

FARGO PLANNING COMMISSION AGENDA
Tuesday, March 3, 2020 at 3:00 p.m.

A: Approve Order of Agenda

B: Minutes: Regular Meeting of February 4, 2020

C: Brown Bag Luncheon - Wednesday, March 18, 2020

D: Public Hearing Items:

1. Continued hearing on an application requesting a Plat of **Commerce on 12th Fifth Addition** (Minor Subdivision) a replat of Lots 4-5, Block 1, Commerce on 12th Third Addition, to the City of Fargo, Cass County, North Dakota. (Located at 5570 and 5590 13th Avenue North) (Fargo Commercial Properties/PRG) (dk): WITHDRAWN
- 2a. Continued hearing on an application requesting a Zoning Change from MR-3, Multi-Dwelling Residential and DMU, Downtown Mixed Use, to DMU, Downtown Mixed Use on the proposed **701 Brew Addition**. (Located at 702 and 706 12th Street North; 701 University Drive North) (701 Brew LLC/CHA Architecture + Construction) (kb)
- 2b. Continued hearing on an application requesting a Plat of **701 Brew Addition** (Minor Subdivision) a replat of Lot 1 and the East half of Lot 2, Block 7 Harwoods Addition, to the City of Fargo, Cass County, North Dakota. (Located at 702 and 706 12th Street North; 701 University Drive North) (701 Brew LLC/CHA Architecture + Construction) (kb)
- 3a. Continued hearing on an application requesting a Plat of **Brunsdale Second Addition** (Minor Subdivision) a replat of Lot 9, Block 1, less the West 100 feet and the North 10 feet of Lot 13, less the West 100 feet, to the City of Fargo, Cass County, North Dakota. (Located at 2851 University Drive South) (Robert A. Bond, DDS/Steve Iverson) (ms)
- 3b. Hearing on an application requesting a Conditional Use Permit to allow an Alternative Access Plan on the proposed **Brunsdale Second Addition**. (Located at 2851 University Drive South) (Robert A. Bond, DDS/Steve Iverson) (ms)
- 4a. Hearing on an application requesting a Zoning Change from SR-3, Single-Dwelling Residential, to SR-5, Single-Dwelling Residential on the Proposed **Four Walls Addition**. (Located at 702 and 704 31st Street North) (Four Walls 1 LLC/Charles Shaffer) (ms)
- 4b. Hearing on an application requesting a Plat of **Four Walls Addition** (Minor Subdivision) a replat of Lot 8, less the West 15 feet, Block 3, Model Cities Subdivision to the City of Fargo, Cass County, North Dakota. (Located at 702 and 704 31st Street North) (Four Walls 1 LLC/Charles Shaffer) (ms)

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

People with disabilities who plan to attend the meeting and need special accommodations should contact the Planning Office at 701.241.1474. 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 Website at www.FargoND.gov/planningcommission.

5. Hearing on an application requesting a Plat of **Aldevron First Addition** (Minor Subdivision) a replat of all of Lots 5 and 6 and a portion of Lot 3, Block 1, Woodhaven Plaza Addition and Auditors Lot 13 of Woodhaven Plaza Addition to the City of Fargo, Cass County, North Dakota. (Located at 4040 and 4055 41st Avenue South; 4137 and 4175 40th Street South) (Aldevron, LLC/Vogel Law Firm) (me)

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BOARD OF PLANNING COMMISSIONERS MINUTES

Regular Meeting:

Tuesday, February 4, 2020

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, February 4, 2020.

The Planning Commissioners present or absent were as follows:

Present: John Gunkelman, Mary Scherling, Rocky Schneider, Melissa Sobolik, Scott Stofferahn, Maranda Tasa, Brad Bachmeier, Art Rosenberg

Absent: Mike Magelky, Jennifer Holtz, Dawn Morgan

Chair Gunkelman called the meeting to order.

Business Items:

Item A: Approve Order of Agenda

Chair Gunkelman noted the following agenda items:

-Items 3, 4a, 4b, and 7 have been continued to March 3, 2020.

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

Item B: Minutes: Regular Meeting of January 7, 2020

Member Stofferahn moved the minutes of the January 7, 2020 Planning Commission meeting be approved. Second by Member Tasa. All Members present voted aye and the motion was declared carried.

Item C: February 19, 2020 Brown Bag Luncheon: Cancelled

Item D: Public Hearing Items:

Item 1: Valley View Estates Addition

1a. Continued hearing on an application requesting a Growth Plan Amendment of the proposed Valley View Estates Addition. (Located at 4952, 5052, and 5080 36th Avenue South) (K Square Development LLC/ Eagle Ridge Development LLC): APPROVED

1b. Continued hearing on an application requesting a Zoning Change from AG, Agricultural to SR-4, Single-Dwelling Residential, MR-1, Multi-Dwelling Residential, MR-2, Multi-Dwelling Residential with a C-O, Conditional Overlay, and P/I, Public and Institutional within the proposed Valley View Estates Addition.

(Located at 4952, 5052, and 5080 36th Avenue South) (K Square Development LLC/ Eagle Ridge Development LLC): APPROVED

1c. Continued hearing on an application requesting a Plat of Valley View Estates Addition (Major Subdivision) a plat of an unplatted portion of the Southwest Quarter and the Southeast Quarter of Section 28, Township 139 North, Range 48 West of the 5th Principal Meridian to the City of Fargo, Cass County, North Dakota. (Located at 4952, 5052, and 5080 36th Avenue South) (K Square Development LLC/ Eagle Ridge Development LLC): APPROVED

A Hearing had been set for December 3, 2019. At the December 3, 2019 meeting, the Hearing was continued to January 7, 2020. At the January 7, 2020 meeting, the Hearing was continued to this date and time.

Planning Coordinator Donald Kress presented the staff report stating all approval criteria have been met and staff is recommending approval. He noted that an updated plat and additional comment received were provided to the Board.

Superintendent for West Fargo Public Schools Beth Slette, spoke providing information on the school district, projected enrollment numbers, and a background of the Mustang feeder system for the schools.

West Fargo Public Schools Business Manager Levi Bachmeier spoke on the models being used to make future projections for the schools.

West Fargo Public Schools Construction Coordinator Mark Lemer provided information about school boundaries, use of classroom space, and the changes ahead until neighborhoods are built out.

Discussion was held on the models the school district uses when planning where new schools will be located, enrollment trends, and facility planning.

Applicant Jon Youness, Eagle Ridge Development, spoke on behalf of the application.

Scott Wentz, 3765 Norman Court South, spoke that he would like to see the property lines for this addition line up more with those of the Sincebaugh Addition.

Board Members thanked the applicant for his cooperation with the neighborhoods and for holding multiple input meetings.

Member Rosenberg moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed 1) Growth Plan Amendment from "Low/Medium Density Residential" to "Medium/Low Density Residential" for Lot 14, Block 4 of the proposed Valley View Estates Addition, and 2) Zoning Change from AG, Agricultural to SR-4, Single-Dwelling Residential with a C-O, Conditional Overlay, and P/I, Public/Institutional, and 3) proposed Subdivision Plat, Valley View Estates Addition as outlined within the staff report as the proposal complies

with the GO2030 Fargo Comprehensive Plan. The 2003 Growth Plan, the Standards of Article 20-06, and Section 20-0906.F (1-4) of the Land Development Code and all other applicable requirements of the Land Development Code. Second by Member Sobolik. On call of the roll Members Scherling, Tasa, Bachmeier, Stofferahn, Rosenberg, Schneider, Sobolik, and Gunkelman voted aye. Absent and not voting: Members Magelky, Morgan, and Holtz. The motion was declared carried.

Item 2: Rail Crossing First Addition

Continued hearing on an application requesting a Plat of Rail Crossing First Addition (Minor Subdivision) a replat of Lots 6-20, Block 11; Lots 14-21, Block 12; portion of the vacated alley in Block 11; and a portion of vacated 22nd Street; all in Tyler's Addition, to the City of Fargo, Cass County, North Dakota. (Located at 2161 and 2215 3rd Avenue North; 321 23rd Street North) (Rail Crossing LLC/Fabricators Unlimited): APPROVED

A Hearing had been set for October 1, 2019. At the October 1, 2019 meeting, the Hearing was continued to November 5, 2019. At the November 5, 2019 meeting, the Hearing was continued to December 3, 2019. At the December 3, 2019 meeting, the Hearing was continued to January 7, 2020. At the January 7, 2020 meeting, the Hearing was continued to this date and time.

Planning Intern Luke Morman presented the staff report stating all approval criteria have been met and staff is recommending approval. He noted that an update plat has been provided to the Board.

Applicant Representative Tom Thompson, Fabricators Unlimited, spoke on behalf of the application.

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

Item 3: Commerce on 12th Fifth Addition

Continued hearing on an application requesting a Plat of Commerce on 12th Fifth Addition (Minor Subdivision) a replat of Lots 4-5, Block 1, Commerce on 12th Third Addition, to the City of Fargo, Cass County, North Dakota. (Located at 5570 and 5590 13th Avenue North) (Fargo Commercial Properties/PRG): CONTINUED TO MARCH 3, 2020

A Hearing had been set for October 1, 2019. At the October 1, 2019 meeting, the Hearing was continued to November 5, 2019. At the November 5, 2019 meeting, the Hearing was continued to this December 3, 2019. At the December 3, 2019 meeting,

the Hearing was continued to this date and time; however, the applicant has requested this item be continued to March 3, 2020.

Item 4: 701 Brew Addition

4a. Hearing on an application requesting a Zoning Change from MR-3, Multi-Dwelling Residential and DMU, Downtown Mixed Use, to DMU, Downtown Mixed Use on the proposed 701 Brew Addition. (Located at 702 and 706 12th Street North; 701 University Drive North) (701 Brew LLC/CHA Architecture + Construction): CONTINUED TO MARCH 3, 2020

4b. Hearing on an application requesting a Plat of 701 Brew Addition (Minor Subdivision) a replat of Lot 1 and the East half of Lot 2, Block 7 Harwoods Addition, to the City of Fargo, Cass County, North Dakota. (Located at 702 and 706 12th Street North; 701 University Drive North) (701 Brew LLC/CHA Architecture + Construction): CONTINUED TO MARCH 3, 2020

A hearing had been set for this date and time; however, the applicant has requested this item be continued to March 3, 2020.

Item 5: Osgood Townsite Eleventh Addition

5a. Hearing on an application requesting a Zoning Change from LC, Limited Commercial with a C-O, Conditional Overlay to GC, General Commercial with a C-O, Conditional Overlay on Lots 1-4, Block 1, Osgood Townsite Eleventh Addition. (Located at 4711, 4731, 4751, and 4781 45th Street South) (Eighth Skaff Apartments of ND, LLC/Blake Carlson): APPROVED

5b. Hearing on an application requesting a Conditional Use Permit to allow residential uses in the GC, General Commercial zoning district on Lots 1-4, Block 1, Osgood Townsite Eleventh Addition. (Located at 4711, 4731, 4751, and 4781 45th Street South) (Eighth Skaff Apartments of ND, LLC/Blake Carlson): APPROVED

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

The Board discussed the conditional overlay, and their preference to ensure the ground level will contain commercial use.

City Attorney Erik Johnson spoke regarding the Boards options to make recommendations on the motion.

Applicant Representative Blake Carlson, PACES Lodging, spoke on behalf of the application.

Member Schneider moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed 1) Zoning Change from LC, Limited Commercial, with a C-O, Conditional Overlay, to GC, General Commercial, with a C-O, Conditional Overlay and to limit all the uses on the main floor

to any non-residential use allowed within the GC; and 2) the Conditional Use Permit be approved to allow household living in the GC, General Commercial zoning district 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), Section 20-0909.D (1-6), and all other applicable requirements of the Land Development Code with the following condition:

- 1) The maximum residential density shall be a maximum of 24 units per acre.

