

FARGO PLANNING COMMISSION AGENDA
Tuesday, February 4, 2020 at 3:00 p.m.

- A: Approve Order of Agenda
- B: Minutes: Regular Meeting of January 7, 2020
- C: Brown Bag Luncheon - Wednesday, February 19, 2020
- D: Public Hearing Items:
 - 1a. Continued hearing on an application requesting a Growth Plan Amendment of the proposed **Valley View Estates Addition**. (Located at 4952, 5052, and 5080 36th Avenue South) (K Square Development LLC/ Eagle Ridge Development LLC) (dk)
 - 1b. Continued hearing on an application requesting a Zoning Change from AG, Agricultural to SR-4, Single-Dwelling Residential, MR-1, Multi-Dwelling Residential, MR-2, Multi-Dwelling Residential with a C-O, Conditional Overlay, and P/I, Public and Institutional within the proposed **Valley View Estates Addition**. (Located at 4952, 5052, and 5080 36th Avenue South) (K Square Development LLC/ Eagle Ridge Development LLC) (dk)
 - 1c. Continued hearing on an application requesting a Plat of **Valley View Estates Addition** (Major Subdivision) a plat of an unplatted portion of the Southwest Quarter and the Southeast Quarter of Section 28, Township 139 North, Range 48 West of the 5th Principal Meridian to the City of Fargo, Cass County, North Dakota. (Located at 4952, 5052, and 5080 36th Avenue South) (K Square Development LLC/ Eagle Ridge Development LLC) (dk)
 - 2. Continued hearing on an application requesting a Plat of **Rail Crossing First Addition** (Minor Subdivision) a replat of Lots 6-20, Block 11; Lots 14-21, Block 12; portion of the vacated alley in Block 11; and a portion of vacated 22nd Street; all in Tyler's Addition, to the City of Fargo, Cass County, North Dakota. (Located at 2161 and 2215 3rd Avenue North; 321 23rd Street North) (Rail Crossing LLC/Fabricators Unlimited) (lm)
 - 3. Continued hearing on an application requesting a Plat of **Commerce on 12th Fifth Addition** (Minor Subdivision) a replat of Lots 4-5, Block 1, Commerce on 12th Third Addition, to the City of Fargo, Cass County, North Dakota. (Located at 5570 and 5590 13th Avenue North) (Fargo Commercial Properties/PRG) (dk): CONTINUED TO MARCH 3, 2020
 - 4a. Hearing on an application requesting a Zoning Change from MR-3, Multi-Dwelling Residential and DMU, Downtown Mixed Use, to DMU, Downtown Mixed Use on the proposed **701 Brew Addition**. (Located at 702 and 706 12th Street North; 701 University Drive North) (701 Brew LLC/CHA Architecture + Construction) (kb): CONTINUED TO MARCH 3, 2020

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People with disabilities who plan to attend the meeting and need special accommodations should contact the Planning Office at 701.241.1474 or TDD at 701.241.8258. Please contact us at least 48 hours before the meeting to give our staff adequate time to make arrangements.

Minutes are available on the City of Fargo Web site at www.FargoND.gov/planningcommission.

- 4b. Hearing on an application requesting a Plat of **701 Brew Addition** (Minor Subdivision) a replat of Lot 1 and the East half of Lot 2, Block 7 Harwoods Addition, to the City of Fargo, Cass County, North Dakota. (Located at 702 and 706 12th Street North; 701 University Drive North) (701 Brew LLC/CHA Architecture + Construction) (kb): CONTINUED TO MARCH 3, 2020
- 5a. Hearing on an application requesting a Zoning Change from LC, Limited Commercial with a C-O, Conditional Overlay to GC, General Commercial with a C-O, Conditional Overlay on Lots 1-4, Block 1, **Osgood Townsite Eleventh Addition**. (Located at 4711, 4731, 4751, and 4781 45th Street South) (Eighth Skaff Apartments of ND, LLC/Blake Carlson) (kb)
- 5b. Hearing on an application requesting a Conditional Use Permit to allow residential uses in the GC, General Commercial zoning district on Lots 1-4, Block 1, **Osgood Townsite Eleventh Addition**. (Located at 4711, 4731, 4751, and 4781 45th Street South) (Eighth Skaff Apartments of ND, LLC/Blake Carlson) (kb)
- 6a. Hearing on an application requesting a Zoning Change from AG, Agricultural to SR-4, Single-Dwelling Residential on the proposed **Golden Valley Fourth Addition**. (Located at 6737 25th Street South) (Ryland Development Corporation/Jon Youness) (ms)
- 6b. Hearing on an application requesting a Plat of **Golden Valley Fourth Addition** (Major Subdivision) a plat of an unplatted portion of the Northeast Quarter of Section 11, Township 138 North, Range 49 West of the 5th Principal Meridian to the City of Fargo, Cass County, North Dakota. (Located at 6737 25th Street South) (Ryland Development Corporation/Jon Youness) (ms)
- 7. Hearing on an application requesting a Plat of **Brunsdale Second Addition** (Minor Subdivision) a replat of Lot 9, Block 1, less the West 100 feet and the North 10 feet of Lot 13, less the West 100 feet, to the City of Fargo, Cass County, North Dakota. (Located at 2851 University Drive South) (Robert A. Bond, DDS/Steve Iverson) (ms): CONTINUED TO MARCH 3, 2020
- 8a. Continued hearing on an application requesting a Zoning Change from LC, Limited Commercial with a C-O, Conditional Overlay to LC, Limited Commercial with a PUD, Planned Unit Development Overlay and a request to repeal the C-O, Conditional Overlay on Lot 6, Block 1, **Bentley Place First Addition**. (Located at 5601 33rd Avenue South) (Bentley Place Properties, LLC/Eagle Ridge Development LLC) (me)
- 8b. Continued hearing on an application requesting a Planned Unit Development Master Land Use Plan within the boundaries of Lot 6, Block 1, **Bentley Place First Addition**. (Located at 5601 33rd Avenue South) (Bentley Place Properties, LLC/Eagle Ridge Development LLC) (me)

E: Other Items:

1. MetroCOG presentation of Fargo Safe Routes to School Plan

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BOARD OF PLANNING COMMISSIONERS MINUTES

Regular Meeting:

Tuesday, January 7, 2020

The Regular Meeting of the Board of Planning Commissioners of the City of Fargo, North Dakota, was held in the Commission Chambers at City Hall at 3:00 p.m., Tuesday, January 7, 2020.

The Planning Commissioners present or absent were as follows:

Present: John Gunkelman, Mike Magelky, Rocky Schneider, Scott Stofferahn, Maranda Tasa, Brad Bachmeier, Jennifer Holtz, Dawn Morgan, Art Rosenberg

Absent: Melissa Sobolik, Mary Scherling

Chair Gunkelman called the meeting to order.

Business Items:

Item A: Approve Order of Agenda

Chair Gunkelman noted the following Agenda items:

- Items 1, 2a, 2b, and 2c have been continued to February 4, 2020.

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

Item B: Minutes: Regular Meeting of December 3, 2019

Member Stofferahn moved the minutes of the December 3, 2019 Planning Commission meeting be approved. Second by Member Bachmeier. All Members present voted aye and the motion was declared carried.

Item C: January 22, 2020 Brown Bag Luncheon: Cancelled

Item D: Public Hearing Items:

Item 1: Rail Crossing First Addition

Continued hearing on an application requesting a Plat of Rail Crossing First Addition (Minor Subdivision) a replat of Lots 6-20, Block 11; Lots 14-21, Block 12; portion of the vacated alley in Block 11; and a portion of vacated 22nd Street; all in Tyler's Addition, to the City of Fargo, Cass County, North Dakota. (Located at 2161 and 2215 3rd Avenue North; 321 23rd Street North) (Rail Crossing LLC/Fabricators Unlimited): CONTINUED TO FEBRUARY 4, 2020

A Hearing had been set for October 1, 2019. At the October 1, 2019 meeting, the Hearing was continued to November 5, 2019. At the November 5, 2019 meeting, the

Hearing was continued to December 3, 2019. At the December 3, 2019 meeting, the Hearing was continued to this date and time; however, the applicant has requested this item be continued to February 4, 2020.

Item 2: Valley View Estates Addition

2a. Continued hearing on an application requesting a Growth Plan Amendment of the proposed Valley View Estates Addition. (Located at 4952, 5052, and 5080 36th Avenue South) (K Square Development LLC/ Eagle Ridge Development LLC): CONTINUED TO FEBRUARY 4, 2020

2b. Continued hearing on an application requesting a Zoning Change from AG, Agricultural to SR-4, Single-Dwelling Residential, MR-2, Multi-Dwelling Residential, and P/I, Public and Institutional within the proposed Valley View Estates Addition. (Located at 4952, 5052, and 5080 36th Avenue South) (K Square Development LLC/ Eagle Ridge Development LLC): CONTINUED TO FEBRUARY 4, 2020

2c. Continued hearing on an application requesting a Plat of Valley View Estates Addition (Major Subdivision) a plat of an unplatted portion of the Southwest Quarter and the Southeast Quarter of Section 28, Township 139 North, Range 48 West of the 5th Principal Meridian to the City of Fargo, Cass County, North Dakota. (Located at 4952, 5052, and 5080 36th Avenue South) (K Square Development LLC/ Eagle Ridge Development LLC): CONTINUED TO FEBRUARY 4, 2020

A Hearing had been set for December 3, 2019. At the December 3, 2019 meeting, the Hearing was continued to this date and time; however, the applicant has requested this item be continued to February 4, 2020.

Item 3: Bentley Place First Addition

3a. Hearing on an application requesting a Zoning Change from LC, Limited Commercial with a C-O, Conditional Overlay to LC, Limited Commercial with a PUD, Planned Unit Development Overlay and a request to repeal the C-O, Conditional Overlay on Lot 6, Block 1, Bentley Place First Addition. (Located at 5601 33rd Avenue South) (Bentley Place Properties, LLC/Eagle Ridge Development LLC): CONTINUED TO FEBRUARY 4, 2020

3b. Hearing on an application requesting a Planned Unit Development Master Land Use Plan within the boundaries of Lot 6, Block 1, Bentley Place First Addition. (Located at 5601 33rd Avenue South) (Bentley Place Properties, LLC/Eagle Ridge Development LLC): CONTINUED TO FEBRUARY 4, 2020

Planning Coordinator Maegin Elshaug presented the staff report stating that staff is recommending continuation to allow more time to coordinate and finalize details of the application. She noted that a laydown item of an email received was provided to the Board.

Applicant Jon Youness, Eagle Ridge Development, spoke on behalf of the application.

Board Members discussed the proposed height of the buildings, proposed building amenities, and the greenspace plaza being a great opportunity for public art.

Member Schneider moved to continue this item to the February 4, 2020 Planning Commission meeting. Second by Member Rosenberg. All Members present voted aye and the motion was declared carried.

Item 4: Commerce on 52nd First Addition

Hearing on an application requesting a Conditional Use Permit to allow Manufacturing and Production in the GC, General Commercial zoning district on portions of Lots 9 and 10, Block 1, Commerce on 52nd First Addition. (Located at 5192 51st Avenue South) (KJBA 52 Ave Commercial Properties, LLC and K&L Properties, LLC/Eagle Ridge Development LLC): APPROVED

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

The Board discussed condition #6 and the amount of expansion that would be required to bring this Conditional Use Permit back before the Board.

Member Rosenberg moved the findings and recommendations of staff be accepted and the Conditional Use Permit to allow manufacturing and production uses in the GC, General Commercial zoning district be approved as outlined within the staff report as the proposal complies with the GO2030 Fargo Comprehensive Plan, Section 20-0906.F (1-4) of the Land Development Code, and all other applicable requirements of the Land Development Code, with the following conditions:

- 1) The property shall not be used in whole or in part for storage of rubbish or debris of any kind whatsoever nor for the storage of any property or items that will cause such lot to appear untidy, unclean or unsightly as determined by the Zoning Administrator; nor shall any substance, item or material be kept on any lot that will emit foul odors, including compost sites and fertilizer. All garbage containers, including dumpsters, shall be concealed from public view by fence, screen wall or building extension.
- 2) No outdoor storage of equipment or supplies.
- 3) Off-street parking, loading, and vehicular circulation areas (including circulation areas internal to storage yards) shall have and maintain an all-weather surface, as defined by the Land Development Code.
- 4) The manufacturing, production, or processing of food and/or animal products shall not be permitted.

- 5) The manufacturing, production, or processing of hazardous chemicals or materials shall not be permitted.
- 6) Any expansion of the manufacturing and production use shall require an amendment to the Conditional Use Permit with review and approval by the Planning Commission.
- 7) The Conditional Use Permit shall terminate if the manufacturing and production use cease for a period of more than 12 consecutive months.
- 8) Firearms assembly businesses must maintain required federal firearms licensure.

Second by Member Magelky. On call of the roll Members Magelky, Stofferahn, Holtz, Rosenberg, Tasa, Morgan, Bachmeier, Schneider, and Gunkelman voted aye. Absent and not voting: Members Sobolik and Scherling. The motion was declared carried.

Item 5: Commerce on 12th Sixth Addition

Hearing on an application requesting a Plat of Commerce on 12th Sixth Addition (Minor Subdivision) a replat of Lots 5-9, Block 3, Commerce on 12th Addition to the City of Fargo, Cass County, North Dakota. (Located at 1201, 1251, 1279, 1301, and 1343 55th Street North) (Fargo Commercial Properties, LLC/PACES Lodging): APPROVED

Planner Kylie Bagley presented the staff report stating all approval criteria have been met and staff is recommending approval.

City Engineer Brenda Derrig, spoke on behalf of the Engineering Department and noted the storm sewer implications from adjusting the lot lines. She stated the applicant is aware.

Applicant representative Chris Mack, PACES Lodging, spoke on behalf of the application.

Member Magelky moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed Subdivision Plat, Commerce on 12th Sixth Addition, as outlined within the staff report as the proposal complies with the Adopted Area Plan, the Standards of Article 20-06, and all other applicable requirements of the Land Development Code. Second by Member Stofferahn. On call of the roll Members Bachmeier, Magelky, Morgan, Rosenberg, Schneider, Holtz, Stofferahn, Tasa, and Gunkelman voted aye. Absent and not voting Members Sobolik and Scherling. The motion was declared carried.

Item 6: Simonson Companies Second Addition

6a. Hearing on an application requesting a Zoning Change to repeal and re-establish a C-O, Conditional Overlay in the LC, Limited Commercial zoning district within the proposed Simonson Companies Second Addition. (Located at

5237 38th Street South, and 3825 and 3863 53rd Avenue South) (Simonson Companies, LLC/Lowry Engineering): APPROVED

6b. Hearing on an application requesting a Plat of Simonson Companies Second Addition (Minor Subdivision) a replat of Lots 1 and 2, Block 1, Simonson Companies First Addition and Lot 1, Block 1, The District of Fargo Addition to the City of Fargo, Cass County, North Dakota. (Located at 5237 38th Street South, and 3825 and 3863 53rd Avenue South) (Simonson Companies, LLC/Lowry Engineering): APPROVED

Assistant Planner Maggie Squyer presented the staff report stating all approval criteria have been met and staff is recommending approval.

Member Schneider moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed 1) Zoning Change to repeal and re-establish a C-O, Conditional Overlay, in the LC, Limited Commercial zoning district, and 2) Subdivision Plat, Simonson Companies Second Addition as outlined within the staff report as the proposal complies with the Adopted Area Plan, the Standards of Article 20-06, and Section 20-0906.F (1-4) and all other applicable requirements of the Land Development Code. Second by Member Holtz. On call of the roll Members Rosenberg, Magelky, Holtz, Morgan, Schneider, Stofferahn, Tasa, Bachmeier, and Gunkelman voted aye. Absent and not voting: Members Sobolik and Scherling. The motion was declared carried.

Item 7: BRB Addition

Hearing on an application requesting a Plat of BRB Addition (Minor Subdivision) a replat of Lots 2 and 3, Block 1, Fitzsimonds Addition to the City of Fargo, Cass County, North Dakota. (Located at 5168 38th Street South and 3780 51st Avenue South) (BRB, LLC/Nate Vollmuth): APPROVED

Planning Intern Luke Morman presented the staff report stating all approval criteria have been met and staff is recommending approval.

Applicant Nate Vollmuth, Goldmark, spoke on behalf of the application.

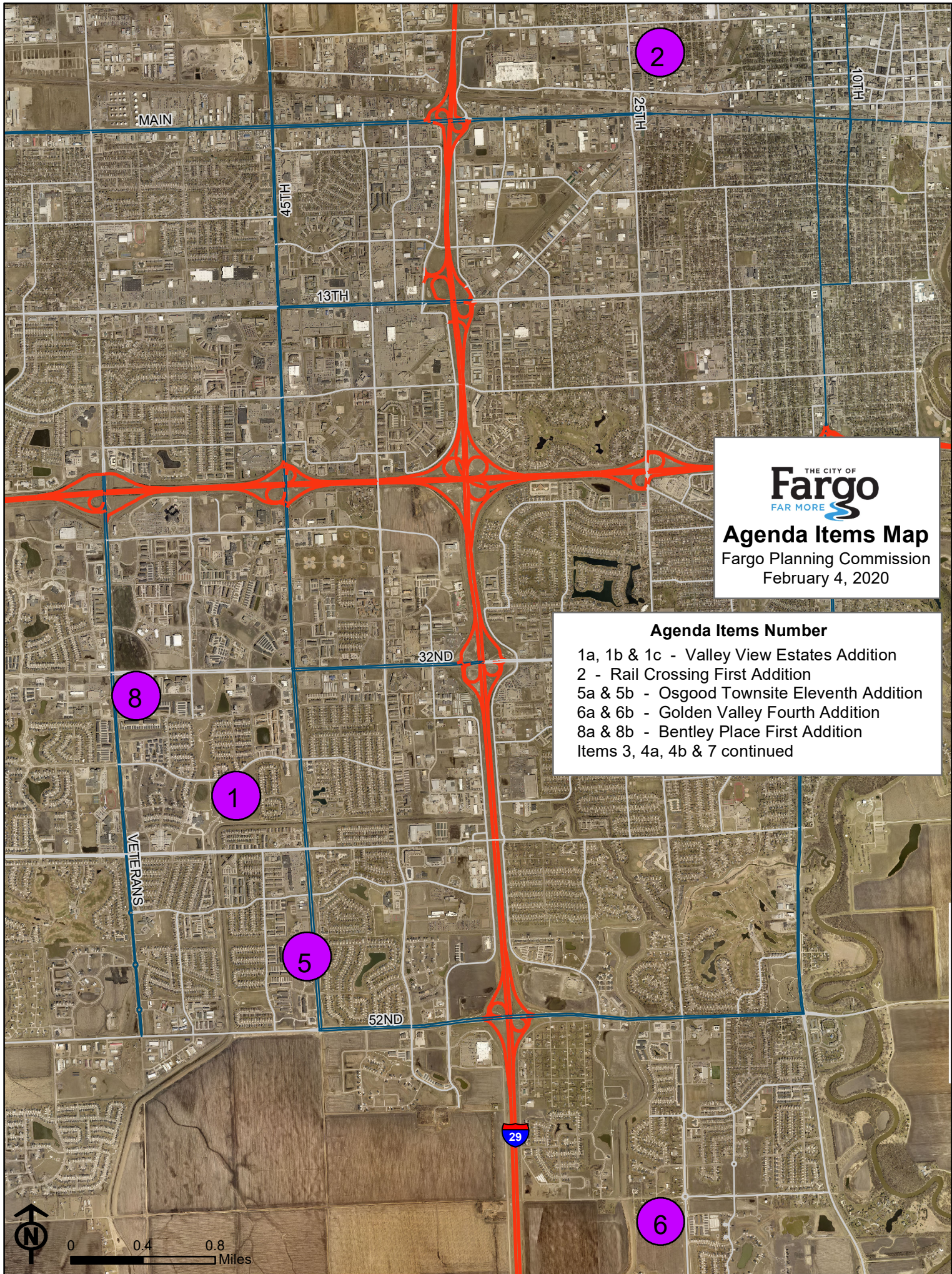
Board Members discussed the applicant considering a bikepath for the development to connect to the neighborhood.

Mr. Kress noted that there would be a sidewalk on 38th Street South.

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

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

The time at adjournment was 3:31 p.m.



THE CITY OF
Fargo
FAR MORE

Agenda Items Map
Fargo Planning Commission
February 4, 2020

- Agenda Items Number**
- 1a, 1b & 1c - Valley View Estates Addition
 - 2 - Rail Crossing First Addition
 - 5a & 5b - Osgood Townsite Eleventh Addition
 - 6a & 6b - Golden Valley Fourth Addition
 - 8a & 8b - Bentley Place First Addition
 - Items 3, 4a, 4b & 7 continued

City of Fargo Staff Report			
Title:	Valley View Estates Addition	Date: Update:	11/27/19 1/30/20
Location:	4952, 5052, and 5080 36th Avenue South	Staff Contact:	Donald Kress, planning coordinator
Legal Description:	Unplatted Portion of the SW ¼ and SE ¼ of Sec. 28, T139N, R49W		
Owner(s)/Applicant:	K-Square Developers / Jon Youness—Eagle Ridge Development	Engineer:	Bolton and Menk
Entitlements Requested:	Major Subdivision (Plat of Valley View Estates Addition plat of an Unplatted Portion of the SW ¼ and SE ¼ of Sec. 28, T139N, R49W in the City of Fargo, Cass County, North Dakota) and Zoning Change (from AG, Agricultural to SR-4, Single-Dwelling Residential; MR-1, Multi-Dwelling Residential; MR-2, Multi-Dwelling Residential with a C-O, Conditional Overlay; and P/I, Public and Institutional); Growth Plan Amendment from “low/medium density residential” to “medium/high density residential” for a portion of the project site.		
Status:	Planning Commission Public Hearing: February 4, 2020		

Existing	Proposed
Land Use: Undeveloped	Land Use: Residential
Zoning: AG, Agricultural	Zoning: SR-4, Single-Dwelling Residential; MR-1, Multi-Dwelling Residential; MR-2, Multi-Dwelling Residential with a C-O, Conditional Overlay; P/I, Public and Institutional
Uses Allowed: AG – Agricultural allows detached houses, parks and open space, safety services, basic utilities, and crop production	<p>Uses Allowed: SR-4 - Single-Dwelling Residential allows detached houses, daycare centers up to 12 children, attached houses, duplexes, parks and open space, religious institutions, safety services, schools, and basic utilities;</p> <p>MR-1, Multi-Dwelling Residential, allows detached houses, attached houses, duplexes, multi-dwelling structures, daycare centers up to 12 children, group living, parks and open space, religious institutions, safety services, schools, and basic utilities</p> <p>MR-2, Multi-Dwelling Residential allows detached houses, attached houses, duplexes, multi-dwelling structures, daycare centers up to 12 children, group living, parks and open space, religious institutions, safety services, schools, and basic utilities with a C-O, Conditional Overlay to restrict density to 16 dwelling units per acre and to provide a landscaping buffer</p> <p>P/I Allows colleges, community service, daycare centers of unlimited size, detention facilities, health care facilities, parks and open space, religious institutions, safety services, schools, offices, commercial parking, outdoor recreation and entertainment, industrial service, manufacturing and production, warehouse and freight movement, waste related use, agriculture, aviation, surface transportation, and major entertainment events;</p>
Maximum Density Allowed: AG allows a maximum of 1 dwelling unit per 10 acres	<p>Maximum Density Allowed:</p> <p>SR-4 allows a maximum 12.1 units per acre;</p> <p>MR-1 allows a maximum of 16 dwelling units per acre</p>

	MR-2 allows a maximum of 20 units per acre but the C-O, Conditional Overlay will restrict this density to 16 dwelling units per acre P/I zone has no density or lot coverage standards
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Proposal:

PROJECT HISTORY NOTE: This project was originally submitted for the December 3rd, 2019 Planning Commission agenda. Based on comments at a public meeting on November 21st, 2019, the project was noted as "Continued" on the December 3, 2019 and January 7, 2020 Planning Commission agendas, while the project was undergoing revision. The project was revised by the developer and again reviewed at another neighborhood meeting on January 14th, 2020.

PLAT UPDATE NOTE: The subdivision plat included in this packet is somewhat revised from the one reviewed by the neighborhood at the January 14, 2020 neighborhood meeting. Particularly, the curve at the north end of 49th Street has been modified per the direction of the City Engineer's office, and the developer has reduced the overall number of single-dwelling lots from 120 to 103. The size of the lots zoned MR-1 and MR-2 have not been revised.

The applicant requests three entitlements:

1. A major subdivision, entitled **Valley View Estates Addition** plat of an Unplatted Portion of the SW ¼ and SE ¼ of Sec. 28, T139N, R49W in the City of Fargo, Cass County, North Dakota
2. A **zoning change** from AG, Agricultural to SR-4, Single-Dwelling Residential, MR-1, Multi-Dwelling Residential; MR-2, Multi-Dwelling Residential with a C-O, Conditional Overlay; and P/I, Public and Institutional; and
3. **Growth Plan Amendment** from "low/medium density residential" to "medium/high density residential" for a portion of the property.

Surrounding Land Uses and Zoning Districts:

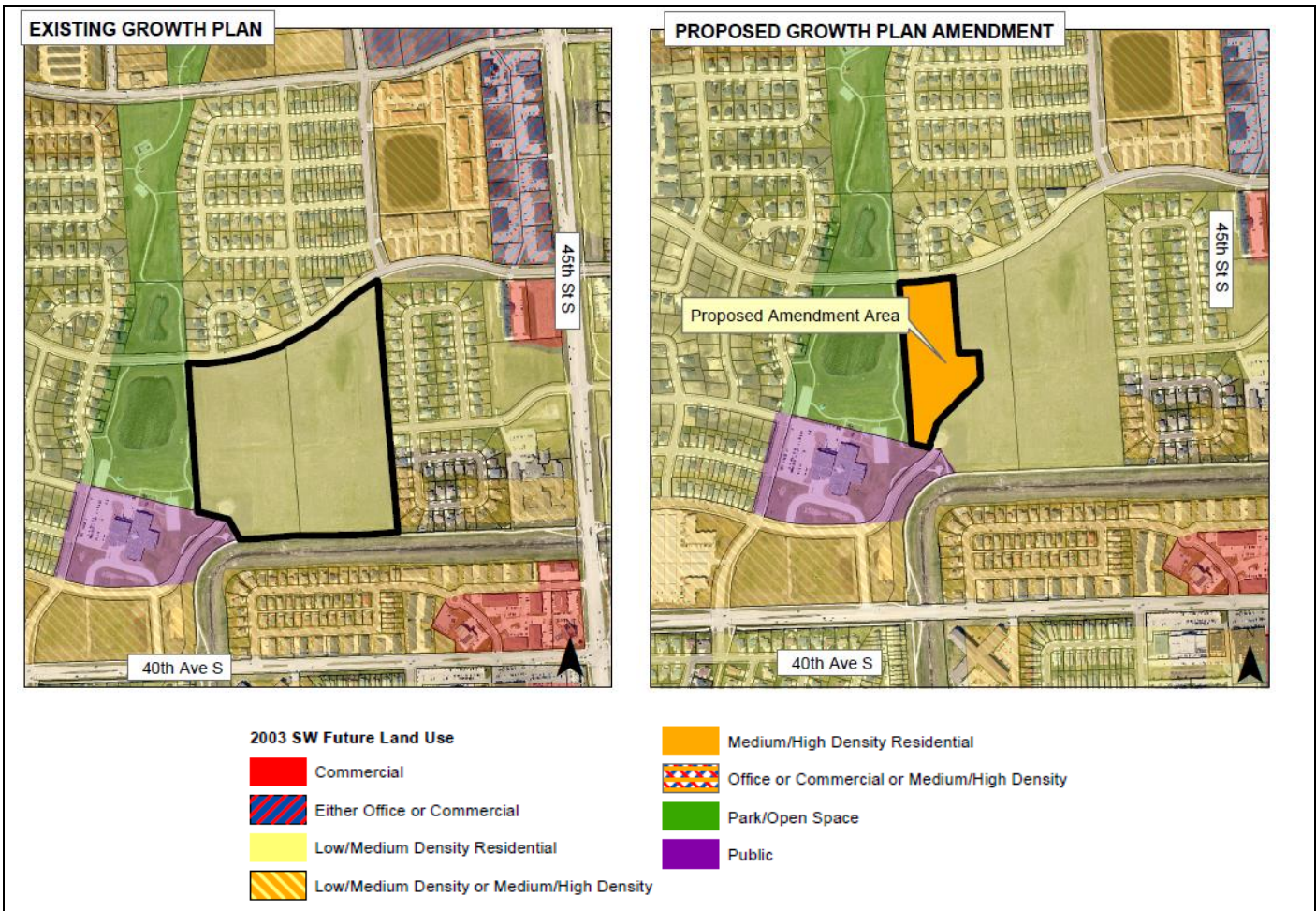
- North: SR-4: Single-Dwelling Residential; single family residences (both detached and attached)
- East: SR-2 and SR-4: Single-Dwelling Residential;
- South: Not zoned; Cass County Drain No. 27
- West: P/I: Parks/Institutional; Valley View Park and detention basin

Area Plans:

GROWTH PLAN AMENDMENT

The subject property is located within the 2003 Future Land Use Plan. This plan designates the subject property as "Low/Medium Density." This land use designation includes the proposed SR-4, MR-1, and P/I zoning. The applicant proposes to change the land use designation on a portion of this project to "Medium/High Density Residential" in order to allow for a zone change to MR-2 for Lot 14, Block 4. This zone would allow a greater maximum building height (45 feet) than the MR-1 zone allows (35 feet). As a result of neighborhood comments, Planning staff has proposed a conditional overlay (C-O) for the MR-2 zoned lot that will allow the maximum height of MR-2 but limit the maximum density of the MR-2 zone to 16 dwelling units per acre, the same that the MR-1 zone allows. Thus, even though the density of the MR-2 zoned lot will remain in the "Low/Medium Density" category, the land use designation change is procedurally required to allow the zone change to MR-2. The rest of the project site will remain in the "Low/Medium" density land use designation. Note this is different from the original proposal, which was to change the land use designation on the entire property to "Medium/High Density." This change was made based on neighborhood comments.

(continued on next page)



Schools and Parks:

Schools: The subject property is located within the West Fargo School District, specifically within the Independence Elementary, Liberty Middle and Sheyenne High schools.

Neighborhood: The subject property is located within the Brandt Crossing neighborhood.

Parks: Valley View Park is adjacent to the western boundary of the project site. This park provides playgrounds for ages 2-5 and 5-12, recreational trails, and a shelter. A portion of this park is a stormwater detention basin.

Pedestrian / Bicycle: There is an existing 10-foot wide trail along 36th Avenue South along the north side of the subject property and a 12-foot wide trail along Drain 27 along the south side of the subject property. There are existing trails on the Park District owned property, directly west of the subject property, that connect the aforementioned trails along the drain and 36th Avenue South.

Staff Analysis:

The subject property is located at 4952, 5052, and 5080 36th Avenue South. and is bounded by 36th Avenue South (north) Cass County Drain No. 27 (south), Sincebaugh Addition-single dwelling residential (east) and Valley View Park (west).

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.

(continued on next page)

PLAT AND ZONING CHANGE

The plat will create 109 lots, zoned as follows:

BLOCK	LOTS	ZONING	LAND USE
1	1-7, 9-20, and 22-30	SR-4	Single-Dwelling Residential
1	8	P/I	Private Drive—not developable. This lot to be owned and maintained by homeowners' association (HOA)
1	21	P/I	Buffering green space and trail; to owned and maintained by Fargo Park District
2	1-22	SR-4	Single-dwelling residential
3	1-49	SR-4	Single-dwelling residential
3	50	MR-1	Multi-Dwelling Residential; 16 dwelling units per acre density
3	51	P/I	Levee and trail; to be owned by City of Fargo and maintained by the City and the Fargo Park District
3	52	P/I	Buffering green space and trail; to be owned and maintained by Fargo Park District
4	1-13	SR-4	Single-dwelling residential
4	14	MR-2 with C-O	Multi-Dwelling Residential restricted to 16 dwelling units per acre density

The SR-4 zoned lots are intended for detached single-dwelling development and range in size from approximately 4,500 square feet to over 19,000 square feet, with most lots in the 6,000 to 9,000 square foot range. Lot widths range from 36 feet to over 118 feet, with most lots being in the 40 to 70 foot range.

Lots 1-20, Block 1 are intended to be a maintenance-provided development, intended to provide a housing option for people who want to own their own home but do not want the lawn maintenance and snow removal responsibilities. The individually platted lots will form a homeowners' association that will own and maintain Lot 8, Block 1, as a private drive and parking area. Lot 8 is covered by an ingress/egress/drainage/utility/fire lane easement granted to the City. As this HOA-owned lot is a private drive, the Fire Department notes that such private drives are required to be properly signed for 'no parking'. Additionally, enforcement of parking and maintaining access is the responsibility of the association and/or property owners, as the Fire Department has limited legal recourse to resolve access issues on private drives, especially when there are multiple owners/associations involved. The developer has met with the Fire Department and is aware of these concerns, and has noted the easement over Lot 8 includes "fire lane". The City has standard wording to be included in the covenants, conditions, and restrictions (CC&R's) that govern the HOA with respect to HOA-owned lots, and staff will create the necessary additional wording to cover the Fire Department concerns. Staff and the city attorney will review the CC&R's prior to the final plat approval at the City Commission.

The MR-1 zoned lot (Lot 50, Block 3) is intended for multi-dwelling development at a density of 16 dwelling units per acre.

The MR-2-zoned lot (Lot 14, Block 4) is intended for attached housing development. The C-O restricts the density of development on this lot to 16 dwelling units per acre, the same as MR-1. The other development standards of the MR-2 zone—building height, lot coverage, open space requirements, and setbacks—will still apply to this lot. A 30-foot wide landscape buffer is indicated on the plat on the north side of this lot, and details of this buffer are specified in the conditional overlay.

The P/I zoned lots are not intended for development.

- Lot 21, Block 1 and Lot 52, Block 3 are intended to provide an open greenspace buffer between the existing development in the Sincebaugh Addition and this project. These lots will include an 8-foot wide trail. These lots will be owned and maintained by the Fargo Park District.
- Lot 51, Block 3 This lot contains a City of Fargo levee, and is required to meet the 175-foot dedication area requirements from the centerline of the adjacent County Drain 27. The proposed trail on the east side of the project site will cross this lot to connect with the existing trail along Drain 27, which is outside of the project boundary.
- Lot 8, Block 1 is intended as a private drive and will be owned and maintained by the homeowners' association (HOA). It is not developable as a residential lot.

