

FARGO PLANNING COMMISSION AGENDA
Tuesday, January 7, 2025 at 3:00 p.m.

A: Approve Order of Agenda

B: Minutes: Regular Meeting of December 3, 2024

C: Public Hearing Items:

1. Continued hearing on an application requesting a Conditional Use Permit to allow Non-Farm Commercial Use in the AG, Agricultural zoning district on a portion of the East Half of **Section 3, Township 140 North, Range 49 West**. (Located at 6987 and 7102 37th Street North) (Tammie Dickerson/Joseph Cecil/Dark Acres, LLC) (Im): WITHDRAWN
2. Continue hearing on an application requesting a Conditional Use Permit (CUP) to reduce Telecommunications Support Structure (TSS) setback requirements and to allow the TSS to exceed the maximum height requirements in the LC, Limited Commercial zoning district on Lots 23, 24, and 25, Block 14, **Morton & Doty's Addition**. (Located at 1417 University Drive South) (McAllister Real Estate, LLLP/Buell Consulting) (dk): CONTINUED TO FEBRUARY 4, 2025
3. Hearing on an application requesting a Conditional Use Permit to allow group living in the SR-2, Single Dwelling Residential zoning district on Lot 11, Block 9, **Edgewood Second Addition**. (Located at 213 Forest Avenue North) (Connecting Point, LLC/Brad McCaslin) (dk)
- 4a. Hearing on an application requesting a Zoning Change from AG, Agricultural to P/I, Public and Institutional on the proposed **AAB Addition**. (Located at 4672 100th Avenue South and 10245 45th Street South) (Cass County Joint Water Resources District/Metro Flood Diversion Authority) (dk)
- 4b. Hearing on an application requesting a Plat of **AAB Addition** (Major Subdivision) a plat of portion of the Northeast Quarter of the Northeast Quarter of Section 28, Township 138 North, Range 49 West, of the Fifth Principal Meridian, Cass County, North Dakota. (Located at 4672 100th Avenue South and 10245 45th Street South) (Cass County Joint Water Resources District/Metro Flood Diversion Authority) (dk)
5. Hearing on an application requesting a Plat of **Skyline Addition** (Minor Subdivision) a replat of Lots 16-22, Block 3, Beardsley's Addition, to the City of Fargo, Cass County, North Dakota. (Located at 1117, 1121, 1125, 1129, 1133, 1137, and 1141 18th Street North) (Skyline, LLC/Goldmark Design and Development) (dk)
6. Hearing on an application requesting a Plat of **EagleRidge Plaza Addition** (Minor Subdivision) a replat of Lot 6, Block 1, Bentley Place First Addition, to the City of Fargo, Cass County, North

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

Dakota. (Located at 3231, 3241, 3251, 3261, and 3271 Seter Parkway South and 5551, 5591, and 5601 33rd Avenue South) (Bentley Place Properties, LLC/EagleRidge Development) (me)

7. Hearing on an application requesting a Conditional Use Permit to allow industrial service and warehouse uses in the GC, General Commercial zoning district on Lot 2, Block 1, **Craigs 16th Street Addition**. (Located at 136 16th Street North) (NSK Properties, LLC/Century Builders) (lm)
8. Hearing on an application requesting a Plat of **Cottonwood Corner Addition** (Minor Subdivision) a replat of Lots 3-5, Block 1, Commerce on 12th Third Addition, to the City of Fargo, Cass County, North Dakota. (Located at 5550, 5570, and 5590 13th Avenue North) (Cottonwood Corner, LLC/Bent Rock Investments, LLC/Century Builders) (dk)
9. Hearing on an application requesting a Zoning Change from SR-3, Single-Dwelling Residential to UMU, University Mixed-Use on Lot 1, Block 4, **Beardsley's Addition**. (Located at 1142 18th Street North) (Ellis Enterprises, LLC /Mary Killoran Ellis/Fifth Gear, LLC/Andrew Skatvold) (dk)

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**BOARD OF PLANNING COMMISSIONERS
MINUTES**

Regular Meeting:

Tuesday, December 3, 2024

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

The Planning Commissioners present or absent were as follows:

Present: Maranda Tasa, Scott Stofferahn, Art Rosenberg, Jennifer Holtz, Thomas Schmidt, Brett Shewey (via conference call), Joseph Cecil, Amy Hass, Tyler Mohs, Paul Gleye

Chair Tasa called the meeting to order.

Business Items:

Item A: Approve Order of Agenda

Chair Tasa noted Items 1a, 1b, and 1c have been continued to February 4, 2025. She also reminded Board Members that the Brown Bag meeting for the Land Development Code update will be December 10.

New Planning Department staff member, Chelsea Levorsen, was introduced.

Member Holtz present.

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

Item B: Minutes: Regular Meeting of November 5, 2024

Member Schmidt moved the minutes of the November 5, 2024 Planning Commission meeting be approved. Second by Member Gleye. All Members present voted aye and the motion was declared carried.

Item C: Public Hearing Items:

Item 1: Broadway Commons Addition

**1a. Continued hearing on an application requesting a Zoning Change from MR-3, Multi-Dwelling Residential to MR-3, Multi-Dwelling Residential with a PUD, Planned Unit Development Overlay on the proposed Broadway Commons Addition. (Located at 1004, 1014, and 1024 Broadway North; 1013 and 1017 7th Street North) (Silver Leaf Properties/MBN Engineering, Inc/Gleason Companies):
CONTINUED TO FEBRUARY 4, 2025**

1b. Continued hearing on an application requesting a PUD, Planned Unit Development Master Land Use Plan on the proposed Broadway Commons Addition. (Located at 1004, 1014, and 1024 Broadway North; 1013 and 1017 7th Street North) (Silver Leaf Properties/MBN Engineering, Inc/Gleason Companies): CONTINUED TO FEBRUARY 4, 2025

1c. Continued hearing on an application requesting a Plat of Broadway Commons Addition (Minor Subdivision) a replat of all of Lot 1, all of Auditor's Lots A, B, E, F, and G and a portion of Lot 6 of Marelius' Subdivision of Block 18 of Chapin's Addition and part of Auditor's Lot C of Block 17 of Chapin's Addition to the City of Fargo, Cass County, North Dakota. (Located at 1004, 1014, and 1024 Broadway North; 1013 and 1017 7th Street North) (Silver Leaf Properties/MBN Engineering, Inc/Gleason Companies): CONTINUED TO FEBRUARY 4, 2025

A Hearing had been set for November 5, 2024. At the November 5, 2024 meeting, the Hearing was continued to this date and time, however the applicant has requested this application be continued to February 4, 2025.

Item 2: Prairie Farms Third Addition

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

Chair Tasa recused herself from voting on this item and stepped down from the dais. Vice Chair Rosenberg presiding.

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

Member Stofferahn moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed Subdivision Plat Prairie Farms Third Addition, as outlined within the staff report, as the proposal complies with the adopted Fargo Growth Plan 2024, the Standards of Article 20-06, Section 20-0907.B and C of the Land Development Code, and all other applicable requirements of the Land Development Code. Second by Member Hass. On call of the roll Members Holtz, Hass, Cecil, Shewey, Mohs, Gleye, Schmidt, Stofferahn, and Rosenberg voted aye. Member Tasa abstained from voting. The motion was declared carried.

Chair Tasa retook her seat on the dais, presiding over the meeting.

Item 3: Grafstrom First Addition

3a. Hearing on an application requesting a Zoning Change from AG, Agricultural to LI, Limited Industrial and AG, Agricultural on the proposed Grafstrom First Addition. (Located at 5401 and 5617 19th Avenue North and 2101

**57th Street North) (Just North of the Horse Park, LLC/Christianson Companies):
APPROVED**

3b. Hearing on an application requesting a Plat of Grafstrom First Addition (Major Subdivision) a plat of an unplatted portion of the Southwest Quarter of Section 28, Township 140 North, Range 49 West, of the Fifth Principal Meridian, Cass County, North Dakota. (Located at 5401 and 5617 19th Avenue North and 2101 57th Street North) (Just North of the Horse Park, LLC/Christianson Companies): APPROVED

Mr. Kress 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 1) Zoning Change from AG, Agricultural to AG, Agricultural and LI, Limited Industrial, and 2) Subdivision Plat Grafstrom First Addition, as outlined within the staff report, as the proposal complies with the Standards of Article 20-06, Sections 20-0906.F (1-4), and 20-0907.C of the Land Development Code, and all other applicable requirements of the Land Development Code, and the 2024 and 2007 Growth Plans. Second by Member Mohs. On call of the roll Members Gleye, Schmidt, Hass, Stofferahn, Mohs, Rosenberg, Holtz, Cecil, Shewey, and Tasa voted aye. The motion was declared carried.

Item 4: Morton & Doty's Addition

Hearing on an application requesting a Conditional Use Permit (CUP) to reduce Telecommunications Support Structure (TSS) setback requirements and to allow the TSS to exceed the maximum height requirements in the LC, Limited Commercial zoning district on Lots 23, 24, and 25, Block 14, Morton & Doty's Addition. (Located at 1417 University Drive South) (McAllister Real Estate, LLLP/Buell Consulting): CONTINUED TO JANUARY 7, 2025

Mr. Kress presented the staff report stating all approval criteria have not been met and staff is recommending denial.

Discussion was held on allowable tower height, stealth tower design, the type of nearby properties, and the notification of nearby property owners.

Applicant representatives Blair Ransom, Buell Consulting, and Tammy Hartman, Verizon Network Outreach, spoke on behalf of the application.

Discussion continued on the future impact of redevelopment along the corridor if there is a tower in place, and landscape screening.

Assistant Director of Planning and Development Mark Williams spoke on the installation process and upkeep of boulevard trees.

Additional discussion was held on considering other locations, and consideration of moving the powerlines on the property to adjust the location of the tower.

Director of Planning and Development Nicole Crutchfield provided options for next steps regarding the application.

Further discussion was held on other Fargo locations that have stealth towers, what is considered a stealth tower, regulations regarding permitted locations, and alternative locations.

Member Gleye moved to continue the application to the January 7, 2025 meeting to look into the option of moving the tower to the Northeast corner of the property and burying the powerlines. Second by Member Stofferahn.

Additional discussion was held on the ideal location to place a tower in the area, the Land Development Code update, and alternative tower heights.

Ms. Hartman and Mr. Ransom asked for clarification on the request, noting other entities would have to be consulted regarding the powerlines.

Discussion continued on landscape screening, and property values near cell towers.

On call of the roll Members Schmidt, Holtz, Cecil, Stofferahn, Mohs, Rosenberg, Gleye, Shewey, and Hass voted aye. Member Tasa voted nay. The motion was declared carried.

**Item 5: The District of Fargo Fifth Addition
Hearing on an application requesting a Zoning Change to repeal and reestablish a C-O, Conditional Overlay on Lot 1, Block 1, The District at Fargo Fifth Addition. (Located at 3788 55th Avenue South) (Nathan Skaff/Nicholas Qualley):
APPROVED**

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

Discussion was held on what the current sign code allows if there wasn't a Conditional Overlay on the property, the Fargo Transportation Plan, and animated signs distracting drivers.

Additional discussion was held on the type of sign, what types of advertisements would be on the sign, and location of the sign.

Applicant representatives Nathan Skaff, RedRock Property, and Nick Whalley, Scenic Signs, spoke on behalf of the application.

Mr. Williams shared that the Fargo sign code regulates brightness.

Member Schmidt moved to deny the proposed Zoning Change to repeal and reestablish a C-O, Conditional Overlay on Lot 1, Block 1, The District of Fargo Fifth Addition, as outlined within the Staff report as the proposal does not comply with the safety goals of the Fargo Transportation Plan. Second by Member Holtz. On call of the roll Members Schmidt and Holtz voted aye. Members Rosenberg, Hass, Mohs, Shewey, Cecil, Stofferahn, Gleye, and Tasa voted nay. The motion failed.

Member Mohs 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 on Lot 1, Block 1, The District of Fargo Fifth Addition, as outlined within the Staff report as the proposal complies with the 2024 Growth Plan, the Standards of Section 20-0906.F of the Land Development Code, and all other applicable requirements of the Land Development Code. Second by Member Cecil. On call of the roll Members Rosenberg, Hass, Mohs, Shewey, Cecil, Stofferahn, Gleye, and Tasa voted aye. Members Holtz and Schmidt voted nay. The motion was declared carried.

Item 6: Avery Commons Addition

Hearing on an application requesting a Plat of Avery Commons Addition (Minor Subdivision) a replat of Lots 5-9, Block 5, Cottagewood First Addition, to the City of Fargo, Cass County, North Dakota. (Located at 4931, 4943, 4949, 4955, and 4967 Avery Lane South) (Heritage Homes/Houston Engineering): APPROVED

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

Member Stofferahn moved the findings and recommendations of staff be accepted and the approval be recommended to the City Commission of the proposed Subdivision Plat Avery Commons Addition, as outlined within the staff report, as the proposal complies with the Adopted Fargo Growth Plan 2024, the Standards of Article 20-06, Section 20-0907.B and C of the Land Development Code, and all other applicable requirements of the Land Development Code. Second by Member Rosenberg. On call of the roll Members Cecil, Rosenberg, Mohs, Holtz, Shewey, Gleye, Hass, Stofferahn, Schmidt, and Tasa voted aye. The motion was declared carried.

Item 7: Eagle Valley Fifth Addition

Hearing on an application requesting a Zoning Change from LC, Limited Commercial with a C-O, Conditional Overlay to SR-5, Single-Dwelling Residential on Lot 1, Block 1, Eagle Valley Fifth Addition. (Located at 7475 24th Street South) (Eagle Ridge 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 location being adjacent to two major roads and what the Growth Plan says for the area.

Applicant representative Jon Youness, EagleRidge Development, spoke on behalf of the application.

Member Hass moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed Zoning Change from LC, Limited Commercial with a C-O, Conditional Overlay to SR-5, Single-Dwelling Residential with the repeal of Conditional Overlay Ordinance no. 5315, for Lot 1, Block 1, Eagle Valley Fifth Addition, as outlined within the staff report, as the proposal complies with the adopted Fargo Growth Plan 2024, 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 Mohs, Shewey, Hass, Rosenberg, Cecil, Gleye, Stofferahn, Schmidt, Holtz, and Tasa voted aye. The motion was declared carried.

**Item 8: Osgood Townsite 15th Addition
Hearing on an application requesting a Conditional Use Permit to allow household living in the LC, Limited Commercial zoning district on Lot 4, Block 1, Osgood Townsite 15th Addition. (Located at 5100 47th Street South) (Grand 52, LLC/EagleRidge Development):**

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

Discussion was held on the maximum number of units/density.

Applicant representative Jon Youness, spoke on behalf of the application.

Member Holtz moved the findings and recommendations of staff be accepted and the Conditional Use Permit to allow household living in the LC, Limited Commercial zoning district be approved, as outlined within the staff report, as the proposal complies with the Fargo Growth Plan 2024, the Standards of Section 20-0909.D of the Land Development Code, and all other applicable requirements of the Land Development Code, with the following condition:

1. To allow household living at a maximum density of 32 dwelling units per acre on Lot 4, Block 1, Osgood Townsite 15th Addition.

Second by Member Rosenberg. On call of the roll Members Stofferahn, Holtz, Cecil, Shewey, Schmidt, Rosenberg, Gleye, Mohs, Hass, and Tasa voted aye. The motion was declared carried.

Chair Tasa shared that today is Member Jennifer Holtz's last meeting and thanked her for her time and service to the Planning Commission since she was appointed in August 2018.

The time at adjournment was 4:28 p.m.

Agenda Item Number

Withdrawn Items:

1 - Sec.3, Twnshp 140 N, Range 49 W

Continued Items:

2 - Morton & Doty's Addition

3 - Edgewood Second Addition

4 a & b - AAB Addition

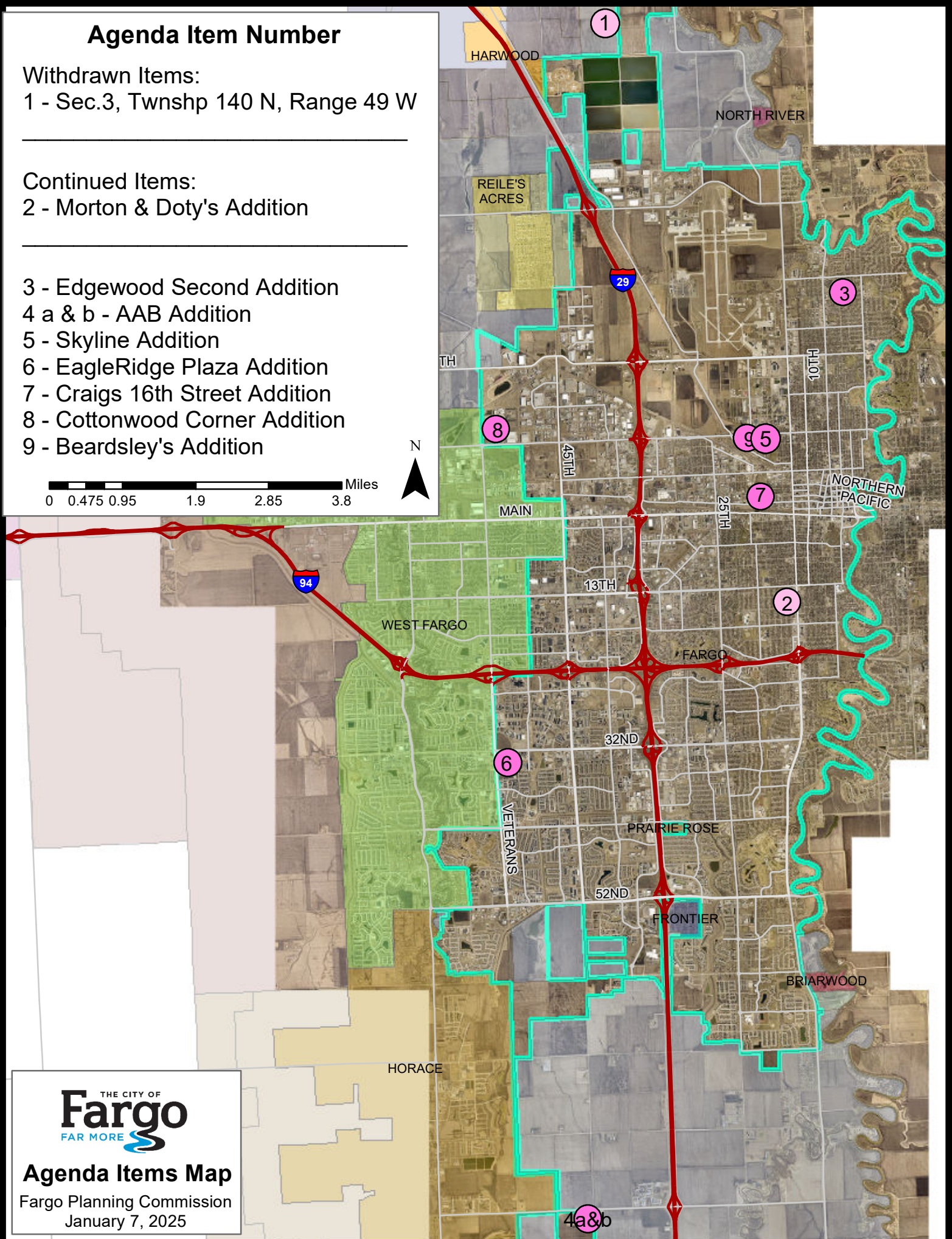
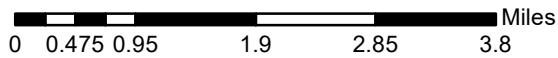
5 - Skyline Addition

6 - EagleRidge Plaza Addition

7 - Craigs 16th Street Addition

8 - Cottonwood Corner Addition

9 - Beardsley's Addition



Agenda Items Map

Fargo Planning Commission
January 7, 2025

City of Fargo Staff Report			
Title:	Edgewood 2 nd Addition	Date:	1/02/2025
Location:	213 Forest Avenue North	Staff Contact:	Donald Kress, planning coordinator
Legal Description:	Lot 11, Block 9, Edgewood 2 nd Addition		
Owner(s)/Applicant:	Connecting Point, LLC / Brad McCaslin	Engineer:	None
Entitlements Requested:	Conditional Use Permit (CUP) (to allow Group Living in the SR-2, Single Dwelling Residential zoning district)		
Status:	Planning Commission Public Hearing: January 7 th , 2025		
Existing		Proposed	
Land Use: Single Dwelling Residential		Land Use: Single Dwelling Residential	
Zoning: SR-2, Single-Dwelling Residential		Zoning: SR-2, Single-Dwelling Residential	
Uses Allowed: SR-2 Allows detached houses, daycare centers up to 12 children, parks and open space, religious institutions, safety services, schools, and basic utilities		Uses Allowed: In addition to the uses allowed by right in the SR-2 zone, the CUP would allow group living in the SR-2 zone for the subject property only.	
Maximum Density Allowed: SR-2 allows a maximum 5.4 dwelling units per acre;		Maximum Density Allowed: No change proposed	
Proposal:			
<p>The applicant requests one entitlement:</p> <ol style="list-style-type: none"> 1. Conditional Use Permit (CUP) (to allow Group Living in the SR-2, Single Dwelling Residential zoning district) 			
Approval and Appeal			
<p>The Planning Commission is the final decision maker for CUP's. An appeal of the Planning Commission's decision goes to the City Commission. Pursuant of LDC Section 20-0903.B, "Appeals of final decisions made pursuant to the procedures of this article must be filed within 10 days of the date of the decision."</p>			
Surrounding Land Uses and Zoning Districts:			
<ul style="list-style-type: none"> • North: SR-2; single-dwelling residences • East: SR-2; single-dwelling residences • South: SR-2; single-dwelling residences • West: SR-2; single-dwelling residences 			
Context:			
<p>Schools: The subject property is located within the Fargo School District, specifically within the Longfellow Elementary, Ben Franklin Middle, and North High schools.</p>			
<p>Neighborhood: The subject property is located within the Northport neighborhood.</p>			
<p>Parks: Longfellow Park, 20 29th Avenue NW, is approximately 0.20 mile east of the subject property and provides amenities of baseball/softball fields; basketball court; multi-purpose field; outdoor skating rinks; pickleball court; playground, ages 5-12; warming houses</p>			
<p>Pedestrian / Bicycle: There are no multi-use paths or on-road bike lanes adjacent to the subject property.</p>			
<p>MATBUS Route: The subject property is not located along a MATBUS route.</p>			
(continued on next page)			

Area Plans

The subject property is not included in a neighborhood plan. The Fargo Growth Plan 2024 designates the area of the subject property as "Urban Neighborhood." The current SR-2 zoning is consistent with this place type designation.