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

Item 6: Golden Valley Fourth Addition

6a. Hearing on an application requesting a Zoning Change from AG, Agricultural to SR-4, Single-Dwelling Residential on the proposed Golden Valley Fourth Addition. (Located at 6737 25th Street South) (Ryland Development Corporation/Jon Youness): APPROVED

6b. Hearing on an application requesting a Plat of Golden Valley Fourth Addition (Major Subdivision) a plat of an unplatted portion of the Northeast Quarter of Section 11, Township 138 North, Range 49 West of the 5th Principal Meridian to the City of Fargo, Cass County, North Dakota. (Located at 6737 25th Street South) (Ryland Development Corporation/Jon Youness): APPROVED

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

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

Item 7: Brunsdale Second Addition

Hearing on an application requesting a Plat of Brunsdale Second Addition (Minor Subdivision) a replat of Lot 9, Block 1, less the West 100 feet and the North 10 feet of Lot 13, less the West 100 feet, to the City of Fargo, Cass County, North Dakota. (Located at 2851 University Drive South) (Robert A. Bond, DDS/Steve Iverson): CONTINUED TO MARCH 3, 2020

A hearing had been set for this date and time; however, the applicant has requested this item be continued to March 3, 2020.

Item 8: Bentley Place First Addition

8a. Continued hearing on an application requesting a Zoning Change from LC, Limited Commercial with a C-O, Conditional Overlay to LC, Limited Commercial with a PUD, Planned Unit Development Overlay and a request to repeal the C-O, Conditional Overlay on Lot 6, Block 1, Bentley Place First Addition. (Located at 5601 33rd Avenue South) (Bentley Place Properties, LLC/Eagle Ridge Development LLC): APPROVED

8b. Continued hearing on an application requesting a Planned Unit Development Master Land Use Plan within the boundaries of Lot 6, Block 1, Bentley Place First Addition. (Located at 5601 33rd Avenue South) (Bentley Place Properties, LLC/Eagle Ridge Development LLC): APPROVED

A Hearing had been set for January 7, 2020. At the January 7, 2020 meeting, the Hearing was continued to this date and time.

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

Applicant Jon Youness spoke on behalf of the application.

Member Rosenberg moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed 1) Zoning Change from LC, Limited Commercial with a C-O, Conditional Overlay, to LC, Limited Commercial with a PUD, Planned Unit Development Overlay, and to repeal the existing C-O, Conditional Overlay, and 2) PUD, Planned Unit Development, Master Land Use Plan, as outlined within the staff presentation as the proposal complies with the GO 2030 Fargo Comprehensive Plan, Section 20-0906.F (1-4), Section 20-0908.B(7) of the Land Development Code, and all other applicable requirements of the Land Development Code. Second by Member Bachmeier. On call of the roll, Members Sobolik, Stofferahn, Tasa, Schneider, Rosenberg, Scherling, Bachmeier, and Gunkelman voted aye. Absent and not voting: Members Holtz, Morgan, and Magelky. The motion was declared carried.

Item E: Other Items:

Item 1: MetroCOG presentation of Fargo Safe Routes to School Plan

Planning Coordinator Aaron Nelson introduced the MetroCOG staff and noted that they are looking for a recommendation from the Planning Commission to recommend the adoption of the Fargo Safe Routes to School Plan to the City Commission.

Dan Farnsworth and Anna Pierce, MetroCOG, and Collin Harris, Alta Planning, gave a presentation on the Fargo Safe Routes to School Plan. They noted the benefits of students walking/biking to school, shared existing conditions and challenges, and gave an overview of the proposed implementation plan.

Transportation Engineer, Jeremy Gorden, spoke on behalf of the Engineering Department.

Member Sobolik moved to recommend adoption of the Fargo Safe Routes to School Plan to the City Commission. Second by Member Bachmeier. All Members present voted aye and the motion was declared carried.

The time at adjournment was 4:45 p.m.



THE CITY OF
Fargo
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Agenda Items Map

Fargo Planning Commission
March 3, 2020

Agenda Items Number

- 2a & 2b - 701 Brew Addition
- 3a & 3b - Brunsdale Second Addition
- 4a & 4b - Four Walls Addition
- 5 - Aldevron First Addition
- Item 1 withdrawn

City of Fargo Staff Report			
Title:	701 Brew Addition	Date:	02/25/2020
Location:	701 University Drive North and 702 and 706 12th Street North	Staff Contact:	Kylie Bagley
Legal Description:	Lot 1 and the east ½ of Lot 2, Block 7 Harwoods Addition		
Owner(s)/Applicant:	Chris Hawley Architects	Engineer:	Mead and Hunt
Entitlements Requested:	Minor Subdivision (Replat of Lot 1 and the east ½ of Lot 2, Block 7 Harwoods Addition) and Zoning Change (from DMU, Downtown Mixed-Use and MR-3, Multi-Dwelling Residential to DMU, Downtown Mixed-Use)		
Status:	Planning Commission Public Hearing: March 3, 2020		

Existing	Proposed
Land Use: Commercial and Vacant	Land Use: Commercial
Zoning: DMU, Downtown Mixed-Use and MR-3, Multi-Dwelling Residential	Zoning: DMU, Downtown Mixed-Use
Uses Allowed: DMU – Downtown Mixed Use. Allows detached houses, attached houses, duplexes, multi-dwelling structures, community service, daycare centers of unlimited size, health care facilities, parks and open space, religious institutions, safety services, offices, off-premise advertising, commercial parking, retail sales and service, vehicle repair, limited vehicle service, and major entertainment events. MR-3 – Multi-Dwelling Residential 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.	Uses Allowed: Allows detached houses, attached houses, duplexes, multi-dwelling structures, community service, daycare centers of unlimited size, health care facilities, parks and open space, religious institutions, safety services, offices, off-premise advertising, commercial parking, retail sales and service, vehicle repair, limited vehicle service, and major entertainment events.
Maximum Building Coverage Allowed: No maximum in DMU MR-3 allows a maximum of 24 units per acre	Maximum Building Coverage Allowed: No maximum in DMU

Proposal:
<p>The applicant is seeking approval a minor subdivision titled <i>701 Brew Addition</i> and a zoning change. The minor subdivision will replat Lot 1 and the east ½ of Lot 2, Block 7, Harwood addition into a one lot one, block minor subdivision. The zoning change is from DMU, Downtown Mixed-Use and MR-3, Multi-Dwelling Residential to DMU, Downtown Mixed-Use on the proposed 701 Brew Addition.</p> <p>701 Brew Addition will be home to 701 Brew Restaurant which was permitted in 2019 and is located on 701 University Drive N and 702 12th Street North. The property owners have recently acquired the property located at 706 12th Street North. The owners will use the vacant property located at 706 12th Street North as a way to provide additional parking for the restaurant.</p> <p>The applicant is proposing a one lot minor subdivision, which will combine all three existing lots into one, in order to</p>

have the restaurant on one parcel. Currently the parcels are zoned DMU and MR-3, as part of this plat the owner will rezone the MR-3 lot to DMU giving the proposed 701 Brew Addition one zoning district.

Surrounding Land Uses and Zoning Districts:

- North: SR-3, Single-Dwelling Residential and MR-3, Multi-Dwelling Residential with single family and apartment use;
- East: Across 12th Street North, MR-3, Multi-Dwelling Residential with single family;
- West: Across University Street North, GC, General Commercial with retail use;
- South: Across 7th Avenue North, DMU, Downtown Mixed-Use with park district land.

Area Plans:

The subject property is located within the Roosevelt Neighborhood Plan. The area is deemed appropriate for commercial with Residential uses.

- Commercial with Res
- High Density Res
- Low Density Res
- Medium Density Res
- Mixed Density Res
- Park/Open Space
- Public
- Res with Commercial



Schools and Parks:

Schools: The subject properties are located within the Fargo School District and are served by Roosevelt Elementary, Ben Franklin Middle and North High schools.

Parks: Johnson Soccer Complex (1420 11th Avenue N) is located approximately 1/4 mile northwest of the subject property and offers multipurpose field, picnic table, playground, restrooms, shelter, and soccer amenities.

Pedestrian / Bicycle: On road bike facilities are located along University Drive North. These facilities are a component of the metro area trail system.

Neighborhood: The subject property is located within the Roosevelt Neighborhood.

Staff Analysis:

Zoning

Section 20-906. F (1-4) of the LDC stipulates the following criteria be met before a zone change can be approved:

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

Staff is unaware of any zoning map error in regard to the subject property. The requested zoning change is justified by a change in conditions since the previous zoning classification was established. The applicant has a clear picture of the type of development for the property. The DMU allows for flexibility in

development but requires design standards.

(Criteria Satisfied)

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

The development will be served with city services (water, sewer, streets, police/fire protection, etc.) as well as other needed utility services as needed. The City Engineer and other applicable review agencies have reviewed this proposal. It should be noted that the Engineering Department has concerns with the existing storm water policy that provides an exemption to DMU zoned properties.

(Criteria Satisfied)

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

Staff has no documentation or evidence that the approval of this zoning change would adversely affect the condition or value of the property in the vicinity. The proposed zone change is in keeping with adopted plans approved via public process. In addition, written notice of the proposal was sent to all property owners within 300 feet of the subject property. To date, staff has not received any verbal concerns or written comments regarding the proposed overlay zoning change. Staff finds that the approval will not adversely affect the condition or value of the property in the vicinity.

(Criteria Satisfied)

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

The purpose of the LDC is to implement Fargo's Comprehensive Plan and related policies in a manner that protects the health, safety, and general welfare of the citizens of Fargo. Staff finds that the proposal is consistent with the purposes of the LDC, the Growth Plan, and other adopted policies of the City.

(Criteria Satisfied)

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 subdivision is intended to replat the subject properties into one lot to accommodate future commercial development. In accordance with Section 20-0901.F of the LDC, notices of the proposed plat have been sent out to property owners within 300 feet of the subject property. To date, staff has received no inquiries. Staff has reviewed this request and finds that this application complies with standards of Article 20-06 and all applicable requirements of the Land Development Code.

(Criteria Satisfied)

2. **Section 20-907.C.4.f of the LDC stipulates that in taking action on a Final Plat, the Board of City Commissioners shall specify the terms for securing installation of public improvements to serve the subdivision.**

