

FARGO PLANNING COMMISSION AGENDA
Tuesday, August 6, 2024 at 3:00 p.m.

A: Approve Order of Agenda

B: Minutes: Regular Meeting of July 2, 2024

C: Public Hearing Items:

1. Hearing on an application requesting a Plat of **Champion's Gate at Prairie Farms Second Addition** (Minor Subdivision) a replat of Lots 1-25, Block 1, Champions Gate at Prairie Farms Addition, to the City of Fargo, Cass County, North Dakota. (Located at 5475-5643 and 5655-5785 31st Street South) (Prairie Grove, Inc./Houston Engineering, Inc.) (dk)
- 2a. Hearing on an application requesting a Zoning Change from GO, General Office with a C-O, Conditional Overlay to MR-3, Multi-Dwelling Residential with a PUD, Planned Unit Development Overlay and a request to repeal the C-O, Conditional Overlay on the proposed Lot 1, Block 1, **Legacy I Eighth Addition**. (Located at 6155 24th Street South) (Procore Development, LLC/Houston Engineering, Inc.) (dk)
- 2b. Hearing on an application requesting a PUD, Planned Unit Development Master Land Use Plan within the boundaries of the proposed Lot 1, Block 1, **Legacy I Eighth Addition**. (Located at 6155 24th Street South) (Procore Development, LLC/Houston Engineering, Inc.) (dk)
3. Hearing on an application requesting a Plat of **True North Addition** (Minor Subdivision) a replat of Lot 1, Block 1, West Acres Business Park 9th Addition and a portion of Lot 1, Block 1, West Acres Business Park 8th Addition, to the City of Fargo, Cass County, North Dakota. (Located at 4308 and 4314 20th Avenue South) (True North Church/Houston Engineering) (dk)
4. Hearing on an application requesting a Conditional Use Permit to allow Non-Farm Commercial Use in the AG, Agricultural zoning district on a portion of the East Half of **Section 3, Township 140 North, Range 49 West**. (Located at 6987 and 7102 37th Street North) (Tammie Dickerson/Joseph Cecil/Dark Acres, LLC) (Im): CONTINUED TO JANUARY 7, 2025
5. Hearing on an application requesting a Plat of **Simonson Companies Fourth Addition** (Minor Subdivision) a replat of Lot 2, Block 1, Simonson Companies Third Addition and Lot 1, Block 1, Simonson Companies Second Addition to the City of Fargo, Cass County, North Dakota. (Located at 3971 53rd Avenue South and 5237 38th Street South) (Simonson Companies, LLC/Lowry Engineering) (dk)
6. Hearing on an application requesting a Plat of **MLTB Addition** (Minor Subdivision) a replat of Lot 1, Block 1, Commerce on 12th Addition to the City of Fargo, Cass County, North Dakota. (Located at 5650 13th Avenue North) (Lepine Holdings, LLC/MBN Engineering, Inc.) (dk)

Planning Commission meetings are broadcast live on cable channel TV Fargo 56 and can be seen live 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. 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.

7. Hearing on the adoption of the proposed Fargo Growth Plan 2024 to the City Commission. (kc)

D: Other Items:

1. Planned Unit Development Final Plan for Schatz Fifth Addition. (me)

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BOARD OF PLANNING COMMISSIONERS MINUTES

Regular Meeting:

Tuesday, July 2, 2024

The Regular Meeting of the Board of Planning Commissioners of the City of Fargo, North Dakota, was held in the Commission Chambers at City Hall at 3:00 p.m., Tuesday, July 2, 2024.

The Planning Commissioners present or absent were as follows:

Present: Maranda Tasa, Scott Stofferahn, Art Rosenberg, Jennifer Holtz, Thomas Schmidt, Brett Shewey, Amy Hass, Tyler Mohs, Paul Gleye

Absent: Joseph Cecil

Acting Chair Tasa called the meeting to order.

Business Items:

Item A: Approve Order of Agenda

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

Item B: Minutes: Regular Meeting of June 4, 2024

Member Stofferahn moved the minutes of the June 4, 2024 Planning Commission meeting be approved. Second by Member Shewey. All Members present voted aye and the motion was declared carried.

Item C: Introductions and Recognitions

Acting Chair Tasa recognized outgoing Planning Commission Members John Gunkelman, Rocky Schneider, and Dawn Morgan for their service, time, and commitment to the Planning Commission. She welcomed new Members Amy Hass, Tyler Mohs, and Paul Gleye.

Item D: Public Hearing Items:

Item 1: Prairie Farms Third Addition

Hearing on an application requesting a Plat of Prairie Farms Third Addition (Minor Subdivision) a replat of Lots 1-3, Block 6, Prairie Farms Addition, to the City of Fargo, Cass County, North Dakota. (Located at 5897, 5923, and 5945 31st Street South) (Prairie Grove, Inc./Houston Engineering): APPROVED

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

Discussion was held on access to the properties and the easement.

Applicant representative Brian Pattengale, Houston Engineering, spoke on behalf of the application.

Additional discussion was held on the amount of traffic on 31st Street South.

Assistant City Engineer Nathan Boerboom, spoke on behalf of the Engineering Department.

Member Shewey moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed Subdivision Plat Prairie Farms Third Addition, as outlined within the staff report, as the proposal complies with the Adopted 2001 Growth Plan South Remainder, the Standards of Article 20-06, Section 20-0907.B and C of the Land Development Code, and all other applicable requirements of the Land Development Code. Second by Member Rosenberg. On call of the roll Members Shewey, Holtz, Rosenberg, Schmidt, Stofferahn, Hass, Mohs, and Tasa voted aye. Member Gleye voted nay. Absent and not voting: Member Cecil. The motion was declared carried.

Item 2: University South Fifth Addition

Hearing on an application requesting a Plat of University South Fifth Addition (Minor Subdivision) a replat of Lots 1-2, Block 1, University South Third Addition, to the City of Fargo, Cass County, North Dakota. (Located at 2253 and 2285 University Drive South) (Grove Enclave, LLC/Houston Engineering): APPROVED

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

Discussion was held on the allowed uses in the Conditional Overlay.

Member Stofferahn moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed Subdivision Plat University South Fifth Addition, as outlined within the staff report, as the proposal complies with the GO2030 Fargo Comprehensive Plan, the Standards of Article 20-06, Section 20-0907.B and C of the Land Development Code, and all other applicable requirements of the Land Development Code. Second by Member Holtz. On call of the roll Members Rosenberg, Holtz, Hass, Shewey, Mohs, Gleye, Schmidt, Stofferahn, and Tasa voted aye. Absent and not voting: Member Cecil. The motion was declared carried.

Item 3: EOLA Third Addition

Hearing on an application requesting a Plat of EOLA Third Addition (Minor Subdivision) a replat of Lots 3-5, Block 1, EOLA Second Addition, to the City of Fargo, Cass County, North Dakota. (Located at 4410 and 4448 24th Avenue South

and 4417 26th Avenue South) (The Wave by Epic, LLC/EOLA Landholdings, LLC/MBN Engineering): APPROVED

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

Member Schmidt moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed Subdivision Plat EOLA Third Addition, as outlined within the staff report, as the proposal complies with the Standards of Article 20-06, Section 20-0907.B and C of the Land Development Code, and all other applicable requirements of the Land Development Code. Second by Member Rosenberg. On call of the roll Members Gleye, Schmidt, Hass, Stofferahn, Mohs, Rosenberg, Holtz, Shewey, and Tasa voted aye. Absent and not voting: Member Cecil. The motion was declared carried.

Item 4: YWCA Addition and Presentation Addition

4a. Hearing on an application requesting a Zoning Change from MR-1, Multi-Dwelling Residential, MR-2, Multi-Dwelling Residential, and SR-2, Single-Dwelling Residential to P/I, Public and Institutional on portions of YWCA Addition and Presentation Addition. (Located at 3000 University Drive South; 3014 12th Street South; 3000, 3001, 3003, and 3004 11th Street South; 1120 30th Avenue South; 1001 and 1101 32nd Avenue South) (YWCA of Fargo-Moorhead/Sisters of the Presentation/Lantern Light, LLC/Cove Lane, LLC/City of Fargo): APPROVED

4b. Hearing on an application for an Institutional Master Plan on portions of YWCA Addition and Presentation Addition. (Located at 3000 University Drive South; 3014 12th Street South; 3000, 3001, 3003, 3004, and 3014 11th Street South; 1120 30th Avenue South; 1001 and 1101 32nd Avenue South) (YWCA of Fargo-Moorhead/Sisters of the Presentation/Lantern Light, LLC/Cove Lane, LLC/City of Fargo): APPROVED

Ms. Elshaug presented the staff report stating all approval criteria have been met and staff is recommending approval.

Discussion was held on proposed infrastructure upgrades.

Mr. Boerboom, spoke on behalf of the Engineering Department regarding a storm sewer lift station and flood protection.

Erin Prochonow, CEO of the YWCA, spoke on behalf of the application.

Member Gleye moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed Zoning Change from MR-1, Multi-Dwelling Residential, MR-2, Multi-Dwelling Residential, and SR-2, Single-Dwelling Residential, to P/I, Public and Institutional, as outlined within the staff report, as the proposal complies with the GO2030 Fargo Comprehensive Plan, the

Standards of Section 20-0906.F (1-4) of the Land Development Code, and all other applicable requirements of the Land Development Code; and to approve the Institutional Master Plan as presented, contingent on approval of the Zoning Change to P/I, Public and Institutional for the subject properties, as outlined in the staff report, as the proposal complies with the GO2030 Fargo Comprehensive Plan, the Standards of Section 20-0911.E (1-3) of the Land Development Code, and all other applicable requirements of the Land Development Code. Second by Member Stofferahn. On call of the roll Members Schmidt, Holtz, Stofferahn, Mohs, Rosenberg, Gleye, Shewey, Hass, and Tasa voted aye. Absent and not voting: Member Cecil. The motion was declared carried.

Item 5: Harwood's Fourth Addition

5a. Hearing on an application requesting a Zoning Change from MR-3, Multi-Dwelling Residential to SR-5, Single-Dwelling Residential on the proposed Harwood's Fourth Addition. (Located at 806 7th Street North) (ProCore Development, LLC): APPROVED

5b. Hearing on an application requesting a of Plat of Harwood's Fourth Addition (Minor Subdivision) a replat of a portion of Lots 2 and 3, Block 13, Harwood's Second Addition, to the City of Fargo, Cass County, North Dakota. (Located at 806 7th Street North) (ProCore Development, LLC): APPROVED

Mr. Kress presented the staff report stating all approval criteria have been met and staff is recommending approval. He noted a public informational meeting was held on June 25, 2024.

Discussion was held on the difference between a duplex and twin home, garage and parking access, the plan aligning with City of Fargo housing needs, and projected sale cost.

Applicant representative Brandon Raboin spoke on behalf of the application.

Member Holtz moved the finding and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed 1) Zoning Changed from MR-3, Multi-Dwelling Residential to SR-5, Single-Dwelling Residential, and 2) Subdivision Plat Harwood's Fourth Addition, as outlined within the staff report, as the proposal complies with the adopted Roosevelt/NDSU Neighborhood area of the Core Neighborhoods Plan, the Standards of Article 20-06, and Section 20-0906.F (1-4) and Section 20-0907.C of the Land Development Code, and all other applicable requirements of the Land Development Code. Second by Member Rosenberg. On call of the roll Members Stofferahn, Hass, Mohs, Shewey, Gleye, Schmidt, Holtz, Rosenberg, and Tasa voted aye. Absent and not voting: Member Cecil. The motion was declared carried.

Item 6: College Third Addition

Hearing on an application requesting a Plat of College Third Addition (Minor Subdivision) a replat of a portion of Lot 1 and all of Lots 2-3, Block 16, College Second Addition, to the City of Fargo, Cass County, North Dakota. (Located at 1038 25th Street North) (Neset Land Surveying/Aomeed Murad): APPROVED

Mr. Kress presented the staff report stating all approval criteria have been met and staff is recommending approval. He noted an additional resident comment was provided as a handout to the Board.

Discussion was held on lot size consistency in the neighborhood,

Applicant representative Bakhtyar Murad, spoke on behalf of the application.

The following residents spoke in opposition to the application stating the following concerns: minimal parking availability, small alley size, too many people currently residing at the home, current residents holding loud parties, not enough space for a second home, this home being rental versus other parts of the neighborhood being resident owned and occupied, increased traffic speeds, and garage not being utilized for parking.

Paula Sell, 1122 25th Street North
Dustin Kopecky, 2509 11th Avenue North
Richard Norgard, 1030 26th Street North
Allen Schmidt, 1105 26th Street North
Tamara Schmidt, 1105 26th Street North

Mr. Kress provided an overview of the process for zoning enforcement and code enforcement concerns.

Discussion continued with Board members clarifying this application is for a subdivision plat, if the proposed new lot is large enough for a home, and nuisance behaviors due to current tenants of the property.

Member Shewey moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed Subdivision Plat College Third Addition, as outlined within the staff report as the proposal complies with the adopted Madison/Unicorn Park Neighborhood area of the Core Neighborhoods Plan, the Standards of Article 20-06, Section 20-0907.B and C of the Land Development Code, and all other applicable requirements of the Land Development Code. Second by Member Hass. On call of the roll Members Hass, Mohs, Shewey, Rosenberg, Gleye, Stofferahn, Schmidt, and Tasa voted aye. Member Holtz voted nay. Absent and not voting: Member Cecil. The motion was declared carried.

Item E: Other Items:

Item 1: Nominating Committee

Member Stofferahn shared that the nominating committee is recommending Member Tasa to serve as Chair, and Member Rosenberg to serve as Vice Chair of the Planning Commission.

Member Stofferahn moved to appoint Member Tasa as Chair and Member Rosenberg as Vice Chair. Second by Member Mohs. All Members present voted aye and the motion was declared carried.

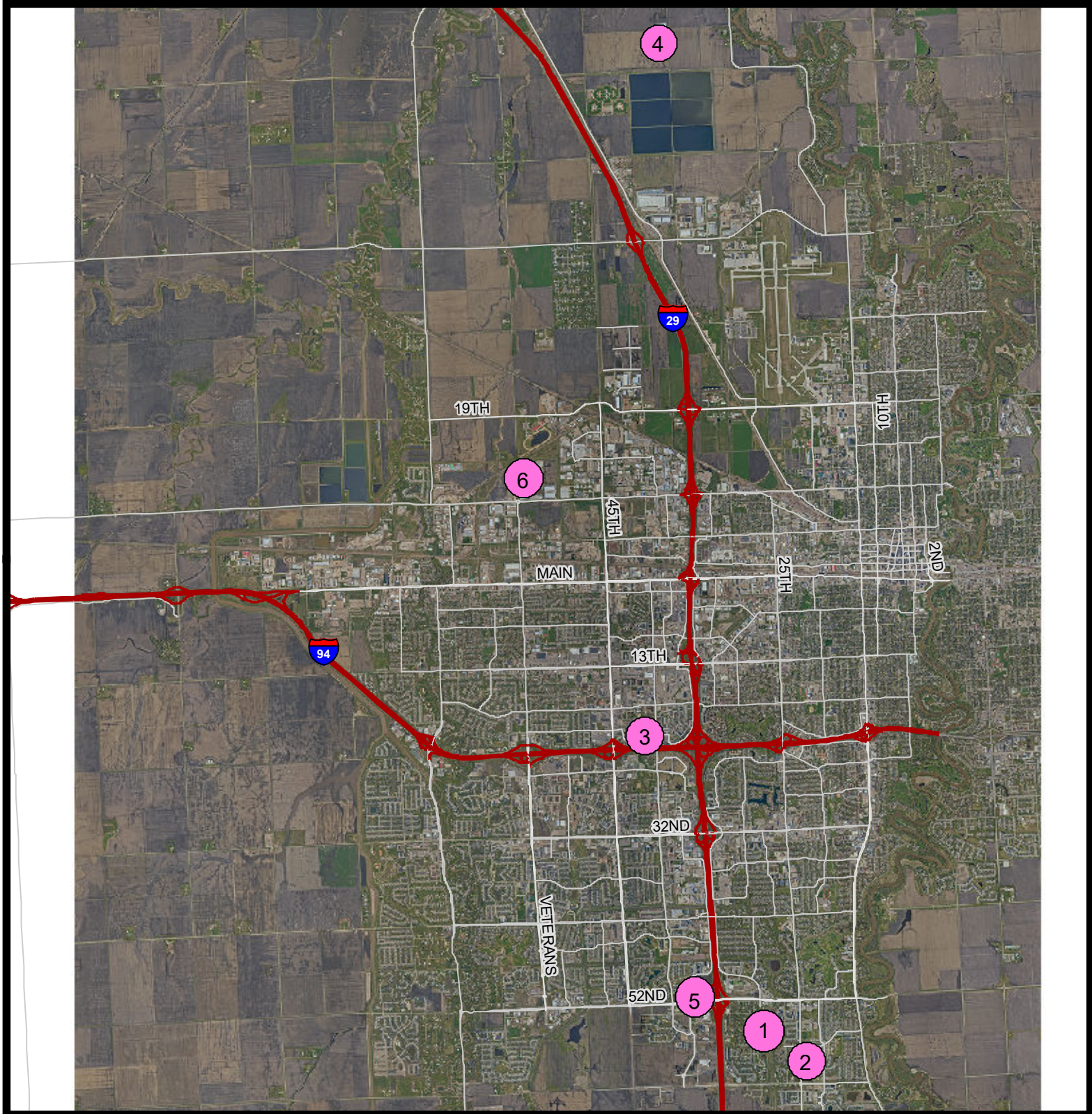
Item 2: Growth Plan 2024 Discussion

Planning and Development Assistant Director Mark Williams provided an overview of Growth Plan updates, noting the project consultants will be in Fargo in mid-July.

Discussion was held on the timeline and process for the Growth Plan and Land Development Code rewrite projects.

Member Rosenberg moved to adjourn the meeting. Second by Member Holtz. All Members present voted aye and the motion was declared carried.

The time at adjournment was 4:10 p.m.



Agenda Items Map
Fargo Planning Commission
August 6, 2024



- Agenda Item Number**
- Continued Items:
- 4 -- Section 3, Township 140 North, Range 49 West

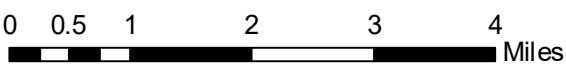
1 -- Champion's Gate at Prairie Farms Second Addition

2a & b -- Legacy I Eighth Addition

3 -- True North Addition

5 -- Simonson Companies Fourth Addition

6 -- MLTB Addition



**City of Fargo
Staff Report**

Title:	Champions Gate at Prairie Farms Second Addition	Date:	7/31/2024
Location:	5475-5643 and 5655-5785 31st Street South	Staff Contact:	Donald Kress, planning coordinator
Legal Description:	Lots 1 through 25, Block 1, Champion's Gate at Prairie Farms Addition		
Owner(s)/Applicant:	Prairie Grove, Inc. / Houston Engineering, Inc.	Engineer:	Houston Engineering, Inc.
Entitlements Requested:	Minor Subdivision (Replat of Lots 1 through 25, Block 1, Champion's Gate at Prairie Farms Addition, to the City of Fargo, Cass County, North Dakota)		
Status:	Planning Commission Public Hearing: August 6, 2024		

Existing	Proposed
Land Use: Platted but not developed	Land Use: No change
Zoning: SR-3, Single dwelling residential	Zoning: No change
Uses Allowed: 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 Allowed: 8.7 dwelling units per acre	Maximum Density Allowed: No change

Proposal:

The applicant requests approval of one entitlement:

1. A plat of the **Champions Gate at Prairie Farms Second Addition**, a replat of Lots 1 through 25, Block 1, Champion's Gate at Prairie Farms Addition, to the City of Fargo, Cass County, North Dakota.

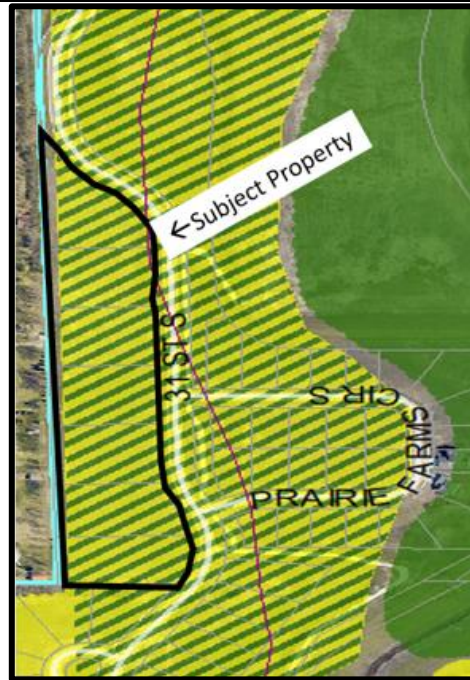
This project was reviewed by the City's Planning and Development, Engineering, Public Works, and Fire Departments ("staff"), whose comments are included in this report.

Surrounding Land Uses and Zoning Districts:

- North: P/I, Public/Institutional, with park and open space use
- East: P/I, Public/Institutional, with park and open space use; and SR-4, with single family use
- South: SR-4, with single family use
- West: City of Frontier—lots adjacent to the proposed subdivision are large lot detached single family residences.

Area Plans:

As shown in the graphic below, this property is designated "Low/Medium Density Residential or Parkland" in the 2001 Growth Plan. The existing SR-3 zoning is included in the "Low/Medium Density Residential" designation. No zone change is proposed.



- Low Med Res or Med High Res
- Low Med Res or Parkland
- Commercial or Office
- Commercial
- Low Med Res
- Med High Res or Office
- Med High Res
- Office
- Parkland
- Public and Inst

Context:

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

Neighborhood: The subject property is located within the Maple Valley neighborhood.

Parks: Prairie Farms Park (5400 31st Street South) is located east across 31st Street South, just to the north of the subject property. This park has amenities of a basketball court, grill, picnic table, playgrounds for ages 2-5 and 5-12 recreational trails, and a shelter.

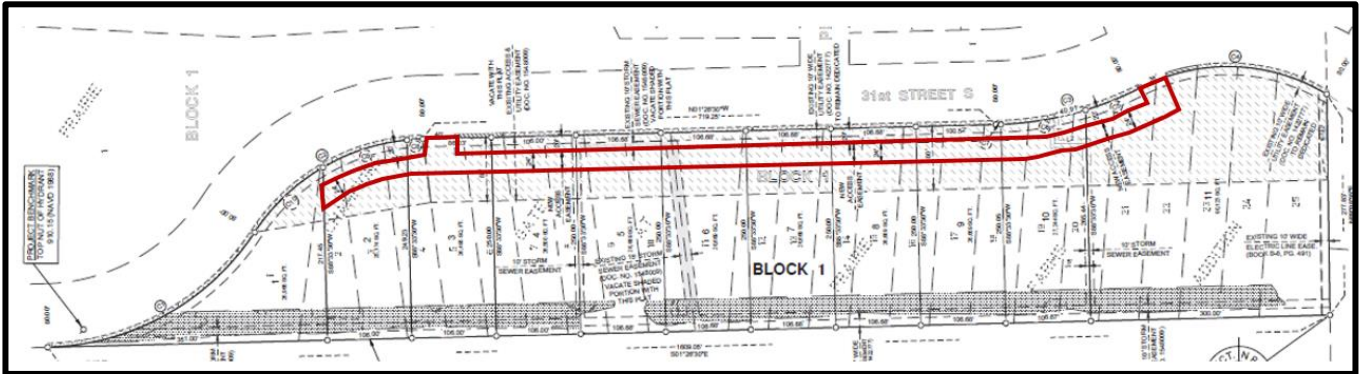
Pedestrian / Bicycle: An off-road bike facility is located along 52nd Avenue South (approximately one-quarter mile north of the subject property). Additionally, there are trails within Prairie Farms Park, as noted above. All these trails are components of the metro area trail system.

