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Tim Solberg, AICP, Director of Planning and Zoning
Lisa Sankey, Planner
Malachi Petersen, Planner
Chanda Erickson, Office Manager

West Fargo Planning & Zoning Commission Agenda
Tuesday, May 12, 2020 - 5:30 p.m.

Due To CDC Social Distancing Guidelines Related To The Covid-19 Pandemic The Public Is Asked To Attend The Meeting Via Zoom Meeting Channel At The Following Web Address:

<https://bit.ly/2WaRF0J>

Password: 190580

Or Telephone: Dial (312) 626-6799

Webinar ID: 923 1175 5638

Password: 190580

1. Call to Order
2. Approval of Minutes – April 7, 2020
3. Public Hearing – A20-10 Conditional Use Permit for off-premise signage within the DMU: Downtown Mixed Use District at 444 Sheyenne Street (Lot 2, Block 1 of Sheyenne Plaza 1st Addition), City of West Fargo, North Dakota – WF Events
4. Public Hearing – A20-12 Center at 7th 3rd Addition, replat of Lots 2 & 3, Block 1, Center at 7th Second Addition, City of West Fargo, North Dakota - Rue
5. Public Hearing – A20-13 Maple River Subdivision, subdivision in Auditor's Lot 3 NE¼ of the SE¼ of Section 24, T140N, R50W, Cass County, North Dakota - Roers
6. Public Hearing - A20-14 River's Bend at the Preserve 6th Addition, replat of Lots 4-8 of Block 3 of River's Bend at the Preserve 4th Addition, City of West Fargo, North Dakota - Stoner
7. Public Hearing - A20-15 Westview 4th Addition, Replat and PUD Amendment for Office Condominiums on Lot 1, Block 1 of Westview 2nd Addition, City of West Fargo – Graham
8. Public Hearing – A20-16 Sandhills 5th Addition, Replat and Rezoning from Agricultural to LI: Light Industrial, All of Block 2, Lots 5-16 of Block 3, Lots 12-15 of Block 4, Lots 10-13 of Block 8, Lots 7-16 And Lot 22 of Block 9 And All of Blocks 10 And 11 All In Meadow Brook Park Subdivision; Vacation Plat of part of Gress Avenue, part of 2nd Avenue NW, part 1st Avenue NW, All of Northern Pacific Avenue And part of Park Boulevard All In Meadow Brook Park Subdivision And Auditor's Lot 1 of the SE ¼ of Section 2, T139N, R50W, City of West Fargo, North Dakota – Syndica LLP
9. **Continued** - A20-9 Zoning Ordinance Amendment to review proposed NC: Neighborhood Commercial Zoning District
10. Non-agenda
11. Adjournment



www.westfargond.gov

Tim Solberg, AICP, Director of Planning and Zoning
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Malachi Petersen, Planner
Chanda Erickson, Office Manager

West Fargo Planning & Zoning Commission
Tuesday, April 7, 2020 at 5:30pm
West Fargo City Hall

DUE TO CDC SOCIAL DISTANCING GUIDELINES RELATED TO THE COVID-19 PANDEMIC THIS PLANNING AND ZONING MEETING WAS VIA ZOOM MEETING

Members Present Online: Tom McDougall
Joe Kolb
David Gust
Shane Lebahn
Jana Reinke
April Walker
Eric Dodds
Lana Rakow

Others Present: Tim Solberg, Chanda Erickson

Minutes Submitted by: Chanda Erickson, Office Manager

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

The motion was moved and seconded to approve the March 10, 2020 meeting minutes as printed and mailed. No opposition, Motion carried.

Commissioner McDougall opened a Public Hearing – A20-11, Oak Ridge 19th Addition, a replat of Lot 1, Block 1 of Oak Ridge 13th Addition, City of West Fargo, North Dakota. There was no public comment. The Public Hearing was closed. After continued discussion, the motioned was moved and seconded to approve the application with the five conditions listed in the staff report. No opposition. Motion carried.

Commissioner McDougall re-opened a tabled discussion - A20-9, Zoning Ordinance Amendment to review Neighborhood Commercial Zoning District, City of West Fargo, North Dakota. The motion was moved and seconded to continue the discussion to the next meeting. No opposition. Motion carried.

There were no non-agenda items.

The motion was moved and seconded to adjourn. No opposition. Meeting adjourned.

STAFF REPORT

A20-10		CONDITIONAL USE PERMIT	
444 Sheyenne Street			
Lot 2, Block 1 of Sheyenne Plaza 1 st Addition			
Applicant: Mike Amundson – West Fargo Events Owner: Sheyenne Plaza LLC		Staff Contact: Lisa Sankey, Planner	
Planning & Zoning Commission Introduction:		05-12-2020	
Public Hearing:		05-12-2020	
City Commission:			

PURPOSE:

- Constructing an off premise sign within the DMU: Downtown Mixed Use District for the purpose allowing for off-premise advertising on the existing electronic message center and to provide for an off-premise sign which denotes sponsorship of the POW/MIA Plaza

STATEMENTS OF FACT:

Land Use Classification:	G-4A Core Retrofit Growth Area
Existing Land Use:	Mixed Use
Current Zoning District(s):	DMU: Downtown Mixed Use District
Zoning Overlay District(s):	None
Total area size:	44,145 Square Feet
Adjacent Zoning Districts:	North, South & East – DMU: Downtown Mixed Use West – R-2: Limited Multiple Dwellings
Adjacent street(s):	Sheyenne Street (Arterial); 5 th Avenue West (Local)
Adjacent Bike/Pedestrian Facilities:	n/a
Available Parks/Trail Facilities:	n/a

DISCUSSION AND OBSERVATIONS:

- The applicant has submitted an application, as well as site and building plans and elevations of the existing and proposed sign. The proposed sign is 6' x 3' (18 ft²) and the existing sign is a 9.46' x 15.75' (149 ft²) video board to promote sponsors, events taking place in the district and for commercial tenants of the properties located within the POW/MIA Plaza area.
- DMU: Downtown Mixed Use District zoning district allows for off-premise signage as a conditional use with the statement that "Signage within the district should take into account the characteristics of its surrounding area and the intent and context of a vibrant entertainment environment. The Commission should deliberate such items as size, intensity of light or color, and motion to avoid nuisance factors to the public and neighboring uses."
- City Sign Regulation 4-460.9.2.d which regulates "Off-Premise signs" states that no two off-premise signs may be placed less than two hundred fifty (250) feet apart, unless said signs are separated by buildings or other obstructions in such a manner that only one sign is visible from the roadway at any time. The signs are both facing inward toward the POW/MIA Plaza and not the street. The larger video board is visible from the street and is closer to the roadway. It could be construed that the smaller 18-ft² sign is not visible from the street and is intended primarily to denote the

STAFF REPORT

sponsorship of the plaza creating a unique situation that given the opportunity to review as a conditional use provides for discretion and consideration of the Planning Commission and City Commission.

- The property is developed with a multi-tenant mixed-use building with varying general commercial and residential uses as well as a community plaza.
- A conditional use permit agreement is required to be signed prior to issuance of a building permit and may include conditions deemed appropriate by the Commission.

CRITERIA FOR GRANTING CONDITIONAL USE PERMIT:

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

1. Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
 - No concerns noted.
2. Off-street parking and loading areas where required, with particular attention to the items in (1) above and the economic, noise, glare or odor effects of the special exception on adjoining properties and properties generally in the district.
 - No concerns noted.
3. Refuse and service areas, with particular reference to the items in (1) and (2) above.
 - No concerns noted.
4. Utilities, with reference of locations, availability, and compatibility.
 - No concerns noted.
5. Screening and buffering with reference to type, dimensions, and character.
 - No concerns noted.
6. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district.
 - Discretion and discernment should be given by the Commission taking into account scale of the sign against the adjacent properties as well as concerns from neighboring properties notified as well as the general public.
7. Required yards and other open space.
 - No concerns noted.
8. Soil conditions, as they relate to on-site sewage disposal, water supply, basement excavating, road construction and related land use.
 - No concerns noted.
9. General compatibility with adjacent properties and other property in the district.
 - The land adjacent to this area is Downtown Mixed Use Zoning District and compatible uses and buildings have been previously approved within the subdivision.

STAFF REPORT

NOTICES:

Sent to: Property owners within 350’.

Comments Received:

- An email was received from a property owner indicating concerns with building lighting at the Pioneer Place and Sheyenne Plaza buildings, as well as the existing video monitor being on all night.

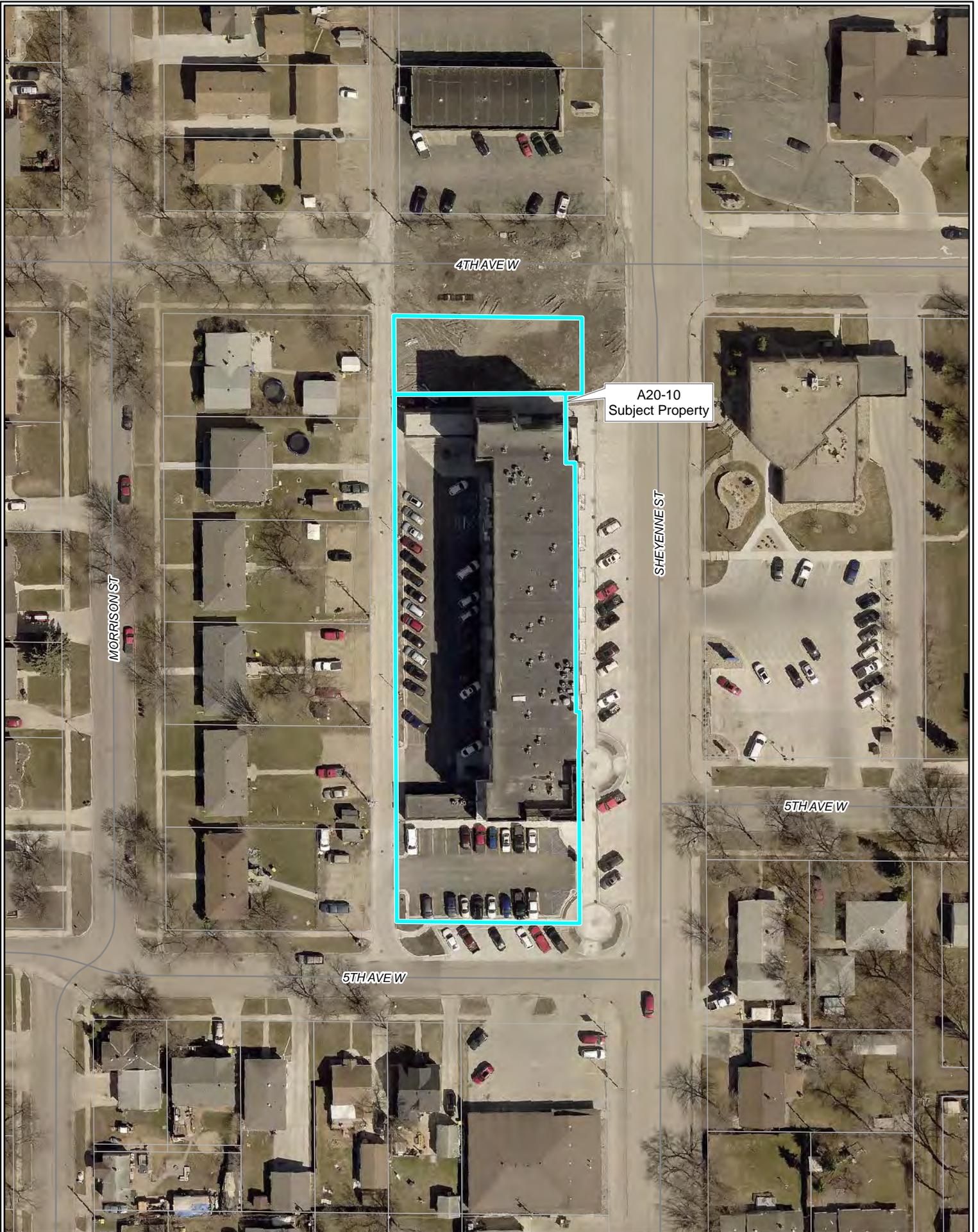
CONSISTENCY WITH COMPREHENSIVE PLAN AND OTHER APPLICABLE CITY PLANS AND ORDINANCES:

- Off-premise signs are not specifically addressed in the Comprehensive Plan, but should be considered in context to the approved district. The sign appears to be appropriately sized; however, staff is cautious to ensure that the surrounding properties and general public will not be negatively affected by the proposal. These are considerations that should be carefully deliberated by both Planning Commission and City Commission.

RECOMMENDATIONS:

If it is found through deliberation by the Commission that the proposal will not generate a nuisance to adjacent properties and the general public, it is recommended that the City approve the proposed application on the basis that it is consistent with City plans and ordinances with recommended conditions of approval as follows:

1. Consideration be given to citizen concerns over the lighting intensity and/or timing of the video board.
2. The signs are accessory to the building and POW/MIA plaza within the Downtown Mixed Use District and should either the building or the zoning district change, then the sign would require review and potential removal.
3. The proposed signs do not exceed the current proposal of 18 ft² for the POW/MIA Sponsorship sign and 149 ft² for the existing video board thus providing sufficient response to the requirements for off-premise signage found in Section 4-460.9.2.d of City Ordinances.
4. A Signed Conditional Use Permit Agreement is received.



