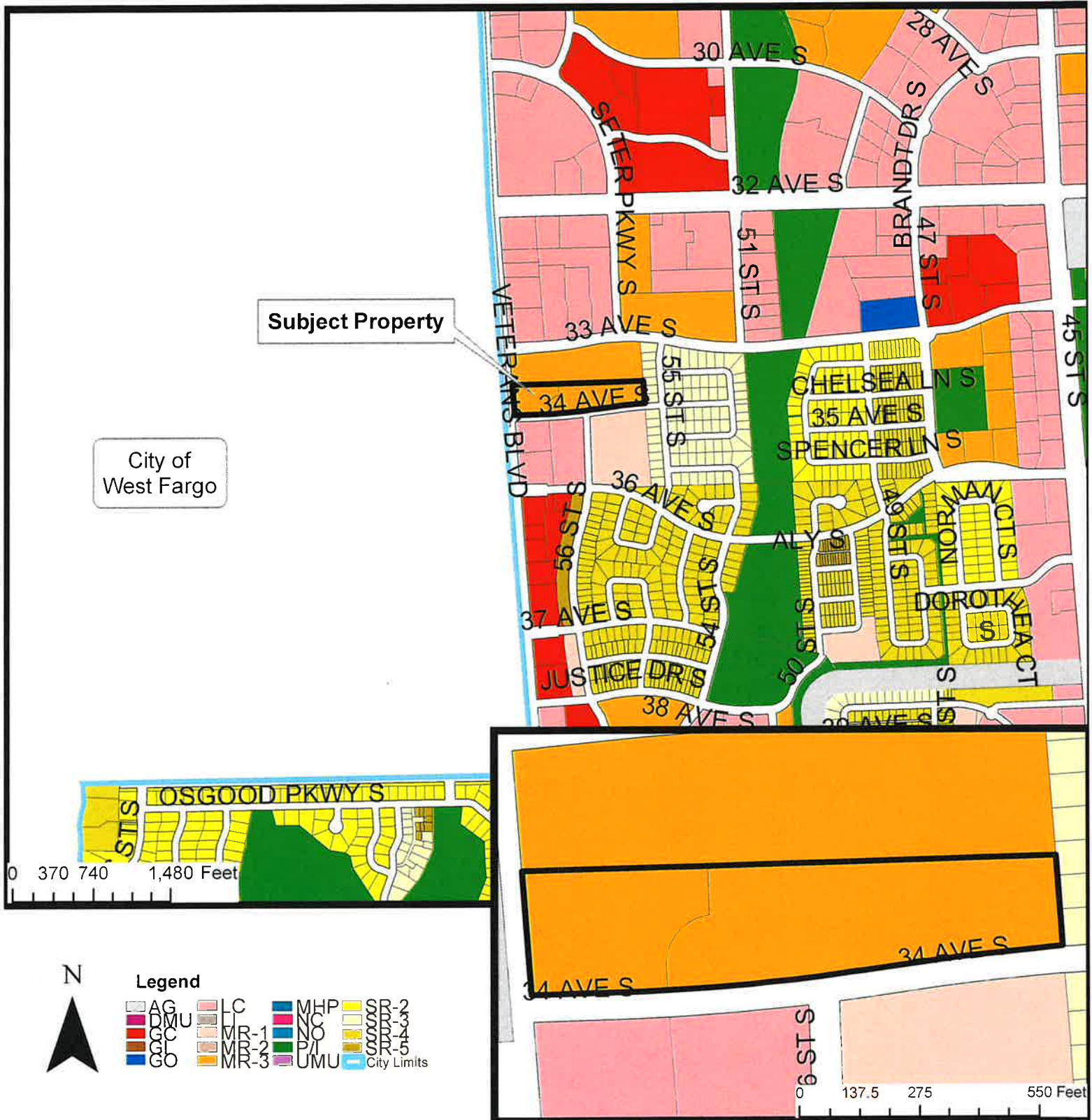
Attachments:

1. Zoning Map
2. Location Map
3. PUD Master Land Use Plan
4. PUD Narrative
5. Preliminary plat

Form 28
Minor Subdivision, Zoning Change from MR-3, Multi-Dwelling Residential to MR-3 and a PUD, Planned Unit Development overlay and a PUD master land use plan

Schatz Fifth Addition

5601 & 5671 34th Avenue South



Subject Property

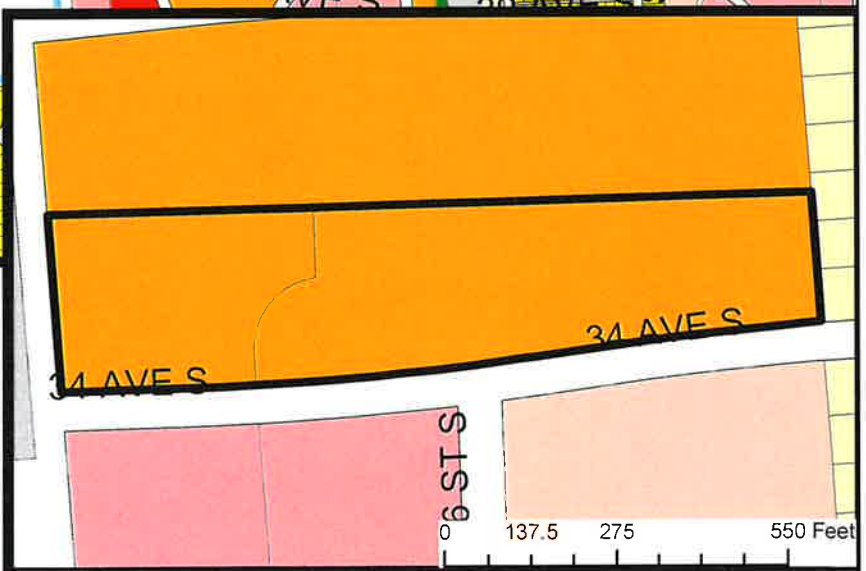
City of West Fargo

0 370 740 1,480 Feet



Legend

AG	DMU	GGC	GO	LC	LI	MR-1	MR-2	MR-3	MHP	NC	P/J	UMU	SR-2	SR-3	SR-4	SR-5	SR-6	City Limits
----	-----	-----	----	----	----	------	------	------	-----	----	-----	-----	------	------	------	------	------	-------------

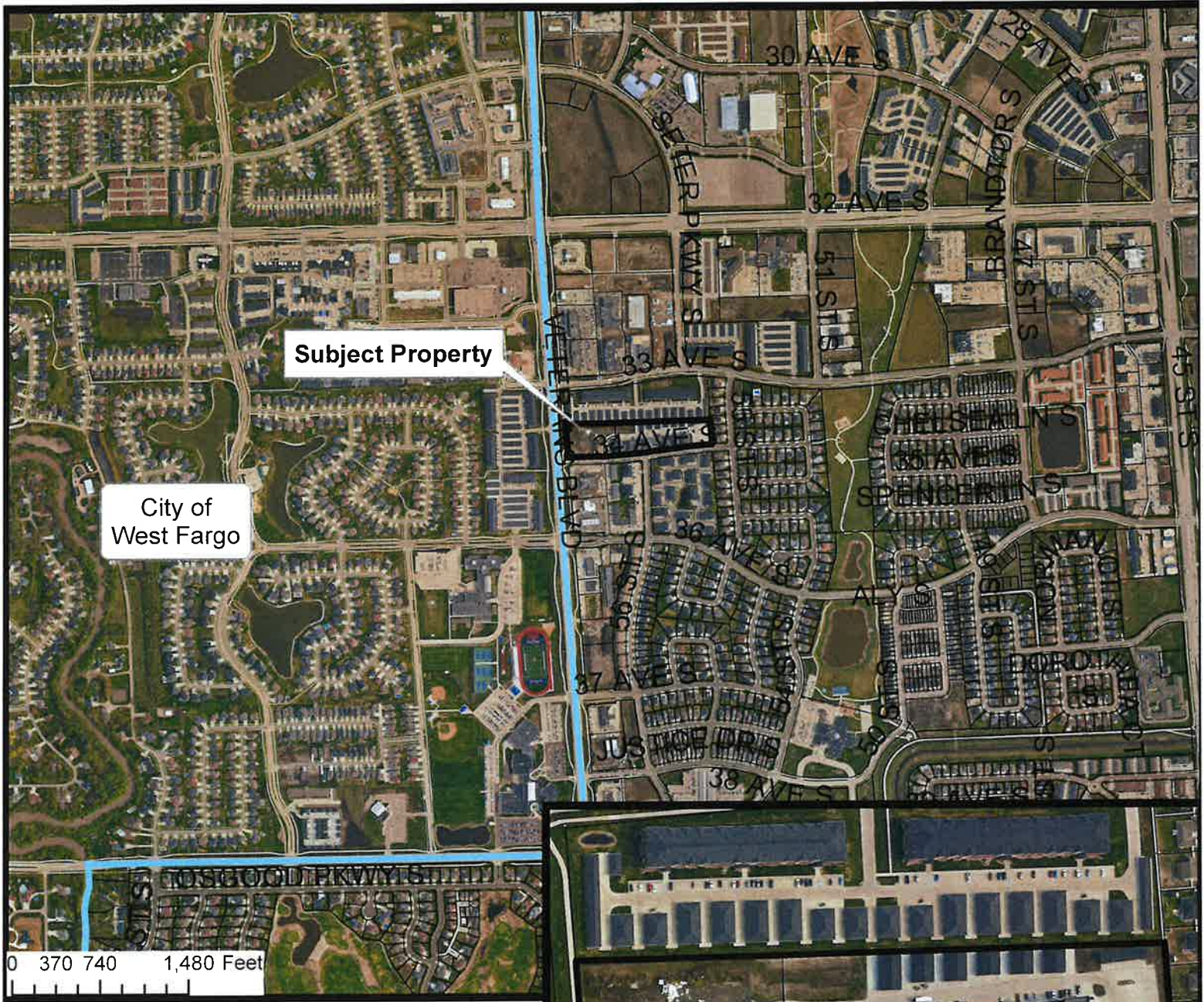


Fargo Planning Commission
 June 04, 2024

Minor Subdivision, Zoning Change from MR-3, Multi-Dwelling Residential to MR-3 and a PUD, Planned Unit Development overlay and a PUD master land use plan

Schatz Fifth Addition

5601 & 5671 34th Avenue South



Legend

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

City Limits

MBN
ENGINEERING

MECHANICAL * ELECTRICAL * CIVIL

563 7TH ST. N
SUITE 200
FARGO, ND 58102
PHONE: 701.478.6336
FAX: 701.478.6340



0 20 40 80
SCALE: 1 INCH = 40 FEET

**SOUTH HAVEN
APARTMENTS #2
VETERAN 'S BLVD**

FARGO, NORTH DAKOTA

MBN JOB #: 23-305 DATE: 05-20-24

C1

PUD MASTER LAND USE PLAN



F.F. 910.00
L.L. 899.00

West Haven PUD



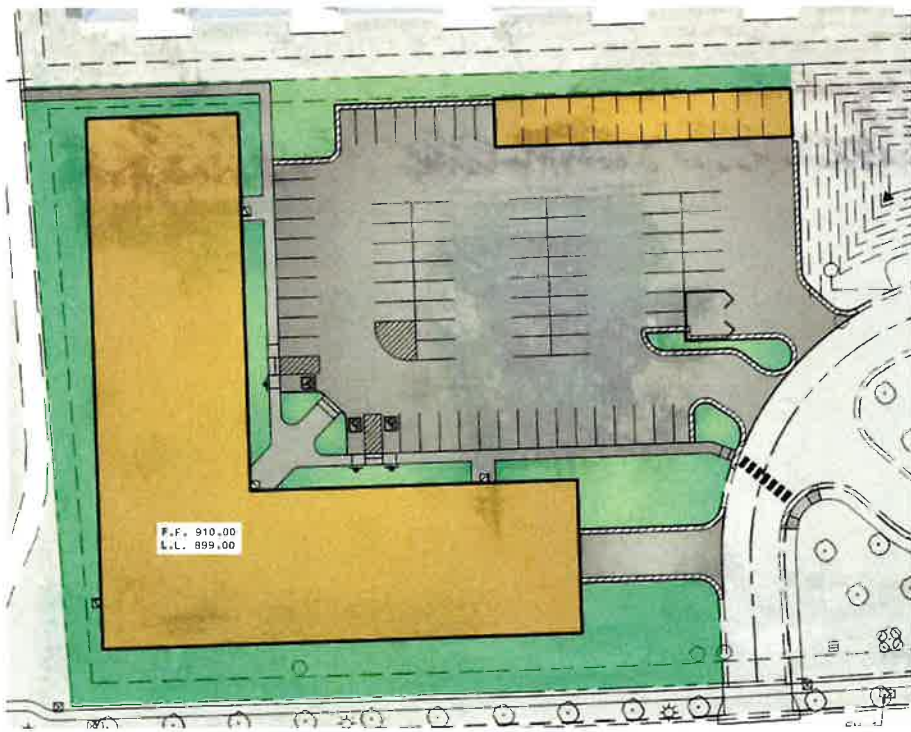
Planned Unit Development
5605 38th Street South
Fargo, ND



EAGLERIDGE
DEVELOPMENT

EagleRidge Development
701-540-7159
eagleridgedevelopment.com

Concept Renderings & Site Plan



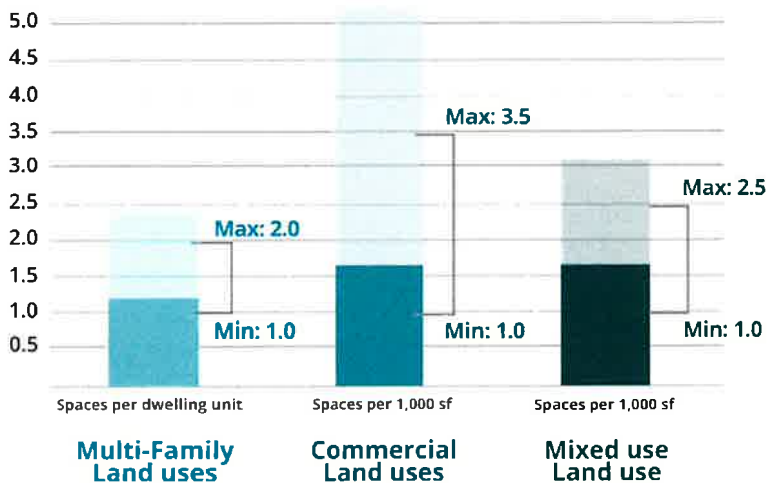
Project Narrative

EagleRidge Development submits this proposed planned unit development (PUD) request to create an upscale multi-family project in south Fargo. This project will consist of 82 residential units. There will be a combination of studio, 1-bedroom, 2-bedroom, and 3-bedroom apartment options. The project will provide parking per the table below:

West Haven PUD Parking Ratios	
Unit Type	Stalls/Unit
Efficiency	1.5
1-Bed	1.75
2-Bed	2
3-Bed	2.25

The Fargo & West Fargo Parking & Access Study from 2018 provides recommended parking based on the project type. The chart below shows the proposed minimum and maximum ratios for multi-family to be between 1.0 stalls and 2.0 stalls per unit. We are proposing ~2.0 stalls per unit based on the proposed unit mix which is on the higher end of the recommendation.

