

FARGO PLANNING COMMISSION AGENDA
Tuesday, March 5, 2019 at 3:00 p.m.

- A: Approve Order of Agenda
- B: Minutes: Regular Meeting of February 5, 2019
- C: Brown Bag Luncheon – To Be Determined
- D: Public Hearing Items:
1. Continued hearing on an application requesting an Institutional Master Plan within a portion of the boundaries of the pending **NSC Addition** on the unplatted portion of land in the Northwest Quarter and the Northwest Quarter of the Southwest Quarter of Section 10, Township 140 North, Range 49 West of the 5th Principal Meridian, Cass County, North Dakota. (Located at 6101 45th Street North) (City of Fargo/Fargo Park District) (me)
 2. Continued hearing on an application requesting a Plat of **Prairie Farms Second Addition** (Minor Subdivision) a replat of Lots 1-3, Block 4, Prairie Farms Addition, City of Fargo, Cass County, North Dakota. (Located at 6059, 6069, and 6087 Prairie Grove Court South) (Bronson Mathiason/Prairie Grove Inc. and Dietrich Homes Inc.) (an)
 - 3a. Continued hearing on an application requesting a Zoning Change from SR-2, Single-Dwelling Residential to SR-4, Single-Dwelling Residential on the proposed **Timber Creek Ninth Addition**. (Located at 4726, 4736, 4746, 4756, 4766, 4776, and 4786 34th Street South) (Nate Vollmuth/PLC Investments) (dk): CONTINUED TO APRIL 2, 2019
 - 3b. Continued hearing on an application requesting a Plat of **Timber Creek Ninth Addition** (Minor Subdivision) a replat of Lots 16-22, Block 3, Timber Creek First Addition, City of Fargo, Cass County, North Dakota. (Located at 4726, 4736, 4746, 4756, 4766, 4776, and 4786 34th Street South) (Nate Vollmuth/PLC Investments) (dk): CONTINUED TO APRIL 2, 2019
 - 4a. Hearing on an application requesting a Zoning Change from AG, Agricultural to SR-4, Single-Dwelling Residential and SR-5, Single-Dwelling Residential on the proposed **Madelyn's Meadows Second Addition**. (Located at 7269 25th Street South) (Jon Youness/Eagle Ridge Development) (dk)
 - 4b. Hearing on an application requesting a Plat of **Madelyn's Meadows Second Addition** (Major Subdivision) a replat of Lot 9, Block 3, Madelyn's Meadows First Addition, City of Fargo, Cass County, North Dakota. (Located at 7269 25th Street South) (Jon Youness/Eagle Ridge Development) (dk)

Planning Commission meetings are broadcast live on cable channel TV Fargo 56 and online at www.FargoND.gov/streaming. They are rebroadcast each Wednesday at 8:00 a.m. and Sunday at 8:00 a.m.; and are also included in our video archive at www.FargoND.gov/PlanningCommission.

People with disabilities who plan to attend the meeting and need special accommodations should contact the Planning Office at 701.241.1474 or TDD at 701.241.8258. Please contact us at least 48 hours before the meeting to give our staff adequate time to make arrangements.

Minutes are available on the City of Fargo Web site at www.FargoND.gov/planningcommission.

5. Hearing on an application requesting a Plat of **Lenthe's First Addition** (Minor Subdivision) a replat of the East Half of Lot 3, all of Lots 4-10, Teigen's Addition, City of Fargo, Cass County, North Dakota, and a parcel of land in the Southwest Quarter of the Southeast Quarter of Section 2, Township 139 North, Range 49 West of the 5th Principal Meridian, Cass County, North Dakota. (Located at 2901, 2903, 2905, 2907, 3001, 3003, 3005, 3007, 3039, 3041, 3043, and 3045 Main Avenue) (Curt Skarphol/Houston Engineering) (dk)
6. Hearing on an application requesting a Zoning Change from SR-3, Single-Dwelling Residential to MR-2, Multi-Dwelling Residential on Lot 19, Block 5, **Case, Peake, and Hall Addition**. (Located at 1527 5th Avenue South) (Jessica Thomasson/Lutheran Social Services) (me)

E: Other Items:

1. Initiation and RFP for Land Development Codes Diagnostic Study (an)
2. Renewal plans and the role of the Planning Commission (jg)

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**BOARD OF PLANNING COMMISSIONERS
MINUTES**

Regular Meeting:

Tuesday, February 5, 2019

The Regular Meeting of the Board of Planning Commissioners of the City of Fargo, North Dakota, was held in the City Commission Room at City Hall at 3:00 p.m., Tuesday, February 5, 2019.

The Planning Commissioners present or absent were as follows:

Present: Shara Fischer, John Gunkelman, Mike Magelky, Dawn Morgan, Brad Bachmeier, Jennifer Holtz, Maranda Tasa

Absent: Mary Scherling, Melissa Sobolik, Rocky Schneider, Scott Stofferahn

Chair Fischer called the meeting to order.

Business Items:

Item A: Approve Order of Agenda

Chair Fischer noted the following Agenda items:

- Items 1, 3a, 3b, and 7 have been continued to March 5, 2019
- Items 2a, 2b, and 4 have been withdrawn by the applicants
- Item E.1 to be heard before Items 10a and 10b

Member Magelky moved the Order of Agenda be approved as presented. Second by Member Gunkelman. All Members present voted aye and the motion was declared carried.

Item B: Minutes: Regular Meeting of January 3, 2019

Member Gunkelman moved the minutes of the January 3, 2019 Planning Commission meeting be approved. Second by Member Magelky. All Members present voted aye and the motion was declared carried.

Item C: February 20, 2019 Brown Bag Luncheon

Topic: To Be Determined

Item D: Public Hearing Items:

Item 1: NSC Addition

Continued hearing on an application requesting an Institutional Master Plan within a portion of the boundaries of the proposed NSC Addition. (Located at 6101 45th Street North) (City of Fargo/Fargo Park District): CONTINUED TO MARCH 5, 2019

A Hearing had been set for August 1, 2017. At the August 1, 2017 meeting, the Hearing was continued to September 5, 2017. At the September 5, 2017 meeting, the Hearing was continued to October 3, 2017. At the October 3, 2017 meeting, the Hearing was continued to December 5, 2017. At the December 5, 2017 meeting, the Hearing was continued to January 4, 2018. At the January 4, 2018 meeting, the Hearing was continued to February 6, 2018. At the February 6, 2018 meeting, the Hearing was continued to May 1, 2018. At the May 1, 2018 meeting, the Hearing was continued to July 3, 2018. At the July 3, 2018 meeting, the Hearing was continued to September 4, 2018. At the September 4, 2018 meeting, the Hearing was continued to November 6, 2018. At the November 6, 2018 meeting, the Hearing was continued to December 4, 2018. At the December 4, 2018 meeting, the Hearing was continued to this date and time; however, the applicant has requested this item be continued to March 5, 2019.

Item 2: Rocking Horse Farm 6th Addition

2a. Continued hearing on an application requesting a Zoning Change from AG, Agricultural to LC, Limited Commercial with a C-O, Conditional Overlay within the boundaries of the proposed Rocking Horse Farm 6th Addition. (Located at 5801 52nd Avenue South) (Janice L. Promersberger/Houston Engineering): WITHDRAWN

2b. Continued hearing on an application requesting a Plat of Rocking Horse Farm 6th Addition (Minor Subdivision) on a portion of the Southeast Quarter of Section 32, Township 139 North, Range 49 West of the 5th Principal Meridian, Cass County, North Dakota. (Located at 5801 52nd Avenue South) (Janice L. Promersberger/Houston Engineering): WITHDRAWN

A hearing had been set for September 4, 2018. At the September 4, 2018 meeting, the Hearing was continued to this October 2, 2018. At the October 2, 2018 meeting, the Hearing was continued to November 6, 2018. At the November 6, 2018 meeting, the Hearing was continued to this date and time; however, the applicant has requested this item be withdrawn.

Item 3: Timber Creek Ninth Addition

3a. Hearing on an application requesting a Zoning Change from SR-2, Single-Dwelling Residential to SR-4, Single-Dwelling Residential on the proposed Timber Creek Ninth Addition. (Located at 4726, 4736, 4746, 4756, 4766, 4776, and 4786 34th Street South) (Nate Vollmuth/PLC Investments): CONTINUED TO MARCH 5, 2019

3b. Hearing on an application requesting a Plat of Timber Creek Ninth Addition (Minor Subdivision) a replat of Lots 16-22, Block 3, Timber Creek First Addition, City of Fargo, Cass County, North Dakota. (Located at 4726, 4736, 4746, 4756, 4766, 4776, and 4786 34th Street South) (Nate Vollmuth/PLC Investments): CONTINUED TO MARCH 5, 2019

A Hearing had been set for January 3, 2019. At the January 3, 2019 meeting, the Hearing was continued to this date and time; however, the applicant has requested this item be continued to March 5, 2019.

Item 4: Timber Creek Tenth Addition

Hearing on an application requesting a Plat of Timber Creek Tenth Addition (Minor Subdivision) a replat of Lots 1-7, Block 1, Timber Creek Third Addition, City of Fargo, Cass County, North Dakota. (Located at 3431, 3445, 3457, 3469, 3483, 3495, 3509 47th Avenue South) (Nate Vollmuth/PLC Investments): WITHDRAWN

A Hearing had been set for January 3, 2019. At the January 3, 2019 meeting, the Hearing was continued to this date and time; however, the applicant has requested this item be withdrawn.

Item 5: Eagle Valley Third Addition

5a. Hearing on an application requesting a Zoning Change from MR-2, Multi-Dwelling Residential to MR-2, Multi-Dwelling Residential and SR-4, Single-Dwelling Residential on the proposed Eagle Valley Third Addition. (Located at 7301 23rd Street South) (Jon Youness): APPROVED

5b. Hearing on an application requesting a Plat of Eagle Valley Third Addition (Major Subdivision) a replat of Lot 1, Block 6, Eagle Valley Addition, City of Fargo, Cass County, North Dakota. (Located at 7301 23rd Street South) (Jon Youness): APPROVED

Member Morgan present.

Planning Coordinator Donald Kress presented the staff report stating all approval criteria have been met and staff is recommending approval.

Discussion was held on the double fronting lots and the policy for snow removal and boulevard mowing.

Member Magelky moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed 1) Zoning Change from MR-2, Multi-Dwelling Residential to MR-2, Multi-Dwelling Residential and SR-4, Single-Dwelling Residential and 2) Subdivision Plat, Eagle Valley Third Addition as outlined within the staff report as the proposal complies with the GO2030 Fargo Comprehensive Plan, the 2007 Growth Plan, the Standards of Article 20-06, and Section 20-0906.F (1-4) of the Land Development Code and all other applicable requirements of the Land Development Code. Second by Member Gunkelman. On call of the roll Members Bachmeier, Gunkelman, Magelky, Morgan, Holtz, Tasa, and Fischer voted aye. Absent and not voting: Members Stofferahn, Sobolik, Scherling, and Schneider. The motion was declared carried.

Item 6: Schatz Fourth Addition

Hearing on an application requesting a Zoning Change to repeal and reestablish a C-O, Conditional Overlay on Schatz Fourth Addition. (Located at 5622, 5630, 5650

34th Avenue South; 5621, 5631, and 5651 36th Avenue South; and 3435, 3475, and 3501 56th Avenue South) (Jon Youness): APPROVED

Assistant Planner Kylie Bagley presented the staff report stating all approval criteria have been met and staff is recommending approval.

Member Tasa moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed Zoning Change to repeal and re-establish a C-O, Conditional Overlay on Lots 1-4, Block 1, Schatz 4th Addition as outlined within the staff report on the basis that the proposal complies with the GO2030 Fargo Comprehensive Plan, the Standards of Section 20-0906.F (1-4) and all other applicable requirements of the Land Development Code. Second by Member Morgan. On call of the roll Members Holtz, Magelky, Gunkelman, Morgan, Tasa, Bachmeier, and Fischer voted aye. Absent and not voting: Members Stofferahn, Sobolik, Scherling, and Schneider. The motion was declared carried.

Item 7: Prairie Farms Second Addition

Hearing on an application requesting a Plat of Prairie Farms Second Addition (Minor Subdivision) a replat of Lots 1-3, Block 4, Prairie Farms Addition, City of Fargo, Cass County, North Dakota. (Located at 6059, 6069, and 6087 Prairie Grove Court South) (Bronson Mathiason/Prairie Grove Inc. and Dietrich Homes Inc.): CONTINUED TO MARCH 5, 2019

A Hearing had been set this date and time, however, the applicant has requested this item be continued to March 5, 2019.

Item 8: Liberty Square Addition

Hearing on an application requesting a Conditional Use Permit to allow Manufacturing and Production in the GC, General Commercial zoning district on Lot 1, Block 1, Liberty Square Addition. (Located at 2121 43rd Street South) (Global Development LLC): APPROVED WITH CONDITIONS

Planning Coordinator Aaron Nelson presented the staff report stating all approval criteria have been met and staff is recommending approval.

Member Tasa moved the findings and recommendations of staff be accepted and the Conditional Use Permit to allow Manufacturing and Production in the GC, General Commercial zoning district be approved as the proposal complies with Section 20-0909.D (1-6) and all other applicable requirements of the Land Development Code, with the following conditions:

- 1) The property shall not be used in whole or in part for storage of rubbish or debris of any kind whatsoever nor for the storage of any property or items that will cause such lot to appear untidy, unclean, or unsightly as determined by the Zoning Administrator; nor shall any substance, item, or material be kept on any lot that will emit foul odors, including compost sites and fertilizer. All garbage containers, including dumpsters, shall be concealed from public view by fence, screen wall or building extension.

- 2) Off-street parking, loading, and vehicular circulation areas (including circulation areas internal to storage areas) shall have an all-weather surface, as defined by the Land Development Code.
- 3) The manufacturing, production, or processing of food and/or animal products shall not be permitted.
- 4) The manufacturing, production, or processing of hazardous chemicals or materials shall not be permitted.
- 5) The Conditional Use Permit shall terminate if the manufacturing and production use cease for a period of 12 consecutive months.

Second by Member Morgan. On call of the roll Members Tasa, Magelky, Morgan, Holtz, Gunkelman, Bachmeier, and Fischer voted aye. Absent and not voting: Members Stofferahn, Sobolik, Scherling, and Schneider. The motion was declared carried.

Item 9: The Basins at 39th Addition

Hearing on an application requesting a Plat of The Basins at 39th Addition (Minor Subdivision) a replat of Lot 2, Block 1, Commerce on I-29 Addition, City of Fargo, Cass County, North Dakota. (Located at 9600 39th Street South) (Jesse Riley): APPROVED

Mr. Kress presented the staff report stating all approval criteria have been met and staff is recommending approval.

Discussion was held regarding the location of right-of-way access from each lot.

Member Magelky moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed Subdivision Plat, The Basins at 39th Addition as outlined within the staff report as the proposal complies with the Adopted Area Plan, the Standards of Article 20-06, and all other applicable requirements of the Land Development Code. Second by Member Bachmeier. On call of the roll Members Morgan, Magelky, Holtz, Gunkelman, Tasa, Bachmeier, and Fischer voted aye. Absent and not voting: Members Stofferahn, Sobolik, Scherling, and Schneider. The motion was declared carried.

Item E.1 was heard before Item 10a and 10b.

Item 10: Airport First Addition

10a. Hearing on an application requesting a Zoning Change from LI, Limited Industrial to LC, Limited Commercial on the South 125 feet of Lot 4, Block 3, Airport First Addition. (Located at 2102 12th Street North) (Rich Meier/YHR Partners): APPROVED

10b. Hearing on an application requesting a Conditional Use Permit to allow residential living in a LC, Limited Commercial zoning district on the South 125

feet of Lot 4, Block 3, Airport First Addition. (Located at 2102 12th Street North) (Rich Meier/YHR Partners): APPROVED WITH CONDITIONS

Mr. Kress presented the staff report stating all approval criteria have been met and staff is recommending approval.

Rich Meier, YHR Partners, gave a presentation in support of the application.

Bill Bienek, property owner, spoke on behalf of the application.

Discussion was held regarding the anticipated rental rates of the market place housing, location of parking, and the current retail space.

Member Magelky moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed Zoning Change from LI, Limited Industrial to LC, Limited Commercial, as the proposal complies with the GO2030 Fargo Comprehensive Plan, Section 20-0906.F (1-4) of the Land Development Code, and all other applicable requirements of the Land Development Code, and 2) the Conditional Use Permit to allow residential living in the LC, Limited Commercial zoning district be approved as outlined within the staff report with the following conditions:

- 1) The maximum residential density shall be that of the MR-3, Multi-Dwelling Residential zoning district (24 units per acre).
- 2) A minimum of 30% of the lot shall remain as open space.
- 3) Bicycle parking facilities, such as bike racks or bike lockers, shall be provided on-site.

Second by Member Gunkelman. On call of the roll Members Magelky, Morgan, Bachmeier, Holtz, Tasa, Gunkelman, and Fischer voted aye. Absent and not voting: Members Stofferahn, Sobolik, Scherling, and Schneider. The motion was declared carried.

Item E: Other Items:

Item 1: Request for Planning Commission approval of a variance to restrictive covenants on the South 125 feet of Lot 4, Block 3, Airport First Addition. (Located at 2102 12th Street North) (Rich Meier/YHR Partners): APPROVED

Mr. Kress gave a brief history of the restrictive covenants and presented the staff report stating all approval criteria have been met and staff is recommending approval. He also stated that sufficient signatures supporting the proposed change from property owners in the Airport First Addition have been obtained.

Discussion was held regarding the signature collection process and it was clarified that this variance applies to this lot only.

Member Morgan moved the findings and recommendations of staff be accepted and the proposed variance to the restrictive covenants be approved as outlined within the staff report on Lot 2, Block 2, Airport First Addition. Second by Member Gunkelman. On call of the roll Members Gunkelman, Morgan, Holtz, Tasa, Magelky, Bachmeier, and Fischer voted aye. Absent and not voting: Members Stofferahn, Sobolik, Scherling, and Schneider. The motion was declared carried.

Item 2: Overview of Land Development Code (LDC) Analysis and Core Neighborhood Plan

Assistant Planning Director Mark Williams gave an overview on the work staff has been doing to move forward with a Land Development Code analysis. He shared the two projected phases of the project and noted the goal to update the Land Development Code using the assistance of a third party consultant.

