

FARGO PLANNING COMMISSION AGENDA
Tuesday, December 2, 2025 at 3:00 p.m.

A: Approve Order of Agenda

B: Minutes: Regular Meeting of November 4, 2025

C: Public Hearing Items:

- 1a. Hearing on an application requesting a Zoning Change from AG, Agricultural to AG, Agricultural, SR-4, Single-Dwelling Residential, MR-3, Multi-Dwelling Residential with a C-O, Conditional Overlay, LC, Limited Commercial with a C-O, Conditional Overlay, and P/I, Public and Institutional on the proposed **Covey Ranch Third Addition**. (Located at 6455, 6620, 6630, and 6750 43rd Street South; 3800 and 3900 64th Avenue South; 6536, 6688 and 6800 45th Street South) (Enclave Covey, LLC/Dabbert Custom Homes, LLC/Brookstone Property, LLC/Moore Engineering, Inc./City of Fargo) (me)
- 1b. Hearing on an application requesting a Plat of **Covey Ranch Third Addition** (Major Subdivision) a plat of a portion of the North Half of Section 10, Township 138 North, Range 49 West, of the Fifth Principal Meridian, Cass County, North Dakota. (Located at 6455, 6620, 6630, and 6750 43rd Street South; 3785, 3800, 3900, 4000 and 4360 64th Avenue South; 6536, 6688, and 6800 45th Street South) (Enclave Covey, LLC/Dabbert Custom Homes, LLC/Brookstone Property, LLC/Moore Engineering, Inc./City of Fargo) (me)
- 2a. Hearing on an application requesting a Conditional Use Permit to allow household living in the LC, Limited Commercial zoning district on the proposed Lot 1, Block 1, **Urban Plains by Brandt Eighth Addition**. (Located at 2975 Seter Parkway South) (Urban Plains Land Company, LLC/Lowry Engineering/Brookstone Companies) (dk)
- 2b. Hearing on an application requesting a Conditional Use Permit to allow an Alternative Access Plan for a parking reduction on the proposed Lot 1, Block 1, **Urban Plains by Brandt Eighth Addition**. (Located at 2975 Seter Parkway South) (Urban Plains Land Company, LLC/Lowry Engineering/Brookstone Companies) (dk)
3. Hearing on an application a Conditional Use Permit to allow an Alternative Access Plan for a parking reduction on the proposed Lot 2, Block 1, **Urban Plains by Brandt Eighth Addition**. (Located at 2975 Seter Parkway South) (Urban Plains Land Company, LLC/Lowry Engineering/Brookstone Companies) (dk)
- 4a. Hearing on an application requesting a Conditional Use Permit to allow household living in the GC, General Commercial zoning district on Lot 5, Block 1, **Veterans Square Addition**. (Located at 5600 38th Avenue South) (JB Real Estate Investments, LLC/Eagle Ridge Companies) (cl)

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.

- 4b. Hearing on an application requesting a Conditional Use Permit to allow an Alternative Access Plan for a parking reduction on Lot 5, Block 1, **Veterans Square Addition**. (Located at 5600 38th Avenue South) (JB Real Estate Investments, LLC/Eagle Ridge Companies) (cl)
- 5. Hearing on an application requesting a Plat of **Valley View Estates Fourth Addition** (Minor Subdivision) a replat of Lots 1-12, Block 4, and Lots 1-10, Block 5, Valley View Estates Second Addition, to the City of Fargo, Cass County, North Dakota. (Located at 4950-4992 36th Avenue South; 4953, 4957, 4961, 4965, 4969, 4973, 4977, 4981, 4985, 4989, 4993, 4997 Big Goose Lane South) (EWR Fargo TH Trio, LLC/Houston Engineering, Inc.) (dk)

D: Other Items:

- 1. Annexation of approximately 122.95 acres of a portion of the North Half of Section 10, Township 138 North, Range 49 West, of the Fifth Principal Meridian, Cass County, North Dakota. (me)

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BOARD OF PLANNING COMMISSIONERS MINUTES

Regular Meeting:

Tuesday, November 4, 2025

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, November 4, 2025.

The Planning Commissioners present or absent were as follows:

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

Chair Tasa called the meeting to order.

Business Items:

Item A: Approve Order of Agenda

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

Member Stofferahn present.

Item B: Minutes: Regular Meeting of October 7, 2025

Member Jordre moved the minutes of the October 7, 2025 Planning Commission meeting be approved. Second by Member Rosenberg. All Members present voted aye and the motion was declared carried.

Item C: Public Hearing Items:

Item 1: Urban Plains by Brandt Eighth Addition

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

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

Member Shewey moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed Subdivision Plat Urban Plains by Brandt Eighth Addition, as outlined within the staff report, as the proposal complies with the Fargo Growth Plan 2024, the Standards of Article 20-06, Section 20-9007.B and C of the Land Development Code, and all other applicable requirements of the Land Development Code. Second by Member Hass. On call of the roll Members Shewey,

Gleye, Betlock, Rosenberg, Cecil, Schmidt, Jordre, Stofferahn, Hass, Mohs, and Tasa voted aye. The motion was declared carried.

Item 2: Old Broadway Second Addition

Hearing on an application requesting a Plat of Old Broadway Second Addition (Minor Subdivision) a replat of Lot 1, Block 1, Old Broadway Addition, to the City of Fargo, Cass County, North Dakota. (Located at 10A, 14, 16, and 22 Broadway North) (Global Development, LLC/Houston Engineering): APPROVED

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

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

Item 3: Champions Gate at Prairie Farms Third Addition

Hearing on an application requesting a Plat of Champions Gate at Prairie Farms Third Addition (Minor Subdivision) a replat of Lot 11, Block 1, Champions Gate at Prairie Farms Second Addition, to the City of Fargo, Cass County, North Dakota. (Located at 5737 31st Street South) (Prairie Grove, Inc./Houston Engineering): APPROVED

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

Discussion was held on the private drive.

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

Member Schmidt moved the findings and recommendations of staff be accepted and approval be recommended to the City Commission of the proposed Subdivision Plat, Champions Gate at Prairie Farms Third Addition as outlined in the staff report, as the proposal complies with the Fargo Growth Plan 2024, the Standards of Article 20-06, Section 20-0907.B and C of the Land Development Code, and all other applicable requirements of the Land Development Code. Second by Member Stofferahn. On call of the roll Members Gleye, Schmidt, Hass, Stofferahn, Mohs, Jordre, Rosenberg, Betlock, Cecil, Shewey, and Tasa voted aye. The motion was declared carried.

The time at adjournment was 3:15 p.m.

