FARGO PLANNING COMMISSION AGENDA
Tuesday, June 7, 2022 at 3:00 p.m.

A: Approve Order of Agenda

B: Minutes: Regular Meeting of May 3, 2022

C: Public Hearing Items:

1a. Hearing on an application requesting a Zoning Change from MR-3, Multi-Dwelling Residential to MR-3 Multi-Dwelling Residential with a PUD, Planned Unit Development on Lot 17 and a portion of Lot 18, Block 13, **Kirkhams Second Addition**. (Located at 1129 and 1131 14th Street North) (Todd Knain/MBN Engineering, Inc.) (kc): CONTINUED TO JULY 5, 2022

1b. Hearing on an application requesting a PUD, Planned Unit Development Overlay and Master Land Use Plan on Lot 17 and a portion of Lot 18, Block 13, **Kirkhams Second Addition**. (Located at 1129 and 1131 14th Street North) (Todd Knain/MBN Engineering, Inc.) (kc) : CONTINUED TO JULY 5, 2022

2a. Hearing on an application requesting a Conditional Use Permit to allow an Alternative Access Plan for a parking reduction on Lot 2, Block 1, **Urban Plains by Brandt Fifth Addition**. (Located at 2970 Uptown Way South) (Urban Plains Land Company, LLC/Tim Gleason) (kc)

2b. Hearing on an application requesting a Conditional Use Permit to allow residential uses in the LC, Limited Commercial zoning district on Lot 2, Block 1, **Urban Plains by Brandt Fifth Addition**. (Located at 2970 Uptown Way South) (Urban Plains Land Company, LLC/Tim Gleason) (kc)

3a. Hearing on an application requesting a Zoning Change from MR-3, Multi-Dwelling Residential with a C-O, Conditional Overlay to LC, Limited Commercial with a C-O, Conditional Overlay on the proposed **Urban Plains by Brandt Sixth Addition**. (Located at 5100 28th Avenue South) (Urban Plains Land Company, LLC/Tim Gleason) (dk)

3b. Hearing on an application requesting a Plat of **Urban Plains by Brandt Sixth Addition** (Minor Subdivision) a replat of Lot 2, Block 2, Urban Plains by Brandt Second Addition to the City of Fargo, Cass County, North Dakota. (Located at 5100 28th Avenue South) (Urban Plains Land Company, LLC/Tim Gleason) (dk)

4. Hearing on an application requesting a Plat of **Asleson Commercial Third Addition** (Minor Subdivision) a replat of Lots 2-4, Block 1, Asleson Commercial Second Addition to the City of Fargo, Cass County, North Dakota. (Located at 4252 and 4266 32nd Avenue South) (Contractors Leasing/City of Fargo/Don Dabbert) (dk)

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

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

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

D: Other Items:

1. Planned Unit Development Final Plan for **Bentley Place First Addition**. (me)

BOARD OF PLANNING COMMISSIONERS
MINUTES

Regular Meeting: **Tuesday, May 3, 2022**

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 3, 2022.

The Planning Commissioners present or absent were as follows:

Present: John Gunkelman, Rocky Schneider, Scott Stofferahn, Jennifer Holtz, Dawn Morgan, Art Rosenberg, Thomas Schmidt

Absent: Maranda Tasa

Chair Schneider called the meeting to order.

Business Items:

Item A: Approve Order of Agenda

Member Gunkelman moved the Order of Agenda be approved as presented. Second by Member Stofferahn.

Chair Schneider noted he would like to add an item D.1 to the agenda for a staff report.

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

Item B: Minutes: Regular Meeting of April 5, 2022

Member Holtz moved the minutes of the April 5, 2022 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: MHB Guardian Addition

1a. Hearing on an application requesting a Zoning Change from DMU, Downtown Mixed-Use to DMU, Downtown Mixed-Use and P/I, Public and Institutional on the proposed MHB Guardian Addition. (Located at 1 2nd Street South) (City of Fargo): APPROVED

1b. Hearing on an application requesting a Plat of MHB Guardian Addition (Major Subdivision) a replat of Lot 2, Block 4, North Dakota R2 Urban Renewal Addition to the City of Fargo, Cass County, North Dakota. (Located at 1 2nd Street South) (City of Fargo): APPROVED

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

Discussion was held on which area was being rezoned, access points, and signage.

Applicant representative Brian Kounovsky, Epic Companies, spoke on behalf of the application.

Discussion continued on sign regulations in the DMU, Downtown Mixed-Use zoning district.

Planning and Development Assistant Director Mark Williams provided information on the Fargo Sign Code.

Planning and Development Director Nicole Crutchfield noted the zoning is only changing on Lot 2, and Lot 1 is already zoned DMU, Downtown Mixed-Use.

Member Gunkelman moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed 1) Zone Change from DMU, Downtown Mixed-Use to DMU, Downtown Mixed-Use and P/I, Public and Institutional, and 2) Subdivision Plat MHB Guardian Addition as outlined within the staff report, as the proposal complies with the Downtown InFocus Plan, the GO2030 Fargo Comprehensive Plan, Section 20-0906.F (1-4), the Standards of Article 20-06 of the Land Development Code, and all other applicable requirements of the Land Development Code. Second by Member Rosenberg. On call of the roll Members Holtz, Morgan, Schmidt, Stofferahn, Rosenberg, Gunkelman, and Schneider voted aye. Absent and not voting: Member Tasa. The motion was declared carried.

Item 2: Richard 3rd Subdivision

Hearing on an application requesting a Conditional Use Permit to allow industrial services and warehouse and freight movement uses in the GC, General Commercial zoning district on Lot 2, Block 1, Richard 3rd Subdivision. (Located at 6121 53rd Avenue South) (Sheyenne Commercial Condos, LLC): APPROVED

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

Discussion was held on Fargo's city limits.

City Engineer Brenda Derrig and Mr. Williams clarified the location of the city limits.

Member Stofferahn moved the findings and recommendations of staff be accepted and the Conditional Use Permit to allow Industrial Service and warehouse uses in the GC, General Commercial zoning district be approved as outlined within the staff report, as the proposal complies with Section 20-0909.D (1-6) and all other applicable requirements of the Land Development Code, with the following conditions:

1) The property shall not be used in whole or in part for storage of rubbish or debris of any kind whatsoever nor for the storage of any property or items that will cause such lot to appear untidy, unclean or unsightly as determined by the Zoning Administrator; nor shall any substance, item or material be kept on any lot that will emit foul odors, including compost sites and fertilizer. All garbage containers, including dumpsters, shall be concealed from public view by fence, screen wall or building extension.

2) No outdoor storage of equipment or supplies.

3) Off-street parking, loading, and vehicular circulation areas (including circulation areas internal to storage yards) shall have an all-weather surface, as defined by the LDC.

4) The manufacturing, production, or processing of food and/or animal products shall not be permitted.

5) The manufacturing, production, or processing of hazardous chemicals or materials shall not be permitted.

6) Any expansion of industrial service or warehouse uses shall require an amendment to the Conditional Use Permit with review and approval by the Planning Commission.

7) The Conditional Use Permit shall terminate if all industrial uses cease for a period of more than 12 consecutive months.

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

Item 3: Sanford Addition
Hearing on an application requesting an Institutional Master Plan for the Fargo Sports Complex on Lot 1, Block 2, Sanford Addition. (Located at 6100 38th Street South) (Fargo Parks District/Confluence): 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 the background of Institutional Master Plans, parking requirements in the P/I, Public and Institutional zoning district, public transportation, and facility users.

Applicant representative Tyler Kirchner spoke on behalf of the application.

Discussion continued on parking, timelines, and pedestrian walkability and safety.

Ms. Derrig stated that the frontage road beside the Interstate will be going away.

Member Schmidt noted that his employer is the architect for the project.

The Board members noted they did not have an issue with Member Schmidt voting on this application, or with Member Morgan due to her position on the Park Board.

Member Rosenberg moved the findings and recommendations of staff be accepted and the Institutional Master Plan be approved as outlined within the staff report, as the proposal complies with the GO2030 Fargo Comprehensive Plan, the Standards of Section 20-0911.E (1-3) of the Land Development Code, and all other applicable requirements of the Land Development Code. Second by Member Gunkelman. On call of the roll Members Morgan, Schmidt, Stofferahn, Rosenberg, Holtz, Gunkelman, and Schneider voted aye. Absent and not voting: Member Tasa. The motion was declared carried.

Item 4: Prairie Crossing Addition
Hearing on an application requesting a Conditional Use Permit for a waiver of Section 20-0402.I.2 on Lot 21, Block 13, Prairie Crossing Addition. (Located at 3910 25th Street South) (Larry Nygard/Rhet Fiskness): APPROVED
Mr. Morman presented the staff report stating all approval criteria have been met and staff is recommending approval.

Discussion was held on Section 20-0402.I.2 and the 10 acre requirement.

Mr. Williams provided a history.

Applicant Larry Nygard spoke on behalf of the application.

Discussion continued on the projected time this location would be used as a school.

Member Rosenberg moved the findings and recommendations of staff be accepted and the Conditional Use Permit to waive Section 20-0402.I.2 in the Land Development Code (LDC) to be exempt from the minimum base site area for schools in SR, Single-Dwelling and MR, Multi-Dwelling zoning districts, as outlined within the staff report, as the proposal complies with the GO2030 Fargo Comprehensive Plan, 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. Any expansion of the school use will require an amendment to the Conditional Use Permit with review and approval by the Planning Commission.

2. The Conditional Use Permit will cease if the land use changes from a school for a period of more than 12 consecutive months.

3. The Conditional Use Permit shall terminate upon sale or transfer of the property.

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

Item 5: Mehl First Addition

Hearing on an application requesting a Conditional Use Permit for a waiver of Section 20-0402.I.2 on a portion of Lot 1, Block 2, Mehl First Addition. (Located at 2506 35th Avenue South) (Larry Nygard/Rhet Fiskness): APPROVED

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

Discussion was held on the ownership of the building.

Applicant Larry Nygard spoke on behalf of the application.

Member Gunkelman moved the findings and recommendations of staff be accepted and the Conditional Use Permit to waive Section 20-0402.I.2 in the Land Development Code (LDC) to be exempt from the minimum base site area for schools in SR, Single-Dwelling and MR, Multi-Dwelling zoning districts, as outlined within the staff report, as the proposal complies with the GO2030 Fargo Comprehensive Plan, 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. Any expansion of the school use will require an amendment to the Conditional Use Permit with review and approval by the Planning Commission.

2. The Conditional Use Permit will cease if the land use changes from a school for a period of more than 12 consecutive months.

3. The Conditional Use Permit shall terminate upon sale or transfer of the property.

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

Item D: Staff Report

Director of Planning and Development Nicole Crutchfield spoke on how the Planning Commission can engage more productively and share information, such as the previously held Brown Bag meetings in the past, and opened the floor for Board conversation.

The Board discussed time options to hold these conversations, and noted the importance of bringing topics forward to discuss, and getting in a pattern of reviewing information.

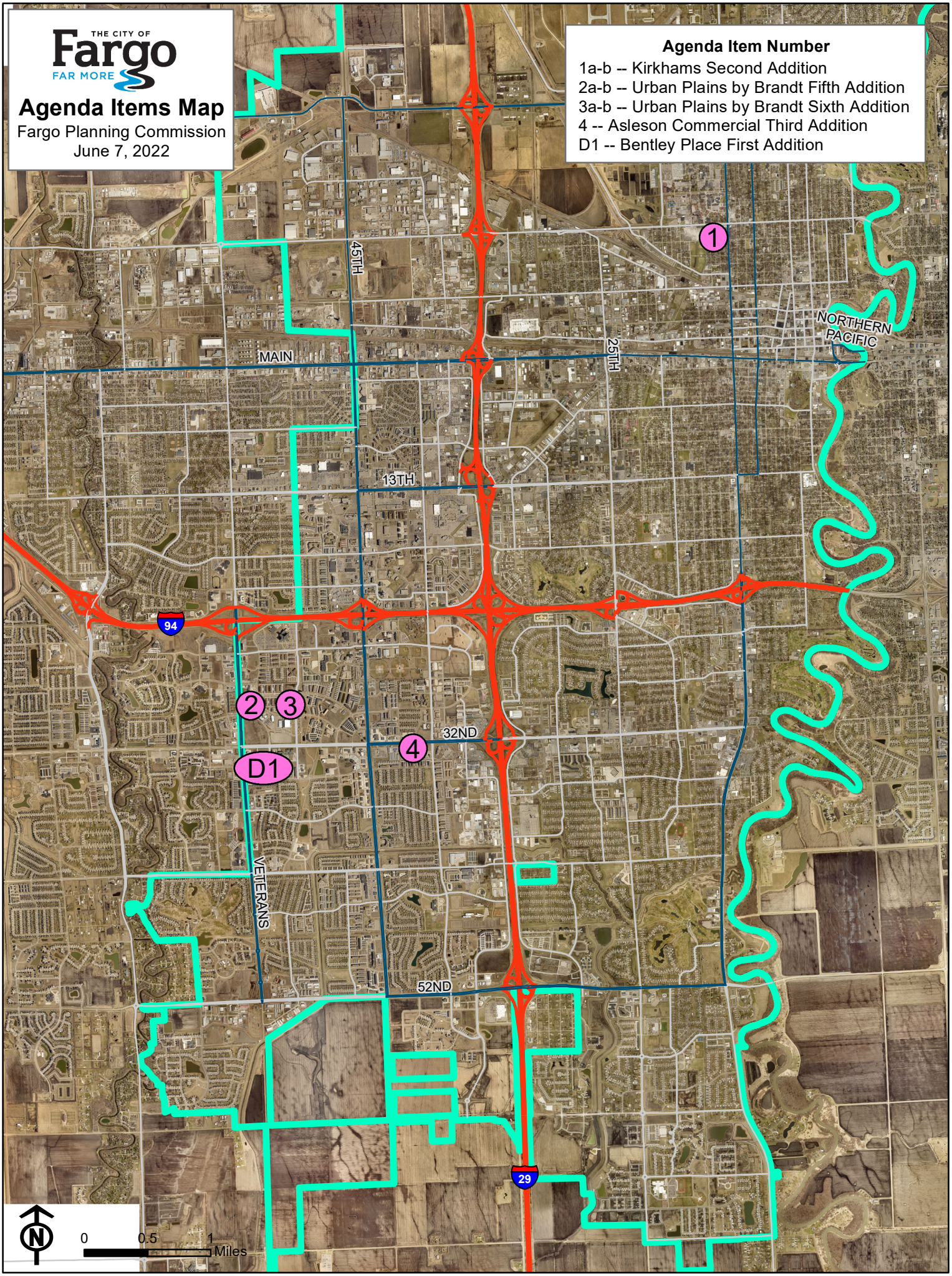
Chair Schneider noted he would reach out to Board members to obtain their feedback and preferences.

Ms. Crutchfield shared that she presented the Planning Department's work plan to the City Commission at a Brown Bag meeting on February 14. She encouraged Board Members to watch the video available on the City of Fargo website.

Discussion continued on the City of Fargo sign code, regulations, and free speech.

Chair Schneider proposed a possible future topic to discuss the process the City goes through to disperse public property.