MATBUS Route: The subject properties are not located along a MATBUS route.

Staff Analysis:

ACCESS AND SITE DESIGN: The project will take access from 31st Street South, an existing dedicated public street. The applicant intends to have a private driveway serving the individual lots, so there are not individual driveways directly onto 31st Street South. This driveway is identified as "New Access Easement" on the plat, and is outlined in red in the graphic below. A negative access easement along the 31st Street South property frontage will prohibit direct access to the lots. The existing access and utility easement along the 31st Street South property frontage, which is between 80 and 145 feet deep, will be vacated with this plat, due the change in site design.

A homeowners association (HOA) will be responsible for the maintenance of the private drive. The City will have no maintenance responsibility.



LOT SIZES: The subdivision replats the 25 existing lots into 11 larger lots. The existing lots are mostly in the 12,600 square foot (0.28 acre) range. The proposed lots range in size from 25,174 square feet (0.57 acre) to 27,244 square feet (0.62 acre), with one lot, Lot 11, being 90,123 square feet (2.06 acres).

PUBLIC WATER AND SEWER: Public water and sewer are available in 31st Street South.

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.** This property is designated “Low/Medium Density Residential or Parkland” in the 2001 Growth Plan. The current SR-3 zoning is included in the “Low/Medium Density Residential” designation. 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 and responded to one inquiry about the nature of the project. The project has been reviewed by the city’s Planning, Engineering, Public Works, Inspections, and Fire Departments. These departments have found that the plat meets the standards of Article 20-06 and other applicable requirements of the Land Development Code.
(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)**

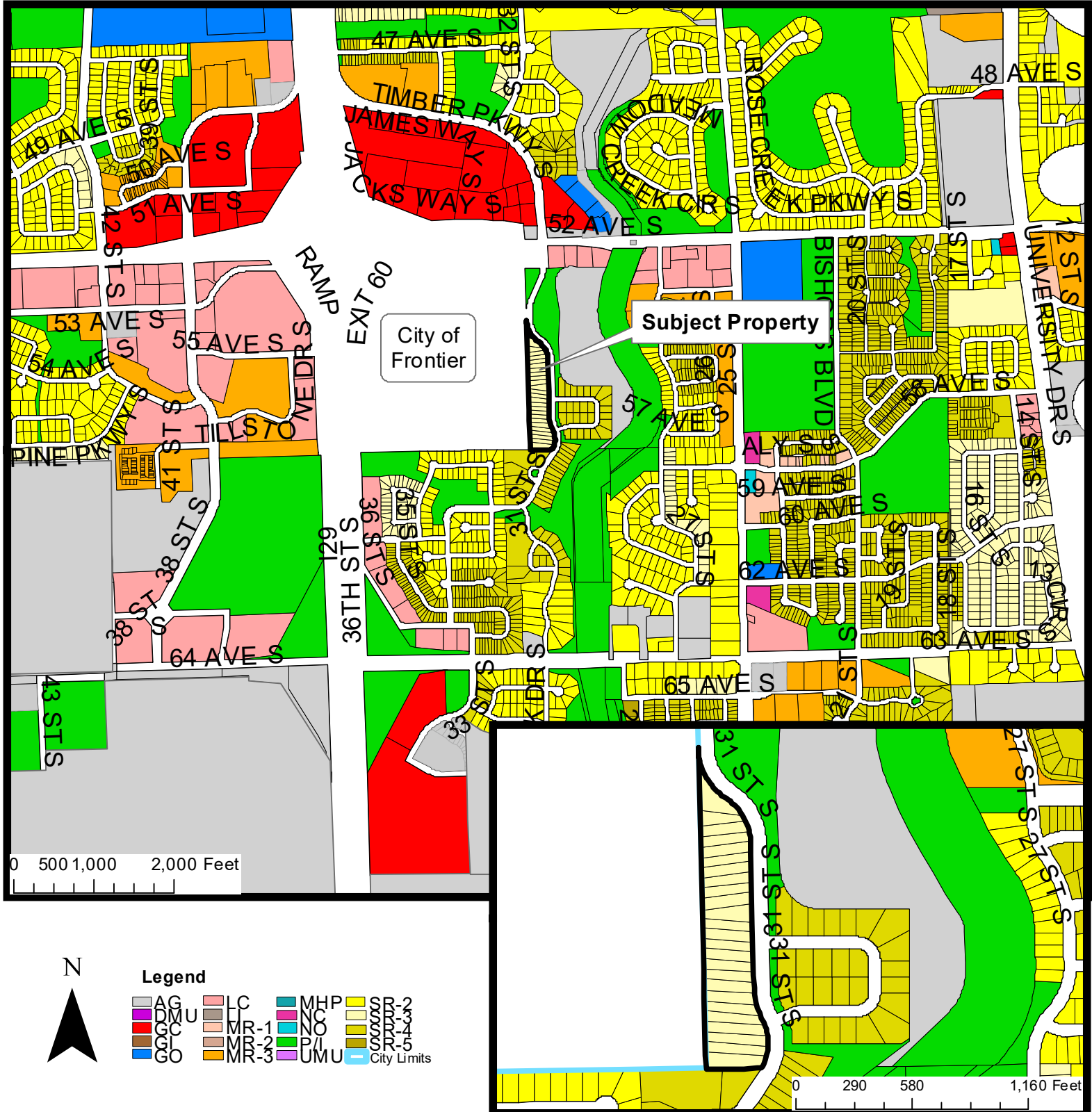
Suggested Motion: “To accept the findings and recommendations of staff and move to recommend approval to the City Commission of the proposed plat of the **Champions Gate at Prairie Farms Second Addition**, as outlined within the staff report, as the proposal complies with the adopted 2001 Growth Plan, the standards of Article 20-06, Section 20-0907.B. and C and all other applicable requirements of the Land Development Code.”

Planning Commission Recommendation: August 6, 2024
Attachments:
<ul style="list-style-type: none">1. Zoning Map2. Location Map3. Preliminary Plat

Minor Subdivision

Champion's Gate at Prairie Farms Second Addition

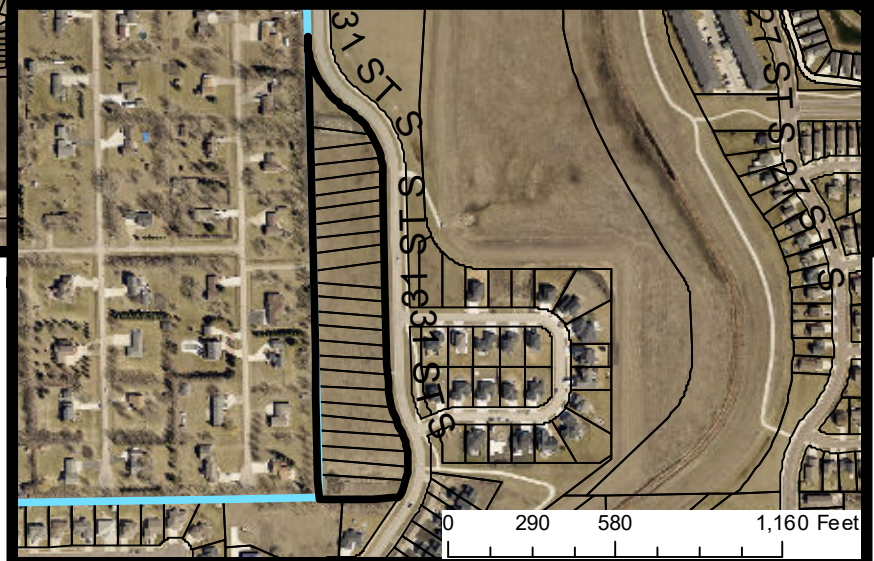
5475 - 5643 & 5655 - 5785 31st Street South



Minor Subdivision

Champion's Gate at Prairie Farms Second Addition

5475 - 5643 & 5655 - 5785 31st Street South



Legend

 City Limits

CHAMPIONS GATE AT PRAIRIE FARMS SECOND ADDITION

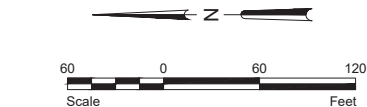
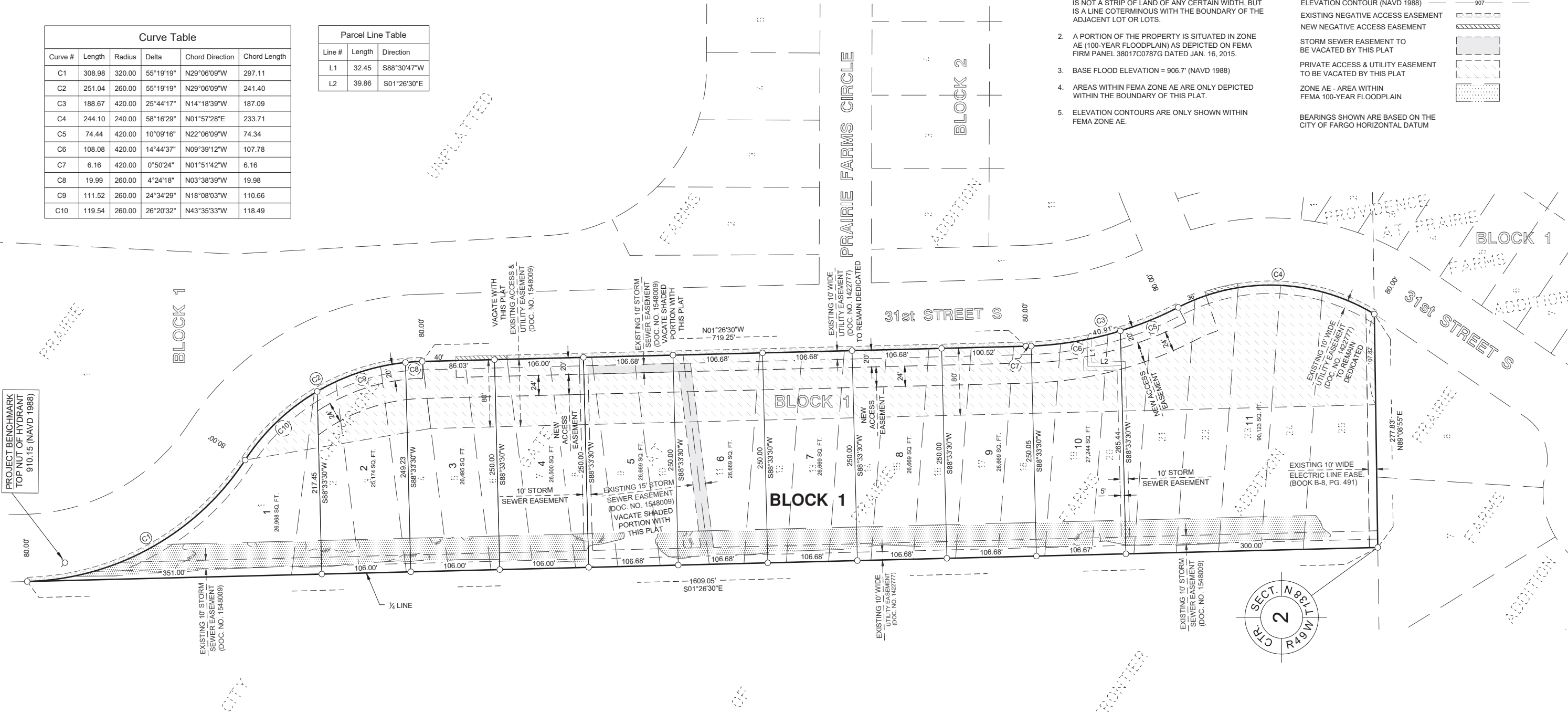
BEING A REPLAT OF LOTS 1 THROUGH 25, BLOCK 1,
CHAMPIONS GATE AT PRAIRIE FARMS ADDITION

TO THE CITY OF FARGO,
CASS COUNTY, NORTH DAKOTA

A MINOR SUBDIVISION

Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	308.98	320.00	55°19'19"	N29°06'09"W	297.11
C2	251.04	260.00	55°19'19"	N29°06'09"W	241.40
C3	188.67	420.00	25°44'17"	N14°18'39"W	187.09
C4	244.10	240.00	58°16'29"	N01°57'28"E	233.71
C5	74.44	420.00	10°09'16"	N22°06'09"W	74.34
C6	108.08	420.00	14°44'37"	N09°39'12"W	107.78
C7	6.16	420.00	0°50'24"	N01°51'42"W	6.16
C8	19.99	260.00	4°24'18"	N03°38'39"W	19.98
C9	111.52	260.00	24°34'29"	N18°08'03"W	110.66
C10	119.54	260.00	26°20'32"	N43°35'33"W	118.49

Parcel Line Table		
Line #	Length	Direction
L1	32.45	S88°30'47"W
L2	39.86	S01°26'30"E



NOTES:

1. NEGATIVE ACCESS EASEMENT, AS NOTED ON THIS PLAT, IS AN EASEMENT DEDICATED AS PART OF THE RIGHT-OF-WAY DEDICATION WHICH EASEMENT DENIES DIRECT VEHICULAR ACCESS TO A STREET OR PUBLIC WAY FROM THE LOT OR LOTS ADJACENT TO SUCH STREET OR WAY. THE NEGATIVE ACCESS EASEMENT IS NOT A STRIP OF LAND OF ANY CERTAIN WIDTH, BUT IS A LINE COTERMINOUS WITH THE BOUNDARY OF THE ADJACENT LOT OR LOTS.
2. A PORTION OF THE PROPERTY IS SITUATED IN ZONE AE (100-YEAR FLOODPLAIN) AS DEPICTED ON FEMA FIRM PANEL 38017C0787G DATED JAN. 16, 2015.
3. BASE FLOOD ELEVATION = 906.7' (NAVD 1988)
4. AREAS WITHIN FEMA ZONE AE ARE ONLY DEPICTED WITHIN THE BOUNDARY OF THIS PLAT.
5. ELEVATION CONTOURS ARE ONLY SHOWN WITHIN FEMA ZONE AE.

LEGEND

IRON MONUMENT FOUND	●
1/2" I.D. PIPE SET	○
MEASURED BEARING	N00°00'00"E (N00°00'00"E)
PLAT BEARING	
MEASURED DISTANCE	100.00'
PLAT DISTANCE	(100.00')
PLAT BOUNDARY	—————
NEW LOT LINE	—————
NEW UTILITY EASEMENT	—————
EXISTING LOT LINE	—————
EXISTING UTILITY EASEMENT	—————
ELEVATION CONTOUR (NAVD 1988)	————— 907 —————
EXISTING NEGATIVE ACCESS EASEMENT	—————
NEW NEGATIVE ACCESS EASEMENT	—————
STORM SEWER EASEMENT TO BE VACATED BY THIS PLAT	—————
PRIVATE ACCESS & UTILITY EASEMENT TO BE VACATED BY THIS PLAT	—————
ZONE AE - AREA WITHIN FEMA 100-YEAR FLOODPLAIN	—————

BEARINGS SHOWN ARE BASED ON THE CITY OF FARGO HORIZONTAL DATUM

PRELIMINARY PLAT

CHAMPIONS GATE AT PRAIRIE FARMS SECOND ADDITION

BEING A REPLAT OF LOTS 1 THROUGH 25, BLOCK 1,
CHAMPIONS GATE AT PRAIRIE FARMS ADDITION

TO THE CITY OF FARGO,
CASS COUNTY, NORTH DAKOTA

A MINOR SUBDIVISION

OWNER'S CERTIFICATE AND DEDICATION:

NOW ALL PERSONS BY THESE PRESENTS: That Prairie Grove, Inc., a North Dakota corporation, is the owner and proprietor following described tract of land:

Lots 1 through 25, Block 1, Champions Gate at Prairie Farms Addition to the City of Fargo, Cass County, North Dakota.

Said tract contains 8.169 acres, more or less.

And that said party does hereby vacate the access and utility easement and the storm sewer easement as designated for vacation on the plat, and has caused the same to be surveyed and replatted as **CHAMPIONS GATE SECOND ADDITION** to the City of Fargo, Cass County, North Dakota, and does hereby dedicate to the public, for public use, the storm sewer easement and the negative access easements; and does hereby dedicate to the current and future owners of the Lots within this plat the access easement shown on this plat.

OWNER:

Prairie Grove, Inc.

Ole Rommesmo Jr., President

State of)
County of) ss

On this day of , 20 before me personally appeared Ole Rommesmo Jr., President of Prairie Grove, Inc., 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 said Corporation.

Notary Public:

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

State of North Dakota)
County of Cass) ss

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:

CITY ENGINEER'S APPROVAL:

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

Tom Knakmuhs, PE, City Engineer

State of North Dakota)
County of Cass) ss

On this day of , 20 before me personally appeared Tom Knakmuhs, PE, 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 he executed the same as Fargo City Engineer.

Notary Public:

FARGO PLANNING COMMISSION APPROVAL:

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

Maranda R. Tassa, Chair
Fargo Planning Commission

State of North Dakota)
County of Cass) ss

On this day of , 20 before me personally appeared Maranda R. Tassa, 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:

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)
County of Cass) ss

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:

City of Fargo Staff Report			
Title:	Legacy I 8 th Addition	Date:	7/31/2024
Location:	6155 24 th Street South	Staff Contact:	Donald Kress, current planning coordinator
Legal Description:	Proposed Lot 1, Block 1, Legacy I 8 th Addition		
Owner(s)/Applicant:	Procure Development, LLC / Houston Engineering, Inc.	Engineer:	Houston Engineering, Inc.
Entitlements Requested:	Zoning Change (from GO, General Office with a C-O, Conditional Overlay to MR-3, Multi-Dwelling Residential with a PUD, Planned Unit Development Overlay) and PUD Master Land Use Plan on Lot 1, Block 1, of the proposed Legacy I Eighth Addition.		
Status:	Planning Commission Public Hearing: August 6 th , 2024		

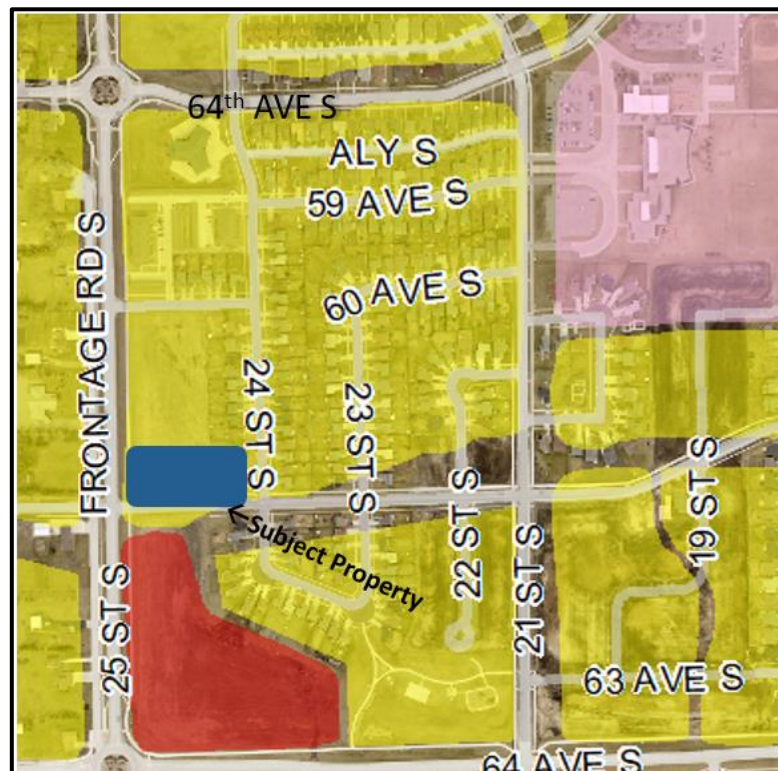
Existing	Proposed
Land Use: Undeveloped	Land Use: Multi-Dwelling Residential
Zoning: GO, General Office with a C-O, Conditional Overlay	Zoning: MR-3, Multi-Dwelling Residential with PUD, Planned Unit Development overlay
Uses Allowed: colleges, community service, daycare centers of unlimited size, health care facilities, parks and open space, religious institutions, safety services, offices, off premise advertising signs, and commercial parking Conditional Overlay Ordinance No. 5343 restricts some land uses, regulates signage, and provides site and building design standards	Uses Allowed: detached houses, attached houses, duplexes, multi-dwelling structures, daycare centers up to 12 children or adults, group living, parks and open space, religious institutions, safety services, schools, and basic utilities.
Maximum Lot Coverage Allowed: GO allows a maximum lot coverage of 55%. Residential uses are not allowed in GO.	Maximum Density Allowed: MR-3 allows a maximum density of 24 dwelling units per acre, increased to 40 dwelling units per acre with PUD overlay

Proposal:
<p><i>PROJECT HISTORY NOTE: This zone change and PUD master land use plan are intended for Lot 1, Block 1 of the Legacy I 8th Addition subdivision plat. This plat, recommended for approval by the Planning Commission at their June 4th, 2024 hearing, is still in review. The applicant can propose the zone change and PUD master land use plan on this lot, but these entitlements will not go forward to City Commission until the Legacy I 8th Addition subdivision plat has been approved by City Commission and recorded. Contingent approval of the zone change and PUD master land use plan are included in the approval motion below.</i></p> <p>The applicant requests two entitlements:</p> <ol style="list-style-type: none"> 1. Zoning Change (From GO with a CO to MR-3, Multi-Dwelling Residential with a PUD, Planned Unit Development Overlay); and 2. PUD Master Land Use Plan; <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: P/I, Public and Institutional, undeveloped; SR-4, Single-Dwelling Residential, single-dwelling residences









- East: Currently GO, General Office, undeveloped; zone change to SR-4, Single Dwelling residential pending.
- South: NC, Neighborhood Commercial, undeveloped; SR-4, single-dwelling residences
- West: SR-2, Single-Dwelling Residential with single-dwelling residences and religious institution

Area Plans:

The subject property is located within the 2001 (amended in 2003) Growth Plan. This plan designates the subject property as "Office." This land use designation was applied in 2022 through a growth plan amendment that was part of the Legacy I 7th Addition. The previous land use designation was "Residential Area—Lower to Medium Density" and "Residential Area—Medium to High Density." Planning staff determined that, as the change to the "Office" designation was recent and no office or commercial development had taken place on the property, and that the previous land use designation would support the proposed high-density residential development of the current project, it was not necessary to go through the growth plan amendment process to revert the land use designation back to "Residential Area—Medium to High Density."



