

FARGO CITY COMMISSION AGENDA
Monday, June 4, 2018 - 5:00 p.m.

City Commission meetings are broadcast live on TV Fargo Channel 56 and online at www.FargoND.gov/streaming. They are rebroadcast Mondays at 5:00 p.m., Thursdays at 7:00 p.m. and Saturdays at 8:00 a.m. They are also included in the video archive at www.FargoND.gov/citycommission.

- A. Pledge of Allegiance.
- B. Roll Call.
- C. Approve Order of Agenda.
- D. Minutes (Regular Meeting, May 21, 2018).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. 1st reading of an Ordinance Amending Sections 25-3001, 25-3002 and 25-3006, and repealing sections 25-3003 and 25-3004 of Article 25-30 of Chapter 25 of the Fargo Municipal Code Relating to Alarm Systems.
- 2. Site Authorizations for Games of Chance:
 - a. North Dakota Association for the Disabled, Inc. at Bulldog Tap, O'Kelly's, Shotgun Sally's Rock N Roll Saloon and Hennessy's Irish Pub.
 - b. Prairie Public Broadcasting, Inc. at Dempsey's and Tailgators.
 - c. Boys and Girls Club of the Red River Valley at Red River Lanes and Pickled Parrot.
 - d. Horse Race North Dakota at Herd and Horns, Chub's Pub, Labby's Bar and Grill and Sickies Garage.
 - e. Sharehouse, Inc. at Rick's Bar and Grill, Woody's, The Round Up Saloon, Bismarck Tavern and Alibi's/Baymont.
 - f. Special Olympics North Dakota at Rooters Bar.
 - g. West Fargo Hockey Association at Fort Noks.
- 3. Applications for Games of Chance:
 - a. Fargo Lions Club for a calendar sports pool from 9/10/18 to 12/24/18.
 - b. River Keepers for a raffle on 6/18/18.
 - c. Henrik Westerholm Benefit for a raffle on 6/22/18; Public Spirited Resolution.
 - d. TNT Kid's Fitness for a raffle on 7/6/18.
- 4. Tax exemptions for improvements made to buildings:
 - a. Brandyn J. and Kimberley A. Sauer, 1313 17th Street South (3 year).
 - b. Joseph and Jaime Foertsch, 104 Prairiewood Drive South (3 year).
 - c. Kjera Properties I LLC, 1416 1st Avenue South (5 year).
 - d. Kjera Properties III LLC, 820 12th Street South (5 year).
 - e. Kjera Properties III LLC, 1012 8th Avenue South (5 year).
- 5. Request for Proposal for Parking Services.
- 6. Request for Proposal for Merchant Credit Card Processing.

7. Fire Department and Police Department Training MOU with Xcel Energy.
8. Vehicle lease agreement with CapFirst Equipment Finance.
9. Notice of Grant Award with the ND Department of Health for Public Health Emergency Preparedness/Emergency Preparedness and Response Statewide Management Team (CFDA #93.074).
10. Notice of Grant Award with the ND Department of Health for Public Health Emergency Preparedness All Hazards Allocation (CFDA #93.074).
11. Notice of Grant Award with the ND Department of Health for the Public Health Emergency Preparedness City Readiness Initiative (CFDA #93.074).
12. Addendum Contract Agreement with AE2S to provide marketing and communication for the breastfeeding initiatives.
13. Updates to Drug and Alcohol Policies (400-008 and 400-008B).
14. Sole Source Procurement and Contract for Natural Resources Management Research for the Fargo Project (SSP No. 18184).
15. Resolution Approving Plat of Valley View Eighth Addition.
16. Summer 2018 Food Truck pilot program to operate between 7/14/18 and 10/27/18.
17. Reciprocal Easement Agreement with HomeField 2, LLP.
18. 2018 Community Development Block Grant and HOME Partnership allocations from the US Department of Housing and Urban Development.
19. 15-Minute Parking for three parking spaces in front of the Radisson Hotel.
20. Sole Source Procurement for the purchase of a Leica Geosystems Scanstation PS30 (SSP No. 18183).
21. Request for an extended leave of absence for Oscar Tronnes.
22. Change orders for the City Hall Project:
 - a. No. 22 for an increase of \$4,064.00 for the general construction contract.
 - b. No. 23 for an increase of \$7,833.00 for the general construction contract.
 - c. No. 24 for an increase of \$23,119.00 for the general construction contract.
23. Cost Share Agreement with the Fargo Park District for Shared Use Path (Project No. MP-18-A1).
24. Emergency Storm Sewer Spot Repair (25th Avenue South and 26th Street South).
25. Bid awards for Project Nos. FM-15-K1 and SN-18-B2.
26. Proposed minor changes to the Fargo Metro Area Transit Routes.
27. Remediation Coordination and Road Use Agreement with NSP.

28. Contract and bond for SW18-01.
29. Bills.
30. Change Order No. 3 and Time Extension to 9/27/18 for Improvement District No. BN-17-A1.
31. Change Order No. 5 and Time Extension to 8/2/18 for Improvement District No. BN-17-B1
32. Bid award for Improvement District No. BR-18-H1.
33. Contracts and bonds for Improvement District Nos. BN-18-B1, BR-18-G2, PN-18-A1 and TN-18-A1.

REGULAR AGENDA:

34. Lenny Tweeden would like to briefly address the Commission regarding a minimum wage ordinance.
35. Discuss the Public Works Projects Evaluation Committee's design decision for the Main Avenue street reconstruction (Improvement District No. BR-18-A1).
36. Public Hearings - 5:15 pm:
 - a. Valley View Fourth Addition (3651 56th Street South); approval recommended by the Planning Commission on 5/1/18:
 1. Zoning Change from MR-1, Multi-Dwelling Residential to SR-5, Single-Dwelling Residential.
 2. 1st reading of rezoning Ordinance.
 3. Plat of Valley View Fourth Addition.
 - b. Ohmers Addition (1401, 1407, 1409, 1413 and 1415 8th Street North and 1402, 1406, 1410, 1412, 1414 and 1420 7th Street North); approval recommended by the Planning Commission on 5/1/18:
 1. Zoning Change from SR-3, Single-Dwelling Residential to P/I, Public and Institutional with a C-O, Conditional Overlay.
 2. 1st reading of rezoning Ordinance.
 - c. Simonson First Addition (3825 53rd Avenue South): approval recommended by the Planning Commission on 2/6/18:
 1. Zoning Change to repeal and re-establish a C-O, Conditional Overlay.
 2. 1st reading of rezoning Ordinance.
 3. Plat of Simonson First Addition.
37. 2nd reading and final adoption of an Ordinance Amending Section 25-1509.2, of Article 25-15 of Chapter 25 of the Fargo Municipal Code Relating to Alcoholic Beverages; 1st reading on 5/21/18.
38. Receive and file an Ordinance Amending Section 25-1506, of Article 25-15 of Chapter 25 of the Fargo Municipal Code Relating to Alcoholic Beverages.
39. Recommendations for appointments to the following Boards and Commissions:
 - a. Board of Appeals.
 - b. Board of Adjustment.
 - c. Civil Service Commission.

- d. Special Assessment Commission.
 - e. Native American Commission.
 - f. Arts and Culture Commission.
40. State Water Commission requests for Cost Reimbursement for FM Diversion Flood Project Costs:
- a. Costs totaling \$476,342.00.
 - b. Costs totaling \$43,032.00.

People with disabilities who plan to attend the meeting and need special accommodations should contact the Commission Office at 701.241.1310. Please contact us at least 48 hours before the meeting to give our staff adequate time to make arrangements.

Minutes are available on the City of Fargo website at www.FargoND.gov/citycommission.

From: Lenny Tweeden
Sent: Tuesday, May 29, 2018 3:22 PM
To: Lenny Tweeden
Subject:

34

To Fargo City Commission

Please add my letter dated 04/26 concerning a minimum wage ordinance to your next agenda.

Lenny Tweeden
701-200-4896

Get Outlook for Android

To Fargo City Commission

Thursday, April 26, 2018 1:29 PM

I am calling on the Fargo City Commission to follow Minneapolis and St. Paul's decision to adopt a minimum wage ordinance setting the following rate schedule for the city of Fargo. This schedule is below the rates they are setting with a top rate of \$15.00 per hour.

Sept 1 2018 \$10.00 per hour

Sept 1 2019 \$10.50 per hour

Sept 1 2020 \$11.00 per hour

Sept 1 2021 \$11.50 per hour

Sept 1 2022 \$12.00 per hour

The minimum wage would apply to all employees in the city of Fargo.

Lenny Tweeden

PUBLIC WORKS PROJECTS EVALUATION COMMITTEE

Improvement District No. BR-18-A1 Type: Main Avenue Design Decisions

Location: Main Ave – 2nd St to Univ Dr Date of Hearing: 5/30/2018

<u>Routing</u>	<u>Date</u>
City Commission	6/4/2018
PWPEC File	X
Project File	Jeremy Gorden

The Committee reviewed a communication from Division Engineer, Jeremy Gorden, regarding the design options for the Main Avenue Street Reconstruction slated for next year. He stated that the time to make a decision on the design is here. The Executive Summary of the environmental document for this project is attached. The alternatives with sub-alternatives and sub-options are explained in the document and they begin on page 54. Jeremy is recommending the following to the committee:

Preferred Alternative

Alt E – 5-4-3 Hybrid

Sub-Alternatives

SA 2 – 8th Street Westbound Right Turn Lane (limited to 100' max length)

SA 3 – Broadway Westbound Right Turn Lane (limited to 100' max length)

SA 4 – 2nd Street Drop Lane

Options

Option 1 – Mid-block crossing east of 10th Street

Option 2 – Pedestrian crossing west of 7th Street

Option 4 – Roundabout at 2nd Street (with landscaping in the center of it)

Option 5 – University Drive Counterflow

Option 6A – 2nd Pan, Tilt, Zoom Traffic Camera

Option 6B – 2nd Dynamic Messaging Sign

Options to be revised

Option 3 – Raised Landscaped Medians – I'd recommend including raised landscaped medians as part of Options 1 & 2, the mid-block crossings east of 10th Street and west of 7th Street, but not closing off the intersection at 7th Street.

There was considerable discussion on this item and the highlights are as follows:

Nicole Crutchfield stated that selecting this alternative goes with the In-Focus Downtown Plan and have the potential to add a neighborhood to downtown and also serve as a destination. Cindy Gray from SRF Consulting stated that in meetings with the Downtown Neighborhood Association as well as the Hawthorne Neighborhood Association, they stressed that they cross Main Avenue on foot more so than by vehicle and that pedestrian safety is a high concern for them. Mayor Mahoney stated that with a reduced lane configuration, we need to use all the technology in the traffic industry that we can to make the corridor as adaptive/responsive as it can be, and Jeremy Gorden concurred. Mark Bittner added that the counterflow lane on University may lead to congestion at that location just north of Main Avenue. Ben Dow discussed the landscaped pedestrian islands and the roundabout option and stated that if selected, both of those items will require weekly maintenance in the summer on the islands and in the winter on the roundabout. He had concerns with traffic safety on the roundabout in the winter months and stated that at times in the winter the plows crew may need to close 2nd Street and Main Avenue to haul the snow from the intersection. Steve Dirksen commented that he prefers traffic signals to roundabouts, but added that of all the intersections to have a roundabout, the 2nd Street intersection would be the least impactful to the Fire Department. Mayor Mahoney added that it is not about traffic anymore, it is about creating a destination and we need to come up with creative ideas for downtown.

On a motion by Mark Bittner, seconded by Tim Mahoney, the Committee voted to select Alternative E – 5-4-3 Hybrid as the preferred alternative, with Sub-Alternatives SA 2 – 8th Street Westbound Right Turn Lane (limited to 100' max length), SA 3 – Broadway Westbound Right Turn Lane (limited to 100' max length), SA 4 – 2nd Street Drop Lane, as well as Option 1 – Mid-block crossing east of 10th Street, Option 2 – Pedestrian crossing west of 7th Street, Option 4 – Roundabout at 2nd Street (with landscaping in the center of it), Option 5 – University Drive Counterflow Lane, Option 6A – 2nd Pan, Tilt, Zoom Traffic Camera, and Option 6B – 2nd Dynamic Messaging Sign, as well as revising Option 3 – Raised Landscaped Medians – to be including raised landscaped medians as part of Options 1 & 2, the mid-block crossings east of 10th Street and west of 7th Street, but not closing off the intersection at 7th Street.

PWPEC ROA
5/30/2018 -- Page 2

RECOMMENDED MOTION

Concur with PWPEC recommendation.

PROJECT FINANCING INFORMATION:

Recommended source of funding for project: Federal, NDDOT, Special Assessments, and City Utility Funds

	Yes	No
Developer meets City policy for payment of delinquent specials	<u>N/A</u>	<u> </u>
Agreement for payment of specials required of developer	<u>N/A</u>	<u> </u>
Letter of Credit required (per policy approved 5-28-13)	<u>N/A</u>	<u> </u>

COMMITTEE

Tim Mahoney, Mayor
Nicole Crutchfield, Director of Planning
Steve Dirksen, Fire Chief
Mark Bittner, Director of Engineering
Bruce Grubb, City Administrator
Ben Dow, Director of Operations
Steve Sprague, City Auditor
City Engineer
Kent Costin, Finance Director

Present	Yes	No	Unanimous
<u> </u>	<u> </u>	<u> </u>	<u> </u>
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ATTEST: Kristi Olson

 for Brenda Derrig
Brenda E. Derrig, P.E.
Division Engineer

Table 18. Recommendations Table

	1. Do you concur with the project concepts as proposed?	2. Which alternative(s) should proceed with the project?																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														
		Alt. A						Alternative B - 5 Lane Section						Alternative C - 3 Lane Section						Alternative D - 4 Lane Section, 2+1 with CLTI and Parking						Alternative E - 5-4-3 Hybrid																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						
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Reviewers, please add your recommendations on Executive Decisions as adobe sticky notes within the decision table(s) in the previous section. Don't put your recommendations on this page. We would like all recommendations in the same area, on the decision table(s).

H. Executive Decisions

1. Do you concur with the project concepts as proposed?

☒ Yes

☐ No

2. Is Alternative A, No Build, the preferred alternative?

☐ Yes

☒ No

3. Which build alternative and option(s) is preferred?

☐ Alternative B – 5 Lane Section (\$12,624,828)

☐ No Options

☐ Option 1: Mid-block Crossing East of 10th Street (\$173,275)

☐ Option 2: Pedestrian Crossing West of 7th Street (\$5,273)

☐ Option 3: Raised Landscaped Medians (\$731,439)

☐ Option 4: 2nd Street Roundabout (\$892,615)

☐ Option 6A: 2nd Pan Tilt Zoom Camera (\$24,000)

☐ Option 6B: 2nd Dynamic Messaging Sign (\$65,000)

☐ Alternative C – 3 Lane Section (\$13,049,107)

☐ No Sub-alternatives

☐ Sub-alternative 1: University Drive Drop Lane (-\$642)

☐ Sub-alternative 2: 8th Street Right Turn Lane (-\$40,410)

☐ Sub-alternative 3: Broadway Right Turn Lane (-\$39,696)

☐ Sub-alternative 4: 2nd Street Drop Lane (-\$25,035)

☐ No Options

_____ Option 1: Mid-block Crossing East of 10th Street (\$173,275)

_____ Option 2: Pedestrian Crossing West of 7th Street (\$5,273)

_____ Option 3: Raised Landscaped Medians (\$731,439)

_____ Option 4: 2nd Street Roundabout (\$892,615)

_____ Option 5: University Drive Counterflow (\$149,058)

_____ Option 6A: 2nd Pan Tilt Zoom Camera (\$24,000)

_____ Option 6B: 2nd Dynamic Messaging Sign (\$65,000)

_____ Alternative D – 4 Lane Section, 2+1 with CLTL and Parking (\$13,246,087)

_____ No Sub-alternatives

_____ Sub-alternative 2: 8th Street Right Turn Lane (-\$21,144)

_____ Sub-alternative 3: Broadway Right Turn Lane (-\$36,690)

_____ Sub-alternative 4: 2nd Street Drop Lane (-\$26,247)

_____ No Options

_____ Option 1: Mid-block Crossing East of 10th Street (\$173,275)

_____ Option 2: Pedestrian Crossing West of 7th Street (\$5,273)

_____ Option 3: Raised Landscaped Medians (\$731,439)

_____ Option 4: 2nd Street Roundabout (\$892,615)

_____ Option 5: University Drive Counterflow (\$149,058)

_____ Option 6A: 2nd Pan Tilt Zoom Camera (\$24,000)

_____ Option 6B: 2nd Dynamic Messaging Sign (\$65,000)



_____ Alternative E – 5-4-3 Hybrid (\$13,230,373)

_____ No Sub-alternatives



_____ Sub-alternative 2: 8th Street Right Turn Lane (-\$33,354)



_____ Sub-alternative 3: Broadway Right Turn Lane (-\$32,606)

- ☒ Sub-alternative 4: 2nd Street Drop Lane (-\$24,967)
- ☐ No Options
- ☒ Option 1: Mid-block Crossing East of 10th Street (\$173,275)
- ☒ Option 2: Pedestrian Crossing West of 7th Street (\$5,273)
- ☐ Option 3: Raised Landscaped Medians (\$731,439)
- ☒ Option 4: 2nd Street Roundabout (\$892,615)
- ☒ Option 5: University Drive Counterflow (\$149,058)
- ☒ Option 6A: 2nd Pan Tilt Zoom Camera (\$24,000)
- ☒ Option 6B: 2nd Dynamic Messaging Sign (\$65,000)



Memo
May 24, 2018

Item 4

ENGINEERING DEPARTMENT

200 3rd Street North
Fargo, North Dakota 58102
Phone: (701) 241-1545
Fax: (701) 241-8101
E-Mail: feng@cityoffargo.com

To: Members of PWPEC

From: Jeremy M. Gorden, PE, PTOE *Jmg*
Division Engineer - Transportation

Subject: Design Decisions for Main Avenue Street Reconstruction Project
City of Fargo Improvement District No. BR-18-A1
Main Avenue – 2nd Street to University Drive

The time to make a decision on the design for downtown Main Avenue is here. I've attached the relevant portions of the environmental document for this project and it's time that we select our preferred design alternative. The alternatives with sub-alternatives and sub-options are explained in the document, but for a cliff notes version of them, they begin on page 54. The goal is for PWPEC to make a recommendation to the City Commission for their June 4 meeting. I would encourage you all to look at the Recommendations Table (page 62) and select the alternative that you prefer with the Sub-Alternatives AND Sub-Options as well. SRF Consulting will be at our meeting and they will give us a presentation on the project.

I'm recommending the following:

Alternative

E – 5-4-3 Hybrid

Sub-Alternatives

SA 2 – 8th Street Westbound Right Turn Lane (limited to 100' max length)
SA 3 – Broadway Westbound Right Turn Lane (limited to 100' max length)
SA 4 – 2nd Street Drop Lane

Options

Option 1 – Mid-block crossing east of 10th Street
Option 2 – Pedestrian crossing west of 7th Street
Option 4 – Roundabout at 2nd Street (with landscaping in the center of it)
Option 5 – University Drive Counterflow
Option 6A – 2nd Pan, Tilt, Zoom Traffic Camera
Option 6B – 2nd Dynamic Messaging Sign

Option to be revised

Option 3 – Raised Landscaped Medians – I'd recommend including raised landscaped medians as part of Options 1 & 2, the mid-block crossings east of 10th Street and west of 7th Street, but not closing off the intersection at 7th Street.

I also think the median on the west side of 2nd Street should be eliminated as part of the project. I look forward to discussing this with you at our meeting.

Recommended Motion

TBD at meeting.

Attachment

Street Lighting
Sidewalks

Design & Construction
Traffic Engineering

Truck Regulatory
Flood Plain Mgmt.

Mapping & GIS
Utility Locations

RECONSTRUCTION

Project No.

PCN

NHU-8-010(041)939

21170

Main Avenue from University Drive to 2nd Street,
Fargo, Cass County, ND



Prepared by

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION
BISMARCK, NORTH DAKOTA

<http://www.dot.nd.gov/>

DIRECTOR
Tom K. Sorel

PROJECT DEVELOPMENT DIRECTOR
Robert A. Fode, P.E.

Principal Author: SRF Consulting Group, Inc.
Environmental Reviewer: Russell Senske
May 2018

NHU-8-010(041)939

Fargo, Main Avenue from University Drive to 2nd Street

CERTIFICATION

I hereby certify that this report was prepared by me or under my direct supervision and that I am a duly registered professional engineer under the laws of the State of North Dakota. This document was originally issued and sealed by Jacob Nordick, Registration number PE-6736 on MM/DD/YY and the original document is stored at the North Dakota Department of Transportation.

This document
is preliminary
and not for
construction or
implementation
purposes.

Jacob Nordick, P.E.

Date

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APPENDIX TABLE

Appendix A Solicitation of Views
Appendix B Existing Typical Sections
Appendix C Layouts of Build Alternatives (B-E) and Options (1-6)
Appendix D Main Avenue Streetscape Elements Portfolio
Appendix E Tree, Planter Bed, and Decorative Railing Impact Spreadsheet and Graphics
Appendix F Section 4(f) Evaluation
Appendix G Encroachment Information
Appendix H Preliminary Storm Sewer, Sanitary Sewer, and Water System Layouts
Appendix I Location of Potential Driveway Closures
Appendix J Cultural Resource Discovery Plan
Appendix K Work Zone Safety and Mobility Information
Appendix L Wetland Impact Table
Appendix M ESA Table

DOCUMENTS APPENDED BY REFERENCE

Public Involvement Report
Traffic Operations Report
Main Avenue Redevelopment Initiative (Redevelopment and Economic Development Analysis)
Fargo Downtown Master Plan (Downtown InFocus)
Fargo Moorhead Metropolitan Bicycle-Pedestrian Plan
Main Avenue Alternatives Evaluation Matrix

I. EXECUTIVE SUMMARY

A. Project Description

Highway: US Hwy 10 *District:* Fargo
From: RP 939.650 to RP 940.500

Project:

NHU-8-010(041)939

Table 1: Project Location Current and Forecasted ADT

Location	Current ADT (2013)	Forecast ADT (2035)
Main Ave. East of University Drive	18,995	22,060
Main Ave. Broadway to 8 th Street	18,665	21,680
Main Ave. 4 th Street to 2 nd Street	15,155	17,600

* AADT calculated by applying 0.5% growth rate to 2035 AADT from the 2013 Fargo Main Avenue Corridor Study

B. Project Schedule

<u><i>Project:</i></u>	<u><i>Plans Complete:</i></u>	<u><i>Bid Opening:</i></u>
NHU-8-010(041)939	August 24, 2018	November 9, 2018

C. Purpose of Project

The purpose of the project is to achieve multiple, compatible goals through the reconstruction of Main Avenue. The project intends to create an opportunity for an active and comfortable environment for pedestrians and mitigate pedestrian system deficiencies related to the American with Disabilities Act (ADA). Further, the purpose of the project is to provide an efficient transportation corridor that will support regional and local vehicular traffic needs. The project's purpose is also aimed at improving aging corridor infrastructure (pavement, sewer, water, and storm sewer). In addition, the purpose of the project is to contribute to an environment that encourages business activity, investment, and redevelopment throughout a reinvented corridor that is fully integrated into the urban fabric of Downtown Fargo as envisioned by local plans. The corridor will continue to serve as one of the three downtown corridors (Main Avenue, NP/Center Avenue, 1st Avenue North) that provide a vital linkage to Moorhead, Minnesota.

D. Need for Project

The need for the reconstruction of Main Avenue has been established through a number of studies and planning efforts beginning with the 2013 Fargo Main Avenue Corridor Study (referred to as "Corridor Study" throughout this document). The Corridor Study identified deficiencies related to poor pavement and a sidewalk system not compliant with ADA standards. Furthermore, narrow sidewalks are directly adjacent to travel lanes, particularly along the north side of the corridor. On-street parking is very limited, and the corridor is lined with a number of undeveloped and under-utilized properties. The Fargo Downtown Master

Plan, referred to as Downtown InFocus, recommends a significant transformation of the Main Avenue corridor, including an improved pedestrian environment (sidewalks, streetscaping, lighting, etc.) a concept for a reduced lane scenario, and the redevelopment of many properties along the corridor. This direction is supported by the results of an Origin and Destination Analysis which demonstrated that the vast majority of traffic on Main Avenue not regional through traffic. Aging utilities, consisting of water and sanitary sewer mains that range in age from 80-100 years also contribute to the need for the project.

Existing Conditions:

Main Avenue from the Red River to University Drive has two different typical sections. The section from the Red River to halfway between 2nd Street and 4th Street is a 4-lane divided section. The section from halfway between 2nd Street and 4th Street to University Drive is a 4-lane section with turn lanes at a few locations. The widths of the lanes are approximately 11 feet. Sidewalks of various widths are provided on both sides of Main Avenue. On-street parking is currently located on the south side of Main Avenue from approximately 100 feet west of 7th Street to approximately 100 feet east of Broadway and includes approximately 20-22 spaces altogether. Refer to Appendix A for existing typical sections.

The City of Fargo improved 2nd Street from 1st Avenue North to Main Avenue in 2016. Dual southbound left-turn lanes at Main Avenue were constructed in 2016 to improve the on-time performance of MATBUS (Fargo-Moorhead metro transit system) Route 1 and improve traffic operations at the intersection by increasing lane storage capacity and decreasing queue lengths. Improvements made to 2nd Street in 2016 by the City of Fargo also included sidewalk widening on both the east and west side of 2nd Street from 1st Avenue North to Main Avenue (including underneath the BNSF railroad bridge).

Deficiencies:

The Corridor Study identified the following deficiencies pertinent to the project area. Note that deficiencies pertaining to traffic operations were more recently updated through a traffic operations study prepared by SRF to address more recent conditions after the removal of the toll on the 12th Avenue N bridge over the Red River, which resulted in a reduction in traffic volumes on Main Avenue and other east/west downtown corridors with bridges over the river, such as NP Avenue and 1st Avenue N.

Pavement:

- The pavement currently is an asphalt overlay of concrete pavement and has transverse cracking, bituminous patches, and some rutting.

Right of Way:

- Some structures are encroaching on road right-of-way.
- Right-of-way availability varies throughout the corridor, creating the need to balance roadway and pedestrian needs.

Modal Relationships (Pedestrian and Bicyclist Environment):

- The sidewalk system is not compliant with ADA standards; many segments are narrow (as low as 4.2'), cross slopes are too steep, obstructions are present (i.e. uneven manhole covers, cracked and uneven sidewalks), and protected crossings are limited. Pedestrian comfort along the corridor is very poor. The limited areas where on-street

parking is available affords the only buffer between the sidewalk and adjacent travel lanes.

- Bicyclists on Main Avenue typically use the same deficient sidewalks described above or ride in the travel lanes of Main Avenue. However, the Metropolitan Bicycle and Pedestrian Plan emphasizes the use of parallel routes such as NP Avenue and 1st Avenue S as bicycle routes, and NP Avenue has been equipped with cycle tracks adjacent to the sidewalk in a recently reconstructed portion between 10th Street and University Drive. The City of Fargo plans to extend cycle tracks on NP Avenue with further reconstruction east of 10th Street.

Social or Economic Goals:

- Local redevelopment planning, including the Fargo-Moorhead Downtown Framework Plan Update (2007), the Go2030 Fargo Comprehensive Plan, the Fargo Main Avenue Corridor Study (2013), and the Fargo Downtown Master Plan (Downtown InFocus, 2018) include recommendations for the project area. Recommendations applicable to the project include: reduced roadway capacity, gateway features at 8th Street, wider sidewalks, more on-street parking and decorative lighting.
- The Corridor Study identified aesthetics as an issue within the project area and identified providing streetscape treatments including trees, plantings, decorative lighting, public art, burying overhead utilities and screening outdoor storage uses adjacent to the project area.
- The Corridor Study identified that, at a minimum, the maintenance of existing on-street customer parking is needed by existing businesses.
- Downtown InFocus recommends a reduced lane scenario between 2nd Street and University Drive to improve the pedestrian environment along Main Avenue, increase the potential for redevelopment and infill, and achieve a higher level of “placemaking” along the corridor, all of which would better connect the Hawthorne Neighborhood and the downtown businesses south of Main Avenue to the rest of downtown Fargo.

Utilities:

- The City of Fargo has underground utility needs (water, storm sewer, and sanitary sewer) along the corridor. The City’s water and sewer mains within the project area need replacement, along with the storm sewer system. The age of the cast iron watermain is 95-100 years old. Existing lighting in the project area is failing; the light poles are rusting and deteriorating, and the underground wiring has been failing for decades. Concrete curbs and gutters that support storm water inlet grates are broken and deteriorated.

Traffic Operations:

SRF prepared a **Traffic Operations Report** in May 2018 that includes findings regarding current and future operational deficiencies.

Current Deficiencies: Results of the existing operations analysis indicate that all key intersections currently operate at an acceptable level of service C or better during the a.m. and p.m. peak hours. However, there are approaches along the Main Avenue corridor with queues greater than 250 feet during the a.m. and p.m. peak hours. Delays along the corridor during a train event can be associated with the close proximity of the BNSF track and railroad pre-emption affecting the traffic signal timing.

Forecasted Deficiencies: Results of the year 2040 operations analysis indicate that all key intersections are expected to operate at an acceptable level of service C or better during the a.m. and p.m. peak hours with the existing intersection geometric layout. As time passes and traffic volumes increase along the corridor during the a.m. and p.m. peak hours. Approach queues greater than 250 feet are expected along the corridor at five key intersections (University Drive, 8th Street, Broadway, 4th Street, and 2nd Street) during the a.m. and p.m. peak hours.

Traffic Safety: Crash data was provided by the NDDOT from January 1, 2013 through December 31, 2015, which represents the most recent three-year period available. Based on this data, there were a total of 207 crashes reported over the analysis period within the immediate study area. The following findings were noted regarding traffic safety:

- Results of the crash rate analysis indicate that four intersections (University Drive, 10th Street, 4th Street, and 2nd Street) and three segments (10th Street to 8th Street, 8th Street to 7th Street, and 7th Street to Broadway) along the corridor have a crash rate above the typical crash rate for intersections/segments with similar characteristics. However, it should be noted that higher than typical crash rates do not necessarily indicate a significant crash problem.
- The calculated crash rates for the University Drive intersection and segments of Main Avenue between 10th Street and Broadway exceed the critical crash rate for intersections and segments with similar characteristics.
- The primary reported crash types were rear end and left-turn/angle type crashes.
- Two pedestrian crashes occurred at the University Drive intersection and one pedestrian crash occurred at the Broadway intersection.
- Twenty-eight percent of the total crashes occurred in icy or snowy conditions.

Origin/Destination Analysis:

SRF completed an Origin/Destination analysis as part of the traffic operations study for the Main Avenue corridor from University Drive to 2nd Street. The main objective of this analysis was to identify the origins and destinations of trips using the Main Avenue corridor and to calculate what percentage of the trips are regional through trips. Origin/Destination data was purchased from Streetlight Data in February 2017 for pass through trips on major roadways into and out of the Fargo/Moorhead municipalities. This data was collected from January 2015 through December 2015 to estimate an average year of travel patterns and to avoid recent major construction projects. The Streetlight Data contained two groups of travel patterns; commercial and personal. Regional trips were defined as using either Interstate 29 (I-29), Interstate 94 (I-94), US Highway 75, or US Highway 10 as their origin or destination. Local trips included all traffic using Main Avenue north of I-94, east of I-29, generally west of US Highway 75 and not using one of the regional roadways to access the study area.

The origin/destination analysis showed that personal and commercial trips using Main Avenue had different travel patterns when compared to each other. Local trips were 90 percent of personal vehicle trips on Main Avenue with only one percent being regional to regional trips. Fifty percent of commercial vehicle trips were local trips and five percent were regional, while the remaining trips were a blend of regional and local, such as MN regional to/from ND local, or MN local to/from ND regional trips. The results of the Origin/Destination analysis show that one percent of personal vehicle trips and five percent of commercial vehicle trips are regional to regional trips, which equates to less than two percent of all trips using Main Avenue. The majority of all trips were local, with commercial trips having a significant share of blended

regional/ local trips (in either direction). Regional trips alone were not significant when compared to local and regional to/from local trips.

Fargo Downtown Master Plan (Downtown InFocus):

The Fargo Downtown Master Plan referred to as Downtown InFocus, was adopted by the City of Fargo early in 2018. The subject corridor of Main Avenue is included in the scope of the plan and recommendations for the corridor are provided. The plan includes the following corridor recommendations:

- A concept for a reduced lane scenario; as a complement to 1st Avenue N, a conceptual layout was put forth in the plan which includes four lanes, made up of two eastbound lanes, a two-way center turning lane, and one westbound lane with on-site parking on one side of the street. The plan acknowledges that further detailed traffic analysis is needed to determine an optimal design.
- Development of a “Gateway Plaza” at Broadway
- Wider sidewalks
- Streetscape elements to enhance the pedestrian environment (provided in conceptual renderings)
- Corridor land use redevelopment of existing underutilized sites (such as parking lots)
- A greenway trail that follows the BNSF railroad through downtown Fargo east to the Red River. The greenway trail concept is intended for multiple uses—biking and walking/jogging. Note that the greenway trail is not proposed on the project corridor, but very near to it along the railroad tracks. Very narrow lots between Main Avenue and the railroad tracks would separate the corridor from this greenway trail. The trail has the potential to attract bicyclists and pedestrians looking to access areas west of the project corridor or the park space along the Red River.

