#### FARGO PLANNING COMMISSION AGENDA Tuesday, November 1, 2022 at 3:00 p.m.

A: Approve Order of Agenda

B: Minutes: Regular Meeting of October 4, 2022

C: Public Hearing Items:

- 1. Hearing on an application requesting a Plat of **Valley View Tenth Addition** (Minor Subdivision) a replat of Lot 5, Block 1, Valley View 8th Addition, to the City of Fargo, Cass County, North Dakota. (Located at 3680 Veterans Boulevard South) (EPIC Holdings II, LLC) (dk)
- 2. Hearing on an application requesting a Conditional Use Permit for an Alternative Access Plan for a parking reduction on Lot 1, Block 1, **Ulteig Addition**. (Located at 3540 and 3550 38th Avenue South) (I-29 Investments LLC/Steve Schilke) (Im)
- 3. Hearing on an application requesting a Plat of Calico Prairie Third Addition (Minor Subdivision) a replat of Lots 1 and 2, Block 1, Calico Prairie 2nd Addition to the City of Fargo, Cass County, North Dakota. (Located at 4404 26th Avenue South and 4441 Calico Drive South) (Western North Dakota Dev LLC/Goldmark Design and Development) (bg)
- D: Other Items:
- 1. Review of Fargo/Moorhead Metropolitan Bicycle and Pedestrian Plan

Planning Commission meetings are broadcast live on cable channel TV Fargo 56 and can be seen live at <a href="https://www.FargoND.gov/streaming">www.FargoND.gov/streaming</a>. 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 <a href="https://www.FargoND.gov/PlanningCommission">www.FargoND.gov/PlanningCommission</a>.

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.

# BOARD OF PLANNING COMMISSIONERS MINUTES

#### Regular Meeting:

Tuesday, October 4, 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, October 4, 2022.

The Planning Commissioners present or absent were as follows:

Present: Rocky Schneider, John Gunkelman, Scott Stofferahn, Art Rosenberg,

Dawn Morgan, Thomas Schmidt

Absent: Jennifer Holtz, Brett Shewey, Maranda Tasa

Chair Schneider called the meeting to order.

#### **Business Items:**

#### Item A: Approve Order of Agenda

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

#### Item B: Minutes: Regular Meeting of September 8, 2022

Member Gunkelman moved the minutes of the September 8, 2022 Planning Commission meeting be approved. Second by Member Schmidt. All Members present voted aye and the motion was declared carried.

#### Item C: Public Hearing Items:

#### Item 1: Commerce on 12th Seventh Addition

Hearing on an application requesting a Plat of Commerce on 12th Seventh Addition (Minor Subdivision) a replat of Lots 4 and 5, Block 1, Commerce on 12th Third Addition to the City of Fargo, Cass County, North Dakota. (Located at 5570 and 5590 13th Avenue North) (Fargo Commercial Properties, LLC/MBN Engineering): APPROVED

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

Member Stofferahn moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed Subdivision Plat Commerce on 12th Seventh Addition, as outlined within the staff report, as the proposal complies with the 2007 Growth Plan, the Standards of Article 20-06, Section 20-0907.B&C of the Land Development Code, and all other applicable requirements of the Land Development Code. Second by Member Morgan. On call of the roll Members Morgan, Schmidt, Stofferahn, Rosenberg, Gunkelman, and Schneider voted aye.

Absent and not voting: Members Tasa, Holtz, and Shewey. The motion was declared carried.

#### Item 2: Dakota Commerce Center North Addition

Hearing on an application requesting a Plat of Dakota Commerce Center North Addition (Major Subdivision) a replat of a portion of the Northeast Quarter of Section 15, Township 140 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota including a subdivision waiver. (Located at 4201 County Road 81 North and 5100 37th Street North) (Holmquist Family LLP/Hyde Development): APPROVED

Mr. Kress presented the staff report stating all approval criteria have been met and staff is recommending approval. He noted this project was previously approved by the Planning Commission on August 2, 2022, and the applicant has updated the application with a reconfigured plat.

Applicant Representative Paul Hyde spoke on behalf of the application.

Discussion was held regarding onsite water storage, stormwater, and drain locations.

Assistant City Engineer, Tom Knakmuhs, spoke on behalf of the Engineering department.

Member Rosenberg moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed Subdivision Plat Dakota Commerce Center North Addition, including a subdivision waiver for block length, as outlined within the staff report, as the proposal complies with the 2007 Growth Plan, the Standard of Article 20-06, Sections 20-0907.C, and Section 20-2907.D.3 (a-c) of the Land Development Code, and all other applicable requirements of the Land Development Code. Second by Member Stofferahn. On call of the roll Members Gunkelman, Stofferahn, Morgan, Schmidt, Rosenberg, and Schneider voted aye. Absent and not voting: Members Tasa, Shewey, and Holtz. The motion was declared carried.

#### Item 3: Chas A. Roberts Addition

Hearing on an application requesting a Zoning Change from SR-2, Single-Dwelling Residential, LC, Limited Commercial with a C-O, Conditional Overlay, and P/I, Public and Institutional to P/I, Public and Institutional and to repeal the existing C-O, Conditional Overlay, for parts of Block G, H, Tt, and I, Chas A. Roberts Addition and parts of vacated 6th Street South, parts of vacated 8th Avenue South, and parts of vacated 9th Avenue South. (Located at 700 and 701 7th Street South; 555 and 653 8th Avenue South; 800 6th Street South): APPROVED

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

Property Owner Dan Gilroy, 434 6th Avenue South, spoke regarding clarification of the map from the property owner letter he received.

Discussion was held on the need to invest in Early Childhood education, and the location of this application.

Member Rosenberg moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed Zone Change from SR-2, Single-Dwelling Residential, LC, Limited Commercial with a C-O, Conditional Overlay, and P/I, Public and Institutional to P/I, Public and Institutional and to repeal the existing C-O, Conditional Overlay, as outlined within the staff report, as the proposal complies with the Core Neighborhoods Plan, the Standards of Section 20-0906.F(1-4) 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 Schmidt, Morgan, Stofferahn, Rosenberg, Gunkelman, and Schneider voted aye. Absent and not voting: Members Tasa, Holtz, and Shewey. The motion was declared carried.

#### Item 4: Hawthorne Elementary Addition

- 4a. Hearing on an application requesting a Plat of Hawthorne Elementary Addition (Minor Subdivision) a replat of parts of Block H, Tt, and I of Chas A. Roberts Addition, and parts of vacated 6th Street South, parts of vacated 8th Avenue South, and parts of vacated 9th Avenue South, to the City of Fargo, Cass County, North Dakota. (700 7th Street South; 555 8th Avenue South; 800 6th Street South) (Fargo Public School District/KLJ Engineering): APPROVED
- 4b. Hearing on an application requesting a Conditional Use Permit to allow an Alternative Access Plan for a parking reduction on the proposed Hawthorne Elementary Addition and part of Block G, Chas A. Roberts Addition. (700 and 701 7th Street South; 555 8th Avenue South; 800 6th Street South) (Fargo Public School District/KLJ Engineering): APPROVED

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

Discussion was held on the parking study, a buffer between residential properties and the parking lot, and traffic in the area.

Planning and Development Director Nicole Crutchfield stated that the City Traffic Engineer had reviewed the traffic study and the Planning Department follows his expertise in evaluating the study.

Mr. Knakmuhs spoke on behalf of the Engineering department.

Applicant Representative Jackie Gapp, Fargo Public Schools Business Manager, spoke on behalf of the application.

Property Owner Dan Gilroy, 434 6th Avenue South, spoke on parking impacts, buffer space, and the location of the proposed addition.

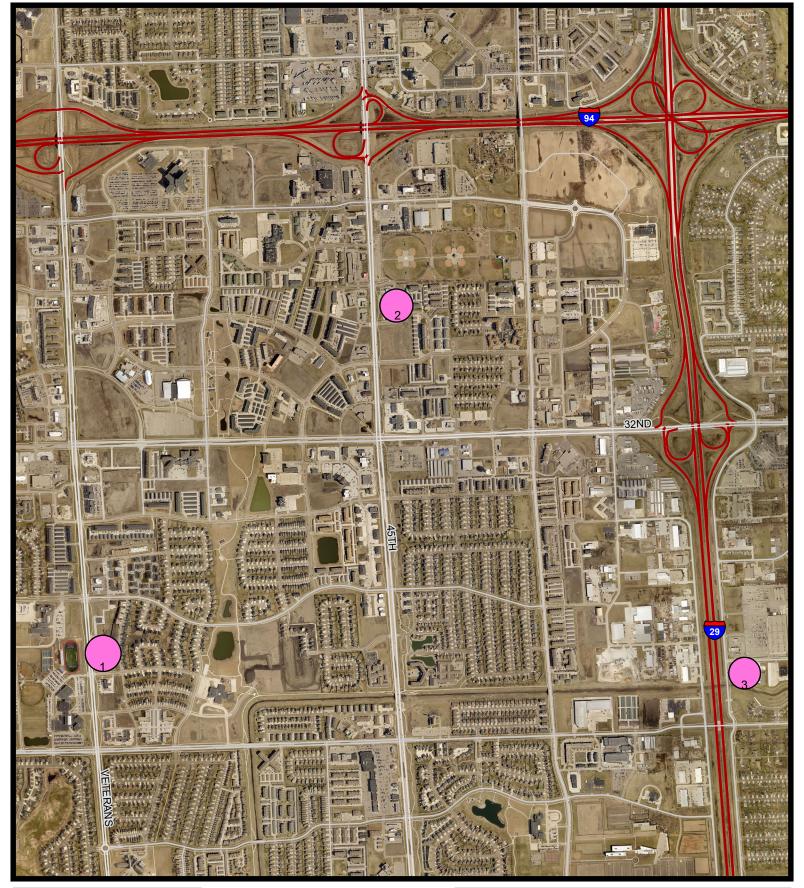
Member Gunkelman moved the findings and recommendations of staff be accepted the 1) Conditional Use Permit to allow an Alternative Access Plan for a parking reduction on the proposed Lot 1, Block 1, Hawthorne Elementary Addition and part of Block G of Chas A. Roberts Addition, be approved as outlined within the staff report, as the proposal complies with 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. 171 parking spaces to be provided on site.
- 2. Parking requirements may be met anywhere within the properties included in the Conditional Use Permit.
- 3. Expansion of office and/or school use will require reevaluation of off-street parking requirements.
- 4. The Conditional Use Permit will cease of any property included in the Conditional Use Permit is no longer owned by a governmental, civic, or public entity.

And to accept the findings and recommendations of staff and recommend approval to the City Commission of the proposed 2) Subdivision Plat Hawthorne Elementary Addition, as outlined within the staff report, as the proposal complies with the GO2030 Fargo Comprehensive Plan, the adopted Area Plan (Core Neighborhood Plan), the Standards of Section 20-0907.B&C, and of Article 20-06 of the Land Development Code, and all other applicable requirements of the Land Development Code. Second by Member Stofferahn. On call of the roll Members Stofferahn, Rosenberg, Schmidt, Morgan, Gunkelman, and Schneider voted aye. Absent and not voting: Members Holtz, Shewey, and Tasa. The motion was declared carried.

Ms. Crutchfield shared that the RFP for the Growth Plan is open until November 4, and thanked Board Members for participating in the joint informational meeting with the City Commissioners in September.

The time at adjournment was 3:47 p.m.