Discussion was held regarding the history and structure of the Land Development Code, and the importance of having a third party point of view

Planning Director Nicole Crutchfield stated that a consultant would provide a fresh perspective of the Land Development code and a check of any bias. She noted that the Land Development Code can be varied using the process of Planned Unit Developments and Conditional Use Permits.

City Attorney Erik Johnson stated that the Land Development Code allows for changes, and there is a process and structure to request the changes.

Mr. Williams noted that an upcoming Brown Bag meeting will provide a more thorough analysis of the process and that the first phase of the process should take about a year.

Mr. Williams continued sharing an update of staff's work on developing a Core Neighborhood Plan. He noted that this process would build off work from the previous Residential Land Development Task Force and coordinate with the Community Development Committee.

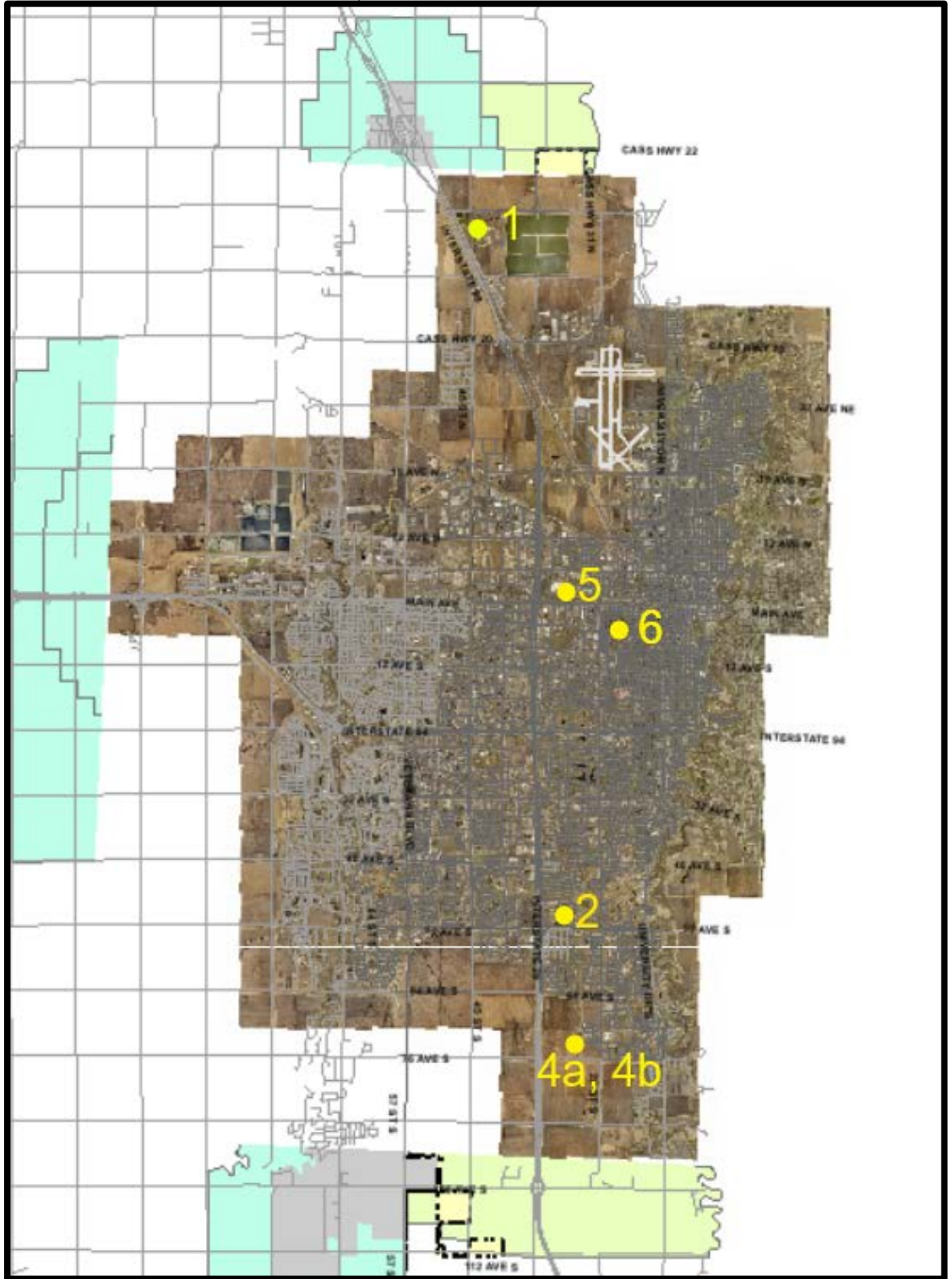
Discussion was held regarding which areas of town would be classified as the Core Neighborhoods and what other entities would be involved.

Ms. Crutchfield stated that today's introduction to this item is the first step of the process and that there will be many stakeholders in developing this plan, including consultants.

Ms. Crutchfield noted that this item will be further introduced at the February Brown Bag meeting, and that a survey will be going out to Board members to determine the best date and time to hold upcoming Brown Bag meetings.

The time at adjournment was 4:06 p.m.

MAP OF AGENDA ITEM LOCATIONS FOR MARCH 5, 2019
(Items 3a, 3b continued so are not shown)



City of Fargo Staff Report			
Title:	NSC Addition	Date:	2/27/2019
Location:	6101 45th Street North	Staff Contact:	Maegin Elshaug
Legal Description:	Lot 1, Block 1, NSC Addition (previously noticed as an unplatted portion of land in the Northwest Quarter and the Northwest Quarter of the Southwest Quarter of Section 10, Township 140 North, Range 49 West)		
Owner(s)/Applicant:	City of Fargo	Engineer:	KLJ
Entitlements Requested:	Institutional Master Plan (for a softball complex)		
Status:	Planning Commission Public Hearing: March 5, 2019		

Existing	Proposed
Land Use: Outdoor Recreation and Entertainment	Land Use: unchanged
Zoning: P/I, Public & Institutional	Zoning: unchanged
Uses Allowed: P/I 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, and major entertainment events.	Uses Allowed: unchanged
Maximum Lot Coverage Allowed: N/A	Maximum Lot Coverage Allowed: unchanged

Proposal:

The applicant, the Fargo Park District, is seeking approval of an Institutional Master Plan. The intent of the application is to establish development entitlements for planned improvements at the Northside Softball Complex, which proposes up to 28 ball fields, a large pavilion and several concession stands and restrooms throughout.

The applicant is seeking approval of an Institutional Master Plan for the purpose of satisfying the project review requirements for development within the P/I, Public & Institutional, zoning district. Project review of development projects within the P/I zoning district can be accommodated in one of two ways. One option is for each project to be reviewed for compliance with the Land Development Code on an individual basis through Site Plan Review, as is typical with most types of building construction within other zoning districts. The other option is to secure approval of an Institutional Master Plan. Once an Institutional Master Plan is established for an institution, individual development projects within that institution are no longer required to undergo Site Plan Review and are considered to be approved so long as they are consistent with the approved Institutional Master Plan.

The Institutional Master Plan is specific to the P/I zoning district and is intended to accommodate larger public/semi-public institutions that have unique development needs when compared to typical building construction. For example, an office building may undergo Site Plan Review at the time of construction and, once completed, may exist largely unchanged for decades. In contrast, large institutions, such as a university or airport, are generally not “completed” at the time of original construction. These institutions undergo continuous incremental development and change over time, such as an addition to a residence hall or the extension of a taxiway to accommodate a new aircraft hangar. The Institutional Master Plan is intended to better accommodate these unique

development characteristics of institutions. As such, the Fargo Park District is seeking approval of an Institutional Master Plan in order to accommodate LDC review of the plans for the Northside Softball Complex over several phases of construction.

There have been recent entitlement applications on this property. On February 11, 2019, the City Commission approved the plat *NSC Addition* (which also included the adjacent property at 5703 45th Street North), a zone change from AG, Agricultural to P/I, Public and Institutional, and a Growth Plan Amendment that transitioned land from industrial to parks and open space. These items were initially heard by the Planning Commission on September 4, 2018.






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.

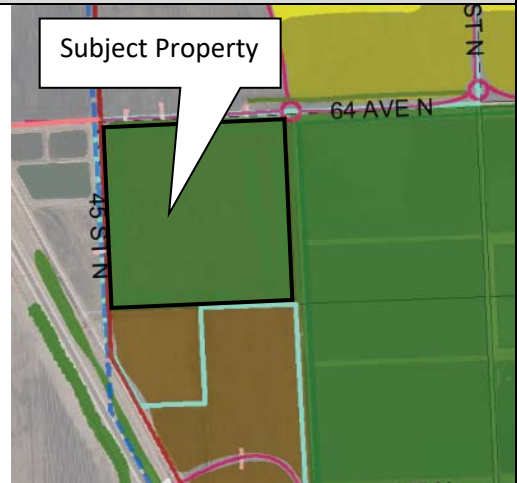
Surrounding Land Uses and Zoning Districts:

- North: City of Horace Extra-Territorial jurisdiction with Agricultural (crop rotation), AG, Agricultural;
- East: City of Fargo lagoons, AG, Agricultural;
- South: Agricultural (crop rotation), AG, Agricultural;
- West: City of Horace, the property was previously the City of Horace lagoons.

Area Plans:

The subject acreage is located within the North Fargo Tier 1 East plan pursuant to the 2007 Growth Plan, which was amended in February 2019. The growth plan designates this area parks and open space.

Legend		
 City Limits	 Commercial Area	 Greenspace - Water Related
 T1NE PLGN	 Proposed Park / Open Space	 Residential Area - lower to medium density
 PROPOSED_U	 Future School	 Residential Area - medium to high density
 Agricultural Research	 Industrial Area	 Residential Area - rural



Context:

Schools: The subject property is located within the Fargo School District, specifically Washington Elementary school, Ben Franklin Junior High school and the North Senior High school.

Neighborhood: The subject property it not located within an identified neighborhood.

Parks: The subject property is the location of the Northside Softball Complex.

Pedestrian / Bicycle: There are no facilities located within a half-mile of the subject property.

Staff Analysis:

Institutional Master Plan Criteria: Section 20-0911(E) of the LDC states that the Planning Commission shall identify and evaluate all factors relevant to the application, and that the following criteria be met before an Institutional Master Plan can be approved:

1. **Does the plan comply with all applicable provisions of the LDC and does it conform to the general intent and purpose of the LDC?**

Staff notes there are two provisions of the LDC which will be accommodated in a unique way, as outlined within the Institutional Master Plan. First, the Institutional Master Plan proposes to pave the existing gravel parking lots at the time that the adjacent roads, which are currently gravel, are reconstructed into an urban section.

Second, the plan proposes to meet open space plant units required of Section 20-0705, in part, by planting native grasses instead of planting from a commercial container. Per the LDC, perennials, such as native grasses, are counted as one open space plant unit (equivalent of a #2 gallon container) and require 8 square feet of open space. The Fargo Park District proposes to count 8 square feet of planted native grass as one open space plant unit. Perennials cannot exceed 20% of the required open space plant units, which is reiterated in the plan. The Institutional Master Plan notes that if the native grass areas are not implemented after Phase 4 is complete, the equivalent or remainder of required plant units will be installed as trees.

Ultimately, staff finds that the proposed plan complies with the intent and all applicable provisions of the LDC, as outlined within the attached Institutional Master Plan. **(Criteria Satisfied)**

2. Is the plan consistent with all adopted plans and policies of the City?

Staff finds the proposed plan to be consistent with the all adopted plans and policies of the City. **(Criteria Satisfied)**

3. Will the proposed plan not cause substantial injury to the value of the other property in the neighborhood in which is it to be located?

Staff has no evidence to suggest that the proposed plan will cause substantial injury to the value of the other property in the neighborhood in which it is to be located. Staff finds the proposed plan to be consistent with the P/I, Public & Institutional zoning district and development standards of the Land Development Code. **(Criteria Satisfied)**

Staff Recommendation:

Suggested Motion: "To accept the findings and recommendations of staff and hereby approve the Institutional Master Plan as presented, as the proposal complies with the Go2030 Fargo Comprehensive Plan, Standards of Section 20-0911.E (1-3) of the LDC, and all other applicable requirements of the LDC."

Planning Commission Recommendation: March 5, 2019

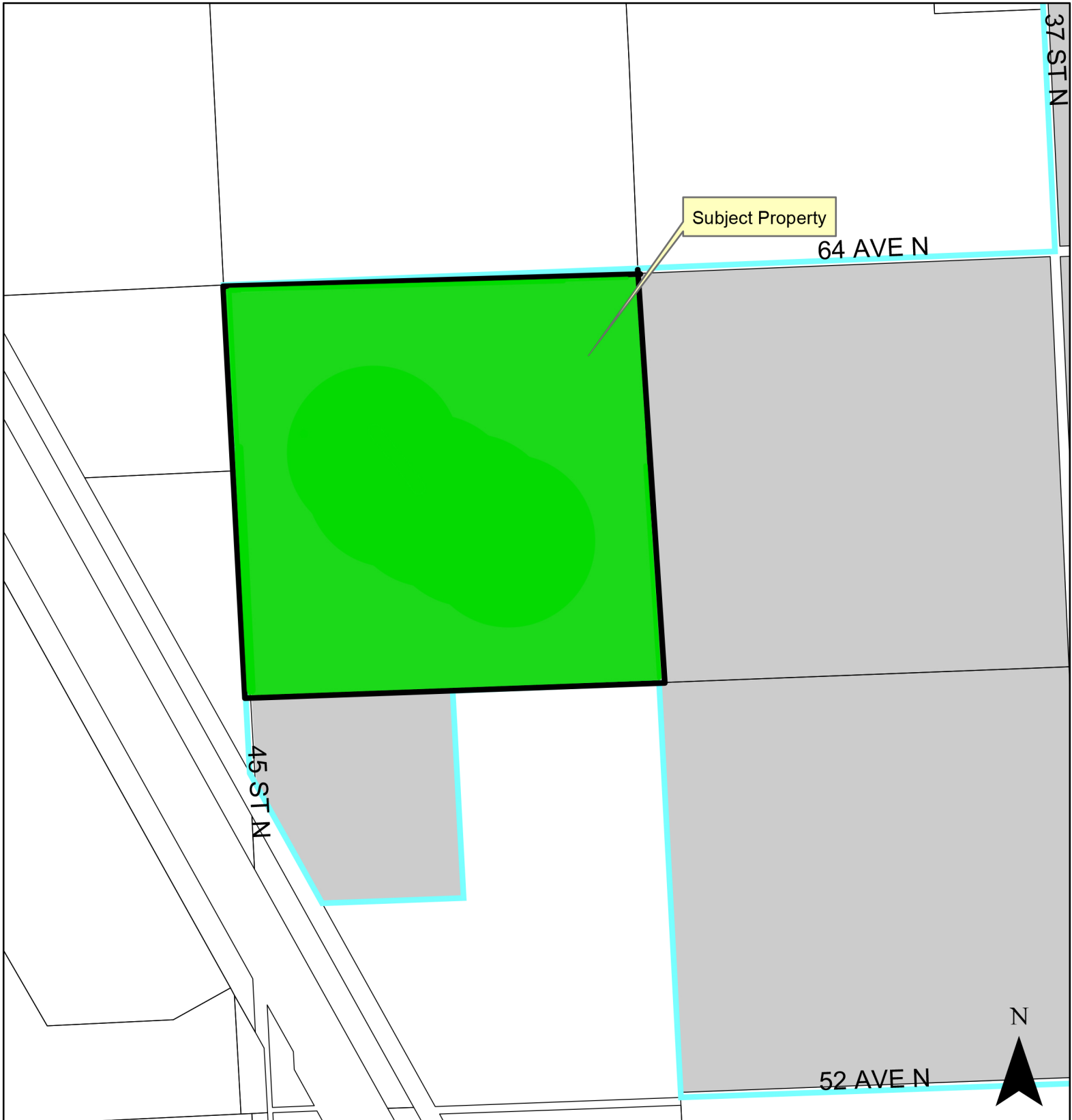
Attachments:

1. Zoning Map
2. Location Map
3. Institutional Master Plan

Institutional Master Plan

NSC Addition

6101 45th Street North



Institutional Master Plan

NSC Addition

6101 45th Street North



INSTITUTIONAL MASTER PLAN

NORTHSIDE SOFTBALL COMPLEX - FARGO PARK DISTRICT

OVERVIEW

Subject Property: Northside Softball Complex

- Tract located at 6101 45th Street North
- Legal Description: Lot 1, Block 1, NSC Addition
- Area: 154.09 Acres

Planning Commission Approval Date:

Summary: This institutional Master Plan is intended to satisfy the project review requirements of the Land Development Code for the Fargo Park District, Northside Softball Complex property. This Institutional Master Plan outlines five general phases of development, four over a twenty-year period:

- Phase One – (constructed)
- Phase Two – current to year 5
- Phase Three – years 10 to 15
- Phase Four – years 15 to 18
- Phase Five – years 18 to 20

Planning Commission Approval Date: March 5, 2019

This Institutional Master Plan was reviewed and approved in accordance with Section 20-0911 of the Land Development Code.

Mark Williams, Assistant Planning Director

Date

INSTITUTIONAL MASTER PLAN – PLANNING REQUIREMENTS (SECTION 20-0911.J)

PLANNING HORIZON

The institutional Master Plan is intended to cover a 20-year planning horizon, including years 2019-2039.

EXISTING PROPERTY & USES

- 1) Illustrative Site Plans: See attached
- 2) Land and Building Use: Outdoor Athletic Complex (Outdoor Recreation and Entertainment)
- 3) Gross Floor Area in Square Feet: 21,905 Square Feet.

- a) Central Concessions: 10,620 Square Feet.
 - b) Shelter West: 702 Square Feet.
 - c) Shelter East: 702 Square Feet.
 - d) Concession & Restrooms SW Pod: 2,857 Square Feet.
 - e) Dugouts (26 Total): 6,000 Square Feet.
 - f) Irrigation Shed: 200 Square Feet.
 - g) Maintenance Building: 4,079 Square Feet.
- 4) Building Height(s) in Stories and Feet:
- a) Central Concessions: One story; 50 feet, which is outside the 150' abutting zoning setback for building height restrictions.
 - b) Shelter West: One story; 19 feet.
 - c) Shelter East: One story; 19 feet.
 - d) Concession & Restrooms SW Pod: One story; 19 feet.
 - e) Dugouts (16 Total): One story; 8 feet.
 - f) Irrigation Shed: 12 feet.
 - g) Maintenance Building: One Story; 21 feet.
- 5) Description of Parking & Loading: Parking lots; two driveway approaches from 45th St N directly to westerly parking lot with 559 parking stalls, one driveway along south property line to maintenance building and access to south parking lot with 298 parking stalls.

