

City of Fargo Staff Report			
Title:	Lost Creek First Addition	Date:	4/30/2026 5/21/2026 6/18/2026
Location:	6685 Veterans Boulevard South; 5120 64 th Avenue South	Staff Contact:	Donald Kress, planning coordinator
Legal Description:	Portion of the Northwest Quarter of Section 9, T138N, R49W of the Fifth Principal Meridian, Cass County, North Dakota.		
Owner(s)/Applicant:	JB Real Estate Investments, LLC; Tones, LLC; City of Fargo / EagleRidge Development	Engineer:	Bolton & Menk
Entitlements Requested:	Major Subdivision (plat of portion of Northwest Quarter of Section 9, T138N, R49W of the Fifth Principal Meridian, Cass County, North Dakota) Zone Change (from AG, Agricultural to SR-4, Single-Dwelling Residential, SR-5, Single-Dwelling Residential, MR-3, Multi-Dwelling Residential with a C-O, Conditional Overlay, and P/I, Public and Institutional)		
Status:	City Commission Public Hearing: June 22 nd , 2026		

Existing	Proposed
Land Use: Undeveloped	Land Use: Single-Dwelling Residential; Multi-Dwelling Residential; Stormwater Facility, Public Park
Zoning: AG, Agricultural;	Zoning: SR-4, Single Dwelling Residential; SR-5, Single-Dwelling Residential; MR-3, Multi-Dwelling Residential with Conditional Overlay; P/I, Public/Institutional
Uses Allowed: AG – Agricultural. Allows detached houses, parks and open space, safety services, basic utilities, crop production, and certain telecommunications facilities.	Uses Allowed: SR-4, Single Dwelling Residential Allows detached houses, daycare centers up to 12 children, attached houses, duplexes, parks and open space, religious institutions, safety services, schools, and basic utilities; SR-5, Single Dwelling Residential Allows detached houses, attached houses and duplexes, daycare centers, parks and open space, religious institutions, safety services and basic utilities. MR-3, Multi-Dwelling allows detached houses, attached houses, duplexes, multi-dwelling structures, group living, daycare centers up to 12 children or adults, parks and open areas, religious institutions, safety services, schools, and basic utilities, and certain telecommunications facilities with conditional overlay that provides additional development standards P/I, Public Institutional Allows colleges, community service, daycare centers of unlimited size, detention facilities, health care facilities, parks and open space, religious institutions, safety services, schools, offices,

	commercial parking, outdoor recreation and entertainment, industrial service, manufacturing and production, warehouse and freight movement, waste related use, agriculture, aviation, surface transportation, major entertainment events, basic utilities, and certain telecommunications facilities.
Maximum Density Allowed (Residential): AG --1 dwelling unit per 10 acres.	Maximum Density Allowed: SR-4 12.1 dwelling units per acre. SR-5 14.5 dwelling units per acre MR-3 24 dwelling units per acre Residential uses are not allowed in the P/I zone.
Proposal:	
<i>CITY COMMISSION HEARING NOTE: This item was heard by the City Commission at their May 26th, 2022 meeting. The mayor opened and closed the public hearing. The Commission moved to continue this item to the June 22nd, 2026 City Commission agenda. A summary of the Commission action is below.</i> <i>PROJECT HISTORY NOTE: A large-scale concept of this project was presented to the Planning Commission at their February 3rd, 2026 meeting as an informational (non-hearing) item. The specific plat and zone change were not discussed. Staff made a presentation and responded to questions from the Commission. The applicant addressed the Commission and responded to questions from the Commission. Neither staff nor the Commission made a recommendation.</i> <i>ZONING NOTE: This project was advertised as including a zone change from AG, Agricultural to AG, Agricultural. An earlier version of this plat included an AG-zoned lot, but no AG-zoned lots are included in this version of the plat.</i> <i>PLAT REVISION NOTE: As a result of discussions between the City, Park District, and developer, the plat has been revised. There are now 196 lots, including 186 SR-4 zoned single-dwelling lots and three P/I, Public Institutional zoned lots. The number of MR-3, Multi-Dwelling and SR-5, Single-Dwelling zoned lots did not change. These changes are indicated on the chart on pages 5 and 6.</i> The applicant requests two entitlements: 1. A major subdivision, entitled Lost Creek First Addition, plat of a portion of Northwest Quarter of Section 9, T138N, R49W, of the Fifth Principal Meridian, Cass County, North Dakota; and 2. A zone change from AG, Agricultural to SR-4, Single-Dwelling Residential, SR-5, Single-Dwelling Residential, MR-3, Multi-Dwelling Residential with a C-O, Conditional Overlay, and P/I, Public and Institutional This project was reviewed by the City's Planning and Development, Engineering, Public Works, and Fire Departments ("staff"), whose comments are included in this report. Surrounding Land Uses and Zoning Districts: • North: AG; City of Fargo-owned stormwater facility • East: AG; City of Fargo-owned stormwater facility and privately owned undeveloped • South: AG; undeveloped • West: across Veterans Boulevard South is City of Horace	
Context:	
Schools: The subject property is located within the West Fargo School District and is served by Deer Creek Elementary, Heritage Middle and Horace High schools. Neighborhood: The subject property is not located in a named neighborhood. Parks: There are no Fargo Parks within a half-mile of the subject property. The developer will convey Lot 13, Block 4, to the Fargo Park District for development of a public park.	

Pedestrian / Bicycle: See “SHARED USE PATH CONNECTIVITY” below.

Transit/MATBUS: The subject property is not on a MATBUS route.

Staff Analysis:

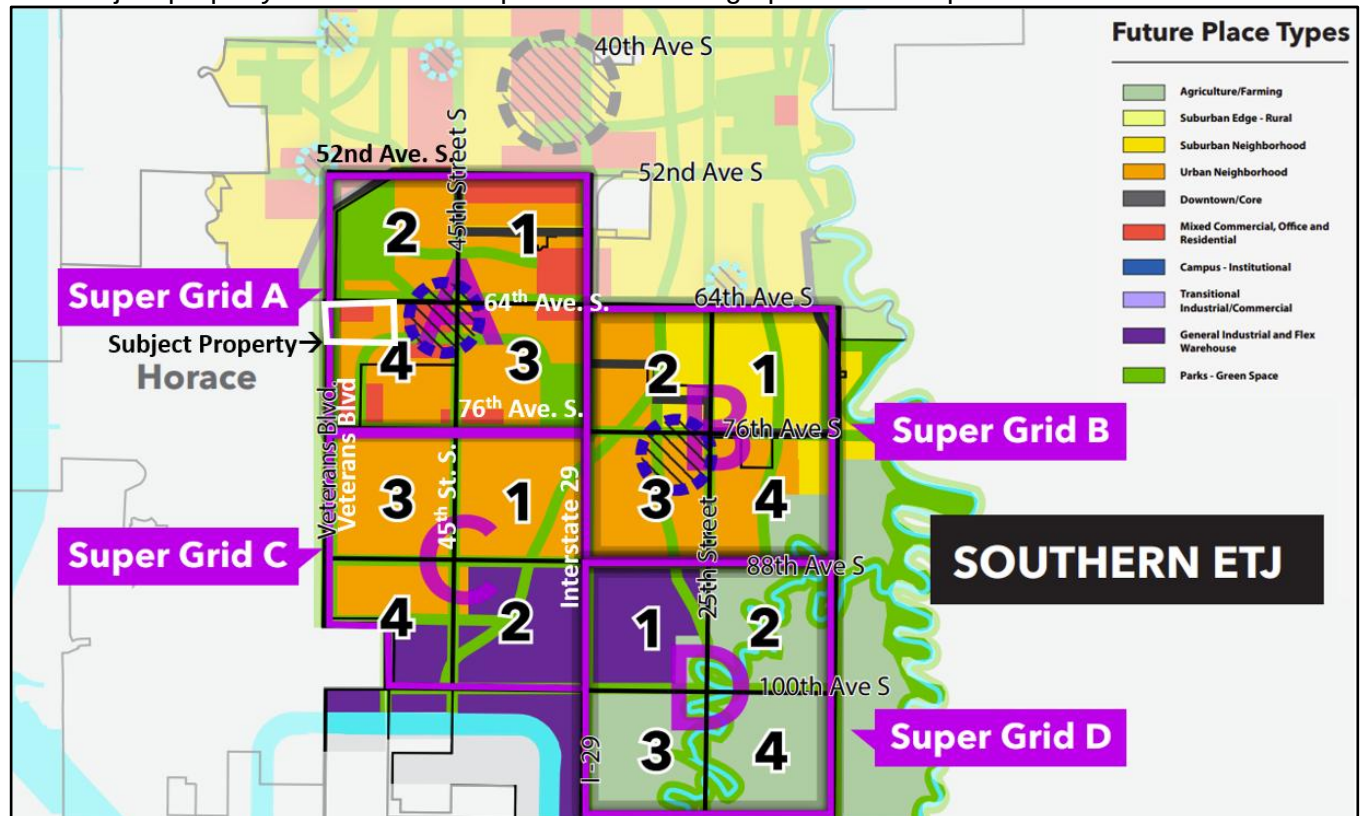
The applicant proposes a 104.84 acre, 196 lot subdivision of a portion of the Northwest Quarter of Section 9, Township 138 North, Range 49 West. This property was annexed into the City in 2006 as part of a larger annexation for the purpose of defining regional growth limits when negotiating with West Fargo. No paved streets or City services were extended to this property at that time.

The subject property is located along the south side of 64th Avenue South and the east side of Veterans Boulevard (formerly known as 57th Street South). Zoning will allow both single-family and multi-family housing types. The applicant’s narrative describing the project is attached.

This development is part of a larger plan to develop the entire west half of Section 9, from 64th Avenue South to 76th Avenue South. The concept master plan is attached for the Commission’s reference; the Commission is not taking action on the master plan.

GROWTH PLAN 2024—DEVELOPMENT GRID

The subject property is in Grid 4 of Super Grid A. The graphic below depicts this location.



NOTE: Though this map is labeled “Southern ETJ,” in the Growth Plan, much of Super Grid A, including the subject property, is already within city limits,

GROWTH PLAN 2024—TIMING OF DEVELOPMENT

The chart below identifies the existing and proposed development in the four Growth Grids of Super Grid A, and the percentage of each Growth Grid that has been developed.

- “Proposed Development” means a development for which the City has reviewed a proposed development plan of subdivision, zoning, and, if necessary, annexation.
- Percentages calculated based on acres developed / total acres in Growth Grid

GROWTH GRID	EXISTING DEVELOPMENT	PROPOSED DEVELOPMENT	APPROXIMATE PERCENT DEVELOPED
1	Sports Center; multi-family residential; retail, restaurant, office along and south of 52 nd Avenue South	None at this time	50
2	"Lake Fargo" stormwater facility	None at this time	20 (stormwater facility only-no residential or commercial)
3	North Dakota State College of Science; Capstone Academy	Covey Ranch Third Addition--- single-family, multi-family, and commercial development	10
4	None	Lost Creek First Addition	0

Only Growth Grid 1 in Super Grid A has achieved even 50 percent development. The proposed development, which is proposed in Growth Grid 4, is on the opposite side of Super Grid A from the development in Growth Grid 1, and is not contiguous with Growth Grid 1. Thus, this development is considered premature based on the Growth Grid process of preferred geographic sequencing for orderly growth described in the Growth Plan (pages 78-80).

GROWTH PLAN 2024—FUTURE PLACE TYPE

Fargo Growth Plan 2024 designates the future place type of the area of the proposed development as "Urban Neighborhood" and "Mixed Commercial, Office, and Residential." Primary and secondary uses within these place types are shown in the excerpt from the Growth Plan below:

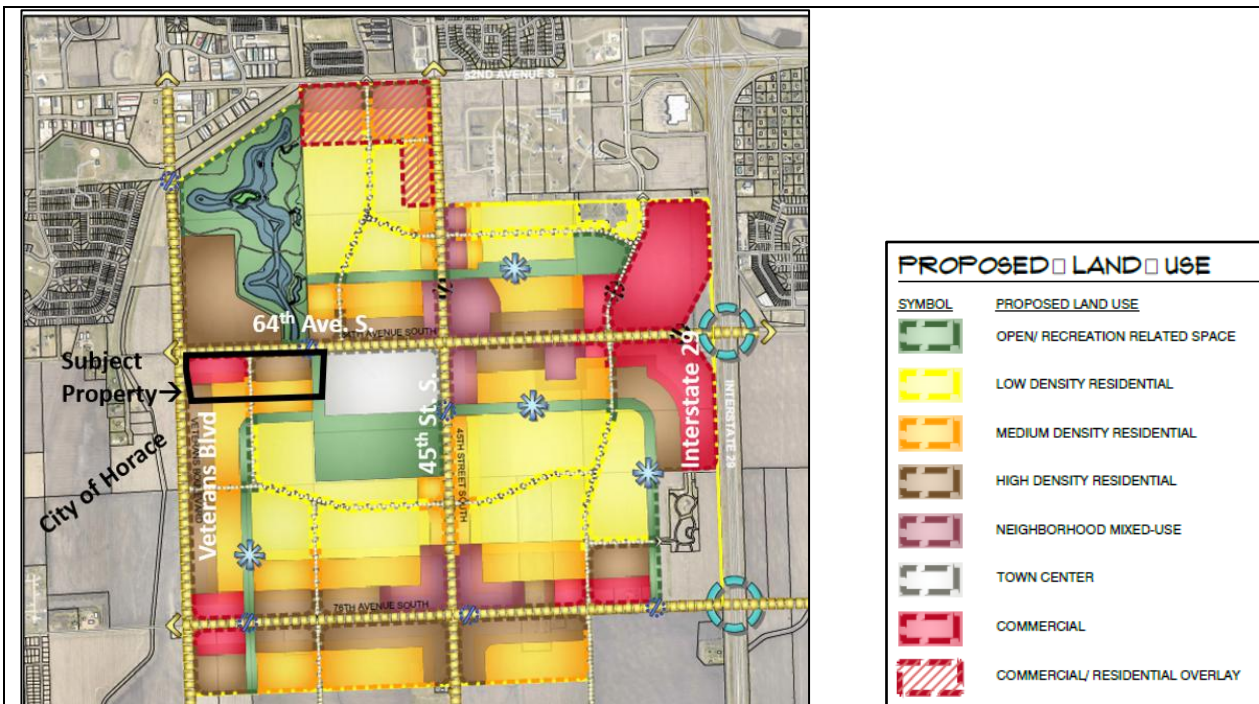
PRIMARY USES		SECONDARY USES
Urban Neighborhood	Small lot single-family detached housing, duplex	Triplex, quadplex, townhomes (with limited massing up to ten units per building), pockets of multi-family structures, places of worship, schools, daycare centers, home offices, neighborhood-scale retail and services
Mixed Commercial, Office, and Residential	Commercial/retail, distribution, warehousing, wholesaling, offices, flex buildings	Flex Warehouse, Multi-family residential

The proposed zoning and development for this development are generally consistent with these place type designations.

SOUTHWEST METRO REGIONAL STORM WATER POND LAND USE AMENDMENT

The subject property is included in the Southwest Metro Regional Storm Water Pond Land Use Amendment (2021). That plan designates the proposed land uses on the subject property as Open Recreation Related Space, Medium Density Residential, High Density Residential, and Commercial.

(continued on next page)



The proposed zoning and land uses for this development are generally consistent with these land use designations.

