

FARGO PLANNING COMMISSION AGENDA  
Tuesday, June 2, 2026 at 3:00 p.m.

A: Approve Order of Agenda

B: Minutes: Regular Meeting of May 5, 2026

C: Public Hearing Items:

1. Hearing on an application requesting a Plat of **The Cul-de-Sac of Cottagewood First Addition** (Major Subdivision) a replat of Lots 17-18, Block 1, Cottagewood First Addition, to the City of Fargo, Cass County, North Dakota. (Located at 3856 and 3870 47th Avenue South) (Craig Helenske) (lm)
2. Hearing on an application requesting a Plat of **RWA Third Addition** (Minor Subdivision) a replat of Lots 3-4, Block 1, Replat of RWA Addition, including a subdivision waiver for drain setback, to the City of Fargo, Cass County, North Dakota. (Located at 801, 845, and 909 34th Street North) (Bullinger Enterprises, LLLP/Houston Engineering) (dk)
- 3a. Hearing on an application requesting a Zoning Change from SR-5, Single-Dwelling Residential to SR-2, Single-Dwelling Residential on the proposed **Selkirk Place Sixth Addition**. (Located at 6655 Selkirk Drive South) (NICD, LLC/EagleRidge Development) (dk)
- 3b. Hearing on an application requesting a Plat of **Selkirk Place Sixth Addition** (Minor Subdivision) a replat of Lot 10, Block 3, Selkirk Place Second Addition, to the City of Fargo, Cass County, North Dakota. (Located at 6655 Selkirk Drive South) (NICD, LLC/EagleRidge Development) (dk)
- 4a. Hearing on an application requesting a Conditional Use Permit to allow household living in the GC, General Commercial zoning district on Lot 5, Block 1, **Veterans Square Addition**. (Located at 5600 38th Avenue South) (JB Real Estate Investments, LLC/Eagle Ridge Companies) (cl)
- 4b. Hearing on an application requesting a Conditional Use Permit to allow an Alternative Access Plan for a parking reduction on Lot 5, Block 1, **Veterans Square Addition**. (Located at 5600 38th Avenue South) (JB Real Estate Investments, LLC/Eagle Ridge Companies) (cl)

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

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

Minutes are available on the City of Fargo Web site at [www.FargoND.gov/planningcommission](http://www.FargoND.gov/planningcommission).

**BOARD OF PLANNING COMMISSIONERS  
MINUTES**

**Regular Meeting:**

**Tuesday, May 5, 2026**

The Regular Meeting of the Board of Planning Commissioners of the City of Fargo, North Dakota, was held in the Commission Chambers at City Hall at 3:00 p.m., Tuesday, May 5, 2026.

The Planning Commissioners present or absent were as follows:

Present: Maranda Tasa, Scott Stofferahn, Art Rosenberg, Thomas Schmidt, Brett Shewey, Joseph Cecil, Amy Hass, Tyler Mohs, Paul Gleye

Absent: Michael Betlock, Tracy Jordre

Chair Tasa called the meeting to order.

**Business Items:**

**Item A: Approve Order of Agenda**

Chair Tasa noted that Item D.2 has been removed from the agenda.

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

**Item B: Minutes: Regular Meeting of April 7, 2026**

Member Rosenberg moved the minutes of the April 7, 2026 Planning Commission meeting be approved. Second by Member Stofferahn. All Members present voted aye and the motion was declared carried.

**Item C: Public Hearing Items:**

**Item 1: Rocking Horse Farm 2nd Addition**

**Hearing on an application requesting a Conditional Use Permit to allow an Alternative Access Plan for shared parking in the GC, General Commercial zoning district, on Lots 2-3, Block 7, Rocking Horse Farm 2nd Addition. (Located at 4876 and 4894 Rocking Horse Circle South) (Rocking Horse Farms, LLC/Houston Engineering): APPROVED**

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

Member Stofferahn moved the findings and recommendations of staff be accepted the Conditional Use Permit for an Alternative Access Plan to allow shared parking in the GC, General Commercial zoning district on Lots 2-3, Block 7, Rocking Horse Farms 2nd

Addition, be approved, as outlined within the staff report, as the proposal complies with the 2024 Growth Plan, The Standards of Section 20-0909.D of the Land Development Code, and all other applicable requirements of the Land Development Code, with the following conditions:

1. Parking spaces shall be provided on the subject properties as required by Section 20-0701 of the Land Development Code.
2. Future permits are generally consistent with the site plan and information provided in the May 5, 2026 Planning Commission packet. Changes may require review by the Planning Commission as determined by Planning staff.

Second by Member Mohs. On call of the roll Members Shewey, Gleye, Rosenberg, Cecil, Schmidt, Stofferahn, Hass, Mohs, and Tasa voted aye. Absent and not voting: Members Betlock and Jordre. The motion was declared carried.

**Item 2: GPK Second Addition**

**Hearing on an application requesting a Plat of GPK Second Addition (Minor Subdivision) a replat of Lot 1, Block 1, GPK Addition and Lot 4, Block 17 of the Replat of Lot 9, Block 15, Block 16, and Lots 2, 3, 4, and 5, Block 17, Industrial Subdivision No. 3, City of Fargo, Cass County, North Dakota. (Located at 1601 43rd Street North and 4201 16th Avenue North) (GPK Products, Inc./Houston Engineering): APPROVED**

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

Member Hass moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed Subdivision Plat GPK Second Addition, as outlined within the staff report, as the proposal complies with the Fargo Growth Plan 2024, Sections 20-0907.B and C, and the Standards of Article 20-06 of the Land Development Code, and all other applicable requirements of the Land Development Code. Second by Member Shewey. On call of the roll Members Rosenberg, Hass, Cecil, Shewey, Mohs, Gleye, Schmidt, Stofferahn, and Tasa voted aye. Absent and not voting: Members Jordre and Betlock. The motion was declared carried.

**Item 3: Lake Agassiz Addition**

**Hearing on an application requesting a Plat of Lake Agassiz Addition (Major Subdivision) a plat of a portion of the Northeast Quarter, Section 7, Township 139 North, Range 48 West, City of Fargo, Cass County, North Dakota. (Located at 417 and 501 Main Avenue) (City of Fargo/Lake Agassiz Development Corporation): APPROVED**

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

Member Schmidt moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed Subdivision Plat Lake Agassiz Addition as outlined within the staff report, as the proposal complies with the Fargo Growth Plan 2024, Downtown InFocus Plan, Section 20-0907.C, and the Standards of Article 20-06 of the Land Development Code, and all other applicable requirements of the Land Development Code. Second by Member Gleye. On call of the roll Members Gleye, Schmidt, Hass, Stofferahn, Mohs, Rosenberg, Cecil, Shewey, and Tasa voted aye. Absent and not voting: Members Betlock and Jordre. The motion was declared carried.

**Item 4: Grafstrom Second Addition**

**Hearing on an application requesting a Plat of Grafstrom Second Addition (Minor Subdivision) a replat of Lots 9-12, Block 1, Grafstrom First Addition, City of Fargo, Cass County, North Dakota. (Located at 2103, 2131, 2145, and 5525 Verna Way North) (Just North of the Horse Park, LLC/Christianson Companies): APPROVED**

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

Member Hass moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed Subdivision Plat Grafstrom Second Addition, as outlined within the staff report, as the proposal complies with the adopted area plans, the Standards of Article 20-06, Sections 20-0907.B and C of the Land Development Code, and all other applicable requirements of the Land Development Code. Second by Member Gleye. On call of the roll Members Schmidt, Cecil, Stofferahn, Mohs, Rosenberg, Gleye, Shewey, Hass, and Tasa voted aye. Absent and not voting: Members Jordre and Betlock. The motion was declared carried.

**Item 5: Horizon Addition**

**Hearing on an application requesting a Plat of Horizon Addition (Minor Subdivision) a replat of all of Lots 1-3 and 10-12, and part of Lot 9, Block 39, and all of Block 40, and all of the vacated alleys in Blocks 39 and 40, all in Roberts' Second Addition, City of Fargo, Cass County, North Dakota. (Located at 11 12th Street North) (Rising Investments, LLC/MBN Engineering): APPROVED**

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

Member Stofferahn moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed Subdivision Plat Horizon Addition, as outlined within the staff report, as the proposal complies with the Fargo Growth Plan 2024, Downtown InFocus Plan, Sections 20-0907.B and C, the Standards of Article 20-06 of the Land Development Code, and all other applicable requirements of the Land Development Code. Second by Member Schmidt. On call of the roll Members Hass, Mohs, Shewey, Gleye, Cecil, Schmidt, Stofferahn, Rosenberg,

and Tasa voted aye. Absent and not voting: Members Jordre and Betlock. The motion was declared carried.

**Item 6: Lenthe's Second Addition**

**Hearing on an application requesting a Plat of Lenthe's Second Addition (Minor Subdivision) a replat of Lots 1-3, Block 1, Lenthe's First Addition, City of Fargo, Cass County, North Dakota. (Located at 2825, 2901, 2903, 2905, 2907, 3001, 3003, 3005, 3007, 3039, 3041, 3043, 3045, Main Avenue) (Farmer's Union Oil Company of Moorhead, MN, d/b/a Petro Serve USA/Lowry Engineering): APPROVED**

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

Member Shewey moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed Subdivision Plat Lenthe's Second Addition, as outlined within the staff report, as the proposal complies with the Fargo Growth Plan 2024, Sections 20-0907.B and C, the Standards of Article 20-06 of the Land Development Code, and all other applicable requirements of the Land Development Code. Second by Member Hass. On call of the roll Members Cecil, Rosenberg, Mohs, Shewey, Gleye, Hass, Stofferahn, Schmidt, and Tasa voted aye. Absent and not voting: Members Jordre and Betlock. The motion was declared carried.

**Item 7: Timber Parkway Twelfth Addition**

**Hearing on an application requesting a Plat of Timber Parkway Twelfth Addition (Minor Subdivision) a replat of Lots 6-7, Block 1, Timber Parkway Fourth Addition, to the City of Fargo, Cass County, North Dakota. (Located at 3360 and 3430 Jacks Way South) (PLC Investments, LLC/Smart Slides RE, LLC/Design Resource Group): APPROVED**

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

Discussion was held on private drives and sidewalks on private drives.

Assistant Director of Planning and Development Mark Williams spoke on the Conditional Overlay that applies to this development and that it addresses private drives and pedestrian connectivity to be addressed in the future when the development finishes.

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

aye. Absent and not voting: Members Betlock and Jordre. The motion was declared carried.

**Item 8: South Ridge First Addition**

**Hearing on an application requesting a Conditional Use Permit to allow an Alternative Access Plan for a parking reduction in the MR-3, Multi-Dwelling Residential zoning district, on Lot 1, Block 3, South Ridge First Addition. (Located at 2131 65th Avenue South) (BSI Fargo24 Land, LLC/Beyond Shelter, Inc.): APPROVED**

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

Discussion was held on if this reduction is consistent with other parking reductions.

Member Stofferahn moved the findings and recommendations of staff be accepted the Conditional Use Permit to allow an Alternative Access Plan for parking reduction in the MR-3, Multi-Dwelling Residential zoning district on Lot 1, Block 3, South Ridge First Addition, be approved, as outlined within the staff report, as the proposal complies with the 2024 Fargo Growth plan, the Standards of Section 20-0909.D (1-6) of the Land Development Code, and all other applicable requirements of the Land Development Code, with the following conditions:

1. Provide 1.5 parking spots per residential unit.
2. Future permits are generally consistent with the site plan provided in the May 5, 2026 Planning Commission packet. Changes may require review by the Planning Commission as determined by Planning staff.

Second by Member Mohs. On call of the roll Members Stofferahn, Hass, Cecil, Shewey, Schmidt, Rosenberg, Gleye, Mohs, and Tasa voted aye. Absent and not voting: Members Jordre and Betlock. The motion was declared carried.

**Item 9: Lost Creek First Addition**

**9a. Hearing on an application requesting a Zoning Change from AG, Agricultural to SR-4, Single-Dwelling Residential, SR-5, Single-Dwelling Residential, MR-3, Multi-Dwelling Residential with a C-O, Conditional Overlay, P/I, Public and Institutional, and AG, Agricultural on the proposed Lost Creek First Addition. (Located at 6685 Veterans Boulevard South and 5120 64th Avenue South) (Tones, LLC/JB Real Estate Investment, LLC/City of Fargo/EagleRidge Development):**

**9b. Hearing on an application requesting a Plat of Lost Creek First Addition (Major Subdivision) a plat of a portion of the Northwest Quarter Section 9, Township 138 North, Range 49 West, of the Fifth Principal Meridian, to the City of Fargo, Cass County, North Dakota. (Located at 6685 Veterans Boulevard South**

**and 5120 64th Avenue South) (Tones, LLC/JB Real Estate Investment, LLC/City of Fargo/EagleRidge Development): APPROVED**

Mr. Kress presented the staff report stating all approval criteria have not been met and staff is recommending denial. He noted that no AG, Agricultural zoning is included with the case, although it was advertised for, and that the applicant has provided a laydown item to the Board with further information in support of the application.

Public Works Operations Director Ben Dow, spoke on behalf of the Public Works Department and the abnormal challenges this project would face at this time regarding water and sewer, accessibility, snow removal, and emergency services. He noted the location is disconnected from current developments, resources are currently unavailable to service the area, and additional budget would be needed to fund operations.

Discussion was held on the anticipated timeline of this project and when resources would need to be available as lots wouldn't be put on the ground right away.

Mr. Dow spoke on Public Works financing budget.

Planning and Development Director Nicole Crutchfield spoke on the challenges of orderly growth, timing, and pacing. She spoke on current budget restraints, uncertainty of revenue to pay for services, and processes.

Additional discussion was held on processes and timelines, the growth plan, growing orderly, servicing this area, that the City Commission is the approving body for the application, and not holding development back due to other land owners not wanting to develop at this time.

Ms. Crutchfield spoke on balance, and budget uncertainty.

Assistant City Engineer Nathan Boerboom, spoke on behalf of the Engineering Department and the anticipated timeline of 64th Avenue.

West Fargo Public Schools Construction Coordinator Mark Lemer, spoke noting that a building initiative to build a new elementary school was not passed by voters, and that additional elementary school space would be needed if this area grows and fills. He provided a brief overview of the 5-year plan and current capacities.

Further discussion was held on the relationships between Horace and Fargo.

Mr. Boerboom spoke on Veterans Boulevard timeline and construction noting that a MOU is a draft at this point and not being brought forward for consideration.

Applicant representative Jon Youness, Eagle Ridge Development, spoke on behalf of the application. He highlighted reasons to move forward at this time.

Discussion continued on what services and utilities would be needed for the development, current housing stock in Fargo, if the Land Development Code rewrite will affect this project, and timing.

Mr. Dow spoke on the budget and 3% cap on property taxes affecting the ability to add staff.

Ms. Crutchfield spoke on policy changes and expectations, and being in uncharted territory moving forward.

Finance Director Susan Thompson spoke on funding, property tax revenue, inflation, and services being paid for from the general fund that is capped.

Applicant representative Don Dabbert, Dabbert Custom Homes, spoke on the need for housing, the time and effort needed to put a project into motion, and gave his support of this project.

Further discussion was held on the City's timeline to place infrastructure if this is approved, alignment with the growth plan, budget issues being City Commission concerns not Planning Commissions, the need for more housing, the role of the Planning Commission, the approval of the 64th Avenue interchange, and timing.

Member Rosenberg moved the findings and recommendations of staff be denied and approval be recommended to the City Commission of the proposed 1) Zoning Change from AG, Agricultural to SR-4, Single-Dwelling Residential, SR-5, Single-Dwelling Residential, MR-3, Multi-Dwelling Residential with a C-O, Conditional Overlay, and P/I, Public and Institutional, and 2) Subdivision Plat Lost Creek First Addition, as the proposal does comply with the Fargo Growth Plan 2024, Sections 20-0906.F (1-4) and 20-0907 of the Land Development Code. Second by Member Mohs. On call of the roll Members Shewey, Hass, Mohs, Schmidt, Cecil, Rosenberg, and Tasa voted aye. Members Gleye and Stofferahn voted nay. Absent and not voting: Members Jordre and Betlock. The motion was declared carried.

**Item D: Other Items:**

**Item 1: Planned Unit Development Final Plan for 45th Street Park Second Addition and 45th Street Park Sixth Addition.**

Ms. Elshaug presented the staff report stating all approval criteria have been met and staff is recommending approval. She provided history and updates on the Planned Unit Development.