The time at adjournment was 4:20 p.m.


THE CITY OF
Fargo
FAR MORE
Agenda Items Map
Fargo Planning Commission
June 7, 2022
Agenda Item Number
1a-b -- Kirkhams Second Addition
2a-b -- Urban Plains by Brandt Fifth Addition
3a-b -- Urban Plains by Brandt Sixth Addition
4 -- Asleson Commercial Third Addition
D1 -- Bentley Place First Addition
1
2
3
4
D1
45TH
25TH
MAIN
13TH
32ND
52ND
VETERANS
NORTHERN PACIFIC
94
29
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1
Miles

Agenda Item #	2a, 2b

City of Fargo Staff Report			
Title:	Urban Plains by Brandt Fifth Addition	**Date:**	6/02/2022
Location:	2970 Uptown Way South	**Staff Contact:**	Kim Citrowske, planning coordinator
Legal Description:	Lots 2, Block 1, Urban Plains by Brandt Fifth Addition		
Owner(s)/Applicant:	Urban Plains Land Co, LLC / Tim Gleason, Enclave	**Engineer:**	Houston Engineering
Entitlements Requested:	**Conditional Use Permit** for residential living in the LC, Limited Commercial, zoning district and a **Conditional Use Permit** for an Alternative Access Plan for a parking reduction		
Status:	Planning Commission Public Hearing: June 7, 2022		

Existing		**Proposed**
Land Use: vacant		**Land Use:** mixed-use development
Zoning: LC, Limited Commercial with a C-O, Conditional Overlay (5153)		**Zoning:** LC, Limited Commercial with a C-O, Conditional Overlay (5153) and CUP for residential use and CUP for Alternative Access Plan for a parking reduction
Uses Allowed: Limited Commercial allows colleges, community service, day care facilities of unlimited size, health care facilities, parks and open areas, religious institutions, safety services, basic utilities, offices, commercial parking, retail sales and services and telecommunications facilities of limited size. Self-service storage, vehicle repair and limited vehicle service are typically allowed in LC, but are prohibited by the C-O, which also requires approval of a Conditional Use Permit for Off-premise advertising.		**Uses Allowed:** No change
Maximum Density: Residential Uses are not permitted without a CUP.		**Maximum Density:** Requested Conditional Use Permit to allow residential living for 35 units per acre
Maximum Building Coverage Allowed: 55%		**Maximum Building Coverage Allowed:** 55%

Proposal:

The applicant is seeking two Conditional Use Permits, 1) for residential living in LC, Limited Commercial zone and 2) an Alternative Access Plan for parking reduction to require 1.65 parking spaces per residential unit and 1 space per 200 sq. ft. of commercial space on Lot 2, Block 1, Urban Plains by Brandt Fifth Addition. The applicant intends to construct a five-story mixed-use building on the subject property with 7,000 sq. ft. of commercial space on the main floor and 90 multi-dwelling residential units.

Parking requirements are based on the final use, which is unknown based commercial space tenants and final unit mix. Below is a study of the parking reduction proposed and note that the peak demand for commercial is typically daytime hours and peak demand for residential is nighttime hours.

		LDC Parking Requirements	Proposed with CUP Alternative Access Plan for Parking Reduction
Multi-Dwelling Structures (90 units)*		190 spaces total	149 spaces
Efficiency	1.25 per unit	18 units = 23 spaces	1.65 spaces per unit
1-bedroom & larger	2.0 per unit	72 units = 144 spaces	
Guest spaces	.25 per unit	90 total units = 23 spaces	
Commercial (varies on end user) - 7,000 sq. ft. total		28 spaces	35 spaces
Retail Sales & Service	Unknown	1 space per 250 sq. ft.	1 space per 200 sq. ft.
Restaurant	unknown	1 space per 150 sq. ft.	
TOTAL		**218 spaces**	**184 spaces**

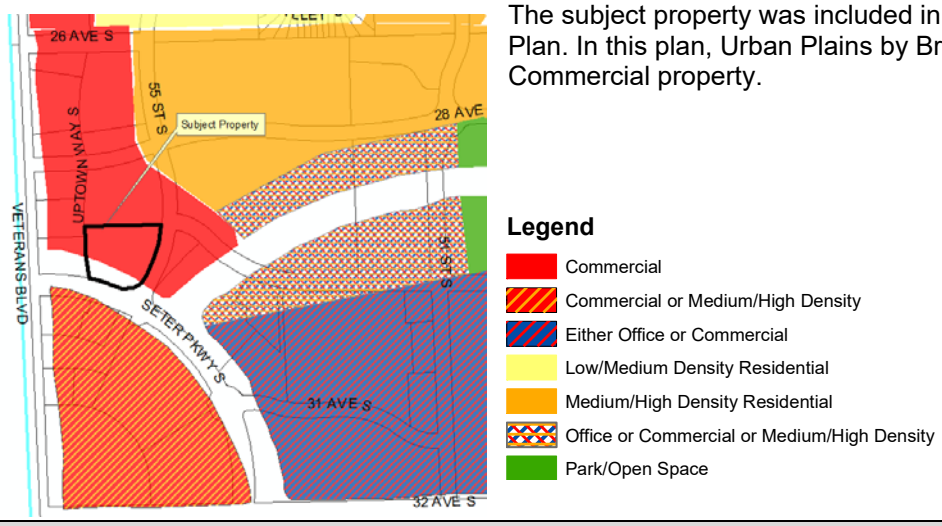
*Unit mix may vary, this example was provided by the applicant.

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

Surrounding Land Uses and Zoning Districts:

- North: LC, Limited Commercial with C-O (5153) and CUPs for residential living (110 units) and Alternative Access Plan for parking reduction for a mixed-use development (currently under construction).
- East: GC, General Commercial with C-O (4978) and CUP for Alternative Access Plan for shared parking and parking reduction for a health club (Sanford YMCA Family Wellness).
- South: LC, Limited Commercial with C-O (5153) and CUP for Alternative Access Plan for parking reduction that is currently vacant.
- West: LC, Limited Commercial with C-O (5153) that is currently vacant. (West Fargo city limits are west of Veterans Blvd.)

Area Plans:



The subject property was included in the 2001 Southwest Fargo Growth Plan. In this plan, Urban Plains by Brandt Fifth Addition was identified as Commercial property.

Context:

Neighborhood: Urban Plains Neighborhood

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

Parks: The project site is located within a half-mile of Urban Plains Park (3020 51st Street South) which offer amenities of playground equipment, restrooms, shelter and recreational trails.

Pedestrian / Bicycle: A shared use path runs along the south and east sides of the subject property.

Transit: This location is served by MATBUS Route 24 that travels along the east side of the property on 55 St S with a designated stop on the south side of Scheels Arena.

Staff Analysis:

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:

- **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. The proposed CUP for residential living and CUP for alternative access plan for a parking reduction will allow the developer to create a mixed-use building in the Limited Commercial zoning district while meeting the dimensional standards of the LC zone and the general development standards of the LDC. Staff finds this proposal is consistent with the purpose of the LDC, the GO2030 Comprehensive Plan, and other adopted policies of the City. **(Criteria Satisfied)**

- **Will the proposed conditional use at the specified location contribute to and promote the welfare or convenience of the public?**
  Staff suggests that establishing pockets of low-intensity commercial development near high-density residential development promotes convenience by providing the opportunity for positive neighborhood-level interactions between citizens and businesses. The proposed CUP for residential living will contribute to the convenience of the public by supporting mixed-use development near an arterial roadway in a rapidly growing part of the city. The CUP for parking reduction has been reviewed by the Engineering Department who supports the proposed parking reduction as it aligns with ITE (Institute of Transportation Engineers) parking guidance for the proposed uses which have opposing peak demand times.
  (Criteria Satisfied)

- **Will the proposed conditional use cause substantial injury to the value of other property in the neighborhood in which it is to be located?**
  Staff has no data to suggest the proposed use would cause substantial injury to the value of other property in the neighborhood. In accordance with Section 20-0901.F of the LDC, notices of the proposed use were sent out to property owners within 300 feet of the subject property. To date, staff has received no inquiries about the project and no letters of opposition. **(Criteria Satisfied)**

- **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 mixed-use development will not dominate the immediate neighborhood or prevent any other site from developing in a manner allowed by zoning district regulations. The subject property is adjacent to apartment complexes to the northeast and mixed-use residential/commercial development to the north.
  (Criteria Satisfied)

- **Are adequate utility, drainage, and other such necessary facilities and services provided or will they be at the time of development?**
  The property has access to all necessary utilities and services. Staff is not aware of any deficiencies regarding drainage or utilities that would limit the ability of the applicant to utilize the property as proposed. Based on this information, staff finds that the adequate utility, drainage, and other such necessary facilities and services are in place. **(Criteria Satisfied)**

- **Have adequate access roads or entrances and exit drives been provided and are they designed to prevent traffic hazards and to minimize traffic congestion in public streets?**
  The subject property has access to 28th Avenue South, 55th Street South and Uptown Way South, which are fully constructed local roadways. All driveways will be reviewed and permitted in accordance with Section 20-0702 of the Land Development Code. **(Criteria Satisfied)**

Recommended Conditions:

- Residential Living - The maximum residential density shall be 35 units per acre.
- Alternative Access Plan for parking reduction - The minimum parking provided shall include 1.65 parking spaces per residential unit and 1 space per 200 sq. ft. of commercial space.

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.

Staff Recommendation:

To accept the findings and recommendations of staff and hereby move to approve two Conditional Use Permits to allow residential living in the LC, Limited Commercial, zoning district and an Alternative Access Plan for parking reduction on Lot 2, Block 1, Urban Plains by Brandt Fifth Addition as the proposal complies with Section 20-0909.D (1-6) and all other requirements of the LDC, with the following conditions:

1. Residential Living - The maximum residential density shall be 35 units per acre.
2. Alternative Access Plan for parking reduction - The minimum parking provided shall include 1.65 parking spaces per residential unit and 1 space per 200 sq. ft. of commercial space.

Planning Commission Recommendation: June 7, 2022

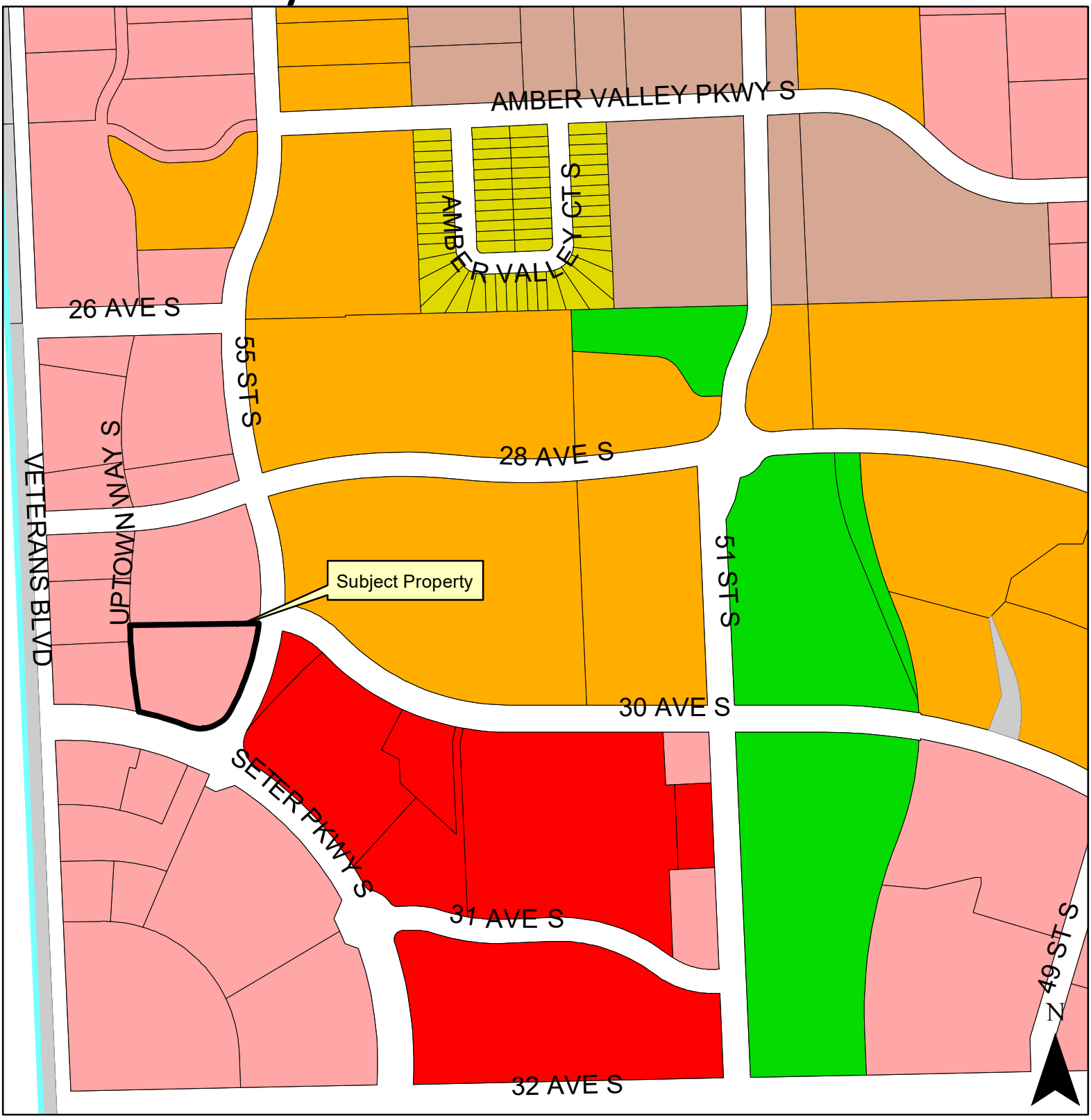
Attachments:

1. Zoning Map
2. Location Map
3. Project concept map

Conditional Use Permits

Urban Plains by Brandt Fifth Addition

2970 Uptown Way S



THE CITY OF Fargo FAR MORE

Legend

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

300 Feet

Fargo Planning Commission
June 7, 2022

Conditional Use Permits

Urban Plains by Brandt Fifth Addition

2970 Uptown Way S

THE CITY OF Fargo FAR MORE

300 Feet

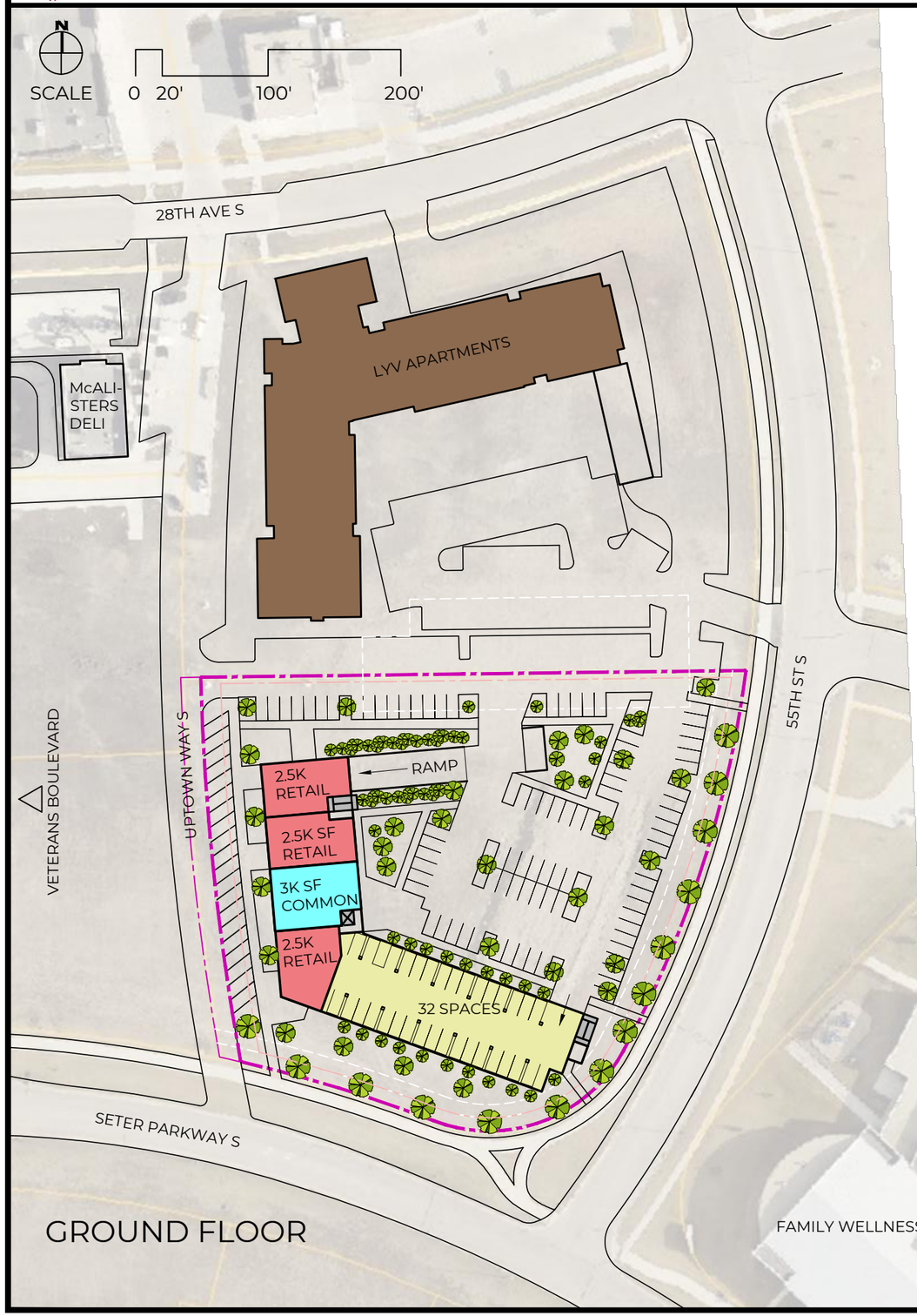
Fargo Planning Commission
June 7, 2022

ENCLAVE UPTOWN & MAIN PHASE VII

2022.04.07 SITE PLAN OPTION

FOSS ARCHITECTURE +INTERIORS

Apr 07, 2022



GROUND FLOOR

PROJECT METRICS

COMMERCIAL	ZONING STANDARDS
ZONING	LC
MAX. BUILDING COVERAGE	55%
MIN. OPEN SPACE	NONE
MIN. LOT SIZE	NONE
MIN. LOT WIDTH	NONE
FRONT SETBACK	10'
INTERIOR SIDE SETBACK	5'
STREET SIDE SETBACK	10'
REAR SETBACK	15'
MAX. HEIGHT	60'
MIN. PARKING SPACES	1 PER 300 SF FOR NON-MEDICAL OFFICES 1 PER 250 SF FOR RETAIL & SERVICE (1 PER 200 SF IS DESIRED)

RESIDENTIAL	CONDITIONAL USE OVERLAY
DENSITY	MAX
MIN. PARKING SPACES	.65 SURFACE STALLS PER UNIT
INDOOR PARKING	1 STALL PER UNIT

DEVELOPER'S	DESIRED UNIT MIX
EFFICIENCIES	20%
1-BEDS	40%
2-BEDS	35%
3-BEDS	5%
RETAIL	5,000-7,500 SF

NOTES:

1. THIS SITE PLAN IS DIAGRAMMATIC AND TO BE VERIFIED BY A CIVIL ENGINEER
2. NOT ALL SIDEWALKS SERVING THE BUILDINGS ARE SHOWN ON THIS PLAN

BLOCK 1 - LOT 2

PROPERTY METRICS

LOT SIZE	114,343 SF = 2.62 ACRES
MAX. BLDG. FOOTPRINT	.55 X 114,343 = 62,888 SF
# UNITS ALLOWED	TBD
MIN. OPEN SPACE	NONE

4-STORY RESIDENTIAL OVER 2 LEVELS INDOOR PARKING + RETAIL

UNIT MIX PROVIDED

EFFICIENCIES	18 QTY (20%)
1-BEDS	36 QTY (40%)
2-BEDS	32 QTY (35%)
3-BEDS	4 QTY (5%)
UNITS	90 UNITS

DENSITY

TOTAL UNITS	90 TOTAL UNITS
DENSITY	90 / 2.62 =34.35 UNITS PER ACRE
BUILDING FOOTPRINT	25,782 SF (23%)
OPEN SPACE	NONE REQUIRED

PARKING MIX DES'D

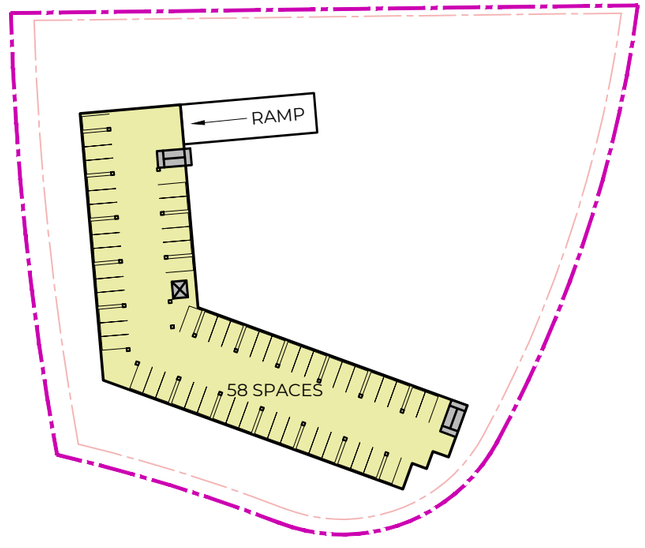
UNITS	1.65 STALLS PER UNIT (1.1 INDOOR) = 148
RETAIL	1 PER 150 SF (7,500 SF / 150 = 50 STALLS)
TOTAL	198 PARKING STALLS DES'D

PARKING MIX PROVIDED

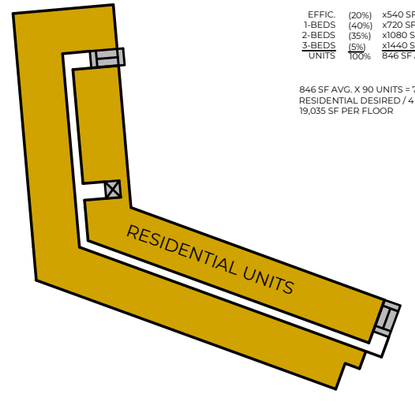
RESIDENT INDOOR PARKING	90 INDOOR PARKING STALLS
SURFACE PARKING	88 SURFACE STALLS
STREET PARKING	20 STREET STALLS
TOTAL STALLS	198 TOTAL STALLS PROVIDED

KEY

- EXISTING BUILDING
- INDOOR RESIDENT PARKING
- RETAIL
- RESIDENTIAL
- COMMON AREA
- PROPERTY LINE
- SETBACKS
- EASEMENTS



UNDERGROUND PARKING



EFFIC.	(20%)	x540 SF = 108
1-BEDS	(40%)	x720 SF = 288
2-BEDS	(35%)	x1080 SF = 378
3-BEDS	(5%)	x1440 SF = 72
UNITS	100%	846 SF AVG. PER UNIT

846 SF AVG. X 90 UNITS = 76,140 SF
RESIDENTIAL DESIRED / 4 STORIES =
19,035 SF PER FLOOR

FLOOR 2-5

Agenda Item #	3a, 3b

City of Fargo Staff Report			
Title:	Urban Plains by Brandt 6th Addition	**Date:**	6/2/2022
Location:	5100 28th Avenue South	**Staff Contact:**	Donald Kress Planning Coordinator
Legal Description:	Lot 2, Block 2, Urban Plains by Brandt Second Addition		
Owner(s)/Applicant:	Urban Plains Land Company, LLC/ Enclave Companies (Tim Gleason)	**Engineer:**	Mead & Hunt
Entitlements Requested:	**Zone Change** (from MR-3, Multi-Dwelling Residential with a C-O, Conditional Overlay to LC, Limited Commercial with a C-O, Conditional Overlay) and **Subdivision** (replat of Lot 2, Block 2, Urban Plains by Brandt Second Addition to the City of Fargo, Cass County, North Dakota)		
Status:	Planning Commission Public Hearing: June 7th, 2022		

Existing		**Proposed**
Land Use: Undeveloped		**Land Use:** Commercial
Zoning: MR-3, Multi-Dwelling Residential with C-O, Conditional Overlay		**Zoning:** LC, Limited Commercial with C-O, Conditional Overlay
Uses Allowed: MR-3, Multi-Dwelling allows detached houses, attached houses, duplexes, multi-dwelling structures, daycare centers up to 12 children or adults, group living, parks and open space, religious institutions, safety services, schools, and basic utilities. With C-O, with Conditional Overlay		LC allows colleges, community service, daycare centers of unlimited size, health care facilities, parks and open space, religious institutions, safety services, offices, ~~off premise advertising signs~~, commercial parking, retail sales and service, ~~self service storage~~, ~~vehicle repair, limited vehicle service.~~ With C-O, Conditional Overlay
Maximum Density: 24 units per acre		**Maximum Density:** 24 units per acre

Proposal:

The applicant requests two entitlements:

1. **Zoning Change** (from MR-3, Multi-Dwelling Residential with a C-O, Conditional Overlay to LC, Limited Commercial with a C-O, Conditional Overlay); and
2. **Minor Subdivision** (replat of Lot 2, Block 2, Urban Plains by Brandt Second Addition to the City of Fargo, Cass County, North Dakota)

HISTORY OF ENTITLEMENTS AND BACKGROUND:

In 2003, as part of the Southwest Area Plan, a master plan was created and established for the Urban Plains Development. This master plan and ordinances set forth a mixed use development pattern to encourage buildings closer to the street with parking behind, to reinforce destination and entertainment development for a live-work-entertainment center. The master plan of Urban Plains was modified in 2013. At that time, there was an increase in multi-family development proposals and a change in road layout patterns to accommodate more suburban vehicular oriented development. Remaining consistent between both plans was the plan for mixed-use commercial and residential with a focus on heavy pedestrian and the regional park (Urban Plains Park) along 51st Street South. The right-of-way included pedestrian and on-street parking amenities unique to anywhere else in the southwest area of the City. These land uses and

public amenities were to support the destination-oriented development surrounding the Scheels Arena. With this application, staff requested an updated master plan for review.

At the January 10th, 2022 City Commission hearing, that Commission approved a zone change from LC, Limited Commercial with a conditional overlay to MR-3, Multi-Dwelling Residential with a conditional overlay. The applicant had intended to develop a multi-dwelling residence on the property. The conditional overlay for this project had a primary focus on the urban form and how the project interacts with the scale and relationship to Urban Plains Park and 51st Street South. The applicant provided a concept master plan for the remaining undeveloped lots in Urban Plains.

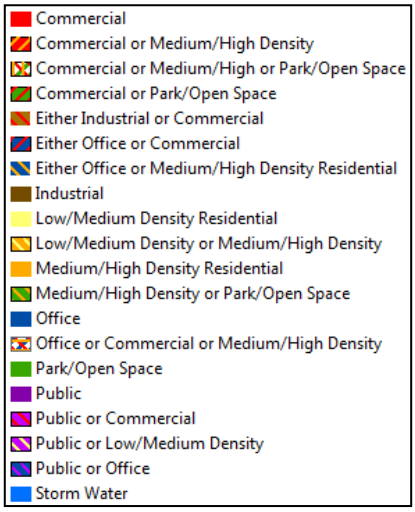
CURRENT PROPOSAL:
The applicant now proposes to subdivide the property into to two lots, and rezone both properties to LC, Limited Commercial in order to develop two community-serving uses, one on each property. The proposed conditional overlay for this LC zoning is different from the conditional overlay established in 2017 for LC zoning; it is tailored to the current situation and proposal, as described in detail in the findings below.

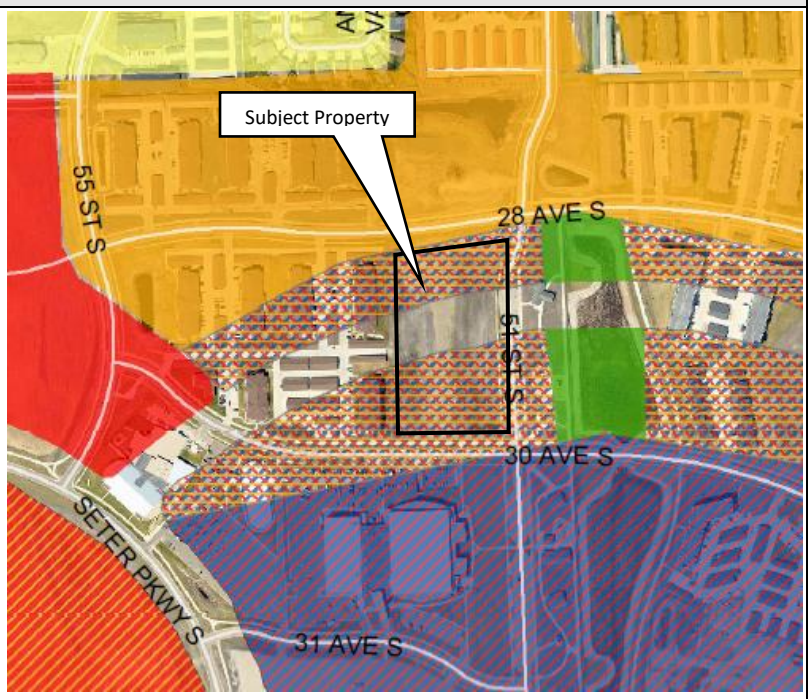
Surrounding Land Uses and Zoning Districts:

- North: Across 28th Avenue South is MR-3 with C-O, with undeveloped property;
- East: Across 51st Street South is P/I, Public & Institutional, with park use (Urban Plains Park);
- South: Across 30th Avenue South is LC, with C-0 with undeveloped property and GC, General Commercial with C-O with Scheels Arena;
- West: MR-3 with C-O with multi-dwelling residential.

Area Plans:

The subject property is located within the bounds of the 2003 Southwest Future Land Use Plan. This plan identifies Office or Commercial and Medium/High Density Residential land uses appropriate for this area.





