



*Aaron Nelson, AICP Director of Planning and Zoning
Steve Iverson, Senior Planner
Lisa Sankey, Planner
Breanna Siegler, Office Coordinator*

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West Fargo Planning & Zoning Commission Agenda

Tuesday, February 10th, 2026 - 5:30 p.m.

- A. Call to Order
- B. Approval of Order of Agenda
- C. Approval of Minutes- January 13, 2026
- D. Commissioner Membership Introduction
 - 1. Welcome Joseph Haj as our new Planning & Zoning Commissioner!
- E. Regular Agenda
 - 1. Public Hearing- A26-2 ARD Properties 1st Addition, a request for Subdivision and Conditional Use Permit (CUP) to allow for crushing and stockpiling of sand, gravel or fill dirt, and any other materials at 1001 12th Ave NE (NW ¼ of Section 4, T139N, R49W)- Iverson
- E. Non-Agenda Items
- F. Adjourn from Regular Agenda



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West Fargo Planning & Zoning Commission Meeting Minutes
Tuesday, January 13th, 2026 - 5:30 p.m.

Members Present: Kathi Schwan, Alyssa Ommen, Chris Wehri, Mike Thorstad, Dave Gust, Morgan Forness, Matt Kopp

Members Absent: None

Others Present: Aaron Nelson, Lisa Sankey, Steve Iverson, Katie Schmidt, Jerry Wallace, Breanna Siegler

Minutes Submitted by: Breanna Siegler, Office Coordinator

The meeting was called to order by Vice-Chair Thorstad at 5:30pm. Vice-Chair Thorstad asked for approval of the order of the agenda. Commissioner Gust motioned to approve; Commissioner Schwan seconded. No opposition. Motion passed.

Vice-Chair Thorstad asked for a motion to approve the meeting minutes from December 9, 2025. Commissioner Kopp moved and Commissioner Ommen seconded a motion to approve the meeting minutes from December 9, 2025. No opposition. Motion passed.

Vice-Chair Thorstad opened the regular agenda by introducing the election of a new Commission Chair and Vice-Chair. Director Nelson provided an overview of the responsibilities of the positions for the one-year term. Vice-Chair Thorstad opened nominations for Commission Chair. Commissioner Gust nominated Mike Thorstad as Commission Chair. Commissioner Schwan seconded. Vice-Chair Thorstad asked for any other nominations. None were made. Motion passed with a roll call vote of 7-0 in favor. Commissioner Wehri nominated Commissioner Gust as Vice-Chair. Commissioner Forness seconded. No other nominations. Roll call vote 7-0 in favor. Motion passed.

Newly elected Chair Thorstad opened a public hearing for A26-1 Sukuts 2nd Addition, a request for Conditional Use Permit (CUP) to allow an illuminated sign in an R-1 (One- and Two-Family Dwelling) Zoning District located at 127 2nd Ave E, (Lots 1-10, Block 14 Sukuts 2nd Less N 30'). Staff received one letter of opposition prior to the meeting. Chair Thorstad opened the floor for public comment. One comment was brought forth. Chair Thorstad closed the public hearing. Discussion held. Commissioner Gust motioned to approve the application with the three conditions listed in the staff report. Commissioner Ommen seconded. Roll call vote 7-0 in favor. Motion passed.

Chair Thorstad opened the floor to review and approve the 2026 Planning & Zoning Commissioner meeting dates. Director Nelson asked if the commission had any concerns. No concerns or conflicts were mentioned. The meeting dates will proceed as presented in the packet.



Chair Thorstad invited Director Nelson to the floor to review the 2026 work program. Director Nelson gave an overview of the 2026 work program document provided in the packet.

Chair Thorstad opened the floor for non-agenda items. None were brought forth.

Chair Thorstad asked for a motion to adjourn from the regular agenda. Commissioner Forness moved to adjourn. Commissioner Wehri seconded. No opposition. Motion passed. Chair Thorstad adjourned from the regular agenda at 5:57pm

CITY OF WEST FARGO PLANNING & COMMUNITY DEVELOPMENT

STAFF REPORT

A26-2		SUBDIVISION/CONDITIONAL USE PERMIT	
ARD Properties First Addition			
NW ¼ Section 4, T139N, R49W, City of West Fargo, North Dakota			
Applicant: Trent Duda, ARD Properties LLC & Brian Pattengale, Houston Engineering Owner: ARD Properties LLC		Staff Contact: Steve Iverson	
Planning & Zoning Commission Public Hearing:		2-10-26	
City Commission Approval:			

PURPOSE:

Plat of four Lots and two Blocks to support industrial uses and a Conditional Use Permit to allow crushing and stockpiling of sand, gravel or fill dirt and any other materials on the proposed Lot 3, Block 2. The proposed plat is located at 1001 12th Avenue NE.

STATEMENTS OF FACT:

Land Use Classification:	G-3: Employment Growth Sector - Existing
Existing Land Use:	Vacant
Current Zoning District(s):	M – Heavy Industrial
Zoning Overlay District(s):	Redevelopment Corridor Overlay District
Proposed Zoning District(s):	M – Heavy Industrial
Proposed Lot size(s) or range:	Lot 1 Block 1 8.69 acres; Lot 1 Block 2 11.65 acres; Lot 2 Block 2 6.29 acres; Lot 3 Block 2 18.44 acres
Total area size:	49.46 Acres including rights of way
Adjacent Zoning Districts:	The proposed plat is surrounded by M – Heavy Industrial Zoning
Adjacent/Proposed street(s):	Adjacent 9 th Street NE (arterial); 12 th Ave NE (arterial) Proposed 11 th Avenue NE (local); 10 th Street NE (local)
Adjacent Bike/Pedestrian Facilities:	Existing multi-use path along the north side of 12 th Avenue NE; a proposed multi-use path located along west side of 9 th Street NE as part of 9 th Street NE reconstruction in 2026.
Available Parks/Trail Facilities:	Trails as mentioned above adjacent 12 th Avenue Northeast and future trail along 9 th Street NE. There is no existing parkland in this heavily industrial area.
Land Dedication Requirements:	Payment in lieu of dedication is requested by West Fargo Park District. 60-65’ of Right of Way along 9 th Street NE and 60’ along 9 th Street NE at the connection to Lot 3, Block 2. Additional Right of Way dedication for provision of a cul de sac at 12 th Street NE. 80’ dedications of Right of Way for 11 th Avenue NE and 10 th Street NE.

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DISCUSSION AND OBSERVATIONS:

- The applicant has applied for subdivision and Conditional Use Permit to accommodate stockpiling and crushing of aggregate materials on the proposed Lot 3, Block 2. Stockpiling of sand, gravel or fill dirt or any other materials is a conditional use in M -Heavy Industrial zoning per §4-429.3.8 of City Code.
- As part of the subdivision approval, the applicant will be required to enter into a subdivision improvement agreement that will specify details related to the public improvements necessary to service the development, as well as related items such as wetland mitigation, utility services, and stormwater retention requirements as examples.

Dedications

- The Preliminary Plat includes four Lots on two Blocks.
- The plat contains a 60-65' wide dedication along the west side of the development which provides necessary right of way for 9th Street NE. It also includes a 60'x52.29' dedication to connect 9th Street NE to the westerly panhandle of Lot 3, Block 2.
- Further, the plat dedicates 11th Avenue NE and 10th Street NE as 80' local streets.
- A cul de sac bulb is platted at the end of 12th Street NE to accommodate fire/emergency services turn around.
- Additionally, the plat contains an approximately 114 s.f. triangle of land and an existing 155'x160' roadway easement at the northwest corner of the proposed Lot 1 Block 1 to be included as 12th Avenue/9th Street NE dedication. This is to provide adequate right of way supporting the southeast portion of the existing roundabout at the intersection of 9th Street and 12th Avenue NE.
- No additional right-of-way is necessary to accommodate the proposed plat other than items listed above.
- As part of the subdivision process, public dedication of 5% of the property being platted is a requirement. A letter from the Park District was received noting their preference for cash-in-lieu for land. Public dedication requirements will be detailed within a public dedication agreement to accompany the final plat.

