



www.westfargond.gov

Larry M. Weil, Planning and Community Development Director
Tim Solberg, Senior Planner
Lisa Sankey, Assistant Planner

West Fargo Planning & Zoning Commission Agenda
Monday, December 8, 2014 - West Fargo City Hall - 7:00 p.m.

1. Call to Order
2. Approval of Minutes – November 10, 2014
3. Public Hearing – A14-55 Conditional Use Permit for residential signage within a Corridor Overlay District at 2915 Bluestem Drive (Lot 2, Block 1 of South Pond at the Preserve 2nd Addition), City of West Fargo, North Dakota – Adams
4. Public Hearing – A14-56 Conditional Use Permit for residential signage within a Corridor Overlay District at 319 32nd Avenue East (Lot 2, Block 1 of Prairie Heights Development 2nd Addition), City of West Fargo, North Dakota – Prairie Heights Church
5. Public Hearing – A14-57 Brooks Harbor 4th Addition, Subdivision and Rezoning from Agricultural to R-1A: Single Family Dwellings, property in the N $\frac{1}{2}$ of Section 19, T139N, R49W, City of West Fargo, North Dakota and Replat of Lots 15-18, Block 5 of Brooks Harbor 2nd Addition, City of West Fargo, North Dakota – Loberg/NAI North Central
6. Public Hearing – A14-58 Oak Ridge 7th Addition, Rezoning from Agricultural to PUD: Planned Unit Development and Land Use Plan Amendment from Low Density Residential to Medium Density Residential, property in the NE $\frac{1}{4}$ of Section 29, T139N, R49W, City of West Fargo, North Dakota – Verity Homes of Fargo
7. Public Hearing – A14-59 Nitschke Addition, Rezoning from Agricultural to R-1A: Single Family Dwellings and Land Use Plan Amendment from Medium Density Residential to Low Density Residential, property in the SE $\frac{1}{4}$ of Section 31, T139N, R49W, City of West Fargo, North Dakota - Nitschke/NAI North Central
8. Public Hearing – A14-60 Rezoning from Agricultural to C: Light Commercial Lots 3 & 6, Block 1 of North Pond at the Preserve 3rd Addition, City of West Fargo, North Dakota - Bueide
9. Public Hearing – A14-61 Doll's 7th Addition, Replat and Rezoning from C: Light Commercial to PUD: Planned Unit Development of Lots 3-7, Block 1 of Doll's 5th Addition, City of West Fargo, North Dakota - Qvammen
10. Non-agenda
11. Adjournment



www.westfargond.gov

Larry M. Weil, Planning and Community Development Director
Tim Solberg, Senior Planner
Lisa Sankey, Assistant Planner

West Fargo Planning and Zoning Commission
November 10, 2014 at 7:00 P.M.
West Fargo City Hall

Members Present: Jerry Beck
LeRoy Johnson
Tom McDougall
Terry Potter
Scott Diamond
Eddie Sheeley
David Zupi

Members Absent: Connie Carlsrud

Others Present: Larry Weil, Lisa Sankey, Tim Solberg, Dustin Scott, Deb Daub, Nate Vollmuth, Ken Zetocha

The meeting was called to order by Chair McDougall.

Commissioner Potter made a motion to approve the October 13, 2014 meeting minutes as written. Commissioner Beck seconded the motion. No opposition. Motion carried.

Chair McDougall announced Commissioner Potter had a conflict and would be abstaining from commenting and voting on the first public hearing.

Chair McDougall opened public hearing A14-52 Oak Ridge 6th Addition, a replat and rezoning from C: Light Commercial to PUD: Planned Unit Development Lot 1, Block 1 of Oak Ridge 5th Addition, City of West Fargo, North Dakota.

Tim reviewed the following information from the staff report:

The Developer proposes replatting a larger tract that is currently zoned C: Light Commercial and rezoning to PUD: Planned Unit Development for a retail commercial development in order to share parking and allow for off-premise signage for businesses within the PUD district per the provisions of 4-460.9.5.c.

The City's Land Use Plan depicts the area along 32nd Avenue East as General Commercial, which is consistent with City Plans and Ordinances. West of the proposed subdivision along 32nd Avenue is a proposed commercial office area which is owned by The Village; a proposed assisted living facility is located to the south, to the east on the west side of 8th Street West will be developed as a Minn-Kota Power Substation and further east along Veteran's Boulevard is a Funeral Home/Crematorium with future general commercial space as well.

Access to 32nd Avenue East and Veterans Boulevard must meet spacing standards of 660'. Full access for 32nd Avenue East is at the 6th Street East. Along with this request, the applicant has submitted a traffic study and a request to turn the right in/right out access at the entrance to the development across the street from Bluestem Drive to the north to a ¾ access with left in and right in/right out. Staff has reviewed the traffic study and concurs that this will not reduce the safe and efficient operation of 32nd Avenue East. Full access on Veterans Boulevard is provided at 34th Avenue East and right in/right out access is provided at 33rd Avenue East.

The Preliminary Plat consists of 9 lots, ranging in size from 44,000 to 330,000 square feet. A Concept Development Plan has been submitted stating that all applicable regulations per the Light Commercial and Corridor Overlay District standards including Other Applicable Regulations of Section 4-440, 4-450, 4-460 with exception that parking may be shared with proper agreement and resolution of approval by City Commission under provisions of 4-451 and that signage is limited to advertising businesses within the same PUD district as provided for in 4-460.9.5.c.

Under the provisions of the PUD, access and public infrastructure will be as noted on the approved Plat of Oak Ridge 6th Addition, associated easement documents, and Planned Unit Development Agreement with the City of West Fargo.

Staff has recommended that the applicant join Lot 2 which is reserved for private on-site retention to another lot so as to avoid the potential of the lot becoming a burden to the City.

Notices were sent to area property owners. The City also provided the proposed development plans to City departments, Park District, Post Office, SE Cass Water Resource District, and utility companies.

It is recommended that the City Planning and Zoning Commission conditionally approve the proposed application as a concept development plan on the basis that the commercial development is consistent with City plans and ordinances. The conditions of approval which would need to be satisfied prior to approval of the detailed development plans and consideration by the City Commission are as follows:

1. Lot 2 be removed and joined to another lot in the development.
2. A drainage and utility plan is approved by the City Engineer.
3. Any necessary easements are placed on the Final Plat.
4. A subdivision improvement agreement is received from the developer.
5. Certificate of Taxes is received showing taxes are current.
6. A mailbox plan is received and approved by the Post Office.
7. An Attorney Title Opinion is received.

Tim stated that the $\frac{3}{4}$ access should work on both sides of 32nd Avenue and can be finalized with Detailed Development Plans. Dustin can answer questions on the schematics.

There were no comments from the public. The hearing was closed.

Chair McDougall asked for clarification on the $\frac{3}{4}$ access. Tim indicated it wasn't included in the agenda packets as Dustin sent the preliminary schematics late this afternoon. Dustin reviewed the access plan indicating it doesn't allow for left turns onto 32nd Avenue.

Commissioner Zupi asked how this Cash Wise store compared in size to the one on 13th Avenue. Applicant Nate Vollmuth stated that it is a smaller structure; however, the layout flows much better.

Discussion was held regarding access. Tim reviewed the pedestrian facilities.

Commissioner Zupi made a motion for approval based on staff recommendations. Commissioner Sheeley seconded the motion. No opposition. Motion carried.

Chair McDougall opened public hearing A14-53 Rezoning from R-1: One & Two Family Dwellings to C: Light Commercial Lots 1 & 2, Block 6 of Sukut's Estates Subdivision, City of West Fargo, North Dakota.

Larry reviewed the following information from the staff report:

The property is at the corner of 1st Street and 1st Avenue East, east of the Fire Hall. The proposed use is not consistent with City Plans and Ordinances as the property is currently designated as low density residential. Parking lots are not listed as a permitted use or conditional use within the existing R-1: One and Two-Family Dwelling residential district.

Section 4-453 which lists the design standards for Off-Street Parking and Loading Regulations for the City of West Fargo further states that in all residential districts, required parking spaces shall be located on the same premises as the use they serve. Parking Lots are listed as permitted uses within the C: Light Commercial district.

The applicant proposes improving the existing, nonconforming parking lot. The parking lot has been in place on Lot 1 for a number of years. Lot 2 had previously been utilized for residential purposes until the home was recently removed.

The applicant is required to effectively screen the parking facility where it is adjacent to one and two family residential uses

which exist to the east of the proposed improvements. Initial site plans and discussions have indicated the applicant is working with the properties to screen per the requirements of 4-453.4 within the City's Off-Street Parking and Loading Regulations.

It is recommended that the City Planning and Zoning Commission conditionally approve the proposed application on the basis that with approval of a land use plan amendment the development is consistent with City plans and ordinances. The conditions of approval which would need to be satisfied prior to City Commission consideration are as follows:

1. A land use plan amendment is approved by Planning & Zoning Commission and City Commission.
2. The applicant effectively screens the parking facility from one and two family residential properties to the east of the proposed improvements.

Larry stated that language will be added to the hearing notice for the City Commission to include the Land Use Plan Amendment.

Ken Zetocha, West Fargo Fire Department Board President, stated that they are working with the resident to the east regarding buffering and what he'd like.

There were no comments from the public. The hearing was closed.

Chair McDougall asked for clarification on the zoning map. Tim stated that red is light commercial and the blue is R-1: One & Two Family Dwellings. Commissioner Sheeley stated that he noticed a number of homes in the area zoned commercial and asked if that was normal. Larry stated that when the zoning ordinance was approved in the mid 80s, they were already mapped as light commercial.

Chair McDougall asked who parks in the lot. Mr. Zetocha stated that they want to get the volunteers' personal vehicles off the street for safety reasons and also to have a place to park trucks from the Southside Fire Station.

Commissioner Diamond asked if adjacent property owners had been notified. Larry indicated they had and the property owner to the east inquired about buffering. Mr. Zetocha stated that they also put in drainage to alleviate issues.

Commissioner Sheeley made a motion for approval based on staff recommendations. Commissioner Beck seconded the motion. No opposition. Motion carried.

The next item on the agenda was A14-54 Access Request onto 32nd Avenue at 319 32nd Avenue East (Lot 2, Block 1 of Prairie Heights Development 2nd Addition), City of West Fargo, North Dakota.

Tim reviewed the following information from the staff report:

The City has received a request from the applicant to construct a $\frac{3}{4}$ access with double lanes coming in and one lane going out. The proposed access is west of the current access and outside of the preferred 660' spacing on arterial streets. The proposed access would be located 752' west of the full signalized access of 4th Street East and 547' east of 2nd Street East which does not extend north of 32nd Street East.

The applicant feels this proposed access will allow more room for vehicles to make a westbound left turn into the facility after the signalized 4th Street East and provide greater safety and efficiency on 32nd Avenue East. The applicant has submitted plans showing the proposed development and proposed access.

The applicant requested access to 32nd Avenue with the Conditional Use Permit request which was approved with conditions. An agreement spelling out the conditions and restrictions of access approval was signed and access control for the street was placed on the plat. The agreement allowed for full access to the property on 32nd Avenue East until the level of service were to reach "E" or below, or when crash and safety concerns arose, or until the street is upgraded into a median divided section. The street is currently under design for reconstruction in 2015 and the church is planning development in 2015 as well.

City departments have reviewed the access request, and we have not received any concerns. It has been determined that the proposed access will not negatively affect the safety and efficiency of 32nd Avenue East. Traffic into the Church facility will

be limited to typical services on Wednesday evening and Sunday morning and special occasions not typically during peak traffic periods.

It is recommended to approve the ¾ access to 32nd Avenue East on the basis that it is consistent with City plans and ordinances and has received concurrence from the City Engineer, Public Works Director, and Police Chief.

Architect Deb Daub from Roers Development stated she was available to answer questions.

Discussion was held regarding the access. Dustin stated there was a designated turn lane for entering the property. Discussion was held regarding an additional lane to exit the property. Dustin stated that an acceleration lane could be added if it became a bottleneck. Larry stated that there are additional outlets at 2nd & 4th Streets, as well as via Prairie Heights Drive.

Commissioner Diamond made a motion for approval based on staff recommendations. Commissioner Potter seconded the motion. No opposition. Motion carried.

Commissioner Sheeley made a motion to adjourn. Commissioner Zupi seconded the motion. No opposition. Meeting adjourned.

STAFF REPORT

City of West Fargo

A14-55 Conditional Use Permit for residential signage within a Corridor Overlay District at 2915 Bluestem Drive (Lot 2, Block 1 of South Pond at the Preserve 2nd Addition), City of West Fargo, North Dakota

Adams Development

Planning & Zoning Commission

Introduction – 12/8/14

Public Hearing – 12/8/14

City Commission

–

BACKGROUND:

PURPOSE: To provide for development signage for an apartment building.

EXISTING LAND USE: High Density Residential

EXISTING ZONING: PUD: Planned Unit Development

PARCEL SIZE: 635,892 Square Feet

CITY PLANS: Land Use – High Density Residential
Streets – Veteran's Boulevard – Minor Arterial Street
Bluestem Drive – Local Street
31st Avenue East – Local Street
Bikeway - Class I facility on Veteran's Boulevard
Parks - N/A

STATEMENTS OF FACT:

- An 330 unit apartment building is currently under construction on the property and has partially opened in the south wings.
- The applicant is proposing two development signs.
- The property is located on the west side of Veteran's Boulevard, north of 31st Avenue East and is within a Planned Unit Development (PUD) within a residential land use category and is within the Corridor Overlay District.
- A Conditional Use Permit is required for signage within residential districts that are within the Corridor Overlay District. PUD District standards state that the most restrictive prevailing provisions regulate the permit.
- A Conditional Use Permit may allow increased signage in the Corridor Overlay District, but will need to at minimum meet the provisions of those requirements for signage in Commercial Districts within the Corridor Overlay District.

- The proposed use is generally consistent with City Plans and Ordinances.

DISCUSSIONS AND OBSERVATIONS:

- The applicant proposes placing two signs on the northeast and southeast corners of the property.
- The signs are approximately 40 square feet each with decorative stone panels holding the sign in place.
- Setbacks shall meet the minimum requirements of 15 feet the Veterans Blvd property line and 5 feet from 26th and 31st. The setback must be measured from the closest portion of the sign to the property line, which according to submitted plans would be the base of this sign.
- The Conditional Use Permit can set the size and height that would be allowed, but in no case shall the requirements be less restrictive than that of the commercial district within the corridor overlay district.
- The lighting must be dim enough to not reflect off of windshields and cause sight problems for traffic.
- Property owners within 350 feet were notified; no comments have been received to date.

AFFECTS CONSIDERED (PROS & CONS)

Pros for Development as Proposed

- Though the property is zoned for residential use, it is used for a high density apartment building and is on a large lot surrounded by commercial uses and an arterial roadway.

Cons for Development as Proposed

- None apparent.