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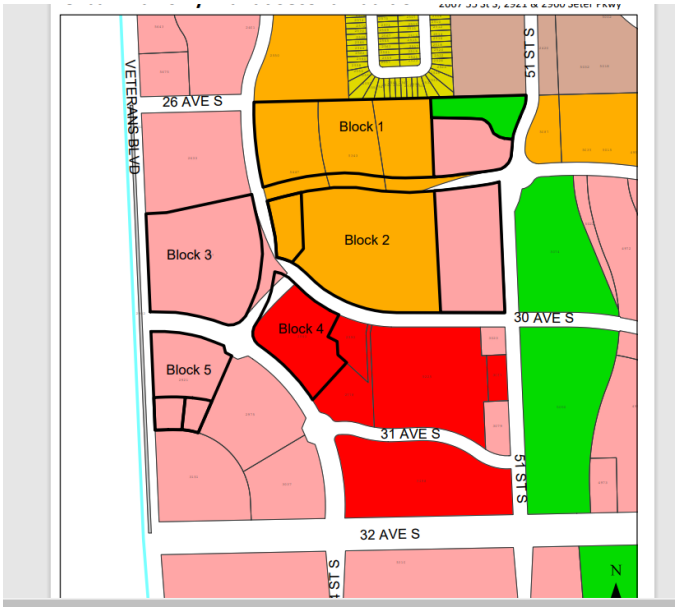


In 2013, a revised conditional overlay and master plan were processed and approved to accommodate an updated development plan.

Context:

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

Neighborhood: The subject property is located in the Urban Plains neighborhood.

Parks: Across 51st Street South is Urban Plains Park (3020 51st Street South), which includes amenities of playgrounds, trails, and shelters.

Pedestrian / Bicycle: A shared use path is located on the east side of 51st Street South, directly east of the subject property. The trail connects to the metro area trail system.

Transit: MAT Bus route 24 runs along 51st Street South, with a stop at the intersection of 51st Street South and 30th Avenue South, directly adjacent to the property.

Staff Analysis:

PLAT and ZONING: The plat creates two lots for commercial development, to be zoned LC, Limited Commercial with a conditional overlay. The lots will take access from 28th and 30th Avenues South; they will not have direct vehicular access from 51st Street South.

CONDITIONAL OVERLAY: Two versions of the draft conditional overlay are attached. One is the original proposed C-O with strike-throughs that show the edits made to this original proposal. This version is included for the Commission's reference. The other version is the final "clean copy" showing the C-O after the edits.

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 zoning map error in regards to the subject property owner. The applicant is requesting to rezone the property in order to construct two commercial buildings. For the use to be allowed, the applicant is requesting the property to be rezoned to LC, Limited Commercial. Staff recommends modifications to the previous C-O, Conditional Overlay that applied to LC zoning on this property,

Ordinance No. 5103, by precluding parking abutting the public right-of-way along 51st Street South and to fully accommodate the pedestrian amenities. The draft C-O language proposes buildings along 51st Street South to be placed towards the 51st Street South boulevard, as opposed to on-site surface parking lots, and for surface parking lots to be screened. Additional changes to the Conditional Overlay zoning include removing the design standards that were originally meant to orient the building to 51st Street South. The overlay seeks to keep the language to limit the placement of detached parking garages and parking lots away from 51st Street South. Since the master plan needs to be flexible and the developer has an architectural review committee, for sake of clarity for realtors and future owners, staff is recommending eliminating standards of the overlay that would not be applicable to this location. Initially staff was not supportive of the proposed application due to the agreed upon changes of the master plan that were brought forth with the recent zone change to MR-3. However, after further review and some changes to the project design by the applicant staff believes the project is compatible to the abutting regional park and the distinctive streetscape of 51st Street 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?**
Yes. **(Criteria satisfied)**

3. **Will the approval of the zoning change adversely affect the condition or value of the property in the vicinity?**
Staff has no documentation or evidence to suggest that the approval of this zoning change would adversely affect the condition or value of the property in the vicinity. Written notice of the proposal was sent to all property owners within 300 feet of the subject property. To date, Planning staff has not received any inquiries about the project and no letters of opposition. **(Criteria satisfied)**

4. **Is the proposed amendment consistent with the purpose of this LDC, the Growth Plan, and other adopted policies of the City?**
The purpose of the LDC is to implement Fargo's Comprehensive Plan in a way that will protect the general health, safety, and welfare of the citizens. The 2003 Southwest Future Land Use Plan identified the subject property as suitable for either medium to high-density residential with a combination of office or commercial development. At the time of the land use plan, integrated mixed-use was the market and economic focus of the plan in order to create a destination-oriented attractive area to mimic the conditions of a downtown urban center. Clearly the built environment has shifted from this plan, but staff believes the 51st Street South and the abutting land use vision along the corridor maintain elements of this master plan. The conditional overlay provides that the vehicular layout on the individual sites be buffered and oriented away from 51st Street South as envisioned in the original master plan for this area. (Criteria satisfied)

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 LC, Limited Commercial is consistent with the 2003 Southwest Future Land use Plan designation of Office or Commercial and Medium/High Density Residential. As part of the plat there was discussion about coordinating vehicular circulation and making sure there is no vehicular access to 51st Street South. Each lot will have access oriented toward the adjacent avenue (28th or 30th Avenues South). The plat provides no circulation between the two lots. However, such cross-access easements can be created at the time of development, if appropriate in relation to the uses on the two lots. 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

comments or inquiries. The project has been reviewed by the city's Planning, Engineering, Public Works, Inspections, and Fire Departments. **(Criteria Satisfied)**

2. **Section 20-0907.C.4.f of the LDC stipulates that in taking action on a Final Plat, the Board of City Commissioners shall specify the terms for securing installation of public improvements to serve the subdivision.**
   While this section of the LDC specifically addresses only major subdivision plats, staff believes it is important to note that any improvements associated with the project (both existing and proposed) are subject to special assessments. Special assessments associated with the costs of the public infrastructure improvements are proposed to be spread by the front footage basis and storm sewer by the square footage basis as is typical with the City of Fargo assessment principles. **(Criteria Satisfied)**

Staff Recommendation:

Suggested Motion: "To accept the findings and recommendations of staff and move to recommend approval to the City Commission of the proposed 1) Zoning Change from MR-3, Multi-Dwelling Residential with a C-O, Conditional Overlay to LC, Limited Commercial with a C-O, Conditional Overlay; and 2) Minor Subdivision of **Urban Plains by Brandt Sixth Addition,** as the proposal complies with the Go2030 Fargo Comprehensive Plan; Section 20-0907 (B) and (C); Section 20-0906. F (1-4); and Standards of Article 20-06 of the LDC; 2003 Growth Plan; and all other applicable requirements of the LDC."

Planning Commission Recommendation: June 7th, 2022

Attachments:

1. Location Map
2. Zoning Map
3. Preliminary plat
4. Draft conditional overlay—original showing edits
5. Draft conditional overlay—final "clean copy"

Plat (Minor); Zone Change (MR-3 with a C-O to LC with a C-O)

Urban Plains by Brandt Sixth Addition

5100 28th Avenue S

THE CITY OF Fargo FAR MORE

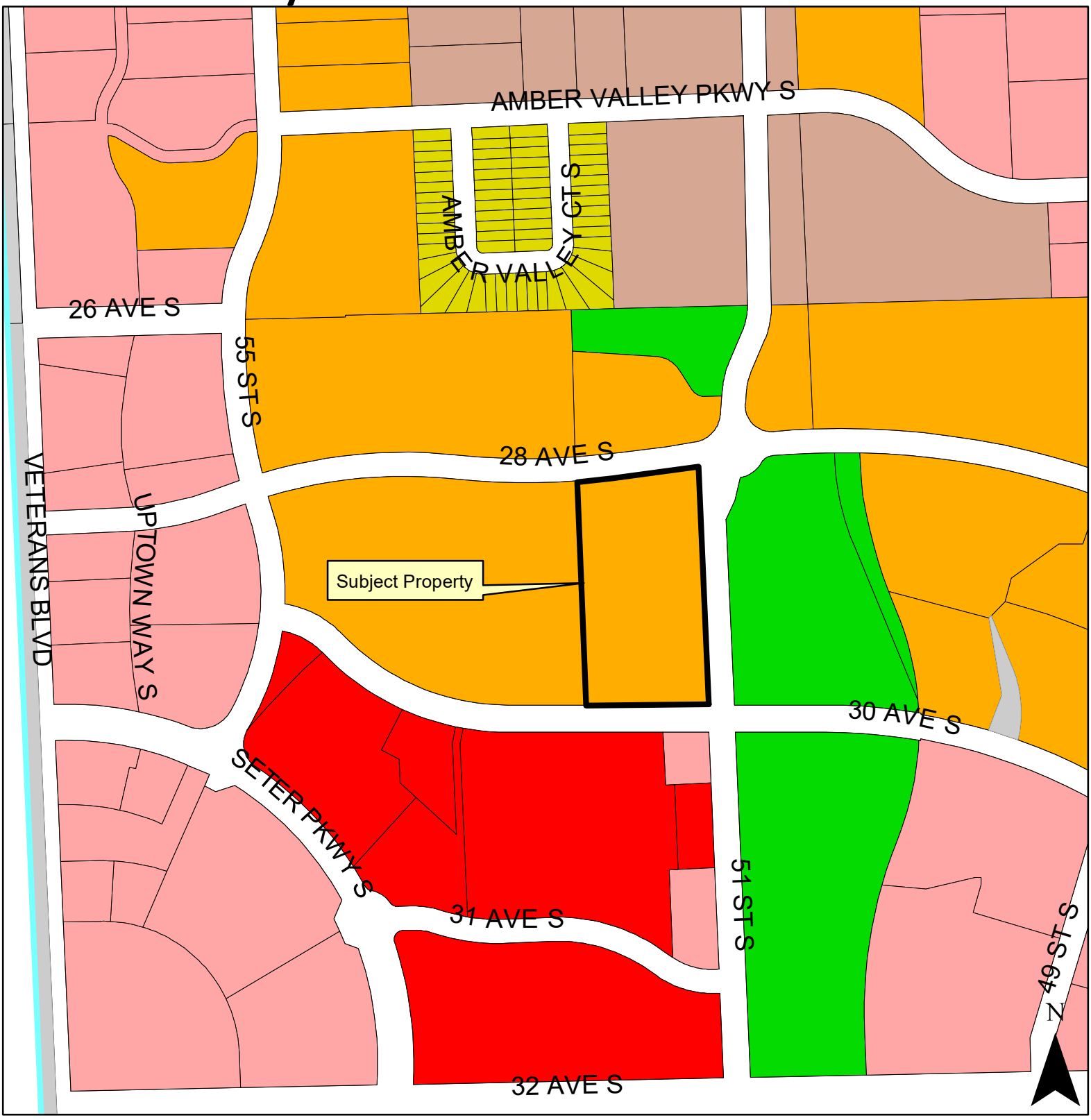
300 Feet

Fargo Planning Commission
June 7, 2022

Plat (Minor); Zone Change (MR-3 with a C-O to LC with a C-O)

Urban Plains by Brandt Sixth Addition

5100 28th Avenue S



THE CITY OF Fargo FAR MORE

Legend

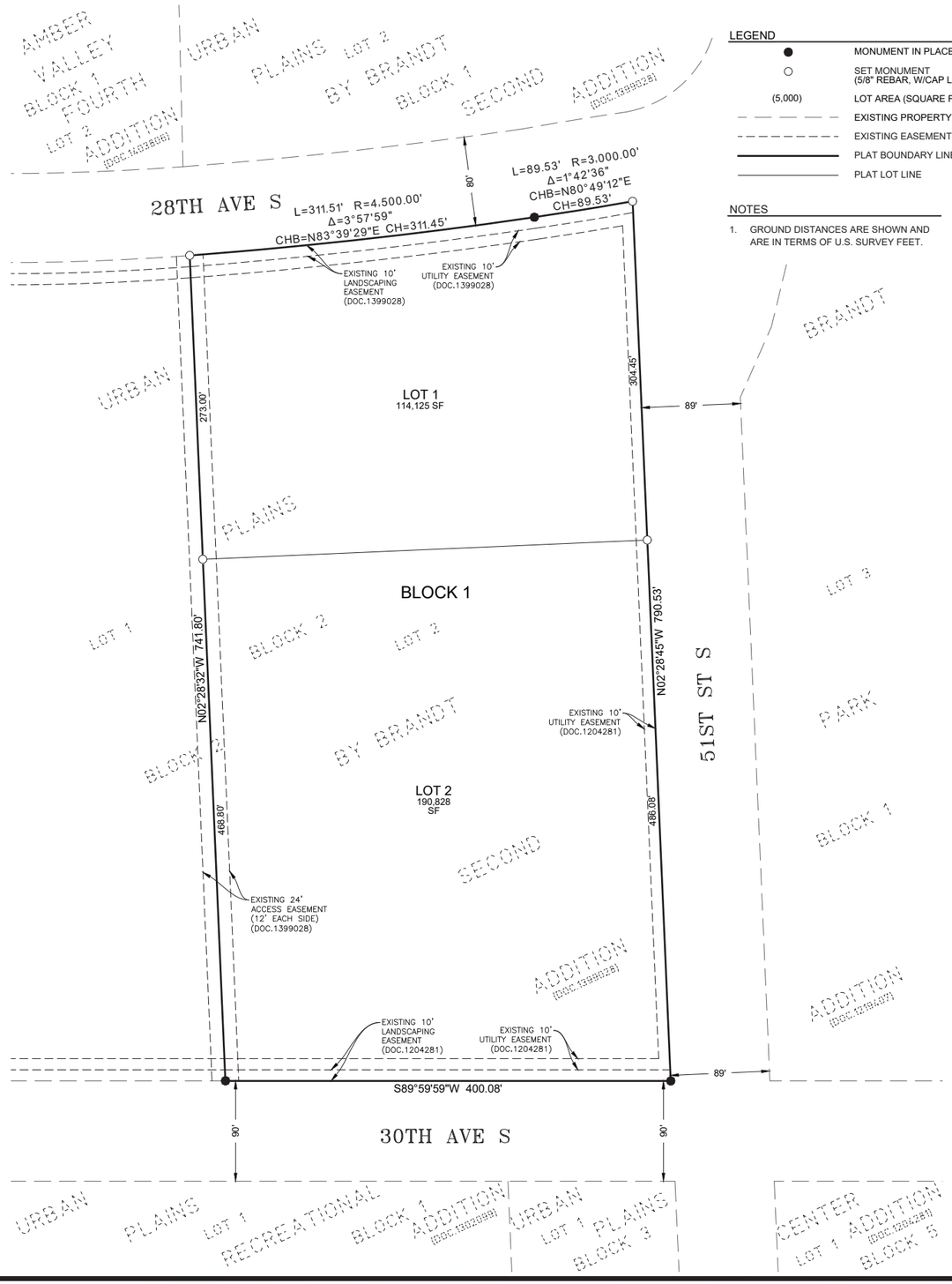
AG, DMU, GC, GI, GO, LC, LI, MR-1, MR-2, MR-3, MHP, NC, NO, P/I, UMU, SR-2, SR-3, SR-4, SR-5, City Limits

300 Feet

Fargo Planning Commission
June 7, 2022

URBAN PLAINS BY BRANDT SIXTH ADDITION

A REPLAT OF LOT 2, BLOCK 2 OF URBAN PLAINS BY BRANDT SECOND ADDITION TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA
(A MINOR SUBDIVISION)



LEGEND

●	MONUMENT IN PLACE
○	SET MONUMENT (5/8" REBAR, W/CAP LS-6884)
(5,000)	LOT AREA (SQUARE FEET)
	EXISTING PROPERTY LINE
	EXISTING EASEMENT LINE
	PLAT BOUNDARY LINE
	PLAT LOT LINE

NOTES

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

OWNER'S CERTIFICATE

KNOW ALL PERSONS BY THESE PRESENTS, That URBAN PLAINS LAND COMPANY, LLC is the owner of a parcel of land located in that part of the Southwest Quarter of Section 21, Township 139 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota, being more particularly described as follows:

Lot 2, Block 2 of URBAN PLAINS BY BRANDT SECOND ADDITION, according to the recorded plat thereof on file and of record in the Office of the County Recorder, Cass County, North Dakota.