E. Scope of Work

2017 STIP: \$9,651,333 Total
 \$4,469,800 Federal
 \$707,764 State
 \$4,473,689 Local

2016 Scoping Report: \$9,650,000 Total
 \$2,573,000 Utility
 \$7,077,000 Construction

Table 2: Summary of Estimated Costs

Alternative & Sub-Alternative	Approximate Cost
Alternative A – No Build	\$0
Alternative B – 5-Lane Section	\$12,624,828.03
Alternative C – 3-Lane Section	\$13,049,108.60
Sub-Alternative 1: University Drive Drop Lane	\$642.00
Sub-Alternative 2: 8 th Street Right Turn Lane	\$40,410.00
Sub Alternative 3: Broadway Right Turn Lane	\$39,696.00
Sub-Alternative 4: 2 nd Street Drop Lane	\$25,034.50

Alternative D – 4-Lane, 2+1 with TWLTL and Parking on One Side	\$13,246,086.70
Sub-Alternative 2: 8 th Street Right Turn Lane	\$21,144.00
Sub Alternative 3: Broadway Right Turn Lane	\$36,690.00
Sub-Alternative 4: 2 nd Street Drop Lane	\$26,246.50
Alternative E – 5-4-3 Lane Hybrid	\$13,230,373.20
Sub-Alternative 2: 8 th Street Right Turn Lane	\$33,354.00
Sub-Alternative 3: Broadway Right Turn Lane	\$32,606.00
Sub-Alternative 4: 2 nd Street Drop Lane	\$24,966.50

Option #1 – Mid Block Crossing East of 10 th Street	\$173,275.30
Option #2 – Pedestrian Crossing West of 7 th Street	\$5,273.40
Option #3 – Raised Landscaped Medians	\$731,438.95
Option #4 – 2 nd Street Roundabout	\$892,614.80
Option #5 – University Drive Counter-flow lane	\$149,057.70
Option #6A – Pan Tilt Zoom Cameras	\$24,000.00
Option #6B- Dynamic Messaging Signs	\$65,000.00

F. Description of Alternatives

Full plan sheets are shown for each alternative and option (or sub-alternative) in Appendix B. Feasible design options for each alternative are shown in Table 6, page 27.

1. Alternatives Considered but Not Carried Forward

3-Lane Section, East Bound One-Way

The traffic operations report showed the greatest directional demand for vehicular traffic is eastbound. The three-lane section, east bound one-way alternative was considered in response to this vehicular demand. The traffic operations report showed that this alternative would operate at an acceptable level of service but would severely impact the adjacent parallel routes (NP Ave, 1st Ave S & 1st Ave N). NP Avenue and 1st Avenue N were recently converted from one-way to two-way routes. Due to potentially severe operational impacts to parallel routes, and the need to convert 1st Avenue N into a complementary westbound one-way to address those operational impacts, which is unfavorable to both the City of Fargo and the downtown businesses, this alternative was not carried forward.

3-Lane Section consisting of 2+1 with no Two Way Left Turn Lane and Parking on Both Sides

This alternative provides two eastbound through lanes and one westbound through lane. A center two-way left turn lane is not provided as part of this alternative in order to provide on-street parking on both sides of Main Avenue and increase sidewalk width. Lack of a center two-way left turn lane negatively impacts level of service at the study intersections, resulting in an overall LOS D or better during a.m., midday, and p.m. peak hours. The lack of a center two-way left turn lane significantly reduces the capacity of the westbound direction. Due to the operational impacts caused by the lack of a center two-way left turn lane, this alternative was not carried forward.

2. Options Considered but Not Carried Forward

No On-street Parking

The corridor was evaluated with no on-street parking, involving the removal of the on-street parking spaces that exist today. The removal of on-street parking eliminates the need for permanent right of way acquisition and eliminates impacts to Depot Plaza Park, while still allowing for the operational benefits afforded by five lanes (two lanes each direction, and a center two-way left turn lane). This option was not carried forward because it was not supported by the City of Fargo, the public and project stakeholders throughout project development. This input is consistent with stakeholder input received during the 2013 Corridor Study.

3. Build Alternatives

Alternative A: No Build

Alternative A would result in a continuation of the existing deficiencies identified above, and on-going deterioration of corridor infrastructure. These deficiencies primarily include ADA Main Avenue from University Drive to 2nd Street
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non-compliant sidewalks, uncomfortably narrow sidewalks along portions of the corridor, deteriorating sidewalk conditions, deteriorating pavement, deteriorating sanitary sewer, storm sewer, and water utilities, vacant and underutilized properties along the corridor, and failure to accomplish the vision for the project identified in recent planning documents, notably the 2013 Corridor Study and Downtown InFocus (2018 Fargo Downtown Master Plan).

Improvements Common to all Build Alternatives

Alternatives B through E include a complete reconstruction of Main Avenue from University Drive (technically from east of 12th Street) through the 2nd Street intersection. The improvements common to all build alternatives are detailed further as follows:

Roadway Improvements: All build alternatives reconstruct the current lane configuration of the corridor with two-way left turn lanes, except in specific areas where a raised median has been identified to alleviate traffic operation issues.

Sidewalk Improvements: All sidewalks will be improved to comply with ADA standards. This includes moving obstacles (such as fire hydrant and street light locations) and complete sidewalk reconstruction to alleviate cracked and uneven sidewalk conditions and to achieve ADA compliance. At a minimum, the improved sidewalks will be 6.5' wide with 2' of shyway up to the right of way line or building line. Of the 8.5' total width, 2' of stamped concrete will be included along the curb to allow for streetscape amenities/furniture (such as lighting, flower boxes, fire hydrants, etc.) and provide a buffer space between pedestrians and traffic. Lighting and fire hydrant placement will be centered on the joint between the 2' of stamped and colored concrete and the 4.5' sidewalk space. Where light poles or fire hydrants are located, ADA compliance will still be achieved due to the provision of the 2' shyway along the right of way line. Refer to Figure 1 for sidewalk detail. Note that due to right-of-way restrictions, there are some areas of the corridor that will fall slightly below 8.5' total sidewalk width. However, in all areas a minimum 6.5' clear path will be maintained.

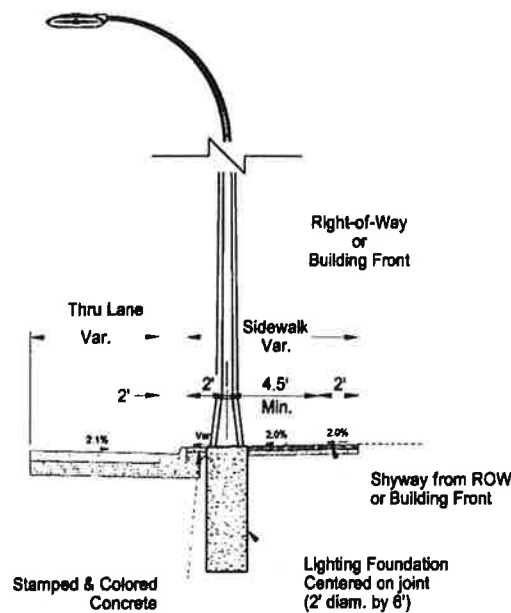


Figure 1: Minimum Improved Sidewalk Cross Section

Raised Median West of 2nd Street: A raised median located directly west of the 2nd Street intersection will be included in all build alternatives. The western half of the raised concrete median will be approximately ten feet wide and will be constructed up to the initial taper into the eastbound left turn lane (to northbound 2nd Street).

Intersection Traffic Control: The existing signal at 7th Street will be removed to improve traffic operations on Main Avenue, since 7th Street only exists to the south of Main Avenue, and signalized intersections are available one block east and west at Broadway and 8th Street respectively. The existing signals at 2nd Street, 4th Street, Broadway, and 8th Street will all be replaced. The existing channelization of the 2nd Street southbound right-turn lane will be improved through the removal of the westbound acceleration lane to improve the pedestrian environment at the intersection. The eastbound to southbound channelized right-turn lane at 2nd Street will also be removed to improve the pedestrian environment at the intersection by removing a lane of vehicular traffic that pedestrians would otherwise be forced to cross. An option for a roundabout at the intersection of Main Avenue and 2nd Street (Option 4) applies to all build alternatives. Removal of the existing traffic signal is necessary as part of Option 4.

Intelligent Transportation Systems (ITS): Intelligent Transportation Systems (ITS) is an essential component to the technology implemented and signal systems along the Main Avenue corridor. The 2008 Fargo-Moorhead ITS Plan identifies the deployment of additional ITS infrastructure as an essential tool to achieve higher levels of regional coordination in the areas of traffic management, operations, incident response, security, and the distribution of real-time information to travelers.

As an essential component necessary to allow the continued implementation of the ITS system, new fiber optic cable and conduit will be installed along the Main Avenue corridor. This fiber will provide a connection to the existing fiber optic network within the City's downtown system. Existing fiber optic cable is located north of Main Avenue on 2nd Street,

south of Main Avenue on 4th Street, north of Main Avenue on 8th Street, and both north and south of Main Avenue on University Drive.

Recommended Streetscape: In March 2017 SRF prepared a Main Avenue Streetscape Elements Portfolio (Appendix C). The Portfolio provided recommendations based on the following elements of the future streetscape:

- Sidewalk Paving: The recommended approach is similar to the recently reconstructed NP Avenue and follows Downtown Fargo Streetscape Guidelines. Areas with special recommendations, such as brick pavers, include the Depot Plaza and the Broadway intersection.
- Navigation: Keeping existing historic-style signage intact, such as existing signage near the Depot Plaza and Broadway is recommended. Special focus should be given to the Broadway intersection where unique opportunities are provided, such as providing a custom granite paver insert.
- Lighting: Matching the existing downtown standard for traffic lighting and roadway lighting will be important. Most notably this includes black poles (and mast arms) and teardrop luminaires. A 26' LED esplanade feature is recommended as the base alternative to illuminate the street and adjacent sidewalk.
- Furnishings: Recommendations are provided for bike racks, trash receptacles, seating, fences, and bollards. Designated locations are recommended for newspaper racks and public art/monuments. Recommendations are also made for historic amenities and the Depot Plaza. In most respects, the goal is for consistency in furnishings throughout the corridor.
- Plantings: Connected structural soil trenches are recommended in segments of sidewalk where tree plantings are proposed. Trees are only proposed in areas behind the curb and gutter which are a minimum of 8' wide and where sidewalks are 9.5' or greater. For planters (both at-grade and potted plants hanging from street light poles), an outside party is recommended for maintenance. At-grade planters are only suggested in locations where the sidewalk is a minimum of 15' in width.

Improvement of the Pedestrian Environment: All build alternatives improve upon the most deficient characteristics of the pedestrian environment and encourage a higher level of pedestrian activity through a redesign of the corridor within the existing right-of-way, for the most part. These improvements focus on increasing the width of the narrowest sidewalks along the corridor, and improving perceived pedestrian comfort, convenience, and visual interest.

The Institute of Transportation Engineers (ITE) Street Design Guidelines Chapter 8 notes the following about how the pedestrian environment can be improved to attract pedestrians:

A person's decision to walk is influenced by many factors, including distance, perceived safety and comfort, convenience and visual interest of the route. On the streetside of the sidewalk, pedestrians feel exposed and vulnerable when walking directly adjacent to a high-speed travel lane. Vehicle noise, exhaust and the sensation of passing vehicles reduce pedestrian comfort. Factors that improve pedestrian comfort include a separation from moving traffic and a reduction in speed. In walkable urban environments, a buffer

zone that improves pedestrian comfort can be achieved with the width of the edge and furnishings zones, landscaping and on-street parking.

As described earlier in the document, all build alternatives include common improvements that follow ITE guidance, including the provision of a buffer zone with various streetscaping elements. Alternatives E, D, and C include an increasingly greater degree (with Alternative C including the greatest extent) of on-street parking (refer to Alternative detail below). As noted in the ITE guidance, on-street parking will also help to improve pedestrian comfort.

A goal of the Downtown InFocus is to grow as a neighborhood by investing in housing to increase the population living Downtown. Specifically, one identified way of achieving this goal is described as filling in the gaps along Main Avenue and creating the infrastructure to support development. As noted in Downtown InFocus, the population scale needed to fully support the retail potential of the Downtown will require an additional 3,500 to 4,500 households. The successful addition of housing downtown will help to increase pedestrian activity due to the increased opportunities for walking presented by the downtown street network and availability of sidewalks/pedestrian space.

Creating an Environment that Encourages Business Activity, Investment, and Redevelopment: The National Association of City Transportation Engineers (NACTO) Urban Design Guide states that sidewalks are public spaces, key to “activating streets socially and economically” (NACTO – Urban Street Design Guide). FHWA further notes that “likely commercial areas of appeal” (FHWA Course on Bicycle and Pedestrian Transportation – Lesson 13) need to be considered with the design of the pedestrian environment. There is a clear relationship between economic or commercial activity and an active pedestrian environment. The pedestrian environment improvements related to all build alternatives are intended to have a positive effect on the built environment of the corridor. A goal for Main Avenue as stated in Downtown InFocus is as follows: *Fill in the gaps along Main and create the infrastructure to support development.* All build alternatives include improvements to the public right of way focused on the pedestrian that are intended to support redevelopment of the corridor.

Bicycle Accommodation: Due to the city’s existing investment in bicycle infrastructure and plans for continued investment on adjacent routes parallel to Main Avenue, plus the planned addition of the greenway trail along the railroad tracks north of Main Avenue, the need to prioritize bicycle use along Main Avenue is low. As a result, none of the build alternatives include a dedicated bike lane or bicycle track along Main Avenue.

Transit Accommodation: Currently, MATBUS (metro area transit provider) routes cross the project corridor at University Drive, 10th Street (via grade separation), and 2nd Street. NP Avenue is heavily utilized by numerous transit routes due to the location of the Ground Transportation Center along NP Avenue. No transit stops are currently located on the project corridor. The 2016-2020 Transit Development Plan does not propose any modifications that create new routes or stops on Main Avenue. As a result, none of the build alternatives have specific design considerations for transit accommodation.

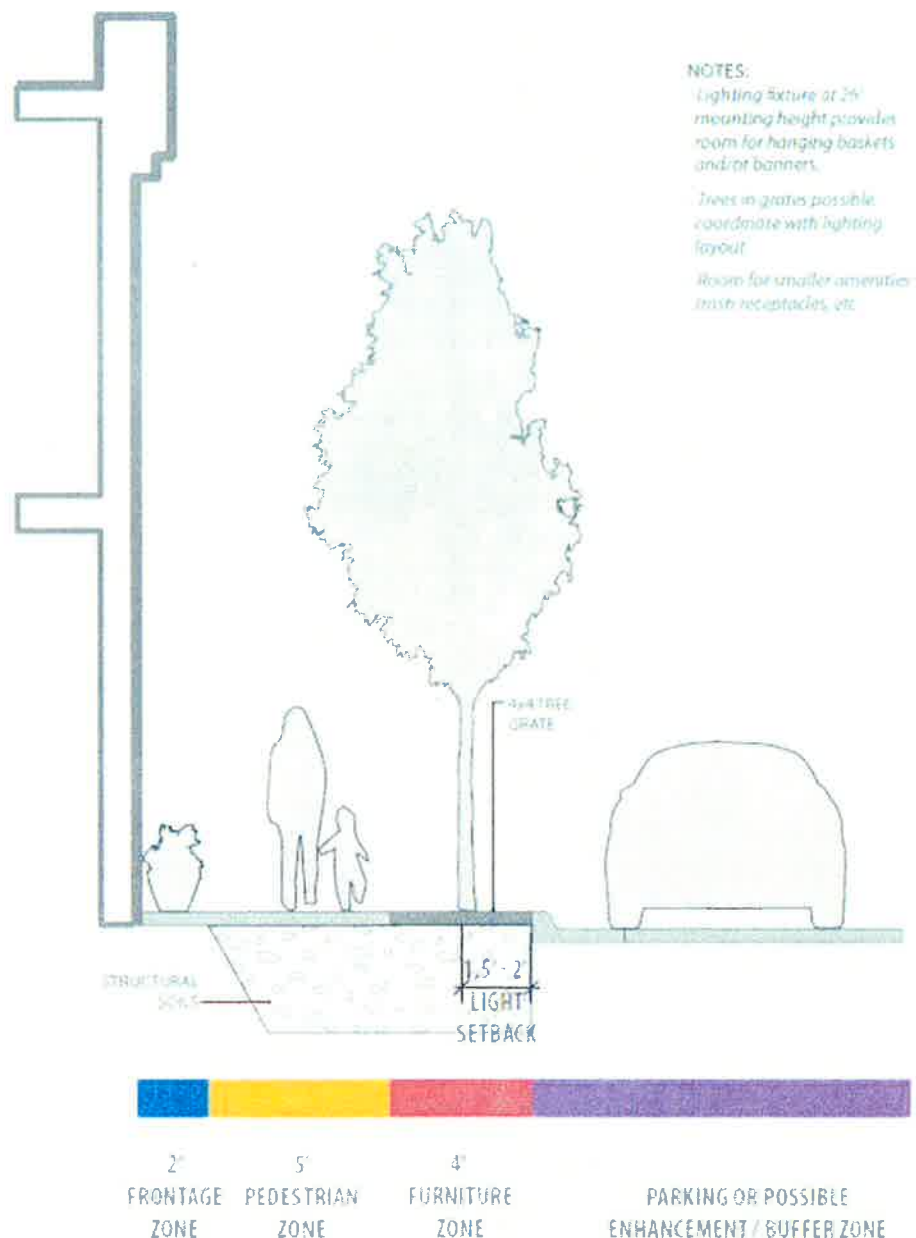


Figure 2: Typical Cross-Section of the Sidewalk that is comparable in all Build Alternatives

Alternatives B – E: Various Lane Configurations

Derived from feedback from the North Dakota Department of Transportation Management Meetings held in April 2017 and April 2018 alternatives B-E include a varying number of lanes. Table 3 compares each alternative pertaining to critical elements of the pedestrian environment, including sidewalk width and the buffering of the sidewalk provided by on-street parking. These elements contribute to the level of comfort experienced by the pedestrian. Table 4 compares each alternative pertaining to crosswalk distances, which is another

element that gauges pedestrian comfort, but also measures the ease for pedestrians to cross corridor intersections. Table 5 compares on-street parking provided by each alternative.

Alternative B: 5-Lane Section

A cross-section of the configuration is shown below in Figure 3. Under this alternative, two through-lanes are provided in each direction. The existing lane widths and curbs would be modified to provide consistency through the corridor. No additional on-street parking will be provided as compared to exiting conditions. A center two-way left turn lane is provided throughout the corridor to accommodate left turn movements. Only Alternative B (5-Lane Section) involves the need for permanent right of way to accommodate the need for wider sidewalks on the north side of the corridor.

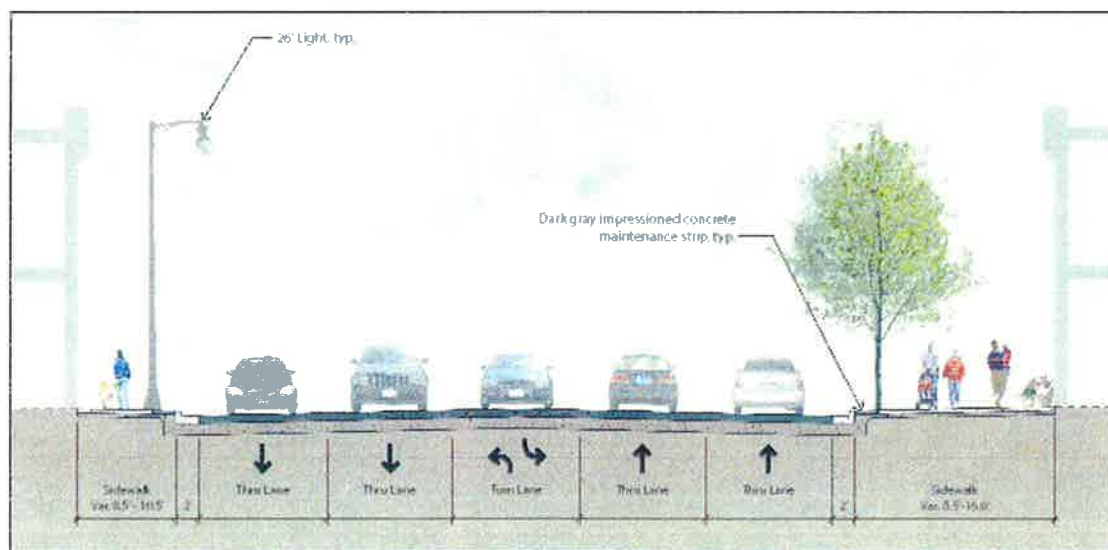


Figure 3: Five-Lane Cross-Section

Alternative C: 3-Lane Section

A cross section of the configuration is shown below in Figure 4. This alternative reduces the eastbound and westbound travel lanes from two through lanes in each direction to one through lane in each direction. A center two-way left turn lane is provided throughout the corridor to accommodate left turn movements. On-street parking is provided on both sides of the roadway throughout most of the corridor.

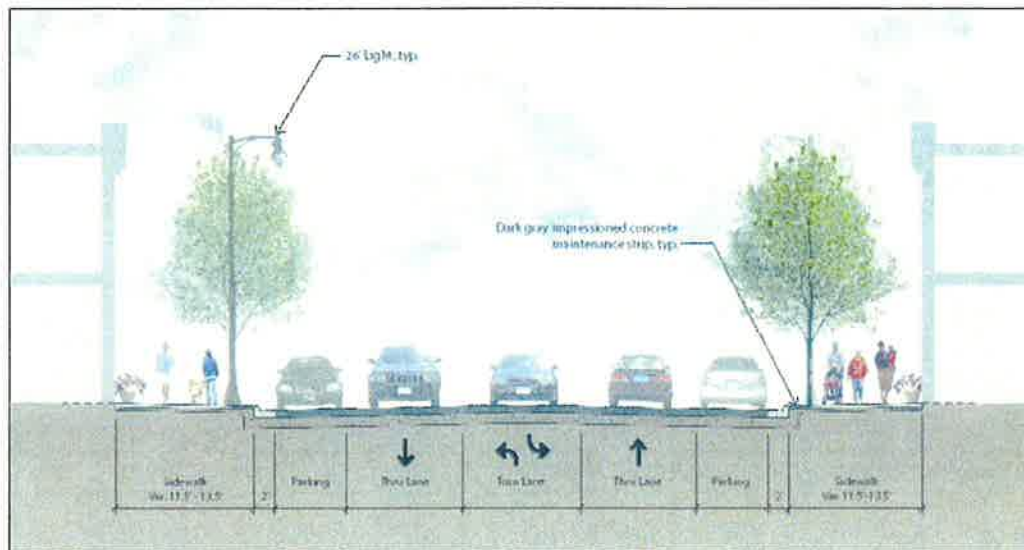


Figure 4: Three-Lane Cross-Section

Alternative D: 4-Lane Section

A cross-section of Alternative D is shown below in Figure 5. Existing travel patterns indicate higher traffic volumes in the eastbound direction on Main Avenue than the westbound direction, particularly during the p.m. peak hour. Therefore, Alternative D includes two eastbound through lanes and one westbound through lane. In addition, a center two-way left turn lane is included to facilitate left-turn movements without blocking mainline traffic. Parking is provided on one side of the street throughout the corridor (alternating between the north and south sides). The four-lane configuration for Alternative D was also a concept illustrated in Downtown InFocus, with a recommendation for a reduced capacity scenario to be further studied and applied to the project corridor.

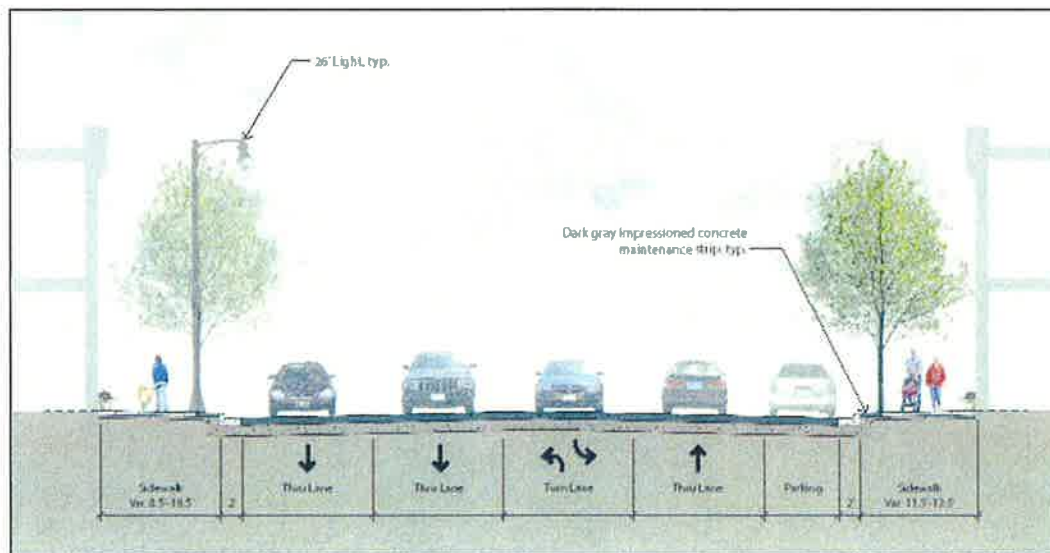


Figure 5: Four-Lane Cross-Section

Alternative E: 5-4-3 Lane Hybrid

The hybrid is a combination of the 5-lane section and 3-lane section with a transitional 4-lane segment. The 5-lane section (similar to Alternative B) is provided west of 11th Street, the 4-lane section (similar to Alternative D) between 11th Street and 9th Street, and the 3-lane section (similar to Alternative C) from 9th Street to 2nd Street.

The transition from a 4-lane roadway to a 3-lane roadway occurs through the creation of a right-turn-only lane on eastbound Main Avenue at 9th Street. This is expected to increase driving public's awareness and use of an opportunity to use 9th Street and 1st Avenue S to access northbound 10th Street as a route into downtown. This opportunity already exists today and is signed as such (see Figure 6) but is often overlooked as an opportunity to access downtown via 10th Street. An overhead dynamic message sign (DMS) is proposed to provide improved way-finding for this route, particularly when eastbound left turns into downtown are about to be hampered by the presence of a train.

In most places along the corridor east of 9th Street, on-street parking buffers the sidewalk from travel lanes. Between 9th Street and 11th Street, on-street parking is located only on the north side of the roadway. No on-street parking is provided west of 11th Street.

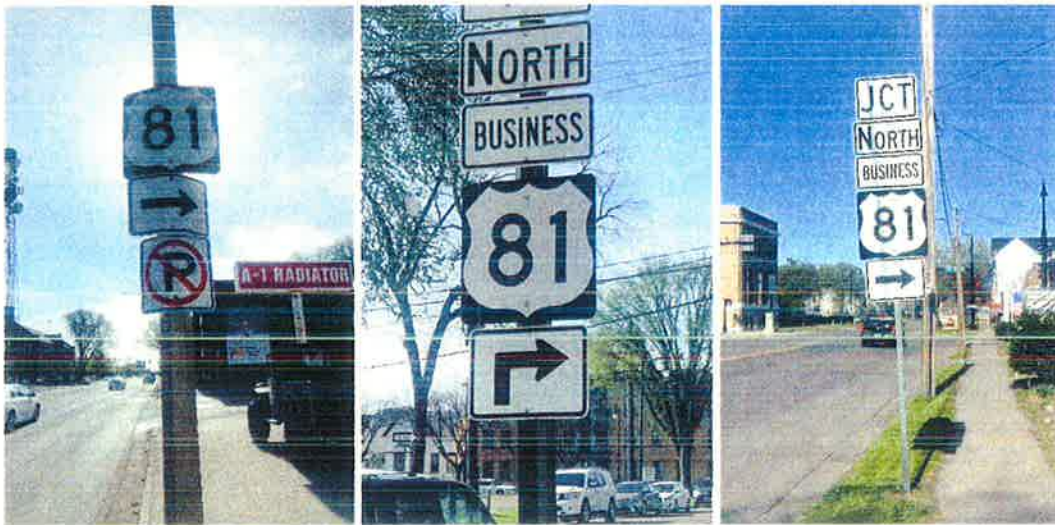


Figure 6: Existing Wayfinding Signage on Main Avenue, 9th Street S and 1st Avenue S

Table 3: Critical Elements of the Pedestrian Environment

Alternative	Range of Width		Parking Buffer?
	North Side	South Side	
Alternative A – No Build	4.2' to 7.2'	4.0' to 14.5'	1.5 Blocks
Alternative B – 5-Lane Section	8.5' to 9.0'	6.5' to 11.3'	1.5 Blocks
Alternative C – 3-Lane Section	8.5' to 13.4'	7.0' to 19.6'	Yes, both sides
Alternative D – 4-Lane, 2+1 with TWLTL and Parking on One Side	8.5' to 11.2'	6.5' to 11.5'	One side (varies)
Alternative E – 5-4-3 Lane Hybrid (east of 9 th St.)	8.6' to 13.4'	8.4' to 14.0'	Yes, both sides
Alternative E – 5-4-3 Lane Hybrid (west of 9 th St.)	8.7' to 10.9'	7.3' to 10.7'	Yes, north side from 9 th to 11 th St.

Table 4: Crosswalk Distances

Alternative	Crosswalk Crossing Distance
Alternative A – No Build	55' to 74'*
Alternative B – 5-Lane Section	58' to 68'*
Alternative C – 3-Lane Section	36' to 68'*
Alternative D – 4-Lane, 2+1 with TWLTL and Parking on One Side	47' to 68'*
Alternative E – 5-4-3 Lane Hybrid (east of 9 th St.)	36' to 68'*
Alternative E – 5-4-3 Lane Hybrid (west of 9 th St.)	N/A

*2nd Street intersection has the longest crossing distance

Table 5: On-street Parking Availability

Alternative	Number of Spaces
Alternative A – No Build	18-20
Alternative B – 5-Lane Section	18
Alternative C – 3-Lane Section	178
Alternative D – 4-Lane, 2+1 with TWLTL and Parking on One Side	83
Alternative E – 5-4-3 Lane Hybrid	158

4. Optional Work Items

Option #1: Mid-Block Pedestrian Crossing East of 10th Street

This option was developed based upon a sub-alternative recommended as part of the Corridor Study and follow-up coordination with both corridor stakeholders and the City of Fargo. Pedestrian counts were collected to determine the general pedestrian crossing locations between 11th Street and 9th Street, due to the lack of a signalized crossing location between 8th Street and University. A majority of the midblock pedestrian crossings were observed just east of 10th Street, with the highest observed crossing location near the McDonald's central access point. Features of the mid-block crossing include a marked crosswalk, advanced warning signs, and pedestrian refuge island. Refer to Figure 7 for the geometric layout of Option #1.

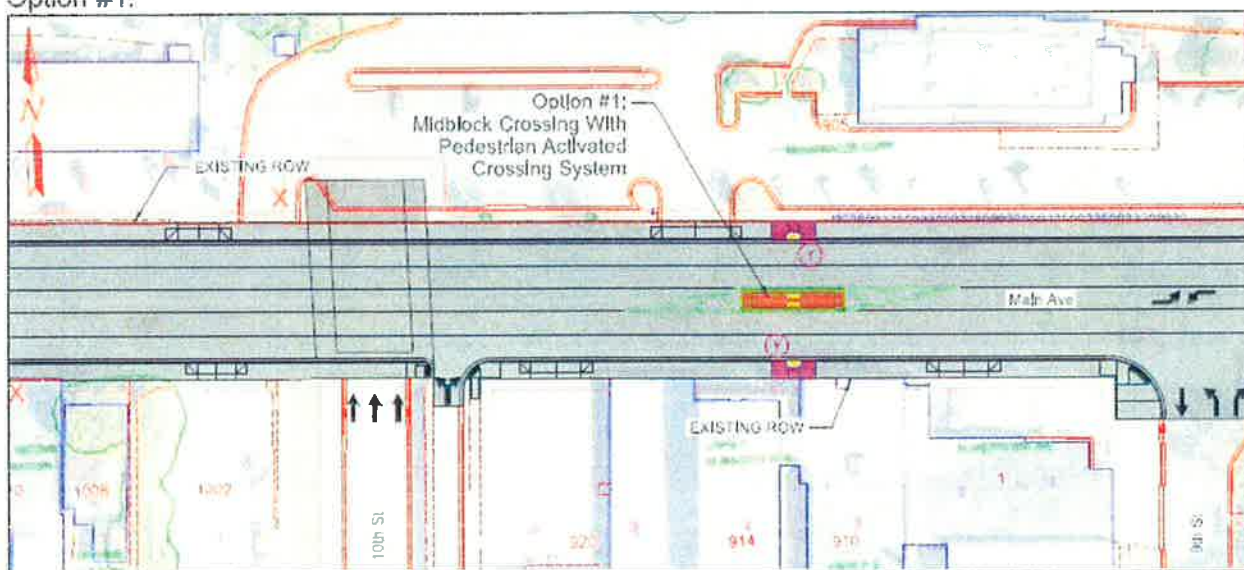


Figure 7: Mid-Block Crossing, Option #1

Option #2: Pedestrian Crossing West of 7th Street

This option was developed through coordination with the City of Fargo, Fargo Park District, and public comment. The crossing will allow pedestrians to cross Main Avenue between 7th Street on the south side of the intersection and the Depot Plaza on the north side in the absence of the current traffic signal at 7th Street, which will be removed as a result of the project. Features of the crossing including a marked crosswalk, advanced warning signs, and pedestrian refuge island. Without this option, there will be no provisions for north-south crossing at 7th Street. Refer to Figure 8 for the design layout of Option #2.