### **Agenda Items Map**

Fargo Planning Commission November 1, 2022



### Agenda Item Number

- 1 -- Valley View Tenth Addition
- 2 -- Calico Prairie Third Addition
- 3 -- Ulteig Addition

0.125 0.25 0.5

1 Miles

0.75

Legal Description:  Owner(s)/Applicant: Entitlements Requested: Status: PExisting Land Use: Vacant Zoning: GC, General Commonditional overlay Ordinand three conditional use permits Uses Allowed: GC Allows of community service, daycare unlimited size, detention facificalities, parks and open are institutions, safety services, centers, basic utilities, offices advertising, commercial park recreation and entertainment service, self-storage, vehicle vehicle service, and certain the facilities.  Conditional Overlay No. 50 certain land uses, as noted at the conditional uses of industing manufacturing and production freight movement, wholesale entertainment event, and avit transportation.  Three conditional use permits	/alley View 10th Addition 3680 Veterans Bouleva Lot 5, Block 1, Valley Vi		Repo	rt	
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Land Use: Vacant  Zoning: GC, General Commonditional overlay Ordinance three conditional use permits  Uses Allowed: GC Allows of community service, daycare unlimited size, detention facilities, parks and open are institutions, safety services, detentions, deten	Minor Subdivision (rep	pla	plat of Lot 5, Block 1, Valley View Eighth Addition)		
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the propertysee "Zoning, C	three conditional use permits, described below.  Uses Allowed: GC Allows colleges, community service, daycare centers of unlimited size, detention facilities, health care facilities, parks and open areas, religious institutions, safety services, adult entertainment centers, basic utilities, offices, off-premise advertising, commercial parking, outdoor recreation and entertainment, retail sales and service, self-storage, vehicle repair, limited vehicle service, and certain telecommunication facilities.  Conditional Overlay No. 5030 prohibits certain land uses, as noted above, as well as the conditional uses of industrial service, manufacturing and production; warehouse and freight movement, wholesale sales, major entertainment event, and aviation/surface		Exist carry	through to this solitional Overlay, a	ange proposed. verlay and all three CUP's will ubdivision—see "Zoning, and Conditional Use Permits"
and Conditional Use Permits" below.  Maximum Density Allowed: Conditional Use Permit 2016-005 allows a residential density of 24 dwelling units per acre Maximum Lot Coverage Allowed: 85%					lowed: No change age Allowed: No change

The applicant request one entitlement:

1. A **minor subdivision**, to be known as Valley View 10<sup>th</sup> Addition, a replat of Lot 5, Block 1, Valley View Eighth Addition

The subject property is located at 3680 Veterans Boulevard and encompasses approximately 3.74 acres.

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.

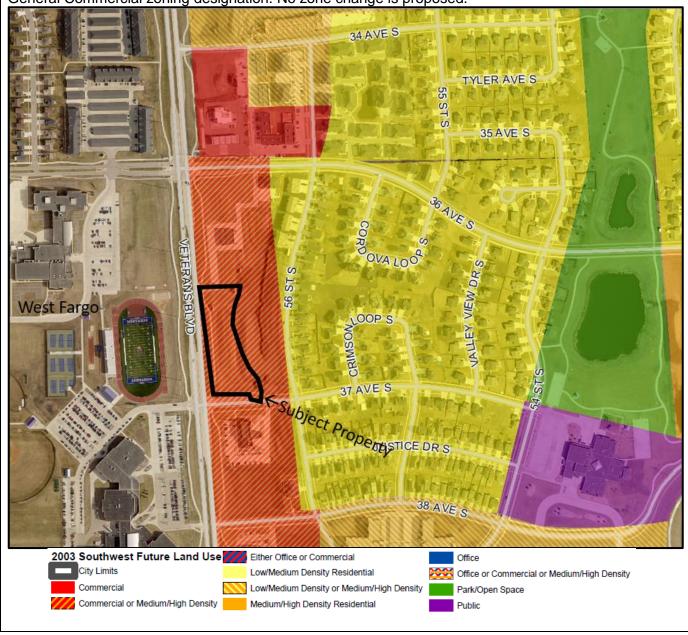
#### **Surrounding Zoning Districts and Land Uses:**

- North: GC: General Commercial; undeveloped and commercial and mixed use development;
- East: SR-5: Single Dwelling Residential;
- South: GC: commercial development;
- West: City of West Fargo; Sheyenne High School and Liberty Middle School.

NOTE: The GC-zoned properties to the north and south are include in the same conditional overlay, ordinance no. 5030, as the subject property. The GC-zoned properties to the north are included in the same three conditional use permits as the subject property.

#### **Area Plans:**

The subject property is located within the 2003 Southwest Future Land Use Plan as amended by the 2013 Valley View Addition Growth Plan Amendment. This plan designates the subject property as "commercial or medium/high density residential." This land use designation includes the current GC, General Commercial zoning designation. No zone change is proposed.



#### Context

Neighborhood: Brandt Crossing

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

**Parks:** Brandt Crossing Park (5009 33 Avenue South and 5050 33 Avenue South) is located approximately under a half mile north of the subject property. Brandt Crossing Park provides basketball, dog park, playground, recreational trails, and shelter amenities.

**Pedestrian / Bicycle:** Eight-foot wide shared use paths are adjacent to the south and west sides of the subject property. These paths are a component of the metro area trail system.

**MATBUS Routes:** The subject property is not located along a MATBUS route. The closest MATBUS stop is located approximately 0.25 mile to the south at 32<sup>nd</sup> Avenue South and Veterans Boulevard (Route 18).

#### **Staff Analysis:**

#### MINOR SUBDIVISION

The subdivision plat divides an existing platted lot into two lots. Neither lot will have direct access from Veterans Boulevard. Access to Lot 1 is by way of a shared access agreement with the lot to the north. Access to Lot 2 will be from 37<sup>th</sup> Avenue South.

The plat depicts a 20-foot wide utility easement on Lot 2. This provides a sewer connection from 37<sup>th</sup> Avenue South to Lot 1.

#### ZONING, CONDITIONAL OVERLAY, EXISITNG CONDITIONAL USE PERMITS

The subject property is zoned GC, General Commercial with a conditional overlay (C-O).

The conditional overlay is ordinance no. 5030, approved April 11<sup>th</sup>, 2016. The C-O provides design guidelines for the site and for future buildings and limits or prohibits certain land uses. All the provisions of this C-O will carry through to Valley View 10<sup>th</sup> Addition.

There are three conditional use permits (CUP's) that cover this property:

- CUP 2016-005, approved March 1<sup>st</sup>, 2016, allows household living in the GC, General Commercial zone. This CUP enables commercial/residential mixed use development.
- CUP 2018-004, approved January 4<sup>th</sup>, 2018, provides alternative parking ratios for retail, fast food, restaurant, and household living land uses.
- CUP 2021-011, approved September 9<sup>th</sup>, 2021, allows a shared parking arrangement between several lots in this subdivision.

All the provisions of all three of these CUP's will carry through to Valley View 10<sup>th</sup> Addition. Staff determined that it was not necessary for the applicant to renew or update these CUP's.

#### **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 subject property is zoned GC, General Commercial with a C-O, conditional overlay. CUP 2016-005 allows household living in the GC zone. These land uses are consistent with the 2003 Southwest Future Land Use Plan designation of "Commercial or Medium/High Density Residential." In accordance with Section 20-0901.F of the LDC, notices of the proposed plat have been sent out to property owners within 300 feet of the subject property. To date, 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:

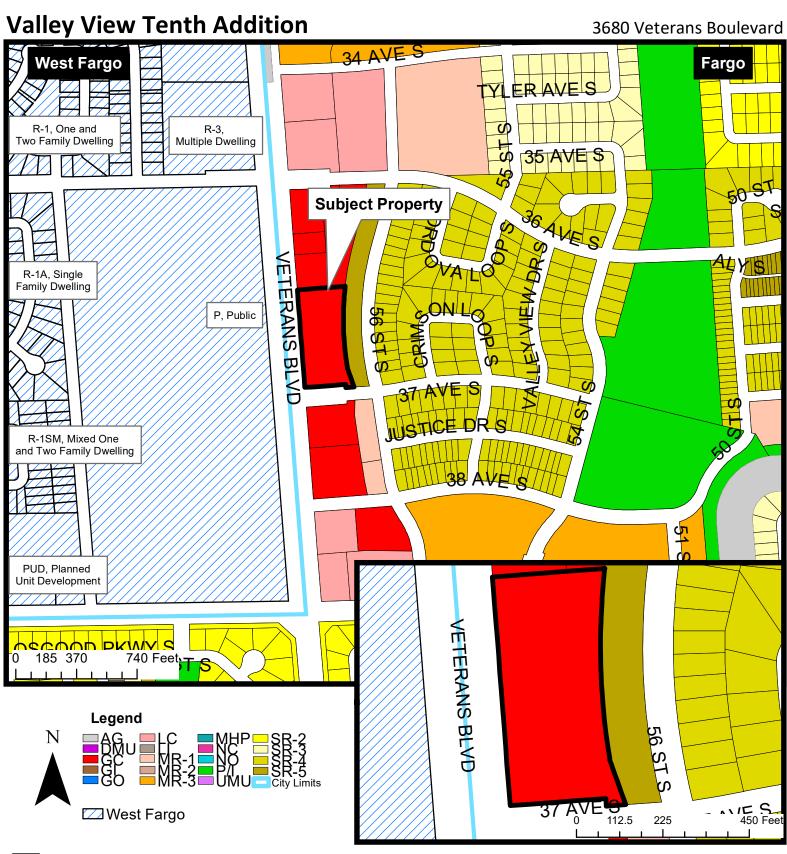
Suggested Motion: "To accept the findings and recommendations of staff and recommend approval to the City Commission of the proposed plat of **Valley View 10**<sup>th</sup> **Addition**, as outlined in the staff report, on the basis that it satisfactorily complies with the 2003 Southwest Future Land 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: November 1st, 2022