Staff Analysis:

The property owner bought the house at 213 Forest Avenue North for his son and four of his son's friends, all college students, to live in.

This application for a CUP for group living in the SR-single dwelling zone results from a zoning violation brought to the attention of the City's Inspections Department in July, 2024. The violation was more than three unrelated persons living in a single residential unit. The Land Development Code prohibits more than three unrelated people living in a single dwelling unit. The Inspections Department advised the applicant that the property would have to come into compliance with the LDC prior to applying for any entitlements.

The City's first inspection at the property was on July 9th, 2024. Between July 9th and September 13th, the applicant hired a contractor to repair the stairway headroom. On September 13th, there was a final inspection on the remodel permit. On that date there were only three occupied bedrooms and the final building inspection passed.

On October 31st, 2024, the rental inspector went to the subject property for an unscheduled inspection due to the neighbors saying there were more than three tenants living in the house. The inspector asked if she could enter and count beds. She was denied access to the interior at that time. There have been no further inspections.

If the CUP is approved, and that approval is sustained on any potential appeal, the five residents will be allowed to remain. If the CUP is denied, and that denial is sustained on any potential appeal, the number of residents in the residence will remain limited to no more than three.

APPLICANT'S DOCUMENTATION OF SUPPORT

With his CUP application, the applicant submitted documentation regarding the background to his purchase of the residence as well as a petition signed by some neighboring property owners indicating that are not opposed to the five residents living in this residence.

PUBLIC COMMENT

Planning staff has received three e-mails, one letter, and two phone calls in opposition to this CUP. The general perspective of these comments is that allowing five people to live at 213 Forest Avenue would be disruptive to the neighborhood. Copies of the e-mails and letter are attached. Planning staff also received a couple of phone inquiries about the project in which the callers did not express a particular opinion about the project.

RECOMMENDATION OF DENIAL

Staff is recommending denial of this CUP, as stated in the findings below. As the recommendation is for denial, there are no conditions proposed.

If the Commission moved to approve the CUP, the Commission would have to make findings to support the approval.

NOTE: In the findings below, reference to the "neighborhood" of the subject property generally refers to the area within a 300 foot radius of the subject property, which is the area in which property owners receive a letter notifying them of the project and the hearing date. This area is shown below for reference.



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

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

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

The purpose of the LDC is to implement Fargo’s Comprehensive Plan in a way that will protect the general health, safety, and welfare of the citizens. Staff finds that, though group living can be permitted by CUP in the SR-2 zone, it is not the intent and purpose of the LDC to create individual properties permitted for group living in neighborhoods that are otherwise consistently single-family neighborhoods when the request for group living is only for the benefit of the property owner or residents. **(Criteria Not Satisfied)**

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

It is staff’s understanding that this is not a general rental property, but was procured by the property owner specifically for their son and four of his friends, who are all college students. The proposed conditional use at the specified location seems to be largely for the benefit of the property owner and the student residents.

Note that the group living use proposed here is not any kind of care facility or what is commonly called a “group home,” as has been the case with some CUP’s for group living in SR-zoned areas that the Planning Commission has recently reviewed. Such facilities are backed by state regulations specific to those uses, which include requirements that such uses be allowed in residential zones.

(Criteria Not Satisfied)

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

Staff has no data to suggest the proposed use would cause substantial injury to the value of other property in the neighborhood. However, it is the understanding that more than three tenants would create nuisances that could impact the residential neighborhood, such as noise and excess number of cars. In accordance with Section 20-0901.F of the LDC, notices of the proposed plat have been sent out to property owners within 300 feet of the subject property. To date, Planning

staff has received the comments noted above in the "Public Comment" section. **(Criteria Not Satisfied)**

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

The subject property is a detached residence, as are the adjacent properties on all sides and across the street. All properties but one within 300 feet of the subject property are owner-occupied. This is a mature neighborhood; there are no undeveloped lots. None of the other detached residences in this neighborhood, including the one that is not owner-occupied, has CUP's for group living.

The neighborhood is part of the larger Northport neighborhood, which is bounded by Elm Street (east), University Drive (west), 32nd Avenue North (north), and 19th Avenue North (south). Almost the entire area of this neighborhood between Elm Street and 3rd Street North is zoned SR-2 and developed with owner-occupied, detached single-dwelling residences. None of these properties has a CUP for group living. The intensity of the proposed group living use here would be greater than a single-family use, and thus out of character with the otherwise single-family neighborhood. The parking situation will be addressed in detail in a parking-specific finding below (20-0402.E.1.b) **(Criteria Not Satisfied)**

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

The property has access to all necessary utilities and services. Staff is not aware of any deficiencies regarding drainage or utilities that would limit the ability of the applicant to utilize the property for a single-dwelling residence, for which staff finds that the adequate utility, drainage, and other such necessary facilities and services are in place. However, if the CUP is approved, parking issues and additional paving could result, which is not conducive to the appeal of a single family residence and could adversely impact drainage. **(Criteria Not Satisfied)**

***NOTE:** Finding No. 6, "Have adequate access roads or entrances and exit drives been provided and are they designed to prevent traffic hazards and to minimize traffic congestion in public streets?" has been omitted here as it relates more to conditional uses for large multi-dwelling and commercial projects rather than conditional uses proposed on single-dwelling lots.*

Approval Criteria Specific to CUP's for Group Living in SR-Zoned Property (Section 20-0402.E)

The following is a list of criteria that must be determined satisfied in order for a Conditional Use Permit to allow group living in a Single-Dwelling Residence zone to be approved:

a. Whether or not the dwelling unit meets all building, housing, and fire codes of the City;

The property owner has resolved building code violations from earlier this year. There are no fire code violations at this time. The Inspections department was not allowed access to the residence at their October 31st, 2024 unscheduled inspection, so was unable to verify the number of people actually residing at the subject property.

(Criteria Not Satisfied)

b. Whether or not the property has off-street parking space for every vehicle which is owned, possessed or utilized by occupants of the building. Such parking spaces must meet all applicable standards of the City;

It does not appear that the applicant can satisfy the parking requirement on the property. The parking requirement for group living for which a conditional use permit is required is that off-street parking space for every vehicle which is owned, possessed, or utilized by the occupants of the building must be provided. In the case of this property, it seems this would be five vehicles, one owned by each

resident. However, the LDC only recognizes a maximum of one parking space in a residential driveway. All other parking spaces must be located in a covered garage or in side or rear yards. There is no access to the rear yard, as from an alley, on this property. It does not appear that the side yard would accommodate a parking space. Thus, the maximum number of parking spaces available to meet the parking requirement would be three—two in the garage and one in the driveway. Even if the driveway were widened and a larger area of the lot paved, these parking spaces would still not be counted to meet the required parking requirement. It does not appear that the five parking spaces that are needed to meet the parking requirements of the LDC can be created on this property, to meet the demand of the five vehicles owned by the residents.

(Criteria NOT Satisfied)

c. The general condition of the building and whether or not it is in need of substantial repairs or renovation;

The Inspections Department has stated that they have found the property to be maintained and not in need of substantial repairs or renovation,

(Criteria Satisfied)

d. Whether or not the requested occupancy is compatible with the neighborhood and will not create undue density and congestion.

Staff notes that CUP's for group living in an SR zoned area that have been approved were for uses that are regulated at the state level by the North Dakota Department of Health and Human Services. Those state regulations indicate that these group living uses must be allowed in single-dwelling districts. Further, the maximum number of residents was limited to four, and the residents in the case of the two such CUP's approved in 2023 do not drive, so parking was not a concern to staff.

The current request appears to be only for the benefit of the owner and the residents, and would allow five people, all of whom drive and have cars, to live in a single residential unit. As noted above, staff does not believe that sufficient parking spaces that meet the LDC requirements can be provided on the property.

All but one of the single-dwelling detached residences in this neighborhood appear to be owner occupied; none has a CUP for group living. Allowing more than three unrelated people to live in the residence on the subject property, for the benefit of the owner and the residents, would be inconsistent with how this neighborhood is currently occupied.

(Criteria Not Satisfied)

Staff Recommendation:

Suggested Motion: To accept the findings and recommendations of staff and deny the proposed conditional use permit to allow group living on Lot 11, Block 9, **Edgewood 2nd Addition** as presented, as the proposal does not satisfy all the criteria of Section 20-0909.D and Section 20-0402.E.

Planning Commission Recommendation: January 7th, 2025

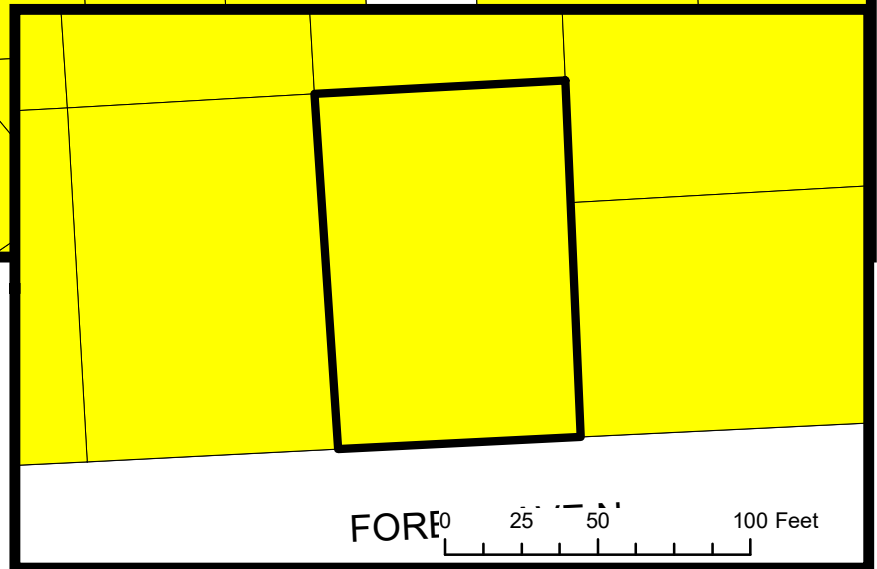
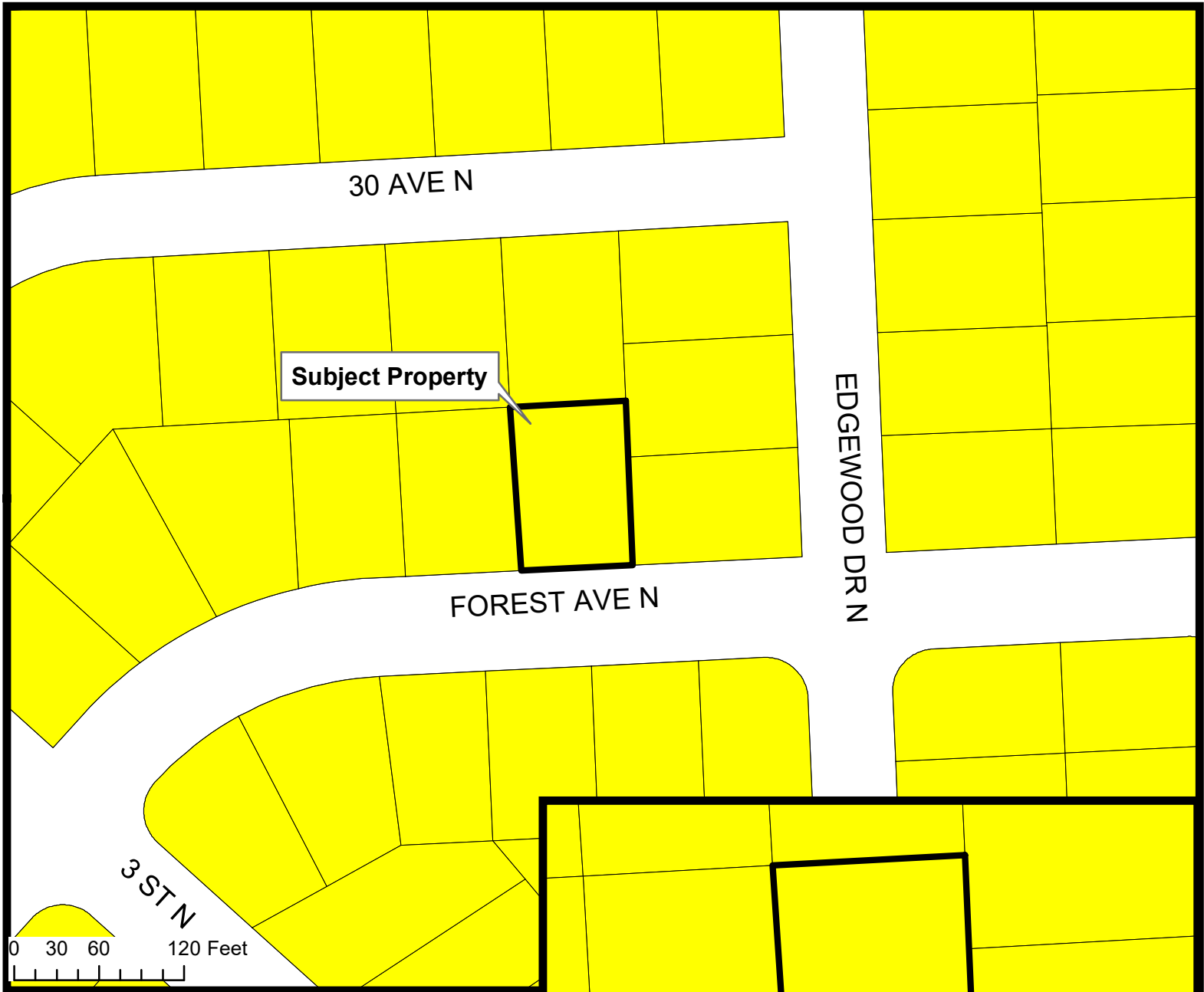
Attachments:

1. Zoning map
2. Location map
3. Applicant's documentation
4. Public comment e-mails

**CUP, Conditional Use Permit to allow Group Living
in the SR-2, Single-Dwelling Residential zoning district**

Edgewood Second Addition

213 Forest Avenue North



Legend

AG	DMU	GC	GL	GO	LC	MR-1	MR-2	MR-3	MHP	NC	NO	P/I	UMU	SR-2	SR-3	SR-4	SR-5	City Limits
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**CUP, Conditional Use Permit to allow Group Living
in the SR-2, Single-Dwelling Residential zoning district**

Edgewood Second Addition

213 Forest Avenue North



DOCUMENTATION FROM APPLICANT

**City of Fargo Letter
Application for Conditional Use Permit**

Dear City of Fargo Planning and Development Department,

We, Brad, Erin, and Kelton McCaslin, are the owners of the property at 213 Forest Ave N through our LLC, Connecting Point, LLC. We are writing to respectfully request a conditional use permit that would allow our son Kelton and four fellow NDSU Football teammates to reside in this home.

Explanation of Current Living Situation

The home at 213 Forest Ave N was listed as a five-bedroom house when we purchased it in 2024. After acquiring the property, City officials informed us that the previous owner had not met all the requirements when renovating the basement, meaning the house was not legally recognized as a five-bedroom home at that time. We promptly took the necessary steps to complete the renovation, ensuring the property was up to code and passed all required city inspections.

This critical renovation allowed us to meet city standards. It was essential for the property's financial viability, enabling us to split costs among five tenants to make it sustainable. More importantly, splitting costs in five ways helps alleviate the significant financial burden these students face, making it possible for them to balance their intensive schedules without compromising on the quality or proximity of their housing. This balance is crucial not only for their academic success but also for their ability to perform athletically at a high level.

In addition, throughout this process, we have come to understand just how challenging it is for student-athletes to find safe, adequate housing that meets their needs at an affordable monthly rate and is close enough to campus to support their demanding academic and athletic schedules. Many available options near campus were limited and often in poor condition, creating environments that would not support the well-being or high performance expected of these young men. As student-athletes, they must have a stable and stress-free living environment that allows them to thrive—one that ensures they can study, rest, and recharge without added worries about the condition or safety of their home.

Neighborhood Support

From the outset, Kelton and his teammates have made it a priority to integrate positively into the neighborhood. This commitment is demonstrated by the strong support they have received from the community, with thirteen neighbors signing a letter supporting them. Every neighbor they asked was willing to sign support for them residing in the

home. These neighbors have recognized the boys' respectful demeanor, their willingness to help with community tasks, and their overall contribution to the neighborhood.

Addressing Concerns and Proactive Measures

We are aware of a complaint regarding parking and traffic congestion, which noted that while the boys have been polite and respectful, the code limiting unrelated occupants should be enforced due to these concerns. Kelton also acknowledged that during the first few days while moving in, cars were temporarily parked in the street and sometimes blocked the sidewalk while they moved in. This situation was temporary and continued to get better once access to the garage was restored, as it was being used to store items while the boys cleaned carpets and painted the interior.

The boys are aware of the potential traffic congestion and do their best to utilize the garage and three parking spaces in the driveway. At times, with their busy schedule, cars are temporarily parked where they can get in and out quickly. Admittedly, this is something that can continue to improve. We are open to discussing further measures to mitigate parking congestion, such as encouraging visitors to utilize nearby parking facilities when feasible.

Economic Context and Outdated Regulations

Since 2017, homes like 213 Forest Ave N have become increasingly unattainable for students due to rapidly rising housing costs. The MLS transaction history for this property highlights this sharp escalation: valued at \$159,900 in 2017, it increased to \$330,000 by 2024 when we purchased it. This significant rise in home values reflects a broader trend in the local and national housing market, where prices have surged far beyond the growth in wages or student financial aid.

Even by 2022, when these young men began their studies at NDSU, affording a home of this size as a group of three students was already challenging. However, in just a few short years, this situation has become even more difficult, virtually impossible, due to the continued increase in home prices while housing scholarships have remained unchanged. This has made it essential for student-athletes to pool resources effectively.

The upward trend in home prices is not unique to this property but reflects a broader challenge for students across Fargo. According to data from Redfin and Freddie Mac, the median mortgage payment in the U.S. has reached record levels, increasing by 78% since 2021. This presents unique challenges for students and young professionals striving to establish themselves. The City of Fargo's Land Development Code Diagnostic Report from September 8, 2020, acknowledges that current zoning

regulations are outdated and inflexible, making it difficult to meet contemporary housing needs. While we understand these regulations were developed with good intentions, they may not fully address the current realities facing young adults and students.

Commitment to Being Good Neighbors

Kelton and his teammates have demonstrated their dedication to maintaining a peaceful and well-kept environment. Beyond complying with neighborhood standards, they have engaged with and assisted several neighbors. Recently, for example, the boys helped an elderly neighbor—who was initially concerned about their presence—by moving a heavy item in her backyard. This gesture not only eased her concerns but also reinforced the boys' positive reputation as considerate members of the community. Acts like these are consistent with their character, as highlighted by the numerous neighbors who have signed to support them living together in their neighborhood.

Final Appeal for Consideration

We are mindful of the city's need to maintain its regulations. However, given the overwhelming support from the neighborhood, the proactive steps taken to address any concerns, and the boys' demonstrated positive impact, we respectfully request your approval of our application for a conditional use permit. Allowing these five young men to reside at 213 Forest Ave N will support their academic and athletic pursuits, foster community engagement, and help maintain the stability of our neighborhood.

Thank you for your time and consideration.

Sincerely,

Brad, Erin, and Kelton McCaslin



City of Fargo Letter
Application For Conditional Use Permit

Dear City of Fargo Planning and Development Department,

We, Brad, Erin, and Kelton McCaslin, are the owners of the property at 213 Forest Ave N through our LLC, Connecting Point, LLC. We are writing to request a conditional use permit allowing our son Kelton and four fellow NDSU Football teammates to continue residing in this home.

Background and Today's Impact

We purchased this property on May 17, 2024. When we began searching for a home in the spring of 2023, our goal was to provide Kelton with a stable living environment that could also serve as a stepping stone for future ownership. Given the rising cost of home ownership, we recognized the importance of securing a property sooner rather than later. We knew that sharing expenses with some teammates, along with our help, would be a doable situation on their limited budgets. It should be noted that this aligns with Fargo's reputation as a great place for young professionals and supports the city's growth strategy by helping young adults establish roots in the community.

This investment was not made with the intention of generating rental income but rather to support our son's transition into home ownership, a challenge that has become increasingly difficult for young people today. This non-commercial, family-oriented motivation underscores our genuine commitment to providing a supportive and stable home for Kelton and his teammates.

Finding both an affordable and liveable home near the campus was a difficult process. We also wanted something that had a chance to appreciate and grow in value. We ultimately chose this property and neighborhood due to its potential, proximity to NDSU, and the presence of other student renters and athletes.

As we all know, the current housing market presents historical challenges. According to Redfin's analysis of MLS data and Freddie Mac's Primary Mortgage Market Survey, the median mortgage payment in the U.S. has risen to a record high of \$2,894 per month. This marks an increase of 14% from last year, 23% from 2022 (the year our son started at NDSU), and a staggering 78% from 2021.

In our many conversations with the neighborhood and community leaders, as well as in reviewing the City's own study, it has become clear that longstanding regulations do not reflect the economic realities and pressures faced today. These regulations, while originally developed with good intentions, have had dramatically different impacts over the last couple of years when

not adjusted for current conditions. It seems more than appropriate to consider these changes to ensure that policies remain relevant and effective in today's economic landscape.

Neighborhood and Community Impact

A call was made to the NDSU Football office expressing concerns about the students living at this property, specifically football players. It was not to report that they had not done anything wrong. The concern was primarily that this is a family neighborhood and not suited for college students.

According to the most recent data from the City of Fargo, 53% of the housing units in this neighborhood are renter-occupied. Due to its proximity to the NDSU campus, one can assume many of these are college students. While we cannot specify how many of these renters are students, we are aware of multiple houses occupied by student renters. Strictly enforcing this ordinance on our property could lead to a cascading event throughout the neighborhood, potentially impacting many residents and students.