Proposed minimum and maximum parking requirements



For reference, the ITE Manual calls for 1.7 parking stalls per unit for suburban mid-rise multifamily.

Per the proposed parking requirement table, the project is required to have 159 parking stalls. A total of 162 stalls will be provided.



Statement of Intent

This project allows the property to be fully developed into an upscale residential community without the need for any additional municipal infrastructure.

The provisions of the PUD are intended to allow this unique parcel to fully develop as an upscale residential building on Veteran's Boulevard. Right sizing the parking and increasing the density allows for a substantially better use of the property when compared to a project confined by the existing zoning ordinance requirements. Additionally, the added density comes with the benefit of not requiring any additional municipal infrastructure.



The Team

Architectural: YHR Partners

Engineering: MBN Engineering

Structural: Sandman Structural Engineers

EagleRidge Development

When it comes to building, EagleRidge Development is involved from start to finish. We are dedicated to building communities that not only meet the needs of residents and investors, but that also stand the test of time. That is why we follow a process that guarantees success.

By building lasting relationships with contractors and subcontractors, working with tenants to ensure their desires are met and finding investors that are as passionate about our projects as we are, we set ourselves apart from other developers.

Jim Bullis

Jim Bullis has been actively engaged in the planning and development of residential and mixed-use communities in the Fargo-Moorhead and surrounding areas for more than 20 years. Mr. Bullis is an attorney licensed to practice in both North Dakota and Minnesota. His legal practice concentrates in the areas of commercial law and real estate development.

Jon Youness, PE

Jon Youness joined the EagleRidge Development team in 2013 and has played an integral role in land acquisition, entitlements, and financial analysis for single family and multi-family properties. Mr. Youness also oversees and coordinates the design, permitting, and construction of multiple multi-family and commercial developments and is also actively involved in new product development for EagleRidge Development's multi-family construction affiliate.

For more information, please contact us:

eagleridgedevelopment.com

info@eagleridgecompanies.com

701-540-7159



OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

266

ORDINANCE NO. _____

AN ORDINANCE REZONING A CERTAIN PARCEL
OF LAND LYING IN SCHATZ FIFTH 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 Schatz Fifth Addition to the City of Fargo, Cass County, North Dakota; and,

WHEREAS, the Fargo Planning Commission recommended approval of the rezoning request on June 4, 2024; and,

WHEREAS, the rezoning changes were approved by the City Commission on August 19, 2024,

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 Schatz Fifth Addition to the City of Fargo, Cass County, North Dakota;

that is currently zoned "MR-3", Multi-Dwelling Residential, District will hereby retain the base zoning of "MR-3", Multi-Dwelling Residential, District and enact a "PUD", Planned Unit Development Overlay, as follows:

Residential Density

The residential density allowed shall be a minimum of 32 units per acre.

Setback

The rear (north) setback shall be reduced from 20 feet to 14 feet.

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

Building Coverage

The maximum building coverage allowed shall be 40% of lot.

Parking

The following parking requirements are as follows:

1. Efficiency units will require 1.5 parking spaces per unit.
2. One-bedroom units will require 1.75 parking spaces per unit.
3. Two-bedroom units will require 2 parking spaces per unit.
4. Three-bedroom units will require 2.25 parking space per unit.
5. Guest spaces have been incorporated to the above ratios.

Additional Standards

1. All primary buildings shall be constructed or clad with materials that are durable, economically-maintained, and of a quality that will retain their appearance over time, including but not limited to natural or synthetic stone; brick; stucco; integrally- colored, textured or glazed concrete masonry units; high-quality pre-stressed concrete systems; glass; or commercial metal siding. Natural wood or wood paneling shall not be used as a principal exterior wall material, but durable synthetic materials with the appearance of wood may be used.
2. Ground floor facades that face public streets shall have arcades, windows, entry areas, awnings, or other such features along no less than 30% of their horizontal length. If the facade facing the street is not the front it shall include the same features and/or landscaping in scale with the facade.
3. Flat roofs and rooftop equipment, such as HVAC units, shall be concealed from public view by parapets or screens, including but not limited to the back of the structure.
4. Dumpsters and outdoor storage areas must be completely screened from view. Collection area enclosures shall contain permanent walls on three (3) sides. The fourth side shall incorporate a metal gate to visually screen the dumpster or compactor.
5. The cumulative total building footprint for all accessory buildings shall be a maximum of 45 percent of the primary building coverage.

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

6. No accessory buildings shall be allowed between the primary building(s) and the front or street side along public right of way or between building front and private road.

7. Individual accessory buildings shall have a maximum length of 140 feet.

8. A minimum of 40 percent of the footprint of the primary building shall be used for parking.

9. Separate vehicular and pedestrian circulation systems shall be provided. An on-site system of pedestrian walkways shall be designed to provide direct access and connections to and between the following:

- a. Any sidewalks or walkways on adjacent properties that extend to the boundaries shared with the development.
- b. Parking areas that serve each primary building.
- c. Any public sidewalk system along the perimeter streets adjacent to the development.
- d. Where practical and appropriate, adjacent land uses and developments, including but not limited to residential developments, parks, retail shopping centers, and office buildings.

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.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

Timothy J. Mahoney, M.D., Mayor

(SEAL)

Attest:

Steven Sprague, City Auditor


First Reading:
Second Reading:
Final Passage:



27

MEMORANDUM

TO: City Commission

FROM: Nicole Crutchfield, Planning Director 

DATE: August 14, 2024

RE: Renaissance Zone Applications for Campsite 4, LLC (365-F) for a project located at 5 14 St N

The City received an Renaissance Zone (RZ) application from Campsite 4, LLC to rehabilitate a commercial building at 5 14 St N. Pursuant to the application, the intent of the project is to rehabilitate the existing building and renovate the interior into commercial space and provide improvements to the exterior facade. Occupancy is expected in June 2025. Attached is a copy of the staff report, application and corresponding materials.

As indicated in the attached documentation, the project meets all state and local requirements for approval and is consistent with goals and objectives as established in the Fargo Renaissance Zone Development Plan. The application indicates an investment of approximately \$1,500,000, which is approximately \$153 per square foot and exceeds the minimum investment threshold as set forth in the plan.

The RZA recommended approval unanimously on July 24, 2024.

Recommended Action: Approve the Renaissance Zone rehabilitation application for Campsite 4, LLC and grant state income tax and property tax exemptions as recommended by the Renaissance Zone Authority.



These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

5 14 St N

1:2,257

7/15/2024 9:48 AM

This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.





**Staff Report
Renaissance Zone Application for
Campsite 4, LLC (365-F)
5 14 Street North**

Project Evaluation:

The City of Fargo received a Renaissance Zone application from Campsite 4, LLC for a commercial rehabilitation project at 5 14 Street North. Pursuant to the application, the intent of the project is to rehabilitate the existing building to renovate the interior for new office and studio space, repair or replacing the roof, windows, HVAC and electrical, and creating an outdoor courtyard. The building will remain single story in height and approximately 9,777 square feet.

The Planning Department has reviewed the application and has provided a project ranking based on the analysis below.

1. **Renaissance Zone Plan Goals:** Use consistent with the RZ Plan (as per Visions and Goals): As noted in the 2019 Renaissance Zone Development Plan. *(portions of responses are from applicant, as noted)*
 - a. *Grow as a Neighborhood:* Invest in housing to increase the population living Downtown and maintain Downtown's diversity.
The project does not provide any housing.
 - b. *Prosper as a Business Center:* Increase the number and types of jobs Downtown.
The applicant states that there will be approximately 9-14 additional jobs than the previous use of the site of a construction company.
 - c. *Thrive as a Destination:* Create a unique Downtown experience with an activated riverfront and vibrant sidewalks and public spaces that serve as the backdrop of the community's social life.
The applicant states that it will attract creative professionals to a coworking space, hosting community events in a common area. However, this proposed use of the site does not have a retail presence, and is also unlikely to be a destination location for people living and visiting downtown.
 - d. *Be a model for Inclusive Growth and Development:* Protect Downtown's diversity and evolve as a model for equitable growth and development.
The project does not address diversity in housing, public amenities, or needs for specific populations, such as those experiencing homelessness.
 - e. *Complete our Streets:* Make complete streets common place and encourage trips by foot, bicycle, and bus, as well as car.
The applicant state that the project includes bike racks, a repair station and showers for those who bike or walk to work, and that 80% of current employee live within one-mile of the location. MATBus routes 13, 15, 18, and 36 travel along University Drive (two blocks to the east) and route 17 is on 3rd Avenue North (three blocks to the north).
 - f. *Park Smart:* Manage parking resources to meet the needs of drivers, while also making room for new development and activity.

Parking exists on the south side of the property and also adjacent to the building to the west in the right of way. The applicant is pursuing an encroachment agreement to continue to use the existing parking. The project proposes to provide additional parking on the east, accessible from the alley.

- g. *Play with purpose:* Develop a system of connected all-season green spaces designed for people (of a range of ages and interests) and purpose (as infrastructure that absorbs stormwater).
The existing building and parking do not currently include any extensive green spaces or storm water retainage. Plans include the addition of a courtyard and greenspace behind the building, internal to the property.

(10/20 points)

- 2. **Investment Thresholds:** Does the investment comply with minimum investment thresholds (locally determined) for residential and commercial projects as set forth in this RZ Plan?

According to the application, the structure accommodates 9,777 square feet:

Overall, the application estimates a total capital investment of 1,500,000. This equates to roughly a \$153.42 investment per square foot on the commercial space.

(10/10 points)

- 3. **High Priority Land Use:** The new construction or proposed improvements are representative of “High Priority Land Uses” as defined by this RZ Plan (page 9).

- a. Primary Sector Business:
Staff is not aware that the applicant is specifically targeting primary sector business, but project provides space for such uses.
- b. Active Commercial, Specialty Retail or Destination Commercial:
The application does not appear to provide any noted.
- c. Mixed Use Development:
The project is not mixed-use.

(5/20 points)

- 4. **Targeted Areas:** Is the investment located in a “Targeted Area” as defined by this RZ Plan? Consideration shall be given to whether this property has been vacant or underutilized for a period of time and/or whether the property is specifically targeted for clearance.

- a. Parcels that have been vacant or underutilized for an extended period of time:
The building was built in 1970 and the property was most recently used by a construction company.
- b. Parcels specifically targeted for clearance:
The RZ Plan identifies Block 53 for: Redevelopment and Infill; mixed-use, art center, or commercial.

(3/10 points)

- 5. **Urban Design:** Is the project representative of strong urban design principles?

The building was constructed in the 1970. The project includes minimal updates to the exterior. Additional parking is provided in the rear of the building, accessible from the alley. The project is located within the DMU, Downtown-Mixed Use zoning district and will have to meet the architectural intent of that zoning district requirements as well.

(6/10 points)

6. **Investment Analysis:** Consideration and analysis as to the total actual investment.

As proposed, the redevelopment project and improvement costs significantly exceed both the 50% (true and full value of the building) and \$40 per square foot requirement for commercial rehabilitation. The application represents a total estimated capital investment of \$1,500,000 with a current building valuation of \$643,000, which exceeds 50%. The capital investment is \$153.42 per square foot, which exceeds the \$40 per square foot.

(10/10 points)

7. **Business Relocation:** Consideration as to whether the project will include or accommodate the relocation of a business from another North Dakota community?

The project does not involve the movement or relocation of a business from another community. The proposed businesses are expanding from different downtown Fargo locations.

(10/10 points)

8. **Street Activation:** Will the project fit contextually and will the project contribute or enhance the area from an architectural perspective?

Renaissance Zone projects are anticipated to be conscience of four-sided design, which has been seen with other projects within the downtown, this project will be a rehabilitation of an existing building. The building was built in 1970 and there are minor updates to the exterior, including new doors.

(5/10 points)

Summary:

This application received a score of 58 on a 100-point scale. The proposed project surpasses the local capital improvement requirement of \$40 per square foot requirement for commercial rehabilitation. The amount invested in the project exceeds state and local guidelines.

