

FARGO CITY COMMISSION AGENDA
Monday, September 20, 2021 - 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, September 7, 2021).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. 2nd reading and final adoption of the following Ordinances; 1st reading, 9/7/21:
 - a. Rezoning Certain Parcels of Land Lying in Asleson Farms Fourth Addition.
 - b. Rezoning Certain Parcels of Land Lying in Amber Valley West Sixth Addition.
 - c. Relating to Classification of Ordinance Violations (registration card to be carried).
- 2. Resolution Ratifying Mayoral Signature.
- 3. Applications for Games of Chance:
 - a. Fargo Angels Hockey for a raffle on 1/10/22.
 - b. St. John Paul II Catholic Schools for a raffle on 4/30/22.
- 4. Agreement with Katie Ettish for the Contractual Public Information Officer.
- 5. Change Order No. 6 for an increase of \$16,540.00 for Project No. FM-16-A1.
- 6. Change Order No. 2 for an increase of \$22,500.00 and the associated time extension for Project No. SR-21-A1.
- 7. Change Order No. 2 for an increase of \$32,994.00 for Project No. TM-21-A1.
- 8. Scope and fee from AE2S in the amount of \$59,500.00 to perform a Street Utility Feasibility Study (Project No. MS-21-M0).
- 9. Memorandum of Understanding Regarding Construction and Maintenance with the Park District of the City of Fargo.
- 10. Addition of Sites 3, 4 and 5 in the amount of \$104,982.50 with Dirt Dynamics for Project No. UR-21-D1.
- 11. Declaration of Easement (Levee, Storm Sewer and Access) in association with Project No. FM-19-E.
- 12. Bid advertisement for Project No. MP-20-A.
- 13. Listing Agreement for the sale of 1367 Elm Circle North.

14. Receive and file General Fund – Budget to Actual through August 2021 (unaudited).
15. Receive and file Financial Status Report – Major Operating Funds 2021 Year to Date Ending through 8/31/21 (unaudited).
16. Agreement for Services with the following:
 - a. Christyn Knudtson.
 - b. Valerie Luistro.
 - c. Kayla Dalquist.
 - d. Chisom Amadi.
17. Funding Approval/Agreement and Funding Approval and HOME Investment Partnerships Agreement with the US Department of Housing and Urban Development.
18. Resolution Approving Plat of University South Addition.
19. Change Orders for Project No. SW20-01:
 - a. No. 1 for an increase of \$4,776.00 (civil construction contract).
 - b. No. 1 for an increase of \$1,543.00 (mechanical construction contract).
20. Sole Source Procurement with Hach Company for cumulative 2021 purchases of water testing equipment and supplies (SSP21038).
21. Change Order No. 2 for an increase of \$52,443.00 for Project No. WW1701.
22. Contracts and bonds for Project Nos. SW21-01 and WA1862.
23. Bills.
24. Addition of Improvement District Nos. BR-22-C1 and BR-22-F1 to the 2022 Capital Improvement Plan.
25. Change Order No. 1 for an increase of \$62,070.00 and time extension to 10/19/22 for Improvement District No. BR-21-C1.
26. Change Order No. 1 for an increase of \$57,300.00 and 14-day time extension for Improvement District No. SL-21-C1.
27. Memorandum of Offer to Landowner for Permanent Easement (Street and Utility) with West Fargo Public School District No. 6 in association with Improvement District No. BN-21-E1.
28. Agreement Regarding Deferral of Special Assessments with Earlyne Hector (Improvement District No. BN-20-C1).
29. Permanent Easement (Storm Sewer) with Sitka Investments, LLC (Improvement District No. BN-21-B1).
30. Contract and bond for Improvement District No. BN-21-E1.

REGULAR AGENDA:

31. **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).

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

- a. The District of Fargo Fourth Addition (5532 and 5676 38th Street South); approval recommended by the Planning Commission on 7/6/21:
 1. Growth Plan Amendment on Lots 3-4, Block 1.
 2. Zoning Change from LC, Limited Commercial with a C-O, Conditional Overlay to MR-3, Multi-Dwelling Residential and LC, Limited Commercial with a C-O, Conditional Overlay.
 3. 1st reading of rezoning Ordinance.
 4. Plat of The District of Fargo Fourth Addition.
- b. Special Assessments for maintenance of skyway system.
- c. Special Assessments for the 2020 New and Reconstruction of City Ordered Sidewalks (Project No. SR-20-A).
- d. Special Assessment list for the following Improvement Districts, all having been approved by the Special Assessment Commission on 8/19/21:
 1. P.C. Concrete Alley Paving and Incidentals No. AN-19-J.
 2. P.C. Concrete Alley Paving and Incidentals No. AN-20-A.
 3. P.C. Concrete Alley Paving and Incidentals No. AN-20-B.
 4. P.C.C. Paving, Site Grading, Structures, Storm Sewer, Water Main Replacement, Street Lighting, Sidewalk and Incidentals No. BN-20-C.
 5. Sanitary Sewer, Water Main, Storm Sewer, Paving, Site Grading, Lighting and Incidentals No. BN-20-E.
 6. Sanitary Sewer, Water Main, Storm Sewer, Paving, Site Grading, Street Lights and Incidentals No. BN-20-F.
 7. Sanitary Sewer, Water Main, Storm Sewer, Paving, Site Grading, Street Lights and Incidentals No. BN-20-K.
 8. Portland Cement Concrete Pavement, Curb and Gutter, Storm Sewer, Sanitary Sewer, Watermain, Sidewalk, Street Lighting, Landscaping and Traffic Signals No. BR-19-A.
 9. Water Main Replacement, Street Reconstruction and Incidentals No. BR-20-A.
 10. Water Main Replacement, Sanitary Sewer Replacement, Street Reconstruction and Incidentals No. BR-20-B.
 11. Sanitary Sewer, Water Main, Storm Sewer, Street Reconstruction and Incidentals No. BR-20-C.
 12. Water Main Replacement, Street Reconstruction, Asphalt Mill and Overlay and Incidentals No. BR-20-E.
 13. Storm Sewer Lift Station Modifications and Incidentals No. NR-19-A.
 14. Asphalt Wear Course and Incidentals No. PN-20-A.
 15. Seal Coat and Incidentals No. PR-20-C.
 16. Asphalt Mill and Overlay and Incidentals No. PR-20-E.
 17. Street Lighting and Incidentals No. SL-20-B.
 18. Street Lighting and Incidentals No. SL-20-C.
 19. Street Lighting Rehabilitation and Incidentals No. SL-20-E.
 20. Storm Sewer Repairs and Incidentals No. UR-20-A.
- e. CONTINUE to 11/1/21 - Application to transfer a Class "B" Alcoholic Beverage License from Dakota Liquors LLC d/b/a Main Ave Liquors located at 4000 Main

Avenue to Long Haul Saloon, LLP d/b/a Main Ave Liquors to be located at 3838 Main Avenue.

- f. Application filed by Beyond Shelter, Inc. for a Payment in Lieu of Tax Exemption (PILOT) for a project located at 2301 University Drive South, which the applicant will use in the operation of a 92-unit affordable rental housing for seniors.
 - g. Application filed by Prairie Ridge 4 LLLP for a Payment in Lieu of Tax Exemption (PILOT) for a project located at 3361 Westrac Drive South, which the applicant will use in the operation of an affordable housing community dedicated to serving income-qualified seniors age 55 and over.
 - 1. Request for letter of support for the Prairie Ridge Residences Housing Project.
- 33. COVID-19 Update.
 - 34. Drought Update.
 - a. Recommendation to change drought status to Phase 2 (Advisory).
 - 35. Update from Fargo Cass Public Health on escalating drug use, overdoses and deaths in the community.
 - 36. Recommendation from the Finance Committee to follow City policy regarding high water consumption and to hold the property owner at 534 21st Street North responsible for the associated bill.
 - 37. Adopt the 2022 City of Fargo budget and proposed tax levies.
 - 38. 2nd reading and final adoption of an Ordinance Relating to Classification of Ordinance Violations (yielding and stopping while operating a bicycle).
 - 39. Appointments to the Fargo Youth Initiative.

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.

City of Fargo Staff Report			
Title:	The District of Fargo 4 th Addition	Date: Update:	6-24-2021 9-14-2021
Location:	5676 and 5532 38 th Street South	Staff Contact:	Kylie Bagley
Legal Description:	Lots 1 & 2, Block 2, District of Fargo 2 nd Addition		
Owner(s)/Applicant:	Enclave Development/Larry Scheffler	Engineer:	Houston Engineering
Entitlements Requested:	Major Subdivision (Replat of Lots 1 and 2, Block 2, District of Fargo 2 nd Addition); Zone Change (from LC, Limited Commercial, with a C-O, Conditional Overlay to LC, Limited Commercial, with a C-O, Conditional Overlay, and MR-3, Multi-Dwelling Residential, with a C-O, Conditional Overlay,) and Growth Plan Amendment (Amend 2007 Tier 1 Southwest Land Use Plan from "Commercial" to "Commercial" and "Residential Area – Medium to High Density")		
Status:	City Commission Public Hearing: September 20, 2021		

Existing	Proposed
Land Use: Vacant	Land Use: Commercial and Residential
Zoning: LC, Limited Commercial, with a C-O, Conditional Overlay	Zoning: LC, Limited Commercial, with a C-O, Conditional Overlay and MR-3. Multi-Dwelling Residential
Uses Allowed: LC – Limited Commercial. Allows colleges, community service, daycare centers of unlimited size, health care facilities, parks and open space, religious institutions, safety services, offices, off premise advertising signs , commercial parking, retail sales and service, self service storage, vehicle repair, limited vehicle service with a conditional overlay (C-O) to regulate signs, restrict land uses, and provide design standards	Uses Allowed: LC – Limited Commercial. Allows colleges, community service, daycare centers of unlimited size, health care facilities, parks and open space, religious institutions, safety services, offices, off premise advertising signs , commercial parking, retail sales and service, self service storage, vehicle repair, limited vehicle service MR-3, Multi-Dwelling allows detached houses, attached houses, duplexes, multi-dwelling structures, daycare centers up to 12 children or adults, group living, parks and open space, religious institutions, safety services, schools, and basic utilities. with a conditional overlay (C-O) to regulate signs, restrict land uses, and provide design standards
Maximum Density Allowed: None	Maximum Density Allowed: MR-3 allows a maximum of 24 dwelling unit per acre
Maximum Lot Coverage Allowed: 55%	Maximum Lot Coverage Allowed: 55%

Proposal:
The applicant is seeking approval of three entitlements (a major subdivision, growth plan amendment, and zoning map amendment) to accommodate future commercial and residential development. The major subdivision, entitled <i>The District of Fargo 4th Addition</i> , would plat the subject property into ten lots on two blocks. The subdivision would also dedicate public right-of-way (to be known as Tillstone Drive) to accommodate circulation within the subject property.
The three larger lots (Lot 3 and 4, Block 1 and Lot 3, Block 2) will be zoned MR-3 in order to accommodate future

multi-dwelling residential structures. These lots will also feature amenities for the residents such as a park and clubhouse. The residential lots will be buffered from Interstate 29 by commercial lots.

The remainder of the lots are proposed to be rezoned to LC, Limited Commercial, with a C-O, Conditional Overlay, for future commercial development.

The proposed growth plan amendment would reclassify the middle portion of the subject property from commercial classifications to the medium to high residential future land use classification.

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: Across 55 Ave S is LC, Limited Commercial with a C-O, Conditional Overlay, with commercial uses;
- East: Interstate right of way;
- South: Vacant, crop production, & residential uses within the AG zoning district;
- West: Across 38 St S is LC, Limited Commercial and MR-3, Multi-Dwelling Residential with vacant and residential uses

Area Plans:

The 2007 Fargo Growth Plan identifies the subject property as having future land uses of Commercial. The proposed growth plan amendment would reclassify the subject area as future Medium/High Density Residential and Commercial Land Use.



Schools and Parks:

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

Neighborhood: The subject property is not currently located within a designated neighborhood, but is adjacent to the District Neighborhood to the north.

Parks: The Pines Park is approximately half a mile to the west of the subject property. Amenities include basketball

court, playground, shelter, & trails.

Pedestrian / Bicycle: There is an existing shared-use path along the west side of 38th Street S.

Staff Analysis:

CONDITIONAL OVERLAY: A C-O, Conditional Overlay, zoning district will be established on the properties to be rezoned to LC and MR-3. The purpose of the Conditional Overlay is to establish basic design standards and limit off-premise billboards. The Conditional Overlay is consistent with Conditional Overlays established along the City's newer commercial corridors. A draft of the Conditional Overlay language is attached.

GROWTH PLAN AMENDMENT NEIGHBORHOOD MEETING: Pursuant to Land Development Code Section 20-0905.E, a public open house is required for a proposed growth plan amendment. This meeting took place on Wednesday June 30, 2021, no one from the public attended.

Growth Plan Amendment

Section 20-0905(H) of the LDC states that the Planning Commission and the City Commission shall consider whether the Growth Plan is consistent with and serves to implement adopted plans and policies of the city.

The 2007 Growth Plan sets forth the following criteria that should be used to evaluate any proposed growth plan amendment:

1. **Is the proposed change consistent with surrounding land uses, both existing and future?**
Adjacent land uses are primarily residential and commercial today, along with the I-29 interstate to the east. Future land uses are expected to include a mix of commercial and residential to the west. The proposed growth plan amendment provides for additional medium to high residential land in the middle of the subject property, which is consistent with anticipated future land uses in this area, which include mix of commercial and residential. The proposed growth plan amendment is more or less an adjustment to the future land uses in this area, rather than a proposal for a different type of land use in this area. **(Criteria Satisfied)**
2. **Does the proposed change involve a street alignment or connection? If so, how does this change affect the transportation system and the land uses in the surrounding area, both existing and future.**
The proposed subdivision will create a local street, Tillstone Drive. Tillstone Drive will provide access from 55th Avenue South and 38th Street South as well as providing connectivity to residents and commercial business within the proposed subdivision.
(Criteria Satisfied)
3. **How does the proposed change work with the larger area in terms of land use balance and other factors that could influence the proposed change? Are their physical features or developments in the vicinity that make the change positive or negative for the City and the area in general?**
The proposed amendment would increase the amount of future residential land use in this area within the Growth Plan. Staff has no evidence to suggest the land use change would negatively impact the long term sustainability of the city. **(Criteria Satisfied)**

Zone Change:

The LDC stipulates that the Planning Commission and Board of City Commissioners shall consider the following criteria in their review of zoning map amendment requests. Proposed zoning map amendments that satisfy all of the criteria may be approved.

Section 20-0906.F (1-4)

1. **The requested zoning change is justified by a change in conditions since the previous zoning classification was established or by an error in the zoning map;**
Staff is unaware of any error in the zoning map as it relates to this property. The property is currently zoned LC, Limited Commercial, with a C-O, Conditional Overlay. The proposal to rezone the subject

property to LC, Limited Commercial, with a C-O, Conditional Overlay and MR-3 Multi-Dwelling Residential, is consistent with proposed amendment to the underlying growth plan that would designate this area for "Commercial" and "Residential Area – Medium to High Density" land uses. The LC zoning will include a conditional overlay (C-O) that regulates signs, prohibits certain land uses, and provides design standards for the development of the site
(Criteria Satisfied)

- 2. The City and other agencies will be able to provide necessary public services, facilities, and programs to serve the development allowed by the new zoning classification at the time the property is developed;**

City staff and other applicable review agencies have reviewed this proposal. Staff finds no deficiencies in the ability to provide all of the necessary services to the site. The subject property fronts on an existing, developed public right-of-way, which provide access and public utilities to serve the development. The subject property also creates public right-of-way, which will provide access and public utilities to serve the development.

(Criteria Satisfied)

- 3. The approval will not adversely affect the condition or value of property in the vicinity;**

Staff has no documentation or evidence to suggest that the approval of this zoning change would adversely affect the condition or value of the property in the vicinity. Written notice of the proposal was sent to all property owners within 300 feet of the subject property. To date, Planning staff has received no public comment. Staff finds that the approval of the zoning change will not adversely affect the condition or value of the property in the vicinity.

(Criteria Satisfied)

- 4. The proposed amendment is consistent with the purpose of this LDC, the applicable Growth Plan and other adopted policies of the City.**

The LDC states "This Land Development Code is intended to implement Fargo's Comprehensive Plan and related policies in a manner that protects the health, safety, and general welfare of the citizens of Fargo." The Growth Plan that applies to this property is the 2007 Growth Plan. This zoning will be consistent with the proposed growth plan amendment and will provide an area for development of retail sales and services convenient to the surrounding residential neighborhoods. The proposed conditional overlay will mitigate the impacts of commercial development in relation to the surrounding residential neighborhoods.

(Criteria Satisfied)

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.**

A growth plan amendment and zoning map amendment have been included with this application to accommodate the proposed development. The proposed subdivision is consistent with the proposed growth plan amendment and zoning designations. **(Criteria Satisfied)**

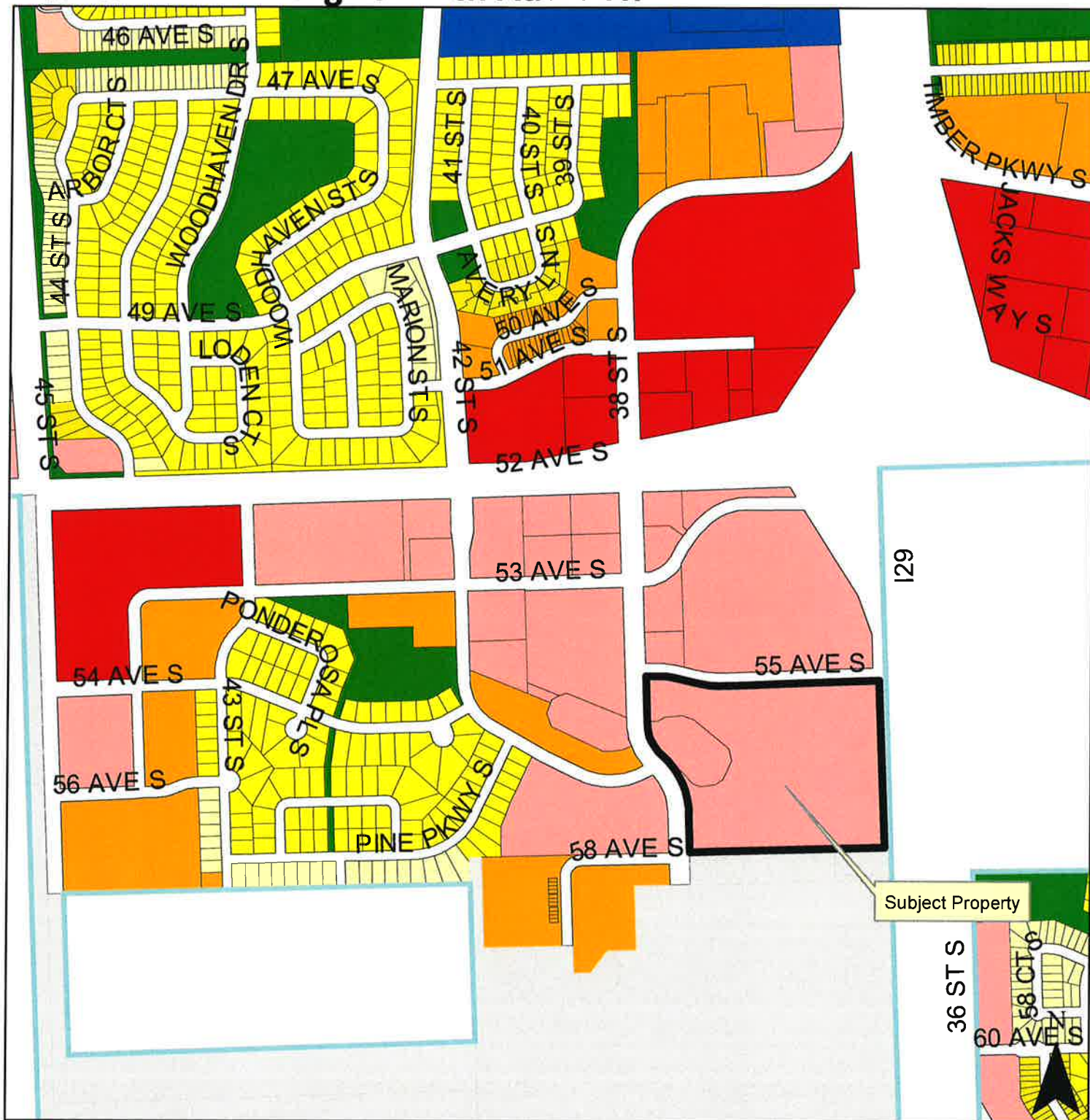
- 2. Section 20-0907.4 of the LDC further stipulates that the Planning Commission shall recommend approval or denial of the application and the City Commission shall act to approve or deny, based on whether it is located in a zoning district that allows the proposed development, complies with the adopted Area Plan, the standards of Article 20-06 and all other applicable requirements of the Land Development Code.**

Pursuant to Item 1 above, the proposed development will comply with the proposed growth plan amendment and proposed zoning map amendment. The subdivision meets the intent of the Land Development Code (LDC) and complies with the standards of Article 20-06 of the LDC.

