FARGO CITY COMMISSION AGENDA
Monday, January 8, 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, December 26, 2023).

CONSENT AGENDA – APPROVE THE FOLLOWING:

1. Letter of Support for the Center for Plastic Surgery project to the ND Opportunity Fund.

2. Applications for Abatement or Refund of Taxes #4551 and #4553 for property located at 2822 8th Street North requesting a reduction in values for 2022 from $342,000.00 to $290,000.00 and for 2023 from $394,000.00 to $320,000.00; staff is recommending a reduction in values to $305,000.00 for 2022 and $310,000.00 for 2023.

3. Gaming Site Authorization for Fraser Ltd. at Cairo Restaurant.

4. Applications for Games of Chance:
   a. El Zagal Temple for a raffle on 2/8/24.
   b. Fargo North Booster Board for a raffle on 1/18/24.
   c. NDSU Asian Student Organization for a raffle on 2/3/24.
   d. Rape and Abuse Crisis Center for bingo and a raffle on 2/3/24.

5. 2nd reading and final adoption of an Ordinance Repealing Section 10-0307 of Article 10-03 of Chapter 10 of the Fargo Municipal Code Relating to Persons Using Streets not to be Molested; 1st reading, 12/26/23.

6. 2nd reading and final adoption of an Ordinance Repealing Section 10-0311 of Article 10-03 of Chapter 10 of the Fargo Municipal Code Relating to Panhandling; 1st reading, 12/26/23.

7. Amendment to the Findings of Fact, Conclusions and Order for the property located at 1710 1st Avenue South.

8. Amendment to the Findings of Fact, Conclusions and Order for the property located at 1208 University Drive South.

9. Amendment (Second) to Agreement for Services with Valley Veterinary Hospital, P.C.

10. Amended Engineer's Report for Improvement District No. TN-23-A.

11. Notice of Grant Award from the ND Department of Health and Human Services for HIV.HCV Counseling, Testing and Referral (CTR) (CFDA #93.940).

12. Notice of Grant Award from the ND Department of Health and Human Services for increasing TB infection identification and treatment (CFDA #93.116).

13. Bid award and Agreement with Fargo Moorhead Towing for junked vehicle removal services for 2024.

14. Bid award to Gast Construction Company, Inc. in the amount of $1,159,700.00 for the Public Works South Side Fuel Station (ITB24028)

15. Bills.

REGULAR AGENDA:

16. **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).**

***Public Input Opportunity* - PUBLIC HEARINGS - 5:15 pm:**

17. **PUBLIC HEARING** – CONTINUE to 1/22/24 - Application filed by John Deere Electronic Solutions, a Division of John Deere & Company, for a property tax exemption for a project to be located at 4101 19th Avenue North, which the applicant will use primarily for manufacturing and programming of receivers, displays, controllers, modems and inverters; continued from the 12/11/23 Regular Meeting.

18. **PUBLIC HEARING** – Plat of TYKE Addition (201 27th Street North and 2600 3rd Avenue North); approval recommended by the Planning Commission on 9/7/23.

19. **PUBLIC HEARING** – Plat of CC's First Addition (5080 38th Street South); approval recommended by the Planning Commission on 11/7/23.

20. **PUBLIC HEARING** – Gamma Fargo Addition and Pracs Second Addition (4951 and 4837 Amber Valley Parkway South; 4800, 4820 and 4840 23rd Avenue South):
    a. PUD, Planned Unit Development Master Land Use Plan.
    b. Zoning Change from LC, Limited Commercial to GC, General Commercial with a PUD, Planned Unit Development overlay.
    c. 1st reading of rezoning Ordinance (Gamma Fargo Addition).
    d. 1st reading of rezoning Ordinance (Pracs Second Addition).

21. Presentation of the Fargo Police Department Master Facility Plan.

22. Request for the Fargo Police Department to participate in the 2024 Law Enforcement Memorial event.

23. Recommendation to approve of the 2024 Capital Improvement Plan (CIP) and Infrastructure Funding Policy revisions.

24. Recommendation to approve the Fargo-Moorhead Housing Needs Analysis and Strategies.

25. Recommendation to approve the Downtown InFocus Take Action report.

26. Applications for Property Tax Exemptions for Improvements Made to Buildings:

a. Jason and Sara Hinkle, 1538 11th Street North (5 years).
b. Gary and Pamela Lorenz, 6409 14th Street South (5 years).
c. Betsy Stadick and Peter Cossette, 2013 26th Avenue South (5 years).
d. April Peterson and Joshua Steier, 3325 43rd Avenue South (5 years).
e. Kennedy Court Investments, LLC, 809 Kennedy Court North (5 years).
f. Kennedy Court Investments, LLC, 813 Kennedy Court North (5 years).

27. Liaison Commissioner Assignment Updates.

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.

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City of Fargo Staff Report			
Title:	TYKE Addition	**Date:** **Update:**	8/29/2023 1/3/2024
Location:	201 27th Street North and 2600 3rd Avenue North	**Staff Contact:**	Maegin Elshaug, Planning Coordinator
Legal Description:	Lots 1-9 and part of Lots 10-14, Teigen's Second Addition (see note) and Dedication of 25th Street North and a Vacation of 3rd Avenue North		
Owner(s)/Applicant:	TYKE Properties, LLC/GTO Properties LLC/Kevin Bartram	**Engineer:**	RJN Survey
Entitlements Requested:	**Major Subdivision** (replat of all of Lots 1-9 and part of Lots 10-14, Teigen's Second Subdivision and Dedication of 25th Street North and a Vacation of a portion of 3rd Avenue North, to the City of Fargo, Cass County, North Dakota)		
Status:	City Commission Public Hearing: January 8, 2024		

Existing	Proposed
Land Use: Industrial	**Land Use:** no change
Zoning: LI, Limited Industrial	**Zoning:** no change
Uses Allowed: LI allows colleges, community service, daycare centers of unlimited size, detention facilities, health care facilities, parks and open areas, religious institutions, safety services, basic utilities, adult establishment, offices, off-premise advertising signs, commercial parking, outdoor recreation and entertainment, retail sales and service, self-service storage, vehicle repair, limited vehicle service, industrial service, manufacturing and production, warehouse and freight movement, wholesale sales, aviation, surface transportation, and certain telecommunications facilities.	**Uses Allowed:** no change
Maximum Lot Coverage Allowed: Maximum 85% building coverage	**Maximum Lot Coverage Allowed:** no change

Proposal:

The applicant requests one entitlement:

1. Replat of all of Lots 1-9 and part of Lots 10-14, Teigen's Second Subdivision and Dedication of 25th Street North and a Vacation of 3rd Avenue North (major subdivision) to be known as TYKE Addition

The applicant is seeking approval of a vacation of a portion of 3rd Avenue North, adjacent to properties located at 201 27th Street North and 2600 3rd Avenue North. The right of way was originally dedicated by the Teigen's Second Subdivision plat in 1951. The proposed street vacation is the south 10 feet for the length of the block adjacent to the property and encompasses approximately 0.14 acres of public right of way. An existing encroachment agreement exists within the area proposed to be vacated, which will not be necessary after the vacation. The plat also dedicates an existing street and utility easement as 25th Street North right of way.

Surrounding Land Uses and Zoning Districts:

- North: Across 3rd Avenue North is LI, Limited Industrial with industrial uses;
- East: Across 25th Street north is GC, General Commercial with Fargo Police Headquarters;
- South: LI with industrial use;
- West: Across 27th Street North is LI with office and City of Fargo owned property.

Area Plans:

The subject property is located within the Core Neighborhoods plan, specifically the Madison/Unicorn Park neighborhood. The future land use plan for the neighborhood identifies the subject property as appropriate for industrial/warehousing use.

Context:

Neighborhood: Madison/Unicorn Park

Schools: The subject property is located within the Fargo School District, specifically Madison elementary, Ben Franklin middle and North High schools.

Parks: The subject property is not located within a quarter-mile of any parks.

Pedestrian / Bicycle: There is no shared use path located within a quarter-mile of the subject property.

Transit: MATBus route 17 runs along 3rd Avenue North and heads north at 25th Street North, adjacent to the subject property, with a bus stop location just northeast across the intersection.

Staff Analysis:

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.

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

1. **Section 20-0907. of the LDC stipulates that no major subdivision plat application will be accepted for land that is not consistent with an approved Growth Plan or zoned to accommodate the proposed development.**
   The subject property is zoned LI, Limited Industrial. No zone change is proposed. The existing industrial uses are consistent with the LI zone and the approved future land use plan for the neighborhood. 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, Planning staff has received and responded to one inquiry. **(Criteria Satisfied)**

2. **Section 20-0907.4 of the LDC further stipulates that the Planning Commission shall recommend approval or denial of the application and the City Commission shall act to approve or deny, based on whether it is located in a zoning district that allows the proposed development, complies with the adopted Area Plan, the standards of Article 20-06 and all other applicable requirements of the Land Development Code.**
   The subject property is zoned LI, Limited Industrial. No zone change is proposed. The property is in the

Madison/Unicorn Park neighborhood, which the Core Neighborhoods plan identifies this property as appropriate for industrial use. The existing use of industrial is consistent with the LI zoning. The project has been reviewed by the city's Planning, Engineering, Public Works, Inspections, and Fire Departments. **(Criteria Satisfied)**

3. **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.**
   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)**

ROW Vacation Approval Criteria: The City of Fargo does not currently have any adopted regulation dealing with the vacation of rights-of-way. However, city policy requires that any applicant wishing to vacate right-of-way must submit a Vacate Application—a one-page form wherein the petitioner provides: a description of the area to be vacated and signatures of all property owners adjoining the area to be vacated. In addition, the applicant must submit a vacation plat (a major subdivision). In this case, the petition for vacation and the plat are included in the applicant's overall subdivision application and plat. Notwithstanding the Land Development Code's (LDC) silence on the matter, the North Dakota Century Code (N.D.C.C) does address the opening and vacating of roadways in Chapter 24-07 (outside of municipal limits) and Chapter 40-39 (inside municipal limits). To that end, the balance of this report will focus on the specific approval criteria outlined within Chapter 40-39 of the N.D.C.C. The final decision on vacation of right of way is made by the City Commission.

N.D.C.C. 40-39-04. Vacation of streets and alleys where sewers, water mains, pipes, and lines located – Conditions. No public grounds, streets, alleys, or parts thereof over, under, or through which have been constructed, lengthwise, any sewers, water mains, gas, or other pipes or telephone, electric, or cable television lines, of the municipality or the municipality's grantees of the right of way thereof, may be vacated unless the sewers, mains, pipes, or lines have been abandoned and are not in use, or unless the grantee consents, thereto, or unless perpetual easements for the maintenance of sewers, water mains, gas, or other pipes, or telephone, electric facilities, whether underground or aboveground, is subject to the continued right of location of such electric facilities in the vacated streets.
There are no City of Fargo utilities installed in this right of way. It is the applicant's responsibility to contact all potential utility providers and submit documentation that there are no utilities in the area of the public right of way being vacated. City staff reviews the applicant's documentation prior to City Commission approval of the plat. This confirmation has occurred and there are either no utilities or the ten-foot public utility easement proposed within the area that is being vacated accommodates any private utility needs. **(Criteria Satisfied)**

N.D.C.C. 40-39-05. Petition for vacation of streets, alleys, or public grounds – Contents – Verification. No public grounds, streets, alleys, or parts thereof within a municipality shall be vacated or discontinued by the governing body except on a petition signed by all of the owners of the property adjoining the plat to be vacated. Such petition shall set forth the facts and reasons for such vacation, shall be accompanied by a plat of such public grounds, streets, or alleys proposed to be vacated, and shall be verified by the oath of at least one petitioner.
In accordance with the requirement of this section, a petition signed by all adjacent owners has been submitted for review and consideration, along with a plat of such public street. **(Criteria Satisfied)**

N.D.C.C 40-39-06. Petition filed with city auditor – Notice published – Contents of notice. If the governing body finds that the petition for vacation is in proper form and contains the requisite signatures, and if it deems it expedient to consider such petition, it shall order the petition to be filed with the city auditor who shall give notice by publication in the official newspaper of the municipality at least once each week for four weeks. The notice shall state that a petition has been filed and the object thereof, and that it will be heard and considered by the governing body or a committee thereof on a certain specified day which shall not be less than thirty days after the first publication of the notice.
The vacation plat was advertised as required by this section prior to the hearing before the City Commission

(the City's governing body). **(Criteria Satisfied)**

N.D.C.C. 40-39-07. Hearing on petition – Passage of resolution declaring vacation by governing body. The governing body, or such committee as may be appointed by it, shall investigate and consider the matter set forth in the petition specified in section 40-39-05 and, at the time and place specified in the notice, shall hear the testimony and evidence of persons interested. After hearing the testimony and evidence or upon the report of the committee favoring the granting of the petition, the governing body, by a resolution passed by a two-thirds vote of all its members, may declare the public grounds, streets, alleys, or highway described in the petition vacated upon such terms and conditions as it shall deem just and reasonable.

This hearing is scheduled for the January 8th, 2024 City Commission agenda. **(Criteria Satisfied)**

NDCC 40-39-07 requires a minimum 30 day notice period prior to City Commission hearing for vacations of right of way.

Staff Recommendation:

Suggested Motion: "To accept the findings and recommendations of the Planning Commission and staff and move to approve the proposed plat of **TYKE Addition**, including vacation of right of way (portion of 3rd Avenue North), as presented; as the proposal complies with the Core Neighborhoods Plan, Standards of Article 20-06, and Section 20-0906.F (1-4) of the LDC and all other applicable requirements of the LDC and of North Dakota Century Code Chapter 40-39 Opening and Vacating Streets, Alleys, and Public Places."

Planning Commission Recommendation: September 7, 2023

At the September 7, 2023 the Planning Commission public hearing, that Commission, bt a vote of 8-0 with one Commissioner absent and two Commission seats vacant, moved to accept the findings and recommendations of staff and recommended approval of the proposed plat of **TYKE Addition**, including vacation of right of way (portion of 3rd Avenue North), as presented; as the proposal complies with the Core Neighborhoods Plan, Standards of Article 20-06, and Section 20-0906.F (1-4) of the LDC and all other applicable requirements of the LDC and of North Dakota Century Code Chapter 40-39 Opening and Vacating Streets, Alleys, and Public Places.

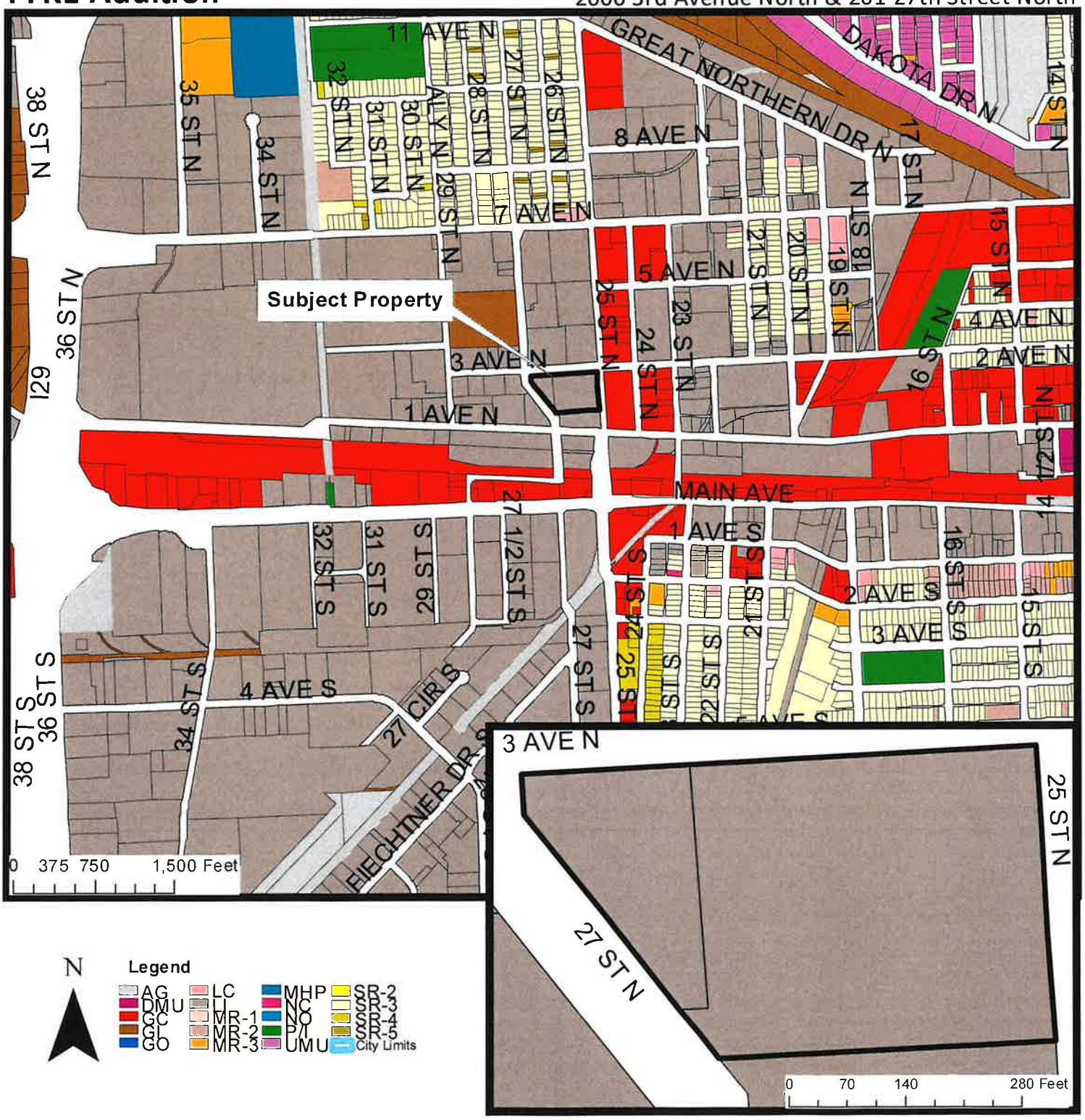
Attachments:

1. Zoning Map
2. Location Map
3. Preliminary Plat

Major Subdivision & Vacation Plat

TYKE Addition

2600 3rd Avenue North & 201 27th Street North



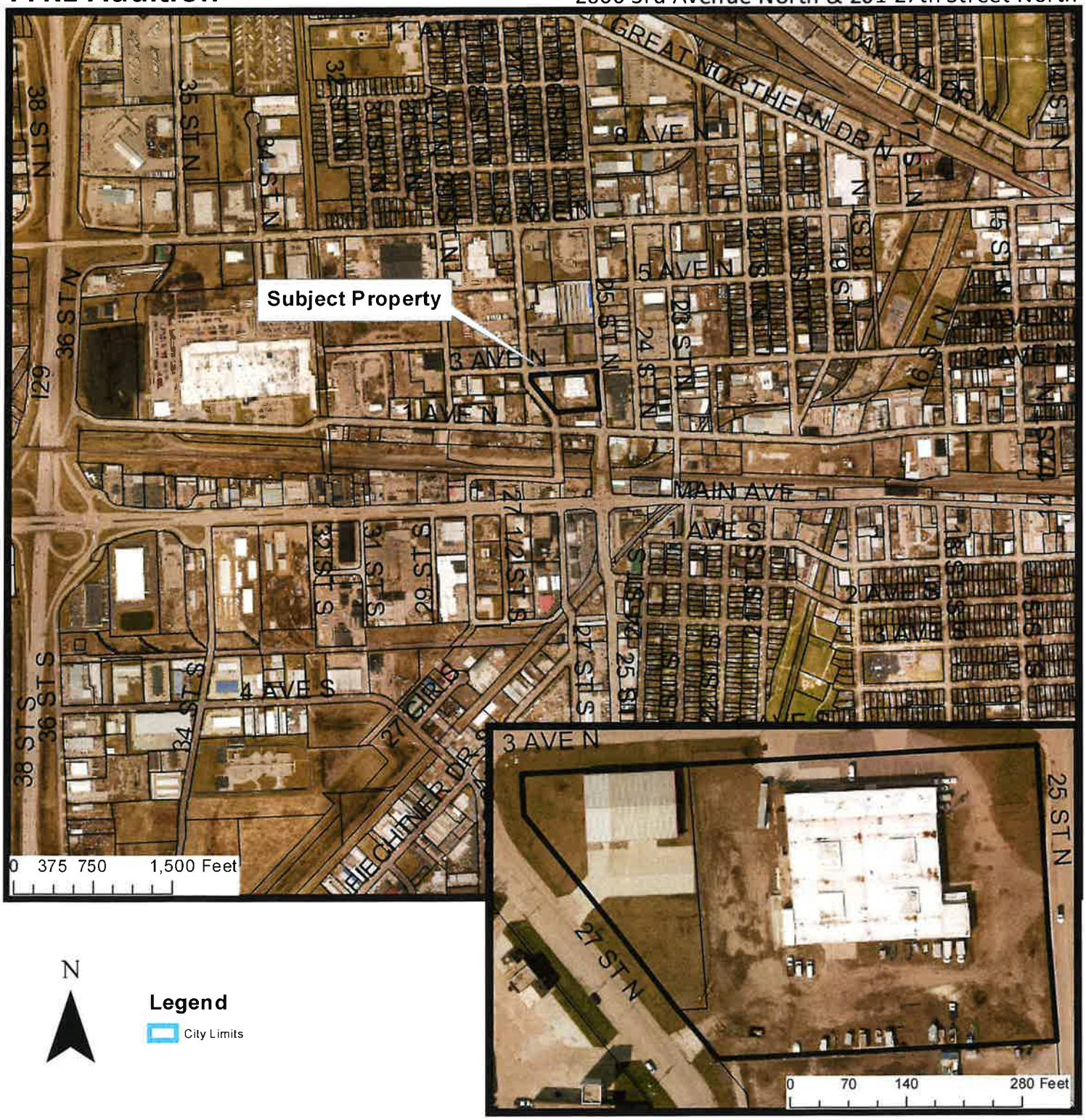
THE CITY OF Fargo FAR MORE

Fargo Planning Commission
September 7, 2023

Major Subdivision & Vacation Plat

TYKE Addition

2600 3rd Avenue North & 201 27th Street North



N

Legend

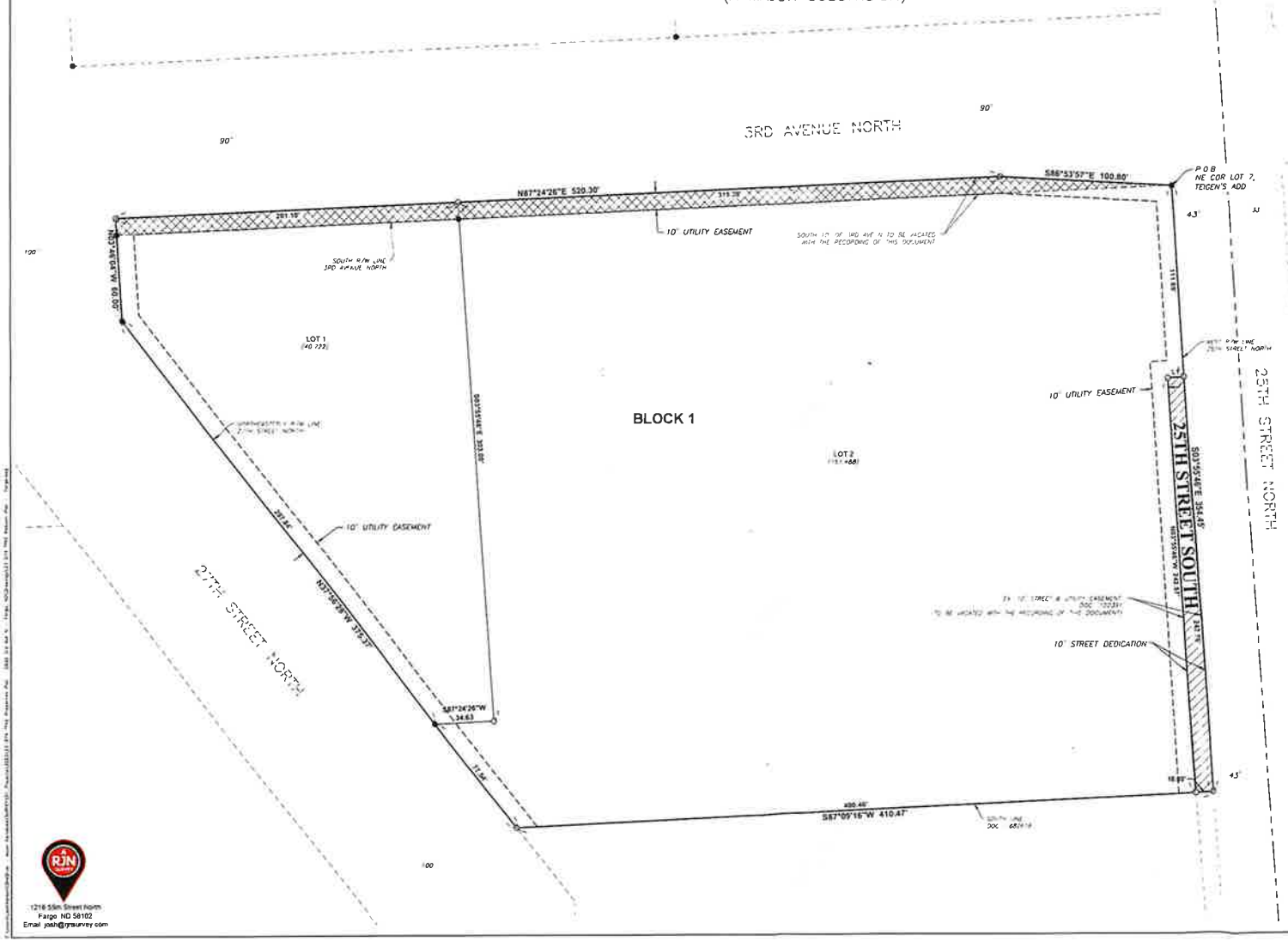
City Limits

THE CITY OF Fargo FAR MORE

Fargo Planning Commission
September 7, 2023

TYKE ADDITION

BEING A REPLAT OF ALL OF LOTS 1 THROUGH 9 AND A PART OF LOTS 10 THROUGH 14 OF TEIGEN'S SECOND ADDITION AND DEDICATION OF 25TH STREET NORTH AND A VACATION OF 3RD AVENUE NORTH, STREET AND UTILITY EASEMENT LYING AND BEING WITHIN THE BOUNDARY OF THE PLAT DESCRIBED HEREIN
TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA
(A MAJOR SUBDIVISION)



0 30 60
SCALE IN FEET
ORIENTATION OF BEARING IS CITY OF FARGO GROUND COORDINATE SYSTEM

NOTES

1. GROUND DISTANCES ARE SHOWN AND ARE IN TERMS OF U.S. SURVEY FEET
2. UTILITY EASEMENTS ARE 10' WIDE ALONG AND ADJACENT TO ALL STREET RIGHT-OF-WAYS AND REAR PROPERTY LINES AS SHOWN UNLESS OTHERWISE NOTED
3. NEGATIVE ACCESS EASEMENT, AS NOTED ON THE PLAT OF TYKE ADDITION, IS AN EASEMENT DEDICATED AS PART OF THE RIGHT-OF-WAY DEDICATION WHICH EASEMENT DENIES DIRECT VEHICULAR ACCESS TO A STREET OF PUBLIC WAY FROM THE LOT OR LOTS ADJACENT TO SUCH STREET OR WAY. THE NEGATIVE ACCESS EASEMENT IS NOT A STRIP OF LAND OF ANY CERTAIN WIDTH, BUT IS A LINE COTERMINOUS WITH THE BOUNDARY OF THE ADJACENT LOT OR LOTS

LEGEND

○	SET 5/8" REBAR CAP LS 27797
●	FOUND MONUMENT
(5,000)	PLAT LOT AREAS
— — — —	EXISTING PROPERTY LINE
- - - - - -	EXISTING EASEMENT LINE
	ORIGINAL PLATTED LINE
- - - - - - -	PLAT NEW EASEMENT
	SECTION LINE
	PLAT OVERALL BOUNDARY
	PLAT BLOCK LINES
	PLAT INTERIOR LOT LINES
	NEW NEGATIVE ACCESS EASEMENT
	EASEMENTS VACATED BY THIS PLAT
	PUBLIC STREET VACATED BY THIS PLAT

LINE TABLE

#	DISTANCE	BEARING
L1	10.00'	S86°04'14"W

RJN SURVEY
1216 5th Street North
Fargo ND 58102
Email: josh@rjnsurvey.com

SHEET 2 OF 2

TYKE ADDITION

OWNER'S DEDICATION AND DESCRIPTION

KNOW ALL PERSONS BY THESE PRESENTS, That GTO Properties, LLP, a North Dakota limited liability partnership and TYKE Properties, LLC, a North Dakota limited liability company, Owners of a parcel of land located in that part of the Southeast Quarter of Section 2, Township 139 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota, described as follows

All of Lots 1 through 9 and parts of Lots 10 through 14, TEIGEN'S SECOND SUBDIVISION, according to the recorded plat thereof, on file and of record in the office of the Recorder as Document No. 228487, Cass County, North Dakota, being more particularly as follows

Beginning at the northeast corner of said Lot 7; thence South 03 degrees 55 minutes 48 seconds East on the west right-of-way line of 25th Street South a distance of 354.45 feet to a point of intersection the south line of a tract of land described in Document No. 1592618 on file and of record in the office of the Recorder, Cass County, North Dakota; thence South 87 degrees 05 minutes 16 seconds West on said south line a distance of 470.47 feet to a point of intersection with the northeasterly right-of-way line of 22th Street North; thence North 37 degrees 56 minutes 28 seconds West on said line a distance of 325.27 feet; thence North 03 degrees 45 minutes 04 seconds West on said line a distance of 62.00 feet; thence North 87 degrees 24 minutes 26 seconds East on a line parallel and 10 feet north of the south right-of-way line of 3rd Avenue North a distance of 610.26 feet; thence South 48 degrees 15 minutes 40 seconds East a distance of 14.31 feet to the northeast corner of said Lot 7 and the point of beginning

Plat contains 4.47 acres, more or less, and is subject to Easements, Reservations, Restrictions and Rights-of-Way of record

Said owners of the above described property, have caused the same to be surveyed and platted as "TYKE ADDITION" to the City of Fargo, Cass County, North Dakota, and do hereby dedicate to the public for public use 25th Street North and utility easements shown on said plat. Said owners also hereby vacate that part of 3rd Avenue North lying within said "TYKE ADDITION"

OWNER – LOT 1

GTO Properties, LLP

_____

Todd Srur, Owner

State of North Dakota)
) SS
County of Cass)

On this ____ day of _____, 2023, before me, a notary public in and for said county and state, personally appeared Todd Srur, known to me to be the Owner of GTO Properties, LLP described in and who executed the same on behalf of said partnership

Notary Public: _____

OWNER – LOT 2

TYKE Properties, LLC

_____

Kevin Bartram, Owner

State of North Dakota)
) SS
County of Cass)

On this ____ day of _____, 2023, before me, a notary public in and for said county and state, personally appeared Kevin Bartram, known to me to be the Owner of TYKE Properties, LLC described in and who executed the same on behalf of said company

Notary Public _____

SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT

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

Dated this ___ day _____, 2023

_____

Joshua J. Nelson, PLS
Professional Land Surveyor
Registration No. LS-27292

State of North Dakota)
) SS
County of Cass)

On this ____ day of _____, 2023, appeared before me, Joshua J. Nelson, known to me to be the person whose name is subscribed to the above certificate and did acknowledge to me that he executed the same as his own free act and deed

Notary Public _____

CITY OF FARGO ENGINEERING DEPARTMENT APPROVAL

Approved by the City Engineer this ___ day of _____, 2023

_____

Tom Knakmuhs, P.E.
City Engineer

State of North Dakota)
) SS
County of Cass)

On this _____ day of _____, 2023, before me, a notary public in and for said county, personally appeared Tom Knakmuhs, P.E., City Engineer, known to me to be the person described in and who executed the same as a free act and deed

Notary Public: _____

FARGO CITY COMMISSION APPROVAL

Approved by the Board of Commissioners and ordered filed this ___ day of _____, 2023

_____

Timothy J. Mahoney
Mayor

Attest _____
Steven Sprague, City Auditor

State of North Dakota)
) SS
County of Cass)

On this ____ day of _____, 2023, before me, a notary public in and for said county, personally appeared Timothy J. Mahoney, Mayor, and Steven Sprague, City Auditor, known to me to be the persons described in and who executed the same as a free act and deed

Notary Public _____

CITY OF FARGO PLANNING COMMISSION APPROVAL

Approved by the City of Fargo Planning Commission this __ day of _____, 2023

_____

Rocky Schneider
Planning Commission Chair

State of North Dakota)
) SS
County of Cass)

On this ____ day of _____, 2023, before me, a notary public in and for said county, personally appeared Rocky Schneider, Planning Commission Chair, known to me to be the person described in and who executed the same as a free act and deed

Notary Public: _____

1218 55th Street North
Fargo, ND 58102
Email: josh@rjnsurvey.com

SHEET 1 OF 2

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City of Fargo Staff Report			
Title:	CC's First Addition	**Date:** **Update:**	11/01/2023 01/04/2024
Location:	5080 38th Street South	**Staff Contact**	Donald Kress, senior planner
Legal Description:	Unplatted portion of the Southeast Quarter of Section 34, Township 139 North, Range 49 West		
Owner(s)/Applicant:	KLC Holdings, LLC/Christianson Companies	**Engineer:**	Bolton & Menk
Entitlements Requested:	**Major Subdivision** (Plat of an unplatted portion of the Southeast Quarter of Section 34, Township 139 North, Range 49 West ,City of Fargo, Cass County, North Dakota)		
Status:	City Commission Public Hearing: January 8th, 2024		

Existing	**Proposed**
Land Use: Undeveloped	**Land Use:** Commercial
Zoning: GC, General Commercial, with conditional overlay ordinance No. 4636	**Zoning:** no change
Uses Allowed: GC – General Commercial. Allows colleges, community service, daycare centers of unlimited size, ~~detention facilities,~~ health care facilities, parks and open space, religious institutions, safety services, basic utilities, ~~adult entertainment center~~, offices, ~~off-premise advertising~~, commercial parking, outdoor recreation and entertainment, retail sales and service, self-service storage, ~~vehicle repair~~, limited vehicle service, and some telecommunication facilities. **C-O ordinance no. 4636 prohibits the uses struck through above, plus additional conditional uses.**	**Uses Allowed** No change
Maximum Lot Coverage: 85%	**Maximum Lot Coverage:** no change

Proposal:

The applicant requests one entitlement:

1. A major subdivision, entitled **CC's First Addition,** which is a plat of an unplatted portion of the Southeast Quarter of Section 34, Township 139 North, Range 49 West, City of Fargo, Cass County, North Dakota

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

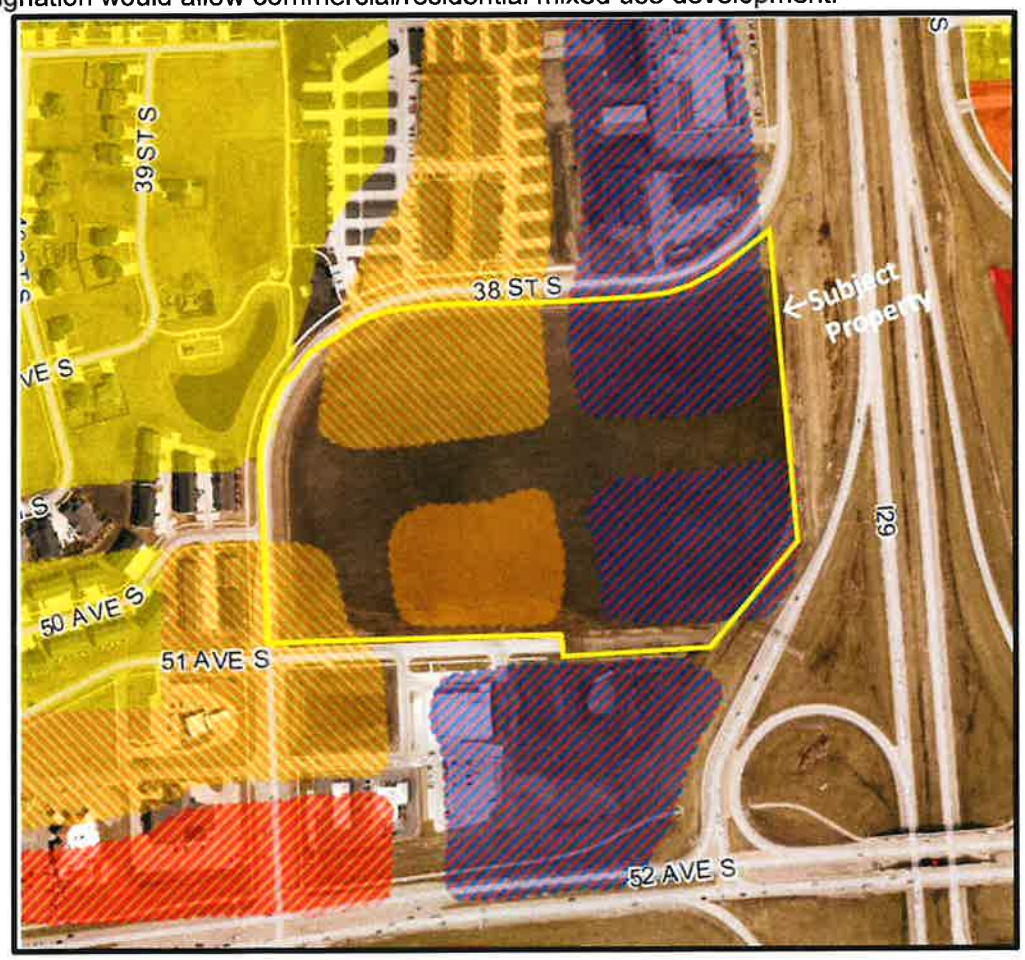
Surrounding Land Uses and Zoning Districts:

- North: LC, Limited Commercial with conditional overlay; MR-3, Multi-Dwelling Residential with conditional overlay; and P/I, Public/Institutional with office, multi-dwelling residential, and Cottagewood Park, a Fargo Park District public facility.
- East: Interstate 29 right of way Not developable

- South: GC retail and mini-storage uses
- West: MR-3 and P/I with multi-dwelling residential uses and Cottagewood Park, a Fargo Park District public facility.

Area Plans:

The subject property is located within the 2003 Southwest Future Land Use Plan. This plan designates the subject property as "Low/Medium or Medium/High Density Residential;" and "Either Office or Commercial." The entire property was zoned GC, General Commercial with a conditional overlay in October 2007. This zoning is consistent with the "Either Office or Commercial" land use designation, while the "Residential" land use designation would allow commercial/residential mixed use development.



2003 Southwest Future Land Use Plan

- 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

(continued on next page)

Context:

Schools: The subject property is located within the Fargo School District and is served by Kennedy Elementary, Carl Ben Eielson Middle and South High schools.

Neighborhood: The subject property is located in the Woodhaven neighborhood.

Parks: Cottagewood Park (4896 38th Street South) is located west across 38th Street South from the subject property and offers grill, picnic table, playground for ages 5-12 recreational, trails, and a shelter.