A map showing the location of the proposed zoning is attached. All meet the minimum required lot area and lot width of their respective zones.

CONDITIONAL OVERLAY: The proposed conditional overlay, which becomes part of the MR-2 zoning for Lot 14, Block 4, provides that

- the maximum density of this lot be limited to 16 dwelling units per acre, rather than the 20 dwelling units per acre that would normally be allowed in the MR-2 zone; and
- the developer shall install, at the time of construction on said lot, a landscape berm with trees spaced at a 30 foot minimum space, or a 6 foot privacy maintenance free fence, or a combination of the two within the landscape buffer shown on the plat (along the north side-36th Avenue Street frontage--of this lot).

ACCESS: The project site takes access from 36th Avenue South to the north; 37th Avenue South to the east; and the 50th Street South to the south. 50th Street is routed north-south through the subdivision to connect with 36th Avenue South. Additional streets depicted on the plat are to be dedicated public streets, except Lot 8, Block 1, which is a private drive to be owned and maintained by the homeowners' association (HOA), as noted above.

As there is no east-west street connection across Block 3, there is no through traffic from 50th Street to 37th Street. Any additional traffic on 37th Street would probably come from the single-dwelling lots along 48th Street.

TRAFFIC: 36th Avenue South is designed as a collector street, with the capacity for an average daily traffic (ADT) of 9,999 cars per day. Currently, this street handles approximately 4,000 cars per day, based on F-M MetroCOG traffic counts with estimated updates by the City's traffic engineer. Based on standard numbers for trips generated by different types of housing units, if this project is developed to the maximum number of residential units—detached, attached, and multi-dwelling—that the developer proposes, the project will create slightly less than 2,000 more trips, which would be distributed between the 50th Street, 36th Street, and 37th Street. Thus, even with full project build-out, the existing streets that the project will connect with will still have considerable capacity remaining.

TRAIL CONNECTIVITY: There is an existing 10-foot wide trail along 36th Avenue South along the north side of the subject property and a 12-foot wide trail along Drain 27 along the south side of the subject property. There are existing trails on the Park District owned property, directly west of the subject property, that connect with the trails along the drain and 36th Avenue South. The project proposes an additional trail along the along portions of Blocks 1 and 3 to connect to these existing trails to make a complete trail loop.

PUBLIC WATER and SEWER: Public water and sewer will be provided in the dedicated public streets.

STORMWATER: The property falls within an area covered by regional detention, which the project may use provided that the project's storm sewer layout ties directly to the existing storm sewer pond. The developer is working with his engineer to provide a draft storm sewer plan for City Engineering review.

PUBLIC COMMENT

Planning staff received comments from neighbors to the project area in three formats:

- **E-mail:** Staff received a number of e-mail comments. Copies are attached for the Commission's review.
- **Petition:** Two neighborhood residents organized similar petitions, which provided a "check the box" list of objections to the project plus a space to add further comments. Most respondents checked several boxes for these items; some respondents checked all boxes. Copies of these petition forms are attached for the Commission's review. Note that the forms were created by the neighbors.
- **Comments at City-held Neighborhood Meetings:** The Planning Department hosted two neighborhood meetings at City Hall. The first one was held on Thursday, November 21, 2019 to provide the opportunity for neighborhood residents to meet with Planning staff and the developer and review and comment on the proposed growth plan amendment and the project overall, as it was originally proposed. The second meeting on Tuesday, January 14, 2020 to provide the opportunity for neighborhood residents to meet with the staff and the developer and review and comment on the revised project design.

Overall comments expressed in e-mails, petitions, and neighborhood meetings highlighted the following concerns:

- Many nearby homeowners believed that only low-density housing would be developed on the subject property, and bought their homes based on this belief.
- Fargo has a large number of apartments; why build more on the subject property?
- The proposed development will lead to the overcrowding of nearby Independence Elementary School, which is in the West Fargo Public School District.
- The proposed development will mean an increase in traffic, both through the existing Sincebaugh neighborhood along 37th Avenue South, a local street, and along 36th Avenue South, a collector street.
- Proposed lots are overall too small in width and area, which creates a mis-match with surrounding development.
- Small lots in the proposed development could lead to significant on-street parking.

- Numerous comments on how special assessments affect development, and concern that the proposed development could lead to additional specials for surrounding homeowners.
- The proposed development will negatively affect the property values of adjacent residential properties.
- The proposed development will increase noise in the nearby neighborhoods.
- The development intends to violate zoning restrictions by placing multi-dwelling structures on lots zoned for single dwellings.

DEVELOPER MEETINGS WITH NEIGHBORHOOD REPRESENTATIVES: Between the first and second neighborhood meetings noted above, the developer met twice with neighborhood representatives to revise the project based on neighborhood comments and concerns.

The revised project:

- added a 40-foot wide greenspace buffer with trail along most of the boundary between the proposed development and the adjacent Sincebaugh neighborhood;
- reduced the overall number of lots;
- increased many of the lot sizes;
- reconfigured the internal street;
- provided a definite plan for the development of Lots 1-20, Block 1;
- added a conditional overlay to the MR-2 zoning on Lot 14, Block 4 (as noted above) that restricts the density on this lot to 16 dwelling unit per acre and provides for a landscape buffer on the north (36th Avenue South) frontage of that lot; and
- reduced the area of the growth plan amendment from the entire project site to the area of the MR-2 lot only.

NEIGHBORHOOD RESPONSE TO PROJECT MODIFICATIONS:

The project modifications discussed at the January 14, 2020 neighborhood meeting seemed to relieve some neighborhood concerns. Staff has included the neighborhood comments and protests received during the review process with this staff report, though we understand that some neighbors who opposed the original version of the project have accepted the revised project and may wish to withdraw their opposition.

FURTHER REVISION OF THE PROJECT: On January 24, 2020, the developer submitted a plat with additional revisions, including adjusting certain street curves (at the direction of the Engineering Department) and increasing a number of lot sizes and decreasing the overall number of lots, which was done by the developer, as noted in the "Plat Update Note" on page 1 above.

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

The 2003 Growth Plan (Chapter 8) sets forth the following criteria that should be used to evaluate any proposed growth plan amendment:

- **Is the proposed change consistent with surrounding land uses, both existing and future?** The proposed growth plan amendment would change the land use designation on a portion of this project to "Medium/High Density Residential" in order to allow for a zone change to MR-2 for Lot 14, Block 4. The MR-2 zoning is included in the zoning districts permitted under this land use designation. The developer has proposed this growth plan and zone change to be able to use the 45-foot maximum building height of the MR-2 zone. For this project, the MR-2 zoned area will be restricted to a lesser density than is normally allowed in the MR-2 zone, in response to neighborhood concerns about high density. Surrounding land uses are mostly residential of varying densities. **(Criteria Satisfied)**
- **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 project includes dedicated public streets that tie into the existing street grid with right of way widths appropriate for residential areas as specified in the Land Development Code. The City's traffic analysis, noted above, indicates that the additional traffic created by the project will not overburden the existing street network. **(Criteria Satisfied)**
- **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 there physical features or developments in the vicinity that make the change positive or negative for the City and the area in general?** The change in the growth plan designation would allow a portion of the property to be zoned MR-2, Multi-

Dwelling residential. The project design is a mixed-density development that grades in density from larger lot detached single dwelling development on the east side to smaller detached single-dwelling lots and the MR-2 zone lot, intended for attached housing, on the west side. The “Medium/High Density Residential” designated area backs up to a park and stormwater detention basin. **(Criteria Satisfied)**

Zoning

Section 20-906. F (1-4) of the LDC stipulates the following criteria be met before a zone change can be approved:

- **Is the requested zoning change justified by a change in conditions since the previous zoning classification was established or by an error in the zoning map?**

Staff is unaware of any error in the zoning map as it relates to this property. The property was zoned AG: Agricultural at the time it was annexed. At that time, no development was proposed. Now that development is proposed, the applicant requests a zoning change to SR-4, Single-Dwelling Residential, MR-1, Multi-Dwelling Residential; MR-2, Multi-Dwelling Residential with a C-O, Conditional Overlay; and P/I, Public and Institutional. **(Criteria Satisfied)**

- **Are the City and other agencies able to provide the necessary public services, facilities, and programs to serve the development allowed by the new zoning classifications at the time the property is developed?**

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

- **Will the approval of the zoning change adversely affect the condition or value of the 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 considerable public comment, as noted above. Copies of comment petitions and e-mails are attached. 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)**

- **Is the proposed amendment consistent with the purpose of this LDC, the 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 2003 Growth Plan. Most of the project site will remain in the “Low to Medium Density” residential land use designation, which includes the SR-4, MR-1, and P/I zones. A portion of the west side of the project site is proposed to be changed to the “Medium to High Density” residential land use designation to allow this area to be zoned to MR-2. Thus, with the growth plan amendment, the proposed zoning is consistent with the land use designations. Staff finds this proposal is consistent with the purpose of the LDC, the applicable growth plan, and other adopted policies of the City, contingent on Commission approval of the proposed Growth Plan Amendment. **(Criteria satisfied)**

Major Subdivision

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

- **Section 20-0907 of the LDC stipulates that no major subdivision plat application will be accepted for land that is not consistent with an approved Growth Plan or zoned to accommodate the proposed development.**

The requested zoning for this project includes three residential zones—SR-4, MR-1, and MR-2---and the P/I zone. These zones are consistent with the existing and proposed land use designations for this project and are intended to accommodate varying densities and types of residential development (SR-4, MR-1, and MR-2 zones) as well as four lots that will be owned by the City of Fargo, the Fargo Park District, or the HOA (P/I zone) In accordance with Section 20-0901.F of the LDC, notices of the proposed plat have been sent out to property owners within 300 feet of the subject property. To date, Planning staff has received considerable public comment, as noted above. Copies of comment petitions and e-mails are attached. **(Criteria Satisfied)**

- **Section 20-0907.4 of the LDC further stipulates that the Planning Commission shall recommend approval or denial of the application and the City Commission shall act to approve or deny, based**

on whether it is located in a zoning district that allows the proposed development, complies with the adopted Area Plan, the standards of Article 20-06 and all other applicable requirements of the Land Development Code.

The proposed SR-4, MR-1, and MR-2 zoning designations are intended to accommodate the proposed residential development, while the P/I zone is the appropriate zoning designation for the government owned park and levee lots and the HOA-owned private drive lots of this project. The lots depicted on the plat meet the development standards of their respective zones. These zones are consistent with the existing and proposed land use designations of the 2003 Growth Plan. The project has been reviewed by the city's Planning, Engineering, Public Works, Inspections, and Fire Departments. **(Criteria Satisfied)**

- **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.**

The applicant has provided a draft amenities plan that specifies the terms of securing installation of public improvements to serve the subdivision. This amenities plan will be reviewed by the Public Works Project Evaluation Committee (PWPEC) prior to the plat going to City Commission for final approval. Any improvements associated with the project (both existing and proposed) are subject to special assessments. Special assessments associated with the costs of the public infrastructure improvements are proposed to be spread by the front footage basis and storm sewer by the square footage basis as is typical with the City of Fargo assessment principles. **(Criteria Satisfied)**

Staff Recommendation:

Suggested Motion: "To accept the findings and recommendations of staff and move to recommend approval to the City Commission of the proposed 1) Zoning Change from AG, Agricultural to SR-4, Single-Dwelling Residential, MR-1, Multi-Dwelling Residential, MR-2, Multi-Dwelling Residential with a C-O, conditional overlay, and P/I, Public and Institutional; 2) Growth Plan Amendment from "Low/Medium Density Residential" to "Medium/High Density Residential" for Lot 14, Block 4 of the plat; and 3) a plat of the **Valley View Estates Addition**, as the proposal complies with the Go2030 Fargo Comprehensive Plan, 2003 Growth Plan, Standards of Article 20-06, and Section 20-0906.F (1-4) of the LDC and all other applicable requirements of the LDC."

Planning Commission Recommendation: February 4, 2020

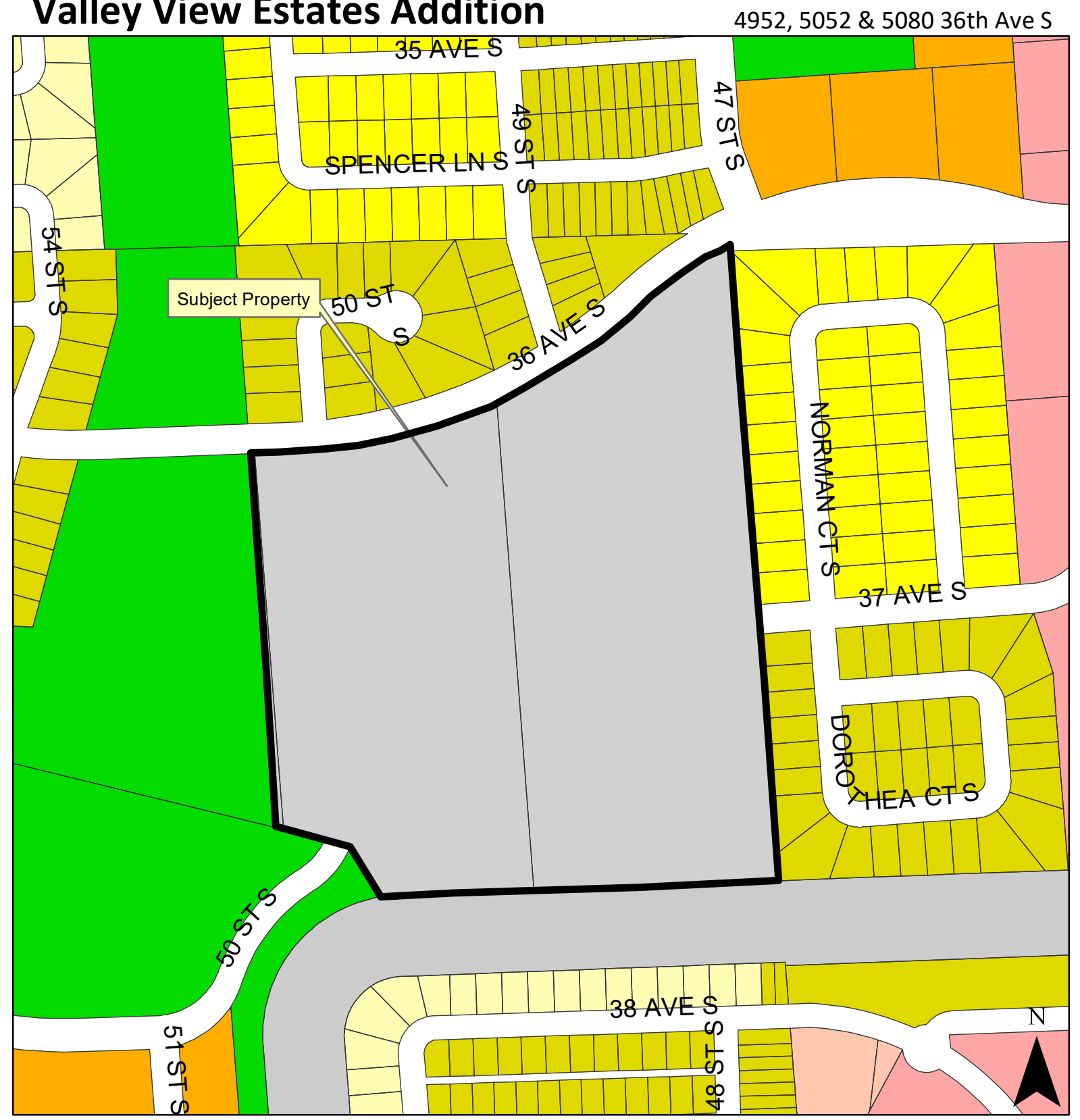
Attachments:

1. Zoning map
2. Location map
3. Growth plan amendment map
4. Preliminary plat
5. Proposed zoning map
6. Map of location of petitions
7. Public comment—petitions
8. Pubic comment—e-mails

Growth Plan Amendment

Zone Change (AG to SR-4, MR-1, MR-2 with a Conditional Overlay & P/I) & Plat (Major)

Valley View Estates Addition



Legend

AG	DMU	GC	GO	LC	MR-1	MR-2	MR-3	MHP	NC	NO	P/I	UMU	SR-2	SR-3	SR-4	SR-5	City Limits
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Fargo Planning Commission
February 4, 2020

Growth Plan Amendment

Zone Change (AG to SR-4, MR-1, MR-2 with a Conditional Overlay & P/I) & Plat (Major)

Valley View Estates Addition

4952, 5052 & 5080 36th Ave S

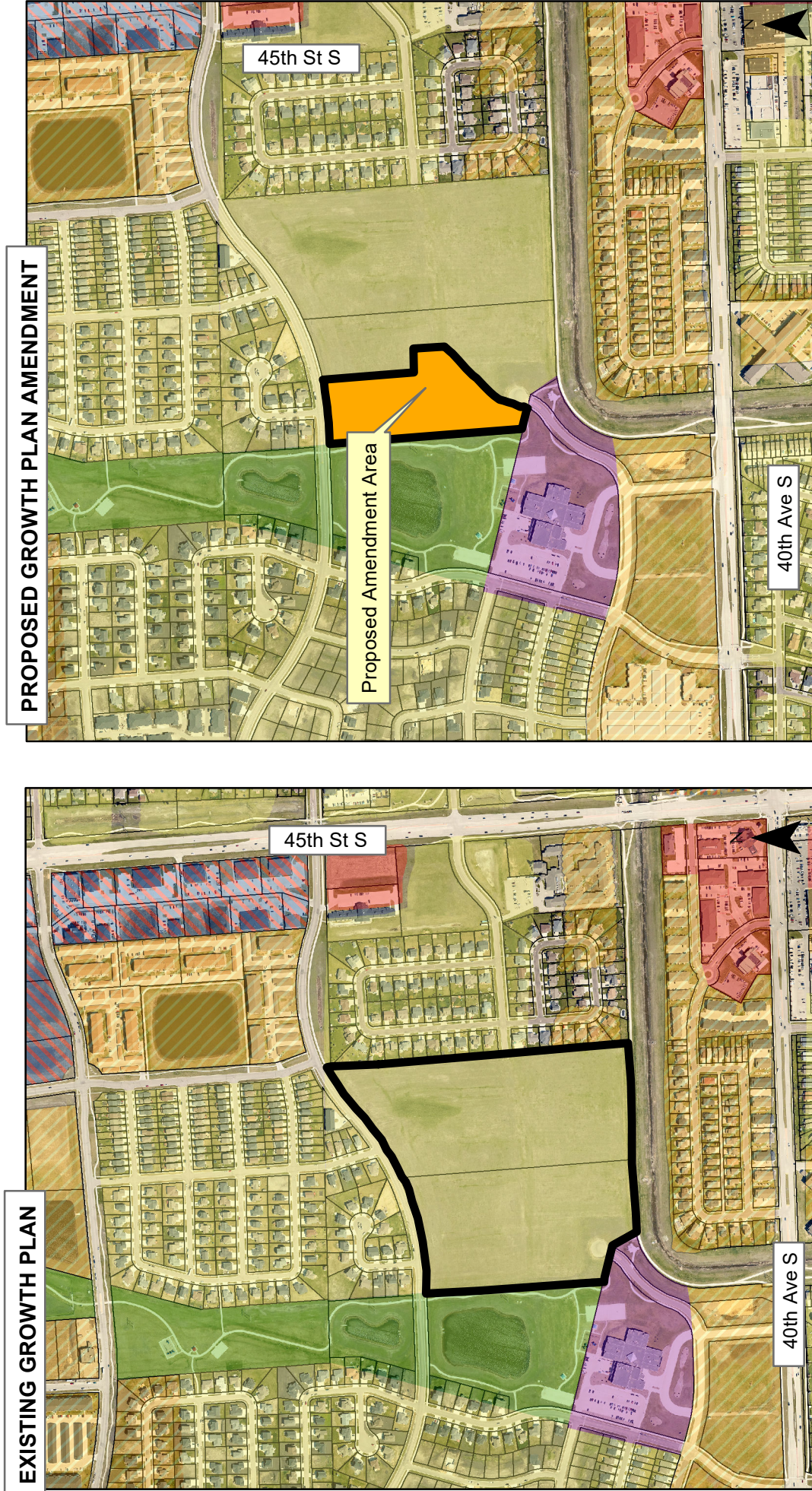


Growth Plan Amendment

Zone Change (AG to SR-4, MR-1, MR-2 with a Conditional Overlay & P/I) & Plat (Major)

Valley View Estates Addition

4952, 5052 & 5080 36th Ave S



2003 SW Future Land Use



VALLEY VIEW ESTATES ADDITION

AN UNPLATTED PORTION OF THE SOUTHWEST QUARTER AND SOUTHEAST QUARTER OF SECTION 28, T139N, R49W
TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA
(A MAJOR SUBDIVISION)

OWNERS DESCRIPTION AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS, That K Square Developers, LLC, a North Dakota limited liability company, as owner of a parcel of land located in that part of the Southwest Quarter and the Southeast Quarter of Section 28, Township 139 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota, being more particularly described as follows:

Beginning at the northeast corner of Lot 7, Block 6, VALLEY VIEW ADDITION, a duly recorded plat on file and of record in the Office of the County Recorder, Cass County, North Dakota; thence North 87 degrees 51 minutes 10 seconds East, assumed bearing, along the south line of 36 Avenue South as dedicated on said VALLEY VIEW ADDITION, 95.60 feet; thence northeasterly continuing along said south line and along a tangential curve concave to the north having a radius of 1500.00 feet and a central angle of 40 degrees 39 minutes 26 seconds a distance of 1064.41 feet; thence northeasterly continuing along said south line and along a reverse curve concave to the south having a radius of 997.00 feet and a central angle of 16 degrees 38 minutes 54 seconds a distance of 289.70 feet to the west line of said SINCEBAUGH ADDITION a duly recorded plat on file and of record in the Office of the County Recorder, Cass County, North Dakota; thence South 04 degrees 23 minutes 34 seconds East, along said west line, 1722.80 feet to the southwest corner of Lot 20, Block 3, said SINCEBAUGH ADDITION; thence South 87 degrees 51 minutes 10 seconds West, along the north line of Cass County Ditch 27 as described in Document 112162 on file and of record in the Office of the County Recorder, Cass County, North Dakota, 1028.04 feet; thence continuing along the north line of Cass County Ditch 27 southwesterly along a tangential curve concave to the southeast having a radius of 380.00 feet and a central angle of 06 degrees 52 minutes 48 seconds a distance of 45.63 feet to the most easterly corner of Lot 2, Block 8 of said VALLEY VIEW ADDITION; thence North 31 degrees 16 minutes 44 seconds, along the easterly line of said Lot 2, a distance of 160.86 feet to the most northerly corner of said Lot 2; thence North 76 degrees 15 minutes 35 seconds West, along the north line of 50 Street South as dedicated in said VALLEY VIEW ADDITION and the northerly line of Lot 8, Block 6, said VALLEY VIEW ADDITION, 206.41 feet to the most southerly corner of Lot 7 said Block 6; thence North 04 degrees 03 minutes 55 seconds West, along the east line of said Lot 7, a distance of 1011.29 feet to the point of beginning.

Containing 41.41 acres, more or less.

Said owner has caused the above described parcel of land to be surveyed and platted as "VALLEY VIEW ESTATES ADDITION" to the City of Fargo, Cass County, North Dakota and do hereby dedicate to the public for public use all Streets, Avenues, Parks and utility easements as shown on this plat and do hereby dedicate to Lots 1-7 & 9-20, Block 1, the ingress/egress, drainage, utility and fire lane easement in Lot 8, Block 1 as shown on this plat for the purposes so stated and do hereby dedicate to Lot 14, Block 4, the 30 Foot wide Landscape easement as shown on this plat for the purposes so stated and do hereby dedicate to Fargo Park District, Lot 21, Block 1 and Lot 52, Block 3 as shown on this plat for the purposes so stated and do hereby dedicate to City of Fargo, Lot 51, Block 3, as shown on this plat.

Said owner reserves the Landscape Easement in Lot 30, Block 3, as shown on this plat for the purposes so stated.

OWNER: K Square Developers, LLC

By: Brian Kounovsky, president

County of Cass
State of North Dakota

On this _____ day of _____, in the year 2020 before me, a notary public within and for said County and State, personally appeared Brian Kounovsky, president, K Square Developers, LLC, a North Dakota 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 the limited liability company.

Notary Public

OWNER: Lot 21, Block 1 and Lot 52, Block 3
Fargo Park District

By: Jerry Rostad, president

County of Cass
State of North Dakota

On this _____ day of _____, in the year 2020 before me, a notary public within and for said County and State, personally appeared Jerry Rostad, president, Fargo Park District, 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 Park District.

Notary Public

OWNER: Lot 51, Block 3
City of Fargo

Timothy J. Mahoney, Mayor

Attest:
Steven Sprague, City Auditor

County of Cass
State of North Dakota

On this _____ day of _____, in the year 2020 before me, a notary public within and for said County and State, personally appeared Timothy J. Mahoney, Mayor, and Steven Sprague, City Auditor known to me to be the persons who are described in and who executed the within instrument, and acknowledged to me that they executed the same on behalf of the City of Fargo.

Notary Public

SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT

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

Gregg Stroeing, Professional Land Surveyor
North Dakota License Number LS-6703

State of North Dakota
County of Cass

On this _____ day of _____, 2020, before me, a notary public within and for said County and State, personally appeared Gregg Stroeing, Registered Professional Land Surveyor, known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that he executed the same.

Notary Public

CITY OF FARGO ENGINEERING DEPARTMENT APPROVAL

Approved by City Engineer this _____ day of _____, 2020.

Brenda E. Derrig, City Engineer

State of North Dakota
County of Cass

On this _____ day of _____, in the year 2020 before me, a notary public within and for said County and State, personally appeared Brenda E. Derrig, 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 City Engineer for the City of Fargo.

Notary Public

BLOCK 1		
LOT #	SQUARE FEET	
1	11,666	
2	7,756	
3	7,140	
4	7,140	
5	7,140	
6	7,140	
7	8,092	
8	31,555	
9	8,211	
10	6,061	
11	5,969	
12	6,054	
13	6,728	
14	8,077	
15	6,821	

BLOCK 1		
LOT #	SQUARE FEET	
16	5,450	
17	5,450	
18	5,450	
19	5,450	
20	6,411	
21	38,105	
22	9,004	
23	8,000	
24	8,000	
25	12,292	
26	19,397	
27	12,272	
28	8,750	
29	8,750	
30	8,750	

BLOCK 2		
LOT #	SQUARE FEET	
1	8,807	
2	8,250	
3	8,250	
4	8,250	
5	8,250	
6	8,250	
7	8,250	
8	8,250	
9	8,250	
10	8,250	
11	10,079	
12	9,359	
13	8,250	
14	8,250	
15	8,250	
16	8,250	
17	8,250	
18	8,250	
19	8,250	
20	8,250	
21	8,250	
22	9,000	

BLOCK 3		
LOT #	SQUARE FEET	
1	8,750	
2	8,750	
3	8,750	
4	8,750	
5	8,750	
6	10,968	
7	19,214	
8	13,833	
9	9,024	
10	8,750	
11	9,437	
12	16,433	
13	14,223	
14	9,358	
15	8,250	
16	8,250	
17	8,250	
18	7,500	
19	8,250	
20	7,500	
21	8,250	
22	7,500	
23	8,250	
24	7,500	

BLOCK 3		
LOT #	SQUARE FEET	
25	7,750	
26	7,750	
27	7,750	
28	7,750	
29	8,092	
30	10,041	
31	7,884	
32	5,032	
33	5,763	
34	4,500	
35	4,500	
36	6,375	
37	4,500	
38	4,500	
39	7,513	
40	4,500	
41	4,500	
42	5,763	
43	4,500	
44	4,500	
45	5,375	
46	4,500	
47	4,500	
48	7,562	
49	4,960	

BLOCK 4		
LOT #	SQUARE FEET	
1	7,174	
2	4,500	
3	5,763	
4	4,500	
5	4,500	
6	6,375	
7	4,500	
8	4,500	
9	7,513	
10	4,500	
11	4,500	
12	5,763	
13	4,500	

CITY OF FARGO PLANNING COMMISSION APPROVAL

Approved by the City of Fargo Planing Commission this _____ day of _____, 2020.

John Gunkelman, Planning Commission Chair

State of North Dakota
County of Cass

On this _____ day of _____, in the year 2020 before me, a notary public within and for said County and State, personally appeared John Gunkelman, Planning Commission Chair, known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that he executed the same on behalf of the Fargo Planning Commission.

Notary Public

FARGO CITY COMMISSION APPROVAL

Approved by the Board of City Commissioners and ordered filed this _____ day of _____, 2020.

Timothy J. Mahoney, Mayor

Attest:
Steven Sprague, City Auditor

County of Cass
State of North Dakota

On this _____ day of _____, in the year 2020 before me, a notary public within and for said County and State, personally appeared Timothy J. Mahoney, Mayor, and Steven Sprague, City Auditor known to me to be the persons who are described in and who executed the within instrument, and acknowledged to me that they executed the same on behalf of the City of Fargo.

Notary Public



PREPARED BY:

BOLTON & MENK

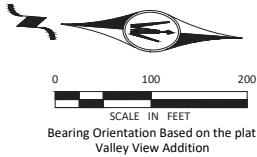
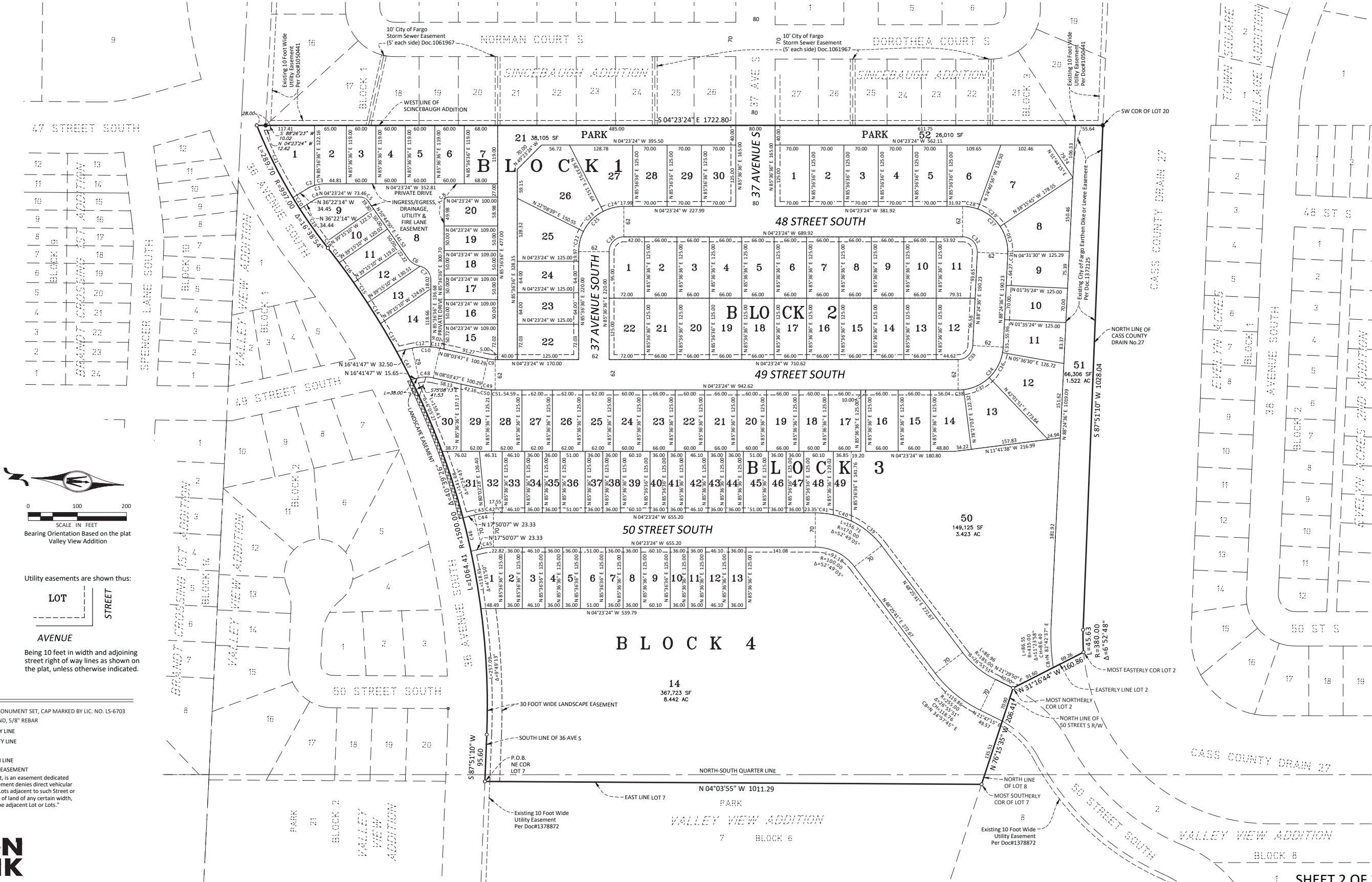
NOTE

Lot 8, Block 1 is an unbuildable Lot established for the multi purpose of providing open space, utilities, ingress/egress and fire lane (via the 27 foot wide private drive) from the adjacent Lots to the public Street system. The ownership and maintenance of same, shall be the responsibility of the Valley View Estates Village Home Owners Association as stipulated within the duly established covenants as recorded on the ____ Day of _____, 2020, with the Cass County Recorder as Document Number _____.