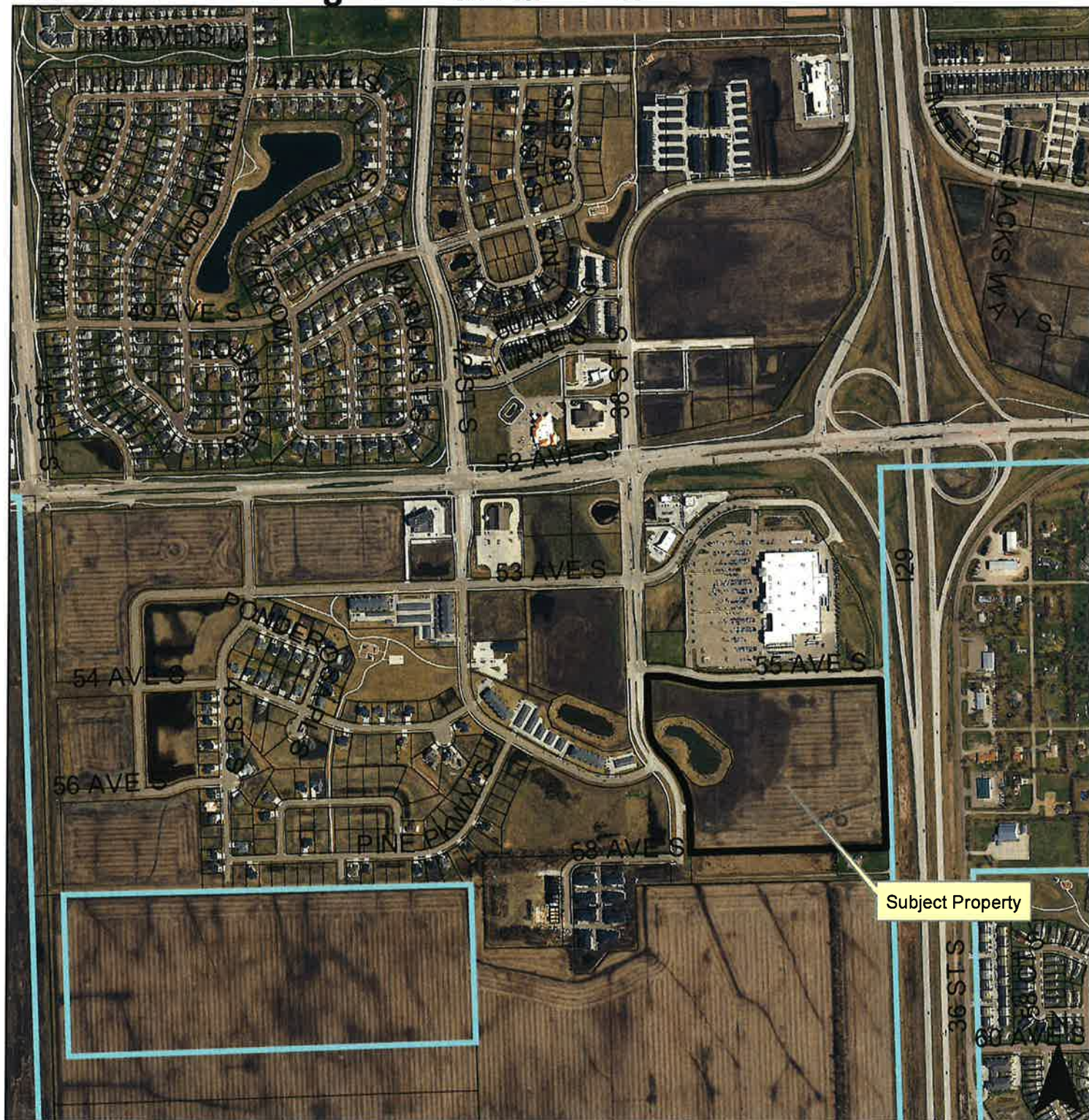
(Criteria Satisfied)

<p>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.</p> <p>An executed subdivision amenities plan will address any necessary provisions for public improvements associated with this project. Any improvements associated with the project are subject to special assessments. Special assessments associated with the costs of the public infrastructure improvements are per City of Fargo assessment policy.</p> <p>(Criteria Satisfied)</p>
<p>Staff Recommendation:</p> <p>Suggested Motion: "To accept the findings and recommendations of the Planning Commission and staff and move to approve the proposed: 1) growth plan amendment as presented; 2) zone change from LC, Limited Commercial, with a C-O, Conditional Overlay to LC, Limited Commercial, with a C-O, Conditional Overlay, and MR-3, Multi-Dwelling Residential, with a C-O, Conditional Overlay,; and 3) plat of The District of Fargo Fourth Addition as presented; as the proposal complies with the 2007 Growth Plan, Go2030 Comprehensive Plan, Standards of Article 20-06, Section 20-0906.F (1-4), & Section 20-0905.H of the LDC and all other applicable requirements of the LDC."</p>
<p>Planning Commission Recommendation: July 6, 2021</p> <p>On July 6, 2021, with a 7-0 vote (with four vacant Commission seats), the Planning Commission accepted the findings and recommendations of staff and moved to recommend approval to the City Commission of the proposed: 1) growth plan amendment as presented; 2) zone change from LC, Limited Commercial, with a C-O, Conditional Overlay to LC, Limited Commercial, with a C-O, Conditional Overlay, and MR-3, Multi-Dwelling Residential, with a C-O, Conditional Overlay,; and 3) plat of The District of Fargo Fourth Addition as presented; as the proposal complies with the 2007 Growth Plan, Go2030 Comprehensive Plan, Standards of Article 20-06, Section 20-0906.F (1-4), & Section 20-0905.H of the LDC and all other applicable requirements of the LDC."</p>
<p>Attachments:</p> <ol style="list-style-type: none"> 1. Zoning Map 2. Location Map 3. Growth Plan Amendment Map 4. Preliminary Plat 5. Draft Conditional Overlay Standards 6. Draft Concept of Site

5532 & 5676 38th St S



5532 & 5676 38th St S



Growth Plan Amendment

The District of Fargo Fourth Addition

5532 & 5676 38th Street South





Curve No.	Length	Median	Area	Chord Distance	Chord Length
C1	353.84	470.00	43700.00	N 73° 56' 42" W	545.63
C2	212.98	260.00	43710.00	N 73° 57' 35" W	306.02
C3	142.38	320.00	11411.31	S 84° 12' 00" E	241.93
C4	188.19	680.00	11411.31	S 84° 12' 00" E	185.51
C5	50.13	470.00	6766.60	N 73° 57' 35" W	50.11
C6	289.76	470.00	22037.31	S 24° 32' 31" E	266.08
C7	34.05	470.00	22037.31	S 24° 32' 31" E	34.04
C8	167.63	470.00	14709.22	N 67° 25' 41" W	387.28
C9	168.00	170.00	1774.71	N 87° 55' 52" E	183.37
C10	185.00	235.71	1774.71	N 87° 55' 52" E	184.48
C11	100.16	680.00	1667.54	S 66° 54' 21" W	94.48
C12	773.76	265.00	48724.00	S 87° 43' 09" W	271.17
C13	166.00	166.00	37341.45	S 73° 41' 05" E	69.73
C14	246.16	230.00	15555.55	N 67° 25' 41" W	27.28
C15	22.61	230.00	1279.11	N 67° 25' 41" E	22.43
C16	100.00	230.00	5114.02	N 67° 43' 45" E	99.32
C17	147.38	155.00	5114.02	N 67° 43' 45" E	116.61
C18	246.97	135.00	1451.00	N 80° 01' 30" W	143.52
C19	164.63	450.00	87672.43	N 80° 01' 30" W	169.80
C20	274.31	135.00	27456.30	S 74° 50' 12" W	162.45
C21	37.25	135.00	10012.27	N 89° 55' 17" E	37.63
C22	232.66	135.00	10012.27	N 89° 55' 17" E	109.90
C23	98.25	135.00	3787.17	N 89° 55' 17" E	97.94

UTILITY EASEMENTS
ARE SHOWN THUS

THE DISTRICT OF FARGO FOURTH ADDITION
A MAJOR SUBDIVISION
BEING A REPLAT OF LOTS 1 AND 2, BLOCK 2, THE DISTRICT OF FARGO SECOND ADDITION
TO THE CITY OF FARGO,
CASS COUNTY, NORTH DAKOTA

OWNERS' CERTIFICATE:
KNOW ALL PERSONS BY THESE PRESENTS, That Fargo District Holdings, LLC, a Nevada limited liability company, and the owners and proprietors of the following described tract of land:

Lots 1 and 2, Block 2, The District of Fargo Second Addition to the City of Fargo, Cass County, North Dakota.

Said tract of land contains 31.947 acres, more or less.

And that said parties have caused the same to be surveyed and replatted as The District of Fargo and the same to be laid out and divided into lots and blocks and hereby dedicate to the public for public use, the streets, avenues, and easements shown on the plat.

OWNER:
Fargo District Holdings, LLC
(an undivided 66.6455% interest)

Larry Scheffler, Manager

State of _____)
County of _____) ss
Notary Public: _____

On this _____ day of _____, 20____, before me personally appeared Larry Scheffler, Manager of Fargo District Holdings, LLC, a Nevada limited liability company, 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 said limited liability company.

Notary Public: _____

OWNER:
Lando Fargo, LTD
(an undivided 33.3515% interest)

Larry Scheffler, Manager

State of _____)
County of _____) ss
Notary Public: _____

On this _____ day of _____, 20____, before me personally appeared Larry Scheffler, Manager of Lando Fargo, LTD, 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 said limited company.

Notary Public: _____

SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT:

I, James A. Schlemmer, Professional Land Surveyor No. 6086, State of North Dakota, do hereby certify that this plat is a true and correct representation of the said subdivision, that the measurements for the guidance of future surveys have been located or plotted in the ground as shown.

Dated this _____ day of _____, 20____.

James A. Schlemmer, Professional Land Surveyor No. 6086

State of North Dakota)
County of Cass) ss
Notary Public: _____

On this _____ day of _____, 20____, before me personally appeared James A. Schlemmer, 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 as his free act and deed.

Notary Public: _____

CITY ENGINEER'S APPROVAL:

Approved by the Fargo City Engineer this _____ day of _____, 20____.

Brenda E. Derrig, City Engineer

State of North Dakota)
County of Cass) ss
Notary Public: _____

On this _____ day of _____, 20____, before me personally appeared Brenda E. Derrig, Fargo City Engineer, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that she executed the same as her free act and deed.

Notary Public: _____

FARGO PLANNING COMMISSION APPROVAL:

Approved by the City of Fargo Planning Commission this _____ day of _____, 20____.

Roddy Schneider, Chair
Fargo Planning Commission

State of North Dakota)
County of Cass) ss
Notary Public: _____

On this _____ day of _____, 20____, before me personally appeared Roddy Schneider, Chair, Fargo Planning Commission, 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: _____

FARGO CITY COMMISSION APPROVAL:

Approved by the Board of City Commissioners and ordered filed this _____ day of _____, 20____.

Timothy J. Mahoney, Mayor

State of North Dakota)
County of Cass) ss
Notary Public: _____

On this _____ day of _____, 20____, before me personally appeared Timothy J. Mahoney, Mayor, City of Fargo, 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: _____

Draft Conditional Overlay

Commercial Developments

1. Building form and style

- 1.1. All building elevations/façades greater than 200 feet in length, measured horizontally from vertical edge to vertical edge, shall incorporate wall plane projections or recesses. Each projection and/or recess shall have a depth of at least two feet, and the cumulative total horizontal width of all projections and/or recesses within a façade shall equate to at least an accumulated total of 20 percent of the overall horizontal length of the façade. No uninterrupted length of any façade shall exceed 200 horizontal feet.
- 1.2. Ground floor facades that are within 150 feet of the right of way, measured from the exterior wall shall have arcades, display windows, entry areas, awnings, spandrel glass, ground level landscaping, or other such features along no less than 50% of its horizontal length
- 1.3. Principle Materials – Unless otherwise deemed acceptable by the Zoning Administrator, all exterior walls shall be constructed or clad with natural stone, synthetic stone, brick, stucco, integrally-colored and textured concrete masonry units or systems, exterior insulation finishing systems (EIFS), fiber cement, architectural metal panels, curtain walls, rainscreen systems or glass. All materials shall be commercial grade, durable, and have a multigenerational life span.
- 1.4. Accent Materials – In conjunction with the principle materials listed above, the following accent materials may also be used to construct or clad exterior walls: finished wood, and vinyl. Accent materials shall be applied to no greater than 20 percent of each building façade.
- 1.5. Loading/unloading areas, building service entrances, loading docks, overhead doors, and ground level HVAC units within 150ft of public right of way shall be visually screened from adjacent public right-of-way by structures and/or landscaping. All structures used for visual screening shall be constructed or clad with the same materials used for the primary building.
- 1.6. Dumpsters, refuse containers, and outdoor storage areas shall be located at the side or rear of buildings and shall be visually screened from adjacent public right-of-way, when located within 150 feet of public right of way, by permanent walls. The permanent walls shall be constructed or clad with the same materials used for the primary building. Dumpsters and refuse containers shall contain permanent walls on at least three sides with the service opening not directly facing any public right-of-way or residentially zoned property. The fourth side shall incorporate a metal gate to visually screen the dumpsters or refuse containers.
- 1.7. Service, loading, and utility areas visible from residential areas shall be screened with a wall, berm, trellising or combination.

2. Site Design

- 2.1. A minimum of 5% of the internal surface area of the parking lot shall be landscaped through the use of planter islands and peninsulas.
- 2.2. Separate vehicular and pedestrian circulation systems shall be provided. Adjacent properties may share pedestrian circulation systems that connect to public sidewalks with Zoning Administrator approval. An on-site system of pedestrian walkways shall be provided between building entrances and the following:
 - 2.2.1. Parking lots or parking structures
 - 2.2.2. Any public sidewalk or multi-use path along the perimeter of the lot
 - 2.2.3. Entrances of other buildings on the site

- 2.2.4. Any public sidewalk system along the perimeter streets adjacent to the development
- 2.2.5. Adjacent pedestrian origins and destinations—including but not limited to transit stops, residential development, office buildings, and retail shopping buildings— where deemed practical and appropriate by the Zoning Administrator

3. Prohibited Uses

- 3.1. Detention facilities
- 3.2. Self-service storage
- 3.3. Vehicle repair
- 3.4. Vehicle service, limited
- 3.5. Industrial uses
- 3.6. Adult entertainment center

4. Prohibited Signage

- 4.1. Animated Sign – a sign having an intermittent or continuing variation in the illumination or physical position of any part of the device, except variations required for displaying time or temperature information.
- 4.2. Billboards – a sign advertising products not made, sold, used or served on the premises displaying the sign or that conveys an informational or ideological message.
- 4.3. Fence Signs – a sign affixed in any way to or painted on a fence
- 4.4. Off Site Sign – a sign directing attention to a business commodity, service, product, or property not located, sold or conducted on the same property or site as that on which the sign is located. One pylon sign to be shared with all three businesses is allowed for proximity next to the interstate with a height limit of 60ft.
- 4.5. Pennant – a flag tapering to a point usually strung together by line or rope.
- 4.6. Portable Sign – any sign designed to be moved easily and not permanently affixed to the ground or to a structure or building.
- 4.7. Roof Sign – a sign erected above the highest point of a flat roof or mounted on a gable pitched or hipped roof
- 4.8. Vehicular Sign – a sign or business identification affixed to any vehicle, including but not limited to automobiles, trucks, tractors, trailers, wagons, carts, manufactured homes and similar vehicles and their accessories.
- 4.9. Exterior Window Sign – means any sign painted or applied to the interior/exterior of the window of a tenant

Residential Development

1. Building Form and Style

- 1.1. Principle Materials – Unless otherwise deemed acceptable by the Zoning Administrator, all exterior walls shall be constructed or clad with natural stone, synthetic stone, brick, stucco, integrally-colored and textured concrete masonry units or systems, exterior insulation finishing systems (EIFS), fiber cement, curtain walls, rainscreen systems or glass. All materials shall be commercial grade, durable, and have a multi-generational life span. Metal panel, finished wood and vinyl shall be allowed on residential structures but should not exceed 75% of the building elevation.
- 1.2. Dumpsters, refuse containers, and outdoor storage areas shall be located at the side or rear of buildings and shall be visually screened from adjacent public right-of-way, when located within 150 feet of public right of way, by permanent walls. The permanent walls shall be constructed or clad with the same materials used for the primary building. Dumpsters and refuse containers shall contain permanent walls on at least three sides with the service opening not directly

facing any public right-of-way or residentially zoned property. The fourth side shall incorporate a metal gate to visually screen the dumpsters or refuse containers.

2. Site Design

2.1. A minimum of 5% of the internal surface area of the parking lot shall be landscaped through the use of planter islands and peninsulas.

2.2. Separate vehicular and pedestrian circulation systems shall be provided. Adjacent properties may share pedestrian circulation systems that connect to public sidewalks with Zoning Administrator approval. An on-site system of pedestrian walkways shall be provided between building entrances and the following:

2.2.1. Parking lots

2.2.2. Any public sidewalk or multi-use path along the perimeter of the lot

2.2.3. Entrances of other buildings on the site

2.2.4. Any public sidewalk system along the perimeter streets adjacent to the development

2.2.5. Adjacent pedestrian origins and destinations—including but not limited to transit stops, residential development, office buildings, and retail shopping buildings— where deemed practical and appropriate by the Zoning Administrator

2.2.6. Upon approval of the Zoning Administrator, adjacent properties may share pedestrian circulation systems that connect to public sidewalks.

3. Prohibited Signage

3.1. Animated Sign – a sign having an intermittent or continuing variation in the illumination or physical position of any part of the device, except variations required for displaying time or temperature information.

3.2. Billboards – a sign advertising products not made, sold, used or served on the premises displaying the sign or that conveys an informational or ideological message.