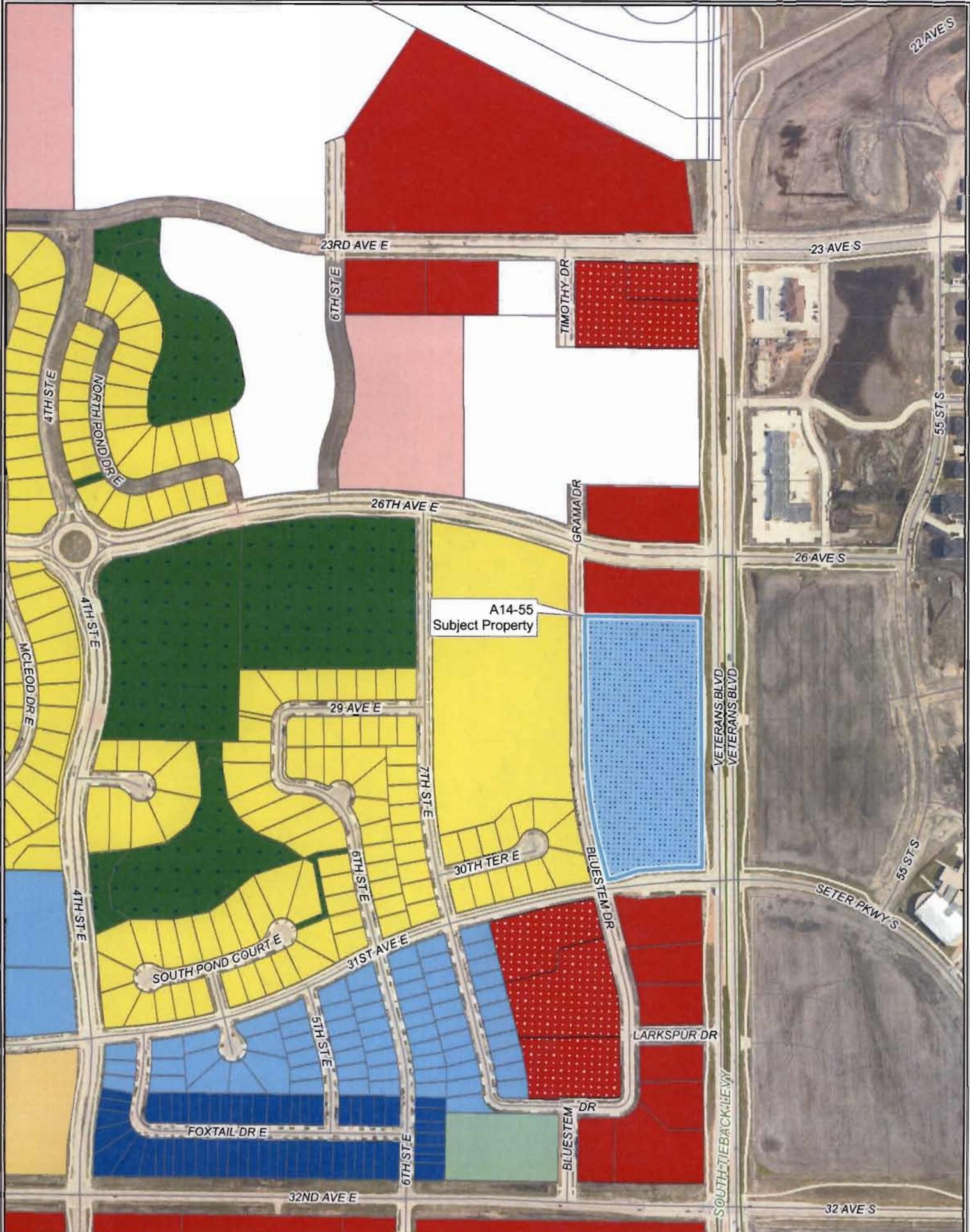
RECOMMENDATIONS:

It is recommended that the City Planning and Zoning Commission conditionally approve the proposed application on the basis that it is consistent with City plans and ordinances. The conditions of approval recommended are as follows:

1. Lighting must take into consideration location of residential neighborhood. Low intensity lighting should be used.



A14-55
Subject Property



A14-55
Subject Property

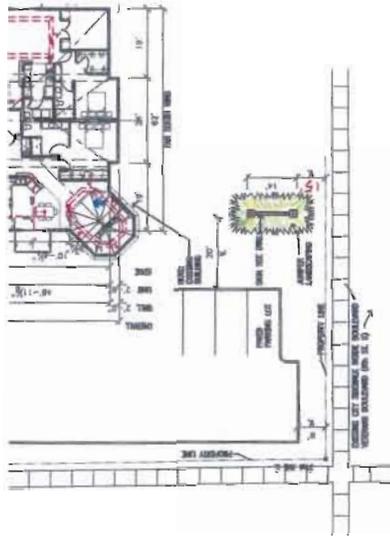


- | | | | | |
|---------------------------------|--|--------------------------|----------------------------------|---------------------------------|
| A - Agricultural | C-OP - PUD in Commercial Office Park | P - Public | R-1SM - Mixed One and Two Family | R-S - Manufactured Home |
| C - Light Commercial | CM - Heavy Commercial, Light Industrial | P-PUD - PUD in Public | R-2 - Limited Multiple Dwelling | R-L1A - Large Lot Single Family |
| C-PUD - PUD in Light Commercial | CM-PUD - PUD in Heavy Commercial, Light Industrial | R-1A - Single Family | R-3 - Multiple Dwelling | R-1E - Rural Estate |
| C-OP - Commercial Office Park | M - Heavy Industrial | R-1 - One and Two Family | R-4 - Mobile Home | R-R - Rural Residential |
| | | | | R-PUD - PUD in Residential |

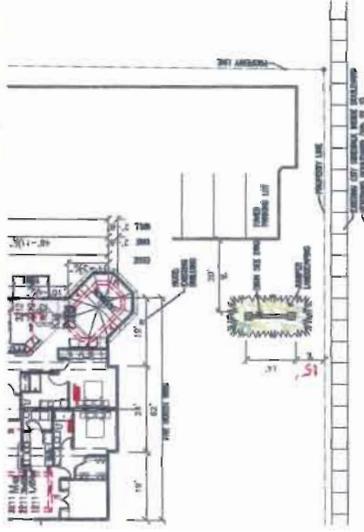


Dakota Crossings Sign

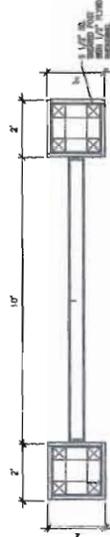
- South Pond at the Preserve 2nd Addition
- Materials: Versetta cement bd corner piers



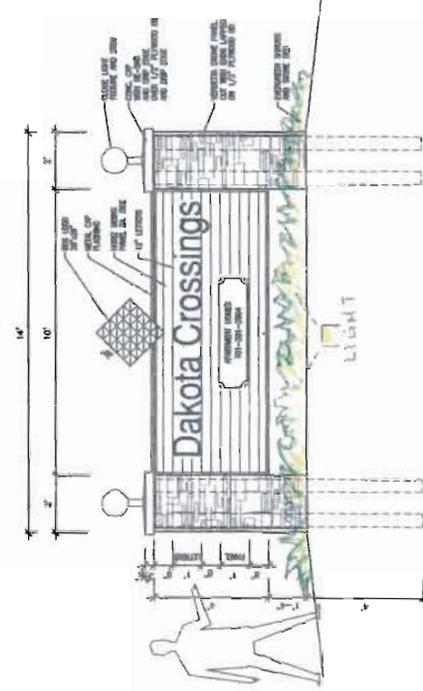
3 SITE PLAN-SE-CORNER 1/8" SIGN LOCATION



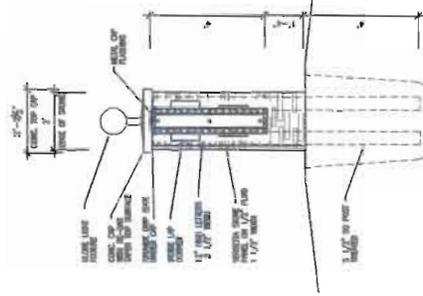
6 SITE PLAN-NE-CORNER 1/8" SIGN LOCATION



8 SIGN PLAN 1/2"



11 SIGN ELEVATION 1/2"



12 SECTION 1/4"

NOV 07 2014

STAFF REPORT

City of West Fargo

A14-56 Conditional Use Permit for residential signage within a Corridor Overlay District at 319 32nd Avenue East (Lot 2, Block 1 of Prairie Heights Development 2nd Addition), City of West Fargo, North Dakota

Prairie Heights Church

Planning & Zoning Commission

Introduction – 12/8/14

Public Hearing – 12/8/14

City Commission

–

BACKGROUND:

PURPOSE: To provide for increased signage for a church.

EXISTING LAND USE: Church Facility

EXISTING ZONING: R-2: Limited Multiple Dwellings

PARCEL SIZE: 662,930 Square Feet

CITY PLANS: Land Use – Medium Density Residential/Church Facility
Streets – 2nd Street East – Local Street
32nd Avenue East – Minor Arterial Street
Prairie Heights Drive – Private Drive
Bikeway - Proposed Class I facilities on 32nd Avenue East
Parks - N/A

STATEMENTS OF FACT:

- The property is located east of the Sheyenne River on the south side of 32nd Avenue East and west of 4th Street East.
- The area was platted and zoned to accommodate a church facility in 2011.
- A Conditional Use Permit is required for signage within residential districts that are within the Corridor Overlay District. PUD District standards state that the most restrictive prevailing provisions regulate the permit.
- A Conditional Use Permit may allow increased signage in the Corridor Overlay District, but will need to at minimum meet the provisions of those requirements for signage in Commercial Districts within the Corridor Overlay District.
- The proposed use is consistent with City Plans and Ordinances.

DISCUSSIONS AND OBSERVATIONS:

- The applicant is proposing to place channel letters with the Church name on the north, east, and west building walls and the placement of a 15' high freestanding electronic message center sign at the front of the property.
- Setbacks shall meet the minimum requirements of 15 feet the 32nd Ave E property line and 5 feet from any other roadway. The setback must be measured from the closest portion of the sign to the property line.
- Illumination of signs in residential districts is only allowed as a conditional use. The electronic message center requires a CUP. Keeping the sign single sided facing away from the single family residents may mitigate impact to the residential property to the north.
- The Conditional Use Permit can set the size and height that would be allowed, but in no case shall the requirements be less restrictive than that of the commercial district within the corridor overlay district.
- The lighting must be dim enough to not reflect off of windshields and cause sight problems for traffic.
- Property owners within 350 feet were notified; A comment was received from a property owner objecting to the freestanding sign size as proposed. The comment was that it should not be increased from its current size and that the proposed sign appeared unreasonable and unsightly.
- If concerns from adjacent residential neighbors arise related to the electronic message center, the Church should be notified and required to only operate the sign between the hours of 7am and 10pm.

AFFECTS CONSIDERED (PROS & CONS)

Pros for Development as Proposed

- Though the property is zoned for residential use, it is used for a church and associated facilities on a large lot.

Cons for Development as Proposed

- None apparent.

RECOMMENDATIONS:

It is recommended that the City Planning and Zoning Commission conditionally approve the proposed application on the basis that it is consistent with City plans and ordinances. The conditions of approval recommended are as follows:

1. Due consideration be given to public comment.
2. Permit note that if complaints are received that timing of electronic message center messages and hours of operation can be adjusted.
3. Lighting must take into consideration location near residential neighborhood. Low intensity lighting that does not become a visual nuisance or distraction to the motoring public should be used and is required to meet 4-460.7.17 of the City Sign Regulations.



A14-56
Subject Property

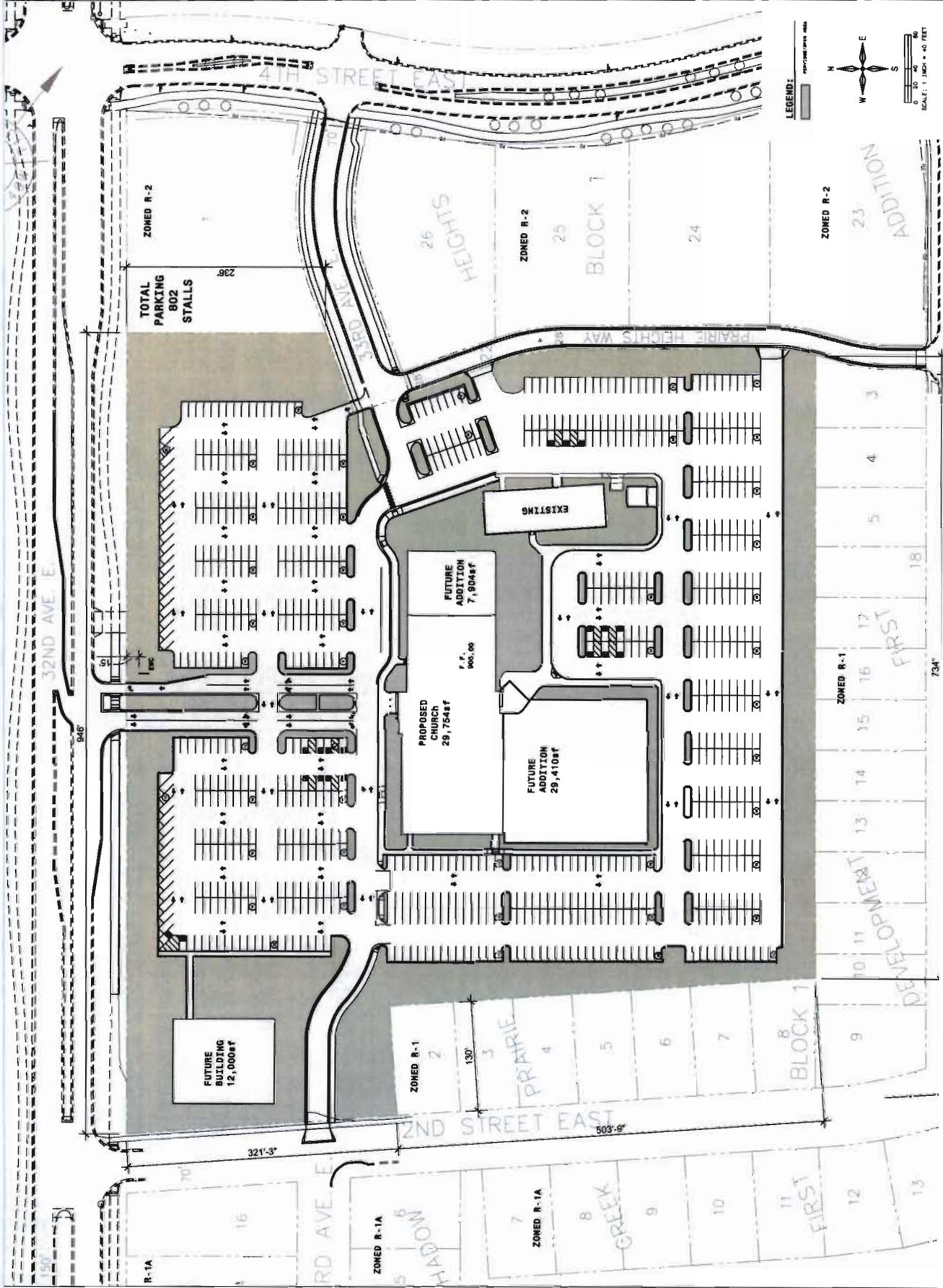


A14-56
Subject Property



- | | | | | |
|---------------------------------|--|--------------------------|----------------------------------|---------------------------------|
| A - Agricultural | C-OP - PUD in Commercial Office Park | P - Public | R-ISM - Mixed One and Two Family | R-S - Manufactured Home |
| C - Light Commercial | CM - Heavy Commercial/light Industrial | P-PUD - PUD in Public | R-2 - Limited Multiple Dwelling | R-L1A - Large Lot Single Family |
| C-PUD - PUD in Light Commercial | CM-PUD - PUD in Heavy Comm/Light Ind | R-1A - Single Family | R-3 - Multiple Dwelling | R-1E - Rural Estate |
| C-OP - Commercial Office Park | M - Heavy Industrial | R-1 - One and Two Family | R-4 - Mobile Home | R-R - Rural Residential |
| | | | | R-PUD - (PUD in Residential) |

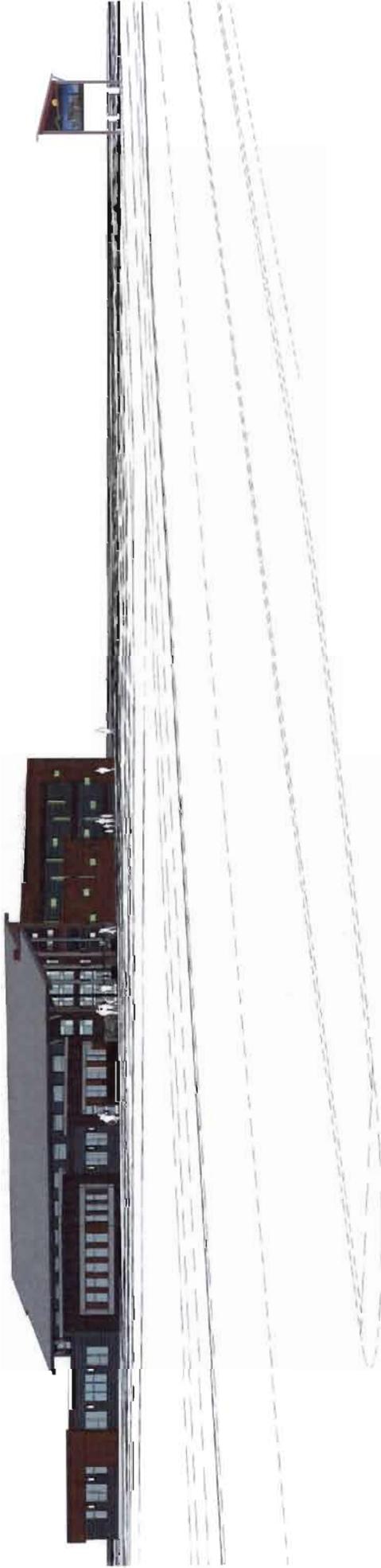






FILE NAME: PRAIRIE-HEIGHTS-WEST-FARGO-PY-V1.AI

ELECTRICAL: THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLES 68B OF THE NATIONAL ELECTRICAL CODE AND ANY OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.



15 DEGREE CAMERA LENS - SCALE: NTS

SALESMAN: GARY THORNTON	DATE: 1/17/21
LOCATION: WEST FARGO, MN	
SCALE: SEE ABOVE	30 FE.

NOTES: FABRICATE AND INSTALL NEW PYLON SIGN WITH INTERNALLY LIT TOP CABINET - ROUTED ALUMINUM FACE WITH PUSH THROUGH ACRYLIC AND A FULL COLOR EMC.