Furthermore, Fargo is often billed as a great place for young professionals, but current regulations may not fully support this reputation. Aligning city policies with its growth strategy would ensure Fargo remains attractive to young professionals and aligns with the city's desired development trajectory.

The City of Fargo's Land Development Code Diagnostic Report, dated September 8, 2020, highlights that current zoning regulations are outdated and inflexible, making it difficult to meet contemporary housing needs. These longstanding regulations, while originally developed with good intentions, have had dramatically different impacts over the last couple of years when not adjusted for current conditions. The current financial climate has further exacerbated these challenges, as illustrated by Redfin's analysis of MLS data and Freddie Mac's Primary Mortgage Market Survey. The need to revisit and revise these regulations has become even more urgent to address the significant economic pressures faced by students and young people today.

Notice of Complaints and Initial Concerns

We received a notice from the City of Fargo stating that several complaints were made about overcrowding at our home. The letter was dated the day the boys moved in, which, aside from its appealingly coordinated approach, seems odd given the positive interactions and support they have received from surrounding neighbors.

One neighbor came over on the same move-in day to question Kelton about the number of occupants and the condition of the yard. The previous owner had not maintained the yard for several weeks before our access, but the boys promptly addressed and resolved the issue within two days of moving in. What may have seemed like a legitimate complaint (as we did receive a notice of tall weed/grass violation from the city dated May 31, 2024) was actually a

sign of their care, responsiveness, and character. Before receiving any notice of an issue, their quick and responsible action reflects their genuine commitment to being good neighbors and maintaining the property.

Kelton also acknowledged that during the first two days, cars were temporarily parked in the street and sometimes blocked the sidewalk while they moved in. This situation was temporary and will further improve once access to the garage is restored, as it is currently being used to store items while the boys clean carpets and paint the interior.

We are concerned about further action by this individual, who has expressed that he does not believe college students (specifically athletes) should be living in this neighborhood. His actions have already potentially misrepresented the situation by portraying that multiple complaints were received by the city office. This appears to have been coordinated and prepared for their arrival. We worry about the extent to which he may go to have all the residents removed from the home, causing significant personal and financial impact. We want to ensure we are working through a fair and reasonable process that will not open the door for more extreme measures to reach his desired outcome.

Commitment to the Neighborhood

Our goal is to see the property appreciate in value, just as our neighbors desire for their own homes. We are committed to maintaining a peaceful, well-kept environment that positively contributes to the neighborhood's overall value. The boys have made significant efforts to integrate into the community, introducing themselves to neighbors and offering assistance such as window washing and painting. These are five very able-bodied college athletes who are willing to help neighbors in any way they can. Their actions have garnered the support of multiple neighbors, who have signed a letter endorsing their continued residence in the neighborhood. I would like to add that this was all but one of the homes around their property and that they were not turned down by anyone they approached. Everyone they spoke to welcomed their presence in the neighborhood.

Recently, the boys helped an elderly neighbor, initially one of the complainants, by assisting her with a heavy task in her backyard. This act of kindness further solidified their positive impact and relationship within the community. This neighbor has since signed a letter of support for the boys remaining in the home while also recommending additional neighbors who would do the same.

Summary of Key Points:

- **Home Selection:** We selected a home close to campus in an area where we knew other students and athletes were living and doing well.
- **Economic Hardships:** Current economics make this next to impossible for students these days, necessitating our help, which comes with high expectations of taking care of the investment.

- **Outdated Regulations:** The City of Fargo acknowledged in 2020 that current regulations are outdated, and that is well before the recent rises in home ownership costs, further straining this type of situation.
- **Positive Community Impact:** The boys' quick action in resolving the yard maintenance issue before receiving any formal complaint highlights their proactive and responsible nature, demonstrating their commitment to maintaining the property and community relations.

Request for Support

We respectfully request your consideration of our application for a conditional use permit. Allowing these five young men to remain in their home will not only support their academic and athletic pursuits but also maintain the stability and integrity of the neighborhood.

Thank you for your time and consideration.

Sincerely,

Brad, Erin, and Kelton McCaslin



Letter of Support for Neighbors to Sign

Subject: Letter of Support for Conditional Use Permit Application for 213 Forest Ave N.

We, the undersigned residents of the Northport neighborhood, are writing to express our support for the conditional use permit application submitted by Brad and Erin McCaslin for the property at 213 Forest Ave N. This permit will allow their son Kelton McCaslin and his four fellow NDSU Football teammates to continue residing in the home.

We understand the McCaslins purchased this property through Connecting Point, LLC solely to provide a stable living environment for their son and his teammates during their time at North Dakota State University. These young men have demonstrated high character both on and off the field, in the classroom, and within the community, as attested by the NDSU Football office.

We have interacted with Kelton and his roommates and have found them to be respectful and considerate neighbors. They have made efforts to maintain the property and assist other residents, reflecting their commitment to being good members of our community. Given the presence of other student renters in the area, we believe that strictly enforcing this ordinance could lead to broader disruptions.

We believe that granting this permit will support the academic and athletic pursuits of these students while preserving the integrity and stability of our neighborhood. Denying this request could lead to significant hardship for these young men and potential disruptions throughout our community, especially since we are aware that several other homes in our neighborhood are also rented by student-athletes.

We urge you to approve the McCaslins' application for a conditional use permit.

Sincerely,

Daniel Erichsen
Name

229 Forest Ave N
Address

[Signature]
Signature

Diandra Caly
Name

230 Forest Ave N
Address

Diandra Ballagter
Signature

Jason Quintanilla 313 Forest Ave N.
Name Address

[Signature]
Signature

Melanie Vagts 313 Forest Ave N.
Name Address

[Signature]
Signature

Rolf Brakvatne 302 FOREST AVE N
Name Address

[Signature]
Signature

Diane Brakvatne 302 Forest Ave N
Name Address

[Signature]
Signature

Joseph Pettmeyer 214 Forest Ave N.
Name Address

[Signature]
Signature

[Signature] → 225 Forest Ave
Name Address

[Signature]
Signature

Alex Kraft 237 Forest Ave N
Name Address


[Signature]
Signature

Sarah Kasin

237 Forest Ave. N. Fargo

Name

Address


Signature

Denise Scuffa

217 Forest Ave N Fargo

Name

Address

Parker Scuffa

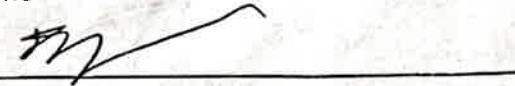
Signature

Parker Scuffa

217 Forest Ave N Fargo

Name

Address


Signature

Name

Address

Signature

Name

Address

Signature

Name

Address

Signature

Name

Address

Signature

Shelley Koskullu
Name

225 Forest Ave. N. Fargo
Address

Signature

Name

Address

Signature

Name

Address

Signature

Name

Address

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Name

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PUBLIC COMMENTS

as of

January 2nd, 2025

From: Rich Folden
Sent: Friday, December 6, 2024 11:18 AM
To: Donald Kress <dkress@FargoND.gov>; David R. Slack
Subject: Permit

City of Fargo

Dear City of Fargo planning and development department.

We live at 2934 Edgewood Dr. N. We are just 1 of many neighbors that are unhappy with the boys living at 213 Forest Ave. N. I have received a copy of the conditional use permit and don't agree with many of things that are stated. This neighborhood is not 53% renter- occupied. There are apartments west of 3rd St. and they don't even go to the same elementary school. In our neighborhood we now have 3 houses that are rental properties. The owner of 2 of those properties also tried to violate the law and have 5 people move in. We also complained to the city until they moved out. They make it sound like they purchased the property for the family. It was purchased by an LLC for the use of a rental. They make it sound like it's impossible to find housing in Fargo. They also make it sound like the boys have no money and can't afford to live anywhere else. Every one of them drives a newer vehicle than I do. My kids are done with high school and have many friends who live on their own. Most of them are going to NDSU. They are all able to afford their living expenses. For the last 6 months they have deceived and straight out lied to the city about how many people were living in the property. They were informed that the city was going to do an inspection to count beds and see how many people are living there. They told the city officials that only 3 people were living there. Together with the neighbors we have pictures and videos of them moving a bed out, loading it in a truck parking the truck around the corner in front of my house and then after the inspection move it back inside. The city then tried to do an unannounced inspection but they refused to let them in the house. Only now after they got caught are they asking for permission. One of the problems is parking. It's not just the 5 boys that stay there is also their girlfriends and friends. I have seen up to 9 vehicles at one time. It's not just on one night but multiple nights. I have already had problems with my garbage service. I put my garbage can off to the side of my driveway and they parked so close that the garbage truck was not able to dump it. They say that they're doing such a wonderful job with maintaining the property. They didn't do so bad with mowing the yard. They did rake the leaves into a pile but didn't pick them up for weeks. They still ended up blowing all over the neighborhood. We are now into December and have had several days of snow including a blizzard but they have yet to shovel once. Their driveway and the sidewalk are still covered in snow. My problem is not just with the boys but with the owner of the property. It just seems like another landlord that is trying to do whatever they want. My wife grew up on 12th Street by NDSU. They watched their neighborhood go from a nice family neighborhood to all rentals. Every weekend they were on the phone with the police because of loud parties. Eventually her parents sold the house but feel like they lost money because the neighborhood had deteriorated because it was now all rentals. The city ordinance is there for a reason. All we and multiple neighbors are asking is that you enforce the law.

City ordinance LDC 20-0401 Overcrowding

- The limit of unrelated tenants in Fargo is three (3)

Rich Folden

From: David R. Slack
Sent: Sunday, December 15, 2024 9:41 AM
To: Donald Kress <dkress@FargoND.gov>
Cc: Rich Folden
Subject: 213 Forest Ave N

Mr. Kress,

We bought our house 24 years ago in the 200 block of Forest Ave N. We like most of our neighbors, we stay living on the 200 block of Forest Ave N due to being close to Longfellow School, mostly safe neighborhood, family neighborhood and everyone looking out for each other. There is a mix of elderly people that have lived in the 200 block of Forest Ave N since approximately 1970, families with grade school, middle school and high school kids and young couples just starting out. That all changed in May, 2024 when we got our first rental house in the 200 block of Forest Ave N and the renters and owners not following city rules, regulations and codes. I am going to address some of the statements Mr. McCaslin put in the application for a conditional use permit for group living below.

The McCaslin's own 213 Forest Ave N rental property through Connecting Point, LLC. When I checked with the North Dakota Secretary of State's office, Connecting Point, LLC is not registered, which it should be doing business in ND.

When Kelton and his teammates went around to get signatures from thirteen neighbors supporting them, they were also telling neighbors I didn't want them in the neighborhood. I am fine having 3 of them in the rental property which city code allows, not 5 plus girlfriends and friends. There are nights and mornings when there are 9 cars and pickups parked on the property plus both sides of the street.

The parking across the sidewalk still goes on weekly, it was not temporary. Parking across the sidewalk is done by the renters of 213 Forest Ave N, there friends and girl friends. This summer Logan Larson, one of the renters had a window washing business, so his employees/staff would stop almost daily, they parked across the sidewalk a lot. The 200 block of Forest Ave N is a walking route for many people of all ages year around. Parking across the sidewalk is not allowed according to Fargo regulations.

Mr. McCaslin says 213 Forest Ave N showed sharp escalation in value from 2017 till 2024. 213 Forest Ave N had been owned by the same family since it was new and very little updating had been done. When the owner died, his daughters sold it as a flip house due to the basement walls caving in and the amount of updating that needed to be done. When Connecting Point, LLC bought the house it had been sitting empty for approximately 6 months with very little interest from people looking at it due to the asking price.

The elderly neighbor Mr. McCaslin is referring to is Joyce Pettinger, 86 years old who had a large branch fall from one of her backyard trees. The boys hauled the tree from her backyard to the boulevard when she asked for there help. This was great of them to help her

but that's what neighbors do in this neighborhood is help each other out and look out for each other. Good neighbors don't break city rules, regulations and codes.

I called the NDSU football office and spoke to Rachael Kaczor, Football Administrative Assistant since we had no contact numbers of parents of these boys if there was a problem. She told me the boys all came from good families and to call her if there were any problems. I have not returned a call to her but have spoken to Fargo Cass Public Health, City of Fargo Inspections Department and City of Fargo Planning & Development numerous times about city rules, regulations and codes that are not being followed at 213 Forest Ave N.

When Connecting Point, LLC received a notice from the City of Fargo stating that there was overcrowding at 213 Forest Ave N, the renters in the house also received the notice. I had Logan Larson, one of the renters knock on our front door and ask if I had contacted the City of Fargo? I did not lie, I told him I had contacted the City of Fargo to find out the regulations for a rental house. He became upset and raised his voice saying where am I suppose to live if I have to move? I said that was not my problem and that he should talk to the owners because they must not have did there homework before buying the property. We had never locked our garage in the 24 years that we have lived on the 200 block of Forest Ave N except when we were gone for long periods of time. Since Logan Larson came over and expressed his concerns by raising his voice, we lock our garage at all times with fear that there will be retaliations to us or our property.

The boys did not address the lawn issue until having 2 visits from Fargo Cass Public Health official Laura Kahdang, Environmental Health Practitioner. On September 13, 2024 Lynne Olson, Rental Housing Inspector, City of Fargo conducted a planned inspection for overcrowding at 213 Forest Ave N. Nate Forystek, one of the renters was the only renter home during the inspection due to being injured and not traveling during NDSU away football games. Nathan Hayes, Nathaniel Staehling, Kelton McCaslin and Logan Larson, renters were all traveling due to NDSU away football game. Nate Forystek, told Lynne Olson that there were only 3 renters and she only saw 3 beds in the property. After Ms. Olson left, Nate Forystek walked down to the corner of Forest Ave N and Edgewood Drive North. Nathaniel Staehling's pickup was parked there and Nate Forystek drove the pickup into the garage at 213 Forest Ave N. In the bed of the pickup was either 2 mattresses or a mattress and box spring. I contacted Lynne Olson about what I saw and she came back and witnessed the pickup with mattress and box spring in the garage. Logan O'Brien, NDSU Volleyball player helped Nate Forystek carry the mattress and box spring back into 213 Forest Ave N yet that day. All 5 NDSU Football players/Renters, at 213 Forest Ave N lied to Lynne Olson, Fargo City Official. The City of Fargo Inspection Department and Planning & Development Department have pictures of the pickup with mattress and box spring sitting on the corner of Forest Ave N and Edgewood Drive North along with pickup sitting in the garage at 213 Forest Ave N with mattress and box spring in truck bed. There as been at least one unannounced overcrowding inspection tried to be conducted by the City of Fargo Inspection Department since September 13, 2024 and the renters refused the inspection to be done. Lying to the City of Fargo does not maintain the stability and

integrity of our neighborhood as stated at the end of Mr. McCaslin's "Application For Conditional Use Permit".

This winter it took 2 calls to Fargo Public Works before the renters shoveled the snow from there sidewalk at 213 Forest Ave N.

I request that the City of Fargo, Planning & Development, not recommend that Connecting Point, LLC be granted a conditional use permit for group living.

David R. Slack

12/30/2024

Dear Mr. Kress,

My wife and I have lived at 2938 Edgewood Drive N. for 45 years. Our home is right around the corner from 213 Forest Avenue N. Our back yards abut each other. This is a single family neighborhood. There are now five college students residing in the Forest Avenue house! At times, when friends come to visit them, there can be as many as nine vehicles parked at the residence and streets!

As Fargo City code does not allow more than three unrelated people residing in the same rental dwelling, we ask that you please deny the Conditional Use Permit applied for by Connecting Point, LLC. We don't want our neighborhood turned into a rental area.

Thank you,

Mike & Mary Jo Boelke



From: Tom Pettinger

Sent: Monday, December 30, 2024 2:04 PM

To: Donald Kress <dkress@FargoND.gov>

Subject: Conditional Lot 11 Block Use Permit

I live directly across the street from 213 Forest at 214 and wish to express denial of request. Group living causes too much traffic and limits bike and pedestrian in a single family dwelling area.

This is a quiet area close to school and park, with many walkers and bikes etc. Lots of children.

Allowing group living conditional would lead to more requests I feel and it is important to keep this North side area single family low traffic space. Thank you for considering our wishes.

Joyce Pettinger, 214 Forest Ave.

City of Fargo Staff Report			
Title:	AAB Addition	Date:	1/02/2025
Location:	4672 100 th Avenue South and 10245 45 th Street South	Staff Contact:	Donald Kress, current planning coordinator
Legal Description:	Portion of the NE ¼ of the NE 1/4, Sec. 28, T138N, R49W City of Fargo, Cass County, North Dakota		
Owner(s)/Applicant:	Cass County Joint Water Resources District / Metro Flood Diversion Authority.	Engineer:	Houston Engineering, Inc.
Entitlements Requested:	Major Subdivision (Plat of AAB Addition , a plat of an unplatted portion of the NE ¼ of the NE 1/4, Sec. 28, T138N, R49W City of Fargo, Cass County, North Dakota), and a Zoning Change (from AG, Agricultural to P/I, Public/Institutional)		
Status:	Planning Commission Public Hearing: January 7 th , 2025		
Existing		Proposed	
Land Use: Undeveloped		Land Use: Public utility	
Zoning: AG, Agricultural		Zoning: P/I, Public/Institutional	
Uses Allowed: AG – Agricultural. Allows detached houses day cares for 12 or fewer children or adults, parks and open space, safety services, basic utilities, certain telecommunications structures, and crop production		Uses Allowed: Allows colleges, community service, daycare centers of unlimited size, detention facilities, health care facilities, parks and open space, religious institutions, safety services, schools, offices, commercial parking, outdoor recreation and entertainment, industrial service, manufacturing and production, warehouse and freight movement, waste related use, agriculture, aviation, surface transportation, basic utilities, certain telecommunications structures, and major entertainment events.	
Maximum Density Allowed (Residential) in AG: 1 dwelling unit per 10 acres.		Maximum Lot Coverage Allowed in P/I: Based on the dimensional standards of adjacent zoning district.	
Proposal:			
<i>SUBJECT PROPERTY LOCATION NOTE: Though the subject property is some distance from the main area of Fargo, it is within city limits, as it was part of the 2006 Southside Annexation plat. Development planned for this property at the time did not go forward. It has not been platted or zoned since being annexed. The individual parcels in this area were created through deed splits rather than the subdivision process.</i>			
The applicant requests two entitlements:			
<ol style="list-style-type: none"> 1. A major subdivision, entitled AAB Addition, a plat of an unplatted portion of the NE ¼ of the NE 1/4, Sec. 28, T138N, R49W City of Fargo, Cass County, North Dakota 2. A zoning change from AG, Agricultural to P/I, Public/Institutional 			
This project was reviewed by the City’s Planning and Development, Engineering, Public Works, and Fire Departments (“staff”), whose comments are included in this report.			
Surrounding Land Uses and Zoning Districts:			
<ul style="list-style-type: none"> • North: (across 100th Avenue South) AG; undeveloped; one former farmstead • East: AG; former farmstead; agricultural and farmstead (0.41 mile away) • South: AG; FM Diversion • West: AG; agricultural and farmstead (0.24 mile away) 			

Area Plans:
Fargo Growth Plan 2024 designates the place type of the subject property as “General Industrial and Flex Warehouse.” Staff considers the proposed development to be a basic utility, owned by a public entity, and zoned P/I, Public/Institutional. The proposed development is consistent with this place type designation.
Context:
Schools: The subject property is located within the West Fargo School District and is served by Kennedy Elementary, Discovery Middle and Davies High schools.
Neighborhood: The subject property is not located within a designated neighborhood.
Parks: There are no Fargo Park District parks within one mile of the subject property.
Pedestrian / Bicycle: There are no on-road or off-road multi-use paths adjacent to the subject property at this time. Paths will be included in the eventual development of 100 th Avenue South and 45 th Street South.
MATBUS Route: The subject property is not on a MATBUS route at this time.
Staff Analysis:
<p><u>MAJOR SUBDIVISION</u></p> <p>The subdivision plat creates one lot in one block, to be zoned P/I, Public/Institutional, for development of a public utility. The plat depicts dedications of right of way for 100th Avenue South (100 feet) and 45th Street South (67 feet). It is the applicant’s responsibility to obtain title to, and to dedicate, 33 additional feet east of the 67-foot wide right of way dedication depicted on the current plat to complete a 100-foot wide dedication for 45th Street. The plat will not go forward to City Commission until this dedication is depicted on the plat.</p> <p><u>ACCESS</u></p> <p>The subdivision will take access from 100th Avenue South and 45th Street South. In addition to the right of way dedication noted above, the applicant will provide an easement for a future street east-west across the approximate middle of the subject property. This easement will be a separate document and is not depicted in the plat nor included with the approval of the plat.</p> <p><u>WATER and SEWER</u></p> <p>Water will be provided by Cass Rural Water. Septic will be handled by an on-site septic system. Fargo Cass Public Health will review the design and specify requirements for the on-site septic system.</p> <p><u>ZONE CHANGE</u></p> <p>The subject property is currently zoned AG, Agricultural. The proposed development on this property is a support and maintenance facility for the FM Diversion. Staff considers this to be a public utility. The proposed P/I, Public/Institutional zone is the appropriate zoning for the development proposed on this property. Land Development Code Section 20-0304.A. states “The P/I zoning classification is not intended for commercial or industrial developments.”</p> <p><u>DEVELOPER AGREEMENT and AMENITIES PLAN</u></p> <p>Staff will prepare a developer agreement and an amenities plan specifying developer considerations related to public improvements, stormwater, water, and septic.</p> <p>Zoning</p> <p>Section 20-0906. F (1-4) of the LDC stipulates the following criteria be met before a zone change can be approved:</p> <ol style="list-style-type: none"> 1. Is the requested zoning change justified by a change in conditions since the previous zoning classification was established or by an error in the zoning map?