3.3. Fence Signs – a sign affixed in any way to or painted on a fence

3.4. Off Site Sign – a sign directing attention to a business commodity, service, product, or property not located, sold or conducted on the same property or site as that on which the sign is located. One pylon sign to be shared with all three businesses is allowed for proximity next to the interstate with a height limit of 60ft.

3.5. Pennant – a flag tapering to a point usually strung together by line or rope.

3.6. Portable Sign – any sign designed to be moved easily and not permanently affixed to the ground or to a structure or building.

3.7. Roof Sign – a sign erected above the highest point of a flat roof or mounted on a gable pitched or hipped roof

3.8. Vehicular Sign – a sign or business identification affixed to any vehicle, including but not limited to automobiles, trucks, tractors, trailers, wagons, carts, manufactured homes and similar vehicles and their accessories.

3.9. Exterior Window Sign – means any sign painted or applied to the interior/exterior of the window of a tenant

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

3203

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

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

WHEREAS, the Fargo Planning Commission recommended approval of the rezoning request on July 6, 2021; and,

WHEREAS, the rezoning changes were approved by the City Commission on September 20, 2021,

NOW, THEREFORE,

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

Section 1. The following described property:

Lots Three (3) and Four (4), Block One (1), and Lot Three (3), Block Two (2) of The District of Fargo Fourth Addition to the City of Fargo, Cass County, North Dakota;

is hereby rezoned from "LC", Limited Commercial, District, with a "C-O", Conditional Overlay, District, as established by Fargo Municipal Ordinance No. 5127, to "MR-3", Multi-Residential, District, repealing the existing "C-O", Conditional Overlay, District to the above-described property and replacing with the following "C-O", Conditional Overlay, District:

A. Commercial Developments.

1. Building Form and Style.

1.1. All building elevations/façades greater than 200 feet in length, measured horizontally from vertical edge to vertical edge, shall incorporate wall plane projections or recesses. Each projection and/or recess shall have a depth of at

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1 least two (2) feet, and the cumulative total horizontal width of all projections
2 and/or recesses within a façade shall equate to at least an accumulated total of
3 twenty (20) percent of the overall horizontal length of the façade. No
4 uninterrupted length of any façade shall exceed 200 horizontal feet.

5 1.2. Ground floor facades that are within 150 feet of the right of way,
6 measured from the exterior wall, shall have arcades, display windows, entry
7 areas, awnings, spandrel glass, ground level landscaping, or other such features
8 along no less than fifty (50) percent of its horizontal length.

9 1.3. Principal Materials. Unless otherwise deemed acceptable by the Zoning
10 Administrator, all exterior walls shall be constructed or clad with natural stone,
11 synthetic stone, brick, stucco, integrally-colored and textured concrete masonry
12 units or systems, exterior insulation finishing systems (EIFS), fiber cement,
13 architectural metal panels, curtain walls, rainscreen systems or glass. All
14 materials shall be commercial grade, durable, and have a multigenerational life
15 span.

16 1.4. Accent Materials. In conjunction with the principal materials listed above
17 in Section 1.3., finished wood and vinyl accent materials may also be used to
18 construct or clad exterior walls. Accent materials shall be applied to no greater
19 than twenty (20) percent of each building façade.

20 1.5. Loading/unloading areas, building service entrances, loading docks,
21 overhead doors, and ground level HVAC units within 150 feet of public right-of-
22 way shall be visually screened from adjacent public right-of-way by structures
23 and/or landscaping. All structures used for visual screening shall be constructed
or clad with the same materials used for the primary building.

1.6 Dumpsters, refuse containers, and outdoor storage areas shall be located at
the side or rear of buildings and shall be visually screened from adjacent public
right-of-way, when located within 150 feet of public right-of-way, by permanent
walls. The permanent walls shall be constructed or clad with the same materials
used for the primary building. Dumpsters and refuse containers shall contain
permanent walls on at least three (3) sides with the service opening not directly
facing any public right-of-way or residentially zoned property. The fourth side

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shall incorporate a metal gate to visually screen the dumpsters or refuse containers.

1.7. Service, loading, and utility areas visible from residential areas shall be screened with a wall, berm, trellising or combination.

2. Site Design.

2.1. A minimum of five (5) percent of the internal surface area of the parking lot shall be landscaped through the use of planter islands and peninsulas.

2.2. Separate vehicular and pedestrian circulation systems shall be provided. Adjacent properties may share pedestrian circulation systems that connect to public sidewalks with Zoning Administrator approval. An on-site system of pedestrian walkways shall be provided between building entrances and the following:

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

3. Prohibited Uses. The following uses are prohibited:

- 3.1. Detention facilities;
- 3.2. Self-service storage;
- 3.3. Vehicle repair;
- 3.4. Vehicle service, limited;
- 3.5. Industrial uses; and
- 3.6. Adult entertainment centers.

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4. Prohibited Signage. The following signs are prohibited:

4.1. **Animated Sign:** a sign having an intermittent or continuing variation in the illumination or physical position of any part of the device, except variations required for displaying time or temperature information.

4.2. **Fence Signs:** a sign affixed in any way to or painted on a fence.

4.3. **Off Premises Sign:** a sign which directs attention to a business, profession, product, service, activity or entertainment not conducted, sold or offered on the premises upon which the sign is located. One pylon sign to be shared with all three (3) businesses is allowed for proximity next to the interstate with a height limit of sixty (60) feet.

4.4. **Pennant:** a flag tapering to a point usually strung together by line or rope.

4.5. **Portable Sign:** any sign designed to be moved easily and is not permanently affixed to the ground, structure or building.

4.6. **Roof Sign:** a sign erected above the highest point of a flat roof or mounted on a gable pitched or hipped roof.

4.7. **Vehicular Sign:** a sign or business identification affixed to any vehicle, including, but not limited to automobiles, trucks, tractors, trailers, wagons, carts, manufactured homes, and similar vehicles and their accessories.

4.8. **Window Sign:** a sign painted or applied directly on a window or affixed to the outside or inside of a window.

B. Residential Developments.

1. Building Form and Style.

1.1. **Principal Materials.** Unless otherwise deemed acceptable by the Zoning Administrator, all exterior walls shall be constructed or clad with natural stone,

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1 synthetic stone, brick, stucco, integrally-colored and textured concrete masonry
2 units or systems, exterior insulation finishing systems (EIFS), fiber cement,
3 curtain walls, rainscreen systems or glass. All materials shall be commercial
4 grade, durable, and have a multi-generational life span. Metal panel, finished
5 wood and vinyl shall be allowed on residential structures but should not exceed
6 75% of the building elevation.

7 1.2. Dumpsters, refuse containers, and outdoor storage areas shall be located at
8 the side or rear of buildings and shall be visually screened from adjacent public
9 right-of-way, when located within 150 feet of public right-of-way, by permanent
10 walls. The permanent walls shall be constructed or clad with the same materials
11 used for the primary building. Dumpsters and refuse containers shall contain
12 permanent walls on at least three (3) sides with the service opening not directly
13 facing any public right-of-way or residentially zoned property. The fourth side
14 shall incorporate a metal gate to visually screen the dumpsters or refuse
15 containers.

16 2. Site Design.

17 2.1. A minimum of five (5) percent of the internal surface area of the parking
18 lot shall be landscaped through the use of planter islands and peninsulas.

19 2.2. Separate vehicular and pedestrian circulation systems shall be provided.
20 Adjacent properties may share pedestrian circulation systems that connect to
21 public sidewalks with Zoning Administrator approval. An on-site system of
22 pedestrian walkways shall be provided between building entrances and the
23 following:

2.1.1. Parking lots;

2.1.2. Any public sidewalk or multi-use path along the perimeter of the
lot;

2.1.3. Entrances of other buildings on the site;

2.1.4. Any public sidewalk system along the perimeter streets adjacent to
the development;

2.1.5. Adjacent pedestrian origins and destinations—including, but not
limited to transit stops, residential development, office buildings,

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and retail shopping buildings—where deemed practical and appropriate by the Zoning Administrator; and

2.1.6. Upon approval of the Zoning Administrator, adjacent properties may share pedestrian circulation systems that connect to public sidewalks.

3. Prohibited Signage. The following signs are prohibited:

3.1. Animated Sign: a sign having an intermittent or continuing variation in the illumination or physical position of any part of the device, except variations required for displaying time or temperature information.

3.2. Fence Signs: a sign affixed in any way to or painted on a fence.

3.3. Off Premises Sign: a sign which directs attention to a business, profession, product, service, activity or entertainment not conducted, sold or offered on the premises upon which the sign is located. One pylon sign to be shared with all three (3) businesses is allowed for proximity next to the interstate with a height limit of sixty (60) feet.

3.4. Pennant: a flag tapering to a point usually strung together by line or rope.

3.5. Portable Sign: any sign designed to be moved easily and is not permanently affixed to the ground, structure or building.

3.6. Roof Sign: a sign erected above the highest point of a flat roof or mounted on a gable pitched or hipped roof.

3.7. Vehicular Sign: a sign or business identification affixed to any vehicle, including, but not limited to automobiles, trucks, tractors, trailers, wagons, carts, manufactured homes, and similar vehicles and their accessories.

3.8. Window Sign: a sign painted or applied directly on a window or affixed to the outside or inside of a window.

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Section 2. The following described property:

Lots One (1) and Two (2), Block One (1), and Lots One (1), Two (2), Four (4), Five (5), and Six (6), Block Two (2) of The District of Fargo Fourth Addition to the City of Fargo, Cass County, North Dakota;

that is currently zoned "LC", Limited Commercial, District, subject to the existing "C-O", Conditional Overlay, District, as established by Fargo Municipal Ordinance No. 5127, will hereby retain the base zoning of "LC", Limited Commercial, repeal the existing "C-O", Conditional Overlay, District to the above-described property, and replace with the "C-O", Conditional Overlay, District, as described in Section 1 of this Ordinance.

Section 3. The City Auditor is hereby directed to amend the zoning map now on file in his office so as to conform with and carry out the provisions of this ordinance.

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

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

(SEAL)

Attest:

Steven Sprague, City Auditor

First Reading:
Second Reading:
Final Passage:

32f

September 14, 2021

Board of City Commissioners
City Hall
Fargo, ND 58102

RE: Payment in Lieu of Tax (PILOT) for Beyond Shelter, Inc.

Dear Commissioners:

Attached is the application made by Beyond Shelter Inc. for a 20 year payment in lieu of tax (PILOT) according to N.D.C.C. Chapter 40-57.1. This application is for a new affordable housing facility located at 2301 University Dr S, with an estimated improvement value of \$10,580,000.

The project consists of two phases, with a building for each phase. The request is for a 20 year PILOT on both phases, with a first phase exemption of 100% of the first building's value for the first 3 years, and the next 17 years consist of a \$200/unit payment, with a 2% appreciation schedule. The second phase exemption is for 100% of the second building's value for the first 4 years, and 16 years at \$200/unit, plus 2% appreciation.


Notices to competitors have been published. The Tax Exempt Review Committee has met to consider this application. No potential competitors appeared at the Tax Exempt Review meeting. This project meets our current policy. The applicant will pay the full land tax estimated at approximately \$15,100 annually.

The recommendation of the Tax Exempt Review Committee is to approve a 20-year PILOT.

SUGGESTED MOTION:

Approval of a 20-year payment in lieu of tax for Beyond Shelter Inc. at 2301 University Dr S according to the attached terms:

Sincerely,


Mike Splonskowski
City Assessor

Phase I

		Incentive %	Payments
1	2024	100	\$0
2	2025	100	\$0
3	2026	100	\$0
4	2027	88.7798	\$9,200
5	2028	88.7798	\$9,384
6	2029	88.7798	\$9,572
7	2030	88.7798	\$9,763
8	2031	88.7798	\$9,958
9	2032	88.7798	\$10,158
10	2033	88.7798	\$10,361
11	2034	88.7798	\$10,568
12	2035	88.7798	\$10,779
13	2036	88.7798	\$10,995
14	2037	88.7798	\$11,215
15	2038	88.7798	\$11,439
16	2039	88.7798	\$11,668
17	2040	88.7798	\$11,901
18	2041	88.7798	\$12,139
19	2042	88.7798	\$12,382
20	2043	88.7798	\$12,630

Phase II

		Incentive %	Payments
1	2024	100	\$0
2	2025	100	\$0
3	2026	100	\$0
4	2027	100	\$0
5	2028	88.9998	\$9,200
6	2029	88.9998	\$9,384
7	2030	88.9998	\$9,572
8	2031	88.9998	\$9,763
9	2032	88.9998	\$9,958
10	2033	88.9998	\$10,158
11	2034	88.9998	\$10,361
12	2035	88.9998	\$10,568
13	2036	88.9998	\$10,779
14	2037	88.9998	\$10,995
15	2038	88.9998	\$11,215
16	2039	88.9998	\$11,439
17	2040	88.9998	\$11,668
18	2041	88.9998	\$11,901
19	2042	88.9998	\$12,139
20	2043	88.9998	\$12,382

Application For Property Tax Incentives For New or Expanding Businesses

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

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

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

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

This application is a public record

Identification Of Project Operator

1.	Name of project operator of new or expanding business <u>Beyond Shelter, Inc. (BSI) - a North Dakota nonprofit corp.</u>
2.	Address of project <u>2301 University Drive South (Phase I and Phase II)</u>
	City <u>Fargo</u> County <u>Cass</u>
3.	Mailing address of project operator <u>PO Box 310</u>
	City <u>Fargo</u> State <u>ND</u> Zip <u>58107-0310</u>
4.	Type of ownership of project
	<input type="checkbox"/> Partnership <input type="checkbox"/> Subchapter S corporation <input type="checkbox"/> Individual proprietorship <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Cooperative <input type="checkbox"/> Limited liability company
5.	Federal Identification No. or Social Security No. XXXXXXXXXX
6.	North Dakota Sales and Use Tax Permit No. <u>NA</u>
7.	If a corporation, specify the state and date of incorporation <u>North Dakota, May 1999</u>
8.	Name and title of individual to contact <u>Dan Madler, CEO</u>
	Mailing address <u>PO Box 310</u>
	City, State, Zip <u>Fargo, ND 58107-0310</u> Phone No. <u>701-551-0488</u>

Project Operator's Application For Tax Incentives

9.	Indicate the tax incentives applied for and terms. Be specific.
	<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Property Tax Exemption _____ Number of years _____ Percent of exemption </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Payments In Lieu of Taxes 2024 Beginning year <u>2043</u> Ending year <u>attached</u> Amount of annual payments (attach schedule if payments will vary) </div> </div>
10.	Which of the following would better describe the project for which this application is being made:
	<input checked="" type="checkbox"/> New business project <input type="checkbox"/> Expansion of a existing business project

Description of Project Property

11. Legal description of project real property

~~Lot: 1 Block: 2 OAK MANOR LOT 1 BLK 2 LESS HWY R/W (2383 SQ FT TAKEN IN 94) **6-9-94 LEGAL DESC~~
CORR (PETITIONED)

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

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

☐ Yes ☐ No

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

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

If existing facility, when was it constructed? _____

If new construction, complete the following:

a. Estimated date of commencement of construction of the project covered by this application Ph I 08/2022

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

92-unit senior-designated affordable rental housing project with detached garages constructed in Two (2) phases. Each phase will have 46-units.

c. Projected number of construction employees during the project construction 69 per phase, 138 total.

14. Approximate date of commencement of this project's operations Phase I 08/2023 and Phase II 08/2024.15. Estimated market value of the property used for this project:

a. Land \$ 1,034,000

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

c. Newly constructed buildings and structures when completed \$ 10,580,000

d. Total \$ 11,614,000

e. Machinery and equipment \$ NA

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

a. Land (not eligible)

b. Eligible existing buildings and structures \$ 0

c. Newly constructed buildings and structures when completed \$ 529,000

d. Total taxable valuation of property eligible for exemption (Add lines b and c) \$ 529,000

e. Enter the consolidated mill rate for the appropriate taxing district 292.12

f. Annual amount of the tax exemption (Line d multiplied by line e) \$ 154,531.00

Description of Project Business

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

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

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

BSI will develop 92-units of senior-designated affordable rental housing to be constructed in Two (2) phases. Each phase will have 46-units and a separate Limited Liability Limited Partnership (LLLP) owner. BSI will be the General Partner of the Two (2) LLLP ownership entities.

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

NA

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

Year (12 mo. periods)	New/Expansion Project only <u>Year 1</u>	New/Expansion Project only <u>Year 2</u>	New/Expansion Project only <u>Year 3</u>	New/Expansion Project only <u>Year 4</u>	New/Expansion Project only <u>Year 5</u>
Annual revenue	<u>\$361,316</u>	<u>\$368,672</u>	<u>\$376,043</u>	<u>\$383,562</u>	<u>\$391,230</u>
Annual expense	<u>\$326,869</u>	<u>\$335,175</u>	<u>\$343,730</u>	<u>\$352,542</u>	<u>\$361,618</u>
Net income	<u>\$34,447</u>	<u>\$33,497</u>	<u>\$32,313</u>	<u>\$31,020</u>	<u>\$29,612</u>

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

Current positions & positions added the initial year of project

# Current Positions	New Positions Under \$13.00	New Positions \$13.01-\$15.00	New Positions \$15.01-\$20.00	New Positions \$20.01-\$28.00	New Positions \$28.01-\$35.00	New Positions Over \$35.00
0						2

Year	(Before project)	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>	<u>Year 5</u>
No. of Employees	(1) <u>0</u>					
	(2) <u>0</u>	<u>2</u>	<u>2</u>	<u>2</u>	<u>2</u>	<u>2</u>
Estimated payroll	(1) <u>0</u>					
	(2) <u>0</u>	<u>61,600</u>	<u>63,448</u>	<u>65,351</u>	<u>67,312</u>	<u>69,331</u>

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

Previous Business Activity

22. Is the project operator succeeding someone else in this or a similar business? ☐ Yes ☒ No
23. Has the project operator conducted this business at this or any other location either in or outside of the state?
☒ Yes ☐ No
24. Has the project operator or any officers of the project received any prior property tax incentives? ☒ Yes ☐ No
 If the answer to 22, 23, or 24 is yes, give details including locations, dates, and name of former business (attach additional sheets if necessary).
~~BSI or an affiliate of BSI, acting as a General Partner, has received PILOT's for the following affordable housing developoments: The Milton Earl, HomeField Apartments, North Sky Apartments, Crossroads Apartments,~~

Business Competition

25. Is any similar business being conducted by other operators in the municipality? ☒ Yes ☐ No
 If YES, give name and location of competing business or businesses
~~There are several other LIHTC projects and one (1) Housing Incentive Fund project that are senior designated affordable rental properties in Fargo.~~
 Percentage of Gross Revenue Received Where Underlying Business Has ANY Local Competition %