A20-10
Subject Property

MORRISON ST

4TH AVE N

SHEYENNE ST

5TH AVE N

5TH AVE N



A20-10
Subject Property

MORRISON ST

4TH AVE W

SHEYENNE ST

5TH AVE W

5TH AVE W

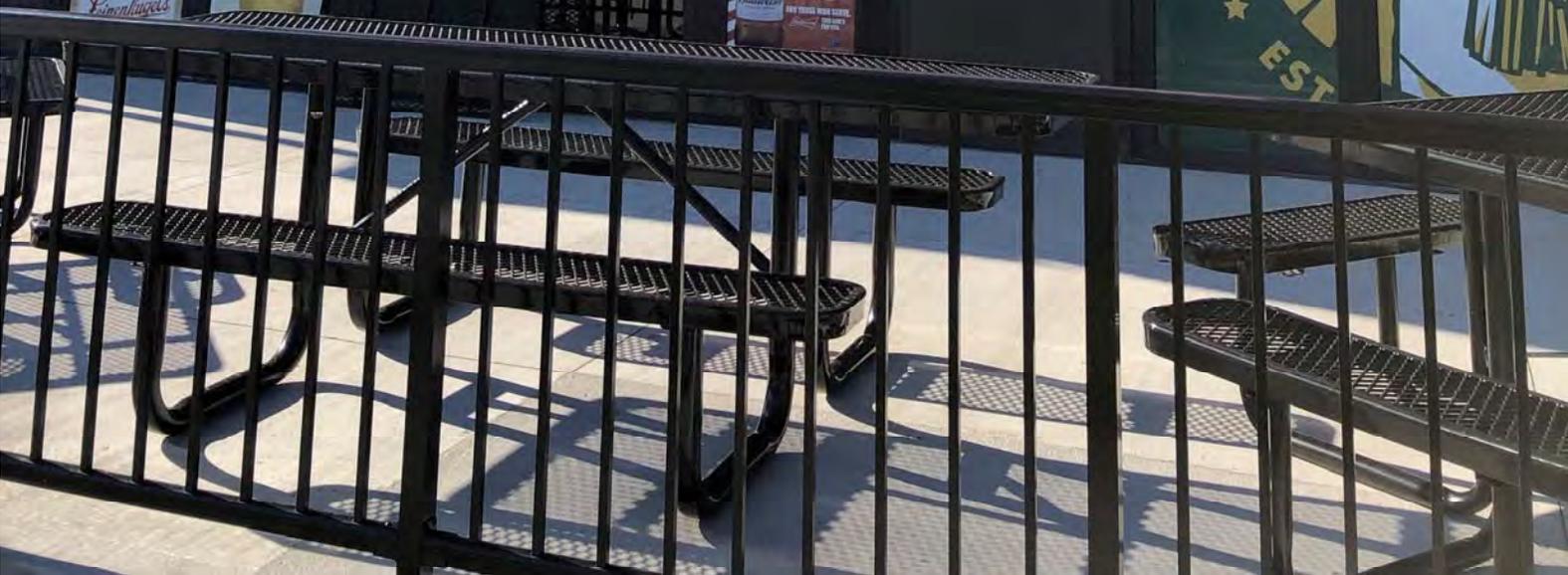


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|--|---|--|--|--|
| <ul style="list-style-type: none"> — A: Agricultural — C: Light Commercial — C-OP: Commercial Office Park — HC: Heavy Commercial | <ul style="list-style-type: none"> — LI: Light Industrial — M: Heavy Industrial — P: Public — R-1: One and Two Family | <ul style="list-style-type: none"> — R-1A: Single Family — R-1E: Rural Estate — R-1S: Special One and Two Family — R-1SM: Mixed One and Two Family | <ul style="list-style-type: none"> — R-2: Limited Multiple Dwelling — R-3: Multiple Dwelling — R-4: Mobile Home — R-5: Manufactured Home | <ul style="list-style-type: none"> — R-L1A: Large Lot Single Family — R-R: Rural Residential — PUD: Planned Unit Development — DMU: Downtown Mixed Use |
|--|---|--|--|--|



DOWNTOWN
WEST FARGO
WELCOMES YOU.

ite



West Fargo Events

West Fargo, ND
Quote # 64619-1

Date: 2/10/2020
Revised Date:

Sales Representative:
Jill Gustofson

Drawn by: BDK

Page Scale: 1" = 1'-0"
Page Size: 11x17



Illuminated Single Sided Cabinet Sign

Cabinet: Aluminum (Black)
Face: Polycarbonate
Graphics: 3M film Print
Black 3630-22

1622 Main Avenue | Fargo, ND 58103
p. 701.297.9696 | f. 701.297.9697

MN | alexandria | st. cloud | minneapolis
ND | fargo | bismarck | grand fork | minot

Due to the limitations of the printing process,
the colors shown may not reflect actual colors.





Lisa A. Sankey

From: Mary Ann Dost <maedost@gmail.com>
Sent: Tuesday, April 28, 2020 6:00 PM
To: Lisa A. Sankey
Subject: Proposed Conditional Use Permit

We feel there are already too many lights in the area at night. The Pioneer building has lights on the back of the building and at the south end top in their open area, all of them too bright. There is the tower lights at the POW/MIA park that are on all night plus the park/VFW sign and the advertising monitor. It is just too much.

Mary Ann and David Dost



Virus-free. www.avg.com

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

CITY OF WEST FARGO PLANNING & COMMUNITY DEVELOPMENT

STAFF REPORT

A20-12		REPLAT	
Center at 7 th Third Addition			
Lots 2 & 3, Block 1, Center at 7th Second Addition, City of West Fargo, North Dakota			
Owner: MSN Investments		Staff Contact: Lisa Sankey	
Applicant: Mark Rue			
Planning & Zoning Commission Introduction:		05-12-2020	
Public Hearing:		05-12-2020	
City Commission:			

PURPOSE:

Replat to allow lot line adjustments to provide changes to ingress, egress, utility and drainage easements.

STATEMENTS OF FACT:

Land Use Classification:	G-3: Employment Growth Sector
Existing Land Use:	Construction/Manufacturing
Current Zoning District(s):	M: Heavy Industrial
Zoning Overlay District(s):	None
Proposed Zoning District(s):	Unchanged
Proposed Lot size(s) or range:	80,043 – 93,571 ft ²
Total area size:	3.98 Acres
Adjacent Zoning Districts:	M: Heavy Industrial
Adjacent street(s):	7 th Avenue NE (Arterial); Center Street (Arterial)
Adjacent Bike/Pedestrian Facilities:	None
Available Parks/Trail Facilities:	None
Land Dedication Requirements:	The property has been previously platted and is developed

DISCUSSION AND OBSERVATIONS:

- The applicant has submitted an application and proposed plat.
- The replat is necessary for minor lot line adjustments to provide for continued development.
- The property is currently vacant.
- The proposed lot sizes will adequately meet yard requirements for development in the M: Heavy Industrial zoning district.

NOTICES:

Sent to:	Applicable agencies and departments
Comments Received:	<ul style="list-style-type: none"> • None

STAFF REPORT

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

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

RECOMMENDATIONS:

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

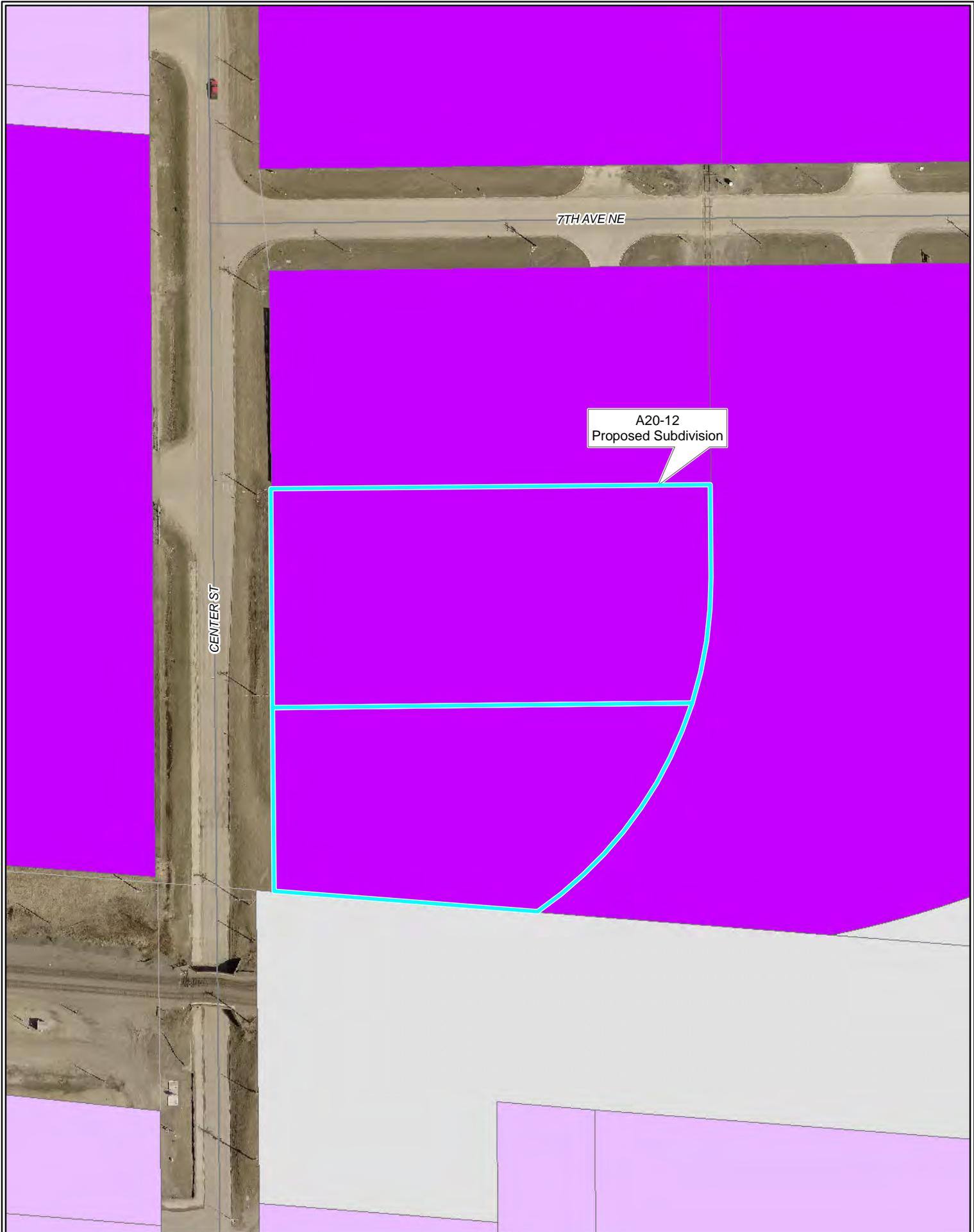
1. An updated drainage plan is approved by the City Engineer.
2. An Attorney Title Opinion to the City of West Fargo is received.
3. Signed Final Plat is received with any necessary easements.
4. A certificate is received showing taxes are current.



7TH AVE NE

CENTER ST

A20-12
Proposed Subdivision



A20-12
Proposed Subdivision

CENTER ST

7TH AVE NE

CENTER AT 7TH THIRD ADDITION

A REPLAT OF LOTS 2 & 3, BLOCK 1, CENTER AT 7TH SECOND ADDITION
TO THE CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA

LEGEND	
	5/8" x 18" BEAR MONUMENT SET CAP LICENSE NO. LS-6703
	MONUMENT FOUND
	SUBJECT PROPERTY LINE
	EXISTING PROPERTY LINE
	EXISTING EASEMENT LINE
	NEW EASEMENT LINE
	EXISTING ACCESS CONTROL LINE



ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE PLAT OF CENTER AT 7TH SECOND ADDITION

UNPLATTED

OWNERS DESCRIPTION AND DEDICATION

KNOWN ALL MEN BY THESE PRESENTS, That MSN Investments, LLC, a North Dakota Limited Liability Company as owner of a parcel of land located in the Southwest Quarter of Section 5, Township 139 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota and more particularly described as follows:

Lot 2 and Lot 3, Block 1, CENTER AT 7TH SECOND ADDITION to the City of West Fargo, according to the plat thereof, on file and of record in the Office of the County Recorder, Cass County, North Dakota.

Said parcel contains 173,614 square feet of land, more or less and is subject to all easements, restrictions, reservations and rights of way of record, if any.

Said owner has caused the above described parcel of land to be surveyed and platted as "CENTER AT 7TH THIRD ADDITION" to the City of West Fargo, Cass County, North Dakota and do hereby vacate the ingress, egress, drainage & utility easement as shown on this plat and do hereby dedicate the ingress, egress, drainage and utility easement as shown on this plat for the purposes so stated.

OWNER:
MSN Investments, LLC

By: Marc Rue, President

State of North Dakota
County of Cass

On this ___ day of _____, in the year 2020 before me, a notary public within and for said County and State, personally appeared Marc Rue, President, MSN Investments, LLC, known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that he executed the same on behalf of MSN Investments, LLC.

Notary Public

SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT

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

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

State of North Dakota
County of Cass

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

Notary Public

WEST FARGO CITY ATTORNEY APPROVAL

I do hereby certify that proper evidence of title has been examined by me and I approve the plat as to form and execution this ___ day of _____, 2020.

John T. Shockley, City Attorney

State of North Dakota
County of Cass

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

Notary Public

CITY ENGINEER'S APPROVAL

This plat in the City of West Fargo is hereby approved this ___ day of _____, 2020.

Dustin Scott, City Engineer
State of North Dakota
County of Cass

On this ___ day of _____, in the year 2020 before me, a notary public within and for said County and State, personally appeared Dustin Scott, City Engineer, known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that he executed the same on behalf of the City of West Fargo.

Notary Public

WEST FARGO PLANNING COMMISSION APPROVAL

This plat in the City of West Fargo is hereby approved this ___ day of _____, 2020.

Tom McDougall, Chairman, West Fargo Planning Commission
State of North Dakota
County of Cass

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

Notary Public

WEST FARGO CITY COMMISSION APPROVAL

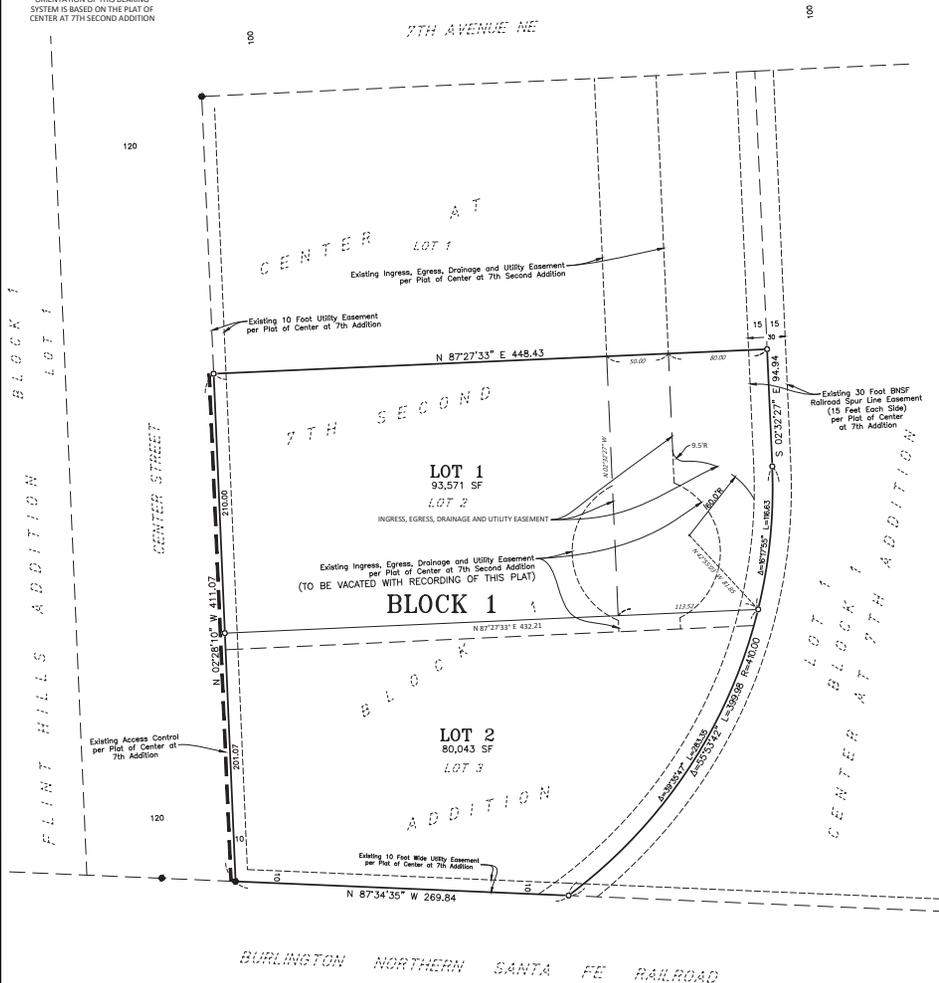
This plat in the City of West Fargo is hereby approved this ___ day of _____, 2020.