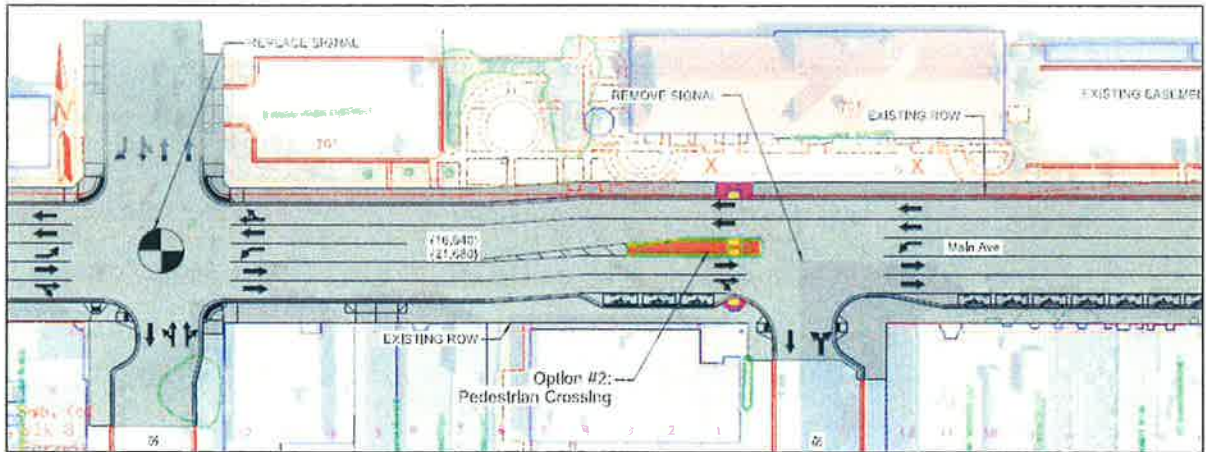


Figure 8: Pedestrian Crossing, Option #2

Option #3: Raised Landscaped Medians

Meetings with corridor property owners and business owners early in the preliminary design process revealed a desire to consider enhancing the aesthetic profile of the corridor beyond how it currently exists. This option includes a landscaped median of ten feet in width (back of curb to back of curb) at the following locations:

- 11th Street to near 10th Street,
- West of 9th Street,
- West and east of 7th Street including through the intersection, and
- An extension of the median west of 2nd Street.

The inclusion of landscaped medians will eliminate left turn movements onto two private driveways:

- Bruns, Elmer G. property (A1 Radiator) located directly south of McDonalds at 1 9th Street S., and
- Fargo Assembly Co. property located on the north side of Main Avenue between 2nd and 4th Streets.

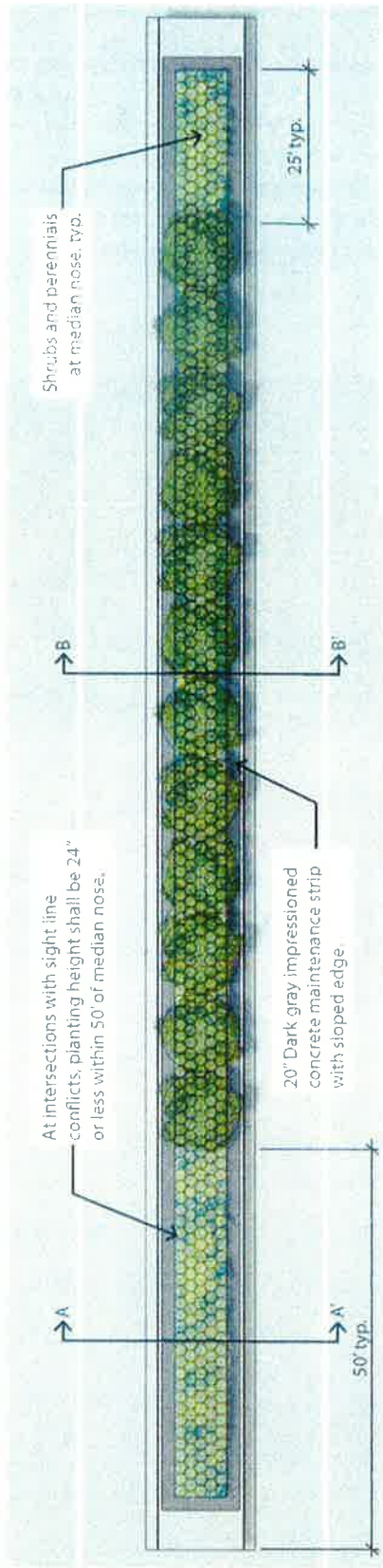
The landscaped median at 7th Street will force drivers entering Main Avenue from 7th Street to make right turns only onto Main Avenue. Options 1 and 2 referred to above are all included in the landscape medians (Option 3).

Figure 9 provides a visualization of a typical planted median envisioned with Option #3. Planted medians should be at least 10' wide, including concrete maintenance strips on the outside edges and planting space within. Planting height near intersections with sight distance concerns will be limited to 24" maximum within 50' of the median nose. Beyond the 50-foot distance, trees can be incorporated into the median.



Typical Section A

Typical Section B



Typical Median Planting Plan

Figure 9: Raised Landscaped Median, Option #3

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Option #4: 2nd Street Roundabout

This design option involves replacing the signalized intersection with a roundabout. This would include adding or maintaining a grassy boulevard in each quadrant of the intersection, and adding a raised circular median surrounded by a moundable curb edge into the middle of this four-way intersection. The existing medians at all four roadway approaches would be expanded outward as they approach the intersection in order to direct an orderly flow of traffic. The existing channelization islands for the right turn lanes in the westbound, northbound, and eastbound directions would be removed. Refer to Figure 10 for the design layout of Option #4.

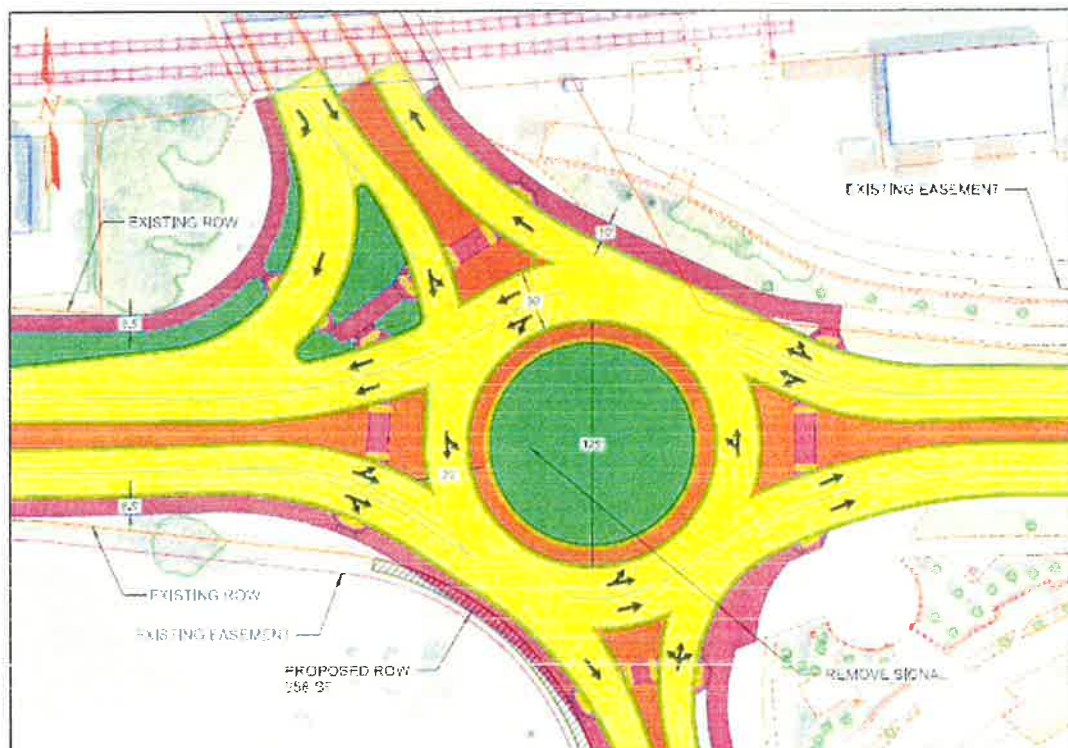


Figure 10: 2nd Street Roundabout, Option #4

Option #5: University Drive Counter-flow

This design option would involve modifying the intersection of Main Avenue and University Drive to provide an alternative route into downtown Fargo by:

- Providing an eastbound left turn lane on Main Avenue, and
- Creating a northbound “counter-flow” lane on University Drive between Main Avenue and NP Avenue.

This would be accomplished by adding a raised median on University Drive to create one northbound lane between Main Avenue and NP Avenue. Drivers using the northbound lane would be required to turn right on NP Avenue. Refer to Figure 11 for the design layout of Option #5.

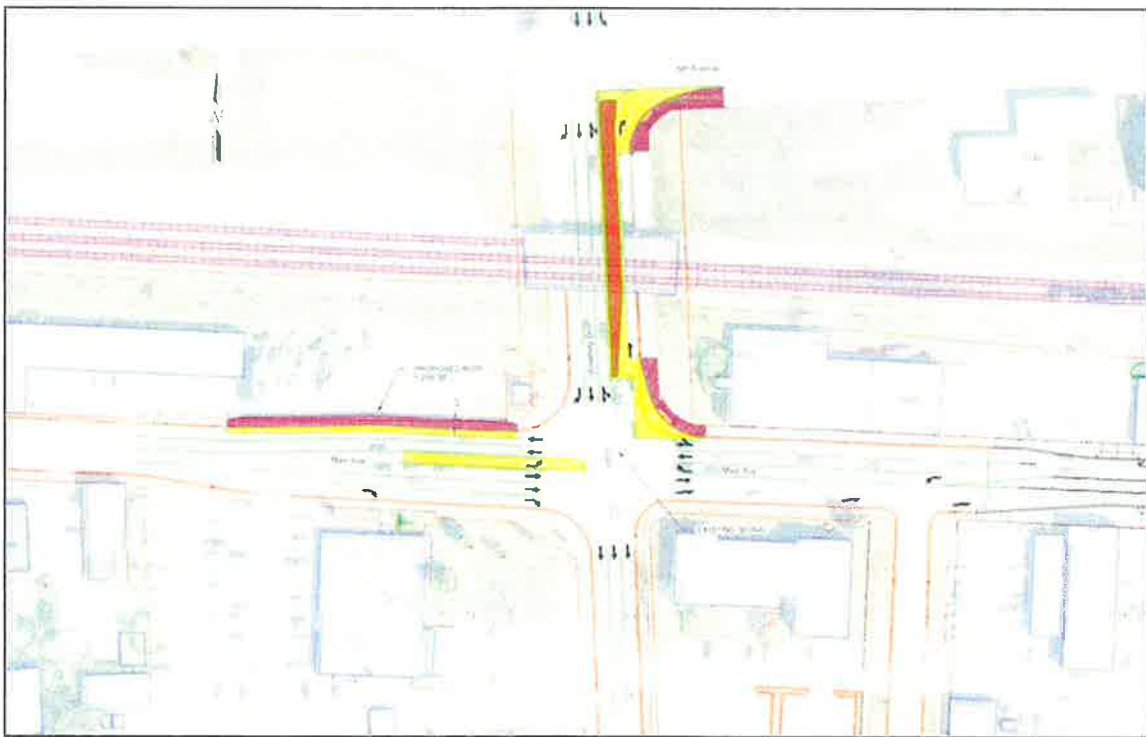


Figure 11: University Drive Counter-flow, Option #5

All build alternatives include the installation of new fiber optic cable and conduits along the Main Avenue corridor. The options described below address additional ITS infrastructure which will utilize the new fiber optic cable and conduit.

Option #6A: Pan Tilt Zoom Cameras (PTZ)

Key features from the 2013 Main Avenue Corridor Study and 2008 Fargo-Moorhead ITS Plan include installing PTZ surveillance at the Main Avenue intersections of University Drive and 2nd Street. Since the 2013 study was completed, PTZ cameras were installed at both of these intersections. The City of Fargo installed an additional PTZ camera in the southeast corner of the Main Avenue and Broadway intersection. These cameras provide real-time information on traffic operations and aid in efficient incident management. All three of these cameras can be replaced as part of the Main Avenue reconstruction project. Figure 12 includes the layout of the PTZ system.

Option #6B: Dynamic Message Signs (DMS)

The 2011 Metro COG Traffic Operations Incident Management Strategy and the 2013 Main Avenue Corridor Study calls for the future implementation of an at-grade train notification system for the traveling public approaching the downtown area, notifying them of a train present on the BNSF mainline tracks, which blocks the at-grade intersections of 8th Street, Broadway, and 4th Street. The in-place railroad detection at the signalized intersections will be utilized to notify motorists of a train present adjacent to Main Avenue within the study corridor. This notification system will reduce congestion caused by train movements by informing drivers of the presence of a train and directing them (via eastbound and westbound DMS) to the nearest grade-separated crossing. Implementation of DMS are proposed as part of the Main Avenue reconstruction project. One DMS will be located west of University Drive and the other DMS will be located just west of the Main Avenue Bridge over the Red River in Fargo. Further discussion with the City of Fargo and NDDOT will need to occur to determine the appropriate type of sign, exact locations, and messages to be implemented to best serve the City's needs. Figure 12 includes the layout of the DMS system.

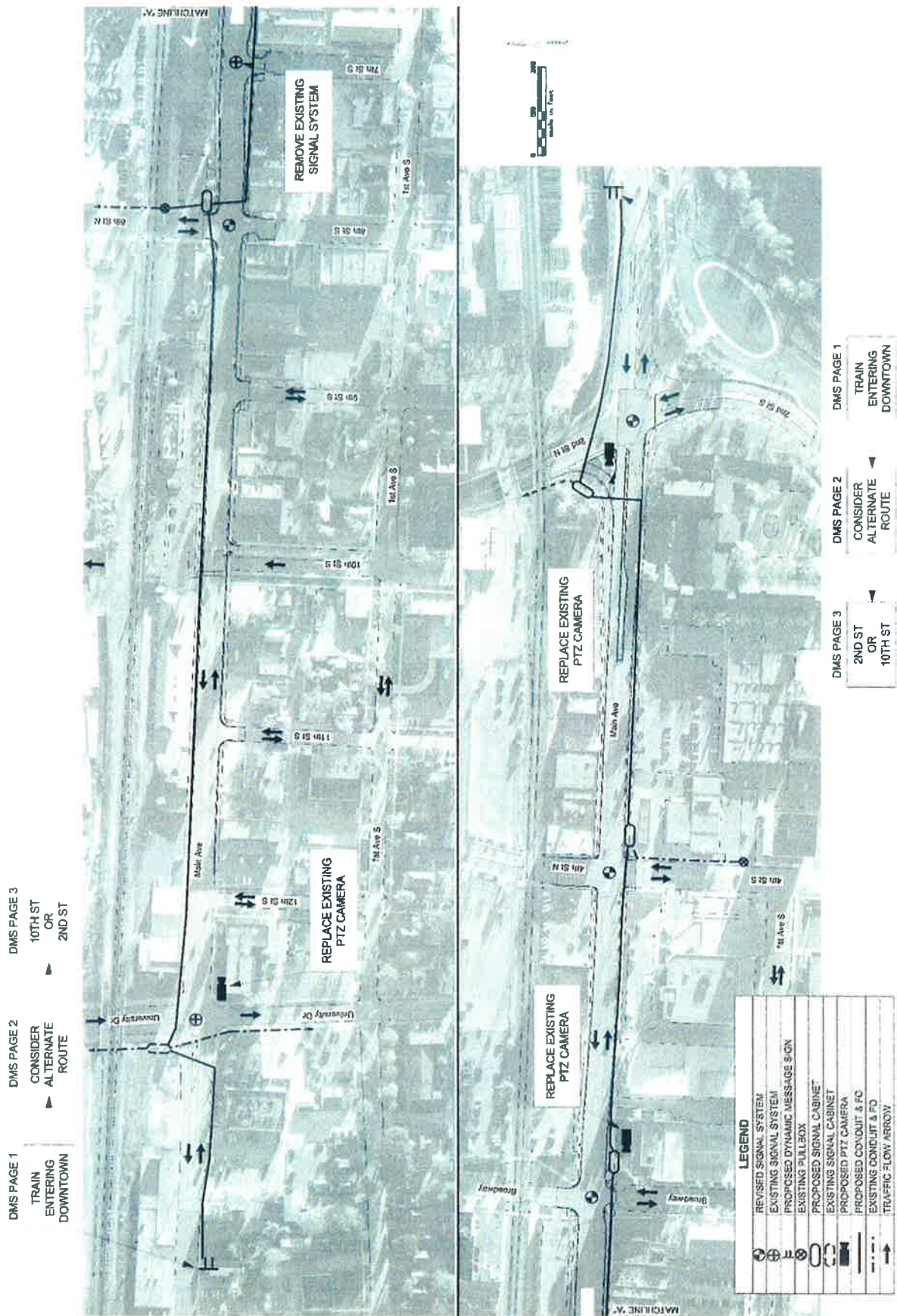


Figure 12: PTZ & DMS, Options #6A & #6B

Main Avenue from University Drive to 2nd Street
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Sub-Alternative 1: University Drive Drop Lane

This design option applies only to Alternative C. It would consist of channelization being implemented on eastbound Main Avenue approaching University Drive. This channelization consists of pavement markings that eliminate the second eastbound through lane while splitting off the eastbound right turn only lane. This option would only allow for one eastbound through lane at the intersection. Carrying only one eastbound lane through the intersection would allow for on-street parking along the south side of Main Avenue in very close proximity to University Drive. Refer to Figure 13 for the design layout of Sub-Alternative 1.

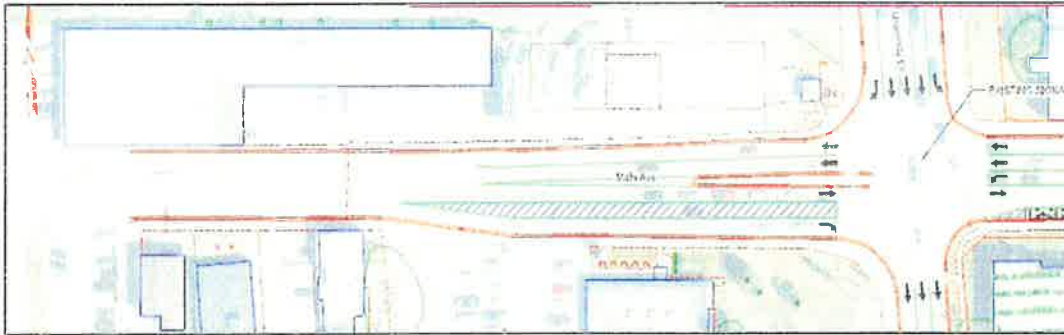


Figure 13: EB Drop Lane at University, Sub-Alternative 1

Sub-Alternative 2: 8th Street Right Turn Lane

This sub-alternative applies to Alternatives C, D, and E and consists of a westbound right turn lane at 8th Street. Incorporating this option would reduce the number of on-street parking spaces that can be provided on the north side of Main Avenue east of 8th Street. The right turn lane has the benefit of allowing drivers to pull out of the westbound through lane, particularly when the right turn movement is delayed due to the presence of a train, but it has the disadvantage of increasing the pedestrian crossing width of Main Avenue by approximately 12 feet. Refer to Figures 14 for the design layout of Sub-Alternative 2. This sub-alternative, if incorporated into Alternative D, would require 1,175 square feet of right of way from the adjacent property.

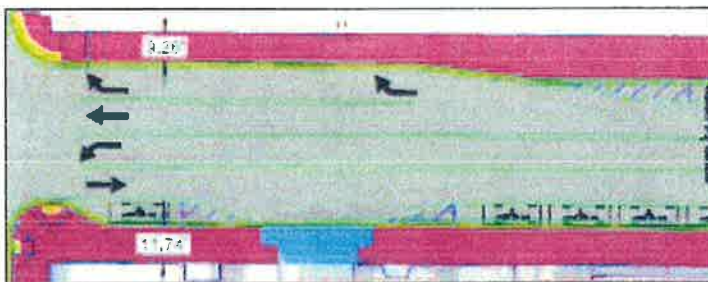


Figure 14: 8th St Right Turn Lane (Sub-Alternative 2) in Alternative C Scenario

Sub-Alternative 3: Broadway Right Turn

This sub-alternative applies to Alternatives C, D, and E, and consists of a westbound right turn lane on Main Avenue at Broadway. Incorporating this option would reduce the number of on-street parking spaces that can be accommodated along the north side of Main Avenue east of Broadway. The right turn lane has the benefit of allowing drivers to pull out of the westbound through lane, particularly when the right turn movement is delayed due to the presence of a train, but it has the disadvantage of increasing the pedestrian crossing width of Main Avenue by approximately 12 feet. Refer to Figures 15 for the design layout of Sub-Alternative 4. This sub-alternative, if incorporated into Alternative D, would require 675 square feet of right of way from the adjacent property.



Figure 15: Broadway Right Turn Lane (Sub-Alternative 3) in Alternative C Scenario

Sub-Alternative 4: 2nd Street Drop Lane

This sub-alternative applies to Alternatives C, D and E and consists of dropping the outside westbound through lane east of 2nd Street through the use of pavement markings that channelize westbound movements into a single through lane and a westbound right turn lane. This prevents the need for a merge west of 2nd Street. Refer to Figure 16 for the design layout of Sub-Alternative 4.

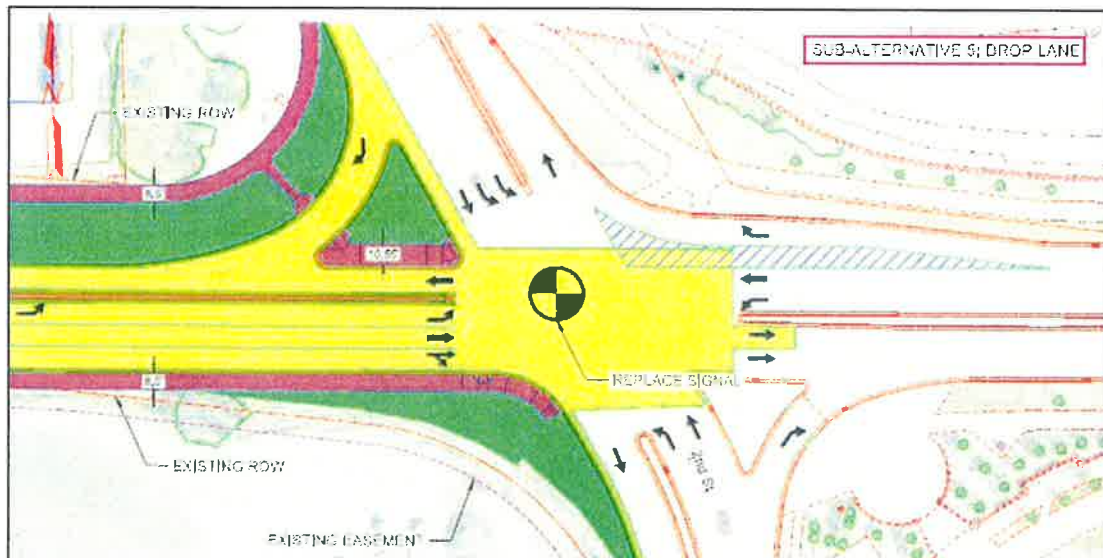


Figure 16: WB Drop Lane at 2nd Street, Sub-Alternative 4

Design Options Possible for All Build Alternatives

Multiple options need to be considered and evaluated for Alternatives B-E. Table 6 describes which options are practical for each alternative.

Comparison of Build Alternatives

Refer to Table 7 for estimated right of way needs and estimated costs for Alternatives B – E.

Table 6: Applicable Options and Sub-Alternatives for Each Alternative

		Alternatives			
		B (5-Lane Section)	C (3-Lane Section)	D (4-lane, 2+1 with TWLTL)	E (5-4-3 Hybrid)
Design Options	Option 1 – Mid Block Pedestrian Crossing East of 10 th Street	X	X	X	X
	Option 2 – Pedestrian Crossing West of 7 th Street	X	X	X	X
	Option 3 – Raised Landscaped Medians	X	X	X	X
	Option 4 – 2 nd Street Roundabout	X	X	X	X
	Option 5 – University Drive Counter-flow	N/A	X	X	X
	Option 6A – Pan Tilt Zoom Camera	X	X	X	X
	Option 6B – Dynamic Message Signs	X	X	X	X
	Sub-Alternative 1: University Drive Drop Lane	N/A	X	N/A	N/A
	Sub-Alternative 2: 8 th Street Right Turn Lane	N/A	X	X	X
	Sub-Alternative 3: Broadway Right Turn Lane	N/A	X	X	X
	Sub-Alternative 4: 2 nd Street Drop Lane	N/A	X	X	X

Table 7: Right of Way and Cost Overview of Build Alternatives and Options

Alternative and Option	Description	Total Right of Way Needs	Approximate Cost*
Alt B	5-Lane Section	6,543 SF	\$12,624,828
Alt C	3-Lane Section and Parking on Both Sides	0 SF	\$13,049,109
Alt D	4-Lane Section (2+1 with TWLTL) and Parking on One Side	0 SF	\$13,246,087
Alt E	5-4-3 Hybrid	0 SF	\$13,230,373
Opt.1	Mid-Block Crossing	0 SF	\$173,275
Opt.2	Pedestrian Crossing West of 7 th Street	0 SF	\$5,273
Opt. 3	Raised Landscape Medians	0 SF	\$731,439
Opt. 4	2 nd St Roundabout	958 SF	\$892,615
Opt. 5	University Dr. Counter-flow	1,259	\$243,093
Opt. 6A	Pan Tilt Zoom Cameras	0 SF	\$24,000
Opt. 6B	Dynamic Messaging Signs	0 SF	\$65,000

*These figures include non-participating costs, including the sanitary sewer system, water system, lighting, and landscaping improvements. Sewer and water replacement cost for each alternative: \$2,500,000 or 21-22% of the total project cost depending on the alternative.

5. Traffic Control Work Zone Safety and Mobility

This project has been designated as a Work Zone Safety and Mobility Significant Project. The public information and outreach process began in the preliminary engineering phase of project development and will continue through construction and post construction activities if necessary. Several public meetings were held, and input gathered from business owners and the affected traveling public helped determine which strategies were implemented during the preliminary engineering process of the project. For additional information, refer to the draft Work Zone Safety and Mobility Report provided in Appendix J.

6. Work Zone Traffic Control

The procedures outlined in North Dakota Department of Transportation's Workzone Safety and Mobility Program, February 2007 are being followed for the development of the Work Zone Traffic Control (WZTC) plan, which is underway. The traffic management plan (TMP) strategies and concepts have been identified. The traffic control and phasing plan for Fargo Main Avenue consists of a directionally-split, off-corridor one-way pair signed detour route and four phases of construction. The signed detour route for eastbound vehicles will divert traffic at University Drive to take the parallel route of 1st Avenue South to 4th Street and then to 2nd Street when necessary. The signed detour route for westbound vehicles will divert traffic at 2nd Street to take the parallel route of 1st Avenue North to University Drive. Regardless of what phase of construction is occurring the signed detour route will remain unchanged; side

streets and intersections not being reconstructed will remain open for drivers to utilize if they desire. Usage of the existing grade separated crossings of the BNSF railway at University, 10th St, and 2nd St are critical for smooth traffic operations during construction. The four phases of construction will start at the east end of the project and will progress to the west, due to storm sewer installation from lowest to highest elevation. Phase 1 will be 2nd Street to just east of 4th Street. Phase 2 will be just east of 4th Street to Broadway. Phase 3 will be Broadway to 10th Street. Phase 4 will be 10th Street to just East of University Drive.

Access to businesses will remain in effect during construction and roads that are not under construction will be open for business use only.

7. Maintenance Responsibility Discussion

The subject Main Avenue corridor (including all improvements in the right of way) will be maintained by the City of Fargo.

8. Summary of Engineering Issues

Replacement of Storm Sewer

Along the corridor, the existing storm sewer is between 30 and 35 years old. The Corridor Study found that full replacement will likely be needed at the time of Main Avenue's reconstruction in addition to adding manholes and inlet drop lines to the trunk storm sewer line.

SRF Consulting Group, Inc. conducted a **hydraulic study** of the existing Main Avenue storm sewer and the adjacent downstream systems owned by the City of Fargo. The study is appended by reference. The existing storm sewer systems do not meet current hydraulic requirements as defined by the North Dakota Century Code. The study defines proposed infrastructure improvements to be made to the Main Avenue storm sewer system to improve hydraulic function. In addition, hydraulic constraints in the downstream City of Fargo storm sewer systems are identified. Analysis of these constraints can be used to guide infrastructure improvements for future city projects that will further improve the hydraulic function of the Main Avenue storm sewer system. Refer to Appendix G for a preliminary storm system layout.

Replacement of City Water

The existing water lines are 95-100 years old and include original cast-iron water main pipes. In addition, the Corridor Study mentions that there have been multiple breaks in the water main along the Main Avenue corridor in the past, resulting in significant disruption to affected businesses. Therefore, the water lines will require full replacement at the time of Main Avenue's reconstruction. Refer to Appendix G for a preliminary water system layout.

Replacement of Sanitary Sewer

The existing sanitary sewer system along the corridor is between 80 and 100 years old. The Corridor Study found that full replacement will be needed at the time of Main Avenue's reconstruction. Refer to Appendix G for a preliminary sanitary system layout.

Private Driveway Closures

Seven private driveways are proposed to be eliminated in all of the build alternatives. Refer to Table 8 regarding the driveway closures. Each property and associated business potentially affected by a driveway closure currently has a second point of access that would become, after the project is complete, the primary access point. Refer to Appendix H for the location of the potential driveway closures noted below.

Table 8: Proposed Driveway Closures

Main Ave. Address	Property Owner	Business	Vacant* (Yes/No)	Alternative Access Location
1118	Teberg BL LLC	Executive Auto	Yes	12 th St.
1102	Curt Ladwig	Curt's Lock and Key Service	No	11 th St.
1016	Jerome Thompson	Country Auto Sales	Yes	11 th St.
1016	Jerome Thompson	Country Auto Sales	Yes	11 th St.
1014	Frankie Savage	Not Identified	Yes	Alley
1010	Realty Income Corp	Safelight Auto Glass	Yes	Alley
905	McDonald's	McDonald's	No	Main Ave.
501	City of Fargo	City Parking Lot	Yes	Main Ave.
330	Wesley & Georgia Bettenhausen	Cenex/Gateway Service Center	No	4 th St., Main Ave.

*Occupancy status as of Spring 2017

Permanent Encroachments

A number of right-of-way encroachments exist throughout the corridor. Encroachments include underground improvements such as basements and above-ground improvements such as railing, stairs, awnings, and signs. Refer to Appendix F for detailed information on the location and detail of each documented encroachment.

Building Inspections

Due the old age of many buildings along the corridor and the proximity of many buildings to the right-of-way, construction activities may have negative effects upon the structural stability of some of the buildings. A structural engineer will be needed to perform inspections before and after construction activities. The estimated cost for inspection work is \$100,000. If stability concerns are noted during final design, the design team will work with the structural engineer and the building owner to arrive at a recommended approach to prevent damage during construction.

9. Summary of Environmental Issues

Traffic Operations

Alternatives and Overall Traffic Operations: SRF completed a traffic operations study for the Main Avenue corridor between University Drive and 2nd Street in April 2018. As part of the traffic operations of the corridor all alternatives were reviewed.

Table 9 provides a summary of existing and future (2040) AADT (annual average daily traffic) volumes for segments of Main Avenue impacted by the project. Refer to Figure 17 for a summary of planning-level capacity at all corridor intersections for each Alternative. In addition to traffic volumes, Main Avenue traffic operations is also impacted as a result of train events periodically blocking the following Main Avenue cross-streets: 8th Street North, Broadway North, and 4th Street North. Another impact to traffic operations is the degree to which on-street parking is provided in each of the Main Avenue alternatives. The turnover and parking maneuver times can significantly influence corridor capacity.

Figure 17 provides a simple visual assessment of how the different alternatives operate under existing and future traffic. Alternative C (3-Lane section) operates at the poorest level of service (LOS) overall with University Drive operating at an unacceptable LOS E or F during all peak hours under 2040 traffic. Alternative B (5-Lane section) operates at an acceptable LOS during all 2040 peak hour projections at all intersections. Alternatives D (4-Lane section) and E (5-4-3 Hybrid) operate at a LOS that falls between Alternative C and Alternative B. The traffic operations study also identified average and maximum traffic queue lengths at all corridor intersections for all alternatives. In general, queue lengths increase commensurate with a decrease in intersection level of service. Queues lengths are also significantly influenced by train events, which was also considered in the traffic operations study.

2nd Street Roundabout Option - Operations: An intersection capacity analysis indicated that the roundabout is expected to operate at LOS D or better during the a.m., midday, and p.m. peak hours under year 2040 conditions for all alternatives. Although providing benefit to operations during the a.m. and midday peak hours compared to the traffic signal option, the roundabout is expected to have higher average delays during the p.m. peak hour compared to the traffic signal option.