Containing 7.00 acres, more or less.

Said owner of the above described property, have caused the same to be surveyed and platted as "**URBAN PLAINS BY BRANDT SIXTH ADDITION**" to the City of Fargo.

OWNER:
URBAN PLAINS LAND COMPANY, LLC

_____
Michael Vannett
President

State of North Dakota)
) SS
County of Cass)

On this _____ day of _____ 20___, appeared before me, Michael Vannet - President, URBAN PLAINS LAND COMPANY, LLC, known to me to be the person whose name is subscribed to the above certificate and did acknowledge to me that they executed the same as their own free act and deed.

_____
Notary Public

SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT

I, Jason Ness, 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___.

_____
Jason Ness, PLS
Professional Land Surveyor
Registration No. LS-6884

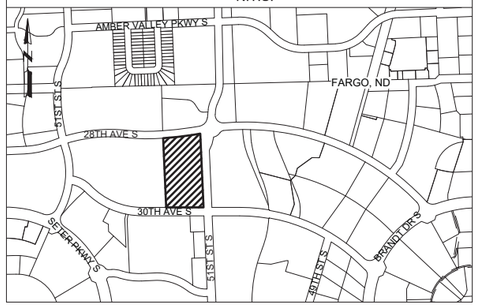
State of North Dakota)
) SS
County of Cass)

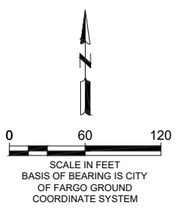
On this _____ day of _____ , 20___, appeared before me, Jason Ness, known to me to be the person whose name is subscribed to the above certificate and did acknowledge to me that he executed the same as his own free act and deed.

_____
Notary Public

VICINITY MAP

N.T.S.





SCALE IN FEET
BASIS OF BEARING IS CITY OF FARGO GROUND COORDINATE SYSTEM

CITY OF FARGO PLANNING COMMISSION APPROVAL

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

_____
Rocky Schneider
Planning Commission Chair

State of North Dakota)
) SS
County of Cass)

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

_____
Notary Public

FARGO CITY COMMISSION APPROVAL

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

_____
Timothy J. Mahoney
Mayor

Attest: _____
Steven Sprague, City Auditor

State of North Dakota)
) SS
County of Cass)

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

_____
Notary Public

CITY OF FARGO ENGINEERING DEPARTMENT APPROVAL

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

_____
Brenda E. Derrig, P.E.
City Engineer

State of North Dakota)
) SS
County of Cass)

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

_____
Notary Public

Mead & Hunt
Phone: 701-566-6450
meadhunt.com

PROJECT NO.
4291800-221036.01
SHEET 1 OF 1

PRELIMINARY

X:\4291800\221036.01\TECH\SURVEY\DRAWINGS\221036 URBAN PLAINS BY BRANDT 6TH ADD.DWG
4/12/2022 10:49:20 AM

Urban Plains by Brandt 6th Addition Draft Conditional Overlay 9 May 22

Current C-O Ord. 5334 for residential use (2021)
Previous C-O Ord. 5103 for commercial use (2017)

Wording is blue is wording in the current C-O (5334) ~~mainly relating to building orientation on the site that is added to the earlier C-O for commercial uses (5103) in order to achieve a look along 51st Street South in the style that was originally envisioned – a more "downtown" looking streetscape.~~

~~1) Description~~

~~This C-O, Conditional Overlay district is primarily intended to encourage high quality, durable, and long lasting investments in order to enhance the quality of life and discourage blight. To that end, it is intended that all properties be designed to a human scale and that buildings should have architectural interest and variety through the use of articulated façades. In order to avoid the effect of a single, long, or massive wall with no relation to human scale, it is intended that articulated façades should include elements such as setbacks, change in materials, roof pitch or height variability.~~

2) Building orientation, form, and style

2.1 Building Orientation

~~a) The commercial buildings shall include pedestrian orientation to 51st Street South.~~

b) The building shall be designed to have all exterior walls with equal design consideration, to include materials, color, articulation and general aesthetics for the purpose of access and appreciation by the general public.

~~2.2 All building elevations/facades greater than 150 feet in length, measured horizontally from vertical edge to vertical edge, shall incorporate wall place projections or recesses. Each projection and/or recess shall have a depth of at least 2 feet, and the cumulative total horizontal width of all projections and/or recesses within a façade shall equate to at least an accumulated total of 20 percent of the overall horizontal length of the façade. No uninterrupted length of any façade shall exceed 150 horizontal feet. First level (ground floor) façade facing away from 51st Street South shall be excluded from the requirements of this section.~~

~~2.3 Ground floor non-parking facades that face public right-of-way shall have arcades, windows, entry areas, awnings, or other such features along no less than 60 percent of its horizontal length.~~

~~2.4 Ground floor parking facades that face public right-of-way other than 51st Street South shall have window or faux window treatments or landscape amenities to aid in creating and promoting pedestrian activity.~~

~~2.5 All buildings, regardless of size, shall have clearly defined, highly visible, public entrances that connect to public spaces, streets, pedestrian paths and plazas with no fewer than two of the following~~

~~i Canopies, awnings, or porticos~~

~~ii. Recesses/projections varying the façade~~

~~iii. Raised corniced parapets over the door~~

~~iv. Peaked roof forms~~

~~v. Arches or arcades~~

~~vi. Entry courts~~

~~vii. Raised landscape planters and/or wing walls integrated with the building~~

~~2.6 Principal Materials – Unless otherwise deemed acceptable by the Zoning Administrator, all exterior walls shall be constructed or clad with natural stone, synthetic stone, brick, stucco, integrally colored and textured concrete masonry units or systems, exterior insulation finishing systems (EIFS), fiber cement, integrated insulated metal panels curtain walls, or glass. All materials shall be commercial grade, durable, and have a multi-generational life span.~~

~~2.7 Accent Materials – In conjunction with the principle materials listed above, the following accent materials may also be used to construct or clad exterior walls: architectural metal panels finished wood, and vinyl. Accent materials shall be applied to no greater than 10 percent of each building façade.~~

~~2.8 Flat roofs and rooftop mechanical equipment, such as HVAC units, shall be concealed from public view at ground level by parapets or other enclosures. The average height of such parapets shall not exceed fifteen percent of the height of the supporting wall.~~

~~2.9 Loading/unloading areas, building service entrances, loading docks, overhead doors, and ground level HVAC units shall be visually screened from adjacent public right-of-way by structures and/or landscaping. All structures used for visual screening shall be constructed or clad with the same or similar aesthetic language or materials used for the primary building.~~

2.10 Dumpsters, refuse containers, and outdoor storage areas shall be located at the side or rear of buildings and shall be visually screened from adjacent public right-of-way by walls or fencing. Dumpsters and refuse containers shall contain walls or fencing on at least three sides with the service opening not directly facing any public right-of-way or residentially zoned property. The fourth side shall incorporate a gate to visually screen the dumpsters or refuse containers.

3) Site Design

~~3.1 Building must be situated towards the east along 51st Street South so that it is placed no further back than the required setback.~~

3.2 Surface parking lots shall not be oriented between buildings and 51st Street South boulevards.

3.3 Accessory garages are prohibited with the exception of the Western 120 ft of the property provided that the accessory garages are not visible from 51st Street South and are screened with site amenities from the other Rights-of-Way

3.4 Visibility from public right of way shall be designed for the appreciation by the general public with

the use of landscaping enhancements along the public right of way in order to encourage pedestrian activity on the public sidewalks and amongst adjacent sites.

3.5 Separate vehicular and pedestrian circulation systems shall be provided. An on-site system of pedestrian walkways shall be provided between building entrances and the following:

i. Parking lots or parking structures
ii. Any public sidewalk or multi-use path along the perimeter of the lot
iii. Entrances of other buildings on the site
iv. Any public sidewalk system along the perimeter streets adjacent to the development
v. Adjacent pedestrian origins and destinations—including but not limited to transit stops, residential development, office buildings, and retail shopping buildings— where deemed practical and appropriate by the Zoning Administrator.

4) Prohibited Uses

For the purposes of this Conditional Overlay, the following uses are prohibited:

4.1 Portable advertising signs

4.2 Detention facilities

4.3 Self-service storage

4.4 Vehicle repair

4.5 Vehicle service, limited

4.6 Off-premise advertising

~~5) Conditional Uses~~

~~For the purposes of this Conditional Overlay, the following uses require approval of a Conditional Use Permit in accordance with Section 20-0909 of the LDC:~~

~~5.1~~

6) Definitions

For the purposes of this Conditional Overlay, the following terms shall have the meanings ascribed to them:

6.1 Façade: Any exterior side of a building as viewed from a single direction. Said direction is typically perpendicular to the exterior side of the building being viewed.

6.2 Depth: A horizontal distance that is perpendicular to a building façade.

6.3 Elevation: A horizontal orthographic projection of a building on to a vertical plane, the vertical plane being parallel to one side of the building

Urban Plains by Brandt 6th Addition Draft Conditional Overlay REVISED 1 June 22

Applies to Lots 1 and 2, Block 1 of Urban Plains by Brandt 6th Addition, zoned LC, Limited Commercial

1) Building orientation, form, and style

1.1 Building Orientation

a) The building shall be designed to have all exterior walls with equal design consideration, to include materials, color, articulation and general aesthetics for the purpose of access and appreciation by the general public.

1.2 Dumpsters, refuse containers, and outdoor storage areas shall be located at the side or rear of buildings and shall be visually screened from adjacent public right-of-way by walls or fencing. Dumpsters and refuse containers shall contain walls or fencing on at least three sides with the service opening not directly facing any public right-of-way or residentially zoned property. The fourth side shall incorporate a gate to visually screen the dumpsters or refuse containers.

2) Site Design

2.1 Surface parking lots shall not be oriented between buildings and 51st Street South boulevards.

2.2 Accessory garages are prohibited with the exception of the Western 120 ft of the property provided that the accessory garages are not visible from 51st Street South and are screened with site amenities from the other Rights-of-Way

2.3 Visibility from public right of way shall be designed for the appreciation by the general public with the use of landscaping enhancements along the public right of way in order to encourage pedestrian activity on the public sidewalks and amongst adjacent sites.

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ii. Any public sidewalk or multi-use path along the perimeter of the lot
iii. Entrances of other buildings on the site
iv. Any public sidewalk system along the perimeter streets adjacent to the development
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4.2 Depth: A horizontal distance that is perpendicular to a building façade.

4.3 Elevation: A horizontal orthographic projection of a building on to a vertical plane, the vertical plane being parallel to one side of the building

Agenda Item #	4

City of Fargo *Staff Report*			
Title:	Asleson Commercial Third Addition	**Date:**	6/2/2022
Location:	4252 and 4266 32nd Avenue south	**Staff Contact:**	Donald Kress, planning coordinator
Legal Description:	Lots 2, 3, and 4, Block 1, Asleson Commercial Second Addition to the City of Fargo, Cass County, North Dakota		
Owner(s)/Applicant:	Contractors Leasing; City of Fargo/ Don Dabbert, Dabbert Custom Homes	**Engineer:**	Moore Engineering
Entitlements Requested:	**Minor Subdivision** (Replat of Lots 2, 3, and 4, Block 1, Asleson Commercial Second Addition to the City of Fargo, Cass County, North Dakota)		
Status:	Planning Commission Public Hearing: June 7th, 2022		

Existing		**Proposed**
Land Use: Undeveloped		**Land Use:** Commercial; access
Zoning: GC, General Commercial		**Zoning:** No change proposed
Uses Allowed: GC – General Commercial. Allows colleges, community service, daycare centers of unlimited size, detention facilities, health care facilities, parks and open space, religious institutions, safety services, adult entertainment centers, offices, off-premise advertising, commercial parking, outdoor recreation and entertainment, retail sales and service, self storage, vehicle repair, limited vehicle service, basic utilities, telecommunications structures		**Uses Allowed:** No change proposed
Maximum Lot Coverage Allowed: 85%		**Maximum Lot Coverage Allowed:** 85%

Proposal:

The applicant requests three entitlements:

1. A minor subdivision, entitled **Asleson Commercial Third Addition,** which is a replat of Lots 2, 3, and 4, Block 1, Asleson Commercial Second Addition to the City of Fargo, Cass County, North Dakota

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

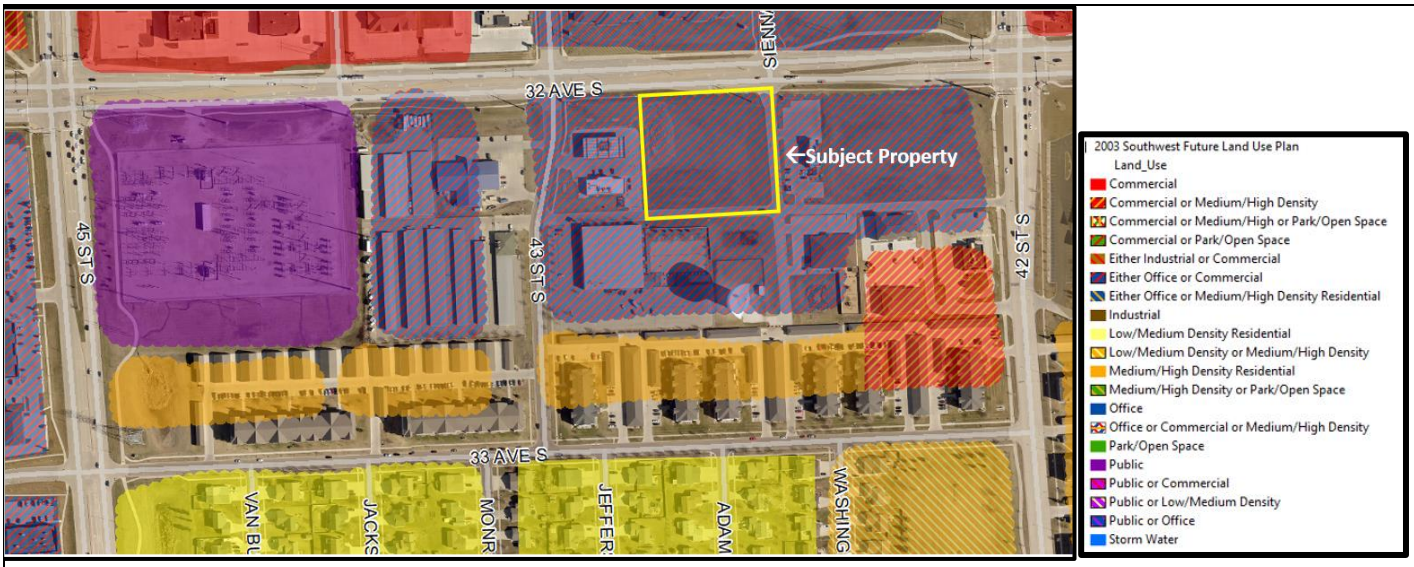
Surrounding Land Uses and Zoning Districts:

- North: GC; offices
- East: LC, Limited Commercial; restaurant
- South: GC; restaurant and City-owned water tower
- West: GC; convenience store

Area Plans:

The subject property is located within the 2003 Southwest Future Land Use Plan. This plan designates the subject property primarily as "Either Commercial of Office." The existing GC, Limited Commercial zoning is consistent with this land use designation. No change from the GC zoning is proposed

(continued on next page)



Context:

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

Neighborhood: The subject property is located in the Pointe West neighborhood

Parks: Pointe West Park (3331 42nd South) is located approximately 0.25 miles southeast of the subject property and offers a playground for ages 5-12 and a soccer field.