Easements & Public Infrastructure

- The northwest portion of Lot 1, Block One currently has an existing methane gas pipeline bisecting the northwest corner of the lot. The pipeline is planned to be relocated closer to the 12th Avenue/9th Street NE rights of way in 2026.
- A Magellan pipeline easement bisects the proposed Lot 1, Block 1 from north to south. At the time of this report, the width is not confirmed but is assumed to be consistent with other plats in the immediate area that contain this pipeline.
- A 50' Cenex Pipeline easement runs through the southeast corner of the proposed Lot 3, Block 2.
- Access control is shown on the plat along 12th Avenue NE with one opening for the proposed 10th Street NE. This access will need to match an existing access on the north side of 12th Avenue NE in accordance with Section 4-0405.3.J of City Code. Access control is also shown along 9th Street NE with an access opening at 11th Avenue NE.
- Access control is also necessary 150' from 9th Street NE at 11th Avenue NE and from 12th Avenue NE at 10th Street NE.
- The plat provides 10' public utility easements adjacent all Rights of Way

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- Easements will need to be provided to support extension of a watermain and sanitary sewer to 12th Street NE where sanitary sewer and possibly water mains will cross Lot 1 Block 2 and the property line between Lots 2 and 3 Block 2 .
- Sanitary sewer, water, and storm sewer utilities can be accessed from 9th Street NE. New utility lines to service the subdivision are proposed to be installed within existing and proposed rights of way as illustrated on the attached utility plan. The utility layout and associated public improvements will need to be further vetted by staff prior to approval of the final plat.

Zoning & Proposed Uses

- The subdivision is currently located within the M (Heavy Industrial) zoning district. No changes are proposed to the existing M zoning district.
- The applicant has stated he intends to sell Lot 1 Block 1 and Lot 1, Block 2 for future industrial development.
- The applicant intends to construct an office and shop for their industrial contracting operations to be constructed on Lot 2, Block 2 in the future.
- The applicant has applied for a Conditional Use Permit in order to use Lot 3, Block 2 for aggregate storage and stockpiling and occasional concrete crushing operations.
- While the City has received written letters in opposition to the proposed use of the property for aggregate stockpiling and concrete crushing, staff notes that this property is located within the City's most intensive industrial zoning district: M (Heavy Industrial).
- Staff finds the proposed conditional use to be consistent with the stated purpose of the M (Heavy Industrial) zoning district, however staff also finds it necessary to place certain conditions on the proposed use in order to help mitigate potential impacts to adjacent properties.
- For background reference, the City of Fargo allows mining by right in their most intensive zone, GI, and the City of Bismarck allows sand and gravel processing by right in their most intensive district, MB.

CRITERIA FOR GRANTING CONDITIONAL USE PERMIT:

- Regarding the Conditional Use Permit, the applicant intends to stockpile and crush aggregate materials on the proposed Lot 3 Block 2. Crushing/stockpiling of sand, gravel or fill dirt and any other materials is allowed via Conditional Use Permit in the M (Heavy Industrial) zoning district per §4-429.3.8 of City Code. The stated intent of the M district is to establish and preserve areas for necessary industrial and related uses which due to their size and/or nature of operation, may have a significant impact on the environmental and social well-being of the City and therefore require isolation from many other kinds of land uses.
- 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.
 - Public improvements will be required along the new local streets 11th Avenue NE, 10th Street NE, and the existing 12th Street NE to service the proposed lots in the subdivision.
 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.

STAFF REPORT

3. Refuse and service areas, with particular reference to the items in (1) and (2) above.
 - No concerns noted.
4. Utilities, with reference to locations, availability, and compatibility.
 - A utility plan is included in the packet. Further review will be necessary by the Engineering Department to ensure functionality and required standards are met.
5. Screening and buffering with reference to type, dimensions, and character.
 - No concerns noted. Lot 3, Block 2 is located over 1,000 feet from any major roadways and is completely surrounded by other industrial uses within the M (Heavy Industrial) zoning district.
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 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.
 - Note similar operations are occurring to the east and southeast of Lot 3, Block 2 in the City of Fargo (adjacent to Kautzman’s First and 247.92’ from Galvanizers Addition that abuts Lot 3, Block 2). The City of Fargo landfill processes wood stumps by grinding them, in addition to the normal operation of Fargo’s landfill with large equipment handling solid waste which both create dust. Northern Improvement Company also operates a crushing and stockpiling yard to the Southeast of the site along 7th Avenue North in Fargo.
 - This site is over 3,000 feet (about three-quarters of a mile) from the nearest residential zoning district.
 - The City has received written opposition to the proposed CUP from adjacent property owners, as noted in the “Notices” section below. These letters are attached. Staff is recommending several conditions of approval to help address noted concerns.

NOTICES:

Sent to: Property owners within 350’ and applicable agencies and departments

Comments Received:

- Five attached letters/emails of protest have been received at the time of this report.
 - The protests were primarily related to dust, noise, and additional truck traffic.
- One phone call was received with concerns over dust, noise, and access to his property during 9th Street NE reconstruction.
- One letter of support was received.

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

- Overall, the proposed development is consistent with City plans and ordinances. The stated intent of the M district is to establish and preserve areas for necessary industrial and related uses which due to their size and/or nature of operation, may have a significant impact on the environmental and social well-being of the City and therefore require isolation from many other kinds of land uses.
- The proposed Conditional Use Permit to allow concrete crushing, stockpiling of sand, gravel or fill dirt and any other materials is consistent with existing zoning of existing and abutting property and the industrial nature of the area.
- The proposed subdivision complies with applicable subdivision standards and accommodates opportunity for public utility connectivity for adjacent undeveloped areas via dedication of easements and rights of way.
- The proposed subdivision is consistent with West Fargo 2.0 and its designation of this area being G-3, and existing employment growth sector area.

RECOMMENDATIONS:

It is recommended that the City approves the proposed subdivision and Conditional Use Permit on the basis that they are consistent with City plans and ordinances with the following conditions:

CUP Conditions:

- The applicant obtains a Construction Stormwater Permit and Civil Site Permit from the City Engineering Department prior to commencing any crushing or stockpiling on Lot 3, Block 2.
- The applicant obtains an Air Quality Permit from the North Dakota Department of Environmental Quality.
- Stockpiling and crushing operations must be in compliance with all local, State & Federal air quality requirements.
- No crushing when sustained windspeeds exceed 15 mph as measured at the nearest National Weather Service reporting station.
- Crushing operations are limited to no more than a total of 28 individual days each calendar year.
- The use of a water spray dust suppression system must be used during crushing operations. The dust suppression system must be properly sized to meet industry standards.
- Site and operations to be consistent with information in Planning and Zoning and City Commission packets.
- Crushing operations must be set back at least 200 feet from all property lines of Lot 3, Block 2.
- Hours of operation are limited to 7am – 10pm.

