



*Aaron Nelson, AICP Director of Planning and Zoning
Lisa Sankey, Planner
Breanna Siegler, Office Manager*

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West Fargo Planning & Zoning Commission Agenda
Tuesday, June 13, 2023 - 5:30 p.m.

1. Call to Order
2. Approval of Order of Agenda
3. Approval of Minutes – May 9, 2023
4. Continued – A23-4 Sandhills 6th Addition, a Subdivision and Rezoning from A: Agricultural to LI: Light Industrial and P: Public Facilities of Auditor's Lot 3 and a Replat of all of Block 2, Lots 6-16 of Block 3, Lots 2-7 and 10-22 of Block 4, Lots 10 and 13 of Block 8, Lots 3-10 and 13-22 of Block 9, all of Blocks 10 and 11, all in Meadow Brook Park Subdivision; a Vacation Plat of part of Gress Avenue, all of Second Avenue North, part of First Avenue North, all of Northern Pacific Avenue and part of Park Boulevard all in Meadow Brook Park Subdivision, all in the SE¹/₄ of Section 2, T139N, R50W, City of West Fargo, North Dakota - Ocho Indy, LLC. (Continued from May 9, 2023)
5. Public Hearing – A23-17 Sandhills 7th Addition, a Subdivision and Rezoning from Agricultural to LI: Light Industrial of Auditor's Lot 1 (part of Section 2, T139N, R50W) and Lots 11 & 12, Block 9 of Meadow Brook Subdivision (2805 Gress Avenue), City of West Fargo, North Dakota – Restad
6. Public Hearing – A23-13 The Wilds 23rd Addition, a Subdivision and Rezoning from R-2: Limited Multiple Dwellings to R-3: Multiple Dwellings of Lot 1, Block 10 of The Wilds 21st Addition, City of West Fargo, North Dakota – Wildco LLC
7. Public Hearing – A23-14 Shiloh 2nd Addition, a Conditional Use Permit for increased and illuminated signage for institutional identification in a residential district for a church at 2200 Shiloh Street (Lot 1, Block 1 of Shiloh 2nd Addition), City of West Fargo, North Dakota – The Summit
8. Public Hearing – A23-19 Selberg's 2nd Subdivision, a Conditional Use Permit for Accessory Building greater than 1,000 ft² at 409 32nd Ave NW (Lot 10, Block 1 of Selberg's 2nd Subdivision), Cass County, North Dakota - Voigt
9. A23-15 Goldenwood 7th Addition, retracement plat of Lots 9 & 10, Block 1 Goldenwood 5th Addition (1292 & 1296 Goldenwood Dr), City of West Fargo, North Dakota - Hoffman
10. A23-16 Kost 5th Addition, retracement plat of Lots 6-8, Block 1 of Kost 1st Addition (1100 Center Street), City of West Fargo, North Dakota – R&T Nygaard Investments LLP
11. A23-18 Sterling Industrial Park 1st Addition, an access request onto a minor arterial street, located at 640 16th Street NE (Lot 3, Block 3 of Sterling Industrial Park 1st Addition), City of West Fargo, North Dakota – RRM
12. A23-20 The Wilds 2nd Addition, a Simple Lot Split at 1020 & 1004 49th Terrace W (Lots 15 & 16, Block 1 of The Wilds 2nd Addition), City of West Fargo, North Dakota - Tollefson
13. Non-Agenda Items
14. Adjournment



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West Fargo Planning & Zoning Commission Monday, May 9, 2023 at 5:30pm
West Fargo City Hall

Members Present: Joe Kolb, David Gust, Eric Dodds, Mike Thorstad, Aleya Leibfried
Members Absent: Brady Woodard, Kathi Schwan

Others Present: Aaron Nelson, Lisa Sankey, John Shockley, Jerry Wallace, Austin Morris, Nancy Peterson, Mike Svaeson, Matt Prochniak, Xavier Welte

Meeting was called to order by Chair Kolb at 5:30pm.

Commissioner Dodds moved and Commissioner Gust seconded to approve the order of the agenda.

Commissioner Leibfried moved and Commissioner Dodds seconded to approve the April 10, 2023 meeting minutes as distributed. No opposition, Motion carried.

Commissioner Kolb continued – A23-4 Sandhills 6th Addition, a Replat and Rezoning from A: Agricultural to LI: Light Industrial and P: Public Facilities of Auditor's Lot 3 and a Replat of all of Block 2, Lots 6-16 of Block 3, Lots 2-7 and 10-22 of Block 4, Lots 10 and 13 of Block 8, Lots 3-10 and 13-22 of Block 9, all of Blocks 10 and 11, all in Meadow Brook Park Subdivision; a Vacation Plat of part of Gress Avenue, all of Second Avenue North, part of First Avenue North, all of Northern Pacific Avenue and part of Park Boulevard all in Meadow Brook Park Subdivision, all in the SE $\frac{1}{4}$ of Section 2, T139N, R50W, City of West Fargo, North Dakota - Ocho Indy, LLC. (Continued to June 13, 2023).

Planning Director Nelson indicated the applicant was on his way and asked that this item be delayed until he arrived.

Commissioner Kolb opened Public Hearing A23-12 The Wilds North Pond 1st Addition, a Replat of Lot 1, Block 1, Tevye Addition, Replat of Lot 1, Block 1 Schatz Ranch First Addition, Replat of Lot 19, Block 2, The Wilds Fourth Addition and Plat of Part of SE $\frac{1}{4}$ of Section 31, T139N, R49W, City of West Fargo, North Dakota. There was no public comment. The Public Hearing was closed. After discussion, Commissioner Gust moved and Commissioner Leibfried seconded to approve the subdivision. No opposition. Motion carried.

Developer Austin Morris from Enclave updated the commission on the Sandhills 6th application. Mr. Morris indicated they letters were sent to six homeowners and six landowners regarding

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possibly buyouts. After discussion Commissioner Gust moved and Commissioner Dodds seconded to continue this until the June 13th meeting. No opposition. Motion carried.

Downtown Master Plan Project Update. Planning Director Nelson discussed the consultant meetings held last week and indicated the communications department has shared project updates on social media and the website is now live.

Under non-agenda, Planning Director Nelson discussed the NDSU Downtown Presentation and The Forum article. He indicated he would send a link of the presentation to commissioners.

Kathi Schwan was appointed as a new Planning Commissioner; however, was unable to attend tonight's meeting.

Commissioner Gust and Commissioner Dodds seconded to adjourn. No opposition. Meeting adjourned.

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CITY OF WEST FARGO PLANNING & COMMUNITY DEVELOPMENT

STAFF REPORT

A23-4 SUBDIVISION AND REZONING	
Sandhills 6 th Addition	
Property in the SE¼ of Section 2, T139N, R50W, City of West Fargo, North Dakota	
Owner/Applicant: Ocho Indy, LLC/ Enclave Development	Staff Contact: Aaron Nelson
Planning & Zoning Commission Public Hearing:	2-14-2023 (continued)
Planning & Zoning Commission discussion:	5-9-2023 (continued)
Planning & Zoning Commission:	6-13-2023
City Commission Public Hearing & 1 st Reading:	
2 nd Reading and Final Plat Approval:	

PURPOSE:

Plat/replat and rezone property for future industrial development.

STATEMENTS OF FACT:

Land Use Classification:	G-2 Sub-Urban – Growth Sector
Existing Land Use:	Vacant
Current Zoning District(s):	A: Agricultural
Zoning Overlay District(s):	CO-I: Interstate Corridor Overlay District
Proposed Zoning District(s):	LI: Light Industrial; P: Public Facilities
Proposed Lot size(s) or range:	1.4 – 11.2 Acres
Total area size:	47.47 Acres
Adjacent Zoning Districts:	North – A: Agricultural; LI: Light Industrial South – Interstate 94; A: Agricultural East – A: Agricultural; LI: Light Industrial West – A: Agricultural; LI: Light Industrial (Sheyenne Diversion)
Adjacent street(s):	26 th Street NW – Future Arterial; 4 th Ave NW – Local
Adjacent Bike/Pedestrian Facilities:	None
Available Parks/Trail Facilities:	None
Land Dedication Requirements:	5% dedication required or fee-in-lieu

DISCUSSION AND OBSERVATIONS:

- The majority of the subject property was originally platted by the County as part of Meadow Brook Park Subdivision in 1953, prior to incorporation into the City of West Fargo in 2004. However, very little of the original rural residential subdivision was ever actually developed.
- The applicant has acquired multiple lots and properties within the Meadow Brook Park Subdivision, as well as adjacent unplatted property, and is now looking to consolidate and reconfigure the property for industrial development.
- The proposed subdivision includes the platting of unplatted property, replatting of existing lots, vacation of existing right-of-way, dedication of new right-of-way, renaming of streets, and the reconfiguration of an existing City-owned stormwater pond.

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- The plat also includes consideration for a potential future interchange connection at 26th Street and Interstate 94, which was identified as a potential transportation project within the Northwest Metro Transpiration Study in 2020.

Lots & Zoning

- Blocks 1 & 2 are proposed to be rezoned to P (Public Facilities) to accommodate reconfigured and enlarged regional public stormwater ponds.
- Block 3 is proposed to be rezoned to LI (Light Industrial) to accommodate future industrial development.
- Lot 10, Block 3 is proposed to be acquired by the City for purposes of right-of-way preservation for a potential future interchange reconfiguration and connection of 26th Street.
- Lots 4, 5, 8, & 9, Block 3 do not abut public right-of-way and are proposed to access City services via a 50-foot Access & Utility Easement, connecting to 3rd Avenue NW.

Right-of-Way

- The existing 2nd Avenue NW will be renamed as 3rd Avenue NW to be consistent with the alignment of 3rd Avenue NW as it exists east of 26th Street NW.
- The proposed development includes the vacation of much of the original 1950's street right-of-way, where infrastructure was never constructed.
- The plat includes the public dedication of additional right-of-way for proposed infrastructure to service the development, including:
 - New right-of-way for 30th Street NW,
 - Widening of 3rd Avenue NW, and
 - Widening of Park Boulevard.

Public Land Dedication & Conceptual Interchange Options

- The City's subdivision ordinance requires a 5% public dedication for industrial developments.
- The Park District has indicated no need for land within the subject property and requests payment in-lieu of land dedication.
- However, City staff has identified the need for right-of-way preservation for potential interchange reconfiguration and connection of 26th Street to I-94. To this end, the Engineering Department worked with a consultant to analyze a few different conceptual interchange designs in order to determine the likely area needed for preservation. Staff's recommendation is for the City to acquire Lot 10, Block 3 through a combination of public dedication and City funds. If, in the future, it is determined that this land is no longer needed, the City could sell the land for private development at that time.

Stormwater

- To accommodate development stormwater runoff, the applicant is proposing an expansion to the existing public stormwater pond.
- The existing pond is also proposed to be reconfigured due to the additional right-of-way needed to accommodate 3rd Avenue NW.

Subdivision Variance

- The City's subdivision ordinance allows for deviation from typical subdivision standards at the time of platting through approval of a "subdivision variance."

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- Due to the existing conditions and unique nature of the proposed redevelopment, there are several aspects of the proposed subdivision that deviate from typical standards and that the are proposed to be approved as part of this subdivision:
 - An additional 44 feet of right-of-way width is being dedicated for 3rd Ave NW, in order for the street to swing to the north and align with the existing 3rd Ave NW on the east side of 26th Street NW.
 - Some of the existing right-of-way is proposed to remain substandard in width (50' existing) as there is no intention of constructing streets at these locations (1st Ave NW, Northern Pacific Avenue, Gress Avenue). Additionally, 1st Avenue NW and NP Ave NW will be dead-ended without a cul-de-sac turnaround, which is typically required when a vacation results in the dead-ending of right-of-way.
 - A remnant portion of 2nd Avenue NW exists between Lot 1, Block 3 and 30th Street NW. Staff has encouraged the applicant to work with the adjacent property owner to vacate this remnant portion of right-of-way as well. This remnant portion of right-of-way is outside of the bounds of the proposed plat.

NOTICES:

Sent to:	Legal notices published in the Forum and notices sent to applicable agencies and departments. Notification letters mailed to owners of property within 150 feet.
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Comments Received in relation to revised preliminary plat:

- Staff has received several calls and emails regarding the proposal, all from neighboring property owners, their family member, or their representatives:
 - Most of the calls received over the past six months or so have been focused on the topic of potential buy-outs and/or the status of the applicant's negotiations with individual property owners. A couple of calls have been from property owners interested in future industrial development of their property as well.
 - Most of the emails received have been from Tim & Lea Cockayne (adjacent resident property owner) and members of their family. They have expressed interest in selling to the developer at "replacement cost" (enough to purchase a similar sized house on a similar sized lot elsewhere). One email was received from a resident property owner adjacent to a previous phase of the Sandhills development, noting opposition to a future interchange at 26th Street in regards to their concerns over past and potential future special assessments. These emails are attached.
 - A number of people spoke at the public hearing for this item at the February 14, 2023 Planning & Zoning Commission meeting. Most of the comments were related to past special assessments and concerns with potential future special assessments, and some property owners & residents wanting to be bought out.

CONSISTENCY WITH COMPREHENSIVE PLAN AND OTHER APPLICABLE CITY PLANS AND ORDINANCES:

- Conceptually, the proposed development is consistent with City plans and ordinances. However, of particular note is the potential lack of connectivity for this area and adjacent future growth areas. While the West Fargo 2.0 Comprehensive Plan emphasizes the importance of a connected street

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and transportation system, this area is bounded by the Sheyenne Diversion channel and the interstate highway, which present significant barriers to accessing the development from the north, west, or south.

- The proposed zoning is consistent with existing industrial zoning in the area, as well as past City land use plans that designated this area for future industrial development. While there are a few existing homes within the area, uses permitted in the LI (Light Industrial) district (such as light manufacturing, wholesale distribution, warehousing, contractor shops, and the like) are relatively free from objectionable nuisances. More-intensive uses (such as general manufacturing, wrecking & salvage yards, petroleum refining, fertilizer manufacturing, cement plants, and the like) are restricted to the M (Heavy Industrial) district, and are not allowed within the proposed LI zoning district. Additionally, the existing residences located north of 3rd Ave NW would be somewhat buffered from the proposed industrial area by a proposed stormwater pond.
- The Northwest Metro Transportation Plan, Completed by MetroCOG in 2020, examined future transportation needs for the future growth area north and west of the subject property. In order to improve north/south connectivity and to relieve anticipated congestion on existing network connections, this plan studied the potential extension of 26th Street NW to the south, including associated interchange at I-94/Main Ave and bridge across the Sheyenne Diversion channel. While there would be significant costs to such an extension of 26th St NW, there would also be great benefits to providing improved street network function and improved access to the City's future growth areas, north and south of the subject property.

UPDATE: 6/9/23

- On March 20, 2023, the City Commission authorized staff to enter into negotiations with the developer for land acquisition of Lot 10, Block 3, for purposes of right-of-way preservation for a potential future interchange.
- The applicant held a neighborhood meeting on May 22, 2023, which was attended by three parties representing three adjacent properties. Two of those parties own a house adjacent to the development. The other party represents the proposed Sandhills 7th Addition. Discussion was had on where each party sits in regards to purchase negotiations. The two homeowner parties expressed concern with the industrial nature of the proposed development, especially in relation to construction and industrial traffic given the minimal maintenance of existing gravel roads in this area.
- The applicant has submitted a narrative which outlines their efforts to acquire adjacent properties. While the applicant has been successful in entering into purchase agreements with owners of three adjacent properties, agreements could not be reached between the applicant and several existing homeowners. This narrative is attached.
- In order to provide the option for City services to existing residential uses within the area and also to account for any potential future redevelopment in this area, the applicant has proposed to include utility stubs at Gress Avenue (from 30th St NW) and at Park Blvd (from 3rd Ave NW) as part of the subdivision infrastructure request. This would allow for the extension of City services (i.e., water and sanitary sewer service) along Gress Avenue and/or Park Bolivar if and/or when

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requested/needed in the future. The current residences are serviced by a shared private well and individual septic systems, either of which could fail at some point in the future.

- Ultimately, staff is in support of the proposed development as it aligns with the City's Comprehensive Plan, which seeks to grow the City's economy and expand the ratio of jobs in relation to housing. The proposed development is within current City limits and does not require expanding flood protection infrastructure. The proposed subdivision will consolidate undersized lots and will reconfigure street rights-of-way in this area to meet current development standards and improve efficiency of this and future development. The proposed development seeks to make the best out of a challenging situation involving multiple property owners with conflicting views on how property in this area should be used. While a handful of homes have existed in this area for decades, the City's previous two comprehensive plans have identified this area for future industrial development.

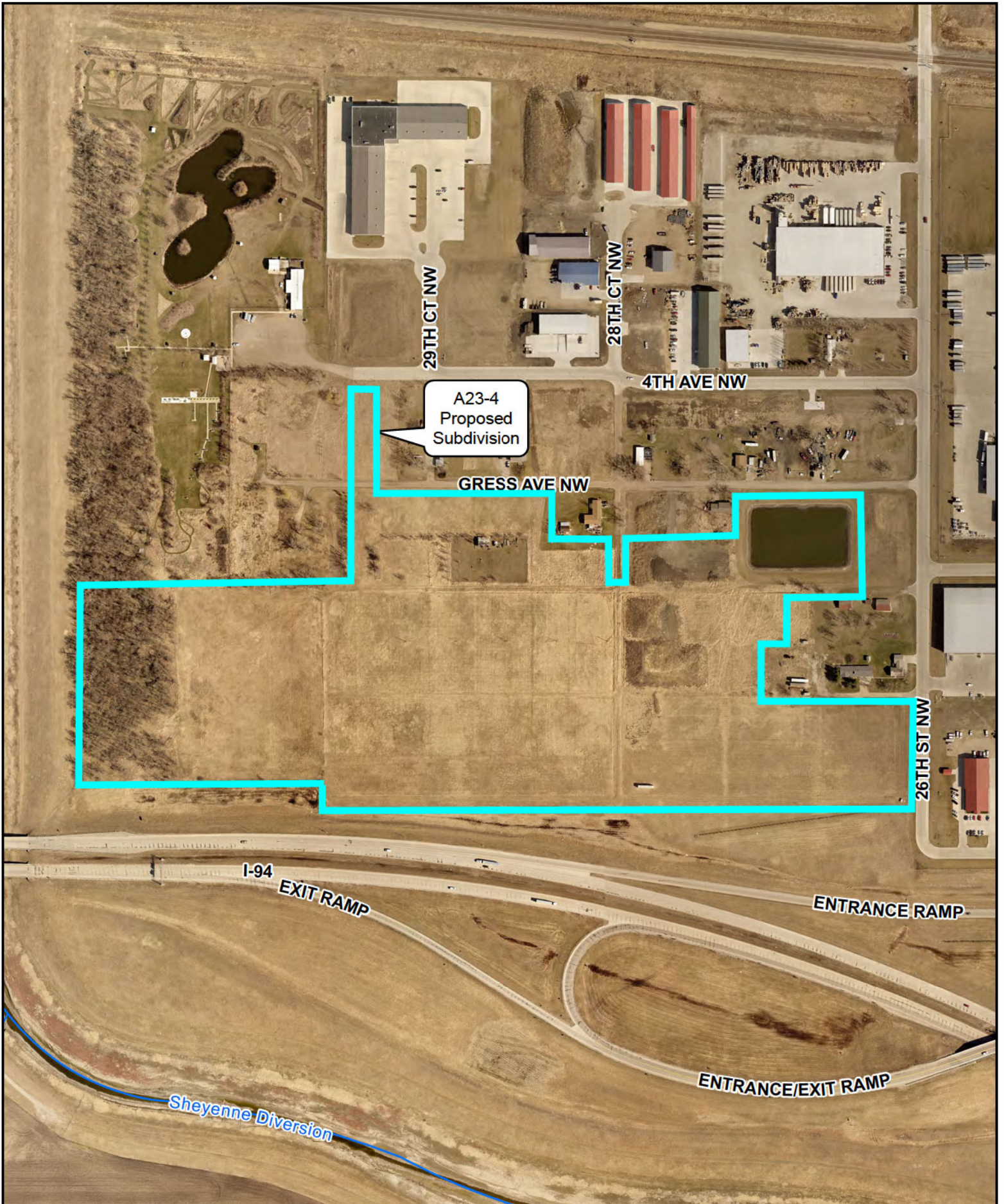
RECOMMENDATION:

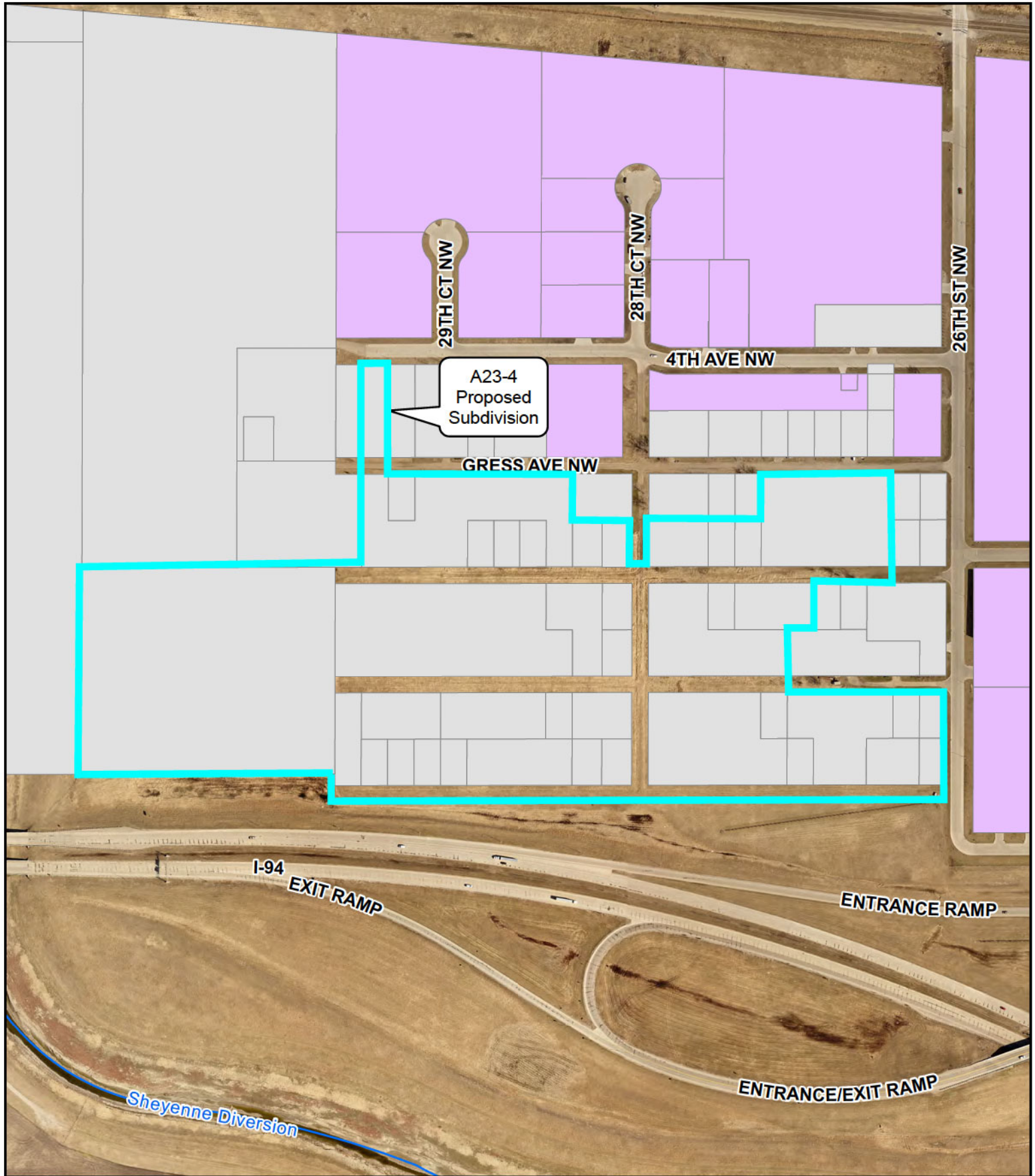
It is recommended that the City approve the proposed application on the basis that it is consistent with City plans and ordinances with recommended conditions of approval as follows:

- The applicant continues to work with staff as to the details of the public land dedication and acquisition of Lot 10, Block 3, and that a signed Public Dedication Agreement and Subdivision Development Agreement are submitted prior to final consideration by the City Commission, outlining such details.

Attachments:

- Aerial map
- Zoning map
- Preliminary Plat
- Preliminary Infrastructure Layout
- Applicant's Project Narrative
- Applicant's Purchase Negotiation Narrative
- Proposed Zoning Exhibit
- Right-of-Way & Public Land Exhibit
- Excerpt from the Northwest Metro Transportation Plan regarding the 26th St NW interchange
- Public Comment







West Fargo Zoning

- A: Agricultural
- C: Light Commercial
- C-OP: Commercial Office Park
- DMU: Downtown Mixed Use
- EMU: Entertainment Mixed Use
- HC: Heavy Commercial

- LI: Light Industrial
- M: Heavy Industrial
- P: Public
- PUD: Planned Unit Development
- R-L1A: Large Lot Single Family Dwelling
- R-1A: Single Family Dwelling
- R-1: One and Two Family Dwelling

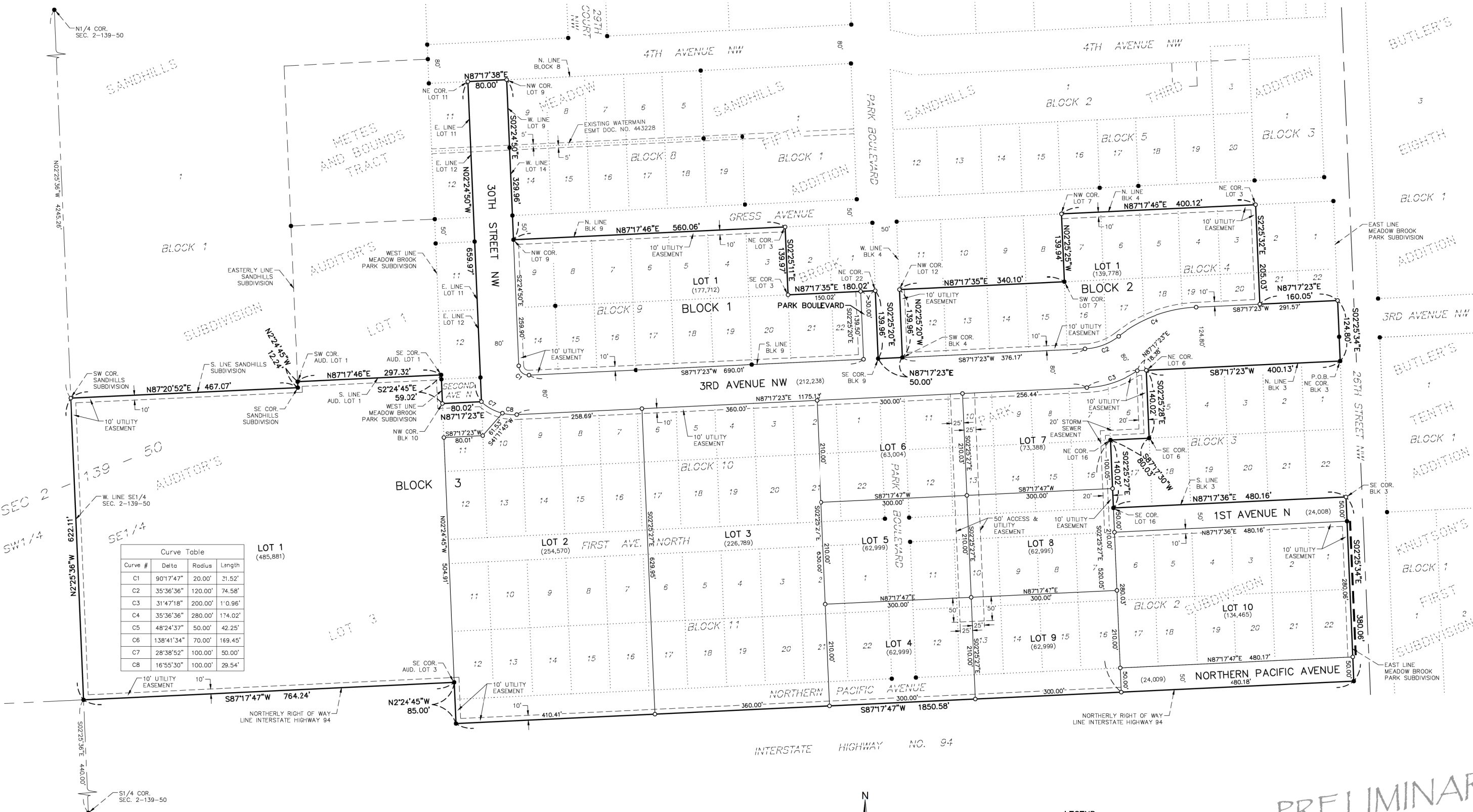
- R-1SM: Mixed One and Two Family Dwelling
- R-2: Limited Multiple Dwelling
- R-3: Multiple Dwelling
- R-4: Mobile Home
- R-5: Manufactured Home Subdivision
- R-1E: Rural Estate
- R-R: Rural Residential



0 250 500
US Feet

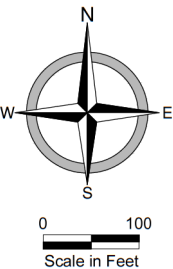
PLAT OF SANDHILLS SIXTH ADDITION

TO THE CITY OF WEST FARGO, A REPLAT OF AUDITOR'S LOT 3 AND A REPLAT OF ALL OF BLOCK 2, LOTS 6-16 OF BLOCK 3, LOTS 3-7, 12-20 AND PART OF LOTS 21 AND 22 OF BLOCK 4, LOTS 10 AND 13 OF BLOCK 8, LOTS 3-10 AND 13-22 OF BLOCK 9, ALL OF BLOCKS 10 AND 11, ALL IN MEADOW BROOK PARK SUBDIVISION; A VACATION PLAT OF PART OF GRESS AVENUE, PART OF SECOND AVENUE NORTH, PART OF FIRST AVENUE NORTH, PART OF NORTHERN PACIFIC AVENUE AND PART OF PARK BOULEVARD ALL IN MEADOW BROOK PARK SUBDIVISION, ALL IN THE SE1/4 OF SECTION 2, TOWNSHIP 139 NORTH, RANGE 50 WEST, CASS COUNTY, NORTH DAKOTA



NOTES:
1. ALL DEDICATED ROADS IN THE PLAT OF MEADOW BROOK PARK SUBDIVISION WHICH FALL WITHIN THE BOUNDARY OF THIS PLAT ARE TO BE VACATED WITH THE RECORDING OF THIS DOCUMENT.
2. THE TOTAL AREA OF DEDICATED ROADS IS 260,255 SQUARE FEET OR 5.97 ACRES.