The scoring of the project is much lower than is typically seen. Since the adoption of the 2019 Renaissance Zone Development Plan, where Renaissance Zone Plan Goals (item 1) were replaced with the goals of the newly adopted Downtown InFocus plan (2018), project scoring has been different due to the specifics of those goals (housing, parking, storm water, etc.). However, there are a number of other factors for the scoring on this particular project, including that the project is not high priority land use, does not align with the target for redevelopment and infill for the block, and minimal improvements proposed to the exterior of the structure.

The Downtown InFocus plan identifies the block as mixed-use and the Core Neighborhoods Plan identifies the area as industrial/warehousing, which exists within the block. This area is on the fringe of downtown and is likely to continue to see transition as downtown expands west, particularly along the 1st Avenue North corridor, as there has been considerable investment over the past several years on several properties. The vision of the Core Neighborhoods Plan is potentially more applicable to this analysis than the Downtown InFocus master plan. Therefore the direct alignment with the Renaissance Zone Plan, is probably not exactly in keeping with what the applicant and market are indicating is envisioning.

Staff is recommending approval to the Fargo City Commission and believes this project is a benefit to the downtown community will positively contribute to the health of surrounding neighborhood and nearby businesses. Staff is also recommending and welcoming the Renaissance Zone Authority to have discussion or consideration of the following questions:

Staff is posing the following questions for the Renaissance Zone Authority to consider:

- Is the project scored appropriately based on the Renaissance Zone Development Plan criteria even though the project deviates from the projected land use of new construction and development?

- Is the project worthy of receiving tax benefits?
- As redevelopment and investment occurs west of Downtown and further within the Madison/Unicorn Park neighborhood, what kinds of projects are desirable as Renaissance Zone projects? Is this project meeting the intent of the program?
- Is the current criteria reflective of desirable Renaissance Zone projects?
- Should the criteria change, and if so, how? Are certain criteria too general and not specific enough?

Suggested motion:

Recommend approval to the Fargo City Commission to approve the application submitted by Campsite 4, LLC and to grant the property tax exemption and the State income tax exemptions as allowed by the ND Renaissance Zone law contingent upon completion of the project and verification of costs.

Minimum Criteria (New Construction Proposals)			
Criteria:		Staff Rating	Possible Points
1	Use consistent with the plan (as per Vision and Goals)	10	20
2	Does the investment comply with minimum investment thresholds (locally determined) for residential and commercial projects as set forth in the RZ Plan?	10	10
3	The new construction or proposed improvements are representative of "High Priority Land Uses" as defined in the RZ Plan: <ul style="list-style-type: none"> • Primary sector business, industry and talent-dependent Enterprises • Active Commercial, Specialty Retail and/or Destination Commercial • Mixed use development (combination of housing, commercial, and/or retail uses in a horizontal or vertical fashion) 	5	20
4	The investment is located in a 'Target Area' as defined by the RZ Plan: <ul style="list-style-type: none"> • Parcels that have been vacant or underutilized for an extended period of time • Parcels specifically targeted for clearance 	3	10
5	Is the project representative of strong urban design principles?	6	10
6	Consideration and analysis as to the total actual investment in the project: <ul style="list-style-type: none"> • Consideration can be given for the level of capital investment in a project. (i.e., additional consideration can be given for higher levels of investment) 	10	10
7	Consideration as to whether the project will include or accommodate the relocation of a business from another North Dakota community: <ul style="list-style-type: none"> • Commercial tenants that are re-locating within the Downtown Area (as defined by the 1996 Downtown Area Plan) are not eligible for tax incentives without special approval from the Zone Authority • Commercial tenants that are relocating from a North Dakota community (other than Fargo) to the Fargo Renaissance Zone are not eligible for tax incentives without special approval from the Zone Authority. 	10	10

8	Will the project fit contextually and will the project contribute or enhance the area from an architectural perspective?	4	10
•	Total Rating (100 possible points)	58	100



Planning & Development
 225 4th Street North
 Fargo, North Dakota 58102
 Office: 701.241.1474 | Fax: 701.241.1526
 Email: Planning@FargoND.gov
www.FargoND.gov

APPLICATION FOR RENAISSANCE ZONE PROJECT

Property owners, business owners, developers or investors interested in pursuing a Renaissance Zone project should review the 2019 RZ Plan. The RZ Plan delineates the current geographical boundaries of the program (only certain blocks within the downtown core are included) and provides additional detail on minimum investment requirements and applicable program goals and objectives that must be met.

Application submitted for (check all that apply):

- | | |
|--|---|
| <input type="checkbox"/> New Construction | <input type="checkbox"/> Commercial Lease |
| <input checked="" type="checkbox"/> Purchase with Major Improvements | <input checked="" type="checkbox"/> Rehabilitation: <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential |
| <input type="checkbox"/> Primary Residential Purchase | <input type="checkbox"/> Block Addition |

Property Owner Information	
Name <i>(printed)</i> :	Campsite 4, LLC
Name <i>(printed)</i> :	Max Kringen, Member
Address:	1213 NP Avenue N, Ste 300
	Fargo, ND 58102

Contact Person Information <i>(if different than owner)</i>	
Name <i>(printed)</i> :	
Address:	

Parcel Information	
Address:	5 14th St N
Unit Number:	
Renaissance Zone Block Number:	53
Legal Description <i>(attach separate sheet if more space is needed)</i> :	Reeves Block 21, Lots 19-24
	Reeves Block 21, Lots 19-24
Parcel Number:	01-2340-03250-000

- Is this property listed on or a contributing structure to the National Register of Historic Places? Yes No
- Do you intend to apply for a Historic Preservation Tax Credit in conjunction with this project? Yes No

Project Information	
Total Project Cost: (Qualified Capital Improvements) \$1,500,000	
Current Use of Property: Office & warehouse for construction company	
Anticipated Use Upon Completion: General office	
Expected Date of Purchase: 8-1-24	Expected Date of Occupancy: 6-1-25
Estimated Property Tax Benefit: (Over five year exemption period) \$55,000	Estimated State Income Tax Benefit: (Over five year exemption period) \$5,000
Current Employees: (Full-time equivalent) 10	Anticipated Employees: (Full-time equivalent) 15

<p>Scope of Work</p> <p>Demolish most interior finishes and remodel for new use as office and studio space. Create outdoor courtyard and create parking along the alley. Repair / replace roof, windows, HVAC and electrical as necessary to meet needs of new business.</p>

Additional Project Information

New Construction/Rehabilitation/Purchase with Improvements Only

Current Building Value: (Taxable Improvement Value) \$612,400 excl. land	Estimated Building Value Upon Completion: (Taxable Improvement Value) \$1,800,000
Building Area Upon Completion (SF): 9,777 SF	Number of Stories Upon Completion: One

Commercial Lease Only

Lease Area Upon Completion (SF): 9,777 SF			
Type of Business: Marketing / graphics office, coworking offices and food prep company			
<input type="checkbox"/> New business moving to the Renaissance Zone	<input type="checkbox"/> Expanding Business moving to the Renaissance Zone	<input checked="" type="checkbox"/> Existing Business Expanding within the Renaissance Zone	<input type="checkbox"/> Continuation of a lease moving from one Renaissance Zone Project to another Renaissance Zone Project

Residential Purchase Only

Will this be your primary place of Residency?:
--

<p>Acknowledgement – We hereby acknowledge that we have familiarized ourselves with the rules and regulations to the preparation of this submittal and that the foregoing information is true and complete to the best of our knowledge.</p>	
Owner (Signature): <u>Max Kringsen</u>	Date: <u>June 19, 2024</u>
Joint Owner (Signature): _____	Date: _____
Representative (Signature): _____	Date: _____

THE FOLLOWING CHECKLIST MUST BE COMPLETED AND SUBMITTED WITH THE APPLICATION FORM:

		Submitted	N/A
Renaissance Zone Project	Current photos of property, relevant to project scope and proposed renderings of the proposed project	<input checked="" type="checkbox"/>	
	<u>Certificate of Good Standing</u> from the Office of the State Tax Commissioner	<input type="checkbox"/>	
	<u>Business Incentive Agreement</u> from the Department of Commerce for all non-residential projects	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	For residential purchases provide proof of ownership and closing date	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Goals and objectives as outlined in the 2015 Fargo Renaissance Zone Development Plan (Attachment A)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

APPLICATION DEADLINES:

The Renaissance Zone Authority regularly meets on the Fourth Wednesday of each month at 8:00 am in the in the City Commission Chambers at 225 4th Street North, Fargo, ND 58102. For consideration during a monthly meeting:

- Renaissance Zone applications are due by 4:30 pm on the last weekday of each month.

REQUIREMENTS, POLICIES, AND GUIDELINES:

The Renaissance Zone is administered according to the following written documents, each of which are available on the City of Fargo's website.

- Renaissance Zone Designation
 - o City of Fargo Renaissance Zone Development Plan
 - o North Dakota Renaissance Zone Program Guidelines

CERTIFICATION:

Applicant certifies that, to the best of his/her knowledge and belief, the information contained in the application and attached hereto is true and correct. Applicant also certifies that he/she understands all written requirements, policies, and guidelines of the Fargo Renaissance Zone Authority, the City of Fargo, and/or the State of North Dakota governing the use of the procedure or program being applied for:

Max Kringen

 (Applicant's Signature)

Max Kringen

 (Printed Name)

6/19/2024

 (Date)

If the property owner(s) and applicant are different, the property owner certifies that he/she has full knowledge of this application and consents to its submission:

 (Applicant's Signature)

 (Printed Name)

 (Date)

 (Applicant's Signature)

 (Printed Name)

 (Date)

Goals of the Fargo Renaissance Zone Plan

Is the proposed use of the project consistent with the RZ Plan? As noted in the Renaissance Zone Development Plan the desired land use will contribute to a number of goals:

1. *Grow as a Neighborhood.* How will this project invest in housing to increase the population living Downtown and maintain Downtown's diversity?

Repurpose an aging office / warehouse facility into a new, vibrant office / studio space on the fringe of downtown. Will continue the commercial development of the area along 1st Avenue N which will in turn support the addition of more housing units.

2. *Prosper as a Business Center.* How will this project increase the number and type of jobs Downtown (or accessible from Downtown)?

The former use as a construction company office warehouse had space for approximately 6 employees on-site (all other employees were at construction sites). The new use will result in 15-20 jobs directly on-site with additional traffic related to the studio space. The new business will benefit many existing businesses in the neighborhood.

3. *Thrive as a Destination.* How will this project create a unique Downtown experience with an activated riverfront and vibrant sidewalks and public spaces that serve as the backdrop to the community's social life?

This project will create a vibrant downtown experience by attracting creative professionals to a coworking space, hosting community events in a common area, and featuring LGBTQ-owned Tellwell and women-owned Farmented. These activities will enliven sidewalks and public spaces, making downtown Fargo a lively, inclusive social hub.

4. *Be a Model for Inclusive Growth and Development.* How will this project protect Downtown's diversity and evolve as a model for equitable growth and development?

This project will protect downtown Fargo's diversity and model equitable growth by promoting diverse ownership and inclusive environments. With LGBTQ-owned Tellwell and women-owned Farmented, it exemplifies inclusivity. The creative commons coworking space will foster a diverse community. By supporting social enterprises and hosting community events, the project ensures downtown Fargo benefits all residents and sets a benchmark for inclusive growth.

5. *Complete our Streets.* How will this project make complete streets common place and encourage trips by foot, bicycle, and bus, as well as car?

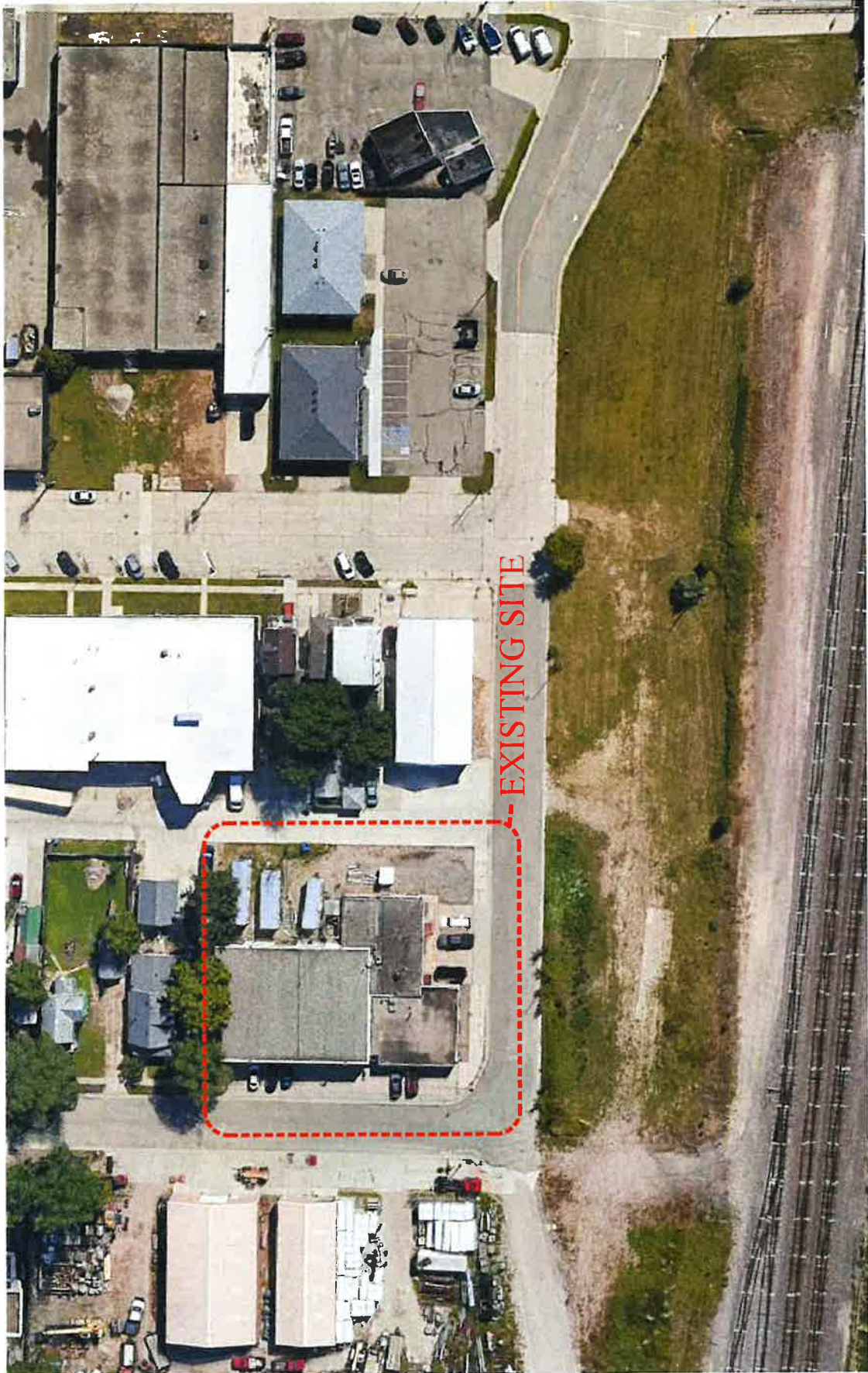
As collective lovers of nature and active lifestyles, this project will include bike racks and a repair station, as well as showers for employees who bike or walk to work. With 80% of employees living within one mile of the office, these features will promote sustainable commuting and support complete streets.