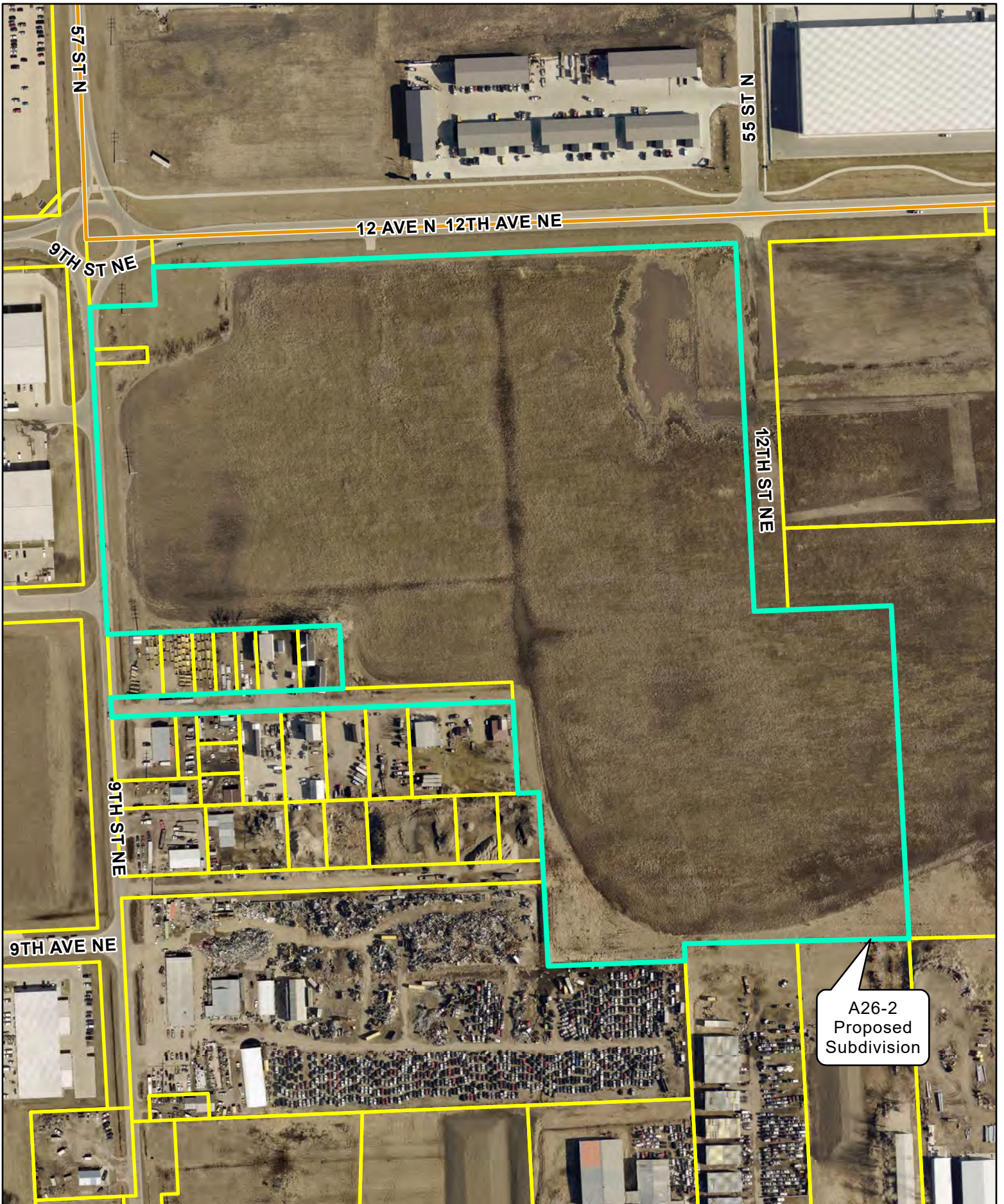
Subdivision Conditions:

- The applicant continues to work with staff as to the details of the public improvements in relation to the plat and that a signed Public Dedication Agreement and a signed Subdivision Development Agreement are submitted prior to final plat approval, outlining such details.

STAFF REPORT

Attachments

1. Aerial map
2. Zoning map
3. Preliminary Plat
4. Area Plan
5. Proximity map
6. Preliminary Utility and Drainage Plan
7. CUP Site Plan
8. Cash payment in lieu of dedication letter from West Fargo Park District.
9. Public Comments



Features

- Agenda Zone
- City Limits





A26-2
Proposed
Subdivision

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

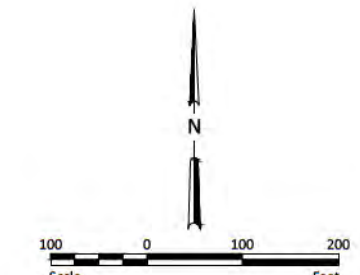
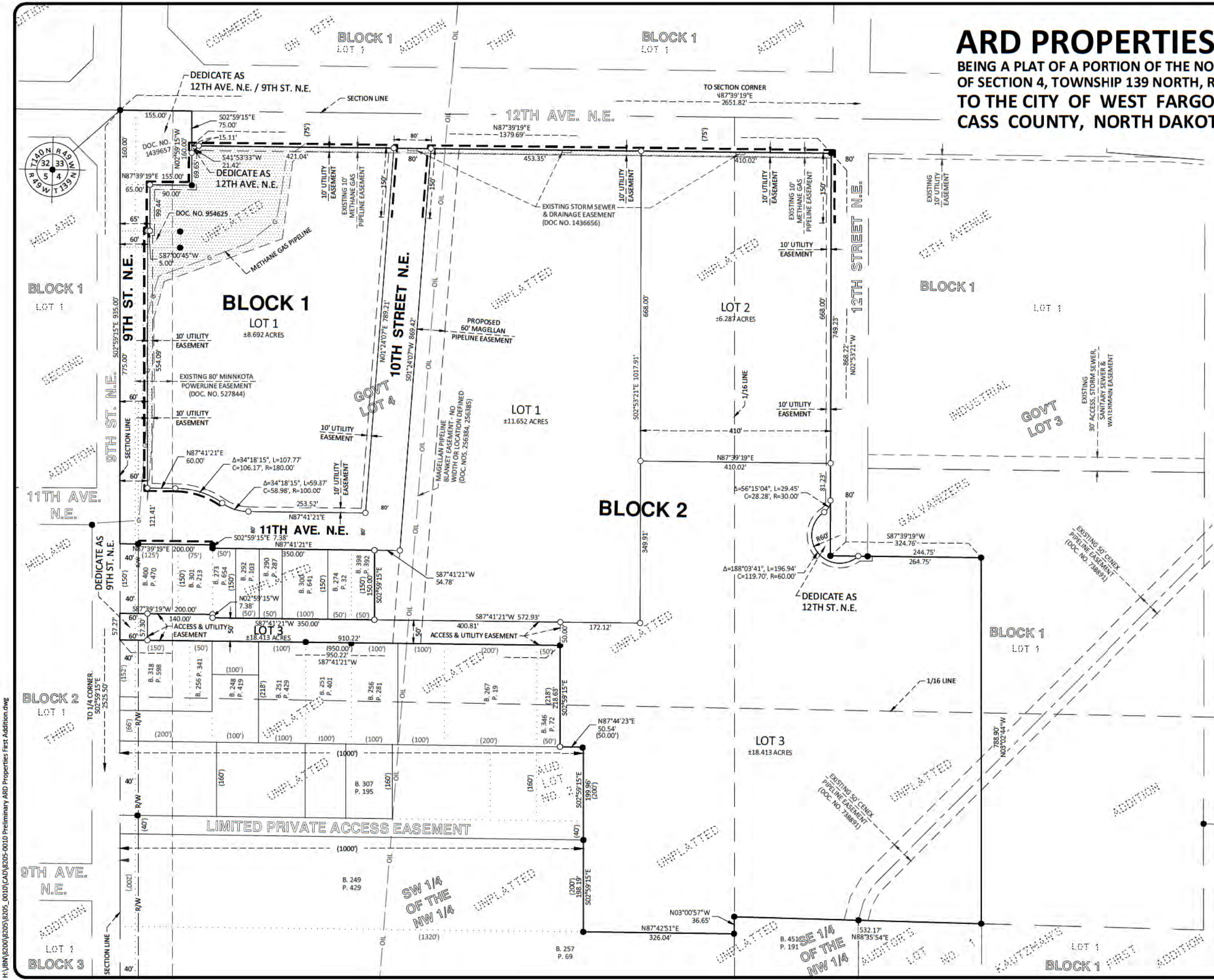
N

0
175
350

US Feet

ARD PROPERTIES FIRST ADDITION

BEING A PLAT OF A PORTION OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 139 NORTH, RANGE 49 WEST TO THE CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA



LEGEND

IRON MONUMENT FOUND	●
1/2" I.D. PIPE SET	○
MEASURED BEARING	N00°00'00"E
PLAT OR RECORDED BEARING	(N00°00'00"E)
MEASURED DISTANCE	100.00'
PLAT OR RECORDED DISTANCE	(100.00')
PLAT BOUNDARY	—————
EXISTING PLATTED LOT LINE	—————
HISTORIC TRACT LINE
NEW EASEMENT	- - - - -
EXISTING EASEMENT	- - - - -
ACCESS CONTROL	—————
EXISTING METHANE GAS PIPELINE EASEMENT (DOC. NO. 1748924)	▨

BEARINGS SHOWN ARE BASED ON THE WEST FARGO COORDINATE SYSTEM.