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

Attest:
Tina Fisk, City Auditor
State of North Dakota
County of Cass

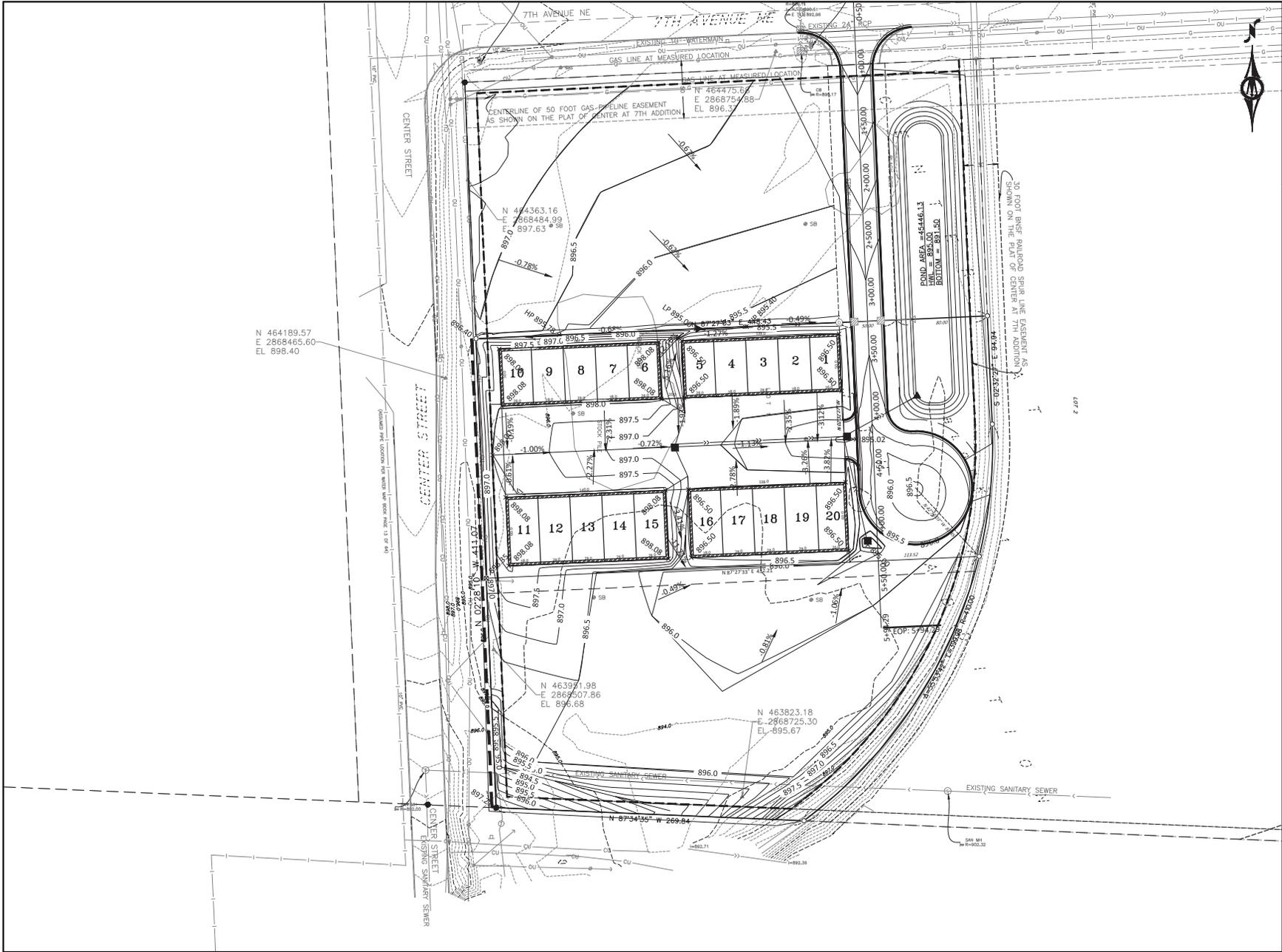
On this ___ day of _____, in the year 2020 before me, a notary public within and for said County and State, personally appeared Bernie L. Dardis, President of the West Fargo City Commission, and Tina Fisk, City Auditor known to me to be the persons who are described in and who executed the within instrument, and acknowledged to me that they executed the same on behalf of the City of West Fargo.

Notary Public



PREPARED BY
BOLTON & MENK
DATED: March 11, 2020

preliminary



318841ST STREET SOUTH, SUITE 2
 FARGO, NORTH DAKOTA
 Phone: (701) 566-5339
 Email: fargo@boltonmenk.com
 www.boltonmenk.com



FARGO, NORTH DAKOTA
 NORTHSTAR - 2020
 DRAINAGE PLAN

REV	ISSUED FOR	DATE

DESIGNED	SHEET
EMY	
CARRA	
EMY	
CARRA	
BLG	

CX.XX

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 1111 UNIVERSITY BLVD, FARGO, ND 58103-1000
 1111 UNIVERSITY BLVD, FARGO, ND 58103-1000

CITY OF WEST FARGO PLANNING & COMMUNITY DEVELOPMENT

STAFF REPORT

A20-13	Subdivision
Maple River Subdivision,	
Auditor's Lot 3 NE¼ of the SE¼ of Section 24, T140N, R50W, Cass County, North Dakota	
Applicant: Shannon Roers-Jones Owner: Theodore and Paula Roers	Staff Contact: Malachi Petersen
Planning & Zoning Commission Introduction:	05-12-2020
Public Hearing:	05-12-2020
City Commission:	

PURPOSE:

Plat to allow for owners to convey a portion of land to a neighbor in an agriculturally zoned district.

STATEMENTS OF FACT:

Land Use Classification:	C-1: Deferred Development Sector
Existing Land Use:	Non-farm single family and Vacant
Current Zoning District(s):	A: Agricultural
Zoning Overlay District(s):	NA
Proposed Lot size(s) or range:	4-6 acres
Total area size:	10.9 acres
Adjacent Zoning Districts:	A: Agricultural
Adjacent street(s):	14 th Street NW – Section Line Township Road
Adjacent Bike/Pedestrian Facilities:	None
Available Parks/Trail Facilities:	None

DISCUSSION AND OBSERVATIONS:

- The property is located in the City's extraterritorial (ET) area about two miles north of West Fargo.

NOTICES:

Sent to:	Property owners within 350', Raymond Township officials and Cass County Planning
Comments Received:	<ul style="list-style-type: none"> • None to date

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

- Reducing development pressure within the Deferred Development Sector and still allowing reasonable use may be considered consistent with the Comprehensive Plan.

STAFF REPORT

RECOMMENDATIONS:

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

1. A drainage plan is received and approved by the City Engineer.
2. An Attorney Title Opinion to the City of West Fargo is received.
3. Signed Final Plat is received with any necessary easements.
4. A certificate is received showing taxes are current.

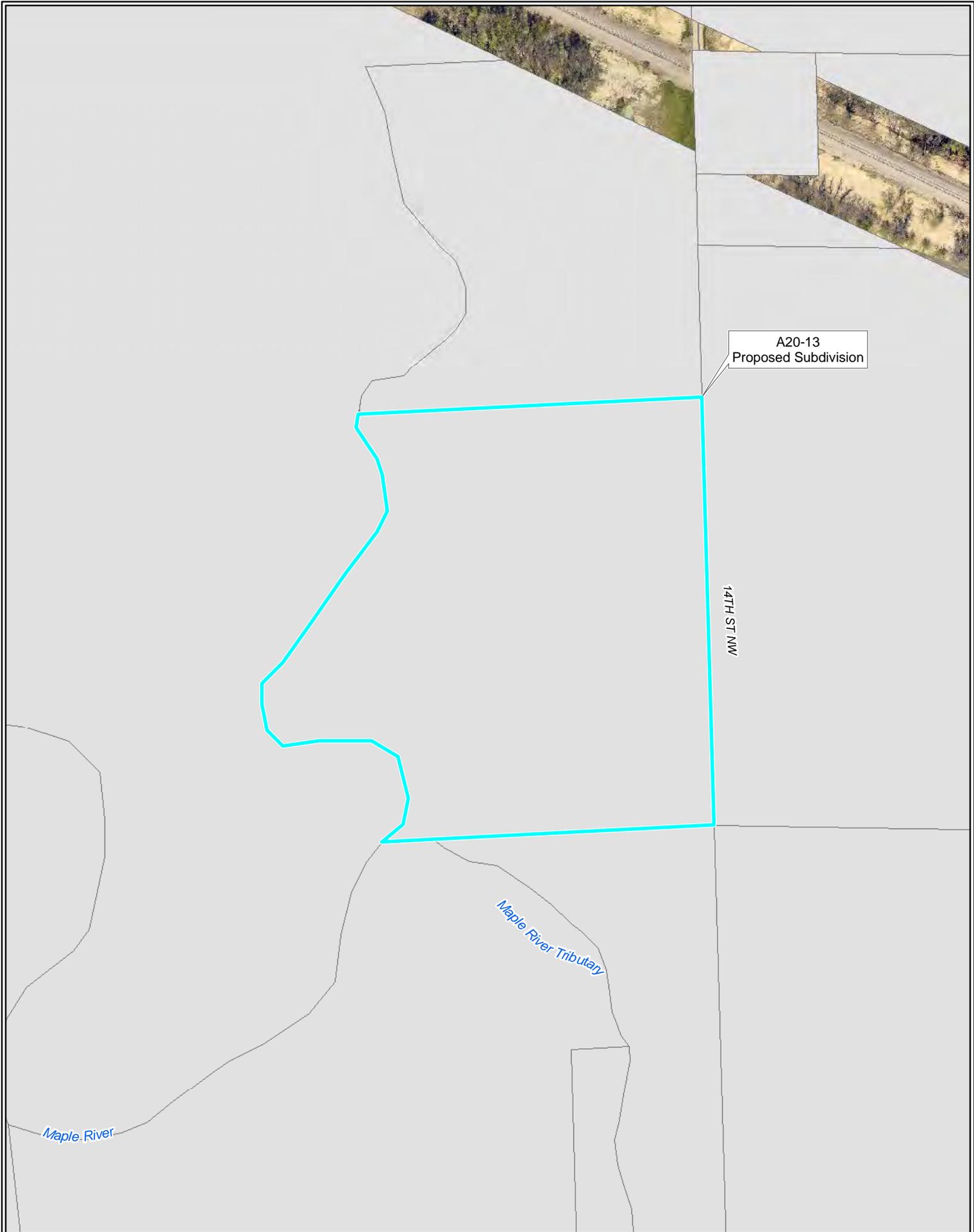


A20-13
Proposed Subdivision

14TH ST NW

Maple River Tributary

Maple River



A20-13
Proposed Subdivision

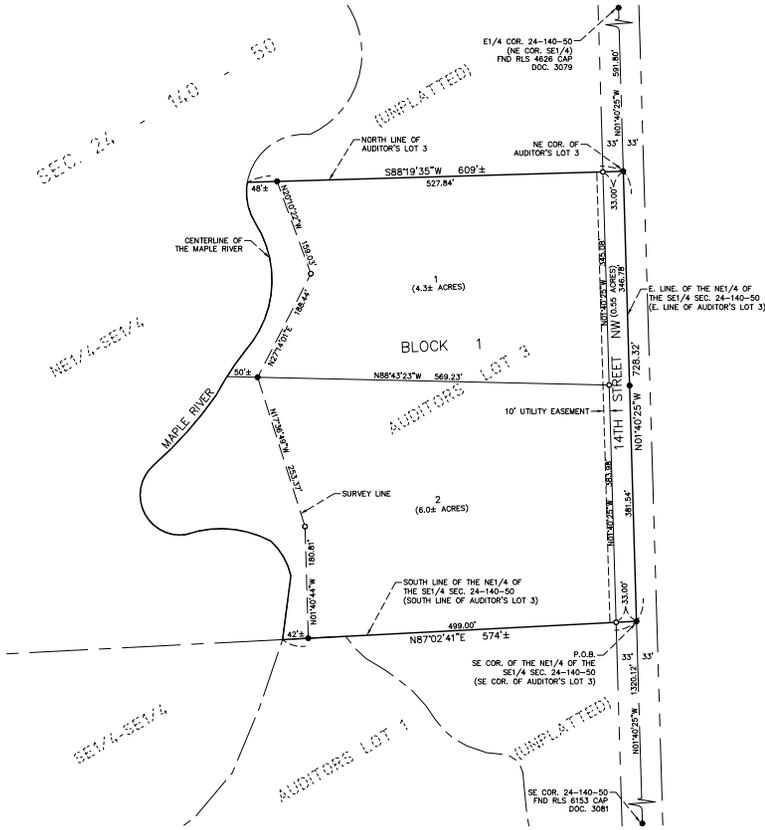
14TH ST NW

Maple River Tributary

Maple River

PLAT OF MAPLE RIVER SUBDIVISION

IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF WEST FARGO, A PLAT OF AUDITOR'S LOT 3 IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 140 NORTH, RANGE 50 WEST, CASS COUNTY, NORTH DAKOTA



CERTIFICATE

SHAWN M. THOMASSON, BEING DULY SWORN, DEPOSES AND SAYS THAT HE IS THE REGISTERED LAND SURVEYOR WHO PREPARED AND MADE THE ATTACHED PLAT OF "MAPLE RIVER SUBDIVISION" IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF WEST FARGO, A PLAT OF AUDITOR'S LOT 3 IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 140 NORTH, RANGE 50 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CASS COUNTY, NORTH DAKOTA. THAT SAID PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE SURVEY THEREOF; THAT ALL DISTANCES ARE CORRECTLY SHOWN ON SAID PLAT; THAT MONUMENTS HAVE BEEN PLACED IN THE GROUND AS INDICATED FOR THE GUIDANCE OF FUTURE SURVEYS AND THAT SAID SUBDIVISION IS DESCRIBED AS FOLLOWS, TO WIT:

THAT PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 140 NORTH, RANGE 50 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CASS COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND IRON MONUMENT WHICH DESIGNATES THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 24, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF AUDITOR'S LOT 3, ACCORDING TO DOCUMENT NO. 680977, RECORDED JANUARY 11, 1988, ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, SAID CASS COUNTY; THENCE NORTH 01 DEGREE 40 MINUTES 25 SECONDS WEST ON AN ASSUMED BEARING ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 24 FOR A DISTANCE OF 728.32 FEET TO THE NORTHEAST CORNER OF SAID AUDITOR'S LOT 3; THENCE SOUTH 88 DEGREES 19 MINUTES 35 SECONDS WEST ALONG THE NORTH LINE OF SAID AUDITOR'S LOT 3 FOR A DISTANCE OF 808 FEET, MORE OR LESS, TO THE CENTERLINE OF THE MAPLE RIVER; THENCE SOUTHERLY ALONG THE CENTERLINE OF SAID MAPLE RIVER TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 24 AND ON THE SOUTH LINE OF SAID AUDITOR'S LOT 3, SAID SOUTH LINES BEAR SOUTH 87 DEGREES 02 MINUTES 41 SECONDS WEST FROM THE POINT OF BEGINNING; THENCE NORTH 87 DEGREES 02 MINUTES 41 SECONDS ALONG SAID SOUTH LINES FOR A DISTANCE OF 574 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 10.9 ACRES, MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD, IF ANY.