Potential for Traffic Diversion: Alternative C (3 Lane Section) is expected to divert traffic to parallel routes, primarily including 1st Avenue South and NP Avenue. The hybrid alternative (Alternative E) is not expected to divert a significant amount of vehicular traffic to adjacent roadways. Rather, the hybrid provides the capacity (via the 5-lane section) where the volumes are higher and a 3-lane section, which improves the pedestrian environment, where the volumes are lower (east of 8th Street). Refer to Figure 18 regarding potential improvements along Main Avenue and parallel routes that can serve to relieve capacity along Main Avenue, especially during peak hours. The degree to which these potential improvements are applied depends on the alternative chosen. For example, Alternative C should be complemented with most, if not all, of the identified improvements to relieve corridor capacity. Potential improvements to relieve Main Avenue capacity include the following:

- Dynamic Wayfinding (refer to Option 6): Especially during train events, messages can alert traffic before prior to entering the project corridor to use an alternative route to avoid congestion.
- University Drive Counter-flow (refer to Option 5): Allows eastbound traffic to utilize NP Avenue prior to entering the project corridor.
- Improved 9th Street/1st Avenue South to 10th Street connection and way-finding.
- 1st Avenue South Modifications: To facilitate higher traffic volumes, the following modification should be considered – 1) the all-way stop controls at 8th Street South and 7th Street South could be removed, 2) signals could be installed at Broadway and 4th Street South and 3) on-street parking on the south side could be removed.
- Main Avenue Intersection Modifications: Examples of access modifications could include three-quarter, right-in/right-out, or closure.

Transit Operations: Because multiple transit routes cross Main Avenue at University Drive and 2nd Street, intersection delay is important to on-time transit operations. Refer to Figure 17 pertaining to existing and future capacity analysis of both intersections. For example, 2nd Street is anticipated under all build alternatives to operate at LOS C or better. However, University Drive is anticipated to operate at an unacceptable LOS (E or F) under Alternative C (3-Lane section) at all peak hours in 2040. The evening peak hour will experience an unacceptable level of service for Alternative C with the counter-flow option under 2040 traffic and Alternative E (hybrid) under 2040 traffic.

Table 9: Summary of Existing and Future AADT's

Location along Main Avenue	2015 AADT (vehicles per day) ⁽¹⁾	2040 AADT (vehicles per day)
West of University Drive	22,305	23,200 ⁽²⁾
East of University Drive	20,480	22,060 ⁽³⁾
8th Street to Broadway	16,640	21,680 ⁽³⁾
4th Street to 2nd Street	21,930	17,600 ⁽³⁾
East of 2nd Street	22,090	25,400 ⁽²⁾

(1) AADT obtained from the 2015 NDDOT Interactive Transportation Information Map and FM Metro COG

(2) AADT obtained from the F-M Metro COG 2014 Long Range Transportation Plan

(3) AADT calculated by applying 0.5% growth rate to 2035 AADT from the 2013 Fargo Main Avenue Corridor Study

Roadway Layout	Time of day	Location											
		University Dr		12th Street		10th Street		9th Street		8th Street		7th Street	
		Overall	Overall	Overall	Worst Side Street	Overall	Worst Side Street	Overall	Worst Side Street	Overall	Worst Side Street	Overall	Worst Side Street
Alt B - 5-Lane Section (Existing Volume)	AM												
	MD												
	PM												
Alt B - 5-Lane Section (Year 2040 Volume)	AM												
	MD												
	PM												
Alt D - 3-Lane Section (Existing Volume)	AM												
	MD												
	PM												
Alt C - 3-Lane Section (Year 2040 Volume)	AM												
	MD												
	PM												
Alt C - 3-Lane Section with University Drive Counterflow (Year 2040 Volume)	AM												
	MD												
	PM												
Alt D - 4-Lane, 2-1 with TWL/L (Year 2040 Volume)	AM												
	MD												
	PM												
Alt E - 5-4-3 Hybrid (Year 2040 Volume)	AM												
	MD												
	PM												
Alt E - 5-4-3 Hybrid with University Drive Counterflow (Year 2040 Volume)	AM												
	MD												
	PM												

Figure 17: Traffic Operations Summary - All Alternatives

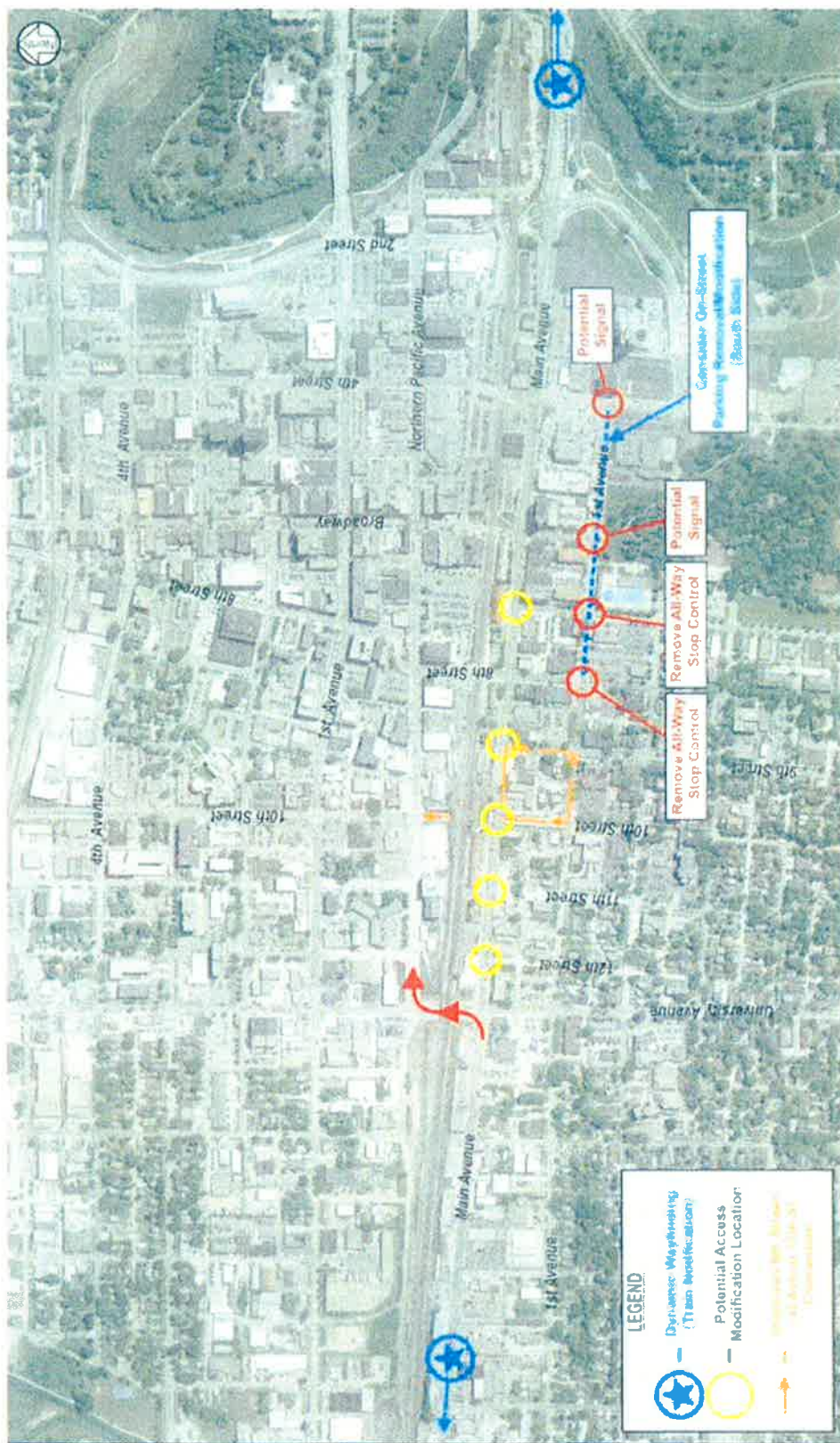


Figure 18: Potential Complementary Improvements to Main Avenue and Parallel Corridors

User Cost Analysis

The objective of a user cost analysis is to bring the effects of a transportation investment into a common measure (dollars), and to allow for the fact that benefits (or impacts) to users of the transportation investment accrue over a long period of time while costs are incurred primarily in the initial years. The primary element monetized for Main Avenue is travel time (vehicle hours traveled). In the case of the project, the user cost analysis provides a monetary value to the time motorists travel on the project segment of Main Avenue. It is important to note that the user cost analysis provides one indication of the economic desirability of a scenario, but results must be weighed by decision-makers along with the assessment of other effects and impacts as described in this document.

The User Cost Analysis is completed using factors such as those identified below in Table 10:

- Vehicle hours traveled for Alternative B (5 Lane Section) and Alternative C (3 Lane Section)
- 20 and 30-year analysis period
- Discount rates (MnDOT & USDOT recommendations)
- Microsimulation model (VISSIM)
- Regional Travel Demand Model
- Linear annual growth rate
- Vehicle Types (applied truck and auto percentages from Traffic Operations Study)

Table 10: User Cost Analysis Results

Travel Time User Cost Savings	3-lane Build Alternative vs. No Build / 5-lane Alternative		5-4-3 Hybrid vs. No Build / 5-Lane Alternative	
	3% Discount Rate	7% Discount Rate	3% Discount Rate	7% Discount Rate
20-year Analysis Period	\$-27.5M	\$-18.6M	\$-11.2M	\$-7.6M
30-year Analysis Period	\$-40.2M	\$-23.5M	\$-16.2M	\$-9.5M

Note: negative values reflect negative travel time benefits for the 3-lane Build Alternative and 5-4-3 Hybrid Alternative compared to the No Build / 5-lane Alternative.

Travel Time User Cost Savings		5-4-3 Hybrid with Counterflow Lane Build Alternative vs. 5-4-3 Hybrid Build Alternative	
		3% Discount Rate	7% Discount Rate
20-year Analysis Period	Analysis	\$-0.8M	\$-0.5M
30-year Analysis Period	Analysis	\$-0.9M	\$-0.6M

Note: negative values reflect negative travel time benefits for the 5-4-3 Hybrid with Counterflow Lane Alternative compared to the base 5-4-3 Hybrid Alternative.

Cultural Resources

Cultural Resources, Section 106: Section 106 of the National Historic Preservation Act of 1966 requires the FHWA to consider the effects of federal undertakings on historic properties. Juniper, LLC prepared a Class III Cultural Resource Inventory for the corridor. The report documented the following information about structures along the corridor:

- Two sites listed on the National Register of Historic Places (NRHP). These sites include Northern Pacific Railway Depot at 701 Main Avenue and DeLendrecie's Department Store (also known as Block 6) at 620-624 Main Avenue.
- 18 sites noted as eligible for the NRHP.
- Three sites unevaluated for the NRHP.
- The corridor is at least partially located within two established historic districts: the Downtown Fargo Historic District and the Masonic Block Historic District.

In response to the Class III Cultural Resources Inventory and coordination between NDDOT, SHPO, and the Fargo Historic Preservation Commission, the following actions will be taken to mitigate potential impacts to cultural resources during construction:

- The DeLendrecies sidewalk plaque and historic water spigots (building at 624 Main Ave.) will be either preserved during construction or replaced after construction.
- Due the old age of many buildings along the corridor and the proximity of many buildings to the right-of-way, construction activities may have negative effects upon the structural stability of some of the buildings. A structural engineer will be needed to perform inspections before and after construction activities. If stability concerns are noted during final design, the design team will work with the structural engineer and the building owner to arrive at a recommended approach to prevent damage during construction.
- Several subsurface encroachments exist and extend into the right-of-way from buildings along Main Avenue. Such encroachments range from arched or semi-circular protrusions of basements beneath the sidewalks (at 608 and 610 Main Avenue, for example), to smaller voids including coal chutes and other voids related to utilities. These encroachments will be removed as part of this project. An architectural historian will document the visible historical elements of all associated subsurface right-of-way encroachments prior to removal.
- Discovery Plan: NDDOT has developed, in coordination with SHPO and the Fargo Historic Preservation Commission, a Discovery Plan for the project. This Discovery Plan details what will happen when unanticipated cultural resource discoveries are made during construction. The Discovery Plan is provided in Appendix I.

Section 4(f)

Section 4(f) of the Transportation Act prohibits the Federal Highway Administration (FHWA) from authorizing actions that require the use of a Section 4(f) resource, including public parks, recreation areas, wildlife refuges or lands of historic significance, unless there are no prudent and feasible avoidance alternatives and the action includes all possible planning to minimize harm.

As structures eligible for listing on the National Register of Historic Places, a number of buildings along the corridor, as well as the 10th Street Underpass, are afforded protection under Section 4(f) of the United States Transportation Act of 1966 (codified in 49 U.S.C. 303 and 23 U.S.C. 138). As a public park or recreation area, the Northern Pacific Railway Depot Plaza (adjacent to the Depot building) is also afforded protection under Section 4(f).

The Depot Plaza, which is part of the Fargo Park District park system, will be impacted by all of the build alternatives. Note that the Northern Pacific Railway Depot building will not be impacted by any of the project alternatives. The pullout in front of the Depot building is proposed to be removed. An ADA compliant sidewalk is proposed for the plaza's frontage, along with landscaping and lighting improvements within the sidewalk. The sidewalk and associated improvements will result in the need to modify a portion of the existing plaza. Through coordination with the Park District and the City of Fargo, three alternative concepts for the mitigation of plaza impacts have been developed (Refer to Appendix E and Table 11):

- All build alternatives would involve loss of the existing pullout and impacts to the plaza and planters in front of the Depot building (see Figure 19). A *minimum mitigation alternative* takes advantage of as many existing plaza features as possible and provides improvements to match the existing features. A *maximum mitigation alternative* provides some additional improvements to existing plaza features not directly impacted, such as the stairways in front of the Historic Depot building. A simple concrete replacement of the existing Main Avenue pullout is shown in Table 11—this alternative would not replace the impacted planters in front of the Depot building and would only replace the pullout with concrete.

Table 11: Depot Plaza Section 4(f) Mitigation

Mitigation Alternative:	Project Design Mitigation Works With:	Cost:
Concrete Replacement of Main Ave. Pullout	All Build Alternatives	\$28,000
Minimum Mitigation Alternative	All Build Alternatives	\$200,000
Maximum Mitigation Alternative	All Build Alternatives	\$260,000

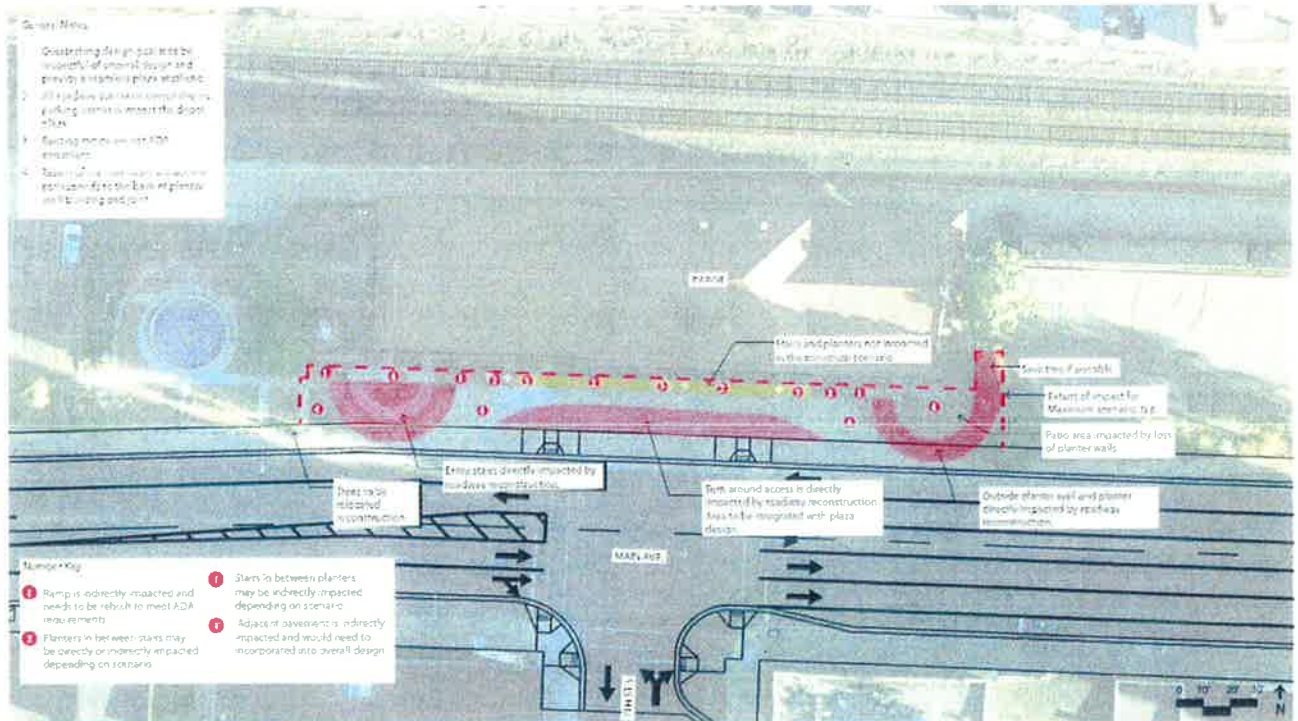


Figure 19: Depot Plaza Reconstruction Impacts

The 10th Street North Underpass consists of two bridges: 1) bridge number 81-926.783 is the north bridge, which is owned by BNSF Railway and 2) bridge number 10-939.846 is the south bridge carrying Main Avenue traffic, which is owned by the NDDOT. The bridges were built in the early 1920's and reconstructed towards the end of the 1930's. In 1984, the NDDOT replaced the deck on the south bridge. In 2010, concrete spall repairs were made to sidewalks on the south side of Main Avenue, and the sidewalk on the bridge was made ADA accessible, the existing decorative railing along the Main Avenue sidewalk and 10th Street was refinished and rail retrofitted, and pedestrian railing was added between the pier columns of both bridges.

The project includes the following rehabilitation and improvements to the south bridge:

- The center span of the south bridge (not including the sidewalk area) consists of three sections of 3" steel grid deck filled with concrete. The metal concrete forms between the T-beams are deteriorating. As part of the project, the entire steel grid deck that was installed in 1984 will be replaced.
- To match with the proposed sidewalk improvements on the south side of Main Avenue, both east and west of the south bridge, the deck cantilever is proposed to be extended approximately 2'-6" to enhance the sidewalk width on the south side of the bridge. The existing decorative railing along the sidewalk is proposed to be reinstalled after the sidewalk is widened.
- The southwest and southeast abutment corners at the tie in location with the existing retaining walls will be modified to accommodate the wider deck. The bridge piers will not be disturbed.
- Besides the extended cantilever, any modifications made to the superstructure in the south spans will be consistent with the appearance of the existing bridge. The decorative railing and freestanding rail retrofit currently on site will be reset.

At this time, Section 4(f) compliance is intended to be achieved through a *de minimis* finding. It is important to note that a final decision on the preferred Main Avenue alternative cannot be made until the Section 4(f) process has concluded. This process includes coordination with the Park District (for potential impacts to the Depot Plaza) and the State Historic Preservation Office and the Fargo Historic Preservation Commission (for potential impacts to cultural and historical resources). Ultimately, an agreement will need to be made with the noted agencies with their concurrence of the potential project impacts and associated mitigation.

Hazardous Materials

Braun Intertec conducted a Limited Phase I Environmental Site Assessment (ESA) that was completed in general conformance with guidelines recommended by the NDDOT on the proposed improvements of Main Avenue between University Drive and Second Street in Fargo, ND. The intent of this study was to identify possible potential sources of contamination that could impact the project area. In completing the ESA, the corridor was separated at Broadway into two segments, the East and West. Braun Intertec ranked parcels and completed parcel summaries for properties within the corridor with a low, medium, and high potential for contamination. A corridor sketch depicting the locations of low, medium, and high-ranking parcels and individual parcel summaries for the ranked parcels at the corridor are attached in Appendices B and C of the Limited Phase 1 ESA, which is appended by reference.

The following is an outline of the parcel ranking and the corresponding parcels identified within the corridor:

Low Potential for Contamination Sites are defined as parcels that are hazardous waste generators (Resource Conservation and Recovery Act/Quantity Generators [RCRA-GEN]) and parcels where site reconnaissance showed poor housekeeping, chemical storage, manufacturing facilities, or soil disturbance, etc. Braun Intertec identified four *Low Potential for Contamination Sites* within the corridor, as shown below in Table 12:

Table 12: Low Potential for Contamination Sites

Parcel Name	Address	Rationale
1113 Main Avenue	1113 Main Avenue	Sheet Metal Fabrication 1922-1958, FFD Odor Investigation
Floral Expressions	1002 Main Avenue	Sheet Metal Fabrication 1901-1929, FFD Building Fire
Mercantile Building	620 Main Avenue	Transit Present
223 Main Avenue	223 Main Avenue	Hides and Fur 1916- 1958, (Possible Tanning Activities)

Medium Potential for Contamination Sites include parcels with closed leaking underground storage tanks (LUSTs), all parcels with underground storage tanks (USTs) or aboveground storage tanks (ASTs), and all parcels with vehicle repair or auto body work activities. Braun Intertec identified 22 *Medium Potential for Contamination Sites* within the Corridor, as shown in the table below:

Table 13: Medium Potential for Contamination Sites

Parcel Owner	Address	Rationale
Former Main Avenue Spur Service Gas Station	1309/1301 Main Avenue	FFD Existing UST
Standard Oil	5 University Drive S	Gas Station 1929-1963, FFD Odor Investigation, FFD Existing UST
Diamond Vogel Paint	1201 Main Avenue	FFD Existing UST, possibly in ROW
Professional Building	1220 Main Avenue	Gas Station 1959-1963, FFD Gasoline Spill
Former Machine Shed	1118-1124 Main Avenue	FFD Existing USTs
Curt's Lock and Key	1102 Main Avenue	Gas Station 1950-1969
9 11th Street S	9 11th Street S	FFD Existing UST
Ron's Gulf Service Station	1016 Main Avenue	Gas Station 1950-1969
Former Safelite Repair	1010 Main Avenue	Auto Service 1916-1929

Sherwin Williams	920 Main Avenue	Tire Service 1965-1982, Paint Storage 1987- Present
A-1 Radiator	1 9th Street S/904 Main Avenue	Gas Station 1922-1969
BNSF Railway Office	801 Main Avenue	Oil Shed 1910-1929
Mainspace	818 Main Avenue	Auto Body/Machine Shop 1950-1982
Mexican Village	814 Main Avenue	Auto Tires and Vulcanizing 1922-1958
Park District of the	701 Main Avenue	FFD UST Abandoned In- Place
Former Magill & Co	501 Main Avenue	Gasoline UST 1896-1910
45 4th Street S	45 4th Street S	Paint Shop 1892-1916, Machine/ Welding 1922-
River City Church	323 Main Avenue	Auto Service 1916-1961
Gateway Service Center	312-330 Main Avenue	Active UST and AST, Closed LUST,
FM Records	307 Main Avenue	Auto Service 1950-1969
Gateway Strip Mall	300 Main Avenue	Gas Station 1929-1950, Used Auto Sales 1958-
Former Park East Apts	1 2nd Street S	Junkyard 1950-1969

High Potential for Contamination Sites include all active and inactive Voluntary Investigation and Cleanup (VIC), all heavy industry sites, all active and inactive dumpsites, and all active LUST sites. One *High Potential for Contamination Sites* was identified within the Corridor, as shown in the table below:

Table 14: High Potential for Contamination Sites

Parcel Name	Address	Rationale
Mid America Steel	92 Northern Pacific Avenue S	Active UST, Heavy Industrial, Adjacent Contamination

The potential to encounter soil contamination during construction is high. This is due to 1) the historic nature of the corridor, 2) the extensive amount of properties throughout the entire project corridor that have a medium potential for contamination, and 3) the need for extensive ground disturbing activities (especially deep trenching associated with utility replacement). Because of the potential to encounter soil contamination during construction, the following approach will be taken during construction activity:

- Stockpiling of suspect material for as much as a week, pending receipt of analytical results and identification of a disposal facility. In general, three to four days for expedited analytical results can be expected, then another one to two days for the review and approval process at the disposal facility.

- Suspect materials will have to be placed on plastic or other impermeable surface and protected from contact with stormwater.
- Depending on the extent of contamination, dewatering fluids may also have additional discharge restrictions, requiring collection for offsite disposal.
- If contamination is encountered, worker exposure will need to be considered to be in compliance with OSHA. The Contractor may need to have staff or a subcontractor available that can operate under the requirements of HAZWOPER. That includes 40-hour certifications and medical monitoring of the onsite personnel, and a site-specific health and safety plan that has been approved by a certified industrial hygienist.

Landscaping Impacts

Many trees, planter beds, and over 300 feet of decorative fence are located within the project corridor that will be subject to varying degrees of impacts as a result of the project. Graphics and a spreadsheet that depict the location and details of these impacted features throughout the corridor is provided in Appendix D. While many trees will not be directly impacted by the project, the dripline of many trees is likely to be impacted, likely resulting in the loss of additional trees. Foresters from the City of Fargo and the Park District of the City of Fargo have requested that trees which are impacted within City right of way or Park District property should be mitigated at a 2:1 ratio, with the replacement trees to be located at the discretion of the City or Park District. In summary, the following impacts have been identified:

- 39 trees will be impacted by project construction. Seven trees are located on private property and 32 trees located on public property (either the Park District or City of Fargo property).
- 12,356.30 square feet of planter bed area will be impacted by project construction. 7,113.1 square feet is located on private property and 5,243.2 square feet on public property (either the Park District or City of Fargo property).
- 333.48 linear feet of decorative fence, all located on City of Fargo property, will need to be replaced after construction

The impacts bulleted above are not expected to vary significantly with the different build alternatives.

Floodplain

FEMA FIRM Panel #385364 0020 E shows the intersection of 2nd Street and Main Avenue falls within the 100-year floodplain (flood zones Zone AE and Zone X) of the Red River. The floodplain status will be changing in the near term as the development of the Red River Diversion project and the associated in-town flood wall and levy construction continues.

Redevelopment and Economic Impact

The NDDOT Environmental Impact Checklist asks if the project will result in a decrease in business or economic activity along the project corridor. To help answer this question and to understand differences in economic impact between the project alternatives, Gateway

Planning studied the economic development and redevelopment impacts including a 5-lane (Alternative B) and a 3-lane (Alternative C) configuration as well as the 5-4-3 Hybrid (Alternative E). Alternative D was not specifically studied. The three-lane scenario is intended to generally represent any reduced capacity alternative (less than five lanes) that slows traffic speeds and provides additional on-street parking beyond what is currently provided, whereas the five-lane scenario is intended to represent traffic and parking conditions similar to what currently exists, with the additional improvement to the pedestrian environment as described in this document. The 5-4-3 Hybrid was added to the analysis to address the blending of the two alternatives initially studied.

The Main Avenue Redevelopment Initiative (Redevelopment and Economic Development Analysis) is appended by reference. The Initiative identifies redevelopment opportunities along Main Avenue on a block-by-block basis for new development and redevelopment as it relates to a 3-lane and a 5-lane scenario. The Initiative also reveals the economic impact of resulting redevelopment based on both the 3-lane and 5-lane scenarios. The Initiative was developed with input from the recently adopted Downtown InFocus (Fargo's Downtown Master Plan), interviews with various local stakeholders, and a design workshop that was open to the public. The Initiative studied the 3-lane and 5-lane scenarios using the metrics listed below. The manner in which each scenario responds to each metric was evaluated both qualitatively and quantitatively.

- Potential for redevelopment, adaptive reuse or infill: the 3-lane scenario was shown to have a slightly greater potential for total redevelopment and adaptive reuse square footage.
- Fulfills need identified in Downtown Master Plan: the 3-lane scenario fit into the framework of the Downtown Master Plan, whereas the five-lane scenario did not.
- Potential for dwelling units along or near corridor: the 3-lane scenario was shown to have a greater potential to attract residential development.
- Potential for retail: both scenarios were shown to attract new retail development, with the reduced lane scenarios showing greater potential due to on-street parking.
- Consistency with other adopted city plans: the reduced-lane scenario fit best into the framework of other adopted local plans, such as Fargo Comprehensive Plan Go2030 and the Metropolitan Bicycle and Pedestrian Plan.
- On-street parking availability: the reduced-lane scenario includes a significant increase in on-street parking availability.
- Open space opportunities: the reduced-lane scenario and redevelopment opportunities accompanying the scenario present more public open space/gathering areas as opposed to the five-lane scenario.

Redevelopment opportunities identified for both scenarios were studied from an economic and fiscal impact perspective. A number of criteria were used to review the comparative impact, such as change in the following: property value, property tax revenue, retail sales and tax, and food and alcohol sales and tax. Corridor redevelopment under each scenario was reviewed with a 20 and 30-year horizon. Job and population increases were also estimated based on each redevelopment scenario, estimated within the 30-year horizon. It was found that the reduced-lane scenario results in significantly greater estimates of Net Present Value of Tax Revenue, which is defined as the current value of the future amount to be received discounted to today's current value, of over \$42.4 million over 20 years and \$59.8 million over 30 years. The 5-lane scenario results in an estimated \$26.1 million Net Present Value of Tax Revenue over 20 years and \$33.7 million over 30 years. It was also found that the reduced-lane scenario results in greater job and population creation than the 5-lane scenario. The

reduced-lane scenario showed approximately 70% greater job creation and 60% greater population creation.

Environmental Justice Impacts

The Fargo-Moorhead Metropolitan Council of Governments (FMCOG) maintains data pertaining to environmental justice for the metro area. The most recent FMCOG Environmental Justice Map (2017) shows that the Main Avenue corridor is within a census block group identified as low income. A low-income block group has an annual median household income less than \$22,546.75. Since the Main Avenue corridor bisects a low-income block group, multimodal connections along the corridor east/west and north/south are likely to be important due to the higher cost of vehicular travel for low-income groups as opposed to walking or biking. All build alternatives will involve improvements upon the existing pedestrian environment. The reduced-lane build alternatives will involve the greatest reduction in intersection crossing distances.

Social Impacts

The project will improve local neighborhood cohesion by improving pedestrian connectivity across Main Avenue (both east/west at intersections and north/south at intersections and other crossings). However, some build alternatives could impact vehicular travel patterns by diverting traffic to alternative routes. Diverted traffic could be guided to adjacent parallel routes, in particular NP Avenue, via the counter-flow option at University Drive and an eastbound right turn only lane at 9th Street South to access 10th Street North via 1st Avenue South. Other alternative routes that lead to/from downtown include 1st Avenue N, 7th Avenue N, and 1st Avenue S. During peak hours, emergency services will use signal preemption, and can take parallel routes mentioned above.

10. Public Involvement

Public involvement activities carried out for this project are as follows:

- Solicitation of Views Letters – Fall, 2016
- Open Houses – November 29, November 30 and December 5 of 2016
Supplemental follow-up meetings were held with individual businesses and property owners who were unable to attend an open house.
- Public Input Meeting – April 25, 2017
- Focus Group Meetings – November 15-16, 2017
- Design Workshop Business and Property Owner Meetings – December 6, 2017
- Design Workshop Public Presentation – December 7, 2017
- Public Input Meeting – May 8, 2018

At the public input meeting in April of 2017, a significant number of public comments were received about a desire to examine the redevelopment and economic benefit of reducing the capacity of Main Avenue in conjunction with widening sidewalks and adding more on-street parking. In response to this input, the scope of the project was changed to include a redevelopment and economic analysis and additional project alternatives.

Based on the public and stakeholder input received, three primary considerations have been identified as instrumental in the decision about a preferred alternative and options for Main

Avenue. These corridor priorities and goals, and the manner in which each is addressed by Alternatives A-E is shown below in Table 15, Project Priorities and Goals.

Based on the public and stakeholder input received, three primary considerations have been identified as instrumental in the decision about a preferred alternative and options for Main Avenue. These corridor priorities and goals, and the manner in which each is addressed by Alternatives A-E is shown below in Table 15, Project Priorities and Goals.

Table 15: Project Priorities and Goals

Roadway Characteristic	What does this mean?	Alt. A No Build	Alt. B 5-Lane	Alt C 3-Lane	Alt D 4-Lane 2+1 & TWLTL	Alt E 5-4-3 Hybrid
Vehicular Mobility	Speed, Level of Congestion	Yellow	Green	Green	Red	Yellow
Pedestrian Environment	Walkability, Safety, Aesthetics	Red	Yellow	Yellow	Green	Green
Placemaking & Economics	Infill, Redevelopment, Adaptive Reuse, Gateway & Community Aesthetics, Property Values	Red	Red	Yellow	Green	Green



Input from the public has been documented in the Public Involvement Report and summarized in Table 16, Summary of Comments/Responses. A strong majority of public input supports Alternative E, the 5-4-3 Hybrid in conjunction with the University Drive counter-flow lane. Support has also been expressed for the roundabout at 2nd Street, the landscaped medians, and the pedestrian crossing east of 10th Street. The counter-flow lane at University Drive (Option 5) has garnered more support than any other aspect of the project.