PRELIMINARY PLAT



H:\B\8205\8205_0010\CAD\8205-0010 Preliminary ARD Properties First Addition.dwg

OWNER'S CERTIFICATE AND DEDICATION:

KNOW ALL PERSONS BY THESE PRESENTS: That the City of West Fargo a municipal corporation; and ARD Properties, LLC, a North Dakota limited liability company, are the owners and proprietors; and RBNF Real Estate LLC, a North Dakota limited liability company, is the mortgagee; of that part of the Northwest Quarter of Section 4, Township 139 North, Range 49 West of the Fifth Principal Meridian, in the City of West Fargo, Cass County, North Dakota, described as follows:

Commencing at the northwest corner of said Northwest Quarter, thence North 87°39'19" East, along the northerly line of said Northwest Quarter, for a distance of 155.00 feet to the northeast corner of a tract described in Document No. 1439657, on file at the Cass County Recorder's Office; thence South 02°59'15" East along the easterly line of a tract described in said Document No. 1439657, for a distance of 75.00 feet to a point of intersection with the southerly line of the North 75.00 feet of said Northwest Quarter and the True Point of Beginning; thence continue South 02°59'15" East, along the easterly line of a tract described in said Document No. 1439657, for a distance of 85.00 feet to the southeast corner of a tract described in said Document No. 1439657; thence South 87°39'19" West, along the southerly line of a tract described in said Document No. 1439657, for a distance of 155.00 feet to a point of intersection with the westerly line of said Northwest Quarter; thence South 02°59'15" East, along the westerly line of said Northwest Quarter, for a distance of 775.00 feet to the northeast corner of a tract described in Book 400, Page 470, on file at said Recorder's Office; thence North 87°39'19" East, along the northerly line of a tract described in said Book 400, Page 470, and along the northerly line of a tract described in Book 301, Page 213, on file at said Recorder's Office, for a distance of 200.00 feet to the northeast corner of a tract described in said Book 301, Page 213; thence South 02°59'15" East, along the easterly line of a tract described in said Book 301, Page 213, for a distance of 7.38 feet to the northwest corner of a tract described in Book 273, Page 654, on file at said Recorder's Office; thence North 87°41'21" East, along the northerly line of a tract described in said Book 273, Page 654, and along the northerly line of tracts described in Book 292, Page 103; Book 290, Page 287; Book 300, Page 641; Book 274, Page 32; and Book 398, Page 392, all on file at said Recorder's Office, for a distance of 350.00 feet to the northeast corner of a tract described in said Book 398, Page 392; thence South 02°59'15" East, along the easterly line of a tract described in said Book 398, Page 392, for a distance of 150.00 feet to the southeast corner of a tract described in said Book 398, Page 392; thence South 87°41'21" West, along the southerly line of the tracts described in said Book 398, Page 392; Book 274, Page 32; Book 300, Page 641; Book 290, Page 287; Book 292, Page 103, and Book 273, Page 654, for a distance of 350.00 feet to the southwest corner of a tract described in said Book 273, Page 654; thence North 02°59'15" West, along the westerly line of a tract described in said Book 273, Page 654, for a distance of 7.38 feet to the southeast corner of a tract described in said Book 301, Page 213; thence South 87°39'19" West, along the southerly line of tracts described in said Book 301, Page 213; and said Book 400, Page 470; for a distance of 200.00 feet to a point of intersection with the westerly line of said Northwest Quarter; thence South 02°59'15" East, along the westerly line of said Northwest Quarter, for a distance of 57.27 feet to the northwest corner of a tract described in Book 318, Page 598, on file at said Recorder's Office; thence North 87°41'21" East, along the northerly line of a tract described in said Book 318, Page 598, and along the northerly line of tracts described in Book 256, Page 341; Book 248, Page 419; Book 251, Page 429; Book 251, Page 401; Book 256, Page 281; Book 267, Page 19; and Book 346, Page 72, all on file at said Recorder's Office, for a distance of 950.22 feet to the northeast corner of a tract described in said Book 346, Page 72; thence South 02°59'15" East, along the easterly line of a tract described in said Book 346, Page 72, for a distance of 218.63 feet, to a point of intersection with the northerly line of a tract described in Book 307, Page 195, on file at said Recorder's Office; thence North 87°44'23" East, along the northerly line of a tract described in said Book 307, Page 195, for a distance of 50.54 feet to the northeast corner of a tract described in said Book 307, Page 195; thence South 02°59'15" East, along the easterly line of a tract described in said Book 307, Page 195, for a distance of 199.96 feet to the southeast corner of a tract described in said Book 307, Page 195, said southeast corner also being the northeast corner of a tract described in Book 249, Page 429, on file at said Recorder's Office; thence continue South 02°59'15" East, along the easterly line of a tract described in said Book 249, Page 429, for a distance of 198.19 feet to the southeast corner of a tract described in said Book 249, Page 429, said corner lying on the northerly line of a tract described in Book 257, Page 69, on file at said Recorder's Office; thence North 87°42'51" East, along the northerly line of a tract described in said Book 257, Page 69, for a distance of 326.04 feet to a point of intersection with the easterly line of the Southwest Quarter of said Northwest Quarter; thence North 03°00'57" West, along the easterly line of the Southwest Quarter of said Northwest Quarter, for a distance of 36.65 feet to the northwest corner of a tract described in Book 451, Page 191, on file at said Recorder's Office; thence North 88°35'54" East, along the northerly line of a tract described in said Book 451, Page 191, and along the northerly line of Auditor's Lot No. 1 of the Northwest Quarter of said Section 4, for a distance of 532.17 feet to the northwest corner of Kautzman's First Addition, said corner also being the southwest corner of Galvanizers Addition; thence North 03°02'44" West, along the westerly line of said Galvanizers Addition, for a distance of 788.90 feet; thence South 87°39'19" West, along the westerly line of said Galvanizers Addition for a distance of 324.76 feet; thence North 02°53'21" West, along the westerly line of said Galvanizers Addition and along the westerly line of 12th Avenue Industrial Addition, for a distance of 868.22 feet to a point of intersection with the southerly line of the northerly 75.00 feet of said Northwest Quarter; thence South 87°39'19" West, along the southerly line of the northerly 75.00 feet of said Northwest Quarter, for a distance of 1379.69 feet to the True Point of Beginning.

TOGETHER WITH

The tract of land described in Document No. 1439657, on file at said Recorder's Office and more particularly described as follows:

A parcel of land located in the Northwest Quarter of Section 4, Township 139 North, Range 49 West of the Fifth Principal Meridian, County of Cass, State of North Dakota, described as follows:

Beginning at the northwest corner of said Northwest Quarter; thence North 87 degrees 39 minutes 20 seconds East along the north line of said Northwest Quarter for a distance of 155.00 feet; thence South 02 degrees 57 minutes 30 seconds East parallel with the west line of said Northwest Quarter for a distance of 160.00 feet; thence South 87 degrees 39 minutes 20 seconds West parallel with the said north line for a distance of 155.00 feet to said west line; thence North 02 degrees 57 minutes 30 seconds West along said west line for a distance of 160.00 feet to the point of beginning.

Said tract contains 49.463 acres, more or less.

And that said parties have caused the same to be surveyed and platted as ARD PROPERTIES FIRST ADDITION to the City of West Fargo, Cass County, North Dakota; do hereby dedicate to the public, for public use, the streets, avenues, and utility easements as shown on this plat; and do hereby dedicate that part of Lot 3 designated on this plat as an "Access & Utility Easement", as an access easement and utility easement to the current and future owners of Lot 1 and Lot 3, and to the current and future owners of the properties directly adjoining said designated access and utility easement.

OWNER:

City of West Fargo, a municipal corporation
Owner of the tract of land described in Document No. 1439657, being a portion of this plat being dedicated as 9th St. N.E. and 12th Ave. N.E.

Bernie L. Dardis, President of the West Fargo City Commission
Dustin T. Scott, City Auditor

State of North Dakota)
County of Cass) ss

On this _____ day of _____, 20____, before me personally appeared Bernie L. Dardis, President of the West Fargo City Commission; and Dustin T. Scott, City Auditor, City of West Fargo, known to me to be the persons who are described in and who executed the within instrument and acknowledged to me that they executed the same on behalf of the City of West Fargo.

Notary Public: _____

ARD Properties, LLC, a North Dakota limited liability company
Owner of all of this property being platted less the tract of land described in Document No. 1439657

Trent Duda, President

State of North Dakota)
County of Cass) ss

On this _____ day of _____, 20____, before me personally appeared Trent Duda, President of ARD Properties, LLC, a North Dakota limited liability company, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same on behalf of said limited liability company.

Notary Public: _____

MORTGAGEE:

RBNF Real Estate LLC, a North Dakota limited liability company

Signed _____

Printed Name _____

Title _____

State of _____)
County of _____) ss

On this _____ day of _____, 20____, before me personally appeared _____ (name), _____ (title) of RBNF Real Estate LLC, a North Dakota limited liability company, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same on behalf of said limited liability company.