SHAWN M. THOMASSON
REGISTERED LAND SURVEYOR
REG. NO. LS-5900
STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2019, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED SHAWN M. THOMASSON, REGISTERED LAND SURVEYOR, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

DEDICATION

WE, THE UNDERSIGNED, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LAND DESCRIBED IN THE PLAT OF "MAPLE RIVER SUBDIVISION" IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF WEST FARGO, A PLAT OF AUDITOR'S LOT 3 IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 140 NORTH, RANGE 50 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CASS COUNTY, NORTH DAKOTA; THAT WE HAVE CAUSED IT TO BE PLATTED INTO LOTS AND BLOCKS AS SHOWN BY SAID PLAT AND CERTIFICATE OF SHAWN M. THOMASSON, REGISTERED LAND SURVEYOR, AND THAT THE DESCRIPTION AS SHOWN IN THE CERTIFICATE OF THE REGISTERED LAND SURVEYOR IS CORRECT.

OWNERS:

THEODORE J. ROERS

PAULA M. ROERS

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2019, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED THEODORE J. ROERS AND PAULA M. ROERS, KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME AS THEIR FREE ACT AND DEED.

CITY ENGINEER'S APPROVAL

THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 2019.

DUSTIN T. SCOTT, CITY ENGINEER

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2019, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED DUSTIN T. SCOTT, CITY ENGINEER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

WEST FARGO PLANNING COMMISSION APPROVAL

THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 2019.

TOM MCDUGALL, CHAIRMAN

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2019, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED TOM MCDUGALL, CHAIRMAN OF THE WEST FARGO PLANNING COMMISSION, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE NAME OF THE WEST FARGO PLANNING COMMISSION.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

WEST FARGO CITY COMMISSION APPROVAL

THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 2019.

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

TINA FISK, CITY AUDITOR

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2019, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED BERNIE L. DARDIS, PRESIDENT OF THE WEST FARGO CITY COMMISSION, AND TINA FISK, CITY AUDITOR, KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THE NAME OF THE CITY OF WEST FARGO.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

WEST FARGO CITY ATTORNEY APPROVAL

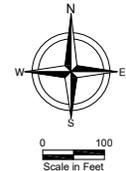
I HEREBY CERTIFY THAT PROPER EVIDENCE OF TITLE HAS BEEN EXAMINED BY ME AND I APPROVE THE PLAT AS TO FORM AND EXECUTION THIS _____ DAY OF _____, 2019.

JOHN T. SHOCKLEY, CITY ATTORNEY

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2019, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED JOHN T. SHOCKLEY, CITY ATTORNEY, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS THE CITY ATTORNEY.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA



- LEGEND**
- IRON MONUMENT FOUND
 - SET 5/8"X18" REBAR WITH YELLOW PLASTIC CAP #5900 (3,700)
 - LOT AREAS IN SQUARE FEET
 - P.O.B. POINT OF BEGINNING

UTILITY EASEMENTS ARE 10' WIDE ALONG AND ADJACENT TO STREET RIGHTS OF WAY AS SHOWN UNLESS OTHERWISE NOTED.

BASIS OF BEARINGS: THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 140 NORTH, RANGE 50 WEST HAS AN ASSUMED BEARING OF N01°40'25" W.

CITY OF WEST FARGO PLANNING & COMMUNITY DEVELOPMENT

STAFF REPORT

A20-14		REPLAT	
River's Bend at the Preserve 6 th Addition			
Lots 4-8 of Block 3 of River's Bend at the Preserve 4 th Addition, City of West Fargo, North Dakota			
Owner: River's Bend Development		Staff Contact: Malachi Petersen	
Applicant: Steve Stoner			
Planning & Zoning Commission Public Hearing		05-12-2020	
City Commission:			

PURPOSE:

Replat five lots into four due to poor soil boring tests. To develop within current layout would create unbuildable lots.

STATEMENTS OF FACT:

Land Use Classification:	G-2: Sub-Urban - Growth Sector
Existing Land Use:	Vacant
Current Zoning District(s):	R-1A: Single Family Dwellings
Zoning Overlay District(s):	CO-SR: Sheyenne River Corridor
Proposed Lot size(s) or range:	44,550 to 61,700 ft ²
Adjacent Zoning Districts:	R--1A: Single Family Dwellings
Adjacent street(s):	River's Bend Drive East (Local)
Adjacent Bike/Pedestrian Facilities:	Sidewalks
Available Parks/Trail Facilities:	River's Bend facilities within ¼ mile

DISCUSSION AND OBSERVATIONS:

- The applicant has submitted an application and proposed plat.
- The replat is necessary for minor lot line adjustments to provide for continued development.
- The new lots will be required to meet the current zoning district requirements.
- The proposed replat does not affect any public easements or rights of ways, and the applicant has stated that it will not affect existing utility connections.

NOTICES:

Sent to: Applicable agencies and departments

Comments Received:

- None to date

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

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

STAFF REPORT

RECOMMENDATIONS:

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

1. Utility plan is verified to be unchanged and approved by City Engineer.
2. An updated drainage plan is approved by the City Engineer.
3. An Attorney Title Opinion to the City of West Fargo is received.
4. Signed Final Plat is received with any necessary easements.
5. A certificate is received showing taxes are current.

23RD AVE E

A20-14
Proposed Subdivision

Sheyenne River

RIVERS BEND DR E

25TH AVE E

1ST ST E



23RD AVE E

A20-14
Proposed Subdivision

Sheyenne River

RIVERS BEND DR E

25TH AVE E

1ST ST E

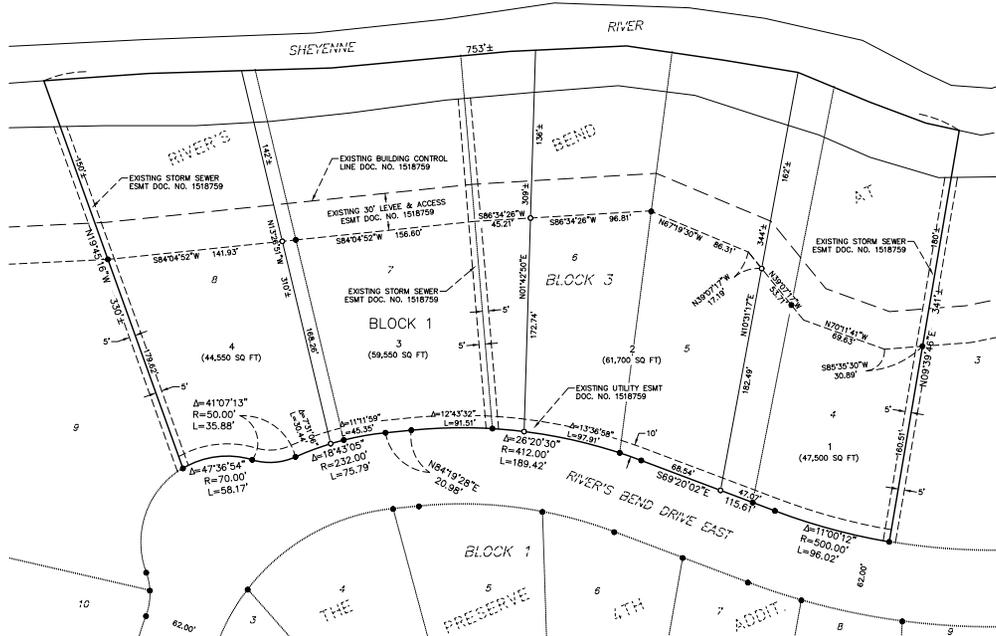


- A: Agricultural
- C: Light Commercial
- C-OP: Commercial Office Park
- HC: Heavy Commercial
- LI: Light Industrial
- M: Heavy Industrial
- P: Public
- R-1: One and Two Family
- R-1A: Single Family
- R-1E: Rural Estate
- R-1S: Special One and Two Family
- R-1SM: Mixed One and Two Family
- R-2: Limited Multiple Dwelling
- R-3: Multiple Dwelling
- R-4: Mobile Home
- R-5: Manufactured Home
- R-L1A: Large Lot Single Family
- R-R: Rural Residential
- PUD: Planned Unit Development
- DMU: Downtown Mixed Use



**PLAT OF
RIVER'S BEND AT THE PRESERVE SIXTH ADDITION
TO THE CITY OF WEST FARGO, A REPLAT OF LOTS 4 THROUGH 8 OF BLOCK 3, RIVER'S
BEND AT THE PRESERVE FOURTH ADDITION, CASS COUNTY, NORTH DAKOTA.**

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WEST FARGO CITY ATTORNEY APPROVAL

I HEREBY CERTIFY THAT PROPER EVIDENCE OF TITLE HAS BEEN EXAMINED BY ME AND I APPROVE THE PLAT AS TO FORM AND EXECUTION THIS _____ DAY OF _____, 20__.

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

ON THIS _____ DAY OF _____, 20__, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED JOHN T. SHOCKLEY, CITY ATTORNEY, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS THE CITY ATTORNEY.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

CITY ENGINEER'S APPROVAL

THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 20__.

DUSTIN T. SCOTT, CITY ENGINEER
STATE OF NORTH DAKOTA
COUNTY OF CASS

ON THIS _____ DAY OF _____, 20__, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED DUSTIN T. SCOTT, CITY ENGINEER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA



BASIS OF BEARINGS: RIVER'S BEND AT THE PRESERVE FOURTH ADDITION ACCORDING TO THE RECORDED PLAT THEREOF.

LEGEND

- IRON MONUMENT FOUND
- SET 5/8"X18" REBAR WITH YELLOW PLASTIC CAP #5900

CERTIFICATE

SHAWN M. THOMASSON, BEING DULY SWORN, DEPOSES AND SAYS THAT HE IS THE REGISTERED LAND SURVEYOR WHO PREPARED AND MADE THE ATTACHED PLAT OF "RIVER'S BEND AT THE PRESERVE SIXTH ADDITION" TO THE CITY OF WEST FARGO, A REPLAT OF LOTS 4 THROUGH 8 OF BLOCK 3, RIVER'S BEND AT THE PRESERVE FOURTH ADDITION TO THE CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA; THAT SAID PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE SURVEY THEREOF; THAT ALL DISTANCES ARE CORRECTLY SHOWN ON SAID PLAT; THAT MONUMENTS HAVE BEEN PLACED IN THE GROUND AS INDICATED FOR THE GUIDANCE OF FUTURE SURVEYS AND THAT SAID ADDITION IS DESCRIBED AS FOLLOWS, TO WIT:

LOTS 4 THROUGH 8 OF BLOCK 3, RIVER'S BEND AT THE PRESERVE FOURTH ADDITION, ACCORDING TO THE RECORDED PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, CASS COUNTY, NORTH DAKOTA.
SAID TRACT CONTAINS 213,300 SQUARE FEET, MORE OR LESS AND IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD, IF ANY.

SHAWN M. THOMASSON
REGISTERED LAND SURVEYOR
NO. LS-5900

STATE OF NORTH DAKOTA
COUNTY OF CASS

ON THIS _____ DAY OF _____, 20__, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED SHAWN M. THOMASSON, REGISTERED LAND SURVEYOR, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

DEDICATION

WE, THE UNDERSIGNED, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LAND DESCRIBED IN THE PLAT OF "RIVER'S BEND AT THE PRESERVE SIXTH ADDITION" TO THE CITY OF WEST FARGO, A REPLAT OF LOTS 4 THROUGH 8 OF BLOCK 3, RIVER'S BEND AT THE PRESERVE FOURTH ADDITION TO THE CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA; THAT WE HAVE CAUSED IT TO BE PLATED INTO LOTS AND BLOCKS AS SHOWN BY SAID PLAT AND CERTIFICATE OF SHAWN M. THOMASSON, REGISTERED LAND SURVEYOR, AND THAT THE DESCRIPTION AS SHOWN IN THE CERTIFICATE OF THE REGISTERED LAND SURVEYOR IS CORRECT.

OWNER: LOTS 1, 3 & 4: RIVER'S BEND DEVELOPMENT CORPORATION

BY: _____
ITS: _____

STATE OF NORTH DAKOTA
COUNTY OF CASS

ON THIS _____ DAY OF _____, 20__, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED _____ KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING DEDICATION AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THE NAME OF RIVER'S BEND DEVELOPMENT CORPORATION.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

OWNER: LOT 2: ABIGAIL L. BARBER-BURGUM REVOCABLE TRUST

ABIGAIL L. BARBER-BURGUM, TRUSTEE

STATE OF NORTH DAKOTA
COUNTY OF CASS

ON THIS _____ DAY OF _____, 20__, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED ABIGAIL L. BARBER-BURGUM, TRUSTEE OF THE ABIGAIL L. BARBER-BURGUM REVOCABLE TRUST, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING DEDICATION AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME IN THE NAME OF THE ABIGAIL L. BARBER-BURGUM REVOCABLE TRUST.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

WEST FARGO PLANNING COMMISSION APPROVAL

THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 20__.

TOM MCDUGALL, CHAIRMAN

STATE OF NORTH DAKOTA
COUNTY OF CASS

ON THIS _____ DAY OF _____, 20__, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED TOM MCDUGALL, CHAIRMAN OF THE WEST FARGO PLANNING COMMISSION, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE NAME OF THE WEST FARGO PLANNING COMMISSION.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

WEST FARGO CITY COMMISSION APPROVAL

THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 20__.

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

TINA FISK, CITY AUDITOR

STATE OF NORTH DAKOTA
COUNTY OF CASS

ON THIS _____ DAY OF _____, 20__, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED BERNIE L. DARDIS, PRESIDENT OF THE WEST FARGO CITY COMMISSION, AND TINA FISK, CITY AUDITOR, KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THE NAME OF THE CITY OF WEST FARGO.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

PRELIMINARY



SHEET 1 OF 1
PROJ. NO. 21219

STAFF REPORT

A20-15		REPLAT & PUD AMENDMENT	
Westview 4 th Addition			
Lot 1, Block 1 of Westview 2nd Addition, City of West Fargo			
Owner: Oak Ridge Condos LLC Applicant: Mike Graham		Staff Contact: Tim Solberg, AICP	
Planning & Zoning Commission Introduction:		05-12-2020	
Public Hearing:		05-12-2020	
City Commission:			

PURPOSE:

PUD Amendment and replat to provide for commercial office park development.

STATEMENTS OF FACT:

Land Use Classification:	G-2: Sub-Urban - Growth Sector
Existing Land Use:	Vacant
Current Zoning District(s):	PUD: Planned Unit Development
Zoning Overlay District(s):	CO: Corridor Overlay District
Proposed Lot size(s) or range:	4,510 ft ² – 11,632 ft ²
Total area size:	3.16 Acres
Adjacent Zoning Districts:	North – PUD: Planned Unit Development (Residential) South – City of Fargo East – R-1SM: Mixed One & Two Family Dwellings West - R-1A: Single Family Dwellings
Adjacent street(s):	4 th Street East (Collector); 40 th Avenue East (Arterial)
Adjacent Bike/Pedestrian Facilities:	Shadow Wood Park within ½ mile accessible by multi-use path
Available Parks/Trail Facilities:	Adjacent sidewalks and multi-use path along 4 th Street East & 40 th Avenue East
Public Dedication Requirements:	Provided with previous subdivision

DISCUSSION AND OBSERVATIONS:

- The applicant has submitted an application, preliminary plat and site plan with building renderings.
- The site plan and preliminary plat currently provides 22 new commercial condominium lots.
- The lots are proposed to be developed as office condos and will require district standards to consider permitted uses and yard requirements. The applicant has provided the district standards that were approved for the similar Oak Ridge Condos located north of this proposal and would amend those with the Westview 4th Addition name if approved.
- These proposed district standards provide for permitted uses which are similar to the City's Commercial Office Park district standards with primarily intended for lighter intensity.
- Engineering and Public Works are in discussion on the components of infrastructure and how best to serve the property.

