

FARGO PLANNING COMMISSION AGENDA
Tuesday, December 5, 2023 at 3:00 p.m.

A: Approve Order of Agenda

B: Minutes: Regular Meeting of November 7, 2023

C: Public Hearing Items:

1. Hearing on application requesting a Conditional Use Permit to allow group living in the SR-2, Single-Dwelling Residential zoning district on Lot 5, Block 5B, **Replat of Block 5 of Southview Villages Addition**. (Located at 2401 South Flickertail Drive South) (The 2011 Kevin & Sara Alto Living Trust) (dk): CONTINUED TO JANUARY 2, 2024
2. Hearing on an application requesting a Conditional Use Permit to reduce Telecommunication Support Structure (TSS) setback requirements for telecommunications facility uses in a LC, Limited Commercial zoning district on a portion of Lot 1, Block 1, **Parks Third Addition**. (Located at 2525 33rd Avenue South) (Terrapact Digital Assest, LLC/Houston Engineering) (bg)
- 3a. Hearing on an application requesting a Zoning Change from MR-3, Multi-Dwelling Residential to DMU, Downtown Mixed Use on the proposed **Cityside Addition**. (Located at 202, 208, 210, and 212 6th Avenue North; 509, 511, and 515 3rd Street North) (Sterling Properties LLLP/Goldmark) (dk)
- 3b. Hearing on an application requesting a Plat of **Cityside Addition** (Major Subdivision) a replat of Lots 2-7, Block 31, and a vacation of a portion of the public alley within Block 31, Keeney and Devitts Second Addition to the City of Fargo, Cass County, North Dakota. (Located at 202, 208, 210, and 212 6th Avenue North; 509, 511, and 515 3rd Street North) (Sterling Properties LLLP/Goldmark) (dk)
- 4a. Hearing on an application requesting a Zoning Change from LC, Limited Commercial to GC, General Commercial on Lots 1-3, Block 1, **Gamma Fargo Addition** and a portion of Lot 1, Block 1, **Pracs Second Addition**. (Located at 4951 and 4837 Amber Valley Parkway South; 4800, 4820, and 4840 23rd Avenue South) (Comstock Services, LLC) (lm): WITHDRAWN
- 4b. Hearing on an application requesting a Conditional Use Permit to allow manufacturing, production, and warehouse uses in the GC, General Commercial zoning district on Lots 1-3, Block 1, **Gamma Fargo Addition** and a portion of Lot 1, Block 1, **Pracs Second Addition**. (Located at 4837 and 4951 Amber Valley Parkway South; 4800, 4820, and 4840 23rd Avenue South) (Comstock Services, LLC) (lm): WITHDRAWN
5. Hearing on an application requesting a Plat of **The Pines at the District Fifth Addition** (Minor Subdivision) a replat of Lot 1, Block 2, The Pines at the District Addition, to the City of Fargo,

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.

Cass County, North Dakota. (Located at 4265 53rd Avenue South) (Landco Fargo, LTD/Goldmark Commercial) (ae)

D: Other Items:

1. Downtown InFocus Presentation
2. FM Regional Housing Study Presentation
3. Fargo Growth Plan Update

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**BOARD OF PLANNING COMMISSIONERS
MINUTES**

Regular Meeting:

Tuesday, November 7, 2023

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, November 7, 2023.

The Planning Commissioners present or absent were as follows:

Present: Rocky Schneider, Maranda Tasa, Scott Stofferahn (via conference call), Art Rosenberg, Jennifer Holtz, Thomas Schmidt, Brett Shewey

Absent: John Gunkelman, Dawn Morgan

Chair Schneider called the meeting to order.

Business Items:

Item A: Approve Order of Agenda

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

Item B: Minutes: Regular Meeting of October 3, 2023

Member Tasa moved the minutes of the October 3, 2023 Planning Commission meeting be approved. Second by Member Rosenberg. All Members present voted aye and the motion was declared carried.

Member Holtz moved to change the order of agenda to hear Item 2: Ekman Addition before Item 1: CC's First Addition. Second by Member Schmidt. All Members present voted aye and the motion was declared carried.

Item C: Public Hearing Items:

Item 1 was heard after Item 2.

Item 1: CC's First Addition

Hearing on an application requesting a Plat of CC's First Addition (Major Subdivision) a plat of an unplatted portion of the Southeast Quarter of Section 34, Township 139 North, Range 49 West of the Fifth Principal Meridian, to the City of Fargo, Cass County, North Dakota. (Located at 5080 38th Street South) (KLC Holdings, LLC/Christianson Companies): APPROVED

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

Member Holtz moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed Subdivision Plat CC's First Addition, as outlined in the staff report, as the proposal complies with the 2003 Growth Plan, the Standards of Article 20-06, Section 20-0907.C of the Land Development Code, and all other applicable requirements of the Land Development Code. Second by Member Shewey. On call of the roll Members Shewey, Holtz, Rosenberg, Stofferahn, Schmidt, Tasa, and Schneider voted aye. Absent and not voting: Members Gunkelman and Morgan. The motion was declared carried.

Item 2 was heard before Item 1.

Item 2: Ekman Addition

Hearing on an application requesting a Zoning Change from GC, General Commercial to MR-3, Multi-Dwelling residential on Lot 3, Block 1, Ekman Addition. (Located at 1728 42nd Street South) (Blazing Wings Properties, LLC/Commonwealth Development): APPROVED

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

Discussion was held on the access location to the property.

Applicant Tyler Sheeran, Commonwealth Developers, spoke via conference call on behalf of the application.

Member Schmidt moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed Zoning Change from GC, General Commercial to MR-3, Multi-Dwelling Residential on Lot 3, Block 1, Ekman Addition, as outlined within the staff report, as the proposal complies with all the Standards of Section 20-0906.F (1-4) of the Land Development Code, the GO2030 Fargo Comprehensive Plan, and all other applicable requirements of the Land Development Code. Second by Member Tasa. On call of the roll Members Holtz, Stofferahn, Shewey, Schmidt, Rosenberg, Tasa, and Schneider voted aye. Absent and not voting: Members Morgan and Gunkelman. The motion was declared carried.

Item 3: Timber Parkway Eighth Addition

Hearing on an application requesting a Zoning Change to repeal and reestablish a C-O, Conditional Overlay on Lot 1, Block 1, Timber Parkway Eighth Addition. (Located at 5056 Charles Way South) (PLC Investments, LLC/Christianson Companies): APPROVED

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

Discussion was held on if billboards would be allowed.

Member Rosenberg moved the findings and recommendations for staff be accepted and approval be recommended to the City Commission of the proposed Zoning Change to

repeal and reestablish a C-O, Conditional Overlay on Lot 1, Block 1, Timber Parkway Eighth Addition, as outlined within the staff report, as the proposal complies with the 2001 South Remainder Land Use 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. Second by Member Schmidt. On call of the roll Members Schmidt, Stofferahn, Tasa, Rosenberg, Holtz, Shewey, and Schneider voted aye. Absent and not voting: Members Gunkelman and Morgan. The motion was declared carried.

Item 4: Timber Parkway Tenth Addition

Hearing on an application requesting a Zoning Change to repeal and reestablish a C-O, Conditional Overlay on Lots 1-2, Block 1, Timber Parkway Tenth Addition. (Located at 5107 and 5161 Charles Way South) (KT Properties, LLC/Christianson Companies): APPROVED

Ms. Espeseth 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 Zoning Change to repeal and reestablish a C-O, Conditional Overlay of Lots 1-2, Block 1, Timber Parkway Tenth Addition, as outlined within the staff report, as the proposal complies with the 2001 South Remainder Land Use 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. Second by Member Rosenberg. On call of the roll Members Schmidt, Holtz, Tasa, Stofferahn, Rosenberg, Shewey, and Schneider voted aye. Absent and not voting: Members Gunkelman and Morgan. The motion was declared carried.

Item 5: University South Fourth Addition

Hearing on an application requesting a Conditional Use Permit to allow an Alternative Access Plan for off-site parking on Lots 1-2, Block 1, University South Fourth Addition. (Located at 1393 25th Avenue South and 1376 Oak Manor Avenue South) (Beyond Shelter Housing, LLC/Houston Engineering): APPROVED

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

Applicant Representative Dan Madler, CEO Beyond Shelter Inc., spoke on behalf of the application.

Discussion was held on how parking requirements affect this type of project, and its relation to time and money for affordable housing.

Member Tasa moved the findings and recommendations of staff be accepted and the Conditional Use Permit to allow an Alternative Access Plan for off-site parking on Lots 1-2, Block 1, University South Fourth Addition, be approved as outlined within the staff report, as the proposal complies with Section 20-0909.D (1-6), Section 20-0701.E.4 of

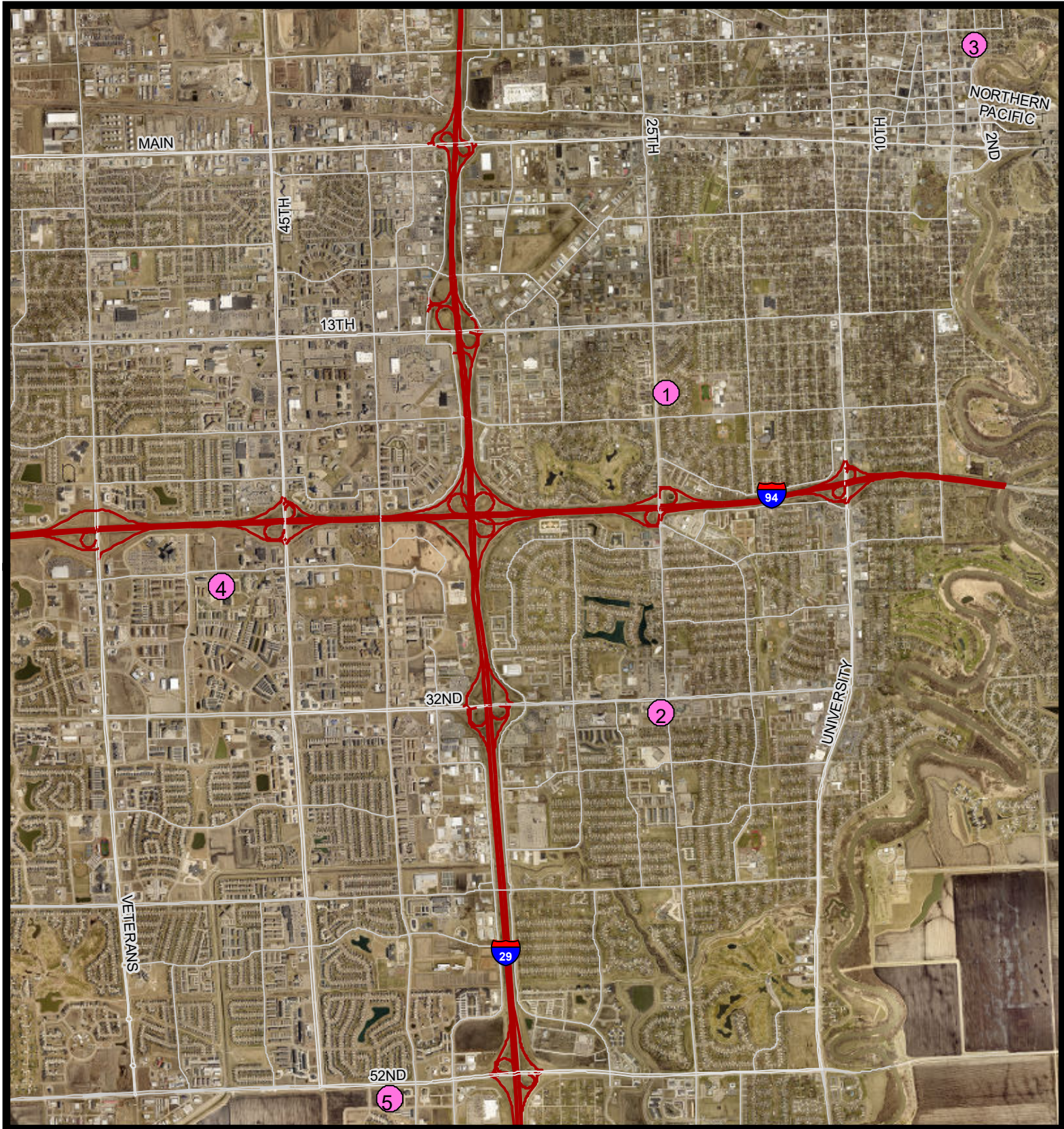
the Land Development Code, and all other applicable requirements of the Land Development Code, with the following conditions:

1. 18 Parking spaces shall be maintained and accessible to Lot 2, Block 1, University South Fourth Addition that meet the requirements for off-site parking.
2. Change of expansion of commercial use will require additional review by staff and/or the Planning Commission.
3. Change of ownership of either property will require an additional review by staff and/or the Planning Commission.

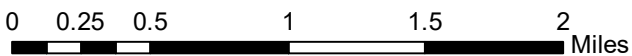
Second by Member Shewey. On call of the roll Members Tasa, Shewey, Stofferahn, Schmidt, Holtz, Rosenberg, and Schneider voted aye. Absent and not voting: Members Gunkelman and Morgan. The motion was declared carried.

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

The time at adjournment was 3:24 p.m.




Agenda Items Map
 Fargo Planning Commission
 December 5, 2023



- Agenda Item Number**
- 2 -- Parks Third Addition
 - 3a & 3b -- Cityside Addition
 - 4a & 4b -- Gamma Fargo Addition and Pracs Second Addition
 - 5 -- The Pines at the District Fifth Addition
-
- Continued Item:
- 1 -- Replat of Block 5 of Southview Villages Addition

City of Fargo Staff Report			
Title:	Parks Third Addition	Date:	11/28/2023
Location:	2525 33 Avenue South	Staff Contact:	Brad Garcia, Planner
Owner(s)/Applicant:	Terrapact Digital Assets LLC	Engineer/Architect:	Houston Engineering
Reason for Request:	Conditional Use Permit to reduce Telecommunication Support Structure (TSS) setback requirements for telecommunications facility uses in a LC, Limited Commercial zoning district on a portion of Lot 1, Block 1, Parks Third Addition.		
Status:	Planning Commission Public Hearing: December 5th, 2023		

Existing	Proposed
Land Uses: Basic Utilities	Land Use: Basic Utilities
Zoning: LC, Limited Commercial	Zoning: LC, Limited Commercial with a Conditional Use Permit (CUP)
Uses Allowed: Allows colleges, community service, daycare centers of unlimited size, health care facilities, parks and open space, religious institutions, safety services, basic utilities, offices, off premise advertising signs, commercial parking, retail sales and service, self-service storage, vehicle repair, limited vehicle service, and certain telecommunications facilities.	Uses Allowed: Allows colleges, community service, daycare centers of unlimited size, health care facilities, parks and open space, religious institutions, safety services, basic utilities, offices, off premise advertising signs, commercial parking, retail sales and service, self-service storage, vehicle repair, limited vehicle service, and certain telecommunications facilities. And CUP to reduce TSS setback from residentially zoned property
Maximum Building Coverage Allowed: Maximum 55% building coverage	Maximum Building Coverage: No Change

Proposal:
<p>The applicant is seeking approval of a Conditional Use Permit (CUP) to reduce Telecommunication Support Structure (TSS) setback requirements for telecommunications facility uses in a LC, Limited Commercial zoning district on a portion of Lot 1, Block 1, Parks Third Addition. The subject property is located at 2525 33 Avenue South and encompasses approximately .10 acres.</p> <p>The City's Planning and Development, Engineering, Public Works, and Fire Departments ("staff") reviewed this project, whose comments are included in this report.</p> <p>Surrounding Land Uses and Zoning Districts:</p> <p>North: LC, Limited Commercial, with financial services; East: MR-3, Multi-Dwelling Residential with financial services; South: SR-4, Single-Dwelling Residential with single family homes; West: LC, Limited Commercial, with a stormwater retention pond.</p>

Area Plans:

The subject property is not located within the bounds of any Future Land Use Plan.

Context:

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

Neighborhood: The subject property is located in the Southpointe neighborhood.

Parks: The subject property is located within a quarter-mile distance to Hampton Park (3099 22nd Street S) which features a playground and a couple picnic tables.

Pedestrian / Bicycle: A shared-use path is located directly East of the subject property along 25th St South and is a component of the metro area bikeways system. No dedicated bike facilities are located within a half-mile radius.

Transit: Two bus routes serve the subject property within a quarter-mile radius. Route 18 serves the area going east and westbound along 32nd Ave S, providing service to GTC, Holiday Station, Bethany Homes, SEHS / Avalon West, Essentia Hospital, Hornbacher's Osgood, Microsoft, and Walmart and Route 14 also serves the area going east and westbound along 32nd Ave S, providing service to GTC, Prairie Psych / Island Park, Essentia / Sanford, Kmart, Family Fare, Essentia Hospital, Flying J, Rasmussen College, West Acres, YMCA, Love's, Hornbacher's, Courthouse

Staff Analysis:**Project Summary**

The subject property is one of three adjoining properties, all having basic utility (telecommunication) uses. The applicant is proposing to install up to a 50' tall Telecommunication Support Structure (TSS) on 2525 33 Avenue South, which is permitted By-Right but subject to use-specific standards of Sec. 20-0402.N listed below:

- 1) No TSS located in any non-residential zoning district may be located closer than 200 feet from any residentially zoned property, as measured from the base of the TSS to the nearest such residentially zoned property line: and
- 2) No TSSs may be located closer than 200 feet from any SR zoning districts, as measured from the base of the TSS to the nearest point of such SR zoning district.

The applicant has proposed a location of the TSS structure that would be within 200 foot spacing from a residentially zoned property line, thus requiring a Conditional Use Permit. The applicant provided an exhibit that shows the proposed height of the TSS structure compared to the heights of surrounding buildings.

LDC reduction of setback requirements through CUP

Section 20-0402.N of the Land Development Code states through a Conditional Use Permit, the Planning Commission may reduce the TSS spacing and setback requirements of this section by up to 50 percent. Spacing requirements that are eligible for reduction include:

- 1) spacing distances between existing and proposed TSSs; and
- 2) setback distances from SR and other residential zoning districts. Any such request for reduction of these spacing and/or setback requirements shall be considered in accordance with the Conditional Use Permit review procedures of Section 20-0909, and shall comply with the following standards:

(1)The TSS shall be of a stealth design;

(2)If applicable, the applicant already has telecommunication facilities on the existing TSS from which separation would otherwise be required; and

(3)If applicable, the applicant shall submit verification that the communication equipment planned for the proposed TSS cannot be installed on an existing TSS within the area (if any).

The applicants proposed location would require a setback reduction of approximately 75' to the base of the monopole, which would be allowed with the proposed CUP. The next closest TSS structure is located approximately 1700 feet south of the subject property and the applicant has existing utilities on the subject property to support the additional telecommunication services provided by the TSS structure. Additionally, the applicant is proposing to paint the monopole a blue to minimize the visual impact of the pole.

Permitting Requirements

The applicant will be required to obtain a building permit, even if the CUP is approved, to verify all requirements of the Land Development Code have been met for the installation of the TSS Structure. It was noted during the preliminary meeting that the applicant can expect installation of a required sidewalk along Ruth Drive South when a permit is obtained.

Screening

The subject property currently has a 6' opaque fence around three sides, however with this CUP, installation of a TSS structure must be enclosed by an opaque fence or wall of at least 6 feet in height and of a character necessary to provide adequate visual screening and to limit access to the TSS.

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:

3) 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?

According to Section 20-0104 of the LDC, 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. The proposed Conditional Use Permit includes conditions that are intended to address and mitigate, to the extent practical, the potential negative impact on residential land-uses to the south. Therefore, staff finds that the proposal is consistent with the purpose of the LDC.

(Criteria Satisfied)

4) Will the proposed conditional use at the specified location contribute to and promote the welfare or convenience of the public?

Staff believes that the proposed conditional use will contribute overall to the public as the TSS structure will improve telecommunication service within the surrounding area. Additionally the proposed height is modest in scale with surrounding development and is designed with equipment with a smaller profile. The subject property and adjacent properties collocate a variety of utility uses and adding a TSS structure is efficient in the existing and proposed land uses and existing infrastructure.

(Criteria Satisfied)

5) Will the proposed conditional use cause substantial injury to the value of other property in the neighborhood in which it is to be located?

Other basic utility uses already exist in the same proximity to residential properties and staff has no reason to believe the proposed use will cause injury to the value of other property in the vicinity. Staff recognizes the Land Development Code provides an option to reduce the spacing of a TSS structure from residential use if the project meets the outlined criteria. In accordance with the notification requirements of the City, notice of the proposal was sent to surrounding property owners as well as published in the Forum newspaper. To date staff has received one inquiry in regards to the project. Staff has tried to respond to the inquiry but have not

received a call back.
(Criteria Satisfied)

- 6) 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.**

Staff does not believe that the location, size, nature or intensity of the use will prevent development and use of neighboring properties in accordance with applicable zoning districts. The proposed use is consistent with the adjacent properties and the proposed CUP conditions. Use-specific standards of LDC Section 20-0402.N apply to telecommunication facilities in the LC zoning district and provide for additional protection of the surrounding area.

(Criteria Satisfied)

- 7) Are adequate utility, drainage, and other such necessary facilities and services provided or will they be at the time of development?**

The subject 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 to utilize the property as proposed. Based on this information staff finds that adequate utility, drainage, and other such necessary facilities and services are in place.

(Criteria Satisfied)

- 8) 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?**

The subject property has access to the public street system at 33rd Avenue South, which can adequately accommodate traffic for the proposed uses. In addition, the Engineering Department has had an opportunity to review the proposal and no comments or concerns have been forthcoming to indicate that there is a deficiency with the access roads or entrances and exit drives. Staff finds that the proposed conditional use will not create traffic hazards or traffic congestion in the public streets.

(Criteria Satisfied)

Recommended Conditions:

- 1) The height of a TSS structure shall be 50 feet in height or less.
- 2) The setback from residentially-zoned property for a TSS structure shall be reduced to a minimum of 120 feet.
- 3) The base of the TSS must be enclosed by an opaque fence or wall of at least 6 feet in height and of a character necessary to provide adequate visual screening and to limit access to the TSS.
- 4) The Conditional Use Permit shall terminate if the use terminates for a period of 12 months.

Staff Recommendation:

Suggested Motion: "To accept the findings and recommendations of staff and hereby move to approve the Conditional Use Permit to reduce Telecommunication Support Structure (TSS) setback requirements for telecommunications facility uses in a LC, Limited Commercial zoning district on a portion of Lot 1, Block 1, Parks Third Addition as the proposal complies with Section 20-0909.D (1-6) and all other requirements of the LDC, with the following conditions:

- 1) The height of a TSS structure shall be 50 feet in height or less.
- 2) The setback from residentially-zoned property for a TSS structure shall be reduced to a minimum of 120 feet.
- 3) The base of the TSS must be enclosed by an opaque fence or wall of at least 6 feet in height and of a character necessary to provide adequate visual screening and to limit access to the TSS.
- 4) The Conditional Use Permit shall terminate if the use terminates for a period of 12 months.

Planning Commission Recommendation:

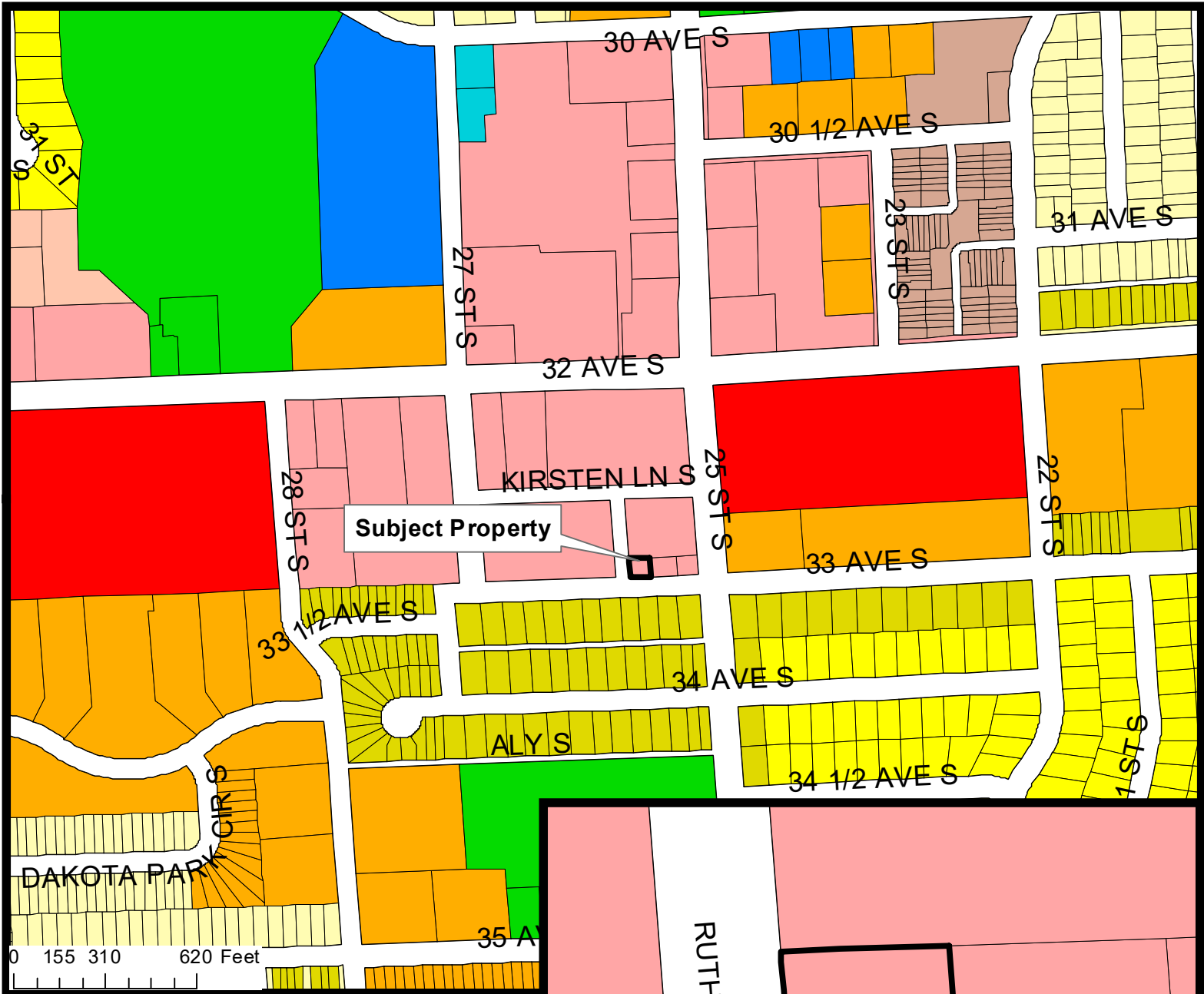
Attachments:

1. Zoning Map
2. Location Map
3. Site Plan
4. Elevation View
5. Project Narrative
6. Equipment Details

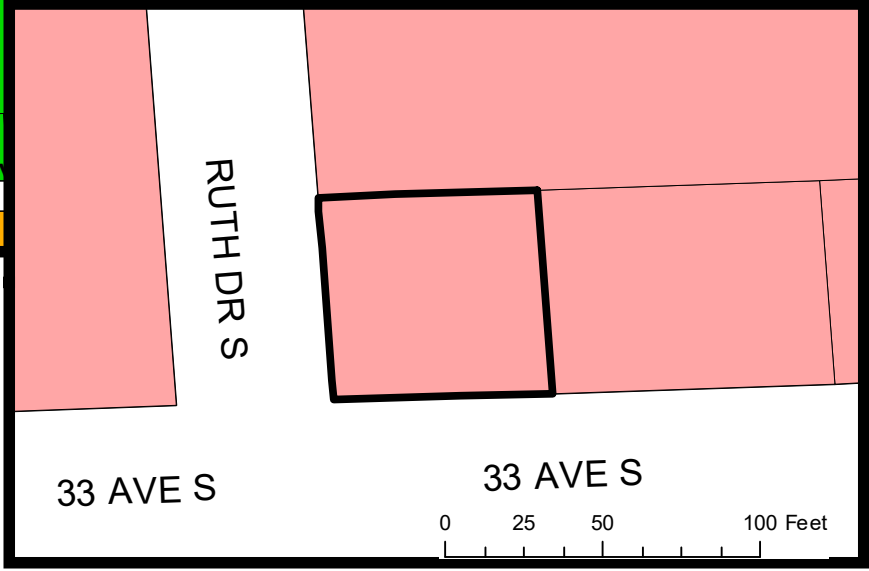
Conditional Use Permit to reduce the required setback for a TSS, Telecommunications Support Structure

Parks Third Addition

2525 33rd Avenue South



0 155 310 620 Feet



0 25 50 100 Feet



Legend

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

Conditional Use Permit to reduce the required setback for a TSS, Telecommunications Support Structure

Parks Third Addition

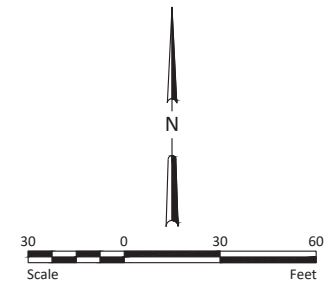
2525 33rd Avenue South




Legend

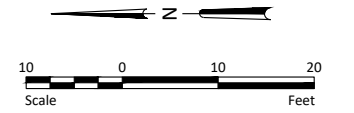
 City Limits

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MCKAY BROTHERS MONOPOLE FARGO, NORTH DAKOTA		CONDITIONAL USE PERMIT EXHIBIT	
No.	Revision	Date	By
 Drawn By: BTP Checked By: BTP Date: 10-16-23 Scale: As Shown Project No.: 12110-0001 SHEET 1			

PLAN VIEW



PROPERTY LINE

PROPERTY LINE

FRONT OF GARAGE

PROPOSED 50' MONOPOLE

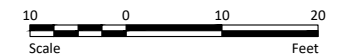
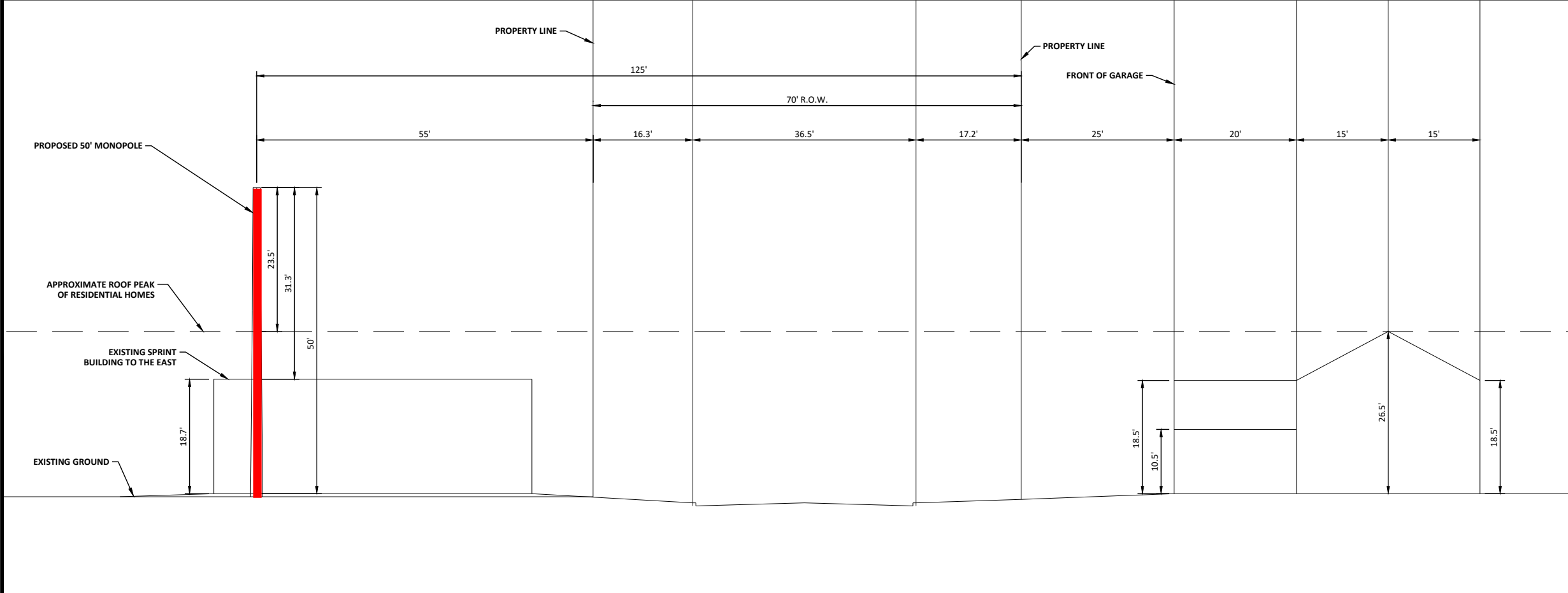
APPROXIMATE ROOF PEAK OF RESIDENTIAL HOMES

EXISTING SPRINT BUILDING TO THE EAST

EXISTING GROUND

NOTES:
1. RESIDENTIAL HOME HEIGHTS ARE ESTIMATES BASED ON STANDARD BUILDING PRACTICES AND SITE PHOTOS

WEST ELEVATION VIEW



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MCKAY BROTHERS MONOPOLE		By
FARGO, NORTH DAKOTA		Date
ELEVATION EXHIBIT		Revision
No.		
		Drawn By BTP Checked By BTP Date 11/27/23 Scale As Shown Project No. 12110-0001
SHEET		1

Conditional Use Permit

2525 33rd Avenue S, Fargo ND

The Conditional Use Permit for a Telecommunication Support Structure (TSS) located at 2525 33rd Avenue south is a request for a reduction in the 200' setback from any SR zoning district per Section 20-0402 N.3.K of the Land Development Code. The site is currently zoned Limited Commercial (LC) and Section 20-0402 N.3.C allows Telecommunications Support Structures (TSS) to heights of 50 feet by right in lots zoned LC.

The proposed TSS will be a 30' monopole, painted blue, with an attached 3' diameter microwave receiver, and small ground mount communications cabinet. Refer to the attached documents for details on the receiver and ground cabinet. The attached monopole design is representative of the proposed monopole.

The proposed site of the TSS was chosen due to the existing fiber infrastructure located there. The site provides access to two major US carriers on the parcel with a third located on the parcel east of the proposed TSS. These fiber systems service internet and business connectivity around the greater rural area and connection of wireless telecommunications systems at the edge of fiber systems to extend the network is industry practice.

The proposed TSS installation has been tentatively designed to reduce the physical size of the installation to the minimum technical specifications required. A typical installation for the wireless network would be a 70' tall monopole with two 6' diameter microwave receivers located on the pole. As this installation is located within the 200' setback from SR zoning the proposed installation is specified as a 30' monopole with a single 3' diameter receiver located on the pole. The monopole would also be painted blue to minimize the visual impact of the pole. The receiver is 3' in diameter and white in color. Painting of the receiver is not possible due to the interference with the transmission ability of the receiver. This minimal design complies with the stealth design of the TSS as laid out in Section 20-0402 N.3.K of the Land Development Code.

The proposed TSS structure would comply with the Use Standard laid out in 20-0402 N of the Land Development Code including the additional requirements for a reduction in the setback from SR Zoning and as such a granting of the Conditional Use Permit is warranted.

Conditional Use Approval Criteria:

1. The proposed conditional use complies with all applicable provisions of this Land Development Code and will conform to the general intent and purpose of this Land Development Code

Telecommunication Support Structures (TSS) are allowed by right within the LC zoning. Proposed Structure Height is below the maximum 50' allowed by right. The proposed 30' height of the project is less than the allowed height for TSS within SR-5 zoning.

2. The Proposed Conditional Use at the specified location will contribute to and promote the welfare or convenience of the public.

The proposed TSS will provide high speed telecommunications and expanded network availability to the public as a benefit.

3. The proposed conditional use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located;

Design of the proposed TSS has been minimized to the smallest facility that will function for the requirements of the telecommunications provider.

4. The location and size of the conditional use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the conditional use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the conditional use will dominate the immediate neighborhood, consideration shall be given to:
 - a. The location, nature and height of buildings, structures, walls, and fences on the site; and
 - b. The nature and extent of proposed landscaping and buffering on the site.

The site and adjacent sites are currently in use as telecommunication facilities. The proposed TSS height will only be slightly taller than existing street lights in the area. Additionally, the proposed microwave antenna is only twice the size of your typical satellite television antenna. The conditional use will not dominate the adjacent neighborhood.

5. Adequate utility, drainage, and other such necessary facilities and services have been or will be provided at the time of development; and

Not applicable for this conditional use permit.

6. Adequate access roads or entrance and exit drives will be provided and be so designed to prevent traffic hazards and to minimize traffic congestion in public streets.

Not applicable for this conditional use permit.

SHPX3-11W/B

Cross Polarization Discrimination (XPD) Electrical Compliance

ETSI EN 302217 XPD Category 3

Mechanical Specifications

Compatible Mounting Pipe Diameter

90 mm–120 mm | 3.5 in–4.7 in

Fine Azimuth Adjustment Range

±15°

Fine Elevation Adjustment Range

±15°

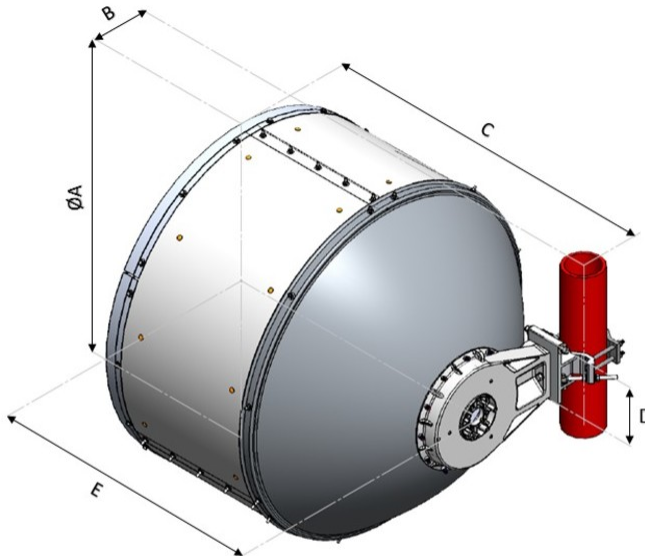
Wind Speed, operational

201 km/h | 124.896 mph

Wind Speed, survival

250 km/h | 155.343 mph

Antenna Dimensions and Mounting Information



Dimensions in inches (mm)					
Antenna Size, ft (m)	A	B	C	D	E
3 (0.9)	38.9 (987)	16 (407)	33.7 (855)	7.2 (183)	34.9 (887)

Wind Forces at Wind Velocity Survival Rating

Axial Force (FA)

3353 N | 753.785 lbf

Angle α for MT Max

30°

Side Force (FS)

1680 N | 377.679 lbf

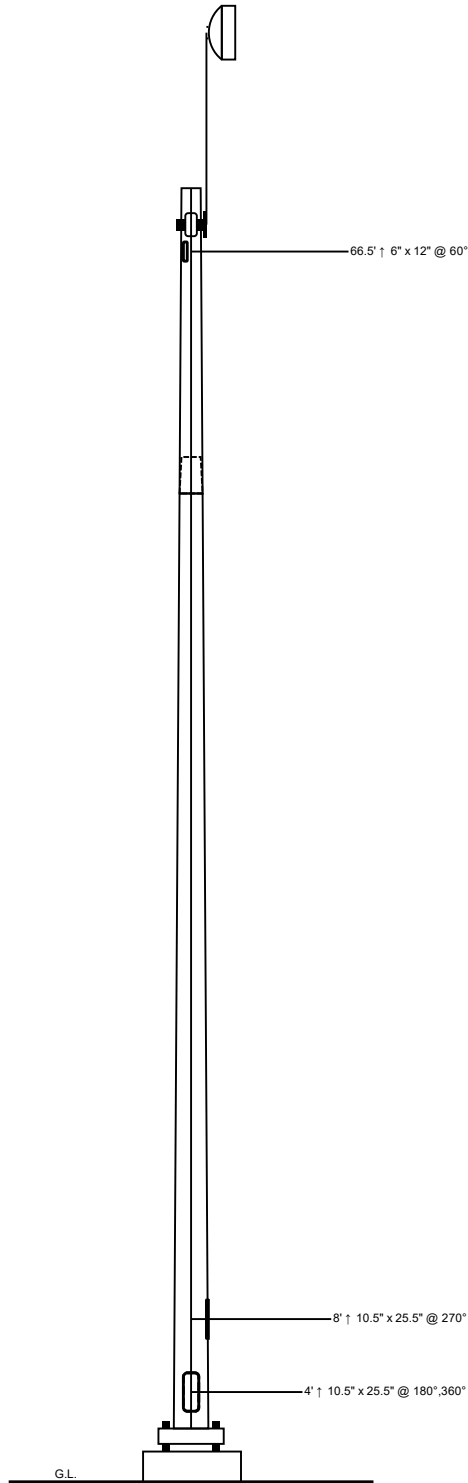
Twisting Moment (MT)

1605 N-m | 14,205.447 in lb

Zcg without Ice

310 mm | 12.205 in

SIZES ARE PRELIMINARY AND MAY CHANGE UPON FINAL DESIGN	
Length (ft)	16'-9"
Number Of Sides	18
Lap Splice (ft)	A
Top Diameter (in)	12"
Bottom Diameter (in)	14.51"
Taper (in/ft)	0.15
Grade	A572-65
Weight (lbs)	3093
Overall Steel Height (ft)	68



Designed Appurtenance Loading

Elev	Description	Tx-Line
78.5	(1) 3' H.P. Dish	(2) 1 1/2"
78.5	(2) AW.RFU	
68	(1) Dish Mount (Monopole Only) - Pipe Mount (up to 6' Dish)	

Design Criteria - ANSI/TIA-222-H

Wind Speed (No Ice)	111 mph
Wind Speed (Ice)	50 mph
Design Ice Thickness	1.00 in
Risk Category	II
Exposure Category	C
Topographic Factor Procedure	Method 1 (Simplified)
Topographic Category	1
Ground Elevation	905 ft
Seismic Importance Factor, Ie	1.00
0.2-sec Spectral Response, Ss	0.06 g
1-sec Spectral Response, S1	0.019 g
Site Class	D (DEFAULT)
Seismic Design Category	A
Basic Seismic Force-Resisting System	Telecommunication Tower (Pole: Steel)

Limit State Load Combination Reactions

Load Combination	Axial (kips)	Shear (kips)	Moment (ft-k)	Deflection (ft)	Sway (deg)
1.2 D + 1.0 Wo	4.7	2.53	107.13	1.07	1.53
0.9 D + 1.0 Wo	3.53	2.52	106.53	1.06	1.52
1.2 D + 1.0 Di + 1.0 Wi	6.76	1.01	40.8	0.38	0.52
1.2 D + 1.0 Ev + 1.0 Eh	4.63	0.11	6	0.06	0.09
0.9 D - 1.0 Ev + 1.0 Eh	3.39	0.11	5.97	0.06	0.09
1.0 D + 1.0 Wo (Service @ 60 mph)	3.92	0.66	27.88	0.28	0.4

Base Plate Dimensions

Shape	Diameter	Thickness	Bolt Circle	Bolt Qty	Bolt Diameter
Round	27.75"	1.5"	25.25"	6	2.25"

Material List

Display	Value
A	2' - 0"

Notes

- 1) Antenna Feed Lines Run Inside Pole
- 2) All dimensions are above ground level, unless otherwise specified.
- 3) Weights shown are estimates. Final weights may vary.
- 4) Full Height Step Bolts
- 5) This tower design and, if applicable, the foundation design(s) shown on the following page(s) also meet or exceed the requirements of the 2021 International Building Code.

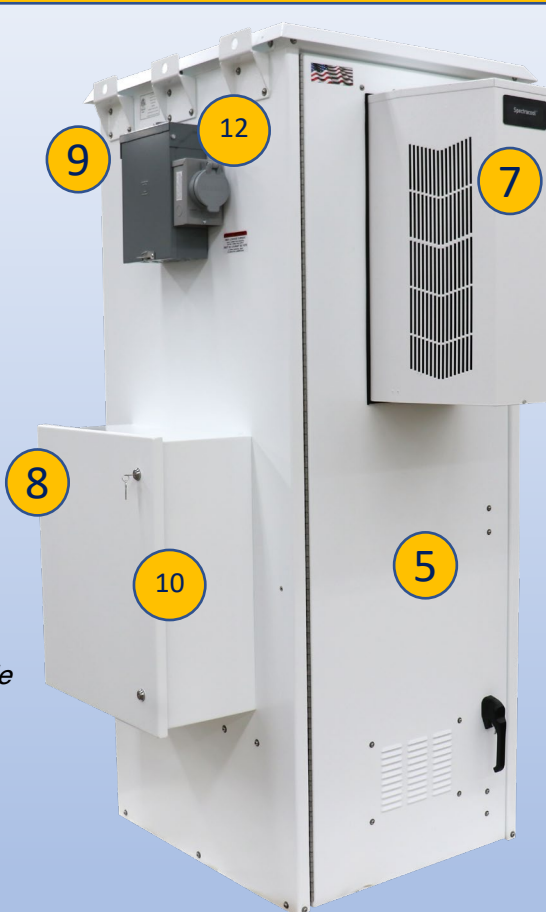
 <p>Sabre Industries 7101 Southbridge Drive P.O. Box 658 Sioux City, IA 51102-0658 Phone: (712) 258-6690 Fax: (712) 279-0814</p> <p><small>Information contained herein is the sole property of Sabre Communications Corporation, constitutes a trade secret as defined by Iowa Code Ch. 550 and shall not be reproduced, copied or used in whole or part for any purpose whatsoever without the prior written consent of Sabre Communications Corporation.</small></p>	Quote:	24-2044-RSS	
	Customer:	PIERCE BROADBAND	
	Site Name:	Fargo, ND	
	Description:	70' Monopole	
	Date:	9/26/2023	By: KJL

5G-LTE Enclosure



Features

1. Alumishield
2. Front & rear 19" or 23" Reversible, Adjustable, Racking Rails, 52 RU's
3. 4-Square Electrical Outlet
4. 3 Point Locking System
5. Powder Coat White
6. Battery Compartment
7. 4000 BTU HVAC
8. Spool-Up Box with cable passthrough holes
9. 8 Space 100 Amp LC
10. 12" copper, ground bar *(inside spool-up box)*
11. Reusable vent filters
12. 50A generator plug
13. 6, I-Hooks for lifting
14. 2, door grounding studs with copper grounding cables
15. 2, 48VDC fans with thermostat *(inside rear door)*
16. R3 Dupont insulation



Installation, operating and safety instructions can be downloaded here



Scan this code for replacement parts

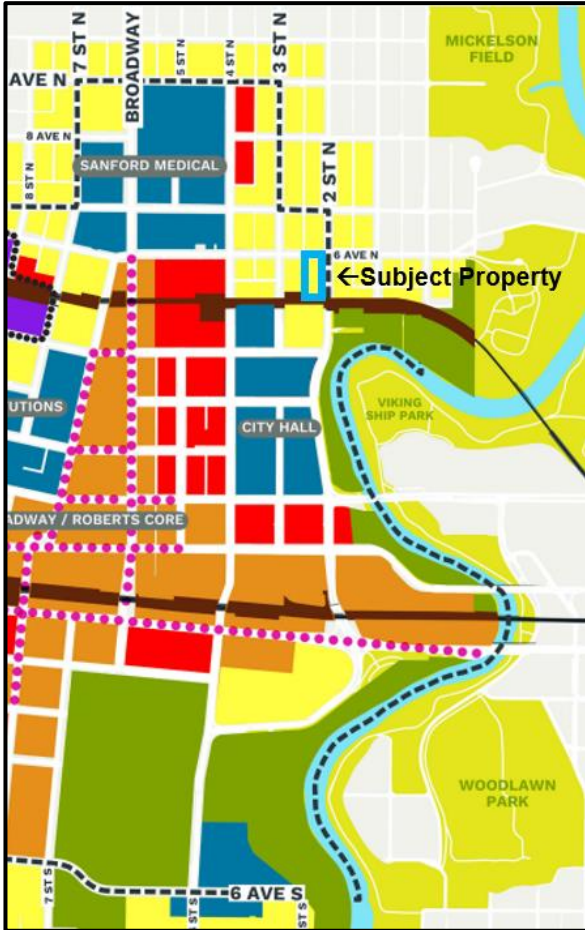


City of Fargo Staff Report			
Title:	Cityside Addition	Date:	11/30/2023
Location:	202, 208, 210, and 212 6th Avenue North; 509, 511, and 515 3rd Street North (see “Note On Addresses” below)	Staff Contact:	Donald Kress, current planning coordinator
Legal Description:	Lots 2-7, Block 31, Keeney and Devitts Second Addition to the City of Fargo, Cass County, North Dakota.		
Owner(s)/Applicant:	Sterling Properties LLLP; Sanford / Nate Vollmuth—Goldmark Design and Development	Engineer:	Ulteig Engineering, Inc.
Entitlements Requested:	Major Subdivision , (replat of Lots 2-7, Block 31, and a vacation of a portion of the public alley within Block 31, Keeney and Devitts Second Addition to the City of Fargo, Cass County, North Dakota.); Zone Change a Zoning Change from MR-3, Multi-Dwelling Residential to DMU, Downtown Mixed Use,		
Status:	Planning Commission Public Hearing: December 5th, 2023		
Existing		Proposed	
Land Use: Residential		Land Use: No change proposed	
Zoning: MR-3, Multi-Dwelling Residential		Zoning: DMU, Downtown Mixed Use	
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: 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, commercial parking, retail sales and service, vehicle repair, limited vehicle service, and major entertainment events.	
Maximum Density Allowed: 24 dwelling units per acre		Maximum Density Allowed: No limit	
Proposal:			
<p>The applicant requests two entitlements:</p> <ol style="list-style-type: none"> 1. A major subdivision, to be known as Cityside Addition, a replat of Lots 2-7, Block 31, and a vacation of a portion of the public alley within Block 31, Keeney and Devitts Second Addition to the City of Fargo, Cass County, North Dakota. 2. A zone change from MR-3, Multi-Dwelling Residential to DMU, Downtown Mixed Use <p>The subject property is located at 202, 208, 210, and 212 6th Avenue North; 509, 511, and 515 3rd Street North and encompasses approximately 1.05 acres.</p> <p><u>Note On Addresses:</u> <i>The 3rd Street North addresses are those of properties adjacent to the portion of alley to be vacated, though these properties—portion of Lot 9 and all of Lots 10, 11, and 12, Block 31, Keeney and Devitts Second Addition---are not part of the plat.</i></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>(continued on next page)</p>			

Area Plans:

The subject property is covered by two future land use plans. The Downtown in Focus Plan identifies the future land use as “Residential.” The Horace Mann Neighborhood Future Land Use Plan of the Core Neighborhoods Plan identifies the future land use as “Mixed Use Neighborhood Commercial.” The proposed DMU, Downtown Mixed Use zoning is consistent with both of these land uses. Both plans are illustrated below. Note that the colors in the legend mean different things on the different plans.

DOWNTOWN IN FOCUS PLAN



CORE NEIGHBORHOODS PLAN



Surrounding Zoning Districts and Land Uses:

- North: MR-3 and MR-2, Multi-Dwelling Residential, with residential uses
- East: MR-2, Multi-Dwelling Residential with residential uses and GC, General Commercial with commercial uses (storage)
- South: BNSF railroad; across the tracks DMU with residential use under construction
- West: DMU, Downtown Mixed Use with residential and commercial uses

Context

Neighborhood: The subject property, on the edge of downtown, is a transitional area and is located in both the Horace Mann and Downtown neighborhoods

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

Parks: Oak Grove Park, located at 170 Maple Street North, is approximately 0.25 miles from the subject property, and includes amenities of disc golf, horseshoes, picnic table, playground, ages 5-12, recreational trails, restrooms, shelter, and tennis court.

Pedestrian / Bicycle: There is an off-street shared use path on the east side of 2nd Street North, which connects to the metro area path system.

MATBUS Routes: The subject property is not along a MATBUS route.

Staff Analysis:

MAJOR SUBDIVISION

Cityside Addition is a major subdivision as it includes vacation of right of way (see below). Cityside Addition will combine three existing lots into a single lot for future high-density residential development, and vacate a portion of the alley adjacent to the subject property.

ZONE CHANGE

The proposed zoning is DMU, Downtown Mixed Use. Multi-dwelling residential uses are allowed by right in DMU; there is no limit on density in the DMU zone as there is in the current MR-3 zone (24 units per acre). This zone change is consistent with both the Downtown in Focus and Core Neighborhoods Plan land use designation.

VACATION OF RIGHT OF WAY

The plat includes a vacation of a portion of alley right of way (ROW) in Block 31, Keeney & Devitts 2nd Addition adjacent to the subject property.

Staff supports the proposed vacation of this portion of the alley. Findings specific to this vacation are below.

NDCC 40-39-07 requires a minimum 30 day notice period prior to City Commission hearing for vacations of right of way.

Major Subdivision

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

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

The subject property is zoned MR-3, Multi-Dwelling Residential. The proposed zoning is DMU, Downtown Mixed Use. This zoning is consistent with the land use designations in the Downtown in Focus future land use map and the Horace Mann Neighborhood future land use map, as noted above. 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, as well as to representatives of the Horace Mann and Downtown neighborhoods. To date, Planning staff has received and responded two inquiries. **(Criteria Satisfied)**

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

The property is currently zoned MR-3, Multi-Dwelling Residential. The applicant proposes zoning of DMU, Downtown Mixed Use. This zoning is consistent with the land use designations in the Downtown in Focus future land use map and the Horace Mann Neighborhood future land use map, as noted above. The project has been reviewed by the city's Planning, Engineering, Public Works, Inspections, and Fire Departments. **(Criteria Satisfied)**

3. **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.**

The applicant has provided a draft amenities plan to address stormwater requirements. No additional public improvements will be required for this subdivision. This amenities plan will be reviewed by the Public Works Project Evaluation Committee (PWPEC) prior to the final plat going to City Commission. 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)**

Zoning

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

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

Staff is unaware of any error in the zoning map as it relates to this property. The property is currently zoned MR-3, Multi-Dwelling Residential. The applicant proposes zoning of DMU, Downtown Mixed Use. This zoning is consistent with the land use designations in the Downtown in Focus future land use map and the Horace Mann Neighborhood future land use map, as noted above. DMU zoning is intended to allow intensive development. The dimensional standards of that zone allow 100 percent lot coverage and do not require setbacks, so this property, which is at an entry to downtown (the 2nd Street underpass), can be developed with a downtown look and feel. At the same time, development in the DMU zoning district is intended to be pedestrian oriented with a strong emphasis on a safe and attractive streetscape, which is important as this location is also a transition from downtown to the residential neighborhood to the north and east. **(Criteria Satisfied)**

(continued on next page)

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

City staff and other applicable review agencies have reviewed this proposal. Staff finds no deficiencies in the ability to provide all of the necessary services to the site. The subdivision is along dedicated public rights of way---2nd Street North and 6th Avenue North—which will provide access and public utilities.