Notary Public: _____

SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT:

I, Curtis A. Skarphol, Professional Land Surveyor under the laws of the State of North Dakota, do hereby certify that I am the Professional Land Surveyor who prepared and made the attached plat of ARD PROPERTIES FIRST ADDITION to the City of West Fargo; that said plat is a true and correct representation of the survey thereof; that all distances are correctly shown on said plat; and that the monuments for the guidance of future surveys have been located or placed in the ground as shown.

Dated this _____ day of _____, 20____.

Curtis A. Skarphol
Professional Land Surveyor No. 4723

State of North Dakota)
County of Cass) ss

On this _____ day of _____, 20____, before me personally appeared Curtis A. Skarphol, Professional Land Surveyor, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same as his free act and deed.

Notary Public: _____

ARD PROPERTIES FIRST ADDITION

BEING A PLAT OF A PORTION OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 139 NORTH, RANGE 49 WEST TO THE CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA

CITY ENGINEER'S APPROVAL:

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

Jerrold F. Wallace, City Engineer

State of North Dakota)
County of Cass) ss

On this _____ day of _____, 20____, before me personally appeared Jerrold F. Wallace, West Fargo City Engineer, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same as City Engineer.

Notary Public: _____

WEST FARGO PLANNING COMMISSION APPROVAL:

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

Michael Thorstad, Chair
West Fargo Planning Commission

State of North Dakota)
County of Cass) ss

On this _____ day of _____, 20____, before me personally appeared Michael Thorstad, Chair, West Fargo Planning Commission, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same on behalf of the West Fargo Planning Commission.

Notary Public: _____

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 _____, 20____.

Katie J. Schmidt, City Attorney

State of North Dakota)
County of Cass) ss

On this _____ day of _____, 20____, before me personally appeared Katie J. Schmidt, City Attorney, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that she executed the same as City Attorney.

Notary Public: _____

WEST FARGO CITY COMMISSION APPROVAL:

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

Bernie L. Dardis, President of the West Fargo City Commission
Dustin T. Scott, City Auditor

State of North Dakota)
County of Cass) ss

On this _____ day of _____, 20____, before me personally appeared Bernie L. Dardis, President of the West Fargo City Commission; and Dustin T. Scott, City Auditor, City of West Fargo, known to me to be the persons who are described in and who executed the within instrument and acknowledged to me that they executed the same on behalf of the City of West Fargo.

Notary Public: _____

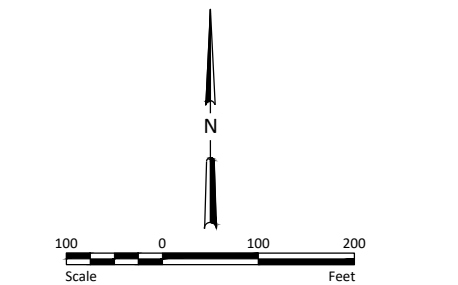
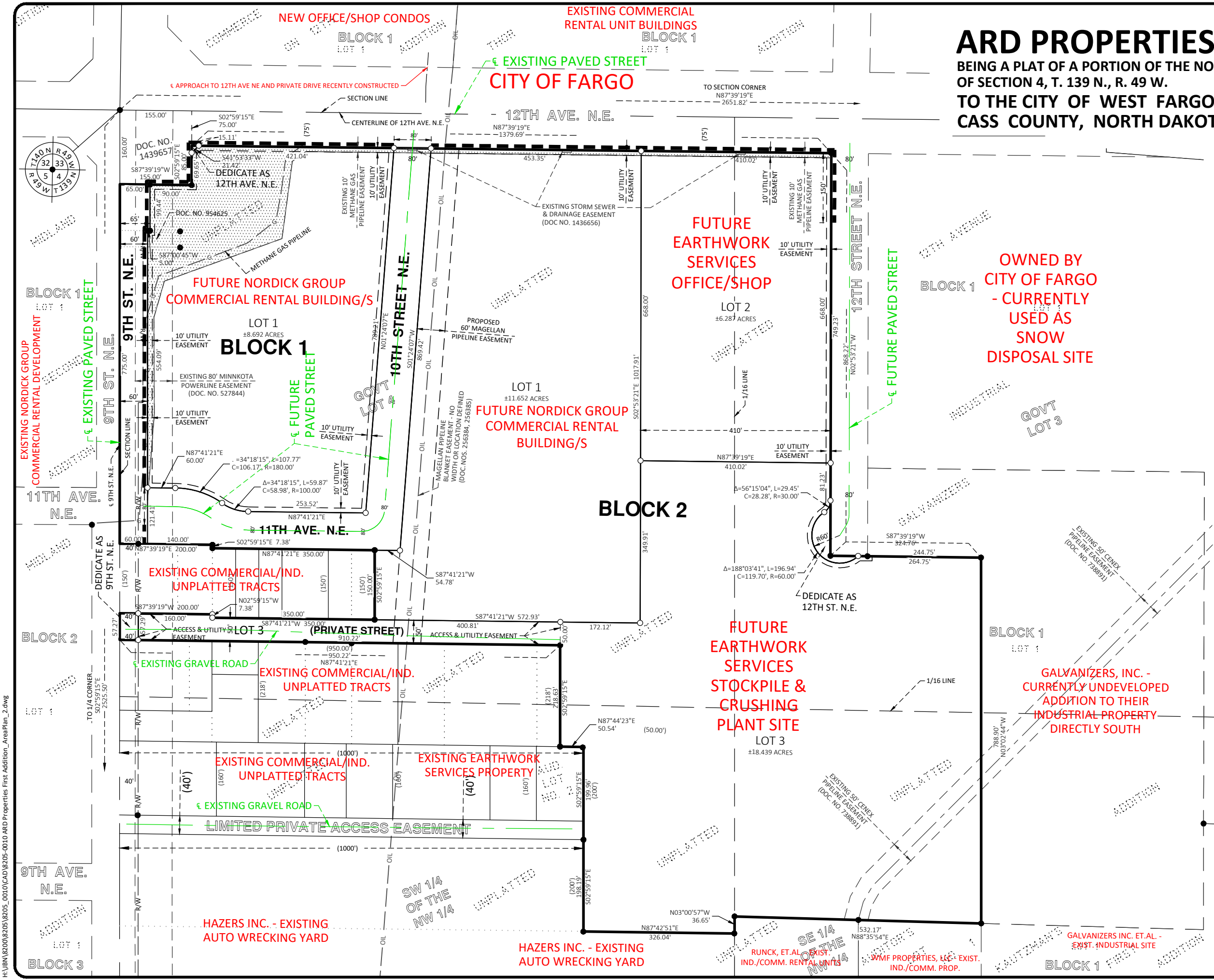


H:\BNA\8205\8205_0010\CAD\8205-0010 Preliminary ARD Properties First Addition.dwg

ARD PROPERTIES FIRST ADDITION

BEING A PLAT OF A PORTION OF THE NORTHWEST QUARTER OF SECTION 4, T. 139 N., R. 49 W.

TO THE CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA



LEGEND

IRON MONUMENT FOUND	●
1/2" I.D. PIPE SET	○
MEASURED BEARING	N00°00'00"E
PLAT BEARING	(N00°00'00"E)
MEASURED DISTANCE	100.00'
PLAT DISTANCE	(100.00')
PLAT BOUNDARY	—————
EXISTING PLATTED LOT LINE	-----
OTHER EXISTING PROPERTY LINE	-----
NEW EASEMENT	-----
EXISTING EASEMENT	-----
ACCESS CONTROL	-----
EXISTING METHANE GAS PIPELINE EASEMENT (DOC. NO. 1748924)	-----
BEARINGS SHOWN ARE BASED ON THE WEST FARGO COORDINATE SYSTEM.	

AREA PLAN

1-26-2026

APPLICANT:
ARD PROPERTIES, LLC.