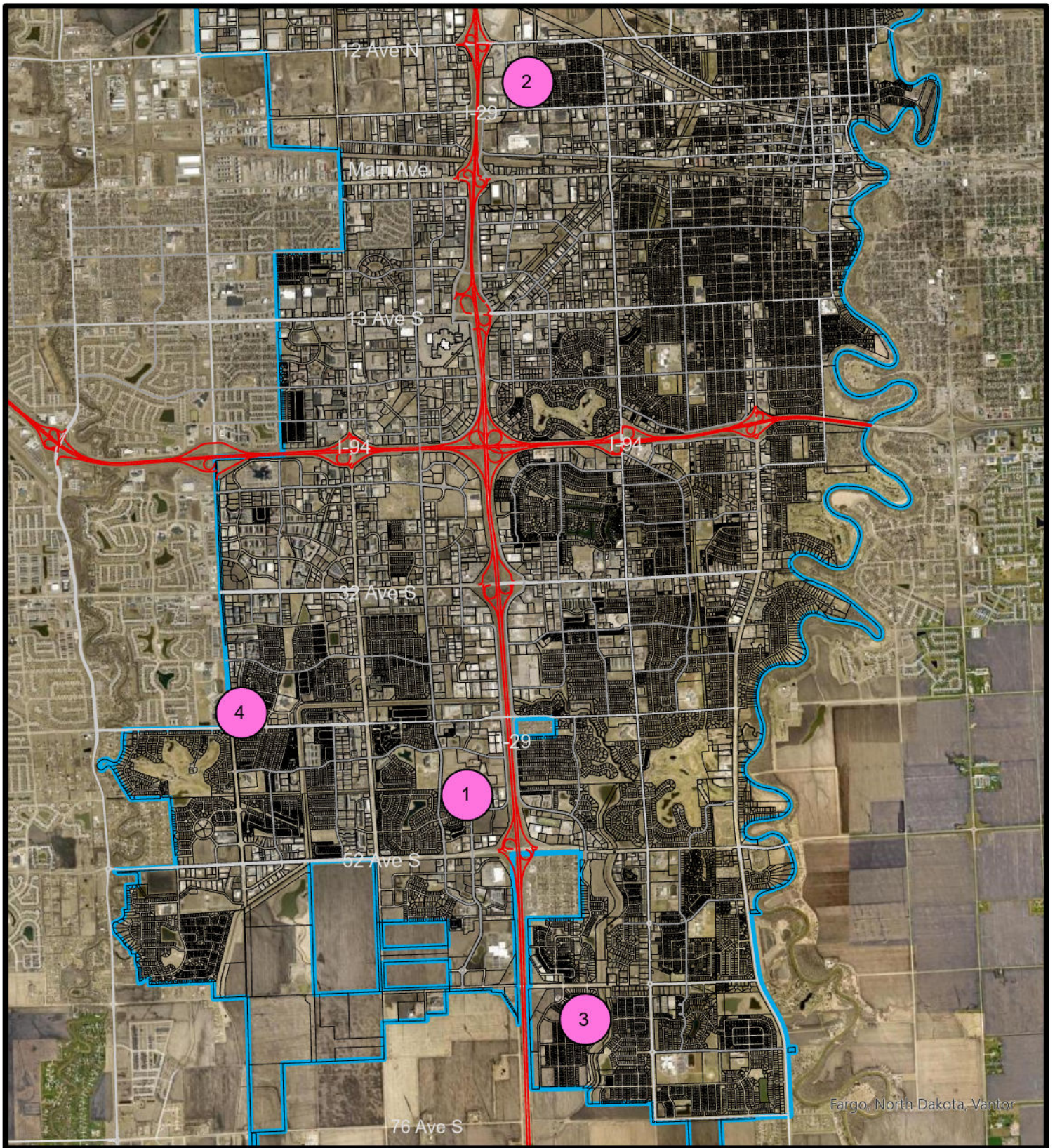
Discussion was held clarifying the zoning of the property.

Member Gleye moved the findings and recommendations of staff be accepted and the Planned Unit Development Final Plan for the proposed Lot 4, Block 1, 45th Street Park

Second Addition and Lot 1, Block 1, 45th Street Park Sixth Addition be approved as outlined within the staff report, as the proposal complies with the PUD, Planned Unit Development Master Land Use Plan, Section 20-0908.D of the Land Development Code, and all other applicable requirements of the Land Development Code. Second by Member Hass. On call of the roll Members Rosenberg, Hass, Gleye, Mohs, Shewey, Cecil, Schmidt, Stofferahn, and Tasa voted aye. Absent and not voting: Members Jordre and Betlock. The motion was declared carried.

**Item 2: Petition for waiver of sidewalk in Adams Fifth, Seventh, and Ninth Additions; Sanders Addition; Interstate Business Park Addition. (Thunder Road South): REMOVED FROM AGENDA**

The time at adjournment was 5:03 p.m.



Fargo, North Dakota, Vantor



**Agenda Items Map**  
 Fargo Planning Commission  
 June 2, 2026



### Agenda Items

- 1 - The Cul-de-Sac of Cottagewood First Addition
- 2 - RWA Third Addition
- 3 - Selkirk Place Sixth Addition
- 4 - Veterans Square Addition

<b>City of Fargo Staff Report</b>			
<b>Title:</b>	The Cul-de-Sac of Cottagewood First Addition	<b>Date:</b>	5/27/2026
<b>Location:</b>	3856 and 3870 47 <sup>th</sup> Avenue South	<b>Staff Contact:</b>	Luke Morman, Planner
<b>Legal Description:</b>	Lots 17-18, Block 1, Cottagewood First Addition.		
<b>Owner(s)/Applicant:</b>	Craig Helenske	<b>Engineer:</b>	Houston Engineering
<b>Entitlements Requested:</b>	<b>Major Subdivision</b> (a replat of Lots 17-18, Block 1, Cottagewood First Addition, to the City of Fargo, Cass County, North Dakota)		
<b>Status:</b>	Planning Commission Public Hearing: June 2 <sup>nd</sup> , 2026		

<b>Existing</b>	<b>Proposed</b>
<b>Land Use:</b> Undeveloped	<b>Land Use:</b> Unchanged
<b>Zoning:</b> SR-2, Single-dwelling Residential	<b>Zoning:</b> Unchanged
<b>Uses Allowed:</b> SR-2, Single-dwelling Residential, allows detached houses, daycare centers of up to 12 children or adults, parks and open space, religious institutions, safety services, schools, basic utilities, and certain telecommunication facilities.	<b>Uses Allowed:</b> Unchanged
<b>Maximum Building Coverage:</b> Maximum 35% building coverage.	<b>Maximum Building Coverage:</b> Unchanged

<b>Proposal:</b>
<p>The applicant requests one entitlement:</p> <ol style="list-style-type: none"> <li>1. A major subdivision, entitled <b>The Cul-de-Sac of Cottagewood First Addition</b>, a replat of Lots 17-18, Block 1, Cottagewood First Addition, to the City of Fargo, Cass County, North Dakota.</li> </ol> <p>This project was reviewed by the City’s Planning and Development, Engineering, Public Works, and Fire Departments (“staff”), whose comments are included in this report.</p> <p>Surrounding Land Uses and Zoning Districts:</p> <ul style="list-style-type: none"> <li>• North: Across 47<sup>th</sup> Avenue South, SR-2, Single-dwelling Residential, with residential use.</li> <li>• East: P/I, Public and Institutional, with a parks and open areas.</li> <li>• South: P/I, Public and Institutional, with a parks and open areas.</li> <li>• West: SR-2, Single-dwelling Residential, undeveloped.</li> </ul>
<b>Area Plans:</b>
<p>Fargo’s Growth Plan 2024 was adopted on August 19<sup>th</sup>, 2024. This project is consistent with the place type designation of “Suburban Neighborhood” and “Mixed Commercial, Office, and Residential” for the subject properties.</p>
<b>Context:</b>
<p><b>Schools:</b> The subject property is within the Fargo School District and is served by Kennedy Elementary, Carl Ben Eielson Middle, and Fargo South High schools.</p> <p><b>Neighborhood:</b> The subject property is located within the Woodhaven Neighborhood.</p>

**Parks:** Cottagewood Park is adjacent to the subject properties and features amenities of a playground for ages 5-12, grill, picnic tables, a shelter, and recreational trails.

**Pedestrian / Bicycle:** There is a shared use path adjacent within Cottagewood Park, adjacent to the subject properties. Additionally, there are shared use paths along the south property lines of the Microsoft campus, the north side of 38<sup>th</sup> Street South, and the west side of 42<sup>nd</sup> Street South. These paths are all located within a quarter of a mile from the subject properties.

**Transit:** MATBUS Route 18 runs along 51<sup>st</sup> Avenue South, 42<sup>nd</sup> Street South and 44<sup>th</sup> Avenue South. Several bus stops are located within a quarter of a mile from the subject properties.

### **Staff Analysis:**

#### Major Subdivision

The major subdivision plat proposal is for a two lot, one block subdivision entitled The Cul-de-Sac of Cottagewood First Addition. This plat will dedicate the existing cul-de-sac as public right-of-way at the City's request. The overall lot sizes will be reduced with the ROW dedication, however, the buildable area for the subject properties will remain unchanged.

#### Easements

There is an existing "Access, Right-of-Way, and Utility Easement" which is being vacated with this plat. The dedicated ROW will cover the existing cul-de-sac which is within the scope of work for an Asphalt Wear Course project from the City's Engineering Department. A new 10' wide Utility Easement will follow the proposed north property lines along the proposed ROW.

#### **Major Subdivision**

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

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

The existing zoning designation for the development on the subject property is SR-2, Single-dwelling Residential, and will remain. This zone will accommodate future residential development which is consistent with the recently adopted Fargo Growth Plan 2024. In accordance with Section 20-0901.F of the LDC, notices of the proposed plat have been sent out to property owners within 300 feet of the subject property. To date, Planning staff has received and responded to two inquiries about the project.

**(Criteria Satisfied)**

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

The existing zoning designation of SR-2, Single-dwelling Residential, will remain and is consistent with the adopted Fargo Growth Plan 2024. The project has been reviewed by the city's Planning, Engineering, Public Works, Inspections, and Fire Departments and found to meet the standards of Article 20-06 and other applicable requirements of the Land Development Code.

**(Criteria Satisfied)**

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

The City's standard policy is that any improvements associated with the project (both existing and proposed) are subject to special assessments. Special assessments associated with the costs of the

public infrastructure improvements are proposed to be spread by the front footage basis and storm sewer by the square footage basis as is typical with the City of Fargo assessment principles.  
**(Criteria Satisfied)**

**Staff Recommendation:**

Suggested Motion: "To accept the findings and recommendations of staff and move to recommend approval to the City Commission for the proposed major subdivision plat of **The Cul-de-Sac of Cottagewood First Addition**, as outlined in the staff report; as the proposal complies with the Fargo Growth Plan 2024, Standards of Article 20-06, and 20-0907 of the LDC, and all other applicable requirements of the LDC."

**Planning Commission Recommendation:** June 2<sup>nd</sup>, 2026

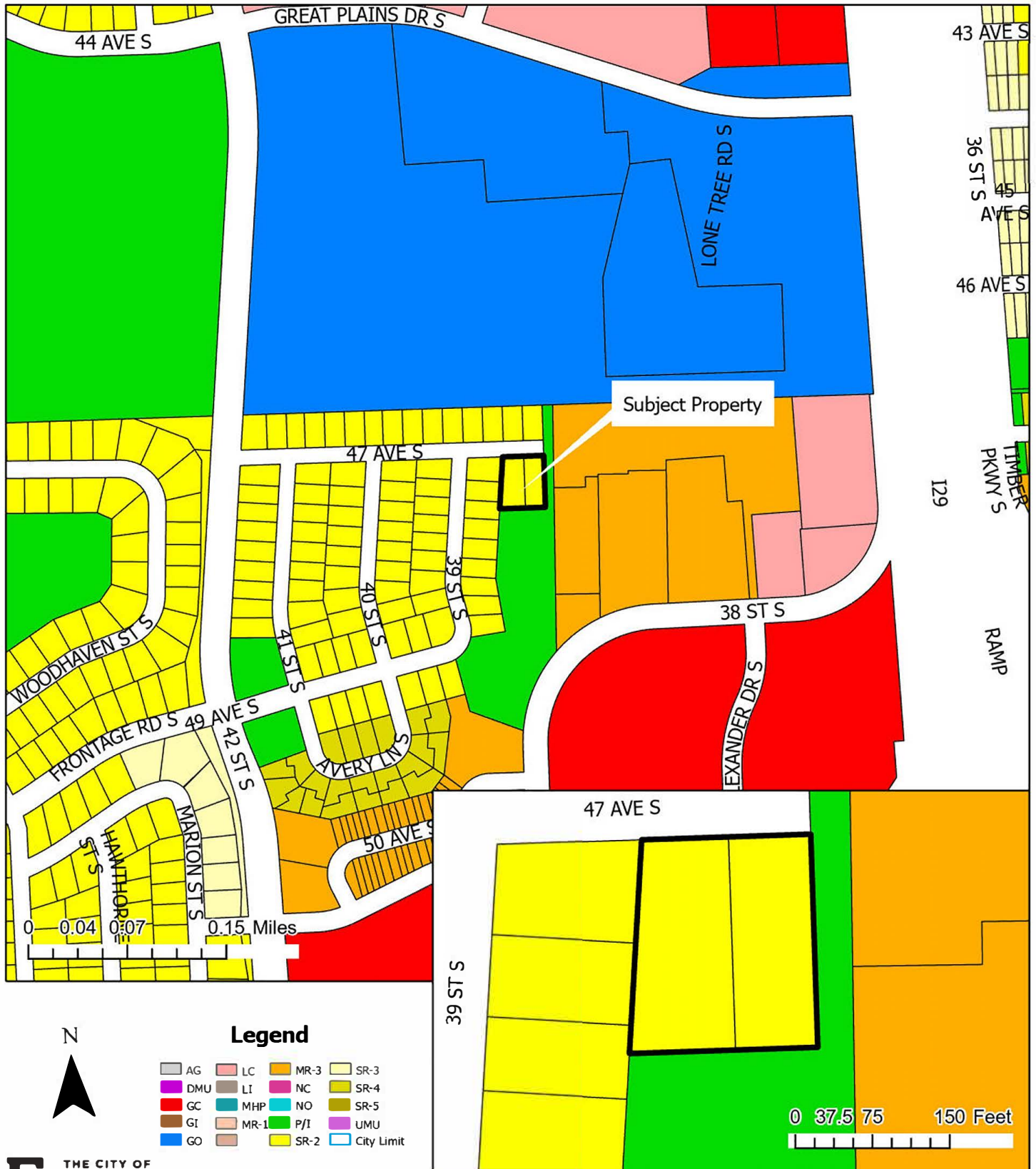
**Attachments:**

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

# Major Subdivision

## The Cul-de-Sac of Cottagewood First Addition

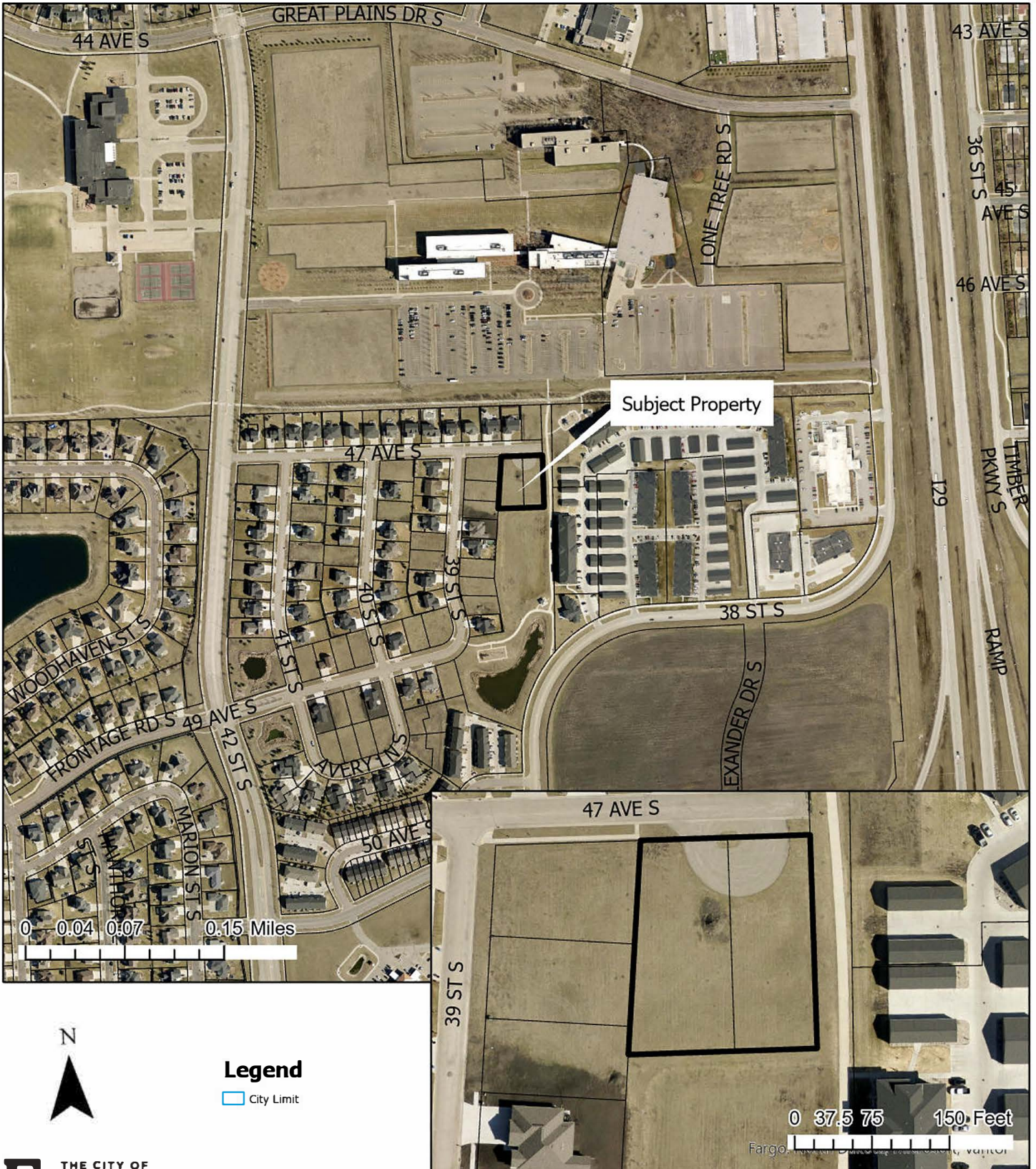
3856 & 3870 47th Avenue South



# Major Subdivision

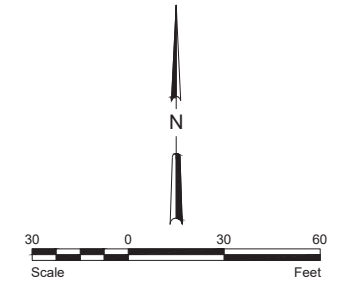
## The Cul-de-Sac of Cottagewood First Addition