The client warrants that they own all rights in the design and that they have the necessary permissions to use the design for the intended purpose. Fenic Sign Corp. warrants that the design is a work of art and is not to be used for any other purpose without the written consent of Fenic Sign Corp. Fenic Sign Corp. warrants that the design is a work of art and is not to be used for any other purpose without the written consent of Fenic Sign Corp.



FILE NAME: PRAIRIE-HEIGHTS-WEST-FARGO-PY-V1.AI

ALL HEIGHTS AND DISTANCES ARE APPROXIMATE. THE CONTRACTOR SHALL VERIFY THE EXISTING CONDITIONS OF ALL UTILITIES AND STRUCTURES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.



35 DEGREE CAMERA LENS - SCALE: NTS

NOTES: FABRICATE AND INSTALL NEW PYLON SIGN WITH INTERNALLY LIT TOP CABINET - ROUTED ALUMINUM FACE WITH PUSH THOROUGH ACRYLIC AND A FULL COLOR EMC.

SALESMAN: GARY THORNTON DATE: 11/12/14
LOCATION: WEST FARGO, MN
SCALE: SEE ABOVE SQ FT:

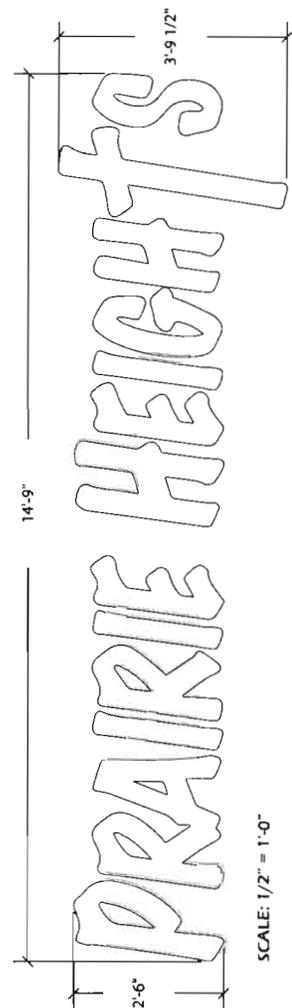


FILE NAME: PRAIRIE-HEIGHTS-WEST-FARGO-NORTH-CHL-V1.AI

3/17/2017 10:00 AM
ELECTRICAL: THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.



NORTH ELEVATION - SCALE: NTS



SCALE: 1/2" = 1'-0"

NOTES: FABRICATE AND INSTALL NEW FACE LIT CHANNEL LETTERS

SALESMAN: GARY THORNTON DATE: 11/14/14
LOCATION: WEST FARGO, MN
SCALE: ABOVE SQ. FT.

© 2014 Fenic Sign Corp. All rights reserved. Fenic Sign Corp. is a registered trademark of Fenic Sign Corp. Fenic Sign Corp. is not responsible for any errors or omissions in this drawing. The client is responsible for any errors or omissions in this drawing. Fenic Sign Corp. is not responsible for any errors or omissions in this drawing. Fenic Sign Corp. is not responsible for any errors or omissions in this drawing. Fenic Sign Corp. is not responsible for any errors or omissions in this drawing.

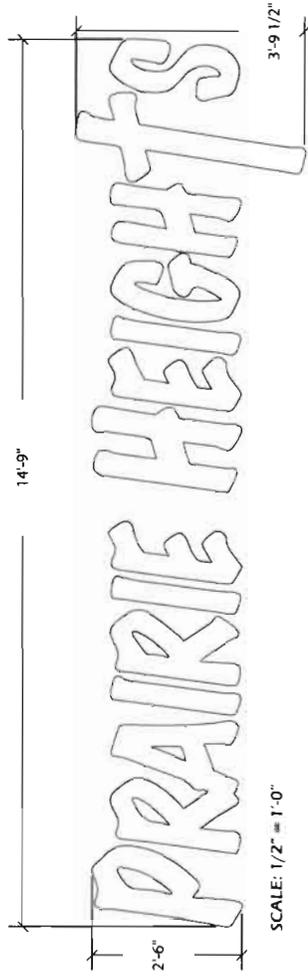


FILE NAME: PRAIRIE-HEIGHTS-WEST-FARGO-EAST-CHL-V1.AI

Electrical: This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or the applicable local code. This includes proper grounding and bonding of the sign.



EAST ELEVATION - SCALE: NTS



NOTES: FABRICATE AND INSTALL NEW FACELIT CHANNEL LETTERS

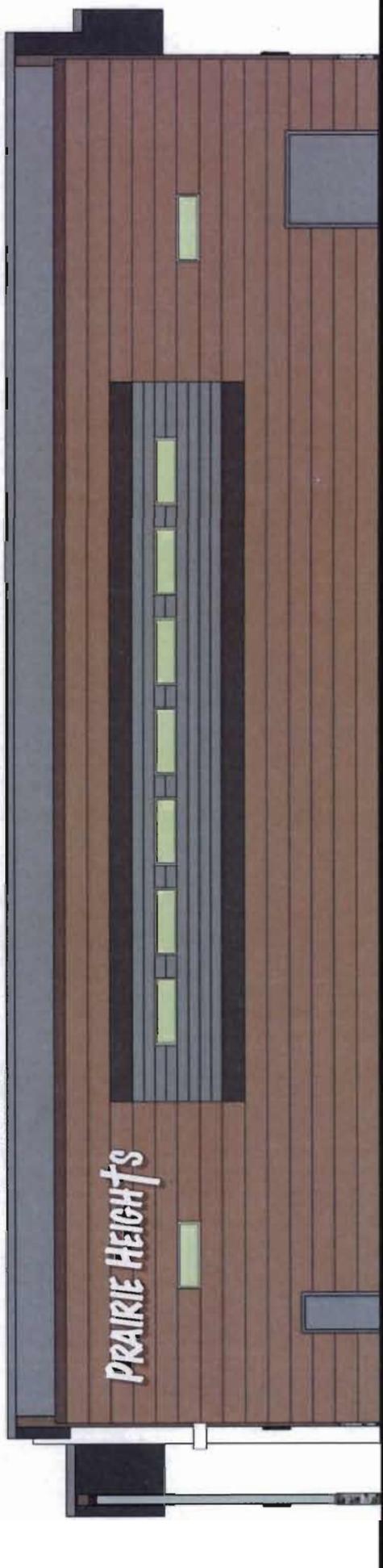
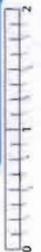
SALESMAN: GARY THORNTON DATE: 11/14/14
LOCATION: WEST FARGO, MN
SCALE: SEE ABOVE SQ. FT.:

The client warrants that the sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or the applicable local code. This includes proper grounding and bonding of the sign. The client warrants that no sign is intended to be installed on a building that is not a sign. The client warrants that no sign is intended to be installed on a building that is not a sign. The client warrants that no sign is intended to be installed on a building that is not a sign.

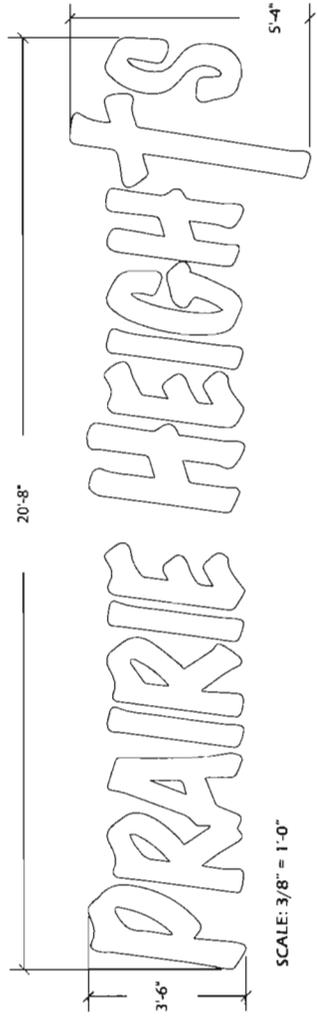


FILE NAME: PRAIRIE-HEIGHTS-WEST-FARGO-WEST-CHI-V1.AI

ALL RIGHTS RESERVED. THIS DOCUMENT IS THE PROPERTY OF FS NIC SIGN CORP. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM. THE INFORMATION CONTAINED HEREIN IS FOR YOUR INFORMATION ONLY AND IS NOT TO BE USED AS A SUBSTITUTE FOR PROFESSIONAL ADVICE. THE INFORMATION CONTAINED HEREIN IS NOT TO BE USED AS A SUBSTITUTE FOR PROFESSIONAL ADVICE. THE INFORMATION CONTAINED HEREIN IS NOT TO BE USED AS A SUBSTITUTE FOR PROFESSIONAL ADVICE.



WEST ELEVATION - SCALE: NTS



SCALE: 3/8" = 1'-0"

NOTES: FABRICATE AND INSTALL NEW FACE LT CHANNEL LETTERS.

SALESMAN: GARY THORNTON DATE: 11/14/14
LOCATION: WEST FARGO, MN
SCALE: SEE ABOVE SQ. FT.

The information on this drawing is the property of FS NIC SIGN CORP. and is not to be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system. The information on this drawing is for your information only and is not to be used as a substitute for professional advice. The information on this drawing is not to be used as a substitute for professional advice. The information on this drawing is not to be used as a substitute for professional advice.

Tim P. Solberg

From: Kathi Reiten <Kathi.Reiten@corelinksolutions.com>
Sent: Monday, December 01, 2014 10:37 AM
To: Tim P. Solberg
Subject: Proposed Conditional Use Permit

Tim,

I received a letter from you regarding allowing increased signage within a residential and corridor overlay district.

The sign that will be placed on the building I don't have a problem with that.

I also do not have a problem with a sign by 32nd Ave **BUT** I would prefer the sign along 32nd Ave to be **no** larger than what is currently in place. 16.6 feet high seems unreasonable and unsightly based on the information provided.

Thank you for your time.

Kathi Reiten

Desk Location – G26 near C1-4

Test Engineer II /Stable Team 17 - ND Product

office hours: M-TH 7:30am-5:00pm, F 7:30am-11:30am

Phone: 701-353-7336.

Kathi.reiten@corelinksolutions.com



Confidentiality Notice: This communication and any attachments are for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, distribution or copying is prohibited. If you are not the intended recipient(s), please contact the sender by replying to this e-mail and destroy/delete all copies of this e-mail message.

STAFF REPORT

City of West Fargo

A14-57 Brooks Harbor 4th Addition, Subdivision and Rezoning from Agricultural to R-1A: Single Family Dwellings, property in the N $\frac{1}{2}$ of Section 19, T139N, R49W, City of West Fargo, North Dakota and Replat of Lots 15-18, Block 5 of Brooks Harbor 2nd Addition, City of West Fargo, North Dakota

Nancy Loberg/NAI North Central

Planning & Zoning Commission

Introduction – 12/8/14

Public Hearing – 12/8/14

City Commission

Introduction –

Public Hearing & 1st Reading –

2nd Reading & Final Plat Approval –

BACKGROUND:

PURPOSE: Plat and rezone property for single family development.

EXISTING LAND USE: Agricultural

EXISTING ZONING: Agricultural

PROPOSED ZONING: R-1A: Single Family Dwelling District.

PARCEL SIZE: ± 43 Acres

CITY PLANS: Land Use – Low Density Residential
Streets – 9th Avenue West – Collector Street
21st Avenue West – Local Street
22nd Avenue West – Local Street
Memorial Drive – Local Street
Commander Drive – Local Street
Legion Lane – Local Street
12th Street West – Local Street
14th Street West – Local Street
Bikeway – n/a
Parks – Park Dedication Required

STATEMENTS OF FACT:

- The property, which is located south of I-94 and west of Sheyenne Street, is currently zoned Agricultural.
- The area was annexed into the City in December 2005.
- The proposed subdivision is adjacent to Brooks Harbor 2nd Addition which is immediately to the south and is under construction.
- The applicant proposes to develop the property as single family residential.
- The proposed use is consistent with City Plans and Ordinances.

DISCUSSIONS AND OBSERVATIONS:

- The developer has submitted an Area Plan and Preliminary Plat which shows the proposed subdivision and current development patterns in the area.
- The Land Use Plan depicts the area developing with Low Density Residential. The proposed land use as shown in the area plan is single family residential which is consistent with the plan.
- The zoning requested for the development is R-1A: Single Family Dwelling District. All lots exceed the minimum lot requirements for the zoning district.
- Adequate street right-of-way is shown for all the local streets within the subdivision. 22nd Avenue West is proposed with a wider right of way of 70 feet to accommodate 6 foot paths on both sides or a 10 foot on one side and standard 4 foot on the opposite. A small lot is proposed to accommodate path connection to the diversion for a future recreational path as has been identified in the Sheyenne Diversion/Sheyenne Street Bicycle and Pedestrian Study.
- The plat includes the dedication of 9th Street West north to 21st Avenue West. 9th Street West will act as the collector roadway for this development and future developments in the area. 21st Avenue West is important to the area plan as it would operate in similar fashion to a minor collector roadway. It has been determined that the current alignment of 21st Avenue West, east of the proposed alignment of 9th Street West would need to be abandoned as it is on top of the flood protection levees of the Sheyenne Diversion project and should not be operating as a City street.
- Retention needs of the development need to be considered and engineering is reviewing this to consider if easements will be necessary to tie into the existing retention ponds in previous plats of Brooks Harbor Additions. This should be identified and accommodated prior to final plat approval.
- The plat has been sent to the Park District for their review of park dedication. Land was dedicated with the first subdivision with the intent of cash-in-lieu of land dedication for this subdivision. Once the City receives communication from the Park District, we will develop a park dedication agreement. The agreement should be in place prior to City Commission consideration.
- A hook-up fee is required for all subdivisions south of I-94 which benefit from the major sewer extension services installed through City financing. The hook-up fees for the area being platted can be included within the assessment district.
- Notices were sent to property owners within 150 feet, City officials, as well as utility companies and SE Cass Water Resource District. Comment was received from an adjacent neighbor on an existing large residential lot to the north with concerns on how this

development may affect his special assessments. These concerns have been relayed to the developer, City Engineer, and City Administrator.

- The City still needs to receive an Attorney Title Opinion, certificate showing taxes are current, drainage plan, Final Plat with all the changes discussed along with any necessary easements, revised area plan, copy of the restrictive covenants if proposed for the development, park dedication agreement, a mail delivery plan, and a subdivision improvement agreement.

AFFECTS CONSIDERED (PROS & CONS)

Pros for Development as Proposed

- The proposed subdivision is consistent with City plans and ordinances.

Cons for Development as Proposed

- None apparent.

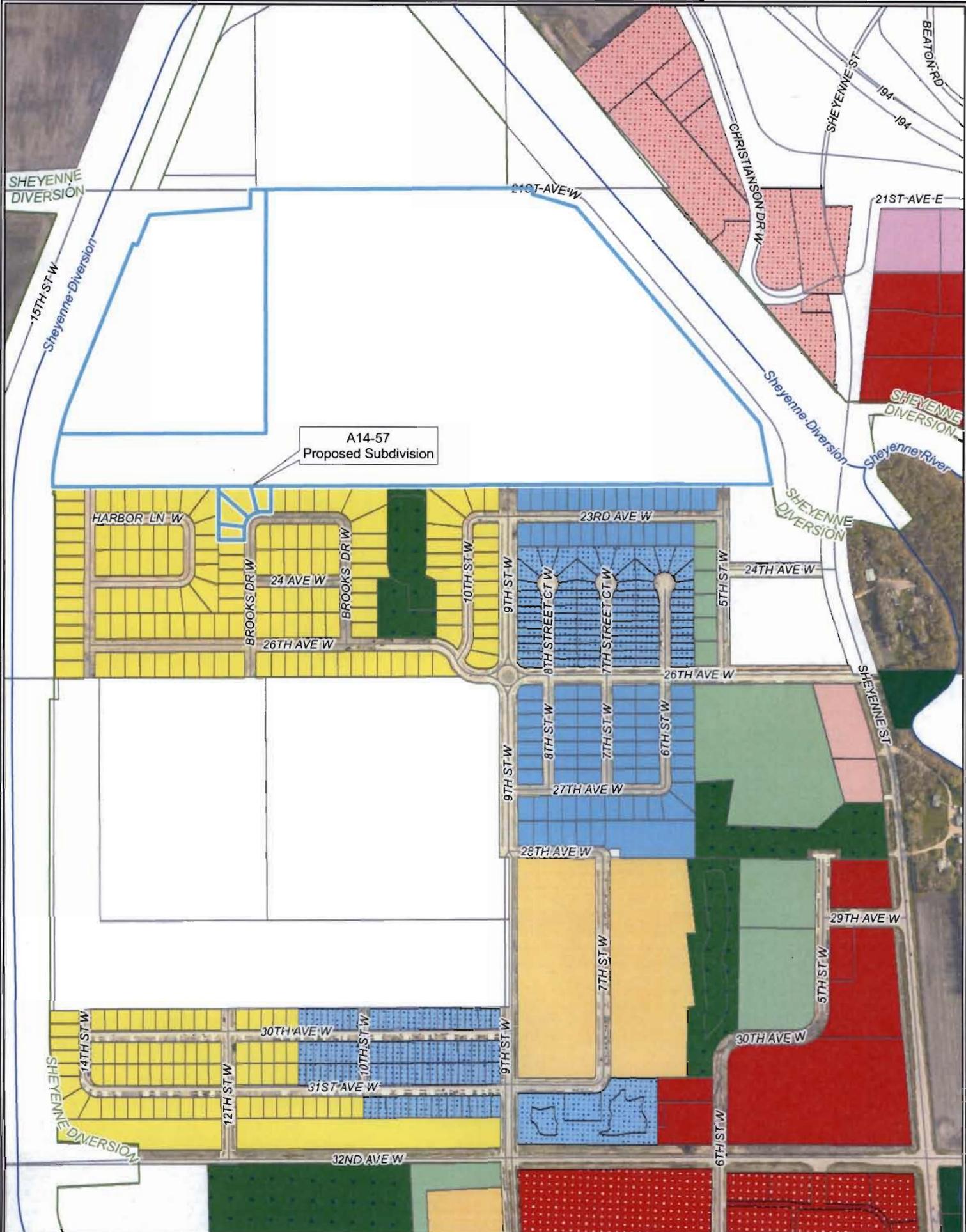
RECOMMENDATIONS:

It is recommended to conditionally approve the Preliminary Plat on the basis that it is consistent with City plans and ordinances. The conditions of approval include the following:

1. A drainage and utility plan is approved by the City Engineer.
2. Final Plat with any necessary easements including identifying if easements are necessary for storm water retention.
3. Restrictive covenants for the development are received for filing with the plat if proposed.
4. A subdivision improvement agreement and park dedication agreement are received.
5. An Attorney Title Opinion is received.
6. Certificate of Taxes is received showing taxes are current.
7. A mailbox plan is received and approved by the Post Office.