Staff is unaware of any error in the zoning map as it relates to this property. The property is currently zoned AG: Agricultural. The applicant requests a zoning change to P/I, Public/Institutional, for the development of a public utility use. **(Criteria Satisfied)**

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

City staff and other applicable review agencies have reviewed this proposal. The project will be served by Cass Rural Water and an on-site septic system designed to the satisfaction of Fargo Cass Public Health. The subject property fronts on an existing public right-of-way. Additional dedications will widen the right of way and extend it the full length of the proposed lots. **(Criteria satisfied)**

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

Staff has no documentation or evidence to suggest that the approval of this zoning change would adversely affect the condition or value of the property in the vicinity. Written notice of the proposal was sent to all property owners within 300 feet of the subject property. To date, Planning staff has not received any comments or questions. Staff finds that the approval of the zoning change will not adversely affect the condition or value of the property in the vicinity. **(Criteria satisfied)**

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

The LDC states "This Land Development Code is intended to implement Fargo's Comprehensive Plan and related policies in a manner that protects the health, safety, and general welfare of the citizens of Fargo." Fargo Growth Plan 2024 designates the place type of the subject property as "General Industrial and Flex Warehouse." Staff considers the proposed development to be a basic utility, owned by a public entity, and zoned P/I, Public/Institutional. The proposed development is consistent with this place type designation. **(Criteria satisfied)**

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 requested zoning for the industrial development on this property is P/I, Public/Institutional, which is consistent with the place type designation of Fargo Growth Plan 2024. 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. date, Planning staff has not received any comments or questions. **(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 proposed to be zoned P/I, Public/Institutional. As noted in the zone change findings above, this zone is consistent with the place type designation of the Fargo Growth Plan 2024. The project has been reviewed by the city's Planning, Engineering, Public Works, Inspections, and Fire Departments. **(Criteria Satisfied)**

- 3. Section 20-0907.C.4.f of the LDC stipulates that in taking action on a Final Plat, the Board of City Commissioners shall specify the terms for securing installation of public improvements to serve the subdivision.**

Staff will develop a draft amenities plan that specifies the terms or securing installation of public improvements to serve the subdivision. This amenities plan will be reviewed by the Public Works Project Evaluation Committee (PWPEC) prior to the final plat going to City Commission. 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.

It is the applicant's responsibility to obtain title to, and to dedicate, 33 additional feet east of the 67-foot wide right of way dedication depicted on the current plat to complete a 100-foot wide dedication for 45th Street South. The plat will not go forward to City Commission until this dedication is depicted on the plat.

(Criteria Satisfied)

Staff Recommendation:

Suggested Motion: "To accept the findings and recommendations of staff and move to recommend approval to the City Commission of the proposed 1) Zoning Change from AG, Agricultural to P/I, Public/Institutional, and 2) a plat of the **AAB Addition**, as presented, as the proposal complies with the Standards of Article 20-06, and Sections 20-0906.F (1-4) and 20-0907.C of the LDC and all other applicable requirements of the LDC, and the 2024 Growth Plan, contingent on the right of way dedication requirement for 45th Street South noted in the findings above."

Planning Commission Recommendation: January 7th, 2025

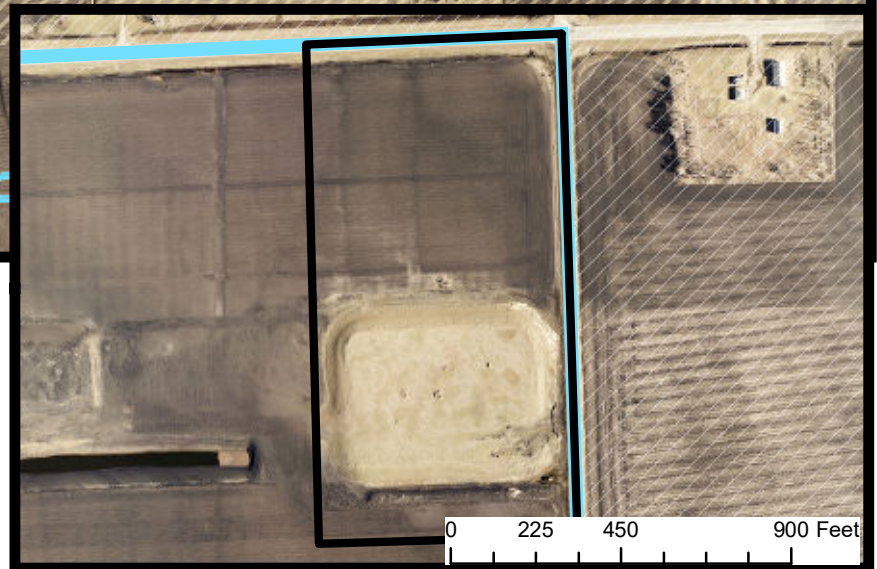
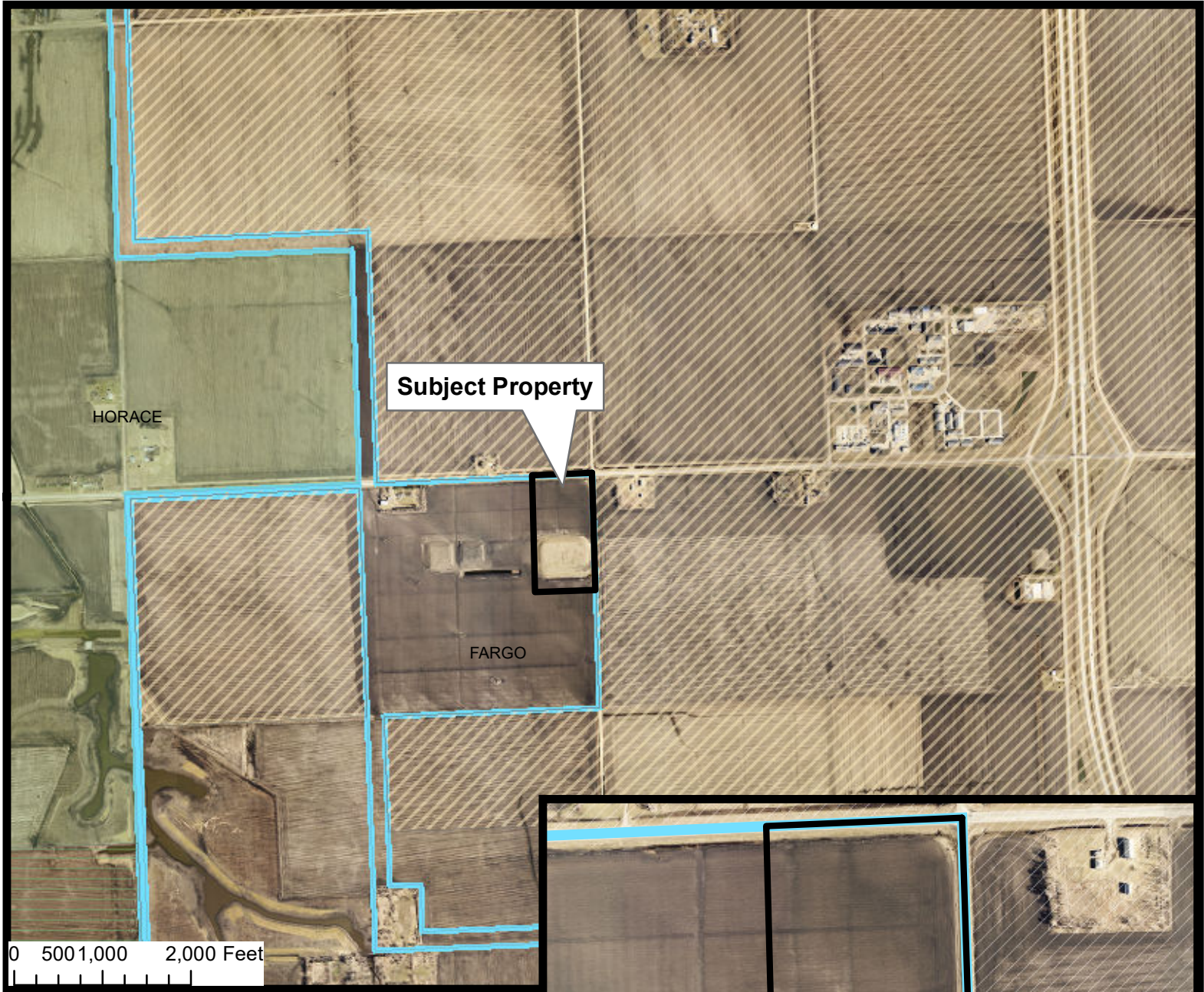
Attachments:

1. Zoning map
2. Location map
3. Preliminary plat

Major Subdivision and Zone Change from AG, Agricultural to P/I, Public/Institutional

AAB Addition

4672 100th Avenue South and 10245 45th Street South



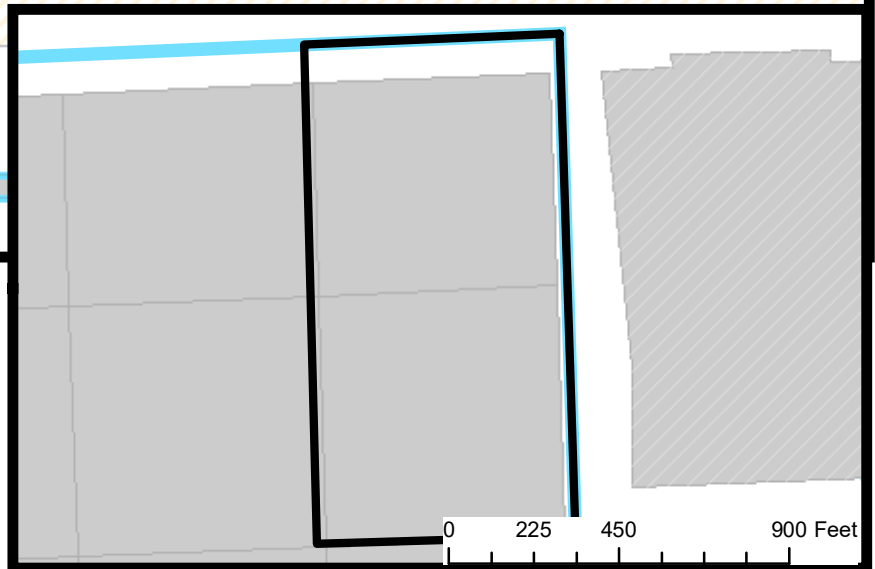
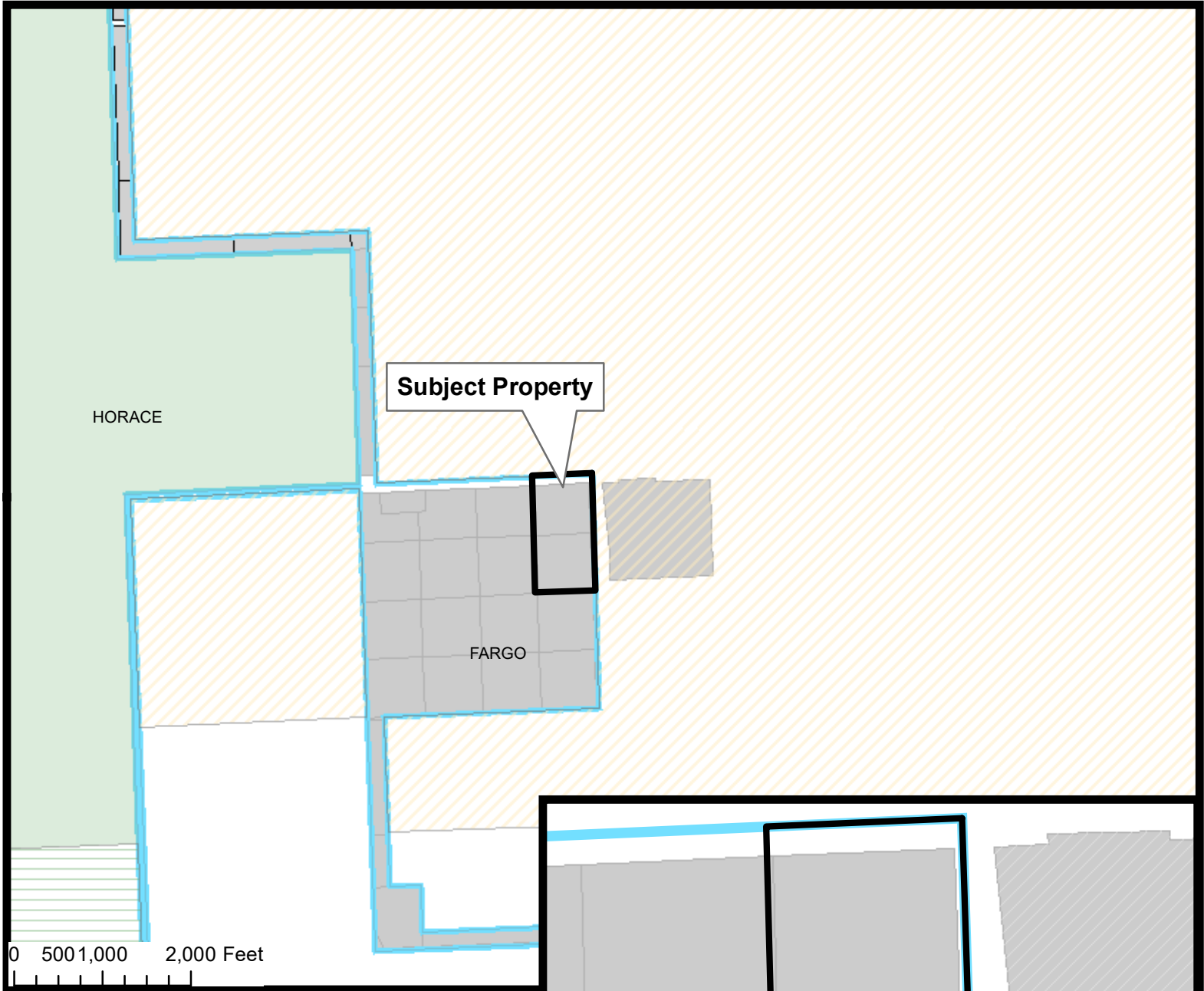
Legend

-  City Limits
-  Fargo ETJ
-  Horace
-  Horace ETJ

Major Subdivision and Zone Change from AG, Agricultural to P/I, Public/Institutional

AAB Addition

4672 100th Avenue South and 10245 45th Street South

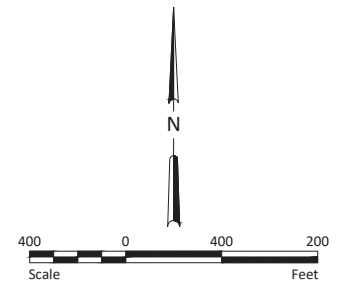
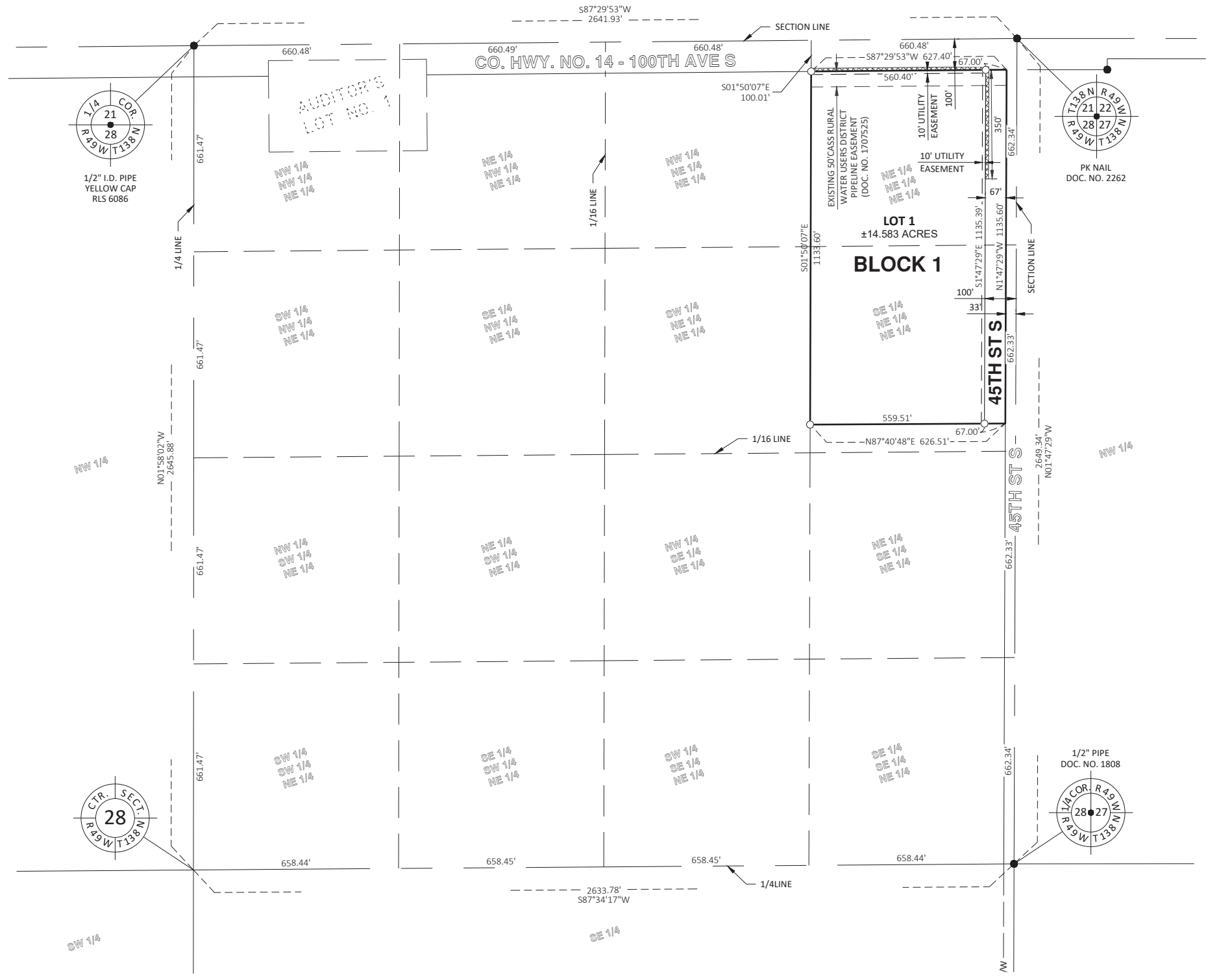


Legend

AG	LC	MHP	SR-2
DDMU	LC	NC	SR-3
GLC	MR-1	NO	SR-4
GO	MR-2	P/I	SR-5
	MR-3	UMU	City Limits
Horace	Horace ETJ	Fargo ETJ	

AAB ADDITION

A MAJOR SUBDIVISION
 BEING A PLAT OF PART OF THE NORTHEAST QUARTER OF THE
 NORTHEAST QUARTER OF SECTION 28, T138N, R49W OF THE 5TH P.M.
 TO THE CITY OF FARGO,
 CASS COUNTY, NORTH DAKOTA



LEGEND

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

BEARINGS SHOWN ARE BASED ON THE NORTH DAKOTA STATE PLANE COORDINATE SYSTEM (NAD83) - SOUTH ZONE

MEASURED DISTANCES SHOWN ARE GROUND DISTANCES IN TERMS OF U.S. SURVEY FEET. USE COMBINATION FACTOR OF 1.0001125127 TO CONVERT STATE PLANE DISTANCES TO GROUND DISTANCES.

H:\JBM\7400\7438\18_7438_0029\Phase 1 - Southern Embankment Footprint Surveys\Site SE-2B\CAD\AAB ADDITION.dwg-SHEET 1-10/30/2024 10:23 AM-(dbuchholtz)

AAB ADDITION

A MAJOR SUBDIVISION
BEING A PLAT OF PART OF THE NORTHEAST QUARTER OF THE
NORTHEAST QUARTER OF SECTION 28, T138N, R49W OF THE 5TH P.M.
TO THE CITY OF FARGO,
CASS COUNTY, NORTH DAKOTA

OWNER'S CERTIFICATE AND DEDICATION:

KNOW ALL PERSONS BY THESE PRESENTS: That Cass County Joint Water Resource District, a North Dakota political subdivision, is the owner and proprietor of the following described tract of land:

That part of the East Half of the Northeast Quarter of the Northeast Quarter of Section 28, Township 138 North, Range 49 West of the Fifth Principal Meridian, City of Fargo, Cass County, North Dakota, described as follows:

Commencing at the northeast corner of said Northeast Quarter; thence South 87°29'53" West, along the northerly line of said Northeast Quarter, for a distance of 660.48 feet to the northwest corner of the East Half of the Northeast Quarter of said Northeast Quarter; thence South 01°50'07" East, along the westerly line of the East Half of the Northeast Quarter of said Northeast Quarter, for a distance of 100.01 feet to a point of intersection with the southerly line of the North 100.00 feet of said Northeast Quarter and the true point of beginning; thence South 01°50'07" East, along the westerly line of the East Half of the Northeast Quarter of said Northeast Quarter, for a distance of 1133.60 feet; thence North 87°40'48" East for a distance of 626.51 feet to a point of intersection with the westerly line of the East 33.00 feet of said Northeast Quarter; thence North 01°47'29" West, along the westerly line of the East 33.00 feet of said Northeast Quarter, for a distance of 1135.60 feet to a point of intersection with the southerly line of the North 100.00 feet of said Northeast Quarter; thence South 87°29'53" West, along the southerly line of the North 100.00 feet of said Northeast Quarter, for a distance of 627.40 feet to the true point of beginning.

Said tract contains 16.329 acres, more or less, and is subject to easements as may be of record.

And that said party has caused the same to be surveyed and platted as **AAB ADDITION** to the City of Fargo, Cass County, North Dakota, and do hereby dedicate to the public, for public use, the street shown on the plat.

OWNER:

Cass County Joint Water Resource District, a North Dakota political subdivision

Ken Lougheed, Chair

ATTESTOR:

Melissa Hinkemeyer, Secretary

State of North Dakota)
) ss
County of Cass)

On this _____ day of _____, 20____ before me personally appeared Ken Lougheed and Melissa Hinkemeyer, Chair and Secretary, respectively, of Cass County Joint Water Resource District, a North Dakota political subdivision, 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 said political subdivision.

Notary Public: _____

SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT:

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

Dated this _____ day of _____, 20____.

James A. Schlieman, Professional Land Surveyor No. 6086

State of North Dakota)
) ss
County of Cass)

On this _____ day of _____, 20____ before me personally appeared James A. Schlieman, Professional Land Surveyor, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same as his free act and deed.