(Criteria satisfied)

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 two inquiries. 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)**

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.” As noted above, both the Downtown in Focus Plan and the Core Neighborhoods Plan cover the subject property. The proposed zoning of DMU is consistent with the land use designations for the subject property shown in both plans. **(Criteria satisfied)**

ROW Vacation Approval Criteria: The City of Fargo does not currently have any adopted regulation dealing with the vacation of rights-of-way. However, city policy requires that any applicant wishing to vacate right-of-way must submit a Vacate Application—a one-page form wherein the petitioner provides: a description of the area to be vacated and signatures of all property owners adjoining the area to be vacated. In addition, the applicant must submit a vacation plat (a major subdivision). In this case, the petition for vacation and the plat are included in the applicant’s overall subdivision application and plat. Notwithstanding the Land Development Code’s (LDC) silence on the matter, the North Dakota Century Code (N.D.C.C) does address the opening and vacating of roadways in Chapter 24-07 (outside of municipal limits) and Chapter 40-39 (inside municipal limits). To that end, the balance of this report will focus on the specific approval criteria outlined within Chapter 40-39 of the N.D.C.C. The final decision on vacation of right of way is made by the City Commission.

N.D.C.C. 40-39-04. Vacation of streets and alleys where sewers, water mains, pipes, and lines located – Conditions. No public grounds, streets, alleys, or parts thereof over, under, or through which have been constructed, lengthwise, any sewers, water mains, gas, or other pipes or telephone, electric, or cable television lines, of the municipality or the municipality’s grantees of the right of way thereof, may be vacated unless the sewers, mains, pipes, or lines have been abandoned and are not in use, or unless the grantee consents, thereto, or unless perpetual easements for the maintenance of sewers, water mains, gas, or other pipes, or telephone, electric facilities, whether underground or aboveground, is subject to the continued right of location of such electric facilities in the vacated streets.

There are no City of Fargo utilities installed in this right of way. It is the applicant’s responsibility to contact all potential utility providers and submit documentation that there are no utilities in these easements. City staff reviews the applicant’s documentation prior to City Commission approval of the plat. Any existing utility line that must be remain would have an easement retained.

(Criteria Satisfied)

N.D.C.C. 40-39-05. Petition for vacation of streets, alleys, or public grounds – Contents – Verification. No public grounds, streets, alleys, or parts thereof within a municipality shall be vacated or discontinued by the governing body except on a petition signed by all of the owners of the property adjoining the plat to be vacated. Such petition shall set forth the facts and reasons for such vacation, shall be accompanied by a plat of such public grounds, streets, or alleys proposed to be vacated, and shall be verified by the oath of at least one petitioner.

In accordance with the requirement of this section, this information is included on the plat and its application. **(Criteria Satisfied)**

N.D.C.C 40-39-06. Petition filed with city auditor – Notice published – Contents of notice. If the governing body finds that the petition for vacation is in proper form and contains the requisite signatures, and if it deems it expedient to consider such petition, it shall order the petition to be filed with the city auditor who shall give notice by publication in the official newspaper of the municipality at least once each week for four weeks. The notice shall state that a petition has been filed and the object thereof, and that it will be heard and considered by the governing body or a committee thereof on a certain specified day which shall not be less than thirty days after the first publication of the notice.

Documentation of said action is located within both the Planning project file and Auditor's file. **(Criteria Satisfied)**

N.D.C.C. 40-39-07. Hearing on petition – Passage of resolution declaring vacation by governing body. The governing body, or such committee as may be appointed by it, shall investigate and consider the matter set forth in the petition specified in section 40-39-05 and, at the time and place specified in the notice, shall hear the testimony and evidence of persons interested. After hearing the testimony and evidence or upon the report of the committee favoring the granting of the petition, the governing body, by a resolution passed by a two-thirds vote of all its members, may declare the public grounds, streets, alleys, or highway described in the petition vacated upon such terms and conditions as it shall deem just and reasonable.

This procedure---hearing by the City Commission following the appropriate notice period--is the next step in the vacation process. **(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 1) zone change from MR-3, Multi-Dwelling Residential to DMU, Downtown Mixed Use and 2) proposed plat of the **Cityside Addition**, including vacation of right of way, as outlined in the staff report, as the proposal complies with the Standards of Article 20-06, and Sections 20-0907.C and 20-0906. F (1-4) of the LDC and all other applicable requirements of the LDC, and of North Dakota Century Code Chapter 40-39."

Planning Commission Recommendation: December 5th, 2023

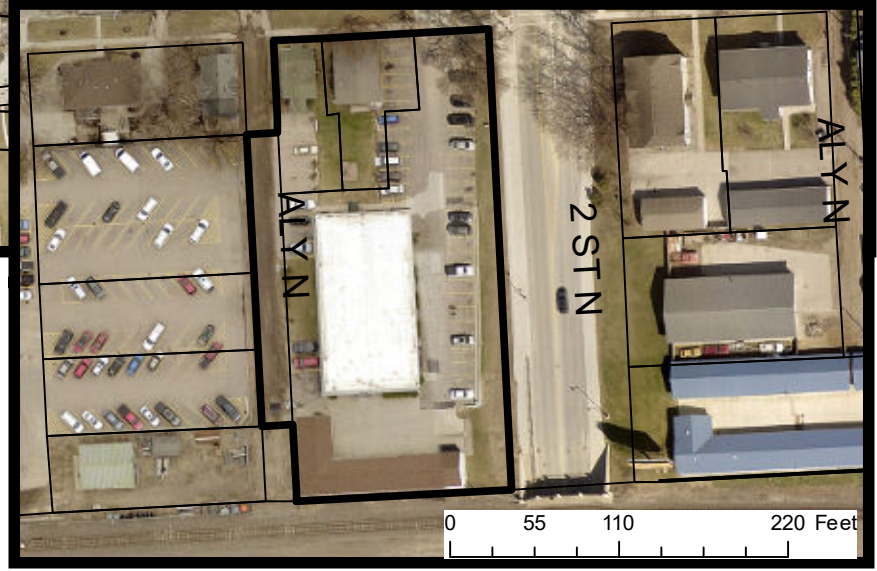
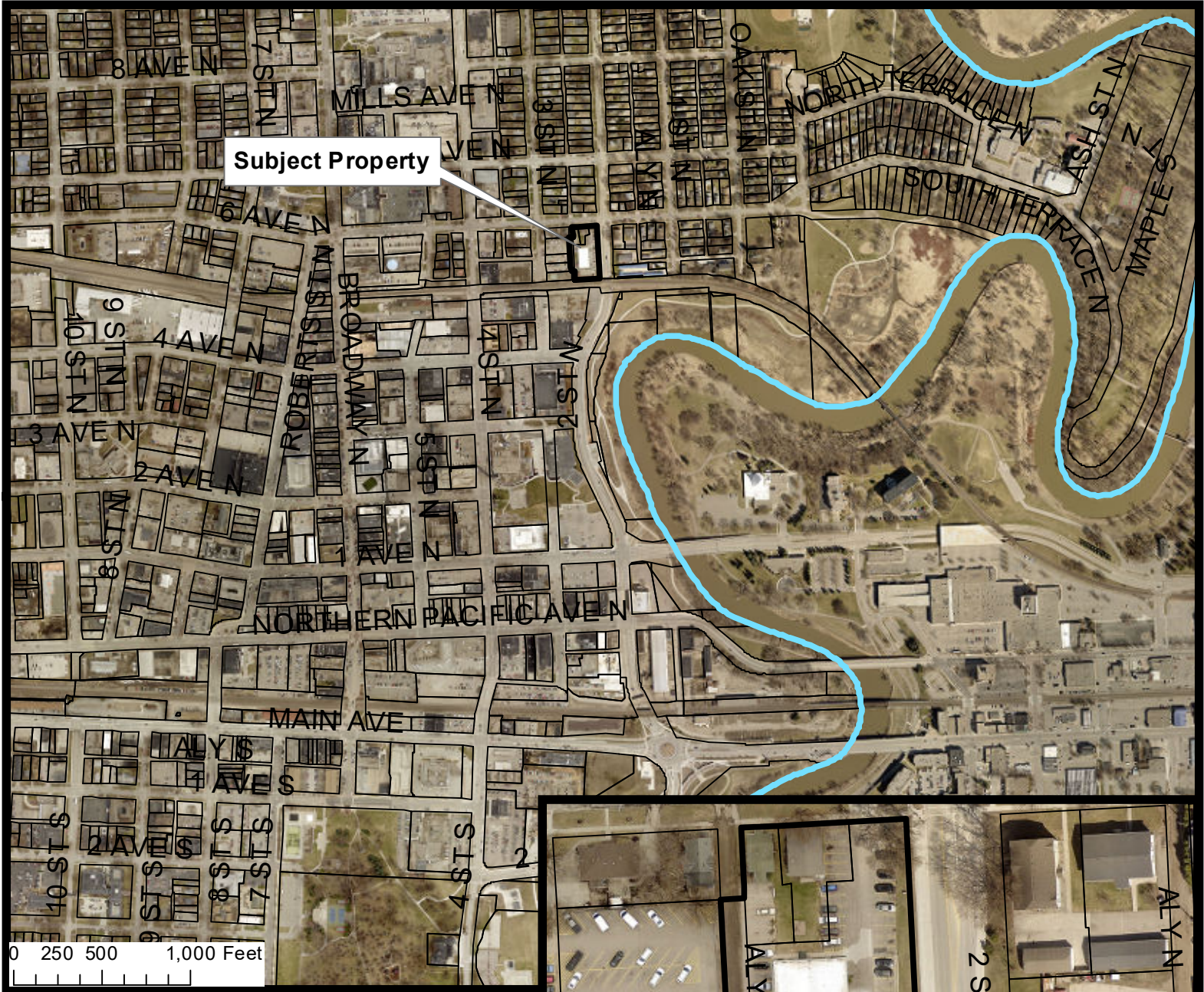
Attachments:

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

Zone Change from MR-3, Multi-Dwelling Residential to DMU, Downtown Mixed Use & Major Subdivision, including Vacation of Right-of-Way

202, 208 & 212 6th Avenue North;
509, 511 & 515 3rd Street North

Cityside Addition

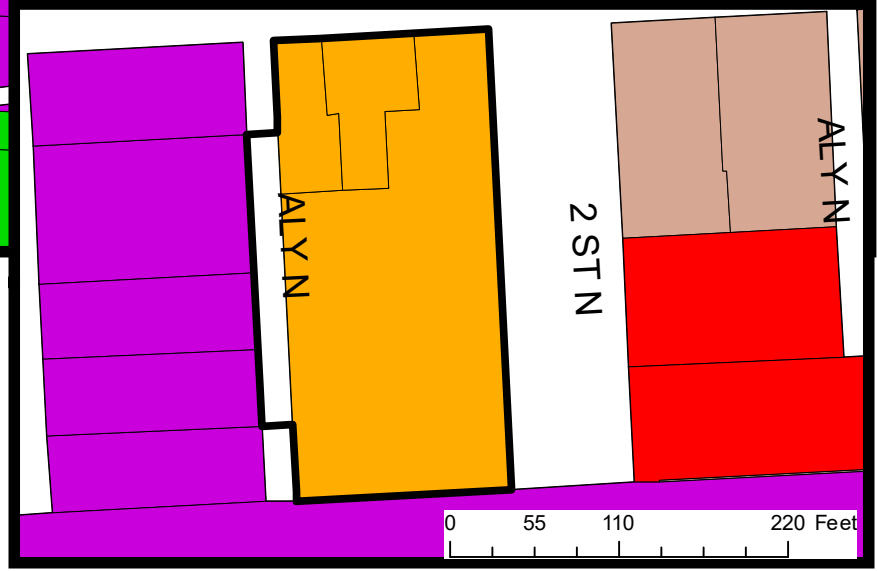
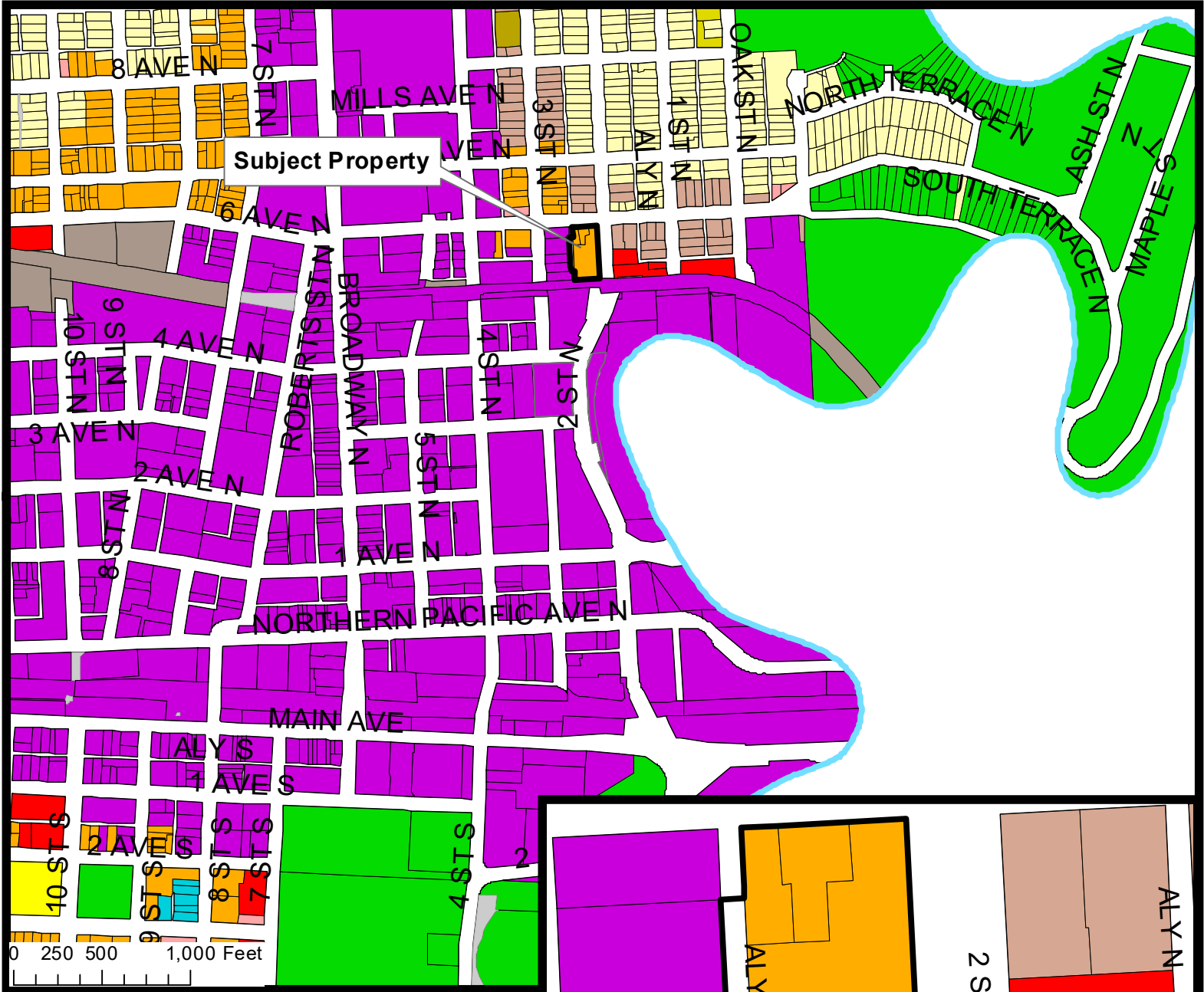


Legend
City Limits

Zone Change from MR-3, Multi-Dwelling Residential to DMU, Downtown Mixed Use & Major Subdivision, including Vacation of Right-of-Way

202, 208 & 212 6th Avenue North;
509, 511 & 515 3rd Street North

Cityside Addition



Legend

AG	DMU	GO	LC	MR-1	MR-2	MR-3	MHP	NO	P/U	SS	SR-2	SR-3	SR-4	SR-5	City Limits
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CITYSIDE ADDITION

A REPLAT OF LOTS 2, 3, 4, 5, 6, & 7, AND A VACATION OF PART OF THE ALLEY BETWEEN LOTS 3, 4, 5, 6, 9, 10, 11, AND 12 OF BLOCK 31 OF KEENEY AND DEVITT'S SECOND ADDITION TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA (A MINOR SUBDIVISION)

SURVEYOR'S CERTIFICATE AND ACKNOWLEDGMENT

I, Kurt M. Kisch, Registered 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 addition and area to be vacated; that all distances shown on said plat are correct; that the monuments for the guidance of future surveys have been located or placed in the ground as shown.

PRELIMINARY

Kurt M. Kisch, Professional Land Surveyor
North Dakota License No. LS-4597

State of North Dakota }
County of Cass } SS

On this _____ day of _____, 2023, before me, a notary public with and for said County, personally appeared Kurt M. Kisch, to me known to be the person described in and who executed the same as a free act and deed.

Notary Public

CITY OF FARGO ENGINEERING DEPARTMENT APPROVAL

Approved by City Engineer this _____ day of _____, 2023.

Tom Knokmus, PE, City Engineer

State of North Dakota }
County of Cass } SS

On this _____ day of _____, 2023, before me, a notary public with and for said County, personally appeared Tom Knokmus, PE, City Engineer, to me known to be the person 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 _____, 2023.

Rocky Schneider, Planning Commission Chair

State of North Dakota }
County of Cass } SS

On this _____ day of _____, 2023, before me, a notary public with and for said County, personally appeared Rocky Schneider, Planning Commission Chairman, to me known 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 City Commissioners and ordered filed this _____ day of _____, 2023.

Timothy J. Mahoney, Mayor

Attest: Steven Sprague, City Auditor

State of North Dakota }
County of Cass } SS

On this _____ day of _____, 2023, before me, a notary public with and for said County, personally appeared Timothy J. Mahoney, Mayor, and Steven Sprague, City Auditor, to me known to be the persons described in and who executed the same as a free act and deed.

Notary Public

OWNERS DESCRIPTION AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS, That Sterling Properties, LLLP, is owner of a parcel of land located in the Fractional Southeast Quarter of Section 6, Township 139 North, Range 48 West of the Fifth Principal Meridian, Cass County, North Dakota, and more particularly described as follows:

PARCEL 1:
The West 40 feet of Lot Six and the West 32 feet of Lot Seven, in Block Thirty-one, of Keeney and Devitt's Second Addition to the City of Fargo, situate in the County of Cass and the State of North Dakota;

PARCEL 2:
The East 60 feet of the West 92 feet of Lot Seven and the East 30 feet of the West Half of Lot Six, in Block Thirty-one, of Keeney and Devitt's Second Addition to the City of Fargo, situate in the County of Cass and the State of North Dakota;

AND

PARCEL 3:
Lots Two, Three, Four, Five, the East Half of Lot Six and the East Forty-eight feet of Lot Seven, in Block Thirty-one, of Keeney and Devitt's Second Addition to the City of Fargo, situate in the County of Cass and the State of North Dakota.

Said owner has caused the above described tract of land to be surveyed and platted as "CITYSIDE ADDITION" to the City of Fargo, Cass County, North Dakota, and do hereby dedicate to the public, for public use, all streets, avenues, and utility easements as shown on this plat.

OWNER: Sterling Properties, LLLP

By: _____
Damon Gleave, CFO

State of North Dakota }
County of Cass } SS

On this _____ day of _____, in the year of 2023, before me, a notary public with and for said County, personally appeared Damon Gleave, CFO of Sterling Properties, LLLP, 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.

Notary Public

MORTGAGEE:
First Community Credit Union

By: _____

State of North Dakota }
County of Cass } SS

On this _____ day of _____, in the year of 2023, before me, a notary public with and for said County, personally appeared _____, First Community Credit Union, 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.

Notary Public

DESCRIPTION OF AREA TO BE VACATED

That part of the alley between Lots 3, 4, 5, 6, 9, 10, 11, and 12 within Block 31, Keeney and Devitt's Second Addition to the City of Fargo, more particularly described as follows:

BEGINNING at the southwest corner of said Lot 3; thence South 85 degrees 24 minutes 17 seconds West a distance of 20.01 feet, more or less, to the southeast corner of said Lot 12; thence North 03 degrees 03 minutes 58 seconds West along the west line of said Lots 9, 10, 11, and 12, a distance of 189.74 feet, more or less, to the southeast corner of Lot 1, Block 1, 220 ADDITION, according to the recorded plat thereof, filed as Document No. 1633340; thence North 85 degrees 58 minutes 02 seconds East a distance of 20.00 feet, more or less, to a point on the west line of said Lot 6; thence South 03 degrees 03 minutes 58 seconds East along the west line of said Lots 3, 4, 5, and 6, a distance of 189.20 feet, more or less, to the southwest corner of said Lot 3 and the POINT OF BEGINNING.

Said vacated area contains 3789 square feet, more or less.

OWNER'S CERTIFICATE

Sterling Properties, LLLP, and Sanford North, certify that they are the owners of the property adjoining the area to be vacated and that this plat and description are correct.

OWNER: Sterling Properties, LLLP
(Lots 3, 4, 5, & 6, Block 31, Keeney and Devitt's Second Addition)

By: _____
Damon Gleave, CFO

State of North Dakota }
County of Cass } SS

On this _____ day of _____, in the year of 2023, before me, a notary public with and for said County, personally appeared Damon Gleave, CFO of Sterling Properties, LLLP, 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.

Notary Public

OWNER: Sanford North
(Part of Lots 9, 10, 11, & 12, Block 31, Keeney and Devitt's Second Addition)

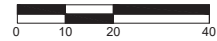
By: _____

State of North Dakota }
County of Cass } SS

On this _____ day of _____, in the year of 2023, before me, a notary public with and for said County, personally appeared _____, Sanford North, 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.

Notary Public

PRELIMINARY



GRAPHIC SCALE: 1"=20'
For the purposes of this plat, the east line of Block 31, KEENEY AND DEVITT'S SECOND ADDITION is assumed to bear South 03° 01' 26" East.

LEGEND

- MONUMENT FOUND
- MONUMENT SET, 5/8" REBAR, CAPPED "LS-4597"
- SUBJECT PROPERTY LINE
- - - EXISTING PROPERTY LINE
- - - EASEMENT LINE
- - - FEMA FLOOD ZONE LINE
- - - 904 2 FOOT CONTOUR LINE
- (P) DIMENSION PER RECORD PLAT
- (D) DIMENSION PER RECORD DEED
- [Dotted Area] AREA WITHIN 100 YEAR FLOODPLAIN PER FEMA FLOOD INSURANCE RATE MAP NO. 38017C0593G EFFECTIVE 1/16/2015. (Base Flood Elevation 900')
- [Cross-hatched Area] NEGATIVE ACCESS EASEMENT "Negative Access Easement, as noted on this plat, is an easement dedicated that 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."