A14-57
Proposed Subdivision

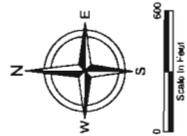
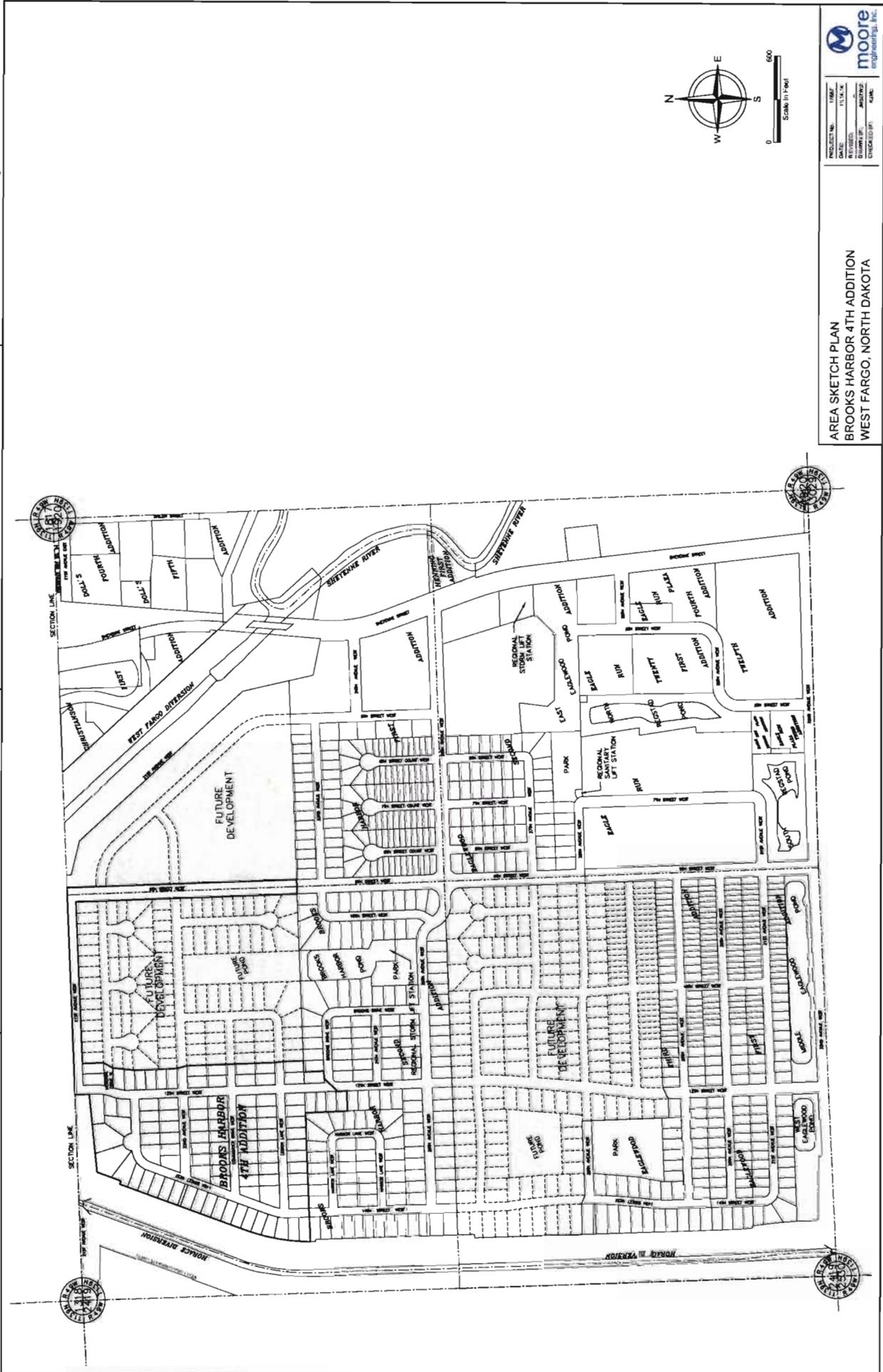


A14-57
Proposed Subdivision



- | | | | | |
|---------------------------------|--|--------------------------|----------------------------------|--------------------------------|
| A - Agricultural | C-OP - PUD in Commercial Office Park | P - Public | R-1SM - Mixed One and Two Family | R-5 - Manufactured Home |
| C - Light Commercial | CM - Heavy Commercial/Light Industrial | P-PUD - PUD in Public | R-2 - Limited Multiple Dwelling | R-1A - Large Lot Single Family |
| C-PUD - PUD in Light Commercial | CM-PUD - PUD in Heavy Comm./Light Ind | R-1A - Single Family | R-3 - Multiple Dwelling | R-1E - Rural Estate |
| C-OP - Commercial Office Park | M - Heavy Industrial | R-1 - One and Two Family | R-4 - Mobile Home | R-R - Rural Residential |
| | | | | R-PUD - PUD in Residential |





PROJECT NO.	17887
DATE	11.26.16
REVISIONS	
DESIGNED BY	AMSWOR
CHECKED BY	KJAC

AREA SKETCH PLAN
 BROOKS HARBOR 4TH ADDITION
 WEST FARGO, NORTH DAKOTA



STAFF REPORT

City of West Fargo

A14-58 Oak Ridge 7th Addition,
Subdivision, Rezoning from
Agricultural to PUD: Planned Unit
Development and Land Use Plan
Amendment from Low Density to
Medium Density Residential, property
in the NE¹/₄ of Section 29, T139N,
R49W, City of West Fargo, North
Dakota

Verity Homes of Fargo, LLC

Planning & Zoning Commission

Introduction – 12/8/14

Public Hearing – 12/8/14

City Commission

Introduction –

Public Hearing & 1st Reading –

2nd Reading & Final Plat Approval –

BACKGROUND:

PURPOSE: Plat and Zone the property for townhouse condominium development.

EXISTING LAND USE: Agricultural

EXISTING ZONING: A: Agricultural

PROPOSED ZONING: PUD: Planned Unit Development and C: Light Commercial

PARCEL SIZE: ± 14 Acres

CITY PLANS: Land Use - Low Density Residential
Streets – 33rd Avenue East – Local Street
6th Street East – Local Street
Unnamed Private Drives
Bikeway – Private multi-use paths proposed within the development with
connection to existing and proposed facilities.
Parks – Park dedication required

STATEMENTS OF FACT:

- The property is located east of 4th Street East and south of 32nd Avenue East.
- The area was annexed into the City in 2005.

- The Developer proposes platting a portion of a larger tract and zoning the parcels for a townhouse development and platting one lot at a little over one acre to be zoned as C: Light Commercial.
- The application is consistent with City Plans and Ordinances.

DISCUSSIONS AND OBSERVATIONS (CONCEPT DEVELOPMENT PLAN):

- The developer has submitted an application, Area Plan and Preliminary Plat for a residential development for townhouses and one lot to be retained by the original owner for development of general commercial uses and to be zoned C: Light Commercial.
- The Area Plan submitted by the developer shows where the proposed subdivision is located and surrounding properties/developments, which are under separate ownership. The Area Plan shows the Shadow Wood single family development to the south and Strawberry Fields single family to the west on 4th Street East. The area to the north is proposed as General Commercial and to the east Office Park with a proposed assisted living center.
- The Preliminary Plat consists of a lot for the townhouse development, a future commercial lot and a retention pond.
- The lot which contains the retention pond should be joined to the adjacent lot so as not to create a separate lot of the retention pond. The pond was not built to City specifications and is not required for regional retention. It is intended as an amenity of the development and will be maintained by them. The City does not wish to inherit the pond in the future.
- The lot intended for townhouse condominiums consists of approximately 10.1 acres and is intended to provide 119 townhouse condo units which is a density of 11.8 units per acre. The developer intends to phase the development in three phases. It will be important to identify the phases in the Detailed Development Plans, the timeframes for each phase and manner of phasing so that adequate access for municipal services and emergency vehicles can continually be provided.
- The primary entrance to the subdivision is at the intersection of 6th Street and 33rd Avenue East. The streets show rights-of-way of 62 feet in width. All streets in the development are considered private drives. The right-of-way for 6th Street and 33rd Avenue East was dedicated previously with Oak Ridge 5th Addition.
- The adjacent Strawberry Fields Addition set aside a 10' lot extending from this land west to 4th St E and was intended for a bike/pedestrian path to connect this area to the paths and parks in the Shadow Wood area. Staff feels it would be appropriate to continue this path into the proposed plat for connectivity, and that the path including that which is legally described as Lot 9, Block 1 of Strawberry Fields Addition should be improved as part of the improvement district. If approved, staff would recommend that the path be considered as partial fulfillment of the required park dedication for the plat. Staff believes the requirement of the path would be consistent with the Comprehensive Plan; Transportation Goal 3, Objective a. "to provide bikeways/trails and pedestrian pathways and trails that connect residential areas with each other, with park facilities, school facilities, and with major activity centers".
- Goal 2 under Community Development, Design, and Housing in the City's Comprehensive Plan provides some points of discussion for this development.
 - Objective b. "To provide opportunities for high-quality multiple family developments, including townhomes, condominiums, and higher density rental properties" certainly

is fitting with this proposal in that this development provides a development which includes amenities and regulations within a proposed homeowners association that would indicate it should be considered of “high-quality”.

- Objective g. “To promote a diversity of multiple-family residential units including townhouse, condominiums, and low and higher density rental properties to be evaluated by each section of land to ensure an equitable distribution throughout the growth area. A minimum of 20% of housing will meet the medium density standard of 16 units per acre or less and consist of 4 to 8 unit apartment buildings, townhouses, and condominiums.
 - Objective h. “To provide a housing development pattern with the ratio of single-family dwelling units to multiple-family dwelling units between 60 to 70% single-family to 30-40% multiple-family” provides points that as we consider this development it should be noted that the higher density housing in this section has been met and that there is a small amount available in the section to be dedicated to medium density. This proposal meets the density requirements of low density; however the housing type is more fitting with medium density. Staff feels the combination allows for approval of this development is consistent with the Comprehensive Plan and that a land use plan amendment should be associated with the development, but only approved as part of this PUD as it is unique to the proposed development.
- A drainage plan is required for the subdivision. Storm water retention requirements for the subdivision area are included within the regional storm retention for Section 29.
 - Park dedication is required for the development. The required amount of park dedication is 10% of the gross area for residential development and 5% for commercial development.
 - All subdivisions developed south of I-94 which benefit from the major sewer extension services installed through City financing are required to pay a utility hookup fee. Arrangements for payment need to be made prior to the subdivision plat being recorded.
 - Landscaping for the subdivision lots and street boulevards will be according to the City’s landscape standard.
 - Notices were sent to area property owners. The City also provided the proposed development plans to City departments, Park District, Post Office, SE Cass Water Resource District, and utility companies.
 - We have received four comments to date from residential neighbors to the south indicating concerns with increased traffic and positioning of some of the proposed homes as well as the proposed dog park and existing trees on the property. The developer has been communicating with these residents as they continue to develop their plans. Communication that has been provided to staff is included as an attachment to this report.
 - The City still needs to receive detailed development plans, condominium documents, an attorney title opinion, certificate showing taxes being current, drainage plan, necessary easements on the Final Plat, mail delivery plan, park dedication agreement, and subdivision improvement/PUD agreement.

AFFECTS CONSIDERED (PROS & CONS)

Pros for Development as Proposed

- The proposed development meets density requirements of the low density residential designation in the Land Use Plan which is designated for this area.
- Planned Unit Development allows Commission and adjacent neighbors to review detailed development plans prior to approval.

Cons for Development as Proposed

- Buildings as proposed do not fit within the written examples for low density residential and are more typical of medium density residential. A land use plan amendment would be required in order to allow this development to be considered.

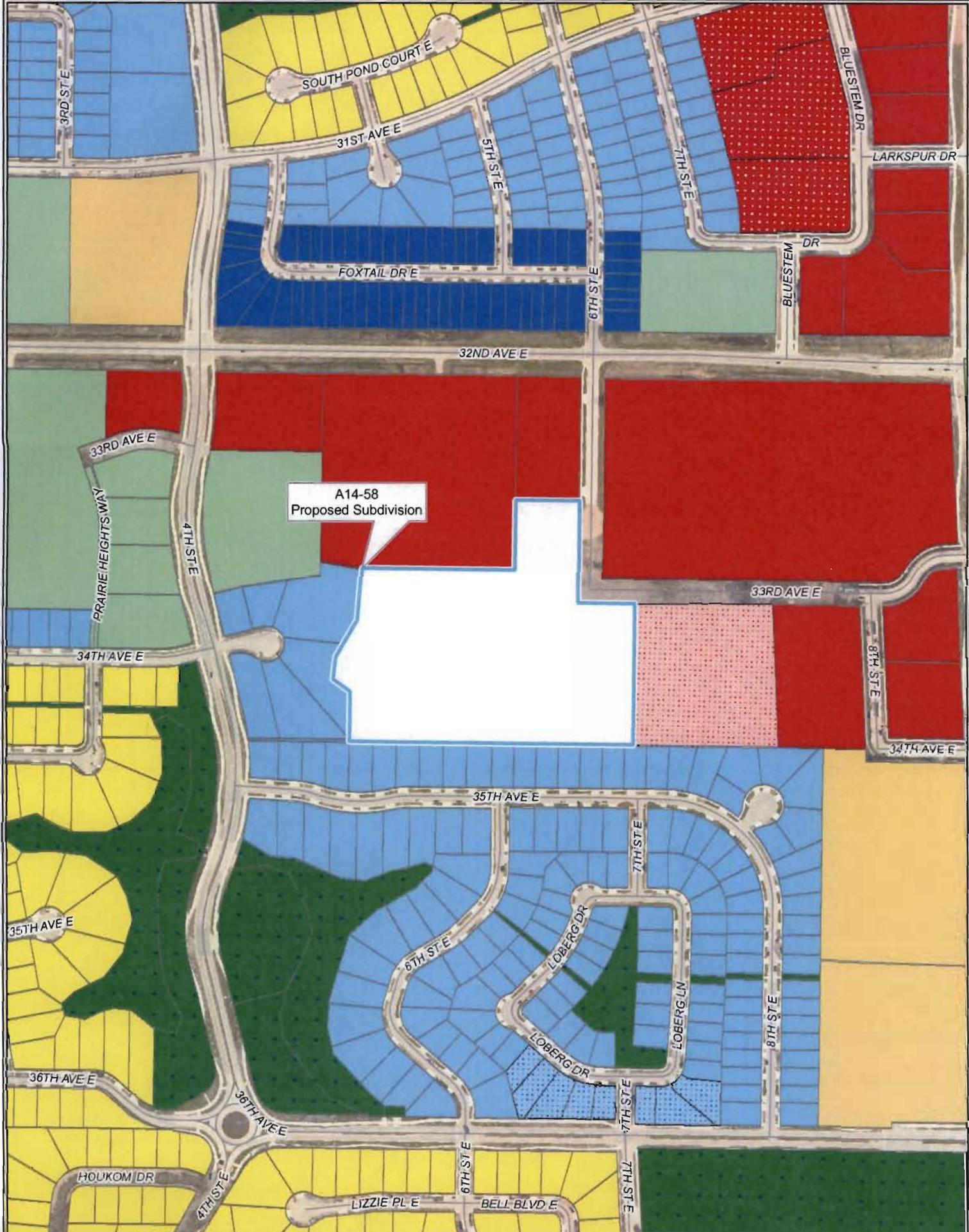
RECOMMENDATIONS:

It is recommended that the City Planning and Zoning Commission conditionally approve the proposed application as a concept development plan on the basis that with an approved land use plan amendment it will be consistent with City plans and ordinances. The conditions of approval which would need to be satisfied prior to review of the detailed development plans and future consideration by the City Commission are as follows:

1. Concerns of adjacent neighborhood are given due consideration.
2. That a Land Use Plan Amendment from low density residential to medium density residential be approved at final approval of the Planned Unit Development.
3. Final Plat with any necessary easements including that the existing retention pond be included within the other lot of the plat so as not to create it as a separate lot.
4. That a path connecting the development to adjacent developments on Lot 9, Block 1, Strawberry Fields Addition be a part of the proposed development and included in the improvement district.
5. A drainage and utility plan is approved by the City Engineer.
6. Any necessary easements are placed on the Final Plat.
7. A landscape plan is received prior to building permits being issued.
8. Condominium documents for the development are received for filing with the plat if proposed.
9. A phasing plan is developed for the three phases showing the timeframes and manner of phasing to continually provide adequate access for municipal services and emergency vehicles.
10. A subdivision improvement/PUD agreement and park dedication agreement are received.
11. An Attorney Title Opinion is received.
12. Certificate of Taxes is received showing taxes are current.
13. A mailbox plan is received and approved by the Post Office.