#### Attachments:

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

# Plat (minor)



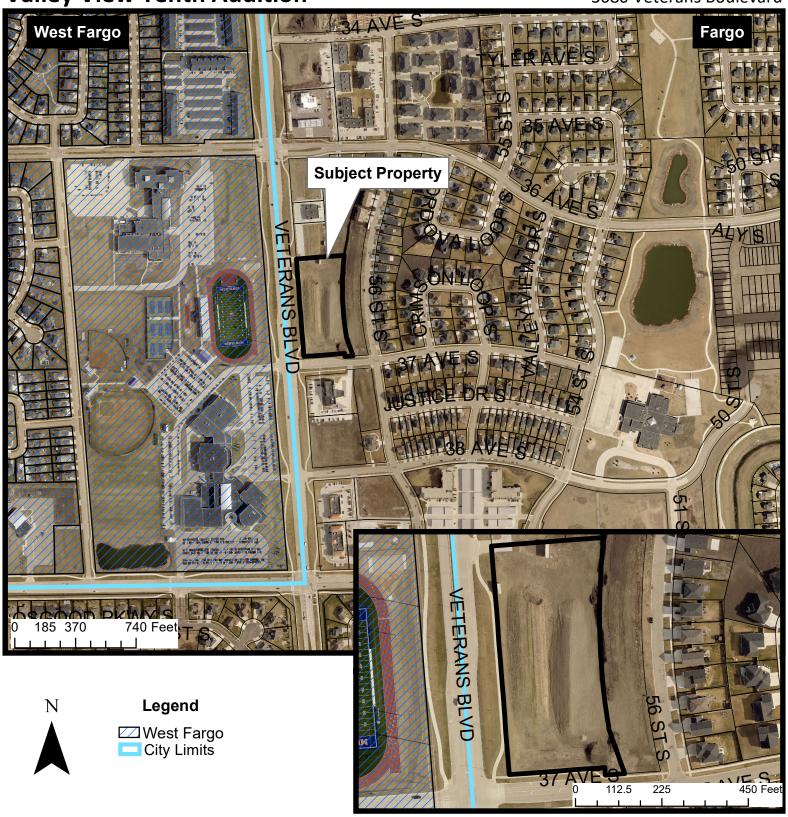


Fargo Planning Commission November 1, 2022

# Plat (minor)

# **Valley View Tenth Addition**

3680 Veterans Boulevard





Fargo Planning Commission November 1, 2022

# **VALLEY VIEW TENTH ADDITION**

A REPLAT OF LOT 5, BLOCK 1 OF VALLEY VIEW EIGHTH ADDITION TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA

			1	(A MINOR SUBDIVISION	N)	
1 }	EX. 28' CROSS ACCESS & PUBLIC   UTILITY EASEMENT   LOT 4		  -	OWNER'S CERTIFICATE:		FARGO CITY COMMISSION APPROVAL
i  - -	14' LOT   N85°36'12"E 293.08	The special states		KNOW ALL PERSONS BY THESE PRESENTS: That EPIC Holdings II being the owner of Lot 5, Block 1 of Valley View Eighth Addition Dakota, being more particularly described as follows:	LLC, a North Dakota limited liability company, to the City of Fargo, Cass County, North	Approved by the Board of Commissioners and ordered filed this day of 20_
28.4			L .	A replat of Lot 5, Block 1 of VALLEY VIEW EIGHTH ADDITION plot thereof on file and of record in the Office of the Coun	to the City of Fargo, according to the recorded ty Recorder, Cass County, North Dakota.	
13	EX. 10' UTILITY EASEMENT			Containing 3.74 acres, more or less and is subject to Easer Rights—of—Way of record.		Timothy J. Mahoney Mayor
-	DOC. 1435077		[	Said owner of the above described property, have caused the sar		Attest: Steven Sprague, City Auditor
	6	213.25		$\overline{\text{NINTH ADDITION}}$ " to the City of Fargo, Cass County, North Dakota the utility easement as shown on this plat.	and does hereby dedicate to the public use	State of North Dakota )
	JALLE .			OWNER:	MORTGAGE_HOLDER:	) SS County of Cass )
	LOT 1 (58,579)		<u> </u>	EPIC Holdings II LLC	Bank Forward	On this day of, before me, a notary public in and for said cour personally appeared Timothy J. Mahoney, Mayor, and Steven Sprague, City Auditor, known to me the persons described in and who executed the same as a free act and deed.
	BLOCK 1 EX. 10' LOT 5 LANDSCAPE			Blake Nybakken, Preisdent	Marc Knutson, Vice President	
Î	EASEMENT DOC. 1435077		İ	State of North Dakota	State of North Dakota )	Notary Public:
	N85'36'22'E 265.51 20.00 80.01	35."E	F — .	County of Cass )	County of Cass )	
(2)		11811.00 11811.00 11811.00 11811.00 11811.00 11811.00 11811.00		On this day of, 20, before me personally appeared Blake Nybakken, President, EPIC Holdings LLC	On this day of, 20, before me personally appeared Marc Knutson, Vice President, Bank Forward,	OTY OF FARMS FAMILIEFENING REPLICTATION APPROVAL
BOULEVARD	BLOCK 1	CHB=801° 9.91 R=1811 145°52'45" 1.007 1.00	<u> </u>	On this day of, 20, before me personally appeared Blake Nybakken, President, EPIC Holdings 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	known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same on behalf of said bank.	CITY OF FARGO ENGINEERING DEPARTMENT APPROVAL  Approved by the City Engineer this day of 20
120	58   B200K I	L=600.31 CH L=501.91		on behalf of said company.	Notary Public:	
S S	20' UTILITY EASEMENT		1	Notary Public:	,	Brenda E. Derrig, P.E.
SILERANIS	97.13	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1				City Engineer
\\ F-1 F-1	3		, ,	SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT		State of North Dakota ) ) SS
	0423			l, Joshua J. Nelson, Professional Land Surveyor under the laws o State of North Dakota, do hereby certify that this plat is a true correct representation of the survey of said subdivision; that the monuments for the guidance of future surveys have been located	and	County of Cass )
	38 W 38 38 38 38 38 38 38 38 38 38 38 38 38		1	monuments for the guidance of future surveys have been located placed in the ground as shown.	d or	On this day of
	15.06		1	Dated thisday of, 20		
	LOT 2 (104,257)		; -			Notary Public:
			ļ	Joshua J. Nelson, PLS		
		(1)		Professional Land Surveyor Registration No. LS-27292		
				State of North Dakota )		CITY OF FARGO PLANNING COMMISSION APPROVAL
		lo in the second	\	) SS County of Cass )		Approved by the City of Fargo Planning Commission this day of 20
	EX. 10' UTILITY EASEMENT DOC. 1435077		/	On this day of 20, appeared before Joshua J. Nelson, known to me to be the person whose name is		
	20.00 64.50 885-4149 W 250.00		ſ	subscribed to the above certificate and did acknowledge to me t executed the same as his own free act and deed.	hat he	Rocky Schneider Planning Commission Chair
	O 377TH AVENUE SOUTH	\$85°41'49"W 50.29		Notary Public:		State of North Dakota ) ) SS
	3/1H AVENUE 300	80'				County of Cass )
	120'		- ¬			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.
			1			Notary Public:
50	100		1			
SCALE IN FEI						
OF FARGO G OORDINATE SY	ROUND STEM LEGEND		LINE TABLE  DISTANCE BEARII	NG		
Γν	FOUN	MONUMENT 5/8" REBAR W/CAP LS-27292 IND MONUMENT T LOT AREAS	20.00 NO4*18'	11"W		
Γ/S	PLAT PLAT	T OVERALL BOUNDARY T INTERIOR LOT LINES				
	30 39TH ST. S. ———— EXISTI		OUND DISTANCES ARE			
		TTING NEGATIVE ACCESS EASEMENT AR . 1435077	E IN TERMS OF U.S.	SURVEY FEET.		SHEET 1 OF

Agenda Item #	2

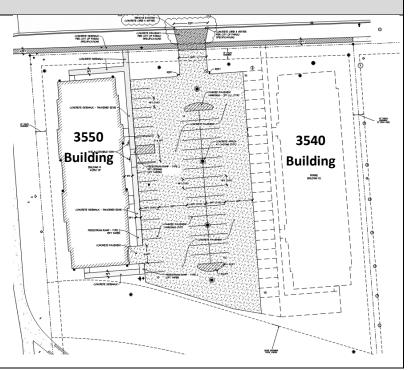
City of Fargo Staff Report					
Title:	Ulteig Addition	Date:	10/25/2022		
Location:	3550 and 3540 38 <sup>th</sup> Ave S Staff Contact: Luke Morman, Planner				
Legal Description:	Lot 1, Block 1, Ulteig Addition				
Owner(s)/Applicant:	Mark Weston (I-29 Investments, LLC)/Steve Schilke (CMTA)  Engineer: CMTA				
Entitlements Requested:	Conditional Use Permit for an alternative access plan for parking reduction on Lot 1, Block 1, Ulteig Addition				
Status:	Planning Commission Public Hearing: November 1, 2022				

Existing	Proposed
Land Use: Office, Religious Institution, Retail Sales	Land Use: Medical Office, Office, Religious Institution,
and Service, and Self-Storage.	Retail Sales and Service, and Self-Storage
Zoning: GC, General Commercial	Zoning: No change
Uses Allowed: Allows colleges, community service, daycare centers of unlimited size, detention facilities, health care facilities, parks and open areas, religious institutions, safety services, adult entertainment centers, basic utilities, offices, off-premise advertising, commercial parking, outdoor recreation and entertainment, retail sales and service, self-storage, vehicle repair, limited vehicle service, and certain telecommunication facilities.	Uses Allowed: No change
Maximum Lot Coverage Allowed: 85% building	Maximum Lot Coverage Allowed: No change
coverage	

#### Proposal:

The applicant is requesting a conditional use permit for an alternative access plan to allow a parking reduction on Lot 1, Block 1, Ulteig Addition located at 3550 (west building) and 3540 (east building) 38th Avenue South. The applicant is proposing to renovate 4,207 square feet of the 3540 38 Avenue South building, which was previously approved office space and is proposed to be medical office use.

In 2020, the 3550 38th Avenue South building (west) was approved and constructed, and in 2021, the 3540 building (east) was approved and constructed, both for office uses. Later, on September 9th, 2021, a Conditional Use Permit (CUP) was approved for an alternative access plan for parking reduction to allow for a religious institution use within the 3540 building, reducing the requirements from 114 to 74 spaces. The site plan on the right is for reference only to show the locations and layout of the buildings and parking on the site. It was taken from the approved plans for 3550 38th Avenue South.



In August 2022, the City received a building permit application for a renovation of 4,207 square feet of the 3540 building to be used as a medical office, increasing the parking requirements for the site. Additionally during this review, Planning staff found that there was an increase in the number of seats for the church and additional Retail Sales & Service uses currently occupying the buildings, different from what was previously approved.

The applicant is requesting a parking reduction to provide a total of 75 parking spaces on-site (74 exterior and 1 interior garage space). A parking study provided by CMTA explains the underutilized parking lot as it sits today, references the Parking Generation Manual, 5<sup>th</sup> Edition by the Institute of Traffic Engineers (ITE) and the 2018 Fargo/West Fargo Parking & Access Study prepared by Metro COG, and describes how the national standards provided in these documents are less restrictive than the current Land Development Code parking requirements.

Taking the ratios provided by the applicant, staff finds these as a justified alternative to match national standards as it references the most recent Parking Generation Manual, 5<sup>th</sup> Edition by the ITE. The land uses that were not referenced in the study will remain the same as what is provided in the Land Development Code (LDC). Below is a study of the parking reduction proposed for the whole site:

Use Square Footage		LDC Parking Requirements	Proposed with CUP Alternative
		(Section 20-0701)	Access Plan for Parking Reduction
Medical Office	4,207 sf	1 space per 200 sf = 21 spaces	1 space per 310 sf = 14 spaces
Office	8,480 sf	1 space per 300 sf = 29 spaces	1 space per 420 sf = 20 spaces
Religious Institution	150 seats	0.4 spaces per seat = 60 spaces	0.22 spaces per seat = 33 spaces
Retail	2,356 sf	1 space per 250 sf = 10 spaces	1 space per 250 sf = 10 spaces
Storage	725 sf	1 space per 2500 sf = 1 space	1 space per 2500 sf = 1 space
TOTAL		121 spaces	78 spaces

Based on these calculations, the existing 75 parking spaces on-site do not meet the requirements listed even with the alternate ratios provided. However, the applicant has stated that 75 parking spaces will be sufficient due to the fact that the religious institution and the other uses will not operate at the same time. The medical office, office, retail sales and service, and storage uses will operate Monday through Friday between 8am and 5pm while the church's lease does not allow large gatherings to occur between 8am and 5pm Monday through Friday. The City of Fargo's Traffic Engineer determined the reduction was sufficient based on the parking study findings, specifically the differing hours of operation between the religious institution and the other uses. Total demand for this site shows 78 parking spaces, but based on the varying times of the uses shown, the maximum demand at any given time is less than the 75 spaces provided on-site. The proposed ratios and conditions provided in this report will allow flexibility for the applicant for future changes in tenants, but will also add limits to the site based on the hours of operation.