BASIS OF BEARINGS:
THE NORTH LINE OF BLOCK 3, MEADOW BROOK PARK SUBDIVISION HAS AN ASSUMED BEARING OF S87°17'23"W.



- LEGEND**
- IRON MONUMENT FOUND
 - SET 5/8"x18" REBAR WITH YELLOW PLASTIC CAP #6571
 - P.O.B. (62,999)
 - PLAT BOUNDARY LINE
 - LOT LINE
 - EASEMENT LINE
 - ... EXISTING LOT LINE
 - - - QUARTER SECTION LINE
 - - - EXISTING TRACT LINE
 - ACCESS CONTROL

PRELIMINARY

PLAT OF SANDHILLS SIXTH ADDITION

TO THE CITY OF WEST FARGO, A REPLAT OF AUDITOR'S LOT 3 AND A REPLAT OF ALL OF BLOCK 2, LOTS 6-16 OF BLOCK 3, LOTS 3-7, 12-20 AND PART OF LOTS 21 AND 22 OF BLOCK 4, LOTS 10 AND 13 OF BLOCK 8, LOTS 3-10 AND 13-22 OF BLOCK 9, ALL OF BLOCKS 10 AND 11, ALL IN MEADOW BROOK PARK SUBDIVISION; A VACATION PLAT OF PART OF GRESS AVENUE, PART OF SECOND AVENUE NORTH, PART OF FIRST AVENUE NORTH, PART OF NORTHERN PACIFIC AVENUE AND PART OF PARK BOULEVARD ALL IN MEADOW BROOK PARK SUBDIVISION, ALL IN THE SE1/4 OF SECTION 2, TOWNSHIP 139 NORTH, RANGE 50 WEST, CASS COUNTY, NORTH DAKOTA

CERTIFICATE

STEVEN W. HOLM, BEING DULY SWORN, DEPOSES AND SAYS THAT HE IS THE REGISTERED LAND SURVEYOR WHO PREPARED AND MADE THE ATTACHED PLAT OF "SANDHILLS SIXTH ADDITION" TO THE CITY OF WEST FARGO, A REPLAT OF AUDITOR'S LOT 3 AND A REPLAT OF ALL OF BLOCK 2, LOTS 6-16 OF BLOCK 3, LOTS 2-7 AND 10-22 OF BLOCK 4, LOTS 10 AND 13 OF BLOCK 8, LOTS 3-10 AND 13-22 OF BLOCK 9, ALL OF BLOCKS 10 AND 11, ALL IN MEADOW BROOK PARK SUBDIVISION; A VACATION PLAT OF PART OF GRESS AVENUE, PART OF SECOND AVENUE NORTH, PART OF FIRST AVENUE NORTH, ALL OF NORTHERN PACIFIC AVENUE AND PART OF PARK BOULEVARD ALL IN MEADOW BROOK PARK SUBDIVISION, ALL IN THE SE1/4 OF SECTION 2, TOWNSHIP 139 NORTH, RANGE 50 WEST, CASS COUNTY, NORTH DAKOTA; THAT SAID PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE BOUNDARY SURVEY; THAT ALL DISTANCES ARE CORRECTLY SHOWN ON SAID PLAT; THAT MONUMENTS HAVE BEEN PLACED IN THE GROUND AS INDICATED FOR THE GUIDANCE OF FUTURE SURVEYS AND THAT SAID ADDITION IS DESCRIBED AS FOLLOWS, TO WIT:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 139 NORTH, RANGE 50 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CASS COUNTY, NORTH DAKOTA AND THAT PART OF MEADOW BROOK PARK SUBDIVISION, ACCORDING TO THE RECORDED PLAT THEREOF, ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF BLOCK 3, SAID MEADOW BROOK PARK SUBDIVISION; THENCE SOUTH 87 DEGREES 17 MINUTES 23 SECONDS WEST ON AN ASSUMED BEARING ALONG THE NORTH LINE OF SAID BLOCK 3 FOR A DISTANCE OF 400.13 FEET TO THE NORTHEAST CORNER OF LOT 6, SAID BLOCK 3; THENCE SOUTH 02 DEGREES 25 MINUTES 28 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 6 FOR A DISTANCE OF 140.02 FEET TO THE SOUTHEAST CORNER OF SAID LOT 6; THENCE SOUTH 87 DEGREES 17 MINUTES 30 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 6 FOR A DISTANCE OF 80.03 FEET TO THE NORTHEAST CORNER OF LOT 16, SAID BLOCK 3; THENCE SOUTH 02 DEGREES 25 MINUTES 27 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 16 FOR A DISTANCE OF 140.02 FEET TO THE SOUTHEAST CORNER OF SAID LOT 16; THENCE NORTH 87 DEGREES 17 MINUTES 36 SECONDS EAST ALONG THE SOUTH LINE OF SAID BLOCK 3 FOR A DISTANCE OF 480.16 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 3; THENCE SOUTH 02 DEGREES 25 MINUTES 34 SECONDS EAST ALONG THE EAST LINE OF SAID MEADOW BROOK SUBDIVISION FOR A DISTANCE OF 380.06 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY NO. 94; THENCE SOUTH 87 DEGREES 17 MINUTES 47 SECONDS WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE FOR A DISTANCE OF 1850.58 FEET; THENCE NORTH 02 DEGREES 24 MINUTES 45 SECONDS WEST CONTINUING ALONG SAID NORTHERLY RIGHT OF WAY LINE FOR A DISTANCE OF 85.00 FEET; THENCE SOUTH 87 DEGREES 17 MINUTES 47 SECONDS WEST CONTINUING ALONG SAID NORTHERLY RIGHT OF WAY LINE FOR A DISTANCE OF 764.24 FEET TO THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 2; THENCE NORTH 02 DEGREES 25 MINUTES 36 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER FOR A DISTANCE OF 622.11 FEET TO THE SOUTHWEST CORNER OF SANDHILLS SUBDIVISION, ACCORDING TO THE RECORDED PLAT THEREOF, ON FILE AND OF RECORD IN THE OFFICE OF SAID RECORDER; THENCE NORTH 87 DEGREES 20 MINUTES 52 SECONDS EAST ALONG THE SOUTH LINE OF SAID SANDHILLS SUBDIVISION FOR A DISTANCE OF 467.07 FEET TO THE SOUTHEAST CORNER OF SAID SANDHILLS SUBDIVISION; THENCE NORTH 02 DEGREES 24 MINUTES 45 SECONDS WEST ALONG THE EASTERLY LINE OF SAID SANDHILLS SUBDIVISION FOR A DISTANCE OF 12.24 FEET TO THE SOUTHWEST CORNER OF AUDITOR'S LOT NO. 1 OF THE SOUTHEAST QUARTER OF SAID SECTION 2, ACCORDING TO DOCUMENT NO. 572567, RECORDED NOVEMBER 19, 1980, ON FILE AND OF RECORD IN THE OFFICE OF SAID RECORDER; THENCE NORTH 87 DEGREES 17 MINUTES 46 SECONDS EAST ALONG THE SOUTH LINE OF SAID AUDITOR'S LOT NO. 1 FOR A DISTANCE OF 297.32 FEET TO THE SOUTHEAST CORNER OF SAID AUDITOR'S LOT NO. 1, SAID POINT ALSO BEING ON THE WEST LINE OF SAID MEADOW BROOK PARK SUBDIVISION; THENCE SOUTH 02 DEGREES 24 MINUTES 45 SECONDS EAST ALONG SAID WEST LINE FOR A DISTANCE OF 59.02 FEET TO THE NORTHWEST CORNER OF BLOCK 10, SAID MEADOW BROOK PARK SUBDIVISION; THENCE NORTH 87 DEGREES 17 MINUTES 23 SECONDS EAST ALONG THE NORTH LINE OF SAID BLOCK 10 FOR A DISTANCE OF 80.02 FEET TO ITS INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE EAST LINE OF LOT 12, BLOCK 9 SAID MEADOW BROOK PARK SUBDIVISION; THENCE NORTH 02 DEGREES 24 MINUTES 50 SECONDS WEST ALONG THE EAST LINE OF SAID LOT 12 AND THE SOUTHERLY EXTENSION THEREOF AND ALONG THE EAST LINE OF LOT 11 SAID BLOCK 9 AND THE NORTHERLY EXTENSION THEREOF AND ALONG THE EAST LINE OF LOTS 11 AND 12, BLOCK 8, SAID MEADOW BROOK PARK SUBDIVISION FOR A DISTANCE OF 659.97 FEET TO THE NORTHEAST CORNER OF SAID LOT 11, BLOCK 8; THENCE NORTH 87 DEGREES 17 MINUTES 38 SECONDS EAST ALONG THE NORTH LINE OF SAID BLOCK 8 FOR A DISTANCE OF 80.00 FEET TO THE NORTHWEST CORNER OF LOT 9, SAID BLOCK 8; THENCE SOUTH 02 DEGREES 24 MINUTES 50 SECONDS EAST ALONG THE WEST LINE OF SAID LOT 9 AND ALONG THE WEST LINE OF LOT 14, SAID BLOCK 8 AND THE SOUTHERLY EXTENSION THEREOF FOR A DISTANCE OF 329.96 FEET TO THE NORTHWEST CORNER OF LOT 9, SAID BLOCK 9; THENCE NORTH 87 DEGREES 17 MINUTES 46 SECONDS EAST ALONG THE NORTH LINE OF SAID BLOCK 9 FOR A DISTANCE OF 560.06 FEET TO THE NORTHEAST CORNER OF LOT 3, SAID BLOCK 9; THENCE SOUTH 02 DEGREES 25 MINUTES 11 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 3 FOR A DISTANCE OF 139.97 FEET TO THE SOUTHEAST CORNER OF SAID LOT 3; THENCE NORTH 87 DEGREES 17 MINUTES 35 SECONDS EAST ALONG THE NORTH LINE OF LOTS 21 AND 22, SAID BLOCK 9, FOR A DISTANCE OF 180.02 FEET TO THE NORTHEAST CORNER OF SAID LOT 22; THENCE SOUTH 02 DEGREES 25 MINUTES 20 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 22 FOR A DISTANCE OF 139.96 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 9; THENCE NORTH 87 DEGREES 17 MINUTES 23 SECONDS EAST ALONG THE EASTERLY EXTENSION OF THE SOUTH LINE OF SAID BLOCK 9 FOR A DISTANCE OF 50.00 FEET TO THE SOUTHWEST CORNER OF BLOCK 4, SAID MEADOW BROOK PARK SUBDIVISION; THENCE NORTH 02 DEGREES 25 MINUTES 20 SECONDS WEST ALONG THE WEST LINE OF SAID BLOCK 4 FOR A DISTANCE OF 139.96 FEET TO THE NORTHWEST CORNER OF LOT 12, SAID BLOCK 4; THENCE NORTH 87 DEGREES 17 MINUTES 35 SECONDS EAST ALONG THE NORTH LINE OF LOTS 12 THROUGH 15, SAID BLOCK 4 FOR A DISTANCE OF 139.94 FEET TO THE SOUTHWEST CORNER OF SAID LOT 7; THENCE NORTH 02 DEGREES 25 MINUTES 25 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 7 FOR A DISTANCE OF 139.94 FEET TO THE NORTHWEST CORNER OF SAID LOT 7; THENCE NORTH 87 DEGREES 17 MINUTES 46 SECONDS EAST ALONG THE NORTH LINE OF SAID BLOCK 4 FOR A DISTANCE OF 400.12 FEET TO THE NORTHEAST CORNER OF LOT 3, SAID BLOCK 4; THENCE SOUTH 02 DEGREES 25 MINUTES 32 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 3 AND ALONG THE EAST LINE OF LOT 20, SAID BLOCK 4 FOR A DISTANCE OF 205.03 FEET; THENCE NORTH 87 DEGREES 17 MINUTES 23 SECONDS EAST FOR A DISTANCE OF 160.05 FEET TO THE EAST LINE OF SAID MEADOW BROOK PARK SUBDIVISION; THENCE SOUTH 02 DEGREES 25 MINUTES 34 SECONDS EAST ALONG THE EAST LINE OF SAID MEADOW BROOK PARK SUBDIVISION FOR A DISTANCE OF 124.80 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 47.47 ACRES, MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD, IF ANY.

STEVEN W. HOLM
REGISTERED LAND SURVEYOR
REG. NO. LS-6571

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS DAY OF , 2023, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED STEVEN W. HOLM, REGISTERED LAND SURVEYOR, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

WEST FARGO PLANNING COMMISSION APPROVAL

THIS PLAT IN THE CITY OF WEST FARGO IS HREBY APPROVED THIS DAY OF , 2023.

JOSEPH F. KOLB, CHAIRMAN

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS DAY OF , 2023, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED JOSEPH F. KOLB, CHAIRMAN OF THE WEST FARGO PLANNING COMMISSION, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE NAME OF THE WEST FARGO PLANNING COMMISSION.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

WEST FARGO CITY COMMISSION APPROVAL

THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS DAY OF , 2023.

BERNIE L. DARDIS, PRESIDENT OF
THE WEST FARGO CITY COMMISSION

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS DAY OF , 2023, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED BERNIE L. DARDIS, PRESIDENT OF THE WEST FARGO CITY COMMISSION, AND TINA FISK, CITY AUDITOR, KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THE NAME OF THE CITY OF WEST FARGO.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

DEDICATION

WE, THE UNDERSIGNED, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LAND DESCRIBED IN THE PLAT OF "SANDHILLS SIXTH ADDITION" TO THE CITY OF WEST FARGO, A REPLAT OF AUDITOR'S LOT 3 AND A REPLAT OF ALL OF BLOCK 2, LOTS 6-16 OF BLOCK 3, LOTS 2-7 AND 10-22 OF BLOCK 4, LOTS 10 AND 13 OF BLOCK 8, LOTS 3-10 AND 13-22 OF BLOCK 9, ALL OF BLOCKS 10 AND 11 ALL IN MEADOW BROOK PARK SUBDIVISION; A VACATION PLAT OF PART OF GRESS AVENUE, PART OF SECOND AVENUE NORTH, PART OF FIRST AVENUE NORTH, ALL OF NORTHERN PACIFIC AVENUE AND PART OF PARK BOULEVARD ALL IN MEADOW BROOK PARK SUBDIVISION, ALL IN THE SE1/4 OF SECTION 2, TOWNSHIP 139 NORTH, RANGE 50 WEST, CASS COUNTY, NORTH DAKOTA, THAT WE HAVE CAUSED IT TO BE PLATTED INTO LOTS AND BLOCKS AS SHOWN BY SAID PLAT AND CERTIFICATE OF STEVEN W. HOLM, REGISTERED LAND SURVEYOR, AND THAT THE DESCRIPTION AS SHOWN IN THE CERTIFICATE OF THE REGISTERED LAND SURVEYOR IS CORRECT. WE HEREBY DEDICATE ALL STREETS, AVENUES, STORM SEWER EASEMENTS, ACCESS EASEMENTS AND UTILITY EASEMENTS SHOWN ON SAID PLAT TO THE USE OF THE PUBLIC.

OWNER: ALL EXCEPT LOT 1, BLOCK 2:
OCHO INDY, LLC

NAME:
TITLE:

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS DAY OF , 2023, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE PERSONALLY APPEARED , KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME IN THE NAME OF OCHO INDY, LLC.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

OWNER: LOT 1, BLOCK 2: CITY OF WEST FARGO

BERNIE L. DARDIS, PRESIDENT OF
THE WEST FARGO CITY COMMISSION

TINA FISK, CITY AUDITOR

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS DAY OF , 2023, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED BERNIE L. DARDIS, PRESIDENT OF THE WEST FARGO CITY COMMISSION, AND TINA FISK, CITY AUDITOR, KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THE NAME OF THE CITY OF WEST FARGO.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

WEST FARGO CITY ATTORNEY APPROVAL

I HEREBY CERTIFY THAT PROPER EVIDENCE OF TITLE HAS BEEN EXAMINED BY ME AND I APPROVE THE PLAT AS TO FORM AND EXECUTION THIS DAY OF , 2023.

JOHN T. SHOCKLEY, CITY ATTORNEY

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS DAY OF , 2023, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED JOHN T. SHOCKLEY, CITY ATTORNEY, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS THE CITY ATTORNEY.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

CITY ENGINEER'S APPROVAL

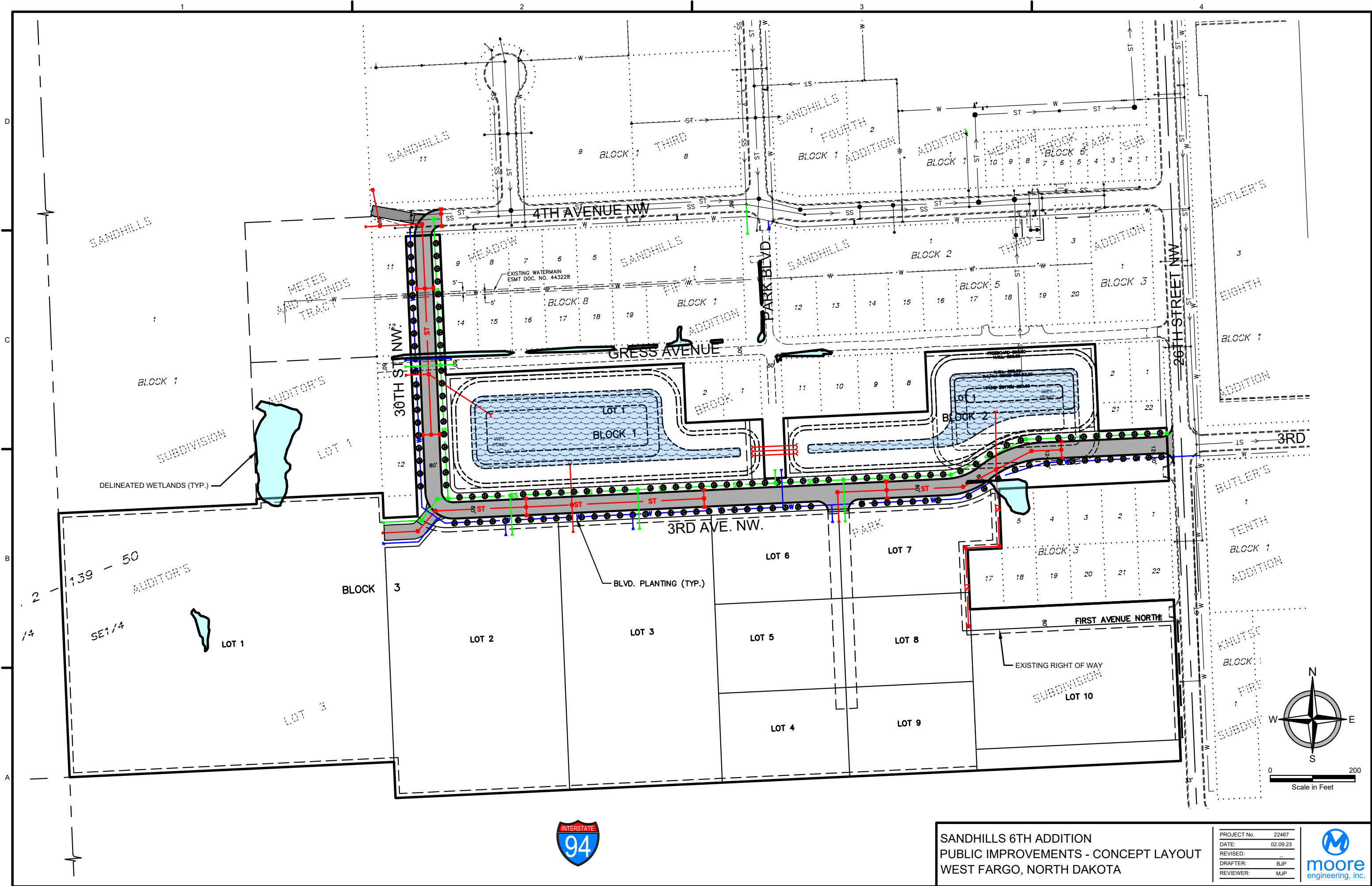
THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS DAY OF , 2023.

DANIEL R. HANSON, CITY ENGINEER

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS DAY OF , 2023, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED DANIEL R. HANSON, CITY ENGINEER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS THE CITY ENGINEER.

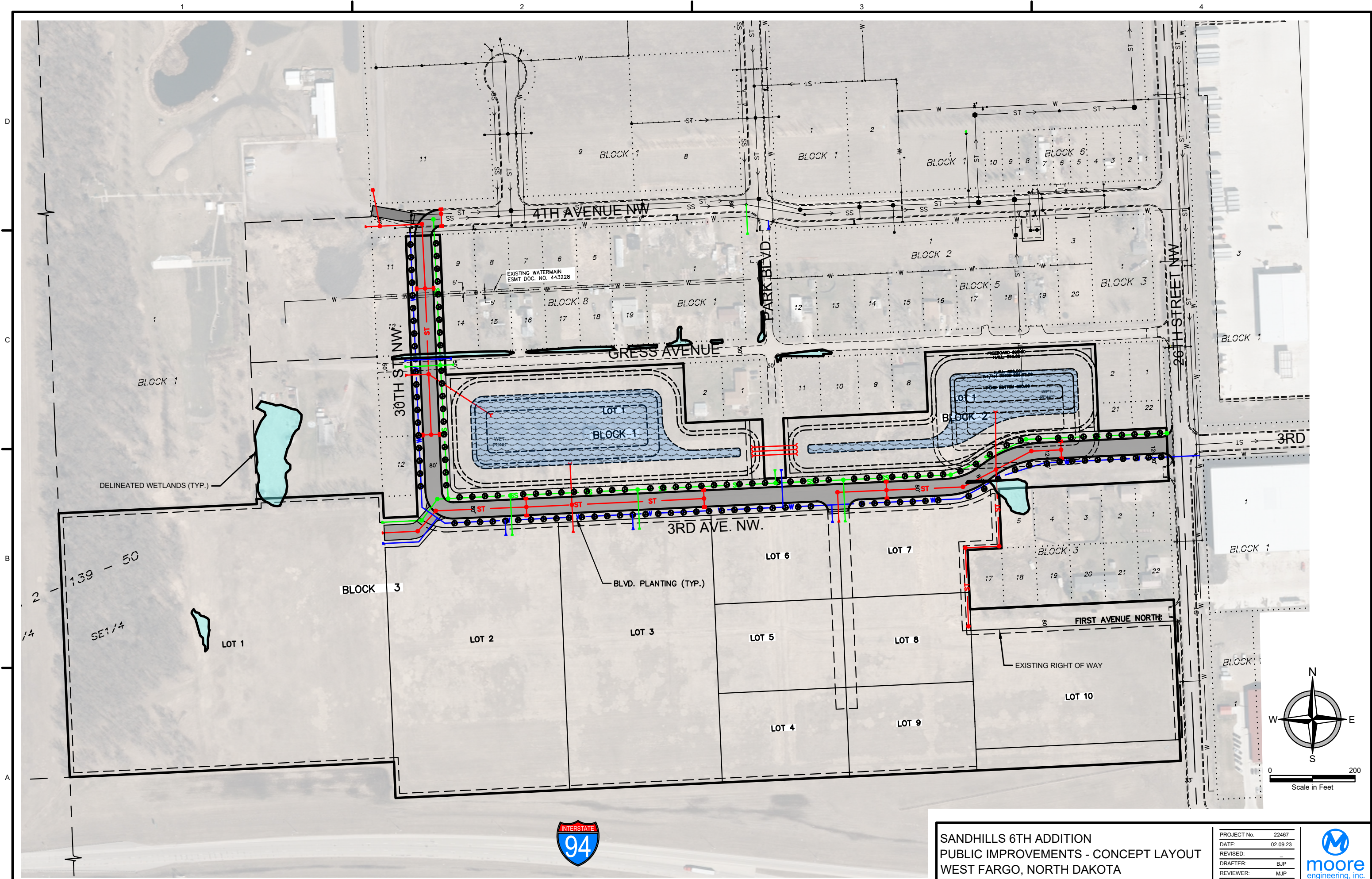
NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA



SANDHILLS 6TH ADDITION
PUBLIC IMPROVEMENTS - CONCEPT LAYOUT
WEST FARGO, NORTH DAKOTA

PROJECT No.	22467
DATE:	02.09.23
REVISED:	
DRAFTER:	BJP
REVIEWER:	MJP





SANDHILLS 6TH ADDITION
PUBLIC IMPROVEMENTS - CONCEPT LAYOUT
WEST FARGO, NORTH DAKOTA

PROJECT No.	22467
DATE:	02.09.23
REVISED:	
DRAFTER:	BJP
REVIEWER:	MJP





925 10th Avenue East
Suite 1
West Fargo, ND 58078
P: 701.282.4692
F: 701.282.4530



February 9, 2023

Mr. Aaron Nelson, Planning Director
City of West Fargo
800 4th Ave E, Suite 1
West Fargo, ND 58078

RE: Project Narrative
Sandhills 6th Addition
West Fargo, ND

Dear Mr. Nelson,

Introduction:

On behalf of Tim Gleason and Ocho Indy, LLC (i.e. Applicant), we are pleased to submit the Sandhills 6th Addition plat application. Below is a narrative discussing the proposed plat, unique components related to the plat application, and other related topics related to the platting of this new subdivision.

Plat Area Background and Proposed Use:

The proposed plat boundary includes most of the remaining land area south of Gress Avenue in the Sandhills Area of West Fargo, located in the northwest portion of the community. The proposed Sandhills 6th Addition (i.e. Property) plat will replat multiple lots and blocks of the existing Meadow Brook Park Subdivision into (12) large parcels with newly dedicated public right-of-ways establishing a roadway connection for the future subdivision. In addition to the Property being replatted, the Applicant is requesting the Property be rezoned from the current zoning designation of "Agricultural" to a mixture of "Light Industrial" and "Public" parcels. The (2) parcels on the north side of the future 3rd Avenue Northwest are proposed to be zoned "Public" and be utilized as future regional retention ponds. The (10) parcels on the south side of the further 3rd Avenue Northwest are proposed to be zoned "Light Industrial". The proposed use and future businesses that will utilize these parcels will likely be larger manufacturing, industrial, or commercial distribution focused businesses.

Land Dedication - General:

The public land dedication for the proposed plat includes a combination of dedication from the Applicant, a proposed "land swap", an existing public land dedication credit, right-of-way vacation, proposed City purchase of property, and proposed right-of-way preservation.

Applicant Dedication:

The Applicant is proposing to dedicate the necessary right-of-ways to establish the new 30th Street Northwest and 3rd Avenue Northwest right-of-ways per the City Standard with for industrial areas of 80' throughout the Property. The Applicant is also proposing to dedicate additional right-of-way on the west side of the existing Park Boulevard to create the City Standard 80' right-of-way width.

All other surrounding parcels directly adjacent to the Property maintain access to existing right-of-ways and will be able to access the new, established right-of-ways via the City roadway system.

Land Swap:

The parcel encompassing the regional storm water retention pond located on Meadow Brook Park Subdivision Block 4 and constructed during the Dist. 1301 - Sandhills 3rd public improvement project is currently owned by the City of West Fargo. With the proposed right-of-way alignment of the future 3rd Avenue Northwest, this

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mooreengineeringinc.com

pond will be reconfigured and a portion of the pond is proposed to become right-of-way for the future roadway. With the future Sandhills 6th Addition public improvement project, there will be a need for additional regional storm water retention and this retention will be achieved by expanding and reconfiguring the existing pond to the west of the existing pond, further into the Applicant's property. Thus, it is proposed that the City and Applicant complete an even "land swap" at a 1:1 ratio to acquire the necessary land area for the pond expansion and reconfiguration. The land area that will be acquired by the Applicant will become a right-of-way dedication.

Public Land Dedication:

Per the City of West Fargo subdivision ordinance, there is to be a public land dedication requirement for new subdivision plats. This public land dedication is to be 5% of the total proposed platted area and must be accompanied by a letter from the West Fargo Park District stating the preferred intended use of this land dedication. During the Sandhills 3rd platting process there was an excess land dedication of ~54,442 SF. The approximate required amount of land dedication for the proposed Sandhills 6th Addition plat is ~105,742 SF, thus, a net amount of ~51,300 SF is still required. This is proposed to be achieved with a future dedication of property in the southwest corner of the Property near 26th Street Northwest with the intended use to be for a future interstate interchange at a factored ratio totaling the necessary required square footage. The preservation of a portion of land in this particular corner of the Property is to be discussed further with the City to finalize an agreed upon dedication and potential City purchase for future right-of-way preservation needs.

Right-of-Way Vacation:

It is proposed with this plat that there will be right-of-way vacation of multiple existing corridors. These corridors are illustrated throughout multiple exhibits included with the plat application.

City Land Purchase:

In addition to aforementioned potential City purchase of land for the future interstate interchange, it is proposed that the City purchase the entirety of the future regional storm water retention pond areas. This area includes the (2) parcels on the north side of the future 3rd Avenue Northwest.

Subdivision Ordinance Variance:

The Applicant is requesting a subdivision ordinance variance at the intersection of the future 3rd Avenue and 26th Street Northwest. This variance request is to expand the right-of-way from the City Standard of 80' in industrial areas to an expanded ~125' for approximately 500' of the easterly portion of 3rd Avenue Northwest. This variance request would allow the future roadway to be lined up with the existing 3rd Avenue Northwest roadway on the east side of 26th Street Northwest and it would allow the existing Second Avenue North right-of-way to not be vacated. Vacation of right-of-way involves coordination with all adjacent property owners of the respective right-of-way and due to the Applicant only owning the property on the north side of the existing right-of-way, the Applicant is willing to dedicate additional right-of-way to avoid additional coordination efforts. Access to the existing residential structures located within Block 3 of Meadow Brook Park Subdivision will be maintained.

Additionally, due to the anticipated right-of-way preservation land purchase by the City of the proposed Lot 10, Block 3 Sandhills 6th Addition, the Applicant is requesting a subdivision ordinance to keep the existing 1st Avenue North right-of-way width at the existing 50' width versus providing additional dedication of right-of-way to make the corridor the City Standard of 80'. This variance is being requested because the residential structures and parcels directly adjacent to this corridor either have access to the expanded right-of-way on the north side of their property or the due to the 50' right-of-way being sufficient to allow access. Furthermore, the Applicant has no intent of developing or petitioning for public improvements in the existing right-of-way due to the anticipated right-of-way preservation land purchase by the City.

Lots 4-9, Block 3 Sandhills 6th Addition Intention:

The intent is for these parcels to share a private access and utility easement centered on the easterly property lines of Lots 4-6 and the westerly property lines of Lots 7-9. This easement will be 50' in width and be the corridor for sanitary sewer, water main, storm sewer, and a common access drive necessary to service each parcel. Each lot will have the ability to connect to the private infrastructure as necessary through this common

easement. Outside of the right-of-way and the public improvement project limits, the infrastructure will be privately installed, owned, and maintained. This will be a private agreement among the parcels that require infrastructure access from this easement. The Applicant is intending to coordinate this easement agreement privately.