A14-58
Proposed Subdivision



A14-58
Proposed Subdivision



- | | | | | |
|---------------------------------|--|--------------------------|----------------------------------|---------------------------------|
| A - Agricultural | C-OP - PUD in Commercial Office Park | P - Public | R-1SM - Mixed One and Two Family | R-5 - Manufactured Home |
| C - Light Commercial | CM - Heavy Commercial/Light Industrial | P-PUD - PUD in Public | R-2 - Limited Multiple Dwelling | R-L1A - Large Lot Single Family |
| C-PUD - PUD in Light Commercial | CM-PUD - PUD in Heavy Comm/Light Ind | R-1A - Single Family | R-3 - Multiple Dwelling | R-1E - Rural Estate |
| C-OP - Commercial Office Park | M - Heavy Industrial | R-1 - One and Two Family | R-4 - Mobile Home | R-R - Rural Residential |
| | | | | R-PUD - PUD in Residential |





Total Area: 12.6 Acres
 Net Area: 10.1 Acres
 Net area excludes 2.5 acres of pond and associated 55' stormwater storage easement.

OAK RIDGE SITE PLANNING
 29 SEPTEMBER 2014

EXISTING SITE
 RED DOOR HOMES | WEST FARGO, NORTH DAKOTA



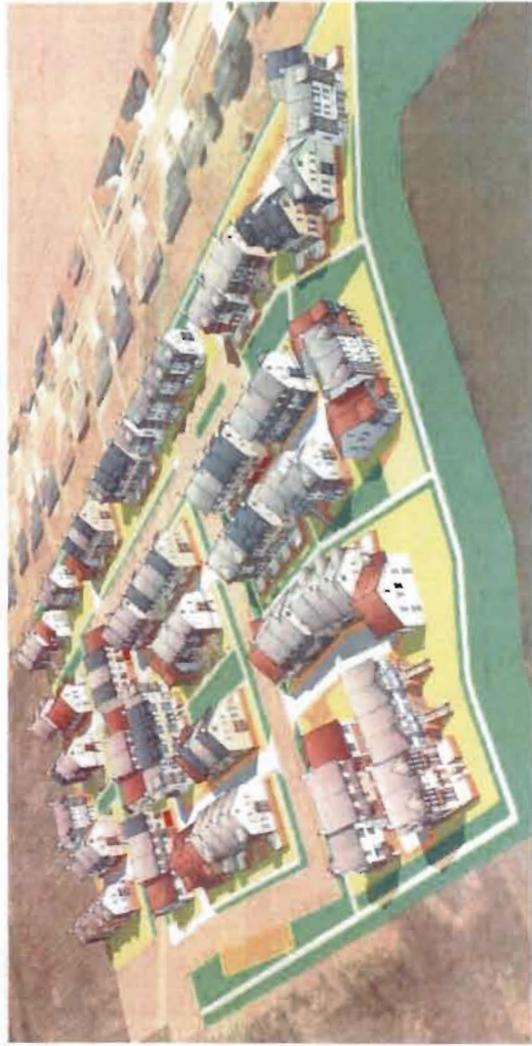
OVERALL VIEW FROM THE NORTHEAST

RED DOOR HOMES | WEST FARGO, NORTH DAKOTA

OAK RIDGE SITE PLANNING

29 SEPTEMBER 2014





Top: View looking east along central paseo from western edge of site

Above: Looking northeast from the southwest corner of the site with pond at left

Upper Left: Overall view from the northwest

Left: View across the motor court looking west

ADDITIONAL PERSPECTIVE VIEWS

RED DOOR HOMES | WEST FARGO, NORTH DAKOTA

OAK RIDGE SITE PLANNING

29 SEPTEMBER 2014





The main loop road (32' paved, 62' ROW) provides fire department access to the majority of the neighborhood.

There are three fire access lanes (20'-30" clear width) at the western portion of the site that provide access to buildings fronting the pond.

The light-blue overlay indicates a 150' distance from any fire access road or lane. The turning radii shown are typically 45' inner and 64' outer. (Design criteria per 2009 IFC 503)



Public trails and sidewalks through the site connect the new neighborhood to the existing sidewalks, streets and trails of West Fargo.

Development along the southern boundary of the site is set back 30' in order to preserve the natural edge as part of the trail.



COMMUNITY CONNECTIONS
 RED DOOR HOMES | WEST FARGO, NORTH DAKOTA

OAK RIDGE SITE PLANNING
 29 SEPTEMBER 2014



Tim P. Solberg

From: Joe Kolb <jkolb@trailing.com>
Sent: Wednesday, November 19, 2014 10:46 AM
To: Tim P. Solberg
Subject: New Development next to Shadowood

Tim,

Thanks for the information regarding the proposed development behind my house. Overall the plans look very attractive and think the development will be a great addition to our neighborhood, but I have a few comments/concerns that I hope can be addressed with changes.

It looks like car traffic will run along all the entire south edge of the development which backs up into all the bordering yards in Shadow-wood. Next to my yard, it is currently laid out such that cars will be facing my yard for parking and their lights will be shining right into my house. That is somewhat objectionable to me. This will also be the case for most of the homes to the east of my place because all the proposed garages are on the south side of the homes and the alley runs parallel to the border. The second concern about this configuration is regarding snow removal. It looks like the entire border will become the primary snow dumping location. The current layout appears to have a pretty big negative impact to all the Shadow-wood yards that border this development. Maybe there is a way to reconfigure the buildings so that we are not facing all alleys and parking.

Another point I would like to bring up is regarding garbage pick-up. Where would the residents of this development have their garbage cans and where would the trucks run to collect them? Again, if it's all along our border it will have a negative impact to our properties and I would like to minimize it.

I hope the developer can take my concerns into consideration. Please let me know if you, or the developer, have any questions regarding my comments.

Sincerely,
Joe Kolb
508 35th Ave E
West Fargo, ND 58078
1 701 866-0158

Tim P. Solberg

From: Art <Art@reddoorhomesnd.com>
Sent: Friday, November 21, 2014 3:10 PM
To: Tim P. Solberg; Larry M. Weil
Cc: Joe Kolb
Subject: FW: Revised Oakridge site
Attachments: 2152PlanSiteOakRidge_141121.pdf

Tim/Larry - Made a few revisions to this after discussing some concerns with Mr. Kolb.

We added another row of screening shrubs, some additional trees, and privacy fence wherever headlights might shine toward the rears of the homes to the south. We also shifted the pod of homes in the SW corner north a bit, to provide more separation from the south property line.

Joe – we didn't flip the buildings on the south side. We wanted to keep the fronts of the homes facing each other, and the communities back yards facing your and your neighbors back yards. The architect did have a good point as flipping them would disrupt the interaction between front yards, the main loop street, and also the interaction with Shadow-wood. While the southerly orientation would provide more sunlight into the fronts of the homes, it would take the sun away from the rear balcony decks and driveways on those homes. As they stand, the living level bedrooms would face your properties, where people spend their time resting, which may be more desirable for privacy reasons than living rooms facing your back yards.

Anyone have thoughts?

Thanks.

Arthur Goldammer, CEO
Red Door Homes
Office - 701-663-4117
www.reddoorhomesnd.com

From: Terry Welsh [<mailto:terry.welsh@urbandesignassociates.com>]
Sent: Friday, November 21, 2014 2:01 PM
To: Art
Subject: Revised Oakridge site

Art,

Please see the attached plan with edits per our conversation this morning. We've indicated some additional shrubs, trees and privacy fencing at select locations along the southern property line, and have also tweaked the design/mix of the southwest court in order to move it fully out of the 30' setback. I'll be back in town on the first if we need to make any final changes before the public hearing.

thanks,
Terry

--

Terry Welsh, LEED AP
Urban Design Associates
Gulf Tower, 31st Floor
707 Grant Street
Pittsburgh, PA 15219

V: 412.803.4372 (direct)
F: 412.263.5202

www.urbandesignassociates.com

Tim P. Solberg

From: Art <Art@reddoorhomesnd.com>
Sent: Tuesday, November 25, 2014 11:07 AM
To: Tim P. Solberg; Jill Swenson
Cc: Larry M. Weil; Lisa Sankey
Subject: RE: Concerns about Proposed Oak Ridge 7th Addition

Brady & Jill,

Thanks for your comments and voicing your concerns. I will add a few comments to Tim's replies below.

Feel free to call me any time to discuss further. I think you will find that the upscale finishes (EFIS, stone, fiber cement, & architectural shingles) will compliment your neighborhood as many of your homes are finished in the same fashion. No vinyl lap siding or three tab shingles will be used.

We feel that a project such as this, has the greatest potential for increasing neighboring values by contributing a community that has interconnectivity to trails, green space, varying architecture, etc., to the surrounding uses. This townhome community will be much different than what you are used to seeing in Fargo. Nothing like the one under construction right now NW of this project, directly adjacent to Strawberry Fields subdivision.

I'm sure to say I would assume the residents of Shadow-wood would not prefer the "normal" townhome development or apartments behind their properties. We feel this product is much more attractive and a better fit than the other options that may come up if this isn't supported.

I understand it is difficult to get accustomed to the idea of development in your back yards, especially when you have enjoyed the cropland since you moved in. But, I hope we can work together to create an attractive & feasible community that is the best compliment to the assisted living facility to the east and your community to the south.

In response to your questions:

1. The hard surface begins 30 ft from the property line. The only traffic on this will be for the residents of the southern most units, which should be very light. We intend on preserving the existing trees, adding more, adding shrubs, and privacy fence to mitigate headlights shining in back yards.
2. As Tim eluded, we are still falling into low density category. MR3 zoning (apartments) would nearly triple the potential for the site. Our density will be less than the assisted living facility directly to the east, behind other neighbors of yours.
3. We have slightly over 50% of the entire site in green space, which is scattered throughout the site in little mini green spaces, tot lots, etc. MR3 zoning only requires 25%. As to the rear yards, the rear of the proposed homes face the rears of your homes. And, once you factor the 30' landscape buffer, and the 30' street, that puts the rear of the home 60' off the property line, which is very similar to the homes in Shadow Wood.
4. Some are three story, but would be lower than the apartments you are used to seeing. Apartments are much wider, which causes the roof peak to increase in height.
5. The bike path is proposed to tie in to the exiting path easement that has been in place between Strawberry Fields and Shadow Wood. The trail then veers through our proposed community toward the NW, providing interconnectivity to the existing West Fargo trail network. This is a benefit to Shadow Wood, as your children will be able to walk safely, using the trail system, to get to the Scheels Center, or

Sanford Athletic Complex, or anywhere else. We do not intend on providing an additional path along the landscape buffer, unless required by the city.

6. I'm sorry you feel that our proposed community would negatively affect your property values. While an open field is certainly desirable, the city master land use plan has called for development of this parcel all along. Communities need transitional zoning to bridge the gaps from single family detached to commercial zoning. I'm sure the last thing you want behind your homes are commercial in nature (i.e. office, grocery store, restaurant, etc.) or high density multifamily (apartment). For the type of land it is, and the related zoning surrounding this parcel, this option is the best land use we could think of. Single family large lots could work, however the price of those lots would be so high due to specials and the raw land cost, which would price them out of the market. We do intend on preserving the pond, installing the green space and mini-parks, as well as, the trail system shown. Those are all "Parks, Paths, & Ponds" items and we believe will fit great next to your community.

Again, feel free to call with any questions or concerns.

Have a great day.

Arthur Goldammer, CEO
Red Door Homes
Office - 701-663-4117
www.reddoorhomesnd.com

From: Tim P. Solberg [mailto:Tim.Solberg@westfargond.gov]
Sent: Tuesday, November 25, 2014 8:34 AM
To: Jill Swenson
Cc: Art; Larry M. Weil; Lisa Sankey
Subject: RE: Concerns about Proposed Oak Ridge 7th Addition

Thank you for the comments Brady and Jill. The meeting is held in our City Commission Chambers at City Hall – 800 4th Ave E at 7pm on Monday December 8th. The Commission Chambers are in the Police wing, which is the east door. I'm attaching a revised site plan that we received just after we mailed out the plans to the adjacent neighbors. I am also copying the representative of the development if they would have any response to your concerns and questions. Your concerns will be considered as staff prepares our report and will also be included for the Commissioners to review as they consider the development. This development is currently in concept phase meaning that full detailed development plans have not yet been submitted. The concept phase is to be considered prior to the developer moving forward with full plans.

I should add that we've not had a full review of the plans yet and are currently preparing our report. From what I know as of today I've attempted to answer some of your questions by providing a short response in red below. I can discuss over the phone as well and am available this afternoon anytime.

Thank you for your comments and participation in the process. Please let me know if you have any additional comments or questions.

Tim Solberg, Senior Planner
City of West Fargo
701-433-5321 – office
701-388-4925 – mobile

From: jbswenson4@gmail.com [mailto:jbswenson4@gmail.com] **On Behalf Of** Jill Swenson
Sent: Monday, November 24, 2014 10:52 PM
To: Tim P. Solberg
Subject: Concerns about Proposed Oak Ridge 7th Addition

Good Morning, Tim

My wife Jill and I have been reviewing the Oak Ridge proposal we received last week. We are the owners of 532 35th Ave. E, In the Shadow Wood 2nd Edition, lot #10.

We have six serious concerns about this new proposal, specifically regarding the furthest south row of town homes, immediately adjacent to all of the single family homes.

1. The Alley

In this plan, 9 single family homes' back yards (ours included) will be just feet away from a street where cars will be driving right next to where our families and (young) kids play. – **in the attachment the developer is attempting to mitigate this by the use of privacy fence in areas and trees.**

2. The Density

The first proposal (March 26th) we received for the same area had only 23 single family residential homes. This proposal puts at least 5 times as many people in the same space. – **density of the previous plan was very low and the previous developer realized was not economical. The proposed density of this development is under the maximum density allowed for low density residential. Yes, it is a great deal more than what was initially proposed, but it would still meet the allowable density of low density residential.**

3. Lack of green space

This proposal includes a very limited amount of green space with none of the adjacent 13 single family homes backing up to another green space of any sort. With the plan from March 26th, those same 13 single family homes would be neighboring only 5 single family homes, all with backyards bordering backyards. - **they will be required to meet the open and green space requirements of the underlying residential districts which is 30%**

4. Height of proposed homes

Our home is a 2-story. The furthest south town homes appear to be 3-story buildings which we assume would be even taller than our home. How tall would the 3-story homes be? As tall as an apartment building? – **this has not yet been provided**

5. Location of bike path

This is not clearly defined on all maps that were included in the proposal. Is there a bike path proposed that would run parallel with our property? If so, will it be north of the existing tree line? This proposed bike path, combined with the density and lack of green space in the proposal, will bring unwanted foot traffic by our private backyard. – **it appears in the latest attached plan that it does not run east-west along the tree line**

6. Decreased Property Value

We believe that the above 5 concerns will decrease our property value. This proposal goes against the original Shadow Wood development's statement of "Parks, Paths and Ponds" which is why many of us chose to purchase lots here.