Pedestrian / Bicycle: There is a shared-use path on north side of 38th Street South that connects to the metro trail system by way of the trails in Cottagewood Park.

MATBUS Routes: The area of the subject property is not served by a MATBUS route.

Staff Analysis:

The plat creates three lots, intended for commercial development. All three lots are currently zoned GC, General Commercial, with a conditional overlay ordinance no. 4636. No changes to the zoning or conditional overlay are proposed.

The subdivision plat dedicates right of way for a dedicated public street within the subdivision, to be known as Alexander Way South. A named street was allowed as otherwise this would street would need to be numbered as a half-street. The plat also dedicates right of way for the connection of this street to existing 51st Avenue South.

The plat depicts negative access easements along much of the 38th Street South property frontage, in order to prohibit direct access to the subdivision from the curves of this street.

Subdivision

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

1. **Section 20-0907.C.1 (Development Review Procedures—Subdivisions—Major Subdivisions) of the LDC stipulates that no major subdivision plat application will be accepted for land that is not consistent with an approved Growth Plan or zoned to accommodate the proposed development.**
   The subject property is zoned GC, General Commercial with a C-O, conditional overlay. This zoning will accommodate the proposed commercial development and is consistent with the "Either Office or Commercial" land use designation of the 2003 Growth Plan. That plat also designates a portion of the subject property as "Low/Medium or Medium/High Density Residential," which would allow commercial/residential mixed use 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, Planning staff has received and responded to one inquiry. **(Criteria Satisfied)**

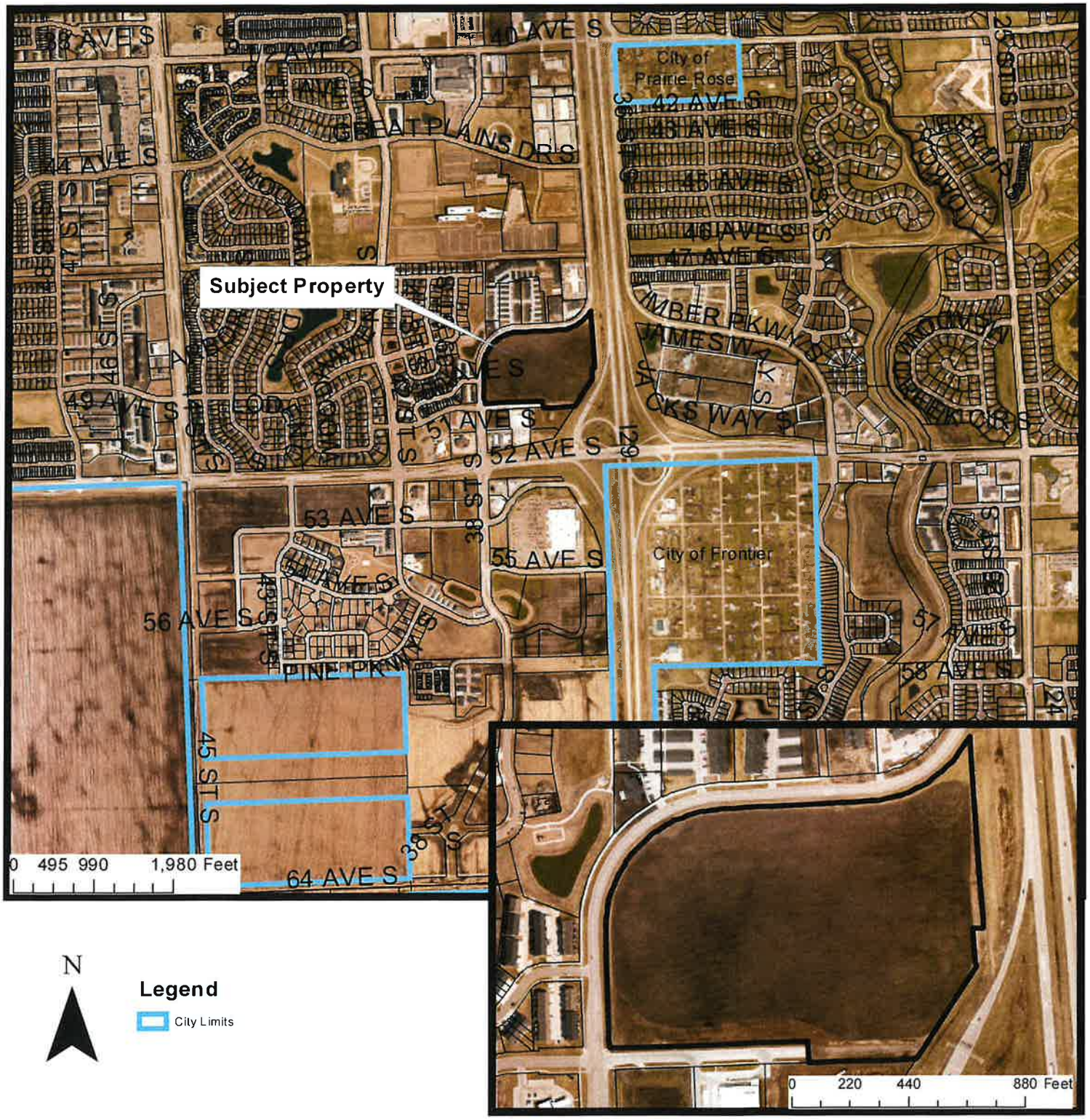
2. **Section 20-0907.C.4 of the LDC further stipulates that the Planning Commission shall recommend approval or denial of the application and the City Commission shall act to approve or deny, based on whether it is located in a zoning district that allows the proposed development, complies with the adopted Area Plan, the standards of Article 20-06 and all other applicable requirements of the Land Development Code.**
   The subject property is currently zoned GC, General Commercial, with a conditional overlay ordinance number 4636. No changes to the zoning or conditional overlay are proposed. This zoning is consistent with the 2003 Growth Plan which designates this property for "either Office or Commercial" development. The project has been reviewed by the city's Planning, Engineering, Public Works, Inspections, and Fire Departments and found to meet the standards of Article 20-06 and other applicable requirements of the Land Development Code. **(Criteria Satisfied)**

3. Section 20-0907.C.4.f of the LDC stipulates that in taking action on a Final Plat, the Board of City Commissioners shall specify the terms for securing installation of public improvements to serve the subdivision. The applicant has provided a draft amenities plan that specifies the terms or securing installation of public improvements to serve the subdivision. This amenities plan was reviewed by the Public Works Project Evaluation Committee (PWPEC) prior to City Commission hearing. 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 the Planning Commission and staff and move to approve the proposed **CC's First Addition** subdivision plat, as presented; as the proposal complies with the 2003 Growth Plan, Standards of Article 20-06, and Section 20-0907.C of the LDC and all other applicable requirements of the LDC."
Planning Commission Recommendation November 7th, 2023
At the November 7th, 2023, Planning Commission hearing, that Commission, by a vote of 7-0 with two Commissioners absent and two Commission seats vacant, moved to accept the findings and recommendations of staff and recommended approval to the City Commission of the proposed **CC's First Addition** subdivision plat, as presented; as the proposal complies with the 2003 Growth Plan, Standards of Article 20-06, and Section 20-0907.C of the LDC and all other applicable requirements of the LDC."
Attachments:
1. Location Map **2.** Zoning Map **3.** Preliminary Plat

Major Subdivision

CC's First Addition

5080 38th Street South



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Legend

City Limits

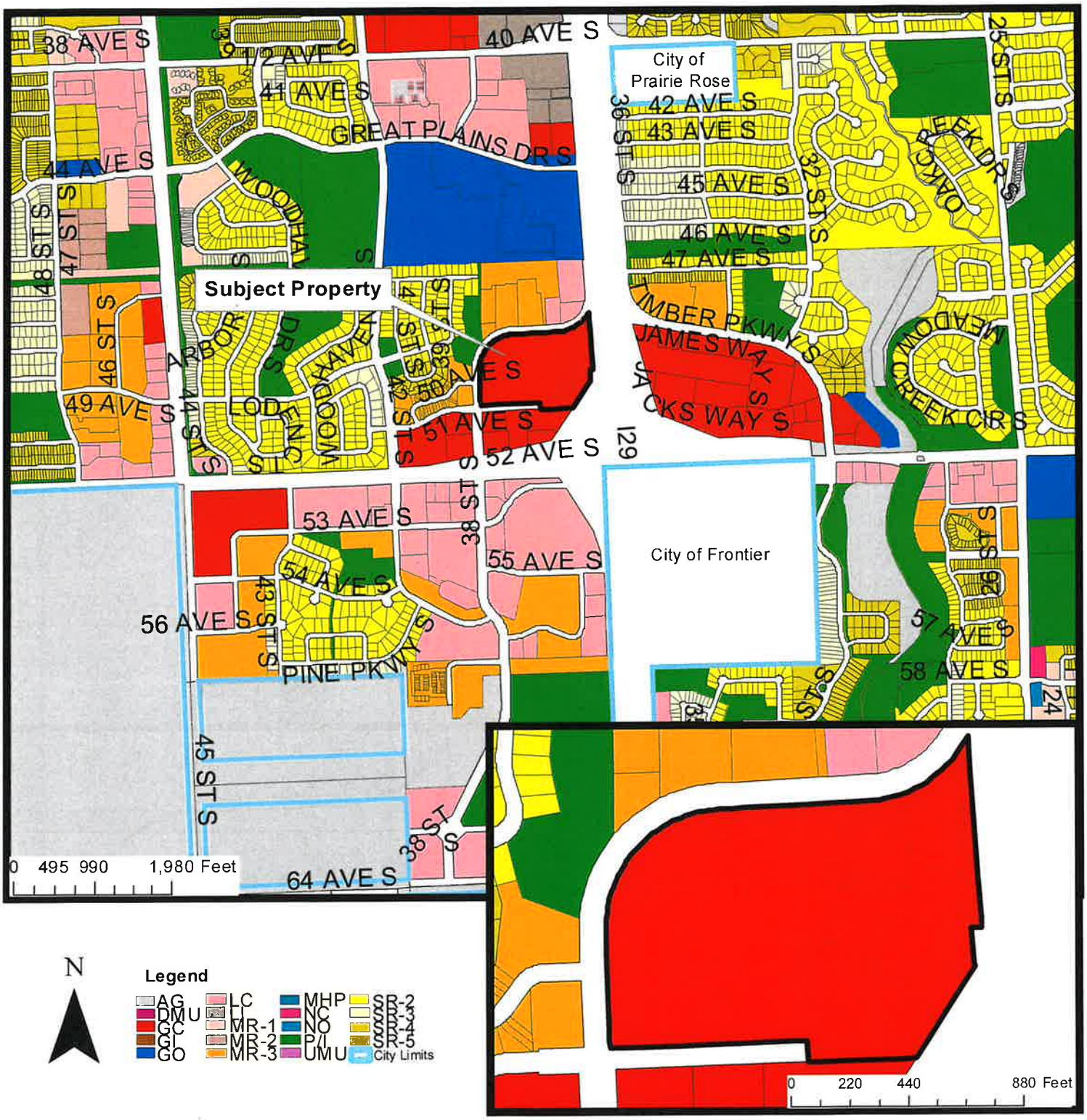
THE CITY OF Fargo FAR MORE

Fargo Planning Commission
November 7, 2023

Major Subdivision

CC's First Addition

5080 38th Street South



THE CITY OF Fargo FAR MORE

Fargo Planning Commission
November 7, 2023

CC'S FIRST ADDITION

TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA
AN UNPLATTED PORTION OF THE SOUTHEAST QUARTER OF SECTION 34, T139N, R49W
(A MAJOR SUBDIVISION)

OWNERS DESCRIPTION AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS, That KLC Holdings, LLC , owner of a parcel of land located in that part of the Southeast Quarter of Section 34, Township 139 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota, being more particularly described as follows:

Beginning at a found iron monument which designates the northeast corner of FITZSIMMONDS ADDITION, according to the recorded plat thereof, on file and of record in the office of the Recorder, said Cass County; thence South 88 degrees 01 minute 46 seconds West on a record bearing along the northerly line of said FITZSIMMONDS ADDITION for a distance of 603.10 feet; thence North 01 degree 58 minutes 14 seconds West continuing along said northerly line for a distance of 30.00 feet, thence South 88 degrees 01 minute 46 seconds West continuing along said northerly line and the westerly extension thereof for a distance of 749.00 feet to the easterly line of a tract described in Document No. 1224211, on file and of record in the office of said Recorder; thence North 01 degree 58 minutes 14 seconds West along the easterly line of said tract for a distance of 433.80 feet; thence northeasterly, continuing along the easterly line of said tract and on a tangential curve concave to the southeast, having a radius of 450.00 feet and a central angle of 88 degrees 57 minutes 20 seconds for an arc distance of 698.66 feet; thence North 86 degrees 59 minutes 06 seconds East continuing along the easterly line of said tract for a distance of 567.57 feet; thence northerly, continuing along the easterly line of said tract and on tangential curve to the northwest, having a radius of 450.00 feet and a central angle of 59 degrees 42 minutes 26 seconds for an arc distance of 468.94 feet to the westerly right of way line of Interstate Highway No. 29; thence South 04 degrees 18 minutes 15 seconds East along said right of way line for a distance of 722.10 feet; thence South 85 degrees 55 minutes 22 seconds West continuing along said right of way line for a distance of 40.50 feet; thence South 04 degrees 19 minutes 15 seconds East continuing along said right of way line for a distance of 143.36 feet; thence South 33 degrees 03 minutes 04 seconds West continuing along said right of way line for a distance of 432.13 feet to the point of beginning

Said tract of land contains 28.48 acres, more or less, and is subject to all easements, restrictions, reservations and rights of way of record, if any

Said owner has caused the above described parcel of land to be surveyed and platted as "CC'S FIRST ADDITION" to the City of Fargo, Cass County, North Dakota and does hereby dedicate to the public for public use forever the street and utility easements as shown on this plat

OWNER
KLC Holdings, LLC

By: Kevin Christianson, President

State of North Dakota
County of Cass } SS

On this 31st day of October, in the year 2023, before me, a notary public within and for said County and State, personally appeared Kevin Christianson, President, KLC Holdings, LLC, known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that he executed the same on behalf of KLC Holdings, LLC

Notary Public

HEIDI LAWSON
Notary Public
State of North Dakota
My Commission Expires Nov 17, 2024

MORTGAGE HOLDER
Stanion Bank

By: Mike Wickham, Market President

State of North Dakota
County of Cass } SS

On this 31st day of October, in the year 2023 before me, a notary public within and for said County and State, personally appeared Mike Wickham, Market President, Stanion Bank, known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that he executed the same on behalf of Stanion Bank.

Notary Public

HEIDI LAWSON
Notary Public
State of North Dakota
My Commission Expires Nov 17, 2024

SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT

I, Shawn M. Thomasson, Registered Professional Land Surveyor under the laws of the State of North Dakota, do hereby certify that this plat is a correct representation of the survey, that all distances shown are correct and that the monuments for the guidance of future surveys have been located or placed in the ground as shown, and that the outside boundary lines are correctly designated on the plat.

Shawn M. Thomasson Date 10-30-23
Shawn M. Thomasson, Professional Land Surveyor
North Dakota License Number LS-5900

State of North Dakota
County of Cass } SS

On this 30 day of OCTOBER, 2023, before me, a notary public within and for said County and State, personally appeared Shawn M. Thomasson, Registered Professional Land Surveyor known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that he executed the same.

Notary Public

JEFF DELTINGER
Notary Public
State of North Dakota
My Commission Expires May 29, 2024

REGISTERED LAND SURVEYOR
SHAWN M. THOMASSON
LS-5900
NORTH DAKOTA

CITY OF FARGO PLANNING COMMISSION APPROVAL

Approved by the City of Fargo Planning Commission this 7th day of November, 2023

Rocky Schneider, Planning Commission Chair

State of North Dakota
County of Cass } SS

On this 7th day of November, in the year 2023, before me, a notary public within and for said County and State, personally appeared Rocky Schneider, Planning Commission Chair, known to me to be the person who is described in and who executed the within instrument, and acknowledged to
me that he executed the same on behalf of the Fargo Planning Commission

Notary Public

MIRANDA WOLF
Notary Public
State of North Dakota
My Commission Expires May 18, 2027

CITY OF FARGO ENGINEERING DEPARTMENT APPROVAL

Approved by City Engineer this _____ day of _____, 202__

Tom Knakmuhs, P.E., City Engineer

State of North Dakota
County of Cass } SS

On this _____ day of _____, in the year 202__, before me, a notary public within and for said County and State, personally appeared Tom Knakmuhs, P.E., City Engineer known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that he executed the same as City Engineer for the City of Fargo

Notary Public

FARGO CITY COMMISSION APPROVAL

Approved by the Board of City Commissioners and ordered filed this _____ day of _____, 202__

Timothy J. Mahoney, Mayor

Attest: _____
Steven Sprague, City Auditor

State of North Dakota
County of Cass } SS

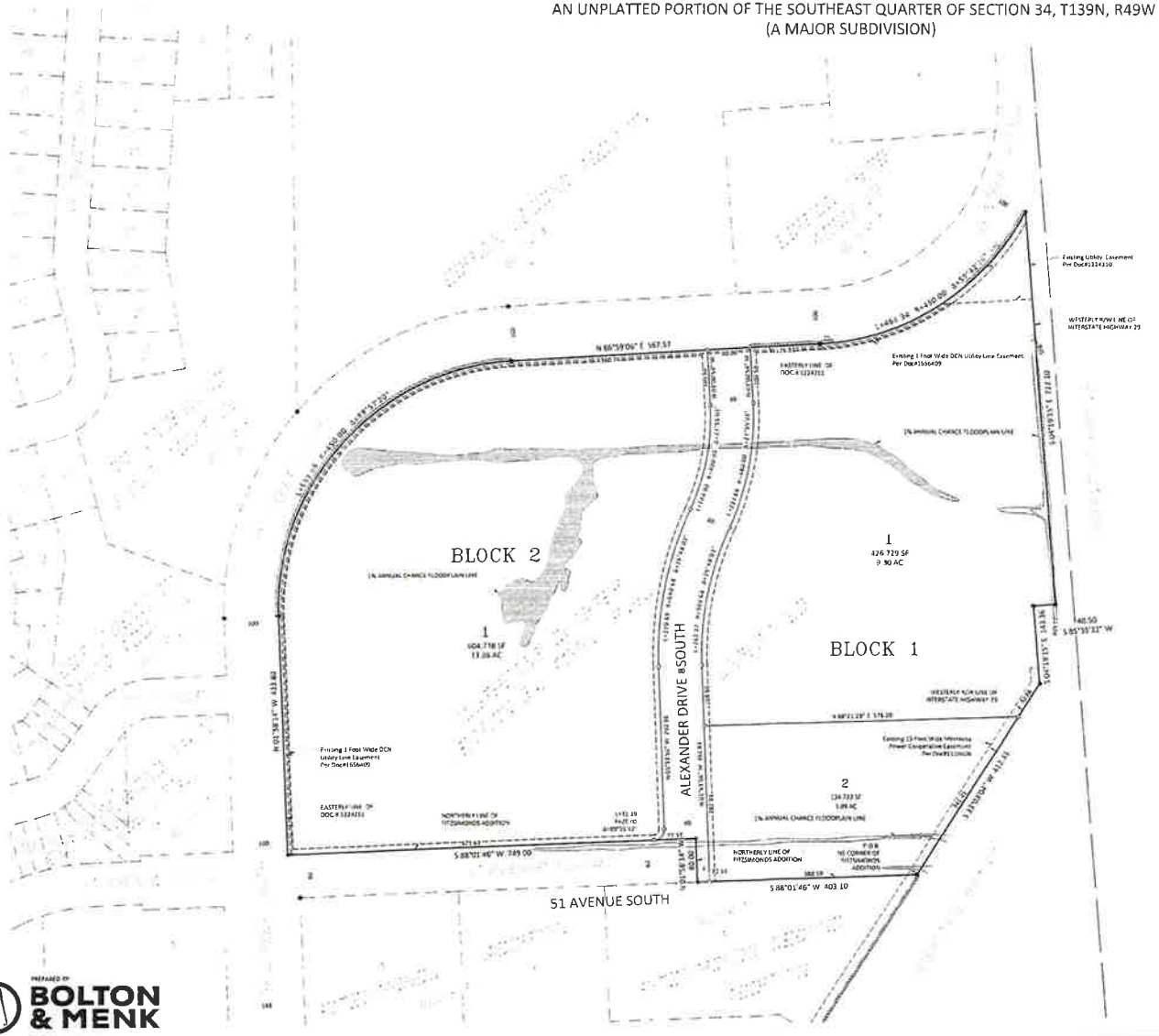
On this _____ day of _____, in the year 202__, before me, a notary public within and for said County and State, personally appeared Timothy J. Mahoney, Mayor, and Steven Sprague, City Auditor known to me to be the persons who are described in and who executed the within instrument, and acknowledged to me that they executed the same on behalf of the City of Fargo

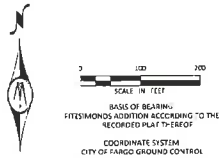
Notary Public

SHEET 1 OF 2

CC'S FIRST ADDITION

TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA
AN UNPLATTED PORTION OF THE SOUTHEAST QUARTER OF SECTION 34, T139N, R49W
(A MAJOR SUBDIVISION)





BASIS OF BEARING:
FITZSIMONDS ADDITION ACCORDING TO THE RECORDED PLAT THEREOF

COORDINATE SYSTEM
CITY OF FARGO GROUND CONTROL

LEGEND

- 5/8"x18" REBAR MONUMENT SET, CAP MARKED BY LIC NO 13-5900
- MONUMENT FOUND
- SUBJECT PROPERTY LINE
- SECTION LINE
- EXISTING PROPERTY LINE
- EASEMENT LINE
- EXISTING CONTOUR LINE PER CITY OF FARGO LIDAR CONTOUR DRAWINGS NAVD88 DATED 2014
- AREA within 100 YEAR FLOODPLAIN
- NEGATIVE ACCESS EASEMENT

"Negative Access Easements, as noted on this plat, is an easement dedicated as part of the right of way dedication which easement denies direct vehicular access to a Street or public way from the lot or lots adjacent to such Street or way. The negative access easement is not a strip of land of any certain width but is a line coterminous with the boundary of the adjacent Lot or Lots."

Utility easements are shown thus:

Being 10 feet in width and adjoining street right of way lines as shown on the plat, unless otherwise indicated

EASEMENT OF RECORD

1. Minnkota Power Cooperative, Inc. Transmission Line Easement filed by recorded January 4, 1978 Book 4-7 of Misc., page 163 as document #510244
2. Cass County Electric Cooperative, Inc. Right of Way Easement filed dated April 11, 1989 as document #579012

NOTES

THIS PLAT LIES PARTIALLY WITHIN ZONE AE AS SHOWN ON FLOOD INSURANCE RATE MAP NO. 38017C0787G, DATED JANUARY 16, 2015

ZONE AE, BASE FLOOD ELEVATIONS DETERMINED

BASE FLOOD ELEVATION: 900.7

BENCHMARK

CITY OF FARGO BENCHMARK 245079 LOCATED APPROXIMATELY 2,500 FEET EASTERLY OF THE SOUTHEAST CORNER OF SUBJECT PROPERTY SOUTHEAST FLANGE BOLT OF FIRE HYDRANT ELEVATION=909.41 NAVD88

REGISTERED LAND SURVEYOR
SHAWN M. THOMASSON
LS-5900
NORTH DAKOTA

PREPARED BY
BOLTON & MENK

SHEET 2 OF 2

20

City of Fargo Staff Report			
Title:	Gamma Fargo Addition and Pracs Second Addition	**Date:** **Updated:**	12/27/2023 1/4/2024
Location:	4951 and 4837 Amber Valley Parkway South; 4800, 4820, and 4840 23 Avenue South.	**Staff Contact:**	Luke Morman, Planner
Legal Description	Lots 1-3, Block 1, **Gamma Fargo Addition** and a portion of Lot 1, Block 1, **Pracs Second Addition.**		
Owner(s)/Applicant:	Comstock Services, LLC/Scott Kjos	**Engineer:**	N/A
Entitlements Requested:	1) **PUD, Planned Unit Development Master Land Use Plan** and 2) **Zoning Change** from LC, Limited Commercial to GC, General Commercial with a PUD, Planned Unit Development		
Status:	City Commission Public Hearing: January 8, 2024		

Existing	Proposed
Land Use: Office	**Land Use:** Office, manufacturing, production, and warehouse.
Zoning: LC, Limited Commercial	**Zoning:** GC, General Commercial with a PUD, Planned Unit Development
Uses Allowed: LC allows colleges, community service, daycare centers of unlimited size, health care facilities, parks and open areas, religious institutions, safety services, basic utilities, offices, off-premise advertising, commercial parking, retail sales and service, self-service storage, vehicle repair, limited vehicle service, and some TSS structures. Conditional Use Permit from 2004 for a parking reduction (CUP #218).	**Uses Allowed:** GC allows colleges, community service, daycare centers of unlimited size, ~~detention facilities~~, health care facilities, parks and open space, religious institutions, safety services, basic utilities, ~~adult establishments~~, offices, ~~off-premise advertising~~, commercial parking, outdoor recreation and entertainment, retail sales and service, self-service storage, vehicle repair, limited vehicle service, ~~aviation, surface transportation~~, and some TSS structures. **The PUD, Planned Unit Development would allow manufacturing, production, and warehouse uses in the GC, General Commercial zone**, in addition to the other permitted uses in the GC zone and other conditions. CUP #218 remains.
Maximum Lot Coverage: Maximum 55% building coverage	**Maximum Lot Coverage:** Maximum 85% building coverage

Proposal:

The applicant is requesting two entitlements:

1. **PUD, Planned Unit Development Master Land Use Plan**
2. **Zoning Change** from LC, Limited Commercial to GC, General Commercial, with a PUD, Planned Unit Development overlay;

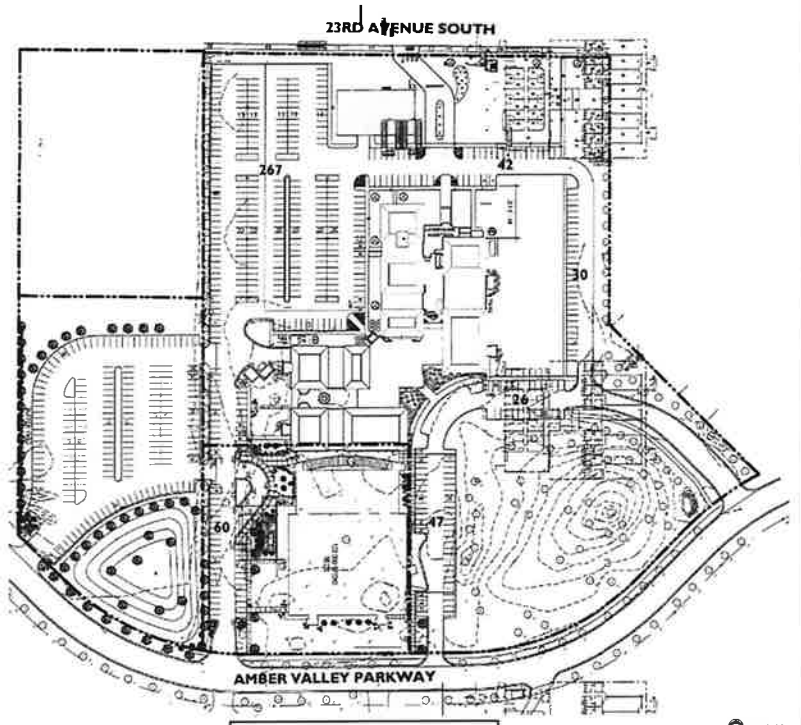
The applicant proposes a medical device manufacturer to fit-up a tenant space in the existing building. The application included the following information for the proposed use:

"CorVent Medical designs, assembles, and distributes medical devices, ventilators, and breathing devices. We will perform design, testing, assembly, and distribution of ventilators out of this facility. This will be our Global Headquarters and we are OEM." (Original Equipment Manufacturer)

The applicant originally requested a zone change from LC, Limited Commercial, to GC, General Commercial and a CUP, Conditional Use Permit, to allow for manufacturing, production, and warehouse uses in the GC, General Commercial zone. However, through the review process, staff determined that the more appropriate entitlement would be a PUD, Planned Unit Development. The proposed PUD overlay will have typical restrictions for industrial uses in the GC zone such as all-weather surface, no debris, no outdoor storage, concealing refuse containers, and no hazardous chemicals or materials.

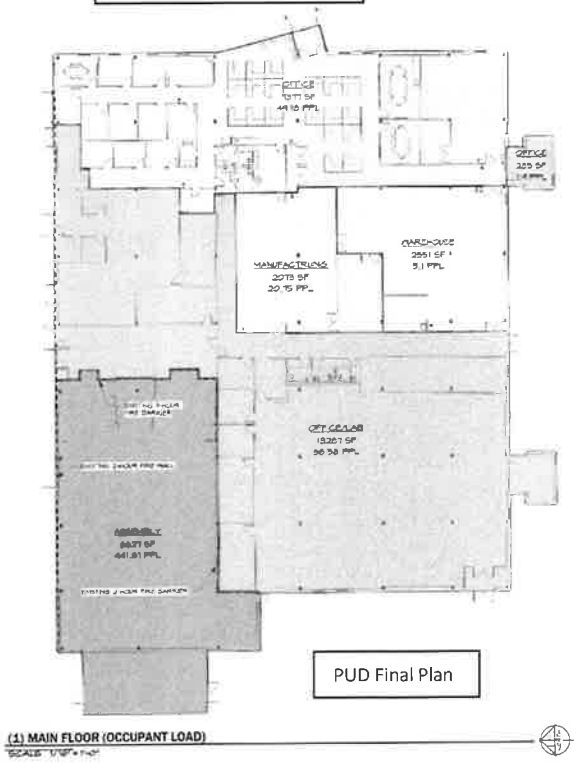
PUD Master Land Use Plan and PUD Final Plan

The images to the right are the floor plan and site plans used for the Master Land Use Plan and PUD Final Plan submitted by the applicant. The purpose of the PUD Final Plan is to confirm that the final development plans are consistent with the intent and layout of the PUD Master Land Use Plan. Since all structures and parking areas are existing and the only work is interior, staff is moving these two items through the Commission meetings concurrently. At the January 2nd, 2024 Planning Commission meeting, the PUD Final Plan was approved contingent on the City Commission approval of the Zoning Change and PUD Master Land Use Plan.



PUD Master Land Use Plan

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.



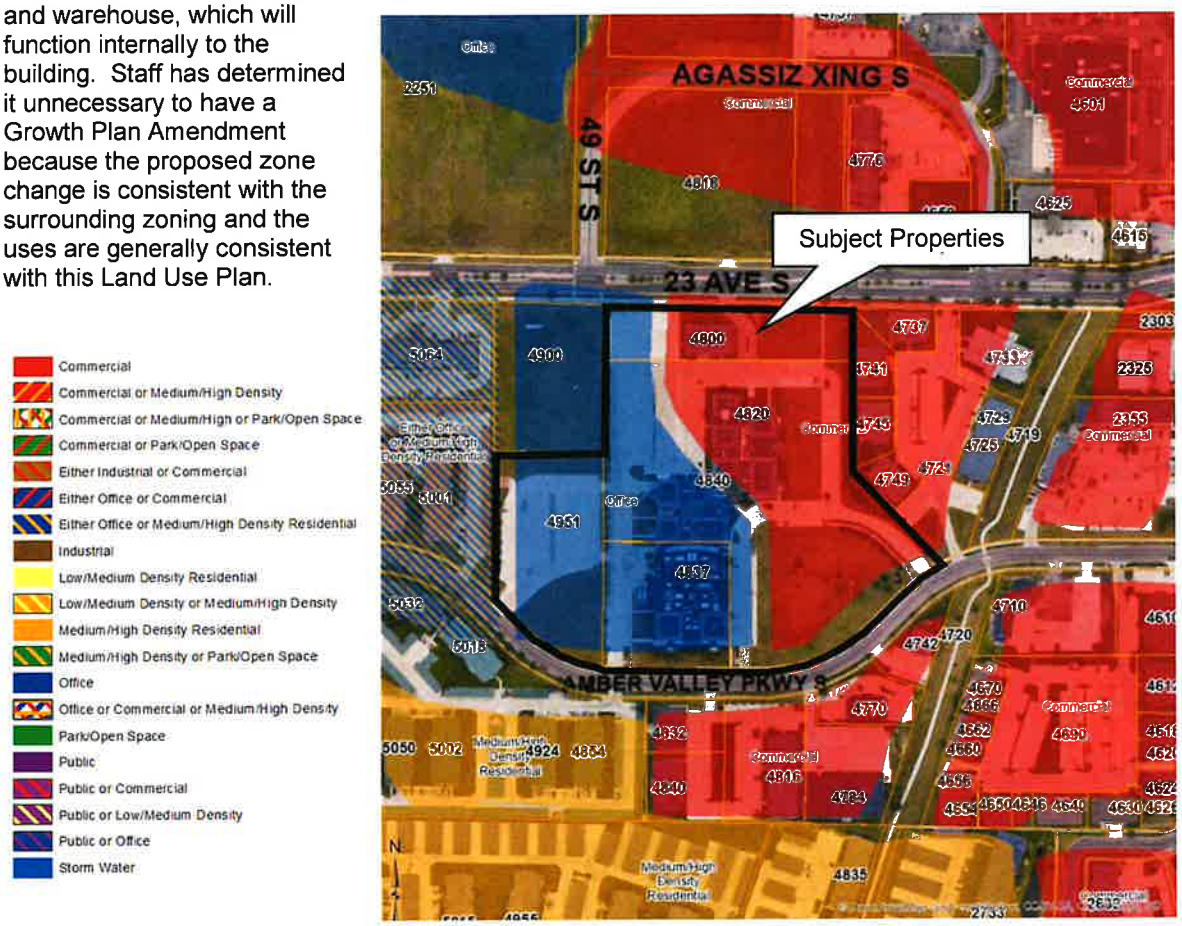
PUD Final Plan

Surrounding Land Uses and Zoning Districts:

- North: Across 23rd Avenue South is GC, General Commercial, undeveloped.
- East: GC, General Commercial, with office and daycare.
- South: GC, General Commercial, with office.
- West: LC, Limited Commercial, undeveloped, and MR3, Multi-dwelling Residential, with multi-dwelling structures.

Area Plans:

The subject properties are located within the 2003 Southwest Future Land Use Plan. Within this growth plan, the subject properties are identified as being suitable for Office and Commercial uses. In addition to the office use to remain, the proposed Planned Unit Development allows manufacturing, production, and warehouse, which will function internally to the building. Staff has determined it unnecessary to have a Growth Plan Amendment because the proposed zone change is consistent with the surrounding zoning and the uses are generally consistent with this Land Use Plan.



Context:

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

Neighborhood: The subject properties are located within the Amber Valley Neighborhood.

Parks: Urban Plains Park and Anderson Softball Complex are within one half of a mile of the subject properties. Amenities for Urban Plains Park include playground for ages 2-12, recreational trails, restrooms, and shelters. Amenities for Anderson Softball Complex are baseball/softball fields, picnic tables, playground for ages 2-5, and restrooms.

Pedestrian / Bicycle: There are shared use trails along 23rd Avenue South, Amber Valley Parkway, 51st Street South, 45th Street South, within Urban Plains Park, and nearby connections to the metro area trail system.

Bus Route: MATBUS Route 24 runs along 23rd Avenue South and 51st Street South. MATBUS Route 14 runs along 45th Street South. Several stops along these roads are within one quarter of a mile from the subject properties.

Staff Analysis:

PUD Overlay District

The applicant has applied for a zoning map amendment and a PUD overlay in order to tailor use standards to the specifics of the proposed project. The project covers four contiguous parcels under the same ownership, zoned LC, Limited Commercial. For this project, Planning staff recommended the applicant use the GC, General Commercial zone to accommodate the desired industrial uses in the proposed location. The modifications to the use standards of Article 20-04 of the LDC and the additional standards are shown in the chart below. Other LDC standards not included in the chart below will remain as the standard GC requirements.

	Proposed PUD Modifications:
Allowed Uses	Manufacturing, production, and warehouse
Prohibited Uses	Detention facility, adult establishment, aviation/surface transportation, off-premise advertising, and portable signs.
Additional Standards	1. Off-street parking, loading, and vehicular circulation shall have an all-weather surface, as defined by the Land Development Code. 2. The property shall not be used in whole or in part for storage of rubbish or debris of any kind whatsoever nor for the storage of any property or items that will cause such lot to appear untidy, unclean or unsightly as determined by the Zoning Administrator; nor shall any substance, item or material be kept on any lot that will emit foul odors, including compost sites and fertilizer. 3. No outdoor storage of equipment or supplies. 4. All refuse containers, including dumpsters, shall be concealed from public view by opaque fence, screen wall, or building extension. 5. The manufacturing, production, or processing of hazardous chemicals or materials shall not be permitted.

Detailed Comment on PUD Modifications

Allowed uses: In addition to the uses allowed within the GC, General Commercial zoning district, manufacturing, production, and warehouse uses shall also be allowed.

Prohibited Uses: The uses of detention facilities, adult establishments, aviation/surface transportation, off-premise advertising, and portable signs are frequently prohibited uses with various entitlements throughout the city, especially along collector (23rd Avenue South) or arterial roadways.

Additional Standards: In order to protect negative effects of the proposed uses, staff is applying restrictions on paving, prohibiting rubbish or debris, prohibiting outdoor storage, screening refuse containers, and prohibiting hazardous chemicals or materials. These standards listed are typical when allowing industrial uses in the GC zone.

PUD 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 GC zoning district. The PUD will allow the uses of manufacturing, production, and warehouse while restricting some others that are normally restricted through Conditional Overlays. Staff is proposing additional standards which would address potential negative impacts of the proposed uses that is consistent with other entitlements that allow industrial uses in the GC zone.
   (Criteria Satisfied)

2. **The PUD Master Land Use Plan complies with the PUD standards of Section 20-0302;**
   Staff has reviewed the PUD Master Land Use Plan and found that it complies with the PUD standards of Section 20-0302. The PUD modifies some standards of the GC zone and use standards as outlined in Section 20-04 and noted above. All other 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;**
   The subject property is located within an area of the City that is largely developed with public infrastructure. Staff is not aware of any deficiencies regarding drainage or utilities that would limit the ability of the applicant to utilize the property as proposed. In addition, the requested PUD has been reviewed by staff from other applicable departments and no concerns have been raised. Based on this information, staff finds that adequate utility, drainage, and other such necessary facilities and services are in place.
   (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. The City's Go2030 Comprehensive Plan supports development within areas that are already serviced with utilities. 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 business with the proposed uses being all internal to an existing building that already has connections to City services. Staff does not believe that the location, size, nature or intensity of the use will prevent development and use of neighboring property in accordance with applicable zoning districts.
   (Criteria Satisfied)

Note: The Planning Commission approved the PUD Final Plan findings below. The City Commission takes no action on this Final Plan.