NEEDS OF THE INSTITUTION

- 1) New Athletic Facilities
- 2) New Guest Amenities
- 3) New Pathways
- 4) New Parking

DEVELOPMENT ENVELOPE

- 1) Gross Floor Area: Approximately 59,231 square feet. See sheets 4 and 5 of plan images for square footages.
- 2) Average Daily and Peak-Hour Traffic: See 'Parking & Loading' section for anticipated parking demand.
- 3) Building Heights; Building heights, with the exception of the Central Concessions and Indoor Athletic Facility, are not expected to exceed 35 feet. If an Indoor Athletic Facility is incorporated into the development, it would be placed further than 150' from the property line where no height restrictions would apply.
- 4) Setbacks: In the P/I zoning district, the dimensional standards of the abutting zoning district apply within 150'. In the event that zone changes occurs adjacent to the property, the setback may be reduced from what is identified below. The following setbacks will be maintained from the following lot lines:
 - Front (west lot line) – 50 feet - AG zoning west of 45th Street North
 - Rear (east lot line) – 50 feet - AG zoning east of property.

- Street Side (north lot line) – N/A – Harwood Extraterritorial Area North of 64th Avenue North
 - Interior Side (south lot line) – 50 feet – AG zoning south of property.
- 5) Total Open Space: 3,173,439 square feet. See attached sheet 3 of plan images for additional details.

NEIGHBORHOOD PROTECTION STRATEGY

This project site is within 150 feet of future residential as identified on the 2007 Growth Plan. As such, Section 20-0704 Residential Protection Standards (RPS) applies. Section 20-0304 is the application of the P/I zoning district standards. Sections 20-0704.C, 20-0704.D and 20-0704.G will be verified at the time of building permit application.

Athletic Field lighting to be fitted with anti-reflective features to help control 'spill light'.

Numerous large trees are indicated on the plan in groupings and in rows behind the athletic fields that will help buffer 'spill light'.

LAND DEVELOPMENT CODE REVIEW

USE (ARTICLE 20-04)

The proposed use of the property is for Outdoor Athletics, which would be classified within the Outdoor Recreation and Entertainment use category. Outdoor Recreation and Entertainment is permitted by right with the P/I zoning district, subject to the use specific standard of Section 20-0402.G of the Land Development Code.

DIMENSIONAL STANDARDS (ARTICLE 20 – 05)

The dimensional standards for the property have been established as follows:

- 1) Building Heights: Building heights, with the exception of the Central Concessions and Indoor Athletic Facility, are not expected to exceed 35 feet.
- 2) Maximum Building Coverage: The building coverage for this project site is not anticipated to exceed 5%. If an Alternative Indoor Athletic Facility is incorporated, the maximum anticipated building coverage is not anticipated to exceed 10%.
- 3) Setbacks: In the P/I zoning district, the dimensional standards of the abutting zoning district apply within 150'. In the event that zone changes occurs adjacent to the property, the setback may be reduced from what is identified below. The following setbacks will be maintained from the following lot lines:
 - a) Front (west lot line) – 50 feet - AG zoning west of 45th St N.
 - b) Rear (east lot line) – 50 feet - AG zoning east of property.
 - c) Street Side (north lot line) – N/A – Harwood Extraterritorial Area North of 64th Ave N.
 - d) Interior Side (south lot line) – 25 feet – AG zoning south of property.

PARKING & LOADING (SECTION 20 – 0701)

Off-Street Parking Schedule 'A' refers 'Outdoor Recreation and Entertainment' use category to utilize Off-Street Parking Schedule 'B'. Outdoor athletic complex is not listed as a specific use. There are no available standards that determine a minimum quantity of parking stalls for softball fields. Therefore, the Zoning Administrator has determined the Off-street Parking Schedule "C" to be the applicable parking schedule for the Northside Softball Complex.

In accordance with Off-Street Parking Schedule "C," a required minimum parking ratio of 60 parking stalls per proposed field area has been established.

The complete buildout will have 1,700 parking stalls. This allows for 60 parking stalls per proposed field area (28 fields). With approximately 13 players per team, multiplied by 2 teams, this will allow for 34 additional stalls for fans or team member vehicles transitioning to or leaving the complex. Based on what is available for parking at the Anderson Softball complex (45 parking stalls per field), this site plan will allow for an additional 15 stalls per field.

There are 857 parking stalls currently installed that serve the current 13 softball fields for a total of 65.9 stalls per field. Additional parking stalls will be built as additional field areas are developed, at a minimum of 60 stalls per field and will meet standards required by Section 20-0701. The existing gravel parking lots will be paved at the time of adjacent street reconstruction.

ROADWAY ACCESS & DRIVEWAYS (SECTION 20 – 07020)

Access points will be coordinated with the City Engineer at the time of a building permit request.

RESIDENTIAL PROTECTION STANDARDS (SECTION 20-0704)

Refer to previous section Neighborhood Protection Strategy for information about the application of this section of the LDC.

TREES & LANDSCAPING (SECTION 20-0705)

The Land Development Code requires the following trees and landscaping for the subject property:

- Street Trees:
 - 45th St N: Section 20 – 0705.B.1.a (1 per 50 linear feet)
 - 64th Ave N: Section 20 – 0705.B.1.a (1 per 50 linear feet)
- Open Space and Open Space Plant Units:
 - 13,780 Plant Units (3 per 1,000 square feet @ 4,593,348 net square feet (proposed ballfield areas not included in sf calculation; 20 – 0705.c.5)).
- Parking Lot Perimeter Landscaping:
 - As required by Section 20-0705.

The installation of trees and landscaping will be phased throughout the 20-year planning horizon. Installation of trees and landscaping will align with the following schedule:

- Phase One:
 - Street Trees:
 - 45th St. N: As required by Section 20 – 0705.B (1 per 50 linear feet)
 - 64th Ave N: As required by Section 20 – 0705.B (1 per 50 linear feet).
 - Open Space Plant Units:
 - 3,310 of 13,983 plant units
 - Parking Lot Perimeter Landscaping:
 - N/A
- Phase Two:
 - Street Trees:
 - 45th Ave N: As required by Section 20 – 0705.B (1 per 50 linear feet)
 - 64th Ave N: As required by Section 20 – 0705.B (1 per 50 linear feet)
 - Open Space Plant Units:
 - 1,565 of 13,983 plant units
 - Parking Lot Perimeter Landscaping:
 - N/A
- Phase Three:
 - Street Trees:
 - 45th St. N: As required by Section 20 – 0705.B (1 per 50 linear feet)
 - 64th Ave N: As required by Section 20 – 0705.B (1 per 50 linear feet)
 - Open Space Plant Units:
 - 2,635 of 13,983 plant units
 - Parking Lot Perimeter Landscaping:
 - 45th St. N. adjacent Parking Lot Buffer Landscaping: As required by Section 20-0705.D.
- Phase Four:
 - Street Trees:
 - 45th St. N: As required by Section 20 – 0705.B (1 per 50 linear feet)
 - 64th Ave N: As required by Section 20 – 0705.B (1 per 50 linear feet)
 - Open Space Plant Units:
 - 3,717 of 13,983 plant units
 - Parking Lot Perimeter Landscaping:
 - N/A
- Phase 5
 - Street Trees
 - N/A
 - Open Space Plant Units:
 - 2,756 of 13,983 plant units (native grass areas)
 - Parking Lot Perimeter Landscaping:
 - N/A

CORNER VISIBILITY (SECTION 20-0706)

Corner visibility as required by Section 20-0706 will be maintained throughout the planning horizon.

No.	Revision

HDA
Hanson Design Associates
Landscape Architecture



2415 3rd St. N.
Fargo, ND 58102
P: 701.298.8392
C: 701.793.2759
Checked by: JH
Scale: AS SHOWN
Date: 8-20-18

NORTHSIDE SOFTBALL COMPLEX
FARGO PARK DISTRICT
FARGO, NORTH DAKOTA



EXISTING SITE PLAN

PLANNING HORIZON
THE NORTHSIDE SOFTBALL COMPLEX HAS COMPLETED A 20-YEAR MASTER PLAN. SEE SHEET 2.

EXISTING PROPERTY AND USES:

- SITE ADDRESS: 6101 45th STREET NORTH (LOT 1, BLOCK 1, NSC ADDITION)
- PROPERTY SIZE: LOT 1, 154.09 AC (6,712,108 SF)
- SETBACKS: REFER TO WRITTEN REPORT
- 45TH ST. N. (WEST PROPERTY): 2,584.01'
- 64TH AVE. N. (NORTH PROPERTY): 2,597.75'
- EAST PROPERTY: 2,587.65'
- SOUTH PROPERTY: 2,594.16'
- CURRENT LAND USE: P/I (PUBLIC/INSTITUTIONAL)
- PROPERTY TYPE: 21 (FARGO PARK DISTRICT)
- GROSS FLOOR AREA: 25,160 SF
- CURRENT PARKING: GRAVEL, 3 DRIVES AND 857 STALLS

NEEDS OF THE INSTITUTION:

- NEW ATHLETIC FACILITIES
- NEW GUEST AMENITIES
- NEW PATHWAYS
- NEW PARKING

DEVELOPMENT ENVELOPE:
THE MASTER PLAN ADDRESSES THE ENTIRE 154.09 ACRE SITE. GROSS FLOOR AREA OF PROPOSED STRUCTURES, NEW ATHLETIC FIELDS, PATHWAYS, AND PARKING ARE ADDRESSED ON SHEET 2.

NEIGHBORHOOD PROTECTION STRATEGIES:
THIS SITE IS WITHIN 150 FEET OF FUTURE RESIDENTIAL AS IDENTIFIED ON THE 2007 GROWTH PLAN. AS SUCH, SECTION 20-0704 RESIDENTIAL PROTECTION STANDARDS (RPS) APPLIES. SECTION 20-0704 IS THE APPLICATION OF THE P/I ZONING DISTRICT STANDARDS. SECTION 20-0704 C, 20-0704 D AND 20-0704 G WILL BE VERIFIED AT THE TIME OF BUILDING PERMIT APPLICATION.

ATHLETIC FIELD LIGHTING TO BE FITTED WITH ANTI-REFLECTIVE FEATURES TO HELP CONTROL SPILL LIGHT.
NUMEROUS LARGE TREES ARE INDICATED ON THE PLAN IN GROUPINGS AND IN ROWS BEHIND THE ATHLETIC FIELDS THAT WILL HELP BUFFER SPILL LIGHT.



No.	Revision	Date	By

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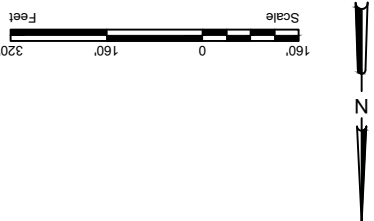
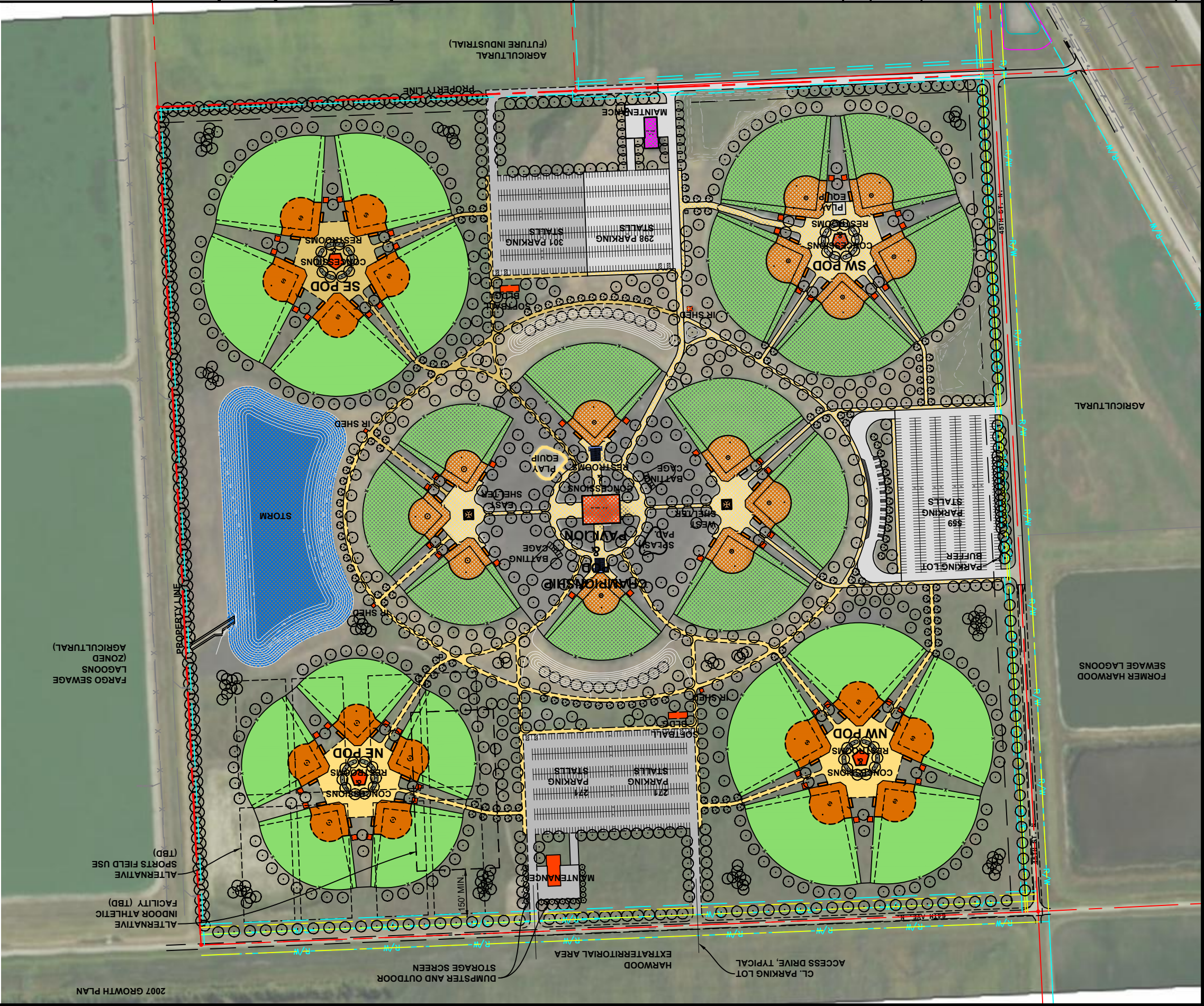


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NORTHSIDE SOFTBALL COMPLEX
FARGO PARK DISTRICT
FARGO, NORTH DAKOTA

MASTER PLAN
INST. MASTER PLAN
PROJECT NO. 17020



- KEY**
- EXISTING CONCESSIONS & RESTROOMS
 - FUTURE CONCESSIONS, SHELTERS & RESTROOMS
 - EXISTING SHELTER
 - EXISTING DUGOUT
 - FUTURE DUGOUT
 - EXISTING MAINTENANCE BUILDING
 - EXISTING PARKING
 - FUTURE PARKING
 - EXISTING SIDEWALK
 - FUTURE SIDEWALK
 - EXISTING BALLFIELD
 - FUTURE BALLFIELD/ATHLETIC FACILITY
 - EXISTING STORMWATER POND (ZONED AGRICULTURAL)

2007 GROWTH PLAN

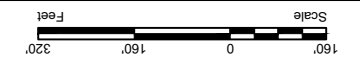
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NORTHSIDE SOFTBALL COMPLEX
FARGO PARK DISTRICT
FARGO, NORTH DAKOTA
LANDSCAPE STD. PLAN
INST. MASTER PLAN
PROJECT NO. 17020
SHEET 3 of 5



No.	Revision	Date	By

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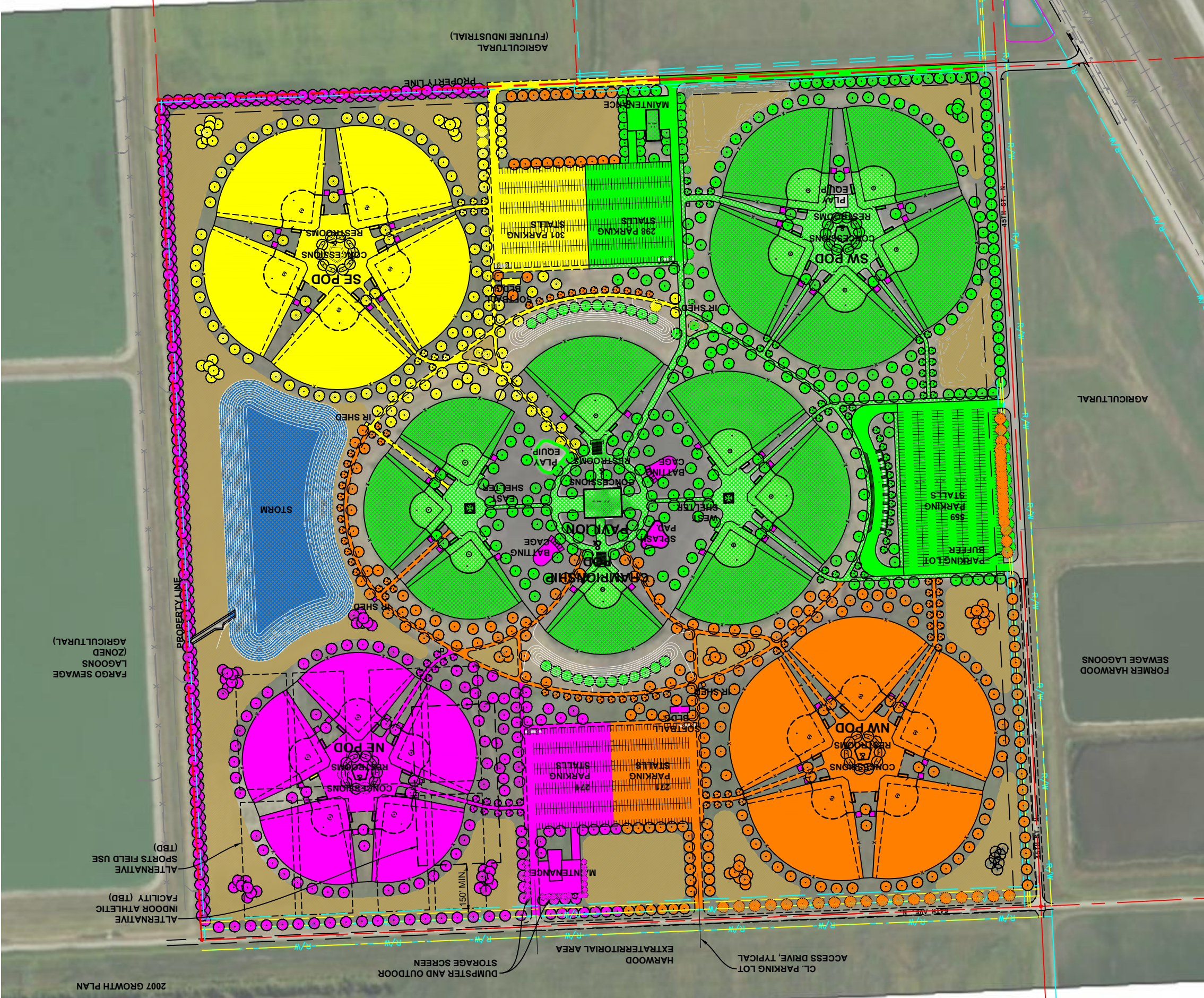
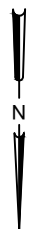
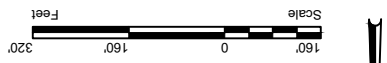


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NORTHSIDE SOFTBALL COMPLEX
FARGO PARK DISTRICT
FARGO, NORTH DAKOTA

MASTER PLAN
INST. MASTER PLAN
PROJECT NO. 17020



KEY

- PHASE 1 YEARS - (CONSTRUCTED)
- PHASE 2 YEARS - CURRENT TO YEAR 5
- PHASE 3 YEARS - 10 TO 15
- PHASE 4 YEARS - 15 TO 18
- PHASE 5 YEARS - 18 TO 20

IMPLEMENTATION OF INSTITUTIONAL MASTER PLAN BY PHASE

PHASE 1 (INSTALLED 2015)
LANDSCAPE IMPLEMENTATION WILL BE COMPLETED AFTER THE CHAMPIONSHIP POD & PAVILION AND SW POD ATHLETIC FIELD INSTALLATION.