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

Staff Analysis:

The applicant proposes to replat of Lots 2, 3, and 4, Block 1, Asleson Commercial Second Addition to create a two-lot subdivision, Asleson Commercial Third Addition. Lot 1 of the proposed plat is intended for commercial development. Lot 2 is intended as a City-owned lot that provides access to the City water tower south of this property. This lot is not dedicated right of way.

The plat vacates public utility easements along the existing common lot lines of Lots 2 and 3 and Lots 3 and 4. It is the applicant's responsibility to contact all potential utility providers and document that there are no utilities in these easements. City staff reviews the applicant's documentation.

The current zoning is GC, General Commercial. No zone change is proposed.

Subdivision

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

1. **Section 20-0907.B.3 of the LDC stipulates that the Planning Commission recommend approval or denial of the application, based on whether it complies with the adopted Area Plan, the standards of Article 20-06 and all other applicable requirements of the Land Development Code. Section 20-0907.B.4 of the LDC further stipulates that a Minor Subdivision Plat shall not be approved unless it is located in a zoning district that allows the proposed development and complies with the adopted Area Plan, the standards of Article 20-06 and all other applicable requirements of the Land Development Code.**
   The current zoning is GC, General Commercial. 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, Planning staff has received no comments or inquiries. The project has been reviewed by the city's Planning, Engineering, Public Works, Inspections, and Fire Departments. **(Criteria Satisfied)**

(continued on next page)

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

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

Staff Recommendation:

Suggested Motion: "To accept the findings and recommendations of staff and recommend approval to the City Commission of the proposed **Asleson Commercial Third Addition** subdivision plat as presented; as the proposal complies with the 2003 Southwest Future Land Use Plan, Standards of Article 20-06, and Section 20-0907.B. and C of the LDC and all other applicable requirements of the LDC.

Planning Commission Recommendation: June 7th, 2022

Attachments:

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

Plat (Minor)

Asleson Commercial Third Addition

4252 & 4266 32nd Avenue S

THE CITY OF Fargo FAR MORE

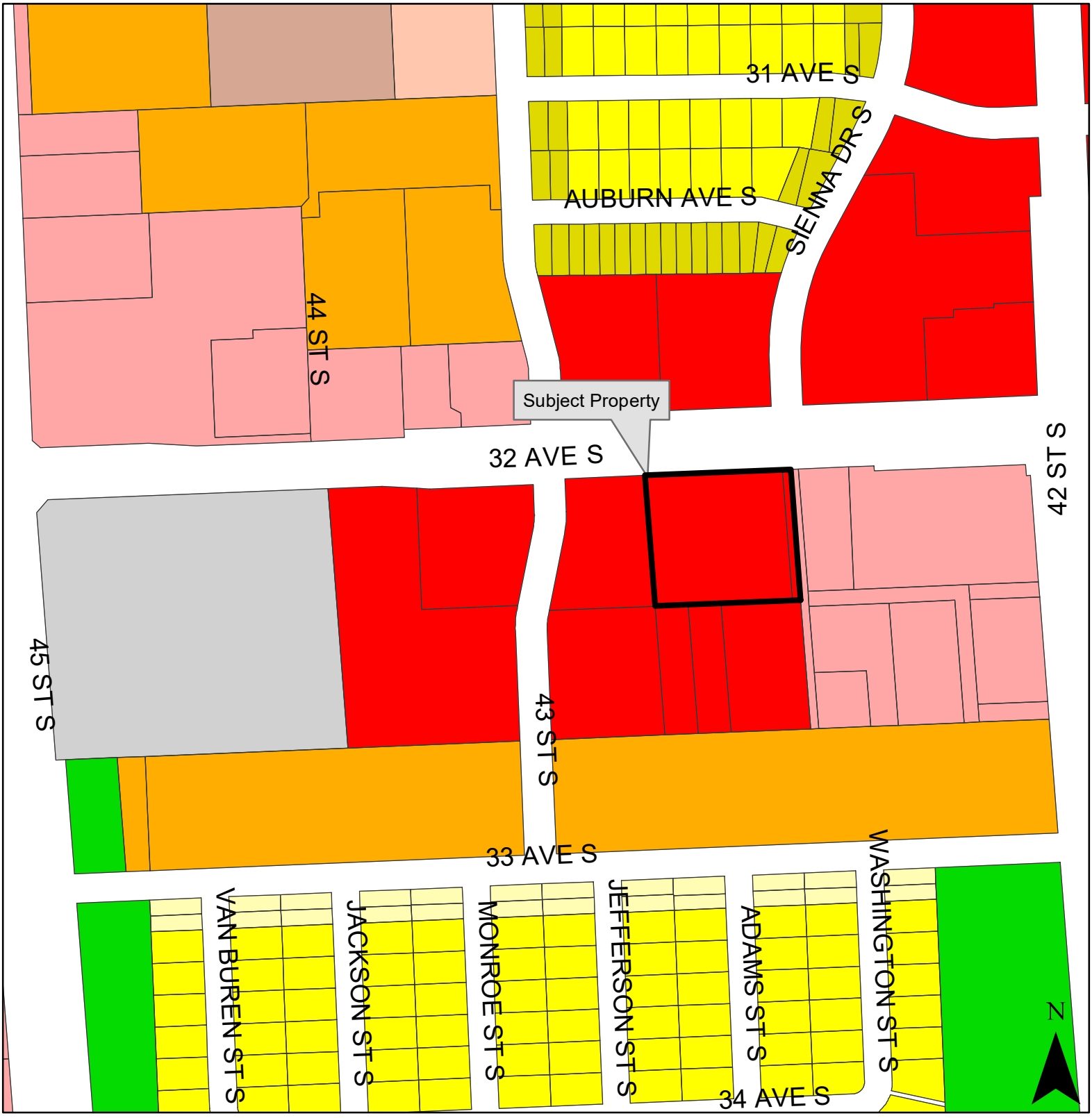
300 Feet

Fargo Planning Commission
June 7, 2022

Plat (Minor)

Asleson Commercial Third Addition

4252 & 4266 32nd Avenue S



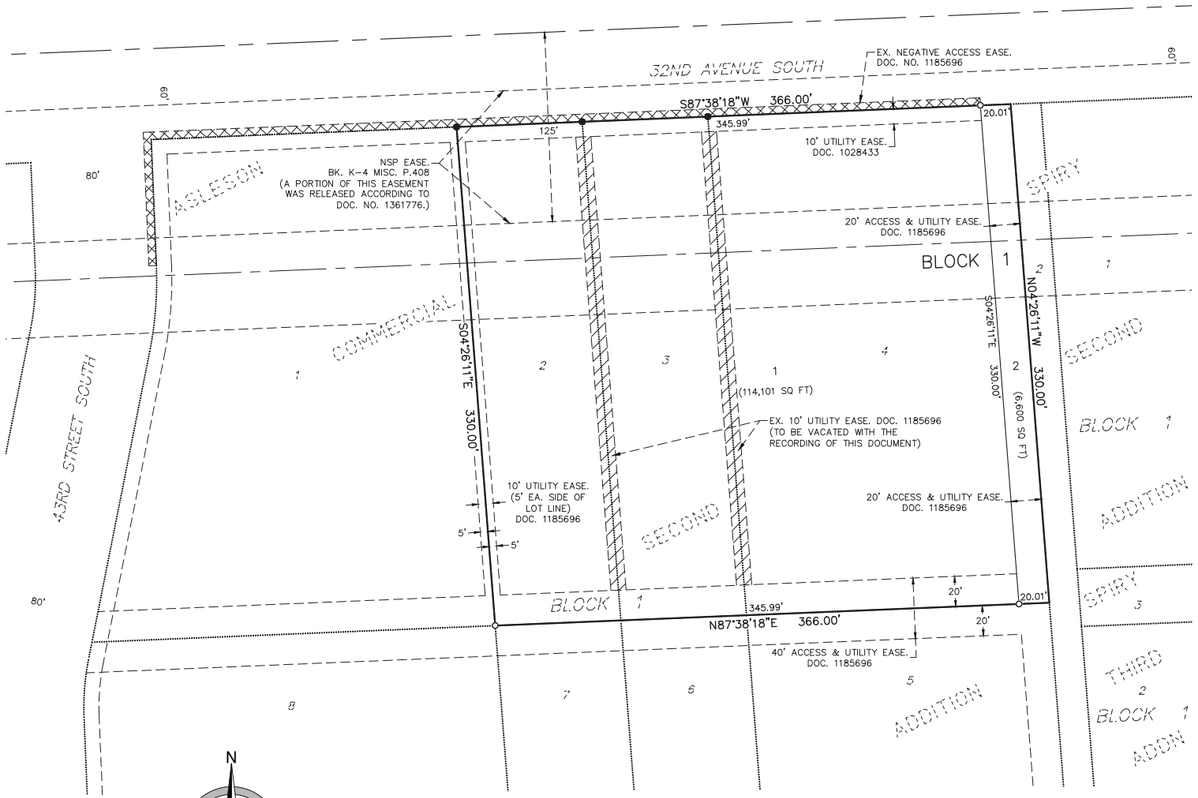
THE CITY OF Fargo FAR MORE

Legend

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

300 Feet

Fargo Planning Commission
June 7, 2022



LEGEND

- IRON MONUMENT FOUND
- SET 5/8"X18" REBAR WITH YELLOW PLASTIC CAP #6571
- SECTION LINE
- PLAT BOUNDARY LINE
- LOT LINE
- EASEMENT LINE
- EXISTING LOT LINE
- EXISTING UTILITY EASEMENT TO BE VACATED WITH THE RECORDING OF THIS DOCUMENT
- EXISTING NEGATIVE ACCESS EASEMENT

BASIS OF BEARINGS: THE NORTH LINE OF ASLESON COMMERCIAL SECOND ADDITION HAS A RECORD BEARING OF S87°38'18"W ACCORDING TO THE RECORDED PLAT THEREOF.

EASEMENT OF RECORD:

1. 10' NORTHWESTERN BELL TELEPHONE COMPANY EASEMENT, DOC. NO. 674415.

NOTE:

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

FARGO PLANNING COMMISSION APPROVAL

THIS PLAT IN THE CITY OF FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 2022.

_____
ROCKY SCHNEIDER, CHAIR

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2022, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED ROCKY SCHNEIDER, CHAIR OF THE FARGO PLANNING COMMISSION, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE NAME OF THE FARGO PLANNING COMMISSION.

_____
NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

CITY ENGINEER'S APPROVAL

THIS PLAT IN THE CITY OF FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 2022.

_____
BRENDA E. DERRIG, P.E.
CITY ENGINEER

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2022, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED BRENDA E. DERRIG P.E., CITY ENGINEER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME AS HER OWN FREE ACT AND DEED.

_____
NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

A MINOR SUBDIVISION PLAT OF

ASLESON COMMERCIAL THIRD ADDITION

TO THE CITY OF FARGO, A REPLAT OF LOTS 2, 3 AND 4, BLOCK 1, ASLESON COMMERCIAL SECOND ADDITION, CASS COUNTY, NORTH DAKOTA

CERTIFICATE

STEVEN W. HOLM, BEING DULY SWORN, DEPOSES AND SAYS THAT HE IS THE REGISTERED LAND SURVEYOR WHO PREPARED AND MADE THE ATTACHED PLAT OF "ASLESON COMMERCIAL THIRD ADDITION" TO THE CITY OF FARGO, A REPLAT OF LOTS 2, 3, AND 4, BLOCK 1, ASLESON COMMERCIAL SECOND ADDITION, CASS COUNTY, NORTH DAKOTA; THAT SAID PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE SURVEY THEREOF; THAT ALL DISTANCES ARE CORRECTLY SHOWN ON SAID PLAT; THAT MONUMENTS HAVE BEEN PLACED IN THE GROUND AS INDICATED FOR THE GUIDANCE OF FUTURE SURVEYS AND THAT SAID ADDITION IS DESCRIBED AS FOLLOWS, TO WIT:

LOTS 2, 3 AND 4, BLOCK 1, ASLESON COMMERCIAL THIRD 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 2.77 ACRES, MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD, IF ANY.

_____
STEVEN W. HOLM
REGISTERED LAND SURVEYOR
REG. NO. LS-6571

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2022, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED STEVEN W. HOLM, REGISTERED LAND SURVEYOR, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS OWN FREE ACT AND DEED.

_____
NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

DEDICATION

WE, THE UNDERSIGNED, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LAND DESCRIBED IN THE PLAT OF "ASLESON COMMERCIAL THIRD ADDITION" TO THE CITY OF FARGO, A REPLAT OF LOTS 2, 3, AND 4, BLOCK 1, ASLESON COMMERCIAL SECOND ADDITION, CASS COUNTY, NORTH DAKOTA; THAT WE HAVE CAUSED IT TO BE PLATTED INTO LOTS AND BLOCKS AS SHOWN BY SAID PLAT AND CERTIFICATE OF STEVEN W. HOLM, REGISTERED LAND SURVEYOR, AND THAT THE DESCRIPTION AS SHOWN IN THE CERTIFICATE OF THE REGISTERED LAND SURVEYOR IS CORRECT.

OWNER OF LOT 1:
CONTRACTOR'S LEASING

_____
DON DABBERT, _____

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2022, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED DON DABBERT, _____ _ OF CONTRACTOR'S LEASING, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE NAME OF CONTRACTOR'S LEASING.

_____
NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

OWNER OF LOT 2: CITY OF FARGO

_____
TIMOTHY J. MAHONEY, MAYOR

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2022, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED TIMOTHY J. MAHONEY, MAYOR, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE NAME OF THE CITY OF FARGO.

_____
NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

FARGO CITY COMMISSION APPROVAL

THIS PLAT IN THE CITY OF FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 2022.