City of Fargo Staff Report			
Title:	Covey Ranch Third Addition	Date:	11/25/2025
Location:	6455, 6620, 6630, and 6750 43rd Street South; 3785, 3800, 3900, 4000 and 4360 64th Avenue South; 6536, 6688, and 6800 45th Street South	Staff Contact:	Maegin Elshaug, planning coordinator
Legal Description:	Portion of the North Half of Section 10, Township 138 North, Range 49 West of the Fifth Principal Meridian, to the City of Fargo, Cass County, North Dakota		
Owner(s)/Applicant:	Enclave Covey, LLC / Dabbert Custom Homes, LLC / Brookstone Property, LLC / City of Fargo / Moore Engineering, Inc.	Engineer:	Moore Engineering, Inc
Entitlements Requested:	Zone Change (from AG, Agricultural to AG, Agricultural, SR-4, Single-Dwelling Residential, MR-3, Multi-Dwelling Residential with a C-O, Conditional Overlay, LC, Limited Commercial with a C-O, Conditional Overlay, and P/I, Public and Institutional) and Major Subdivision (a plat of a portion of the North Half of Section 10, Township 138 North, Range 49 West, of the Fifth Principal Meridian, Cass County, North Dakota)		
Status:	Planning Commission Public Hearing: December 2 nd , 2025		

Existing	Proposed
Land Use: agricultural	Land Use: Commercial, Residential, and Public & Institutional
Zoning: AG, Agricultural	Zoning: AG, Agricultural, SR-4, Single-Dwelling Residential, MR-3, Multi-Dwelling Residential with a C-O, Conditional Overlay, LC, Limited Commercial with a C-O, Conditional Overlay, and P/I, Public and Institutional
Uses Allowed: AG – Agricultural. Allows detached houses, parks and open space, safety services, basic utilities, and crop production and certain telecommunication facilities.	Uses Allowed: AG – Agricultural. Allows detached houses, parks and open space, safety services, basic utilities, and crop production and certain telecommunication facilities. SR-4 Allows detached houses, daycare centers up to 12 children, attached houses, duplexes, parks and open space, religious institutions, safety services, schools, basic utilities and certain telecommunications facilities. MR-3, Multi-Dwelling allows detached houses, attached houses, duplexes, multi-dwelling structures, group living, daycare centers up to 12 children or adults, parks and open areas, religious institutions, safety services, schools, basic utilities and certain telecommunication facilities. P/I – Public and Institutional. Allows colleges, community service, daycare centers of unlimited size, detention facilities,

	<p>health care facilities, parks and open space, religious institutions, safety services, schools, offices, commercial parking, outdoor recreation and entertainment, industrial service, manufacturing and production, warehouse and freight movement, waste related use, agriculture, aviation, surface transportation, and major entertainment events and certain telecommunication facilities.</p> <p>LC – Limited Commercial. 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, and certain telecommunications facilities.</p> <p>A C-O, Conditional Overlay will be applied to property zoned MR-3, Multi-Dwelling Residential and LC, Limited Commercial that provides development standards.</p>
<p>Maximum Lot Coverage Allowed: AG, Agricultural allows a maximum of 1 dwelling unit per 10 acres.</p>	<p>Maximum Density Allowed: AG – 1 dwelling unit per 10 acres; SR-4 allows a maximum 12.1 units per acre; MR-3 allows a maximum of 24 units per acre</p>
	<p>Maximum Lot Coverage Allowed: LC allows a maximum 55% building coverage</p>

Proposal:
<p>The applicant requests two entitlements:</p> <ol style="list-style-type: none"> 1. A major subdivision, entitled Covey Ranch Third Addition, a plat of a portion of the North Half of Section 10, Township 138 North, Range 49 West of the Fifth Principal Meridian, to the City of Fargo, Cass County, North Dakota 2. A zoning change from AG, Agricultural to AG, Agricultural, SR-4, Single-Dwelling Residential, MR-3, Multi-Dwelling Residential with a C-O, Conditional Overlay, LC, Limited Commercial with a C-O, Conditional Overlay, and P/I, Public and Institutional <p>This project was reviewed by the City’s Planning and Development, Engineering, Public Works, and Fire Departments (“staff”), whose comments are included in this report.</p> <p>Surrounding Land Uses and Zoning Districts:</p> <ul style="list-style-type: none"> • North: P/I, Public & Institutional with school use, and across 64th Avenue South is AG, Agricultural and LC, Limited Commercial with C-O, Conditional Overlay with agricultural use; • East: AG with agricultural uses; • South: AG with agricultural uses; • West: Across 45th Street South is AG with agricultural use.

Area Plans:

Fargo's Growth Plan 2024 was adopted in August 2024. The placetype for the subject property is designated as Urban Neighborhood and is consistent with the proposed development. Primary uses within this placetype include small lot single-family detached housing and duplexes. Secondary uses include triplex, quadplex, townhomes up to 10 units per building, pockets of multi-family structures, places of worship, schools, daycare centers, home offices, and neighborhood-scale retail and services. The proposed zoning and development for this subdivision is consistent with this placetype designation.

Context:

Neighborhood: A portion that is already annexed is part of The District currently, and it is anticipated once the remainder is annexed, The District neighborhood will be expanded.

Schools: The subject property is located within the Fargo School District, specifically Kennedy Elementary, Discovery Middle and Davies High schools. Additionally, the Capstone Academy (6565 43rd Street South) and North Dakota State College of Science (4230 64th Avenue South) have facilities located directly adjacent to the plat.

Parks: Park dedication is being provided on Lot 2, Block 2 (6.31 acres) and Lot 22, Block 8 (6,652 square feet), as shown on the plat.

Pedestrian / Bicycle: See "PATH CONNECTIVITY" below.

Transit: The subject property is not on a MATBUS route at this time.

Staff Analysis:

CURRENT STATUS

As of the writing of this staff report, staff continues to work with the applicants to confirm and solidify details of the applications. In order to provide additional time to coordinate, staff is recommending continuation of the applications. It is staff's intent to present the applications at the December 2, 2025 Planning Commission meeting in order to introduce the project and hear public comments, but to recommend continuation of the applications to the January 6, 2026 Planning Commission meeting in order to give additional time to coordinate and finalize details. In summary, staff intends for the applications to be heard by the Planning Commission twice: once on December 2, 2025 for information, discussion, and public hearing purposes and again on January 6, 2026 for continued public hearing and recommendation to the Planning Commission. Staff has not included an findings in the staff report, as there is no recommendation at this time. Details noted in the staff report and the attachments are current as of the publication, however some items may change based on further coordination and finalization.

MASTER PLAN

This area of land has been discussed with staff a number of times over the years for nearly two decades. Most recently, staff from the Engineering and Planning, along with Public Works and Fire, as well as the Fargo Park District staff, has had increased coordination over the last several years as the owners work through their development plans. As they have refined their vision for the area, staff have been working collectively on master planning efforts for a cohesive development for these approximately 153 acres, as well as development to the east and south, including roadway alignment, type and connectivity, driveway access management, storm water management via storm water channel location and crossings, development vision and design standards, pedestrian connectivity, and park and open space amenities.

The Fargo Park District has also been coordinating with the owners for park needs and dedication, and design of parks. Information on these items is detailed below.

Attached to the packet is the applicant's master plan for the development. The master plan is in the process of being updated based on some changes to roadway alignment to the east towards I29 outside the bounds of the plat. An updated master plan is anticipated at the Planning Commission meeting.