Closing:

In summary, the goal is to plat a large area of the Sandhills Area of West Fargo into Sandhills 6th Addition to create appropriately zoned parcels to promote future development in the industrial part of the community. This platting process will be followed by a public improvement project which will help to install the necessary public infrastructure to service the newly platted parcels.

Sincerely,

A handwritten signature in blue ink, appearing to read "mprochniak", written over a horizontal line.

Matt Prochniak, PE
Project Manager

Detailed Order of Events during Negotiations

Following the February 14, 2023, Planning and Zoning Commission meeting, Enclave Development, on behalf of Ocho Indy, LLC, submitted LOI's (Letters of Intent) to each homeowner and landowner in the Sandhills area of West Fargo. The LOI's were sent via mail on February 23, 2023, to provide those an opportunity to sell and relocate if they so choose. We received counteroffers from three homeowners (Homeowner A, Homeowner B, and Homeowner C) in early March. We received no acceptance, verbal or otherwise, of those initial LOI's. Ocho Indy has made it clear that all offers made by Ocho Indy would not require the Seller to pay off the Outstanding Special Assessments Balance on their property prior to the closing.

After our initial attempt, we decided to prioritize coming to agreements with those people who have physical structures on their land. The offers were based on a valuation method believed to be at or above market. The valuation method used resulted in 100% of the offers at above the property's Assessed Value. We then submitted another set of LOI's, via mail, on April 7, 2023, to all homeowners with an increase in proposed purchase price from the previous offer submitted in February. We received counteroffers from three of the homeowners (Homeowner A, Homeowner B, and Homeowner C). All counteroffers received from homeowners were at or above their counteroffers received in early March. These counteroffer prices are double and, in some cases, triple the value compared to the property's Assessed Value. One of the homeowners (Homeowner Accepted A) accepted the offer we sent to him in April. We currently have a fully executed Purchase Agreement for his property and closing is expected to occur on August 30, 2023. We reached out to the last homeowner who hadn't replied to our offers to confirm receipt of the offers. He confirmed receipt of the offers and let us know that he planned on living in one of his homes long-term and would be renovating his other home to use as a rental property.

While waiting for responses from the homeowners we moved our focus to the vacant landowners, which were second in priority. Because we did not receive feedback from landowners on our correspondence via mail, Ocho Indy's ownership group decided that alternative communication methods should be used for the next set of offers we planned on submitting. An owner's representative of Ocho Indy searched phone books and online resources to locate those landowners' phone numbers. That effort was successful and led to three of the landowners engaging in negotiations with Ocho Indy and two of those negotiations leading to fully executed Purchase Agreements. Those Purchase Agreements were agreed to on May 15, 2023, (Landowner A) and May 24, 2023, (Landowner B) with closing occurring July 24, 2023, and August 30, 2023, respectively.

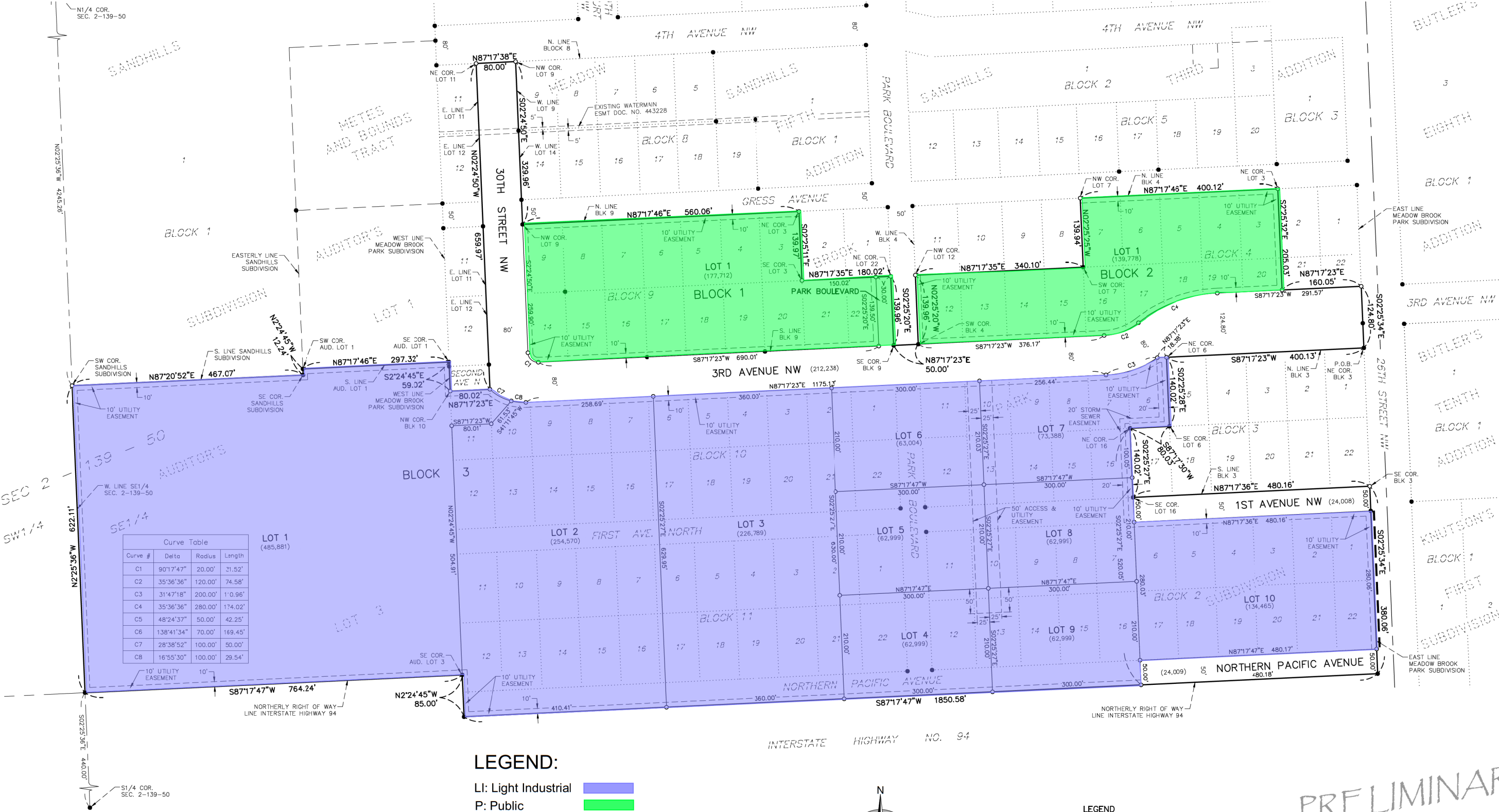
On April 28, 2023, Ocho Indy's owner representative received an email from Lee Grossman of SW&L Attorneys, which stated his firm had been retained by one of the homeowners (Homeowner A) to represent him in negotiations. Lee requested we schedule a meeting with him so he could better understand the offers previously made. We accommodated that request and met with Lee Grossman, one of his associates at SW&L Attorneys (Dominic Davis), Homeowner A, and Homeowner A's Wife on May 8, 2023, from 12:30pm – 1:30pm. On May 16, 2023, Dominic Davis sent an email letting us know that they had been retained by and would be representing another homeowner (Homeowner B) in negotiations.

We submitted another set of offers for Homeowner A's and Homeowner B's properties to SW&L Attorneys on May 24, 2023, with substantial increases in proposed purchase prices, as the best possible offer we economically could make on the properties. Dominic Davis replied to our offer on Homeowner

B's property with a counteroffer that was 34% higher than our best and final offer. Dominic Davis replied to our offer on Homeowner A's property with an outright denial of our proposed purchase price.

On May 24, 2023, we also submitted our best economically possible offer to Homeowner C's, via email, with a substantial increase in purchase price. Homeowner C replied that same day and declined the offer.

PLAT OF SANDHILLS SIXTH ADDITION
PROPOSED ZONING EXHIBIT



LEGEND:

LI: Light Industrial

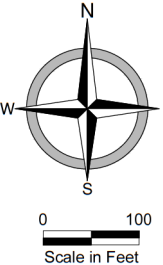
P: Public

NOTES:

1. ALL DEDICATED ROADS IN THE PLAT OF MEADOW BROOK PARK SUBDIVISION WHICH FALL WITHIN THE BOUNDARY OF THIS PLAT ARE TO BE VACATED WITH THE RECORDING OF THIS DOCUMENT.

2. THE TOTAL AREA OF DEDICATED ROADS IS 260,255 SQUARE FEET OR 5.97 ACRES.

BASIS OF BEARINGS:
THE NORTH LINE OF BLOCK 3, MEADOW BROOK PARK SUBDIVISION HAS AN ASSUMED BEARING OF S87°17'23"W.



- LEGEND**
- IRON MONUMENT FOUND
 - SET 5/8"x18" REBAR WITH YELLOW PLASTIC CAP #6571
 - P.O.B. (62,999)
 - LOT AREA IN SQUARE FEET
 - ACCESS CONTROL
 - PLAT BOUNDARY LINE
 - LOT LINE
 - EASEMENT LINE
 - EXISTING LOT LINE
 - QUARTER SECTION LINE
 - EXISTING TRACT LINE

PRELIMINARY

PLAT OF SANDHILLS SIXTH ADDITION
PROPOSED DEDICATION EXHIBIT



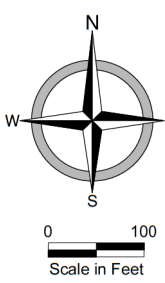
Curve Table			
Curve #	Delta	Radius	Length
C1	90°17'47"	20.00'	31.52'
C2	35°36'36"	120.00'	74.58'
C3	31°47'18"	200.00'	110.96'
C4	35°36'36"	280.00'	174.02'
C5	48°24'37"	50.00'	42.25'
C6	138°41'34"	70.00'	169.45'
C7	28°38'52"	100.00'	50.00'
C8	16°55'30"	100.00'	29.54'

LOT 1
(485,881)

LEGEND:

- Proposed New City Property - Purchase (Retention Pond Expansion)
- Existing City Property (Retention Pond)
- "Land Swap" Property
 - Area A = Existing City Property (Retention Pond)
 - Area B = Proposed New City Property (Land Swap)
- Subdivision Variance Location

- Proposed Right-of-Way Vacation
- Proposed New Right-of-Way Dedication
- Existing Right-of-Way (within SH6th Plat)
- 26th St. NW Interchange Dedication Alternative
- Proposed New City Property - Purchase (26th St. NW Interchange)
- Proposed New City Property - Dedication Requirement (26th St. NW Interchange)



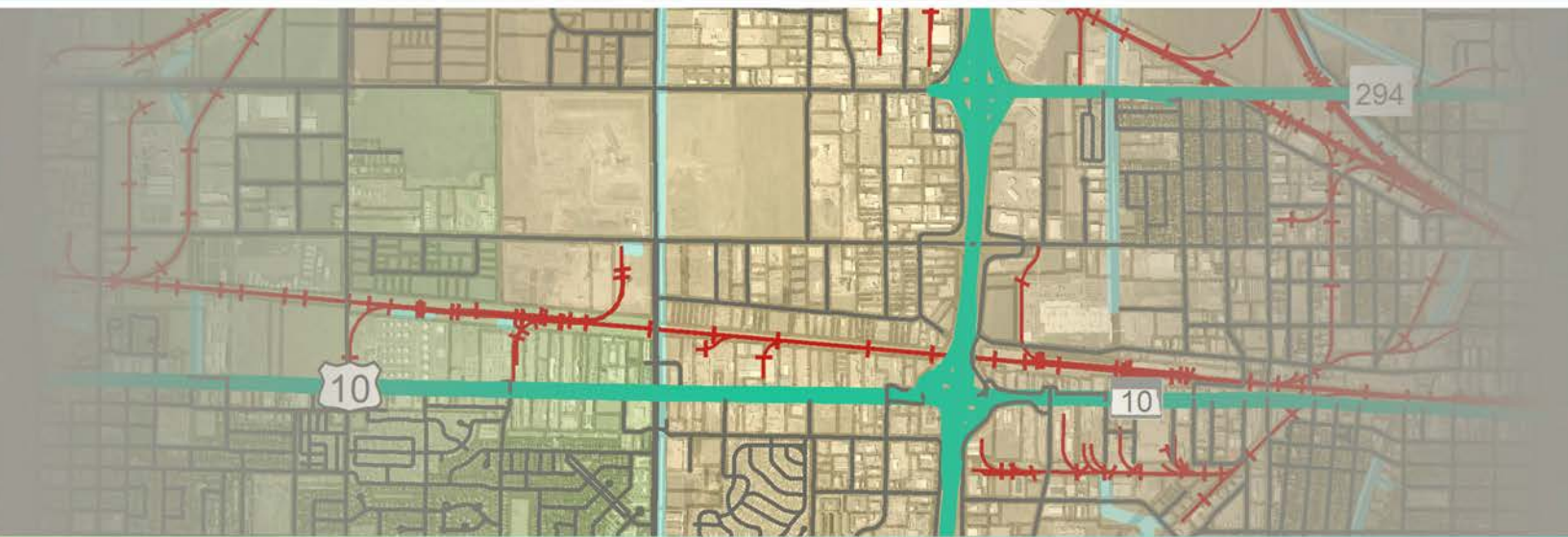
- LEGEND
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 - LOT AREA IN SQUARE FEET
 - ACCESS CONTROL
 - PLAT BOUNDARY LINE
 - LOT LINE
 - EASEMENT LINE
 - EXISTING LOT LINE
 - QUARTER SECTION LINE
 - EXISTING TRACT LINE

PRELIMINARY

Chapter 4

Transportation

Improvements Assessment



METROCOG
FM REGIONAL TRANSPORTATION PLANNING ORGANIZATION

*Northwest Metro
Transportation Plan*

INTRODUCTION

After establishing the baseline transportation network for the Northwest Metro, a series of scenario analyses were completed to understand the potential impacts to roadway needs. For this study, the scenarios fell into one of the following categories.

- **Traffic Scenario** – An assessment of how different traffic patterns, land uses and growth assumptions can affect the travel demand and overall needs of an area or study area. An example of a traffic scenario includes changes to mode split or increasing development intensity.
- **Infrastructure Scenario** – An assessment of a specific piece of infrastructure that is or is not included in the network. An example of an infrastructure scenario is a new bridge across a river or diversion channel.
- **Focus Area Scenario** – An assessment of a focus area in greater detail to assess various improvement scenarios that could be viable in the area. An example of a focus area scenario includes a corridor evaluating cross-sections and traffic control.

Different modeling tools (travel demand model, roadway investment model, and the traffic operations model) were used for different scenarios. This allows the analysis to use the best tools that will most comprehensively assess the changes in each scenario.

Scenario Identification

Based on the Transportation Network Assessment, the Study Review Committee identified and prioritized the scenarios to be considered. In total, 14 separate alternatives were reviewed, assessed, and prioritized. The alternatives that were determined to be the most critical to the success of the subarea were studied further. They are summarized below:

- **Southwest Gateway** – This scenario evaluated potential solutions to improve connectivity to the southwest portion of the subarea to support growth and improve transportation efficiency. The lack of convenient connectivity to I-94 from the southern half of the subarea shifts traffic to the Raymond Interchange, County Road 15, and I-29 which overburdens existing east-west corridors.
- **East-West Connection** – The proposed transportation network presented in previous chapters resulted in a two-mile gap in east-west connectivity between 19th Avenue and County Road 20, which created major capacity needs on 19th Avenue. There is nowhere in the metro area with this same connectivity gap. This scenario is designed to provide better east-west mobility by improving 32nd Avenue and creating access to I-29.
- **Modal Split** – Currently the travel demand model does not account for trip generation other than vehicles. In the metro area, nine percent of traffic currently does not commute using single occupancy vehicle, with substantially greater percentages in more densely populated parts of the community such as downtown. The subarea is projected to be densely populated. Additionally, traffic patterns are currently evolving to emphasize pedestrian and bicycle trips and work from home arrangements. As such, this scenario looks at traffic patterns with modal split incorporated.
- **County Road 20 Focus Area** – County Road 20 was identified as a corridor of importance in the subarea because of its short-term growth potential and regional connectivity. This scenario included more detailed analysis on this corridor to facilitate short and mid-term investments.

There were a variety of other alternatives that were not prioritized in this analysis. Of those discarded, the following were identified as a lesser priority, but should be considered as part of other more relevant efforts.

- **Northwest Connectivity** – A northwest reliever route that connects I-29 to I-94 around the northwest study area was determined to be a high priority to several key stakeholders. The alignment of this concept and benefits of this concept (i.e., Interstate) are primarily outside the study area and should be studied further as part of the planned Interstate Operations Report scheduled for 2021.

- **Connected and Automated Vehicles** – Connected and autonomous vehicles (CAV) have the potential to completely change regular driving patterns, corridor efficiency, and safety characteristics of the transportation system by interconnecting vehicles and infrastructure and making travel more productive. The majority of key stakeholders agreed that CAVs are expected to be at least 25 percent of the vehicle fleet by 2045. At this level, the overall impacts of CAV will be tempered by an inability of CAVs to connect and communicate with traditional vehicles. This concept should be studied at a regional level as part of an independent study or as part of the next Metropolitan Transportation Plan.
- **Routing Balancing** – Within the context of this study, routing balancing is the idea that local governments can manage growth to the level in which it is possible to shape traffic patterns. For example, in the 50 percent build scenario, 9th Street warrants additional capacity. However, 45th Street to the east and County Road 17 to the west have excess capacity. Meaning, if properly planned, these three parallel corridors could share the traffic burden and each operate effectively with three lanes of traffic. While this scenario has intriguing outcomes, the level of analysis required more detailed land use assumptions than what were currently available. Conditions should be continually monitored as utility expansion continues into the subarea and development requests occur.
- **Raymond Interchange (CR 15) Analysis** – The Raymond Interchange is projected to carry some of the highest traffic volumes in the region under the full build scenario, with nearly 40,000 vehicle trips per day. By comparison, this exceeds most traffic volumes in the metro area, excluding the interstate. While a more detailed analysis will be valuable at this location, there are many variables that should be resolved before analysis is completed. Specifically, the concepts in the southwest gateway concept, which will have significant impacts to the traffic volumes at this interchange, and the unknown growth potential south of the Raymond Interchange. As these variables are resolved, additional analysis should be completed, potentially as part of the upcoming Interstate Operations Study.

SOUTHWEST GATEWAY CONCEPT

The western portion of the study area is the most challenging area to develop due to several transportation barriers including a railroad line, the Sheyenne River Diversion, I-94, and heavy industrial development that historically required minimal connectivity to the north. The southwest portion of the study area also includes some of the most aggressive growth assumptions because it is not encumbered by existing industrial land uses and a railroad line. For this area to meet growth expectations, a number of existing barriers must be mitigated, which will require a sizable investment. This concept considered two variations to improving the transportation network in this portion of the study area.

- **Option 1** – Convert the existing 26th Street alignment to a north-south corridor that crosses the Sheyenne Diversion and railroad tracks and provides access to I-94. This would revise the configuration of the existing I-94 and Main Avenue interchange to include access to 26th Street and a viaduct to be constructed on 26th Street to create a grade-separated diversion and railroad crossing. This option is shown in **Figure 61**.
- **Option 2** – Includes all components of Option 1, with the addition of a second viaduct on the 14th Street alignment. This option is shown in **Figure 62**.

This concept was studied using the travel demand model to estimate regional traffic pattern changes and the roadway infrastructure model to estimate costs.

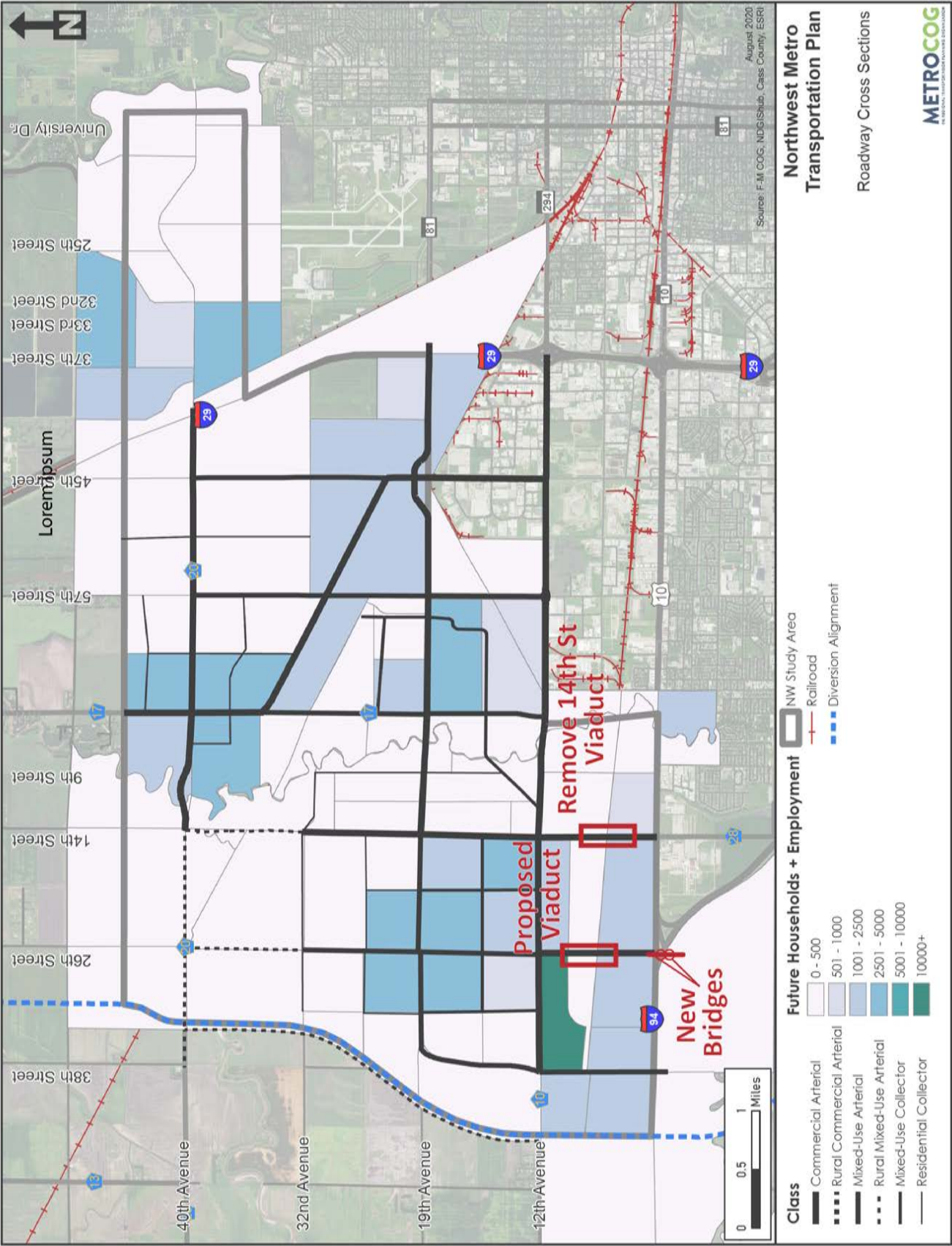


Figure 61 – Southwest Gateway Concept Option 1 Network Revisions

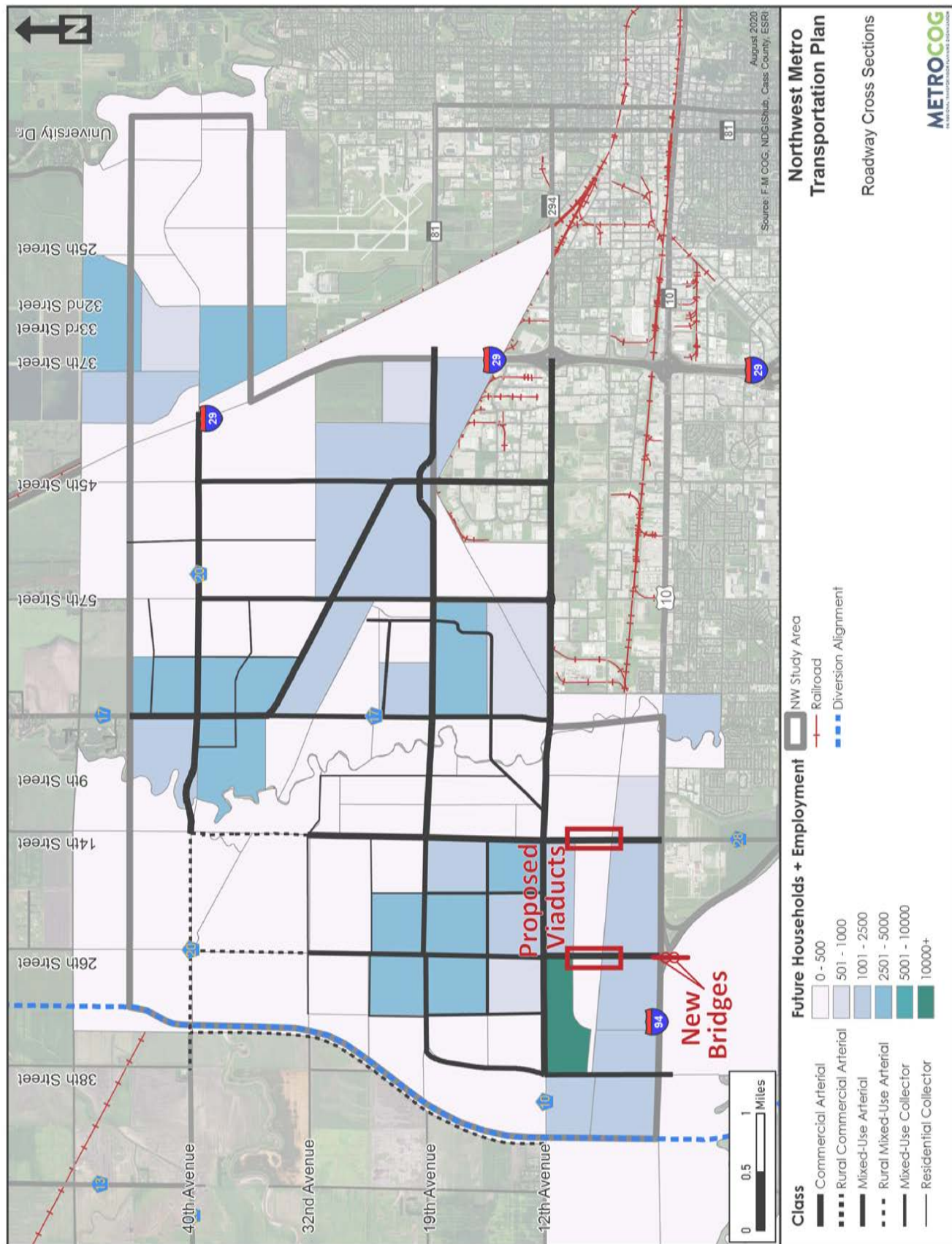


Figure 62 – Southwest Gateway Concept Option 2 Network Revisions

Southwest Gateway Option 1 Model Results

At full build, the new interchange configuration at I-94/Main Avenue/26th Street, shown in **Figure 63** is expected to have a major impact, drawing over 50,000 vehicles per day to 26th Street, just north of I-94. The traffic would then disperse throughout the study area using 12th Avenue. This new interchange would draw around 10,000 vehicles off Cass County Road 15 (CR 15) and between 7,000 to 15,000 vehicles off 19th Avenue, depending on the location. Projected volumes on CR 15 and 19th Avenue in this scenario could be handled with a four-lane section. Both corridors had previously been forecasted as six-lane sections.

At 50 percent build, the new interchange configuration at I-94/Main Avenue/26th Street is expected to draw over 40,000 vehicles per day to 26th Street, just north of I-94. This new interchange would draw around 5,000 vehicles off CR 15 and around 2,000 vehicles from CR 20/40th Avenue. Volume differences on 19th Avenue North near I-29 are expected to be modest.

Southwest Gateway Option 2 Model Results

At full build, the provision of a parallel north-south roadway along 14th Street, shown in **Figure 64**, would alleviate a small amount of traffic from 26th Street, however maximum daily modeled volumes on 26th Street would still approach 50,000. This option also would draw around 10,000 vehicles off CR 15 and around 7,000 to 15,000 vehicles off 19th Avenue. As such, impacts to other major interchanges are expected to be similar to the original Southwest Gateway concept.

At 50 percent build, the new interchange configuration would still be expected to draw 40,000 vehicles per day, with reductions of 5,000 vehicles on CR 15 and 2,000 vehicles on CR 20/40th Avenue. Like the original Southwest Gateway concept in the 50 percent development scenario, impacts to 19th Avenue North traffic are expected to be modest.

Figure 64 – Viaduct Concept at 14th Street



Figure 63 – Southwest Gateway Concept Interstate Access



Summary of Southwest Gateway Options

Both of the Southwest Gateway options provide major network wide benefits under both the full build and 50 percent build demographic conditions as shown in **Table 20**. Not surprisingly, Option 2 with both the 26th Street and 14th Street connections, had the best results but the highest costs. With more direct routes to destinations, the infrastructure included in the southwest gateway scenarios reduce vehicle miles traveled and vehicle hours traveled. However, the more direct routes are highly desirable and create new roadways carrying more than 40,000 vehicles each day. Traffic demand at these levels will require wide cross-sections that are costly and may become a barrier to bicycle and pedestrian movements. However, the wide cross-section on 26th Street would merely relocate wide cross-sections on CR 15, 19th Street, and 14th Street.

Both concepts successfully mitigated congestion and pressure on the east-west corridors in the study area. While 12th Avenue continued to require six lanes of capacity, 19th Avenue was able to be reduced to four lanes. It is clear that the interchange reconfiguration at 26th Street would provide major benefits. When comparing Options 1 and 2 at full build, a 30 percent increase in costs yields only a 15 percent reduction in vehicle miles traveled and seven percent reduction in vehicle hours of delay. From a benefits standpoint, the 14th Street viaduct would provide good connectivity for the more than 15,000 vehicles per day projected to use the corridor. However, it appears that the 14th Street viaduct should be a lesser priority moving forward, as the transportation system still functions at similar levels of service without this investment.

Table 20 – Summary of Southwest Gateway Options

2045 Scenario	Full Build Baseline	Option 1	Option 2	50% Build Baseline	Option 1	Option 2
VMT	9,188,304	9,011,098	8,984,505	8,269,435	8,134,150	8,129,250
VHT	266,817	229,221	226,502	197,279	191,567	190,274
VMT Change	-	-177,206	-203,799	-	-135,285	-140,185
VHT Change	-	-37,596	-40,315	-	-5,712	-6,555
Daily Benefit*		\$812.8 K	\$875.5 K	-	\$153.8 K	\$172.3 K
Miles over 10K ADT	44	42	42	34	32	32
Miles over 20K ADT	23	21	20	13	9	12
Miles over 30K ADT	8	4	5	1	2	2
Miles over 40K ADT	0.1	0.8	0.9	0.0	0.7	0.3
Capacity Reduction	-	CR 15 from I-94 to 12th Avenue (6 to 4 Lanes) 19th Avenue from I-29 to 14th Street (6 to 4 Lanes)			None.	
Estimated Cost (2020)	-	\$69.5 M	\$101.1 M		\$69.5M	\$101.1 M

*MnDOT values published in the Cost-Effectiveness & Benefit-Cost Analysis for Transportation Projects for vehicle miles and vehicle hours were used to calculate daily benefit.

