

FARGO PLANNING COMMISSION AGENDA  
Tuesday, December 7, 2021 at 3:00 p.m.

A: Approve Order of Agenda

B: Minutes: Regular Meeting of November 2, 2021

C: Brown Bag Luncheon - None

D: Public Hearing Items:

1. Continued hearing on an application requesting a Zoning Change from LC, Limited Commercial with a C-O, Conditional Overlay to MR-3, Multi-Dwelling Residential with a C-O, Conditional Overlay on Lot 2, Block 2, **Urban Plains by Brandt Second Addition**. (Located at 5100 28th Avenue South) (Urban Plains Land Company, LLC/Tim Gleason) (me)

E: Other Items:

1. Review of Renewal Plan for Kmart site on University
2. Review of Renewal Plan for J Street Redevelopment

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People with disabilities who plan to attend the meeting and need special accommodations should contact the Planning Office at 701.241.1474. Please contact us at least 48 hours before the meeting to give our staff adequate time to make arrangements.

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**BOARD OF PLANNING COMMISSIONERS  
MINUTES**

**Regular Meeting:**

**Tuesday, November 2, 2021**

The Regular Meeting of the Board of Planning Commissioners of the City of Fargo, North Dakota, was held in the Commission Chambers at City Hall at 3:00 p.m., Tuesday, November 2, 2021.

The Planning Commissioners present or absent were as follows:

Present: John Gunkelman, Rocky Schneider, Maranda Tasa, Jennifer Holtz, Dawn Morgan, Thomas Schmidt

Absent: Art Rosenberg, Scott Stofferahn

Chair Schneider called the meeting to order.

**Business Items:**

**Item A: Approve Order of Agenda**

Chair Schneider noted that Item 1 has been withdrawn.

New Planning Commission Member Thomas Schmidt was welcomed, outgoing Planning Coordinator Aaron Nelson was thanked for his years of service, and Planning Coordinator Maegin Elshaug was welcomed back.

Member Tasa moved the Order of Agenda be approved as presented. Second by Member Gunkelman. All Members present voted aye and the motion was declared carried.

**Item B: Minutes: Regular Meeting of October 5, 2021**

Member Morgan moved the minutes of the October 5, 2021 Planning Commission meeting be approved. Second by Member Holtz. All Members present voted aye and the motion was declared carried.

**Item C: November 17, 2021 Brown Bag Luncheon: CANCELLED**

**Item D: Public Hearing Items**

**Item 1: Dakota Air Parts Addition**

Continued hearing on an application requesting a Plat of Dakota Air Parts Addition (Major Subdivision) a replat of Lots 1-3, Block 1, DDK Addition to the City of Fargo, Cass County, North Dakota. (Located at 3910 and 4020 25th Street North; 2505 39 ½ Avenue North) (MACO Leasing, Inc./Nate Vollmuth):  
**WITHDRAWN**

A hearing had been set for July 6, 2021. At the July 6, 2021 meeting, the Hearing was continued to August 3, 2021. At the August 3, 2021 meeting, the Hearing was continued to September 9, 2021. At the September 9, 2021 meeting the Hearing was continued to this date and time; however, the applicant has requested this item be withdrawn.

**Item 2: Golden Valley Sixth Addition**

**2a. Hearing on an application requesting a Zoning Change from AG, Agricultural to SR-4, Single-Dwelling Residential on the proposed Golden Valley Sixth Addition. (Located at 2800 67th Avenue South) (Ryland Development Corp./EagleRidge Development): APPROVED**

**2b. Hearing on an application requesting a Plat of Golden Valley Sixth Addition (Major Subdivision) a plat of part of the Northeast Quarter of Section 11, Township 138 North, Range 49 West to the City of Fargo, Cass County, North Dakota. (Located at 2800 67th Avenue South) (Ryland Development Corp./EagleRidge Development): APPROVED**

Planning Coordinator Donald Kress presented the staff report stating all approval criteria have been met and staff is recommending approval.

Discussion was held on the plat.

Member Holtz moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed 1) Zone Change from AG, Agricultural to SR-4, Single-Dwelling Residential and 2) Subdivision Plat Golden Valley Sixth Addition as outlined within the staff report, as the proposal complies with the GO2030 Fargo Comprehensive Plan, the 2007 Growth Plan, the Standards of Article 20-06 and Section 20-0906.F (1-4) of the Land Development Code, and all applicable requirements of the Land Development Code. Second by Member Morgan. On call of the roll Members Gunkelman, Holtz, Morgan, Schmidt, Tasa, and Schneider voted aye. Absent and not voting: Members Stofferahn and Rosenberg. The motion was declared carried.

**Item 3: Crossroads Corporate Center Addition**

**Hearing on an application requesting a Plat of Crossroads Corporate Center Addition (Major Subdivision) a plat of the Northeast Quarter of Section 22, Township 139 North, Range 49 West to the City of Fargo, Cass County, North Dakota. (Located at 4001 and 4155 23rd Avenue South) (Scheels All Sports, Inc./Houston Engineering): APPROVED**

Mr. Kress presented the staff report stating all approval criteria have been met and staff is recommending approval.

Member Gunkelman moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed Subdivision Plat Crossroads Corporate Center Addition as outlined within the staff report, as the proposal complies with the 2003 Southwest Future Land Use Plan, the Standards of Article 20-06 and Section 20-0907.C of the Land Development Code, and all other

applicable requirements of the Land Development Code. Second by Member Tasa. On call of the roll Members Morgan, Schmidt, Holtz, Gunkelman, Tasa, and Schneider voted aye. Absent and not voting: Members Stofferahn and Rosenberg. The motion was declared carried.

**Item 4: Urban Plains by Brandt Second Addition  
Hearing on an application requesting a Zoning Change from LC, Limited Commercial with a C-O, Conditional Overlay to MR-3, Multi-Dwelling Residential with a C-O, Conditional Overlay on Lot 2, Block 2, Urban Plains by Brandt Second Addition. (Located at 5100 28th Avenue South) (Urban Plains Land Company, LLC/Tim Gleason): CONTINUED TO DECEMBER 7, 2021**

Planning Coordinator Maegin Elshaug presented the staff report stating all approval criteria have been met and staff is recommending approval.

Discussion was held on the C-O, Conditional Overlay modification, and the original plans proposed for the Urban Plains area.

Planning and Development Director Nicole Crutchfield spoke on the history of Urban Plains and the 51st Street corridor, and setting the tone of development for the surrounding area.

City Engineer Brenda Derrig, spoke on behalf of the Engineering Department.

Discussion continued on the features of the corridor, what the C-O, Conditional Overlay would allow, the changing climate of development, and the future of development in the area.

Applicant Representative Austin Morris, Enclave Development, spoke on behalf of the application.

Further discussion was held on long-term planning and the public trust factor in the changing plan.

At 4:03 p.m., the Board took a five-minute recess.

After recess: All Members present except Members Rosenberg and Stofferahn. Chair Schneider presiding.

Mr. Morris continued his presentation, clarifying parking and the proposed site plan.

Ms. Elshaug clarified elements of the application and what is being proposed.

Member Gunkelman moved the findings and recommendations of staff be accepted and conditional approval be recommended to the City Commission of the proposed Zone Change from LC, Limited Commercial with a C-O, Conditional Overlay, to MR-3, Multi-Dwelling Residential with a revised C-O, Conditional Overlay on Lot 2, Block 2, Urban

Plains by Brandt Second Addition as outlined within the staff report, as the proposal complies with the Standards of Section 20-0906.F (1-4) of the Land Development Code, and all other applicable requirements of the Land Development Code.

The motion died for lack of a second.

Member Morgan moved to table the item. Second by Member Holtz.

Discussion was held regarding what the Board is looking for to provide direction to staff.

Member Morgan moved to amend the motion to continue the item to the December 7, 2021 Planning Commission meeting. Second by Member Holtz.

Assistant City Attorney Alissa Farol spoke on behalf of the City Attorney's office.

On call of the roll Members Schmidt, Holtz, Morgan, and Schneider voted aye. Members Gunkelman and Tasa voted nay. Absent and not voting: Members Stofferahn and Rosenberg. The motion was declared carried.

**Item 5: Timber Parkway Seventh Addition**

**Hearing on an application requesting a Plat of Timber Parkway Seventh Addition (Minor Subdivision) a replat of Lot 1, Block 1, Timber Parkway Fifth Addition to the City of Fargo, Cass County, North Dakota. (Located at 5056 Charles Way South) (PLC Investments, LLC/Christianson Companies): APPROVED**

Mr. Kress presented the staff report stating all approval criteria have been met and staff is recommending approval.

Member Tasa moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed Subdivision Plat Timber Parkway Seventh Addition as outlined within the staff report as the proposal complies with the Standards of Article 20-06 of the Land Development Code, and all other applicable requirements of the Land Development Code. Second by Member Holtz. On call of the roll Members Schmidt, Morgan, Tasa, Gunkelman, Holtz, and Schneider voted aye. Absent and not voting: Members Stofferahn and Rosenberg. The motion was declared carried.

**Item 6: Fayland Industrial First Addition**

**Hearing on an application requesting a Zoning Change from GI, General Industrial to LI, Limited Industrial on Lot 3, Block 2, Fayland Industrial First Addition. (Located at 1217 46th Street North) (Fay Land Partners, LLP/Nate Vollmuth): APPROVED**

Mr. Kress presented the staff report stating all approval criteria have been met and staff is recommending approval.

Member Gunkelman moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed Zone Change from

GI, General Industrial to LI, Limited Industrial on Lot 3, Block 2, Fayland Industrial First Addition as outlined within the staff report, as the proposal complies with the Standards of Section 20-0906.F (1-4) of the Land Development Code, and all other applicable requirements of the Land Development Code. Second by Member Schmidt. On call of the roll Members Gunkelman, Holtz, Morgan, Tasa, Schmidt, and Schneider voted aye. Absent and not voting: Members Stofferahn and Rosenberg. The motion was declared carried.

**Item E: Other Items**

**Item 1: Discussion of Core Neighborhoods and Growth in the Extra-Territorial Jurisdiction presentation.**

Chair Schneider shared that a presentation was given to City Commissioners on October 20, 2021 regarding the Core Neighborhoods and growth in the extra-territorial jurisdiction. He noted an email link for the presentation was sent out to Planning Commissioners to review.

Ms. Crutchfield spoke on behalf of the Planning Department, sharing the importance of having discussions on how to maximize the use of the land that is left to use in the City.

Discussion was held on the importance of Growth Plans, accommodating for growth in the City and metro area as a whole, and having a plan for growth management.

City Commissioner Arlette Preston spoke on the importance of the Core Neighborhoods Plan, the impact of growth, and sustainability.

Discussion continued on the importance of setting expectations, understanding what it costs to support infrastructure, guiding growth, and implementing the process.

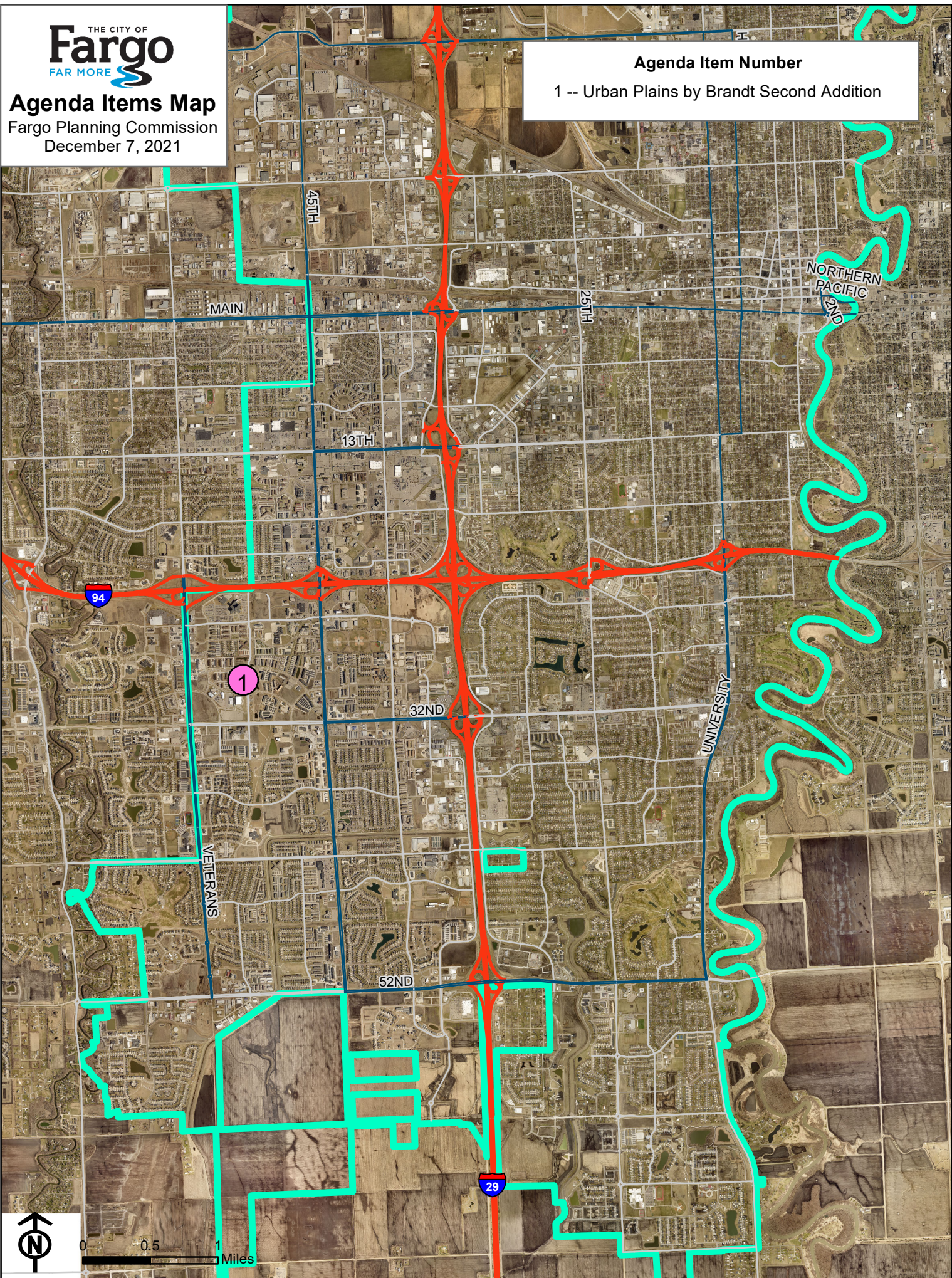
Ms. Derrig spoke on behalf of the Engineering Department.

Ms. Farol provided clarification on tabling versus continuing an agenda item.

Member Morgan moved to adjourn the meeting. Second by Member Holtz. All Members present voted aye and the motion was declared carried.

The time at adjournment was 5:12 p.m.