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

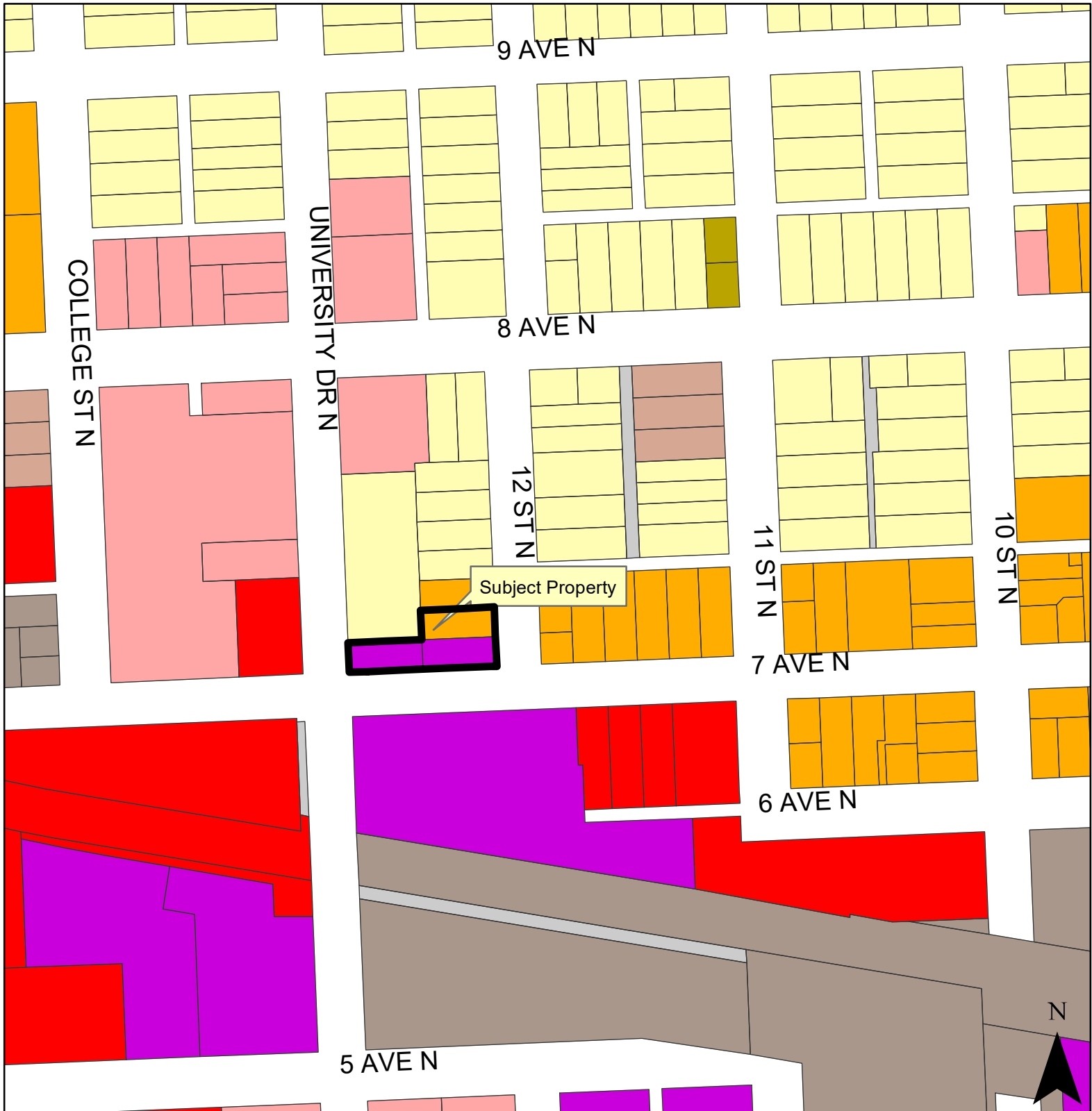
(Criteria Satisfied)

Staff Recommendation:
Suggested Motion: "To accept the findings and recommendations of staff and recommend approval to the City Commission of the proposed 1) zoning change from DMU, Downtown Mixed-Use and MR-3, Multi-Dwelling Residential, to DMU, Downtown Mixed-Use, and 2) a plat of the 701 Brew Addition on the basis that it satisfactorily complies with the Go2030 Fargo Comprehensive Plan, Roosevelt Neighborhood Plan, Standards of Section 20-0906.F (1-4) and all other applicable requirements of the LDC."
Planning Commission Recommendation:
Attachments:
<ol style="list-style-type: none"> 1. Zoning Map 2. Location Map 3. Plat

Zone Change (DMU & MR-3 to DMU) & Plat (Minor)

701 Brew Addition

701 University Dr N
702 & 706 12th St N



Legend



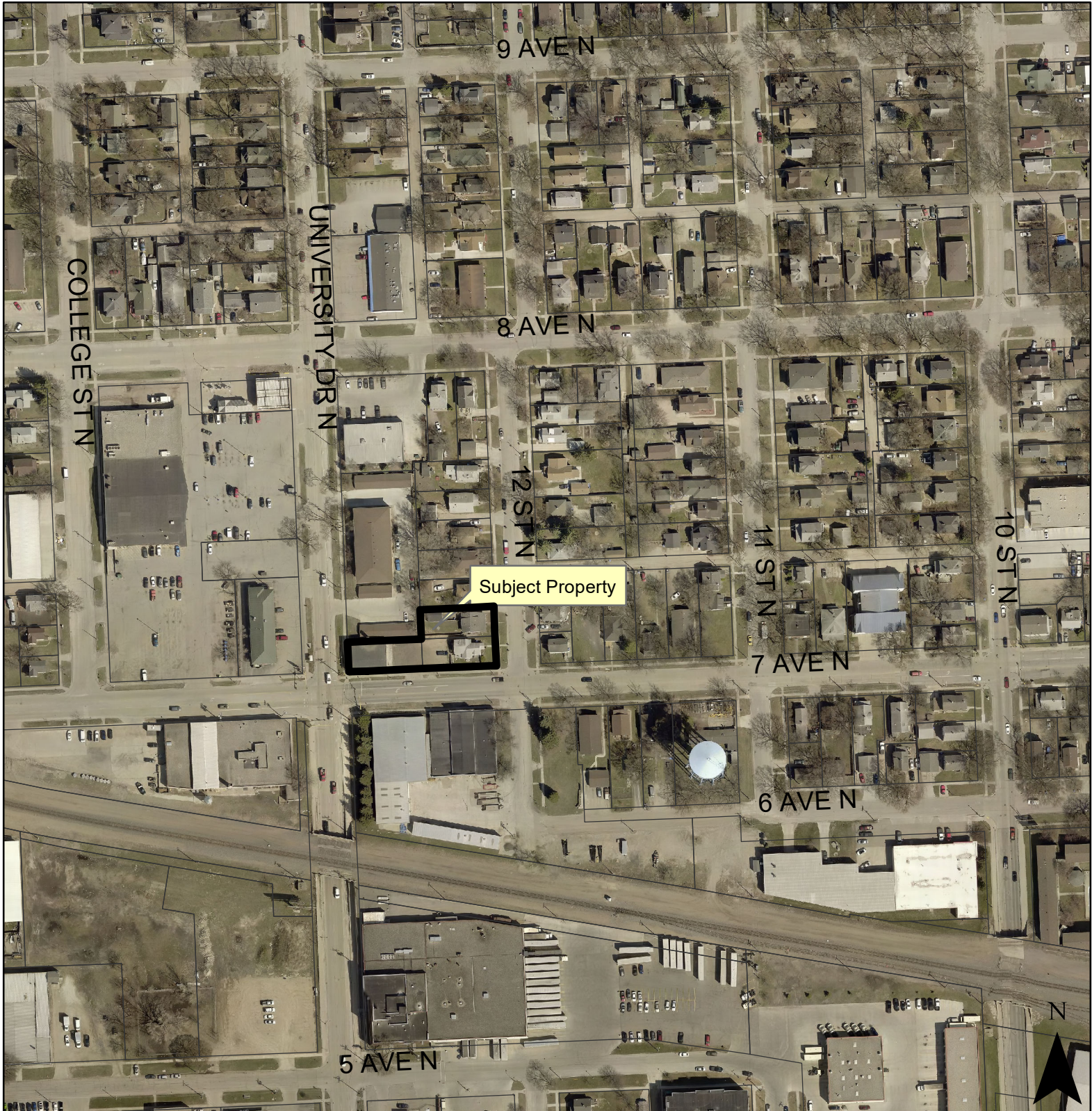
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Feet

Zone Change (DMU & MR-3 to DMU) & Plat (Minor)

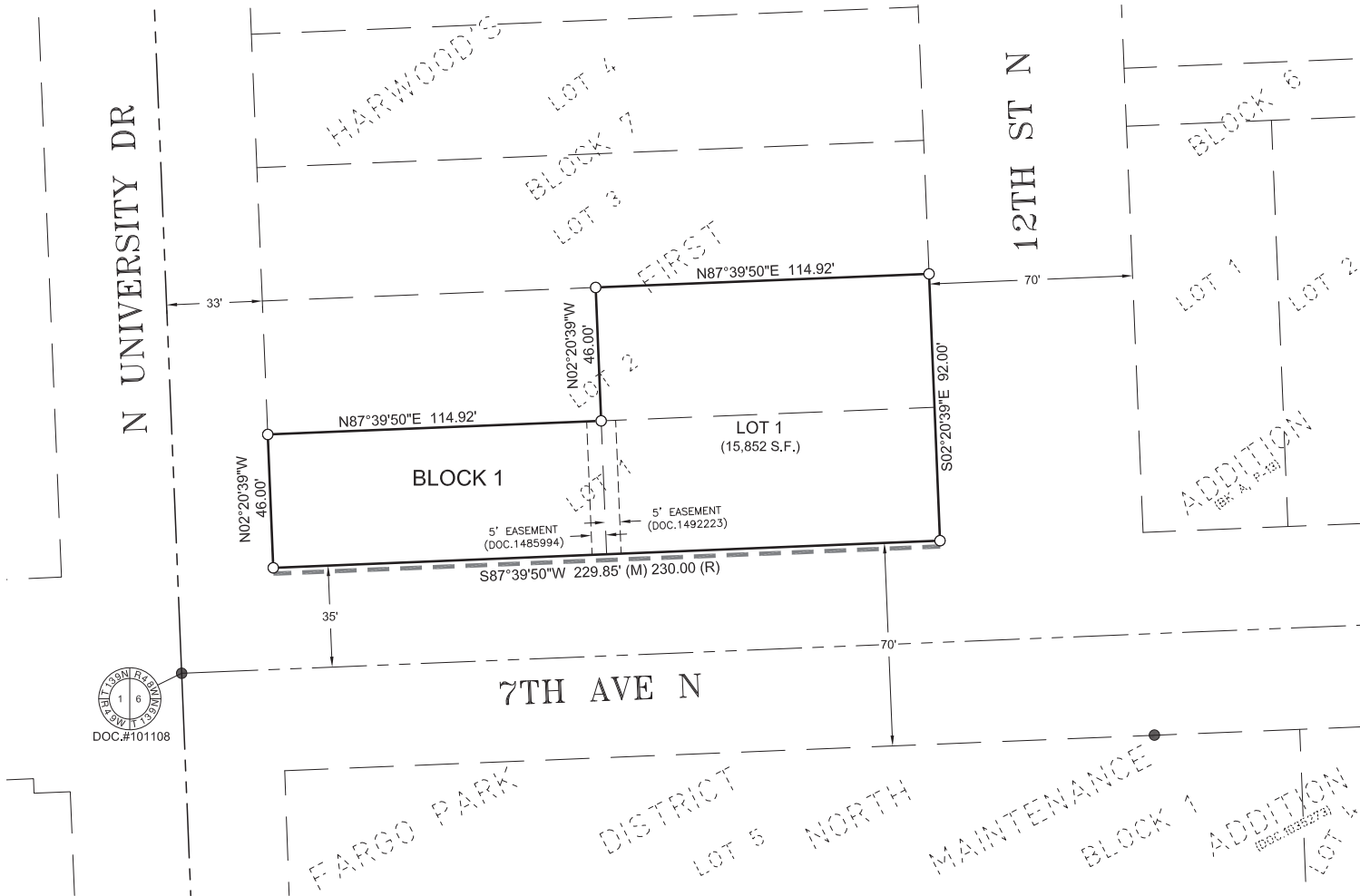
701 Brew Addition

701 University Dr N
702 & 706 12th St N



701 BREW ADDITION

REPLAT OF LOT 1 AND PART OF LOT 2, BLOCK 7, HARWOOD'S ADDITION TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA
(A MINOR SUBDIVISION)



LEGEND	
●	MONUMENT IN PLACE
○	SET MONUMENT (5/8\" REBAR CAPPED PLS-27292)
(M)	MEASURED BEARING & DISTANCE
(R)	RECORDED BEARING & DISTANCE
(5.000)	LOT AREA (SQUARE FEET)
---	EXISTING LOT LINE
----	EXISTING EASEMENT LINE
----	SECTION LINE
----	QUARTER LINE
----	PLAT BOUNDARY
----	NEW EASEMENT LINE
----	NEGATIVE ACCESS EASEMENT

NOTES

- GROUND DISTANCES ARE SHOWN AND ARE IN TERMS OF U.S. SURVEY FEET.
- NEGATIVE ACCESS EASEMENT, AS NOTED ON THE PLAT OF 701 BREW 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 OR 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 701 Brew, LLC, is the owner of a parcel of land located in that part of the Northwest Quarter of Section 6, Township 139 North, Range 48 West of the fifth Principal Meridian, Cass county, North Dakota, being more particularly described as follows:

Lot 1 and the east half of Lot 2, Block Seven of Harwood's Addition to the City of Fargo, as filed and on record at the office of the County Recorder, Cass County, North Dakota.