~~**PUD Final Plan**~~
~~Section 20-0908.D of the LDC stipulates that the Planning Commission shall approve the PUD Final Plan if it is determined to be in substantial compliance with the approved PUD Master Land Use Plan. The PUD Master Land Use Plan and Final Plan are being brought forth concurrently. Relevant plan sheets have been attached to this staff report for reference. The PUD Final Plan shall be deemed to be in compliance so long as, when compared with the PUD Master Land Use Plan, it does not result in:~~

1. ~~**An increase in project density or intensity, including the number of housing units per acre or the amount of nonresidential floor area per acre;**~~
   ~~There is no change in project density or intensity.~~
   ~~**(Criteria Satisfied)**~~

2. ~~**A change in the mix of housing types or the amount of land area devoted to nonresidential uses;**~~
   ~~There is no change in the mix of housing types or the amount of land devoted to nonresidential uses.~~
   ~~**(Criteria Satisfied)**~~

3. ~~**A reduction in the amount of open space;**~~
   ~~There is no change to the amount of open space.~~

~~**(Criteria Satisfied)**~~

4. ~~**Any change to the vehicular system that results in a significant change in the amount or location of streets, common parking areas, and access to the PUD;**~~
   ~~There is no change to the vehicular system of streets, parking areas, and access.~~
   ~~**(Criteria Satisfied)**~~

5. ~~**Any change within 50 feet of any SR or MR zoning district;**~~
   ~~There has been no change within 50 feet of any SR or MR zoning district.~~
   ~~**(Criteria Satisfied)**~~

6. ~~**Any change determined by the Planning Commission to present an increase in development intensity;**~~
   ~~There is no increase in development intensity from what exists today besides fitting-up a space in an existing building.~~
   ~~**(Criteria Satisfied)**~~

7. ~~**A substantial change in the layout of buildings.**~~
   ~~There is no change in the layout of the buildings.~~
   ~~**(Criteria Satisfied)**~~

~~The decision making body for the PUD Final Plan is the Planning Commission. Below includes a recommendation contingent on City Commission approval of the Zoning Change and PUD Master Land Use Plan.~~

Zoning
Section 20-0906.F(1-4) of the LDC stipulates that 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 the subject properties. The properties are currently zoned LC, Limited Commercial and are proposed to be changed to GC, General Commercial with a PUD, Planned Unit Development overlay. The PUD Overlay zoning district is intended to accommodate the development of this property and specifically identify the proposed development within a master land use plan and zoning ordinance. 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 manufacturing, production, and warehouse uses in the existing building.
   (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 properties are adjacent to existing developed public rights-of-way, which provide access and public utilities to serve them.
   (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 no inquiries related to the project. Staff finds that the proposal will not adversely affect the condition or value of the property in the vicinity.
   (Criteria Satisfied)

4. **Is the proposed amendment consistent with the purpose of this LDC, the Growth Plan, and other adopted policies of the City?**
   The purpose of the LDC is to implement Fargo's Comprehensive Plan in a way that will protect the general health, safety, and welfare of the citizens. Staff finds that the proposed zone change is consistent with the purpose of the LDC, the Go2030 Comprehensive Plan, and other adopted policies of the City.
   (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 approve the proposed 1) **PUD, Planned Unit Development Master Land Use Plan** and 2) **Zoning Change** from LC, Limited Commercial to GC, General Commercial with a PUD, Planned Unit Development on Lots 1-3, Block 1, Gamma Fargo Addition and a portion of Lot 1, Block 1, Pracs Second Addition as the proposal complies with the 2003 Southwest Future Land Use Plan, Section 20-0908.B(7), and Section 20-0906.F(1-4) of the LDC, and all other applicable requirements of the LDC."

Planning Commission Recommendation: January 2nd, 2024

At the January 2nd Planning Commission meeting, by a vote of 8-0 with one Commissioner absent and two Commission seats vacant, the Planning Commission moved to accept the findings and recommendations of staff and hereby recommend approval to the City Commission of the 1) **PUD, Planned Unit Development Master Land Use Plan** and to hereby approve the **PUD Final Plan**, contingent on the City Commission approval of the Zoning Change and PUD Master Land Use Plan, and 2) **Zoning Change** from LC, Limited Commercial to GC, General Commercial with a PUD, Planned Unit Development on Lots 1-3, Block 1, Gamma Fargo Addition and a portion of Lot 1, Block 1, Pracs Second Addition as the proposal complies with the 2003 Southwest Future Land Use Plan, Section 20-0908.B(7), Section 20-0908.D, and Section 20-0906.F(1-4) of the LDC, and all other applicable requirements of the LDC.

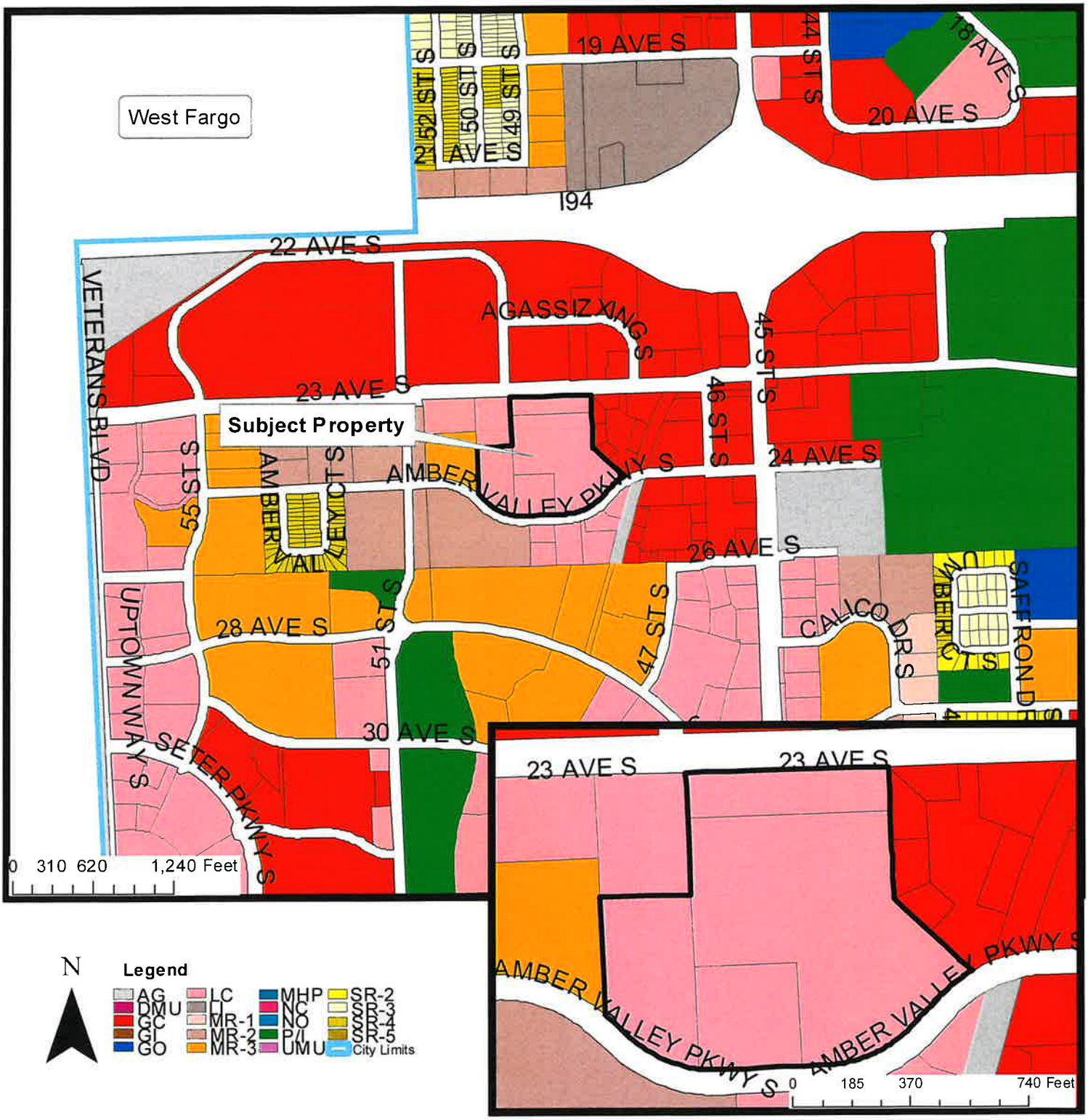
Attachments:

1. Zoning Map
2. Location Map
3. PUD Narrative Statement of Intent
4. PUD Master Land Use Plan
5. PUD Final Plan
6. Draft PUD Overlay

Planned Unit Development (PUD) Overlay, PUD Master Land Use Plan, PUD Final Plan & Zone Change from LC, Limited Commercial to GC, General Commercial zoning district with a PUD

Gamma Fargo Addition &
Pracs Second Addition

4800, 4820, 4840 23rd Avenue South;
4837 & 4951 Amber Valley Parkway South



THE CITY OF Fargo FAR MORE

Fargo Planning Commission
January 2, 2024

Planned Unit Development (PUD) Overlay, PUD Master Land Use Plan, PUD Final Plan & Zone Change from LC, Limited Commercial to GC, General Commercial zoning district with a PUD

Gamma Fargo Addition & Pracs Second Addition

4800, 4820, 4840 23rd Avenue South; 4837 & 4951 Amber Valley Parkway South

N

Legend

City Limits

THE CITY OF Fargo FAR MORE

Fargo Planning Commission
January 2, 2024

December 20th, 2023

City of Fargo
225 4th Street North
Fargo, North Dakota 58102

Re: Amber Valley PUD project.

Developers Statement of Intent:

Comstock Services and CorVent Medical are proposing to remodel existing space within 4837 Amber Valley property. The current uses in the property are medical research and testing. The total building complex is 260,000 sq ft. with over 700 parking spots on 17 acres.

CorVent's leasable space is 12,003 sq ft. within the building. Their proposed Manufacturing area only takes up 2,075 square feet and the warehouse is 2,551 square feet. There will be no outside storage. This is strictly a remodel/fit up not an addition.

Who is CorVent™ Medical. Their business designs, assembles and distributes medical devices, ventilators and breathing devices. They will perform design, testing, assembly and distribution of ventilators out of this facility.

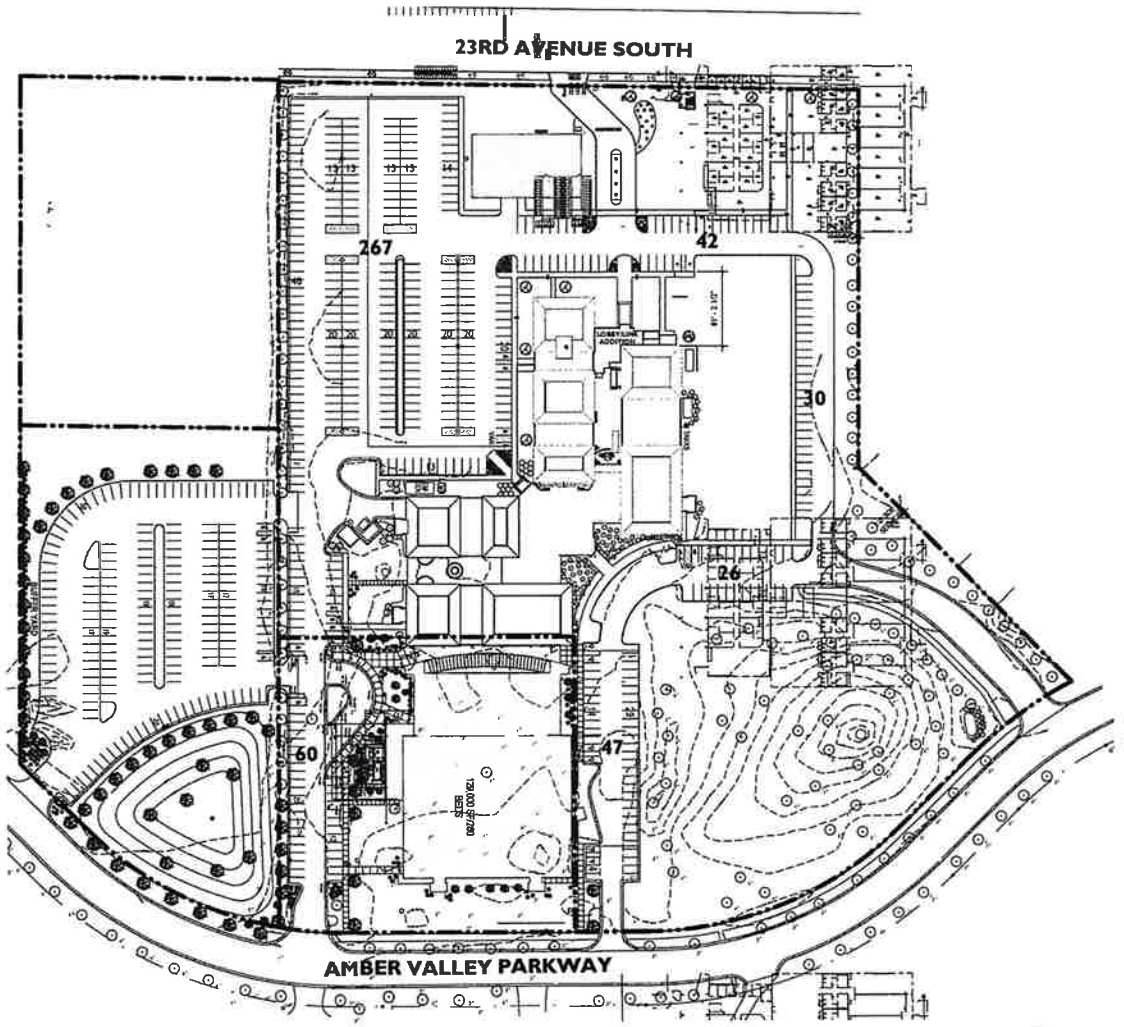
The benefit of bringing CorVent to the neighborhood is the 20 new high paying jobs, that would provide commerce to the surrounding businesses and put another great company with global distribution within the Fargo market.

Regards,

Scott Kjos
Managing Partner

ORIGINAL DRAWING IS 22" x 34" - SCALE ENTITIES ACCORDINGLY

PUD Master Land Use Plan



① A100 - COMPLETE PARCELS SITE
1/64" = 1'-0"

SITE CONSTRUCTION NOTES

GENERAL NOTES:

1. FIELD VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS PRIOR TO FABRICATION AND/OR CONSTRUCTION.
2. NOTIFY ARCHITECT PROMPTLY IF ANY CONDITIONS CONFLICT WITH CONSTRUCTION DOCUMENTS.
3. ALL CONSTRUCTION SHALL BE PERFORMED TO MEET OR EXCEED GOVERNING CODES AND REGULATIONS BUT SHALL NOT BE OF QUALITY LESS THAN THAT SPECIFIED OR SHOWN ON DRAWINGS.
4. CONTRACTOR SHALL IN ACCORDANCE WITH OSHA REGULATIONS, MAINTAIN A SAFE MEANS OF PASSAGE AROUND OR THROUGH AND ACCESS FROM, THE CONSTRUCTION AREA AT ALL TIMES. BARRICADE AND DEMOLITION & EXCAVATION AS REQUIRED.
5. CONSTRUCTION LIFT LINES SHALL BE AS INDICATED. PROVIDE A SAFE MEANS OF EGRESS THROUGH AND/OR AROUND THE BUILDING AND CONSTRUCTION SITE AT ALL TIMES DURING CONSTRUCTION.
6. ADJACENT PROPERTIES DISRUPTED BY WORK OF THIS CONTRACT SHALL BE REPAIRED, REGRADED, AND SODDED TO MEET OR EXCEED ORIGINAL CONDITION.
7. CONTRACTORS ARE RESPONSIBLE FOR SCHEDULING CITY INSPECTIONS OF THEIR WORK.
8. VERIFY ALL EXISTING UTILITY LOCATIONS PRIOR TO EXCAVATION.
9. CONTRACTORS SHALL CONTACT CITY REPRESENTATIVES PRIOR TO CONSTRUCTION AND COORDINATE WORK OF THIS CONTRACT WITH CITY OR JURISDICTION UTILITIES.
10. REPAIR DAMAGE TO ANY ACTIVE UTILITY DUE TO WORK. REPAIRS & CONNECTIONS MUST MEET THE SATISFACTION OF THE OWNER AND/OR UTILITY COMPANY.
11. RESPONSIBLE CONTRACTOR, AT HIS EXPENSE, SHALL REPAIR ANY DAMAGE CAUSED BY DEMOLITION WORK.
12. REMOVE FROM THE SITE ALL RUBBISH & DEBRIS RESULTING FROM THIS WORK AT COMPLETION. LEAVE THE SITE IN A SAFE AND CLEAN CONDITION. PILE FROM MATERIALS OR EQUIPMENT. ANY SALVAGED MATERIAL TO BE RETAINED & STORED AS DIRECTED BY THE OWNER.

SITE PLAN NOTES: LEGEND

SN1	SIGNAGE - MAIN SIGN, BY OWNER. ELECTRICAL CONTRACTOR TO PROVIDE ROUGH-IN FOR POWER AND DATA TO THIS SIGN.
SW2	EXISTING NEW APPROACH - PART OF PREVIOUS SITEWORK.
SW3	EXISTING NEW DRIVEWAY - PART OF PREVIOUS SITEWORK.
SW4	EXISTING NEW SIDEWALK - PART OF PREVIOUS SITEWORK.
SW5	EXISTING PARKING AREA.
SW6	NEW 5" THICK CONCRETE DRIVEWAY.
SW7	NEW 5" THICK CONCRETE SIDEWALK, TAPER TO ADA SLOPE AT PARKING LOT.
SW8	OPTIONAL ENTRANCE PENINSULAS.
SW9	NEW CONCRETE CURB & GUTTER. TAPER TO ADA SLOPE AT PARKING LOT.
SW11	EXISTING SITE PARKING LOT LIGHTING.
SW12	EXISTING FIRE HYDRANT.
SW13	EXISTING SIDEWALK.
SW14	RELOCATED CHILLER UNIT. ELECTRICAL TO ROUTE POWER/DATA TO THIS UNIT AS REQUIRED.
SW15	CHILLER UNIT SCREENING FENCE.
SW16	EXISTING PLANTING BED.
SW17	EXISTING HVAC EQUIPMENT.
SW18	EXISTING ELECTRICAL EQUIPMENT.
SW19	NEW PLANTING BED.

GAMMA SITE PARKING STATISTICS

TOTAL PARKING SPACES PROVIDED (INCLUDING NEW CONSTRUCTION = 472

BUILDING AREA NOT OWNED BY GAMMA, LLC.

SITE AREA NOT PART OF PROPERTY OWNED BY GAMMA, LLC., OR PART OF PROJECT, PARKING SPACES IN THIS AREA ARE NOT INCLUDED IN TOTAL COUNT.

KJOS RENOVATION

1901 Amber Valley Parkway
Fargo, ND 58103

helenske design group
architecture • construction management
3 4 10th street N Fargo, ND 58102 701.232.4241 tel 701.232.4259 fax

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[redacted]

HDG Job #: 15-1062

REVISIONS / ISSUES

#	Description	Date
-	-	-

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision, and that I am a duly licensed Architect under the laws of the State of North Dakota.

CIVIL ENGINEER:
N/A

STRUCTURAL ENGINEER:
Meyer Engineering
1020 36th Street SW
Fargo, ND 58103
701.280.0949

MECHANICAL ENGINEER:
By Design/Build

ELECTRICAL ENGINEER:
By Design/Build

Issue Date: 10/22/2018

SITE PLAN - ALL PARCELS

A100

Copyright © 2018 Helenske Design Group LTD

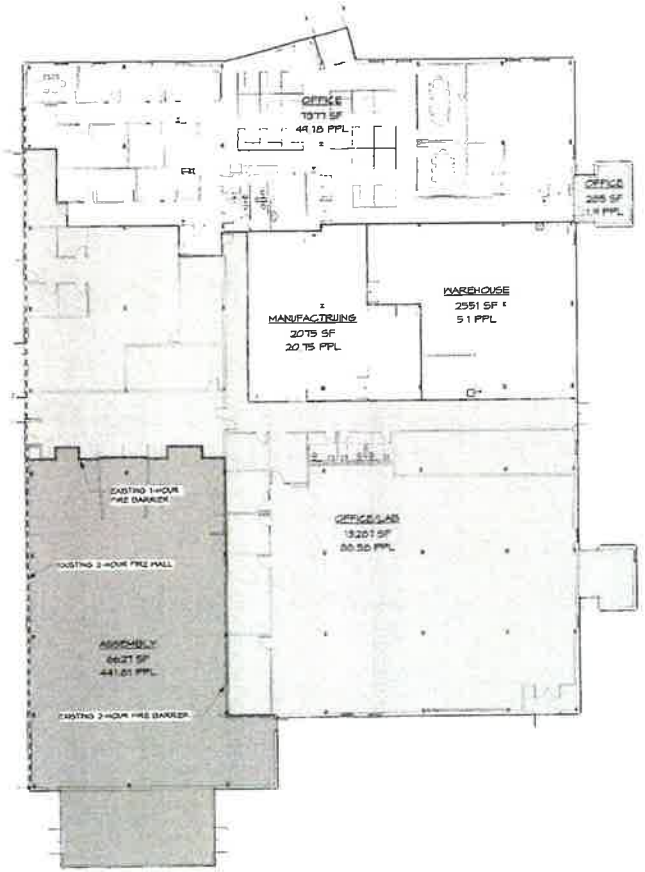
Area & Occupant Load Calculations

AREA NAME	FUNCTION OF SPACE	LEVEL	AREA	OCC. LOAD FACTOR	OCC. LOAD	EXIT WIDTH (INCHES)
1-EXISTING ASSEMBLY (A-3) ASSEMBLY 1-EXISTING ASSEMBLY (A-3)	1-EXISTING ASSEMBLY (A-3)	(1) MAIN FLOOR	6627 SF 6627 SF	15 SF	441.81 441.81	88.36 88.36
1-EXISTING BUSINESS (B) OFFICE OFFICE/LAB 1-EXISTING BUSINESS (B)	1-EXISTING BUSINESS (B) 1-EXISTING BUSINESS (B)	(1) MAIN FLOOR (1) MAIN FLOOR	285 SF [illegible] 13572 SF	150 SF 150 SF	1.9 88.80 90.48	0.38 17.72 18.1
BUSINESS (B) OFFICE BUSINESS (B)	BUSINESS (B)	(1) MAIN FLOOR	1377 SF 1377 SF	150 SF	[illegible] 49.18	9.84 9.84
FABRICATION (F-1) MANUFACTURING FABRICATION (F-1)	FABRICATION (F-1)	(1) MAIN FLOOR	2075 SF 2075 SF	100 SF	20.75 20.75	4.15 4.15
STORAGE (S-1) WAREHOUSE STORAGE (S-1) Grand total	STORAGE (S-1)	(1) MAIN FLOOR	2551 SF 2551 SF 33202 SF	500 SF	5.1 5.1 607.32	1.02 1.02 121.46

PUD Final Plan

FUNCTION OF SPACE (OCC. LOAD)

- 1-EXISTING ASSEMBLY (A-3)
- 1-EXISTING BUSINESS (B)
- BUSINESS (B)
- FABRICATION (F-1)
- STORAGE (S-1)



(1) MAIN FLOOR (OCCUPANT LOAD)
SCALE: 1/16" = 1'-0"

OLAF ANDERSON GENERAL CONTRACTORS

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF NORTH DAKOTA.

PRINT NAME: TERRY HEALING
REGISTRATION NUMBER: PE-3 1498
DATE: 10-31-2025

DATE: 8-28-2025
DRAWN BY: TWO
FILE NAME: 2025-054

REVISIONS:

PRACS
SANDBOX
4837 ABMER VALLEY PARKWAY SOUTH
FARGO, ND

CODE PLAN
CD1.0

10/31/2025 2:46:03 PM

DRAFT PUD OVERLAY

Allowed Uses:
In addition to the uses allowed within the "GC", General Commercial zoning district, manufacturing, production, and warehouse uses shall also be allowed.

The following uses are prohibited:
Detention facility
Adult establishment
Aviation/surface transportation
Off-premise advertising
Portable signs

Additional Standards:

1. Off-street parking, loading, and vehicular circulation shall have an all-weather surface, as defined by the Land Development Code.

2. The properties shall not be used in whole or in part for storage of rubbish or debris of any kind whatsoever nor for the storage of any property or items that will cause such lot to appear untidy, unclean or unsightly as determined by the Zoning Administrator; nor shall any substance, item or material be kept on any lot that will emit foul odors, including compost sites and fertilizer.

3. No outdoor storage of equipment or supplies.

4. All refuse containers, including dumpsters, shall be concealed from public view by opaque fence, screen wall, or building extension.

5. The manufacturing, production, or processing of hazardous chemicals or materials shall not be permitted.

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

20c

ORDINANCE NO. _____

AN ORDINANCE REZONING A CERTAIN PARCEL
OF LAND LYING IN GAMMA FARGO 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 Gamma Fargo Addition to the City of Fargo, Cass County, North Dakota; and,

WHEREAS, the Fargo Planning Commission recommended approval of the rezoning request on January 2, 2024; and,

WHEREAS, the rezoning changes were approved by the City Commission on January 8, 2024,

NOW, THEREFORE,

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

Section 1. Lots One (1) through Three (3), Block One (1) of Gamma Fargo Addition to the City of Fargo, Cass County, North Dakota;

is hereby rezoned from "LC", Limited Commercial, District to "GC", General Commercial, District with a Planned Unit Development overlay as follows:

A. Allowed Uses:

In addition to the uses allowed within the "GC", General Commercial zoning district, manufacturing, production, and warehouse uses shall also be allowed.

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

B. The following uses are prohibited:

1. Detention facility;
2. Adult establishment;
3. Aviation/surface transportation;
4. Off-premise advertising; and
5. Portable signs.

C. Additional Standards:

1. Off-street parking, loading, and vehicular circulation shall have an all-weather surface, as defined by the Land Development Code.

2. The property shall not be used in whole or in part for storage of rubbish or debris of any kind whatsoever nor for the storage of any property or items that will cause such lot to appear untidy, unclean, or unsightly as determined by the Zoning Administrator; nor shall any substance, item or material be kept on any lot that will emit foul odors, including compost sites and fertilizer.

3. No outdoor storage of equipment or supplies.

4. All refuse containers, including dumpsters, shall be concealed from public view by an opaque fence, screen wall, or building extension.

5. The manufacturing, production, or processing of hazardous chemicals or materials shall not be permitted.

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

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

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

_____
Timothy J. Mahoney, M.D., Mayor

(SEAL)

Attest:

First Reading:
Second Reading:
Final Passage:

_____
Steven Sprague, City Auditor

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

AN ORDINANCE REZONING A CERTAIN PARCEL
OF LAND LYING IN PRACS SECOND 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 Pracs Second Addition to the City of Fargo, Cass County, North Dakota; and,

WHEREAS, the Fargo Planning Commission recommended approval of the rezoning request on January 2, 2024; and,

WHEREAS, the rezoning changes were approved by the City Commission on January 8, 2024,

NOW, THEREFORE,

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

Section 1. Lot One (1) less north 384.14 feet of Block One (1), Pracs Second Addition to the City of Fargo, Cass County, North Dakota;

is hereby rezoned from "LC", Limited Commercial, District to "GC", General Commercial, District with a Planned Unit Development overlay as follows:

A. Allowed Uses:

In addition to the uses allowed within the "GC", General Commercial zoning district, manufacturing, production, and warehouse uses shall also be allowed.

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

B. The following uses are prohibited:

1. Detention facility;
2. Adult establishment;
3. Aviation/surface transportation;
4. Off-premise advertising; and
5. Portable signs.

C. Additional Standards:

1. Off-street parking, loading, and vehicular circulation shall have an all-weather surface, as defined by the Land Development Code.

2. The property shall not be used in whole or in part for storage of rubbish or debris of any kind whatsoever nor for the storage of any property or items that will cause such lot to appear untidy, unclean, or unsightly as determined by the Zoning Administrator; nor shall any substance, item or material be kept on any lot that will emit foul odors, including compost sites and fertilizer.

3. No outdoor storage of equipment or supplies.

4. All refuse containers, including dumpsters, shall be concealed from public view by an opaque fence, screen wall, or building extension.

5. The manufacturing, production, or processing of hazardous chemicals or materials shall not be permitted.

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

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

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

_____
Timothy J. Mahoney, M.D., Mayor

(SEAL)

Attest:

_____
Steven Sprague, City Auditor

First Reading:
Second Reading:
Final Passage:

(21)

FARGO POLICE DEPARTMENT

A SAFE AND UNIFIED COMMUNITY BUILT ON TRUST, ACCOUNTABILITY AND INCLUSION

OFFICE OF THE CHIEF

MEMORANDUM

To: Board of City Commissioners

From: Chief David B. Zibolski

Date: January 4, 2024

RE: **Fargo Police Department Master Facility Plan**

In June of 2023, JLG Architects in partnership with Roth Sheppard, was hired to develop a Master Facility Plan for the Fargo Police Department. The goal of the Master Facility Plan is to provide a roadmap with key milestones, which will support the following goals:

•To ensure current and future Police Department facilities are geographically located, sized and constructed with the appropriate technologies to serve the citizens of the City of Fargo for the next 20 years.

•To identify and plan for the staffing increases necessary over the next 20 years to support the continuing, rapid growth in the City of Fargo.

The study reviewed existing facilities and operations through a series of tours, questionnaires and onsite workshops. Roth Sheppard then used the data gathered to develop models and compared them to cities with similar size and characteristics. Representatives from Roth Sheppard will be presenting their findings and recommendations for the Master Facility Plan.

Recommended Motion: Receive, file, and adopt the Fargo Police Department Facility Master Plan and authorize City Administration and the Police Department to develop future phases of work to support plan development, funding, and implementation options.

EXECUTIVE SUMMARY

OVERVIEW:

The City of Fargo retained the team of JLG Architects and Roth Sheppard Architects to complete a Master Facilities Planning Study for the Fargo Police Department. The study will define existing facility conditions of of Fargo Police Department operations and activities. As part of this effort, a long-range space need analysis and architectural program was developed to define the City's current and future Police Department needs. This project will define projected functional requirements and space needs to guide future facility development and design for Fargo Police Department facilities over the next 10-20 years. This study is intended to be used as a tool for future facility infrastructure and city planning and programming efforts for the City of Fargo and the Fargo Police Department.

The process to determine facility space needs began in June 2023 with an initial study and analysis of Fargo Police Department existing facilities. Studies of the following sites were conducted:

Fargo Police Headquarters 105 25th Street North
Downtown Drop-in 511 4th Avenue North
West Acres Drop-in 930 40th Street South
7th Avenue Evidence 715 17th Street North
Hazmat Storage Building 4630 15th Avenue North
Regional Law Enforcement Training Center 2802 North University Drive

The existing facilities were examined and evaluated with considerations for, but not limited to the following factors; space utilization and current operations, safety/code-compliance, security, size, efficiency and offerer wellness and future retention. A breakdown of the findings is included in this report.

Once the existing facilities and operations were completed the team held a series of on-site workshops to gather information on space needs, growth and future requirements for the Fargo Police facilities. Each workshop involved meeting with each department over a series of days in workshops to gain insight and understanding of the operations, needs, and planning for the department. Questionnaires were also distributed that posed a series of questions to all employees and sworn offices for feedback on day to day operations and thoughts on current needs and future planning. The result was a comprehensive Space Needs Summary outlining current shortfalls and needs as well as future needs to accommodate future growth and planning.

SUMMARY:

The information and plan outlined in this report/study is intended to set the stage for future planning and development by the City of Fargo. the biggest development discovered is related to the Existing Building that was converted into the department Headquarters. The Current Facility does not meet code requirements for the International Building Code Risk Category IV Facility. Buildings that are considered essential in that their continuous use is needed. Facilities such as Hospitals, Fire Stations, EMS Vehicle Garages, and Police Stations fall into this category. As such this poses a significant risk to the future renovations and continued use of the building as a Police Facility Headquarters. A Detailed breakdown of these findings and proposed options for future development and planning is included in the report.

Downtown Drop-In

Regional Law Enforcement Training Center

Fargo Police Headquarters

FARGO POLICE DEPARTMENT

MASTERPLAN

JANUARY 8, 2024

PROJECT & TIMELINE

SPACES & DEFICIENCIES

COMPARABLE CITIES

EXPLORING POSSIBILITIES

GROWTH ROADMAP

MASTERPLAN PROGRESSION: WHAT DOES THIS LOOK LIKE?

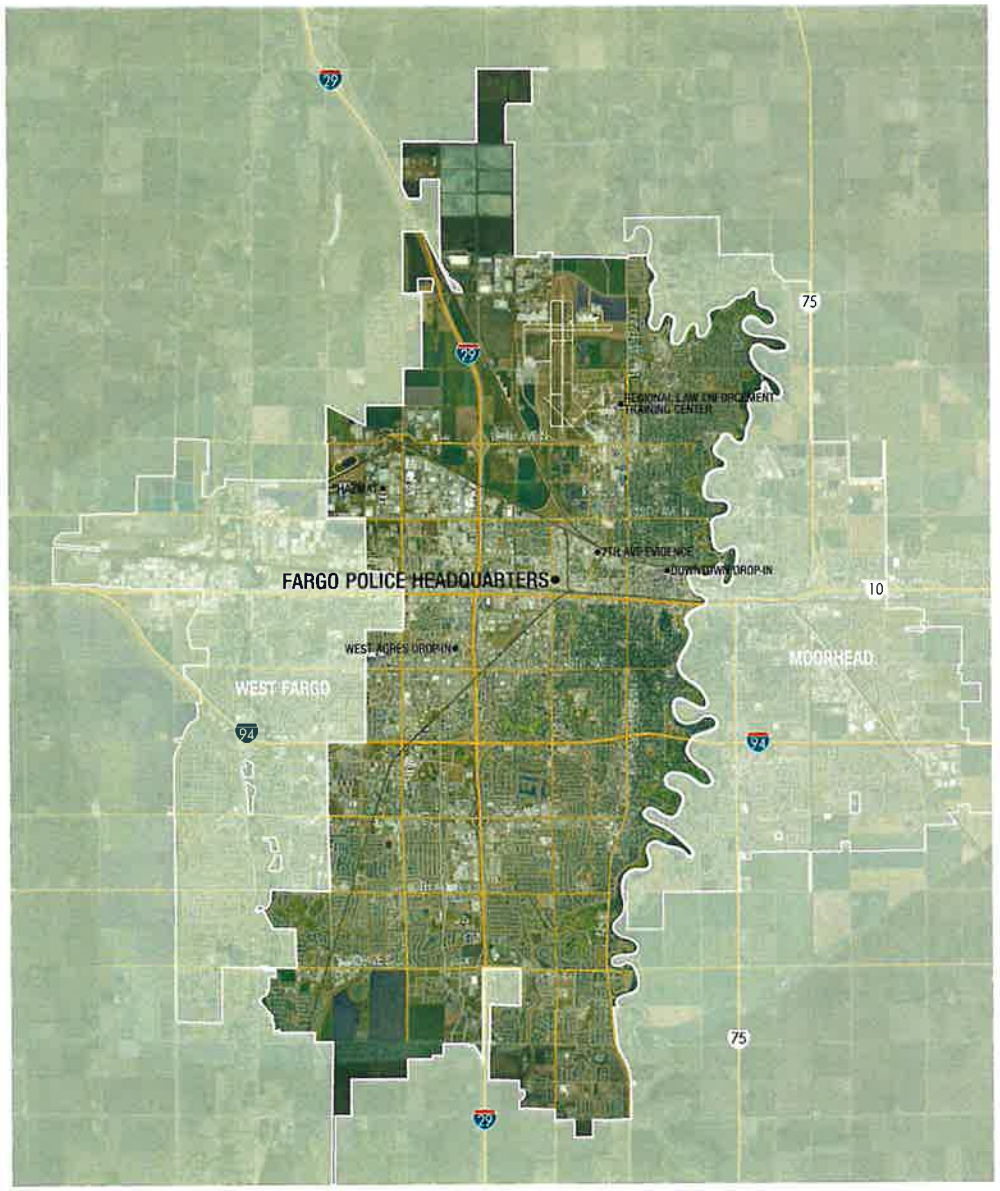
PROJECT TIMELINE

SPACES & DEFICIENCIES

COMPARABLE CITIES

EXPLORING POSSIBILITIES

GROWTH ROADMAP



FACILITIES INTRODUCTION

FARGO POLICE HEADQUARTERS
105 25th Street North

DOWNTOWN DROP-IN
511 4th Avenue North

WEST ACRES DROP-IN
930 40th Street South

7TH AVENUE EVIDENCE
715 17th Street North

HAZMAT STORAGE BUILDING
4630 15th Avenue North

REGIONAL LAW ENFORCEMENT TRAINING CENTER
2802 North University Drive

DEFICIENCY DRIVERS

POLICE HEADQUARTERS
105 25TH STREET NORTH

SITE DEFICIENCIES

- Unsecured parking
- Officers and staff must walk across road daily
- Railroad proximity is threat to operations
- Location - affects response time
- Site security - lacks multiple best practices to protect building and people
- Public Entry - does not promote community policing
- Visual Engagement

BUILDING DEFICIENCIES

- Ballistic glazing
- Operational inefficiency
- Community engagement and relationships
- **Building code - Risk Category IV Requirements**
- Evidence Management - chain-of-custody/travel time

PROJECT TIMELINE

SPACES & DEFICIENCIES

COMPARABLE CITIES

EXPLORING POSSIBILITIES

GROWTH ROADMAP

COMPARABLE CITIES
FARGO, ND

AREA:	49.8 SQ MI
ROAD MILES:	516 MILES
POPULATION (2020):	125,952 PEOPLE
AVERAGE SWORN/1000:	1.4%

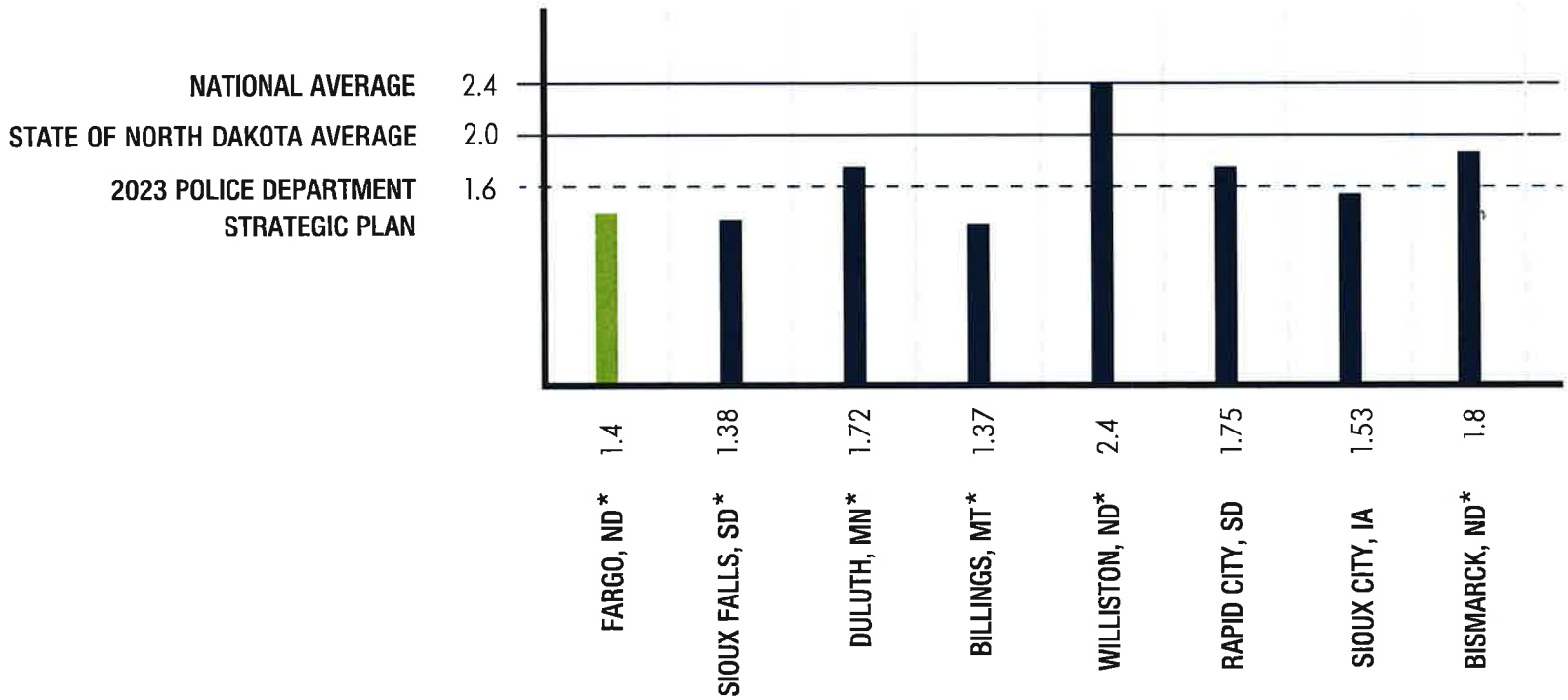
COMPARABLE CITIES
FMWF METRO

POPULATION (2020):	249,974 PEOPLE
EXPECTED GROWTH RATE 2025:	4.7%

SWORN / 1000

FBI UNIFORM CRIME REPORT DATA

* Information updated to most recent annual police report if available.