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

#### **Surrounding Land Uses and Zoning Districts:**

- North: Across 38th Ave S is retail sales and service (Mills Fleet Farm) zoned GC, General Commercial;
- East: Multi-dwelling residential zoned GC, General Commercial with a CUP to allow household living residential land use within the GC, General Commercial zone;
- South: Across Rose Coulee/county drain #27 is vacant land and single-family houses zoned AG, Agricultural and SR-4, Single-Dwelling Residential.
- West: Across I-29 is warehouse and office zoned LI, Limited Industrial.

#### Area Plans:

The subject property is not within a designated growth plan.

#### Context:

Neighborhood: The subject property is located within the Stonebridge Neighborhood

**Schools:** The subject property is located within the boundary of the Fargo School District, more specifically within Centennial Elementary, Discovery Middle School, and Davies High School.

**Parks:** Located within a quarter-mile of the subject property is Stonebridge Park #2 (3700 32nd St S) providing amenities of sports fields, playground equipment and recreational trails.

**Pedestrian / Bicycle:** A shared use facility is located along 38<sup>th</sup> Ave S, directly abutting the subject property to the north, and connects to the metro area trail system.

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

#### **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:

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. Promoting infill development and exploring reductions in minimum parking standards are both key initiatives meant to promote the Plan's guiding principles. Staff finds this proposal is consistent with the purpose of the LDC, the GO2030 Comprehensive Plan, and other adopted policies of the City.

(Criteria Satisfied)

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

Staff finds that this proposed conditional use permit to allow for a parking reduction at this location will not affect the welfare of the public. The CUP for parking reduction has been reviewed by the Engineering Department who supports the proposed parking reduction as it aligns with the ITE parking guidance for the proposed uses, which have opposing peak demand times. (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 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 and responded to one inquiry about the project and no letters of opposition for this application. (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 alternative access plan for parking reduction will not dominate the immediate neighborhood or prevent any other sites from being used in the manner allowed by zoning district regulations. Staff has concern about the possibility of overlap with the hours of operation for each tenant and the religious institution operations. Staff suggests a condition that limits the hours of operation of the religious institution that coincides with the owner's statements about the hours of operation in the tenant's lease, and an additional condition that prohibits the expansion of the religious institution (without an amendment to this CUP) to protect the parking needs of the rest of the subject property.

#### (Criteria Satisfied)

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

The property has access to all necessary utilities and services. Staff is not aware of any deficiencies regarding drainage or utilities that would limit the ability of the applicant to utilize the property 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)

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 has access to 38<sup>th</sup> Avenue South, which is a fully constructed collector roadway. The existing driveway has been previously approved when the existing buildings were originally permitted and no additional access roads or entrance and exit drives are proposed (**Criteria Satisfied**)

#### **Recommended Conditions:**

- 1. Medical office uses require 1 parking stall per 310 square feet.
- 2. Office-other uses require 1 parking stall per 420 square feet.
- 3. Religious institution uses require 0.22 parking spaces per seat.
- **4.** Religious institution operates primarily outside of regular business hours (8am-5pm, Monday through Friday).
- **5.** Any expansion of the religious institution use shall require an amendment to the Conditional Use Permit with review and approval by the Planning Commission.

#### Staff Recommendation:

Suggested Motion: "To accept the findings and recommendations of staff and hereby move to approve the Conditional Use Permit to allow an alternative access plan as the proposal complies with Section 20-0909.D (1-6) and all other requirements of the LDC, with the following conditions:

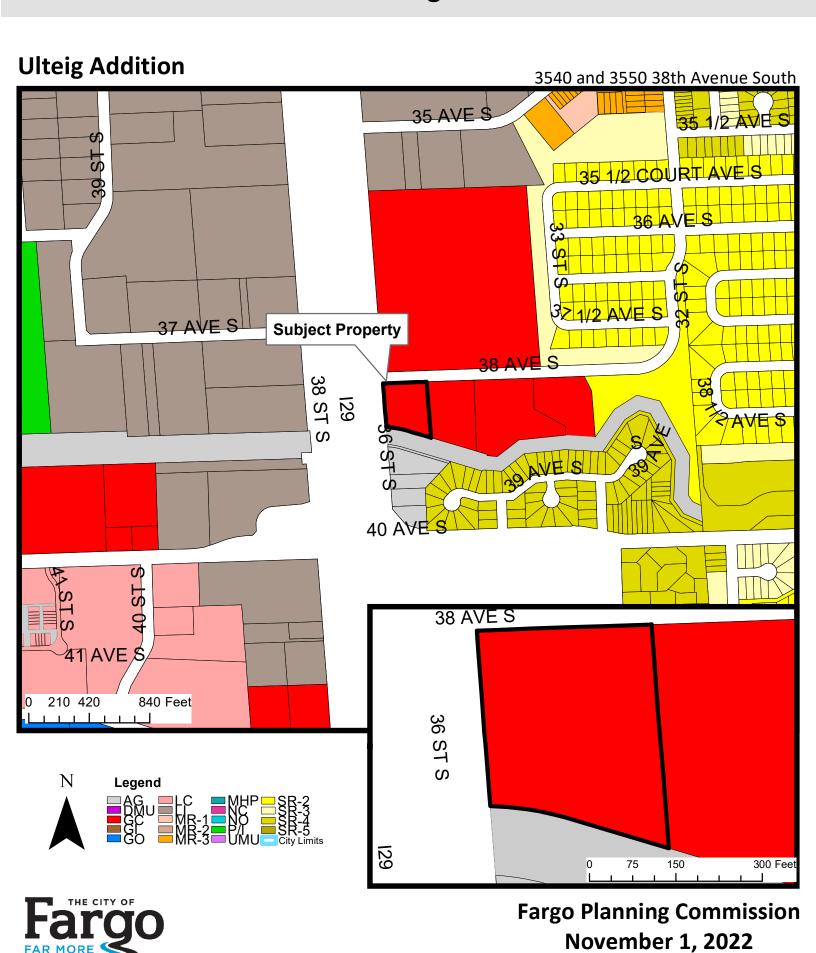
- 1. Medical office uses require 1 parking stall per 310 square feet.
- 2. Office-other uses require 1 parking stall per 420 square feet.
- **3.** Religious institution uses require 0.22 parking spaces per seat.
- **4.** Religious institution operates primarily outside of regular business hours (8am-5pm, Monday through Friday).
- **5.** Any expansion of the religious institution use shall require an amendment to the Conditional Use Permit with review and approval by the Planning Commission.

Planning Commission Recommendation: November 1, 2022

#### **Attachments:**

- 1. Zoning Map
- 2. Location Map

# **CUP for Parking Reduction**



# **CUP for Parking Reduction**

**Ulteig Addition** 3540 and 3550 38th Avenue South TOTAL GROOT **Subject Property** 38 AVE 38 AVE S 210 420 840 Feet 36 ST S 75 150



**Fargo Planning Commission** November 1, 2022

City of Fargo Staff Report				
Title:	Calico Prairie 3 <sup>rd</sup> Addition  Date: 10/27/2022  Update:			
Location:	4404 26 <sup>th</sup> Ave South  Staff Contact:  Brad Garcia, Planner			
Legal Description:	All of lots 1 & 2, Block 1, Calico Prairie 2nd Addition, to the City of Fargo, Cass County, North Dakota			
Owner(s)/Applicant:	Western North Dakota Development LLC / Nate Vollmuth Engineer: Bolton & Menk			
Entitlements Requested:	<b>Minor Subdivision</b> (All of lots 1 & 2, Block 1, Calico Prairie 2nd Addition, to the City of Fargo, Cass County, North Dakota)			
Status:	Planning Commission Public Hearing: November 1st, 2022			

Existing	Proposed
Land Use: Undeveloped	Land Use: Commercial
Zoning: LC, Limited Commercial	Zoning: No change proposed
Uses Allowed: 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	Uses Allowed: No change proposed
Maximum Lot Coverage Allowed: 55%	Maximum Lot Coverage Allowed: No change proposed

#### Proposal:

The applicant is seeking approval of a minor subdivision to accommodate future business development of the subject property. Currently the property does not have any development. 4441 26<sup>th</sup> Ave S is currently being used as a retention pond for storm runoff from properties located within the Calico Prairie 2<sup>nd</sup> Addition. The proposed minor subdivision, entitled **Calico Prairie 3rd Addition**, would replat the subject properties into two lots. Both lots of the proposed plat are intended for commercial development. The proposed plat contains approximately 2.36 acres.

A private shared access easement area exists on the west side to allow access to properties on the west side of the subject property. Additionally a stormwater retention area, located on lot 2 within the proposed plat, provides stormwater retention to all properties located within Calico Prairie 2<sup>nd</sup> Addition.

#### **Surrounding Land Uses and Zoning Districts:**

- North: GC; General Commercial with a Planned Unit Overlay (PUD), allowing residential as an allowed use.
- East: MR-2, Multi-Family Residential
- South: MR-3, Multi-Family Residential
- West: LC; Retail Sales and Service

All or portions of the Residential Protection Standards, section 20-0704 of the Land Development Code, will be applicable to both properties as proposed due to the proximity of residentially-zoned properties to the east and south.

#### **Area Plans:**

The subject property is located within an area identified as the Southwest Area Plan as contained within the Growth Plan for the Urban Fringe and Extraterritorial Area of the City of Fargo. In January of 2003, this plan was amended to illustrate commercial land-uses along the east side of 45th Street South (Figure 1). In accordance to the 2001 Growth Plan, as amended in 2003, the subject property is identified as being suitable for Commercial land-uses. No change from the LC zoning is proposed.

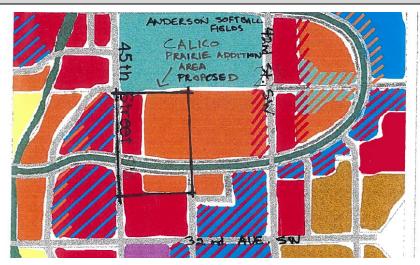


Figure 1. 2003 Area Plan Amendment

#### Context:

**Neighborhood:** The subject properties are located in the Anderson Park neighborhood.

**Schools:** The subject properties are located within the West Fargo School District and are served by Eastwood

Elementary, Liberty Middle School and Sheyenne High schools.

**Parks:** The subject properties are located within half a mile of Anderson Park (4200 23rd Avenue South), which offer amenities such baseball and softball fields (Tharaldson Baseball Complex), concessions, picnic tables, young child playground, restrooms and a shelter.

**Pedestrian / Bicycle:** Shared Use Paths exist along the east side of 45th Avenue South and on the north side of 30th Avenue South and are part of the Metro Bikeways System.

**Transit:** Two public transportation bus routes service the subject properties within a half mile distance. Route 24 serves the area going westbound along 23<sup>rd</sup> Ave S providing service to West Acres, Sanford Medical Center, Cashwise Foods, Bluestem Dr, Costco, 19th Ave & Burlington Dr. Route 14 serves the area north and south along 42<sup>nd</sup> St S, providing service to GTC, Prairie Psych / Island Park, Essentia / Sanford, Kmart, Family Fare, Essentia Hospital, Flying J, Rasmussen College, West Acres, YMCA, Love's, Hornbacher's, Courthouse

#### **Staff Analysis:**

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

#### **Minor Subdivision**

The 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 LC, Limited Commercial and no zoning 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 one inquiry about future development in the subject properties. 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 hereby recommend approval to the City Commission of the proposed plat of **Calico Prairie 3rd Addition** on the basis that it satisfactorily complies with the adopted Area Plan, the Standards of Article 20-06, and Section 20-0907.B. and C of the LDC and all other applicable requirements of the Land Development Code."

