West Fargo Planning & Zoning Commission Agenda

**Tuesday, July 9, 2019** - West Fargo City Hall – **5:30 p.m.**

1. **Call to Order**

2. **Approval of Minutes** - June 11, 2019

3. **Public Hearing** - A19-25 South River Estates Addition, a subdivision of Auditor’s Lots 1-8 in the NW ¼ of Section 32 and Auditor’s Lots 1-5 in the NE ¼ of Section 31, T139N, R49W, City of West Fargo, North Dakota

4. **Continued Public Hearing** – A19-20 Oak Ridge 18th Addition, Replat and Planned Unit Development Amendment of Lots 1-38, Block 3 of Oak Ridge 10th Addition and Lot 10, Block 1 of Oak Ridge 11th Addition, City of West Fargo, North Dakota

5. **Non-agenda**

6. **Adjournment**
West Fargo Planning and Zoning Commission
Tuesday, June 11, 2019 at 5:30pm
West Fargo City Hall

Members Present:  Joe Kolb, April Walker, Tom McDougall, Shane LeBahn, Eric Dodds, Jana Reinke, Dave Gust, Megan Huffman

Others Present:  Tim Solberg, Lisa Sankey, Malachi Petersen, John Shockley, Dustin Scott, Lukas Croaker, Ohnstad Twichell, Mike Graham, Art Goldhammer, Camille Kaster, Tanner Brandt, Diana Lamont, Kathy Kelly, Don & Jackie Bruenjes

Minutes Submitted By: Courtney Williams, Executive Assistant

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

Tim introduced the newest Planner, Malachi Petersen.

Commissioner Kolb made a motion to approve the May 14, 2019 meeting minutes as printed and mailed. Commissioner LeBahn seconded the motion. No opposition. Motion carried.

Commissioner McDougall opened Public Hearing A19-22 Conditional Use Permit for construction of accessory building for a non-farm residential use in an A: Agricultural zoning district at 906 19th Ave NW (Auditor’s Lot 1 in the NW ¼ of Section 31, T140N, R49W [Reed Township]), Cass County, North Dakota – Kaster. After discussion, Commissioner Walker moved and Commissioner Reinke seconded to deny the application as presented. Commissioners Kolb and Gust voted in opposition. the majority having voted in favor, the motion passed.

Commissioner McDougall opened Public Hearing A19-23 Heritage at the Wilds Addition, a replat of Lots 8-12, Block 3 of the Wilds 9th Addition, City of West Fargo, North Dakota – Vollmuth. The Public Hearing was opened. There was No Public Comment. The Public Hearing was closed. After discussion, Commissioner Dodds moved and Commissioner Kolb seconded to approve the application with the conditions listed in the staff report. No opposition. Motion carried.

Commissioner McDougall opened Public Hearing A19-24 Highland Meadows 4th Addition, a replat and rezoning from R-1: One & Two Family Dwellings to R-1SM: Mixed One & Two Family Dwelling of lots within Highland Meadows 1st and 3rd Additions, City of West Fargo, North Dakota – HM Development. The Public Hearing was opened. There was No Public Comment. The Public Hearing was closed. After discussion, Commissioner Gust moved and Commissioner Huffman
seconded to approve the application with the six conditions listed in the staff report. No opposition. Motion carried.

Commissioner McDougall opened Continued Public Hearing A19-20 Oak Ridge 18th Addition, Replat and Planned Unit Development Amendment of Lots 1-38, Block 3 of Oak Ridge 10th Addition and Lot 10, Block 1 of Oak Ridge 11th Addition, City of West Fargo, North Dakota. The Public Hearing was opened. The following individuals appeared before the Planning & Zoning Commission and spoke in opposition to the application:

- Kathy Kelly 545 34th Way E
- Diane Lamont 545 34th Way E
- Don & Jackie Bruenjes 607 34th Way E

Tanner Brandt, 3313 5th Way E, spoke in support of the application.