CENTRAL CONCESSIONS & RESTROOMS- 10,620 SF
SHELTER WEST- 702 SF
SHELTER EAST- 702 SF
SW POD CONCESSIONS & RESTROOMS- 2,857 SF
DUGOUTS (26 TOTAL)- 6,000 SF
IRRIGATION SHED (1 TOTAL)- 200 SF
MAINTENANCE BUILDING (1 TOTAL)- 4,079 SF
GRAVEL PARKING (857 STALLS) 312,635 SF
CONCRETE SIDEWALKS 189,262 SF
BALL FIELDS (13 TOTAL) 987,760 SF
STREET TREES: (INSTALLED 2016)
40 STREET TREES PLANTED ALONG 45TH ST. S.

PHASE 2 (INSTALLED 2018)
LANDSCAPE IMPLEMENTATION WILL BE COMPLETED AFTER THE SE POD ATHLETIC FIELD INSTALLATION.

SE POD CONCESSIONS & RESTROOMS- 2,857 SF
DUGOUTS (10 TOTAL)- 2,400 SF
SOFTBALL BUILDING (1 TOTAL)- 1,200 SF
IRRIGATION SHED (1 TOTAL)- 200 SF
GRAVEL PARKING (301 STALLS) 114,400 SF
CONCRETE SIDEWALKS 96,000 SF
BALL FIELDS (6 TOTAL) 416,000 SF
STREET TREES:
NO STREET TREES WILL BE INSTALLED AS A PART OF THIS PHASE.
OPEN SPACE LANDSCAPING:
151 LARGE DECIDUOUS TREES ARE PLANTED.
11 SMALL DECIDUOUS TREES ARE PLANTED.

2007 GROWTH PLAN

AGRICULTURAL
FORMER HARWOOD SEWAGE LAGOONS

AGRICULTURAL (FUTURE INDUSTRIAL)

STORM
FARGO SEWAGE LAGOONS (ZONED AGRICULTURAL)

PROPERTY LINE

CL. PARKING LOT ACCESS DRIVE, TYPICAL
HARWOOD EXTRATERRITORIAL AREA
DUMPSTER AND OUTDOOR STORAGE SCREEN

150' MIN.

ALTERNATIVE INDOOR ATHLETIC FACILITY (TBD)
ALTERNATIVE SPORTS FIELD USE (TBD)

No.	Revision

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NORTHSIDE SOFTBALL COMPLEX
FARGO PARK DISTRICT
FARGO, NORTH DAKOTA

MASTER PLAN
INST. MASTER PLAN
PROJECT NO. 17020
5 of 5 SHEET

KEY

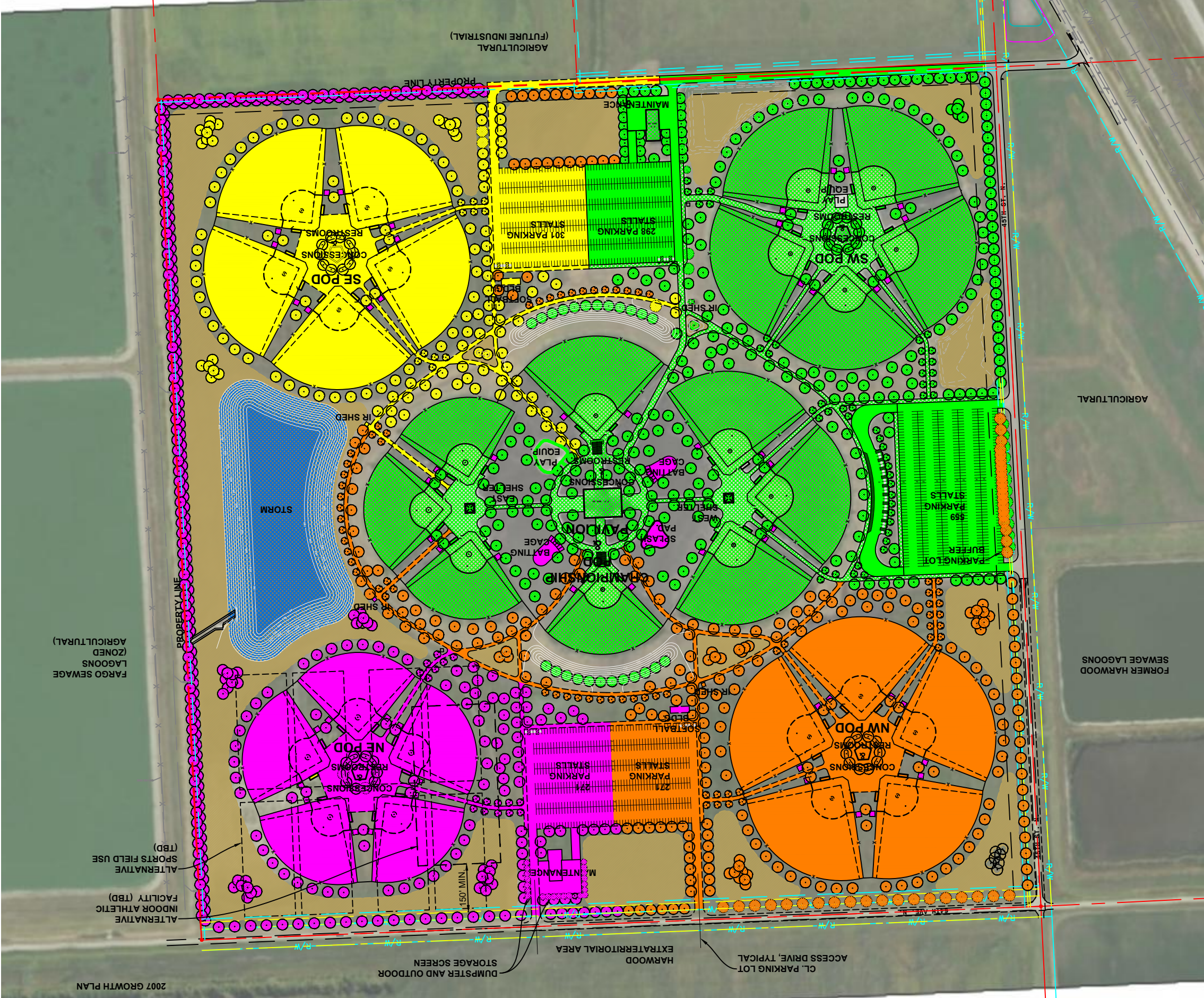
- PHASE 1 YEARS - (CONSTRUCTED)
- PHASE 2 YEARS - CURRENT TO YEAR 5
- PHASE 3 YEARS - 10 TO 15
- PHASE 4 YEARS - 15 TO 18
- PHASE 5 YEARS - 18 TO 20

IMPLEMENTATION OF INSTUTIONAL MASTER PLAN BY PHASE - CONTINUED

PHASE 3
LANDSCAPE IMPLEMENTATION WILL BE COMPLETED AFTER THE NW
POD ATHLETIC FIELD INSTALLATION.
NW POD CONCESSIONS & RESTROOMS- 2,857 SF
DUGOUTS (10 TOTAL)- 2,400 SF
IRRIGATION SHED (1 TOTAL)- 200 SF
GRAVEL PARKING (271 STALLS) 92,700 SF
CONCRETE SIDEWALKS 101,000 SF
BALL FIELDS (6 TOTAL) 416,000 SF
STREET TREES: 2,857 SF
STREET TREES WILL BE PLANTED ALONG 45TH ST. N. AS REQUIRED
PER THE LDC CODE AND AS REQUIRED BY THE CITY FORESTER.
230 LARGE DECIDUOUS TREES WILL BE PLANTED.
67 SMALL DECIDUOUS TREES WILL BE PLANTED.
PARKING LOT BUFFER:
20 LARGE DECIDUOUS TREES WILL BE PLANTED.
LANDSCAPE IMPLEMENTATION WILL BE COMPLETED AFTER THE NE
POD ATHLETIC FIELD INSTALLATION.
FINAL ATHLETIC POD CONFIGURATION AND FIELD USAGE MAY BE
ADJUSTED BASED ON COMMUNITY DEMAND FOR FACILITIES.
NE POD CONCESSIONS & RESTROOMS- 2,857 SF
DUGOUTS (10 TOTAL)- 2,400 SF
MAINTENANCE BUILDING (1 TOTAL)- 4,100 SF
SOFTBALL BUILDING (1 TOTAL)- 1,200 SF
BALLFIELD SHELTERS (28 TOTAL)- 11,200 SF
IRRIGATION SHED (1 TOTAL)- 200 SF
(ALTERNATE BUILDING FACILITIES 260,000 SF)
GRAVEL PARKING (271 STALLS) 92,700 SF
MAINTENANCE PARKING- 14,211 SF
CONCRETE SIDEWALKS 59,000 SF
BALL FIELDS (6 TOTAL) 299,000 SF

PHASE 4
LANDSCAPE IMPLEMENTATION WILL BE COMPLETED AFTER THE NE
POD ATHLETIC FIELD INSTALLATION.
OPEN SPACE LANDSCAPING:
230 LARGE DECIDUOUS TREES WILL BE PLANTED.
67 SMALL DECIDUOUS TREES WILL BE PLANTED.
PARKING LOT BUFFER:
20 LARGE DECIDUOUS TREES WILL BE PLANTED.
STREET TREES:
STREET TREES WILL BE PLANTED ALONG 64TH AVE. N. AS REQUIRED
PER THE LDC CODE AND AS REQUIRED BY THE CITY FORESTER.
PER THE LDC CODE AND AS REQUIRED BY THE CITY FORESTER.
OPEN SPACE LANDSCAPING:
141 LARGE DECIDUOUS TREES WILL BE PLANTED.
220 LARGE DECIDUOUS BUFFER TREES WILL BE PLANTED.
17 SMALL DECIDUOUS TREES WILL BE PLANTED.
22 SHRUBS TO BUFFER STORAGE/DUMPSTER AREA WILL BE PLANTED
NATIVE GRASS AREAS TO BE IMPLEMENTED AFTER PHASES 1 THRU 4
ARE SUBSTANTIALLY COMPLETE.
IF THE NATIVE GRASS AREAS ARE NOT IMPLEMENTED AFTER PHASE 4
IS COMPLETED, THE EQUIVALENT/REMAINDER OF REQUIRED PLANT
UNITS WILL BE INSTALLED AS LARGE AND/OR SMALL TREES.

Scale
160' 0 160' 320'
Feet



City of Fargo Staff Report			
Title:	Prairie Farms Second Addition	Date:	2/26/2019
Location:	6059, 5069, & 6087 Prairie Grove Court South	Staff Contact:	Aaron Nelson
Legal Description:	Lots 1-3, Block 4, Prairie Farms Addition		
Owner(s)/Applicant:	Prairie Grove Inc, Dietrich Homes Inc./Designer Homes FM (Bronson Mathiason)	Engineer:	Moore Engineering
Entitlements Requested:	Minor Subdivision (Replat of Lots 1-3, Block 4, Prairie Farms Addition)		
Status:	Planning Commission Public Hearing: March 5, 2019		

Existing	Proposed
Land Use: Vacant & Household Living	Land Use: Household Living
Zoning: SR-4, Single-Dwelling Residential with C-O, Conditional Overlay	Zoning: No Change
Uses Allowed: SR-4 allows detached houses, daycare centers up to 12 children, attached houses, duplexes, parks and open space, religious institutions, safety services, schools, and basic utilities.	Uses Allowed: No Change
Maximum Density: SR-4 allows a maximum 12.1 units per acre	Maximum Density: No Change

Proposal:
<p>The applicant is seeking City approval of a minor subdivision, which would replat three existing lots into two new lots for detached single-dwelling residential development. The subject property encompasses approximately 1.3 acres.</p> <p>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.</p> <p>Surrounding Land Uses and Zoning Districts:</p> <ul style="list-style-type: none"> • North: Vacant within SR-4, Single-Dwelling Residential; • East: Vacant within SR-4, Single-Dwelling Residential; • South: Household living within SR-2, Single-Dwelling Residential; • West: Household living within SR-4, Single-Dwelling Residential;

Area Plans:

The subject property is located within the bounds of the 2003 Southwest Future Land Use Plan. This plan identifies “Low/Medium Density Residential” use as the preferred land uses for this area and is included by reference within the 2007 Growth Plan.

Commercial
Commercial or Medium/High Density
Commercial or Medium/High or Park/Open Space
Commercial or Park/Open Space
Either Industrial or Commercial
Either Office or Commercial
Either Office or Medium/High Density Residential
Industrial
Low/Medium Density Residential
Low/Medium Density or Medium/High Density
Medium/High Density Residential
Medium/High Density or Park/Open Space
Office
Office or Commercial or Medium/High Density
Park/Open Space
Public
Public or Commercial
Public or Low/Medium Density
Public or Office
Storm Water



Schools and Parks:

Schools: The subject property is located within the Fargo Public School District and is served by Centennial Elementary, Discovery Middle, and Davies High schools.

Neighborhood: The subject property is located in the Maple Valley Neighborhood.

Parks: Prairie Farms Park (5970 31 Street South) is located northeast of the subject property.

Pedestrian / Bicycle: An off-street bike facility runs along Drain 53, east of the subject property, and is a component of the metro area trail system.

Staff Analysis:

Minor Subdivision

The LDC stipulates that the following criteria is met before a minor plat can be approved:

- Section 20-0907.B.3 of the LDC stipulates that the Planning Commission recommend approval or denial of the application, based on whether it complies with the adopted Area Plan, the standards of Article 20-06 and all other applicable requirements of the Land Development Code. Section 20-0907.B.4 of the LDC further stipulates that a Minor Subdivision Plat shall not be approved unless it is located in a zoning district that allows the proposed development and complies with the adopted Area Plan, the standards of Article 20-06 and all other applicable requirements of the Land Development Code.**

This subdivision is intended to create two residential lots through the replatting of three existing residential lots. The proposed use is consistent with the existing zoning. 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, staff has received one inquiry regarding this application and no comments. Additionally, the property owner to the south is working with the applicant to participate in modifications to the storm sewer inlet located on their shared property line, as detailed below. Staff has reviewed this request and finds that this application complies with standards of Article 20-06 and all applicable requirements of the Land Development Code. **(Criteria Satisfied)**

2. Section 20-907.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.

While this section of the LDC specifically addresses only major subdivision plats, staff believes it is important to note that any improvements associated with the project (both existing and proposed) are subject to special assessments. Special assessments associated with the costs of the public infrastructure improvements are proposed to be spread by the front footage basis and storm sewer by the square footage basis as is typical with the City of Fargo assessment principals.

There is a storm sewer inlet and pipe located along the shared interior-side lot line of the existing two easternmost lots (Lots 1 & 2, Block 4, Prairie Farms Addition). Since the location of this lot line will become part of the proposed Lot 2 upon replat, the storm sewer will need to be relocated. As such, the owners of the subject property have been working with the neighboring property owner to the south and the City of Fargo Engineering Department to relocate this storm sewer in a manner that improves drainage for all adjacent lots. As of the writing of this staff report, the Engineering Department is currently drafting an agreement to be signed by the adjacent property owners regarding the planned relocation of this storm sewer inlet and pipe. Staff's intent would be for this agreement to be signed prior to final approval of the proposed plat. **(Criteria Satisfied)**

Staff Recommendation:

Suggested Motion: "To accept the findings and recommendations of staff and hereby recommend approval to the City Commission of the proposed *Prairie Farms Second Addition* subdivision plat as presented; as the proposal complies with the 2007 Growth Plan, Standards of Article 20-06 of the LDC, and all other applicable requirements of the LDC."