Planning Commission Recommendation: November 1st, 2022

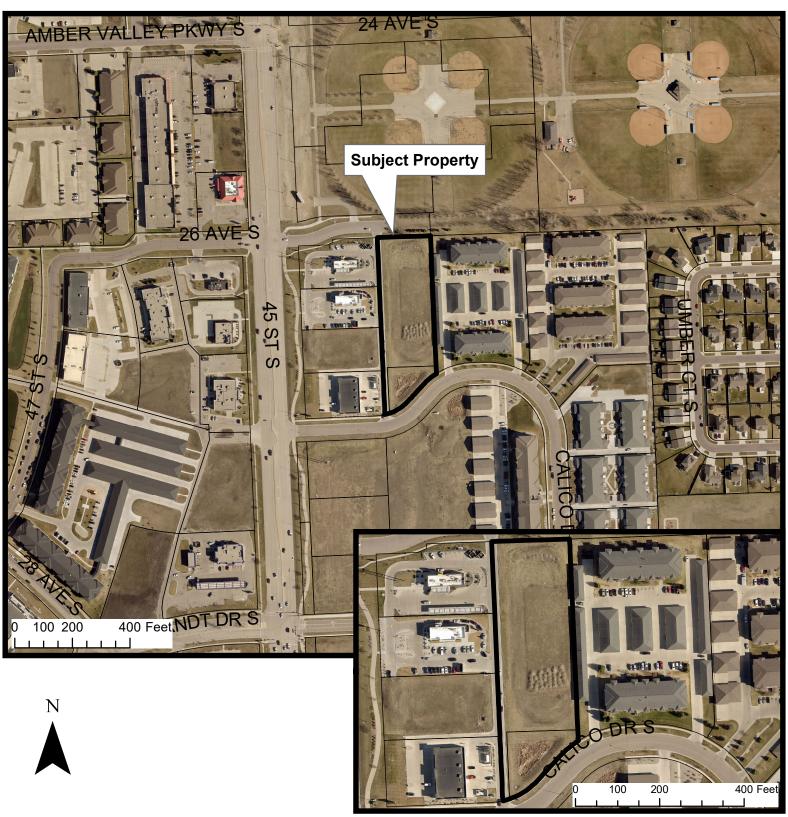
#### **Attachments:**

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

# Plat (minor)

## **Calico Prairie Third Addition**

4404 26th Street South and 4441 Calico Drive South



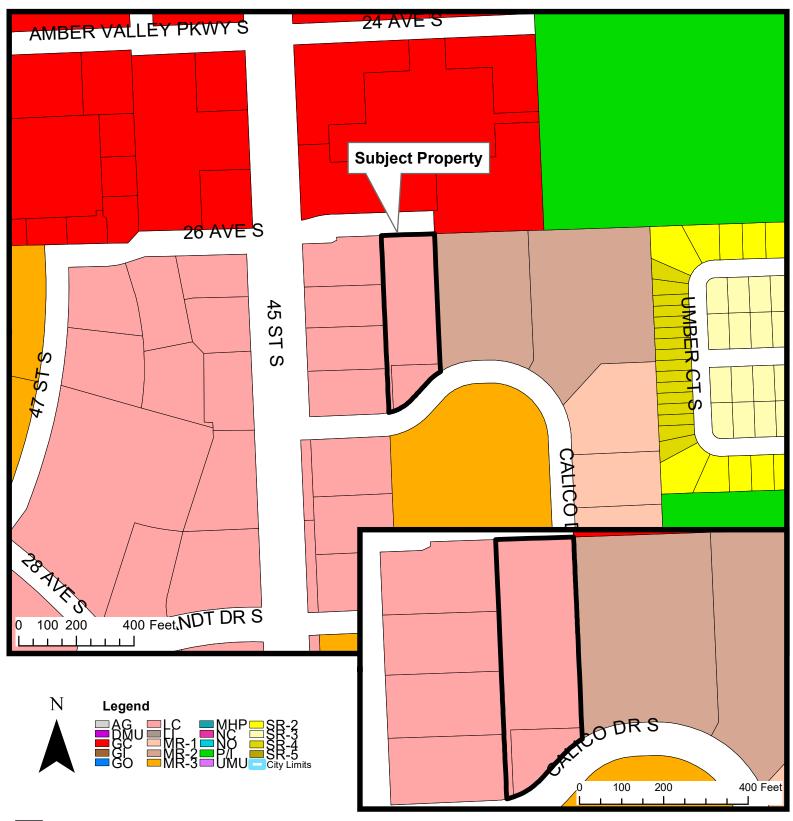


Fargo Planning Commission November 1, 2022

# Plat (minor)

## **Calico Prairie Third Addition**

4404 26th Street South and 4441 Calico Drive South





Fargo Planning Commission November 1, 2022

#### CALICO PRAIRIE 3RD ADDITION TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA CITY OF FARGO ENGINEERING DEPARTMENT APPROVAL Basis of Bearing: The plat of Calico Prairie 2nd Addition A REPLAT OF ALL OF LOT 1 & LOT 2, BLOCK 1, CALICO PRAIRIE 2ND ADDITION Approved by City Engineer this \_\_\_\_\_ day of \_\_ (A MINOR SUBDIVISION) Brenda E. Derrig, P.E., City Engineer OWNERS DESCRIPTION AND DEDICATION KNOW ALL MEN BY THESE PRESENTS, That Western North Dakota Development LLC, a North Dakota limited liability company, owner of a parcel of land located in that part of the Southwest Quarter of Section 22, Township 139 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota, being more particularly described as follows: State of North Dakota County of Cass On this \_\_\_\_\_ day of \_\_\_\_ in the year 2022, before me, a notary public within and for said County and State, personally appeared Brenda E. Derrig, 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 she executed the same as City Engineer for the City of Fargo. All of Lot 1 and Lot 2, Block 1 of CALICO PRAIRIE 2ND ADDITION to the City of Fargo, according to the 26 AVENUE SOUTH Containing 102,903 square feet of land, more or less and subject to all easements, restrictions reservations and rights of way of record, if any. N 89°59'01" W 185.00 Said owner has caused the above described parcel of land to be surveyed and platted as "CALICO PRAIRIE 3RD ADDITION" to the City of Fargo. Cass County, North Dakota and does hereby dedicate to the public for public use the utility easemer MORTGAGE HOLDER: Western North Dakota Development LLC Existing 40 Foot Wide Access and Utility East CITY OF FARGO PLANNING COMMISSION APPROVAL Approved by the City of Fargo Planing Commission this \_\_\_\_\_ day of State of North Dakota County of Cass County of Cass On this \_\_\_\_\_ day of \_\_\_\_\_, in the year 2022 before me, a notary public within and for said County and State, personally appeared James P. Roers, President, Western North Dakota Development 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 the limited liability company. State of North Dakota CALICO PRAIRIE ADDITION Existing 5 Foot Wide Utility Easement Per Doc#1424908 EL SOS On this \_\_\_\_\_day of \_\_\_\_\_, in the year 2022, before me, a notary public within and for said County and State, personally appeared Rocky Schneider, 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 he executed the same on behalf of the Fargo Planning Comi Notary Public Notary Public BLOCK 1 (7) 10 SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT FARGO CITY COMMISSION APPROVAL 2 62,903\_SF 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. ed by the Board of City Commissioners and ordered filed this Shawn M. Thomasson, Professional Land Surveyo State of North Dakota On this day of factor of the day of 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. On this \_\_\_\_day of\_\_\_\_\_, in the year 2022 before me, a notary public within and for said County and State, personally appeared Timoth J. Mahoney, Mayor, and Steven Sprague, City Auditor known to me to be the persons who are described in and who executed the within instrument, and acknowledged to me that they executed the same on behalf of the City of Fargo Existing 20 Foot Wide Access Easement Notary Public LEGEND 5/8"x18" REBAR MONUMENT SET, CAP MARKED BY LIC. NO. LS-5900 preliminary — — — EXISTING PROPERTY LINI ---- FASEMENT LINE DOCUMENTS OF RECORD THIS PLAT LIES ENTIRELY WITHIN ZONE AE AS SHOWN ON FLOOD INSURANCE RATE MAP NO. 38017C0778G, DATED DECLARATION OF PROTECTIVE COVENANTS, CITY OF FARGO BENCHMARK 111011 (SEFB OF FIRE HYDRANT) CONDITIONS AND RESTRICTIONS AND GRANT OF THE NORTHEAST CORNER OF SUBJECT PROPERTY EASEMENTS CALICO PRAIRIE SECOND ADDITION JANUARY 16, 2015. RECORDED AS DOCUMENT No. 629012. ZONE AE: BASE FLOOD ELEVATIONS DETERMINED BASE FLOOD ELEVATION: 905.7



Case Plaza Suite 232 | One 2nd Street North Fargo, North Dakota 58102-4807 p: 701.532.5100 | f: 701.232.5043 e: metrocog@fmmetrocog.org www.fmmetrocog.org

**To:** Fargo Planning Commission **From:** Dan Farnsworth, Metro COG

**Date:** October 26, 2022

Re: Fargo-Moorhead Metro Bicycle & Pedestrian Plan

In June of 2021 Metro COG began the Fargo-Moorhead Metropolitan Bicycle & Pedestrian Plan Update. Every five years Metro COG, in cooperation with the local jurisdictions, updates the Bicycle & Pedestrian Plan.

This plan was guided by a 23-member study review committee with representation from local jurisdictions, parks departments, local health agencies, citizens, and more. Public engagement was also held twice throughout Plan's development.

**Attached** is the final draft of the Plan. It is also important to note that additional information can be found in the Plan's appendices, which can be found on Metro COG's website at the following link: <a href="https://www.fmmetrocog.org/projects-rfps/BikePedPlan21/project-materials">https://www.fmmetrocog.org/projects-rfps/BikePedPlan21/project-materials</a>. This link also displays a higher resolution version of the Plan along with landscape-oriented maps.

At the November 1st Fargo Planning Commission meeting, Metro COG will provide a presentation overviewing the study. Metro COG is requesting a recommendation of the Fargo-Moorhead Metropolitan Bicycle & Pedestrian Plan Update to the Fargo City Commission.



# FARGO-MOORHEAD METROPOLITAN BICYCLE AND

# PEDESTRIAN PLAN

October 2022



# Acknowledgments

We thank the following individuals and organizations, as well as additional staff at member jurisdictions and organizations including BikeMN and Folkways, for their participation.

STUDY REVIEW COMMITTEE	NDDOT
City of Dilworth	Bob Walte
Peyton Mastera	Wayne Zo
City of Fargo	MnDOT
	I D. J.