Notary Public: _____

CITY ENGINEER'S APPROVAL:

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

Tom Knakmuhs, PE, City Engineer

State of North Dakota)
) ss
County of Cass)

On this _____ day of _____, 20____ before me personally appeared Tom Knakmuhs, PE, Fargo City Engineer, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same as his free act and deed.

Notary Public: _____

FARGO PLANNING COMMISSION APPROVAL:

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

Maranda R. Tasa, Chair
Fargo Planning Commission

State of North Dakota)
) ss
County of Cass)

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

Notary Public: _____

FARGO CITY COMMISSION APPROVAL:

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

Timothy J. Mahoney, Mayor

Attest: _____
Steven Sprague, City Auditor

State of North Dakota)
) ss
County of Cass)

On this _____ day of _____, 20____, before me personally appeared Timothy J. Mahoney, Mayor, City of Fargo; and Steven Sprague, City Auditor, City of Fargo, known to me to be the persons who are described in and who executed the within instrument and acknowledged to me that they executed the same on behalf of the City of Fargo.

Notary Public: _____



City of Fargo Staff Report			
Title:	Skyline Addition	Date:	1/2/2025
Location:	1117, 1121, 1125, 1129, 1133, 1137, and 1141 18th Street North	Staff Contact:	Donald Kress, planning coordinator
Legal Description:	Lots 16 through 22, Block 3, Beardsley's Addition		
Owner(s)/Applicant:	Bison Gold LLC / Nate Vollmuth	Engineer:	RJN Survey
Entitlements Requested:	Minor Subdivision (Plat of Skyline Addition , a replat of Lots 16 through 22, Block 3, Beardsley's Addition to the City of Fargo, Cass County, North Dakota)		
Status:	Planning Commission Public Hearing: January 7 th , 2025		

Existing	Proposed
Land Use: Vacant (structures recently demolished)	Land Use: Multi-dwelling residence
Zoning: UMU, University Mixed Use	Zoning: No change
Uses Allowed: allows detached houses, attached houses, duplexes, multi-dwelling structures, group living, daycare centers with no limitation on the number of children or adults, office, commercial parking, retail sales and service vehicle service (limited), certain telecommunications facilities, safety services, colleges, and basic utilities.	Uses Allowed: No change
Maximum Building Coverage: 85%	Maximum Building Coverage: No change

Proposal:

The applicant requests one entitlement:

1. A minor subdivision, entitled **Skyline Addition**, a replat of Lots 16 through 22, Block 3, Beardsley's Addition to the City of Fargo, Cass County, North Dakota.

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

Surrounding Land Uses and Zoning Districts:

- North: P/I, Public/Institutional; North Dakota State University
- East: UMU; multi-dwelling residential uses
- South: UMU; multi-dwelling residential uses
- West: UMU and SR-3 with single-dwelling and multi-dwelling residences (1142 18th Street North, west across 18th Street from the subject property, currently zoned SR-3, is proposed to be rezoned to UMU---item 9 of this Planning Commission agenda.)

Area Plans:

The Roosevelt/NDSU Neighborhood Brief of the Core Neighborhoods Plan designates the the subject property as "multi-family." The current zoning is UMU, University Mixed Use, which matches this land use designation. No zone change or land use plan amendment is proposed with this project.

Context:

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

Parks: Johnson Soccer Complex (1420 11th Avenue North) is located approximately 0.20 miles southeast of the subject property and provides amenities of playground, ages 2-5; restrooms shelter; soccer field; warming houses; picnic table.

Pedestrian / Bicycle: There is an off-road multi-use path along the 12th Avenue frontage of the subject property.

Neighborhood: The subject property is included in the Roosevelt/NDSU Neighborhood.

MATBUS Route: The subject property is within the MATBus On-Demand NDSU Service Area, which will become effective January 13th, 2025.

Staff Analysis:

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.

MINOR SUBDIVISION

The plat will replat seven existing lots into a single lot in one block for residential development.

ACCESS

The project site will take access from 18th Street North and from the alley on the east side of project site. There will be no access from 12th Avenue North.

Minor Subdivision

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

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

The current zoning is UMU, University Mixed Use. No zone change is proposed. This zoning is consistent with the Roosevelt/NDSU Neighborhood Brief of the Core Neighborhoods Plan designation of “multi-family” for this property. In accordance with Section 20-0901.F of the LDC, notices of the proposed plat have been sent out to property owners within 300 feet of the subject property. To date, Planning staff has received and responded to one inquiry. The project has been reviewed by the city’s Planning, Engineering, Public Works, Inspections, and Fire Departments.

(Criteria Satisfied)

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

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

(continued on next page)

Staff Recommendation:

Suggested Motion: "To accept the findings and recommendations of staff and move to recommend approval to the City Commission of the proposed plat of the **Skyline Addition**, as outlined in the staff report, as the proposal complies with the Core Neighborhoods Plan, Standards of Article 20-06, Section 20-0907.B. and C of the LDC, and all other applicable requirements of the LDC."

Planning Commission Recommendation: January 7th, 2025

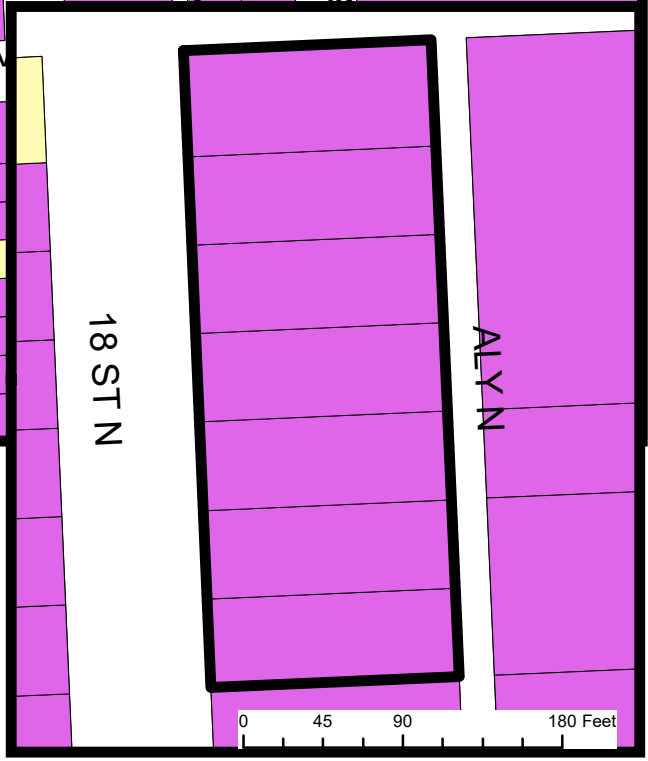
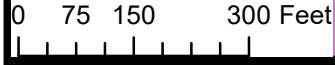
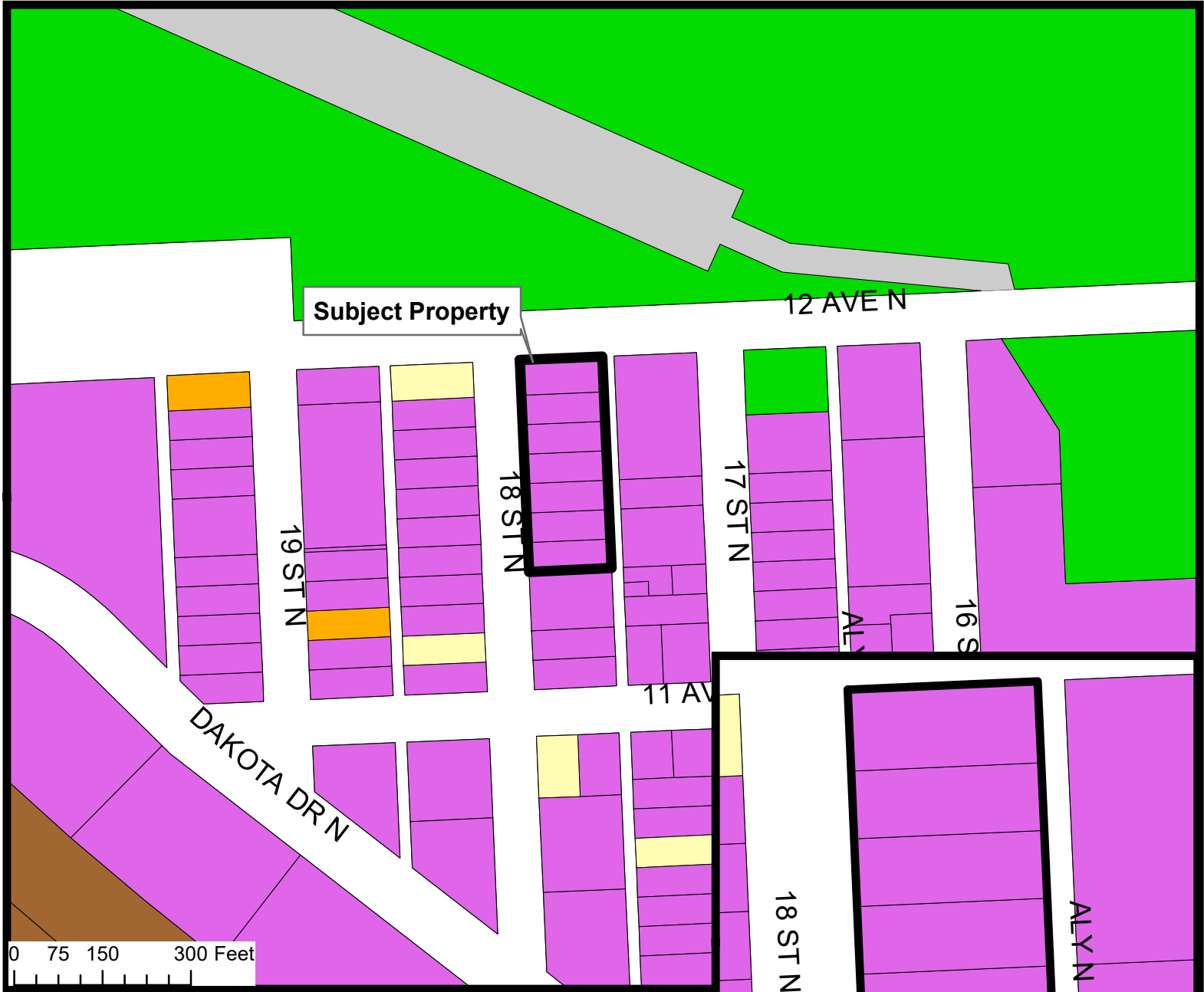
Attachments:

1. Zoning map
2. Location map
3. Preliminary plat

Minor Subdivision

Skyline Addition

1117, 1121, 1125, 1129, 1133, 1137, and 1141 18th Street North



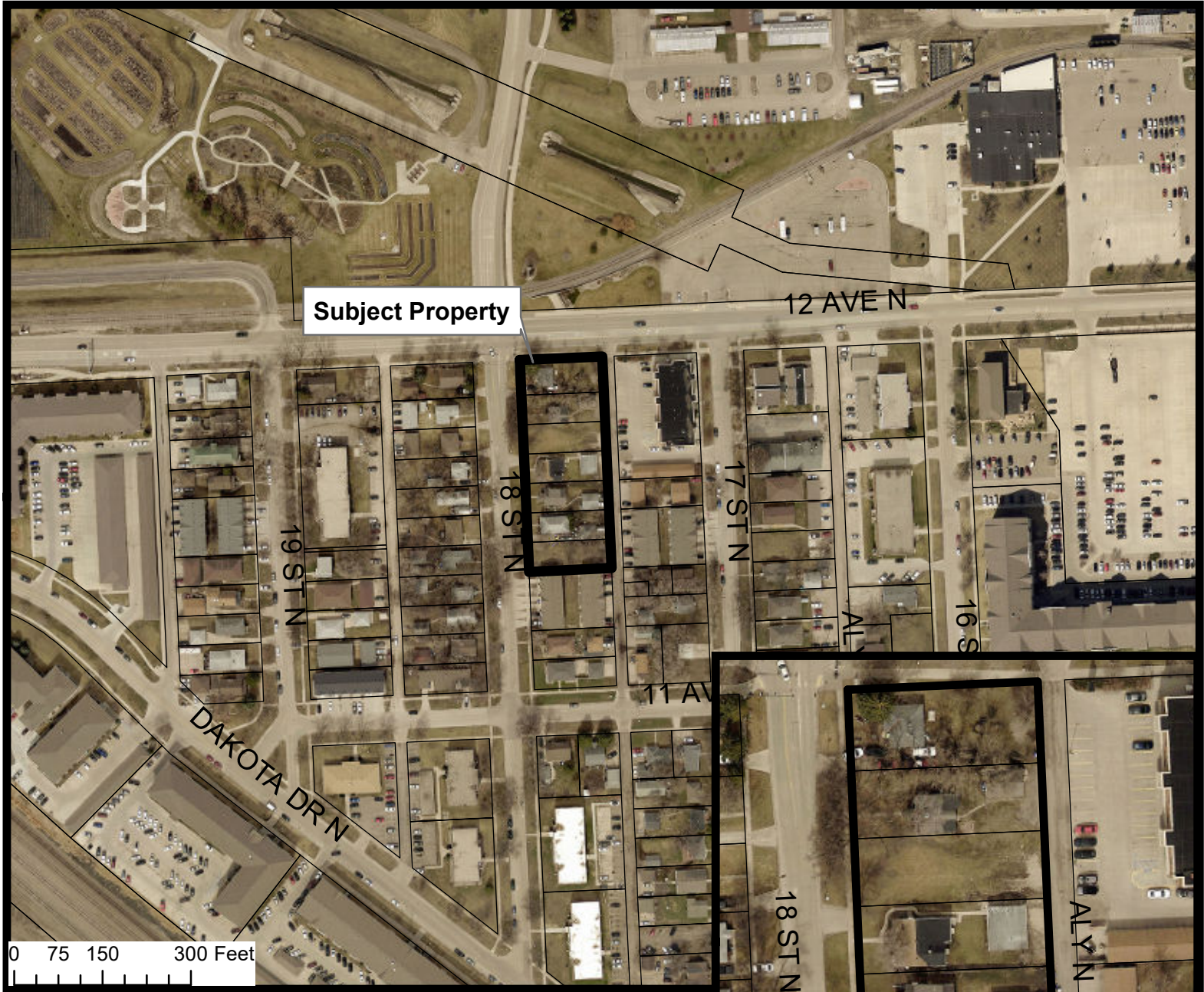
Legend

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

Minor Subdivision

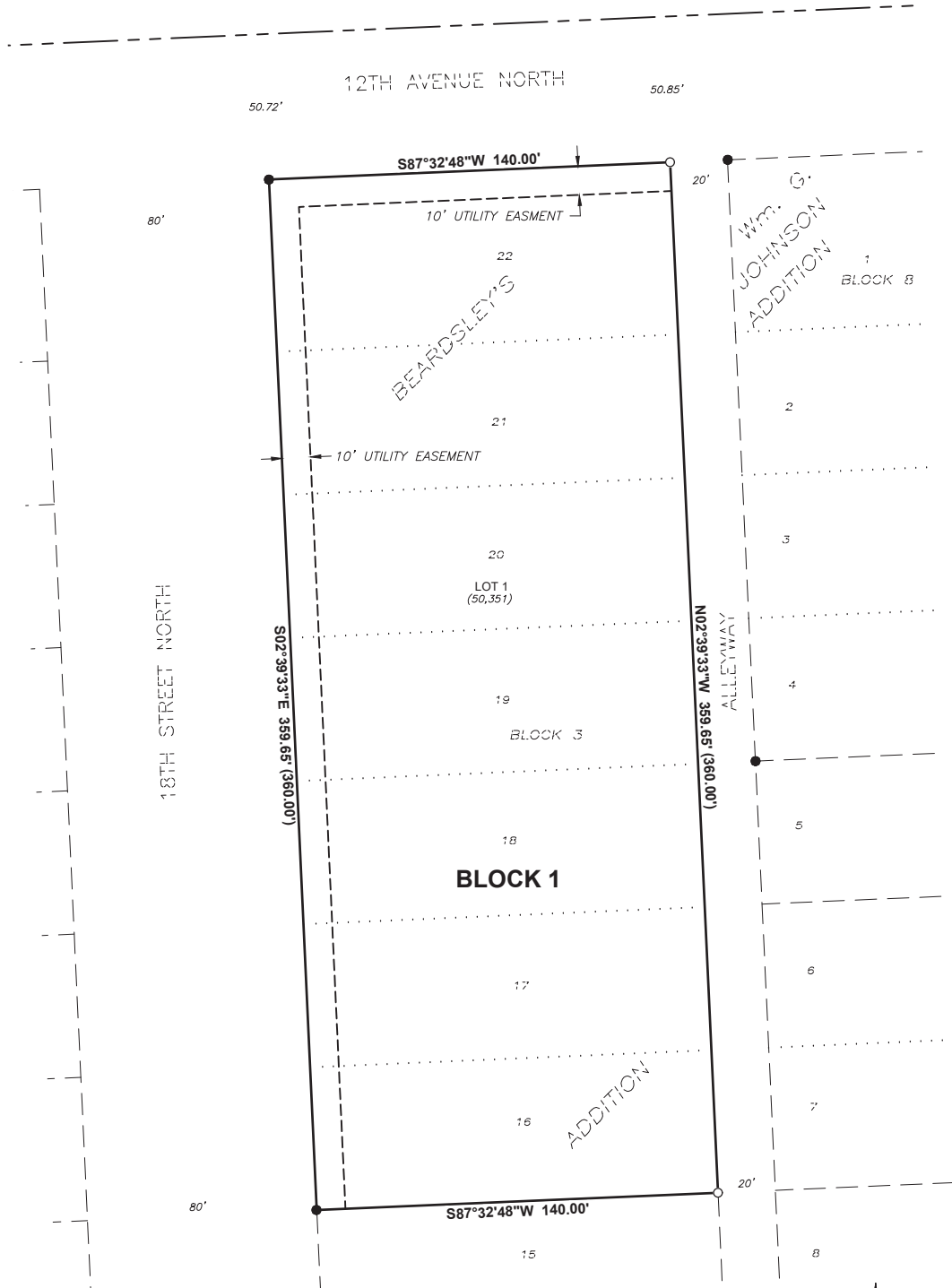
Skyline Addition

1117, 1121, 1125, 1129, 1133, 1137, and 1141 18th Street North



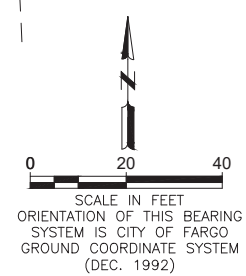
SKYLINE ADDITION

A REPLAT OF LOTS 16 THROUGH 22, BLOCK 3 OF BEARDSLEY'S ADDITION TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA
(A MINOR SUBDIVISION)



- LEGEND**
- SET 5/8" REBAR CAP LS 27292
 - FOUND MONUMENT
 - (5,000) PLAT LOT AREAS
 - (422.77) RECORDED DISTANCES
 - PLATTED BOUNDARY
 - - - NEW EASEMENT
 - - - EXISTING PROPERTY LINE
 - - - EXISTING EASEMENT LINE
 - ORIGINAL PLATTED LINE
 - SECTION LINE

- NOTES**
- GROUND DISTANCES ARE SHOWN AND ARE IN TERMS OF U.S. SURVEY FEET.
 - UTILITY EASEMENTS ARE 10' WIDE ALONG AND ADJACENT TO ALL STREET RIGHT-OF-WAYS AND REAR PROPERTY LINES AS SHOWN UNLESS OTHERWISE NOTED.
 - NEGATIVE ACCESS EASEMENT, AS NOTED ON THE PLAT OF ROERS SECOND ADDITION, IS AN EASEMENT DEDICATED AS PART OF THE RIGHT-OF-WAY DEDICATION WHICH EASEMENT DENIES DIRECT VEHICULAR ACCESS TO A STREET OF PUBLIC WAY FROM THE LOT OR LOTS ADJACENT TO SUCH STREET OR WAY. THE NEGATIVE ACCESS EASEMENT IS NOT A STRIP OF LAND OF ANY CERTAIN WIDTH, BUT IS A LINE COTERMINOUS WITH THE BOUNDARY OF THE ADJACENT LOT OR LOTS.



OWNER'S CERTIFICATE

KNOW ALL PERSONS BY THESE PRESENTS, That Bison Gold Investments LLC, a North Dakota Limited Liability Company, as owner of Lots 16 through 22, Block 3 of BEARDSLEY'S ADDITION to the City of Fargo, Cass County, North Dakota, being more particularly described as follows:

All of Lots 16 through 22, Block 3 of BEARDSLEY'S ADDITION, according to the recorded plat thereof on file and of record in the Office of the County Recorder, Cass County, North Dakota.

Containing 1.16 acres, more or less, and is subject to Easements, Reservations, Restrictions and Rights-of-Way of record.

Said owners of the above described property, have caused the same to be surveyed and platted as "SKYLINE ADDITION" to the City of Fargo, Cass County, North Dakota, and do hereby dedicate to the public for public use the utility easements shown on said plat.

OWNER
Bison Gold Investments LLC

Jim Roers, President

State of _____)
County of _____) ss

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

Notary Public: _____

MORTGAGE HOLDER
Cornerstone Bank, Mortgagee

Name _____, Title _____

State of _____)
County of _____) ss

On this ____ day of _____, 20____, before me personally appeared (name) _____, (title) _____, Cornerstone Bank, 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 Cornerstone Bank.

Notary Public: _____

SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT

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

Dated this ____ day of _____, 20____.

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

State of North Dakota)
County of Cass) ss

On this ____ day of _____, 20____, appeared before me, Joshua J. Nelson, known to me to be the person whose name is subscribed to the above certificate and did acknowledge to me that he executed the same as his own free act and deed.

Notary Public: _____

CITY OF FARGO ENGINEERING DEPARTMENT APPROVAL

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

Tom Knakmuhs, P.E.
City Engineer

State of North Dakota)
County of Cass) ss

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

Notary Public: _____

FARGO CITY COMMISSION APPROVAL

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

Timothy J. Mahoney
Mayor

Attest: Steven Sprague, City Auditor

State of North Dakota)
County of Cass) ss

On this ____ day of _____, 20____, before me, a notary public in and for said county, personally appeared Timothy J. Mahoney, Mayor, and Steven Sprague, City Auditor, known to me to be the persons described in and who executed the same as a free act and deed.