SUBDIVISION AND ZONE CHANGE

The subdivision covers 104.84 acres and will create 196 lots, to be zoned as shown in the chart below. Note the that lots in Blocks 7 and 8 have been revised using ~~strike-through~~ and **bold** to indicate the change.

BLOCK	LOTS	ZONING	LAND USE	COMMENT
1	1	MR-3	Multi-Dwelling Residential	With Conditional Overlay
2	1	MR-3	Multi-Dwelling Residential	With Conditional Overlay
2	2-11	SR-4	Single-Dwelling Residential (detached)	
3	1	MR-3	Multi-Dwelling Residential	With Conditional Overlay
3	2-13	SR-4	Single-Dwelling Residential (detached)	
4	1	MR-3	Multi-Dwelling Residential	With Conditional Overlay
4	2	P/I	Access to trail on Lot 14	Developer to convey to City of Fargo
4	3-12	SR-4	Single-Dwelling Residential (detached)	
4	13	P/I	Public Park	Developer to convey to Fargo Park District
4	14	P/I	Stormwater facility	This lot is owned by City of Fargo
5	1-18	SR-4	Single-Dwelling Residential (detached)	
6	1-20	SR-4	Single-Dwelling Residential (detached)	
7	1-5 and 7-31 1-32	SR-4	Single-Dwelling Residential (detached)	
7	6	P/I	Park/Shared Use Path Connection	

8	1-5 and 7- 30 1-32	SR-4	Single-Dwelling Residential (detached)	
8	6	P/I	Park/Shared Use Path Connection	
9	1-26	SR-4	Single-Dwelling Residential (detached)	
10	1-26	SR-4	Single-Dwelling Residential (detached)	
11	1-3	SR-5	Single-Dwelling Residential	May be attached townhomes

SR-4 Zoned Lots: The 186 SR-4 zoned lots range in size from 6,000 square feet to over 27,000 square feet. Most lots are in the 6,200 to 8,500 square foot range. Lot widths range from 48 to over 80 feet, with most widths in the 50-70 foot range. All SR-4 zoned lots meet the minimum required lot area of the SR-4 zone of 3,600 square feet and minimum lot width of 34 feet. The developer intends these lots for detached single dwelling residences.

SR-5 Zoned Lots: The lot size and maximum number of units for the three SR-5 zoned lots are shown in the chart below. A maximum of 36 units could be developed. Residences may be attached townhomes.

BLOCK	LOT	AREA (Acres)	SR-5 MAX DENSITY	MAXIMUM UNITS
11	1	1.01	14.5 dwelling units per acre	14
11	2	0.85	14.5 dwelling units per acre	12
11	3	0.74	14.5 dwelling units per acre	10

MR-3 Zoned Lots and Conditional Overlay: The lot size and maximum number of units for the four MR-3 zoned lot are shown in the chart below. A maximum of 482 units could be developed. These lots are intended for multi-dwelling development

BLOCK	LOT	AREA (Acres)	MR-3 MAX DENSITY	MAXIMUM UNITS
1	1	6.79	24 dwelling units per acre	162
2	1	3.92	24 dwelling units per acre	94
3	1	3.82	24 dwelling units per acre	91
4	1	5.63	24 dwelling units per acre	135

The conditional overlay (C-O) on the MR-3 zoned lot provides development standards consistent with other recently-adopted conditional overlays for MR-3 zoned properties. A copy of the draft C-O is attached.

P/I Zoned Lots: The three P/I zoned lots are intended will be owned by government entities. These lots are intended for the uses shown in chart above.

ACCESS: The lots will be accessed by way of dedicated public streets. Necessary rights of way will be dedicated with the plat, as shown in the chart below.

STREET	CLASSIFICATION	COMMENT
Creekside Boulevard South	Local	
52 nd Street South	Local	
53 rd Street South	Local	
Lost Creek Boulevard South	Collector	
54 th Street South	Local	
55 th Street South	Local	
56 th Street South	Local	
Veterans Boulevard South	Arterial	100-foot right of way dedication depicted on the subdivision plat. This street was formerly identified as 57 th Street South.

64 th Avenue South	Arterial	100-foot right of way dedication depicted on the subdivision plat
65 th Avenue South	Local	
66 th Avenue South	Local	
68 th Avenue South	Local	

ANALYSIS, TIMELINE and CONTEXTUAL CONSIDERATIONS:

NEGATIVE ACCESS EASEMENTS: The negative access easements (NAE's) depicted on the plat are intended to manage access along arterial streets and along local and collector streets near intersections with arterial streets. These NAE's reinforce the City's access spacing regulations.

SHARED USE PATH CONNECTIVITY: Four shared use path routes are proposed as part of this development:

- A 10-foot wide off-road shared use path will be installed along the 64th Avenue South and Veterans Boulevard rights of way, as is the City's practice along arterial streets.
- A shared use path is planned for Lot 14, Block 4 adjacent to the drainage channel. A connection to this path from Creekside Boulevard South will be by way of a 60-foot wide access, Lot 2, Block 4, which the developer will convey to the City.
- A shared use path along 68th Avenue South, connecting the west side of the subdivision with the public park on Lot 13, Block 4.

A shared use path along 66th Avenue South, crossing Blocks 7 and 8, was proposed in an earlier version of this plat, but was not able to be worked out between the City, the developer, and the Fargo Park District.

Development of these shared use paths requires coordination between City staff, Fargo Park District, and the developer.

Future phases of this development are intended to include additional shared use path connections.

EXTENSION OF 64th AVENUE SOUTH AND CITY UTILITIES: 64th Avenue South as a paved street, and the City water and sewer lines within that street right of way, currently terminate at 45th Street South, which is one-half mile east of the development.

In order to service the development, 64th Avenue will have to be extended through that half-mile of undeveloped area. The north side of this undeveloped half-mile is not annexed into the City.

Cass Rural Water has a water line in Veterans Boulevard; a City water line would need to be extended along 64th Avenue South to the subject property to create a water line loop.

A sanitary sewer line would also need to be extended along 64th Avenue South to the development. An easement for a sanitary sewer lift station is provided in Lot 1, Block 4. The project master plan is the basis for an overall sanitary sewer master plan.

Storm sewer is provided to the subject property as part of the Southwest Metro Regional Storm Water Pond

TIMING INFRASTRUCTURE INSTALLATION: Infrastructure cannot be installed in 64th Avenue and Veterans Boulevard until 2027, at the earliest. Currently there are no definitive timelines for improving either 64th Avenue South or Veterans Boulevard. Infrastructure can be installed in the subdivision concurrently or after 64th Avenue and Veterans Boulevard construction.

SIDEWALK AND BOULEVARD MAINTENANCE: Sidewalk and boulevard maintenance along arterial streets will be the responsibility of the adjacent property owners, not the City of Fargo.

RELATIONSHIP WITH CITY OF HORACE REGARDING VETERANS BOULEVARD: The City of Fargo and City of Horace are currently negotiating a memorandum of understanding regarding the construction, maintenance, and operation of Veterans Boulevard (previously identified as 57th Street South). To become effective, this MOU will need to be approved by both the Fargo City Commission and the Horace City Council.

RESIDENTIAL CONSTRUCTION: Infrastructure must be in place prior to residential construction. The City does not grant early building permits for residential construction. Home construction could start after the substantial completion of the neighborhood infrastructure, which could be as soon as late fall 2027. Residences will not be completed until 2028

SERVICING THIS AREA: The subject property was annexed into the City in 2006 as part of a larger annexation along the western boundary of Fargo's extra-territorial jurisdiction, and this area has since been in the city limits though somewhat remote from the main area of Fargo. No City utilities or paved streets were provided to this area at the time of annexation, and no development was undertaken. This is a different process from what the City generally does today, which is to annex property only when it is contiguous to the City; where City utilities and paved roads can be extended into the annexed area from existing utility lines and roads; and when the property to be annexed is ready to develop and development has been proposed.

As a result of this premature annexation, some services cannot be provided at this time to the area of the subject property, as noted below:

PLOWING SNOW ON PUBLIC STREETS: At this time, the Public Works department is not staffed or funded to expand their area of responsibility for plowing snow while still meeting a 24-hour time frame for snow removal response. This time frame is an adopted protocol based on City Commission expectations. Additional allocations of staff and funding for the Public Works Department are not currently planned. The public works budget items will be discussed as the project proceeds through the platting and city budgeting process.

POLICE RESPONSE: At this time, the police department's ratio of officers per thousand population is 1.4. The police department is targeting a ratio of 1.6 officers per thousand population. The Police Department does not believe the Department can catch up until expansion is slowed or sufficient budgetary funding is provided. Additional allocations of staff and funding to improve the officers-per-thousand-residents ratio, or to build a police substation on the south side, are not currently planned.

CAPACITY OF WEST FARGO PUBLIC SCHOOLS: The subject property is within the West Fargo Public School District. The district's administration stated to Planning staff that the area of the subject property has not yet been included in their analysis of future student population, so capacity to accommodate a large number of students at all grade levels in this area is not yet built into the school district's population modeling and facility master plans. The school district reminded the City staff that part of the high school feeder system that this school would be located in includes a proposed school in Horace city limits. Recently the bond required to approve that school failed to receive a supportive public ballot vote. A letter from the district's administration with more detailed comments is attached.

SOUTHERN VALLEY FIRE DISTRICT LAWSUIT: There is a pending lawsuit against the City of Fargo from Southern Valley Fire District. The outcome of this lawsuit could impact whether the properties within the area of this lawsuit, including this development, will be served by Fargo Fire or Southern Valley Fire. Property taxes and response times could be affected.

ACTION AT THE MAY 5th, 2026 PLANNING COMMISSION

At the May 5th, 2026, Planning Commission, the Commission heard a presentation from City staff, including Planning, Public Works, and Finance, as well as from West Fargo Public School District.

Staff made the following points:

- The development of this vacant tract has a unique development trajectory than typical, as the subject property was annexed into the City in 2006 based on extraterritorial jurisdictional legislative tactics at the time. Regardless, no City services were extended to this property and no development was proposed at the time, nor has the city completed utility servicing plans and regional planning for the area quite yet. Typically, in recent years, property would need to be annexed through a developer request before initiating the development review and entitlement processes. Initiating development through annexation methods would give staff more upfront planning time and commission approval processes.
- The subject property is almost entirely surrounded by farmland; there are no natural or man-made barriers to wind. This means that during the winter, even if there no actual blizzard, Public Works will be challenged to keep 64th Avenue South from 45th Street South to the development, as well as streets within the development, open while still maintaining the level of service in the rest of the City that has come to be expected. This situation could compromise emergency service access.
- Many services that the City provides are funded by the general fund. Due to recent action by the North Dakota legislature, growth of City property tax revenues is capped at three percent of the previous year's total, and ability to raise the mill levy is effectively eliminated. This cap severely limits the City's ability to respond to changes in demand for services.
- The City has to provide services to the development when certificates of occupancy are issued for the residences—referred to as “Day One”--- but, due to the City's two-year property tax exemption on new residences, the City will not receive the full property tax from the residences until that exemption expires, two years after the certificates of occupancy have been issued.
- Growth of the departments that provide City services has not always kept pace with the physical growth of the City in recent years due to budget limitations.
- 64th Avenue South is currently unimproved west of 45th Street South. Part of the Southwest Metro Stormwater Pond project, which is scheduled to be completed this summer, is grading and graveling 64th Avenue South from 45th Street South to Veterans Boulevard. Currently there are no plans to pave this stretch of 64th Avenue South.
- The City of Fargo and City of Horace have been working on a memorandum of understanding (MOU) regarding the development of the Veterans Boulevard corridor all the way south to 100th Avenue South. (*This MOU is also referred to above*)

The Commission heard a presentation from a representative of the West Fargo Public School District. The representative made the following points:

- Discussed the current capacity of the elementary schools in the southern tier of the district, including areas in Fargo, West Fargo, and Horace. Some new students could be accommodated with the current capacity. However, additional classroom space will be needed if there will be continued growth in this area. The current 5-year capital construction plan does not include the addition of new elementary classroom space.
- The current five-year capital construction plan increases the capacity at Heritage Middle School and Horace High School, which would serve the middle school and high school students living in the proposed Lost Creek development.

The Commission also heard a presentation from the applicant, who made the following points:

- The applicant referred to a laydown item he had provided to the Commission. A copy of this item is attached.

- The City has made a substantial investment in growth in this area, such as the Southwest Metro Stormwater Pond, improving 45th Street South down to 76th Avenue South; improving 64th Avenue South over Interstate 29 to 45th Street South; a new fire station on 64th Avenue South on the east side of Interstate 29, and the planned 64th Avenue interchange with Interstate 29. This project is close to City services.
- The development will provide a variety of housing types—multi-family, townhomes, and single-family lot sizes between 50 and 70 feet wide.
- The completed project will provide approximately \$250 million in property taxes to the City.
- Concerned that if the City adopts a completely linear approach to development based on the growth plan, in which one grid within a super-grid would have to be completely developed before development in the next grid could begin, a single landowner could halt growth in the rest of the super-grid if that owner were not ready to develop.
- It will be at least two years until residences are established in the development.
- At this time, there are only about 125 available lots in Fargo, plus approximately 130 more coming next year with the next phase of Selkirk Place Fourth Addition.

One person testified in favor of the project and made the following points:

- A healthy inventory of available residential lots in two years' supply. Currently there is about a three months' supply of available lots.
- There are many steps between approval of this project and actual construction of residences, but the first step of approval has to be taken before any other of those steps can occur.

In response to the points made by staff, the applicant, and the testifier, the Planning Commission made the following points:

- It should be up to City staff to determine when this project is ready to go forward.
- There is a need for housing. Development within a super-grid should not be "hamstrung" by the fact that the grids within the super-grid do not develop at the same rate.
- There was a difference of opinion among the Commissioners as to whether or not this project should be considered "leap-frog" development (that is, development that requires a significant extension of City services through undeveloped territory to reach the project site).
- The Planning Commission has been told that questions about financing, budgeting, and provision of City services for developments are outside of the Commission's purview.
- If the development is denied, the City may lose an opportunity to build up an inventory of available residential lots that could take some years to recapture.
- The City Commission must have the discussion regarding the budget-related questions for this project.

After hearing all the presentations and testimony, the Planning Commission voted to recommend approval of the project to the City Commission by a vote of 7-2 with two Commissioners absent. The motion is stated below.

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ACTION AT THE MAY 26th, 2026 CITY COMMISSION

At the May 26th, 2026, City Commission hearing, the Commission heard a presentation from City staff, who made the following points:

- Everything about this application is unique and different than how we've been doing business for the last 30 years.
- Explained the annexation history, proposed zoning, subdivision plat, and master plan for the half-section, pending memorandum of understanding (MOU) with City of Horace for Veterans Boulevard; and how the Growth Plan SuperGrid system is intended to work.
- In addition to the usual technical review comments, this project received comments from Finance, Public Works, and Public Safety, as well as the West Fargo Public School District related to challenges to be able to provide appropriate services to this development. Provision of the City services is tied to the 2027 budget, which is currently under review. "When we don't know where that funding source is coming from to support general fund operations, that is part of our major question."
- Procedurally, staff's main concern is to have the public hearing, as this is a live application. It is not procedurally appropriate to pause the public hearing process to have policy discussions on the project.
- Explained the effect of the 3% property tax cap on the City's budget and the ability to grow that budget.
- Explained the three motions—approval, as the Planning Commission recommended; denial, as staff recommended; or continuance to a date certain.