Property Tax Liability Disclosure Statement

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

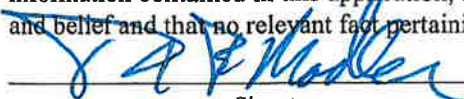
Use Only When Reapplying

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

Notice to Competitors of Hearing

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

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


 Signature

Chief Executive Officer
 Title

08/16/2021
 Date

PRIVACY ACT NOTIFICATION

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

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

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

☐ **Property Tax Exemption**

_____ Number of years

_____ Percent of exemption

☐ **Payments in lieu of taxes**

_____ Beginning year _____ Ending year

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

Auditor

Beyond Shelter_Kmart Site - Payment In Lieu of Property Tax Payment Schedule

08.16.21

Cal Year	Year	Phase I PILOT	Phase II PILOT	Total PILOT	Land Tax est. Pmt.	Total Payment
2024	1	\$ -	\$ -	\$ -	\$ 15,103	\$ 15,103
2025	2	\$ -	\$ -	\$ -	\$ 15,405	\$ 15,405
2026	3	\$ -	\$ -	\$ -	\$ 15,713	\$ 15,713
2027	4	\$ 9,200	\$ -	\$ 9,200	\$ 16,027	\$ 25,227
2028	5	\$ 9,384	\$ 9,200	\$ 18,584	\$ 16,348	\$ 34,932
2029	6	\$ 9,572	\$ 9,384	\$ 18,956	\$ 16,674	\$ 35,630
2030	7	\$ 9,763	\$ 9,572	\$ 19,335	\$ 17,008	\$ 36,343
2031	8	\$ 9,958	\$ 9,763	\$ 19,721	\$ 17,348	\$ 37,070
2032	9	\$ 10,158	\$ 9,958	\$ 20,116	\$ 17,695	\$ 37,811
2033	10	\$ 10,361	\$ 10,158	\$ 20,518	\$ 18,049	\$ 38,567
2034	11	\$ 10,568	\$ 10,361	\$ 20,929	\$ 18,410	\$ 39,339
2035	12	\$ 10,779	\$ 10,568	\$ 21,347	\$ 18,778	\$ 40,125
2036	13	\$ 10,995	\$ 10,779	\$ 21,774	\$ 19,154	\$ 40,928
2037	14	\$ 11,215	\$ 10,995	\$ 22,210	\$ 19,537	\$ 41,746
2038	15	\$ 11,439	\$ 11,215	\$ 22,654	\$ 19,928	\$ 42,581
2039	16	\$ 11,668	\$ 11,439	\$ 23,107	\$ 20,326	\$ 43,433
2040	17	\$ 11,901	\$ 11,668	\$ 23,569	\$ 20,733	\$ 44,302
2041	18	\$ 12,139	\$ 11,901	\$ 24,040	\$ 21,147	\$ 45,188
2042	19	\$ 12,382	\$ 12,139	\$ 24,521	\$ 21,570	\$ 46,091
2043	20	\$ 12,630	\$ 12,382	\$ 25,012	\$ 22,002	\$ 47,013
		Totals:		\$ 355,592	\$ 366,954	\$ 722,546

Assumptions:

- 1) First full year of operations for Ph I = 2024
- 2) estimated first full year of operations for Ph II = 2025
- 3) Year 1 through 3 - PILOT pmt = \$0
- 4) Year 4 through 20 - PILOT pmt starts with a base of \$200 per unit for Phase I and steps up annually with a PILOT pmt increase of 2% per year
- 5) Year 5 through 20 - PILOT pmt starts with a base of \$200 per unit for Phase II and steps up annually with a PILOT pmt increase of 2% per year

Project Information

Project/Operator	Beyond Shelter (Kmart Site - Phase I)
Parcel No	01-2210-00040-000
Address	2301 University Dr S
Exemption Type	LIHTC - PROPOSED
Term	20
Year Start	2024
Current Mill Levy	.29212
County Mill Levy	.04792
Mill w/o Cty	0.2442
Annual Appreciation	.02
Proposed Imp Val Est	\$5,290,000
Land Value	\$1,034,000
Existing Bldg Taxable	\$0

Benefit Summary

Full Taxes w/o Incentives - 1 Year

Land Tax	\$15,103
Existing Bldg Tax	\$0
Proposed	\$77,266
TOTAL	\$92,368

Full Taxes w Incentives - 1 Year

Land Tax	\$15,103
Existing Bldg Tax	\$0
Proposed	\$0
TOTAL	\$15,103
Benefit	\$77,266

Total Gross Benefit **\$1,693,243**

		Incentive %	Payments	Full Taxes Due	Benefit	Total Est Tax	Payment w/o County
IncntYr 1	2024	100	\$0	\$77,266	\$77,266	\$15,103	\$0
IncntYr 2	2025	100	\$0	\$78,811	\$78,811	\$15,103	\$0
IncntYr 3	2026	100	\$0	\$80,387	\$80,387	\$15,103	\$0
IncntYr 4	2027	88.7798	\$9,200	\$81,995	\$72,795	\$24,303	\$7,682
IncntYr 5	2028	88.7798	\$9,384	\$83,635	\$74,251	\$24,487	\$7,827
IncntYr 6	2029	88.7798	\$9,572	\$85,308	\$75,736	\$24,674	\$7,972
IncntYr 7	2030	88.7798	\$9,763	\$87,014	\$77,251	\$24,866	\$8,117
IncntYr 8	2031	88.7798	\$9,958	\$88,754	\$78,796	\$25,061	\$8,262
IncntYr 9	2032	88.7798	\$10,158	\$90,529	\$80,372	\$25,260	\$8,407
IncntYr 10	2033	88.7798	\$10,361	\$92,340	\$81,979	\$25,463	\$8,552
IncntYr 11	2034	88.7798	\$10,568	\$94,187	\$83,619	\$25,671	\$8,697
IncntYr 12	2035	88.7798	\$10,779	\$96,070	\$85,291	\$25,882	\$8,842
IncntYr 13	2036	88.7798	\$10,995	\$97,992	\$86,997	\$26,097	\$8,987
IncntYr 14	2037	88.7798	\$11,215	\$99,951	\$88,737	\$26,317	\$9,132
IncntYr 15	2038	88.7798	\$11,439	\$101,951	\$90,511	\$26,542	\$9,276
IncntYr 16	2039	88.7798	\$11,668	\$103,990	\$92,322	\$26,770	\$9,421
IncntYr 17	2040	88.7798	\$11,901	\$106,069	\$94,168	\$27,004	\$9,566
IncntYr 18	2041	88.7798	\$12,139	\$108,191	\$96,051	\$27,242	\$9,711
IncntYr 19	2042	88.7798	\$12,382	\$110,355	\$97,973	\$27,485	\$9,856
IncntYr 20	2043	88.7798	\$12,630	\$112,562	\$99,932	\$27,732	\$10,001
TOTALS			\$184,111		\$1,693,243		\$150,308

Project Information

Project/Operator	Beyond Shelter (Kmart Site - Phase II)
Parcel No	01-2210-00040-000
Address	2301 University Dr S
Exemption Type	LIHTC - PROPOSED
Term	20
Year Start	2024
Current Mill Levy	.29212
County Mill Levy	.04792
Mill w/o Cty	0.2442
Annual Appreciation	.02
Proposed Imp Val Est	\$5,290,000
Land Value	\$0
Existing Bldg Taxable	\$0

Benefit Summary**Full Taxes w/o Incentives - 1 Year**

Land Tax	\$0
Existing Bldg Tax	\$0
Proposed	\$77,266
TOTAL	\$77,266

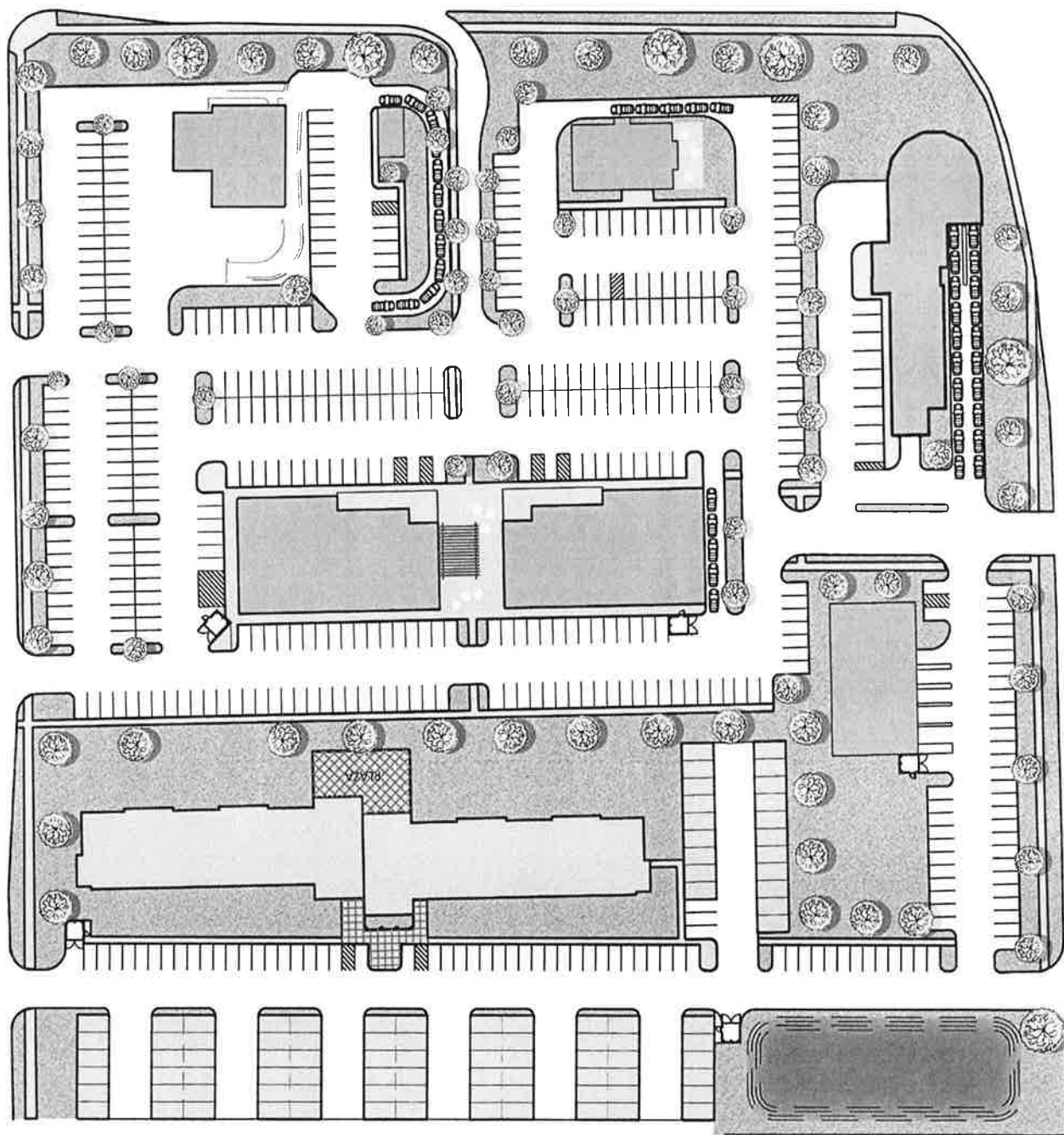
Full Taxes w Incentives - 1 Year

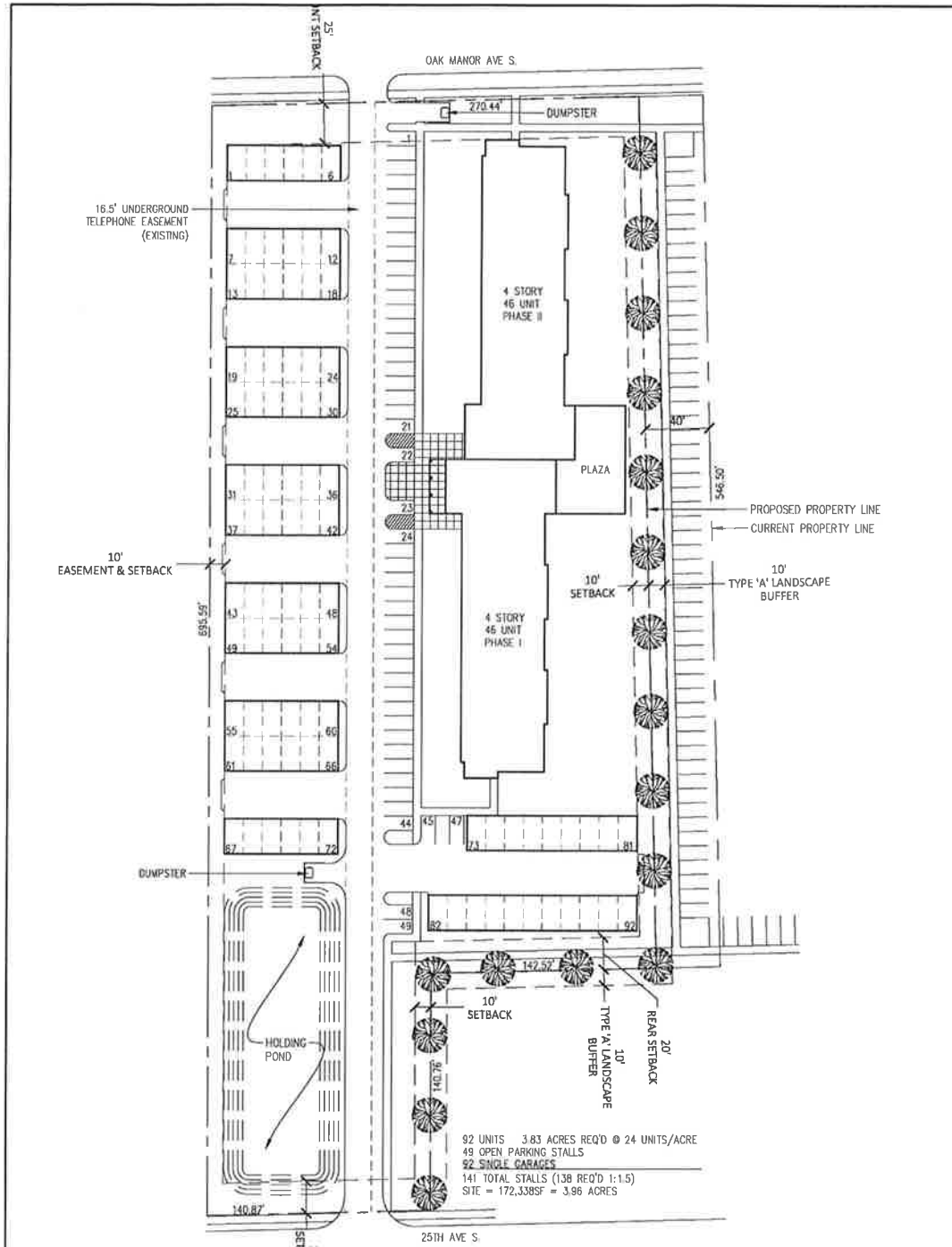
Land Tax	\$0
Existing Bldg Tax	\$0
Proposed	\$0
TOTAL	\$0
Benefit	\$77,266

Total Gross Benefit **\$1,705,873**

		Incentive %	Payments	Full Taxes Due	Benefit	Total Est Tax	Payment w/o County
IncntYr 1	2024	100	\$0	\$77,266	\$77,266	\$0	\$0
IncntYr 2	2025	100	\$0	\$78,811	\$78,811	\$0	\$0
IncntYr 3	2026	100	\$0	\$80,387	\$80,387	\$0	\$0
IncntYr 4	2027	100	\$0	\$81,995	\$81,995	\$0	\$0
IncntYr 5	2028	88.9998	\$9,200	\$83,635	\$74,435	\$9,200	\$7,674
IncntYr 6	2029	88.9998	\$9,384	\$85,308	\$75,924	\$9,384	\$7,816
IncntYr 7	2030	88.9998	\$9,572	\$87,014	\$77,442	\$9,572	\$7,958
IncntYr 8	2031	88.9998	\$9,763	\$88,754	\$78,991	\$9,763	\$8,100
IncntYr 9	2032	88.9998	\$9,958	\$90,529	\$80,571	\$9,958	\$8,242
IncntYr 10	2033	88.9998	\$10,158	\$92,340	\$82,182	\$10,158	\$8,384
IncntYr 11	2034	88.9998	\$10,361	\$94,187	\$83,826	\$10,361	\$8,526
IncntYr 12	2035	88.9998	\$10,568	\$96,070	\$85,502	\$10,568	\$8,668
IncntYr 13	2036	88.9998	\$10,779	\$97,992	\$87,212	\$10,779	\$8,810
IncntYr 14	2037	88.9998	\$10,995	\$99,951	\$88,957	\$10,995	\$8,952
IncntYr 15	2038	88.9998	\$11,215	\$101,951	\$90,736	\$11,215	\$9,095
IncntYr 16	2039	88.9998	\$11,439	\$103,990	\$92,550	\$11,439	\$9,237
IncntYr 17	2040	88.9998	\$11,668	\$106,069	\$94,401	\$11,668	\$9,379
IncntYr 18	2041	88.9998	\$11,901	\$108,191	\$96,289	\$11,901	\$9,521
IncntYr 19	2042	88.9998	\$12,139	\$110,355	\$98,215	\$12,139	\$9,663
IncntYr 20	2043	88.9998	\$12,382	\$112,562	\$100,180	\$12,382	\$9,805
TOTALS			\$171,482		\$1,705,873		\$139,829

University Drive





The Plaza Apartments PHASE 1
South University Dr.
Fargo, ND

DEVELOPMENT COSTS	
ACQUISITION	1,165,824
SITE WORK	165,000
NEW CONSTRUCTION & REHAB	7,221,500
PROFESSIONAL FEES	460,000
CONSTRUCTION INTERIM COSTS	467,000
PERMANENT FINANCING	65,000
SOFT COSTS	176,829
SYNDICATION COSTS	10,500
DEVELOPER FEES	1,250,000
PROJECT RESERVES	151,100
TOTAL	11,132,753

check

SOURCES OF FUNDS	
Investor Equity from LIHTC's	6,180,632
GP Equity	618
Bank Loan	863,311
Soft Loan 1 - BSI Loan (EDHA \$)	195,000
Soft Loan 2 - HIF	300,000
Soft Loan 3 - HTF	1,767,333
Soft Loan 4 - HOME CHDO Fargo	100,000
Soft Loan 5 - HOME CHDO NDHF	1,350,859
Soft Loan 6 - CDBG Fargo	300,000
Other	0
Deferred Loan	0
Deferred Developer Fee	75,000
TOTAL	11,132,753