There was no other Public Comment. The Public Hearing was closed. After discussion, Commissioner Walker moved and Commissioner Dodds seconded to table the discussion for 30 days to allow the developer to meet with homeowners. Commissioner Kolb voted in opposition. The majority having voted in favor, the motion passed.

Commissioner McDougall opened continued Public Hearing – A18-2 Tehar 2nd Addition, Replat of Lot 1, Block 1 of Tehar Subdivision, Subdivision property in the SE¼ of Section 18, T139N, R49W, City of West Fargo, North Dakota and Rezoning from A: Agricultural to PUD: Planned Unit Development. The application was withdrawn; no action was requested of the Commission.

There were no non-agenda items.

Commissioner Kolb moved and Commissioner Dodds seconded to adjourn No opposition. Meeting adjourned.
A19-25

SUBDIVISION

South River Estates Addition

Auditor’s Lots 1-8 in the NW ¼ of Section 32 and Auditor’s Lots 1-5 in the NE ¼ of Section 31, T139N, R49W, City of West Fargo, North Dakota

Applicant: Jason Benson
Owners: Kathy Neugebauer, Robert & Michele Jensen, Robert Klinger, Craig & Sandra Holmstrom, Jason & Julie Benson, Ronald & Sharon Ristvedt, George & Dawne Neu, Dennis & Sonja Swangler

Staff Contact: Tim Solberg, AICP

Planning & Zoning Commission Introduction: 07-09-2019
Public Hearing: 07-09-2019
City Commission Final Plat Approval

PURPOSE:
Plat eight developed residential parcels and private street.

STATEMENTS OF FACT:

Land Use Classification: G-2: Sub-Urban - Growth Sector
Existing Land Use: Single Family Residential
Current Zoning District(s): R-1E: Rural Estate District
Zoning Overlay District(s): CO: Corridor Overlay District
Proposed Lot size(s) or range: 1.92 to 3.72 Acres
Total area size: 9.12 Acres
Adjacent Zoning Districts: North & South: R-1E: Rural Estate District
East: City of Fargo (across river)
West: R-R: Rural Residential District
Adjacent street(s): Sheyenne Street (Arterial); S. River Estates Way (Private)
Adjacent Bike/Pedestrian Facilities: None
Available Parks/Trail Facilities: Future path along Sheyenne Street
Park Dedication Requirements: No increased development therefore no dedication to be required at this time

DISCUSSION AND OBSERVATIONS:

• The applicant has submitted an application and preliminary plat with 8 single family lots that are already zoned.
• Development of this area began to occur late 1970s-early 1980s prior to being annexed by the City of West Fargo in 2003.
• There is one existing approach onto Sheyenne Street for the development via S. Rivers Estates Way, which the applicant is proposing to be dedicated to the City of West Fargo with 70’ of right-of-way. The City Public Works Director and City Engineer will need to review the condition and construction of the road to determine a recommendation to accept the road as a City local road.
• The applicant is also providing 75’ of right of way dedication for Sheyenne Street on the preliminary plat, which would accommodate the City’s requirement of up to 150’ on arterial roadways. The
Sheyenne Street Corridor Study does not propose improvements that staff believes would require additional right of way beyond 150’.

- Public and/or park dedication is not required for the development because there is no new development proposed – all lots created as part of the subdivision existed prior to the City having subdivision authority.
- A “southside sewer hook-up fee” has been required of all new subdivision south of I-94. The proposed development does not intend any improvements, nor do they intend to connect to City sewer at this time. Staff is currently developing a City-wide ordinance to address sewer hookup fees. Regarding this development, they do not propose to hook up to City sewer at this time.
- An Attorney Title Opinion is required and will need to be received prior to Final Plat consideration.

NOTICES:

Sent to: Applicable agencies and departments
Comments Received:
  - None to date.