The Commission heard a presentation from the applicant, who made the following points:

- The Fargo Housing Study states the need to build 7,500 to 8,000 homes built by 2032.
- At one time, Fargo had two to three years of available lots. Now there is a single-family lot shortage. At the time of the Planning Commission hearing, Fargo had 125 SF vacant lots available; there have been 25 starts since then. In previous years, Fargo has averaged 360 SF starts annually.
- Lots range in sizes; expecting houses to be in \$350,000 to \$650,000 price point depending on the lot size. Smaller lots would have lower specials.
- Getting the entitlements approved is step one. It may take up to two years to actually get single family homes delivered.
- Issues staff brings up are disconnected from what we're asking for right now. All we're looking for is plat and zoning approval; no infrastructure request is being made at this time.
- A delay in approval now is a delay in the design of the infrastructure, and design of the infrastructure takes time.
- The development is expected to generate \$250 million in property value in Phase 1. Subsequent phases will develop the entire half-section over a period of approximately 10 years, and yield a total of \$1 billion in property value.
- Home construction is an important part of the local economy.

- This project is a catalyst and provides a large number of lots in the pipeline.
- We provide lots to builders and do not figure the two-year residential tax exemption into our numbers.
- Fargo has made a large investment—nearly \$80 million-- in this area, including the recently approved 64th Avenue Interchange; necessary paving of 64th Avenue South; Southwest Metro Stormwater Pond; extension of infrastructure down 45th Street South and 64th Avenue South; new fire station on 64th Avenue South just east of I-29.
- We are Fargo developers.

After hearing all the testimony, the mayor closed the public hearing.

In response to the points made by staff and the applicant, the Commission had the following comments:

- This is an amazingly large scale of housing. This development is larger than many cities in North Dakota.
- This project has many considerations: adding staff to public works; infrastructure extension; whether the City would figure special assessments to be split between City and developer. It appears that “all the ducks aren’t really in order” yet.
- The City has a timeline just like the developer has a timeline.
- The F-M Diversion will be done this fall, then certified, and this will impact construction. Once the diversion is done, the City is going to have a finite boundary, so there’s no rush to approve this project, The City shouldn’t be forced into making a decision.
- The new Land Development Code should be completed before the Commission approves this development.
- There may be a reform of the special assessments policy in the near future. One aspect of that discussion could be whether developers would pay a portion of the specials.
- The lack of trees in the area of the subject property creates the problem of blowing snow potentially blocking roadways and prohibiting fire and police department responses. One Commissioner referred to the February 4th, 1984 incident on 19th Avenue North where four people died because their vehicle became trapped on a snow-covered road.
- “Our [the City’s] priorities take priority over the developer’s priorities.”
- Planning Commission and staff discussion at the May 5th Planning Commission hearing was very thorough.
- Planning Commission recommendation for approval made a lot of sense.
- Housing is a workforce issue; we know we have a shortage of housing.
- One Commissioner expressed confidence that the cabinet and department directors can find a way to add staff to solve this problem of providing services.
- Growth plan is not intended to be linear by grid.
- The 3% cap has made it difficult for the City to grow

- The City Commission has never stopped construction or slowed down development.
- Only 200 new homes were built last year.

By a vote of 5-0, the Commission moved to continue the item to the June 22nd, 2026 City Commission agenda.

BETWEEN MAY 26th – JUNE 18th:

City staff attempted to pull together a city commission informational meeting but due to the election events and other significant city events and timing, calendar conflicts prevented a meeting. However, staff and applicant continued to work on policy development to attempt to isolate the issues.

Future infrastructure finance policies, such as special assessments, continues to be a topic that is brought forward with the plat. Staff prefers and recommends due to legal due process standards, that if significant policy items are in discussion by leaders, then policy development outside the application process should be created to determine the policy direction. In the meantime, additional policies are being challenged by the developer including flood protection and other engineering requirements (see below).

MEMO FROM THE PLANNING DIRECTOR

The Planning Director has created a memo to the Commission summarizing the concerns of several departments regarding this proposed development. This memo is attached following this staff report.

AMENITIES PLAN AND DEVELOPER AGREEMENT

Staff has prepared an amenities plan and developer agreement, which are standard documents for such proposed developments. Staff forwarded these to the applicant on June 16, 2026 for the applicant's review and signature. As of the date of this staff report, staff has received a redlined version of the developer agreement from the developer and is attached. The edits proposed by the developer are not supported by staff as they challenge federal regulations and put extraordinary risk to the public. The draft amenities plan sent to the applicant is also attached. Staff has received no comments from the applicant.

FINDINGS:

Zone Change:

Section 20-0906. F (1-4) of the LDC stipulates the following criteria be met before a zone change can be approved:

1. Is the requested zoning change justified by a change in conditions since the previous zoning classification was established or by an error in the zoning map?

The property is currently zoned AG, Agricultural. The proposed zoning of SR-4, SR-5, and MR-3 with conditional overlay will allow the proposed single-family and multi-family development. The conditional overlay for the MR-3 zoned properties will provide building and site design standards. The proposed P/I zoning will accommodate the proposed public park and trail connection lots as well as the City of Fargo owned lot for the drainage course. The proposed zoning aligns with the area plan and growth plan related to future land use designations. **(Criteria Satisfied)**

2. Are the City and other agencies able to provide the necessary public services, facilities, and programs to serve the development allowed by the new zoning classifications at the time the property is developed?

City staff and other applicable review agencies have reviewed this proposal and at this time are unable to provide the necessary public services, facilities, and programs to serve the development. Specifically, the City's Public Works and Police Departments cannot provide the required level of service at this time or in the foreseeable future to this area, and public school capacity for students who would live in this area has not yet been established by West Fargo Public School. Developing that capacity will take some time and more information about the future related public agency budgets status as related to general fund growth

limitations will need to be explored during the remainder of 2026. Additionally, response time for fire protection faces an uncertain future based on the pending lawsuit noted above.

Staff has spent much attention on future budgeting needs as it relates to budget growth limitations due to rising costs of construction and maintenance. Staffing growth and resources have remained the same or been reduced over recent years without the increase to serve and build to accommodate growth. The 2024 Growth Plan lays out the Future Place Types, Growth Centers and Growth Grid, and the supporting guidance for financial resource analysis specifically in pages 112-121 of the plan. In staff's perspective there are too many uncertainties to future revenues. Staff recognizes the developer's needs and the housing market and supply challenges our region faces. But that at this time the future remains too uncertain as the city explores new development tools and forecasts constraints.

While there is already considerable investment in the area with regional stormwater improvements, there are other resource development and investments not yet accumulated to assemble for deployment in this area.

(Criteria NOT Satisfied)

3. Will the approval of the zoning change adversely affect the condition or value of the property in the vicinity?

Staff has no evidence to suggest that this zoning change would adversely affect the condition or value of the property in the vicinity. Based on typical development patterns, the surrounding value would increase in condition and value and spur more development. Written notice of the proposal was sent to all property owners within 300 feet of the subject property. To date, Planning staff has received no comments or inquiries about the project. Staff finds that the approval of the zoning change will not adversely affect the condition or value of the property in the vicinity. **(Criteria satisfied)**

4. Is the proposed amendment consistent with the purpose of this LDC, the Growth Plan, and other adopted policies of the City?

The LDC states "This Land Development Code is intended to implement Fargo's Comprehensive Plan and related policies in a manner that protects the health, safety, and general welfare of the citizens of Fargo." The proposed development is considered premature based on the Growth Grid process of preferred geographic sequencing for orderly growth described in the Growth Plan. The proposed development is not consistent with the City's policies concerning providing adequate street maintenance, police protection, and public school capacity to any new subdivision. Additionally, response time for fire protection faces an uncertain future based on the pending lawsuit noted above. The inability to provide these services may negatively affect the public's health, safety, and welfare. Focusing resources on these proposed growth patterns will detract resources or growth needed in existing already-developed areas of the city. **(Criteria NOT satisfied)**

Subdivision

The LDC stipulates that the following criteria are met before a major plat can be approved:

- **Section 20-0907.C.1 (Development Review Procedures—Subdivisions—Major Subdivisions) of the LDC stipulates that no major subdivision plat application will be accepted for land that is not consistent with an approved Growth Plan or zoned to accommodate the proposed development.**

The proposed development is not consistent with the Growth Plan as the development is considered premature based on the Growth Grid process of preferred geographic sequencing for orderly growth described in the Growth Plan. As noted in the Zone Change findings above, changing this property from the current zoning of AG, Agricultural to zones which would allow entitlements and development is not supported at this time. In accordance with Section 20-0901.F of the LDC, notices of the proposed plat have been sent out to property owners within 300 feet of the subject property. To date, Planning staff has received no citizen comments or inquiries about the project. **(Criteria NOT Satisfied)**

- **Section 20-0907.B.4 of the LDC further stipulates that the Planning Commission shall recommend approval or denial of the application and the City Commission shall act to approve or deny, based on whether it is located in a zoning district that allows the proposed development, complies with the adopted Area Plan, the standards of Article 20-06 and all other applicable requirements of the Land Development Code.**

The project has been reviewed by the city's Planning, Engineering, Public Works, Inspections, and Fire Departments and found to meet the standards of Article 20-06 and other applicable requirements of the Land Development Code. However, as noted in the Zone Change findings above, changing this property from the current zoning of AG, Agricultural to zones which would allow development and require deployment of resources that are not yet acquired is not supported.

(Criteria NOT Satisfied)

- **Section 20-0907.C.4.f of the LDC stipulates that in taking action on a Final Plat, the Board of City Commissioners shall specify the terms for securing installation of public improvements to serve the subdivision.**

Any public improvements associated with the project (whether rehabilitation of existing infrastructure or new proposed improvements) will be funded in accordance with the City's Infrastructure Funding Policy, which may include the use of special assessments. A corresponding Capital Improvement Plan (CIP) and budget adjustment for Public Works would be needed to support this development to the standards that are required. The development of the agreement with the City of Horace and confidence with the West Fargo School District would need to be confirmed.

During this plat development and coordination with the developer with the development layout, there were scenarios and schematics explored. Staff is seeing a minimization of amenities and neighborhood scale improvements that can be financially supported either publicly or privately. This shows up through boulevard improvements for double fronted lots, small parks and open spaces for the multi-family and access to the parks/trails, and other defining factors for open space. The developer and staff have done a good job balancing the regulations against the layout preferences to develop and create a neighborhood that will be a positive addition to the city. Many of these details are affirmed in the amenities plan, Conditional-Overlay zoning, developer agreement, and private covenants.

City staff has developed an amenities plan to define certain aspects of the development, including stormwater, utility connections, and access. This amenities plan will be reviewed and signed by the applicant and reviewed by the Public Works Project Evaluation Committee (PWPEC) prior to the final City Commission hearing for this subdivision, definitions and details are still being developed. If approval is proposed by the Planning Commission, staff would seek conditional approval based on these documents being finalized. A draft amenities plan is attached. **(Criteria NOT Satisfied)**

NOTE ON RECOMMENDED MOTIONS:

The Planning Commission recommended approval of this project; staff's recommendation was for denial. Both motions are noted below. At the City Commission meeting, staff will have the draft of both motions available for consideration. It should be noted, that this is a unique predicament as staff is wrestling between the desire to provide residential lots for builders and the immediate challenges of the increasing costs of construction and services. To consider these implications staff suggests the Planning Department obtain direction to proceed with the following next steps. These steps are date uncertain as each item requires collaboration and approval by the various representative authorities:

1. Continue work with City Engineering to finalize and bring back to City Commission for review:
 - a. Infrastructure design and costs considerations
 - b. Amenities plan and developers' agreements
 - c. Special assessment and funding allocation plan for regional and local infrastructure
 - d. MOU with City of Horace regarding Veterans Boulevard corridor
2. Continue work with City Finance and City Commission to bring back to City Commission for review:
 - a. 2027 budget approval including consideration of Public Works and Police servicing needs

If the Commission moved to approve the plat and zone change, staff recommends the approval be contingent on the following points; specifically, until all items below are executed the plat cannot be recorded:

- Final technical review of the plat, including the City Engineer's signature
- Executed amenities plan
- Executed developer agreement (requires City Commission approval)
- Approval by both the City of Fargo and City of Horace of the MOU regarding the development of Veterans Boulevard
- Confirmation from the Fargo Park District that their developer agreement has been approved and executed.

NOTE ON CONTINGENT APPROVAL: The contingent motion allows the City Commission to approve the plat at this time. Once the contingencies have been met, the City can then proceed with recording the plat. Please note that all future permits and actual entitlements for development, such as building permits, are on hold until the plat can be recorded.

Recommended Motions:

Planning Commission Recommendation: To accept the findings and recommendation of the Planning Commission and hereby waive the requirement to receive the rezoning Ordinance one week prior to the first reading and place the rezoning Ordinance on for first reading and move to approve the proposed 1) zone change from AG, Agricultural to SR-4, Single-Dwelling Residential, SR-5, Single-Dwelling Residential, MR-3, Multi-Dwelling Residential with a C-O, Conditional Overlay, and P/I, Public and Institutional; and 2) plat of **Lost Creek First Addition**, as the proposal does comply with Fargo Growth Plan 2024, Sections 20-0906.F (1-4) and 20-0907 of the Land Development Code and all other applicable requirements of the Land Development Code

Staff's Recommendation: To accept the findings and recommendations of staff and move to **deny** the proposed: 1) zone change from AG, Agricultural to SR-4, Single-Dwelling Residential, SR-5, Single-Dwelling Residential, MR-3, Multi-Dwelling Residential with a C-O, Conditional Overlay, and P/I, Public and Institutional; and 2) plat of **Lost Creek First Addition**, as outlined in the staff report; as the proposal **does not** comply with Fargo Growth Plan 2024, Sections 20-0906.F (1-4) and 20-0907 of the Land Development Code.

Planning Commission Recommendation: May 5th, 2026

At the May 5th, 2026 Planning Commission, that Commission, by a vote of 7-2 with two Commissioners absent, did not accept staff's findings and recommendation and instead approved the motion that "The Planning Commission finds that the proposal does comply with Fargo Growth Plan 2024, Sections 20-0906.F (1-4) and 20-0907 of the Land Development Code and all other applicable requirements of the Land Development Code and moves to recommend approval to the City Commission of the 1) zone change from AG, Agricultural to SR-4, Single-Dwelling Residential, SR-5, Single-Dwelling Residential, MR-3, Multi-Dwelling Residential with a C-O, Conditional Overlay, and P/I, Public and Institutional; and 2) plat of **Lost Creek First Addition**."

Attachments:

1. Memo from the Planning Director
2. Zoning Map
3. Location Map
4. Preliminary Plat
5. Draft Conditional Overlay
6. Project narrative
7. Master plan (for reference only)
8. Draft amenities plan
9. Applicant's redlined version of developer agreement
10. Letter from West Fargo Public School's administration
11. Laydown item provided by applicant from May 5th, 2026 Planning Commission hearing

TO: Board of City Commission

FROM: Nicole Crutchfield, Planning Director

DATE: June 18, 2026

RE: Supplemental information and background of staff review and considerations

As part of the review of the Lost Creek Subdivision and Zoning Applications there have been several conversations that have included representatives from City Administration, Finance, Engineering, Police, Fire, Public Works, West Fargo School District and Parks District. Normally we route applications for review by these departments as part of a two-week review process. This process brought forward concerns and comments on behalf of their review authority. Land development processes are governed by State Law, city ordinances and policies, and tie back to constitutional protections.

