

FARGO PLANNING COMMISSION AGENDA
Tuesday, July 2, 2024 at 3:00 p.m.

A: Approve Order of Agenda

B: Minutes: Regular Meeting of June 4, 2024

C. Introductions and Recognitions

D: Public Hearing Items:

1. 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) (dk)
2. Hearing on an application requesting a Plat of **University South Fifth Addition** (Minor Subdivision) a replat of Lots 1-2, Block 1, University South Third Addition, to the City of Fargo, Cass County, North Dakota. (Located at 2253 and 2285 University Drive South) (Grove Enclave, LLC/Houston Engineering) (dk)
3. Hearing on an application requesting a Plat of **EOLA Third Addition** (Minor Subdivision) a replat of Lots 3-5, Block 1, EOLA Second Addition, to the City of Fargo, Cass County, North Dakota. (Located at 4410 and 4448 24th Avenue South and 4417 26th Avenue South) (The Wave by Epic, LLC/EOLA Landholdings, LLC/MBN Engineering) (me)
- 4a. Hearing on an application requesting a Zoning Change from MR-1, Multi-Dwelling Residential, MR-2, Multi-Dwelling Residential, and SR-2, Single-Dwelling Residential to P/I, Public and Institutional on portions of **YWCA Addition** and **Presentation Addition**. (Located at 3000 University Drive South; 3014 12th Street South; 3000, 3001, 3003, and 3004 11th Street South; 1120 30th Avenue South; 1001 and 1101 32nd Avenue South) (YWCA of Fargo-Moorhead/Sisters of the Presentation/Lantern Light, LLC/Cove Lane, LLC/City of Fargo) (me)
- 4b. Hearing on an application for an Institutional Master Plan on portions of **YWCA Addition** and **Presentation Addition**. (Located at 3000 University Drive South; 3014 12th Street South; 3000, 3001, 3003, 3004, and 3014 11th Street South; 1120 30th Avenue South; 1001 and 1101 32nd Avenue South) (YWCA of Fargo-Moorhead/Sisters of the Presentation/Lantern Light, LLC/Cove Lane, LLC/City of Fargo) (me)
- 5a. Hearing on an application requesting a Zoning Change from MR-3, Multi-Dwelling Residential to SR-5, Single-Dwelling Residential on the proposed **Harwood's Fourth Addition**. (Located at 806 7th Street North) (ProCore Development, LLC) (dk)

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

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

- 5b. Hearing on an application requesting a of Plat of **Harwood's Fourth Addition** (Minor Subdivision) a replat of a portion of Lots 2 and 3, Block 13, Harwood's Second Addition, to the City of Fargo, Cass County, North Dakota. (Located at 806 7th Street North) (ProCore Development, LLC) (dk)
6. Hearing on an application requesting a Plat of **College Third Addition** (Minor Subdivision) a replat of a portion of Lot 1 and all of Lots 2-3, Block 16, College Second Addition, to the City of Fargo, Cass County, North Dakota. (Located at 1038 25th Street North) (Neset Land Surveying/Aomeed Murad) (dk)

E: Other Items:

1. Nominating Committee
2. Growth Plan 2024 Discussion

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**BOARD OF PLANNING COMMISSIONERS
MINUTES**

Regular Meeting:

Tuesday, June 4, 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, June 4, 2024.

The Planning Commissioners present or absent were as follows:

Present: Rocky Schneider, Maranda Tasa, John Gunkelman, Scott Stofferahn, Art Rosenberg, Jennifer Holtz, Dawn Morgan, Thomas Schmidt, Brett Shewey, Joseph Cecil

Absent: None

Chair Schneider called the meeting to order.

Business Items:

Item A: Approve Order of Agenda

Chair Schneider noted that Item 1 has been withdrawn.

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

Item B: Minutes: Regular Meeting of May 7, 2024

Member Shewey moved the minutes of the May 7, 2024 Planning Commission meeting be approved. Second by Member Schmidt. All Members present voted aye and the motion was declared carried.

Members Holtz, Stofferahn, Cecil, and Rosenberg present.

Item C: Public Hearing Items:

Item 1: Urban Plains by Brandt Eighth Addition

Continued hearing on an application requesting a Plat of Urban Plains by Brandt Eighth Addition (Minor Subdivision) a replat of Lot 3, Block 1, Urban Plains by Brandt Seventh Addition, to the City of Fargo, Cass County, North Dakota. (Located at 2975 Seter Parkway South) (Urban Plains Land Company, LLC/Gleason Companies/Lowry Engineering): WITHDRAWN

A Hearing had been set for March 5, 2024. At the March 5, 2024 meeting, the Hearing was continued to this April 2, 2024. At the April 2, 2024 meeting, the Hearing was

continued to this date and time, however the applicant has requested this application be withdrawn.

Item 2: Schatz Fifth Addition

2a. Hearing on an application requesting a Planned Unit Development Master Land Use Plan on the proposed Lot 1, Block 1, Schatz Fifth Addition. (Located at 5671 34th Avenue South) (Cedars South, LLC/Eagle Ridge Development):

2b. 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 Lot 1, Block 1, Schatz Fifth Addition. (Located at 5671 34th Avenue South) (Cedars South, LLC/Eagle Ridge Development): APPROVED

2c. Hearing on an application requesting a Plat of Schatz Fifth Addition (Minor Subdivision) a replat of Auditor's Lot 1 of Schatz Third Addition and Lot 1, Block 2, Schatz Third Addition to the City of Fargo, Cass County, North Dakota. (Located at 5601 and 5671 34th Avenue South) (Cedars South, LLC/Eagle Ridge Development/The Haven on Veterans LLC): APPROVED

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

Member Schmidt moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed 1) PUD, Planned Unit Development Master Land Use Plan, 2) Zoning Change from MR-3, Multi-Dwelling Residential to MR-3, Multi-Dwelling Residential with a PUD, Planned Unit Development overlay, and 3) Subdivision Plat Schatz Fifth Addition, as outlined within the staff report, as the proposal complies with the GO2030 Comprehensive Plan, the Adopted Area Plan, Section 20-0906.F(1-4), Section 20-0908.B(7), 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 Stofferahn. On call of the roll Members Holtz, Gunkelman, Cecil, Shewey, Stofferahn, Morgan, Schmidt, Rosenberg, Tasa, and Schneider voted aye. The motion was declared carried.

Item 3: Selkirk Place Second Addition

3a. Hearing on an application requesting a Zoning Change from AG, Agricultural and GC, General Commercial to MR-3, Multi-Dwelling Residential with C-O, Conditional Overlay, and SR-4, Single-Dwelling Residential, and SR-5, Single Dwelling Residential on the proposed Selkirk Place Second Addition. (Located at 6655 Selkirk Drive South) (Eagle Ridge Development): APPROVED

3b. Hearing on an application requesting a Plat of Selkirk Place Second Addition (Major Subdivision) a plat of a part of the North Half of Section 11, Township 138 North, Range 49 West of the Fifth Principal Meridian, to the City of

Fargo, Cass County, North Dakota. (Located at 6655 Selkirk Drive South) (Eagle Ridge Development): APPROVED

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

Discussion was held on the proposed lots, sidewalk requirements, and if there is a waterway.

Member Rosenberg moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed 1) Zoning Change from AG, Agricultural and GC, General Commercial to SR-4, Single-Dwelling Residential, SR-5, Single-Dwelling Residential, and MR-3, Multi-Dwelling Residential with a C-O, Conditional Overlay, and 2) Subdivision Plat Selkirk Place Second Addition, as outlined within the staff report, as the proposal complies with the 2007 Growth Plan, the Standards of Article 20-06, Section 20-0906.F(1-4), Section 20-0907 of the Land Development Code, and all other applicable requirements of the Land Development Code. Second by Member Shewey. On call of the roll Members Morgan, Schmidt, Gunkelman, Stofferahn, Tasa, Rosenberg, Holtz, Cecil, Shewey, and Schneider voted aye. The motion was declared carried.

**Item 4: Edgewood Estates Third Addition
Hearing on an application requesting a Plat of Edgewood Estates Third Addition (Minor Subdivision) a replat of Lot 1, Block 1, Edgewood Estates Second Addition, to the City of Fargo, Cass County, North Dakota. (Located at 3619 Parker Place North) (Jon Schilling/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 approval be recommended to the City Commission of the proposed Subdivision Plat, Edgewood Estates Third Addition, as outlined within the staff report, as the proposal complies with Article 20-06, Section 20-0907.B and C of the Land Development Code, and all other applicable requirements of the Land Development Code. Second by Member Holtz. On call of the roll Members Schmidt, Holtz, Tasa, Cecil, Stofferahn, Rosenberg, Morgan, Shewey, Gunkelman, and Schneider voted aye. The motion was declared carried.

Item 5: The Pines at the District Seventh Addition

5a. Hearing on an application requesting a Zoning Change from LC, Limited Commercial with a C-O, Conditional Overlay to LC, Limited Commercial with a C-O, Conditional Overlay and MR-3, Multi-Dwelling Residential with a C-O, Conditional Overlay on the proposed The Pines at the District Seventh Addition. (Located at 5461 38th Street South) (Gitty-Up, LLC/Houston Engineering): APPROVED

5b. Hearing on an application requesting a Plat of The Pines at the District Seventh Addition (Minor Subdivision) a replat of Lot 1, Block 1, The Pines at the District Sixth Addition, to the City of Fargo, Cass County, North Dakota. (Located at 5461 38th Street South) (Gitty-Up, LLC/Houston Engineering): APPROVED

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

Discussion was held on the stormwater retention pond.

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

Applicant Representative Brian Pattengale spoke on behalf of the application.

Member Gunkelman moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed 1) Zoning Change from LC, Limited Commercial with a C-O, Conditional Overlay to LC, Limited Commercial with a C-O, Conditional Overlay and MR-3, Multi-Dwelling Residential with a C-O, Conditional Overlay and 2) Subdivision Plat, The Pines at the District Seventh Addition, as outlined within the staff report, as the proposal complies with the Adopted 2007 Tier 1 Southwest Land Use Plan, the Standards of Article 20-06. Section 20-0906.F(1-4), Section 20-0907.B and C of the Land Development Code, and all other applicable requirements of the Land Development Code. Second by Member Morgan. On call of the roll Members Tasa, Gunkelman, Shewey, Morgan, Cecil, Schmidt, Holtz, Stofferahn, Rosenberg, and Schneider voted aye. The motion was declared carried.

Item 6: Legacy I Eighth Addition

6a. Hearing on an application requesting a Zoning Change from GO, General Office with a C-O, Conditional Overlay to GO, General Office with a C-O, Conditional Overlay and SR-5, Single-Dwelling Residential on the proposed Legacy I Eighth Addition. (Located at 6155 24th Street South) (ProCore Development, LLC/Brandon Raboin): APPROVED

6b. Hearing on an application requesting a Plat of Legacy I Eighth Addition (Minor Subdivision) a replat of Lot 1, Block 1, Legacy I Seventh Addition to the City of Fargo, Cass County, North Dakota. (Located at 6155 24th Street South) (ProCore Development, LLC/Brandon Raboin): APPROVED

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

Member Holtz moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed 1) Zoning Change from GO, General Office with a C-O, Conditional Overlay to GO, General Office with a

C-O, Conditional Overlay and SR-5, Single-Dwelling Residential, and 2) Subdivision Plat Legacy I Eighth Addition, as outlined within the staff report, as the proposal complies with the Adopted 2001 (amended) Growth Plan, the Standards of Article 20-06, Section 20-0906.F(1-4), Section 20-0907.B and C of the Land Development Code, and all applicable requirements of the Land Development Code. Second by Member Schmidt. On call of the roll Members Cecil, Rosenberg, Holtz, Shewey, Morgan, Gunkelman, Stofferahn, Tasa, Schmidt, and Schneider voted aye. The motion was declared carried.

Item 7: Beardsley's Addition

Hearing on an application requesting a Vacation Plat of portions of 22nd Street North, the remainder of 8th Avenue North lying West of 21st Street North, and the Block 34 East-West alley, all originally dedicated with Beardsley's Addition, lying between 7th and 8th Avenues North as currently located, City of Fargo, Cass County, North Dakota. (Located at 2105 and 2115 7th Avenue North; 706, 716, 718, 724, and 737 21st Street North; 705 22nd Street North) (John T. Jones Construction/Neset Surveying): APPROVED

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

Applicant representative Tim Vanderzanden, John T. Jones Construction, spoke on behalf of the application.

Discussion was held on the plan for the property.

Member Gunkelman moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed Right-of-Way Vacation Plat Beardsley's Addition, as outlined within the staff report, as the proposal complies with the North Dakota Century Code Section 40-39: Opening and Vacating Streets, Alleys, and Public Places. Second by Member Stofferahn. On call of the roll Members Gunkelman, Shewey, Tasa, Rosenberg, Cecil, Morgan, Stofferahn, Schmidt, Holtz, and Schneider voted aye. The motion was declared carried.

Item 8: Chas A. Roberts Addition

8a. Hearing on an application requesting a Conditional Use Permit to allow an Alternative Access Plan for a parking reduction on Lots 12-13, Block S, Chas A. Roberts Addition. (Located at 901 9th Street South) (Brian Walker): APPROVED

8b. Hearing on an application requesting a Zoning Change to repeal and reestablish a C-O, Conditional Overlay on Lots 12-13, Block S, Chas A. Roberts Addition. (Located at 901 9th Street South) (Brian Walker): APPROVED

Mr. Morman presented the staff report stating all approval criteria have been met and staff is recommending approval. He noted a neighborhood open house meeting was held on May, 23, 2024.

Discussion was held on the condition of the alley.

Member Stofferahn moved the findings and recommendations of staff be accepted and the 1) Conditional Use Permit to allow an Alternative Access Plan for a parking reduction be approved, and to recommend approval to the City Commission of the 2) Zoning Change to repeal and reestablish a C-O, Conditional Overlay on Lots 12-13, Block S, Chas A. Roberts Addition, as outlined within the staff report, as the proposal complies with Section 20-0909.D(1-6) Section 20-0906.F(1-4) of the Land Development Code, the Core Neighborhoods Master Land Use Plan, and all other applicable requirements of the Land Development Code, with the following conditions for the Conditional Use Permit:

1. A Minimum of four parking spaces are required on site.
2. Change or expansion of retail sales and service use will require additional review by staff and/or the Planning Commission.

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

Item 9: Westrac Fifth Addition

Hearing on an application requesting a Plat of Westrac Fifth Addition (Minor Subdivision) a replat of Lots 2-3, Block 1, Westrac Third Addition, to the City of Fargo, Cass County, North Dakota. (Located at 3315 Westrac Drive South and 624 34th Street South) (SoFar Properties, LLP/JWPT, LLC/MBN Engineering, Inc.): APPROVED

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

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

Item 10: Leach and Wells Subdivision

Hearing on an application requesting a Vacation Plat of a portion of 5th Avenue North right-of-way adjacent to Block 23, Leach and Wells Subdivision. (Located at 421 4th Street North adjacent to 415 4th Street North) (City of Fargo/Houston Engineering/Fargo Public School District): APPROVED

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

Discussion was held on the proposed plans.

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

Member Gunkelman moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed Right-of-Way Vacation Plat, Leach and Wells Subdivision (5th Avenue North), as outlined within the staff report, as the proposal complies with the North Dakota Century Code Section 40-39: Opening and Vacating Streets, Alleys, and Public Places. Second by Member Rosenberg. On call of the roll Members Rosenberg, Gunkelman, Morgan, Shewey, Cecil, Holtz, Schmidt, Tasa, Stofferahn, and Schneider voted aye. The motion was declared carried.

Item D: Other Items:

Item 1: Review of proposed Renewal Plan 2024-01 for consistency with the GO2030 Comprehensive Plan.

Director of Strategic Planning and Development Jim Gilmour presented the renewal plan for a blighted area located on the northeast edge of Downtown.

Discussion was held on whose responsibility demolition would be, how long the block has been blighted, and future plans for the property.

Member Morgan moved to recommend to the City Commission that the proposed Renewal Plan is consistent with the GO2030 Comprehensive Plan of the City of Fargo. Second by Member Rosenberg. On call of the roll Members Tasa, Holtz, Schmidt, Cecil, Stofferahn, Morgan, Rosenberg, Shewey, Gunkelman, and Schneider voted aye. The motion was declared carried.

Item 2: Update to Planning Commission Rules of Internal Procedures and Operations.

Chair Schneider provided a background on the item and opened up discussion.

Discussion was held on the proposed term limits, Chair and Vice Chair positions, language of the Bylaws, next steps, Cass County appointed Members, partial terms, and the member appointment process.

Planning and Development Director Nicole Crutchfield spoke on the appointment process for the Board, the governance sessions the City Commission has been going through, and standardization of the City's Boards and Commissions.

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

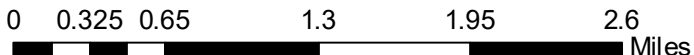
The time at adjournment was 4:08 p.m.




Agenda Items Map
 Fargo Planning Commission
 July 02, 2024



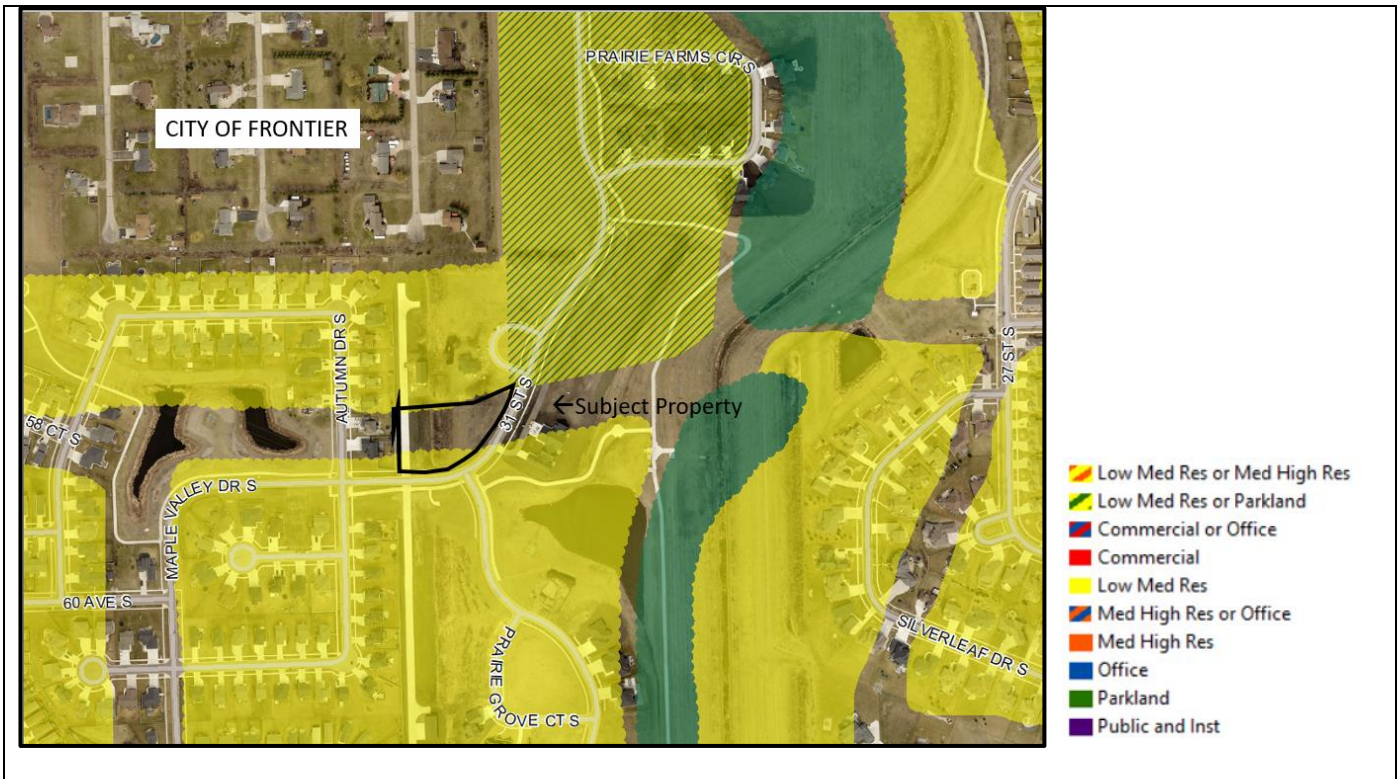
- Agenda Item Number**
- 1 -- Prairie Farms Third Addition
 - 2 -- University South Fifth Addition
 - 3 -- EOLA Third Addition
 - 4 -- YWCA Addition & Presentation Addition
 - 5 -- Harwood's Fourth Addition
 - 6 -- CollegeThird Addition



City of Fargo Staff Report			
Title:	Prairie Farms Third Addition	Date:	06/26/2024
Location:	5897, 5923, and 5945 31st Street South	Staff Contact:	Donald Kress, current planning coordinator
Legal Description:	Lots 1, 2, and 3, Block 6, Prairie Farms Addition		
Owner(s)/Applicant:	Designer Homes of Fargo Moorhead, LLC / Brian Pattengale	Engineer:	Houston Engineering, Inc.
Entitlements Requested:	Minor Subdivision (Replat of Lots 1, 2, and 3, Block 6, Prairie Farms Addition, to the City of Fargo, Cass County, North Dakota)		
Status:	Planning Commission Public Hearing: July 2 nd , 2024		

Existing	Proposed
Land Use: Residential	Land Use: Residential
Zoning: SR-4	Zoning: No change
Uses Allowed: Allows detached houses, daycare centers up to 12 children, attached houses, duplexes, parks and open space, religious institutions, safety services, schools, and basic utilities	Uses Allowed: No change
Maximum Density Allowed: 12.1 dwelling unit per acre	Maximum Density Allowed: No change

Proposal:
<p>The applicant requests one entitlement:</p> <ol style="list-style-type: none"> 1. A minor subdivision, to be known as Prairie Farms Third Addition, replat of Lots 1, 2, and 3, Block 6, Prairie Farms Addition, to the City of Fargo, Cass County, North Dakota <p>This project was reviewed by the City’s Planning and Development, Engineering, Public Works, and Fire Departments (“staff”), whose comments are included in this report.</p> <p>Surrounding Land Uses and Zoning Districts:</p> <ul style="list-style-type: none"> • North: SR-4 with residential uses • East: SR-4 with residential uses and P/I, Public/Institutional with park and open spaces uses (Fargo Park District property) • South: P/I, Public/Institutional with park and open spaces uses (Fargo Park District property) • West: SR-2, Single Dwelling Residential, with residential uses
Area Plans:
<p>The subject property is located within the 2001 Growth Plan South Remainder, which designates this property as Low/Medium Density Residential. This land use designation includes the current SR-3 zoning.</p> <p>(continued on next page)</p>



Context:

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

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

Parks: Maple Valley Park, located at 5899 Autumn Drive South, is approximately 0.05 mile west of the subject property and provides amenities of grill; picnic table; playground, ages 2-5; playground, ages 5-12; and a shelter.

Pedestrian / Bicycle: A shared-use path is located south across Maple Valley Drive South from the subject property. This path is a part of the metro area bikeways system.

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

Staff Analysis:

The existing lots were platted as part of the Prairie Farms Addition in 2014. The lots have not been developed. The current owner wishes to reconfigure the property lines to make the lots more attractive to build on. The chart below shows the comparison between the area of the existing lots and the area of the proposed lots.

PROPOSED LOT	AREA	FORMERLY LOT	AREA
1	33, 617	3	27, 453
2	23, 995	2	26,628
3	20,805	1	24,336

ACCESS: The individual lots will not have driveways directly accessing 31st Street South. A 24-foot wide access easement, depicted on the plat, will run from the northeast corner of Lot 1 to the southeast corner of Lot 3 to provide access to all three lots. There is an existing 30-foot wide access and utility easement to the rear (west side) of these lots t that was created with the Prairie Farms Addition. This easement includes a paved driveway. This easement will remain.