GROWTH PLAN

Fargo's Growth Plan 2024 was adopted in August 2024. The placetype for the subject property is designated as Urban Neighborhood and is consistent with the proposed development. Primary uses within this placetype include small lot single-family detached housing and duplexes. Secondary uses include triplex, quadplex, townhomes up to 10 units per building, pockets of multi-family structures, places of worship, schools, daycare centers, home offices, and neighborhood-scale retail and services. The proposed zoning and development for this subdivision is consistent with this placetype designation.

SUBDIVISION AND ZONE CHANGE

The plat is approximately 153.41 acres and will create a total of 159 lots, to be zoned as shown in the following chart.

BLOCK	LOT	ZONING	LAND USE	COMMENT
1	1, 2	AG	Undeveloped at this time	For future development – see “AG Zoned Lots” below
2	1	LC	Commercial	With conditional overlay
2	2	P/I	Public Park	To be conveyed to Fargo Park District
2	3	MR-3	Multi-Dwelling Residential	With conditional overlay
2	4	P/I	Stormwater Conveyance	City of Fargo
3	1-2	MR-3	Multi-Dwelling Residential	With conditional overlay
3	3-7	LC	Commercial	With conditional overlay
4	1	LC	Commercial	With conditional overlay
5	1	MR-3	Multi-Dwelling Residential	With conditional overlay
5	2-27	SR-4	Single-Dwelling Residential	
6	1-39	SR-4	Single-Dwelling Residential	
7	1-46	SR-4	Single-Dwelling Residential	
8	1	P/I	Stormwater Conveyance	City of Fargo
8	2-21, 23-33	SR-4	Single-Dwelling Residential	
8	22	P/I	Public Park	To be conveyed to Fargo Park District

SR-4 Zoned Lots

The 142 proposed SR-4 zoned lots primarily range in size from 3,850 square feet to under 6,000 square feet, with several larger lots up to 10,480 square feet. Lot widths primarily range from 35 to 50 feet, with several lots exceeding that up to approximately 73 feet along 40th Street South as well as the northeast and southeast portions of the development. The larger lot widths and size near 40th Street South are due to the road configuration and how the avenues connect to that street, while the southeast and southwest corners are due to street configuration.

MR-3 Zoned Lots

The MR-3 zoned lots are intended for multi-dwelling development. Maximum density in the MR-3 is 24 dwelling units per acre, however, information provided by the applicants state that the these lots would be higher density, proposing over 50 units per acre, which would exceed current Land Development

Code requirements. The applicants may intend to development these lots in a future phase, perhaps after the new Land Development Code has been adopted. The MR-3 lots will have a conditional overlay that provides site design standards.

LC Zone Lots

The seven LC lots are intended for commercial development. These include Lot 1, Block 2; Lots 3-7, Block 3; and Lot 1, Block 4. The development for these lots is not known at this time. The LC lots will have a conditional overlay that provides site design standards. Currently, Lot 3, Block 3 is tucked back and the development for the piece is unknown. Due to its location, size and access, staff has concern and will coordinate further with the applicants.

AG Zoned Lots

Lots 1 and 2, Block 1 will be zoned AG, Agricultural. The applicant intends to develop these lots in a future phase, perhaps after the new Land Development Code has been adopted. Lot 1, a deed-split lot, is non-confirming for size in the AG zoning district. The AG zone is intended to be an interim zoning. The applicant will apply to rezone these lots at the time they get developed.

P/I Zoned Lots

The four P/I zoned lots, Lots 2 and 4, Block 2; and Lots 1 and 22, Block 8, are intended for public park/public park access and storm water channel. These park lots will be owned by the Fargo Park District and the storm water channel lots will be owned by the City of Fargo.

Conditional Overlay

A conditional overlay will be included on all LC and MR-3 zoned properties, which will include design and building standards on the site, and is currently being coordinated with the applicants.

ROADWAYS, CONNECTIVITY AND ACCESS

The lots will be access by way of dedicated public streets. Necessary right of way will be dedicated with the plat, as shown in the chart below.

STREET	CLASSIFICATION	COMMENT
45 th Street South	Mixed Use Arterial	Remaining ROW dedication
64 th Avenue South	Mixed Use Arterial	ROW dedication
40 th Street South	Mixed Use Collector	Alights with 38 th Street on the north
Sports Drive South	Mixed Use Neighborhood	Half of ROW dedicated; Continues existing street
65 th Avenue South	Mixed Use Neighborhood	New Street – will include turnaround
66 th Avenue South	Mixed Use Collector and Residential Neighborhood	New Street
Drift Avenue South	Residential Neighborhood	New Street
Ridge Avenue South	Residential Neighborhood	New Street
Covey Ranch Street South	Residential Neighborhood	New Street

Connectivity

Coordination with the applicants and adjacent property owners have occurred over the last several years to ensure necessary roadways alignments and connectivity for the area. This area has unique considerations due to the number of different property owners and constraints of crossings related to Interstate 29 and the conveyance channels. The applicants are working on updates to the master plan

that will show that connectivity.

Several roadways, as well as half of Sports Drive South, are being dedicated that will extend to the plat boundary, including 40th Street South, 66th Avenue South, and Sports Drive South. When the adjacent properties are platted, they will need to dedicate right-of-way for continuity of these streets.

Roundabout

A 120-foot diameter roundabout will be constructed at the intersection of 40th Street South and 65th Avenue South, and will include medians for a distance north and south along 40th Street South which will limit access to right-in, right out servicing Lots 3-7, Block 3 and Lot 1, Block 4. A shared access easement is provided to allow access west into Block 3 from the roundabout.

Access Restrictions and Turnaround

Access points along 45th Street South and 64th Avenue South at approximately 1/8-mile intervals outside of streets into the development will be limited in the future to right-in, right-out movements, at the discretion of the City and as traffic volumes increase and necessitate the change. Access from 64th Avenue South on to Sports Drive South will be a right-in, right-out at the time of interchange improvements from I29 are constructed in order to meet North Dakota Department of Transportation requirements. The ramps are programmed for 2028.

The plat dedicates half of the right-of-way for Sports Drive South. Sports Drive South will not be constructed until the total width necessary is acquired. A temporary turnaround will be constructed at the east side of 65th Avenue South within the right-of-way and a temporary street and utility easement that will go in tandem with the plat. The turnaround will be 96-foot in diameter and be constructed to City standards. In the future, when Sports Drive South is constructed, the turnaround will be removed. Cost of the turnaround will be special assessed to the benefitting properties.

Negative Access Easements

The plat depicts negative access easements (NAEs) along 40th Street South (mixed-use collector street), including side yards of the residential lots, as well as areas on 65th Avenue South, 66th Avenue South, and Sports Drive South. Small NAEs will be depicted along the local residential streets where the lot widths are narrower than 50 feet. The NAEs are intended to manage driveway widths and locations, provide spaces for street parking, and restrict access to the residential lots from the collector roadway.

AMENITIES PLAN AND DEVELOPERS AGREEMENT

Staff is working with the applicants to draft an amenities plan and a developers agreement, which will include items specific to design and construction of improvements, utility specifics, access management, storm water management, flood protection requirements, and special assessments.