PROJECT TIMELINE

SPACES & DEFICIENCIES

COMPARABLE CITIES

EXPLORING POSSIBILITIES

GROWTH ROADMAP

FRONT ENTRY

EXISTING

EXAMPLE

- The current site has minimal site security for the staff. This provides unnecessary and unwelcome interactions with the public. 24th street running through the building site and parking exacerbates this issue.
- Adequate parking is not provided/ or possible (staff or public)

LOBBY & RECEPTION

EXISTING

EXISTING

EXAMPLE

- The current lobby is not secure for staff, lack of ballistic glazing separation poses a significant security threat.
- Lobby is not inviting or secure.
- No visual control of visitors approaching or entering the building.

EVIDENCE PACKAGING & STORAGE

EXISTING

EXAMPLE

- Storage systems make tracking and organization inefficient
- Three separate evidence storage areas create potential gaps in the chain-of-custody process
- Internal location of evidence intake increases risk of bio-hazard exposure

SECURE PARKING

EXISTING

EXAMPLE

- The secure parking facility is presently undersized and can only accommodate a limited number of officer vehicles. This results in a large volume of patrol, police, and personal vehicles being left outside and unsecured.
- Currently, the garage faces a challenge as it lacks a floor drain, causing snow to be dragged in during winter. This snow accumulation results in pooling on the floor, leading to the deterioration of the concrete.

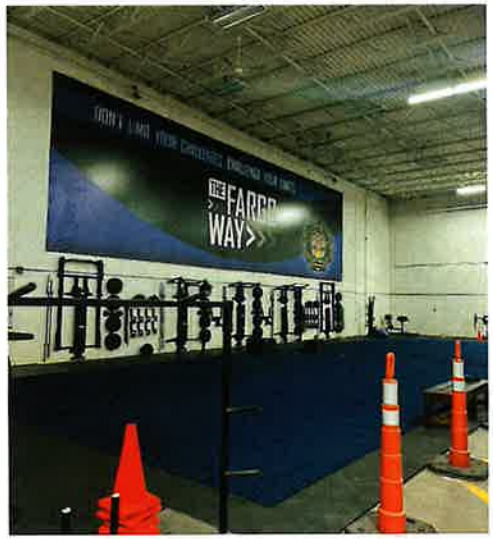
SECURE PARKING - EMPLOYEE

EXISTING

EXAMPLE

- The current site poses a security challenge with the walk across the public street to access the building. This vulnerability is compounded by the fact that officers' vehicles are openly visible to the public.
- The existing site lacks essential features, including secure staff parking, delineated by architectural walls, fences, and card-reader activated secure gates to establish a clear boundary between public and staff parking.

FITNESS ROOM



EXISTING

EXISTING

EXAMPLE

- The current fitness room is in a corner of the secured parking garage.
- Fitness room lacks natural daylighting and a connection to the outdoors.

REGIONAL LAW ENFORCEMENT TRAINING CENTER

EXISTING

EXISTING

EXAMPLE

- The current training center is a shared facility between City of Fargo Police Department, West Fargo Police Department, Cass County Sheriff's Department, North Dakota State University, and North Dakota Air National Guard.

REGIONAL LAW ENFORCEMENT TRAINING CENTER

RECENT TRENDS - LAW ENFORCEMENT TRAINING

Realistic Movement

Projection Training

Filmed scenarios projected onto screens. Shot detection and freedom of movement.

Decision Making

Driving Simulator

Practice driving on different terrains and atmospheric conditions. Reduces preventable accidents

Immersive Reality

Augmented Reality

Blends real environments and obstacles with computer aided images.

Latest Tactics

Range Scenario Projector

Next generation simulation includes projection of incident background scenes on walls and floor of range.

Drone Operations

Drone Training Multi-Use

Monitoring Incidents, Suspect Identification/ Pursuit, Safety Inspections, Disaster

SUMMARY OF SPACE NEEDS

	STAFF					SQUARE FOOTAGE			
	CURRENT	1.6 PER 1000	2.0 PER 1000	2035	2045	CURRENT	2023 GOAL	2035	2045
SWORN:	192	210	262	324	359	68,923*	116,129	134,563	159,089
CIVILIAN:	28	32	39	48	53				
GRAND TOTAL:	220	242	301	372	412				

★Current building square footage is for the existing headquarters facility only. Does not include indoor parking or other off-site facilities.

The projected population calculations have been extracted from the Metro COG Baseline 2050 Demographic Forecast and incorporate the North Dakota baseline rate of 2.0 sworn per 1000.

PROJECT TIMELINE

SPACES & DEFICIENCIES

COMPARABLE CITIES

EXPLORING POSSIBILITIES

GROWTH ROADMAP

SUBSTATION MODEL

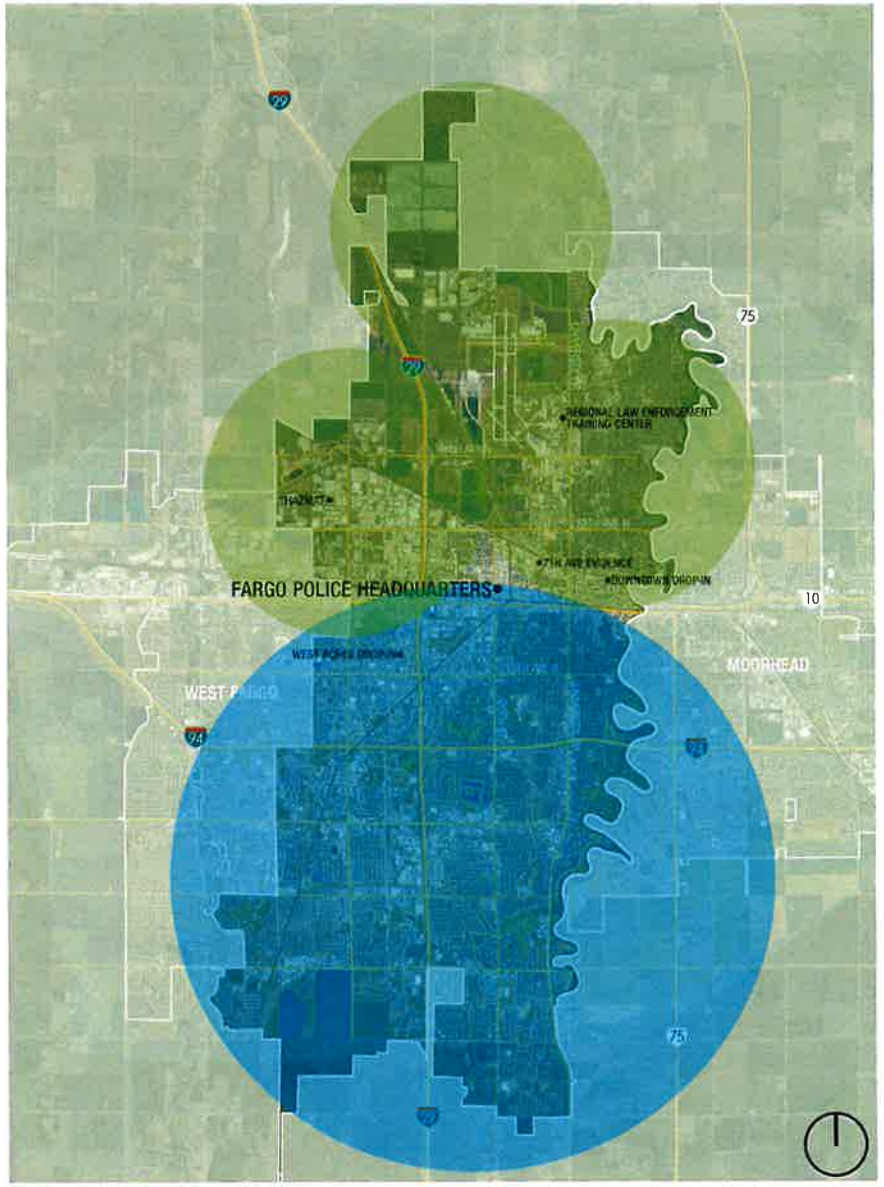
A **SUBSTATION MODEL OF POLICING** is a method of decentralizing police operations and distributing functions and facilities across the physical extents of a jurisdiction. This is effective in large jurisdictions where land mass is extensive and/or where vehicular travel times to and from facilities significantly reduce law enforcement's efficiency. This **DECENTRALIZATION** can also be a means of strengthening **COMMUNITY POLICING** efforts and creating more connection points between the law enforcement officers and the citizens they serve.

OPTION A

NEW CITY ASSETS

- New City of Fargo Police Department Campus with on-site HQ & Training Facilities
- Three additional substations across the city
- Consolidated evidence storage at HQ campus with evidence packaging and pick-up at each substation

*This study and future needs to be implemented with completion of the current Fargo Growth Plan



HEADQUARTERS

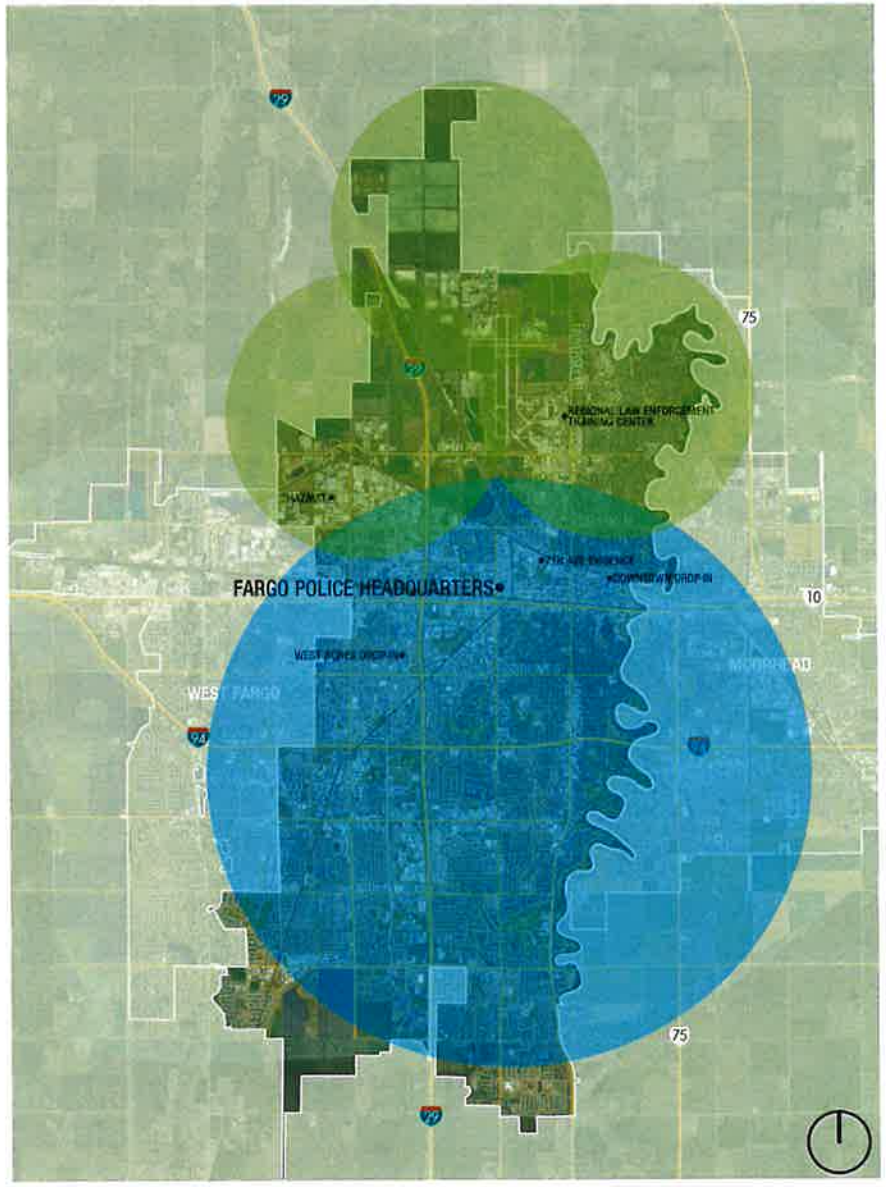
SUBSTATIONS

OPTION B

REUSE CITY ASSETS & NEW CITY ASSETS

- Retrofit the existing HQ into a Police Department or other city resource (Category IV consideration)
- New HQ building
- New Fargo PD Range and Vehicle Training Facility
- One operational HQ and three substations across the city

*This study and future needs to be implemented with completion of the current Fargo Growth Plan



HEADQUARTERS

SUBSTATIONS

POTENTIAL TIMELINE - FUTURE FACILITIES

0-2 YEARS:

PRE-DESIGN STUDY
- Finalize program
- Finalize space requirements
- Establish layout / phasing
- Establish budget / funding options

*This study and future needs to be implemented with completion of the current Fargo Growth Plan

SITE INVESTIGATION
- Location study
- Site search
- Identify potential opportunities

2-5 YEARS:

FACILITY DESIGN
- Building function / layout
- Community engagement
- Finalize layout / phasing / budget

SITE INVESTIGATION
- Secure site

5-7 YEARS:

CONSTRUCTION
- Facility construction
- Move-in

QUESTIONS?

(22)

FARGO POLICE DEPARTMENT

A SAFE AND UNIFIED COMMUNITY BUILT ON TRUST, ACCOUNTABILITY AND INCLUSION

OFFICE OF THE CHIEF

MEMORANDUM

To: Board of City Commissioners

From: Chief David B. Zibolski

Date: January 4, 2024

RE: **Police Department Attendance at National Police Week (May 12-16, 2024)**

In honor of fallen officer Jake Wallin, members of the Fargo Police Department would like to attend National Police Week in Washington, D.C., May 12-16, 2024.

This event is an annual remembrance of police officers who have died in the line of duty. Numerous events are held for department members and the families of those officers killed, including a candlelight vigil and the engraving of the names of those officers killed in 2023 onto the National Law Enforcement Officer's Memorial wall. Officer Jake Wallin's name will be added during this event.

On October 30, 2023, the Commission approved edits to the existing Badges of Unity (BOU) Agreement with the Fargo Police Department, which expanded the ability for the community to make charitable contributions to the Department to support wellness, which encompasses this request. The Department intends to request and utilize these donations to pay for these expenses, but must make the travel arrangements very soon in order to ensure attendance. Thus, the City may be subject to payment if sufficient donations are not received. However, I believe the current BOU charitable funds along with those of pledged and future supporters should cover the costs.

Recommended Motion: Approve the commitment of City funds, in the event sufficient pledges are not received, for the Fargo Police Department's participation in the 2024 Law Enforcement Memorial event in honor of Officer Jake Wallin in an amount up to $250,000, and authorize the Fargo Police Department to enter into the necessary agreements to ensure participation by utilizing the most economically feasible arrangements in a timely manner.

THE CITY OF Fargo FAR MORE

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Email feng@FargoND.gov
www.FargoND.gov

23

January 4, 2024

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

Re: Approval of 2024 Capital Improvement Plan (CIP) and Infrastructure Funding Policy Revisions

Dear Commissioners:

Over the past several months, there has been considerable conversation about the Engineering Department's proposed Capital Improvement Plan (CIP) for years 2024 through 2027, along with proposed revisions to the Infrastructure Funding Policy.

As we have discussed in recent months, there is a noticeable disparity between infrastructure needs and the current revenues generated from the Infrastructure Sales Tax. Without intervention, it is anticipated that the fund balance for the quarter-cent sales tax allocated to the Engineering CIP could go negative by 2026 or 2027. To address this issue, I have presented a range of potential solutions, including increasing utility rates, increasing special assessments, modifying the infrastructure sales tax allocation, obligating a portion of the mill levy for street improvements, creating a new utility fee for street improvements, doing less work, or a combination of these measures.

I understand the hesitancy to approve a multi-year CIP amid uncertainty about funding sources. However, we are at a point in time where the Engineering Department requires direction on the work to be undertaken in 2024. If this work plan is not approved soon, we will be unable to design, bid, and build the projects that are essential for the preservation and improvement of the City's infrastructure.

For these reasons, I am recommending the approval of the proposed Engineering CIP for the calendar year 2024 only. Alongside this approval, the Engineering Department suggests revisions to the Infrastructure Funding Policy:

- 20% increase to caps for 2024, which will result in approximately 20% of local reconstruction projects being Special Assessed and the remaining 80% covered by City Funds.

- Modify the language relating to Concrete Pavement Rehab projects from "50% of project cost & no more than 25% of cap" to "up to 50% of the cap".

These revisions aim to offset a portion of the revenue shortfall we currently face. Understanding that the City Commission may not support the proposed revisions to the Infrastructure Funding Policy until a more comprehensive decision can be made on long term CIP funding; I am presenting two options for consideration.

Option 1:

- Approve the Engineering CIP for 2024 as previously presented.
- Approve the planned Core Neighborhood reconstruction projects for 2025.
- Implement a 20% increase in special assessment caps for 2024.
    - As a reminder, when notifying properties within improvement districts BR-24-A1, BR-24-B1, BR-24-C1, BR-24-E1, and BR-23-G1, please be aware that the proposed increase in special assessment caps has already been taken into account. Therefore, selecting Option 1 would not increase the amount to be special assessed beyond what has already been communicated.
    - The City received less than 4% protest (8 protests received from 214 properties) from within our Core Neighborhood project assessment areas.
- Modify the language regarding Concrete Pavement Rehab projects.
- This option ensures a balanced CIP for 2024, aligning anticipated sales tax revenues with expenditures.

Option 2:

- Do not approve a 20% increase in special assessment caps for 2024.
- Instruct the Engineering Department to notify properties in improvement districts BR-24-A1, BR-24-B1, BR-24-C1, BR-24-E1, and BR-23-G1 of reduced special assessment amounts.
    - This would be necessary, as previous correspondence has already included the proposed increase.
- Option 2 would result in a revenue shortfall of approximately $2.5 million for the CIP in 2024.
- Approve the Engineering CIP for 2024 as previously presented, but with the elimination of the NP Ave project (BR-24-F1) from the 2024 CIP to offset the revenue shortfall.
- Approve the planned Core Neighborhood reconstruction projects for 2025.
- Modify the language regarding Concrete Pavement Rehab projects.

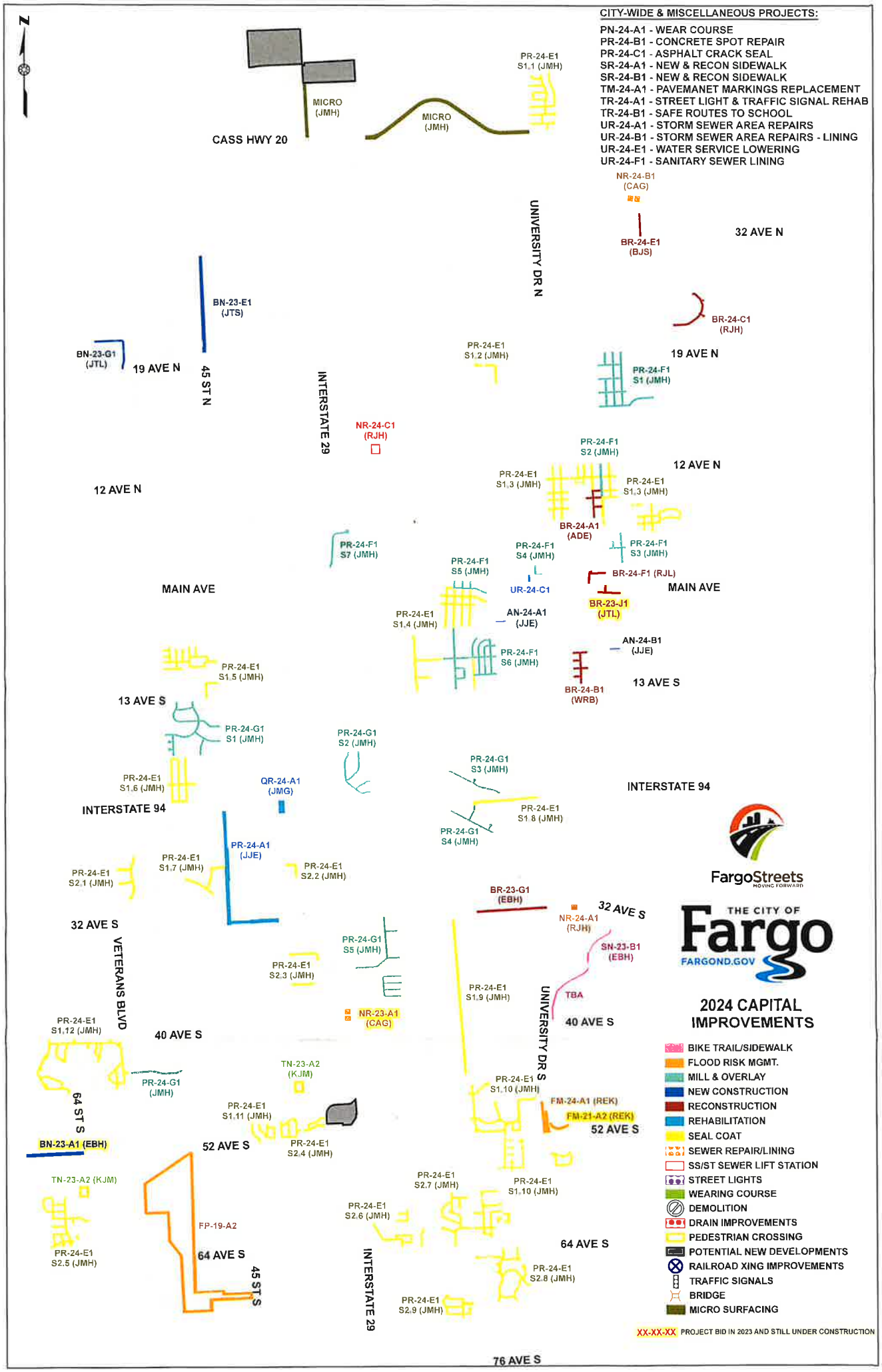
Since the increase in special assessments has already been communicated to the properties within the improvement districts listed above, and the City received less than 4% protest, and considering my belief that an increase in special assessments is likely one of multiple components that will be used to rectify the imbalance between revenues and expenditures in the longer-term CIP, I recommend Option 1. Additionally, due to my opinion that delaying the replacement of infrastructure (NP Ave project – BR-24-F1) is not in the best long-term interest of the City of Fargo, my technical recommendation for the City Commission is to select the proposed Option 1 as outlined above.

Recommended Motion

Approve the 2024 CIP as previously presented by the City Engineer, as outlined in Option 1.

Sincerely,

Tom Knakmuhs, PE
City Engineer


CITY-WIDE & MISCELLANEOUS PROJECTS:
PN-24-A1 - WEAR COURSE
PR-24-B1 - CONCRETE SPOT REPAIR
PR-24-C1 - ASPHALT CRACK SEAL
SR-24-A1 - NEW & RECON SIDEWALK
SR-24-B1 - NEW & RECON SIDEWALK
TM-24-A1 - PAVEMANET MARKINGS REPLACEMENT
TR-24-A1 - STREET LIGHT & TRAFFIC SIGNAL REHAB
TR-24-B1 - SAFE ROUTES TO SCHOOL
UR-24-A1 - STORM SEWER AREA REPAIRS
UR-24-B1 - STORM SEWER AREA REPAIRS - LINING
UR-24-E1 - WATER SERVICE LOWERING
UR-24-F1 - SANITARY SEWER LINING
N
CASS HWY 20
MICRO (JMH)
MICRO (JMH)
PR-24-E1 S1.1 (JMH)
NR-24-B1 (CAG)
BR-24-E1 (BJS)
32 AVE N
UNIVERSITY DR N
BN-23-E1 (JTS)
BR-24-C1 (RJH)
BN-23-G1 (JTL)
19 AVE N
45 ST N
INTERSTATE 29
PR-24-E1 S1.2 (JMH)
19 AVE N
PR-24-F1 S1 (JMH)
NR-24-C1 (RJH)
PR-24-F1 S2 (JMH)
12 AVE N
PR-24-E1 S1.3 (JMH)
PR-24-E1 S1.3 (JMH)
12 AVE N
BR-24-A1 (ADE)
PR-24-F1 S7 (JMH)
PR-24-F1 S4 (JMH)
PR-24-F1 S3 (JMH)
PR-24-F1 S5 (JMH)
BR-24-F1 (RJL)
UR-24-C1
MAIN AVE
MAIN AVE
BR-23-J1 (JTL)
PR-24-E1 S1.4 (JMH)
AN-24-A1 (JJE)
AN-24-B1 (JJE)
PR-24-F1 S6 (JMH)
PR-24-E1 S1.5 (JMH)
BR-24-B1 (WRB)
13 AVE S
13 AVE S
PR-24-G1 S1 (JMH)
PR-24-G1 S2 (JMH)
PR-24-G1 S3 (JMH)
PR-24-E1 S1.6 (JMH)
QR-24-A1 (JMG)
INTERSTATE 94
INTERSTATE 94
PR-24-E1 S1.8 (JMH)
PR-24-G1 S4 (JMH)
PR-24-A1 (JJE)
PR-24-E1 S1.7 (JMH)
PR-24-E1 S2.2 (JMH)
PR-24-E1 S2.1 (JMH)
BR-23-G1 (EBH)
32 AVE S
NR-24-A1 (RJH)
32 AVE S
SN-23-B1 (EBH)
VETERANS BLVD
PR-24-G1 S5 (JMH)
PR-24-E1 S2.3 (JMH)
PR-24-E1 S1.9 (JMH)
TBA
UNIVERSITY DR S
NR-23-A1 (CAG)
PR-24-E1 S1.12 (JMH)
40 AVE S
40 AVE S
TN-23-A2 (KJM)
PR-24-G1 (JMH)
PR-24-E1 S1.10 (JMH)
64 ST S
PR-24-E1 S1.11 (JMH)
FM-24-A1 (REK)
FM-21-A2 (REK)
52 AVE S
BN-23-A1 (EBH)
52 AVE S
PR-24-E1 S2.4 (JMH)
TN-23-A2 (KJM)
PR-24-E1 S2.7 (JMH)
PR-24-E1 S1.10 (JMH)
PR-24-E1 S2.6 (JMH)
FP-19-A2
64 AVE S
64 AVE S
PR-24-E1 S2.5 (JMH)
45 ST S
INTERSTATE 29
PR-24-E1 S2.8 (JMH)
PR-24-E1 S2.9 (JMH)
76 AVE S
FargoStreets
MOVING FORWARD
THE CITY OF
Fargo
FARGOND.GOV
2024 CAPITAL IMPROVEMENTS
BIKE TRAIL/SIDEWALK
FLOOD RISK MGMT.
MILL & OVERLAY
NEW CONSTRUCTION
RECONSTRUCTION
REHABILITATION
SEAL COAT
SEWER REPAIR/LINING
SS/ST SEWER LIFT STATION
STREET LIGHTS
WEARING COURSE
DEMOLITION
DRAIN IMPROVEMENTS
PEDESTRIAN CROSSING
POTENTIAL NEW DEVELOPMENTS
RAILROAD XING IMPROVEMENTS
TRAFFIC SIGNALS
BRIDGE
MICRO SURFACING
XX-XX-XX PROJECT BID IN 2023 AND STILL UNDER CONSTRUCTION

THE CITY OF Fargo FAR MORE

PLANNING & DEVELOPMENT

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MEMORANDUM

24

TO: **CITY COMMISSION**

DATE: **JANUARY 4, 2024**

FROM: **NICOLE CRUTCHFIELD, PLANNING DIRECTOR** NC

RE: **REGIONAL HOUSING STUDY RECOMMENDATION FOR APPROVAL**

The City of Fargo, under the project management of FM Metro COG, was the primary funder for a regional housing study that kicked off in 2022 and finished in 2023. The Fargo-Moorhead Regional Housing Needs Analysis and Strategies outlines a data-focused assessment of housing supply and productions as well as projected future demands for the region including Clay County, Dilworth, Moorhead, Cass County, Horace, West Fargo and Fargo. The final report also outlines short and long-term strategies for implementation.

In November HR&A project manager, Erin Lonoff, presented the report to Planning Commission and City Commission in a join informational meeting and the Executive Summary and brief overview was presented at the December Planning Commission meeting.

Attached is the executive summary. The full, 156-page report can be found at the link above. A hard copy can be found at the Planning Department office.

The Planning Commission reviewed the report at their January 2, 2024 meeting and made a unanimous recommendation to the City Commission for Approval.

Recommendation: **Approve the Fargo-Moorhead Regional Housing Needs Analysis and Strategies**

EQUAL HOUSING OPPORTUNITY

Fargo-Moorhead Regional Housing Needs Analysis and Strategies

Study Purpose

The Fargo-Moorhead Regional Housing Needs Analysis and Strategies intends to create a common grounding on regional housing issues through robust regional housing data that the region and participating cities can use to coordinate on policy and regional strategies.

Goals

- Promote regional coordination for housing strategies.
- Educate city and county staff, elected officials, and residents on key housing challenges facing the region.
- Help current residents stay, grow, and age in the region.
- Accommodate new population and job growth by supporting more housing choice through different tenures and building types.
- Create opportunities for entry-level homeownership.

Needs Assessment Findings

Strong Employment
Since 2010, the region has added nearly 23,000 new jobs, with thousands of jobs remaining unfilled and unemployment below 3% statewide.

Housing Supply Lags Behind a Changing Demand
The majority of new housing supply production is in the southwest of the F-M region, but new housing unit production has not kept pace with job growth.

An Opportunity for Increased Homeownership
In 2022 the minimum income required to purchase the average-priced home was $81,000. At this income, less than 20% of renters could purchase a home.

A Lack of Sufficient Affordable Rental Housing
Over 40% of all renters are cost-burdened. The largest share of rental housing need is among the most vulnerable households, families earning less than $35,000.

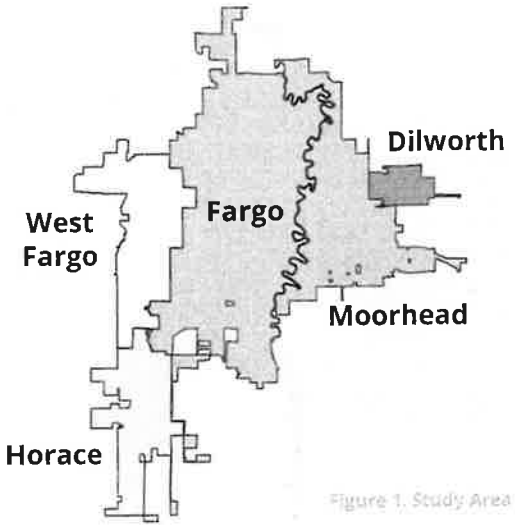
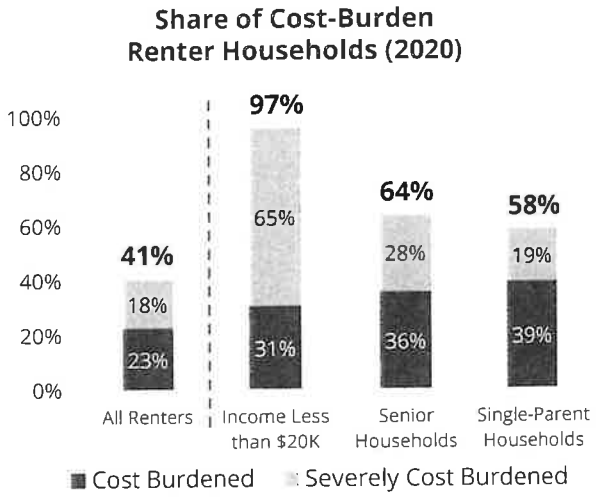
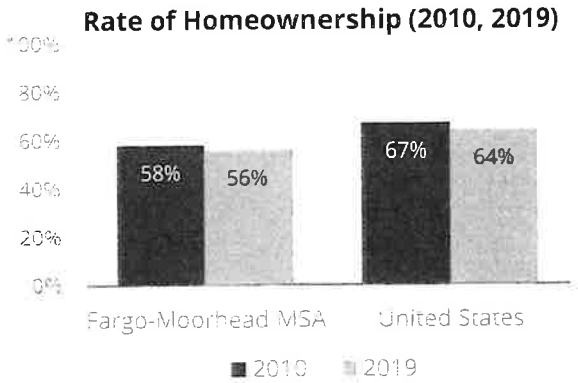


Figure 1. Study Area





Source(s): *US Census, 2010-2020*
**Cost Burdened is defined as when a household spends greater than 30% of their monthly income on housing costs.*

Fargo-Moorhead Regional Housing Needs Analysis and Strategies

The Fargo-Moorhead Region will need at least 15,900 additional units over the next 10 years. While construction of these units is feasible based on existing levels of production, the cost of these new homes will be out of reach for most residents.

In 2022, new construction homes were are already unaffordable for most in the region. These homes were sold or appraised on average at $425K. Less than 30% of the region's residents can afford to buy a home priced at this amount.

Over the next 10 years, there will be more demand for affordable rental options and housing for residents making less than area median income (AMI).

As housing costs increase across the region for most housing typologies, there is an increased potential for more households to become housing cost burdened.

Municipality	5 City Region	Fargo	Moorhead	West Fargo	Horace	Dilworth
Additional Households Demand	13,700	7,100	3,200	1,400	1,700	300
Renter Households (2030)	6,100	4,130	1,340	530	50	50
Homeowner Households (2030)	7,600	2,970	1,860	870	1,650	250
Additional Units Needed by 2032	**15,900**	**8,300**	**3,700**	**1,600**	**1,900**	**400**

The Fargo-Moorhead Region's families, seniors, and new residents require affordable, family-sized rental housing and entry-level homeownership opportunities. A continued development model that prioritizes single family, detached housing will produce significantly fewer total units with significant new infrastructure costs. Supporting a diversity of housing typologies will create a range of price points available for renters and homebuyers.

	SF-Detached *Single Family Home* **Share of stock:** 53%	**Townhomes** *2-10 units* **Share of stock:** 9%	**Low-Rise Apartment** *10-49 units* **Share of stock:** 28%	**Mid-Rise Apartment** *50+ units* **Share of stock:** 10%
No. of units	1 unit	35 units	11 units	100 units
Land Area	0.26 acres	2.6 acres	.5 acre	1.3 acres
Density Calculation	**3.8* units per net acre**	**13.5 units per net acre**	**22 units per gross acre**	**76.9 units per gross acre**

***Source(s)**: HR&A Analysis of MetroCOG Population Forecasts; Thomsen Homes; Eagle Ridge Development; Skaff Apartments*
***Note**: assuming an additional .07 acre per home, to accommodate roadways, sidewalk, and other infrastructure.*

Fargo-Moorhead Regional Housing Needs Analysis and Strategies

To ensure new employees can afford to work and live in the region, local jurisdictions and employers should consider a unique set of housing tools.

	Addressing Immediate Housing Needs	
Cities	**Hotel and Office Conversions**	Identify sites well-suited for hotel or office to residential conversions and proactively work with developers.
Cities	**Provide Education Opportunities for Employers**	Encourage major employers within the FM-Region to disseminate information on existing homeownership programs to employees.
Regional	**Employer-Assisted Housing (EAH) Programs**	Aid and support for employer-assisted housing programs to meet short-term housing needs for new job openings.

To grow economically and maintain a high quality of life, the Fargo-Moorhead Region must deliver a variety of housing typologies that are affordable and attainable. In the long term, the region can leverage three types of housing strategies: land use policy changes, funding strategies, and interventions that lay the groundwork for future growth.

Interventions from all three categories will be needed to create and preserve the necessary housing in the region.

	Land Use Policies	Funding Strategies	Laying the Groundwork for Future Growth
Cities	• Allow for and Reduce Barriers to Soft Density (2-9 Unit structures) • Support and Reduce Barriers for Multifamily within Regional Employment Nodes • Prioritize Transit-Oriented Development • Allow and incentivize the construction of Accessory Dwelling Units (ADUs)	• Provide Multifamily Rental Gap Financing • Create a Naturally Occurring Affordable Housing (NOAH) Preservation Strategy • Maintain and Increase Investments to Services for Low-Income and Homeless Residents • Market Publicly Owned Land Nationally • Expand Capacity / Aid Growth of the Cass Clay CLT	• Establish a Regional Housing Committee • Educate Staff and Coordinate Planning Efforts among Municipalities • Invest in transportation, childcare and education to meet the needs of future and current residents
Regional	• Regional Coordination on a Comprehensive Growth Strategy	• Establish a Regional Housing Trust Fund • Pursue Additional State and Federal Funding	• Establish Clear Guidance on Infrastructure Investments • Grow National Developer Interest in the FM Region

THE CITY OF Fargo FAR MORE

PLANNING & DEVELOPMENT

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(25)

MEMORANDUM

TO: **CITY COMMISSION**

DATE: **JANUARY 4, 2024**

FROM: **NICOLE CRUTCHFIELD, PLANNING DIRECTOR**

RE: **DOWNTOWN IN FOCUS TAKE ACTION RECOMMENDAITON FOR ADOPTION**

In 2016, Interface Studio was hired to facilitate a comprehensive planning process for downtown resulting in the Downtown InFocus: A Blueprint for Fargo's Core being adopted in 2018. After five years, the City hired Interface Studio in February 2022 to assess operational process, data and confirm goals and targeted engagement, pandemic impact and Downtown Community Partnership alignment with the Downtown InFocus. An implementation plan has been created following extensive stakeholder outreach and coordination to identify implementation steps.

The Downtown InFocus - Take Action highlights twenty priorities and lays out action steps for implementing these priorities over the course of the next 5-10 years. The report is meant to be a living document and considered an addendum to the Downtown InFocus plan adopted in 2018. As observations and findings occur over time, there will be need to keep the Take Action report updated.