We will be attending the hearing on December 8th, however the memorandum does not say where the meeting will be held. Is it at 800 4th Ave. E as printed on the footer of the memorandum?

Your immediate attention to this email is appreciated.

Brady and Jill Swenson

Tim P. Solberg

From: Tim P. Solberg
Sent: Wednesday, December 03, 2014 10:07 AM
To: 'Lindsey Muscha'
Cc: 'Art'; Larry M. Weil
Subject: RE: Oak Ridge 7th Addition

Thank you for your comments Lindsey. You are correct that this proposal is the initial conceptual plans for the area. The previous plan which was considered this last spring was not pursued and it is assumed that it is because the previous developer did not feel the market was going to accept the cost of the proposed larger lots that were in that plan.

Our land use plan designates this area as low density residential. The density allowed in this designation is up to 10 units per acre for detached single family homes, and up to 14 units per acre for attached single family homes. This current proposal comes in around 10 units per acre so we feel they will be able to meet the density requirements.

It is a unique piece of land in that the previous developers of Shadow Wood where you live and this corner did not have the same timing in mind as they developed the section. At the time there were a lot of changes occurring in our community with Veteran's Boulevard and the growth in the southwest metro. This has left this corner with existing regional special assessments for the arterials, regional retention, regional parks, etc....but still a need for services which will mean added assessments. It creates a costly endeavor, and one that likely requires them to achieve the highest density possible to be able to make for a successful development. As a city we can control the density and can require certain elements be met, but we cannot develop the property for them. In this case it is beneficial to us and to you as neighbors that they are pursuing the development as a Planned Unit Development because it gives us all the chance to review the plans in their entirety to ensure it will be compatible with the neighboring land rather than straight zoning which would allow them to develop and meet our requirements, but not provide us with the details prior to approval.

As City staff we review developments based on the applications and citizen comments and try to bring both the developers and the residents together so the Commissioners can make informed decisions. I very much appreciate you taking the time to write to us and will include these comments in the Commission packet. Further, the developer will be given an opportunity to see your comments and I expect he will work with you to address your points. I've receive two other comments and have copied him on my response. I believe he has been in contact with those two neighbors. I've copied him as well in this case, but we encourage you to stay engaged and I'm happy to hear you plan on attending the Monday meeting.

If you have any further comments or questions please contact me anytime.

Thanks again for your comments and participation in the process.

*Tim Solberg, Senior Planner
City of West Fargo
701-433-5321 – office
701-388-4925 – mobile*

From: Lindsey Muscha [mailto:lindseymuscha@hotmail.com]
Sent: Wednesday, December 03, 2014 9:38 AM
To: Tim P. Solberg
Subject: Oak Ridge 7th Addition

Hello Tim,

This email is in regards to the letter we received in the mail about the proposed Oak Ridge 7th Addition.

I live at 516 35th Ave. E in West Fargo, just south of the proposed neighborhood.

I have many concerns about this proposal. It completely different than the original proposal. My understanding is that the change came because of the amount of special assessments to this property. I don't understand why we would be planning our community based on this. Couldn't this be reassessed? West Fargo is growing at such a rate I think we need to take a moment to plan the community based on the needs of the community and not the pocketbook of the developer. I know his thought is that the original plan would make the property values such that nobody would be able to afford it. That is just not true. There have been many homes selling well over the \$600,000 range in our area. With the new Sanford Hospital being built along with many other high-paying jobs in the area the properties will sell at any price. With the pond being there this is well desired land. Make good use of this property!

If the committee decides there is no other choice than to build townhomes on this property could the plans be adjusted so there is not a road and parking lot along the edge of the property. I know they plan to have a little green space, trees and shrubs, maybe a short fence, but that does not help in the safety of our family of young children, one with special needs that will not understand personal safety in our back yard. I think in the least they could change the plans to have the townhomes have the garages on the north side of the homes and utilize the road that is on the north side. That road could then be widened enough to have on-street parking and no need for an extra parking lot.

I know this is the initial proposal and I really hope the committee takes into consideration the quality of life of the existing homes as well as the community as a whole. We never expected to have a field in our backyard forever. It will be nice to finally have this property developed to remove the 5 foot weeds back there.

Thank you for your time. I will be at the meeting on Monday.

Best Regards,
-Lindsey

Tim P. Solberg

From: Tim P. Solberg
Sent: Thursday, December 04, 2014 11:50 AM
To: 'Shane Mechaley'
Cc: 'Art'; Larry M. Weil
Subject: RE: Proposed Oak Ridge 7th Addition Rezoning

Shane/Kristi,

Thank you for the email. Your comments will be included in the information sent to Commissioners as they consider this plat on Monday evening. I've also copied the developer in case he is able to address any of your concerns. The application is currently in a conceptual phase, and this concept is what is being considered on Monday night. If approved, detailed development plans would be required and would be reviewed in a similar manner and provided to the adjacent neighborhood again.

To answer your question on why this proposal is replacing the previous proposal, I suspect it is that this proposal is better suited to the market. We can't dictate to the developers how they develop the property. Sometimes the cost to service areas of land make it more economical to develop it differently. This proposal in its current form would meet the City's maximum allowed density in low density residential. The previous plan was to be straight zoned to R-1A which would not have allowed for this close of a review. The current proposal is for it to be zoned Planned Unit Development which allows for you as neighbors and the Commissions to see the plans in their entirety to ensure it will be compatible with the neighboring land prior to approval. This makes your specific comments very helpful in this process.

Again, thank you very much for your comments and participation in the process. If you have any further questions or comments please contact me anytime.

*Tim Solberg, Senior Planner
City of West Fargo
701-433-5321 - office
701-388-4925 - mobile*

From: Shane Mechaley [<mailto:smechaley@hotmail.com>]
Sent: Thursday, December 04, 2014 10:15 AM
To: Tim P. Solberg
Subject: Proposed Oak Ridge 7th Addition Rezoning

Tim:

My name is Shane Mechaley and live at 428 35th Ave E in West Fargo. My wife, Kristi, and I had a few comments we wanted to make regarding the request for rezoning Oak Ridge 7th Addition. Our concerns are specifically toward the proposed sidewalk and dog park directly behind our property.

We have very large and mature trees behind our property that provide wind shelter, natural habitat, shade and privacy for us. It was a huge selling point for us on the house we bought along with the fact that we had a natural-looking setting behind us with the natural pond. It appears as though those trees would have to be cut down in order to put a sidewalk through. There is nowhere else for it to go as the trees are wide enough where they extend onto our property and the yard behind us. There are also many additional trees behind other properties that are in the way of the proposed sidewalk. Those trees are decades old and are probably 50 feet high. I can't imagine cutting them down.

We are also concerned about the sidewalk itself being behind our property. Removing the trees alone would take away privacy but even make it worse with constant traffic next to our yard. We have spent a lot of time and money in putting private living spaces in our back yard that are only about 30 feet from the proposed sidewalk. Had we known that not only the trees would be taken away but also that a sidewalk would be put in, we definitely wouldn't have spent that much putting in outdoor living spaces that wouldn't end up being private and probably would not have purchased that property.

Another concern is about the dog park that is going to be just outside our neighbors back yard. It seems like a very unfortunate location for a dog park that is again only feet away from our yard. It is obviously a concern for noise, privacy, safety and security. I can't speak for all dog parks because I don't know where they all are but the ones I have seen have been remotely located in more private areas rather than essentially right in someone's back yard.

I do have one question: There was a proposal sent out months ago for this addition that didn't have intrusive sidewalks, trees being cut down, townhomes built, privacy taken away, etc. Is there a reason that proposal is being replaced by this?

We hope you take our concerns into consideration. I should also be able to attend the commission meeting on Dec. 8 but if not, please consider this our formal concerns for this proposal. Please respond, if possible.

thanks

Shane & Kristi Mechaley

STAFF REPORT

City of West Fargo

A14-59 Nitschke Addition, Rezoning from Agricultural to R-1A: Single Family Dwellings and Land Use Plan Amendment from Medium Density to Low Density Residential, property in the SE¼ of Section 31, T139N, R49W, City of West Fargo, North Dakota

Harvey Nitschke/NAI North Central

Planning & Zoning Commission

Introduction – 12/8/14

Public Hearing – 12/8/14

City Commission

Introduction –

Public Hearing & 1st Reading –

2nd Reading & Final Plat Approval –

BACKGROUND:

PURPOSE: Plat and zone for single family development.

EXISTING LAND USE: Rural Residential

EXISTING ZONING: A: Agricultural

PROPOSED ZONING: R-1A: Single Family

PARCEL SIZE: ± 10 Acres

CITY PLANS: Land Use – Medium Density Residential
Streets – Sheyenne Street – Minor Arterial Street
 Unnamed Private Drive
Bikeway - Proposed Class I Facility along Sheyenne Street
Parks – Park Dedication Required

STATEMENTS OF FACT:

- The property, which is bordered by Sheyenne Street to the east and 9th Street West to the west, is located south of the Nelson Acres subdivisions, east of The Wild's and north 52nd Avenue South.
- The developer proposes platting to accommodate a proposed single family development.
- This application is not consistent with the city's Comprehensive Plan as this area is Medium Density Residential on the Future Land Use Plan and a Land Use Plan Amendment would be required.

DISCUSSIONS AND OBSERVATIONS:

- The developer has submitted an application, Area Plan and Preliminary Plat.
- The City's Land Use Plan depicts the area as Medium Density Residential.
- The Comprehensive Plan shows Sheyenne Street as a Minor Arterial Street.
- The Area Plan submitted by the developer shows where the proposed subdivision is located, as well as the surrounding properties/developments.
- The Preliminary Plat consists of 11 single family lots.
- The necessary right-of-way should include a total of 150 feet along Sheyenne Street (75 feet of right-of-way on each side. Local streets need minimum of 62 feet of platted R-O-W, the developer is proposing a private drive.
- Streets that are classified as Collectors and Arterials are designed as limited access streets to provide for better movement of traffic. Arterials should be oriented toward mobility (speed and capacity) rather than access, while local streets provide high levels of access. Collectors should provide a balance between access and mobility. Appropriate access control insures safety and preserves the capacity on arterial streets, reducing the need for traffic to divert to local streets. The City's access control standards are established within the Subdivision Ordinance which indicates that the desired spacing of connections to designated arterial streets and roadways (Sheyenne Street) in less developed areas is 1,320 feet with a minimum spacing of 660 feet and in developing areas is 660 feet with a minimum spacing of 330 feet. The subdivision ordinance calls for buffer easements up to 30 feet along arterial roads (Sheyenne Street) for buffering/screening when residential development is adjacent to the street. Provision should be made for landscaping and/or fencing where residential properties are platted near these streets. A landscape plan should be developed that indicates they can meet this requirement.
- A Class I bikeway is planned along Sheyenne Street.
- A drainage plan is required for the subdivision
- The plat has been sent to the Park District for their review of park dedication. Once the City receives communication from the Park District, we will develop a park dedication agreement. The agreement should be in place prior to City Commission consideration.
- Park and trail amenities are located to the west of the subdivision. Staff feels that the development should offer connectivity in some manner to reach these facilities. Given Sheyenne Street does not have facilities to reach those amenities, staff is recommending that they provide access by way of a path to the end of the property to the west for future connection into the Wilds. The requirement of the path would be consistent with the Comprehensive Plan; Transportation Goal 3, Objective a. "to provide bikeways/trails and pedestrian pathways and trails that connect residential areas with each other, with park facilities, school facilities, and with major activity centers". This path should be improved prior to issuance of any building permits.
- The section is significantly low in terms of diversity of housing types. This property has been designated for medium density residential development. Due to the relative compatibility of low density residential development, land use plan amendments with lower density are not often scrutinized. There remains vacant land in this section; however consideration should be given to the availability of land and lack of opportunities which will exist to more efficiently provide a mix of housing types in this area of the City. Goal 2 under Community Development, Design, and Housing in the City's Comprehensive Plan includes two objectives which speak to this issue: Objective g. "To promote a diversity of

multiple-family residential units including townhouse, condominiums, and low and higher density rental properties to be evaluated by each section of land to ensure an equitable distribution throughout the growth area. A minimum of 20% of housing will meet the medium density standard of 16 units per acre or less and consist of 4 to 8 unit apartment buildings, townhouses, and condominiums”; and Objective h. “To provide a housing development pattern with the ratio of single-family dwelling units to multiple-family dwelling units between 60 to 70% single-family to 30-40% multiple-family”. The continuing development of low density residential in this section will not meet the goals and objectives of the land use plan.

- Sewer and water services have not been extended to the property yet. A special improvement district will need to be established to provide for the needed services.
- All subdivisions developed south of I-94 which benefit from the major sewer extension services installed through City financing are required to pay a utility hookup fee. Arrangements for payment need to be made prior to the subdivision plat being recorded.
- Notices were sent to property owners within 150 feet, county and City officials, as well as utility companies and SE Cass Water Resource District. No comments have been received.
- The City will need to receive an attorney title opinion, certificate showing taxes being current, drainage plan, buffer/screening/landscaping plan, necessary easements on the Final Plat, park dedication agreement, and subdivision improvement agreement.

AFFECTS CONSIDERED (PROS & CONS)

Pros for Development as Proposed

- Low density residential is compatible with adjacent properties.

Cons for Development as Proposed

- The plan does not meet the City’s Land Use Plan which designates the area for medium density residential.
- The proposed plat lacks bicycle and pedestrian connectivity with adjacent residential development and park and trail facilities.

RECOMMENDATIONS:

It is recommended that the City conditionally approve the proposed application on the basis that with an approved land use plan amendment it will be consistent with City plans and ordinances. The conditions of approval are as follows:

1. That a Land Use Plan Amendment from medium density residential to low density residential be considered and approved prior to final approval.
2. That a path connecting the development to adjacent developments be included in the plat.
3. A buffer/screening/landscape plan is received for the property line along Sheyenne Street.
4. Any necessary easements are placed on the Final Plat.
5. A drainage and utility plan is approved by the City Engineer.
6. A subdivision improvement agreement and park dedication agreement are received.

7. An Attorney Title Opinion is received.
8. Certificate of Taxes is received showing taxes are current.
9. A mailbox plan is received and approved by the Post Office.

OR

If the Planning & Zoning Commission and/or City Commission consider the Land Use Plan Amendment and choose not to approve, it is recommended to deny the application on the basis that it is not consistent with City plans and ordinances.



A14-59
Proposed Subdivision



A14-59
Proposed Subdivision



A - Agricultural	C-OP - PUD in Commercial Office Park	P - Public	R-ISM - Mixed One and Two Family	R-5 - Manufactured Home
C - Light Commercial	CM - Heavy Commercial/Light Industrial	PPUD - PUD in Public	R-2 - Limited Multiple Dwelling	R-L1A - Large Lot Single Family
C-PUD - PUD in Light Commercial	CM-PUD - PUD in Heavy Commercial/Land	R-1A - Single Family	R-3 - Multiple Dwelling	R-1E - Rural Estate
C-OP - Commercial Office Park	M - Heavy Industrial	R-1 - One and Two Family	R-4 - Mobile Home	R-R - Rural Residential
				R-PuP - PUD in Residential



NOT TO SCALE



NITSCHKE ADDITION

HORACE DIVERSION

FUTURE LOTS

GRAPHIC SCALE
1" = 200' A.

DATE	17/04/14	REVISION	
DRAWN BY	JMS	PROJ. NO.	13277
CAD BY		DRAWING	1
SCALE	1" = 200'		0
			1

AREA PLAN: NITSCHKE ADDITION
SECTION 31-139-49
WEST FARGO, NORTH DAKOTA

moore engineering inc.
fargo - west fargo, north dakota



STAFF REPORT

City of West Fargo

A14-60 Rezoning from Agricultural to C: Light Commercial Lots 3 & 6, Block 1 of North Pond at the Preserve 3rd Addition, City of West Fargo, North Dakota

Rusty Goose Development, LLLP

Planning & Zoning Commission

Introduction – 12/8/14

Public Hearing – 12/8/14

City Commission

Introduction –

Public Hearing & 1st Reading –

2nd Reading –

BACKGROUND:

PURPOSE: Rezone for retail commercial development.

EXISTING LAND USE: Vacant

EXISTING ZONING: A: Agricultural

PROPOSED ZONING: C: Light Commercial

PARCEL SIZE: 687,595 Square Feet (15.75 Acres)

CITY PLANS: Land Use – General Commercial
Streets – Veteran's Boulevard – Minor Arterial
23rd Avenue East – Collector Street
26th Avenue East – Collector Street
Grama Drive – Local Street
Timothy Drive – Local Street
Bikeway – Class I facility on Veteran's Boulevard
Parks – n/a

STATEMENTS OF FACT:

- The property is west of Veteran's Boulevard, between 23rd Avenue East and 26th Avenue East.
- The lots have previously been platted however were not zoned and remained with Agricultural zoning. The applicant proposes zoning the lots to C: Light Commercial.
- The proposed rezoning is consistent with the City's Land Use Plan, which depicts the area developing as General Commercial.