Jeremy Gorden	
	FHWA - N
Maegin Elshaug	

	Kristen S
Aaron Nelson	

Brenton Holper	

Barrett V	oigt
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City of Horace

Jonathan	Atkins
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Kim Citrowske

Forrest Steinhoff

#### City of West Fargo

Andrew Wrucke

Malachi Petersen

#### Cass County

Grace Puppe

#### Clay County

Matt Jacobson

#### **PROJECT TEAM**

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Kalle Hakala

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Will Curran-Groome

Asakura Robinson

Kadence Novak

SRF Consulting

Mike McGarvey

David Sweeney

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Jane Butzer

D

Sperry

**Fargo Police** 

Joe Anderson

Clay Co Public Health

Patrick Hollister

**River Keepers** 

Christine Holland

**Fargo Transit** 

Luke Grittner

**Fargo Park District** 

Tyler Kirchner

Citizen Representatives

Chris Garty

Kurt Kopperud

**Metro COG** 

Cindy Gray

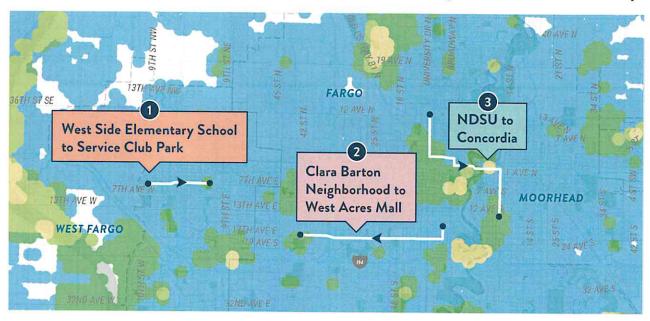
# Federal Disclaimer

The preparation of this document was funded in part by the United States Department of Transportation with funding administered through the North Dakota Department of Transportation, the Federal Highway Administration, and the Federal Transit Administration. Additional funding was provided by the Minnesota Department of Transportation and through local contributions from the governments of Fargo, West Fargo, Horace, and Cass County in North Dakota; and Moorhead, Dilworth, and Clay County in Minnesota. The United States Government and the States of North Dakota and Minnesota assume no liability for the contents or use thereof.

This document does not constitute a standard, specification, or regulation. The United States Government, the States of North Dakota and Minnesota, and the Fargo-Moorhead Metropolitan Council of Governments do not endorse products or manufacturers. Trade or manufacturers' names may appear herein only because they are considered essential to the objective of this document.

The contents of this document reflect the views of the authors, who are responsible for the facts and the accuracy of the data presented herein. The contents do not necessarily reflect the policies of the state and federal Departments of Transportation.

# Bicycle Network Improvements for a More Connected Fargo-Moorhead Community



#### NEARLY 50% OF TRIPS IN THE FARGO-MOORHEAD REGION ARE THREE MILES OR LESS.

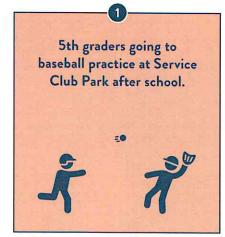
INCREASE IN AREA ACCESSIBLE BY BIKING WITH THE IMPLEMEN" TATION OF LOW STRESS BIKEWAYS

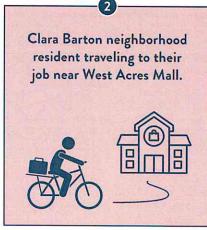
- 0%
- 0-10%
- 10-50%
- 50-200%
- >200%

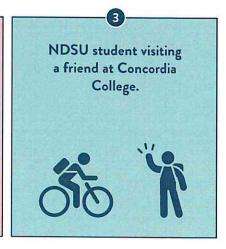
Every day, people in the Fargo-Moorhead area take nearly half a million trips that are three miles or shorter. While a 3-mile trip takes only takes about 15 minutes by bicycle, people drive cars for most of these short trips. As part of engagement for this plan, most people said that they would bicycle more if there were more and betterconnected bikeways separated and protected from vehicle traffic.

Building out an all ages and abilities bicycle network across the Fargo-Moorhead area would make it easier for everyone-older adults, families, college students, workers, and more—to get where they need to go by bicycling. In areas of the community with few existing comfortable bicycle routes, building out the network would more than triple the area accessible by biking!

# WHEN THE NETWORK IS BUILT, PEOPLE WILL BE ABLE TO MAKE MANY TRIPS IN UNDER 3 MILES ON LOW-STRESS BICYCLING FACILITIES. FOR EXAMPLE:







# Introduction

Every five years, Metro COG updates the Fargo-Moorhead Metropolitan Bicycle & Pedestrian Plan. Since the last Plan was completed in 2016, Metro COG and member jurisdictions have completed many Plan recommendations, including installing 39 bicycle and pedestrian infrastructure projects, maintaining the bikefm.org education website, being awarded a Bronze-level Bicycle Friendly Community, launching a mobile bikeways map application, and more.

The Plan describes a Vision, Guiding Principles, Objectives, and Performance Measures that will help to inform, design, and evaluate transportation investments by Metro COG and its constituent jurisdictions until the next plan update. This plan examines the existing bicycle and pedestrian networks, considers input from the public and local jurisdictions, and provides recommendations and guidance to meet the needs of the community and improve transportation systems for all users. A robust active transportation network can attract workforce and contribute to economic development.

The Plan goals include:

- Expand on the work done for the 2016 Plan through extensive public engagement;
- Prepare existing conditions analysis
  of spatial and quantitative data to
  describe the physical and social
  environments of the region;
- Prioritize bicycle and pedestrian infrastructure project recommendations, including planning-level cost estimates and suggested typical sections visualizing possible layouts for these projects; and
- Assessments of local and state policy, processes, and programming to identify opportunities to eliminate barriers to walking and biking and to incentivize more active transportation.

# Annual cost of transportation modes



\$6,312 / year (MN)

Per Move.org (2021)



\$5,988 / year (ND)

Per Move.org (2021)



\$504 / year

Per 2022 MATBUS monthly adult fare



\$350 / year

Assumes a \$1,000 bike purchased every seven years with \$200 maintenance & equipment per year



Negligible

# Plan Vision

Walking and bicycling are primary, year-round modes of transportation that equitably connect all people and places in Metro COG's planning area.

#### Context

This plan aims to chart a clear, consistent, and actionable course toward policy and bicycle and pedestrian improvements. The vision, guiding principles, objectives, and performance measures presented here, which were developed in collaboration with the Study Review Committee and based on community input, provide a framework for future policy-making and transportation system investments.

By establishing a desired future for walking and biking throughout the Fargo-Moorhead metro area (the Vision), and by relating fundamental values around active transportation (Guiding Principles) to more specific desired outcomes (Objectives) and metrics by which to evaluate progress toward those outcomes (Performance Measures), this chapter provides a comprehensive framework for change.

In order to support prioritization of future investments and policy changes, the following guiding principles are ranked in order of importance. In the short-term, this ranking can inform the weighting assigned to the different analysis results described in the Existing Conditions section.

underinvestment. All people regionwide are able to access and benefit from active transportation facilities and opportunities.

- Engage with communities impacted by transportation inequities and underrepresented communities and use residents' stated needs and priorities to shape active transportation investments and policy changes
- Prioritize active transportation policy changes and infrastructure investments in identified environmental justice area

#### 5 - COLLABORATION

Active transportation systems are a shared asset, created and maintained through coordinated efforts across jurisdictions, agencies, and communities, that work synergistically with related systems, including employment, education, housing, and health.

- All jurisdictions in the region work together, through coordinated investments and policy changes, to create a cohesive regional active transportation system
- Active transportation infrastructure and policy are produced with input from relevant agencies and organizations to maximize the benefits of walking and biking systems

 Implement education and encouragement initiatives that support a culture of walking and biking as primary modes of transportation throughout the area

#### 6 - SUSTAINABILITY / ENVIRONMENT

Transportation policy and infrastructure decision-making accounts for the environmental benefits of active transportation and the environmental costs of motorized transportation.

- Emphasize projects that integrate shade trees, minimize and mitigate stormwater runoff, and integrate other environmentally-friendly features
- Focus on projects and policies that encourage non-motorized travel and remove incentives for motorized travel, thereby reducing air, water, and noise pollution

## INVESTMENT PERFORMANCE MEASURES

PERFORMANCE MEASURE	METRO COG BASELINE	2027 TARGET	RATIONALE
Total bicycle network mileage to total road network mileage	29% (2018 -BFC Application)	30% (By 2027)	30% is the benchmark for Bicycle Friendly Community Silver status.
Percent of arterial streets with bicycle facilities	6% (2018 -BFC Application)	45% (By 2027)	45% is the benchmark for Bicycle Friendly Community Silver status. All facilities should be separated from traffic and designed to serve riders of all ages and abilities.
Density of low stress crossings of key barriers	Unknown	Arterials: Four per mile Interstates: Two per mile Rivers: Every two miles (By 2027)	More frequent crossings of barriers reduce out of direction travel time and encourage use of active modes.
Number of trees adjacent to sidewalks and bikeways within new or reconstructed corridors	Unknown	135 trees per mile (2022- 2027)	Trees make bicycle and pedestrian travel more feasible & comfortable by providing shade and blocking wind. Trees also provide many environmental benefits and contribute to community beautification. 135 trees per mile produces full tree canopy cover when trees mature.
Percent of short- term bicycle and pedestrian projects completed	55% of 2016 Plan short-term projects were complete as of 2021	60% of short- term projects identified in 2022 plan completed by 2027	Implementation of short-term projects is a measure of the degree to which the Bicycle and Pedestrian Plan results in change.
Miles of sidewalk gaps closed	Unknown	75% of existing gaps closed in developed urbanized areas	Sidewalk gaps deter people walking and impact accessibility for people with disabilities.
Year-round accessibility of active transportation network	Unknown	Bikeways and sidewalks cleared of snow/ ice within 24 hours of snowfall	Poor and inconsistent winter maintenance prevents walking and biking from being reliable year-round modes of transportation.

# Engagement

The development of this Plan featured two phases of engagement. Phase I started in July 2021 and concluded in November 2021 to align with the existing conditions analyses; Phase II began in March 2022 to align with the development of recommendations and concluded in April 2022 to allow time for comments to be incorporated into the final recommendations

Both phases employed a combination of strategies, including passive online activities and active in-person and hybrid virtual meetings.

A Study Review Committee (SRC), which comprised stakeholders from local and state government agencies as well as two citizen representatives, also guided the planning process and provided feedback.

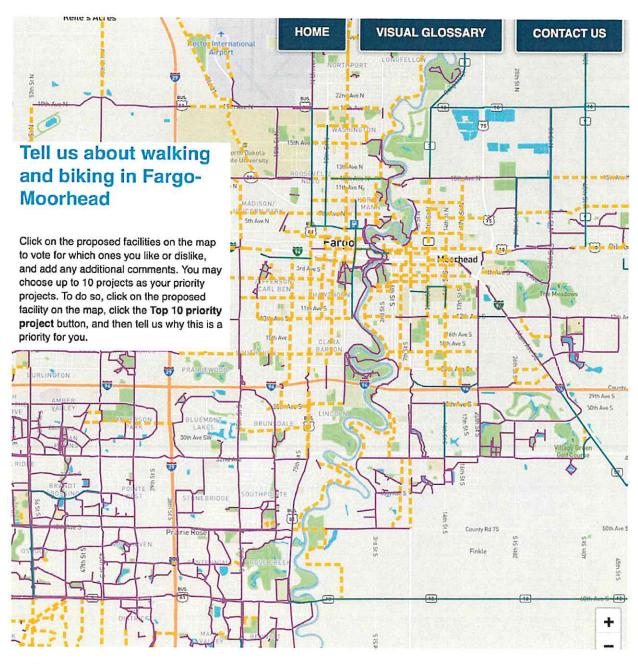
Key findings and themes from engagement and SRC meetings are highlighted below. Full engagement summaries are provided in Appendices A and B.

#### PUBLIC ENGAGEMENT

During Phase I, more than threehundred (347) responses were received through the survey. However, engagement participants were less demographically representative of the study area. People of color and people living in households earning less than the study area median income were underrepresented compared to the study area. Phase Il gathered over 950 interactions with the interactive map, and 32 responses to the voluntary demographic survey. Phase II engagement was generally more representative of regional demographics.

Respondents identified a number of priorities and concerns, including:

 Bicycle and pedestrian facilities that are physically separated from, and, ideally, set back from the roadway are preferred. Of particular interest is a continuous river trail on both sides of the Red River, as well as more continuous east-west connections from Moorhead to West Fargo.