VALLEY VIEW ESTATES ADDITION

AN UNPLATTED PORTION OF THE SOUTHWEST QUARTER AND SOUTHEAST QUARTER OF SECTION 28, T139N, R49W
TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA
(A MAJOR SUBDIVISION)

PARCEL CURVE DATA			
SEGMENT	LENGTH	RADIUS	DELTA
C1	36.84	66.00	31°58'50"
C2	16.32	66.00	14°10'11"
C3	20.52	66.00	17°48'39"
C4	21.77	39.00	31°58'50"
C5	18.28	19.00	55°08'14"
C6	30.52	41.00	42°38'51"
C7	38.14	28.19	77°30'36"
C8	14.14	9.00	90°00'00"
C9	15.00	69.00	12°27'11"
C10	56.61	131.00	24°45'34"
C11	18.40	131.00	8°02'59"
C12	38.20	131.00	16°42'34"
C13	65.58	1500.00	2°30'18"
C14	50.06	1500.00	1°54'43"
C15	50.01	1500.00	1°54'36"
C16	50.01	1500.00	1°54'37"
C17	37.70	1500.00	1°26'23"
C18	12.37	997.00	0°42'39"
C19	85.59	997.00	4°55'07"
C20	27.00	997.00	1°33'06"
C21	164.74	997.00	9°28'02"
C22	42.61	92.00	26°32'03"
C23	57.74	92.00	35°57'37"
C24	43.43	92.00	27°02'45"
C28	31.64	92.00	19°42'28"
C29	58.48	92.00	36°25'12"
C30	54.17	92.00	33°44'14"
C31	4.71	92.00	2°56'06"
C35	11.56	92.00	7°11'54"
C36	58.48	92.00	36°25'21"
C37	58.48	92.00	36°25'12"
C38	11.50	92.00	7°09'33"
C39	80.60	170.00	27°09'55"
C40	39.07	170.00	13°10'09"
C41	37.04	170.00	12°29'01"
C42	16.52	170.00	5°34'08"
C43	23.37	170.00	7°52'35"
C44	39.89	170.00	13°26'43"
C45	23.47	100.00	13°26'43"
C46	70.01	1500.00	2°40'27"
C47	64.25	1497.53	2°27'30"
C48	29.82	69.00	24°45'34"
C49	28.47	131.00	12°27'11"
C50	21.06	131.00	9°12'33"
C51	7.42	131.00	3°14'37"



Utility easements are shown thus:

LOT
STREET
AVENUE

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

LEGEND	
○	5/8"x18" REBAR MONUMENT SET, CAP MARKED BY LIC. NO. LS-6703
●	MONUMENT FOUND, 5/8" REBAR
---	SUBJECT PROPERTY LINE
---	EXISTING PROPERTY LINE
---	EASEMENT LINE
---	QUARTER SECTION LINE
XXXXXX	NEGATIVE ACCESS EASEMENT
Negative Access Easement, as noted on this plat, is an easement dedicated as part of the right of way dedication which easement denies direct vehicular access to a Street or public way from the Lot or Lots adjacent to such Street or way. The negative access easement is not a strip of land of any certain width, but is a line coterminal with the boundary of the adjacent Lot or Lots.	



NOTE
Lot A, Block 1 is an unobtainable lot established for the multi purpose of providing open space, utility, ingress/egress and fire lane (aka the 27 foot wide private drive) from the adjacent lots to the public street system. The ownership and maintenance of same, shall be the responsibility of the Valley View Estates Villa Home Owners Association as stipulated within the duly established covenants as recorded on the _____ day of _____, 2020, with the Cass County Recorder as Document Number _____.

VALLEY VIEW ESTATES ADDITION

AN UNPLATTED PORTION OF THE SOUTHWEST QUARTER AND SOUTHEAST QUARTER OF SECTION 28, T139N, R49W
TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA
(A MAJOR SUBDIVISION)

PARCEL CURVE DATA			
SEGMENT	LENGTH	RADIUS	DATA
C1	38.84	65.00	31°58'50"
C2	18.32	65.00	31°58'50"
C3	20.52	65.00	31°58'50"
C4	21.77	33.00	31°58'50"
C5	18.38	33.00	31°58'50"
C6	30.52	41.00	42°48'50"
C7	38.14	38.15	77°30'30"
C8	14.34	5.00	90°00'00"
C9	15.00	65.00	31°58'50"
C10	56.61	131.00	34°40'34"
C11	18.40	131.00	31°52'50"
C12	38.30	131.00	31°42'34"
C13	65.38	1300.00	1°40'24"
C14	50.00	1300.00	1°54'40"
C15	50.00	1300.00	1°54'30"
C16	50.00	1300.00	1°54'30"
C17	37.30	1300.00	1°52'20"
C18	13.37	807.30	0°40'30"
C19	85.59	807.30	4°50'10"
C20	27.00	807.30	1°50'30"
C21	164.74	807.30	0°28'50"
C22	42.61	52.00	30°32'00"
C23	37.34	52.00	30°37'30"
C24	48.48	52.00	31°52'45"
C25	31.64	52.00	39°42'38"
C26	58.48	52.00	38°20'12"
C27	54.17	52.00	38°40'14"
C28	11.50	52.00	7°59'30"
C29	80.60	175.00	37°09'55"
C30	89.67	175.00	31°50'08"
C31	37.64	175.00	12°29'50"
C32	16.52	175.00	0°34'08"
C33	25.37	175.00	7°52'35"
C34	89.89	175.00	31°36'13"
C35	25.47	100.00	13°20'42"
C36	70.01	100.00	2°40'27"
C37	64.25	1487.55	2°27'30"
C38	29.82	65.00	24°40'34"
C39	28.47	131.00	12°27'12"
C40	21.09	131.00	0°12'33"
C41	7.42	131.00	0°14'39"



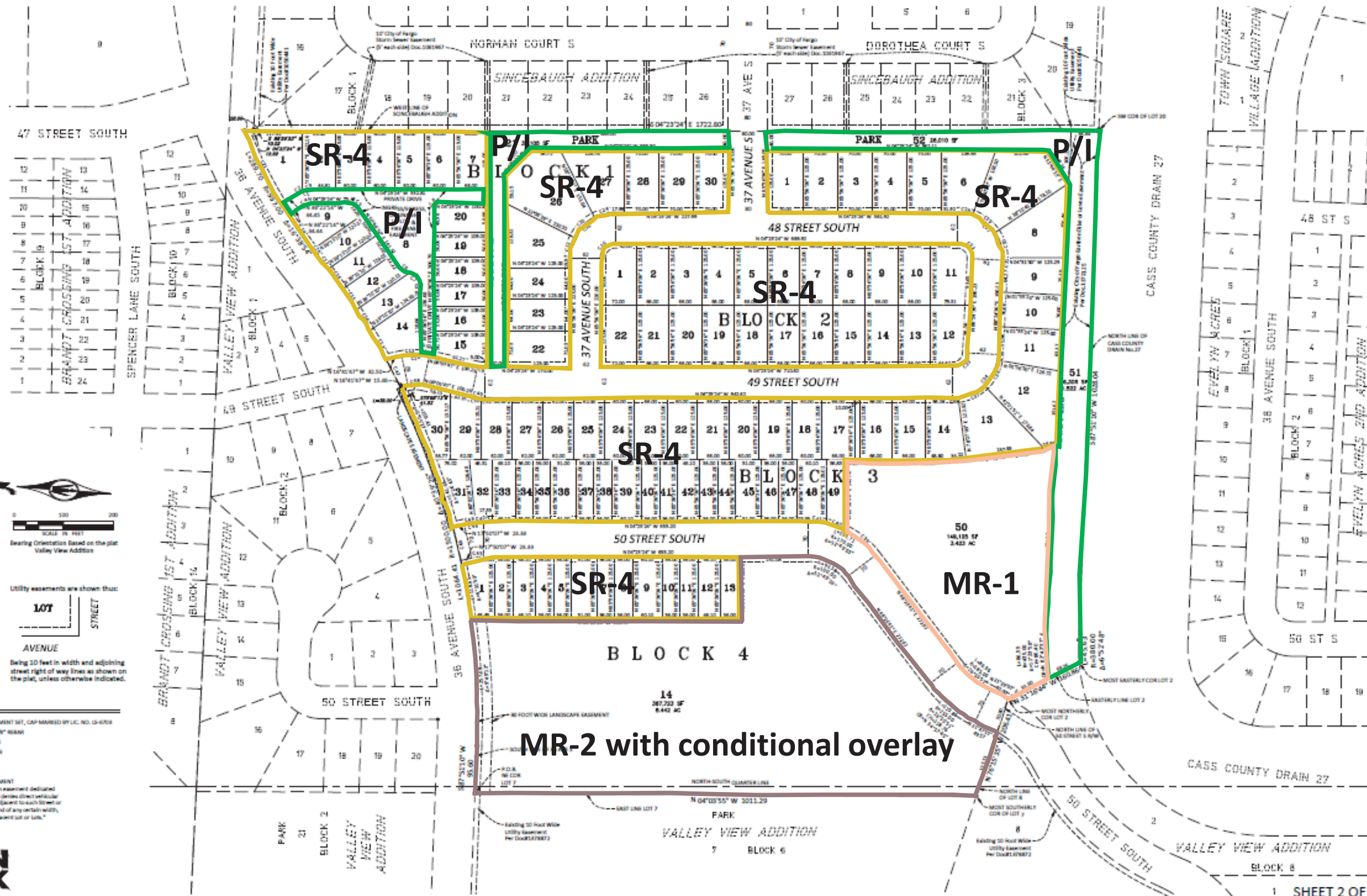
Utility easements are shown thus:
 LOT
 STREET
 AVENUE
Being 10 feet in width and adjoining street right of way lines as shown on the plat, unless otherwise indicated.

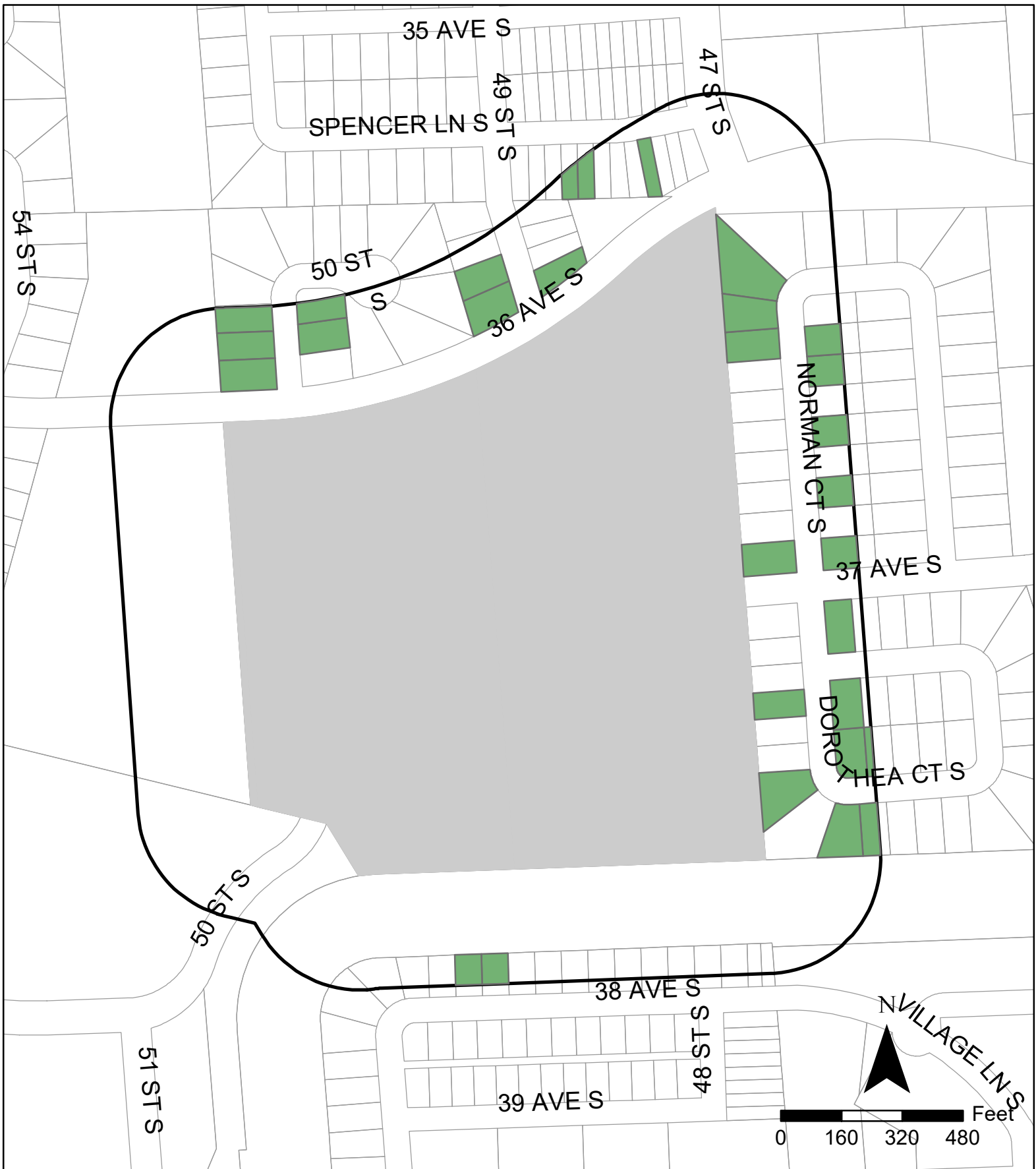
LEGEND
 SURVEY REBAR MONUMENT (SRT), CAP MARKED BY UIC NO. 13-6708
 MONUMENT FOUND, SURVEY REBAR
 SUBJECT PROPERTY LINE
 EXISTING PROPERTY LINE
 EASEMENT LINE
 QUARTER SECTION LINE
 NEGATIVE ACCESS EASEMENT
"Negative Access Easement, as noted on this plat, is an easement dedicated as part of the right of way dedication which easement denies direct vehicular access to a street or public way from the lot or lots adjacent to such street or way. The negative access easement is not a strip of land of any certain width, but is a line continuous with the boundary of the adjacent lot or lots."



Proposed
Zoning

Entire property
is currently
zoned
AG: Agricultural





Protesting Properties

-  Protest Properties
-  300ft Buffer
-  Properties to be Rezoned

**Valley View Estates
Addition**

January 28, 2020

VALLEY VIEW ESTATES

PETITIONS RECEIVED FROM PROPERTY OWNERS WITHIN THE 300 FOOT NOTIFICATION AREA

January 28, 2020

OPPOSITION TO PROPOSED ZONING CHANGE

I, Mitchel Netterlund am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my home with the understanding that the Valley View Estates Addition would be developed with single family homes
- ☒ The project will increase traffic
- ☒ The project will cause the overcrowding of the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods

☐ Other: _____

Signature: 

Name: Mitchel Netterlund

Address: 3790 Dorotha Ct S

Phone: 

Email: 

Date: 12-8-19

OPPOSITION TO PROPOSED ZONING CHANGE

I, Eric Henriksen, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my home with the understanding that the Valley View Estates Addition would be developed with single family homes
- ☒ The project will increase traffic
- ☒ The project will cause the overcrowding of the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods

☐ Other: _____

Signature: 

Name: Eric Henriksen

Address: 3202 Deodora Ct. S

Phone: 

Email: 

Date: 12-8-19

OPPOSITION TO PROPOSED ZONING CHANGE

I, JERRY HARR, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my home with the understanding that the Valley View Estates Addition would be developed with single family homes
- ☒ The project will increase traffic
- ☒ The project will cause the overcrowding of the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods

☐ Other: _____

Signature: _____

Name: _____

Address: _____

Phone: _____

Email: _____

Date: _____

Jerry Harr
Jerry Harr
3778 Dorothea CTS

12-8-19

OPPOSITION TO PROPOSED ZONING CHANGE

I, Monique Sauvageau, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my home with the understanding that the Valley View Estates Addition would be developed with single family homes
- ☒ The project will increase traffic
- ☒ The project will cause the overcrowding of the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods

☐ Other: _____

Signature:

Monique Sauvageau

Name:

Monique Sauvageau

Address:

3778 Dorothea Ct S

Phone:

[REDACTED]

Email:

Date:

12-8-19

OPPOSITION TO PROPOSED ZONING CHANGE

I, Ryan Christensen, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

☐ The project will negatively affect my property value

☐ The project will change the character of the neighborhood

☒ I built/purchased my home with the understanding that the Valley View Estates Addition would be developed with single family homes

☒ The project will increase traffic

☒ The project will cause the overcrowding of the area school system

☐ The project will cause an increase in noise on the nearby neighborhoods

☐ Other: _____

Signature: 

Name: Ryan Christensen

Address: 3701 Dunbar Ct S

Phone: 

Email: 

Date: 12-12-19

OPPOSITION TO PROPOSED ZONING CHANGE

I, Jodi Christiansen, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☐ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my home with the understanding that the Valley View Estates Addition would be developed with single family homes
- ☒ The project will increase traffic
- ☐ The project will cause the overcrowding of the area school system
- ☐ The project will cause an increase in noise on the nearby neighborhoods

☐ Other: _____

Signature:

Name:

Address:

Phone:

Email:

Date:

Jodi Christiansen

Jodi Christiansen

3701 Dorothea Ct S

[REDACTED]

12 Dec 2019

OPPOSITION TO PROPOSED ZONING CHANGE

I, Holly Hassler, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my home with the understanding that the Valley View Estates Addition would be developed with single family homes
- ☒ The project will increase traffic
- ☒ The project will cause the overcrowding of the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods

☐ Other: _____

Signature:

Holly Hassler

Name:

Holly Hassler

Address:

3765 Dootheacts

Phone:



Email:

Date:

12-12-19

OPPOSITION TO PROPOSED ZONING CHANGE

I, Colin & Carrie Martin, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my home with the understanding that the Valley View Estates Addition would be developed with single family homes
- ☐ The project will increase traffic
- ☒ The project will cause the overcrowding of the area school system
- ☐ The project will cause an increase in noise on the nearby neighborhoods

☐ Other: _____

Signature:

Colin Martin

Name:

Colin Martin

Address:

3769 Dorothea Ct S.

Phone:

Email:

Date:

1/12/20

OPPOSITION TO PROPOSED ZONING CHANGE

I, Paul & Kari Heitmann, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my home with the understanding that the Valley View Estates Addition would be developed with single family homes
- ☒ The project will increase traffic
- ☒ The project will cause the overcrowding of the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods

☐ Other: _____

Signature:

Kari Heitmann

Name:

Kari Heitmann

Address:

3772 Norman Ct S.

Phone:

Email:

Date:

12-14-19

Fargo
ND
58104
om

OPPOSITION TO PROPOSED ZONING CHANGE

I, Amy Olson, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my home with the understanding that the Valley View Estates Addition would be developed with single family homes
- ☒ The project will increase traffic
- ☒ The project will cause the overcrowding of the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods
- ☒ Other: My husband and I bought our home with the understanding that this lot was zoned low density residential. We loved the feel and quality of this neighborhood and do not want apartments and closely-built homes changing our lifestyle.

Signature:

Amy Olson

Name:

Amy Olson

Address:

3797 Norman Ct S

Phone:

Email:

Date:

12/15/19

OPPOSITION TO PROPOSED ZONING CHANGE

I, MARK McQUILLAN, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my home with the understanding that the Valley View Estates Addition would be developed with single family homes
- ☒ The project will increase traffic
- ☒ The project will cause the overcrowding of the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods

☐ Other: When will the City stick to their
growth plan and stop changing this
just to fit what a developer wants!

Signature:



Name:

MARK McQUILLAN

Address:

3770 Dorothea Ct S

Phone:

Email:

Date:

12/21/19

OPPOSITION TO PROPOSED ZONING CHANGE

I, Cliff Bjornstad, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my home with the understanding that the Valley View Estates Addition would be developed with single family homes
- ☒ The project will increase traffic
- ☒ The project will cause the overcrowding of the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods

☐ Other: _____

Signature:

Cliff Bjornstad

Name:

Cliff Bjornstad

Address:

3761 Norman Court South

Phone:

[REDACTED]

Email:

Date:

12/14/19

OPPOSITION TO PROPOSED ZONING CHANGE

I, Nancy Bjornstad, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my home with the understanding that the Valley View Estates Addition would be developed with single family homes
- ☒ The project will increase traffic
- ☒ The project will cause the overcrowding of the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods

☐ Other: Backyard privacy decline

Signature:

Nancy Bjornstad

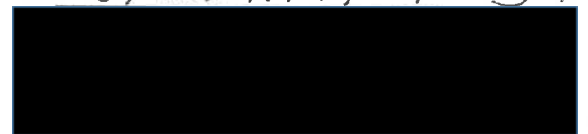
Name:

Nancy Bjornstad

Address:

3761 Norman CT. S.

Phone:



Email:

Date:

12/15/19 com

OPPOSITION TO PROPOSED ZONING CHANGE

I, Alexander Knudtson, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my home with the understanding that the Valley View Estates Addition would be developed with single family homes
- ☒ The project will increase traffic
- ☒ The project will cause the overcrowding of the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods

☐ Other: _____

Signature:

Name:

Address:

Phone:

Email:

Date:

Alexander Knudtson

Alexander Knudtson

3288 Norman Ct

[REDACTED]

12/15/19

OPPOSITION TO PROPOSED ZONING CHANGE

I, Scott Wentz, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my home with the understanding that the Valley View Estates Addition would be developed with single family homes
- ☒ The project will increase traffic
- ☒ The project will cause the overcrowding of the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods

☐ Other: _____

Signature:

Scott Wentz

Name:

Scott Wentz

Address:

3765 Norman Cr. S.

Phone:

Email:

Date:

12/15/19

OPPOSITION TO PROPOSED ZONING CHANGE

I, James Lien, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my home with the understanding that the Valley View Estates Addition would be developed with single family homes *Even the sign on the proposed addition signifies that understanding.*
- ☒ The project will increase traffic
- ☒ The project will cause the overcrowding of the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods

☒ Other: Lot size should be a minimum of 70' front
footage.

Signature:

James Lien

Name:

James Lien

Address:

3768 Norman Ct S

Phone:

Email:

Date:

12-18-2019

OPPOSITION TO PROPOSED ZONING CHANGE

I, Deborah Swanson-Dilly, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my home with the understanding that the Valley View Estates Addition would be developed with single family homes
- ☒ The project will increase traffic Exponentially!
- ☒ The project will cause the overcrowding of the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods

- ☐ Other: Traffic speeds will increase as well, especially on 37th Ave. I have seen quite a few cars go very fast, coming in from 45th St. There are quite a lot of young families with small children residing here. I have seen a few changes in the 13 years we have lived here.

Signature: Deborah Swanson-Dilly
Name: Deborah Swanson-Dilly
Address: 3796 Norman Ct. So.

Phone: 

Email: 

Date: 12/19/2019 com

OPPOSITION TO PROPOSED ZONING CHANGE

Katie Huebner
I, David Huebner, am submitting this document to express my
opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my home with the understanding that the Valley View Estates Addition would be developed with single family homes
- ☒ The project will increase traffic
- ☒ The project will cause the overcrowding of the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods

☐ Other: _____

Signature: Katie Huebner

Name: Katie Huebner
David Huebner

Address: 3769 Norman Ct. S

Phone: 

Email: 

Date: 12/31/19

OPPOSITION TO PROPOSED ZONING CHANGE

I, Eric Wieland, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my home with the understanding that the Valley View Estates Addition would be developed with single family homes
- ☒ The project will increase traffic
- ☒ The project will cause the overcrowding of the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods

☐ Other: _____

Signature:

Name:

Address:

Phone:

Email:

Date:

Eric Wieland
Eric Wieland
3713 Norman Cr 5
[REDACTED]
12-14-19

OPPOSITION TO PROPOSED ZONING CHANGE

I, Ronald P. Pederson, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my house with the understanding that the Valley View Estates Addition would be developed as single family homes
- ☐ The project will increase traffic
- ☒ The project will cause overcrowding in the area school system
- ☐ The project will cause an increase in noise on the nearby neighborhoods
- ☐ The project does not plan for future expansion of Independence School
- ☒ The development intends to violate zoning restrictions by placing multi-dwelling structures on lots zoned for single dwellings.

☐ Other: _____

Signature:

Ronald P. Pederson

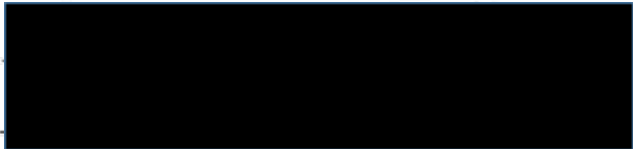
Name:

Ronald P. Pederson

Address:

3766 Dorothea Ct S

Phone:



Email:

Date:

12-4-19

Please return completed forms to Jacob Glower, 4844 Spencer Lane South, Fargo, ND 58104.

Forms must be returned prior to the Planning Commission hearing for the Valley View Estates Plat on January 7, 2020.

A web site for this opposition is located at <https://valleyviewestates.com>

OPPOSITION TO PROPOSED ZONING CHANGE

I, Mark Dollerschell, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my house with the understanding that the Valley View Estates Addition would be developed as single family homes
- ☒ The project will increase traffic
- ☒ The project will cause overcrowding in the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods
- ☒ The project does not plan for future expansion of Independence School;
- ☒ The development intends to violate zoning restrictions by placing multi-dwelling structures on lots zoned for single dwellings.
- ☐ Other: _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

Signature:

Mark Dollerschell

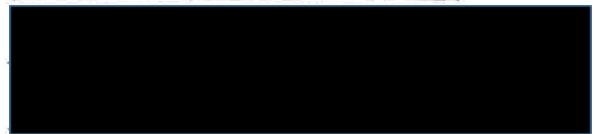
Name:

Mark Dollerschell

Address:

4919 38th Ave S.

Phone:



Email:

Date:

12-10-19

Please return completed forms to Jacob Glower, 4844 Spencer Lane South, Fargo, ND 58104.

Forms must be returned prior to the Planning Commission hearing for the Valley View Estates Plat on January 7, 2020

A web site for this opposition is located at <https://valleyviewfargo.weebly.com/>

OPPOSITION TO PROPOSED ZONING CHANGE

I, Taefé Dollerscheil, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my house with the understanding that the Valley View Estates Addition would be developed as single family homes
- ☒ The project will increase traffic
- ☒ The project will cause overcrowding in the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods
- ☒ The project does not plan for future expansion of Independence School;
- ☒ The development intends to violate zoning restrictions by placing multi-dwelling structures on lots zoned for single dwellings.

- ☐ Other: _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

Signature: _____

Name: _____

Address: _____

Phone: _____

Email: _____

Date: _____

Please return completed forms to Jacob Glower, 4844 Spencer Lane South, Fargo, ND 58104.

Forms must be returned prior to the Planning Commission hearing for the Valley View Estates Plat on January 7, 2020

A web site for this opposition is located at <https://valleyviewfargo.weebly.com/>

OPPOSITION TO PROPOSED ZONING CHANGE

I, Megan Thompson, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my house with the understanding that the Valley View Estates Addition would be developed as single family homes
- ☐ The project will increase traffic
- ☒ The project will cause overcrowding in the area school system
- ☐ The project will cause an increase in noise on the nearby neighborhoods
- ☐ The project does not plan for future expansion of Independence School;
- ☒ The development intends to violate zoning restrictions by placing multi-dwelling structures on lots zoned for single dwellings.
- ☐ Other: _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

Signature:

Megan Thompson

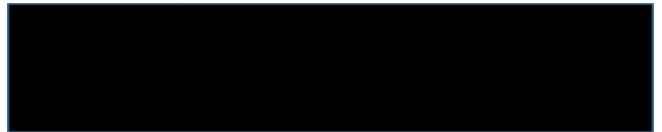
Name:

Megan Thompson

Address:

4931 38th Ave S

Phone:



Email:

Date:

12/13/2019

Please return completed forms to Jacob Glower, 4844 Spencer Lane South, Fargo, ND 58104.

Forms must be returned prior to the Planning Commission hearing for the Valley View Estates Plat on January 7, 2020

A web site for this opposition is located at <https://valleyviewfargo.weebly.com/>

OPPOSITION TO PROPOSED ZONING CHANGE

I, Sean Thompson, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my house with the understanding that the Valley View Estates Addition would be developed as single family homes
- ☐ The project will increase traffic
- ☒ The project will cause overcrowding in the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods
- ☒ The project does not plan for future expansion of Independence School;
- ☒ The development intends to violate zoning restrictions by placing multi-dwelling structures on lots zoned for single dwellings.
- ☐ Other: _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

Signature: _____

Name: _____

Address: _____

Phone: _____

Email: _____

Date: _____

Please return completed forms to Jacob Glower, 4844 Spencer Lane South, Fargo, ND 58104.

Forms must be returned prior to the Planning Commission hearing for the Valley View Estates Plat on January 7, 2020

A web site for this opposition is located at <https://valleyviewfargo.weebly.com/>

OPPOSITION TO PROPOSED ZONING CHANGE

I, Kevin Nguyen, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my house with the understanding that the Valley View Estates Addition would be developed as single family homes
- ☒ The project will increase traffic
- ☒ The project will cause overcrowding in the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods
- ☒ The project does not plan for future expansion of Independence School;
- ☒ The development intends to violate zoning restrictions by placing multi-dwelling structures on lots zoned for single dwellings.
- ☒ Other: City of Fargo Planning Department MUST
follow zoning restrictions
- ☒ I Believe it will make the neighborhood less
Safe
- ☐
- ☐

Signature: _____

Name: _____

Address: _____

Phone: _____

Email: _____

Date: _____

Please return completed forms to Jacob Glower, 4844 Spencer Lane South, Fargo, ND 58104.

Forms must be returned prior to the Planning Commission hearing for the Valley View Estates Plat on January 7, 2020

A web site for this opposition is located at <https://valleyviewfargo.weebly.com/>

OPPOSITION TO PROPOSED ZONING CHANGE

I, Vena Pham, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my house with the understanding that the Valley View Estates Addition would be developed as single family homes
- ☒ The project will increase traffic
- ☒ The project will cause overcrowding in the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods
- ☒ The project does not plan for future expansion of Independence School;
- ☒ The development intends to violate zoning restrictions by placing multi-dwelling structures on lots zoned for single dwellings.

- ☐ Other: _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

Signature: _____

Name: _____

Address: _____

Phone: _____

Email: _____

Date: _____

Please return completed forms to Jacob Glower, 4844 Spencer Lane South, Fargo, ND 58104.

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A web site for this opposition is located at <https://valleyviewfargo.weebly.com/>

OPPOSITION TO PROPOSED ZONING CHANGE

I, LAN NGUYEN, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my house with the understanding that the Valley View Estates Addition would be developed as single family homes
- ☒ The project will increase traffic
- ☒ The project will cause overcrowding in the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods
- ☒ The project does not plan for future expansion of Independence School;
- ☒ The development intends to violate zoning restrictions by placing multi-dwelling structures on lots zoned for single dwellings.
- ☐ Other: _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

Signature: _____

Name: _____

Address: _____

Phone: _____

Email: _____

Date: _____

Please return completed forms to Jacob Glower, 4844 Spencer Lane South, Fargo, ND 58104.

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A web site for this opposition is located at <https://valleyviewfargo.weebly.com/>

OPPOSITION TO PROPOSED ZONING CHANGE

I, John Z Baker, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my house with the understanding that the Valley View Estates Addition would be developed as single family homes
- ☒ The project will increase traffic
- ☒ The project will cause overcrowding in the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods
- ☒ The project does not plan for future expansion of Independence School;
- ☒ The development intends to violate zoning restrictions by placing multi-dwelling structures on lots zoned for single dwellings.

- ☐ Other: _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

Signature: _____

Name: _____

Address: _____

Phone: _____

Email: _____

Date: _____

John Z Baker
John Baker
3590 49th St S

12/8/19

Please return completed forms to Jacob Glower, 4844 Spencer Lane South, Fargo, ND 58104.

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A web site for this opposition is located at <https://valleyviewfargo.weebly.com/>

OPPOSITION TO PROPOSED ZONING CHANGE

I, Morgan Bacon, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my house with the understanding that the Valley View Estates Addition would be developed as single family homes
- ☒ The project will increase traffic
- ☒ The project will cause overcrowding in the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods
- ☒ The project does not plan for future expansion of Independence School;
- ☒ The development intends to violate zoning restrictions by placing multi-dwelling structures on lots zoned for single dwellings.

- ☐ Other: _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

Signature:

Morgan Bacon

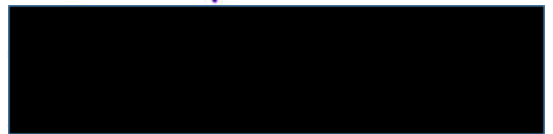
Name:

Morgan Bacon

Address:

4830 Spencer Lane S

Phone:



Email:

Date:

12-8-19

Please return completed forms to Jacob Glower, 4844 Spencer Lane South, Fargo, ND 58104.

Forms must be returned prior to the Planning Commission hearing for the Valley View Estates Plat on January 7, 2020

A web site for this opposition is located at <https://valleyviewfargo.weebly.com/>

OPPOSITION TO PROPOSED ZONING CHANGE

I, Ryan Bacon, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my house with the understanding that the Valley View Estates Addition would be developed as single family homes
- ☒ The project will increase traffic
- ☒ The project will cause overcrowding in the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods
- ☒ The project does not plan for future expansion of Independence School;
- ☒ The development intends to violate zoning restrictions by placing multi-dwelling structures on lots zoned for single dwellings.

- ☐ Other: _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

Signature: _____

Name: _____

Address: _____

Phone: _____

Email: _____

Date: _____

Ryan Bacon
Ryan Bacon
4830 Spencer Lane South
Fargo, ND
58104
12/8/19

Please return completed forms to Jacob Glower, 4844 Spencer Lane South, Fargo, ND 58104.

Forms must be returned prior to the Planning Commission hearing for the Valley View Estates Plat on January 7, 2020

A web site for this opposition is located at <https://valleyviewfargo.weebly.com/>

OPPOSITION TO PROPOSED ZONING CHANGE

I, Harry Stillertson, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my house with the understanding that the Valley View Estates Addition would be developed as single family homes
- ☒ The project will increase traffic
- ☒ The project will cause overcrowding in the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods
- ☒ The project does not plan for future expansion of Independence School;
- ☒ The development intends to violate zoning restrictions by placing multi-dwelling structures on lots zoned for single dwellings.

- ☐ Other: _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

Signature: _____

Name: _____

Address: _____

Phone: _____

Email: _____

Date: _____

Harry Stillertson
Harry Stillertson
3593 49 St. So.

12/4/19

Please return completed forms to Jacob Glower, 4844 Spencer Lane South, Fargo, ND 58104.

Forms must be returned prior to the Planning Commission hearing for the Valley View Estates Plat on January 7, 2020

A web site for this opposition is located at <https://valleyviewfargo.weebly.com/>

OPPOSITION TO PROPOSED ZONING CHANGE

Jodi Gilbertson, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my house with the understanding that the Valley View Estates Addition would be developed as single family homes
- ☒ The project will increase traffic
- ☒ The project will cause overcrowding in the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods
- ☒ The project does not plan for future expansion of Independence School;
- ☒ The development intends to violate zoning restrictions by placing multi-dwelling structures on lots zoned for single dwellings.

- ☐ Other: Do not want multiple housing
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

Signature: Jodi Gilbertson

Name: Jodi Gilbertson

Address: 3593 49th St So

Phone: 

Email: 

Date: Dec. 4 2019

Please return completed forms to Jacob Glower, 4844 Spencer Lane South, Fargo, ND 58104.

