



City of Grand Forks  
 Staff Report  
 Planning & Zoning Commission – July 9, 2025  
 City Council – July 21, 2025

**APPROVED & ACCEPTED**  
*by City Council*  
*Maureen Storstad*  
 07/21/2025  
 Maureen Storstad  
 City Auditor

<b>Item 4-3 (Preliminary) - Rezone Request</b>	
<b>Title:</b> Ordinance to amend zoning map to rezone from Greenberg PUD Amendment 4 to Greenberg PUD Amendment 5 – rezone from PUD Commercial (B-3) uses to PUD Light Commercial (B-1) uses	
<b>Location:</b> 3810, 3851, 3900, 3950, and 3951 39th Avenue South	
<b>Current Legal Description:</b> Lots 1, 2, 3, 6, & 7, Block 1, Columbia Park 32 <sup>nd</sup> Addition	
<b>Proposed Legal Description:</b> No change	
<b>Applicant:</b> Curtis Regan, Dakota Commercial	<b>Owner:</b> Greenberg Family Consolidated LP
<b>Prepared By:</b> Sierra Johnson, Planner	<b>Submitted By:</b> Ryan Brooks, Director of Planning & Community Development
<b>Purpose:</b> Rezone from PUD Commercial (B-3) uses to PUD Light Commercial (B-1) uses in order to develop as multi-family residential.	

<b>Staff Recommendation</b>
<b>Staff recommends approval of the ordinance to amend the zoning map to rezone from Greenberg PUD (Planned Unit Development) Amendment 4 to Greenberg PUD PUD Amendment 5, subject to conditions as shown on PUD map, located at 3810, 3851, 3900, 3950, and 3951 39th Avenue South. Recommend City Council grant approval and set public hearing for August 18, 2025.</b>

<b>Application Status</b>
<b>July 9, 2025 – Planning and Zoning Commission Recommended Action:</b> Motion by Sande, second by Reichert for approval of staff recommendation. Motion carried unanimously.
<b>July 21, 2025 – City Council Action:</b> Motion by Berg, second by Weigel to approve on consent agenda. Motion passed unanimously.
<b>August 6, 2025 (Public Hearing) - Planning and Zoning Commission Recommended Action:</b>
<b>August 18, 2025 (Public Hearing) – City Council Action:</b>

<b>Existing</b>	<b>Proposed</b>
<b>Land Use:</b> Vacant, undeveloped land	<b>Land Use:</b> Multi-family residential
<b>Zoning:</b> Greenberg PUD Amend. 4 – B-3 uses	<b>Zoning:</b> Greenberg PUD Amend 5 – B-1 uses
<b>Uses Permitted:</b> All uses permitted in B-3 district	<b>Uses Permitted:</b> All uses permitted in B-1 district, including R-4 uses

### Context

**Adjacent Zoning Districts:** Greenberg PUD – pond (north), multi-family R-4 (east), commercial B-3 (east), JR's PUD – ag uses (south), Columbia Park West PUD – B-3+ uses (west)

**Adjacent Streets:** 39<sup>th</sup> Ave S, S 38<sup>th</sup> St

**Adjacent Bike/Ped Facilities:** off road shared use path along S 38<sup>th</sup> St

**Adjacent CAT Routes:** None.

### Consistency with 2050 Land Use Plan

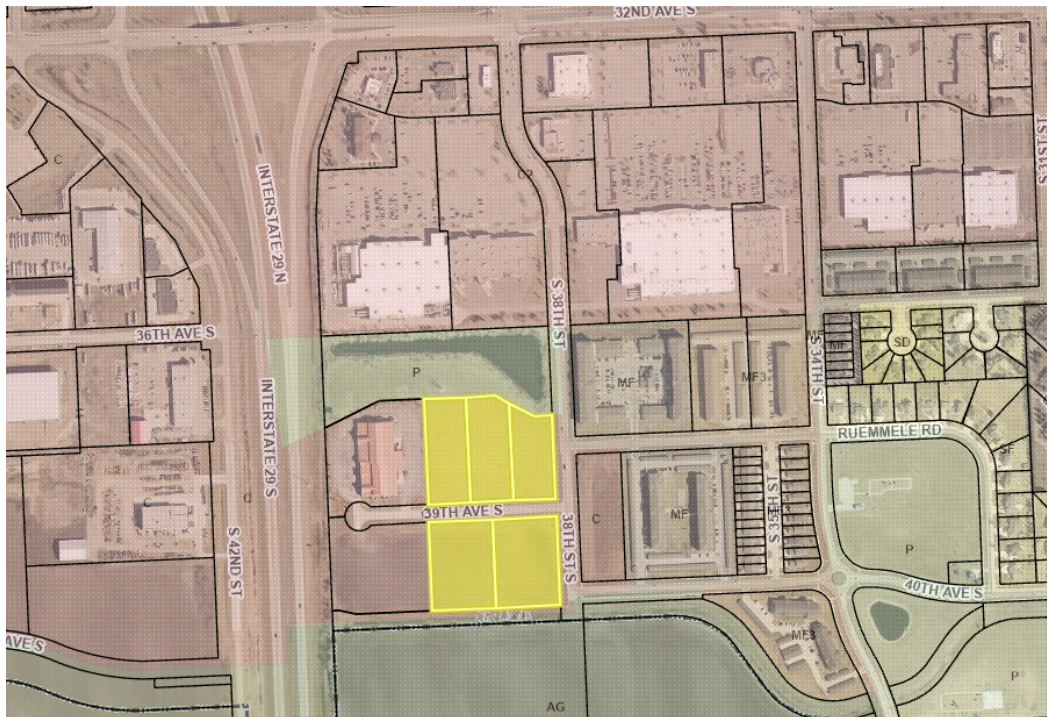
Request and proposed land use aligns with the following:

- Housing Goal 1, Objective A: "Increase a well-maintained mix of housing opportunities to provide for the full spectrum of existing and potential residents."

### Background and Discussion

This request is to rezone the currently vacant, undeveloped lots located south of Lowes development on 32<sup>nd</sup> Ave S and east of I-29, at 3810, 3851, 3900, 3950, and 3951 39<sup>th</sup> Avenue South. The PUD amendment proposes to change the allowable uses from PUD Commercial (B-3) type uses to PUD Light Commercial (B-1) type uses. The intent is to develop the properties as multi-family residential, while allowing the possibility to include B-1 uses (limited commercial or offices) if desired.

Light Commercial or B-1 underlying zoning district allows both multi-family residential uses and limited commercial uses that are primarily office in nature with retail prohibited. If the area were to remain B-3, any residential development would be required to be pushed up upper floors only, with a wider range of commercial uses on main floor. Limiting the commercial opportunities and permitting multi-family through out a whole complex is a great transition between the B-3 uses along the interstate and the existing multi-family and residential neighborhood to the east of S 38<sup>th</sup> St.



### Affordable / Workforce Housing Parking Reduction Request

The PUD is requesting an alternative parking count for affordable housing types. Zoning must be in place for the owners to seek state tax credits and funding opportunities for affordable housing, in this case the intent is to pursue credits for 80% of Area Median Income. Rents for those project types are

provided below.

**North Dakota Housing Incentive Fund**  
**80% Maximum Income with 50% Maximum Rent Limits**  
**Limits Effective as of: 04/01/2025**

	Maximum Income Limits								Maximum Rent Limits				
	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person	Efficiency	1 BR	2 BR	3 BR	4 BR
Grand Forks	58480	66880	75200	83520	90240	96960	103600	110320	913	979	1175	1357	1515

View Grand Forks recent [Consolidate Plan Presentation, which included housing needs here.](#)

Surface Parking is averaging approximately \$7500/stall for concrete only. Add on top of that infrastructure for storm water/cleaning requirements, add more if a pond is required. All of which inflates overall housing costs. Parking subcommittee is currently reviewing parking counts and is working towards reduction recommendations to try to reduce project costs while still meeting parking demands.

National studies, including the International Transportation Engineering Parking Generation Manual, show that affordable housing multi-family projects have a reduced parking demand than traditional market rate properties. ITE recommends projects have a utilization rate of 1.4 stalls per unit overall, and with that rate, expect average occupancy rate to be 75%.

Staff recommended the following to the developer based on the ITE recommendations, who concurred, and proposed the following requirements per bedroom.

Proposed Parking Reduction for Affordable Housing Projects Only:

- 1 Bed - 1 stall per unit (current code is 2/unit)
- 2 Bed - 1.75 stalls per unit (current code is 2.25/unit)
- 3 Bed - 2 stalls per unit (current code is 1/bedroom)

The overall rate of the above, comes out to be 1.5 stalls overall, more than what ITE recommends for these types of housing projects.

To be deemed affordable housing and qualify to utilize the reduction proposed, the property must be income restricted. Traditional market-rate properties are to follow the full current parking requirement standards.

Staff is recommending approval of the rezoning request and the recommended parking reduction for affordable housing projects.

### **Findings of Fact**

- Rezone is requested to change allowable uses from PUD Commercial (B-3) type uses to PUD Light Commercial (B-1) type uses, which permits multi-family residential as well as limited commercial uses.
- PUD Amendment is requesting reduced parking requirements specifically for affordable housing projects to help lower the cost of housing.
- Affordable Housing projects are deemed to be those with income restrictions. Market-rate properties are to follow full current parking requirements.
- Recent Consolidated Plan study indicates strong need in Grand Forks for affordable housing project opportunities.
- Rezoning requires two actions by both the Planning and Zoning Commission and the City Council.
- Final Action by City Council requires super majority approval.