(continued on next page)

Minor Subdivision

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

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

The requested minor subdivision combines replats the existing three lots into a different three lot configuration for residential development. The current zoning is SR-4, Single Dwelling Residential. No zone change is proposed. The subject property is located within the 2001 Growth Plan South Remainder which designates the land use as “Low/Medium Density Residential.” In accordance with Section 20-0901.F of the LDC, notices of the proposed plat have been sent out to property owners within 300 feet of the subject property. To date, staff has received and responded to two inquiries about the application. Staff has reviewed this request and finds that this application complies with standards of Article 20-06 and all applicable requirements of the Land Development Code. **(Criteria Satisfied)**

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

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

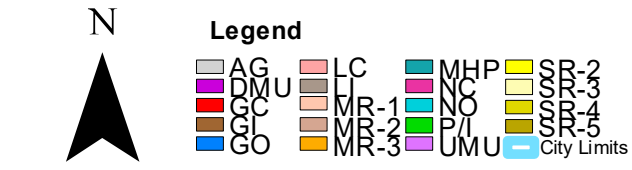
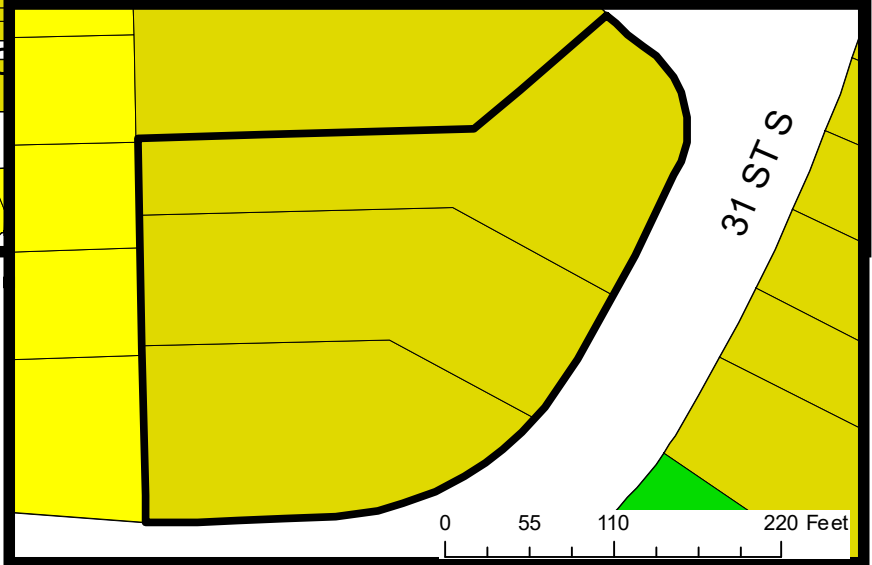
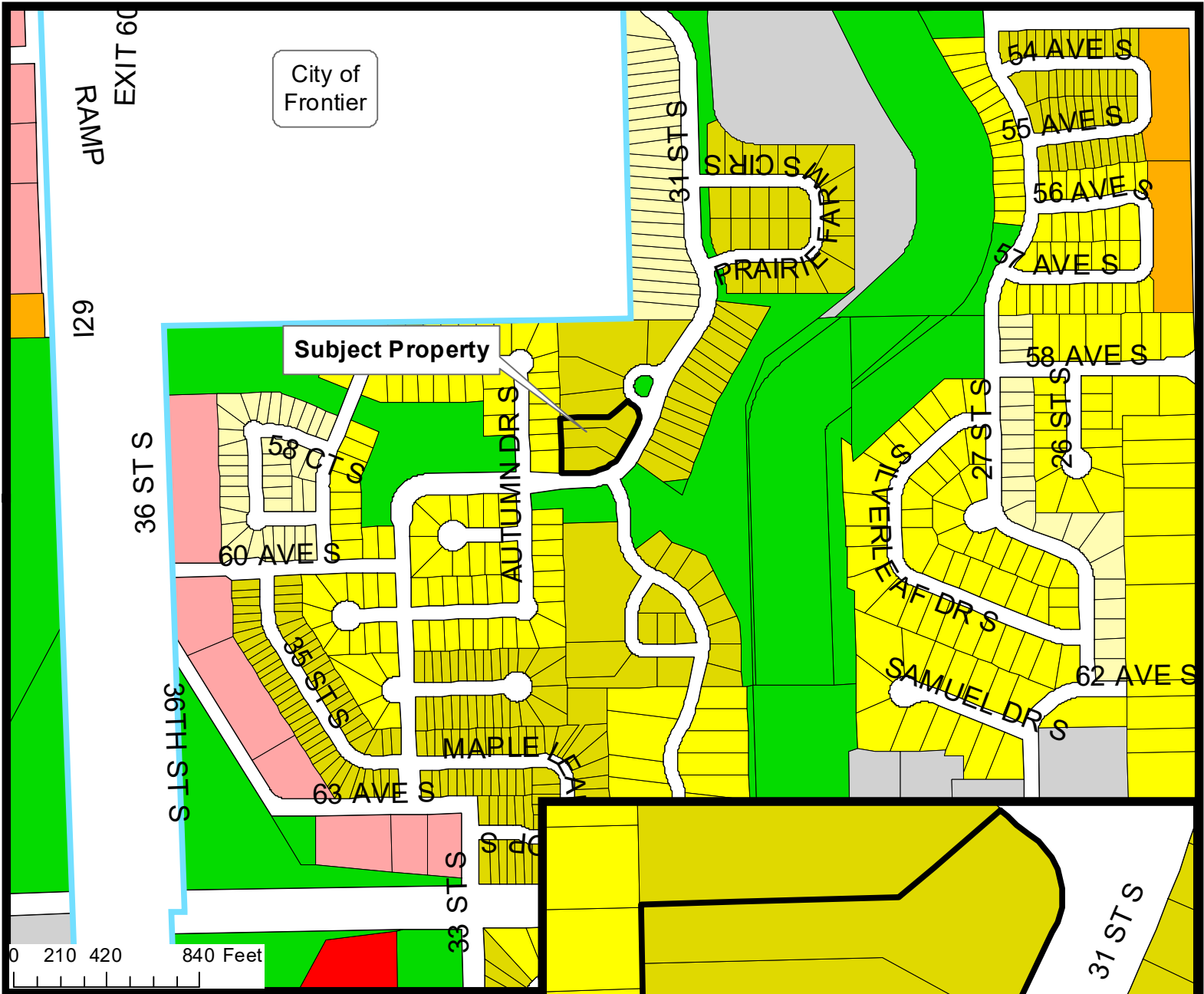
(Criteria Satisfied)

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, Prairie Farms Third Addition as outlined within the staff report, as the proposal complies with the adopted 2001 Growth Plan South Remainder, the standards of Article 20-06, Section 20-0907.B. and C and all other applicable requirements of the Land Development Code.”
Planning Commission Recommendation: July 2 nd , 2024
Attachments:
<ul style="list-style-type: none"> 1. Zoning Map 2. Location Map 3. Preliminary Plat

Minor Subdivision

Prairie Farms Third Addition

5897, 5923 & 5945 31st Street South

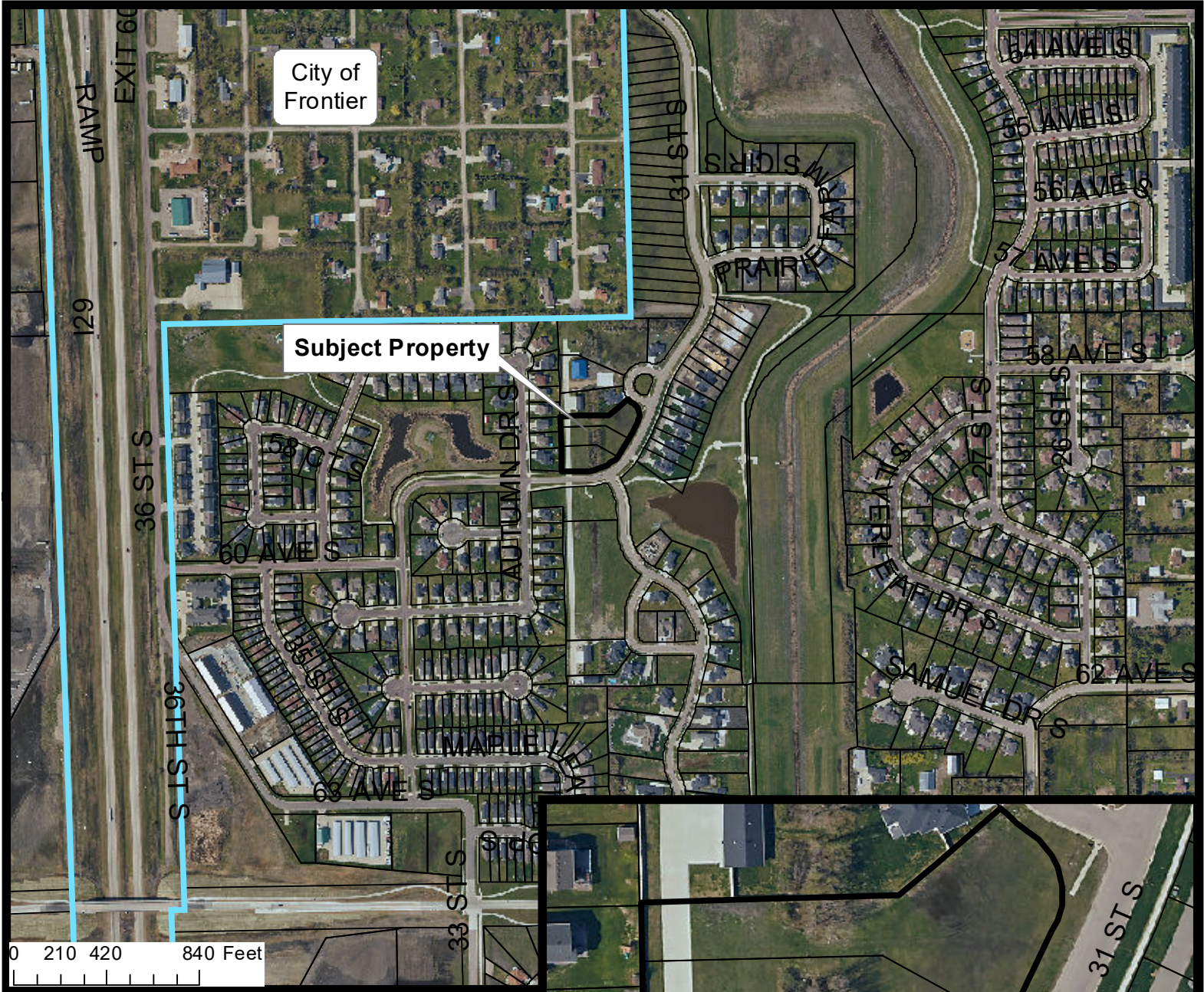


Fargo Planning Commission
July 02, 2024

Minor Subdivision

Prairie Farms Third Addition

5897, 5923 & 5945 31st Street South

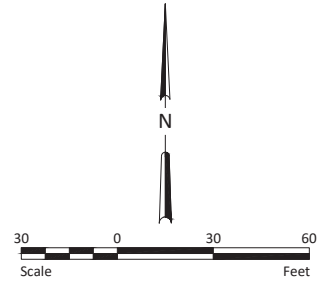
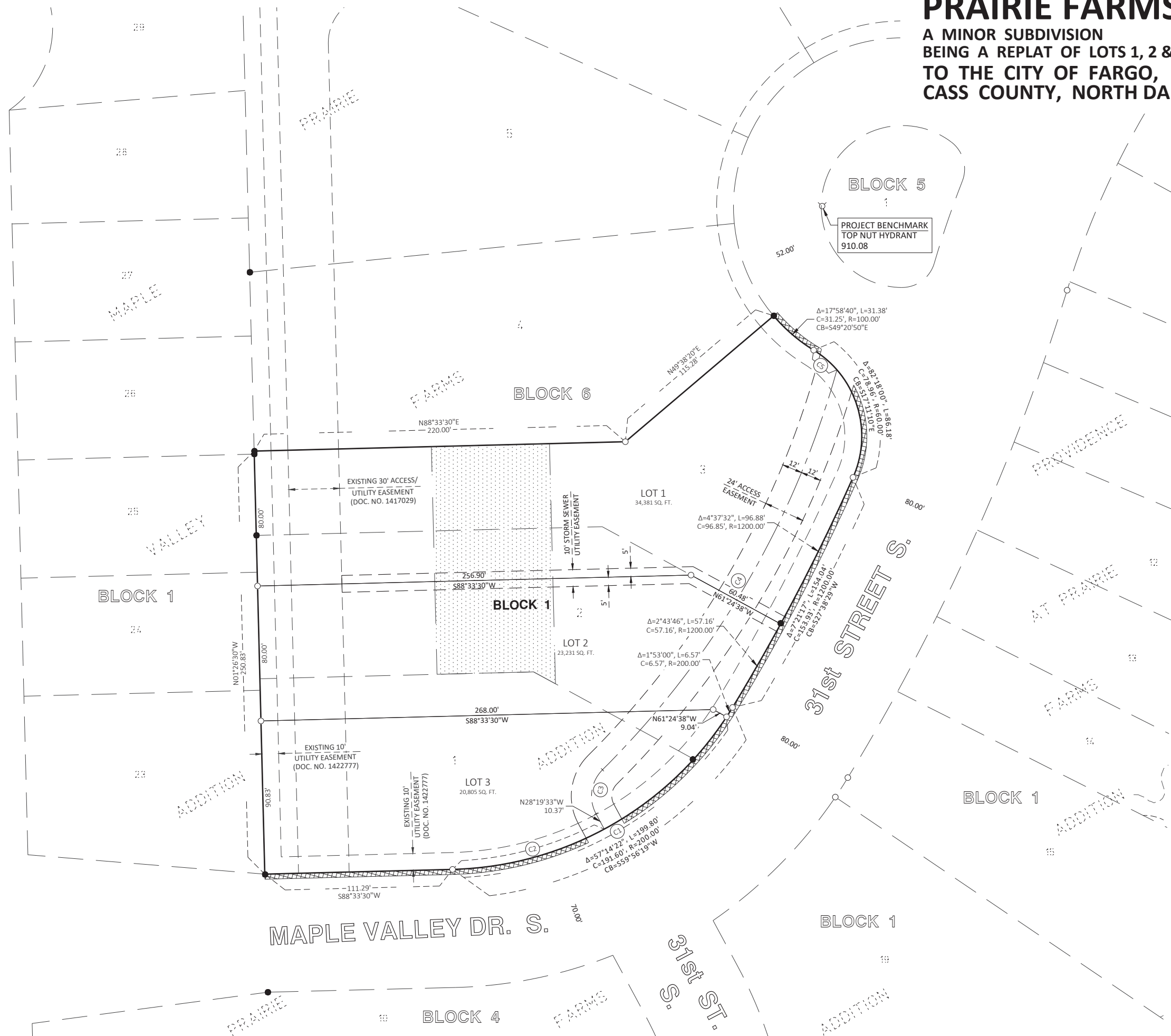


Legend

 City Limits

PRAIRIE FARMS THIRD ADDITION

A MINOR SUBDIVISION
BEING A REPLAT OF LOTS 1, 2 & 3, BLOCK 6, PRAIRIE FARMS ADDITION
TO THE CITY OF FARGO,
CASS COUNTY, NORTH DAKOTA



LEGEND

IRON MONUMENT FOUND	●
1/2" I.D. PIPE SET	○
MEASURED BEARING	N00°00'00"E
PLAT BEARING	(N00°00'00"E)
MEASURED DISTANCE	100.00'
PLAT DISTANCE	(100.00')
PLAT BOUNDARY	—————
NEW LOT LINE	—————
NEW UTILITY EASEMENT	-----
EXISTING LOT LINE	-----
EXISTING UTILITY EASEMENT	-----
AREA WITHIN ZONE AE - FEMA 100-YEAR FLOODPLAIN	▨
NEGATIVE ACCESS EASEMENT	XXXX

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

- NOTES:**
- NEGATIVE ACCESS EASEMENT, AS NOTED ON THIS PLAT, IS AN EASEMENT DEDICATED AS PART OF THE RIGHT-OF-WAY DEDICATION WHICH EASEMENT DENIES DIRECT VEHICULAR ACCESS TO A STREET OR PUBLIC WAY FROM THE LOT OR LOTS ADJACENT TO SUCH STREET OR WAY. THE NEGATIVE ACCESS EASEMENT IS NOT A STRIP OF LAND OF ANY CERTAIN WIDTH, BUT IS A LINE COTERMINOUS WITH THE BOUNDARY OF THE ADJACENT LOT OR LOTS.
 - A PORTION OF THE PROPERTY IS SITUATED IN ZONE AE (100-YEAR FLOODPLAIN) AS DEPICTED ON FEMA FIRM PANEL 38017C0787G, DATED JAN. 16, 2015, AS MODIFIED BY LOMR-F CASE NO. 16-08-0054A, DATED NOV. 17, 2015.
 - BASE FLOOD ELEVATION = 906.7' (NAVD 1988)
 - ZONE AE ONLY DEPICTED WITHIN THE BOUNDARY OF THIS PLAT. EXISTING GROUND ELEVATIONS WITHIN THE DEPICTED ZONE AE ARE BETWEEN ELEVATION 906.0 AND 907.0 (NAVD88 - 2020 METRO-AREA LIDAR COLLECT). NO EVEN-FOOT COUNTOURS EXIST WITHIN THIS DEPICTED BOUNDARY - ELEVATION CONTOURS ARE NOT DEPICTED.

Curve Table

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	193.23	200.00	55°21'23"	S60°52'48"W	185.80
C2	93.85	200.00	26°53'09"	N75°06'55"E	92.99
C3	28.22	22.00	73°29'11"	N08°25'03"E	26.32
C4	277.80	538.00	29°35'05"	N30°22'06"E	274.72
C5	18.15	60.00	17°19'43"	S49°40'18"E	18.08

H:\JBN\6800\6867\6867_0054\CAD\Plat\Prairie Farms Third Addition.dwg

PRAIRIE FARMS THIRD ADDITION

A MINOR SUBDIVISION
 BEING A REPLAT OF LOTS 1, 2 & 3, BLOCK 6, PRAIRIE FARMS ADDITION
 TO THE CITY OF FARGO,
 CASS COUNTY, NORTH DAKOTA

OWNER'S CERTIFICATE AND DEDICATION:

NOW ALL PERSONS BY THESE PRESENTS: That Designer Homes of Fargo-Moorhead, LLC, a North Dakota limited liability company, is the owner and proprietor of the following described tract of land:

Lots 1, 2 and 3, Block 6, Prairie Farms Addition, to the City of Fargo, Cass County, North Dakota.

Said tract contains 1.800 acres, more or less.

And that said party has caused the same to be surveyed and platted as **PRAIRIE FARMS THIRD ADDITION** to the City of Fargo, Cass County, North Dakota; and does hereby dedicate to the public, for public use, the Storm Sewer Easement and the Negative Access Easements as shown on this plat; and does hereby dedicate to the current and future owners of the lots within this plat the Access Easement as shown on this plat.

OWNER:
 Designer Homes of Fargo-Moorhead, LLC

 Robert A. Leslie, President

State of _____)
) ss
 County of _____)

On this _____ day of _____, 20____ before me personally appeared Robert A. Leslie, President of Designer Homes of Fargo-Moorhead, 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 limited liability company.

Notary Public: _____

SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT:

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

Dated this _____ day of _____, 20____.

 Curtis A. Skarphol, Professional Land Surveyor No. 4723

State of North Dakota)
) ss
 County of Cass)

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

Notary Public: _____

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 City Engineer.

Notary Public: _____

FARGO PLANNING COMMISSION APPROVAL:

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

 Rocky Schneider, Chair
 Fargo Planning Commission

State of North Dakota)
) ss
 County of Cass)

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

Notary Public: _____

FARGO CITY COMMISSION APPROVAL:

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

 Timothy J. Mahoney, Mayor

Attest: _____
 Steven Sprague, City Auditor

State of North Dakota)
) 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:	University South Fifth Addition	Date:	06/26/2024
Location:	2253 & 2285 University Drive South	Staff Contact:	Donald Kress, current planning coordinator
Legal Description:	Lots 1 and 2, Block 1, University South 3rd Addition		
Owner(s)/Applicant:	Grove Enclave, LLC / Houston Engineering	Engineer:	Houston Engineering, Inc.
Entitlements Requested:	Minor Subdivision (Replat of Lots 1 and 2, Block 1, University South 3rd Addition, to the City of Fargo, Cass County, North Dakota)		
Status:	Planning Commission Public Hearing: July 2 nd , 2024		

Existing	Proposed
Land Use: Commercial and vacant	Land Use: No change
Zoning: GC, General Commercial with conditional overlay	Zoning: No change
Uses Allowed: Allows colleges, community service, daycare centers of unlimited size, detention facilities , health care facilities, parks and open space, religious institutions, safety services, basic utilities, adult establishment , offices, off-premise advertising, commercial parking, outdoor recreation and entertainment, retail sales and service, self-service storage , vehicle repair , limited vehicle service , and some telecommunication facilities. Conditional Overlay Ord. No. 5332 prohibits uses as noted above, as well as conditional use permits for industrial uses	Uses Allowed: No change. Conditional overlay will carry through to this subdivision.
Maximum Lot Coverage Allowed: 85%	Maximum Lot Coverage Allowed: No change

Proposal:
<p>The applicant requests one entitlement:</p> <ol style="list-style-type: none"> 1. A minor subdivision, to be known as University South Fifth Addition, replat of Lots 1 and 2, Block 1, University South 3rd Addition, to the City of Fargo, Cass County, North Dakota <p>This project was reviewed by the City's Planning and Development, Engineering, Public Works, and Fire Departments ("staff"), whose comments are included in this report.</p> <p>Surrounding Land Uses and Zoning Districts:</p> <ul style="list-style-type: none"> • North: LC, Limited Commercial with commercial uses • East: GC with commercial uses and LC with commercial uses • South: GC with commercial uses • West: GC with commercial uses <p>(continued on next page)</p>

Area Plans:

The subject property is not included in a growth plan or area plan. However, a vision for this area is depicted in Fargo’s Go2030 Comprehensive Plan. That plan envisions redevelopment of this portion of South University Drive to follow the model of a walkable mixed-use center, in which redevelopment of the properties along it would create pedestrian-oriented spaces with “walkable friendly” blocks, combining residential, commercial, and park or other amenity uses. A graphic of this general concept from the Go2030 plan is depicted below, with the subject property outlined in red and nearby street names circled in yellow.



Context:

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

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

Parks: Lincoln Park, located at 2190 9th Street South, is approximately 0.05 mile east of the subject property and provides amenities of baseball/softball fields, basketball court, multipurpose field, outdoor skating rinks, playground, ages 5-12, and warming houses

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

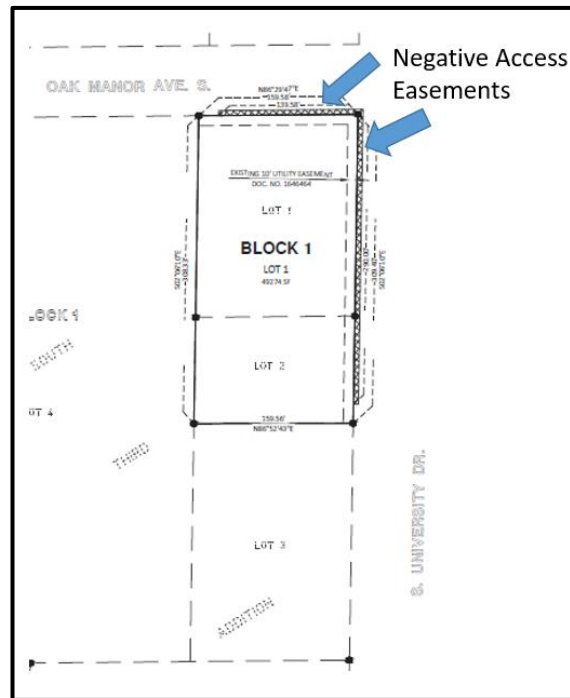
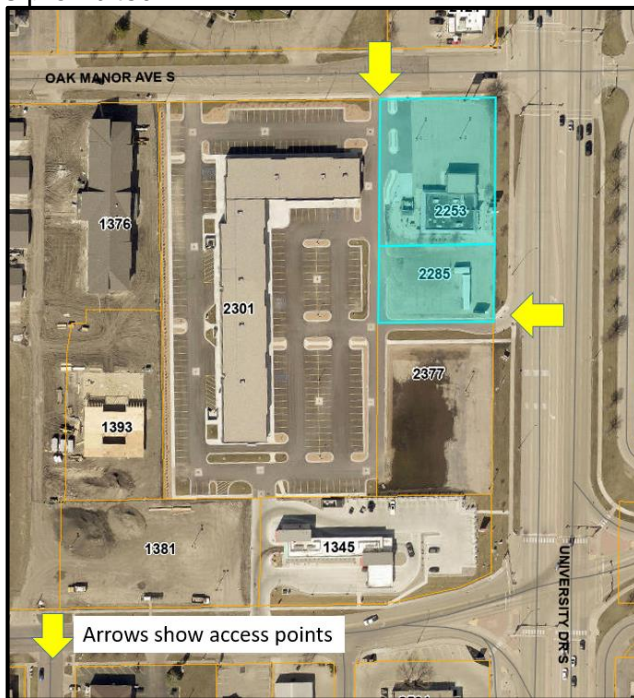
MATBUS Route: A stop for MATBUS Route 14 is located along 25th Street South, approximately 600 feet southwest of the subject property. This route connects the downtown transit hub with University Drive South and West Acres.

Staff Analysis:

The plat combines two existing lots into a single lot for commercial redevelopment. This lot will retain the zoning of GC, General Commercial with a C-O, Conditional Overlay that was approved by City

Commission on January 10, 2022 with the University South Second Addition and which carried through to the University South Third Addition, approved and recorded in May, 2022. The intent of the conditional overlay is to help development on these properties reach the goals of the Go2030 plan, as noted above, for this location. No change to the conditional overlay is proposed as part of this minor plat.

ACCESS: Access to the proposed lot will be from shared access points from Oak Manor Drive South and University Drive South. The plat depicts negative access easements (NAE's) along the Oak Manor Drive South and University Drive South property frontages to indicate that access along these frontages is prohibited.