3856 & 3870 47th Avenue South



# THE CUL-DE-SAC OF COTTAGEWOOD FIRST ADDITION

A MAJOR SUBDIVISION  
 BEING A REPLAT OF LOTS 17 AND 18, BLOCK 1,  
 COTTAGEWOOD FIRST ADDITION  
 TO THE CITY OF FARGO,  
 CASS COUNTY, NORTH DAKOTA



### LEGEND

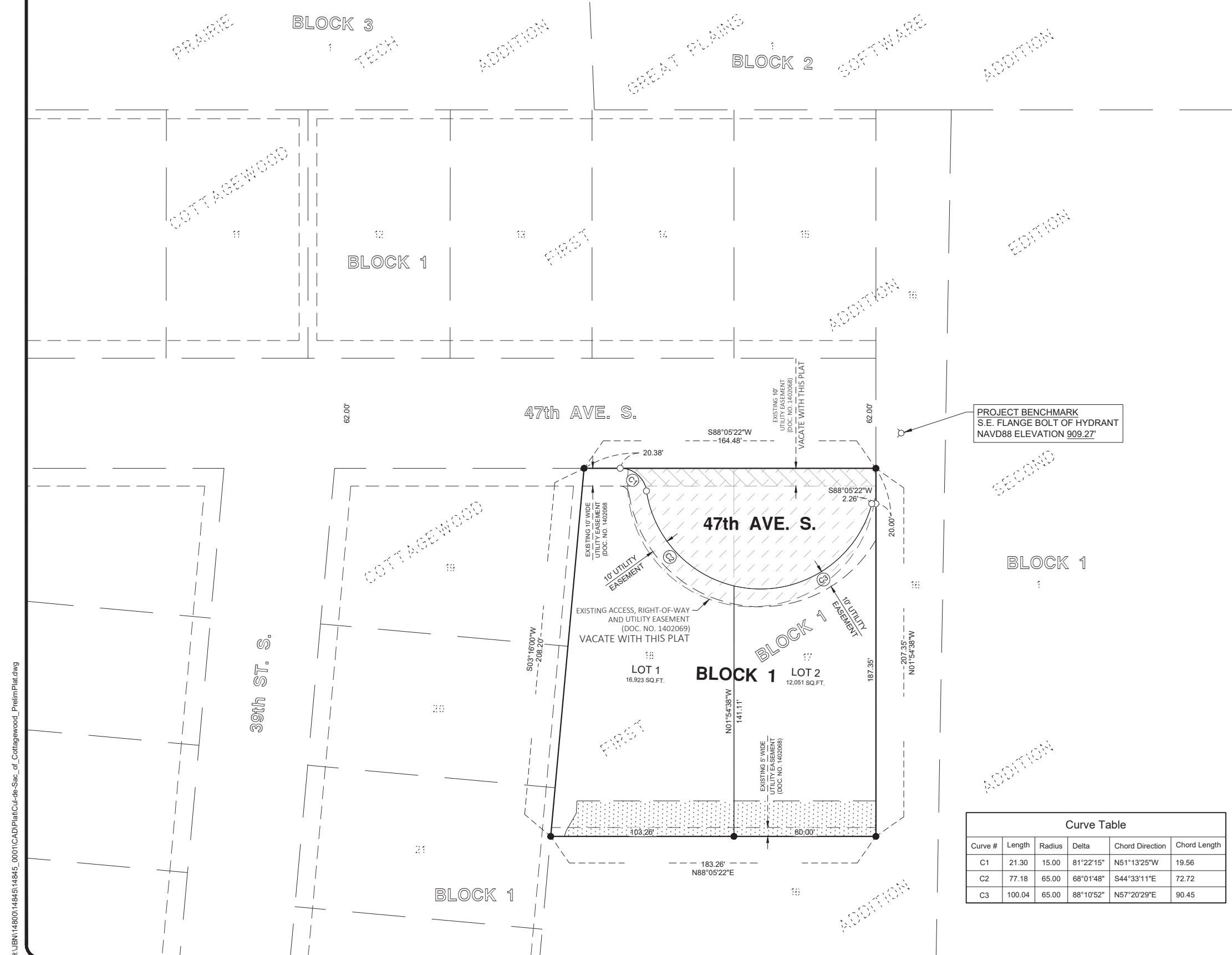
IRON MONUMENT FOUND	●
1/2" I.D. PIPE SET	○
MEASURED BEARING	N00°00'00"E
PLAT BEARING	(N00°00'00"E)
MEASURED DISTANCE	100.00'
PLAT DISTANCE	(100.00')
PLAT BOUNDARY	—————
NEW LOT LINE	—————
NEW UTILITY EASEMENT	-----
EXISTING LOT LINE	-----
EXISTING UTILITY EASEMENT	-----
AREA WITHIN FEMA ZONE AE (100-YEAR FLOODPLAIN)	[Stippled Pattern]
EXISTING 10' UTILITY EASEMENT (DOC. NO. 1402068) TO BE VACATED WITH THIS PLAT	[Diagonal Hatching]
EXISTING ACCESS, RIGHT-OF-WAY AND UTILITY EASEMENT (DOC. NO. 1402069) TO BE VACATED WITH THIS PLAT	[Diagonal Hatching]

### NOTES:

- BEARINGS SHOWN ARE BASED ON THE CITY OF FARGO GROUND COORDINATE SYSTEM, DECEMBER 1992.
- A PORTION OF THIS PROPERTY IS SITUATED IN ZONE AE (100-YEAR FLOODPLAIN) AS DEPICTED ON FEMA FIRM PANEL 38017C0786G, DATED JANUARY 16, 2015.
- BASE FLOOD ELEVATION = 905.7' (NAVD 1988)
- AREAS WITHIN FEMA ZONE AE ARE ONLY DEPICTED WITHIN THE BOUNDARY OF THIS PLAT.
- ELEVATION CONTOURS ARE NAVD 1988 FROM THE 2020 F-M METRO AREA LIDAR COLLECT, AND ARE ONLY SHOWN WITHIN FEMA ZONE AE WITHIN THE BOUNDARY OF THE PLAT. THERE ARE NO EVEN-FOOT CONTOURS WITHIN THE ZONE AE AREA WITHIN THE PLAT BOUNDARY. THE LIDAR DATA SHOWS THE ELEVATION OF THE ZONE AE AREA WITHIN THE PLAT BOUNDARY IS BETWEEN 906.3' AND 906.6'.

PROJECT BENCHMARK  
 S.E. FLANGE BOLT OF HYDRANT  
 NAVD88 ELEVATION 909.27'

Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	21.30	15.00	81°22'15"	N51°13'25"W	19.56
C2	77.18	65.00	68°01'48"	S44°33'11"E	72.72
C3	100.04	65.00	88°10'52"	N57°20'29"E	90.45



H:\JRM\14800\14845\14845\_0001\CAD\Plat\Cul-de-Sac\_of\_Cottagewood\_PrelimPlat.dwg

**PRELIMINARY PLAT**

# THE CUL-DE-SAC OF COTTAGEWOOD FIRST ADDITION

A MAJOR SUBDIVISION  
BEING A REPLAT OF LOTS 17 AND 18, BLOCK 1,  
COTTAGEWOOD FIRST ADDITION  
TO THE CITY OF FARGO,  
CASS COUNTY, NORTH DAKOTA

## OWNER'S CERTIFICATE:

KNOW ALL PERSONS BY THESE PRESENTS: That Craig Helenske, a married person, is the owner and proprietor of the following described tract of land:

Lots 17 and 18, Block 1, Cottagewood First Addition to the City of Fargo, Cass County, North Dakota.

Said tract contains 0.828 acres, more or less.

And that said party does hereby vacate the access, right-of-way and utility easement, and also the 10-foot utility easement, as designated for vacation on this plat, and has caused the same to be surveyed and platted as **THE CUL-DE-SAC OF COTTAGEWOOD FIRST ADDITION** to the City of Fargo, Cass County, North Dakota, and does hereby dedicate to the public, for public use, the avenue and utility easement shown on this plat.

## OWNER:

\_\_\_\_\_  
Craig Helenske

State of North Dakota )  
                                  ) ss  
County of Cass         )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ before me, a notary public within and for said county and state, personally appeared Craig Helenske, a married person, known to me to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same.

Notary public: \_\_\_\_\_

## SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT:

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

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Curtis A. Skarphol, Professional Land Surveyor No. 4723

State of North Dakota )  
                                  ) ss  
County of Cass         )

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

Notary Public: \_\_\_\_\_

## CITY ENGINEER'S APPROVAL:

Approved by the Fargo City Engineer this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Tom Knakmuhs, PE, City Engineer

State of North Dakota )  
                                  ) ss  
County of Cass         )

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

Notary Public: \_\_\_\_\_

## FARGO PLANNING COMMISSION APPROVAL:

Approved by the City of Fargo Planning Commission this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Maranda R. Tasa, Chair  
Fargo Planning Commission

State of North Dakota )  
                                  ) ss  
County of Cass         )

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

Notary Public: \_\_\_\_\_

## FARGO CITY COMMISSION APPROVAL:

Approved by the Board of City Commissioners and ordered filed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Timothy J. Mahoney, Mayor

ATTEST: \_\_\_\_\_  
Angie Bear, Deputy Auditor on behalf of City Auditor

State of North Dakota )  
                                  ) ss  
County of Cass         )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ before me, a notary public within and for said county and state, personally appeared Timothy J. Mahoney, Mayor, and Angie Bear, Deputy Auditor, known to me to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed on behalf of the City of Fargo.

Notary Public: \_\_\_\_\_

<b>City of Fargo Staff Report</b>			
<b>Title:</b>	RWA Third Addition	<b>Date:</b>	5/27/2026
<b>Location:</b>	801, 845, and 909 34th Street North	<b>Staff Contact:</b>	Donald Kress, Planning Coordinator
<b>Legal Description:</b>	Lots 3-4, Block 1, Replat of RWA Addition to the City of Fargo, Cass County, North Dakota		
<b>Owner(s)/Applicant:</b>	Bullinger Enterprises, LLLP/Houston Engineering	<b>Engineer:</b>	Houston Engineering, Inc.
<b>Entitlements Requested:</b>	<b>Minor Subdivision</b> (Replat of Lots 3-4, Block 1, Replat of RWA Addition, including a subdivision waiver for drain setback, to the City of Fargo, Cass County, North Dakota)		
<b>Status:</b>	Planning Commission Public Hearing: June 2 <sup>nd</sup> , 2026		

<b>Existing</b>	<b>Proposed</b>
<b>Land Use:</b> Undeveloped and Manufacturing and Production.	<b>Land Use:</b> Manufacturing and production
<b>Zoning:</b> LI, General Industrial.	<b>Zoning:</b> Unchanged
<b>Uses Allowed :</b> Colleges, community service, daycare centers of unlimited size, detention facilities, health care facilities, parks and open areas, religious institutions, safety services, basic utilities, adult establishment, offices, off-premise advertising signs, commercial parking, outdoor recreation and entertainment, retail sales and service, self-service storage, vehicle repair, limited vehicle service, industrial service, manufacturing and production, warehouse and freight movement, wholesale sales, aviation, surface transportation, and certain telecommunications facilities.	<b>Uses Allowed:</b> Unchanged
<b>Maximum Lot Coverage Allowed:</b> Maximum 85% building coverage.	<b>Maximum Lot Coverage Allowed:</b> Unchanged

<b>Proposal:</b>
<p>The applicant requests one entitlement:</p> <ol style="list-style-type: none"> <li>1. A minor subdivision, entitled <b>RWA Third Addition</b> which is a replat of Lots 3-4, Block 1, Replat of RWA Addition, including a subdivision waiver for drain setback, to the City of Fargo, Cass County, North Dakota.,</li> </ol> <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:**

- North: LI, industrial service.
- East: Cass County Drain No.10; east across the drain is SR-3, Single-Dwelling Residential with residential use
- South: LI, Undeveloped; office/warehouse; wholesale
- West: LI, City-owned stormwater detention basin; shop condos—industrial service

**Area Plans:**

The Fargo Growth Plan 2024 designates the place type of the subject property as “General Industrial and Flex Warehouse.” The existing LI, Limited Industrial zoning and the current industrial land uses are consistent with this place type.

**Context:**

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

**Neighborhood:** The subject property is in the Madison/Unicorn Park neighborhood.

**Parks:** There are no parks within a quarter mile of the subject property.

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

**Bus Route:** There are no bus routes within a quarter mile of the subject property.

**Staff Analysis:**

SUBDIVISION

The proposed subdivision replats Lots 3 and 4, Block 1, Replat of RWA Addition into a different two-lot configuration, to allow the expansion of the building on what will be Lot 1. The overall boundary of the two lots will not change.

Staff has determined that no amenities plan or developer agreement is required for this subdivision.

SUBDIVISION WAIVER FOR DRAIN SETBACK

The property borders the west side of County Drain No. 10 and is subject to the drain setback requirement stated in Land Development Code Section 20-0610(F). This code section requires a 175 foot setback from the centerline of the drain. Geotechnical evaluation provided by the applicant has been reviewed by the Fargo City Engineering Department and the Southeast Cass Water Resources District (“SE Cass”). They have determined that a 100 foot setback from the drain centerline will be sufficient for this property. The east property line of the subdivision is 54 feet from the drain centerline. The plat depicts a 46-foot wide easement in favor of SE Cass on proposed Lot 1, Block 1, which completes the requirement for a 100-foot setback from the drain centerline. An encroachment agreement will also be required to address the fire access road and utilities within this easement. This subdivision waiver for drain setback is considered part of the plat and not a separate entitlement.

PUBLIC COMMENT

Planning staff received a visit from a nearby property owner who commented that accessing 7<sup>th</sup> Avenue North from 34<sup>th</sup> Street can be challenging due to the heavy and often fast-moving traffic. As businesses along that 34<sup>th</sup> Avenue cul-de-sac continue to develop and expand, the City should evaluate this access point for safety.