Conclusion

The study review committee agreed that the 26th Street interchange was the optimal access configuration to unlock the growth potential for the southwest growth area. This concept provided clear benefits in terms of barrier mitigation, connectivity and mobility as illustrated by the superior daily benefits provided by the concept. This concept also achieved the goal of mitigating congestion on both 38th Street and 19th Avenue. The 14th Street connection also provided regional benefits but not until the full build scenario. As such, this concept should be considered a long-term improvement given the heavy financial cost of crossing both the Sheyenne Diversion and the Railroad tracks.

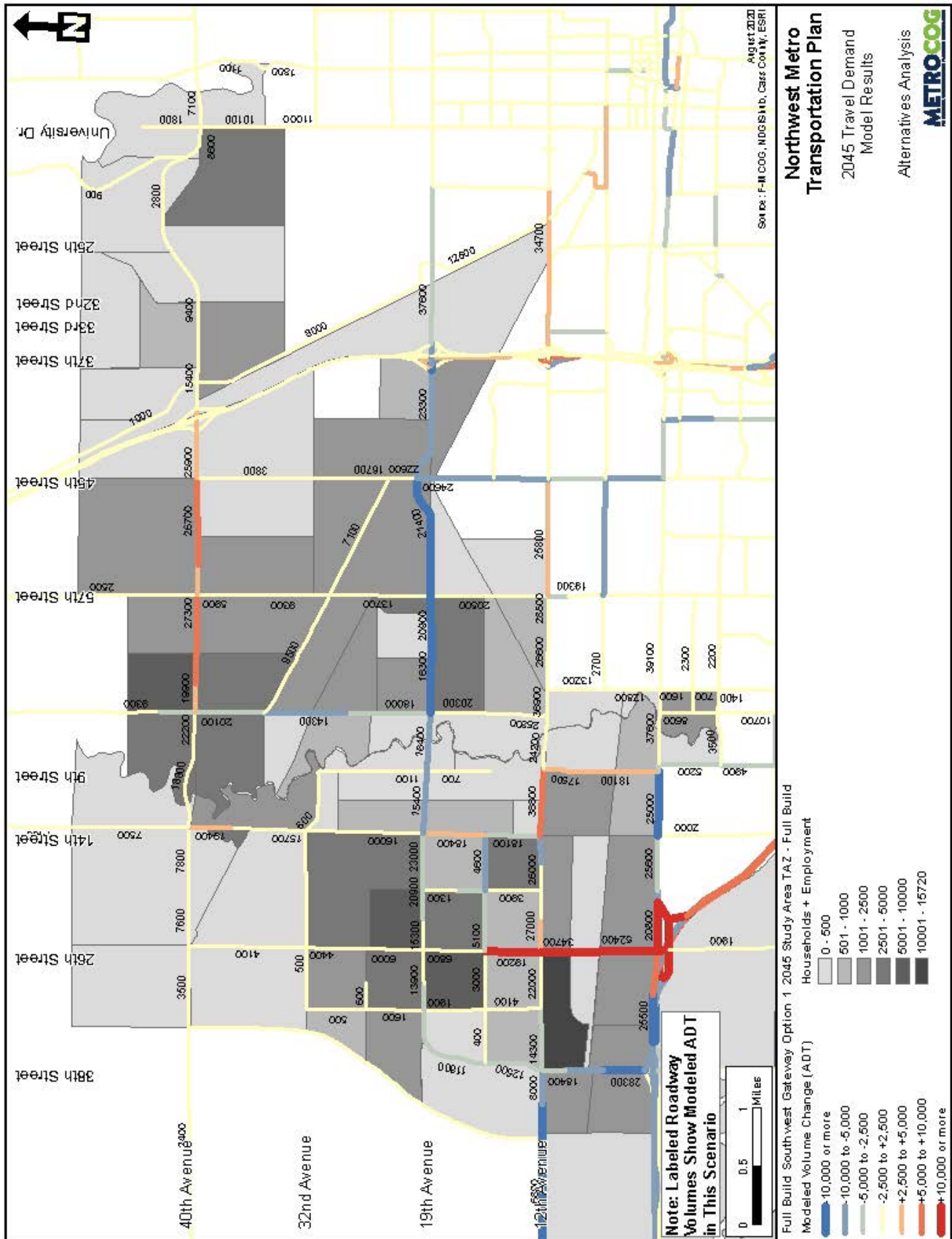


Figure 65 – Southwest Gateway Option 1 Modeled Traffic Volume Changes for Full Build



Figure 66 – Southwest Gateway Option 1 Modeled Traffic Volume Changes for 50 Percent Build

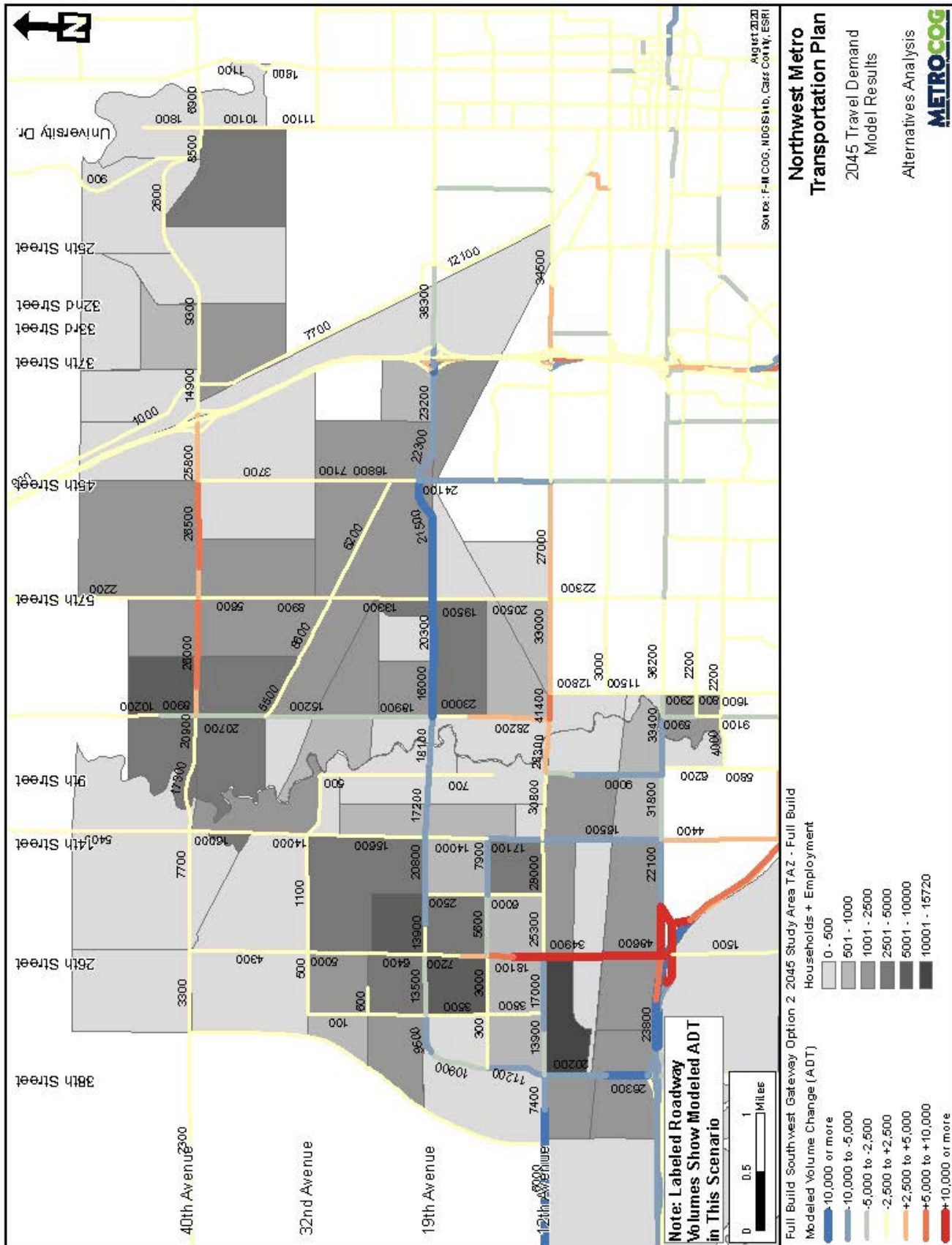


Figure 67 – Southwest Gateway Option 2 Modeled Traffic Volume Changes for Full Build

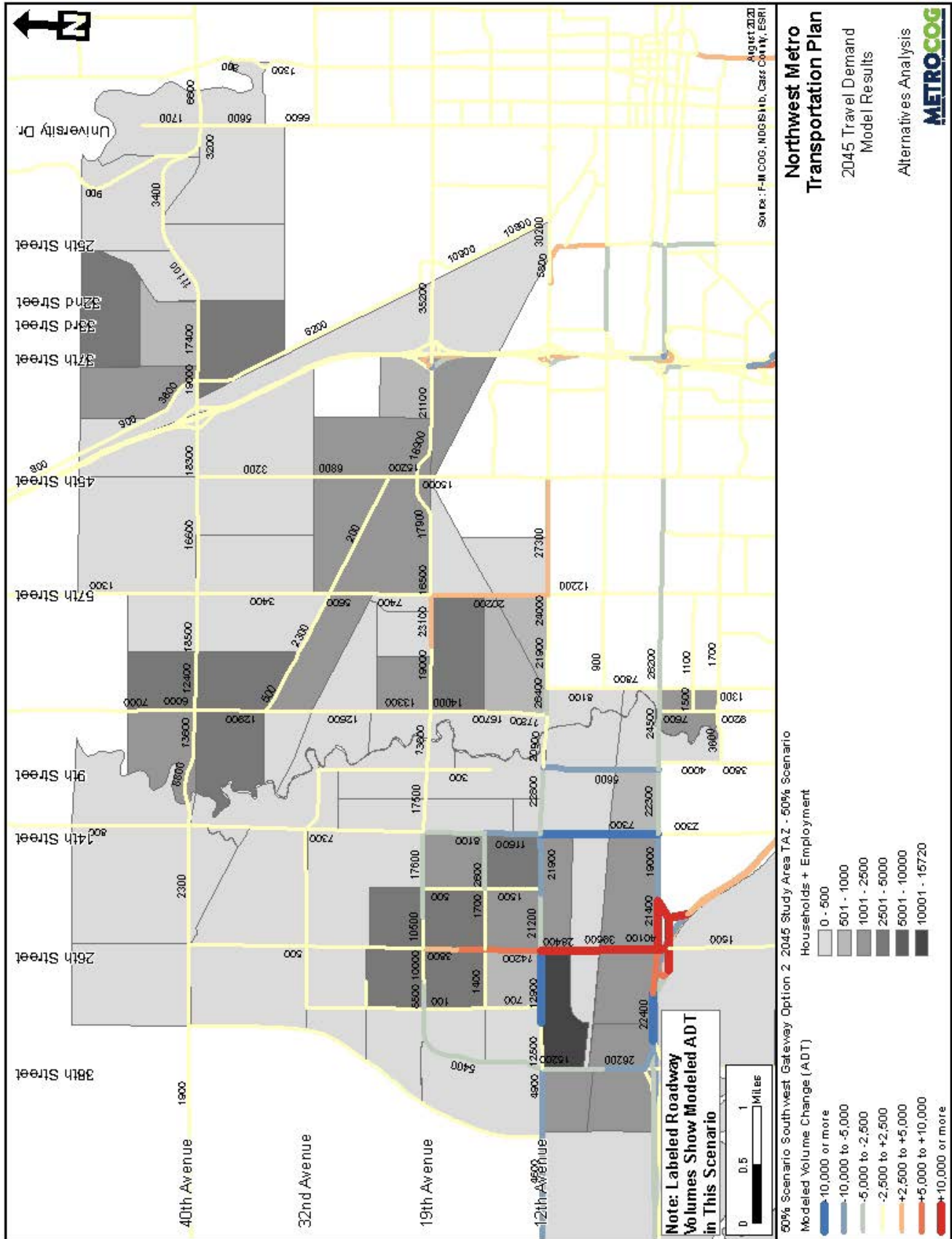


Figure 68 – Southwest Gateway Option 2 Modeled Traffic Volume Changes for 50 Percent Build

Aaron M. Nelson

From: Aaron M. Nelson
Sent: Friday, March 31, 2023 1:18 PM
To: [REDACTED]
Subject: RE: New Submission: Contact Us - Planning and Zoning Commission
Attachments: Contact Us - Planning and Zoning Commission.pdf

Jan,

Thank you for providing comment regarding potential future connection of 26th Street NW to I-94. As this topic is related to the proposed Sandhills 6th Addition development, currently under review by the Planning & Zoning Commission, I will include your comments with the project materials to be presented to the Planning & Zoning Commission and City Commission as this development proposal makes its way through the review process.

In the meantime, please don't hesitate to reach out if you'd like to discuss your concerns in more detail with me. My contact information is listed below.

For now, please know that, at this point in time, the City of West Fargo is only looking to preserve land for a potential future interstate crossing/connection if and when such a connection is needed to accommodate anticipated future City growth and development north, west, and south, of this location. The determination/decision to fund and construct such a connection would not be made until years from now.

Thank you,

Aaron M. Nelson, AICP

Planning Director, City of West Fargo
(701) 515-5373
Visit our website at:
westfargond.gov

From: noreply@westfargond.gov <noreply@westfargond.gov>
Sent: Friday, March 31, 2023 8:40 AM
To: Chanda M. Erickson <Chanda.Erickson@westfargond.gov>
Subject: New Submission: Contact Us - Planning and Zoning Commission

Attached is a submission from the Contact Us - Planning and Zoning Commission form.

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Contact Us - Planning and Zoning Commission

Website: westfargond.gov | Phone: (701) 515-5000

Question / Comment *

Ron Brager and Jan Stickland
2612 4th Ave. NW
West Fargo, ND 58078
[REDACTED]

March 31, 2023

Planning commissioners
City of West Fargo
800 4th Ave E, Suite 1
West Fargo, ND 58078

RE: I94 - 26th St. exit
West Fargo, ND

Dear Commissioners,

We just lately heard of the freeway exit plan. Although we are not in the 150' range of the 194 - 26 St. exit project notification, it will make an impact on us with the specials added on our property taxes. The variation from year to year is drastic. Our specials for the last few years are as follows:

2018 - 2,187.97
2019 - 2,140.96
2020 - 1,606.96
2021 - 7,577.45
2022 - 1,451.45

We have been through the last construction project on 26th and 4th Ave. (formerly Charyl Ave.) in 2017 and are well aware of the turmoil this causes. We are still having problems with 4th Ave. not being recognized as a legitimate postal address for deliveries. The city never fully followed through on what an impact and problems changing a street can make. This is among numerous negative results we have had from that project.

We have lived here since 1997 when it was still Mapleton Township. This was to be our retirement home. We put all our money into purchasing it and borrowed from relatives to meet the price that was asked. Since then, we have worked hard to improve our home and property and expected to enjoy all our efforts through the years. Now being 74 and 72 retired, elderly and health declining we are having to fight to keep our home.

Ron Brager and Jan Stickland

First Name *

Jan

Last Name *

Stickland

Phone Number

[REDACTED]

Email Address *

[REDACTED]

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Aaron M. Nelson

From: Kaylee Currie [REDACTED]
Sent: Wednesday, February 15, 2023 11:57 AM
To: Aaron M. Nelson
Cc: Chanda M. Erickson; Lisa A. Sankey
Subject: Re: New Submission: Contact Us - Planning and Zoning Commission ** Sandhills comment

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning Aaron,

I am eager to hear about the follow-up on city support and funds for the purpose of relocating these residents and proceeding with this project. This follow-up has been promised before and repeatedly falls short of even information materializing.

Of note, "fair market value" hardly seems "fair" when the city and developer(s) have worked together for years to create this current "fair market value" situation that exists for these residents. Again, the expectations are not exorbitant;=. These residents, some of whom are near retirement age and have worked for nearly 25 years to pay for their homes, simply want to be able to relocate without driving themselves into debt. Nor does it account for the years of specials they've paid despite being assured "Not to worry," and "It won't have an impact on the residents." Replacement value is what is "fair".

Upon review of previous meetings around Sandhills 3rd edition, a 'tif fund' was proposed. I'd be curious to understand where those funds have supported these residents.

Sincerely,

Kaylee Currie, LCSW
[REDACTED]

On Mon, Feb 13, 2023 at 3:32 PM Aaron M. Nelson <Aaron.Nelson@westfargond.gov> wrote:

Kaylee,

Thanks for the follow-up.

Please be aware that the Planning & Zoning Commission meetings are not live-streamed during the meeting. Although they are recorded and posted to YouTube afterward.

Thanks,

Aaron M. Nelson, AICP

Planning Director, City of West Fargo

(701) 515-5373

Visit our website at:

westfargond.gov

From: Kaylee Currie [REDACTED]
Sent: Monday, February 13, 2023 1:03 PM
To: Aaron M. Nelson <Aaron.Nelson@westfargond.gov>
Cc: Chanda M. Erickson <Chanda.Erickson@westfargond.gov>; Lisa A. Sankey <Lisa.Sankey@westfargond.gov>
Subject: Re: New Submission: Contact Us - Planning and Zoning Commission ** Sandhills comment

Aaron,

Thank you for your reply.

We will be joining via an online presence on the city's YouTube site.

My specific comments are broad intentionally, as the handful of residents remaining in that area have experienced a number of these things.

My dad is Tim Cockayne and stepmom Lea Cockayne. I have been privy to the unfortunate happenings of this situation for its entirety.

Kaylee Currie, LCSW-S

[REDACTED]

On Feb 13, 2023, at 12:43 PM, Aaron M. Nelson <Aaron.Nelson@westfargond.gov> wrote:

Kaylee,

Thank you for providing comment for the proposed Sandhills 6th Addition. We will include a copy of your comments with the item materials as this application makes its way through the review and approval process.

A public hearing on this application is scheduled for 5:30pm tomorrow, Tuesday, February 14, in the City Commission Chambers at West Fargo City Hall. Please feel free to attend and provide additional comment to the Planning & Zoning Commission meeting during the public hearing if you would like.

Do you represent a resident or property owner within the vicinity of the proposed development? This would be helpful context for the Commissioners in relation to your specific comments.

Please feel free to contact me by phone or email if you would like. I would be happy to discuss your concerns at any time.

Thank you,

Aaron M. Nelson, AICP

Planning Director, City of West Fargo

(701) 515-5373

Visit our website at:

westfargond.gov

From: Chanda M. Erickson

Sent: Monday, February 13, 2023 7:29 AM

To: Lisa A. Sankey <Lisa.Sankey@westfargond.gov>; Aaron M. Nelson

<Aaron.Nelson@westfargond.gov>

Subject: FW: New Submission: Contact Us - Planning and Zoning Commission ** Sandhills comment

Sandhills comment

Chanda Erickson

Planning & Zoning Office Manager, City of West Fargo

(701) 515-5370

westfargond.gov

From: noreply@westfargond.gov <noreply@westfargond.gov>
Sent: Sunday, February 12, 2023 4:52 PM
To: Chanda M. Erickson <Chanda.Erickson@westfargond.gov>
Subject: New Submission: Contact Us - Planning and Zoning Commission

Attached is a submission from the Contact Us - Planning and Zoning Commission form.

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Contact Us - Planning and Zoning Commission

Website: westfargond.gov | Phone: (701) 515-5000

Question / Comment *

Your suggestion at the end of the Sandhills meeting pdf that this proposal be approved is an appalling misrepresentation. Stating one resident is opposed is completely inaccurate and wildly, conveniently simplified for your proposal. This resident literally said they're not opposed; they want the residents to be relocated first, completely reasonable.

For nearly a decade, these residents have been forced to pay unjust taxes, which they were advised on record they would not be impacted by. Tax documents prove otherwise. Theft.

Are you aware in the time these residents have been under the thumb of the city and developers, they have fought for their lives multiple times (2+ cancer battles, strokes, etc.)? How would you imagine this stress has helped their existing battles? Imagine being their loved ones. Imagine being their friend. Imagine being human.

Ensure these remaining handful of residents are cared for properly before these developers make their fortunes off the backs of these citizens.

What they have been offered thus far is also appalling. It does not account for the value of the home and needing to relocate to a new one, especially in the current housing market and financial climate.

First Name *

Kaylee

Last Name *

C

Phone Number

Email Address *

[REDACTED]

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Aaron M. Nelson

From: Aaron M. Nelson
Sent: Monday, April 10, 2023 12:26 PM
To: 'Cockayne Tim'
Subject: RE: Sandhills 6th

That is correct. It will not be discussed at today's meeting and will instead be moved to next month's agenda (the May 9, 2023 meeting agenda).

Thanks,

Aaron M. Nelson, AICP

Planning Director, City of West Fargo
(701) 515-5373
Visit our website at:
westfargond.gov

From: Cockayne Tim [REDACTED]
Sent: Monday, April 10, 2023 11:19 AM
To: Aaron M. Nelson <Aaron.Nelson@westfargond.gov>
Subject: Re: Sandhills 6th

Hi, I see on the agenda that this is continued to May 9 2023, so it will not be discussed at today's meeting?
Just want to make sure this is correct.

Thanks,
Tim & Lea Cockayne

On Monday, March 6, 2023 at 09:55:56 AM CST, Aaron M. Nelson <aaron.nelson@westfargond.gov> wrote:

Good morning, Tim & Lea,

Correct. It was determined that additional time was needed for the developer and City staff to coordinate some next steps. As such, the proposed subdivision & rezone application for Sandhills 6th Addition will not be presented at tomorrow's Planning & Zoning Commission meeting, but will instead be continued for discussion at the April 10 meeting of the Planning & Zoning Commission.

My hope is that the developer will be reaching out to communicate their intended next steps soon—hopefully this week, if they haven't yet.

In the meantime, please let me know if you have any additional questions.

Thank you,

Aaron M. Nelson, AICP

Planning Director, City of West Fargo

(701) 515-5373

Visit our website at:

westfargond.gov

From: Cockayne Tim [REDACTED]
Sent: Saturday, March 4, 2023 6:56 PM
To: Aaron M. Nelson <Aaron.Nelson@westfargond.gov>
Subject: Re: Sandhills 6th

Hi, I see this is listed as Continued to April 10, 2023, so it will not be on the March agenda? I spoke with the mayor this week and he was going to look into any info on a meeting with the residents, city and developer.

Thanks,

Tim & Lea Cockayne

On Friday, January 6, 2023 at 04:41:50 PM CST, Aaron M. Nelson <aaron.nelson@westfargond.gov> wrote:

Tim & Lea,

Thank you for reaching out and providing your comments. I will include a copy of your email with the material that is provided to the Planning & Zoning Commission when they consider this application.

Please be aware that the applicant has requested that this item be continued from the January 10 Planning & Zoning Commission agenda to the February 14 agenda. As such, this item is now scheduled to be heard at the February 14, 2023 meeting of the Planning & Zoning Commission, at which time a public hearing will be held.

The meeting packets are published the Friday prior to the meeting date online at:
<https://www.westfargond.gov/1202/Agendas-Minutes>.

If you have any questions or would like to discuss, I can be reached by phone or email.

Thank you,

Aaron M. Nelson, AICP

Planning Director, City of West Fargo
(701) 515-5373
Visit our website at:
westfargond.gov

From: Cockayne Tim [REDACTED]
Sent: Wednesday, January 4, 2023 7:53 PM
To: Aaron M. Nelson <Aaron.Nelson@westfargond.gov>
Subject: Sandhills 6th

- I am sending this email to express concern with the proposed rezoning, this will surround our home with industrial on all 4 sides. When we purchased our home over 20 years ago it was because it was out of the city but still protected by the diversion, we have paid the mortgage for over 20 years.

We have no interest of living in an industrial park as I would assume most people don't. When we were annexed into the city it was done with other property, so we did not really have a say to the outcome but was told not to worry about anything because we would be gone before any development.

Development has started.

With the development to the north, we were told that the specials would not affect the resident's (see attached video) but that was not the case.

I am not against the development but only after the residents have been taken care of.

Tim & Lea Cockayne
204 Park Blvd
West Fargo, ND 58078

•

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CITY OF WEST FARGO PLANNING & COMMUNITY DEVELOPMENT

STAFF REPORT

A23-17 SUBDIVISION AND REZONING	
Sandhills 7 th Addition	
Property in Section 2, T139N, R50W, City of West Fargo, North Dakota	
Owner/Applicant: Ryan Restad	Staff Contact: Aaron Nelson
Planning & Zoning Commission Public Hearing:	6-13-2023
City Commission Public Hearing & 1 st Reading:	
2 nd Reading and Final Plat Approval:	

PURPOSE:

Plat/replat and rezone property for future industrial development.

STATEMENTS OF FACT:

Land Use Classification:	G-2 Sub-Urban – Growth Sector
Existing Land Use:	Vacant
Current Zoning District(s):	A: Agricultural
Zoning Overlay District(s):	None
Proposed Zoning District(s):	LI: Light Industrial; P: Public Facilities
Proposed Lot size(s) or range:	2.71 Acres
Total area size:	2.71 Acres
Adjacent Zoning Districts:	North – A: Agricultural; South – A: Agricultural (proposed LI: Light Industrial) East – A: Agricultural; (proposed right-of-way & P: Public Facilities) West – A: Agricultural;
Adjacent street(s):	2 nd Ave NW, Gress Ave NW, (proposed 30 th Street NW)
Adjacent Bike/Pedestrian Facilities:	None
Available Parks/Trail Facilities:	None
Land Dedication Requirements:	5% dedication required or fee-in-lieu

DISCUSSION AND OBSERVATIONS:

- The proposed application is contingent upon the approval of the proposed Sandhills 6th Addition. While the Sandhills 7th Addition is a separate request and under separate ownership from the proposed Sandhills 6th Addition, the two developers are working in coordination, especially in relation to the infrastructure being requested to service both developments.
- The easternmost portion of the subject property was originally platted by the County as part of Meadow Brook Park Subdivision in 1953, prior to incorporation into the City of West Fargo in 2004. However, very little of the original rural residential subdivision was ever actually developed and the subject property remains vacant today.
- The proposed subdivision includes the platting of unplatted property and replatting of existing lots onto a single lot for future industrial development.
- The proposed subdivision would be rezoned from A (Agricultural) to LI (Light Industrial).

STAFF REPORT

- The City's subdivision ordinance requires a 5% public dedication for industrial developments. The Park District has indicated no need for land within the subject property and requests payment in-lieu of land dedication.
- The applicant is coordinating with the developer of Sandhills 6th Addition to accommodate regional stormwater retention within the proposed Sandhills 6th Addition.

NOTICES:

Sent to:	Legal notices published in the Forum and notices sent to applicable agencies and departments. Notification letters mailed to owners of property within 150 feet.
----------	--

Comments Received in relation to revised preliminary plat:

- No comments to date.

CONSISTENCY WITH COMPREHENSIVE PLAN AND OTHER APPLICABLE CITY PLANS AND ORDINANCES:

- Conceptually, the proposed development is consistent with City plans and ordinances. However, of particular note is the potential lack of connectivity for this area and adjacent future growth areas. While the West Fargo 2.0 Comprehensive Plan emphasizes the importance of a connected street and transportation system, this area is bounded by the Sheyenne Diversion channel and the interstate highway, which present significant barriers to accessing the development from the north, west, or south.
- The proposed zoning is consistent with existing industrial zoning in the area, as well as past City land use plans that designated this area for future industrial development. While there are a few existing homes within the area further to the east, uses permitted in the LI (Light Industrial) district (such as light manufacturing, wholesale distribution, warehousing, contractor shops, and the like) are relatively free from objectionable nuisances. More-intensive uses (such as general manufacturing, wrecking & salvage yards, petroleum refining, fertilizer manufacturing, cement plants, and the like) are restricted to the M (Heavy Industrial) district, and are not allowed within the proposed LI zoning district.

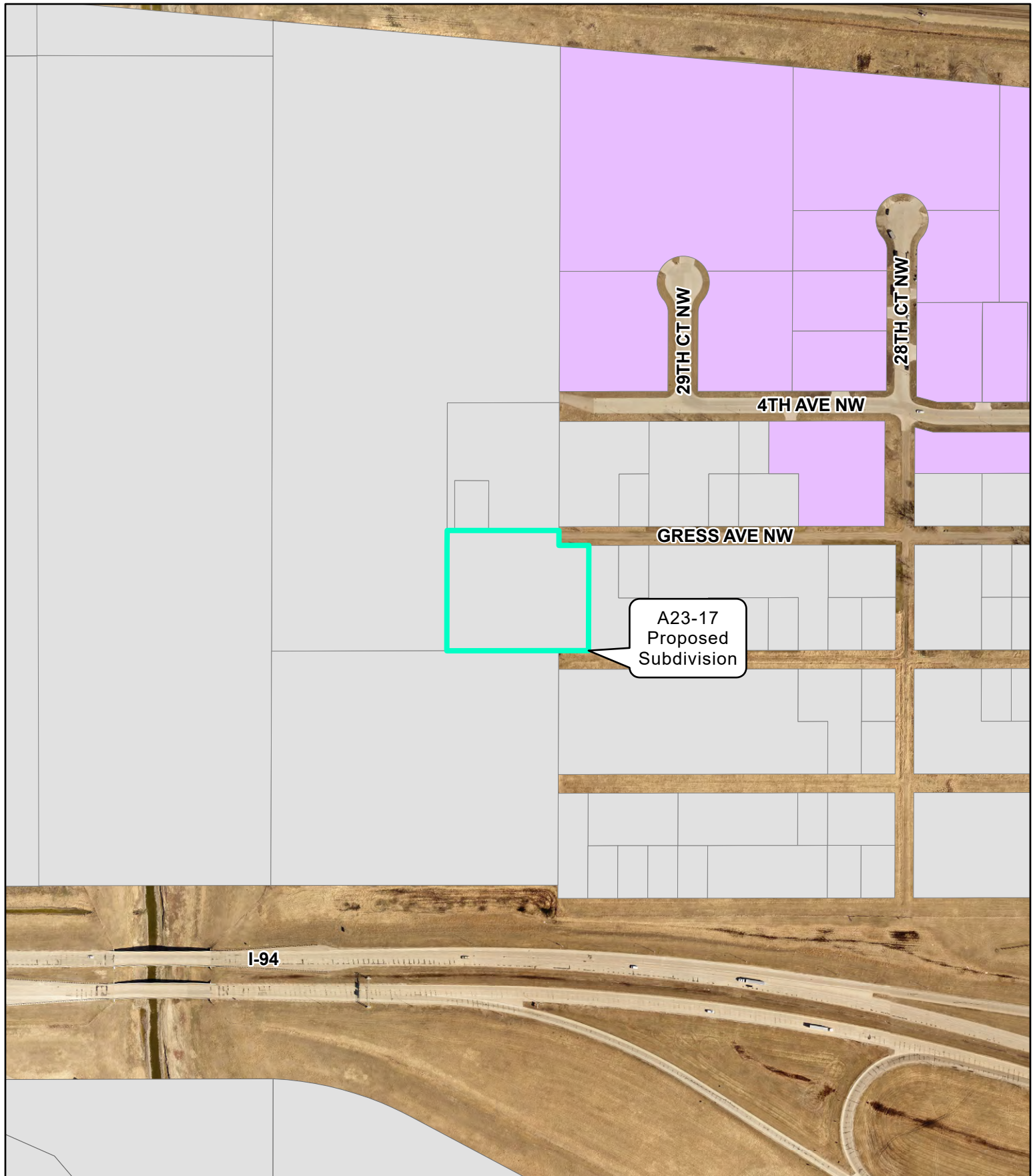
RECOMMENDATION:

It is recommended that the City approve the proposed application on the basis that it is consistent with City plans and ordinances.