_____ _____
TIMOTHY J. MAHONEY, MAYOR STEVEN SPRAGUE, CITY AUDITOR

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2022, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED TIMOTHY J. MAHONEY, MAYOR AND STEVEN SPRAGUE, CITY AUDITOR, KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THE NAME OF THE CITY OF FARGO.

_____
NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

Agenda Item #	E.1

City of Fargo *Staff Report*			
Title:	**Bentley Place First Addition**	**Date:**	6/02/2022
Location:	3271 Seter Parkway South (PUD also includes 5601 33 Avenue South)	**Staff Contact:**	Maegin Elshaug
Legal Description:	Lot 6, Block 1, Bentley Place First Addition		
Owner(s)/Applicant:	Bentley Place Properties LLC / Jon Youness	**Engineer:**	N/A
Entitlements Requested:	Planned Unit Development (PUD) Final Plan		
Status:	Planning Commission Review: June 7,2022		

Existing	**Proposed**
Land Use: mixed use and undeveloped	**Land Use:** mixed-use development
Zoning: LC, Limited Commercial with a C-O, Conditional Overlay	**Zoning:** unchanged
Uses Allowed: LC: Allows colleges, community service, daycare centers of unlimited size, health care facilities, parks and open space, religious institutions, safety services, basic utilities, offices, ~~off premise advertising signs,~~ commercial parking, retail sales and service, self service storage, ~~vehicle repair,~~ limited vehicle service, some telecommunications structures, ~~portable signs~~ **PUD allows residential and restricts some uses**	**Uses Allowed:** unchanged
Maximum Lot Coverage Allowed and Density: maximum 55% building coverage and minimum of 18 dwelling units per acre per the PUD	**Maximum Lot Coverage Allowed and Density:** unchanged

Proposal:

The petitioner is seeking approval of a PUD Final Plan of the second phase as outlined in Section 20-0908.D of the Land Development Code. Approval of a PUD Final Plan is the third and final step in the PUD process.

Background:
In March 2020, a zoning map amendment from LC, Limited Commercial with a C-O, Conditional Overlay to LC with a PUD (Planned Unit Development) overlay zoning district (Ordinance 5246) was approved by the City Commission for the subject property, along with a PUD Master Land Use Plan. The PUD zoning overlay and PUD Master Land Use Plan are the first two steps in the three-step PUD approval process and the PUD Final Plan is the last step. The purpose of the PUD Final Plan is to confirm that the final development plans are consistent with the intent and layout of the PUD master land use plan (copies of each plan attached).

The first phase of the Final Plan was reviewed and approved by the Planning Commission in October 2020. The applicant has now submitted a Final Plan for the next phase of the project. As the project continues to develop, the applicant will submit phases of the Final Plan for review by the Planning Commission. The applicant has also submitted for a building permit, where all review departments will review the plans for compliance with their respective codes.

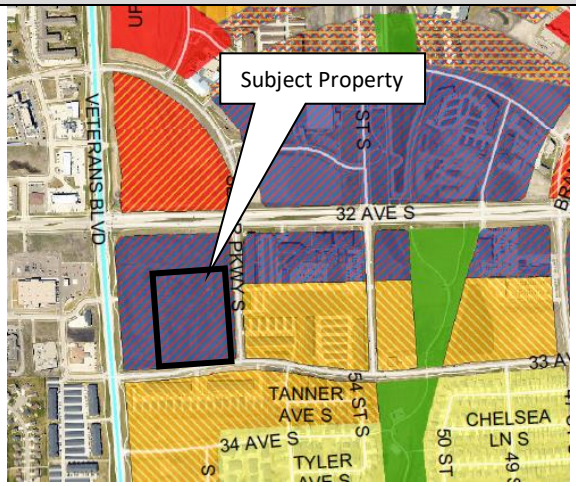
Surrounding Zoning Districts and Land Uses:

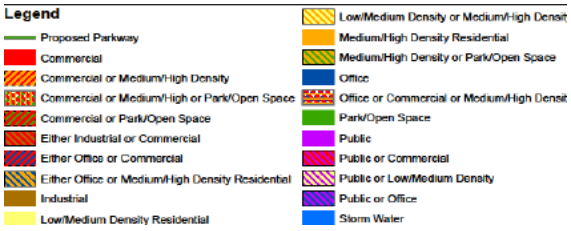
- North: LC, Limited Commercial with a C-O, Conditional Overlay with vacant land;
- East: Across Seter Parkway South is MR-3, Multi-Dwelling Residential;
- South: Across 33 Avenue South is MR-3, Multi-Dwelling Residential;

- West: LC, Limited Commercial with a C-O, Conditional Overlay with commercial use and vacant land.

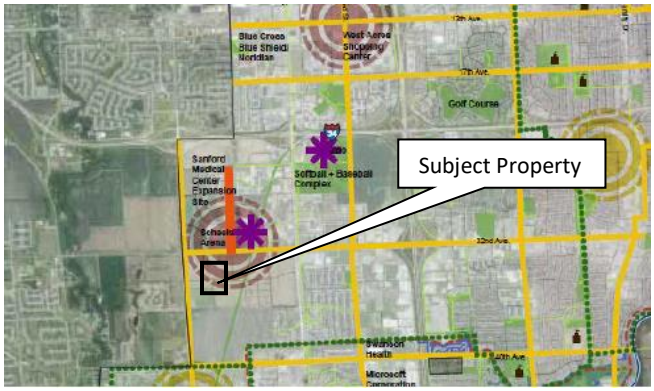
Area Plans:

The subject property was originally part of the Southwest Area Plan as designated within the *Urban Fringe and Extraterritorial Area of the City of Fargo* land use plan adopted in 2001. This area was most recently updated in 2010 (see exhibit to right), which shows the subject property as being appropriate for Office or Commercial uses.





As illustrated to the right, the Go2030 Comprehensive Plan identifies this area as a *sustainable retail mixed-use center* (one of three types of *walkable mixed-use centers*), stating that, "These areas have the potential to become denser and incorporate more retail space. These areas can incorporate more dense residential uses, walkability improvements, and public art to become true mixed use centers and a destination for shopping and entertainment."



Context:

Neighborhood: Brandt Crossing

Schools: The subject property is located within the bounds of the West Fargo School District, specifically the Independence Elementary, Liberty Junior High and Sheyenne High Schools.

Parks: The subject property is located approximately a quarter-mile from Urban Plains Park (3020 51 Street South) and Brandt Crossing Park (5009 33 Avenue South), providing amenities of bike rentals, playgrounds, trails, shelters and shelter rental, basketball courts, and a dog park.

Pedestrian / Bicycle: A shared use trail is located along the south side of 33 Avenue South, which connects to shared use trails along Veterans Boulevard and 32nd Avenue South, which connects to the metro area trail system.

Transit: Route 24 runs along 32nd Avenue South and for a portion of Veterans Boulevard nearby the subject property.

Staff Analysis:

PUD Final Plan Section 20-0908.D: The LDC stipulates that the Planning Commission shall approve the PUD Final plan if it is determined to be in substantial compliance with the approved PUD Master Land Use Plan. The PUD Final Plan shall be deemed to be in compliance so long as, when compared with the PUD Master Land Use Plan, it does not result in:

1. **An increase in project density or intensity, including the number of housing units per acre or the amount of nonresidential floor area per acre;**
   There has been no change in project density or intensity. **(Criteria Satisfied)**

2. **A change in the mix of housing types or the amount of land area devoted to nonresidential uses;**
   There has been no change in the mix of housing types or the amount of land devoted to nonresidential uses. **(Criteria Satisfied)**

3. **A reduction in the amount of open space;**
   Open space has remained unchanged. **(Criteria Satisfied)**

4. **Any change to the vehicular system that results in a significant change in the amount or location of streets, common parking areas, and access to the PUD;**
   Staff finds the change in common parking areas and reduction of access points do not constitute a significant change. **(Criteria Satisfied)**

5. **Any change within 50 feet of any SR or MR zoning district;**
   There has been no change within 50 feet of any SR or MR zoning district. **(Criteria Satisfied)**

6. **Any change determined by the Planning Commission to represent an increase in development intensity;**
   There has been no increase in development intensity. **(Criteria Satisfied)**

7. **A substantial change in the layout of buildings.**
   There has been no substantial change in the layout of the buildings. The developer is installing a temporary stormwater pond in the northwest corner until the area is further developed. During review of the PUD Master Plan, it was noted that the developer is contemplating the number of structures and location on the north portion of the property. **(Criteria Satisfied)**

Staff Recommendation:

"To accept the findings and recommendations of staff and hereby approve the Planned Unit Development Final Plan for the Bentley Place First Addition, as depicted in this packet, as the proposal complies with the PUD Master Land Use Plan, Section 20-0908.D of the LDC, and all other requirements of the LDC"

Planning Commission Recommendation: June 7, 2022

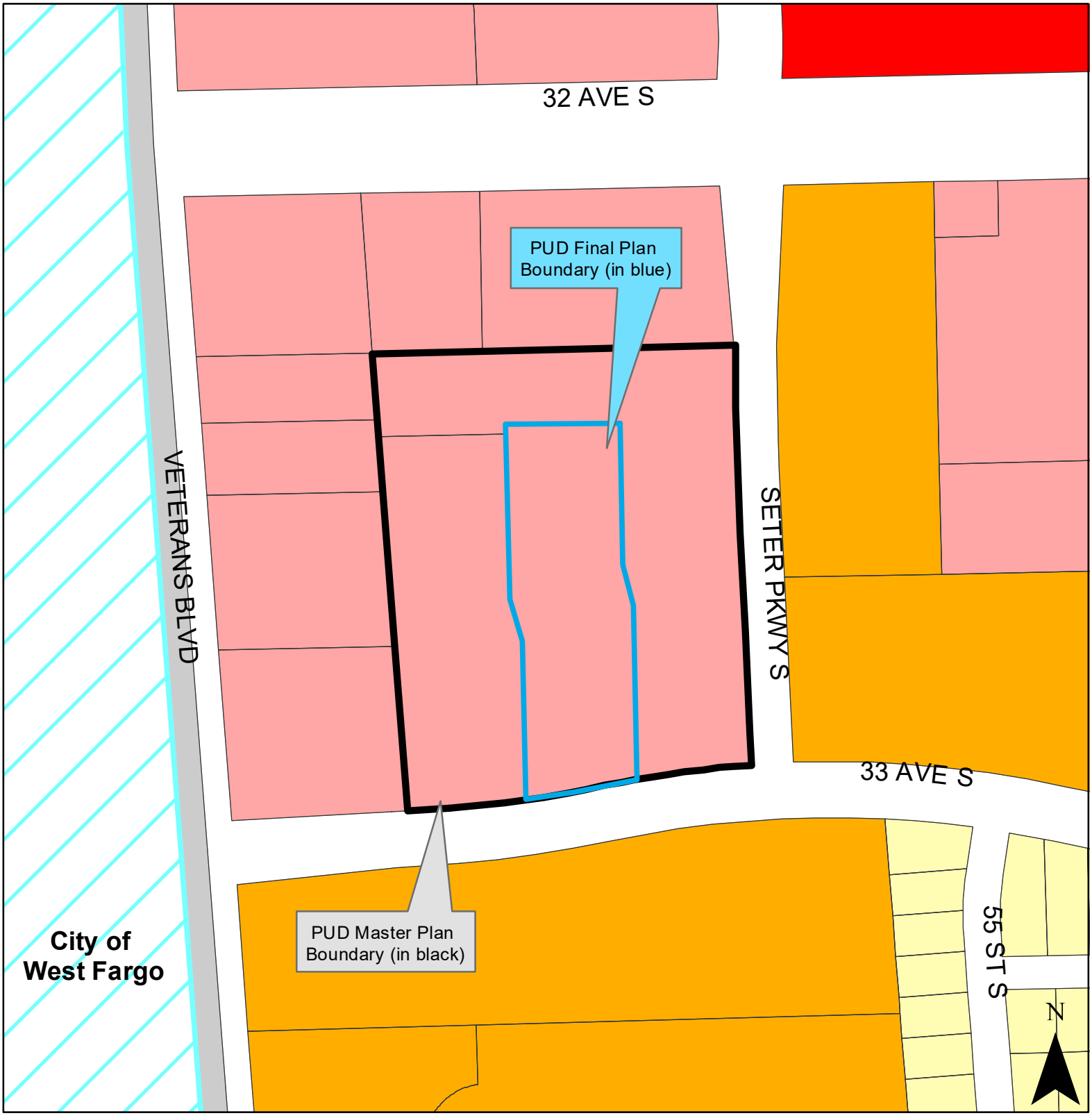
Attachments:

1. Zoning Map
2. Location Map
3. PUD Master Land Use Plan
4. PUD Final Plan

Planned Unit Development Master Plan

Bentley Place First Addition

3271 Seter Parkway S
(PUD also includes 5601 33rd Avenue S)



THE CITY OF Fargo FAR MORE

Legend

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

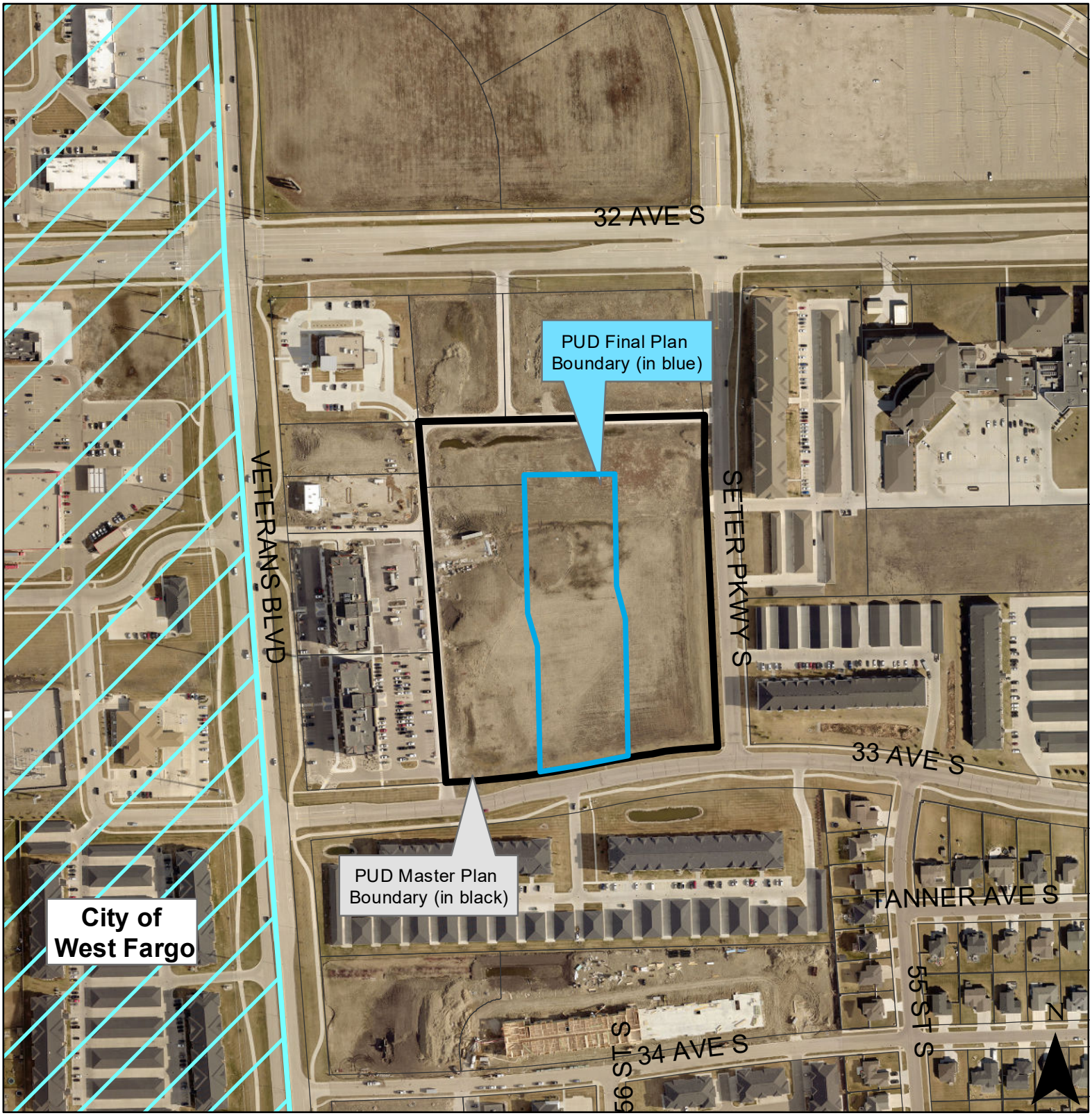
300 Feet

Fargo Planning Commission
June 7, 2022

Planned Unit Development Master Plan

Bentley Place First Addition

3271 Seter Parkway S
(PUD also includes 5601 33rd Avenue S)



THE CITY OF Fargo FAR MORE

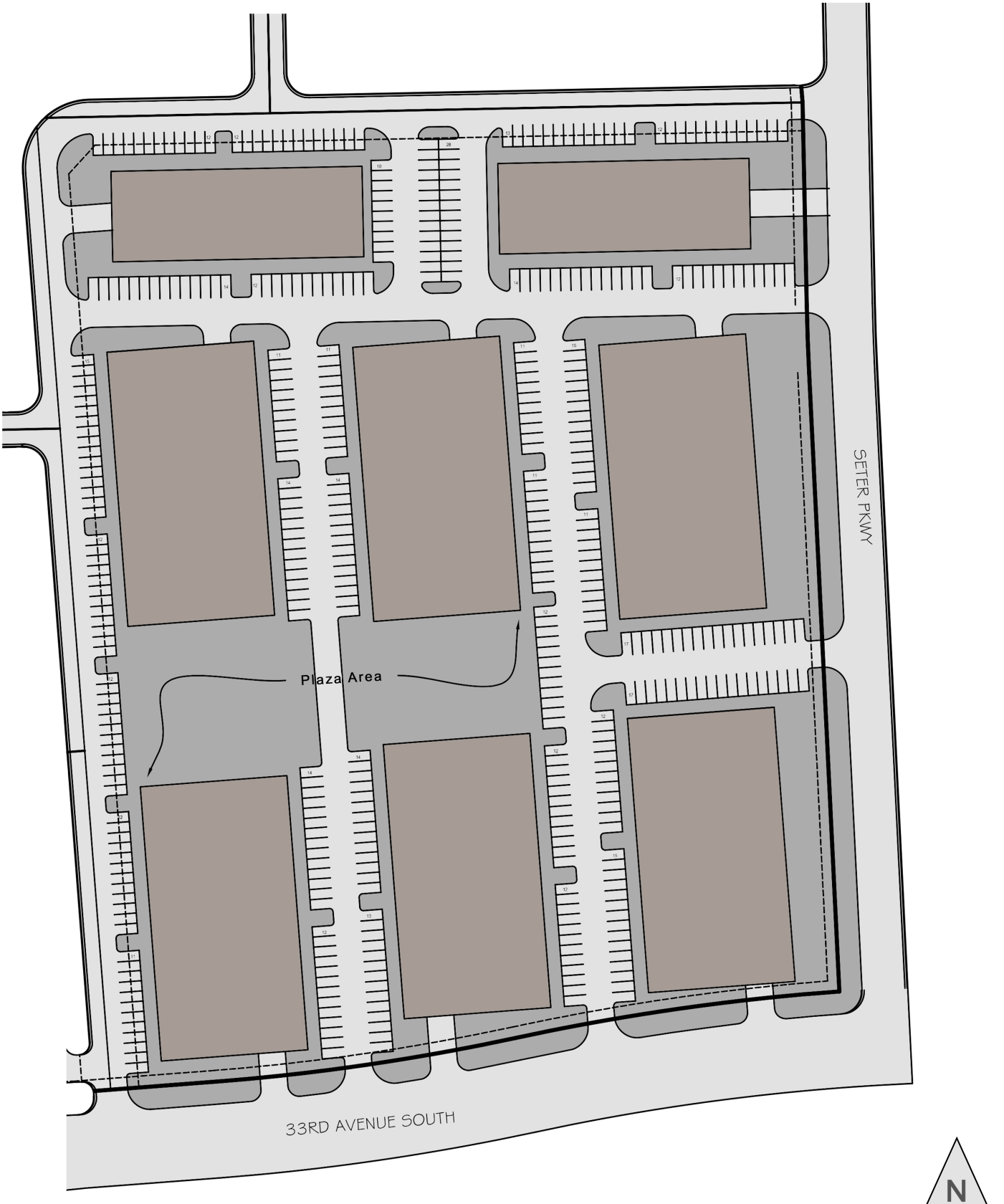
300
Feet

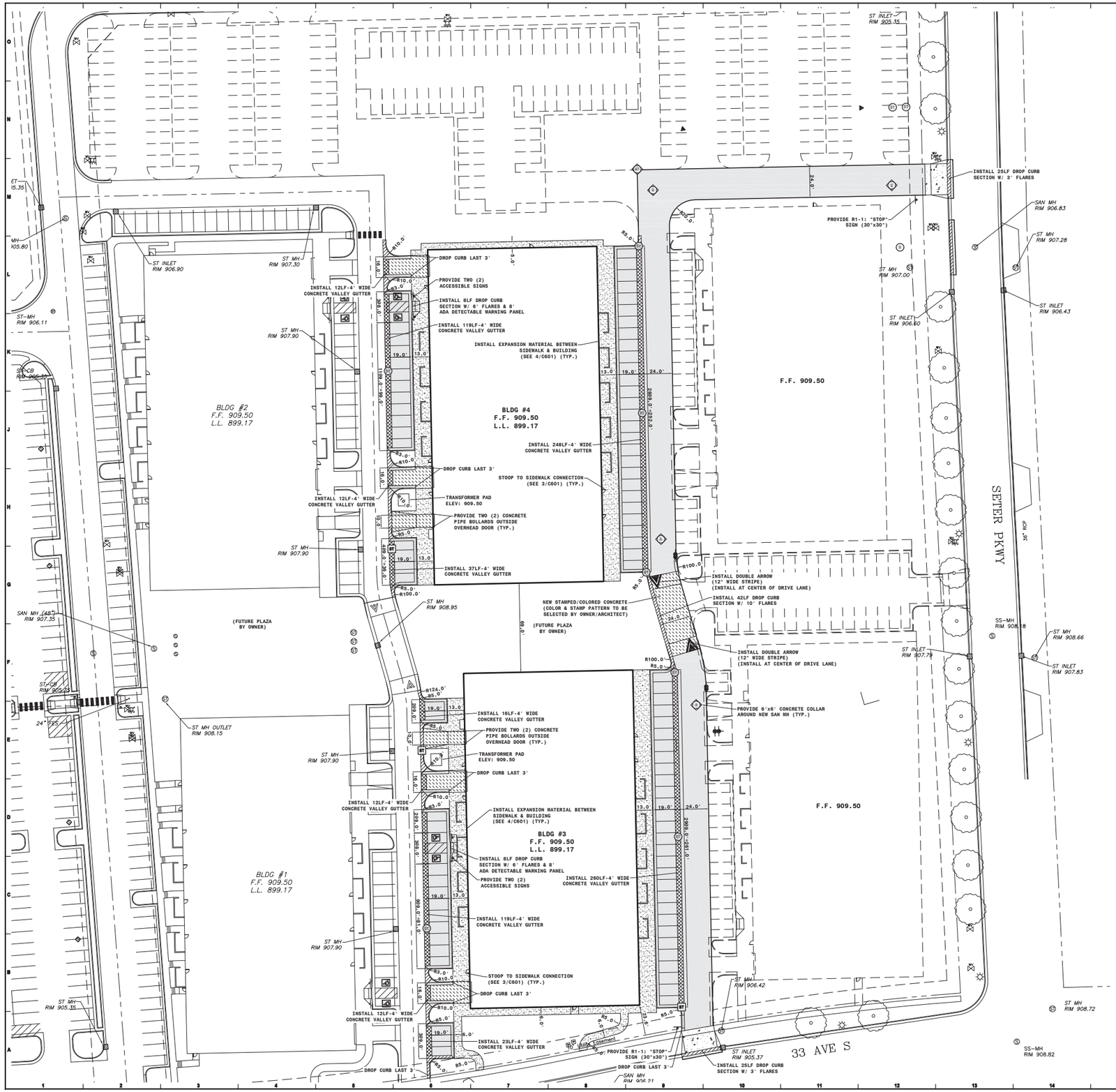
Fargo Planning Commission
June 7, 2022

EagleRidge Plaza Mixed Use

PUD Master Land Use Plan - January 29, 2020

EAGLERIDGE DEVELOPMENT
eagleridgedevelopment.com





N

W E

S

0 15 30 60

SCALE: 1 INCH = 30 FEET

SYMBOL LEGEND:

- EXISTING PROPERTY LINE
- EXISTING EASEMENT LINE
- EXISTING STORM MANHOLE
- EXISTING STORM INLET
- EXISTING SANITARY MANHOLE
- EXISTING CLEANOUT
- EXISTING FIRE HYDRANT
- EXISTING GATE VALVE
- EXISTING LIGHT POLE
- EXISTING COMMUNICATIONS PEDESTAL
- EXISTING TREE
- NEW GATE VALVE
- NEW FIRE HYDRANT
- NEW SANITARY MANHOLE
- NEW STORM INLET
- NEW STORM MANHOLE
- NEW FLARED END SECTION
- NEW SIGN
- 901 NEW POND CONTOUR LINE
- NEW 4" REINFORCED CONCRETE SIDEWALK
- NEW 6" REINFORCED CONCRETE PAVEMENT
- NEW 7" REINFORCED CONCRETE PAVEMENT
- NEW 4' WIDE CONCRETE VALLEY GUTTER
- NEW 6" ASPHALT PAVEMENT
- MATCH EXISTING ASPHALT SECTION (FIELD VERIFY)
- NEW TYPE 1 STANDARD CONCRETE CURB & GUTTER
- NEW TYPE 2 STANDARD CONCRETE CURB & GUTTER

PLAN NOTES:

1. ALL WORK SHALL COMPLY WITH THE MOST RECENT CITY OF FARGO STANDARD SPECIFICATIONS FOR CONSTRUCTION OF PUBLIC UTILITIES.
2. CONTRACTOR SHALL NOTIFY UTILITY COMPANIES FOR UNDERGROUND LOCATIONS 48 HOURS PRIOR TO BEGINNING CONSTRUCTION. NORTH DAKOTA ONE CALL PHONE NUMBER: 1-800-795-0555
3. CONTRACTOR SHALL PROTECT ALL PROPERTY PINS. PROPERTY PINS DESTROYED OR DISTURBED SHALL BE REPLACED AT CONTRACTORS EXPENSE.
4. IF THE LAND BOUNDARY DENOTED ON THE PLANS ENCOMPASSES MORE THAN ONE (1) ACRE OR IS LESS THAN ONE (1) ACRE, BUT IS PART OF A LARGER DEVELOPMENT PLAN, A NOTICE OF INTENT TO OBTAIN A STORM WATER POLLUTION PERMIT SHALL BE ACQUIRED BY THE CONTRACTOR AND OWNER FROM THE NORTH DAKOTA STATE HEALTH DEPARTMENT SEVEN (7) DAYS PRIOR TO CONSTRUCTION.
5. CONTRACTOR SHALL MAINTAIN TEMPORARY EROSION CONTROL UNTIL PERMANENT EROSION CONTROL IS ESTABLISHED.
6. CONTRACTOR SHALL ACQUIRE AN EROSION SEDIMENT CONTROL (ESC) PERMIT FROM THE CITY OF FARGO PRIOR TO START OF CONSTRUCTION.
7. CONTRACTOR SHALL COORDINATE TAPPING OF THE EXISTING WATERMAIN WITH THE CITY OF FARGO MAINS AND HYDRANTS DEPARTMENT. CALL (701)241-1453
8. ALL GRASSED AREAS DISTURBED BY CONSTRUCTION SHALL BE TOPSOILED (6" DEPTH), GRADED, SEEDED, AND HYDRO-MULCHED.
9. EXCAVATION OR OTHER WORK IN THE RIGHT-OF-WAY SHALL REQUIRE A TRAFFIC CONTROL PLAN THAT MEETS ALL MUTCD REQUIREMENTS; THIS PLAN IS REQUIRED BEFORE ANY PERMITS TO WORK IN THE RIGHT-OF-WAY WILL BE ISSUED.
10. THE CITY OF FARGO INSPECTIONS DEPARTMENT MUST BE NOTIFIED TO INSPECT THE CONNECTION OF THE SITE STORMWARTER SYSTEM TO THE CITY OF FARGO STORMWATER SYSTEM. ENSURE THE EXCAVATION IS KEPT OPEN FOR THIS INSPECTION.
11. IF A STREETLIGHT REQUIRES TEMPORARY OR PERMANENT RELOCATION, CONTACT DAVE HELLAND AT (701)241-1557

BENCHMARKS:

BM-1: TOP NUT OF HYDRANT LOCATED SOUTH OF 33RD AVE S & APPROXIMATELY 340' WEST OF THE INTERSECTION OF 33RD AVE W & SETER PARKWAY
ELEV: 909.27 (NAVD 88)

EAGLERIDGE MIXED-USE 3 & 4

EAGLERIDGE DEVELOPMENT

FARGO, NORTH DAKOTA

KEYNOTES

BID SET 4-1-22

EAGLERIDGE DEVELOPMENT

MBN ENGINEERING

MECHANICAL * ELECTRICAL * CIVIL

503 7TH ST. N , SUITE 200
FARGO, ND 58102
PHONE: 701.478.6336
FAX: 701.478.6340

REGISTERED PROFESSIONAL ENGINEER
ANTHONY K. ELKINS
PE-8864
DATE
NORTH DAKOTA

YHR PARTNERS
ARCHITECTURE | PLANNING
420 Main Avenue
Moorhead, Minnesota 56560
Telephone: (218)233-4422

PROJECT NUMBER: 1811-19

PRELIMINARY - NOT FOR CONSTRUCTION

PAVING PLAN

C500

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