**Agenda Item Number**  
1 -- Urban Plains by Brandt Second Addition



<b>City of Fargo Staff Report</b>			
<b>Title:</b>	Urban Plains by Brandt Second Addition.	<b>Date:</b>	10/27/2021
		<b>Update:</b>	12/2/2021
<b>Location:</b>	5100 28 <sup>th</sup> Avenue South	<b>Staff Contact:</b>	Maegin Elshaug
<b>Legal Description:</b>	Lot 2, Block 2, Urban Plains by Brandt Second Addition		
<b>Owner(s)/Applicant:</b>	Urban Plains Land Company, LLC/ Enclave Companies (Tim Gleason)	<b>Engineer:</b>	N/A
<b>Entitlements Requested:</b>	<b>Zone Change</b> from LC, Limited Commercial with a C-O, Conditional Overlay to MR-3, Multi-Dwelling Residential with a C-O, Conditional Overlay		
<b>Status:</b>	Planning Commission Public Hearing: December 7 <sup>th</sup> , 2021		

<b>Existing</b>	<b>Proposed</b>
<b>Land Use:</b> Undeveloped	<b>Land Use:</b> Multi-Dwelling Residential (apartment building)
<b>Zoning:</b> LC, Limited Commercial with C-O, Conditional Overlay	<b>Zoning:</b> MR-3, Multi-Dwelling Residential with C-O, Conditional Overlay
<b>Uses Allowed:</b> LC allows colleges, community service, daycare centers of unlimited size, health care facilities, parks and open space, religious institutions, safety services, offices, off premise advertising signs, commercial parking, retail sales and service, <del>self service storage, vehicle repair, limited vehicle service.</del>	<b>Uses Allowed:</b> MR-3, Multi-Dwelling allows detached houses, attached houses, duplexes, multi-dwelling structures, daycare centers up to 12 children or adults, group living, parks and open space, religious institutions, safety services, schools, and basic utilities.
With C-O, Conditional Overlay	With C-O, with Conditional Overlay
<b>Maximum Lot Coverage Allowed:</b> 55% building coverage	<b>Maximum Lot Coverage:</b> 24 units per acre

**Proposal:**

*Note: This project was heard at the November 2nd, 2021 Planning Commission meeting and continued to the December 7<sup>th</sup>, 2021 Planning Commission meeting.*

The applicant requests one entitlement:

1. A zoning change from LC, Limited Commercial with a C-O, Conditional Overlay to MR-3, Multi-Dwelling Residential with a modified C-O, Conditional Overlay.

The applicant is requesting the zoning change in order to construct an apartment building on the property. The subject property has a conditional overlay, Ordinance 5103. Staff suggests modification of the conditional overlay in order to accommodate the setback and interface with 51<sup>st</sup> Street South, since the road was designed with public amenities to facilitate a different end land use design.

History of entitlements and background:

In 2003 as part of the Southwest Area Plan, a master plan was created and established for the Urban Plains Development. This master plan and ordinances set forth a mixed use development pattern to encourage buildings closer to the street with parking behind, to reinforce destination and entertainment development for a live-work-entertainment center. The master plan of Urban Plains was modified in 2013. At that time, there was an increase in multi-family development proposals and a change in road layout



patterns to accommodate more suburban vehicular oriented development. Remaining consistent between both plans was the plan for mixed-use commercial and residential with a focus on heavy pedestrian and regional park focus along 51<sup>st</sup> Street South. The right-of-way included pedestrian and on-street parking amenities unique to anywhere else in the southwest area of the City. These land uses and public amenities were to support the destination-oriented development surrounding the Scheels Arena. With this application, staff has requested an updated master plan for review.

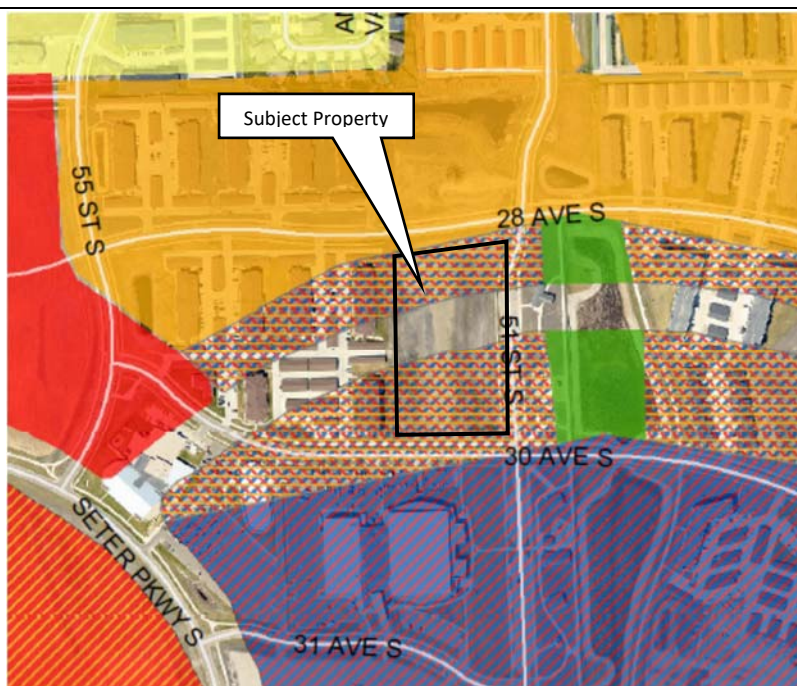
More coordination needs to occur between the development team and city staff on behalf of the overall master plan for the undeveloped portions of Urban Plains; meanwhile, the applicant seeks to proceed with an apartment project that has an urban and modern feel and serves a market need not addressed in other housing projects within Urban Plains development.

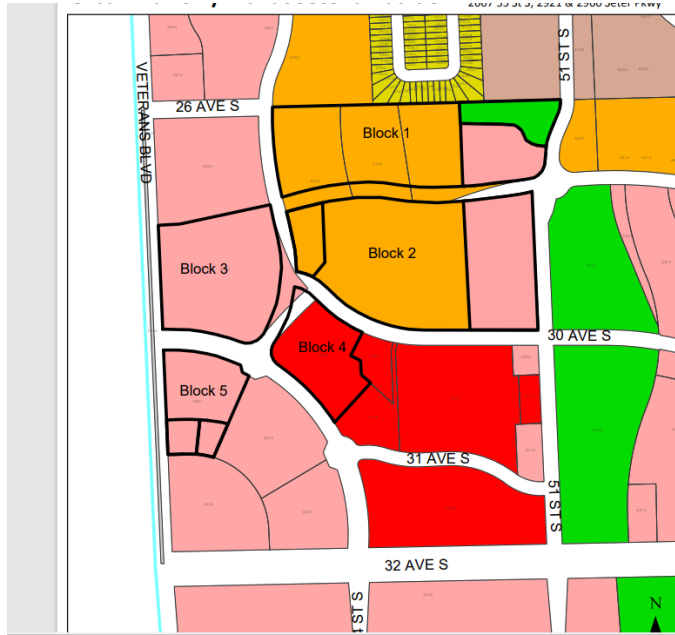
**Surrounding Land Uses and Zoning Districts:**

- North: Across 28<sup>th</sup> Avenue South is MR-3 with C-O, with undeveloped property;
- East: Across 51<sup>st</sup> Street South is P/I, Public & Institutional, with park use;
- South: Across 30<sup>th</sup> Avenue South is LC, with C-0 with undeveloped property and GC, General Commercial with C-O with Scheels Arena;
- West: MR-3 with C-O with multi-dwelling residential.

**Area Plans:** The subject property is located within the bounds of the 2003 Southwest Future Land Use Plan. This plan identifies Office or Commercial and Medium/High Density Residential land uses appropriate for this area.

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





In 2013, a revised conditional overlay and master plan was processed and approved to accommodate an updated development plan.

**Context:**

**Schools:** The subject property is located within the West Fargo School District and is served by Freedom Elementary, Liberty Middle and Sheyenne High schools.

**Neighborhood:** The subject property is located in the Urban Plains neighborhood.

**Parks:** Across 51<sup>st</sup> Street South is Urban Plains Park (3020 51<sup>st</sup> Street South), which includes amenities of playgrounds, trails, and shelters.

**Pedestrian / Bicycle:** A shared use path is located on the east side of 51<sup>st</sup> Avenue South, directly east of the subject property. The trail connects to the metro area trail system.

**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 zoning map error in regards to the subject property owner. The applicant is requesting to rezone the property in order to construct an apartment building. For the use to be allowed, the applicant is requesting the property to be rezoned to MR-3, Multi-Dwelling Residential. Staff recommends modifications to the existing C-O, Conditional Overlay to provide a more mixed-use building form originally intended in this area, by precluding parking abutting the public right-of-way along 51<sup>st</sup> Street South and to fully accommodate the pedestrian amenities. The draft C-O language proposes buildings along 51<sup>st</sup> Street South to be placed no further back than the required setback to better accommodate integration of the vehicular access to the west of the apartment development. In addition, the conditional overlay seeks new language to limit the placement of detached parking garages. In response to the Planning Commission discussion and discussion with staff, the applicant has provided the potential for convertible retail space on the east portion of the ground floor, adjacent to 51<sup>st</sup> Street South. With the conditional overlay changes and future master plan modifications to be reviewed by Planning and City Commission at the upcoming public hearing, staff can support the requested zone change. **(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. However, the site plan needs to accommodate the apartment development and may require modifications to public rights-of-way. Fire and Building Codes may have requirements as part of the site plan development permit level since this is a unique request. The site is served by public utilities. **(Criteria satisfied)**

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

Based on the master plan changes in 2013 and property owner concerns at that time, there may be concerns from property owners. Written notice of the proposal was sent to all property owners within 300 feet of the subject property. To date, Planning staff has not received any inquiries about the project and no letters of opposition. Staff is concerned (but has no evidence) that a change of land use at this location may detract from the importance of the 51<sup>st</sup> Street South corridor and attracting destination oriented land uses in proximity to Scheels Arena. Including the Conditional Overlay amendments may relieve this issue. **(Criteria satisfied)**

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

The purpose of the LDC is to implement Fargo's Comprehensive Plan in a way that will protect the general health, safety, and welfare of the citizens. The 2003 Southwest Future Land Use Plan identified the subject property as suitable for either medium to high-density residential with a combination of office or commercial development. At the time of the land use plan, integrated mixed-use was the market and economic focus of the plan in order to create a destination-oriented attractive area to mimic the conditions of a downtown urban center. Clearly the built environment has shifted from this plan, but staff believes the 51<sup>st</sup> Street South and the abutting land use vision along the corridor maintained elements of this master plan. By shifting this zoning, to be 100% multi-family with suburban development at this site, it could affect the market and attractiveness of the regional park and the future development surrounding the Scheels arena. However, since the original application, the applicant has provided the potential for retail on the ground floor adjacent to 51<sup>st</sup> Street South. To address some concerns of the interface with 51<sup>st</sup> Street South, City staff are requesting the attached Conditional Overlay language as part of this recommendation. **(Criteria satisfied)**

**Update 12/2/2021:** At the November 2, 2021 Planning Commission meeting, the Commission continued the item to the December 7, 2021 Planning Commission meeting. At the meeting, the applicant presented project information and vision for the development with an updated master plan. After discussing the project, the history of Urban Plains and original vision of a mixed-use, destination-oriented development, whether the original vision was still relevant, and how the project relates to the original vision, the Planning Commission continued the item to the December Planning Commission meeting.

Since the meeting, the applicant has indicated that they have a specific market of 55+ active adult. The applicant believes this will contribute to the community by providing unique amenities to a target market. The applicant's project narrative is attached and can provide additional information at the meeting.

In addition to the narrative, the applicant has provided an updated site plan and renderings, which are also attached. Updates to the site plan include: shifting the building east and removing the access drive and parking between the building and 51<sup>st</sup> Street South (as described in the draft conditional overlay) and other site circulation and parking changes; amenities at ground level between the building and 51<sup>st</sup> Street South; and providing convertible retail space on the east side of the ground floor parking. Also attached to the packet is the updated master plan the applicant shared during their presentation to the Planning Commission at the November meeting.

While the applicant made modifications to the site plan, and added amenities and the possibility of future retail along 51<sup>st</sup> Street South, staff is interested in any additional critical review or guidance from the Planning Commission on the proposal and original vision of Urban Plains.

**Staff Recommendation:**

Suggested Motion: “To accept the findings and recommendations of staff and recommended conditional approval to the City Commission of the proposed zone change from LC, Limited Commercial with a C-O, Conditional Overlay to MR-3, Multi-Dwelling Residential with revised C-O, Conditional Overlay on Lot 2, Block 2, Urban Plains by Brandt 2<sup>nd</sup> Addition, as the proposal complies with the standards of Section 20-0906.F (1-4) of the LDC and all other applicable requirements of the LDC.”