6. *Park Smart.* How will this project manage parking resources to meet the needs of drivers, while also making room for new development and activity?

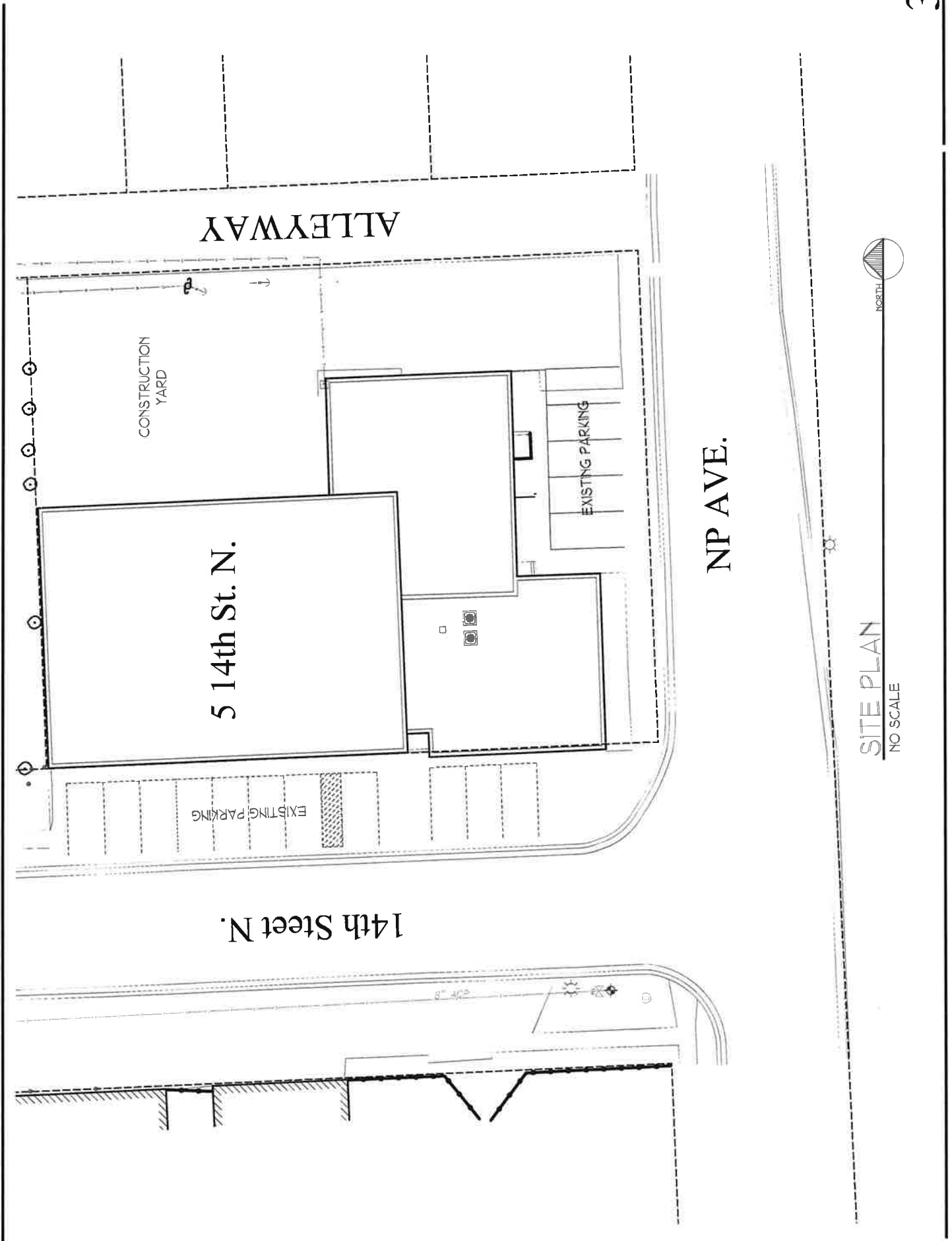
This project will manage parking resources by optimizing existing spaces and incorporating smart parking solutions. It will include a mix of on-site parking and shared parking arrangements with nearby facilities. The design will prioritize efficient use of space, ensuring adequate parking for drivers while freeing up areas for new development and increased activity.

7. *Play with Purpose.* Will this project develop a system of connected all-season green spaces designed for people (of a range of ages and interests) and purpose (as infrastructure that absorbs stormwater)?

These spaces will include landscaped areas for relaxation, outdoor courtyards for social gatherings, and multipurpose areas for events and activities. The design will ensure accessibility and enjoyment throughout the year, fostering community engagement and enhancing downtown Fargo's livability.