Normally our case planners will receive technical review comments from various department and agency reviews, but rarely do the comments challenge policies or ordinances. In the case of this Eagle Ridge development request, we received review comments that challenge development readiness as agencies are challenged with the duty to provide utilities and services tied to the development request and meet expectations of the developer or future property owner.

Over the course of the review period, comments received are summarized as challenging the balanced city budget for operations related to services for Public Works, infrastructure construction costs and risks, debt capacity, police safety resources, and West Fargo school district student capacity. While the Planning Department does not represent these comments and concerns directly, our job is to facilitate the review process in light of the comprehensive plans and regulations that govern the application process as well as advocate for highest and best land use.

This application is the first application in relation to the 2024 Growth Plan. We knew the growth plan would test the city's resolve as we balance resources. As predicted by the Growth Plan and our consultants, we are testing our normal processes and methods. Page 130 of the Growth Plan highlights the associated Implementation Plan. The Implementation Plan identifies three areas to continue to develop:

- 1) A new Land Development Code
- 2) Changes to Financial and Economic Development Practices
- 3) Enhanced Coordination of Public Infrastructure and Facilities

Staff presents the following background for this specific application:

- 1) How is this application unique to other zoning and plat applications?
 - a. Normally, once a plat and zoning are approved, the supporting permits, budget changes and approval processes are not very obvious. You will see these processes operationalized through the consent agenda, PWPEC, CIP and annual budget.

Connecting the dots between a subdivision request isn't necessarily tracked against these processes as the project gets built and permit spanning over the next 3-5 years.

- b. It is unusual to obtain negative review comments or concerns relayed from the agency and department reviews.
- c. The short application timeline between application, Planning Commission hearing and City Commission hearing is usually waived in order to allow for the applicant and staff to coordinate needed policy refinement. This developer has not waived their due process rights.
- d. The location of this application is in Growth Grid A4 and the City hasn't bonded and financed the proposed development in Grid A3 yet. This request is ½ mile away from current planned development and the regional infrastructure has not yet been included in the CIP. No other commercial or institutional land uses and development is being proposed to support the single-family development at this time. The logical location for commercial and institutional land is being skipped over, meaning additional carrying costs.

2) What are the technical legal processes for entitlements?

- a. Approval of a plat and zoning, means that the land owner now has rights to develop the proposed future land use, following normal city processes and policies. In essence, access to utilities and building permits are guaranteed if all regulations are followed.
- b. The City has a duty to act on all complete applications received in a timely manner, or else the application is approved, unless the applicant waives their due process rights.

3) What are staff's primary concerns?

- a. Given the receipt of negative and concerning review comments, staff is working to try to resolve the concerns in order to move the application for a recommendation for an approval.
- b. Resolving the concerns requires commitment to future city budgets. This means, staff is breaking down the associated permitting steps that follow the plat so City Commission can consider the future debt and financial commitments.
- c. A commitment to this entitlement potentially means a commitment to 2027 and forward budgets for public safety and general funds. It also means a commitment a potential commitment of 20 million or higher in debt bonding.

This proposed 105-acre residential development reminds staff of similar discussion when the Osgood area developed in early 2000s, and Davies High School area developed in 2007. These initial investments and deferred costs were decisions that were somewhat automated and uninhibited based on resources available. The demand for the growth and new housing was unprecedented as land was quickly occupied by the demand of new housing and population growth in less than a decade.

As the 2024 Growth Plan identified, these developments have proven to be responsible and served to keep up with demand in order to contribute to a regional economy to sustain jobs and businesses by accommodating new households in the region. Similarly, as highlighted in the FM Metro COG Regional Housing Study plan, we know that the housing supply is lagging behind the demand based on jobs. The regional Metro Housing Study found in 2023 that even with the investment in development the metro

still has a housing/job gap of 1.5, (1.2 is the national average). Based on this rate Fargo, needs an additional 8,300 units within the next 10 years. On average historically, the City supplies about 300 new lots a year to keep up with builder demand. Today current inventory is only approximately 150 available lots, which is the lowest it has been in the last twenty years. A healthy number of surplus lots is a three-year supply, 900 lots. That number however is a historic metric absent of growing adjacent communities in Horace, West Fargo, Dilworth and beyond. However, limiting the supply of housing will further inflate the cost of housing.

Absent of the housing needs, staff is also considering financial and economic considerations as a result of the market demands:

1. Increase Infrastructure Costs: Infrastructure construction costs have increased significantly over time, reducing predictability and placing sustained pressure on capital planning and the City's debt capacity. For example, a residential infrastructure project completed in 2012/2013 cost approximately \$2.29 million to serve 146 homes, or about \$15,700 per home served. A comparable 2026 project costs approximately \$6.26 million to serve 168 homes, or about \$37,200 per home served.
1. Increase Service Costs: Review comments received from Police and Public Works indicate the challenges of increasing costs to keep up with current demands. Expanding service areas into new geographic territory adds further complexity and budget pressures. In coordination with Finance and based on 2027 budget projections, inflation alone is driving an estimated 4% - 6% annual budget increase. With inflation and rising costs, maintaining existing service levels is becoming increasingly difficult, much less expanding services. Since costs are rising faster than growth can pay for them, this creates a broader financial and strategic discussion with elected officials and the public regarding expectations, service levels, and the City's core responsibilities.
2. Initial Investment & Cash/Debt Balance: The first phase of investment for a multi-year phased development, has a large immediate impact to the budget. Coupled with construction costs rising, it is increasing the size of the annual bonding needs. While these debts are supported by assessment, the debt level constrains the ability for future borrowing as well as increasing the general fund reserve requirement to maintain our bond rating.

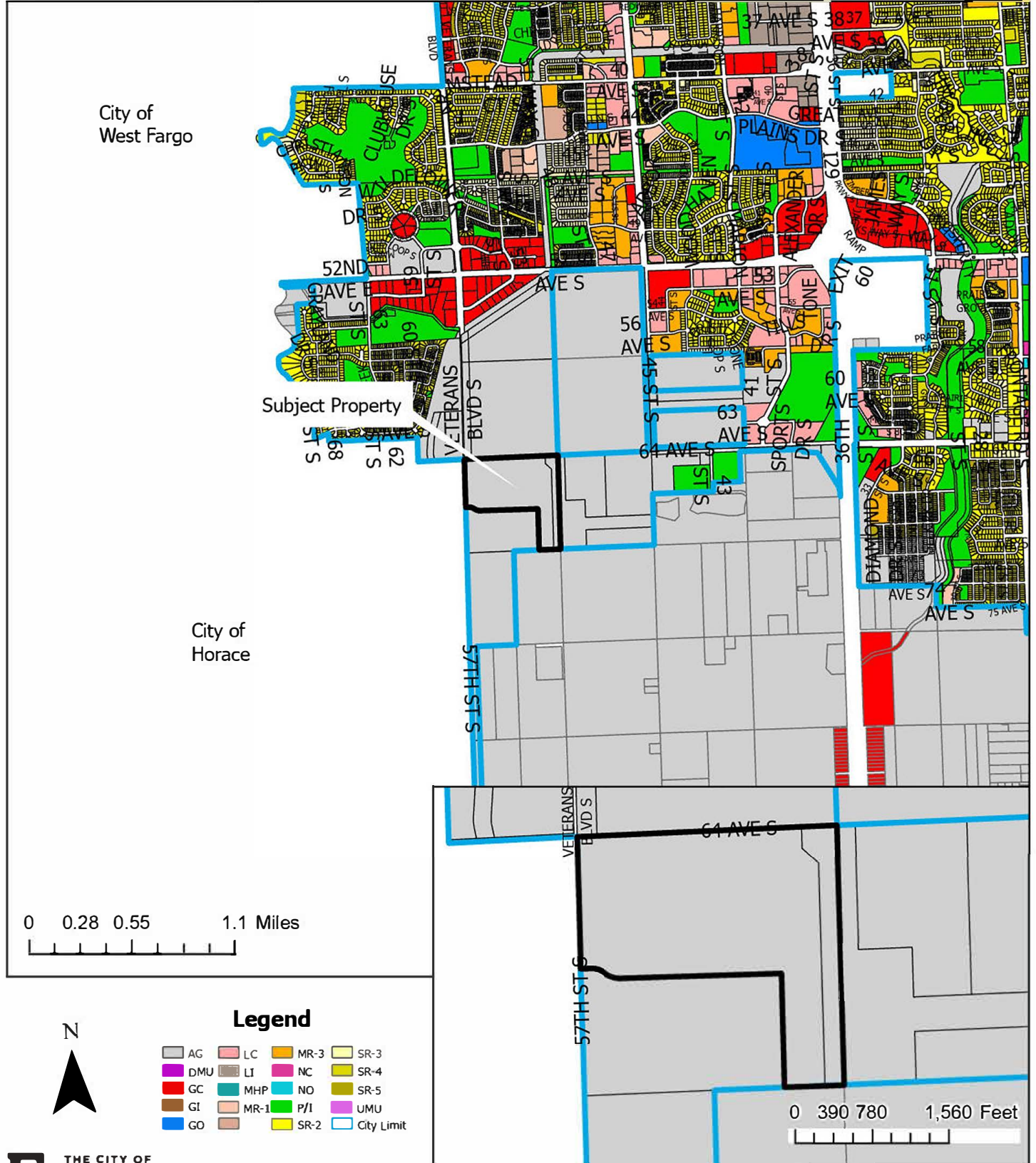
Typically, when a land development application is received when larger policy is not developed to support the project, a recommendation for denial is recommended by staff. That is the case in this situation. For fair due process, it is suggested to separate the land entitlement application from policy and regulation development in order to provide clarity for the associated property rights that may be granted. Reviewing the city's responsibilities that are codified by law is part of the zoning and platting review requirements.

Once action or consideration is given specific to the agenda item, staff recommends pursuing informational meetings, and staging of policy discussions based on a timeline of your preference and as represented in the 2024 Growth Plan. Staff is prepared to spend several meetings and weeks to discuss these items and to learn more about your priorities related to these items. Staff is prepared to coordinate these topics with the City Commission in relation to the LDC development, 2027 budget discussions, future CIP and future incentive and special assessment policy development.

Major Subdivision & Zone Change from AG, Agricultural to SR-4, Single-Dwelling, Residential, SR-5 Single-Dwelling Residential, MR-3 Multi-Dwelling Residential with a C-O, Conditional Overlay; and P/I, Public/Institutional

Lost Creek First Addition

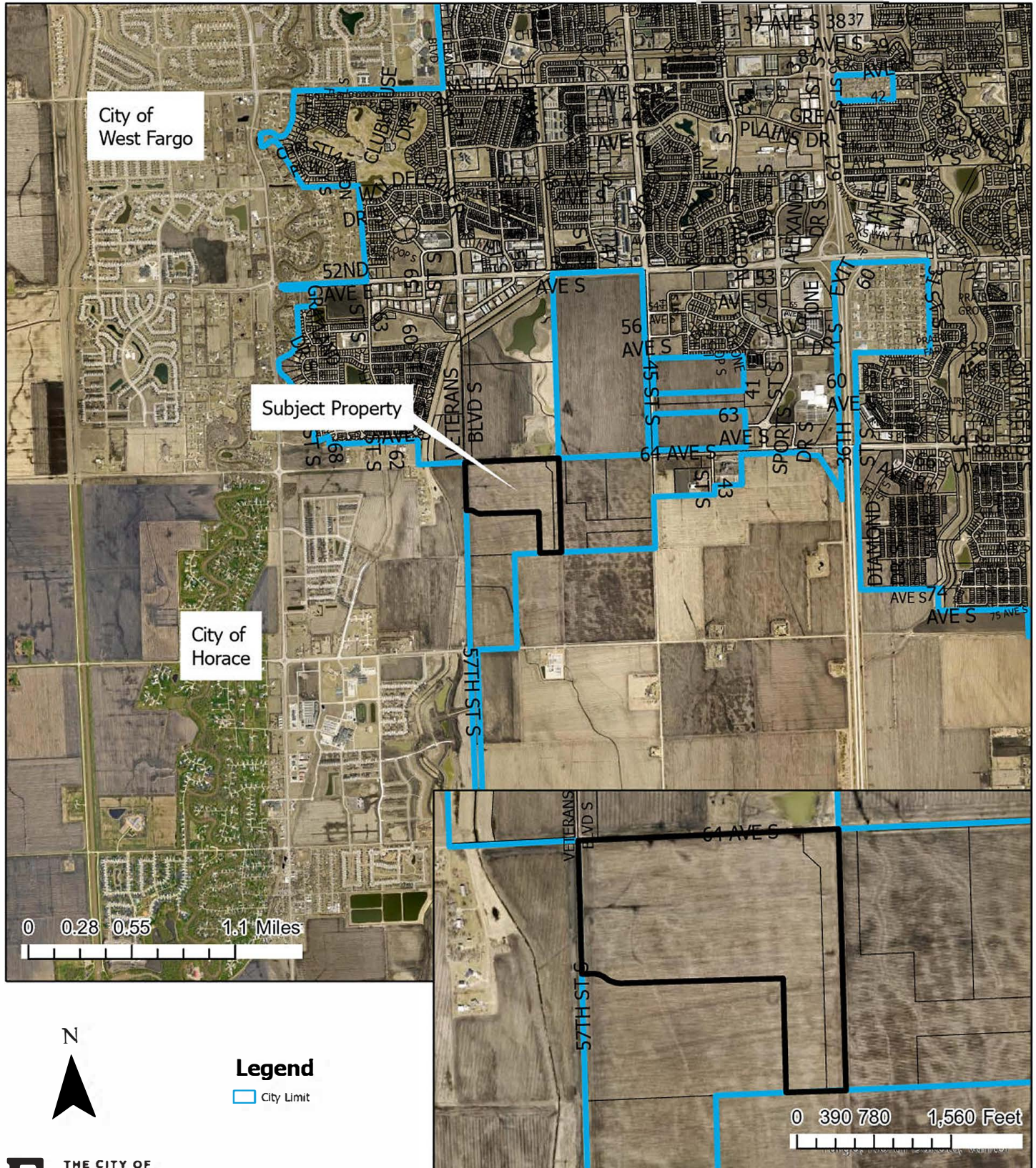
6685 Veterans Boulevard South & 5120 64th Avenue South



Major Subdivision & Zone Change from AG, Agricultural to SR-4, Single-Dwelling Residential, SR-5 Single-Dwelling Residential, MR-3 Multi-Dwelling Residential with a C-O, Conditional Overlay; and P/I, Public/Institutional

Lost Creek First Addition

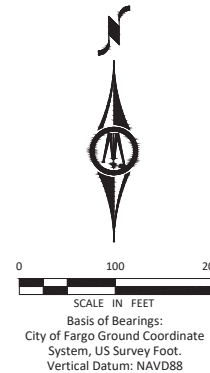
6685 Veterans Boulevard South & 5120 64th Avenue South



LOST CREEK FIRST ADDITION

PART OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 138 NORTH, RANGE 49 WEST OF THE FIFTH
PRINCIPAL MERIDIAN TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA
A MAJOR SUBDIVISION

NE CORNER OF THE NW1/4
SECTION 9-138-49
DOC. NO. C104088



LEGEND

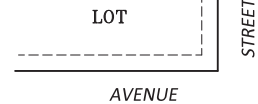
- 5/8" x 18" LONG REBAR, MONUMENT SET OR TO BE SET, CAP MARKED BY LIC. NO. LS-5900
- 5/8" DIAMETER REBAR FOUND
- SUBJECT PROPERTY LINE
- EXISTING PROPERTY LINE
- EASEMENT LINE
- QUARTER SECTION LINE
- EXISTING CONTOUR LINE PER CITY OF FARGO LIDAR CONTOUR DRAWINGS NAVD88 DATED 2017
- AREA NOT WITHIN SPECIAL FLOOD HAZARD AREA (ZONE X)
- NEGATIVE ACCESS EASEMENT
"Negative Access Easement, as noted on this plat, is an easement dedicated as part of the right of way dedication which easement denies direct vehicular access to a street or public way from the lot or lots adjacent to such street or way. The negative access easement is not a strip of land of any certain width, but is a line coterminous with the boundary of the adjacent lot or lots."