Minor Subdivision

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

1. **Section 20-0907.B.3 of the LDC stipulates that the Planning Commission recommend approval or denial of the application, based on whether it complies with the adopted Area Plan, the standards of Article 20-06 and all other applicable requirements of the Land Development Code. Section 20-0907.B.4 of the LDC further stipulates that a Minor Subdivision Plat shall not be approved unless it is located in a zoning district that allows the proposed development and complies with the adopted Area Plan, the standards of Article 20-06 and all other applicable requirements of the Land Development Code.**
 The requested minor subdivision combines two existing lots into a one lot, one block subdivision for commercial development. The current zoning is GC, General Commercial with a conditional overlay. No zone change is proposed. The subject property is not included in a growth plan or area plan. However, a vision for this area is depicted in Fargo's Go2030 Comprehensive Plan. In accordance with Section 20-0901.F of the LDC, notices of the proposed plat have been sent out to property owners within 300 feet of the subject property. To date, staff has received no inquiries about the application. Staff has reviewed this request and finds that this application complies with standards of Article 20-06 and all applicable requirements of the Land Development Code.
(Criteria Satisfied)
2. **Section 20-0907.C.4.f of the LDC stipulates that in taking action on a Final Plat, the Board of City Commissioners shall specify the terms for securing installation of public improvements to serve the subdivision.**

While this section of the LDC specifically addresses only major subdivision plats, staff believes it is important to note that any improvements associated with the project (both existing and proposed) are subject to special assessments. Special assessments associated with the costs of the public infrastructure improvements are proposed to be spread by the front footage basis and storm sewer by the square footage basis as is typical with the City of Fargo assessment principles. Staff will prepare an updated amenities plan that will tie this project back to previous amenities plans of the University South subdivisions.
(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, **University South Fifth Addition** as outlined within the staff report, as the proposal complies with the adopted Go2030 Comprehensive 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: July 2nd, 2024

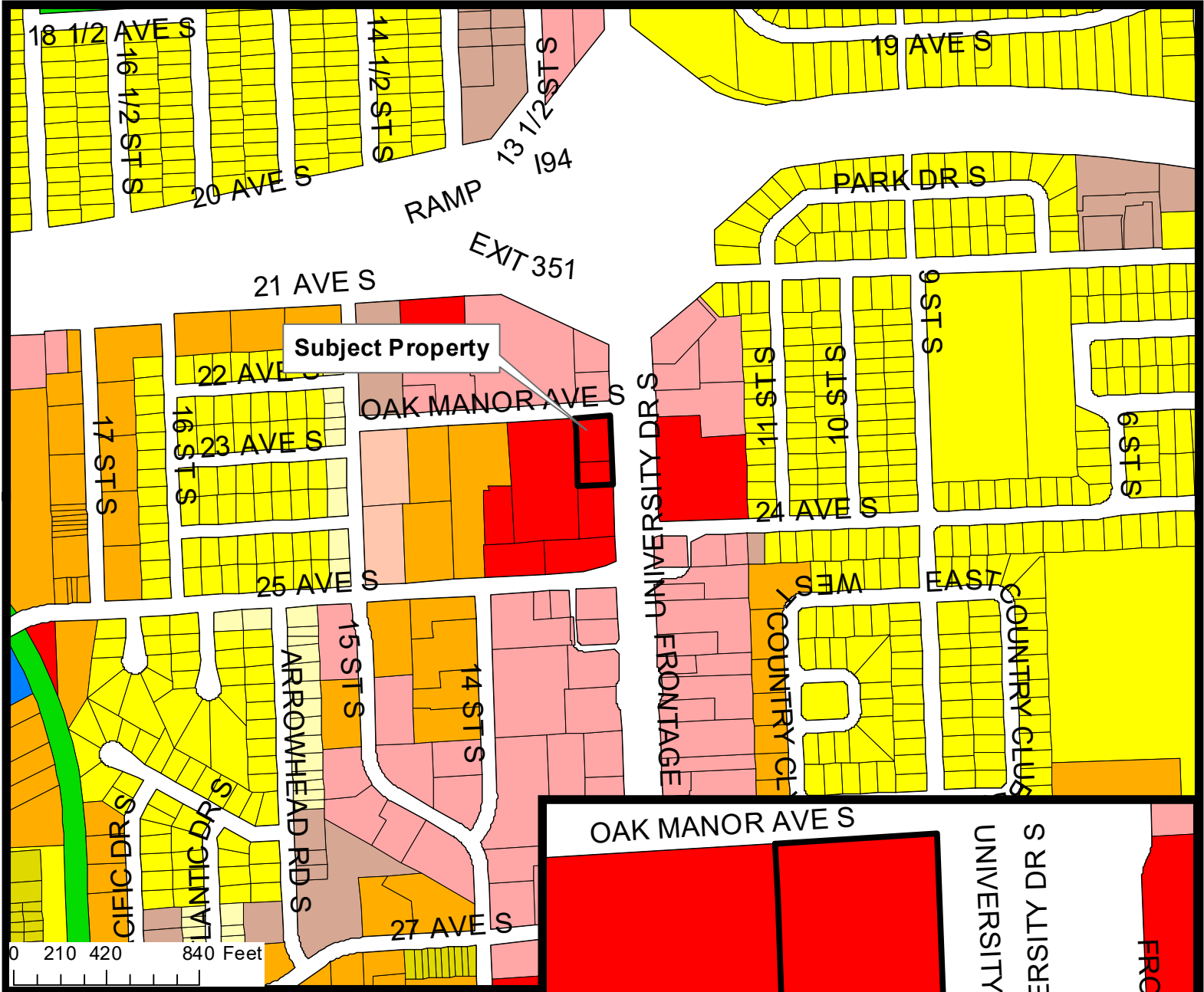
Attachments:

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

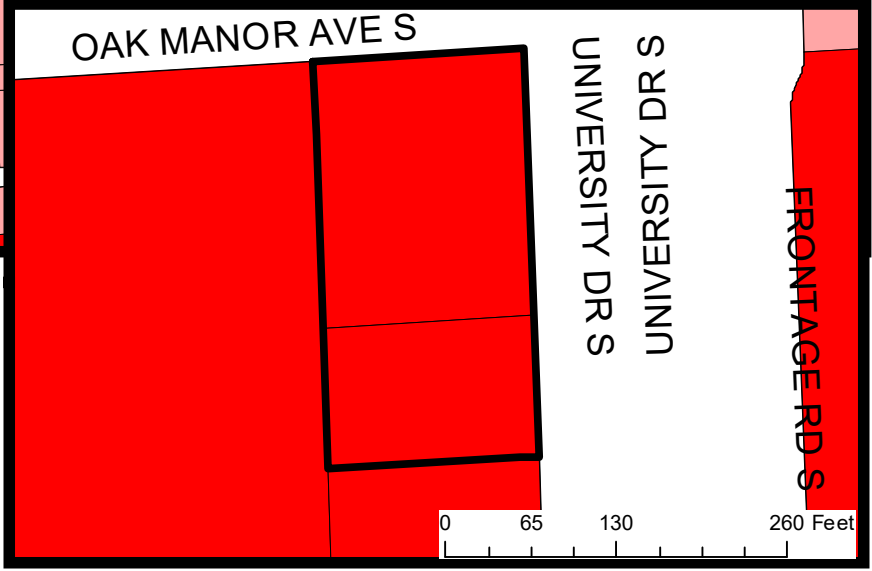
Minor Subdivision

University South Fifth Addition

2253 & 2285 South University Drive



0 210 420 840 Feet



0 65 130 260 Feet



Legend

- | | | | |
|-----|------|-----|-------------|
| AG | FC | MHP | SS-2 |
| DDG | MR-1 | MZC | SS-3 |
| GGU | MR-2 | NO | SS-4 |
| GO | MR-3 | UMU | SS-5 |
| | | | City Limits |



Minor Subdivision

University South Fifth Addition

2253 & 2285 South University Drive



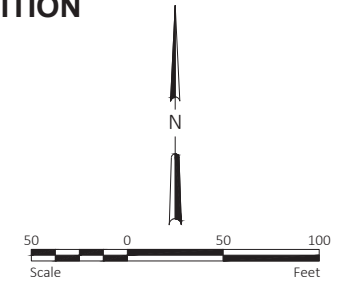
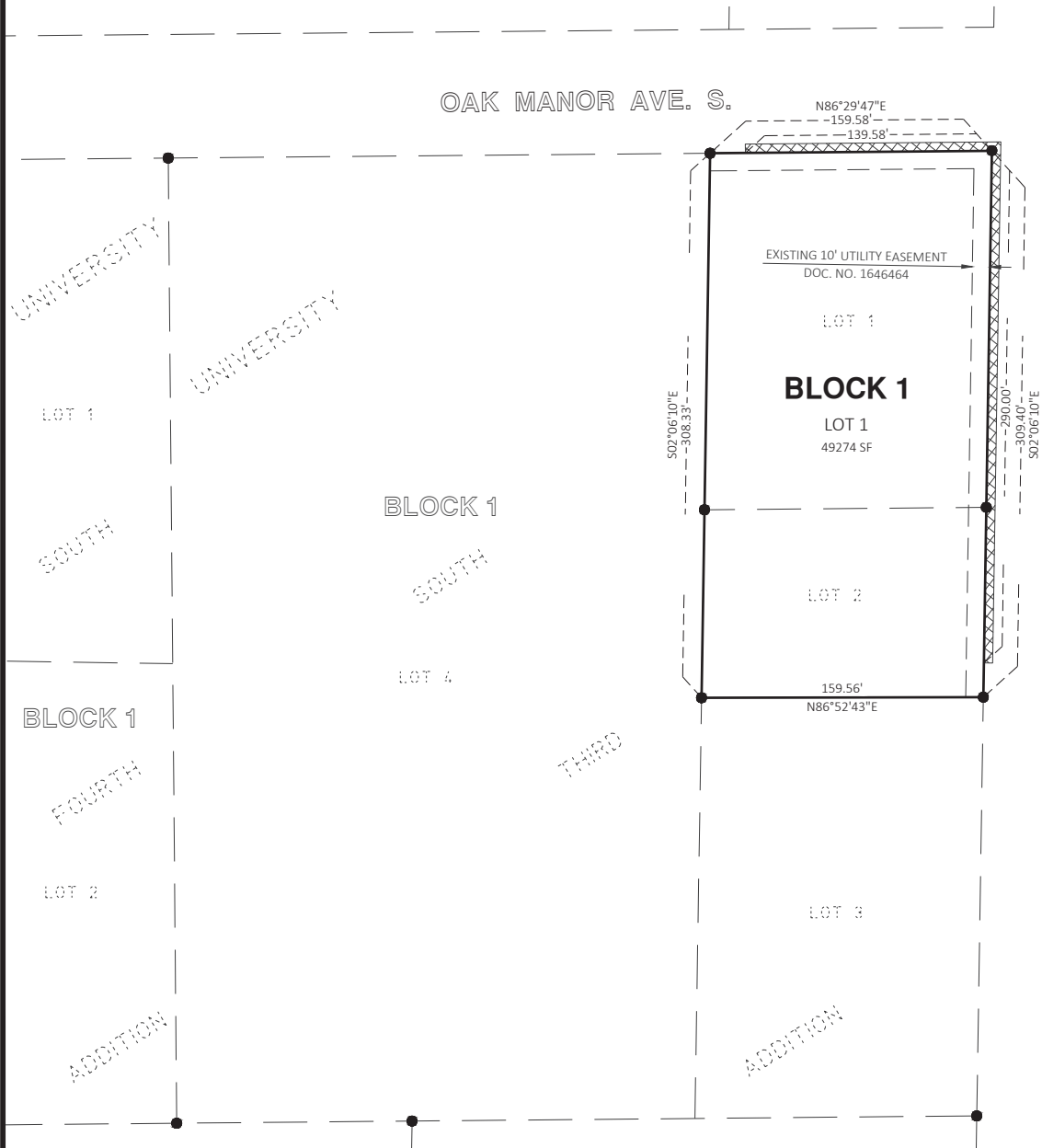
Legend

 City Limits

UNIVERSITY SOUTH FIFTH ADDITION

A MINOR SUBDIVISION

BEING A REPLAT OF LOTS 1 & 2, BLOCK 1, UNIVERSITY SOUTH THIRD ADDITION TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA



LEGEND

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

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

NOTES:

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

OWNER'S CERTIFICATE:

KNOW ALL PERSONS BY THESE PRESENTS: That Grove Enclave, LLC, a North Dakota limited liability company, is the owner and proprietor of the following described tract of land:
 Lots 1 & 2, Block 1, University South Third Addition to the City of Fargo, Cass County, North Dakota.
 Said tract contains 1.131 acres, more or less.
 And that said party has caused the same to be surveyed and replatted as **UNIVERSITY SOUTH FIFTH ADDITION** to the City of Fargo, Cass County, North Dakota, and does hereby dedicate to the public, for public use, the negative assess easement shown on this plat.

OWNER:

Grove Enclave, LLC

By: Syndica, LLP
 Its: Manager

Austin Morris, Partner

State of _____)
) ss
 County of _____)

On this _____ day of _____, 20____ before me personally appeared Austin Morris, a Partner of Syndica, LLP, a North Dakota limited liability partnership, 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 limited liability partnership.

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 Knakmus, PE, City Engineer

State of North Dakota)
) ss
 County of Cass)

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

Rocky Schneider, Chair
 Fargo Planning Commission

State of North Dakota)
) ss
 County of Cass)

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

Notary Public: _____

FARGO CITY COMMISSION APPROVAL:

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

Timothy J. Mahoney, Mayor

Attest: _____
 Steven Sprague, City Auditor

State of North Dakota)
) 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: _____

H:\BKV\400\7489\7489_0127\CAD\Plat\7489-0127 Preliminary University South Fifth Addition.dwg-Layout1-6/19/2024 1:15 PM-(dbuchholtz)



City of Fargo Staff Report			
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Title:	EOLA Third Addition	Date:	6/26/24
Location:	4410 and 4448 24th Avenue South and 4417 26th Avenue South	Staff Contact:	Maegin Elshaug, planning coordinator
Legal Description:	Lots 3-5, Block 1, EOLA Second Addition		
Owner(s)/Applicant:	The Wave by Epic, LLC/EOLA Landholdings, LLC/MBN Engineering	Engineer:	RJN Survey
Entitlements Requested:	Minor Subdivision (replat of Lots 3-5, Block 1, EOLA Second Addition, to the City of Fargo, Cass County, North Dakota).		
Status:	Planning Commission Public Hearing: July 2, 2024		

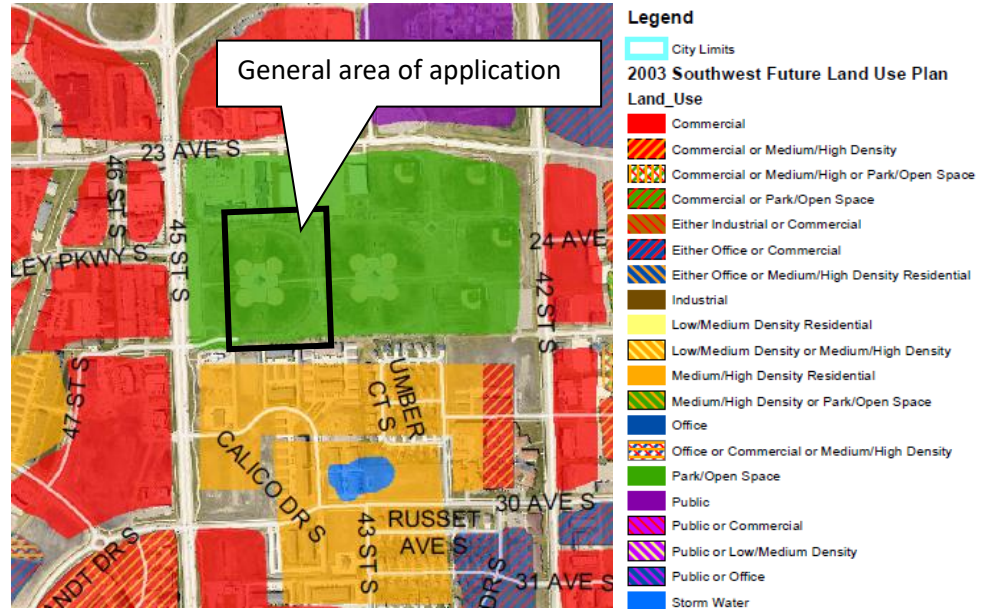
Existing	Proposed
Land Use: Mixed-Use Development	Land Use: unchanged
Zoning: GC, General Commercial with a PUD Overlay	Zoning: unchanged
Uses Allowed: GC – General Commercial. Allows colleges, community service, daycare centers of unlimited size, detention facilities , health care facilities, parks and open space, religious institutions, safety services, adult establishment , offices, off-premise advertising , commercial parking, outdoor recreation and entertainment, retail sales and service, self-storage, vehicle repair, limited vehicle service, aviation, surface transportation , and major entertainment events. Plus a PUD allowing Residential use	Uses Allowed: unchanged
Maximum Density Allowed: 70 units per acre; 85% maximum building coverage	Maximum Density Allowed: unchanged

Proposal:
<p>The applicant requests one entitlement:</p> <ul style="list-style-type: none"> • A minor subdivision, entitled EOLA Third Addition which is a replat of Lots 3-5, Block 1, EOLA Second Addition. <p>This property is part of an approved Planned Unit Development (PUD) Master Land Use Plan. The plat is intended to accommodate a modified footprint for the proposed hotel. Likely an update to the PUD Master Land Use Plan will be required prior to construction of the hotel, and the applicant and owner has been notified of this.</p> <p>Staff is preparing an amenities plan for EOLA 3rd Addition that will state that applicable requirements from EOLA Addition carries through to this plat.</p> <p>This project was reviewed by the City’s Planning and Development, Engineering, Public Works, and Fire Departments (“staff”), whose comments are included in this report.</p> <p>Surrounding Land Uses and Zoning Districts:</p> <ul style="list-style-type: none"> • North: GC, General Commercial and P/I, Public and Institutional, with uses of commercial and the Fargo Park District’s Southwest Youth Ice Area; • East: P/I and the remainder of the Anderson Softball Complex;

- South: LC, Limited Commercial and MR-2, Multi-Dwelling Residential with uses of commercial and apartments;
- West: Across 45th Street South is GC with commercial use.

Area Plans:

The subject property is located within an area identified as the 2003 Southwest Area Plan as contained within the *Growth Plan for the Urban Fringe and Extraterritorial Area of the City of Fargo*. The property was rezoned to GC, General Commercial with a C-O, Conditional Overlay in 2014. While this plan indicates the property for park/open space, a growth plan amendment was contemplated at the time and was ultimately concluded that, due to the general land use pattern of the area, not necessary.



Context:

Neighborhood: Anderson Park

Schools: The subject property is located within the West Fargo School District, specifically within the Freedom Elementary, Liberty Middle and Sheyenne High schools.

Parks: The subject property is located adjacent to the remainder of the Anderson Softball Complex.

Pedestrian / Bicycle: A shared use facility is located on the east side of 45th Street South and connects to the metro area trail system. Additional shared use paths are planned that would connect around the south and east side of the subject property.

Transit/MATBUS: MAT Bus Route 24 runs along 23rd Avenue South. A bus stop is located approximately two blocks east of 45th Street, located less than a quarter-mile from the subject 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 property is currently zoned GC, General Commercial with a PUD, Planned Unit Development and no zone change is proposed. In accordance with Section 20-0901.F of the LDC, notices of the proposed plat have been sent out to property owners within 300 feet of the subject property. To date, staff has not received any public comment or inquiries. **(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, **EOLA Third Addition** subdivision plat, as outlined within the staff report, as the proposal complies with the standards of Article 20-06, Section 20-0907.B. and C of the LDC and all other applicable requirements of the Land Development Code".

Planning Commission Recommendation:

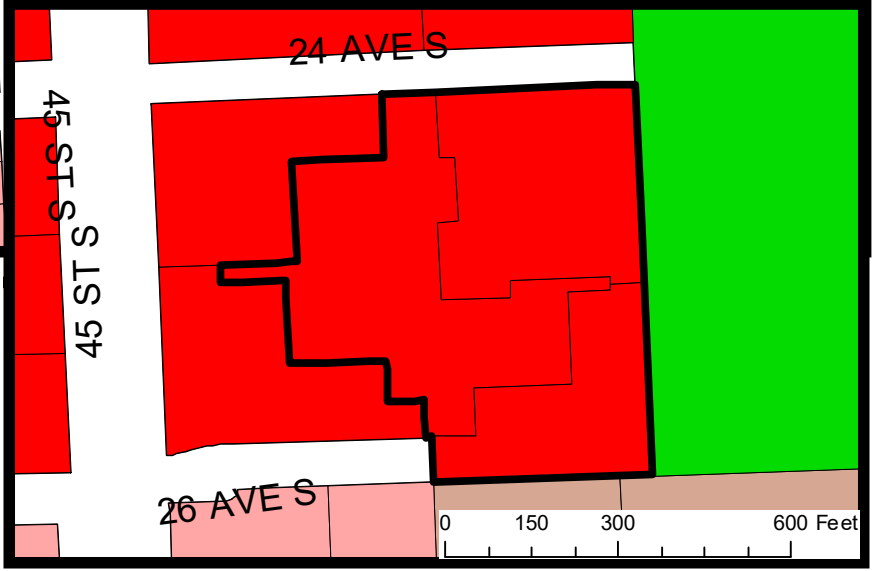
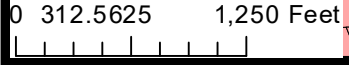
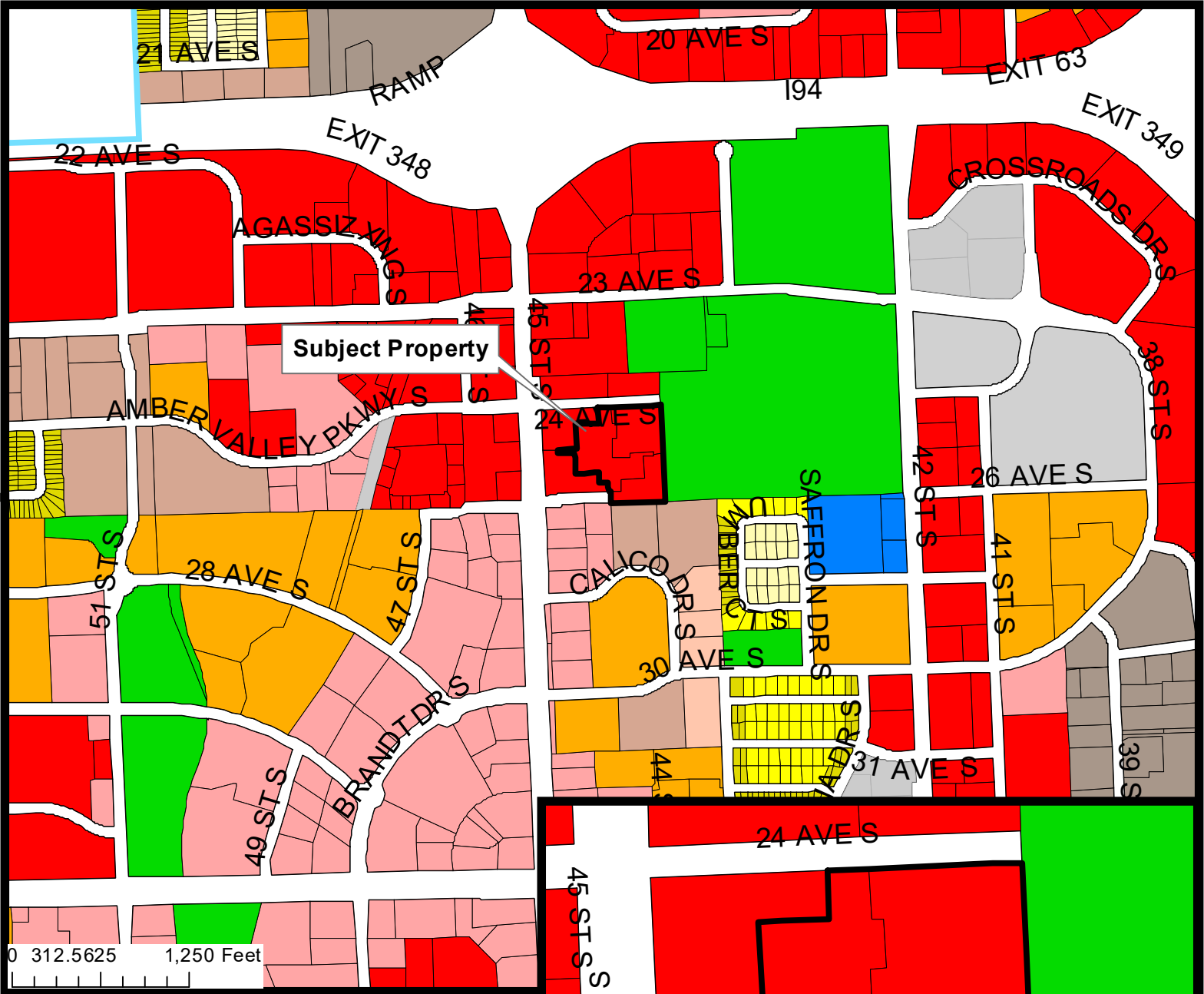
Attachments:

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

Minor Subdivision

EOLA Third Addition

4417 26th Avenue South
4410 & 4448 24th Avenue South



Legend

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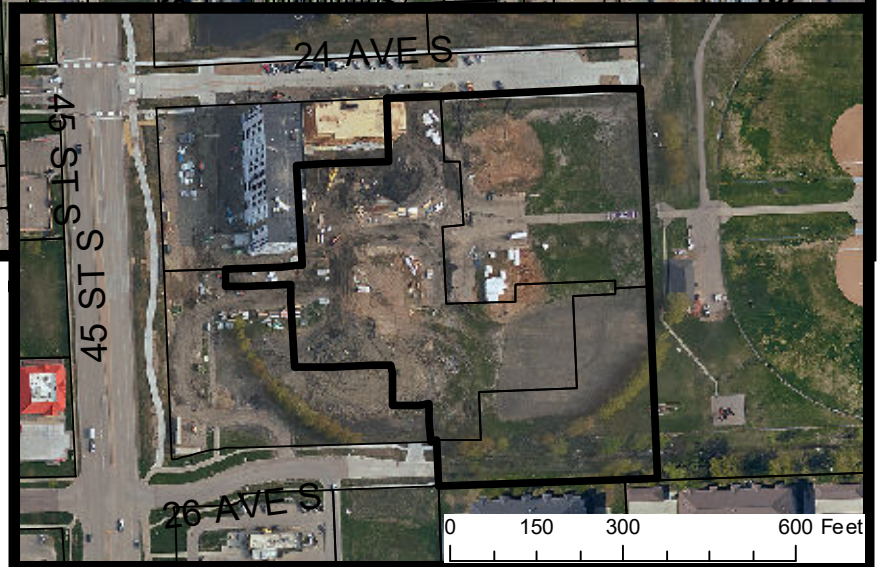
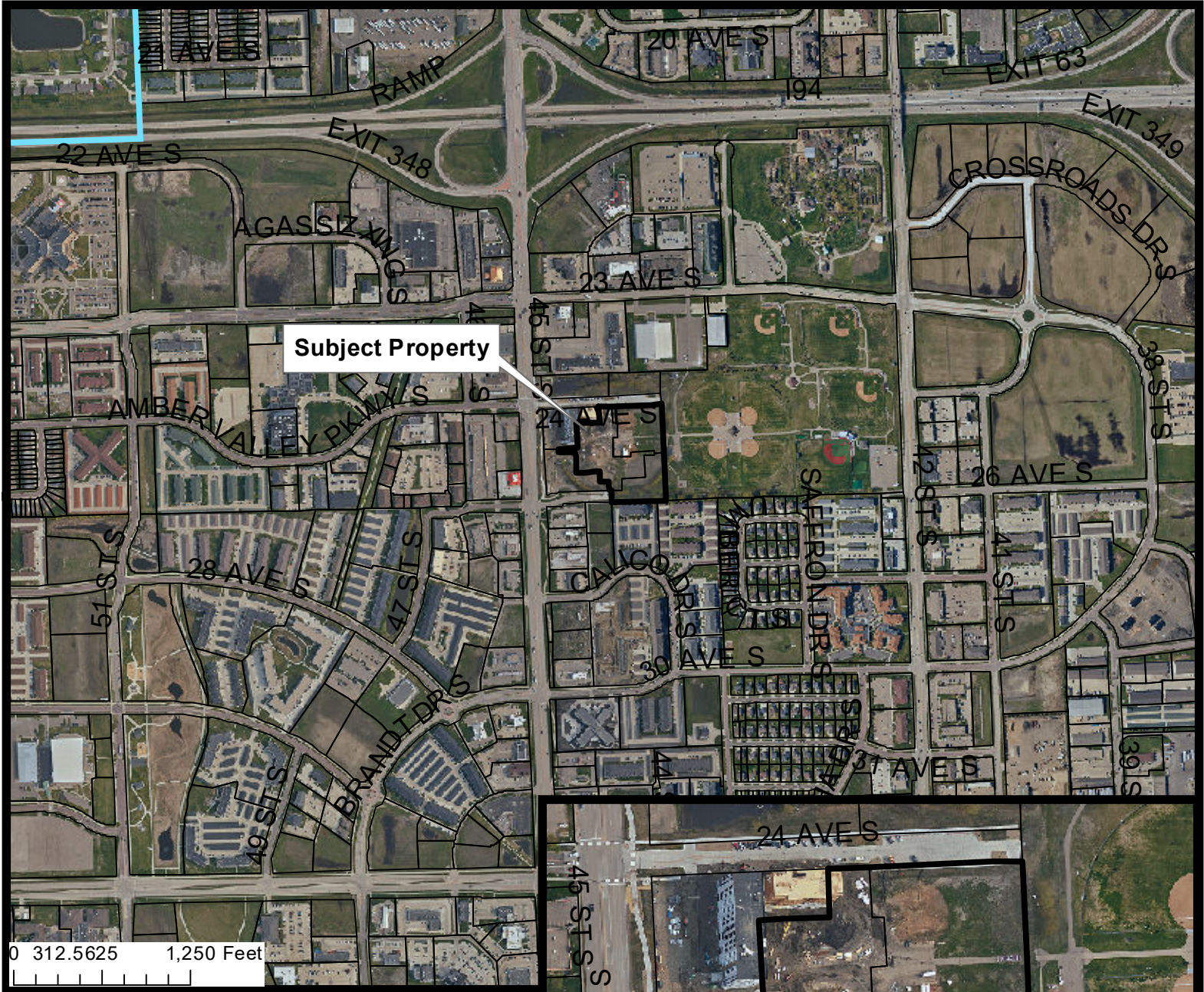


Fargo Planning Commission
July 02, 2024

Minor Subdivision

EOLA Third Addition

4417 26th Avenue South
4410 & 4448 24th Avenue South



Legend

 City Limits

EOLA THIRD ADDITION

A REPLAT OF LOTS 3 THROUGH 5, BLOCK 1 OF EOLA SECOND ADDITION TO THE CITY OF FARGO,
CASS COUNTY, NORTH DAKOTA
(A MINOR SUBDIVISION)

OWNER'S CERTIFICATE

KNOW ALL PERSONS BY THESE PRESENTS, That EOLA Landholdings, LLC, The Wave by EPIC, LLC, Christopher H. Crowe Revocable Trust, and Leon and Janell Vandenberg do hereby certify that we are the owners of the land located in that part of the Northwest Quarter of Section 22, Township 139 North, Range 49 West, Cass County, North Dakota described as follows:

All of Lots 3 through 5, Block 1 of EOLA SECOND ADDITION to the City of Fargo, situated in the County of Cass and the State of North Dakota.

Containing 8.15 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 "EOLA THIRD ADDITION" to the City of Fargo, Cass County, North Dakota.

OWNER:

The Wave by EPIC, LLC

Paul Sandstrom, President

State of North Dakota)
County of Cass) SS

On this ___ day of _____, 20___, appeared before me, Paul Sandstrom, President, The Wave by EPIC, LLC, a North Dakota Limited Liability Company, known to me to be the person whose name is subscribed to the above certificate and did acknowledge to me that they executed the same on behalf of The Wave by EPIC, LLC.

Notary Public: _____

OWNER:

EOLA Landholdings, LLC

Blake Nybakken, President

State of North Dakota)
County of Cass) SS

On this ___ day of _____, 20___, appeared before me, Blake Nybakken, President, EOLA Landholdings, LLC, a North Dakota Limited Liability Company, known to me to be the person whose name is subscribed to the above certificate and did acknowledge to me that they executed the same on behalf of EOLA Landholdings, LLC.

Notary Public: _____

MORTGAGE HOLDER:

Bank Forward

Marc Knutson

State of North Dakota)
County of Cass) SS

On this ___ day of _____, 20___, appeared before me, Marc Knutson, Bank Forward, known to me to be the person whose name is subscribed to the above certificate and did acknowledge to me that they executed the same on behalf of Bank Forward.

Notary Public: _____

MORTGAGE HOLDER:

Kodabank

John Holland

State of North Dakota)
County of Cass) SS

On this ___ day of _____, 20___, appeared before me, John Holland, Kodabank, known to me to be the person whose name is subscribed to the above certificate and did acknowledge to me that they executed the same on behalf of Kodabank.

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___.

Rocky Schneider
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 Rocky Schneider, 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 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: _____

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.

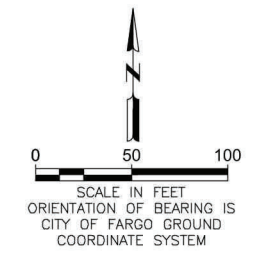
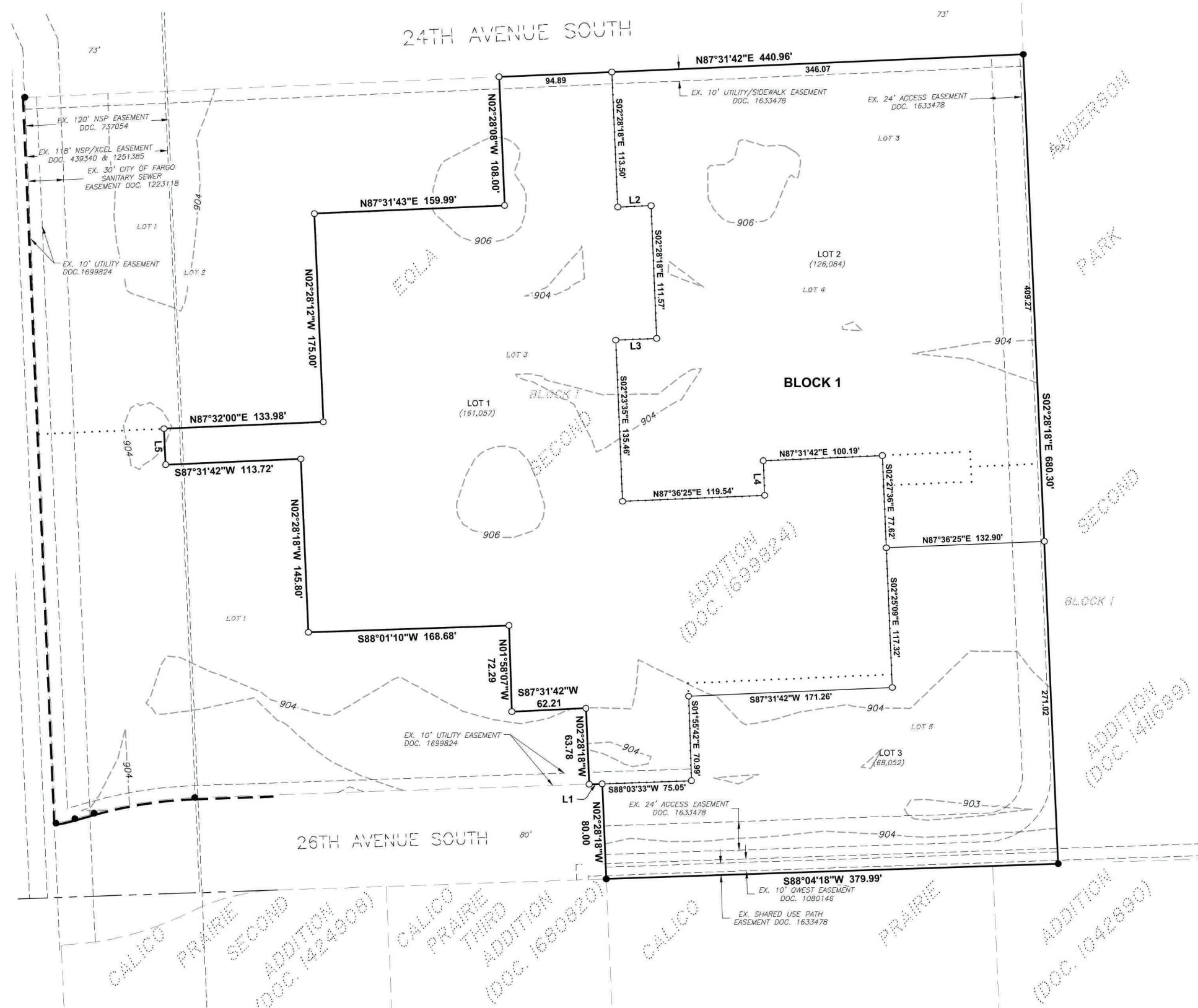
Notary Public: _____



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

EOLA THIRD ADDITION

A REPLAT OF LOTS 3 THROUGH 5, BLOCK 1 OF EOLA SECOND ADDITION TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA
(A MINOR SUBDIVISION)



LEGEND

- SET 5/8" REBAR W/CAP LS-27292 FOUND MONUMENT
- PLAT OVERALL BOUNDARY
- PLAT INTERIOR LOT LINES
- PLAT NEW EASEMENT
- EXISTING PROPERTY LINE
- ORIGINAL PLATTED LINE
- EXISTING EASEMENT LINE
- QUARTER LINE
- EXISTING GROUND CONTOUR

NOTES

- GROUND DISTANCES ARE SHOWN AND ARE IN TERMS OF U.S. SURVEY FEET.
- BENCHMARK SEFB HYDRANT LOCATED IN THE SOUTHEAST QUADRANT OF 45TH STREET SOUTH AND 26TH AVENUE SOUTH, BM-111011 PUBLISHED ON SHEET #111 OF THE CITY OF FARGO BENCHMARK BOOK (2021 EDITION) ELEVATION = 906.63 (NAVD88).
- PART OF THIS PLAT FALLS IN FLOODPLAIN ZONE 'AE' ACCORDING TO THE FEMA FIRM MAP 38017C0776G WITH AN EFFECTIVE DATE 1/16/2015. THE BASE FLOOD ELEVATION IN THIS AREA IS 905.7' (NAVD88) ACCORDING TO FEMA. CONTOUR INFORMATION SHOWN IS DERIVED FROM CITY OF FARGO CONTOUR DATA.
- ELEVATION CONTOURS DERIVED FROM FIELD SURVEY CONDUCTED BY OTHERS, DATE OF SURVEY WAS SUMMER 2021.

LINE TABLE

#	DISTANCE	BEARING
L1	10.99	S88°04'18"W
L2	28.00	N87°31'42"E
L3	34.38	S87°36'25"W
L4	29.17	N02°23'35"W
L5	30.29	N02°28'21"W



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

City of Fargo Staff Report			
Title:	YWCA Addition and Presentation Addition	Date:	6/26/2024
Location:	3000 University Drive South; 3014 12th Street South; 3000, 3001, 3003, and 3004 11th Street South; 1120 30th Avenue South; 1001 and 1101 32nd Avenue South	Staff Contact:	Maegin Elshaug, planning coordinator
Legal Description:	Lot 1, Block 1, YWCA Addition; Lots 1-3, Block 1, Presentation Addition		
Owner(s)/Applicant:	YWCA of Fargo-Moorhead/Sisters of the Presentation/Lantern Light, LLC/Cove Lane, LLC/City of Fargo	Engineer:	N/A
Entitlements Requested:	Zoning Change from MR-1, Multi-Dwelling Residential, MR-2, Multi-Dwelling Residential, and SR-2, Single-Dwelling Residential to P/I, Public and Institutional on portions of YWCA Addition and Presentation Addition and Institutional Master Plan on portions of YWCA Addition and Presentation Addition.		
Status:	Planning Commission Public Hearing: July 2, 2024		

Existing	Proposed
Land Use: Community Service Use	Land Use: Community Service Use and City infrastructure
Zoning: MR-1, MR-2 and SR-2	Zoning: P/I
<p>Uses Allowed:</p> <p>MR-1 Allows detached houses, attached houses, duplexes, multi-dwelling structures, daycare centers up to 12 children, group living, parks and open space, religious institutions, safety services, schools, and basic utilities</p> <p>MR-2 Allows detached houses, attached houses, duplexes, multi-dwelling structures, daycare centers up to 12 children, group living, parks and open space, religious institutions, safety services, schools, and basic utilities</p> <p>SR-2 Allows detached houses, daycare centers up to 12 children, parks and open space, religious institutions, safety services, schools, and basic utilities</p>	<p>Uses Allowed:</p> <p>P/I allows colleges, community service, daycare centers of unlimited size, detention facilities, health care facilities, parks and open space, religious institutions, safety services, schools, offices, commercial parking, outdoor recreation and entertainment, industrial service, manufacturing and production, warehouse and freight movement, waste related use, agriculture, aviation, surface transportation, major entertainment events, basic utilities and some telecommunications facilities.</p> <p>Use is limited to community service through the Institutional Master Plan</p>
Maximum Density Allowed: MR-1 allows 16 units per acre, MR-2 allows 20 units per acre, and SR-2 allows 5.4 units per acre	Maximum Lot Coverage Allowed: P/I is based on the dimensional standards of adjacent zoning district and/or an Institutional Master Plan.

Proposal:
<p>The applicants are seeking two entitlements:</p> <ol style="list-style-type: none"> 1) Zoning Change from MR-1, Multi-Dwelling Residential, MR-2, Multi-Dwelling Residential, and SR-2, Single-Dwelling Residential to P/I, Public and Institutional 2) Institutional Master Plan on portions of YWCA Addition and Presentation Addition. <p>The applicants are seeking to rezoning the properties to P/I. The YWCA Cass Clay is seeking approval of an</p>

Institutional Master Plan for the purpose of satisfying the project review requirements for development within the P/I zoning district. The planned development is for the YWCA and their services, and the plan outlines the intended future development over the next 10 years, including two phases on a portion of the site. The proposed Institutional Master Plan is attached.

Application Information

The application is joint between the YWCA and associated entities, Sisters of the Presentation, and the City of Fargo. Ultimately, the ownership of the subject properties will be the YWCA and associated entities and the City of Fargo. The City has planned infrastructure projects on a portion of the property at 3000/3004 11th Street South, which are described in more detail below. The remainder of the property is intended to go to the YWCA to use for parking, as it exists today. This area is included in the Institutional Master Plan, and indicated by the blue hatch on the image to the right.



Zoning Change

The application requests to rezone all the properties to the P/I, Public and Institutional zoning district. This is necessary for the YWCA for the Institutional Master Plan, as they must be within the P/I zoning district, and it is a more appropriate zoning district for City-owned property. The area of the rezone is the full boundary indicated by the black line on the image above.

Institutional Master Plan

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

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

As such, the applicant is seeking approval of an Institutional Master Plan for the YWCA Cass Clay and associated entities in order to accommodate Land Development Code review of the plans for two phases of construction.

Note that the Planning Commission is the decision making body for Institutional Master Plans. The zoning change will be reviewed by the City Commission. The recommendation below includes a contingency for the Institutional Master Plan approval, based on City Commission approval of the zoning change.

Parking

The Land Development Code notes a Schedule C for parking requirements, which requires a study that provides justification for the number of off street parking spaces proposed. The study is attached to the Institutional Mater Plan. Below are the requested modifications to parking requirements, which accommodate the unique use and campus-like

setting of the community service use:

- Sleeping Units and Apartment Units – 1 parking space per unit
- Office and Childcare Staff – 1 parking space per employee at highest shift
- Supporting Services Spaces – 1 parking space per 300 square feet

The City traffic engineer has reviewed the provided information, concurs with the findings, and supports to above parking requirements.

Note that in 2022, an alternative access plan (small facility) was approved administratively. One space per apartment was provided (23 units), with the remaining parking to staff and guest space. If the Institutional Master Plan is approved, the alternative access plan is no longer necessary.

City Projects

The information below is provided by Nathan Boerboom, Assistant City Engineer.

The City of Fargo has two flood risk management projects planned for the area adjacent to the YWCA facilities. The first project is under contract, with construction scheduled to be completed by the end of 2025. This project includes the reconstruction of storm sewer lift station #27, which is directly adjacent to 32nd Avenue South and the Red River. It also involves extending a line of flood protection from the Fargo Park District’s Lemke Park to the southern boundary of 3000 11th Street South. Similar to the first project, the second project also consists of the reconstruction of a storm sewer lift station, specifically lift station #66. This lift station will be reconstructed on 3000 11th Street South, for which the City has a fully executed purchase agreement. Construction for this project is anticipated to occur in either 2025 or 2026 and will continue the extension of the line of flood protection from the first project to the southern edge of the Southwood Addition.

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

Surrounding Land Uses and Zoning Districts:

- North: LC, Limited Commercial and SR-2, Single-Family Residential, with commercial uses, detached homes and City of Fargo list station;
- East: Red River
- South: MR-1, Multi-Dwelling Residential with group living and across 32 Avenue South is P/I, Public and Institutional and SR-2 with a park and detached home;
- West: MR-1, Multi-Dwelling Residential with group living and across University Drive South is LC, Limited Commercial use with medical research.

Area Plans:

No growth or area plan exists for this area.

Context:

Neighborhood: Lincoln

Schools: The subject property is located within the Fargo Public School District, specifically Lincoln elementary, Carl Ben middle and South High schools.

Parks: Lemke Park (1000 32 Avenue South) is located just south of the subject property. Amenities include outdoor skating and hockey rink, warming house, picnic tables, indoor shelter, playground and recreational trails.

Pedestrian / Bicycle: A shared use path is located on the east side of University Drive South. The City also continues to work on path infrastructure along the River, and has several projects intended to be constructed in the future. The paths connect to the metro area system.

Transit: Route 14 is along University Drive South, with a stop and shelter location at the intersection of 30th Avenue South, adjacent to the subject property.

Staff Analysis:

Zoning

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

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

Staff is unaware of any error in the zoning map as it relates to this property. The properties are currently zoned MR-1, Multi-Dwelling Residential, MR-2, Multi-Dwelling Residential, and SR-2, Single-Dwelling Residential. The applicants are requesting to rezone the properties to a more appropriate zoning district of P/I, Public and Institutional for uses such as community service and public and land owned by public agencies, such as the City of Fargo. The P/I zoning district is necessary for an Institutional Master Plan. **(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 has direct access to several public rights-of-way. **(Criteria Satisfied)**

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

Staff has no documentation or evidence to suggest that the approval of this zoning change would adversely affect the condition or value of the property in the vicinity. Written notice of the proposal was sent to all property owners within 300 feet of the subject property. To date, Planning staff has received and responded to two inquiries, with no noted concern. 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." P/I, Public and Institutional is intended to accommodate uses of a governmental, civic, public service, or quasi-public nature, including major public facilities and institutions with campus-like settings, offering an alternative zoning classification for public and institutional uses, thereby increasing development predictability within residential neighborhoods, as any future private development would need to be rezoned. **(Criteria Satisfied)**

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

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

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

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

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

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

Staff has no evidence to suggest that the proposed plan will cause substantial injury to the value of the other property in the neighborhood in which it is to be located. Written notice of the proposal was sent to all property owners within 300 feet of the subject property. To date, Planning staff has received and responded to two inquiries, with no noted concern. Staff finds the proposed plan to be consistent with the P/I, Public & Institutional zoning district and development standards of the Land Development Code. **(Criteria Satisfied)**

Staff Recommendation:

Suggested Motion: "To accept the findings and recommendations of staff and recommend approval to the City Commission of the proposed zoning change as presented, from MR-1, Multi-Dwelling Residential, MR-2, Multi-Dwelling Residential, and SR-2, Single-Dwelling Residential to P/I, Public and Institutional, on the basis that it satisfactorily complies with the Go2030 Fargo Comprehensive Plan, Standards of Section 20-0906.F (1-4) and all other applicable requirements of the LDC; and

To accept the findings and recommendations of staff and hereby approve the Institutional Master Plan as presented, contingent on approval of the zoning change to P/I, Public & Institutional for the subject properties, as the proposal complies with the Go2030 Fargo Comprehensive Plan, Standards of Section 20-0911.E (1-3) of the LDC, and all other applicable requirements of the LDC."