Planning Commission Recommendation: March 5, 2019

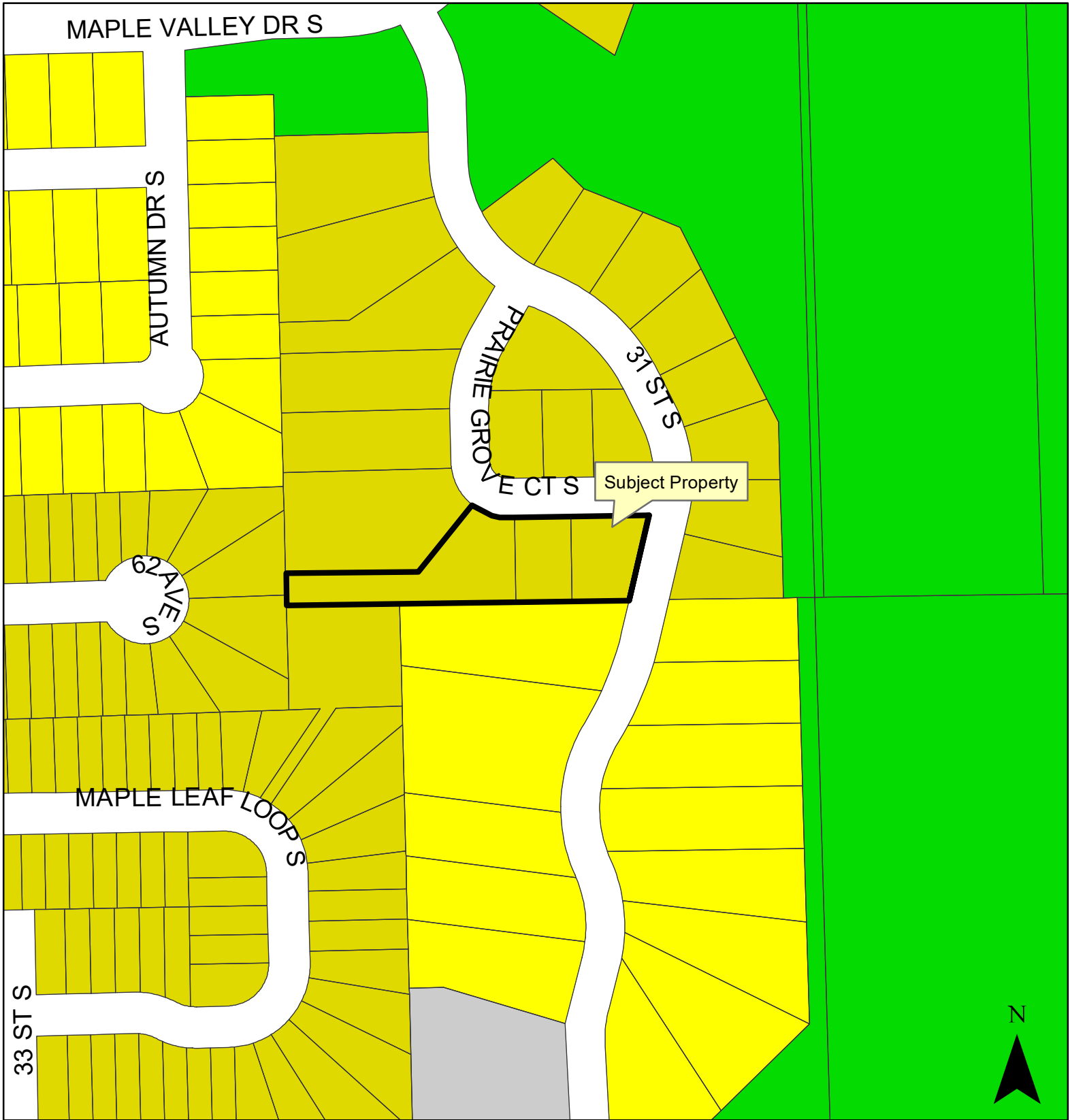
Attachments:

1. Zoning Map
2. Location Map
3. Preliminary Subdivision Plat

Plat (Minor)

Prairie Farms 2nd Addition

6087, 6069, 6059 Prairie Grove Ct S



Legend

AG	LC	MHP	SR-2
DMU	M	NO	SR-1
GC	MR-1	NC	SR-1.5
GL	MR-2	P/I	SR-5
GO	MR-3	UML	City Limits

Fargo Planning Commission

February 5, 2019

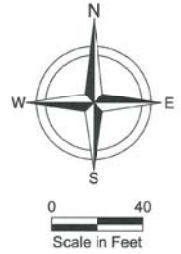
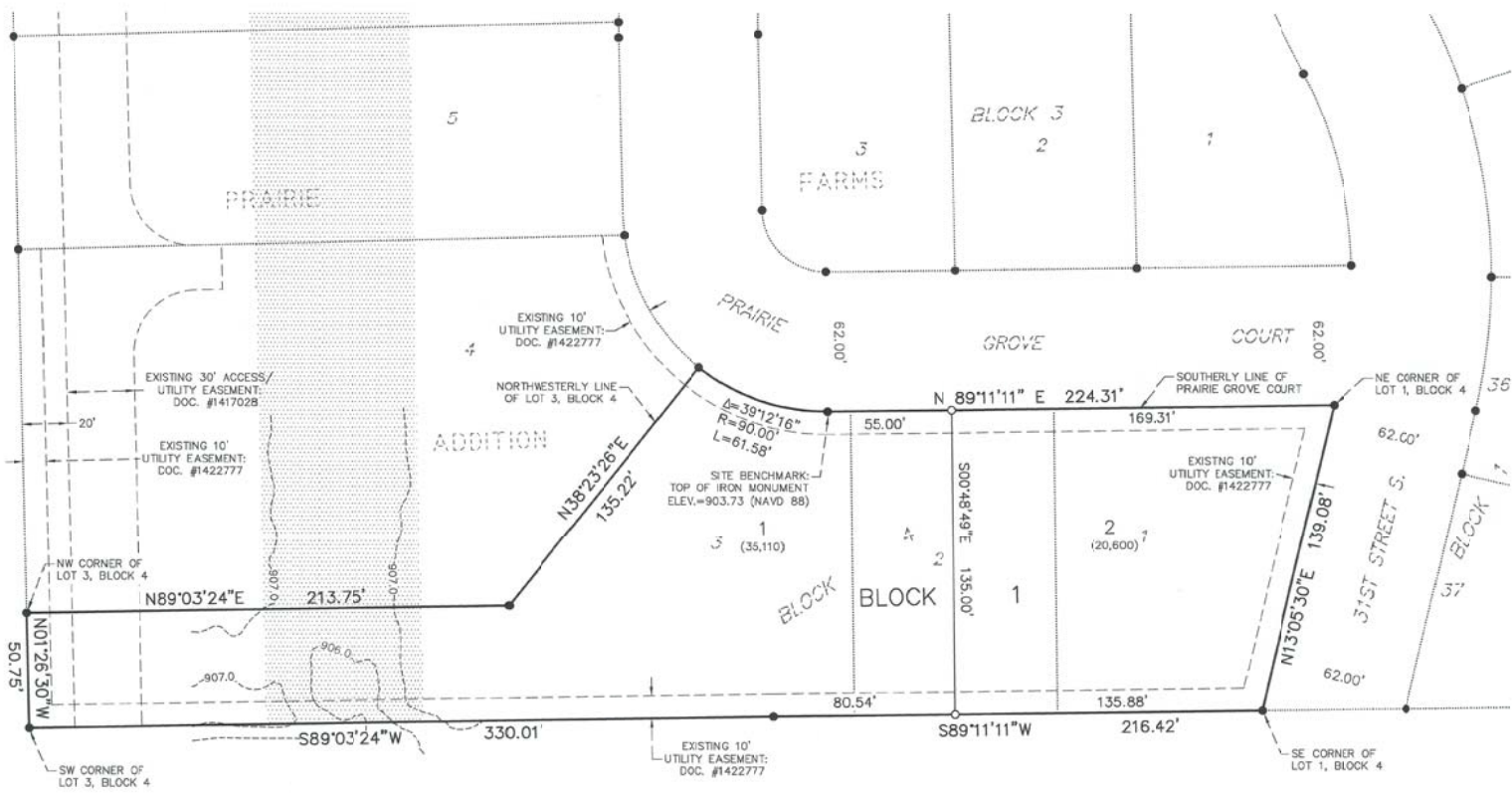
Plat (Minor)

Prairie Farms 2nd Addition

6087, 6069, 6059 Prairie Grove Ct S



**A MINOR SUBDIVISION PLAT OF
PRAIRIE FARMS SECOND ADDITION
TO THE CITY OF FARGO, A REPLAT OF LOTS 1 THROUGH 3, BLOCK 4, PRAIRIE FARMS ADDITION
TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA.**



BASIS OF BEARINGS: THE PLAT OF PRAIRIE FARMS ADDITION AS RECORDED.

- LEGEND**
- IRON MONUMENT FOUND
 - SET 5/8"X18" REBAR WITH YELLOW PLASTIC CAP #5900
 - (31,963) LOT AREAS IN SQ. FT.
 - L ARC LENGTH
 - R RADIUS LENGTH
 - Δ CENTRAL ANGLE
 - PLAT BOUNDARY LINE
 - LOT LINE
 - - - EXISTING EASEMENT LINE
 - - - EXISTING LOT LINE
 - ZONE AE, FIRM MAP NO. 38017C0787G, BASE FLOOD ELEVATION = 906.7' (NAVD88)
 - - - -907.00'--- CONTOUR LINE WITH ELEVATION 907.00' (NAVD 88)

NOTES:
1. LOMR-F DATED NOVEMBER 17, 2015 WITH CASE NO. 16-08-0054A REMOVING PORTIONS OF THE SUBJECT PROPERTY FROM THE SFHA TO ZONE X (SHADED).

EASEMENTS OF RECORD:
1. ALLEYWAY ACCESS EASEMENT AGREEMENT RECORDED MAY 13, 2014 AS DOCUMENT NO. 141662.
2. DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS RECORDED MAY 16, 2016 AS DOCUMENT NO. 1477339.

CERTIFICATE

SHAWN M. THOMASSON, BEING DULY SWORN, DEPOSES AND SAYS THAT HE IS THE REGISTERED LAND SURVEYOR WHO PREPARED AND MADE THE ATTACHED PLAT OF "PRAIRIE FARMS SECOND ADDITION" TO THE CITY OF FARGO, A REPLAT OF LOTS 1 THROUGH 3, BLOCK 4, PRAIRIE FARMS ADDITION TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA; THAT SAID PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE SURVEY THEREOF; THAT ALL DISTANCES ARE CORRECTLY SHOWN ON SAID PLAT; THAT MONUMENTS HAVE BEEN PLACED IN THE GROUND AS INDICATED FOR THE GUIDANCE OF FUTURE SURVEYS AND THAT SAID ADDITION IS DESCRIBED AS FOLLOWS, TO WIT:

ALL OF LOTS 1 THROUGH 3, BLOCK 4, PRAIRIE FARMS ADDITION TO THE CITY OF FARGO, ACCORDING TO THE RECORDED PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, CASS COUNTY, NORTH DAKOTA.
SAID TRACT CONTAINS 1.28 ACRES, MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD, IF ANY.

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



STATE OF NORTH DAKOTA)
COUNTY OF CASS)
ON THIS 30th DAY OF January, 2019, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED SHAWN M. THOMASSON, REGISTERED LAND SURVEYOR, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

Jessica Martin
JESSICA MARTIN
Notary Public
State of North Dakota
My Commission Expires Sept. 8, 2021

JESSICA MARTIN
Notary Public
State of North Dakota
My Commission Expires Sept. 8, 2021

DEDICATION

WE, THE UNDERSIGNED, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LAND DESCRIBED IN THE PLAT OF "PRAIRIE FARMS SECOND ADDITION" TO THE CITY OF FARGO, A REPLAT OF LOTS 1 THROUGH 3, BLOCK 4, PRAIRIE FARMS ADDITION TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA; THAT WE HAVE CAUSED IT TO BE PLATTED INTO LOTS AND BLOCKS AS SHOWN BY SAID PLAT AND CERTIFICATE OF SHAWN M. THOMASSON, REGISTERED LAND SURVEYOR, AND THAT THE DESCRIPTION AS SHOWN IN THE CERTIFICATE OF THE REGISTERED LAND SURVEYOR IS CORRECT.
OWNER OF LOT 1, BLOCK 1: DIETRICH HOMES, INC. OWNER OF LOT 2, BLOCK 1: PRAIRIE GROVE, INC.

CLAY C. DIETRICH, PRESIDENT
STATE OF NORTH DAKOTA)
COUNTY OF CASS)

OLE ROMMESMO, PRESIDENT

ON THIS _____ DAY OF _____, 2019, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED CLAY C. DIETRICH, PRESIDENT, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE NAME OF DIETRICH HOMES, INC.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA
STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2019, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED OLE ROMMESMO, PRESIDENT, KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THE NAME OF PRAIRIE GROVE, INC.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

FARGO PLANNING COMMISSION APPROVAL

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

SHARA FISCHER, CHAIR
STATE OF NORTH DAKOTA)
COUNTY OF CASS)

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

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

FARGO CITY COMMISSION APPROVAL

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

TIMOTHY J. MAHONEY, MAYOR
STATE OF NORTH DAKOTA)
COUNTY OF CASS)

STEVEN SPRAGUE, CITY AUDITOR

ON THIS _____ DAY OF _____, 2019, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED TIMOTHY J. MAHONEY, MAYOR AND STEVEN SPRAGUE, CITY AUDITOR, KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THE NAME OF THE CITY OF FARGO.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

CITY ENGINEER'S APPROVAL

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

BRENDA E. DERRIG, CITY ENGINEER
STATE OF NORTH DAKOTA)
COUNTY OF CASS)

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

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

City of Fargo Staff Report			
Title:	Madelyn's Meadows First Addition	Date:	2/27/2019
Location:	7269 25 th Street South	Staff Contact:	Donald Kress, planning coordinator
Legal Description:	Lot 9, Block 3, Madelyn's Meadows First Addition		
Owner(s)/Applicant:	Sitka Investments, LLC/Jon Youness	Engineer:	Mead & Hunt
Entitlements Requested:	Major Subdivision (replat of Lot 9, Block 3, Madelyn's Meadows First Addition) Zone Change (from AG, Agriculture to SR-4, Single-Dwelling Residential and SR-5, Single Dwelling Residential)		
Status:	Planning Commission Public Hearing: March 5, 2019		

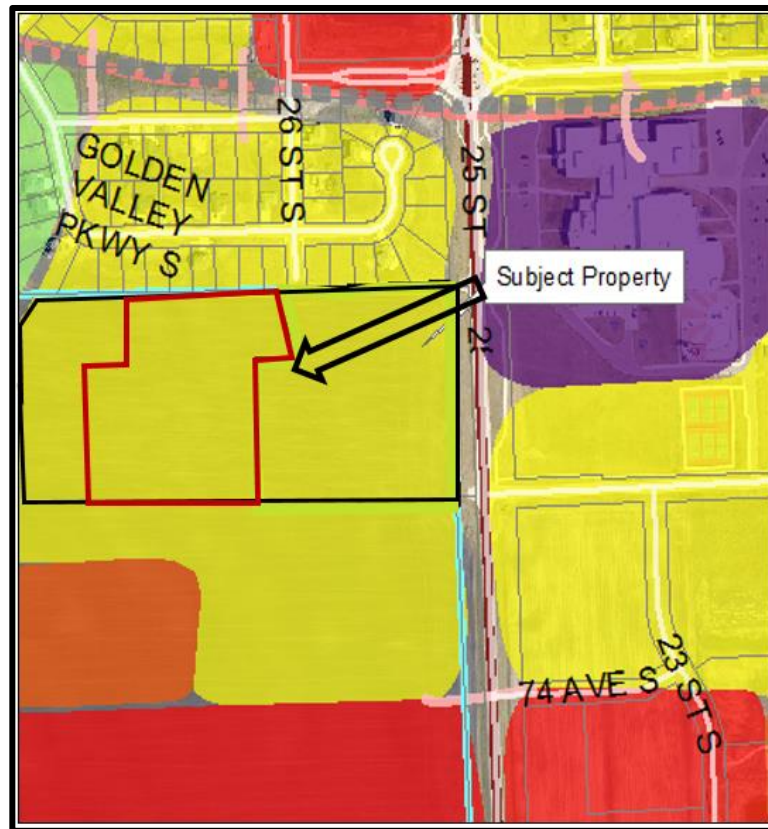
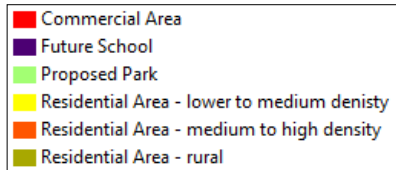
Existing	Proposed
Land Use: Undeveloped	Land Use: Residential
Zoning: AG, Agricultural	Zoning: SR-4, Single Dwelling Residential; SR-5, Single-Dwelling Residential
Uses Allowed: AG – Agricultural. Allows detached houses, parks and open space, safety services, basic utilities, and crop production	Uses Allowed: SR-4 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 Allows detached houses, attached houses and duplexes, daycare centers, parks and open space, religious institutions, safety services and basic utilities.
Maximum Density Allowed (Residential): AG allows a maximum of 1 dwelling unit per 10 acres.	Maximum Density Allowed: SR-4 allows 12.1 dwelling units per acre; SR-5 allows 14.5 dwelling units per acre;

Proposal:
<p>The applicant requests two entitlements:</p> <ol style="list-style-type: none"> 1. A major subdivision, entitled Madelyn's Meadows Second Addition, a replat of Lot 9, Block 3, Madelyn's Meadows First Addition; and 2. A zone change from AG: Agricultural to SR-4, Single Dwelling Residential and SR-5, Single Dwelling Residential. <p>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.</p> <p>Surrounding Land Uses and Zoning Districts:</p> <ul style="list-style-type: none"> • North: SR-4, Single Dwelling Residential

- East: Single-dwelling residential (Madelyn’s Meadows First Addition)
- South: AG, undeveloped
- West: Cass County Drain 53; AG-zoned undeveloped land outside of city limits on the west side of this drain.

Area Plans:

The 2007 Tier 1 Southeast Growth Plan, part of the 2007 Growth Plan, designates the area of this project as “Residential Area – lower to medium density” land use. Per that plan, both the proposed SR-4 and SR-5 zonings are consistent with this land use designation.



Additionally, the Fargo Preferred Future Land Use Plan Update of the Southwest Metro Transportation Plan (SWMTP) designates the land use for this area as “low density residential” development. The SWMTP was a project of the Metropolitan Council of Governments (MetroCOG). Planning staff uses the SWMTP as a guide, particularly for future street connectivity. The land use plan has not been officially adopted by the Planning Commission (This land use plan is Figure 5.1 of the SWMTP)

Context:

Schools: The subject property is located within the West Fargo School District and is served by L.E. Berger Elementary, Cheney Middle and West Fargo High schools.