PROJECT BENCHMARK:
HANSON RESET - MNDOT survey disk stamped "HANSON 1993 2009" set on top of an aluminum alloy rod located in southeast quadrant of intersection of 1st Ave N and 8th St N, Moorhead, Clay County, Minnesota (approx. 4,200 feet southeast of intersection of 6th Ave N & 2nd St N).
Published Elevation = 903.78' (NAVD 88)

SITE BENCHMARK:
Top nut of fire hydrant located in southeast quadrant of intersection of 6th Ave N & 2nd St N as shown hereon.
Elevation = 903.14' (NAVD 88)

Floodplain Areas, as noted on this plat, are from FEMA Flood Insurance Rate Map Number 38017C0593G with an Effective Date of January 16, 2015

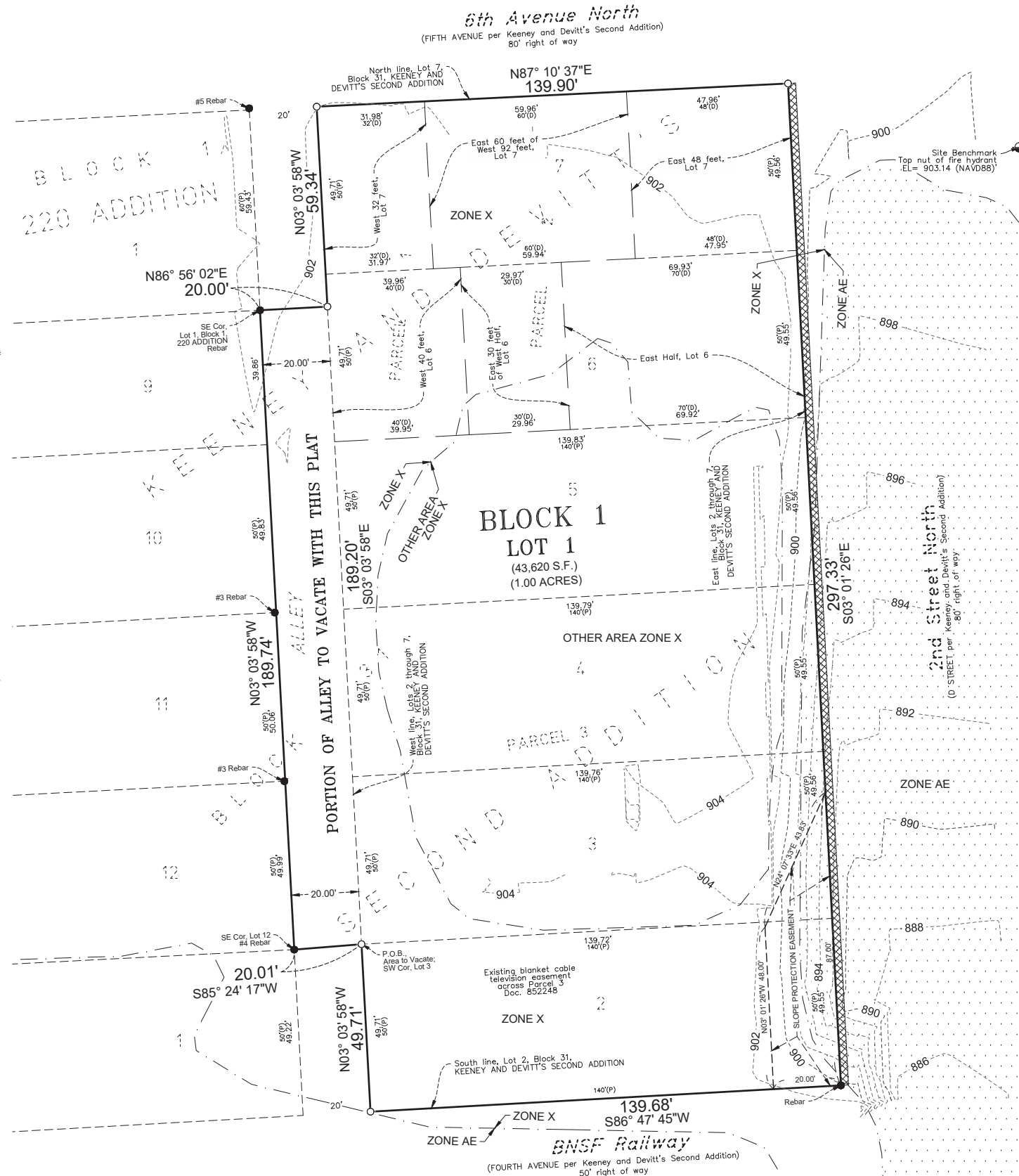
Contours shown are based on a Field Survey by Ulteig, April, 2021

PREPARED BY

Ulteig

PROJECT NO. 21.01004
SHEET 1 OF 1 SHEETS

FARGO - BISMARCK - DETROIT LAKES - ST PAUL - SIOUX FALLS - DENVER - CEDAR RAPIDS - WILLISTON









City of Fargo Staff Report			
Title:	The Pines at the District Fifth Addition	Date:	11/29/2023
Location:	4265 53 rd Avenue South	Staff Contact:	Alayna Espeseth, Assistant Planner
Legal Description:	Lot 1, Block 2, The Pines at the District Addition		
Owner(s)/Applicant:	Landco Fargo LTD / Goldmark Commercial	Engineer:	Bolton & Menk
Entitlements Requested:	Minor Subdivision (Replat of Lot 1, Block 2, The Pines at The District Addition to the city of Fargo, Cass County, North Dakota)		
Status:	Planning Commission Public Hearing: December 5 th , 2023		

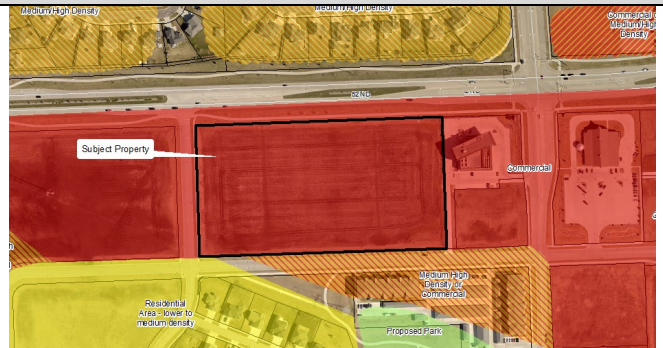
Existing	Proposed
Land Use: Undeveloped	Land Use: Retail Sales and Service
Zoning: Limited Commercial	Zoning: No change
Uses Allowed: Allows colleges, community service, daycare centers of unlimited size, health care facilities, parks and open space, religious institutions, safety services, basic utilities, offices, off premise advertising signs , commercial parking, retail sales and service, self service storage, vehicle repair , limited vehicle service, and certain telecommunications facilities. Conditional Overlay No. 4688 prohibits certain uses.	Uses Allowed: No change
Maximum Lot Coverage Allowed: 55%	Maximum Lot Coverage Allowed: No change

Proposal:
<p>The applicant is seeking approval of a minor subdivision located at 4265 53rd Avenue South. The request is to split an existing lot into a two lot minor subdivision entitled The Pines at the District Fifth Addition. A negative access easement runs across the entire north property line along 52nd Avenue South, which will prohibit direct access from 52nd Avenue South. A 30 foot wide private cross access easement allows lot 2, block 1 to get access off of 43rd Street South and both lots may take access from 53rd Avenue South.</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: Across 52nd Ave S, SR-2 Single-Dwelling Residential; household living. • East: LC, Limited Commercial; retail sales and service and medical office. • South: MR-3, Multi-Dwelling Residential; household living and P/I, Public and Institutional; park. • West: GC, General Commercial; undeveloped. <p><i>NOTE: The existing C-O (Ordinance No. 4688) shall carry through with this proposed minor subdivision and will not change.</i></p>

Area Plans:

According to the 2007 Tier 1 Southwest Land Use Plan, the subject property is designated as "Commercial". The current LC, Limited Commercial zoning is consistent with this land use designation. No zone change is proposed.

-  Medium High Density or Commercial
-  Medium/High Density Residential
-  Low/Medium Density Residential
-  Proposed Park
-  Commercial or Medium/High Density
-  Commercial



Schools and Parks:

Neighborhood: The subject property is included in The District Neighborhood.

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

Parks: The Pines Park is directly south 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. The Woodhaven South Park and Fishing Pond is within a quarter mile to the north of the subject property. This park provides playgrounds for ages 5-12 and fishing.

Pedestrian / Bicycle: The subject property has shared use paths that run along the north, south, east and west property boundaries.

Bus Route: The subject property is located along Route 18. Route 18 runs along 42nd Street South with stops running both north and south bound.

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.**

This subdivision is intended to replat the existing lot into 2 new lots. The current zoning is LC, Limited Commercial. No zone change is proposed. The subject property is located within the 2007 Tier 1 Southwest Land Use Plan which designates the land use as "Commercial". In accordance with Section 20-0901.F of the LDC, notices of the proposed plat have been sent out to property owners within 300 feet of the subject property. To date, staff has received two inquiries about the application inquiring about the proposed uses for the lots. 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 hereby recommend approval to the City Commission of the proposed subdivision plat, **The Pines at the District Fifth Addition** as outlined within the staff report, as the proposal complies with the adopted 2007 Tier 1 Southwest Land Use Plan, the standards of Article 20-06, Section 20-0907.B. and C of the LDC, and all other applicable requirements of the Land Development Code."

Planning Commission Recommendation: December 5th, 2023

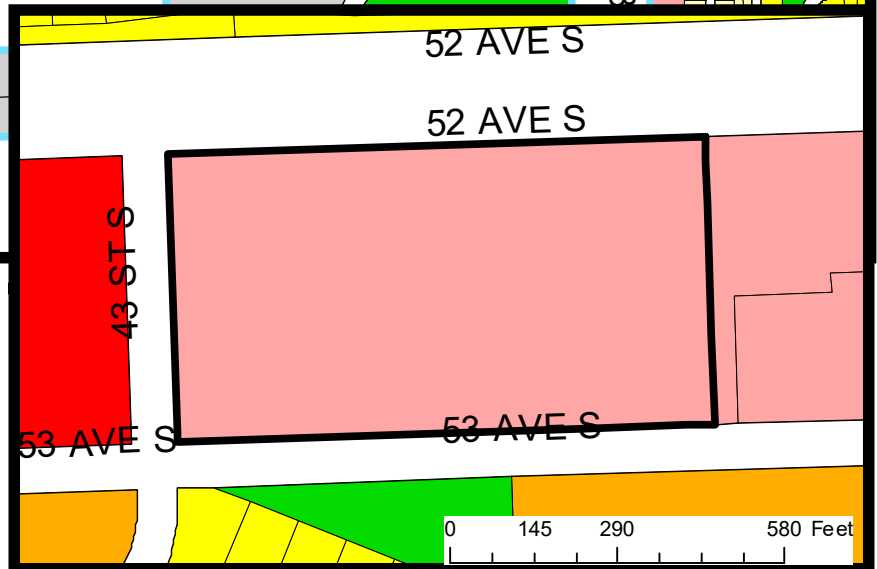
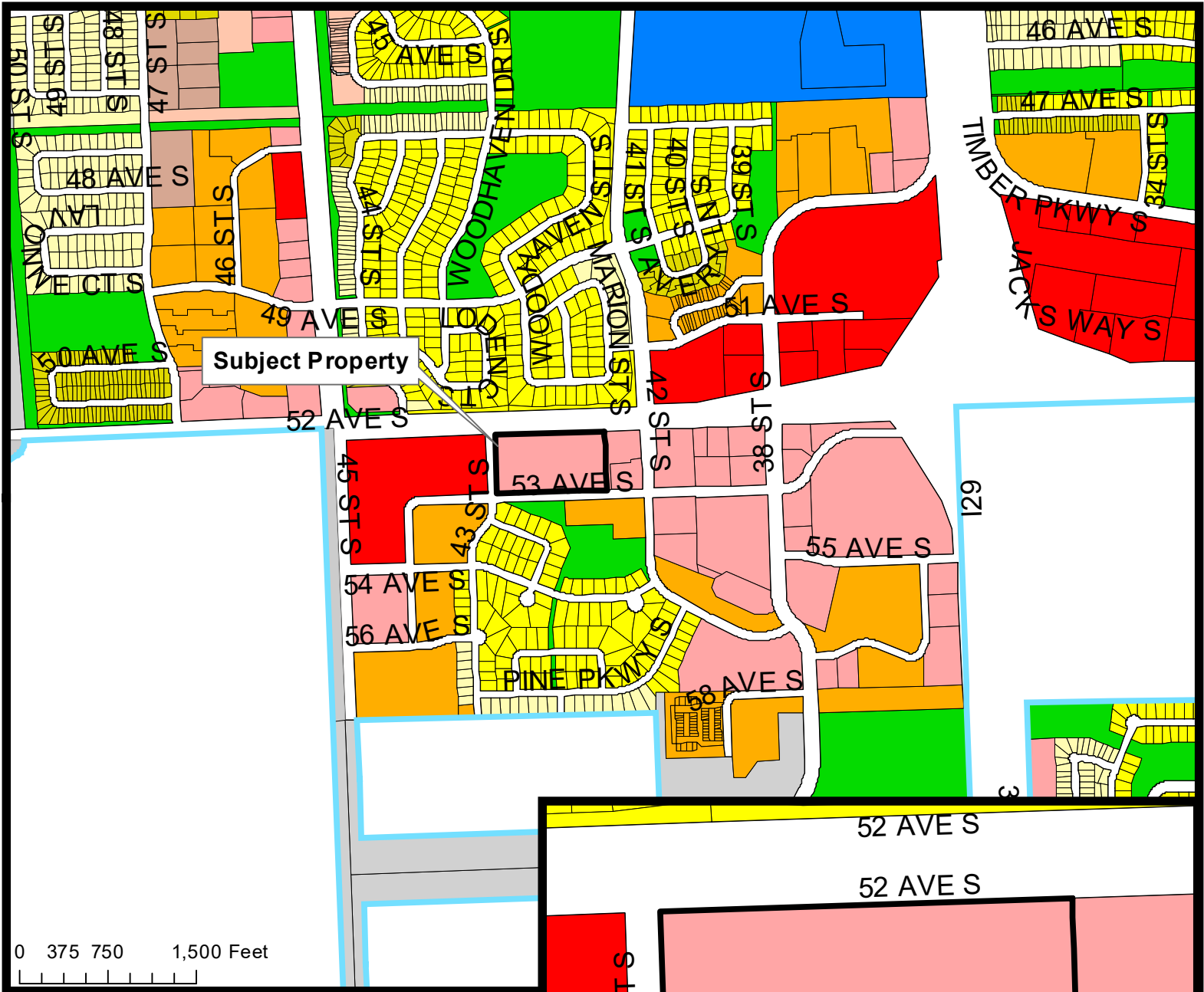
Attachments:

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

Minor Subdivision

The Pines at the District Fifth Addition

4265 53rd Avenue South



Legend

AG	DMU	GGC	GO	LC	LI	MR-1	MR-2	MR-3	MHP	NC	NO	P/T	UMU	City Limits
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THE PINES AT THE DISTRICT FIFTH ADDITION

TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA
 A REPLAT OF LOT 1, BLOCK 2 OF THE PINES AT THE DISTRICT ADDITION
 (A MINOR SUBDIVISION)

CITY OF FARGO ENGINEERING DEPARTMENT APPROVAL

Approved by City Engineer this ____ day of _____, 202__.

Tom Knakmuhs, P.E., City Engineer

State of North Dakota }
 County of Cass }

On this ____ day of _____, in the year 202__, before me, a notary public within and for said County and State, personally appeared Tom Knakmuhs, P.E., City Engineer known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that she executed the same as City Engineer for the City of Fargo.

Notary Public

CITY OF FARGO PLANNING COMMISSION APPROVAL

Approved by the City of Fargo Planning Commission this ____ day of _____, 202__.

Rocky Schneider, Planning Commission Chair

State of North Dakota }
 County of Cass }

On this ____ day of _____, in the year 202__, before me, a notary public within and for said County and State, personally appeared Rocky Schneider, Planning Commission Chair, known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that 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 _____, 202__.

Timothy J. Mahoney, Mayor

Attest: Steven Sprague, City Auditor

State of North Dakota }
 County of Cass }

On this ____ day of _____, in the year 202__ before me, a notary public within and for said County and State, personally appeared Timothy J. Mahoney, Mayor, and Steven Sprague, City Auditor 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

OWNERS DESCRIPTION AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS, That Landco Fargo LTD, a Nevada Domestic Limited-Liability Company, owner and First International Bank & Trust, mortgagee, of a parcel of land located in part of the Northwest Quarter of Section 3, Township 138 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota, being more particularly described as follows:

All of Lot 1, Block 2 of THE PINES AT THE DISTRICT ADDITION to the City of Fargo according to the record plat thereof on file, and of record in the office of the Recorder, Cass County, North Dakota.

Containing 10.71 acres of land, more or less and subject to all easements, restrictions, reservations and rights of way of record, if any.

Said owner has caused the above described parcel of land to be surveyed and platted as "THE PINES AT THE DISTRICT FIFTH ADDITION" to the City of Fargo, Cass County, North Dakota and does hereby dedicate to Lot 2 the private cross access easement as shown on this plat for the purpose so stated.

OWNER:
 Landco Fargo, LTD

By: Larry N. Scheffler, Manager

State of _____ }
 County of _____ }

On this ____ day of _____, in the year 2023, before me, personally appeared Larry N. Scheffler, Manager, Landco Fargo LTD, a Nevada 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 Landco Fargo LTD.

Notary Public

MORTGAGEE:
 First International Bank & Trust

By:

State of _____ }
 County of _____ }

On this ____ day of _____, in the year 2023, before me, personally appeared _____, First International Bank & 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 & Trust.

Notary Public

SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT

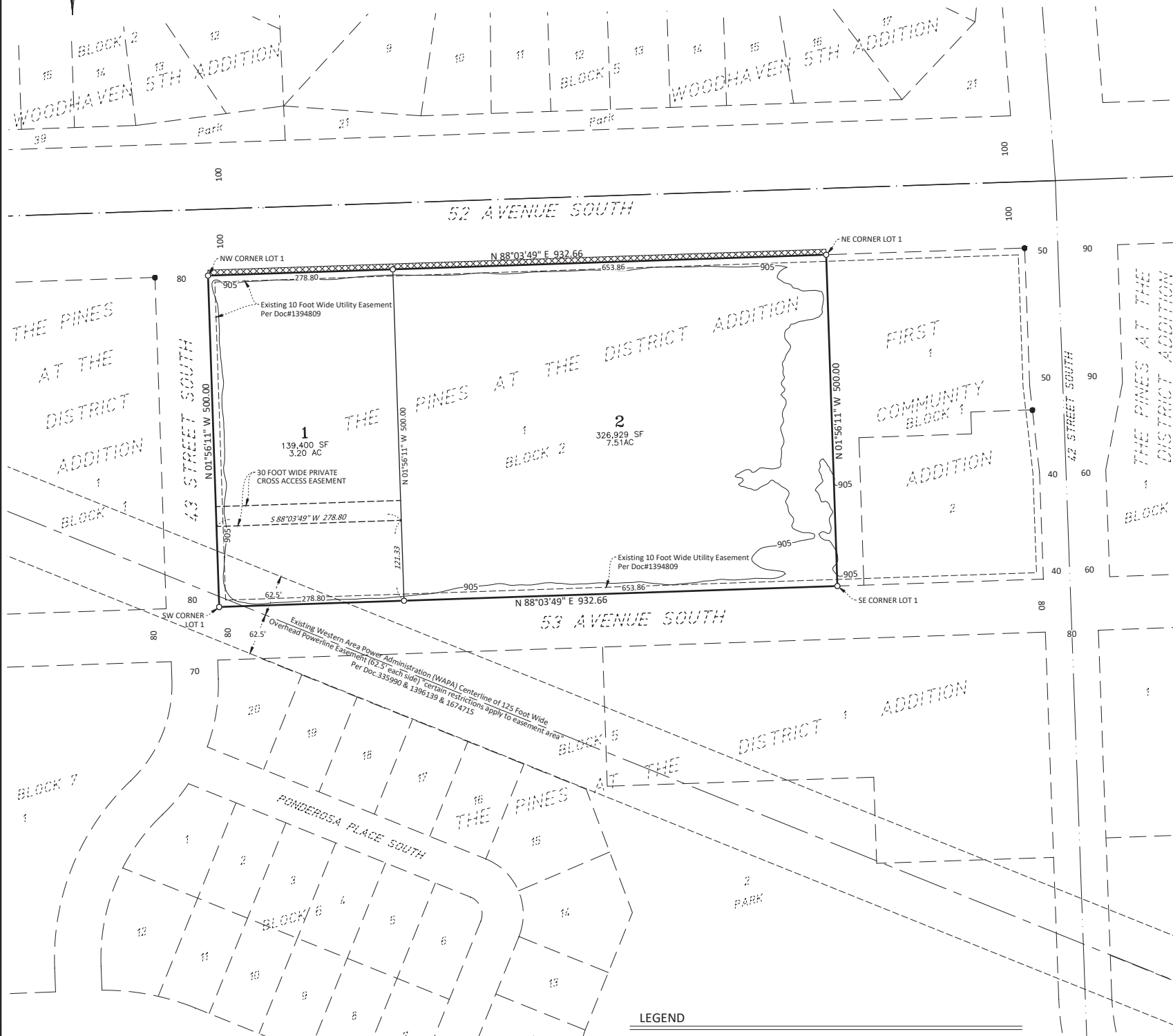
I, Shawn M. Thomasson, Registered Professional Land Surveyor under the laws of the State of North Dakota, do hereby certify that this plat is a correct representation of the survey, that all distances shown are correct and that the monuments for the guidance of future surveys have been located or placed in the ground as shown, and that the outside boundary lines are correctly designated on the plat.

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

State of North Dakota }
 County of Cass }

On this ____ day of _____, 2023, before me, a notary public within and for said County and State, personally appeared Shawn M. Thomasson, Registered Professional Land Surveyor, known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that he executed the same.

Notary Public



LEGEND

○	5/8"x18" REBAR MONUMENT SET, CAP MARKED BY LIC. NO. LS-5900
●	MONUMENT FOUND
—	SUBJECT PROPERTY LINE
- - -	EXISTING PROPERTY LINE
- · - · -	EASEMENT LINE
- · - · - · -	SECTION LINE
- · - · - · - · -	QUARTER LINE
- · - · - · - · - · -	EXISTING CONTOUR LINE PER CITY OF FARGO
- · - · - · - · - · - · -	LIDAR CONTOUR DRAWINGS NAVD88 DATED 2017
XXXXXX	NEGATIVE ACCESS EASEMENT

Negative Access Easement, as noted on this plat, is an easement dedicated as part of the right of way dedication which easement denies direct vehicular access to a Street or public way from the Lot or Lots adjacent to such Street or way. The negative access easement is not a strip of land of any certain width, but is a line coterminous with the boundary of the adjacent Lot or Lots.

BENCHMARK
 CITY OF FARGO BENCHMARK 249001 LOCATED AT THE SOUTHWEST CORNER OF 52 AVENUE SOUTH AND 43 STREET SOUTH. SOUTHEAST FLANGE BOLT OF FIRE HYDRANT. ELEVATION=908.36 NAVD88

NOTES
 THIS PLAT LIES ENTIRELY WITHIN ZONE AE AS SHOWN ON FLOOD INSURANCE RATE MAP NO. 38017C0786G, DATED JANUARY 16, 2015.
 ZONE AE: BASE FLOOD ELEVATIONS DETERMINED
 BASE FLOOD ELEVATION: 906

DOCUMENTS OF RECORD
 1. DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS, EASEMENTS, LIENS & CHARGES RECORDED AS DOCUMENT NUMBER 1395475 ON AUGUST 6, 2013





Downtown InFocus

TAKE ACTION!

2023

DRAFT NOVEMBER 2023

Prepared for the
City of Fargo

Introduction

WHAT IS DOWNTOWN INFOCUS?

Downtown InFocus is a comprehensive, action-oriented guidebook for the future of Fargo's historic Downtown created in 2016 to guide Downtown planning and investment for the subsequent 10 years. Fargo's community members and local leaders were engaged throughout the planning process to help set clear expectations for how Downtown could (and should) change. The data analysis and research undertaken for Downtown through this process established a baseline from which the City of Fargo defined goals, and metrics to measure performance towards achieving those goals.

WHAT IS DOWNTOWN INFOCUS-TAKE ACTION?

Downtown InFocus - *Take Action* (2023) is an update and supplement to the 2016 plan. *It is not a rewrite of the original plan.* Every year the City of Fargo evolves and achieves goals set by the Downtown InFocus (2016) plan. Tracking the City's progress also reveals where efforts need more...*focus*. Downtown InFocus - *Take Action* (2023) provides implementation guidance and updates priorities to reflect the current moment in Fargo, and helps the City of Fargo carry momentum into the future.

WHAT IS OUR STUDY AREA?

The Downtown InFocus study area comprises 560 acres in the heart of Fargo. It includes all of the Business Improvements District (BID) and the Renaissance Zone and stretches from University

Avenue to the Red River - roughly from Sanford Hospital to the southern edge of Island Park. This study area is larger than the traditional Downtown "core" to account for the fact that the connections between Downtown and the near neighborhoods are critically important to the future of Downtown. This boundary is consistent with the Downtown InFocus (2016) plan, visible as a dashed outline on the maps to the right.

THE LAST FIVE YEARS OF PROGRESS

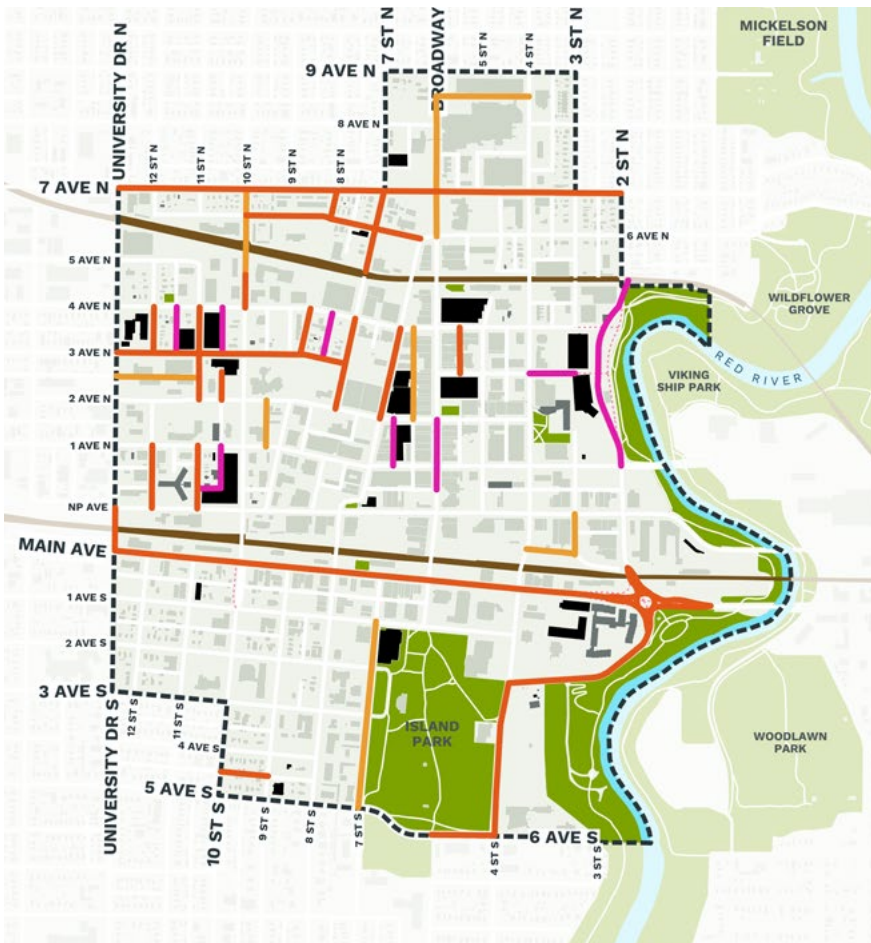
When compared to five years ago, Downtown today is visibly more vibrant, with more people in town on a daily basis, and more things to do. Programming efforts have amounted to over 9,000 volunteer hours. One of the favorite new additions to the Downtown scene is Broadway Square which draws visitors to approximately 270 events per year. The food scene is also booming; Downtown has welcomed many new restaurants, bars and venues.

The local economy is doing better, too, as Downtown remains the economic hub of the region. The County is seeing an increase in net business tax and real estate tax revenue from recent growth. The population of Downtown Fargo is 4,113 people [2020 Census]. This is a 6% increase from 2010. Since 2017, 798 housing units have been built or are currently under construction. This represents 13% of all the new units added in Fargo.

Downtown Fargo has changed a lot since the InFocus (2016) plan. Many of the sites that were marked as "underutilized" in the 2018 plan have been redeveloped and future development is planned for many of the surface level parking lots. However, there are still some large sites that have potential for development. Development on publicly-owned land can be leveraged to meet some of the InFocus goals discussed in this document.

The population of Downtown Fargo is 4,113 people [2020 Census]. This is a 6% increase from 2010. Comparatively, Downtown Fargo is growing at a slower rate than the rest of the City. Fargo, as a whole, grew 19.3% from 2010 to 2020. While Downtown is growing, it is at a slower rate than previous decades. Downtown grew 16% from 2000-2010 and 23% from 1990-2000.





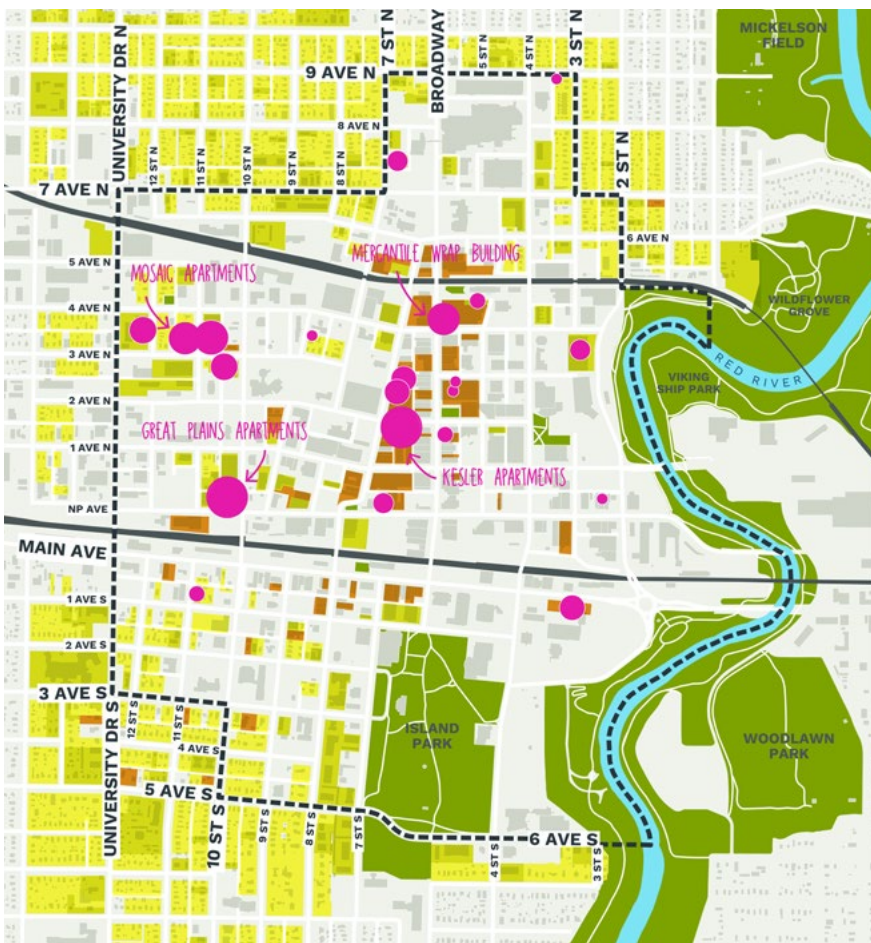
Change in Buildings and Roads

Source: Interface Studio, 2022

- NEW BUILDINGS SINCE 2018
- DEMOLISHED BUILDINGS
- NEW ROAD CONSTRUCTION
- ROAD RECONSTRUCTION
- ROAD IMPROVEMENTS
- DEMOLISHED ROADS
- RAIL
- OPEN SPACE
- DOWNTOWN FOCUS AREA

34,727 feet
of road improvements since 2018

There are 25 new buildings within the Downtown study area. Many of the new buildings are either multi-unit residential apartment buildings or mixed use residential with ground floor commercial retail. A total of \$391,880,467 has been invested in Downtown construction since 2017.