2001 Growth Plan

 City Limits	 Parkland	 Residential Area - lower to medium density
 Commercial	 Public and Institutional	 Residential Area - lower to high density
 Office	 Residential Area or Parkland	 Residential Area - medium to high density

Context:

Schools: The subject property is located within the Fargo School District, specifically within the Bennett Elementary, Discovery Middle and Davies High schools.

Neighborhood: The subject property is located within the Bennett neighborhood.

Parks: Legacy Park, located at 6297 22nd Street South, is approximately 750 feet southeast of the subject property and provides amenities of basketball court, grill, picnic tables, playground, recreational trails and a shelter.

Pedestrian / Bicycle: An off-road multi-use trail is adjacent to the west side of the subject property, within the right of way for 25th Street South, which is a component of the metro area bikeways system.

Bus Route: The subject property is not near a MATBUS route.

Staff Analysis:

Site History

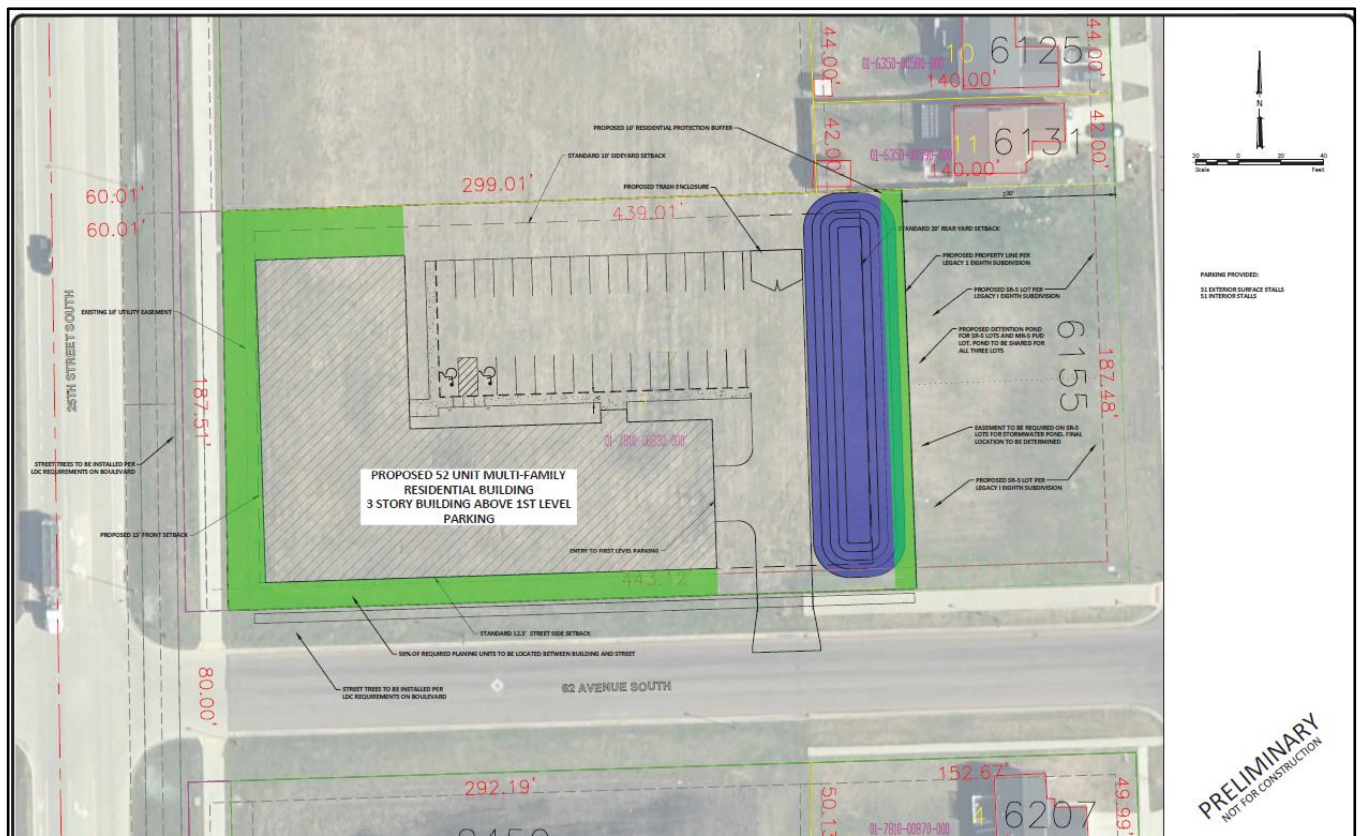
The subject property was originally created as Lot 1, Block 7 of Legacy I Fourth Addition in 2005. It was zoned SR-4, Single-Dwelling Residential. The lot was never developed. In 2022, this lot was replatted Lot 1, Block 1 of Legacy I Seventh Addition. This plat eliminated the negative access easement (NAE) along 62nd Avenue South that was originally applied with the Legacy I 4th Addition plat and dedicated as right of way certain easements along 25th Street South that were acquired after the original 25th Street South right of way was dedicated. This property was zoned GO, General Office. The applicant's main goal was to find the minimum zone in which a day care that serves more than 13 children can be built without any additional entitlement; such a daycare could not be built in the SR-4 zone. The GO, General Office zone, would allow this use. Other commercial development was also envisioned for this lot. This development never went forward.

The subject property is in the process of being replatted into a one block, three-lot subdivision to be known as Legacy I 8th Addition. This plat was recommended for approval by the Planning Commission at their June 4th, 2024 meeting and is currently in review by City staff. The proposed plat is shown below, with Lot 1, Block 1 outlined in red. The proposed zone change would rezone Lot 1 of this plat from GO to MR-3, Multi-Dwelling Residential with a PUD overlay, as detailed below.



PUD Master Land Use Plan

The applicant proposes to construct a new 52 unit multi-family apartment. The new apartment will have one level of enclosed parking, giving the residents the ability to access their vehicles within the building footprint. No garages are proposed; some surface parking is proposed, as depicted on the plan below. The image below is a preliminary Master Land Use Plan submitted by the applicant. The Master Land Use Plan shows the building envelope of the structures, parking and circulation, open space and the required stormwater detention basin. *(A larger version of this plan is included in this packet)*



Zoning Change and PUD Overlay

The applicant has applied for a zoning map amendment and a PUD overlay in order to tailor development standards to the specifics of the proposed project. The property is currently zoned GO, General Office with a conditional overlay Ordinance No. 5343. That ordinance will be repealed with the approval of the zone change to MR-3 with the PUD overlay.

For this project, Planning staff recommended the applicant use the MR-3 zone as the base zone for the PUD. The modifications to the development standards of the underlying MR-3 zone are shown in the excerpt from the PUD chart shown below. Development standards not included in the chart below will remain as the standard MR-3 requirements. *(The full PUD chart is included in this packet)*

	Current LDC development standards for MR-3	PUD modifications to MR-3 development standards
Residential Density	24 du/acre	40 du/Acre
Setbacks	Front: 25' Interior: 10' Street Side: 12.5 Rear: 20'	Front: 15', others no change
Building Coverage	35% of lot area	40 % of lot area
Minimum open space	35% of lot area	30% of lot area
	Efficiency 1.25 stalls per unit 1 Bedroom and Larger 2 stalls per unit. 0.25 stalls per unit guest parking	1.5 Stalls per unit

Landscaping— Open Space	3 plant units per 1,000 SF of area; 8 sf per unit,	<i>Reduction to 50% of required plant units to be located between the building front and street</i>
RPS—building height 76-100 feet from residential	45 feet max	<i>55' Max</i>

Staff Comment on PUD Modifications

The applicant has provided notes to support the proposed modifications of the MR-3 zone. These notes are on the PUD chart that is attached to this staff report. Staff generally agrees with the applicant's statements in these notes. The proposed parking reduction has been reviewed by the City's traffic engineer, who determined that the proposed ratio should be sufficient and that a more detailed, site specific traffic study was not required.

Owner's Statement(Project Narrative)

The applicant has provided a statement (attached) that describes how the PUD can create a better project than would be allowed by the MR-3 zoning alone for this site.

Rendering

Renderings of the proposed building, provided by the applicant, are attached.

Access

The lot will take access from 62nd Avenue South.

Final PUD Plan Required Prior to Building Permit Approval

A PUD has two steps: a Master Land Use Plan and a Final Plan. This hearing does not include the Final Plan. The applicant must submit a PUD Final Plan for review by the Planning Commission when site plans and building permits are submitted. The Planning Commission must find the PUD final plan to be consistent with the PUD Master Land Use Plan prior to building permit approval. City departments will review the plans for compliance with their respective codes and the final plan will be reviewed against the building permit submittal. Note that the Planning Commission does not approve the actual building permit.

Master Land Use Plan: Article 20-0908(B)(a-e) of the LDC stipulates that the Planning Commission and Board of City Commissioners shall consider the following criteria in the review of any Master Land Use Plan.

- 1. The plan represents an improvement over what could have been accomplished through strict application of otherwise applicable base zoning district standards, based on the purpose and intent of this Land Development Code;**

The plan represents an improvement over what could have been accomplished through strict application of the base zoning district. It modifies certain development standards of the MR-3 zone and general development standards in order to provide a higher density housing than would be allowed under the MR-3 zoning. Increased density in the appropriate locations is a goal of the City's Go2030 comprehensive plan. The project provides a significant number of tuck-under parking spaces, thereby making more efficient use of the property, another goal of Go2030.

(Criteria Satisfied)

- 2. The PUD Master Land Use Plan complies with the PUD standards of Section 20-0302;** Staff has reviewed the PUD Master Land Use Plan and found that it complies with the PUD standards of Section 20-0302. The PUD modifies some standards of the MR-3 zone and general development standards as outlined in Section 20-0501 and noted above. All other standards and requirements as set forth in the LDC have been met. **(Criteria Satisfied)**

3. **The City and other agencies will be able to provide necessary public services, facilities, and programs to serve the development proposed, 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. The subject property fronts on existing developed public rights-of-way that provide access and public utilities to serve the property. **(Criteria Satisfied)**
4. **The development is consistent with and implements the planning goals and objectives contained in the Area Plan, Comprehensive Plan and other adopted policy documents;**
The purpose of the LDC is to implement Fargo's Comprehensive Plan in a way that will protect the general health, safety, and welfare of the citizens. Staff finds that the proposed PUD is in keeping with Fargo's Comprehensive Plan. Particularly, the City's Go2030 Comprehensive Plan supports development within areas of the City that are already serviced with utilities and also supports developments with increased density. Staff finds this proposal is consistent with the purpose of the LDC, the Go2030 Comprehensive Plan, and other adopted policies of the City. **(Criteria Satisfied)**
5. **The PUD Master Land Use Plan is consistent with sound planning practice and the development will promote the general welfare of the community.**
The PUD is consistent with sound planning practice and the development will promote the general welfare of the community by providing a residential housing option near recreational facilities, shopping, and future commercial uses, on a property that was bypassed by earlier development. **(Criteria Satisfied)**

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

1. **Is the requested zoning change justified by a change in conditions since the previous zoning classification was established or by an error in the zoning map?**
There is no error in the zoning map. The project rezones the property from GO, General Office with a conditional overlay to MR-3, Multi-Dwelling Residential with a PUD overlay. As the base zone for the proposed PUD, Planning staff recommended the MR-3 zone, as there is no commercial component as part of this project. **(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?**
Yes
(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 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 and responded to one inquiry. 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."

This project site is covered by the 2001 (amended in 2003) Growth Plan. As noted above, the current land use designation is "Office," though the designation prior to 2022 was

“Medium/High Density Residential.” Planning staff determined that, as the change to the “Office” designation was recent and no office or commercial development had taken place on the property, and that the previous land use designation would support the proposed high-density residential development of the current project, it was not necessary to go through the growth plan amendment process to revert the land use designation back to “Residential Area—Medium to High Density.” The MR-3 zone with the PUD is consistent with the “Residential Area—Medium to High Density” land use designation.

The project meets several of the goals of infill development stated in the Go2030 Comprehensive Plan:

- the subject property is already served by supporting infrastructure;
- the project will increase the mix of uses and amenities in the area;
- the project brings high-density residential into close proximity with existing and future retail, restaurant, and service businesses and recreational amenities; and
- the project design reduces surface parking by having first floor “tuck-under” parking for over half of the required parking spaces.

(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) Zoning Change from GO, General Office with a conditional overlay to Multi-Dwelling Residential with a PUD, Planned Unit Development Overlay; 2) PUD Master Land Use Plan; as outlined in the staff report, as the proposal complies with the Go2030 Fargo Comprehensive Plan; Article 20-0908(B)(a-e); Section 20-0906. F (1-4); 2001 Growth Plan (as amended); and all other applicable requirements of the LDC, contingent on City Commission approval of the Legacy I 8th Addition subdivision plat.”

Planning Commission Recommendation: August 6th, 2024

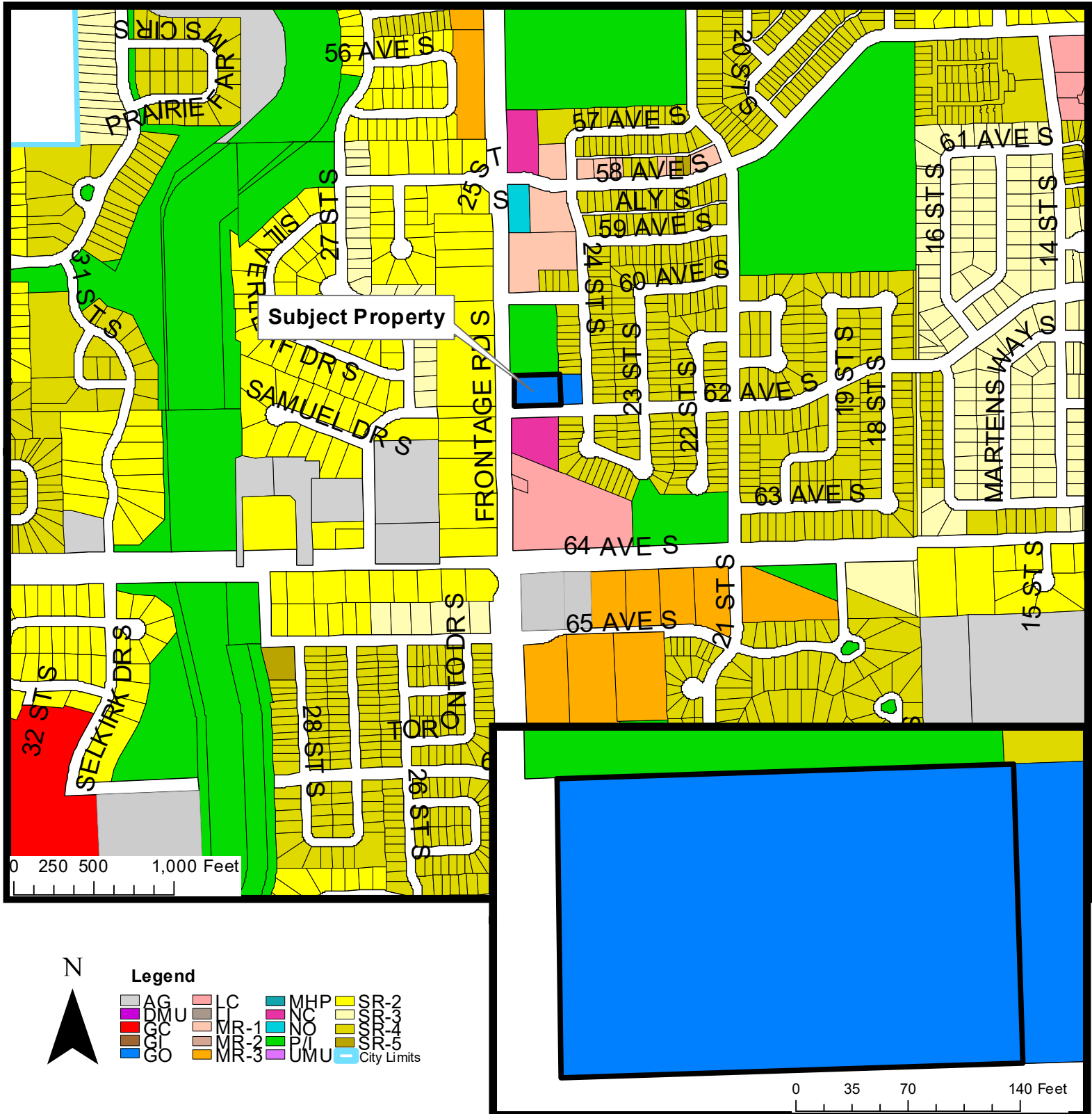
Attachments:

1. Zoning map
2. Location map
3. Master land use plan
4. Owners’ statement
5. PUD Narrative/Chart
6. Renderings

Zone change from GO, General Office with a C-O, Conditional Overlay to MR-3, Multi-Dwelling Residential with repeal of the C-O and a Planned Unit Development Master Land Use Plan

Legacy I 8th Addition

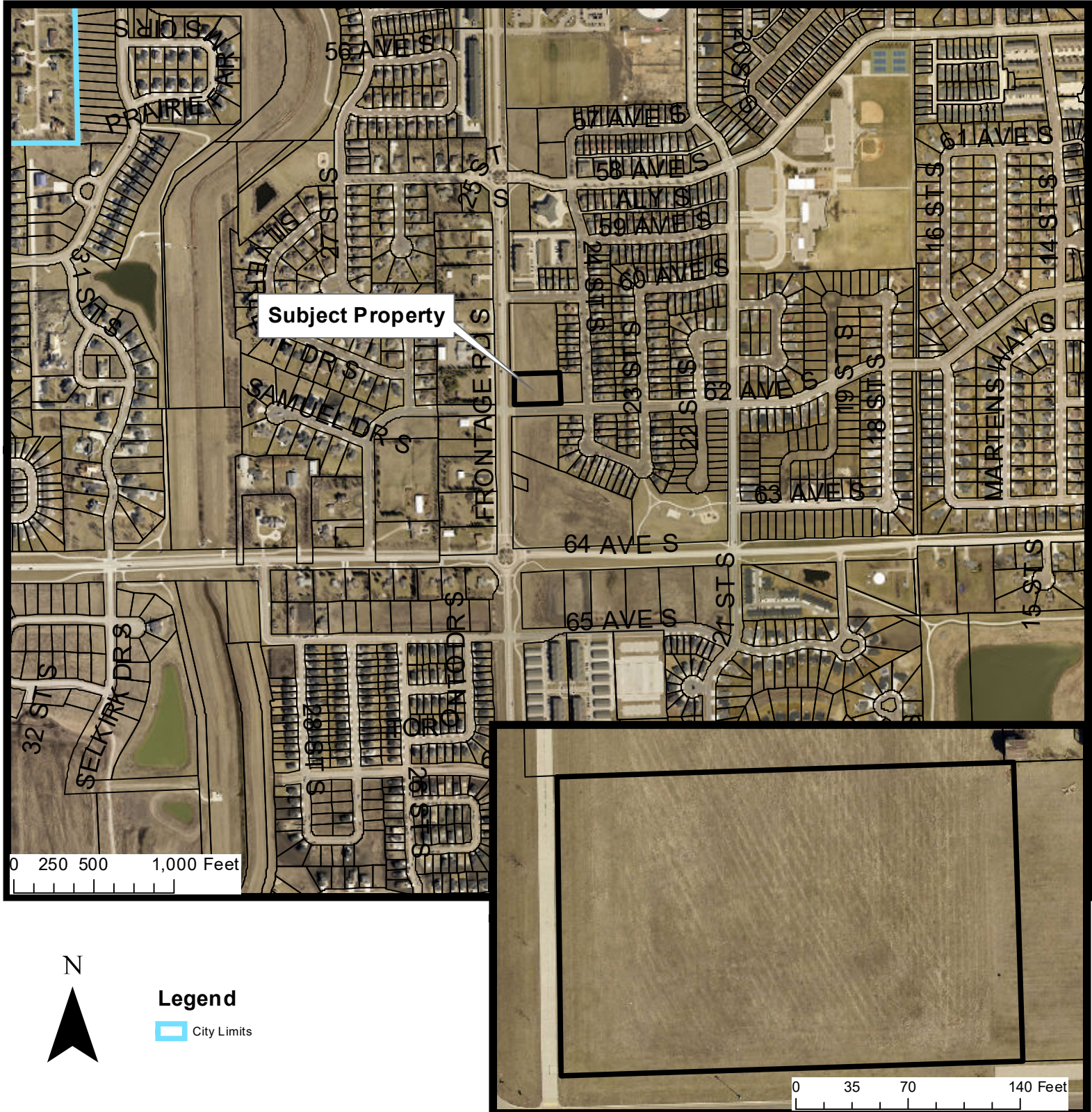
6155 24th Street South



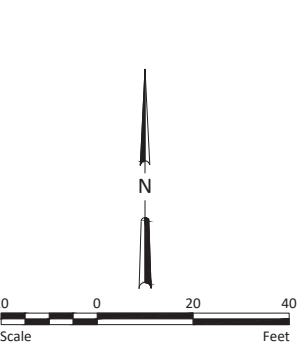
Zone change from GO, General Office with a C-O, Conditional Overlay to MR-3,
Multi-Dwelling Residential with repeal of the C-O and a Planned Unit
Development Master Land Use Plan

Legacy I 8th Addition

6155 24th Street South



H:\JBM\8369\8369_0019\CAD\Eng\Preliminary PUD Master Plan.dwg-22x34 Landscape Bottom-8/1/2024 9:08 AM (bpattengale)



PARKING PROVIDED:
31 EXTERIOR SURFACE STALLS
51 INTERIOR STALLS

PRELIMINARY
NOT FOR CONSTRUCTION

No.	Revision	Date	By



Drawn by BTP	Date 07-30-24
Checked by BTP	Scale AS SHOWN

6155 APARTMENTS
6155 24TH STREET SOUTH
FARGO, ND

PUD MASTER PLAN
PROJECT NO. 8369-0019

SHEET
1

Project Narrative – 6155 Apartment Development

Utilizing the Planned Unit Development (PUD) approach offers numerous advantages that extend beyond typical Architectural and Civil considerations in an aim to enhance the local neighborhood.

The PUD approach for this property makes slight adjustments to setbacks, minimum open space and building height that will allow for an attractive infill of an undeveloped plot of land that accomplishes a reasonable increase in density while still allowing for ample off-street parking.

The residential density of the site matches with the Fargo Growth Plan and desire for denser infill developed to utilize existing street and utility infrastructure. The increased density allows for growth of the City without the burden of extending the existing infrastructure or growing the physical footprint of the City as a whole.

This project aims to add additional needed market-rate housing in an area that has not seen a lot of new development in recent years. The apartment development will feature a blend of modern architectural aesthetics and functional design. The design prioritizes the comfort and convenience of its residents, each unit will feature open-concept living spaces, high ceilings, and large windows to maximize natural light.

We are committed to creating a welcoming environment for all residents and the surrounding community. This project is set to enhance the housing landscape, and we are excited to bring this project to the area and contribute to its overall growth and vitality.

PUD NARRATIVE

DEVELOPER'S STATEMENT OF INTENT: Market rate residential multifamily complex on existing infill property. 3 story, flat roof, wood framed construction over main floor precast concrete parking garage. Parking garage to either be partially buried or at grade depending on further site design. Unit mix to consist of Efficiency, 1 bedroom, 2 bedroom and 3 bedroom type units. Exterior facade to be a mix of steel siding, residential metal panel siding, and hard surface materials; vinyl patio doors and windows.