DISCUSSIONS AND OBSERVATIONS:

- The developer has submitted an application for rezoning property for light commercial development.
- The lot was recently platted as part of North Pond at the Preserve 3rd Addition which platted property between 23rd Avenue East and 26th Avenue East west of Veteran's Boulevard. A number of lots within the subdivision were not zoned at the time, as no sales or development plans were pending.
- The lot is located within the CO: Corridor Overlay District which requires greater yard requirements and higher building construction standards along the Veterans Boulevard corridor.
- Landscaping would be according to the City's Landscape Standards, and a landscape plan will be required prior to building permits being issued.
- Notices were sent out to neighboring property owners within 150 feet; no comments have been received to date.

AFFECTS CONSIDERED (PROS & CONS)

Pros for Development as Proposed

- The rezoning application is consistent with City plans.

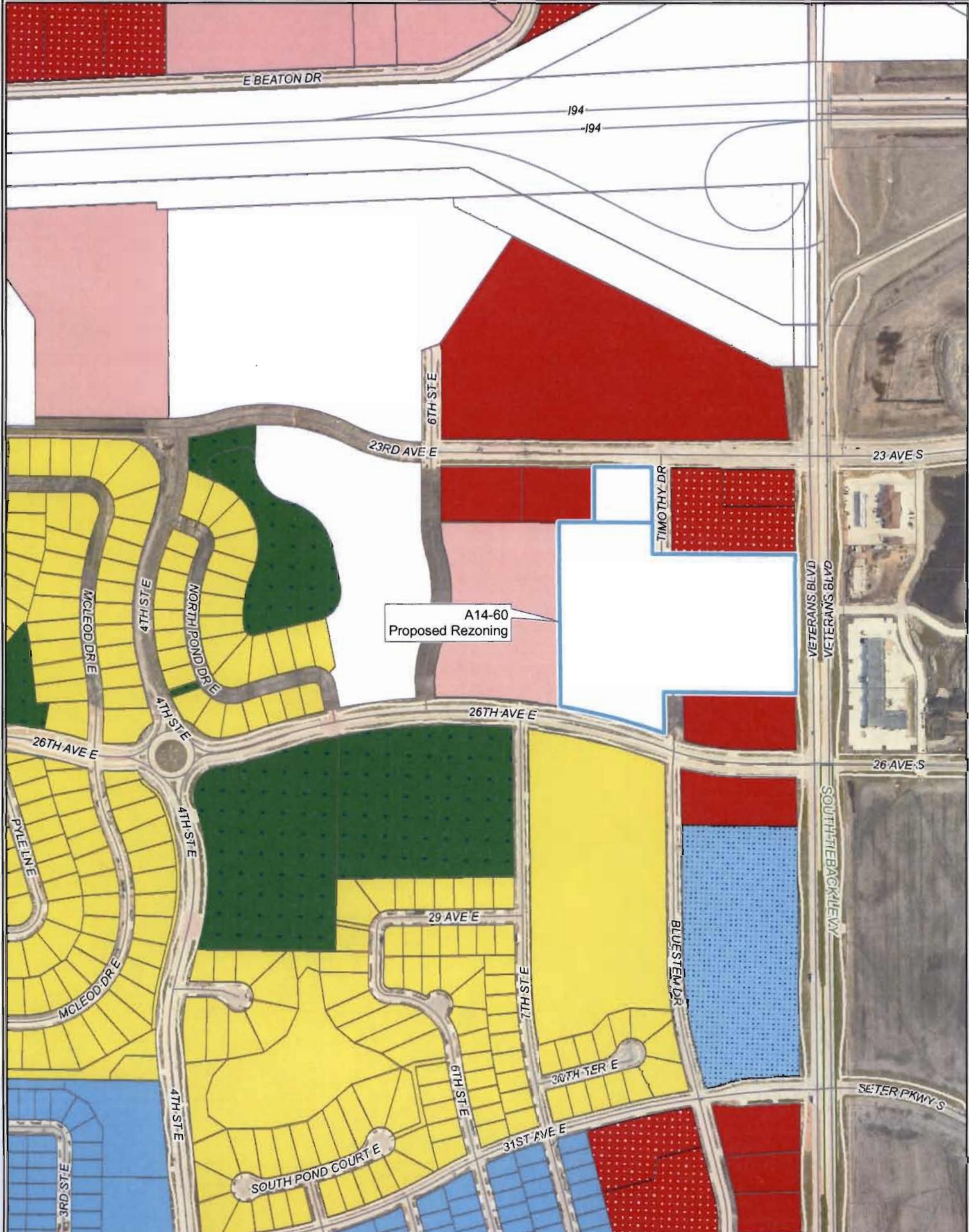
Cons for Development as Proposed

- None apparent.

RECOMMENDATIONS: Approval



A14-60
Proposed Rezoning



A14-60
Proposed Rezoning



- | | | | | |
|---------------------------------|--|--------------------------|----------------------------------|----------------------------------|
| A - Agricultural | C-OP - PUD in Commercial Office Park | P - Public | R-1SM - Mixed One and Two Family | R-5 - Manufactured Home |
| C - Light Commercial | CM - Heavy Commercial/Light Industrial | P-PUD - PUD in Public | R-2 - Limited Multiple Dwelling | R-4-1A - Large Lot Single Family |
| C-PUD - PUD in Light Commercial | CM-PUD - PUD in Heavy Comm/Light Ind | R-1A - Single Family | R-3 - Multiple Dwelling | R-1E - Rural Estate |
| C-OP - Commercial Office Park | M - Heavy Industrial | R-1 - One and Two Family | R-4 - Mobile Home | R-2R - Rural Residential |
| | | | | R/PUD - PUD in Residential |



STAFF REPORT

City of West Fargo

A14-61 Doll's 7th Addition, Replat and Rezoning from C: Light Commercial to PUD: Planned Unit Development of Lots 3-7, Block 1 of Doll's 5th Addition, City of West Fargo, North Dakota

Bruce Qvammen

Planning & Zoning Commission

Introduction – 12/8/14

Public Hearing – 12/8/14

City Commission

Introduction –

Public Hearing & 1st Reading –

2nd Reading & Final Plat Approval –

BACKGROUND:

PURPOSE: Plat and Zone the property for light commercial and heavy commercial/light industrial uses.

EXISTING LAND USE: Vacant

EXISTING ZONING: C: Light Commercial

PROPOSED ZONING: PUD: Planned Unit Development

PARCEL SIZE: 6.75 acres

CITY PLANS: Land Use – General Commercial
Streets – Sheyenne Street – Minor Arterial
Shiloh Street – Local Street
Bikeway – Proposed along Sheyenne Street
Parks - N/A

STATEMENTS OF FACT:

- The property is located east of Sheyenne Street and south of Interstate 94.
- The applicant proposes to replat lots 3-7, block 1 of Doll's 5th Addition into 31 lots for development of a commercial condo association, retention, and a larger commercial lot adjacent to Sheyenne Street to be developed at a later date.
- Lots 1-29 are proposed as a Planned Unit Development to include uses that are of commercial to light industrial in nature with special conditions intended to increase the compatibility with general commercial uses.
- Lot 30 is proposed for retention needs of the development.

- Lot 31 is proposed to be unchanged from C: Light Commercial zoning. Lot 31 is also under the CO: Corridor Overlay District.
- The light commercial uses are consistent with the land use plans whereas, the proposed heavier uses are not consistent with the intended general commercial uses as designated in the land use plan.

DISCUSSIONS AND OBSERVATIONS:

- The applicant proposes to develop a commercial condo association with uses that fit into both the C: Light Commercial and CM: Heavy Commercial/Light Industrial zoning districts which are outlined in a conceptual development plan.
- The applicant is proposing a buffer yard which would include a 4' berm topped by a 6' privacy fence and evergreen trees to create an adequate buffer between the proposed development and the existing residential development to the east.
- The proposal includes yard, sign, and landscaping requirements however staff would recommend that the supplementary district regulations are met which is standard in other planned unit developments and should also be included in the developer's agreements.
- The applicant has submitted proposed building elevations as to be followed in their condo association bylaws. The elevations show approximately 2,400 square foot metal buildings uniform in color and style with one insulated overhead door, one entrance door, and windows.
- Off street parking would be required on each site under the requirements of section 4-450 of City Ordinances.
- On-site retention is proposed within the development, however as the area is developed the needs may change and the proposed retention lot could change in the future. Estimates by the developer for the retention needs were considered to be on the higher end to be conservative in this conceptual phase.
- The applicant is proposing to alter the existing access easement and include within the development private roads with public easement for city sewer and water. The condo association would maintain the roads within the development.
- With the approval of Doll's 5th Addition on August 29th of 2008 a developers agreement was entered into between the previous developer and the City outlining that the existing easement in place on Doll's 5th Addition would be improved prior to issuance of any building permits on lot 5, 6, or 7 of Block 1. The private access easement was intended to provide connectivity from Sheyenne Street to Shiloh Street as a second access to the development to the east which was recommended by Cass County and City departments particularly for emergency response access to the area. The proposed development would alter this access, so if approved the agreement will need to be revisited with coordination of City departments, Southeast Cass Water Resource District, and adjacent property owners.
- Notices were sent to property owners within 150' and to all within the Doll's additions and to City departments, Park District, Post Office, SE Cass Water Resource District, and utility companies.
- Staff has received comments from adjacent property owners regarding the development outlining concerns with the compatibility of such uses. The applicant has met separately with the neighbors and is attempting to make some compromises. Comments have been provided to the Commissioners attached to this report outlining the concerns and outcome of that meeting as reported by an unofficial representative of the neighborhood. The most

nearest residential neighbor has also provided two letters. One letter addresses the concerns related to the buildings and the berm. One letter addresses the leftover right of way that was platted along with Doll's 2nd Subdivision. The applicant of this development indicated he has no interest in extending that road, and the neighbor would like it vacated to protect it from being developed and to ensure an increased buffer between the uses.

- Staff has further received concerns from the adjacent businesses and owners of Lots 1 and 2, Block 1 of Doll's 6th Addition regarding the proposed changes to the approved access easement between Sheyenne Street and Shiloh Street.
- Sheyenne Street at this location is currently undergoing a corridor study which is seeking to identify current issues with the roadway along with proposed improvements in the future. The current approved 2015-2018 Transportation Improvement Program includes reconstruction of Sheyenne Street from 32nd Avenue to 19th Avenue for 2018. Likely improvements are also being considered to the Interstate Interchange near this location as well. These improvements will have a very large impact on this property both from an access and visibility standpoint.

AFFECTS CONSIDERED (PROS & CONS)

Pros for Development As Proposed

- Planned Unit Development allows Commission and adjacent neighbors to review detailed development plans prior to approval.

Cons for Development As Proposed

- The proposed heavy commercial uses do not meet the land use plan.
- The current access easement from Sheyenne Street to Shiloh Street will need to be addressed.

RECOMMENDATIONS:

It is recommended that the City Planning and Zoning Commission deny the proposed application as a concept development plan on the basis that it is not consistent with City plans and ordinances.

If approved, the conditions of approval which would need to be satisfied prior to review of the detailed development plans and future consideration by the City Commission are as follows:

1. Land use plan amendment from general commercial to light industrial be considered and approved prior to and along with the final approval of the Planned Unit Development.
2. Concerns of adjacent neighborhood are given due consideration.
3. A drainage and utility plan is approved by the City Engineer.
4. Any necessary easements are placed on the Final Plat.
5. A landscape plan is received prior to building permits being issued.
6. Restrictive covenants or condominium documents for the development are received for filing with the plat if proposed.
7. A subdivision improvement, park dedication, and PUD agreement are received.

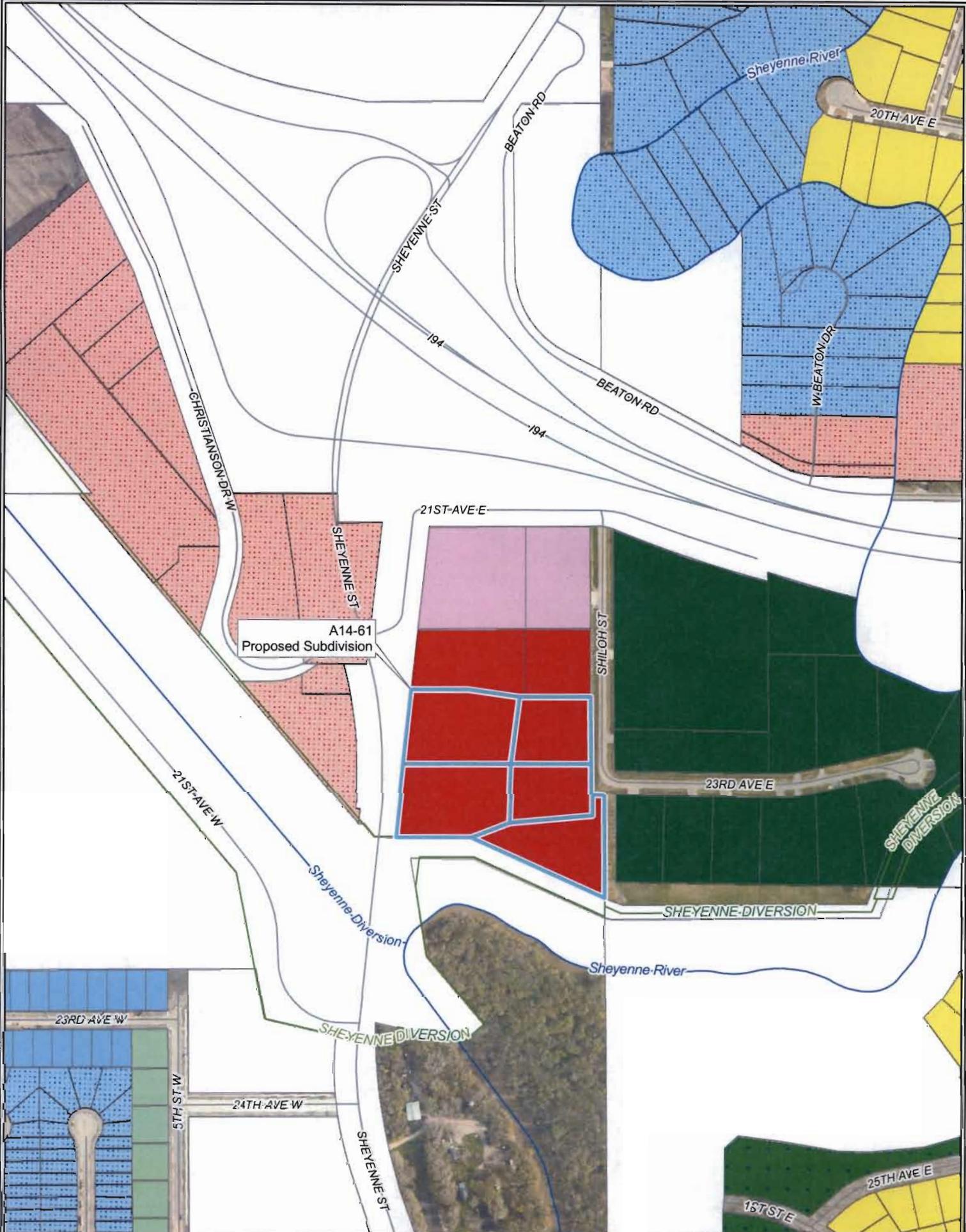
Staff Report - A03-___
City of West Fargo

Page 4

8. An Attorney Title Opinion is received.
9. Certificate of Taxes is received showing taxes are current.
10. A mailbox plan is received and approved by the Post Office.