## FINDINGS

### Minor Subdivision

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

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

This subdivision is intended to replat two existing lots into a different two-lot configuration. The Fargo Growth Plan 2024 designates the place type of the subject property as "General Industrial and Flex Warehouse." The existing LI, Limited Industrial zoning is consistent with this place type. This zoning allows the proposed land uses of manufacturing. No zone change is proposed. In accordance with Section 20-0901.F of the LDC, notices of the proposed plat have been sent out to property owners within 300 feet of the subject property. To date, staff has received and responded to one inquiry about the application, as noted above. Staff has reviewed this request and finds that this application complies with standards of Article 20-06 and all applicable requirements of the Land Development Code.

**(Criteria Satisfied)**

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

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

**(Criteria Satisfied)**

### Subdivision Waiver for Drain Dedication

Article 20-0907(D)(3) of the LDC stipulates that the following criteria are met before a subdivision waiver can be approved:

- 1. Section 20-0907.D.3.a of the LDC stipulates that a Subdivision Waiver must not be detrimental to the public safety, health, or welfare or injurious to other property or improvements in the area in which the property is located.**

The City Engineer and SE Cass have determined that, based on review of geotechnical analysis, that a 100-foot setback from the drain centerline is sufficient to provide for drain stability. Only minimal development—a fire access road and utilities--will be allowed in the drain setback area. The east property line of the subdivision is 54 feet from the drain centerline. The plat depicts a 46-foot wide easement in favor of SE Cass on proposed Lot 1, Block 1, which completes the requirement for a 100-foot setback from the drain centerline. An encroachment agreement will also be required to address the fire access road and utilities within this easement. An encroachment agreement will also be required to address the fire access road and utilities within this easement.

**(Criteria Satisfied)**

2. **Section 20-0907.D.3.b of the LDC stipulates that a Subdivision Waiver must represent the least deviation from this Land Development Code that will mitigate the hardship or practical difficulty that exists on the subject property.**

The location of the building, and the intended expansion of this building to the north, would not accommodate the full 175 foot drain setback. The building was built before the drain setback ordinance was adopted. Based on review of geotechnical analysis, a 100- foot setback from the drain centerline has been determined to be sufficient. Only minimal development—a parking lot—will be allowed in the drain setback area. **(Criteria Satisfied)**

3. **Section 20-0907.D.3.c of the LDC stipulates that a Subdivision Waiver shall not have the effect of waiving any provisions of this development code other than the Subdivision Design and Improvement Standards of Article 20-06.**

This subdivision waiver applies only to the drain setback requirements of Section 20-0610 of the LDC for this particular property  
**(Criteria Satisfied)**

**Staff Recommendation:**

Suggested Motion: “To accept the findings and recommendations of staff and hereby recommend approval to the City Commission the proposed plat of **RWA Third Addition**, including the subdivision waiver for drain setback, as outlined in the staff report, as the proposal complies with the Fargo Growth Plan 2024, Standards of Article 20-06 , Sections 20-0907 B and C and 20-0907.D.3 (a--c) of the Land Development Code, and all other applicable requirements of the Land Development Code.”

**Planning Commission Recommendation:** June 2nd, 2026

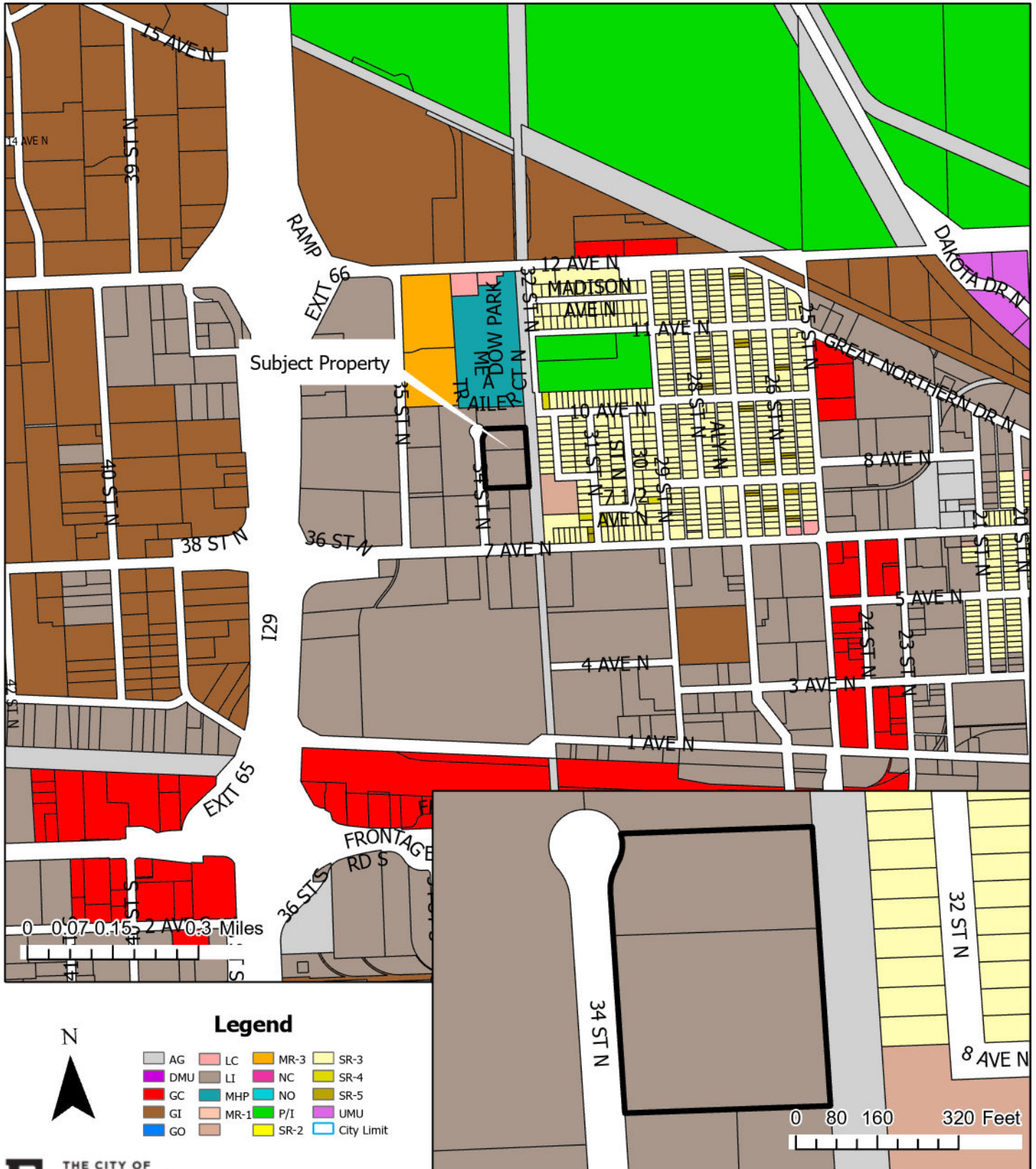
**Attachments:**

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

# Minor Subdivision

## RWA Third Addition

801, 845 & 909 34th Street North



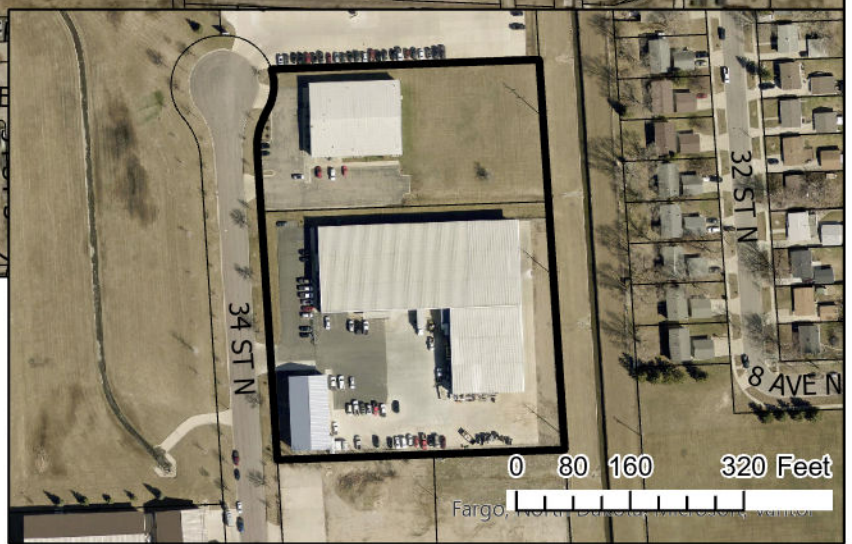
# Minor Subdivision

## RWA Third Addition

801, 845 & 909 34th Street North



Subject Property



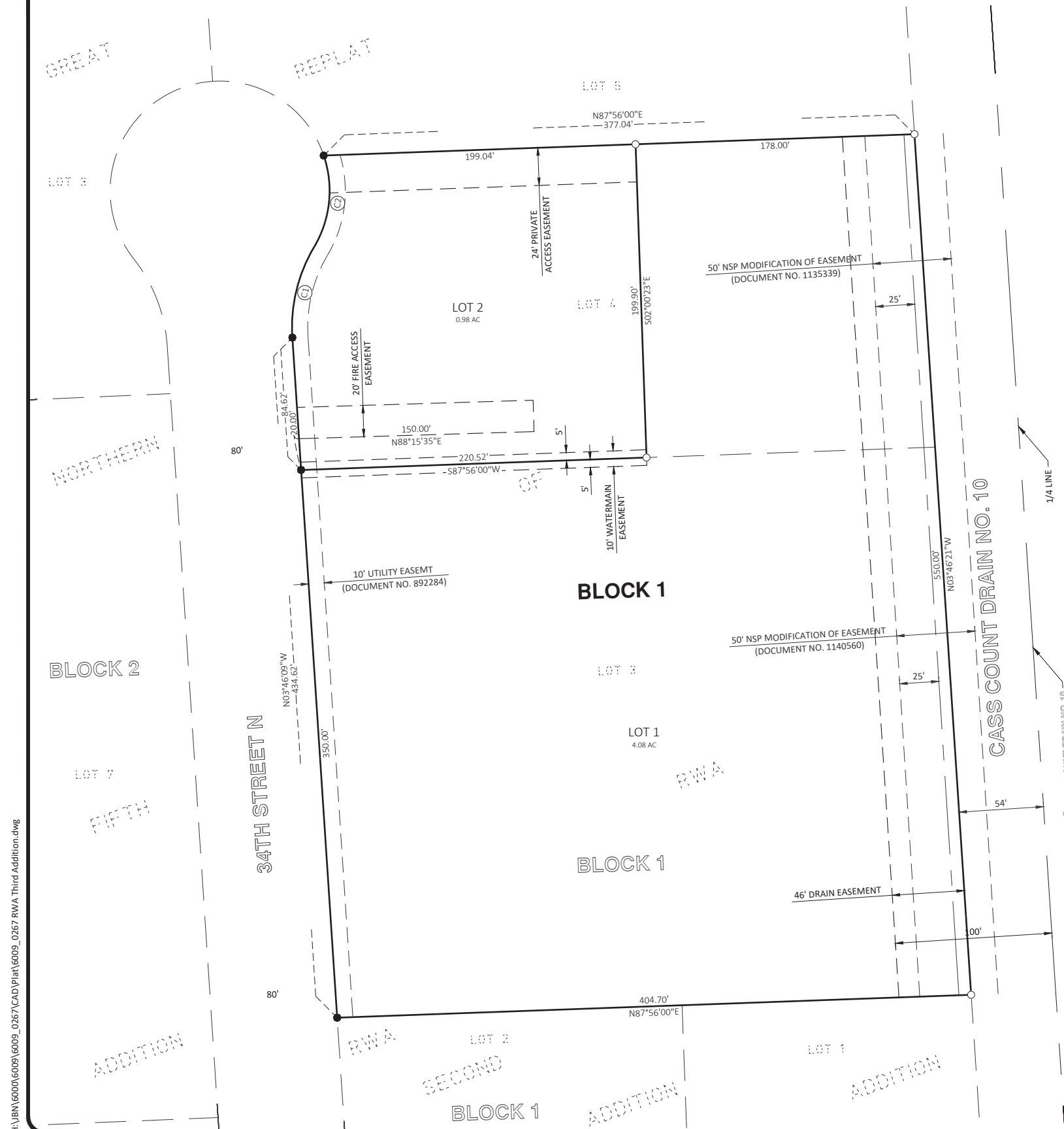
**Legend**  
City Limit



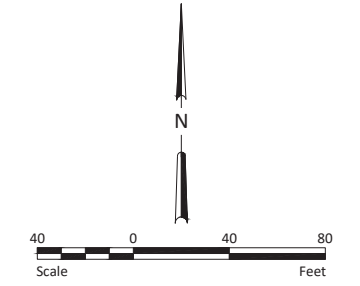
Fargo Planning Commission  
June 2, 2026

# RWA THIRD ADDITION

A MINOR SUBDIVISION  
 BEING A REPLAT OF LOTS 3 AND 4, BLOCK 1, REPLAT OF RWA ADDITION  
 TO THE CITY OF FARGO,  
 CASS COUNTY, NORTH DAKOTA



Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	60.32	100.00	34°33'39"	N13°30'41"E	59.41
C2	60.55	70.00	49°33'39"	N06°00'41"E	58.68



**LEGEND**

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

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



<b>City of Fargo Staff Report</b>			
<b>Title:</b>	Selkirk Place Sixth Addition	<b>Date:</b>	5/27/2026
<b>Location:</b>	6655 Selkirk Drive South	<b>Staff Contact:</b>	Donald Kress, planning coordinator
<b>Legal Description:</b>	Lot 10, Block 3, Selkirk Place Second Addition		
<b>Owner(s)/Applicant:</b>	NICD, LLC/EagleRidge Development	<b>Engineer:</b>	Bolton & Menk
<b>Entitlements Requested:</b>	<b>Zone Change</b> (from SR-5, Single-Dwelling Residential to SR-2, Single-Dwelling Residential); <b>Minor Subdivision</b> (Plat of <b>Selkirk Place Sixth Addition</b> , a replat of Lot 10, Block 3, Selkirk Place Second Addition, to the City of Fargo, Cass County, North Dakota)		
<b>Status:</b>	Planning Commission Public Hearing: June 2 <sup>nd</sup> , 2026		
<b>Existing</b>		<b>Proposed</b>	
<b>Land Use:</b> Platted; not developed		<b>Land Use:</b> Single-Dwelling Residential	
<b>Zoning:</b> SR-5 Single-Dwelling Residential		<b>Zoning:</b> SR-2, Single-Dwelling Residential	
<b>Uses Allowed:</b> Detached houses, attached houses and duplexes, daycare centers, parks and open space, religious institutions, safety services and basic utilities.		<b>Uses Allowed:</b> Detached houses, daycare centers up to 12 children, parks and open space, religious institutions, safety services, schools, and basic utilities	
<b>Maximum Density:</b> 14.5 dwelling units per acre		<b>Maximum Density:</b> 5.4 dwelling units per acre	
<b>Proposal:</b>			
<p>The applicant requests two entitlements:</p> <ol style="list-style-type: none"> <li>1. A <b>Zone Change</b> from SR-5, Single-Dwelling Residential to SR-2, Single-Dwelling Residential</li> <li>2. A minor subdivision, entitled <b>Selkirk Place Sixth Addition</b>, a replat of Lot 10, Block 3, Selkirk Place Second Addition, to the City of Fargo, Cass County, North Dakota</li> </ol> <p>This project was reviewed by the City’s Planning and Development, Engineering, Public Works, and Fire Departments (“staff”), whose comments are included in this report.</p> <p><b>Surrounding Land Uses and Zoning Districts:</b></p> <ul style="list-style-type: none"> <li>• North: SR-2, detached single-dwelling residential uses</li> <li>• East: SR-2, platted for single-dwelling residential uses (not yet developed)</li> <li>• South: SR-4, Single-Dwelling Residential; detached single-dwelling residential uses</li> <li>• West: SR-4 Single-Dwelling Residential; attached single dwelling residential</li> </ul>			
<b>Area Plans:</b>			
Fargo Growth Plan 2024 designates the subject property as the “Urban Neighborhood” place type. The proposed zoning is SR-2, Single-Dwelling Residential is consistent with the Growth Plan place type designation.			
<b>Context:</b>			
<b>Schools:</b> The subject property is located within the Fargo School District, specifically within the Centennial Elementary, Discovery Middle and Davies High schools.			
<b>Parks:</b> Prairie Farms Park, 5400 31 <sup>st</sup> Street South, is located approximately 0.20 miles north of the subject property and provides amenities of basketball court, grill, picnic tables, and a shelter. This park			

is adjacent to a shared use path. Parks are being developed along County Drain 53, approximately 0.03 mile from the subject property, as part of Selkirk Place Third and Fourth Additions.