Containing 15,852 square feet, more or less.

Said owner has caused the above described parcel of land to be surveyed and replatted as **701 Brew Addition** to the City of Fargo, Cass County, North Dakota.

Owner
701 Brew, LLC

State of North Dakota)
County of Cass)

On this ____ day of ____, 20__, before me personally appeared _____, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he/she executed the same on behalf of 701 Brew, LLC.

Notary Public: _____

MORTGAGEE:

State of North Dakota)
County of Cass)

On this ____ day of ____, 20__, before me personally appeared, _____, 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 _____.

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
Professional Land Surveyor No. LS-27292

State of North Dakota)
County of Cass)

On this ____ day of ____, 20__, before me personally appeared Joshua J. Nelson, 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__.

Brenda E. Derrig, P.E.
City Engineer

State of North Dakota)
County of Cass)

On this ____ day of ____, 20__, before me personally appeared Brenda E. Derrig, Fargo City Engineer, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that she executed the same as her free act and deed.

Notary Public: _____

FARGO PLANNING COMMISSION APPROVAL:

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

John Gunkelman, Chair
Fargo Planning Commission

State of North Dakota)
County of Cass)

On this ____ day of ____, 20__, before me personally appeared John Gunkelman, 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)

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: _____

**Mead
& Hunt**

Phone: 701-566-6450
meadhunt.com

PROJECT NO.
4289700-191138.01
SHEET 1 OF 1

City of Fargo Staff Report			
Title:	Brunsdale Second Addition	Date:	2/25/2020
Location:	2851 University Drive South	Staff Contact:	Maggie Squyer, Assistant Planner
Legal Description:	Lot 9, less the West 100 feet, Block 1, Brunsdale First Addition and the North 10 feet of Lot 13, less the West 100 feet, Block 7, Marydale First Addition		
Owner(s)/Applicant:	Dr. Robert Bond /Moore Engineering	Engineer:	Moore Engineering
Entitlements Requested:	Minor Subdivision (replat of Lot 9, less the West 100 feet, Block 1, Brunsdale First Addition and the North 10 feet of Lot 13, less the West 100 feet, Block 7, Marydale First Addition) and Conditional Use Permit for an alternative access plan to allow a parking reduction in the LC, Limited Commercial zoning district.		
Status:	Planning Commission Public Hearing: March 3, 2020		

Existing	Proposed
Land Use: Medical Office	Land Use: Medical Office/ Office
Zoning: LC, Limited Commercial	Zoning: LC, Limited Commercial
Uses Allowed: Limited Commercial allows colleges, community service, day care facilities of unlimited size, health care facilities, parks and open areas, religious institutions, safety services, basic utilities, offices, off-premise advertising signs, commercial parking, retail sales and services, self-service storage, vehicle repair, limited vehicle service, and limited telecommunications facilities.	Uses Allowed: No change
Maximum Lot Coverage Allowed: 55%	Maximum Lot Coverage Allowed: No change

Proposal:		
<p>The applicant is seeking approval of 1) a minor subdivision entitled Brunsdale Second Addition and 2) a Conditional Use Permit (CUP) for alternative access to reduce the number of parking stalls required on site. The proposed subdivision will replat one existing lot into two new lots. Lot 1 of the proposed plat will be accessed by a cross-access easement.</p> <p>Based on the owner's experience at the subject property, a reduction to the number of required off-street parking stalls is being requested. The property owner believes the parking ratio for a standard office would adequately cover the needs of patients and staff frequenting his business. The CUP proposes the following parking ratio for medical office space:</p>		
Use	Existing Parking Ratio	Proposed Parking Ratio
Medical Office	1 stall per 200 square feet	1 stall per 300 square feet
<p>The CUP would allow staff to review parking needs of medical office uses on Lot 2 of the proposed Brunsdale Second Addition at a ratio of 1 stall per 300 square feet of medical office space.</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.

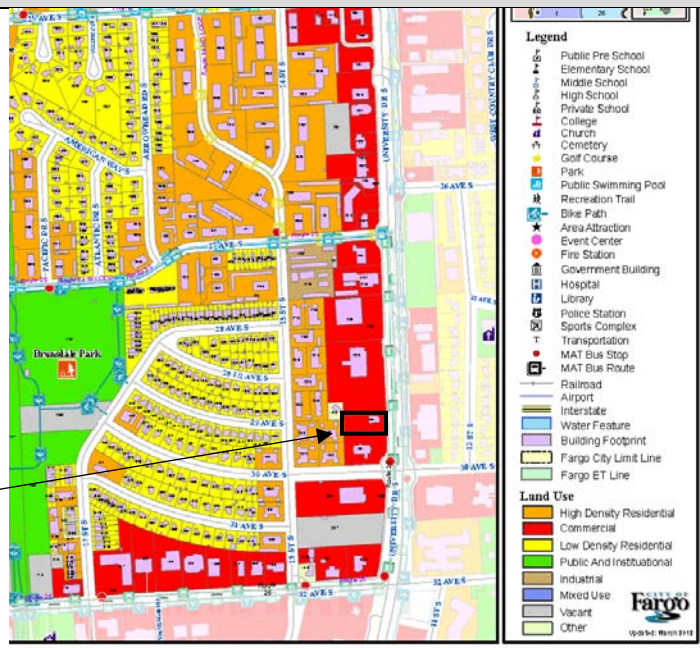
Surrounding Land Uses and Zoning Districts:

- North: LC, Limited Commercial with medical office use
- East: LC, Limited Commercial with office use
- South: LC, Limited Commercial with commercial use
- West: MR-2, Multi-Dwelling Residential with apartments

Area Plans:

The subject property is included in the Brunsdale Neighborhood land use map. According to the land use map, the zoning designation for the subject property is commercial.

Subject Property



Context:

Neighborhood: Brunsdale Neighborhood

Schools: The subject property is located within the Fargo Public School District and is served by Lincoln Elementary, Carl Ben Eielson Middle, and Fargo South High Schools.

Parks: The subject property is located within a quarter-mile of the Fargo County Club (509 26th Avenue South) and Lemke Park (1000 32nd Avenue South) which offer a golf course, outdoor skating rink, picnic tables, playground and soccer fields, among other amenities.

Pedestrian / Bicycle: The subject property is not directly connected to any pedestrian or bicycle facilities. A bike route exists to the South of the subject property on 30th Avenue South.

Staff Analysis:

Subdivision

The LDC stipulates that the following criteria be met before a major 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 subdivision is intended to plat one existing lot into two new lots. There has been no requested change in the zoning of the subject property. The proposed development is consistent with the Brunsdale Neighborhood land use map. In accordance with Section 20-0901.F of the LDC, notices of the proposed plat were 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)

Conditional Use Permit Approval Criteria (Section 20-0909.D)

The following is a list of criteria that must be determined satisfied in order for a Conditional Use Permit to be approved:

- 1. Does the proposed conditional use comply with all applicable provisions of the LDC and will it conform to the general intent and purpose of this LDC?**

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. Promoting infill development and exploring reductions in minimum parking standards are both key initiatives meant to promote the Plan's guiding principles. 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)

- 2. Will the proposed conditional use at the specified location contribute to and promote the welfare or convenience of the public?**

Staff suggests that the proposed conditional use will contribute to and promote the welfare and convenience of the public. A reduction in the number of required off-street parking stalls at this location allows property owners to maximize the use of the subject property.

(Criteria Satisfied)

- 3. Will the proposed conditional use cause substantial injury to the value of other property in the neighborhood in which it is to be located?**

Staff has no data to suggest the proposed use would cause substantial injury to the value of other property in the neighborhood. In accordance with Section 20-0901.F of the LDC, notices of the proposed use were sent out to property owners within 300 feet of the subject property. To date, staff has received no inquiries about the project.

(Criteria Satisfied)

- 4. Is the location and size of the conditional use, the nature and intensity of the operation conducted in connection with it, and the location of the site with respect to streets giving access to it such that the conditional use will not dominate the immediate neighborhood so as to prevent the development and use of the neighboring property in accordance with the applicable zoning district regulations? In considering this criteria, location, nature, and height of buildings, structures, walls, and fences on the site are to be considered, as well as the nature and extent of proposed landscaping and buffering on the site.**

The proposed parking reduction will not dominate the immediate neighborhood or prevent any other sites from being used in the manner allowed by zoning district regulations. Based on the testimony of the long-time property owner, there are currently more than enough parking stalls available to meet the needs of staff and visitors frequenting the existing dental office. The applicant also provided a preliminary site plan for the subject property that shows how two office buildings could be constructed within the context of the site without violating criteria in the LDC.

(Criteria Satisfied)

5. Are adequate utility, drainage, and other such necessary facilities and services provided or will they be at the time of development?

The property has access to all necessary utilities and services. Staff is not aware of any deficiencies regarding drainage or utilities that would limit the ability of the applicant to utilize the property as proposed. Based on this information, staff finds that the adequate utility, drainage, and other such necessary facilities and services are in place.

(Criteria Satisfied)

6. Have adequate access roads or entrances and exit drives been provided and are they designed to prevent traffic hazards and to minimize traffic congestion in public streets?

Access to the subject property comes from a frontage road rather than directly from University Drive South. The cross-access easement on the Brundsdale Second Addition plat provides adequate access to proposed lots 1 and 2. The plat and Conditional Use Permit applications were reviewed by the City's Planning and Development, Engineering, Public Works, and Fire Departments; no concerns of traffic hazards or traffic congestion in public streets were identified.

(Criteria Satisfied)

Recommended Conditions:

- Medical office uses will be evaluated at a ratio of 1 parking stall per 300 square feet of building area
- The Conditional Use Permit will cease if the land use changes from medical office
- Expansion of any proposed or existing uses will trigger a reevaluation of off-street parking requirements on site

Staff Recommendation:

Suggested Motion: "To accept the findings and recommendations of staff and hereby recommend approval to the City Commission of the proposed **Brundsdale Second Addition** subdivision as presented; and to accept the findings and recommendations of staff and move to approve the Conditional Use Permit to allow an alternative access plan for a parking reduction with the following conditions:

- Medical office uses will be evaluated at a ratio of 1 parking stall per 300 square feet of building area
- The Conditional Use Permit will cease if the land use changes from medical office
- Expansion of any proposed or existing uses will trigger a reevaluation of off-street parking requirements on site

as the proposal complies with the adopted Area Plan, Standards of Article 20-06, Section 20-0909.D (1-6), and all other applicable requirements of the Land Development Code."