**Planning Commission Recommendation: December 7th, 2021**

**Attachments:**

1. Location Map
2. Zoning Map
3. Draft Conditional Overlay
4. Updated Preliminary Site Plan submitted by applicant
5. Updated Future Master Plan submitted by applicant
6. Updated Renderings of proposed development
7. Project narrative
8. Original drawing of 51<sup>st</sup> Street South corridor

# Zone Change (LC w/ CO to MR-3 w/ CO)

## Urban Plains by Brandt Second Addition

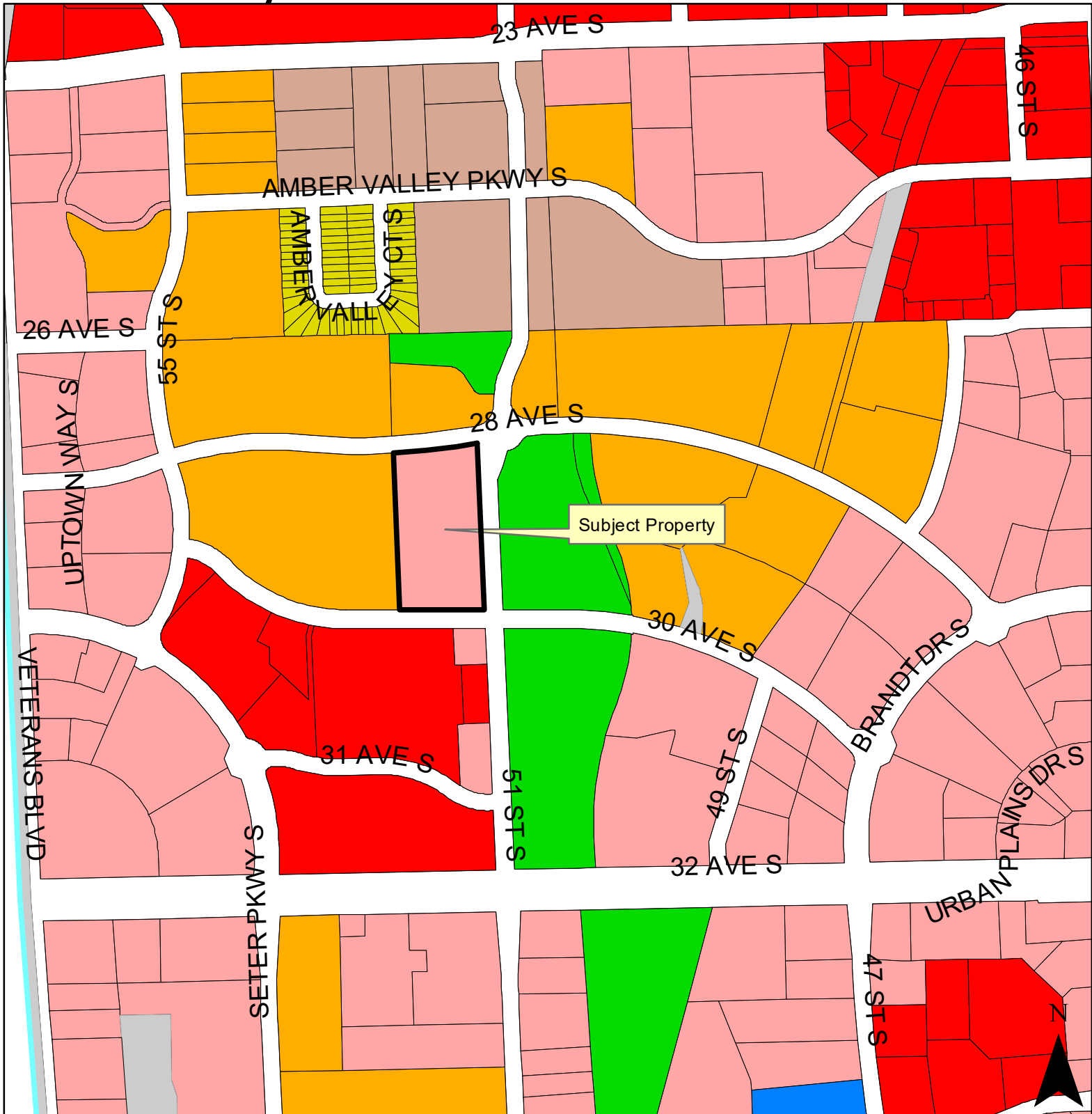
5100 28th Avenue S



# Zone Change (LC w/ CO to MR-3 w/ CO)

## Urban Plains by Brandt Second Addition

5100 28th Avenue S



**Legend**

AG	LC	MHP	SRS
GDMU	MR-1	NO	SRS-2
GFCU	MR-2	P/I	SRS-3
GO	MR-3	UMU	SRS-5
		City Limits	

300  
Feet

Fargo Planning Commission  
December 7, 2021

## DRAFT CONDITIONAL OVERLAY LANGUAGE FOR INTEGRATION INTO ZONING ORDINANCE

### 1) Description

This C-O, Conditional Overlay district is primarily intended to encourage high-quality, durable, and long-lasting investments in order to enhance the quality of life and discourage blight. To that end, it is intended that all properties be designed to a human scale and that buildings should have architectural interest and variety through the use of articulated façades. In order to avoid the effect of a single, long, or massive wall with no relation to human scale, it is intended that articulated façades should include elements such as setbacks, change in materials, roof pitch or height variability.

### 2) Building orientation, form, and style

#### 2.1 Building Orientation

- a) The apartment buildings shall include pedestrian orientation to 51<sup>st</sup> Street South.
- b) The building shall be designed to have all exterior walls with equal design consideration, to include materials, color, articulation and general aesthetics for the purpose of access and appreciation by the general public.

2.2 All building elevations/facades greater than 150 feet in length, measured horizontally from vertical edge to vertical edge, shall incorporate wall place projections or recesses. Each projection and/or recess shall have a depth of at least 2 feet, and the cumulative total horizontal width of all projections and/or recesses within a façade shall equate to at least an accumulated total of 20 percent of the overall horizontal length of the façade. No uninterrupted length of any façade shall exceed 150 horizontal feet. First level (ground floor) façade facing away from 51<sup>st</sup> Street South shall be excluded from the requirements of this section.

2.3 Ground floor non-parking facades that face public right-of-way shall have arcades, windows, entry areas, awnings, or other such features along no less than 60 percent of its horizontal length.

2.4 Ground floor parking facades that face public right-of-way other than 51st Street South shall have window or faux-window treatments or landscape amenities to aid in creating and promoting pedestrian activity.

2.5 Principle Materials – Unless otherwise deemed acceptable by the Zoning Administrator, all exterior walls shall be constructed or clad with natural stone, synthetic stone, brick, stucco, integrally-colored and textured concrete masonry units or systems, exterior insulation finishing systems (EIFS), fiber cement, integrated insulated metal panels curtain walls, or glass. All materials shall be commercial grade, durable, and have a multi-generational life span. Horizontal metal lap siding and vertical metal batten shall be allowed on residential structures but should not exceed 75% of the building

elevation.

2.6 Accent Materials – In conjunction with the principle materials listed above, the following accent materials may also be used to construct or clad exterior walls: finished wood, , and vinyl. Accent materials shall be applied to no greater than 10 percent of each building façade.

2.7 Dumpsters, refuse containers, and outdoor storage areas shall be located at the side or rear of buildings and shall be visually screened from adjacent public right-of-way by walls or fencing. Dumpsters and refuse containers shall contain walls or fencing on at least three sides with the service opening not directly facing any public right-of-way or residentially zoned property. The fourth side shall incorporate a gate to visually screen the dumpsters or refuse containers.

### 3) Site Design

3.1 Building must be situated towards the east along 51<sup>st</sup> Street South so that it is placed no further back than the required setback.

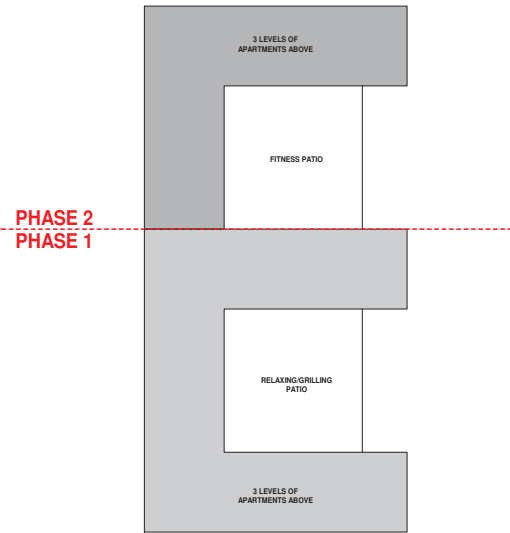
3.2 Accessory garages are prohibited with the exception of the Western 120 ft of the property provided that the accessory garages are not visible from 51<sup>st</sup> Street South and are screened with site amenities from the other Rights-of-Way

3.3 Visibility from public right of way shall be designed for the appreciation by the general public with the use of landscaping enhancements along the public right of way in order to encourage pedestrian activity on the public sidewalks and amongst adjacent sites.

3.4 Separate vehicular and pedestrian circulation systems shall be provided. An on-site system of pedestrian walkways shall be provided between building entrances and the following:

- i. Parking lots or parking structures
- ii. Any public sidewalk or multi-use path along the perimeter of the lot
- iii. Entrances of other buildings on the site
- iv. Any public sidewalk system along the perimeter streets adjacent to the development
- v. Adjacent pedestrian origins and destinations—including but not limited to transit stops, residential development, office buildings, and retail shopping buildings—where deemed practical and appropriate by the Zoning Administrator.





## TWO PHASE CONCEPT

3 OVER 1 PODIUM

PHASE 1 - APPROX. 115 UNITS

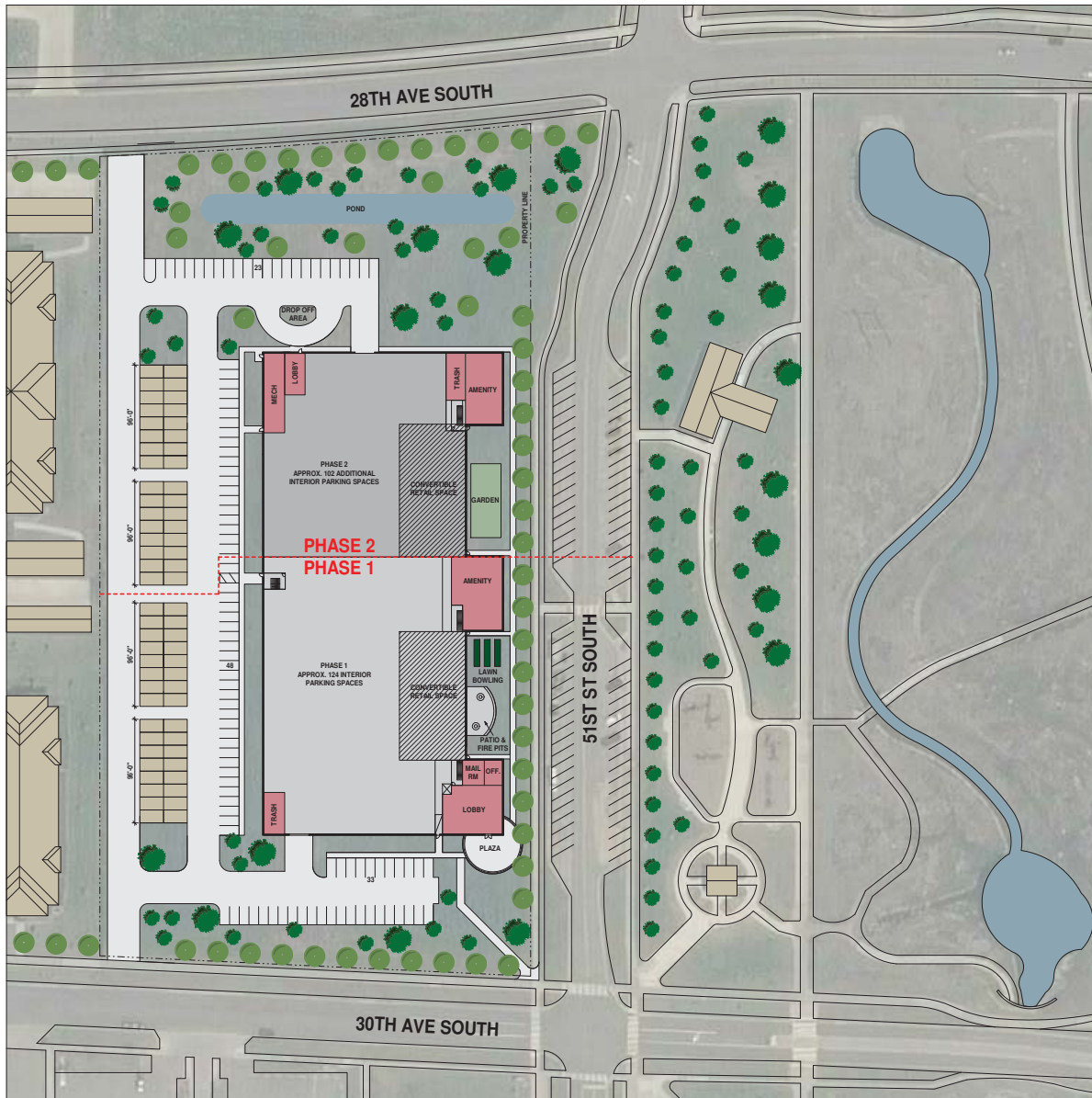
PHASE 2 - APPROX. 72 UNITS

TOTAL - 187 UNITS

1ST FLOOR PODIUM - 93,809 SF

DETACHED GARAGE - 16,896 SF (64 STALLS)

TOTAL - 110,705 SF (36.3%) MAX - 114,345 SF (37.5%)



GREENWAY

ENCLAVE DEVELOPMENT

FARGO, NORTH DAKOTA

11/24/21

© 2021 YHR PARTNERS, LTD.



ARCHITECTURE | PLANNING  
600 WEST AVENUE  
BISMARCK, ND 58501  
751.526.2222 | WWW.YHR.PARTNERS.COM



- OFFICE/RETAIL
- RETAIL/OFFICE/MIXED-USE
- BIG BOX/GROCERY
- HOUSING/MIXED-USE

↑  
1"=300'-0" N

**VETERANS BLVD MIXED-USE MASTER PLAN**  
FARGO, NORTH DAKOTA





Renderings by applicant



Renderings by applicant

## Project Narrative from Applicant

The project we are currently proposing is a 55+ active adult community. The Greenway will be a lifestyle-centered community that offers uptown style in a serene location. The Greenway will provide pedestrian connectivity between public walkways and park amenities. It will include +/-190 apartment homes that feature luxury finishes. The active adult nature of this community gives us the opportunity to provide lifestyle amenities in addition to our traditional amenities (fitness studio, bike room, secure package room, clubroom, pet wash, rooftop patio, ect.). These lifestyle communities include happy hours, fitness classes, outdoor barbeques, community garden space, tournaments, guest rooms, and other entertainment events/activities for the residents. The demographics of residents are typically 50/50 working vs. retirees. Adults that are downsizing from their home and looking for low maintenance homes or retirement has just begun.





**MEMORANDUM**

**TO:** Fargo Planning Commission

**FROM:** Jim Gilmour, Director of Strategic Planning and Research 

**DATE:** November 30, 2021

**SUBJECT:** Renewal Plan Review

City staff prepared a Renewal Plan for blighted property at 2301 South University Drive, which is the former location of a Kmart store. The plan is attached for your review.

The plan was prepared to be consistent with the City's comprehensive plan. Additionally, the plan aligns with the requirements and intent of the zoning amendments that were reviewed and recommended for approval by the Planning Commission. As part of the review process, the Renewal Plan is referred to the Planning Commission for recommendation as to its conformity with the Go2030 Comprehensive Plan.

Staff is requesting that the Planning Commission make a recommendation to the City Commission that this Renewal Plan is consistent with the Go2030 Comprehensive Plan of the City of Fargo.

**Recommended Motion:**

"...to recommend to the City Commission that the proposed Renewal Plan is consistent with the Go2030 Comprehensive Plan of the City of Fargo."

Attachment

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**RENEWAL PLAN**  
**TAX INCREMENT FINANCING DISTRICT NO. 2021-03**  
**CITY OF FARGO, NORTH DAKOTA**  
**NOVEMBER 2021**

---



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## RENEWAL PLAN FOR TAX INCREMENT DISTRICT NO. 2021-03

### Subsection 1.1. Definitions.

For the purposes of the Renewal Plan, the following terms shall have the meanings specified below, unless the context otherwise requires:

“City” means the City of Fargo, a municipal corporation under the laws of the State of North Dakota.

“City Commission” or “Commission” means the Fargo City Commission.

“Comprehensive Plan” means the City's GO 2030 Comprehensive Plan, including the objectives, policies, standards and programs to guide public and private land use, development, redevelopment and preservation for all lands and water within the City as and when such plan is adopted and finalized.