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

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

RECOMMENDATIONS:

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

1. An agreement addressing future improvements to include sewer hook-up fees is received.
2. Public Works Director and City Engineer review and accept the currently private road to determine if it meets acceptable City standards to be approved as a City local road.
3. A drainage plan is received and approved by the City Engineer.
4. An Attorney Title Opinion to the City of West Fargo is received.
5. Final Plat is received with any necessary easements.
6. A certificate is received showing taxes are current.
SOUTH RIVER ESTATES ADDITION
BEING A PLAT OF AUDITOR'S LOTS 1 - 8, NW 1/4, SECTION 32,
AND AUDITOR'S LOTS 1 - 5, NE 1/4, SECTION 31,
T. 139 N., R. 49 W., 5th P.M.
TO THE CITY OF WEST FARGO,
CASS COUNTY, NORTH DAKOTA

Curve Table

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LEGEND

EXISTING UTILITY EASEMENT
UTILITY EASEMENT
EXISTING LOT LINE
LOT LINE
AREA WITHIN FEMA 100-YEAR FLOODPLAIN
IRON MONUMENT FOUND
1/2" I.D. PIPE SET
NEGATIVE ACCESS EASEMENT
PLAT BOUNDARY
MEASURED BEARING
PLAT BEARING
MEASURED DISTANCE
PLAT DISTANCE
BEARINGS SHOWN ARE BASED ON THE CITY OF FARGO HORIZONTAL DATUM

Feet Scale
0 200 100 100

BEING 5 FEET IN WIDTH AND ADJOINING LOT LINES, AND 10 FEET IN WIDTH AND ADJOINING RIGHT-OF-WAY LINES, UNLESS OTHERWISE INDICATED ON THE PLAT.

Sheets 1 of 2
Project No. 10286-0001
Houston Engineering Inc.
Phone: 701-237-5065
A19-20  REPLAT & PUD AMENDMENT

Oak Ridge 18th

Lots 1-38, Block 3 of Oak Ridge 10th Addition and Lot 10, Block 1 of Oak Ridge 11th Addition

Applicant: Oak Ridge Commercial Condos and Osgood Investments, LLC
Owner: Oak Ridge Commercial Condos and Osgood Investments, LLC

Planning & Zoning Commission Introduction: 05-14-2019
Public Hearing: 05-14-2019 - Continued
City Commission: 

Staff Contact: Tim Solberg, AICP

PURPOSE:

Replat and amendment of an existing residential PUD to office and general commercial PUD.

STATEMENTS OF FACT:

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<th>Land Use Classification:</th>
<th>G-2: Sub-Urban - Growth Sector</th>
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<tr>
<td>Existing Land Use:</td>
<td>Vacant</td>
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<td>Current Zoning District(s):</td>
<td>PUD: Planned Unit Development</td>
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<td>Zoning Overlay District(s):</td>
<td>None</td>
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<td>Proposed Lot size(s) or range:</td>
<td>3,849 ft² – 11,373 ft²</td>
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<td>Total area size:</td>
<td>6.29 Acres</td>
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<td>Adjacent Zoning Districts:</td>
<td>North – PUD: Planned Unit Development (Office)</td>
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<td>South – R-1: One and Two Family</td>
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<td>East – PUD: Planned Unit Development (Residential)</td>
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<td>West – R-1: One &amp; Two Family Dwelling</td>
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<td>Adjacent street(s):</td>
<td>Private Drive connecting to 4th St E and 6th St E</td>
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<td>Adjacent Bike/Pedestrian Facilities:</td>
<td>Proposed path along west &amp; north sides of development</td>
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<td>Available Parks/Trail Facilities:</td>
<td>Shadow Wood Park facilities within ½ mile</td>
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<td>Public Dedication Requirements:</td>
<td>Provided with previous subdivision</td>
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DISCUSSION AND OBSERVATIONS:

- The applicant has submitted an application, preliminary plat, site plan, area plan, and proposed district standards.
- The site plan and preliminary plat currently provides 15 new commercial condominium lots, with the remaining 20 continuing as residential.
- Lot 15 continues as a park with a path extending through the development to provide access from 6th St E to 4th St E and the park and amenities available in Shadow Wood.
- Lots 17-33 of the preliminary plat are proposed to be developed as office condos with PUD standards as proposed and attached hereto which provide for detailed permitted uses, yard requirements, and site, landscaping, and building construction standards.
- The proposed uses as proposed are similar to those uses within the C: Light Commercial and C-OP: Commercial Office Park districts.
- Landscaping requirements may be easier for the purposes of administration and enforcement to match those of the City's landscaping standards found in Section 4-449-A.
- Signage would be under the provisions of the City's sign regulations found in section 4-460.
- Parking should be regulated under the provision of the City's off-street parking and loading regulations found in section 4-450.
  - Due to the size, nature of the buildings and the permitted uses it is expected that the development will produce less vehicular traffic and parking demand than typical office park development.
  - An additional 10 parking spaces for the commercial lots are provided on lot 24 of the proposed development. As parking requirements are considered for each use it may be acceptable to reduce the required stalls of each lot within the commercial side of the development (proposed lots 17-23 and 26-33, Block 1) by one space.
- Lot 33 does not appear to be a buildable lot under the proposed yard requirements and taking into account required parking and easements.

**NOTICES:**

| Sent to: | Property owners within 150’ and applicable agencies and departments. Developer also held an open house within the existing development for the neighborhood. |

**Comments Received:**

- A letter of opposition was received and was followed up by the developer with a response to the homeowner. Correspondence is attached hereto.
- The West Fargo Park District is comfortable with the changes to the proposed path. Correspondence is attached hereto.

**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. Concerns of Lot 33 are addressed on the final plat.
2. 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 with the added allowance to reduce parking requirements of lots 17-23 and lots 26-33, Block 1 by one space.
3. A signed PUD and Subdivision Improvement Agreement is received prior to recording the signed plat.
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.
UPDATE:
The applicant met with residents from the HOA on June 28th and provided information addressing questions and concerns from that meeting, as well as an updated site plan and letters of support.
A19-20 Proposed Subdivision

- A: Agricultural
- C: Light Commercial
- C-OP: Commercial Office Park
- P: Public
- HC: Heavy Commercial
- PUD: Planned Unit Development
- R-1: One and Two Family
- R-1A: Single Family
- R-1B: Special 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-5: Manufactured Home
- R-L1A: Large Lot Single Family
- R-R: Rural Residential
- R-4: Mobile Home
ORIGINAL LAYOUT

116 TOTAL HOMES
100 HOMES – 3 STORY
16 HOMES – 2 STORY
0 HOMES – 1 STORY
4.033 ± S.F. PER HOME (PLAT BOUNDARY MINUS POND LOT: 467,851 S.F.)

304 TOTAL PARKING
236 GARAGE PARKING
68 STREET PARKING
2.6 PARKING SPACES PER HOME

162,504 ± S.F. OF DRIVEWAY/STREETS/SIDEWALK
1,401 ± S.F. PER HOME

184,682 ± S.F. OF GREEN SPACE
1,420 ± S.F. PER HOME

ORIGINAL SITE LAYOUT
HADLEY MEADOWS
WEST FARGO, NORTH DAKOTA
CURRENT LAYOUT

102 TOTAL HOMES
24 HOMES - 3 STORY
36 HOMES - 2 STORY
42 HOMES - 1 STORY

4,587 S.F. PER HOME (PLAT BOUNDARY MINUS POND LOT: 467,851 S.F.)

343 TOTAL PARKING
226 GARAGE PARKING
60 DRIVEWAY PARKING
57 STREET PARKING

3.39 PARKING SPACES PER HOME

150,806.05 S.F. OF DRIVEWAY/STREETS/SIDEWALK
1,478 S.F. PER HOME

145,844 S.F. OF GREEN SPACE
1,478 S.F. PER HOME

CURRENT SITE LAYOUT
HADLEY MEADOWS
WEST FARGO, NORTH DAKOTA
PROPOSED SITE LAYOUT

PROPOSED SITE LAYOUT

HADLEY MEADOWS
WEST FARGO, NORTH DAKOTA
June 27, 2019

The City of West Fargo:
Mayor Dardis
City Planner
Planning & Zoning Commissioners
Et al.