The PUD will include a site plan for the development that is incorporated here by reference. The PUD will, generally, apply the MR-3 development standards, except as otherwise provided below:

	Current LDC development standards for MR-3	<i>PUD modifications to MR-3 development standards</i>	NOTES
Allowed Uses	Detached houses, attached houses, duplexes, multi-dwelling structures, daycare centers up to 12 children or adults, group living, parks and open space, religions institution, safety services, schools, and basic utilities	<i>No Change</i>	
Minimum Lot Area	5,000 SF	<i>No Change</i>	
Minimum Lot Width	50'	<i>No Change</i>	
Residential Density	24 du/acre	40 du/Acre	<i>See Notes</i>
Setbacks	Front: 25' Interior: 10' Street Side: 12.5 Rear: 20'	<i>Front: 15', others no change</i>	<i>See Notes</i>
Max. Height	60 feet	<i>No Change</i>	
Building Coverage	35% of lot area	<i>40 % of lot area</i>	<i>See Notes</i>
Minimum open space	35% of lot area	<i>30% of lot area</i>	<i>See Notes</i>
Parking-Residential—Multi-dwelling	Efficiency 1.25 stalls per unit 1 Bedroom and Larger 2 stalls per unit. 0.25 stalls per unit guest parking	<i>1.5 Stalls per unit</i>	<i>See Notes</i>
Parking--Retail	1 space per 250 SF	<i>Not Applicable</i>	
Landscaping—Street Trees	1 per every 50 feet on arterials; 1 per every 35 feet on locals	<i>No Change</i>	

Landscaping—Open Space	3 plant units per 1,000 SF of area; 8 sf per unit,	<i>Reduction to 50% of required plant units to be located between the building front and street</i>	See Notes
Landscaping—Parking Lot Perimeter	Buffers shall be located between adjacent streets rights of way and off-street parking areas and all vehicular circulation areas within the front or streetside setback per Table 20-0705(D)(3)	<i>No Change</i>	
Paving Setbacks	Parking lots and vehicular circulation areas shall provide a a paving setback per Table 20-0705(D)(4)	<i>No Change</i>	
Residential Protection Standards (RPS)—Setback from abutting side and rear lot line	Development on lots adjacent to side or rear lines of lots in the SR or MR zoning district must meet the setbacks per Table 20-0704(B)(1)	<i>No Change</i>	
RPS—Front Setback	For new multi-family or nonresidential development occurs on lots adjacent to the side lot in any SR or MHP district, see 20-0704(B)(2) for setback requirements.	<i>No Change</i>	
RPS—Visual screening of dumpsters and outdoor storage areas	Required on all dumpsters and storage areas	<i>No Change</i>	
RPS—building height, 75 feet from residential	35 feet max	<i>No Change</i>	
RPS—building height 76-100 feet from residential	45 feet max	<i>55' Max</i>	<i>See Notes</i>
RPS—building height 101--150 feet from residential	55 feet max	<i>No Change</i>	
RPS-residential protection buffers	At least 10 feet with 1 tree and 20 shrubs per 50 lineal feet	<i>No Change</i>	

RPS—operating hours	No garbage or recycling services between 10:00 p.m. and 6:00 a.m.	<i>No Change</i>	
RPS--lighting	No light more than 0.4 footcandles one foot inside SR-zoned lot	<i>No Change</i>	
RPS--odor	See 20-0704(H)— <i>usually not a problem on residential and commercial developments</i>	<i>No Change</i>	

Residential Density Notes:

The increased density of site matches with the Fargo Growth Plan and desire for denser infill developed to utilize existing street and utility infrastructure. The increased density allows for growth of the City without the burden of extending the existing infrastructure or growing the physical footprint of the City as a whole.

Initial design and concepts are proposing a maximum of 52 units in the building which equates to 37.6 Units per acre. Proposed 40 Unit per acre. As the plat for the lot has not yet been recorded the proposed density ensures that the 52 units will fit on the future lot.

Setbacks Notes:

Reducing the front setback allows for the building to moved further west on the site increasing the distance to the single family residential zoned lots. This allows for more of buffering of the site from the increased building height. Note that the setback along 25th Street would be considered the front and along 62nd Ave S as the street side.

Building Coverage Notes:

Preliminary building footprint is at 35% lot coverage. As final design of the building proceeds or adjustments to building footprint are made the final building footprint will likely exceed the 35% building coverage limit. The increased building coverage is warranted by the inclusion of interior parking on the first level of the building. The result is that we're moving exterior vehicle parking into the building so compared to the base MR-3 zoning we'll have similar open space areas.

Open Space Notes:

Slight reduction in open space requirements allows for a denser development on smaller parcel. Allows for some flexibility in site layout, parking, and building footprint while maintaining open space for residents.

Residential Parking Requirement Notes:

The final building unit count and mix has yet to be determined. Preliminary proposed building unit mix of approximately 20% 3 Bedroom, 35% 2 Bedroom, 35% 1 Bedroom, and 10% efficiency with 52 units max on the proposed project. The preliminary plan calls for 52 stall of interior parking on the building with 31 exterior surface parking stalls. Desired parking ratio is one cover stall per unit and an overall parking ratio of 1.5 stalls

per unit. The MetroCOG Fargo/West Fargo Parking & Access Study recommended a parking ratio of between 1 and 2 stalls per unit. The proposed ratio falls within the recommend range. The Institute of Transportation Engineering Parking Generation 4th Edition lists the average peak period parking demand as 1.23 vehicles per dwelling unit for Suburban Low/Mid Rise Apartments use.

Landscaping—Open Space Notes:

Due to the reduced setback requirements placement of 70% of the required plant units within the area will be excessive and create an overly dense planting area. A slight reduction to 50% is warranted. No reduction in the overall required plant unit count is requested.

RPS—building height 76-100 feet from residential Notes:

Increase in building height limit is to allow first level parking on the building, while meeting the floodproof construction requirements of the City of Fargo. As the site is located within the floodplain floodproof construction must be used. Partial Buried parking or full buried parking may not be possible to meet the floodproof construction requirements. The increased building height on the RPS would for the three stories of units and a full first story for parking.



Facing westerly along 62nd Avenue South. Note entrance to below-grade parking on the right.





View of the north side of the proposed multi-dwelling building.



**City of Fargo
Staff Report**

Title:	True North Addition	Date:	07/31/2024
Location:	4308 and 4314 20 th Avenue South	Staff Contact:	Donald Kress, current planning coordinator
Legal Description:	Lot 1, Block 1, West Acres Business Park 9 th Addition and a portion of Lot 1, Block 1, West Acres Business park 8 th Addition		
Owner(s)/Applicant:	True North Group/ Houston Engineering	Engineer:	Houston Engineering, Inc.
Entitlements Requested:	Minor Subdivision (Replat of Lot 1, Block 1, West Acres Business Park 9 th Addition and a portion of Lot 1, Block 1, West Acres Business park 8 th Addition to the City of Fargo, Cass County, North Dakota)		
Status:	Planning Commission Public Hearing: August 6th, 2024		

Existing	Proposed
Land Use: Vacant commercial building and parking lot	Land Use: Religious institution
Zoning: GC, General Commercial	Zoning: No change
Uses Allowed: Allows colleges, community service, daycare centers of unlimited size, detention facilities, health care facilities, parks and open space, religious institutions, safety services, basic utilities, adult establishment, offices, off-premise advertising, commercial parking, outdoor recreation and entertainment, retail sales and service, self-service storage, vehicle repair, limited vehicle service, and some telecommunication facilities.	Uses Allowed: No change.
Maximum Lot Coverage Allowed: 85%	Maximum Lot Coverage Allowed: No change

Proposal:

The applicant requests one entitlement:

1. A **minor subdivision**, to be known as True North Addition, replat of Lot 1, Block 1, West Acres Business Park 9th Addition and a portion of Lot 1, Block 1, West Acres Business park 8th Addition to the City of Fargo, Cass County, North Dakota

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: LC, Limited Commercial with commercial uses
- East: GC with commercial uses (hotel)
- South: Interstate 94 right of way
- West: GC with commercial uses and a daycare

Area Plans:

The subject property is not included in a growth plan or neighborhood plan.

Context:

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

Neighborhood: The subject property is located within the West Acres neighborhood.

Parks: Rabanus Park (also the location of The Fargo Project: World Garden Commons), 4315 18th Avenue Southwest, is approximately 0.20 mile north of the subject property, and provides amenities of basketball court, grill, picnic table, playgrounds for ages 2-5 and 5-12, recreational trails, sand volleyball court, shelters, warming houses, natural playground, overlook gathering spaces and listening garden.

Pedestrian / Bicycle: There are no shared use paths adjacent to the subject property.

MATBUS Route: Stops for MATBUS Routes 14 and 24 are located along 42nd Street South, approximately 0.17 mile east of the subject property. Route 14 connects the downtown transit hub with University Drive South and West Acres. Route 24 connects West Acres with portions of Fargo and West Fargo between 19th and 32nd Avenues South.

Staff Analysis:

The plat combines two existing lots into a single lot. This lot will retain the GC zoning. The existing building is a vacant commercial building at this time, but the church will soon be remodeling and moving into this building. Religious institutions are allowed by right in the GC zone.

ACCESS: Access to the proposed lot will be from 20th Avenue South.

Minor Subdivision

The LDC stipulates that the following criteria is 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 requested minor subdivision combines two existing lots into a one lot, one block subdivision. The current zoning is GC, General Commercial. No zone change is proposed. The subject property is not included in a growth plan or area plan. 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 no inquiries about the application. 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)

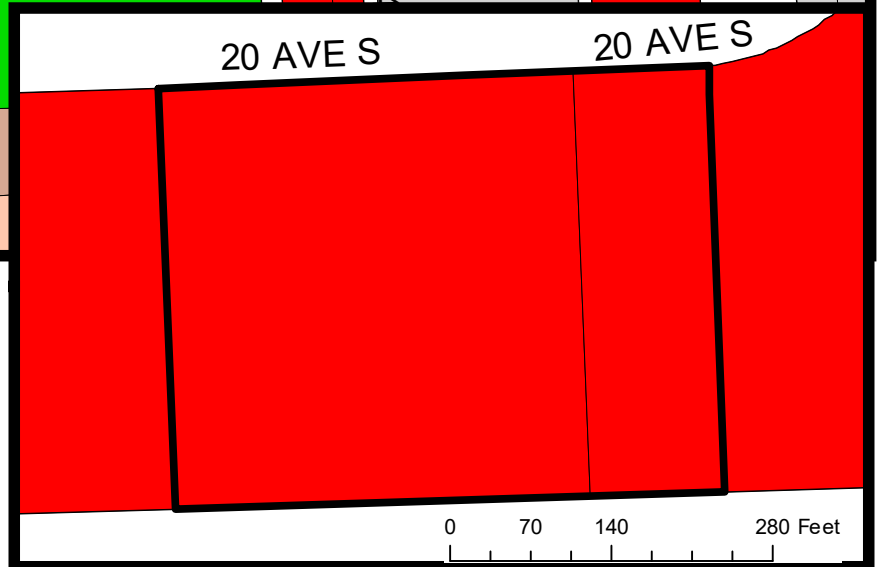
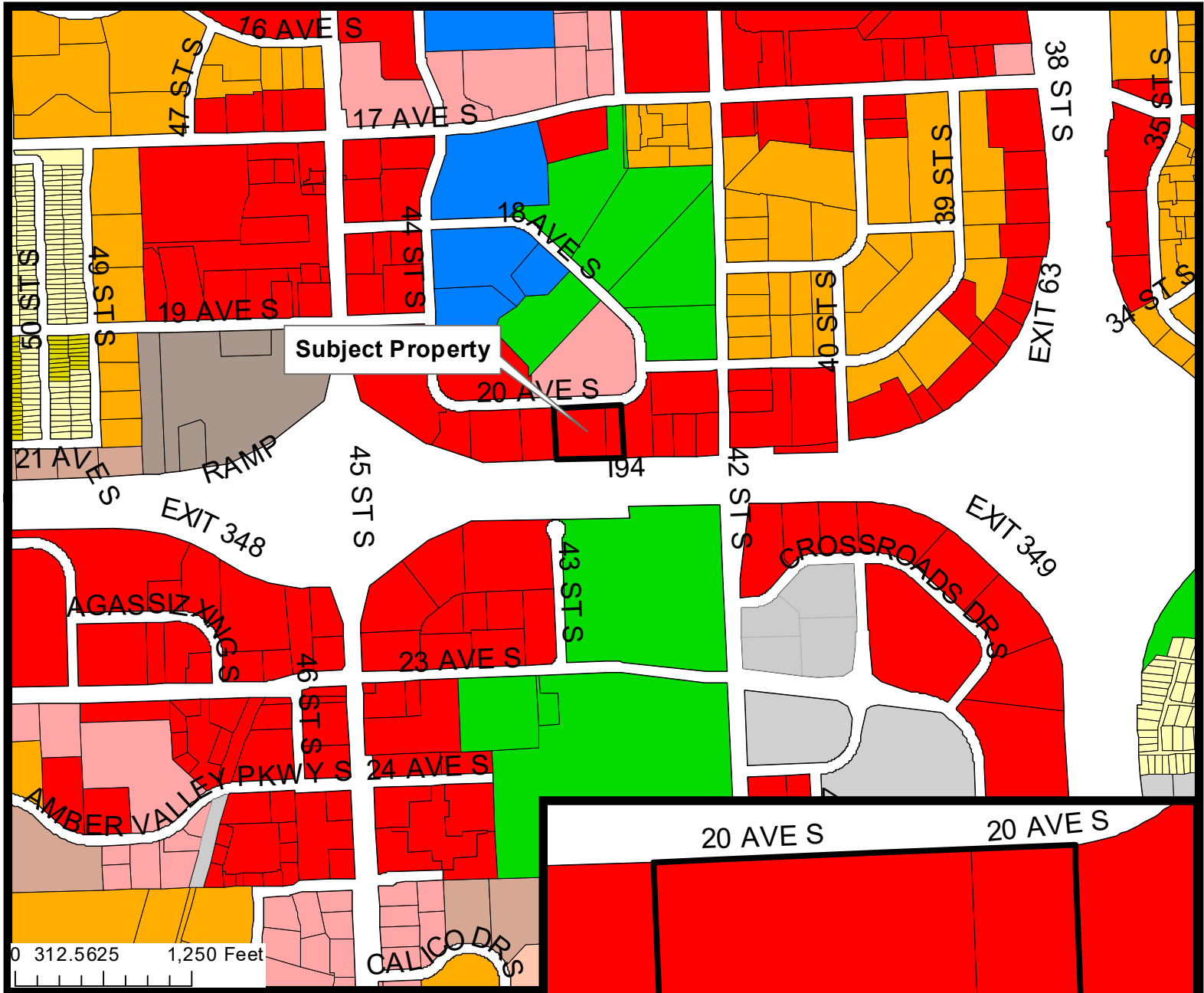
- 2. Section 20-0907.C.4.f of the LDC stipulates that in taking action on a Final Plat, the Board of City Commissioners shall specify the terms for securing installation of public improvements to serve the subdivision.**
While this section of the LDC specifically addresses only major subdivision plats, 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)

Staff Recommendation:
Suggested Motion: “To accept the findings and recommendations of staff and hereby recommend approval to the City Commission of the proposed subdivision plat, True North Addition as outlined within the staff report, as the proposal complies with the standards of Article 20-06, Section 20-0907.B. and C and all other applicable requirements of the Land Development Code.”
Planning Commission Recommendation: August 6 th , 2024
Attachments:
<ol style="list-style-type: none"> 1. Zoning Map 2. Location Map 3. Preliminary Plat

Minor Subdivision

True North Addition

4308 & 4314 20th Avenue South



Legend

AG	DMU	GC	GO	LC	LI	MR-1	MR-2	MR-3	MHP	NC	P/I	UMU	SR-2	SR-3	SR-4	SR-5	City Limits
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Minor Subdivision

True North Addition

4308 & 4314 20th Avenue South

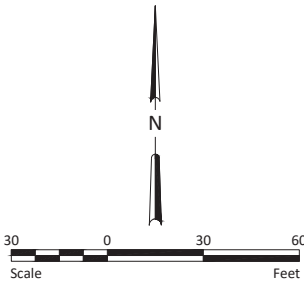


Legend

 City Limits

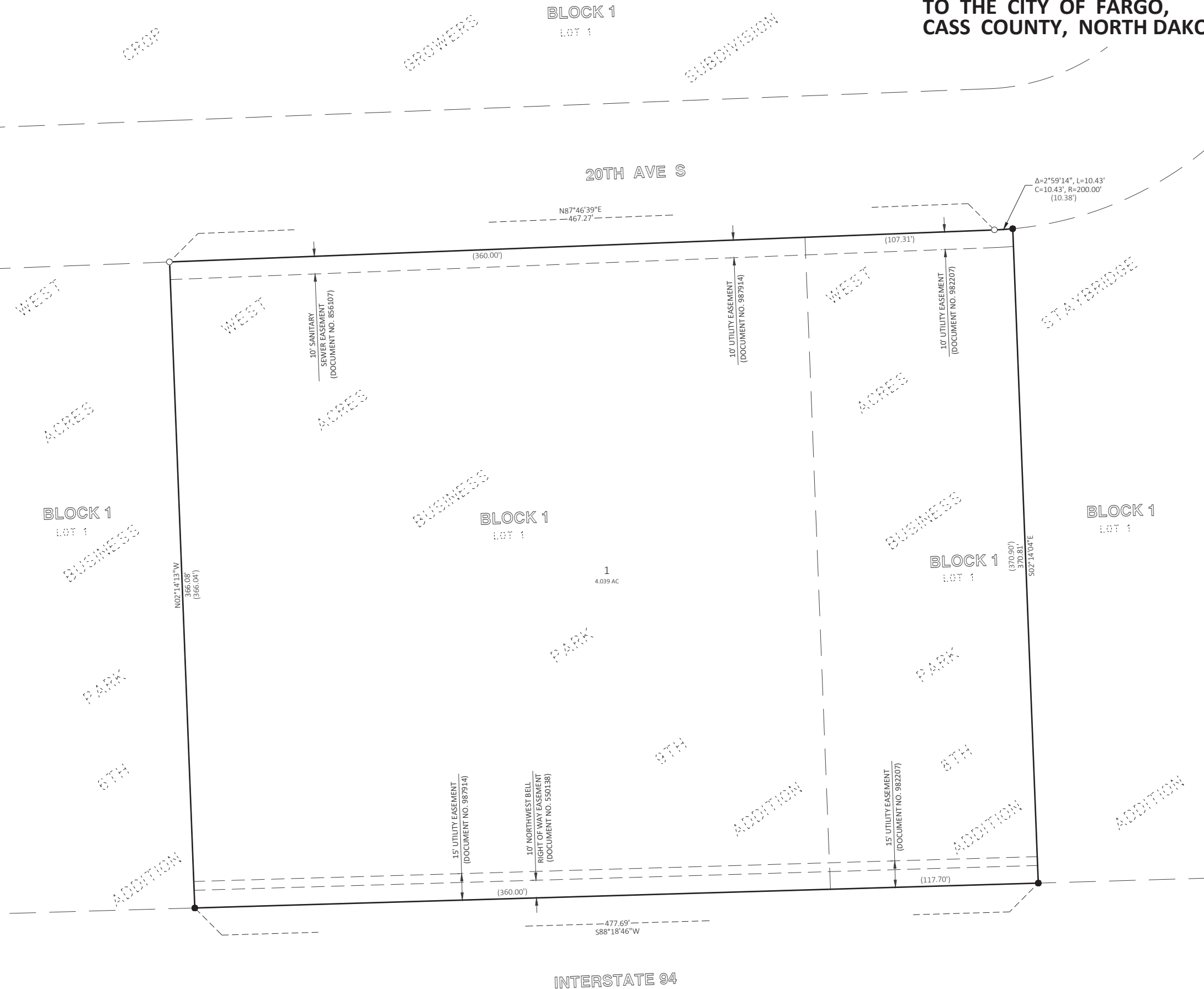
TRUE NORTH ADDITION

A MINOR SUBDIVISION
BEING A REPLAT OF LOT 1, BLOCK 1, WEST ACRES BUSINESS PARK 9TH ADDITION
AND A PART OF LOT 1, BLOCK 1, WEST ACRES BUSINESS PARK 8TH ADDITION
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	- - - - -

BEARINGS SHOWN ARE BASED ON THE
CITY OF FARGO GROUND COORDINATE
SYSTEM, DECEMBER 1992.



TRUE NORTH ADDITION
A MINOR SUBDIVISION
BEING A REPLAT OF LOT 1, BLOCK 1, WEST ACRES BUSINESS PARK 9TH ADDITION
AND A PART OF LOT 1, BLOCK 1, WEST ACRES BUSINESS PARK 8TH ADDITION
TO THE CITY OF FARGO,
CASS COUNTY, NORTH DAKOTA

OWNER'S CERTIFICATE AND DEDICATION:

KNOW ALL PERSONS BY THESE PRESENTS: That True North Group, a North Dakota nonprofit corporation, is the owner and proprietor following described tract of land:

All of Lot 1, Block 1, West Acres Business Park 9th Addition, and that part of Lot 1, Block 1, West Acres Business Park 8th Addition to the City of Fargo, Cass County, North Dakota, all being more particularly described as follows:

Beginning at the northwest corner of said West Acres Business Park 9th Addition; thence North 87°46'46"39" East, along the northerly line of said West Acres Business Park 9th Addition and along the northerly line of said West Acres Business Park 8th Addition, for a distance of 467.27 feet to a point of tangential curve to the left, having a radius of 200.00 feet; thence easterly, along the northerly line of said West Acres Business Park 8th Addition and along said curve, for a distance of 10.43 feet, having a central angle of 2°59'14", to the northwest corner of Staybridge Addition to the City of Fargo, said plat being on file at the Cass County Recorder's Office; thence South 02°14'04" East, along the westerly line of said Staybridge Addition, for a distance of 370.81 feet to a point of intersection with the southerly line of said West Acres Business Park 8th Addition; thence South 88°18'46" West, along the southerly line of said West Acres Business Park 8th Addition and along the southerly line of said West Acres Business Park 9th Addition, for a distance of 477.69 feet to the southwest corner of said West Acres Business Park 9th Addition; thence North 02°14'13" West, along the westerly line of said West Acres Business Park 9th Addition, for a distance of 366.08 feet to the true point of beginning.

Said tract contains 4.039 acres, more or less.

And that said party has caused the same to be surveyed and replatted as **TRUE NORTH ADDITION** to the City of Fargo, Cass County, North Dakota.

OWNER:

True North Group, a North Dakota nonprofit corporation

Michael Hull, Chairman of the Board of Directors/Trustee

State of _____)

County of _____)

On this _____ day of _____, 20____ before me personally appeared Michael Hull, Chairman of the Board of Directors/Trustee of True North Group, a North Dakota nonprofit 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 said nonprofit corporation.

Notary Public: _____

SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT:

I, James A. Schlieman, 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____.