STAFF REPORT

- Access is limited to the property as it is adjacent to both an arterial and collector roadway. There is one existing access for the property and the subdivision is designed to provide future connection should it be necessary with development to the east.

NOTICES:

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

Comments Received:

- An email was received from a property owner to the south indicating they would like this area of 40th Ave to remain residential and not have any commercial development to the north of their home and cited concerns with increased traffic.

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

- Maintaining compatibility with surrounding uses will provide consistency with City Plans and Ordinances. Increasing employment opportunities and commercial development within this area is consistent with the Comprehensive Plan.

RECOMMENDATIONS:

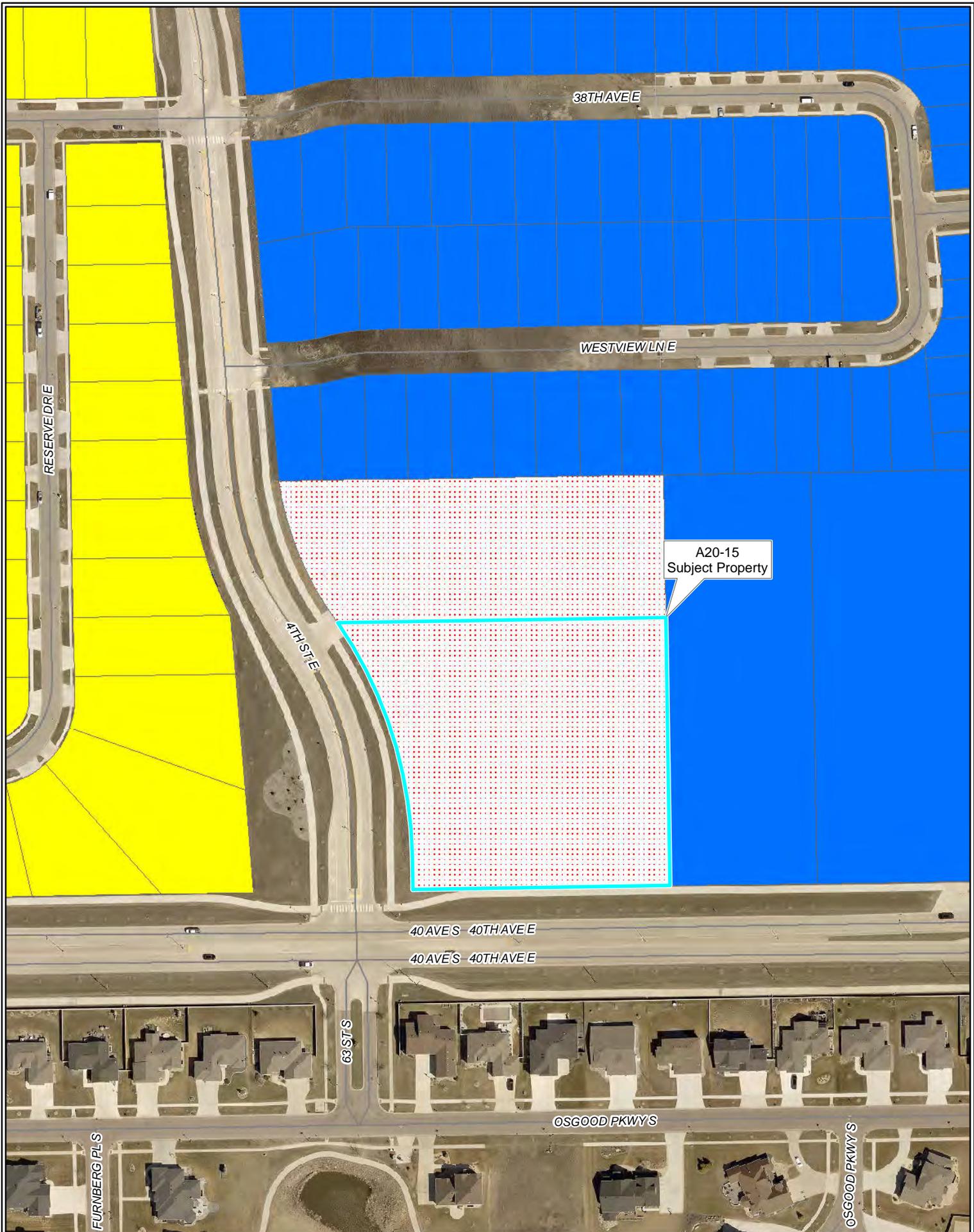
Staff is recommending that the City approve the proposed application on the basis that it is consistent with City plans and ordinances. Recommended conditions of approval are as follows:

1. District standards include provisions to require but not limit to 4-440 Supplementary District Regulations, Section 4-449-A Landscaping Standards, 4-450 Off-Street Parking and Loading Requirements, and 4-460 Sign Regulations.
2. A signed PUD and Subdivision Improvement Agreement is received prior to recording the signed plat.
3. Consideration of any comments from Engineering and Public Works regarding servicing the property.
4. An updated drainage and utility plan is approved by the City Engineer.
5. An Attorney Title Opinion to the City of West Fargo is received.
6. Signed Final Plat is received with any necessary easements.
7. A certificate is received showing taxes are current.



A20-15
Subject Property





A20-15
Subject Property

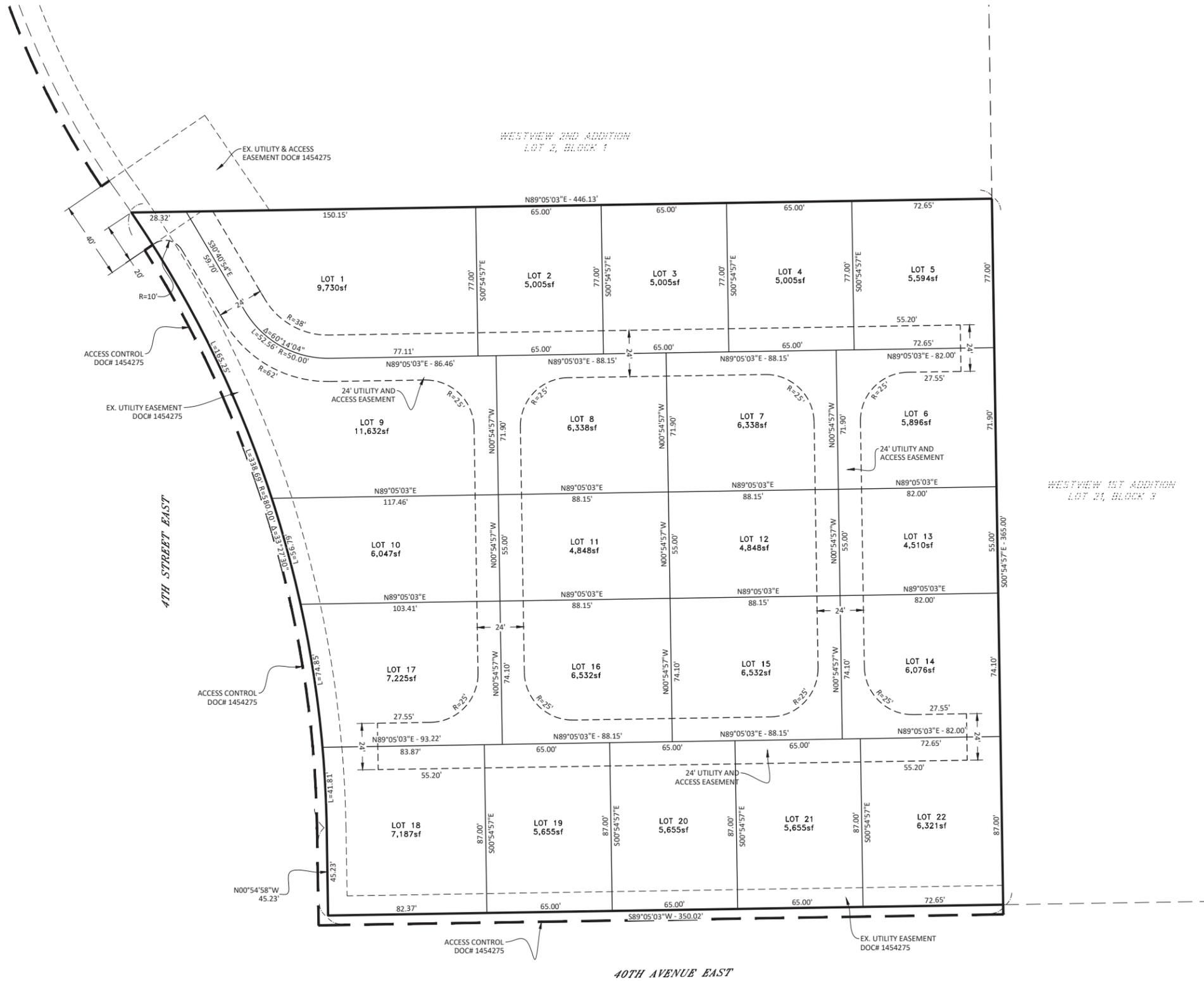


<ul style="list-style-type: none"> ■ A: Agricultural ■ C: Light Commercial ■ C-OP: Commercial Office Park ■ HC: Heavy Commercial 	<ul style="list-style-type: none"> ■ LI: Light Industrial ■ M: Heavy Industrial ■ P: Public ■ R-1: One and Two Family 	<ul style="list-style-type: none"> ■ R-1A: Single Family ■ R-1E: Rural Estate ■ R-1S: Special One and Two Family ■ R-1SM: Mixed One and Two Family 	<ul style="list-style-type: none"> ■ R-2: Limited Multiple Dwelling ■ R-3: Multiple Dwelling ■ R-4: Mobile Home ■ R-5: Manufactured Home 	<ul style="list-style-type: none"> ■ R-L1A: Large Lot Single Family ■ R-R: Rural Residential ■ PUD: Planned Unit Development ■ DMU: Downtown Mixed Use
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WESTVIEW 4TH ADDITION

A REPLAT OF LOT 1, BLOCK 1, WESTVIEW SECOND ADDITION
TO THE CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA



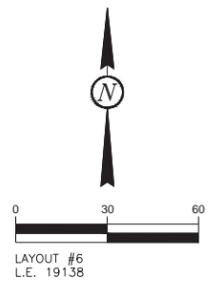
LEGEND

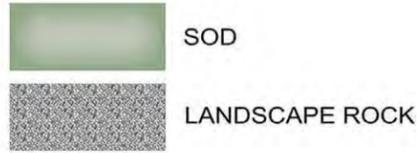
●	MONUMENT SET
○	MONUMENT FOUND
---	EX. EASEMENT
---	EX. PROPERTY LINE
---	EX. SECTION LINE
---	EX. ACCESS CONTROL LINE
---	PROPERTY BOUNDARY LINE
---	NEW ROW/PROPERTY LINE
---	NEW EASEMENT LINE

NOTES

- PROPERTY LINES SHOWN WERE DOWNLOADED FROM CASS COUNTY GIS SITE.

04/16/20 04:32:28PM C:\Users\ryan.wellier\Desktop\TEMP - Ryan\Cover 19_Drawing\Final\19138 - 4th & 40th - Mike Graham\19138 - Plat_19138.dwg





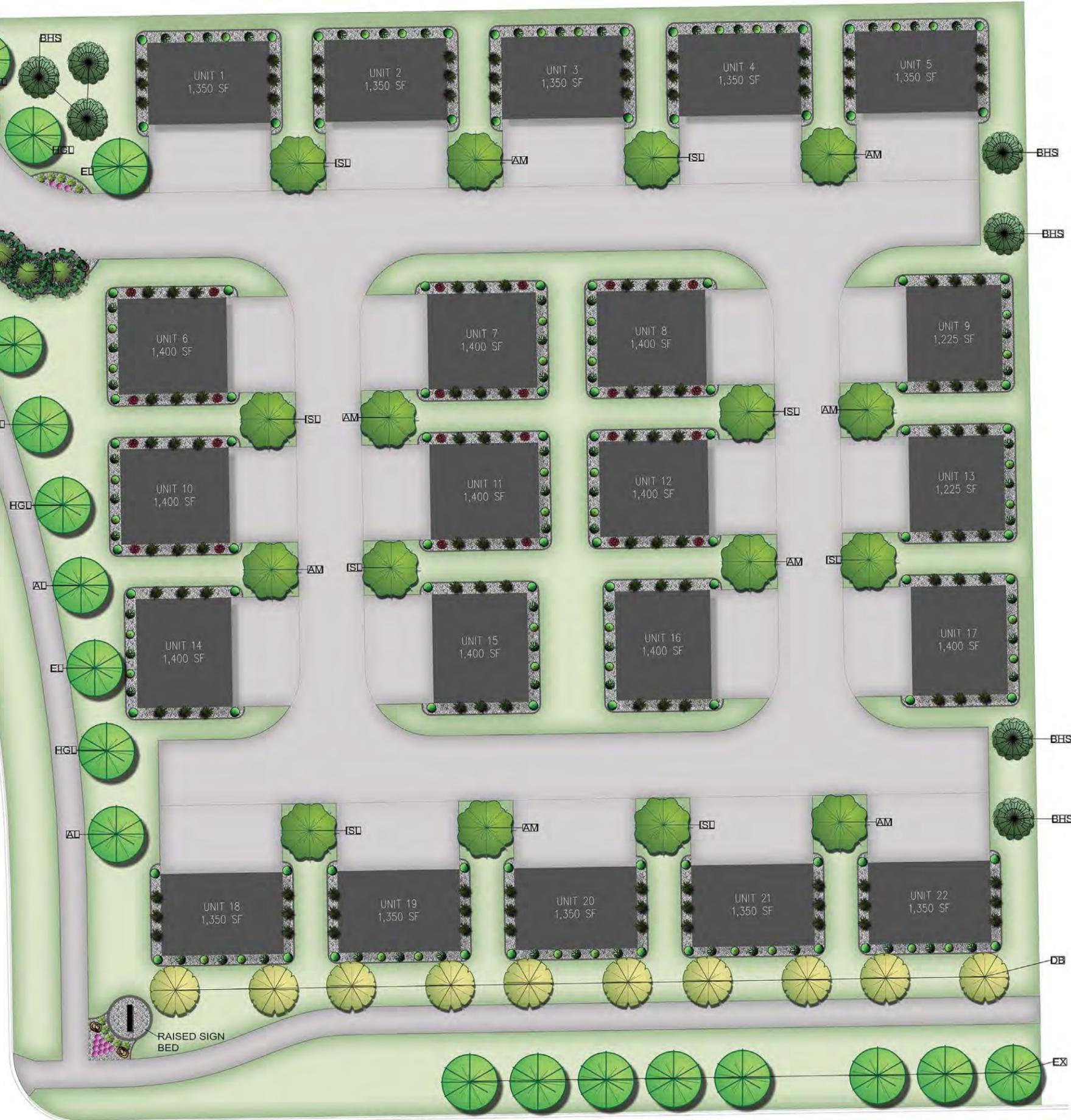
- NOTES**
1. CONTRACTOR SHALL BECOME FAMILIAR WITH THE LOCATION OF ALL EXISTING AND FUTURE UNDERGROUND SERVICES AND IMPROVEMENTS WHICH MAY CONFLICT WITH WORK TO BE DONE.
 2. LANDSCAPE CONTRACTOR TO REMOVE WEEDS, REMAINING VEGETATION, AND FINE GRADE ENTIRE SITE PRIOR TO PLANTING. RECEIVE APPROVAL FROM CONSTRUCTION MANAGER FOR APPROVAL OF FINE GRADING.
 3. FINISH GRADES AND EDGING SHALL BE APPROVED PRIOR TO PLANTING OPERATIONS.
 4. EDGING TO BE MECHANICALLY FORMED, CAST-IN-PLACE CONCRETE EDGING. STYLE AND COLOR TO BE SELECTED BY OWNER. INSTALL EDGING LEVEL AND EVEN.
 5. ALL NEWLY PLANTED MATERIAL SHALL BE THOROUGHLY SOAKED WITH WATER WITHIN 3 HOURS OF PLANTING.
 6. THIRTY DAYS AFTER PLANTING, CONTRACTOR SHALL RE-STAKE AND STRAIGHTEN TREES AS NECESSARY.
 7. ALL PLANTING BEDS ARE TO RECEIVE 3" DEPTH OF 2-4" DIA. CLEAN WASHED, LANDSCAPE ROCK OVER A 5 OZ. WOVEN LANDSCAPE WEED-BARRIER FABRIC.
 8. BOULDERS INDICATED ON PLAN ARE TO BE 3-4" LIMESTONE BOULDERS.
 8. ALL PLANTING BEDS TO HAVE 'PREEN FOR PERENNIALS' OR APPROVED EQUAL PRE-EMERGENT HERBICIDE APPLIED AT RATES RECOMMENDED BY MANUFACTURER.
 9. ALL PLANTS IN LAWN AND ROCK MULCH BEDS TO RECEIVE 4" DEPTH SHREDDED CEDAR WOOD MULCH AS INDICATED BELOW; a. TREES- 5' DIAMETER b. SHRUBS - 2' DIAMETER c. PERENNIALS - 18" DIAMETER
 10. CONTRACTOR SHALL GUARANTEE PLANT MATERIAL TO BE ALIVE AND IN A HEALTHY CONDITION FOR A PERIOD OF 1-YEAR FROM DATE OF SUBSTANTIAL COMPLETION OF PLANTING OPERATIONS. PLANTS WITH LESS THAN 50% CANOPY AS DETERMINED BY OWNER SHALL BE CONSIDERED DEAD AND BE REPLACED BY CONTRACTOR.