The Plaza Apartments PHASE 1
20 YEAR PROFORMA

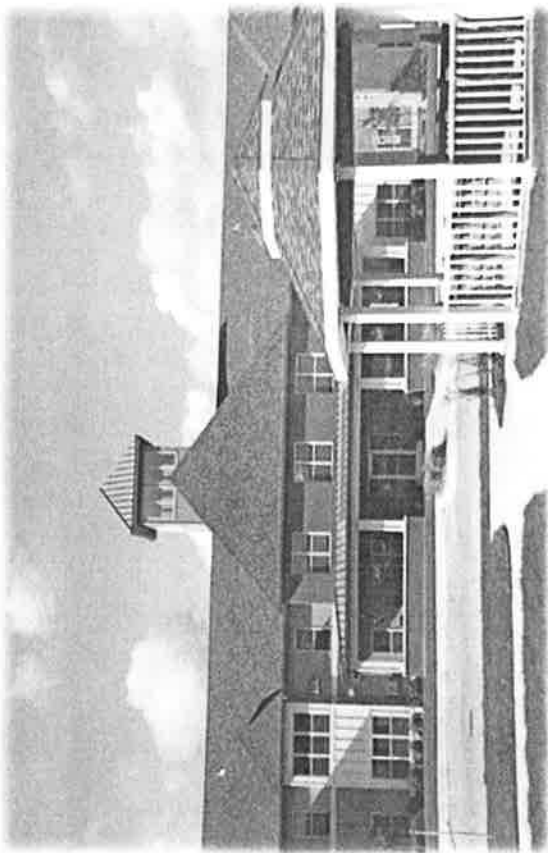
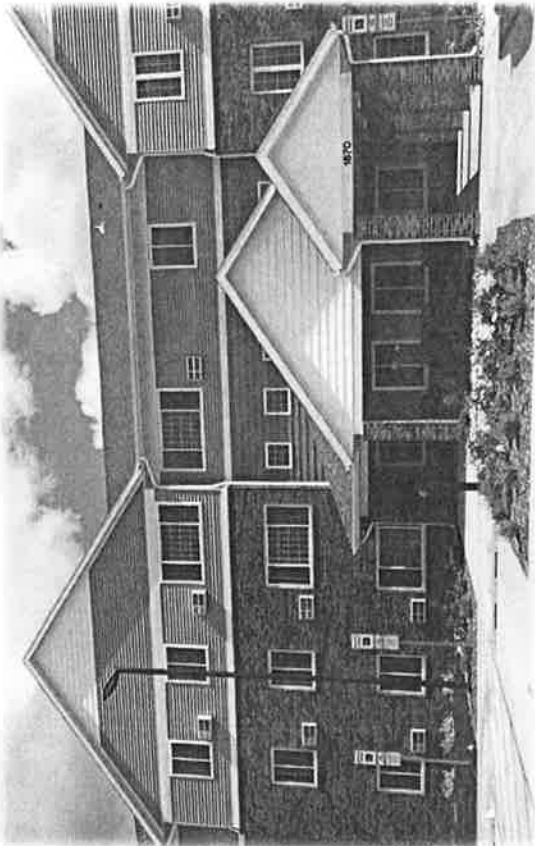
FOR THE PERIOD THROUGH																								
	2022 Year 1	2023 Year 2	2024 Year 3	2025 Year 4	2026 Year 5	2027 Year 6	2028 Year 7	2029 Year 8	2030 Year 9	2031 Year 10	2032 Year 11	2033 Year 12	2034 Year 13	2035 Year 14	Rental Assumptions		2036 Year 15	2037 Year 16	2038 Year 17	2039 Year 18	2040 Year 19	2041 Year 20		
															Rent Increase / Yr									
															Op Cost Increase /Yr									
REVENUES																								
* Gross Potential Rent	390,086	397,898	405,856	413,973	422,252	430,698	439,311	448,098	457,060	466,201	475,525	485,035	494,736	504,631	514,723	525,018	535,518	546,229	557,153	568,296	579,661	591,250	603,065	
+ Other Income	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
+ Interest Income	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
- Residential Vacancies	(27,307)	135	135	135	135	135	135	135	135	135	135	135	135	135	135	135	135	135	135	135	135	135	135	
			(28,410)	(28,976)	(29,556)	(30,149)	(30,752)	(31,367)	(31,994)	(32,634)	(33,287)	(33,952)	(34,632)	(35,324)	(36,031)	(36,751)	(37,486)	(38,236)	(39,001)	(39,781)	(40,576)	(41,386)	(42,211)	
Effective Gross Income	362,789	370,160	377,581	385,130	392,830	400,684	408,695	416,866	425,200	433,702	442,373	451,218	460,240	469,442	478,828	488,402	498,167	508,128	518,287	528,650	539,209	549,974	560,945	
+ Operating Reserve Contribution																								
Revenue Available for Expenses	362,789	370,160	377,581	385,130	392,830	400,684	408,695	416,866	425,200	433,702	442,373	451,218	460,240	469,442	478,828	488,402	498,167	508,128	518,287	528,650	539,209	549,974	560,945	
EXPENSES																								
Administration	121,667	125,317	129,077	132,949	136,938	141,046	145,277	149,636	154,125	158,748	163,511	168,416	173,469	178,673	184,033	189,554	195,240	201,098	207,131	213,344	219,727	226,280	233,003	
Utilities	48,000	49,440	50,923	52,451	54,024	55,645	57,315	59,034	60,805	62,629	64,508	66,443	68,437	70,490	72,604	74,782	77,026	79,337	81,717	84,168	86,689	89,280	91,941	
Maintenance	54,700	56,341	58,031	59,772	61,565	63,412	65,315	67,274	69,292	71,371	73,512	75,718	77,989	80,329	82,738	85,217	87,777	90,411	93,123	95,917	98,791	101,745	104,778	
Fixed Expenses	36,490	37,585	38,712	39,874	41,070	42,302	43,571	44,878	46,224	47,611	49,040	50,511	52,026	53,587	55,194	56,850	58,558	60,312	62,112	63,965	65,871	67,830	69,842	
Reserves	16,100	16,583	17,080	17,593	18,121	18,664	19,224	19,801	20,395	21,007	21,637	22,286	22,955	23,643	24,353	25,093	25,864	26,667	27,501	28,366	29,262	30,189	31,147	
Total Annual Operating Expenses	276,957	285,266	293,824	302,639	311,718	321,069	330,702	340,623	350,841	361,367	372,208	383,374	394,875	406,721	418,923	431,491	444,435	457,768	471,501	485,646	499,194	513,147	527,505	
Net Annual Operating Income	85,832	84,914	83,757	82,491	81,112	79,614	77,993	76,243	74,359	72,335	70,166	67,844	65,365	62,720	59,905	56,911	53,732	50,359	46,796	43,004	39,000	34,753	30,253	
- 1st Mort P&I	53,000	53,000	53,000	53,000	53,000	53,000	53,000	53,000	53,000	53,000	53,000	53,000	53,000	53,000	53,000	53,000	53,000	53,000	53,000	53,000	53,000	53,000	53,000	
Debt Coverage Ratio	1.62	1.60	1.58	1.56	1.53	1.50	1.47	1.44	1.40	1.36	1.32	1.28	1.23	1.18	1.13	1.07	1.01	0.95	0.89	0.83	0.77	0.71	0.65	
hand key shortfall up to line 16 above																								
Cash Flow Available for Distribu DCR	30,832	31,914	30,757	29,491	28,112	26,614	24,993	23,243	21,359	19,335	17,166	14,844	12,385	9,720	6,905	3,911	732	0	13,533	9,751	5,969	2,187	(1,601)	

The Plaza Apartments PHASE 1
RENT SCHEDULE / INCOME

46

Unit Type	SF	Income		Number of Units	Gross Rent	Utility Allowance	Tenant Pd. Rent	Monthly Income	Annual Income	Total Units Per Size
		Target %								
Efficiency							\$ -	\$ -	\$ -	
Efficiency							\$ -	\$ -	\$ -	
Efficiency							\$ -	\$ -	\$ -	
Efficiency							\$ -	\$ -	\$ -	
Efficiency							\$ -	\$ -	\$ -	0
1 Bedroom	pbf/htf/HOM		749	5	804	28	\$ 776	\$ 3,880	\$ 46,560	
1 Bedroom	htf/HOME	30	702	11	514	28	\$ 486	\$ 5,346	\$ 64,152	
1 Bedroom	HIF	40	749	4	655	28	\$ 627	\$ 2,508	\$ 30,096	
1 Bedroom	HIF	50	702	8	750	28	\$ 722	\$ 5,776	\$ 69,312	
1 Bedroom	HIF	60	702	10	845	28	\$ 817	\$ 8,170	\$ 98,040	38
2 Bedroom	HIF/HOME	30	864	1	616	36	\$ 580	\$ 580	\$ 6,960	
2 Bedroom	HTF/HOME	40	864	1	780	36	\$ 744	\$ 744	\$ 8,928	
2 Bedroom	HIF	50	864	2	870	36	\$ 834	\$ 1,668	\$ 20,016	
2 Bedroom	HIF	60	864	4	995	36	\$ 959	\$ 3,836	\$ 46,032	
2 Bedroom							\$ -	\$ -	\$ -	8
3 Bedroom							\$ -	\$ -	\$ -	
3 Bedroom							\$ -	\$ -	\$ -	
3 Bedroom							\$ -	\$ -	\$ -	
3 Bedroom							\$ -	\$ -	\$ -	
3 Bedroom							\$ -	\$ -	\$ -	
3 Bedroom							\$ -	\$ -	\$ -	0
4 Bedroom							\$ -	\$ -	\$ -	
4 Bedroom							\$ -	\$ -	\$ -	
4 Bedroom							\$ -	\$ -	\$ -	
4 Bedroom							\$ -	\$ -	\$ -	
4 Bedroom							\$ -	\$ -	\$ -	0
GROSS RENTAL INCOME					46		\$ 6,545	\$ 32,508	\$ 390,096	46

QUALITY



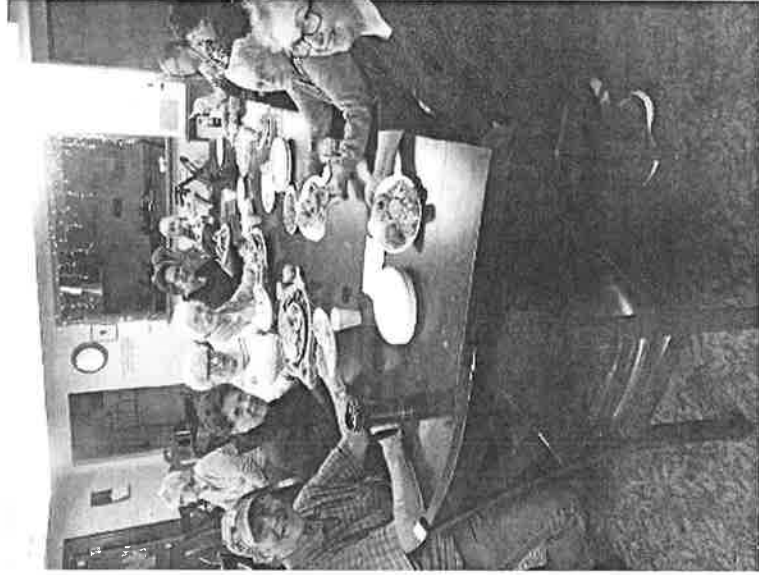
COMMUNITY



QUALITY
and
COMMUNITY
top priorities in
all of BSI's
affordable
senior rental
housing
developments

Goldmark Property Management
21 mins

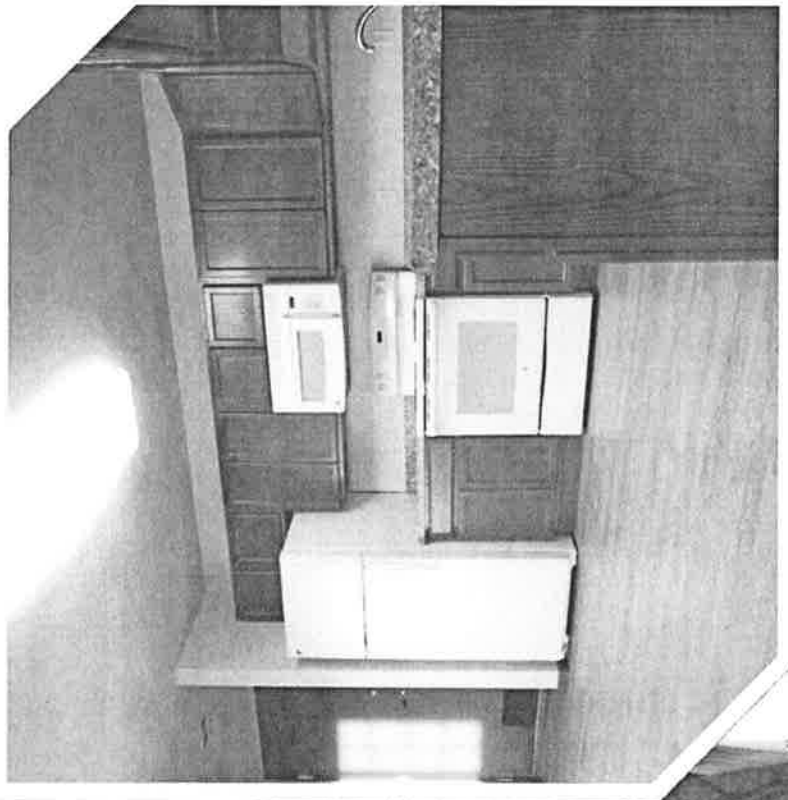
Residents at our Crossroads Apartment Community had so much fun at their cookie exchange party that they already planning on what to bake next year!!



Crossroads Apartment Community
23 mins

We had so much fun hosting a cookie exchange! We're ready looking forward to next year!!

Like Page



September 14, 2021

3269

Board of City Commissioners
City Hall
Fargo, ND 58102

RE: Payment in Lieu of Tax (PILOT) for Prairie Ridge 4 LLLP

Dear Commissioners:

Attached is the application made by Prairie Ridge 4 LLLP for a payment in lieu of tax (PILOT) according to N.D.C.C. Chapter 40-57.1.

This application is for a new affordable housing facility located at 3361 Westrac Dr S, with an estimated improvement value of \$15,755,000. The application requests a PILOT based on an exemption equivalent of 100% of the improvement value for 17 years.

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

The applicant will pay the full land tax estimated at approximately \$7,800 annually.

The recommendation of the Tax Exempt Review Committee is to approve a 17-year PILOT exemption of 100% of the improvement value.

SUGGESTED MOTION:

Approval of a 17-year payment in lieu of tax for Prairie Ridge 4 LLLP at 3361 Westrac Dr S, based on an exemption equivalent of 100% of the improvement value.

Sincerely,



Mike Splonskowski
City Assessor

Application For Property Tax Incentives For New or Expanding Businesses

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

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

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

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

This application is a public record

Identification Of Project Operator

1. Name of project operator of new or expanding business Prairie Ridge 4 LLLP
2. Address of project 3361 Westrac Drive South
City Fargo County Cass
3. Mailing address of project operator 2101 Overland Avenue
City Billings State MT Zip 59102
4. Type of ownership of project
☒ Partnership ☐ Subchapter S corporation ☐ Individual proprietorship
☐ Corporation ☐ Cooperative ☐ Limited liability company
5. Federal Identification No. or Social Security No. XXXXXXXXXX
6. North Dakota Sales and Use Tax Permit No. _____
7. If a corporation, specify the state and date of incorporation _____
8. Name and title of individual to contact Donald J. Sterhan - General Partner
Mailing address 2101 Overland Avenue
City, State, Zip Billings, MT 59102 Phone No. 406-254-1677

Project Operator's Application For Tax Incentives

9. Indicate the tax incentives applied for and terms. Be specific.

<input type="checkbox"/> Property Tax Exemption <u> </u> Number of years <u>2023</u> <u> </u> Percent of exemption <u> </u>	<input checked="" type="checkbox"/> Payments In Lieu of Taxes <u>2023</u> Beginning year <u>2040</u> Ending year <u> </u> Amount of annual payments (attach schedule if payments will vary)
---	---
10. Which of the following would better describe the project for which this application is being made:
☒ New business project ☐ Expansion of a existing business project

Description of Project Property

11. Legal description of project real property

Legal Description: Lot 1 Block 1 of Cedar Crest 1 Addition to the City of Fargo also known by
the common street address of: 3361 Westrac Drive S, Fargo, ND Parcel#: 01-8572-00100-000

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

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

☐ Yes ☐ No

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

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

If existing facility, when was it constructed? _____

If new construction, complete the following:

a. Estimated date of commencement of construction of the project covered by this application Spring 2022

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

Prairie Ridge Residences is designed as a single 4-story building in a "U-shaped" configuration. The
120-unit rental property consists of 82 one-bedroom units, and 38 two-bedroom units. The development is
an affordable housing community dedicated to income-qualified seniors aged 55 and over.

c. Projected number of construction employees during the project construction 200 Construction Employees

14. Approximate date of commencement of this project's operations Leasing to start in Summer 2023

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

a. Land \$ 536,000

b. Existing buildings and structures for which an exemption is claimed..... \$ 0

c. Newly constructed buildings and structures when completed \$ 15,755,000

d. Total \$ 16,291,000

e. Machinery and equipment \$ 0

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

a. Land (not eligible) [REDACTED]

b. Eligible existing buildings and structures \$ 0

c. Newly constructed buildings and structures when completed..... \$ 788,750

d. Total taxable valuation of property eligible for exemption (Add lines b and c)..... \$ 788,750

e. Enter the consolidated mill rate for the appropriate taxing district 292.12

f. Annual amount of the tax exemption (Line d multiplied by line e) \$ 230,410.00

Description of Project Business

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

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

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

Prairie Ridge Residences is an affordable housing community dedicated to serving income-qualified seniors aged 55 and over. This housing property is designed to provide for interaction and socialization amongst the senior residents, noting the common area lounges and lobby areas, library, exercise room, etc.

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

N/A

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

Year (12 mo. periods)	New/Expansion Project only Year 1	New/Expansion Project only Year 2	New/Expansion Project only Year 3	New/Expansion Project only Year 4	New/Expansion Project only Year 5
Annual revenue	<u>213,623</u>	<u>1,022,630</u>	<u>1,143,020</u>	<u>1,165,880</u>	<u>1,189,198</u>
Annual expense	<u>102,189</u>	<u>844,465</u>	<u>1,068,667</u>	<u>1,085,394</u>	<u>1,102,622</u>
Net income	<u>111,434</u>	<u>178,166</u>	<u>74,353</u>	<u>80,486</u>	<u>86,575</u>

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

Current positions & positions added the initial year of project

# Current Positions	New Positions Under \$13.00	New Positions \$13.01-\$15.00	New Positions \$15.01-\$20.00	New Positions \$20.01-\$28.00	New Positions \$28.01-\$35.00	New Positions Over \$35.00
0	0	0	0	0	0	0

Year	(Before project)	Year 1	Year 2	Year 3	Year 4	Year 5
No. of Employees	(1) <u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
	(2) <u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Estimated payroll	(1) <u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
	(2) <u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

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

Previous Business Activity

22. Is the project operator succeeding someone else in this or a similar business? ☐ Yes ☒ No
23. Has the project operator conducted this business at this or any other location either in or outside of the state?
☒ Yes ☐ No
24. Has the project operator or any officers of the project received any prior property tax incentives? ☒ Yes ☐ No
 If the answer to 22, 23, or 24 is yes, give details including locations, dates, and name of former business (attach additional sheets if necessary).
~~The developer previously received tax incentives for a similar affordable housing property in Bismarck, ND known as Century Cottages LLP.~~

Business Competition

25. Is any similar business being conducted by other operators in the municipality? ☒ Yes ☐ No
 If YES, give name and location of competing business or businesses
Fargo Housing & Redevelopment Authority, Beyond Shelter, Kilbourne, EPIC, Craig Properties, Enclave, Etc.
- Percentage of Gross Revenue Received Where Underlying Business Has ANY Local Competition %

Property Tax Liability Disclosure Statement

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

Use Only When Reapplying

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

Notice to Competitors of Hearing

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

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

Donald J. Sterhan
 Signature

General Partner

Title

08-16-2021

Date

PRIVACY ACT NOTIFICATION

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

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

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

☐ **Property Tax Exemption**

_____ Number of years

_____ Percent of exemption

☐ **Payments in lieu of taxes**

_____ Beginning year _____ Ending year

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

Auditor

Notice To Competitors Of Hearing On Application For Property Tax Incentives

Notice is hereby given that the _____
(City or county governing body)

of _____, North Dakota, will meet at _____
(City or county) (Time)

on _____ at _____ to consider the application of
(Date) (Location)

(Project operator name and address)

for property tax relief on the project which the applicant will use in the operation of

(Type of business)

at _____
(Address)

(Legal description)

Any competitor of that applicant may appear and be heard by the _____
(City or county governing body)

at the time and place designated herein. A competitor may provide written comments to the governing body before the scheduled hearing.