Residential Units

Source: Interface Studio

NEW RESIDENTIAL UNITS

- 1 UNIT
- 2-14 UNITS
- 15-40 UNITS
- 41-84 UNITS
- 85-100 UNITS
- 101-152 UNITS

- RAIL
- OPEN SPACE
- DOWNTOWN FOCUS AREA

- ### 2022 LAND USE
- LOW DENSITY RESIDENTIAL
 - HIGH DENSITY RESIDENTIAL
 - MIXED USE

There have been 798 housing units constructed or currently under construction since 2017. This represents 13% of all the new units added in Fargo.

There are several notable developments which have added a majority of these units to Downtown, such as the Kesler Apartments, Mercantile Wrap Building, Dillard Apartments, Great Plains Apartments, Mosaic Apartments, and Gateway North.

IDENTIFYING PRIORITY ACTIONS FOR OUR NEXT PHASE OF WORK

Downtown InFocus - *Take Action* (2023) is a supplement to the 2016 Plan. Each of the goals and recommendations were evaluated with the help of the City of Fargo Planning and Development staff. A report card documented progress toward each action and if the action remains a priority today. Categories included: "Complete", "In Progress", and "Needs Work". Each incomplete action was evaluated to identify the discernable barriers to implementation. **Lack of regularly allocated resources and a lack of clearly-defined champion(s)** were consistently cited for almost all incomplete actions.

Downtown InFocus (2016) contained over 85 actions nested under seven goal chapters:

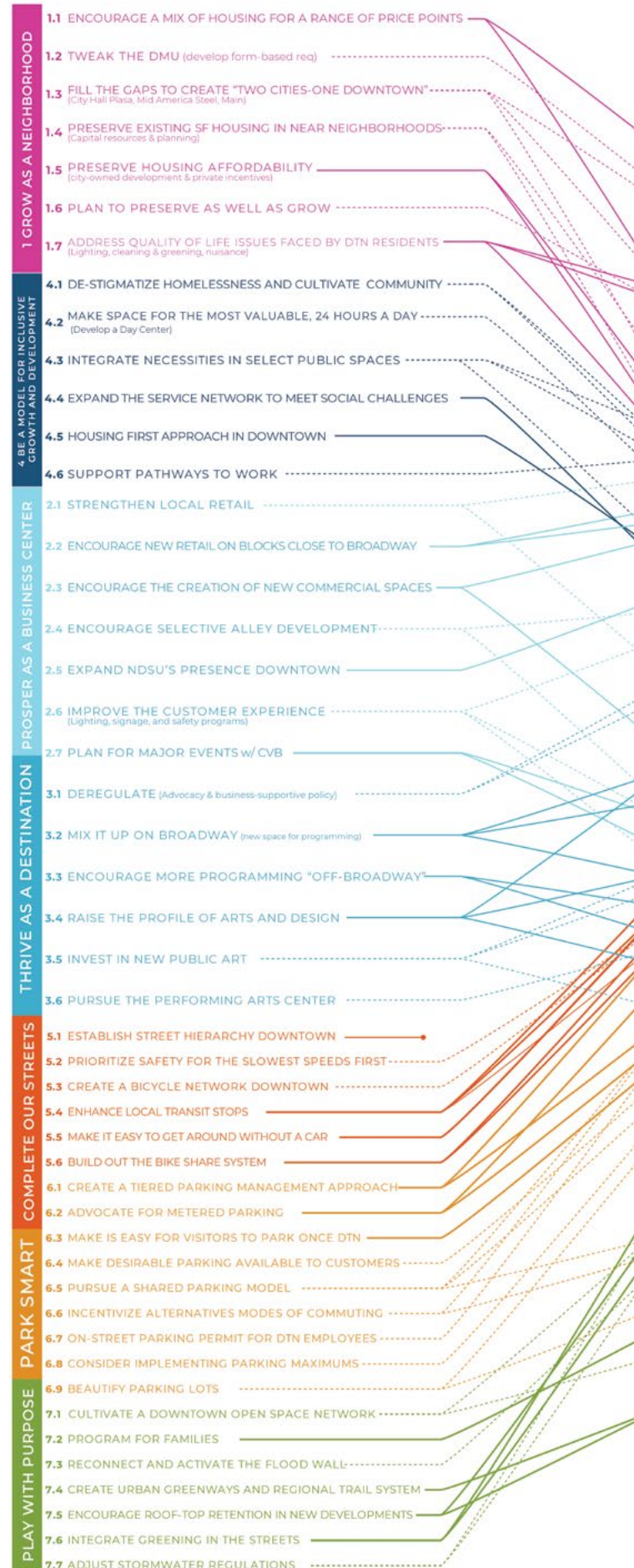
1. **Grow as a Neighborhood**
2. **Prosper as a Business Center**
3. **Thrive as a Destination**
4. **Be a Model for Inclusive Growth & Development**
5. **Complete Our Streets**
6. **Park Smart**
7. **Play with Purpose**

Although most of the actions remain relevant, this update is focused on taking action. Actions were grouped and restated based upon changes to funding, staffing, and/or circumstances of implementation that differ in Downtown Fargo today.

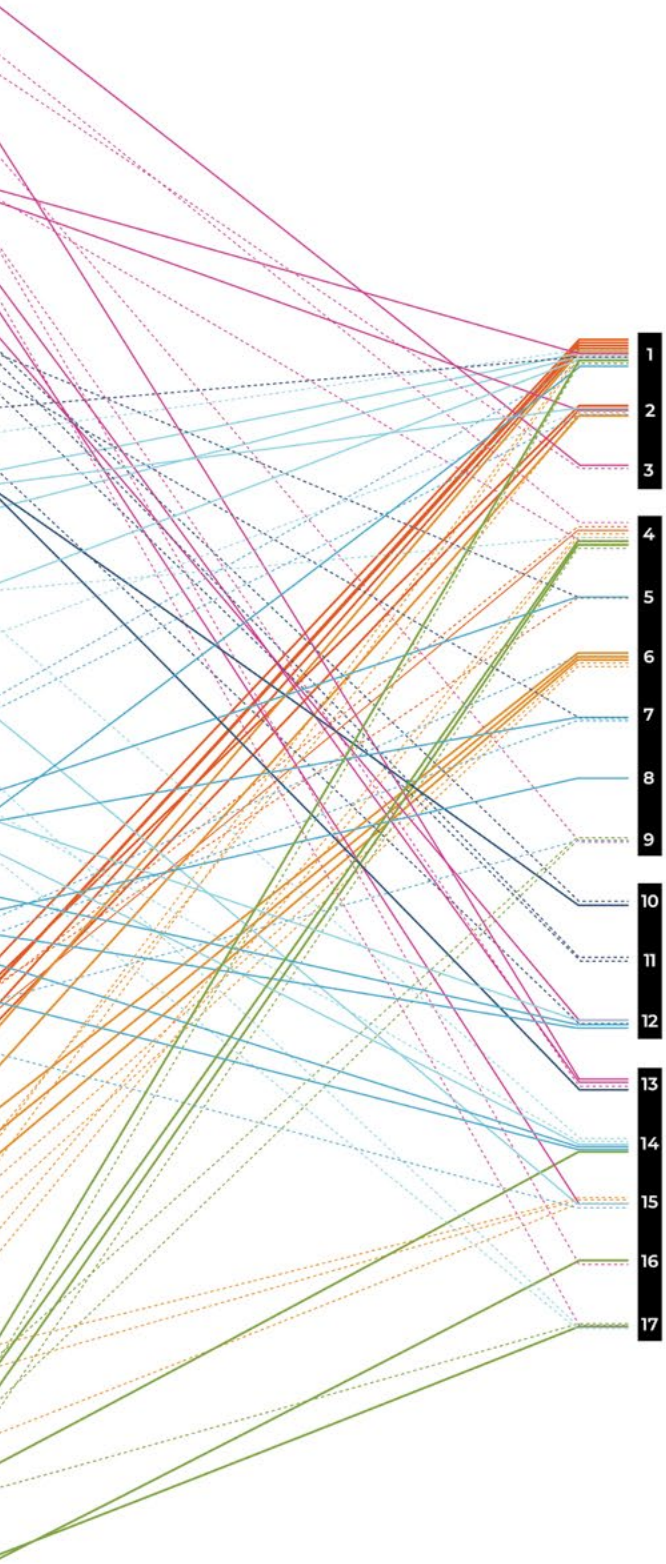
The intent of this document is to present a simple and specific set of 20 critical actions to move the needle toward improvements in Downtown that are most needed, today, and have made the least progress toward implementation over the last six years.

These recommendations are reorganized into four primary categories. The chapters that follow introduce each of these critical actions and define the implementation steps needed to move each forward. Each action is presented alongside a description of what "success" might look like and a brief explanation of where the City is "today", for context.

This document will serve as a living document to implement Downtown InFocus (2016). As things evolve and change Downtown, the document and it's implementation recommendations should be updated as well.



Downtown InFocus 2023 UPDATE TAKE ACTION!



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Implementation
Roles

Public realm
+ design needs

Inclusive
growth

Public financing
+ economic needs



Implementation Roles



Public realm
+ design needs



Inclusive
growth



Public financing
+ economic needs

Implementation Roles

1. Clarify roles for managing downtown and implementation of the Downtown Plan.
2. Establish a dedicated City of Fargo Downtown Coordinator.
3. Quarterly coordination to advance strategic plans.
4. Monthly coordination for Downtown programming and events.

Public realm + design needs

5. Update the City's growth plan, zoning & land development code, to include design guidelines and form-based updates.
6. Develop a plan to upgrade Broadway.
7. Improve wayfinding and the visitor experience around Downtown parking.
8. Redesign 2nd Avenue.
9. Use the Public Art Masterplan to prioritize public art projects Downtown and reinforce the "Design District" concept.
10. Commit to the vision for the Downtown Riverfront.
11. Improve City Hall Plaza.

Inclusive Growth

12. Explore creating a separate Cass County / Fargo Continuum of Care.
13. Develop a 5-year strategy for sustaining the Downtown Engagement Center.
14. Build mixed-income housing downtown.
15. Invest in homes in the core neighborhoods.
16. Pursue permanent supportive housing solutions.

Public financing + economic needs

17. Increase City contribution to the DCP for programming and Downtown Plan implementation.
18. Review and refine incentive policies to better achieve public goals.
19. Redefine RFP process for publicly-owned land and identify terms to evaluate RFPs.
20. Define a Capital Improvement Program (CIP) for Downtown projects.

Implementation Roles

WHY THIS MATTERS:

- An in-depth review of the City's progress to implement the Downtown InFocus (2016) plan shows that although progress has been made, there is much yet to be accomplished. While the pandemic played a significant role in upending some of the progress, Downtown is also facing new and different challenges than even five years ago.
- This review also exposed the fact that implementation of plan recommendations was weakest where a clear champion or implementation lead was not clearly defined during the 2016 planning process. Many perceive the implementation of the Downtown plan to be primarily the responsibility of the City of Fargo Planning and Development staff, even though the plan is comprehensive and touches many different stakeholders.
- Similarly, Downtown activation and programming recommendations outlined in the plan - including those related to public spaces - are often seen as the sole responsibility of the Downtown Community Partnership (DCP) and the Downtown Business Improvement District teams.
- Downtown Fargo strategy development and implementation - physical and programmatic - are the responsibility of all, not solely the City's Planning and Development staff or the Downtown Community Partnership.
- Implementation of many actions requires a high level of coordination.
- Defined organizational roles ensure implementation is not dependent on individuals.
- Assigning roles ensures responsible parties can refine how and when to take action according to the reality of their office, resources, and capacity.

Successful downtowns are driven by a number of organizations and City representatives all working together to achieve shared outcomes. Establishing and sustaining these partnerships with clear roles for who takes action under what circumstances is fundamental to seeing further progress. **If Fargo wants to achieve the goals of the Downtown InFocus Plan, all stakeholders need to "buy in" to its implementation.**

Here's what we need to do ...



Clarify roles for managing Downtown and implementation of the Downtown Plan.

IMPLEMENTATION STEPS

What are we trying to accomplish?

Ensure that City staff share implementation responsibility for the Downtown Plan. Implementation champions for all actions are defined and the individuals leading each implementation action help to outline the appropriate steps needed to move each action forward. When issues arise in the Downtown area, there is collective clarity on which entity or entities are responsible and the best way to initiate a request for assistance.

Where are we now?

Implementation of Downtown InFocus is broadly seen as the responsibility of the City of Fargo Department of Planning & Development and the Downtown Community Partnership (DCP), though many decisions or actions fall within the scope of other stakeholders. The implementation strategy isn't institutionalized in operational procedures or staff onboarding.

Today, the Business Improvement District (BID) and the DCP are seen as interchangeable and responsible for mitigating many issues Downtown. However, many organizations including the Fargo Police Department, Fargo Park District, and private property owners all have critical roles to play.

STEP 1:
Gather key people together to confirm responsibilities and processes.

Conduct a series of intensive workshops with stakeholders from across the City and external organizations working on behalf of Downtown to explore implementation steps needed to move critical actions forward.

STEP 2:
Outline common issues and complaints received about the Downtown area.

STEP 3:
Identify the appropriate chain-of-reaction to respond to common issues.

STEP 4:
Continue regular check-ins among key response chain. Meeting should include discussion of recent issue response to ensure the chain-of-reaction is working as it should.

WHERE DO I START?

IS THE ISSUE RELATED TO...

...a human?

If something illegal or makes you feel unsafe, regardless of the location, 911 Emergency should be your first call.

- Someone is sleeping someplace unsafe or strange.
- Someone is in my shop doing something bad.
- A person or business is playing amplified music outdoors after 10pm.

Call 911

FARGO POLICE DEPARTMENT

The Fargo Police Department will mobilize the appropriate resources including non-emergency staff and homeless services.

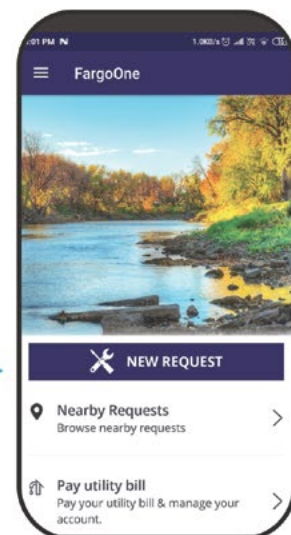
...a physical nuisance?

A physical nuisance may include:

- Garbage accumulation in a trash can is overflowing on the sidewalk.
- There's graffiti on a building wall.
- Slippery conditions or snow accumulation is blocking a public sidewalk.
- There's a large pothole in the street or alley.

Submit issue through FargoOne App

Issues or requests submitted through the app are either routed to the appropriate City of Fargo department or the Downtown BID.



THEN WHAT HAPPENS?

WHERE IS THE ISSUE OBSERVED OR TAKING PLACE?

Private property

Private property refers to a residential or commercial building or lot that is owned by anything other than the City.

THE CITY ALERTS THE PROPERTY OWNER

The property owner may be issued a citation if the issue is not resolved expeditiously.

Sidewalks

the surface + walkway

Once built, the responsibility of sidewalk maintenance, repair, and clearing transfers to the adjacent property owner.

the furniture + lighting

But, the furniture, fixtures, and lighting installed or placed by the City of Fargo (not including restaurant cafe seating) along public sidewalks, are maintained by the BID.

THE CITY HANDLES ISSUES IN THE STREET

within the paved street (curb-to-curb).

Public space + public property

Includes publicly-owned parks and plazas, streets and alleys, and properties, buildings, or parking garages owned by the City of Fargo.

THE CITY HANDLES OR ALERTS THE BID

Issues are either routed to the appropriate City of Fargo department or the Downtown BID.

Did you know?

The Downtown BID does not respond to issues on private property or within the paved street (curb-to-curb).

Who takes care of Broadway Square?

Broadway Square is a privately managed public space - meaning cleanup and maintenance are the responsibility of Block 9, with input from Fargo Parks.

What about activation?

When it comes to the activation of Broadway Square, the Fargo Parks District (who are separate agency from the City) manages activity scheduling for the space. As of March 2024, management of Broadway Square activation will transfer to Block 9.

Who is responsible for issues on the sidewalk?

Private property owners are responsible for keeping sidewalks clear of snow and debris. Things like public benches and trash cans are maintained by the BID.

Who are the key players?

The City of Fargo Department of Planning and Development (PD), the Downtown Community Partnership (DCP), the Downtown Neighborhood Association (DNA), and the Business Improvement District (BID) are major stewards of Downtown. City of Fargo staff and leadership at all levels have a critical role to play in the implementation of Downtown InFocus. Independent and nonprofit organizations also play key roles with respect to implementation actions related to programming or areas requiring special expertise, including homeless services and public events and programming. The chart below is to be evaluated and updated

by completing the steps listed on Page 9 of this document. At the completion of Step 1: *Gather key people together to confirm responsibilities and processes*, all organizations should have a clear understanding of their role in Downtown and implementing the plan.

KEY IMPLEMENTATION PARTNERS

	City Commission	City Administration	Planning	Strategic Planning	Public safety	Engineering	Fargo Parks District	Public Health	DCP	Chamber	DNA	BID	Folkways	Arts & Culture	Housing Authority	FM Homeless Coalition	Medical Providers	State of ND
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Implementation Roles

ACTION 1	Clarify roles for managing downtown and implementation of the Downtown Plan.	<i>This plan provides a start toward clarifying roles</i>																	
ACTION 2	Establish a dedicated City of Fargo Downtown Coordinator	X	X	X				X											
ACTION 3	Quarterly coordination to advance strategic plans		X					X	X		X	X							
ACTION 4	Monthly coordination for Downtown programming and events		X				X	X			X	X							

Public realm + design needs

ACTION 5	Update the City's growth plan, zoning & land development code, to include design guidelines and form based updates	X	X					X											
ACTION 6	Develop a plan to upgrade Broadway	X	X	X		X		X	X		X	X							
ACTION 7	Improve wayfinding & visitor experience around Downtown parking	X		X	X										X				
ACTION 8	Redesign 2nd Avenue	X				X		X											
ACTION 9	Use the Public Art Masterplan to prioritize public art projects Downtown and reinforce the "Design District" concept.	X		X											X				
ACTION 10	Commit to the vision for the Downtown Riverfront	X	X	X	X														
ACTION 11	Improve City Hall Plaza	X	X	X				X	X				X	X					

Inclusive Growth

ACTION 12	Explore creating a separate Cass County/Fargo Continuum of Care	X	X	X			X	X								X	X		
ACTION 13	Develop a 5-year strategy for sustaining the Downtown Engagement Center	X	X	X	X			X	X							X	X	X	
ACTION 14	Build mixed-income housing Downtown	X	X	X	X			X							X				
ACTION 15	Invest in homes in the core neighborhoods	X	X	X	X			X											
ACTION 16	Pursue permanent supportive housing solutions	X	X					X							X	X	X	X	

Public financing + economic need

ACTION 17	Increase City contribution to the DCP for programming and Downtown Plan implementation	X	X						X										
ACTION 18	Review and refine incentive policies to better achieve public goals	X	X	X					X										
ACTION 19	Redefine RFP process for public owned land and evaluating RFPs	X	X	X	X				X										
ACTION 20	Define a Capital Improvement Program(CIP) for Downtown projects	X	X	X	X	X			X										



Establish a dedicated City of Fargo **Downtown Coordinator.**

IMPLEMENTATION STEPS

What are we trying to accomplish?

Establish a designated City staff person to aid in the implementation of Downtown InFocus, streamline communication with Downtown stakeholders, and assist the Downtown Community Partnership Executive Director with the coordination of strategy development and navigation of City Hall. The role of Downtown Coordinator is an executive-level position within the City.

Where are we now?

While Downtown InFocus *Take Action* (2023) was developed, the City of Fargo Auditor, Steve Sprague, had voluntarily assumed an informal role as the City's downtown liaison as part of the BID/DNA memorandum of understanding (MOU). The City Auditor also serves as the Downtown Task Force agenda keeper to convey pressing Downtown issues and needs.

✓ STEP 1:
Solicit support to **formalize a new Downtown Coordinator position** among the City and DCP.

■ STEP 2:
Find the right person for the job.

Initially: Include in the responsibilities of the new Deputy City Administrator the role of Downtown Coordinator.

In the long term: Consider hiring a full-time employee to fill a new, formalized role as a Plan Implementation Coordinator to focus not only on Downtown issues and plan implementation but also to help coordinate and push implementation projects that require cross departmental coordination.

■ STEP 3:
Get to work! Once established, the Downtown Coordinator should attend ongoing Downtown meetings and co-organize Downtown Task Force meetings with DCP Executive Director.



Establish quarterly coordination between DCP, DNA, and the City to advance strategic initiatives.

IMPLEMENTATION STEPS

What are we trying to accomplish?

Conduct executive-level meetings at regular intervals to improve cross-agency awareness and updates on plan implementation and other bigger-picture initiatives.

These meetings will be in addition to the Downtown Task Force meetings, which serve to discuss day-to-day operations and issues in the Downtown. The City representative with Downtown Coordinator responsibility (see Action 2) will be included in both the ongoing Downtown Task Force meetings and the proposed strategic planning and implementation meetings.

Where are we now?

The Downtown Task Force - a meeting between City managers and DCP - meets routinely to discuss issues and needs. The purpose of the Downtown Task Force is for problem solving issues and brainstorming solutions. DCP and up to 16 different city departments are represented at these meetings. The meetings, however, do not generally include other agencies and are not the vehicle to coordinate multi-year strategies

Larger cross-agency initiatives and implementation strategies are not central to the agenda of the Downtown Task Force meetings. A regular meeting focused on executive-level planning and the implementation of Actions presented in this Plan would benefit stewardship of Downtown Fargo.

STEP 1: Engage the right people to participate.

Identify all City departments and external partners who need to be present for a discussion of strategic initiatives impacting Downtown.

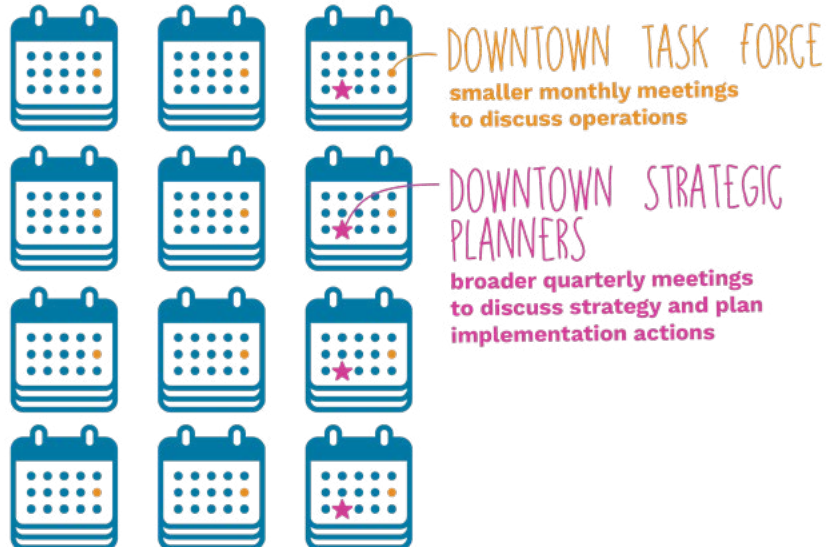
STEP 2: Identify a regular meeting schedule.

Hold each meeting to exchange updates on strategic initiatives.

STEP 3: Meeting agendas established by the Downtown Coordinator with input from the key partner organizations.

Refer to Action 2.

How frequently should these groups meet? >>>





Monthly coordination for Downtown programming and events among DCP, BID, Parks District, Folkways, Downtown Neighborhood Association and Downtown Coordinator.

IMPLEMENTATION STEPS

What are we trying to accomplish?

Create new or existing programming that directly benefits local retailers and restaurants more regularly (outside of major or occasional events). Have a regular forum to coordinate and leverage events by different partners within Downtown Fargo.

Where are we now?

Coordination is often lacking between organizations working to host events or activate Downtown and/or Broadway Square, and there remains some confusion around who can close Broadway and for what event.

Today, the Downtown Community Partnership (DCP), the Fargo Park District ("Parks"), and Folkways (nonprofit) are the main entities providing programming and hosting events in Downtown Fargo. The permitting of events in public streets, requires coordination among Public Safety entities, Engineering, Public Works, and Planning. This process can be simplified and more user friendly.

What may be key responsibilities when coordinating programming for Downtown?

A Downtown programming coordinator is responsible for planning, organizing, and overseeing special events and programming initiatives in a downtown area. Their involvement should clarify and simplify the process for any entity or organization wanting to hold events Downtown.

- Resource for Event Planning and Coordination Questions
- Promotion and Marketing Support
- Regulatory Compliance
- Coordinate with Public Safety

STEP 1: Engage the right people to participate.

Identify all City departments and external partners who need to be present for a discussion of programming and events in the Downtown area.

STEP 2: Identify a regular meeting schedule and include the Downtown Coordinator.

Once established, the City Coordinator will also play a pivotal role in facilitating programming and events.

STEP 3: Establish DCP as the primary Downtown programming coordinator.