Notary Public: _____

CITY OF FARGO PLANNING COMMISSION APPROVAL

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

Maranda R. Tasa
Planning Commission Chair

State of North Dakota)
County of Cass) ss

On this ____ day of _____, 20____, before me, a notary public in and for said county, personally appeared Maranda R. Tasa, Planning Commission Chair, known to me to be the person described in and who executed the same as a free act and deed.

Notary Public: _____



City of Fargo Staff Report			
Title:	EagleRidge Plaza Addition	Date:	12/27/2024
Location:	3231, 3241, 3251, 3261, and 3271 Seter Parkway South and 5551, 5591, and 5601 33rd Avenue South	Staff Contact:	Maegin Elshaug, Planning Coordinator
Legal Description:	Lot 6, Block 1 of Bentley Place First Addition		
Owner(s)/Applicant:	Plaza Associates 34, LLC; Plaza Associates 56, LLC; Bentley Place Properties, LLC / EagleRidge Development	Engineer:	RJN Survey
Entitlements Requested:	Minor Subdivision (Replat of Lot 6, Block 1 of Bentley Place First Addition to the City of Fargo, Cass County, North Dakota.)		
Status:	Planning Commission Public Hearing: January 7, 2025		

Existing	Proposed
Land Use: vacant and mixed-use development	Land Use: mixed-use development
Zoning: LC – Limited Commercial with PUD, Planned Unit Development Overlay	Zoning: no change
Uses Allowed: colleges, community service, daycare centers of unlimited size, health care facilities, parks and open space, religious institutions, safety services, offices, off premise advertising signs , commercial parking, retail sales and service, self-service storage, vehicle repair , limited vehicle service. Planned Unit Development Ordinance 5246 regulates signs, restricts land uses, and provides design standards.	Uses Allowed: no change
Maximum Lot Coverage Allowed and Density: Maximum 55% building coverage and minimum of 18 dwelling units per acre per the PUD	Maximum Lot Coverage Allowed and Density: unchanged

Proposal:
<p>The applicant requests one entitlement:</p> <ol style="list-style-type: none"> 1. A minor subdivision, to be known as EagleRidge Plaza Addition, a replat of Lot 6, Block 1, Bentley Place First Addition. <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: LC, Limited Commercial with a CO, Conditional Overlay, that is currently vacant; • East: MR-3, Multi-Dwelling Residential across Seter Parkway South, with apartment use; • South: MR-3, Multi-Dwelling Residential across 33rd Avenue South, with apartment use; • West: LC, Limited Commercial with a CO, Conditional Overlay, with commercial use.

Area Plans:

Fargo’s Growth Plan 2024 was adopted on August 19th, 2024. The property is located within the Mixed Commercial, Office and Residential placetype. This project is consistent with the future land use designations for this property.

Context:

Neighborhood: Brandt Crossing Neighborhood

Schools: The subject property is located within the West Fargo Public School District and is served by Independence Elementary, Liberty Middle, and Sheyenne High schools.

Parks: The subject property is less than a half mile west of Urban Plains Park (5050 30th Avenue S) with the amenities of two playgrounds, recreational trails, shelters, gazebo, and healing garden and less than a half mile west of Brandt Crossing Park (5009 33rd Avenue S) with the amenities of basketball courts, dog park, playground, recreational trails, and shelter.

Pedestrian / Bicycle: Off-road facilities are located along 32nd Avenue South and Veteran’s Boulevard. Both facilities are components of the overall the metro area trail system.

Transit: MATBUS route 24 stops at the corner of 32nd Avenue South and Seter Parkway, just one block north of the property.

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.**

The current zoning for the area is LC, Limited Commercial, with PUD, planned unit development. No zone change is proposed. This zoning is consistent with the 2024 Fargo Growth Plan and the property is within the the Mixed Commercial, Office and Residential placetype. The current LC zoning and PUD are consistent with these land use designations. In accordance with Section 20-0901.F of the LDC, notices of the proposed plat have been sent out to property owners within 300 feet of the subject property. To date, Planning staff has not received any inquiries. The project has been reviewed by the city’s Planning, Engineering, Public Works, Inspections, and Fire Departments. **(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, **EagleRidge Plaza Addition** as outlined within the staff report, as the proposal complies with the adopted 2024 Growth Plan, the standards of Article 20-06, Section 20-0907.B and C and all other applicable requirements of the Land Development Code".

Planning Commission Recommendation:

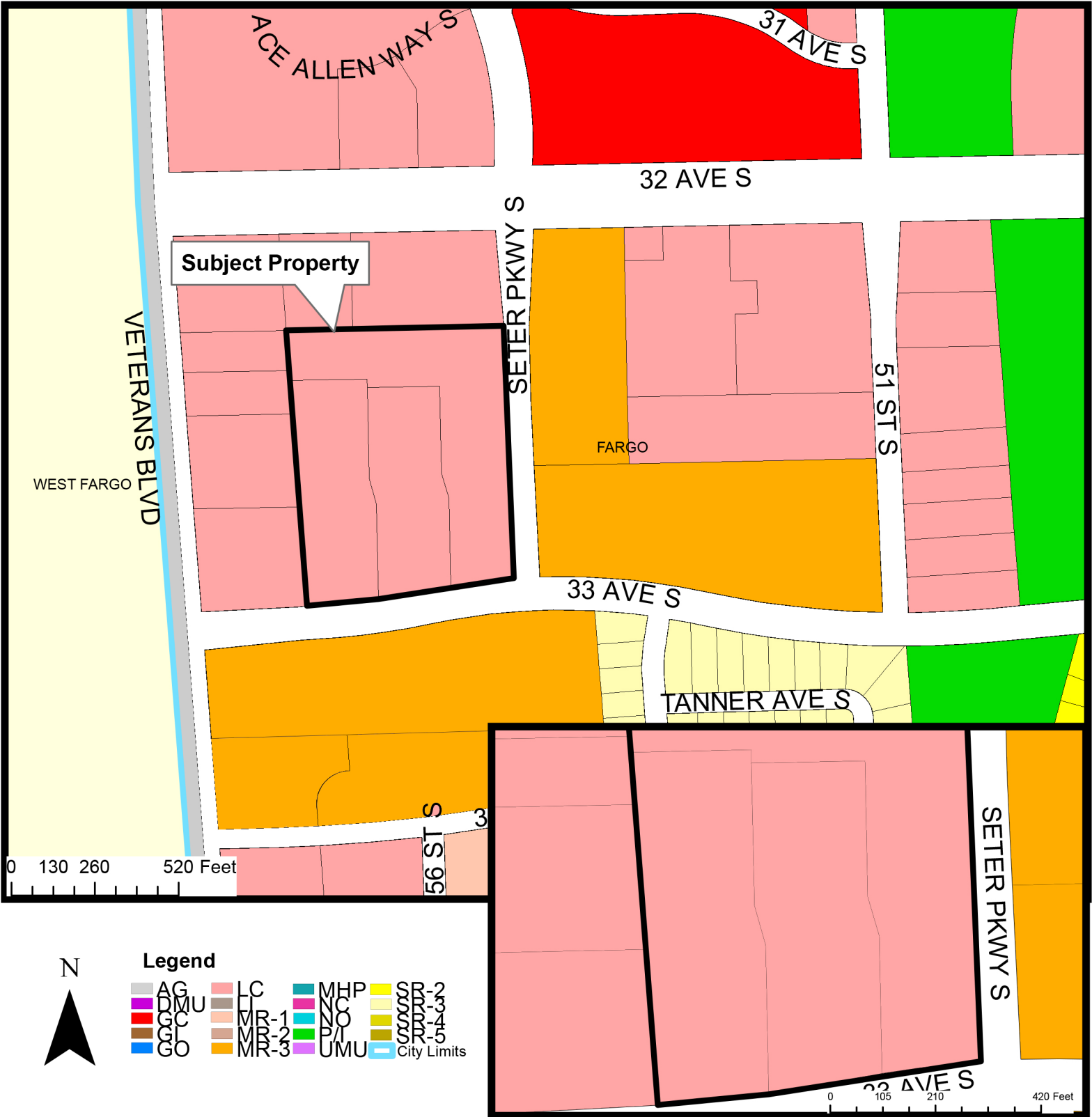
Attachments:

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

Minor Subdivision

EagleRidge Plaza Addition

3231, 3241, 3251, 3261 and 3271 Seter Parkway South
5551, 5591 and 5601 33rd Avenue South



Minor Subdivision

EagleRidge Plaza Addition

3231, 3241, 3251, 3261 and 3271 Seter Parkway South
5551, 5591 and 5601 33rd Avenue South

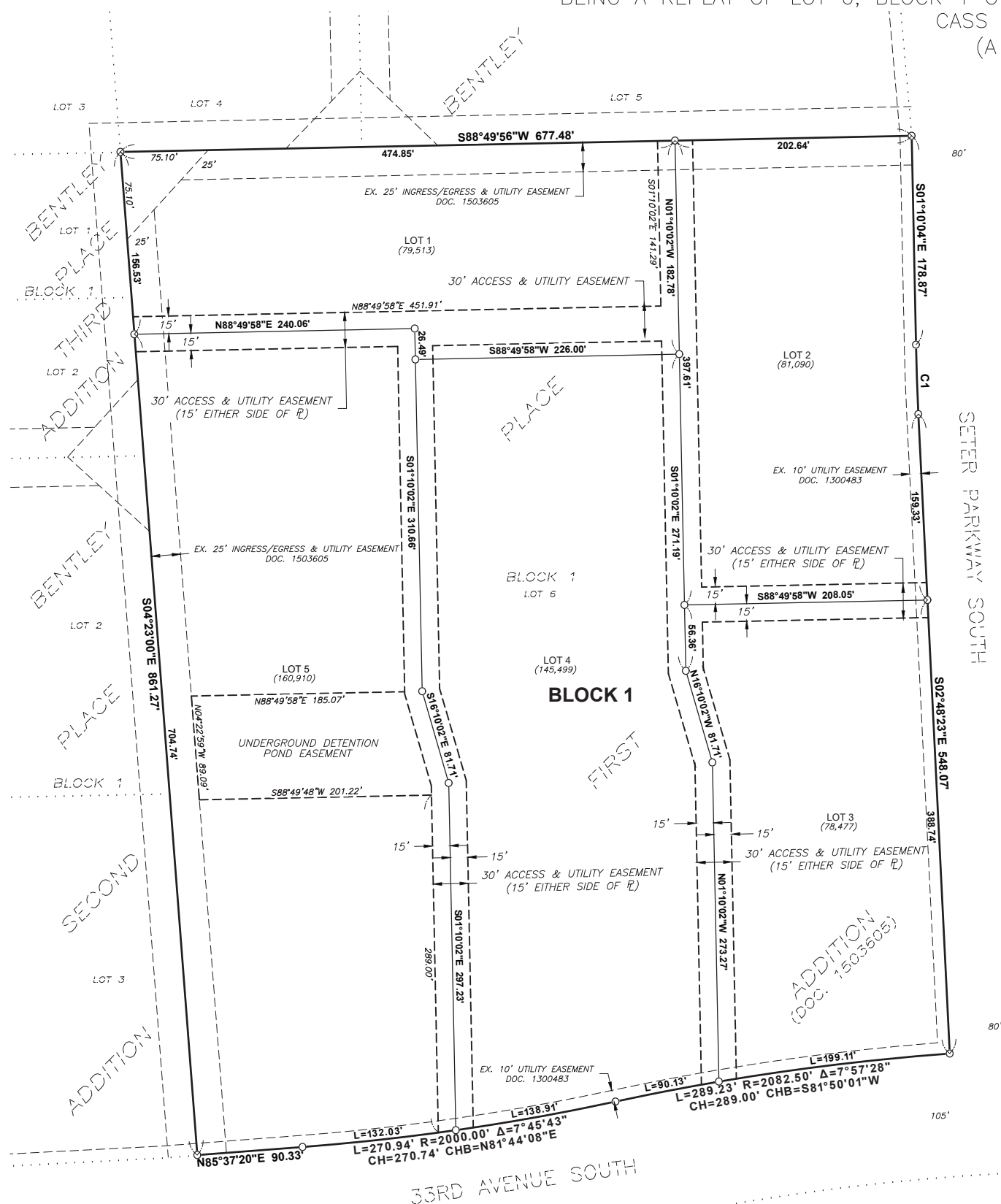


Legend

 City Limits

EAGLERIDGE PLAZA ADDITION

TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA
BEING A REPLAT OF LOT 6, BLOCK 1 OF BENTLEY PLACE FIRST ADDITION TO THE CITY OF FARGO,
CASS COUNTY, NORTH DAKOTA
(A MINOR SUBDIVISION)



OWNER'S CERTIFICATE

KNOW ALL PERSONS BY THESE PRESENTS, That Plaza Associates 34 LLC, a North Dakota limited liability company and Plaza Associates 56 LLC, a North Dakota limited liability company and Bentley Place Properties LLC, a North Dakota limited liability company as owner of Lot 6, Block 1 of BENTLEY PLACE FIRST ADDITION to the City of Fargo in part of the Northwest Quarter of Section 28, Township 139 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota, being more particularly described as follows:

All of Lot 6, Block 1 of BENTLEY PLACE FIRST ADDITION, according to the recorded plat thereof on file and of record in the Office of the County Recorder, Cass County, North Dakota.

Containing 12.52 acres, more or less, and is subject to Easements, Reservations, Restrictions and Rights-of-Way of record.

Said owners of the above described property, have caused the same to be surveyed and platted as "EAGLERIDGE PLAZA ADDITION" to the City of Fargo, Cass County, North Dakota, and do hereby dedicate and convey the access and utility easements and private underground detention pond easement, as shown herein, to all within said "EAGLE RIDGE PLAZA ADDITION".

OWNER - LOT 5

Plaza Associates 34 LLC

James R. Bullis, Secretary

State of _____ }
County of _____ } ss

On this ____ day of _____, 20____, before me personally appeared James R. Bullis, Secretary, Plaza Associates 34 LLC, a North Dakota limited liability company, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same on behalf of said company.

Notary Public: _____

OWNER - LOT 4

Plaza Associates 56 LLC

James R. Bullis, Secretary

State of _____ }
County of _____ } ss

On this ____ day of _____, 20____, before me personally appeared James R. Bullis, Secretary, Plaza Associates 56 LLC, a North Dakota limited liability company, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same on behalf of said company.

Notary Public: _____

OWNER - LOTS 1, 2 & 3

Bentley Place Properties LLC

James R. Bullis, Secretary

State of _____ }
County of _____ } ss

On this ____ day of _____, 20____, before me personally appeared James R. Bullis, Secretary, Bentley Place Properties LLC, a North Dakota limited liability company, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same on behalf of said company.

Notary Public: _____

MORTGAGE HOLDER

First International Bank and Trust, Mortgagee

Matt Mueller, President

State of _____ }
County of _____ } ss

On this ____ day of _____, 20____, before me personally appeared Matt Mueller, President, First International Bank and Trust, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same on behalf of First International Bank and Trust.

Notary Public: _____

CITY OF FARGO ENGINEERING DEPARTMENT APPROVAL

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

Tom Knakmuhs, P.E.
City Engineer

State of North Dakota)
County of Cass) ss

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

Notary Public: _____

FARGO CITY COMMISSION APPROVAL

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

Timothy J. Mahoney
Mayor

Attest: _____
Steven Sprague, City Auditor

State of North Dakota)
County of Cass) ss

On this ____ day of _____, 20____, before me, a notary public in and for said county, personally appeared Timothy J. Mahoney, Mayor, and Steven Sprague, City Auditor, known to me to be the persons described in and who executed the same as a free act and deed.

Notary Public: _____

CITY OF FARGO PLANNING COMMISSION APPROVAL

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

Maranda R. Tasa
Planning Commission Chair

State of North Dakota)
County of Cass) ss

On this ____ day of _____, 20____, before me, a notary public in and for said county, personally appeared Maranda R. Tasa, Planning Commission Chair, known to me to be the person described in and who executed the same as a free act and deed.

Notary Public: _____

SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT

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

Dated this ____ day of _____, 20____.

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

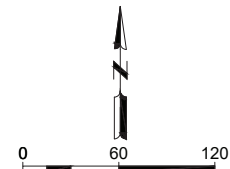
State of North Dakota)
County of Cass) ss

On this ____ day of _____, 20____, appeared before me, Joshua J. Nelson, known to me to be the person whose name is subscribed to the above certificate and did acknowledge to me that he executed the same as his own free act and deed.

Notary Public: _____

LEGEND

- SET 5/8" REBAR CAP LS 27292
- FOUND MONUMENT
- (5,000) PLAT LOT AREAS (SQ. FT.)
- SURVEYED/PLAT BOUNDARY
- PLAT INTERIOR LOT LINES
- NEW EASEMENT
- EXISTING PROPERTY LINE
- EXISTING EASEMENT LINE
- ORIGINAL PLATTED LINE



SCALE IN FEET
ORIENTATION OF THIS BEARING
SYSTEM IS CITY OF FARGO
GROUND COORDINATE SYSTEM
(DEC. 1992)

NOTES

1. GROUND DISTANCES ARE SHOWN AND ARE IN TERMS OF U.S. SURVEY FEET.

CURVE TABLE

#	LENGTH	RADIUS	DELTA	CHORD DISTANCE	CHORD BEARING
C1	59.48'	2080.00'	1°38'19"	59.48'	S01°59'13"E



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

City of Fargo Staff Report			
Title:	Craigs 16 th Street Addition	Date:	01/02/2025
Location:	136 16 th Street North	Staff Contact:	Luke Morman, Planner
Legal Description	Lot 2, Block 1, Craigs 16th Street Addition		
Owner(s)/Applicant:	NSK Properties, LLC/Century Builders	Engineer:	N/A
Entitlements Requested:	Conditional Use Permit (to allow Industrial Service and Warehouse in the GC, General Commercial zone)		
Status:	Planning Commission Public Hearing: January 7, 2025		

Existing	Proposed
Land Use: Vacant	Land Use: Commercial and Industrial
Zoning: GC, General Commercial	Zoning: GC, General Commercial with a CUP for industrial service and warehouse in the GC zone.
Uses Allowed: GC allows colleges, community service, daycare centers of unlimited size, detention facilities, health care facilities, parks and open space, religious institutions, safety services, basic utilities, adult establishments, offices, off-premise advertising, commercial parking, outdoor recreation and entertainment, retail sales and service, self-service storage, vehicle repair, limited vehicle service, and certain telecommunication facilities.	Uses Allowed: GC allows colleges, community service, daycare centers of unlimited size, detention facilities, health care facilities, parks and open space, religious institutions, safety services, basic utilities, adult establishments, offices, off-premise advertising, commercial parking, outdoor recreation and entertainment, retail sales and service, self-service storage, vehicle repair, limited vehicle service, and certain telecommunication facilities. The Conditional Use Permit will allow industrial service and warehouse in the GC, General Commercial zone, in addition to the other permitted uses in the GC zone.
Maximum Lot Coverage: Maximum 85% building coverage	Maximum Lot Coverage: No change

Proposal:

The applicant requests a **Conditional Use Permit (CUP)** to allow Industrial Service and Warehouse uses in the GC, General Commercial zone.

The applicant proposes two buildings on the property, however only the south building may include industrial uses. Section 20-0402.R.1.a prohibits industrial uses within 300 feet of residential zones (to the northeast), therefore, the north building will need to follow uses allowed in the base zoning of GC, General Commercial. Section 20-0402.R.1.e mentions that Residential Protection Standard's (RPS) landscape buffers apply to properties within 600 feet of residential zones, however, due to the limited visibility from the residential zones to the subject property, no additional RPS landscape buffer is required. New construction and changes of use will need to go through the permit process where it will be reviewed for compliance with the Land Development Code.

Figure 1: Preliminary Site Plan

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

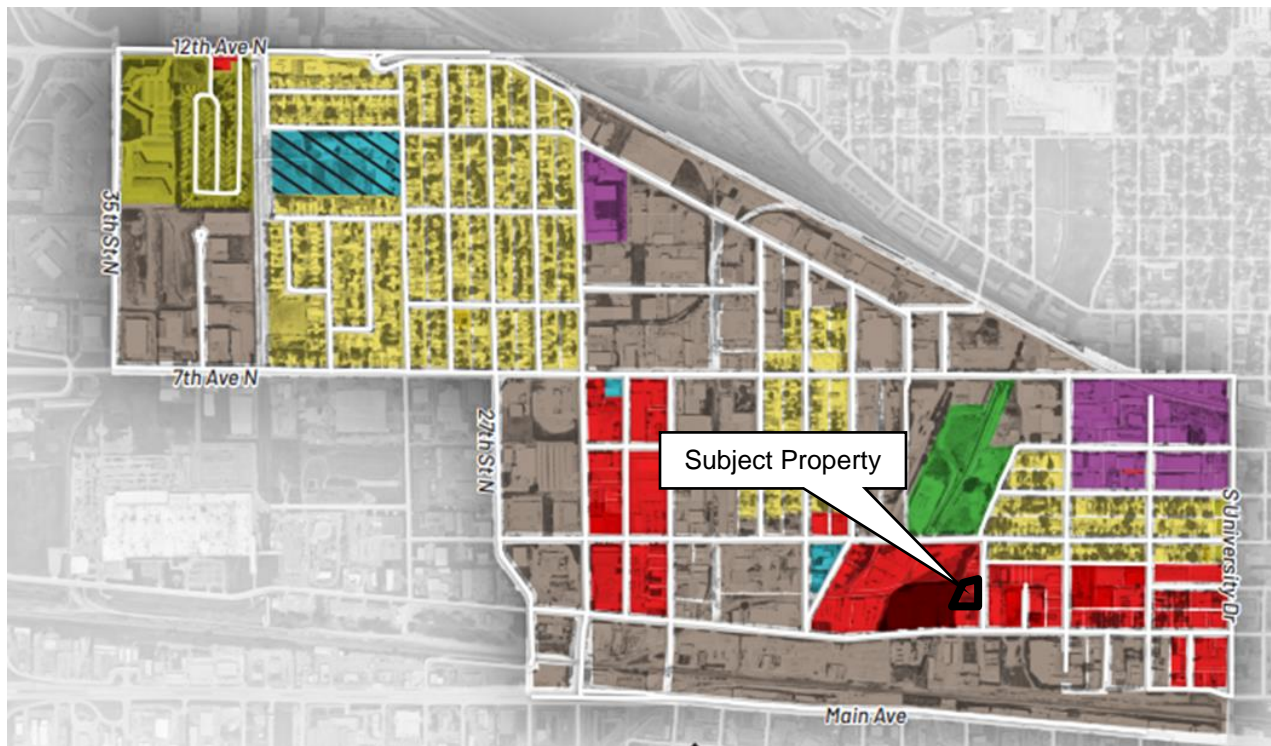
Surrounding Land Uses and Zoning Districts:

- North: GC, General Commercial, with self-service storage and LI, Limited Industrial, with industrial service.
- East: across 16th Street North, GC, General Commercial, with warehouse.
- South: GC, General Commercial, with warehouse.
- West: GC, General Commercial, with self-service storage and industrial service.