As a resident, employee and employer throughout the Shadow Wood, Strawberry Fields and Oak Ridge neighborhoods and developments, I am in complete, unequivocal support of the efforts to re-zone the Hadley Meadows PUD.

The Oak Ridge low impact commercial development has created and continues to encourage unique architecture, real-estate ownership opportunities previously unavailable and a greater sense of neighborhood cohesion. Currently, assessed values on Oak Ridge Loop exceed $5M and tax receipts are rapidly approaching $200k annually. All from about six land-locked acres and they’re just getting started!

Hadley Meadows and the neighborhoods surrounding so desperately need these proven champions to deliver another winning development.

Thank you,

[Signature]

Andrew J. Lutz
Controller
MTE Group, LLC
West Fargo Resident & Supporter
DEAR CITY OF WEST FARGO,

As a resident of the Hadley Meadows development, I am in full support of the rezoning of the existing Hadley Meadows PUD residential to low impact commercial for the future expansion of the Oak Ridge Office Condo Project.

Sincerely,

NAME & ADDRESS:

[Handwritten name and address]
DEAR CITY OF WEST FARGO,

As a resident of the Hadley Meadows development, I am in full support of the rezoning of the existing Hadley Meadows PUD residential to low impact commercial for the future expansion of the Oak Ridge Office Condo Project.

Sincerely,

Diane LaMont

NAME & ADDRESS:

Diane LaMont
545 D 34th Way East
West Fargo, ND 58078
DEAR CITY OF WEST FARGO,

As a resident of the Hadley Meadows development, I am in full support of the rezoning of the existing Hadley Meadows PUD residential to low impact commercial for the future expansion of the Oak Ridge Office Condo Project.

Sincerely,

[Signature]

NAME & ADDRESS:
Daryl and Joyce Nickerson
3321 A 16th Way E.
West Fargo, ND 58078
DEAR CITY OF WEST FARGO,

As a resident of the Hadley Meadows development, I am in full support of the rezoning of the existing Hadley Meadows PUD residential to low impact commercial for the future expansion of the Oak Ridge Office Condo Project.

Sincerely,

[Signature]

NAME & ADDRESS:

Lyle Roesler
545 34th Way E #42
West Fargo, ND 58078
DEAR CITY OF WEST FARGO,

As a resident of the Hadley Meadows development, I am in full support of the rezoning of the existing Hadley Meadows PUD residential to low impact commercial for the future expansion of the Oak Ridge Office Condo Project.

Sincerely,

[Signature]

NAME & ADDRESS:

Tanner Brandt  3313 E 5th Way E, West Fargo
DEAR CITY OF WEST FARGO,

As a resident of the Hadley Meadows development, I am in full support of the rezoning of the existing Hadley Meadows PUD residential to low impact commercial for the future expansion of the Oak Ridge Office Condo Project.

Sincerely,

Kathleen Middlestead

NAME & ADDRESS:

Kathleen Middlestead
3321 6th Way E Unit D
W. Fargo, N.D 58078
DEAR CITY OF WEST FARGO,

As a resident of the Hadley Meadows development, I am in full support of the rezoning of the existing Hadley Meadows PUD residential to low impact commercial for the future expansion of the Oak Ridge Office Condo Project.

Sincerely,

[Signature]

NAME & ADDRESS:
Heatta Mittleider
608 34 Way E. Unit C
West Fargo, ND 58078
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<tr>
<td>Leatha Mitteider</td>
<td>608 C</td>
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<tr>
<td>Mike &amp; Malissa Wendt</td>
<td>407 B</td>
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<td>545A 344 W35 G</td>
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<td>Diane LaMont</td>
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Summary of questions for Hadley HOA (from residents ahead of meeting – separated by general HOA questions and questions that pertain to the proposed PUD Amendment)