Neighborhood: The subject property is not located within a designated neighborhood.

Parks: Davies Athletic Complex (1880 70th Avenue S) is located approximately 0.39 miles east of the project site and provides the amenities of baseball/softball fields.

Pedestrian / Bicycle: There are off-road bike facilities along 25th Street South that are a component of the metro area bikeways system. A trail along 73rd Avenue South, within the 80-foot public right of way, was required as part of Madelyn’s Meadows First Addition.

Staff Analysis:

PLAT AND ZONE CHANGE

The plat will create a total of 77 lots for residential development. Lots will be zoned as shown in the chart below.

BLOCK	LOTS	ZONING	LAND USE
1	1-17	SR-4	Single-Dwelling Residential
2	1-20	SR-5	Single-Dwelling Residential
3	1-16	SR-4	Single-Dwelling Residential
4	1-16	SR-4	Single-Dwelling Residential
5	1-8	SR-4	Single-Dwelling Residential

ZONING: The SR-4 zoned single-dwelling lots range in size from 5,763 square feet to 13,610 square feet. All lots meet the minimum required lot area of the SR-4 zone of 3,600 square feet. The SR-5-zoned lots in Block 2 range in size from 4,700 to over 7,300 square feet, with most lots around 5,000 square feet or less. All lots meet the minimum required lot area of the SR-5 zone of 3,000 square feet. The access easement at the rear of the lots in Block 2 will be maintained by a homeowners association (HOA).

HISTORY OF LOT 9, BLOCK 3: In the Madelyn’s Meadows First Addition, Lot 9, Block 3 remained zoned AG: Agricultural. The applicant intended to develop this lot with residential development as a second phase, to be rezoned to the appropriate residential zone at the time it is developed. This lot is now being platted and zoned.

ACCESS: The lots will be accessed by way of dedicated public streets. Necessary rights of way will be dedicated with the plat.

AMENITIES PLAN: The applicant has provided a draft amenities plan providing details of the project’s streets and trails. This plan will be reviewed by the Public Works Project Evaluation Committee (PWPEC) prior to the project being heard at the City Commission.

Zoning

Section 20-906. 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?

Staff is unaware of any error in the zoning map as it relates to this property. The property is currently zoned AG, Agricultural. The proposed zoning of SR-4 and SR-5 are consistent with the 2007 Tier 1 Southeast Growth Plan designation of the area of this project as “Residential Area – lower to medium density.” Additionally, the Fargo Preferred Future Land Use Plan Update of the Southwest Metro Transportation Plan (SWMTP) designates the land use for this area as “low density residential” development. **(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. Staff finds no deficiencies in the ability to provide all of the necessary services to the site. Lots in the subdivision will front on dedicated public streets. The necessary rights of way for these streets will be dedicated with the plat. These streets will provide access and public utilities to serve the development. **(Criteria satisfied)**

(continued on next page)

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

Staff has no documentation or evidence to suggest that the approval of this zoning change would adversely affect the condition or value of the property in the vicinity. 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 Growth Plan that applies to this property is the 2007 Tier 1 Southeast Growth Plan, part of the 2007 Growth Plan. This plan designates this property as appropriate for lower to medium density residential development, which includes the SR-4 and SR-5 zones. The previously platted SR-4 zoned area of Madelyn's Meadows (Blocks 1 and 2 and Lots 1-8 of Block 3) provides a gross density of approximately 4 dwelling units per acre. This phase provides a gross density of approximately 5.5 dwelling units per acre. These densities do not exceed the maximum density of 12.1 dwelling units per acre allowed in the SR-4 zone. Additionally, the Fargo Preferred Future Land Use Plan Update of the Southwest Metro Transportation Plan (SWMTTP) designates the land use for this area as "low density residential" development. Staff finds this proposal is consistent with the purpose of the LDC, the applicable growth plan, and other adopted policies of the City. **(Criteria satisfied)**

Subdivision

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

1. 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 zoning for the residential development on this property is SR-4 and SR-5. These zones will accommodate the proposed single-family development and are consistent with the "low density residential" designation for this property in the 2007 Tier 1 Southeast Growth Plan. Additionally, the Fargo Preferred Future Land Use Plan Update of the Southwest Metro Transportation Plan (SWMTTP) designates the land use for this area as "low density residential" development. 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 comments or inquiries about the project. **(Criteria Satisfied)**

2. Section 20-0907.4 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 proposed zoning is SR-4 and SR-5. This zoning is consistent with the 2007 Tier 1 Southeast Growth Plan, which designates this property for lower to medium density residential development. Additionally, the Fargo Preferred Future Land Use Plan Update of the Southwest Metro Transportation Plan (SWMTTP) designates the land use for this area as "low density residential" development. 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. **(Criteria Satisfied)**

3. 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.

The applicant has provided a draft amenities plan that specifies the terms or securing installation of public improvements to serve the subdivision. This amenities plan will be reviewed by the Public Works Project Evaluation Committee (PWPEC) prior to the final plat going to City Commission. The City's standard policy is that any improvements associated with the project (both existing and proposed) are subject to special assessments. Special assessments associated with the costs of the public infrastructure improvements are proposed to be spread by the front footage basis and storm sewer by the square footage basis as is typical with the City of Fargo assessment principles.

(Criteria Satisfied)

Staff Recommendation:

Suggested Motion: "To accept the findings and recommendations of staff and move to recommend approval to the City Commission of the proposed: 1) zone change from AG, Agricultural to SR-4, Single Dwelling Residential and SR-5, Single Dwelling Residential; and 2) **Madelyn's Meadows Second Addition** subdivision plat as presented; as the proposal complies with the 2007 Growth Plan, Standards of Article 20-06, and Section 20-0906.F (1-4) of the LDC and all other applicable requirements of the LDC."

Planning Commission Recommendation: March 5, 2019

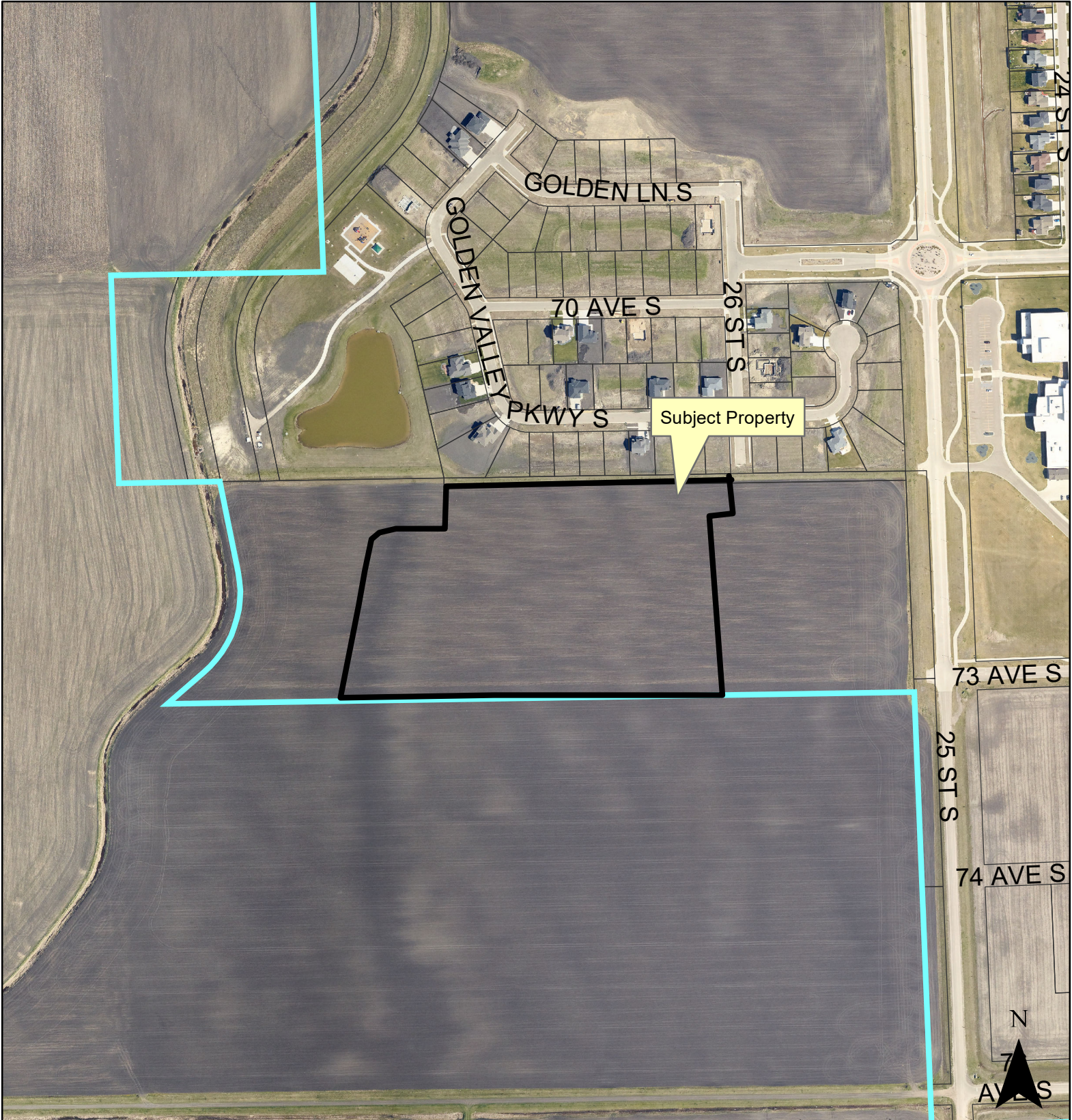
Attachments:

1. Location Map
2. Preliminary Plat

Plat (Major) and Zone Change (AG to SR-4)

Madelyn's Meadows 2nd Addition

7269 25 Street South



MADLYN'S MEADOW SECOND ADDITION

BEING A RE-PLAT OF THE LOT 9, BLOCK 3, MADLYN'S MEADOWS FIRST ADDITION TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA (A MAJOR SUBDIVISION)

PLAT BOUNDARY DESCRIPTION

Joshua J. Nelson, being duly sworn, deposes and says that he is the Registered Land Surveyor who prepared and made the attached plat of "MADLYN'S MEADOWS SECOND ADDITION" to the City of Fargo, a part of the Southeast Quarter in Section 11, Township 138 North, Range 49 West, Cass County, North Dakota; that said plat is a true and correct representation of the boundary survey; that all distances are correctly shown on said plat; that monuments have been placed in the ground as indicated for the guidance of future surveys and that said addition is described as follows, to wit;

All of Lot 9, Block 3 of MADLYN'S MEADOWS FIRST ADDITION to the City of Fargo according to the record plat thereof on file in the office of the County Recorder, Cass County, North Dakota.

Said plat contains 14.52 acres, more or less.

Subject to Easements, Restrictions, Reservations and Rights of Way of Record.

Joshua J. Nelson, PLS
Professional Land Surveyor
Registration No. LS-27292

State of North Dakota)
) SS
County of Cass)

On this ___ day of _____, 2019, appeared before me, Joshua J. Nelson, known to me to be the person whose name is subscribed to the above certificate and did acknowledge to me that he executed the same as his own free act and deed.

Notary Public, Cass County, North Dakota

My commission expires: _____

DEDICATION

We, the undersigned, do hereby certify that we are the owners of the land described in the plat of "MADLYN'S MEADOWS SECOND ADDITION" to the City of Fargo, a part of the Southeast Quarter in Section 11, Township 138 North, Range 49 West, Cass County, North Dakota; that we have caused it to be platted into lots and blocks as shown by said plat and certification of Joshua J. Nelson, Registered Land Surveyor, and that the description as shown in the certificate of the Registered Land Surveyor is correct. We hereby dedicate all Streets, Lanes, Drives, Utility Easements, and Ingress/Egress Easements shown on said plat to the Public.

Owner: Sitka Investments, LLC

James R. Bullis, President

State of North Dakota)
) SS
County of Cass)

On this ___ day of _____, 2019, appeared before me, James R. Bullis, President, known to me to be the person whose name is subscribed to the above certificate and did acknowledge to me that he executed the same on behalf of Sitka Investments, LLC.

Notary Public, Cass County, North Dakota

My commission expires: _____

Mortgage Holder: First International Bank & Trust

Matt Mueller, President

State of North Dakota)
) SS
County of Cass)

On this ___ day of _____, 2019, appeared before me, Matt Mueller, President known to me to be the person whose name is subscribed to the above certificate and did acknowledge to me that he executed the same on behalf of First International Bank & Trust.

Notary Public, Cass County, North Dakota

My commission expires: _____

CITY OF FARGO ENGINEERING DEPARTMENT APPROVAL

Approved by the City Engineer this ___ day of _____, 2019.

Brenda E. Derrig, P.E.
City Engineer

State of North Dakota)
) SS
County of Cass)

On this ___ day of _____, 2019, before me, a notary public in and for said county, personally appeared Brenda E. Derrig, City Engineer, known to me to be the person described in and who executed the same as a free act and deed.

Notary Public, Cass County, North Dakota

My commission expires: _____

CITY OF FARGO PLANNING COMMISSION APPROVAL

Approved by the City of Fargo Planning Commission this ___ day of _____, 2019.

Shara Fischer
Planning Commission Chair

State of North Dakota)
) SS
County of Cass)

On this ___ day of _____, 2019, before me, a notary public in and for said county, personally appeared Shara Fischer, Planning Commission Chair, known to me to be the person described in and who executed the same as a free act and deed.

Notary Public, Cass County, North Dakota

My commission expires: _____

FARGO CITY COMMISSION APPROVAL

Approved by the Board of Commissioners and ordered filed this ___ day of _____, 2019.

Timothy J. Mahoney
Mayor

Attest:
Steven Sprague, City Auditor

State of North Dakota)
) SS
County of Cass)

On this ___ day of _____, 2019, before me, a notary public in and for said county, personally appeared Timothy J. Mahoney, Mayor, and Steven Sprague, City Auditor, known to me to be the persons described in and who executed the same as a free act and deed.

Notary Public, Cass County, North Dakota

My commission expires: _____

PRELIMINARY



Phone: 701-566-6450
meadhunt.com

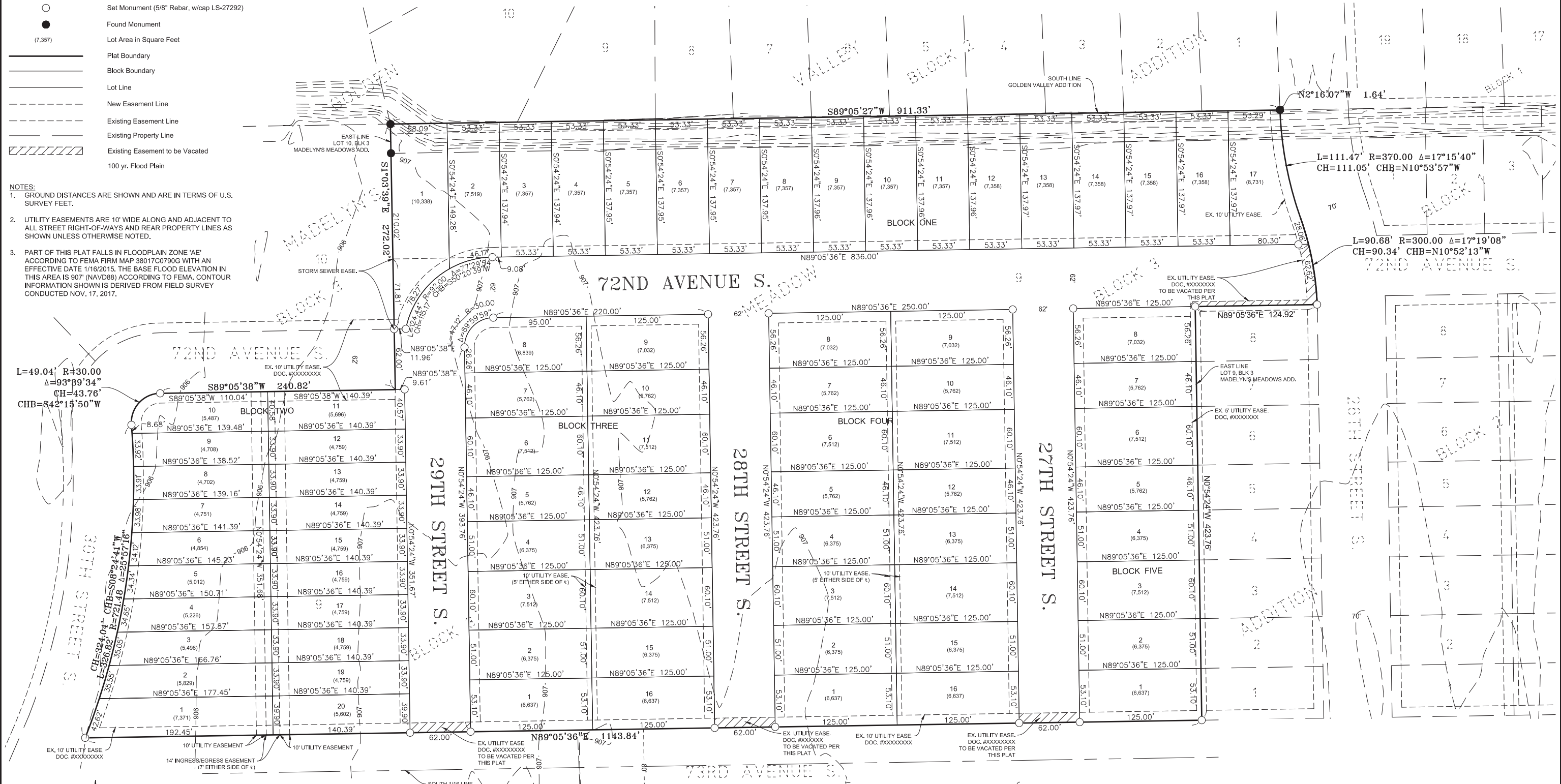
PROJECT NO.
4637000-190431
SHEET 1 OF 2

MADelyn'S MEADOW SECOND ADDITION

BEING A RE-PLAT OF THE LOT 9, BLOCK 3, MADelyn'S MEADOWS FIRST ADDITION
TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA
(A MAJOR SUBDIVISION)

- LEGEND**
- Set Monument (5/8" Rebar, w/cap LS-27292)
 - Found Monument
 - (7.357) Lot Area in Square Feet
 - Plat Boundary
 - Block Boundary
 - Lot Line
 - - - New Easement Line
 - - - Existing Easement Line
 - - - Existing Property Line
 - ▨ Existing Easement to be Vacated
 - 100 yr. Flood Plain

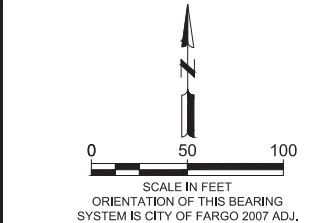
- NOTES:**
- GROUND DISTANCES ARE SHOWN AND ARE IN TERMS OF U.S. SURVEY FEET.
 - UTILITY EASEMENTS ARE 10' WIDE ALONG AND ADJACENT TO ALL STREET RIGHT-OF-WAYS AND REAR PROPERTY LINES AS SHOWN UNLESS OTHERWISE NOTED.
 - PART OF THIS PLAT FALLS IN FLOODPLAIN ZONE 'AE' ACCORDING TO FEMA FIRM MAP 38017C0790G WITH AN EFFECTIVE DATE 1/16/2015. THE BASE FLOOD ELEVATION IN THIS AREA IS 907' (NAVD88) ACCORDING TO FEMA. CONTOUR INFORMATION SHOWN IS DERIVED FROM FIELD SURVEY CONDUCTED NOV. 17, 2017.