An interactive online mapping application allowed users to provide feedback on proposed bicycle network improvement projects.

## Existing Conditions

A quantitative analysis of existing conditions helped to inform subsequent stages in the planning process, including community engagement efforts, development of proposed bicycle and pedestrian network improvements, and the project prioritization process.

The final priority investment areas scores that resulted from the existing conditions process combined, weighted and normalized scores across equity, active trip potential, connectivity, level of traffic stress, and crash analyses for each network segment in the Metro COG planning area. To align this process with the Plan's Guiding Principles, analyses were weighted to reflect the relative priority of the principle to which they corresponded. Crashes and level of traffic stress were weighted by a factor of two, reflecting the importance of the Safety Principle; Connectivity and Equity were weighted at 1.5, and active trip potential was weighted at 1, corresponding to the "Sustainability/ Environment" Guiding Principle.

Separate priority investment areas maps were produced for both the pedestrian and bicycle networks.

For the bicycle priority investment areas analysis, the largest clusters of highly ranked network links are located in the core of Moorhead, downtown Fargo, the area around NDSU, and a large area between downtown Fargo and downtown West Fargo, including the industrial park and the West Acres Mall area.

For the pedestrian priority investment areas analysis, clusters of highly ranked links are located around Downtown Moorhead and Downtown Fargo, the West Acres mall and Brundale neighborhood in Fargo, and North Dakota State University.

A full description of the existing conditions analyses and methods is available in Appendix C, and maps corresponding to the analyses are available in Appendix D.

## PRIORITY INVESTMENT AREAS ANALYSIS

FARGO-MOORHEAD METROPOLITAN BICYCLE & PEDESTRIAN PLAN



## BASEMAP Railroad River Park Cities Counties Fargo-Moorhead COG PEDESTRIAN PRIORITY INVESTMENT AREAS Bottom 50% Top 50-20% Top 10-20% Top 0-10%



The painted bike lane along 4th St S in Fargo is inaccessible to users because snow has not been adequately plowed.

**EXISTING CONDITIONS** 

## Recommendations

The recommendations produced as part of this planning process cover five interconnected but distinct domains:

- Design Guidelines describe best practices in bicycle and pedestrian facility selection and design, and are intended to support local staff when they are developing designs for street projects.
- Bicycle Network recommendations identify opportunities for new or upgraded bicycle facilities that will support a safer, more accessible, and more convenient bicycling experience.
- Pedestrian Improvements reflect some of the highest-priority intersections in the region where facility upgrades and reconstruction can address pressing safety, accessibility, and convenience considerations.

recommendations identify opportunities to revise government policies, such as parking minimums and bicycling regulations, and to improve or expand programming options, such as in-school

educational curricula, to support

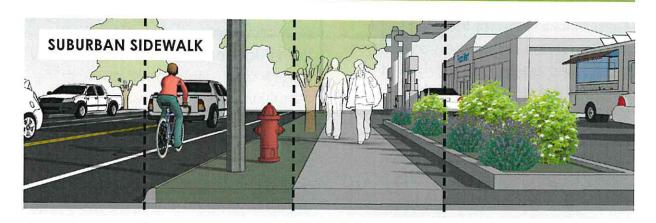
active transportation outcomes.

Policy and Program

 Process Improvements reflect opportunities identified during interviews with local and county government staff to facilitate bicycle and pedestrian planning, construction, and maintenance

processes.

## EXAMPLE FROM DESIGN GUIDELINES: SIDEWALK ZONES & WIDTHS (pg. 16)



## Enhancement Zone

The curbside lane can act as a flexible space to further buffer the sidewalk from moving traffic, and may be used for a bike facility. Curb extensions and bike corrals may occupy this space where appropriate.

## **Amenity Zone**

The amenity zone, also called the furnishing or landscaping zone, buffers pedestrians from the adjacent roadway, and is also the area where elements such as street trees, signal poles, signs, and other street furniture are properly located. When context and space allows, this is the ideal zone to include stormwater infrastructure and plantings such as bioswales and infiltration basins, as well as shade trees.

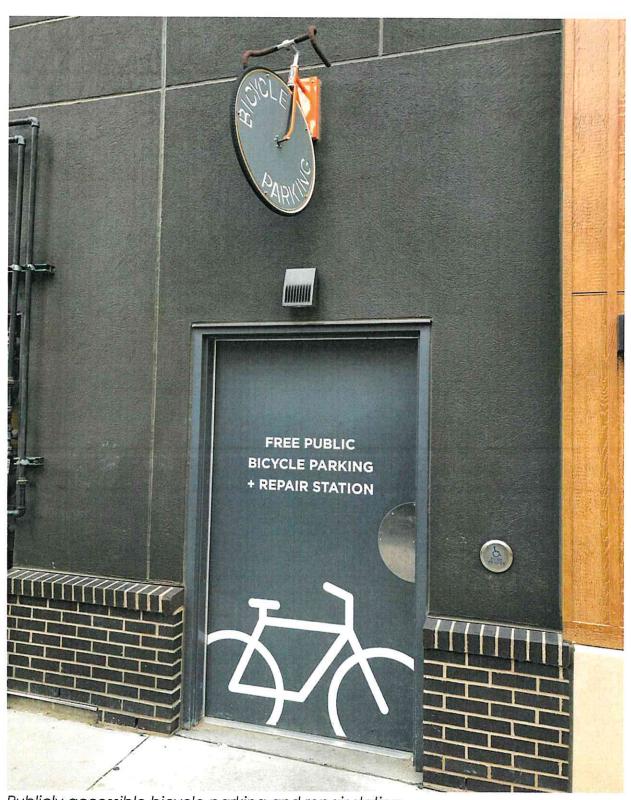
## Pedestrian Through Zone

The pedestrian through zone is the area intended for pedestrian travel. This zone should be entirely free of permanent and temporary objects.

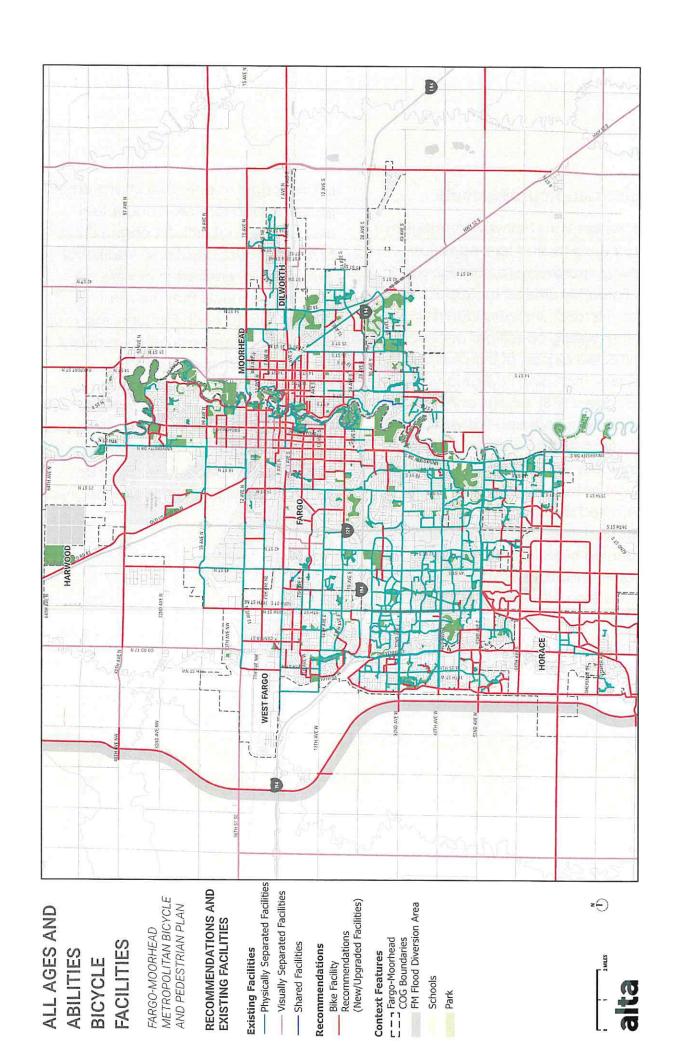
Wide pedestrian zones are needed in areas or where pedestrian flows are high.

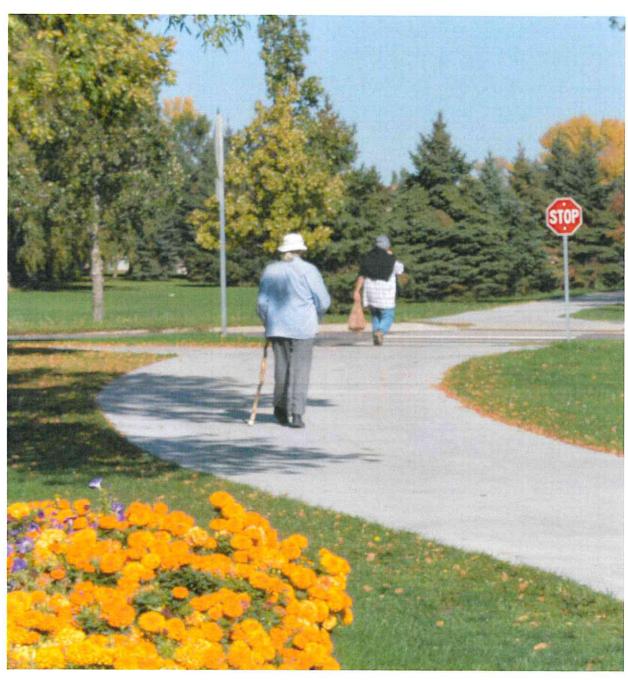
## Frontage Zone

The frontage zone allows pedestrians a comfortable "shy" distance from the building fronts, fencing, walls and vertical landscaping. It provides opportunities for window shopping, to place signs, planters, or chairs.



Publicly accessible bicycle parking and repair station





People walking on a shared-use pathway

# TABLE OF PEDESTRIAN IMPROVEMENTS

Notes		Curb radii reductions can reduce crossing distances to existing median refuge island across 29th St	Curb extensions can reduce the degree of intersection offset	Install crosswalks on the west, north. and east legs of the intersection. Install pedestrian tunnel under the south leg of the intersection	Opportunity for a median refuge island or curb extensions	Install ADA-compliant, high-visibility crossing of northern leg of 3rd St S: remove curb ramp leading to Daily Park			Implement curb radii reductions on curbs between University Dr southbound and the frontage road		
<u>*</u> :		CO	D Jri	and pec	d o	Inst			Imp bet fror		
Accessibility Check / Upgrades**	×	×	×	×	×	×	×	×	×	×	×
Road Right- sizing*					×		×	×	×	×	×
Full Signals		ш	ш	ш	ш			ш	ш	ш	ш
Pedestrian Hybrid Beacon (PHB)							×				
Rectangular Rapid Flashing Beacon (RRFB)							×				
Median Refuge Island		ш		×	×		×	ш	ш	ш	
Raised Intersection						×					×
Corner Radii Reduction		×					×	×	×	×	×
Curb	×	×	×		×	×					
Raised Crosswalk		×				×					
Marked Crosswalk	×	ш	ш	E/X	×	E/X	E/X	E/X	E/X	w	E/X
Localion	3rd St & 19th Ave N (Fargo)	29th St & 12th Ave N (Fargo)	Roberts St & 1st Ave N (Fargo)	34rd St and 12th Ave S (Moorhead)	US Hwy 10 & Main St (Dilworth)	3rd St, 4th St, & 3rd Ave (Moorhead)	34th St & Ridgewood Blvd (Moorhead)	45th St & 23rd Ave S (Fargo)	University Dr & 27th Ave S (Fargo)	Veterans Blvd & 40th Ave (West Fargo)	10th St & 1st Ave N (Fargo)

## Policy and Program Recommendations

Policies, including both those that explicitly target walking and biking as well as those that influence walking and biking via their effects on the built environment and use of automobiles. profoundly shape the availability, accessibility, and utility of different transportation modes. Programs, meanwhile, can contribute to individuals' awareness and knowledge of walking and biking, helping to build a culture of walking and biking. The following are recommended policies and programs for the Fargo-Moorhead metro area. Please see Appendix E for a full review and report of these policies and programs.