“County” means Cass County, North Dakota.

“Development” means the construction of new buildings, structures, or improvements; the demolition, alteration, remodeling, repair or reconstruction of existing buildings, structures or improvements; the acquisition of equipment; and the clearing and grading of land on industrial or commercial property in the Renewal Area.

“Renewal Area” means the property described in Subsection 1.4 of this Plan.

“Renewal Plan” or “Plan” means this Plan adopted by the Commission for the Renewal Area.

“State” means the State of North Dakota.

“Tax Increment Financing Act” or “TIF Act” means North Dakota Century Code, Section 40-58-20, as amended.

“Tax Increment Bonds” means any general obligation or revenue tax increment bonds or notes issued by the City to finance the public costs associated with the TIF District as stated in this Plan, or any obligations issued to refund the Tax Increment Bonds.

“Tax Increment Financing District” or “TIF District” means Tax Increment Financing District No. 2021-03.

“Urban Renewal Law” means North Dakota Century Code, Chapter 40-58.

### Subsection 1.2. Statutory Authority.

The creation of the Renewal Area and the establishment of Tax Increment Financing District No. 2021-03 are authorized by the Urban Renewal Law. Specifically the creation of the Renewal Area is authorized under North Dakota Century Code, Sections 40-58-01.1(7) and (14), which provide that the local governing body may designate industrial or commercial property, a slum or

blighted area, or combination of these properties as appropriate for a development or renewal project.

The Urban Renewal Law provides that communities develop a “workable program” for the use of public and private resources to facilitate the development of industrial or commercial properties, eliminate and prevent the development or spread of slums and urban blight, encourage needed urban rehabilitation, provide for the redevelopment of slum and blighted areas, or undertake these activities or other feasible municipal activities as may be suitably employed to achieve the objectives of the workable program. North Dakota Century Code, Section 40-58-04.

Subsection 1.3. Statement of Public Purpose

In adopting the Renewal Plan for TIF District No. 2021-03, the City Commission intends to make the following findings:

- (a) The Renewal Area includes a blighted area.

**Factual basis:** This Renewal Area is blighted due to the presence of a vacant building and deteriorated asphalt parking lot, which substantially impairs the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals or welfare in its present condition and use.

- (b) The Renewal Area includes vacant building, which previously was a commercial building with a Kmart as the tenant. The building has been vacant since the Kmart store closed.

**Factual basis:** The renewal area is considered blighted as described in (a) above. Blighted areas are eligible for renewal.

- (c) The Renewal Area is appropriate for a development or renewal project.

**Factual basis:** The renewal area was recently rezoned to allow for a mixed-use development that includes senior housing, retail space, restaurants and other commercial businesses.

- (d) The site is vacant and existing housing will not be affected.

**Factual basis:** No housing will be eliminated by this redevelopment. The redevelopment will include new housing units.

- (e) The Plan conforms to the Comprehensive Policy Plan for the City as a whole.

**Factual basis:** The proposed development is consistent with the goals that are embodied in the Go2030 Comprehensive Plan. Specifically, the Fargo Go2030 Comprehensive Plan supports infill and density within areas that are already developed, serviced with utilities, and protected by a flood resiliency strategy. The promotion of infill development is the number two ranked priority of Go2030.

The proposed use of the property is consistent with zoning, and may encourage additional redevelopment adjacent to the site. The proposed development will use existing infrastructure as the property is served with water and sewer main lines.

Subsection 1.4. Description of Renewal Area

The Renewal Area is located two miles south of the downtown on University Drive in close proximity to Interstate 94. The site is approximately eleven and a half acres as legally described in Appendix A. A map of the Renewal Area is attached as Appendix B.

A zoning map of the Renewal Area is attached as Appendix C. Adjacent land uses are commercial multi-family housing.

The proposed project will be multi-family housing for lower income seniors, retail space, restaurants and other commercial businesses.

The redevelopment plan is attached as Appendix E.

Subsection 1.5. Development, Demolition and Removal of Structures, Redevelopment or Improvements

The Development of the Renewal Area includes the following activities:

Building Demolition and Hazardous Material Removal – This estimate is for environmental cleanup and demolition. The estimate is \$1,400,000.

Public Works Improvements – This is the cost for needed improvements for infrastructure to serve the site, primarily new storm water facilities. The estimate is \$750,000.

Administrative/TIF Fees – Other Tax Increment costs include the administrative costs. There are estimated to be \$50,000 in administrative costs for the City of Fargo.

These costs represent estimated costs for planning purposes, and may be different when this plan is implemented with a development agreement. The development agreement costs will be determined after a review by City financial advisers. The maximum allowed costs will be specified in the development agreement. Based on the proposed development, the present value of TIF revenue is ~\$1.5 million

Subsection 1.6. Land Use Attributes – TIF District

- (a) *Zoning or Planning Changes.*  
The Renewal area was recently replatted into several lots. No additional zoning and planning changes are required to accommodate this project.
- (b) *Maximum Densities.*  
The property within the TIF District will be developed in accordance with the applicable zoning district requirements.

- (c) *Building Requirements.*  
All properties within this district are subject to the provisions of the City of Fargo Building Codes and the Land Development Code.
- (d) *Plan relationship to land use objectives (land uses, improved traffic, public transportation, public utilities, recreational and community facilities and other public imps.)*  
The physical improvements outlined in the plan meet critical needs required for the redevelopment of this property. The project complies with the General Commercial zoning district and the redevelopment goals of the Go2030 Comprehensive Plan. The development provides clears a largely vacant site and brings needed senior housing and commercial uses to this area of Fargo

Subsection 1.7. Estimate of Development Costs

The City anticipates development of the Renewal Area will involve certain public costs. Under North Dakota Century Code, Sections 40-58-20 and 40-58-20.1 allow the use of funds received from tax increments to be applied to certain specified costs. The City will provide for certain costs as listed below in a development agreement. The primary costs involved in the development are demolition and site cleanup, and public works improvements.

Demolition and Site Cleanup	\$1,300,000
Public Works Improvements	\$100,000
Administration	\$50,000
TOTAL	\$1,450,000

The City and Developer may also obtain reimbursement of interest between the time project costs are incurred and the date the Tax Increment Revenue Note is issued, such interest being capitalized and added to the foregoing costs.

Subsection 1.8. Estimate of Bonded Indebtedness

The City intends to finance certain costs of the Development through the issuance of a Tax Increment Financing Note to the Developer. In addition, the City may use general obligation bonds, special assessment warrants or refunding improvement bonds pursuant to North Dakota Century Code, Section 40-58-20 (9), and the City may specially assess all or a portion of the costs of development and apply funds received from tax increments to payment of the special assessments and other bonds.

Subsection 1.9. Tax Increment Financing.

The County Auditor is requested to compute, certify and remit tax increments resulting from the Development within the Renewal Area.

The original assessed value of the property within the Renewal Area, as last assessed and equalized before the base year of this Plan, is outlined on Attachment A.

Each year, the County Auditor will compute the amount of tax increment generated within the Renewal Area in accordance with the TIF Act. Any year in which there is an "incremental value" as provided in the TIF Act, an increment will be payable to the City and deposited in the fund created by the County Auditor for that purpose. Any year in which there is "lost value" pursuant to the TIF Act, no increment will be payable to the City.

Subsection 1.10. Estimate of Tax Increment.

It is anticipated the Development will result in an increase in true and full value of the Renewal Area redevelopment site to \$10.4 million. The value of the development site within the TIF district is ~\$3 million. The increase in value will be approximately \$7.4 million. Under the mill rate in effect as of the date of this Plan, the Renewal Area will generate tax increment each year in the estimated amount of \$104,000.

Subsection 1.11. Duration of the TIF District.

The City anticipates that the TIF District will continue until all development costs are reimbursed through the receipts of tax increment, or after a maximum of fifteen years after completion of the project. The first tax increment payment will be received in 2024.

**APPENDIX A**  
**LEGAL DESCRIPTION OF PROPERTY**



# Parcel Information Report

Parcel Number: 01-8796-00300-000

## General Information

Segment Id: 1  
 Owner 1: GROVE ENCLAVE LLC  
 Owner 2:  
 Property Address: 2301 UNIVERSITY DR S  
 Mailing Address: 300 23 AVE E STE 300 WEST FARGO, ND 58078  
 Addition Name: University South  
 Block: 1  
 Lot: 3

**Additional Description:**

1, LESS HWY R/W (2383 SF TAKEN IN 1994) \*9/28/2021 SPL/FRM 01-2210-00040-000 VIA NEW ADDITION PLAT #1646464. SPL#2021-094

**Estimated Flood Stage Levels For River Flooding:**

If your property is outside the city limits or your property and structure are not affected by a 25 to 44 foot flood stage data will be not available (N/A).

Property may be affected by an approximate flood stage of N/A or higher.  
 Structure may be affected by an approximate flood stage of N/A or higher.

Please note that this approximation does not take into account any local issues such as ice and debris jams or localized flooding from intense rainfall events.

## District Information

Cass School District: 1  
 Elem. School District: Lincoln

## Property Valuation

	Land	Improvements	Total
Current Appraised Value:	\$2,542,800.00	\$1,176,000.00	\$3,718,800.00

## Building Information

Year Built: 1963      No. of Apartment Units:  
 Total Building SqFt: 93175      Residential Story Height: ()

## Lot Size

Front Width:      Land Use: C (Commercial)  
 Back Width:      Property Type: 72 (Retail)  
 Depth Side 1:  
 Depth Side 2:      Square Footage: 423530.00

DISCLAIMER: The City of Fargo provides property information to the public "as is" without warranty of any kind, expressed or implied. Assessed values are subject to change by the City of Fargo. In no event will the City of Fargo be liable to anyone for damages arising from the use of the property data. You assume responsibility for the selection of data to achieve your intended results, and for the installation and use of the results obtained from the property data.

Assessment records are for the sole purpose of identifying the land being taxed. In some cases to attain efficiency, Assessment Department legal descriptions may be shortened yet will retain sufficient information to identify the land. Since tax statements and records are not deeds and may contain abbreviated descriptions, they should not be used as a basis for a survey or a legal document and should not be used by surveyors or others as the primary source of a property description.





# Parcel Information Report

Parcel Number: 01-8796-00300-000

## General Information

Segment Id: 2  
 Owner 1: GROVE ENCLAVE LLC  
 Owner 2:  
 Property Address: 2253 UNIVERSITY DR S  
 Mailing Address: 300 23 AVE E STE 300 WEST FARGO, ND 58078  
 Addition Name: University South  
 Block: 1  
 Lot: 3

**Additional Description:**

1, LESS HWY R/W (2383 SF TAKEN IN 1994) \*9/28/2021 SPL/FRM 01-2210-00040-000 VIA NEW ADDITION PLAT #1646464. SPL#2021-094

**Estimated Flood Stage Levels For River Flooding:**

If your property is outside the city limits or your property and structure are not affected by a 25 to 44 foot flood stage data will be not available (N/A).

Property may be affected by an approximate flood stage of N/A or higher.  
 Structure may be affected by an approximate flood stage of N/A or higher.

Please note that this approximation does not take into account any local issues such as ice and debris jams or localized flooding from intense rainfall events.

## District Information

Cass School District: 1  
 Elem. School District: Lincoln

## Property Valuation

	Land	Improvements	Total
Current Appraised Value:	\$0.00	\$979,600.00	\$979,600.00

## Building Information

Year Built: 1976      No. of Apartment Units:  
 Total Building SqFt: 4757      Residential Story Height: ()

## Lot Size

Front Width:      Land Use: C (Commercial)  
 Back Width:      Property Type: 71 (Food Service (Quick))  
 Depth Side 1:  
 Depth Side 2:      Square Footage: #Error

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# Parcel Information Report

Parcel Number: 01-8796-00100-000

## General Information

Segment Id: 1  
 Owner 1: GROVE ENCLAVE LLC  
 Owner 2:  
 Property Address: 1345 25 AVE S  
 Mailing Address: 300 23 AVE E STE 300 WEST FARGO, ND 580478  
 Addition Name: University South  
 Block: 1  
 Lot: 1

**Additional Description:**

1, LESS HWY R/W (2383 SF TAKEN IN 1994) \*9/28/2021 SPL/FRM 01-2210-00040-000 VIA NEW ADDITION PLAT #1646464. SPL#2021-094

**Estimated Flood Stage Levels For River Flooding:**

If your property is outside the city limits or your property and structure are not affected by a 25 to 44 foot flood stage data will be not available (N/A).

Property may be affected by an approximate flood stage of N/A or higher.

Structure may be affected by an approximate flood stage of N/A or higher.

Please note that this approximation does not take into account any local issues such as ice and debris jams or localized flooding from intense rainfall events.

## District Information

Cass School District: 1  
 Elem. School District: Lincoln

## Property Valuation

	Land	Improvements	Total
Current Appraised Value:	\$270,900.00	\$0.00	\$270,900.00

## Building Information

Year Built: No. of Apartment Units:  
 Total Building SqFt: N/A Residential Story Height: ()

## Lot Size

Front Width: 326.85 Land Use: C (Commercial)  
 Back Width: 319.75 Property Type: 95 (Address Segment)  
 Depth Side 1: 148.66  
 Depth Side 2: 108.54 Square Footage: 45116.00

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# Parcel Information Report

Parcel Number: 01-8796-00200-000

## General Information

Segment Id: 1  
Owner 1: GROVE ENCLAVE LLC  
Owner 2:  
Property Address: 1381 25 AVE S  
Mailing Address: 300 23 AVE E STE 300 WEST FARGO, ND 58078  
Addition Name: University South  
Block: 1  
Lot: 2

### Additional Description:

1, LESS HWY R/W (2383 SF TAKEN IN 1994) \*9/28/2021 SPL/FRM 01-2210-00040-000 VIA NEW ADDITION PLAT #1646464. SPL#2021-094

### Estimated Flood Stage Levels For River Flooding:

If your property is outside the city limits or your property and structure are not affected by a 25 to 44 foot flood stage data will be not available (N/A).

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Structure may be affected by an approximate flood stage of N/A or higher.

Please note that this approximation does not take into account any local issues such as ice and debris jams or localized flooding from intense rainfall events.

## District Information

Cass School District: 1  
Elem. School District: Lincoln

## Property Valuation

	Land	Improvements	Total
Current Appraised Value:	\$246,300.00	\$0.00	\$246,300.00

## Building Information

Year Built: No. of Apartment Units:  
Total Building SqFt: N/A Residential Story Height: ()

## Lot Size

Front Width: 275.79 Land Use: C (Commercial)  
Back Width: 275.79 Property Type: 95 (Address Segment)  
Depth Side 1: 148.76  
Depth Side 2: 148.66 Square Footage: 41000.00

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**APPENDIX B**

**MAP OF THE RENEWAL AREA/TIF DISTRICT**



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.