L=49.04' R=30.00'
Δ=93°09'34"
CH=43.76'
CHB=S42°15'50"W

L=111.47' R=370.00 Δ=17°15'40"
CH=111.05' CHB=N10°53'57"W

L=90.68' R=300.00 Δ=17°19'08"
CH=90.34' CHB=N10°52'13"W



PRELIMINARY

Mead & Hunt
Phone: 701-566-6450
meadhunt.com
PROJECT NO. 4637000-190431
SHEET 2 OF 2

X:\4637000\190431\1\TECHSURVEY\DRAWINGS\MADelyn'S MEADOWS SECOND ADDITION PLAT.DWG 2/26/2019 4:08:11 PM

City of Fargo Staff Report			
Title:	Lenthe's First Addition	Date:	2/27/2019
Location:	2901, 2903, 2905, 2907, 3001, 3003, 3005, 3007, 3039, 3041, 3043, and 3045 Main Avenue	Staff Contact:	Donald Kress, planning coordinator
Legal Description:	East half of Lot 3 and all of Lots 4 through 10, Teigen's Addition, and a portion of the SW ¼ SE ¼ Sec. 2, T139N, R49W		
Owner(s)/Applicant:	Drew Lenthe Enterprises, Inc./ Houston Engineering— Curt Skarphol	Engineer:	Houston Engineering
Entitlements Requested:	Minor Subdivision (Replat of East half of Lot 3 and all of Lots 4 through 10, Teigen's Addition, and a portion of the SW ¼ SE ¼ Sec. 2, T139N, R49W of the 5th Principal Meridian, Cass County, North Dakota.)		
Status:	Planning Commission Public Hearing: March 5, 2019		

Existing	Proposed
Land Use: Retail sales and service;	Land Use: No change
Zoning: GC, General Commercial;	Zoning: No change
Uses Allowed: GC allows colleges, community service, daycare centers of unlimited size, detention facilities, health care facilities, parks and open space, religious institutions, safety services, adult entertainment centers, offices, off-premise advertising, commercial parking, outdoor recreation and entertainment, retail sales and service, self storage, vehicle repair, limited vehicle service, aviation, surface transportation, and major entertainment events.	Uses Allowed: No change
Maximum Lot Coverage Allowed: 85%	Maximum Lot Coverage Allowed: No change

Proposal:
<p>The applicant requests one entitlement:</p> <ol style="list-style-type: none"> 1. A minor subdivision, entitled Lenthe's First Addition which is a replat of the East half of Lot 3 and all of Lots 4 through 10, Teigen's Addition, and a portion of the SW ¼ SE ¼ Sec. 2, T139N, R49W of the 5th Principal Meridian, Cass County, North Dakota. <p>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.</p> <p>Surrounding Land Uses and Zoning Districts:</p> <ul style="list-style-type: none"> • North: GC, General Commercial, with Burlington Northern Santa Fe railroad tracks; north across the tracks is zone LI, Limited Industrial, with warehouse use.

- East: GC, with commercial uses (auto sales)
- South: Across Main Avenue LI, Limited Industrial with warehouse, light manufacturing, and vacant land uses
- West: LI, Limited Industrial with limited industrial uses (propane gas distribution)

Area Plans:

No area plans apply.

Schools and Parks:

Schools: The subject property is located within the Fargo School District and is served by Madison Elementary, Ben Franklin Middle and North High schools.

Neighborhood: The subject property is not located within a designated neighborhood.

Parks: Jefferson Park (1904 4th Avenue S South) is located approximately over ¾ of a mile southeast of the subject property and offers the amenities of basketball , picnic table, playgrounds, and recreational trails, soccer, skatepark.

Pedestrian / Bicycle: There are no bicycle facilities along Main Avenue at this location.

Staff Analysis:

The plat will create three lots out of a combination of eight existing lots and unplatted land formerly owned by the BNSF Railroad. All of the property to be platted is zoned GC, General Commercial. No zone change is proposed. The area fronting Main Avenue is entirely developed with retail, restaurant, and convenience store uses.

ACCESS: All existing access points on Main Avenue will remain, as will the access point over North Dakota Department of Transportation-owned property to 27th Street to the east.

PUBLIC WATER AND SEWER: Public water and sewer are available in Main Avenue

SUBDIVISION

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

- 1. Section 20-0907.B.3 of the LDC stipulates that the Planning Commission recommend approval or denial of the application, based on whether it complies with the adopted Area Plan, the standards of Article 20-06 and all other applicable requirements of the Land Development Code. Section 20-0907.B.4 of the LDC further stipulates that a Minor Subdivision Plat shall not be approved unless it is located in a zoning district that allows the proposed development and complies with the adopted Area Plan, the standards of Article 20-06 and all other applicable requirements of the Land Development Code.**

The subject property is not located within an area plan. All of the properties within this plat are currently zoned GC, General Commercial. No zone change is proposed. 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, staff has received two phone calls from the public regarding this property. The callers had no objection. The project has been reviewed by the city’s Planning, Engineering, Public Works, Inspections, and Fire Departments. **(Criteria Satisfied)**

- 2. 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.**

While this section of the LDC specifically addresses only major subdivision plats, staff believes it is important to note that any improvements associated with the project (both existing and proposed) are subject to special assessments. Special assessments associated with the costs of the public infrastructure improvements are proposed to be spread by the front footage basis and storm sewer by the square footage basis as is typical with the City of Fargo assessment principles. **(Criteria Satisfied)**

Suggested Motion:

“To accept the findings and recommendations of staff and move to recommend approval to the City Commission of the proposed **Lenthe’s First Addition** subdivision plat, as presented, as the proposal complies with the Go2030 Plan, Standards of Article 20-06, and all other applicable requirements of the LDC.”

Planning Commission Recommendation: March 5, 2019

Attachments:

- 1. Zoning Map
- 2. Location Map
- 3. Preliminary Plat

Plat (Minor)

Lenthes 1st Addition

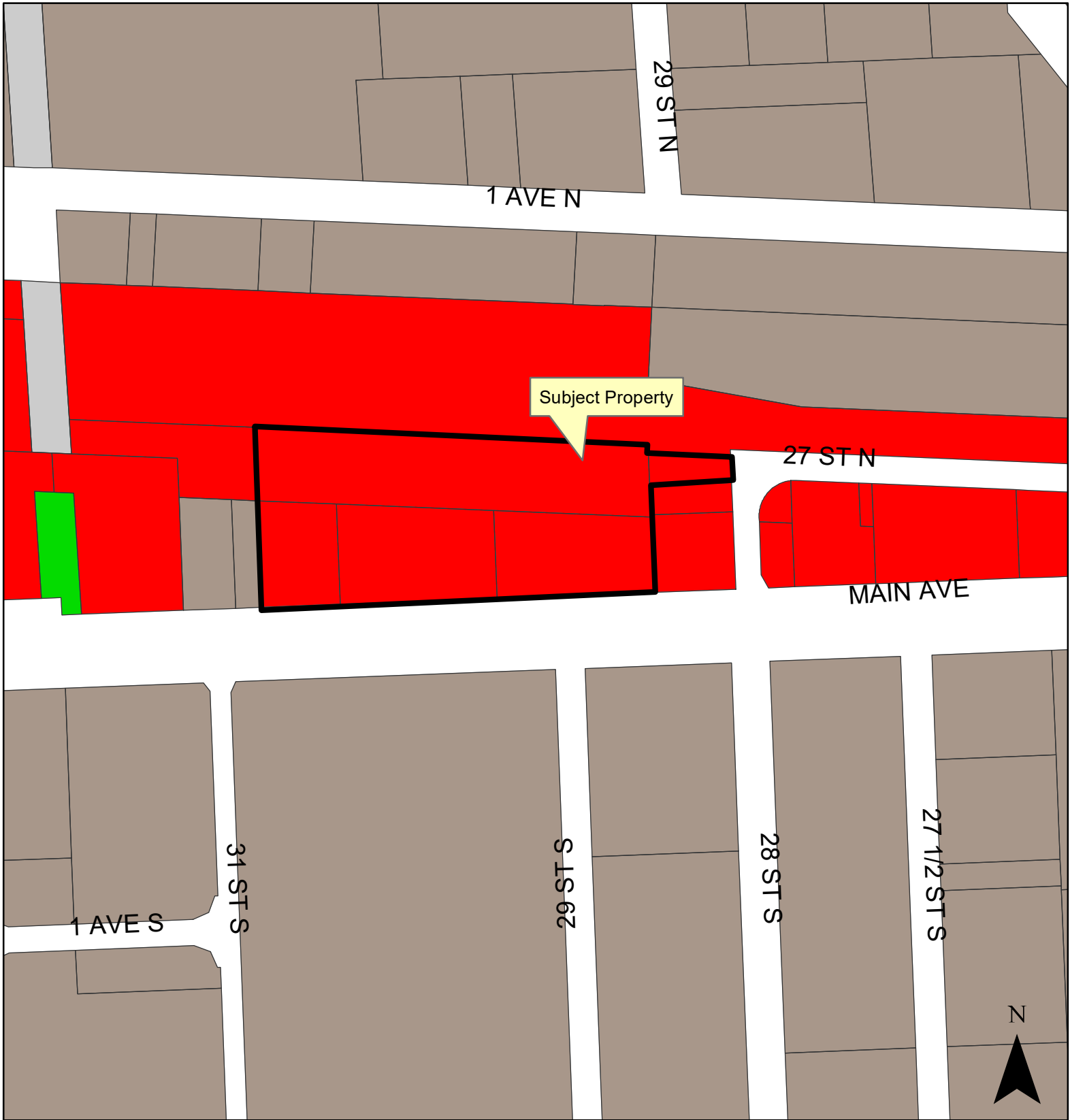
2901, 2903, 2905, 2907, 3001, 3003, 3005,
3007, 3039, 3041, 3043, and 3045 Main Avenue



Plat (Minor)

Lenthes 1st Addition

2901, 2903, 2905, 2907, 3001, 3003, 3005,
3007, 3039, 3041, 3043, and 3045 Main Avenue



Legend

AG	DM	GC	GO	LC	MR-1	MR-2	MR-3	MHP	NC	NO	P/I	UML	City Limits
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300

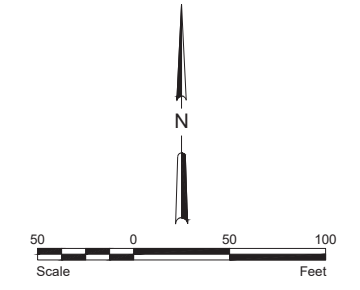
Feet

Fargo Planning Commission

March 5, 2019

LENTHE'S FIRST ADDITION

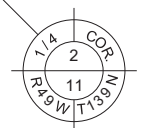
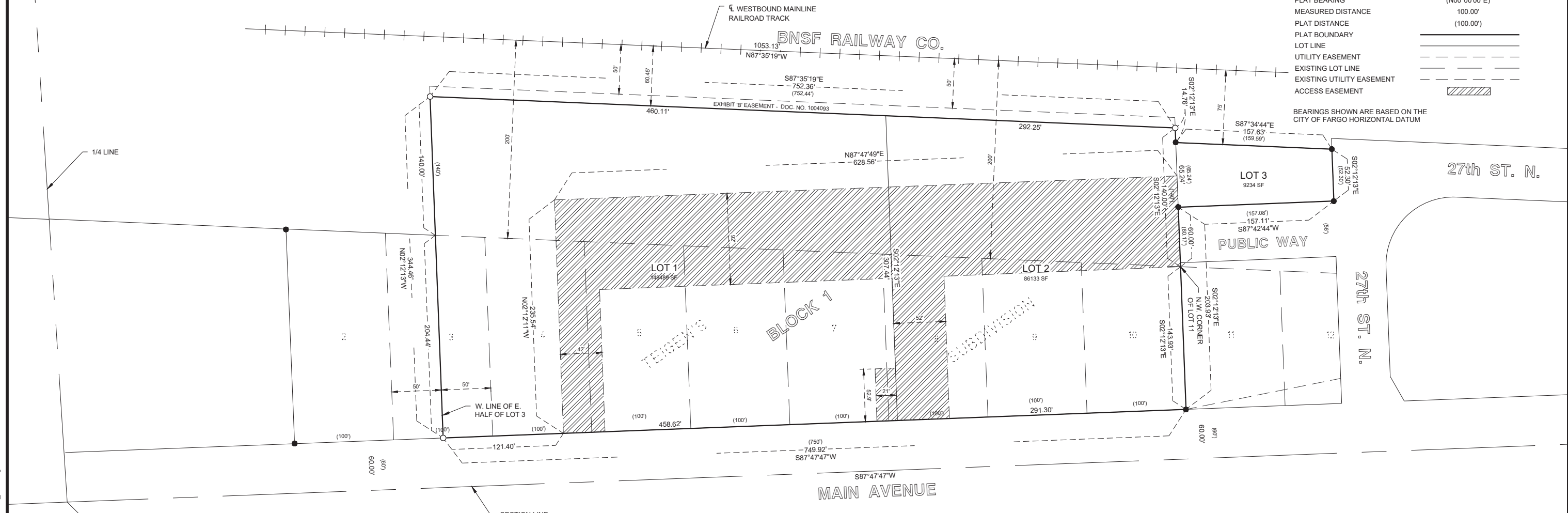
BEING A REPLAT OF THE E. HALF OF LOT 3
 & ALL OF LOTS 4 - 10, TEIGEN'S SUBDIVISION,
 AND A PLAT OF PART OF THE SW 1/4 OF THE SE 1/4,
 SECTION 2, T. 139 N., R. 49 W., 5th P.M.
 TO THE CITY OF FARGO,
 CASS COUNTY, NORTH DAKOTA



LEGEND

IRON MONUMENT FOUND	●
1/2" I.D. PIPE SET	○
MEASURED BEARING	N00°00'00"E
PLAT BEARING	(N00°00'00"E)
MEASURED DISTANCE	100.00'
PLAT DISTANCE	(100.00')
PLAT BOUNDARY	—————
LOT LINE	-----
UTILITY EASEMENT	-----
EXISTING LOT LINE	-----
EXISTING UTILITY EASEMENT	-----
ACCESS EASEMENT	▨▨▨▨

BEARINGS SHOWN ARE BASED ON THE CITY OF FARGO HORIZONTAL DATUM



NOTE:
 PROPERTY IS SITUATED IN ZONE X
 (500-YEAR FLOODPLAIN) AS DEPICTED ON
 FEMA FIRM PANEL 38017C0589G, DATED
 JANUARY 16, 2015

H:\Fargo\JBN\6800\6898\6898_002\CAD\Print\6898_002_Lenthes_First_Addition_Final_Plat.dwg

OWNER'S CERTIFICATE:

KNOW ALL PERSONS BY THESE PRESENTS: That Drew Lenthe Enterprises, Inc., a North Dakota Corporation, is the owner and proprietor of the following described tract of land:

The East Fifty Feet of Lot Three and all of Lots 4, 5, 6, 7, 8, 9 and 10 of Teigen's Subdivision of the Southeast Quarter of Section Two, Township One Hundred Thirty-nine North, Range Forty-nine West of the Fifth Principal Meridian, Cass County, North Dakota.

AND

A parcel of land situated in the Southwest Quarter of the Southeast Quarter (SW1/4SE1/4) of Section Two (2), Township One Hundred Thirty-nine (139) North, Range Forty-nine (49) West, of the Fifth Principal Meridian, Cass County, North Dakota, described as follows, to-wit:

Beginning at the Northeast corner of Lot Ten (10) in Teigen's Subdivision to the City of Fargo, North Dakota;
Thence Westerly along the Northerly line of said subdivision, also being the Southerly right of way line of The Burlington Northern and Santa Fe Railway Company's (formerly Northern Pacific railway company) Four Hundred (400.00') foot wide Charter right of way a distance of Seven Hundred Fifty Two and Forty Four Hundredths (752.44') feet, more or less, to a point on a line parallel to and Fifty (50.00') feet West of the East line of Lot Three (3) of said Teigen's Subdivision;
Thence North on the Northerly Extension of said parallel line One Hundred Forty (140.00') feet;
Thence Easterly parallel to the North line of said Teigen's Subdivision for a distance of Seven Hundred Fifty-Two and Forty-Four Hundredths (752.44') feet, more or less, to the Northerly extension of the East line of Lot Ten (10) of said Teigen's Subdivision;
Thence South on said Northerly extension One Hundred Forty (140.00') feet, to the Northeast corner of said Lot Ten (10), the Point of Beginning.