Planning Commission Recommendation:

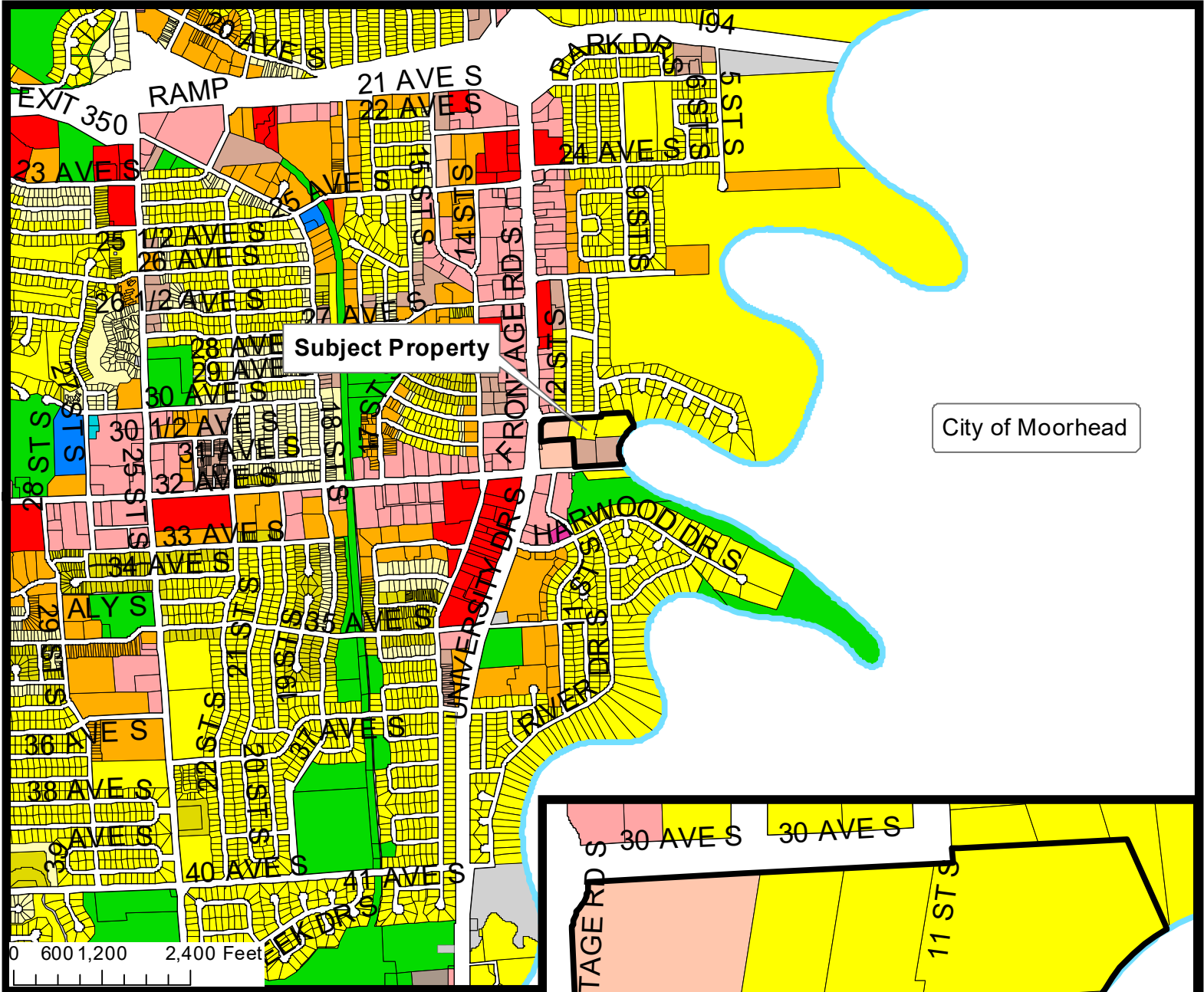
Attachments:

1. Zoning Map
2. Location Map
3. Institutional Master Plan
4. Parking Narrative

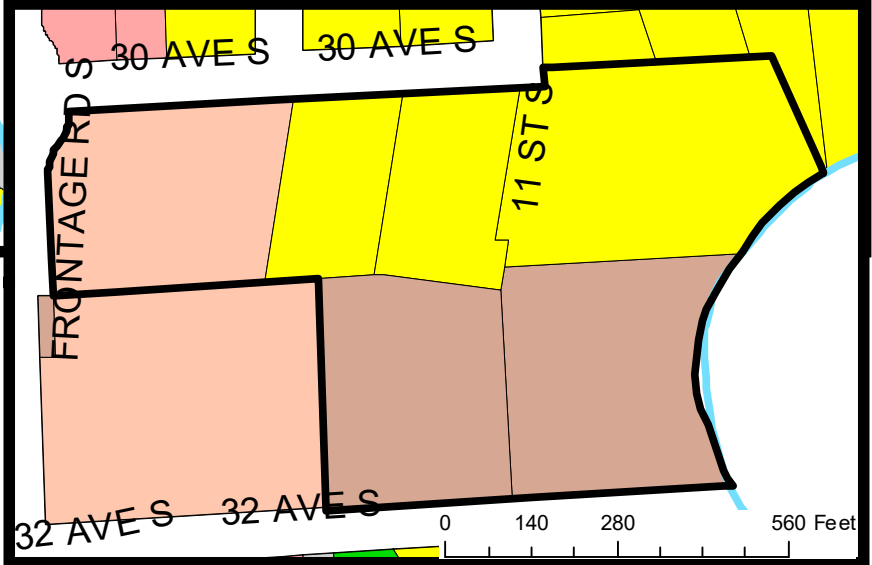
Zone Change from MR-1, Multi-Dwelling Residential, MR-2, Multi-Dwelling Residential, and SR-2, Single Dwelling Residential to P/I, Public/Institutional and an Institutional Master Plan

3000, 3001, 3003, and 3004 11th Street South; 1001 and 1101 32nd Avenue South;

YWCA and Presentation Additions 3000 University Drive South; 3014 12th Street South; 1120 30th Avenue South



City of Moorhead

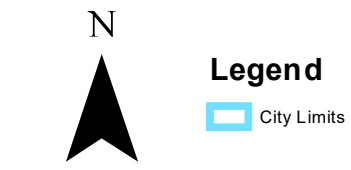
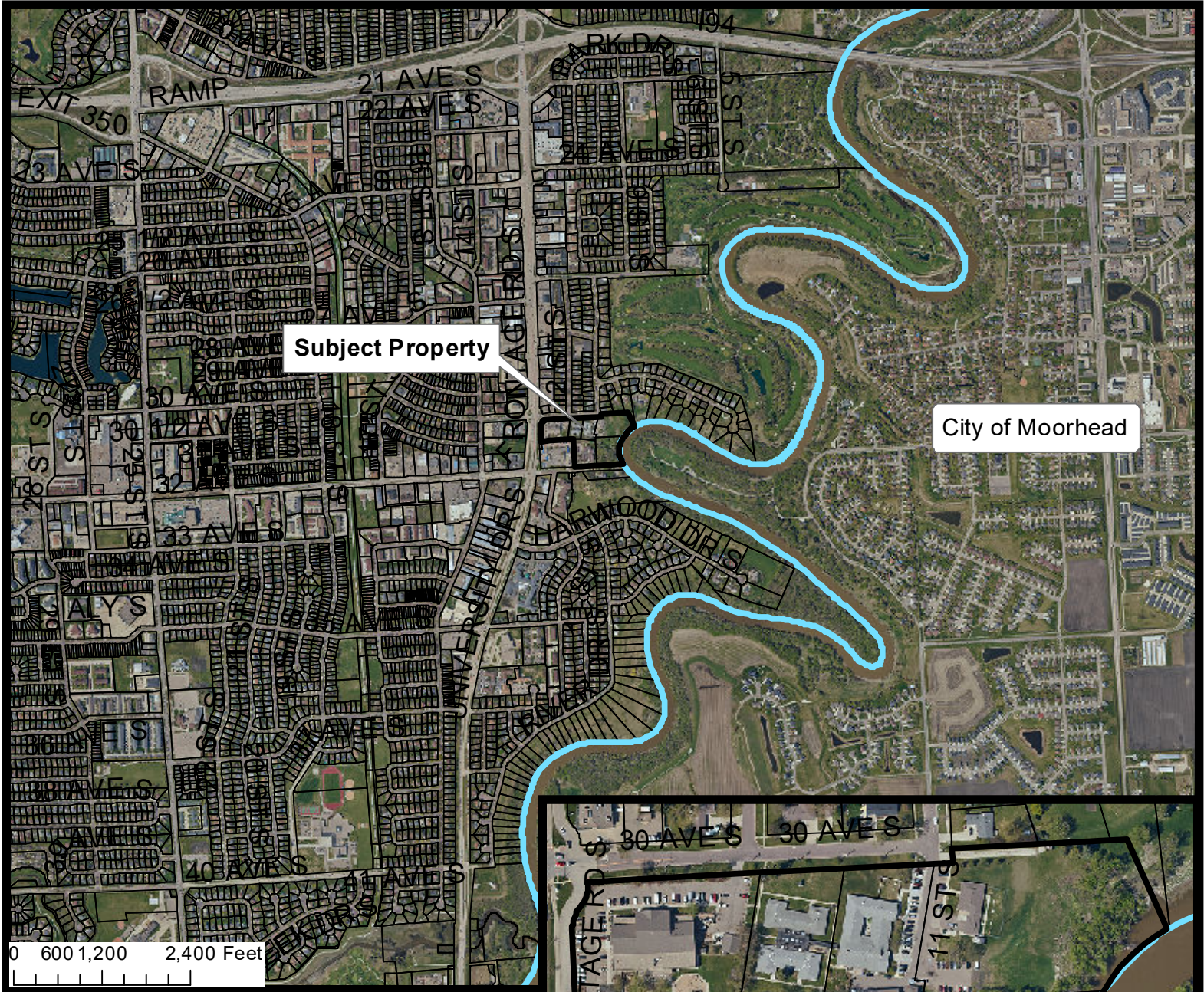


Legend

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Zone Change from MR-1, Multi-Dwelling Residential, MR-2, Multi-Dwelling Residential, and SR-2, Single Dwelling Residential to P/I, Public/Institutional and an Institutional Master Plan

3000, 3001, 3003, and 3004 11th Street South; 1001 and 1101 32nd Avenue South; YWCA and Presentation Additions 3000 University Drive South; 3014 12th Street South; 1120 30th Avenue South



Fargo Planning Commission
July 02, 2024

INSTITUTIONAL MASTER PLAN

YWCA

OVERVIEW

Subject Property: YWCA

YWCA Cass Clay owns or will own the following:

Note legal descriptions and acreage are in Appendix A.

Lot 1A – Lantern Light (Building)

1101 32 Ave S, Fargo

Lot 1B – Lantern Light (River)

1001 32 Ave S, Fargo

Lot 2 – YWCA Emergency Shelter

3000 S University Drive, Fargo

Lot 3 – Cove Lane

1120 & 3014 30 Ave S, Fargo

Lot 4 – Sisters of the Presentation

3001 11 St S, Fargo

Phase I

Phase I will be identified as the purchase of Lot 4 – Sisters of the Presentation. This phase will also include the demolition of existing main and accessory structures.

Phase II

Phase II will be the development of Lot 4 to add a New Building and planting all required landscape units. The New Building will be designed to meet the needs of the organization, providing community services, to include supportive housing units, office space, and/or supportive service spaces. The final design considers different scenarios to meet program needs. The flexible parameters are demonstrated within this document focusing on illustrating maximum site utilization. Parking in either scenario will be determined based on the actual ratio of housing and community support based on the criteria outlined in this document.

1. Scenario 1

Scenario 1 maximizes the site utilization by providing expanded campus community support services along with supportive housing.

Community Services – 10,000 square feet

Supportive Housing – up to 32 apartments in 3 stories

2. Scenario 2

Scenario 2 maximizes the supportive housing needs with support services focused on the new building addition.

Community Services – 1,000 square feet

Supportive Housing – up to 36 apartments in 3 stories

Planning Commission Approval Date:

Summary: This Institutional Master Plan is intended to satisfy the project review requirements of the Land Development Code for the YWCA properties listed above. This Institutional Master Plan outlines two phases over a 10-year period. Phase I is demolition of the existing building. Phase II is the construction of the new building and will be pursued as funding allows.

Planning Commission Approval Date:

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

Mark Williams, Assistant Planning Director

Date

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

PLANNING HORIZON

The Institutional Master Plan is intended to cover a 10-year planning horizon for implementation, including years 2024-2034.

EXISTING PROPERTY & USES

- 1) Illustrative Site Plans: See attached.
- 2) Land and Building Use: The YWCA responds to the growing needs of our community for shelter, housing and supportive services to women and children facing homelessness as a result of domestic violence and/or poverty. The Emergency Shelter provides shelter and emergency services. Lantern Light, Cove Lane, and the Sisters of the Presentation building will provide housing and supportive services. The facilities work together to support community needs.
- 3) Current Zoning: All YWCA properties included in this document would be zoned P/I.

- 4) The site consists of 5 primary buildings (garages not included) with a gross floor area as follows: The current Sisters of the Presentation building will be demolished as part of Phase I. Areas identified below are for the anticipated Phase II, new building.

	Lantern Light Building	Lantern Light River	Emergency Shelter	Cove Lane South Building	Cove Lane North Building	YWCA New Building	Gross Area by Level
Basement/Lower Level	2,837	-	4,172	2,482	2,482		11,973
Ground Floor/Lot Coverage	28,404	-	21,087	5,635	5,635	19,430	80,191
Second Floor	10,487	-	12,750	-	-	14,490	37,727
Third Floor	920	-	-	-	-	14,490	15,410
Gross Area by Building	42,648	-	38,009	8,117	8,117	48,410	145,301

- 5) Existing Building Height(s) in Stories and Feet:
- a) Lot 1A – Lantern Light (Building): 3 stories with partial basement. 44’-0”
 - b) Lot 1B – Lantern Light (River): N/A
 - c) Lot 2 – Emergency Shelter: 2 stories with partial basement. 44’-0”
 - d) Lot 3 – Cove Lane (South Building): 1 story with partial basement. 14’-0”
 - e) Lot 3 – Cove Lane (North Building): 1 story with partial basement. 14’-0”
 - f) Lot 4 – The current Sisters of the Presentation building located at Lot 4 will be demolished as part of Phase 1.
- 6) Description of Parking & Loading: Current parking is a mixture of asphalt and concrete surfaces with some curbs and gutters. Parking is generally designated per lot with some sharing capacity between entities.
- a) Actual parking utilization, as recently approved on Lantern Light, is proven to be 1 stall per apartment. These facilities provide emergency shelter services or housing for single mothers and their children. Typically, not all families have a vehicle. The services provided to the residents do not entail large groups of visitors.
 - b) Total Number of Parking Stalls Provided:
 - Lot 1A – Lantern Light (Building): 59 stalls
 - Lot 1B – Lantern Light (River): N/A
 - Lot 2 – Emergency Shelter: 60 stalls
 - Lot 3 – Cove Lane (South Building): 1 story with partial basement. 6 stalls
 - Lot 3 – Cove Lane (North Building): 1 story with partial basement. 6 stalls
 - Lot 4 – The current Sisters of the Presentation building located at Lot 4 will be demolished as part of Phase I. The existing site currently includes 70 parking stalls, including 15 stalls in a lot that will be removed by the City’s levee project, and 19 stalls currently along 11th Ave. Pending agreement the public street will be vacated and become part of the YWCA Lot 4. The new building and parking will be developed in the proposed Phase II, would result in up to 79 total stalls (existing and new).
 - c) Note Parking & Loading (Section 20 – 0701) below for full site parking analysis charts including parking stalls required by the Land Development Code, parking stalls required by actual usage, and parking stalls provided.

NEEDS OF THE INSTITUTION

1. YWCA Cass Clay continues to respond to community needs specifically for those facing violence and homelessness. The need for affordable supportive housing is significant across our state and in our region.

In the last five years, YWCA Cass Clay has opened two affordable housing residences viewed nationally as models to move domestic violence survivors from homeless to housed. One was new construction and the other through extensive remodeling of a former convent. The coalitions YWCA created to build each residence represent remarkably innovative partnerships involving faith, public, private and nonprofit sectors.

YWCA USA officials have referenced Lantern Light as a national model for solving homelessness and empowering survivors of violence. The U.S. Department of Housing and Urban Development (HUD) will soon release a case study featuring Lantern Light as a model initiative due to a unique faith, government, nonprofit, and private sector partnership woven together by YWCA to make the supportive housing possible.

YWCA Supportive Housing is a proven solution to homelessness and preventing women from returning to abusers out of economic need. In 2023, 47% of participants increased their income; 78% reduced use of costly emergency services; and 73% secured other stable housing when leaving the program. YWCA Supportive Housing helps answer a particular need of women and single mothers who face economic disadvantage as they struggle to grow financial footing.

2. The YWCA intends to provide additional supportive housing units, community support services, office space, and supportive service space based on community need.

DEVELOPMENT ENVELOPE

- 1) Gross Floor Area: See table above. Building lot coverage is approximately 80,191 total SF. Lot area is approximately 10.6 acres or 461,154 SF. Lot coverage by buildings is approximately 17%.
- 2) Building Heights: All buildings follow the Residential Protection Standards to not exceed 45 feet in height when located 76 to 100 feet from any SR zoning district.
- 3) Setbacks: In the P/I zoning district, the dimensional standards of abutting the adjacent SR-2 zoning district apply within 150 feet. See attached site plan for line indicating the 150 foot proximity zone. If zone changes occur adjacent to the property, the setback may be reduced from what is identified below. The following setbacks will be maintained from the following lot lines:
 - a) Front – Identified along 30th Ave S, 25 feet.
 - b) Front – Identified along 32nd Ave S, 25 feet.
 - c) Street Side – University Dr S, 10 feet.
 - d) Interior Side – Identified as the west property lines (not adjacent to a street), the lesser between 15/25%.
 - e) Interior Side – Identified as the east property line, no setback.
- 4) Total Open Space: 380,963 square feet.

NEIGHBORHOOD PROTECTION STRATEGY

The YWCA site is within 150 feet of a current SR-2 residential neighborhood to the north, and one current SR-2 residential lot to the south as identified on the current City of Fargo GIS map. The YWCA site also shares a property border with a Group Living/MR-2 at 3201 University Drive South. As such, Section 20-0704 Residential Protection Standards (RPS) applies to the north and south property lines, and property lines adjacent to the MR-2 property. See Residential Protection Standards below.

LAND DEVELOPMENT CODE REVIEW

USE (ARTICLE 20-04)

YWCA Cass Clay was chartered in 1906 to offer educational programs for girls and women, and later boarding rooms for those working or attending college in Fargo, N.D. Defining change came with our 1978 shift to become an emergency shelter for women escaping domestic violence. They've since operated continuously 24 hours a day – and developed onsite supportive programs for health, employment, education, transportation, children's needs and more.

The present emergency shelter building opened in 2004 and has capacity for 72 people at any given time. YWCA began a housing program in 1990 to help survivors live affordably with continued support to grow health and independence. Today, YWCA offers 107 units of supportive housing in apartments the agency owns, and others leased from private landlords scattered across the community. This strong continuum of programs makes YWCA the region's largest and most comprehensive solution for vulnerable women and children. Each day, YWCA Cass Clay provides shelter, housing, and supportive services to more than 250 of our most vulnerable citizens.

The proposed use of the property is continued core services of shelter, supportive housing, and supportive services for women and children to heal and grow independence in the aftermath of homelessness as a result of domestic violence and/or poverty.

Community Services are permitted by right within the P/I (Public Institutional) zoning as provided in the Fargo Land Development Code Chapter 20-0304.

DIMENSIONAL STANDARDS (ARTICLE 20 – 05)

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

- 1) Building Heights: All existing buildings as well as the proposed new building heights are not expected to exceed 45 feet.
- 2) Maximum Building Coverage: The building coverage for this project site will not exceed 25% of the total lot area.
- 3) Setbacks: Note setbacks listed in Development Envelope section above.
- 4) Watercourse Setbacks: All watercourse restrictions for previously platted and built upon lands will be followed for all proposed buildings located within the MDZ and LDZ setbacks. The parking lot and drive lane which touches the LDZS zone will be updated and maintained to provide Fire Department access and turnaround for site safety.

PARKING & LOADING (SECTION 20 – 0701)

1) As noted above, the actual parking utilization for the YWCA facilities is considerably less than a market-rate apartment. Typically, not all families have a vehicle and services provided to residents do not entail large groups of visitors. A full analysis of parking stalls based on actual usage and provided is demonstrated below and on an attached drawing.

a) Parking Stalls Required by Current Approved Usage:

Parking Stalls Required by Actual Usage												
	Lantern Light Building		Lantern Light River		Emergency Shelter		Cove Lane South Building		Cove Lane North Building		YWCA New Building	
	Total		Total		Total		Total		Total		Total	
Sleeping Units	0	0	0	0	31 X1	31	0	0	0	0	0	0
Apartment Units	23 X1	23	0	0	2 X1	2	6 X1	6	6 X1	6	36 X1	36
Office Staff	10	10	0	0	10	10	0	0	0	0	2	2
Childcare Staff	0	0	0	0	4	4	0	0	0	0	0	0
Supporting Services	12	12	0	0	12	12	0	0	0	0	34	34
Subtotal		45		0		59		6		6		72
TOTAL												188

b) Parking Stalls Provided:

Parking Stalls Provided												
	Lantern Light Building		Lantern Light River		Emergency Shelter		Cove Lane South Building		Cove Lane North Building		YWCA New Building	
	Total		Total		Total		Total		Total		Total	
		59		0		65		6		6		79
Subtotal		59		0		65		6		6		79
TOTAL												215

c) Parking Standards Summary:

- Sleeping Units and Apartment Units – 1 parking space per unit
- Office and Childcare Staff – 1 parking space per employee at highest shift
- Supporting Services Spaces – 1 parking space per 300 square feet

ROADWAY ACCESS & DRIVEWAYS (SECTION 20 – 0702)

All existing access driveways to the YWCA sites will be maintained. A new parking lot access point is planned to align with an existing driveway as shown in the attached site plan.

RESIDENTIAL PROTECTION STANDARDS (SECTION 20-0704)

- Requirements of Section 20-0704 will be maintained throughout the planning horizon. Visual screening of dumpsters will be provided. Operation and maintenance to meet Section 20-0704. At the time of permitting, items in this section will be reviewed, such as dumpster screening and the lighting study. An opaque fence has recently been installed on the property of 3201 University Drive South adjacent to the YWCA property in order to accommodate the required Residential Protection buffer.

TREES & LANDSCAPING (SECTION 20-0705)

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

- Street Trees:
 - 30th Avenue South: Section 20 – 0705.B.1.a (1 per 35 linear feet) – Existing mature trees are located on the south side of 30th Ave S per the requirement. Street trees will be added to meet the current requirements during Phase II.

- 32nd Avenue South: Section 20 – 0705.B.1.a (1 per 35 linear feet) – Existing mature trees are located on the south side of 30th Ave S per the requirement.
- University Drive South: Section 20 – 0705.B.1.a (1 per 50 linear feet) Street trees will be added to meet the current requirements during Phase II.
- Street trees will be coordinated with City Forester prior to installation.
- Open Space and Open Space Plant Units:
 - At least three (3) plant units are required per 1,000 square feet and eight (8) square feet per plant shall be provided.
 - On the combined YWCA lots, 1,383 plant units are required. During Phase II of the project, planting design and location will be confirmed such that 969 plant units will be placed in the front to meet the 70% front placement requirement. 11,064 square feet of open space is required.
- Parking Lot Perimeter Landscaping:
 - As required by Section 20-0705. Parking buffer provided at the north boundary of the New Building site and new parking lot. Existing parking lot buffers are located at the Emergency Shelter along 30 Ave S and S University Drive. An existing parking lot buffer is located at the Lantern Light Building along 32 Ave S.
- Residential buffers:
 - As required by Section 20-0704.
 - An existing fence has been constructed by the neighboring Group Living/MR-2 property at 3201 University Drive South to provide a residential buffer.
- Existing Plant Units
 - On the combined YWCA lots, approximately 7,995 existing plant units remain unaffected by the proposed building improvements. This exceeds the requirements of the Land Development Code.
 - As part of the Phase II New Building work at Lot 4, 61 plant units will be maintained to respect a balance of plant units throughout the properties. Intent is shown on the attached site plan and will be finalized along with building construction documents.
 - See the attached site inventory plan for plant unit distribution.

CORNER VISIBILITY (SECTION 20-0706)

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

APPENDIX A

Legal Descriptions and Acreage:

Lot 1A – Lantern Light (Building)

Legal Description: That Part of Lot 1, Block 1, Presentation Addition to the City of Fargo, Cass County, North Dakota, described as follows:

Beginning at the southwest corner of said Lot 1, thence North 86°30'26" East, along the southerly line of said Lot 1, for a distance of 302.80 feet; thence North 03°04'00" West for a distance of 341.67 feet to an angle point on the northerly line of said Lot 1; thence North 82°23'49" West, along the northerly line of said Lot 1, for a distance of 192.17 feet to an angle point on the northerly line of said Lot 1; thence South 86°30'26" West along the northerly line of said Lot 1, for a distance of 107.14 feet to the northwest corner of said Lot 1; thence South 02°02'19" East for a distance of 378.77 feet to the Point of Beginning.

Said Tract contains 2.52 acres, more or less, and is subject to easements as may be of record.

Lot 1B – Lantern Light (River)

Legal Description: That Part of Lot 1, Block 1, Presentation Addition to the City of Fargo, Cass County, North Dakota, described as follows:

Commencing at the southwest corner of said Lot 1, thence North 86°30'26" East, along the southerly line of said Lot 1, for a distance of 302.80 feet to the True Point of Beginning; thence North 03°04'00" West for a distance of 341.67 feet to an angle point on the northerly line of said Lot 1; thence North 09°51'29" East, along the northerly line of said Lot 1, for a distance of 38.01 feet to an angle point on the northerly line of said Lot 1; thence North 86°30'26" East along the northerly line of said Lot 1, for a distance of 385 feet, more or less, to a point of intersection with the westerly bank of the Red River of the North, to a point of intersection with the southerly line of said Lot 1; then South 86°30'26" West, along the southerly line of said Lot 1, for a distance of 364 feet, more or less, to the True Point of Beginning.

Said Tract contains 3.00 acres, more or less, and is subject to easements as may be of record.

Lot 2 – YWCA Emergency Shelter

Legal Description: That Part of the Southwest $\frac{1}{4}$, Section 19, Township 139 North, Range 48 West, to the City of Fargo, Cass County, North Dakota: Lot 1, Block 1, YWCA Addition.

Said Tract contains 2.53 acres, more or less, and is subject to easements as may be of record.