SITE PLAN
NO SCALE





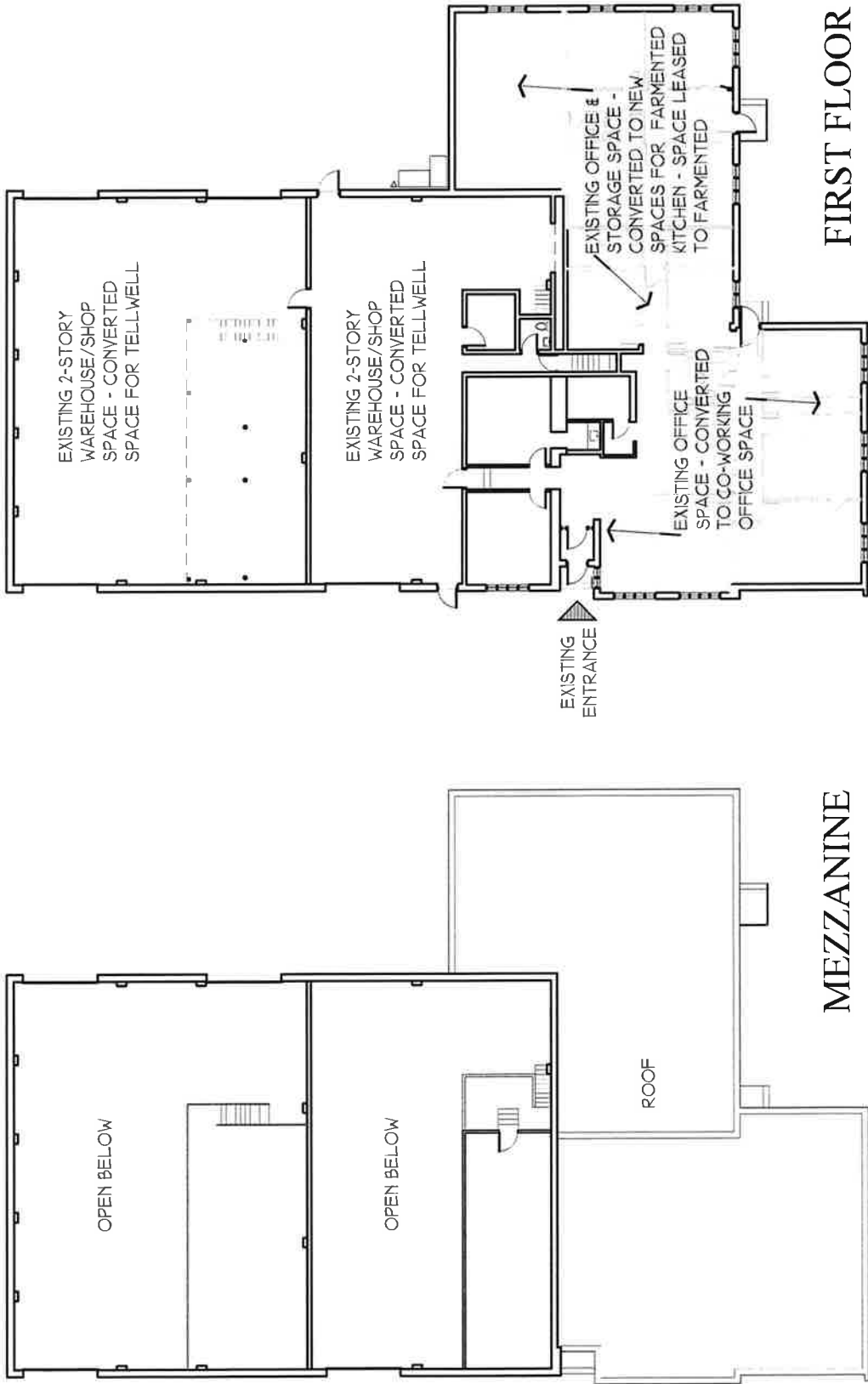
PROPOSED SITE PLAN
NO SCALE



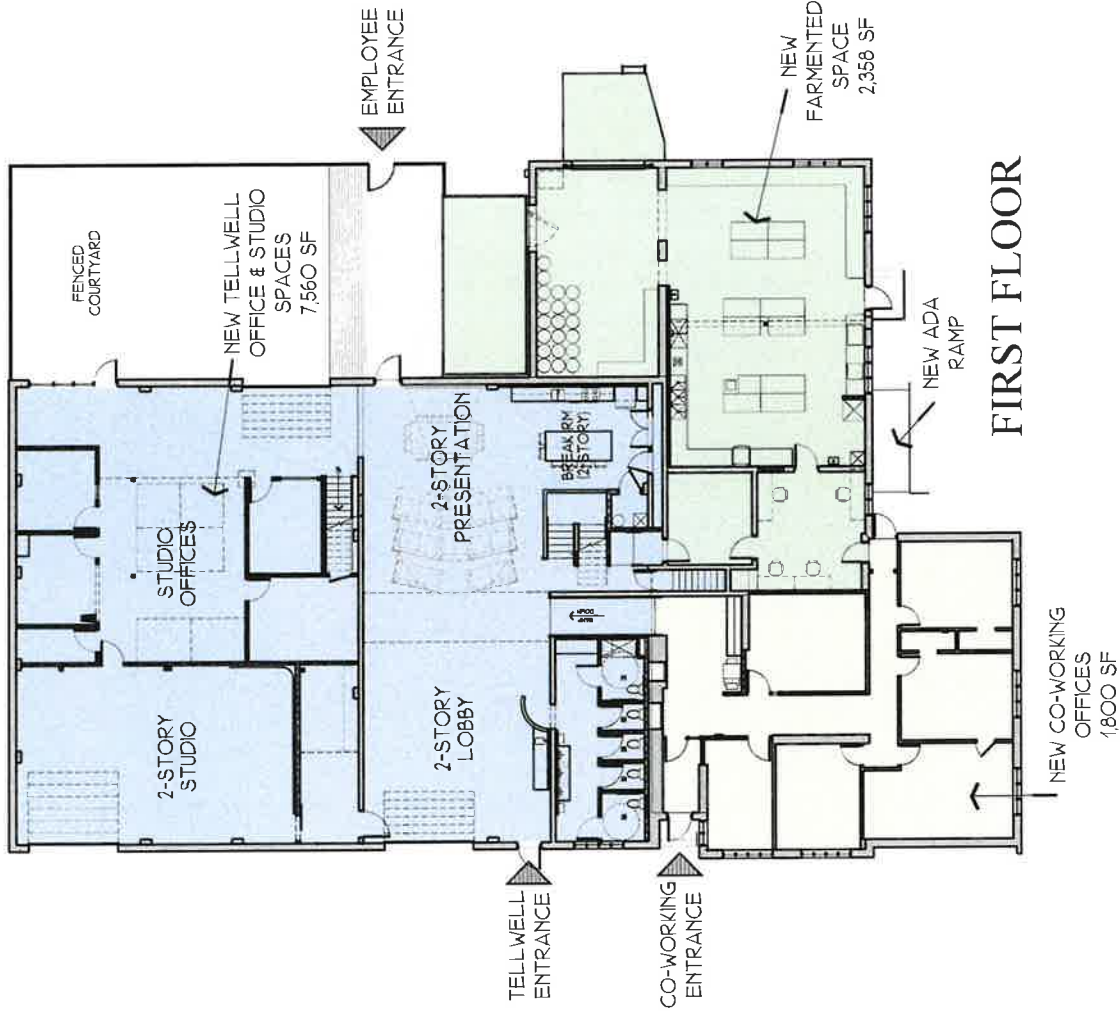
FUTURE SITE PLAN

NO SCALE

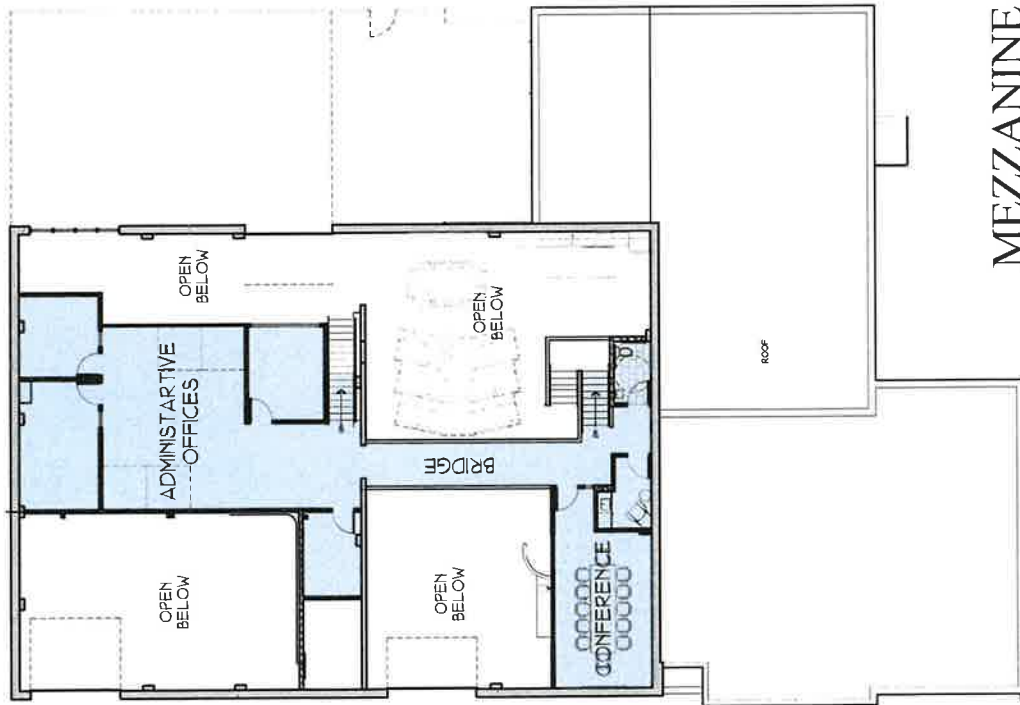




EXISTING BUILDING PLANS

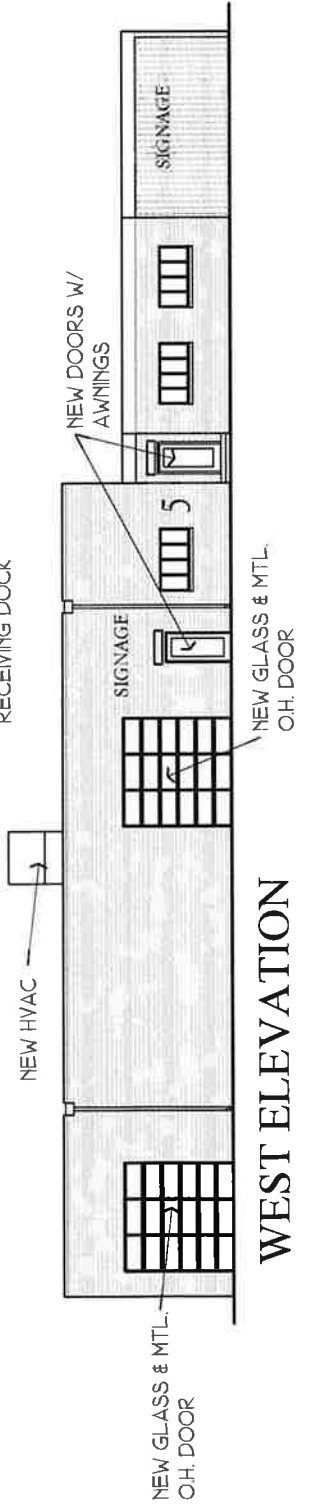
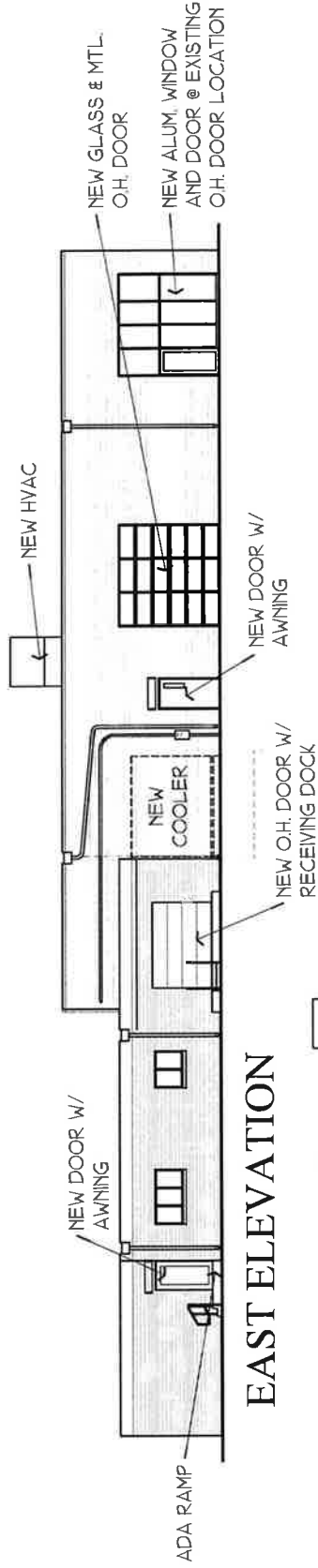
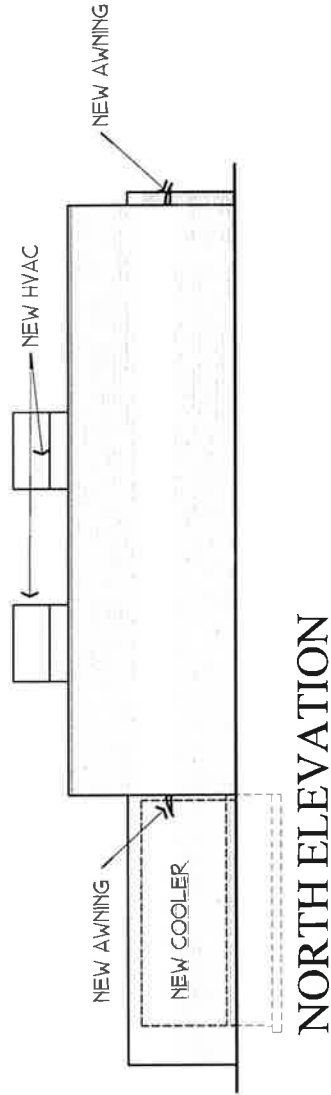
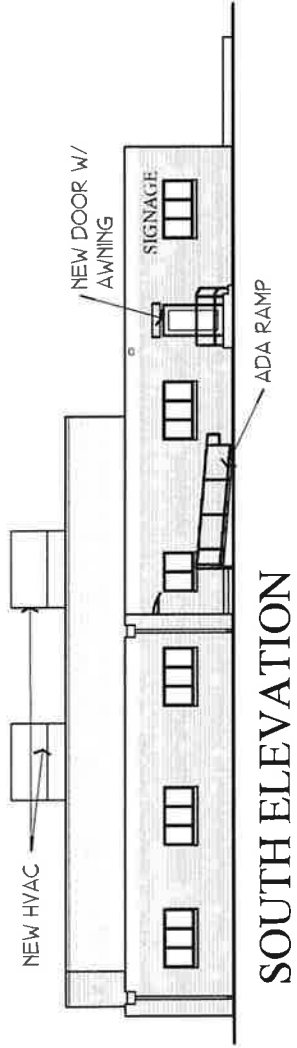