Table 16, Summary of Comments/Responses

Topic	Comments	Responses
Mailing List	Please take off mailing list. Project affects Main Avenue people	
Preferred Alternative	3-Lane is the ideal alternative but hybrid alternative would also be viable option Inclusion of median would be fantastic A reduced lane alternative would add extra sidewalk space along with additional parking along the corridor	
Preferred Alternative	Would like to see the 5-4-3 hybrid selected	

Preferred Alternative	<p>3-lane option is preferred. Hybrid option is agreeable. The city needs to reduce lanes in order to improve pedestrian friendliness and to open up the possibility of bike lanes in the future.</p> <p>Mid-block crossing east of 10th Street is a great idea. There are many people who try to cross at that point which is dangerous</p> <p>The raised landscape medians would be a great addition and would beautify the street.</p> <p>The roundabout is a good idea too in that it keeps track flowing. The only issue is that people in Fargo struggle with navigating roundabouts, but that will change over time.</p> <p>The counterflow for University Drive is something that would be extremely helpful for people coming from the east who need to get onto 10th Street.</p>	
Preferred Alternative	<p>My street and my business rely on our proximity to the central Broadway/downtown corridors. I understand that improvements need to be made to update older infrastructure, but we must be careful with how those improvements are made in pedestrian-centric areas. I feel that a 3-lane option from 2nd -9th Street makes sense for an area that thrives and strives for foot-traffic. Anything wider than three lanes would further cut-off the southern streets from the central downtown area, deterring traffic from our businesses and shops. The more we can encourage slower car traffic and higher foot traffic, the better in my opinion.</p>	
Preferred Alternative	<p>My job brings me in and out of downtown several times per day. My opinion is that Main Avenue should remain at a minimum, 2 lanes in each direction. Changing the one ways in downtown Fargo has already made heading through downtown a time black hole. Early in the stages of the one way pair conversion I heard that changing the one way pairs to two way would only add a minute to your travels through down town. This is not the case to anyone that has driven it consistently before and after. It takes way longer to get through downtown in its current configuration. Don't restrict traffic on any more of the east-west routes through town.</p>	
Preferred Alternative	<p>I am writing to give my support for the University counterflow option that is being considered for the main avenue reconstruction project. There is currently not a way to get from main avenue over to NP, from 8th Street through 25th Street due to the current road lay-out. Adding a single northbound lane would greatly improve the ease of exiting main avenue along that stretch.</p>	
Preferred Alternative	<p>I would like to express my support for the main avenue university counterflow option in the 2019 revision of main Ave. I live in the historic union apartments and to get home from my employer in West Fargo, we current have to loop around (south on University, east on 1st Ave S, North on 10th, under the underpass, and then finally get on to NP. It's quite cumbersome and a simple one lane solution would alleviate this for all the tenants in my building, along with multiple other apartment buildings and prairie roots coop.</p>	

Preferred Option	I'm writing to express my support for the Main Avenue University Counterflow Option to be included in the 2019 reconstruction of Main Ave.	
Preferred Option	Sending an email in support of the Main Avenue University Counterflow Option. It would make it easier for consumers and business owners alike to travel to the different stores and would grow revenue as well as make the community better!	
Preferred Option	I support the Main Avenue University Counterflow Option to be included in the 2019 reconstruction of Main Ave.	
Preferred Option	I have always felt that the right turn from westbound Main onto University (counter-flow turn I think it is called) would be a great idea. I have been involved in downtown project construction, planning and operations of downtown buildings for the better part of 15 years now, and this option would greatly improve navigation in our downtown for regular local travelers and tourists alike.	
Preferred Option	I write to ask that the Main Avenue University Counterflow Option be included in the 2019 reconstruction of Main Ave. There are challenges crossing the tracks from Main to get to north Fargo and this would be a convenient way to accomplish this. And further it would use the underpass structure already in place and help our community as a test to determine the next big traffic decision in regards to one way streets. In addition to my legislative concern for the orderly growth of the core of Fargo as an economic engine for North Dakota I am also interested in the near north University area changing from a blighted area to a vibrant area of our city. I serve as president of the Prairie Roots Food Cooperative business. I believe this counterflow option would benefit businesses developing in this part of town. This development will build our sales and property tax base and not only increase the ease of service to our citizens but also increase the tax resources needed that our citizens across the state want.	
Preferred Option	I am writing to express my support for the Main Ave, University Counterflow Option. I would love to see traffic have the ability to be redirected to the north if possible. I think this would really open up the area, cause less confusion for visitors, and less frustration for locals! I am a founding owner of Prairie Roots Food Co-op and this would greatly improve the route to get to the store for people coming from the South	
Preferred Option	I'd like to offer my support for the Main Ave./University Drive counter flow option being discussed - there needs to be a way to get across the train tracks between 8th St. and 25th St. It's always been a huge pain to rely on the very few roadways to get past the train tracks if you're trying to get downtown from Main, and in cases where you're trying to get somewhere on the west side of downtown you have to take a very roundabout	

	way of getting there. Congestion will only get worse as the west side of downtown continues to grow.	
Preferred Option	I support the access north on University drive from UNIVERSITY Ave North. It creates another excellent access to businesses along Univ Ave North as well as Downtown Fargo as well as goes under the railroad. The North direction one way is too difficult and confusing for many who want to go to North Fargo.	
Preferred Option	I'm an owner of the Prairie Roots Co-op and I'm writing to you to PLEASE allow two-way traffic on University in front of our grocery store. As it is currently arranged, it's inconvenient and somewhat dangerous for people to pull into our parking lot.	
Preferred Option	<p>Thank you for taking comments on the construction coming up next year downtown. I saw an option to create a change on Main and University. As a Prairie Roots Co-op owner, I think making a change to the roads is a smart idea because it would encourage new customers/owners to visit to the co-op to support local businesses and farmers, and to help current customers/owners travel to the co-op.</p> <p>I believe downtown Fargo is focused on community and residents are proud of this! Creating more access to local shops, such as the co-op, would help grow this community focus.</p>	
Preferred Option	As an owner in the Prairie Roots Co-op, I'm writing to express my support for the Main Avenue University Counterflow Option to be included in the 2019 reconstruction of Main Ave.	
Preferred Option	I submitted written input at the public meeting but I recently heard about another aspect on which to give input. I support a counterflow option from Main onto University. Thank you for fielding all the emails. I'm excited to see what you come up with!	
Preferred Option	<p>I saw an option to create a change on Main and University. As a Prairie Roots Co-op owner, I think making a change to the roads is a smart idea because it would encourage new customers/owners to visit to the co-op to support local businesses and farmers, and to help current customers/owners travel to the co-op.</p> <p>I believe downtown Fargo is focused on community and residents are proud of this! Creating more access to local shops, such as the co-op, would help grow this community focus.</p>	
Preferred Option	I am in favor of the University Dr counterflow from Main Ave to NP.	
Preferred Option	I'm the General Manager and an Owner of Prairie Roots Food Co-op and I would like to encourage the city to implement the Main Avenue University Counterflow all the way up to 1st	

	<p>Street, to make it easier for our customers to access the neighborhood, community-owned grocery store. We opened in a food desert and anything the city can do to make it easy for people in the community to access the fresh, healthy, local food in our store would be very welcome. As a community-owned food co-op, with over 2,000 local owners, every dollar that is spent at our store generates \$1.6 in local economic activity. We provide jobs, source as much food as we can locally and give back to the community through programs like our Double SNAP program, and donations to the Emergency Food Pantry. Easier access to our store would help us attract more customers, grow our sales, and allow us to do more of those kind of positive activities in the future.</p> <p>Additionally, other new businesses that are newly opened and opening in the surrounding blocks would benefit from easier access to their businesses from Main Ave, as would residents in our neighborhood.</p>	
Preferred Option	<p>I am an owner in the Prairie Roots coop and would like to express my support for the proposal to allow right turn going north on university drive during the Main Avenue reconstruction. The coop is facing challenges and any way to make access to the coop easier during road construction is vital to its success.</p>	
Preferred Alternatives	<p>It was great to see the presentation that you folks put together—nice work.</p> <p>It is a good bit of work to have various projects nest within each other as a comprehensive and consistent approach and one that is embraced by various efforts and various “plans”—those that support each other are predicting the success of the whole. It is very commendable that your team has taken up the mantle and responded to the work done before you.</p> <p>The goals you state as “Purpose” are clear and your options are on point. It seems when looking at the scorecard against your purpose that the 5-4-3 option balances best all the competing considerations.</p> <p>Options that you have in front of you (and how wonderful that you have thought comprehensively about what is possible):</p> <p>Option 1—this would align to increase the porosity N/S of Main and as uses evolve to the North and South of Main in part as a result of this work the desire to move N/S through and along this corridor will only increase</p> <p>Option 2—as above; increasing “safe” crossing and promoting the porosity of Main</p> <p>Option 3—the balance point back to adding the medians is the overall crossing distance and the perception of same against safety and porosity of the Main Avenue barrier; optimizing on keeping the crossing as tight as possible couple with enhancing the boulevard plantings and amenities associated with the sidewalks may be more in harmony with supporting all des/means of inhabiting the corridor</p> <p>Option 4—while supporting and easing vehicular traffic movements the trade-offs in line with the overall ideas and</p>	

	<p>optimizing the experience for all modes seem to outweigh the benefits</p> <p>Option 5—seems intuitive and great use of capacity; possible to implement after a year or two to see if impacts are as predicted?</p> <p>Option 6A—leveraging technology to inform flow/sequencing/experiences for all seems obvious</p> <p>Option 6B—requires more study and clarity to implementation—cause and effect and benefit (practically); aesthetic impacts and technology solutions available as notifications? Train flow relationship to signaling directly...?</p> <p>Turn lanes to “stack” awaiting for trains—I wonder out loud if folks will adjust to the new rhythm of traffic flows downtown and widening pavement at a critical crossing (thinking about relationship to Island Park as well) seems challenging in broader context</p> <p>Eventual development of the former Mid America Steel site as it relates to the scale of the roundabout (and possible limited traffic “control”) and the potential of more residents as part of whatever that development ends up being eventually is worth weighing...and the linkage opportunity to the Mid America site and Moorhead and the Red River corridor north/south...</p> <p>Roundabout scale and the E/W movement to be encouraged / balance to pedestrian and bicyclist movements through this zone</p> <p>Trajectory and “vertical” movement of various modes of transportation; how and where grade separations happen and traffic is managed/calmed to support other modes are important details ultimately—pedestrians, bicyclists, etc.</p> <p>I encourage your collaboration with your neighbors to the east—as the mall is losing Herberger’s and also looking at a re-work of Center Avenue--and there are likely short and long-term opportunities to weave in to the overall planning and execution to maximize opportunities and minimize frustrations and impacts to business on both sides of the river.</p>	
<p>Preferred Alternative</p>	<p>As a North Fargo resident who composed this message in my office overlooking Broadway and for whom downtown represents my primary social center for dining and entertainment, I’m excited by the development opportunities with the Main Avenue reconstruction. Updating this corridor provides multiple benefits for the community in terms of mobility and economic expansion potential.</p> <p>The proposal to create a northbound option from Main to NP Avenue will provide a useful benefit to Fargo.</p> <p>The vibrancy of this area is demonstrated by the expanding development along NP Avenue including the historic Union Storage building, Prairie Roots Co-Op, Wild Terra and Daran Soul Food restaurant.</p> <p>This critical option will solve for the current challenge of eastbound drivers needing to travel to 8th Street for the first option to gain access to areas north of Main.</p>	

	<p>Changing this road builds on the successful routing changes made in recent years for the one-way use of East-West routes downtown.</p> <p>Additional transportation options to this end of town will further build a viable and accessible downtown Fargo.</p> <p>Furthermore, I prefer the Hybrid Option E for Main Avenue to allow for efficient vehicle movement on the western edge while still promoting parking and pedestrian ease of use in the downtown core.</p>	
Preferred Option	I support the Main Avenue / University Counterflow Option to be included in the 2019 reconstruction of Main Ave.	
Preferred Option	I am a Prairie Roots Coop member, and while I have adapted to the pattern of traffic I must follow to get to my primary grocery store from Moorhead, I can see that the Main Avenue University Traffic Counterflow Option might make arriving at the coop easier. I support that plan.	
Preferred Option	I support the Main Avenue University Counterflow Option to be included in the 2019 reconstruction of Main Avenue. I am a frequent shopper at the Prairie Roots Co-op. It would be unfortunate if access would be too complicated, especially for potentially new and curious customers, which may hamper its growth as a new business.	
Preferred Option	Please consider making University Drive a two-way street from Main Avenue to First Avenue North so that traffic headed to downtown Fargo won't continue to bottleneck as much at Broadway and at Fourth Street due to trains. Also, by making University Drive a two-way from Main Avenue to First Avenue North , traffic headed to downtown Fargo from Main Avenue will have two entry points rather than just one if University Drive is made a two-way only to NP Avenue.	
Preferred Option	As an owner of the Prairie Roots Food Coop in Fargo, ND I want to express my support for the Main Avenue University Counterflow Option to be included in the 2019 reconstruction of Main Ave.	
Preferred Option	Regarding the upcoming Main Avenue reconstruction in 2019, I am in favor of the option to allow right turns from Main Ave north on University to NP Avenue. It would make it easier to get around that area of downtown.	
Preferred Option	I have heard that a northbound lane on University is being considered under the railroad tracks. This is much needed. It is very difficult to get into downtown if a train is coming, and it is difficult to get to the Co-Op (which I am a member of) no matter if a train is coming or not.	
Preferred Alternative	We like Alternative E, 5-4-3 Hybrid, best for many reasons. A distant 2 nd place goes to Alternative D. Also we like the roundabout on 2 nd & Main Avenue. Great idea! Please add the north bound lane from Main Avenue north on University (Counterflow). It makes sense.	
Preferred Alternative	Don't claim to be a traffic expert, but I'm inclined to favor the 3-lane or Hybrid plans for the traffic calming and walkable development possibilities.	

Preferred Alternative	<p>I support the 5-4-3 Hybrid. Very pleased to see this option which aligns with goals of Go2030 & InFocus plans. This option makes the most sense for downtown, provides a safer environment, increases retail sales, greater infill potential and a positive return on investment.</p> <p>The counterflow at University is a great idea. It really should go to 1st Ave N to better connect traffic into downtown.</p>	
Preferred Alternative	<p>The economic value, and frankly use/enjoyment value of the 3-lane proposal would be preferred.</p> <p>Living nearby I avoid Main Avenue as a pedestrian destination. The traffic modeling doesn't assume folks will adapt by walking more and living closer or finding different routes and the criteria seem to be poorly scored and they should not be equally valued. Traffic isn't more important than pedestrian access and economic value.</p>	
Preferred Alternative	<p>I like the compromise of the 5-4-3 Hybrid. We've seen what pedestrian friendly design does along Broadway and we deserve more than one walkable road in Fargo. With the older building stock along the east end of Main Avenue we have an opportunity for people to fall in love with that part of our city and others to invest their work and live there where we've already built a lonely city.</p>	
Preferred Option	<p>I want to express my support for the Main Avenue University Counterflow Option to be included in the 2019 reconstruction of Main Ave.</p>	
Preferred Alternative	<p>I believe the 5-4-3 Hybrid is the best option for Main Avenue. This option allows traffic to be maintained while promoting walking and mixed-use development</p>	
Preferred Alternative	<p>Prefer the 5-4-3 Hybrid option. As a retail worker and neighbor on Block 6, most important options for us is, a.) slower traffic speed b.) more on-street parking c.) ability to bring more housing & retail space d.) better for pedestrians e.) a beautiful area with greenery, color and enjoyable experience. I like the traffic redirection and signage to help people make their way downtown. I liked more parking bugger for my customer. Not so worried about travel time because those drivers will have to look at our store fronts as they move through downtown.</p>	
Preferred Alternative	<p>I believe the best option for the long-term growth of downtown is the 3-lane option, but I also think the hybrid option is also acceptable. The 4-lane looks awkward and confusing and is not a good option (especially in winter). As for traffic concern, I do think technology is going to disrupt our transportation system, and I wonder if we were having this same conversation 100 years ago we would be concerned with being accommodating to horse & buggy traffic.</p>	
Preferred Alternative	<p>Thanks for all of your work. To me, this is a no-brainer. The 3-lane option is clearly what is best for Main Avenue due to Downtown Fargo as a whole. The hybrid is a distant 2nd. The 4 to 5-lane doesn't make any sense. I'm sure you're getting plenty of blowback about reducing traffic volumes, speeds and increasing commute times, but reducing to 3 lanes is what is best for Fargo.</p>	
Preferred Alternative	<p>Main Avenue could be a great (East – West Broadway) if we put NP & 1st St. N back to a one-way. I think the two-way on</p>	

	those two streets did not bring the economic impact that was projected	
Preferred Alternative	I like Alternative E – Hybrid and roundabout at 2 nd Street	
Preferred Alternative	It seems that the 5-4-3 Hybrid is the best compromise among the plans. If there are concern of traffic flow would there be a consideration of converting NP & 1 st Ave N back into one-ways to help more traffic east and west?	
Preferred Alternative	I like Option 3 – Landscaped medians (trees). I'm in favor of your 3-lane option with parking on both sides of the street (Alternative C). Anything to make it more a complete street. We should be planning for the future when there will be fewer cars on the road. Alternative E (5-4-3 Hybrid) would be my second choice. It provides for 3-lanes for much of the reconstruction.	
Preferred Alternative	We are excited for the hybrid (5-4-3) combined with Option 5 (Counterflow), and the roundabout (Option 4). The raised medians and island refuges will provide much needed safety for our customers as well as our family living above 714 Main (Mint & Basil). We need a separation from industrial Main Ave to shopping, dining, living, downtown. The hybrid is the way to go! Please lower speed limit to 25 mph. The sub-alternative on 8 th Street would be a great idea!	
Parking/Cost	Downtown business owner. Thank you for all of the work NDDOT, City of Fargo and SRF has put into project. Is the presence of parking weighed into the overall cost?	
Roundabout	I am not super-convinced the roundabout is a good option. Is there information out there to compare to other cities the same size as Fargo?	
Speed Limit	Will speed limit remain 30 mph?	
Cost	Are the options and sub-alternatives considered in the cost estimates	
Deliveries	Will a reduced lane scenario affect delivery vehicles for businesses along the corridor?	
Parking	Is on-street parking maneuvers accounted for in the modeling?	

Table 17: Comparison of Alternatives

Alternatives	Advantages	Disadvantages
Alternative A – No Build Cost (\$0)	<ul style="list-style-type: none"> • No cost for new construction • No elimination of on-street parking • No elimination of business driveways 	<ul style="list-style-type: none"> • Continuation of the identified deficiencies • Does not address the vision and goals identified in local plans
Advantages & Disadvantages Common to All Build Alternatives (B-E)	<p><u>Pedestrian</u></p> <ul style="list-style-type: none"> • Sidewalk widths increased to be ADA compliant and allow for street furniture • Removal of Main Avenue's right lane channelizing island to 2nd Street southbound shortens distance for pedestrians to cross 2nd Street • Removal of acceleration lane from 2nd Street right turn lane to Main Avenue westbound shortens distance for pedestrians to cross 2nd Street <p><u>Vehicular</u></p> <ul style="list-style-type: none"> • Removal of 7th Street traffic signal will reduce congestion between 8th Street and Broadway • Extension of Main Avenue's left turn lane to southbound 8th Street improves traffic flow • Closure of seven driveways for seven separate businesses improves corridor vehicular operations <p><u>Utilities</u></p> <ul style="list-style-type: none"> • Replacement of deteriorating storm sewer, sanitary sewer, and water line infrastructure <p><u>Aesthetics</u></p>	<p><u>Pedestrian</u></p> <ul style="list-style-type: none"> • Removal of 7th Street signal eliminates an existing opportunity for pedestrian crossing at a traffic signal <p><u>Vehicular</u></p> <ul style="list-style-type: none"> • Removal of acceleration lane from 2nd Street right turn lane to Main Avenue westbound increases instances of yielding <p><u>Businesses</u></p> <ul style="list-style-type: none"> • Results in the closure of seven driveways for seven separate businesses. All businesses have a second point of access.

Alternatives	Advantages	Disadvantages
	<ul style="list-style-type: none"> Coordinated enhancement of Main Avenue streetscape 	
<p>Alternative B – 5 Lane Alternative (\$12,624,828)</p>	<ul style="list-style-type: none"> Lowest cost build alternative Operates at a higher level of service compared to other alternatives (including Alternative A – No Build) Results in least queuing lengths compared to other alternatives (including Alternative A – No Build) 	<ul style="list-style-type: none"> Includes the greatest amount of right-of-way impacts of all the build alternatives Includes greatest permanent right of way impact to Park District property (Section 4(f) consideration) compared to other build alternatives Potentially least effective alternative in promoting traffic calming due to provision of two lanes in both directions Least degree of improvement to the pedestrian environment Of all build alternatives, least compatible with Downtown Master Plan recommendations Expected to support significantly less redevelopment, infill and adaptive reuse due to the emphasis on travel speeds and lack of on-street parking.
<p>Alternative C – 3 Lane Alternative (\$13,049,109)</p>	<ul style="list-style-type: none"> High pedestrian comfort due to greatest average sidewalk width, space for streetscaping, and on-street parking provided compared to all build alternatives Shortest distance for pedestrian to cross Main Avenue north/south at intersection No right-of-way impacts Promotes redevelopment, infill and adaptive reuse based on a more pedestrian oriented environment, on-street parking and slower travel speeds. 	<ul style="list-style-type: none"> Least vehicular capacity compared to all other alternatives (also includes impacts to transit routes crossing University Drive at all peak hours) Greatest vehicle queuing lengths compared to all alternatives High potential to divert traffic to parallel routes Trans

Alternatives	Advantages	Disadvantages
Alternative D – 2+1 with TWLTL (\$13,246,087)	<ul style="list-style-type: none"> • No right-of-way impacts • Of all build alternatives, most compatible with Downtown Master Plan recommendations • Promotes redevelopment, infill and adaptive reuse based on a more pedestrian oriented environment, on-street parking and slower travel speeds. 	<ul style="list-style-type: none"> • Highest cost alternative
Alternative E – 5-4-3 Lane Hybrid (\$13,230,373)	<ul style="list-style-type: none"> • Designed to accommodate travel demand where it is needed the most (west of 9th Street) and allow for enhanced pedestrian environment where existing pedestrian attractions exist (e.g. Broadway, Depot Plaza) • Promotes redevelopment, infill and adaptive reuse based on a more pedestrian oriented environment, on-street parking and slower travel speeds. 	<ul style="list-style-type: none"> • University Drive will operate at a poor level of service during the evening peak hour, also impacting transit routes crossing the intersection
Option 1 – Mid-Block Crossing East of 10th Street (\$173,275)	<ul style="list-style-type: none"> • Provides pedestrian access in a five block, 1/3 mile stretch of Main Avenue currently without pedestrian access across the street • No right-of-way needed • A recommended option with public support from the Corridor Study 	<ul style="list-style-type: none"> • Increases difficulty of maintenance operations (e.g. snow removal and street sweeping)
Option 2 – Pedestrian Crossing West of 7th Street (\$5,273)	<ul style="list-style-type: none"> • Provides pedestrian access where existing signal will be removed • No right-of-way needed 	<ul style="list-style-type: none"> • Increases difficulty of maintenance operations (e.g. snow removal and street sweeping) • Least costly design option

Alternatives	Advantages	Disadvantages
Option 3 -Landscaped Medians (\$731,439)	<ul style="list-style-type: none"> • Substantial enhancement to overall aesthetic profile of the corridor • Improves traffic operations by eliminating left turn movements at several locations • Recommendation from corridor property owners and business owners from early preliminary design meetings • No right-of-way needed 	<ul style="list-style-type: none"> • Most expensive mainline corridor design option • Option not included in the Corridor Study • Increases difficulty of maintenance operations (e.g. snow removal and street sweeping) • Eliminates access to two private driveways and from 7th St. to Main Avenue
Option 4 – 2nd Street Roundabout (\$892,615)	<ul style="list-style-type: none"> • Improves traffic operations at 2nd Street intersection • Expected reduction of traffic conflicts • No right-of-way needed 	<ul style="list-style-type: none"> • Expands footprint of intersection • Most expensive option
Option 5 – University Drive Counter-flow (\$149,057)	<ul style="list-style-type: none"> • Relieves build alternatives that constrain Main Avenue capacity • Takes advantage of parallel streets such as NP Avenue, which has reserve capacity, as a route into downtown. 	<ul style="list-style-type: none"> • Confined single lane reduces refuge opportunity for disabled vehicles
Option 6A -Pan Tilt Zoom Cameras (PTZ) (\$24,000)	<ul style="list-style-type: none"> • Achieves higher levels of regional coordination in the areas of traffic management, operations, incident response, and security • Provides real-time information on traffic operations • Aids in efficient incident management • Low cost improvement necessary to upgrade existing system, replaces obsolete equipment. 	<ul style="list-style-type: none"> • Additional equipment to maintain

Alternatives	Advantages	Disadvantages
<p>Option 6B -Dynamic Messaging System (DMS) (\$65,000)</p>	<ul style="list-style-type: none"> • Notifies motorists of train present adjacent to Main Avenue (on BNSF railroad) • Potential to reduce congestion caused by train movements • Could be used for other events besides train notification (i.e. street closures/parking locations during downtown street fair) 	<ul style="list-style-type: none"> • Additional equipment to maintain • Over-use could result in a loss of effectiveness due to the traffic control device phenomenon of "background noise"

G. Comments from the Documented CatEx

Comments received from NDDOT and stakeholder review will be included in the document.

Guide to Completing the Recommendations Table: Sub-alternatives and Options Compatible with Project Alternatives

Alternative A – No Build

Alternative B – 5 Lane Section (\$12,624,828)

- No Options
- Option 1: Mid-block Crossing East of 10th Street (\$173,275)
- Option 2: Pedestrian Crossing West of 7th Street (\$5,273)
- Option 3: Raised Landscaped Medians (\$731,439)
- Option 4: 2nd Street Roundabout (\$892,615)
- Option 6A: 2nd Pan Tilt Zoom Camera (\$24,000)
- Option 6B: 2nd Dynamic Messaging Sign (\$65,000)

Alternative C – 3 Lane Section (\$13,049,107)

- No Sub-alternatives
- Sub-alternative 1: University Drive Drop Lane (-\$642)
- Sub-alternative 2: 8th Street Right Turn Lane (-\$40,410)
- Sub-alternative 3: Broadway Right Turn Lane (-\$39,696)
- Sub-alternative 4: 2nd Street Drop Lane (-\$25,035)
- No Options
- Option 1: Mid-block Crossing East of 10th Street (\$173,275)
- Option 2: Pedestrian Crossing West of 7th Street (\$5,273)
- Option 3: Raised Landscaped Medians (\$731,439)
- Option 4: 2nd Street Roundabout (\$892,615)
- Option 5: University Drive Counterflow (\$149,058)
- Option 6A: 2nd Pan Tilt Zoom Camera (\$24,000)
- Option 6B: 2nd Dynamic Messaging Sign (\$65,000)

<u>Alternative D – 4 Lane Section, 2+1 with CLTL and Parking (\$13,246,087)</u>		<u>Alternative E – 5-4-3 Hybrid (\$13,230,373)</u>	
No Sub-alternatives	No Sub-alternatives		
Sub-alternative 2: 8 th Street Right Turn Lane (-\$21,144)	Sub-alternative 2: 8 th Street Right Turn Lane (-\$33,354)		
Sub-alternative 3: Broadway Right Turn Lane (-\$36,690)	Sub-alternative 3: Broadway Right Turn Lane (-\$32,606)		
Sub-alternative 4: 2 nd Street Drop Lane (-\$26,247)	Sub-alternative 4: 2 nd Street Drop Lane (-\$24,967)		
No Options	No Options		
Option 1: Mid-block Crossing East of 10 th Street (\$173,275)	Option 1: Mid-block Crossing East of 10 th Street (\$173,275)		
Option 2: Pedestrian Crossing West of 7 th Street (\$5,273)	Option 2: Pedestrian Crossing West of 7 th Street (\$5,273)		
Option 3: Raised Landscaped Medians (\$731,439)	Option 3: Raised Landscaped Medians (\$731,439)		
Option 4: 2 nd Street Roundabout (\$892,615)	Option 4: 2 nd Street Roundabout (\$892,615)		
Option 5: University Drive Counterflow (\$149,058)	Option 5: University Drive Counterflow (\$149,058)		
Option 6A: 2 nd Pan Tilt Zoom Camera (\$24,000)	Option 6A: 2 nd Pan Tilt Zoom Camera (\$24,000)		
Option 6B: 2 nd Dynamic Messaging Sign (\$65,000)	Option 6B: 2 nd Dynamic Messaging Sign (\$65,000)		

Reviewers, please add your recommendations on Executive Decisions as adobe sticky notes within the decision table(s) in the previous section. Don't put your recommendations on this page. We would like all recommendations in the same area, on the decision table(s).

H. Executive Decisions

1. Do you concur with the project concepts as proposed?

☒ Yes

☐ No

2. Is Alternative A, No Build, the preferred alternative?

☐ Yes

☒ No

3. Which build alternative and option(s) is preferred?

☐ Alternative B – 5 Lane Section (\$12,624,828)

☐ No Options

☐ Option 1: Mid-block Crossing East of 10th Street (\$173,275)

☐ Option 2: Pedestrian Crossing West of 7th Street (\$5,273)

☐ Option 3: Raised Landscaped Medians (\$731,439)

☐ Option 4: 2nd Street Roundabout (\$892,615)

☐ Option 6A: 2nd Pan Tilt Zoom Camera (\$24,000)

☐ Option 6B: 2nd Dynamic Messaging Sign (\$65,000)

☐ Alternative C – 3 Lane Section (\$13,049,107)

☐ No Sub-alternatives

☐ Sub-alternative 1: University Drive Drop Lane (-\$642)

☐ Sub-alternative 2: 8th Street Right Turn Lane (-\$40,410)

☐ Sub-alternative 3: Broadway Right Turn Lane (-\$39,696)

☐ Sub-alternative 4: 2nd Street Drop Lane (-\$25,035)

☐ No Options

- ☐ Option 1: Mid-block Crossing East of 10th Street (\$173,275)
- ☐ Option 2: Pedestrian Crossing West of 7th Street (\$5,273)
- ☐ Option 3: Raised Landscaped Medians (\$731,439)
- ☐ Option 4: 2nd Street Roundabout (\$892,615)
- ☐ Option 5: University Drive Counterflow (\$149,058)
- ☐ Option 6A: 2nd Pan Tilt Zoom Camera (\$24,000)
- ☐ Option 6B: 2nd Dynamic Messaging Sign (\$65,000)

- ☐ Alternative D – 4 Lane Section, 2+1 with CLTL and Parking (\$13,246,087)

- ☐ No Sub-alternatives
- ☐ Sub-alternative 2: 8th Street Right Turn Lane (-\$21,144)
- ☐ Sub-alternative 3: Broadway Right Turn Lane (-\$36,690)
- ☐ Sub-alternative 4: 2nd Street Drop Lane (-\$26,247)

- ☐ No Options
- ☐ Option 1: Mid-block Crossing East of 10th Street (\$173,275)
- ☐ Option 2: Pedestrian Crossing West of 7th Street (\$5,273)
- ☐ Option 3: Raised Landscaped Medians (\$731,439)
- ☐ Option 4: 2nd Street Roundabout (\$892,615)
- ☐ Option 5: University Drive Counterflow (\$149,058)
- ☐ Option 6A: 2nd Pan Tilt Zoom Camera (\$24,000)
- ☐ Option 6B: 2nd Dynamic Messaging Sign (\$65,000)

☒ Alternative E – 5-4-3 Hybrid (\$13,230,373)

- ☐ No Sub-alternatives
- ☒ Sub-alternative 2: 8th Street Right Turn Lane (-\$33,354)
- ☒ Sub-alternative 3: Broadway Right Turn Lane (-\$32,606)

- ☒ Sub-alternative 4: 2nd Street Drop Lane (-\$24,967)
- ☐ No Options
- ☒ Option 1: Mid-block Crossing East of 10th Street (\$173,275)
- ☒ Option 2: Pedestrian Crossing West of 7th Street (\$5,273)
- ☐ Option 3: Raised Landscaped Medians (\$731,439)
- ☒ Option 4: 2nd Street Roundabout (\$892,615)
- ☒ Option 5: University Drive Counterflow (\$149,058)
- ☒ Option 6A: 2nd Pan Tilt Zoom Camera (\$24,000)
- ☒ Option 6B: 2nd Dynamic Messaging Sign (\$65,000)

Amendments/Comments for Project No. NHU-8-010(041)939:

Reviewers, please add your recommendations on Executive Decisions as adobe sticky notes within the decision table(s) in the previous section. Don't put your recommendations on this page. We would like all recommendations in the same area, on the decision table(s).

Ronald J. Henke, P.E., Deputy Director for Engineering

Date

36a

City of Fargo Staff Report			
Title:	Valley View 4 th Addition	Date:	4-29-18
		Update:	5-24-18
Location:	3651 56 th Street South	Staff Contact:	Kylie Bagley
Legal Description:	Lot 1, Block 5, Valley View 4 th Addition		
Owner(s)/Applicant:	Brian Kounovsky	Engineer:	N/A
Entitlements Requested:	Zoning Change (from MR-1, Multi-Dwelling Residential to SR-5, Single-Dwelling Residential)		
Status:	City Commission Public Hearing: June 4, 2018		

Existing	Proposed
Land Use: Vacant	Land Use: Attached Houses
Zoning: MR-1, Multi-Dwelling Residential	Zoning: SR-5, Single-Dwelling Residential
Uses Allowed: 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	Uses Allowed: detached houses, attached houses and duplexes, daycare centers, parks and open space, religious institutions, safety services and basic utilities.
Maximum Density Allowed (Residential): 16 units per acre	Maximum Density Allowed (Residential): 14.5 units per acre

Proposal:

The applicant is requesting a zone change from MR-1, Multi-Dwelling Residential to SR-5, Single Dwelling Residential. The applicant is proposing to build attached houses and is requesting SR-5 in order to provide flexibility with the setbacks.