Lot 3 – Cove Lane

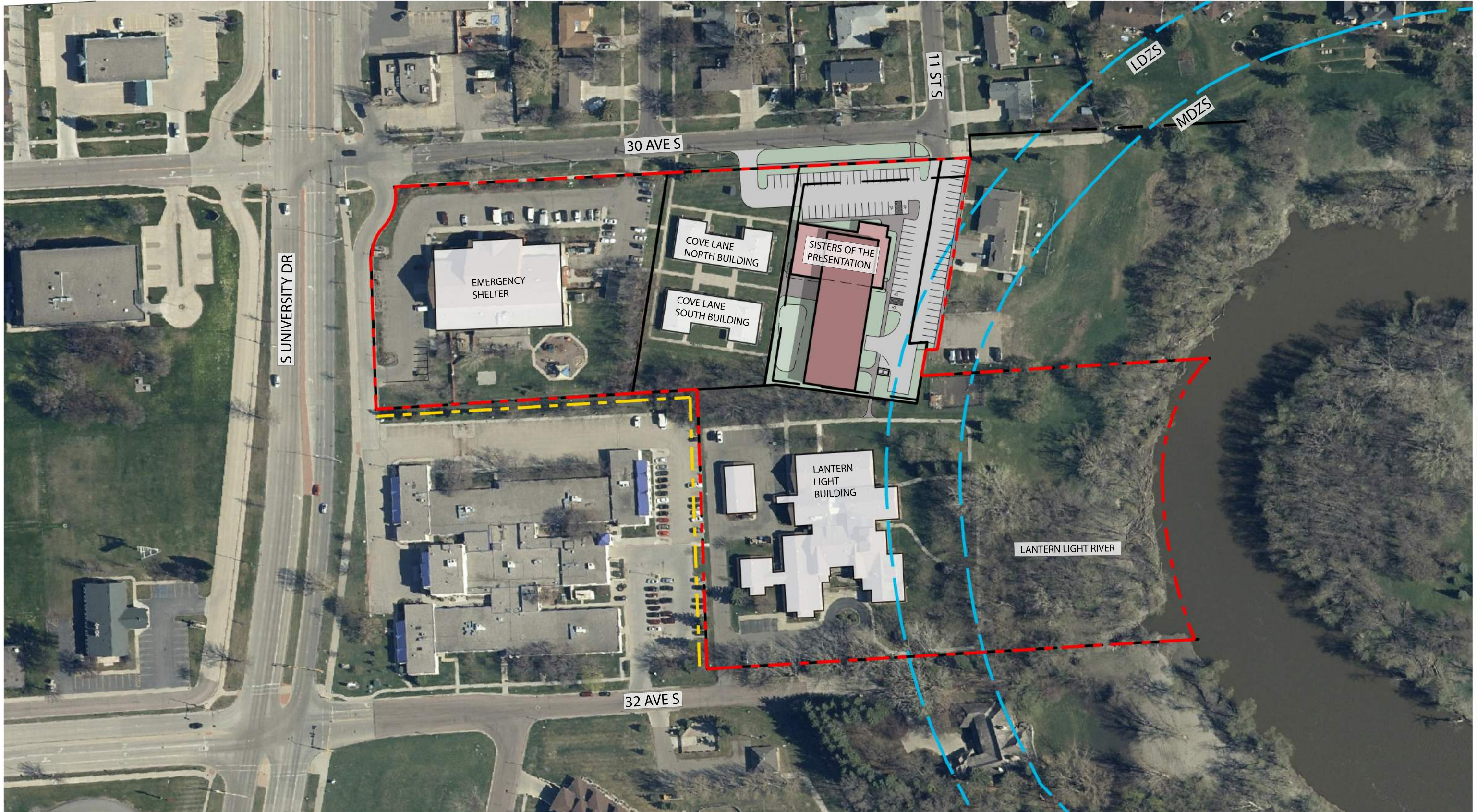
Legal Description: The West 175.00 feet of Lot 2, Block 1, Presentation Addition to the City of Fargo, Cass County, North Dakota, as measured perpendicular to the westerly line of said Lot 2.

Said Tract contains 1.21 acres, more or less, and is subject to easements as may be of record.

Lot 4 – Sisters of the Presentation

Legal Description: Lot 2, Block 1, less the West 175.00 feet, Presentation Addition to the City of Fargo, Cass County, North Dakota, as measured perpendicular to the westerly line of said Lot 2.

Said Tract contains 1.39 acres, more or less, and is subject to easements as may be of record.



S UNIVERSITY DR

30 AVE S

11 ST S

LDZS

MDZS

EMERGENCY SHELTER

COVE LANE NORTH BUILDING

SISTERS OF THE PRESENTATION

COVE LANE SOUTH BUILDING

LANERN LIGHT BUILDING

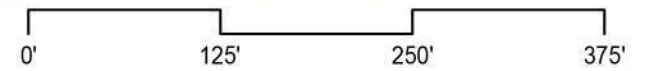
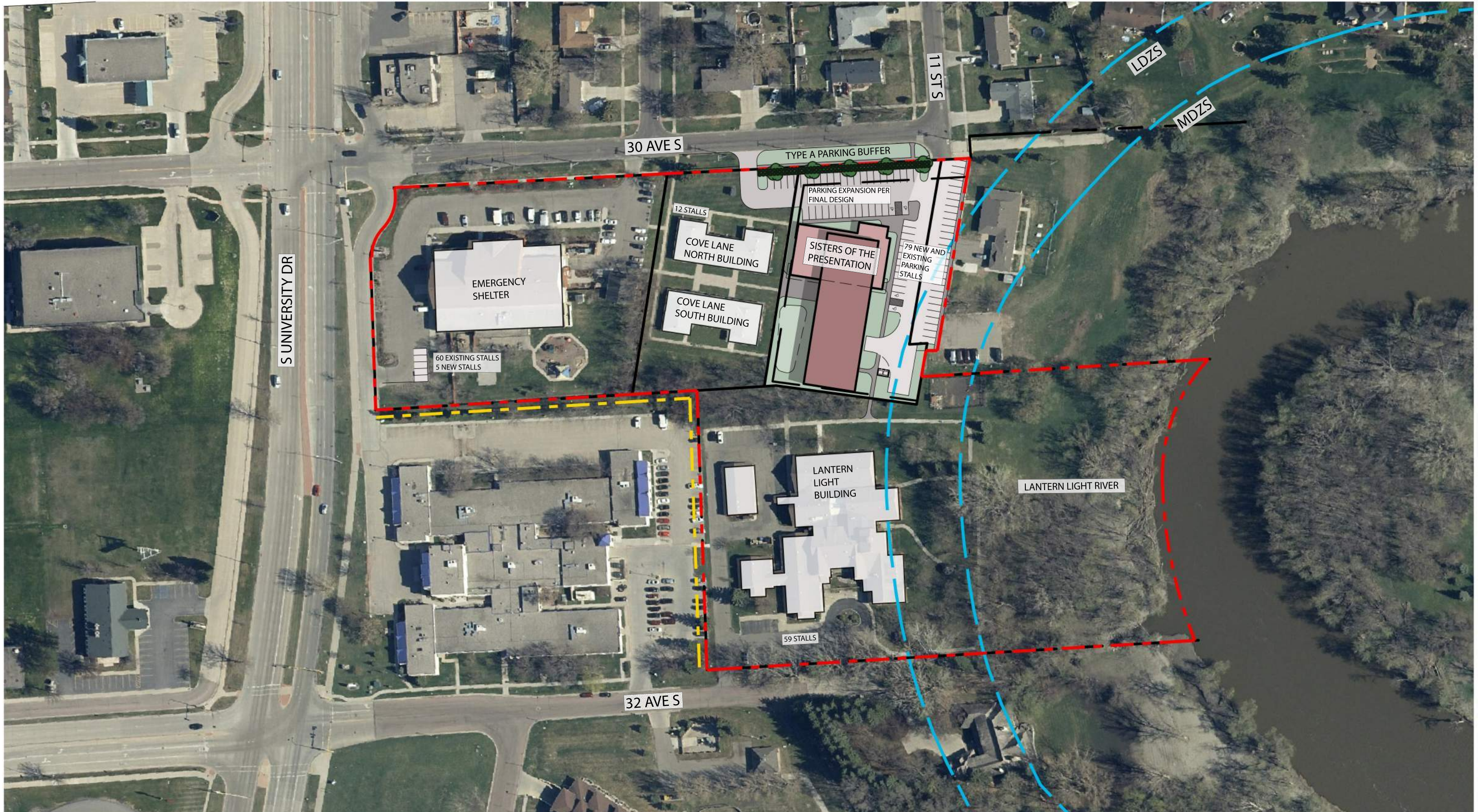
LANERN LIGHT RIVER

32 AVE S

0' 125' 250' 375'



YWCA IMP
Campus Site Plan
1" = 125'-0" June 19, 2024





CAMPUS PLANTINGS INVENTORY

EMERGENCY SHELTER:
 LARGE, MATURE DECIDUOUS TREE - 31
 SMALL, MATURE DECIDUOUS TREE - 5
 LARGE, MATURE EVERGREEN TREE - 3
 SMALL, MATURE EVERGREEN TREE - 0
 MATURE SHRUB - 136





COVE LANE:
 LARGE, MATURE DECIDUOUS TREE - 13
 SMALL, MATURE DECIDUOUS TREE - 9
 LARGE, MATURE EVERGREEN TREE - 4
 SMALL, MATURE EVERGREEN TREE - 6
 MATURE SHRUB - 5

SISTERS OF THE PRESENTATION:
 LARGE, MATURE DECIDUOUS TREE - 6
 SMALL, MATURE DECIDUOUS TREE - 12
 LARGE, MATURE EVERGREEN TREE - 0
 SMALL, MATURE EVERGREEN TREE - 1
 MATURE SHRUB - 15

LANERN LIGHT:
 LARGE, MATURE DECIDUOUS TREE - 40
 SMALL, MATURE DECIDUOUS TREE - 3
 LARGE, MATURE EVERGREEN TREE - 12
 SMALL, MATURE EVERGREEN TREE - 0
 MATURE SHRUB - 9

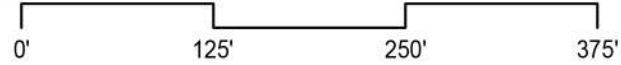
RIVERFRONT LOT:
 LARGE, MATURE DECIDUOUS TREE - 647
 LARGE, MATURE EVERGREEN TREE - 9

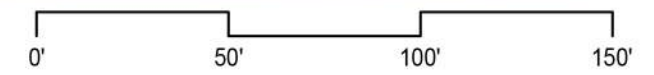
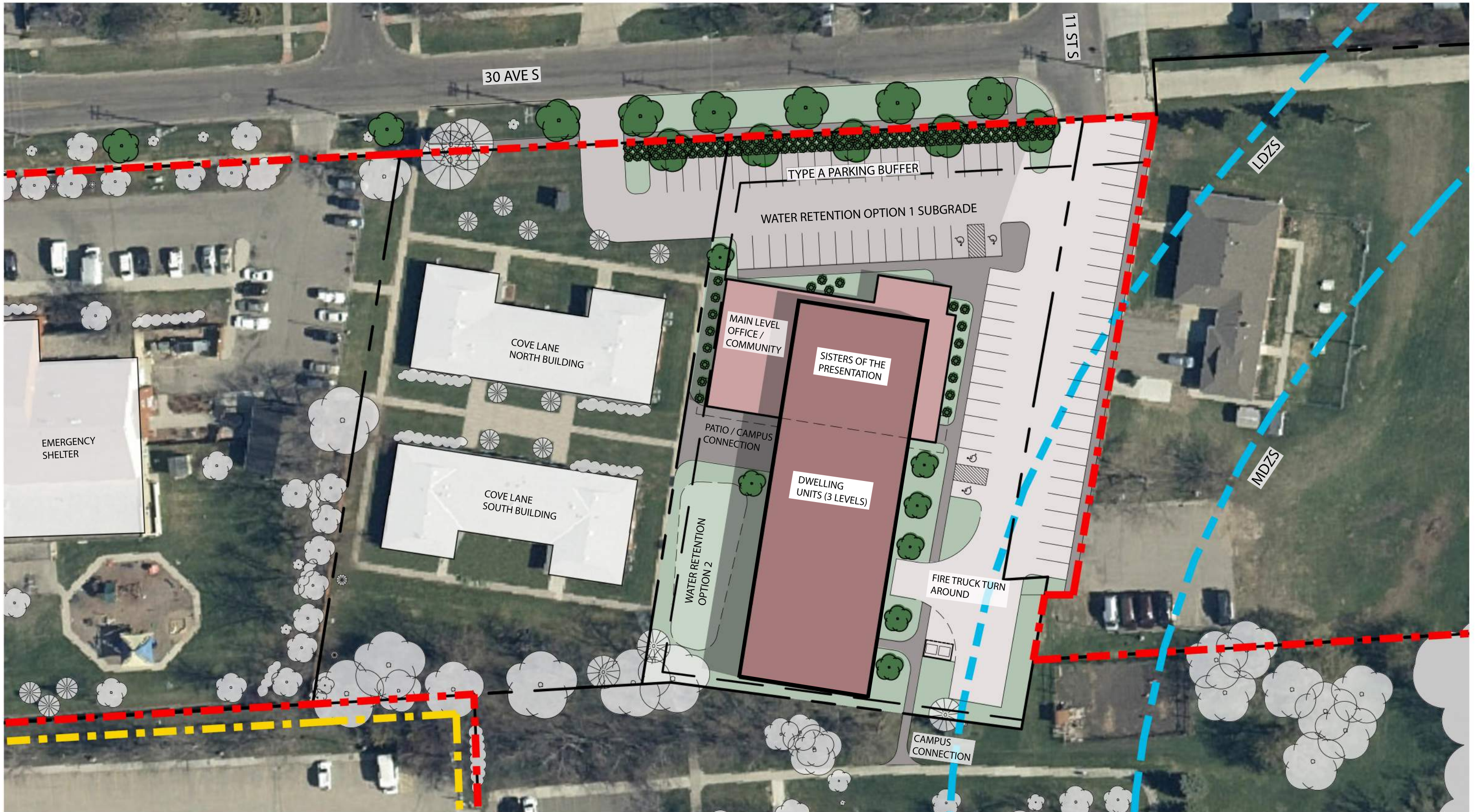
PLANTINGS KEY

NEW PLANTINGS -  
 EXISTING PLANTINGS -  

CAMPUS PLANT UNITS

LARGE, MATURE DECIDUOUS TREE - 7,370
 SMALL, MATURE DECIDUOUS TREE - 145
 LARGE, MATURE EVERGREEN TREE - 280
 SMALL, MATURE EVERGREEN TREE - 35
 MATURE SHRUB - 165
 OVERALL POINTS - 7,995





INSTITUTIONAL MASTER PLAN

YWCA

PARKING NARRATIVE

Subject Property: YWCA

YWCA Cass Clay owns or will own the following:

Lot 1A – Lantern Light (Building)

1101 32 Ave S, Fargo

Lot 1B – Lantern Light (River)

1001 32 Ave S, Fargo

Lot 2 – YWCA Emergency Shelter

3000 S University Drive, Fargo

Lot 3 – Cove Lane

1120 & 3014 30 Ave S, Fargo

Lot 4 – Sisters of the Presentation

3001 11 St S, Fargo

The parking description and details provided below is intended to support the analysis provided in the Institution Master Plan – YWCA.

PARKING & LOADING (SECTION 20 – 0701)

The YWCA responds to the growing needs of our community for shelter, housing, and supportive services to women and children facing homelessness as a result of domestic violence and/or poverty.

Related to the specific services provided, the actual parking utilization for the YWCA families is considerably less than a market-rate apartment. Typically, not all families have a vehicle and services provided to residents do not entail large groups of visitors.

In the analysis for this IMP, multiple parking options were considered to provide reasonable site parking serving both the needs of the YWCA and the requirements of the City of Fargo. Please reference the descriptions and charts below.

Parking Stalls Required by the Land Development Code

A reference point in determining parking requirements is the Land Development Code (LDC), demonstrated in the chart below. The number of stalls required by the LDC exceeds the needs of the YWCA. Please reference the description of services above and actual usage information below.

Parking Stalls Required by Land Development Code												
	Lantern Light		Lantern Light		Emergency Shelter		Cove Lane		Cove Lane		YWCA	
	Building	Total	River	Total	Total	Total	South Building	Total	North Building	Total	New Building	Total
Sleeping Units	0	0	0	0	5,303 SF / 100	54	0	0	0	0	0	0
Apartment Units	23 X 2.25	52	0	0	2 X 2.25	5	6 X 2.25	14	6 X 2.25	14	32 X 2.25	72
Office SF	7,547 SF / 300	26	0	0	6,832 SF / 300	23	0	0	0	0	500 SF / 300	2
Childcare SF	0	0	0	0	2,120 SF / 300	8	0	0	0	0	0	0
Community Space	0	0	0	0	1,430 SF / 300	5	0	0	0	0	10,000 SF / 300	34
Subtotal		78		0		95		14		14		108
TOTAL												309

Parking Stalls Required by the ITE

In review of the ITE, we found that there were no specific studies related to shelters or low-income housing. We chose to report and design based on actual usage numbers in comparison to the LDC.

Parking Stalls Required by Actual Usage

The Emergency Shelter has been in operation at the current location for 20 years and provides a reliable reference point for parking needs and utilization. The parking lot was designed to meet projected usage. During the 20-year time, parking lot usage has been observed and the number of stalls provided exceeds actual use. The lot is rarely full. Times when the lot does reach capacity include special events which happen a couple of times per year. The creation of the IMP will increase the parking collaboration over the multiple sites. The utilization of parking at the Emergency Shelter is generally less than the supportive housing units as women and children may arrive without a vehicle or personal belongings.

The Lantern Light parking lot was updated in 2023. A variance was approved by the city and the parking spaces provided align again with actual usage. Observation in the last 6 months demonstrates that the Lantern Light parking lot is also rarely full. An identical parking metric was used at another YWCA facility in a neighboring community and usage is similar to Lantern Light in that the parking lot is rarely full.

The metrics used to quantify actual usage are:

Sleeping Units and Apartment Units – 1 parking space per unit

Families requiring a Sleeping Unit or Apartment Unit are typically comprised of a mom and her children. Many of these families do not have a car. Designing for 1 parking space per unit, exceeds the actual usage.

Office and Childcare Staff – 1 parking space per employee at highest shift

Staff counts and shifts are specific, known and planned for each facility.

Supporting Services Spaces – 1 parking space per 300 square feet

As noted above, services to support residents do not involve many guests. The metric chosen here aligns with the LDC and exceeds the actual usage.

Parking Stalls Required by Actual Usage												
	Lot 1A		Lot 1B		Lot 2		Lot 3		Lot 3		Lot 4	
	Lantern Light Building	Total	Lantern Light River	Total	Emergency Shelter	Total	Cove Lane South Building	Total	Cove Lane North Building	Total	New Building	Total
Sleeping Units	0	0	0	0	31 X 1	31	0	0	0	0	0	0
Apartment Units	23 X 1	23	0	0	2 X 1	2	6 X 1	6	6 X 1	6	36 X 1	36
Office Staff	10	10	0	0	10	10	0	0	0	0	2	2
Childcare Staff	0	0	0	0	4	4	0	0	0	0	0	0
Supporting Services	12	12	0	0	12	12	0	0	0	0	34	34
Subtotal		45		0		59		6		6		72
TOTAL												188

Parking Stalls Provided

The chart below illustrates the parking stalls provided in the IMP. Please note that while actual usage metrics have been used to determine the need, efforts have been made to maximize parking on site. The parking stalls provided meet or exceed the actual usage. This allows the YWCA some flexibility in growth and site collaboration for a rare special event requiring parking on site.

Parking Stalls Provided												
	Lot 1A		Lot 1B		Lot 2		Lot 3		Lot 3		Lot 4	
	Lantern Light Building	Total	Lantern Light River	Total	Emergency Shelter	Total	Cove Lane South Building	Total	Cove Lane North Building	Total	New Building	Total
		59		0		65		6		6		79
Subtotal		59		0		65		6		6		79
TOTAL												215

Summary

In summary, the parking stalls presented in the IMP meet or exceed the actual usage metrics as defined above. Parking is dispersed evenly across the campus according to individual building needs and sidewalk connection is provided throughout. The goal is to support the YWCA in responding to a community need in respect of the City's parking requirements.




City of Fargo Staff Report			
Title:	Harwood's Fourth Addition	Date:	06/27/2024
Location:	806 7 th Street North	Staff Contact:	Donald Kress, current planning coordinator
Legal Description:	Portions of Lots 2 and 3, Block 13, Harwood's Second Addition		
Owner(s)/Applicant:	ProCore Development, LLC / Brandon Raboin	Engineer:	Neset Land Surveys
Entitlements Requested:	Minor Subdivision (Replat of portions of Lots 2 and 3, Block 13, Harwood's Second Addition, to the City of Fargo, Cass County, North Dakota); Zoning Change from MR-3, Multi-Dwelling Residential to SR-5, Single Dwelling Residential for the proposed Harwood's Fourth Addition		
Status:	Planning Commission Public Hearing: July 2 nd , 2024		

Existing	Proposed
Land Use: Residential, currently vacant	Land Use: Residential, proposed twinhome
Zoning: MR-3	Zoning: SR-5
Uses Allowed: Allows detached houses, attached houses, duplexes, multi-dwelling structures, group living, daycare centers up to 12 children or adults, parks and open areas, religious institutions, safety services, schools, and basic utilities.	Uses Allowed: Allows detached houses, attached houses and duplexes, daycare centers, parks and open space, religious institutions, safety services and basic utilities.
Maximum Density Allowed: 24 dwelling units per acre	Maximum Density Allowed: 14.5 dwelling units per acre

Proposal:
<p>The applicant requests two entitlements:</p> <ol style="list-style-type: none"> 1. A minor subdivision, to be known as Harwood's Fourth Addition, replat of portions of Lots 2 and 3, Block 13, Harwood's Second Addition, to the City of Fargo, Cass County, North Dakota 2. A zoning change from MR-3, Multi-Dwelling Residential to SR-5, Single Dwelling Residential for the proposed Harwood's Fourth 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: MR-3 with residential uses • East: DMU, Downtown Mixed Use with residential uses • South: MR-3 with residential uses • West: MR-3 with residential uses
Area Plans:
<p>The subject property is located within the Roosevelt /NDSU Neighborhood area of the Core Neighborhoods Plan. Various aspects of this neighborhood are addressed in the neighborhood implementation brief:</p> <ul style="list-style-type: none"> • The land use map in that brief identifies the current land uses but also identifies some opportunities for change. The subject property is identified as "Multi-Family Residential."

- The brief identifies this block as being in “average” condition, which the plan states is “a sign that active ownership is missing and that visible disinvestment is not far behind (p.155).”
- The brief identifies this block as one where reinvestment is “likely to bolster confidence and stimulate similar investment by other owners (p 163).” The developer demolished the residence that was there, due to its functional obsolescence, and is proposing to make the investment to build a new residence, thus making available the opportunity for active ownership.
- The brief does not include specific site design or building design standards. The project site is not in a designated historic neighborhood. However, the design of future buildings should be conscious of the neighborhood character.



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

Context:

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

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

Parks: Horace Mann Park, located at 1025 3rd Street North, is approximately 0.46 mile east of the subject property and provides amenities of basketball court; multipurpose field; outdoor skating rinks; picnic table; playground, ages 5-12; warming houses

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

MATBUS Route: A stop for MATBUS Route 11 is located at the intersection of 8th Avenue North and Broadway, approximately one block from the subject property. This route connects the downtown transit hub with north Fargo east of Broadway.

Staff Analysis:

The plat divides one existing lot into two lots and rezones the entire property from MR-3, Multi-Dwelling Residential to SR-5, Single Dwelling Residential. The applicant proposes to build a twinhome; each side of the twinhome will be on its own lot. Access will be by driveways to 7th Street North. There is no alley access to this property as there is to the rest of the properties north along this block.

NEIGHBORHOOD MEETING: As this project includes a zone change, a neighborhood meeting was held at City Hall on Tuesday, July 25th, 2024. Attendees included the developer, Roosevelt Neighborhood Association president, and Planning Department staff. The history of the project site, design of the proposed twinhome, and the developer's other recent projects in the area were discussed. There were no other attendees.