Forms must be returned prior to the Planning Commission hearing for the Valley View Estates Plat on January 7, 2020

A web site for this opposition is located at <https://valleyviewfargo.weebly.com/>

OPPOSITION TO PROPOSED ZONING CHANGE

I, Samantha Stults, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my house with the understanding that the Valley View Estates Addition would be developed as single family homes
- ☒ The project will increase traffic
- ☒ The project will cause overcrowding in the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods
- ☒ The project does not plan for future expansion of Independence School;
- ☒ The development intends to violate zoning restrictions by placing multi-dwelling structures on lots zoned for single dwellings.
- ☒ Other: The project gives little regard to the
False advertising of what was implied
Valley View ~~states~~ ESTATES to be.
- ☐
- ☐
- ☐

Signature:

Samantha Stults

Name:

Samantha Stults

Address:

3585 49th St. So.

Phone:

Email:

Date:

12-4-19

Please return completed forms to Jacob Glower, 4844 Spencer Lane South, Fargo, ND 58104.

Forms must be returned prior to the Planning Commission hearing for the Valley View Estates Plat on January 7, 2020

A web site for this opposition is located at <https://valleyviewfargo.weebly.com/>

OPPOSITION TO PROPOSED ZONING CHANGE

Marsha Johnson, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my house with the understanding that the Valley View Estates Addition would be developed as single family homes
- ☒ The project will increase traffic
- ☒ The project will cause overcrowding in the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods
- ☒ The project does not plan for future expansion of Independence School;
- ☒ The development intends to violate zoning restrictions by placing multi-dwelling structures on lots zoned for single dwellings.

- ☐ Other: _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

Signature: _____

Name: _____

Address: _____

Phone: _____

Email: _____

Date: _____

Please return completed forms to Jacob Glower, 4844 Spencer Lane South, Fargo, ND 58104.

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A web site for this opposition is located at <https://valleyviewfargo.weebly.com/>

OPPOSITION TO PROPOSED ZONING CHANGE

I, Jacob Glower, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my house with the understanding that the Valley View Estates Addition would be developed as single family homes
- ☒ The project will increase traffic
- ☒ The project will cause overcrowding in the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods
- ☒ The project does not plan for future expansion of Independence School;
- ☒ The development intends to violate zoning restrictions by placing multi-dwelling structures on lots zoned for single dwellings.

- ☐ Other: _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

Signature: _____

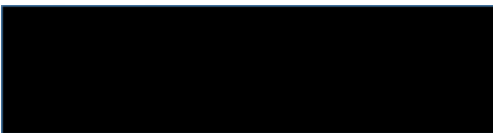
Name: _____

Address: _____

Phone: _____

Email: _____

Date: _____

Jacob Glower
Jacob Glower
4844 Spencer Ln S

12/4/19

Please return completed forms to Jacob Glower, 4844 Spencer Lane South, Fargo, ND 58104.

Forms must be returned prior to the Planning Commission hearing for the Valley View Estates Plat on January 7, 2020

A web site for this opposition is located at <https://valleyviewfargo.weebly.com/>

OPPOSITION TO PROPOSED ZONING CHANGE

I, ERIC C. HAUSER, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my house with the understanding that the Valley View Estates Addition would be developed as single family homes
- ☒ The project will increase traffic
- ☒ The project will cause overcrowding in the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods
- ☒ The project does not plan for future expansion of Independence School;
- ☒ The development intends to violate zoning restrictions by placing multi-dwelling structures on lots zoned for single dwellings.
- ☒ Other: Low cost dwellings will attract low income families
making this area less desirable to live.
INCREASED POTENTIAL FOR CRIME.
- ☐
- ☐

Signature:

Eric C. Hauser

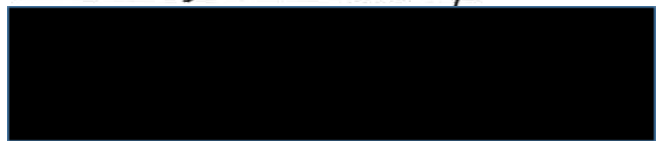
Name:

ERIC C. HAUSER

Address:

3594 50 TH ST. S.
FARGO, ND 58104

Phone:



Email:

Date:

12 / 3 / 19

Please return completed forms to Jacob Glower, 4844 Spencer Lane South, Fargo, ND 58104.

Forms must be returned prior to the Planning Commission hearing for the Valley View Estates Plat on January 7, 2020

A web site for this opposition is located at <https://valleyviewfargo.weebly.com/>

OPPOSITION TO PROPOSED ZONING CHANGE

I, Sarah Hauser, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:


- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my house with the understanding that the Valley View Estates Addition would be developed as single family homes
- ☒ The project will increase traffic
- ☒ The project will cause overcrowding in the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods
- ☒ The project does not plan for future expansion of Independence School;
- ☒ The development intends to violate zoning restrictions by placing multi-dwelling structures on lots zoned for single dwellings.


- ☒ Other: I don't want to look out my front window and see a 40ft. tall townhome
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

Signature: Sarah Hauser

Name: Sarah Hauser

Address: 3594 50th St. South

Phone: 

Email: 

Date: 12/3/2019

Please return completed forms to Jacob Glower, 4844 Spencer Lane South, Fargo, ND 58104.

Forms must be returned prior to the Planning Commission hearing for the Valley View Estates Plat on January 7, 2020

A web site for this opposition is located at <https://valleyviewfargo.weebly.com/>

OPPOSITION TO PROPOSED ZONING CHANGE

I, Susan Michelle Maxwell, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my house with the understanding that the Valley View Estates Addition would be developed as single family homes
- ☒ The project will increase traffic
- ☐ The project will cause overcrowding in the area school system
- ☐ The project will cause an increase in noise on the nearby neighborhoods
- ☐ The project does not plan for future expansion of Independence School;
- ☒ The development intends to violate zoning restrictions by placing multi-dwelling structures on lots zoned for single dwellings.
- ☐ Other: _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

Signature:

Susan Michelle Maxwell

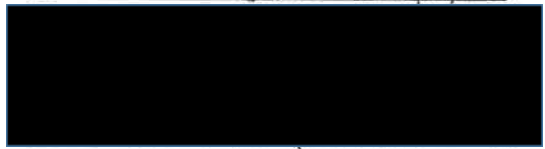
Name:

Susan Michelle Maxwell

Address:

3599 50th St. St. Fargo, 58104

Phone:



Email:

Date:

12/8/19

Please return completed forms to Jacob Glower, 4844 Spencer Lane South, Fargo, ND 58104.

Forms must be returned prior to the Planning Commission hearing for the Valley View Estates Plat on January 7, 2020

A web site for this opposition is located at

OPPOSITION TO PROPOSED ZONING CHANGE

I, Kayla Larson, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my house with the understanding that the Valley View Estates Addition would be developed as single family homes
- ☒ The project will increase traffic
- ☒ The project will cause overcrowding in the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods
- ☒ The project does not plan for future expansion of Independence School;
- ☒ The development intends to violate zoning restrictions by placing multi-dwelling structures on lots zoned for single dwellings.

- ☐ Other: _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

Signature: _____

Name: _____

Address: _____

Phone: _____

Email: _____

Date: _____

Kayla Larson
Kayla Larson
3592 50th St. S. - Fargo, ND
58104
56104
12/8/19

Please return completed forms to Jacob Glower, 4844 Spencer Lane South, Fargo, ND 58104.

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A web site for this opposition is located at <https://valleyviewfargo.weebly.com/>

VALLEY VIEW ESTATES

PETITIONS RECEIVED FROM PROPERTY OWNERS OUTSIDE OF THE 300 FOOT NOTIFICATION AREA

January 28, 2020

OPPOSITION TO PROPOSED ZONING CHANGE

I, Courtney Rinkenberger, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☐ I built/purchased my house with the understanding that the Valley View Estates Addition would be developed as single family homes
- ☒ The project will increase traffic
- ☒ The project will cause overcrowding in the area school system
- ☐ The project will cause an increase in noise on the nearby neighborhoods
- ☒ The project does not plan for future expansion of Independence School;
- ☐ The development intends to violate zoning restrictions by placing multi-dwelling structures on lots zoned for single dwellings.
- ☐ Other: _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

Signature:

Courtney Rinkenberger

Name:

Courtney Rinkenberger

Address:

4892 38th Ave S

Phone:



Email:

Date:

12-5-19

Please return completed forms to Jacob Glower, 4844 Spencer Lane South, Fargo, ND 58104.

Forms must be returned prior to the Planning Commission hearing for the Valley View Estates Plat on January 7, 2020.

A web site for this opposition is located at <https://valleyviewfargo.weebly.com/>

OPPOSITION TO PROPOSED ZONING CHANGE

I, Jay Miller, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☐ The project will negatively affect my property value
- ☐ The project will change the character of the neighborhood
- ☒ I built/purchased my house with the understanding that the Valley View Estates Addition would be developed as single family homes
- ☒ The project will increase traffic
- ☐ The project will cause overcrowding in the area school system
- ☐ The project will cause an increase in noise on the nearby neighborhoods
- ☐ The project does not plan for future expansion of Independence School;
- ☐ The development intends to violate zoning restrictions by placing multi-dwelling structures on lots zoned for single dwellings.

☒ Other: Please no apartment buildings
☐ _____
☐ _____
☐ _____
☐ _____

Signature:

Jay Miller

Name:

Jay Miller

Address:

3591 50th St. S

Phone:

Email:

Date:

12.16.19

Please return completed forms to Jacob Glower, 4844 Spencer Lane South, Fargo, ND 58104.

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A web site for this opposition is located at <https://valleyviewfargo.weebly.com/>

OPPOSITION TO PROPOSED ZONING CHANGE

I, Matt Helander, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my house with the understanding that the Valley View Estates Addition would be developed as single family homes
- ☒ The project will increase traffic
- ☒ The project will cause overcrowding in the area school system
- ☐ The project will cause an increase in noise on the nearby neighborhoods
- ☒ The project does not plan for future expansion of Independence School;
- ☒ The development intends to violate zoning restrictions by placing multi-dwelling structures on lots zoned for single dwellings.
- ☒ Other: See attached memo

- ☐
- ☐
- ☐
- ☐

Signature: Matt Helander

Name: Matt Helander

Address: 3589 50th St S.

Phone: 

Email: 

Date: 12/3/19

Please return completed forms to Jacob Glower, 4844 Spencer Lane South, Fargo, ND 58104.

Forms must be returned prior to the Planning Commission hearing for the Valley View Estates Plat on January 7, 2020

A web site for this opposition is located at <https://valleyviewfargo.weebly.com/>

Memo from Matt and Jodi Helander
3589 50th St S

To expand on the specific objections stated on the previous page:

The neighborhood character item – apartments right next to the pond, right next to the playground of independence would be a giant eye sore, in an otherwise very visually appealing neighborhood. My house faces southeast from 50th St. S, and I do not want an apartment as my new horizon.

Not to mention adding any apartments to this area is absolutely ridiculous, especially when we are near 11% rental vacancy in Fargo.

Traffic is of course another major concern. With the surrounding areas already developed, 36th Ave S is already on its way to be a high-volume road. As someone who has lived in the development since 2015, it's clear that a fair amount of this volume is through traffic, which would only be compounded by adding several hundred apartment units to the development.

Lastly – property values / expectations. When we chose valley view as the site for our new home, the understanding was that this section of the development would continue to erect single family homes, similar to those on our block. We didn't make this decision lightly as we plan to stay in this home long term. The value of our homes would absolutely be affected, which would put an even bigger strain on those that do have an intention to sell in the foreseeable future.

This image below was the established neighborhood plan when we built in the development and adding apartments or other multi family housing in this area is a slap in the face to the hard-working residents who have made large financial commitments to reside in this area.



OPPOSITION TO PROPOSED ZONING CHANGE

I, Bradley Johnson, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my house with the understanding that the Valley View Estates Addition would be developed as single family homes
- ☒ The project will increase traffic
- ☒ The project will cause overcrowding in the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods
- ☒ The project does not plan for future expansion of Independence School;
- ☒ The development intends to violate zoning restrictions by placing multi-dwelling structures on lots zoned for single dwellings.

☐ Other: _____
☐ _____
☐ _____
☐ _____
☐ _____

Signature: _____

Name: _____

Address: _____

Phone: _____

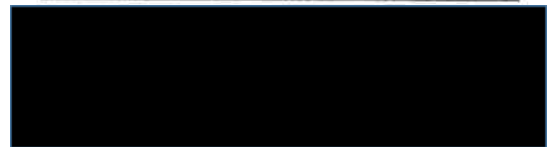
Email: _____

Date: _____

Bradley Johnson

Bradley Johnson

3587 50th St S



12/3/19

Please return completed forms to Jacob Glower, 4844 Spencer Lane South, Fargo, ND 58104.

Forms must be returned prior to the Planning Commission hearing for the Valley View Estates Plat on January 7, 2020

A web site for this opposition is located at <https://valleyviewfargo.weebly.com/>

OPPOSITION TO PROPOSED ZONING CHANGE

I, Lisa Johnson, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my house with the understanding that the Valley View Estates Addition would be developed as single family homes
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- ☒ The project will cause overcrowding in the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods
- ☒ The project does not plan for future expansion of Independence School;
- ☒ The development intends to violate zoning restrictions by placing multi-dwelling structures on lots zoned for single dwellings.

☐ Other: _____
☐ _____
☐ _____
☐ _____
☐ _____

Signature:



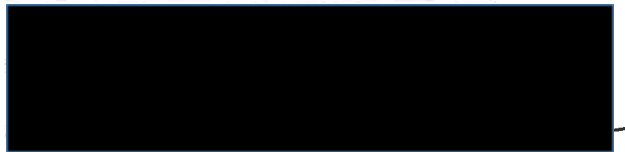
Name:

Lisa Johnson

Address:

3587 50 St S

Phone:



Email:

Date:

12/3/19

Please return completed forms to Jacob Glower, 4844 Spencer Lane South, Fargo, ND 58104.

Forms must be returned prior to the Planning Commission hearing for the Valley View Estates Plat on January 7, 2020

A web site for this opposition is located at <https://valleyviewfargo.weebly.com/>

OPPOSITION TO PROPOSED ZONING CHANGE

I, Jared Johnson, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my house with the understanding that the Valley View Estates Addition would be developed as single family homes
- ☒ The project will increase traffic
- ☒ The project will cause overcrowding in the area school system
- ☐ The project will cause an increase in noise on the nearby neighborhoods
- ☒ The project does not plan for future expansion of Independence School;
- ☒ The development intends to violate zoning restrictions by placing multi-dwelling structures on lots zoned for single dwellings.
- ☐ Other: _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

Signature: _____

Name: Jared Johnson

Address: 3585 50th St. S Fargo ND 58104

Phone: _____

Email: _____

Date: 12/3/2019

Please return completed forms to Jacob Glower, 4844 Spencer Lane South, Fargo, ND 58104.

Forms must be returned prior to the Planning Commission hearing for the Valley View Estates Plat on January 7, 2020

A web site for this opposition is located at <https://valleyviewfargo.weebly.com/>

OPPOSITION TO PROPOSED ZONING CHANGE

I, Debra Johnson, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my house with the understanding that the Valley View Estates Addition would be developed as single family homes
- ☒ The project will increase traffic
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- ☒ The project will cause an increase in noise on the nearby neighborhoods
- ☒ The project does not plan for future expansion of Independence School;
- ☒ The development intends to violate zoning restrictions by placing multi-dwelling structures on lots zoned for single dwellings.

- ☐ Other: _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

Signature: _____

Name: _____

Address: _____

Phone: _____

Email: _____

Date: _____

Please return completed forms to Jacob Glower, 4844 Spencer Lane South, Fargo, ND 58104.

Forms must be returned prior to the Planning Commission hearing for the Valley View Estates Plat on January 7, 2020

A web site for this opposition is located at <https://valleyviewfargo.weebly.com/>

OPPOSITION TO PROPOSED ZONING CHANGE

I, MATT SCHONS, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my house with the understanding that the Valley View Estates Addition would be developed as single family homes
- ☒ The project will increase traffic
- ☒ The project will cause overcrowding in the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods
- ☒ The project does not plan for future expansion of Independence School;
- ☒ The development intends to violate zoning restrictions by placing multi-dwelling structures on lots zoned for single dwellings.

- ☐ Other: _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

Signature: _____

Name: _____

Address: _____

Phone: _____

Email: _____

Date: _____

Matt Schons

MATT SCHONS

3581 50th ST S FARGO

[REDACTED]

12-8-19

Please return completed forms to Jacob Glower, 4844 Spencer Lane South, Fargo, ND 58104.

Forms must be returned prior to the Planning Commission hearing for the Valley View Estates Plat on January 7, 2020

A web site for this opposition is located at <https://valleyviewfargo.weebly.com/>

OPPOSITION TO PROPOSED ZONING CHANGE

I, BRAD PERSINGER, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my house with the understanding that the Valley View Estates Addition would be developed as single family homes
- ☒ The project will increase traffic
- ☒ The project will cause overcrowding in the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods
- ☒ The project does not plan for future expansion of Independence School;
- ☒ The development intends to violate zoning restrictions by placing multi-dwelling structures on lots zoned for single dwellings.
- ☒ Other: _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

Signature: _____

Name: _____

Address: _____

Phone: _____

Email: _____

Date: _____

BRAD PERSINGER
BRAD PERSINGER
4751 SPENCER LN

12-4-19

Please return completed forms to Jacob Glower, 4844 Spencer Lane South, Fargo, ND 58104.

Forms must be returned prior to the Planning Commission hearing for the Valley View Estates Plat on January 7, 2020

A web site for this opposition is located at <https://valleyviewfargo.weebly.com/>

OPPOSITION TO PROPOSED ZONING CHANGE

I, Cody & Katherine Mauch, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☐ The project will negatively affect my property value
- ☐ The project will change the character of the neighborhood
- ☐ I built/purchased my house with the understanding that the Valley View Estates Addition would be developed as single family homes
- ☐ The project will increase traffic
- ☐ The project will cause overcrowding in the area school system
- ☐ The project will cause an increase in noise on the nearby neighborhoods
- ☐ The project does not plan for future expansion of Independence School;
- ☐ The development intends to violate zoning restrictions by placing multi-dwelling structures on lots zoned for single dwellings.
- ☐ Other: _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

Signature:

Cody & Katherine Mauch

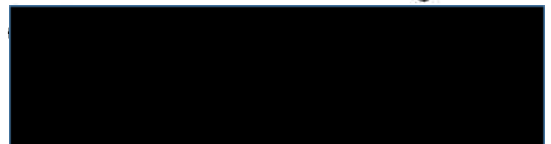
Name:

Cody Mauch Katherine Mauch

Address:

3576 49th St. S. Fargo, ND 58104

Phone:



Email:

Date:

December 4th, 2019

Please return completed forms to Jacob Glower, 4844 Spencer Lane South, Fargo, ND 58104.

Forms must be returned prior to the Planning Commission hearing for the Valley View Estates Plat on January 7, 2020

A web site for this opposition is located at <https://valleyviewfargo.weebly.com/>

OPPOSITION TO PROPOSED ZONING CHANGE

I, RICH HULSWIT, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☐ I built/purchased my home with the understanding that the Valley View Estates Addition would be developed with single family homes
- ☒ The project will increase traffic
- ☐ The project will cause the overcrowding of the area school system
- ☐ The project will cause an increase in noise on the nearby neighborhoods
- ☒ Other:
 - SAFETY FOR ALL THE SMALLER CHILDREN THAT WALK ALONG 37th AVE, WITH INCREASED TRAFFIC + ADDITIONAL "CUT-THROUGH" TRAFFIC.
 - WE HAVE A "GLUT OF APARTMENTS" BASED ON AUG. 4th 2019 INFORUM ARTICLE + STATEMENTS FROM CITY OFFICIALS

- PAGE 8 OF 2007 GROWTH PLAN STATES THAT THERE ARE 2 IMPORTANT FACTORS, 1 OF THESE "EXCELLENT QUALITY OF LIFE". IN SINCEBAUGH WE HAVE EXCELLENT QUALITY OF LIFE, THIS CHANGE WOULD NEGATIVELY IMPACT OUR QUALITY OF LIFE

Signature: 

Name: RICH HULSWIT

Address: 3701 NORMAN CT S.

Phone: 

Email: 

Date: 12/14/19

OPPOSITION TO PROPOSED ZONING CHANGE

I, CINDY HULSWIT, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my home with the understanding that the Valley View Estates Addition would be developed with single family homes
- ☒ The project will increase traffic
- ☒ The project will cause the overcrowding of the area school system
- ☐ The project will cause an increase in noise on the nearby neighborhoods

- ☐ Other: Supposed to Put in this Splash
Park. that never was put in !!!

Signature:

Cindy Hulswit

Name:

CINDY HULSWIT

Address:

3701 NORMAN CT.

Phone:

Email:

Date:

12/14/19

OPPOSITION TO PROPOSED ZONING CHANGE

I, Matt Evensen, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my home with the understanding that the Valley View Estates Addition would be developed with single family homes
- ☒ The project will increase traffic
- ☒ The project will cause the overcrowding of the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods

☒ Other: Break laws of zoning language
requirements.
Will not fix issue of affordable housing

Signature:

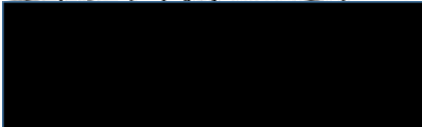
Name:

Address:

Phone:

Email:

Date:

Matt Evensen
Matt Evensen
3734 Norman Ct S.

12/13/19 *U Can*

OPPOSITION TO PROPOSED ZONING CHANGE

I, Jeremy Wehrman + Tashie Wehrman, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my home with the understanding that the Valley View Estates Addition would be developed with single family homes
- ☒ The project will increase traffic
- ☒ The project will cause the overcrowding of the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods

☐ Other: _____

Signature: [Signature]
Name: Jeremy P. Wehrman

Signature: [Signature]
Name: Tashie J. Wehrman
Address: 3745 Norman Ct S. Fargo
Phone: [Redacted]
Email: [Redacted]
Date: Dec 14th, 2019

OPPOSITION TO PROPOSED ZONING CHANGE

I, Douglas RIEDINGER, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my home with the understanding that the Valley View Estates Addition would be developed with single family homes
- ☒ The project will increase traffic
- ☒ The project will cause the overcrowding of the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods

☐ Other: _____

Signature:

Douglas Riedinger

Name:

Doug RIEDINGER

Address:

3706 NORMAN CRT. S.

Phone:

Email:

Date:

12-16-99



OPPOSITION TO PROPOSED ZONING CHANGE

I, Debbie Petersen, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my home with the understanding that the Valley View Estates Addition would be developed with single family homes
- ☒ The project will increase traffic
- ☒ The project will cause the overcrowding of the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods

★ Other: Our neighborhood is a quiet, well maintained, safe community with a sense of belonging and kindness. To put high density/high turn over housing passing directly through our subdivision would break the idealic housing that everyone in single family homes sought after, and was promised to buyers when making this neighborhood our home.

Signature: Debbie Petersen
Name: Debbie Petersen
Address: 3737 Norman Ct S
Phone: 
Email: 
Date: 12/16/19

★ TOO Many apartments in Fargo! Only NYC, NY has a higher percentage of multi family homes per capita - look it up! (in USA)

OPPOSITION TO PROPOSED ZONING CHANGE

I, Ann Gustafson, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my home with the understanding that the Valley View Estates Addition would be developed with single family homes
- ☒ The project will increase traffic
- ☒ The project will cause the overcrowding of the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods

☐ Other: _____

Signature:

Ann Gustafson

Name:

Ann Gustafson

Address:

3709 Norman St S

Phone:

[REDACTED]

Email:

Date:

12/20/19

OPPOSITION TO PROPOSED ZONING CHANGE

I, Charles Harris, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my home with the understanding that the Valley View Estates Addition would be developed with single family homes
- ☒ The project will increase traffic
- ☒ The project will cause the overcrowding of the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods

☐ Other: _____

Signature: Charles Harris

Name: Charles Harris

Address: 3718 Dorothy Ct S

Phone: 

Email: 

Date: 12-12-19

OPPOSITION TO PROPOSED ZONING CHANGE

I, STEVE HASSLER, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my home with the understanding that the Valley View Estates Addition would be developed with single family homes
- ☒ The project will increase traffic
- ☒ The project will cause the overcrowding of the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods

☐ Other: _____

Signature: _____

Name: _____

Address: _____

Phone: _____

Email: _____

Date: _____

Steve Hassler
STEVE HASSLER
3761 DOROTHEA CT S

12-12-2019

OPPOSITION TO PROPOSED ZONING CHANGE

I, David Hanson, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my home with the understanding that the Valley View Estates Addition would be developed with single family homes
- ☐ The project will increase traffic
- ☐ The project will cause the overcrowding of the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods

☐ Other: _____

Signature: _____

Name: _____

Address: _____

Phone: _____

Email: _____

Date: _____

David Hanson

David Hanson

3714 Dorotha Ct S



12-12-19

OPPOSITION TO PROPOSED ZONING CHANGE

I, Todd P. Hurig, am submitting this document to express my opposition to the proposed re-zoning of Valley View Estates Addition.

I object to this project for the following reasons:

- ☒ The project will negatively affect my property value
- ☒ The project will change the character of the neighborhood
- ☒ I built/purchased my home with the understanding that the Valley View Estates Addition would be developed with single family homes
- ☒ The project will increase traffic
- ☒ The project will cause the overcrowding of the area school system
- ☒ The project will cause an increase in noise on the nearby neighborhoods

☐ Other: _____

Signature: Todd P. Hurig

Name: Todd P. Hurig

Address: 3718 Dorset Ave Ct

Phone: 

Email: 

Date: 12-12-19

COMMENT PACKET

Comment E-mails

Petitions

November 19, 2019

Re: Memorandum in Opposition to the Zoning Change Application for Valley View Estates Addition

To: Fargo Planning Commissioners and Planning & Development Staff:

I currently own a home in the Sincebaugh Addition (Norman Court South). Our little neighborhood is closed off from through traffic and is the type of neighborhood where people get to know their neighbors. Many young families and children live in the neighborhood, and it is very common for the sidewalks to be traversed with children playing when the weather cooperates. It is a one-of-a-kind neighborhood, and that neighborhood charm is what drew my wife and I to buy a home here, five years ago. Currently, there is a vacant tract of land (Valley View Estates Addition), abutting the Sincebaugh Addition, directly to the west.

I was recently notified by a neighbor of the upcoming Hearing to consider an Application regarding the Valley View Estates Addition (VVE). This Application seeks, among other items, a Zoning Change from AG to SR-4 and MR-2. While I can appreciate that a developer would want to develop a vacant tract of land, this Application is concerning for several reasons, which would adversely affect the condition or value of property in the Sincebaugh Addition.

1. No Abutting Land is Zoned a Multi-Dwelling District

No land abutting VVE is zoned for multi-dwelling. All abutting land is zoned for single-dwelling. Additionally, even though some adjoining land to VVE may be SR-3 or 4, the majority of adjoining properties are single residence structures. Any deviation from this would alter the aesthetics of the area. Although SR-4 could be considered, as most homes in the area are single-family, non-duplex, anything other than zone of SR-2 would not fit with the image of the neighborhood, an image that began over a decade ago with the Sincebaugh Addition. Allowing a developer to come in now and capitalize on the growth of the area in order to develop a high density development would undermine the success of the previous zoning decisions and the wonderful existing neighborhoods which they built.

2. The Proposed Application Would Cause Traffic Concerns

Currently there is a dead-end in the Sincebaugh Addition on 37th Avenue South. Entry and exit is conducted on 37th Avenue South alone. It stands to reason that if the Application is approved, 37th Avenue South would most likely have to continue west to serve the high-density plan.

Vehicle traffic would increase greatly, especially considering the already approved Conditional Use Permit to build senior living on the corner of 37th Avenue South and 45th Street South. There is no traffic light at that intersection. The increased vehicle traffic is concerning for gaining access to 45th Street South, as that is a high volume road. Additionally, increased vehicle traffic is concerning for the safety, well-being and peacefulness of the Sincebaugh Addition, as numerous children play and ride bikes along the sidewalks. Also at risk is the peacefulness of the neighborhood, as increased vehicle traffic from a high density development would produce greater vehicle noise. Last, not only would a high density

development increase vehicle traffic from those that live there, but guests and the potential for cut-through traffic should initiate a traffic impact study at the very least.

Finally, if a through-street is built to serve the high density development, the ugly issue of Special Assessments arises. Would I be subject to a Special Assessment for this street? It certainly does not benefit my property or the neighborhood to have the street built.

3. Home Values Will Decline if the Application is Approved

I understand that home values are subjective. However, my wife and I purchased our home on Norman Court because we loved the neighborhood and thought it would be a great place to raise our family. We chose our house over other great homes in Fargo for that reason. I cannot prove this with any metric or data, currently, but common sense should govern the fact that if a high density development is built, adjoining the Sincebaugh Addition, and 37th Avenue South is built through to serve that development, than my home, which is on a corner and directly adjacent to 37th Avenue, will decline in value. Rare is the potential homebuyer that would chose a home on a busy street to a home on a quiet, low volume road.

In conclusion, while I appreciate that a developer would wish to develop the vacant land at VVE, deference should be given to the quality of life of the residents of the existing neighborhoods surrounding VVE. A high-density development would not serve our neighborhood and would disrupt the close-knit, friendly neighborhood that has been built. Please deny the Application in its current form.

Sincerely,



Trey Hausmann
3702 Norman CT. S
Fargo, ND 58104

From: Allen Lee
Sent: Wednesday, November 20, 2019 8:15 AM
To: Donald Kress <dkress@FargoND.gov>
Subject: RE: Valley View Estates proposed zoning--corrected

10-4, thanks for the correction. I forget that part!

When speaking with someone from planning a month or so ago, it was mentioned that the immediate area to the west of Sincebaugh was tentatively penciled in as SR-2. It must have been just an in-house design concept. (I do not remember who I spoke with) That's where the 'SR-2' came from in my mind.

Overall, the stark contrast in density is a bit alarming. Again, I'll swing over to chat with the developer tomorrow. I'll most likely write something up as well.

- Allen

From: Donald Kress <dkress@FargoND.gov>
Sent: Wednesday, November 20, 2019 8:10 AM
To: Allen Lee
Subject: RE: Valley View Estates proposed zoning--corrected

Mr. Lee,

That entire vacant area west of Sincebaugh Addition is zone AG, Agricultural. It has never been developed and never been zoned beyond AG. Attached is a map that shows that property and the surrounding zoning.

Again, please let me know if you have other questions.

Thank you.

From: Allen Lee
Sent: Wednesday, November 20, 2019 7:57 AM
To: Donald Kress <dkress@FargoND.gov>
Subject: RE: Valley View Estates proposed zoning--corrected

Thanks for the map! Yep, I'll swing over tomorrow for sure.

Right off the cuff... I am shocked that there isn't even 1 segment/portion that is remaining as SR-2. It appears to be an obvious attempt by the developer to present a worst case scenario to the adjoining residents and then 'meet in the middle' for revisions.

Anyways, I'll come say hi tomorrow. - Allen

From: Brian Erenberg
Sent: Thursday, November 21, 2019 9:37 AM
To: Donald Kress <dkress@FargoND.gov>
Subject: High Density Housing/Valley View
Mr. Kress,

I am a property owner in the Sincebaugh development since 2016. Our backyard faces the 40 acres of land that the planning commission wants to be high density buildings. My wife and I purchased the home knowing that the land behind us was low density housing. I would have never bought the home if I knew there would be apartment buildings, townhomes, twin homes, etc. going up on that land.

I would love to hear the reasoning for the change in zoning. The last thing I would think that would look well in that area is apartment buildings. In fact the last thing Fargo/West Fargo area needs is more apartment buildings. This place looks like the projects. What is the vacancy on apartment buildings in Fargo? Who approves the numerous apartment buildings in the area? What tax breaks are given? Someone is benefitting financially? Its not

the community. Aesthetically this place is looking uglier and uglier with each half filled apartment building that is built.

I cannot imagine an homeowner in the area, whose home values range from 325,000 to 500,000 plus, want to surround a group of townhomes or apartment buildings. Our home values will decrease significantly, traffic will increase our homes and our school.

Lets talk about the school. Why increase traffic? Why increase the density of students near a school that already has high class sizes? It does not make any sense, but I would like you to explain your rationale.

I would also like information on who owns the land. On the valley view website information is hard to find. The covenants and restrictions were written by Brian Kounovsky who is president of K square developers LLC. In the covenants and restrictions is described as follows.

Key words in this paragraph: protect harmonious occupancy, aesthetics and property values for current and future land owners. Another interesting piece, a majority of the then owners of lots shall vote to declare a termination, change or modification of the restrictions...The restrictions may be amended...only upon the written agreement of 75% of owners of Lots.

This land should be used for what it was intended for, low density housing. There is no homeowner that wants high density housing in this area.

Thank you for your time

Brian Erenberg

K Square Developers LLC, a North Dakota Limited Liability Company, whose post office address is 89 Cedar Ave. N Fargo ND 58102, owner of the real property described as Valley View 4th and 5th Addition to the City of Fargo, hereby declares that in order to promote and protect harmonious occupancy, aesthetics and property values of the Premises for current and future land owners, all of said Premises shall be subject to the covenants, conditions, reservations, restrictions and easements (collectively "Restrictions") hereinafter set forth, and that such Restrictions shall apply to and be a part of every conveyance or deed to said Premises or any part thereof, as if fully incorporated in any deed or conveyance thereof. The Restrictions shall be deemed and considered as covenants running with the Premises when conveyed or deeded and shall be binding on the heirs, executors, administrators, successors and assigns of any person to whom any part of the Premises may have been conveyed until 10 years after the date this Declaration is recorded, on which date these Restrictions shall be automatically extended for a term of 10 years, and thereafter in successive 10-year terms, unless on or before the end of the initial period, or any such extension period, a majority of the then owners of Lots shall vote to declare a termination, change or modification of the Restrictions, and an instrument signed by a majority of such owners evidencing such termination, change or modification has been recorded in the office of the Cass County Register of Deeds. The Restrictions may be amended effective prior to the end of the initial 10-year term, or any 10-year extension term, only upon the written agreement of seventy-five percent of owners of Lots. If these Restrictions expire, any and all remedies for a breach committed or suffered prior to expiration, shall survive such expiration.

*****Fr

From: Torey Hoggarth

Sent: Wednesday, November 20, 2019 1:45 PM

To: Donald Kress <dkress@FargoND.gov>

Subject: Proposed Zoning change

Mr. Kress,

It was brought to my attention by a neighbor that there is a potential change in zoning to the 40 acre parcel described as the Valley View Addition on the south side of 36th Ave S. I would like to go on record as opposing the change from low density single family home zoning to a high density multi-family/apartment zoning.