NOTE: FINAL QUANTITIES AND CONFIGURATION OF PLANTING MAY BE ADJUSTED. MINIMUM LDC REQUIREMENTS FOR STREET PLANTING, BUFFER PLANTING AND OPEN SPACE PLANTING WILL BE MAINTAINED

PLANTING LEGEND

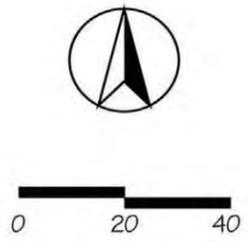
SYM	TREES	SIZE	QUANTITY
AL	AMERICAN LINDEN	2"	4
HGL	HARVEST GOLD LINDEN	2"	4
EL	EMERALD LUSTRE NORWAY M/	2"	3
PB	PILLAR BIRCH	2"	3
ISL	IVORY SILK LILAC	1.5"	8
AM	AMUR FLAME MAPLE	1.5"	8
DB	DAKOTA PINNACLE BIRCH	1.5"	10
BHS	BLACK HILLS SPRUCE	6-7'	7
EX	EXISTING TREES	-	-
SYM	SHRUBS	SIZE	
	ANNABELLE HYDRANGEA	#2	
	DWARF KOREAN LILAC	#2	
	GLOBE BLUE SPRUCE	#2	
	TAUNTUN YEW	#2	
	CRIMSON PYGMY BARBERRY	#1	
	KARL FOERSTER GRASS	#1	
	PERENNIALS	#1	

4TH ST E



40TH AVE S

40TH AVE
OFFICE PARK
WEST FARGO, ND



LANDSCAPE PLAN
L1.0





OAKRIDGE OFFICE PARK PUD STANDARDS

Statement of Intent: The provisions of the PUD for Oakridge Office Park are intended to provide high quality, aesthetically attractive properties and grounds for commercial establishments looking for high visibility, easy access with ownership opportunities. Users will typically be owner operated small businesses with few or no employees, focused on one to one business interactions. Examples of users would be a consultant with an office manager as the lone employee; a personal trainer focusing on one on one training; a chiropractor with a receptionist; a photographer that does one on one sessions. By the nature of the businesses, customer use will typically be limited to one or two at a time. Because of the size and nature of the buildings and the permitted uses, the Park will produce less vehicular traffic and parking demand than a typical office park. Cross parking easements will be discussed and encouraged where appropriate.

Permitted Uses in the office park of Oakridge Office Park:

1. Commercial and professional office buildings, single or multi-tenant.
2. Display of retail goods like cars, recreational vehicles, trucks or any other item traditionally associated with having a showroom, only with the approval of a Conditional Use Permit by the Planning and Zoning Commission and City Commission.
3. Essential Services.
4. Repair services such as radio, appliance or shoe repair shops.
5. Savings and loans, credit unions, financial and mortgage services.
6. Medical and dental facilities.
7. Veterinary clinics without overnight facilities.
8. Photography, videography and related businesses.
9. Massage, acupuncture and related businesses.
10. Personal training, sports training and related businesses.
11. Art studios and galleries.
12. Music and dance studio and related businesses.
13. Antique and architectural goods sales.
14. Chiropractic services.
15. Consulting services.
16. Training facilities.
17. Short term/shared office space rentals and related businesses.
18. Architectural services.
19. Engineering services.
20. Accounting and/or tax services.
21. Financial advising and related businesses.
22. Computer/technology services.
23. Real estate sales and/or services.
24. Marketing services.
25. Education and related businesses.
26. Physical, occupational, speech, behavioral therapy and related businesses.

Site Development Standards:

1. Yard Requirements

- a. Front Yard: 15' from front property line
- b. Side Yard: 10' 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 five (5) trees whichever is greater from a list of trees provided by the West Fargo City Forester.

b. Within parking lots, one (1) landscaped island of at least 150 square feet shall be provided for every 20 parking spaces.

c. Ponds for the management of storm water shall not count toward the minimum landscaped standard.

3. Signage

Per the C: Light Commercial Zoning 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.

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

b. The following antennas may be installed on a Building, as permitted by applicable federal law: (i) one (1) 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.

5. Parking

a. Per City of West Fargo off street parking and loading regulations, section 4-450 of City Planning and Zoning Ordinance.

From: [Connie Kirchoffner](#)
To: [Tim P. Solberg](#)
Subject: Proposed Planned Unit Development Amendment for 40th Ave.
Date: Saturday, April 25, 2020 5:24:29 PM

As an adjacent property owner to the proposed 40th Ave Office Park we are AGAINST this planned unit development. We would like this area of 40th Ave to remain residential and NOT to have any commercial development to the north of our private residential home. We are very concerned about the increased traffic in this corridor that an office park will bring. The majority of homes in this area are private single family residences, with many children. The increased business traffic will be very dangerous for our neighborhood children as the proposed office park is near schools and will be in the center of the route to schools.

This is the second time that this area has been presented with a planned commercial office park for our residential area. The neighbors in this area were AGAINST the last proposed development and we are AGAINST this proposal now.

There are many empty office buildings along Veterans Boulevard, 32nd Ave and 45 Street. Economically small businesses are struggling due to the COVID-19 outbreak. This does not seem to be an economical time for a viable commercial office development in a residential neighborhood. I would like to ask the City of West Fargo for the current number of EMPTY single office buildings in West Fargo.

How many commercial office parks have empty available commercial units at this time? How many commercial office buildings are in residential areas? How many commercial office buildings are located near schools? Has a traffic survey been conducted in this area for the safety of our neighborhood children?

City planners should not be allowing commercial office buildings in residential areas. Please keep our neighborhoods safe and our schools safe, including the route to schools that many children use to walk and ride bikes to school.

Many private residential home owners were told by the developers in this area when they purchased their homes that this area would remain residential and that is how we would like it to remain. Residential area ONLY! NO Commercial development.

Thank you,
Thomas and Constance Kirchoffner
6207 Osgood Parkway S
Fargo, ND 58104

Sent from my iPhone

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

CITY OF WEST FARGO PLANNING & COMMUNITY DEVELOPMENT

STAFF REPORT

A20-16		REPLAT & REZONE	
Sandhills 5 th Addition			
All of Block 2, Lots 5-16 of Block 3, Lots 12-15 of Block 4, Lots 10-13 of Block 8, Lots 7-16 And Lot 22 of Block 9 And All of Blocks 10 And 11 All In Meadow Brook Park Subdivision; Vacation Plat of part of Gress Avenue, part of 2 nd Avenue NW, part 1 st Avenue NW, All of Northern Pacific Avenue And part of Park Boulevard All In Meadow Brook Park Subdivision And Auditor's Lot 1 of the SE ¼ of Section 2, T139N, R50W, City of West Fargo, North Dakota			
Owner/Applicant: Syndica LLP		Staff Contact: Tim Solberg, AICP	
Planning & Zoning Commission Public Hearing:		05-12-2020	
City Commission Introduction:		05-12-2020	
Public Hearing & 1 st Reading:			
2 nd Reading & Final Plat Approval			

PURPOSE:

Platting and Zoning for Light Industrial Development

STATEMENTS OF FACT:

Existing Land Use:	Vacant
Land Use Classification:	G-3 Employment Growth Sector
Current Zoning District(s):	A: Agricultural
Zoning Overlay District(s):	CO-I: Interstate Corridor Overlay
Proposed Lot size(s) or range:	17,606 to 333,896 square feet
Total area size:	34.13 Acres
Adjacent Zoning Districts:	North & East - LI : Light Industrial South & West – A: Agricultural
Adjacent street(s):	1 st Ave NW (local); 3 rd Ave NW (local); 4 th Ave NW (local), 26 th Street NW (collector); 30 th Street NW (local)
Adjacent Bike/Pedestrian Facilities:	Paths along Main Ave W – no sidewalks available
Available Parks/Trail Facilities:	Nearest park is Armour Park located 2.33 miles to the southeast – no public park within ½ mile
Land Dedication Requirements:	Dedication Required

DISCUSSION AND OBSERVATIONS:

- The applicant has submitted applications for a proposed replat and rezoning with preliminary plat, drainage plan and area plan.
- Taken from previous staff reports on the area, there is some historical observations worth noting:
 - The Meadow Brook Park Subdivision was platted in 1953 as a small lot residential subdivision outside the cities of West Fargo and Riverside. Soon after development in the subdivision began occurring in the form of manufactured style housing.
 - The area was severely flooded in 1975 which forced several residents to seek alternative housing for a period of time. Cass County Public Health Department submitted a request to the Department of Housing and Urban Development (HUD) for flood/disaster relief

STAFF REPORT

- under the Minimal Repair Program for a community sewerage collection system; however, was not funded. A request was then made to Farmers Home Administration (known today as Rural Development) which was viewed by the agency as an unwise investment, so was not funded.
- In the mid 1980's the area came into West Fargo's extraterritorial area for the purpose of planning and zoning. The area was zoned agricultural at that time and has primarily remained the same today.
 - Following some requests to add onto structures and construct new structures, and Cass County Health concerns due to inadequate area and soil type to accommodate septic systems, as well as a request to extend sanitary sewer services to the area, the City conducted a study in 1998 to review existing conditions and land uses, as well as any development plans for Meadow Brook Park. Following the study and property owner involvement, it was found that the costs of extending services would be too burdensome for the majority of property owners and would likely result in even more properties coming back to the County for unpaid taxes. It was recommended to wait for more ownership stability and for the City to grow out to the area to reduce costs for extending municipal services.
 - In 2000 the City adopted a Comprehensive Plan. The Plan designated the areas in and around Meadow Brook Park as Light Industrial and recommended that the areas be rezoned for industrial uses.
 - In 2002 the Fargo Moorhead Metropolitan Council of Governments undertook a study of the Meadow Brook Park area at the request of the City Commission. At the time of the study, of the 218 lots in Meadow Brook Park, 107 had come back to Cass County for back taxes. Of the remaining 111 lots, 59 were undeveloped and owned by individuals who lived outside the subdivision. The remaining 48 lots were owned by the residents of the subdivision and were the site of 17 residential structures.
- The applicant is proposing to combine multiple platted lots for light industrial development.
 - Staff has suggested larger lots in the area in the hopes that City infrastructure would be minimal to avoid high costs of development as the properties.
 - The applicant is proposing to vacate Northern Pacific Avenue and portions of both Park Boulevard and First Avenue North to create larger lots with reduced City infrastructure.
 - The applicant is proposing to increase one regional pond and to construct another.
 - The proposed road network will require additional connections with future development of some existing properties that are not part of the plat, however the proposed design will allow for this as shown in the provided area plan.
 - Some of the properties within the subdivision are within the Interstate Corridor Overlay District which has increased building and lot design standards.

NOTICES:

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

Comments Received:

- Staff received a Certified Letter from Mr. Duane Hazer of 2608 1st Ave NW requesting additional information and seeking to answer six questions. A copy of the letter is attached to the staff report, and staff is working with Mr. Hazer to respond to his questions.

STAFF REPORT

- An email was received from Mr. Tim Cockayne of 204 Park Blvd with concerns related to special assessments – both existing and future, building over Meadowbrook Park water line easement and damage occurring from development activity.

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

- The proposed rezoning are consistent with the Comprehensive Plan which seeks to increase employment opportunities in this area.

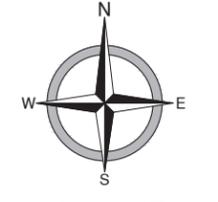
RECOMMENDATIONS:

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

1. A drainage and utility plan is approved by the City Engineer.
2. A signed subdivision agreement is received.
3. A signed public dedication agreement is received.
4. An Attorney Title Opinion to the City of West Fargo is received.
5. Signed Final Plat is received with any necessary easements.
6. A certificate is received showing taxes are current.

PLAT OF SANDHILLS FIFTH ADDITION

TO THE CITY OF WEST FARGO, A REPLAT OF ALL OF BLOCK 2, LOTS 5-16 OF BLOCK 3, LOTS 12-15 OF BLOCK 4, LOTS 10-13 OF BLOCK 8, LOTS 7-16 AND LOT 22 OF BLOCK 9 AND ALL OF BLOCKS 10 AND 11 ALL IN MEADOW BROOK PARK SUBDIVISION; A VACATION PLAT OF PART OF GRESS AVENUE, PART OF SECOND AVENUE NORTH, PART OF FIRST AVENUE NORTH, ALL OF NORTHERN PACIFIC AVENUE AND A PART OF PARK BOULEVARD ALL IN MEADOW BROOK PARK SUBDIVISION AND AUDITOR'S LOT 1 OF THE SE1/4 OF SECTION 2, TOWNSHIP 139 NORTH, RANGE 50 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CASS COUNTY, NORTH DAKOTA



BASIS OF BEARINGS: THE NORTH LINE OF BLOCK 8, MEADOW BROOK PARK SUBDIVISION HAS AN ASSUMED BEARING OF N87°17'38"E.