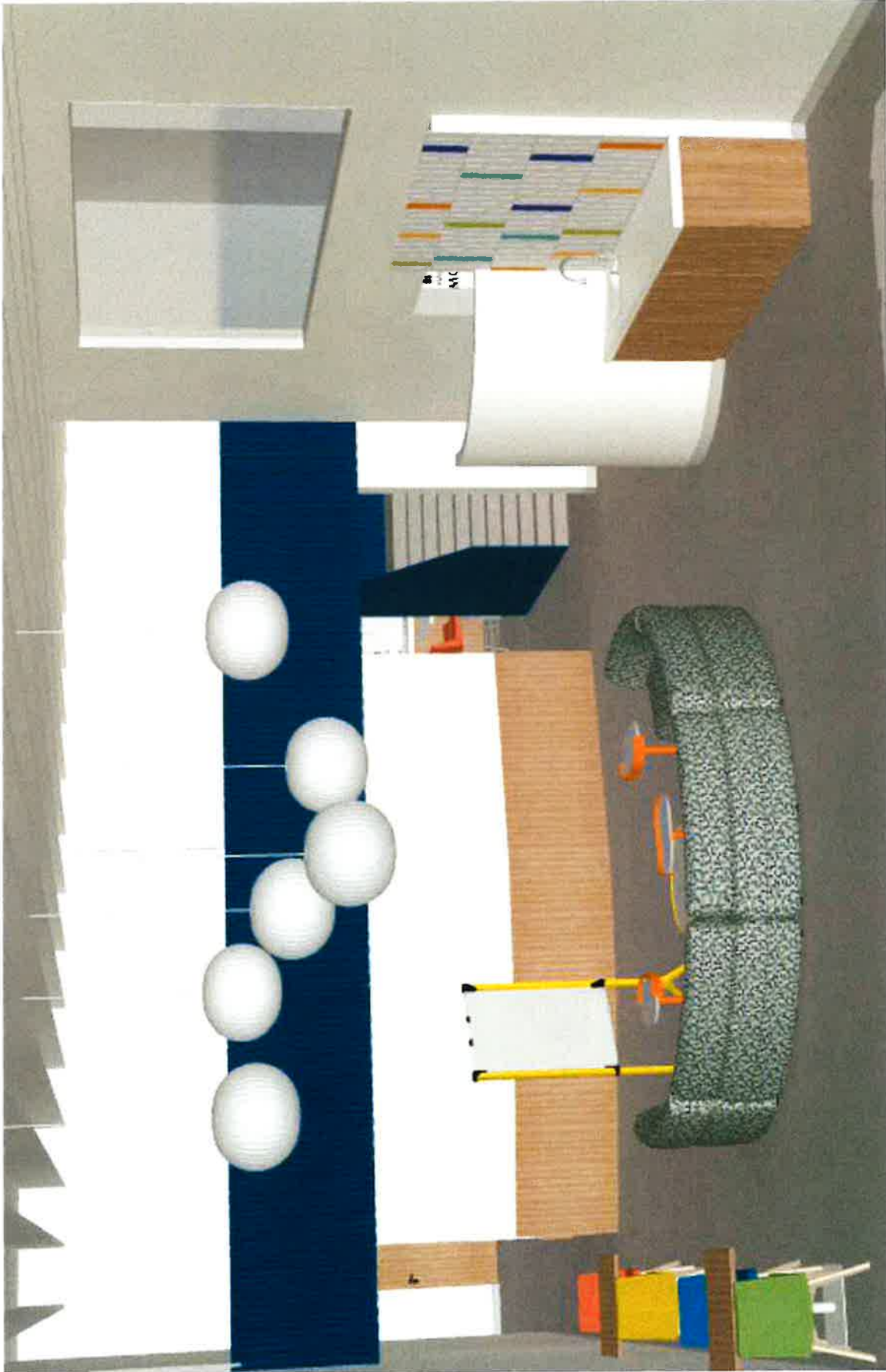
FIRST FLOOR



MEZZANINE

PROPOSED BUILDING PLANS

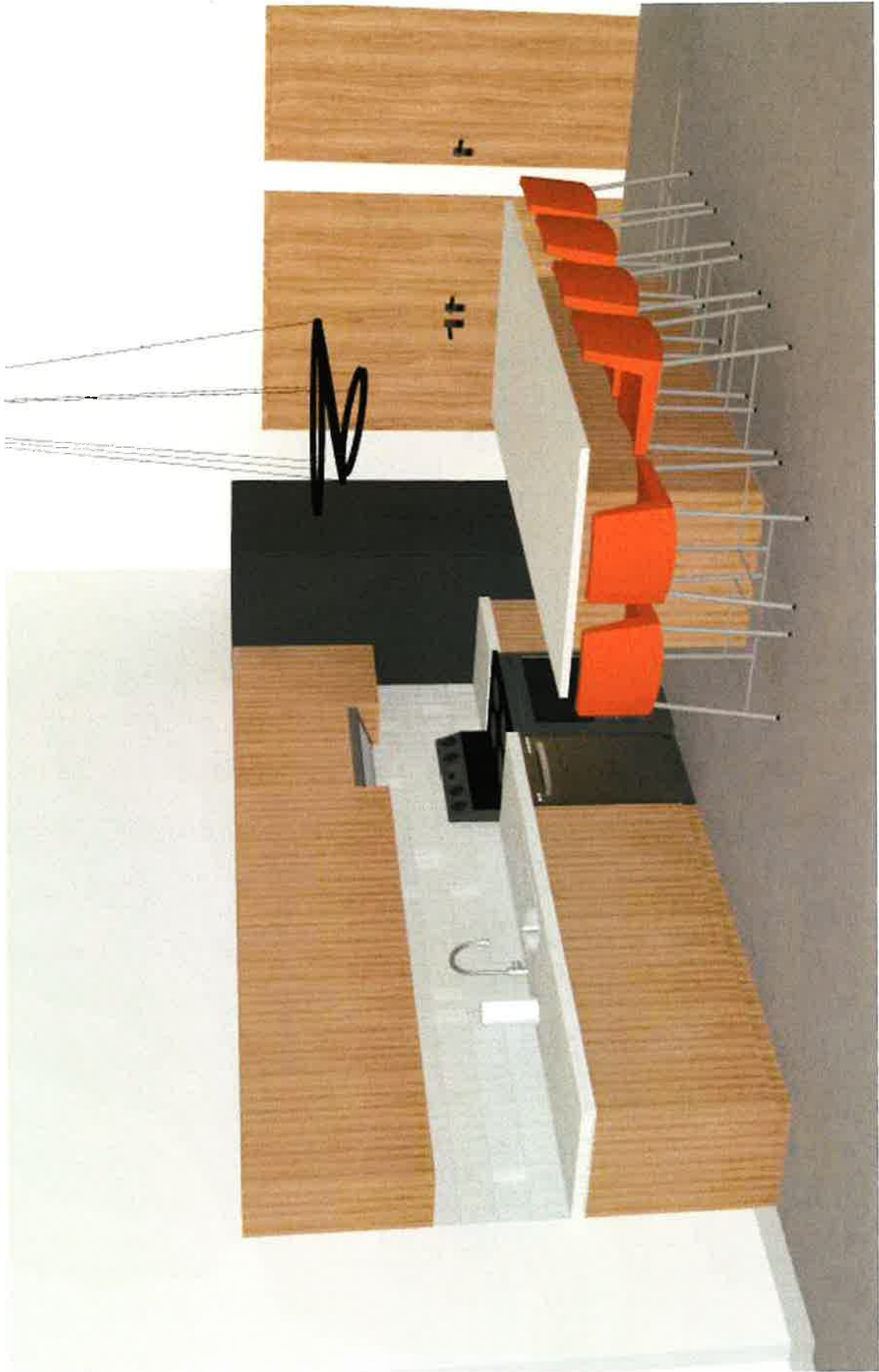




TELLWELL LOBBY



TELL WELL PRESENTATION SPACE



SHARED BREAK ROOM



CO-WORKING CONFERENCE ROOM



PLANNING & DEVELOPMENT

28

FARGO CITY HALL
225 4th Street North
Fargo, ND 58102
Office: 701.241.1474 | Fax: 701.241.1526
Email: Planning@FargoND.gov
FargoND.gov

MEMORANDUM

TO: Fargo City Commission
FROM: Nicole Crutchfield, Director of Planning & Development
Mark Williams, Assistant Director of Planning & Development
Kim Citrowske, Planning Coordinator
DATE: August 19, 2024
RE: Fargo Growth Plan 2024 Approval and Adoption

Over the last 17 years, Fargo has been operating under the 2007 Growth Plan that provided growth guidance primarily in Fargo’s extraterritorial jurisdictional areas. The 2020 Land Development Code (LDC) Diagnostic Report and Core Neighborhood Master Plan both recommended updating the 2007 Growth Plan, as it does not consistently provide insightful for infill and redevelopment within the city core or realize the vision of the Go2030 Comprehensive Plan. Following a Request for Proposals (RFP) process, planning consultant czb, LLC (who had recently completed the 2020 Core Neighborhoods Master Plan) was selected for their robust approach and timing for the project and their innovative team including fiscal analysis by Strategic Economics, infrastructure and utility study by MRB Group and zoning code experts, Code Studio. This multi-faceted team reviewed how development and city operations inter-relate to provide holistic citywide guidance for optimal growth.

During the last 16 months, our community has provided guidance through extensive community engagement opportunities that included open houses, online surveys, and many meetings with City Commission, Planning Commission, Advisory Committee, Technical Committee and Stakeholder Groups to develop a plan that outlines how and where Fargo should grow in the future. The process started by studying how Fargo has historically grown, and then identified a preferred growth scenario that set the foundation for the drafting of Fargo Growth Plan 2024 which outlines the community’s intentions future growth. Upcoming implementation steps will lay the foundation to convert those aspirations into reality with a mix of tool and policy updates.

Included with this memo is the Fargo Growth Plan 2024 Executive Summary and August draft of the plan is available on the project website, www.FargoGrowthPlan.org

Fargo Planning Commission at their regular meeting on August 6, 2024 recommended unanimous approval of Fargo Growth Plan 2024.

Suggested Motion: “To accept the unanimous recommendation of Fargo Planning Commission and hereby move to approve and adopt Fargo Growth Plan 2024”





EXECUTIVE SUMMARY

August 2024



EXECUTIVE SUMMARY

For the first time in nearly two decades, the City of Fargo has used the development of a new growth plan to consider and clarify the type of community it wants to become and how to achieve its goals through new or modified growth patterns.

Through a 16-month process that both validated the general direction provided by recent planning efforts and identified key opportunities to change course, the resulting growth plan articulates Fargo's aspirations and pinpoints the policy updates and investments that will convert those aspirations into reality.



FARGO GROWTH PLAN 2024


Fargo Growth Plan 2024 provides a roadmap for where and how Fargo will develop and redevelop in the coming decades—a roadmap that was developed by carefully considering three fundamental questions.



How has Fargo been growing?

What are Fargo's intentions for future growth?

What will it take to achieve Fargo's goals?



How has Fargo been growing?

It has grown **rapidly**

The City of Fargo added more residents between 2010 and 2020—over 20,000—than it did during any previous decade. And between 2000 and 2020, the city's population expanded by nearly 40%.

This rapid population growth is directly tied to the equally fast pace of job growth that Fargo has enjoyed in recent decades—growth largely attributable to Fargo's role as a hub for health care, education, trade, and finance for a vast region.

Its growth patterns have **improved**

Before the Great Recession (2007-2009), Fargo's population growth was accommodated mostly by low-density expansion of residential and commercial uses on virgin soil—especially to the south and southwest of the city's core. While growth since 2010 has remained concentrated on Fargo's edges, those greenfield growth patterns have been characterized by greater densities, limited leapfrogging, and more durable public infrastructure.

Combined with a rise in redevelopment and infill in already developed parts of Fargo—especially downtown—Fargo's recent growth patterns have been more fiscally sustainable and a more efficient use of infrastructure and land.

It has endured growing **pains**

Improvements to Fargo's growth patterns have been guided by good planning—including the 2007 Growth Plan and Go2030 Comprehensive Plan, which called for more infill development, more walkable development patterns, and more thoughtful consumption of greenfield land.

But tools to achieve Fargo's growth intentions have not always kept pace. Outdated or out-of-sync facets of the 1998 Land Development Code, for example, have made it challenging to consistently achieve high-quality urban development beyond downtown.

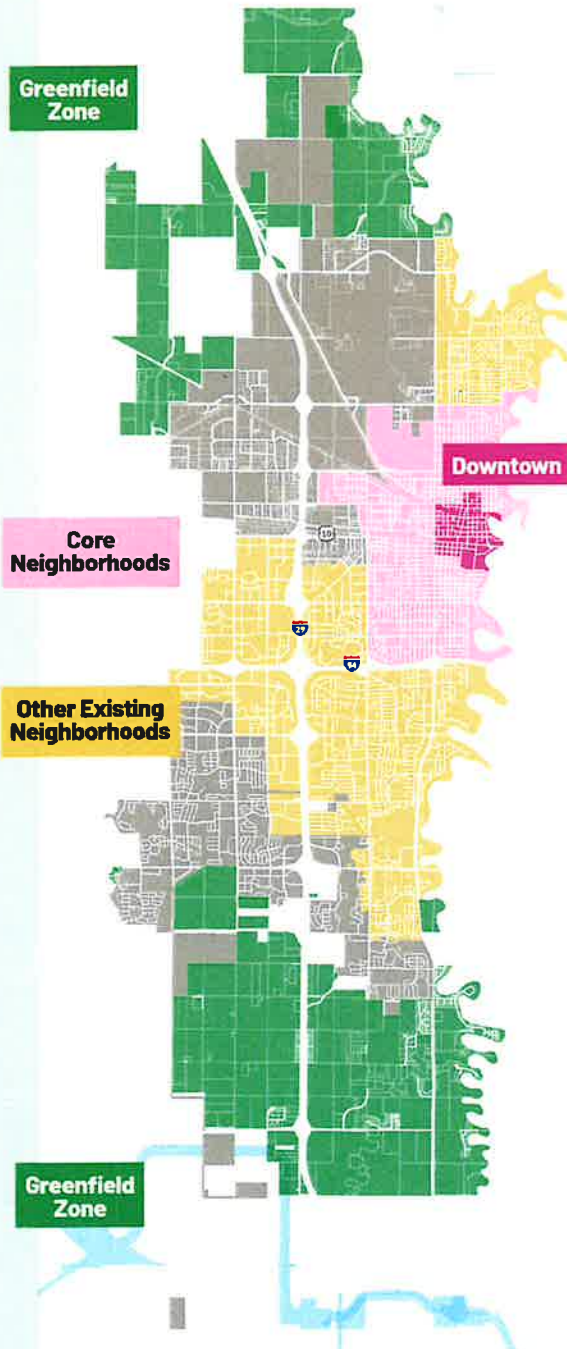
It faces the future—and critical choices—from a **position of strength**

Fargo is in an enviable position. Over a decade of strong growth in real property value, a revitalized downtown, a solution to chronic flooding, plenty of utility and infrastructure capacity—all of these put Fargo in the driver's seat to shape its future.

Capitalizing on these strengths to fully achieve the community's growth intentions, however, is not guaranteed. Overcoming the growing pains of recent years and putting systems in place that reflect Fargo's goals and emerging stature will require important pivots to where and how growth happens.

What are Fargo's intentions for future growth?

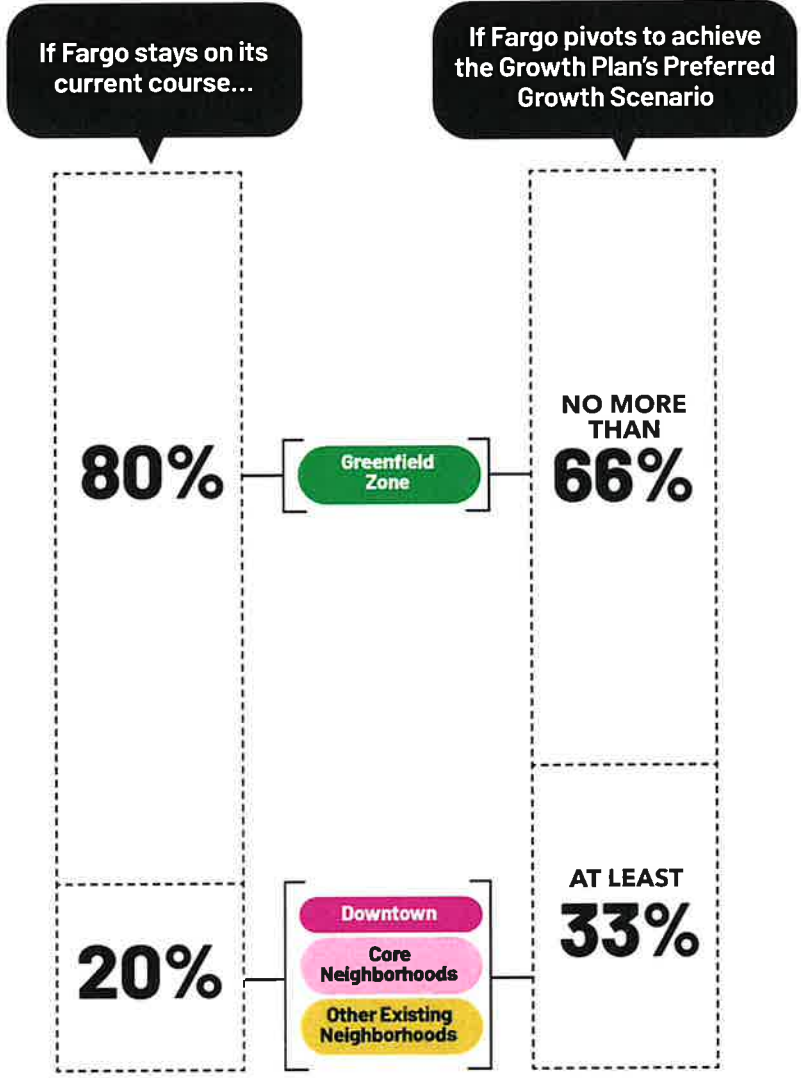
WHERE GROWTH HAPPENS



**Note: the gray areas on this map include non-residential land, recently developed residential land that is too new to be redeveloped before 2050, and areas where residential development is imminent and assumed to happen*

Population projections by the Fargo-Moorhead Metro COG suggest that the City of Fargo will grow by another 30,000 residents, or 15,000 households, by 2045. If Fargo continues to grow in a way that reflects growth trends since 2010, 80% of these new households would be added to greenfield areas in and near Fargo's current extraterritorial jurisdiction (ETJ) and 20% would be added to already developed areas such as downtown, the core neighborhoods, and other existing neighborhoods.

Fargo Growth Plan 2024 calls for a seemingly modest but significant pivot toward Practical Growth. Echoing the growth intentions outlined by the Go2030 Comprehensive Plan and more recent plans, it calls for a greater focus on infill development and redevelopment, so that at least 33% of future growth is absorbed by downtown, core neighborhoods, and other developed areas.