**General HOA Questions:**

1. Can monthly meetings with a Verity rep be established rather than the monthly newsletter?
   a. We don’t have resources to pull this off currently.
   b. Most HOAs have annual meetings. Some have quarterly board meetings.
2. When can street lights for Hadley Meadows be expected?
   a. With this plan we have proposed, they would go in with our next phase of twin home development with streets/sewer/water
3. Are there plans to add security cameras to the properties, cameras for the driveways, and cameras for the common spaces?
   a. Not at this time, but good topic for conversation.
   b. If the costs were deemed appropriate by the HOA (majority 60%), we could look at doing that with light install.
4. Unhappy with lawn care. (Bree will be visiting with Turf Tamers on 6/27 at Hadley before the meeting)
   a. We can discuss
   b. Always an option to spend more for better/more frequent service
      i. Same for snow removal
5. Can the rough wood on all buildings be stained the same color (looks unfinished)? (Adam working with Weyer)
   a. Initial by Verity
   b. Perpetual by owner
6. Can plans be in place for rodent control next fall? Vols damaged the grass and green space.
   a. We will get quotes and make the determination
7. Interested in hearing the snow removal changes for next winter.
   a. Ties into lawn care question
   b. With proposed plan, snow removal would be easier, more cost effective, and also more room for snow storage
8. Do the sprinklers to the area work?
   a. (working with Nick P to have an answer for this prior to meeting)
   b. Not sure what area is in question....
9. Can a barrier of some sort be placed to keep people from driving through the south side of the 3313 units?
   a. Next group of homes will have drive completed in this area (if I’m understanding correctly)
10. What guarantees can be made regarding the HOA fees?
    a. Fees will and can vary from year to year based on:
       i. Level of service desired
       ii. Market rates for lawn & snow care
b. Pretty much, for all the requested items many of you wish to see improve, will cause the fees to increase. People don’t work for free and the higher the level of services provided, the higher the HOA fees will be.

11. Plan for keep the large open area cleaned up.
   a. Contractors do their best to stay on it

12. Status on the downspouts and gutters for the buildings.
   a. Don’t understand the question

13. Is there a plan for more lighting in darker areas?
   a. See lighting comments addressed previous question

14. What exactly do the HOA dues cover?
   a. Snow removal
   b. Lawn care
   c. Future lighting
   d. Minor drive/walk maintenance
   e. Management fees
   f. Parking enforcement (if becomes an issue)
   g. Etc.

15. What is the projected building schedule to complete Hadley Meadows?
   a. Question addressed elsewhere

16. With the decrease in number of projected home units, whis is the projected monthly cost for the HOA going forward?
   a. Question addressed elsewhere

17. Can we have a phone list of contacts for HOA issues? Please have a method for updating with staffing changes.
   a. Use the tenant portal on web site

18. What is the capital improvement fund fee?
   a. A fund for future capital improvements and/or repairs

19. What is the capital improvement fund fee used for?
   a. See above
   b. Street/drive replacement
   c. Water/sewer issues
   d. Lighting
   e. Other future repairs
   f. Basically a savings account for future major expenditures

20. Why have the lawn sprinklers not been used?
   a. Unknown to me – Bree?

21. Can homeowners be provided with a list of homeowners in Hadley and contact information?
   a. WE won’t share for privacy reasons. However, feel free to share amongst yourselves your contact information.

22. Is there a plan to improve communication with HOA members on proposed changes?
   a. This all moved so fast once we got to the point of a deal and general support from city. Yes, future changes, if any, will have prompt communication
23. Is there a plan to improve water drainage on sidewalks (ice was a major problem due to poor
    drainage)?
    a. Unfortunately, we live in Fargo and it's flat. Our engineer and the city engineer
        approved the grading plan and we must adhere to it.
24. Whose responsibility is landscaping plant maintenance?
    a. HOA
25. When will the mailboxes get cemented in the ground? There was also a discussion by Verity that
    it would be moved to a different location.
    a. When doing one of our upcoming pours
26. Is it the HOA responsibility to paint the black that is on the steps leading to the patios?
    a. HOA isn’t responsible for any building maintenance or repairs. Only in the instance of
dilapidation can the HOA step in
27. Can speed bumps and/or yield signs coming or going into the development be put in place?
    a. No to speed bumps. There isn’t any volume of through traffic where speeds would
        necessitate them. Could consider in the future if an issue
    b. Stop/yield/other signage will be finalized once we go through this change and put rest
        of access drives in.
28. Is additional care of the trees in the development something that the lawn service will maintain?
    a. No. Could enlist a tree service. That will increase HOA fees.