We lived in Arthur ND for 23 years and one of the main reasons we decided to buy a home in Dorothea Court, which is directly east of the parcel in question, is the overall small neighborhood feel to the area. One of our questions we had before we bought our home 3 years ago was future plans of the property to the west. It was our belief that the undeveloped property would eventually lead to the building of single family homes, similar to the surrounding neighborhoods. When I look at the map of the area, the thing that stands out is the overall look and

feel of the neighborhood is single family housing. A school, a walking/biking path, a park, like an small town atmosphere in the middle of Fargo.

When the developers of the Valley View Additions 4 & 5 looked to build, they put covenants in place to assure that single family home atmosphere in that area. In my opinion, changing the zoning to allow multi-family dwellings to be built in this area would be a mistake. I have daughters that have been renters in Fargo for the past two years and the one thing that seems obvious to me is that there are a sufficient number of available rental units in the WF/FM area. Parking is another issue. Building apartments on this parcel would only add to traffic and parking issues as well.

Please take into consideration the neighborhoods, the people, the overall feel our community when considering this change.

Thank you.

Torey Hoggarth

Torey Hoggarth
3757 Dorothea Ct S
Fargo ND 58104

From: Allen Lee

Sent: Friday, November 22, 2019 10:46 AM

To: Nicole Crutchfield <ncrutchfield@FargoND.gov>; Donald Kress <dkress@FargoND.gov>

Subject: Valley View Estates - comments

Hey guys, I'll send something over in a word document later today with my official comments as a resident and not through my City email.

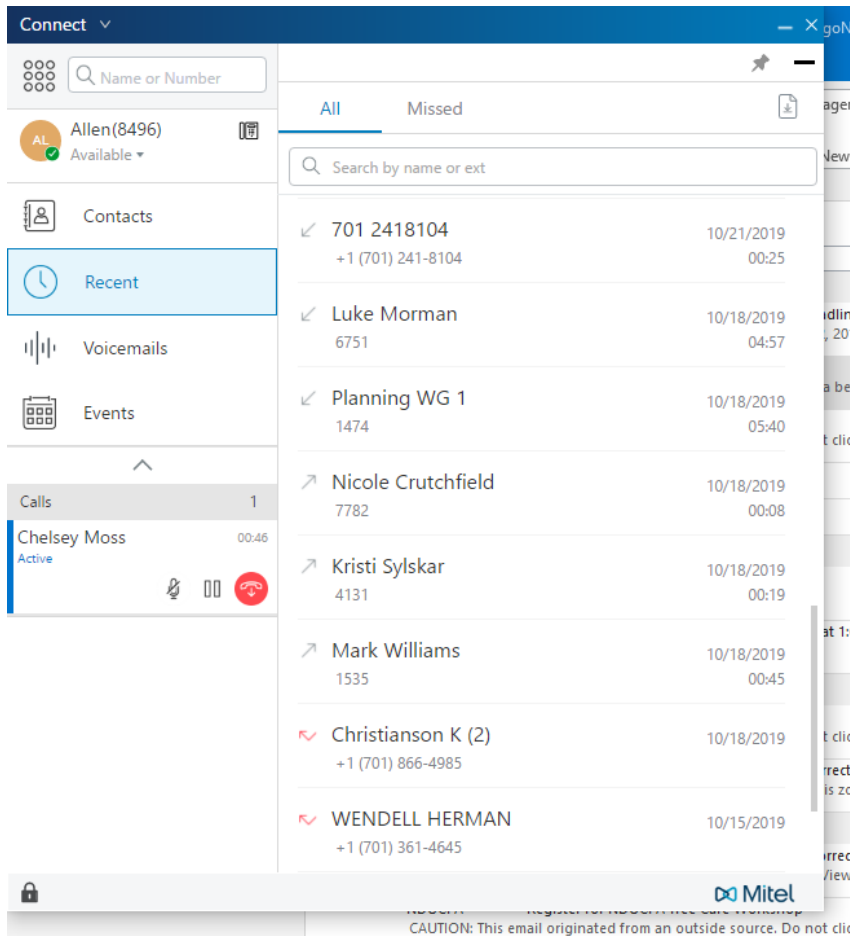
Nicole, I did figure out who told me SR-2 was tentatively planned for the east portion of Valley View, please see my screen shot below.

My general comments:

1. Match up lots on the east side of Valley View, width and depth. (as best as possible)
2. MR-2 density is a bit alarming. Maybe some way on the west portion as a compromise.
3. Other developments he has worked on, there has been a 100' buffer between the 60-80' lots
4. Justice Dr (to the west) on the south side with the narrow lots – are rentals, all of them. Ouch!

You two did a good job of moderating the discussion last night, kudo's!

- Allen



From: Jennifer
Sent: Friday, November 22, 2019 12:10 PM
To: Donald Kress <dkress@FargoND.gov>
Subject: Valley View Estates - Concerns

Hello,

My family lives in Brandt Crossing; however, my back-yard neighbors are residents of the Valley View Development. My daughter goes to Independence Elementary. I'm concerned to see the plans for the 40 acres of green space SE of Independence Elementary. My daughter's classroom numbers are always 23-25 students and frankly that's too many kids for one teacher. The 1 on 1 time is greatly reduced and adding in more apartments will bring more lower income residents, that will bring their generally ill-behaved children to jam this school. My daughter was basically used as an assistant in Kindergarten because the teacher was overworked and all the other kids had so many behavioral issues she needed to tend to. This area cannot handle more people. My daughter will soon need to walk to and from school as we live too close to school and there is no bus available to us. Honestly the only roads she would need to cross is 36th and the traffic there already concerning, people cruise through and text and don't stop for pedestrians. Adding in an additional new community, including apartments will absolutely congest and create a huge bottle neck in this area. I've often thought if we would ever move it would only be to that small portion of land as I like to keep my children in the same schools. The lots are so small I wouldn't even consider it. I'm so tired of having the mixed income housing forced on us here, as it seems we are only bringing more crime closer to homes and I'm over it. Please let me know what more I can do to help deter the current plan from this section of land becoming a strain on our corner of Fargo.

Sincerely,

Jennifer Winterton

From: Sarah Hauser
Sent: Friday, November 22, 2019 12:24 PM
To: Donald Kress <dkress@FargoND.gov>
Subject: Opposition to amendment to Valley View Estates Addition

Dear Mr. Kress,

My name is Sarah Hauser and I am a home owner in Valley View off of 36th Ave. South in Fargo, across the street from the current agriculture lot. Unfortunately, I was unable to attend the meeting last night. I have great concern with the proposed amendment modifying the area from low/medium density housing to medium/high density housing. When purchasing our home, we loved the quaint neighborhood that was somewhat off the beaten path. The close proximity to schools, walking paths, and green spaces were attractive. We also understood that the current agriculture area would eventually be developed into low density, higher end homes, which also influenced our home purchasing decision at that time.

However, in my opinion, creating a medium/high density area in this Valley View addition would have negative impacts such as:

- Could potentially reduce our property value due to being located in a more congested/busy/high traffic area
- Will cause an overload of students at Independence Elementary School, which is already overcrowded
- Higher street traffic, which has already increased tremendously over the last few years. Safety is a concern as there is a crosswalk across 36th Ave. for the walking path.

We understand that Fargo is growing exponentially and that developers are looking to build wherever, and as much, as possible. However, please reconsider and keep this area slated for low/medium density, single family homes.

A concerned homeowner,

Sarah Hauser
3594 50th St. South
Fargo,ND

From: Samantha Stults <
Sent: Friday, November 22, 2019 1:59 PM
To: Donald Kress <dkress@FargoND.gov>
Subject: Valley View Estates

Dear Donald -

I am glad I was able to attend the meeting on 11/20 to obtain a better understanding of zoning and what this developer would like to do with the 40 plus acres south of my home. I learned that AG is pending an **appropriate permanent zoning designation**. Knowing that we can't go backwards it is VERY import you planners get the call right the first time.

I am 100% against the two proposed zoning designations presented: SR-4 and MR-2.

I live at 3585 49th Street S. I believe the zoning on the west side of 49th street is SR-2 and on the east side it is SR-4. There is a noticeable difference in home appearance and lot sizes. There is also the infamous Triangle apartments, all demonstrate what SR-4 zoning looks like. Backing up to the Triangles is 3570 49th street south. This house is an example of a house that did not sell even though it was priced under \$250,000 (image attached). Currently it is being marketed as a **RENT TO OWN with less than 10% down, bad credit okay, no bank qualifying, contract for deed!** This is what could potentially happen if the planning commission allows this type of building to take place. Packing in a bunch of little houses changes the entire charm and lowers the property value of the rest of the area. Adding over 13 acres of MR-2 makes it even less desirable. I don't think it is wise to sacrifice the overall image and character of our neighborhood so this developer can keep his cost down and profits up. The developer also had no regard for the impact on the schools and general existing infrastructure. I can't see one positive thing about this zoning and his "plans" which we all know can change. There was a lot of talk about specials, (special assessments) it seams EVERYONE suffers under this program. I moved to Fargo in 2015, and had never heard of this method to pay for things. I am still trying to understand them.

125 houses, plus up to 264 units, plus whatever they surprise us with on the northeast section is TOO MUCH!

Thank you everyone for taking the time to listen to all of the home owners in the area, not just the ones 300 feet from the site.

Samantha Stults



From: Jocelyn Kolle
Sent: Friday, November 22, 2019 2:26 PM
To: Donald Kress <dkress@FargoND.gov>
Subject: Valley View Addition concerns

Good afternoon, my name is Jocelyn Kolle and I am resident in Valley View. I received plans for the new part of the Valley View development from a neighbor as we were not considered close enough to inform. I hope this means that we will also be far enough away to be exempt from the specials of the new development.

My first question and concern is in regards to Independence Elementary. Have WF schools been brought into this conversation? With this many houses coming into a small section of WF it will likely mean another shift in school zones. It could also mean another elementary will have to be built which adds on to an already stressed property owners taxes and specials.

From the meeting minutes it sounds like specials are a big reason for such small lots. I agree that specials are outrageous. The reason people can not afford homes may not be the home price but the fact that they also have to pay large amounts of taxes/specials. When we moved here in 2014 our specials and taxes were around \$2300. They are now a little over \$9,000. That is an INSANE amount to put on household and many, including my family, have to decide when enough is enough and move.

Look at the traffic on 36th. If this many houses and occupants are added to this area major adjustments will need to be made again adding to homeowners specials.

While there may be a need for more affordable housing, there should also be consideration for what is most desirable for the people already living in this area.

Again, I hope you are bringing the WF schools in on this conversation to understand the impact on what this development would bring. Please represent those who have invested in this area and have further conversations about possible solutions.

Thank you,
Jocelyn

From: Lora Stebleton
Sent: Friday, November 22, 2019 5:50 PM
To: Donald Kress <dkress@FargoND.gov>
Subject: Re: Valley View Estates update 11/22/2019
Hi Donald -

Thanks for the follow up email. Would you or any one else in the Planning and Development department be able to tell us if there is any other 40 acre plot in Fargo with this much density?

- If yes, where?

And what type of zoning does it have?

- If no, what the next closest and how many Single Family lots does it have?

And what type of zoning does it have?

Since the developer states he doesn't attend to put up apartments, I ask the 40 acre sections not include apartments though it could have Twinhomes/Townhomes.

The sooner, the better so I may be able to use this information in building a case for some cases to the developers plan.

Thanks, Lora

November 22nd, 2019

To Whom It May Concern:

My name is Matt Evensen and I currently live in the Sincebaugh subdivision, along with my wife and son. I am writing to express my strong opposition to the considerations of: Growth Plan Amendment on the Valley View Estates Addition, zoning change from single-dwelling residential to multi-dwelling residential, and also a plat addition to the current Valley View estates. My opposition is based on the current state of the Sincebaugh subdivision and also the repercussions of allowing multi-dwelling residential homes.

The Sincebaugh neighborhood is a wonderful place to live. Quiet, peaceful, safe, and welcoming for every family that chooses to live here. The single family houses of Sincebaugh are unique, and built to a well developed design standard that was initially created when the subdivision was envisioned. My wife and I moved to the neighborhood three years ago to start a family. A decision that we do not regret. This is a neighborhood we will live in for many years to come. I worry that if the above considerations are approved, all that there is to love about the Sincebaugh neighborhood will be undone. Yes, we will still have our neighborhood but the ideals and history will be tarnished if the city allows multi-dwelling residential homes to be built in the proposed land area. Please consider the current state of the Sincebaugh neighborhood when making decisions regarding the above recommendations.

There will be many impacts as a result if multi-dwelling property is allowed in the proposed areas, and I believe these effects will be negative. The potential builder claims that larger lots and single-family homes are not selling in Fargo and that changing the zoning to multi-dwelling families will solve this problem. According to the builder, prices of homes and prices of special assessments are driving buyers away from homes. At the first open house meeting, held on November 21st, the builder and his associate gave a rough estimate that the town homes would range from 275,000 to 300,000+ for a price point. This does not include any specials assessments attached to these homes. I would not consider this price to be affordable so I don't think this plan would solve any issues related to home sales. There are multiple town home areas in South Fargo that were originally deemed to be part of the same solution (new homes in a great location, cheaper prices, higher rate of sales, fix the vacant housing crisis, modern design to fit neighborhood needs, etc etc). Many of these town homes are now rentals because either no single family could afford them or families were not interested in town homes a permanent residence. There is value in what has already been created in the Sincebaugh subdivision. It is not necessarily monetary, but the feel of a traditional and close knit neighborhood can pay dividends to the community. Single-dwelling homes in a family oriented neighborhood will always draw potential buyers who want to live in that area for many years to come. Who want to start a family and invest their time in the community to make it a better place. If Fargo wants to retain these times of community members, single-family oriented home design is the only way.

I do not know if building multi-dwelling residential homes and apartments in the proposed area would cause decreased values in single-dwelling homes, or if current families would choose to move somewhere that is consistent with a traditional single-dwelling residential neighborhood. I do know that a growth plan and re-zoning amendment would cause larger student populations at surrounding schools, which are already over capacity and could also prevent future families from purchasing single-dwelling homes in the future which would have impact the preservation of surrounding neighborhoods. If we want Fargo to keep a neighborhood feel for both current and future families, we need to keep single-dwelling homes a priority.

The Fargo City Commision must deny this application and not allow any new amendments, re-zoning, or land additions to take place. Please consider Sincebaugh residents, tax payers, and the growing families that live in these neighborhoods when making decisions that will have implications for many years to come.

Thank You,



Matt Evensen
Sincebaugh Subdivision Resident

From: Samuel Vaagen
Sent: Saturday, November 23, 2019 10:50 AM
To: Donald Kress <dkress@FargoND.gov>
Subject: Valley View development proposal

I live in Valley View, [3669 54th St S](#), and am strongly opposed to the proposed development to the currently vacant 40 acres of agriculture land in Valley View. While development of the land may be a reasonable idea, the current proposal is just not a good idea for our neighborhood or for Fargo. There are too many homes and multi-family units in too small of a space in the proposal.

The lots will be very small, homes very close together and streets likely narrow not only due to the size of the land but also due to the obvious need for street parking by new home owners. If lots are that small, it will be unlikely that there will be room for 3 stall garages, will be less room for storage in smaller homes, leading to storage in smaller garages and subsequently street parking. I have been through similar developments in Fargo, and come winter that gets very crowded. That will be very difficult for homeowners as well as city snow plows.

Adding that many homes and multi-family buildings will also overwhelm an already full or near full capacity school. Districts have already been redrawn to cover the capacity. Adding 125 single family homes and that many multi-family buildings is going to add a lot of children as well. Children are a great addition to a neighborhood, but this is too many in this sized area for the school system to successfully accommodate. Certainly you could have more students, but class sizes would be much larger, student to teacher ratios greater and less attention per student. I have been to my child classroom for events through the last few years and the teachers already have their hands full. They do a great job but to add to their class size is asking too much. This proposal will cause over crowding for the neighborhood and schools.

With such small lots, the homes are limited in their current and future size. A small home on a small lot has no future to grow. A homeowner has no choice but to move if their family grows or their needs change. There is no room to make additions or changes. Make the lots bigger and less crowded and the homeowner can stay in their home longer. Instead of moving, the homeowner has the option to stay in their home, and just make an addition or change. This allows the owner to remain part of the neighborhood perhaps for generations and not just short term/few years.

The current proposal includes very tall multi-family units that would need a variance. There is a reason there is already limitations on building height. It's not a good idea. Needing a variance is already a sign that this is not a good idea and should not proceed.

With such small lots, homes so close together, it does not allow any room for landscaping. Green space including private lawns, trees, shrubs, parks etc are what make and finish a neighborhood. This adds value to the neighborhood financial and aesthetic both now and in the future. Without them it is just buildings lined up against each other. Homes so close together allows no room for larger trees, shade trees or evergreen etc that could last for generations. Fargo is already significantly lacking trees. Trees provide shade, wind protection, help decrease temperatures by having less asphalt or concrete among other benefits.

There are multiple other reasons the current proposal is just not right for our neighborhood and Fargo. Please consider input from current homeowners as well as future owners when considering proposals for this area of development and find a better solution, not this current proposal.

Feel free to contact me with any questions regarding our concerns as homeowners in Valley View.

Thank you
Sam Vaagen

From: Eric Hauser
Sent: Sunday, November 24, 2019 2:47 PM
To: Donald Kress <dkress@FargoND.gov>
Subject: Protesting Growth Plan Amendment for Valley View Estates Addition

Dear Donald,

In addition to receiving your notice dated November 13, 2019 and viewing the more detailed Proposed Zoning rendering (from the November 21 meeting), I will be formally protesting the revised planning for the Valley View Estates Addition. This area should not be made up of Multi-Dwelling residential housing or crowded Single Dwelling residential housing in a Medium/High Density manner. 36th Avenue South will not support the future traffic resulting in this ridiculous plan and Independence Elementary School, Liberty Middle School and Sheyenne High School are already quite full. I did not purchase my lot on 50th St. S. (directly across from the proposed MR-2 Block 1) to be across from such a congested high density development. The previous renderings were of low/medium density resident land use consistent with the surrounding areas and this area should remain as such. I will be sure to send additional protest documentation to the Auditor's Office (NDCC 40-47-05) and City Planner (LDC 20-0906.G) prior to the hearing on December 3, 2019. I am very disappointed with the Fargo Planning Commission for this proposal!

Regards,

Eric

Eric C. Hauser

From: Matt Meyer

Sent: Monday, November 25, 2019 12:47 PM

To: Donald Kress <dkress@FargoND.gov>

Subject: Valley View Estates Addition

Mr. Kress,

We are writing to express our concerns with the proposed plan to amend the Growth Plan and of the proposed Plat of Valley View Estates Addition. We are residents of the Sincebaugh Addition, as while we are very open to the future development of the unused land West of our neighborhood, we are very concerned with increasing the density in this area. When we purchased our home in 2013 we researched the growth plan for the land in Valley View Estates Addition, and it was low to medium density residential. This was an important part of the decision making process to buy our home.

The ~41 acres in Valley View Estates Addition is surrounded by neighborhoods with single family homes in all directions. With the pond to the West and the drain to the South, there is opportunity to create some very private and desirable lots for single family homes. Increasing the density of this area will result in a high volume of traffic from the central area passing through the low density areas on the outside, this just doesn't make sense. The higher density neighborhood along with the increased traffic and noise will have a negative impact on our home's value and possible resale in the future.

Please takes these concerns under consideration when planning the Valley View Estates Addition.

Sincerely,

Matthew & Kari Meyer

3792 Norman Ct S

From: Kevin Pickhard

Sent: Monday, November 25, 2019 6:28 PM

To: Donald Kress <dkress@FargoND.gov>

Subject: 40 Acres 36th Ave

Hi Mr Kress,

I am writing to you about the meeting to zone the 40 acres off 36th Ave. I do not think we should zone it for apartments. Fargo has a ton of apartment complexes already. You can't drive a 1/2 mile in any direction without seeing apartments. Please do not zone it for apartments. Thank you taking the time to read this.

Kevin Pickhard

From: Gina Kinzler

Sent: Tuesday, November 26, 2019 8:46 AM

To: Donald Kress <dkress@FargoND.gov>; Commission E-mail <Commission@FargoND.gov>
Subject: Regarding South Fargo development along I-29

Hello Donald,

Thank you for the opportunity to express my thoughts regarding city planning, growth and development, and the "density conundrum".

I've been reading to educate myself on both sides of the issue, pros and cons. I understand that smart planning is necessary to avoid future urban sprawl and inner city blight.

In regards to this city in the Red River Valley and surrounding prairie..."What makes a place special is the way it buries itself inside the heart, not whether it is flat, rugged, rich or austere, wet or cold, wild or tame. Every place like every person is elevated by the love and respect shown toward it and by the way in which its bounty is received."

I live in West Pointe, South Fargo. I'm disappointed by the lack of creative vision from developers in south Fargo resulting in mile upon mile, of seemingly unending apartment complexes, and dense housing developments. What I see are crowded, monochromatic developments that are bleak, blighted, and devoid of anything to feed your spirit. There is an intrusion of privacy, lack of green spaces, and sanctuary. I'm concerned the proposal for yet another type of this development along I-29 will only add to congestion with increased traffic, noise, pollution, and possibly crime.

What kind of dynamic does the city of Fargo want to create now and for future generations? What is and will be the quality of life here?

Thank you for your time and consideration,

Respectfully,

Gina Kinzler
3310 Monroe Street South
Fargo ND 58104

.....

From: Kate Kemmer
Sent: Tuesday, November 26, 2019 1:43 PM
To: Donald Kress <dkress@FargoND.gov>
Subject: Valley View Estates

Hi Donald,

My name is Kate Mauch and my husband and I live at 3576 49th St. S. and am one of the households that received the letter notifying us of the potential zoning change just south of us. I wanted to email you to express our extreme concern that we have of the proposed zoning designations that was presented at last week's meeting: SR-4 and MR-2.

I purchased this property in Feb. 2015 before the Triangle Townhomes were present. Since then, the odd shaped triangular lot behind our home was turned into one of the first Triangle Townhouse apartments. This was very upsetting as now we have lost all privacy in our backyard and now face a large wall of a building right off our deck. I am also the next door neighbor of a family that just moved out and now their home is a RENT TO OWN and requiring less than 10% down. This makes me fearful of being able to sell our home in the future.

To build more of these Single Dwelling and Multi-Dwelling Residential properties is only going to make things worse for a NUMBER of reasons, not only hurting our overall property value, but packing in a bunch of these little houses will completely change the entire charm of our neighborhood. These developers have no concern for the people that are living here and it makes me sick! Not to mention, the schools that we plan to send our children to are already at capacity and by adding more tiny little households to this area would only make matters worse. Not to mention the specials that will affect all of us is absolutely infuriating.

(Please see image attached view from our backyard) [Preview attachment IMG_1252.jpg](#) [IMG_1252.jpg](#) 777 KB

Thank you for taking the time and hearing our concerns.

Katherine and Cody Mauch

November 30, 2019

City Planner (LDC 20-0906.G)
225 4th Street N.
Fargo, ND 58104

RE: Formal Protest of Revised Planning of the Valley View Estates Addition

To whom it may concern,

Upon receiving a notice from Donald Kress, Planning Coordinator, dated November 13, 2019 and viewing the more detailed Proposed Zoning rendering (from the November 21 open house meeting), this letter serves as a formal protest of the revised planning for the Valley View Estates Addition. This area should not be made up of Multi-Dwelling residential housing or crowded Single Dwelling residential housing in a Medium/High Density manner. 36th Avenue South will not support the future traffic resulting in this ridiculous plan and Independence Elementary School, Liberty Middle School and Shyenenne High School are already quite full. I did not purchase my lot on 50th St. S. (directly across from the proposed MR-2 Block 1) to be across from such a congested high density development. The previous renderings were of low/medium density resident land use consistent with the surrounding areas and this area should remain as such. I am very disappointed with the Fargo Planning Commission for this proposal!

Regards,



Eric Hauser
3594 50th St. S.
Fargo, ND 58104

RECEIVED
12-2-19 DE

.....
From: Amy Olson
Sent: Monday, December 9, 2019 7:15 AM
To: Donald Kress <dkress@FargoND.gov>
Subject: Re: Valley View Estates

Hi Don,

Thank you so much for sending me the link about the proposed development at Valley View Estates. It was very helpful to see what is being planned.

As I had mentioned when I met you briefly at the December 3rd meeting, I am a resident on Norman Ct South so my house backs up to the east side of the proposed development. One of the reasons my husband and I chose Fargo when we bought a house last February was because we loved the more spacious lots and quieter streets. Everything we looked at in West Fargo was so jammed packed, we just didn't have the privacy we wanted. We love the neighborhood we live in and are concerned that with the higher density housing our neighborhood will change drastically.

I see on the plans that they will have 5 lots in the new development to every 3 lots we currently have. I invite you to come walk around and see for yourself that this is far too close together and greatly impacts the value of the housing currently in the area.

I really appreciate the work you do to balance the needs of the community with the potential benefits of new developments and the important tax revenues that they generate. Thank you for your time.

Amy

From: Katie Huebner
Sent: Friday, December 13, 2019 12:57 PM
To: Jon Youness; Mark McQuillan; Ben Meland; Jeremy Gorden
Cc: Donald Kress <dkress@FargoND.gov>
Subject: Re: Valley View Estates Updated Exhibit

Could we look at something like this? Matching up the 3 lots in the north east corner? The last house on this strip is completely fenced in. Just an idea..



Valley View Estates - Updated Lay...

PDF - 2.4 MB



(A MAJOR SUBDIVISION)



From: Donald Kress
Sent: Friday, January 24, 2020 4:26 PM
To: 'Matt Meyer'
Cc: Nicole Crutchfield <ncrutchfield@FargoND.gov>
Subject: RE: Valley View Estates Update---Dec. 20, 2019--zoning and traffic

Mr. Meyer,

Your first paragraph is a good summary of the current project.

Regarding the petition question:

The protests are in opposition to the overall project, though if a project gets revised to a point that where a property owner might no longer oppose it, it can be withdrawn at any time. The petition does not apply until the project goes to the City Commission, so we don't address the petition at the Planning Commission. We generally do include all comments, which would include the petitions, in the Planning Commission packet. We did receive quite a few of those petition forms

Regarding the street width question:

The "Subdivision Design and Improvements" section of the LDC provide geometric standards for streets (right of way width, paved street width, etc.). This is another chart, which you can review at:
https://library.municode.com/nd/fargo/codes/code_of_ordinances?nodeId=CH20LADECO_ART20-06SUDEIM_S20-0611ST

The 62-foot wide street for 48th and 49th Streets in the current plat are appropriate for SR-4 zoned districts with parking allowed on only one side of the street, whereas the 70-foot streets in the Sincebaugh would allow parking on both sides of the street. The 80-foot right of way width on 37th Avenue through Sincebaugh is greater than it needs to be for its current use as a local street in a residential area, though perhaps it was originally intended to have a different capacity.

Please feel free to contact me if you have any further questions.

Thank you.

From: Matt Meyer
Sent: Friday, January 24, 2020 6:54 AM
To: Donald Kress <dkress@FargoND.gov>
Cc: Nicole Crutchfield <ncrutchfield@FargoND.gov>
Subject: RE: Valley View Estates Update---Dec. 20, 2019--zoning and traffic

Mr. Kress,

Thank you for the detailed response. I'm a little surprised MR-1 falls under "Low/Medium Density Residential", but that is a rather broad classification. I don't believe it is very well understood among the neighborhood that most what the developer has proposed (both the original and revised plans) satisfies the growth plan, the only exception is the MR-2, which we now know was only sought after by the developer to build a taller building, and you have now restricted it to the same density at MR-1.

I do some questions about the petition process that has been started, I believe many of these have already been turned in. Are these petitions tied to either one of the plans proposed by the developer (original or revised), or are they protesting the project in general? If a resident turned in a petition and is now satisfied with the revised plan, can they retract their petition? Also, when are these petitions taken under consideration, by the planning commission or not until the city commission?

Also, I have a question on the street widths of the revised plan, I see they are at 62' wide, whereas we have 70' wide streets in Norman/Dorothea, and 37th is 80' wide. I'm assuming 62' wide is sufficient?

Regards,

Matt Meyer

3792 Norman Ct S

From: Donald Kress <dkress@FargoND.gov>
Sent: Thursday, January 23, 2020 4:44 PM
To: matt.meyer
Cc: Nicole Crutchfield <ncrutchfield@FargoND.gov>
Subject: RE: Valley View Estates Update---Dec. 20, 2019--zoning and traffic

Mr. Meyer,

The 2003 Growth Plan specifies the following zones per each land use classification:

Low/Medium Density Residential: SR-0, SR-1, SR-2, SR-3, SR-4, (all single dwelling), MR-1 (multi-dwelling), P/I (public/institutional, mainly for government-owned land like the trail/buffer lots on this plat), NC (Neighborhood Commercial)

Medium/High Density Residential: SR-3, SR-4 (both single-dwelling), MR-1, MR-2, MR-3 (all multi-dwelling), NC, and P/I

Note that, following the January 14, 2020 neighborhood meeting on this project, based on comments at that meeting, this project now includes a conditional overlay to limit the density of the proposed MR-2 zone on this project to the density of MR-1 (that is, 16 dwelling units per acre).

A comparison of these zones is most easily found in the Land Development Code (LDC) at:

Use Table: https://library.municode.com/nd/fargo/codes/code_of_ordinances?nodeId=CH20LADECO_ART20-04USRE_S20-0401USTA

AND

Dimensional Standards Table:

https://library.municode.com/nd/fargo/codes/code_of_ordinances?nodeId=CH20LADECO_ART20-05DIST

As a background on some of these zones:

- There is little or no property in the city actually zoned SR-0 and SR-1. These are large-lot zones—that is, their minimum required lot areas and lot widths are large, as you can see in the dimensional standards table referred to above.
- There are few properties in the city zoned NC. No such zoning is proposed for this project.
- Lots zoned P/I are not available for residential development, as indicated in the land use table referred to above.

Regarding the traffic analysis, this all-residential project is not among the types of projects required by the LDC to provide a traffic impact study. There will be some comment from the City's traffic engineer included in the staff report for this project---the report that goes to the Planning Commission, which will be available next week.

Please feel free to contact me if you have any additional questions or comments.

Thank you.

From: Matt Meyer
Sent: Saturday, January 18, 2020 2:55 PM
To: Donald Kress <dkress@FargoND.gov>
Subject: RE: Valley View Estates Update---Dec. 20, 2019
Mr. Kress,

I asked this question at the January 14th meeting, but could you provide more detail on what kind of zoning districts are allowed in the following future land use classifications as specified in the growth plan:

- Low/Medium Density Residential
- Medium/High Density Residential

Also, has there been any studies performed on the increase of traffic on 37th Ave S from either the original or revised plans from the developer?

Regards,

Matt Meyer
3792 Norman Ct. S

City of Fargo Staff Report			
Title:	Rail Crossing First Addition	Date:	1/24/2020
Location:	2161 and 2215 3 rd Avenue North; 321 23 rd Street North	Staff Contact:	Luke Morman
Legal Description:	Lots 6-20, Block 11; Lots 14-21, Block 12; portion of the vacated alley in Block 11; and a portion of vacated 22 nd Street; all in Tyler's Addition		
Owner(s)/Applicant:	Rail Crossing LLC/Fabricators Unlimited	Engineer:	Houston Engineering Inc.
Entitlements Requested:	Minor Subdivision (Replat of Lots 6-20, Block 11; Lots 14-21, Block 12; portion of the vacated alley in Block 11; and a portion of vacated 22 nd Street; all in Tyler's Addition)		
Status:	Planning Commission Public Hearing: February 4, 2020		

Existing	Proposed
Land Use: Warehouse, Manufacturing, and Vacant Land	Land Use: No change
Zoning: LI, Limited Industrial	Zoning: No change
Uses Allowed: LI– Limited Industrial. Allows colleges, community service, daycare centers of unlimited size, detention facilities, health care facilities, parks and open space, religious institutions, safety services, adult entertainment centers, offices, off-premise advertising, commercial parking, outdoor recreation and entertainment, retail sales and service, self-service storage, vehicle repair, limited vehicle service, industrial service, manufacturing and production, warehouse and freight movement, wholesale sales, aviation, surface transportation.	Uses Allowed: No change
Maximum Building Coverage Allowed: 85% of lot	Maximum Building Coverage Allowed: No change

Proposal:

The applicant is requesting a minor subdivision, entitled **Rail Crossing First Addition**, which is a replat of Lots 6-20, Block 11; Lots 14-21, Block 12; portion of the vacated alley in Block 11; and a portion of vacated 22nd Street; all in Tyler's Addition. These properties are zoned LI, Limited Industrial, and no zone changes are proposed. The subject property is located at 2161 and 2215 3rd Avenue North, 321 23rd Street North, and is comprised of approximately 4.86 acres. The proposed subdivision will create one lot and one block. The subject properties are all owned by Rail Crossing LLC and operated by Fabricators Unlimited.

The existing buildings do not meet all requirements of the current LDC within the proposed boundaries, thus, this property is legally nonconforming. The subject properties are legally nonconforming due to the LDC's Dimensional Standards, Residential Protection Standards, and Trees and Landscaping sections. Being legally nonconforming doesn't affect the proposed minor subdivision, it will only affect any future building permit application. All future development will need to meet the current LDC Development Standards.

There are existing utility and sanitary sewer easements on the subject properties to protect the sanitary sewer infrastructure underneath. Per staff comments, the applicant was advised to add additional no-build easements to the west and east of the existing sanitary sewer easement in order to further protect said infrastructure from any future construction on the subject properties. Planning, Engineering, and Public Works staff are working with the applicant to finalize the width of the additional easements and considering the placement of a future building. No building permit applications have been submitted at this time, but this coordination is intended to protect the property owner and the City's infrastructure. The easement widths will be finalized prior to the plat going to City Commission for final approval.

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

Surrounding Land Uses and Zoning Districts:

- North: LI, Limited Industrial, with warehouse and an automobile repair shop;
- East: SR-3, Across an alley, Single-Dwelling Residential, with single family houses, and LI, Limited Industrial, with warehouse use and vacant land owned by the City of Fargo;
- South: Across 3rd Avenue North, LI, Limited Industrial, with warehouse, office, and light manufacturing uses;
- West: Across 23rd Street North, LI, Limited Industrial, owned by the City of Fargo.

Area Plans:

The subject properties are not included in any Growth Plan.

Schools and Parks:

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

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

Parks: The subject property is less than a half mile west of Unicorn Park with the amenities of basketball, grills, multipurpose field, picnic tables, a playground, and recreational trails. The subject property is also less than half a mile north of Jefferson West Park with amenities of basketball, picnic tables, a playground, recreational trails, soccer, and a skate park.