This notice is given by the above-named applicant pursuant to the provisions of North Dakota Century Code § 40-57.1-03

MPEC

Development Costs -- Prairie Ridge 4 LLLP

Uses of Funds	Total	Per Sq Ft	Per Unit	Depreciable Basis	NO Rehab. (Life)	Acquisition Costs	Construction Costs	Non-Depreciable Life	Average Yrs	Expensed	Historic Basis	Bond Issue	Check	Comments
Land	100%	905,000	10	7,542	0	X	0	0	505,000	0	0	X	905,000	0
Building	905,000	0	0	0	0	X	0	0	0	0	0	X	0	0
Acquisition Legal Costs	0	0	0	0	0	X	0	0	0	0	0	X	0	0
Other acquisition costs - holding costs	0	0	0	0	0	X	0	0	0	0	0	X	0	0
Other acquisition costs	0	0	0	0	0	X	0	0	0	0	0	X	0	0
NO-Res. Improvements	0	0	0	0	0	X	0	0	0	0	0	X	0	0
Site Work - Strip Land (Utility & Sewer Lines)	600,000	0	6,467	600,000	600,000	0	0	0	0	0	0	X	600,000	0
Site Work - Strip Land (Grading, Driveways, Land Clearing)	100,000	0	1,067	100,000	100,000	0	0	0	0	0	0	X	100,000	0
Site Work - 15 Year Drain II Landscaping, Tree Planting, etc.	200,000	0	2,133	200,000	200,000	0	0	0	0	0	0	X	200,000	0
Basic Construction	12,530,000	138	104,417	12,530,000	12,530,000	0	0	0	0	0	0	X	12,530,000	0
Personal Property	420,000	0	4,467	420,000	420,000	0	0	0	0	0	0	X	420,000	0
Gen. Reg. Bureau's OH & Profit	1,600,000	0	16,933	1,600,000	1,600,000	0	0	0	0	0	0	X	1,600,000	0
Other Construction Costs - Tap Fees	105,000	0	1,117	105,000	105,000	0	0	0	0	0	0	X	105,000	0
Other Construction Costs	0	0	0	0	0	0	0	0	0	0	0	X	0	0
Other Construction Costs	0	0	0	0	0	0	0	0	0	0	0	X	0	0
STATUTORY CONSTRUCTION HARD COSTS	15,245,000	168	135,000	15,245,000	15,245,000	0	0	0	0	0	0	X	15,245,000	0
CONSTRUCTION CONTINGENCY	500,000	5	5,333	500,000	500,000	0	0	0	0	0	0	X	500,000	0
Payment and Performance Bond	118,163	0	1,250	118,163	118,163	0	0	0	0	0	0	X	118,163	0
Architect/Design	400,000	0	4,267	400,000	400,000	0	0	0	0	0	0	X	400,000	0
Construction Manager and Architect Supervision	50,000	0	533	50,000	50,000	0	0	0	0	0	0	X	50,000	0
Construction Permits and Fees	85,000	0	896	85,000	85,000	0	0	0	0	0	0	X	85,000	0
Landfill or MPEC Inspection Fee	15,000	0	158	15,000	15,000	0	0	0	0	0	0	X	15,000	0
Engineering	35,000	0	369	35,000	35,000	0	0	0	0	0	0	X	35,000	0
Environmental Reporting and Assessment	7,500	0	79	7,500	7,500	0	0	0	0	0	0	X	7,500	0
Geotechnical Study/Soil Borings	10,000	0	106	10,000	10,000	0	0	0	0	0	0	X	10,000	0
Other Construction Hard Costs - Materials Testing	30,000	0	317	30,000	30,000	0	0	0	0	0	0	X	30,000	0
Other Construction Soft Costs - LFE	125,000	0	1,327	125,000	125,000	0	0	0	0	0	0	X	125,000	0
Construction Loan Origination Fee	145,000	0	1,542	145,000	145,000	0	0	0	20	0	0	X	145,000	0
CONSTRUCTION LOAN INTEREST IN BARRS	325,000	0	3,433	325,000	325,000	0	0	0	0	0	0	X	325,000	0
CONSTRUCTION LOAN INTEREST EXPENSE	325,000	0	3,433	325,000	325,000	0	0	0	0	125,000	0	X	325,000	0
Construction Periodic Fee	2,500	0	26	2,500	2,500	0	0	0	0	0	0	X	2,500	0
Construction Period Insurance	85,000	0	896	85,000	85,000	0	0	0	0	0	0	X	85,000	0
Other Misc Construction Related	0	0	0	0	0	0	0	0	0	0	0	X	0	0
Asbestos	6,500	0	68	6,500	6,500	0	0	0	0	0	0	X	6,500	0
Market Study	10,000	0	106	10,000	10,000	0	0	0	0	0	0	X	10,000	0
Survey	10,000	0	106	10,000	10,000	0	0	0	0	0	0	X	10,000	0
Predevelopment Loan Interest and Fees	20,000	0	213	20,000	20,000	0	0	0	15	0	0	X	20,000	0
Consulting Fees	0	0	0	0	0	0	0	0	15	0	0	X	0	0
NOIA Bonds Costs	221,250	0	2,333	221,250	221,250	0	0	0	221,250	0	0	X	221,250	0
Loan Origination Fee - Permanent	157,500	0	1,667	157,500	157,500	0	0	0	157,500	15	0	X	157,500	0
Title & Recording	105,000	0	1,117	105,000	105,000	0	0	0	105,000	15	0	X	105,000	0
Legal - by location/operation	25,000	0	263	25,000	25,000	0	0	0	25,000	15	0	X	25,000	0
Legal - Bond/Performance	40,000	0	422	40,000	40,000	0	0	0	40,000	15	0	X	40,000	0
Legal - Construction	45,000	0	474	45,000	45,000	0	0	0	45,000	15	0	X	45,000	0
Use Disposal - Transformer	55,000	0	583	55,000	55,000	0	0	0	55,000	15	0	X	55,000	0
Tax Credit Allocation Fee	109,100	0	1,154	109,100	109,100	0	0	0	109,100	10	0	X	109,100	0
Tax Credit Compliance Fee	0	0	0	0	0	0	0	0	0	10	0	X	0	0
Lease up and Marketing Costs	85,000	0	896	85,000	85,000	0	0	0	85,000	1	0	X	85,000	0
Accounting/Post Const. Audit	20,000	0	213	20,000	20,000	0	0	0	20,000	0	0	X	20,000	0
Self Cost Contingency	100,000	0	1,067	100,000	100,000	0	0	0	100,000	0	0	X	100,000	0
Other Self Costs - NP Origination Fee	160,000	0	1,693	160,000	160,000	0	0	0	160,000	2	0	X	160,000	0
Other Self Costs	0	0	0	0	0	0	0	0	0	0	0	X	0	0
Other Self Costs	0	0	0	0	0	0	0	0	0	0	0	X	0	0
Development Fee - Construction	2,725,000	29	28,833	2,725,000	2,725,000	0	0	0	0	0	0	X	2,725,000	0
Developer Fee - Acquisition	0	0	0	0	0	0	0	0	0	0	0	X	0	0
Developer Fee - Consultant	0	0	0	0	0	0	0	0	0	0	0	X	0	0
Local Operating Reserve	517,611	0	5,467	517,611	517,611	0	0	0	517,611	0	0	X	517,611	0
Capitalized Replacement Reserve	0	0	0	0	0	0	0	0	0	0	0	X	0	0
Capitalized ACC Reserve	0	0	0	0	0	0	0	0	0	0	0	X	0	0
Capitalized Inv. Defect Reserve	0	0	0	0	0	0	0	0	0	0	0	X	0	0
Capitalized Inv. & Ins. Scope	0	0	0	0	0	0	0	0	0	0	0	X	0	0
Capitalized Lease Up Reserve	0	0	0	0	0	0	0	0	0	0	0	X	0	0
Other Reserves	0	0	0	0	0	0	0	0	0	0	0	X	0	0
Other Reserves	0	0	0	0	0	0	0	0	0	0	0	X	0	0
Other Reserves	0	0	0	0	0	0	0	0	0	0	0	X	0	0
Accrued Contingent Loan Interest	0	0	0	0	0	0	0	0	0	0	0	X	0	0
Total Costs	21,589,873	235	2,450	21,589,873	21,589,873	0	0	0	21,589,873	391,600	330,000	0	21,813,913	0

Source: City of Springfield

0

Unit Mix & Rents – Prairie Ridge 4 LLLP

Max LIHTC Income and Rent

[illegible]

[illegible]

MPEG

Operating Expenses -- Prairie Ridge 4 LLLP

	Units	120	Annual Expense	Per Unit	Escalator	Comments	
General & Administrative	Property Management Fee		54,985	542	3.00%	6.0% of Rental Revenues	6.03%
	Misc. Prop. Mgmt. Fees		7,500	63	3.00%	Yardi, Rent Café, etc.	
	Accounting/Auditing		6,500	54	3.00%		
	Legal		1,500	13	3.00%		
	Office Supplies & Expense		5,000	42	3.00%		
	Telephone Answering Service		9,500	79	3.00%		
	Other - LIHTC Compliance Monitoring		4,850	40	3.00%		
	Other - Misc. Admin.		0	0	0.00%		
			99,835	832			
Payroll & Related	Administrative Payroll		60,000	500	3.00%		
	Maintenance Payroll		50,000	417	3.00%		
	Repair Payroll			0	3.00%		
	Payroll Taxes		10,400	87	3.00%		
	Fringe Benefits		7,250	60	3.00%		
	Other		1,000	8	3.00%	Training	
			128,650	1,072			
Utilities	Electric (Common Area)		8,000	67	3.00%		
	Gas/Fuel Oil/Coal (Common Area)		15,000	125	3.00%		
	Water & Sewer		42,500	354	3.00%		
	Electric (for Units)		22,000	183	3.00%		
	Gas/Fuel Oil/Coal (for Units)		28,200	235	3.00%		
	Other		1,500	13	3.00%		
			117,200	977			
Maintenance & Repair	Cleaning (Janitorial)			0	3.00%		
	Elevator Maintenance		4,000	33	3.00%		
	Exterior Painting			0	3.00%		
	Fire Alarm Inspection			0	3.00%		
	Grounds Maintenance/Snow Removal		20,000	167	3.00%		
	Grounds Maintenance Contract			0	3.00%		
	Painting & Decorating/Make-ready		920	8	3.00%		
	Repairs			0	3.00%		
	Repairs Contract		25,000	208	3.00%		
	Security			0	3.00%		
	Supplies		20,000	167	3.00%		
	Trash Removal		10,000	83	3.00%		
	Vehicle/Equipment Maintenance			0	3.00%		
	Other - Misc. Ops. and Maint. Expenses			0	3.00%		
	Reserves			0	3.00%		
			79,920	666			
Market & Leasing	Advertising		1,500	13	3.00%		
	Credit Investigations			0	3.00%		
	Leasing Fees			0	3.00%		
	Other			0	3.00%		
			1,500	13			
Taxes & Insurance	Insurance - Liability		24,000	200	3.00%		
	Other Taxes, Licenses & Fees		1,000	8	3.00%		
	Real Estate Taxes		0	0	2.00%	17-year City of Fargo Abatement assumed	
	Property/Liability (Hazard)		14,000	117	3.00%		
	Other		10,000	83	3.00%	Land Tax	
			49,000	408			
Total Annual Operating Budget			476,185				
Annual Operating Budget per Unit (PUPA)			3,968				

Cash Flow -- Prairie Ridge 4 LLLP

MPEC:

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	TOTAL																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														
Percent Year	0.00%	1.14%	2.28%	3.43%	4.57%	5.71%	6.86%	8.00%	9.14%	10.29%	11.43%	12.57%	13.71%	14.86%	16.00%	17.14%	18.29%	19.43%	20.57%	21.71%	22.86%	24.00%	25.14%	26.29%	27.43%	28.57%	29.71%	30.86%	32.00%	33.14%	34.29%	35.43%	36.57%	37.71%	38.86%	40.00%																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																													
4 yr Year in Operation	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																												
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Gross Rent Paid - INTC Under 7.00%	0	276,450	1,043,775	1,251,850	1,255,883	1,263,806	1,275,883	1,288,527	1,301,758	1,315,575	1,329,987	1,344,995	1,360,607	1,376,825	1,393,649	1,411,079	1,429,115	1,447,757	1,466,995	1,486,839	1,507,289	1,528,345	1,549,907	1,572,075	1,594,849	1,618,229	1,642,215	1,666,807	1,692,005	1,717,809	1,744,219	1,771,235	1,798,857	1,827,081	1,855,907	1,885,335	1,915,365	1,945,999	1,977,237	2,009,079	2,041,525	2,074,675	2,108,429	2,142,787	2,177,749	2,213,315	2,249,485	2,286,259	2,323,637	2,361,619	2,400,205	2,439,395	2,479,189	2,519,587	2,560,589	2,602,195	2,644,405	2,687,219	2,730,637	2,774,659	2,819,285	2,864,515	2,910,349	2,956,787	3,003,829	3,051,475	3,100,725	3,150,579	3,201,037	3,252,199	3,304,067	3,356,639	3,410,915	3,466,895	3,523,579	3,580,967	3,639,059	3,697,857	3,757,359	3,817,565	3,878,475	3,940,089	4,002,407	4,065,429	4,129,155	4,193,585	4,258,719	4,324,557	4,391,099	4,458,345	4,526,295	4,594,949	4,664,307	4,734,369	4,805,135	4,876,605	4,948,779	5,021,657	5,095,339	5,169,815	5,245,087	5,321,155	5,398,019	5,475,679	5,554,135	5,633,387	5,713,435	5,794,279	5,875,919	5,958,355	6,041,587	6,125,615	6,210,437	6,296,055	6,382,469	6,469,679	6,557,685	6,646,487	6,736,085	6,826,479	6,917,667	7,009,649	7,102,425	7,196,095	7,290,657	7,386,015	7,482,167	7,579,115	7,676,857	7,775,395	7,874,727	7,974,855	8,075,779	8,177,497	8,279,909	8,383,115	8,487,115	8,591,907	8,697,485	8,803,849	8,911,007	9,018,957	9,127,699	9,237,235	9,347,565	9,458,687	9,570,599	9,683,305	9,796,807	9,911,105	10,026,197	10,142,085	10,258,767	10,376,245	10,494,517	10,613,585	10,733,447	10,854,105	10,975,557	11,097,799	11,220,835	11,344,665	11,469,287	11,594,705	11,720,917	11,847,925	11,975,727	12,104,325	12,233,717	12,363,905	12,494,887	12,626,665	12,759,237	12,892,605	13,026,767	13,161,725	13,297,477	13,434,025	13,571,367	13,709,505	13,848,437	13,988,165	14,128,687	14,269,997	14,412,095	14,554,987	14,698,675	14,843,157	14,988,435	15,134,507	15,281,375	15,429,037	15,577,495	15,726,747	15,876,795	16,028,637	16,181,275	16,334,707	16,488,935	16,644,057	16,799,975	16,956,687	17,114,195	17,272,497	17,431,595	17,591,487	17,752,175	17,913,657	18,075,935	18,239,007	18,402,875	18,567,537	18,732,995	18,899,247	19,066,295	19,234,137	19,402,775	19,572,207	19,742,435	19,913,457	20,085,275	20,257,887	20,431,295	20,605,507	20,780,515	20,956,317	21,132,915	21,310,307	21,488,495	21,667,477	21,847,255	22,027,835	22,209,207	22,391,375	22,574,337	22,758,095	22,942,647	23,127,995	23,314,137	23,501,075	23,688,807	23,877,335	24,066,657	24,256,775	24,447,687	24,639,395	24,831,807	25,025,015	25,218,925	25,413,635	25,609,145	25,805,455	26,002,565	26,200,475	26,399,185	26,598,695	26,798,905	26,999,815	27,201,425	27,403,735	27,606,745	27,810,455	28,014,865	28,219,975	28,425,785	28,632,295	28,839,505	29,047,415	29,256,025	29,465,335	29,675,345	29,886,055	30,097,465	30,309,575	30,522,385	30,735,895	30,950,105	31,165,015	31,380,625	31,596,935	31,813,945	32,031,655	32,250,065	32,469,075	32,688,685	32,908,895	33,129,705	33,351,215	33,573,425	33,796,335	34,020,945	34,246,255	34,472,265	34,698,975	34,926,385	35,154,495	35,383,305	35,612,815	35,843,025	36,073,935	36,305,545	36,537,855	36,770,865	36,904,575	37,138,985	37,374,195	37,610,205	37,846,915	38,084,325	38,322,435	38,561,245	38,800,755	39,040,965	39,281,875	39,523,485	39,765,795	40,008,805	40,252,515	40,496,925	40,742,035	40,987,745	41,234,055	41,480,965	41,728,475	41,976,585	42,225,295	42,474,605	42,724,615	42,975,325	43,226,735	43,478,845	43,731,655	43,985,165	44,239,375	44,494,285	44,749,895	45,006,205	45,263,215	45,520,925	45,779,335	46,038,445	46,298,255	46,558,765	46,819,975	47,081,885	47,344,495	47,607,805	47,871,815	48,136,525	48,401,935	48,668,045	48,934,855	49,202,365	49,470,575	49,739,485	50,009,095	50,279,405	50,550,415	50,822,125	51,094,535	51,367,645	51,641,455	51,915,965	52,191,175	52,467,085	52,743,695	53,020,905	53,298,715	53,577,125	53,856,135	54,135,845	54,416,255	54,697,365	54,979,075	55,261,385	55,544,295	55,827,805	56,111,915	56,396,625	56,682,035	56,968,145	57,254,855	57,542,165	57,830,075	58,118,585	58,407,695	58,697,405	58,987,715	59,278,725	59,570,435	59,862,845	60,155,955	60,449,765	60,744,275	61,039,485	61,335,295	61,631,705	61,928,815	62,226,525	62,524,835	62,823,745	63,123,255	63,423,365	63,724,075	64,025,385	64,327,295	64,629,805	64,932,915	65,236,625	65,540,935	65,845,845	66,151,355	66,457,465	66,764,175	67,071,485	67,379,395	67,687,905	67,997,015	68,306,725	68,617,035	68,927,945	69,239,455	69,551,565	69,864,275	70,177,585	70,491,495	70,805,905	71,120,915	71,436,525	71,752,735	72,069,545	72,386,955	72,704,965	73,023,575	73,342,785	73,662,595	73,982,905	74,303,815	74,625,325	74,947,435	75,269,145	75,591,455	75,914,265	76,237,575	76,561,385	76,885,695	77,210,505	77,535,915	77,861,925	78,188,535	78,515,745	78,843,555	79,171,965	79,500,975	79,830,585	80,160,795	80,491,605	80,823,115	81,155,325	81,488,235	81,821,845	82,156,155	82,491,165	82,826,875	83,163,185	83,500,095	83,837,505	84,175,515	84,514,125	84,853,335	85,193,145	85,533,555	85,874,565	86,216,175	86,558,385	86,901,195	87,244,605	87,588,615	87,933,225	88,278,435	88,624,245	88,970,655	89,317,665	89,665,275	90,013,485	90,362,295	90,711,705	91,061,815	91,412,625	91,764,135	92,116,345	92,469,255	92,822,865	93,177,175	93,532,185	93,887,895	94,244,305	94,601,415	94,959,225	95,317,735	95,676,945	96,036,855	96,397,465	96,758,775	97,120,785	97,483,495	97,846,905	98,211,115	98,576,125	98,941,835	99,308,245	99,675,355	100,043,065	100,411,375	100,780,285	101,149,795	101,519,905	101,890,615	102,261,925	102,633,835	103,006,345	103,379,455	103,753,165	104,127,475	104,502,385	104,877,895	105,253,905	105,630,515	106,007,725	106,385,535	106,763,945	107,142,955	107,522,565	107,902,775	108,283,585	108,664,995	109,046,905	109,429,415	109,812,525	110,196,235	110,580,545	110,965,455	111,350,965	111,737,075	112,123,785	112,510,095	112,896,905	113,284,315	113,672,325	114,060,935	114,449,145	114,837,955	115,227,365	115,617,375	116,007,985	116,399,195	116,790,905	117,183,215	117,576,125	117,969,635	118,363,745	118,758,455	119,153,765	119,549,675	119,946,185	120,343,295	120,740,905	121,139,115	121,537,925	121,937,335	122,337,345	122,737,955	123,139,165	123,540,975	123,943,385	124,346,395	124,749,905	125,153,915	125,558,425	125,963,435	126,368,945	126,775,055	127,181,665	127,588,775	127,996,385	128,404,495	128,813,105	129,222,215	129,631,825	130,041,935	130,452,545	130,863,655	131,275,265	131,687,375	132,099,985	132,513,095	132,926,705	133,340,815	133,755,425	134,170,535	134,586,145	135,002,255	135,418,865	135,835,975	136,253,585	136,671,695	137,090,305	137,509,415	137,929,025	138,349,135	138,769,745	139,190,855	139,612,465	140,034,575	140,457,185	140,880,295	141,303,905	141,728,015	142,152,625	142,577,735	143,003,345	143,429,455	143,856,065	144,283,175	144,710,785	145,138,895	145,567,505	145,996,615	146,426,225	146,856,335	147,286,945	147,718,055	148,149,665	148,581,775	149,014,385	149,447,495	149,881,105	150,315,215	150,749,825	151,184,935	151,620,545	152,056,655	152,493,265	152,930,375	153,367,985	153,806,095	154,244,705	154,683,815	155,123,425	155,563,535	156,004,145	156,445,255	156,886,865	157,328,975	157,771,585	158,214,695	158,658,305	159,102,415	159,547,025	159,992,135	160,437,745	160,883,855	161,330,465	161,777,575	162,225,185	162,673,295	163,121,905	163,571,015	164,020,625	164,470,735	164,921,345	165,372,455	165,824,065	166,276,175	166,728,785	167,181,895	167,635,505	168,089,615	168,544,225	168,999,335	169,454,945	169,911,055	170,367,665	170,824,775	171,282,385	171,740,495	172,199,105	172,658,215	173,117,825	173,577,935	174,038,545	174,499,655	174,961,265	175,423,375	175,885,985	176,349,095	176,812,705	177,276,815	177,741,425	178,206,535	178,672,145	179,138,255	179,604,865	180,071,975	180,539,585	181,007,695	181,476,305	181,945,415	182,415,025	182,885,135	183,355,745	183,826,855	184,298,465	184,770,575	185,243,185	185,716,295	186,189,905	186,664,015	187,138,625	187,613,735	188,