**Questions related to plat amendment**

29. Why is Verity Homes looking to get the zoning changed and sell the land to another developer?
    a. As stated, we are behind on our take down option with the Seller. We feel this blend of
        twin homes and unique office condos will be the best option for continuing the look/feel
        of the area, catch us up on our land option takedowns, and prevent the land from being
        resold to other parties for other uses.
30. What is the timeline for the land that is up for sale?
    a. We plan to get water/sewer/streets in fall 2019 or spring 2020 at the same time to
        reduce overall construction timelines, even though they would be separate projects.
31. When will building continue on Hadley Meadows and when will the project be finished?
    a. Buildings 4, 9, & 13 set to start late July/early August
    b. Plan on starting 2 to 4 twin homes late fall
    c. Based on past sales of one level homes, with new proposed plan, we are projecting a 2
        year sale cycle to finish the project.
32. Do you need this sale to continue the Hadley Meadows project?
    a. Yes
33. Can the land be sold to a residential home builder rather than commercial?
    a. In theory, yes. WE have approached all builders in area doing townhomes (most would
        be for rent). However, none are interested at land price. Further, if this was viable,
        they would look like all the other for rent townhomes sites in WF/Fargo and would
detract from the look/vibe/feel of the community, more so than the mix of one level twins and office condos. The unique look and feel of Hadley and Oakridge can be maintained by our plan.

34. Can an updated drawing or map of what the new project be provided?
   a. Don’t have resources for full 3D model, but have prepared some updated maps for discussion.

35. What are the plans for new construction for the summer of 2019?
   a. See other question - similar

36. What is the Verity vision for the open land and timeline for development?
   a. See other question - similar

37. Why are things changing?
   a. See #8 above

38. What changes are taking place?
   a. Selling part of project to Oakridge office condos for more unique office condos as an extension of that project
   b. Taking out more homes (two story, 3 story, and 4 plex)
   c. Replacing with lower number of one level twin homes
   d. Adding more green space
   e. Shifting bike path to be closer to homes (move it east between office condos and Hadley)

39. What is the impact on the current residents?
   a. All positive from how we’re looking at it.
   b. More parking
   c. More green space
   d. Less cramped feeling
   e. Less traffic flow
   f. Easier snow removal
   g. More snow storage
   h. Faster build/sell out period
   i. Shorter construction period
   j. In theory, higher values and/or faster appreciation due to fewer similar homes (but I can’t predict the when/when/etc...)

40. Will proposed commercial and revised residential affect my special assessment balance?
   a. Only the storm sewer will have an impact. Which needs to be installed no matter what. Now, with the proposed plan, the office condos will bear a good portion of that. Should reduce the impact on Hadley homes by this proposed plan.
   b. Any other special assessment districts for the project that may be created will be assessed to the new twin homes or office condos.

41. What is the current corrected lot plan for the proposed sale?
   a. See exhibits provided

42. What are the other options of what will be built if the sale does not happen?
   a. Current owner could sell to others or develop themselves
b. Would need to go through amendment process with City

43. Are there other home buyers interested in the lots?
   a. We have some lot reservations for upcoming twin homes (proposed)

44. Are there other companies interested in developing the proposed area?
   a. Not at this time

45. If the sale happens what percent of the remaining Verity lots are sold?
   a. See exhibits and roll up

46. And would there then be enough of that percent to continue with the HOA being formed?
   a. HOA is in place already.

47. What monetary compensations will be given to the current owners if the proposed sale proceeds?
   a. None.
   b. Why would compensation be suggested? Or fair and to whom?

48. When will sidewalks and landscaping be completed?
   a. Will continue to go in per group of homes
   b. If proposed plan is moved forward, sidewalks and landscaping for the whole area would be accelerated greatly.