NAME OF SUBDIVISION:
ARD PROPERTIES FIRST ADDITION

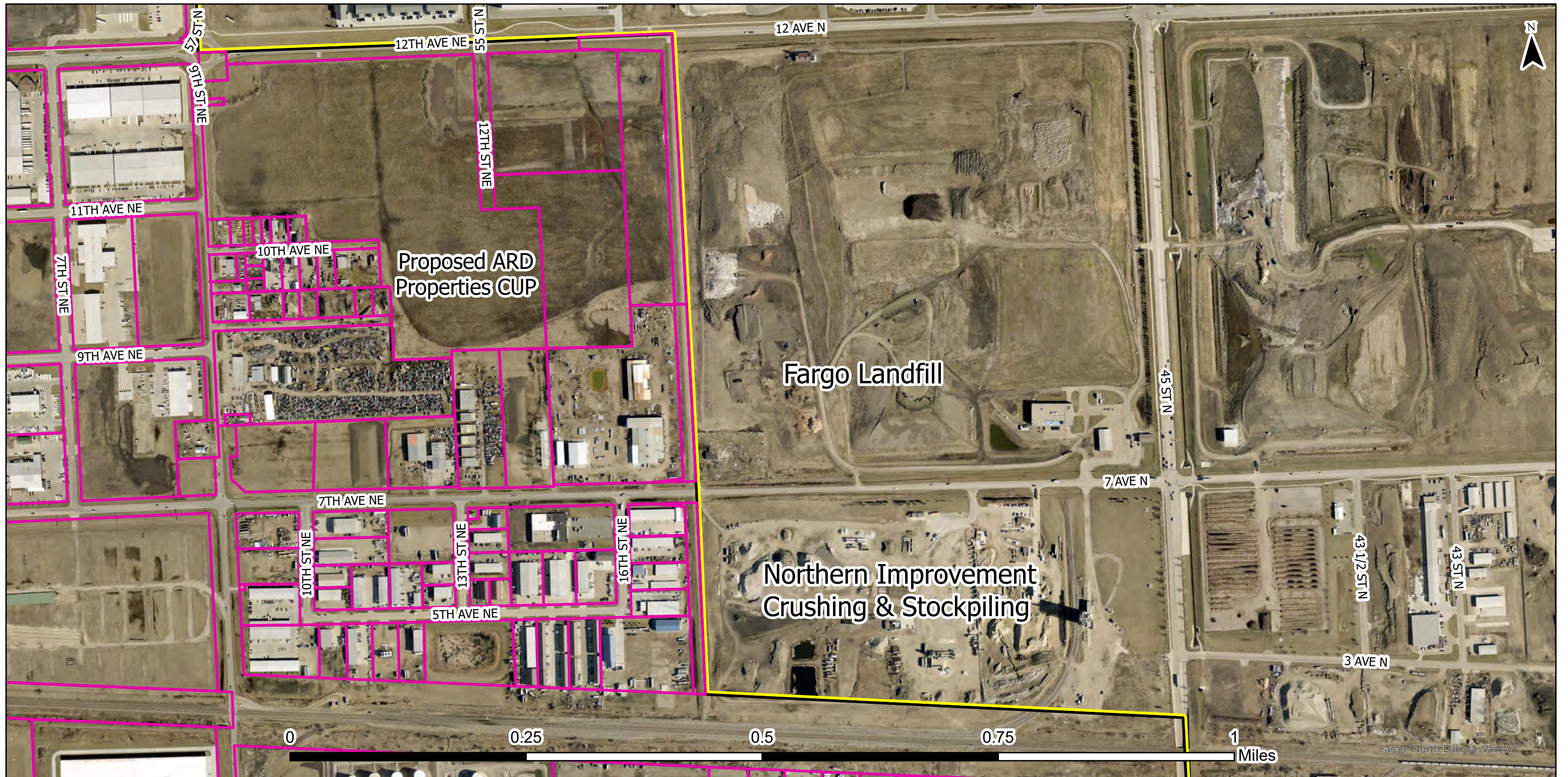
CURRENT ZONING OF PROPERTY AND ADJOINING PROPERTIES:
HEAVY INDUSTRIAL

PROPOSED ZONING OF PROPERTY:
HEAVY INDUSTRIAL

TOTAL AREA OF PROPOSED SUBDIVISION:
48.894 ACRES



H:\JRM\8205\8205_0010\CAD\8205-0010 ARD Properties First Addition_AreaPlan_2.dwg



This data is 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.

Date: 2/4/2026

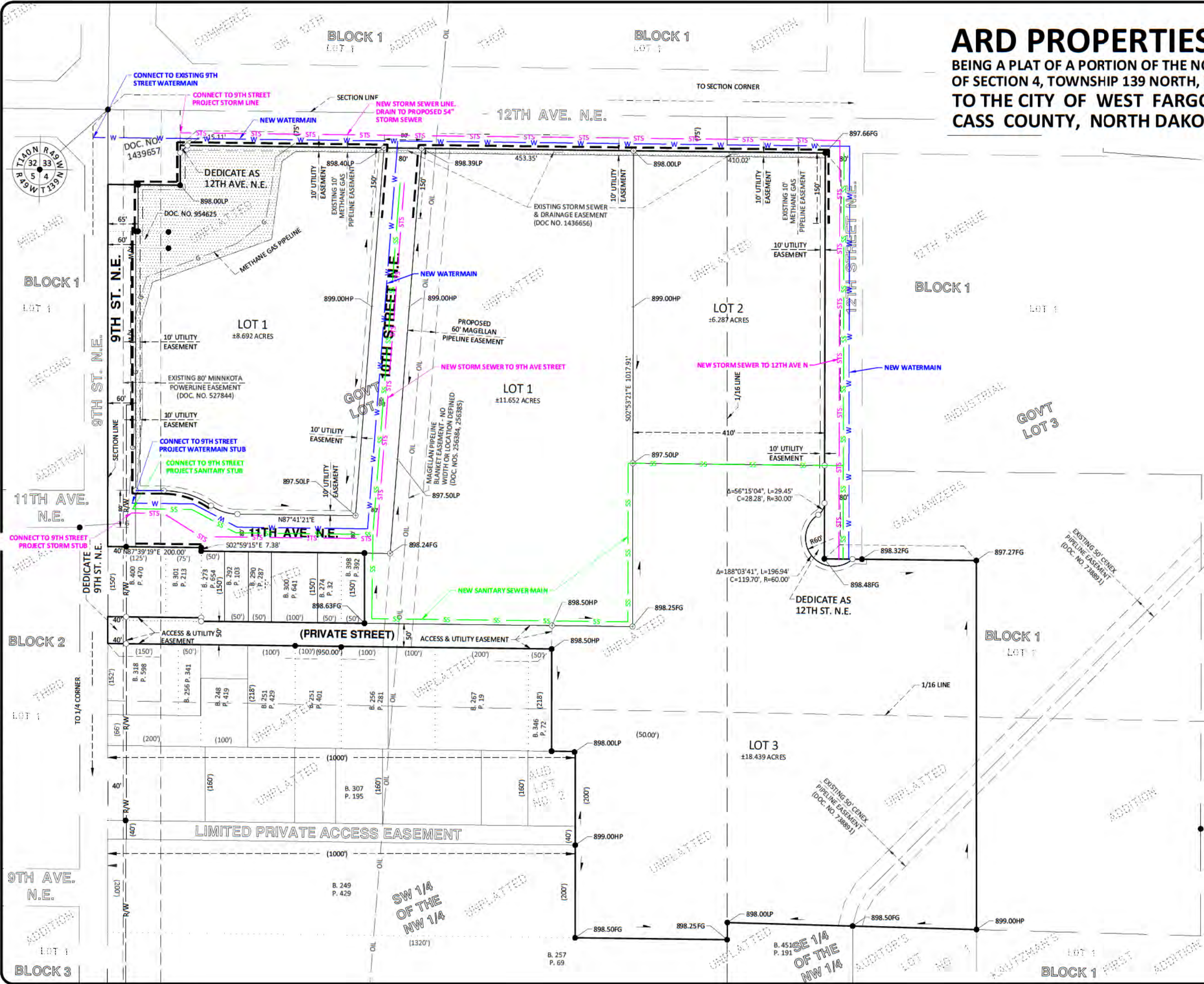
ARD Properties First Addition & CUP Lot 3, Block 2

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



ARD PROPERTIES FIRST ADDITION

BEING A PLAT OF A PORTION OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 139 NORTH, RANGE 49 WEST TO THE CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA



LEGEND

IRON MONUMENT FOUND	●
1/2" I.D. PIPE SET	○
MEASURED BEARING	N00°00'00"E
PLAT BEARING	(N00°00'00"E)
MEASURED DISTANCE	100.00'
PLAT DISTANCE	(100.00')
PLAT BOUNDARY	—————
EXISTING PLATTED LOT LINE	—————
OTHER EXISTING PROPERTY LINE	—————
NEW EASEMENT	- - - - -
EXISTING EASEMENT	- - - - -
ACCESS CONTROL	—————
EXISTING METHANE GAS PIPELINE EASEMENT (DOC. NO. 1748924)	—————
BEARINGS SHOWN ARE BASED ON THE WEST FARGO COORDINATE SYSTEM.	