PEDESTRIAN/PATH CONNECTIVITY

Planning, Engineering, and Park District staff have worked with the applicants to insure path connectivity, especially due to site constraints, including the storm water channel that has limited vehicular crossing. Ten-foot off-street shared use paths are or will be located along both sides of the arterial roadways of 64th Avenue South and 45th Street South, with additional connectivity being provided along 66th Avenue South and 40th Street South, as well as on the north side of the stormwater channel. An at grade crossing will allow users to connect east-west at 40th Street South and a grade separated crossing will connect to the west at 45th Street South along the storm water channel. A shared use path will be located on the Park District property Lot 2, Block 2, and will cross the stormwater channel into a future Park District property. This location will provide pedestrians connectivity at approximately every quarter-mile, as roadways crossing the channel are limited to 40th Avenue South. Lot 22, Block 8 will be Park property and provide a connection from the neighborhood into the path system.

STORMWATER MANAGEMENT

Covey Ranch Third Addition is located within the service area of the Southwest Metro Regional Storm Water Pond (SW Metro Pond). System will be designed to direct all storm water runoff to the storm water conveyance channel, which will be constructed as part of Covey Ranch Third Addition, and will ultimately drain into the SW Metro Pond, located west of 45th Street South.

TIMING OF INFRASTRUCTURE

The applicants are working on a request for infrastructure and state that they will be requesting all infrastructure as part of the plat that can be constructed, which would not include any infrastructure on Sports Drive South. The conveyance channel and paths along it will be constructed as part of the infrastructure project. Shared use paths will be installed as necessary.

CONCURRENT ANNEXATION

A portion of the subject property is within City limits, most of the subject property is currently in Fargo's four-mile extra-territorial jurisdiction (ETJ). The portion in the ETJ is the subject of an owner-initiated annexation. This annexation follows a different review path than the subdivision, but both the annexation and subdivision are intended to appear on the same City Commission agenda for final hearing. Planning Commission review of the proposed annexation is item D.1 on the December 2, 2025 Planning Commission Agenda.

CURRENT STATUS

At this point, staff is including a recommendation for continuation. Staff has not included an findings in the staff report, as there is no recommendation at this time. It is staff's intent to bring these items to the January Planning Commission meeting for continued public hearing and with a recommendation for Planning Commission.

Zone Change:

The LDC stipulates that the Planning Commission and Board of City Commissioners shall consider the following criteria in their review of zoning map amendment requests. Proposed zoning map amendments that satisfy all of the criteria may be approved.

Section 20-0906.F (1-4)

- 1. The requested zoning change is justified by a change in conditions since the previous zoning classification was established or by an error in the zoning map;**
- 2. The City and other agencies will be able to provide necessary public services, facilities, and programs to serve the development allowed by the new zoning classification at the time the property is developed;**
- 3. The approval will not adversely affect the condition or value of property in the vicinity;**
- 4. The proposed amendment is consistent with the purpose of this LDC, the applicable Growth Plan and other adopted policies of the City.**

Subdivision

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

1. Section 20-0907. of the LDC stipulates that no major subdivision plat application will be accepted for land that is not consistent with an approved Growth Plan or zoned to accommodate the proposed development.
2. Section 20-0907.4 of the LDC further stipulates that the Planning Commission shall recommend approval or denial of the application and the City Commission shall act to approve or deny, based on whether it is located in a zoning district that allows the proposed development, complies with the adopted Area Plan, the standards of Article 20-06 and all other applicable requirements of the Land Development Code.
3. Section 20-907.C.4.f of the LDC stipulates that in taking action on a Final Plat, the Board of City Commissioners shall specify the terms for securing installation of public improvements to serve the subdivision.

Staff Recommendation:

Recommendation:

“Move to continue to the January 6, 2026 Planning Commission meeting”

Planning Commission Recommendation:

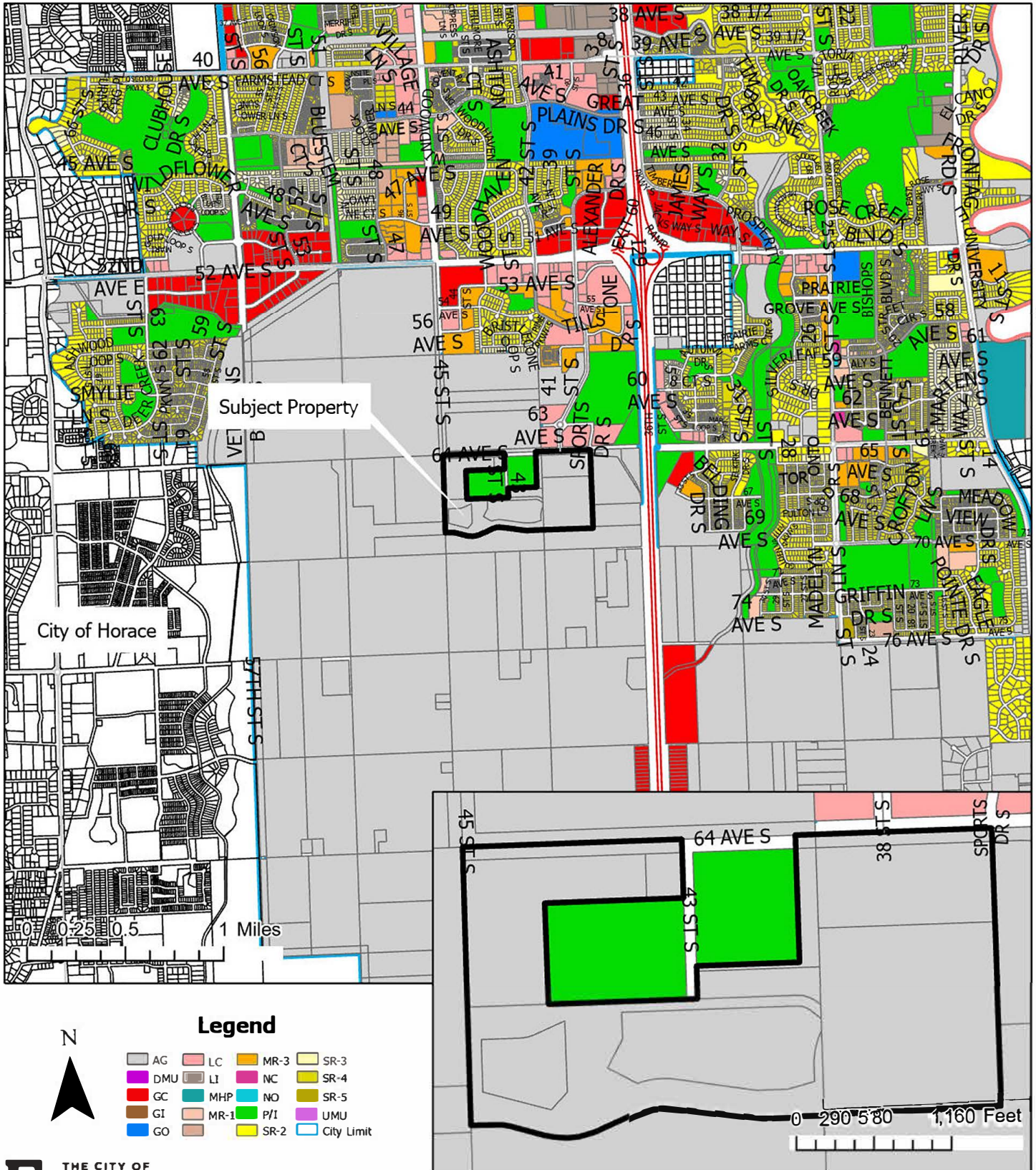
Attachments:

1. Zoning Map
2. Location Map
3. Preliminary Plat
4. Conceptual Master Plan
5. Zoning Exhibit

Major Subdivision & Zoning Change Change from AG, Agricultural to AG, Agricultural, SR-4, Single-Dwelling Residential, MR-3, Multi-Dwelling Residential with a C-O, Conditional Overlay, LC, Limited Commercial with a C-O, Conditional Overlay, and P/I, Public and Institutional

Covey Ranch Third Addition

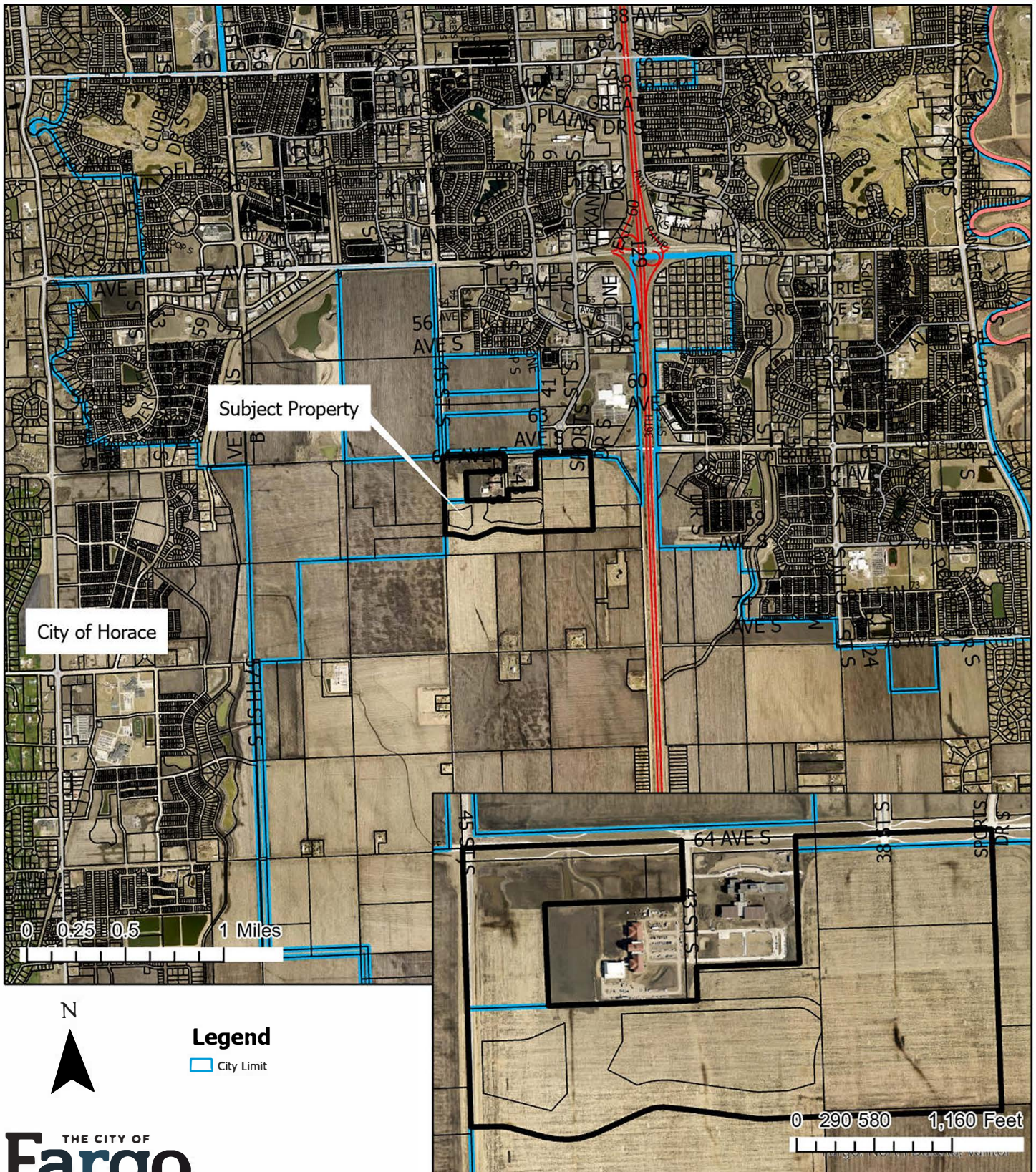
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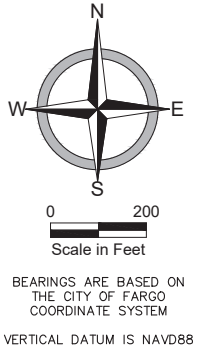
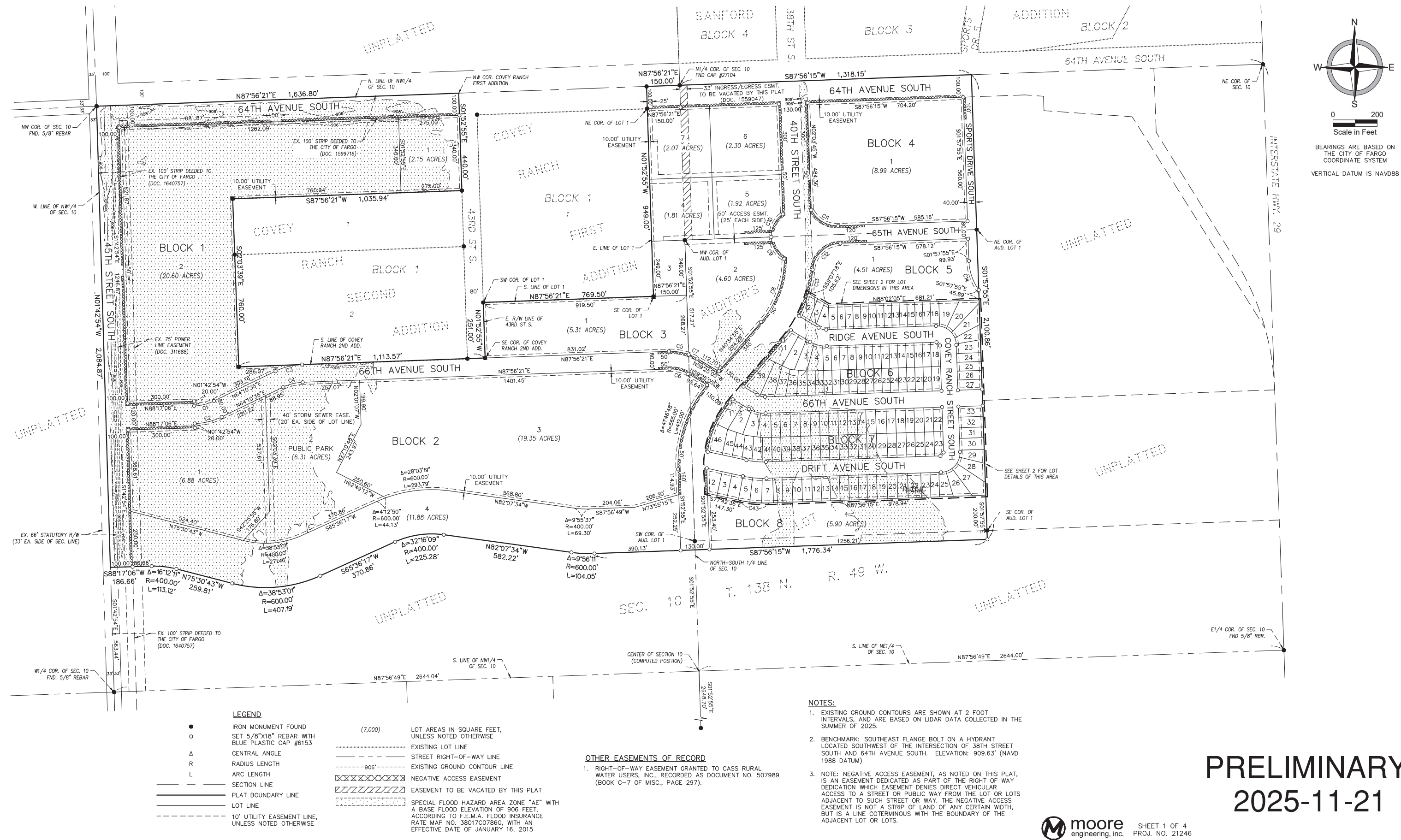
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Covey Ranch Third Addition