49. The temporary gravel outlet to the west is very muddy when it rains. What is the plan for this?
   a. Would pave/concrete at same time as streets to the south

50. Will a service road be completed prior to construction or will that area be left gravel when the business development to the west starts?
   a. Construction access for office condo project would be from the north (current condo site, not through Hadley Meadows)

51. Will detailed meeting minutes be provided to those who cannot attend
   a. Copy of this will be sent to all owners

52. What does the future of the development look like?
   a. See other questions related to this

53. Is there an accurate map of the proposed changes to the neighborhood?
   a. Previously answered

54. Does the accurate map of the neighborhood show updated parking and green space?
   a. See breakouts and exhibits

55. Will additional landscaping around the existing property be provided?
   a. Entire site will be landscaped when complete

56. Should the whole development be consistent with the look of landscaping?
   a. Office condo and Hadley communities are fairly close in harmony with overall look of buildings and also landscaping

57. With the new plans are there discussions on proper snow removal?
   a. See previous question
   b. We had a lot of snow back to back this winter, combined with wind. Contractors can only do so much, so fast.
   c. We can entertain higher fee removal companies that would provide prompter service
   d. New plan will make snow removal and storage easier than current plan
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.
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.
10. Personal training, sports training and related businesses.
11. Art studios and galleries.
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.
22. Computer/technology services.
23. Real estate sales and/or services.
24. Marketing services.
25. Education 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.
You're Invited To Our... Open House

Thursday June 6th
6:30 pm to 7:30 pm
3251 Oak Ridge Loop East
West Fargo

Join us to learn more about the upcoming expansion of our low impact office park - Oakridge Office Park

Questions? Call (320)250-5455

Located Behind Maximum Performance & Fitness, Vance Thompson Vision and Faith Kids - Off 32nd Avenue East
I spoke to Diane today and communicated our support of this and how/why we feel it beneficial for all.

She seemed to be understanding and liked our continuation of twin homes to the west of her place, and that we were still keeping the bike path and green spaces (courtyard and smaller area south of pond).

She also spoke to the effect that she did like the architecture of Mike's office condos and would rather have those than apartments! 😊

-----Original Message-----
From: Tim P. Solberg <Tim.Solberg@westfargond.gov>
Sent: Wednesday, May 29, 2019 8:36 AM
To: Arthur Goldammer <arthur@verityhomes.com>
Subject: FW: Proposed Oak Ridge 18th Addition Planned Development Amendment

Tim Solberg, AICP
Director of Planning and Zoning - City of West Fargo
800 4th Ave E - West Fargo, ND 58078
701-433-5321 (direct) - 701-388-4925 (mobile)

Have you seen our new interactive GIS App?
Check it out here: http://map.westfargond.gov/TaxParcels/

-----Original Message-----
From: Tim P. Solberg
Sent: Wednesday, May 29, 2019 8:35 AM
To: 'Mike Graham' <mike@magnumelectric.net>
Subject: FW: Proposed Oak Ridge 18th Addition Planned Development Amendment

Tim Solberg, AICP
Director of Planning and Zoning - City of West Fargo
800 4th Ave E - West Fargo, ND 58078
701-433-5321 (direct) - 701-388-4925 (mobile)

Have you seen our new interactive GIS App?
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-----Original Message-----
Objection to change from residential housing to business condos. The home I purchased was with the understanding and also included drawings of a residential area and green space including the pond. Our neighborhood is already surrounded by business/commercial property and I feel we would be a small cluster of homes swallowed up by business. The future homes and pond would provide the feeling of a complete neighborhood.

Diane
Good Morning Tim

I met with Steve Iverson this morning as we reviewed the Oak Ridge 18th plan. I have no issues with the layout of the path. My initial concern was related to the bike path crossing the parking lot access to the south, however we discussed placing a raise table at this point which I feel would resolve that concern. If you have any questions please let me know. Thanks and have a great weekend.

Barb Erbstoesser
Executive Director
701-433-5360 ext.7116

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