Attachments:

- Aerial map
- Zoning map
- Preliminary Plat
- Proposed Infrastructure Layout





West Fargo Zoning

- A: Agricultural
- C: Light Commercial
- C-OP: Commercial Office Park
- DMU: Downtown Mixed Use
- EMU: Entertainment Mixed Use
- HC: Heavy Commercial

- LI: Light Industrial
- M: Heavy Industrial
- P: Public
- PUD: Planned Unit Development
- R-L1A: Large Lot Single Family Dwelling
- R-1A: Single Family Dwelling
- R-1: One and Two Family Dwelling

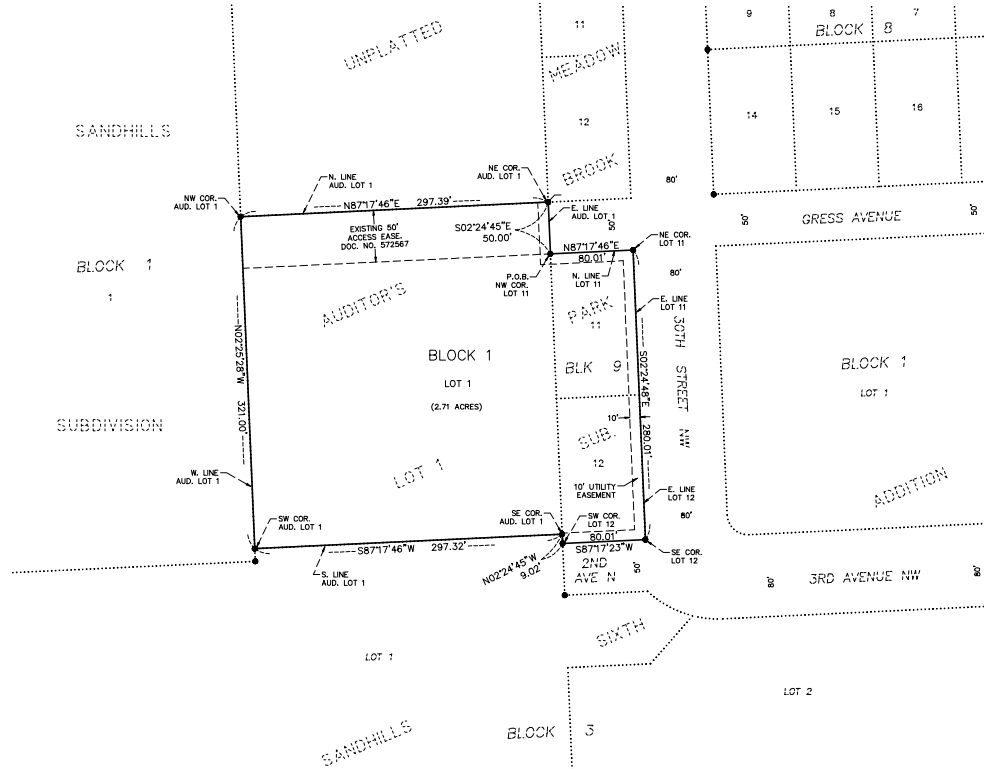
- R-1SM: Mixed One and Two Family Dwelling
- R-2: Limited Multiple Dwelling
- R-3: Multiple Dwelling
- R-4: Mobile Home
- R-5: Manufactured Home Subdivision
- R-1E: Rural Estate
- R-R: Rural Residential



0 300 600 US Feet

PLAT OF
SANDHILLS SEVENTH ADDITION

TO THE CITY OF WEST FARGO, A REPLAT OF AUDITOR'S LOT 1 OF SECTION 2, TOWNSHIP 139 NORTH, RANGE 50 WEST, AND A REPLAT OF LOTS 11 AND 12, BLOCK 9, MEADOW BROOK PARK SUBDIVISION TO THE CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA



CERTIFICATE

Jacob R. Duchsherer, being duly sworn, deposes and says that he is the registered land surveyor who prepared and made the attached plat of "SANDHILLS SEVENTH ADDITION" to the City of West Fargo, a Replat of Auditor's lot 1 of Section 2, Township 139 North, Range 50 West and a replat of Lots 11 and 12, Block 9, MEADOW BROOK PARK SUBDIVISION, to the City of West Fargo, Cass County, North Dakota; that said plat is a true and correct representation of the survey thereof; that all distances are correctly shown on said plat; that monuments have been seen in the ground as indicated for the guidance of future surveys and that said addition is described as follows, to-wit:

That part of the Southeast Quarter of Section 2, Township 139 North, Range 50 West of the Fifth Principal Meridian, Cass County, North Dakota and that part of Meadow Brook Park Subdivision, according to the recorded plat thereof, on file and of record in the office of the Recorder, said County, described as follows:

Beginning at the northwest corner of Lot 11, Block 9, of said Meadow Brook Park Subdivision; thence North 87 degrees 17 minutes 46 seconds East (Assumed Bearing) along the north line of said Lot 11 for a distance of 80.01 feet to the northeast corner of said Lot 11; thence South 02 degrees 24 minutes 45 seconds East along the east line of Lots 11 and 12, Block 9, of said Meadow Brook Park Subdivision for a distance of 280.01 feet to the southeast corner of said Lot 12; thence South 87 degrees 17 minutes 23 seconds West along the south line of said Lot 12 for a distance of 80.01 feet to the southwest corner of said Lot 12; thence North 02 degrees 24 minutes 45 seconds West along the west line of said Lot 12 for a distance of 9.02 feet to the southwest corner of Auditor's Lot 1 of the Southeast Quarter of said Section 2, according to document No. 572567, recorded November 16, 1980, on file and of record in the office of said Recorder; thence South 87 degrees 17 minutes 46 seconds West along the south line of said Auditor's Lot 1 for a distance of 297.32 feet to the southwest corner of said Auditor's Lot 1; thence North 02 degrees 24 minutes 45 seconds West along the west line of said Auditor's Lot 1 for a distance of 321.00 feet to the northeast corner of said Auditor's Lot 1; thence North 87 degrees 17 minutes 46 seconds East along the north line of said Auditor's Lot 1 for a distance of 297.39 feet to the Northeast corner of said Auditor's Lot 1; thence South 02 degrees 24 minutes 45 seconds East along the east line of said Auditor's Lot 1 for a distance of 50.00 feet to the point of beginning.

Said tract contains 2.71 acres, more or less, and is subject to all easements, restrictions, reservations and rights of way of record, if any.

PRELIMINARY

Jacob R. Duchsherer
Registered Land Surveyor
REG. NO. LS-28251
State of North Dakota
County of Cass

On this _____ day of _____, 2023, before me, a Notary Public in and for said County and State, personally appeared Jacob R. Duchsherer, Registered Land Surveyor, known to me to be the person described in and who executed the foregoing instrument and acknowledged to me that he executed the same as his free act and deed.

Notary Public, Cass County, North Dakota



DEDICATION

We, the undersigned, do hereby certify that we are the owners of the land described in the plat of "SANDHILLS SEVENTH ADDITION" to the City of West Fargo, a Replat of Auditor's Lot 1 of Section 2, Township 139 North, Range 50 West and a replat of Lots 11 and 12, Block 9, MEADOW BROOK PARK SUBDIVISION to the City of West Fargo, Cass County, North Dakota; that we have caused it to be platted into lots and blocks as shown by said plat and certificate of Jacob R. Duchsherer, Registered Land Surveyor, and that the description as shown in the Certificate of the Registered Land Surveyor is correct. We hereby dedicate all utility easements shown on said plat to the use of the public.

Owner:

Ryan Restad

State of North Dakota
County of Cass

On this _____ day of _____, 2023, before me, a Notary Public in and for said County and State, personally appeared Ryan Restad, known to me to be the person described in and who executed the foregoing instrument and acknowledged to me that he executed the same as his free act and deed.

Notary Public, Cass County, North Dakota

WEST FARGO PLANNING COMMISSION APPROVAL

This plat in the City of West Fargo is hereby approved this _____ day of _____, 2023.

Joseph F. Kolb, Chairman

State of North Dakota
County of Cass

On this _____ day of _____, 2023, before me, a Notary Public in and for said County and State, personally appeared Joseph F. Kolb, Chairman of the West Fargo Planning Commission, known to me to be the person described in and who executed the foregoing instrument and acknowledged to me that he executed the same in the name of the West Fargo Planning Commission.

Notary Public, Cass County, North Dakota

WEST FARGO CITY COMMISSION APPROVAL

This plat in the City of West Fargo is hereby approved this _____ day of _____, 2023.

Bernie L. Dardis, President of the West Fargo City Commission

State of North Dakota
County of Cass

On this _____ day of _____, 2023, before me, a Notary Public in and for said County and State, personally appeared Bernie L. Dardis, President of the West Fargo City Commission and Duatin Scott, Deputy City Auditor, City Auditor, known to me to be the persons described in and who executed the foregoing instrument and acknowledged to me that they executed the same as in the name of the City of West Fargo.

Notary Public, Cass County, North Dakota

WEST FARGO CITY ATTORNEY APPROVAL

I hereby certify that proper evidence of title has been examined by me and I approve the plat as to form and execution this _____ day of _____, 2023.

John T. Shookley, City Attorney

State of North Dakota
County of Cass

On this _____ day of _____, 2023, before me, a Notary Public in and for said County and State, personally appeared John T. Shookley, City Attorney, known to me to be the person described in and who executed the foregoing instrument and acknowledged to me that he executed the same as the City Attorney.

Notary Public, Cass County, North Dakota

CITY ENGINEER'S APPROVAL

This plat in the City of West Fargo is hereby approved this _____ day of _____, 2023.

Dan R. Hanson, City Engineer

Registered Professional Engineer
NO. FE-4962
State of North Dakota
County of Cass

On this _____ day of _____, 2023, before me, a Notary Public in and for said County and State, personally appeared Dan R. Hanson, City Engineer, known to me to be the person described in and who executed the foregoing instrument and acknowledged to me that he executed the same as City Engineer.

Notary Public, Cass County, North Dakota



BASES OF BEARINGS:
THE NORTH LINE OF BLOCK 9,
MEADOW BROOK PARK SUBDIVISION
HAS AN ASSUMED BEARING OF
N87°17'46"E

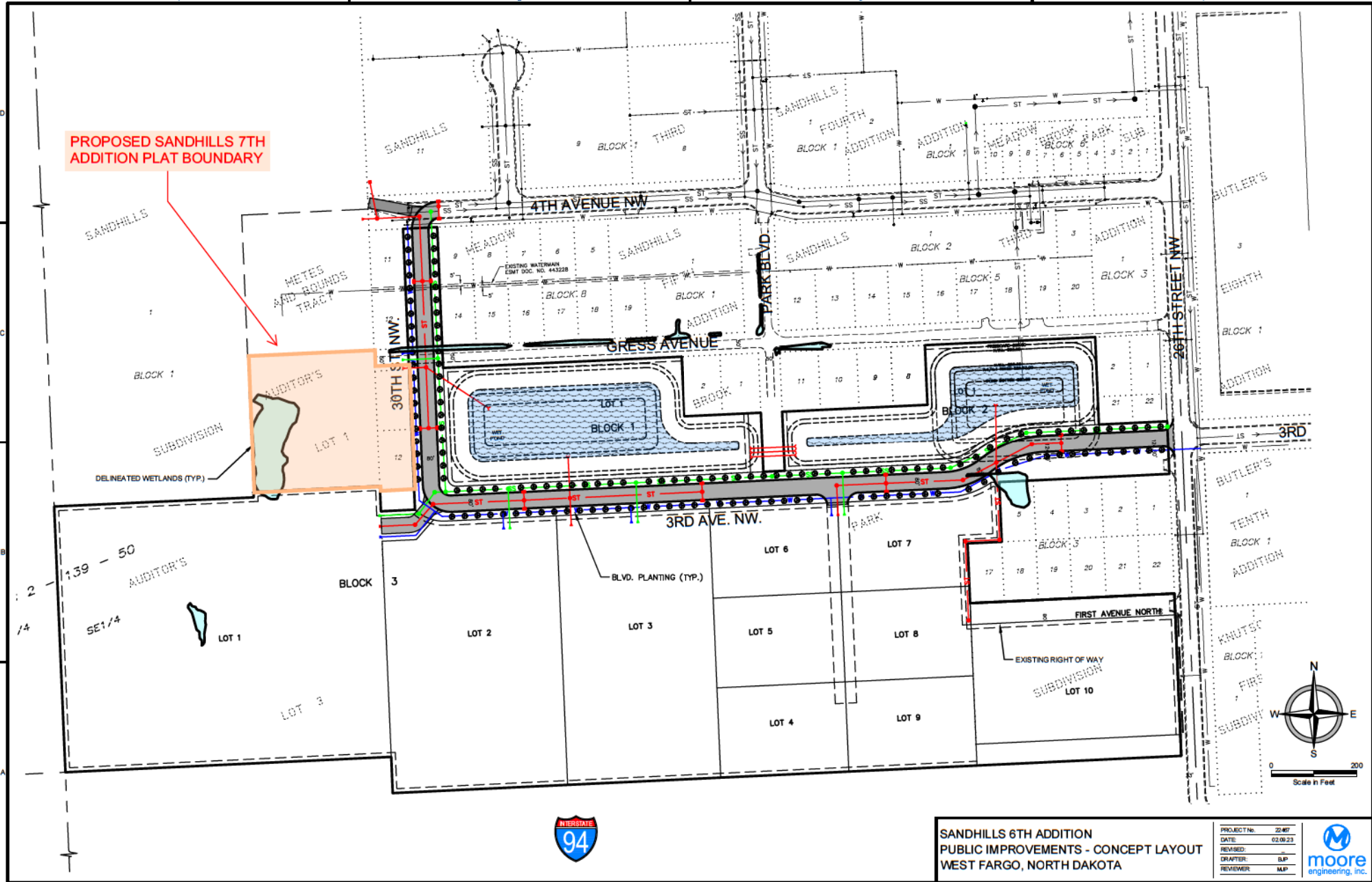


- LEGEND
- IRON MONUMENT SET AND MARKED WITH LAND SURVEYOR NO. 28251
 - IRON MONUMENT FOUND
 - P.O.B. POINT OF BEGINNING
 - PLAT BOUNDARY LINE
 - LOT LINE
 - EASEMENT LINE
 - EXISTING LOT LINE

NOTE: TOTAL PLATTED AREA: 2.71 ACRES

UTILITY EASEMENTS ARE 10' WIDE ALONG AND ADJACENT TO ALL STREET RIGHT OF WAYS AS SHOWN UNLESS OTHERWISE NOTED.

SHEET 1 OF 1
PROJ. NO. 22467B
moore
engineering, inc.



STAFF REPORT

A23-13 REPLAT, ACCESS, & REZONING	
The Wilds 23 rd Addition	
Lot 1, Block 10 of The Wilds 21 st Addition (5817 James Drive West)	
Owner: Wildco LLC Applicant: Jon Youness	Staff Contact: Lisa Sankey
Planning & Zoning Commission Public Hearing:	06-13-2023
City Commission Public Hearing & 1 st Reading:	
2 nd Reading and Final Plat Approval:	

PURPOSE:

Rezone from R-2: Limited Multiple Dwellings to R-3: Multiple Dwellings, replat for a 3 and 4 unit townhouse and 12-plex apartment structures and driveway access onto a collector street (9th St. W).

STATEMENTS OF FACT:

Land Use Classification:	G-2 Sub-Urban – Growth Sector
Existing Land Use:	Vacant
Current Zoning District(s):	R-2: Limited Multiple Dwellings
Zoning Overlay District(s):	n/a
Proposed Zoning District(s):	R-3: Multiple Dwellings & R-2: Limited Multiple Dwellings
Proposed Lot size(s) or range:	Lot 1 – 134,002 ft ² ; Lot 2-8 3,355 to 5,829 ft ²
Total area size:	4.14 Acres
Adjacent Zoning Districts:	North, West & South – R-1: One & Two Family Dwellings East – R-2: Limited Multiple Dwellings
Adjacent street(s):	James Dr W (local); 61 st Ave W (local) ; 9 th St W (collector)
Adjacent Bike/Pedestrian Facilities:	Path along 9 th Street West
Available Parks/Trail Facilities:	The Wilds Park less than a tenth of a mile to the north.
Land Dedication Requirements:	n/a

DISCUSSION AND OBSERVATIONS:

- The applicant has submitted an application for a replat and rezoning to R-3: Multiple Dwellings for proposed Lot 1.
- The applicant has submitted a preliminary site plan showing the layout of the proposed structures, as well as renderings of the multi-family buildings which are intended to have the appearance of a large house.
- Preliminary site plans shows four 12-unit apartments and one eight-unit structure on proposed Lot 1 for a total of 56 units; and a three and four-unit townhouse structure on proposed Lots 2-8. Four garage structures totaling 60 parking spaces are also included.
- The applicant is requesting the rezone from R-2 to R-3 for the sole purpose of constructing buildings containing 12 units. (The R-2 district restricts buildings to no more than 8 units by-right.)
- To ensure the development fits in with the context of the surrounding neighborhood, staff is working with the applicant to establish additional development standards as a condition of approval of the proposed R-3 zoning. These draft standards are attached to this staff report.

STAFF REPORT

- As per the landscaping ordinance, a buffer yard would be required along the west side of the property, abutting the single family homes, which would consist of either a four-foot screen and 10 feet buffer yard consisting of small evergreen trees alternated with deciduous trees or a 20-foot buffer yard consisting of Small Evergreen Trees, Alternated with Deciduous Trees, and One Row Evergreen or Other Shrubs.

NOTICES:

Sent to: Property owners within 150' and applicable agencies and departments

Comments Received:

- None to date

CONSISTENCY WITH COMPREHENSIVE PLAN AND OTHER APPLICABLE CITY PLANS AND ORDINANCES:

- Under Strengthen Neighborhoods and Expand Housing Choice in West Fargo 2.0 there is continually a need for a healthy balance of mixed-income housing that is located in the right place and in conjunction with other types of uses.
- Under West Fargo 2.0 Around the Plan under "The Wilds South" – Complete Neighborhood and Mixing Housing Types which discusses integrating a range of housing types, access to garages located behind homes and where alleys are not present, garages are pushed back from the façade of the homes, and with front porches and stoops being the main architectural elements. As well as Mixing housing types within the same neighborhood, to include single family homes, but also townhouses, duplexes, smaller apartment buildings, and condo buildings would be more appealing to a wider variety of residents and enhance the character of the city.

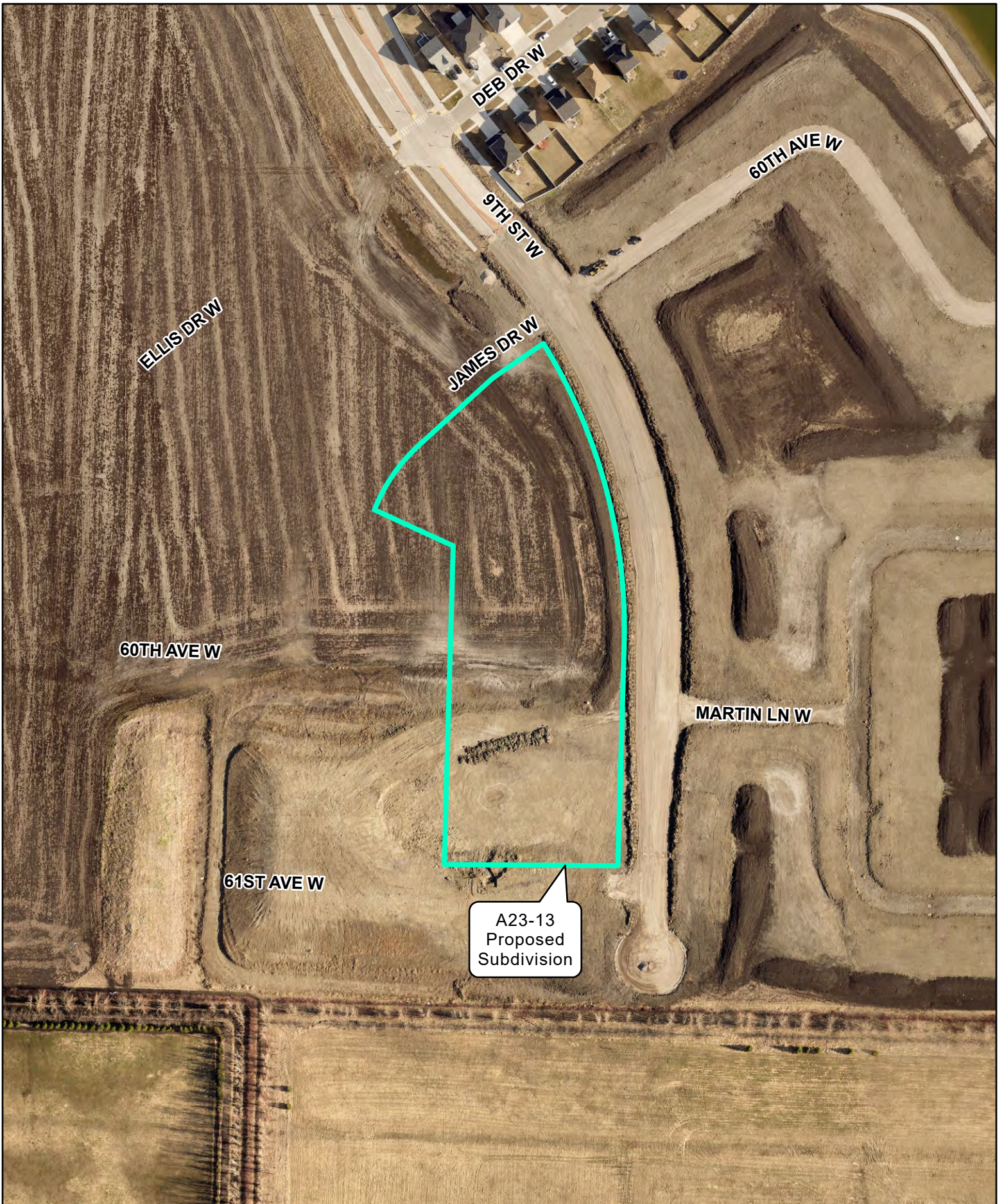
RECOMMENDATION:

It is recommended that the City approve the proposed replat, access, and rezoning application on the basis that it is consistent with City plans and ordinances, subject to the following conditions:

1. The applicant submits a signed Development Agreement which incorporates the attached development standards.

Attachments

1. Aerial map
2. Zoning map
3. Preliminary plat
4. Site Plan
5. Renderings
6. Draft Development Standards







West Fargo Zoning

- A: Agricultural
- C: Light Commercial
- C-OP: Commercial Office Park
- DMU: Downtown Mixed Use
- EMU: Entertainment Mixed Use
- HC: Heavy Commercial

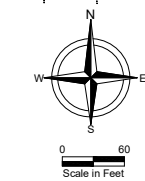
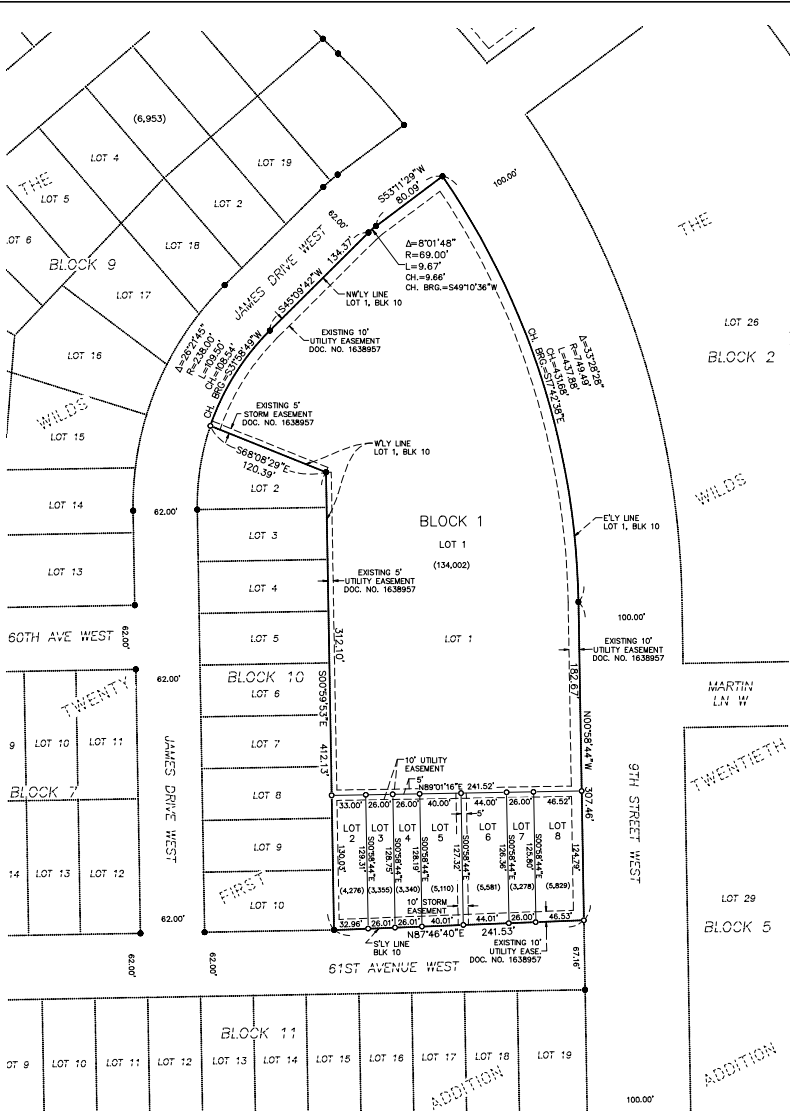
- LI: Light Industrial
- M: Heavy Industrial
- P: Public
- PUD: Planned Unit Development
- R-L1A: Large Lot Single Family Dwelling
- R-1A: Single Family Dwelling
- R-1: One and Two Family Dwelling

- R-1SM: Mixed One and Two Family Dwelling
- R-2: Limited Multiple Dwelling
- R-3: Multiple Dwelling
- R-4: Mobile Home
- R-5: Manufactured Home Subdivision
- R-1E: Rural Estate
- R-R: Rural Residential



0
150
300

US Feet



LEGEND

- IRON MONUMENT FOUND
- SET 5/8"X1/4" REBAR WITH PINK PLASTIC CAP #28251
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- L ARC LENGTH
- R RADIUS LENGTH
- Δ CENTRAL ANGLE
- CH. BRG. CHORD BEARING

NOTES:

1. TOTAL PLATTED AREA: 3.78 ACRES

BASIS OF BEARINGS: THE WILDS TWENTY FIRST ADDITION TO THE CITY OF WEST FARGO, ACCORDING TO THE RECORDED PLAT THEREOF.

PLAT OF THE WILDS TWENTY THIRD ADDITION TO THE CITY OF WEST FARGO, A REPLAT OF LOT 1, BLOCK 10, THE WILDS TWENTY FIRST ADDITION, CASS COUNTY, NORTH DAKOTA.

CERTIFICATE

JACOB R. DUCHSHERER, BEING DULY SWORN, DEPOSES AND SAYS THAT HE IS THE REGISTERED LAND SURVEYOR WHO PREPARED AND MADE THE ATTACHED PLAT OF "THE WILDS TWENTY THIRD ADDITION" TO THE CITY OF WEST FARGO, A REPLAT OF LOT 1, BLOCK 10, THE WILDS TWENTY FIRST ADDITION, CASS COUNTY, NORTH DAKOTA; THAT SAID PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY, THAT ALL DISTANCES ARE CORRECTLY SHOWN ON SAID PLAT; THAT MONUMENTS HAVE BEEN PLACED IN THE GROUND AS INDICATED FOR THE GUIDANCE OF FUTURE SURVEYS AND THAT THE EXTERIOR BOUNDARY LINES OF SAID ADDITION ARE DESCRIBED AS FOLLOWS, TO WIT:

LOT 1, BLOCK 10, THE WILDS TWENTY FIRST ADDITION TO THE CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA.

SAID TRACT CONTAINS 4.14 ACRES, MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD, IF ANY.

JACOB R. DUCHSHERER
REGISTERED LAND SURVEYOR
REG. NO. LS-28251
STATE OF NORTH DAKOTA
COUNTY OF CASS

ON THIS _____ DAY OF _____, 2023, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED JACOB R. DUCHSHERER, REGISTERED LAND SURVEYOR, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

DEDICATION

WE, THE UNDERSIGNED, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LAND DESCRIBED IN THE PLAT OF "THE WILDS TWENTY THIRD ADDITION" TO THE CITY OF WEST FARGO, A REPLAT OF LOT 1, BLOCK 10, THE WILDS TWENTY FIRST ADDITION, CASS COUNTY, NORTH DAKOTA, THAT WE HAVE CAUSED IT TO BE PLATTED INTO LOTS AND BLOCKS AS SHOWN BY SAID PLAT AND CERTIFICATE OF JACOB R. DUCHSHERER, REGISTERED LAND SURVEYOR, AND THAT THE DESCRIPTION AS SHOWN IN THE CERTIFICATE OF THE REGISTERED LAND SURVEYOR IS CORRECT.

OWNER: WILDCO, LLC

JAMES R. BULLIS, SECRETARY
STATE OF NORTH DAKOTA
COUNTY OF CASS

ON THIS _____ DAY OF _____, 2023, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED JAMES R. BULLIS, SECRETARY, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

MORTGAGEE: FIRST INTERNATIONAL BANK & TRUST

BY: _____
ITS: _____
STATE OF NORTH DAKOTA
COUNTY OF CASS

ON THIS _____ DAY OF _____, 2023, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING DEDICATION AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THE NAME OF FIRST INTERNATIONAL BANK & TRUST.