- LEGEND**
- IRON MONUMENT FOUND
 - SET 5/8"x18" REBAR WITH YELLOW PLASTIC CAP #5900
 - P.O.B. POINT OF BEGINNING

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

Curve Table			
Curve #	Length	Radius	Delta
C1	26.55	30.50	49°52'35"
C2	21.21	59.50	20°25'41"

PRELIMINARY

PLAT OF
SANDHILLS FIFTH ADDITION

TO THE CITY OF WEST FARGO, A REPLAT OF ALL OF BLOCK 2, LOTS 5-16 OF BLOCK 3, LOTS 12-15 OF BLOCK 4, LOTS 10-13 OF BLOCK 8, LOTS 7-16 AND LOT 22 OF BLOCK 9 AND ALL OF BLOCKS 10 AND 11 ALL IN MEADOW BROOK PARK SUBDIVISION; A VACATION PLAT OF PART OF GRESS AVENUE, PART OF SECOND AVENUE NORTH, PART OF FIRST AVENUE NORTH, ALL OF NORTHERN PACIFIC AVENUE AND A PART OF PARK BOULEVARD ALL IN MEADOW BROOK PARK SUBDIVISION AND AUDITOR'S LOT 1 OF THE SE1/4 OF SECTION 2, TOWNSHIP 139 NORTH, RANGE 50 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CASS COUNTY, NORTH DAKOTA

CERTIFICATE

SHAWN M. THOMASSON, BEING DULY SWORN, DEPOSES AND SAYS THAT HE IS THE REGISTERED LAND SURVEYOR WHO PREPARED AND MADE THE ATTACHED PLAT OF "SANDHILLS FIFTH ADDITION" TO THE CITY OF WEST FARGO, A REPLAT OF ALL OF BLOCK 2, LOTS 5-16 OF BLOCK 3, LOTS 12-15 OF BLOCK 4, LOTS 10-13 OF BLOCK 8, LOTS 7-16 AND LOT 22 OF BLOCK 9 AND ALL OF BLOCKS 10 AND 11 ALL IN MEADOW BROOK PARK SUBDIVISION; A VACATION PLAT OF PART OF GRESS AVENUE, PART OF SECOND AVENUE NORTH, PART OF FIRST AVENUE NORTH, ALL OF NORTHERN PACIFIC AVENUE AND A PART OF PARK BOULEVARD ALL IN MEADOW BROOK PARK SUBDIVISION AND AUDITOR'S LOT 1 OF THE SE1/4 OF SECTION 2, TOWNSHIP 139 NORTH, RANGE 50 WEST OF THE FIFTH PRINCIPAL MERIDIAN, TO THE CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA; THAT SAID PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE BOUNDARY SURVEY; THAT ALL DISTANCES ARE CORRECTLY SHOWN ON SAID PLAT; THAT MONUMENTS HAVE BEEN PLACED IN THE GROUND AS INDICATED FOR THE GUIDANCE OF FUTURE SURVEYS AND THAT SAID ADDITION IS DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT AN IRON MONUMENT WHICH DESIGNATES THE NORTHWEST CORNER OF LOT 11, BLOCK 8, MEADOW BROOK PARK SUBDIVISION, ACCORDING TO THE RECORDED PLAT THEREOF, ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, CASS COUNTY, NORTH DAKOTA; THENCE NORTH 87 DEGREES 17 MINUTES 38 SECONDS EAST ON AN ASSUMED BEARING ALONG THE NORTH LINE OF SAID BLOCK 8 FOR A DISTANCE OF 160.00 FEET TO THE NORTHEAST CORNER OF LOT 10, SAID BLOCK 8; THENCE SOUTH 02 DEGREES 24 MINUTES 48 SECONDS EAST ALONG THE EAST LINE OF LOTS 10 AND 13, AND THE SOUTHERLY EXTENSION THEREOF, SAID BLOCK 8 FOR A DISTANCE OF 329.96 FEET TO THE NORTH LINE OF BLOCK 9, SAID MEADOW BROOK PARK SUBDIVISION; THENCE NORTH 87 DEGREES 17 MINUTES 46 SECONDS EAST ALONG THE NORTH LINE OF SAID BLOCK 9 FOR A DISTANCE OF 240.03 FEET TO THE NORTHEAST CORNER OF LOT 7 OF SAID BLOCK 9; THENCE SOUTH 02 DEGREES 24 MINUTES 59 SECONDS EAST ALONG THE EAST LINE OF LOTS 7 AND 16 OF SAID BLOCK 9 FOR A DISTANCE OF 279.97 FEET TO THE SOUTH LINE OF SAID BLOCK 9; THENCE NORTH 87 DEGREES 17 MINUTES 23 SECONDS EAST ALONG THE SOUTH LINE OF SAID BLOCK 9 FOR A DISTANCE OF 410.06 FEET TO THE SOUTHEAST CORNER OF LOT 21, SAID BLOCK 9; THENCE NORTH 02 DEGREES 25 MINUTES 14 SECONDS WEST ALONG THE EAST LINE OF SAID LOT 21 FOR A DISTANCE OF 139.96 FEET TO THE WESTERLY EXTENSION OF THE NORTH LINE OF LOTS 12 THROUGH 15, BLOCK 4, SAID MEADOW BROOK PARK SUBDIVISION; THENCE NORTH 87 DEGREES 17 MINUTES 35 SECONDS EAST ALONG THE NORTH LINE OF SAID LOTS 12 THROUGH 15 AND ITS WESTERLY EXTENSION FOR A DISTANCE OF 480.10 FEET TO THE NORTHEAST CORNER OF SAID LOT 15; THENCE SOUTH 02 DEGREES 25 MINUTES 05 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 15 FOR A DISTANCE OF 139.94 FEET TO THE SOUTH LINE OF SAID BLOCK 4; THENCE NORTH 87 DEGREES 17 MINUTES 23 SECONDS EAST ALONG THE SOUTH LINE OF SAID BLOCK 4 FOR A DISTANCE OF 240.05 FEET TO THE NORTHERLY EXTENSION OF THE EAST LINE OF LOT 5, BLOCK 3, SAID MEADOW BROOK PARK SUBDIVISION; THENCE SOUTH 02 DEGREES 24 MINUTES 54 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 5 AND THE NORTHERLY EXTENSION THEREOF FOR A DISTANCE OF 190.02 FEET TO SOUTHEAST CORNER OF SAID LOT 5; THENCE SOUTH 87 DEGREES 17 MINUTES 30 SECONDS WEST ALONG THE SOUTH LINE OF LOTS 5 AND 6, SAID BLOCK 3 FOR A DISTANCE OF 160.03 FEET TO THE SOUTHWEST CORNER OF SAID LOT 6; THENCE SOUTH 02 DEGREES 25 MINUTES 02 SECONDS EAST ALONG THE EAST LINE OF LOT 16, SAID BLOCK 3 FOR A DISTANCE OF 140.02 FEET TO THE SOUTH LINE OF SAID BLOCK 3; THENCE SOUTH 87 DEGREES 17 MINUTES 36 SECONDS WEST ALONG THE SOUTH LINE OF SAID BLOCK 3 FOR A DISTANCE OF 50.00 FEET; THENCE SOUTH 02 DEGREES 25 MINUTES 02 SECONDS EAST FOR A DISTANCE OF 50.00 FEET TO THE NORTH LINE OF BLOCK 2, SAID MEADOW BROOK PARK SUBDIVISION; THENCE NORTH 87 DEGREES 17 MINUTES 36 SECONDS EAST ALONG THE NORTH LINE OF SAID BLOCK 2 FOR A DISTANCE OF 530.06 FEET TO THE NORTHEAST CORNER OF SAID BLOCK 2; THENCE SOUTH 02 DEGREES 24 MINUTES 40 SECONDS EAST ALONG THE EAST LINE OF SAID BLOCK 2 FOR A DISTANCE OF 330.06 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY NO. 94; THENCE SOUTH 87 DEGREES 17 MINUTES 47 SECONDS WEST ALONG SAID RIGHT OF WAY LINE FOR A DISTANCE OF 1850.31 FEET TO THE WEST LINE OF SAID MEADOW BROOK PARK SUBDIVISION; THENCE NORTH 02 DEGREES 24 MINUTES 45 SECONDS WEST ALONG THE WEST LINE OF SAID MEADOW BROOK PARK SUBDIVISION FOR A DISTANCE OF 718.93 FEET TO THE SOUTH LINE OF AUDITOR'S LOT 1, ACCORDING TO DOCUMENT NO. 572567, ON FILE AND OF RECORD IN THE OFFICE OF SAID RECORDER; THENCE SOUTH 87 DEGREES 17 MINUTES 46 SECONDS WEST ALONG THE SOUTH LINE OF SAID AUDITOR'S LOT 1 FOR A DISTANCE OF 297.32 FEET TO THE EAST LINE OF LOT 1, BLOCK 1, SANDHILLS SUBDIVISION, ACCORDING TO THE RECORDED PLAT THEREOF, ON FILE AND OF RECORD IN THE OFFICE OF SAID RECORDER; THENCE NORTH 02 DEGREES 25 MINUTES 28 SECONDS WEST ALONG THE EAST LINE OF SAID LOT 1 FOR A DISTANCE OF 321.00 FEET TO THE NORTH LINE OF SAID AUDITOR'S LOT 1; THENCE NORTH 87 DEGREES 17 MINUTES 46 SECONDS EAST ALONG THE NORTH LINE OF SAID AUDITOR'S LOT 1 FOR A DISTANCE OF 297.39 FEET TO THE WEST LINE OF SAID MEADOW BROOK PARK SUBDIVISION; THENCE NORTH 02 DEGREES 24 MINUTES 45 SECONDS WEST ALONG THE WEST LINE OF SAID MEADOW BROOK PARK SUBDIVISION FOR A DISTANCE OF 279.95 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 34.13 ACRES, MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD, IF ANY.

SHAWN M. THOMASSON
REGISTERED LAND SURVEYOR
REG. NO. LS-5900

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2020, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED SHAWN M. THOMASSON, REGISTERED LAND SURVEYOR, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

DEDICATION

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

WE, THE UNDERSIGNED, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LAND DESCRIBED IN THE PLAT OF "SANDHILLS FIFTH ADDITION" TO THE CITY OF WEST FARGO, A REPLAT OF ALL OF BLOCK 2, LOTS 5-16 OF BLOCK 3, LOTS 12-15 OF BLOCK 4, LOTS 10-13 OF BLOCK 8, LOTS 7-16 AND LOT 22 OF BLOCK 9 AND ALL OF BLOCKS 10 AND 11 ALL IN MEADOW BROOK PARK SUBDIVISION; A VACATION PLAT OF PART OF GRESS AVENUE, PART OF SECOND AVENUE NORTH, PART OF FIRST AVENUE NORTH, ALL OF NORTHERN PACIFIC AVENUE AND A PART OF PARK BOULEVARD ALL IN MEADOW BROOK PARK SUBDIVISION AND AUDITOR'S LOT 1 OF THE SE1/4 OF SECTION 2, TOWNSHIP 139 NORTH, RANGE 50 WEST OF THE FIFTH PRINCIPAL MERIDIAN, TO THE CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA, THAT WE HAVE CAUSED IT TO BE PLATTED INTO LOTS AND BLOCKS AS SHOWN BY SAID PLAT AND CERTIFICATE OF SHAWN M. THOMASSON, REGISTERED LAND SURVEYOR, AND THAT THE DESCRIPTION AS SHOWN IN THE CERTIFICATE OF THE REGISTERED LAND SURVEYOR IS CORRECT. WE HEREBY DEDICATE ALL STREETS, AVENUES, UTILITY AND ACCESS EASEMENTS SHOWN ON SAID PLAT TO THE USE OF THE PUBLIC.

OWNER: XXXXXXX

XXXXXXXX

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2020, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE PERSONALLY APPEARED XXXXXX, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE NAME OF XXX.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

WEST FARGO PLANNING COMMISSION APPROVAL

THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 2020.

TOM MCDUGALL, CHAIRMAN

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2020, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED TOM MCDUGALL, CHAIRMAN OF THE WEST FARGO PLANNING COMMISSION, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE NAME OF THE WEST FARGO PLANNING COMMISSION.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

WEST FARGO CITY COMMISSION APPROVAL

THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 2020.

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

TINA FISK, CITY AUDITOR

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2020, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED BERNIE L. DARDIS, PRESIDENT OF THE WEST FARGO CITY COMMISSION, AND TINA FISK, CITY AUDITOR, KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THE NAME OF THE CITY OF WEST FARGO.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

WEST FARGO CITY ATTORNEY APPROVAL

I HEREBY CERTIFY THAT PROPER EVIDENCE OF TITLE HAS BEEN EXAMINED BY ME AND I APPROVE THE PLAT AS TO FORM AND EXECUTION THIS _____ DAY OF _____, 2020.

JOHN T. SHOCKLEY, CITY ATTORNEY

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2020, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED JOHN T. SHOCKLEY, CITY ATTORNEY, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS THE CITY ATTORNEY.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

CITY ENGINEER'S APPROVAL

THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 2020.