James A. Schlieman, Professional Land Surveyor No. 6086

State of North Dakota)

County of Cass) ss

County of Cass)

On this _____ day of _____, 20____ before me personally appeared James A. Schlieman, 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: _____

CITY ENGINEER'S APPROVAL:

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

Tom Knakmuhs, PE, City Engineer

State of North Dakota)

County of Cass) ss

County of Cass)

On this _____ day of _____, 20____ before me personally appeared Tom Knakmuhs, PE, 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 he executed the same as City Engineer.

Notary Public: _____

FARGO PLANNING COMMISSION APPROVAL:

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

Rocky Schneider, Chair
Fargo Planning Commission

State of North Dakota)

County of Cass) ss

County of Cass)

On this _____ day of _____, 20____, before me personally appeared Rocky Schneider, 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 he executed the same on behalf of the Fargo Planning Commission.

Notary Public: _____

FARGO CITY COMMISSION APPROVAL:

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

Timothy J. Mahoney, Mayor

Attest: Steven Sprague, City Auditor

State of North Dakota)

County of Cass) 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: _____

**City of Fargo
Staff Report**

Title:	Simonson Companies Fourth Addition	Date:	7/31/2024
Location:	3971 53rd Avenue South and 5237 38th Street South	Staff Contact:	Donald Kress, current planning coordinator
Legal Description:	Lot 2, Block 1, Simonson Companies Third Addition and Lot 1, Block 1, Simonson Companies Second Addition		
Owner(s)/Applicant:	Simonson Companies, LLC / Lowry Engineering, Inc.	Engineer:	Lowry Engineering
Entitlements Requested:	Minor Subdivision (replat of Lot 2, Block 1, Simonson Companies Third Addition and Lot 1, Block 1, Simonson Companies Second Addition to the City of Fargo, Cass County, North Dakota)		
Status:	Planning Commission Public Hearing: August 6, 2024		

Existing	Proposed
Land Use: Undeveloped	Land Use: Limited Commercial uses
Zoning: LC, Limited Commercial with a Conditional Overlay	Zoning: Unchanged
Uses Allowed: Allows colleges, community service, daycare centers of unlimited size, health care facilities, parks and open areas, religious institutions, safety services, basic utilities, offices, off-premise advertising , commercial parking, retail sales and service, self-storage, vehicle repair , limited vehicle service, and certain telecommunication facilities. Conditional Overlay No. 5370 prohibits certain uses and provides building and site design standards	Uses Allowed: Unchanged. Conditional overlay will carry through to this subdivision.
Maximum Lot Coverage Allowed: Maximum 55% building coverage	Maximum Lot Coverage Allowed: Unchanged

Proposal:

The applicant requests one entitlement:

1. A minor subdivision, to be known as **Simonson Companies Fourth Addition**, a replat Lot 2, Block 1, Simonson Companies Third Addition and Lot 1, Block 1, Simonson Companies Second Addition to the City of Fargo, Cass County, North Dakota

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: Across 52nd Ave S, GC, General Commercial with conditional overlay, medical clinic and financial institution
- East: LC with conditional overlay; restaurant and retail uses

- South: LC with conditional overlay; undeveloped.
- West: LC with conditional overlay; vehicle service.

Area Plans:

According to the 2007 Growth Plan, the subject property is designated as “Commercial.” The current LC, Limited Commercial zoning is consistent with this land use designation.



Legend			
Land Use			
Low Med Res	Med High Res	Office	Commercial Area
Low Med Res or Med High Res	Commercial	Parkland	Residential Area - medium to high density
Tier 1 Northwest Area Plan			
Industrial Area	Public and Inst	Proposed Park	Future School
Agricultural Research			

Context:

Schools: The subject property is located within the Fargo School District, specifically within the Kennedy Elementary, Discovery Middle, and Davies High schools.

Neighborhood: The subject property is located within The District neighborhood.

Parks: The Pines Park is within a quarter mile to the southwest of the subject property. This park provides a basketball court, grills, picnic tables, playgrounds for ages 2-5 and 5-12, recreational trails, and a shelter.

Pedestrian / Bicycle: There are ten foot wide trails along 52nd Avenue South, eight foot wide trails along 53rd Avenue South, 10 foot wide trails on the west sides of 42nd Street South and 38th Street South, and shared-use paths within The Pines Park. These trails are components of the metro area trail system.

MATBUS Route: MATBUS Route 18 runs along 38th Street South on the east side of the subject property, and has a stop at WalMart, approximately 0.20 mile to the east. Route 18 connects the 52nd Avenue WalMart to the downtown Ground Transportation Center by way of 40th Avenue South, 42nd and 25th Streets South, and University Drive.

Staff Analysis:

PLAT

The plat divides two existing lots into a one block, three-lot subdivision for commercial development. Access to the lots is provided by access easements which connect to 38th Street South and 53rd Avenue South. These easements were created with the Simonson Companies Second Addition plat in 2020. There is no direct access to 52nd Avenue South.

ZONING

The property is zoned LC, Limited Commercial with Conditional (C-O) Overlay Ordinance No. 5370, which prohibits certain uses and provides building and site design standards. This conditional overlay was created with Simonson Companies Second Addition and it carries through to this subdivision. No zone change or modification to the C-O is proposed.

Minor Subdivision

The LDC stipulates that the following criteria is 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.**

This subdivision is intended to replat two existing lots into a one block, three-lot subdivision for commercial development. The properties within this plat are currently zoned LC, Limited Commercial with a conditional overlay, as noted above. No change to the zoning or conditional overlay 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 and responded to one inquiry about the application. 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 20-0907.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 principals.

(Criteria Satisfied)

Staff Recommendation:

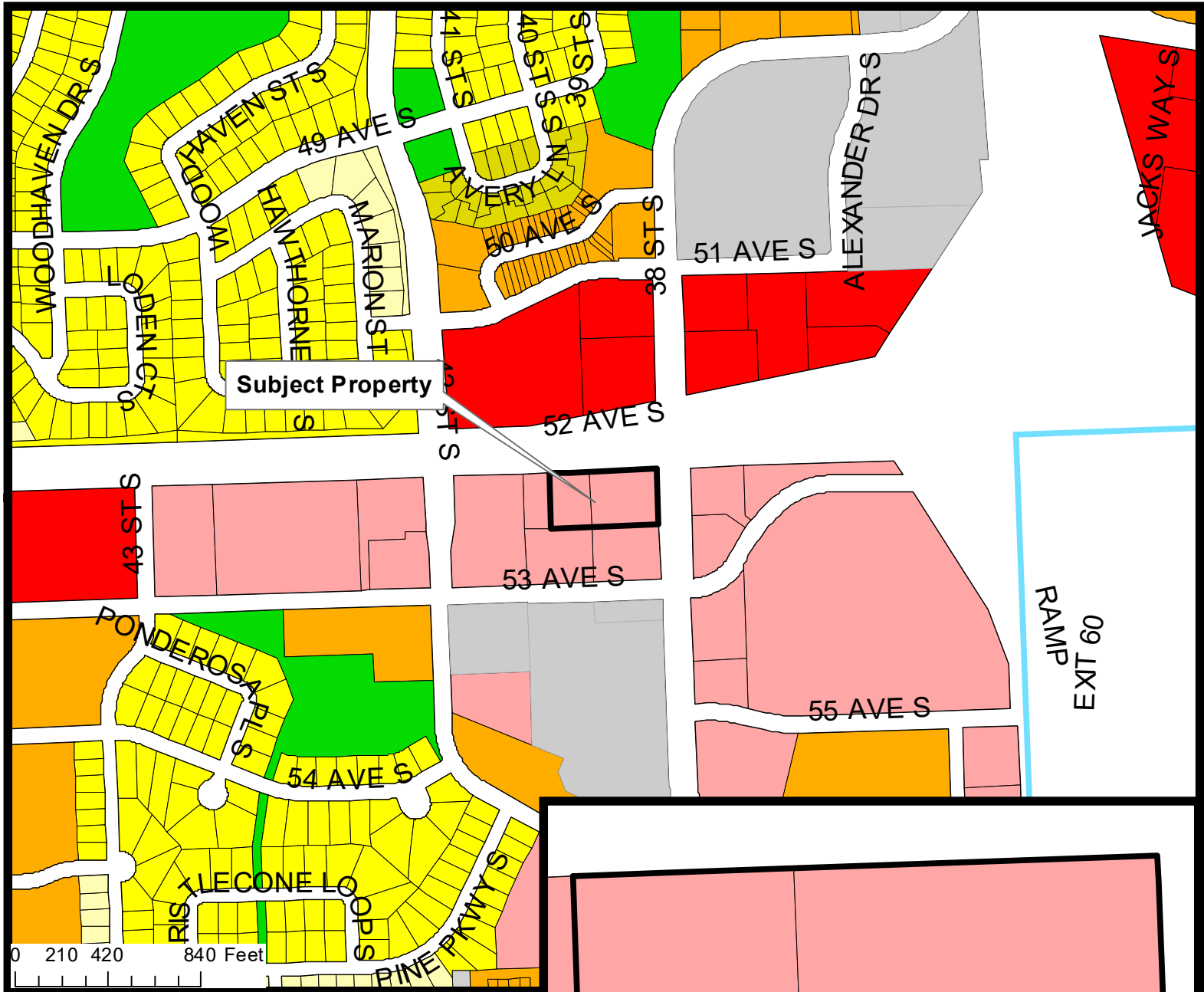
Suggested Motion: "To accept the findings and recommendations of staff and hereby recommend approval to the City Commission the proposed subdivision plat, **Simonson Companies Fourth Addition** as outlined within the staff report, as the proposal complies with the 2007 Growth Plan, standards of Section 20-0907.B & C, standards of Article 20-06, and all other applicable requirements of the Land Development Code."

Planning Commission Recommendation: August 6, 2024
Attachments:
<ol style="list-style-type: none">1. Zoning map2. Location map3. Preliminary plat

Minor Subdivision

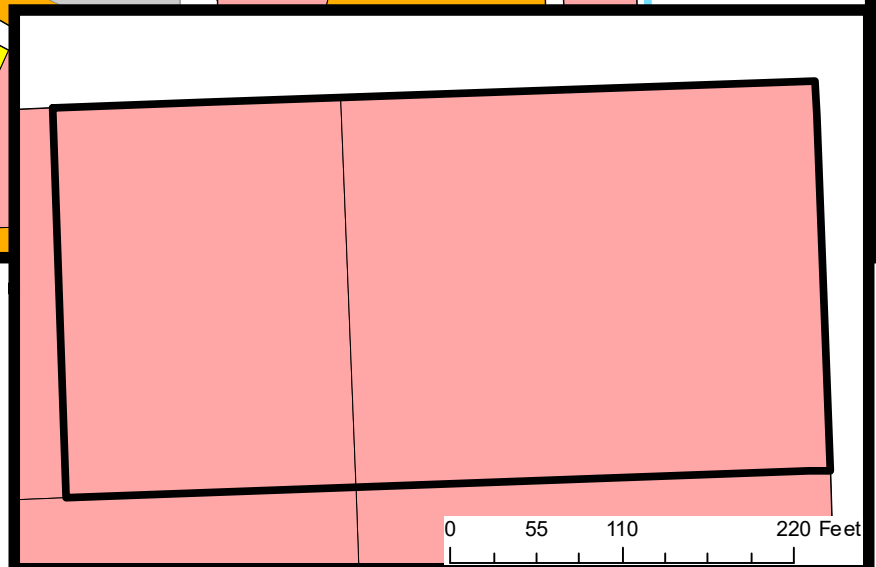
Simonson Companies Fourth Addition

3971 53rd Avenue South;
5237 38th Street South



Legend

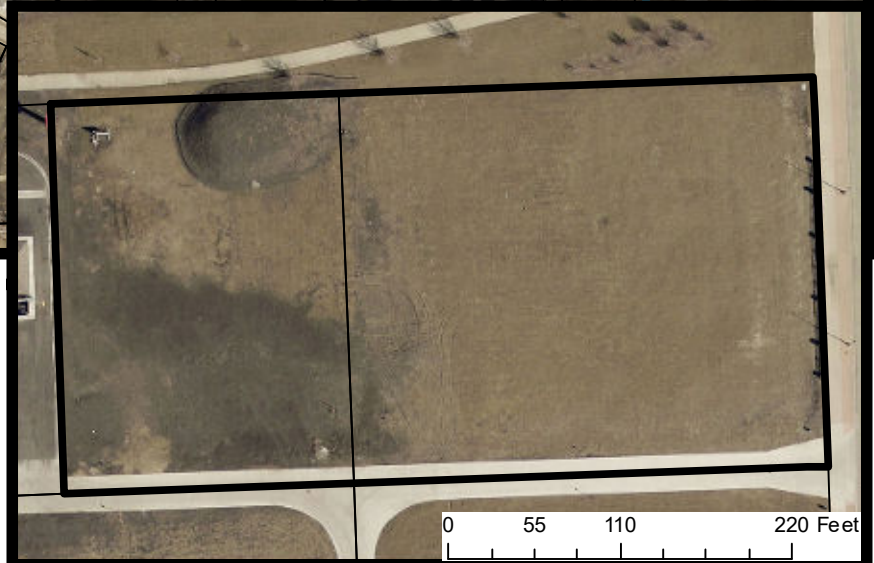
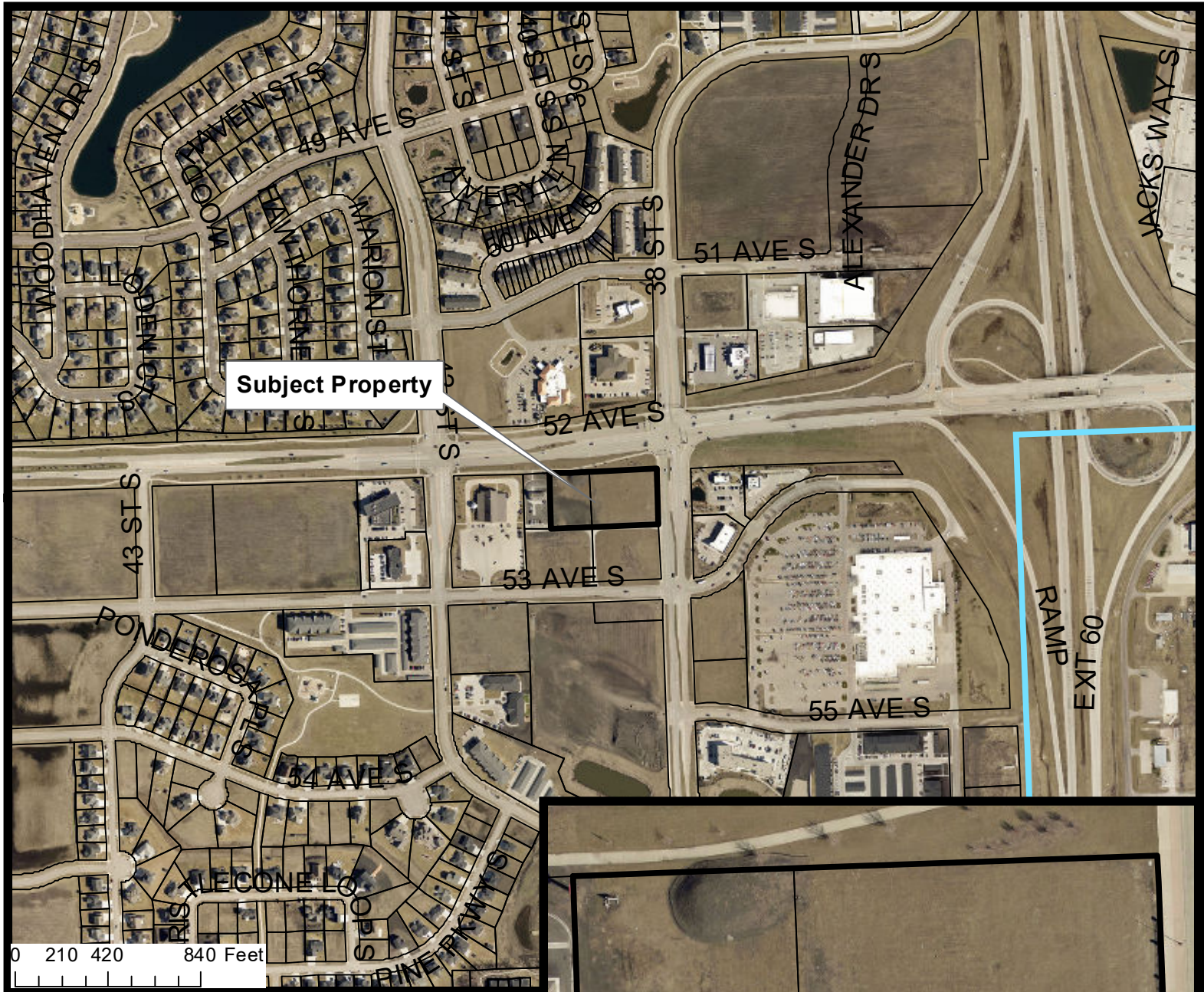
AG	LC	MHP	SSB-2
DDMU	MR-1	NCO	SSB-3
GGC	MR-2	P/I	SSB-4
GO	MR-3	UMU	SSB-5
			City Limits



Minor Subdivision

Simonson Companies Fourth Addition

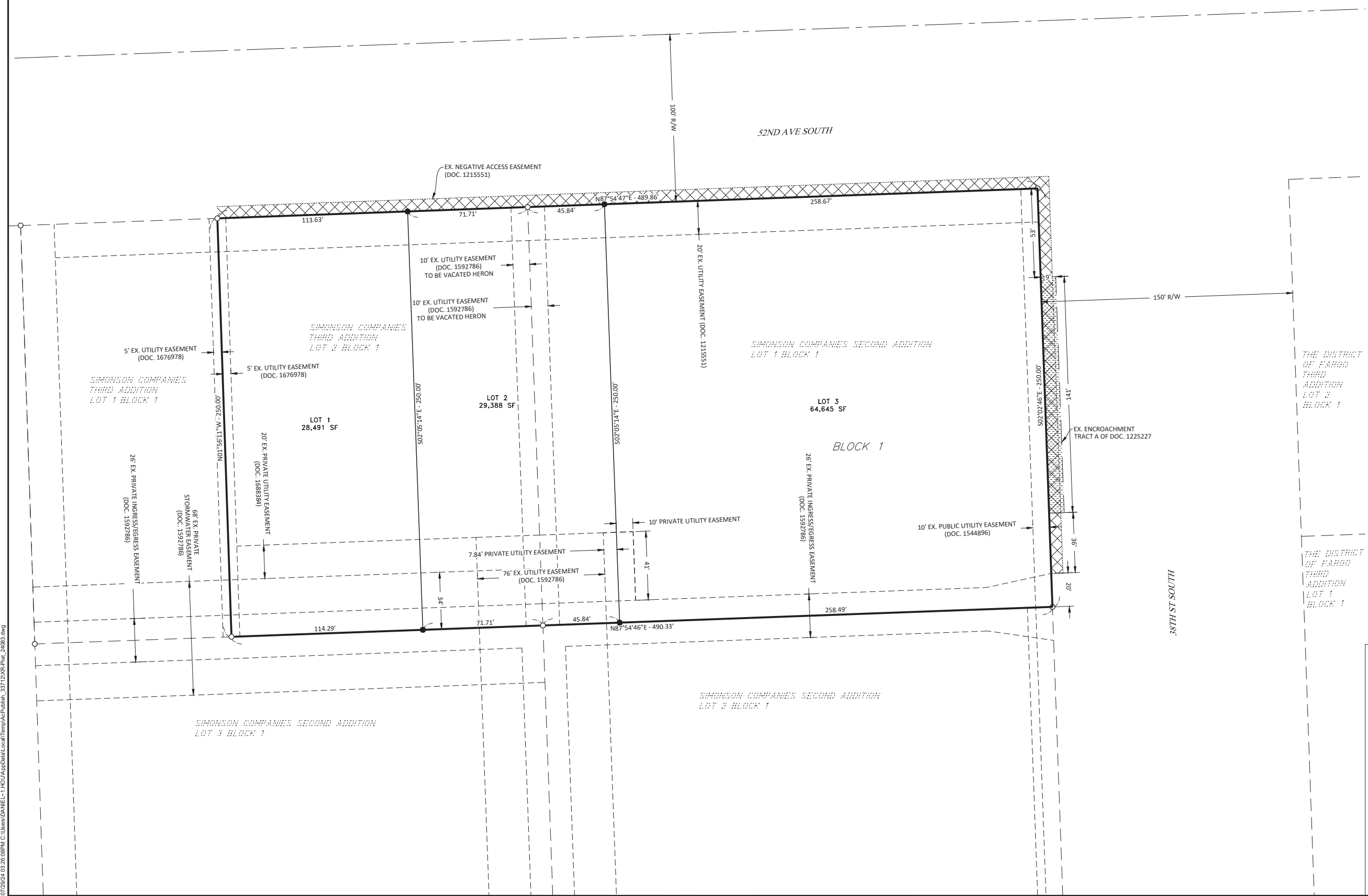
3971 53rd Avenue South;
5237 38th Street South



Legend

 City Limits

A MINOR SUBDIVISION PLAT OF
SIMONSON COMPANIES FOURTH ADDITION
A REPLAT OF LOT 2, BLOCK 1, SIMONSON COMPANIES THIRD ADDITION, AND LOT 1, BLOCK 1, SIMONSON COMPANIES SECOND ADDITION,
TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA



0 30 60

LEGEND

- MONUMENT SET
- MONUMENT FOUND
- - - EX. EASEMENT
- - - EX. PROPERTY LINE
- - - EX. SECTION LINE
- PROPERTY BOUNDARY LINE
- NEW ROW/PROPERTY LINE
- - - NEW EASEMENT LINE
- [Cross-hatched] EX. NEGATIVE ACCESS EASEMENT
- [Stippled] EX. ENCROACHMENT

SURVEY INFORMATION

DATE OF SURVEY: 05-13-2022
BASIS OF BEARING: CITY OF FARGO GROUND COORDINATE SYSTEM, DECEMBER 1992
BENCHMARK USED: TOP NUT OF HYDRANT ON SOUTH SIDE OF LOT 2 BLOCK 1 OF SIMONSON SECOND ADDITION, ELEVATION = 910.51

NOTES

1. A NEGATIVE ACCESS EASEMENT IS AN EASEMENT WHICH DENIES DIRECT VEHICULAR ACCESS TO A STREET OR PUBLIC WAY FROM THE LOT OR LOTS ADJACENT TO SUCH STREET OR WAY. THE NEGATIVE ACCESS EASEMENT IS NOT A STRIP OF LAND OF ANY CERTAIN WIDTH, BUT IS A LINE COTERMINOUS WITH THE BOUNDARY OF THE ADJACENT LOT OR LOTS.

LOWRY
ENGINEERING
5306 51ST AVE S - SUITE A
FARGO, NORTH DAKOTA 58103

SHEET 1 OF 2

07/29/24 02:26:08PM C:\Users\DANIEL-1\OneDrive\Local\Temp\AcPublish_33712\XP-Fig_24083.dwg

A MINOR SUBDIVISION PLAT OF
SIMONSON COMPANIES FOURTH ADDITION
A REPLAT OF LOT 2, BLOCK 1, SIMONSON COMPANIES THIRD ADDITION, AND LOT 1, BLOCK 1, SIMONSON COMPANIES SECOND ADDITION,
TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA

OWNERS' CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS, THAT ARCH SIMONSON OF SIMONSON COMPANIES, LLC, IS THE OWNER OF THAT PART OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 138 NORTH, RANGE 49 WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF FARGO, COUNTY OF CASS, STATE OF NORTH DAKOTA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A REPLAT OF LOT 2, BLOCK 1, SIMONSON COMPANIES THIRD ADDITION, AND LOT 1, BLOCK 1, SIMONSON COMPANIES SECOND ADDITION, TO THE CITY OF FARGO.