# 2301 University

1:4,514

1/20/2021 12:54:12 PM

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



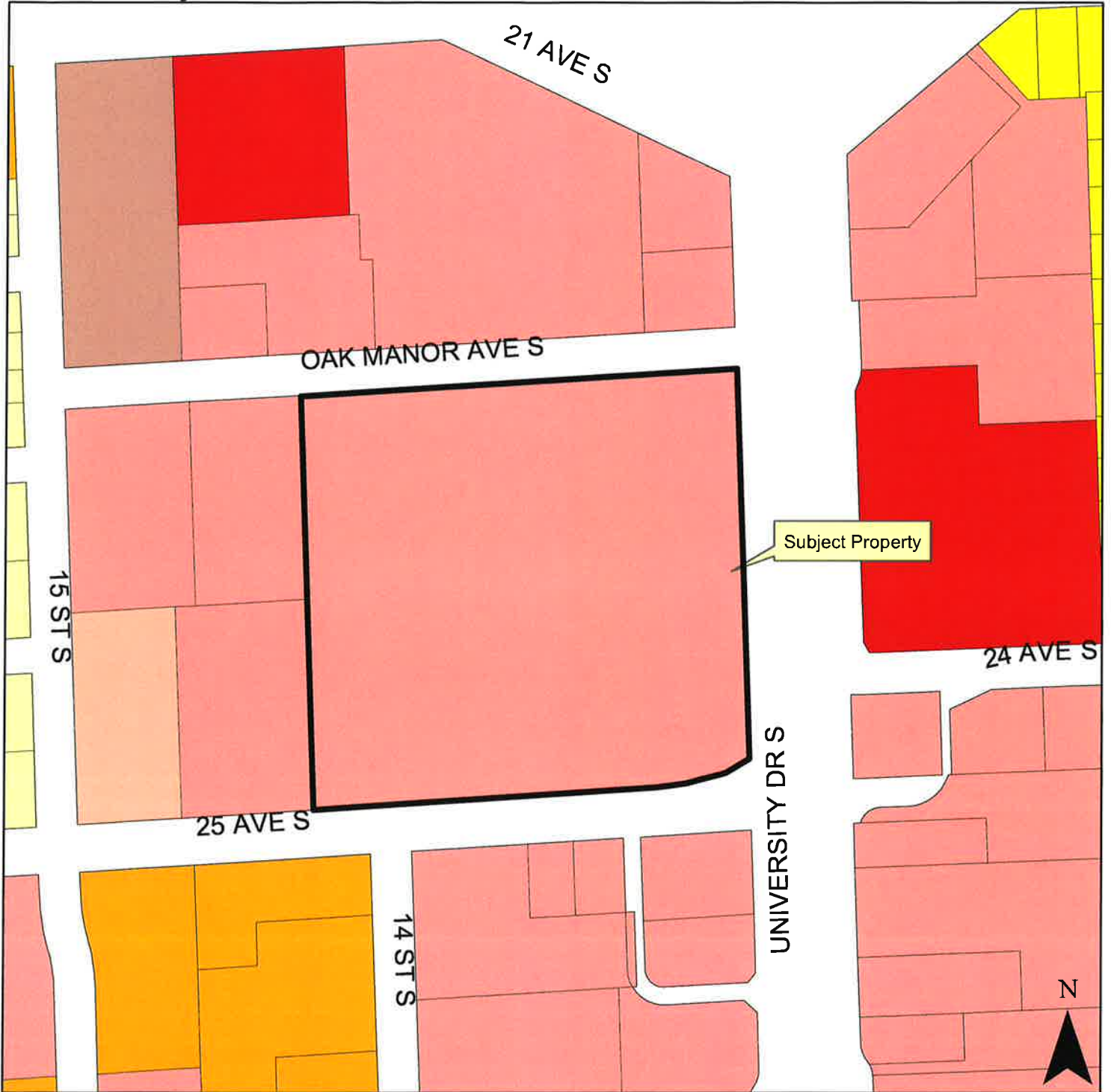
**APPENDIX C**  
**ZONING MAP**

**Zone Change (LC, Limited Commercial to GC, General Commercial with a C-O, Conditional Overlay and MR-3, Multi-Dwelling Residential with a C-O, Conditional Overlay) and Plat (Minor)**

**University South Addition**

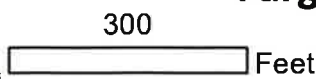
**University South 2nd Addition**

2253-2301 University Drive S



**Legend**

AG	DMU	GC	GO	LC	MR-1	MR-2	MR-3	MHP	NC	SR-2	SR-3	SR-5	City Limits
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**Fargo Planning Commission**  
**October 5, 2021**

**APPENDIX D**  
**PHOTOS OF EXISTING CONDITIONS**



## EXISTING SITE

The vacant Kmart site is currently underutilized in a well-trafficked area of Fargo situated near businesses, schools, and residential neighborhoods. The proposed development will serve as a catalyst for future developments and improvements along the South University thoroughfare.



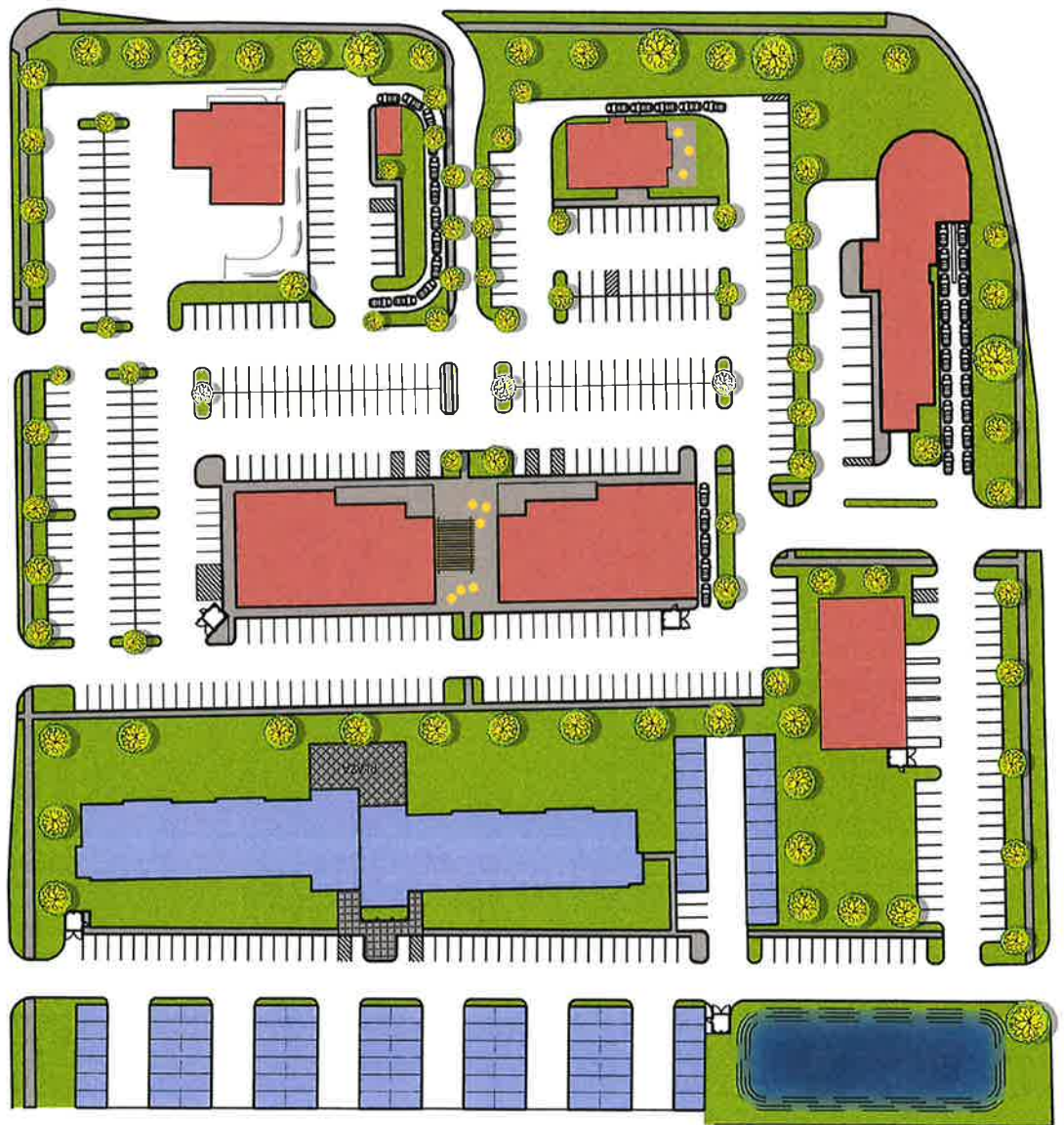
**EXISTING SITE MAP**



**APPENDIX E**  
**PLAN FOR REDEVELOPMENT**

# CONCEPTUAL MASTER PLAN

OAK MANOR AVE S



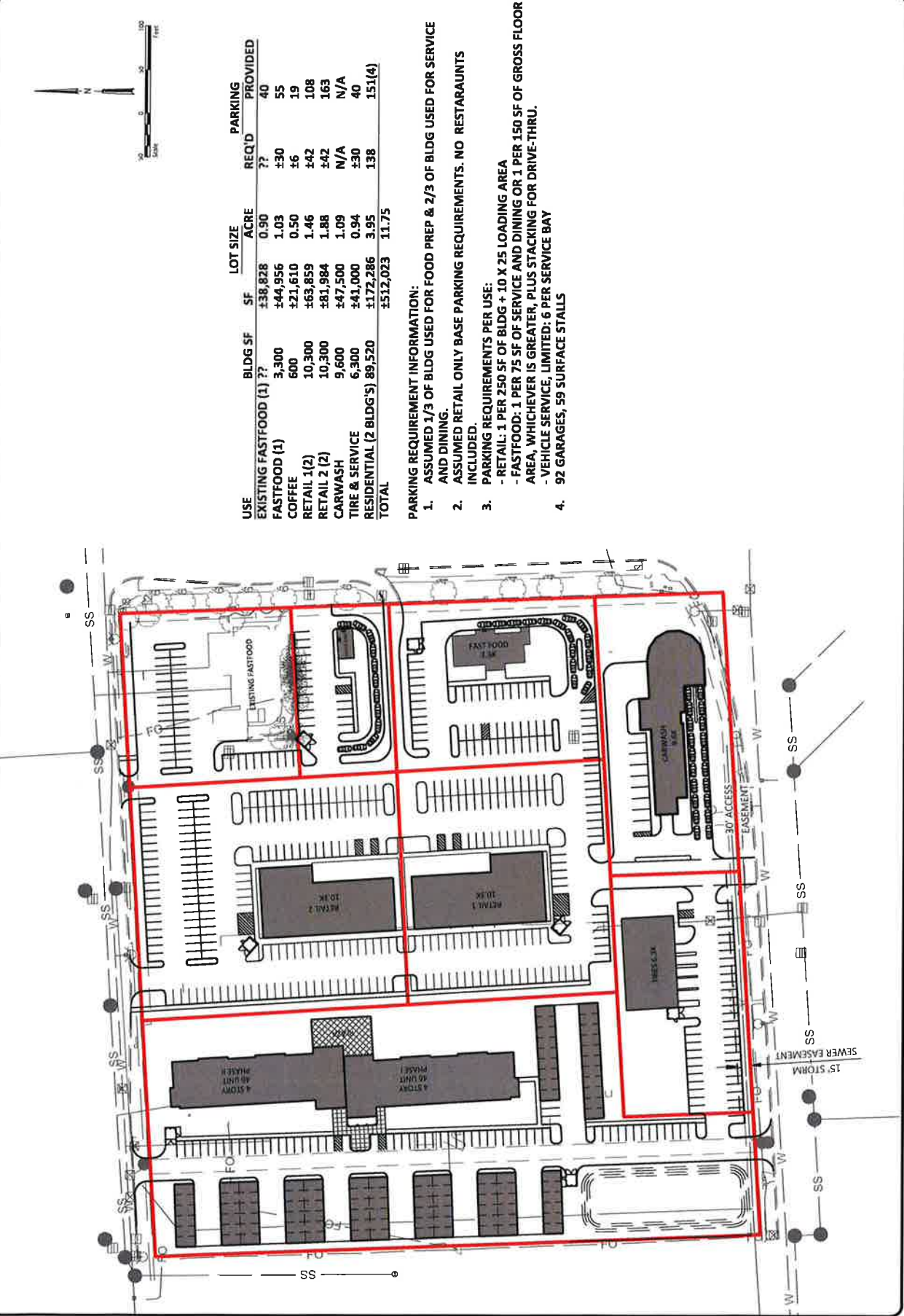
UNIVERSITY DRIVE

25TH AVE S

Enclave

Beyond Shelter





USE	BLDG SF	SF	LOT SIZE ACRE	REQ'D	PROVIDED
EXISTING FASTFOOD (1) ??	??	±38,828	0.90	??	40
FASTFOOD (1)	3,300	±44,956	1.03	±30	55
COFFEE	600	±21,610	0.50	±6	19
RETAIL 1(2)	10,300	±63,859	1.46	±42	108
RETAIL 2 (2)	10,300	±81,984	1.88	±42	163
CARWASH	9,600	±47,500	1.09	N/A	N/A
TIRE & SERVICE	6,300	±41,000	0.94	±30	40
RESIDENTIAL (2 BLDG'S)	89,520	±172,286	3.95	138	151(4)
<b>TOTAL</b>		<b>±512,023</b>	<b>11.75</b>		

**PARKING REQUIREMENT INFORMATION:**

1. ASSUMED 1/3 OF BLDG USED FOR FOOD PREP & 2/3 OF BLDG USED FOR SERVICE AND DINING.
2. ASSUMED RETAIL ONLY BASE PARKING REQUIREMENTS. NO RESTAURANTS INCLUDED.
3. PARKING REQUIREMENTS PER USE:  
 - RETAIL: 1 PER 250 SF OF BLDG + 10 X 25 LOADING AREA  
 - FASTFOOD: 1 PER 75 SF OF SERVICE AND DINING OR 1 PER 150 SF OF GROSS FLOOR AREA, WHICHEVER IS GREATER, PLUS STACKING FOR DRIVE-THRU.  
 - VEHICLE SERVICE, LIMITED: 6 PER SERVICE BAY
4. 92 GARAGES, 59 SURFACE STALLS



**MEMORANDUM**

**TO:** Fargo Planning Commission

**FROM:** Jim Gilmour, Director of Strategic Planning and Research 

**DATE:** November 30, 2021

**SUBJECT:** Renewal Plan Review

City staff prepared a Renewal Plan for blighted property at 1418 1st Avenue North. It is a former warehouse site, which burned down late last year. The plan is attached for your review.

The plan was prepared to be consistent with the City's comprehensive plan. Additionally, the plan aligns with the requirements and intent of the zoning amendments that were reviewed and recommended for approval by the Planning Commission. As part of the review process, the Renewal Plan is referred to the Planning Commission for recommendation as to its conformity with the Go2030 Comprehensive Plan.