On November 13, 2023 Scott Page with Interface Studio presented an overview of the implementation plan to the City Commission meeting and other stakeholder groups. Following this presentation, members of the community were invited to review and provide comments on the draft plan.

At the December Planning Commission meeting, the final draft Downtown InFocus Take Action report was presented to the Planning Commission and broad discussion occurred. Staff requested feedback or comments to be submitted from Planning Commission and these notes were integrated into the December Update which is available on the City's website: https://fargond.gov/explore/downtown-fargo/framework-plan (Downtown InFocus: Take Action 2023). The comments officially submitted as part of the press release and outreach to stakeholders within the last month are also attached for the record.

The Planning Commission reviewed the updated Downtown InFocus Take Action report at their January 2, 2024 meeting and made a unanimous recommendation to City Commission for adoption.

Recommendation: **Adopt the Downtown InFocus Take Action report**

EQUAL HOUSING OPPORTUNITY

Downtown InFocus

TAKE ACTION!

2023

DRAFT DECEMBER 2023

Prepared for the
City of Fargo

Introduction

WHAT IS DOWNTOWN INFOCUS?

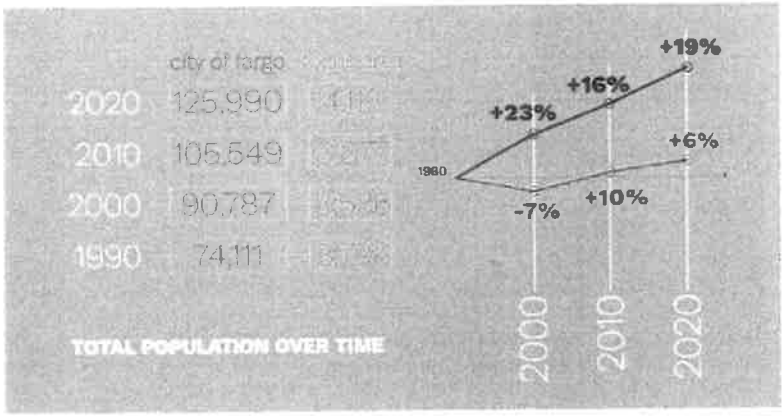
Downtown InFocus is a comprehensive, action-oriented guidebook for the future of Fargo's historic Downtown created in 2016 to guide Downtown planning and investment for the subsequent 10 years. Fargo's community members and local leaders were engaged throughout the planning process to help set clear expectations for how Downtown could (and should) change. The data analysis and research undertaken for Downtown through this process established a baseline from which the City of Fargo defined goals, and metrics to measure performance towards achieving those goals.

WHAT IS DOWNTOWN INFOCUS-*TAKE ACTION*?

Downtown InFocus - *Take Action* (2023) is an update and supplement to the 2016 plan. *It is not a rewrite of the original plan.* Every year the City of Fargo evolves and achieves goals set by the Downtown InFocus (2016) plan. Tracking the City's progress also reveals where efforts need more...*focus*. Downtown InFocus - *Take Action* (2023) provides implementation guidance and updates priorities to reflect the current moment in Fargo, and helps the City of Fargo carry momentum into the future.

WHAT IS OUR STUDY AREA?

The Downtown InFocus study area comprises 560 acres in the heart of Fargo. It includes all of the Business Improvements District (BID) and the Renaissance Zone and stretches from University Avenue to the Red River - roughly from Sanford Hospital to the southern edge of Island Park. This study area is larger than the traditional Downtown "core" to account for the fact that the connections between Downtown and the near neighborhoods are critically important to the future of Downtown. This boundary is consistent with the Downtown InFocus (2016) plan, visible as a dashed outline on the maps to the right.



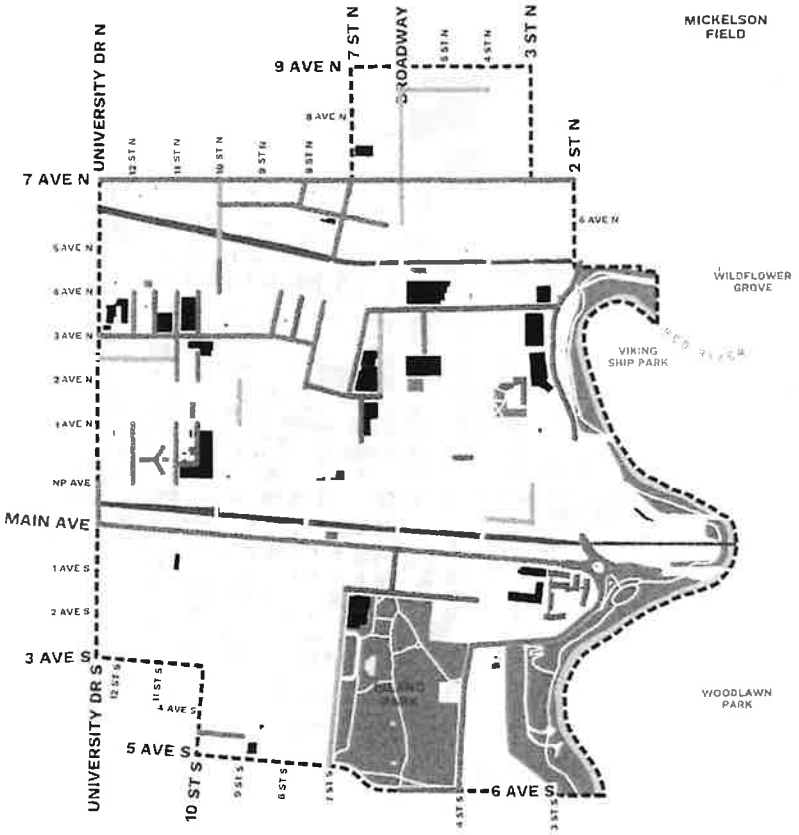
THE LAST FIVE YEARS OF PROGRESS

When compared to five years ago, Downtown today is visibly more vibrant, with more people in town on a daily basis, and more things to do. Programming efforts have amounted to over 9,000 volunteer hours. One of the favorite new additions to the Downtown scene is Broadway Square which draws visitors to approximately 270 events per year. The food scene is also booming; Downtown has welcomed many new restaurants, bars and venues.

The local economy is doing better, too, as Downtown remains the economic hub of the region. The County is seeing an increase in net business tax and real estate tax revenue from recent growth. The population of Downtown Fargo is 4,113 people [2020 Census]. This is a 6% increase from 2010. Since 2017, 798 housing units have been built or are currently under construction. This represents 13% of all the new units added in Fargo.

Downtown Fargo has changed a lot since the InFocus (2016) plan. Many of the sites that were marked as "underutilized" in the 2018 plan have been redeveloped and future development is planned for many of the surface level parking lots. However, there are still some large sites that have potential for development. Development on publicly-owned land can be leveraged to meet some of the InFocus goals discussed in this document.

The population of Downtown Fargo is 4,113 people [2020 Census]. This is a 6% increase from 2010. Comparatively, Downtown Fargo is growing at a slower rate than the rest of the City which grew 19.3% from 2010 to 2020. In addition, while Downtown is growing, it is at a slower rate than previously. Downtown added about 340 residents between 2000-2010, and about 235 from 2010-2020.



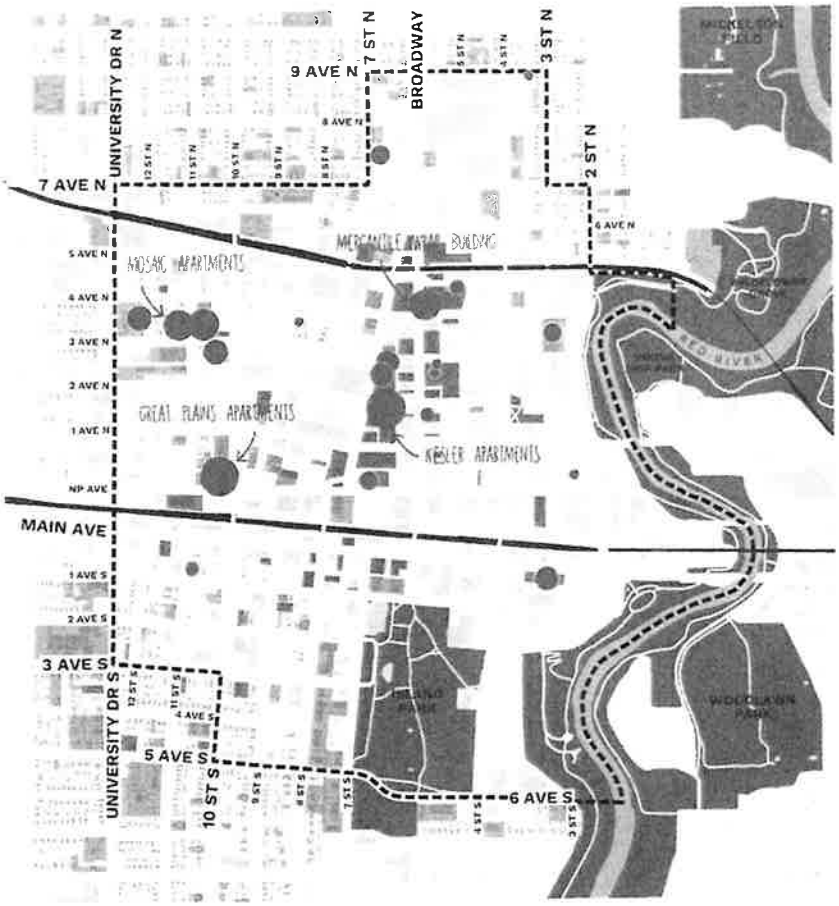
Change in Buildings and Roads

Source: Interface Studio, 2022

- NEW BUILDINGS SINCE 2018
- DEMOLISHED BUILDINGS
- NEW ROAD CONSTRUCTION
- ROAD RECONSTRUCTION
- ROAD IMPROVEMENTS
- DEMOLISHED ROADS
- RAIL
- OPEN SPACE
- DOWNTOWN FOCUS AREA

34,727 feet
of road improvements since 2018

There are 25 new buildings within the Downtown study area. Many of the new buildings are either multi-unit residential apartment buildings or mixed use residential with ground floor commercial retail. A total of $391,880,467 has been invested in Downtown construction since 2017



Residential Units

Source: Interface Studio

NEW RESIDENTIAL UNITS

- 1 UNIT
- 2-14 UNITS
- 15-40 UNITS
- 41-84 UNITS
- 85-100 UNITS
- 101-152 UNITS
- RAIL
- OPEN SPACE
- DOWNTOWN FOCUS AREA

2022 LAND USE

- LOW DENSITY RESIDENTIAL
- HIGH DENSITY RESIDENTIAL
- MIXED USE

There have been 798 housing units constructed or currently under construction since 2017. This represents 13% of all the new units added in Fargo.

There are several notable developments which have added a majority of these units to Downtown, such as the Kesler Apartments, Mercantile Wrap Building, Dillard Apartments, Great Plains Apartments, Mosaic Apartments, and Gateway North.

IDENTIFYING PRIORITY ACTIONS FOR OUR NEXT PHASE OF WORK

Downtown InFocus - *Take Action* (2023) is a supplement to the 2016 Plan. Each of the goals and recommendations were evaluated with the help of the City of Fargo Planning and Development staff. A report card documented progress toward each action and if the action remains a priority today. Categories included: "Complete", "In Progress", and "Needs Work". Each incomplete action was evaluated to identify the discernable barriers to implementation. **Lack of regularly allocated resources and a lack of clearly-defined champion(s)** were consistently cited for almost all incomplete actions.

Downtown InFocus (2016) contained over 85 actions nested under seven goal chapters:

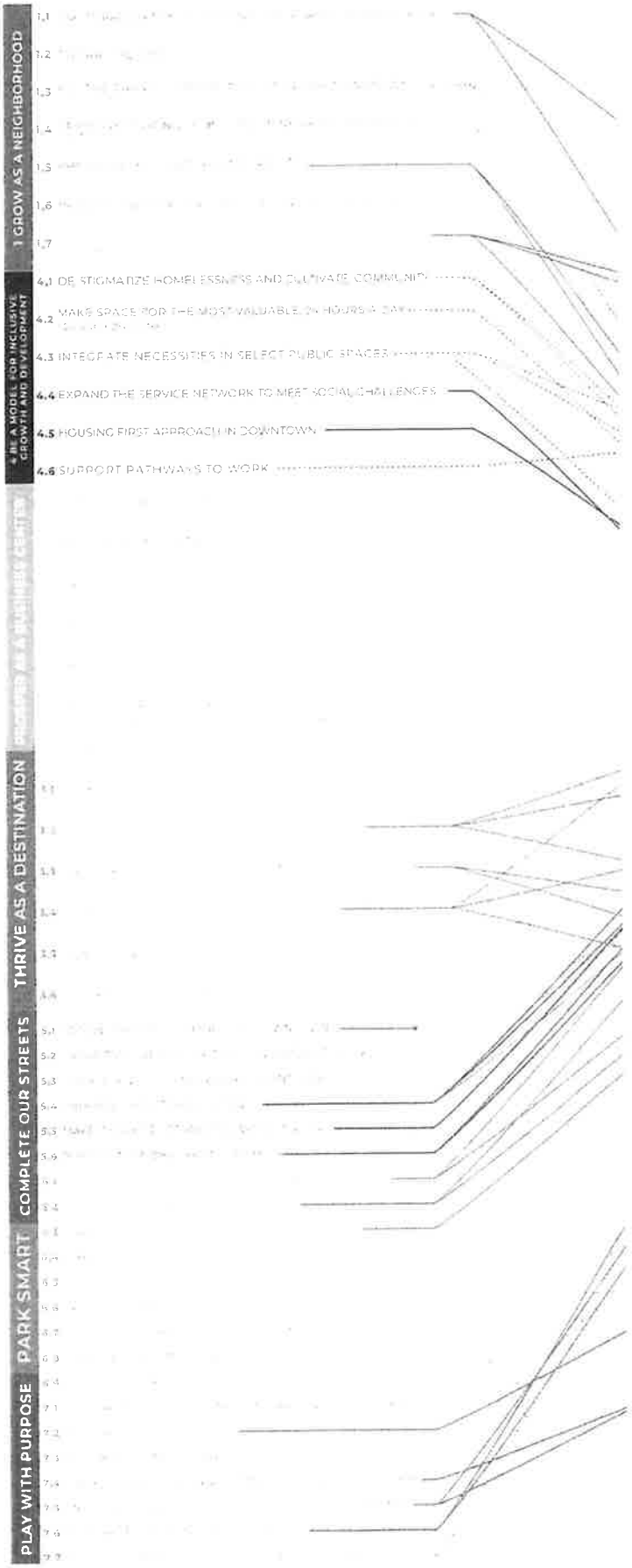
1. Grow as a Neighborhood
2. Prosper as a Business Center
3. Thrive as a Destination
4. Be a Model for Inclusive Growth & Development
5. Complete Our Streets
6. Park Smart
7. Play with Purpose

Although most of the actions remain relevant, this update is focused on taking action. Actions were grouped and restated based upon changes to funding, staffing, and/or circumstances of implementation that differ in Downtown Fargo today.

The intent of this document is to present a simple and specific set of 20 critical actions to move the needle toward improvements in Downtown that are most needed, today, and have made the least progress toward implementation over the last six years.

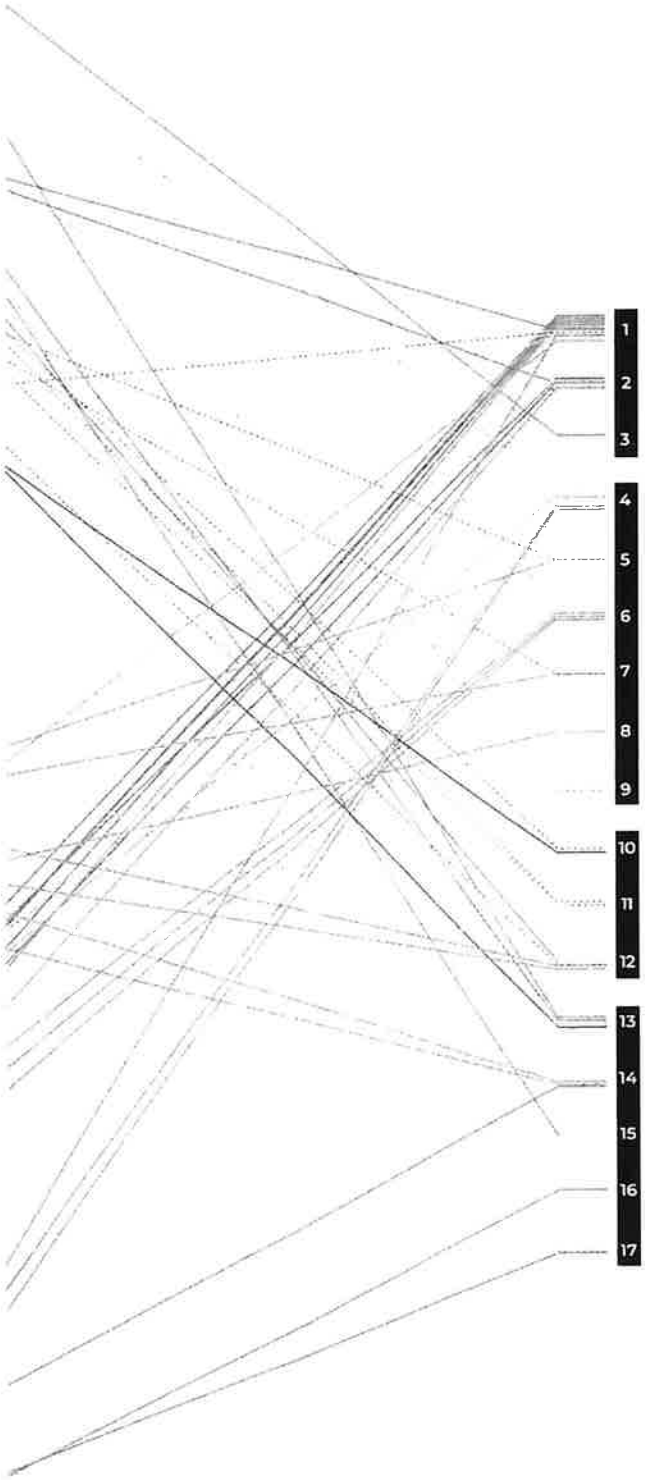
These recommendations are reorganized into four primary categories. The chapters that follow introduce each of these critical actions and define the implementation steps needed to move each forward. Each action is presented alongside a description of what "success" might look like and a brief explanation of where the City is "today", for context.

This document will serve as a living document to implement Downtown InFocus (2016). As things evolve and change Downtown, the document and it's implementation recommendations should be updated as well.



Downtown InFocus TAKE ACTION!

2023 UPDATE



Implementation Roles

Public realm + design needs

Inclusive growth

Public financing + economic needs

Implementation Roles

Public realm + design needs

Inclusive growth

Public financing + economic needs

Downtown InFocus 2023 UPDATE TAKE ACTION!

Implementation Roles

1. Clarify roles for managing downtown and implementation of the Downtown Plan.
2. Establish a dedicated City of Fargo Downtown Coordinator.
3. Quarterly coordination to advance strategic plans.
4. Monthly coordination for Downtown programming and events.

Public realm + design needs

5. Update the City's growth plan, zoning & land development code, to include design guidelines and form-based updates.
6. Develop a plan to upgrade Broadway.
7. Improve wayfinding and the visitor experience around Downtown parking.
8. Redesign 2nd Avenue.
9. Use the Public Art Masterplan to prioritize public art projects Downtown and reinforce the "Design District" concept.
10. Commit to the vision for the Downtown Riverfront.
11. Improve City Hall Plaza.

Inclusive Growth

12. Explore creating a separate Cass County / Fargo Continuum of Care.
13. Develop a 5-year strategy for sustaining the Downtown Engagement Center.
14. Build mixed-income housing downtown.
15. Invest in homes in the core neighborhoods.
16. Pursue permanent supportive housing solutions.

Public financing + economic needs

17. Increase City contribution to the DCP for programming and Downtown Plan implementation.
18. Review and refine incentive policies to better achieve public goals.
19. Redefine RFP process for publicly-owned land and identify terms to evaluate RFPs.
20. Define a Capital Improvement Program (CIP) for Downtown projects.

Implementation Roles

WHY THIS MATTERS:

- An in-depth review of the City's progress to implement the Downtown InFocus (2016) plan shows that although progress has been made, there is much yet to be accomplished. While the pandemic played a significant role in upending some of the progress, Downtown is also facing new and different challenges than even five years ago.
- This review also exposed the fact that implementation of plan recommendations was weakest where a clear champion or implementation lead was not clearly defined during the 2016 planning process. Many perceive the implementation of the Downtown plan to be primarily the responsibility of the City of Fargo Planning and Development staff, even though the plan is comprehensive and touches many different stakeholders.
- Similarly, Downtown activation and programming recommendations outlined in the plan - including those related to public spaces - are often seen as the sole responsibility of the Downtown Community Partnership (DCP) and the Downtown Business Improvement District teams.
- Downtown Fargo strategy development and implementation - physical and programmatic - are the responsibility of all, not solely the City's Planning and Development staff or the Downtown Community Partnership.
- Implementation of many actions requires a high level of coordination.
- Defined organizational roles ensure implementation is not dependent on individuals.
- Assigning roles ensures responsible parties can refine how and when to take action according to the reality of their office, resources, and capacity.

Successful downtowns are driven by a number of organizations and City representatives all working together to achieve shared outcomes. Establishing and sustaining these partnerships with clear roles for who takes action under what circumstances is fundamental to seeing further progress. **If Fargo wants to achieve the goals of the Downtown InFocus Plan, all stakeholders need to "buy in" to its implementation.**

Here's what we need to do ...

1 TAKE ACTION!

Clarify roles for managing Downtown and implementation of the Downtown Plan.

What are we trying to accomplish?

Ensure that City staff share implementation responsibility for the Downtown Plan. Implementation champions for all actions are defined and the individuals leading each implementation action help to outline the appropriate steps needed to move each action forward. When issues arise in the Downtown area, there is collective clarity on which entity or entities are responsible and the best way to initiate a request for assistance.

Where are we now?

Implementation of Downtown InFocus is broadly seen as the responsibility of the City of Fargo Department of Planning & Development and the Downtown Community Partnership (DCP), though many decisions or actions fall within the scope of other stakeholders. The implementation strategy isn't institutionalized in operational procedures or staff onboarding.

Today, the Business Improvement District (BID) and the DCP are seen as interchangeable and responsible for mitigating many issues Downtown. However, many organizations including the Fargo Police Department, Fargo Park District, and private property owners all have critical roles to play.

IMPLEMENTATION STEPS

☑ **STEP 1:**
Gather key people together to confirm responsibilities and processes.
Conduct a series of intensive workshops with stakeholders from across the City and external organizations working on behalf of Downtown to explore implementation steps needed to move critical actions forward.

☑ **STEP 2:**
Outline common issues and complaints received about the Downtown area.

☐ **STEP 3:**
Identify the appropriate chain-of-reaction to respond to common issues.

☐ **STEP 4:**
Continue regular check-ins among key response chain.
Meeting should include discussion of recent issue response to ensure the chain-of-reaction is working as it should.

WHERE DO I START?

IS THE ISSUE RELATED TO...

...a human?

If something illegal or makes you feel unsafe, regardless of the location, 911 Emergency should be your first call.

- Someone is sleeping someplace unsafe or strange
- Someone is in my shop doing something bad
- A person or business is playing amplified music outdoors after 10pm.

↓

Call 911
FARGO POLICE DEPARTMENT
The Fargo Police Department will mobilize the appropriate resources including non-emergency staff and homeless services.

...a physical nuisance?

A physical nuisance may include:

- Garbage accumulation in a trash can is overflowing on the sidewalk
- There's graffiti on a building wall
- Slippery conditions or snow accumulation is blocking a public sidewalk
- There's a large pothole in the street or alley

↓

Submit issue through FargoOne App
Issues or requests submitted through the app are either routed to the appropriate City of Fargo department or the Downtown BID.

THEN WHAT HAPPENS?

WHERE IS THE ISSUE OBSERVED OR TAKING PLACE?

Private property

Private property refers to a residential or commercial building or lot that is owned by anything other than the City.

THE CITY ALERTS THE PROPERTY OWNER

The property owner may be issues at citation if the issue is not resolved expediently.

Sidewalks

the surface + walkway

Once built, the responsibility of sidewalk maintenance, repair, and clearing transfers to the adjacent property owner.

the furniture + lighting

But, the furniture, fixtures, and lighting installed or placed by the City of Fargo (not including restaurant cafe seating) along pubic sidewalks, are maintained by the BID.

THE CITY HANDLES ISSUES IN THE STREET

within the paved street (curb-to-curb).

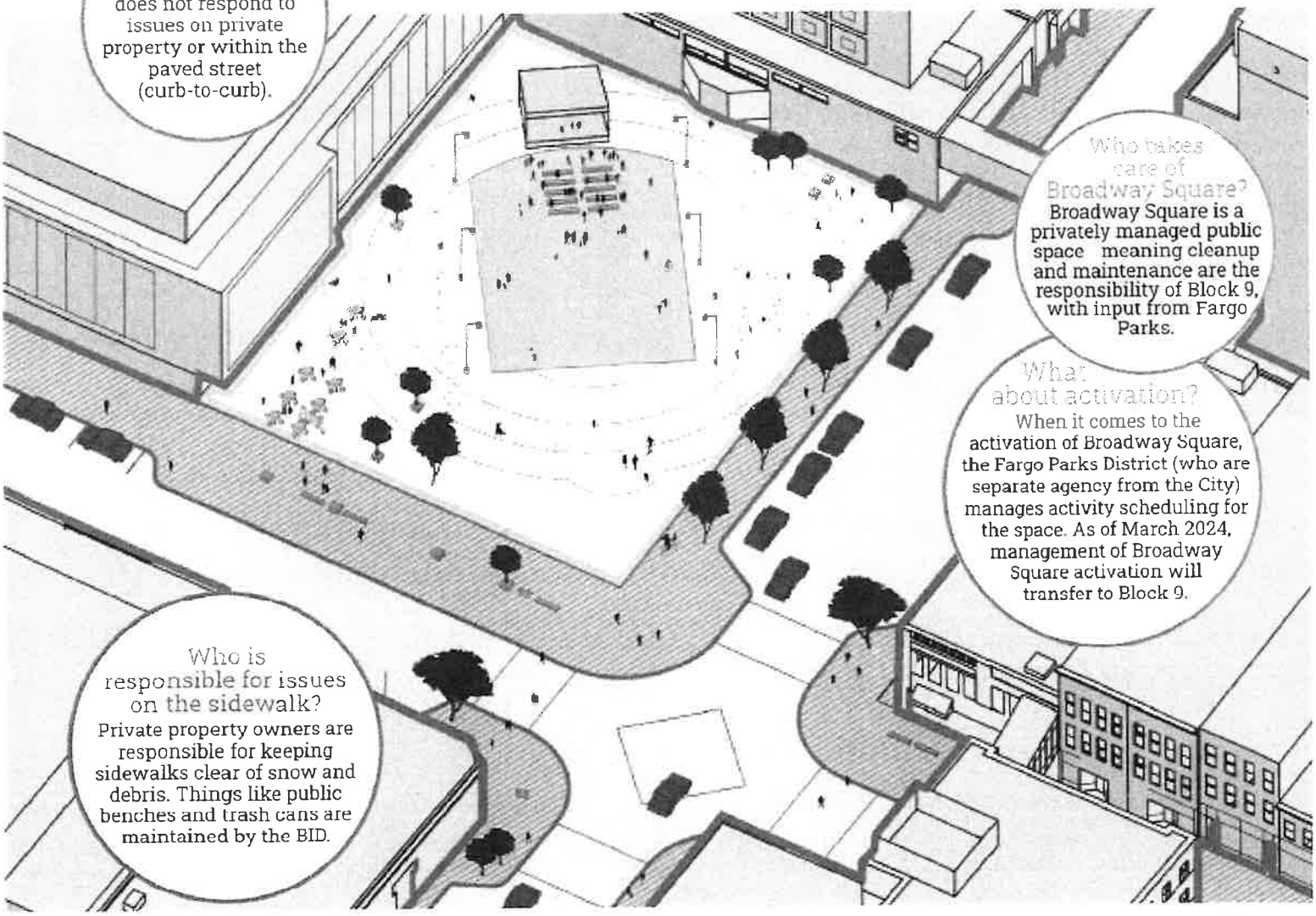
Public space + public property

Includes publicly-owned parks and plazas, streets and alleys, and properties, buildings, or parking garages owned by the City of Fargo.

THE CITY HANDLES OR ALERTS THE BID

Issues are either routed to the appropriate City of Fargo department or the Downtown BID.

Did you know?
The Downtown BID does not respond to issues on private property or within the paved street (curb-to-curb).



Who takes care of Broadway Square?
Broadway Square is a privately managed public space meaning cleanup and maintenance are the responsibility of Block 9, with input from Fargo Parks.

What about activation?
When it comes to the activation of Broadway Square, the Fargo Parks District (who are separate agency from the City) manages activity scheduling for the space. As of March 2024, management of Broadway Square activation will transfer to Block 9.

Who is responsible for issues on the sidewalk?
Private property owners are responsible for keeping sidewalks clear of snow and debris. Things like public benches and trash cans are maintained by the BID.

Who are the key players?

The City of Fargo Department of Planning and Development (PD), the Downtown Community Partnership (DCP), the Downtown Neighborhood Association (DNA), and the Business Improvement District (BID) are major stewards of Downtown. City of Fargo staff and leadership at all levels have a critical role to play in the implementation of Downtown InFocus. Independent and nonprofit organizations also play key roles with respect to implementation actions related to programming or areas requiring special expertise, including homeless services and public events and programming. The chart below is to be evaluated and updated by completing the steps listed on Page 9 of this document. At the completion of Step 1, *Gather key people together to confirm responsibilities and processes*, all organizations should have a clear understanding of their role in Downtown and implementing the plan.

KEY IMPLEMENTATION PARTNERS

		City Commission	City Administration	Planning	Strategic Planning	Public safety	Engineering	Fargo Parks District	Public Health	DCP	Chamber	DNA	BID	Folkways	Arts & Culture	Housing Authority	FM Homeless Coalition	Medical Providers	State of ND
Implementation Roles																			
ACTION 1	Clarify roles for managing downtown and implementation of the Downtown Plan.	*This plan provides a start toward clarifying roles*																	
ACTION 2	Establish a dedicated City of Fargo Downtown Coordinator	X	X	X					X										
ACTION 3	Quarterly coordination to advance strategic plans		X						X	X		X	X						
ACTION 4	Monthly coordination for Downtown programming and events		X					X		X			X	X					
Public realm + design needs																			
ACTION 5	Update the City's growth plan, zoning & land development code, to include design guidelines and form based updates	X		X					X										
ACTION 6	Develop a plan to upgrade Broadway	X	X	X			X		X	X		X	X						
ACTION 7	Improve wayfinding & visitor experience around Downtown parking	X		X	X										X				
ACTION 8	Redesign 2nd Avenue	X					X			X									
ACTION 9	Use the Public Art Masterplan to prioritize public art projects Downtown and reinforce the "Design District" concept.	X		X											X				
ACTION 10	Commit to the vision for the Downtown Riverfront	X	X	X	X														
ACTION 11	Improve City Hall Plaza	X	X	X					X	X				X	X				
Inclusive Growth																			
ACTION 12	Explore creating a separate Cass County/Fargo Continuum of Care	X	X	X				X	X								X		X
ACTION 13	Develop a 5-year strategy for sustaining the Downtown Engagement Center	X	X	X		X			X	X							X	X	X
ACTION 14	Build mixed-income housing Downtown	X	X	X	X				X							X			
ACTION 15	Invest in homes in the core neighborhoods	X	X	X	X				X										
ACTION 16	Pursue permanent supportive housing solutions	X	X						X							X	X	X	X
Public financing + economic need																			
ACTION 17	Increase City contribution to the DCP for programming and Downtown Plan implementation	X	X							X									
ACTION 18	Review and refine incentive policies to better achieve public goals	X	X		X					X									
ACTION 19	Redefine RFP process for public owned land and evaluating RFPs	X	X	X	X					X									
ACTION 20	Define a Capital Improvement Program(CIP) for Downtown projects	X	X		X		X			X									

2 TAKE ACTION! Establish a dedicated City of Fargo **Downtown Coordinator.**

What are we trying to accomplish?

Establish a designated City staff person to aid in the implementation of Downtown InFocus, streamline communication with Downtown stakeholders, and assist the Downtown Community Partnership Executive Director with the coordination of strategy development and navigation of City Hall. The role of Downtown Coordinator is an executive-level position within the City.

Where are we now?

While Downtown InFocus *Take Action* (2023) was developed, the City of Fargo Auditor, Steve Sprague, had voluntarily assumed an informal role as the City's downtown liaison as part of the BID/DNA memorandum of understanding (MOU). The City Auditor also serves as the Downtown Task Force agenda keeper to convey pressing Downtown issues and needs.

IMPLEMENTATION STEPS

☑ **STEP 1:**
Solicit support to **formalize a new Downtown Coordinator position** among the City and DCP.

☐ **STEP 2:**
Find the right person for the job.

Initially: Include in the responsibilities of the new Deputy City Administrator the role of Downtown Coordinator.

In the long term: Consider hiring a full-time employee to fill a new, formalized role as a Plan Implementation Coordinator to focus not only on Downtown issues and plan implementation but also to help coordinate and push implementation projects that require cross departmental coordination.

☐ **STEP 3:**
Get to work! Once established, the Downtown Coordinator should attend ongoing Downtown meetings and co-organize Downtown Task Force meetings with DCP Executive Director.

3 TAKE ACTION! Establish quarterly coordination between DCP, DNA, and the City to advance strategic initiatives.

IMPLEMENTATION STEPS

STEP 1:
Engage the right people to participate.
Identify all City departments and external partners who need to be present for a discussion of strategic initiatives impacting Downtown.

STEP 2:
Identify a regular meeting schedule.
Hold each meeting to exchange updates on strategic initiatives.

STEP 3:
Meeting agendas established by the Downtown Coordinator with input from the key partner organizations.
Refer to Action 2.

What are we trying to accomplish?

Conduct executive-level meetings at regular intervals to improve cross-agency awareness and updates on plan implementation and other bigger-picture initiatives.

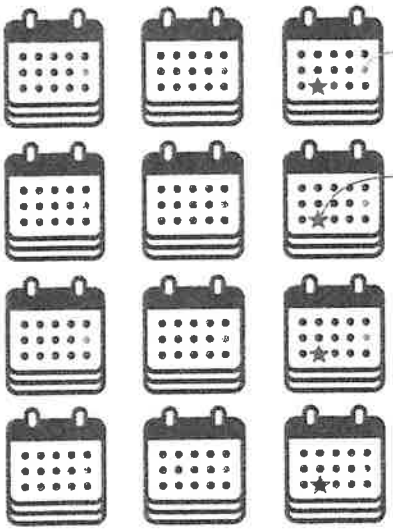
These meetings will be in addition to the Downtown Task Force meetings, which serve to discuss day-to-day operations and issues in the Downtown. The City representative with Downtown Coordinator responsibility (see Action 2) will be included in both the ongoing Downtown Task Force meetings and the proposed strategic planning and implementation meetings.

Where are we now?

The Downtown Task Force - a meeting between City managers and DCP - meets routinely to discuss issues and needs. The purpose of the Downtown Task Force is for problem solving issues and brainstorming solutions. DCP and up to 16 different city departments are represented at these meetings. The meetings, however, do not generally include other agencies and are not the vehicle to coordinate multi-year strategies.

Larger cross-agency initiatives and implementation strategies are not central to the agenda of the Downtown Task Force meetings. A regular meeting focused on executive-level planning and the implementation of Actions presented in this Plan would benefit stewardship of Downtown Fargo.

How frequently should these groups meet? >>>



DOWNTOWN TASK FORCE
smaller monthly meetings to discuss operations

DOWNTOWN STRATEGIC PLANNERS
broader quarterly meetings to discuss strategy and plan implementation actions

4 TAKE ACTION!

Monthly coordination for Downtown programming and events events among DCP, BID, Parks District, Folkways, Downtown Neighborhood Association and Downtown Coordinator.

IMPLEMENTATION STEPS

What are we trying to accomplish?

Create new or existing programming that directly benefits local retailers and restaurants more regularly (outside of major or occasional events). Have a regular forum to coordinate and leverage events by different partners within Downtown Fargo.

Where are we now?

Coordination is often lacking between organizations working to host events or activate Downtown and/or Broadway Square, and there remains some confusion around who can close Broadway and for what event.

Today, the Downtown Community Partnership (DCP), the Fargo Park District ("Parks"), and Folkways (nonprofit) are the main entities providing programming and hosting events in Downtown Fargo. The permitting of events in public streets, requires coordination among Public Safety entities, Engineering, Public Works, and Planning. This process can be simplified and more user friendly.

What may be key responsibilities when coordinating programming for Downtown?

A Downtown programming coordinator is responsible for planning, organizing, and overseeing special events and programming initiatives in a downtown area. Their involvement should clarify and simply the process for any entity or organization wanting to hold events Downtown.

- Resource for Event Planning and Coordination Questions
- Promotion and Marketing Support
- Regulatory Compliance
- Coordinate with Public Safety

STEP 1:
Engage the right people to participate.

Identify all City departments and external partners who need to be present for a discussion of programming and events in the Downtown area.

STEP 2:
Identify a regular meeting schedule and include the Downtown Coordinator.

Once established, the City Coordinator will also play a pivotal role in facilitating programming and events.

