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Larry M. Weil, Planning Director
Steven Zimmer, Senior Planner
Lisa Sankey, Assistant Planner

West Fargo Planning and Zoning Commission
December 12, 2011 at 7:00 P.M.
West Fargo City Hall

Members Present: Jason Gustofson
 Connie Carlsrud
 Frank Lenzmeier
 Terry Potter
 Tom McDougall
 Edward Sheeley
 Jerry Beck

Others Present: Larry Weil, Lisa Sankey, Dustin Scott, Bill Thompson, Brett Waldera

The meeting was called to order by Chair Lenzmeier.

Commissioner Potter made a motion to approve the November 14, 2011 meeting minutes as printed. Commissioner Carlsrud seconded the motion. No opposition. Motion carried.

Chair Lenzmeier opened public hearing A11-46 Conditional Use Permit for signage (electronic message center) for religious institution at 1402 16th Street East (Lot 1, Block 2 of Tintes Land Company 15th Addition), City of West Fargo, North Dakota.

Larry reviewed the following information from the staff report:

The property is located south of 13th Avenue East, on the east side of 16th Street East. The applicant is requesting an electronic reader board (17 ft²) be added to their pylon sign. Electronic reader boards adjacent to residential developments are Conditional Uses. The proposed use is consistent with City Plans and Ordinances.

The applicant proposes to add a 26" x 92", 17ft², electronic reader board to a pylon sign that was installed along the 16th Street E frontage in September. The sign will be set back 18' from 16th Street and 110' from 14th Ave E. Both exceed our minimum standards. The sign cabinet has been reviewed, approved and installed with an opening for an additional sign or reader board. Larry indicated that the lights would be amber colored LED.

Notices have been sent out to surrounding properties within 350' and we have not received any comments.

Staff recommends approval.

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

Larry stated that there is always the ability to review this regarding brightness or motion and request that the intensity be decreased should it become an issue.

Pastor Bill Thompson, Lutheran Church of the Cross, indicated they would be willing to address this if comments are received.

Commissioner Sheeley made a motion for approval. Commissioner beck seconded the motion. No opposition. Motion carried.

The next item on the agenda was A11-47 Review Midland Industrial Area Development Plan II for Plan Consistencies

Larry reviewed the following information from the staff report:

Nordick Group proposes to expand existing facilities and construct new facilities to accommodate Midland Garage Door Manufacturing capacity and to provide additional lease space for industrial businesses.

Public improvements for the development will be financed and installed privately by Nordick Group. A Tax Increment Financing District is proposed to be established to provide for tax increment exemptions to properties for the incremental increases in values to the affected properties. The tax increment exemptions will be granted for up to 15 years depending on the number of years it takes for the property tax increments to cover the public improvement costs.

The property is located in an industrial zoned area, which has been targeted as an Urban Development Area in the City's General Plan for Urban Renewal and Urban Development. The proposed project would advance the City's economic development program by creating immediate economic growth and development, as well as providing the necessary infrastructure in the area to promote additional development.

Eligible costs at which public funds and Tax Increment Financing may be directed under the urban renewal law include acquisition, demolition, relocation of utilities, businesses and residents, public infrastructure improvements, and dedicated right-of-way improvements. As an alternative to the sale of bonds to be amortized with tax increments, the City of West Fargo proposes to grant a tax exemption for the project in order to provide assistance to a project developer in the development area, pursuant to an agreement with the City. The amount of annual tax exemption will be limited to the tax increment as it applies to the development project(s) for up to fifteen (15) years. In determining the total amount of the tax exemption to be authorized, the City shall give due consideration to the same elements as are involved in the sale of bonds to be amortized by tax increments. The amount to be reimbursed, by tax exemption, to the project developer must be all or a portion of eligible public costs which have been paid by the project developer, plus interest on those costs based on the City's annual bonding rate. The amount of tax exemption must be an amount sufficient to reimburse the project operator for those eligible costs, amortized pursuant to the agreement between the project developer and the City.

The developer would privately install the public improvements and receive an annual tax exemption based on the incremental increases in value calculated by the City. If land values increase and additional buildings and improvements are placed on the identified project properties, the developer would benefit accordingly; however, the total Tax Increment Exemption over the 15-year period would not exceed the actual public costs for development and interest.

The developer currently is platting Midland Third Addition which includes all the property between 7th Avenue NE and 11th Avenue NE owned by the developer. The proposed subdivision plat dedicates all streets necessary to accommodate development of the project properties, as well as additional future development.

Recommended findings include the following:

The proposed project will not cause any displacement of families or businesses. The proposed Midland Industrial Area Development Plan II conforms to the City's General Plan for Urban Renewal and Urban Development and the West Fargo Comprehensive Plan. The proposed Development Plan will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the development of the development area by private enterprise.

Chair Lenzmeier asked for clarification regarding the 15-year exemption when it's over and done with. Are all the taxes going to the TIF? Larry stated that the taxes are tied to the project specifically to the infrastructure. Taxes generated through projects wouldn't bring in enough to cover it all. There will be additional improvements over the next 15 years through other projects.

Commissioner Sheeley indicated that it's in their best interest to pull in other businesses.

Larry stated that the bulk of improvements will take place over the next year; they pay the money up front. He stated that this is the first TIF where the developer is covering the costs.

Commissioner Sheeley made a motion that the Planning and Zoning Commission finds the Development Plan to be

consistent with the City's Comprehensive Plan. Commissioner McDougall seconded the motion. No opposition. Motion carried.

Under non-agenda, Larry indicated that the Downtown Study Group has sent out the final draft of the report and will be presenting it at the December 19th Planning and Zoning Commission meeting. He suggested the commissioners review it. Lisa will email it or make copies.

Commissioner Gustofson asked about the landscaping plan information presented at the last meeting, if it was going to be reduced in size, not so cumbersome. Larry stated that final touches are being put on the draft and will be brought back to the Commission for review along with other amendments for the next meeting. A hearing would then be scheduled for public review.

Commissioner Gustofson indicated that he'd met with Dell Arneson regarding the Knutson property. Someone is looking at possibly purchasing 8 lots; however, they're a bit nervous about the development requirements. Larry stated that with the addition of the corridor overlay districts, as well as the PUD requirements, it is a bit cumbersome; however, staff has created a brief listing of requirements that's more manageable and is willing to meet with the developers to go over that information.

Commissioner McDougall made a motion to adjourn. Meeting adjourned.