Planning Commission Recommendation: March 3, 2020

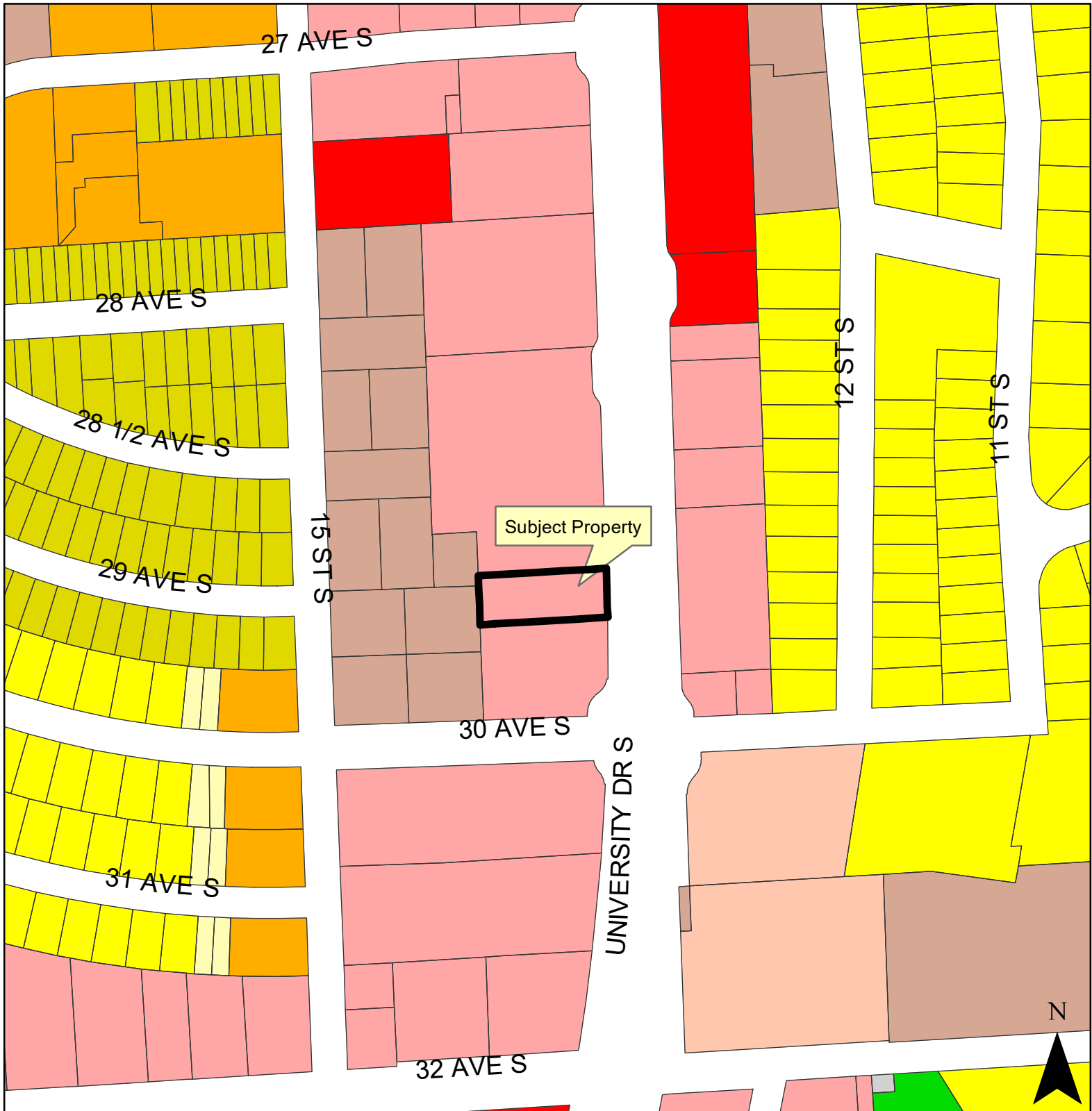
Attachments:

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

Plat (Minor) & Conditional Use Permit

Brunsdale Second Addition

2851 University Dr S



Legend

AG	LC	MHP	SR-2
DMU	LR	NC	SR-3
GC	MR-1	PI	SR-4
GO	MR-2	UML	SR-5
	MR-3		City Limits

300

Feet

Fargo Planning Commission

March 3, 2020

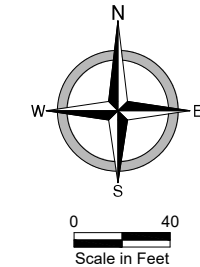
Plat (Minor) & Conditional Use Permit

Brunsdale Second Addition

2851 University Dr S



A MINOR SUBDIVISION PLAT OF
BRUNSDALE SECOND ADDITION
TO THE CITY OF FARGO, A REPLAT OF LOT 9, BLOCK 1, EXCEPT THE WEST 100.00 FEET BRUNSDALE FIRST ADDITION
AND THE NORTH 10.00 FEET OF LOT 13, BLOCK 7, LESS THE WEST 100.00 FEET MARYDALE FIRST ADDITION
TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA.



BASIS OF BEARINGS: BRUNSDALE FIRST ADDITION, ACCORDING TO THE RECORDED PLAT THEREOF.

- LEGEND**
- IRON MONUMENT FOUND
 - L ARC LENGTH
 - R RADIUS LENGTH
 - Δ CENTRAL ANGLE
 - CH. BRG. CHORD BEARING
 - \\\\\\\\\\\\ CROSS ACCESS EASEMENT

CITY ENGINEER'S APPROVAL

THIS PLAT IN THE CITY OF FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 2020.

BRENDA E. DERRIG, CITY ENGINEER

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

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

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

CERTIFICATE

SHAWN M. THOMASSON, BEING DULY SWORN, DEPOSES AND SAYS THAT HE IS THE REGISTERED LAND SURVEYOR WHO PREPARED AND MADE THE ATTACHED PLAT OF "BRUNSDALE SECOND ADDITION" TO THE CITY OF FARGO, A REPLAT OF LOT 9, BLOCK 1, EXCEPT THE WEST 100.00 FEET THEREOF, BRUNSDALE FIRST ADDITION AND THE NORTH 10.00 FEET OF LOT 13, BLOCK 7, LESS THE WEST 100.00 FEET THEREOF, MARYDALE ADDITION TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA; THAT SAID PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE SURVEY THEREOF; THAT ALL DISTANCES ARE CORRECTLY SHOWN ON SAID PLAT; THAT MONUMENTS HAVE BEEN PLACED IN THE GROUND AS INDICATED FOR THE GUIDANCE OF FUTURE SURVEYS AND THAT SAID ADDITION IS DESCRIBED AS FOLLOWS, TO WIT:

ALL OF LOT 9, BLOCK 1, EXCEPT THE WEST 100.00 FEET THEREOF, BRUNSDALE FIRST ADDITION, ACCORDING TO THE RECORDED PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, CASS COUNTY, NORTH DAKOTA.

AND

THE NORTH 10.00 FEET OF LOT 13, BLOCK 7, LESS THE WEST 100.00 FEET THEREOF, MARYDALE ADDITION, ACCORDING TO THE RECORDED PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, CASS COUNTY, NORTH DAKOTA.

SAID TRACT CONTAINS 0.73 ACRES, MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD, IF ANY.



SHAWN M. THOMASSON
REGISTERED LAND SURVEYOR
NO. LS-5900
STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2020, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED SHAWN M. THOMASSON, REGISTERED LAND SURVEYOR, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS OWN FREE ACT AND DEED.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

DEDICATION

WE, THE UNDERSIGNED, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LAND DESCRIBED IN THE PLAT OF "BRUNSDALE SECOND ADDITION" TO THE CITY OF FARGO, A REPLAT OF LOT 9, BLOCK 1, EXCEPT THE WEST 100.00 FEET THEREOF, BRUNSDALE FIRST ADDITION AND THE NORTH 10.00 FEET OF LOT 13, BLOCK 7, LESS THE WEST 100.00 FEET THEREOF, MARYDALE ADDITION TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA; THAT WE HAVE CAUSED IT TO BE PLATTED INTO LOTS AND BLOCKS AS SHOWN BY SAID PLAT AND CERTIFICATE OF SHAWN M. THOMASSON, REGISTERED LAND SURVEYOR, AND THAT THE DESCRIPTION AS SHOWN IN THE CERTIFICATE OF THE REGISTERED LAND SURVEYOR IS CORRECT. WE HEREBY DEDICATE THE CROSS ACCESS EASEMENT TO THE USE OF THE OWNERS, SUCCESSORS AND ASSIGNS OF LOTS 1 THROUGH 2 AS SHOWN ON SAID PLAT.

OWNER: DR. ROBERT BOND, DDS

DR. ROBERT BOND, DDS

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2020, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED DR. ROBERT BOND, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS OWN FREE ACT AND DEED.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

MORTGAGEE: AMERICAN FEDERAL BANK

BY: _____
TITLE: _____

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2020, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING DEDICATION AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THE NAME OF AMERICAN FEDERAL BANK.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

FARGO PLANNING COMMISSION APPROVAL

THIS PLAT IN THE CITY OF FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 2020.

JOHN GUNKELMAN, CHAIR

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2020, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED JOHN GUNKELMAN, CHAIR OF THE FARGO PLANNING COMMISSION, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE NAME OF THE FARGO PLANNING COMMISSION.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

FARGO CITY COMMISSION APPROVAL

THIS PLAT IN THE CITY OF FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 2020.

TIMOTHY J. MAHONEY, MAYOR

STEVEN SPRAGUE, CITY AUDITOR

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2020, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED TIMOTHY J. MAHONEY, MAYOR AND STEVEN SPRAGUE, CITY AUDITOR, KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THE NAME OF THE CITY OF FARGO.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

City of Fargo Staff Report			
Title:	Four Walls Addition	Date:	2/25/2020
Location:	702-704 31 st Street North	Staff Contact:	Maggie Squyer, Assistant Planner
Legal Description:	Lot 8, less the West 15 feet, Block 3, Model Cities Subdivision		
Owner(s)/Applicant:	Four Walls 1 LLC/Charles Shaffer	Engineer:	Neset
Entitlements Requested:	Zoning Map Amendment (from SR-3, Single-Dwelling Residential to SR-5, Single-Dwelling Residential) and Minor Subdivision (A replat of Lot 8, less the West 15 feet, Block 3, Model Cities Subdivision)		
Status:	Planning Commission Public Hearing: March 3, 2020		

Existing
Land Use: Household Living
Zoning: SR-3, Single-Dwelling Residential
Uses Allowed: detached housing, attached housing, duplexes, day care facilities of limited size, parks and open areas, religious institutions, safety services, schools and basic utilities
Maximum Density Allowed: 8.7 units per acre

Proposed
Land Use: Household Living
Zoning: SR-5, Single-Dwelling Residential
Uses Allowed: No Change
Maximum Density Allowed: 14.5 units per acre

Proposal:
<p>The applicant is seeking approval of 1) a Zoning Map Amendment, and 2) a Minor Subdivision entitled Four Walls Addition. The proposed zoning map amendment would rezone the lot from SR-3, Single-Dwelling Residential, to SR-5, Single-Dwelling Residential, to increase the maximum density allowed per acre. The proposed minor subdivision would replat the subject property into two lots.</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: SR-3, Single-Dwelling Residential, with a duplex • East: SR-3, Single-Dwelling Residential, with a duplex • South: LI, Limited Industrial, with a warehouse use • West: SR-3, Single-Dwelling Residential, with detached housing
Area Plans:
<p>The Madison/Unicorn Park Neighborhood is currently undergoing planning efforts as part of the City's Core Neighborhood Plan. In 2012, the neighborhood land use map identified the subject property as low-density residential.</p>
Schools and Parks:
<p>Schools: The subject property is located within the Fargo School District, specifically Madison Elementary, Ben Franklin Middle and Fargo North High schools.</p>

Neighborhood: The subject property is located in the Madison/Unicorn Park Neighborhood

Parks: The subject property is located within half of a mile from 123 Park (925 27th Street North) and Madison Park (3010 11th Avenue North) which offers playground equipment, picnic tables, a swimming pool, soccer fields, and ice skating rink, among other amenities.

Pedestrian / Bicycle: The subject property is not connected to bike facilities.

Staff Analysis:

Zoning

Section 20-906. F (1-4) of the LDC stipulates the following criteria be met before a zone change can be approved:

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

Staff is unaware of any zoning map error in regard to the subject property. The property owner is interested in converting the existing duplex into two single-family dwellings on individual lots. For the conversion to be compliant with the Land Development Code, the maximum density allowed per-lot must increase from the existing 8.7 units per acre required in the SR-3 zoning district. The SR-5 zoning increases the maximum density to 14.5 units per acre. At this time, SR-5 is also the proper zoning district to accommodate single-dwelling developments on lots under 3,600 square feet. The smallest lot in the proposed subdivision is currently 3,517 square feet. Staff finds that the requested zone change is justified by a change in conditions at this location since the previous zoning classification was established.

(Criteria Satisfied)

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

The development is served with city services (water, sewer, streets, police/fire protection, etc.) as well as other utility services as needed. The City Engineer and other applicable review agencies have reviewed this proposal. At the direction of the City Engineer, the property owner installed separate water and sewer lines to each of the proposed dwelling units. No deficiencies to provide the necessary public services, facilities and programs to this development have been identified.

(Criteria Satisfied)

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

Staff has no evidence that would suggest this proposal 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, staff has not received any phone calls or comments in response to these notices. Staff finds that the approval will not adversely affect the condition or value of the property in the vicinity.