Staff is requesting that the Planning Commission make a recommendation to the City Commission that this Renewal Plan is consistent with the Go2030 Comprehensive Plan of the City of Fargo.

**Recommended Motion:**

"...to recommend to the City Commission that the proposed Renewal Plan is consistent with the Go2030 Comprehensive Plan of the City of Fargo."

Attachment

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**RENEWAL PLAN**  
**TAX INCREMENT FINANCING DISTRICT NO. 2021-04**  
**CITY OF FARGO, NORTH DAKOTA**  
**NOVEMBER 2021**

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<b>RENEWAL PLAN FOR TAX INCREMENT DISTRICT NO. 2021-04.....</b>	<b>1</b>
SUBSECTION 1.1. DEFINITIONS.....	1
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## RENEWAL PLAN FOR TAX INCREMENT DISTRICT NO. 2021-04

### Subsection 1.1. Definitions

For the purposes of the Renewal Plan, the following terms shall have the meanings specified below, unless the context otherwise requires:

“City” means the City of Fargo, a municipal corporation under the laws of the State of North Dakota.

“City Commission” or “Commission” means the Fargo City Commission.

“Comprehensive Plan” means the City's Go2030 Comprehensive Plan, including the objectives, policies, standards and programs to guide public and private land use, development, redevelopment and preservation for all lands and water within the City as and when such plan is adopted and finalized.

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“Development” means the construction of new buildings, structures or improvements; the demolition, alteration, remodeling, repair or reconstruction of existing buildings, structures or improvements; the acquisition of equipment; and the clearing and grading of land on industrial or commercial property in the Renewal Area.

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“Tax Increment Bonds” means any general obligation or revenue tax increment bonds or notes issued by the City to finance the public costs associated with the TIF District as stated in this Plan, or any obligations issued to refund the Tax Increment Bonds.

“Tax Increment Financing District” or “TIF District” means Tax Increment Financing District No. 2021-04.

“Urban Renewal Law” means North Dakota Century Code, Chapter 40-58.

### Subsection 1.2. Statutory Authority

The creation of the Renewal Area and the establishment of Tax Increment Financing District No. 2021-04 are authorized by the Urban Renewal Law. Specifically the creation of the Renewal Area is authorized under North Dakota Century Code, Sections 40-58-01.1(7) and (14), which provide that the local governing body may designate industrial or commercial property, a slum or

blighted area, or combination of these properties as appropriate for a development or renewal project.

The Urban Renewal Law provides that communities develop a “workable program” for the use of public and private resources to facilitate the development of industrial or commercial properties, eliminate and prevent the development or spread of slums and urban blight, encourage needed urban rehabilitation, provide for the redevelopment of slum and blighted areas, or undertake these activities or other feasible municipal activities as may be suitably employed to achieve the objectives of the workable program. North Dakota Century Code, Section 40-58-04.

Subsection 1.3. Statement of Public Purpose

In adopting the Renewal Plan for TIF District No. 2021-04, the City Commission intends to make the following findings:

- (a) The Renewal Area includes a blighted area.

**Factual basis:** This Renewal Area is blighted due to the presence of remnants of a warehouse that was destroyed by fire, which substantially impairs the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals or welfare in its present condition and use.

- (b) The Renewal Area is the site of remains of a warehouse that was destroyed by fire. A portion of the building is still standing and foundations remain on the site.

**Factual basis:** The Renewal Area is considered blighted as described in (a) above. Blighted areas are eligible for renewal.

- (c) The Renewal Area is appropriate for a development or renewal project.

**Factual basis:** The Renewal Area was recently rezoned to allow for housing and other commercial land uses.

- (d) The site is vacant and existing housing will not be affected.

**Factual basis:** There was no housing on the site in the recent past. The redevelopment will include new housing units.

- (e) The Plan conforms to the Comprehensive Policy Plan for the City as a whole.

**Factual basis:** The proposed development is consistent with the goals that are embodied in the Go2030 Comprehensive Plan. Specifically, the Fargo Go2030 Comprehensive Plan supports infill and density within areas that are already developed, serviced with utilities and protected by a flood resiliency strategy. The promotion of infill development is the number two-ranked priority of Go2030. The proposed use of the property is consistent with zoning and may encourage additional redevelopment adjacent to the site. The proposed development will use existing infrastructure and other infrastructure can be added as needed.

Subsection 1.4. Description of Renewal Area

The Renewal Area is located two blocks west of the downtown. The site is approximately one and a half acres as legally described in Appendix A. A map of the Renewal Area is attached as Appendix B.

A zoning map of the Renewal Area is attached as Appendix C. Adjacent land uses are primarily commercial and industrial. There is some housing in the vicinity of the site.

The proposed project will be multi-family housing.

The redevelopment plan is attached as Appendix E.

Subsection 1.5. Land Acquisition, Development, Demolition and Removal of Structures, Redevelopment or Public Improvements

The Development of the Renewal Area includes the following activities:

Land Acquisition – The estimated cost is \$1,075,000.

Building Demolition and Hazardous Material Removal – This estimate is for environmental cleanup and demolition. The estimate is \$500,000.

Public Works Improvements – This is the cost for needed improvements for infrastructure to serve the site. This includes streets, streetlights, storm sewer and other public facilities. The estimate is \$950,000.

Administrative/TIF Fees – Other Tax Increment costs include the administrative costs. There are estimated to be \$50,000 in administrative costs for the City of Fargo.

These costs represent estimated costs for planning purposes, and may be different when this plan is implemented with a Development Agreement. The Development Agreement costs will be determined after a review by City financial advisers. The maximum allowed costs will be specified in the Development Agreement. Based on the proposed development, the present value of TIF revenue is ~\$1.3 million over 15 years.

Subsection 1.6. Land Use Attributes – TIF District

- (a) *Zoning or Planning Changes.*  
The Renewal area was recently rezoned. No additional zoning changes are required to accommodate this project.
- (b) *Maximum Densities.*  
The property within the TIF District will be developed in accordance with the applicable zoning district requirements.
- (c) *Building Requirements.*

All properties within this district are subject to the provisions of the City of Fargo Building Codes and the Land Development Code.

- (d) *Plan relationship to land use objectives (land uses, improved traffic, public transportation, public utilities, recreational and community facilities and other public improvements.)*

The physical improvements outlined in the plan meet critical needs required for the redevelopment of this property. The project complies with the Downtown Mixed Use zoning district and the redevelopment goals of the Go2030 Comprehensive Plan. The development clears a vacant site and brings needed housing close to downtown Fargo.

Subsection 1.7. Estimate of Development Costs

The City anticipates development of the Renewal Area will involve certain public costs. Under North Dakota Century Code, Sections 40-58-20 and 40-58-20.1 allow the use of funds received from tax increments to be applied to certain specified costs. The City will provide for certain costs as listed below in a Development Agreement, and can use other funds to pay for city infrastructure. The primary costs involved in the development are land costs, demolition and site cleanup, public works improvements and administration.

Land Costs	\$1,075,000
Demolition and Site Cleanup	\$500,000
Public Works Improvements	\$950,000
Administration	\$50,000
TOTAL	\$2,575,000

The City and Developer may also obtain reimbursement of interest between the time project costs are incurred and the date the Tax Increment Revenue Note is issued, such interest being capitalized and added to the foregoing costs.

Subsection 1.8. Estimate of Bonded Indebtedness

The City intends to finance certain costs of the Development through the issuance of a Tax Increment Financing Note to the Developer. In addition, the City may use general obligation bonds, special assessment warrants or refunding improvement bonds pursuant to North Dakota Century Code, Section 40-58-20 (9), and the City may specially assess all or a portion of the costs of development and apply funds received from tax increments to payment of the special assessments and other bonds.

Subsection 1.9. Tax Increment Financing

The County Auditor is requested to compute, certify and remit tax increments resulting from the Development within the Renewal Area.

The original assessed value of the property within the Renewal Area, as last assessed and equalized before the base year of this Plan, is outlined on Attachment A.

Each year, the County Auditor will compute the amount of tax increment generated within the Renewal Area in accordance with the TIF Act. Any year in which there is an "incremental value" as provided in the TIF Act, an increment will be payable to the City and deposited in the fund created by the County Auditor for that purpose. Any year in which there is "lost value" pursuant to the TIF Act, no increment will be payable to the City.

Subsection 1.10. Estimate of Tax Increment

It is anticipated the Development will result in an increase in true and full value of the Renewal Area redevelopment site to \$12.5 million. The value of the Development site within the TIF District is \$319,000. The increase in value will be approximately \$12.2 million. Under the mill rate in effect as of the date of this Plan, the Renewal Area will generate tax increment each year in the estimated amount of \$170,000.

Subsection 1.11. Duration of the TIF District

The City anticipates that the TIF District will continue until all development costs are reimbursed through the receipts of tax increment, or after a maximum of fifteen years after completion of the project. The first tax increment payment will be received in 2024.

**APPENDIX A**  
**LEGAL DESCRIPTION OF PROPERTY**



# Parcel Information Report

Parcel Number: 01-2340-03339-000

## General Information

Segment Id: 1  
 Owner 1: REINHART, GARY J  
 Owner 2:  
 Property Address: 1418 1 AVE N  
 Mailing Address: 1420 1 AVE N FARGO, ND 58102-1609  
 Addition Name: Reeves  
 Block: 22  
 Lot: 1 THRU 6 & 24 THRU 34 INCL, EXC THAT PT OF SD LT 24 LYING ELY OF A LN DRAWN CONCENTRIC WITH & DIST 9 FT WLY, AS MEAS RADIALLY FROM BNSF RAILWAY CO (FORMERLY NP RAILWAY CO) SPUR TRACK CENTERLINE, AS NOW LOC & CONST UPON, OVER & ACROSS SD BLK 22 & ALL VAC ALLEY LYING ADJ TO LTS 1-6 & 1/2 OF VAC ALLEY LYING ADJ TO LTS 24-28

**Additional Description:**

ANT PARCEL #1044 \*11/18/99 SPL/FR 2340-33370 & 2340-33610 \*03/14/01 LEGAL DESC CORR

**Estimated Flood Stage Levels For River Flooding:**

If your property is outside the city limits or your property and structure are not affected by a 25 to 44 foot flood stage data will be not available (N/A).

Property may be affected by an approximate flood stage of 40 or higher.  
 Structure may be affected by an approximate flood stage of 40 or higher.

Please note that this approximation does not take into account any local issues such as ice and debris jams or localized flooding from intense rainfall events.

## District Information

Cass School District: 1  
 Elem. School District: Roosevelt

## Property Valuation

	Land	Improvements	Total
Current Appraised Value:	\$285,000.00	\$0.00	\$285,000.00

## Building Information

Year Built: 1939      No. of Apartment Units:  
 Total Building SqFt: 19200      Residential Story Height: ()

## Lot Size

Front Width: 265.00      Land Use: C (Commercial)  
 Back Width: 132.50      Property Type: 89 (Warehouse & Office)  
 Depth Side 1: 278.30

DISCLAIMER: The City of Fargo provides property information to the public "as is" without warranty of any kind, expressed or implied. Assessed values are subject to change by the City of Fargo. In no event will the City of Fargo be liable to anyone for damages arising from the use of the property data. You assume responsibility for the selection of data to achieve your intended results, and for the installation and use of the results obtained from the property data.

Assessment records are for the sole purpose of identifying the land being taxed. In some cases to attain efficiency, Assessment Department legal descriptions may be shortened yet will retain sufficient information to identify the land. Since tax statements and records are not deeds and may contain abbreviated descriptions, they should not be used as a basis for a survey or a legal document and should not be used by surveyors or others as the primary source of a property description.



# Parcel Information Report

Parcel Number: 01-2340-03356-000

## General Information

Segment Id: 1  
 Owner 1: REINHART, GARY J  
 Owner 2:  
 Property Address: 19 14 1/2 ST N  
 Mailing Address: 1420 1 AVE N FARGO, ND 58102  
 Addition Name: Reeves  
 Block: 22  
 Lot: 22 & 23

**Additional Description:**

\*10/21/93 SPL/FR 9200-20500

**Estimated Flood Stage Levels For River Flooding:**

If your property is outside the city limits or your property and structure are not affected by a 25 to 44 foot flood stage data will be not available (N/A).

Property may be affected by an approximate flood stage of 41 or higher.  
 Structure may be affected by an approximate flood stage of N/A or higher.

Please note that this approximation does not take into account any local issues such as ice and debris jams or localized flooding from intense rainfall events.

## District Information

Cass School District: 1  
 Elem. School District: Roosevelt

## Property Valuation

	Land	Improvements	Total
Current Appraised Value:	\$34,000.00	\$0.00	\$34,000.00

## Building Information

Year Built: 0  
 Total Building SqFt: N/A  
 No. of Apartment Units:  
 Residential Story Height: ()

## Lot Size

Front Width: 50.60  
 Back Width: 50.60  
 Depth Side 1: 132.50  
 Depth Side 2: 132.50  
 Land Use: C (Commercial)  
 Property Type: 92 (Vacant Land)  
 Square Footage: 6705.00

DISCLAIMER: The City of Fargo provides property information to the public "as is" without warranty of any kind, expressed or implied. Assessed values are subject to change by the City of Fargo. In no event will the City of Fargo be liable to anyone for damages arising from the use of the property data. You assume responsibility for the selection of data to achieve your intended results, and for the installation and use of the results obtained from the property data.

Assessment records are for the sole purpose of identifying the land being taxed. In some cases to attain efficiency, Assessment Department legal descriptions may be shortened yet will retain sufficient information to identify the land. Since tax statements and records are not deeds and may contain abbreviated descriptions, they should not be used as a basis for a survey or a legal document and should not be used by surveyors or others as the primary source of a property description.



**APPENDIX B**

**MAP OF THE RENEWAL AREA/TIF DISTRICT**



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.