WEST FARGO PLANNING COMMISSION APPROVAL

THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 2023.

JOSEPH F. KOLB, CHAIRMAN
STATE OF NORTH DAKOTA
COUNTY OF CASS

ON THIS _____ DAY OF _____, 2023, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED JOSEPH F. KOLB, CHAIRMAN OF THE WEST FARGO PLANNING COMMISSION, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE NAME OF THE WEST FARGO PLANNING COMMISSION.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

WEST FARGO CITY COMMISSION APPROVAL

THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 2023.

BERNIE L. DARDIS, PRESIDENT OF THE WEST FARGO CITY COMMISSION
DUSTIN SCOTT, INTERIM CITY AUDITOR

STATE OF NORTH DAKOTA
COUNTY OF CASS

ON THIS _____ DAY OF _____, 2023, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED BERNIE L. DARDIS, PRESIDENT OF THE WEST FARGO CITY COMMISSION, AND DUSTIN SCOTT, INTERIM CITY AUDITOR, KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THE NAME OF THE CITY OF WEST FARGO.

CITY ENGINEER'S APPROVAL

THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 2023.

DANIEL R. HANSON, CITY ENGINEER
STATE OF NORTH DAKOTA
COUNTY OF CASS

ON THIS _____ DAY OF _____, 2023, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED DANIEL R. HANSON, CITY ENGINEER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS CITY ENGINEER.

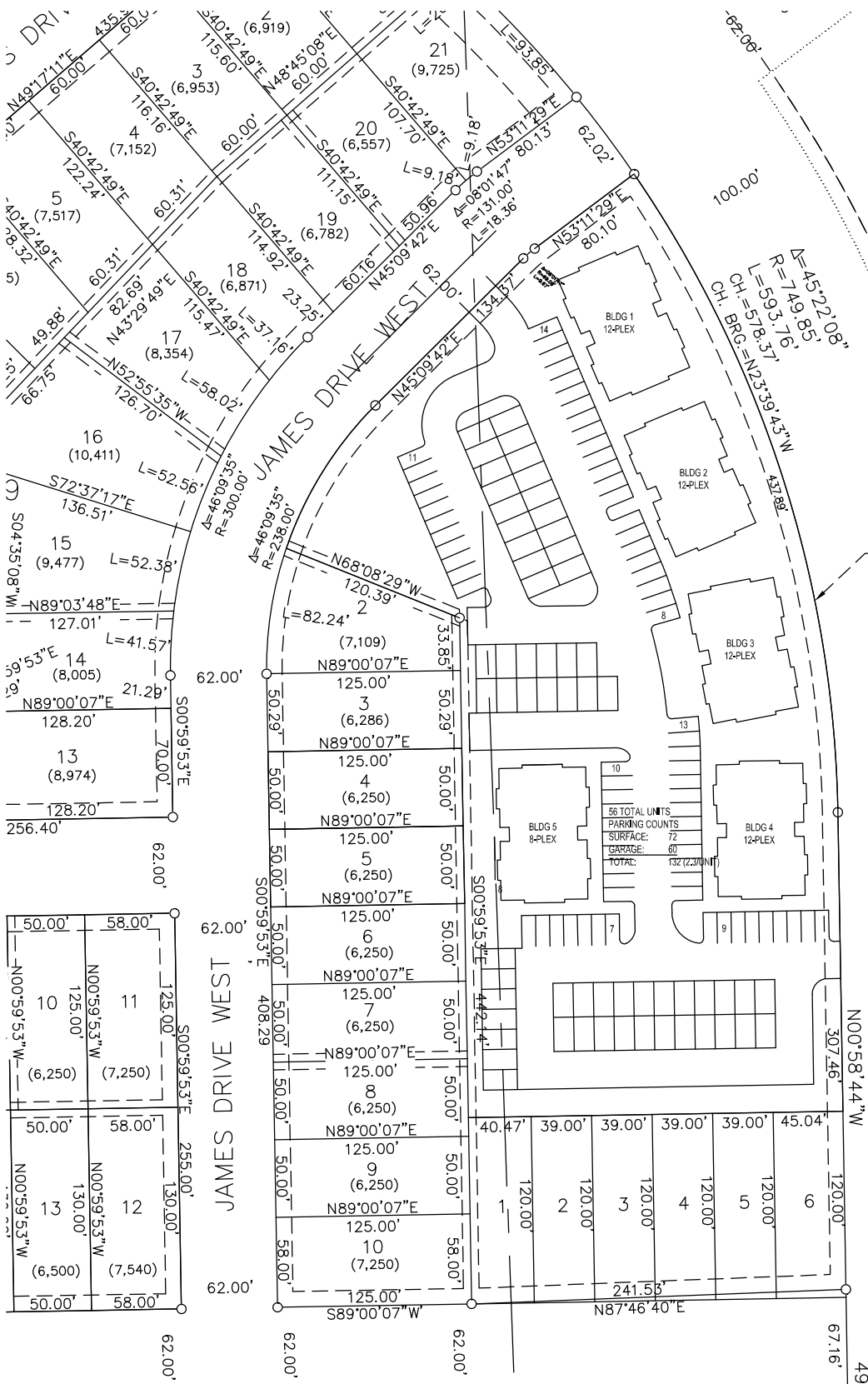
WEST FARGO CITY ATTORNEY APPROVAL

I HEREBY CERTIFY THAT PROPER EVIDENCE OF TITLE HAS BEEN EXAMINED BY ME AND I APPROVE THE PLAT AS TO FORM AND EXECUTION THIS _____ DAY OF _____, 2023.

JOHN T. SHOCKLEY, CITY ATTORNEY
STATE OF NORTH DAKOTA
COUNTY OF CASS

ON THIS _____ DAY OF _____, 2023, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED JOHN T. SHOCKLEY, CITY ATTORNEY, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS THE CITY ATTORNEY.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA



BLOCK 2

WILDS

26

TWENTIETH

W'RLY LINE OF
9TH STREET WEST

100.00'

9TH STREET WEST

MARTIN
LN W

BLOCK 5

29





Proposed requirements for development agreement:

- Multiple dwelling buildings shall contain no more than 12 units each.
- At least 80% of the dwelling units must be located in buildings that front public right-of-way. For these buildings:
 - They shall not be set back more than the minimum required front setback;
 - There shall be no HVAC units, storage areas, refuse containers, fencing, parking, or vehicular circulation areas located between the front of the building and the street;
 - A primary building entrance must be located on the side of the building facing the street;
 - A paved sidewalk must connect the building entrance to the public sidewalk;
- 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; fiber cement; or glass. Aluminum, natural wood, or wood paneling shall not be used as a principal exterior wall material, but engineered wood or durable synthetic materials with the appearance of wood may be used.
 - Shall have façades that incorporate a varied material palette. At least 50% of the front façade shall be clad with brick.
 - Shall have arcades, windows, entry areas, awnings, or other such features along no less than 50% of the horizontal length of the front ground floor façade.
 - Shall incorporate exterior wall plane projections or recesses. Each projection and/or recess shall have a depth of at least 2 feet. Projections/recesses shall be incorporated in exterior walls so that no uninterrupted section of exterior wall extends more than 30 feet, measured horizontally.
- Parking and vehicular circulation areas shall be set back at least 50 feet from the public right-of-way or shall be screened from view of the public right-of-way through the use of fencing, walls, and/or landscape buffering.

STAFF REPORT

A23-14		CONDITIONAL USE PERMIT	
2200 Shiloh Street			
Lot 1, Block 1 of Shiloh 2nd Addition, City of West Fargo, North Dakota			
Owner: The Summit Church		Staff Contact: Lisa Sankey	
Applicant: Jonathan Bartels			
Planning & Zoning Commission Public Hearing:		06-13-2023	
City Commission:			

PURPOSE:

Allow for increase in signage as provided for as a conditional use in 4-460.9.1.a as well as allow for illuminated signs within a residential district provided for as a conditional use in 4-460.7.14 of City Ordinances.

STATEMENTS OF FACT:

Land Use Classification:	G-2: Sub-Urban Growth Sector
Existing Land Use:	Religious Institution
Current Zoning District(s):	R-1A: Single Family Dwelling District
Zoning Overlay District(s):	CO-I: Interstate Corridor Overlay District
Total area size:	7.1 acres
Adjacent Zoning Districts:	North: Interstate 94; South & East: Rural Estate District; West: Light and Heavy Commercial
Adjacent street(s):	23 rd Avenue W (Local); Shiloh St (Local)
Adjacent Bike/Pedestrian Facilities:	Not applicable
Available Parks/Trail Facilities:	Not applicable

DISCUSSION AND OBSERVATIONS:

- The applicant has submitted an application for a conditional use permit for additional institutional signage for a church, sign specs and a simulated photograph of the sign on the existing freestanding sign.
- Except as provided for as a conditional use, institutional signage in a residential district is permitted only one sign per street frontage which may not exceed 32 ft² and a maximum height of 8 feet for freestanding signs. In 2005 a conditional use permit was approved for the existing freestanding sign for 123 ft² and 33.5' in height. In 2020, an additional 24.39 ft² of signage was installed onto the freestanding sign for The Summit Church Childcare Center.
- The church is now applying for an additional 33.75 ft² of signage for an electronic message center (EMC).
- Also under the sign regulations, Illuminated signs shall be shielded to prevent lights from being directed at oncoming traffic in such brilliance that it impairs the vision of the driver. Nor shall such signs interfere with or obscure an official traffic sign or signal.
- Other signs conditionally permitted previously included Electronic Message Centers (EMC) for Lutheran Church of the Cross, Meadow Ridge Bible Chapel and Triumph West Church as well as

STAFF REPORT

Hulbert arena with the conditions that included limiting the hours of operation of the electronic message center to 6 am to 10 pm.

- A conditional use permit agreement is required to be signed prior to issuance of a building (sign) permit and may include conditions deemed appropriate by the Commission.

CRITERIA FOR GRANTING CONDITIONAL USE PERMIT:

With reference to the criteria for granting conditional uses, the following is noted:

1. Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
 - No concerns noted.
2. Off-street parking and loading areas where required, with particular attention to the items in (1) above and the economic, noise, glare or odor effects of the special exception on adjoining properties and properties generally in the district.
 - No concerns noted.
3. Refuse and service areas, with particular reference to the items in (1) and (2) above.
 - No concerns noted.
4. Utilities, with reference of locations, availability, and compatibility.
 - No concerns noted.
5. Screening and buffering with reference to type, dimensions, and character.
 - No concerns noted.
6. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district.
 - Illuminated signage is regulated by the sign code as summarized above in the discussion section. As with sign examples listed above, conditions for new signage could include hours of operation, time of day illumination to ensure the intensity of the lighting is reduced during dark, foot candles not to exceed a certain standard, lighting reflect industry standards for LED lighting, etc.
7. Required yards and other open space.
 - No concerns noted.
8. Soil conditions, as they relate to on-site sewage disposal, water supply, basement excavating, road construction and related land use.
 - No concerns noted.
9. General compatibility with adjacent properties and other property in the district.
 - No concerns noted. Similar size signs in similar situations have been approved in the past with conditions.

NOTICES:

Sent to: Property owners within 350' and applicable departments and agencies.

Comments Received:

- None to date.

CONSISTENCY WITH COMPREHENSIVE PLAN AND OTHER APPLICABLE CITY PLANS AND ORDINANCES:

STAFF REPORT

- The sign is accessory to the surrounding buildings and appears to be appropriately sized for the area. Public comments should be weighed when considering the application.

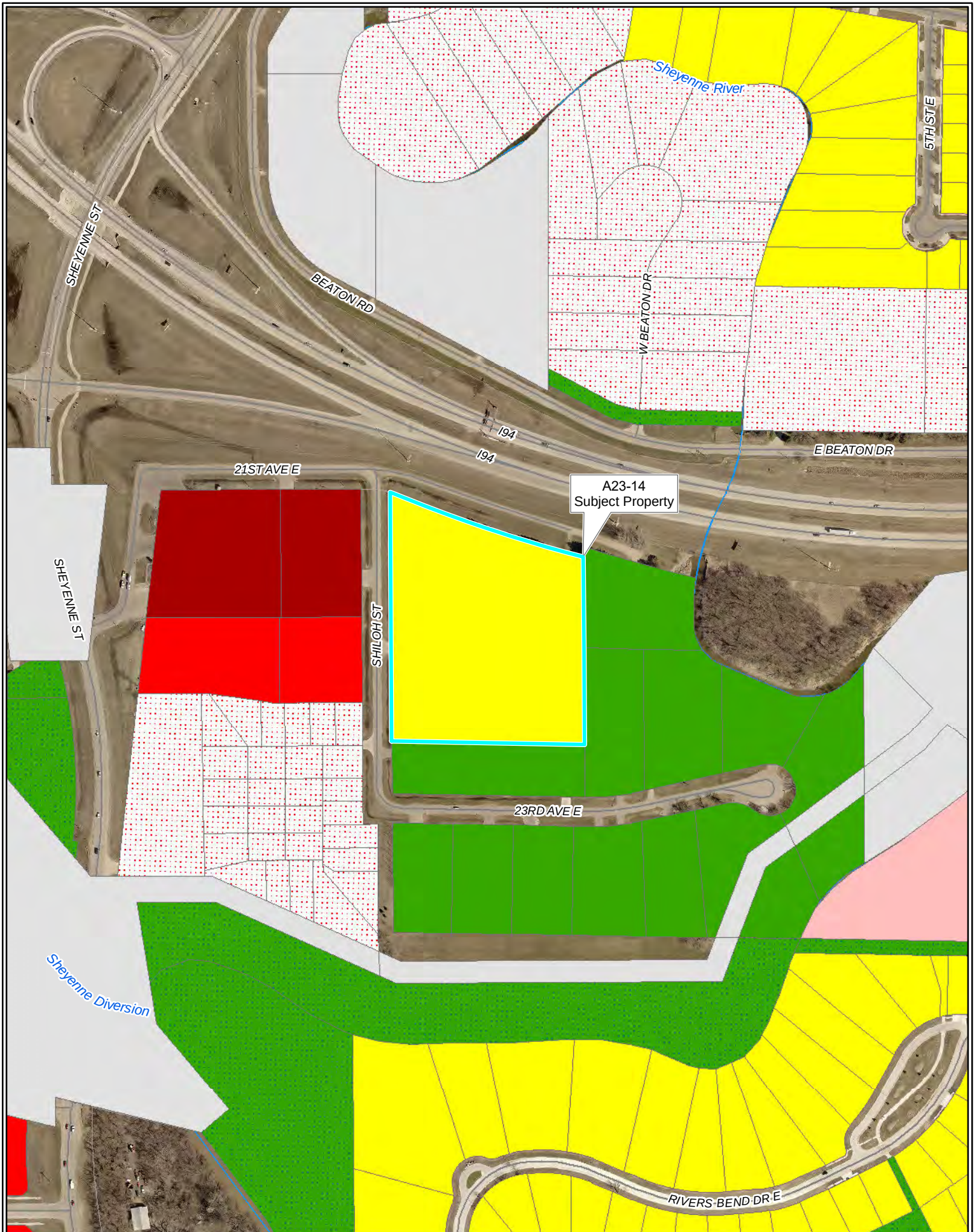
RECOMMENDATIONS:

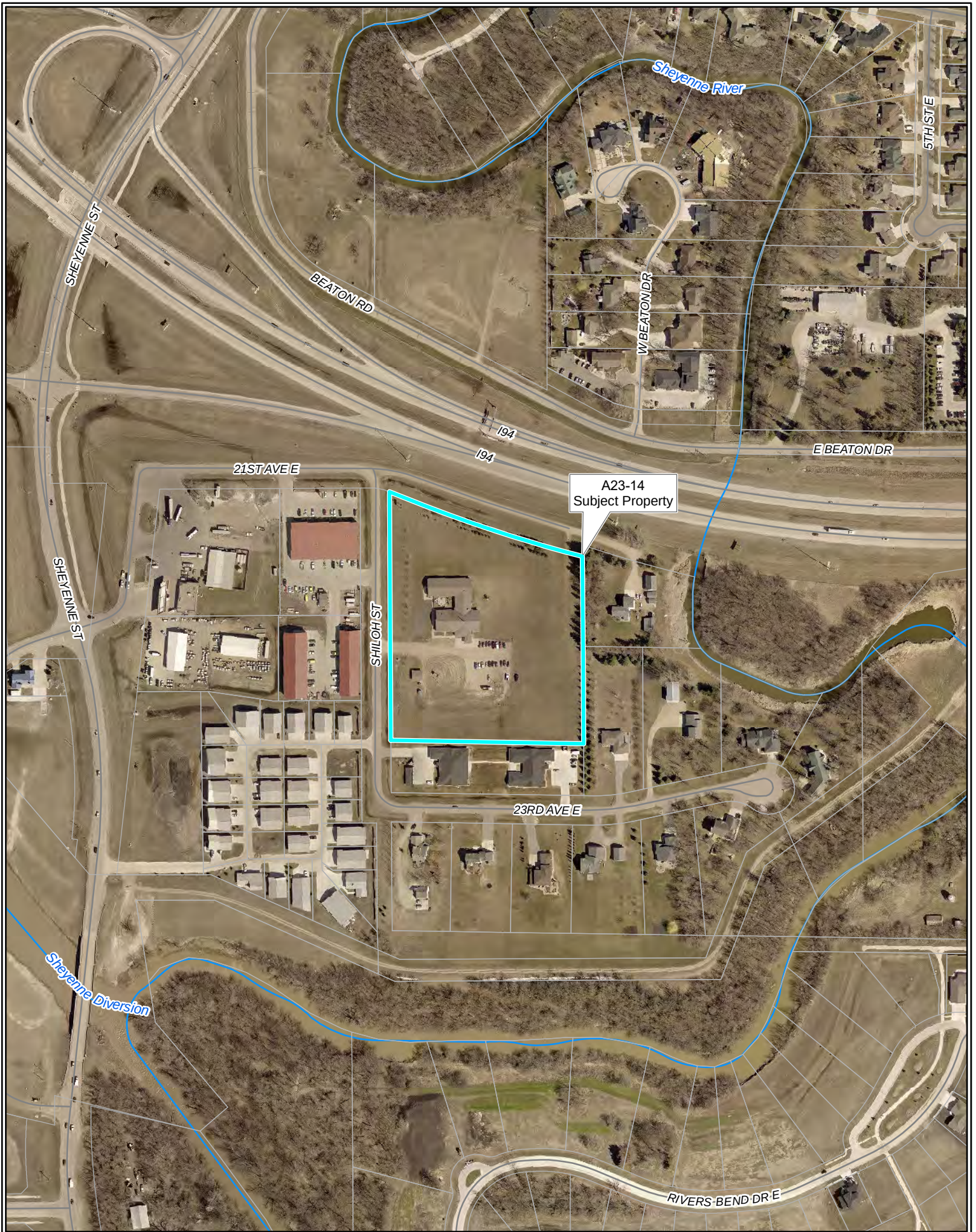
It is recommended that the City approve the proposed application on the basis that with conditions that it could be considered consistent with City plans and ordinances with recommended conditions of approval as follows:

1. That the signs be constructed and installed at no greater size than as provided in the plans
2. That at the proposed electronic message center only operates from the hours of 6am to 10pm
3. That the sign setback to the property line adjacent to Shiloh Street not be decreased. If building renovations require that the sign setback be decreased an amendment to the conditional use permit will be required
4. A Signed Conditional Use Permit Agreement is received.

Attachments:

- Aerial map
- Zoning map
- Preliminary site plan
- Draft Conditional Use Permit Agreement





Due to printer variances colors shown do not accurately represent actual signage colors



Current Sign



Proposed Change

We are looking to add an LED scrolling sign to our current sign structure. Right now we have a church sign as well as a preschool sign on our posts and are looking to add this new LED sign which is 3ft tall by 11.25ft wide to it. The measurements of the current preschool sign is 3.33 ft tall by 7 ft wide. I do not have the exact measurements of the church sign but I believe it is about 8 ft tall and 12 ft wide. This sign is on our property. We would move the preschool sign down and put the LED sign in between the two signs.

Conditional Use Permit

State of North Dakota,
County of Cass,
City of West Fargo

WHEREAS, **The Summit** (hereinafter referred to as the “**Applicant**”) has paid the sum of two hundred dollars (\$200.00) to the City of West Fargo, as required by the City of West Fargo Zoning Ordinance, and has complied with all the requirements of said ordinance necessary for obtaining this permit; and

WHEREAS, the **Applicant** is the legal owner of property located at 2200 Shiloh Street, West Fargo, ND 58078, legally described as (hereinafter referred to as the “Property”):

Lot 1, Block 1 of Shiloh Second Addition, City of West Fargo, North Dakota

NOW, THEREFORE, by order of the West Fargo City Commission, the said applicant is hereby issued a Conditional Use Permit to:

Increase Residential Area Identification signage as provided for as a conditional use in 4-460.9.1.d of City Ordinances and allow additional 24.39 ft² of signage onto the existing freestanding sign.

on the above-described Property with the following conditions:

1. That the signs be constructed and installed at no greater size than as provided in the plans approved to the West Fargo Planning & Zoning Commission at their June 13, 2023 meeting and the West Fargo City Commission at their _____ meeting.
2. That the proposed electronic message center only operates from the hours of 6am to 10pm
3. That the sign setback to the property line adjacent to Shiloh Street not be decreased. If building renovations require that the sign setback be decreased an amendment to the conditional use permit will be required.
4. The City of West Fargo reserves the right to inspect the property for compliance with these conditions.
5. Any and all claims that arise or may arise against Applicant, its agents, servants, or employees while engaged in the use of the Property, shall in no way be the obligation of the City of West Fargo. Furthermore, Applicant, its agents servants, employees, or assigns shall indemnify, hold harmless, and defend the City, its officers and employees against any and all liability, loss, costs, damages, expenses, claims, actions, or judgments, including attorneys’ fees which the City, its officers or employees may hereafter sustain, incur, or be required to pay, in any way connected with the use of the Property or City actions related to the granting of this Conditional Use Permit.
6. Any improvements made to the property in connection with this Conditional Use Permit shall

be at the sole expense of the Owner and shall not be the obligation of the City.

7. If Applicant fails to observe the terms and conditions of this Conditional Use Permit, the City may revoke this Conditional Use Permit. In such an event, the City will give owner at least a ten (10) day notice of revocation of a revocation hearing for the Conditional Use Permit stating the time, place and purpose of such hearing. Upon such hearing, the City may revoke this Conditional Use Permit. If this Conditional Permit is revoked Owner shall remove the sign from the property by the date stated by the City Commission at the hearing. Applicant shall pay as reasonable attorney's fees and court costs associated with the City's enforcement of the terms of this Conditional Use Permit.
8. This Conditional Use permit will not be in effect until such time as:
 - a. it is executed and recorded with Cass County; and
 - b. the City of West Fargo is provided with recording information.
9. The obligations herein shall run with the Property and shall bind the Applicant and the Owner and their successors and assigns.
10. Each provision, section, sentence, clause, phrase, and word of this Agreement is intended to be severable. If any provision, section, sentence, clause, phrase, and word hereof is held by a court with jurisdiction to be illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity of the remainder of this Agreement.
11. The Applicant acknowledges receipt of this Conditional Use Permit and agrees to its terms and conditions.

Dated this ____ day of _____, 20__.

APPLICANT: _____

STATE OF NORTH DAKOTA)
)
COUNTY OF CASS)

On this ____ day of _____, 20__, before me, the undersigned, a Notary Public in and for said county and state, personally appeared _____, known to me to be the person who is described in and who executed the above and foregoing document and acknowledged to me that he executed the same.

[SEAL]

Notary Public

Dated this _____ day of _____, 20____.

**WEST FARGO BOARD OF CITY
COMMISSIONERS:**

Bernie L. Dardis, President of the Board

STATE OF NORTH DAKOTA)
)
COUNTY OF CASS)

On this _____ day of _____, 20____, before me, the undersigned, a Notary Public in and for said county and state, personally appeared Bernie L. Dardis, known to me to be the person who is described in and who executed the above and foregoing document and acknowledged to me that he executed the same.

[SEAL]

Notary Public

Dated this _____ day of _____, 20____.

**WEST FARGO PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT:**

Aaron Nelson, AICP, Director of Planning and
Zoning

STATE OF NORTH DAKOTA)
)
COUNTY OF CASS)

On this _____ day of _____, 20____, before me, the undersigned, a Notary Public in and for said county and state, personally appeared Aaron Nelson, known to me to be the person who is described in and who executed the above and foregoing document and acknowledged to me that he executed the same.

[SEAL]

Notary Public

STAFF REPORT

A23-19 Conditional Use Permit	
Selberg's 2 nd Subdivision	
409 32nd Ave NW (Lot 10, Block 1 of Selberg's 2nd Subdivision), Cass County, North Dakota	
Applicant: Brandon Schmidt (Liberty Lumber) Owner: Vincent Voigt	Staff Contact: Lisa Sankey
Planning & Zoning Commission Public Hearing:	6-13-2023
City Commission:	

PURPOSE:Construct 40' x 70' (2,800 ft²) building for personal storage.**STATEMENTS OF FACT:**

Land Use Classification:	G-1 Sub-Urban Restricted Growth Sector (ETJ)
Existing Land Use:	Single Family Dwelling
Current Zoning District(s):	R-1E: Rural Estate
Zoning Overlay District(s):	n/a
Total area size:	85,813 square feet (1.97 Acres)
Adjacent Zoning Districts:	R-1E: Rural Estate
Adjacent street(s):	32 nd Avenue NW – Township Road
Adjacent Bike/Pedestrian Facilities:	None
Available Parks/Trail Facilities:	None

DISCUSSION AND OBSERVATIONS:

- The property is located in the City's extraterritorial (ET) area about 1 ½ miles north of West Fargo City Limits.
- The R-1E: Rural Estate zoning district allows for accessory structures greater than 1,000 ft² as a conditional use provided they are in character with the development pattern of the subdivision they are in.
- The applicant has provided a site plan which shows the new accessory structure will be built i with setbacks which meets district yard requirements. The proposed building will replace two smaller structures currently on the property.
- The proposed building is a 40' x 70', 2,800 ft² building with overhead doors on the northwest and south sides, entry door on west side and south sides. The building will need to be under 20' in height. Access would be via the existing driveway.
- The applicant has indicated that the structure would be built of residential materials which match the exterior color and type of the main structure on the property.
- The area is within a Special Flood Hazard Area (SFHA). The new building will be required to meet all applicable Federal, State, and Local regulations which may have changed since the existing home was constructed.
- A conditional use permit agreement is required to be signed prior to issuance of a building permit and may include conditions deemed appropriate by the Commission.

STAFF REPORT

CRITERIA FOR GRANTING CONDITIONAL USE PERMIT:

With reference to the criteria for granting conditional uses, the following is noted:

1. Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
 - The property has adequate access and the improvements will not affect this access.
2. Off-street parking and loading areas where required, with particular attention to the items in (1) above and the economic, noise, glare or odor effects of the special exception on adjoining properties and properties generally in the district.
 - No concerns noted.
3. Refuse and service areas, with particular reference to the items in (1) and (2) above.
 - No concerns noted.
4. Utilities, with reference of locations, availability, and compatibility.
 - No concerns noted.
5. Screening and buffering with reference to type, dimensions, and character.
 - No concerns noted.
6. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district.
 - No concerns noted.
7. Required yards and other open space.
 - No concerns noted.
8. Soil conditions, as they relate to on-site sewage disposal, water supply, basement excavating, road construction and related land use.
 - No concerns noted.
9. General compatibility with adjacent properties and other property in the district.
 - The land adjacent to this area is agricultural and rural residential with similar type buildings. Other buildings of this size and greater have been approved in this subdivision and vicinity.

NOTICES:

Sent to:	Property owners within 350', Reed Township officials, Cass County Planning and the Cass County Sanitarian.
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Comments Received: None to date

CONSISTENCY WITH COMPREHENSIVE PLAN AND OTHER APPLICABLE CITY PLANS AND ORDINANCES:

- The application is providing an accessory to an existing use within the area outside the Sheyenne Diversion and is not increasing development in a flood prone area, therefore the application may be considered consistent with the Comprehensive Plan.
- The Sub-Urban - Restricted Growth Sector includes areas between the current and proposed diversion that may have new development potential should the new diversion be built. The G-1 area identifies significant tracts of land that are currently rural, but where directed and well-planned new development could occur around the identified potential Future Mixed-Use and Employment Centers.

STAFF REPORT

RECOMMENDATIONS:

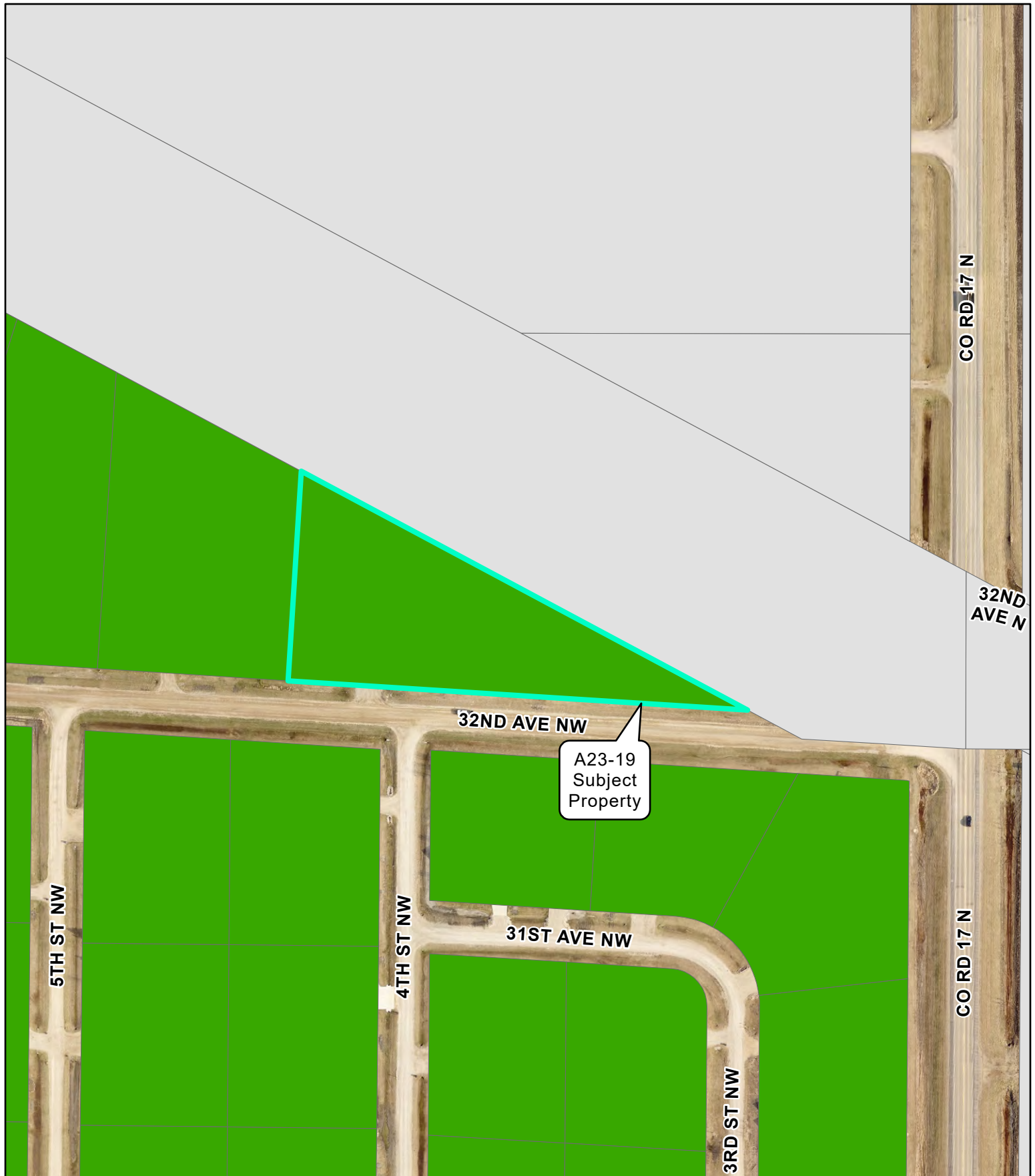
It is recommended that the City approve the proposed application on the basis that it is consistent with City plans and ordinances with recommended conditions of approval as follows:

1. A conditional use permit agreement is required to be signed prior to issuance of a building permit and may include conditions deemed appropriate by the Commission.