Zoning

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

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

Staff is unaware of any error in the zoning map as it relates to this property. The property is currently zoned MR-3, Multi-Dwelling Residential. The lot is currently vacant. The residential structure that was on it was demolished in late 2023. The developer intends to create two lots on this property in order to build a twinhome; each side of the twinhome will be on its own lot. The SR-5 zoning is necessary to be able to create to single-dwelling lots on this property. **(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 fronts on an existing public right-of-way. **(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 public inquiries or comments, other than the meeting with the Roosevelt Neighborhood president noted above. Staff finds that the approval of the zoning change will not adversely affect the condition or value of the property in the vicinity. **(Criteria satisfied)**

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

The LDC states "This Land Development Code is intended to implement Fargo's Comprehensive Plan and related policies in a manner that protects the health, safety, and general welfare of the citizens of Fargo." The Growth Plan that applies to this property is the Roosevelt /NDSU Neighborhood area of the Core Neighborhoods Plan. The proposed development is consistent with the recommendations of the neighborhood implementation brief. **(Criteria satisfied)**

(continued on next page)

Minor Subdivision

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

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

The requested minor subdivision divides one existing lot two lots. The current zoning is MR-3, Multi-Dwelling Residential. The proposed zoning is SR-5, Single-Dwelling Residential. The subject property is located within the Roosevelt /NDSU Neighborhood area of the Core Neighborhoods Plan. The proposed development is consistent with the recommendations of the neighborhood implementation brief. 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 public inquiries or comments, other than the meeting with the Roosevelt Neighborhood president noted above. Staff has reviewed this request and finds that this application complies with standards of Article 20-06 and all applicable requirements of the Land Development Code. **(Criteria Satisfied)**

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

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

Staff Recommendation:

Suggested Motion: "To accept the findings and recommendations of staff and move to recommend approval to the City Commission of the proposed 1) Zoning Change from MR-3, Multi-Dwelling Residential to SR-5, Single-Dwelling Residential, and 2) a plat of the **Harwood's Fourth Addition**, as presented, as the proposal complies with the adopted Roosevelt /NDSU Neighborhood area of the Core Neighborhoods Plan, 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

Planning Commission Recommendation: July 2nd, 2024

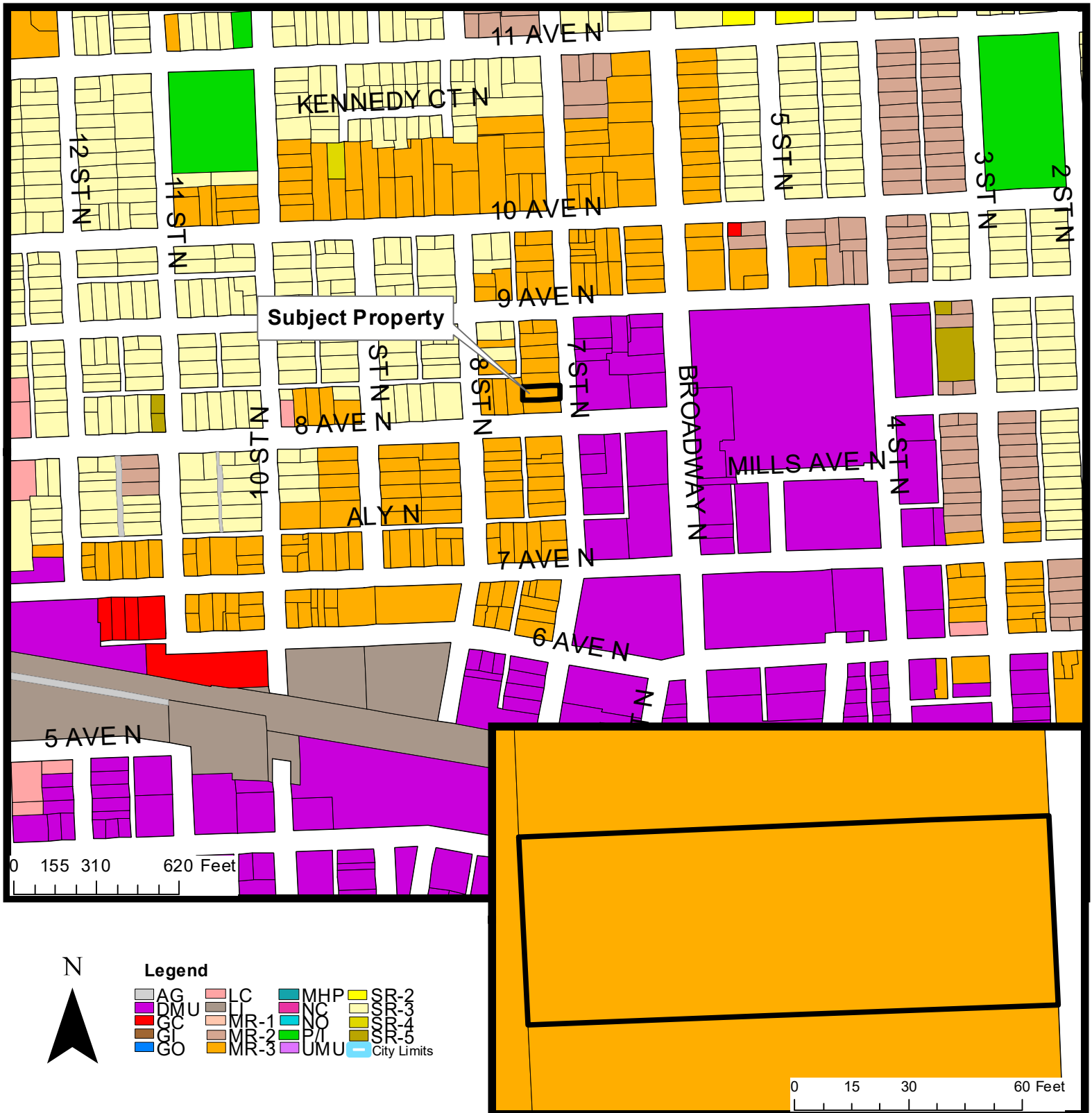
Attachments:

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

Minor Subdivision & Zone Change from MR-3, Multi-Dwelling Residential to SR-5, Single-Dwelling Residential

Harwood's Fourth Addition

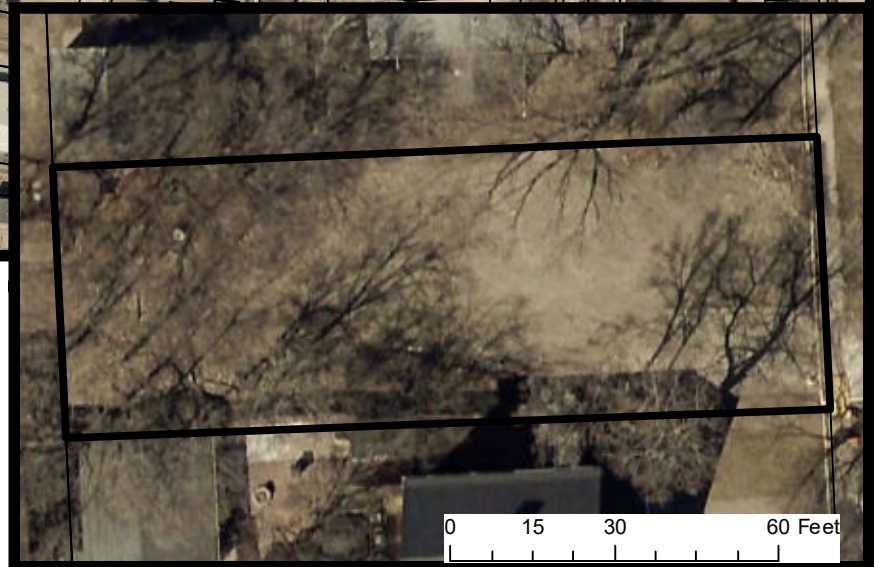
806 7th Street North



Minor Subdivision & Zone Change from MR-3, Multi-Dwelling Residential to SR-5, Single-Dwelling Residential

Harwood's Fourth Addition

806 7th Street North



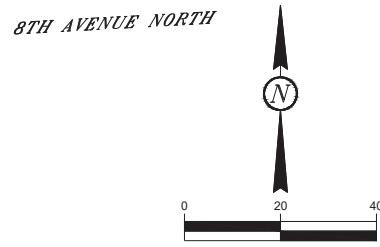
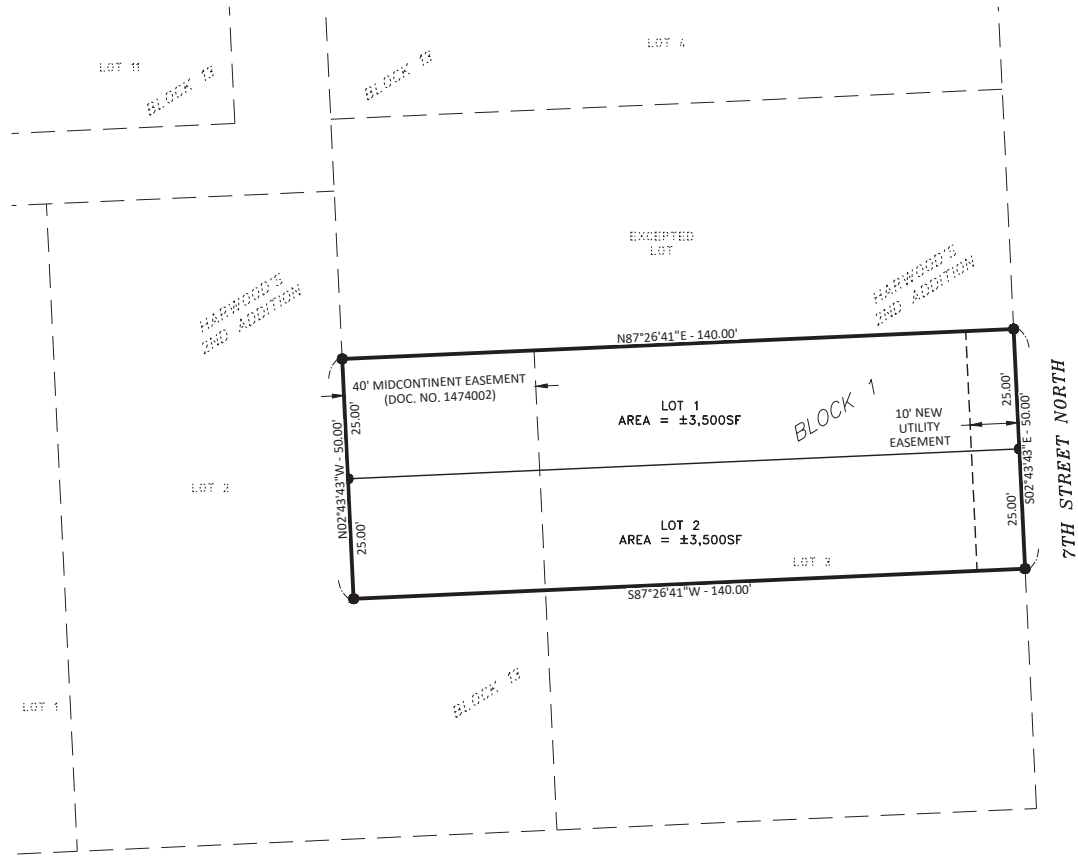
Legend

 City Limits

HARWOOD'S FOURTH ADDITION

A MINOR SUBDIVISION

PARTS OF LOTS 2 AND 3, BLOCK 13, OF HARWOOD'S SECOND ADDITION TO THE CITY OF FARGO, COUNTY OF CASS, STATE OF NORTH DAKOTA

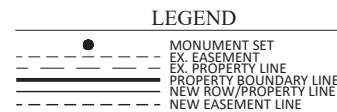


SURVEY INFORMATION

DATE OF SURVEY: 06/20/2024
BASIS OF BEARING: CITY OF FARGO GROUND
COORDINATE SYSTEM, DECEMBER 1992
VERTICAL DATUM: NAVD88

NOTES

- ALL DISTANCES ARE GROUND DISTANCES.
- PROPERTY IS SITUATED IN ZONE X (AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE AS DEPICTED ON FEMA FIRM PANEL 38017C0593G, DATED JANUARY 16, 2015.
- BASE FLOOD ELEVATION (BFE) = 899.30'



OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS, THAT FM PROPERTY PROS LLC, IS THE OWNER OF PARTS OF LOTS 2 AND 3, BLOCK 13, OF HARWOOD'S SECOND ADDITION, TO THE CITY OF FARGO, COUNTY OF CASS, STATE OF NORTH DAKOTA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH FIFTY FEET OF THE EAST FORTY FEET OF LOT TWO AND THE NORTH HALF OF LOT THREE, IN BLOCK THIRTEEN, OF HARWOOD'S SECOND ADDITION TO THE CITY OF FARGO, SITUATE IN THE COUNTY OF CASS AND THE STATE OF NORTH DAKOTA.

SAID OWNER HAS CAUSED THE ABOVE DESCRIBED TRACT OF LAND SHOWN ON THIS PLAT TO BE SURVEYED AND PLATTED AS HARWOOD'S FOURTH ADDITION TO THE CITY OF FARGO, COUNTY OF CASS, STATE OF NORTH DAKOTA. SAID OWNER ALSO HEREBY DEDICATES AND CONVEYS THE THE PUBLIC, FOR PUBLIC USE, THE UTILITY EASEMENT SHOWN ON SAID PLAT. SAID HARWOOD'S 4TH ADDITION, CONSISTS OF 2 LOTS AND 1 BLOCK, AND CONTAINS 7,000 SQUARE FEET, MORE OR LESS, TOGETHER WITH EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

BRANDON RABOIN
PRESIDENT
FM PROPERTY PROS LLC

STATE OF _____)
COUNTY OF _____)SS

ON THIS _____ DAY OF _____, 2024, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED BRANDON RABOIN PRESIDENT OF FM PROPERTY PROS LLC, TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT HE EXECUTED SAME AS THEIR FREE ACT AND DEED.

NOTARY PUBLIC, COUNTY: _____ STATE: _____

MY COMMISSION EXPIRES: _____

SURVEYOR'S CERTIFICATE

I, COLE A. NESET, REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NORTH DAKOTA, DO HEREBY CERTIFY THAT I HAVE SURVEYED AND PLATTED THE PROPERTY DESCRIBED ON THIS PLAT AS HARWOOD'S 4TH ADDITION; THAT THIS PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY; THAT ALL DISTANCES ARE SHOWN CORRECTLY ON SAID PLAT IN FEET AND HUNDREDTHS OF A FOOT; THAT ALL MONUMENTS ARE OR WILL BE INSTALLED CORRECTLY IN THE GROUND AS SHOWN; AND THAT THE EXTERIOR BOUNDARY LINES ARE CORRECTLY DESIGNATED. DATED THIS _____ DAY OF _____, 2024.

COLE A. NESET,
REGISTERED LAND SURVEYOR
LS-7513

STATE OF _____)
COUNTY OF _____)SS

ON THIS _____ DAY OF _____, 2024, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED COLE A. NESET, TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED SAME AS THEIR FREE ACT AND DEED.

NOTARY PUBLIC, COUNTY: _____ STATE: _____

MY COMMISSION EXPIRES: _____

CITY ENGINEER'S APPROVAL

THIS PLAT IN THE CITY OF FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 2024.

TOM KNAKMUHS, P.E., CITY ENGINEER

STATE OF _____)
COUNTY OF _____)SS

ON THIS _____ DAY OF _____, 2024, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED TOM KNAKMUHS, P.E., TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED SAME AS THEIR FREE ACT AND DEED.

NOTARY PUBLIC, COUNTY: _____ STATE: _____

MY COMMISSION EXPIRES: _____

CITY COMMISSION APPROVAL

THIS PLAT IN THE CITY OF FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 2024.

TIMOTHY J. MAHONEY, MAYOR

STEVE SPRAGUE, CITY AUDITOR

STATE OF _____)
COUNTY OF _____)SS

ON THIS _____ DAY OF _____, 2024, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED TIMOTHY J. MAHONEY & STEVE SPRAGUE, TO ME KNOWN TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED SAME AS THEIR FREE ACT AND DEED.

NOTARY PUBLIC, COUNTY: _____ CASS STATE: _____ NORTH DAKOTA

MY COMMISSION EXPIRES: _____

FARGO PLANNING COMMISSION APPROVAL

APPROVED BY THE CITY OF FARGO PLANNING COMMISSION THIS _____ DAY OF _____, 2024.

ROCKY SCHNEIDER, CHAIR
FARGO PLANNING COMMISSION

STATE OF _____)
COUNTY OF _____)SS

ON THIS _____ DAY OF _____, 2024, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED ROCKY SCHNEIDER, TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED SAME AS THEIR FREE ACT AND DEED.

NOTARY PUBLIC, COUNTY: _____ STATE: _____

MY COMMISSION EXPIRES: _____



City of Fargo Staff Report			
Title:	College Third Addition	Date:	06/26/2024
Location:	1038 25th Street North	Staff Contact:	Donald Kress, current planning coordinator
Legal Description:	Portion of Lot 1 and all of Lots 2 and 3, Block 16, College 2nd Addition		
Owner(s)/Applicant:	Aomeed Rasool Murad / Cole Neset	Engineer:	Neset Land Surveys
Entitlements Requested:	Minor Subdivision (Replat of a portion of Lot 1 and all of Lots 2 and 3, Block 16, College 2nd Addition, to the City of Fargo, Cass County, North Dakota)		
Status:	Planning Commission Public Hearing: July 2 nd , 2024		

Existing	Proposed
Land Use: Residential	Land Use: Residential
Zoning: SR-3	Zoning: No change
Uses Allowed: Allows detached houses, daycare centers up to 12 children, attached houses, duplexes, parks and open space, religious institutions, safety services, schools, and basic utilities	Uses Allowed: No change
Maximum Density Allowed: 8.7 dwelling unit per acre	Maximum Density Allowed: No change

Proposal:

The applicant requests one entitlement:

1. A **minor subdivision**, to be known as College Third Addition, replat of a portion of Lot 1 and all of Lots 2 and 3, Block 16, College 2nd 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.

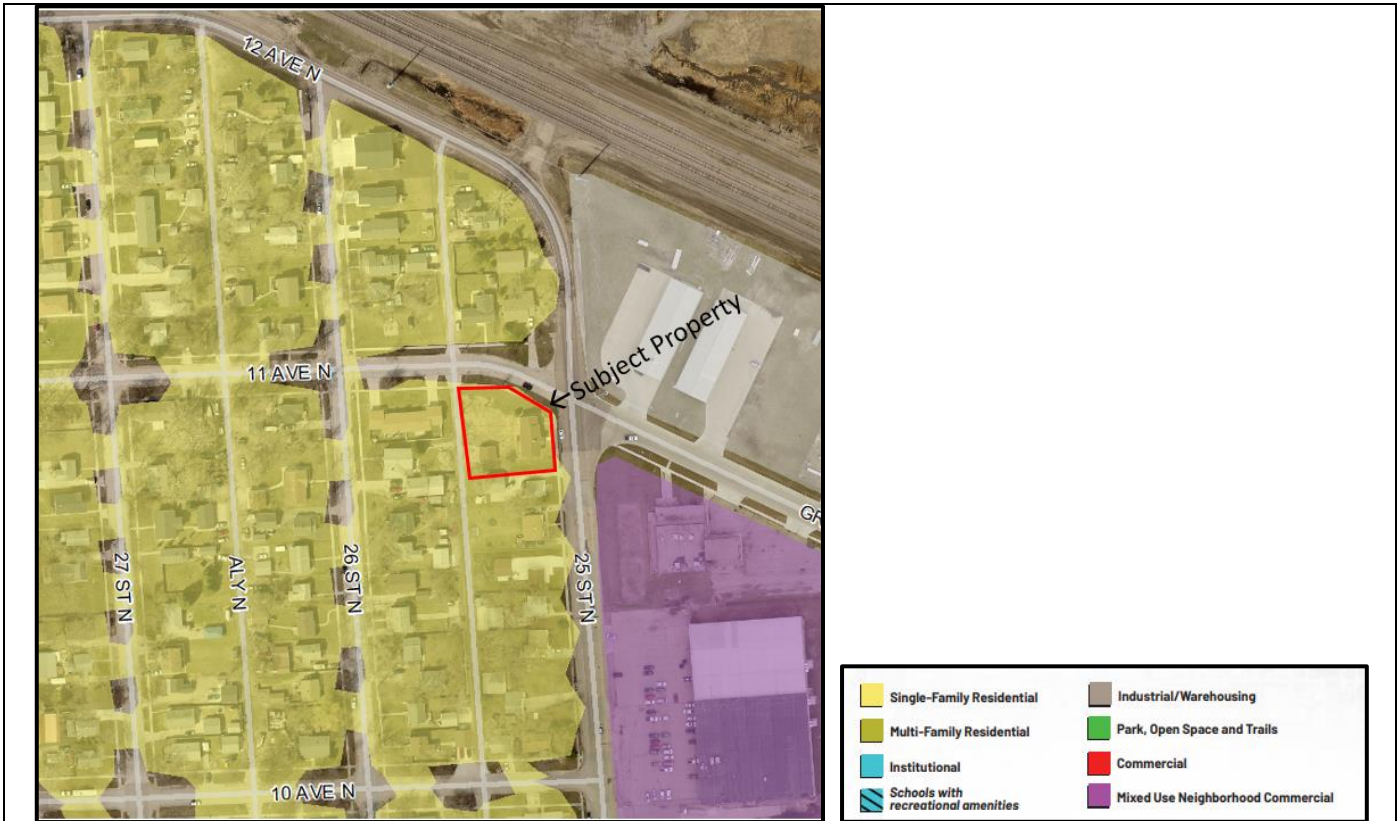
Surrounding Land Uses and Zoning Districts:

- North: SR-3 with residential uses
- East: LI, Limited Industrial; with industrial uses (north of 11th Avenue) and GC, General Commercial with commercial uses (south of 11th Avenue)
- South: SR-3 with residential uses
- West: SR-3 with residential uses

Area Plans:

The subject property is located within the Madison / Unicorn Park Neighborhood area of the Core Neighborhoods Plan. Various aspects of this neighborhood are addressed in the neighborhood implementation brief:

- The land use map in that brief identifies the current land uses but also identifies some opportunities for change. The subject property is identified as “Single-Family Residential.”
- The brief recommends that the area that includes the subject property—the area around Madison Elementary School--be allowed to preserve its single-family character (p.146). The proposed subdivision would create a second lot zoned for single-family development.



Context:

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

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

Parks: 123 Park, located at 925 27th Street North, is approximately 0.14 mile southwest of the subject property and provides amenities of picnic table and playground for ages 2-5

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

MATBUS Route: A stop for MATBUS Route 17 is located near the intersection of 26th Street and 12th Avenue North, approximately 0.15 miles from the subject property. This route connects to the downtown transit hub.

Staff Analysis:

The plat will divide the subject property into two lots. The existing residence and garage will remain on proposed Lot 1. The applicant intends to construct a new residence on Lot 2. Both lots will meet the 5,000 square foot minimum lot area requirement of the SR-3 zone.

ACCESS: As 25th Street North is an arterial, no direct access can be taken from this street. The plat depicts a negative access easement (NAE) along the 25th Street property frontage to indicate that access from 25th Street is prohibited. The plat also depicts an NAE along the diagonal property frontage along 11th Avenue North. Lot 1 will take access from the alley, as the current residence does. Lot 2 would be able to take access from 11th Avenue.

PUBLIC COMMENT: Following notification of the Madison / Unicorn Park Neighborhood representatives, Planning staff received comments from a neighbor about the subject property being used as a rental property; disruptive behavior by the tenants of this property; and stating opposition to the property owner creating a second lot on this property. Planning staff referred this neighbor to the

code enforcement staff, and continued contact with the neighbor. The applicant provided a response e-mail to these concerns. Copies of these e-mails is attached.

Planning staff also received a phone call from another neighbor who opposed the project. The neighbor had similar comments to those noted above, and expressed the concern that a second residence here would also be used a rental that could be disruptive to the neighborhood.

Minor Subdivision

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

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

The requested minor subdivision divides an existing lot into a two lot, one block subdivision for residential development. The current zoning is SR-3, Single Dwelling Residential. No zone change is proposed. The subject property is located within Madison / Unicorn Park Neighborhood area of the Core Neighborhoods Plan. The proposed development is consistent with recommendations of the neighborhood implementation brief. In accordance with Section 20-0901.F of the LDC, notices of the proposed plat have been sent out to property owners within 300 feet of the subject property. To date, staff has received the comments noted above and attached. Staff has reviewed this request and finds that this application complies with standards of Article 20-06 and all applicable requirements of the Land Development Code. **(Criteria Satisfied)**

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

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

Staff Recommendation:

Suggested Motion: "To accept the findings and recommendations of staff and hereby recommend approval to the City Commission of the proposed subdivision plat, **College Third Addition** as outlined within the staff report, as the proposal complies with the adopted Madison / Unicorn Park Neighborhood area of the Core Neighborhoods Plan, the standards of Article 20-06, Section 20-0907.B. and C and all other applicable requirements of the Land Development Code."