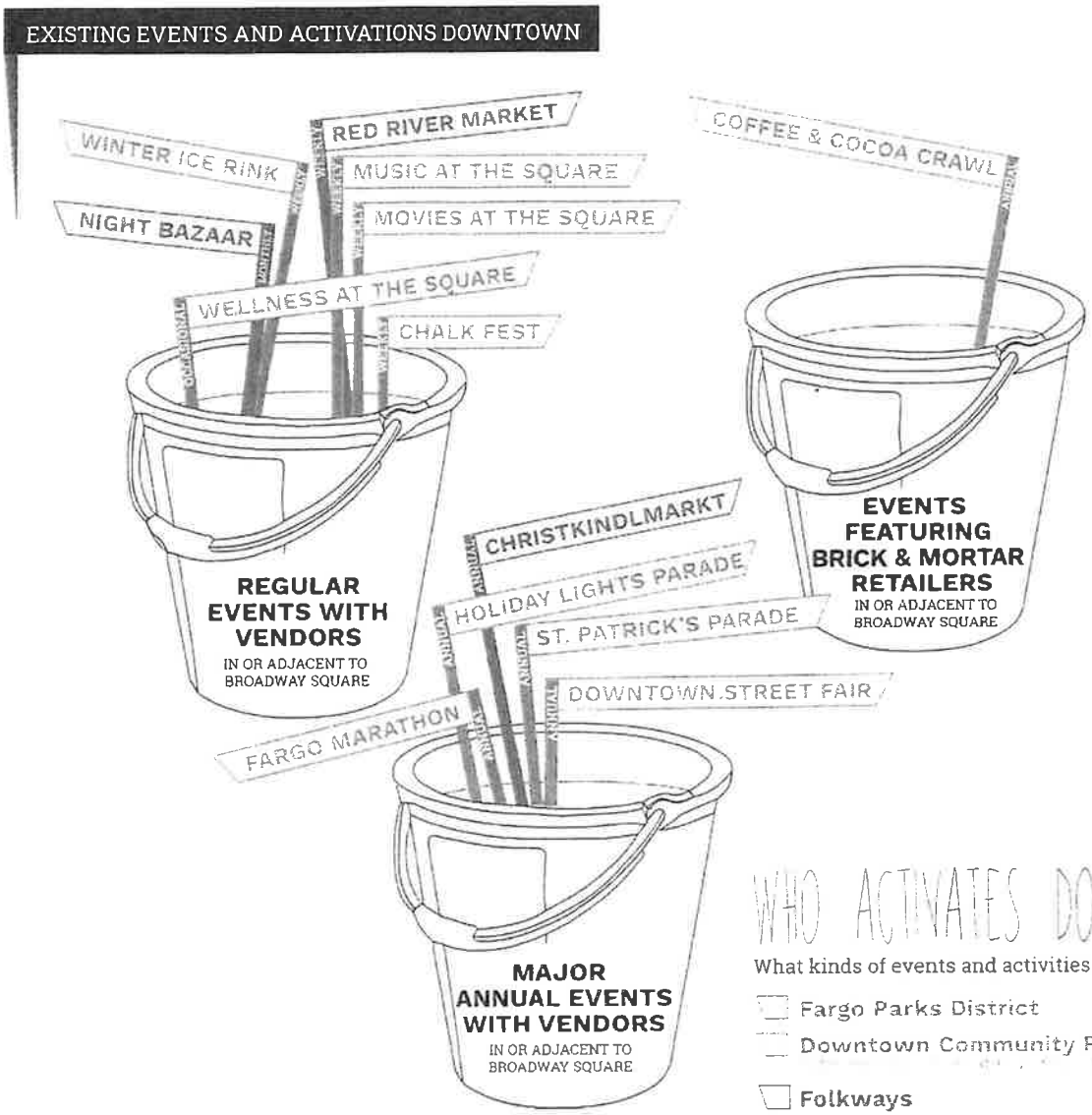
STEP 3:
Establish DCP as the primary Downtown programming coordinator.

In this role, DCP also assumes responsibility to review requests to close Broadway Avenue for special events. Other responsabilities related to programming coordination should be determined in partnership with the City. In this role, DCP plays a pivotal role in enhancing the vitality and appeal of a downtown area through carefully planned and executed special events and programming. Their role is crucial in creating a vibrant and engaging atmosphere that attracts residents, visitors, and businesses to the downtown area.

STEP 4:
Follow clear guidance for when it's appropriate to close down Broadway.

Criteria for the closure of this important street need to be clear and consistent. Create a decision tree to assess potential impacts on businesses, traffic, and anticipated construction season. The decision tree should be built around the following issues:

- Logistics - How much time does the street need to be closed for event set up and clean up in addition to the event itself?
- Expected attendance - What is the expected attendance?
- Timing - Will the event take place during the time of another event or soon after another major event?
- Scale - is the event looking to close all of Broadway or just one block?
- Audience - will the event potentially draw people that will further support Downtown businesses? Are immediately impacted business owners supportive of the event?



WHO ACTIVATES DOWNTOWN?

What kinds of events and activities are happening in Downtown

- Fargo Parks District
- Downtown Community Partnership
- Folkways

Balancing these factors will take some discussion. In principle, an event with a limited setup, draws a relatively large number of people at a time when there are no other events, is targeting a limited section of Broadway, and compliments nearby businesses is preferred over one with a smaller crowd, a longer closure time and potentially negative impacts on businesses. In keeping with recommendations in Downtown InFocus, look for opportunities to host events off-Broadway and limit closures to special events. Actions 8 and 11 in the document will work to improve and provide additional spaces to host events downtown on 2nd Ave and City Hall Plaza.

Ideally, the process for reviewing and approving a request to close Broadway, when appropriate, for an event includes:

- **Closure requests are evaluated by DCP based on established criteria and weighing the interests of local retailers and restaurants.**
- **If DCP supports the proposed closure, they will bring a request to the City.**
- **Permits are issued by Engineering Department for the event.**

What kinds of programming are missing?

Although many events draw foot traffic to Downtown, there are limited events specifically focused on retailer awareness or for the benefit of individual retailers or retail categories. Expanded programming Downtown should focus on supporting Downtown retailers and businesses where possible.

Public realm + design needs

WHY THIS MATTERS:

- Downtown Fargo is unique from other areas of Fargo and is expected to be a higher-quality place.
- Although a higher standard is expected, a discernible "standard" or "quality" of Downtown development and public spaces is not defined or codified.
- The private sector is the primary engine for new development and redevelopment in Downtown.
- Downtown Fargo is listed on the National Register of Historic Places as a historic district; no design standards are in place to protect its historic character.
- The City's ability to influence the look and feel of new development is limited. The primary quality control lever is the City's permit and/or zoning review, or with incentive review.
- "Walkability" is one of the characteristics of Downtown that is highly valued by the public.
- Walkable places require design sensitivity to the look and feel of public streets and sidewalks, as well as the design of buildings and storefronts that front the street.
- The physical fabric of Downtown Fargo is one of many elements that create the Downtown experience for residents and visitors.
- Real and perceived public safety issues have a major impact on the success of Downtown.
- Elevating the design and maintenance of public spaces will reinforce a sense of safety and improve the Downtown experience for residents and visitors. Elevated design elements include lighting, landscaping, trees, signage, and special treatments for signature streets like Broadway.

The experience of Downtown is central to the success of Downtown. Whether you live or visit Downtown Fargo, it needs to feel safe, welcoming, and inviting. Investing in design and programming is the most cost-effective way to boost economic development.

To ensure the highest quality development product and public spaces that Fargoans expect from their Downtown, the City must develop and codify design standards. To ensure Fargo is a welcoming place for all ages and abilities, investment in, and the design of, streets is critically important.

Here's what we need to do ...

5 TAKE ACTION! Update the City's growth plan, zoning & land development code, to include **design guidelines** and **form-based updates.**

What are we trying to accomplish?

A new modern Zoning Code that incorporates the recommendations from the Growth Plan and Downtown InFocus, that clearly articulates a Future Land Use map for the City. These documents include form-based zoning updates, design guidelines for the Downtown Core, historic district considerations, street tree and landscaping mandates, signage regulations, and more flexible housing standards to allow for a mix of units and densities in Downtown and the Core Neighborhoods. The City of Fargo Engineering Department ("Engineering") has modified its street construction standards in alignment with recommended design guidance.

Where are we now?

A consultant was hired (Spring 2023) to develop a Citywide Growth Plan which will include a citywide Future Land Use map. Once completed, the Growth Plan will be the basis for a new Zoning Code.

IMPLEMENTATION STEPS

- ☐ **STEP 1:**
  Complete the Citywide Growth Plan.

- ☐ **STEP 2:**
  Hire a consultant to draft a new Zoning Code.
  Include design guidelines, housing density, and form-based updates. *Note this process is often lengthy, expect five years to adopt a new Zoning Code.*

- ☐ **STEP 3:**
  Once the new Zoning code is adopted, **adjust the Zoning Map to apply the new code.**

- ☐ **STEP 4:**
  Modify street construction standards Downtown.
  Following the production of these critical policy documents, the City of Fargo Engineering Department ("Engineering") should modify street construction standards in alignment with recommended design guidance.

6 Develop a plan to **upgrade Broadway.**

TAKE ACTION!

What are we trying to accomplish?

A clear vision and agreed-upon design of the future of Broadway, with a shared understanding that Broadway is a significant street that warrants a funding strategy that potentially departs from the typical allocation process. This future plan for Broadway includes guiding principles, improved sidewalks, paving details, sections, furniture, landscape design, and a proposed funding strategy.

Where are we now?

Broadway is the backbone of Downtown Fargo. It is beautifully maintained by the BID, but its design and infrastructure is aged. The bricks that were used in the last design are not easily replaced, and with recent development and levels of activity, the sidewalks are seen as narrow and crowded. Newly constructed parking garages provide relief for on-street parking, opening up the opportunity to explore on-street parking alternatives. The City is seeking State Department of Transportation (DOT) funds specifically for crosswalk and intersection improvements including ADA plates along Broadway. Any funding received provides an opportunity to study additional improvements to solve other design challenges and create a shared vision for the street.

What does extra sidewalk space do for Broadway?

Extra sidewalk width created by redesigning the streetscape can be used for additional public seating, larger trees and landscape, and artistic elements that will reinforce Broadway's role as the showpiece of Downtown Fargo.

IMPLEMENTATION STEPS

☑ **STEP 1:**
Secure the grant applied for by the City.

☐ **STEP 2:**
Hire a consultant to help design an engagement strategy for Broadway design improvements.

The City (Engineering and Planning Departments) executes an engagement process to involve the public in the potential options for potential intersection treatments. Included in these public forums are conversations about priorities for the future of Broadway, and should include:

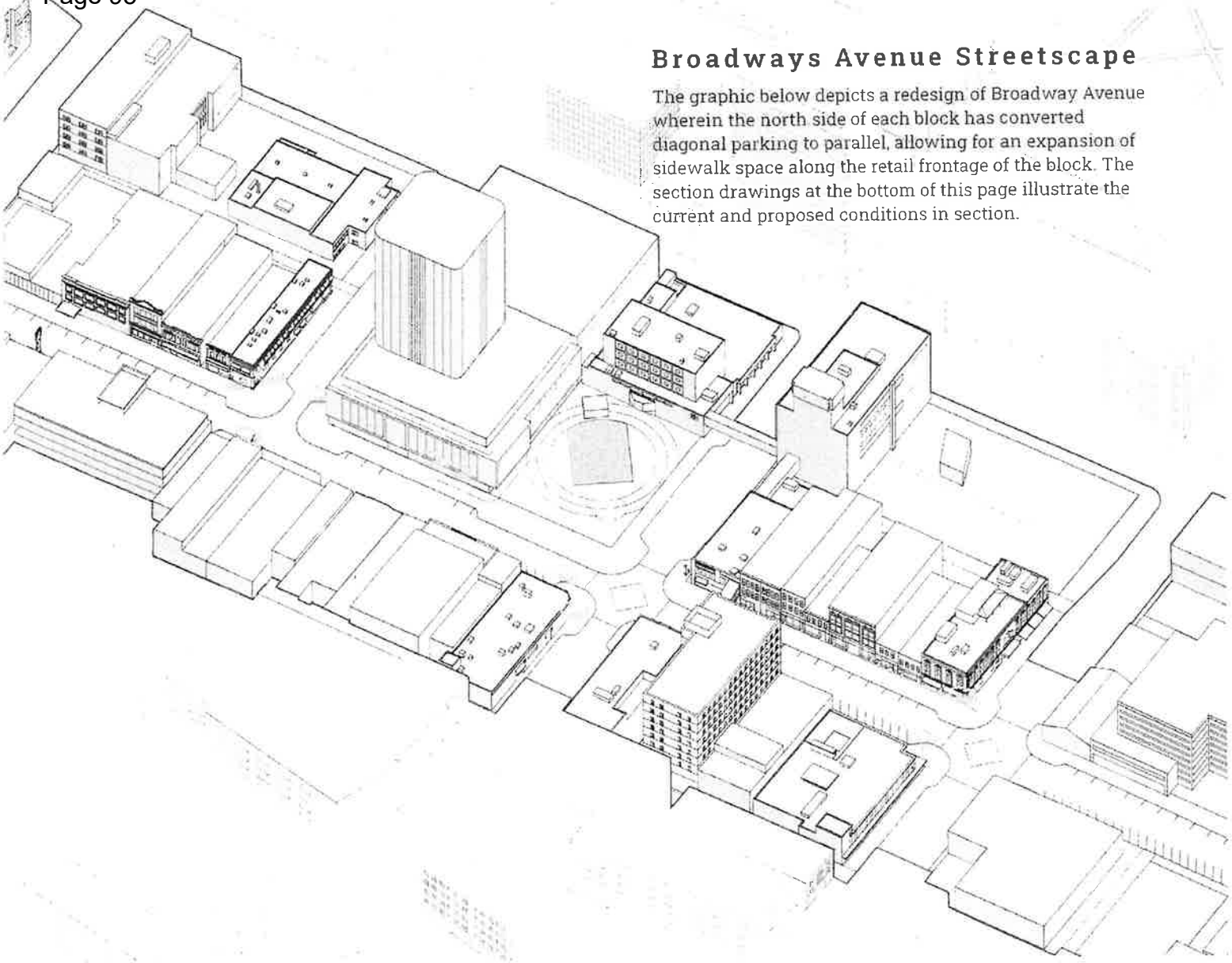
- Alternative street sections that explore wider sidewalks and parallel parking alternatives
- Opportunities for programming, street activation, outdoor dining, store merchandising
- Maintenance considerations, including snow removal and storage
- Flexible/curbless streets and predetermined layouts to ensure the function and continuation of Downtown's largest event, Street Fair

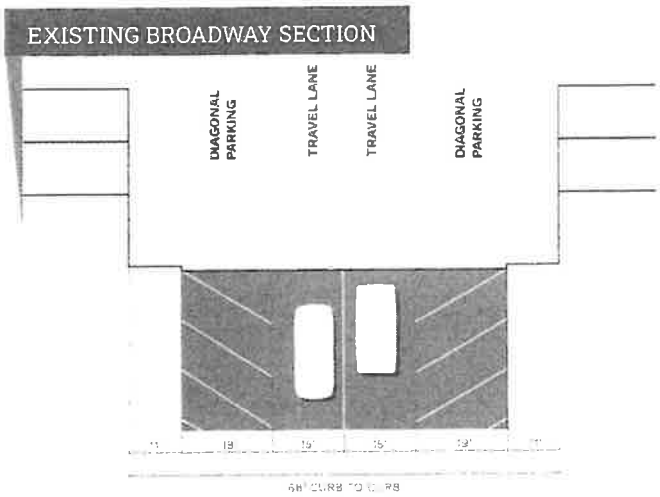
☐ **STEP 3:**
Review updated intersection design drawings with all involved stakeholders.

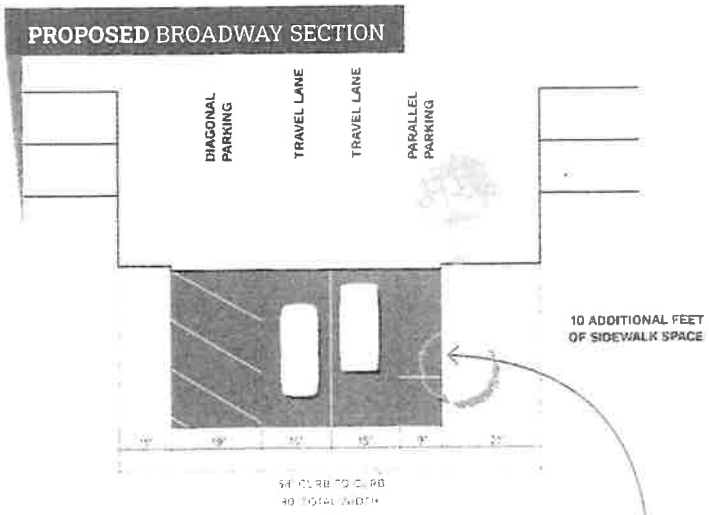
☐ **STEP 4:**
Pursue additional funding.
Review and apply for grant opportunities to fund a broader transformation of Broadway based on public input.

Broadways Avenue Streetscape

The graphic below depicts a redesign of Broadway Avenue wherein the north side of each block has converted diagonal parking to parallel, allowing for an expansion of sidewalk space along the retail frontage of the block. The section drawings at the bottom of this page illustrate the current and proposed conditions in section.







One side is converted to parallel parking to make space to expand the sidewalk!

7 TAKE ACTION! Improve wayfinding and the visitor experience around Downtown parking.

IMPLEMENTATION STEPS

What are we trying to accomplish?

Wayfinding improvements and a thoughtful visitor experience strategy to make it quick, easy and intuitive to find available Downtown parking garages.

Over the long term, the City continues to implement a "park once" strategy to more effectively manage parking Downtown.

Where are we now?

Interstate Parking LLC currently manages Downtown parking and permits, including resident parking permits and contractor parking permits. New parking garages have been built, and the 2022 Downtown Parking study shows that sufficient parking exists to support typical parking demands Downtown. Despite the availability of garage parking spaces and targeted permitting strategy, "it's difficult to find parking" is a frequent complaint in the Downtown area, and structured parking garages are underutilized. Turnover of parked cars on Broadway and other downtown streets should remain a priority to support retailers.

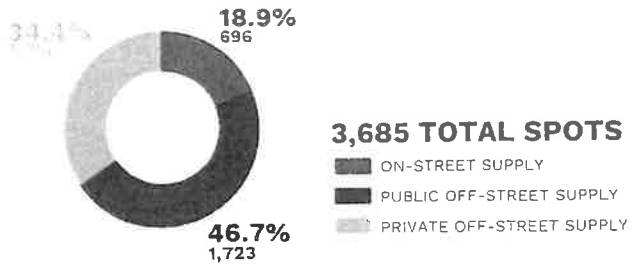
STEP 1:
Update public-facing parking information.
Reach out to Interstate Parking LLC to ensure their website is up to date on all available public parking garages and how to best utilize them.

STEP 2:
Dedicate $50,000 to hiring a wayfinding consultant.
The consultant will conduct a locational and typological analysis and present high-level wayfinding recommendations to improve the legibility of the Downtown parking system. The proposed wayfinding strategy will help simplify preferred circulation routes and primary destinations and include recommended user-friendly terminology for all signage.

STEP 3:
Implement wayfinding improvements for Downtown parking signage and information.

PARKING DEMAND METRICS

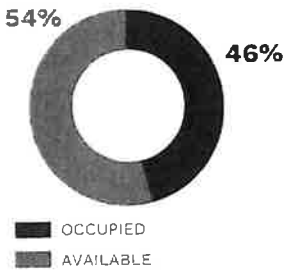
IN THE PARKING STUDY AREA...

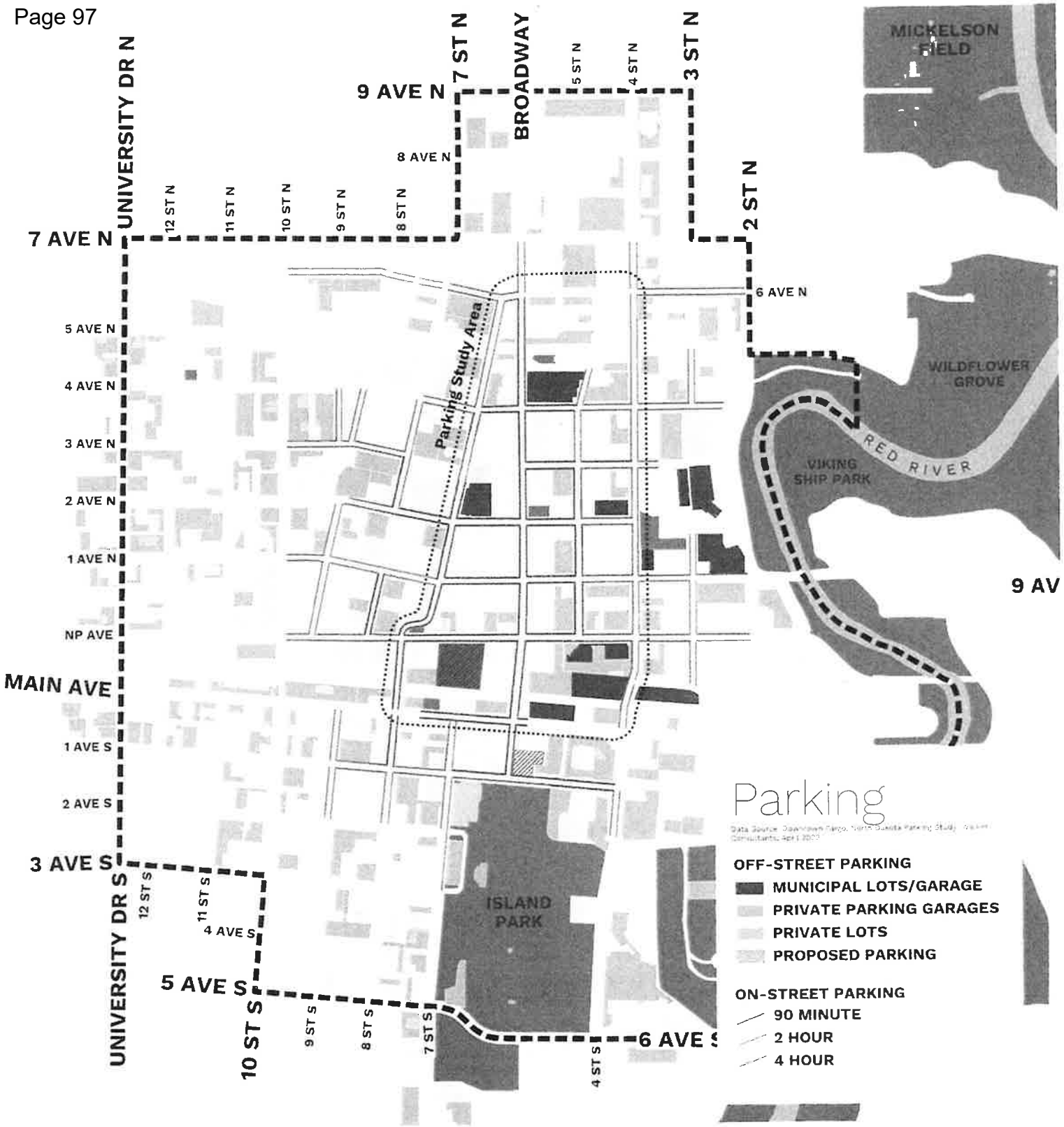


PARKING DEMAND COUNTS

Conducted on January 19, 2022, with favorable weather conditions

"Overall, at the peak hour 1,997 spaces were recorded vacant, indicating ample space availability."





Parking availability has improved!

Based on a parking study completed in 2022 by Walker Consultants for the City of Fargo, parking supply adequately supports demand within the central Parking Study Area, except for the sub-area (bounded by 8th St S, Broadway, 1st St N, and the BNSF Railroad north of Main Avenue) which is projected to experience a parking deficit. The proposed NP Avenue project site requires the greatest number of spaces to be built to replace existing supply and accommodate new users resulting from anticipated development projects.

8 Redesign **2nd Avenue.**

TAKE ACTION!

What are we trying to accomplish?

A transformed 2nd Ave. N. between Broadway and 4th St N that creates a flexible curbless street that can serve as an extension of Broadway Square, with improvements to the beauty and function along the walk from Broadway Square to the Civic Plaza. 2nd Ave. N can be easily and safely shut down to accommodate programming and larger events alongside Broadway Square.

Where are we now?

Since its completion in 2020, Broadway Square is seen as a successful public space, so much so that folks think it could be larger to accommodate larger events. Broadway Ave is an iconic street that hosts many events, but balancing the number and scale of events is critical, especially to minimize impact on existing nearby businesses.

IMPLEMENTATION STEPS

STEP 1:
Update the Downtown Infocus Streets Playbook to reflect intended design for 2nd Ave N from Broadway N to 4th St N to meet the following principles:

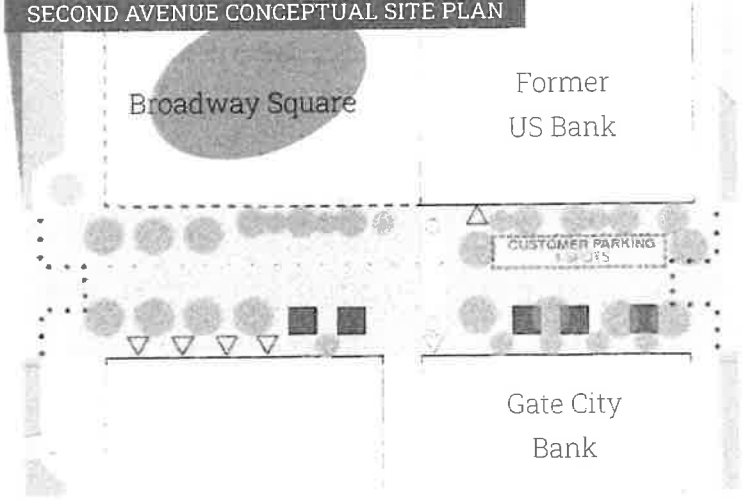
1. Adjust the grade of the street to create a curbless street which easily allows for an expansion of Broadway Square when appropriate
2. Consider mechanical bollards or other safety measures to close the street when needed
3. Consider mitigation of the impacts to the perpendicular alley
4. Consider utility and infrastructure needs to benefit vendors and local businesses

STEP 2:
Coordinate with City of Fargo Engineering to finalize the design for a raised street on 2nd Avenue from Broadway to 5th St N.

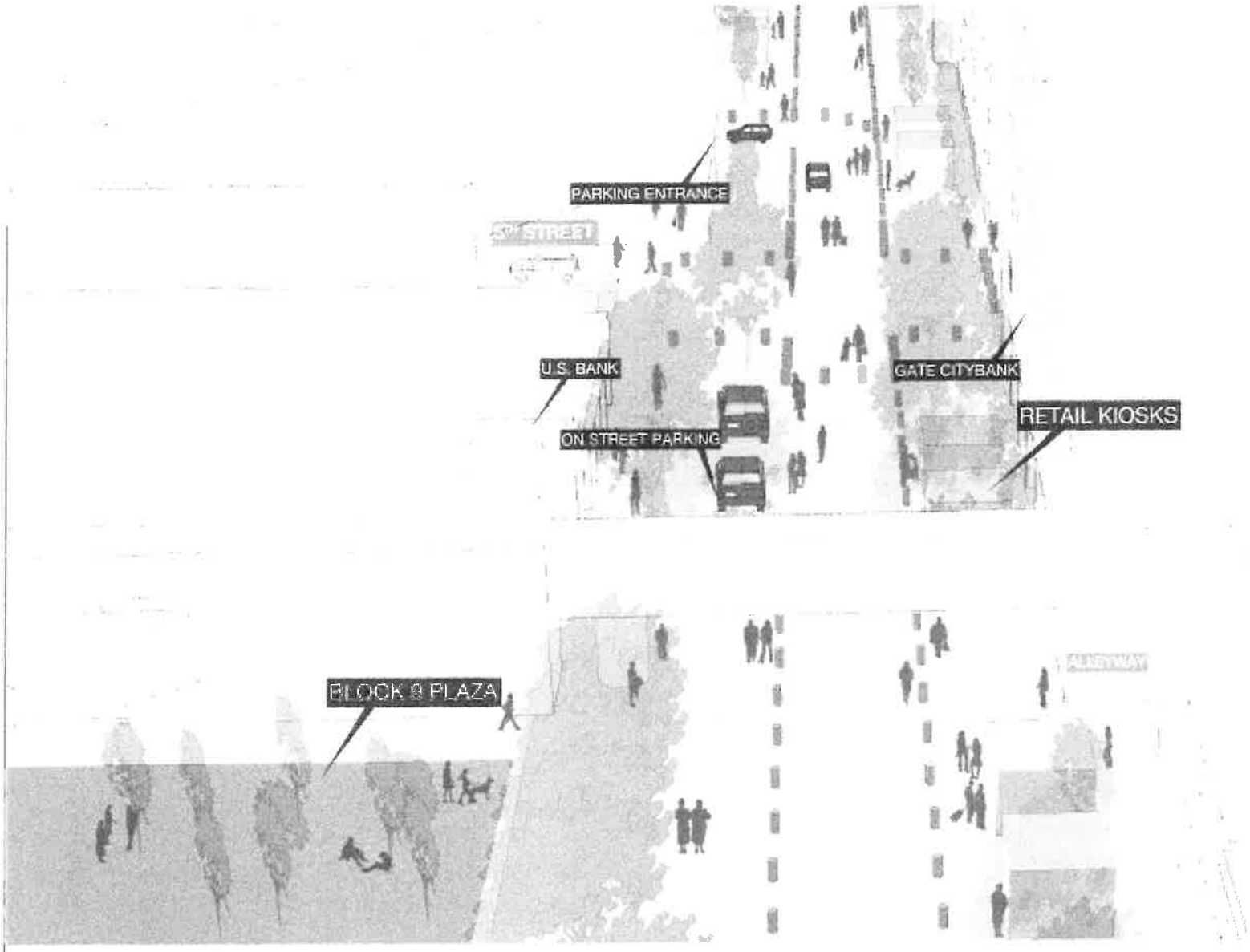
Continue streetscape enhancements along 2nd Ave.

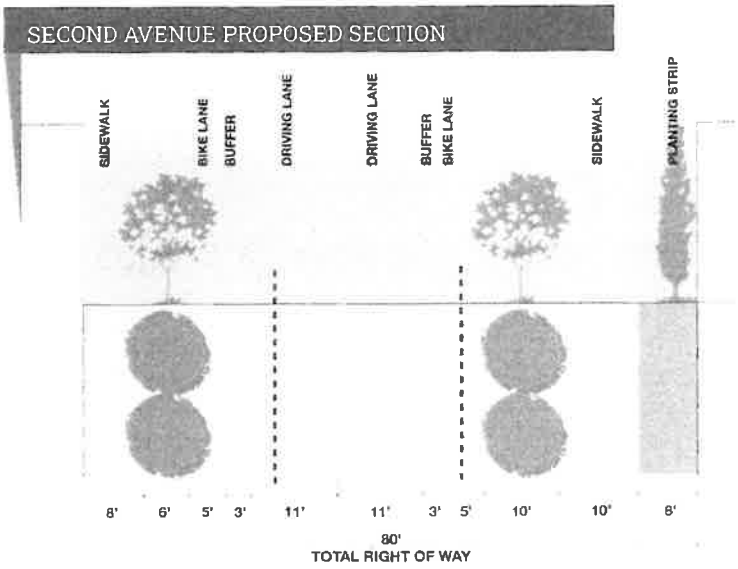
STEP 3:
Develop a timeline to secure funding.

SECOND AVENUE CONCEPTUAL SITE PLAN



Left: Conceptual plan for a raised 2nd Ave N from Broadway to 5th St N. The raised street potential for this raised street is to expand Broadway Square as needed for a combined walkable open space as needed for events.





Second Avenue Improvements

The goal for the 2nd Avenue project is to build off of existing activities and programs on Broadway and Broadway Square while avoiding conflicts. The concept presents a flexible arrangement with permanent and removable bollards to keep the street functioning at different modes depending on the type and scale of events happening. Kiosks are proposed at certain spots considering the building facades, entrances, and alleyways in coordination with tree planting to provide continuing commercial activity on the street. There is space designated for temporary tents during events such as farmer's markets and street fairs. See the *Fargo Civic Plaza Contextual Planning and Landscape Masterplan, 2019* for more details and scenarios

9 TAKE ACTION! Use the Public Art Masterplan to **prioritize public art projects Downtown** and reinforce the "Design District" concept.

What are we trying to accomplish?

Find a lead staff or team to develop design, funding, and implementation plans for public art projects in Downtown. Promote recommendations from the Fargo Public Art Master Plan, which provides clear direction on spaces that are opportunities for public art. Empower those working to create public art to implement projects Downtown.

Where are we now?

Although there is a desire to activate Downtown with public art coming from interest groups, business owners, and others, no institutionalized process to implement public art projects exists. The City's website includes an application form for proposed public art concepts and partnerships, but there is no regular schedule of project funding or formal selection criteria.

There are currently very limited resources to fund and maintain public art across the City of Fargo. The Arts and Culture Commission (ACC) was created in 2016. Currently, $60,000 is allocated for projects and maintenance. This typically supports 1 -2 projects a year. Other allocations for public art – as part of infrastructure projects – occur from time to time. Most projects are secured through public solicitation processes. Currently the bylaws for ACC requires one of the nine board members to be a representative of downtown.

The Arts and Culture Commission is positioned to be the primary advocate for public art citywide, but public art initiatives aren't prioritized with assigned City revenue funding or resource staff.

IMPLEMENTATION STEPS

- ☐ **STEP 1:**
  Support Fargo's Arts & Culture Commission to evaluate the implementation progress of the Public Art Master Plan.

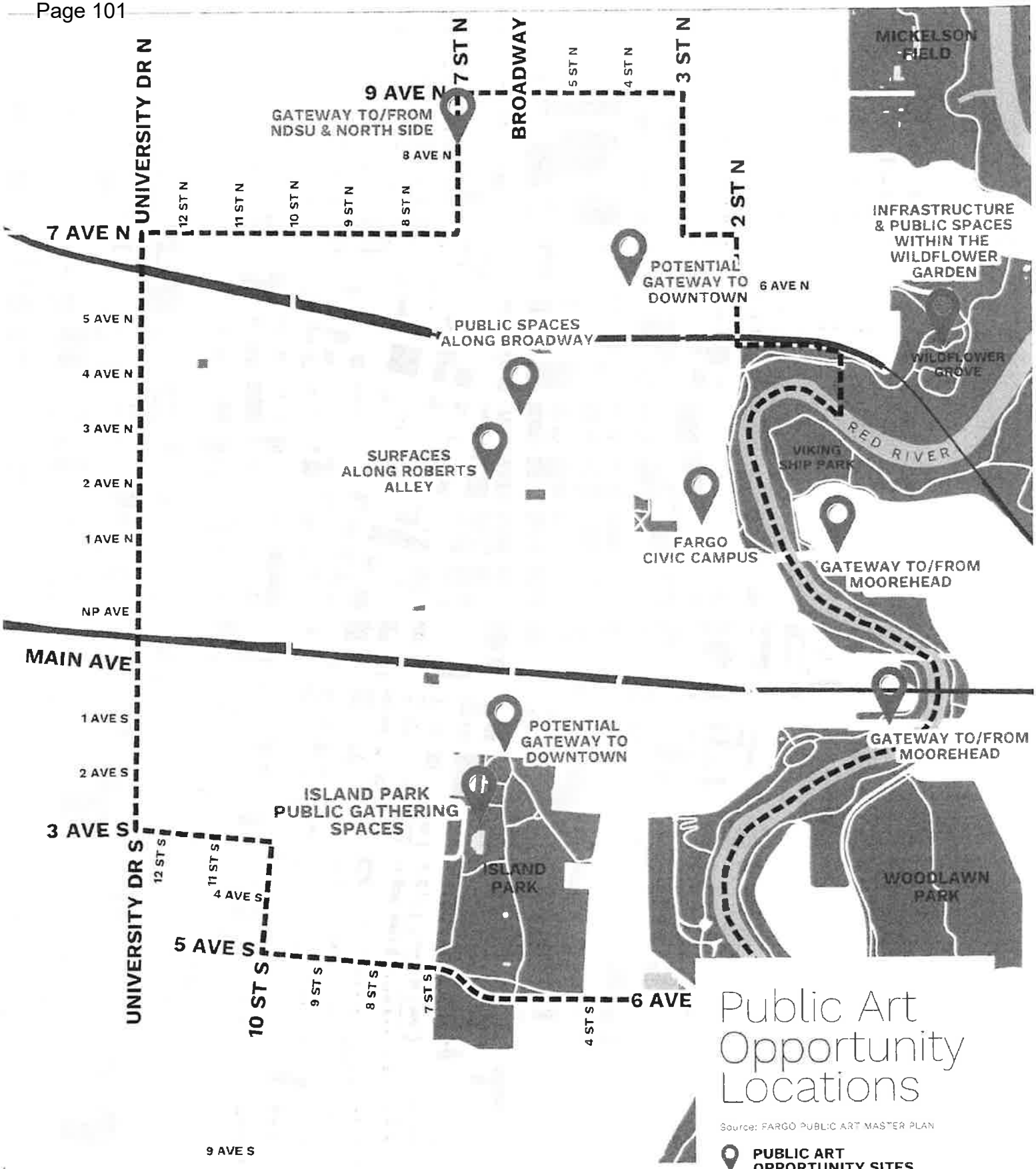
- ☐ **STEP 2:**
  Promote public art opportunity locations and constraints.
  Confirm 5 priority locations for a public art installation with the Arts and Culture Commission based on the Public Art Master Plan.
  Work with City Planning & Engineering to determine specs or constraints for each location, which can be presented with the solicitation for public art.

- ☐ **STEP 3:**
  Secure ongoing funding to support the implementation of new public art projects Downtown.
  Seek to implement the 1% for Art recommendation outlined in the Public Art Master Plan.

- ☐ **STEP 4:**
  Dedicate funding for the management and maintenance of existing public art projects in Downtown.

- ☐ **STEP 5:**
  Publicly announce a solicitation and funding for public art in Downtown each year in partnership with the Arts & Culture Commission.

- ☐ **STEP 6:**
  Consider creating a "Downtown Design District" to help promote and fundraise for new public art as well as market Downtown as the region's destination for design and the arts.



Public Art Priority Locations

The opportunity locations depicted on the map above come from the Fargo Public Art Master Plan.

10 TAKE ACTION! Commit to the vision for the **Downtown Riverfront.**

IMPLEMENTATION STEPS

What are we trying to accomplish?

Improved connections between Downtown and the Red River trail, a consensus on what development sites are in play along the Riverfront, and on a general approach to their redevelopment. This established vision will aid in the allocation of funding for implementation. For the property the City controls, new development provides housing at a range of price points and improves the public realm, access to the River, and open spaces. For the properties not owned by the City, clear expectations are set for redevelopment in this area.

Where are we now?

There's not a consensus on the overall vision for Fargo's Riverfront. Red River flood protection is almost complete, and while it is an important piece of infrastructure, it disconnects Downtown from the Red River, both physically and experientially. Few publicly-owned redevelopment sites remain Downtown, most are clustered in the Riverfront area, namely the Civic Center Site, the Mid America Steel Site, and the parking lot at the Southeast corner of the Civic Plaza. A Riverfront TIF district was created, and funds are available to support public improvements in the district boundaries. TIF funds were first used to demolish buildings on the Mid-American Steel site.

STEP 1:

Reach broad agreement on the riverfront plan on this page and the overall timeline for construction.

For Mid America Steel

- Support Phase 2 Environmental Research to determine if residential development is feasible on the site.
- Craft an RFP to realize the recommendations set forth in this document and in accordance with the following principles:
  - Include a mixed-income housing component if residential development is determined to be feasible (80% AMI, or 100% workforce housing) and if the City agrees to sell the site below market rates.
  - Leverage new development to provide new open space along the river (on the other side of the proposed flood protection wall)
  - Be transparent about how RFPs will be evaluated and the proposal scoring and selection process.

For the City Hall Plaza (southeast corner parking lot)

- Work with an architect to undertake a feasibility study on the site's development potential with order of magnitude costs.
- Determine the City's position on the sale of the corner with respect to creating a parking podium for library staff and visitors. This could be developed prior to the sale of the site for the development of its "air rights" over the podium or completed as a public-private partnership.
- This site is also a candidate for mixed-income housing if sold to a developer at below-market rates.