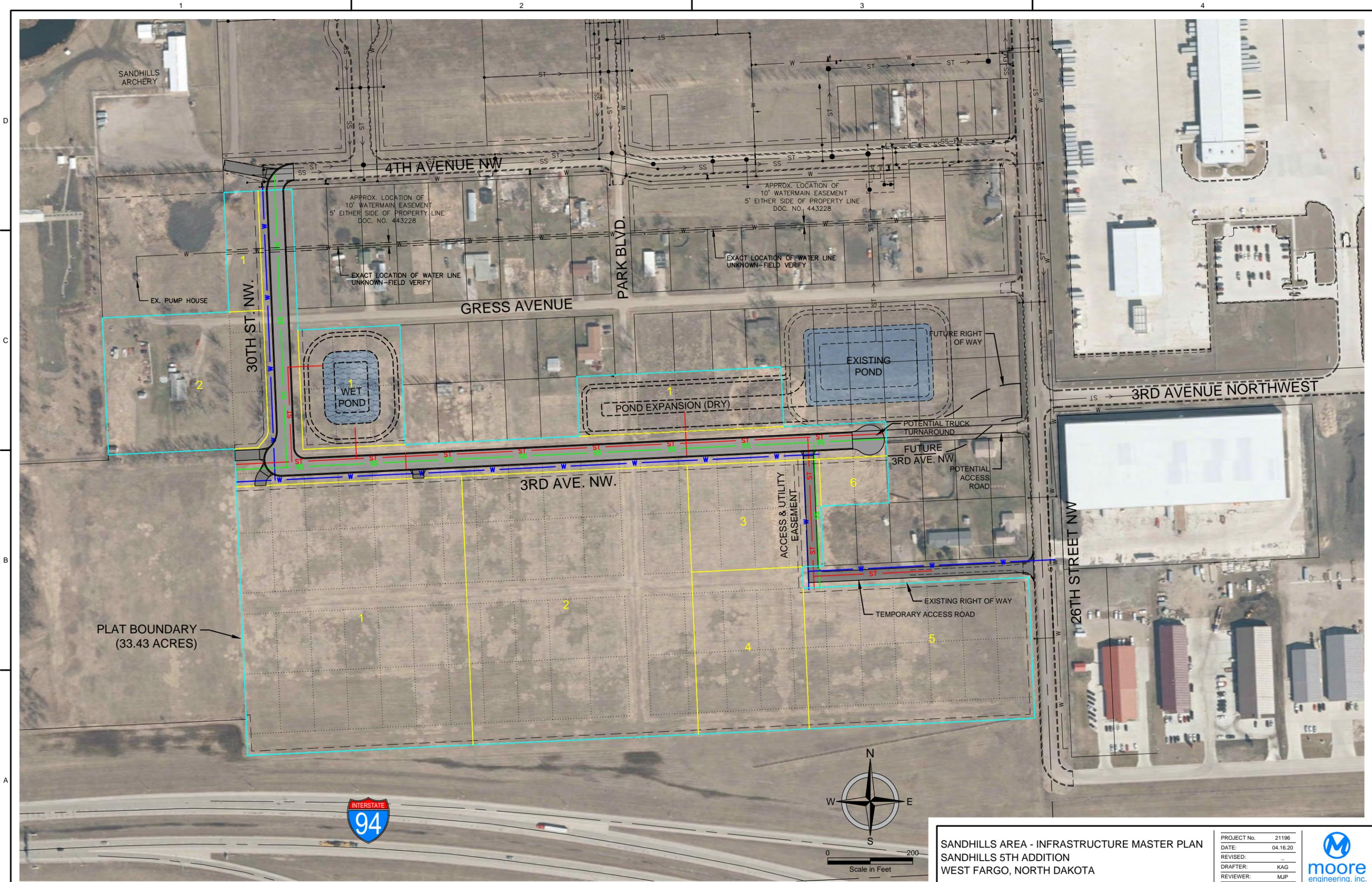
DUSTIN T. SCOTT, CITY ENGINEER

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2020, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED DUSTIN T. SCOTT, CITY ENGINEER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

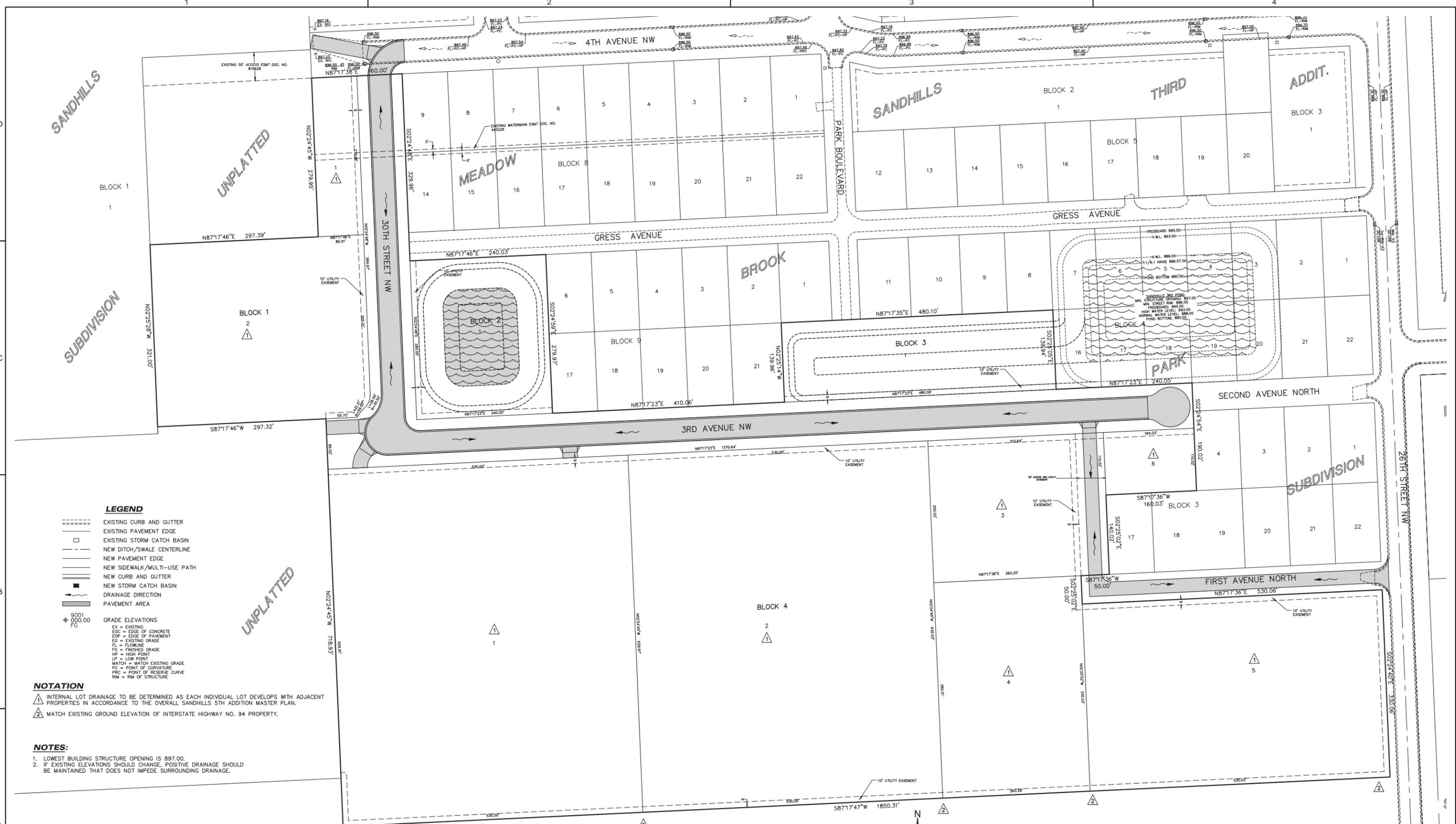
PRELIMINARY



SANDHILLS AREA - INFRASTRUCTURE MASTER PLAN
 SANDHILLS 5TH ADDITION
 WEST FARGO, NORTH DAKOTA

PROJECT No.	21196
DATE:	04.16.20
REVISED:	
DRAFTER:	KAG
REVIEWER:	MJP





LEGEND

- EXISTING CURB AND GUTTER
- EXISTING PAVEMENT EDGE
- EXISTING STORM CATCH BASIN
- - - NEW DITCH/SWALE CENTERLINE
- NEW PAVEMENT EDGE
- NEW SIDEWALK/MULTI-USE PATH
- NEW CURB AND GUTTER
- NEW STORM CATCH BASIN
- DRAINAGE DIRECTION
- ▭ PAVEMENT AREA

- GRADE ELEVATIONS**
- EX = EXISTING
 - EDC = EDGE OF CONCRETE
 - EOP = EDGE OF PAVEMENT
 - EG = EXISTING GRADE
 - FL = FLOWLINE
 - FG = FINISHED GRADE
 - HP = HIGH POINT
 - LP = LOW POINT
 - MATCH = MATCH EXISTING GRADE
 - PC = POINT OF CURVATURE
 - PRC = POINT OF RESERVE CURVE
 - RM = RM OF STRUCTURE

NOTATION

- △ INTERNAL LOT DRAINAGE TO BE DETERMINED AS EACH INDIVIDUAL LOT DEVELOPS WITH ADJACENT PROPERTIES IN ACCORDANCE TO THE OVERALL SANDHILLS 5TH ADDITION MASTER PLAN.
- △ MATCH EXISTING GROUND ELEVATION OF INTERSTATE HIGHWAY NO. 94 PROPERTY.

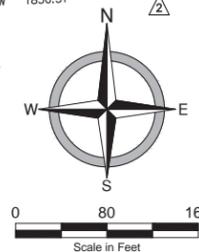
NOTES:

1. LOWEST BUILDING STRUCTURE OPENING IS 897.00.
2. IF EXISTING ELEVATIONS SHOULD CHANGE, POSITIVE DRAINAGE SHOULD BE MAINTAINED THAT DOES NOT IMPEDE SURROUNDING DRAINAGE.

BENCHMARK LIST - 1929 DATUM		
NO.	DESCRIPTION	ELEV.
1	TOP NUT ON HYDRANT 350'± SOUTH OF BNSF RAILROAD TRACKS ON EAST SIDE OF 26TH ST. NW	901.58
2	TOP NUT ON HYDRANT 250'± NORTH OF 4TH AVE. NW. & 26TH ST. NW. ON EAST SIDE OF 26TH ST. NW	899.86

INTERSTATE HIGHWAY NO. 94

PRELIMINARY



SEC. 2, T139N, R50W

DRAINAGE PLAN
SANDHILLS 5TH ADDITION
WEST FARGO, NORTH DAKOTA

PROJECT No. 21196

SHEET 1 OF 1

DATE: 04.16.20
 REVISED: -
 DESIGNER: MJP
 DRAFTER: KAG
 REVIEWER: MWW



From: [Jody Malus](#)
To: [Tim P. Solberg](#); [Lauren M. Orchard](#)
Cc: [Lisa A. Sankey](#); [Malachi D. Petersen](#); [Travis F. Genty](#); [Steven K. Aakre](#); [Duane Hazer](#); [Chanda M. Erickson](#)
Subject: Proposed Sandhill 5th Addition Rezoning MEMORANDUM dated April 24, 2020
Date: Wednesday, May 6, 2020 11:22:29 AM

Good morning, Mr Solberg. On May Friday, May 1, 2020 Duane Hazer of 2608 1st Ave NW, West Fargo, sent a Certified Mail letter to you via U.S. Postal Service. Here is the content of the letter:

Mr. Duane Hazer
2608 1st Ave. NW
West Fargo, ND 58078

May 1, 2020

City of West Fargo
Suite 1
800 4th Ave. East
West Fargo, ND 58078
Attn: Tim Solberg, AICP, Director of Planning and Zoning

Dear Mr. Solberg:

Subject: Proposed Sandhills 5th Addition Rezoning

Your "MEMORANDUM" dated April 24, 2020 states, "As part of the application procedure, the City is notifying adjacent property owners within 150 feet. Comments are to be submitted by phone at 433-5320 or via email to tim.solberg@westfargond.gov."

Property owners are invited to attend the Planning and Zoning Commission meeting on Tuesday, May 12, 2020 at 5:30 pm via "Zoom" software or phone.

We are unsure of the proposed rezoning documents prepared by Moore Engineering, Inc. Project Number. Is it 21196 that has been assigned to the "SANDHILLS AREA - INFRASTRUCTURE MASTER PLAN, SANDHILLS 5TH ADDITION, WEST FARGO, NORTH DAKOTA"? The text on the PLAN copy accompanying the MEMORANDUM is so tiny as to be unreadable without a magnifying glass, and there is no mention of the engineering plan's Project Number in the MEMORANDUM. We need a readable copy.

We request a copy, Sheets 1 and 2, of the undated "Plat of SANDHILLS FIFTH ADDITION" marked "PRELIMINARY" with a text font that is of sufficient size that it can be read. Those sheets are a copy of the Plat map, as well as the opposite side of that sheet, which has the "CERTIFICATE," "DEDICATION," "WEST FARGO PLANNING COMMISSION APPROVAL," "WEST FARGO CITY COMMISSION APPROVAL," "WEST FARGO CITY ATTORNEY APPROVAL," and "CITY ENGINEER'S APPROVAL,"

The proposed rezoning will have a significant impact on the lives of homeowners who are "adjacent property owners." We need to know exactly what is happening to our residential neighborhood.

When and where can we pick up these documents in a timely manner, so that we may be prepared when attending the Planning and Zoning Commission meeting on May 12?

1) What is the name and contact information for the person in the City of West Fargo who can answer questions pertaining to the rezoning that is proposed?

2) What is the City's website location where taxpayers can find any and all information pertaining to this and any other rezoning requests? What are all of the locations of information collected and held by the City and Moore Engineering, Inc., and any other entities that have information pertaining to this rezoning procedure?

3) Who can explain to property owners exactly what the terminology means when looking at Moore Engineering Inc.'s "SANDHILLS AREA - INFRASTRUCTURE MASTER PLAN, SANDHILLS 5TH ADDITION, WEST FARGO, NORTH DAKOTA" (Project No. 21196?)

4) What additional Specials, if any, will be assessed on our properties at 2608 1st Ave. NW, West Fargo, and 102 26th St. NW, West Fargo, ND? Recent Special assessments on these family homes and others in our residential neighborhood, approximately 2 years ago, have dramatically impacted property values and have caused financial hardship. Exactly where can owners find the entire process for assessing Specials on their real property within the City of West Fargo?

5) The developer of the property that is being proposed for rezoning has the advantage of Tax Increment Financing (TIF). Will there be any relief for those residences who will bear the hardships of additional industrial noise and disruption of lifestyle?

6) What is the purpose of the "TEMPORARY ACCESS ROAD" proposed to be constructed immediately adjacent to, and currently providing access to, a driveway and primary entry, that is, front door, walkways for 2608 1st Ave NW and 102 26th St. NW, West Fargo? How long is "TEMPORARY?" What will be the condition be of that road when it is no longer "TEMPORARY?"

7) How will overall access to our homes be affected by rezoning construction, and how long will rezoning construction take if approved?

8) What is the timeline for hearings from the public, and approval by what entities, and funding for the Rezoning, and requirements for construction staging and completion, etc., if approved? Where is this information located? Please provide any and all statutes, laws, regulations, etc. that frame the use of TIFs.

We appreciate your prompt attention to our request for information.

Best regards,

Duane Hazer

Cc: Lauren Orchard, Economic Development Director
Chanda Erickson, Office Manager
Malachi Peterson, Planner
Lisa Sankey, Planner
Steven K. Aakre, Stefanson Law, Moorhead, Minnesota

Please respond to this email telling us when and where we may obtain readable copies of the PLAN and the PLAT that the City refers to in the MEMORANDUM. Also, please respond to the questions in this letter above via email, so that we may have the necessary answers for the Planning and Zoning Commission meeting on Tuesday, May 12, 2020 at 5:30pm which we will attend. Thank you.

--

Jody Malus for Mr. Duane Hazer
Hazer's Auto & Truck Parts
811 9th St NE
West Fargo, ND 58078
701-630-8781
jodym@hazersauto.com

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From: [Cockayne Tim](#)
To: [Tim P. Solberg](#)
Subject: Sandhills 5th
Date: Monday, April 27, 2020 10:07:12 PM

This proposal seems to be exactly what the City Commission said they did not want to see from the developer in 3 to 4 years, not only is this proposal for development to the south of the residents but it goes all the way around to the west to enclose the homes.

If you review the City of West Fargo Jan. 4 2016 Commission meeting you will see they did not want this to happen, this is the meeting when the rezoning of Sandhills Third was approved. During this meeting the developer stated that he was working with a third party to make offers on all the occupied homes, this has still not happened.

Who would get stuck with the specials on this project? On Sandhills Third it was stated that the improvements would not be burdensome to the residents would not affect them at all.

Here is a list on the pending specials for Sandhills Third on the residents.

\$83220.06

\$32919.02

\$7749.47

\$70695.33

\$16469.99

\$3246.75

\$16314.71

These numbers do not include the other specials for the lift station, pond, 8th ave, 26th st nw or main ave.

The proposal looks to build a street over Meadowbrook Parks water line easement?

The drainage ditches have been filled with dirt, the streets have been damaged and never repaired, still cannot sell my home but I still make the mortgage payment on time.

Thanks for your time.

Tim Cockayne
204 Park Blvd
West Fargo, ND

(701) 306-8812

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