**J- Street**

1:1,128      10/25/2021 11:36 AM

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



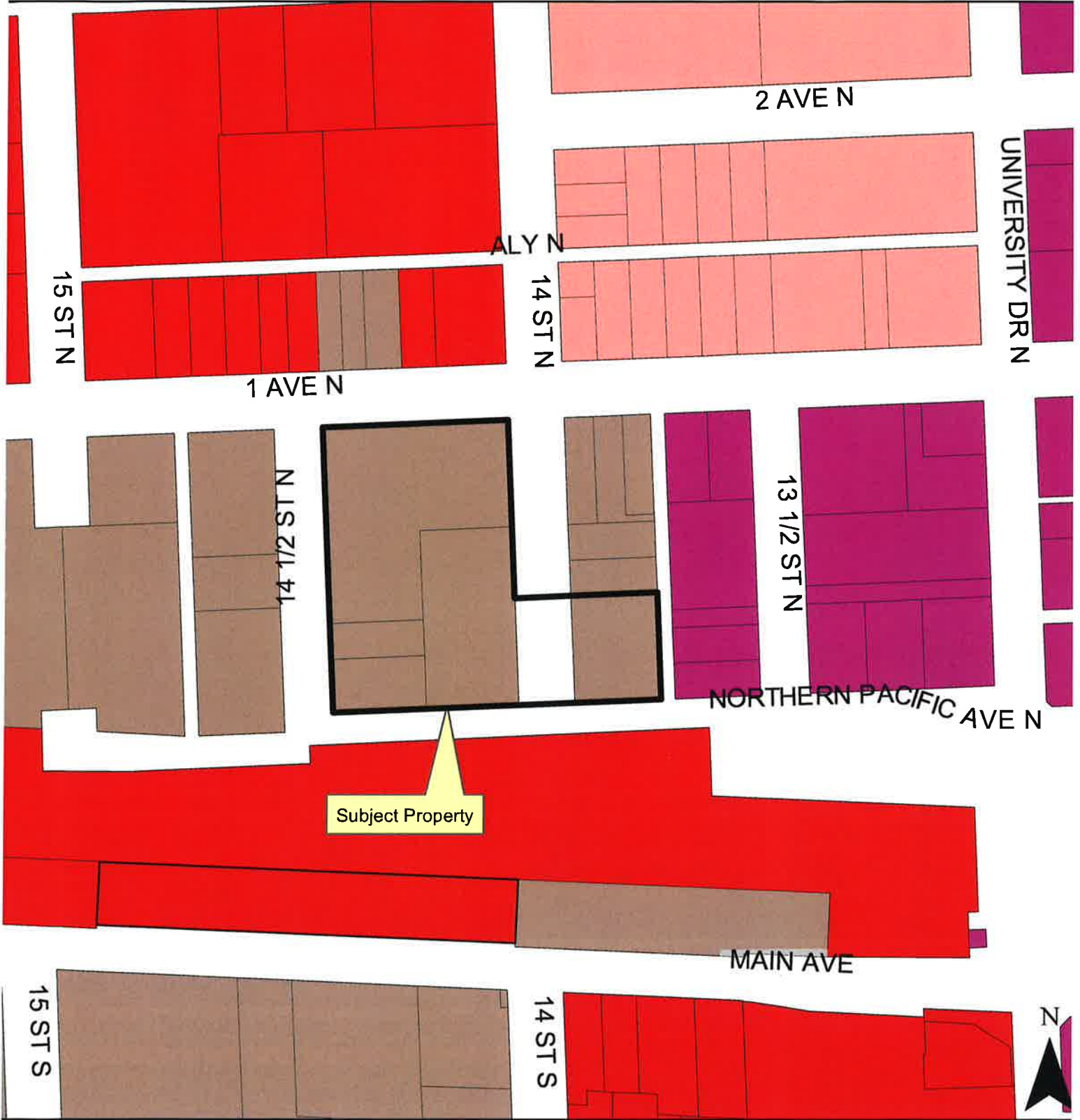
City of Fargo, ND

**APPENDIX C**  
**ZONING MAP**

# Zone Change (LI to DMU with a C-O)

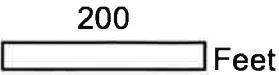
4 & 5 14th Street N; 9 & 19 14 1/2 Street N;  
1418 1st Avenue N

## Reeves Addition



Subject Property

**Legend**



**APPENDIX D**  
**PHOTOS OF EXISTING CONDITIONS**



Facing southwest from corner of 1<sup>st</sup> Avenue and 14<sup>th</sup> Street North

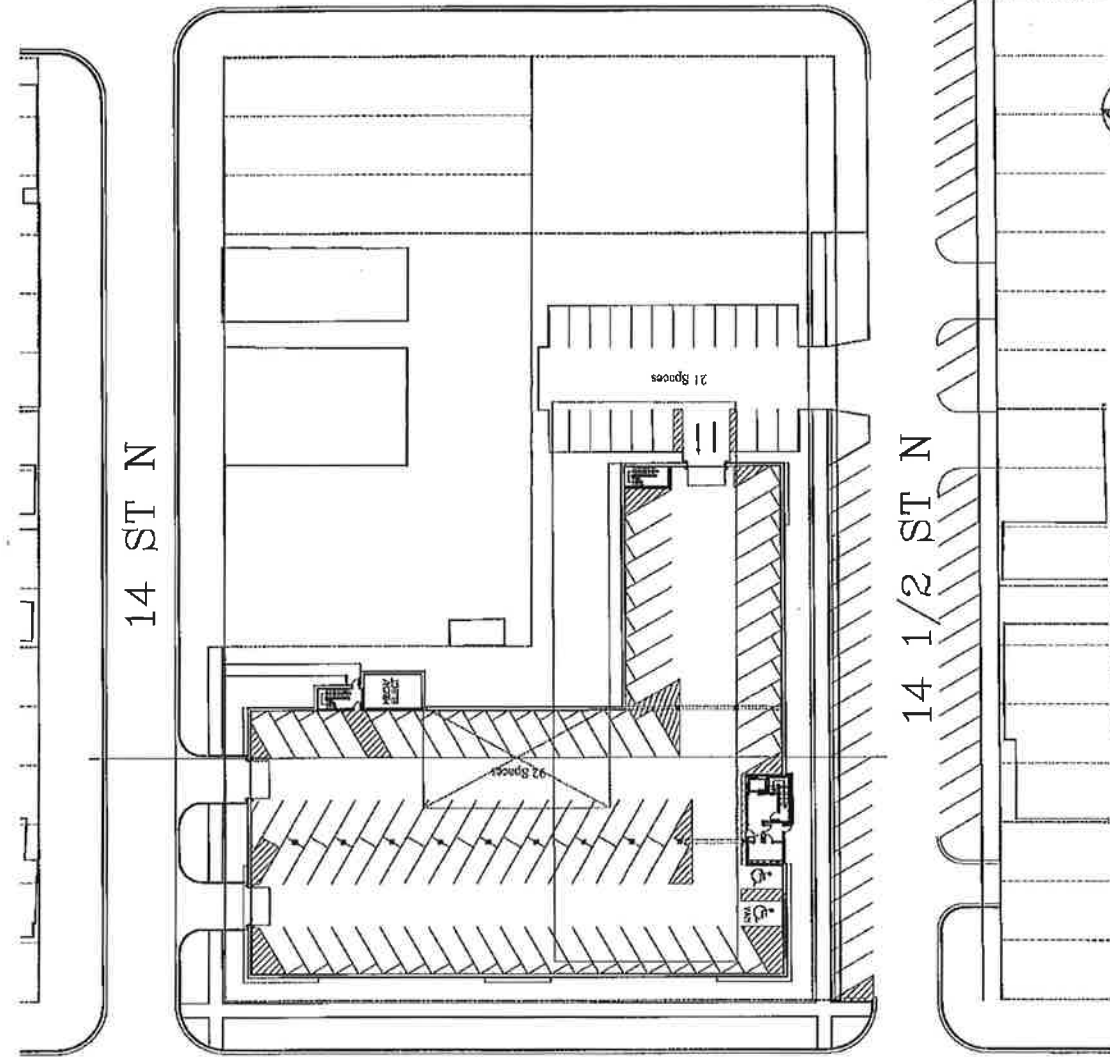


Facing east along 1<sup>st</sup> Avenue North



Facing south along 14 1/2 Street North from 1<sup>st</sup> Avenue North

**APPENDIX E**  
**PLAN FOR REDEVELOPMENT**



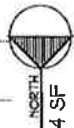
14 ST N

1 AVE N

14 1/2 ST N

21 Spaces

92 Spaces



NORTH  
34,604 SF

1 FIRST FLOOR  
1'-50"=1'

**J STREET  
FLATS**  
1418 1st Ave. N.

Fargo, North Dakota

**M|B|A**

MITCHELL BARTRAM ARCHITECTS, P.C.  
1418 1st Ave. N., Suite 100  
Fargo, ND 58103-5501 | Phone: 701-233-5501 | Fax: 701-233-5405

SITE PLAN

Rev. 05-08-08 Project Number: 2008

A1.1



**J STREET  
FLATTS**  
1418 1st Ave. N.

Fargo, North Dakota

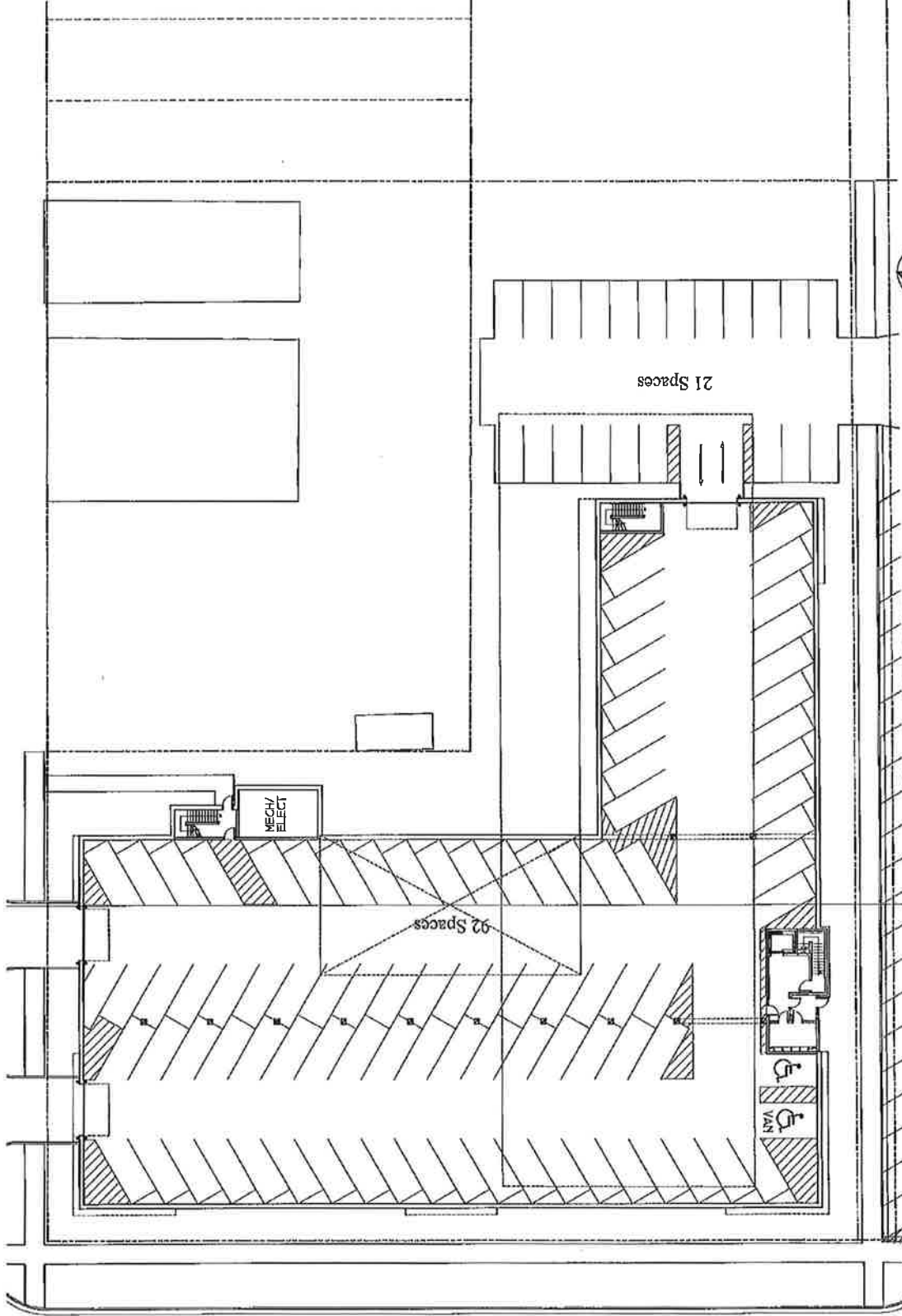


MITCHELL BLASTRAM ARCHITECTS, P.C.  
200 N. Broadway, Suite 201, Fargo, North Dakota, 58102  
Phone: 701.233.6001 | mbl@blastram.com | Fax: 701.233.5405

FIRST FLOOR PLAN

DR: S20241 Project Number: J2024

A3.1



34,604 SF

1 FIRST FLOOR

1" = 30'-0"

**J STREET  
FLATS  
1418 1ST AVE. N.**

FARGO, NORTH DAKOTA

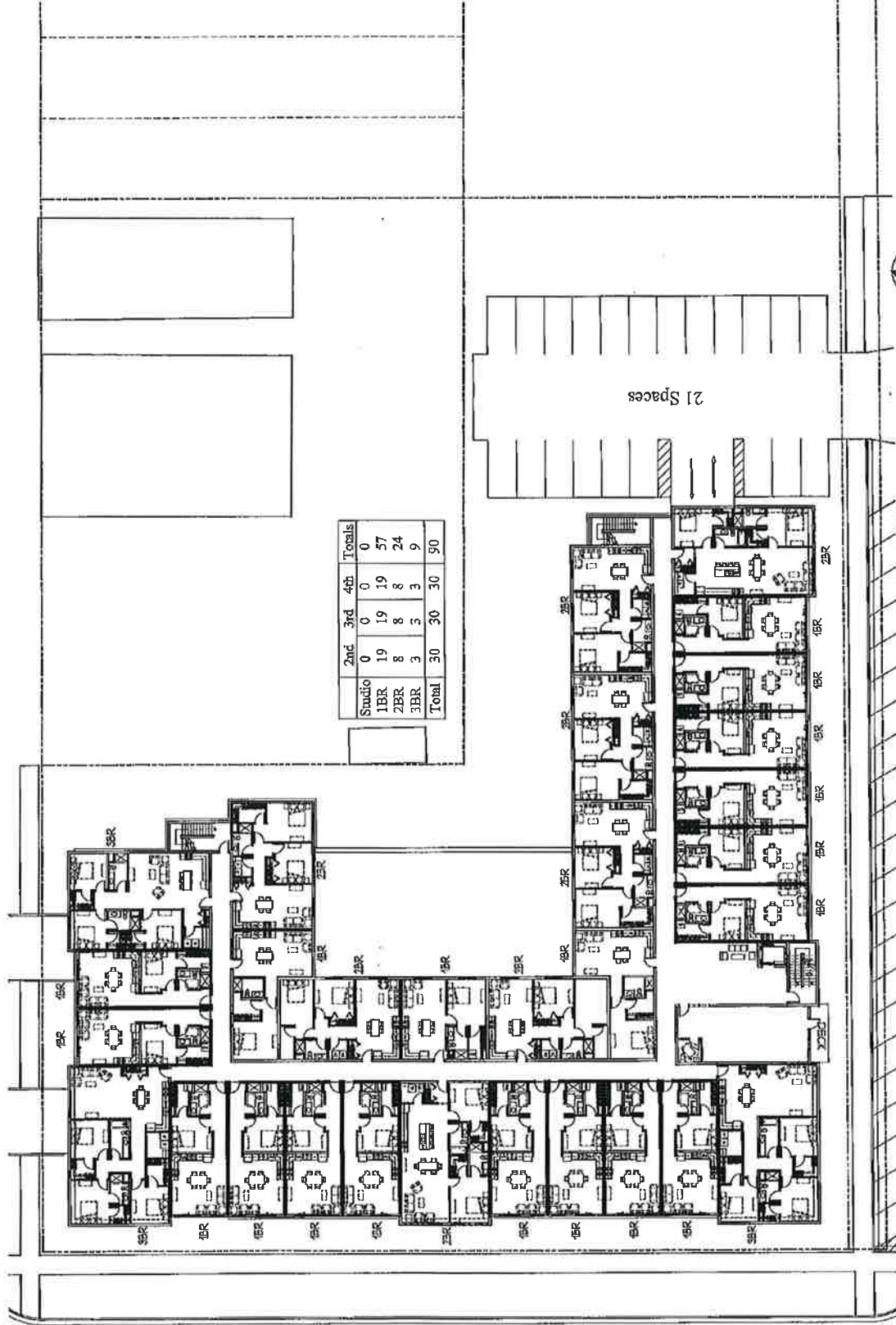


**MITCHER BASTRAM ARCHITECTS, P.C.**  
200 N. Broadway, Suite 200, Fargo, North Dakota, 58102  
Phone: 701.225.5141 | Fax: 701.225.5142