SAID OWNER HAS CAUSED THE ABOVE DESCRIBED TRACT OF LAND SHOWN ON THIS PLAT TO BE SURVEYED AND PLATTED AS SIMONSON COMPANIES FOURTH ADDITION TO THE CITY OF FARGO, NORTH DAKOTA. SAID OWNER ALSO HEREBY DEDICATES AND CONVEYS TO THE PUBLIC, FOR PUBLIC USE, ALL STREET RIGHT OF WAYS AND UTILITY EASEMENTS SHOWN ON SAID PLAT. SAID TRACT OF LAND, CONSISTS OF 3 LOTS AND 1 BLOCK, AND CONTAINS 2.81 ACRES, MORE OR LESS TOGETHER WITH EASEMENTS AND RIGHT OF WAYS OF RECORD.

SIMONSON COMPANIES, LLC
BY: ARCH SIMONSON
ITS: PRESIDENT

STATE OF NORTH DAKOTA)
)SS
COUNTY OF CASS)

ON THIS DAY OF , 20 , BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED ARCH R. SIMONSON, PRESIDENT OF SIMONSON COMPANIES, LLC, TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT HE EXECUTED SAME AS THEIR FREE ACT AND DEED.

NOTARY PUBLIC, COUNTY: CASS STATE: NORTH DAKOTA
MY COMMISSION EXPIRES:

SURVEYORS CERTIFICATE

I, COLE A. NESET, REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NORTH DAKOTA, DO HEREBY CERTIFY THAT I HAVE SURVEYED AND PLATTED THE PROPERTY DESCRIBED ON THIS PLAT AS SIMONSON COMPANIES FOURTH ADDITION; THAT THIS PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY; THAT ALL DISTANCES ARE SHOWN CORRECTLY ON SAID PLAT IN FEET AND HUNDREDTHS OF A FOOT; THAT ALL MONUMENTS ARE OR WILL BE INSTALLED CORRECTLY IN THE GROUND AS SHOWN; AND THAT THE EXTERIOR BOUNDARY LINES ARE CORRECTLY DESIGNATED.

DATED THIS DAY OF , 20 .

COLE A. NESET,
REGISTERED LAND SURVEYOR
ND LS-7513

STATE OF NORTH DAKOTA)
)SS
COUNTY OF CASS)

ON THIS DAY OF , 20 , BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED COLE A. NESET, TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT HE EXECUTED SAME AS THEIR FREE ACT AND DEED.

NOTARY PUBLIC, COUNTY: CASS STATE: NORTH DAKOTA

CITY ENGINEER'S APPROVAL

THIS PLAT IN THE CITY OF FARGO IS HEREBY APPROVED THIS DAY OF , 20 .

TOM KNAKMUHS, P.E.
CITY ENGINEER

STATE OF)
)SS
COUNTY OF)

ON THIS DAY OF , 20 , BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED TOM KNAKMUHS, P.E. FARGO CITY ENGINEER, TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT HE EXECUTED SAME AS THEIR FREE ACT AND DEED.

NOTARY PUBLIC, COUNTY: STATE:
MY COMMISSION EXPIRES:

CITY COMMISSION APPROVAL

THIS PLAT IN THE CITY OF FARGO IS HEREBY APPROVED THIS DAY OF , 20 .

TIMOTHY J MAHONEY
MAYOR

STEVEN SPRAGUE
CITY AUDITOR

STATE OF)
)SS
COUNTY OF)

ON THIS DAY OF , 20 , BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED TIMOTHY J MAHONEY, MAYOR, TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT HE EXECUTED SAME AS THEIR FREE ACT AND DEED.

NOTARY PUBLIC, COUNTY: STATE:
MY COMMISSION EXPIRES:

STATE OF)
)SS
COUNTY OF)

ON THIS DAY OF , 20 , BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED STEVEN SPRAGUE, CITY AUDITOR, TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT HE EXECUTED SAME AS THEIR FREE ACT AND DEED.

NOTARY PUBLIC, COUNTY: STATE:
MY COMMISSION EXPIRES:

CITY PLANNING COMMISSION APPROVAL

THIS PLAT IN THE CITY OF FARGO IS HEREBY APPROVED THIS DAY OF , 20 .

MARANDA R TASA
CHAIRMAN

STATE OF)
)SS
COUNTY OF)

ON THIS DAY OF , 20 , BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED MARANDA R TASA, CHAIRMAN, TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT HE EXECUTED SAME AS THEIR FREE ACT AND DEED.

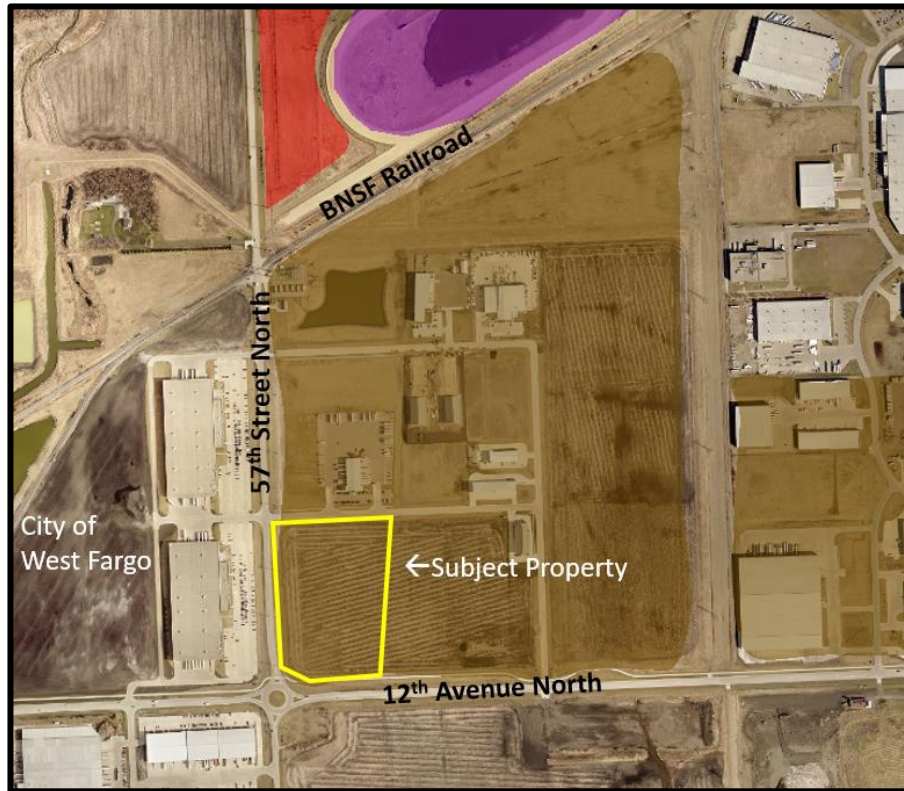
NOTARY PUBLIC, COUNTY: STATE:
MY COMMISSION EXPIRES:

**City of Fargo
Staff Report**

Title:	MLTB Addition	Date:	7/31/2024
Location:	5650 13 th Avenue North	Staff Contact:	Donald Kress, planning coordinator
Legal Description:	Lot 1, Block 1, Commerce on 12 th Addition		
Owner(s)/Applicant:	Lepine Holdings, LLC / MBN Engineering, Inc.	Engineer:	RJN Survey
Entitlements Requested:	Minor Subdivision (Replat of Lot 1, Block 1, Commerce on 12 th Addition to the City of Fargo, Cass County, North Dakota)		
Status:	Planning Commission Public Hearing: August 6, 2024		
Existing		Proposed	
Land Use: Undeveloped		Land Use: Industrial	
Zoning: LI, Limited Industrial		Zoning: No change	
Uses Allowed: Allows colleges, community service, daycare centers of unlimited size, detention facilities, health care facilities, parks and open areas, religious institutions, safety services, basic utilities, adult establishment, offices, off-premise advertising signs, commercial parking, outdoor recreation and entertainment, retail sales and service, self-service storage, vehicle repair, limited vehicle service, industrial service, manufacturing and production, warehouse and freight movement, wholesale sales, aviation, surface transportation, and certain telecommunications facilities.		Uses Allowed: No change	
Maximum Building Coverage Allowed: 85%		Maximum Density Allowed: No change	
Proposal:			
<p>The applicant requests one entitlement:</p> <ol style="list-style-type: none"> 1. A minor subdivision, to be known as MLTB Addition, a replat of Lot 1, Block 1, Commerce on 12th Addition to the City of Fargo, Cass County, North Dakota <p>The property is zoned LI, Limited Industrial. No zone change is proposed. The uses allowed in the LI zone are noted above.</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: LI with industrial uses • East: LI with industrial uses (shop condos) and undeveloped property • South: City of West Fargo; undeveloped (this property is actually owned by the City of Fargo) • West: City of West Fargo; industrial uses <p>(continued on next page)</p>			

Area Plans:

The subject property is designated as “Industrial” on the 2007 Tier 1 Northwest Land Use Plan. The current LI, Limited Industrial zoning is consistent with the land use designation. No zone change is proposed.



- Proposed Land Uses**
- Residential Area - lower to medium density
 - Residential Area - medium to high density
 - Residential Area - rural
 - Commercial Area
 - Industrial Area
 - Agricultural Research

Schools and Parks:

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

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

Parks: The project site is not within one-half mile of a park.

Pedestrian / Bicycle: An 8-foot wide off-road multi-use trail is adjacent to the south side of the property within the 12th Avenue North right of way. This trail is a component of the metro area trails system.

MATBUS Route: The subject property is not currently along a MATBUS route.

Staff Analysis:

The plat will subdivide one lot into two lot, one block subdivision. The existing industrial development will remain on Lot 1. Lot 2 is intended for new development. The plat will also vacate a portion of the existing Negative Access Easement along the property frontage on 12th Avenue North. This break in the NAE will provide access through both lots, connecting 12th Avenue with 13th Avenue, by way of a 40-foot wide access easement.

(continued on next page)

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 designated as "Industrial" in the 2007 Tier 1 Northwest Land Use Plan. The property within this plat is currently zoned LI, Limited Industrial, which is consistent with that land use designation. 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 not received any communication regarding this project. 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 **MLTB Addition** subdivision plat, as presented, as the proposal complies with the 2007 Growth Plan, the standards of Article 20-06, Section 20-0907.B. and C and all other applicable requirements of the Land Development Code."

Planning Commission Recommendation: August 6, 2024

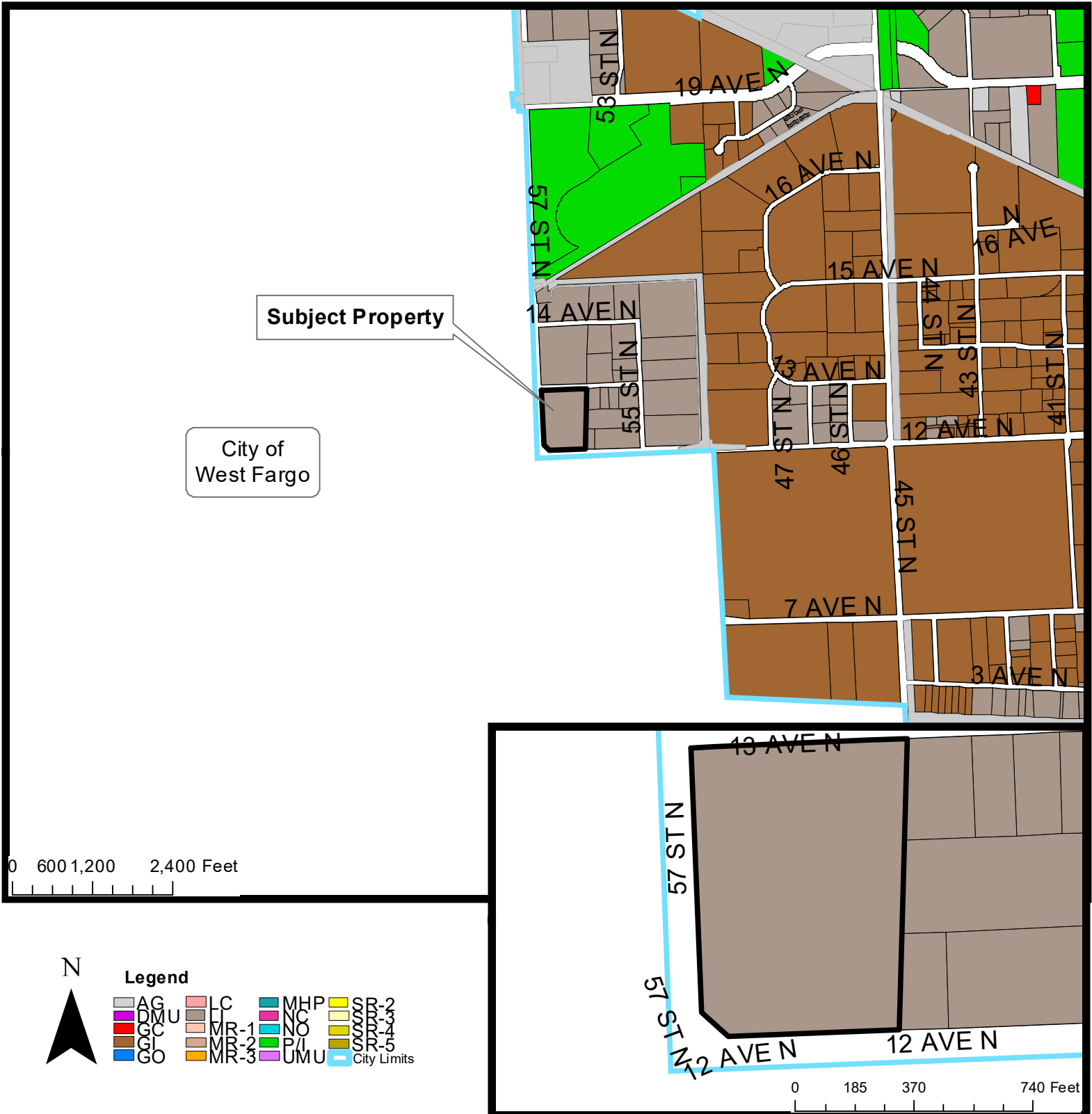
Attachments:

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

Minor Subdivision

MLTB Addition

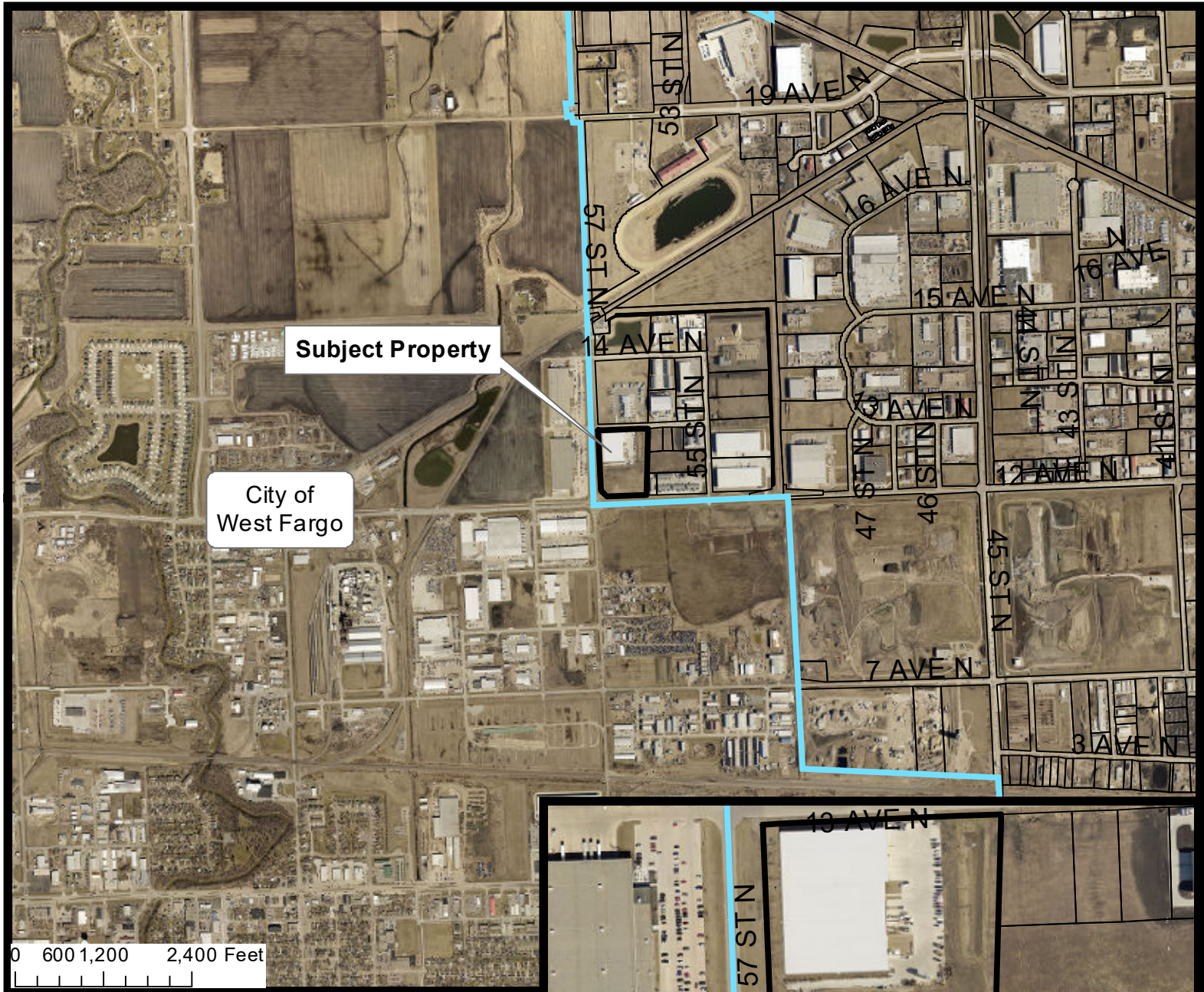
5650 13th Avenue North



Minor Subdivision

MLTB Addition

5650 13th Avenue North

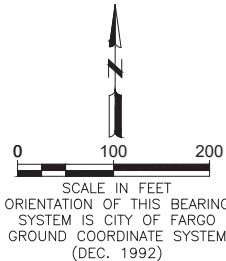
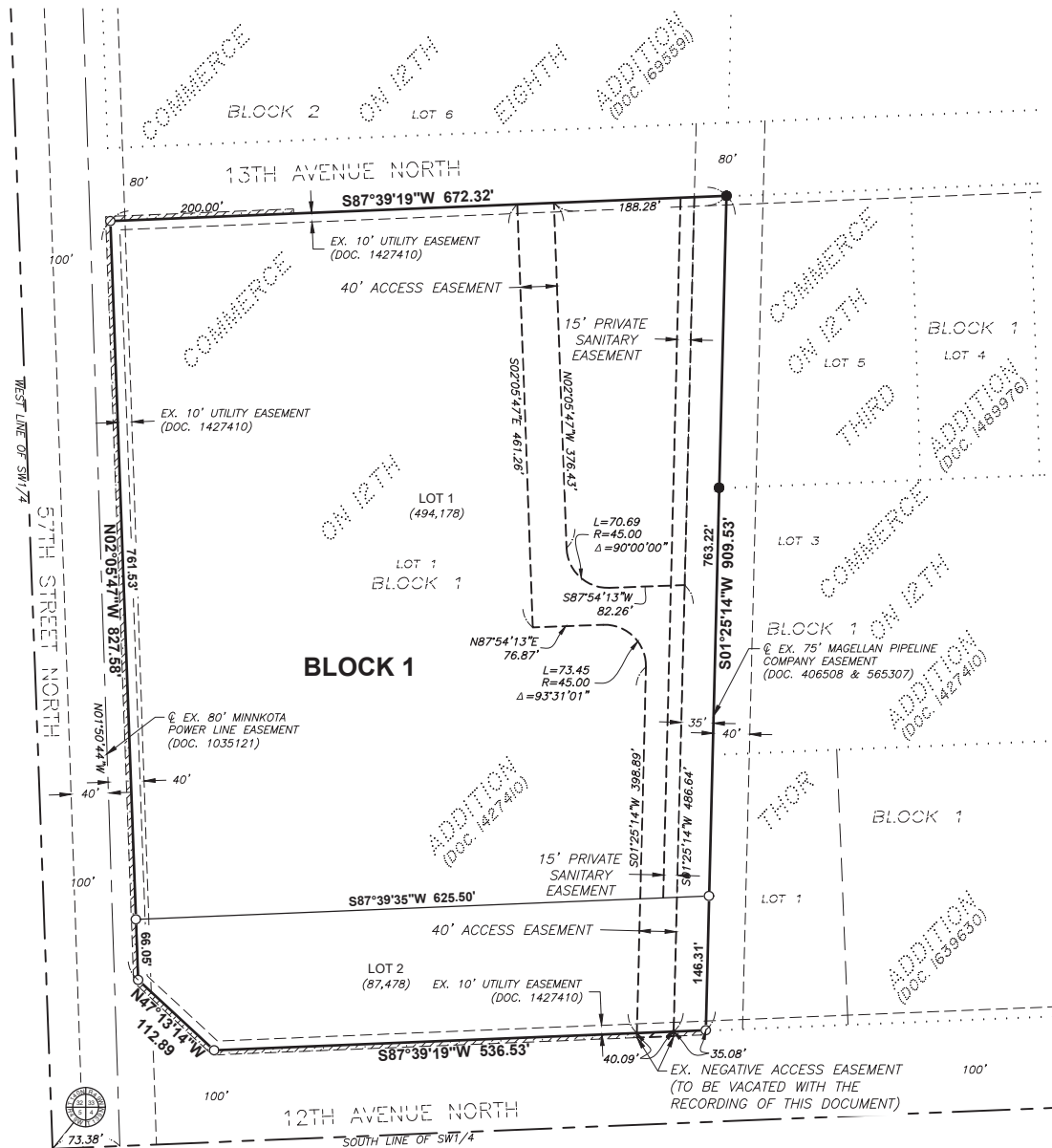


Legend

 City Limits

MLTB ADDITION

A REPLAT OF LOT 1, BLOCK 1 OF COMMERCE ON 12TH ADDITION TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA
(A MINOR SUBDIVISION)



LEGEND

- SET 5/8" REBAR CAP LS 27292
- FOUND MONUMENT
- (5,000) PLAT LOT AREAS (SQUARE FEET)
- SURVEYED/PLAT BOUNDARY
- PLAT INTERIOR LOT LINES
- - - NEW EASEMENT
- - - EXISTING PROPERTY LINE
- - - EXISTING EASEMENT LINE
- ORIGINAL PLATTED LINE
- SECTION LINE
- ||||| EXISTING NEGATIVE ACCESS EASEMENT (DOC. 1427410)
- ||||| EXISTING NEGATIVE ACCESS EASEMENT (DOC. 1427410) (TO BE VACATED WITH THE RECORDING OF THIS DOC.)