**Pedestrian / Bicycle:** There are off-road shared use paths along both sides of 64<sup>th</sup> Avenue South, approximately 350 feet north of the subject property, and along the south side of 67<sup>th</sup> Avenue South, across 67<sup>th</sup> Avenue from the subject property. These paths are part of the metro area trail system.

**Neighborhood:** The subject property is included in the Davies Neighborhood.

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

**Staff Analysis:**

MINOR SUBDIVISION

The subdivision will replat one lot into six lots for single-dwelling residential development. The proposed lots range in area from over 11,000 square feet to 15,500 square feet, with lots widths of over 69 feet to over 94 feet. Each lot meets the minimum dimensional standards for SR-2 zoned lots. Staff has determined that no amenities plan or developer agreement is required.

ZONE CHANGE

The subject property was zoned SR-5, Single-Dwelling Residential, when it was originally platted in 2024 as a single lot. The lot was intended for townhome development, though this development did not go forward.

The proposed SR-2 zoning is the appropriate zoning for lots this size. Additionally, the lots east across Selkirk Drive South are zoned SR-2, as is the lot adjacent to the north of the subject property, so the SR-2 zoning will allow a uniform block face; that is, the residences on both sides of the street will be set back the same distance from their front property lines.

**FINDINGS**

**Zoning**

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

1. **Is the requested zoning change justified by a change in conditions since the previous zoning classification was established or by an error in the zoning map?**  
Staff is unaware of any error in the zoning map as it relates to this property. The property is currently zoned SR-5, Single-Dwelling Residential. The applicant requests a zoning change to SR-2, Single-Dwelling Residential. The SR-2 zoning is consistent with the proposed lot sizes as well as the zoning of the properties on this portion of Selkirk Drive South. **(Criteria Satisfied)**
2. **Are the City and other agencies able to provide the necessary public services, facilities, and programs to serve the development allowed by the new zoning classifications at the time the property is developed?**  
City staff and other applicable review agencies have reviewed this proposal. The subject property fronts on an existing public right-of-way; public utilities are available within this right of way. **(Criteria satisfied)**
3. **Will the approval of the zoning change adversely affect the condition or value of the property in the vicinity?**  
Staff has no documentation or evidence to suggest that the approval of this zoning change would adversely affect the condition or value of the property in the vicinity. Written notice of the proposal was sent to all property owners within 300 feet of the subject property. To date, Planning staff has received no comments on inquiries. Staff finds that the approval of the zoning change will not adversely affect the condition or value of the property in the vicinity. **(Criteria satisfied)**
4. **Is the proposed amendment consistent with the purpose of this LDC, the Growth Plan, and other adopted policies of the City?**  
The LDC states "This Land Development Code is intended to implement Fargo's Comprehensive Plan and related policies in a manner that protects the health, safety, and general welfare of the

citizens of Fargo.” Fargo Growth Plan 2024 designates the place type of the subject property as “Urban Neighborhood.” The primary use in this place type is small to medium lot detached housing. The proposed development is consistent with this place type designation. **(Criteria satisfied)**

**Minor Subdivision**

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

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

The proposed zoning of SR-2, Single-Dwelling Residential will accommodate the proposed single-dwelling development. This zoning is consistent with the “Urban Neighborhood” place type of the Fargo Growth Plan 2024. In accordance with Section 20-0901.F of the LDC, notices of the proposed plat have been sent out to property owners within 300 feet of the subject property. To date, Planning staff has received no inquiries or comments. The project has been reviewed by the city’s Planning, Engineering, Public Works, Inspections, and Fire Departments.

**(Criteria Satisfied)**

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

While this section of the LDC specifically addresses only major subdivision plats, staff believes it is important to note that any improvements associated with the project (both existing and proposed) are subject to special assessments. Special assessments associated with the costs of the public infrastructure improvements are proposed to be spread by the front footage basis and storm sewer by the square footage basis as is typical with the City of Fargo assessment principles. Staff has determined that an amenities plan is not required. **(Criteria Satisfied)**

**Staff Recommendation:**

Suggested Motion: “To accept the findings and recommendations of staff and move to recommend approval to the City Commission of the proposed 1) zoning change from SR-5, Single-Dwelling Residential to SR-2, Single-Dwelling Residential and 2) plat of **Selkirk Place Sixth Addition**, as outlined in the staff report, as the proposal complies with the Fargo Growth Plan 2024, Standards of Article 20-06, Section 20-0907.B. and C and Section 20-0906. F (1-4) of the LDC, and all other applicable requirements of the LDC.”

**Planning Commission Recommendation:** June 2nd, 2026

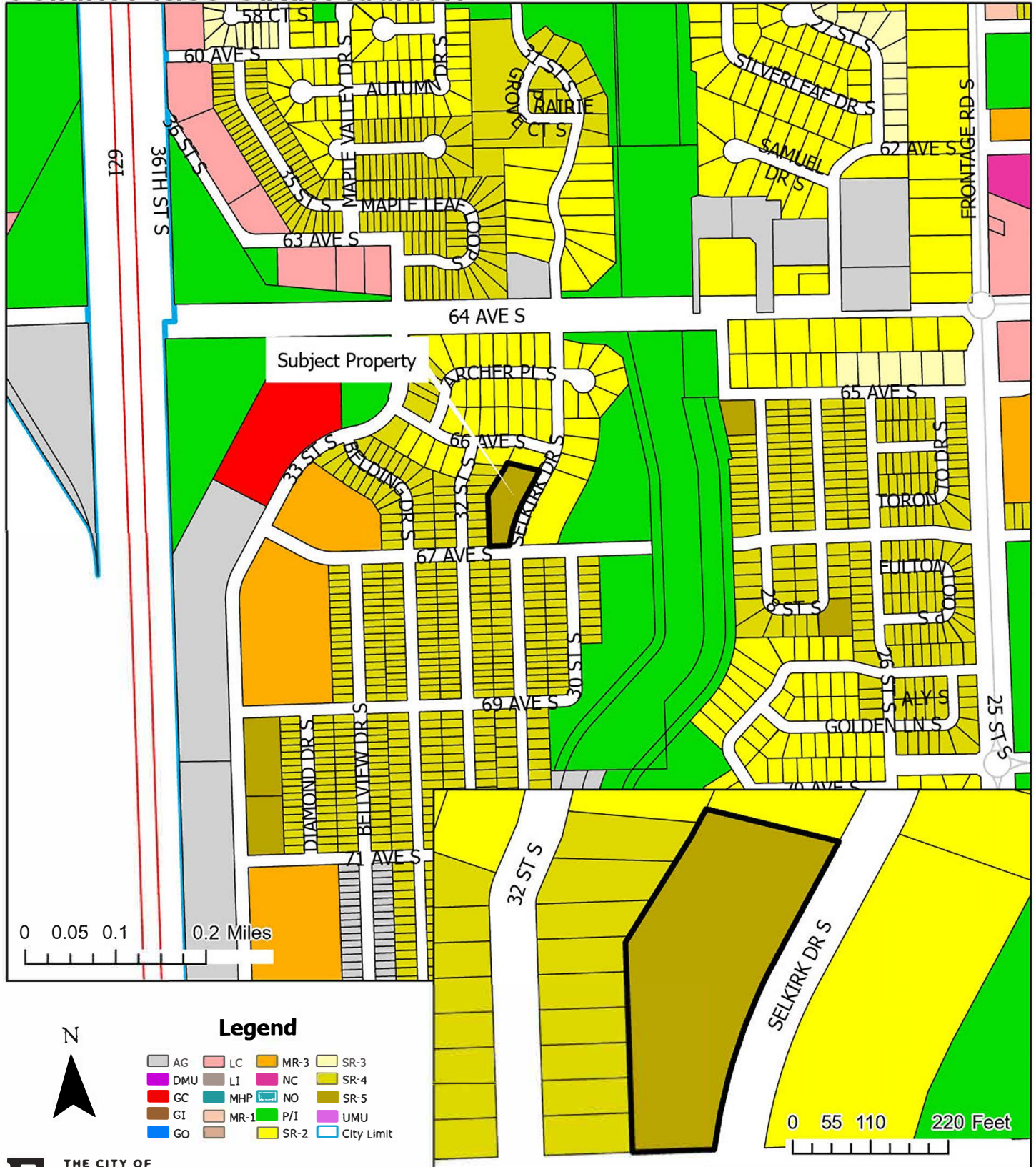
**Attachments:**

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

# Minor Subdivision and Zoning Change from SR-5, Single-Dwelling Residential to SR-2, Single-Dwelling Residential

## Selkirk Place Sixth Addition

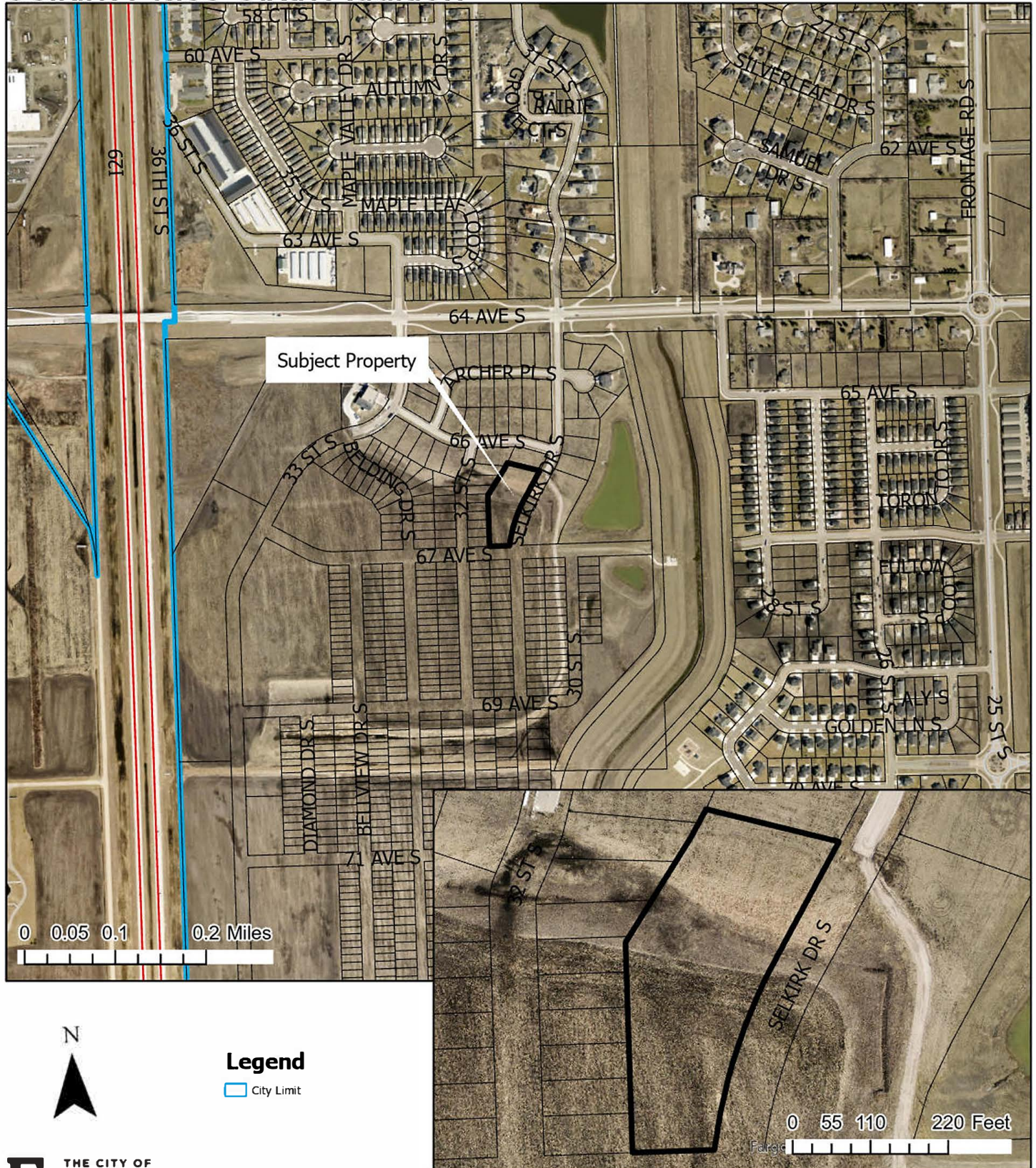
6655 Selkirk Drive South



# Minor Subdivision and Zoning Change from SR-5, Single-Dwelling Residential to SR-2, Single-Dwelling Residential

## Selkirk Place Sixth Addition

6655 Selkirk Drive South



# SELKIRK PLACE SIXTH ADDITION

A REPLAT OF ALL OF LOT 10, BLOCK 3, SELKIRK PLACE SECOND ADDITION TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA  
A MINOR SUBDIVISION

## OWNERS DESCRIPTION AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS, That NICD, LLC, a North Dakota limited liability company, owner of a parcel of land located in that part of the Northwest Quarter and part of Auditors Lot 2 in the Northeast Quarter of Section 11, Township 138 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota, being more particularly described as follows:

All of Lot 10, Block 3, SELKIRK PLACE SECOND ADDITION, according to the recorded plat thereof, on file and of record in the office of the Recorder, Cass County, North Dakota. Said tract contains 83,181 square feet, more or less, and is subject to all easements, restrictions, reservations and rights-of-way of record, if any.

Said owners have caused the above described parcel of land to be surveyed and platted as "SELKIRK PLACE SIXTH ADDITION" to the City of Fargo, Cass County, North Dakota.

OWNER:  
NICD, LLC

By: James Bullis, President

State of North Dakota }  
County of Cass }

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year 2026, before me, a notary public within and for said County and State, personally appeared James Bullis, President, NICD, LLC, a North Dakota limited liability company, known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that he executed the same on behalf of NICD, LLC.

Notary Public

MORTGAGE HOLDER:  
First International Bank & Trust

By: Matt Mueller, Senior Vice President

State of North Dakota }  
County of Cass }

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year 2026, before me, a notary public within and for said County and State, personally appeared Matt Mueller, Senior Vice President, First International Bank & Trust, known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that he executed the same on behalf of First International Bank & Trust.

Notary Public

## CITY OF FARGO ENGINEERING DEPARTMENT APPROVAL

Approved by City Engineer this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

Tom Knakmuhs, P.E., City Engineer

State of North Dakota }  
County of Cass }

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year 2026, before me, a notary public within and for said County and State, personally appeared Tom Knakmuhs, P.E., City Engineer known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that he executed the same as City Engineer for the City of Fargo.

Notary Public

## CITY OF FARGO PLANNING COMMISSION APPROVAL

Approved by the City of Fargo Planning Commission this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

Maranda R. Tasa, Planning Commission Chair

State of North Dakota }  
County of Cass }

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year 2026, before me, a notary public within and for said County and State, personally appeared Maranda R. Tasa, Planning Commission Chair, known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that she executed the same on behalf of the Fargo Planning Commission.