Pedestrian / Bicycle: Off-road bike facilities are located along 1st Ave N, 25th St S, 1 Ave S, 21st St S, and through Jefferson West Park, which are a component of the metro area bikeway system.

Staff Analysis:

Minor Subdivision

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

1. **Section 20-0907.B.3 of the LDC stipulates that the Planning Commission recommend approval or denial of the application, based on whether it complies with the adopted Area Plan, the standards of Article 20-06 and all other applicable requirements of the Land Development Code. Section 20-0907.B.4 of the LDC further stipulates that a Minor Subdivision Plat shall not be approved unless it is located in a zoning district that allows the proposed development and complies with the adopted Area Plan, the standards of Article 20-06 and all other applicable requirements of the Land Development Code.**

The subdivision is intended to replat the subject properties into one lot to accommodate future development. In accordance with Section 20-0901.F of the LDC, notices of the proposed plat have been sent out to property owners within 300 feet of the subject property. To date, staff has received two inquiries. As noted above, the subject properties are legally nonconforming due to the LDC's Dimensional Standards, Residential Protection Standards, and Trees and Landscaping sections. Staff has reviewed this request and finds that this application complies with standards of Article 20-06 and all applicable requirements of the Land Development Code pending the finalization of the additional no-build easement widths as noted above. **(Criteria Satisfied)**

2. Section 20-907.C.4.f of the LDC stipulates that in taking action on a Final Plat, the Board of City Commissioners shall specify the terms for securing installation of public improvements to serve the subdivision.

While this section of the LDC specifically addresses only major subdivision plats, staff believes it is important to note that any improvements associated with the project (both existing and proposed) are subject to special assessments. Special assessments associated with the costs of the public infrastructure improvements are proposed to be spread by the front footage basis and storm sewer by the square footage basis as is typical with the City of Fargo assessment principles. **(Criteria Satisfied)**

Staff Recommendation:

Suggested Motion: "To accept the findings and recommendations of staff and hereby recommend approval to the City Commission of the proposed minor subdivision plat **Rail Crossing First Addition** as outlined within the staff report, as the proposal complies with the standards of Article 20-06, and all other applicable requirements of the Land Development Code".

Planning Commission Recommendation: February 4, 2020

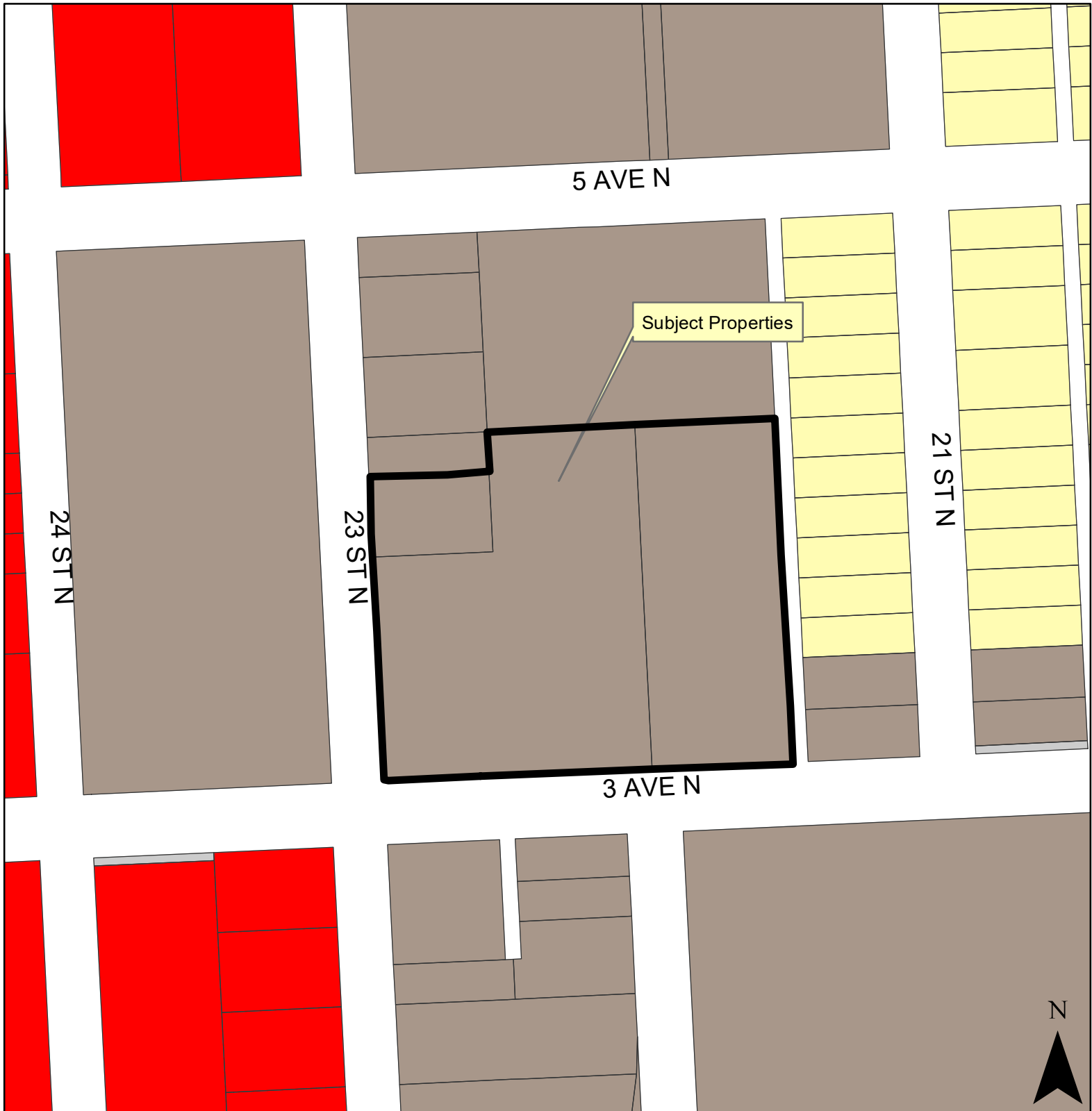
Attachments:

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

Plat (Minor)

Rail Crossing First Addition

321 23rd St N
2161 & 2215 3rd Ave N



Legend

AG	LC	MHP	SSR-2
DMU	MR-1	NC	SSR-3
GC	MR-2	NO	SSR-4
GO	MR-3	P/I	SSR-5
		UMU	City Limits

200

Feet

Plat (Minor)

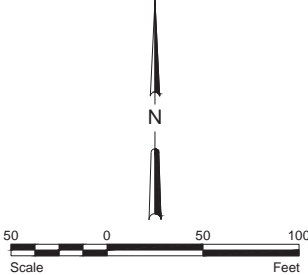
Rail Crossing First Addition

321 23rd St N
2161 & 2215 3rd Ave N



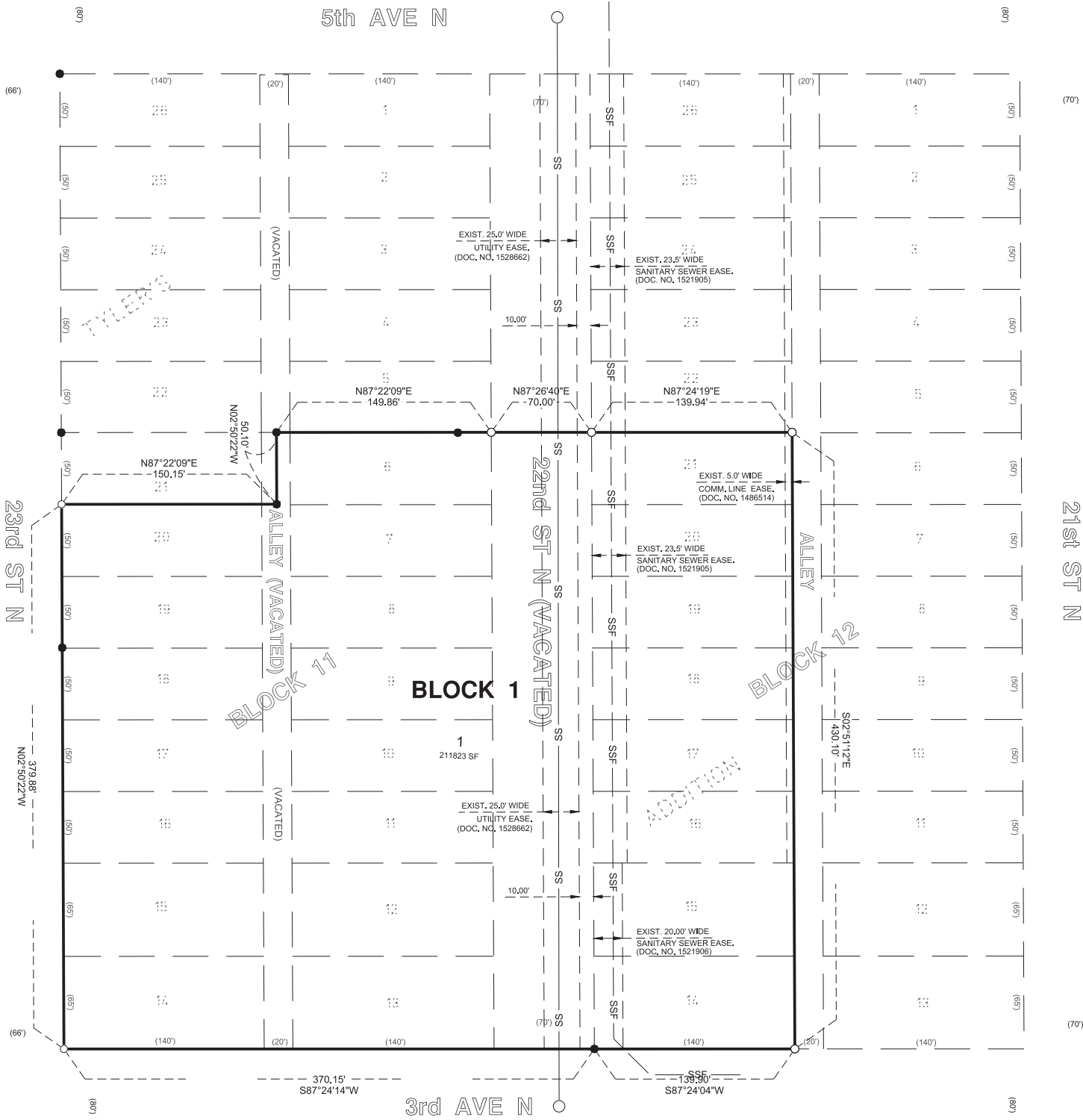
RAIL CROSSING FIRST ADDITION

BEING A REPLAT OF LOTS 6 - 20, BLOCK 11; LOTS 14 - 21, BLOCK 12;
A PORTION OF THE VACATED ALLEY IN BLOCK 11; AND A PORTION OF VACATED 22ND ST.; ALL IN TYLER'S ADDITION
TO THE CITY OF FARGO,
CASS COUNTY, NORTH DAKOTA
(A MINOR SUBDIVISION)



LEGEND	
IRON MONUMENT FOUND	●
1/2" I.D. PIPE SET	○
MEASURED BEARING	N00°00'00"E
PLAT BEARING	(N00°00'00"E)
MEASURED DISTANCE	100.00'
PLAT DISTANCE	(100.00')
PLAT BOUNDARY	—————
UTILITY EASEMENT	- - - - -
EXISTING LOT LINE	_____
EXISTING UTILITY EASEMENT	- - - - -

BEARINGS SHOWN ARE BASED ON THE
CITY OF FARGO HORIZONTAL DATUM



RAIL CROSSING FIRST ADDITION
BEING A REPLAT OF LOTS 6 - 20, BLOCK 11; LOTS 14 - 21, BLOCK 12;
A PORTION OF THE VACATED ALLEY IN BLOCK 11;
AND A PORTION OF VACATED 22ND ST.; ALL IN TYLER'S ADDITION
TO THE CITY OF FARGO,
CASS COUNTY, NORTH DAKOTA
(A MINOR SUBDIVISION)

OWNER'S CERTIFICATE AND DEDICATION:

KNOW ALL PERSONS BY THESE PRESENTS: That Rail Crossing LLC, a North Dakota Limited Liability Company, is the owner and proprietor of that part of Blocks 11 and 12, TYLER'S ADDITION to Fargo, and vacated 22nd Street North, in the City of Fargo, Cass County, North Dakota, being more particularly described as follows:

Beginning at the southwest corner of said Block 11; thence North 02°50'22" West (assumed bearing), along the west line of said Block 11, for a distance of 379.88 feet to the northwest corner of Lot 20, said Block 11; thence North 87°22'09" East, along the north line of said Lot 20, for a distance of 150.15 feet to the northeast corner of said Lot 20, said corner also being the southwest corner of Lot 6, said Block 11; thence North 02°50'22" West, along the west line of said Lot 6, for a distance of 50.10 feet to the northwest corner of said Lot 6; thence North 87°22'09" East, along the north line of said Lot 6, for a distance of 149.86 feet to the northeast corner of said Lot 6; thence North 87°26'40" East for a distance of 70.00 feet to the northwest corner of Lot 21, said Block 12; thence North 87°24'19" East, along the north line of said Lot 21, for a distance of 139.94 feet to the northeast corner of said Lot 21; thence South 02°51'12" East, along the east line of Lots 21, 20, 19, 18, 17, 16, 15, and 14, all in said Block 12, for a distance of 430.10 feet to the southeast corner of said Lot 14; thence South 87°24'04" West, along the south line of said Block 12, for a distance of 139.90 feet to the southwest corner of said Block 12; thence South 87°24'14" West for a distance of 70.00 feet to the southeast corner of said Block 11; thence continue South 87°24'14" West, along the south line of said Block 11, for a distance of 300.15 feet to the Point of Beginning.

Said tract of land contains 4.863 acres, more or less.

And that said party has caused the same to be surveyed and re-platted as RAIL CROSSING FIRST ADDITION to the City of Fargo, Cass County, North Dakota.

OWNER:
Rail Crossing LLC

State of North Dakota)
) ss
County of Cass)

Tom Thompson, President

On this day of , 20, before me personally appeared Tom Thompson, President of Rail Crossing LLC, a North Dakota 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 the said Limited Liability Company.

Notary Public:

SURVEYOR'S CERTIFICATE:

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

Dated this day of , 20.

Curtis A. Skarphol,
Professional Land Surveyor No. 4723

State of North Dakota)
) ss
County of Cass)

On this day of , 20 before me personally appeared Curtis A. Skarphol, 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)
) ss
County of Cass)

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.

Shara Fischer, Chair
Fargo Planning Commission

State of North Dakota)
) ss
County of Cass)

On this day of , 20 before me personally appeared Shara Fischer, 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 she 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

Attest: Steven Sprague, City Auditor

State of North Dakota)
) ss
County of Cass)

On this day of , 20 before me personally appeared Timothy J. Mahoney, Mayor, City of Fargo; and Steven Sprague, City Auditor, City of Fargo, 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:



City of Fargo Staff Report			
Title:	Osgood Townsite Eleventh Addition	Date:	01-20-2020
Location:	4711, 4731, 4751& 4781 45 th Street South	Staff Contact:	Kylie Bagley
Legal Description:	Lots 1-4, Block 1, Osgood Townsite Eleventh Addition		
Owner(s)/Applicant:	Paces Lodging	Engineer:	N/A
Entitlements Requested:	Zoning Change (from LC, Limited Commercial, with a C-O, Conditional Overlay to GC, General Commercial, with a C-O, Conditional Overlay and a Conditional Use Permit for household living in the General Commercial zoning district		
Status:	Planning Commission Public Hearing: February 4, 2020		

Existing	Proposed
Land Use: Vacant	Land Use: Commercial and Residential Mixed-Use Building
Zoning: LC, Limited Commercial, with a C-O, Conditional Overlay	Zoning: GC, General Commercial, with a C-O Conditional Overlay, and a Conditional Use Permit
Uses Allowed: 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.	Uses Allowed: Colleges, community service, daycare centers of unlimited size, detention facilities, health care facilities, parks and open space, religious institutions, safety services, adult entertainment centers, offices, off-premise advertising, commercial parking, outdoor recreation and entertainment, retail sales and service, self storage, vehicle repair, limited vehicle service, aviation, surface transportation, and major entertainment events. With a Conditional Use Permit to allow household living
Maximum Lot Coverage Allowed: Maximum 55% building coverage	Maximum Lot Coverage Allowed: Maximum 85% building coverage

Proposal:
<p>The applicant is seeking approval of a zone change from LC, Limited Commercial, with a C-O, Conditional Overlay to GC, General Commercial, with a C-O, Conditional Overlay. The applicant will modify the existing Conditional Overlay. The applicant is also requesting approval of a Conditional Use Permit to allow for household living within the GC, General Commercial, zoning district.</p> <p>The applicant is proposing a mixed use building that will have commercial retail on the first floor and apartment buildings on floors 2-4. In order to allow for a four story building the applicant is requesting a zone change. The Land Development Code states that when a Limited Commercial parcel is within 300ft of a SR zoning the height is restricted to 35ft. The existing Conditional Overlay also restricts structures to 35ft when they are within 300ft of any SR or MR zoning district west of 45th Street South. The applicant is proposing to rezone the subject property to General Commercial in order remove the 35ft height restriction stated in the LDC, as well as remove the condition in the Conditional Overlay that restricts the height of the structure. The General Commercial zoning district does not have a maximum height but the applicant is proposing a four story building, and will comply with the height requirements of the Residential Protection Standards.</p> <p>Staff is in support of the rezone since the Residential Protection Standards section of the LDC will still apply to the</p>

subject property. The Residential Protection Standards will restrict building height based on the distance of the structure to any SR, MR, or MHP zoning district. There is an MR-3 zoning district directly west of the subject property.

As part of the Conditional Overlay modification the applicant is proposing to modify “All building facades greater than 150 feet in length, measured horizontally, shall incorporate wall plan projections or recesses having a depth of at least three percent of the length of the façade, and extending at least 20 percent of the length of the façade. No uninterrupted length of any façade shall exceed 150 horizontal feet. An articulated façade would emphasize elements on the face of a wall including change in setback, materials, roof pitch or height.” to state that “All building elevations/façades greater than 150 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 150 horizontal feet.” This wording is consistent with the conditional overlay that is put in place in Urban Plains.

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

Surrounding Land Uses and Zoning Districts:

- North: LC, Limited Commercial, zoning districts with retail sales and service land use
- East: Across 45th St S parcels are zoned SR-3, Single-Dwelling Residential, with detached and attached housing
- South: LC, Limited Commercial, zoning districts with retail sales and service land use
- West: MR-3, Multi-Dwelling Residential, zoning district and GC, General Commercial with multi-dwelling structures and vacant land.

Area Plans:

The subject property was originally part of the 2003 Southwest Future Land Use Plan. Within this growth plan, the subject property is identified as being suitable for commercial uses.

Legend

- Commercial Area
- Future School
- Medium High Density or Commercial
- Proposed Park
- Residential Area - lower to medium density
- Residential Area - medium to high density



Schools and Parks:

Schools: The subject property is located within the West Fargo School District, more specifically within the Osgood Elementary, Liberty Middle and Sheyenne High schools.

Parks: The subject property is located within a quarter mile of the Osgood Park which provides playgrounds, large multipurpose fields, a basketball court and a small shelter.

Neighborhood: The subject property is located in the Osgood Neighborhood.

Pedestrian / Bicycle: To the south of the subject property is an off road bike facility that runs along 42nd Ave S, which connects to the metro area trail system.

Staff Analysis:

Zoning

Section 20-906. F (1-4) of the LDC stipulates the following criteria be met before a zone change can be approved:

1. Is the requested zoning change justified by a change in conditions since the previous zoning classification was established or by an error in the zoning map?

Staff is unaware of any zoning map error in regard to the subject property. The requested zoning change is justified by a change in conditions since the previous zoning classification was established. The applicant has a clear picture of the type of development for the property.

(Criteria Satisfied)

2. Are the City and other agencies able to provide the necessary public services, facilities, and programs to serve the development allowed by the new zoning classifications at the time the property is developed?

The development will be served with city services (water, sewer, streets, police/fire protection, etc.) as well as other needed utility services as needed. The City Engineer and other applicable review agencies have reviewed this proposal.

(Criteria Satisfied)

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

Staff has no documentation or evidence that the approval of this zoning change would adversely affect the condition or value of the property in the vicinity. The proposed zone change is in keeping with adopted plans approved via public process. In addition, written notice of the proposal was sent to all property owners within 300 feet of the subject property. To date, staff has not received any verbal concerns or written comments regarding the proposed overlay zoning change. Staff finds that the approval will not adversely affect the condition or value of the property in the vicinity.

(Criteria Satisfied)

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

The purpose of the LDC is to implement Fargo's Comprehensive Plan and related policies in a manner that protects the health, safety, and general welfare of the citizens of Fargo. Staff finds that the proposal is consistent with the purposes of the LDC, the Growth Plan, and other adopted policies of the City. GC, General Commercial is a zoning that is included in the 2003 Land Use Plan "Commercial" land use designation. The LDC allows household living as a conditionally permitted use in the GC zone

(Criteria Satisfied)

Conditional Use Permit Approval Criteria (Section 20-0909.D)

The following is a list of criteria that must be determined satisfied in order for a Conditional Use Permit to be approved:

1. Does the proposed conditional use comply with all applicable provisions of the LDC and will it conform to the general intent and purpose of this LDC?

The purpose of the LDC is to implement Fargo's Comprehensive Plan in a way that will protect the general health, safety, and welfare of the citizens. Promoting infill development is a key initiative in the Comprehensive Plan. Table 20-0401 of the LDC states that household living is allowed in the GC zoning district with a conditional use permit. The CUP is for household living, and with the zoning district of GC with the CUP, the property could be built as residential, commercial, or a combination. Staff finds this proposal is consistent with the purpose of the LDC, the Go2030 Comprehensive Plan, and other adopted

policies of the City.
(Criteria Satisfied)

2. Will the proposed conditional use at the specified location contribute to and promote the welfare or convenience of the public?

Staff finds that this proposed conditional use permit to allow for residential use to be located within this area will contribute to and promote the welfare of the public.

(Criteria Satisfied)

3. Will the proposed conditional use cause substantial injury to the value of other property in the neighborhood in which it is to be located?

Staff has no data to suggest that the proposed use would cause substantial injury to the value of other property in the neighborhood. In accordance with Section 20-0901.F of the LDC, notices of the proposed use were sent out to property owners within 300 feet of the subject property. To date, staff has received no inquiries of calls, walk-ins and emails, with no noted concern.

(Criteria Satisfied)

4. Is the location and size of the conditional use, the nature and intensity of the operation conducted in connection with it, and the location of the site with respect to streets giving access to it such that the conditional use will not dominate the immediate neighborhood so as to prevent the development and use of the neighboring property in accordance with the applicable zoning district regulations? In considering this criteria, location, nature, and height of buildings, structures, walls, and fences on the site are to be considered, as well as the nature and extent of proposed landscaping and buffering on the site.

Staff finds that the proposed conditional use permit to allow household living should not dominate the immediate neighborhood or prevent any other sites from being used due to the fact that 1) there is a similar arrangement of uses located on west side of the subject property and 2) the proposed conditions of the CUP seek to limit the intensity of the use. The suggested conditions include the residential density allowing 24 units per acre. Based on this information, staff finds that the proposed conditional use permit meets this criterion.

(Criteria Satisfied)

5. Are adequate utility, drainage, and other such necessary facilities and services provided or will they be at the time of development?

The subject property is located within an area of the City that is largely developed with public infrastructure. Staff is not aware of any deficiencies regarding drainage or utilities that would limit the ability of the petitioner to utilize the property as proposed. In addition, the requested CUP has been reviewed by staff from other applicable departments and no concerns have been raised. Based on this information, staff finds that adequate utility, drainage, and other such necessary facilities and services are in place.

(Criteria Satisfied)

6. Have adequate access roads or entrances and exit drives been provided and are they designed to prevent traffic hazards and to minimize traffic congestion in public streets?

The subject property has vehicular access to 45th Street South. The Engineering Department has had an opportunity to review the proposal and no comments or concerns have been forthcoming to indicate that there is a deficiency with the access roads or entrances and exit drives. To that end, staff finds that the proposed conditional use will not create traffic hazards or traffic congestion in the public streets.

(Criteria Satisfied)

Recommended Conditions:

- 1) The maximum residential density shall be a maximum of 24 units per acre

Staff Recommendation:

Suggested Motion: "To accept the findings and recommendations of staff and recommend approval to the City Commission of the proposed zoning change from LC, Limited Commercial, with a C-O ,Conditional Overlay to GC, General Commercial, with a C-O, Conditional Overlay; and approval of a Conditional Use Permit for household living on the basis that it satisfactorily complies with the Go2030 Fargo Comprehensive Plan, Standards of Section 20-0906.F (1-4), Section 20-0909.D (1-6) and all other applicable requirements of the LDC, with the following conditions:

- 1) The maximum residential density shall be a maximum of 24 units per acre

Planning Commission Recommendation: February 4, 2020

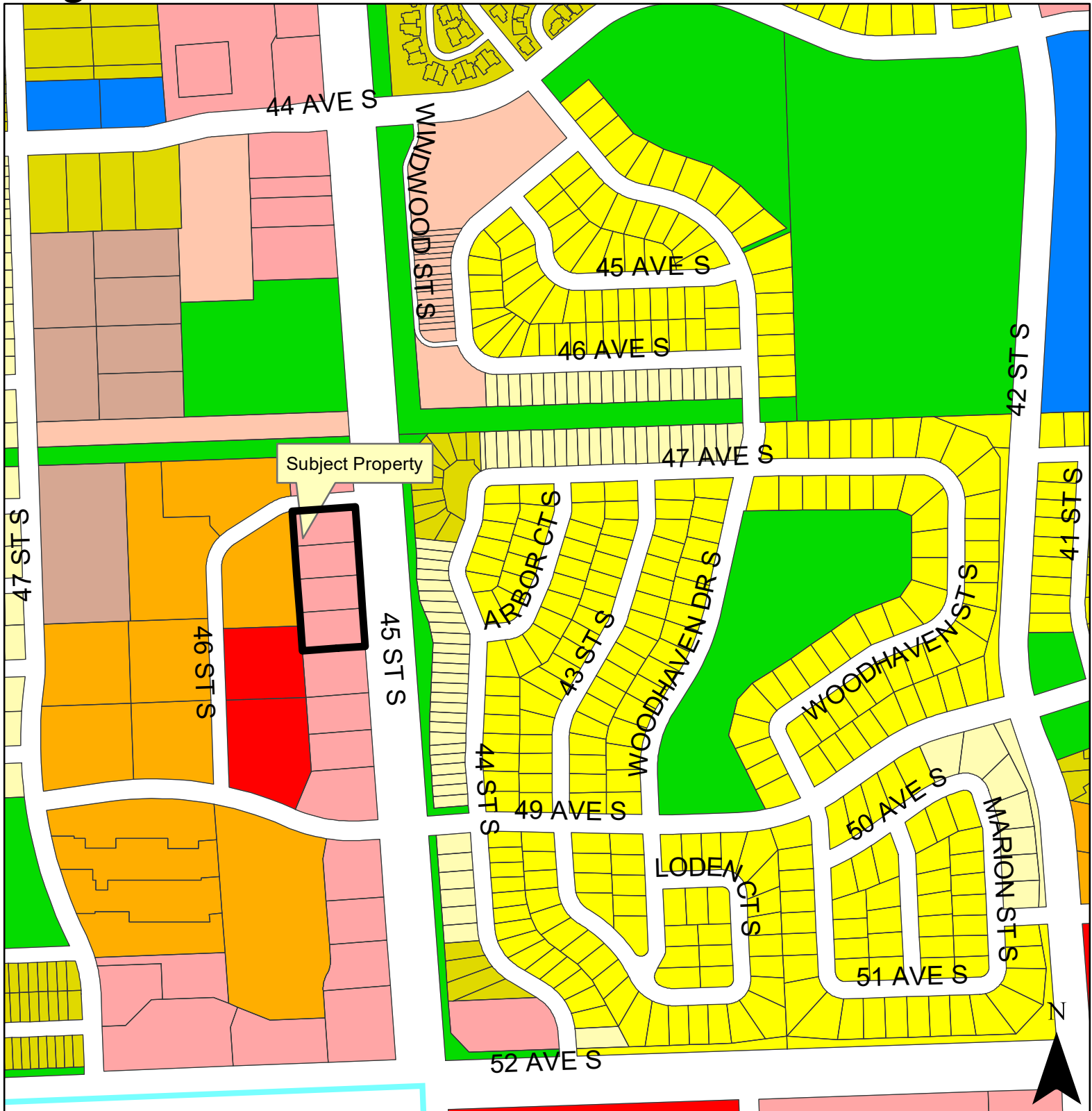
Attachments:

1. Zoning Map
2. Location Map
3. Conditional Overlay Modifications

Zone Change (LC with a C-O, Conditional Overlay to GC with a C-O, Conditional Overlay) & Conditional Use Permit

Osgood Townsite Eleventh Addition

4711, 4731, 4751 & 4781 45th Street S



Legend	
AG	LC
DMU	MR-1
GC	MR-2
GO	MR-3
MHP	PNC
PDI	UML
City Limits	

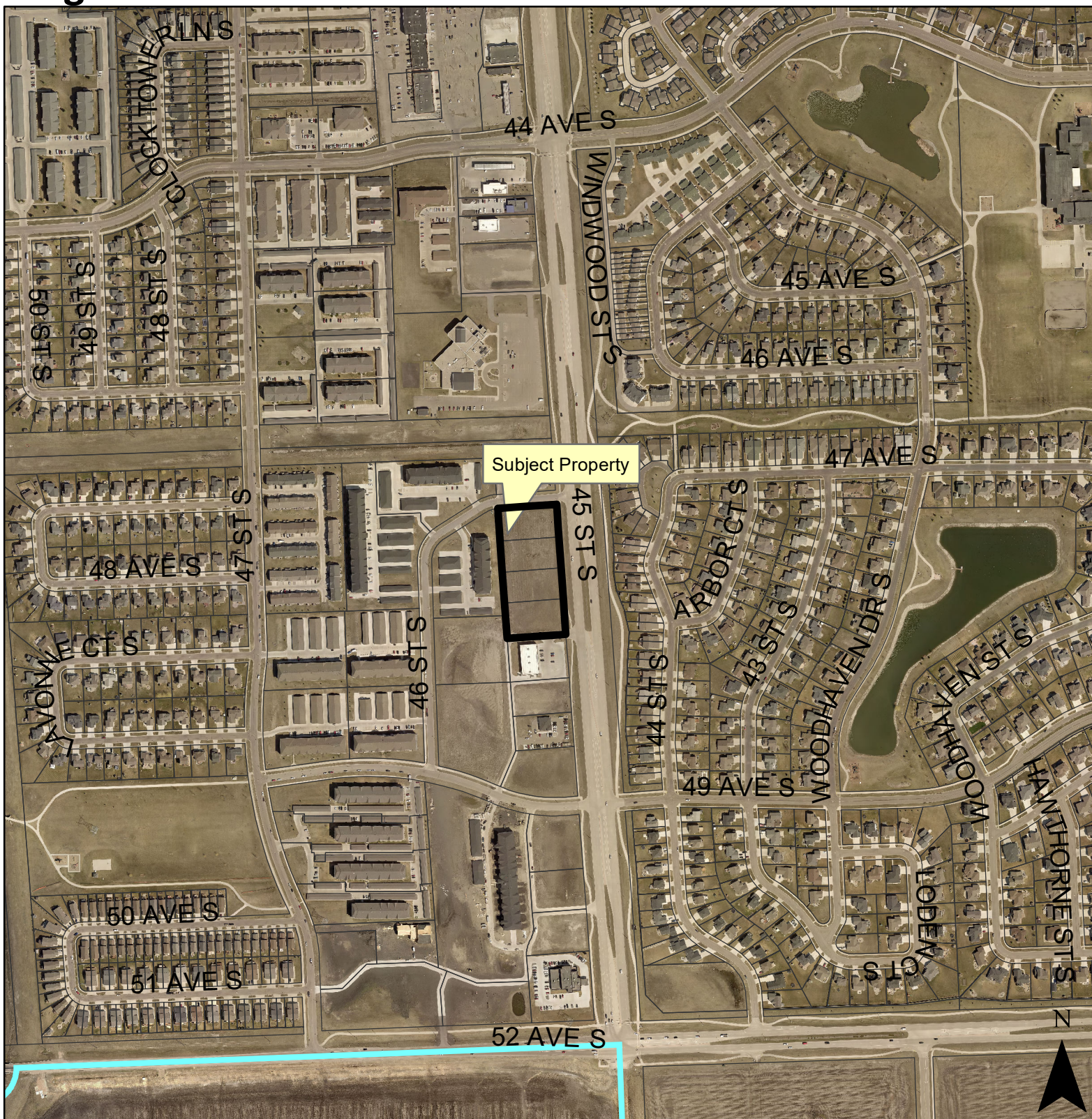
500 Feet

Fargo Planning Commission
February 4, 2020

Zone Change (LC with a C-O, Conditional Overlay to GC with a C-O, Conditional Overlay) & Conditional Use Permit

Osgood Townsite Eleventh Addition

4711, 4731, 4751 & 4781 45th Street S



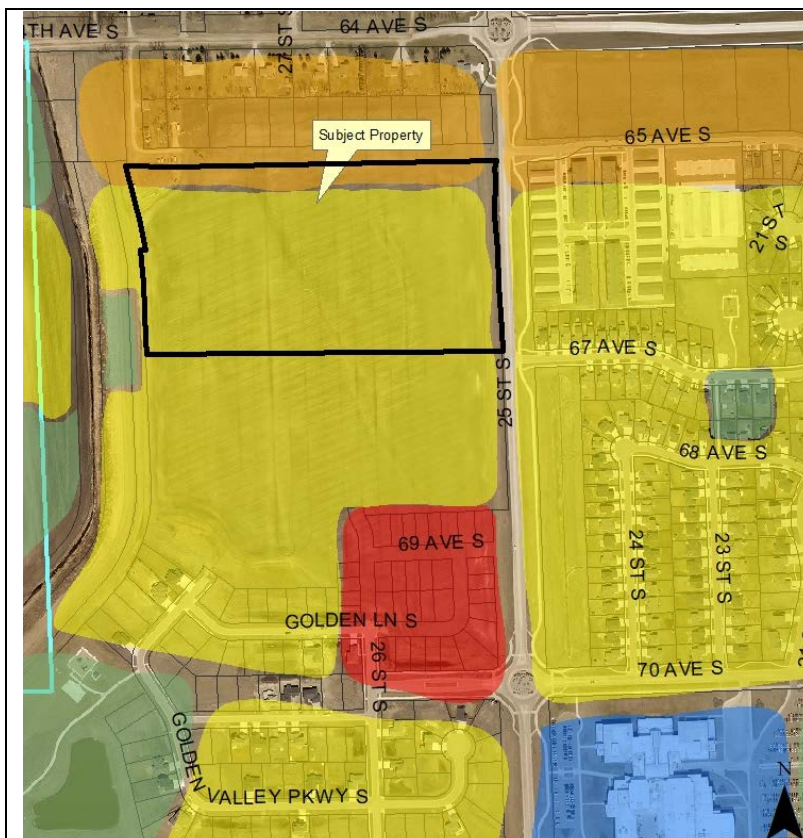
Conditional Overlay, District as follows:

1. Prohibited Uses
 - Detention Facilities
 - Adult Entertainment Centers
 - Self-Service Storage
 - Vehicle Repair
 - Industrial Service
 - Manufacturing and Production
 - Warehouse and Freight Movement
 - Wholesale Sales
 - Aviation/ Surface Transportation
2. All primary buildings shall be constructed or clad with materials that are durable, economically-maintained, and of a quality that will retain their appearance over time, including but not limited to natural or synthetic stone; brick; stucco; integrally-colored, textured or glazed concrete masonry units; high-quality pre-stressed concrete systems; or glass. Natural wood or wood paneling shall not be used as a principal exterior wall material, but durable synthetic materials with the appearance of wood may be used.
3. Color schemes shall tie building elements together, relate pad buildings within the same development to each other, and shall be used to enhance the architectural form of a building.
4. ~~All building facades greater than 150 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least three percent of the length of the façade, and extending at least 20 percent of the length of the façade.~~ All building elevations/façades greater than 150 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 150 horizontal feet. An articulated façade would emphasize elements on the face of a wall including change in setback, materials, roof pitch or height.
5. Ground floor facades that face public streets shall have arcades, display windows, entry areas, awnings, or other such features along no less than 60 percent of their horizontal length. If the façade facing the street is not the front, it shall include the same features and/ or landscaping in scale with the façade.
6. Flat roofs and rooftop equipment, such as HVAC units, shall be concealed from public view by parapets. The average height of such parapets shall not exceed one third of the height of the supporting wall, and such parapets shall not be of a constant height for a distance of greater than 150 feet.
7. Off-premise signs (billboards) and portable signs are prohibited.
8. On-premise signs shall be designed to incorporate a precise concept or theme. Provisions for consistency, placement, sign scale in relationship with the building, and sign readability shall be considered in developing the signing concept.
9. A minimum of 4.5 percent of the internal surface area of the parking lot shall be landscaped. The cumulative open space (green space) of each lot shall consist of at least 15% of the lot.
10. ~~Structures or portions of structures may not exceed 35 feet when within 300 feet of any SR or MR zoning district west of 45th Street South.~~
11. The maximum footprint of any one structure shall not exceed 80,000 square feet.