The property was originally zoned SR-5

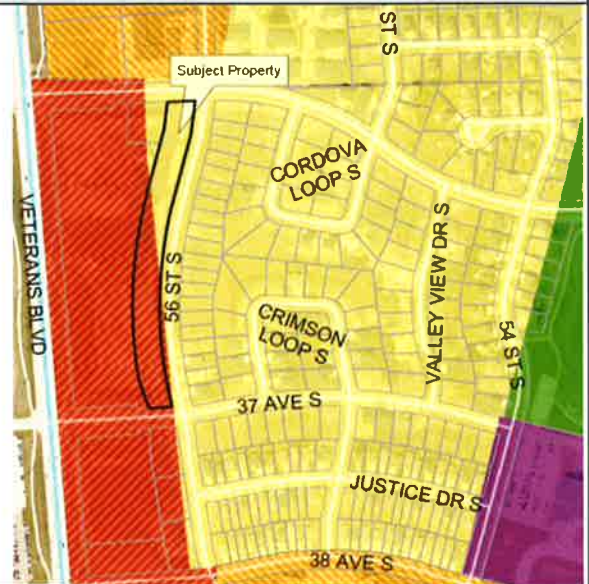
This project was reviewed by the City's Planning and Development, Engineering, Public Works, and Fire Departments ("staff"), whose comments are included in this report.

Surrounding Land Uses and Zoning Districts:

- North: Across 36th Ave S is zoned LC, Limited Commercial, with retail and office uses
- East: Across 56th St S is zoned SR-4, Single-Dwelling Residential with residential uses
- South: Across 37th Ave S is zoned MR-1, Multi-Dwelling Residential, and GC, General Commercial, with group living and vacant land
- West: GC, General Commercial, is being developed for retail uses

Area Plans:

The 2003 Southwest Future Land Use Plan designates this area as commercial or Medium/High density or lower to medium density. The proposed SR-5 zoning district is consistent with this land use designation.

**Schools and Parks:**

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

Neighborhood: The subject property is located in the Brandt Crossing Neighborhood.

Parks: Brandt Crossing Park (5009 33rd Avenue South) is located approximately less than 1,000 feet east of the subject property and provides the amenities of basketball, dog park, playground, recreational trails, and shelter.

Pedestrian / Bicycle: There are off-road bike facilities along Veterans Boulevard that are a component of the metro area bikeways system.

Staff Analysis:**Zoning**

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

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

Staff is unaware of any zoning map error in regard to the subject property. Staff finds that the requested zone change is justified by a change in conditions, as the developer has a clearer picture of the type of development.

(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. No deficiencies have been noted in the ability to provide all of the necessary services to the site. The subject property abuts public right-of-way along three streets

(Criteria Satisfied)

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

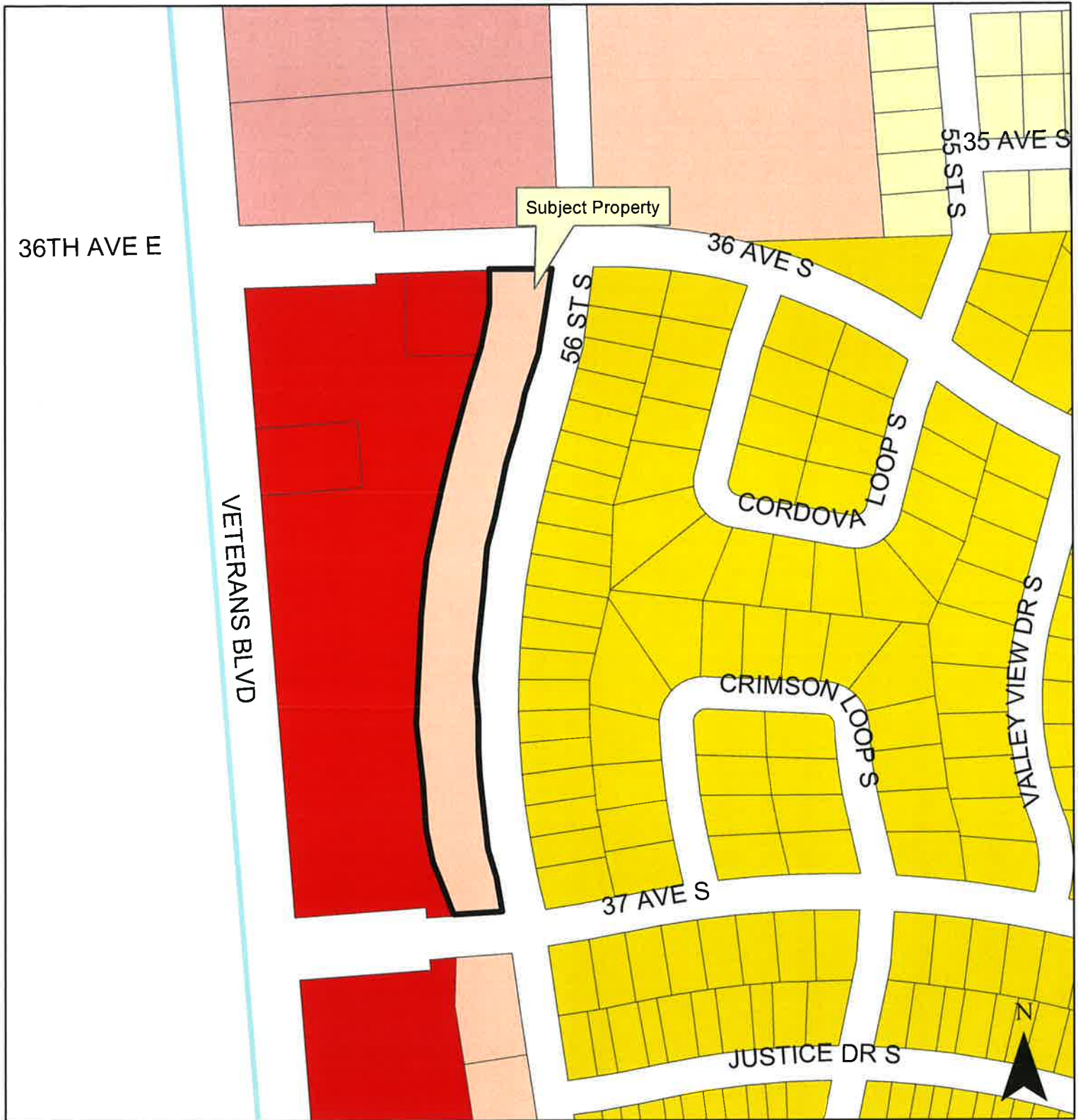
Staff has no evidence that would suggest this proposal would adversely affect the condition or value of the

<p>property in the vicinity. Written notice of the proposal was sent to all property owners within 300 feet of the subject property. To date, staff has not received any phone calls or comments in response to these notices. Staff finds that the approval will not adversely affect the condition or value of the property in the vicinity. (Criteria Satisfied)</p> <p>4. Is the proposed amendment consistent with the purpose of this LDC, the Growth Plan, and other adopted policies of the City? The purpose of the LDC is to implement Fargo's Comprehensive Plan and related policies in a manner that protects the health, safety, and general welfare of the citizens of Fargo. Staff finds that the proposal is consistent with the purposes of the LDC, the Growth Plan, and other adopted policies of the City. (Criteria Satisfied)</p>
<p>Planning Commission Recommendation: May 1, 2018</p> <p>On May 1, with a 10-0 vote, the Planning Commission accepted the findings and recommendations of staff and recommended approval to the City Commission of the proposed zoning change from MR-1, Multi-Dwelling Residential, to SR-5, Single-Dwelling Residential, 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.</p>
<p>Staff Recommendation</p> <p>Suggested Motion: "To accept the findings and recommendations of staff and the Planning Commission, and hereby waive the requirement to receive the Ordinance one week prior to first reading and place the rezoning Ordinance on first reading, and approve the proposed zoning change from MR-1, Multi-Dwelling Residential, to SR-5, Single-Dwelling Residential, 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."</p>
<p>Attachments:</p> <ol style="list-style-type: none"> 1. Zoning Map 2. Location Map

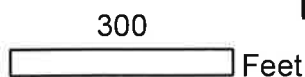
Zone Change (MR-1 to SR-5)

Valley View Fourth Addition

3651 56th Street South



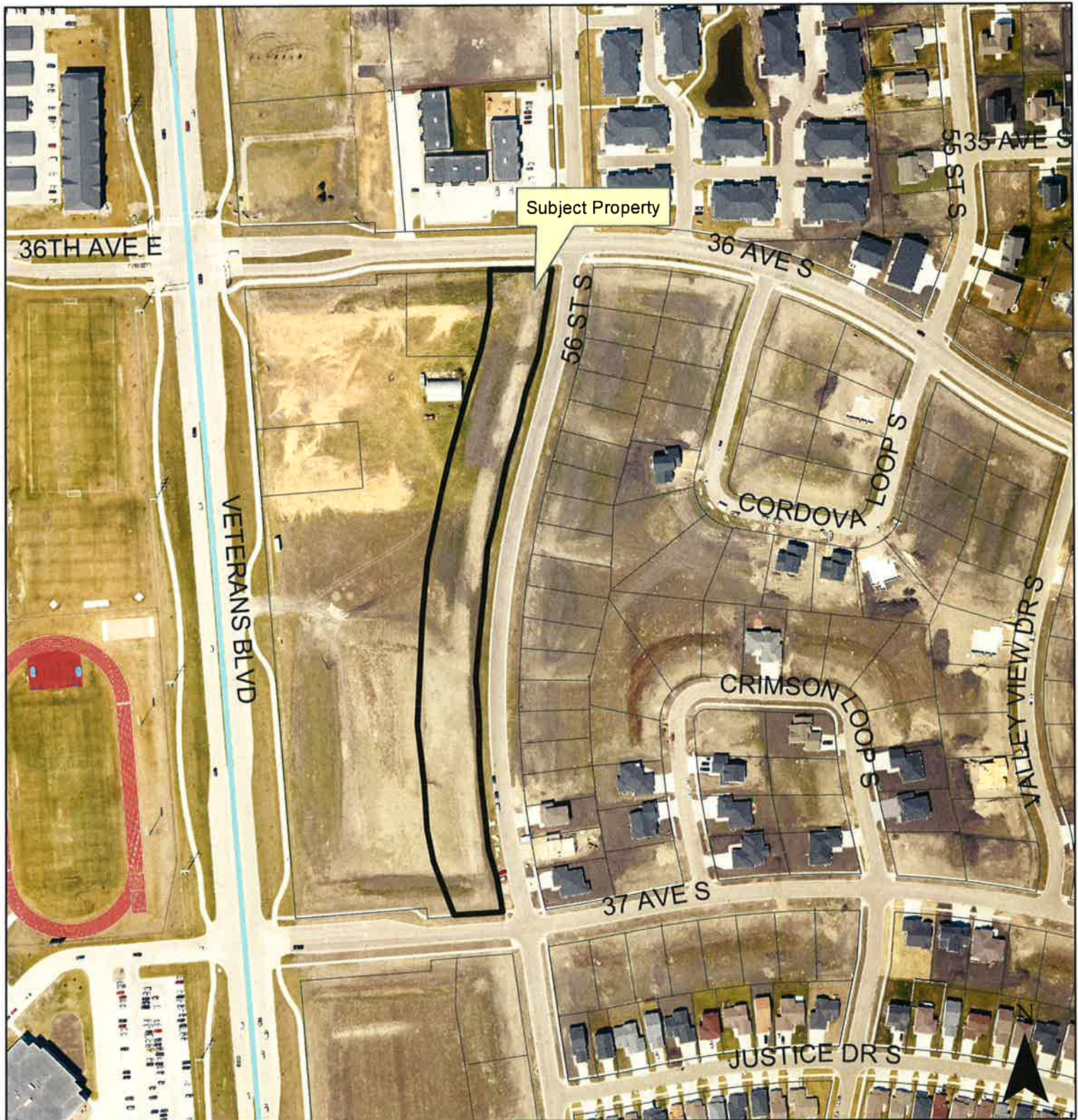
Legend



Zone Change (MR-1 to SR-5)

Valley View Fourth Addition

3651 56th Street South



OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

36a 2

ORDINANCE NO. _____

1 AN ORDINANCE REZONING A CERTAIN PARCEL OF LAND
2 LYING IN VALLEY VIEW 4TH ADDITION
3 TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA

4 WHEREAS, the Fargo Planning Commission and the Board of City Commissioners of the
5 City of Fargo have held hearings pursuant to published notice to consider the rezoning of certain
6 parcels of land lying in Valley View 4th Addition to the City of Fargo, Cass County, North Dakota;
7 and,

8 WHEREAS, the Fargo Planning Commission recommended approval of the rezoning
9 request on May 1, 2018; and,

10 WHEREAS, the rezoning changes were approved by the City Commission on June 4, 2018,

11 NOW, THEREFORE,

12 Be It Ordained by the Board of City Commissioners of the City of Fargo:

13 Section 1. The following described property:

14 Lot One (1), Block Five (5), Valley View 4th Addition to the City of Fargo, Cass
15 County, North Dakota;

16 is hereby rezoned from "MR-1", Multi-Dwelling Residential, District to "SR-5", Single-Dwelling
17 Residential, District;

18 Section 2. The City Auditor is hereby directed to amend the zoning map now on file in his
19 office so as to conform with and carry out the provisions of this ordinance.
20
21
22
23

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

Section 3. This ordinance shall be in full force and effect from and after its passage and approval.

(SEAL)

Attest:

Steven Sprague, City Auditor

Timothy J. Mahoney, Mayor

First Reading:
Second Reading:
Final Passage:

366

City of Fargo Staff Report			
Title:	Ohmer's Addition	Date:	4/29/2018
		Updated:	5/24/2018
Location:	1401, 1407, 1409, 1413, and 1415 8th Street North and 1402, 1406, 1410, 1412, 1414, and 1420 7th Street North	Staff Contact:	Kylie Bagley
Legal Description:	Lots 13-16, Ohmers Addition		
Owner(s)/Applicant:	Holy Spirit Catholic Church and School	Engineer:	None
Entitlements Requested:	Zone Change (from SR-3, Single-Dwelling Residential to P/I with C-O, Public and Institutional with a Conditional Overlay)		
Status:	City Commission Public Hearing: June 4, 2018		

Existing	Proposed
Land Use: Religious Institution and School	Land Use: No Change
Zoning: SR-3	Zoning: P/I, Public/Institutional
Uses Allowed: 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: P/I – Public and Institutional. 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, and major entertainment events. With a Conditional Overlay (C-O) to restrict land uses to commercial parking, religious institutions, schools, parks and open space and outdoor recreation and entertainment
Maximum Density Allowed (Residential): SR-3 allows a maximum of 8.7 dwelling units per acre.	Maximum Lot Coverage Allowed: P/I has no maximum

Proposal:
<p>The applicant, Holy Spirit Catholic Church and School, is proposing a zone change from SR-3, Single-Dwelling Residential, to P/I, Public and Institutional, with a C-O, Conditional Overlay to restrict the uses to commercial parking, religious institutions, schools, parks and open space and outdoor recreation and entertainment. Holy Spirit would like to place a sign on their property which would not conform with the SR-3 zoning district and are requesting a zone change to P/I in order to conform with the City of Fargo's sign code. In a SR Zoning District no single sign shall exceed 8 square feet in area, the applicant is proposing a sign that will be 24 square feet in area, which is attached.</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>

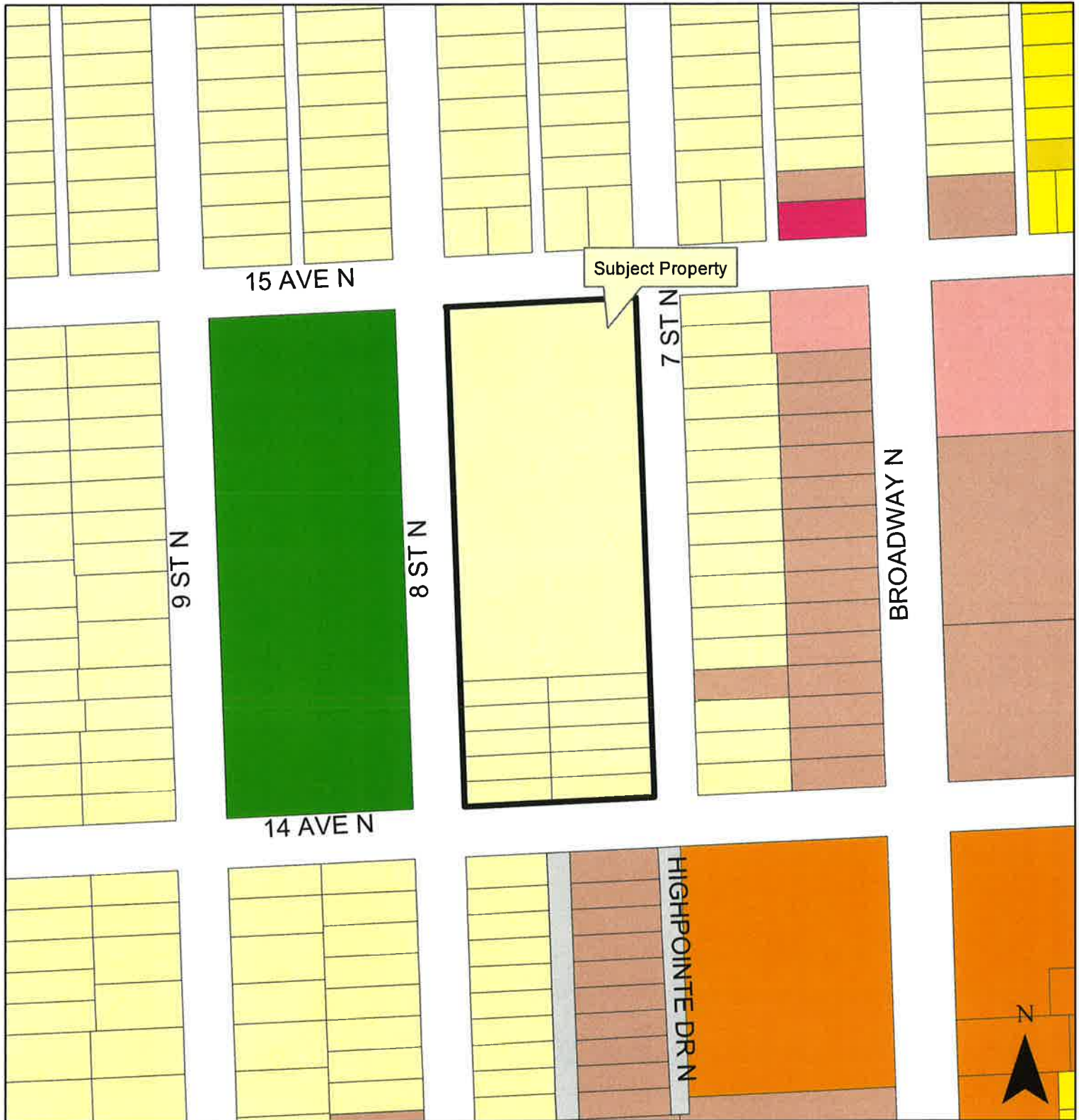
Surrounding Land Uses and Zoning Districts: <ul style="list-style-type: none"> • North: SR-3, Single Dwelling Residential; Residential land use • East: MR-2 and SR-3; Residential land use • South: MR-2 and SR-3; Residential land use • West: P/I, Public and Institutional, Ben Franklin Middle School
Area Plans:
<p>No area plans apply</p>
Context:
<p>Schools: The subject property is located within the Fargo School District and is served by Roosevelt Elementary, Ben Franklin Middle and Fargo North High schools.</p> <p>Neighborhood: The subject property is located within the Washington Neighborhood.</p> <p>Parks: Roosevelt Park is located approximately 0.19 miles southwest of the project site and provides the amenities of multipurpose field, outdoor skating/warming house, and playground.</p> <p>Pedestrian / Bicycle: There are on-road bike facilities in close proximity to the subject site along University Drive North that are a component of the metro area bikeways system.</p>
Staff Analysis:
<p>Zoning</p> <p>Section 20-906. F (1-4) of the LDC stipulates the following criteria be met before a zone change can be approved:</p> <p>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?</p> <p>Staff is unaware of any error in the zoning map as it relates to this property. The property is currently zoned SR-3, Single-Dwelling Residential. The proposed zoning of P/I is consistent with the adjacent zoning to the west on 8th Street North for Ben Franklin Middle School.</p> <p>(Criteria Satisfied)</p> <p>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?</p> <p>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 site fronts on dedicated rights of way, which will provide access and public utilities to serve the development.</p> <p>(Criteria satisfied)</p> <p>3. Will the approval of the zoning change adversely affect the condition or value of the property in the vicinity?</p> <p>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, staff has not received any phone calls or comments in response to these notices. Staff finds that the approval will not adversely affect the condition or value of the property in the vicinity. Staff finds that the approval of the zoning change will not adversely affect the condition or value of the property in the vicinity.</p> <p>(Criteria satisfied)</p> <p>4. Is the proposed amendment consistent with the purpose of this LDC, the Growth Plan, and other adopted policies of the City?</p>

<p>The purpose of the LDC is to implement Fargo's Comprehensive Plan and related policies in a manner that protects the health, safety, and general welfare of the citizens of Fargo. Staff finds that the proposal is consistent with the purposes of the LDC and other adopted policies of the City.</p> <p>(Criteria satisfied)</p>
<p>Planning Commission Recommendation: May 1, 2018</p>
<p>On May 1, with a 10-0 vote, the Planning Commission accepted the findings and recommendations of staff and recommended approval to the City Commission of the proposed zone change from SR-3, Multi-Dwelling Residential to P/I, Public and Institutional with a C-O, Conditional Overlay for Lots 13-16, Ohmer's Addition as presented; as the proposal complies with the Go2030 Fargo Comprehensive Plan, Section 20-0906.F (1-4) of the LDC and all other applicable requirements of the LDC."</p>
<p>Staff Recommendation:</p>
<p>Suggested Motion: "To accept the findings and recommendations of staff and the Planning Commission, and hereby waive the requirement to receive the Ordinance one week prior to first reading and place the rezoning Ordinance on first reading, and approve the proposed zone change from SR-3, Multi-Dwelling Residential to P/I, Public and Institutional with a C-O, Conditional Overlay for Lots 13-16, Ohmer's Addition as presented; as the proposal complies with the Go2030 Fargo Comprehensive Plan, Section 20-0906.F (1-4) of the LDC and all other applicable requirements of the LDC."</p>
<p>Attachments:</p>
<ol style="list-style-type: none"> 1. Zoning Map 2. Location Map 3. Proposed Sign

Zone Change (SR-3 to P/I with a C-O)

Ohmers Addition

1402, 1406, 1410, 1412, 1414, 1420 7th St N
and 1401, 1407, 1409, 1413, 1415 8th St N



Zone Change (SR-3 to P/I with a C-O)

Ohmers Addition

1402, 1406, 1410, 1412, 1414, 1420 7th St N
and 1401, 1407, 1409, 1413, 1415 8th St N



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FARGO, NORTH DAKOTA

ORDINANCE NO. _____

3662

AN ORDINANCE REZONING CERTAIN PARCELS
OF LAND LYING IN OHMER'S ADDITION,
CITY OF FARGO, CASS COUNTY, NORTH DAKOTA

WHEREAS, the Fargo Planning Commission and the Board of City Commissioners of the City of Fargo have held hearings pursuant to published notice to consider the rezoning of certain parcels of land lying in Ohmer's Addition, City of Fargo, Cass County, North Dakota; and,

WHEREAS, the Fargo Planning Commission recommended approval of the rezoning request on May 1, 2018; and,

WHEREAS, the rezoning changes were approved by the City Commission on June 4, 2018,

NOW, THEREFORE,

Be It Ordained by the Board of City Commissioners of the City of Fargo:

Section 1. The following described property:

Lots Thirteen (13) through Sixteen (16) of Ohmer's Addition, to the City of Fargo, Cass County, North Dakota;

is hereby rezoned from "SR-3", Single-Dwelling Residential, District to "P/I", Public and Institutional, District; with a "C-O", Conditional Overlay as follows:

1) The following use (s) are permitted:

- a. Colleges
- b. Community Service
- c. Daycare Centers of unlimited size
- d. Health Care Facilities
- e. Parks and Open Space
- f. Religious Institutions
- g. Safety Services
- h. Schools
- i. Offices
- j. Commercial Parking

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k. Outdoor Recreation and Entertainment

2) All other uses are prohibited.

Section 2. The City Auditor is hereby directed to amend the zoning map now on file in his office so as to conform with and carry out the provisions of this ordinance.

Section 3. This ordinance shall be in full force and effect from and after its passage and approval.

(SEAL)

Timothy J. Mahoney, Mayor

Attest:

Steven Sprague, City Auditor

First Reading:
Second Reading:
Final Passage:

36c

City of Fargo Staff Report			
Title:	Simonson First Addition	Date: Update:	1/31/18 5/9/18
Location:	3825 53rd Avenue South	Staff Contact:	Barrett Voigt
Legal Description:	Lot 2, Block 1, The District of Fargo Addition		
Owner(s)/Applicant:	Arch Simonson/Lowry Engineering	Engineer:	Lowry Engineering
Entitlements Requested:	Minor Subdivision (Replat of Lot 2, Block 1, The District of Fargo Addition, to the City of Fargo, Cass County, North Dakota) and Zoning Change (To repeal and re-establish a C-O, Conditional Overlay, Lots 1 and 2, Block 1, of the proposed Simonson Addition)		
Status:	City Commission Public Hearing: May 21, 2018		

Existing
Land Use: Vacant Land
Zoning: LC, Limited Commercial, with a C-O, Conditional Overlay (4634)
Uses Allowed: Colleges, community service, daycare centers of unlimited size, health care facilities, parks and open space, religious institutions, safety services, offices, off premise advertising signs, commercial parking, retail sales and service, self-service storage, vehicle repair, limited vehicle service
Maximum Lot Coverage Allowed: 55% building coverage

Proposed
Land Use: Retail, Sales, and Service
Zoning: LC, Limited Commercial, with a C-O, Conditional Overlay
Uses Allowed: No Change
Maximum Lot Coverage Allowed: No Change

Proposal:
<p>The applicant is seeking approval of a minor subdivision, entitled Simonson First Addition, and a zoning map amendment to repeal the existing C-O, Conditional Overlay and re-establish a new C-O, Conditional Overlay on the subject property.</p> <p>Simonson First Addition is a replat of Lot 2, Block 1, The District of Fargo Addition. The subject property is located at 3825 53rd Avenue South and encompasses approximately 3.28 acres. The applicant is proposing a two (2) Lot, one (1) Block minor subdivision to accommodate for two (2) future developments.</p> <p>The applicant is seeking approval of a zoning change to repeal the existing C-O, Conditional Overlay and re-establish a new C-O, Conditional Overlay on the subject property. A draft of the new C-O utilizes the existing language of C-O ordinance number 4634, however text edits are proposed. For a summary of</p>

the changes proposed, please see the summary table below.

PROPOSED CONDITIONAL OVERLAY TEXT MODIFICATION SUMMARY

1. Remove landscape requirements that are not possible to evaluate or already found in LDC
2. Remove all sign requirements, except for prohibited signs
3. Modify 20% parking maximum requirement
4. Remove foot candle requirements for gas station canopy

Summary Table

The applicant proposes text edits to modify the C-O so that it is similar to the language of the zoning change C-O modification that was made across the street at 3751 53rd Avenue South, The District of Fargo 3rd Addition. In addition, the applicant also proposes additional modifications to the C-O language to remove landscape requirements, sign requirements, the 20% parking maximum requirement, and the gas station canopy foot candle illumination requirements. The applicant had the following reasons for the proposed changes:

- The applicant states that the landscape requirements in the C-O are similar to the landscape requirements of the Land Development Code (LDC) and that the removal of the requirements would make the building permit process less cumbersome in the future.
- The applicant stated that the sign requirements of the C-O are not necessary because of the existence of the City of Fargo Sign Code and that the removal of the requirements would simplify the building permit process as well.
- The applicant wishes to remove the 20% parking maximum requirement because future development plans would provide more than 20% of the parking maximum.
- Lastly, the applicant requested modifications to the gas station canopy foot candle illumination requirements for beneficial reasons recommended by their consultant.

In response to the request of the applicant to make the C-O modifications, staff wanted to preserve the original intent of the C-O and proposed the following C-O modifications:

- Landscape requirements that are found in the LDC or impossible to evaluate during the building permit review process were eliminated.
- Sign requirements would be removed, however prohibited signs would remain. In addition, modifications were made to the prohibited sign language text. Signs already prohibited by the City of Fargo Sign Code were removed, temporary signs were added, a 60-foot pylon sign was not granted for this site as it was for The District of Fargo 3rd Addition, and new language modifications were proposed for Electronic Messaging Centers. Staff verified that the proposed site did not have the same grade challenges as The District of Fargo 3rd Addition and did not see the need for a 60-foot pylon sign as necessary for the site.
- The 20% parking maximum requirement language was modified so that each additional 5% increase in parking would require a 5% increase in additional plant units. This modification would allow the applicant to increase parking without going through a formal application process for a Conditional Use Permit.
- The gas station foot candle illumination requirement is proposed to be deleted because staff verified that there was no way to evaluate this requirement during the building permit review

process.

Staff has notified the applicant of the proposed text edits, the applicant has reviewed the edits, and has agreed to the proposed changes.

For more information about the text edits proposed, please find a copy of the draft Conditional Overlay document attached with the staff report.

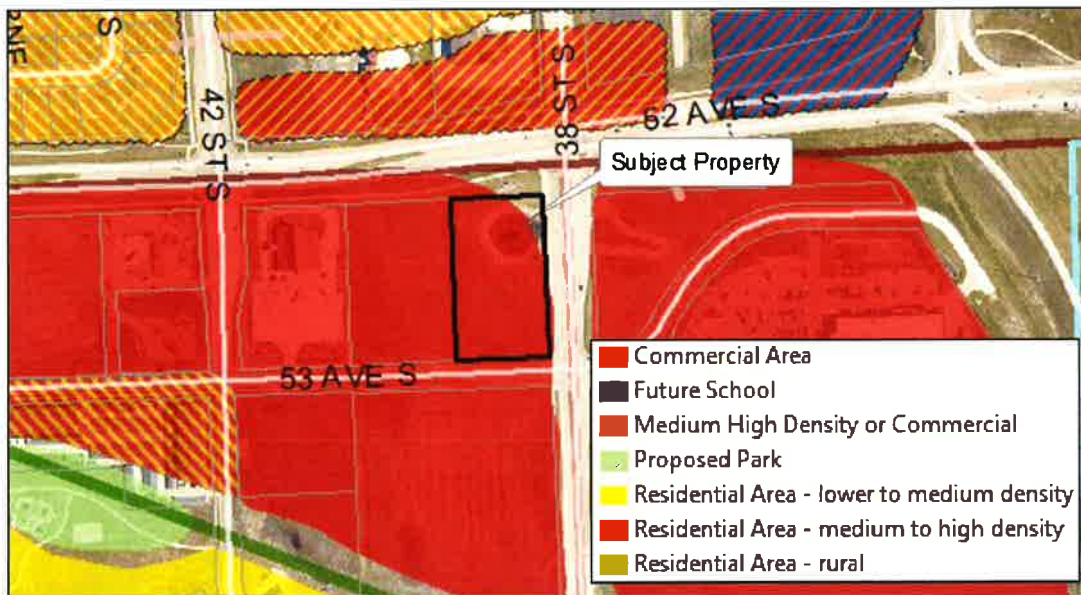
This project was reviewed by the City's Planning and Development, Engineering, Public Works, and Fire Departments ("staff"), whose comments are included in this report.

Surrounding Land Uses and Zoning Districts:

- North: Across 52nd Avenue South; GC, General Commercial with financial services use
- East: Across 38th Street South; LC, Limited Commercial with anticipated retail, sales, and service use
- South: Across 53rd Street South; LC, Limited Commercial with vacant land use
- West: LC, Limited Commercial with vacant land use

Area Plans:

The 2007 Tier 1 Southwest Land Use Plan designates the area of this project as "Commercial Area."



Schools and Parks:

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

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

Parks: The Pines Park (5371 42nd Street S) is located less than a quarter (.25) mile southwest of the subject property and offers the amenities of baseball/softball field, playground, recreational trails, and a shelter.

Pedestrian / Bicycle: There are off-road bike facilities located along 52nd Avenue South that are a

component of the metro area bikeway system.

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 requested zoning change resulted from a change in conditions with new ownership of the 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 the proposal. Staff finds no deficiencies in the ability to provide all of the necessary services to the site. The subject property fronts on existing developed public rights-of-way, which provide access and public utilities to serve the development.
(Criteria Satisfied)
3. **Will the approval of the zoning change adversely affect the condition or value of the property in the vicinity?**
Staff has no documentation or evidence that the approval of this zoning change would adversely affect the condition or value of the property in the vicinity. The proposed zone change is in keeping with adopted plans approved via public process in that the text edits will maintain the intent of the zoning overlay to promote quality new development.