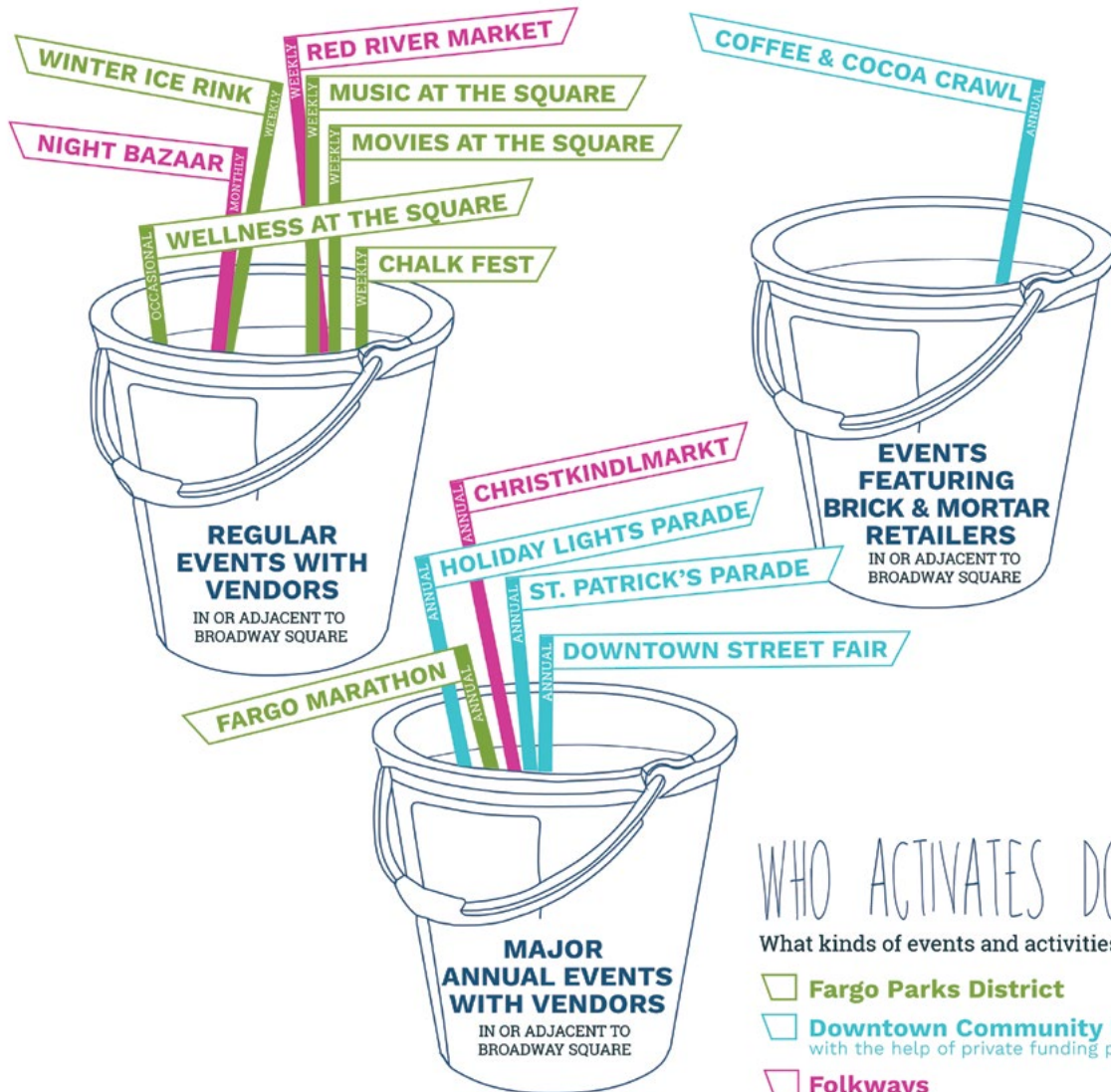
In this role, DCP also assumes responsibility to review requests to close Broadway Avenue for special events. Other responsibilities related to programming coordination should be determined in partnership with the City. In this role, DCP plays a pivotal role in enhancing the vitality and appeal of a downtown area through carefully planned and executed special events and programming. Their role is crucial in creating a vibrant and engaging atmosphere that attracts residents, visitors, and businesses to the downtown area.

STEP 4: Follow clear guidance for when it's appropriate to close down Broadway.

Criteria for the closure of this important street need to be clear and consistent. Create a decision tree to assess potential impacts on businesses, traffic, and anticipated construction season. The decision tree should be built around the following issues:

- **Logistics** - How much time does the street need to be closed for event set up and clean up in addition to the event itself?
- **Expected attendance** - What is the expected attendance?
- **Timing** - Will the event take place during the time of another event or soon after another major event?
- **Scale** - is the event looking to close all of Broadway or just one block?
- **Audience** - will the event potentially draw people that will further support Downtown businesses? Are immediately impacted business owners supportive of the event?

EXISTING EVENTS AND ACTIVATIONS DOWNTOWN



WHO ACTIVATES DOWNTOWN?

What kinds of events and activities are happening in Downtown

- Fargo Parks District
- Downtown Community Partnership
with the help of private funding partners
- Folkways

Balancing these factors will take some discussion. In principle, an event with a limited setup, draws a relatively large number of people at a time when there are no other events, is targeting a limited section of Broadway, and compliments nearby businesses is preferred over one with a smaller crowd, a longer closure time and potentially negative impacts on businesses. In keeping with recommendations in Downtown InFocus, look for opportunities to host events off-Broadway and limit closures to special events. Actions 8 and 11 in the document will work to improve and provide additional spaces to host events downtown on 2nd Ave and City Hall Plaza.

Ideally, the process for reviewing and approving a request to close Broadway, when appropriate, for an event includes:

- Closure requests are evaluated by DCP based on established criteria and weighing the interests of local retailers and restaurants.
- If DCP supports the proposed closure, they will bring a request to the City.
- Permits are issued by Engineering Department for the event.

What kinds of programming are missing?

Although many events draw foot traffic to Downtown, there are limited events specifically focused on retailer awareness or for the benefit of individual retailers or retail categories. Expanded programming Downtown should focus on supporting Downtown retailers and businesses where possible.

Public realm + design needs

WHY THIS MATTERS:

- Downtown Fargo is unique from other areas of Fargo and is expected to be a higher-quality place.
- Although a higher standard is expected, a discernible “standard” or “quality” of Downtown development and public spaces is not defined or codified.
- The private sector is the primary engine for new development and redevelopment in Downtown.
- Downtown Fargo is listed on the National Register of Historic Places as a historic district; no design standards are in place to protect its historic character.
- The City’s ability to influence the look and feel of new development is limited. The primary quality control lever is the City’s permit and/or zoning review, or with incentive review.
- “Walkability” is one of the characteristics of Downtown that is highly valued by the public.
- Walkable places require design sensitivity to the look and feel of public streets and sidewalks, as well as the design of buildings and storefronts that front the street.
- The physical fabric of Downtown Fargo is one of many elements that create the Downtown experience for residents and visitors.
- Real and perceived public safety issues have a major impact on the success of Downtown.
- Elevating the design and maintenance of public spaces will reinforce a sense of safety and improve the Downtown experience for residents and visitors. Elevated design elements include lighting, landscaping, trees, signage, and special treatments for signature streets like Broadway.

The experience of Downtown is central to the success of Downtown. Whether you live or visit Downtown Fargo, it needs to feel safe, welcoming, and inviting. Investing in design and programming is the most cost-effective way to boost economic development.

To ensure the highest quality development product and public spaces that Fargoans expect from their Downtown, the City must develop and codify design standards. To ensure Fargo is a welcoming place for all ages and abilities, investment in, and the design of, streets is critically important.

Here’s what we need to do ...



Update the City’s growth plan, zoning & land development code, to include **design guidelines** and **form-based updates**.

IMPLEMENTATION STEPS

What are we trying to accomplish?

A new modern Zoning Code that incorporates the recommendations from the Growth Plan and Downtown InFocus, that clearly articulates a Future Land Use map for the City. These documents include design guidelines for the Downtown Core form-based zoning updates, historic district considerations, and more flexible housing standards to allow for a mix of units and densities in Downtown and the Core Neighborhoods. The City of Fargo Engineering Department (“Engineering”) has modified its street construction standards in alignment with recommended design guidance.

Where are we now?

A consultant was hired (Spring 2023) to develop a Citywide Growth Plan which will include a citywide Future Land Use map. Once completed, the Growth Plan will be the basis for a new Zoning Code.

STEP 1:
Complete the Citywide Growth Plan.

STEP 2:
Hire a consultant to draft a new Zoning Code.

Include design guidelines, housing density, and form-based updates. Note this process is often lengthy, expect five years to adopt a new Zoning Code.

STEP 3:
Once the new Zoning code is adopted, **adjust the Zoning Map to apply the new code.**

STEP 4:
Modify street construction standards Downtown.

Following the production of these critical policy documents, the City of Fargo Engineering Department (“Engineering”) should modify street construction standards in alignment with recommended design guidance.



Develop a plan to **upgrade Broadway.**

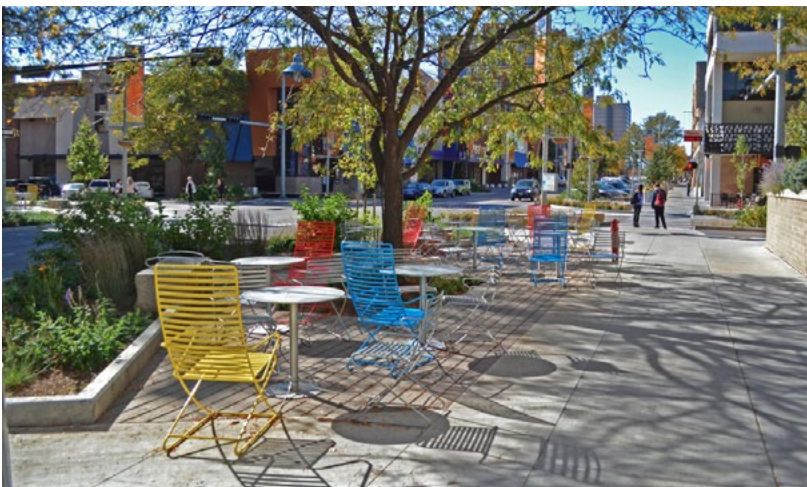
IMPLEMENTATION STEPS

What are we trying to accomplish?

A clear vision and agreed-upon design of the future of Broadway, with a shared understanding that Broadway is a significant street that warrants a funding strategy that potentially departs from the typical allocation process. This future plan for Broadway includes guiding principles, improved sidewalks, paving details, sections, furniture, landscape design, and a proposed funding strategy.

Where are we now?

Broadway is the backbone of Downtown Fargo. It is beautifully maintained by the BID, but its design and infrastructure is aged. The bricks that were used in the last design are not easily replaced, and with recent development and levels of activity, the sidewalks are seen as narrow and crowded. Newly constructed parking garages provide relief for on-street parking, opening up the opportunity to explore on-street parking alternatives. The City is seeking State Department of Transportation (DOT) funds specifically for crosswalk and intersection improvements including ADA plates along Broadway. Any funding received provides an opportunity to study additional improvements to solve other design challenges and create a shared vision for the street.



What does extra sidewalk space do for Broadway?

Extra sidewalk width created by redesigning the streetscape can be used for additional public seating, larger trees and landscape, and artistic elements that will reinforce Broadway's role as the showpiece of Downtown Fargo.

✓ STEP 1:
Secure the grant applied for by the City.

■ STEP 2:
Hire a consultant to help design an engagement strategy for Broadway design improvements.

The City (Engineering and Planning Departments) executes an engagement process to involve the public in the potential options for potential intersection treatments. Included in these public forums are conversations about priorities for the future of Broadway, and should include:

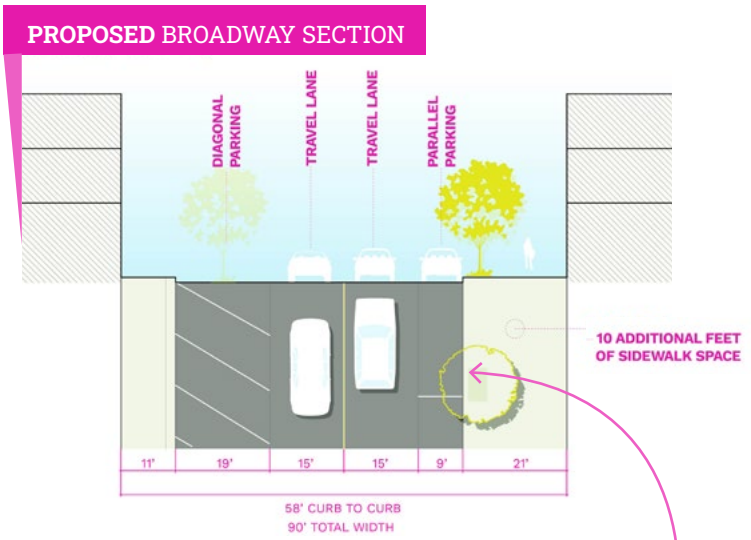
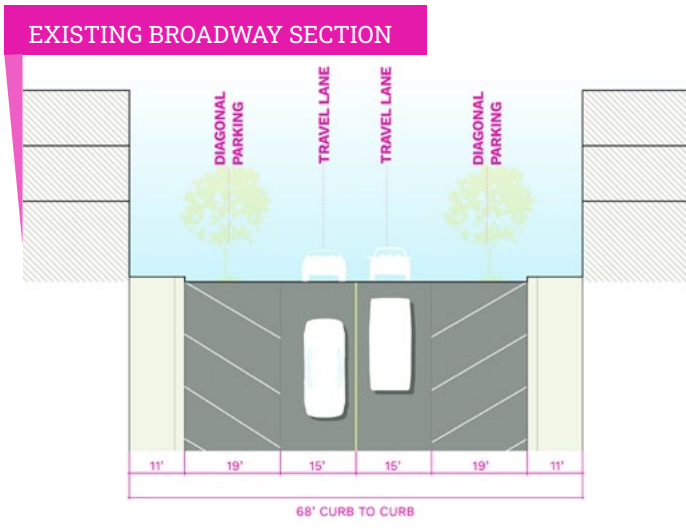
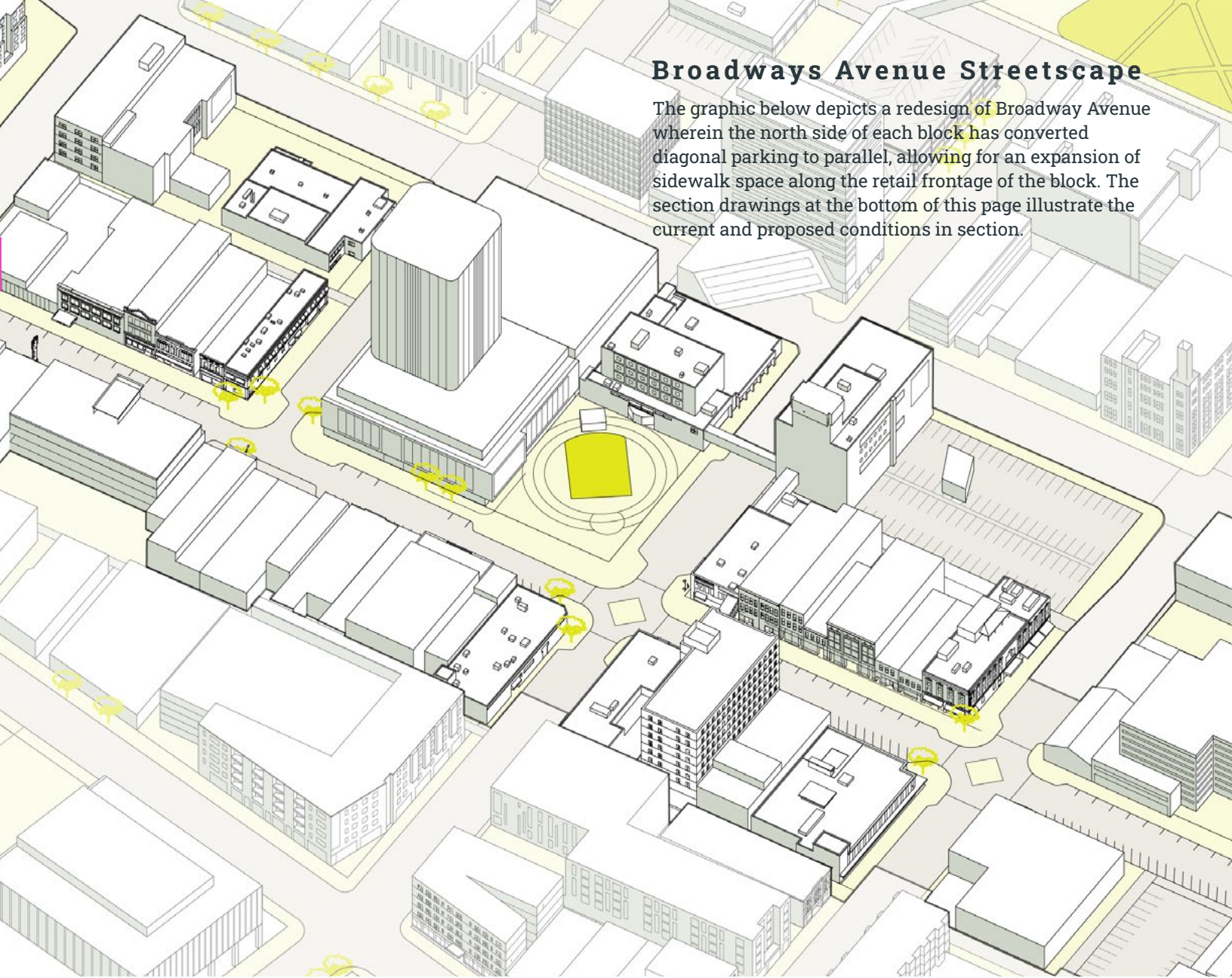
- Alternative street sections that explore wider sidewalks and parallel parking alternatives
- Opportunities for programming, street activation, outdoor dining, store merchandising
- Maintenance considerations, including snow removal and storage
- Flexible/curbless streets and predetermined layouts to ensure the function and continuation of Downtown's largest event, Street Fair

■ STEP 3:
Review updated intersection design drawings with all involved stakeholders.

■ STEP 4:
Pursue additional funding.
Review and apply for grant opportunities to fund a broader transformation of Broadway based on public input.

Broadway Avenue Streetscape

The graphic below depicts a redesign of Broadway Avenue wherein the north side of each block has converted diagonal parking to parallel, allowing for an expansion of sidewalk space along the retail frontage of the block. The section drawings at the bottom of this page illustrate the current and proposed conditions in section.



One side is converted to parallel parking to make space to expand the sidewalk!



Improve wayfinding and the visitor experience around Downtown parking.

IMPLEMENTATION STEPS

What are we trying to accomplish?

Wayfinding improvements and a thoughtful visitor experience strategy to make it quick, easy and intuitive to find available Downtown parking garages.

Over the long term, the City continues to implement a “park once” strategy to more effectively manage parking Downtown.

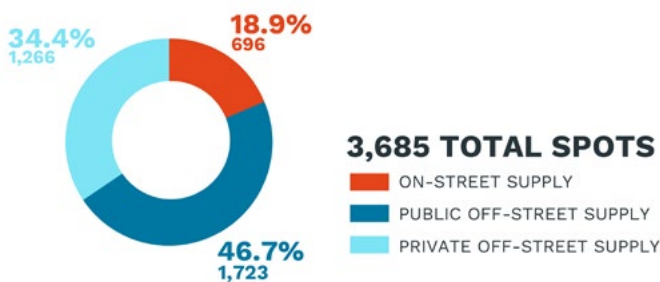
Where are we now?

Interstate Parking LLC currently manages Downtown parking and permits, including resident parking permits and contractor parking permits. New parking garages have been built, and the 2022 Downtown Parking study shows that sufficient parking exists to support typical parking demands Downtown. Despite the availability of garage parking spaces and targeted permitting strategy, “it’s difficult to find parking” is a frequent complaint in the Downtown area, and structured parking garages are underutilized. Turnover of parked cars on Broadway and other downtown streets should remain a priority to support retailers.

- STEP 1:**
Update public-facing parking information.
 Reach out to Interstate Parking LLC to ensure their website is up to date on all available public parking garages and how to best utilize them.
- STEP 2:**
Dedicate \$50,000 to hiring a wayfinding consultant.
 The consultant will conduct a locational and typological analysis and present high-level wayfinding recommendations to improve the legibility of the Downtown parking system. The proposed wayfinding strategy will help simplify preferred circulation routes and primary destinations and include recommended user-friendly terminology for all signage.
- STEP 3:**
Implement wayfinding improvements for Downtown parking signage and information.

PARKING DEMAND METRICS

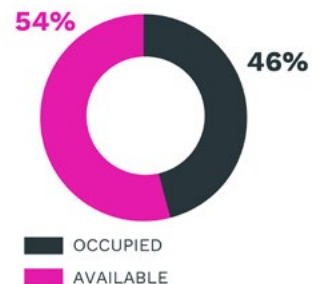
IN THE PARKING STUDY AREA...

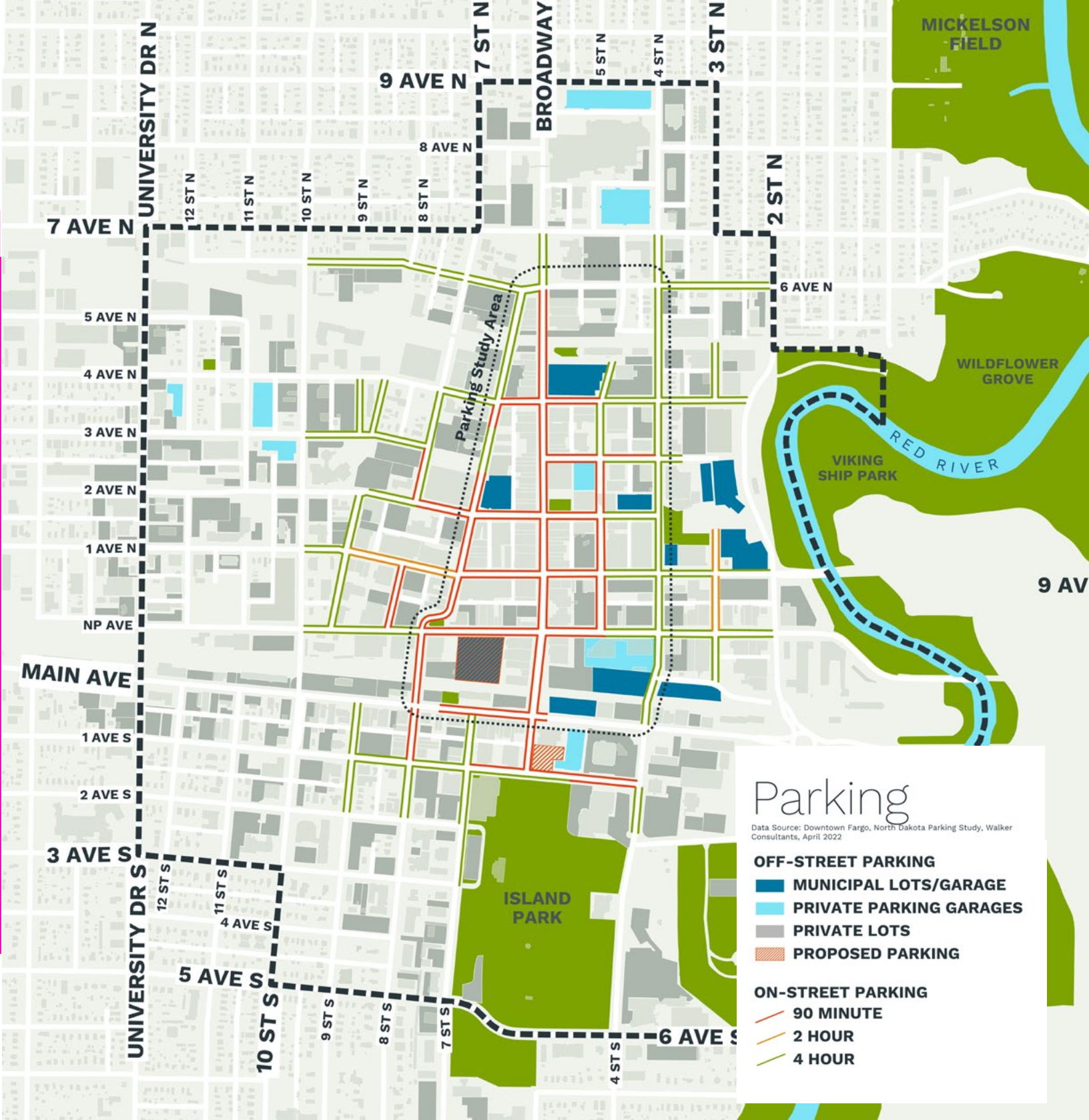


PARKING DEMAND COUNTS

Conducted on January 19, 2022, with favorable weather conditions

“Overall, at the peak hour 1,997 spaces were recorded vacant, indicating ample space availability.”





Parking availability has improved!

Based on a parking study completed in 2022 by Walker Consultants for the City of Fargo, parking supply adequately supports demand within the central Parking Study Area, except for the sub-area (bounded by 8th St S, Broadway, 1st St N, and the BNSF Railroad north of Main Avenue) which is projected to experience a parking deficit. The proposed NP Avenue project site requires the greatest number of spaces to be built to replace existing supply and accommodate new users resulting from anticipated development projects.



Redesign 2nd Avenue.

IMPLEMENTATION STEPS

What are we trying to accomplish?

A transformed 2nd Ave. N. between Broadway and 4th St N that creates a flexible curbsless street that can serve as an extension of Broadway Square, with improvements to the beauty and function along the walk from Broadway Square to the Civic Plaza. 2nd Ave. N can be easily and safely shut down to accommodate programming and larger events alongside Broadway Square.

Where are we now?

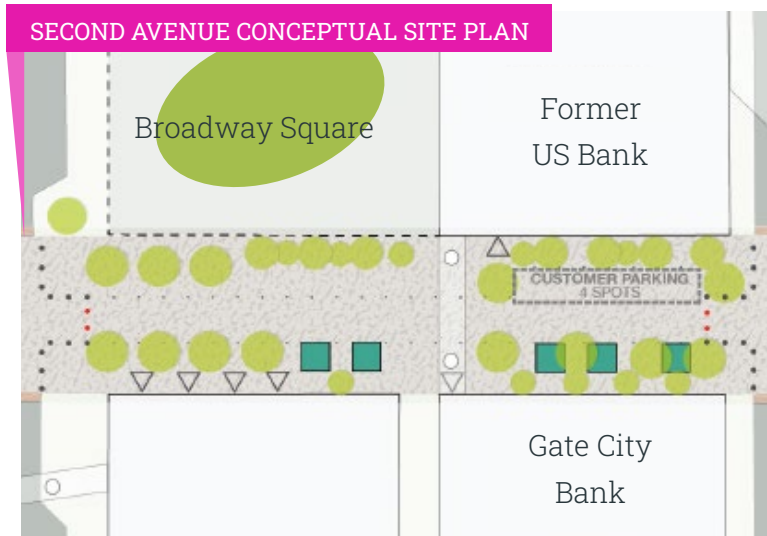
Since its completion in 2020, Broadway Square is seen as a successful public space, so much so that folks think it could be larger to accommodate larger events. Broadway Ave is an iconic street that hosts many events, but balancing the number and scale of events is critical, especially to minimize impact on existing nearby businesses.

STEP 1:
Update the Downtown InFocus Streets Playbook to reflect intended design for 2nd Ave N from Broadway N to 4th St N to meet the following principles:

1. Adjust the grade of the street to create a curbsless street which easily allows for an expansion of Broadway Square when appropriate
2. Consider mechanical bollards or other safety measures to close the street when needed
3. Consider mitigation of the impacts to the perpendicular alley
4. Consider utility and infrastructure needs to benefit vendors and local businesses

STEP 2:
Coordinate with City of Fargo Engineering to finalize the design for a raised street on 2nd Avenue from Broadway to 5th St N.
Continue streetscape enhancements along 2nd Ave.