### **Attachments**

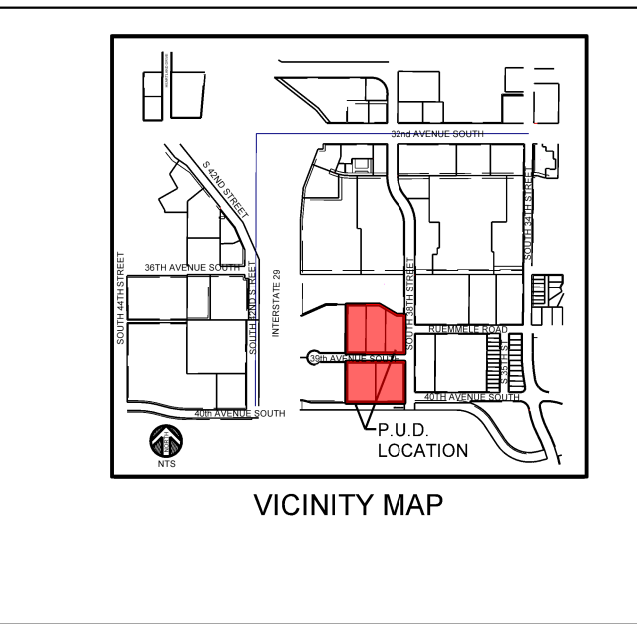
- [November 4, 2024 – City Council Consolidated Plan Presentation with housing needs](#)
- Greenberg PUD Amendment No. 5 Map
- Rezoning Ordinance



**LEGEND**

- P.U.D. BOUNDARY
- EXISTING LOT LINE
- EASEMENT LINE
- AMENDMENT NO. 5

0 70 140  
Scale in Feet



**LEGAL DESCRIPTION:** Columbia Park 32nd Addition

**GREENBERG P.U.D. Concept Development Plan AMENDMENT NO. 5**

**DATA SUMMARY CHART**

PARCEL NUMBER	URBAN LAND USE	ACREAGE (NET)	RESIDENCE UNIT / ACRE	MAX. NO. OF RES. UNITS	COMMENTS
3810	B-1	1.73	-	-	AMMENDMENT NO. 5
3900	B-1	2.04	-	-	AMMENDMENT NO. 5
3950	B-1	2.07	-	-	AMMENDMENT NO. 5
3951	B-1	2.61	-	-	AMMENDMENT NO. 5
3851	B-1	2.63	-	-	AMMENDMENT NO. 5

- NOTES:**
- All of the bufferyards in the Greenberg PUD shall be the standard bufferyards found in the Grand Forks Land Development Code, unless otherwise noted on the concept development plan.
  - Zoning regulations shall be consistent with zoning classifications corresponding to the nearest conventional zone found in the Grand Forks Land Development Code, unless stated otherwise.
  - Future land and block designations shall conform to sub-area numbers when practical.
  - Final approval of a Planned Unit Development Project - As per Grand Forks Code Section 18-0223.
  - Sign regulations, parking regulations and additional requirements, exceptions and modifications shall generally conform to Article 3, of the Land Development Code.
  - Off street parking requirements for B-1 shall follow the Land Development Code with the exception of the following:  
  
**MULTI-FAMILY AFFORDABLE HOUSING:**  
 1 BED - 1 STALL / UNIT  
 2 BEDS - 1.75 STALLS / UNIT  
 3 BED - 2 STALLS / UNIT

**AMENDMENT NO. 5**  
 REVISES LOTS 1-3 AND LOTS 6-7 BLOCK 1 OF COLUMBIA PARK 32ND ADDITION FROM B-3 TYPE USES TO B-1 TYPE USES

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DRAWN BY: RAB  
 CHECKED BY: DRF

DATE	REV#	REVISIONS DESCRIPTION

ORDINANCE NO. \_\_\_\_\_

An ordinance to amend the zoning map to rezone and exclude from the Greenberg PUD (Planned Unit Development), Concept Development Plan, Amendment No. 4, and to **include within the Greenberg PUD (Planned Unit Development), Concept Plan, Amendment No. 5**, All of Columbia Park 27<sup>th</sup> Addition, Columbia Park 32<sup>nd</sup> Addition, and Kiwanis Park Resubdivision to the City of Grand Forks, North Dakota.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND FORKS, NORTH DAKOTA, PURSUANT TO ITS HOME RULE CHARTER THAT:

Section 1. Amending Clause

The Zoning Map of the City of Grand Forks, established by Section 18-0205(2), of the Grand Forks City Code of 1987, as amended, is hereby amended as follows:

To rezone and exclude from the Greenberg PUD (Planned Unit Development), Concept Development Plan, Amendment No. 4, and to **include within the Greenberg PUD (Planned Unit Development), Concept Development Plan, Amendment No. 5**, All of Columbia Park 27<sup>th</sup> Addition, Columbia Park 32<sup>nd</sup> Addition, and Kiwanis Park Resubdivision.

ALL CONDITIONS AND REGULATIONS RELATING THERETO ARE PRESCRIBED IN 18-0223 OF THE GRAND FORKS CITY CODE AND FUTURE AMENDMENTS THERETO, TOGETHER WITH THE ATTACHED/APPROVED MAP AND CONDITIONS **Greenberg PUD (Planned Unit Development), Concept Development Plan, Amendment No. 5** OF THE DESCRIBED DISTRICT AREA.

Section 2. Effectivity

This ordinance shall be in full force and effect after its passage and approval as provided by law.

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Brandon Bochenski, Mayor

ATTEST:

\_\_\_\_\_  
Maureen Storstad, City Auditor

Introduction and first reading: 07/21/2025

Public Hearing:

Second Reading and final passage:

Approved:

Published: Not required by law.