(Criteria Satisfied)

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

The purpose of the LDC is to implement Fargo's Comprehensive Plan in a way that will protect the general health, safety, and welfare of the citizens. The Go2030 Comprehensive Plan supports infill and density in developed neighborhoods. Staff contends that the SR-5 zoning district is intended to provide pockets of higher density affordable housing which promotes a mix of housing options and increased opportunity for home ownership. Staff finds that the proposal is consistent with the purposes of the LDC, the Growth Plan, and other adopted policies of the City.

(Criteria Satisfied)

Subdivision

The LDC stipulates that the following criteria be met before a major 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 located in the Madison/Unicorn Park area, which is currently under evaluation as part of the City's Core Neighborhood Plan. In the area's 2012 neighborhood land use plan, the subject property was identified as low-density residential land use. The proposed use is consistent with the existing zoning in the area. The proposed subdivision will replat one existing lot into two new lots. 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 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 principals.

(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 1) zoning map amendment from SR-3, Single-Dwelling Residential to SR-5, Single-Dwelling Residential and 2) **Four Walls Addition** subdivision, as the proposal satisfactorily complies with the Go2030 Fargo Comprehensive Plan, Standards of Article 20-06 and Section 20-0906(F) (1-4) of the LDC, and all other applicable requirements of the LDC."

Planning Commission Recommendation: March 3, 2020

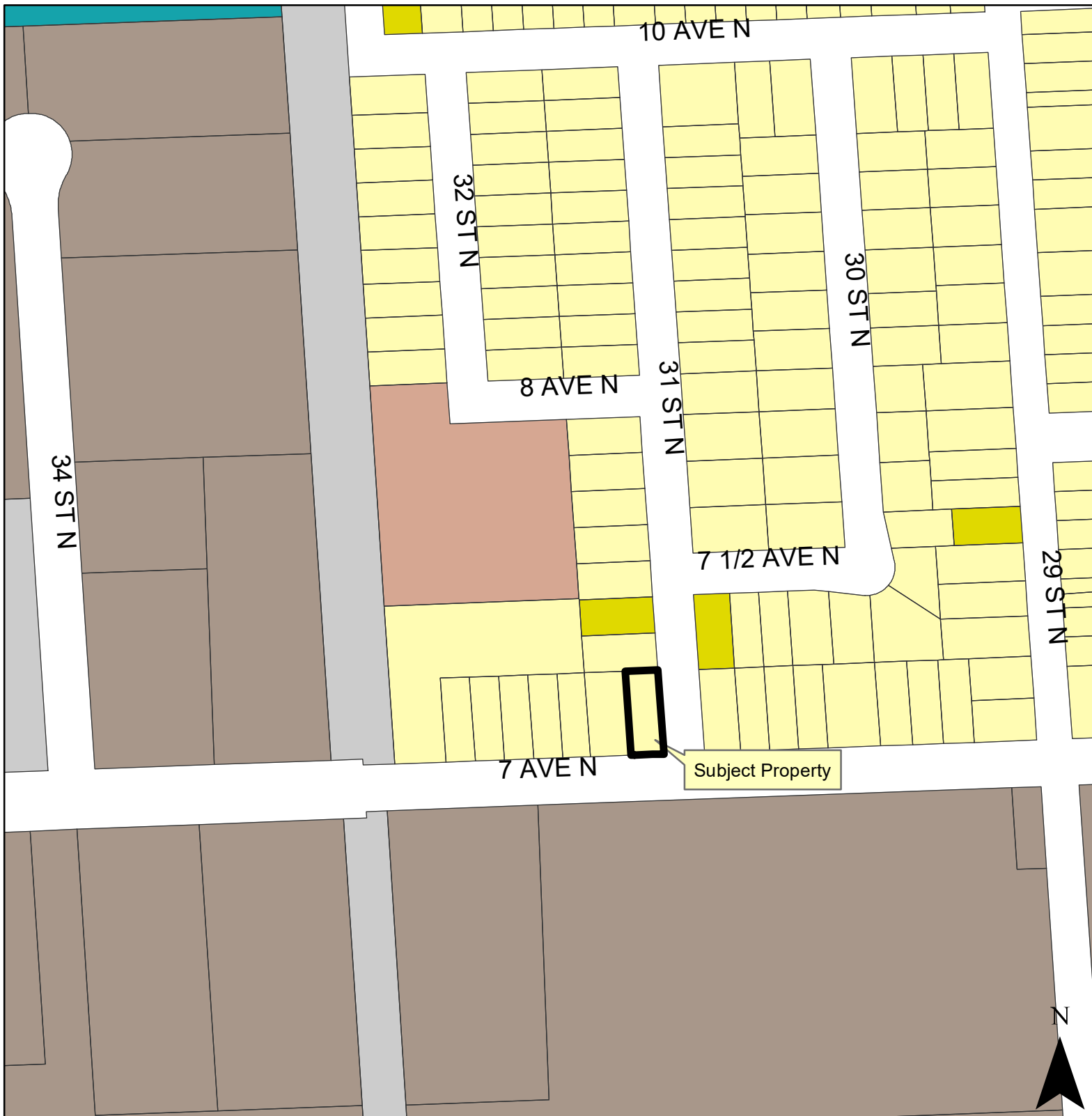
Attachments:

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

Zone Change (SR-3 to SR-5) & Plat (Minor)

Four Walls Addition

702-704 31st St N



Legend



300

Feet

Fargo Planning Commission

March 3, 2020

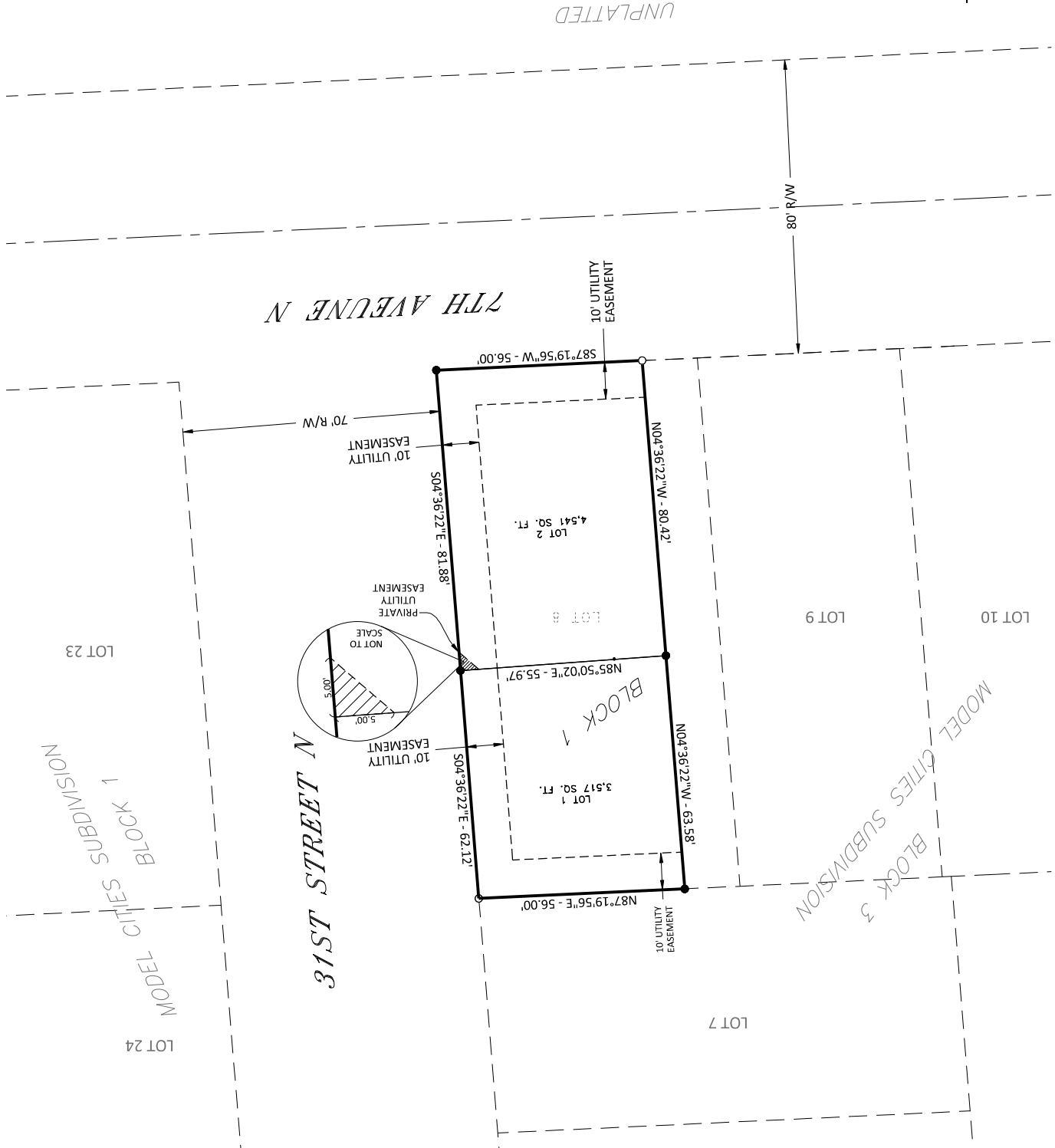
Zone Change (SR-3 to SR-5) & Plat (Minor)

Four Walls Addition

702-704 31st St N



FOUR WALLS ADDITION
A REPLAT OF PART OF LOT 8, BLOCK 3 OF MODEL CITIES SUBDIVISION
CITY OF FARGO, CASS COUNTY, NORTH DAKOTA



LEGEND

- MONUMENT SET
- EX. EASEMENT
- EX. PROPERTY LINE
- PROPERTY BOUNDARY LINE
- SECTION LINE
- NEW PRIVATE EASEMENT AREA

0 20 40

N

SURVEY INFORMATION

DATE OF SURVEY: 2-11-19
BASIS OF BEARING: CITY OF FARGO
BENCHMARK USED: CITY OF FARGO BASE

OWNERS' CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS, FOUR WALLS, LLC, LOT 8, LESS THE WEST FIFTEEN FEET OF LOT 8, IN BLOCK THREE, OF MODEL CITIES SUBDIVISION, TO THE CITY OF FARGO, COUNTY OF CASS, STATE OF NORTH DAKOTA,

SAID OWNERS HAVE CAUSED THE ABOVE DESCRIBED TRACT OF LAND SHOWN ON THIS PLAT TO BE SURVEYED AND PLATTED AS, FOUR WALLS ADDITION TO THE CITY OF FARGO, SAID OWNERS ALSO HEREBY DEDICATE AND CONVEY TO THE PUBLIC, FOR PUBLIC USE, ALL ACCESS AND UTILITY EASEMENTS SHOWN ON SAID PLAT. SAID FOUR WALLS ADDITION, CONSISTS OF TWO LOTS AND ONE BLOCK, AND CONTAINS 8,064 SQUARE FEET, MORE OR LESS TOGETHER WITH EASEMENTS AND RIGHT OF WAYS OF SIGHT AND RECORD.

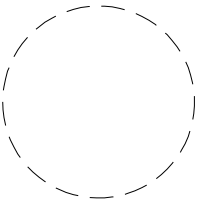
BY: CHARLES SHAFFER
ITS: PRESIDENT

STATE OF _____)
COUNTY OF _____)
ON THIS _____ DAY OF _____, 2020, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED _____, TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT HE EXECUTED THE SAME AS THEIR FREE ACT AND DEED.

NOTARY PUBLIC

SURVEYORS CERTIFICATE

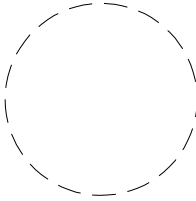
I, COLE A. NESSET, REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NORTH DAKOTA, DO HEREBY CERTIFY THAT I HAVE SURVEYED AND PLATTED THE PROPERTY DESCRIBED ON THIS PLAT AS FIC ADDITION; THAT THIS PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY; THAT ALL DISTANCES ARE SHOWN CORRECTLY ON SAID PLAT 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 _____, 2020.