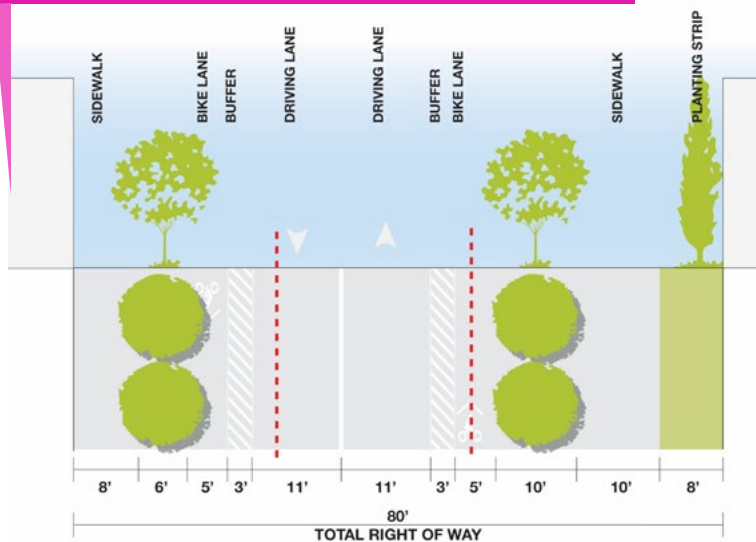
STEP 3:
Develop a timeline to secure funding.



Left: Conceptual plan for a raised 2nd Ave N from Broadway to 5th St N. The raised street potential for this raised street is to expand Broadway Square as needed for a combined walkable open space as needed for events.



SECOND AVENUE PROPOSED SECTION



Second Avenue Improvements

The goal for the 2nd Avenue project is to build off of existing activities and programs on Broadway and Broadway Square while avoiding conflicts. The concept presents a flexible arrangement with permanent and removable bollards to keep the street functioning at different modes depending on the type and scale of events happening. Kiosks are proposed at certain spots considering the building facades, entrances, and alleyways in coordination with tree planting to provide continuing commercial activity on the street. There is space designated for temporary tents during events such as farmer's markets and street fairs. See the *Fargo Civic Plaza Contextual Planning and Landscape Masterplan, 2019* for more details and scenarios.



Use the Public Art Masterplan to **prioritize public art projects Downtown** and reinforce the “Design District” concept.

IMPLEMENTATION STEPS

What are we trying to accomplish?

Find a lead staff or team to develop design, funding, and implementation plans for public art projects in Downtown. Promote recommendations from the Fargo Public Art Master Plan, which provides clear direction on spaces that are opportunities for public art. Empower those working to create public art to implement projects Downtown.

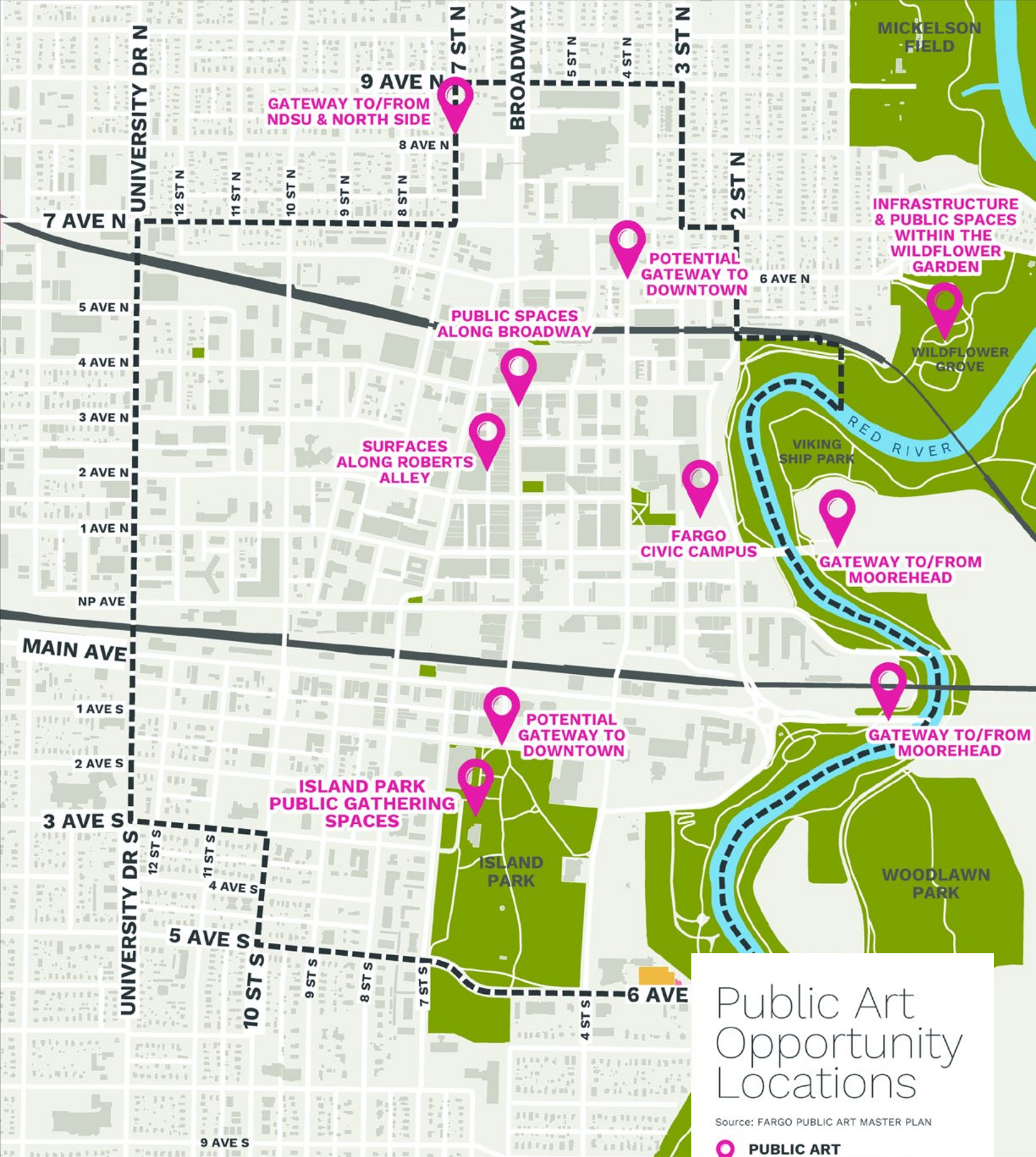
Where are we now?

Although there is a desire to activate Downtown with public art coming from interest groups, business owners, and others, no institutionalized process to implement public art projects exists. The City’s website includes an application form for proposed public art concepts and partnerships, but there is no regular schedule of project funding or formal selection criteria.

There are currently very limited resources to fund and maintain public art across the City of Fargo. The Arts and Culture Commission (ACC) was created in 2016. Currently, \$60,000 is allocated for projects and maintenance. This typically supports 1-2 projects a year. Other allocations for public art – as part of infrastructure projects – occur from time to time. Most projects are secured through public solicitation processes. Currently the bylaws for ACC requires one of the nine board members to be a representative of downtown.

The Arts and Culture Commission is positioned to be the primary advocate for public art citywide, but public art initiatives aren’t prioritized with assigned City revenue funding or resource staff.

- **STEP 1:**
Support Fargo’s Arts & Culture Commission to evaluate the implementation progress of the Public Art Master Plan.
- **STEP 2:**
Promote public art opportunity locations and constraints.
Confirm 5 priority locations for a public art installation with the Arts and Culture Commission based on the Public Art Master Plan.
Work with City Planning & Engineering to determine specs or constraints for each location, which can be presented with the solicitation for public art.
- **STEP 3:**
Secure ongoing funding to support the implementation of new public art projects Downtown.
Seek to implement the 1% for Art recommendation outlined in the Public Art Master Plan.
- **STEP 4:**
Dedicate funding for the management and maintenance of existing public art projects in Downtown.
- **STEP 5:**
Publicly announce a solicitation and funding for public art in Downtown each year in partnership with the Arts & Culture Commission.
- **STEP 6:**
Consider creating a “Downtown Design District” to help promote and fundraise for new public art as well as market Downtown as the region’s destination for design and the arts.



Public Art Priority Locations

The opportunity locations depicted on the map above come from the Fargo Public Art Master Plan.

Public Art Opportunity Locations

Source: FARGO PUBLIC ART MASTER PLAN

-  PUBLIC ART OPPORTUNITY SITES
-  RAIL
-  OPEN SPACE
-  DOWNTOWN FOCUS AREA



Commit to the vision for the Downtown Riverfront.

IMPLEMENTATION STEPS

What are we trying to accomplish?

Improved connections between Downtown and the Red River trail, a consensus on what development sites are in play along the Riverfront, and on a general approach to their redevelopment. This established vision will aid in the allocation of funding for implementation. For the property the City controls, new development provides housing at a range of price points and improves the public realm, access to the River, and open spaces. For the properties not owned by the City, clear expectations are set for redevelopment in this area.

Where are we now?

There's not a consensus on the overall vision for Fargo's Riverfront. Red River flood protection is almost complete, and while it is an important piece of infrastructure, it disconnects Downtown from the Red River, both physically and experientially. Few publicly-owned redevelopment sites remain Downtown, most are clustered in the Riverfront area, namely the Civic Center Site, the Mid America Steel Site, and the parking lot at the Southeast corner of the Civic Plaza. A Riverfront TIF district was created, and funds are available to support public improvements in the district boundaries. TIF funds were first used to demolish buildings on the Mid-American Steel site.

STEP 1:
Reach broad agreement on the riverfront plan on this page and the overall timeline for construction.

For Mid America Steel

- Support Phase 2 Environmental Research to determine if residential development is feasible on the site.
- Craft an RFP to realize the recommendations set forth in this document and in accordance with the following principles:
 - » Include a mixed-income housing component if residential development is determined to be feasible (80% AMI, or 100% workforce housing) and if the City agrees to sell the site below market rates.
 - » Leverage new development to provide new open space along the river (on the other side of the proposed flood protection wall)
 - » Be transparent about how RFPs will be evaluated and the proposal scoring and selection process.

For the City Hall Plaza (southeast corner parking lot)

- Work with an architect to undertake a feasibility study on the site's development potential with order of magnitude costs.
- Determine the City's position on the sale of the corner with respect to creating a parking podium for library staff and visitors. This could be developed prior to the sale of the site for the development of its "air rights" over the podium or completed as a public-private partnership.
- This site is also a candidate for mixed-income housing if sold to a developer at below-market rates.

For the Civic Center site

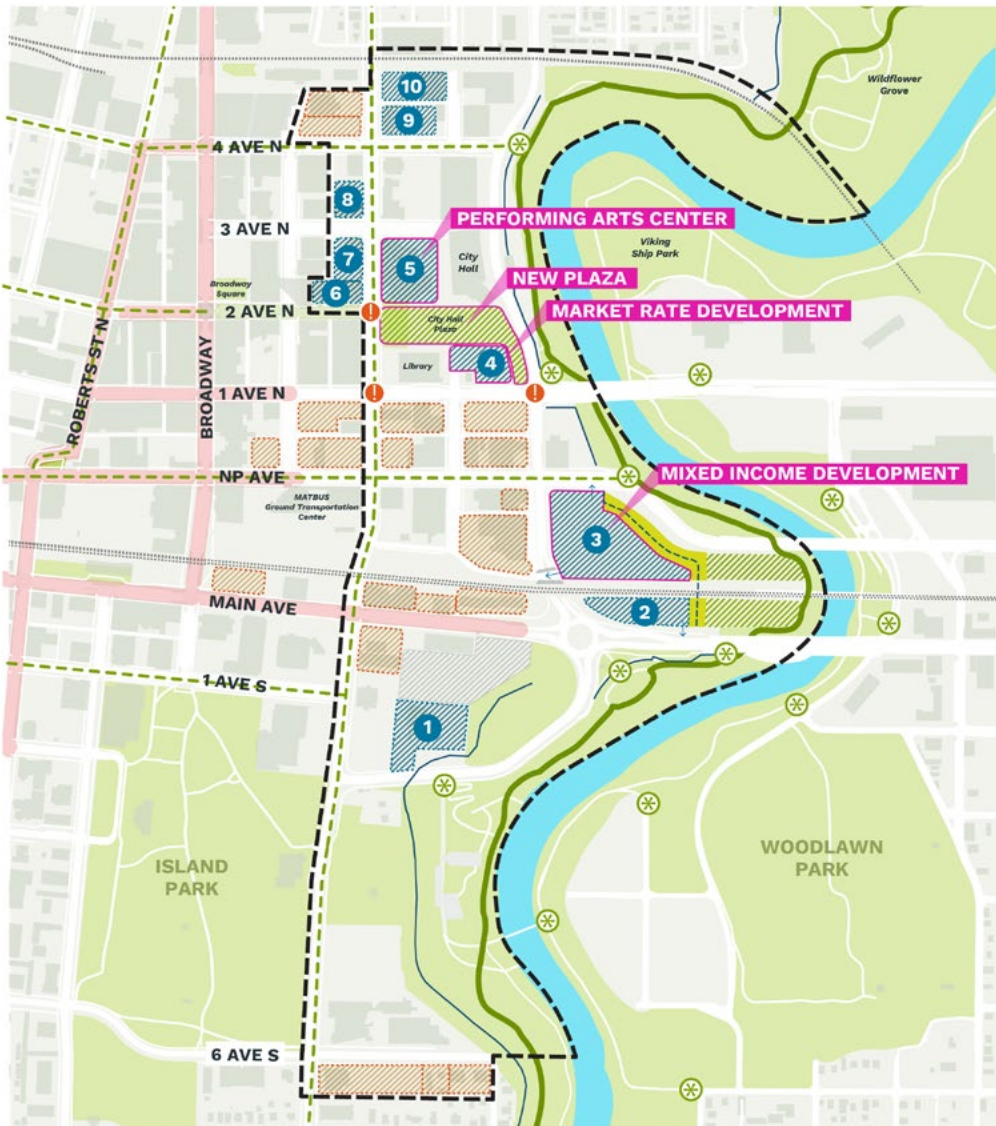
- Establish a fundraising committee to raise dollars for a performing arts center. The fundraising needs to cover both the demolition and development of the facility.

STEP 2:
Provide clarity on where and how Riverfront TIF funds can be spent and what amount is available for investment in the district geography.

If funds are available, prioritize investments in the public realm, including safer crosswalks and more comfortable sidewalks along direct pathways to the Riverfront, capital improvements to City Hall Plaza, and affordable housing gap financing.

Riverfront Plan

Source: Interface Studio



- RIVERFRONT TIF DISTRICT
- FLOOD PROTECTION
- - - FUTURE FLOOD PROTECTION
- - - EXISTING BIKE INFRASTRUCTURE
- - - EXISTING MULTI-MODAL TRAIL
- ⊗ RIVER TRAIL ACCESS POINT
- EXISTING OPEN SPACE
- PROPOSED OPEN SPACE IMPROVEMENTS
- ⓪ PROPOSED INTERSECTION IMPROVEMENTS

SUSCEPTIBILITY TO CHANGE

- CATALYST OPPORTUNITY SITES
- ▨ PUBLICLY OWNED WITH REDEVELOPMENT POTENTIAL
- 1 FHA ~110 SENIOR UNITS PROPOSED
- 2 MID AMERICA STEEL SOUTH, 1.3 AC
- 3 MID AMERICA STEEL NORTH, 3.9 AC
- 4 PARKING DEVELOPMENT SITE
- 5 PERFORMING ARTS CENTER SITE
- 6 PARKING GARAGE EXPANSION
- 7 FORMER POLICE STATION
- 8 FORMER PUBLIC HEALTH SITE
- 9 FHA OWNED SITE
- 10 SCHOOL DISTRICT OWNED SITE
- ▨ PRIVATELY OWNED WITH REDEVELOPMENT POTENTIAL
- ▨ CURRENTLY UNDER CONSTRUCTION

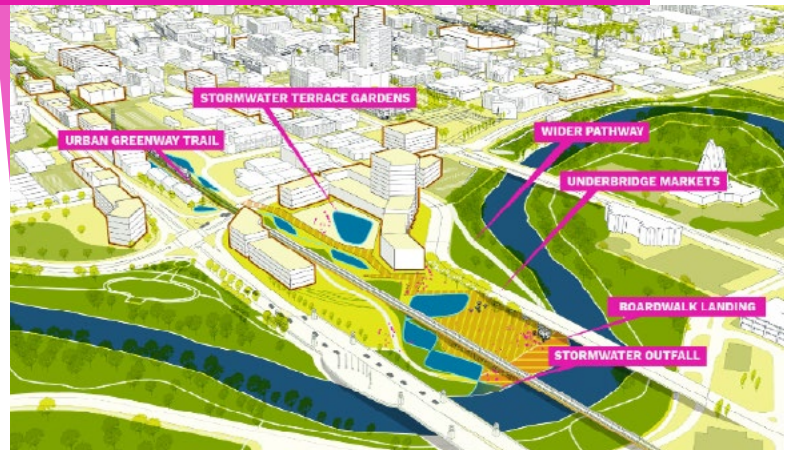
Each of the locations depicted on the map above was vetted by the City of Fargo Planning & Development staff and City Leadership as part of a round of internal stakeholder engagement to create this Plan update and ensure it is reflective of current opportunities.

STEP 3:

Establish metrics to guide future investments

- Measure the amount of new investment, and the number of new residents and users along the Red River and at City Hall Plaza.
- Tap cell phone data (Placer.ai for example) to understand how people travel to the riverfront and where they head before and afterward.
- Publish the results annually and use the data to identify new public investments that further improve the riverfront.

CONCEPTUAL RIVERFRONT DEVELOPMENT VISION



FARGO INFOCUS (2016): Conceptual sketch of mixed use redevelopment and Riverfront Plaza at former Mid America Steel site.



11 Improve City Hall Plaza

IMPLEMENTATION STEPS

What are we trying to accomplish?

A renewed City Hall Plaza that acts as an attractive front door to the City of Fargo, the riverfront, and important destinations like City Hall, the Fargo Library, and a future performing arts center. The plaza receives temporary improvements in the near term to upgrade the space now for programming and events while planning ahead for a larger overhaul in the spirit of the work completed previously for the space.

Where are we now?

Recent investments in the plaza include a newly constructed City Hall and a new landscape feature that displays the Sodbuster statue. Legacy infrastructure still remains including a leftover asphalt patch that creates a disjointed environment. A new Fargo sign on 4th Street is a location for selfies and occasional programming has occurred in the plaza. The existing pathway to City Hall from the southeast corner parking lot is not ADA accessible and the Plaza overall feels disconnected from both the Red River and Broadway. A master plan for the plaza was completed in 2019. Since then, a design process for a bridge that connects the space to the Red River trail was conducted. It resulted in a decision to not proceed with a bridge in the near term, though the long-term vision of an active connection between City Hall Plaza and the Red River Trail should remain an important goal.

EXISTING CITY HALL PLAZA



STEP 1:
In the short term, activate City Hall Plaza. A tactical approach should include:

- Finalizing the plan included on the following page. Focus on temporary public art, upgrades to better support programming, clear connections to the Red River Trail, and new trees and landscaping with a focus on supporting local habitats (butterflies). No de-paving is anticipated at this time.
- Target funding for tactical improvements for \$100,000/year for the next five years, anticipating maintenance and repainting on an annual basis.

STEP 2:
In the long term, continue to pursue larger reconstruction of the City Hall Plaza as part of a full riverfront build-out, and in accordance with the following principles:

- Provide clear, direct, and welcoming access from 2nd Ave to the entrance of the Red River trail through the plaza itself.
- Explore the creation of a market rate development site on the Southeast corner.
- Design the space to be flexible to easily support Downtown programming, and support peaceful protests by the Fargo community.



Near term enhancement strategy for City Hall Plaza!

ASHPALT MURAL EXAMPLE- "THE OVAL"



Source: "The Oval", Philadelphia, PA.

EVENING ACTIVATION: SOLAR LIGHTS



Solar Pathway Lighting could allow for evening activation.

COLORFUL SAFE CROSSINGS



Painted Curb Extensions, Bayside Park, Jersey City

Inclusive growth

WHAT IS "AFFORDABLE HOUSING"?

Housing is typically defined as affordable when it consumes no more than 30% of a household's income.

For a server, that would be \$780 per month.

Average salary and affordable rent for a single person in 2023:



Household income varies, as does household size, thus, eligibility requirements for state housing assistance programs involve calculating a household's total income as a percentage of the Area Median Income (AMI). For example, to qualify for Fargo Housing Authority public housing rentals, a household would need to make less than 80% of the AMI, for a household size of 1 person, their annual income would need to be less than \$58,350.

WHY THIS MATTERS:

- Over the last 20 years, the City of Fargo has studied the local housing market, neighborhood growth, and affordability across four key plans and studies: Go2030 (2018), Downtown InFocus + Housing Memo(2018), Core Neighborhoods Plan (2019), and the Downtown Affordability Needs Assessment (2022).
- After 10 years of decline (2000-2010), the population of Downtown and the Core Neighborhoods increased over the 2010-2021 period. Downtown and the Core Neighborhoods have approximately 35,000 households today, and are estimated to be 40,000 by 2030.
- The term “Affordable Housing” is often used as a catch-all term and used interchangeably with workforce housing and subsidized housing. Housing is considered “affordable” when the occupant is paying no more than 30% of their gross income. Today, 5% of Downtown housing, and 15% of Downtown and the Core Neighborhoods housing combined qualifies as “affordable”.
- With the affordability of housing being a top concern for many stakeholders, and limited resources to meet the demand for publicly funded or “subsidized” affordable housing, efforts need to be made to protect the existing naturally occurring affordable housing (NOAH) in and close to Downtown.
- The City does not develop housing without partners in the private sector. In order to spur new affordable development, the City can establish new development controls requiring private industry to provide affordable units, provide incentives to reduce barriers for developers to do so, or a combination of the two.
- The protection and development of permanent supportive housing is one of few place-based strategies to address homelessness in Fargo. To address homelessness in Fargo, recent plans emphasize a need for the City to increase support for permanent supportive housing. Homelessness has been exacerbated by the COVID-19 Pandemic across the country and throughout the City of Fargo.
- During the Pandemic, Fargo Cass Public Health opened the Downtown Engagement Center (DEC) in the former police station (222 4th Street N.) to provide emergency isolation and quarantine shelter for single, unaccompanied men and women who did not have permanent housing and were unable to access other shelter facilities. Today, the DEC offers those experiencing or at-risk of homelessness many services including basic needs like laundry, showers, and lockers as well as access to Homeless Health Services. A variety of local organizations conduct outreach weekly at the DEC to better connect with the people we serve.
- Service providers operating at the DEC agree that the former police building does not adequately meet the needs of staff and visitors. A new purpose-built building is needed to provide high-quality care for those in need of housing support services. Exploration into a new location for the DEC is in its infancy.
- Fargo is the largest metropolitan area in the State of North Dakota and Downtown is the largest urban center. Downtown will continue to draw the unhoused population seeking support. For example, the Homeless Health clinic at the DEC is the only one in all of North Dakota.
- Homelessness sometimes gets associated with nuisance activity in downtown, but these should be considered separate issues. Any behaviors that cause nuisance activity should be addressed and do not need to be conflated with the housing status of individuals. The people without shelter are not necessarily the people causing the nuisances.

Downtowns need to serve a diverse population to create an integrated, welcoming place that supports local businesses throughout the year. With the recent growth that Downtown Fargo has experienced, there is a risk of pricing out those that work Downtown like bartenders or cashiers from living there. Further, homelessness is not a symptom but often the result of housing instability. Downtowns across the country have faced rising homelessness and struggle to provide services that will help to alleviate the issues. **Creating an inclusive downtown requires careful planning and investment in housing.**

Here’s what we need to do ...

HOUSING RECOMMENDATION ALIGNMENT ACROSS RECENT PLANS

	2018 Go2030	2018 Downtown InFocus + Housing Memo	2019 Core Neighborhoods Plan	2022 Downtown Affordability Needs Assessment
Update the Land Development Code				
Infill gaps between Downtown + Core Neighborhoods				
Promote walkability & walkable development				
Accommodate for a range of affordable housing choices (increase density, smaller unit size)				
Development incentives and subsidies to promote affordability				
Expand capital sources to support rehab and revitalization for Naturally Occuring Affordable Housing				
Scattered site program				
Mixed-income, inclusionary housing requirements for any project with residential that seeks public assistance				
Create a housing trust fund or community land trust				
Create a regional housing trust fund to support inclusive housing development at a regional level				
Create a capital pool, or housing fund, to write down the cost or provide patient equity capital				
Use a land trust or shared equity model				
Build Permanent Supportive Housing				
Provide additional shelter beds				
Build Affordable Housing ("deep subsidy")				
Focus financial resources on housing products where it is difficult to secure funding				
Build LIHTC and Workforce Housing ("shallow subsidy")				
Make better use of 4 percent tax credit				

¹ Fargo Affordable Housing Analysis Findings (Feb 2022), Maxfield Research and Consulting, Study for the City of Fargo.



Explore creating a separate Cass County / Fargo **Continuum of Care.**

IMPLEMENTATION STEPS

What are we trying to accomplish?

Create a Cass County + Fargo Continuum of Care, separate from the State to focus service administration in the largest metropolitan area in the state. Alternatively, at minimum, work with the state to conduct a sub-level analysis at the County level.

Where are we now?

- The North Dakota Continuum of Care looks at capacity of the homelessness response system and counts the number of individuals experiencing homelessness throughout the state. Data can be broken down by region, county, and city but there are some challenges in ensuring these numbers accurately reflect our cross-border community.
- Recent metrics collected by the ND CoC indicate a surplus of emergency shelter beds across the state. For example, the state CoC boasts an 81% utilization rate of shelter beds, stating that “North Dakota has met its goal for all projects”. However, we know that this is not an accurate picture of the state of shelter availability in Fargo, as all shelters are over capacity.
- These statewide metrics make it difficult to lobby for more investment for homeless resources in the City of Fargo, despite the agreement that more resources are needed. For example, according to the FM Coalition to End Homelessness, there are 957 homeless individuals in the FM region, and 8% are unsheltered. However, the 2023 North Dakota point-in-time counts reference 724 homeless persons throughout the entire state. This means there are more people experiencing homelessness in the FM region than in the entire state of North Dakota.

- ✓ **STEP 1:**
Begin coalition-building among the City of Fargo, Moorhead, and Cass County partners.
- **STEP 2:**
Build the County case by using regional data to demonstrate the proportion of individuals experiencing homelessness in Fargo compared to the rest of the state.
- **STEP 3:**
Petition the State of North Dakota for additional resources, a County CoC or sub-level study.
- **STEP 4:**
Establish a Coordinator and Committee to lead advocacy work at the County level.

WHAT IS A “CONTINUUM OF CARE”?

A Continuum of Care (CoC) is a regional or local planning entity designed to coordinate housing, services, and funding for homeless families and individuals. Each CoC member organization is a part of the homelessness response system and maintains a commitment to the goal of ending homelessness. This occurs through the coordination of resources to quickly rehouse homeless individuals and families while minimizing the trauma and dislocation of individuals, families, and communities by homelessness.