Notary Public

## FARGO CITY COMMISSION APPROVAL

Approved by the Board of City Commissioners and ordered filed this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

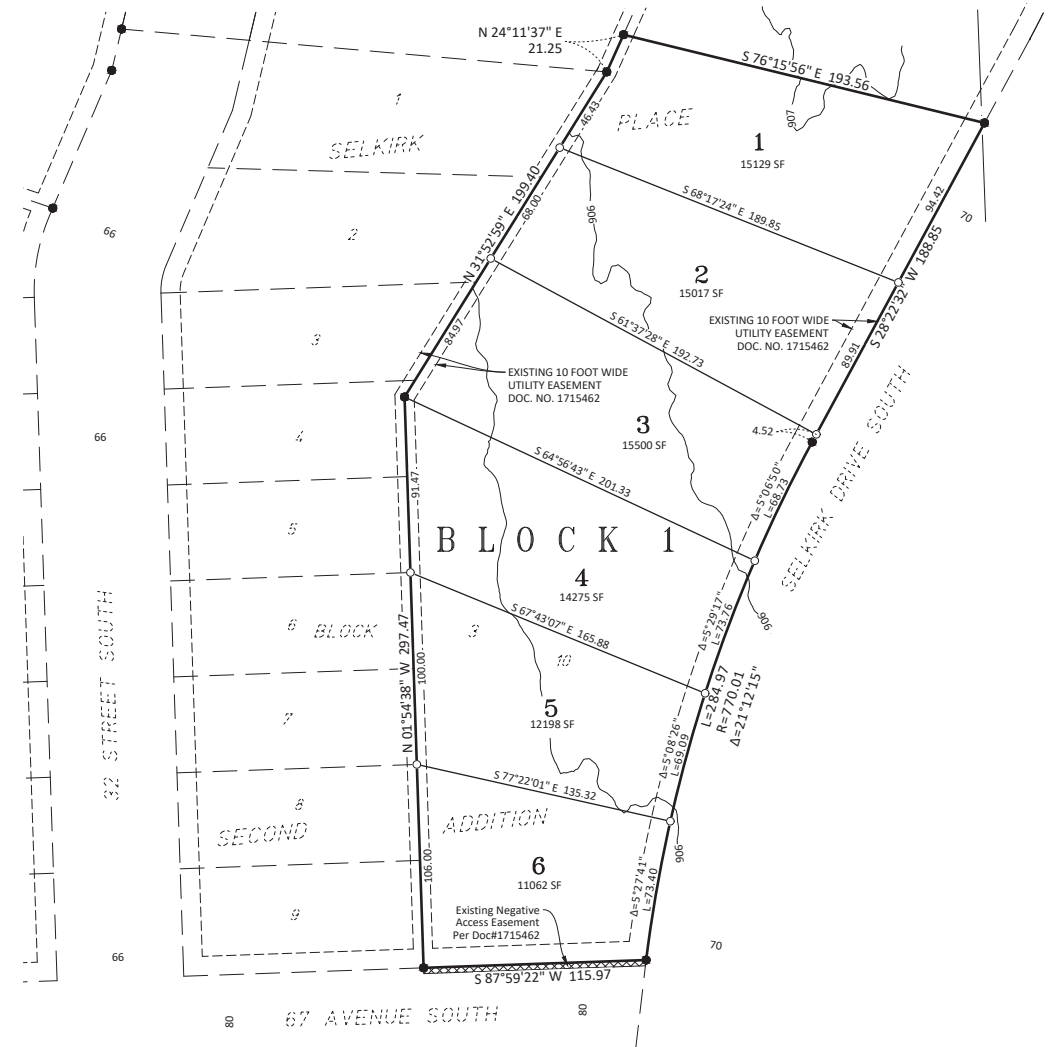
Timothy J. Mahoney, Mayor

Attest:  
Angie Bear, Deputy Auditor on behalf of City Auditor

State of North Dakota }  
County of Cass }

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year 2026, before me, a notary public within and for said County and State, personally appeared Timothy J. Mahoney, Mayor, and Angie Bear, known to me to be the persons who are described in and who executed the foregoing instrument, and acknowledged that they executed the same ad their free act and deed on behalf of the City of Fargo.

Notary Public



## SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT

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

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

State of North Dakota }  
County of Cass }

On this \_\_\_\_\_ day of \_\_\_\_\_, 2026, before me, a notary public within and for said County and State, personally appeared Shawn M. Thomasson, Registered Professional Land Surveyor, known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that he executed the same.

Notary Public

## LEGEND

- 5/8" x 18" LONG REBAR, MONUMENT SET OR TO BE SET, CAP MARKED BY LIC. NO. LS-5900
- 5/8" DIAMETER REBAR FOUND
- SUBJECT PROPERTY LINE
- - - EXISTING PROPERTY LINE
- - - EASEMENT LINE
- ~ 90° EXISTING CONTOUR LINE PER CITY OF FARGO LIDAR CONTOUR DRAWINGS NAVD88 DATED 2017

## BENCHMARK

CITY OF FARGO BENCHMARK 311002, THE SOUTHEAST FLANGE BOLT OF FIRE HYDRANT LOCATED AT THE SOUTHEAST CORNER OF 25TH STREET SOUTH AND 64TH AVENUE SOUTH ELEVATION=906.69 NAVD88

## NOTES

THIS ENTIRE PLAT LIES WITHIN THE 100 YEAR FLOODPLAIN

preliminary



0 50 100  
SCALE IN FEET  
Basis of Bearings:  
Plat of Selkirk Place Second Addition



<b>Agenda Item #</b>	4a, 4b
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<b>City of Fargo Staff Report</b>			
<b>Title:</b>	Veterans Square Addition	<b>Date:</b>	05-24-2026
<b>Location:</b>	5600 38 Avenue South	<b>Staff Contact:</b>	Chelsea Levorsen, Planner
<b>Legal Description:</b>	Lot 5, Block 1, Veterans Square Addition		
<b>Owner(s)/Applicant:</b>	JB Real Estate Investments LLC	<b>Engineer:</b>	n/a
<b>Entitlements Requested:</b>	Conditional Use Permit to allow Household Living in the GC, General Commercial zoning District & Conditional Use Permit for an Alternate Access Plan for reduced Parking		
<b>Status:</b>	Planning Commission Public Hearing: June 2, 2026		

<b>Existing</b>	<b>Proposed</b>
<b>Land Use:</b> Undeveloped	<b>Land Use:</b> Multi-Dwelling Residential
<b>Zoning:</b> GC, General Commercial	<b>Zoning:</b> GC, No Change
<p><b>Uses Allowed:</b> Allows colleges, community service, daycare centers of unlimited size, <del>detention facilities</del>, health care facilities, parks and open space, religious institutions, safety services, basic utilities, <del>adult establishment</del>, offices, <del>off-premise advertising</del>, commercial parking, <del>outdoor recreation and entertainment</del>, <del>retail sales and service</del>, <del>self-service storage</del>, <del>vehicle repair</del>, limited vehicle service, and some telecommunication facilities.</p> <p><b>Conditional Overlay Ordinance No. 5044</b>, which provides site and building design standards, allows for a maximum building height of 110', and prohibits specific uses, portable signs, and off-premise signs.</p> <p><b>Conditional Use Permit</b> to allow household living in the GC, General Commercial zoning District Conditional Use Permit for and Alternate Access Plan for reduced Parking</p>	<p><b>Uses Allowed:</b> No Change</p> <p><b>Conditional Overlay Ordinance No. 5044:</b> No Change</p> <p><b>Conditional Use Permit</b> Revised Conditional Use Permit to allow household living in the GC, General Commercial zoning District Conditional Use Permit for and Alternate Access Plan for reduced Parking</p>
<b>Maximum Lot Coverage Allowed:</b> 85%	<b>Maximum Lot Coverage Allowed:</b> 85%

**Proposal:**

The applicant requests two entitlements:

1. **Conditional Use Permit (CUP)** to allow household living in the GC, General Commercial zoning district
2. **Conditional Use Permit (CUP)** for alternative access plan for a parking reduction

**Approval and Appeal**

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

**Surrounding Land Uses and Zoning Districts:**

- North: MR-1, Multi-Dwelling Residential with CUP for Alternative Access; multi-dwelling (group home) use
- Northeast: SR-4, Single-Dwelling Residential; detached homes
- East: MR-3, Multi-Dwelling Residential; Multi-Dwelling use
- South: LC, Limited Commercial with Conditional Overlay (Ord. 5366); commercial uses
- West: LC, Limited Commercial with Conditional Overlay (Ord. 4942); commercial uses

**Area Plans:**

The Fargo Growth Plan, adopted in 2024, designates this property and the surrounding area as a “Suburban Neighborhood” place type. The recommended primary uses include; small to medium lot single-family detached housing. Secondary uses include; Townhomes, duplexes, triplexes, places of worship, schools, daycare centers, and home offices. The subject property is also in an area designated as a “Neighborhood Center”. A “Neighborhood Center” is intended to serve as a way to absorb growth in an urban manner by incorporating Urban and Suburban Neighborhood, Mixed Commercial, Office, Residential, and Parks and Open Space place types and are intended “to provide walkable neighborhood commercial opportunities to nearby residents.

The applicant’s proposal for a multi-dwelling residential building is consistent with the “Neighborhood Center” proposed in the Growth Plan as multi-family residential housing is a secondary use for the Mixed Commercial, Office, and Residential place type.

**Context:**

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

**Neighborhood:** The property is located within the Brandt Crossing Neighborhood.

**Parks:** Valley View Park (5200 36<sup>th</sup> Avenue South) is approximately 0.34 mile east of the subject property. Park amenities include basketball court, pickleball court, playground, recreational trails, a shelter, picnic tables, and grills.

**Pedestrian / Bicycle:** A shared-use path surrounds the property, connecting to the city’s network of shared-use paths. No dedicated bike facilities are located within a half-mile radius. The applicant is proposing to provide indoor bicycle parking for building tenants.

**Transit:** **There is no bus stop at the subject property.** MATBUS Route 18 stops at 47<sup>th</sup> Street and 40<sup>th</sup> Avenue South, approximately one mile from the subject property. This route provides service to the 45<sup>th</sup> Street Hornbacher’s, 52<sup>nd</sup> Avenue Walmart, Essential Health, and the Ground Transportation Center (GTC).

## **Staff Analysis:**

### Site History

The subject property was platted as Valley View Third Addition and rezoned from AG, Agricultural to LC, Limited Commercial with a Conditional Overlay in 2014. In 2016, the property was replatted as Veterans Square Addition. In 2016 the applicant proposed a 7-story residential condominium building and the property was rezoned to GC, General Commercial with an amended Conditional Overlay and a Conditional Use Permit for residential use was approved to accommodate the development.

### December, 2025 Planning Commission

At the December, 2026 Planning Commission meeting, two Conditional Use Permits, one to allow household living in the GC, General Commercial zoning district, and one for an alternative access plan for reduced parking, were approved. At the time, the applicant proposed a five-story, 69-unit, multi-family building, with a density of 40 units per acre. 124 parking spaces were proposed, requiring a parking reduction of 32 spaces (20.5%) for a parking ratio of 1.8 parking spaces per dwelling unit.

### Current Proposal

The applicant is still proposing to construct the same five-story, multi-family building, but with 70 apartment units, instead of 69. The applicant is also proposing some design changes, including a different roof structure, moving the dumpster from inside the building to outside, and three additional parking spaces. Conditions within the existing CUPs require the establishment of new Conditional Use Permits. These conditions are:

Conditional Use Permit to allow Household Living in the GC, General Commercial Zoning District:

5. Dumpster to be located internal to building

Conditional Use Permit for an Alternate Access Plan for reduced Parking:

3. Any expansion in the number of residential units shall terminate the Conditional Use Permit

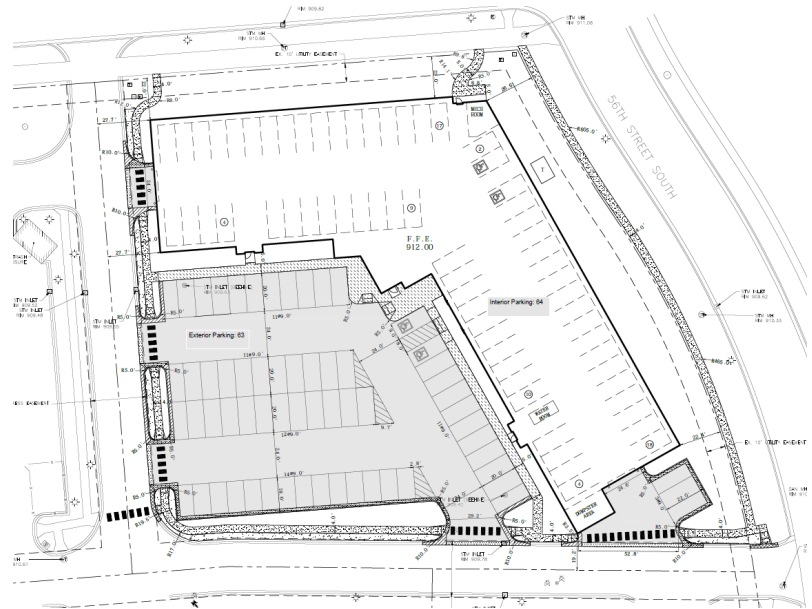
The applicant is now proposing a five-story, 70-unit, multi-family building. The building will provide first floor parking and floors two through five will offer residential apartments units varying from one to three bedrooms. The subject property is zoned GC, General Commercial. Residential uses are not permitted by right in the GC zoning district. Thus, a conditional use permit is required to allow residential use in this zoning district. The Conditional Overlay from 2016, Ordinance 5044, will remain on the property. The Conditional Overlay requires higher quality design, including the use of high-quality exterior materials, building façade treatments and features, the screening of loading, HVAC, and trash facilities, additional pedestrian circulation, imposes a maximum building height, and limits specific uses.

The existing Conditional Use Permits (Ordinance No. 2025-012 and 2025-011) will terminate upon the approval of the proposed CUPs.

The applicant is proposing 70 apartment units, therefor a density of 40 units per acre, the same density previously approved, is recommended. The subject property is 1.76 acres, thus a density of 40 units per acre would permit 70.40 units. Fractions are rounded down, to permit 70 units.

The preliminary site plan provided by the applicant is shown below and attached to the packet. Approval of the Conditional Use Permit does not approve the attached site plan.

In addition to a Conditional Use Permit to allow residential use in the GC zoning district, the applicant is also requesting a Conditional Use Permit for an alternate Access Plan for a parking reduction. Section 20-0701, subsection e.1.b.(1) of the Land Development Code requires that a minimum of 2 parking spaces per 1-bedroom unit plus 0.25 guest parking spaces be provided for each unit for structures containing 7



or more units. Therefore, 70 units would require 158 off-street parking spaces. The applicant’s preliminary site plan provides 64 interior spaces and 63 exterior surface spaces, for a total of 127 parking spaces. The applicant is requesting a reduction of 31 spaces (19.60%). The parking reduction provides approximately 1.81 parking spaces per dwelling unit. A breakdown of the Land Development Code requirements and the previously and currently proposed quantities and ratios is below:

	Jun-26		Dec-25	
	proposed	LDC Requirements	proposed	LDC Requirements
Number of units	70	70	69	69
parking spaces	127	158	124	156
Reduction Qty.	31	-	32	-
Reduction %	19.60%	-	20.50%	-
Parking Ratio	1.81 / unit	2.25 / unit	1.8 / unit	2.25 / unit

When reviewing the previously approved Conditional Use Permit, Staff initially had concerns about the scale of the building in relation to near-by single dwelling residential homes. This prompted staff to have conversations with the applicant about adding ‘pedestrian-scale’ design elements along 38<sup>th</sup> Avenue and 56<sup>th</sup> Street to ‘soften’ the view for adjacent property owners. At the December, 2025 Planning Commission meeting, the applicant provided a rendering of what this entry may look like. These added requirements, or conditions will remain part of the Conditional Use Permit.

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.

The list of conditions from the original CUP (ordinances 2025-012 and 2025-013) are listed below with edits for the revised conditional use permit.

**Conditional Use Permit to allow Household Living in the GC, General Commercial Zoning District**

1. The maximum residential density shall be 40 dwelling units per acre.
2. A minimum of 25 percent of the property shall be open space
3. No Accessory buildings shall be permitted
4. A minimum of 80 percent of the footprint of the primary building shall be used for parking
5. ~~Dumpster to be located internal to building~~

Note: Conditional Overlay will require dumpster to be screened

6. Residential Protection Standards apply, unless otherwise approved through the waiver process.
7. Signage shall be affixed to the building and meet Sign Code requirements.
8. Pedestrian-scale exterior lighting shall be provided on all street-facing facades. Said lighting shall be mounted on the first floor and all bulbs shall be shielded and not directly visible.
9. An entrance must be provided at the corner of 38<sup>th</sup> Avenue and 56<sup>th</sup> Street South. Entrance shall provide landscape features and plant materials consistent with the rendering provided by the applicant at the December 2, 2025 Planning Commission meeting.
10. Ground floor facades that face public streets shall have windows or glazing for no less than 23% of the facade.
11. Ground floor facades that face public streets shall have plantings, including a combination of small trees, shrubs, and perennials, evenly distributed along the building foundation.
12. Future permits are generally consistent with the site plan provided in ~~December, 2025~~ (June, 2026) Planning Commission packet. Changes may require review by the Planning Commission as determined by Planning Staff.

**Conditional Use Permit for an Alternate Access Plan for reduced Parking**

1. ~~A minimum of 124 parking spaces shall be provided~~  
A minimum parking ratio of 1.8 spaces per unit shall be provided
2. Bicycle facilities shall be required
3. ~~Any expansion in the number of residential units shall terminate the Conditional Use Permit~~
4. Future permits are generally consistent with the updated site plan provided in the June, 2026 Planning Commission packet. Changes may require review by the Planning Commission as determined by Planning Staff.

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

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

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

The purpose of the LDC is to implement Fargo’s Comprehensive Plan in a way that will protect the general health, safety, and welfare of the citizens. Staff believes this proposal is consistent with adopted plans and policies of the City. Promoting infill development and exploring reductions in minimum parking standards is consistent with the purpose of the LDC, the Go2030 Comprehensive Plan, the 2024 Fargo Growth Plan, and other adopted policies of the City.  
**(Criteria Satisfied)**

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

Staff believes that the location of the proposed conditional use will contribute and promote the welfare and convenience of the public. The Conditional Use Permits will allow a multi-dwelling residential project to be developed on the subject property. Such projects offer housing opportunities, convenient access to commercial uses, and more effective/efficient use of land. Staff had some initial concern for the scale of the building, and after working with the applicant, is proposing conditions which would address potential negative impacts of the residential use.