AND

That part of the unplatted former Burlington Northern Santa Fe Railway Company right-of-way located in the South Half of the Southeast Quarter of Section 2, Township 139 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota, described as follows:

Commencing at the northwest corner of Lot 11, Teigen's Subdivision to the City of Fargo, Cass County, North Dakota;
Thence North 02°12'13" West (assumed bearing), along the westerly line as extended north of said Lot 11, for a distance of 60.17 feet to the True Point of Beginning;
Thence continue North 02°12'13" West, along the westerly line as extended north of said Lot 11, for a distance of 65.24 feet to a point of intersection with a line lying 75.00 feet southerly of (as measured perpendicular to) the center line of the Burlington Northern Santa Fe Railway Company westbound mainline track;
Thence South 87°34'44" East, parallel with the centerline of said westbound mainline track, for a distance of 157.59 feet to a point lying 43.00 feet westerly of (as measured perpendicular to) the easterly line as extended north of Lot 12, said Teigen's Subdivision;
Thence South 02°12'13" East, parallel with the easterly line as extended north of said Lot 12, for a distance of 52.30 feet;
Thence South 87°42'44" West, parallel with the southerly line of said Lots 12 and 11, for a distance of 157.08 feet to the True Point of Beginning.

Said tract of land contains 5.621 acres, more or less.

And that said party has caused the same to be surveyed and platted and re-platted as **LENTHES FIRST ADDITION** to the City of Fargo, Cass County, North Dakota; and does hereby dedicate the Access Easements shown on the plat to the current and future owners of Lots 1 and 2, Block 1, and their successors and assigns.

OWNER:

Drew Lenthe Enterprises, Inc.
Drew Lenthe, President

Michael D. McNair, Attorney-in-Fact
for Drew Lenthe, President

SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT:

I, Curtis A. Skarphol, Professional Land Surveyor under the laws of the State of North Dakota, do hereby certify that this plat is a true and correct representation of the survey of said subdivision; that the monuments for the guidance of future surveys have been located or placed in the ground as shown.

Dated this _____ day of _____, 20____.

Curtis A. Skarphol,
Professional Land Surveyor No. 4723

CITY ENGINEER'S APPROVAL:

Approved by the Fargo City Engineer this _____ day of _____, 20____.

Brenda E. Derrig, City Engineer

FARGO PLANNING COMMISSION APPROVAL:

Approved by the City of Fargo Planning Commission this _____ day of _____, 20____.

Shara Fischer, Chair
Fargo Planning Commission

FARGO CITY COMMISSION APPROVAL:

Approved by the Board of City Commissioners and ordered filed this _____ day of _____, 20____.

Timothy J. Mahoney, Mayor

Attest: _____
Steven Sprague, City Auditor

State of North Dakota)
) ss
County of Cass)

On this _____ day of _____, 20____, before me personally appeared Timothy J. Mahoney, Mayor, City of Fargo; and Steven Sprague, City Auditor, City of Fargo, 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: _____

State of North Dakota)
) ss
County of Cass)

On this _____ day of _____, 20____, before me personally appeared Michael D. McNair, Attorney-in-Fact for Drew Lenthe, President of Drew Lenthe Enterprises, Inc., a North Dakota Corporation, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same on behalf of the said Corporation.

Notary Public: _____

State of North Dakota)
) ss
County of Cass)

On this _____ day of _____, 20____ before me personally appeared Curtis A. Skarphol, 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 as his free act and deed.

Notary Public: _____

State of North Dakota)
) ss
County of Cass)

On this _____ day of _____, 20____ before me personally appeared Brenda E. Derrig, Fargo City Engineer, 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 as her free act and deed.

Notary Public: _____

State of North Dakota)
) ss
County of Cass)

On this _____ day of _____, 20____, before me personally appeared Shara Fischer, Chair, Fargo Planning Commission, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that she executed the same on behalf of the Fargo Planning Commission.

Notary Public: _____

LENTHES FIRST ADDITION

BEING A REPLAT OF THE E. HALF OF LOT 3
& ALL OF LOTS 4 - 10, TEIGEN'S SUBDIVISION,
AND A PLAT OF PART OF THE SW 1/4 OF THE SE 1/4,
SECTION 2, T. 139 N., R. 49 W., 5th P.M.
TO THE CITY OF FARGO,
CASS COUNTY, NORTH DAKOTA

City of Fargo Staff Report			
Title:	Case, Peake, and Hall Addition	Date:	2/27/2019
Location:	1527 5 th Avenue South	Staff Contact:	Maegin Elshaug
Legal Description:	Lot 19, Block 5, Case, Peake, and Hall Addition		
Owner(s)/Applicant:	Lutheran Social Services ND/Jessica Thomasson	Engineer:	N/A
Entitlements Requested:	Zoning Change (from SR-3, Single-Dwelling Residential to MR-2, Multi-Dwelling Residential)		
Status:	Planning Commission Public Hearing: March 5, 2019		

Existing	Proposed
Land Use: Community Service and Group Living	Land Use: Community Service and Group Living
Zoning: SR-3, Single-Dwelling Residential	Zoning: MR-2, Multi-Dwelling Residential
Uses Allowed: SR-3 Allows detached houses, daycare centers up to 12 children, attached houses, duplexes, parks and open space, religious institutions, safety services, schools, and basic utilities	Uses Allowed: MR-2 Allows detached houses, attached houses, duplexes, multi-dwelling structures, daycare centers up to 12 children, group living, parks and open space, religious institutions, safety services, schools, and basic utilities
Maximum Density Allowed (Residential): SR-3 allows 8.7 units per acre	Maximum Density Allowed (Residential): MR-2 allows 20 units per acre

Proposal:

The applicant is proposing a zoning change from SR-3, Single-Dwelling Residential to MR-2, Multi-Dwelling Residential for the property located at 1527 5th Avenue South. The property is adjacent to Luther Hall (1505-1509 5th Avenue South), which is also owned by LSS. Luther Hall provides therapy services for youth and is community services and group living. Community service and group living uses are permitted within multi-dwelling zoning districts, but would require a conditional use permit within single-dwelling zoning districts.

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: SR-3, with detached residential use;
- East: MR-2, Luther Hall (Community Service and Group Living);
- South: Across 5th Avenue South is SR-3, with detached residential use;
- West: SR-3, with detached residential use.

Area Plans:

The property is part of the Jefferson neighborhood and the Jefferson/Carl Ben neighborhood plan. There is no future land use as part of this plan.

Context:

Neighborhood: Jefferson

Schools: The subject property is located within the Fargo School District and is served by Jefferson Elementary, Ben Franklin Middle, and North High schools.

Parks: The property is located approximately a quarter-mile from Jefferson West Park (1904 4th Avenue South), which provides amenities of sports fields, and courts, trails, playground and shelters.

Pedestrian / Bicycle: A shared use path is located adjacent to the property on 25th Street South, which is a component of the metro area trail system.

Staff Analysis:

Zoning

Section 20-906. 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?

Staff is unaware of any zoning map error in regard to the subject property. The request is justified as there has been a change in conditions. The applicant, Lutheran Social Services ND (LSS), has owned the subject property since the late 1990s. It is adjacent to Luther Hall (1505-1509 5th Avenue South), which is also owned by LSS. In the fall of 2018, a house which was being used by LSS as offices was demolished on the subject property. Staff is not aware of any expansion plans for the facility at this time, other than a small accessory structure. The proposed MR-2 zone would clean up the property so that there would be one zoning district for the facility. The property owner is in the process of working with the Assessor's office to combine the subject property and the adjacent property into one tax parcel. **(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?

The development is served with city services (water, sewer, streets, police/fire protection, etc.) as well as other needed utility services as needed. The City Engineer and other applicable review agencies have reviewed this proposal. No deficiencies to provide the necessary public services, facilities and programs to this development have been identified. **(Criteria Satisfied)**

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

Staff has no documentation or evidence that the approval of this zoning change would adversely affect the condition or value of the property in the vicinity. In addition, written notice of the proposal was sent to all property owners within 300 feet of the subject property. To date, staff has received one call and two emails with inquiry of the proposed zone change, with no concern after explanation of the application. Staff finds that the approval 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 purpose of the LDC is 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. Staff finds that the proposal is consistent with the purposes of the LDC, and other adopted policies of the City. **(Criteria Satisfied)**

Staff Recommendation:

Suggested Motion: "To accept the findings and recommendations of staff and recommend approval to the City Commission of the proposed zoning change from SR-3, Single-Dwelling Residential, to MR-2, Multi-Dwelling Residential, on Lot 19, Block 3, Case, Peake, and Hall Addition, on the basis that it satisfactorily complies with the Go2030 Fargo Comprehensive Plan, Standards of Section 20-0906.F (1-4) and all other applicable requirements of the LDC."

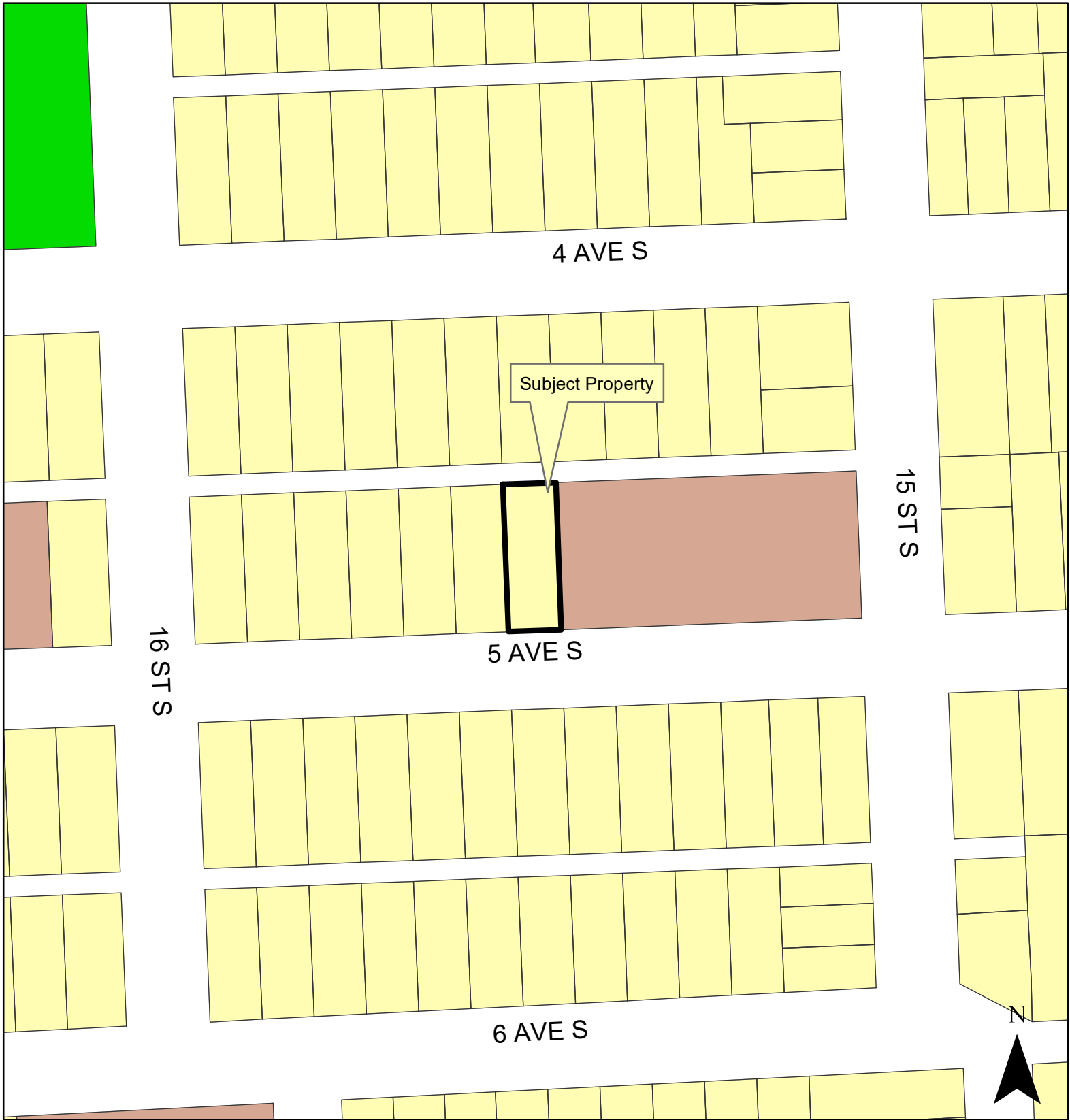
Planning Commission Recommendation: March 5, 2018**Attachments:**

1. Zoning Map
2. Location Map

Zone Change (SR-3 to MR-2)

Case, Peake & Halls Addition

1527 5th Avenue South



Legend

AG	LC	MHP	SR-2
DMU	LC	NC	SR-3
GC	MR-1	NO	SR-4
GI	MR-2	P/I	SR-5
GO	MR-3	UMU	City Limits

300

Feet

Fargo Planning Commission

March 5, 2019

Zone Change (SR-3 to MR-2)

Case, Peake & Halls Addition

1527 5th Avenue South



MEMORANDUM

TO: Fargo Planning Commission

FROM: Mark Williams, Assistant Director 
Aaron Nelson, Planning Coordinator 

DATE: February 26, 2019

SUBJECT: Item E(1): Initiation and RFP for Development Codes Diagnostic Study.

Staff is requesting formal approval to move forward with a request for proposal (RFP) for the Land Development Code diagnostic study as discussed at the February 5th regular meeting and the February 20th Brown Bag meeting of the Fargo Planning Commission.

Background

At the February 5th Planning Commission meeting, Staff presented a general overview of two projects on the 2019 Planning Department Work Plan, including a diagnostic study/review of the City's development codes.

Two weeks later, at the February 20th Planning Commission Brown Bag meeting, detailed discussion was had regarding the Land Development Code diagnostic study. Staff walked through the attached Project Summary with Planning Commission members, focusing in on the proposed scope of work as well as the anticipated timeline and process. In summary, staff intends to partner with a qualified professional consultant that will lead the LDC diagnostic study and help the City to identify the best course of action for improvement based on the results of the study. To this end, staff will draft and publish a request for proposal (RFP) in order to solicit interest from qualified consultants from across the country. Staff anticipates the RFP to be published by the end of May 2019, and for the selected consultant to complete work by February 2020.

Requested Action

At this time, staff is looking for formal approval from the Planning Commission for staff to move forward with this work.

Recommended Motion

"To approve staff's request to draft and publish a request for proposal for the development codes diagnostic study and to otherwise initiate this project."

Project Summary

Project Name: Land Development Code Evaluation & Direction

February 20, 2019

Project Abstract:	The purpose of this project is to partner with a qualified consultant to evaluate the City's development codes and processes in order to assess the potential for future improvement and identify the best course of action for achieving improvement.
Purposes and Needs	<ul style="list-style-type: none"> ● To assess how well Fargo's development codes align with the City's development goals (such as those stated within the Go2030 Comprehensive Plan and related plans and policies), and the effectiveness of Fargo's development codes in reaching those goals. ● To assess how well Fargo's development codes align with citizen expectations and national development trends. ● To assess the simplicity, intelligibility, and overall user-friendliness of Fargo's development codes. ● To assess the appropriateness and legality of Fargo's development codes. ● To assess stakeholder opinion and support of Fargo's development codes. ● To assess the impacts and effects of Fargo's development codes on City finances and the local economy.
Outcomes & Deliverables:	<p>Project Outcomes:</p> <ul style="list-style-type: none"> ● An understanding of the strengths and weaknesses of current development codes, as they relate to the Purposes & Needs outlined above. ● A clear rationale supporting a preferred alternative action. ● Buy-in, support, and general consensus from stakeholders on needed actions. <p>Project Deliverables:</p> <ul style="list-style-type: none"> ● Assessment Report ● Recommendation on Alternatives Action Steps ● Presentations to Planning Commission, City Commission, and other applicable committees.
Timeline:	<ul style="list-style-type: none"> ● RFP Available for Viewing May 31, 2019 ● Questions Due June 17, 2019 ● Answers Due June 24, 2019 ● Proposals Due July 1, 2019 ● Interview Selection Notice July 15, 2019 ● Interviews July 29 – August 2, 2019 ● Award Notice August 15, 2019 ● Contract Due August 29, 2019 ● Contract to City Commission September 9, 2019 ● Project Kick-off September 2019 ● Project Completion February 2020

Scope of Work

- Project Management – The consultant will take the lead in managing their time, staff, resources, budget, and related activities to ensure that the project objectives are met. The consultant will be in close communication with staff throughout the life of the project. Staff will provide general oversight of the consultant and will help to facilitate interactions with the Planning Commission and project stakeholders.
- Public & Stakeholder Participation – The consultant will develop a strategy for public and stakeholder participation in the project. The City will provide a list of potential stakeholders as a reference to the consultant.
- Development Codes Analysis – The consultant will conduct an in-depth and multi-faceted analysis of the City's development codes. The City's development codes are codified within the Land Development Code (LDC), which is Chapter 20 of the Fargo Municipal Code. While the LDC will be the primary focus of the analysis, it should be noted that there are a few development-related codes that are located outside of the LDC, which may also need to be considered as part of the analysis. The analysis is not intended to include assessment of building codes or fire codes, unless there is direct impact to the LDC or the objectives of this project.

It is anticipated that this analysis shall include the following components:

- *Alignment with Existing Plans & Policies* – An assessment of how well development codes align with the City's development goals (such as those stated within the Go2030 Comprehensive Plan and related plans and policies), and the effectiveness of current development codes in reaching those goals.
 - *Legal Compliance* – An assessment of code compliance and alignment with state and federal requirements and enabling legislation.
 - *Best Practices & Expectations* – An assessment of how well the City's development codes align with 1) expectations of citizens and the development community, 2) national development trends, and 3) municipal best practices.
 - *Development Review Processes* – An assessment of the City's development review process, including application review, communications, application fees, etc.
 - *User Friendliness* – An assessment of the simplicity, intelligibility, and overall usability of the City's development codes.
 - *City Financial Impacts* – A high-level assessment of how development under current codes impacts costs and revenues of the City.
 - *Economic Considerations* – A high-level assessment of how current development codes impact the local economy. This could include such factors as housing affordability, economic development goals, etc.
 - Development of Alternatives – The consultant will develop and propose at least three (3) different alternative courses of action based on the results of the codes analysis. Each alternative developed shall be sufficiently detailed to clearly outline necessary action steps and discuss the pros and cons of each.
 - Recommendation on Preferred Alternative – The consultant will develop a persuasive argument in favor of a preferred alternative. The preferred alternative will be selected with input from City staff and the Planning Commission.
 - Presentation & Communication – The consultant will present the codes analysis report and alternatives recommendation to the Planning Commission, City Commission, and other applicable committees as defined in the final scope of work.
-