NOTES

THE SUBJECT PROPERTY LIES WITHIN ZONE AE (BASE FLOOD ELEVATIONS DETERMINED) AND ZONE X (0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile) AS SHOWN ON THE CURRENT FLOOD INSURANCE RATE MAP NO. 38017C0767H, HAVING AN EFFECTIVE DATE OF SEPTEMBER 25, 2026 AND MAP NO. 38017C0786G HAVING AN EFFECTIVE DATE OF JANUARY 16, 2015.

BASE FLOOD ELEVATION: 905.7

Public utility easements are shown thus:



Being 10 feet in width and adjoining street right of way lines as shown on the plat, unless otherwise indicated.

BENCHMARK

"FMM09" (ALUMINUM ROD INSIDE SLEEVE) 720"± NORTH OF INTERSECTION OF CO. RD 17 AND 76TH AVE. S., ELEVATION= 908.75 (NAVD 88 DATUM)

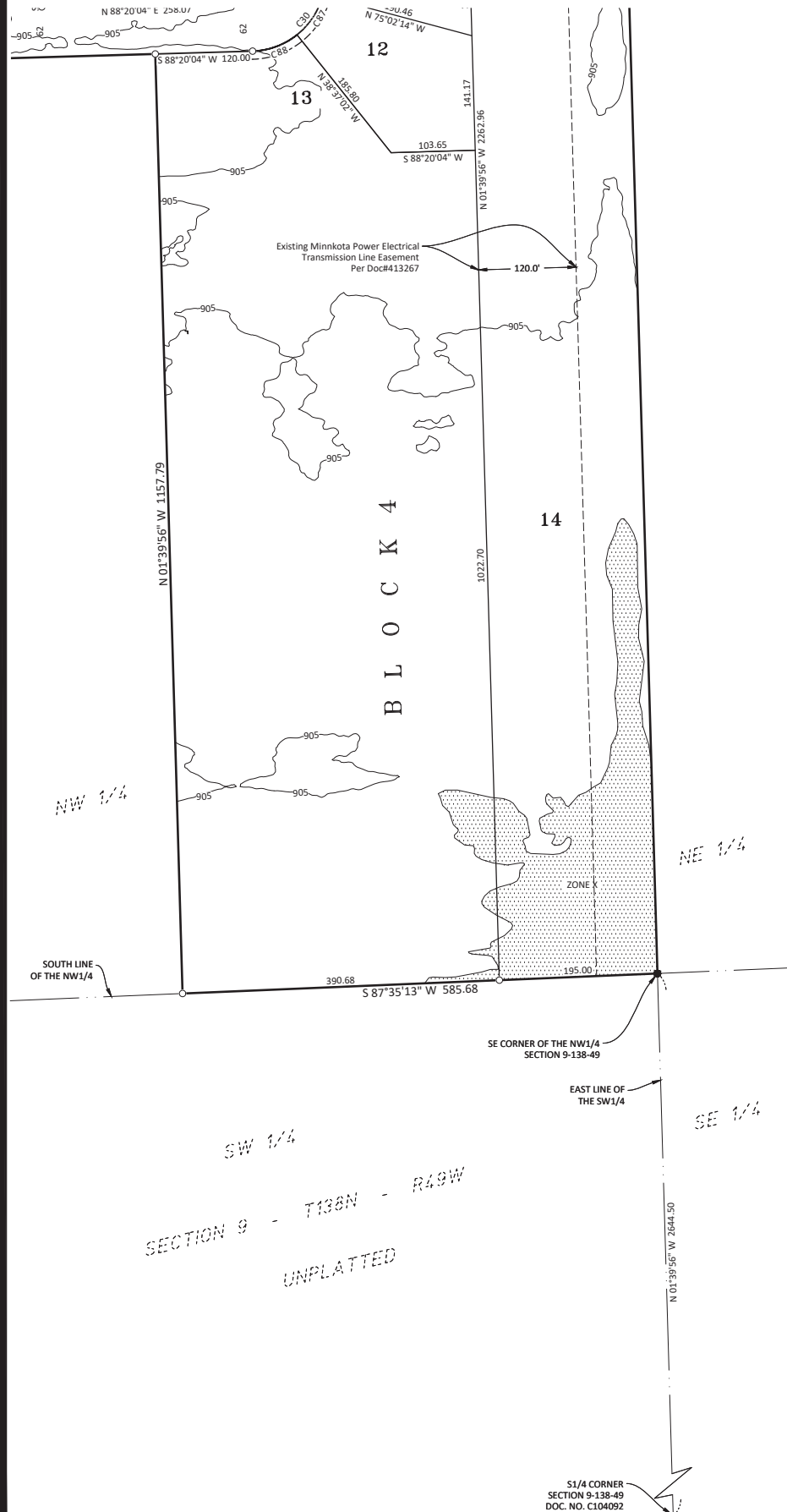
DOCUMENTS OF RECORD

- Permanent Drainage Easement to City of Fargo, Southeast Cass Water Resource Board and the State of North Dakota, recorded as Document No. 599750.
- Easement Release Agreement recorded as Document No. 1195415.
- Partial Release of Easement, recorded as Document No. 1354392.



LOST CREEK FIRST ADDITION

PART OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 138 NORTH, RANGE 49 WEST OF THE FIFTH
PRINCIPAL MERIDIAN TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA
A MAJOR SUBDIVISION



BLOCK 1	
LOT #	SQ. FT.
1	295788

BLOCK 2	
LOT #	SQ. FT.
1	170969
2	7150
3	7150
4	7150
5	7150
6	7150
7	7150
8	7150
9	7150
10	7150
11	7571

BLOCK 3	
LOT #	SQ. FT.
1	166549
2	7420
3	6539
4	6500
5	6500
6	6500
7	6500
8	6300
9	6300
10	6300
11	6300
12	6300
13	6300

BLOCK 4	
LOT #	SQ. FT.
1	245406
2	8342
3	9101
4	9140
5	9927
6	9843
7	10375
8	10908
9	11440
10	11973
11	15013
12	27919
13	431933
14	529088

BLOCK 5	
LOT #	SQ. FT.
1	10660
2	9104
3	9383
4	9645
5	9865
6	10085
7	10309
8	10404
9	11143
10	10680
11	10335
12	10300
13	10085
14	9865
15	9645
16	9438
17	9175
18	10467

BLOCK 6	
LOT #	SQ. FT.
1	9100.0
2	8281
3	8246
4	8263
5	8267
6	8272
7	8277
8	8328
9	8318
10	8548
11	8612
12	8319
13	8252
14	8277
15	8272
16	8267
17	8263
18	8290
19	8347
20	9100

BLOCK 7	
LOT #	SQ. FT.
1	8186
2	7800
3	7150
4	7150
5	7150
6	7800
7	8379
8	7852
9	7714
10	7737
11	7777
12	7816
13	7855
14	7940
15	7976
16	8863
17	8817
18	7881
19	7857
20	7855
21	7816
22	7777
23	7737
24	7767
25	7932
26	8379
27	7800
28	7150
29	7150
30	7150
31	7800
32	8231

BLOCK 8	
LOT #	SQ. FT.
1	8008
2	7150
3	7150
4	7150
5	7150
6	7800
7	8379
8	7923
9	8019
10	8026
11	7987
12	7947
13	7908
14	7937
15	7955
16	8840
17	8840
18	7902
19	7855
20	7908
21	7947
22	7957
23	8026
24	8078
25	7997
26	8379
27	7800
28	7150
29	7150
30	7150
31	7150
32	8440

BLOCK 9	
LOT #	SQ. FT.
1	6600
2	6600
3	6555
4	6535
5	6489
6	6439
7	6389
8	6339
9	6289
10	6249
11	6277
12	6250
13	6000
14	6000
15	6250
16	6213
17	6235
18	6235
19	6339
20	6389
21	6439
22	6489
23	6543
24	6618
25	6600
26	6600

BLOCK 10	
LOT #	SQ. FT.
1	6250
2	6250
3	6222
4	6248
5	6246
6	6243
7	6240
8	6237
9	6235
10	6233
11	6277
12	6250
13	6000
14	6000
15	6250
16	6213
17	6230
18	6235
19	6237
20	6240
21	6243
22	6246
23	6250
24	6285
25	6250
26	6250

BLOCK 11	
LOT #	SQ. FT.
1	44159
2	37169
3	32286

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	S2°15'55\"W	50.12'
L2	S7°21'33\"W	50.63'
L3	S7°19'46\"W	50.62'
L4	S2°22'21\"W	50.12'
L5	N2°22'24\"E	50.12'
L6	N8°08'38\"E	50.74'
L7	N8°22'36\"E	50.78'
L8	N2°20'40\"E	50.12'
L9	N0°40'23\"E	61.05'
L10	N8°48'43\"E	62.03'
L11	N7°46'44\"E	61.84'
L12	N0°29'08\"W	61.01'
L13	N8°04'35\"E	61.89'
L14	N8°13'20\"E	61.92'
L15	N0°56'58\"E	61.06'
L16	N0°04'21\"W	64.02'
L17	N8°36'31\"E	65.04'
L18	N7°58'10\"E	64.92'
L19	N0°25'46\"E	64.04'
L20	S1°39'56\"E	76.00'
L21	N2°53'24\"E	70.22'
L22	N6°57'26\"E	70.80'
L23	N6°04'00\"E	70.64'
L24	N0°05'29\"E	70.03'
L25	N1°39'56\"W	82.00'
L26	N1°39'56\"W	70.00'
L27	N2°30'17\"W	66.01'
L28	N1°39'56\"W	68.00'

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CH LENGTH	CH BEARING
C1	47.13	300.00	9°00'06"	47.08	N2° 50' 07"E
C2	56.87	362.00	9°00'06"	56.81	N2° 50' 07"E
C3	56.87	362.00	9°00'06"	56.81	S2° 50' 07"W
C4	47.13	300.00	9°00'06"	47.08	S2° 50' 07"W
C5	57.69	362.00	9°07'51"	57.63	S2° 54' 00"W
C6	47.81	300.00	9°07'51"	47.76	S2° 54' 00"W
C7	47.81	300.00	9°07'51"	47.76	N2° 54' 00"E
C8	57.69	362.00	9°07'51"	57.63	N2° 54' 00"E
C9	59.42	300.00	11°20'56"	59.33	N4° 00' 32"E
C10	71.70	362.00	11°20'56"	71.59	S4° 00' 32"W
C11	59.42	300.00	11°20'56"	59.33	S4° 00' 32"W
C12	71.70	362.00	11°20'56"	71.59	N4° 00' 32"E
C13	143.18	92.00	89°10'10"	129.16	S42° 55' 09"W
C14	46.69	30.00	89°10'10"	42.12	S42° 55' 09"W
C15	47.56	30.00	90°49'50"	42.73	N47° 04' 51"W
C16	145.85	92.00	90°49'50"	131.05	N47° 04' 51"W
C17	59.42	300.00	11°20'56"	59.33	N4° 00' 32"E
C18	71.70	362.00	11°20'56"	71.59	N4° 00' 32"E
C19	71.70	362.00	11°20'56"	71.59	S4° 00' 32"W
C20	59.42	300.00	11°20'56"	59.33	S4° 00' 32"W

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CH LENGTH	CH BEARING
C21	70.92	362.00	11°13'31"	70.81	S3° 56' 50"W
C22	58.78	300.00	11°13'31"	58.68	S3° 56' 50"W
C23	58.78	300.00	11°13'31"	58.68	N3° 56' 50"E
C24	70.92	362.00	11°13'31"	70.81	N3° 56' 50"E
C25	47.12	30.00	90°00'00"	42.43	N46° 39' 56"W
C26	157.08	100.00	90°00'00"	141.42	N46° 39' 56"W
C27	43.30	400.00	6°12'07"	43.28	N1° 26' 08"E
C28	50.01	462.00	6°12'07"	49.98	N1° 26' 08"E
C29	43.88	30.00	83°47'53"	40.07	N46° 26' 08"E
C30	134.55	92.00	83°47'53"	122.88	N46° 26' 08"E
C31	65.46	300.00	12°30'09"	65.33	N4° 35' 08"E
C32	82.92	380.00	12°30'09"	82.76	N4° 35' 08"E
C33	82.92	380.00	12°30'09"	82.76	S4° 35' 08"W
C34	65.46	300.00	12°30'09"	65.33	S4° 35' 08"W
C35	50.16	362.00	7°56'21"	50.12	N2° 18' 14"E
C36	6.71	362.00	1°03'45"	6.71	N6° 48' 17"E
C37	48.14	362.00	7°37'11"	48.11	S2° 08' 39"W
C38	9.55	362.00	1°30'41"	9.55	S6° 42' 35"W
C39	2.59	300.00	0°29'40"	2.59	N7° 13' 05"E
C40	45.22	300.00	8°38'11"	45.18	N2° 39' 10"E

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CH LENGTH	CH BEARING
C41	45.17	362.00	7°08'55"	45.14	N1° 54' 32"E
C42	12.52	362.00	1°58'56"	12.52	N6° 28' 27"E
C43	48.14	362.00	7°37'11"	48.11	S2° 08' 39"W
C44	23.56	362.00	3°43'45"	23.56	S7° 49' 07"W
C45	9.19	300.00	1°45'17"	9.19	N8° 48' 21"E
C46	50.23	300.00	9°35'39"	50.18	N3° 07' 53"E
C47	5.02	92.00	3°07'43"	5.02	S0° 06' 04"E
C48	60.37	92.00	37°35'40"	59.29	S20° 15' 37"W
C49	77.79	92.00	48°26'47"	75.49	S63° 16' 51"W
C50	53.19	362.00	8°25'08"	53.14	N2° 32' 38"E
C51	18.51	362.00	2°55'48"	18.51	N8° 13' 06"E
C52	30.38	300.00	5°48'06"	30.36	S6° 46' 57"W
C53	29.05	300.00	5°32'50"	29.03	S1° 06' 29"W
C54	29.03	380.00	4°22'37"	29.02	S0° 31' 22"W
C55	53.89	380.00	8°07'32"	53.85	S6° 46' 27"W
C56	29.05	300.00	5°32'50"	29.03	S1° 06' 29"W
C57	36.42	300.00	6°57'19"	36.40	S7° 21' 34"W
C58	39.98	300.00	7°38'09"	39.95	N7° 01' 09"E
C59	25.48	300.00	4°52'00"	25.47	N0° 46' 04"E
C60	57.45	380.00	8°39'44"	57.39	N6° 30' 21"E