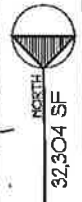
SECOND FLOOR PLAN

Plot Number: 3005

A3.2



	2nd	3rd	4th	Totals
Studio	0	0	0	0
1BR	19	19	19	57
2BR	8	8	8	24
3BR	3	3	3	9
Total	30	30	30	90



32,304 SF

SECOND FLOOR PLAN

1" = 30'-0"

1

**J STREET  
FLATS**  
1418 1ST AVE. N.

FARGO, NORTH DAKOTA

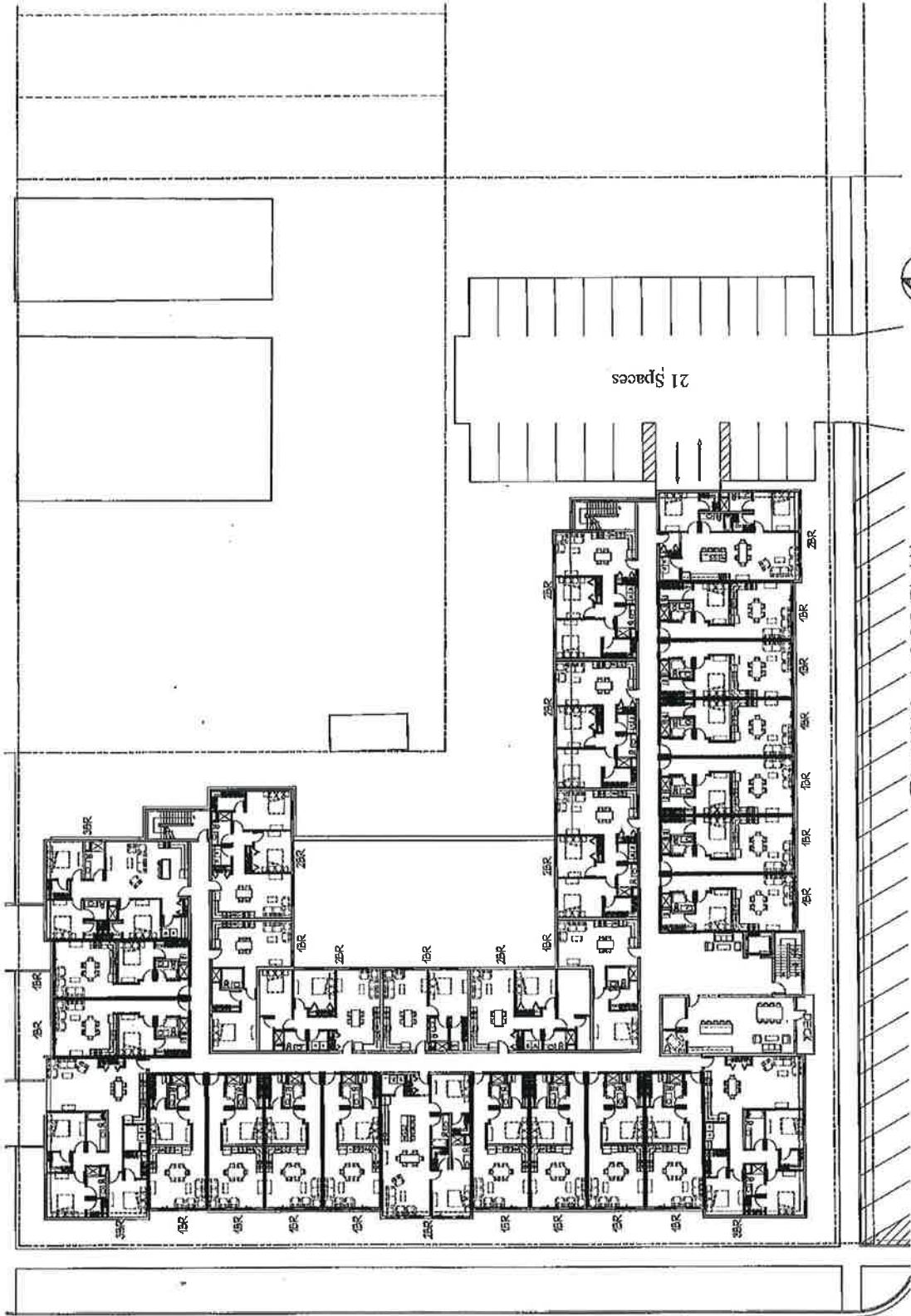


MATTHEW B. BARTON ARCHITECTS P.C.  
300 W. Broadway, Suite 201, Fargo, ND 58102  
Phone: 701.232.5545 Fax: 701.232.5544  
www.mbaarchitect.com

THIRD FLOOR PLAN

Rev. 02-24-11 Project Number: 2008

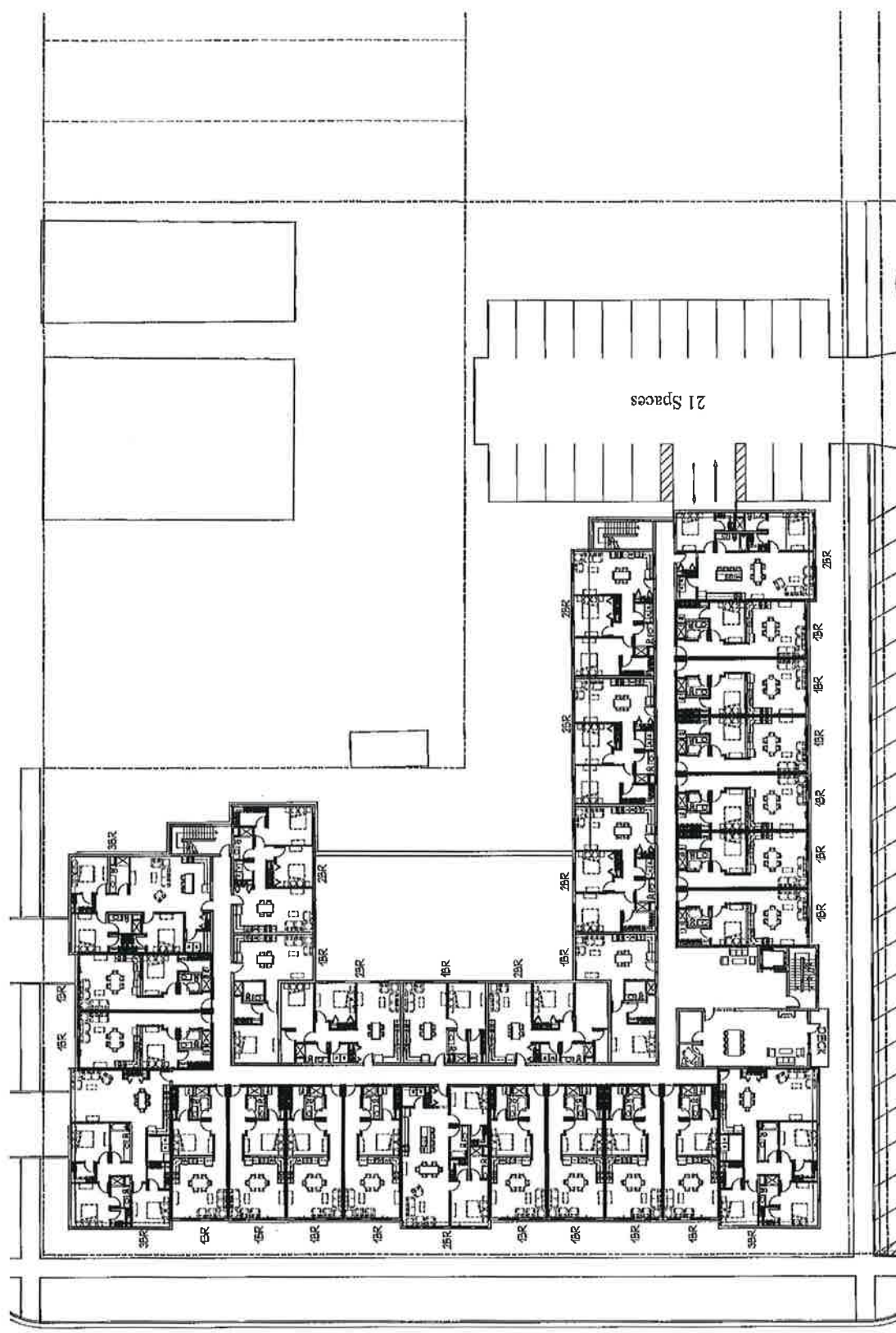
A3.3



32,304 SF

1 THIRD FLOOR PLAN

7'-30'-0"



**J STREET  
FLATS**  
1418 1ST AVE. N.

FARGO, NORTH DAKOTA



MITCHER BARTRAM ARCHITECTS, P.C.  
500 N. Broadway, Suite 201, Fargo, North Dakota 58102  
Phone: 701-233-5581 | mba@mba.com | Fax: 701-233-5582

FOURTH FLOOR PLAN

Scale: 1/8" = 1'-0"



32,304 SF

FOURTH FLOOR PLAN

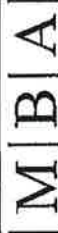
7'-0" = 1'-0"

1

A3.4

J STREET  
FLATTS  
1418 1ST AVE. N.

FARGO, NORTH DAKOTA

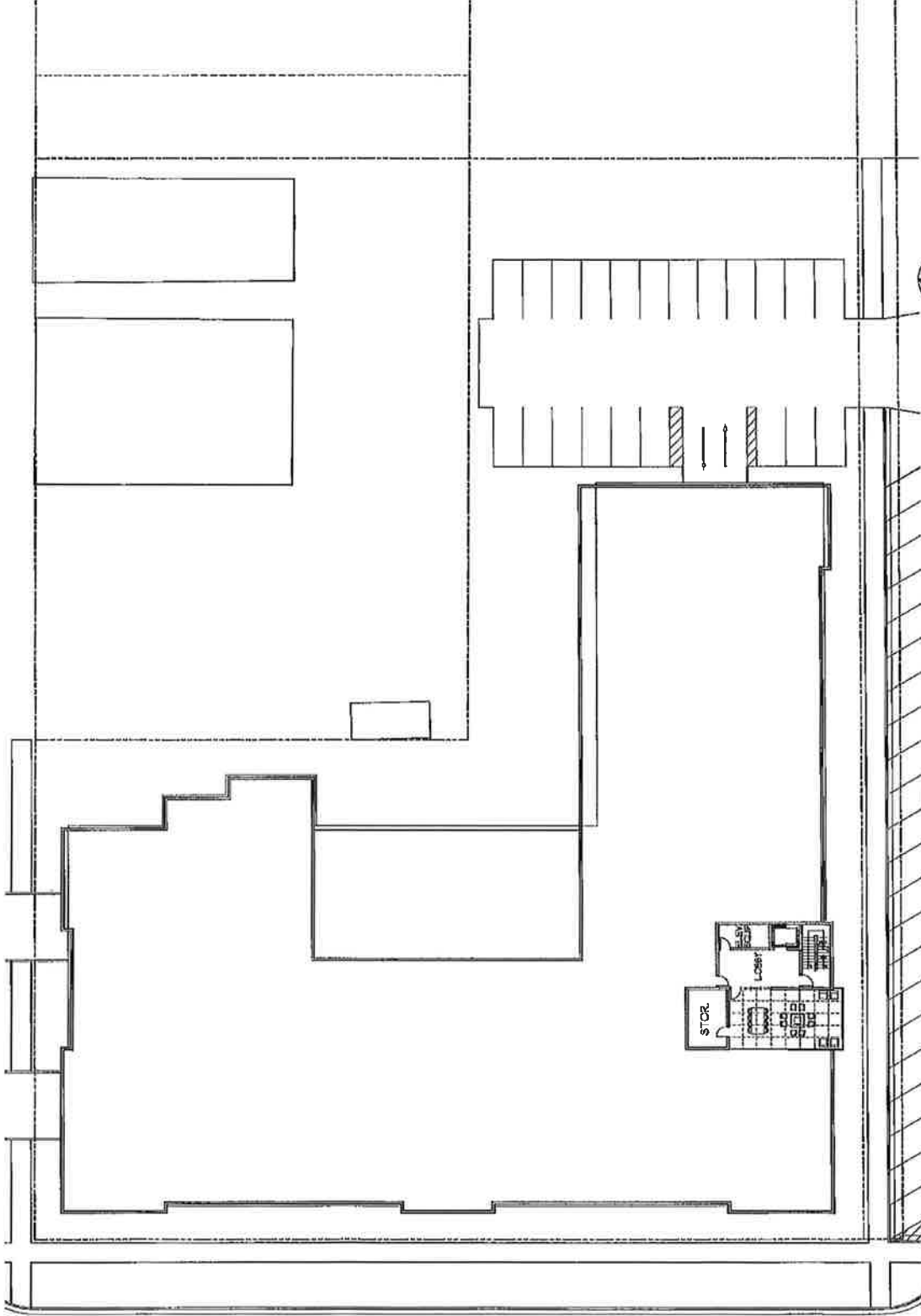


MICHELLE BASHAM ARCHITECTS, P.C.  
3014 13TH AVENUE NORTH, SUITE 200  
FARGO, ND 58103  
Phone: 701-233-5541 | info@mba.com | Fax: 701-233-5440

FIFTH FLOOR PLAN

04\_2024 - Project Number: 2024

A3.4



FIFTH FLOOR PLAN

1/1 = 30'-0"