In addition, written notice of the proposal was sent to all property owners within 300 feet of the subject property. To date, staff has received one phone call inquiry. Staff finds that the approval will not adversely affect the condition or value of the property in the vicinity.
(Criteria Satisfied)
4. **Is the proposed amendment consistent with the purpose of this LDC, the Growth Plan, and other adopted policies of the City?**
The purpose of the LDC is to implement Fargo's Comprehensive Plan and related policies in a manner that protects the health, safety, and general welfare of the citizens of Fargo. Staff finds that the proposal is consistent with the purposes of the LDC, the Growth Plan, and other adopted policies of the City. The proposed edits will improve the implementation of the overlay and maintain the intent of the language to promote quality development.
(Criteria Satisfied)

Minor Subdivision

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

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

the proposed development and complies with the adopted Area Plan, the standards of Article 20-06 and all other applicable requirements of the Land Development Code.

The subdivision is intended to replat Lot 2, Block 1, The District of Fargo Addition into two Lots and one Block to accommodate future development. In accordance with Section 20-0901.F of the LDC, notices of the proposed plat have been sent out to property owners within 300 feet of the subject property. To date, staff has received one phone call inquiry. 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 allocated 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)

Planning Commission Recommendation: February 6, 2018

On February 6, with an 8-0 vote, the Planning Commission accepted the findings and recommendations of staff and recommended approval to the City Commission of the proposed: 1) Subdivision Plat, **Simonson First Addition**, and 2) Zoning Change to repeal and re-establish a C-O, Conditional Overlay, Lots 1 and 2, Block 1, of the proposed Simonson Addition as outlined within the staff report, as the proposal complies with the adopted Area Plan, Go2030 Fargo Comprehensive Plan, Standards of Section 20-0906.F (1-4), Standards of Article 20-06, and all other applicable requirements of the Land Development Code."

Staff Recommendation:

Suggested Motion: "To accept the findings and recommendations of staff and the Planning Commission and hereby move to approve of the proposed: 1) Subdivision Plat, **Simonson First Addition**, and 2) Zoning Change to repeal and re-establish a C-O, Conditional Overlay, Lots 1 and 2, Block 1, of the proposed Simonson Addition as outlined within the staff report, as the proposal complies with the adopted Area Plan, Go2030 Fargo Comprehensive Plan, Standards of Section 20-0906.F (1-4), Standards of Article 20-06, and all other applicable requirements of the Land Development Code."

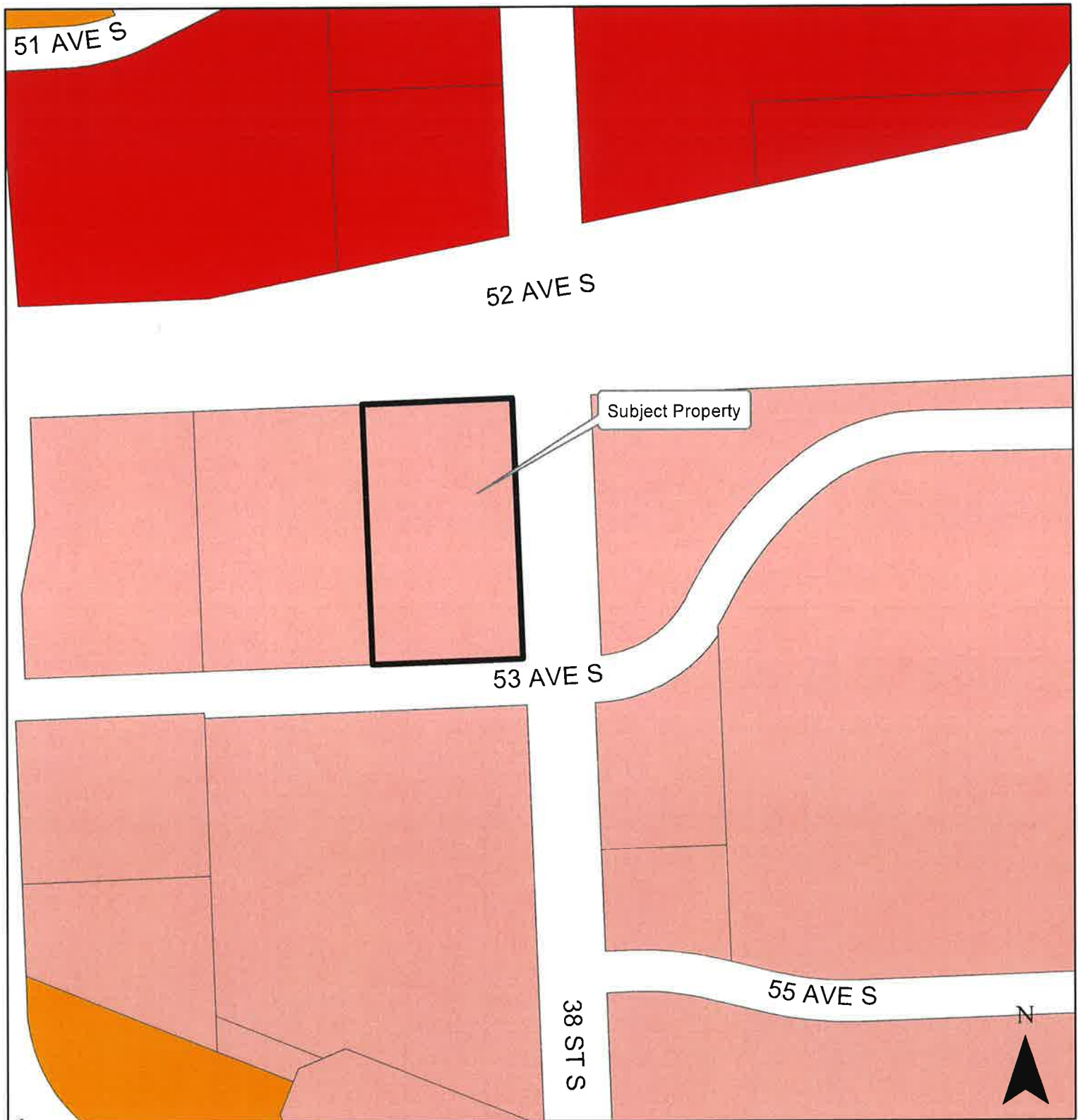
Attachments:

1. Zoning Map
2. Location Map
3. Preliminary Plat
4. Draft Conditional Overlay Document

Plat (Minor) and Zone Change

Simonson First Addition

3825 53rd Avenue South



Plat (Minor) and Zone Change

Simonson First Addition

3825 53rd Avenue South



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36c2

ORDINANCE NO. _____

AN ORDINANCE REPEALING AND RE-ESTABLISHING
A CONDITIONAL OVERLAY DISTRICT ON CERTAIN
PARCELS OF LAND LYING IN SIMONSON FIRST ADDITION,
CITY OF FARGO, CASS COUNTY, NORTH DAKOTA

WHEREAS, the Fargo Planning Commission and the Board of City Commissioners of the City of Fargo have held hearings pursuant to published notice to consider the rezoning of certain parcels of land lying in the proposed Simonson First Addition, City of Fargo, Cass County, North Dakota; and,

WHEREAS, the Fargo Planning Commission recommended approval of the rezoning request on February 6, 2018; and,

WHEREAS, the rezoning changes were approved by the City Commission on June 4, 2018; and,

WHEREAS, it is intended by this ordinance that the base zoning districts applicable to the property described herein shall remain unchanged and that the intended effect hereof is to repeal one or more a "C-O", Conditional Overlay, District and to re-establish a modified version of a "C-O", Conditional Overlay, District;

NOW, THEREFORE,

Be It Ordained by the Board of City Commissioners of the City of Fargo:

Section 1. The following described property:

Lots One (1) and Two (2), Block One (1) of Simonson First Addition to the City of Fargo, Cass County, North Dakota,

is hereby rezoned to place a "C-O", Conditional Overlay, District upon said property over the existing base zoning of "LC", Limited Commercial, the terms and conditions of such C-O District are as follows:

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Conflicting Provisions

In the event of conflict between these standards with provisions found in other adopted codes, ordinances, or regulations of the City of Fargo, the more stringent and/or restrictive provisions shall control.

Architectural Design

Building Exterior Materials

Approved Materials:

- Natural stone
- Synthetic stone products (bottom of stone 6" above grade minimum)
- Village Shops only
- Integrally colored ground face or split face concrete block
- Brick Masonry (clay fired or concrete cured)
- Wood
- EIFS
- Accent architectural metal panel (not to exceed 5% of building elevation)
- Architectural steel
- Standing seam metal roofing
- Storefront or curtain wall glazing systems
- Tilt up/precast concrete panels (with brick/masonry and/or ceramic cladding and/or architecturally detailed finish)
- Wood or synthetic siding (not to exceed 10% of building elevation)
- Masonary coated with elastomeric finish

Prohibited Materials and Treatments:

- Metal wall panels exceeding 25% of building elevation.
- Full ceramic tile walls
- Highly reflective wall treatments
- The use of reflective glazing, with over 65% reflectivity
- Exposed neon or color tubing (except with Developer & City of Fargo approval.)
- Untextured concrete or untreated CMU or plain/untextured tilt up/precast concrete panels

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Architectural Features

Architectural features, which project over the sidewalk, must be a minimum of seven (7) feet or as required to meet the International Building Code adopted by the City of Fargo, whichever minimum is greater shall prevail. No such improvements shall encroach into bike or street travel lanes.

Roof Top Screening

Flat roofs and rooftop mechanical equipment, such as HVAC units, shall be concealed from public view at ground level by parapets or other enclosures.

Truck Docks/Trash Enclosures

All truck docks must be fully screened with materials to match the adjacent building. The screen walls shall be a minimum height of 8' -0" above grade. Trash enclosures must be constructed out of a masonry material. Doors must fully screen the interior of the trash enclosure. Trash compactors can be incorporated into Truck Docks. Trash enclosure walls shall be a minimum of 8'-0" above grade.

Building Entrances

Each primary building on a site, regardless of size, shall have clearly-defined, highly-visible public entrances featuring no fewer than two (2) of the following:

- Canopies, awnings or porticos
- Recesses/projections varying the facade Arcades
- Raised corniced parapets over the door
- Peaked roof forms Arches
- Entry courts
- Planter and wing walls integrated with building Outdoor patios
- Display windows

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Each development shall contribute to the establishment or enhancement of community and public spaces by providing at least two (2) of the following which have direct access to the public sidewalk network and such features shall not be constructed of materials are inferior to the principal materials of the building and landscape.

Patio/seating area

Pedestrian plaza with benches and planters Bike parking areas

Window shopping walkway Outdoor playground

Water feature

Architectural articulation shall be evident at primary entrances with material or massing changes to provide visual interest as well as reinforcing “human scale.” Maximum entry feature height and maximum parapet height is as follows:

Major Building: 45'-0"/35'-0"

Sub- Major Building: 42'-0"/30'-0"

In-Line Shop Building: NA/24'-0" w/ Architectural Tower not to exceed 35'-0"

Village Building: 30'-0"/24'-0" w/ Architectural Tower not to exceed 40'-0"

Pad Site Building: 26'-0"/20'-0"

Scored concrete patterns and textured concrete (non slip) and/or unit pavers at entrances are required. Sidewalk paving patterns at entries must extend from the storefront to the back of curb, or to the established line, or edge, of the street, or vehicle access route, and be at least as wide as the glazing system at the entry.

Building Elevations

Break down building massing to a human scale eliminating uninterrupted flat facades by articulating a wall plane with the following architectural elements:

- Change in plane at change of material
- Change in color, texture or material
- Windows
- Trellises, awnings or canopies
- Cast stone detailing in horizontal bands

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- Raised planters
- Pilasters or over framed elements
- Brick type material (20% of elevation)

Use the above architectural elements to limit uninterrupted wall planes to no more than 75 feet.

All buildings shall be designed to incorporate no fewer than four (4) of the architectural elements from the list below. Buildings over 10,000 square feet must include a minimum of six (6) and buildings over 80,000 square feet must include a minimum of seven (7) of the referenced architectural elements:

- Canopies, awnings or porticos
- Recesses/projections
- Arcades
- Peaked roof forms
- Outdoor patios
- Display Windows
- Architectural details (such as tile work and moldings) integrated into the building facade
- Articulated cornice line
- Integrated planters or wing walls that incorporate landscape and sitting areas
- Offsets, reveals or projecting rib used to express architectural/structural bays
- Accent materials (minimum 15% of exterior facade)
- Varied roof heights
- Other architectural features approved by the City

Specific Convenience Store and Gas Station Standards

Canopies shall not exceed twenty-four (24) feet in height.

Prohibited Signage

Animated Sign: A sign having an intermittent or continuing variation in the illumination or physical position of any part of the device that does not adhere to the design standards found in

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1 “Attachment B.” Animated signs that adhere to the design standards of “Attachment B” may not
2 exceed 25 feet in height, must be a monument sign, may not have Electronic Messaging Boards
3 that exceed 50% of the sign face, and must meet all of the other requirements of the City of Fargo
4 Sign Code.

5 **Billboards:** A sign advertising products not made, sold, used or served on the premises
6 displaying the sign or that conveys an informational or ideological message.

7 **Fence Signs:** A sign affixed in any way to or painted on a fence.

8 **Off Site Sign:** A sign directing attention to a business commodity, service, product, or property
9 not located, sold or conducted on the same property or site as that on which the sign is located.
10 Off site signs are not permitted except as indicated in the Signage Master plan.

11 **Pennant:** A flag tapering to a point usually strung together by line or rope.

12 **Portable Sign:** Any sign designed to be moved easily and not permanently affixed to the ground
13 or to a structure or building.

14 **Exterior Window Sign:** Any sign, painted or applied to the interior/exterior, that occupies more
15 than 50% of the surface area of a window or door.

16 **Temporary Sign:** Any sign for temporary use supported by or affixed to a utility, light, or sign
17 pole.

18 **Landscape Design**

19 **Access and Circulation**

20 Separate vehicular and pedestrian circulation systems should be provided. An on-site
21 system of pedestrian walkways shall be designed to provide direct access and connections
22 to and between the following:

- 23 • the primary entrance or entrances to each commercial building, including pad site buildings.
- any sidewalks or walkways on adjacent properties that extend to the boundaries shared with the commercial development.
- parking areas or structures that serve such primary buildings.
- connections between the on-site (internal) pedestrian walkway network and any public sidewalk system located along adjacent perimeter streets shall be provided at regular intervals along the perimeter street as appropriate to provide easy access from the public sidewalks to the interior walkway network.

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- any public sidewalk system along the perimeter streets adjacent to the commercial development.
- where practical and appropriate, adjacent land uses and developments, including but not limited to residential developments, retail shopping centers, office buildings.

Walkways or sidewalks shall be a minimum of five (5) feet in width. At each point that the on-site pedestrian walkway system crosses a parking lot or internal street or driveway, the walkway or crosswalk shall be clearly marked through the use of a change in paving materials distinguished by their color, texture or height, such as brick, concrete pavers, scored or patterned colored concrete.

Provide "mid-block" pedestrian corridors on long blocks.

Continuous pedestrian walkways of eight feet (8') wide should be provided along the full length of a primary building along any facade featuring a customer entrance and along any facade abutting customer parking areas. Such walkways should be located at least six feet (6') from the facade of the building to provide planting beds for foundation landscaping, except where features such as arcades or entryways are part of the facade.

Public Rights-of-Way

The following landscape requirements shall be applicable for all areas within public rights-of-way.

Views into parking lots shall be screened from all public and private right of ways.

Plant materials must be located such that a minimum two-foot clear zone behind the back of curb allows for car bumper overhang unless curb stops are utilized.

Open Area Landscaping

The following landscape requirements shall be applicable for all landscape open areas. Landscaping provided to meet the Site Perimeter and Parking Lot Landscaping standards may not be counted towards meeting a projects Open Space Landscaping requirements. Landscaping

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provided in excess of either of these standards may count to Open Space Landscaping requirements.

All developments are required to provide at least five (5) plant units for each 1,000 square feet of lot area or fraction thereof based on the following table, and ten (10) square feet per plant unit shall be provided.

Type of Plant Material		Equivalent Plant
Large, Mature Deciduous Tree	caliper >30 foot mature height	10
Large, Mature Evergreen Tree	8/10 foot height >30 foot mature height	10
Small, Mature Deciduous Tree	1.5 to 3-inch caliper 12 to 30 foot mature height	5
Small, Mature Evergreen Tree	4 to 5 foot height 12 to 30 foot mature height	
Mature Shrub	2 gallon	1
Perennial Plants	2 gallon 1 gallon	1 0.5

A minimum of 70 percent of the plant units required shall be installed in required front or street side setback areas.

A maximum of 50% of the total landscape area of each property may be planted with approved turf.

Parking

All developments shall meet the Off-Street Parking Schedules in Section 20-0701 B of the Land Development Code. All developments shall be allowed to have a maximum of 20% more spaces than the required minimum. Any additional spaces above the required 20% shall provide 5% additional plant units provided for each 5% increase in parking.

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In order to reduce the scale of parking areas, the total amount of parking provided shall be broken up into parking blocks containing no more than 90 spaces which:

- Are separated from each other by landscaping, access drives or public streets, pedestrian walkways or buildings.
- Have a consistent design angles for all parking within the block.
- Are oriented to buildings to allow pedestrian movement down and not across rows so that they are walking parallel to moving cars and the need to cross parking aisles and landscaped areas is minimized.

Where parking blocks are not easily defined, there shall be no more than fifteen (15) spaces without an intervening, landscaped island at least nine (9) feet wide. A minimum of 25% of the islands shall have a tree.

All parking plans shall identify areas for snow storage in the winter months.

As applicable, shopping cart return stations shall be evenly distributed within and between separate parking blocks and be identified on the final plan.

Required off-street parking areas are to be used solely for the parking of licensed, motor vehicles in operating condition. Required spaces may not be used for the display of goods for sale or lease or for long-term storage of vehicles, boats, motor homes, campers, mobile homes, or building materials.

Parking Lot Landscaping

The following additional landscape requirements shall be applicable for all landscaped parking lots

Landscaping provided to meet Site Perimeter and Open Space Landscaping standards shall not be counted toward meeting the Parking Lot Landscaping standards.

Parking lot perimeter buffers shall be required for any off-street parking area containing more than six (6) parking spaces that is within 100 feet (100') of a public street or within 50

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feet (50') of an adjoining residential use or residential zoning district. Parking lot screening shall be required to be:

- Provided within ten feet (10') of the perimeter of the parking lot or driveway to be screened.
- At least three feet (3') in height above the adjacent finished surface of the parking area.
- Encompass a minimum of 100% of the linear distance of the parking area and/or driveway(s). The maximum distance between screening shall be fifteen feet (15').
- Of one of the following materials:
 - i. Plant material screen - a compact shrub of evergreen or densely twigged deciduous shrubs planted at three feet (3') on center in one row or at six feet (6') on center in two (2) staggered rows.
 - ii. An architecturally compatible solid wall or solid fence.
 - iii. A berm. Berms shall have a minimum crown width of two feet (2') and shall be planted with vegetation. The height, slope and area required for the berm shall be appropriate to the prevention of erosion and to facilitate safe maintenance of the berm. The maximum slope for any berm shall be 3:1.
 - iv. Plant materials architecturally compatible walls and berms may be used in combination to screen.

Each parking block shall be separated from other parking blocks by a landscaped median or berm that is at least eight feet (8') wide, or by a landscaped median with a pedestrian walkway or sidewalk that is at least ten feet (10') wide, or by a low decorative fence or wall that has a maximum height of three feet (3') bordered by landscaping on at least one side.

The primary landscaping material to be used within a parking lot shall be trees which provide shade or are capable of proving shade at maturity. Shrubbery, hedges and other planting materials may be used to complement the tree landscaping

Trees should be located throughout the parking lot and not simply at the ends of parking aisles. In order to be considered within the parking lot, trees should be located in planters that are bounded on at least three (3) sides by parking area paving.

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1 Within parking lot islands and medians, trees shall be a minimum of four feet (4') from any curb
2 edge. All parking lot islands shall maintain an eighteen inch (18") clear zone from any curb edge.
3 In no circumstance shall any shrub, perennial or ornamental grass have a mature height of more
4 than three feet (3').

5 Plant materials must be located such that a minimum two-foot clear zone behind the back of curb
6 allows for car bumper overhang unless curb stops are utilized.

7 At 18' and wider islands, a 3' wide band of 3" to 6" diameter cobble mulch over filter fabric shall
8 be provided behind the curb. Top of cobble shall not be higher than the adjacent top of curb. All
9 cobble shall be hand laid with flat sides down. Interior to the cobble mulch shall be Shredded
10 Hardwood mulch.

11 At 9' and up to 18' wide islands, a 2' wide band of 3" to 6" diameter cobble mulch or river rock
12 over filter fabric shall be provided behind the curb. Top of cobble/river rock shall not be higher
13 than adjacent top of curb. All cobble/river rock shall be hand laid with flat sides down. Interior to
14 the cobble/river rock mulch shall be Shredded Hardwood mulch

15 Parking lot islands in front of all buildings shall be a minimum 18 feet wide and 18 feet long.

16 **Building Perimeter and Pad Site Foundations**

17 Building foundations shall be planted with ornamental plant material, such as ornamental trees,
18 flowering shrubs and perennials, and ground covers. Landscaping should also include benches.

19 Regularly maintained turf areas are acceptable.

20 In lieu of foundation plantings and/or turf areas adjacent to the building entryways and areas
21 bordering public parking; raised landscape planters and/or plaza like treatment of the ground
22 plane will be considered pending review of the City.

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Service Area, Loading Dock and Utility Device Screening

Service, loading and utility areas shall be screened by fences, walls, landscaping, berms, or any combination thereof.

See requirements of Plant Material Standards & Upgrades.

Service, loading, and utility areas visible from residential areas shall be screened with a wall, berm, trellising or combination, in addition to landscape requirements.

Detention, Retention, Water Quality Ponds and Bio-Swales

Detention, retention and water quality ponds shall be integrated physically, functionally, and aesthetically into the adjacent landscape design. Vegetated slopes shall not exceed 4: 1 and all pond turf areas shall be properly drained. Water quality enhancement areas within the bottom of the pond shall be planted with vegetation that is appropriate with the presence of saturated soils and fluctuating water levels.

Pond depth should be limited to not more than ten feet. Pond grading should be designed to accommodate access for maintenance equipment. Rock-scaped or riprap slopes are prohibited except when necessary for erosion control and when approved by the City of Fargo. Ponds shall be designed with natural sides and bottoms and shrub beds adjacent to the top for transition to traditional, cultivated landscapes. Wetland plantings in low spots will be encouraged.

Bio Swales are encouraged in lieu of underground storm sewer whenever practical. The use of Bio Swales will allow the reduction of parking lot landscaping by 50%.

Landscape Design Requirements

Tree diversity requirements shall be met as follows: 10-19 trees (no more than 50% of any one species), 20 and over trees (no more than 33% of any one species).

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1
2 Section 2. The City Auditor is hereby directed to amend the zoning map now on file in his
3 office so as to conform with and carry out the provisions of this ordinance.

4 Section 3 This ordinance shall be in full force and effect from and after its passage and
5 approval.
6

7 _____
8 Timothy J. Mahoney, Mayor

9
10 (SEAL)

11 Attest:

12 _____
13 Steven Sprague, City Auditor

14 First Reading:
15 Second Reading:
16 Final Passage:
17
18
19
20
21
22
23

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ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 25-1509.2, OF ARTICLE 25-
15 OF CHAPTER 25 OF THE FARGO MUNICIPAL CODE RELATING
TO ALCOHOLIC BEVERAGES

WHEREAS, the electorate of the city of Fargo has adopted a home rule charter in accordance with Chapter 40-05.1 of the North Dakota Code; and,

WHEREAS, Section 40-05.1-06 of the North Dakota Century Code provides that the City shall have the right to implement home rule powers by ordinance; and,

WHEREAS, Section 40-05.1-05 of the North Dakota Century Code provides that said home rule charter and any ordinances made pursuant thereto shall supersede state laws in conflict therewith and shall be liberally construed for such purposes; and,

WHEREAS, the Board of City Commissioners deems it necessary and appropriate to implement such authority by the adoption of this ordinance;

NOW, THEREFORE,

Be It Ordained by the Board of City Commissioners of the City of Fargo:

Section 1. Amendment.

Section 25-1509.2 of Article 25-15 of Chapter 25 of the Fargo Municipal Code is hereby amended to read as follows:

25-1509.2. Restrictions on sale to obviously intoxicated person.—No licensee or partner, principal, agent or employee of any licensee shall sell, serve, or furnish alcoholic beverages to or allow possession and consumption of alcoholic beverages on the licensed premises by any person who is or has become intoxicated and/or incapacitated by the consumption of alcoholic beverages. A person may be considered to be obviously intoxicated when it can be plainly determined by appearance, conduct, and/or demeanor. The term “obviously intoxicated” shall mean that the person’s obvious intoxication be reasonably discernible or evident to a person of ordinary experience.” Such indicators of intoxication may include, but are not limited to a combination of any of the following types of conditions:

- A. Problems with balance, inability to maintain balance, i.e., stumbling, staggering gait, bumping into furniture while walking, falling against bar or off stool, resting head on bar;

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- B. Ineffective muscular coordination, i.e., spilling and/or knocking over drinks, unable to pick up change and the like;
- C. Disorientation and mental confusion as to locations, date, names and the like;
- D. Strong smell of alcohol;
- E. Unusual or distorted speech, i.e., slurred, thick tongue, uncontrollable voice pitch, muttering, and the like;
- F. Bloodshot and/or glassy eyes, flushed face, and the like;
- G. Condition of clothes and hair, i.e., soiled clothing, urinated upon clothing and the like;
- H. Unusual behavior, i.e., vomiting, profanity, hiccups, fighting, loud, boisterous, obnoxious behavior, sleeping or unconscious.

Violation of this ordinance may result in sanctions as prescribed in Section 25-1512(H) and (I) hereinafter. Sanctions for a licensee selling, serving or furnishing alcoholic beverages shall require a sale and a showing that the police officer observed and determined the person to be intoxicated. ~~In addition, a corroborating witness or witnesses who can opine that the person was obviously intoxicated shall be required.~~ Sanctions for a licensee allowing the consumption of alcoholic beverages on the licensed premises shall require a showing that the police officer observed and determined the intoxicated person to be intoxicated on the licensed premises, as well as a showing that the intoxicated person was allowed to consume alcoholic beverages on the licensee's premises. ~~The police officer's observation and determination must be accompanied by information from a corroborating witness or witnesses who can opine that the person was obviously intoxicated when allowed to consume alcoholic beverages on the licensed premises.~~

If a licensee, partner, principal, agent or employee of any licensee shall contact law enforcement to report the presence of an obviously intoxicated patron or to obtain law enforcement assistance in removing an obviously intoxicated patron, a rebuttable presumption is created and sanctions shall not be imposed. This presumption may be overcome, however, by evidence that the licensee, partner, principal, agent or employee of any licensee did not contact law enforcement in good faith.

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Section 2. Effective Date.

This ordinance shall be in full force and effect from and after its passage and approval.

Timothy J. Mahoney, Mayor

Attest:

Steven Sprague, City Auditor

First Reading:
Second Reading:
Final Passage:



38

Office of the City Attorney

City Attorney
Erik R. Johnson

Assistant City Attorney
Nancy J. Morris

May 31, 2018

Board of City Commissioners
City Hall
200 North Third Street
Fargo, ND 58102

Re: DCP-E Event License

Dear Commissioners,

As you will recall, last meeting I presented to you a DRAFT Ordinance intended to detail the terms of the "DCP-E" License for your consideration and approval, in advance of adopting the final Ordinance terms. I am now recommending the revised Ordinance provisions, authorizing the issuance of a license, in the nature of a special permit, to the Downtown Community Partnership under certain terms and conditions stated therein.

Suggested Motion: I move to waive receipt and filing one week prior to first reading and that this be the first reading, by title, of an Ordinance Amending Sections 25-1506, 25-1507, 25-1508 and 25-1509.1 of Article 25-15 of Chapter 25 of the Fargo Municipal Code Relating to Alcoholic Beverages,

Please feel free to contact me if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Nancy J. Morris", with a long, sweeping horizontal line extending to the right.

Nancy J. Morris

Enclosure

cc: Steve Sprague
Police Chief David Todd
Melissa Rademacher



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ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTIONS 25-1506, 25-1507, 25-1508
AND 25-1509.1, OF ARTICLE 25-15 OF CHAPTER 25 OF THE
FARGO MUNICIPAL CODE RELATING TO ALCOHOLIC
BEVERAGES

WHEREAS, the electorate of the city of Fargo has adopted a home rule charter in
accordance with Chapter 40-05.1 of the North Dakota Code; and,

WHEREAS, Section 40-05.1-06 of the North Dakota Century Code provides that the City
shall have the right to implement home rule powers by ordinance; and,

WHEREAS, Section 40-05.1-05 of the North Dakota Century Code provides that said
home rule charter and any ordinances made pursuant thereto shall supersede state laws in conflict
therewith and shall be liberally construed for such purposes; and,

WHEREAS, the Board of City Commissioners deems it necessary and appropriate to
implement such authority by the adoption of this ordinance;

NOW, THEREFORE,

Be It Ordained by the Board of City Commissioners of the City of Fargo:

Section 1. Amendment.

Section 25-1506 of Article 25-15 of Chapter 25 of the Fargo Municipal Code is
hereby amended to enact a new subsection CC:

* * *

CC. Class "DCP-E" License. A Class "DCP-E" license, in the nature of a special permit, shall authorize the Downtown Community Partnership, a non-profit corporation established January 15, 2014, operated as a business league within the meaning of Section 501(c)(6) of the Internal Revenue Code with the stated purpose of serving the Fargo downtown business community, to apply for a special event "DCP-E" license, to be issued by the city auditor, for an event that is open to the general public and that is held on certain designated public property, private property or both public and private property, including public rights of way, and in which one or more licensees that are eligible to obtain a Class "E" license will be allowed to participate in the event and in which certain alcoholic beverages will be lawfully allowed to be possessed and consumed within the designated space, in accordance with the following:

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1. Class “DCP-E” license application and approval. For each proposed Class “DCP-E” license event, the Downtown Community Partnership must submit to the city auditor an application on a form provided by the city. The application must describe the event space including a detailed description of public streets that will be closed to the traveling public, adjacent sidewalks, and designated alley ways adjacent to such streets and sidewalks along with any private property included in the event space. To the extent the event space includes any private property, the applicant must provide the written consent by the property owner to the holding of the event.
 - a. Licenses non-transferable.—A Class “DCP-E” license may only be issued to the Downtown Community Partnership and it may not be transferred to, or held by, a person, firm, or entity other than the licensee.
 - b. A complete Class “DCP-E” license application must be submitted to the city auditor at least 45 days in advance of the requested event. Such application deadline may be waived for good cause.
 - c. The application shall provide an estimate of the number of attendees expected to participate in the event which estimate may be used by the police department to determine the number of additional police department personnel necessary to patrol the event space and surrounding area, and shall state the hours during which alcoholic beverages may be served in event cups, as described in this subsection, and when such beverages may be possessed or consumed within the designated event space.
 - d. Downtown Community Partnership shall be eligible to receive a limited number of licenses per year, in an amount to be determined by the motion or resolution of the Board of Directors of the Downtown Community Partnership, presented with the application.
 - e. The city auditor is authorized to issue the Class “DCP-E” license without notice or hearing and the provisions of section 25-1508 shall not be applicable to the issuance thereof.

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1 f. Effective times and dates of license.—A Class “DCP-E” license shall be
2 effective for the period or periods of time as approved by the city auditor
3 and as stated on the license. Said license may be structured by the city
4 auditor such that a DCP-E permitted event may run during certain limited
5 time periods on certain specified consecutive days. In no event shall a
6 Class “DCP-E” license be granted allowing alcoholic beverage open
7 containers or the consumption of alcoholic beverages in a public space
8 after 9:00 p.m.

9 g. No Class “E” licenses other than those issued to an alcoholic beverage
10 retailer as part of a licensed Class “DCP-E” event may be issued for the
11 event space during the Class “DCP-E” permitted times or locations.

12 h. At any time when a Class “DCP-E” license is in effect for a particular
13 event and event space, the event space shall be specifically excepted from
14 the definition of “public place” as set forth more fully in section 25-
15 1509.1(D) of this chapter.

16 2. Administration and Coordination of Event. Upon issuance by the city auditor of
17 the Class “DCP-E” license for the event, the Downtown Community Partnership
18 will be responsible for administration and coordination of the event in accordance
19 with the following:

20 a. The Downtown Community Partnership will solicit and accept
21 applications from existing licensees that are eligible to obtain a Class “E”
22 license to serve as alcohol vendors for the approved and licensed Class
23 “DCP-E” event.

24 b. Downtown Community Partnership, by approval of its board of directors,
25 will select one or more alcoholic beverage retailers for the Class “DCP-E”
26 event, and will notify the city auditor of its selection or selections.

27 c. In order to participate in the licensed Class “DCP-E” event, said selected
28 alcoholic beverage retailer must apply for and obtain a Class “E” license
29 for the event.

30 d. The Downtown Community Partnership is authorized to charge the

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selected alcohol vendors a fee for participation. The Downtown Community Partnership will be responsible for making the necessary arrangements for the event, and will be responsible for payment of the costs for additional security personnel.