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CH LENGTH	CH BEARING
C61	25.47	380.00	3°50'25"	25.47	N0° 15' 17"E
C62	54.26	92.00	33°47'25"	53.47	N75° 36' 04"W
C63	63.98	92.00	39°50'54"	62.70	N38° 46' 54"W
C64	27.61	92.00	17°11'31"	27.50	N10° 15' 42"W
C65	53.28	300.00	10°10'32"	53.21	N3° 25' 20"E
C66	6.14	300.00	1°10'23"	6.14	N9° 05' 48"E
C67	34.05	362.00	5°23'22"	34.04	N1° 01' 45"E
C68	37.65	362.00	5°57'34"	37.64	N6° 42' 13"E
C69	42.67	362.00	6°45'14"	42.65	S6° 18' 23"W
C70	29.03	362.00	4°35'42"	29.02	S0° 37' 55"W
C71	30.05	362.00	5°44'21"	30.04	S1° 12' 15"W
C72	29.37	300.00	5°36'35"	29.36	S6° 52' 42"W
C73	30.03	362.00	4°45'13"	30.03	S0° 42' 41"W
C74	40.89	362.00	6°28'18"	40.87	S6° 19' 26"W
C75	46.18	362.00	8°49'13"	46.14	S2° 44' 40"W
C76	12.59	300.00	2°24'19"	12.59	S8° 21' 26"W
C77	55.81	362.00	8°50'03"	55.76	N2° 45' 05"E
C78	15.11	362.00	2°23'29"	15.11	N8° 21' 51"E
C79	1.71	400.00	0°14'41"	1.71	N1° 32' 35"W
C80	41.59	400.00	5°57'26"	41.57	N1° 33' 28"E

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CH LENGTH	CH BEARING
C81	83.66	100.00	4°55'59"	81.24	N67° 41' 57" W
C82	66.42	100.00	38°03'11"	65.20	N24° 42' 22" W
C83	7.01	100.00	4°00'50"	7.00	N3° 40' 21" W
C84	12.58	462.00	1°33'35"	12.58	N0° 53' 09" W
C85	37.43	462.00	4°38'32"	37.42	N2° 12' 55" E
C86	16.74	92.00	10°25'35"	16.72	N9° 44' 59" E
C87	58.48	92.00	36°25'12"	57.50	N33° 10' 22" E
C88	59.33	300.00	36°57'06"	58.31	N69° 51' 31" E
C89	21.08	300.00	4°01'36"	21.08	N7° 32' 48" E
C90	37.69	300.00	7°11'56"	37.67	N1° 56' 02" E

LOST CREEK FIRST ADDITION

PART OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 138 NORTH, RANGE 49 WEST OF THE FIFTH
PRINCIPAL MERIDIAN TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA
A MAJOR SUBDIVISION

OWNERS DESCRIPTION AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS, That Tones, LLC, a North Dakota limited liability company, JB Real Estate Investments, LLC, a North Dakota limited liability company, 70th Avenue Development, LLC, a North Dakota limited liability company, as vendee, The City of Fargo, and Bank Forward,as Mortgage, being owners of a parcel of land located in that part of the Northwest Quarter of Section 9, Township 138 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota, being more particularly described as follows:

Beginning at the northwest corner of said Northwest Quarter; thence North 87 degrees 30 minutes 14 seconds East on an assumed bearing along the north line of said Northwest Quarter for a distance of 2637.35 feet to the northeast corner of said Northwest Quarter; thence South 01 degree 39 minutes 56 seconds East along the east line of said Northwest Quarter for a distance of 2644.47 feet to the southeast corner of said Northwest Quarter; thence South 87 degrees 35 minutes 13 seconds West along the south line of said Northwest Quarter for a distance of 585.68 feet; thence North 01 degree 39 minutes 56 seconds West for a distance of 1157.79 feet; thence South 88 degrees 20 minutes 04 seconds West for a distance of 2052.56 feet to the west line of said Northwest Quarter; thence North 01 degree 37 minutes 16 seconds West along said west line for a distance of 1456.09 feet to the point of beginning.

Said tract contains 104.84 acres, more or less, and is subject to all easements, restrictions, reservations and rights-of-way of record, if any.

Said owners have caused the above described parcel of land to be surveyed and platted as "LOST CREEK FIRST ADDITION" to the City of Fargo, Cass County, North Dakota and do hereby dedicate to the public, for public use forever, the streets, utility easements, sanitary sewer easements and storm sewer easements as shown on this plat.

OWNER: JB Real Estate Investments, LLC
Lots 5-13, Block 3; Lots 1-13, Block 4; All of Blocks 5 & 6;
Lots 3-10 & 14-31, Block 7

By: James Bullis, President

State of North Dakota }
County of Cass SS

On this ____ day of _____, in the year 2026, before me, a notary public within and for said County and State, personally appeared James Bullis, President, JB Real Estate Investments, LLC, a North Dakota limited liability company, known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that he executed the same on behalf of JB Real Estate Investments, LLC.

Notary Public

OWNER: Tones, LLC
All of Blocks 1 & 2; Lots 1-4, Block 3;
Lots 1-2 & 11-13 & 32 Block 7; All of Blocks 8, 9, 10 & 11

By: Don Dabbert, President

State of _____ }
County of _____ SS

On this ____ day of _____, in the year 2026, before me, a notary public within and for said County and State, personally appeared Don Dabbert, President, Tones, LLC, a North Dakota limited liability company, known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that they executed the same on behalf of Tones, LLC.

Notary Public

MORTGAGE HOLDER:
Bank Forward

By: Marc Knutson, Market President

State of _____ }
County of _____ SS

On this ____ day of _____, in the year 2026 before me, a notary public within and for said County and State, personally appeared Marc Knutson, Market President, Bank Forward, known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that they executed the same on behalf of Bank Forward.

Notary Public

VENDEE:
70th Avenue Development, LLC

By: James Bullis, President

State of _____ }
County of _____ SS

On this ____ day of _____, in the year 2026 before me, a notary public within and for said County and State, personally appeared James Bullis, President, 70th Avenue Development, LLC, known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that they executed the same on behalf of 70th Avenue Development, LLC.

Notary Public

OWNER: CITY OF FARGO
Lot 14, Block 4

By: Timothy J. Mahoney, Mayor Attest: Angie Bear, Deputy Auditor on behalf of City Auditor

State of North Dakota }
County of Cass SS

On this ____ day of _____, in the year 2026, before me, a notary public within and for said County and State, personally appeared Timothy J. Mahoney and Angie Bear 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 Fargo.

Notary Public

SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT

I, Shawn M. Thomasson, 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.

Shawn M. Thomasson, Professional Land Surveyor Date: _____
North Dakota License Number LS-5900

State of North Dakota }
County of Cass SS

On this ____ day of _____, 2026, before me, a notary public within and for said County and State, personally appeared Shawn M. Thomasson, Registered Professional Land Surveyor, known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that he executed the same.

Notary Public

CITY OF FARGO ENGINEERING DEPARTMENT APPROVAL

Approved by City Engineer this ____ day of _____, 2026.

Tom Knakmuhs, P.E., City Engineer

State of North Dakota }
County of Cass SS

On this ____ day of _____, in the year 2026, before me, a notary public within and for said County and State, personally appeared Tom Knakmuhs, P.E., City Engineer known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that he executed the same as City Engineer for the City of Fargo.

Notary Public

CITY OF FARGO PLANNING COMMISSION APPROVAL

Approved by the City of Fargo Planing Commission this ____ day of _____, 2026.

Maranda R. Tasa, Planning Commission Chair

State of North Dakota }
County of Cass SS

On this ____ day of _____, in the year 2026, before me, a notary public within and for said County and State, personally appeared Maranda R. Tasa, Planning Commission Chair, known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that she executed the same on behalf of the Fargo Planning Commission.

Notary Public

FARGO CITY COMMISSION APPROVAL

Approved by the Board of City Commissioners and ordered filed this ____ day of _____, 2026.

Timothy J. Mahoney, Mayor

Attest: Angie Bear, Deputy Auditor on behalf of City Auditor

State of North Dakota }
County of Cass SS

On this ____ day of _____, in the year 2026, before me, a notary public within and for said County and State, personally appeared Timothy J. Mahoney, Mayor, and Angie Bear, known to me to be the persons who are described in and who executed the foregoing instrument, and acknowledged that they executed the same ad their free act and deed on behalf of the City of Fargo.

Notary Public

LOST CREEK FIRST ADDITION
DRAFT CONDITIONAL OVERLAY FOR MR-3
APRIL 30, 2026

A. Residential Developments

1. Building Form and Style.

1.1. Principal Materials. Unless otherwise deemed acceptable by the Zoning Administrator, all exterior walls shall be constructed or clad with natural stone, synthetic stone, brick, stucco, integrally-colored and textured concrete masonry units or systems, exterior insulation finishing systems (EIFS), fiber cement, curtain walls, rainscreen systems or glass. All materials shall be commercial grade, durable, and have a multi-generational life span. Metal panel, finished wood and vinyl shall be allowed on residential structures but should not exceed 75% of the building elevation.

1.2. Dumpsters, refuse containers, and outdoor storage areas shall be located at the side or rear of buildings and shall be visually screened from adjacent public right-of-way by permanent walls. The permanent walls shall be constructed or clad with the same materials used for the primary building. Dumpsters and refuse containers shall contain permanent walls on at least three (3) sides with the service opening not directly facing any public right-of-way or residentially zoned property. The fourth side shall incorporate a metal gate to visually screen the dumpsters or refuse containers.

1.3. The cumulative total building footprint for all accessory buildings shall be a maximum of 40 percent of the primary building coverage.

1.4. No accessory buildings shall be allowed between the primary building(s) and the front or street side along public right-of-way.

1.5. Individual accessory buildings shall have a maximum length of 140 ft.

2. Site Design

2.1. A minimum of five (5) percent of the internal surface area of the parking lot shall be landscaped with plantings within planter islands and peninsulas.

2.2. Separate vehicular and pedestrian circulation systems shall be provided. Adjacent properties may share pedestrian circulation systems that connect to public sidewalks with Zoning Administrator approval. An on-site system of pedestrian walkways shall be provided between building entrances and the following:

2.1.1. Parking lots;

2.1.2. Any public sidewalk or multi-use path along the perimeter of the lot;

- 2.1.3. Any public sidewalk system along the perimeter streets adjacent to the development;
- 2.1.4. Adjacent pedestrian origins and destinations-including, but not limited to transit stops, residential development, office buildings, and retail shopping buildings-where deemed practical and appropriate by the Zoning Administrator; and
- 2.1.5. Upon approval of the Zoning Administrator, adjacent properties may share pedestrian circulation systems that connect to public sidewalks.

3. Prohibited Uses. The following uses are prohibited:

- 3.1. Off premises signage/off premises advertising
- 3.2. Portable Signs
- 3.3. Pylon Signs

4. Illegal Splits: Illegal splits will not be considered separate lots as part of the original plat.



December 15, 2025

Fargo City Planning and Development
Attn: Donald Kress
225 4th Street North
Fargo, ND 58102

RE: Lost Creek First Addition

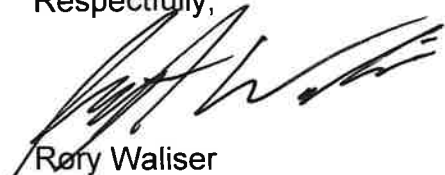
Dear Mr. Kress:

EagleRidge Companies respectfully submits this application for Lost Creek First Addition. Enclosed for your review are the following completed materials:

- Lost Creek – Master Development Narrative
- Application for Approval of Subdivision, including the following related materials:
 - Preliminary Plat
 - Title Opinion
 - Receipt of Taxes Paid
 - Legal Description
 - Acknowledgment of Special Assessments
- Application for Zoning Map Amendment, including the following related materials:
 - Title Opinion
 - Legal Description
- Check for the application fee in the amount of \$900.
- ***Amenities Plan to be submitted at a later date.*

Thank you for your time and consideration. Please do not hesitate to contact us if you have any questions or require additional information.

Respectfully,



Rory Waliser
EagleRidge Development



LOST CREEK MASTER DEVELOPMENT NARRATIVE

1. Introduction to Lost Creek

Lost Creek is the next major neighborhood in south Fargo. The master plan establishes a balanced mix of housing, parks, trail systems, and neighborhood-serving commercial nodes, all consistent with the City of Fargo's 2024 Growth Plan for Quadrant 4, Super Grid A.

Lost Creek development is proposed to be built in phases over the course of 8–10 years. The goal of this community is to deliver long-term value through housing, public greenway connections, walkability, tax base growth, and sustained construction and operating employment. This project fully supports Fargo's growth intentions to build a more urban, connected, mixed-housing neighborhood, as outlined in the Fargo Growth Plan 2024.

2. Housing Needs

Lost Creek provides a variety of housing that supports Fargo's ongoing need for attainable ownership opportunities and move-up product. The Fargo-Moorhead Housing Needs Analysis (2023) identifies three crisis-level conditions:

1. Insufficient supply vs job growth: Lost Creek delivers an estimated 1,800 homes for approximately 4,300 residents across all phases.
2. Need for entry-level + move-up ownership: Lost Creek provides a variety of lot sizes, ranging from 50' to 70' wide. This variability will provide both entry-level and move-up opportunities within the same neighborhood.
3. Growing Demand for Rental Housing: Lost Creek will provide a variety of rental housing options ranging from traditional apartments, enhanced apartments, and townhomes. This allows for a complete housing life cycle within the neighborhood.

The Lost Creek neighborhood meaningfully reduces the current housing imbalance by bringing on a smart and comprehensive housing supply over the next decade.

This distribution reflects the Urban Neighborhood intent of the Growth Plan — higher intensity uses placed along collector corridors, transitioning inward to single-family homes, while still offering choice in price point and lifestyle.

3. Integration with Regional Recreation Vision – “Lake Fargo”

Lost Creek is uniquely positioned as the southern greenway connection to the currently being constructed “Lake Fargo”. This 80-acre recreational lake and regional retention system is planned to serve 2,300 acres of future growth area located west of I-29 and south of 52nd Avenue South.

Lost Creek directly connects trails to Lake Fargo and adds additional park frontage on the channel and adjacent secondary ponds. These additions help bring to life the City of Fargo’s vision for more integrated recreational spaces. This also reflects the City’s preferred model of stormwater-linked parks and linear recreation corridors, elevating natural systems beyond utility use into daily public amenities.

4. Smart Land Planning and Efficient Infrastructure Framework.

Lost Creek applies deliberate urban-planning principals that reduce upfront infrastructure cost while lowering the City’s long-term maintenance burden.

Key efficiencies include:

- **Efficient Grid Street Network:** A connected grid minimizes total roadway and utility length per unit of housing, allowing streets, water, sewer, and storm systems to be built in straight, cost-efficient runs rather than curvilinear or cul-de-sac patterns. This design reduces construction cost, long-range snow removal hours, repair surfaces, and life-cycle maintenance costs for the City and its residents.
- **Consistent, Standardized Block Lengths:** Regular blocks improve development efficiency, simplify lot creation, and avoid irregular parcels that require excess pavement, utility jogs, or multiple access points. Predictable geometry lowers survey, grading, and future reconstruction costs for the City.
- **High-Utilization Infrastructure Through Mixed Housing Density:** Utilities, roadway capacity, and public services are shared across ±1,800 units and future 4,300 residents, increasing the return on public investment. More residents per linear foot of infrastructure means lower per-household cost exposure for the City over its life cycle.
- **Multi-Purpose Stormwater + Greenway System:** Stormwater corridors double as park and trail infrastructure, eliminating the need for separate detention ponds, trail corridors, and park nodes. This reduces both installation cost and ongoing operational maintenance for both the City of Fargo and Fargo Park District while providing a higher public amenity.

Lost Creek delivers long-term fiscal efficiency — less infrastructure per household, shared systems across density tiers, and public assets that serve multiple functions. This supports the City’s goal of growing in a cost-efficient, maintainable pattern as outlined in the Fargo Growth Plan.