Attachments:

- Aerial map
- Zoning map
- Preliminary site plan
- Draft Conditional Use Permit Agreement





West Fargo Zoning

- A: Agricultural
- C: Light Commercial
- C-OP: Commercial Office Park
- DMU: Downtown Mixed Use
- EMU: Entertainment Mixed Use
- HC: Heavy Commercial

- LI: Light Industrial
- M: Heavy Industrial
- P: Public
- PUD: Planned Unit Development
- R-L1A: Large Lot Single Family Dwelling
- R-1A: Single Family Dwelling
- R-1: One and Two Family Dwelling

- R-1SM: Mixed One and Two Family Dwelling
- R-2: Limited Multiple Dwelling
- R-3: Multiple Dwelling
- R-4: Mobile Home
- R-5: Manufactured Home Subdivision
- R-1E: Rural Estate
- R-R: Rural Residential



0 150 300 US Feet



Esri, Contributor, Map Contributors, County of Cass, ND, State of North Dakota, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI, NASA, USGS, EPA, NPS, US Census Bureau, USDA, Couras, Esri, Airbus DS, USGS, NGA, NASA, NOAA, N. Robinson, NCEAS, NLS, OS, NIMA, Geodatastyrelsen, Eijkswaterstaat, GSA, Gepland, FEMA, Informa and the GIS user community

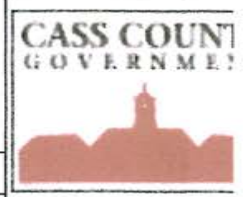
These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

Cass County, ND

Date: 5/18/2023

Cass County, ND

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





Conditional Use Permit

State of North Dakota,
County of Cass,
City of West Fargo

WHEREAS, Vincent Voigt (hereinafter referred to as the “**Applicant**”) has paid the sum of two hundred dollars (\$200.00) to the City of West Fargo, as required by the City of West Fargo Zoning Ordinance, and has complied with all the requirements of said ordinance necessary for obtaining this permit; and

WHEREAS, the **Applicant** is the legal owner of property located at 409 32nd Avenue NW, West Fargo, ND 58078, legally described as (hereinafter referred to as the “Property”):

Lot 10, Block 1 of Selberg’s Second Subdivision

NOW, THEREFORE, by order of the West Fargo City Commission, the said applicant is hereby issued a Conditional Use Permit to:

Construct an accessory building greater than 1,000 ft² in an R-1E: Rural Estate zoning district.

on the above-described Property with the following conditions:

1. The 2,800 square foot (40’ x 70) accessory building is constructed of the same color and materials as the primary residential structure as provided in the plans approved to the West Fargo Planning & Zoning Commission at their June 13, 2023 meeting and the West Fargo City Commission at their _____ meeting.
2. Use of the accessory building meet the requirements of the R-1E: Rural Estate District Standards.
3. The applicant must meet all Federal, State, and local requirements for improvements to the site and structure.
4. The applicant must demonstrate that they can accommodate the concerns of the County Environmental Health Office.
5. Any building permits should follow the preliminary flood map which will require percent allowable fill on any development.
6. The City of West Fargo reserves the right to inspect the property for compliance with these conditions.
7. Any and all claims that arise or may arise against Applicant, its agents, servants, or employees while engaged in the use of the Property, shall in no way be the obligation of the City of West Fargo. Furthermore, Applicant, its agents servants, employees, or assigns shall indemnify, hold harmless, and defend the City, its officers and employees

against any and all liability, loss, costs, damages, expenses, claims, actions, or judgments, including attorneys' fees which the City, its officers or employees may hereafter sustain, incur, or be required to pay, in any way connected with the use of the Property or City actions related to the granting of this Conditional Use Permit.

- 8. Any improvements made to the property in connection with this Conditional Use Permit shall be at the sole expense of the Owner and shall not be the obligation of the City.
- 9. If Applicant fails to observe the terms and conditions of this Conditional Use Permit, the City may revoke this Conditional Use Permit. In such an event, the City will give owner at least a ten (10) day notice of revocation of a revocation hearing for the Conditional Use Permit stating the time, place and purpose of such hearing. Upon such hearing, the City may revoke this Conditional Use Permit. If this Conditional Permit is revoked Owner shall remove the structure from the property by the date stated by the City Commission at the hearing. Applicant shall pay as reasonable attorney's fees and court costs associated with the City's enforcement of the terms of this Conditional Use Permit.
- 10. This Conditional Use permit will not be in effect until such time as:
 - a) it is executed and recorded with Cass County; and
 - b) the City of West Fargo is provided with recording information.
- 11. The obligations herein shall run with the Property and shall bind the Applicant and the Owner and their successors and assigns.
- 12. Each provision, section, sentence, clause, phrase, and word of this Agreement is intended to be severable. If any provision, section, sentence, clause, phrase, and word hereof is held by a court with jurisdiction to be illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity of the remainder of this Agreement.
- 13. The Applicant acknowledges receipt of this Conditional Use Permit and agrees to its terms and conditions.

Dated this ____ day of _____, 20__.

APPLICANT: _____

STATE OF NORTH DAKOTA)
)
COUNTY OF CASS)

On this ____ day of _____, 20__, before me, the undersigned, a Notary Public in and for said county and state, personally appeared _____, known to me to be the person who is described in and who executed the above and foregoing document and acknowledged to me that he executed the same.

[SEAL]

Notary Public

Dated this ____ day of _____, 20__.

**WEST FARGO BOARD OF CITY
COMMISSIONERS:**

Bernie L. Dardis, President of the Board

STATE OF NORTH DAKOTA)
)
COUNTY OF CASS)

On this ____ day of _____, 20__, before me, the undersigned, a Notary Public in and for said county and state, personally appeared Bernie L. Dardis, known to me to be the person who is described in and who executed the above and foregoing document and acknowledged to me that he executed the same.

[SEAL]

Notary Public

Dated this ____ day of _____, 20__.

**WEST FARGO PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT:**

Aaron Nelson, AICP, Director of Planning and
Zoning

STATE OF NORTH DAKOTA)
)
COUNTY OF CASS)

On this ____ day of _____, 20__, before me, the undersigned, a Notary Public in and for said county and state, personally appeared Aaron Nelson, known to me to be the person who is described in and who executed the above and foregoing document and acknowledged to me that he executed the same.

[SEAL]

Notary Public

STAFF REPORT

A23-15 COMBINATION/RETRACEMENT PLAT	
Goldenwood 7 th Addition	
Lots 9 & 10, Block 1 of Goldenwood 5 th Addition, City of West Fargo	
Owner/Applicant: Douglas Hoffman	Staff Contact: Lisa Sankey
Planning & Zoning Commission:	06-13-2023
City Commission:	

PURPOSE:

Combination of two existing platted lots into one.

STATEMENTS OF FACT:

Land Use Classification:	G-2: Sub-Urban - Growth Sector
Existing Land Use:	Vacant
Current Zoning District(s):	R-1: One & Two Family Dwellings
Zoning Overlay District(s):	CO-SR: Sheyenne River Corridor Overlay District
Proposed Lot size(s) or range:	1.6 Acres
Adjacent Zoning Districts:	R-1: One & Two Family Dwellings
Adjacent street(s):	Goldenwood Dr (Local)
Adjacent Bike/Pedestrian Facilities:	Sidewalks
Available Parks/Trail Facilities:	Goldenwood facilities within ¼ mile

DISCUSSION AND OBSERVATIONS:

- The applicant is proposing to combine two previously subdivided lots in order to construct a detached (accessory building) garage.
- A preliminary site plan was submitted with the plat and application showing a proposed 1,000 square foot structure south of the existing home.
- Property owners wishing to combine properties which have been previously platted for the purpose of building across lot lines and/or increasing lot area to address district requirements may submit a retracement plat provided the following conditions are met:
 1. No additional right-of-way is required or being established.
 2. There is no proposed or perceived need of public improvements as a result of the combining of platted lots.
 3. Lots to be combined are contiguous and under common ownership.
- The proposed retracement plat will not affect the property or use. The retracement plat will be given a subdivision name with a lot and block number, which will be of benefit to the City and Cass County for administration purposes.
- With retracement plats there are no street right-of-way dedication or park dedication requirements.
- A public hearing is not required, though the applicant must plat the property according to platting standards and the plat must be reviewed by the Planning and Zoning and City Commissions.

STAFF REPORT

NOTICES:

Sent to: Applicable agencies and departments

Comments Received:

- None to date

CONSISTENCY WITH COMPREHENSIVE PLAN AND OTHER APPLICABLE CITY PLANS AND ORDINANCES:

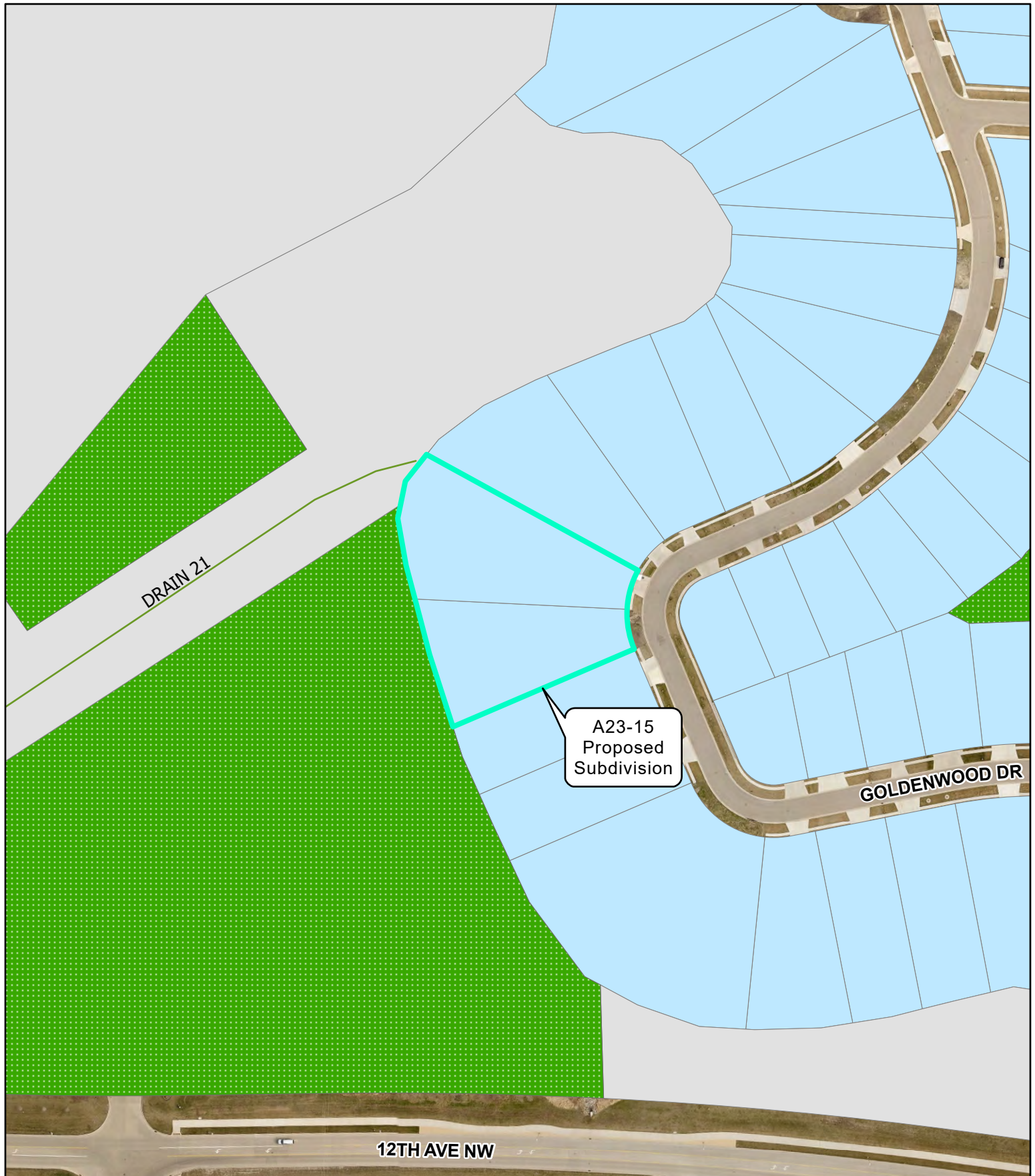
- The proposed application is consistent with the City plans and ordinances.

RECOMMENDATIONS:

It is recommended that the City approve the proposed application on the basis that it is consistent with City plans and ordinances.

- Aerial map
- Zoning map
- Site Plan
- Preliminary Plat







West Fargo Zoning

- A: Agricultural
- C: Light Commercial
- C-OP: Commercial Office Park
- DMU: Downtown Mixed Use
- EMU: Entertainment Mixed Use
- HC: Heavy Commercial

- LI: Light Industrial
- M: Heavy Industrial
- P: Public
- PUD: Planned Unit Development
- R-L1A: Large Lot Single Family Dwelling
- R-1A: Single Family Dwelling
- R-1: One and Two Family Dwelling

- R-1SM: Mixed One and Two Family Dwelling
- R-2: Limited Multiple Dwelling
- R-3: Multiple Dwelling
- R-4: Mobile Home
- R-5: Manufactured Home Subdivision
- R-1E: Rural Estate
- R-R: Rural Residential

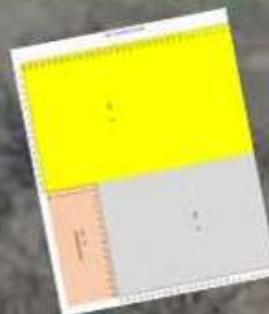


0 150 300 US Feet

02-0719-00100-000

02-0719-00090-000

02-0719-00080-000



PLAT OF
GOLDENWOOD SEVENTH ADDITION
TO THE CITY OF WEST FARGO, A REPLAT OF LOT 9 AND LOT 10, BLOCK 1,
GOLDENWOOD FIFTH ADDITION, CASS COUNTY, NORTH DAKOTA.

CERTIFICATE

JACOB R. DUCHSHERER, BEING DULY SWORN, DEPOSES AND SAYS THAT HE IS THE REGISTERED LAND SURVEYOR WHO PREPARED AND MADE THE ATTACHED PLAT OF "GOLDENWOOD SEVENTH ADDITION" TO THE CITY OF WEST FARGO, A REPLAT OF LOT 9 AND LOT 10, BLOCK 1, GOLDENWOOD FIFTH ADDITION, CASS COUNTY, NORTH DAKOTA; THAT SAID PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY; THAT ALL DISTANCES ARE CORRECTLY SHOWN ON SAID PLAT; THAT MONUMENTS HAVE BEEN PLACED IN THE GROUND AS INDICATED FOR THE GUIDANCE OF FUTURE SURVEYS AND THAT THE EXTERIOR BOUNDARY LINES OF SAID ADDITION ARE DESCRIBED AS FOLLOWS, TO WIT:

LOT 9 AND LOT 10, BLOCK 1, GOLDENWOOD FIFTH ADDITION TO THE CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA.
SAID TRACT CONTAINS 1.6 ACRES, MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD, IF ANY.

JACOB R. DUCHSHERER
REGISTERED LAND SURVEYOR
REG. NO. LS-28251

STATE OF NORTH DAKOTA
COUNTY OF CASS

ON THIS _____ DAY OF _____, 2023, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED JACOB R. DUCHSHERER, REGISTERED LAND SURVEYOR, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

DEDICATION

WE, THE UNDERSIGNED, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LAND DESCRIBED IN THE PLAT OF "GOLDENWOOD SEVENTH ADDITION" TO THE CITY OF WEST FARGO, A REPLAT OF LOT 9 AND LOT 10, BLOCK 1, GOLDENWOOD FIFTH ADDITION, CASS COUNTY, NORTH DAKOTA, THAT WE HAVE CAUSED IT TO BE PLATTED INTO LOTS AND BLOCKS AS SHOWN BY SAID PLAT AND CERTIFICATE OF JACOB R. DUCHSHERER, REGISTERED LAND SURVEYOR, AND THAT THE DESCRIPTION AS SHOWN IN THE CERTIFICATE OF THE REGISTERED LAND SURVEYOR IS CORRECT.

OWNERS:

DOUGLAS J. HOFFMAN

KATIE M. HOFFMAN

STATE OF NORTH DAKOTA
COUNTY OF CASS

ON THIS _____ DAY OF _____, 2023, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED DOUGLAS J. HOFFMAN AND KATIE M. HOFFMAN, KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME AS THEIR FREE ACT AND DEED.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

MORTGAGEE: CENTRAL MINNESOTA CREDIT UNION

BY: _____

ITS: _____

STATE OF MINNESOTA
COUNTY OF _____

ON THIS _____ DAY OF _____, 2023, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE _____ OF CENTRAL MINNESOTA CREDIT UNION THAT IS DESCRIBED IN AND WHO EXECUTED THE FOREGOING DEDICATION AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME IN THE NAME OF CENTRAL MINNESOTA CREDIT UNION.

NOTARY PUBLIC, _____ COUNTY, MINNESOTA

WEST FARGO PLANNING COMMISSION APPROVAL

THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 2023.

JOSEPH F. KOLB, CHAIRMAN

STATE OF NORTH DAKOTA
COUNTY OF CASS

ON THIS _____ DAY OF _____, 2023, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED JOSEPH F. KOLB, CHAIRMAN OF THE WEST FARGO PLANNING COMMISSION, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE NAME OF THE WEST FARGO PLANNING COMMISSION.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

WEST FARGO CITY COMMISSION APPROVAL

THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 2023.

BERNIE L. DARDIS, PRESIDENT OF
THE WEST FARGO CITY COMMISSION
STATE OF NORTH DAKOTA
COUNTY OF CASS

DUSTIN SCOTT, DEPUTY CITY AUDITOR

ON THIS _____ DAY OF _____, 2023, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED BERNIE L. DARDIS, PRESIDENT OF THE WEST FARGO CITY COMMISSION, AND DUSTIN SCOTT, DEPUTY CITY AUDITOR, KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THE NAME OF THE CITY OF WEST FARGO.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

CITY ENGINEER'S APPROVAL

THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 2023.



DANIEL R. HANSON, CITY ENGINEER

STATE OF NORTH DAKOTA
COUNTY OF CASS

ON THIS _____ DAY OF _____, 2023, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED DANIEL R. HANSON, CITY ENGINEER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS CITY ENGINEER.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

WEST FARGO CITY ATTORNEY APPROVAL

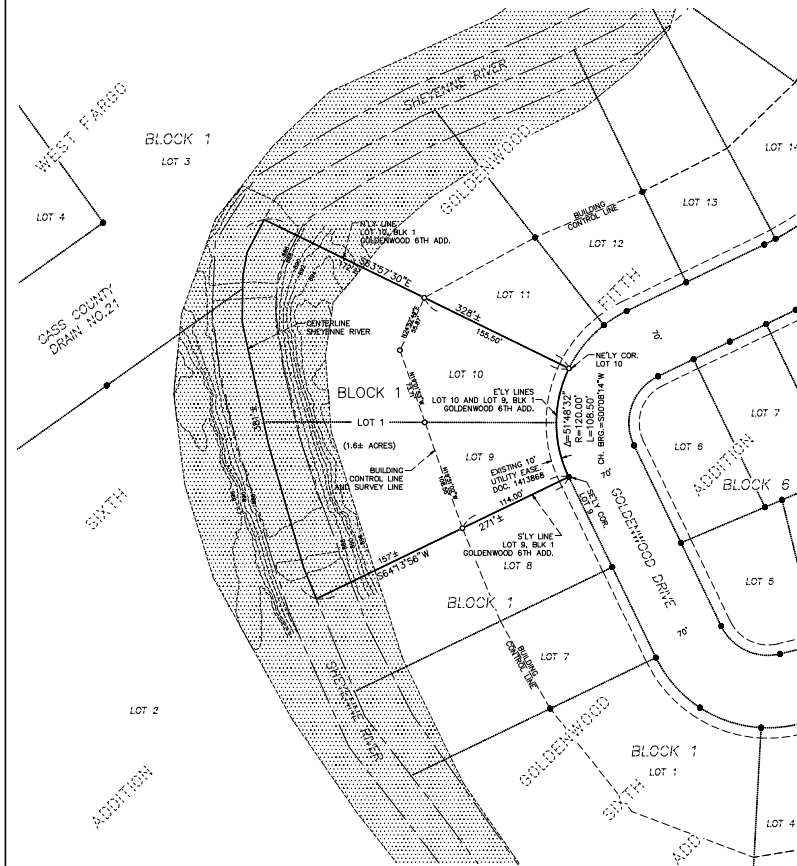
I HEREBY CERTIFY THAT PROPER EVIDENCE OF TITLE HAS BEEN EXAMINED BY ME AND I APPROVE THE PLAT AS TO FORM AND EXECUTION THIS _____ DAY OF _____, 2023.

JOHN T. SHOCKLEY, CITY ATTORNEY

STATE OF NORTH DAKOTA
COUNTY OF CASS

ON THIS _____ DAY OF _____, 2023, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED JOHN T. SHOCKLEY, CITY ATTORNEY, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS THE CITY ATTORNEY.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA



LEGEND

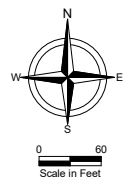
- IRON MONUMENT FOUND
- SET 5/8"x18" REBAR WITH PINK PLASTIC CAP #28251
- L ARC LENGTH
- R RADIUS LENGTH
- A CENTRAL ANGLE
- CH. BRG. CHORD BEARING
- PLAT BOUNDARY LINE
- EXISTING EASEMENT LINE
- EXISTING LOT LINE
- ZONE A, FIRM MAP NO. 38017C00568G, EFF. 1/16/2015
- CONTOUR LINE WITH ELEVATION 900' (NAVD 88)
- 900'

NOTES

- TOTAL PLATTED AREA: 1.6 ACRES
- CONTOURS SHOWN ARE FROM 2020 LIDAR DATA.
- THE PLAT BOUNDARY FOLLOWING THE CENTERLINE OF THE SHEYENNE RIVER WAS REVISED TO MATCH THE FEMA FLOOD MAP AND NOT ADJACENT PLATS TO ALLOW THE FLOOD PLAIN TO BE PROPERLY DISPLAYED ON THE SUBJECT PLAT.

BENCHMARK

PROJECT BENCHMARK: "FMM 18" (ALUMINUM ROD INSIDE SLEEVE) 93'± NORTH AND 100' EAST OF THE INTERSECTION OF CO. RD 17 AND 12TH AVE. NW, ON NORTH SIDE OF 12TH AVE. NW.
ELEVATION = 899.56 (NAVD 88 DATUM)



BASIS OF BEARINGS:
GOLDENWOOD FIFTH ADDITION
TO THE CITY OF WEST FARGO
ACCORDING TO THE
RECORDED PLAT THEREOF.

STAFF REPORT

A23-16 COMBINATION/RETRACEMENT PLAT	
Kost 5 th Addition	
Lots 6-8, Block 1 of Kost 1 st Addition, City of West Fargo, North Dakota	
Owner/Applicant: Tim Nygaard, R & T Investments	Staff Contact: Lisa Sankey
Planning & Zoning Commission:	06-13-2023
City Commission:	

PURPOSE:

Combination of three existing platted lots into one.

STATEMENTS OF FACT:

Land Use Classification:	G-3: Employment Growth Sector (existing)
Existing Land Use:	Office/Shop
Current Zoning District(s):	LI: Light Industrial
Zoning Overlay District(s):	CO-R: Redevelopment Corridor Overlay District
Proposed Lot size(s) or range:	3.27 Acres
Adjacent Zoning Districts:	LI: Light Industrial
Adjacent street(s):	Center Street (Minor Arterial)
Adjacent Bike/Pedestrian Facilities:	12 th Avenue NW Multi-Use Path within ¼ miles
Available Parks/Trail Facilities:	Goldenwood Park within ½ miles

DISCUSSION AND OBSERVATIONS:

- The applicant is proposing to combine three previously subdivided lots.
- Property owners wishing to combine properties which have been previously platted for the purpose of building across lot lines and/or increasing lot area to address district requirements may submit a retracement plat provided the following conditions are met:
 1. No additional right-of-way is required or being established.
 2. There is no proposed or perceived need of public improvements as a result of the combining of platted lots.
 3. Lots to be combined are contiguous and under common ownership.
- The owner intends to construct additional shop space on the property in the future.
- The proposed retracement plat will not affect the property or use. The retracement plat will be given a subdivision name with a lot and block number, which will be of benefit to the City and Cass County for administration purposes.
- With retracement plats there are no street right-of-way dedication or park dedication requirements.
- The applicant's proposed building will need to avoid existing easements as shown on the plat.
- A public hearing is not required, though the applicant must plat the property according to platting standards and the plat must be reviewed by the Planning and Zoning and City Commissions.

STAFF REPORT

NOTICES:

Sent to: Applicable agencies and departments

Comments Received:

- None to date.

CONSISTENCY WITH COMPREHENSIVE PLAN AND OTHER APPLICABLE CITY PLANS AND ORDINANCES:

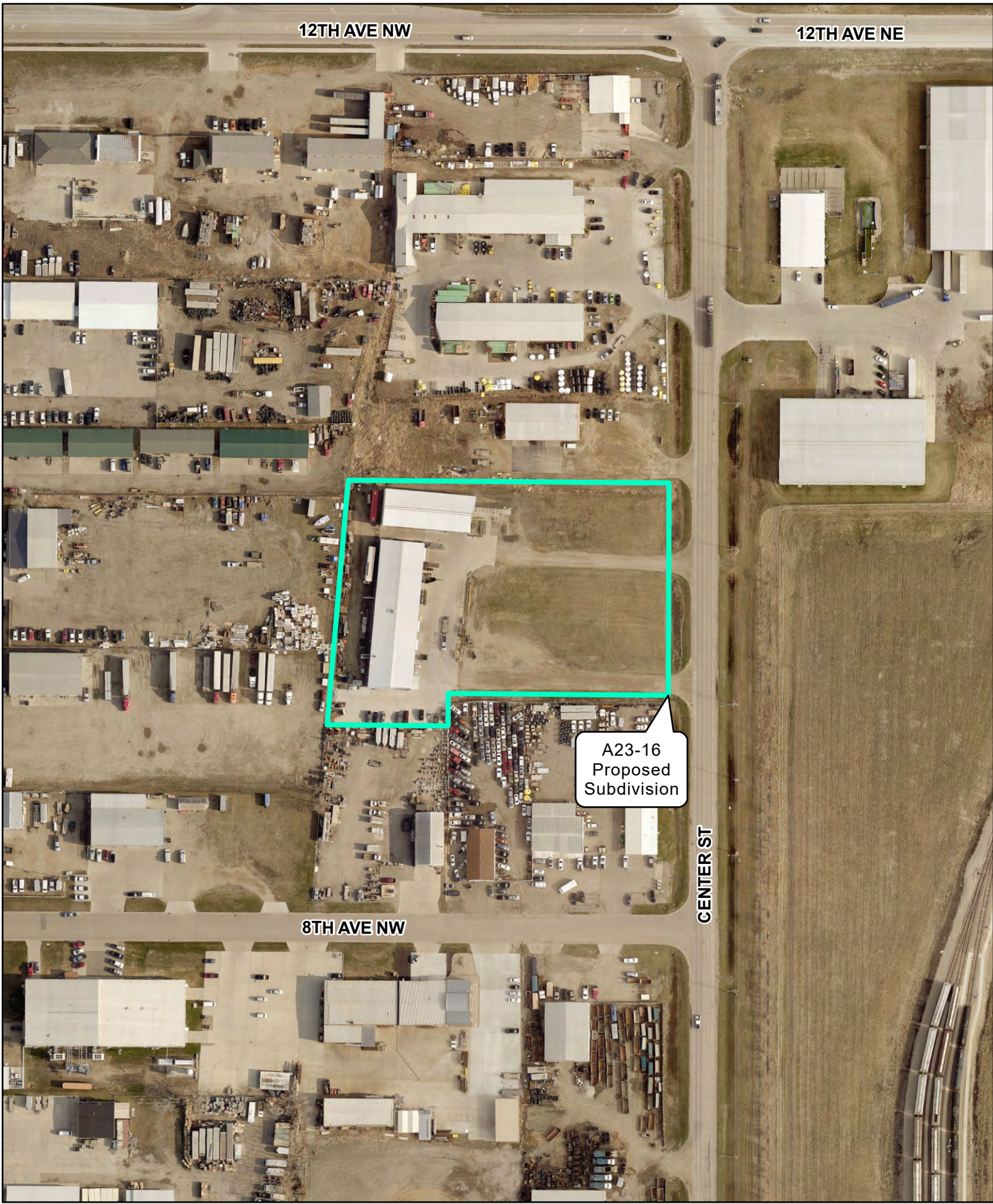
- The proposed application is consistent with the City plans and ordinances.

RECOMMENDATION:

It is recommended that the City approve the proposed application on the basis that it is consistent with City plans and ordinances.