City of Fargo Staff Report			
Title:	Golden Valley Fourth Addition	Date:	1/28/2020
Location:	6737 25 th Street South	Staff Contact:	Maggie Squyer
Legal Description:	An unplatted portion of the Northeast Quarter of Section 11, Township 138 North, Range 49 West of the 5th Principal Meridian to the City of Fargo, Cass County, North Dakota		
Owner(s)/Applicant:	Ryland Development Corporation/Eagle Ridge Development	Engineer:	Bolton & Menk
Entitlements Requested:	Zone Change (from AG, Agricultural to SR-4, Single-Dwelling Residential) and Major Subdivision (plat of an unplatted portion of the Northeast Quarter of Section 11, Township 138 North, Range 49 West of the 5th Principal Meridian to the City of Fargo, Cass County, North Dakota)		
Status:	Planning Commission Public Hearing: February 4, 2020		

Existing	Proposed
Land Use: Vacant	Land Use: Residential
Zoning: AG, Agricultural	Zoning: SR-4, Single-Dwelling Residential
Uses Allowed: Allows detached houses, group living restricted residency, daycare centers of limited size, parks and open areas, safety services, farming/crop productions, basic utilities and limited telecommunications facilities	Uses Allowed: Allows detached houses, attached houses, duplexes, group living restricted residency, daycare centers of limited size, parks and open areas, religious institutions, safety services, schools, basic utilities, and limited telecommunications facilities
Maximum Density Allowed: 1 dwelling unit per 10 acres	Maximum Density Allowed: 12.1 dwelling units per acre

Proposal:
<p>The applicant is seeking City approval of 1) a Zoning Map Amendment, and 2) a Major subdivision entitled Golden Valley Fourth Addition.</p> <p>This project was reviewed by the City's Planning and Development, Engineering, Public Works, and Fire Departments ("staff"), whose comments are included in this report.</p> <p>Surrounding Land Uses and Zoning Districts:</p> <ul style="list-style-type: none"> • North: SR-2, Single-Dwelling Residential • East: MR-3, Multi-Dwelling Residential with apartments and SR-4, Single-Dwelling Residential • South: proposed SR-4, Single-Dwelling Residential • West: P/I, Public and Institutional
Area Plans:
<p>In the 2007 Growth Plan, South Fargo Tier 1 East identifies the area of this project as "residential area—lower to medium density," land uses. The proposed SR-4 zoning is consistent with the lower to medium density residential land use designation. A map of the 2007 Growth Plan can be found below.</p>
Continued on next page.



- Commercial Area
- Future School
- Proposed Park
- Residential Area - lower to medium density
- Residential Area - medium to high density
- Residential Area - rural
- City Limits

Context:

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

Neighborhood: The subject property is located within the Davies Neighborhood.

Parks: Golden Valley Park (6977 Golden Valley Parkway), Legacy Park (6297 22nd Street South) and Davies Second Addition Park (2207 67th Avenue South) are all located within a quarter mile of the subject property. These parks provide basketball courts, playground equipment, recreational trails, and picnic shelters.

Pedestrian / Bicycle: A bike lane exists along the east side of the proposed development on 25th Street South.

Staff Analysis:

The plat will create a total of 126 lots for residential development. All lots in the subdivision will be zoned SR-4, Single-Dwelling Residential.

ZONING: The SR-4 zoned single-dwelling lots range in size from 4,800 square feet to 38,617 square feet. All lots meet the minimum required lot area of 3,600 square feet in the SR-4 zoning district. The developer has indicated lot 1, block 6 will be used for attached housing and will likely take access off 65th Avenue South and 28th Street South.

Several lots in the development are double fronting. The applicant will include information about boulevard maintenance responsibility in the draft amenities plan. Property owners with rear yards adjacent to public rights-of-way may be responsible for turf maintenance and snow removal along the boulevard.

ACCESS: The lots will be accessed by way of dedicated public streets. Necessary rights-of-way will be dedicated with the plat.

STREET CONNECTIVITY: The current plat dedicates right-of-way for part of future 67th Avenue South which will connect across Drain 53 to the west. The east side of the development fronts the existing 25th Street South and the north side of the development will front future 65th Avenue South.

Zoning

Section 20-906. F (1-4) of the LDC stipulates the following criteria be met before a zone change can be approved:

1. Is the requested zoning change justified by a change in conditions since the previous zoning classification was established or by an error in the zoning map?

Staff is unaware of any error in the zoning map as it relates to this property. The property is currently zoned AG, Agricultural. The proposed SR-4, Single-Dwelling Residential, zoning is consistent with the “residential area—lower to medium density,” land use designation determined by the 2007 Growth Plan. Staff finds that the change in zoning is justified, as the developer has a clear picture of the type of development that will occupy the land. **(Criteria Satisfied)**

2. Are the City and other agencies able to provide the necessary public services, facilities, and programs to serve the development allowed by the new zoning classifications at the time the property is developed?

City staff and other applicable review agencies have reviewed this proposal. Staff finds no deficiencies in the ability to provide all of the necessary services to the site. Lots in the subdivision will front dedicated public streets. The necessary rights-of-way for these streets will be dedicated with the plat. These streets will provide access and public utilities to serve the development. **(Criteria satisfied)**

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

Staff has no documentation or 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 comments or inquiries about the project. 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. Is the proposed amendment consistent with the purpose of this LDC, the Growth Plan, and other adopted policies of the City?

The purpose of the LDC is to implement Fargo’s Comprehensive Plan and related policies in a manner that protects the health, safety, and general welfare of the citizens of Fargo. Staff finds this proposal is consistent with the purpose of the LDC, the 2007 Growth Plan, and other adopted policies of the City. **(Criteria satisfied)**

Subdivision

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

1. Section 20-0907(C))(1)(Development Review Procedures—Subdivisions—Major Subdivisions) of the LDC stipulates that no major subdivision plat application will be accepted for land that is not consistent with an approved Growth Plan or zoned to accommodate the proposed development.

The proposed zoning designation for this property is SR-4. The SR-4 zone is consistent with the “residential area—lower to medium density,” designation for this property as identified by the 2007 Growth Plan and will accommodate the proposed single-dwelling development and right-of-way facilities. In accordance with Section 20-0901.F of the LDC, notices of the proposed plat have been sent out to property owners within 300 feet of the subject property. To date, Planning staff has received no comments or inquiries about the project. **(Criteria Satisfied)**

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

The proposed SR-4 zoning district for the subdivision is consistent with the “residential area—lower to medium density,” designation identified for this property by the 2007 Growth Plan. The project has been reviewed by the city’s Planning, Engineering, Public Works, Inspections, and Fire Departments and found to meet the standards of Article 20-06 and other applicable requirements of the Land Development Code. **(Criteria Satisfied)**

3. Section 20-0907.C.4.f of the LDC stipulates that in taking action on a Final Plat, the Board of City Commissioners shall specify the terms for securing installation of public improvements to serve the subdivision.

The applicant has provided a draft amenities plan that specifies the terms of securing installation of public improvements to serve the subdivision. This amenities plan will be reviewed by the Public Works Project Evaluation Committee (PWPEC) prior to the final plat going to City Commission. The City's standard policy is that any improvements associated with the project (both existing and proposed) are subject to special assessments. Special assessments associated with the costs of the public infrastructure improvements are proposed to be spread by the front footage basis and storm sewer by the square footage basis as is typical with the City of Fargo assessment principles. It is staff's understanding that the developer's engineer will undertake the design of the infrastructure.

(Criteria Satisfied)

Staff Recommendation:

Suggested Motion: "To accept the findings and recommendations of staff and move to recommend approval to the City Commission of the proposed: 1) zoning map amendment from AG, Agricultural to SR-4, Single-Dwelling Residential; and 2) a plat of **Golden Valley Fourth Addition**, as the proposal complies with the 2007 Growth Plan, Standards of Article 20-06, and Section 20-0906.F (1-4) of the LDC and all other applicable requirements of the LDC."

Planning Commission Recommendation: February 4, 2020

Attachments:

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

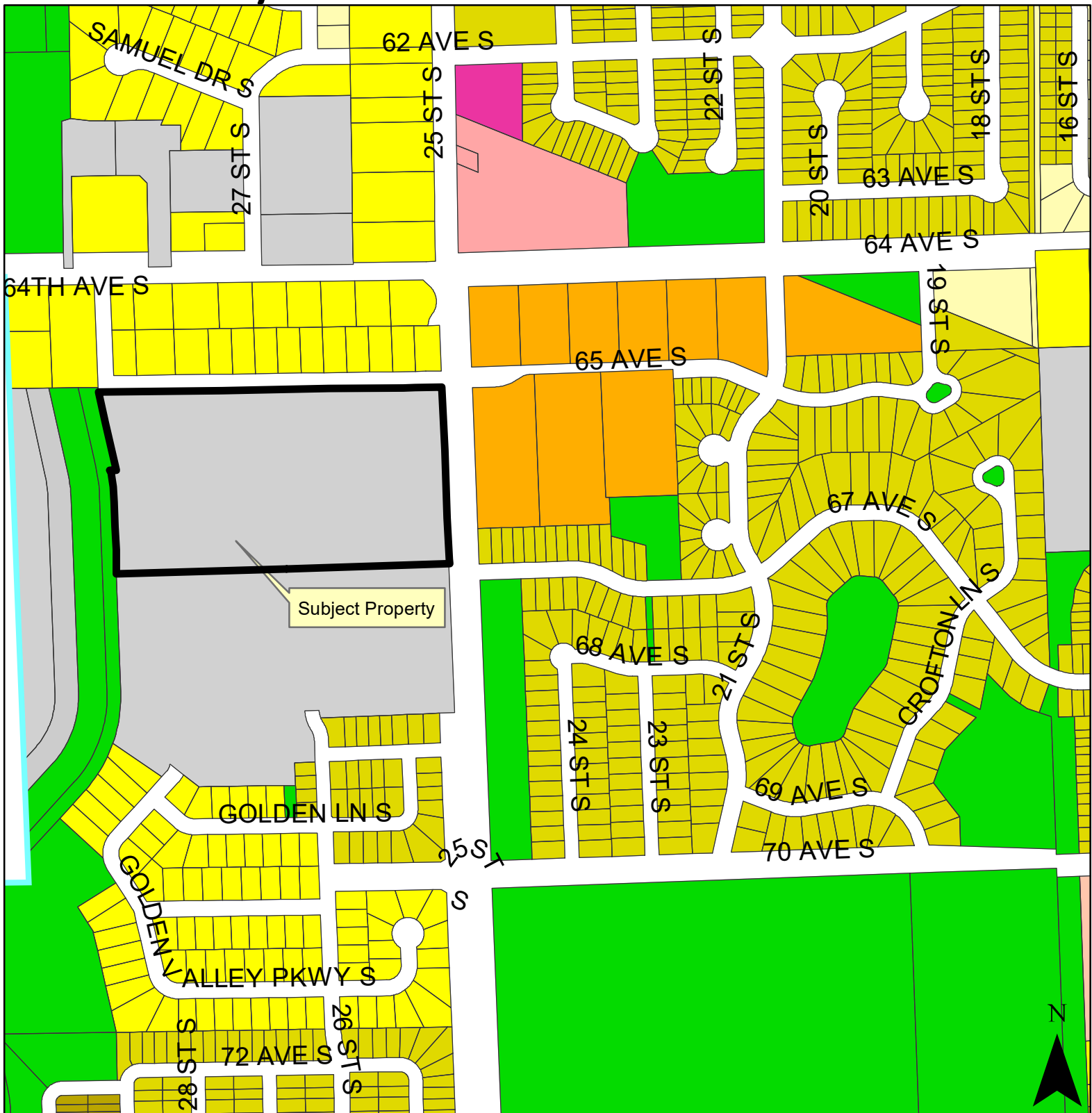
6737 25th St S



Zone Change (AG to SR-4) & Plat (Major)

Golden Valley Fourth Addition

6737 25th St S



Legend

AG	DMU	GO	LC	MR-1	MR-2	MR-3	MHP	NC	NO	P/I	UMU	SSB-2	SSB-3	SSB-4	SSB-5	City Limits
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500
Feet

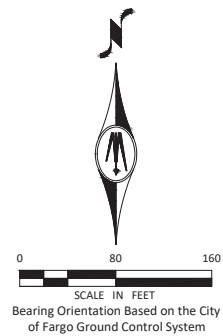
Fargo Planning Commission

February 4, 2020

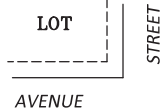
GOLDEN VALLEY FOURTH ADDITION

PRELIMINARY

AN UNPLATTED PORTION OF THE NORTHEAST QUARTER OF SECTION 11, T138N, R49W
TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA
(A MAJOR SUBDIVISION)



Utility easements are shown thus:



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

BENCHMARK

NAIL IN 1ST POWER POLE WEST OF DRAIN #53 ON THE SOUTH SIDE OF 64TH AVE SOUTH, PUBLISHED ON SHEET #311 OF THE CITY OF FARGO BENCHMARK BOOK (2019 EDITION)
ELEVATION = 901.47 (NAVD88)

PARCEL CURVE DATA

SEGMENT	LENGTH	RADIUS	DELTA
C1	45.36	235.00	11° 03' 34"
C2	62.58	315.00	11° 22' 59"
C3	19.70	315.00	3° 35' 02"
C4	42.88	315.00	7° 47' 57"
C5	35.68	92.00	22° 13' 15"
C6	39.62	92.00	24° 40' 32"
C7	39.62	92.00	24° 40' 32"
C8	29.60	92.00	18° 25' 54"
C9	43.57	807.96	3° 05' 22"
C10	50.07	807.96	3° 33' 03"
C11	17.26	807.96	1° 13' 26"
C12	33.88	235.00	8° 15' 34"
C13	44.93	315.00	8° 10' 20"
C14	8.10	315.00	1° 28' 24"
C15	36.83	315.00	6° 41' 55"

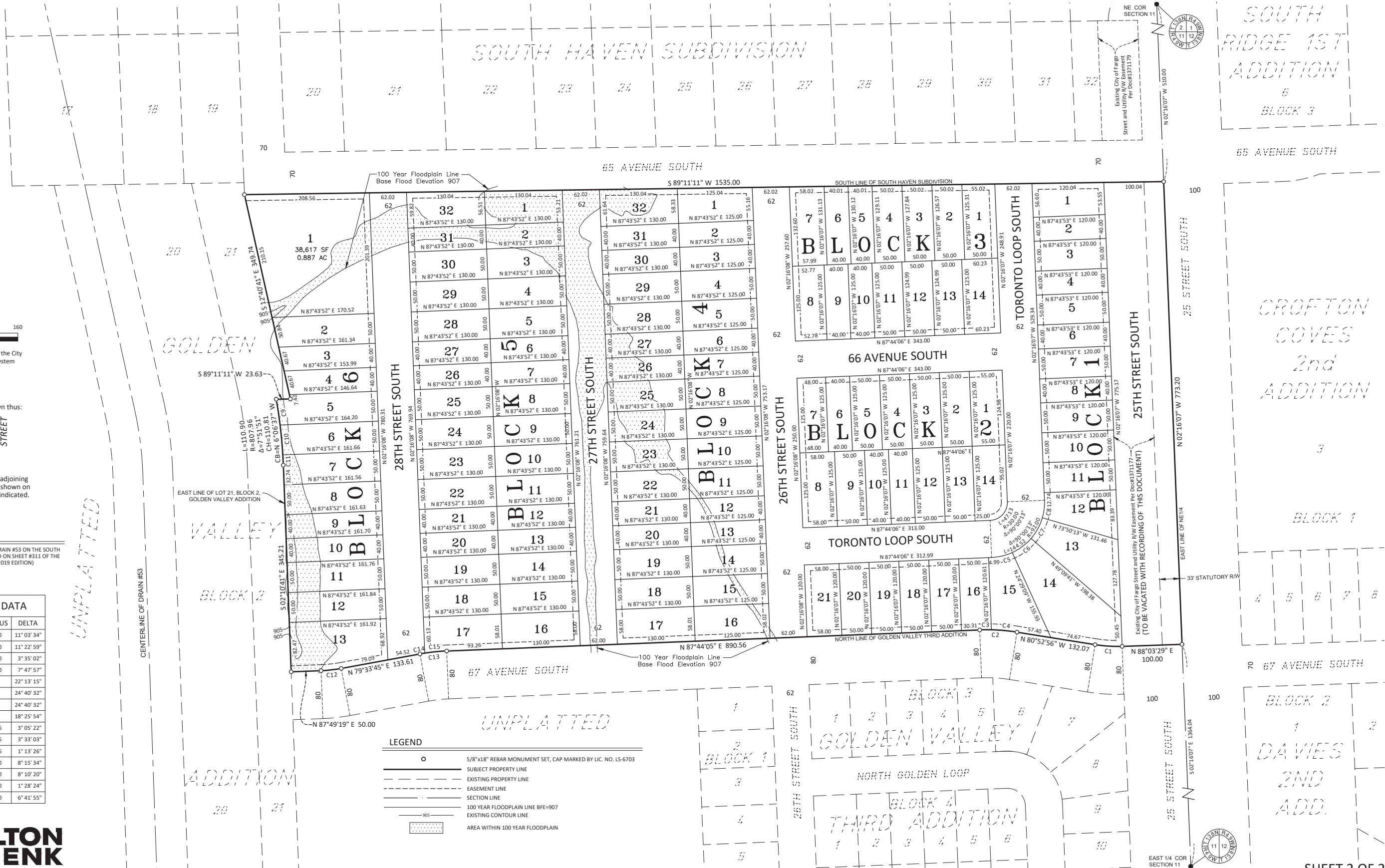


PREPARED BY:

BOLTON & MENK

LEGEND

- 5/8"x18" REBAR MONUMENT SET, CAP MARKED BY LIC. NO. LS-6703
- SUBJECT PROPERTY LINE
- EXISTING PROPERTY LINE
- EASEMENT LINE
- SECTION LINE
- 100 YEAR FLOODPLAIN LINE BFE-907
- EXISTING CONTOUR LINE
- AREA WITHIN 100 YEAR FLOODPLAIN



GOLDEN VALLEY FOURTH ADDITION

AN UNPLATTED PORTION OF THE NORTHEAST QUARTER OF SECTION 11, T138N, R49W
TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA
(A MAJOR SUBDIVISION)

OWNERS DESCRIPTION AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS, That Ryland Development Corporation, a North Dakota corporation, as vendor, and Stan Ryland, husband and Patricia Ryland, wife, as vendors, and 76th Street Holdings, LLC, a North Dakota limited liability company, as vendee, being owners of a parcel of land located in that part of the Northeast Quarter of Section 11, Township 138 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota, being more particularly described as follows:

That part of the Northeast Quarter of Section 11, Township 138 North, Range 49 West, Cass County, North Dakota that lies southerly of the south line of SOUTH HAVEN SUBDIVISION, a duly recorded plat on file and of record in the Office of the County Recorder, Cass County North Dakota, easterly of the east line of Lot 21, Block 2, GOLDEN VALLEY ADDITION, a duly recorded plat on file and of record in the Office of the County Recorder, Cass County North Dakota, and northerly of the north line of GOLDEN VALLEY THIRD ADDITION, a duly recorded plat on file and of record in the Office of the County Recorder, Cass County North Dakota.

Said parcel contains 26.166 acres of land, more or less and is subject to all easements, restrictions, reservations and rights of way of record, if any.

Said owners have caused the above described parcel of land to be surveyed and platted as "GOLDEN VALLEY FOURTH ADDITION" to the City of Fargo, Cass County, North Dakota and do hereby dedicate to the public for public use all Streets, Avenues and utility easements as shown on this plat and do hereby vacate the Existing City of Fargo Street and Utility R/W Easement along 25th Street South as shown for vacation on this plat.

OWNER/VENDOR:
Ryland Development Corporation, Contract Vendor

By: Stanley L. Ryland, President
County of Cass }
State of North Dakota }SS

On this _____ day of _____, in the year 2020 before me, a notary public within and for said County and State, personally appeared Stanley L. Ryland, President, Ryland Development Corporation, a North Dakota corporation, 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 corporation.

Notary Public

OWNER/VENDOR:
Stanley L. Ryland and Patricia J. Ryland, Contract Vendors

By: Stanley L. Ryland, husband

By: Patricia J. Ryland, wife

County of Cass }
State of North Dakota }SS

On this _____ day of _____, in the year 2020 before me, a notary public within and for said County and State, personally appeared Stanley L. Ryland, husband and Patricia J. Ryland, wife, 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.

Notary Public

CONTRACT VENDEE:
76th Street Holdings, LLC

By: James R. Bullis, President
County of Cass }
State of North Dakota }SS

On this _____ day of _____, in the year 2020 before me, a notary public within and for said County and State, personally appeared James R. Bullis, President, 76th Street Holdings, LLC, a North Dakota 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 the limited liability company.

Notary Public

MORTGAGE HOLDER:
First International Bank and Trust, Mortgagee

By: Matt Mueller, President

County of Cass }
State of North Dakota }SS

On this _____ day of _____, in the year 2020 before me, a notary public within and for said County and State, personally appeared Matt Mueller, President, First International Bank and Trust, 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 First International Bank and Trust.

Notary Public

SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT

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

Date: _____
Gregg Stroeing, Professional Land Surveyor
North Dakota License Number LS-6703

State of North Dakota }
County of Cass }SS

On this _____ day of _____, 2020, before me, a notary public within and for said County and State, personally appeared Gregg Stroeing, Registered Professional Land Surveyor, known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that he executed the same.

Notary Public

CITY OF FARGO ENGINEERING DEPARTMENT APPROVAL

Approved by City Engineer this _____ day of _____, 2020.

Brenda E. Derrig, City Engineer

State of North Dakota }
County of Cass }SS

On this _____ day of _____, in the year 2020 before me, a notary public within and for said County and State, personally appeared Brenda E. Derrig, 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 City Engineer for the City of Fargo.

Notary Public

CITY OF FARGO PLANNING COMMISSION APPROVAL

Approved by the City of Fargo Planing Commission this _____ day of _____, 2020.

John Gunkelman, Planning Commission Chair

State of North Dakota }
County of Cass }SS

On this _____ day of _____, in the year 2020, before me, a notary public within and for said County and State, personally appeared John Gunkelman, Planning Commission Chair, known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that he executed the same on behalf of the Fargo Planning Commission.

Notary Public

FARGO CITY COMMISSION APPROVAL

Approved by the Board of City Commissioners and ordered filed this _____ day of _____, 2020.

Timothy J. Mahoney, Mayor

Attest:
Steven Sprague, City Auditor

County of Cass }
State of North Dakota }SS

On this _____ day of _____, in the year 2020 before me, a notary public within and for said County and State, personally appeared Timothy J. Mahoney, Mayor, and Steven Sprague, City Auditor known to me to be the persons who are described in and who executed the within instrument, and acknowledged to me that they executed the same on behalf of the City of Fargo.

Notary Public

BLOCK 1		
LOT #	SQUARE FEET	
1	6,609	
2	4,800	
3	6,000	
4	4,800	
5	6,000	
6	4,800	
7	6,000	
8	4,800	
9	6,000	
10	6,000	
11	6,000	
12	7,656	
13	11,722	
14	16,384	
15	8,866	
16	6,004	
17	6,000	
18	6,000	
19	6,000	
20	6,000	
21	6,960	

BLOCK 2		
LOT #	SQUARE FEET	
1	6,875	
2	6,250	
3	6,250	
4	6,250	
5	6,250	
6	5,000	
7	6,000	
8	7,250	
9	6,250	
10	5,000	
11	5,000	
12	6,250	
13	6,250	
14	6,682	

BLOCK 3		
LOT #	SQUARE FEET	
1	6,854	
2	6,270	
3	6,360	
4	6,424	
5	5,185	
6	5,225	
7	7,649	
8	6,597	
9	5,000	
10	5,000	
11	6,250	
12	6,250	
13	6,250	
14	7,528	

BLOCK 4		
LOT #	SQUARE FEET	
1	7,093	
2	5,000	
3	5,000	
4	6,250	
5	6,250	
6	5,000	
7	5,000	
8	6,250	
9	6,250	
10	6,250	
11	6,250	
12	5,000	
13	5,000	
14	6,250	
15	6,250	
16	7,252	
17	7,541	
18	6,500	
19	6,500	
20	5,200	
21	5,200	
22	6,500	
23	6,500	
24	6,500	
25	6,500	
26	5,200	
27	5,200	
28	6,500	
29	6,500	
30	5,200	
31	5,200	
32	7,798	

BLOCK 5		
LOT #	SQUARE FEET	
1	7,132	
2	5,200	
3	6,500	
4	6,500	
5	6,500	
6	5,200	
7	5,200	
8	6,500	
9	6,500	
10	6,500	
11	6,500	
12	5,200	
13	5,200	
14	6,500	
15	6,500	
16	7,539	
17	7,564	
18	6,500	
19	6,500	
20	5,200	
21	5,200	
22	6,500	
23	6,500	
24	6,500	
25	6,500	
26	5,200	
27	5,200	
28	6,500	
29	6,500	
30	6,500	
31	5,200	
32	7,561	

BLOCK 6		
LOT #	SQUARE FEET	
1	38,617	
2	8,297	
3	6,307	
4	6,013	
5	8,175	
6	8,134	
7	8,077	
8	8,080	
9	6,467	
10	6,469	
11	8,090	
12	8,094	
13	12,716	

City of Fargo Staff Report			
Title:	Bentley Place First Addition	Date: Update:	12/27/2020 1/30/2020
Location:	5601 33 rd Avenue South	Staff Contact:	Maegin Elshaug
Legal Description:	Lot 6, Block 1, Bentley Place First Addition		
Owner(s)/Applicant:	Bentley Place Properties LLC / Jon Youness	Engineer:	N/A
Entitlements Requested:	Zoning Change (from LC, Limited Commercial with a C-O, Conditional Overlay, to LC, Limited Commercial with a PUD, Planned Unit Development, Overlay and a request to repeal the C-O, Conditional Overlay) and a PUD Master Land Use Plan		
Status:	Planning Commission Public Hearing: February 4, 2020		

Existing	Proposed
Land Use: vacant	Land Use: mixed-use development
Zoning: LC, Limited Commercial with a C-O, Conditional Overlay	Zoning: LC, Limited Commercial with a PUD, Planned Unit Development, Overlay
Uses Allowed: LC: Allows colleges, community service, daycare centers of unlimited size, health care facilities, parks and open space, religious institutions, safety services, offices, off premise advertising signs , commercial parking, retail sales and service, self service storage, vehicle repair , limited vehicle service, portable signs	Uses Allowed: LC: Allows colleges, community service, daycare centers of unlimited size, health care facilities, parks and open space, religious institutions, safety services, offices, off premise advertising signs , commercial parking, retail sales and service, self service storage, vehicle repair , limited vehicle service, portable signs and residential use
Maximum Lot Coverage Allowed: maximum 55% building coverage	Maximum Lot Coverage Allowed and Density: maximum 55% building coverage And minimum of 18 dwelling units per acre

Proposal:
<p>The applicant is seeking approval of 1) a zoning change from LC, Limited Commercial with a C-O, Conditional Overlay, to LC, Limited Commercial with a PUD, Planned Unit Development overlay and a request to repeal the C-O, Conditional Overlay and 2) a PUD Master Land Use Plan. The subject property is located at 5601 33rd Avenue South. The existing Conditional Overlay is Ordinance 4900.</p> <p><u>Project Summary</u></p> <p>The applicant has applied for a zoning change and a PUD Overlay in order to tailor development standards to the specifics of the proposed project. According to the applicant, the Eagle Ridge Mixed-Use project is intended to blend the commercial and multi-family residential design standards to create an urban and vibrant live, work, play setting. The project proposes eight (8) buildings that will consist of approximately 650 residential units, 40,000 square feet of commercial space and a plaza, and will include underground and internal ground level parking. The applicant has submitted a project narrative and PUD Master Land Use Plan which further describes the proposed</p>

development. These documents are attached.

PUD Master Land Use Plan

The image to the right is a preliminary Master Land Use Plan submitted by the applicant. The applicant is contemplating the timeline of the phases, as well as the form of the two buildings on the north and the potential for only one building. Note that if the zoning change and the Master Land Use Plan are approved by the City Commission, the Planning Commission will review the Final Plans for the PUD at some point in the future.

PUD Overlay

As permitted by Section 20-0301(E) of the LDC, a number of different zoning standards are eligible for modification by the ordinance which establishes the PUD zoning overlay. The proposed PUD overlay is intended to modify the following specific LC zoning standards:

- Allow residential use;
- Establish minimum residential density of 18 dwelling units per acre;
- Increase the maximum building height from 35 feet to 80 feet;
- Reduction in the location of plant units in front or street side setback areas from 70% to 45%;
- Modify the minimum off-street parking requirements for a mixed-use development.

Note that minimum residential density is unique and does not frequently occur. The UMU, University Mixed Use zoning district is the only zoning district that requires a minimum density.

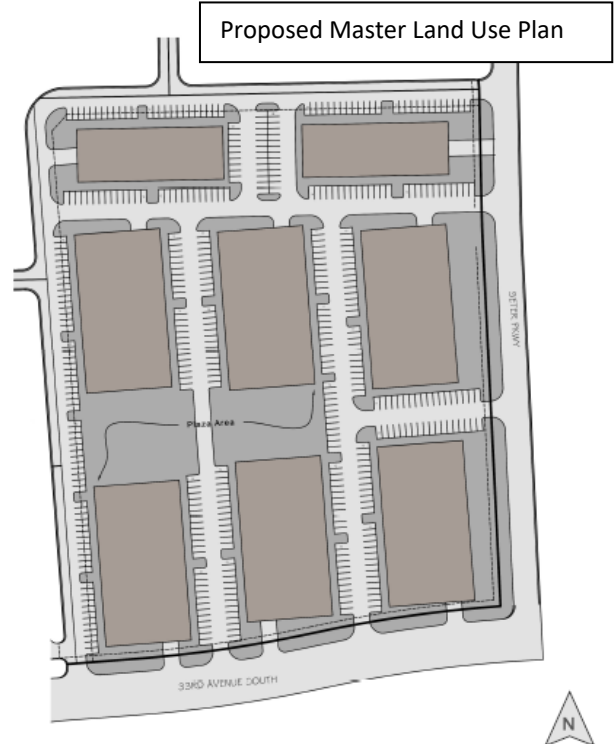
In addition to these modifications, the PUD overlay will establish design standards for the development, which are largely consistent with the Conditional Overlay proposed to be repealed. The design standards can be found in the attached draft PUD Ordinance, and are summarized below:

- Exterior building materials
- Variation of building façade
- Building facade features
- Rooftop equipment and dumpster screening
- Pedestrian connectivity

Additional Information

It is important to note that pursuant to Section 20-0302.F, unless otherwise expressly approved, access to a PUD must be from a collector and higher classification of street. Seter Parkway South is identified as a collector street in the city's GIS map, however, the traffic engineer has noted that this section of Seter Parkway South functions as a local street.

Street trees exist along Seter Parkway South and 33rd Avenue South. The applicant will need to coordinate with the City Forester regarding the existing street trees.



The applicant has prepared a parking demand analysis, which was reviewed by the city's traffic engineer. Based on the report, the traffic engineer concurred with the findings, which support a reduction in parking for the site. The applicant has proposed to provide one (1) parking space per 1,000 gross square feet of floor area in order to simplify parking requirements. Staff is currently evaluating this ratio with the applicant and the City traffic engineer to verify it's congruency with the parking study. The applicant will provide more information on parking at the Planning Commission meeting.