5. Financial Impact

Lost Creek represents a generational scale expansion of Fargo’s housing inventory, tax base, and local economic impact. Upon completion of all phases, the neighborhood is projected to support approximately 4,300 new residents across an estimated 1,800 dwellings.

Reflecting today’s construction economics, escalated to completion, Lost Creek is projected to generate:

Economic Metric	Estimated Impact
Stabilized Taxable Valuation	≈ \$1.1 Billion
Annual Property Tax Revenue	≈ \$13.2 Million/Year
30-Year Property Tax Total	≈ \$400 Million
30-Year Local Spending Circulation	≈ \$6.3 Billion
Municipal Development Fees (Design, Permitting, Construction, etc)	≈ \$15 Million

Lost Creek has a sizeable impact on the overall financial health of the City both short term, during the development and construction, and long term through property taxes and life-cycle local spending from the 4,300 residents.

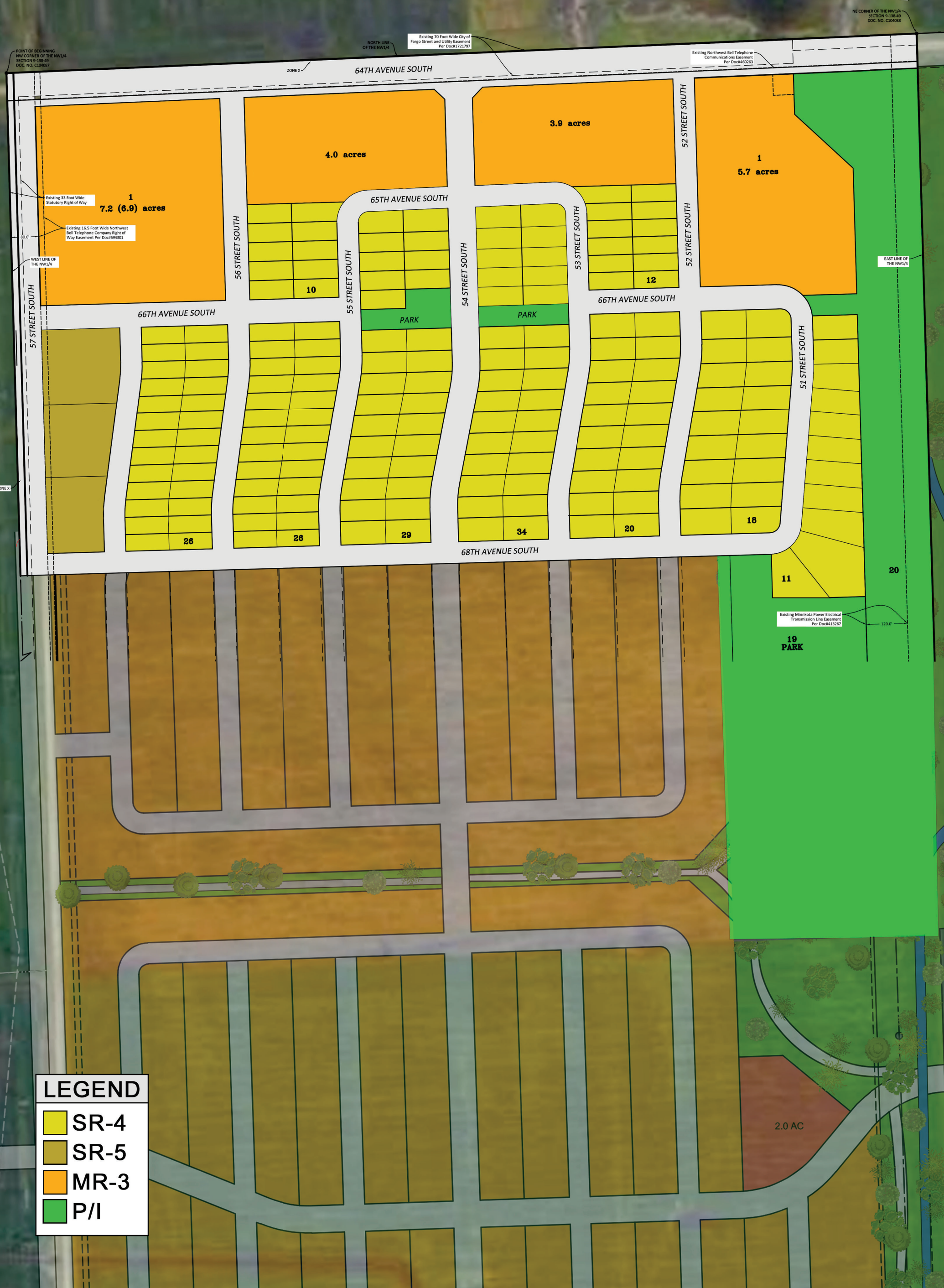
Lost Creek becomes a permanent tax base engine, not a one-cycle subdivision.

6. Conclusion – Why Lost Creek is a Win for Fargo

Lost Creek is not just another subdivision. It is a complete, thoughtfully planned neighborhood that addresses the housing needs as identified in the Fargo Moorhead Housing Study. It also aligns directly with the Fargo Growth Plan 2024. Finally, it provides a sustained positive financial impact for the City, County, State, and Park District.

Lost Creek First Addition

An EagleRidge Community



LEGEND

SR-4

SR-5

MR-3

P/I

Site Amenities and Project Plan
Lost Creek First Addition
June 15, 2026

Location: The subject property is legally referred to as Lost Creek First Addition including Lot 1 of Block 1, Lots 1-11 of Block 2, Lots 1-13 of Block 3, Lots 1-14 of Block 4, Lots 1-18 of Block 5, Lots 1-20 of Block 6, Lots 1-32 of Block 7, Lots 1-32 of Block 8, Lots 1-26 of Block 9, Lots 1-26 of Block 10, and Lots 1-3 of Block 11.

Details: The project is residential in nature and includes about One Hundred Eighty-Six (186) SR-4, single dwelling residential zoned lots, three (3) SR-5, single dwelling residential zoned lots, four (4) MR-3, multi-family dwelling residential zoned lots, and three (3) P/I, public institutional zoned lots. As approved, the project is intended to be developed as detached single family, attached single family, multi-family and public park and City lots, pursuant to the LDC.

Right of Way (ROW): The project accommodates right of way dedications for public roadways and utilities, with specific details outlined below:

64th Avenue South: This segment of roadway has been designated as a *mixed-use arterial* roadway.

- ROW dedication shall be 100 feet;
 - o Full ROW dedication for 64th Avenue South will be 200 feet, which the additional 100 feet of dedication is not required as part of this subdivision;
- 64th Avenue South is currently a gravel section, which will be required to be improved to a paved roadway as part of the public improvements to support this subdivision;
 - o The determination of whether 64th Avenue South will be initially paved as a rural asphalt section or urban concrete section will be made by the City, at its sole discretion, at a later date.
 - o If initially paved to a rural asphalt section, 64th Avenue South will need to be improved to an urban concrete section at a future date. Timeframe for the urban section, as well as future lane configurations and widths, is currently unknown and will be at the discretion of the City;
 - o If initially paved to an urban concrete section, the lane configurations, including intersection access configurations, will be made by the City, at its sole discretion.
 - o Included within the subdivision is ROW dedication for roundabouts at the intersections of Lost Creek Boulevard South and Veterans Boulevard South. Timeframe for the construction of the roundabouts is currently unknown and will be at the discretion of the City;
- Future access points to 64th Avenue South are limited to the breaks in negative access easements as shown on the plat. Access points at 52nd Street South and 55th Street South, will be limited access. These intersection configurations may be initially constructed as limited access or, as traffic volumes increase, may be reduced from a full access to a limited access. The decision of when these intersection configurations become limited access shall be at the full discretion of the City.
- 10-foot shared use paths shall be incorporated into the boulevard on the north and south sides, as required by §20.0611;
 - o Maintenance of the south boulevard and path, including and not limited to, mowing and snow removal, shall be the responsibility of the adjacent lot property owner. At no time shall the City have responsibility for the maintenance of the boulevard and path.

Veterans Boulevard South: This segment of roadway has been designated as a *mixed-use arterial* roadway.

- ROW dedication shall be 100 feet;
 - o Full ROW dedication for Veterans Boulevard will be 200 feet, which the additional 100 feet of dedication is not required as part of this subdivision;

- Veterans Boulevard is currently a gravel section, which will be required to be improved to a paved roadway as part of the public improvements to support this subdivision;
 - o The determination of whether Veterans Boulevard will be initially paved as a rural asphalt section or urban concrete section will be made by the City, at its sole discretion, at a later date.
 - o If initially paved to a rural asphalt section, Veterans Boulevard will need to be improved to an urban concrete section at a future date. Timeframe for the urban section, as well as future lane configurations and widths, is currently unknown and will be at the discretion of the City;
 - o If initially paved to an urban concrete section, the lane configurations, including intersection access configurations, will be made by the City, at its sole discretion.
 - o Included within the subdivision is ROW dedication for a roundabout at the intersection of 64th Avenue South. Timeframe for the construction of the roundabout is currently unknown and will be at the discretion of the City;
- Future access points to Veterans Boulevard South are limited to the breaks in negative access easements as shown on the plat. The access point at 66th Avenue South, will be limited access. This intersection configuration may be initially constructed as limited access or, as traffic volumes increase, may be reduced from a full access to a limited access. The decision of when this intersection configuration become limited access shall be at the full discretion of the City.
- A 10-foot shared use path shall be incorporated into the boulevard on the east, as required by §20.0611;
 - o Maintenance of the east boulevard and path, including and not limited to, mowing and snow removal, shall be the responsibility of the adjacent lot property owner. At no time shall the City have responsibility for the maintenance of the boulevard and path.

Lost Creek Boulevard South: This segment of roadway has been designated as a *residential collector* roadway.

- ROW dedication shall be 80 feet;
- Street width shall be 34 feet with parking allowed on both sides of the street;
- 4.5-foot sidewalk shall be incorporated into the east and west boulevards as required by §20.0611.

52nd Street South (64th Avenue South to 66th Avenue South), 55th Street South (64th Avenue South to 66th Avenue South), 56th Street South (66th Avenue South to 68th Avenue South), and 66th Avenue South: These segments of roadway have been designated as a *residential neighborhood* roadway.

- ROW dedication shall be 70 feet;
- Street width shall be 32 feet with parking allowed on both sides of the street;
- 4.5-foot sidewalks shall be incorporated into the boulevards as required by §20.0611 unless.

Creekside Boulevard South, 52nd Street South (66th Avenue South to 68th Avenue South), 53rd Street South, 54th Street South, 55th Street South (66th Avenue South to 68th Avenue South), 65th Avenue South, and 68th Avenue South. These segments of roadway have been designated as a *residential neighborhood* roadway.

- ROW dedication shall be 62 feet.
- Street width shall be 28 feet with parking allowed on one side of the street.
- 4.5-foot sidewalks shall be incorporated into the boulevards as required by §20.0611 unless noted below;

- 8-foot shared use path shall be incorporated into the south boulevard of 68th Avenue South. This trail shall be continuous between Veterans Boulevard South and Lot 13, Block 4.

Other:

- Street lighting shall be determined by the City Engineering Department and installed per City standards;
- The placement of group mailboxes and parking signs (as applicable) will be coordinated with the Developer and the City of Fargo Engineering Department. These locations shall be determined and agreed upon prior to construction of any public improvements.

Storm Water Management: Lost Creek First Addition is located within the service area of the Southwest Regional Metro Storm Water Pond (SW Metro Pond). As such, the SW Metro Pond has been designed to meet the current City of Fargo's Policy on Storm Water Discharge and Treatment requirements and provides the required storm water quantity and quality for Lost Creek First Addition. No further on-site storm water facilities will be required if land uses stay consistent with the proposed zoning of Lost Creek First Addition.

Stormwater runoff from Lost Creek First Addition will be routed into the previously constructed stormwater channel within Lot 14, Block 4.

Lot 1, Block 4 will be required to direct all storm water runoff to the storm water channel located immediately east of the lot, within Lot 14, Block 4. The Developer will be allowed one storm water outfall from the lot. No storm water runoff from Lot 1, Block 4 will be allowed to discharge into the 52nd Street South, 64th Avenue South, or 66th Avenue South storm sewer systems. Prior to any site plan approval and any connection from Lot 1, Block 4 to the storm water channel, the Developer and City must enter into a separate sewer easement.

Floodplain Management: Portions of Lost Creek First Addition are located within the existing FEMA Floodplain. It is acknowledged by the Developer that construction of structures shall comply with the City of Fargo's Floodproofing Construction Requirements when applicable, including removing any structure from the FEMA Special Flood Hazard Area by a Letter of Map Revision via fill.

Water Supply: Potable water shall be provided by Cass Rural Water District.

Engineering and Construction Improvements: The Developer shall rely upon and collaborate with the City of Fargo Engineering Department on the design and construction of all public improvements.

- As part of the initial public improvements project, the design and construction of a 10-foot-wide shared use path on the west side of the existing storm water channel within Lot 14, Block 4 shall be included.
- The cities of Fargo and Horace are developed a Memorandum of Understanding (MOU) for Veterans Boulevard. This MOU must be approved by both cities prior to any public improvements being requested and constructed.
- The Developer acknowledges that all applicable City utility fees, including but not limited to the Storm Sewer Utility Fee, shall commence on all platted lots within Lost Creek First Addition, regardless of zoning designation, upon substantial completion of the Developer requested infrastructure.

Funding of Improvements: The following shall apply respective to the public improvements to serve Lost Creek First Addition:

- Public improvements shall be funded per the City's Infrastructure Funding Policy, which may include assessment to the benefitting properties or funding by the Developer.
- Developer shall submit an infrastructure request indicating the preferred funding method, which will be presented to the Fargo City Commission for consideration and determination of the funding to be utilized.

Park Dedication: Lost Creek First Addition shall include the dedication of Lot 13 Block 4; to the Fargo Park District. The total area of this dedication is estimated at approximately 9.91 acres. The final dedicated acreage and any applicable cash dedication requirements shall be coordinated directly with the Fargo Park District. The developer may convey this lot to the Fargo Park District by separate deed following subdivision plat recordation.

The Developer acknowledges that the dedicated park lot is anticipated to extend south in the future and connect to the east-west residential collector contemplated in the overall Master Plan.

The Developer shall not be responsible for any park land dedication or cash dedication requirements associated with the platting or development of Lot 13, Block 4.

This Amenities Plan is hereby approved.