STATE OF NORTH DAKOTA)
COUNTY OF CASS)
ON THIS _____ DAY OF _____, 2020, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED COLE A. NESSET, REGISTERED LAND SURVEYOR, TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT HE EXECUTED THE SAME AS THEIR FREE ACT AND DEED.

NOTARY PUBLIC

STATE OF NORTH DAKOTA)
COUNTY OF CASS)
ON THIS _____ DAY OF _____, 2020, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED BRENDA DERRIG, CITY ENGINEER, TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT SHE EXECUTED SAME AS THEIR FREE ACT AND DEED.



NOTARY PUBLIC

FARGO PLANNING COMMISSION APPROVAL

APPROVED BY THE CITY OF FARGO PLANNING COMMISSION THIS _____ DAY OF _____, 2020.

JOHN GUNKELMAN, CHAIR
FARGO PLANNING COMMISSION

STATE OF NORTH DAKOTA)
COUNTY OF CASS)
ON THIS _____ DAY OF _____, 2020, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED JOHN O. PAULSEN, CHAIR, FARGO PLANNING COMMISSION, TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT HE EXECUTED THE SAME AS THEIR FREE ACT AND DEED.

NOTARY PUBLIC

FARGO CITY COMMISSION APPROVAL

APPROVED BY THE BOARD OF CITY COMMISSIONERS AND ORDERED FILED THIS _____ DAY OF _____, 2020.

TIMOTHY J. MAHONEY, MAYOR

ATTEST:

STEVEN SPRAGUE, CITY AUDITOR

STATE OF NORTH DAKOTA)
COUNTY OF CASS)
ON THIS _____ DAY OF _____, 2020, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED TIMOTHY J. MAHONEY, MAYOR, CITY OF FARGO, AND STEVEN SPRAGUE, CITY AUDITOR, TO ME KNOWN TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME AS THEIR FREE ACT AND DEED.

NOTARY PUBLIC



**City of Fargo
Staff Report**

Title:	Aldevron First Addition	Date:	2/24/2020
Location:	4040 and 4055 41st Avenue South; 4137 and 4175 40th Street South	Staff Contact:	Maegin Elshaug
Legal Description:	All of Lots 5 and 6 and a portion of Lot 3, Block 1, Woodhaven Plaza Addition and Auditors Lot 13 of Woodhaven Plaza Addition		
Owner(s)/Applicant:	Aldevron LLC / Vogel Law Firm	Engineer:	Mead & Hunt
Entitlements Requested:	Minor Subdivision (Replat all of Lots 5 and 6 and a portion of Lot 3, Block 1, Woodhaven Plaza Addition and Auditors Lot 13 of Woodhaven Plaza Addition)		
Status:	Planning Commission Public Hearing: March 3, 2020		

Existing	Proposed
Land Use: Medical Office (research); vacant	Land Use: Medical Office (research)
Zoning: LC, Limited Commercial with a CUP for an alternative access plan	Zoning: unchanged
Uses Allowed: LC – Limited Commercial. Allows colleges, community service, daycare centers of unlimited size, health care facilities, parks and open space, religious institutions, safety services, offices, off premise advertising signs, commercial parking, retail sales and service, self service storage, vehicle repair, limited vehicle service. With a Conditional Use Permit to allow for an Alternative Access Plan for parking	Uses Allowed: unchanged
Maximum Lot Coverage Allowed: Maximum 55% building coverage	Maximum Lot Coverage Allowed: unchanged

Proposal:

The applicant is seeking City approval of a minor subdivision entitled Aldevron First Addition. The proposed subdivision would replat 4 existing properties into one lot to accommodate expansion of an existing facility. The owner, Aldevron LLC, is planning a phased expansion for the property. The subject property is located at 4040 and 4055 41st Avenue South, and 4137 and 4175 40th Street South, and encompasses approximately 9.9 acres. The subject property, along with an additional property located across 40th Street South, received a Conditional Use Permit to address parking needs for the facility in August 2019.

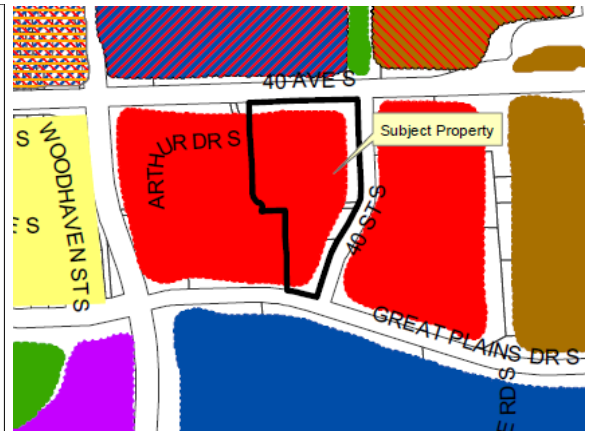
This project was reviewed by the City's Planning and Development, Engineering, Public Works, and Fire Departments ("staff"), whose comments are included in this report.

Surrounding Land Uses and Zoning Districts:

- North: Across 40th Avenue South is GC, General Commercial, with a CUP, Conditional Use Permit, with uses of manufacturing and warehouse facilities and retail;
- East: Across 40th Street South is LC with office and retail;
- South: LC and across Great Plains Drive South is GO, General Office, with office uses;
- West: LC and LC with a CUP, Conditional Use Permit to allow residential use, with mixed use development, attached houses, and offices uses.

Area Plans:

The subject property is located within the 2003 Southwest Future Land Use Plan. This plan indicates the subject property as being appropriate for Commercial uses.



Context:

Neighborhood: Woodhaven

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

Parks: The subject property is less than a half mile east of Woodhaven North Park with the amenities of a fishing ramp, fishing, picnic table, playground, recreational trails, and soccer field.

Pedestrian / Bicycle: Off-road bike facilities are located along 40th Avenue South and are a component of the overall metro area trail system.

Staff Analysis:

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.**

(Criteria Satisfied)

In accordance with Section 20-0901.F of the LDC, notices of the proposed plat have been sent to property owners within 300 feet of the subject property. To date, staff has received no comments. The zoning district allows for the proposed development and complies with the adopted area plan. The project has been reviewed by the city's Planning, Engineering, Public Works, Inspections, and Fire Departments and found to meet the standards of Article 20-06 and other applicable requirements of the Land Development Code.

(Criteria Satisfied)

2. **Section 20-907.C.4.f of the LDC stipulates that in taking action on a Final Plat, the Board of City Commissioners shall specify the terms for securing installation of public improvements to serve the subdivision.**

While this section of the LDC specifically addresses only major subdivision plats, staff believes it is important to note that any improvements associated with the project (both existing and proposed) are

subject to special assessments. Special assessments associated with the costs of the public infrastructure improvements are proposed to be spread by the front footage basis and storm sewer by the square footage basis as is typical with the City of Fargo assessment 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, **Aldevron First Addition**, as outlined within the staff report, as the proposal complies with the adopted Area Plan, the standards of Article 20-06, and all other applicable requirements of the Land Development Code".

Planning Commission Recommendation: March 3, 2020

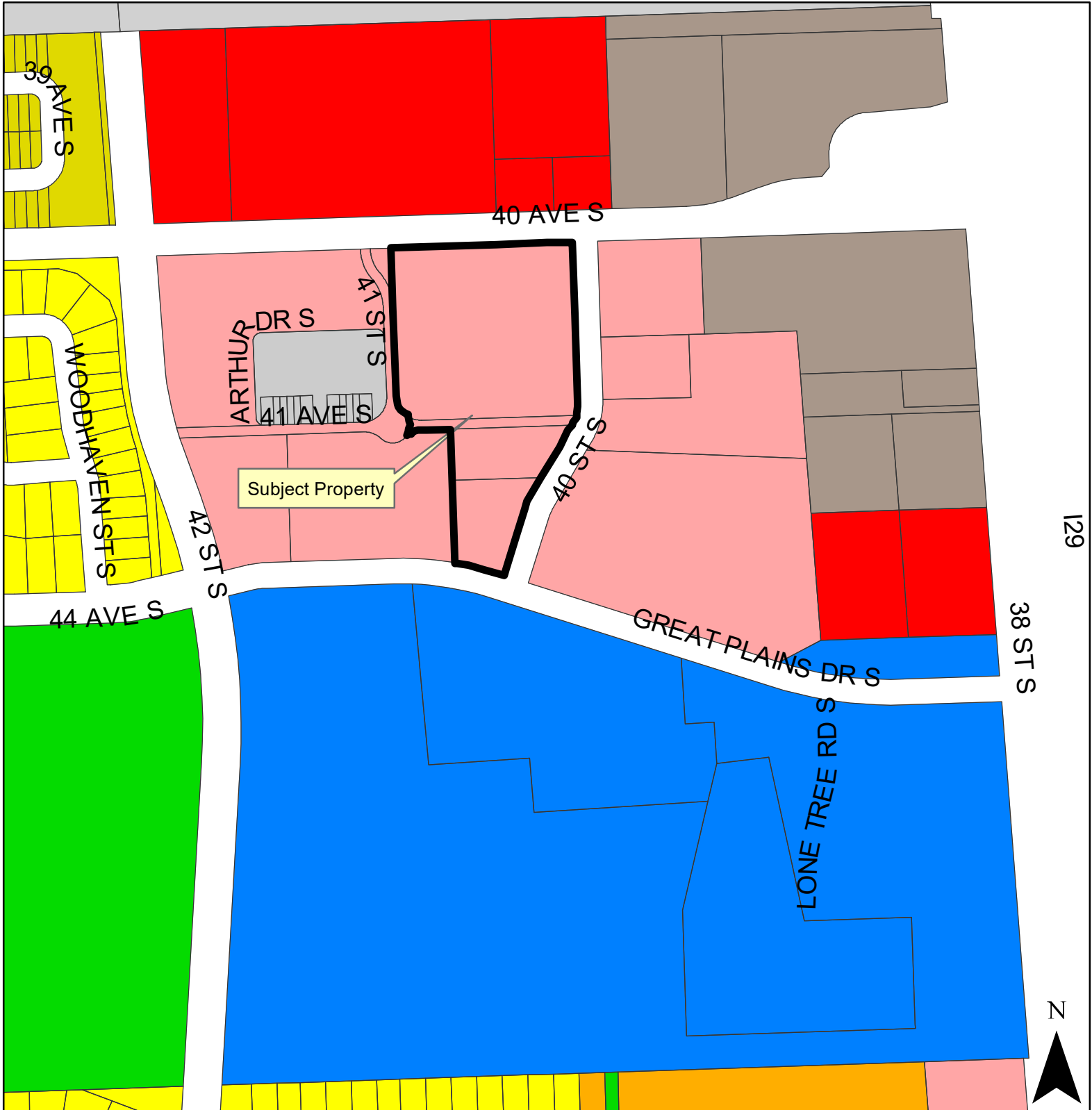
Attachments:

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

Plat (Minor)