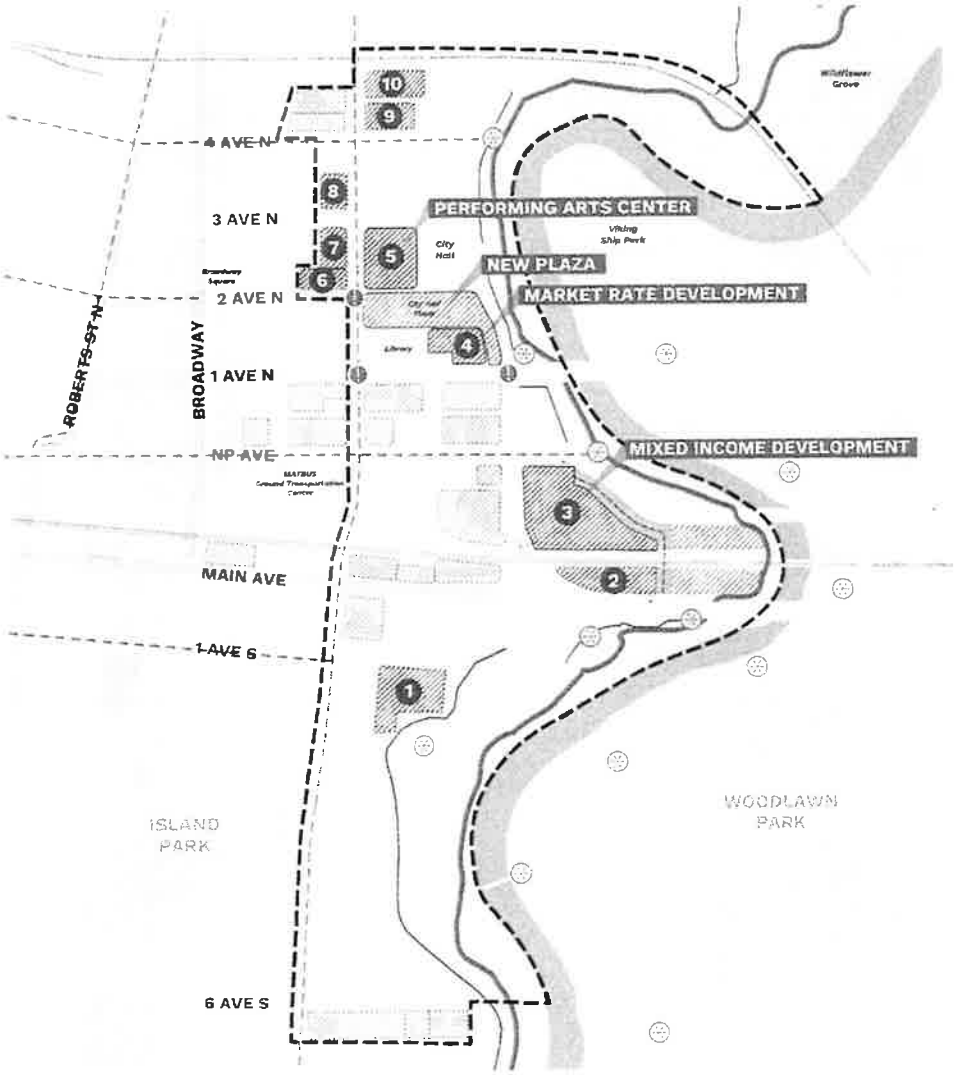
For the Civic Center site

- Establish a fundraising committee to raise dollars for a performing arts center. The fundraising needs to cover both the demolition and development of the facility.

STEP 2:

Provide clarity on where and how Riverfront TIF funds can be spent and what amount is available for investment in the district geography.

If funds are available, prioritize investments in the public realm, including safer crosswalks and more comfortable sidewalks along direct pathways to the Riverfront, capital improvements to City Hall Plaza, and affordable housing gap financing.



Riverfront Plan

Source: Interface Studio

- RIVERFRONT TIF DISTRICT
- FLOOD PROTECTION
- FUTURE FLOOD PROTECTION
- EXISTING BIKE INFRASTRUCTURE
- EXISTING MULTI-MODAL TRAIL
- RIVER TRAIL ACCESS POINT
- EXISTING OPEN SPACE
- PROPOSED OPEN SPACE IMPROVEMENTS
- PROPOSED INTERSECTION IMPROVEMENTS

SUSCEPTIBILITY TO CHANGE

- CATALYST OPPORTUNITY SITES
- PUBLICLY OWNED WITH REDEVELOPMENT POTENTIAL
- 1 FHA ~110 SENIOR UNITS PROPOSED
- 2 MID AMERICA STEEL SOUTH, 1.3 AC
- 3 MID AMERICA STEEL NORTH, 3.9 AC
- 4 PARKING DEVELOPMENT SITE
- 5 PERFORMING ARTS CENTER SITE
- 6 PARKING GARAGE EXPANSION
- 7 FORMER POLICE STATION
- 8 FORMER PUBLIC HEALTH SITE
- 9 FHA OWNED SITE
- 10 SCHOOL DISTRICT OWNED SITE
- PRIVATELY OWNED WITH REDEVELOPMENT POTENTIAL
- CURRENTLY UNDER CONSTRUCTION

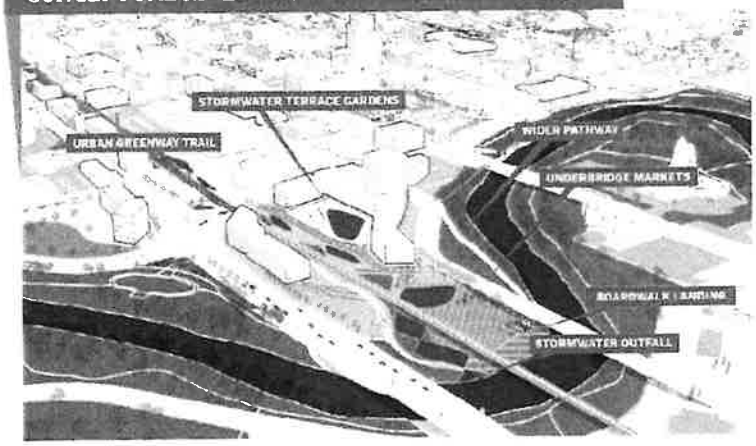
Each of the locations depicted on the map above was vetted by the City of Fargo Planning & Development staff and City Leadership as part of a round of internal stakeholder engagement to create this Plan update and ensure it is reflective of current opportunities.

STEP 3:

Establish metrics to guide future investments

- Measure the amount of new investment, and the number of new residents and users along the Red River and at City Hall Plaza.
- Tap cell phone data (Placer.ai for example) to understand how people travel to the riverfront and where they head before and afterward.
- Publish the results annually and use the data to identify new public investments that further improve the riverfront.

CONCEPTUAL RIVERFRONT DEVELOPMENT VISION



FARGO INFOCUS (2016): Conceptual sketch of mixed use redevelopment and Riverfront Plaza at former Mid America Steel site.

11 Improve **City Hall Plaza**

TAKE ACTION!

What are we trying to accomplish?

A renewed City Hall Plaza that acts as an attractive front door to the City of Fargo, the riverfront, and important destinations like City Hall, the Fargo Library, and a future performing arts center. The plaza is receives temporary improvements in the near term to upgrade the space now for programming and events while planning ahead for a larger overhaul in the spirit of the work completed previously for the space.

Where are we now?

Recent investments in the plaza include a newly constructed City Hall and a new landscape feature that displays the Sodbuster statue. Legacy infrastructure still remains including a leftover asphalt patch that creates a disjointed environment. A new Fargo sign on 4th Street is a location for selfies and occasional programming has occurred in the plaza. The existing pathway to City Hall from the southeast corner parking lot is not ADA accessible and the Plaza overall feels disconnected from both the Red River and Broadway.
A master plan for the plaza was completed in 2019. Since then, a design process for a bridge that connects the space to the Red River trail was conducted. It resulted in a decision to not proceed with a bridge in the near term, though the long-term vision of an active connection between City Hall Plaza and the Red River Trail should remain an important goal.

IMPLEMENTATION STEPS

STEP 1:

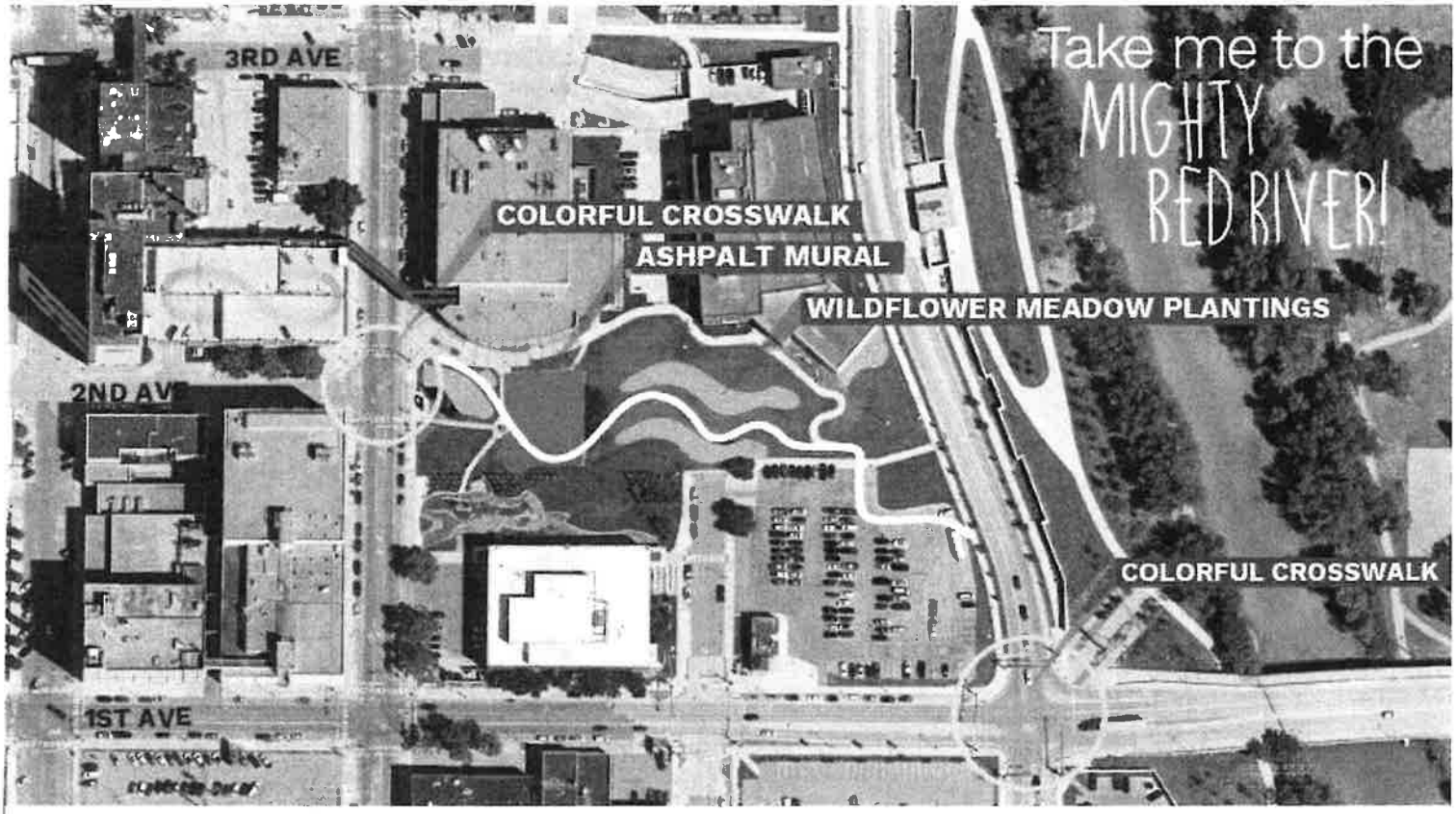
In the short term, activate City Hall Plaza. A tactical approach should include:

- Finalizing the plan included on the following page. Focus on temporary public art, upgrades to better support programming, clear connections to the Red River Trail, and new trees and landscaping with a focus on supporting local habitats (butterflies). No de-paving is anticipated at this time.
- Target funding for tactical improvements for $100,000/year for the next five years, anticipating maintenance and repainting on an annual basis.

STEP 2:

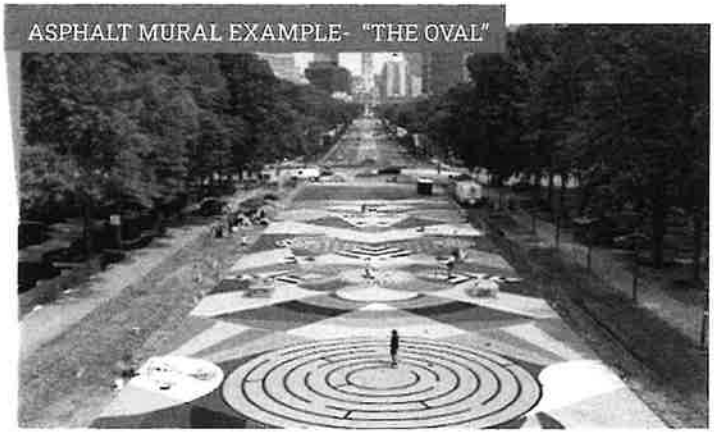
In the long term, continue to pursue larger reconstruction of the City Hall Plaza as part of a full riverfront build-out, and in accordance with the following principles:

- Provide clear, direct, and welcoming access from 2nd Ave to the entrance of the Red River trail through the plaza itself.
- Explore the creation of a market rate development site on the Southeast corner.
- Design the space to be flexible to easily support Downtown programming, and support peaceful protests by the Fargo community.



Near term enhancement strategy for City Hall Plaza!

ASPHALT MURAL EXAMPLE- "THE OVAL"



Source: "The Oval", Philadelphia, PA.

EVENING ACTIVATION: SOLAR LIGHTS

Solar Pathway Lighting could allow for evening activation.

COLORFUL SAFE CROSSINGS

Painted Curb Extensions, Bayside Park, Jersey City

Inclusive growth

WHAT IS "AFFORDABLE HOUSING"?

Housing is generally considered affordable when housing costs consumes **no more than 30% of a household's gross income**. It's typically applied to those with low or moderate incomes. The concept of affordability is relative and can vary depending on the region, local economic conditions, and individual or family income levels. **The term "Affordable Housing" is often used as a catch-all term and used interchangeably with workforce housing and subsidized housing. Many of these classifications and income limits are dictated by the U.S.** Department of Housing and Urban Development [HUD].

Average salary and affordable rent for a single person in 2023:

$72,900
100% OF FARGO AREA MEDIAN INCOME

Police Officer
★ $59,446
$1,486/mo rent

Teacher
★ $56,160
$1,404/mo rent

$58,350
80% OF FARGO AREA MEDIAN INCOME
Many Downtown workers would qualify for a public housing rental.

Server ($15/hr)
★ $31,200
$780/mo rent

$36,450
50% OF FARGO AREA MEDIAN INCOME

Household income varies, as does household size, thus, eligibility requirements for state housing assistance programs involve calculating a household's total income as a percentage of the Area Median Income (AMI), as defined by HUD. For example, to qualify for Fargo Housing Authority public housing rentals, a household would need to make less than 80% of the AMI, for a household size of 1 person, their annual income would need to be less than $58,350. Many Downtown service industry workers, for example, would qualify for subsidized housing.

Area Median Income Data Source: U.S. Department of HUD, North Dakota, Fargo MSA 2023 Adjusted Home Income Limit Table

Average Salary Data Source: U.S. Bureau of Labor Statistics Occupational Employment and Wages in Fargo

WHY THIS MATTERS:

- Over the last 20 years, the City of Fargo has studied the local housing market, neighborhood growth, and affordability across four key plans and studies: *Go2030* (2018), *Downtown InFocus + Housing Memo* (2018), *Core Neighborhoods Plan* (2019), and the *Downtown Affordability Needs Assessment* (2022).
- The 2022 *Downtown Affordability Needs Assessment conducted by* Maxfield Research & Consulting Associates was a comprehensive affordable housing study to assess defined affordable housing needs for Downtown. It recommends for Downtown to provide an additional 250 to 300 rental units of workforce housing (60% to 80% AMI), 150 to 180 units of permanent supportive housing (50% or less AMI) and 150 to 200 units subsidized units (31% to 50% AMI) by the year 2031. In all, that totals 550 - 730 of new affordable rental units to keep pace with demand.
- With the affordability of housing being a top concern for many stakeholders, and limited resources to meet the demand for "subsidized" affordable housing, efforts need to be made to protect the existing naturally occurring affordable housing (NOAH) in and close to Downtown.
- The City does not develop housing without partners in the private sector. In order to spur new affordable development, the City can establish new development controls requiring private industry to provide affordable units, provide incentives to reduce barriers for developers to do so, or a combination of the two.
- The protection and development of permanent supportive housing is one of few place-based strategies to address homelessness in Fargo. To address homelessness in Fargo, recent plans emphasize a need for the City to increase support for permanent supportive housing. Homelessness has been exacerbated by the COVID-19 Pandemic across the country and throughout the City of Fargo.
- During the Pandemic, Fargo Cass Public Health opened the Downtown Engagement Center (DEC) in the former police station (222 4th Street N.) to provide emergency isolation and quarantine shelter for single, unaccompanied men and women who did not have permanent housing and were unable to access other shelter facilities. Today, the DEC offers those experiencing or at-risk of homelessness many services including basic needs like laundry, showers, and lockers as well as access to Homeless Health Services. A variety of local organizations conduct outreach weekly at the DEC to better connect with the people we serve.
- Service providers operating at the DEC agree that the former police building does not adequately meet the needs of staff and visitors. A new purpose-built building is needed to provide high-quality care for those in need of housing support services. Exploration into a new location for the DEC is in its infancy.
- Fargo is the largest metropolitan area in the State of North Dakota and Downtown is the largest urban center. Downtown will continue to draw the unhoused population seeking support. For example, the Homeless Health clinic at the DEC is the only one in all of North Dakota.
- Homelessness sometimes gets associated with nuisance activity in downtown, but these should be considered separate issues. Any behaviors that cause nuisance activity should be addressed and do not need to be conflated with the housing status of individuals. The people without shelter are not necessarily the people causing the nuisances.

Downtowns need to serve a diverse population to create an integrated, welcoming place that supports local businesses throughout the year. With the recent growth that Downtown Fargo has experienced, there is a risk of pricing out those that work Downtown like bartenders or cashiers from living there. Further, homelessness is not a symptom but often the result of housing instability. Downtowns across the country have faced rising homelessness and struggle to provide services that will help to alleviate the issues. **Creating an inclusive downtown requires careful planning and investment in housing.**

Here's what we need to do ...

HOUSING RECOMMENDATION ALIGNMENT ACROSS RECENT PLANS

	2018 Go2030	2018 Downtown InFocus + Housing Memo	2019 Core Neighborhoods Plan	2022 Downtown Affordability Needs Assessment
Update the Land Development Code				
[illegible]	✓	✓	✓	✓
[illegible] development	✓	✓	✓	○
[illegible] increase [illegible] smaller [illegible]	✓	✓	✓	✓
Development incentives and subsidies to promote affordability				
[illegible] enab and [illegible] for [illegible] Affordable Housing	✓	✓	✓	✓
[illegible]	○	✓	✓	✓
[illegible] with resident [illegible] public assistance	○	✓	✓	○
Create a housing trust fund or community land trust				
[illegible] inclusive housing [illegible]	○	○	✓	○
[illegible] housing fund to [illegible] capital	○	✓	○	○
[illegible]	○	✓	○	○
Build Permamnent Supportive Housing				
[illegible] additional shelter beds	○	○	○	✓
Build Affordable Housing ("deep subsidy")				
[illegible] to secure funding	○	○	○	✓
Build LIHTC and Workforce Housing ("shallow subsidy")				
[illegible] percent [illegible] credit	○	✓	○	✓

12 TAKE ACTION! Explore creating a separate Cass County / Fargo **Continuum of Care.**

IMPLEMENTATION STEPS

What are we trying to accomplish?

Create a Cass County + Fargo Continuum of Care, separate from the State to focus service administration in the largest metropolitan area in the state. Alternatively, at minimum, work with the state to conduct a sub-level analysis at the County level.

Where are we now?

- The North Dakota Continuum of Care looks at capacity of the homelessness response system and counts the number of individuals experiencing homelessness throughout the state. Data can be broken down by region, county, and city but there are some challenges in ensuring these numbers accurately reflect our cross-border community.
- Recent metrics collected by the ND CoC indicate a surplus of emergency shelter beds across the state. For example, the state CoC boasts an 81% utilization rate of shelter beds, stating that "North Dakota has met its goal for all projects". However, we know that this is not an accurate picture of the state of shelter availability in Fargo, as all shelters are over capacity.
- These statewide metrics make it difficult to lobby for more investment for homeless resources in the City of Fargo, despite the agreement that more resources are needed. For example, according to the FM Coalition to End Homelessness, there are 957 homeless individuals in the FM region, and 8% are unsheltered. However, the 2023 North Dakota point-in-time counts reference 724 homeless persons throughout the entire state. This means there are more people experiencing homelessness in the FM region than in the entire state of North Dakota.

☑ **STEP 1:**
Begin coalition-building among the City of Fargo, Moorhead, and Cass County partners.

☐ **STEP 2:**
Build the County case by using regional data to demonstrate the proportion of individuals experiencing homelessness in Fargo compared to the rest of the state.

☐ **STEP 3:**
Petition the State of North Dakota for additional resources, a County CoC or sub-level study.

☐ **STEP 4:**
Establish a Coordinator and Committee to lead advocacy work at the County level.

WHAT IS A "CONTINUUM OF CARE"?

A Continuum of Care (CoC) is a regional or local planning entity designed to coordinate housing, services, and funding for homeless families and individuals. Each CoC member organization is a part of the homelessness response system and maintains a commitment to the goal of ending homelessness. This occurs through the coordination of resources to quickly rehouse homeless individuals and families while minimizing the trauma and dislocation of individuals, families, and communities by homelessness.

Each CoC must establish a board to act on its behalf and must develop a governance charter. The CoC approach is designed to promote community-wide planning and strategic use of resources to address homelessness through the coordinated efforts of assessing and addressing the housing and service needs of individuals and families that are currently homeless or at risk of homelessness. Each year, HUD awards competitive CoC Program funding to carry out CoC program operations.

13 Develop a 5-year strategy for sustaining the **Downtown Engagement Center.**

TAKE ACTION!

IMPLEMENTATION STEPS

- [x] **STEP 1:** **Convene service partners operating out of the Downtown Engagement Center (DEC)** to discuss challenges with the current building and desirable specs and attributes of a future location.
- [ ] **STEP 2:** **Identify potential Downtown properties** able to accommodate a future DEC.
- [ ] **STEP 3:** **Allocate City of Fargo Capital Improvement Program** funding to acquire a property suitable to renovate or construct a new DEC.
- [ ] **STEP 4:** **Close the funding gap** by pursuing state and federal funding needed to purchase, renovate, and open a new facility.

What are we trying to accomplish?

The City, County, and State allocate funding for a new location for the Downtown Engagement Center in the Downtown area. A new, improved facility is operational by the end of 2028 (5 years).

Where are we now?

The Downtown Engagement Center (DEC), at 222 4th St. N., offers those experiencing or at-risk of homelessness many services, including basic needs like showers, laundry, and lockers. A variety of providers operate out of the DEC to assist in care coordination and other wrap-around services to promote stability. Service providers operating at the DEC location agree that the building does not adequately support the spectrum of services offered at this location or the functional needs of staff and visitors.

DOWNTOWN ENGAGEMENT CENTER

14 Build **mixed-income multi-family** housing Downtown.

TAKE ACTION!

IMPLEMENTATION STEPS

What are we trying to accomplish?

Fund and promote incentives for the construction or rehabilitation of housing units for sale or rent at a broader range of price points Downtown, including more workforce housing for those who make 80% AMI Downtown (for a single person that's currently less than $50,050)

Improve education around available resources and incentives, and increase utilization of the existing HUD 4% LIHTC tax credit program administered by the State for affordable housing as more developers take advantage of existing federal resources.

Where are we now?

- Current affordability incentives are unclear and insufficient to fill the need for affordable housing Downtown.
- Most new housing construction in Downtown is market rate, despite demand for middle-income housing.
- Existing cost to build an affordable unit is $250k - $300k per unit. Although the State administers the 4% LIHTC tax credit program to incentivize affordable housing, this and other potential financing tools are underutilized.
- Not all developers are aware of the program and rebate programs require developers to produce the equity to fund the project up front.
- Adding an additional 550-730 subsidized housing units by 2030, as suggested by the 2021 Affordable Housing Needs Analysis for Downtown Fargo by Maxfield Research & Consulting, would mean to stay on target, Downtown would need to be constructing 80-105 units every year.

STEP 1:
For strategic publicly owned properties, like the redevelopment of MidAmerica Steel, include an affordability component in the scoring process of the RFP.

"Affordable housing" in this application would be defined as 80% AMI, or 100% for workforce housing. Mixed-income housing should be the priority; meaning the development should provide a mixture of market rate and affordable units.

STEP 2:
Commit more resources to support mixed-income housing development.

There are many ways to increase resources for affordable housing, including:

1. **Housing PILOT for payment in lieu of taxes** (The City of Fargo already offers this, but the program could be more effective.)
2. **A new approach to TIF management:** Utilize existing TIF funds to capitalize a housing trust fund, funds protected exclusively for use creating or incentivizing affordable housing projects. This would be a different approach to managing TIF for the City of Fargo.
3. **A Housing Bond or form of direct financing:** This would be a new approach for the City but would provide dollars to incentivize new affordable and workforce housing. A housing bond could be used to support the rehabilitation of existing single-family homes to keep them affordable in the core neighborhoods, to provide local dollars to better leverage the use of 4% LIHTC credits and other federal sources of funds, and potentially be used to directly offer rent subsidies to those that qualify. The City would determine the use of the funds should this be an option.

STEP 3:
Actively promote housing development and rehab incentives.

Awareness of existing programs is a critical implementation action. Ensure information related to eligibility and the application process is easy to find and clearly stated. Be sure to include Frequently Asked Questions and a point of contact to assist applicants through the process. Post an expected timeline for review, selection, and funding allocation or reimbursement so developers can clearly understand how the City's process ties into their development timeline.

Inclusionary zoning may help, but it's not a silver bullet for Fargo.

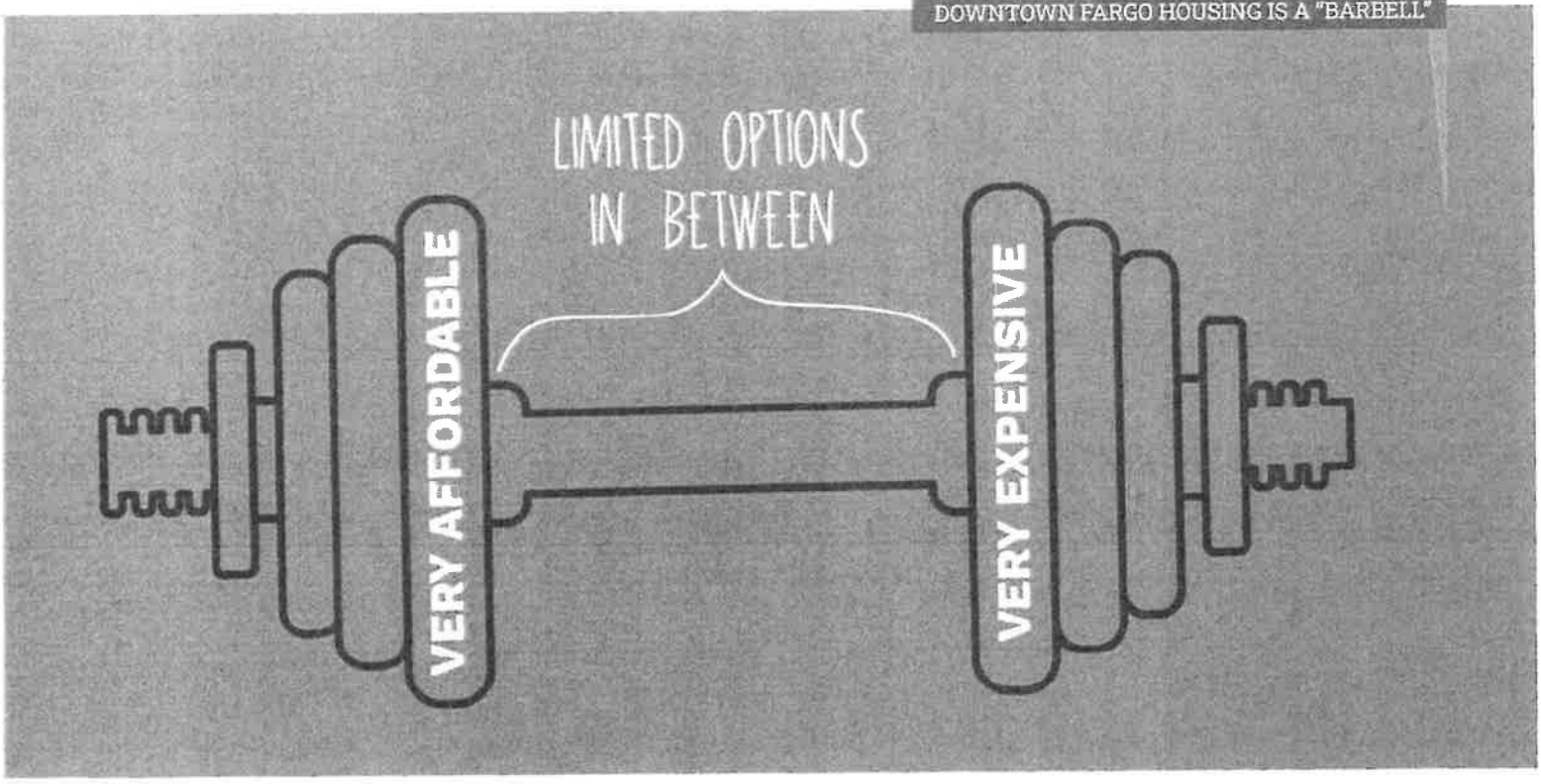
The City's previous plans and studies call out the need for housing for a range of price points. Fargo's current housing is a "barbell"; there are options that are very affordable, very expensive, but limited options in the middle.

Inclusionary zoning is a policy tool designed to promote affordable housing within communities. Under inclusionary zoning, developers are required to set aside a certain percentage of units in a new residential development for affordable housing. These units are sold or rented at below market rates to income-qualified households. The specifics of inclusionary zoning policies can vary significantly from one jurisdiction to another. Local governments tailor their policies based on the unique housing needs, market conditions, and regulatory frameworks of their communities.

Like any policy, it comes with its own set of advantages and disadvantages. Critics argue that inclusionary zoning can lead to an increase in the price of market-rate units, as developers may pass on the costs of providing affordable units to other buyers. Further, inclusionary zoning could potentially lead to a decrease in overall housing supply if developers are less inclined to undertake projects in areas with stringent affordable housing requirements. In addition, the potential impact of this policy is much smaller than affordable housing needs of the City. If the policy were to be implemented here, projections indicate it would only create 80 new middle-income units Downtown over the coming years, assuming the number of new, market-rate units matches the output of the last five years. A recent housing demand study initiated by the City of Fargo estimates that 250 additional subsidized units per year are needed to keep up with demand.

The ultimate goal of Inclusionary Zoning is to ensure that a proportion of new development is affordable and accessible to those who are typically priced out of new development and/or experience barriers to tenancy due to strict regulations on background requirements. The City and other Stakeholders should take considerable action to determine how the goal of Inclusionary Zoning can be met without the negative side-effects on development listed above.

DOWNTOWN FARGO HOUSING IS A "BARBELL"



15 Invest in homes in the core neighborhoods.

TAKE ACTION!

IMPLEMENTATION STEPS

STEP 1:
Protect existing NOAH multifamily apartments.
The FHA should consider seeking an essential facilities bond concept in pursuit of this goal.

STEP 2:
Actively promote the Gate City bank rehab program. Awareness of existing programs is a critical implementation action.

STEP 3:
Focus on City of Fargo HUD program activities for new housing types or hard to develop properties.
This also ties to City incentives and other subsidies.

STEP 4:
Instill the Core Neighborhood Plan recommendations to minimize further blight by intervening with programs.

STEP 5:
Participate in the regional housing commission as recommended by the Regional Housing Study and supported by FM MetroCOG.

STEP 6:
Review City incentives and their use for housing projects

What are we trying to accomplish?

Preserve and improve naturally occurring affordable housing (NOAH) in the core neighborhoods to increase the amount of residents that live close to Downtown.

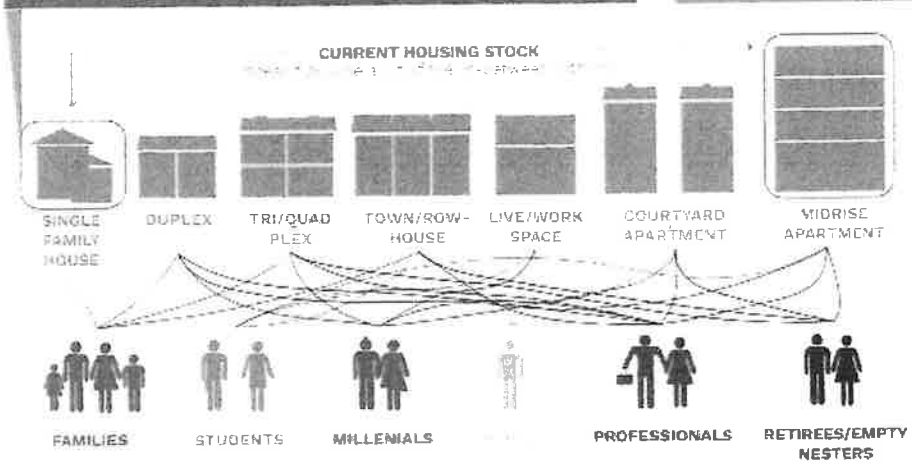
The City conducts outreach with targeted resources for homeowners who may qualify for existing or upcoming rehabilitation programs.

Where are we now?

The City has begun to capitalize a fund to implement housing revitalization in the Downtown and the Core Neighborhoods. $1 Million per year for the next five years is allocated in the City of Fargo General Fund to provide management and support of these initiatives. Education and coordination across City Departments on the initiative is needed.

The Neighborhood Revitalization Initiative offers low-interest loans up to $100k through Gate City Bank to rehabilitate older homes (40 years or older) that are in need of renovation.

MISSING MULTI-FAMILY HOUSING OPTIONS IN FARGO



16 Pursue **permanent supportive housing** solutions.

TAKE ACTION!

IMPLEMENTATION STEPS

STEP 1:
Create a separate Continuum of Care (CoC) committee to provide Fargo metro-specific homelessness data and policy guidance and/or create a subcommittee of the state-level CoC (see Action 12).

STEP 2:
Pursue community partnerships to proactively address quality of life issues that interfere with the ability to maintain stable housing for those exiting homelessness.

Area medical providers will be a key partner. Work with the state Medicaid agency and managed care entities on a PSH "social determinants of health" model utilize Section 1115 waiver.

STEP 3:
Dedicate resources to and pursue metro-wide cooperation for the "functional zero" approach to homelessness after Fargo-specific data becomes available.

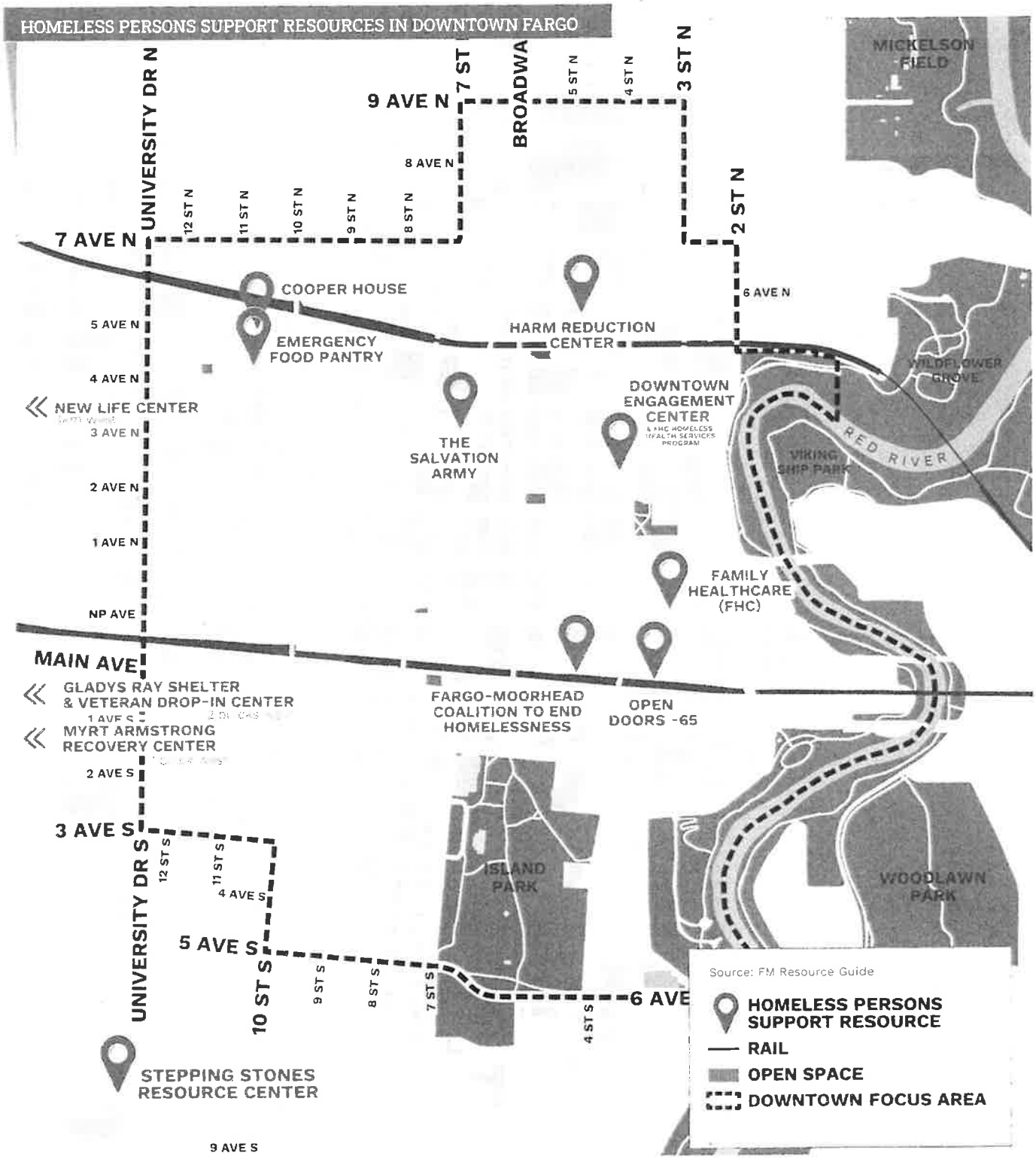
What are we trying to accomplish?

New, permanent supportive housing (PSH) modalities to serve those who meet the definition of chronic homelessness and/or have a high need for supportive services to maintain housing stability.

Permanent supportive housing refers to both a housing type and/or a program service type. The ultimate goal of permanent supportive housing is to ensure access to voluntary wrap-around support services are available to those with the highest barriers to housing stability. Most often, people conceptualize PSH as a building with co-located services. However, PSH can also refer to the provision of wrap-around services to those living in scattered-site apartments, which allows an individual more autonomy over their life and connection to the larger community. When these wrap-around services are made available in addition to stable housing, a more costly response to any physical health, mental health, or substance use issue can be avoided or curbed completely. For this reason, it is more cost-effective to provide permanent supportive housing. The City's recently completed housing study recommends 180 units of new permanent supportive housing Downtown with another 120 in the near neighborhoods.