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.
- NEGATIVE ACCESS EASEMENT, AS NOTED ON THE PLAT OF COMMERCE ON 12TH NINTH ADDITION, IS AN EASEMENT DEDICATED AS PART OF THE RIGHT-OF-WAY DEDICATION WHICH EASEMENT DENIES DIRECT VEHICULAR ACCESS TO A STREET OF PUBLIC WAY FROM THE LOT OR LOTS ADJACENT TO SUCH STREET OR WAY. THE NEGATIVE ACCESS EASEMENT IS NOT A STRIP OF LAND OF ANY CERTAIN WIDTH, BUT IS A LINE COTERMINOUS WITH THE BOUNDARY OF THE ADJACENT LOT OR LOTS.

OWNER'S CERTIFICATE

KNOW ALL PERSONS BY THESE PRESENTS, That the Lepine Holdings LLC, a North Dakota Limited Liability Company, as owner of Lot 1, Block 1 of COMMERCE ON 12TH ADDITION to the City of Fargo in part of the Southwest Quarter of Section 33, Township 140 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota, being more particularly described as follows:

All of Lot 1, Block 1 of COMMERCE ON 12TH ADDITION, according to the recorded plat thereof on file and of record in the Office of the County Recorder, Cass County, North Dakota.

Containing 13.35 acres, more or less, and is subject to Easements, Reservations, Restrictions and Rights-of-Way of record.

Said owners of the above described property, have caused the same to be surveyed and platted as "MLTB ADDITION" to the City of Fargo, Cass County, North Dakota, and do hereby dedicate to the public for public use the access easement shown on said plat. Said owners also hereby and convey a private sanitary sewer and water line easement, as shown herein, to all within said "MLTB ADDITION".

OWNER

Lepine Holdings LLC

Stacy Lepine, President

State of _____)
County of _____)ss

On this ____ day of _____, 20____, before me personally appeared Stacy Lepine, President, Lepine Holdings LLC, a North Dakota limited liability company, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same on behalf of said company.

Notary Public: _____

MORTGAGE HOLDER

First International Bank and Trust, Mortgagee

Matt Mueller, President

State of _____)
County of _____)ss

On this ____ day of _____, 20____, before me personally appeared Matt Mueller, President, First International Bank and Trust, 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 First International Bank and Trust.

Notary Public: _____

SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT

I, Joshua J. Nelson, 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____.

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

State of North Dakota)
County of Cass)ss

On this ____ day of _____, 20____, 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: _____

CITY OF FARGO ENGINEERING DEPARTMENT APPROVAL

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

Tom Knakmuhs, P.E.
City Engineer

State of North Dakota)
County of Cass)ss

On this ____ day of _____, 20____, before me, a notary public in and for said county, personally appeared Tom Knakmuhs, P.E., City Engineer, known to me to be the person described in and who executed the same as a free act and deed.

Notary Public: _____

FARGO CITY COMMISSION APPROVAL

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

Timothy J. Mahoney
Mayor

Attest: _____
Steven Sprague, City Auditor

State of North Dakota)
County of Cass)ss

On this ____ day of _____, 20____, 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: _____

CITY OF FARGO PLANNING COMMISSION APPROVAL

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

Maranda R. Tasa
Planning Commission Chair

State of North Dakota)
County of Cass)ss

On this ____ day of _____, 20____, before me, a notary public in and for said county, personally appeared Maranda R. Tasa, 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: _____



1218 55th Street North
Fargo, ND 58102
Email: josh@rjnsurvey.com



MEMORANDUM

TO: Planning Commission

FROM: Nicole Crutchfield, Director of Planning & Development
Mark Williams, Assistant Director of Planning & Development
Kim Citrowske, Planning Coordinator 

DATE: August 1, 2024

RE: Fargo Growth Plan 2024 Approval and Adoption

Over the last 17 years, Fargo has been operating under the 2007 Growth Plan that provided growth guidance primarily in Fargo's extraterritorial jurisdictional areas. The 2020 Land Development Code (LDC) Diagnostic Report and Core Neighborhood Master Plan both recommended updating the 2007 Growth Plan, as it does not consistently provide insightful for infill and redevelopment within the city core or realize the vision of the Go2030 Comprehensive Plan. Following a Request for Proposals (RFP) process, planning consultant czb, LLC (who had recently completed the 2020 Core Neighborhoods Master Plan) was selected for their robust approach and timing for the project and their innovative team including fiscal analysis by Strategic Economics, infrastructure and utility study by MRB Group and zoning code experts, Code Studio. This multi-faceted team reviewed how development and city operations inter-relate to provide holistic citywide guidance for optimal growth.

Over the last 16 months, our community has provided guidance through extensive community engagement opportunities that included open houses, online surveys, and many meetings with City Commission, Planning Commission, Advisory Committee, Technical Committee and Stakeholder Groups to develop a plan that outlines how and where Fargo should grow in the future. The process started by studying how Fargo has historically grown, and then identified a preferred growth scenario that set the foundation for the drafting of Fargo Growth Plan 2024 which outlines the community's intentions future growth. Upcoming implementation steps will lay the foundation to convert those aspirations into reality with a mix of tool and policy updates.

Included with this memo is the Fargo Growth Plan 2024 Executive Summary and the full final draft of the plan is available on the project website, www.FargoGrowthPlan.org

Updates to the 'July Draft' that consider comments received requesting additional clarity included:

- Adding street labeling for wayfinding
- Revisions to the Future Place Type Map
- Updated description of the Urban Neighborhood place type
- Adjustments to the Place Type / Land Use table to better describe the character intended for place types

Suggested Motion: "Recommend that the City Commission approve and adopt Fargo Growth Plan 2024"



GROWTH PLAN 2024

EXECUTIVE SUMMARY

July 2024



EXECUTIVE SUMMARY

For the first time in nearly two decades, the City of Fargo has used the development of a new growth plan to consider and clarify the type of community it wants to become and how to achieve its goals through new or modified growth patterns.

Through a 16-month process that both validated the general direction provided by recent planning efforts and identified key opportunities to change course, the resulting growth plan articulates Fargo's aspirations and pinpoints the policy updates and investments that will convert those aspirations into reality.



FARGO GROWTH P L A N 2024

Fargo Growth Plan 2024 provides a roadmap for where and how Fargo will develop and redevelop in the coming decades—a roadmap that was developed by carefully considering three fundamental questions.



How has Fargo been growing?

What are Fargo's intentions for future growth?

What will it take to achieve Fargo's goals?

How has Fargo been growing?

It has grown **rapidly**

The City of Fargo added more residents between 2010 and 2020—over 20,000—than it did during any previous decade. And between 2000 and 2020, the city's population expanded by nearly 40%.

This rapid population growth is directly tied to the equally fast pace of job growth that Fargo has enjoyed in recent decades—growth largely attributable to Fargo's role as a hub for health care, education, trade, and finance for a vast region.

Its growth patterns have **improved**

Before the Great Recession (2007-2009), Fargo's population growth was accommodated mostly by low-density expansion of residential and commercial uses on virgin soil—especially to the south and southwest of the city's core. While growth since 2010 has remained concentrated on Fargo's edges, those greenfield growth patterns have been characterized by greater densities, limited leapfrogging, and more durable public infrastructure.

Combined with a rise in redevelopment and infill in already developed parts of Fargo—especially downtown—Fargo's recent growth patterns have been more fiscally sustainable and a more efficient use of infrastructure and land.

It has **endured growing pains**

Improvements to Fargo's growth patterns have been guided by good planning—including the 2007 Growth Plan and Go2030 Comprehensive Plan, which called for more infill development, more walkable development patterns, and more thoughtful consumption of greenfield land.

But tools to achieve Fargo's growth intentions have not always kept pace. Outdated or out-of-sync facets of the 1998 Land Development Code, for example, have made it challenging to consistently achieve high-quality urban development beyond downtown.

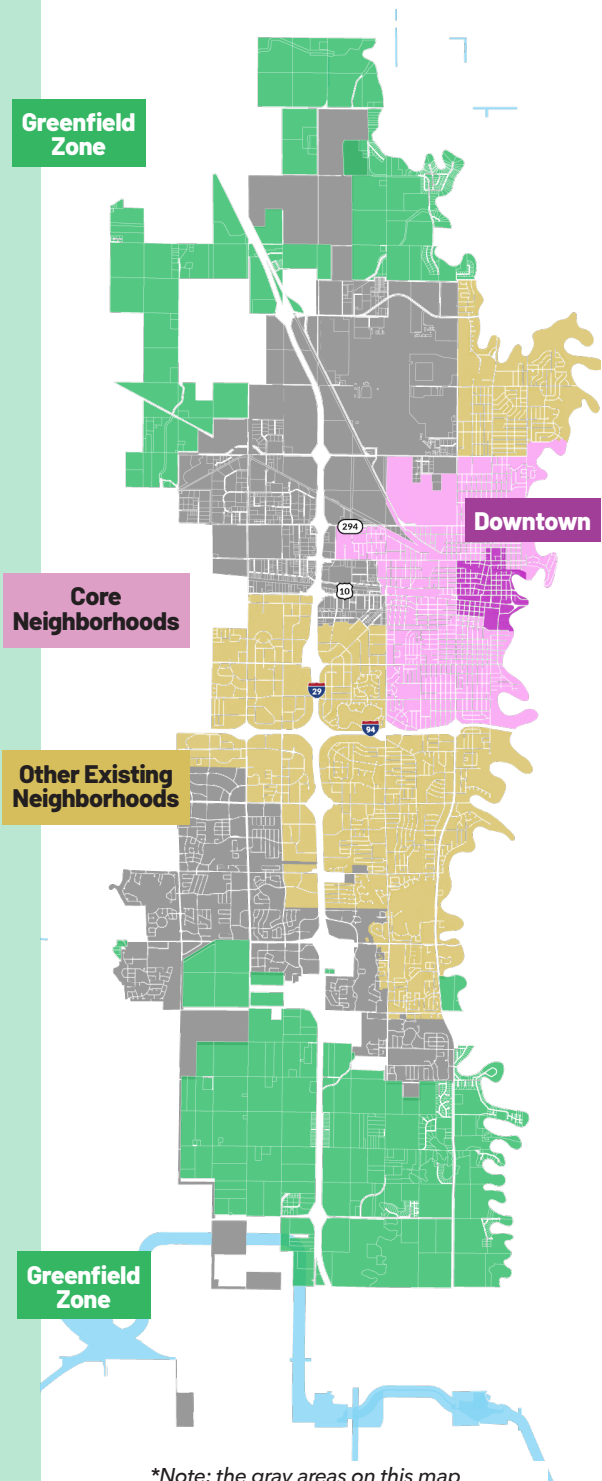
It faces the future—and critical choices—from a **position of strength**

Fargo is in an enviable position. Over a decade of strong growth in real property value, a revitalized downtown, a solution to chronic flooding, plenty of utility and infrastructure capacity—all of these put Fargo in the driver's seat to shape its future.

Capitalizing on these strengths to fully achieve the community's growth intentions, however, is not guaranteed. Overcoming the growing pains of recent years and putting systems in place that reflect Fargo's goals and emerging stature will require important pivots to where and how growth happens.

What are Fargo's intentions for future growth?

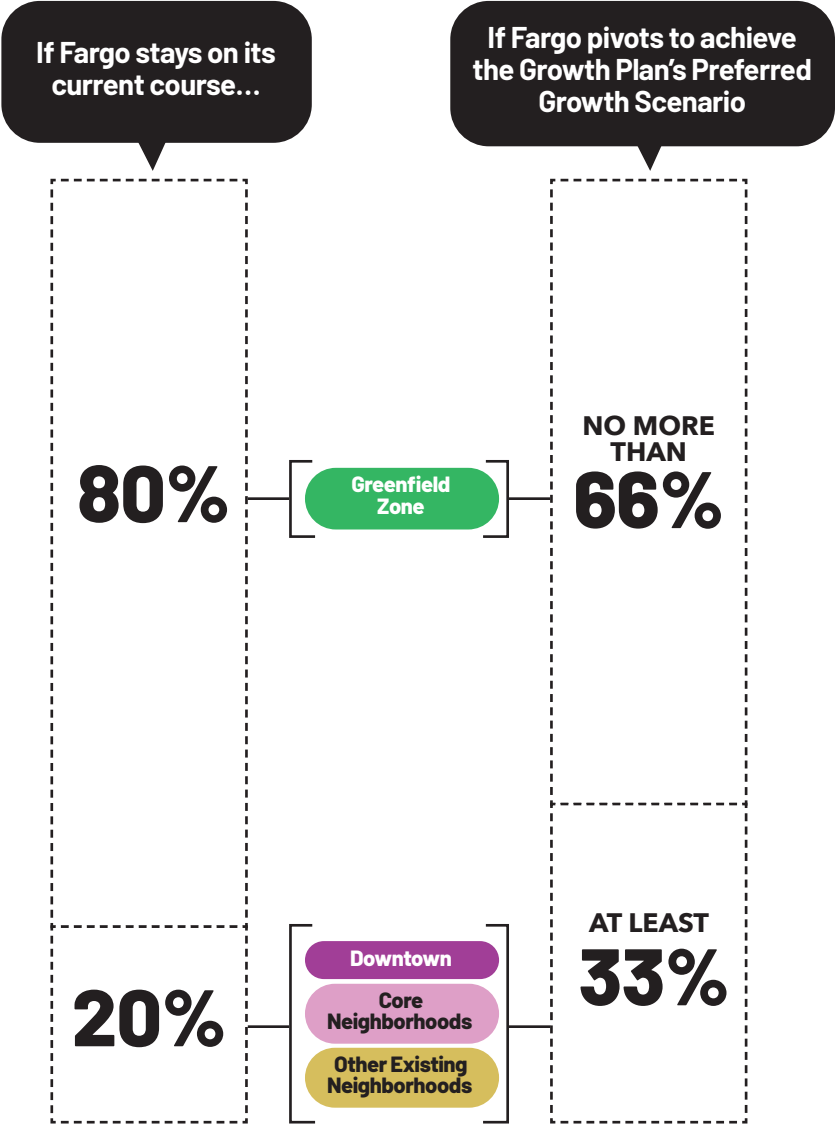
WHERE GROWTH HAPPENS



**Note: the gray areas on this map include non-residential land, recently developed residential land that is too new to be redeveloped before 2050, and areas where residential development is imminent and assumed to happen*

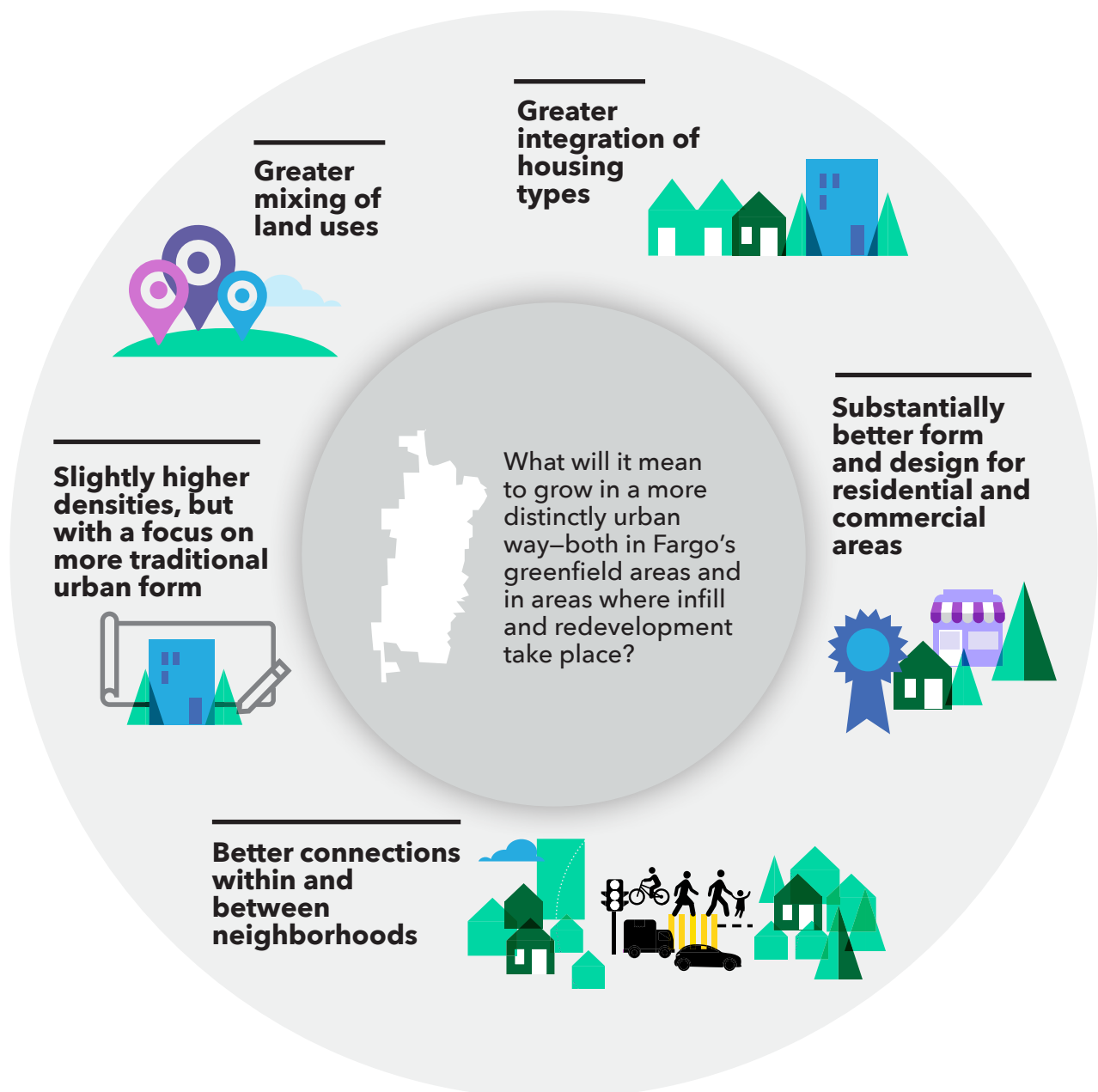
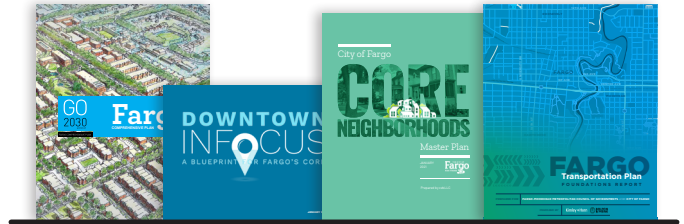
Population projections by the Fargo-Moorhead Metro COG suggest that the City of Fargo will grow by another 30,000 residents, or 15,000 households, by 2045. If Fargo continues to grow in a way that reflects growth trends since 2010, 80% of these new households would be added to greenfield areas in and near Fargo's current extraterritorial jurisdiction (ETJ) and 20% would be added to already developed areas such as downtown, the core neighborhoods, and other existing neighborhoods.

Fargo Growth Plan 2024 calls for a seemingly modest but significant pivot toward Practical Growth. Echoing the growth intentions outlined by the Go2030 Comprehensive Plan and more recent plans, it calls for a greater focus on infill development and redevelopment, so that at least 33% of future growth is absorbed by downtown, core neighborhoods, and other developed areas.



HOW GROWTH HAPPENS

A greater focus on infill development and redevelopment necessitates not just a pivot in where growth happens but how growth happens. Fargo Growth Plan 2024 calls for more distinctly urban growth patterns—mirroring those that shaped Fargo’s first 80 years and those that are prioritized by Go2030, Downtown InFocus, the Core Neighborhoods Master Plan, the Fargo Transportation Plan, and other recent signals of Fargo’s growth intentions.



What will it take to achieve Fargo's goals?

Fargo's growth intentions cannot be fully realized without the policy and financial tools that will make them both possible and a priority. While Fargo's growth patterns have improved since 2010—with higher densities and greater levels of redevelopment resulting in growth that is more urban (in some places) and fiscally responsible—the community's policies have not kept up with its aspirations.

Fully aligning Fargo's policy systems with its growth intentions will require that new growth models be used to clearly communicate Fargo's expectations, and that a predictable path to approval and assistance is provided to projects that meet Fargo's expectations and advance the types of places that Fargo wants to cultivate.

Four Models to Communicate Fargo's Context-Sensitive Expectation

1

THE FIRST MODEL



Fargo's Transect

The first model is based on the urban-to-rural transect—a method that categorizes development patterns into six general zones of rising intensity from the rural edge to the urban core (downtown).

This model has been adapted to demonstrate existing patterns of development intensity in Fargo and Cass County, and to show how those patterns would change if Fargo's growth intentions are realized in the coming decades.

2

THE SECOND MODEL



Place Types

Fargo's transect provides the scaffolding for the second model—a system of place types that describe the general character of places that currently exist in Fargo and, more importantly, of places that Fargo intends to nurture and develop as it grows.

Each of Fargo's identified place types fits into one or more of the six transect zones and can be described by a combination land uses, densities, and infrastructure requirements—providing more flexibility and a greater focus on form than a traditional land use plan.

3

THE THIRD MODEL



Growth Grid

A Growth Grid model is proposed to organize and sequence future greenfield development in Fargo's ETJ, where up to 66% of future growth is intended to occur. The model includes prototypes that describe place type compositions and corridor treatments for new areas that will help to achieve good urban form on Fargo's edges.

4

THE FOURTH MODEL



Growth Centers

A Growth Centers model is proposed to direct infill and redevelopment in existing parts of Fargo into a network of distinct nodes with higher density and mixed-use development patterns.

The model includes a hierarchy of growth centers - regional, community, and neighborhood - to provide jobs, services, and recreational opportunities to all parts of the city.

A Commitment to By-Right Approval and the Promotion of Optimal Growth



By-Right Approval

Clear expectations tied to a predictable system of approvals are key parts of Fargo's approach to Practical Growth Management. Under this approach, development that conforms to the place type Fargo is cultivating at a given location—according to transparent rules laid out in a new land development code—will be eligible for By-Right Approval through administrative processes.



Optimal Growth

The place type conformance test needs to be passed for a development to be eligible for By-Right Approval, but that will not be sufficient for a project to receive assistance or incentives. The City of Fargo will actively promote projects only if they represent "optimal growth" - a threshold that refers to strategic locations and the provision of well-defined public benefits.

Updates to Tools and Processes

Fargo will need to update and upgrade specific tools, policies, and processes to put this Growth Plan's Framework for Practical Growth Management into practice. Until changes are made, implementation can only be expected to occur partially and inconsistently, with gaps remaining between what the community says it wants and what its systems are capable of delivering.

Three areas for proposed changes are outlined in detail at the conclusion of the Growth Plan.