**(Criteria Satisfied)**

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

Staff has no data to suggest that the proposed use would cause substantial injury to the value of other property in the neighborhood. In accordance with Section 20-0901.F of the LDC, notices of the CUP were sent out to property owners within 300 feet of the subject property. To date, staff have not received any inquiries regarding the project.

**(Criteria Satisfied)**

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

The proposed building will be 60'-4" tall at the mid-point, with a maximum height of the roof reaching 66'-8". Building elevations are included in this packet. The North corner of the building falls within the 150' Residential Protection Standards (RPS) area. Section 20-0704 of the City's Land Development Code requires, in part, restrictions on building height are applied to all multi-dwelling residential development when such development occurs on a site within 150 feet of SR, Single-Dwelling Residential. This standard requires restrictions of a maximum building height of 55 feet when within 150 feet of SR, Single-Dwelling Residential zoning. The applicant has applied for an RPS waiver and notification was sent to all property owners within 300' of the subject property. As part of the waiver process, individuals opposing the proposed height were given 10-days to notify the City of any objection. The 10-day appeals period ended on November 17<sup>th</sup>, no appeals were received.

The Conditional Overlay on the property will require higher quality building design and materials and additional pedestrian connectivity. Staff has had conversations with the applicant about additional 'pedestrian-scale' design elements along 38<sup>th</sup> Avenue and 56<sup>th</sup> Street to 'soften' the view for adjacent property owners. Additional design standards have been added to the Conditional Use Permit conditions and are listed in the motion. The applicant has provided a rendering showing how these treatments may look. Staff is recommending conditions in an effort to mitigate any potential negative impacts of the residential use. Conditions include requirements related to addressing more pedestrian scale features, such as lighting, signage, and façade treatment requirements, as well as addressing potential nuisances, such as density maximums and interior parking.

Staff does not believe that the parking reduction will prevent development and use of neighboring properties in accordance with applicable zoning districts. The proposed parking reduction provides approximately 1.81 parking spaces per residential unit. This ratio is comparable to

previously approved parking reduction. A parking study, provided by the applicant, provides supporting data with parking comparisons from Metro COG's Fargo-West Fargo Parking and Access Study and the Institute of Transportation Engineers (ITE). The City's Traffic Engineer has reviewed the provided narrative and supports the applicant's findings.

**(Criteria Satisfied)**

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

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

**(Criteria Satisfied)**

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

The subject property's parking will take access from private roadways along the West and South property frontage that were established with the Veterans Square Addition in 2016. The existing private roadways in the development take access from 38<sup>th</sup> Avenue South and 56<sup>th</sup> Street South.

The Engineering Department has had an opportunity to review the proposal and no comments or concerns have been forthcoming to indicate that there is a deficiency with the access roads or entrances and exit drives. The City's Traffic Engineer has reviewed and approved the proposed parking reduction. To that end, staff finds that the proposed conditional uses will not create traffic hazards or traffic congestion in the public streets

**(Criteria Satisfied)**

**Staff Recommendation:**

Suggested Motion: "To accept the findings and recommendations of staff and hereby move to approve 1) the Conditional Use Permit to allow household living in the GC, General Commercial zoning district as the proposal complies with Section 20-0909.D (1-6) and all other requirements of the LDC, with the following conditions:

1. The maximum residential density shall be 40 dwelling units per acre.
2. A minimum of 25 percent of the property shall be open space
3. No Accessory buildings shall be permitted
4. A minimum of 80 percent of the footprint of the primary building shall be used for parking
5. Residential Protection Standards apply, unless otherwise approved through the waiver process.
6. Signage shall be affixed to the building and meet Sign Code requirements.
7. Pedestrian-scale exterior lighting shall be provided on all street-facing facades. Said lighting shall be mounted on the first floor and all bulbs shall be shielded and not directly visible.
8. An entrance must be provided at the corner of 38<sup>th</sup> Avenue and 56<sup>th</sup> Street South. Entrance shall provide landscape features and plant materials consistent with the rendering provided by the applicant at the December 2, 2025 Planning Commission meeting.
9. Ground floor facades that face public streets shall have windows or glazing for no less than 23% of the facade.
10. Ground floor facades that face public streets shall have plantings, including a combination of small trees, shrubs, and perennials, evenly distributed along the building foundation.

11. Future permits are generally consistent with the updated site plan provided in May, 2026 Planning Commission packet. Changes may require review by the Planning Commission as determined by Planning Staff.

and 2) the Conditional Use Permit for an alternative access plan for a parking reduction as the proposal complies with Section 20-0909.D (1-6) and all other requirements of the LDC, with the following conditions:

1. A minimum parking ratio of 1.8 spaces per unit shall be provided
2. Bicycle facilities shall be required
3. Future permits are generally consistent with the site plan provided in December, 2025 Planning Commission packet. Changes may require review by the Planning Commission as determined by Planning Staff.

**Planning Commission Recommendation:** June 2, 2026

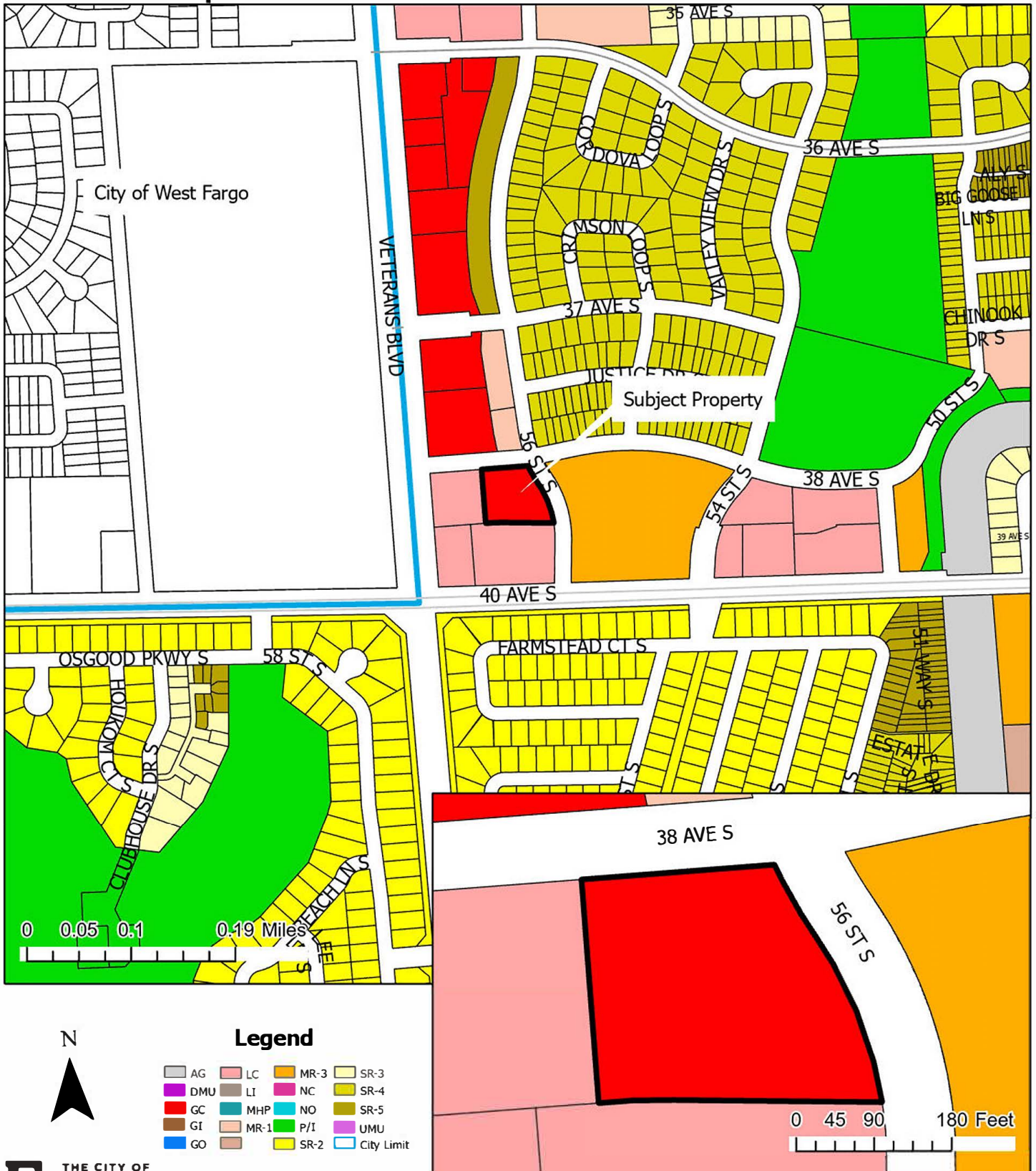
**Attachments:**

1. Zoning Map
2. Location Map
3. Preliminary Site Plan and Elevations
4. Parking Narrative
5. Previously Proposed Site Plan and Rendering

CUP, Conditional Use Permit to allow an Alternative Access Plan for parking reduction and a CUP, Conditional Use Permit to allow household living in the GC, General Commercial zoning district

# Veterans Square Addition

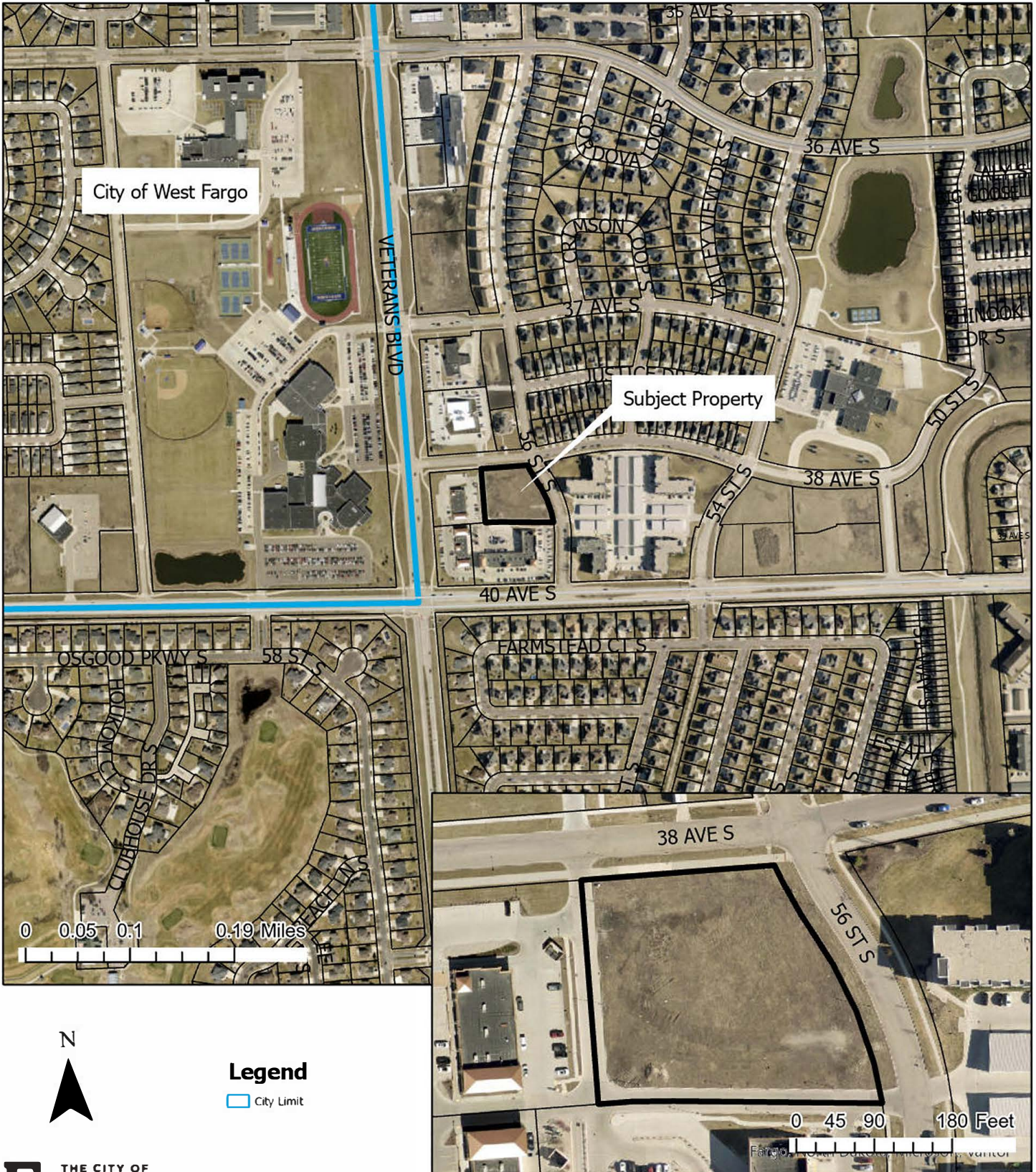
5600 38th Avenue South



CUP, Conditional Use Permit to allow an Alternative Access Plan for parking reduction and a CUP, Conditional Use Permit to allow household living in the GC, General Commercial zoning district

# Veterans Square Addition

5600 38th Avenue South





**CONDITIONAL OVERLAY (CO) ORDINANCE NO. 5044**

PLEASE FIND BELOW RESPONSES TO THE SUMMARIZED CONDITIONAL OVERLAY REQUIREMENTS AS NOTED BY THE ABOVE REFERENCED ORDINANCE.

- CONDITIONAL OVERLAY IS INTENDED TO PROVIDE FOR A HIGHER QUALITY DESIGN.
- PRIMARY BUILDINGS SHALL BE CONSTRUCTED OF DURABLE, ECONOMICALLY-MAINTAINED, AND QUALITY MATERIALS. MATERIALS INCLUDE BRICK, TEXTURED OR GLAZED CONCRETE MASONRY UNITS, HIGH-QUALITY PRE-STRESSED CONCRETE SYSTEMS, AND HORIZONTAL METAL SIDING EXCEEDING NOT 75% OF THE BUILDING ELEVATION. EACH BUILDING ELEVATION IS CLAD WITH MATERIALS CONSISTENT WITH THIS REQUIREMENT. HORIZONTAL SIDING DOES NOT EXCEED 75% OF ANY BUILDING ELEVATION.
- COLOR SCHEMES SHALL TIE BUILDING ELEMENTS TOGETHER AND RELATE TO OTHERS WITHIN THE DEVELOPMENT. COLOR SCHEMES ENHANCE ARCHITECTURAL FORM AND THE BUILDING ELEMENTS TOGETHER.

- ALL BUILDING FACADES GREATER THAN 150 FEET IN LENGTH SHALL INCORPORATE WALL PLANE PROJECTIONS AND RECESSES HAVING A DEPTH OF AT LEAST 3% OF THE LENGTH OF FACADE AND EXTENDING AT LEAST 20% OF THE LENGTH OF THE FACADE. AN ARTICULATED FACADE WOULD EMPHASIZE ELEMENTS ON THE FACE OF WALL INCLUDING CHANGE IN SETBACK, MATERIALS AND ROOF HEIGHT. PROPOSED FACADES EXCEED ARTICULATION INTENT BY LIMITING EXTERIOR WALL LENGTHS TO 40 FEET MAX, INCORPORATING 20' PLANE OFFSETS OF 3'-6" MIN. ON RESIDENTIAL LEVELS (2-5). VARIOUS MATERIAL USAGE AND TRANSITIONS REDUCE MASSING AND ENHANCE VISUAL INTEREST. GROUND-FLOOR ARTICULATION LIMITED BY ENCLOSED PARKING, USES HIGH-QUALITY MASONRY BRICK AND ROCK-FACE CMU, ALIGNED WINDOWS, AND CONSISTENT DETAILING TO MAINTAIN RHYTHM AND PREVENT MONOTONIC APPEARANCE AND MASSING. (SEE FACADE ARTICULATION NARRATIVE)
- GROUND FLOOR FACADES THAT FACE PUBLIC STREETS SHALL HAVE DISPLAY WINDOWS, ENTRY AREAS, AWNINGS OR OTHER SUCH FEATURES ALONG NO LESS THAN 60% OF THEIR HORIZONTAL LENGTH. NON-FRONT FACINGS FACADES MAY INCORPORATE SCALED LANDSCAPING. PUBLIC STREET FACING FACADES INCORPORATE GLAZING, ENTRY AREAS, AND SCALED LANDSCAPING FOR GREATER THAN 60% OF FACADE LENGTHS.