Where are we now?

While Downtown is a focus for services, homelessness shelters and services exist across the Fargo-Moorhead region. There is an extremely limited supply of housing that includes case management and services in the region. There are currently 119 permanent supportive housing units in and near Downtown operating at full capacity.


HOMELESS PERSONS SUPPORT RESOURCES IN DOWNTOWN FARGO
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UNIVERSITY DR S
MICKELSON FIELD
COOPER HOUSE
EMERGENCY FOOD PANTRY
HARM REDUCTION CENTER
NEW LIFE CENTER
THE SALVATION ARMY
DOWNTOWN ENGAGEMENT CENTER
& FHC HOMELESS HEALTH SERVICES PROGRAM
WILDFLOWER GROVE
RED RIVER
VIKING SHIP PARK
FAMILY HEALTHCARE (FHC)
GLADYS RAY SHELTER & VETERAN DROP-IN CENTER
MYRT ARMSTRONG RECOVERY CENTER
FARGO-MOORHEAD COALITION TO END HOMELESSNESS
OPEN DOORS -65
ISLAND PARK
WOODLAWN PARK
STEPPING STONES RESOURCE CENTER
Source: FM Resource Guide
HOMELESS PERSONS SUPPORT RESOURCE
RAIL
OPEN SPACE
DOWNTOWN FOCUS AREA

Public financing + economic needs

WHY THIS MATTERS:

- Downtown Fargo is a center for tourism, a driver of tax revenue and business activity, and host to a concentration of resources, amenities, and social infrastructure not found elsewhere in the region.
- The City relies, in part, on funding infrastructure improvements in the City of Fargo through special assessments in the project areas.
- A fundamental rationale of the special assessment structure is to draw funding for improvements from those whose proximity to the project location suggests they will benefit more or more frequently from the improvement.
- Downtown is an economic driver for the region. Downtown Fargo represents the City as a whole, and draws visitors and residents from far outside the urban core to shop, dine, explore, and enjoy all Downtown has to offer.
- Investments in Downtown infrastructure provide benefits to a much larger user group, and as such should be funded accordingly. There needs to be a fundamental shift in how things for Downtown are prioritized and funded.
- There are several large projects under discussion for the City of Fargo, including the expansion of the FargoDome. All could have a positive impact on Fargo, so prioritization is difficult.
- Major investment decisions amplify the impact and impression of Downtown Fargo, broadening the appeal, impact, or desirability as a destination for tourism and business.
- In order to grow as a neighborhood, the Downtown area needs more housing options across a spectrum of affordability levels. The City does not develop housing without partners in private or non-profit development.
- In order to spur new affordable development, the City has two primary options: the "carrot" and the "stick". The City can establish new development controls requiring private industry to provide affordable units OR provide incentives to reduce barriers for developers to do so.
- The Downtown Community Partnership (DCP) - Fargo's downtown organization - and non-profits like Folkways are the primary agents activating Downtown on a regular basis. The DCP estimates that their events and activities bring a total of approximately 150,000+ people to downtown Fargo every year.
- The DCP is 501(c)6 nonprofit, and the primary source of annual operating income is revenue from events (61.25%), member and investor contributions (26.73%), and payment by the City of Fargo to administer the downtown BID (9.05% of our operating budget (2022) - this changed to be a 10% administration fee starting in 2023).
- DCP's ability to expand programming and events is limited by the organization's current funding level and staff capacity.

Downtowns need dedicated funding to reflect the conditions that make downtowns unique. Downtown Fargo is a business center but also an entertainment destination, tourist attraction, and neighborhood. For this reason, Downtown should look and feel differently than other parts of the City as it acts as the region's front door. Creative public investment is needed to ensure we meet Downtown's economic needs. **The City must consider new sources of revenue and project funding structures to ensure our infrastructure, public spaces, and housing can meet the needs of Fargoans today and in the future. And, that our Downtown continues to drive the regional economy and represent the unique cultural epicenter of North Dakota.**

Here's what we need to do ...

17 TAKE ACTION! Increase City **contribution to Downtown Community Partnership** for programming and Downtown Plan implementation

IMPLEMENTATION STEPS

What are we trying to accomplish?

Provide an effective level of resources to support the Downtown as a key revenue-generating location, marketing tool, and talent attractor for Fargo.

Where are we now?

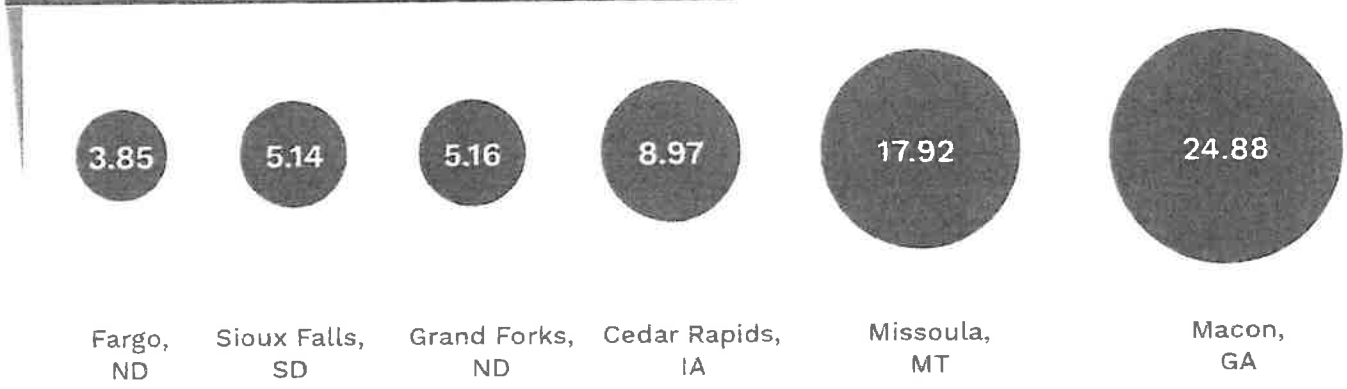
DCP budget is primarily based on membership or assessment fees and revenue from events. DCP has a staff of three and administers the downtown BID with a funding contribution from the City. Without additional funding, the DCP is unable to grow or evolve the current business support actions, programming, or events Downtown.

STEP 1:
Write up a purpose statement and funding request.
Determine how much additional funding is needed and for what purposes.

STEP 2:
Submit the request in the 2024 budget cycle.
By early May 2023, requests should be submitted; public budget hearings typically take place in September.

STEP 3:
Prepare a Memorandum of Understanding(MOU) that defines the annual contribution by the City and DCP's responsibility to provide services and allocation strategy for funds.

DOWNTOWN ORGANIZATION FUNDING SPENT PER RESIDENT



18 TAKE ACTION! Review and **refine incentive policies** to better achieve public goals.

What are we trying to accomplish?

A new incentive policy that incorporates the "carrots" for accomplishing the public's goals:

- Provide clear policies and eligibility requirements on public incentives;
- Continue to expand development off Broadway Avenue;
- Provide resources to develop the Civic Plaza, Performing Arts Center, and Mid America Steel sites.

Where are we now?

Fargo has several different incentives that can impact downtown development. These include the Renaissance Zone, New Expanding Business Exemption, Remodeling Exemption Policy, Downtown Housing Pilot, TIF and Public-Private Partnerships. The range of approaches provides flexibility in terms of addressing specific needs but they are also overlapping, or contradictory in value such as the difference between the Downtown Housing PILOT and Core Neighborhood PILOT versus the Housing TIF policy. In other cases such as the Remodeling Exemption Policy, the approaches are only beneficial to the building owner and not the tenants who may be in triple net leases(NNN).

IMPLEMENTATION STEPS

☑ **STEP 1:**
Re-review Tischler Bise Study (2022) on incentives and exemptions

☐ **STEP 2:**
Identify opportunities to include tourism-based businesses in incentives and exemptions given their inclusion as a primary sector.
Review the scoring matrix for continued applicability.

☐ **STEP 3:**
Reconcile tax incentives and exemptions policies between the PILOT programs and the TIF policies.
Particularly in terms of building typologies and the number of eligible years.

☐ **STEP 4:**
Streamline the approach to TIFs clarifying location-based TIF policy versus building typology TIF policies.

☐ **STEP 5:**
Set different objective requirements for TIF incentives where the city may be the issuer of the debt, versus a "pay-as-you-go" strategy.

☐ **STEP 6:**
Look at opportunities for expansion of existing zones
This includes the Renaissance Zone or create new TIFs where properties are underperforming and represent potential opportunities for future development.

19 TAKE ACTION! **Redefine RFP process** for publicly-owned land and identify terms to evaluate RFPs.

IMPLEMENTATION STEPS

What are we trying to accomplish?

An agreed-upon development vision that has been vetted by stakeholders is integrated into City RFPs.

Where are we now?

Ideal qualities or vision for development exist in the mind's eye of program administrators but isn't recorded or documented in RFP solicitations or the evaluation process. The City's RFP review process has no institutionalized means to evaluate if the proposal meets this vision.

STEP 1:
Create an RFP Working Group.

Establish a working group of City Staff and Commissioners, and a representative from the Downtown Neighborhood Association and DCP focused on RFP evaluation. This group will help refine the RFP expectation-setting and review process improvements.

STEP 2:
Develop a consistent format for RFP vision-setting to guide RFP development and expectation-setting before public release of any RFP for publicly-owned land.

Response expectations may include details that speak to:

- The project goals or vision drafted by the project administrator and reviewed/confirmed by the RFP Working Group;
- Ideation and/or parameters suggested in past Downtown area plans and studies and relationship to the goals of the Downtown InFocus (2016) plan.
- Project delivery timeline and relevant phasing and/or cost assumptions.
- Siting, circulation, materials, or other design elements that will be used to evaluate proposals received.

STEP 3:
Develop a consistent RFP evaluation scorecard.

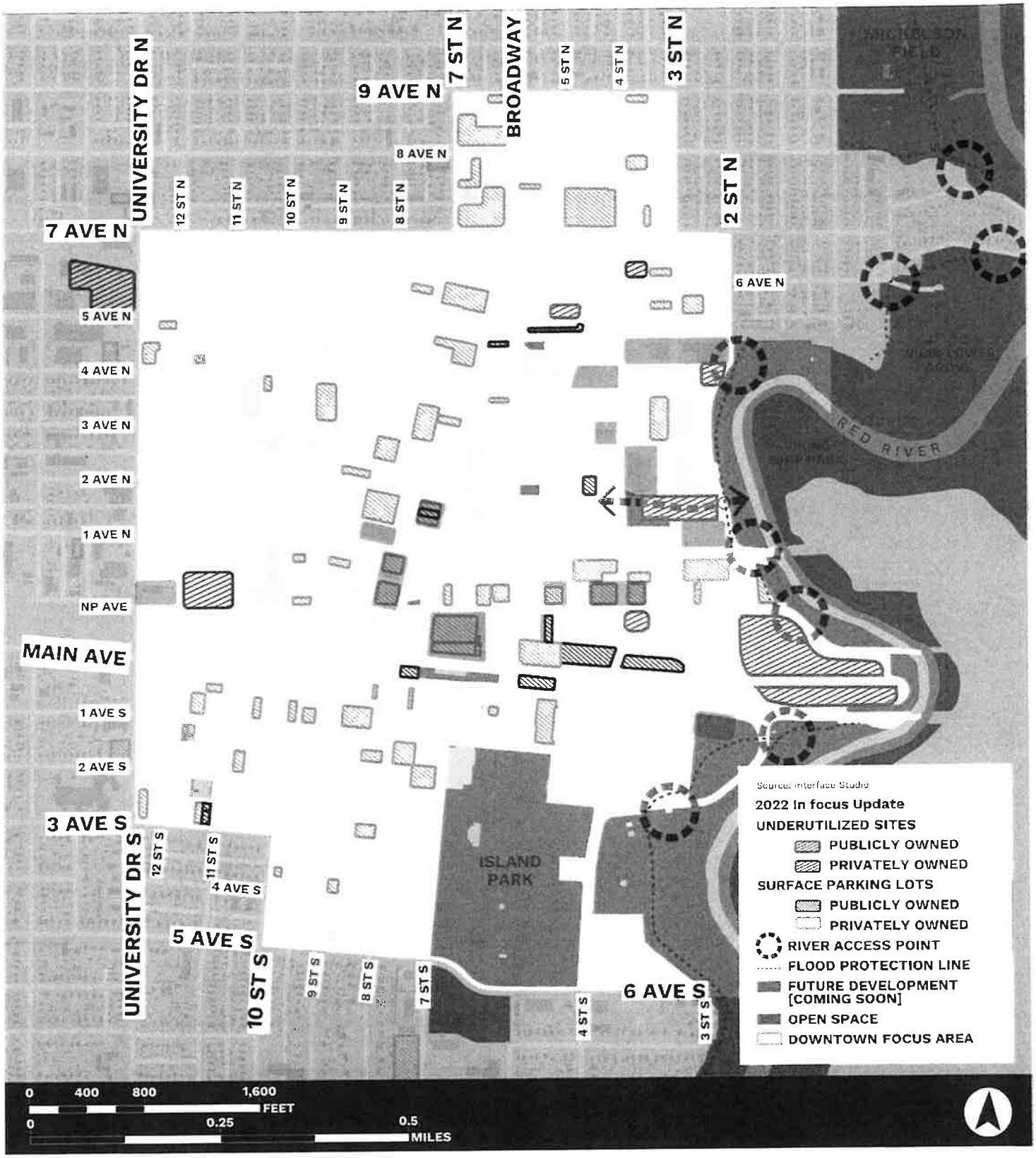
Based on elements outlined in the RFP response expectations, a scorecard should be developed by the RFP Working Group and used to evaluate and score all responses.

- The City could use as an example the scoring mechanisms used for new or expanding business exemption incentives.
- Alternatively, the city could use the TIF policy objectives as a starting point to evaluate RFPs. However, as noted previously, not all the TIF objectives are equal in terms of impact so amending them and including a weighting system may be appropriate.

  Coordinating among EDIC, RZ, and CC may be necessary to align initiatives and priorities.

STEP 4:
Reconvene RFP Working Group

All RFP responses should be evaluated by the RFP Working Group against the criteria established in the Response Scorecard.



Development on publicly-owned land can be leveraged to meet some of the Infocus goals mentioned in this document. Opportunity sites such as the Mid-America Steel site is very large, has access to the waterfront, and is along Main Avenue at the entrance to Downtown from Moorhead. The area next to City Hall also has been included in several previous design proposals as an expanded open space.

20 TAKE ACTION! Define a **Capital Improvement Program (CIP) for Downtown projects.**

IMPLEMENTATION STEPS

What are we trying to accomplish?

The City has a prioritized list of CIP projects, with a timeline and understanding of where revenue funds are accessed for each. Divide CIP for Downtown Projects into City responsibility and NOT City responsibility.

Where are we now?

No strategic plan exists beyond Downtown InFocus or the TIF Renewal Plan. There is no one at the City dedicated to finding funding and thinking strategically about getting more revenue. Today, grant applications are primarily led by the City Administrator and Directors.

☑ **STEP 1:**
Create a list of all Downtown CIP projects under discussion.

Identify if the project is the responsibility of the City, or not, for every project on the list. Include requests from DCP around specific Downtown improvements

☐ **STEP 2:**
Downtown Coordinator takes the lead.

☐ **STEP 3:**
Review with Engineering and other internal departments.

☐ **STEP 4:**
Review and update the strategic CIP list, annually.

TAKE ACTION!

COMMENTS RECEIVED: Downtown InFocus – Take Action report

REC'D	NAME	COMMENT	PLAN NOTES
11.13.23	Christopher Coen	My first comment is that I think we have too few parks in the core. The big and nice Island Park is a bit too far to get to easily and has the pedestrian unfriendly, to me, Main Ave. as a barrier in getting there. As far as the park on the river, it's now heavily marred by a wall of high-rise apartment buildings built right up to the edge, which destroys the natural scenery aspect of the experience. You just have a sense of people looking down at you.	Comment received. As the City looks at larger scaled design items these comments will be forwarded.
11.15.23	Jacob Rose	I am a Fargo resident who moved from the Twin Cities. One of my favorite things about living in Fargo is the proximity everything seems to have, and how you can get anywhere from anywhere relatively quickly. Down in the cities, that did not feel the case given how spread out everything is. I also feel the Twin Cities is overly reliant on personal vehicle usage for getting around. I believe downtown Fargo has an excellent opportunity to continue to set itself apart from other areas by creating a more intimate feeling. I believe this would best be accomplished by reducing roads downtown and instead moving towards a more walkable downtown, perhaps with bike lanes or traveling trolleys that move north and south on Broadway and East and West on 1st avenue. Downtown is a great place to be, but it is a pain to drive, or to walk as both pedestrians and vehicles have to coexist in a small space en masse. My only other thoughts would just be reiterating safety and cleanliness. Walt Disney World keeps garbage bins 30 feet apart to minimize littering, and the city should think carefully on how to address safety concerns for citizens given the rise in violence due to growth, and address what can be done about homelessness in our area. If people don't feel comfortable it doesn't matter how much effort went into the other aspects. Best of luck and thank you for what you do!	Comments noted. Inclusive Growth section outlines housing strategies. Visioning comments will be forwarded to additional strategic planning efforts.

COMMENTS RECEIVED: Downtown InFocus – Take Action report

REC'D	NAME	COMMENT	PLAN NOTES
11.15.23	Eric Thomas	My name is Eric Thomas and I have lived in downtown Fargo with my wife for approximately 3 years now. Prior to that, I've also worked downtown Fargo for approximately 5 years. My wife also works from home and I can say that we have truly enjoyed living and working downtown. That being said, I have a number of comments and/or suggestions that I would like to be considered. For reference, I believe my wife and I are an appealing demographic for downtown, given we are in our late 20's/early 30's, both work and/or are around downtown, and spend a lot of time in the area. My thoughts/comments are noted below: 1. For the most part, we have been very encouraged by the rapid growth of downtown Fargo and are excited to see its' future. That being said, we live close to the busiest intersection (2nd Ave & Broadway) so we get a large number of loud noises; especially on weekends. However, we have never had any issues with street performers, music, or even intoxicated patrons. The only noise issue we have consistently come across is the motorcycles, modified exhaust of trucks, and loud vehicles. I understand this is a difficult issue to tackle, but law enforcement has to do a better job of patrolling and actually citing loud vehicles during quiet hours. This has always been our #1 issue living downtown. 2. We would like to see downtown Fargo have a higher quality gym and fitness facility close to downtown. With all due respect to the downtown YMCA, the gym appears to not have been renovated since I went to preschool there almost 30 years ago. I drive all the way to the Family Wellness center to workout, simply because the downtown YMCA is poor and there aren't any other options nearby. 3. The continued use of surface area parking lots in downtown Fargo is the biggest waste of valuable real estate, in my humble opinion. With more and more parking options available in ramps, there is no reason why these parking lots should be used for outdoor parking. 4. The Civic Center needs to be renovated and used for various local sporting events, concerts, shows, etc. If the Fargodome expansion vote fails, Fargo will (again) lack any type of convention space. While the Civic center may not hold near the capacity the Fargodome has, it will at least start promoting more events & promoting the downtown Fargo area in general. Downtown Fargo has a golden opportunity for a beautiful arena for this purpose, not to mention both the Radisson & Jasper downtown parking ramps all connect to the Civic center via the skyways. Patrons would love being able to not even have to walk outside for these events, especially in the winter. Thank you for your time and attention to this matter.	Public realm + design needs addresses physical environment Operational practices and other public realm comments are forwarded to additional departments or partners.

COMMENTS RECEIVED: Downtown InFocus – Take Action report

REC'D	NAME	COMMENT	PLAN NOTES
11.15.23	Steve Zimmerman	One way or another homelessness needs to be addressed. Everything depends on that problem. I hear it constantly: the library is not welcoming any more to average folks, people are begging for money, and, of course, the killer for any neighborhood-I don't feel safe. It's a difficult problem, for sure, but it is by far the biggest one. Unless we get a handle on this situation, you can forget about your other items. This is the driver.	Inclusive Growth section addresses housing. Initiatives are designed to address these concerns.
11.15.23	Justin Wageman	I have lived downtown for five years. My feedback concerns two issues: trains and nuisance behavior. I cannot imagine what it must have been like without the quiet zones for trains downtown. But it is not enough. What may not be realized is the amount of noise that thousands and thousands of tons of steel can make without blasting horns. Just the engines and the high-pitched squeals and shrieks of the freight cars and their wheels is incredible. Then there are the discretionary train horn blasts that the engineers make. In one week, I lost count of how many blasts there were and even considered reporting them online to the Federal Railroad Administration (FRA). And even the Amtrak passenger train blasts twice before moving every morning in the early hours (e.g., 3:30 am). It isn't uncommon to hear of people dying on the tracks and vehicles getting hit. This is only going to get worse as projects are set for 80-90 trains a day going through the heart of the city. The nuisance behavior is a major problem downtown. People just loitering taking up the benches, sleeping, pestering others, and panhandling. While I don't attribute all the blame to the homeless, I was surprised to read of the approximately 4,000 people who live downtown because on any given night in the Fargo-Moorhead area, there are 1,000 people who are homeless. I'm glad for the police substation and increased presence. I've seen multiple interventions on the part of cops with people exhibiting nuisance behavior. A trip to Winnipeg showed me what could be done with some of the above issues that Fargo is finally and just now starting to deal with or resolve. One is the trains. I noted how the tracks were elevated in downtown Winnipeg, which eliminated all the wasted time and frustration at crossings, yet slowed the trains down to help reduce noise. I imagine it also reduced the number of pedestrian deaths on the tracks. Two other things I noted in Winnipeg: The diversion that has been in place for years and the beautiful riverfront. Fargo-Moorhead has such an opportunity to create amazing spaces with the undeveloped riverfront property, especially with the Viking Ship Park on the Moorhead side. The diversion in place for many years has given Winnipeg the time to build buildings, green spaces and trails along the Red River. Let's do the same in Fargo and eliminate the tent cities that exist along the riverbank in the trees. This is my feedback. Hopefully many other voices besides mine contribute to make downtown Fargo a wonderful place to live.	Public realm + design needs addresses physical environment and Implementation roles clarifies project champions.

COMMENTS RECEIVED: Downtown InFocus – Take Action report

REC'D	NAME	COMMENT	PLAN NOTES
11.16.23	Ryan Benson	Question/Comment: Some of us are living paycheck to paycheck, and we all watch as our government plays this game on a large scale. Maybe we invest in alternative power sources to lower electric cost in the area(overtime of course).. You just built yourselves a gazillion dollar city hall. What does the downtown project have to do with us? I picture commercial buildings with apartments above. And I'm guessing the city will own all of it and make more millions. Payday for me is this Friday, and I have less than $1k in my account so I could care less about your project. We don't need that bullshit. Stop playing with us like your helping us. Your not. Seems like you're looking for a money grab so we can help you get richer. Your not going to help me, the veterans, or the elderly. My name is Ryan Benson and I absolutely hate the way our government is operating in this country. Please call if you would like to have a conversation. I think that it's important for people with different opinions to be able to hash things out in a professional manor.	Inclusive Growth section outlines housing strategies.

COMMENTS RECEIVED: Downtown InFocus – Take Action report

REC'D	NAME	COMMENT	PLAN NOTES
11.22.23	Rocky Schneider	1. The 270 events at Broadway Square, unless they count every open ice day, it doesnt seem like an accurate number. Where is this data from? 2. Is there a population estimate since 2020 for Downtown? The 2010-2020 increase of 6%, which is only about 250 people - seems low. 3. The chart that shows downtown vs Fargo growth is wrong when compared to the notes next to it. The notes say downtown Fargo increased 23% and the charts data say it decreased by 7% 1990 to 2000. The rest of the chart seems to need a review. 4. The statement that 5% of housing is affordable in downtown. The number seems very low. For example, if there are 4113 residents, how many units are in downtown? That this is one of the most important pieces of data to get accurate for this study, so would be good to make sure the data is accurate and if we can help with that we are willing! a. Is there an annual income calculated only in downtown residents? b. If $58,000 is 80% of AMI, $17,400 is 30% and that is $1,450/ month. c. How many units in downtown Fargo are affordable for the median Fargo income? d. Are two and three units calculated for one or two incomes? e. For example, if there are 4113 people, an average of 1.3 people per unit say, or 3200 total units in DT Fargo. 5% would be 160 units noted as affordable. With the Graver, Gardner, The Piston (Orange Records), The Music Emporium, Powers Hotel, Jackson, Lowman, Cooper House, the Highrise (soon to be 100 or 200 affordable), Berrell, University Drive Manor, Artist Flats, Finding Normal and many others would be well over 800 units. 5. On page 10, it notes "Who takes care of Broadway Square?". Consider adding that the plaza is privately owned and open to the public with the partnership of Fargo Parks and City of Fargo.	Data sources verified. Inclusive Growth section outlines housing strategies and Implementation roles outlines project champions. Minor edits clarified within document.

COMMENTS RECEIVED: Downtown InFocus – Take Action report

REC'D	NAME	COMMENT	PLAN NOTES
11.24.23	Denise Knudson	Hi, my name is Denise Knudson, I've been living in downtown Fargo since 2011. I read an article about the plan and that you are seeking public comments. I haven't commented on the plan because I have not read the plan. Is there a link to read the plan? I do have some suggestions. They are as follows: 1. More green space. Plant more trees, shrubs and perennials. 2. Enforce the noise ordinances. Fine companies and individuals who violate city ordinances. 3. Public smoking. I see and smell smokers violating this law everyday in Fargo. It is the law in North Dakota that smoking is prohibited within twenty feet [6.10 meters] of entrances, exits, operable windows, air intakes, and ventilation systems of enclosed areas in which smoking is prohibited. People, including myself, who live downtown are affected by secondhand smoke from smokers who violate this law. Any questions feel free to contact me.	Public realm + design needs addresses physical environment and Implementation Roles outlines project champions

11.27.23	Tommy Schmidt	This is Tommy Schmidt, Planning Commissioner for the City of Fargo. I was able to review the update to the Downtown InFocus Plan and have several comments. I've broken down my comments based off of the section numbers that were provided in the document:
		
		5. Update the City's Growth Plan, zoning, LDC
		• Obviously the City is undergoing this currently, but a few items specifically relating to the LDC and Downtown are noted below that should be addressed:
		  ○ Street trees should be a requirement in the DMU zoning district. This is the only zoning district where street trees are not required, however it is likely the zoning district that would benefit the most from having a required street tree canopy. There have been countless studies and research behind the benefits of urban street trees, and all future reconstruction of streets and redevelopment of parcels in the DMU should be required to plant new trees.
		  ○ The City's signage code needs to be re-worked. There have been large, building mounted electronic signs (billboards) that have sprung up on Main Avenue that are not pedestrian oriented and are a visual distraction. These types of signs should be outlawed in the DMU zoning district. Further, any new signage should be required to be at a human scale in size. Currently by-right, new buildings have the ability to have very large signs on their building faces if they want, which has the potential of making some of
			Public realm + design needs addresses physical environment
			
			Visioning and strategy items will be forwarded to parties leading action items.

COMMENTS RECEIVED: Downtown InFocus – Take Action report

REC'D	NAME	COMMENT	PLAN NOTES
		Downtown's best streets feel like billboards along the highway. o DMU zoning requires specific building materials (cladding specifically) be used. While I understand the reasoning, I will say that as an Architect who works on Downtown Fargo projects, not being able to use certain materials in lieu of more expensive 'durable' materials can drive project costs up, which get put back onto residents' rents. There could be some sort of conversation about providing enhanced vegetation or public art or public space in projects in lieu of using more expensive building materials. 6. Upgrade Broadway • Upgrading Broadway is a fantastic idea o The proposed street section is an improvement from what is existing, however there is an opportunity to make it even more pedestrian oriented. The proposed street widths are 15', which is very wide, even wider than what is standard on the Interstate. Narrowing these to 11' or 12' wide would give the side of the street shown with angled parking an additional 6-8' of sidewalk width. Sidewalk width should be prioritized on both sides of the street rather than the street lane width. o All existing street trees should be preserved and emphasis should be placed on planting new trees on both sides of the street with minimum spacing between trees. 7. Improve Wayfinding • My opinion on this is that it doesn't matter how much is spent on wayfinding to the garages, there will always be a sentiment that 'there is no parking' downtown. This perceived idea, though, does not seem like it actually deters people from coming downtown, as the weekends are packed and events still manage to happen. Over time, people will just figure it out. $50,000 spent on this is money that can be put to better use. 8. Improve 2nd Avenue • This plan, though sounds amazing, seems like it is too expensive in its full built out concept. 2nd Avenue near the Square was just rebuilt and having it torn out so soon will look bad to the public. This section of 2nd Avenue from Broadway to Gate City should have just been closed and the Square extended to the South in the first place, but I digress. Mechanical bollards that can come up from the crosswalk area during events and perhaps weekends would be a great way to reclaim this space back when necessary without having to rip up the entire stretch.	

COMMENTS RECEIVED: Downtown InFocus – Take Action report

REC'D	NAME	COMMENT	PLAN NOTES
		• Perhaps a 'scramble' pedestrian crossing could be installed at the intersection of 2nd and Broadway so that pedestrians can cross the entire intersection could be explored. • During events like the Red River Market, Broadway should be closed from 3rd Avenue N to 1st Ave North. Hundreds of pedestrians should not need to be competing with just a handful of vehicles every other minute. 9. Public Art • There seems to be a large gap in the western half of Downtown for public arts opportunity sites. • There may be an opportunity for public art to be incorporated into redevelopment projects. Example: providing mural space/blank space on street side faces of buildings in lieu of glazing requirements. 10. Downtown Riverfront • Mid America Steel redevelopment should be a priority to have an RFP out in 2024 11. Improve City Hall Plaza • The asphalt parking lot should just be removed rather than painted. • The SE parking lot should be developed rather than be part of a larger plaza In addition to the update, I looked through the Streets Playbook to see if there were any proposed sections that I had comments on. • In general, all street reconstruction needs to include new street trees. • Existing bike lanes have been horribly maintained. Bike lane paintings and arrows have almost completely disappeared on many streets, specifically 4th St. For a proper bike lane network, these lanes need to be to the same level that we pay to our driving lanes. • Please use bollards at a minimum where possible at bike lanes to give them an added layer of safety. • Street widths should be minimized as much as possible, with leftover space being allocated to sidewalks or bike lanes. Thanks for your time in reading the lengthy response!	
11.27.23	Jim Gilmour	Page 3. Review and Correct road changes. Omit Broadway south of 2nd Avenue, alley east of Broadway, 3rd Ave. Add 2nd Avenue and 4th Street. New buildings, add Riverhouse (north of City Centre). Page 18. Is the comment that Broadway sidewalks are "narrow and crowded" accurate? Sidewalks on Broadway are 11' wide. Many sidewalks in Manhattan are 10' wide and handle the pedestrian traffic just fine. I think the balance of space between travel lanes, parking, and pedestrians works well. Page 19. GTC should be shown as a Municipal Garage.	Technical edits noted and data sources verified. Public realm + design needs addresses physical environment.

COMMENTS RECEIVED: Downtown InFocus – Take Action report

REC'D	NAME	COMMENT	PLAN NOTES
		Pages 26-27. Additional time is needed to discuss the future use of the parking lot east of the Library and the Mid America Steel site. There may be better options than "mixed income development" and "market rate development". The Mid America site should include a land use that allows access to the riverfront. Page 31. What is the source of the comment that 5% of downtown housing is "affordable"? Does this mean the larger core neighborhood area? The metro housing study defined affordable rental housing as rents less than $1,000 a month, and found large percentages of rental housing to be affordable. This report notes that housing of $780 a month for a server is affordable. Page 36 of the report correctly states that "there are options that are very affordable". Page 35. What is the source of the comment that in 2023 there are "only six affordable housing units were being built in the downtown"? The Milton Earl project has 42 housing units. Page 35. The report states that adding 800 units of affordable housing downtown would increase the percent of affordable housing downtown and Core Neighborhoods by 2%. Does that report assume 40,000 housing units in the downtown/neighborhood? Check those numbers. Page 36. It is already very difficult for the private sector to attract investors and obtain loans for market rate development. Adding an "inclusionary zoning requirement" that requires some percentage of "affordable" rent units will make it more expensive and discourage housing projects. Owners of existing rental units will be able to increase rents without competition from new housing units, and downtown the number of naturally occurring affordable housing units will decline. Page 38. There is a statement that supportive housing units are operating at "full capacity". Actually, there are vacancies at Cooper House, and a building that previously provided ~20 units of supportive housing sits vacant at 69 4th Street. The funding gap appears to be money for supportive services. Page 39. The map showing the location of Cooper House is not correct. Page 44. Several errors on ownership of parking lots. Also errors on publicly owned sites.	

CITY OF Fargo

ASSESSMENT DEPARTMENT

26a

December 14, 2023

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 1538 11 St N as submitted by Jason and Sara Hinkle. 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 $92 with the City of Fargo's share being $16.

Sincerely,

Mike Splonskowski
City Assessor

nlb
attachment

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

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: 10, Block: 6, Addition Name: Chandlers Broadway
2. Address of Property 1538 11 St N, Fargo, ND 58102
3. Parcel Number 01-0380-01270-000
4. Name of Property Owner Hinkle, Jason & Sara Phone No. _____
5. Mailing Address of Property Owner 13679 Hwy 5, Cavalier, ND 58220

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). Bathroom Demo. Replacing tub, removing window. New flooring and vanity.
7. Building permit No. 2305-1078-REN 8. Year built (residential property) 1929
9. Date of commencement of making the improvements June 1st, 2023
10. Estimated market value of property before the improvements $ 136,800
11. Cost of making the improvement (all labor, material and overhead) $ _____
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 Sara Hinkle Date 3 Dec 23

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 12-14-2023

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 _____

24840 (Rev. 6-01)

CITY OF Fargo

ASSESSMENT DEPARTMENT

266

December 14, 2023

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 6409 14 St S as submitted by Gary and Pamela Lorenz. 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 $232 with the City of Fargo's share being $39.

Sincerely,

Mike Splonskowski
City Assessor

nlb
attachment

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

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 5950-1-5 Glen Van Enk Subd
2. Address of Property 6409 14 St S
3. Parcel Number 01-5950-00050-000
4. Name of Property Owner Gary & Pam Lorenz Phone No. 701-261-2939
5. Mailing Address of Property Owner 6409 14 St S

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). Remodel exisitng bathroom
7. Building permit No. BP2212-0607
8. Year built (residential property) 1986
9. Date of commencement of making the improvements 10/23/2023
10. Estimated market value of property before the improvements $ 385,400.00
11. Cost of making the improvement (all labor, material and overhead) $ 11,000.00
12. Estimated market value of property after the improvements $ 402,500.00

Applicant's Certification And Signature

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

Applicant Gary Lorenz Date 11-29-2023

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 [illegible] Date 12-14-2023

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

24840 (Rev. 6-01)

CITY OF Fargo

ASSESSMENT DEPARTMENT

(260)

December 14, 2023

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 2013 26 Ave S as submitted by Betsy Stadick and Peter Cossette. 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 $182 with the City of Fargo's share being $30.

Sincerely,

Mike Splonskowski
City Assessor

nlb
attachment

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

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: 14, Block: 4, Addition Name: O'Graf
2. Address of Property 2013 26 Ave S, Fargo, ND 58103
3. Parcel Number 01-2195-00570-000
4. Name of Property Owner Stadick, Betsy G & Cossette, Peter D Phone No. 701-367-6781
5. Mailing Address of Property Owner 2013 26 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). Downstairs bathroom remodel. Work includes flooring fixtures, ventilation, plumbing and electrical.
7. Building permit No. 2301-0069-REN
8. Year built (residential property) 1978
9. Date of commencement of making the improvements January 6th, 2023
10. Estimated market value of property before the improvements $ 282,900
11. Cost of making the improvement (all labor, material and overhead) $ 25,447
12. Estimated market value of property after the improvements $ 308,347

Applicant's Certification And Signature

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

Applicant Peter Cossette Date 11/28/23

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 12-14-2023

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 _____

CITY OF Fargo

ASSESSMENT DEPARTMENT

(2bd)

December 14, 2023

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 3325 43 Ave S as submitted by April Peterson and Joshua Steier. 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 $477 with the City of Fargo's share being $81.

Sincerely,

Mike Splonskowski
City Assessor

nlb
attachment

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

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 16 Block 2 Fox Run Addition
2. Address of Property 3325 43 Ave S
3. Parcel Number 01-0900-00340-000
4. Name of Property Owner April Peterson & Joshua Steier Phone No. 701-205-2072
5. Mailing Address of Property Owner 3325 43 Ave S

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). Kitchen remodel
7. Building permit No. 22030314
8. Year built (residential property) 1997
9. Date of commencement of making the improvements 6/2022
10. Estimated market value of property before the improvements $ 377,200.00
11. Cost of making the improvement (all labor, material and overhead) $ 27,000
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 Date 11-14-2023

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 12-14-2023

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

CITY OF Fargo

ASSESSMENT DEPARTMENT

(26)

December 14, 2023

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 809 Kennedy Court N as submitted by Kennedy Court Investments 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 $271 with the City of Fargo's share being $46.

Sincerely,

Mike Splonskowski
City Assessor

nlb
attachment

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

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: 14, Block: 2, Addition Name: Chapins
2. Address of Property 809 Kennedy Ct N, Fargo, ND 58102
3. Parcel Number 01-0440-02990-000
4. Name of Property Owner Kennedy Court Investments LLC Phone No. _____
5. Mailing Address of Property Owner 1448 23 St 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). Finish Lower level. Install egress window on side of house.
7. Building permit No. 2308-0926-REN
8. Year built (residential property) 1925
9. Date of commencement of making the improvements August 25th, 2023
10. Estimated market value of property before the improvements $ 187,900
11. Cost of making the improvement (all labor, material and overhead) $ 46,400
12. Estimated market value of property after the improvements $ 234,300

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 22 Nov 23

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 12-14-2016

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 _____

24840 (Rev. 6-01)

CITY OF Fargo

ASSESSMENT DEPARTMENT

2 of

December 14, 2023

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 813 Kennedy Court N as submitted by Kennedy Court Investments 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 $202 with the City of Fargo's share being $34.

Sincerely,

Mike Splonskowski
City Assessor

nlb
attachment

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

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: 13, Block: 2, Addition Name: Chapins
2. Address of Property 813 Kennedy Ct N, Fargo, ND 58102
3. Parcel Number 01-0440-02980-000
4. Name of Property Owner Kennedy Court Investments LLC Phone No. _____
5. Mailing Address of Property Owner 1448 23 St 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). Remove and replace concrete floor as needed. Refinish space and insulate as needed.
7. Building permit No. 2308-0929-REN 8. Year built (residential property) 1925
9. Date of commencement of making the improvements August 25th, 2023
10. Estimated market value of property before the improvements $ 209,600
11. Cost of making the improvement (all labor, material and overhead) $ 153,500
12. Estimated market value of property after the improvements $ 363,100

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 22Nov23

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 12-14-2023

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 _____

24840 (Rev. 6-01)