MPEC

Cash Flow - Prairie Ridge 4 LLLP

	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	0	TOTAL
Project Year	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	
PHH Mortgage Loan																					
Principal Paid	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Interest Paid	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Loan Servicing and/or MIP Fees	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Debt Service - 60%	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Cash flow after debt service - 60%	0	111,434	178,168	74,362	88,486	85,878	82,814	80,886	84,618	110,288	116,137	101,898	127,431	132,917	138,366	143,876	148,718	153,788	158,788	0	3,018,779
Debt coverage ratio after 50% mortgage	0.00	0.00	1.92	1.10	1.10	1.17	1.18	1.16	1.20	1.22	1.23	1.24	1.25	1.26	1.27	1.28	1.28	1.28	1.28	0.00	
Cash Flow After Required Payments & Funding of Operating Reserve	0	111,434	178,168	74,362	88,486	85,878	82,814	80,886	84,618	110,288	116,137	121,810	127,431	132,917	138,366	143,876	148,718	153,788	158,788	0	3,018,779
Revenue of Operating Reserve	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Cash Flow After Required Payments & Funding of Operating Reserve	0	111,434	178,168	74,362	88,486	85,878	82,814	80,886	84,618	110,288	116,137	121,810	127,431	132,917	138,366	143,876	148,718	153,788	158,788	0	3,018,779
RESERVE WITHDRAWALS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1.0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2.0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3.0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4.0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5.0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PAYMENTS CONTINGENT ON AVAILABLE CASH FLOW	0	9,000	9,270	9,540	9,810	10,080	10,350	10,620	10,890	11,160	11,430	11,700	11,970	12,240	12,510	12,780	13,050	13,320	13,590	0	195,834
1. Annual MIP & Asset Management Fee	0	9,000	9,270	9,540	9,810	10,080	10,350	10,620	10,890	11,160	11,430	11,700	11,970	12,240	12,510	12,780	13,050	13,320	13,590	0	195,834
2. Deferred Developer Fee - Interest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3. Deferred Developer Fee - Principal	0	102,434	158,898	64,822	78,662	78,646	82,781	87,860	83,447	38,964	104,384	100,779	114,080	70,450	0	0	0	0	0	0	1,751,267
4. Incentive Management Fee	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	818,401
5.1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5.2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6.1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6.2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10.0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11.0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12.0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13.0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14.0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15.0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
16.0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
17.0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
18.0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
19.0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
20.0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
21.0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
22.0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
23.0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
24.0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
25.0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
26.0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
27.0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Residualing Cash	0	0	0	0	0	0	0	0	0	0	0	0	0	4,384	12,508	12,698	13,470	13,928	0	57,287	

Project Information

Project/Operator	Prairie Ridge 4 LLLP -(LIHTC)
Parcel No	01-8572-00100-000
Address	3361 Westrac Dr
Exemption Type	LIHTC - PROPOSED
Term	17
Year Start	2023
Current Mill Levy	.29212
County Mill Levy	.04792
Mill w/o Cty	0.2442
Annual Appreciation	.02
Proposed Imp Val Est	\$15,755,000
Land Value	\$536,000
Existing Bldg Taxable	\$0

Benefit Summary

Full Taxes w/o Incentives - 1 Year

Land Tax	\$7,829
Existing Bldg Tax	\$0
Proposed	\$230,118
TOTAL	\$237,946

Full Taxes w Incentives - 1 Year

Land Tax	\$7,829
Existing Bldg Tax	\$0
Proposed	\$0
TOTAL	\$7,829
Benefit	\$230,118

Total Gross Benefit **\$4,605,128**

		Incentive %	Payments	Full Taxes Due	Benefit	Total Est Tax	Payment w/o County
IncntYr 1	2023	100	\$0	\$230,118	\$230,118	\$7,829	\$0
IncntYr 2	2024	100	\$0	\$234,720	\$234,720	\$7,829	\$0
IncntYr 3	2025	100	\$0	\$239,414	\$239,414	\$7,829	\$0
IncntYr 4	2026	100	\$0	\$244,203	\$244,203	\$7,829	\$0
IncntYr 5	2027	100	\$0	\$249,087	\$249,087	\$7,829	\$0
IncntYr 6	2028	100	\$0	\$254,068	\$254,068	\$7,829	\$0
IncntYr 7	2029	100	\$0	\$259,150	\$259,150	\$7,829	\$0
IncntYr 8	2030	100	\$0	\$264,333	\$264,333	\$7,829	\$0
IncntYr 9	2031	100	\$0	\$269,619	\$269,619	\$7,829	\$0
IncntYr 10	2032	100	\$0	\$275,012	\$275,012	\$7,829	\$0
IncntYr 11	2033	100	\$0	\$280,512	\$280,512	\$7,829	\$0
IncntYr 12	2034	100	\$0	\$286,122	\$286,122	\$7,829	\$0
IncntYr 13	2035	100	\$0	\$291,845	\$291,845	\$7,829	\$0
IncntYr 14	2036	100	\$0	\$297,682	\$297,682	\$7,829	\$0
IncntYr 15	2037	100	\$0	\$303,635	\$303,635	\$7,829	\$0
IncntYr 16	2038	100	\$0	\$309,708	\$309,708	\$7,829	\$0
IncntYr 17	2039	100	\$0	\$315,902	\$315,902	\$7,829	\$0

TOTALS

\$0

\$4,605,128

\$0

Project Summary

Prairie Ridge Residences

Fargo, North Dakota

**120-Unit Residential Community
for Seniors (ages 55+)**



Prairie Ridge 4 LLLP

2101 Overland Ave.
Billings, MT 59102

Background and Development Structure:

Prairie Ridge 4 LLLP is sponsored by two entities that have formed a joint venture business relationship to develop an affordable senior housing community known as **Prairie Ridge Residences**. These two entities consist of *CommunityWorks North Dakota* (dba Lewis & Clark Development Group) and *Mountain Plains Equity Group, Inc. (MPEG)*. Having successfully partnered together on previous projects, both entities have a history and demonstrated track record in North Dakota in working to provide affordable housing.

CommunityWorks North Dakota (CWND) and MPEG's affiliate entity, **CR Builders LLC**, will be co-developers. CWND and MPEG have established single-purpose entities, **CWND Prairie 4 LLC** and **MPEG Prairie 4 LLC**, to serve as the Co-General Partners of the project. Through MPEG Prairie 4 LLC and CR Builders, LLC, MPEG's team of finance and construction professionals will be responsible for overall management of project design and development, debt and equity financing, construction oversight, asset management and compliance processes.

Overview:

Business Name: Prairie Ridge 4 LLLP

Co-General Partners: CWND Prairie 4 LLC and MPEG Prairie 4 LLC

Co-Developers: CommunityWorks North Dakota and CR Builders, LLC

Contact for Applicant/Developers:

Mr. Don Sterhan, *President*
Mountain Plains Equity Group, Inc.
2101 Overland Ave.
Billings, MT 59102

Telephone: (406) 254-1677
Fax: (406) 869-8693
Email: sterhan@mpequity.com

Architect: Goldmark Design & Development
1711 Gold Drive S
Fargo, ND 58103

Project Description:

This affordable senior housing facility is to be located at **3361 Westrac Drive S.** in Fargo, ND. This 3.19-acre site is located on a minor street in a primarily commercial and industrial neighborhood. The project is located in close proximity to numerous services and amenities. Such services include access to public transportation, a medical center, a regional shopping center, a post office, restaurants, box stores and much more. The site is currently zoned General Commercial with a PUD, Planned Unit Development Overlay. On September 1, 2020 the rezoning request was presented to the City of Fargo. The City of Fargo staff analysis concluded that the PUD request for this project would require few modifications to the actual development standards of the previous GC zone classification or the general development standards in the Land Development Code. The City of Fargo staff recommended to the City Commission that the request for zoning change to GC, Commercial with PUD, Planned Unit Development Overlay be approved, further stating that the proposed Prairie Ridge Residences complies with the Go2030 Fargo Comprehensive Plan objectives.





Known as **Prairie Ridge Residences**, this community is designed as one 4-story building in an “U-shaped” configuration. This 120-unit rental property consists of 82 one-bedroom units, and 38 two-bedroom units (with one one-bedroom unit to serve as an employee’s home). Each individual apartment unit offers a spacious floor plan, full kitchen with *Energy Star* appliances, carpeting and LVT floors, window blinds, washer/dryer, air conditioning, and indoor corridors for more secured access. The facility is designed to promote a relaxed and interactive social environment, so as to provide a ‘community’ atmosphere. The property includes a lobby and reception area, community room with a kitchen and lounge area, library room, media room, fitness room, outdoor patio, several lounge and cards rooms, and an on-site office for the property manager. The property will also offer 38 underground parking stalls and ample surface parking for residents and guests.

Prairie Ridge Residences is designed to meet or exceed the special needs of the frail Elderly population by providing the following features throughout the project.

- Roll-in or walk-in showers in 20% of the units
- Bathrooms containing a bathtub (if any) will include a transfer seat, grab bars and a floor drain
- Front loading washing machines and dryers with accessible controls
- Dishwashers in all units
- Lever handles on all doors and appropriate fixtures
- Elevator service to provide accessibility to all four floors

- Secure entrances with automatic opener at main entrance
- Accessible access to trash dumpsters
- Covered outside secondary entries with suitable lighting
- Kick plates on apartment entry doors to prevent damage from wheelchairs
- Apartment doors that are easily operable for persons in a wheelchair or using a walker
- Hard flooring that is easily maneuvered on and durable
- Controls at the front of appliances
- Switches mounted on the front of cabinets or adjacent wall to control the garbage disposal, light and exhaust hood fan above the range
- Lower mounted upper cabinets with handles so someone in a wheelchair can access them
- Roll-under bathroom and kitchen sinks or cabinets that can be removed to provide front approach
- Medicine cabinets mounted at accessible height and reach ranges
- Audio/visual doorbells at each unit entry door
- Braille characters included on all interior common area signage

When complete, **Prairie Ridge Residences** will receive the National Association of Homebuilder's National Green Building Standard Bronze Certification. This certification demonstrates Prairie Ridge 4 LLLP's commitment to green building, and energy conservation as an integral part of quality affordable housing. The development team will achieve this certification by focusing on the following Energy and green Building Initiatives:

1. Integrated Design Process and Community Connectivity
2. Sustainable Site, Location and Design
3. Energy and Water Conservation
4. Material and Resource Efficiency
5. Healthy Living Environments

As noted in the September 23, 2020 Green Communities Development Plan letter written by Architect Nate Vollmuth, "During construction, the Architect and Developer's Director of Construction Management will meet with the Contractor to verify that Green Building strategies are being implemented and integrated into the project as envisioned. In addition, a third-party certifier has been retained to certify compliance with the commitments in the NAHB Green Building checklist."

With the design of **Prairie Ridge Residences** being tailored to the needs of its residents, so too are the support services that will be available to them. The development team has reached out to Southeastern North Dakota Community Action Agency to develop a

partnership that will provide the services of a Tenant Support Coordinator a minimum of 32 hours per month to assist residents with their mental, physical and financial needs and concerns.

Prairie Ridge Residences will be located in an established neighborhood of west-central Fargo. This is a moderate-income, predominantly industrial community that was developed primarily in the 1980s. The site is within Census Tract 38017000600, which is a Qualified Census Tract. The subject's immediate neighborhood includes industrial, office and vacant land uses. There are no single-family homes in the subject's immediate neighborhood. However, there is a multifamily apartment property 0.15 miles southeast of the proposed site. The project site is conveniently located in close proximity to public transportation and critical goods and services such as grocery stores, medical services and first responders, government offices and more. This project was planned and designed specifically to address a critical shortage of affordable housing for seniors and frail elderly in the Fargo area.



Funding:

As proposed, **Prairie Ridge Residences** has a goal to provide quality affordable housing for the seniors of Fargo and surrounding communities. To accomplish this goal, the proposed project will be financed through a combination of funding sources, including the 4% Tax Credit Program, the North Dakota Housing Incentive Fund (HIF), the National Housing Trust Fund (HTF), Deferred Developer Fees and long-term mortgage financing. The projected sources of funds are as follows.

Sources of Funds – Prairie Ridge 4 LLLP

\$3,000,000	NDHFA's Housing Incentive Fund (HIF), HOME, HTF
\$9,338,666	4% Tax Credit Equity
\$1,249,119	Deferred Developer Fee
\$1,000,000	HOME
\$9,000,000	Permanent Loan
\$23,587,785	Total Sources

Residency:

To be eligible for residency, certain income thresholds will apply to prospective tenants. This threshold will be based on the Area Median Income (AMI) of the City of Fargo, that being \$89,400 for a family of four (2020). The apartment units will be reserved for applicants with income levels at or below 60% of AMI.

Prairie Ridge 4 LLLP – Unit Mix

Unit Type	# of Units	AMI Restriction	% of Total
One-Bedroom	22	50%	18.3%
One-Bedroom	11	50% - HOME	9.1%
One-Bedroom	49	60%	40.8%
Two-Bedroom	12	50%	10.0%
Two-Bedroom	4	50% HOME	3.3%
Two-Bedroom	22	60%	18.3%
Total	120		

Need:

Several documents consistently underscore a need for affordable senior housing that is not being met in Fargo, with further projections of increasing and unmet need over the course of the next several years. As seen throughout the nation, the generation of 62+ seniors continues to increase more rapidly than any other age group well into the next 15-20 years. **Prairie Ridge Residences** will address one of the major concerns identified in several documents and surveys, including: The 2016 North Dakota Statewide Housing Needs Assessment: Housing Forecast, The State of the Nation's Housing 2019, and a recent Rental Market Study conducted by Prior & Associates in August of 2020.

The results from the Rental Market Study conducted by Prior & Associates anticipates the senior population of Fargo will increase by 594 households, with 289 of those being renters, between 2020 and 2025. Affordable senior housing in Fargo presently has a 0% vacancy rate in their senior and LIHTC units and a 1.5% vacancy rate in the PMA. The market study indicates there is a solid demand for affordable units in the PMA as indicated by the strong projected renter household growth, the small number of income-restricted units in the pipeline, and 0.0% vacancy rate, as well as prevalent waitlists and historical occupancy at or near 100% for all surveyed LIHTC properties in the PMA. All senior LIHTC projects noted 25% to 33% of tenants coming from outside the PMA, suggesting even more demand for age- and income-restricted units in the area. Based on current market data, the market analyst projects a capture rate of 3.5% for **Prairie Ridge Residences**.

The 2016 North Dakota Statewide Housing Needs Assessment: Housing Forecast states the percentage of the current housing stock in North Dakota that is affordable for those in extremely low- and very low-income households is very limited. The Housing Forecast also states the need for elderly housing will increase substantially over the course of the study period as the number of elderly householders ages 65 and older are projected to increase by 54 percent or approximately 37,500 households.

Ensuring that senior housing remains affordable is critical. Unfortunately, too many seniors in today's society are cutting back on important necessities such as food, healthcare, medical necessities, and other important expenses just to keep up with the rising costs of housing. According to The State of the Nation's Housing 2019, "The overall aging of the US population has important implications for housing markets, with 65–74-year old's now the fastest-growing age group." With the projected growth expected to occur, the demand for affordable housing will increase exponentially. With many seniors living on low or fixed incomes, the ability to find decent, quality affordable housing is a serious struggle. "At last measure in 2016, some 38.1 million households spent more than 30 percent of their incomes on housing (the standard definition of cost burdened)."

Developing and building is taking place to try and keep up with the demand of housing with the growing senior population, “But given the size of the baby-boom generation, households headed by persons age 65 and over will continue to grow at an unprecedented pace in the next decade, increasing the presence of older households in both the homeowner and rental markets.” Even with multifamily construction being at its highest level in two decades, the supply of housing is not keeping pace with the increasing demand.

The response necessary to keep up with the increased senior population is to ensure that an adequate supply of rental housing is available to accommodate this upcoming wave of demand. The utilization of 4% Tax Credits and funds from the ND Housing Incentive Fund, HTF dollars and conventional financing, **Prairie Ridge Residences** can positively impact these growing numbers by offering quality affordable housing for seniors.

Seniors need the ability to live comfortably, including having safe, secure, modern, and efficient housing that will place the cost at or below 30% of their income. **Prairie Ridge Residences** will prove to be very beneficial in this regard, by increasing quality rental options for seniors – and at a price they can afford. **Prairie Ridge Residences** will assist the community in overcoming its housing deficiency, enabling waiting lists and wait times to decrease at other properties, thereby fulfilling the goal to provide efficient, safe, and secure homes for these seniors.

Proposed Rents:

The rental rates at **Prairie Ridge Residences** were determined by utilizing 60% of Area Median Income rent levels for the Fargo, ND MSA. Additionally, the development team has taken into account current market rate rents for the Fargo area. An additional discount of 4% from the maximum allowable rent has been applied to the units. These further discounted rent levels provide a significant advantage compared to the market rate prices in the community, while still providing the project with the ability to service its permanent loan and sustain operations long-term.