A14-61
Proposed Subdivision



A14-61
Proposed Subdivision

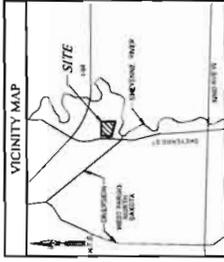


- | | | | | |
|---------------------------------|---|--------------------------|----------------------------------|--------------------------------|
| A - Agricultural | C-OP - PUD in Commercial Office Park | P - Public | R-1SM - Mixed One and Two Family | R-5 - Manufactured Home |
| C - Light Commercial | CM - Heavy Commercial/Light Industrial | P-PUD - PUD in Public | R-2 - Limited Multiple Dwelling | R-1E - Large Lot Single Family |
| C-PUD - PUD in Light Commercial | CM-PUD - PUD in Heavy Commercial/Light Industrial | R-1A - Single Family | R-3 - Multiple Dwelling | R-1F - Rural Estate |
| C-OP - Commercial Office Park | W - Heavy Industrial | R-1 - One and Two Family | R-4 - Mobile Home | R-R - Rural Residential |
| | | | | R-PUD - PUD in Residential |



NOT TO SCALE

SHEYENNE BUSINESS PLAZA COMMERCIAL CONDOS WEST FARGO, ND



SUMMARY TABLE
 SHEYENNE BUSINESS PLAZA COMMERCIAL CONDOS
 CLIENT: BUILDING SERVICES, INC.
 TOTAL # OF COMMERCIAL CONDOS: 30
 COMMERCIAL LOT: 2.00 ACRES

CALL BEFORE YOU DIG
 NORTH DAKOTA
 UTILITY ENGINEERING FOOTPRINT SERVICE
 1-800-705-6000



PROJECT DATE	ISSUED	JUL
DRAWN BY	APPROVED BY	AJT
DATE	DATE	DATE
1/20	1/20	1/20

**SHEYENNE BUSINESS PLAZA
COMMERCIAL CONDOS
WEST FARGO, ND**



REVISIONS

**PRELIMINARY
NOT FOR
CONSTRUCTION**

DATE	1/20
PROJECT	SHEYENNE BUSINESS PLAZA COMMERCIAL CONDOS
ISSUED	JUL
DRAWN BY	AJT
APPROVED BY	AJT
DATE	DATE
1/20	1/20

CONCEPTUAL LAYOUT
 0
C-1
 1 OF 1

SHEYENNE BUSINESS PARK PUD STANDARDS

Statement of Intent The provisions of the PUD for Sheyenne Business Park are intended to provide areas of commercial establishments to which the public requires direct access but are not typically characterized either by constant heavy trucking other than stocking and delivery of light retail goods, or by any other nuisance factor other than the incidental noise of the congregation of people and passenger vehicles. As this development is entirely isolated from any adjacent users, more intensive commercial/manufacturing uses will be considered while still aiming to support a higher level of development quality and create an aesthetically attractive impression on surrounding areas and roadways.

Permitted Uses In The Commercial Condo Of Sheyenne Business Park:

1. Commercial and professional office buildings, single or multi-tenant.
2. Light manufacturing and industrial and similar type operations which are consistent with the CM District. An example would be a cabinet, shop which is considered manufacturing, but would still have a front office/retail showroom component.
3. Outdoor display of retail goods like cars, recreational vehicles, trucks or any other item traditionally associated with having an exterior showroom, provided that the detailed sight plan(s) have been reviewed and approved by the Planning and Zoning Commission and City Commission.
4. Plumbing and heating shops, sheet metal shops, roofing shops.
5. Wholesale distribution facilities are not allowed unless approved as a PUD Amendment.
6. General Commercial uses.
7. Personal Hobby Shops.
8. Banks, savings and loans, and credit unions.
9. Personal Services.
10. Entertainment, social or recreational businesses. Repair services such as radio, appliance or shoe repair shops.
11. Hotels and motels.
12. Churches and schools.
13. Medical and dental facilities, such as clinics, hospitals and nursing homes.
14. Veterinary clinics without overnight facilities.
15. Automobile service stations and auto repair shops not to include body work, straightening of body parts, painting, welding, storage of autos not in operating condition, outdoor storage of vehicle parts or other nuisance characteristics.
16. Child care facilities.
17. Use as a residential structure is not allowed.

Site Development Standards:

1. Yard Requirements

- a. Front Yard: 20' from front property line
- b. Side Yard: 5' from side property line.
- c. Rear Yard: 10' to primary structures, 3' to accessory.

2. Landscaping Requirements

- a. On all property within this PUD, no less than 15% of the property shall be landscaped with trees, shrubs, grass and other cultured plantings. The number of trees shall be no less than the total number of feet of the length of the lot perimeter divided by 50 feet or 5 trees whichever is greater from a list of trees provided by the West Fargo City Forester.
- b. Within parking lots, one landscaped island of at least 150 square feet shall be provided for every twenty parking spaces.
- c. Ponds for the management of storm water shall not count toward the minimum landscaped standard.
- d. Outdoor storage generally shall not be allowed for uses in the development. Small outdoor storage may be considered provided a detailed site plan has been reviewed and approved by the Planning and Zoning Commission and City Commission. If approved, such storage is subject to the CO-I: Interstate Corridor Overlay District provisions. All outside storage areas must be surrounded by a solid privacy fence & gate of the same color as buildings and no stored materials may be visible from outside the fence.

3. Signage

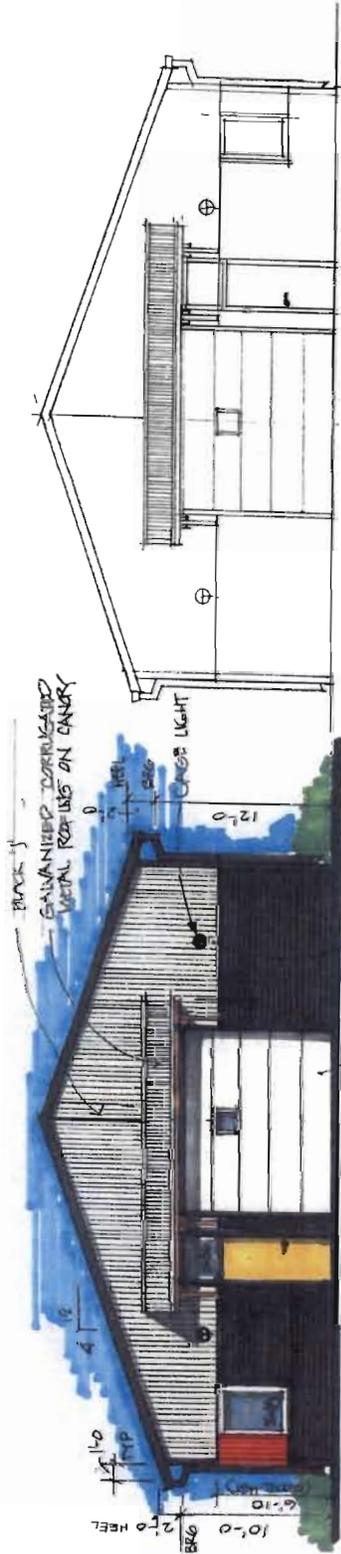
Per the C: Light Commercial District.

4. Restrictions on Alterations

- a. Except as expressly provided elsewhere in this section, no structure, building, addition, deck, patio, fence, wall, enclosure, window, exterior door, antenna or other type of sending or receiving apparatus, sign, display, color change, material topographical or landscaping change, nor any other exterior improvements to or alteration of any Building or any other part of the Site which affects the Property, or which is visible from the exterior (collectively referred to as "Alterations"), shall be commenced, erected or maintained, unless and until the plans and specifications showing the nature, kind, shape, height, color, materials and locations of the Alterations shall have been approved in writing by the Condo Management.
- b. The Condo Management shall establish the criteria for approval of construction and Alterations, which shall include and require, at a minimum:
 1. Uniformity of color and trim, all overhead and entry door colors and locations (All buildings shall be orientated so that the gable ends of the buildings face in a common direction, with the fronts aligned with the adjacent buildings and a set distance from the road), type and design in relation to existing Buildings and topography,
 2. Ease of maintenance and repair,
 3. Minimum setbacks from other Sites of 5 feet and maximum side wall height of 16 feet,
 4. gable and eave overhangs of a minimum of 2 feet:
 5. substantial preservation of sight lines of other Buildings, if material and
 6. compliance with state and local government laws, codes, setbacks and regulations.

The Condo Management shall be the sole judge of whether the criteria are satisfied.

c. The following antennas may be installed on a Building, as permitted by applicable federal law: (i) one antenna one (1) meter or less in diameter for the purpose of receiving direct broadcast/satellite service or video programming services, or (ii) any antenna for receiving television broadcast signals; provided that the Condo Management may require that the antenna be installed so as to minimize its visibility from the front of the Building and otherwise camouflage its appearance, unless such requirements would (i) unreasonably delay installation, (ii) unreasonably increase the cost of installation, maintenance or use of the antenna, or (iii) preclude reception of an acceptable quality signal. Such installation shall be subject to all governmental laws, codes and ordinances. The Condo Management shall have authority to impose further, reasonable requirements consistent with law. The Owner is responsible for all maintenance and repair of any antenna installed on a Building.



FRONT ELEVATION

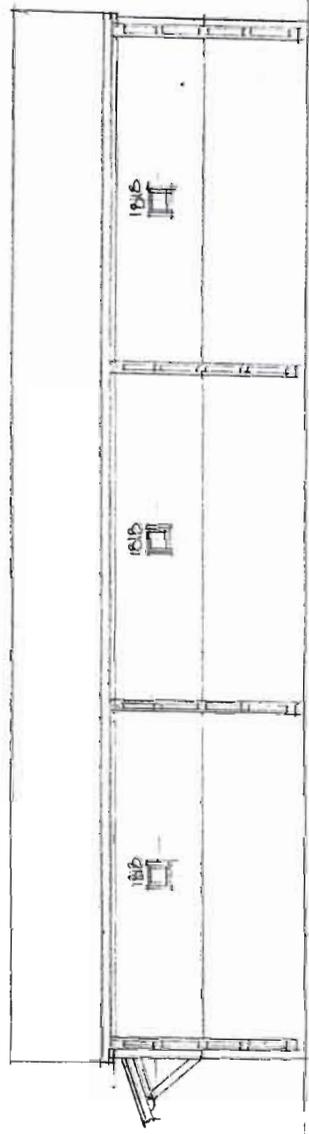
8'-0"10"



REAR ELEVATION

OPEN FRONT DOWNSTAIR

LEFT ELEVATION



RIGHT ELEVATION

COMMERCIAL CONDO
DOL'S 5TH BUSINESS PARK



Tim P. Solberg

From: Peter Doll <peter.doll@ci.moorhead.mn.us>
Sent: Tuesday, December 02, 2014 8:33 AM
To: Tim P. Solberg
Subject: Doll's 7th PUD

Tim,

Last evening Mike Graham and several of the neighbors met and had a very productive meeting. Below are the points that were agreed to:

- A berm 4' high would run from Dubois's property to the south corner, buffering the uses to the east. The berm will be topped with a 6' tall solid wood fence along the full length of the berm.
- The berm would be landscaped with a variety of trees, predominately pine trees for year around screening. Plantings must be 4' – 6' when planted.
- The berm will be built on common area and be the responsibility of the association to maintain. Looking for an acceptable, mechanism to assure the ability to enforce the maintenance, considering a deed restriction at this time. What are your thoughts?
- A landscaping plan, which shows the location of every tree or defines the spacing is to be agreed upon and be a required element of the PUD. Again looking for definition and enforcement assurances.
- The eastern row of lots that border the berm will only allow light commercial uses, heavy commercial uses will be limited to the lots west of the eastern lots.
- No use of galvanized exterior metal, a consistent two tone color combination of more typical construction colors such as tan/browns, light and dark grays must be selected for the entire development
- Berm with the landscaping and the temporary road to Sheyenne Street must be installed and completed during the 2015 construction season.

I have an 8:30 meeting, once that meeting is done I would like to visit with you on these points. I would like the points reduced to writing and once we are in agreement they can be sent to Mike Graham for his review and approval. Hopefully the neighborhood and developer can reach written agreement before the public meeting.

Thanks much,

Peter Doll
Real Estate & Redevelopment Services Manager
City of Moorhead
500 Center Avenue, PO Box 779
Moorhead, MN 56561-0779
Tel. 218.299.5316
Fax 218.299.5399
peter.doll@ci.moorhead.mn.us

1072) 12-4-14 City - 433-5321

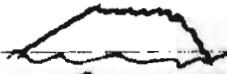
City of West Fargo / From
ATTN Tim Solberg / Kevin B. Beck
799-2747

Subject Commercial Corridor's Proposed
By Mike Graham - Magnum Electric

The meeting went well with Mike and
5 neighborhood residents

Items of my concern

NO galvanized steel, All Buildings
To At least 2 colors Roof 1 color
AND SIDES ANOTHER COLOR. WALLS
COULD BE 2 COLORS ALSO GRAY TBS - BLACK BUTTER
BERM: SHOULD BE 4 TO 6 FEET HIGH

 • A COMBINATION OF TREES
PLANTS - (PUPPERS FAST GROWING) TREES
THAT ARE PLANTED ON THE BERM
SHOULD BE BETWEEN 4 TO 8 FEET TALL
AND SPACED ACCORDING TO THE LANDSCAPE
SPACE. THE FENCE MUST BE MAINTAINED BY
THE CONDO ASSOCIATION ALSO MOWING
WEEKLY AND LITTER CLEAN-UP.
ENFORCEMENT OF ALL IS A MUST.

(207)

12-4-14

City of West Fargo
Attn: Tim Solberg

From: Kevin BARCOCK
105 23RD AVE EAST
WEST FARGO N. DAKOTA 58078
799-2747

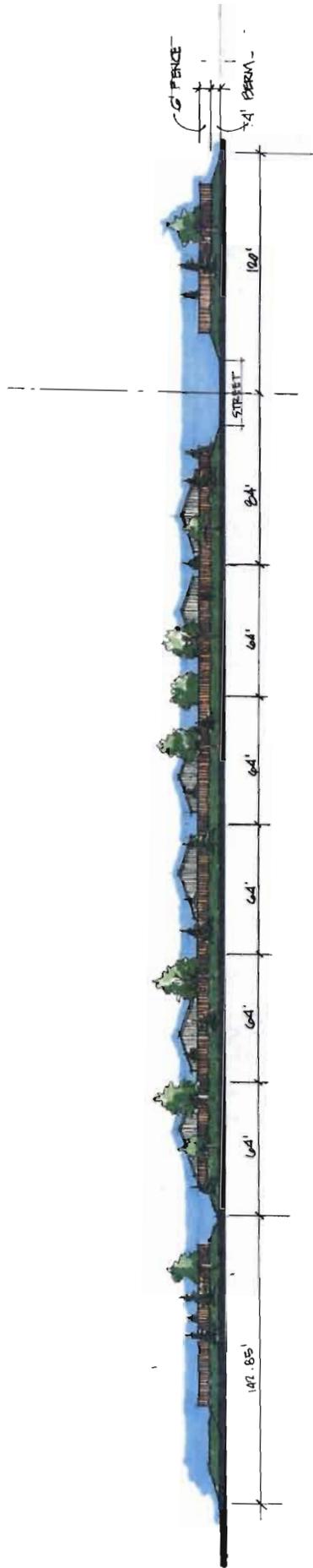
SUBJECT Right of way Between
my west property line, to the
property line of the field.
Roughly 40 feet wide by 300 ft long.

As discussed with myself - MIKE GANTZ
AND Tim Solberg Agreed to have
this vacant area to be Deed to me
Kevin BARCOCK as my personal BUFFER.

This subject lot has been TAKEN
CARE OF by me for 14 years
mowed - seeded AND spray for
weeds.

I ~~do~~ believe this should be
TAKEN CARE OF in MIKE'S
PROPOSAL of said Buildings if
not sooner. This makes or
breaks it for me.

Thank you Kevin



DEVELOPMENT EAST ELEVATION

1" = 50'-0"

COMMERCIAL CONDOS
 DOLL'S 5TH BUSINESS PARK
 WEST FARGO ND

Chris HAWLEY ARCHITECT
 325 7th St S Fargo, ND 58103-701-478-4600
 ch@chrishawleyarchitect.com

Tim P. Solberg

From: Allen or Dawn Pritchard <asmgolfcarts@yahoo.com>
Sent: Wednesday, December 03, 2014 11:03 AM
To: Tim P. Solberg
Subject: All Season Motorsports/Proposed Doll's 7th Addition Rezoning

Good morning Tim -

I am the owner of All Season Motorsports located at 2205 Sheyenne St. West Fargo. We have received notification of rezoning Doll's 7th Addition. We do have some concerns in regards to this. We do not have any problem with addition of the commercial condos as stated in the letter, but we do have concerns about our specials from the Shiloh Street Paving. We do not use Shiloh Street, but we were told earlier we would have to pay specials because of the road that would go through and join to the back of our lot. Giving us the opportunity to use Shiloh Street. If the commercial condos are applied to the area listed on the map, it would join directly to our fence and we would not have a road to use. We have no problem with that, but we do not feel we should have to pay the specials on it. We would have zero access to it from our lot. Under our current listing, we show a special of 24 years remaining at \$96XX.XX.

We will not be able to make the meeting due to a prior engagement.

If you have any questions or concerns, please contact Allen at the number listed below. Thank you.

Dawn Pritchard
All Season Motorsports, Inc.
asmgolfcarts.com
Phone: 701-282-2336/Fax: 701-373-0444

Tim P. Solberg

From: Chad Dubois <cdubois@csdubois.com>
Sent: Wednesday, November 26, 2014 4:11 PM
To: Tim P. Solberg
Cc: Kyle Berg
Subject: Proposed Doll's 7th Addition

Tim

I will be attending the meeting Monday December 8, 2015. I only had time to briefly review the request, however I see one huge issue for me. The proposed drawing moved our access to Shiloh Street at the South end of our property. When easements were granted for the water/sewer the future road was decided upon. I will also forward the recorded plat of Dolls 6th addition that clearly shows road access to the South of our property.

We are opposed to loosing that Southern access.

Chad DuBois
701.261.2384