HOW GROWTH HAPPENS

A greater focus on infill development and redevelopment necessitates not just a pivot in where growth happens but how growth happens. Fargo Growth Plan 2024 calls for more distinctly urban growth patterns—mirroring those that shaped Fargo’s first 80 years and those that are prioritized by Go2030, Downtown InFocus, the Core Neighborhoods Master Plan, the Fargo Transportation Plan, and other recent signals of Fargo’s growth intentions.



Greater mixing of land uses



Greater integration of housing types



Slightly higher densities, but with a focus on more traditional urban form



What will it mean to grow in a more distinctly urban way—both in Fargo’s greenfield areas and in areas where infill and redevelopment take place?

Substantially better form and design for residential and commercial areas



Better connections within and between neighborhoods



What will it take to achieve Fargo's goals?

Fargo's growth intentions cannot be fully realized without the policy and financial tools that will make them both possible and a priority. While Fargo's growth patterns have improved since 2010—with higher densities and greater levels of redevelopment resulting in growth that is more urban (in some places) and fiscally responsible—the community's policies have not kept up with its aspirations.

Fully aligning Fargo's policy systems with its growth intentions will require that new growth models be used to clearly communicate Fargo's expectations, and that a predictable path to approval and assistance is provided to projects that meet Fargo's expectations and advance the types of places that Fargo wants to cultivate.

Four Models to Communicate Fargo's Context-Sensitive Expectation

1
THE FIRST MODEL



Fargo's Transect

The first model is based on the urban-to-rural transect—a method that categorizes development patterns into six general zones of rising intensity from the rural edge to the urban core (downtown).

This model has been adapted to demonstrate existing patterns of development intensity in Fargo and Cass County, and to show how those patterns would change if Fargo's growth intentions are realized in the coming decades.

2
THE SECOND MODEL



Place Types

Fargo's transect provides the scaffolding for the second model—a system of place types that describe the general character of places that currently exist in Fargo and, more importantly, of places that Fargo intends to nurture and develop as it grows.

Each of Fargo's identified place types fits into one or more of the six transect zones and can be described by a combination of land uses, densities, and infrastructure requirements—providing more flexibility and a greater focus on form than a traditional land use plan.

3
THE THIRD MODEL



Growth Grid

A Growth Grid model is proposed to organize and sequence future greenfield development in Fargo's ETJ, where up to 66% of future growth is intended to occur. The model includes prototypes that describe place type compositions and corridor treatments for new areas that will help to achieve good urban form on Fargo's edges.

4
THE FOURTH MODEL



Growth Centers

A Growth Centers model is proposed to direct infill and redevelopment in existing parts of Fargo into a network of distinct nodes with higher density and mixed-use development patterns.

The model includes a hierarchy of growth centers - regional, community, and neighborhood - to provide jobs, services, and recreational opportunities to all parts of the city.

A Commitment to By-Right Approval and the Promotion of Optimal Growth



By-Right Approval

Clear expectations tied to a predictable system of approvals are key parts of Fargo’s approach to Practical Growth Management. Under this approach, development that conforms to the place type Fargo is cultivating at a given location—according to transparent rules laid out in a new land development code—will be eligible for By-Right Approval through administrative processes.



Optimal Growth

The place type conformance test needs to be passed for a development to be eligible for By-Right Approval, but that will not be sufficient for a project to receive assistance or incentives. The City of Fargo will actively promote projects only if they represent “optimal growth” - a threshold that refers to strategic locations and the provision of well-defined public benefits.

Updates to Tools and Processes

Fargo will need to update and upgrade specific tools, policies, and processes to put this Growth Plan’s Framework for Practical Growth Management into practice. Until changes are made, implementation can only be expected to occur partially and inconsistently, with gaps remaining between what the community says it wants and what its systems are capable of delivering.

Three areas for proposed changes are outlined in detail at the conclusion of the Growth Plan.

The three areas are:



A New Land Development Code



Changes to Financial and Economic Development Practices



Enhanced Coordination of Public Infrastructure and Facilities

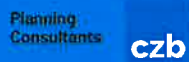


FARGO GROWTH PLAN 2024

EXECUTIVE SUMMARY



August 2024





29

Denise Kolpack, City Commissioner

Fargo City Hall

225 4th Street North

Fargo, ND 58102-4817

Phone: 701.715.4895 | Fax: 701.476.4136

www.FargoND.gov

MEMORANDUM

TO: BOARD OF CITY COMMISSIONERS

FROM: COMMISSIONER DENISE KOLPACK



DATE: AUGUST 19, 2024

SUBJECT: 1/4% SALES, USE AND GROSS RECEIPTS TAX EXCLUSIVELY FOR POLICE AND FIRE

On behalf of the IAFF Local 642 I am presenting to the Commission a Resolution to Amend the Home Rule Charter to allow for a 1/4% Sales, Use and Gross Receipts Tax exclusively for the use by Police and Fire. This Amendment if approved by the voters on November 5th would allow for the Sales Tax to be implemented for a term of 20 years.

RECOMMENDED MOTION: To adopt the Resolution Amending the Home Rule Charter - Sales, Use and Gross Receipts Taxes for the exclusive use by Police and Fire and placing the question on the November 5th ballot.



Mayor Mahoney

Fargo City Commissioners

City Hall

200 3rd Street North

Fargo, ND 58102

Dear Mayor Mahoney and Fargo City Commissioners,

We are writing to request your support of our ¼% sales tax measure, which we believe will bring significant benefits to the City of Fargo, including improved public safety and better working conditions for our dedicated employees. We are asking you for a yes vote to put this Measure on the ballot in November and allow the citizens of Fargo the opportunity to vote on the Measure. This Measure has the full support of the members of Fargo Firefighters Local 642 and the Fraternal Order of Police. It is our intention to do everything in our power to collectively advocate for a yes vote from the public. It is our belief that if the public supports this sales tax, it will drastically impact the possibilities for Police and Fire Departments and employees in the City of Fargo for the next 20 years. Please vote yes on our proposal and allow the citizens of Fargo the opportunity to vote on this tax measure.

Sincerely,

Eric Eisenlohr

President Fargo Firefighter Local 642

Mike Clower

President, Fraternal Order of Police Lodge

Shall the City of Fargo's Home Rule Charter be amended to establish a one-quarter of one percent (1/4%) sales, use and gross receipts tax to extend for twenty (20) years with the funds collected from such tax to be used exclusively for fire and police operations, fire and police equipment and fire and police buildings, as provided in the Notice of Proposed Fargo Home Rule Charter Amendment as published in the Fargo Forum on the ____ day of August, 2024?

SHALL SUCH AMENDMENT BE APPROVED?

() YES

() NO

COMMISSIONER _____ introduced the following resolution and moved its adoption:

RESOLUTION

[Amendment of Home Rule Charter- Sales, Use, and Gross Receipts Taxes]

BE IT RESOLVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF FARGO:

WHEREAS, the City of Fargo, Cass County, North Dakota, is a municipal corporation, organized and existing under the laws of the State of North Dakota, which has adopted a Home Rule Charter, pursuant to the authority of N.D.C.C. Chapter 40-05.1; and,

WHEREAS, pursuant to the authority of N.D.C.C. §40-05.1-07 and Article 5 of the Fargo Home Rule Charter, the Board of City Commissioners wish to propose an amendment to the Home Rule Charter of the city which would authorize the implementation of a sales, use, and gross receipts tax for a period of twenty (20) years. Said tax would generate proceeds to be utilized exclusively for fire and police operations, fire and police equipment and fire and police buildings; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of City Commissioners of the City of Fargo, North Dakota, as follows:

SECTION ONE. That Article 3 of the Home Rule Charter of the City of Fargo, pertaining to the list of home rule powers of the city, be amended to add a numerated section, to read as follows:

___ To impose a retail sales, use, and gross receipts tax to be implemented by ordinance and subject to the following limitations:

1. Sales, use, and gross receipts taxed shall be limited to those which are taxed by the State of North Dakota pursuant to Chapters 57-39.2, 57-39.5, 57-39.6 and 57-40.2 of the North Dakota Century Code.
2. The amount of the tax shall not exceed a quarter of one percent (0.25%) of the gross receipts and purchases which are taxed by the State of North Dakota pursuant to Chapters 57-39.2 and 57-40.2, of the North Dakota Century Code. Any patron or user paying said tax in excess of six and 25/100ths dollars (\$6.25) on any single transaction of one or more items may obtain a credit or refund of the excess tax at the time of purchase from the vendor or request a refund of the excess tax payment by filing a request for refund, as provided by the North Dakota Century Code, upon forms provided by the North Dakota State Tax Commissioner. The tax imposed shall be computed and collected in the same manner provided by law for the collection of the state sales, gross receipts and use tax as provided in Chapters 57-39.2, 57-39.5, 57-39.6 and 57-40.2 of the North Dakota Century Code. All references to the North Dakota Century Code include amendments adopted by the North Dakota Legislative Assembly.
3. A sales, use and gross receipts tax which is imposed pursuant to the authority granted herein shall extend for a period not exceeding twenty (20) years, said period to be established by the implementing ordinance.
4. Proceeds of a sales, use and gross receipts tax which is imposed pursuant to

the authority granted herein shall be utilized exclusively for costs associated with fire and police operations, fire and police equipment and fire and police buildings, said proceeds to be placed initially in a Fire and Police Operations, Equipment, and Buildings Fund of the City of Fargo which, together with interest and other authorized investment earnings, shall be utilized by the City of Fargo for such purposes. Proceeds from such tax may be used to make direct payment of the costs for such operations, equipment and buildings. Interest earnings, earnings from authorized investments, or both such interest and investment earnings, on such proceeds may also be utilized for such purposes. All such proceeds of a sales, use and gross receipts tax which is imposed pursuant to the authority granted herein shall be utilized for the purposes authorized herein as the governing body of the city may select.

BE IT FURTHER RESOLVED, By the Board of City Commissioners of the City of Fargo, North Dakota, that the question of whether to amend the City's Home Rule Charter to impose the sales, use, and gross receipts tax be presented to the voters of the City of Fargo at the November 5, 2024, election. The City Auditor is authorized to take necessary steps to place the matter on the ballot for November 5, 2024, and to work with the Cass County Auditor's office.

BE IT FURTHER RESOLVED, By the Board of City Commissioners of the City of Fargo, North Dakota, that this Resolution be published in the official newspaper for the City of Fargo (1) within thirty (30) days of the approval hereof or (2) prior to sixty (60) days prior to the next city election, whichever is earlier.

Mayor

Attest:

City Auditor

COMMISSIONER _____ introduced the foregoing resolution and moved its adoption. The motion for the adoption of the foregoing resolution was duly seconded by COMMISSIONER _____ and upon roll call vote, the following voted in favor thereof:

The following were absent and not voting

and the following voted against the same:

whereupon the resolution was declared duly passed and adopted.

(TO BE PUBLISHED ONCE IN THE FORUM AT LEAST SIXTY (60) DAYS PRIOR TO THE CITY ELECTION ON NOVEMBER 5, 2024, AND NO LATER THAN 30 DAYS FROM APPROVAL OF RESOLUTION: PUBLISH WEDNESDAY, AUGUST __, 2024)

CERTIFICATE OF CITY AUDITOR

The undersigned City Auditor of the City of Fargo DOES HEREBY CERTIFY that the foregoing pages constitute a true and correct copy of the resolution of the Board of Commissioners of the City of Fargo at an open public meeting at which a quorum was present, duly called and lawfully assembled at _____ o'clock __m. on the ___ day of _____ 2024, and as follows:

COMMISSIONER _____ introduced the foregoing resolution and moved its adoption. The motion for the adoption of the foregoing resolution was duly seconded by COMMISSIONER _____ and upon roll call vote, the following voted in favor thereof:

The following were absent and not voting:

and the following voted against the same:

whereupon the resolution was declared duly passed and adopted the _____ day of _____, 2024.

WITNESS my hand this ___ day of _____, 2024.

City Auditor

Steve Sprague



30a

August 5, 2024

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 4321 14 Ave N as submitted by Border Properties #1 LLC. 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 5 years.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$716 with the City of Fargo's share being \$123.

Sincerely,

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

Mike Splonskowski
City Assessor

lml
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 Border Properties #1, LLC Phone No. 701-478-3113

2. Address of Property 4321 14th Ave N

City FARGO State ND Zip Code 58102

3. Legal description of the property for which the exemption is being claimed. _____
 Lot: 4 Block: 10 INDUSTRIAL SUB NO 1 REPLAT S 150' LT 4 LESS THE E 80' BLK 10 **9/20/99 SPL FRM 01 -1410-00429-000

4. Parcel Number 01-1410-00431-000 Residential Commercial Central Business District

5. Mailing Address of Property Owner 4321 14th Ave N

City Fargo State ND Zip Code 58102

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 Of Office Area

7. Building Permit No. 2112-0116-REN 8. Year Built 1994

9. Date of Commencement of making the improvement 12-7-21

10. Estimated market value of property before improvement \$ 750,000

11. Cost of making the improvement (all labor, material and overhead) \$ 267,000

12. Estimated market value of property after improvement \$ 1,017,000

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 David Bartell Date 7-10-24

Assessor's Determination

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

Assessor's Signature [Signature] Date 8-6-2024

Action of Governing Body

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

Approval subject to the following conditions: _____

Chairman of Governing Body _____ Date _____



306

July 30, 2024

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 1909 8 St N as submitted by Samantha Smestad and Ryan Thompson. 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 5 years.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$141 with the City of Fargo's share being \$24.