Timely Unit Lease-Up:

The lease-up for **Prairie Ridge Residences** is anticipated to begin in June 2023 and take place over a twelve-month time frame. The tables below reflect the projected lease-up assumptions; the anticipated schedule with the number of units projected to be leased on a monthly basis during the lease-up period.

Management of Prairie Ridge Residences:

Infinity Management & Investments, LLC (Infinity) has been designated as the professional property management company that will oversee day-to-day operations of **Prairie Ridge Residences**. Based in Lewiston, Idaho, Infinity operates in a multi-state region within the Intermountain West, offering a full-service property management firm that specializes in the management of multi-family housing developments, including those subsidized by the federal government, and those developed under the LIHTC program, including new construction and redevelopment properties. This experienced property management company will supply the resources, training, oversight and skills to the on-site manager to maintain compliance standards and to ensure the overall success of the **Prairie Ridge Residences**.



MEMORANDUM

TO: BOARD OF CITY COMMISSIONERS

FROM: JIM GILMOUR, STRATEGIC PLANNING DIRECTOR

A handwritten signature, likely of Jim Gilmour, written in dark ink.

DATE: SEPTEMBER 15, 2021

SUBJECT: PRAIRIE RIDGE RESIDENCES

Prairie Ridge Residences is on your agenda for consideration of a Payment in Lieu of Taxes property tax exemption. There will be a public hearing on that request.

In addition to the request for a PILOT, the developer is requesting a letter of support for a grant application to the ND Housing Finance Agency. The letter of support is important to qualify for that money. See the attached letter.

RECOMMENDED MOTION:

Provide a letter of support for the Prairie Ridge Residences Housing Project.

Attachment

September 21, 2021

North Dakota Housing Finance Agency
Attention: Mr. Joe Fink, *Housing Development Officer*
2624 Vermont Avenue
PO Box 1535
Bismarck, ND 58502-1535

Dear Mr. Fink:

This letter is to display the Fargo City Commissions strong support regarding the application and need for funding allocations from the Low-Income Housing Tax Credit Program (LIHTC), the HOME Investment Partnerships Program (HOME) and the North Dakota Housing Incentive Fund (HIF) for the development of the **Prairie Ridge Residences** project located at approximately 3361 Westrac Drive South, Fargo, North Dakota.

Mountain Plains Equity Group, Inc. (MPEG), in conjunction with CommunityWorks North Dakota is in the process of completing an application to the North Dakota Housing Finance Agency for an allocation of LIHTC, HOME and HIF. If successful in these applications, the allocations will help to finance the development of **Prairie Ridge Residences**, a new 120-unit affordable housing development for seniors aged 55 and over. The 120-unit development will consist of 82 one-bedroom units and 38 two-bedroom units.

There is a widely documented current need for senior affordable housing in the greater Fargo area, with further projections of increasing and unmet need over the course of the next several years. As seen throughout the nation, the generation of seniors continues to increase more rapidly than any other age group well into the next 15-20 years. **Prairie Ridge Residences** will address one of the major concerns identified in several documents and surveys, including: The 2016 North Dakota Statewide Housing Needs Assessment: Housing Forecast and The State of the Nation's Housing 2020.

Additionally, the City of Fargo's current Consolidated Plan includes the need for affordable housing as the city's #1 Priority Need. The elderly population in Fargo faces increased challenges, and providing decent, affordable housing to this vulnerable population is incredibly important. There are currently an estimated 19,139 residents over the age of 60 in the City of Fargo, making up 16% of the city's population. Of those residents, 37.4% live in renter-occupied residences, with 52.5% of elderly renters cost burdened. **Prairie Ridge Residences** will, in part, assist the City of Fargo in achieving our goal to create and maintain affordable housing options.

Prairie Ridge Residences will be constructed utilizing funding from the LIHTC, HOME and Housing Incentive Funds programs, in combination with conventional long-term financing. To be eligible for residency, certain income thresholds will apply to prospective residents. The

apartment units will be reserved for applicants with income levels at or below 60% of the Area Median Income, with 40% of the 120 units being reserved for applicants with income levels at or below 50% of the Area Median Income.

It is our sincere desire that the **Prairie Ridge Residences** be seriously considered for an allocation of LIHTC, HOME and HIF resources to help finance the development of this project. The Fargo City Commission views this project as a valuable asset to our community.

Respectfully submitted,

Dr. Tim Mahoney, Mayor



Water Treatment Plant
435 14th Avenue South
Fargo, ND 58103
Office: 701.241.1469 | Fax: 701.241.8110
www.FargoND.gov

September 16, 2021

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

Subject: Drought Status Update and Drought Phase Change Recommendation

Dear Commissioners:

Water Utility personnel have been closely monitoring drought indicators that affect the water supply to Fargo, West Fargo, and Cass Rural Water District customers within Fargo city limits. The recent rains have helped with stream flows in the Red River and Sheyenne River, but the region remains at a water deficit which will require additional precipitation to remedy. Attached is the latest Drought Status Report. For the drought indicators in the Fargo Drought Plan, the current observations are as follows:

- No change with recent rain in the Palmer Drought Severity Index score for the Drought Status Report.
- Slight improvement in the Standard Precipitation Index score for the Drought Status Report.
- Streamflows in both the Red River and Sheyenne River have improved for the Drought Status Report. Streamflows generally improve with any rain and decline again afterwards.
- Reservoir levels have improved for the Drought Status Report. The Otter Tail watershed area is important to future Red River streamflows via Orwell Dam and has not received as much of the recent precipitation compared to other areas in region.

With the recent rains and improvement in the Drought Status Report, Water Utility personnel recommend changing to the Drought Status to Phase 2 (Advisory) from Phase 3 (Warning).

Your consideration is greatly appreciated in this matter.

Sincerely,

Troy B. Hall
Water Utility Director

SUGGESTED MOTION:

Approve change in drought status to Phase 2 (Advisory).



City of Fargo Water Utility
Drought and Water Service Management Plan
2021 Drought Monitoring Summary

Status Date: 9/14/2021

Prepared By: WTP Staff

Drought Phase Summary:

Month	Palmer Drought Severity Index	Standard Precipitation Index	Stream Flow Exceedance	Reservoir Levels	Average Drought Phase	Declared Phase
January	1.00	1.00	1.00	1.50	1.10	1.00
February	1.00	2.00	1.00	2.00	1.35	1.00
March	1.00	2.00	1.36	1.50	1.43	1.00
April	1.00	1.50	1.36	1.50	1.36	1.00
May	2.00	1.50	1.00	1.30	1.29	1.00
June	4.00	2.50	1.09	1.00	1.72	1.00
July	4.00	3.00	1.21	1.23	1.90	2.00
Mid August	4.00	3.00	2.45	2.03	2.68	3.00
Mid September	4.00	2.50	1.00	1.50	1.78	-
October	-	-	-	-	-	-
November	-	-	-	-	-	-
December	-	-	-	-	-	-

Drought Indicator Weights:

Palmer Drought Severity Index	15.0%
Standard Precipitation Index	15.0%
Stream Flow Exceedance	50.0%
Reservoir Levels	20.0%





AUDITOR'S OFFICE

Fargo City Hall
225 4th Street North
PO Box 2471

Fargo, ND 58108

Phone: 701.241.8108 | Fax: 701.241.8184

www.FargoND.gov

MEMORANDUM

TO: Board of City Commissioners

FROM: Steven Sprague, City Auditor

SUBJECT: Bob Kjenstad, High Water Consumption, 534 21st Street North

DATE: September 10, 2021

Mr. Kjenstad appeared before the Finance Committee to appeal high water consumption on rental property owned by his wife. The property normally consumes 3,000 gallons a month but saw consumption of 7,000; 16,000 and 74,000 over the last 3 months. Utility Billing staff advised him it was most likely a malfunctioning toilet; he denies that as a possibility. Meter Department staff were dispatched to test the meter in place and look for any obvious areas of high usage. Meter Department staff offered to remove and replace the meter but because of the meter's location a cabinet would have to be demolished and removed. Mr. Kjenstad would like the bill adjusted, Mayor Mahoney said, the water was treated and delivered to the house and went through the meter, the meter has been tested and is accurate. We cannot control where the water went after the meter. The Finance Committee unanimously denied a request for the bill to be waived.

The Report of Action is attached.

Recommended Motion:

Approve the findings of staff and recommendation of the Finance Committee to follow city policy regarding high consumption and hold the property owner responsible water consumed through the meter and pay the associated bill.

REPORT OF ACTION**FINANCE COMMITTEE**

Project No. Bob Kjenstad

Type: High Consumption
Waiver RequestLocation: 534 21st Street North

Date of Hearing: 8/27/21

<u>Routing</u>	<u>Date</u>
City Commission	_____
Project File	_____

The Finance Committee heard testimony from Bob Kjenstad regarding high consumption at a rental property he owns. The high usage resulted in a bill of \$366; his typical bill is \$58. The normal consumption at this property is 3,000 gallons per month. Consumption went to 7,000 then 16,000 and to 74,000 over the past 3 months. Mr. Kjenstad argues this cannot be, there is no way that much water was used.

The meter shop dispensed a technician who tested the meter to show it was reading accurately, they also installed a new register which is being read on a regular basis to monitor the consumption. The Meter Department offered to remove the meter and test it, because of the meter location a cabinet would have to be removed to gain access.

The Utility Billing Department advised Mr. Kjenstad he most likely has a malfunctioning toilet and that it could have corrected itself. Mr. Kjenstad argues there is NO WAY the toilet has malfunctioned.

The City policy is if the water goes through the meter the City has no control after the meter, the property owner is responsible for any consumption registered on the meter.

Commissioner Piepkorn asked if Mr. Kjenstad hired a plumber to assist him? Mr. Kjenstad responded he has not hired a plumber. He requested Water Department technician come to the home, City sent a water meter technician who verified the meter is accurate. Mr. Kjenstad said he couldn't find any problems so why hire a plumber. Commissioner Piepkorn responded the Water Department are not plumbers, you need to hire a plumber. Mr. Kjenstad continued that the Meter Department tested the meter and they determined the meter is registering correctly, he did change out the meter register. Finance Director Costin said you have an issue and it is your responsibility to correct it. The City has gone above and beyond by sending out various staff, who have verified the City equipment is operating correctly. Mayor Mahoney said the leak could be happening intermittently, where else could the water be used? Commissioner Piepkorn reiterated this is not a City issue, it is a homeowner issue. Mr. Kjenstad claimed he's not getting any results from the Water Department, Commissioner Piepkorn said you are not getting the results you want to hear. The City has gone beyond and above to assist you. Mayor Mahoney said the water was delivered to the house and went through the meter, the meter has been proven to be accurate, we can't control where the water went after the meter. At 17 minutes into the meeting, Costin directed Mr. Kjenstad to pay the bill and get the plumbing fixed.

Moved by Costin, Seconded by Piepkorn to pay the bill and get a plumber involved.

COMMITTEE:	Present	Yes	No	Unanimous
				<u>X</u>
				Proxy
Tim Mahoney, Mayor	<u>X</u>	<u>X</u>		
Dave Piepkorn, City Commissioner	<u>X</u>	<u>X</u>		
Kent Costin, Director of Finance	<u>X</u>	<u>X</u>		
Bruce Grubb, City Administrator	<u>X</u>	<u>X</u>		
Michael Redlinger, Asst. City Administrator	<u>X</u>	<u>X</u>		
Steven Sprague, City Auditor				

ATTEST:



Kent Costin
Director of Finance

C: Commissioner Strand
Commissioner Gehrig
Commissioner Preston

(37)

TO: BOARD OF CITY COMMISSIONERS

FROM: MAYOR TIMOTHY J. MAHONEY

DATE: SEPTEMBER 16, 2021

RE: 2022 BUDGET



The 2022 preliminary budget and taxation hearing was held on September 7, 2021. The purpose of the hearing was to allow public input on the proposed tax levies and any comments on the preliminary budget. No public comments were received.

The City Commission is required to approve a final budget no later than October 7, 2021. Therefore, I am asking for your consideration of these recommendations.

Suggested Motion: To approve the preliminary 2022 budget as amended (to include a 3.5% competitive wage adjustment) as the final budget for 2022 and the proposed tax levies as presented.

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

38

ORDINANCE NO. _____

1 AN ORDINANCE ENACTING SECTION 08-1220 OF
2 ARTICLE 08-12 OF CHAPTER 8 OF THE FARGO MUNICIPAL CODE RELATING TO
3 OVERTAKING AND PASSING A BICYCLE, AMENDING 8-1424 AND 8-1411 OF
4 ARTICLE 8-14 OF CHAPTER 8 OF THE FARGO MUNICIPAL CODE RELATING TO
5 YIELDING AND STOPPING WHILE OPERATING A BICYCLE ON A ROADWAY AND
6 OBEDIENCE TO TRAFFIC-CONTROL DEVICES, AND AMENDING
7 SECTION 1-0305 OF ARTICLE 1-03 OF CHAPTER 1 OF THE FARGO
8 MUNICIPAL CODE RELATING TO CLASSIFICATION OF ORDINANCE VIOLATIONS

9 WHEREAS, the electorate of the city of Fargo has adopted a home rule charter in
10 accordance with Chapter 40-05.1 of the North Dakota Code; and,

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

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

16 WHEREAS, the Board of City Commissioners deems it necessary and appropriate to
17 implement such authority by the adoption of this ordinance;

18 NOW, THEREFORE,

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

20 Section 1. Enactment.

21 8-1220. – Overtaking and passing a bicycle

22 Overtaking and passing a bicycle. The driver of a vehicle shall leave a safe distance when
23 overtaking and passing a bicycle proceeding in the same direction on a roadway and shall maintain

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

1 clearance until safely clear of the overtaken bicycle. "Safe distance" as used in this section means
2 no less than three feet [0.91 meters] clearance.

3 Section 2. Amendment.

4 8-1424. Reserved - Yielding and stopping while operating a bicycle on a roadway.

- 5 1. An individual operating a bicycle who is approaching a stop sign at an intersection with a
6 roadway having three or more lanes for moving traffic shall come to a complete stop before
7 entering the intersection.
- 8 2. An individual operating a bicycle who is approaching a stop sign at an intersection where
9 a vehicle is stopped in the roadway at the same stop sign shall come to a complete stop
10 before entering the intersection.
- 11 3. An individual operating a bicycle who is approaching a stop sign at an intersection with a
12 roadway having two or fewer lanes for moving traffic shall reduce speed and, if required
13 for safety, stop before entering the intersection. After slowing to a reasonable speed or
14 stopping, the individual shall yield the right - of - way to any vehicle in the intersection or
15 approaching on another roadway so closely as to constitute an immediate hazard during the
16 time the individual is moving across or within the intersection, except that an individual,
17 after slowing to a reasonable speed and yielding the right - of - way if required, cautiously
18 may make a turn or proceed through the intersection without stopping.
- 19 4. An individual operating a bicycle who is approaching an intersection shall yield the right -
20 of - way to any vehicle that already has entered the intersection.
- 21 5. When an individual operating a bicycle and a vehicle enter an intersection from different
22 roadways at approximately the same time, the operator of the vehicle or bicycle on the left
23 shall yield the right - of - way to the vehicle or bicycle on the right.
6. If the individual operating a bicycle is involved in a collision with a vehicle in the
intersection or junction of roadways after proceeding past a stop sign without stopping or
past a steady red traffic - control light, the collision is deemed prima facie evidence of the
individual's failure to yield the right of way.

19 Section 3. Amendment.

20 8-1411. - Obedience to traffic-control devices.

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

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- 1 A. Any person operating a bicycle shall obey the instructions of official traffic-control
2 signals, signs, and other control devices applicable to vehicles, unless otherwise
3 directed by a police officer, or except as to special regulations in this article.
- 4 B. Whenever authorized signs are erected indicating that no right or left or U-turn is
5 permitted, no person operating a bicycle shall disobey the direction of any such signs,
6 but where the rider dismounts from the bicycle to make any such turn, he shall then
7 obey the regulations applicable to pedestrians.

8 Section 4. Amendment.

9 1-0305. Classification of ordinance violations.

10 * * * *

- 11 C. Violations of the following ordinances are noncriminal offenses and shall require payment
12 of a fee as follows:

13 * * * *

- 14 4. For a violation of the following ordinances a fee of \$40.00.

15 Section 8-0105 (driving wrong way on one-way street), section 8-0106 (obey
16 temporary traffic sign/barrier), section 8-0303(B) (parent/guardian allow
17 unlicensed/under 16 to drive), section 8-0303(C) (owner allowing unlicensed/under
18 16 to drive), section 8-0305(B) (current license required), section 8-0306 (violation
19 of restricted license), section 8-0316 (permit unauthorized person to drive), section
20 8-0403 (disobey traffic control device (barricade)), section 8-0405 (traffic control
21 signals), section 8-0407 (flashing signals), section 8-0506 (impeding traffic), article
22 8-06 (regulating turning movements), section 8-1010 (motor vehicle left
23 unattended—brakes to be set, engine stopped, and keys removed), section 8-1011
(drive or park on private property), section 8-1018 (taking on or discharging
passengers), section 8-1111 (vehicle required to stop at railroad crossing), section
8-1201 (following too closely), sections 8-1202 thru 8-1218(D) (general rules of
the road), section 8-1220 (overtaking and passing a bicycle), section 8-1301(C)

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

(driving over fire hose), section 8-1301(D) (driving through/around barricade), section 8-1305 (driving vehicle on sidewalk), section 8-1306 (improper backing), 8-1308 (helmet required—operator/passenger), section 8-1309 (number of riders on motorcycle limited), section 8-1310 (clinging to a vehicle or allowing same), section 8-1313 (unlawful riding on vehicle), section 8-1315 (unlawful towing), section 8-1316(A) (operating motor vehicle with view obstructed by load/passengers), section 8-1316(B) (passenger obstructing driver's view), section 8-1319 (unlawful operation of motor vehicle private property), section 8-1321 (use of seat belts required), section 8-1804 (driving through school patrols), section 8-1415 (right-of-way emerging from alley or driveway), section 8-1417 (parking restriction).

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Section 5. Penalty.

A person who violates section 8-1220 is guilty of a noncriminal offense, punished by a \$40.00 fee, which may not be suspended.

Section 6. Effective Date.

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

Timothy J. Mahoney, Mayor

Attest:

Steven Sprague, City Auditor

First Reading:
Second Reading:
Final Passage:
Publication:



TONY GEHRIG, CITY COMMISSIONER

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MEMORANDUM

TO: BOARD OF CITY COMMISSIONERS

FROM: COMMISSIONER TONY GEHRIG

DATE: SEPTEMBER 20, 2021

SUBJECT: FARGO YOUTH INITIATIVE (FYI)

Since its inception in 2012 the Fargo Youth Initiative (FYI) have met monthly (sometimes more) to discuss opportunities and issues facing young people in our community. These smart, caring and committed young leaders represent the public and private schools in Fargo. Below you will find a list of interested participants for this year. I am recommending they be appointed as the Fargo Youth Initiative members for the 2021-2022 academic year.

I appreciate your support of the Fargo Youth Initiative and the inclusion of new and young voices in the public process.

RECOMMENDED MOTION: To appoint the following to serve as Fargo Youth Initiative members for the 2021-2022 academic school year.

Returning Members: Aarya Panwalker (North-12), Erika Spanjer (North-12), Kha (Andy) Tao (Davies-12); Fatima Alaa Attia (North-12); Samuel Swenson (Shanley-12); Abhijna Kavasseri (North-10).

New Members: Anna French (North-11), Natalie Evensen (South-11), Madeline Abbott (Shanley-10), Ivy Mastrud (North-9), Jadyn Chakua (North-9).