Each CoC must establish a board to act on its behalf and must develop a governance charter. The CoC approach is designed to promote community-wide planning and strategic use of resources to address homelessness through the coordinated efforts of assessing and addressing the housing and service needs of individuals and families that are currently homeless or at risk of homelessness. Each year, HUD awards competitive CoC Program funding to carry out CoC program operations.



Develop a 5-year strategy for sustaining the **Downtown Engagement Center**.

IMPLEMENTATION STEPS

What are we trying to accomplish?

The City, County, and State allocate funding for a new location for the Downtown Engagement Center in the Downtown area. A new, improved facility is operational by the end of 2028 (5 years).

Where are we now?

The Downtown Engagement Center (DEC), at 222 4th St. N., offers those experiencing or at-risk of homelessness many services, including basic needs like showers, laundry, and lockers. A variety of providers operate out of the DEC to assist in care coordination and other wrap-around services to promote stability. Service providers operating at the DEC location agree that the building does not adequately support the spectrum of services offered at this location or the functional needs of staff and visitors.

DOWNTOWN ENGAGEMENT CENTER



- STEP 1:**
Convene service partners operating out of the Downtown Engagement Center (DEC) to discuss challenges with the current building and desirable specs and attributes of a future location.

- STEP 2:**
Identify potential Downtown properties able to accommodate a future DEC.

- STEP 3:**
Allocate City of Fargo Capital Improvement Program funding to acquire a property suitable to renovate or construct a new DEC.

- STEP 4:**
Close the funding gap by pursuing state and federal funding needed to purchase, renovate, and open a new facility.



Build **mixed-income multi-family** housing Downtown.

IMPLEMENTATION STEPS

What are we trying to accomplish?

Fund and promote incentives for the construction or rehabilitation of housing units for sale or rent at a broader range of price points Downtown, including more workforce housing for those who make 80% AMI Downtown (for a single person that's currently less than \$50,050)

Improve education around available resources and incentives, and increase utilization of the existing HUD 4% LIHTC tax credit program administered by the State for affordable housing as more developers take advantage of existing federal resources.

Where are we now?

- Current affordability incentives are unclear and insufficient to fill the need for affordable housing Downtown.
- Most new housing construction in Downtown is market rate, despite demand for middle-income housing. This year (2023) there are only six affordable housing units being built Downtown.
- Existing cost to build an affordable unit is \$250k - \$300k per unit. Although the State administers the 4% LIHTC tax credit program to incentivize affordable housing, this and other potential financing tools are underutilized.
- Not all developers are aware of the program and rebate programs require developers to produce the equity to fund the project up front.
- Adding an additional 800 subsidized housing units by 2030 - as suggested by the 2021 Affordable Housing Needs Analysis for Downtown Fargo by Maxfield Research & Consulting- would only change the percentage of affordable housing in Downtown and Core Neighborhoods by 2% without any new market-rate development.

- **STEP 1:**
For strategic publicly owned properties, like the redevelopment of MidAmerica Steel, **include an affordability component in the scoring process of the RFP.**

"Affordable housing" in this application would be defined as 80% AMI, or 100% for workforce housing. Mixed-income housing should be the priority; it is not recommended to use this tool in the pursuit of 100% affordable projects.

- **STEP 2:**
Commit more resources to support mixed-income housing development.

There are many ways to increase resources for affordable housing, including:

1. **Housing PILOT for payment in lieu of taxes** (The City of Fargo already offers this, but the program could be more effective.)
2. **A new approach to TIF management:** Utilize existing TIF funds to capitalize a housing trust fund, funds protected exclusively for use creating or incentivizing affordable housing projects. This would be a different approach to managing TIF for the City of Fargo.
3. **A Housing Bond or form of direct financing:** This would be a new approach for the City but would provide dollars to incentivize new affordable and workforce housing. A housing bond could be used to support the rehabilitation of existing single-family homes to keep them affordable in the core neighborhoods, to provide local dollars to better leverage the use of 4% LIHTC credits and other federal sources of funds, and potentially be used to directly offer rent subsidies to those that qualify. The City would determine the use of the funds should this be an option.

- **STEP 3:**
Actively promote housing development and rehab incentives.

Awareness of existing programs is a critical implementation action. Ensure information related to eligibility and the application process is easy to find and clearly stated. Be sure to include Frequently Asked Questions and a point of contact to assist applicants through the process. Post an expected timeline for review, selection, and funding allocation or reimbursement so developers can clearly understand how the City's process ties into their development timeline.

Inclusionary zoning may help, but it's not a silver bullet for Fargo.

The City's previous plans and studies call out the need for housing for a range of price points. Fargo's current housing is a "barbell"; there are options that are very affordable, very expensive, but limited options in the middle.

Inclusionary zoning is a policy tool designed to promote affordable housing within communities. Under inclusionary zoning, developers are required to set aside a certain percentage of units in a new residential development for affordable housing. These units are sold or rented at below market rates to income-qualified households. The specifics of inclusionary zoning policies can vary significantly from one jurisdiction to another. Local governments tailor their policies based on the unique housing needs, market conditions, and regulatory frameworks of their communities.

Like any policy, it comes with its own set of advantages and disadvantages. Critics argue that inclusionary zoning can lead to an increase in the price of market-rate units, as developers may pass on the costs of providing affordable units to other buyers. Further, inclusionary zoning could potentially lead to a decrease in overall housing

supply if developers are less inclined to undertake projects in areas with stringent affordable housing requirements. In addition, the potential impact of this policy is much smaller than affordable housing needs of the City. If the policy were to be implemented here, projections indicate it would only create 80 new middle-income units Downtown over the coming years, assuming the number of new, market-rate units matches the output of the last five years. A recent housing demand study initiated by the City of Fargo estimates that 250 additional subsidized units per year are needed to keep up with demand.

The ultimate goal of Inclusionary Zoning is to ensure that a proportion of new development is affordable and accessible to those who are typically priced out of new development and/or experience barriers to tenancy due to strict regulations on background requirements. The City and other Stakeholders should take considerable action to determine how the goal of Inclusionary Zoning can be met without the negative side-effects on development listed above.

DOWNTOWN FARGO HOUSING IS A "BARBELL"





Invest in homes in the core neighborhoods.

IMPLEMENTATION STEPS

What are we trying to accomplish?

Preserve and improve naturally occurring affordable housing (NOAH) in the core neighborhoods to increase the amount of residents that live close to Downtown.

The City conducts outreach with targeted resources for homeowners who may qualify for existing or upcoming rehabilitation programs.

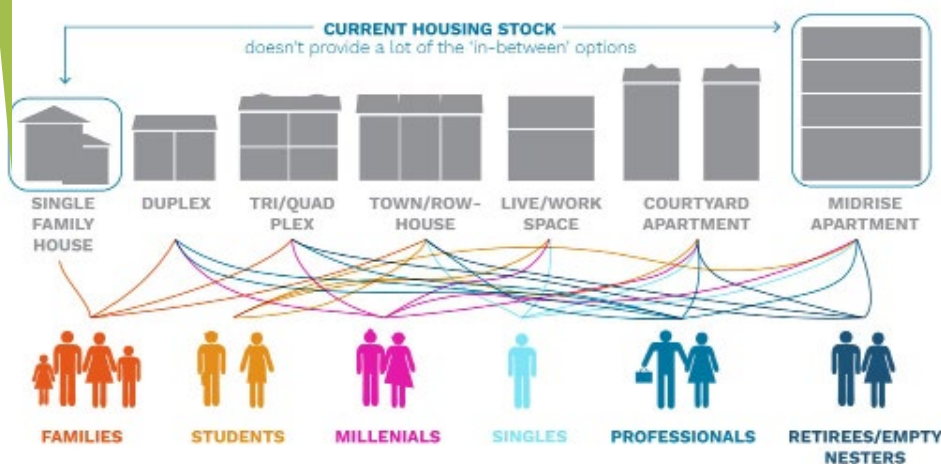
Where are we now?

The City has begun to capitalize a fund to implement housing revitalization in the Downtown and the Core Neighborhoods. \$1 Million per year for the next five years is allocated in the City of Fargo General Fund to provide management and support of these initiatives. Education and coordination across City Departments on the initiative is needed.

The Neighborhood Revitalization Initiative offers low-interest loans up to \$100k through Gate City Bank to rehabilitate older homes (40 years or older) that are in need of renovation.

- STEP 1: Protect existing NOAH multifamily apartments.**
 The FHA should consider seeking an essential facilities bond concept in pursuit of this goal.
- STEP 2: Actively promote the Gate City bank rehab program.** Awareness of existing programs is a critical implementation action.
- STEP 3: Focus on City of Fargo HUD program activities for new housing types or hard to develop properties.**
 This also ties to City incentives and other subsidies.
- STEP 4: Instill the Core Neighborhood Plan recommendations** to minimize further blight by intervening with programs.
- STEP 5: Participate in the regional housing commission** as recommended by the Regional Housing Study and supported by FM MetroCOG.
- STEP 6: Review City incentives and their use for housing projects**

MISSING MULTI-FAMILY HOUSING OPTIONS IN FARGO





Pursue **permanent supportive housing** solutions.

IMPLEMENTATION STEPS

What are we trying to accomplish?

New, permanent supportive housing (PSH) modalities to serve those who meet the definition of chronic homelessness and/or have a high need for supportive services to maintain housing stability.

Permanent supportive housing refers to both a housing type and/or a program service type. The ultimate goal of permanent supportive housing is to ensure access to voluntary wrap-around support services are available to those with the highest barriers to housing stability. Most often, people conceptualize PSH as a building with co-located services. However, PSH can also refer to the provision of wrap-around services to those living in scattered-site apartments, which allows an individual more autonomy over their life and connection to the larger community. When these wrap-around services are made available in addition to stable housing, a more costly response to any physical health, mental health, or substance use issue can be avoided or curbed completely. For this reason, it is more cost-effective to provide permanent supportive housing. The City's recently completed housing study recommends 180 units of new permanent supportive housing Downtown with another 120 in the near neighborhoods.

Where are we now?

While Downtown is a focus for services, homelessness shelters and services exist across the Fargo-Moorhead region. There is an extremely limited supply of housing that includes case management and services in the region. There are currently 119 permanent supportive housing units in and near Downtown operating at full capacity.

■ **STEP 1:**
Create a separate Continuum of Care (CoC) committee to provide Fargo metro-specific homelessness data and policy guidance and/or create a subcommittee of the state-level CoC (see Action 12).

■ **STEP 2:**
Pursue community partnerships to proactively address quality of life issues that interfere with the ability to maintain stable housing for those exiting homelessness.

Area medical providers will be a key partner. Work with the state Medicaid agency and managed care entities on a PSH "social determinants of health" model utilize Section 1115 waiver.

■ **STEP 3:**
Dedicate resources to and pursue metro-wide cooperation for the "functional zero" approach to homelessness after Fargo-specific data becomes available.

HOMELESS PERSONS SUPPORT RESOURCES IN DOWNTOWN FARGO



Public financing + economic needs

WHY THIS MATTERS:

- Downtown Fargo is a center for tourism, a driver of tax revenue and business activity, and host to a concentration of resources, amenities, and social infrastructure not found elsewhere in the region.
- The City relies, in part, on funding infrastructure improvements in the City of Fargo through special assessments in the project areas.
- A fundamental rationale of the special assessment structure is to draw funding for improvements from those whose proximity to the project location suggests they will benefit more or more frequently from the improvement.
- Downtown is an economic driver for the region. Downtown Fargo represents the City as a whole, and draws visitors and residents from far outside the urban core to shop, dine, explore, and enjoy all Downtown has to offer.
- Investments in Downtown infrastructure provide benefits to a much larger user group, and as such should be funded accordingly. There needs to be a fundamental shift in how things for Downtown are prioritized and funded.
- There are several large projects under discussion for the City of Fargo, including the expansion of the FargoDome. All could have a positive impact on Fargo, so prioritization is difficult.
- Major investment decisions amplify the impact and impression of Downtown Fargo, broadening the appeal, impact, or desirability as a destination for tourism and business.
- In order to grow as a neighborhood, the Downtown area needs more housing options across a spectrum of affordability levels. The City does not develop housing without partners in private or non-profit development.
- In order to spur new affordable development, the City has two primary options: the “carrot” and the “stick”. The City can establish new development controls requiring private industry to provide affordable units OR provide incentives to reduce barriers for developers to do so.
- The Downtown Community Partnership (DCP) - Fargo’s downtown organization - and non-profits like Folkways are the primary agents activating Downtown on a regular basis. The DCP estimates that their events and activities bring a total of approximately 150,000+ people to downtown Fargo every year.
- The DCP is 501(c)6 nonprofit, and the primary source of annual operating income is revenue from events (61.25%), member and investor contributions (26.73%), and payment by the City of Fargo to administer the downtown BID (9.05% of our operating budget (2022) - this changed to be a 10% administration fee starting in 2023).
- DCP’s ability to expand programming and events is limited by the organization’s current funding level and staff capacity.

Downtowns need dedicated funding to reflect the conditions that make downtowns unique. Downtown Fargo is a business center but also an entertainment destination, tourist attraction, and neighborhood. For this reason, Downtown should look and feel differently than other parts of the City as it acts as the region’s front door. Creative public investment is needed to ensure we meet Downtown’s economic needs. **The City must consider new sources of revenue and project funding structures to ensure our infrastructure, public spaces, and housing can meet the needs of Fargoans today and in the future. And, that our Downtown continues to drive the regional economy and represent the unique cultural epicenter of North Dakota.**



Increase City **contribution to Downtown Community Partnership** for programming and Downtown Plan implementation

IMPLEMENTATION STEPS

What are we trying to accomplish?

Provide an effective level of resources to support the Downtown as a key revenue-generating location, marketing tool, and talent attractor for Fargo.

Where are we now?

DCP budget is primarily based on membership or assessment fees and revenue from events. DCP has a staff of three and administers the downtown BID with a funding contribution from the City. Without additional funding, the DCP is unable to grow or evolve the current business support actions, programming, or events Downtown.

✓ STEP 1:
Write up a purpose statement and funding request.

Determine how much additional funding is needed and for what purposes.

✓ STEP 2:
Submit the request in the 2024 budget cycle.

By early May 2023, requests should be submitted; public budget hearings typically take place in September.

□ STEP 3:
Prepare a Memorandum of Understanding(MOU) that defines the annual contribution by the City and DCP’s responsibility to provide services and allocation strategy for funds.

DOWNTOWN ORGANIZATION FUNDING SPENT PER RESIDENT





Review and **refine incentive policies** to better achieve public goals.

What are we trying to accomplish?

A new incentive policy that incorporates the “carrots” for accomplishing the public’s goals:

- Provide clear policies and eligibility requirements on public incentives;
- Continue to expand development off Broadway Avenue;
- Provide resources to develop the Civic Plaza, Performing Arts Center, and Mid America Steel sites.

Where are we now?

Fargo has several different incentives that can impact downtown development. These include the Renaissance Zone, New Expanding Business Exemption, Remodeling Exemption Policy, Downtown Housing Pilot, TIF and Public-Private Partnerships. The range of approaches provides flexibility in terms of addressing specific needs but they are also overlapping, or contradictory in value such as the difference between the Downtown Housing PILOT and Core Neighborhood PILOT versus the Housing TIF policy. In other cases such as the Remodeling Exemption Policy, the approaches are only beneficial to the building owner and not the tenants who may be in triple net leases(NNN).

IMPLEMENTATION STEPS

STEP 1:
Re-review Tischler Bise Study (2022) on incentives and exemptions

STEP 2:
Identify opportunities to include tourism-based businesses in incentives and exemptions given their inclusion as a primary sector.
Review the scoring matrix for continued applicability.

STEP 3:
Reconcile tax incentives and exemptions policies between the PILOT programs and the TIF policies.
Particularly in terms of building typologies and the number of eligible years.

STEP 4:
Streamline the approach to TIFs clarifying location-based TIF policy versus building typology TIF policies.

STEP 5:
Set different objective requirements for TIF incentives where the city may be the issuer of the debt, versus a “pay-as-you-go” strategy.

STEP 6:
Look at opportunities for expansion of existing zones
This includes the Renaissance Zone or create new TIFs where properties are underperforming and represent potential opportunities for future development.



Redefine RFP process for publicly-owned land and identify terms to evaluate RFPs.

What are we trying to accomplish?

An agreed-upon development vision that has been vetted by stakeholders is integrated into City RFPs.

Where are we now?

Ideal qualities or vision for development exist in the mind's eye of program administrators but isn't recorded or documented in RFP solicitations or the evaluation process. The City's RFP review process has no institutionalized means to evaluate if the proposal meets this vision.

IMPLEMENTATION STEPS

STEP 1: Create an RFP Working Group.

Establish a working group of City Staff and Commissioners, and a representative from the Downtown Neighborhood Association and DCP focused on RFP evaluation. This group will help refine the RFP expectation-setting and review process improvements.

STEP 2: Develop a consistent format for RFP vision-setting to guide RFP development and expectation-setting before public release of any RFP for publicly-owned land.

Response expectations may include details that speak to:

- The project goals or vision drafted by the project administrator and reviewed/confirmed by the RFP Working Group;
- Ideation and/or parameters suggested in past Downtown area plans and studies and relationship to the goals of the Downtown InFocus (2016) plan.
- Project delivery timeline and relevant phasing and/or cost assumptions.
- Siting, circulation, materials, or other design elements that will be used to evaluate proposals received.

STEP 3: Develop a consistent RFP evaluation scorecard.

Based on elements outlined in the RFP response expectations, a scorecard should be developed by the RFP Working Group and used to evaluate and score all responses.

- The City could use as an example the scoring mechanisms used for new or expanding business exemption incentives.
- Alternatively, the city could use the TIF policy objectives as a starting point to evaluate RFPs. However, as noted previously, not all the TIF objectives are equal in terms of impact so amending them and including a weighting system may be appropriate.

Coordinating among EDIC, RZ, and CC may be necessary to align initiatives and priorities.

STEP 4: Reconvene RFP Working Group

All RFP responses should be evaluated by the RFP Working Group against the criteria established in the Response Scorecard.



Development on publicly-owned land can be leveraged to meet some of the Infocus goals mentioned in this document. Opportunity sites such as the Mid-America Steel site is very large, has access to the waterfront, and is along Main Avenue at the entrance to Downtown from Moorhead. The area next to City Hall also has been included in several previous design proposals as an expanded open space.



Define a **Capital Improvement Program (CIP)** for Downtown projects.

IMPLEMENTATION STEPS

What are we trying to accomplish?

The City has a prioritized list of CIP projects, with a timeline and understanding of where revenue funds are accessed for each. Divide CIP for Downtown Projects into City responsibility and NOT City responsibility.

Where are we now?

No strategic plan exists beyond Downtown InFocus or the TIF Renewal Plan. There is no one at the City dedicated to finding funding and thinking strategically about getting more revenue. Today, grant applications are primarily led by the City Administrator and Directors.

STEP 1:
Create a list of all Downtown CIP projects under discussion.

Identify if the project is the responsibility of the City, or not, for every project on the list. Include requests from DCP around specific Downtown improvements

STEP 2:
Downtown Coordinator takes the lead.

STEP 3:
Review with Engineering and other internal departments.

STEP 4:
Review and update the strategic CIP list, annually.

TAKE ACTION!

Fargo-Moorhead Regional Housing Needs Analysis and Strategies

Study Purpose

The Fargo-Moorhead Regional Housing Needs Analysis and Strategies intends to create a common grounding on regional housing issues through robust regional housing data that the region and participating cities can use to coordinate on policy and regional strategies.

Goals

- Promote regional coordination for housing strategies.
- Educate city and county staff, elected officials, and residents on key housing challenges facing the region.
- Help current residents stay, grow, and age in the region.
- Accommodate new population and job growth by supporting more housing choice through different tenures and building types.
- Create opportunities for entry-level homeownership.

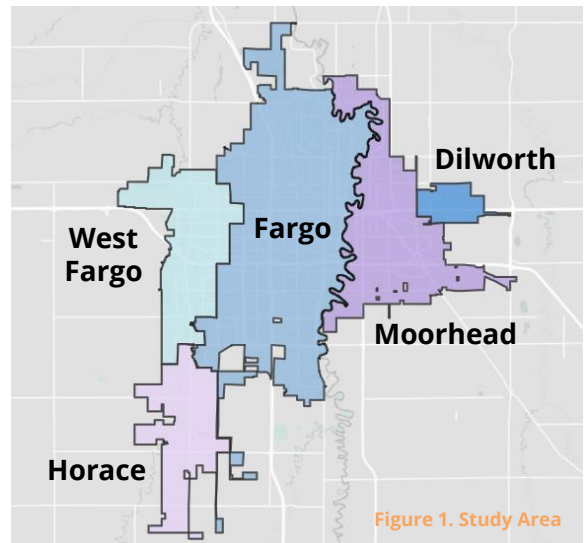


Figure 1. Study Area

Needs Assessment Findings

Strong Employment

Since 2010, the region has added nearly 23,000 new jobs, with thousands of jobs remaining unfilled and unemployment below 3% statewide.

Housing Supply Lags Behind a Changing Demand

The majority of new housing supply production is in the southwest of the F-M region, but new housing unit production has not kept pace with job growth.

An Opportunity for Increased Homeownership

In 2022 the minimum income required to purchase the average-priced home was \$81,000. At this income, less than 20% of renters could purchase a home.

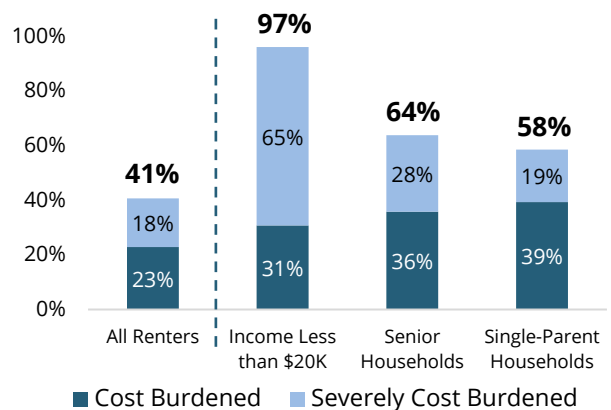
A Lack of Sufficient Affordable Rental Housing

Over 40% of all renters are cost-burdened. The largest share of rental housing need is among the most vulnerable households, families earning less than \$35,000.

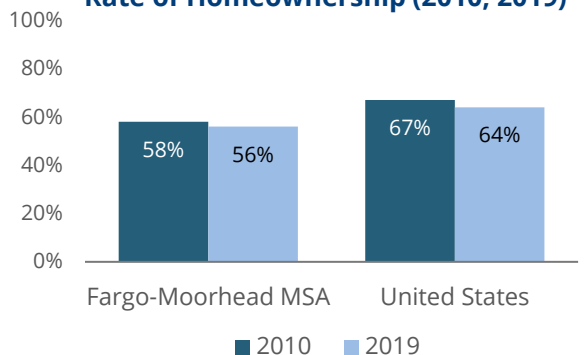
Source(s): US Census, 2010-2020

*Cost Burdened is defined as when a household spends greater than 30% of their monthly income on housing costs.

Share of Cost-Burden Renter Households (2020)



Rate of Homeownership (2010, 2019)



Fargo-Moorhead Regional Housing Needs Analysis and Strategies

The Fargo-Moorhead Region will need at least 15,900 additional units over the next 10 years. While construction of these units is feasible based on existing levels of production, the cost of these new homes will be out of reach for most residents.

In 2022, new construction homes were already unaffordable for most in the region. These homes were sold or appraised on average at \$425K. Less than 30% of the region's residents can afford to buy a home priced at this amount.

Over the next 10 years, there will be more demand for affordable rental options and housing for residents making less than area median income (AMI).

As housing costs increase across the region for most housing typologies, there is an increased potential for more households to become housing cost burdened.

Municipality	5 City Region	Fargo	Moorhead	West Fargo	Horace	Dilworth
Additional Households Demand	13,700	7,100	3,200	1,400	1,700	300
Renter Households (2030)	6,100	4,130	1,340	530	50	50
Homeowner Households (2030)	7,600	2,970	1,860	870	1,650	250
Additional Units Needed by 2032	15,900	8,300	3,700	1,600	1,900	400

The Fargo-Moorhead Region's families, seniors, and new residents require affordable, family-sized rental housing and entry-level homeownership opportunities. A continued development model that prioritizes single family, detached housing will produce significantly fewer total units with significant new infrastructure costs. Supporting a diversity of housing typologies will create a range of price points available for renters and homebuyers.

	SF-Detached Single Family Home Share of stock: 53%	Townhomes 2-10 units Share of stock: 9%	Low-Rise Apartment 10-49 units Share of stock: 28%	Mid-Rise Apartment 50+ units Share of stock: 10%
No. of units	1 unit	35 units	11 units	100 units
Land Area	0.26 acres	2.6 acres	.5 acre	1.3 acres
Density Calculation	3.8* units per net acre	13.5 units per net acre	22 units per gross acre	76.9 units per gross acre



Source(s): HR&A Analysis of MetroCOG Population Forecasts; Thomsen Homes; Eagle Ridge Development; Skaff Apartments
 *Note: assuming an additional .07 acre per home, to accommodate roadways, sidewalk, and other infrastructure.

Fargo-Moorhead Regional Housing Needs Analysis and Strategies

To ensure new employees can afford to work and live in the region, local jurisdictions and employers should consider a unique set of housing tools.

Addressing Immediate Housing Needs

Cities	Hotel and Office Conversions	Identify sites well-suited for hotel or office to residential conversions and proactively work with developers.
	Provide Education Opportunities for Employers	Encourage major employers within the FM-Region to disseminate information on existing homeownership programs to employees.
Regional	Employer-Assisted Housing (EAH) Programs	Aid and support for employer-assisted housing programs to meet short-term housing needs for new job openings.

To grow economically and maintain a high quality of life, the Fargo-Moorhead Region must deliver a variety of housing typologies that are affordable and attainable. In the long term, the region can leverage three types of housing strategies: land use policy changes, funding strategies, and interventions that lay the groundwork for future growth.

Interventions from all three categories will be needed to create and preserve the necessary housing in the region.

	Land Use Policies	Funding Strategies	Laying the Groundwork for Future Growth
Cities	<ul style="list-style-type: none"> Allow for and Reduce Barriers to Soft Density (2-9 Unit structures) Support and Reduce Barriers for Multifamily within Regional Employment Nodes Prioritize Transit-Oriented Development Allow and incentivize the construction of Accessory Dwelling Units (ADUs) 	<ul style="list-style-type: none"> Provide Multifamily Rental Gap Financing Create a Naturally Occurring Affordable Housing (NOAH) Preservation Strategy Maintain and Increase Investments to Services for Low-Income and Homeless Residents Market Publicly Owned Land Nationally Expand Capacity / Aid Growth of the Cass Clay CLT 	<ul style="list-style-type: none"> Establish a Regional Housing Committee Educate Staff and Coordinate Planning Efforts among Municipalities Invest in transportation, childcare and education to meet the needs of future and current residents
Regional	<ul style="list-style-type: none"> Regional Coordination on a Comprehensive Growth Strategy 	<ul style="list-style-type: none"> Establish a Regional Housing Trust Fund Pursue Additional State and Federal Funding 	<ul style="list-style-type: none"> Establish Clear Guidance on Infrastructure Investments Grow National Developer Interest in the FM Region