Sincerely,

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

Mike Splonskowski
City Assessor

nlb
attachment

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

N.D.C.C. ch. 57-02-2

(File with the city assessor or county director of tax equalization)

Property Identification

- 1. Legal Description of the property for which exemption is claimed Lot 17, Block 2, Peter Sway 1st
- 2. Address of Property 1909 8 ST N FARGO, ND. 58102
- 3. Parcel Number 01-3020-00460-000
- 4. Name of Property Owner SMESTAD, SAMANTHA & THOMPSON, RYA Phone No. 701-729-1179
- 5. Mailing Address of Property Owner 1909 8 ST N FARGO, ND. 58102

Description Of Improvements For Exemption

- 6. Describe type of renovating, remodeling, alteration or addition made to the building for which exemption is claimed (attach additional sheets if necessary). New Siding
- 7. Building permit No. 23110219 8. Year built (residential property) 1954
- 9. Date of commencement of making the improvements 06/01/2024
- 10. Estimated market value of property before the improvements \$ 226,300
- 11. Cost of making the improvement (all labor, material and overhead) \$ 27,000.00
- 12. Estimated market value of property after the improvements \$ 253,900

Applicant's Certification And Signature

- 13. I certify that the information contained in this application is correct to the best of my knowledge.
Applicant [Signature] Date 7/22/2024

Assessor's Determination And Signature

- 14. The assessor/county director of tax equalization finds that the improvements described in this application do not meet the qualifications for exemption for the following reason(s):
[Blank]
Assessor/Director of Tax Equalization [Signature] Date 8-6-2024

Action Of Governing Body

- 15. Action taken on this application by the governing board of the county or city: Approved Denied
- Approval is subject to the following conditions: [Blank]
- Exemption is allowed for years 20 __, 20 __, 20 __, 20 __, 20 __.
- Chairperson [Blank] Date [Blank]



300

July 30, 2024

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 1542 8 St N as submitted by Joe Boulger. 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 5 years.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$423 with the City of Fargo's share being \$72.

Sincerely,

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

Mike Splonskowski
City Assessor

nlb
attachment

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

N.D.C.C. ch. 57-02.2

(File with the city assessor or county director of tax equalization)

Property Identification

1. Legal description of the property for which exemption is claimed Addition Name: Chandlers Broadway;
Block: 3; Lot: 11

2. Address of Property 1542 8th St. N

3. Parcel Number 01-0380-00570-000

4. Name of Property Owner Joseph Boulger Phone No. 701-630-5745

5. Mailing Address of Property Owner 1542 8th St. N

Description Of Improvements For Exemption

6. Describe type of renovating, remodeling, alteration or addition made to the building for which exemption is claimed (attach additional sheets if necessary). Updating electrical, new insulation in walls, spray foam on roof deck, new sheetrock, new flooring, new kitchen, and new bathroom (main floor).

7. Building permit No. 2401-0515-REN 8. Year built (residential property) 1946

9. Date of commencement of making the improvements 02/06/2024

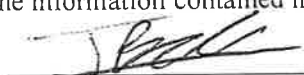
10. Estimated market value of property before the improvements \$ 167,100.00

11. Cost of making the improvement (all labor, material and overhead) \$ 65,000.00

12. Estimated market value of property after the improvements \$ 198,800


Applicant's Certification And Signature

13. I certify that the information contained in this application is correct to the best of my knowledge.

Applicant  Date 06/25/2024

Assessor's Determination And Signature

14. The assessor/county director of tax equalization finds that the improvements described in this application do do not meet the qualifications for exemption for the following reason(s): _____

Assessor/Director of Tax Equalization  Date 8-6-2024

Action Of Governing Body

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

Approval is subject to the following conditions: _____

Exemption is allowed for years 20 __, 20 __, 20 __, 20 __, 20 __.

Chairperson _____ Date _____



300d

July 23, 2024

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 1621 8 Ave S as submitted by Preston Nesemeier. 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 5 years.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$121 with the City of Fargo's share being \$21.

Sincerely,

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

Mike Splonskowski
City Assessor

nlb
attachment

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

N.D.C.C. ch. 57-02-2

(File with the city assessor or county director of tax equalization)

Property Identification

1. Legal Description of the property for which exemption is claimed Lot 9, Block 3, Darlings 2nd

2. Address of Property 1621 8 AVE S FARGO, ND. 58103

3. Parcel Number 01-0560-00580-000

4. Name of Property Owner NESEMEIER, PRESTON Phone No. 701-306-9804

5. Mailing Address of Property Owner 1621 8 AVE S FARGO, ND. 58103

Description Of Improvements For Exemption

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

7. Building permit No. 24040207 8. Year built (residential property) 1929

9. Date of commencement of making the improvements 5/20/24

10. Estimated market value of property before the improvements \$ 191,400

11. Cost of making the improvement (all labor, material and overhead) \$ ~\$10,000

12. Estimated market value of property after the improvements \$ _____

Applicant's Certification And Signature

13. I certify that the information contained in this application is correct to the best of my knowledge.

Applicant [Signature] Date 7-23-24

Assessor's Determination And Signature

14. The assessor/county director of tax equalization finds that the improvements described in this application do do not meet the qualifications for exemption for the following reason(s): _____

Assessor/Director of Tax Equalization [Signature] Date 8-6-2024

Action Of Governing Body

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

Approval is subject to the following conditions: _____

Exemption is allowed for years 20____, 20____, 20____, 20____, 20____.

Chairperson _____ Date _____



30e

July 30, 2024

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 901 11 Ave N as submitted by Michael Shirk/Heath. 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 5 years.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$287 with the City of Fargo's share being \$49.

Sincerely,

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

Mike Splonskowski
City Assessor

nlb
attachment

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

N.D.C.C. ch. 57-02.2

(File with the city assessor or county director of tax equalization)

Property Identification

1. Legal description of the property for which exemption is claimed 0440 Chapins-Block A, Lot 11

2. Address of Property 901 11 Ave N

3. Parcel Number 01-0440-00710-000

4. Name of Property Owner Michael Shirk/Heath Phone No. 701-730-0711

5. Mailing Address of Property Owner 901 11 Ave N Fargo, ND 58102

Description Of Improvements For Exemption

6. Describe type of renovating, remodeling, alteration or addition made to the building for which exemption is claimed (attach additional sheets if necessary). Shingles, Insulation, Siding and Windows, Boiler - High efficiency 95%

7. Building permit No. _____ 8. Year built (residential property) 1905

9. Date of commencement of making the improvements _____

10. Estimated market value of property before the improvements \$ 216,700.00

11. Cost of making the improvement (all labor, material and overhead) \$ 69,000.00

12. Estimated market value of property after the improvements \$ 238,200.00

Applicant's Certification And Signature

13. I certify that the information contained in this application is correct to the best of my knowledge.

Applicant Michael Shirk Date 7-24-2024

Assessor's Determination And Signature

14. The assessor/county director of tax equalization finds that the improvements described in this application do do not meet the qualifications for exemption for the following reason(s): _____

Assessor/Director of Tax Equalization [Signature] Date 8-6-2024

Action Of Governing Body

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

Approval is subject to the following conditions: _____

Exemption is allowed for years 20____, 20____, 20____, 20____, 20____.

Chairperson _____ Date _____



July 17, 2024

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 4001 15 Ave N as submitted by KLH&J Land, LLC. 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 5 years.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$3,668 with the City of Fargo's share being \$624.

Sincerely,

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

Mike Splonskowski
City Assessor

nlb
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 KLH&J Land LLC Phone No. 701-282-9753

2. Address of Property 4001 15th Ave N
 City FARGO State ND Zip Code 58102

3. Legal description of the property for which the exemption is being claimed. Goldberg 2nd Block 4, Lot 1
REPLAT OF PT OF JACOB H GOLDBERG ADDN NO 2

4. Parcel Number 01-0992-000010-000 Residential Commercial Central Business District

5. Mailing Address of Property Owner 4001 15TH AVE N
 City FARGO State ND Zip Code 58102

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). Remodling and Updating of Existing Office Space

7. Building Permit No. 2402-0440-REN 8. Year Built 1979


9. Date of Commencement of making the improvement 3/1/2024

10. Estimated market value of property before improvement \$ 879,100⁻


11. Cost of making the improvement (all labor, material and overhead) \$ 274,800⁻

12. Estimated market value of property after improvement \$ 1,580,900⁻

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 7/8/24

Assessor's Determination

14. The local assessor finds that the improvements in this application has has not met the qualifications for exemption for the following reason(s):
 Assessor's Signature  Date 8-6-2024

Action of Governing Body

15. Action taken on this application by local governing board of the county or city: Denied Approved
 Approval subject to the following conditions: _____

 Chairman of Governing Body _____ Date _____



A handwritten number "3098" enclosed in a hand-drawn oval.

July 17, 2024

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 78 18 Ave N as submitted by Kristin Bode. 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 5 years.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$1,004 with the City of Fargo's share being \$171.

Sincerely,

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

Mike Splonskowski
City Assessor

nlb
attachment

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

N.D.C.C. ch. 57-02.2

(File with the city assessor or county director of tax equalization)

Property Identification

1. Legal description of the property for which exemption is claimed LOT 2) BLOCK 4 Additional info replat (7/18/1949 B-D P-30 + 81)

2. Address of Property 78 15th Avenue North, Fargo ND 58102

3. Parcel Number 01-1890-00700-000

4. Name of Property Owner Kristin Bode Phone No. 701-793-3158

5. Mailing Address of Property Owner Same as address of property: 78 15th Ave N, Fargo ND 58102

Description Of Improvements For Exemption

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

7. Building permit No. 2211-0647-ELE 8. Year built (residential property) 1952

9. Date of commencement of making the improvements 2023

10. Estimated market value of property before the improvements \$ 125,000

11. Cost of making the improvement (all labor, material and overhead) \$ 130,000

12. Estimated market value of property after the improvements \$ 255,000

Applicant's Certification And Signature

13. I certify that the information contained in this application is correct to the best of my knowledge.

Applicant Kristin Bode Date 7/6/2024

Assessor's Determination And Signature

14. The assessor/county director of tax equalization finds that the improvements described in this application do do not meet the qualifications for exemption for the following reason(s): _____

Assessor/Director of Tax Equalization Wade J. Szymanski Date 8-6-2024

Action Of Governing Body

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

Approval is subject to the following conditions: _____

Exemption is allowed for years 20____, 20____, 20____, 20____, 20____.

Chairperson _____ Date _____



A handwritten signature or initials "30k" enclosed within a hand-drawn circle.

July 17, 2024

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 520 21 Ave S as submitted by Mitchell and Kathleen Rumble. 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 5 years.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$562 with the City of Fargo's share being \$96.

Sincerely,

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

Mike Splonskowski
City Assessor

nlb
attachment

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

N.D.C.C. ch. 57-02-2

(File with the city assessor or county director of tax equalization)

Property Identification

1. Legal Description of the property for which exemption is claimed Lot 5, Block 1, Thoms

2. Address of Property 520 21 AVE S FARGO, ND. 58103

3. Parcel Number 01-3200-00050-000

4. Name of Property Owner RUMPLE, MITCHELL J & KATHLEEN Phone No. 701-793-3373

5. Mailing Address of Property Owner 520 21 AVE S FARGO, ND. 58103

Description Of Improvements For Exemption

6. Describe type of renovating, remodeling, alteration or addition made to the building for which exemption is claimed (attach additional sheets if necessary). Replace rafters/joists, truss system

7. Building permit No. 24020155 8. Year built (residential property) 1968

9. Date of commencement of making the improvements _____

10. Estimated market value of property before the improvements \$ 296,500

11. Cost of making the improvement (all labor, material and overhead) \$ 150,000

12. Estimated market value of property after the improvements \$ 446,500

Applicant's Certification And Signature

13. I certify that the information contained in this application is correct to the best of my knowledge.

Applicant Mitchell Rumble Date 7-16-24

Assessor's Determination And Signature

14. The assessor/county director of tax equalization finds that the improvements described in this application do do not meet the qualifications for exemption for the following reason(s): _____

Assessor/Director of Tax Equalization Steve Jankowski Date 8-6-2024

Action Of Governing Body

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

Approval is subject to the following conditions: _____

Exemption is allowed for years 20____, 20____, 20____, 20____, 20____.

Chairperson _____ Date _____



(31)

Memorandum

DATE: August 14, 2024
TO: Mayor and Board of City Commissioners
FROM: Shawn Ouradnik, Inspections Director
SUBJECT: Dangerous Building extension request at 909 4TH ST N, Fargo, ND 58102

Background:

The home and garage structures at 909 4TH ST N, Fargo, ND were declared “dangerous buildings” during the regular meeting of the City Commission on June 24, 2024. At that time, the property was in legal foreclosure proceedings with the mortgagee, Wilmington Savings Fund Society, FSB, (“Wilmington”). The foreclosure proceedings are completed, and Wilmington is the current legal owner of the property. Wilmington has requested a thirty (30) day extension from the August 23, 2024, demolition deadline set by the City Commission during the public hearing at its June 24, 2024, meeting. They requested this extension to evaluate the structures and determine if they are salvageable or if they will be demolished. The Inspections Department does anticipate further extension requests in the future and does not oppose this specific extension request. All previous Findings of Fact and Conclusions and Order will remain in full force and effect.

RECOMMENDED MOTION: To direct the City Attorney’s Office to amend the Findings of Fact, and Conclusions and Order to allow Wilmington Savings Fund Society, FSB a 30-day extension of time to September 23, 2024, to evaluate the dangerous buildings at 909 4TH ST N, Fargo and provide a plan moving forward that is sufficient in the opinion of the Building Official.