Aldevron First Addition

4137 & 4175 40th St S
4040 & 4055 41st Ave S



Legend

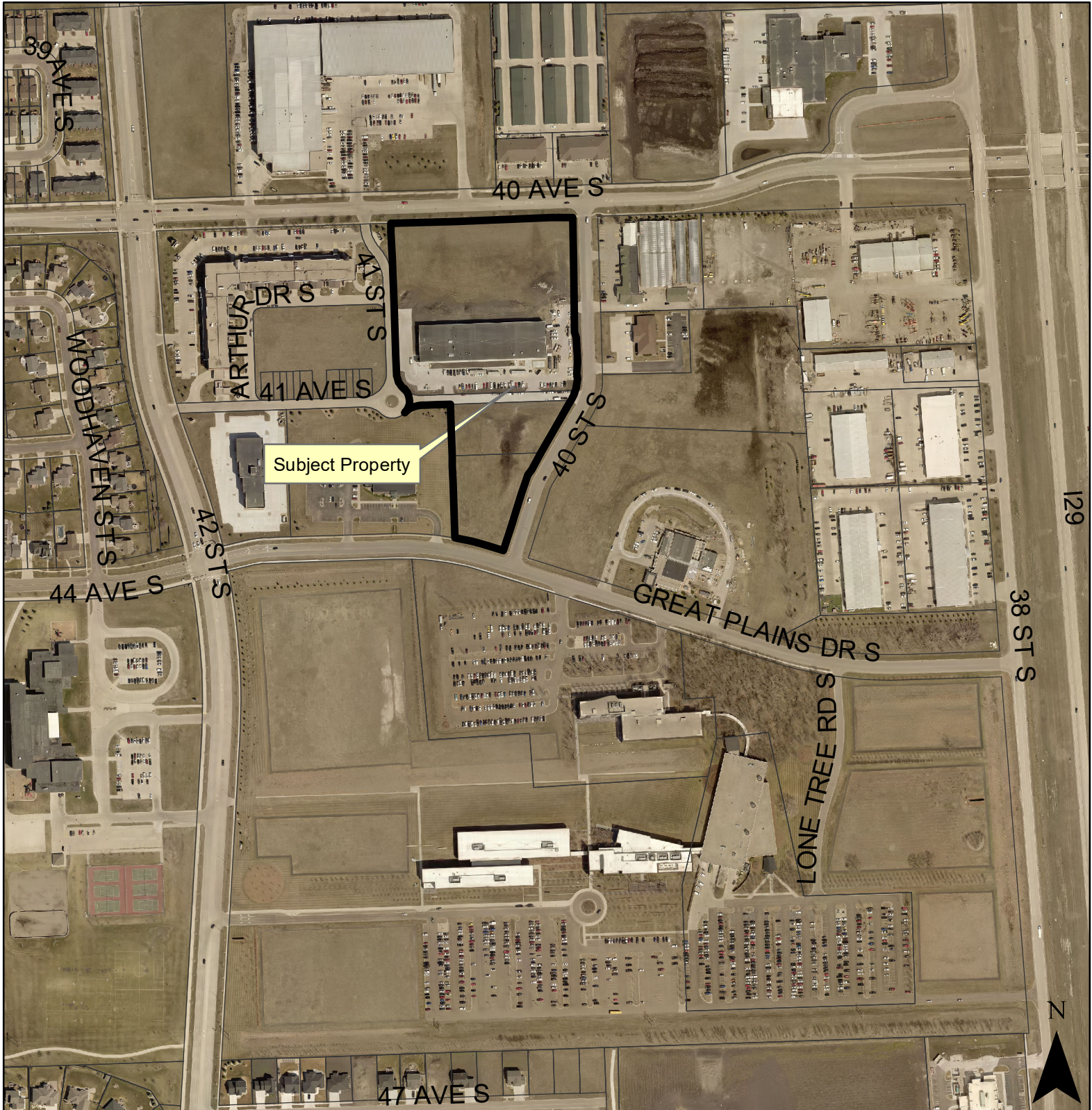
AG	LC	MHP	SSP-2
DMC	LC	NCO	SSP-3
GC	MR-1	PAT	SSP-4
GO	MR-2	UMU	SSP-5
	MR-3		

300
Feet

Plat (Minor)

Aldevron First Addition

4137 & 4175 40th St S
4040 & 4055 41st Ave S



ALDEVRON FIRST ADDITION

A REPLAT OF ALL OF LOTS 5 & 6 AND PART OF LOT 3, BLOCK 1 WOODHAVEN PLAZA ADDITION AND AUDITOR'S LOT 13 OF WOODHAVEN PLAZA ADDITION TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA (A MINOR SUBDIVISION)

PLAT BOUNDARY DESCRIPTION:

All of Lots 5 and 6, Block 1, Woodhaven Plaza Addition to the City of Fargo, as filed and on record at the office of the County Recorder, Cass County, North Dakota.

AND

Auditor's Lot 13 of Woodhaven Plaza Addition to the City of Fargo, Cass County, North Dakota as filed and on record at the office of the County Recorder as document number 1564809.

AND

All of Lot 3, Block 1, Woodhaven Plaza Addition to the City of Fargo, as filed and on record at the office of the County Recorder, Cass County, North Dakota,

EXCEPT

Auditor's Lot 1 of Woodhaven Plaza Addition to the City of Fargo, Cass County, North Dakota as filed and on record at the office of the County Recorder as document number 1496736.

Said plat contains 432,174 square feet, more or less.

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

OWNER'S CERTIFICATE:

KNOW ALL PERSONS BY THESE PRESENTS: That Aldevron, L.L.C., is the owner of Lots Three, except Auditor's Lot One of Woodhaven Plaza Addition, Lot Five, and Lot Six, Block One of Woodhaven Plaza Addition and Auditor's Lot 13 of Woodhaven Plaza Addition to the City of Fargo, as filed and on record at the office of the County Recorder, Cass County, North Dakota; that it has caused the same to be surveyed and replatted as **Aldevron First Addition** to the City of Fargo, Cass County, North Dakota, and does hereby dedicate to the public, for public use, the Utility Easement as shown on this plat.

OWNER:

Aldevron, L.L.C., a North Dakota Limited Liability Company

Michael Chambers
President & CEO

State of North Dakota

County of Cass

On this _____ day of _____, 20____, before me personally appeared Michael Chambers, 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 Aldevron, L.L.C..

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
Professional Land Surveyor No. LS-27292

State of North Dakota

County of Cass

On this _____ day of _____, 20____, before me personally appeared Joshua J. Nelson, 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____.

Brenda E. Derrig, P.E., City Engineer

State of North Dakota

County of Cass

On this _____ day of _____, 20____, before me personally appeared Brenda E. Derrig, Fargo City Engineer, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that she executed the same as her free act and deed.

Notary Public: _____

FARGO PLANNING COMMISSION APPROVAL:

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

John Gunkelman, Chair
Fargo Planning Commission

State of North Dakota

County of Cass

On this _____ day of _____, 20____, before me personally appeared John Gunkelman, 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

On this _____ day of _____, 20____, before me personally appeared Timothy J. Mahoney, Major, 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: _____

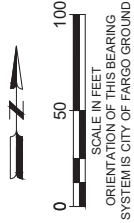
Mead & Hunt PRELIMINARY

Phone: 701-566-6450
meadhunt.com

PROJECT NO.
4647800-200360.01
SHEET 1 OF 2

ALDEVRON FIRST ADDITION

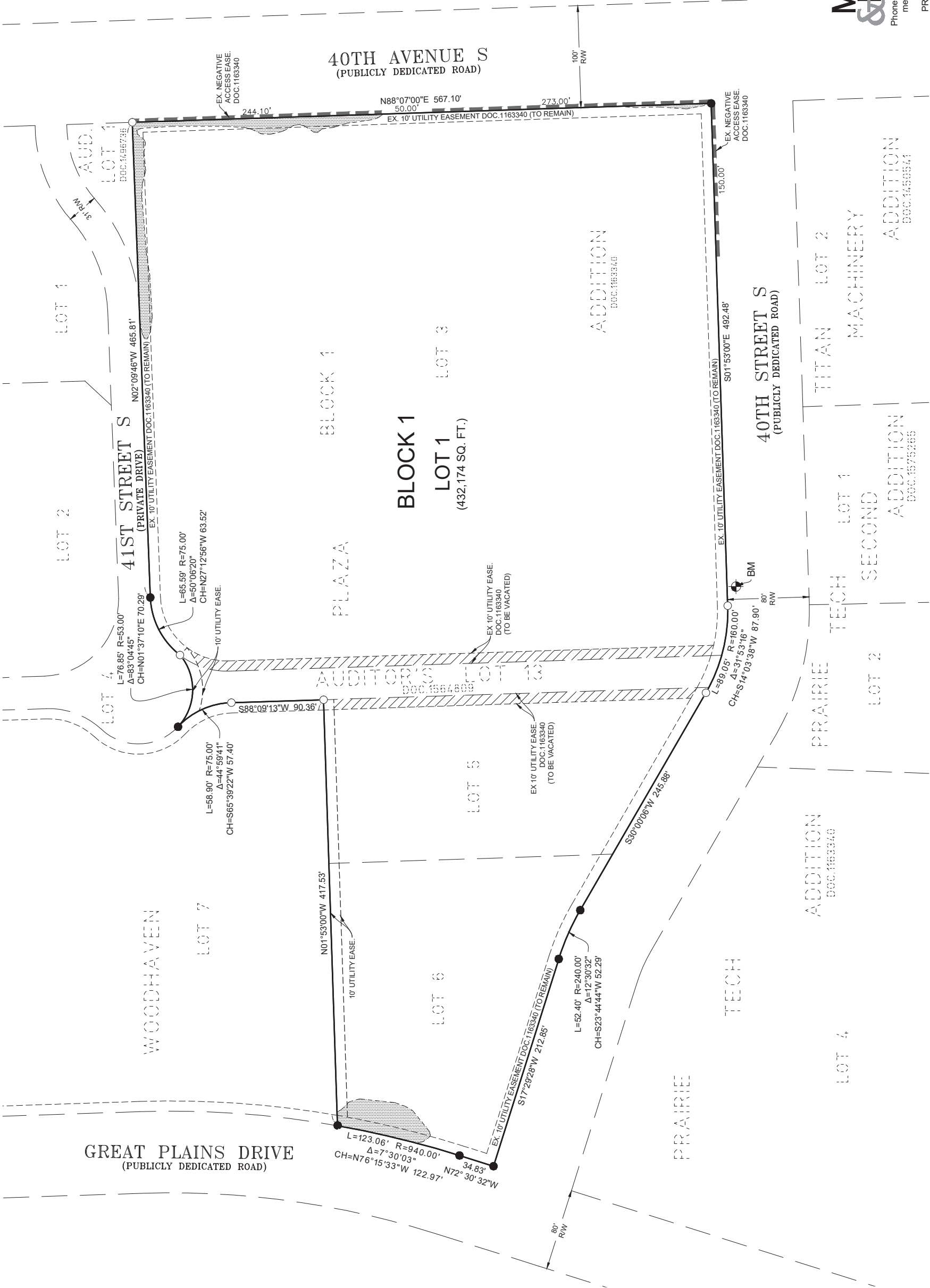
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LEGEND	MONUMENT IN PLACE
	SET MONUMENT (5/8" REBAR CAPPED PLS-27292)
	EXISTING NEGATIVE ACCESS EASEMENT
	EXISTING PROPERTY LINE
	EXISTING EASEMENT LINE
	PLAT BOUNDARY
	NEW EASEMENT LINE
	EXISTING EASEMENT TO BE VACATED
	SPECIAL FLOOD HAZARD AREA

NOTES:

- GROUND DISTANCES ARE SHOWN AND ARE IN TERMS OF U.S. SURVEY FEET.
- PART OF THIS PLAT FALLS IN FLOODPLAIN ZONE 'AE' ACCORDING TO THE FEMA FIRM MAP 3807C0778G WITH AN EFFECTIVE DATE 1/16/2015. THE BASE FLOOD ELEVATION IN THIS AREA IS 905.7' (NAVD88) ACCORDING TO FEMA.
- SPECIAL FLOOD HAZARD AREA DATA OBTAINED FROM CITY OF FARGO GIS.
- BENCHMARK TOP NUT HYDRANT LOCATED +/- 500' SOUTH OF THE INTERSECTION OF 40TH AVENUE SOUTH AND 40TH STREET SOUTH. ELEVATION = 907.73 (NAVD88)
- NEGATIVE ACCESS EASEMENT, AS NOTED ON PREVIOUS PLATS, 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 OR ANY CERTAIN WIDTH, BUT IS A LINE COTERMINOUS WITH THE BOUNDARY OF THE ADJACENT LOT OR LOTS.



Mead & Hunt
Phone: 701-566-6450
meadhunt.com

PRELIMINARY

PROJECT NO.
4647800-200360.01
SHEET 2 OF 2