- FLAT ROOFS AND ROOFTOP EQUIPMENT SUCH AS HVAC UNITS SHALL BE CONCEALED FROM PUBLIC VIEW BY PARAPETS, INCLUDING BUT NOT LIMITED TO THE BACK OF STRUCTURE. FLAT ROOFS, WHERE OCCUR, ARE SCREENED FROM PUBLIC VIEW BY PARAPETS. THE PRIMARY ROOF IS SLOPED AND DOES NOT INCLUDE EQUIPMENT REQUIRING CONCEALMENT.
- LOADING FACILITIES SHALL NOT BE LOCATED AT THE FRONT OF STRUCTURES. NO LOADING FACILITIES ARE LOCATED AT THE FRONT OF THE STRUCTURE.
- DUMPSTER AND OUTDOOR STORAGE AREAS MUST BE COMPLETELY SCREENED AND SHALL CONTAIN PERMANENT WALLS ON THREE SIDES WITH THE FOURTH INCORPORATING A METAL GATE TO VISUALLY SCREEN THE DUMPSTER. IF SERVICE SIDE DOES NOT FACE PUBLIC RIGHT OF WAY OR RESIDENTIALLY ZONED PROPERTY, THE METAL GATE IS NOTE REQUIRED. DUMPSTER ENCLOSURE PROVIDED WITH PERMANENT WALLS MATCHING AESTHETICS OF THE STRUCTURE AND ARE SCREENED WITH ACCESS GATES.

- SEPARATE VEHICLE AND PEDESTRIAN CIRCULATION SYSTEMS SHALL BE PROVIDED, AND PEDESTRIAN CONNECTION SHALL BE PROVIDED TO PRIMARY ENTRANCES, SIDEWALKS OR WALKWAYS OF ADJACENT PROPERTIES SHARED WITH DEVELOPMENT. PARKING AREAS, OTHER ON-SITE (INTERNAL) PEDESTRIAN WALKWAYS, PUBLIC SIDEWALK ALONG PERIMETER STREETS, AND ADJACENT LAND USES, WHERE PRACTICAL VEHICLE AND PEDESTRIAN CIRCULATION REQUIREMENTS ARE MET. SEPARATE CIRCULATION SYSTEMS ARE PROVIDED, AND PEDESTRIAN CONNECTION IS PROVIDED AT EACH OF THE PROPERTIES FOUR CORNERS. (SEE CIVIL)
- A MINIMUM OF 5% OF INTERNAL PARKING LOT AREA SHALL BE LANDSCAPED, AND THE SITE'S CUMULATIVE OPEN SPACE SHALL CONSIST OF AT LEAST 10% OF THE TOTAL PROPERTY ACREAGE. GREATER THAN 5% OF INTERNAL PARKING SURFACE AREA IS LANDSCAPED, AND GREATER THAN 10% OF TOTAL ACREAGE IS OPEN SPACE. (SEE CIVIL)
- THE MAXIMUM BUILDING HEIGHT SHALL BE 100 FEET. MAX BUILDING HEIGHT IS LESS THAN 100'
- PROHIBITED USES. NONE APPLY.

**ELEVATION FINISH LEGEND**

- BR-1** FACE BRICK (TYPE 1) MFR: HERRON BRICK COLOR: SEA GRAY 6 DESC.: UTILITY, HALF RUNNING BOND
- BR-2** FACE BRICK (TYPE 2) MFR: HERRON BRICK COLOR: SILVERADO DESC.: UTILITY, HALF RUNNING BOND
- CMU** CONCRETE MASONRY UNIT MFR: TCC AMCON COLOR: TBD DESC.: ROCKFACE TEXTURE
- SS-1** STEEL SIDING (TYPE 1) MFR: EMCO COLOR: WHITE DESC.: SINGLE 8", HORIZONTAL
- SS-2** STEEL SIDING (TYPE 2) MFR: EMCO COLOR: CARBON DESC.: DOUBLE 4", HORIZONTAL
- SS-3** STEEL SIDING (TYPE 3) MFR: EMCO COLOR: BLACK DESC.: 2' x 4" PANEL, HORIZONTAL
- SS-4** STEEL SIDING (TYPE 4) MFR: EMCO COLOR: SADDLE DESC.: INVERTED BOARD/BATTEN 5", VERTICAL

**SHEET NOTES**

- KEYNOTES MAY INDICATE TYPICAL CONDITIONS AND MAY NOT SHOW ALL OCCURRENCES. VERIFY FULL EXTENTS.
- ELEVATIONS MAY SHOW SURFACES AT OBLIQUE ANGLES THAT MAY GRAPHICALLY MISREPRESENT FINISHES OR DIMENSIONS. REFER TO TRUE PERPENDICULAR ELEVATIONS FOR ACCURATE SURFACE REPRESENTATION.
- EXTERIOR WALL OPENINGS AND PENETRATIONS ARE DETAILED TO ACCOMMODATE DIFFERENTIAL MOVEMENT (SEE A702). REFER TO STRUCT DRAWINGS FOR ESTIMATED WOOD BUILDING SHRINKAGE PER LEVEL.
- RETURN SIDING TYPE SS-1 AT ALL NON-ELEVATED SIDEWALLS, TYP. SECOND-FIFTH FLOORS UNLESS OTHERWISE INDICATED BY KEYNOTE #12.
- SEE PLANS AND SHEET A701 FOR DOOR, WINDOW, AND FRAME COORDINATION, ALONG CENTERS OF WINDOWS AND DOOR OPENINGS VERTICALLY FLOOR TO FLOOR.
- COORDINATE OR COLOR MATCH EXHAUST VENT CAPS AND INTAKE OR EXHAUST LOUVERS, INCLUDING VTACS AND FTACS, W/ ADJACENT SIDING MATERIALS. CONFIRM COLOR SELECTIONS WITH ARCHITECT.
- PROVIDE FULL-DEPTH AND FULL-HEIGHT MASONRY CONTROL JOINTS AT 25'-0" MAX SPACING, 20'-0" MAX SPACING WHERE OPENINGS ARE PRESENT, OR 10'-0" MAX SPACING AT BUILDING CORNERS. 'C' INDICATES SPECIFIC CONTROL JOINT LOCATIONS.
- ALIGN WINDOW HEAD ROUGH OPENINGS WITH MASONRY COURSING AT EACH FLOOR. COORDINATE WINDOW HEAD ELEVATIONS.
- SPRINKLER PROTECTION (SYSTEM DESIGN BUILD BY OTHERS) SHALL EXTEND TO THE BALCONY AREAS AT EACH FLOOR.

**KEY NOTES**

- PREFIN METAL COPING, BREAK METAL TRIM, OR THRU-WALL FLASHING (SEE DETAILS). FINISH TO MATCH SIDING TYPE SS-3
- PREFIN METAL GUTTER AND DOWNSPOUT (DS), DIRECT DS AWAY FROM WALL. FINISHES TO MATCH SIDING TYPE SS-3.
- 42" HIGH PREFIN ALUM FACE-MOUNT STYLE GUARDRAIL BY METAL FABRICATOR, TYP. AT EACH UNIT BALCONY.
- PREFIN ALUM SUSPENDED BALCONY W/ 42" HIGH FACE-MOUNT STYLE GUARDRAIL BY METAL FABRICATOR. COORDINATE CONNECTIONS W/ STRUCT. (SEE STRUCT).
- MAINTENANCE FREE DECKING AT UNIT BALCONY OVER PT FRAMING, TYP. (SEE STRUCT AND DETAILS).
- PATIO PAVER DECKING OVER ADJUSTABLE PEDESTAL SUPPORTS AND DROPPED PC PLANK (SEE STRUCT AND DETAILS).
- VTAC OR PTAC GRILLE. FINISH COLOR TO MATCH OR COORDINATE W/ ADJACENT SIDING OR BRICK COLOR.
- INTAKE OR EXHAUST GRILLE. M.C. TO COORDINATE SIZE REQ'S WITH CMU COURSING. UNITS SHALL BE INSTALLED CLEAR OF INTERIOR PARKING STALLS.
- 3'-0" DEEP PREFIN ALUM CANOPY BY METAL FABRICATOR, VERIFY WIDTH PER PLANS. COORDINATE CONNECTIONS W/ STRUCTURAL (SEE STRUCT). CANOPY TO INCLUDE INTEGRAL LED PUCK LIGHTS AND INTERNAL GUTTER THAT DIRECTS WATER AWAY FROM ENTRY/BUILDING.
- CONT. BRICK SOLDIER COURSE; ALIGN T.O. COURSING W/ T.O. CMU ELEV. (110 - 8')
- SLOPED BLOCK OR CAST STONE SILL; MAINTAIN MASONRY OPENING.
- RETURN SIDING TYPE SS-4 AT INTERIOR BALCONY SIDEWALL THIS LOCATION.
- WALL-MOUNTED LIGHT FIXTURE W/ SHIELDED BULB CENTERED BETWEEN WALL EDGES OR WINDOWS AND INSTALLED 9'-0" A.F.F. TO PROVIDE WALL-GRAZING ILLUMINATION. EC TO COORDINATE INSTALL.



NOT FOR CONSTRUCTION  
DATE: 06/22/2026

MULTI-FAMILY APARTMENTS  
EAGLERIDGE DEVELOPMENT  
5600 38TH AVE SOUTH  
FARGO, NORTH DAKOTA



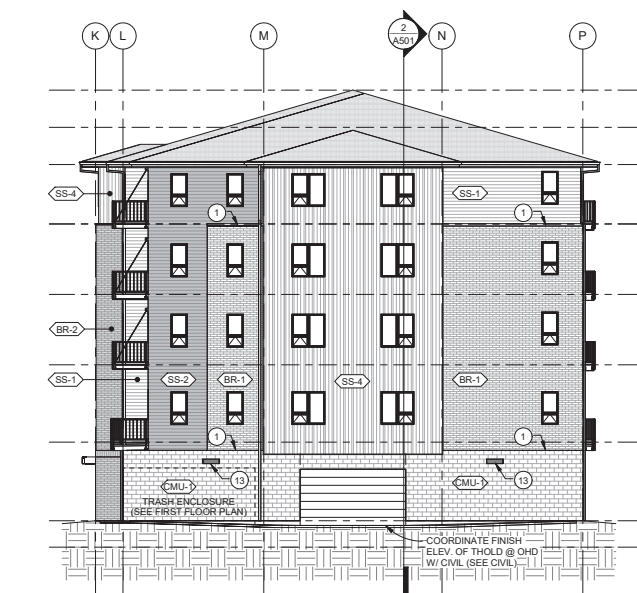
REVISIONS

NO.	DESCRIPTION

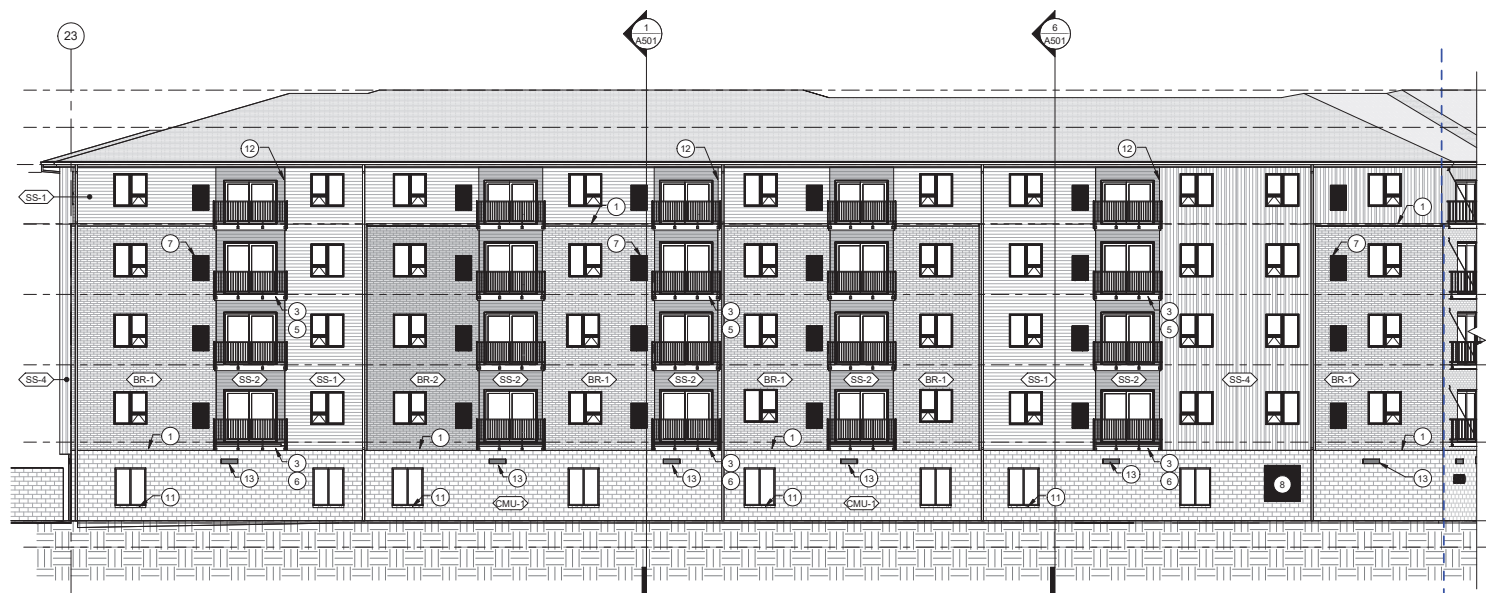
BUILDING ELEVATIONS

PROJECT #: 2504.03  
DATE: 06/22/2026  
DRAWN BY: CJ/AT  
CHECKED BY: CJ

**A401**



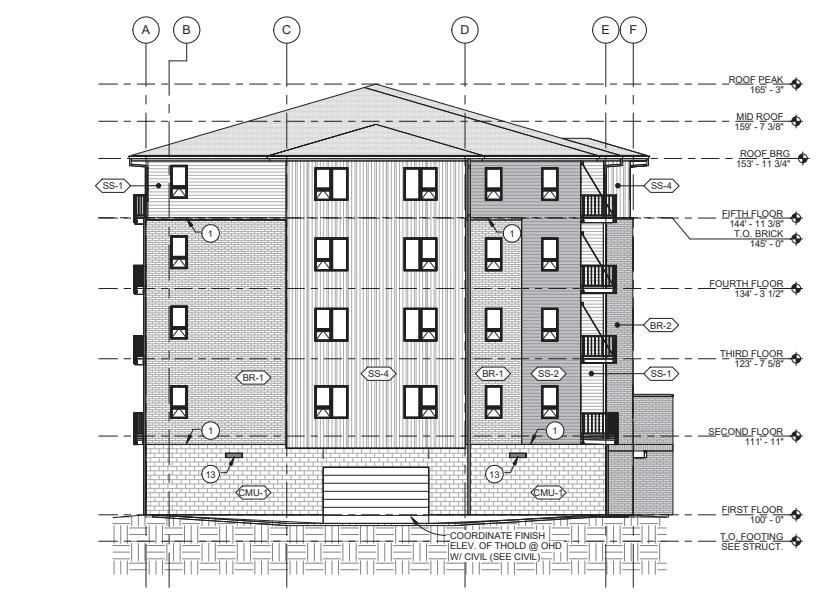
4 SOUTHEAST ELEVATION  
3/32" = 1'-0"



3 NORTHEAST ELEVATION  
3/32" = 1'-0"



2 NORTH ELEVATION  
3/32" = 1'-0"



1 WEST ELEVATION  
3/32" = 1'-0"



May 20th, 2026

**Proposed New Multi-Family Apartment at 5600 38<sup>th</sup> Avenue South, Fargo, North Dakota**  
**Parcel #: 01-8621-00500-000**

Chelsea,

The existing infill parcel is situated at the southwest corner of the existing intersection of 38th Avenue South and 56<sup>th</sup> Street, Fargo, ND. There were (2) CUPs approved and dated 12/02/2025. They are No. 2025-12 and 2025-13.

No. 2025-12 specifically relates to the overall parking count and additional access requirements. Per item #3 of this CUP, adding the additional unit terminates the approval. The prior CUP required 124 parking spaces for 69 units (1.797 stalls/unit). The updated site and building has 127 parking spaces for 70 units (1.814 stalls/unit).

No. 2025-12 relates to specific site improvements. The only condition being modified relates to the dumpster location. The dumpster was relocated from inside the building to outside in an effort to improve the site parking.

Please let me know if you have any questions or if you would like any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon Youness", with a long horizontal flourish extending to the right.

Jon Youness