Area Plans:

Fargo's Growth Plan 2024 was adopted on August 19th, 2024. This project is consistent with the place type designation of Transitional Industrial/Commercial for this property.

The subject property is located within the 2021 Core Neighborhoods Plan. This plan designates the subject property as Commercial use. The existing GC, General Commercial, zoning and proposed industrial service and warehouse uses are consistent with this land use designation.



FUTURE LAND USE MAP

- | | |
|-------------------------------------|-----------------------------------|
| Single-Family Residential | Industrial/Warehousing |
| Multi-Family Residential | Park, Open Space and Trails |
| Institutional | Commercial |
| Schools with recreational amenities | Mixed Use Neighborhood Commercial |

For full descriptions of these land use categories, see page 45 of the Core Neighborhoods Master Plan



Context:

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

Neighborhood: The subject property is located within the Madison Unicorn Park Neighborhood.

Parks: Unicorn Park (1603 3rd Avenue North) is approximately 300 feet to the north of the subject property. This park provides basketball courts, grills, picnic tables, playground for ages 5-12, recreational trails, and warming houses.

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

Bus Route: MATBUS Route 17 runs along 3rd Avenue North (bus stops along 15th Street North and 16th Street North).

Staff Analysis:

Approval and Appeal

The Planning Commission is the final decision maker for CUP's. Any appeal of the Planning Commission's decision goes to the City Commission. Pursuant to LDC Section 20-0903(B), appeals of final decisions must be filed within 10 days of the date of the decision.

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

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

1. **Does the proposed conditional use comply with all applicable provisions of the LDC and will it conform to the general intent and purpose of this LDC?**
The purpose of the LDC is to implement Fargo's Comprehensive Plan in a way that will protect the general health, safety, and welfare of the citizens. Staff believes this proposal is in keeping with adopted plans and policies of the City. The CUP would allow for Industrial Service and Warehouse uses and additional conditions will be added to ensure that this project is developed in a manner that is appropriate to the context of the surrounding properties. Staff finds this proposal is consistent with the purpose of the LDC, the Go2030 Comprehensive Plan, and other adopted policies of the City.
(Criteria Satisfied)

2. **Will the proposed conditional use at the specified location contribute to and promote the welfare or convenience of the public?**
Staff believes that the location of the proposed conditional use will contribute and promote the welfare and convenience of the public. Staff is proposing conditions which would address potential negative impacts of the proposed uses but that also allow the public to utilize the convenience of future businesses.
(Criteria Satisfied)

3. **Will the proposed conditional use cause substantial injury to the value of other property in the neighborhood in which it is to be located?**
Staff has no data to suggest that the proposed use would cause substantial injury to the value of other property in the neighborhood. In accordance with Section 20-0901.F of the LDC, notices of the CUP were sent out to property owners within 300 feet of the subject property. To date, staff has received one comment from a notified resident who spoke in opposition of the proposed industrial uses in the commercial zone.
(Criteria Satisfied)

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

Staff does not believe that the location, size, nature or intensity of the use will prevent development and use of neighboring property in accordance with applicable zoning districts. The potential uses are consistent with the adjacent commercial properties, which have similar types of development. In addition to the proposed CUP conditions, the Industrial Uses in General Commercial Zoning standards of Section 20-0402.R, apply to industrial uses in the GC zoning district and provide for additional protection of the surrounding area.

(Criteria Satisfied)

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

Staff is not aware of any deficiencies regarding drainage or utilities that would limit the ability of the applicant to utilize the property as proposed. In addition, the requested CUP has been reviewed by staff from other applicable departments and no concerns have been raised. Based on this information, staff finds that adequate utility, drainage, and other such necessary facilities and services are in place.

(Criteria Satisfied)

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

The subject property was recently platted in 2022 and the proposed driveway will need to meet the LDC driveway spacing requirements of Section 20-0702. 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. To that end, staff finds that the proposed conditional use will not create traffic hazards or traffic congestion in the public streets

(Criteria Satisfied)

Recommended Conditions:

Planning staff has developed standard conditions for industrial uses in the GC zone. Staff recommends these conditions, stated below, as part of this CUP. Additionally, all applicable sections of the LDC apply to industrial uses in the GC, including, but not limited to, the Industrial Uses in General Commercial Zoning standards of Section 20-0402.R.

1. The property shall not be used in whole or in part for storage of rubbish or debris of any kind whatsoever nor for the storage of any property or items that will cause such lot to appear untidy, unclean or unsightly as determined by the Zoning Administrator; nor shall any substance, item or material be kept on any lot that will emit foul odors, including compost sites and fertilizer.
2. All refuse containers, including dumpsters, shall be concealed from public view by opaque fence, screen wall or building extension.
3. No outdoor storage of equipment or supplies.
4. Off-street parking, loading, and vehicular circulation areas shall have an all-weather surface, as defined by the Land Development Code.
5. The manufacturing, production, or processing of food and/or animal products or hazardous chemicals and/or materials shall not be permitted.
6. Future permits are generally consistent with the site plan provided in the January 7th, 2025 Planning Commission packet. Changes may require review by the Planning Commission as determined by Planning staff.
7. The Conditional Use Permit shall terminate if all industrial uses cease for a period of more than 12 consecutive months.

Staff Recommendation:

Suggested Motion: "To accept the findings and recommendations of staff and move to recommend approval of the conditional use permit to allow Industrial Service and Warehouse uses in the GC, General Commercial zoning district on Lot 2, Block 1, **Craigs 16th Street Addition** as presented, as the proposal complies with the

2024 Growth Plan, 2021 Core Neighborhoods Plan, Standards of Section 20-0909.D, and all other applicable requirements of the LDC, with the following conditions:

1. The property shall not be used in whole or in part for storage of rubbish or debris of any kind whatsoever nor for the storage of any property or items that will cause such lot to appear untidy, unclean or unsightly as determined by the Zoning Administrator; nor shall any substance, item or material be kept on any lot that will emit foul odors, including compost sites and fertilizer.
2. All refuse containers, including dumpsters, shall be concealed from public view by opaque fence, screen wall or building extension.
3. No outdoor storage of equipment or supplies.
4. Off-street parking, loading, and vehicular circulation areas shall have an all-weather surface, as defined by the Land Development Code.
5. The manufacturing, production, or processing of food and/or animal products or hazardous chemicals and/or materials shall not be permitted.
6. Future permits are generally consistent with the site plan provided in the January 7th, 2025 Planning Commission packet. Changes may require review by the Planning Commission as determined by Planning staff.
7. The Conditional Use Permit shall terminate if all industrial uses cease for a period of more than 12 consecutive months.

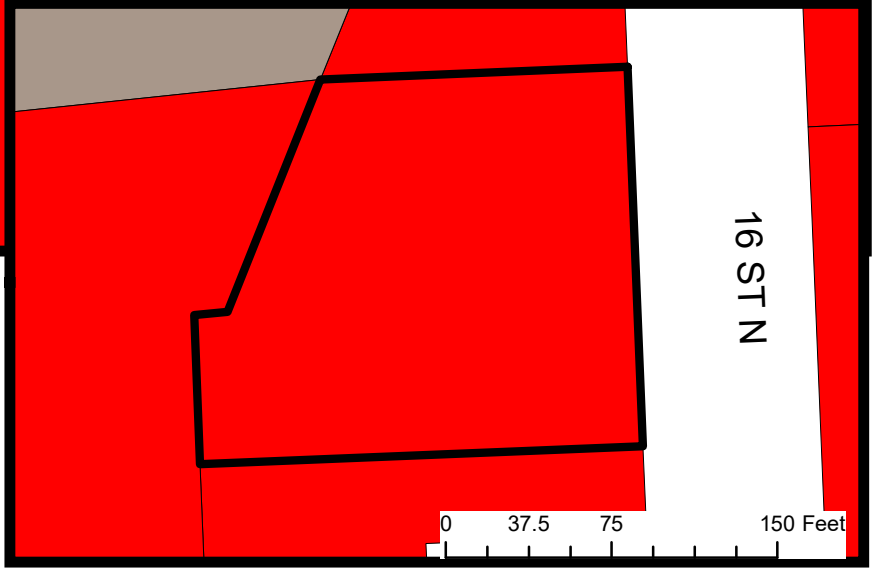
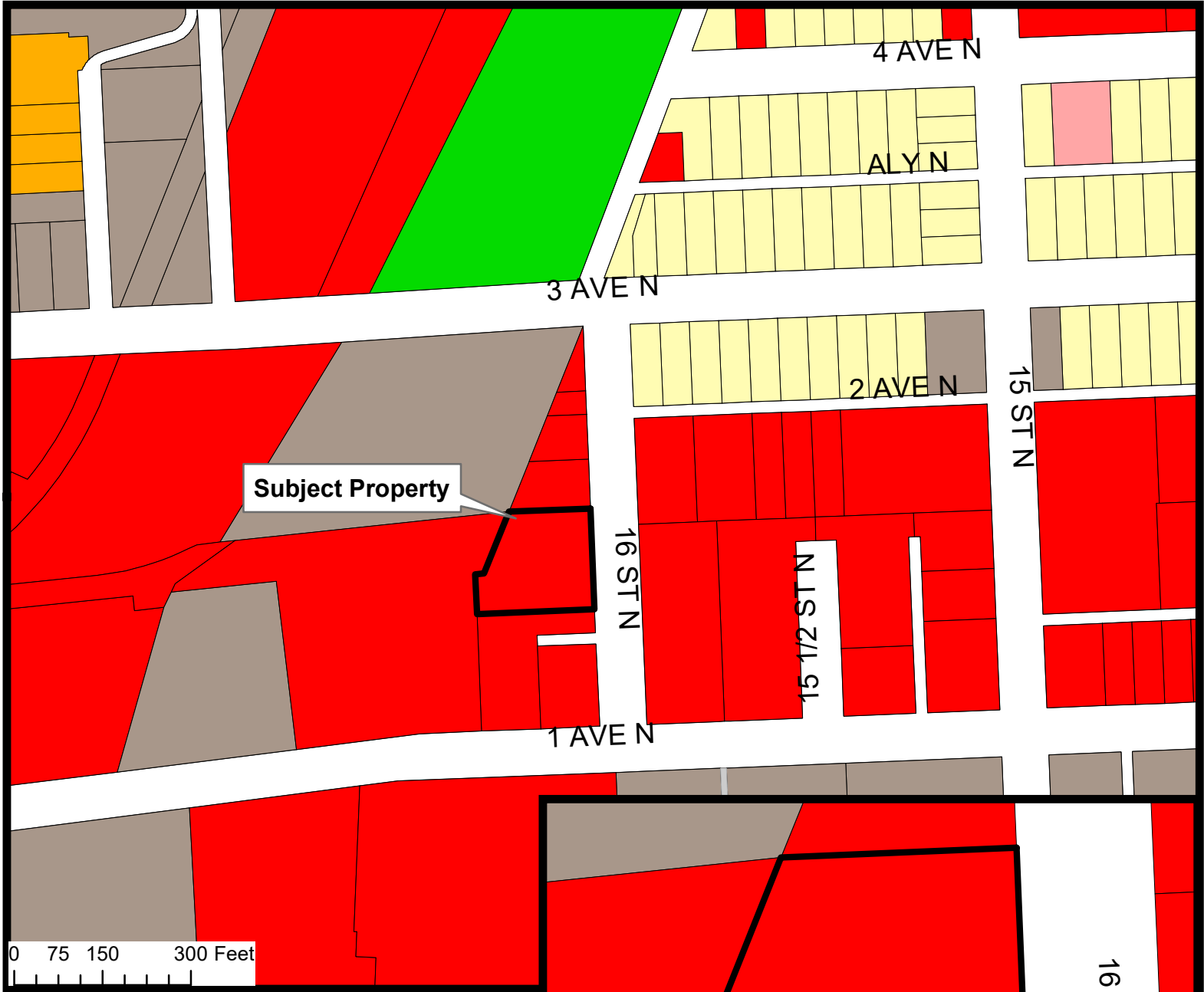
Attachments:

1. Zoning Map
2. Location Map

CUP, Conditional Use Permit to allow industrial service and warehouse uses in GC, General Commercial

Craig's 16th Street Addition

136 16th Street North



Legend

AG	DMU	GGC	GO	LC	LI	MR-1	MR-2	MR-3	MHP	NC	NO	PT	UMU	SSP-2	SSP-3	SSP-4	SSP-5	City Limits
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CUP, Conditional Use Permit to allow industrial service and warehouse uses in GC, General Commercial

Craig's 16th Street Addition

136 16th Street North



City of Fargo Staff Report			
Title:	Cottonwood Corner Addition	Date:	1/2/2025
Location:	5550, 5570 and 5590 13th Avenue North	Staff Contact:	Donald Kress, planning coordinator
Legal Description:	Lots 3 through 5, Block 1, Commerce on 12 th Third Addition		
Owner(s)/Applicant:	Cottonwood Corner, LLC; Bent Rock Investments, LLC / Century Builders	Engineer:	RJN Survey
Entitlements Requested:	Minor Subdivision (Plat of Cottonwood Corner Addition , a replat of Lots 3 through 5, Block 1, Commerce on 12 th Third Addition to the City of Fargo, Cass County, North Dakota)		
Status:	Planning Commission Public Hearing: January 7 th , 2025		

Existing	Proposed
Land Use: Undeveloped	Land Use: Industrial shops
Zoning: LI, Limited Industrial	Zoning: No change
Uses Allowed: LI – Limited Industrial. Allows colleges, community service, daycare centers of unlimited size, detention facilities, health care facilities, parks and open space, religious institutions, safety services, adult entertainment centers, offices, off-premise advertising, commercial parking, outdoor recreation and entertainment, retail sales and service, self storage, vehicle repair, limited vehicle service, industrial service, manufacturing and production, warehouse and freight movement, wholesale sales, aviation, surface transportation, basic utilities, certain telecommunications facilities	Uses Allowed: No change
Maximum Building Coverage: 85%	Maximum Building Coverage: No change

Proposal:

The applicant requests one entitlement:

1. A minor subdivision, entitled **Cottonwood Corner Addition**, a replat of Lots 3 through 5, Block 1, Commerce on 12th Third Addition to the City of Fargo, Cass County, North Dakota.

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

Surrounding Land Uses and Zoning Districts:

- North: LI; with industrial uses
- East: LI; with industrial uses
- South: LI; platted; not developed
- West: LI; with industrial uses

(continued on next page)

Area Plans:

Fargo Growth Plan 2024 designates the place type of the subject property as General Industrial and Flex Warehouse. The current zoning is LI, Limited Industrial, which matches this place type designation. No zone change or land use plan amendment is proposed with this project.

Context:

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

Parks: There are no public parks within one mile of the subject property.

Pedestrian / Bicycle: There are no on or off road bike facilities within or along the adjacent streets

Neighborhood: The subject property is not included in a named neighborhood.

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

Staff Analysis:

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.

MINOR SUBDIVISION

The subdivision replats three existing lots into five lots in one block. The lots range in area from approximately 0.40 acre to 1.85 acre.

ACCESS AND UTILITIES

Lots 2 through 5, Block 1 take access and utility services from 13th Avenue North by way of a 40-foot wide access and utility easement created on this plat. The plat includes a note stating that these lots do not take their access or utility service directly from a dedicated public right of way, and that the lot owners are responsible for the maintenance of the access drive and utilities. The applicant will submit an agreement for maintenance of the access and utility easement and the stormwater pond easement for staff review prior to the plat going forward to City Commission.

An existing 40-foot wide access and utility easement on the proposed Lot 1, Block 1, which was created by the Commerce on 12th Third Addition, will be vacated with this plat as it will no longer be necessary.

MAGELLAN PIPELINE EASEMENT

The plat depicts the existing easement for the Magellan Pipeline Company along the west side of the subject property. The area of this easement is not intended for development.

Minor Subdivision

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

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

The current zoning is LI, Limited Industrial. No zone change is proposed. This zoning is consistent with the Fargo Growth Plan 2024 designation of the “General Industrial and Flex Warehouse” place type for the subject property. In accordance with Section 20-0901.F of the LDC, notices of the proposed plat have been sent out to property owners within 300 feet of the subject property. To date, Planning staff has received and responded to one inquiry. The project has been reviewed by the city’s Planning, Engineering, Public Works, Inspections, and Fire Departments.

(Criteria Satisfied)

2. Section 20-0907.C.4.f of the LDC stipulates that in taking action on a Final Plat, the Board of City Commissioners shall specify the terms for securing installation of public improvements to serve the subdivision.

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

Staff Recommendation:

Suggested Motion: "To accept the findings and recommendations of staff and move to recommend approval to the City Commission of the proposed plat of the **Cottonwood Corner Addition**, as outlined in the staff report, as the proposal complies with the Fargo Growth Plan 2024, Standards of Article 20-06, Section 20-0907.B. and C of the LDC, and all other applicable requirements of the LDC."

Planning Commission Recommendation: January 7th, 2025

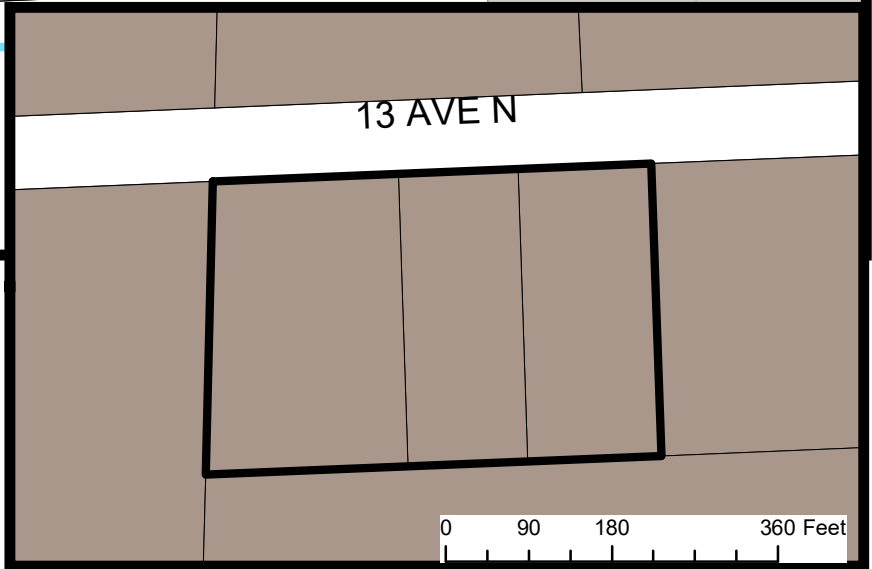
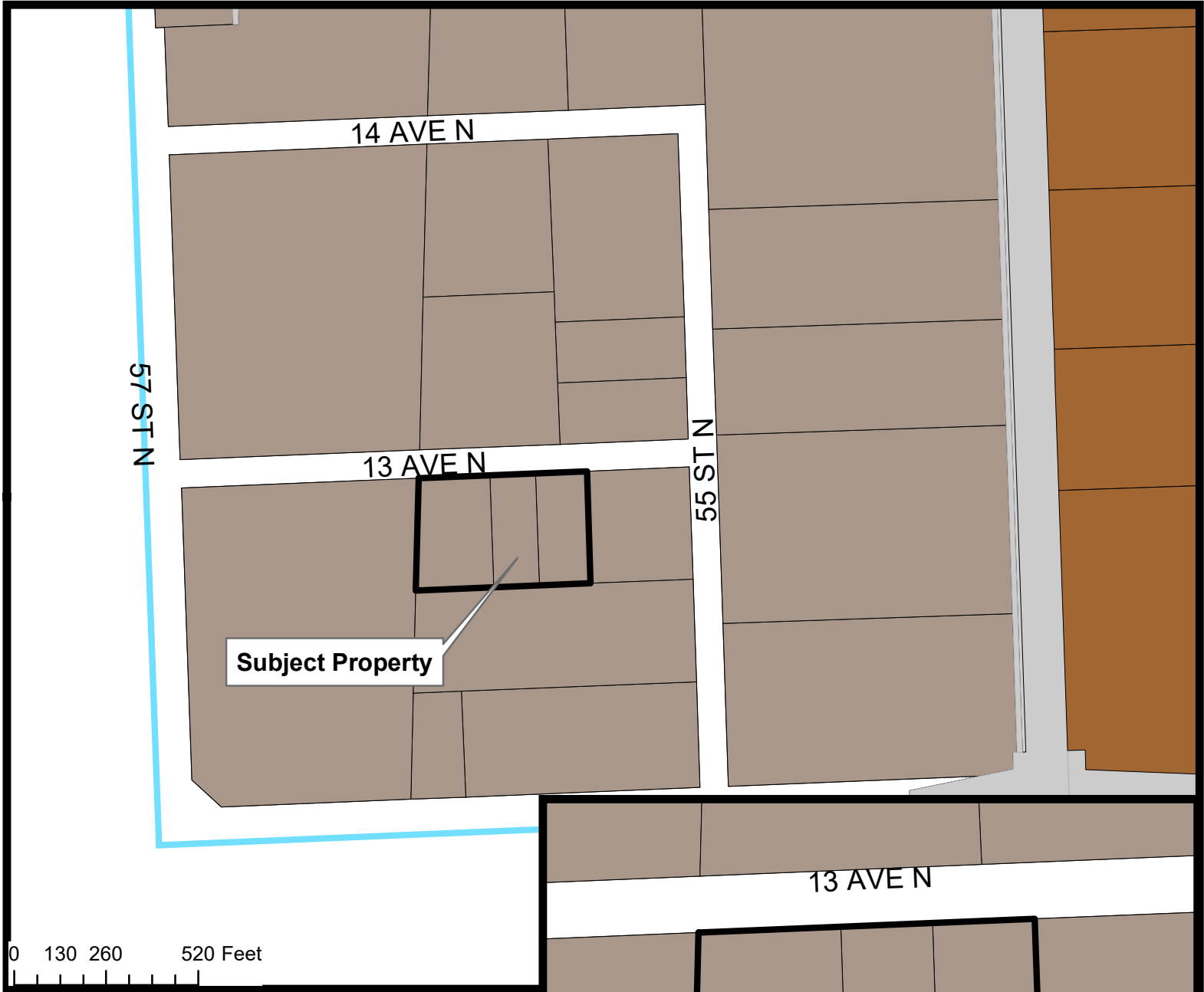
Attachments:

1. Zoning map
2. Location map
3. Preliminary plat

Minor Subdivision

Cottonwood Corner Addition

5550, 5570, 5590 13th Avenue North



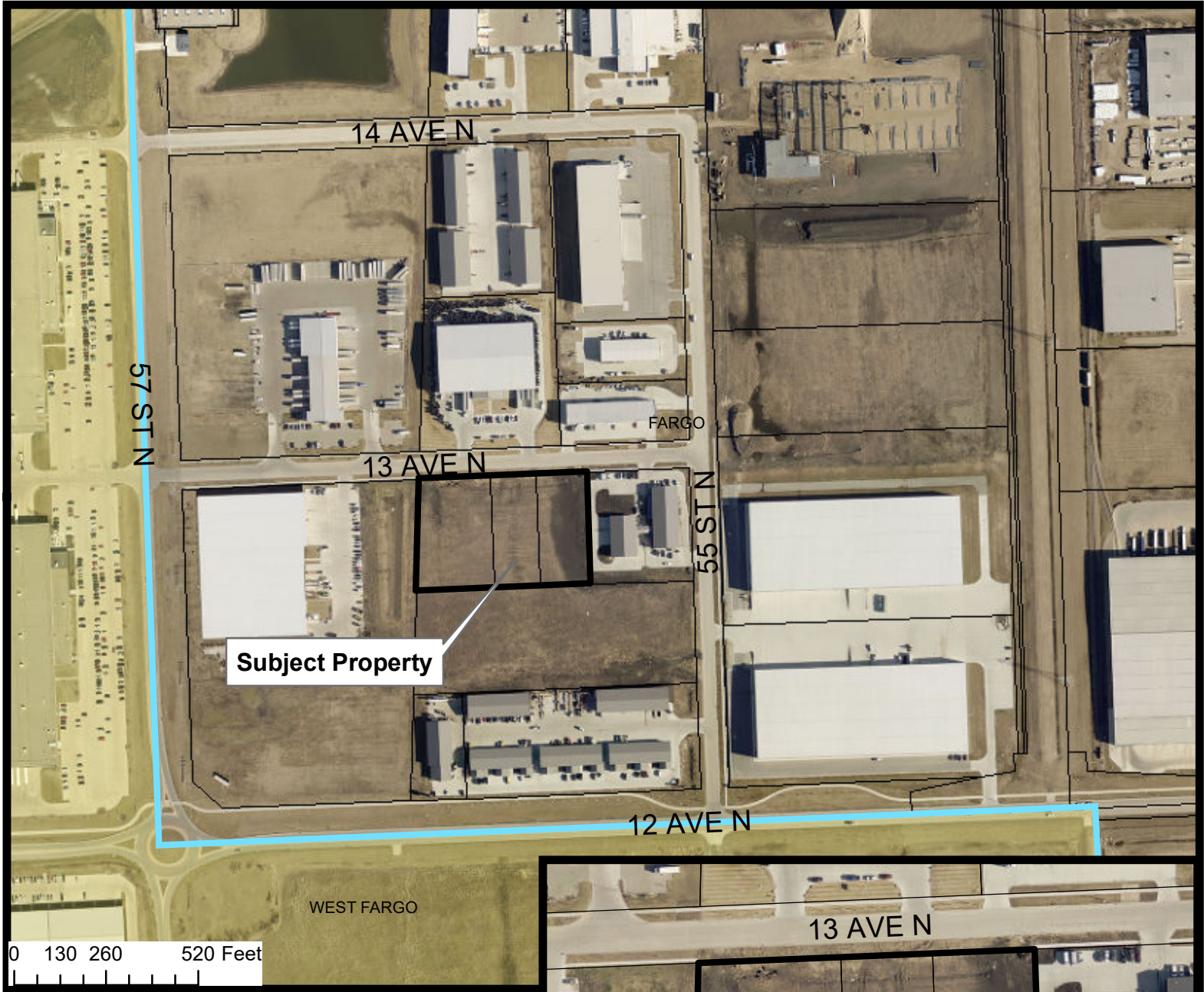
Legend

AG	LC	MHP	SR-2
DDMU	MR-1	NC	SR-3
GC	MR-2	NO	SR-4
GO	MR-3	PT	SR-5
		UMU	City Limits

Minor Subdivision

Cottonwood Corner Addition

5550, 5570, 5590 13th Avenue North

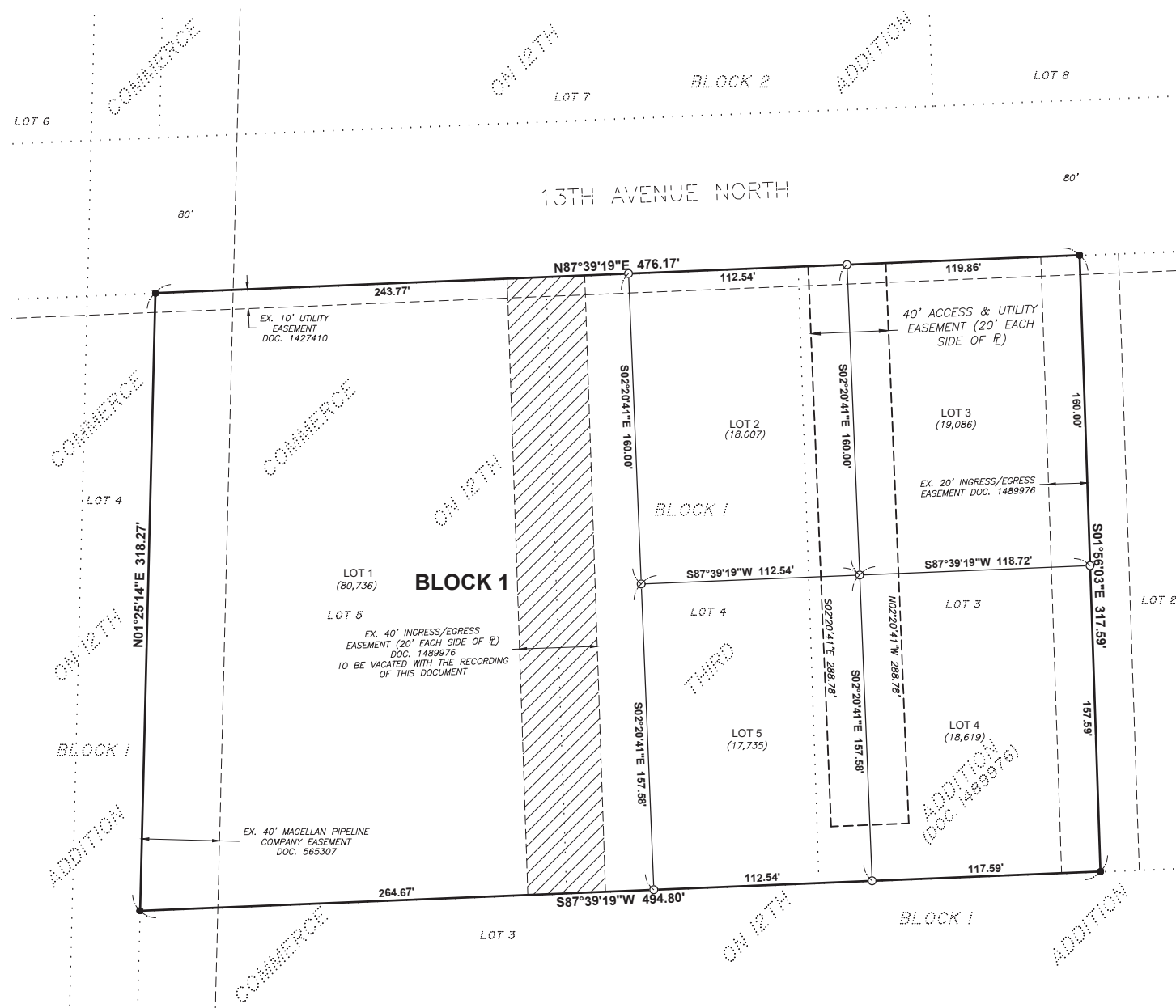


Legend

 City Limits

COTTONWOOD CORNER ADDITION

TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA
 A REPLAT OF LOTS 3 THROUGH 5, BLOCK 1 OF COMMERCE ON 12TH THIRD ADDITION TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA
 (A MINOR SUBDIVISION)



OWNER'S CERTIFICATE

KNOW ALL PERSONS BY THESE PRESENTS, Cottonwood Corner, LLC and Bent Rock Investments LLC, both North Dakota limited liability companies, being the owners of Lots 3 through 5, Block 1 of COMMERCE ON 12TH THIRD ADDITION to the City of Fargo, Cass County, North Dakota, being more particularly described as follows:

A replat of Lots 3 through 5, Block 1 of COMMERCE ON 12TH THIRD ADDITION to the City of Fargo, Cass County, North Dakota, according to the recorded plat thereof on file and of record in the Office of the County Recorder, Cass County, North Dakota.

Containing 3.54 acres, more or less and is subject to Easements, Reservations, Restrictions and Rights-of-Way of record.

Said owners of the above described property, have caused the same to be surveyed and platted as "COTTONWOOD CORNER ADDITION" to the City of Fargo, Cass County, North Dakota, and do hereby dedicate to the public for public use the 40' access and utility easement shown on said plat.

OWNER—LOTS 3 & 4 Cottonwood Corner, LLC

Mike Lepine, President

State of _____)
 County of _____) SS

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

Notary Public: _____

OWNER—LOT 5 Bent Rock Investments LLC

Dan Coombe, President

State of _____)
 County of _____) SS

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

Notary Public: _____

SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT

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

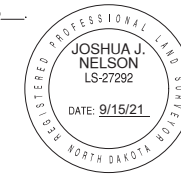
Dated this ___ day of _____, 20___.

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

State of North Dakota)
 County of Cass) SS

On this ___ day of _____, 20___, appeared before me, Joshua J. Nelson, known to me to be the person whose name is subscribed to the above certificate and did acknowledge to me that he executed the same as his own free act and deed.

Notary Public: _____



CITY OF FARGO ENGINEERING DEPARTMENT APPROVAL

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

Tom Knakmuhs, P.E.
 City Engineer

State of North Dakota)
 County of Cass) SS

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

Notary Public: _____

FARGO CITY COMMISSION APPROVAL

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

Timothy J. Mahoney
 Mayor

Attest: Steven Sprague, City Auditor

State of North Dakota)
 County of Cass) SS

On this ___ day of _____, 20___, before me, a notary public in and for said county, personally appeared Timothy J. Mahoney, Mayor, and Steven Sprague, City Auditor, known to me to be the persons described in and who executed the same as a free act and deed.

Notary Public: _____

CITY OF FARGO PLANNING COMMISSION APPROVAL

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

Maranda R. Tasa
 Planning Commission Chair

State of North Dakota)
 County of Cass) SS

On this ___ day of _____, 20___, before me, a notary public in and for said county, personally appeared Maranda R. Tasa, Planning Commission Chair, known to me to be the person described in and who executed the same as a free act and deed.

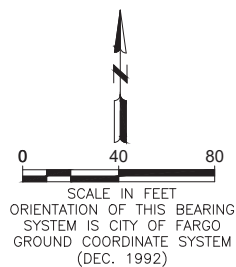
Notary Public: _____

LEGEND

- SET 5/8" REBAR CAP LS 27292
- FOUND MONUMENT
- (5,000) PLAT LOT AREAS (SQ. FT.)
- PLAT BOUNDARY
- PLAT INTERIOR LOT LINES
- NEW EASEMENT
- EXISTING PROPERTY LINE
- EXISTING EASEMENT LINE
- ORIGINAL PLATTED LINE
- ////// EASEMENTS VACATED BY RECORDING OF THIS DOCUMENT

NOTES

1. GROUND DISTANCES ARE SHOWN AND ARE IN TERMS OF U.S. SURVEY FEET.
2. UTILITY EASEMENTS ARE 10' WIDE ALONG AND ADJACENT TO ALL STREET RIGHT-OF-WAYS AND REAR PROPERTY LINES AS SHOWN UNLESS OTHERWISE NOTED.
3. LOTS 2 THROUGH 5, BLOCK 1, COTTONWOOD CORNER ADDITION TAKE WATER, SANITARY SEWER, AND STORM SEWER UTILITY CONNECTIONS, AND ACCESS FROM A 40-FOOT WIDE ACCESS AND UTILITY EASEMENT AS DEPICTED ON THIS PLAT. THESE LOTS DO NOT HAVE A DIRECT ACCESS OR UTILITY CONNECTION TO A DEDICATED PUBLIC STREET. THE PROPERTY OWNERS OF THESE LOTS ARE THE SHARED OWNERS OF, AND ARE ENTIRELY RESPONSIBLE FOR THE MAINTENANCE OF, THE ACCESS DRIVEWAY AND UTILITIES WITHIN THIS EASEMENT.



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

City of Fargo Staff Report			
Title:	Beardsley's Addition	Date:	1/02/2025
Location:	1142 18 th Street North	Staff Contact:	Donald Kress, planning coordinator
Legal Description:	Lot 1, Block 4, Beardsley's Addition		
Owner(s)/Applicant:	Fifth Gear, LLC; Ellis Enterprises, LLC / Andrew Skatvold; Mary Killoran Ellis	Engineer:	None
Entitlements Requested:	Zone Change (from SR-3, Single-Dwelling Residential to UMU, University Mixed Use)		
Status:	Planning Commission Public Hearing: January 7 th , 2025		
Existing		Proposed	
Zoning: SR-3, Single-Dwelling Residential		Zoning: UMU, University Mixed Use	
Uses Allowed: allows detached houses, daycare centers up to 12 children, attached houses, duplexes, parks and open space, religious institutions, safety services, schools, and basic utilities		Uses Allowed: allows detached houses, attached houses, duplexes, multi-dwelling structures, group living, colleges, daycare centers up to 13 or more children or adults, office, commercial parking, retail sales and service, vehicle service, limited; certain telecommunications facilities, safety services, and basic utilities.	
Maximum Density: 8.7 dwelling units per acre		Minimum Density: 18 dwelling units per acre	
Proposal:			
<p>The applicant requests one entitlement:</p> <ol style="list-style-type: none"> Zone Change from SR-3, Single-Dwelling Residential to UMU, University Mixed Use. <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 12th Avenue North) P/I, Public/Institutional; NDSU East: UMU; vacant; single-dwelling residences recently demolished. South: UMU with single dwelling residences and duplexes West: UMU with single dwelling and multi dwelling residences 			
Area Plans:			
The subject property is designated as "Multi-Family Residential" in the Roosevelt/NDSU neighborhood brief of the Core Neighborhoods Plan and as Urban Neighborhood place type in the Fargo Growth Plan 2024. The proposed UMU zoning is consistent with these land use and place type designations.			
Context:			
<p>Schools: The subject property is located within the Fargo School District, specifically within the Roosevelt/Horace Man Elementary, Ben Franklin Middle and North High schools.</p> <p>Parks: Johnson Soccer Complex (1420 11th Avenue North) is located approximately 0.26 miles southeast of the subject property and provides amenities of playground, ages 2-5; restrooms shelter; soccer field; warming houses; picnic table.</p> <p>Pedestrian / Bicycle: There is an off-road multi-use path along the 12th Avenue frontage of the subject property.</p>			

Neighborhood: The subject property is included in the Roosevelt/NDSU Neighborhood.

MATBUS Route: MATBus Route 32 has stops at 12th Avenue and 17th Street and at 11th Avenue and 18th Street. Each stop is approximately 400 feet from the subject property.

Staff Analysis:

UMU HISTORY: The UMU, University Mixed Use zoning district was created in 2009 by Ordinance No. 4695. Shortly after the ordinance adoption, the area of the Roosevelt/NDSU neighborhood was rezoned to UMU from the then-current zoning designations. At the time of that rezone, individual property owners were offered the chance to opt out of the rezone to UMU. The owner at that time opted out of the zone change, and retained the property's SR-3 zoning. The current property owner is willing to make the change from SR-3 to UMU. The residence on the subject property is a residential rental.

ACCESS

The existing residence takes access from a short driveway on 18th Street South. The garage is accessed from the mid-block alley on the west side of the subject property.

Zoning

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

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

Staff is unaware of any error in the zoning map as it relates to this property. At the time the surrounding neighborhood was zoned UMU (2009), the property owner at the time opted out of the zone change. The property remained zoned SR-3. The current owner is willing to have the property rezoned to UMU.

(Criteria Satisfied)

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

City staff and other applicable review agencies have reviewed this proposal. Staff finds no deficiencies in the ability to provide all of the necessary services to the site. The subject property is adjacent to existing developed public rights-of-way, which provide access and public utilities to serve the property.

(Criteria Satisfied)

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

Staff has no documentation or supporting evidence to suggest that the approval of this zoning change would adversely affect the condition or value of the property in the vicinity. In accordance with the notification requirements of the Land Development Code, notice was provided to neighboring property owners within 300 feet of the project site. To date, staff has received no comment or inquiries from the public. Staff finds that the proposal will not adversely affect the condition or value of the property in the vicinity.

(Criteria Satisfied)

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

The purpose of the LDC is to implement Fargo's Comprehensive Plan in a way that will protect the general health, safety, and welfare of the citizens. Staff finds that the proposed zone change is consistent with the purpose of the LDC, the Roosevelt Neighborhood Brief of the Core Neighborhoods Plan, Fargo Growth Plan 2024, and other adopted policies of the City.

(Criteria Satisfied)

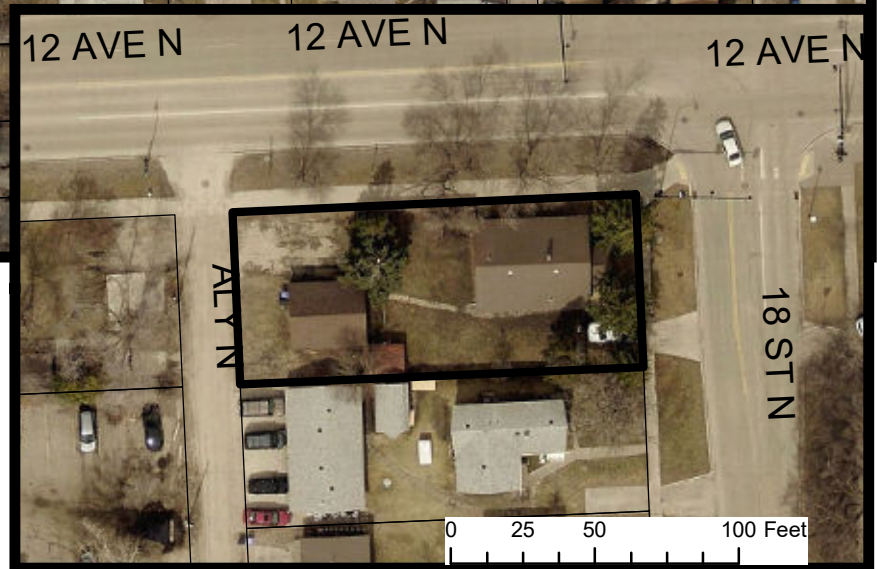
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Staff Recommendation:
Suggested Motion: “To accept the findings and recommendations of staff and move to recommend approval to the City Commission of the proposed zone change from SR-3, Single-Dwelling Residential to UMU, University Mixed Use for Lot 1, Block 4, Beardsley’s Addition , as presented, as the proposal complies with the adopted Fargo Growth Plan 2024, Core Neighborhoods Plan, Section 20-0906.F (1-4), and all other applicable requirements of the LDC.”
Planning Commission Recommendation: January 7 th , 2025
Attachments:
<ol style="list-style-type: none">1. Location map2. Zoning map

Zoning change from SR-3, Single-Dwelling Residential to UMU, University Mixed Use

Beardsley's Addition

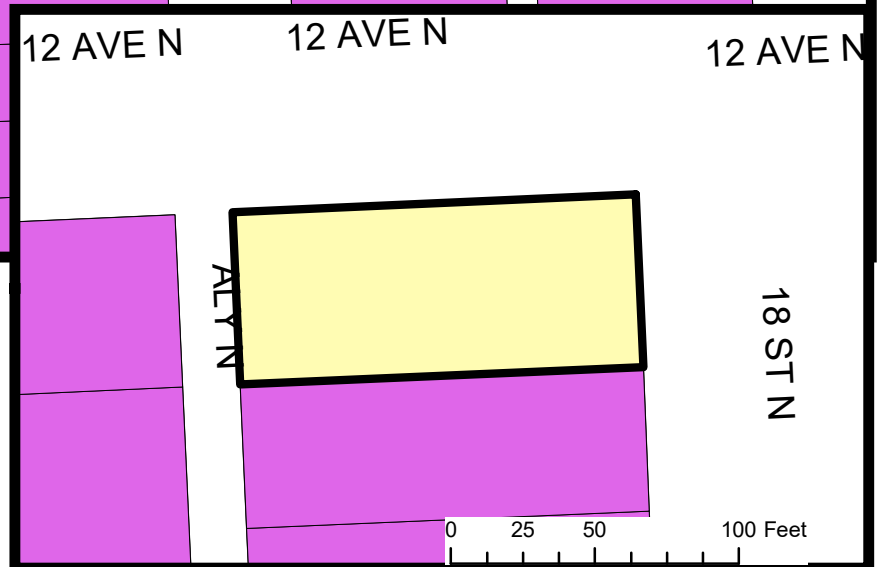
1142 18th Street North



Zoning change from SR-3, Single-Dwelling Residential to UMU, University Mixed Use

Beardsley's Addition

1142 18th Street North



Legend

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