ALL INDIVIDUAL LOTS WILL BE REQUIRED TO HAVE ONSITE STORMWATER MANAGEMENT FOR RATE CONTROL. ALLOWABLE RELEASE RATES TO BE BASED ON 9TH STREET STORMWATER STUDY

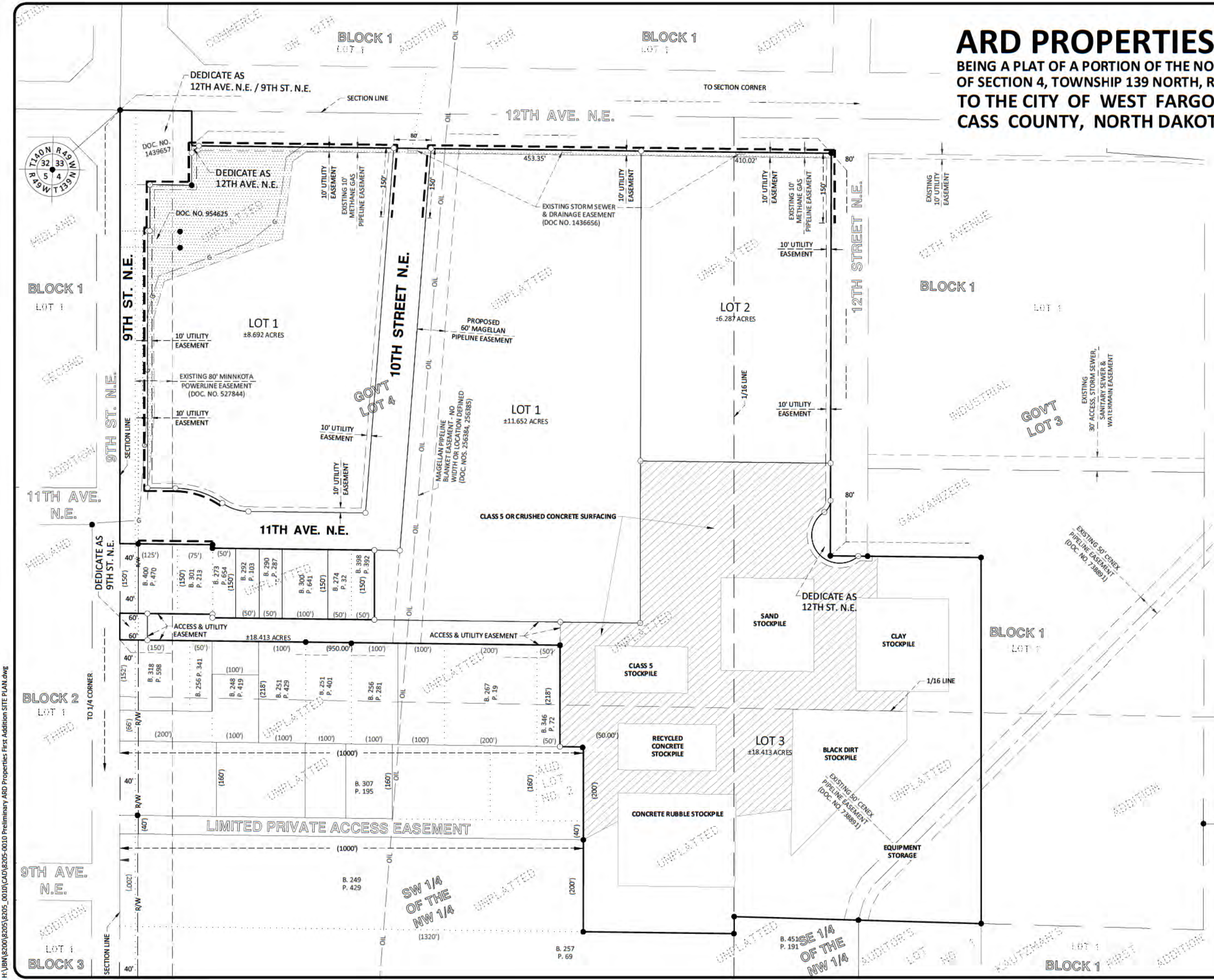
SANITARY SEWER FOR AREA TO BE CONNECTED AT 11TH AVE NE STUB. SANITARY LIFT STATION TO BE CONSTRUCTED AS PART OF INFRASTRUCTURE IMPROVEMENTS

PRELIMINARY UTILITY AND DRAINAGE PLAN

H:\JBM\8200\8205\8205_0010\CAD\8205-0010 Preliminary ARD Properties Drainage Plan.dwg

ARD PROPERTIES FIRST ADDITION

BEING A PLAT OF A PORTION OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 139 NORTH, RANGE 49 WEST TO THE CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA



LEGEND

IRON MONUMENT FOUND	●
1/2" I.D. PIPE SET	○
MEASURED BEARING	N00°00'00"E
PLAT OR RECORDED BEARING	(N00°00'00"E)
MEASURED DISTANCE	100.00'
PLAT OR RECORDED DISTANCE	(100.00')
PLAT BOUNDARY	—————
EXISTING PLATTED LOT LINE	—————
OTHER EXISTING PROPERTY LINE	—————
HISTORIC TRACT LINE
NEW EASEMENT	-----
EXISTING EASEMENT	-----
ACCESS CONTROL	-----
EXISTING METHANE GAS PIPELINE EASEMENT (DOC. NO. 1748924)	-----
BEARINGS SHOWN ARE BASED ON THE WEST FARGO COORDINATE SYSTEM.	

PRELIMINARY SITE PLAN

H:\JBM\8200\8205\8205_0010\CAD\8205-0010 Preliminary Ard Properties First Addition Site Plan.dwg



January 26, 2026

Curt Skarphol
Senior Land Surveyor, Principal
Houston Engineering, Inc.

RE: ARD Properties First Addition - Public Dedication

Dear Curt Skarphol,

The West Fargo Park District has received your plan for development of the ARD Properties First Addition.

The West Fargo Park District requests that the public dedication be satisfied using cash-in-lieu of land, allocated for use by the West Fargo Park District.

If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Josh Mathern", written in a cursive style.

Josh Mathern
Operations Director
West Fargo Park District

CC: Aaron Nelson, aaron.nelson@westfargond.gov
Trent Duda, trent.duda@esi-nd.com
Brian Pattengale, bpattengale@houstoneng.com

January 30, 2026

City of West Fargo Planning & Zoning
Attn: Steve Iverson, Senior Planner
West Fargo City Hall
2515 6th Street E
West Fargo, ND 58078

RE: Conditional Use Permit
1001 12th Ave NE (proposed Block 1 Lot 3 of ARD Properties First
Addition)

Dear Mr. Iverson:

This letter is in reference to the Conditional Use Permit requested for property located at 1001 12th Ave NE (proposed Blk 1, Lot 3 of ARD Properties First Addition).

I am one of the owners of Galvanizers Inc. and K & K Construction & Repair, Inc. On behalf of my companies and several others in and around the surrounding area, I'm the appointed representative & primary contact for this matter. It is our position, and we hereby respectfully request, this permit be denied. As a group, we collectively provide you with the following concerns for our businesses, as follows:

1. Safety & Well-being of Employees. 29 CFR 1926.1153—OSHA's Respirable Crystalline Silica standard. OSHA strictly regulates cement dust inhalation due to the high levels of respirable crystalline silica. Breathing in these cement particles creates unsafe work conditions, and we have grave concerns of the health risks associated with inhaling cement dust such as chronic respiratory issues, bronchitis, wheezing, etc. These types of conditions are problematic, damaging to employees and customers alike, and create lost workdays which can affect productivity.

The surrounding businesses may need to implement costly safeguards by adding extra equipment & controls which may include exhaust ventilation and additional respiratory protection. It's also well documented that workers exposed to silica at or above the action level for 30 or more days per year may need chest X-rays and lung tests.

2. Noise Exposure. We understand that loud noises are prevalent in and around this industrial area. However, exposure to high levels of noise can cause permanent hearing loss. Neither surgery nor a hearing aid can correct this type of loss. Short term exposure to loud noise can cause a temporary change in hearing (ears may feel plugged) or ear tinnitus. While these may seem like normal things, repeated exposure can lead to permanent ringing and/or hearing loss. The loading and constant crushing of concrete may exacerbate individuals' hearing impairment.