### **POLICIES**

Local ordinances and state statutes define the legal landscape for pedestrians, bicyclists, and drivers.

 Eliminate or significantly reduce minimum vehicle parking requirements across the area for all land use types. Consider vehicle parking maximums. Ensure that requirements are applied equitably across use-types.

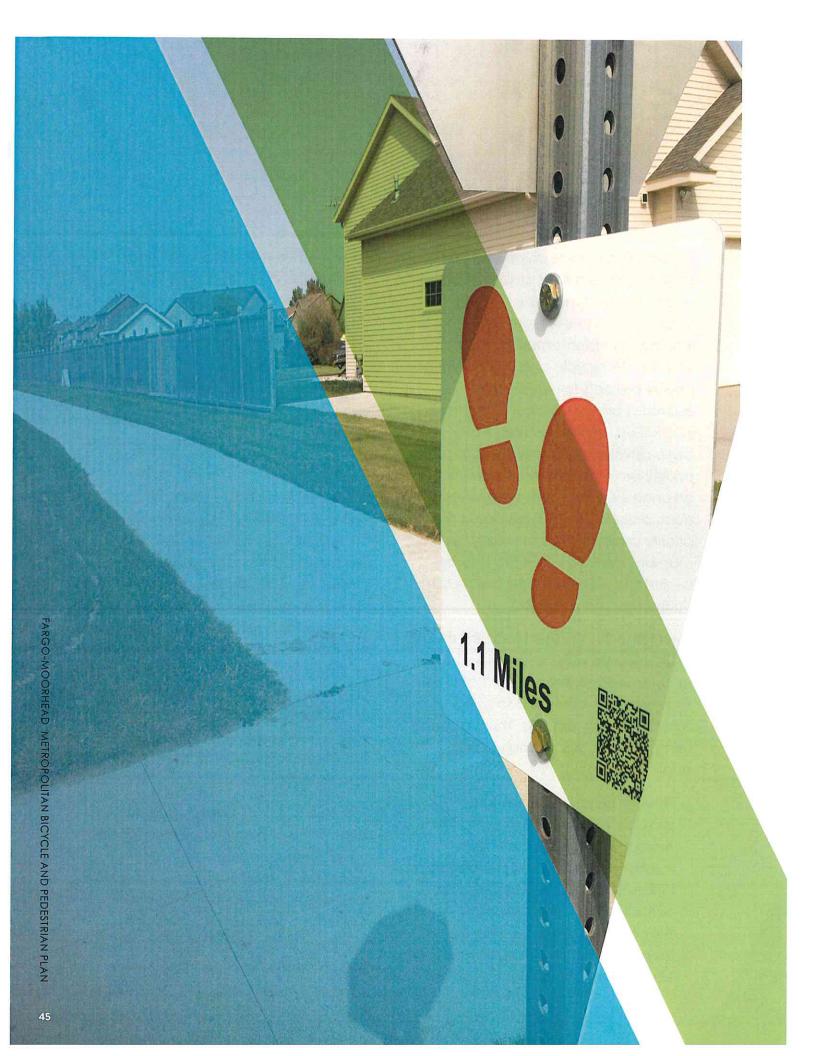
- Consider implementing requirements for bicycle facilities for commercial, office, and multi-family residential developments, including bicycle parking and shower and locker facilities.
- Work with state governments to update statutes to provide the right-of-way to pedestrians at all unsignalized intersections and at all marked mid-block crossings, regardless of the presence of alternate facilities (e.g., pedestrian tunnels and bridges).
- Work with state governments to update statutes to allow pedestrians to cross mid-block, including when abutting intersections are signalized and no marked crosswalk is present.
- Allow bicyclists to use all road facilities including sidewalks, where necessary, while maintaining pedestrian right-of-way on sidewalks.
- Adopt model ordinance language specifying where bicyclists may ride when in the road.

## Process Improvements

Supporting administrative agencies and their staff in their work around active transportation is critical to improving multiple domains of active transportation systems. Agencies and staff also have unique insight into opportunities for and barriers to developing better active transportation infrastructure and related policies. Interviews with public agency staff drove the recommendations below.

- Support land use planning practices that discourage low-density greenfield development on the urban fringe and that prioritize infill development. Metro COG should promote the above land use policy goals when conducting planning studies, allocating transportation funding, and in all other planning efforts.
- Focus on communicating the myriad benefits of investments in bicycle and pedestrian infrastructure, especially communicating the economic benefits, to generate greater support from potential stakeholders. Evaluation to better quantify the benefits of existing and proposed active transportation projects can support these communications goals.

- Continue to support inter-agency and inter-disciplinary coordination and collaboration around bicycle and pedestrian work. This could involve prioritizing these types of meetings and relationships, for example, through a walk gudit or bike tour with elected officials and representatives from different disciplines. Because active transportation bridges planning, engineering, and public health, among other spheres, and because relevant infrastructure systems and travel patterns span municipal, state, and regional borders, these types of collaboration are critical.
- Develop strategies, processes, and resources to support member jurisdictions in pursuing and winning competitive funding awards from state and federal sources. This could include, for example, developing regional data products that demonstrate the value of and need for active transportation projects; providing grant writing expertise to member jurisdictions; and hosting technical assistance trainings for member jurisdictions.



the traffic speed and volume, and road context. The typical sections represent one possible configuration for one representative segment of the project, and more detailed study of the facility type that is appropriate for each project should occur before implementation. Timing of implementation for each project is subject to funding and discussions between relevant agencies.

The cost estimates are based on general assumptions for the cost to implement each facility type or improvement per mile or intersection, which were then applied to the length of each of the bicycle and pedestrian priority projects. The cost estimates are high level and do not include grading, drainage, utilities, or landscaping. The cost estimates for each bicycle priority project are included in the table on page 47. Cost estimates for each pedestrian priority project can be found in the table on page 49.

The project team developed typical sections of the priority bicycle projects, with the exception of the Heartland Trail and Red River Trail East between 32nd Ave S and 40th Ave S as they have variable or unusual configurations. The typical sections show possible bicycle facilities, vehicular lane widths, sidewalks, and their dimensions within the overall right-of-way. The typical sections are

included in Appendix H.

There are several options for implementing active transportation facilities. Implementation can occur as part of planned capital works projects, including road resurfacing or road reconstruction. A road reconstruction may provide an opportunity to move curbs and alter drainage, utilities, or other elements within the right-of-way, which will impact the design of the proposed facility. A road resurfacing project will not alter existing curbs and drainage, and there will likely be less opportunity to move or alter road elements to accommodate the proposed facility. Demonstration, quick-build, and interim implementation can be used to implement different road and facility designs in a shorter timeframe. Quickbuild and interim facilities are designed to be altered or removed, while demonstration projects are intended to test out a design temporarily.

Project Number	Project Location and Extents	Facility Guidance	Project Length (ft/ mi)	Project Costs (2022 dollars)	
480	Broadway from 8th Ave N to 35th Ave N (Fargo)	Separated on-road bicycle facilities on each side of road. Replace existing parking lane and reallocate lanes and lane widths to accommodate appropriate-width bicycle facilities. This is a long-term project	13834/2.62	\$366,800	
521	7th Ave N from 38th St N to Elm St N (Fargo)	Install shared use path on south side of roadway	14700/2.78	\$1,946,000	
733	N 21st St from Center Ave to 2nd Ave N (Moorhead)	Expand sidewalk on eastern side of road to create a shared use path	700/.13	\$135,800	
906	7th St N from E Center Ave to 3rd Ave N (Dilworth)	Install shared use path, linking to existing facilities	900/.17	\$180,600	
950	Heartland Trail (Moorhead and Dilworth)	10' wide paved path, 2 ft shoulders (gravel), 5 ft unpaved treadway	83000/15.72	\$15,405,600	
5005	9th Ave S from 36th St S to 38th St S	Separated on-road bicycle facilities on each side of road. Eliminate southern parking lane, widen existing sidewalk	725/.14	\$19,300	

## General notes:

- 20% design contingency and 25% engineering costs are included in the estimates
- Planning level estimates do not quantify grading, minor storm sewer modification, and removals, but these should be covered by estimate and contingency figures
- Right-of-way costs and major utility modifications are not included in the cost estimates

Project Location	Existing Conditions	Recommended Improvements	Project Costs (2022 dollars)
45th St & 23rd Ave S (Fargo)	Partial Marked Crosswalk, Full Signals, Median Refuge	Marked Crosswalk, Corner Radii Reduction, Road Right-sizing, Accessibility Check Upgrades	\$30,450
University Dr & 27th Ave S (Fargo)	Partial Marked Crosswalk, Full Signals, Median Refuge	Marked Crosswalk, Corner Radii Reduction, Road Right-sizing, Accessibility Check Upgrades	\$30,450
Veterans Blvd & 40th Ave (West Fargo)	Marked Crosswalk, Full Signals, Median Refuge	Corner Radii Reduction, Road Right- sizing, Accessibility Check Upgrades	\$18,850
10th St & 1st Ave N (Fargo)	Partial Marked Crosswalk, Full Signals	Marked Crosswalk, Corner Radii Reduction, Road Right-sizing, Accessibility Check Upgrades	\$20,300
S University Dr and 25th Ave S/24th Ave S (Fargo)	Partial Marked Crosswalk, Full Signals	Marked Crosswalk, Raised Crosswalk, Curb Extensions, Corner Radii Reduction, Accessibility Check Upgrades	\$43,500
9th St W & 32nd Ave W (West Fargo)	Marked Crosswalk	Corner Radii Reduction, Median Refuge Island, Road Right-sizing, Accessibility Check Upgrades	\$42,500

## General notes:

- 20% design contingency and 25% engineering costs are included in the estimates
- Planning level estimates do not quantify grading, minor storm sewer modification, and removals, but these should be covered by estimate and contingency figures
- Right-of-way costs and major utility modifications are not included in the cost estimates

## DILWORTH THE MAN \$ 18.91 MOORHEAD FARGO HORACE WEST FARGO BIKE NETWORK PRIORITY PROJECTS FARGO-MOORHEAD METROPOLITAN BICYCLE AND PEDESTRIAN PLAN **≖**⊖ FM Flood Diversion Area

--- Public Priority Projects

Heartland Trail Routing Options

Fargo-Moorhead COG Boundaries Context Features

Parks Schools

Recommendations
Technical Analysis
Priority Projects







## **Appendices**

Appendices are provided as separate attachments to reduce file size and simplify organization and readability of this report.

APPENDIX A - ENGAGEMENT SUMMARY - PHASE I

**APPENDIX B - ENGAGEMENT SUMMARY - PHASE II** 

APPENDIX C - EXISTING CONDITIONS MEMO

APPENDIX D - EXISTING CONDITIONS MAPS

APPENDIX E - POLICY AND PROGRAM REVIEW MEMO

**APPENDIX F - PROCESS EVALUATION MEMO** 

**APPENDIX G - DESIGN GUIDELINES** 

**APPENDIX H - TYPICAL SECTIONS**