Planning Commission Recommendation: July 2nd, 2024

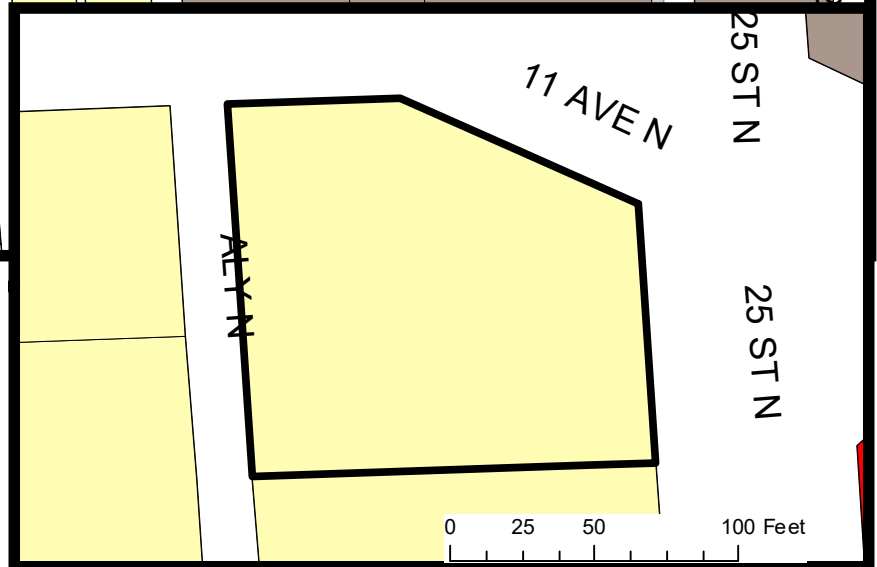
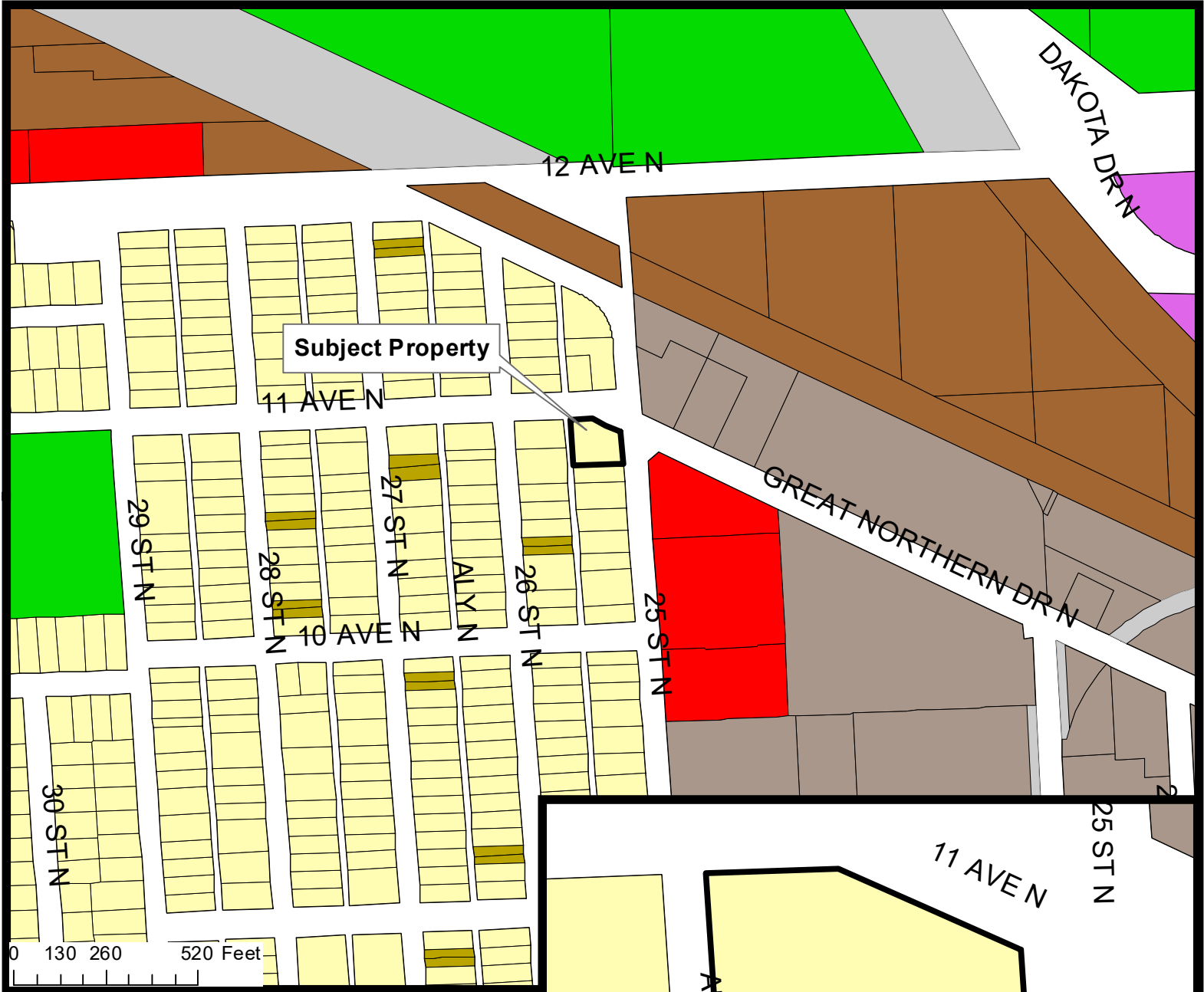
Attachments:

1. Zoning Map
2. Location Map
3. Preliminary Plat
4. Public Comments

Minor Subdivision

College Third Addition

1038 25th Street North



Legend

AG	DMU	GC	GO	LC	ML	MR-1	MR-2	MR-3	MHP	MNC	B/C	UMU	SR-2	SR-3	SR-4	SR-5	City Limits
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Minor Subdivision

College Third Addition

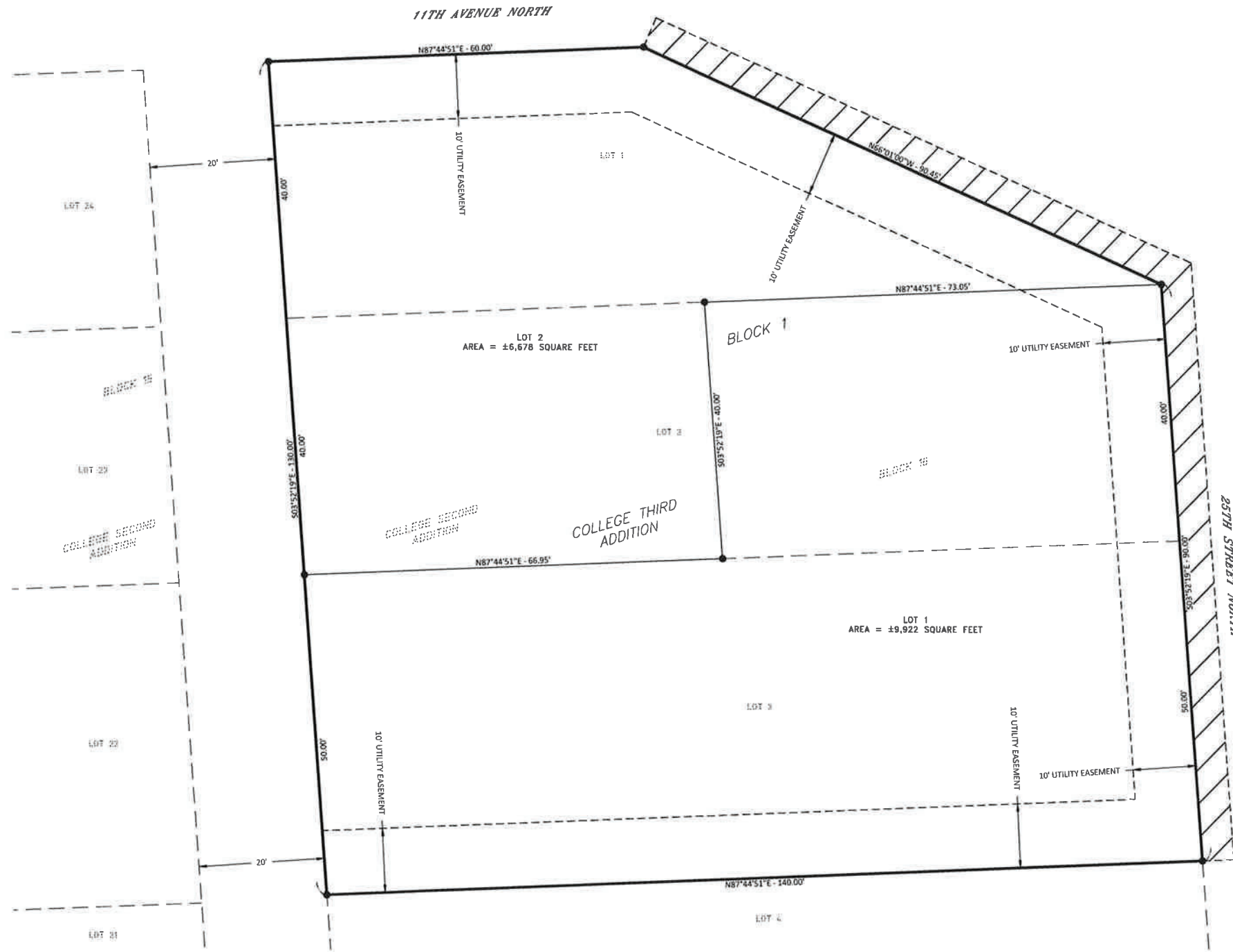
1038 25th Street North



Legend
City Limits

PLAT OF COLLEGE THIRD ADDITION

A MINOR SUBDIVISION
A REPLAT OF PART OF LOT 1, AND ALL OF LOTS 2 AND 3, BLOCK 16, OF COLLEGE SECOND ADDITION
TO THE CITY OF FARGO, COUNTY OF CASS, STATE OF NORTH DAKOTA



OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS, THAT AOMEED RASOOL MURAD IS THE OWNER OF PART OF LOT ONE, AND ALL OF LOTS 2 AND 3, BLOCK 16, OF COLLEGE SECOND ADDITION, TO THE CITY OF FARGO, COUNTY OF CASS, STATE OF NORTH DAKOTA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS ONE, TWO, AND THREE, IN BLOCK SIXTEEN, OF COLLEGE SECOND ADDITION TO THE CITY OF FARGO, SITUATE IN THE COUNTY OF CASS AND THE STATE OF NORTH DAKOTA, EXCEPTING THEREFROM THAT PART OF SAID LOT ONE, DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT THE NORTHEAST CORNER OF LOT ONE, BLOCK SIXTEEN, COLLEGE SECOND ADDITION; THENCE SOUTH ALONG THE WEST RIGHT OF WAY LINE OF 25TH STREET NORTH FOR A DISTANCE OF 40.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT; THENCE NORTHWESTERLY TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF 11TH AVENUE NORTH BEING 80.00 FEET WEST OF THE POINT OF BEGINNING; THENCE EAST 80.00 FEET EAST TO THE POINT OF BEGINNING.

SAID OWNER HAS CAUSED THE ABOVE DESCRIBED TRACT OF LAND SHOWN ON THIS PLAT TO BE SURVEYED AND PLATTED AS COLLEGE THIRD ADDITION TO THE CITY OF FARGO, COUNTY OF CASS, STATE OF NORTH DAKOTA. SAID OWNER ALSO HEREBY DEDICATES AND CONVEYS TO THE PUBLIC, FOR PUBLIC USE, ALL STREET RIGHT OF WAYS, UTILITY EASEMENTS AND NEGATIVE ACCESS EASEMENTS SHOWN ON SAID PLAT. SAID TRACT OF LAND CONSISTS OF 2 LOTS AND 1 BLOCK, AND CONTAINS ±16,600 SQ. FT. OR ±0.38 ACRES, MORE OR LESS, TOGETHER WITH EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

THE ABOVE LEGAL DESCRIPTION IS REFERENCED FROM WARRANTY DEED DOCUMENT NO. 1583101.

AOMEED RASOOL MURAD
OWNER OF PART OF LOT 1, AND ALL OF LOTS 2 AND 3, BLOCK 16

STATE OF _____ }
COUNTY OF _____ } SS

ON THIS _____ DAY OF _____, 2024, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED AOMEED RASOOL MURAD, TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT HE EXECUTED SAME AS THEIR FREE ACT AND DEED.

NOTARY PUBLIC, COUNTY: _____ STATE: _____

MY COMMISSION EXPIRES: _____

SURVEYOR'S CERTIFICATE

I, COLE A. NESET, REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NORTH DAKOTA, DO HEREBY CERTIFY THAT I HAVE SURVEYED AND PLATTED THE PROPERTY DESCRIBED ON THIS PLAT AS COLLEGE THIRD ADDITION; THAT THIS PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY; THAT ALL DISTANCES ARE SHOWN CORRECTLY ON SAID PLAT IN FEET AND HUNDREDTHS OF A FOOT; THAT ALL MONUMENTS ARE OR WILL BE INSTALLED CORRECTLY IN THE GROUND AS SHOWN; AND THAT THE EXTERIOR BOUNDARY LINES ARE CORRECTLY DESIGNATED. DATED THIS _____ DAY OF _____, 2024.

COLE A. NESET,
REGISTERED LAND SURVEYOR
LS-7513

STATE OF _____ }
COUNTY OF _____ } SS

ON THIS _____ DAY OF _____, 2024, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED COLE A. NESET, TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED SAME AS THEIR FREE ACT AND DEED.

NOTARY PUBLIC, COUNTY: _____ STATE: _____

MY COMMISSION EXPIRES: _____

NOTES

1. PROPERTY IS SITUATED IN ZONE X (AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE AS DEPICTED ON FEMA FIRM PANEL 38017C0589G, DATED JANUARY 16, 2015.
2. NEGATIVE ACCESS EASEMENT, AS NOTED ON THIS PLAT, IS AN EASEMENT DEDICATED AS PART OF THE RIGHT-OF-WAY DEDICATION WHICH EASEMENT DENIES DIRECT VEHICULAR ACCESS TO A STREET OR PUBLIC WAY FROM THE LOT OR LOTS ADJACENT TO SUCH STREET OR WAY. THE NEGATIVE ACCESS EASEMENT IS NOT A STRIP OF LAND OF ANY CERTAIN WIDTH, BUT IS A LINE COTERMINOUS WITH THE BOUNDARY OF ADJACENT LOT OR LOTS.
3. ALL DISTANCES ARE GROUND DISTANCES.

FOR RECORDING PURPOSES ONLY

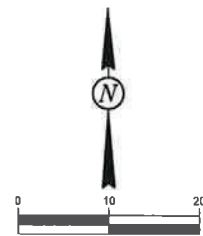
LEGEND

- MONUMENT SET
- MONUMENT FOUND
- EASEMENT
- - - PROPERTY LINE
- PROPERTY BOUNDARY LINE
- - - NEW ROW/PROPERTY LINE
- - - NEW EASEMENT LINE
- ▨ NEW NEGATIVE ACCESS EASEMENT

SURVEY INFORMATION

DATE OF SURVEY: 02/05/2024
BASIS OF BEARING: CITY OF FARGO GROUND COORDINATE SYSTEM, DECEMBER 1992
VERTICAL DATUM: NAVD88

SHEET 1 OF 2



D:\2024\12-00-21\PM - West Sherald Files\Colt Projects\2024\Projects\0202_FARGO\PROJECTS\0202_FARGO\PROPERTY SURVEY\15.15.15_Aomeed Murad\1023 22th St N, Fargo\College Third Addition.dwg

PLAT OF
COLLEGE THIRD ADDITION

A REPLAT OF PART OF LOT 1, AND ALL OF LOTS 2 AND 3, BLOCK 16, OF COLLEGE SECOND ADDITION
CITY OF FARGO, COUNTY OF CASS, STATE OF NORTH DAKOTA

CITY ENGINEER'S APPROVAL

THIS PLAT IN THE CITY OF FARGO IS HEREBY APPROVED THIS _____ DAY OF _____ 2024.

TOM KNAKMUHS, P.E., CITY ENGINEER

STATE OF _____ }
COUNTY OF _____ }SS

ON THIS _____ DAY OF _____, 2024, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED TOM KNAKMUHS, P.E., TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED SAME AS THEIR FREE ACT AND DEED.

NOTARY PUBLIC, COUNTY: _____ STATE: _____

MY COMMISSION EXPIRES: _____

CITY COMMISSION APPROVAL

THIS PLAT IN THE CITY OF FARGO IS HEREBY APPROVED THIS _____ DAY OF _____ 2024.

TIMOTHY J. MAHONEY, MAYOR

STEVE SPRAGUE, CITY AUDITOR

STATE OF NORTH DAKOTA }
COUNTY OF CASS }SS

ON THIS _____ DAY OF _____, 2024, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED TIMOTHY J. MAHONEY & STEVE SPRAGUE, TO ME KNOWN TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED SAME AS THEIR FREE ACT AND DEED.

NOTARY PUBLIC, COUNTY: CASS STATE: NORTH DAKOTA

MY COMMISSION EXPIRES: _____

FARGO PLANNING COMMISSION APPROVAL

APPROVED BY THE CITY OF FARGO PLANNING COMMISSION THIS _____ DAY OF _____ 2024.

ROCKY SCHNEIDER, CHAIRMAN
FARGO PLANNING COMMISSION

STATE OF _____ }
COUNTY OF _____ }SS

ON THIS _____ DAY OF _____, 2024, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED ROCKY SCHNEIDER, TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED SAME AS THEIR FREE ACT AND DEED.

NOTARY PUBLIC, COUNTY: _____ STATE: _____

MY COMMISSION EXPIRES: _____

MORTGAGE HOLDER

MORTGAGE HOLDER: GATE CITY BANK

BY: _____
RYAN GRUSSING, SENIOR VICE PRESIDENT, BUSINESS BANKING
GATE CITY BANK

STATE OF _____ }
COUNTY OF _____ }SS

ON THIS _____ DAY OF _____, 2024, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED RYAN GRUSSING, SENIOR VICE PRESIDENT, BUSINESS BANKING, OF GATE CITY BANK, TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT HE EXECUTED SAME AS THEIR FREE ACT AND DEED.

NOTARY PUBLIC, COUNTY: _____ STATE: _____

MY COMMISSION EXPIRES: _____

FOR RECORDING PURPOSES ONLY

D:\2024\12-54-46PM 2-Week Shared Files\Colo Project\2024_Plytech\6002_FARGO PROPERTY SURVEY\118_Annexed Murals\1028 22th St N, Fargo\College Third Addition.dwg

SHEET 2 OF 2



PUBLIC COMMENTS RECEIVED AS OF 26 JUNE 24

From: Paula Denault
Sent: Monday, June 10, 2024 4:57 PM
To: Donald Kress <dkress@FargoND.gov>
Subject: Project of adding a house 1038 25th Street North

The project on 25th Street North needs to have input from our neighbors. We have already had issues with this landlord and he doesn't care what we think.
I reside at 1122 25th Street North.
Paula Strom Sell

From: Donald Kress <dkress@FargoND.gov>
Sent: Wednesday, June 12, 2024 8:18:38 AM
To: 'Paula Denault'
Subject: RE: Project of adding a house 1038 25th Street North

Paula,

Thank you for this comment. We are working on more neighborhood outreach for this project. What are the issues you've had with this property? Thank you.

From: Paula Denault
Sent: Wednesday, June 12, 2024 9:16 AM
To: Donald Kress <dkress@FargoND.gov>
Subject: Re: Project of adding a house 1038 25th Street North

Noise, there are 7 unrelated people living there. The police were called a few weeks ago. The young men were drinking going on top of the HOUSE roof and urinating. My neighbor, Dustin called police. He also called Aomeed, abd told him what's been going over there.He didn't care! And, he was very rude.Told him that he planned on putting this project.
I live at the end of the alley, 1122 25th Street North and I can hear those tenants when they party and I live at the end of this alley.

The neighbors to the north have a 3-4 year old while the language, drinking to excess, parties are going, this little girl is trying to sleep!
There is no where for parking. 25th Street North is an emergency route from November till April. The alley has no place for parking.
The tenants already park on the grass supposedly where this new place will be built.
As a result, Dustin and his wife are talking about selling their home if this goes through. They have been our neighbors for 10 years.
This renting to college kids and landlords not taking responsibility for noise, parking, indecent behavior must stop.
Just to tell you our neighbor to the north built 2 homes separated on the property line. Steve is his name. He rents each side out for a week or less. That is a business by definition. Apparently drugs were being sold from the one unit. Well, SWAT etc arrived straight across the alley from where we were standing by our garden. SHOCKED we have never had that and drug dealers here. We've been here 33 years and rarely and I can count on one hand the time police have ever been in this area.
This area is starting to be a bad area for us
Sorry for the long complaint but you need to know how many of us are feeling

PUBLIC COMMENTS RECEIVED AS OF 26 JUNE 24

Thank you
Paula Strom Sell

From: Donald Kress <dkress@FargoND.gov>
Sent: Thursday, June 13, 2024 8:25:00 AM
To: 'Paula'
Cc: 'zabsey; 'pastorjess'
Subject: RE: Project of adding a house 1038 25th Street North

Paula,

The City has a regulation on the maximum number of unrelated people who can live in a single dwelling unit. That number is no more than three unrelated people. There are requirements for parking on-site (that is, not in the street or alley or on the lawn).

You can report a suspected violation through Fargo
One https://iframe.publicstuff.com/#?client_id=962#picker-top or contact our Code Enforcement Inspector, Laura Langdahl, at 701-476-6710 or LLangdahl@FargoND.gov

Noise, disorderly conduct, and criminal complaints are handled by the police department.

Thank you.

From: Paula Denault
Sent: Thursday, June 13, 2024 8:44 AM
To: Donald Kress <dkress@FargoND.gov>
Cc: 'zabsey; 'pastorjess'
Subject: Re: Project of adding a house 1038 25th Street North

Thank you. I will do that reporting. Helpful information as I thought it was 5 unrelated and it's 3. Parking is an issue. I will tell Mr and Mrs Schmidt and Dusty and Melissa and a few other neighbors.

Paula Strom Sell

Sent: Thursday, June 20, 2024 11:34 AM
To: Nicole Crutchfield <ncrutchfield@FargoND.gov>
Subject: Nicole Crutchfield Contact Form

Name: Paula Strom-Sell

Email:

Question/Comment: I am looking for the Planning Office that is handling the unpopular project at 1038 25th Street North. My understanding from the email I received from Donald Kress that there will be a meeting July 2 at 3 pm. myself and neighbors will be attending to voice loudly our complaints with this project.

How do we get on the Agenda? Also who do we contact.

Thank you

Paula Strom Sell

PUBLIC COMMENTS RECEIVED AS OF 26 JUNE 24

1122 25th Street North
Fargo ND

From: Paula Sell
Sent: Thursday, June 20, 2024 6:52 PM
To: Planning E-mails <planning@FargoND.gov>
Subject: Project at 1038 25th Street North

My name is Paula Strom Sell and reside at 1122 25th St N, Fargo, ND 58102. My husband and myself and children have resided at this address for 33 years. This was a great neighborhood until landlords started buying up single family homes and turned them into housing for NDSU students.

No one in the city checks on these rentals. The house 1038 25th Street North has had up to 7 unrelated people living there. Parking is almost non existent here so parking on the lawn in the rear has been common. 25th Street North is a SNOW Emergency Route starting in November through April. The rear of 1038 25th has a small alley. No parking! The garage and small driveway in the back, which will remain, leaves parking a serious issue. Parking on 11th Ave has homes and driveways which could be blocked and during winter how do the snowplows clear the Avenue?

Next is the noise, drinking, climbing on the roof and urinating (indecent exposure) and endangering lives there. Also these young people don't know about using the burn pit. Fire Marshal wants it so many feet away from the home, which home? Then they never have a working hose close by. I have had to educate teens at 2501 11th Ave N as we share a privacy fence! A house on the same property as 1038 25th would be a fire Hazzard.

These landlords seem to trying to circumvent the zoning code here which is single family dwellings not apartments for college teens.

Regardless, several families in this area am planning on attending this meeting to voice our serious concerns

We will be at the meeting so please include us on the agenda for the meeting on July 2 at 3 pm.

I will put together an agenda as to what we will address.

We do not want this second house on a small lot

Sincerely

Paula Strom Sell

1122 25th St N, Fargo, ND 58102

APPLICANT'S RESPONSE TO PUBLIC COMMENTS

From: bakhtyar murad

Sent: Wednesday, June 26, 2024 2:07 AM

To: Donald Kress <dkress@FargoND.gov>

Cc: Cole Neset

Subject: Re: College Third Addition---public comments

Good morning Donald,

Thank you for letting us know regarding some neighbors' concerns about tenant behavior residing in 1038 25 St N Fargo.

First I want to draw your attention that house been a rental property since 2020, during the last four years we did not receive a disturbance complaint or violation report from any one, and we will do our best to keep it like that, we will not tolerate any inappropriate behavior from our tenants toward any of our neighbors

We take our neighbors' concerns very seriously and we will take all the necessary action to resolve any issue that may happen as long as we are aware of it.

In early June I was approached by one of the neighbors crossing the Street from 1038 property, he mentioned that he saw inappropriate behavior from a person, but he did not specify if that person was a tenant that resides in the house or a visitor. regardless of who was, we took a proper action to resolve that issue :

1- I personally went to other neighbors houses, introduced myself and asked them if they have any complaints about the tenants residing in 1038 property, from the feedback i received it did not look like they have issues with the tenants.

I'm quoting from my conversation with them: (some time They Do Party but they don't Bother us)

2- we have a procedure that we follow in such a situation which is:

A- after we receive a complaint we will talk to the tenants and give them a verbal notice which we already did.

B- if the issue continues we will give the tenants a written notice .

C- if the issue still exists after that , we will check with the city inspection and police department about those complaints and after we receive a copy of those reports that show tenants fault, we will terminate their rental lease and ask them to evict the property .

3- we follow the city code when we sign a rental lease, in the case of 1038 property the city code only allow up to three unrelated person to live in the house permanently and that we have on our lease agreement, if we notice the tenants violating that section we will take a proper action to fix that issue, however we can not control how many visitors coming to the house, those three tenants have family members, friends and collage mate who may visit them & spend time with them, we can not tell a tenants they are not allow to have visitors, if that visitor does not cause disturbance to the community or endanger public safety.

4- I can't remember if any neighbor called me on the phone and tell me about any issue, because I don't think they have my phone number, That been said I'm using this opportunity to encourage our neighbors located around 1038 25 St N property to call me directly on my cell phone (218-790-7298) with any issue that may arise in future.

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5- We have designated parking space for our tenants which include a two car detached garage in the back of the house and a parking concrete slab for another two cars a total of 4 cars parking space.

6- I look forward listening to our neighbors closely about their concerns at the July 2nd meeting.

Thank you

Murad