Attachments:

- Aerial map
- Zoning map
- Preliminary site plan
- Preliminary Plat



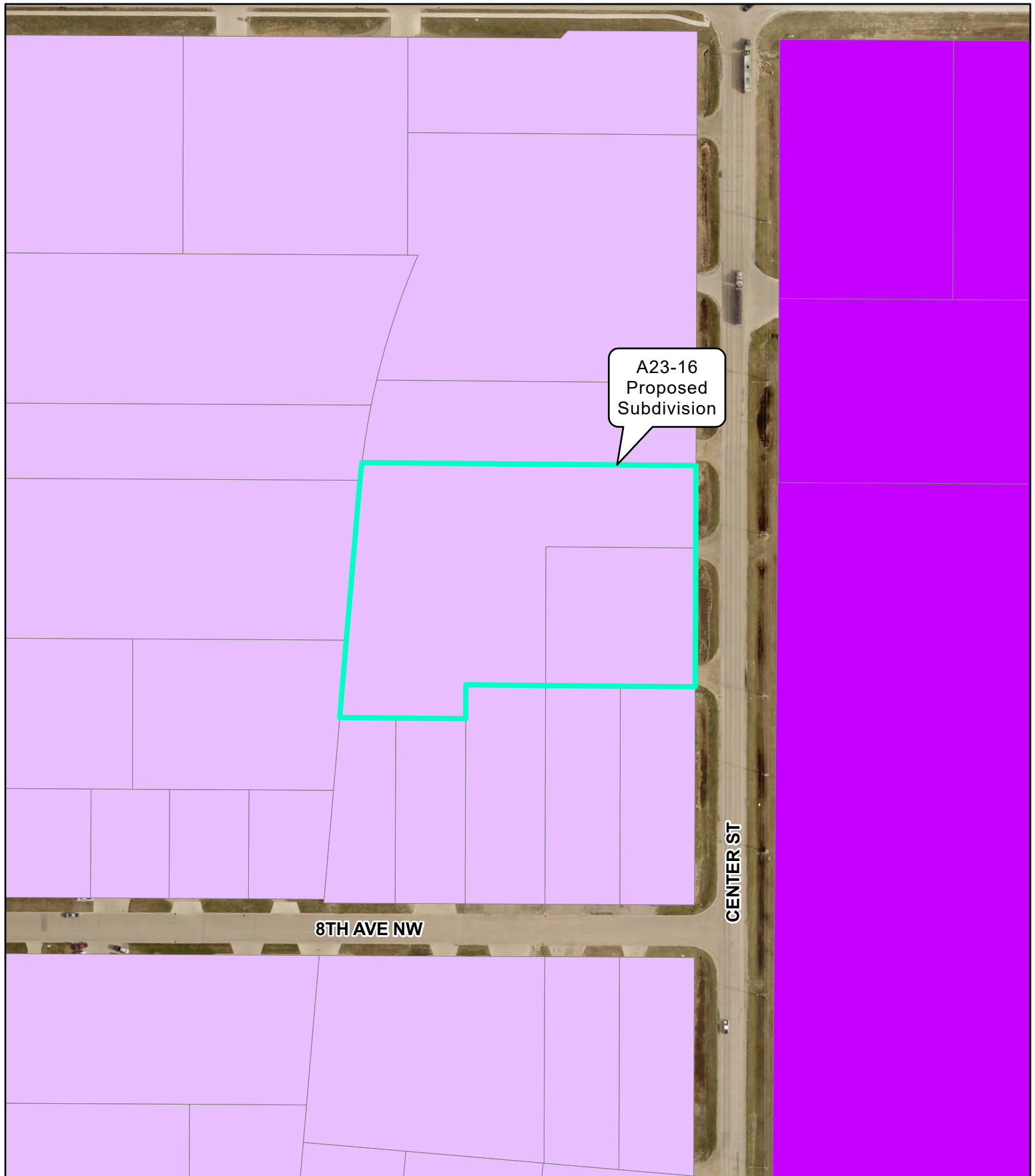
12TH AVE NW

12TH AVE NE

8TH AVE NW

CENTER ST

A23-16
Proposed
Subdivision



A23-16
Proposed
Subdivision

8TH AVE NW

CENTER ST

West Fargo Zoning

- A: Agricultural
- C: Light Commercial
- C-OP: Commercial Office Park
- DMU: Downtown Mixed Use
- EMU: Entertainment Mixed Use
- HC: Heavy Commercial

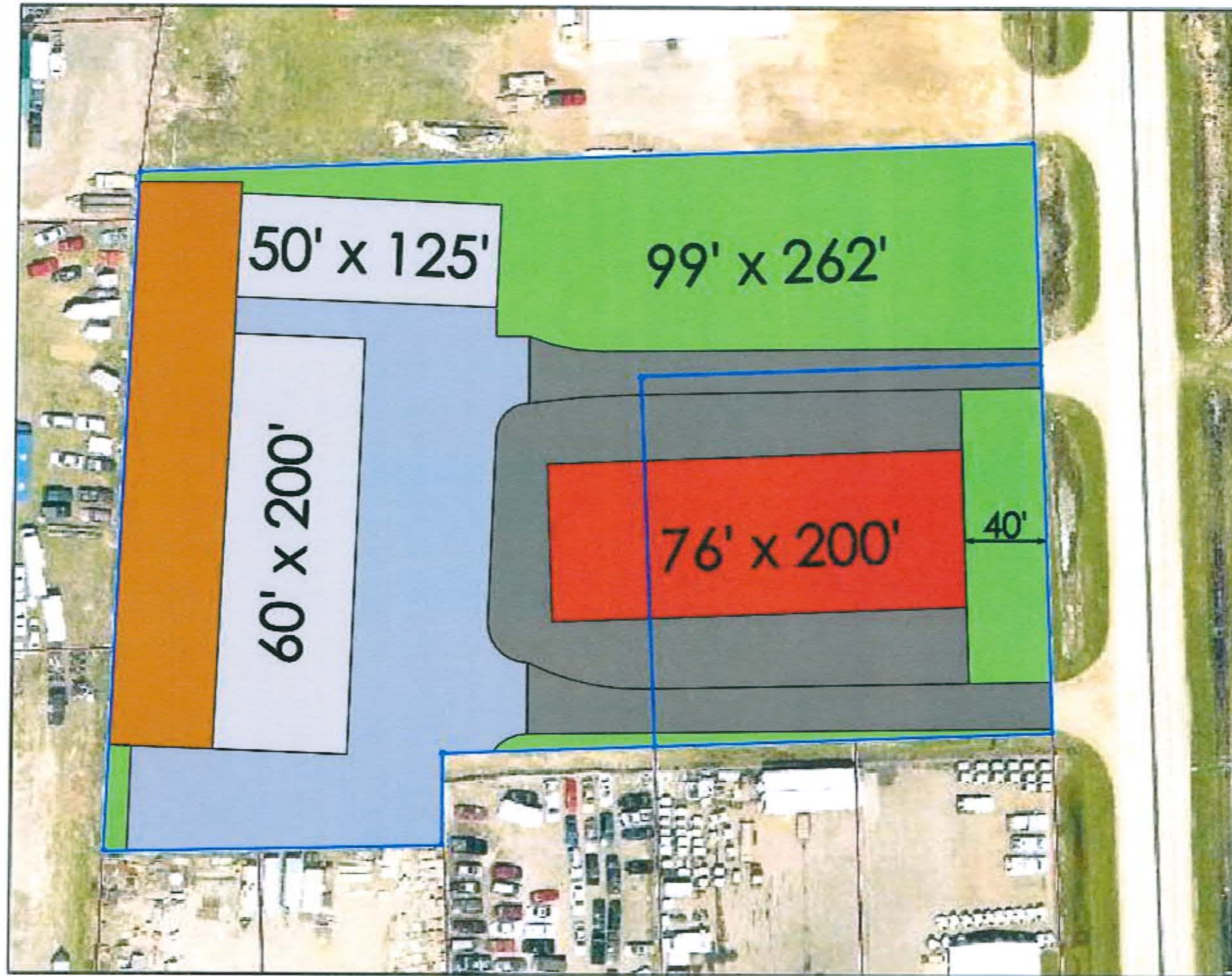
- LI: Light Industrial
- M: Heavy Industrial
- P: Public
- PUD: Planned Unit Development
- R-L1A: Large Lot Single Family Dwelling
- R-1A: Single Family Dwelling
- R-1: One and Two Family Dwelling

- R-1SM: Mixed One and Two Family Dwelling
- R-2: Limited Multiple Dwelling
- R-3: Multiple Dwelling
- R-4: Mobile Home
- R-5: Manufactured Home Subdivision
- R-1E: Rural Estate
- R-R: Rural Residential



0 150 300 US Feet

Site Map



Aerial per County. Property consists of 2 parcels, that function as 1 and are appraised as such.

STAFF REPORT

A23-18 ACCESS REQUEST	
Sterling Industrial Park 1 st Addition	
640 16 St NE (Lot 3, Block 3, Sterling Industrial Park 1 st Addition)	
Applicant/Owner: Andrew Thill, Lowry Engineering/RED RIVER REGIONAL MARKSMANSHIP CENTER INC	Staff Contact: Aaron Nelson
Planning & Zoning Commission:	06-13-2023
City Commission:	

PURPOSE:

Request driveway access onto a minor arterial roadway.

STATEMENTS OF FACT:

Land Use Classification:	G-2 Sub-Urban – Growth Sector
Existing Land Use:	Vacant
Current Zoning District(s):	M: Heavy Industrial
Zoning Overlay District(s):	None
Total area size:	3.44 Acres
Adjacent Zoning Districts:	North – M: Heavy Industrial South – M: Heavy Industrial West – M: Heavy Industrial East – M: Heavy Industrial
Adjacent street(s):	7 th Ave NE (Minor Arterial); 16 th St NE (Local)
Adjacent Bike/Pedestrian Facilities:	None
Available Parks/Trail Facilities:	Not applicable
Park Dedication Requirements:	Not applicable

DISCUSSION AND OBSERVATIONS:

- Section 2-0119 of the City Ordinances requires City Commission approval upon recommendation of the Planning & Zoning Commission for access to arterial and collector roadways.
- The applicant is requesting a driveway access onto 7th Ave NE, a minor arterial street.
- The applicant is making this request in conjunction with a building expansion at the subject property. The applicant intends to construct a new parking lot on the west side of the expanded building, which would access onto 7th Ave NE.
- Staff has reviewed the request, which meets minimum spacing requirements as currently outlined within the subdivision ordinance.
- Staff notes that 7th Avenue is scheduled to be reconstructed in 2025. Although the proposed driveway would provide for full access turning movements as currently designed, staff notes that turning movements could be restricted if/when warranted in the future, such as with the addition of a center median along 7th Ave NE.

STAFF REPORT

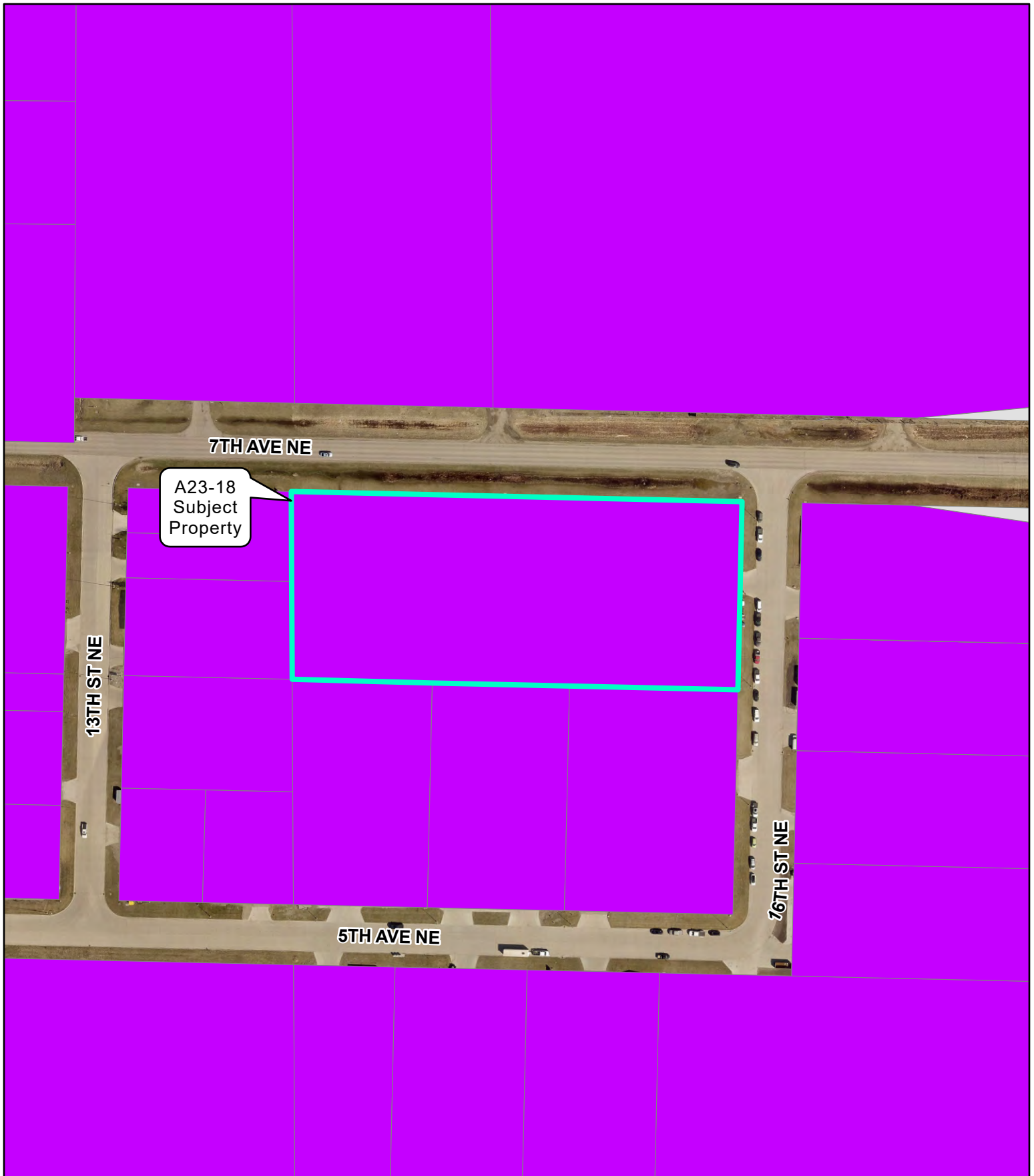
RECOMMENDATION:

It is recommended that the City approve the proposed access onto 7th Ave NE as the proposal complies with applicable ordinances.

Attachments:

- Aerial Map
- Zoning Map
- Applicant's sight plan, illustrating proposed access location.





West Fargo Zoning

- A: Agricultural
- C: Light Commercial
- C-OP: Commercial Office Park
- DMU: Downtown Mixed Use
- EMU: Entertainment Mixed Use
- HC: Heavy Commercial

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- R-1E: Rural Estate
- R-R: Rural Residential



0 150 300 US Feet



BENCHMARK 1: TOP NUT OF EXISTING HYDRANT 124' EAST OF NORTHWEST PROPERTY CORNER
ELEVATION 585.00
BENCHMARK 2: TOP NUT OF EXISTING HYDRANT 125' WEST OF NORTHEAST PROPERTY CORNER
ELEVATION 585.71
BENCHMARK 3: TOP NUT OF EXISTING HYDRANT 70' NORTH OF SOUTHEAST PROPERTY CORNER
ELEVATION 585.00
BENCH OF BEARING: CITY OF FARGO GROUND COORDINATE SYSTEM

CALL BEFORE YOU DIG
NORTH DAKOTA
UTILITIES UNDERGROUND LOCATION SERVICE
1-800-795-6853



EDUCATION & TRAINING
CENTER EXPANSION
WEST FARGO, ND

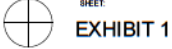


REVISION	NO.	DATE	DESCRIPTION

COPYRIGHT © 2014
FOR ARCHITECTURE + INTERIORS

PROJECT NUMBER: 2014
SCALE: AS SHOWN
DATE: 06/01/2014
DRAWN: ECH

OVERALL
SITE
PLAN



SHEET:
EXHIBIT 1

FACT SHEET

WEST FARGO PLANNING AND ZONING COMMISSION

June 13, 2023

Simple Lot Split – Lots 15 & 16, Block 1 of The Wilds 2nd Addition, City of West Fargo, North Dakota

The applicant is proposing to split off a portion from the south side of Lot 16 and add it to the south side of Lot 15. The extra square footage is needed for the proposed swimming pool and accessory building on the lot to comply with side-yard setback requirements. The applicant eventually intends to sell the vacant lot to the north.

Lot 15 would have 18,018 square feet of area and Lot 16 would have 13,694 square feet of area which would still meet the minimum side yard setback requirements.

The applicant has had the property surveyed for the lot split to provide for proper legal descriptions and lot areas. The City has requested in the past that the applicant include both parcels within the same deed, so the small parcel does not stand as a separate parcel. The developer is in agreement with this.

Property owners within 150' and Applicable agencies and departments were notified. No comments to date have been received.

Staff recommends approval of the simple lot split on the basis that it is consistent with City plans and ordinances.

Attachments:

- Aerial map
- Zoning map
- Site plan
- Certificate of Survey
- Certificate of Approval



A23-20
Subject
Property

MULBERRY LN

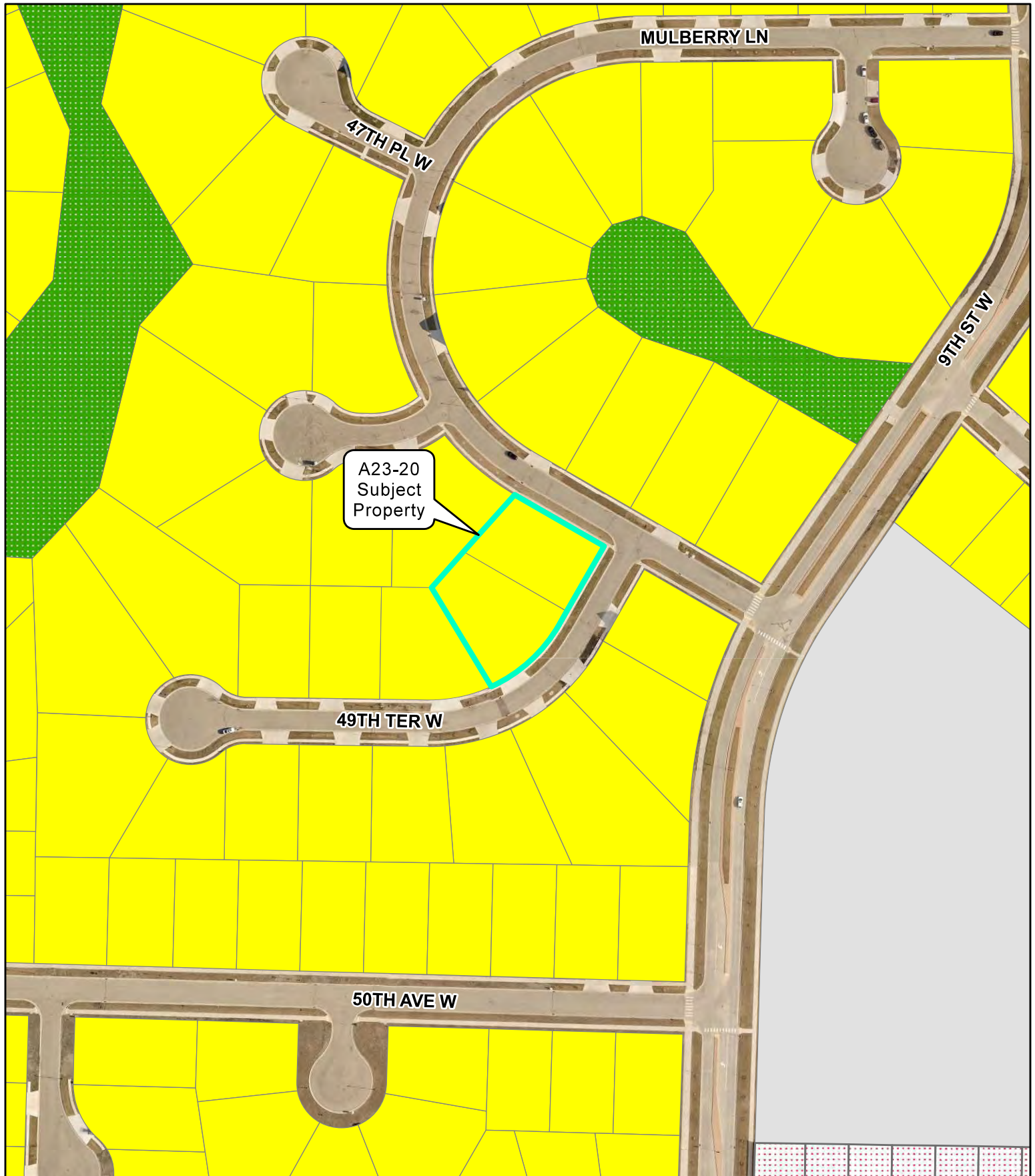
47TH PL W

9TH ST W

49TH TER W

50TH AVE W

PRAIRIE GREEN CT W



West Fargo Zoning

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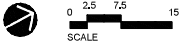
0 150 300 US Feet

TOLLEFSON RESIDENCE

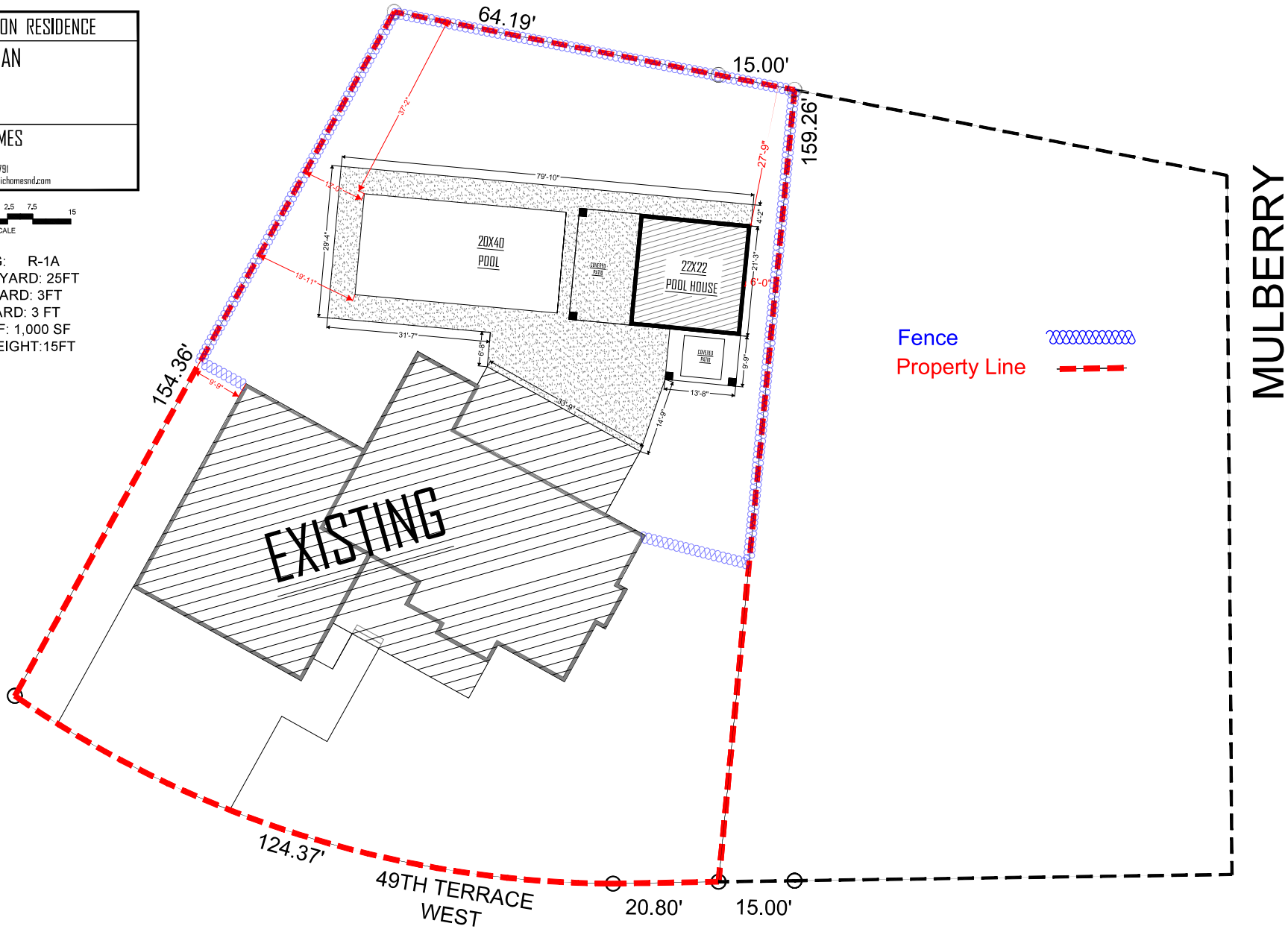
SITE PLAN

EPIC HOMES

Taylor Balk
Phone: 701.530.7791
Email: Taylor@epichomesnd.com



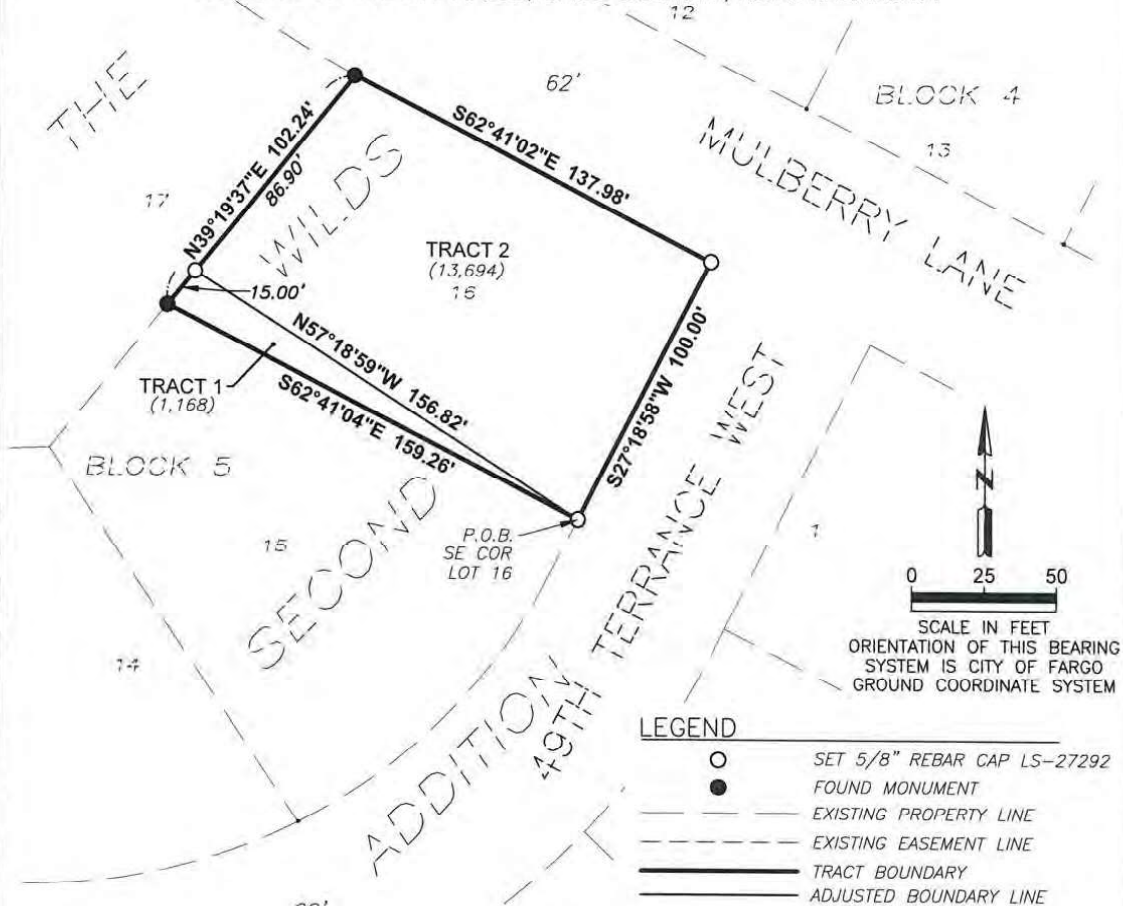
ZONING: R-1A
FRONT YARD: 25FT
REAR YARD: 3FT
SIDE YARD: 3 FT
MAX. SF: 1,000 SF
MAX. HEIGHT: 15FT



C:\Users\RUN\Documents\SURVEY\01_Projects\23-070 Tollefson Lot Split - Wilds Second Addition - West Fargo.dwg Plot Date & Time: 16 May 2023 3:08 PM

CERTIFICATE OF SURVEY

LOTS 15 & 16, BLOCK 1 OF THE WILDS SECOND ADDITION TO
THE CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA



DESCRIPTION - TRACT 1

That part of Lot 16, Block 5 of The Wilds Second Addition to the City of West Fargo, Cass County, North Dakota lying southerly of the following described line:

Beginning at the southeast corner of said Lot 16; thence North 57 degrees 18 minutes 59 seconds West, a distance of 156.82 to the west line of said lot and said line there terminating
Tract Contains 1,168 square feet, more or less.

DESCRIPTION - TRACT 2

That part of Lot 16, Block 5 of The Wilds Second Addition to the City of West Fargo, Cass County, North Dakota lying northerly of the following described line:

Beginning at the southeast corner of said Lot 16; thence North 57 degrees 18 minutes 59 seconds West, a distance of 156.82 to the west line of said lot and said line there terminating
Tract Contains 11,508 square feet, more or less.

CERTIFICATION

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly registered Professional Land Surveyor under the laws of the State of North Dakota.

Joshua J. Nelson, PLS

Reg. No. LS-27292

DATE: 5/17/23

State of North Dakota)
County of Cass) SS

On this 18th day of May 2023, before me personally appeared Joshua J. Nelson, 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

TRACY GOODMAN
Notary Public
State of North Dakota
My Commission Expires Oct. 27, 2023



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

CLIENT NAME	TOLLEFSON	PROJECT TITLE	CERTIFICATE OF SURVEY	DRAWN BY	CHK'D BY	APP'D BY	DATE
	1020 49TH TRAIL WEST			JUN	JUN	JUN	16-MAY-2023
	WEST FARGO, ND 58078			PROJECT NO.	SCALE	SHEET NO.	1" = 50'
				23-070			1 OF 1



www.westfargond.gov

Aaron Nelson AICP, Director of Planning and Zoning
Lisa Sankey, Planner

CERTIFICATE OF APPROVAL

SIMPLE LOT SPLIT

CITY OF WEST FARGO, NORTH DAKOTA

We hereby certify that _____ has applied for a simple lot split in accordance with ordinance requirements of the City of West Fargo. Following review, approval of this application was made by the Planning Commission on _____.

_____	Deputy City Auditor	_____, 20__
_____	City Planner	_____, 20__
_____	Planning Commission Chairperson	_____, 20__

Legal Description of Property: See Attached Survey.