Loud noise can also create physical and psychological stress, reduce productivity, interfere with communication and concentration, and contribute to workplace accidents and injuries by making it difficult to hear warning signals. The effects of noise induced hearing loss can have similar profound effects.

3. Airborne Dust/Nuisance. 29 CFR 1910.1000—OSHA's Particulates Not Otherwise Regulated and often referred to as "nuisance dust." Dust Safety standards mandate controlling workers' exposure to airborne dust. Crystalline Silica is problematic as previously discussed. This facility would create nuisance dust and will create havoc with neighboring high-performance machinery, electrical components, and additional costs associated with cleaning and maintaining effective operations.
4. Valuation. A concrete crushing facility will almost certainly decrease land value and affect rental prices for all surrounding businesses and

City of West Fargo Planning & Zoning
Attn: Aaron Nelson, Planning Director
January 30, 2026
Page 3

individuals that currently own property in this area. It will have a direct impact on future developments that may occur otherwise. This is not a welcome addition to anyone in the area.

In 2023, a crushing facility situated near 45th Street North and 40th Avenue North was proposed; however, it was seemingly rejected for these same concerns/reasons.

On behalf of Galvanizers Inc., and K & K Construction & Repair, Inc., I think it's important to note that in the Fall of 2025, Galvanizers Inc. finalized the purchase of land to the north of our current site and prior to the ARD Properties purchase of the land. A crushing site will deter my primary sector business from expanding as we had planned.

A facility like this will certainly lower any future business opportunities from developing and/or moving into that property, should we no longer seek to expand for the reasons listed above. This, in turn, may cause financial hardships to my company and its current operation.

The components of concrete dust are considered a hazard under OSHA Safety Standards, and it would certainly cause a great deal of hardship to our galvanizing process. The constant & repetitive particles of dust & debris will cause shorter lifespan to our equipment, tanks, and certainly the finalized/finished galvanizing product.

Our facility also operates a multitude of other sensitive equipment including plasma tables, drill tables, and drill lines that may not operate with the required precision due to the extra vibration/shaking that a crushing plant will produce. That type of movement can throw off the machine's holes and cut lines, leading to reduced quality and accuracy of finished product.

For the foregoing reasons we respectfully implore the Planning and Zoning Commission to deny the request for a Conditional Use Permit.

City of West Fargo Planning & Zoning
Attn: Aaron Nelson, Planning Director
January 30, 2026
Page 4

Respectfully Submitted,

 _____ GALVANIZERS, INC.	 _____ K & K Construction & Repair, Inc.
 _____ Elite Properties	 _____ Elite Curbing
 _____ Premier Construction	 _____ Collie Equipment & Mfg., Inc.
 _____ Craig Runck	 _____ Lannie Runck

<p><i>Kim Voltz</i> _____ Kim Boltz Voltz</p>	<p><i>[Signature]</i> _____ CNW Holdings</p>
<p><i>Duane Hager</i> _____ Duane Hager</p>	<p><i>[Signature]</i> _____ WMF Properties / Weisgram Metal Fab</p>
<p>_____</p>	<p>_____</p>
<p>_____</p>	<p>_____</p>

Falcon, LLC
5645 12th Ave N
Fargo, ND 58102

February 2, 2026

City of West Fargo Planning and Zoning Commission:

RE: Conditional Use Permit for 1001 12th Ave NE

We are writing this letter in opposition to the proposed stockpile aggregate and crushed concrete center near our property located at 5645 12th Ave N in Fargo. This will have a negative impact on our property in the following ways:

1. Aggregates and crushed concrete will create environmental issues with dust and particles in the air that will be unhealthy for our tenants and cause potential damage to our building.
2. During operating hours, there will be noise that will impact our tenants.
3. There will be an increase in volume of heavy-duty trucks on an already busy road without a stop light intersection to control the flow of traffic. As well as an increase in the amount of road debris that will occur due to the trucks.
4. An aggregate plant on the south side of the road will make the professional business on the north side of the road less appealing to customers.

Please take our comments into consideration when making your decision. Thank you.

Sincerely,



Samantha Johnston

Falcon, LLC

From: [REDACTED]
To: [Steve Iverson](#)
Subject: RE: Conditional Use Permit for 1001 12thAve N
Date: Monday, February 2, 2026 3:56:04 PM

United Amusement Inc
1212 55th Street North
Fargo ND 58104

City of West Fargo Planning Commission

Im writing this letter in opposition and against the proposed crushed aggregate and concrete plant. The plant would be located directly across from our offices and would have a negative impact on our businesses. The amount of mud and debris and noise those trucks would leave would have a terrible impact on our businesses and detour new businesses from renting our shops.

Thanks John Krumm

[REDACTED]

From: [REDACTED]
To: [Steve Iverson](mailto:Steve.Iverson)
Subject: RE: Notice of Public Hearing for 1001 12th Ave NE.
Date: Monday, February 2, 2026 6:14:24 PM
Attachments: [image001.png](#)

Attn. Steve Iverson

I am writing to express my strong opposition to the Conditional Use Permit notification for 1001 12th Ave NE. As the proprietor of a shop condo at 5649 12th Ave. N Unit #14, Fargo ND 58102, where I am establishing a Scandinavian-inspired window and door showroom featuring H-Window high-performance products, I have serious concerns about this proposed business operating near mine.

My objections are comprehensive and significant. The concrete crushing operation produces substantial airborne particles that can spread extensively based on prevailing winds. Additionally, the crushing machinery generates excessive noise pollution measuring 85-95 decibels at the source. Most significantly, the potential traffic congestion from additional heavy, slow-moving vehicles is concerning, as traffic flow along 12th Ave is already challenging during morning hours, making business access difficult. The addition of heavily loaded trucks will likely cause substantial traffic delays due to their slower acceleration capabilities.

I firmly believe that approving this type of operation within the industrial park would constitute a significant planning oversight. Such operations would be more suitably situated outside city limits where they would have minimal impact on neighboring businesses and property values.

Respectfully Submitted



Randy S. Rust

Midwest Sales Manager, Partner

mobile [REDACTED]
hwindow.com

New Showroom Opening Soon:

**5649 12th Ave N Unit #14
Fargo, ND 58102**



Uptown Real Estate
5645 12th Ave N #1
Fargo, ND 58102

February 2, 2026

City of West Fargo Planning and Zoning Commission:

RE: Conditional Use Permit for 1001 12th Ave NE

We are writing this letter to oppose the proposed stockpile aggregate and crushed concrete center near our business office at 5645 12th Ave N Unit 1 in Fargo. This will have a negative impact on our business in the following ways:

1. Traffic on the roadway will increase with the trucks hauling in and out of the concrete center. We have a steady flow of customers throughout the day and that will impact how easily they can access our business.
2. We chose to relocate our Real Estate and Property Management company to this area due to the newly developed and attractive looking properties that have recently been constructed. The addition of a concrete plant will make this area less attractive to our current and potential customers.
3. There will be noise and environmental factors, such as dust and road debris, that will make the area unpleasant.

Please take our comments into consideration when making your decision. Thank you.

Sincerely,

Samantha Johnston
Broker
Uptown Real Estate

Jo Kvamme
Realtor
Uptown Real Estate

Jay Krabbenhoft
Realtor
Uptown Real Estate

The Nordick Group LLC

825 12th Avenue NE, West Fargo, ND, 58078

February 4, 2026

City of West Fargo Planning and Zoning

2515 6th Street East

West Fargo, ND 58078

The purpose of this letter is to support the application for a Conditional Use Permit for Lot 3, Block1 of ARD Properties First Addition.

I believe that The Nordick Group is the largest property owner within half a mile of the proposed site. Stockpiling aggregate and crushing concrete is a logical and compatible use for property that is essentially landlocked between a salvage yard and the Fargo landfill. Several other sites within a mile of this site already stockpile aggregate and crush concrete.

The Nordick Group has contracted with Trent Duda, the owner of Earthwork Services, from time to time over the last ten years for site work within our development. Without exception, our experience with Mr. Duda and Earthwork Services has been positive. Mr. Duda is responsible and accountable. His integrity has been flawless.

Please approve ARD Properties' application for a Conditional Use Permit.

Respectfully submitted,

The Nordick Group LLC



Douglas Geeslin, President