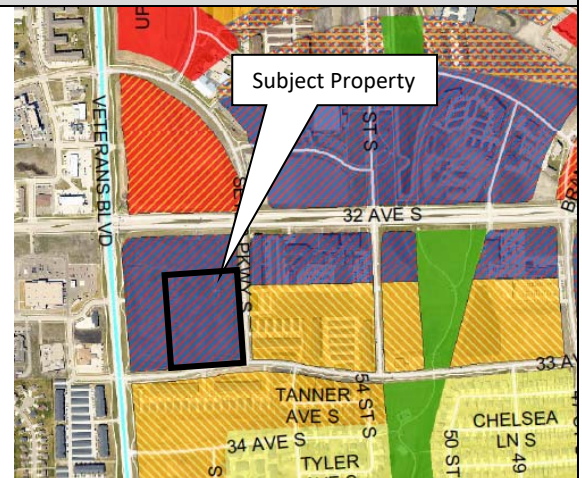
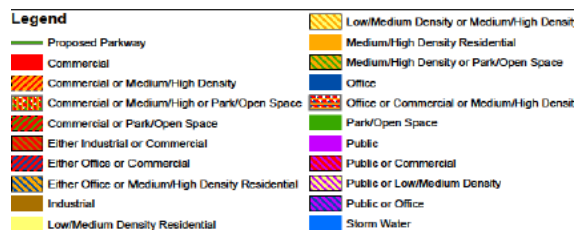
This project was reviewed by the City's Planning and Development, Engineering, Public Works, and Fire Departments ("staff"), whose comments are included in this report.

Surrounding Zoning Districts and Land Uses:

- North: LC, Limited Commercial with a C-O, Conditional Overlay with vacant land;
- East: Across Seter Parkway South is MR-3, Multi-Dwelling Residential;
- South: Across 33 Avenue South is MR-3, Multi-Dwelling Residential;
- West: LC, Limited Commercial with a C-O, Conditional Overlay with commercial use and vacant land.

Area Plans:

The subject property was originally part of the Southwest Area Plan as designated within the *Urban Fringe and Extraterritorial Area of the City of Fargo* land use plan adopted in 2001. This area was most recently updated in 2010 (see exhibit to right), which shows the subject property as being appropriate for Office or Commercial uses.



As illustrated to the right, the Go2030 Comprehensive Plan identifies this area as a *sustainable retail mixed-use center* (one of three types of *walkable mixed-use centers*), stating that, "These areas have the potential to become denser and incorporate more retail space. These areas can incorporate more dense residential uses, walkability improvements, and public art to become true mixed use centers and a destination for shopping and entertainment."



Context:

Neighborhood: Brandt Crossing

Schools: The subject property is located within the bounds of the West Fargo School District, specifically the Eastwood Elementary, Liberty Junior High and Sheyenne High Schools.

Parks: The subject property is located approximately a quarter-mile from Urban Plains Park (3020 51 Street South) and Brandt Crossing Park (5009 33 Avenue South), providing amenities of bike rentals, playgrounds, trails, shelters and shelter rental, basketball courts, and a dog park.

Pedestrian / Bicycle: A shared use trail is located along the south side of 33 Avenue South, which connects to shared use trails along Veterans Boulevard and 32nd Avenue South, which connects to the metro area trail system.

Staff Analysis:

Zoning

Section 20-906. F (1-4) of the LDC stipulates the following criteria be met before a zone change can be approved:

1. Is the requested zoning change justified by a change in conditions since the previous zoning classification was established or by an error in the zoning map?

Staff is unaware of any error in the zoning map as it relates to this property. Staff finds that the requested zoning change is justified by change in conditions since the previous zoning classification was established. The PUD zoning is an overlay with an underlying zoning district of LC, Limited Commercial. The proposed PUD Overlay zoning district is intended to accommodate the development of this property and specifically identify the proposed development with a specific master land use plan that is to be reviewed concurrently with the zoning change request. **(Criteria Satisfied)**

2. Are the City and other agencies able to provide the necessary public services, facilities, and programs to serve the development allowed by the new zoning classifications at the time the property is developed?

City staff and other applicable review agencies have reviewed this proposal. Staff finds no deficiencies in the ability to provide all of the necessary services to the site. The subject property is adjacent to existing developed public rights-of-way, which provide access and public utilities to serve the property. **(Criteria Satisfied)**

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

Staff has no documentation or supporting evidence to suggest that the approval of this zoning change would adversely affect the condition or value of the property in the vicinity. In accordance with the notification requirements of the Land Development Code, notice was provided to neighboring property owners within 300 feet of the project site. To date and prior to the January Planning Commission meeting, staff has received one inquiry related to the prohibition of off-premise advertising, portable signs, and vehicle repair. It was noted at the January meeting that the applicant has included off-premise advertising and portable signs as prohibited uses, and it was also clarified that vehicle repair was intended to continue to be a prohibited use. The proposed use section on page 1 of the staff report reflects this. The comment is attached. Staff finds that the proposal will not adversely affect the condition or value of the property in the vicinity. **(Criteria Satisfied)**

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

The purpose of the LDC is to implement Fargo's Comprehensive Plan in a way that will protect the general health, safety, and welfare of the citizens. Staff finds that the proposed PUD is in keeping with Fargo's Comprehensive Plan. This area is identified within the Catalysts Map of Go2030 as a Walkable Mixed Use Center, specifically a Sustainable Retail Mixed Use Center. Walkable Mixed Use Centers are described as catalysts for well-designed, high density development that increase walkability, access to amenities, and provide other sustainable benefits of density. Specific initiatives of G02030 include:

- Sustainable Retail Mixed Use Centers - Noted to have the potential to incorporate more residential density and retail space, with walkability improvements, and public art to become a destination for

shopping and entertainment.

- Public Gathering Spaces - Develop dedicated public gathering spaces in neighborhood centers.
- Design Standards - Improve quality of new housing by fostering strong relationship with the development and building community to promote dense, walkable communities with neighborhood centers.
- Quality New Development—Require new development to meet site design standards that result in well-designed new neighborhoods.

The plaza space will be privately owned but will have access by the public. In addition, the applicant is discussing the potential for public art within the development. To that end, staff finds that the proposed development is consistent with the purpose of the LDC, the Go2030 Comprehensive Plan, and other adopted policies of the City. **(Criteria Satisfied)**

Master Land Use Plan

The LDC stipulates that the Planning Commission and Board of City Commissioners shall consider the following criteria in the review of any Master Land Use Plan:

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

The plan represents an improvement over what could have been accomplished through strict application of the base LC zoning district. This PUD is intended to promote a walkable, aesthetically pleasing, mixed-use development pattern by providing flexibility in terms of residential use and density, height, parking requirements, open space, and landscaping, while establishing design standards, in order to provide a larger scale development and higher density housing. **(Criteria Satisfied)**

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

3. **The City and other agencies will be able to provide necessary public services, facilities, and programs to serve the development proposed, at the time the property is developed;**

City staff and other applicable review agencies have reviewed this proposal. Staff finds no deficiencies in the ability to provide all of the necessary services to the site. The subject property fronts on existing developed public rights-of-way, which provide access and public utilities to serve the property. **(Criteria Satisfied)**

4. **The development is consistent with and implements the planning goals and objectives contained in the Area Plan, Comprehensive Plan and other adopted policy documents;**

The purpose of the LDC is to implement Fargo's Comprehensive Plan in a way that will protect the general health, safety, and welfare of the citizens. Staff finds that the proposed PUD is in keeping with Fargo's Comprehensive Plan, including initiatives of *sustainable retail mixed use centers, public gathering spaces, design standards, quality new development, and amenities and beautification as an economic development tool*. The City's Go2030 Comprehensive Plan supports development within areas that are already serviced with utilities. Staff finds this proposal is consistent with the purpose of the LDC, the Go2030 Comprehensive Plan and other adopted policies of the City. **(Criteria Satisfied)**

5. **The PUD Master Land Use Plan is consistent with sound planning practice and the development will promote the general welfare of the community.**

The PUD is consistent with sound planning practice and the development will promote the general welfare of the community by providing a walkable, mixed use development that will increase density within an area of the City that already has access to City services. **(Criteria Satisfied)**

Staff Recommendation:

Suggested Motion: "To approve the: 1) Zoning Change from LC, Limited Commercial with a C-O, Conditional Overlay, to LC, Limited Commercial with a PUD, Planned Unit Development, Overlay and repeal the C-O, Conditional Overlay and 2) PUD Master Land Use Plan; as the proposal complies with the Co2030 Fargo Comprehensive Plan, Section 20-0906.F(1-4), and Section 20-0908.B(7) of the LDC, and all other applicable requirements of the LDC."

Planning Commission Recommendation: February 4, 2020

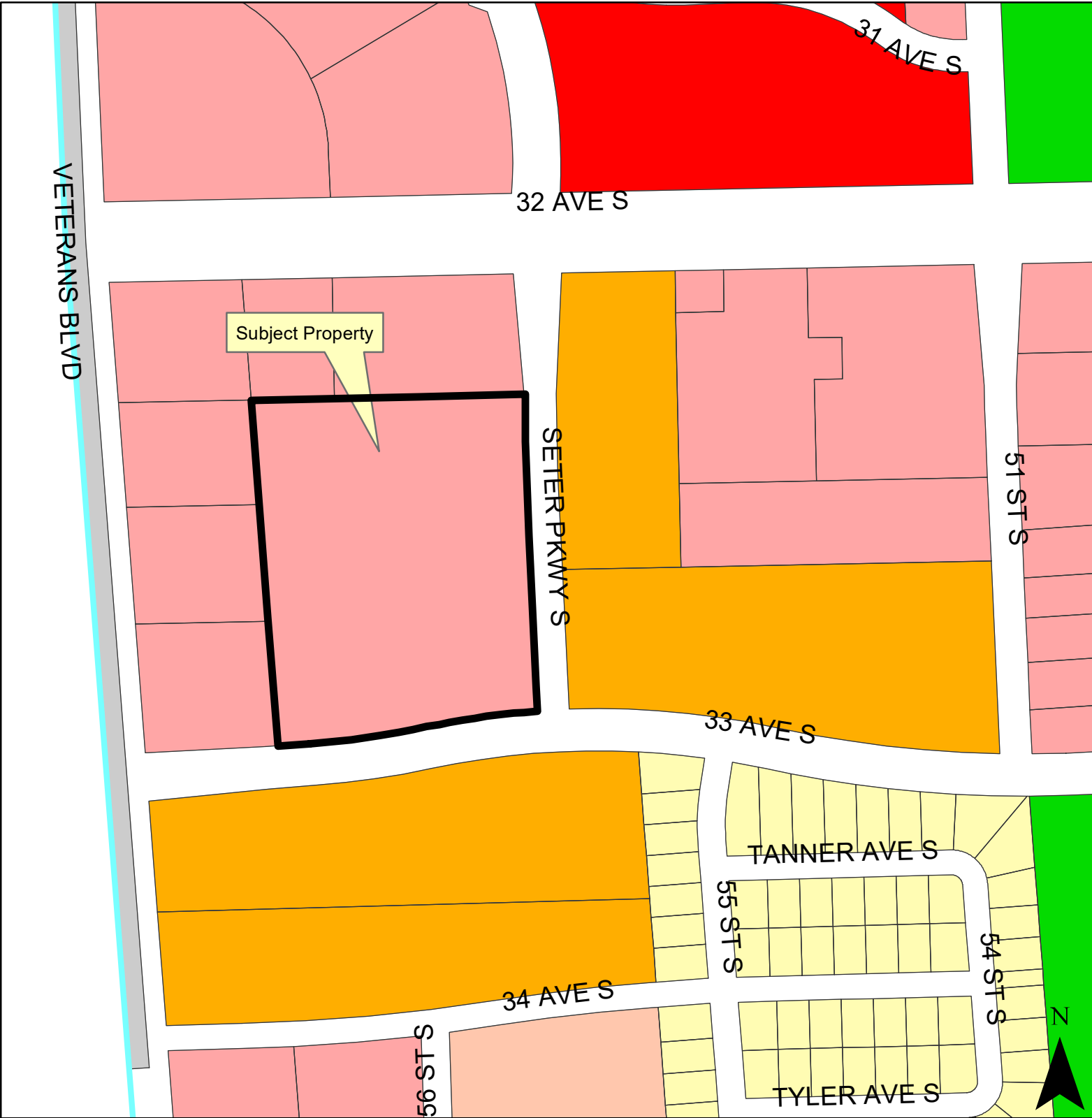
Attachments:

1. Zoning Map
2. Location Map
3. PUD Master Land Use Plan
4. Draft PUD Ordinance
5. Additional Application Materials
6. Public Comment

Zone Change (LC with Conditional Overlay to LC with PUD Overlay)
& Planned Unit Development Master Plan

Bentley Place First Addition

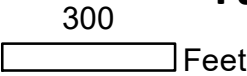
5601 33rd Ave S



Legend

AG	LC	MHP	RR-2
DMU	MLC	NO	RR-3
GC	MR-1	UML	RR-4
GO	MR-2		RR-5
	MR-3		

City Limits

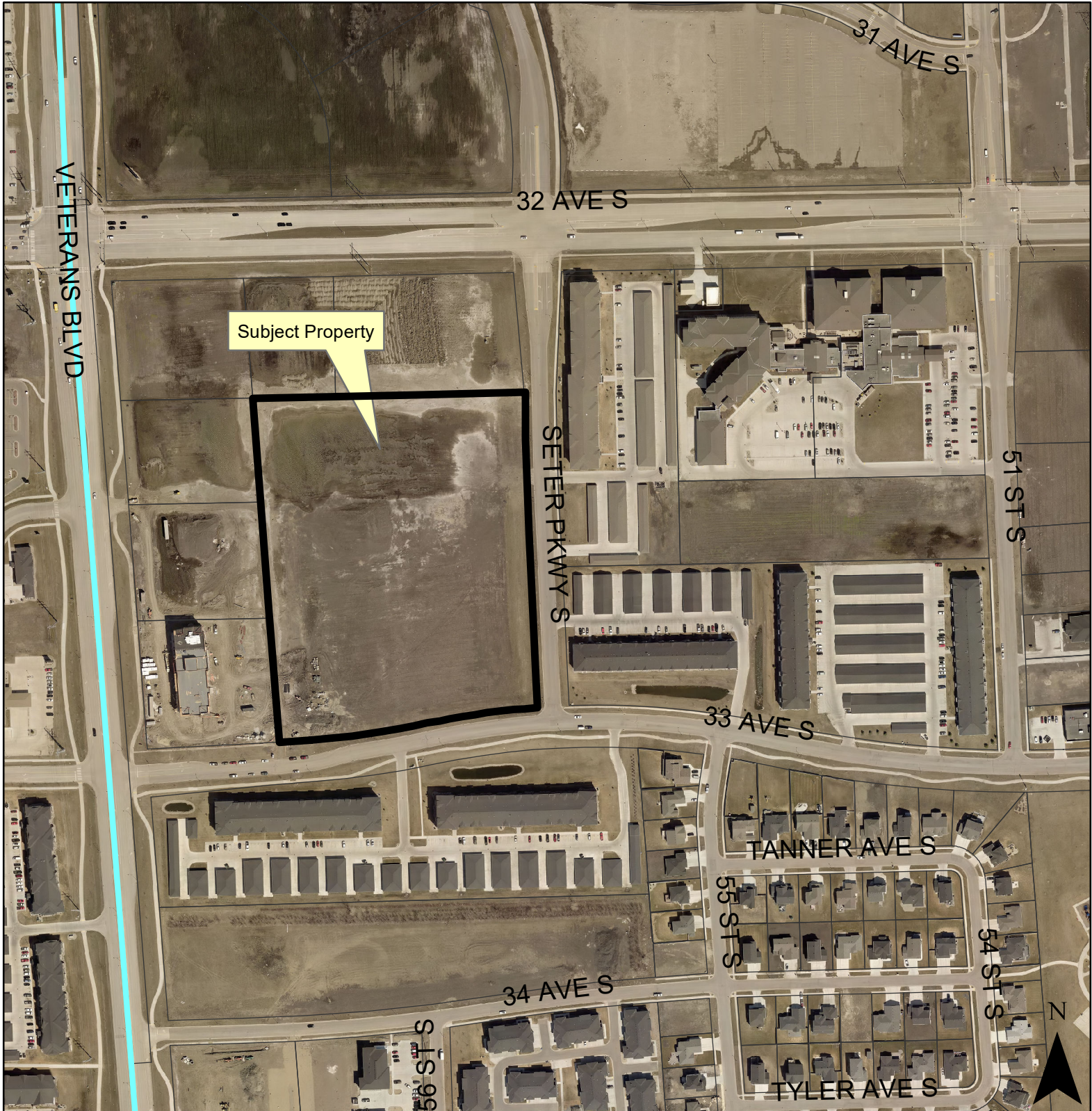


Fargo Planning Commission
January 7, 2020

Zone Change (LC with Conditional Overlay to LC with PUD Overlay) & Planned Unit Development Master Plan

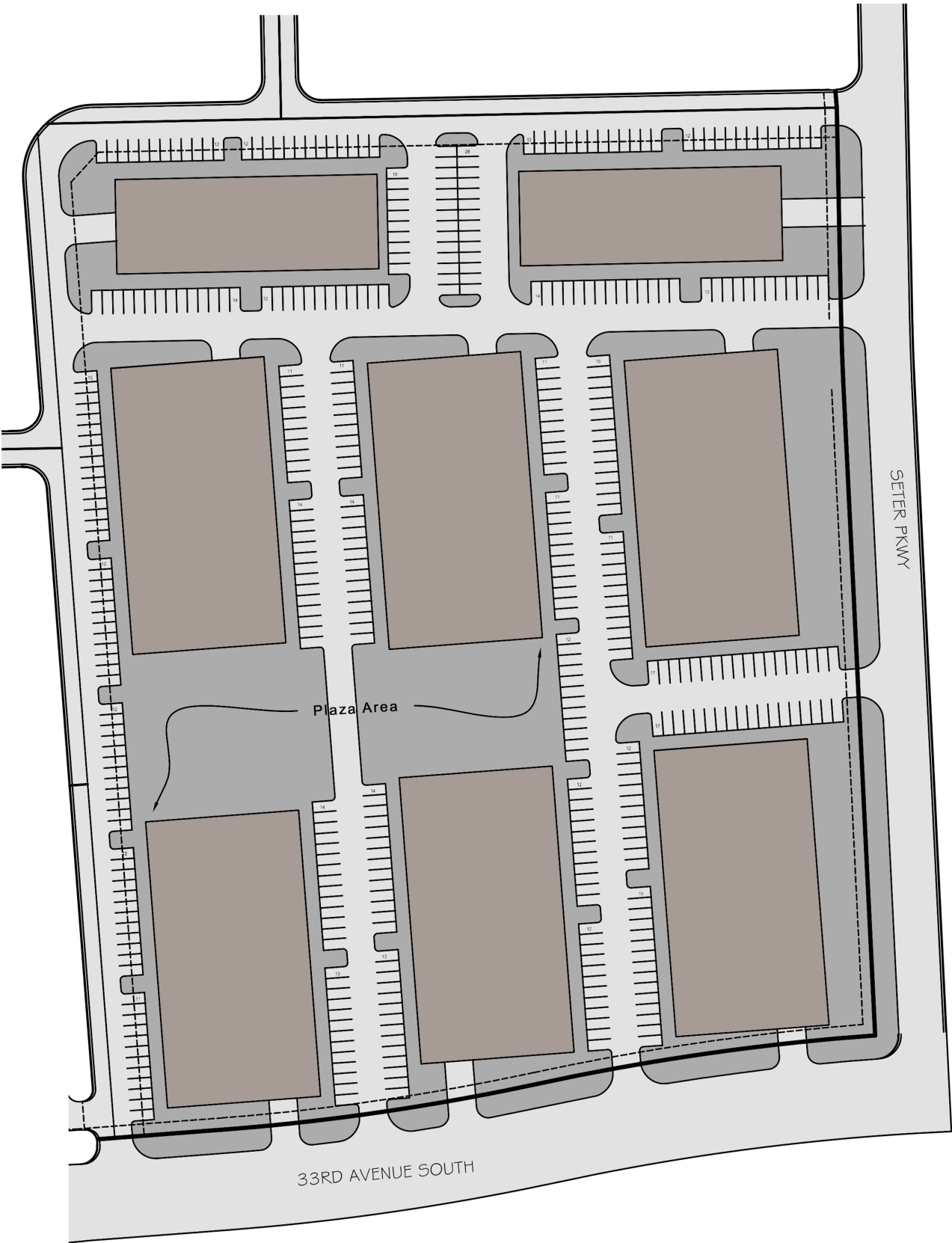
Bentley Place First Addition

5601 33rd Ave S



EagleRidge Plaza Mixed Use

PUD Master Land Use Plan - January 29, 2020



DRAFT PUD Overlay

Bentley Place 1st Addition

1/29/2019

Allowed Uses: In addition to uses allowed within the LC, Limited Commercial zoning district, Residential use shall also be allowed

Residential Density: The minimum residential density allowed shall be 18 units per acre

Parking: The minimum off-street parking required shall be one parking space per 1,000 gross square feet of floor area. Parking areas within the building shall not be considered in the gross square footage.

Landscaping: The Land Development Code requires that at least 70% of the required open space landscaping be placed in the front and street-side of the property (LDC Section 20-0705). This property will require 45% of the required open space landscaping be placed in the front and street-side of the property.

Height: The maximum height shall be 80 feet.

Roadway Access: Access from Seter Parkway South and 33rd Avenue South, local streets, is allowed.

Open Space: Minimum of 15% open space.

Additional Standards:

- 1) The following uses are prohibited:
 - a. Detention Facilities
 - b. Adult Entertainment Center
 - c. Vehicle Repair
 - d. Industrial Service
 - e. Manufacturing and Production
 - f. Warehouse and Freight Movement
 - g. Aviation/Surface Transportation
 - h. Off-Premise Advertising
 - i. Portable Signs
- 2) Building Materials: A minimum of 85% of each wall shall be constructed or clad with natural stone; synthetic stone; brick; stucco; integrally-colored and textured concrete masonry units or systems; exterior insulation finishing system (EIFS); architectural metal panels; seamless steel siding with a ceramic hybrid paint finish; fiber cement siding; curtain walls or glass. All materials shall be commercial grade, durable, and have a multi-generational life span.
- 3) Building Facades: All buildings shall have architectural interest and variety to avoid the effect of a single, long, or massive wall with no relation to human scale. Building facades shall not exceed 150 feet in length, measured horizontally, without articulation. An articulated façade would

emphasis elements on the face of a wall including projection, recess, material change, roof pitch, or height.

- 4) **Ground Floor Facades:** Ground floor facades that face public streets shall have arcades, display windows, entry areas, awning, or other such features along no less than 40 percent of it's horizontal length.
- 5) **Flat Roofs and Rooftop Equipment:** Rooftop HVAC equipment shall be totally screened from public view by parapets or screens, as viewed from the property line adjacent to public right-of-way.
- 6) **Dumpsters:** Dumpsters shall be completely screened from public view. Collection area enclosures shall contain permanent walls on three (3) sides with the service opening not directly facing any public right-of-way or residentially zoned property. The permanent walls shall be constructed or clad with the same materials used for the primary building. The fourth side shall incorporate a metal gate to visually screen the dumpster or compactor.
- 7) **Pedestrian Connectivity:** Separate vehicular and pedestrian circulation systems shall be provided. An onsite system of pedestrian walkways shall be designed to provide direct access and connections to and between the following:
 - a. The primary entrance or entrances to each building, including pad site buildings.
 - b. Connections between the on-site (internal) pedestrian walkway network and any public or private sidewalk system located along adjacent perimeter streets or driveways shall be provided at regular intervals along the perimeter street as appropriate to provide easy access from the public sidewalks to the interior walkway network.
 - c. Any sidewalks or walkways on adjacent properties that extend to the boundaries shared with the development.
 - d. Where practical and appropriate, adjacent land uses and developments, including but not limited to residential developments, retail shopping centers and office buildings.

EagleRidge Plaza Mixed Use

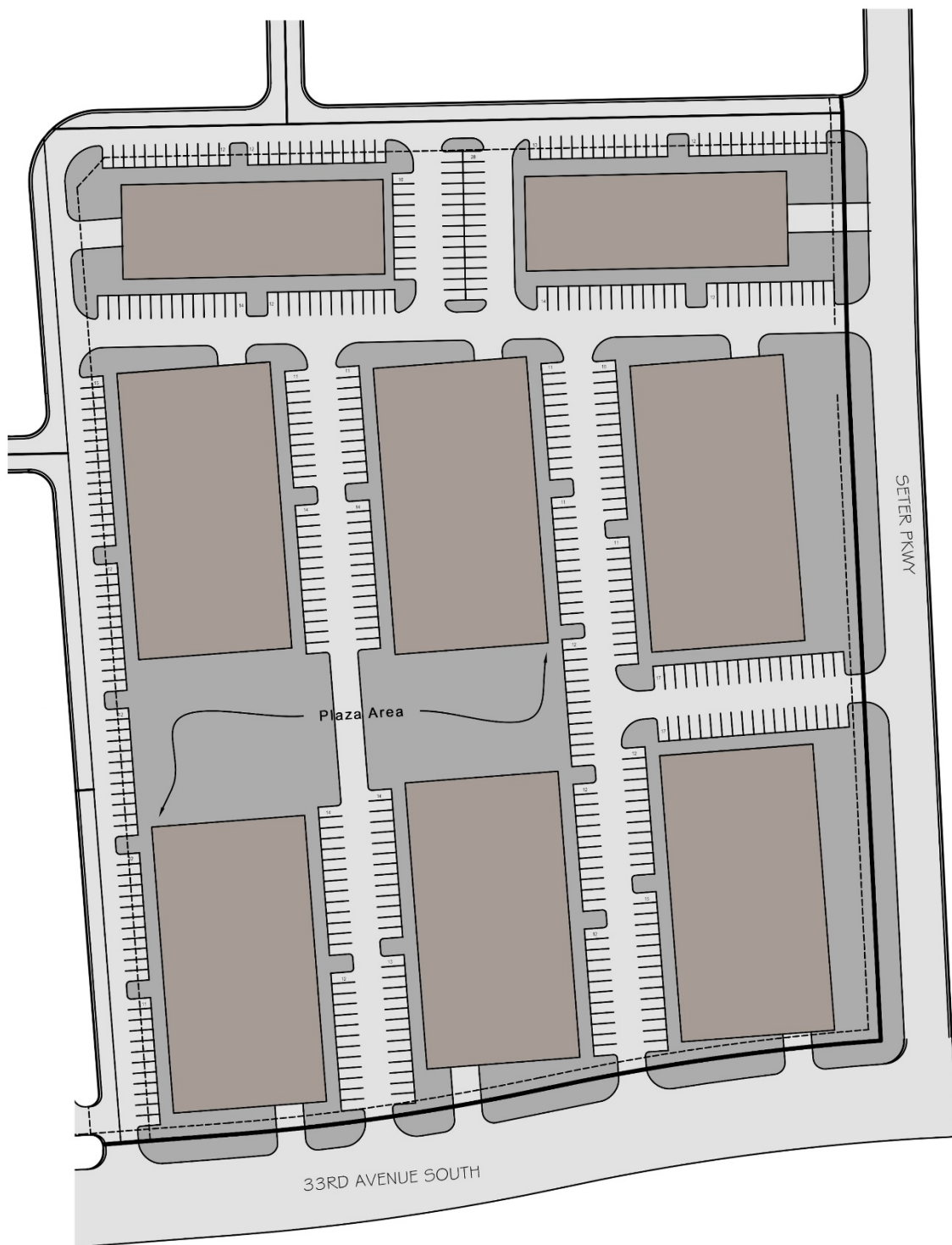


Planned Unit Development
5601 33rd Avenue South
Fargo, ND



EagleRidge Development
701-540-7159
eagleridgedevelopment.com

Preliminary Site Plan



Concept



Project Narrative

EagleRidge Development submits this proposed planned unit development (PUD) request to create an upscale mixed-use project in south Fargo. This project will consist of approximately 650 residential units, 40,000 square feet of commercial space, and a public plaza. There will be a combination of studio, 1-bedroom, 2-bedroom, and 3-bedroom apartment options. The project will provide approximately 1 parking stall per 1,000 sf of gross floor area.

The purpose of the proposed PUD is to create a vibrant urban lifestyle setting that provides individuals with places to live and work that are within walking distance of restaurants, shopping, entertainment, and gathering spaces. The location, parking options, amenities, and commercial spaces will provide the convenience that today's renters are looking for. EagleRidge Plaza Mixed-Use will not only be a great option for renters, but commercial tenants will benefit by having 650 on site residential units within walking distance of their storefronts. As buyer habits change, it is important for communities to provide these desired housing options.

Statement of Intent

The provisions of the PUD are intended to blend the commercial and multi-family residential design standards. The project will include eight (8) mixed-use buildings and a public plaza area on Lot 6, Block 1, Bentley Place 1st Addition. Buildings will include a combination of commercial space, residential units, structured parking, and building amenity spaces.

The proposed PUD will generate 4.2X more taxes than a traditional commercial project and 5.4X more taxes than a traditional apartment project. The project will provide better use of existing municipal infrastructure.



Maegin Elshaug

From: Mantz, Keith <keith.mantz@capcu.org>
Sent: Friday, January 3, 2020 3:39 PM
To: Maegin Elshaug
Cc: Reinbold, Vance
Subject: Lot 6, Block 1, Bentley Place First Addition - Capital Credit Union
Attachments: doc04541520200103151658.pdf

CAUTION: This email originated from an outside source. Do not click links or open attachments unless you know they are safe.

Hi Maegin,

In response to our conversation earlier today, we would like to see the exclusions for the "Uses Allowed" to remain the same per the requested zoning changes for the Bentley Place First Addition. Specifically, we would like the "off premise advertising signs", "vehicle repair", and "portable signs" to continue to be excluded from the "Uses Allowed" section. We do not have any issue with the addition of residential uses to the zoning. I have attached a copy of page one of the staff report with the wording highlighted that we would like to continue to have excluded.

Capital Credit Union owns Lot 3, Block 1, Bentley Place 1st Addition or 3216 Veterans Boulevard. I appreciate your consideration of retaining these exclusions.

Sincerely,
Keith Mantz

Keith Mantz
Chief Retail Officer



Capital Credit Union
P.O. Box 2096
204 West Thayer Avenue
Bismarck, ND 58501
Direct: 701-355-7795

City of Fargo Staff Report			
Title:	Bentley Place First Addition	Date:	12/27/2019
Location:	5601 33 rd Avenue South	Staff Contact:	Maegin Elshaug
Legal Description:	Lot 6, Block 1, Bentley Place First Addition		
Owner(s)/Applicant:	Bentley Place Properties LLC / Jon Youness	Engineer:	N/A
Entitlements Requested:	Zoning Change (from LC, Limited Commercial with a C-O, Conditional Overlay, to LC, Limited Commercial with a PUD, Planned Unit Development, Overlay and a request to repeal the C-O, Conditional Overlay) and a PUD Master Land Use Plan		
Status:	Planning Commission Public Hearing: January 7, 2020		

Existing	Proposed
Land Use: vacant	Land Use: mixed-use development
Zoning: LC, Limited Commercial with a C-O, Conditional Overlay	Zoning: LC, Limited Commercial with a PUD, Planned Unit Development, Overlay
Uses Allowed: LC: Allows colleges, community service, daycare centers of unlimited size, health care facilities, parks and open space, religious institutions, safety services, offices, off premise advertising signs , commercial parking, retail sales and service, self service storage, vehicle repair, limited vehicle service, portable signs	Uses Allowed: LC: Allows colleges, community service, daycare centers of unlimited size, health care facilities, parks and open space, religious institutions, safety services, offices, off premise advertising signs, commercial parking, retail sales and service, self service storage, vehicle repair, limited vehicle service, portable signs plus residential use
Maximum Lot Coverage Allowed: maximum 55% building coverage	Maximum Lot Coverage Allowed: maximum 55% building coverage

Proposal:

The applicant is seeking approval of 1) a zoning change from LC, Limited Commercial with a C-O, Conditional Overlay, to LC, Limited Commercial with a PUD, Planned Unit Development overlay and a request to repeal the C-O, Conditional Overlay and 2) a PUD Master Land Use Plan. The subject property is located at 5601 33rd Avenue South.

Project Summary

The applicant has applied for a zoning change and a PUD Overlay in order to tailor development standards to the specifics of the proposed project. According to the applicant, the Eagle Ridge Mixed-Use project is intended to blend the commercial and multi-family residential design standards to create an urban and vibrant live, work, play setting. The project includes five (5) mixed-use buildings and two (2) residential buildings. Each mixed-use building will include combination of approximately 8,000 square feet of commercial space, approximately 92 residential units, structured public parking, and building amenity spaces. Each residential building is intended to include 64 residential units, structured public parking, and building amenity spaces. The applicant has submitted a project narrative and PUD Master Land Use Plan which further describes the proposed development. These documents are attached.

To: Fargo Planning Commission
From: Dan Farnsworth & Anna Pierce
Date: February 4, 2020
Re: **Fargo Safe Routes to School Plan**

In November of 2018, Metro COG, in cooperation with the City of Fargo, commenced the Fargo Safe Routes to School Plan. Key stakeholders involved in the Plan's process included Metro COG, the City of Fargo, Fargo Public Schools, West Fargo Public Schools, and representatives from the private schools. The Plan was conducted in coordination with consulting firms Alta Planning + Design and KLJ.

Included in this Plan are all elementary and middle schools located within the City of Fargo (plus Liberty Middle School in the City of West Fargo). In total, 31 schools are included – all twenty Fargo Public Schools, five West Fargo Public Schools, and six Private Schools.

The purpose of the Plan is to provide information, resources, and recommendations to elected officials, city and school staff, and parents to make walking and bicycling safer and more inviting for students traveling to and from school. This Plan incorporates the "Six E's" of Safe Routes to School – Education, Encouragement, Engineering, Enforcement, Evaluation, and Equity.

As part of this Plan's process, in-person community engagement was conducted, 495 student teacher tallies were completed, 1,421 parent caregiver surveys were received, and school arrival and dismissals were observed at each of the 31 schools.

The last Safe Routes to School Plan done for the City of Fargo was completed in 2009. With extensive growth in the city and school district since 2009, a revised Plan was much-needed. This Plan provides a fresh update and incorporates the latest standards and best practices for safe routes to school.

Upon adoption by the City of Fargo and Metro COG Policy Board, the Plan will become publicly available for use by elected officials, city and school staff, and parents.

The final draft Plan can be found at the following link:
<https://altaplanning.egnyte.com/dl/ISu1yzro6V>

Requested Action:
Recommend adoption of the Fargo Safe Routes to School Plan to the City of Fargo Commission.