3. Terms, Conditions and Restrictions for Event. With respect to an approved Class "DCP-E" licensed event, the following terms, conditions and restrictions shall be applicable:

- a. The designated event space must be clearly marked with signs, special markings and other demarcations such that participants and the general public are advised as to the boundaries of the event space. The Downtown Community Partnership shall post conspicuously at all entrances and exits of the event space a notice stating that alcoholic beverages shall not be permitted outside of the designated event space. Alcoholic beverages may only be served in clearly identifiable event cups provided by the Downtown Community Partnership. Cans, bottles or other containers containing alcoholic beverages shall not be permitted in the designated event space.
- b. The Downtown Community Partnership will provide the selected Class "E" license holders for the event a sufficient supply of clearly identifiable wrist bands to be distributed to, and worn by, event participants.
- c. Nothing in this subsection shall be construed to relieve the responsibility of a Class "E" license holder from the obligation to comply with all laws, including laws regulating the serving of alcoholic beverages and nothing shall be construed to transfer any such obligations or responsibilities to the Downtown Community Partnership.
- d. Downtown Community Partnership shall be responsible for making arrangements with the Fargo police department for any police department extra duty officers that are required to be provided for the Class "DCP-E" event, at the sole cost of the Downtown Community Partnership, at such rate or rates as are established by the chief of police.

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- 1 e. Nothing in this subsection shall be construed to allow Class "E" licensees
2 at a DCP-E permitted event to sell off-sale alcoholic beverages at such
3 event.
- 4 f. Only alcoholic beverages that have been served by a Class "E" permit
5 holder and which beverages are contained within the said clearly
6 identifiable event cup, as described in this subsection, may be consumed
7 within the event space. No other alcoholic beverages shall be permitted to
8 be consumed in the event space. No personal use coolers for individual
9 alcohol consumption will be permitted in the event space.
- 10 g. All other laws and regulations shall be in full force and effect.

11 Section 2. Amendment.

12 Section 25-1507 of Article 25-15 of Chapter 25 of the Fargo Municipal Code is
13 hereby amended to read as follows:

14 25-1507. License--Fees.--

- 15 A. Initial issuance fee--For a license granted which is not a renewal or a transfer
16 of an existing license, the following fees shall be payable as hereinafter
17 provided:
- 18 Class AB--\$150,000
19 Class ABH--\$ 30,000
20 Class ABH-RZ--\$15,000
21 Class ABH-limited--\$1,800.00
22 Class A--\$115,000
23 Class B--\$ 90,000
 Class C--\$7,500
 Class D--\$1,500.00
 Class DD--\$3,000
 Class E--\$25 plus \$10 for each day requested. Additional \$25 fee if
 application is received less than 7 days before the event, and only
 after a showing of good cause. In no event will a permit be issued
 less than 48 hours before the scheduled event.
 Class F--\$3,000
 Class FA--\$100,000
 Class FA-RZ--\$50,000

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Class FA-GOLF--\$60,000
Class FA-ENTERTAINMENT--\$100,000
Class G--\$1,000
Class H--\$800
Class I--\$10,000
Class I-ENTERTAINMENT--\$10,000
Class J--No fee
Class L--No fee
Class M--\$1,500
Class N--\$3,000
Class O--\$400
Class P--\$1,400
Class W--\$7,500
Class Y--\$3,000
Class Z--\$105,000
Class B-Limited--\$80,000
Class RZ-V--\$5,000
Class DCP-E -- \$25 plus \$10 for each day requested.

No fee shall be charged for the initial issuance of a license hereunder to a lodge or club, nor shall any fee be charged for the initial issuance of a license to any liquor establishment licensed by any other political subdivision over which the city of Fargo has subsequently acquired jurisdiction by annexation, provided, however, that such liquor establishment must have been in existence for at least fifteen (15) years prior to such annexation by the city of Fargo. The initial issuance fee charged shall be the difference between the city fee and the fee originally charged by the issuing subdivision.

A non-refundable payment in the sum of 10% of the initial issuance fee shall be paid at the time issuance of the license is approved by the board of city commissioners pursuant to § 25-1508 of this article. The remainder of the initial issuance fee shall be payable upon issuance of the license, but not more than 30 days after date of approval by the board of city commissioners; provided, that the time for payment of the remaining balance of the initial issuance fee may, with the approval of the board of city commissioners, be deferred and paid by periodic payments within 180 days after the date of approval. In the event that the applicant fails to pay the remainder of the initial issuance fee within 30 days, or such other time as

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may have been approved by the board of city commissioners, the approval shall be deemed to have expired and the 10% payment by the applicant shall be forfeited.

B. Annual fees shall be payable at the beginning of each license year as follows:

Class AB--\$2,400

Class ABH--\$2,000

Class ABH-RZ--\$2,000

Class ABH-limited--\$700.00

Class A--\$1,700, except that the license fee for any lodge or club having a total membership of less than 1,000 shall be \$1,200 per year.

Class B--\$1,400

Class C--\$750

Class D--\$200

Class DD--\$500

Class E--No annual fee shall be charged for a Class E license.

Class F--\$1,500

Class FA--\$1,700

Class FA-RZ--\$1,700

Class FA-GOLF--\$1,700

Class FA-ENTERTAINMENT--\$1,700

Class G--\$400

Class H--\$300

Class I--\$1,000

Class I-ENTERTAINMENT--\$1,000

Class J--\$25

Class L--\$1,000

Class M--\$200

Class N--\$1,500

Class O--\$150

Class P--\$500

Class W--\$750

Class Y--\$500

Class Z--\$1,700

Class B-Limited--\$1,400

Class RZ-V--\$1,700

Class DCP-E – No annual fee shall be charged for a Class DCP-E license.

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* * * *

Section 3. Amendment.

Section 25-1508 of Article 25-15 of Chapter 25 of the Fargo Municipal Code is hereby amended to read as follows:

25-1508. Issuance and transfer of licenses--Restrictions--Hearing required.—

* * *

F. The number of licenses which may be issued by the board of city commissioners shall be limited as follows:

1. Class "AB"- 22
2. Class "ABH" - no limit
3. Class "ABH-limited" – no limit
4. Class "A" - 10 (not including licenses issued to lodges or clubs)
5. Class "B" - 12
6. Class "C" – 10
7. Class "D" – 2
8. Class "DD" – no limit
9. Class "E" - no limit
10. Class "F" - no limit
11. Class "FA" - no limit
12. Class "FA-GOLF" – no limit
13. Class "FA-ENTERTAINMENT" – no limit
14. Class "G" - no limit
15. Class "H" - no limit
16. Class "I" - 12
17. Class "J" - no limit
18. Class "L" - no limit
19. Class "M" - no limit
20. Class "N" – no limit
21. Class "O" – no limit
22. Class "P" – no limit
23. Class "W-- 10
24. Class "Z" -- Class "Z" – 5 with the conditions and limitations

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set forth in subsection (I) hereinafter. The initial issuance of a Class "Z" license shall provide for five (5) licenses (as aforesaid) with two (2) licenses being designated for the downtown area and two (2) for areas outside the downtown area as defined and one (1) license in either area. "Downtown area" shall mean that area included in the Downtown Area Plan as previously approved by the board of city commissioners and as it may hereafter be amended. At such time as the population of the city of Fargo shall exceed 100,000, one (1) additional "Z" shall become available for each 10,000 people in excess of 100,000 population. The granting of additional licenses shall be subject to all of the terms and conditions of the "Z" license as set forth hereinbefore.

25. Class "B-Limited" – a Class "B-Limited" license shall authorize the licensee to sell "off-sale" only with the conditions and limitations set forth in subsection (J) hereinafter. One (1) Class "B-Limited" license shall be available immediately. An additional Class "B-Limited" shall become available at such time as the population of the city of Fargo shall exceed 100,000 with an additional Class "B-Limited" then becoming available for each additional 10,000 increase in population. The granting of additional licenses shall be subject to all of the terms and conditions of the Class "B" license as set forth hereinbefore and as limited by subsection (J) hereinafter.

26. Class "Y" – no limit

27. Class RZ-V—no limit

28. Class DCP-E – No limit.

For purposes of determining the population of the city of Fargo in this article, the board of city commissioners may recognize the most recent estimated population as determined by the Census Bureau of the United States Department of Commerce and, further, may establish a current population by extrapolation based upon a reasonable rate of population change since the most recent census estimate or by estimation considering recent annexations into the city, the number of housing starts within the city,

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

1 other relevant activity that would typically coincide with increases or
2 decreases of population or any combination of such data or activity to arrive
3 at such estimate.

4 Section 4. Amendment.

5 Section 25-1509.1 of Article 25-15 of Chapter 25 of the Fargo Municipal Code
6 is hereby amended as follows:

7 * * *

8 D. With respect to persons who are in possession of alcoholic beverages contained
9 within, and may consume such beverages from, a clearly identifiable event cup and
10 who are wearing a clearly identifiable wrist band , the DCP-E event space set aside
11 and specifically designated in a Class "DCP-E" license, as provided by section 25-
12 1506(CC), is specifically excepted from the definition of "public place" during the
13 time said "DCP-E" license is in effect. Except as set forth herein, all persons shall
14 nonetheless conform to and abide by all of the other relevant provisions of this
15 chapter. Minors shall not be allowed to possess or consume alcoholic beverages.

16 Section 5. Penalty.

17 A person who willfully violates this ordinance is guilty of an infraction. Every person,
18 firm or corporation violating an ordinance which is punishable as an infraction shall be punished
19 by a fine not to exceed \$1,000; the court to have power to suspend said sentence and to revoke
20 the suspension thereof.
21
22
23

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

Section 6. Effective Date and Sunset.

This ordinance shall be in full force and effect from and after its passage, approval and publication. This ordinance shall automatically terminate at 11:59 p.m. on December 31, 2018, and thereafter be of no further force or effect.

Timothy J. Mahoney, Mayor

Attest:

Steven Sprague, City Auditor

First Reading:
Second Reading:
Final Passage:
Publication:




Dr. Timothy J. Mahoney, Mayor
Fargo City Hall
200 3rd Street North
Fargo, ND 58102
Phone 701.241.1310 | Fax: 701.476.4136
TMahoney@FargoND.gov

39a

MEMORANDUM

TO: BOARD OF CITY COMMISSIONERS

FROM: MAYOR TIMOTHY J. MAHONEY 

DATE: MAY 22, 2018

SUBJECT: APPOINTMENT TO THE BOARD OF APPEALS

The term of Harold Thompson on the Board of Appeals expires on June 30, 2018. Mr. Thompson does not want to be reappointed to the Board.

Michael Wild has submitted an application indicating interest in serving on the Board and I am recommending his appointment. I have attached a copy of his application for your information.

Your favorable consideration of these recommendations will be greatly appreciated.

RECOMMENDED MOTION: Approve the appointment of Michael Wild to the Board of Appeals for a five-year term ending June 30, 2023.

mmappt18boa

Kember Anderson

From: noreply@cityoffargo.com
Sent: Tuesday, March 20, 2018 11:17 AM
To: Commissions Applications
Subject: New Form Submission: Getting involved in government

Name:

[Michael Wild]

Mailing Address:

[1221 2 St N]

City:

[Fargo]

State:

[North Dakota]

Zip:

[58102]

Work Phone:

[7012938106]

Home Phone:

[7014467747]

E-mail:

[mwild@wildcrg.com]

Which boards or commissions would you like to be considered for?

[Board of Appeals]

Briefly state why you would like to be on this panel:

[1. Chris Rose asked 2. Better understand code requirements/interpretations via CoF]

How many hours per month could you volunteer as a panel member?

[8]

Please list any past experience you have with city government here or in other cities:

[Working with planning, zoning, inspections, fire, engineering relative to building projects.]

Please describe any professional experience you have related to the responsibilities of the panel you are interested in:

[I am part-owner of Wild|CRG ~ architecture and construction firm]

We will retain your application for three years and consider you for the board you have indicated interest in when a vacancy arises.

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Dr. Timothy J. Mahoney, Mayor

Fargo City Hall
200 3rd Street North
Fargo, ND 58102

Phone 701.241.1310 | Fax: 701.476.4136

TMahoney@FargoND.gov

396

MEMORANDUM

TO: BOARD OF CITY COMMISSIONERS

FROM: MAYOR TIMOTHY J. MAHONEY

DATE: MAY 24, 2018

SUBJECT: APPOINTMENTS TO THE BOARD OF ADJUSTMENT

The terms of Deborah Wendel Daub and Michael Love on the Board of Adjustment expire on June 30, 2018.

Both Ms. Wendel Daub and Mr. Love have agreed to continue serving on the Board and I am recommending their reappointments for three-year terms.

Your favorable consideration of this recommendation is greatly appreciated.

RECOMMENDED MOTION: To approve the reappointment of Deborah Wendel Daub Michael Love to the Board of Adjustment for a three-year terms ending June 30, 2021.

mmappt18boardjust



Dr. Timothy J. Mahoney, Mayor

Fargo City Hall
200 3rd Street North
Fargo, ND 58102

Phone 701.241.1310 | Fax: 701.476.4136

TMahoney@FargoND.gov

39c

MEMORANDUM

TO: BOARD OF CITY COMMISSIONERS

FROM: MAYOR TIMOTHY J. MAHONEY

A handwritten signature in black ink, appearing to be "TJ Mahoney", written over the name "MAYOR TIMOTHY J. MAHONEY".

DATE: MAY 23, 2018

SUBJECT: CIVIL SERVICE APPOINTMENTS

The term of Jane Pettinger on the Civil Service Commission expires on June 30, 2018. Ms. Pettinger is willing to serve another term and I am recommending her reappointment.

Your favorable consideration of this recommendation is greatly appreciated.

RECOMMENDED MOTION: To approve the reappointment of Jane Pettinger to the Civil Service Commission for a three-year term ending June 30, 2021.

mmappt18csc



Dr. Timothy J. Mahoney, Mayor

Fargo City Hall
200 3rd Street North
Fargo, ND 58102

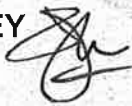
Phone 701.241.1310 | Fax: 701.476.4136

TMahoney@FargoND.gov

39d

MEMORANDUM

TO: BOARD OF CITY COMMISSIONERS

FROM: MAYOR TIMOTHY J. MAHONEY 

DATE: MAY 25, 2018

SUBJECT: APPOINTMENT TO THE SPECIAL ASSESSMENT COMMISSION

The term of Daniel Dunn on the Special Assessment Commission expires on July 1, 2018.

Mr. Dunn is willing to continue his service on the Board and I am recommending that he be reappointed for a three-year term ending July 1, 2021.

Your favorable consideration of this recommendation will be greatly appreciated.

RECOMMENDED MOTION: Approve the reappointment of Daniel Dunn to the Special Assessment Commission for a term ending July 1, 2021.

mmappt18sac



Dr. Timothy J. Mahoney, Mayor

Fargo City Hall
200 3rd Street North
Fargo, ND 58102


Phone 701.241.1310 | Fax: 701.476.4136

TMahoney@FargoND.gov

39e

MEMORANDUM

TO: BOARD OF CITY COMMISSIONERS

FROM: MAYOR TIMOTHY J. MAHONEY 

DATE: MAY 25, 2018

SUBJECT: NATIVE AMERICAN COMMISSION APPOINTMENTS

The terms of Guy Fox and Sharon White Bear on the Native American Commission expire on June 30, 2018.

Both Mr. Fox and Ms. White Bear are willing to continue their service on that Board and I am recommending their reappointments for three-year terms.

Your favorable consideration of this recommendation will be greatly appreciated.

RECOMMENDED MOTION: To approve the reappointment of Guy Fox and Sharon White Bear to the Native American Commission for three-year terms ending June 30, 2021.

mmappts18nac



Dr. Timothy J. Mahoney, Mayor

Fargo City Hall
200 3rd Street North
Fargo, ND 58102


Phone 701.241.1310 | Fax: 701.476.4136

TMahoney@FargoND.gov

39A

MEMORANDUM

TO: BOARD OF CITY COMMISSIONERS

FROM: MAYOR TIMOTHY J. MAHONEY 

DATE: MAY 30, 2018

SUBJECT: ARTS AND CULTURE COMMISSION APPOINTMENTS

The terms of Jon Offutt, Tim Lamey and Jessica Jung on the Arts and Culture Commission expire on June 1, 2018. Mr. Offutt is willing to continue his service on that Board; however, Mr. Lamey and Ms. Jung have resigned their positions. David Bertolini, whose term would have expired on June 1, 2019, has also submitted his resignation.

My recommendation is to reappoint Jon Offutt for a three-year term ending June 1, 2021.

Joe Williams, Denise Kolpack and Tracy Walvatne have expressed interest in serving on the Arts and Culture Commission; therefore, I am recommending that Joe Williams and Denise Kolpack be appointed for three-year terms ending June 1, 2021. I am also recommending that Tracy Walvatne be appointed to fill the unexpired term of David Bertolini expiring on June 1, 2019.

Your favorable consideration of this recommendation will be greatly appreciated.

RECOMMENDED MOTION: To approve the reappointment of Jon Offutt and the appointment of Joe Williams and Denise Kolpack to the Arts and Culture Commission for three-year terms ending June 1, 2021, and the appointment of Tracy Walvatne to fill the unexpired term of David Bertolini expiring on June 1, 2019.

Maegin Elshaug

From: no reply
Sent: Friday, June 9, 2017 1:01 PM
To: Commissions Applications
Subject: New Form Submission: Getting involved in government

Name: [Tracy Walvatne]
Mailing Address: [1123 4th St N]
City: [Fargo]
State: [North Dakota]
Zip: [58102-3705]
Work Phone: [7017300367]
Home Phone: [7017300367]
E-mail: [twalvatne@gmail.com]

com
ref

Which boards or commissions would you like to be considered for? [Arts and Culture Commission]
Briefly state why you would like to be on this panel: [I believe A&C Commission is a dynamic new addition to the City of Fargo's development department. It would be fun and challenging to be part of a new commission, and as an experienced commission member (9 years on Parking Commission) I feel I have skills that can help form the effectiveness of this new team.]

How many hours per month could you volunteer as a panel member? [2 to 3 hours per month. More, on a limited basis, for special projects.]

Please list any past experience you have with city government here or in other cities: [Parking Commission - Fargo. 9 years HMANA (neighborhood organization) - Fargo. Founding member, 17 years]

Please describe any professional experience you have related to the responsibilities of the panel you are interested in: [Sales, negotiations, project management, event coordination, group inception and leadership.]

If you have a resume you would like to submit, please paste it below. [Tracy L. Walvatne 1123 4th Street N. Fargo, ND 58102 (701) 730-0367 Summary: Experienced, thoughtful, flexible and open-minded professional seeking a positive working environment where current skills, passions and interests can be put to maximum use complimenting the goals and growth plans of any company. Professional Experience: REINHART FOODSERVICE, Rogers, MN May 1 2015 to present Sales Consultant • Manage 20 unit chain of mixed concept foodservice restaurants and bars. Responsible for new product development, product inventory management and logistics communications with corporate office as well as individual units. • Growing territory through cold calling and relationship development to augment chain group base. Current run rate of 200% growth on a 5M territory, having added 20 new accounts. KILBOURNE GROUP, Fargo, ND 2013 to 2015 A development company concentrating efforts on the restoration of Downtown Fargo. Office Manager • Maintain office services by organizing office operations and procedures; controlling general physical and electronic correspondence; designing and maintaining filing systems; receiving and ordering supply requisitions; retention, protection, retrieval, transfer, and disposal of records. • Support senior team members by scheduling meetings, interviews, travel arrangements; filing meeting notes and related materials; keeping team members' calendars up to date as needed to ensure communication is actualized in a timely and effective manner. • Lead weekly team meeting setting dates and times, creating agendas, preparing team members, inviting and hosting external guests when applicable. JOSIE'S CORNER CAFÉ & BAKE SHOP, Fargo, ND 2004 to present A family owned and operated café style restaurant and bakery in Downtown Fargo. Owner/Operator • Full collaboration with partner on creating the Josie's brand and ambiance; warm, friendly, simple and good. • Create and manage marketing program encompassing presence advertising (newsprint), call to action advertising (radio), and social media (Facebook). • Responsible for 225% growth bringing total revenue of the business from \$142,400 in 2007 to \$318,000 in 2013. COCA-COLA NORTH AMERICA (now Coca-Cola Refresh), Foodservice and Hospitality Division Minneapolis Regional Office, Home Office in Fargo, ND 2000 to 2007 Sales Executive • Responsible for sales growth, profitability, operational efficiency and customer relations for 12 corporate headquarter/regional chain fountain drink accounts in the North Dakota, Montana, and Eastern Minnesota region. • Develop strong business relationships with accounts, Bottlers and Wholesalers. Interface with key decision makers at major accounts. • Lead cross-functional groups including financial managers, operations managers and marketing managers to create and implement multi-tiered marketing programs intended to increase the customers' fountain sales thus profitability. • Responsible for designing, presenting and implementing customer contracts involving above team elements along with equipment, installation, service, marketing and financial elements. Successfully re-signed

all 12 customers to multi-year agreements during tenure. • Conduct annual business reviews with all customers in territory, analyzing key business indicators including customer traffic, demographics, sales and volume. FOOD SERVICES OF AMERICA, Dakotas Group Branch, Fargo, ND 1990 to 2000 District Sales Manager 1997 to 2000 Responsible for sales growth, profitability, budget management, and customer relations for the \$13MM central district through recruitment, training, and management of 11 Sales Associates. Sales Associate 1990 to 1997 Responsible for sales growth, profitability, and customer relations for 50+ accounts in the Fargo/Moorhead territory. Achieved Sales Associate of the Year award in 1995. EDUCATION: Bachelor of Arts - Hotel and Restaurant Management, minors in Food and Nutrition and Business, with honors – North Dakota State University, Fargo, ND 1990 • President of Alpha Gamma Rho sister organization 1988-1989 • Treasurer of Phi Upsilon Omicron honor fraternity 1988-1990 • Student Advisor 1986-1990 COMMUNITY INVOLVEMENT: • Advisory Board member for College of Human Development and Education, Hospitality and Tourism Management program since 2000. • Founding member of Horace Mann Area Neighborhood Association since 2001. • Parking Commissioner, City of Fargo, since 2008 • Board Member of Celebration of Women and their Music since 2010. • Founding member of North Dakota Culinary Institute research committee since 2014.]

We will retain your application for three years and consider you for the board you have indicated interest in when a vacancy arises.

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Maegin Elshaug

From: no reply
Sent: Monday, April 16, 2018 10:34 PM
To: Commissions Applications
Subject: New Form Submission: Getting involved in government

Name: [Joe Williams]
Mailing Address: [5401 28th Ave S Apt 111]
City: [Fargo]
State: [North Dakota]
Zip: [58104]
Work Phone: [BLANK]
Home Phone: [605-677-7822]
E-mail: [joe.williams78@gmail.com]



Which boards or commissions would you like to be considered for? [Arts & Culture Commission]
Briefly state why you would like to be on this panel: [I have a general interest in the promotion and education of the arts. With my Native American education and back ground I feel that I can add to the discussion for the arts of Fargo and North Dakota.]

How many hours per month could you volunteer as a panel member? [This is open for discussion. I currently work as a Residential Director for Circle of Nations in Wahpeton ND, though I currently reside in Fargo.]

Please list any past experience you have with city government here or in other cities: [My military experience is of Civil Affairs in the military. I have years of experience advising commanders and state officials with South Dakota from training and real world exercises where seeking collaboration, insight, to assist in getting projects completed.]

Please describe any professional experience you have related to the responsibilities of the panel you are interested in: [I have interned at the Plains Art Museum with the American Indian Arts Project as well as the staffed and instructed Oscar Howe Summer Art Institute with the University of South Dakota. The purpose is to reach out to the Native American community and and recruit Native American youth who may be hesitant to participate in the arts off the reservation. Additionally I am certified Train-the-Trainer Intensive for Community Workshop from Springboard for the Arts out of Minneapolis Minnesota.]

We will retain your application for three years and consider you for the board you have indicated interest in when a vacancy arises.

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Maegin Elshaug

From: no reply
Sent: Friday, October 20, 2017 1:27 PM
To: Commissions Applications
Subject: New Form Submission: Getting involved in government

Name: [Denise Kolpack]
Mailing Address: [1322 6th Ave S]
City: [Fargo]
State: [North Dakota]
Zip: [58103]

Work Phone: [701-282-1485]
Home Phone: [701-730-2563]
E-mail: [Denise.kolpack@noridian.com]

Which boards or commissions would you like to be considered for? [Arts & Culture Commission, Board of Health]

Briefly state why you would like to be on this panel: [I consider an honor to serve, whether it is through local organizations, public service or the members and employees where I work. I also have extensive experience in Brand strategy, communications and public relations, as well as strategy and planning. I'm currently involved with area United Way and GFMEDC as well. I also work in the health care field (BCBSND).]

How many hours per month could you volunteer as a panel member? [10]

Please list any past experience you have with city government here or in other cities: [No direct city involvement, but ran a gubernatorial campaign in 2000, former executive director of 2 associations, and currently oversee Brand communications and PR at BCBSND.]


Please describe any professional experience you have related to the responsibilities of the panel you are interested in: [I currently work in healthcare, have extensive experience in communications and PR, and have served on several boards and in officer positions with organizations.]

We will retain your application for three years and consider you for the board you have indicated interest in when a vacancy arises.

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(402)

TO: BOARD OF CITY COMMISSIONERS

FROM: KENT COSTIN, DIRECTOR OF FINANCE 

RE: STATE WATER COMMISSION COST REIMBURSEMENT APPROVAL

DATE: May 21, 2018

The existing legislation in place for State Water Commission funding related to the Fargo-Moorhead Metropolitan Area Flood Risk Management Project requires that the Fargo City Commission, Cass County Commission, and the Cass Water Resource Board approve all payment reimbursement requests prior to their submission and ultimate payment.

The attached reimbursement request has been prepared by Finance staff and is ready for processing. Your approval of the request for funds is hereby requested as required.

Suggested Motion:

Approve a State Water Commission request for cost reimbursement for Fargo-Moorhead Metropolitan Area Flood Risk Management Project costs totaling \$476,342.

May 21, 2018

Garland Erbele, P.E.
North Dakota State Water Commission
900 East Boulevard Avenue, Dept 770
Bismarck, ND 58505-0850

Dear Garland,

The Metro Flood Diversion Authority is submitting eligible costs for reimbursement request #66 pursuant to the terms and conditions of House Bill 1020 for costs incurred from April 1, 2018 to April 30, 2018 on the Fargo-Moorhead Metropolitan Area Flood Risk Management Project. These costs are summarized in the attached cost summaries and are supported by detailed disbursement records included within this submission.

The total amount of the claim for reimbursement is \$476,342.

State Funds Available	Amount Spent Previous Request	Amount Spent This Period	State Cost Share	Reimbursement Request This Period	Balance of State Funds
\$244,000,000	\$183,857,574	\$952,684	50%	\$476,342	\$59,666,084

Project Narrative, this request:

Project Number	Project Description
V01701	Residential relocation assistance for homeowners living in the staging and upstream mitigation areas
V01701	Land for Diversion Channel Phase 1B
V01701	Temporary Easement for Diversion Project
V02801	Pay Application #23 for WP 42A.2, 2 nd Street North Pump Station
V02812	Pay Application #24 for WP 42F.1S 2 nd St North Floodwall, South of the Pump Station

We certify that \$78,689,391 has been expended on the acquisition of homes and that these costs are eligible for the local matching share requirements of HB 1020. Records relating to these costs are on file with the City of Fargo in the Office of the City Auditor.

The City of Fargo, Cass County Commission, and the Cass County Joint Water Resource Board have approved our request for funds as required in HB 1020. Copies of their approval letters are included.

If you have any questions relating to our request, please contact me directly.

Sincerely,



Kent Costin
Director of Finance, City of Fargo
Metro Flood Diversion Authority

Required Local Approvals:

City of Fargo

Cass County Commission

Cass County Joint Water Resource Dist.

FM Metropolitan Area Flood Risk Management Project
Summary of Cash Disbursements Eligible for SWC Funding
April 2018

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description 1	Project Number	Project Description
790-0000-208.10-00	4/12/2018	286301	INDUSTRIAL BUILDERS INC	50,000.00	Retainage PO #181346	V02812	2ND ST NORTH FLOODWALL
790-0000-208.10-00	4/12/2018	286301	INDUSTRIAL BUILDERS INC	(12,282.16)	CITY OF FARGO'S SHARE OF PROJ	V02812	2ND ST NORTH FLOODWALL
			Total Retainage	37,717.84			
790-7930-429.67-11	5/3/2018	286793	CASS COUNTY JOINT WATER RESOURCE DI	6,961.27	ROBERT AND MAXINE NORDICK	V01701	ND LAND PURCH-OUT OF TOWN
790-7930-429.67-11	5/3/2018	286793	CASS COUNTY JOINT WATER RESOURCE DI	25,000.00	ROGER & MELISSA CAMPBELL	V01701	ND LAND PURCH-OUT OF TOWN
			Total LERRDS - North Dakota - Residential Buildings	31,961.27			
790-7930-429.71-30	5/3/2018	286793	CASS COUNTY JOINT WATER RESOURCE DI	831,535.25	590 & 509 - Williams Land Holding Co	V01701	ND LAND PURCH-OUT OF TOWN
			Total LERRDS - North Dakota - Land	831,535.25			
790-7930-429.71-31	5/3/2018	286793	CASS COUNTY JOINT WATER RESOURCE DI	500.00	HICKSON PLEASANT SENIOR	V01701	ND LAND PURCH-OUT OF TOWN
			Total LERRDS - North Dakota - Land/Easements	500.00			
790-7950-429.73-52	4/12/2018	286301	INDUSTRIAL BUILDERS INC	11,821.81	2 ST N PUMP STATION	V02801	2ND ST NORTH PUMP STATION
790-7950-429.73-52	4/12/2018	286301	INDUSTRIAL BUILDERS INC	39,148.13	2 ST N FLOODWALL	V02812	2ND ST NORTH FLOODWALL
			Total ND Construction - Flood Control	50,969.94			
Total Expense for Period				952,684.30			

406

TO: BOARD OF CITY COMMISSIONERS

FROM: KENT COSTIN, DIRECTOR OF FINANCE *KC*

RE: STATE WATER COMMISSION COST REIMBURSEMENT APPROVAL

DATE: May 21, 2018

The existing legislation in place for State Water Commission funding related to the Fargo-Moorhead Metropolitan Area Flood Risk Management Project requires that the Fargo City Commission, Cass County Commission, and the Cass Water Resource Board approve all payment reimbursement requests prior to their submission and ultimate payment.

The attached reimbursement request has been prepared by Finance staff and is ready for processing. Your approval of the request for funds is hereby requested as required.

As requested previously by the City Commission, the costs related to the Oxbow Hickson Bakke levee are being presented separately from the rest of the Metro Flood Diversion expenses. This request includes only the OHB levee related costs for April 2018.

Suggested Motion:

Approve a State Water Commission request for cost reimbursement for Fargo-Moorhead Metropolitan Area Flood Risk Management Project costs totaling \$43,032.

May 21, 2018

Garland Erbele, P.E.
 North Dakota State Water Commission
 900 East Boulevard Avenue, Dept 770
 Bismarck, ND 58505-0850

Dear Garland,

The Metro Flood Diversion Authority is submitting eligible costs for reimbursement request #67 pursuant to the terms and conditions of House Bill 1020 for costs incurred on the OHB Levee project from April 1, 2018 to April 30, 2018. These costs are summarized in the attached cost summaries and are supported by detailed disbursement records included within this submission.

The total amount of the claim for reimbursement is \$43,032.

State Funds Available	Amount Spent Previous Request	Amount Spent This Period	State Cost Share	Reimbursement Request This Period	Balance of State Funds
\$244,000,000	\$184,333,916	\$86,064	50%	\$43,032	\$59,623,052

Project Narrative, this request:

Project Number	Project Description
V02411	Residential relocation assistance for homeowners that will be displaced by the O/H/B ring levee project
V03901	Pay Application #2 for WP 43E.2F – Riverbend Road Removals

We certify that \$78,689,391 has been expended on the acquisition of homes and that these costs are eligible for the local matching share requirements of HB 1020. Records relating to these costs are on file with the City of Fargo in the Office of the City Auditor.

The City of Fargo, Cass County Commission, and the Cass County Joint Water Resource Board have approved our request for funds as required in HB 1020. Copies of their approval letters are included.

If you have any questions relating to our request, please contact me directly.

Sincerely,



Kent Costin
 Director of Finance, City of Fargo
 Metro Flood Diversion Authority

Required Local Approvals:

 _____
City of Fargo

Cass County Commission

Cass County Joint Water Resource Dist.

FM Metropolitan Area Flood Risk Management Project
Summary of Cash Disbursements Eligible for SWC Funding
April 2018 - OHB Levee Related Costs

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description 1	Project Number	Project Description
790-0000-206.10-00	4/19/2018	286511	LANDWEHR CONSTRUCTION INC	5,237.68	Retainage PO #193316	V03901	DEMO RIVERBEND ROAD
			Total Retainage	5,237.68			
790-7930-429.67-11	5/3/2018	286793	CASS COUNTY JOINT WATER RESOURCE DI	7,182.00	TODD AND DEBRA DEBATES	V02411	OXBOW MOU-RESIDENT RLCTN
790-7930-429.67-11	5/3/2018	286793	CASS COUNTY JOINT WATER RESOURCE DI	27,497.86	SAMSON CONSTRUCTION	V02411	OXBOW MOU-RESIDENT RLCTN
			Total LERRDS - North Dakota - Residential Buildings	34,679.86			
790-7930-429.73-20	4/19/2018	286511	LANDWEHR CONSTRUCTION INC	46,146.34	RIVERBEND ROAD DEMO WORK	V03901	DEMO RIVERBEND ROAD
			Total LERRDS - North Dakota - Site Improvements	46,146.34			
Total Expense for Period				86,063.88			