The three areas are:



A New Land Development Code



Changes to Financial and Economic Development Practices



Enhanced Coordination of Public Infrastructure and Facilities



FARGO GROWTH PLAN 2024

EXECUTIVE SUMMARY

July 2024



Planning
Consultants



**City of Fargo
Staff Report**

Title:	Schatz 5th Addition	Date:	July 31, 2024
Location:	5671 34 Avenue South	Staff Contact:	Maegin Elshaug, planning coordinator
Legal Description:	Auditor's Lot 1 of Schatz Third Addition		
Owner(s)/Applicant:	Cedars South, LLC /The Haven on Veterans LLC/Eagle Ridge Development	Engineer:	n/a
Entitlements Requested:	PUD Final Plan on the proposed Lot 1, Block 1, Schatz 5 th Addition;		
Status:	Planning Commission Review: August 6, 2024		

Existing	Proposed
Land Use: vacant and multi-dwelling residential (apartments)	Land Use: multi-dwelling residential (apartments)
Zoning: MR-3, Multi-Dwelling Residential	Zoning: MR-3, Multi-Dwelling Residential and MR-3 with PUD, Planned Unit Development Overlay
Uses Allowed: MR-3, Multi-Dwelling allows detached houses, attached houses, duplexes, multi-dwelling structures, group living, daycare centers up to 12 children or adults, parks and open areas, religious institutions, safety services, schools, and basic utilities.	Uses Allowed: unchanged
Maximum Density Allowed (Residential): MR-3 allows a maximum of 24 units per acre	Maximum Density Allowed (Residential): The PUD will allow a minimum of 32 units per acre

Proposal:

The applicant requests three entitlements:

- 1. PUD Final Plan** on the proposed Lot 1, Block 1, Schatz 5th Addition;

In June, 2024, the Planning Commission recommended approval of the plat Schatz 5th Addition, zoning change of MR-3, Multi-Dwelling Residential to MR-3 with a PUD, Planned Unit Development, and a PUD Master Land Use Plan. This item has not yet been reviewed or approved by the City Commission. The recommendation includes a contingency on City Commission approval.

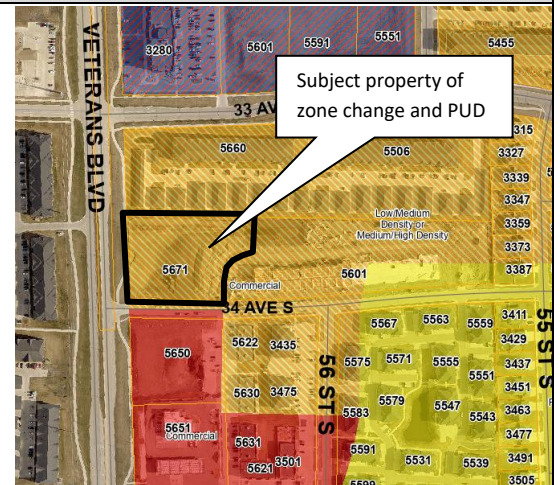
Note that the applicant will also need to submit for building permits, where all review departments will review the plans for compliance with their respective codes.

Surrounding Land Uses and Zoning Districts:

- North: MR-3, Multi-Dwelling Residential with apartments;
- East: SR-3, Single-Dwelling Residential with detached homes;
- South: Across 34 Avenue South is LC, Limited Commercial with CO, Conditional Overlay and MR-1, Multi-Dwelling Residential with commercial and apartments;
- West: Across Veterans Boulevard is the City of West Fargo with apartments.

Area Plans:

The subject property was originally part of the Southwest Area Plan as designated within the *Urban Fringe and Extraterritorial Area of the City of Fargo* land use plan adopted in 2001. This area was most recently updated in 2010 (see exhibit to right), which shows the subject property as being appropriate for low/medium density or medium/high density residential. The zoning district is MR-3, Multi-Dwelling Residential, which will remain as the underlying zoning district of the PUD.



Context:

Neighborhood: Brandt Crossing

Schools: The subject property is located within the West Fargo School District, specifically Independence elementary, Liberty middle high and Sheyenne high schools.

Parks: The subject property is located within a quarter-mile of Brandt Crossing Park and Dog Park (5509 & 5050 33rd Avenue South), with amenities of a basketball court, playground, recreational trails, shelter and dog park.

Pedestrian/Bicycle: A shared-use path is located just east of the subject property on the west side of Veterans Boulevard, which connects to the metro area trail system.

Transit/MatBUS: Route 24 runs near the subject property along 32nd Avenue South and Veterans Boulevard South, about a quarter-mile from the subject property.

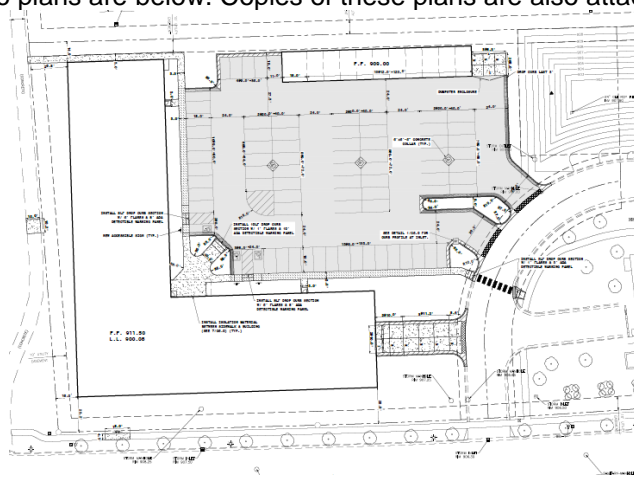
Staff Analysis:

Proposed Final Plan consistency with Master Land Use Plan

The graphic below provides a comparison of the master land use plan (left) and the proposed final plan (right). Findings evaluating the differences between the two plans are below. Copies of these plans are also attached.



PUD Master Land Use Plan



PUD Final Plan

PUD Final Plan Section 20-0908.D:

The LDC stipulates that the Planning Commission shall approve the PUD Final plan if it is determined to be in substantial compliance with the approved PUD Master Land Use Plan. The PUD Final Plan shall be deemed to be in compliance so long as, when compared with the PUD Master Land Use Plan, it does not result in:

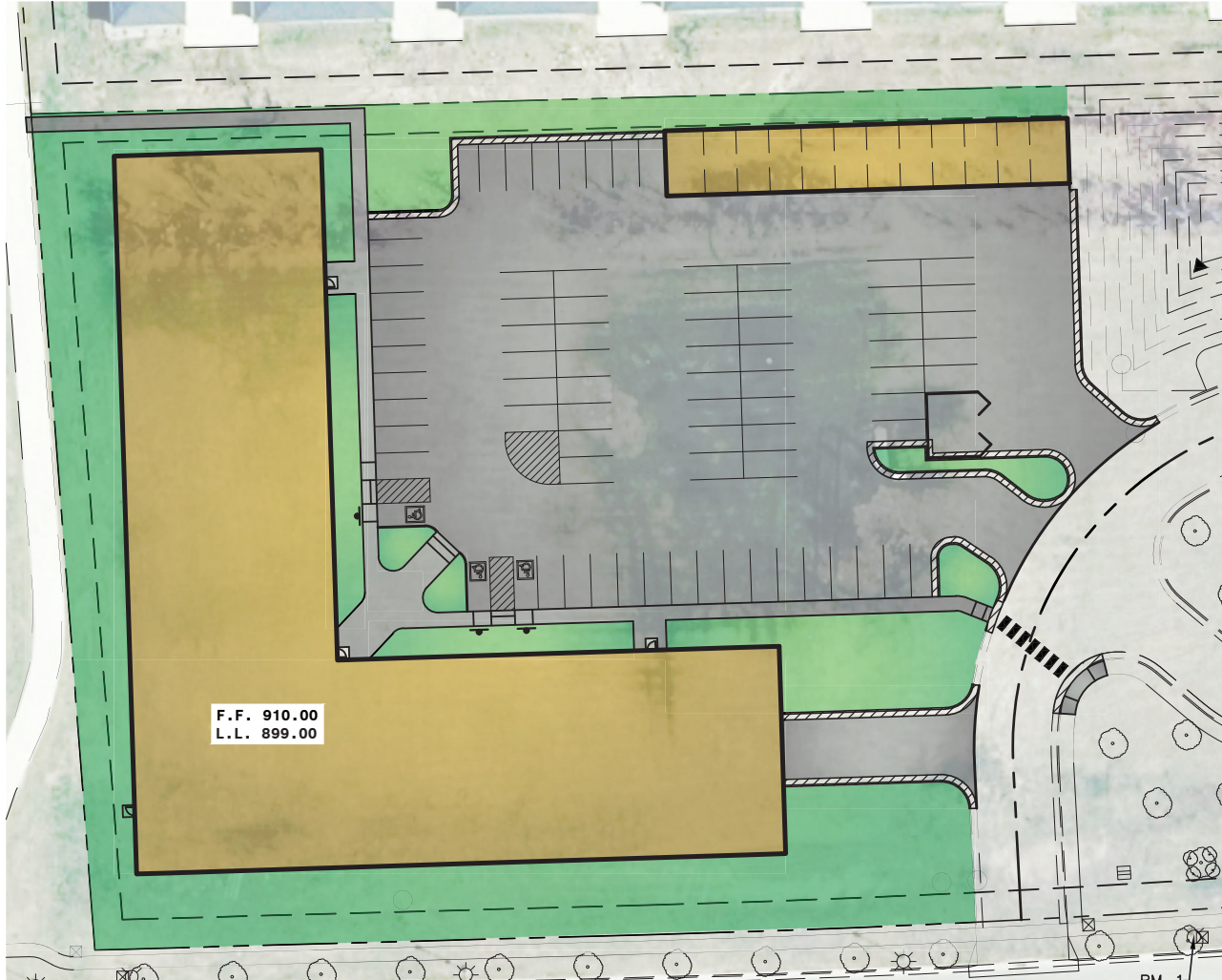
- **An increase in project density or intensity, including the number of housing units per acre or the amount of nonresidential floor area per acre;**
There has been no change in project density or intensity. **(Criteria Satisfied)**
- **A change in the mix of housing types or the amount of land area devoted to nonresidential uses;**
There has been no change in the mix of housing types or the amount of land devoted to nonresidential uses. **(Criteria Satisfied)**
- **A reduction in the amount of open space;**
There has been no change in the amount of open space. **(Criteria Satisfied)**
- **Any change to the vehicular system that results in a significant change in the amount or location of streets, common parking areas, and access to the PUD;**
There has been no change to the vehicular circulation system. **(Criteria Satisfied)**
- **Any change within 50 feet of any SR or MR zoning district;**
There has been no change within 50 feet of any SR or MR zoning district. **(Criteria Satisfied)**
- **Any change determined by the Planning Commission to represent an increase in development intensity;**
There has been no increase in development intensity. **(Criteria Satisfied)**
- **A substantial change in the layout of buildings.**
There has been no change in the layout of the building. **(Criteria Satisfied)**

Staff Recommendation:

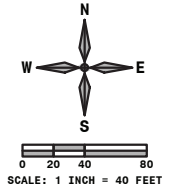
Suggested Motion: "To accept the findings and recommendations of staff and hereby approve the Planned Unit Development Final Plan for Schatz 5th Addition as presented, as the proposal complies with the PUD Master Land Use Plan, Section 20-0908.D of the LDC, and all other requirements of the LDC, contingent on City Commission approval of the zoning change and PUD master land use plan."

Planning Commission Recommendation:**Attachments:**

1. Zoning Map
2. Location Map
3. PUD Master Plan
4. PUD Final Plan
5. Elevation Plans (for reference)



MBN
ENGINEERING
MECHANICAL * ELECTRICAL * CIVIL
503 7TH ST. N
SUITE 200
FARGO, ND 58102
PHONE: 701.478.6336
FAX: 701.478.6340



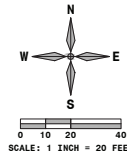
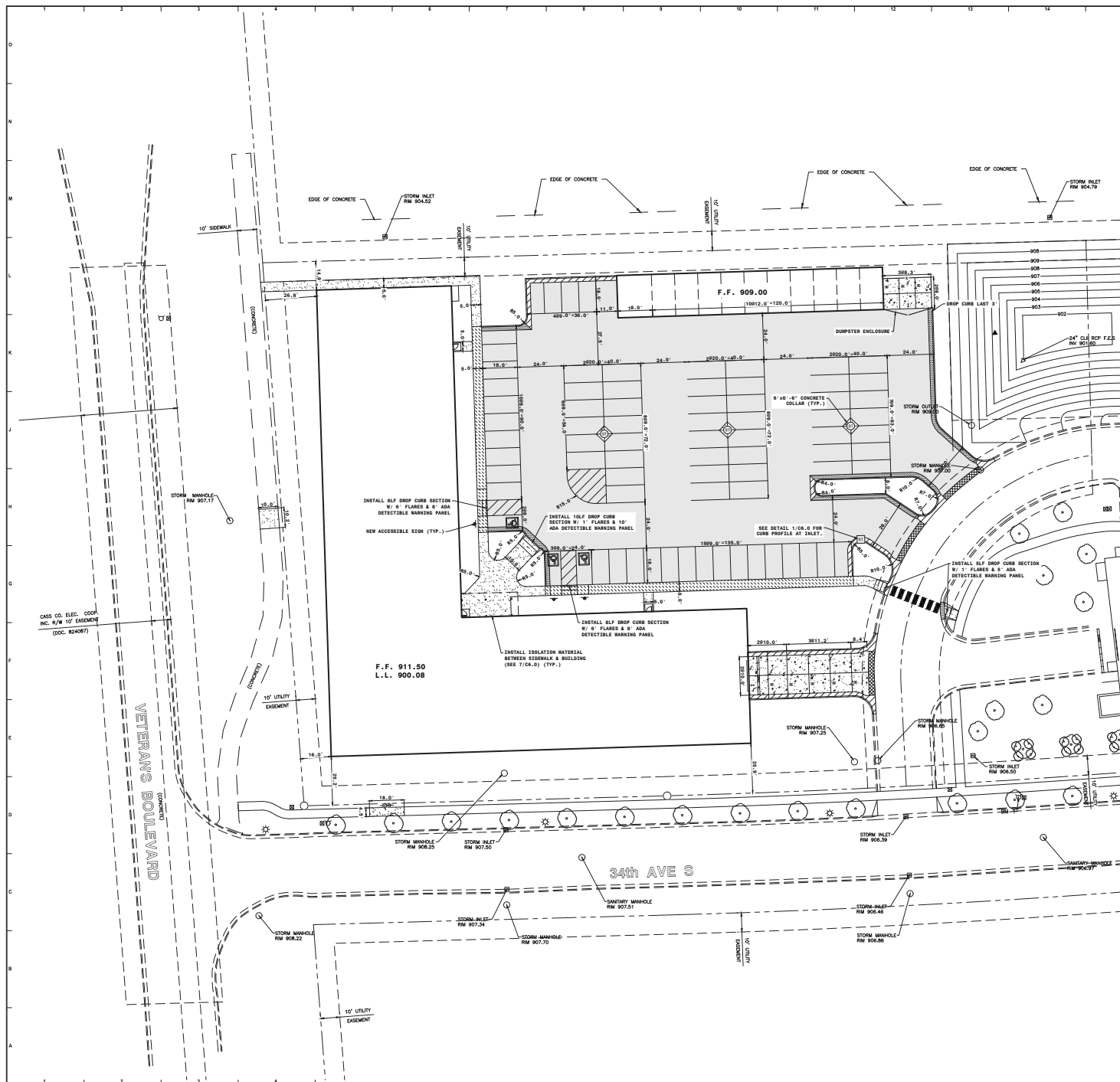
**SOUTH HAVEN
APARTMENTS #2**
VETERAN'S BLVD

FARGO, NORTH DAKOTA

MBN JOB #: 23-305 DATE: 05-20-24

PUD MASTER LAND USE PLAN

C1



SYMBOL LEGEND:

- EXISTING PROPERTY LINE
- EXISTING EASEMENT LINE
- EXISTING PROPERTY PIN
- EXISTING FIRE HYDRANT
- EXISTING GATE VALVE
- EXISTING MANHOLE
- EXISTING STORM INLET
- EXISTING LIGHT POLE
- EXISTING CONTOURS
- EXISTING PLANNED END SECTION
- EXISTING SHrub
- EXISTING TREE
- NEW SIGN
- NEW FENCE
- NEW GATE VALVE
- NEW STORM INLET
- NEW STORM MANHOLE
- NEW PLANNED END SECTION
- NEW 4" REINFORCED CONCRETE SIDEWALK
- NEW 6" REINFORCED CONCRETE PAVEMENT
- NEW 4" THICKENED EDGE CONCRETE SIDEWALK
- NEW 6" ASPHALT PAVEMENT
- NEW TYPE 1 STANDARD CONCRETE CURB & GUTTER
- NEW TYPE 2 STANDARD CONCRETE CURB & GUTTER
- NEW TYPE 1 MOUNTABLE CONCRETE CURB & GUTTER
- NEW 3" CONCRETE VALLEY GUTTER
- NEW CONSTRUCTION JOINT
- NEW ISOLATION JOINT

PLAN NOTES:

- ALL WORK SHALL COMPLY WITH THE MOST RECENT CITY OF FARGO STANDARD SPECIFICATIONS FOR CONSTRUCTION OF PUBLIC UTILITIES.
- CONTRACTOR SHALL NOTIFY UTILITY COMPANIES FOR UNDERGROUND LOCATIONS 48 HOURS PRIOR TO BEGINNING CONSTRUCTION. NORTH DAKOTA ONE CALL PHONE NUMBER: 1-800-795-0555
- CONTRACTOR SHALL PROTECT ALL PROPERTY PINS. PROPERTY PINS DESTROYED OR DISTURBED SHALL BE REPLACED AT CONTRACTOR'S EXPENSE.
- IF THE LAND BOUNDARY SHOWN ON THE PLANS ENCOMPASSES MORE THAN ONE (1) ACRE OR IS LESS THAN ONE (1) ACRE, BUT IS PART OF A LARGER DEVELOPMENT PLAN, A NOTICE OF INTENT TO OBTAIN A STORM WATER POLLUTION PERMIT SHALL BE ACQUIRED BY THE CONTRACTOR AND OWNER FROM THE NORTH DAKOTA DEPARTMENT OF ENVIRONMENTAL QUALITY SEVEN (7) DAYS PRIOR TO CONSTRUCTION.
- CONTRACTOR SHALL MAINTAIN TEMPORARY EROSION CONTROL UNTIL PERMANENT EROSION CONTROL IS ESTABLISHED.
- CONTRACTOR SHALL ACQUIRE AN EROSION SEDIMENT CONTROL (ESC) PERMIT FROM THE CITY OF FARGO PRIOR TO START OF CONSTRUCTION.
- ALL PAVEMENT MARKED FOR DEMOLITION SHALL BE FULL DEPTH SAW CUT PRIOR TO REMOVAL.
- CONTRACTOR SHALL COORDINATE TAPPING OF THE EXISTING WATERMAIN WITH THE CITY OF FARGO MAINS AND HYDRANTS DEPARTMENT. CALL (701)241-1453
- ALL GRADED AREAS DISTURBED BY CONSTRUCTION SHALL BE TOPSOILED (6" DEPTH), GRADED, SEED, AND HYDRO-MULCHED.
- A RIGHT-OF-WAY USE AGREEMENT IS REQUIRED IF THE PROJECT WILL RESULT IN TEMPORARY USE AND/OR CLOSING OF SIDEWALKS, PARKING, OR DRIVING LANES. THIS INCLUDES AREA USED FOR DUMPSTERS, STAGING, MATERIAL DELIVERIES, AND EQUIPMENT. PLEASE REVIEW ADDITIONAL INFORMATION ABOUT RIGHT-OF-WAY USE AND THE AGREEMENT APPLICATION BY FOLLOWING THIS LINK: <https://fargo.nd.gov/city-government/departments/engineering/engineering-services/right-of-way-management/> IF THE RIGHT-OF-WAY WILL BE USED DURING CONSTRUCTION FOR ANY PURPOSE, PLEASE CONTACT CITY OF FARGO ENGINEERING DEPARTMENT AT (701)241-1454
- EXCAVATION OR OTHER WORK IN THE RIGHT-OF-WAY SHALL REQUIRE A TRAFFIC CONTROL PLAN THAT MEETS ALL MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) REQUIREMENTS. THIS PLAN IS REQUIRED BEFORE ANY PERMITS TO WORK IN THE RIGHT-OF-WAY WILL BE ISSUED.
- THE CITY OF FARGO INSPECTING DEPARTMENT MUST BE NOTIFIED TO INSPECT THE CONNECTION OF THE SITE STORMWATER SYSTEM TO THE CITY STORMWATER SYSTEM. ENDURE THE INSPECTION IS KEPT OPEN FOR THIS INSPECTION.

BENCHMARKS:

BM-1: TOP NUT OF HYDRANT
ELEV: 909.95 (NAVD 1988)

PARKING NOTES:

ZONING: MR-3 (MULTIPLE DWELLING)
PARKING REQUIREMENTS:
0 SPOTS/1-1500 UNIT OR LARGER = 77 X 2 = 154 SPOTS
0.25 PER UNIT FOR GUEST PARKING = 80 X .25 = 20 SPOTS
1.25 PER EFFICIENCY UNIT = 9 X 1.25 = 11.25 SPOTS
TOTAL REQUIRED = 178 SPOTS
TOTAL PROVIDED = 160 SPOTS (72 IN UNDERGROUND GARAGE, 11 IN GARAGE UNITS, & 77 EXTERIOR PARKING (3 ADA))

THE HAVEN BUILDING 2
EAGLERIDGE DEVELOPMENT
FARGO, NORTH DAKOTA

KEYNOTES

GENERAL NOTES



VHR PARTNERS
ARCHITECTURE | PLANNING
420 Main Avenue
Minneapolis, Minnesota 55408
Telephone: (218)333-4422

PROJECT NUMBER: 202316-2

PROJECT SET

PAVING PLAN

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THE HAVEN BUILDING 2
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FARGO, NORTH DAKOTA

DESIGN DEVELOPMENT - NOT FOR CONSTRUCTION

KEYNOTES

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I hereby certify that this drawing, specification or report was prepared by me or under my direct supervision and that I am a duly registered Architect under the laws of the State of North Dakota.

Date: MAY 2024 Reg. No. 2754
Signature:

YHR
PARTNERS
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420 Main Avenue
Minneapolis, Minnesota 55408
Telephone: (612) 923-4422

PROJECT NUMBER: 202316-2

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BUILDING ELEVATIONS

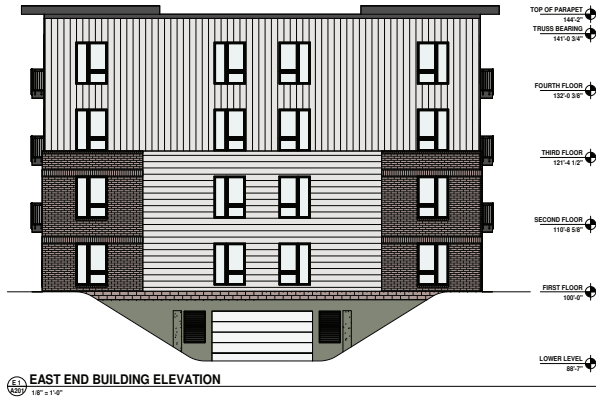
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THE HAVEN BUILDING 2
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FARGO, NORTH DAKOTA

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