James Bullis, Owner
JB Real Estate Investments, LLC
Owner: Lots 5-13, Block 3; Lots 1-13, Block 4; All
of Blocks 5 & 6; and Lots 3-10 & 14-31, Block 7

date

Donald Dabbert Jr., President
Tones, LLC
Owner: All of Blocks 1 & 2; Lots 1-4, Block 3; Lots
1-2 & 11-13, Block 7; All of Blocks 8, 9, 10 & 11

date

Tom Knakmuhs, City Engineer

date

Developer Agreement

This Agreement, made and entered into between JB Real Estate Investments, LLC, a North Dakota limited liability company (“Developer”) and the City of Fargo, a municipal corporation (“City”), is for the purpose of establishing public infrastructure for the property identified below and legally described on the attached Exhibit A (the “Development Property”). For good and valuable consideration hereby acknowledged, the parties agree as follows:

1. Developer holds all right, title and interest in the Development Property, ~~known as Lots 5-13, Block 3; Lots 1-13, Block 4; all of Blocks 5 and 6; and Lots 3-10 and 14-31, Block 7 of Lost Creek First Addition in the City of Fargo, Cass County, North Dakota. Developer intends to develop the Development Property.~~
2. Developer will make a request for local infrastructure for the Development Property (“Initial Project”) and agreed to waive the protest of any resolutions of necessity for the infrastructure and improvements for which such resolutions are required pursuant to North Dakota Century Code, Section 40-22-17, and waived its right to protest the amount, benefit, or any other assessment attribute related to the installation and construction of the initial infrastructure. The funding of this initial request for infrastructure will follow the City’s Infrastructure Funding Policy in effect at the time of creation of the Initial Project, which may include assessment to the benefiting properties or funding by the Developer. The Developer shall submit an infrastructure request indicating the preferred funding method, which will be presented to the Fargo City Commission for consideration and determination of the funding method to be utilized just like the Developer has been doing for the last 25 years.
- ~~3. Veterans Boulevard is currently a gravel surface from 64th Avenue South to 76th Avenue South. To support the Development Property, the City will improve Veterans Boulevard to a paved surface prior to or in conjunction with the Initial Project. The City shall have the sole discretion to decide whether Veterans Boulevard will initially~~

~~be improved to a rural asphalt section or urban concrete section, with such decision to be made by the City at a later date and which may occur after recordation of this Agreement. If City determines to initially improve Veterans Boulevard to a rural asphalt section ("Future Arterial Project #1A"), the City will, at a future date to be determined by City, improve Veterans Boulevard from a rural asphalt section to an urban concrete section ("Future Arterial Project #1B"). The timeframe for these improvements, as well as lane configurations and widths, shall be determined at the sole discretion of the City. Regardless of whether the City determines to initially construct Future Arterial Project #1A or #1B, the Developer hereby expressly agrees that it will not protest and waives the right to protest the future construction of Future Arterial Project #1A or #1B, as applicable. The funding of these future improvements will follow the City's Infrastructure Policy in effect at the time of creation of the improvement district for the projects.~~

3.

4. 64th Avenue South is currently a gravel surface from 45th Street South to Veterans Boulevard. To support the Development Property, the City will improve 64th Avenue South to a rural section paved surface prior to or in conjunction with the Initial Project. ~~The City shall have the sole discretion to decide whether 64th Avenue South will initially be improved to a rural asphalt section or urban concrete section, with such decision to be made by the City at a later date and which may occur after recordation of this Agreement. If City determines to initially improve 64th Avenue South to a rural asphalt section ("Future Arterial Project #2A"), the City may will, at a future date to be determined by City, improve 64th Avenue South from a rural asphalt section to an urban concrete section ("Future Arterial Project #2B"). The timeframe for these improvements, as well as lane configurations and widths, shall be determined at the sole discretion of the City. Regardless of whether the City determines to initially construct Future Arterial Project #2A or #2B, the Developer hereby expressly agrees that it will not protest and waives the right to protest the future construction of Future Arterial Project #2A or #2B, as applicable.~~ The funding of these future improvements will follow the City's Infrastructure Policy in effect at the time of creation of the improvement district for the projects.

5. At the time of this Agreement, no determination has yet been made by the City as to whether it will initially construct other fFuture Aarterial pProjects, and the Developer acknowledges that access to the Development Property will be limited. #1A or #1B, and whether it will initially construct Future Arterial Project #2A or #2B. Additionally, no determination has yet been made regarding the funding of the Initial Project for the Development Property (i.e., Developer funded, special assessments, or a combination of both).

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- a. If the Initial Project will be funded through special assessments or a combination of Developer funded and special assessments, then the following terms shall govern:
- ~~i. The City and the Developer will work together just like they have for the last 25 years shall have sole discretion~~ to determine the scope, timing, and scale of the projects, including whether to combine or separate the Initial Project and the arterial roadway projects. ~~If the City determines to complete the construction in two or more projects, then the City shall have sole discretion on the timing of when the projects are constructed, which projects will be constructed together or separately, and the timing of the projects.~~
 - ~~ii.i. The parties hereby acknowledge and agree that the City's determinations regarding the scope, timing, and scale of the projects could result in 64th Avenue South and/or Veterans Boulevard being constructed in one calendar year and the Initial Project for the Development Property being constructed in a later calendar year.~~
- b. ~~If the Initial Project will be funded through the Developer, then the following terms shall govern:~~
- ~~i. Developer hereby acknowledges and agrees that it will not be able to utilize public right of way consisting of 64th Avenue South and/or Veterans Boulevard to access the Development Property prior to and while those arterial roadways are under construction.~~
 - ~~ii. Developer hereby acknowledges and agrees that it will not be permitted to begin construction of the Initial Project within the Development Property until, at a minimum, the City has completed the design, bid, and award of the contracts for improving 64th Avenue South and Veterans Boulevard to a paved surface, as well as the construction of the sanitary sewer lift station to serve the surrounding area, which includes the Development Property. As a result, Developer acknowledges and agrees that it may be unable to construct the Initial Project in the same calendar year as construction of 64th Avenue South and/or Veterans Boulevard.~~
 - ~~iii. The City will not issue any building permits for projects or properties within the Development Property until (a) the construction of improving 64th Avenue South and Veterans Boulevard to pavement as described herein is substantially completed (b) the City's sanitary lift station projects benefiting the Development Property are substantially completed and (c) any other conditions typically required for issuance of building permits are satisfied.~~

6. If the City initially constructs ~~a rural asphalt roadway~~Future Arterial Project #1A as to Veterans Boulevard and/or ~~a rural asphalt roadway~~Future Arterial Project #2A as to 64th Avenue South, then the Developer, for the portion of the Development Property zoned as “MR – Multi-Dwelling Residential” described as Lot 1, Block 4 of Lost Creek First Addition (the “MR Zoned Parcel”), hereby waives its right to protest the resolution(s) of necessity for the infrastructure and improvements for which such resolutions are required pursuant to North Dakota Century Code, Section 40-22-17, and specifically consents to the future construction of the aforementioned improvements~~Future Arterial Project #1B and Future Arterial Project #2B~~, and to the assessment of the costs thereof to the MR Zoned Parcel all in accordance with the City policy for assessment of improvements in force at the time the improvements are bid and awarded. ~~Developer further waives its right to protest the amount, benefit, or any other assessment attribute related to the installation and construction of the Future Arterial Project #1B and Future Arterial Project #2B. The project costs, which may be assessed against the MR Zoned Parcel, and in accordance with the City’s Infrastructure Funding Policy in effect at the time of creation of the improvement district, shall include the costs of completing the construction of the Future Arterial Project #1B and Future Arterial Project #2B. If, however, the City initially constructs either 64th Avenue South and/or Veterans Boulevard as an urban concrete section then this provision shall no longer apply to that specific arterial roadway initially constructed as urban concrete sections.~~
7. LOMR and Flood Proof Foundations. City and Developer, in recognition of the over \$4 billion dollars spent by taxpayers on flood protection, and the likelihood that the Diversion Project will be complete and certified shortly after installation of the Initial Project agree that the Development Property will not require a LOMR, and further that while flood proof foundations will be encouraged, they will not be required for residential structures located within the Development Property.~~Developer hereby acknowledges and agrees that no infrastructure may be constructed or installed in support of Lost Creek First Addition until the City enters a Memorandum of Understanding with the City of Horace pertaining to the construction and long term maintenance roles and responsibilities for Veterans Boulevard. Developer is aware the City is in the process of negotiating such Memorandum of Understanding but the City has made no representations or commitments to Developer as to when such Memorandum of Understanding will be approved and entered.~~
8. Developer agrees that access points to 64th Avenue South at 52nd Street and 55th Street will initially allow all turning movements at those intersections until traffic volumes necessitate turning movements to become limited. The decision on when the alteration

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of the turning movements at these intersections are necessary shall be at the sole discretion of the City.

9. Developer agrees that the access point to Veterans Boulevard at 66th Avenue South will initially allow all turning movements at the intersections until traffic volumes necessitate turning movements to become limited. The decision on when the alteration of the turning movements at this intersection is necessary shall be at the sole discretion of the City.
10. Developer shall be required to direct discharge of the storm water runoff of the MR Zoned Parcel of the Development Property into the storm water channel consisting of Lot 14, Block 4 of the Lost Creek First Addition, which is located immediately to the east of MR Zoned Parcel. The City will allow one storm water outfall/connection from the MR Zoned Parcel of the Development Property into the storm water channel. Developer shall not discharge any storm water from the MR Zoned Parcel onto 52nd Street South, 64th Avenue South or 66th Avenue South. Before Developer shall be permitted to make any connection from the MR Zoned Parcel of the Development Property into the storm water channel, Developer and City must enter a separate storm sewer easement, which the parties will negotiate in good faith.
11. This Agreement shall be binding upon the respective successors and assigns of the parties hereto, including a purchaser of any portion of the Development Property. ~~Developer agrees to inform any purchasers of the Development Property of the existence and context of this Agreement. Developer also hereby agrees to notify the City no later than ten (10) days prior to an assignment or sale of the Development Property.~~
12. The parties hereby agree that this Agreement may be recorded against the Development Property.
13. This Agreement will be construed and enforced in accordance with North Dakota law. The parties agree any litigation arising out of this Agreement will be venued in District Court in Cass County, North Dakota, and the parties waive any objection to personal jurisdiction.
14. The failure or delay of a party to insist on the performance of any of the terms of this Agreement, or the waiver of any breach of any of the terms of this Agreement, will not be construed as a waiver by that party of those terms, and those terms will continue and remain in full force and effect as if no forbearance or waiver had occurred and will not

Commented [JB1]: This agreement is in recordable form. Any future owners will be informed consistent with the ND Title Standards

affect the validity of this Agreement, or the right of the party to enforce each and every term of this Agreement.

15. If any court of competent jurisdiction finds any provision or part of this Agreement is invalid, illegal, or unenforceable, that portion will be deemed severed from this Agreement, and all remaining terms and provisions of this Agreement will remain binding and enforceable, and the parties' obligations under this Agreement will remain binding and enforceable.
16. This Agreement, together with any related documents, as well as any amendments to those agreements and documents, constitutes the entire agreement between the parties regarding the matters described in this Agreement.
17. Any modifications or amendments of this Agreement must be in writing and signed by both parties to this Agreement.

Developer

JB Real Estate Investments, LLC

Dated: _____

By: James Bullis

Its: President

STATE OF NORTH DAKOTA)
) ss.
COUNTY OF CASS)

On this ____ day of _____, 2026, before me, a notary public in and for said county and state, personally appeared James Bullis, an authorized signatory of JB Real Estate Investments, LLC, the person described in and that executed the within and foregoing instrument, and acknowledged to me that said person executed the same.

(SEAL)

Notary Public
Cass County, ND
My Commission expires:

City of Fargo, a municipal corporation

Dated: _____

Timothy J. Mahoney, Mayor

ATTEST

Angie Bear, Deputy Auditor
on behalf of City Auditor

STATE OF NORTH DAKOTA)
) ss.
COUNTY OF CASS)

On this ____ day of _____, 2026, before me, a notary public in and for said county and state, personally appeared TIMOTHY J. MAHONEY and ANGIE BEAR, to me known to be the Mayor and Deputy Auditor, respectively, of the City of Fargo, Cass County, North Dakota, the municipal corporation described in and that executed the within and foregoing instrument, and acknowledged to me that said municipal corporation executed the same.

Notary Public
Cass County, ND
My Commission expires:

(SEAL)

Exhibit A- Development Property

Lots 5-13, Block 3 of Lost Creek First Addition in the City of Fargo, Cass County, North Dakota

Lots 1-13, Block 4 of Lost Creek First Addition in the City of Fargo, Cass County, North Dakota

All of Block 5 of Lost Creek First Addition in the City of Fargo, Cass County, North Dakota

All of Block 6 of Lost Creek First Addition in the City of Fargo, Cass County, North Dakota

Lots 3-10 and 14-31, Block 7 of Lost Creek First Addition in the City of Fargo, Cass County, North Dakota



Monday, April 27, 2006

Fargo City Commission

225 4th Street North

Fargo, ND 58102

Dear Members of the Fargo City Commission:

West Fargo Public Schools respectfully submits this letter in advance of the City of Fargo's upcoming commission meeting regarding the proposed Lost Creek 1st Addition that is currently under review. This correspondence is not intended to express support for or opposition to the proposed development. Rather, it is intended to provide information regarding school district capacity and facility planning considerations that may be relevant as the City evaluates the pace and timing of future residential growth.

West Fargo Public Schools serve students residing in multiple communities, including areas within the City of Fargo. As the district plans for continued enrollment growth, school capacity must be aligned with long-range facility planning, voter authorization, and the time required to design and construct additional learning space.

For our most recent bond referendum in February 2025, the school district identified three separate questions. Question 2 including a new elementary school, among other projects, anticipated to be needed in 6 to 10 years. Unfortunately, that question fell short of the required 60% supermajority and failed.

As a result of the bond election, the school district does not have voter-approved funding to construct an additional elementary school. As a result, the district must continue to manage growth within existing elementary capacity unless and until additional planning, community support, and funding are secured.

Given these conditions, West Fargo Public Schools request that the City carefully consider the pace of any near-term development in this area. The district's concern is not with development itself, but with whether residential growth may proceed more quickly than current school capacity and approved facility planning can reasonably support. Additional master planning, including continued coordination among the city, developers, and the school district, would help ensure that future growth is aligned with available school infrastructure and the educational needs of incoming families.

Thank you for your consideration of these planning factors and for your continued partnership in supporting thoughtful, sustainable community growth.

Sincerely,

Liz Mackowick

Business Manager

West Fargo Public Schools



Lost Creek – Phase 1

Why is this getting a denial recommendation: This isn't a zoning or land use issue. The plan lines up with the Growth Plan and what this area is intended to be. The concern being raised is timing and the City's capacity — not the project itself.

Why is it critical that this be approved right now: New developments take a long time to go from a plan to homes! Even if this moves forward today, you're looking at:

- 08/2025: First City Meeting
- 08/2026: Tentative Entitlement Approvals
- 2027/2028: Lot Construction
- Late 2028 / 2029: First Residents moving into Lost Creek

Decisions today don't impact today; they impact what housing looks like 2 to 4 years from now.

How many homes does Fargo build a year: Fargo has averaged about 360 single-family starts per year.

How many lots are coming without this neighborhood:

- Selkirk (final phase): ~130 lots (likely 2027)
- Covey Ranch: ~140 lots (mostly 40' product). This project still needs to be formally approved by City Commission.

270 Lots! That Fargo's housing pipeline right now; 130 lots for sure and a MAYBE on 140 more. That is less than 1 years' worth of inventory!!!

Why this neighborhood in this location: This is exactly where the City has been planning and investing growth:

- Super Grid A
- In line with the new Growth Plan
- Tied to the FM Diversion timing

The City has already put a lot into this corridor — roughly \$80M between Lake Fargo, 45th St / 64th Ave improvements, and the future 64th & I-29 interchange.

What this project adds:

- 186 single-family lots (mix of 50', 60', 70')
- Townhomes and multifamily
- 10+ acre park and trail connections

It's a full neighborhood, not just one product type.

The real question: If this doesn't move forward — where are the next 300+ lots coming from, and when? Right now, there isn't a clear answer.

Bottom line: This project fits the plan. The risk isn't doing it; it's not having enough ready when the market needs it. This is really a 2029 supply decision, not a 2026 one.