6455, 6620, 6630 & 6750 43rd Street South; 3785, 3800, 3900, 4000 & 4360 64th Avenue South; 6536, 6688 & 6800 45th Street South



COVEY RANCH THIRD ADDITION
TO THE CITY OF FARGO, A PLAT OF PART OF THE NORTH HALF OF
SECTION 10, TOWNSHIP 138 NORTH, RANGE 49 WEST, CASS COUNTY, NORTH DAKOTA
(A MAJOR SUBDIVISION)



LEGEND

- IRON MONUMENT FOUND
- SET 5/8"x18" REBAR WITH BLUE PLASTIC CAP #6153
- Δ CENTRAL ANGLE
- R RADIUS LENGTH
- L ARC LENGTH
- SECTION LINE
- PLAT BOUNDARY LINE
- LOT LINE
- - - 10' UTILITY EASEMENT LINE, UNLESS NOTED OTHERWISE
- (7,000) LOT AREAS IN SQUARE FEET, UNLESS NOTED OTHERWISE
- EXISTING LOT LINE
- STREET RIGHT-OF-WAY LINE
- EXISTING GROUND CONTOUR LINE
- XXXXXX NEGATIVE ACCESS EASEMENT
- ||||| EASEMENT TO BE VACATED BY THIS PLAT
- ||||| SPECIAL FLOOD HAZARD AREA ZONE "AE" WITH A BASE FLOOD ELEVATION OF 906 FEET, ACCORDING TO F.E.M.A. FLOOD INSURANCE RATE MAP NO. 38017C0786G, WITH AN EFFECTIVE DATE OF JANUARY 16, 2015

OTHER EASEMENTS OF RECORD

- RIGHT-OF-WAY EASEMENT GRANTED TO CASS RURAL WATER USERS, INC., RECORDED AS DOCUMENT NO. 507989 (BOOK C-7 OF MISC., PAGE 297).

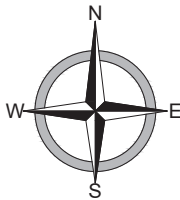
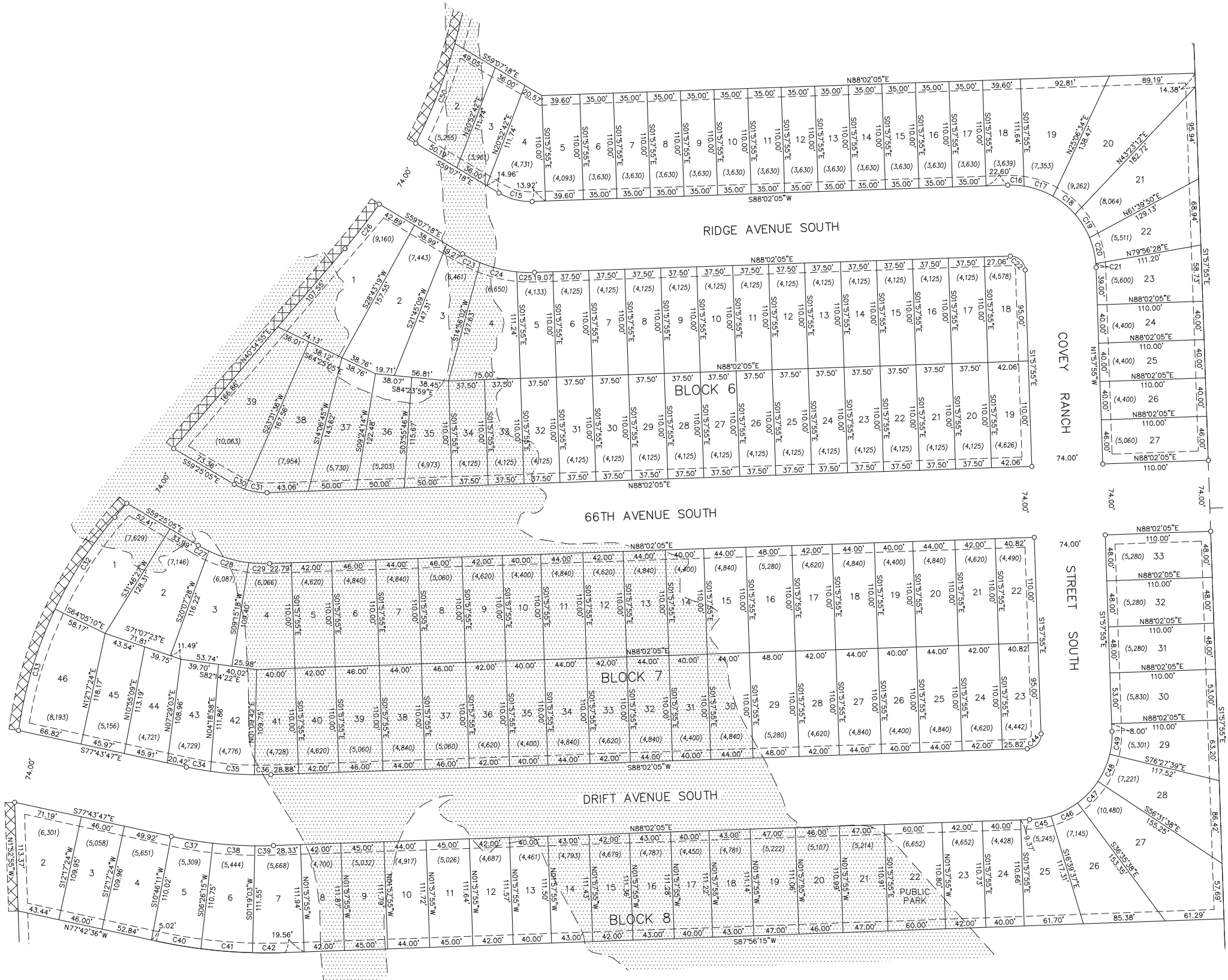
NOTES:

- EXISTING GROUND CONTOURS ARE SHOWN AT 2 FOOT INTERVALS, AND ARE BASED ON LIDAR DATA COLLECTED IN THE SUMMER OF 2025.
- BENCHMARK: SOUTHEAST FLANGE BOLT ON A HYDRANT LOCATED SOUTHWEST OF THE INTERSECTION OF 38TH STREET SOUTH AND 64TH AVENUE SOUTH. ELEVATION: 909.63' (NAVD 1988 DATUM)
- 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.

PRELIMINARY
2025-11-21

COVEY RANCH THIRD ADDITION
TO THE CITY OF FARGO, A PLAT OF PART OF THE NORTH HALF OF
SECTION 10, TOWNSHIP 138 NORTH, RANGE 49 WEST, CASS COUNTY, NORTH DAKOTA
(A MAJOR SUBDIVISION)

Curve Table			
Curve #	Delta	Radius	Length
C1	24°06'31"	220.00'	92.57'
C2	24°06'31"	300.00'	126.23'
C3	23°45'45"	300.00'	124.42'
C4	23°45'45"	220.00'	91.24'
C5	22°06'14"	235.00'	90.66'
C6	32°38'34"	155.00'	88.31'
C7	10°32'21"	235.00'	43.23'
C8	40°48'15"	435.00'	309.79'
C9	57°04'31"	120.00'	119.54'
C10	57°12'10"	120.00'	119.81'
C11	65°16'48"	130.00'	148.12'
C12	83°07'15"	130.00'	188.60'
C13	10°58'22"	565.00'	108.20'
C14	33°33'26"	240.00'	140.56'
C15	32°50'37"	63.00'	36.11'
C16	11°00'42"	89.00'	17.11'
C17	20°42'18"	89.00'	32.16'
C18	19°07'02"	89.00'	29.70'
C19	18°33'47"	89.00'	28.83'
C20	17°58'45"	89.00'	27.93'
C21	2°37'26"	89.00'	4.08'
C22	90°00'00"	15.00'	23.56'
C23	8°34'02"	137.00'	20.49'
C24	16°32'50"	137.00'	39.57'
C25	7°43'45"	137.00'	18.48'
C26	5°57'11"	565.00'	58.70'
C27	5°15'30"	137.00'	12.57'
C28	18°14'57"	137.00'	43.64'
C29	9°02'23"	137.00'	21.61'
C30	11°03'10"	63.00'	12.15'
C31	21°29'40"	63.00'	23.63'
C32	15°05'07"	435.00'	114.53'
C33	17°29'33"	435.00'	132.81'
C34	4°06'13"	357.00'	25.57'
C35	7°23'06"	357.00'	46.01'
C36	2°44'49"	357.00'	17.12'
C37	5°50'26"	431.00'	43.93'
C38	5°51'02"	431.00'	44.01'
C39	2°32'40"	431.00'	19.14'
C40	5°00'23"	541.00'	47.27'
C41	5°42'47"	541.00'	53.94'
C42	3°38'00"	541.00'	34.31'
C43	14°21'10"	541.00'	135.52'
C44	90°00'00"	15.00'	23.56'
C45	14°41'42"	89.00'	22.83'
C46	19°56'01"	89.00'	30.96'
C47	19°56'01"	89.00'	30.96'
C48	19°56'01"	89.00'	30.96'
C49	15°30'16"	89.00'	24.08'
C50	11°19'48"	565.00'	111.73'



0 200
Scale in Feet

BEARINGS ARE BASED ON
THE CITY OF FARGO
COORDINATE SYSTEM

VERTICAL DATUM IS NAVD88

LEGEND

- IRON MONUMENT FOUND
- SET 5/8"X18" REBAR WITH BLUE PLASTIC CAP #6153
- Δ CENTRAL ANGLE
- R RADIUS LENGTH
- L ARC LENGTH
- (7,000) LOT AREAS IN SQUARE FEET, UNLESS NOTED OTHERWISE
- SECTION LINE
- PLAT BOUNDARY LINE
- LOT LINE
- - - 10' UTILITY EASEMENT LINE, UNLESS NOTED OTHERWISE
- EXISTING LOT LINE
- STREET RIGHT-OF-WAY LINE
- - - 906' EXISTING GROUND CONTOUR LINE
- XXXXXXXXXX NEGATIVE ACCESS EASEMENT
- \\\\\\\\\\\\\\\\ EASEMENT TO BE VACATED BY THIS PLAT
- SPECIAL FLOOD HAZARD AREA ZONE "AE" WITH A BASE FLOOD ELEVATION OF 906 FEET, ACCORDING TO F.E.M.A. FLOOD INSURANCE RATE MAP NO. 3801700786G, WITH AN EFFECTIVE DATE OF JANUARY 16, 2015

PRELIMINARY
2025-11-21

COVEY RANCH THIRD ADDITION
TO THE CITY OF FARGO, A PLAT OF PART OF THE NORTH HALF OF
SECTION 10, TOWNSHIP 138 NORTH, RANGE 49 WEST, CASS COUNTY, NORTH DAKOTA
(A MAJOR SUBDIVISION)

CERTIFICATE

AARON SKATTUM, BEING DULY SWORN, DEPOSES AND SAYS THAT HE IS THE REGISTERED LAND SURVEYOR WHO PREPARED AND MADE THE ATTACHED PLAT OF "COVEY RANCH THIRD ADDITION" TO THE CITY OF FARGO; 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:

THAT PART OF THE NORTH HALF OF SECTION 10, TOWNSHIP 138 NORTH, RANGE 49 WEST, CASS COUNTY, NORTH DAKOTA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 1, BLOCK 1 OF COVEY RANCH FIRST ADDITION TO THE CITY OF FARGO, ACCORDING TO THE RECORDED PLAT THEREOF; THENCE NORTH 01 DEGREE 52 MINUTES 55 SECONDS WEST ALONG THE NORTHERLY EXTENSION OF THE EAST LINE OF SAID LOT 1 A DISTANCE OF 100.00 FEET TO THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10; THENCE NORTH 87 DEGREES 56 MINUTES 21 SECONDS EAST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER A DISTANCE OF 150.00 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 10; THENCE NORTH 87 DEGREES 56 MINUTES 15 SECONDS EAST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 10 A DISTANCE OF 1,318.15 FEET TO THE NORTHERLY EXTENSION OF THE EAST LINE OF AUDITOR'S LOT 1 OF SAID NORTHEAST QUARTER, ACCORDING TO THE RECORDED PLAT THEREOF; THENCE SOUTH 01 DEGREE 57 MINUTES 55 SECONDS EAST ALONG THE NORTHERLY EXTENSION OF, AND THE EAST LINE OF SAID AUDITOR'S LOT 1 A DISTANCE OF 2,100.86 FEET TO A POINT ON A LINE LYING 40.00 FEET SOUTHERLY OF, AS MEASURED AT A RIGHT ANGLE TO, AND PARALLEL WITH THE SOUTH LINE OF SAID AUDITOR'S LOT 1; THENCE SOUTH 87 DEGREES 56 MINUTES 15 SECONDS WEST ALONG SAID PARALLEL LINE A DISTANCE OF 1,776.34 FEET; THENCE WESTERLY 104.05 FEET ALONG A TANGENTIAL CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 600.00 FEET AND A CENTRAL ANGLE OF 09 DEGREES 56 MINUTES 11 SECONDS; THENCE NORTH 82 DEGREES 07 MINUTES 34 SECONDS WEST A DISTANCE OF 582.22 FEET; THENCE WESTERLY 225.28 FEET ALONG A TANGENTIAL CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 400.00 FEET AND A CENTRAL ANGLE OF 32 DEGREES 16 MINUTES 09 SECONDS; THENCE SOUTH 65 DEGREES 36 MINUTES 17 SECONDS WEST A DISTANCE OF 370.86 FEET; THENCE WESTERLY 407.19 FEET ALONG A TANGENTIAL CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 600.00 FEET AND A CENTRAL ANGLE OF 38 DEGREES 53 MINUTES 01 SECOND; THENCE NORTH 75 DEGREES 30 MINUTES 43 SECONDS WEST A DISTANCE OF 259.81 FEET; THENCE WESTERLY 113.12 FEET ALONG A TANGENTIAL CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 400.00 FEET AND A CENTRAL ANGLE OF 16 DEGREES 12 MINUTES 11 SECONDS; THENCE SOUTH 88 DEGREES 17 MINUTES 06 SECONDS WEST A DISTANCE OF 186.66 FEET TO THE WEST LINE OF SAID NORTHWEST QUARTER; THENCE NORTH 01 DEGREE 42 MINUTES 54 SECONDS WEST ALONG THE WEST LINE OF SAID NORTHWEST QUARTER A DISTANCE OF 2,084.87 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 87 DEGREES 56 MINUTES 21 SECONDS EAST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER A DISTANCE OF 1,636.80 FEET TO THE NORTHERLY EXTENSION OF THE EAST LINE OF BLOCK 1 OF COVEY RANCH SECOND ADDITION TO THE CITY OF FARGO, ACCORDING TO THE RECORDED PLAT THEREOF; THENCE SOUTH 01 DEGREE 52 MINUTES 55 SECONDS EAST ALONG SAID NORTHERLY EXTENSION A DISTANCE OF 440.00 FEET TO THE NORTHEAST CORNER OF SAID BLOCK 1; THENCE SOUTH 87 DEGREES 56 MINUTES 21 SECONDS WEST ALONG THE NORTH LINE OF SAID BLOCK 1 A DISTANCE OF 1,035.94 FEET TO THE NORTHWEST CORNER THEREOF; THENCE SOUTH 02 DEGREES 03 MINUTES 39 SECONDS EAST ALONG THE WEST LINE OF SAID BLOCK 1 A DISTANCE OF 760.00 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 87 DEGREES 56 MINUTES 21 SECONDS EAST ALONG THE SOUTH LINE OF SAID BLOCK 1 AND ITS EASTERLY EXTENSION A DISTANCE OF 1,113.57 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE WEST LINE OF LOT 1, BLOCK 1 OF SAID COVEY RANCH FIRST ADDITION; THENCE NORTH 01 DEGREE 52 MINUTES 55 SECONDS WEST ALONG SAID SOUTHERLY EXTENSION A DISTANCE OF 251.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 87 DEGREES 56 MINUTES 21 SECONDS EAST ALONG THE SOUTH LINE OF SAID LOT 1 A DISTANCE OF 769.50 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE NORTH 01 DEGREE 52 MINUTES 55 SECONDS WEST A DISTANCE OF 849.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE--DESCRIBED TRACT CONTAINS 153.41 ACRES, AND IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RESERVATIONS, AND RIGHTS OF WAY OF RECORD, IF ANY.

AARON SKATTUM
REGISTERED LAND SURVEYOR
REG. NO. LS-6153



STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED AARON SKATTUM, 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

FARGO PLANNING COMMISSION APPROVAL

THIS PLAT IN THE CITY OF FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 20____.

MARANDA TASA, CHAIR

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED MARANDA TASA, 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 _____, 20____.

TOM KNAKMUS, P.E.
CITY ENGINEER

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED TOM KNAKMUS, P.E., CITY ENGINEER, 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

FARGO CITY COMMISSION APPROVAL

THIS PLAT IN THE CITY OF FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 20____.

TIMOTHY J. MAHONEY, MAYOR

CITY AUDITOR

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED TIMOTHY J. MAHONEY, MAYOR AND _____, 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

PRELIMINARY
2025-11-21

COVEY RANCH THIRD ADDITION
TO THE CITY OF FARGO, A PLAT OF PART OF THE NORTH HALF OF
SECTION 10, TOWNSHIP 138 NORTH, RANGE 49 WEST, CASS COUNTY, NORTH DAKOTA
(A MAJOR SUBDIVISION)

DEDICATION

WE, THE UNDERSIGNED, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LAND DESCRIBED IN THE PLAT OF "COVEY RANCH THIRD ADDITION" TO THE CITY OF FARGO, THAT WE HAVE CAUSED IT TO BE PLATTED INTO LOTS AND BLOCKS AS SHOWN BY SAID PLAT AND CERTIFICATE OF AARON SKATTUM, REGISTERED LAND SURVEYOR, AND THAT THE DESCRIPTION AS SHOWN IN THE CERTIFICATE OF THE REGISTERED LAND SURVEYOR IS CORRECT. WE HEREBY DEDICATE ALL STREETS, AVENUES AND UTILITY EASEMENTS SHOWN ON SAID PLAT TO THE USE OF THE PUBLIC, AND DO HEREBY VACATE THE 33' INGRESS/EGRESS EASEMENT AS ORIGINALLY DEDICATED ON THE PLAT OF AUDITOR'S LOT 1, AND SHOWN HEREON.

OWNER: DABBERT CUSTOM HOMES, LLC
(BLOCK 1, LOT 2; BLOCK 2, LOT 2; BLOCK 3, LOT 1; BLOCK 4, LOT 1)

DON DABBERT, PRESIDENT

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS DAY OF , 20, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED DON DABBERT, PRESIDENT OF DABBERT CUSTOM HOMES, LLC, 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 DABBERT CUSTOM HOMES, LLC.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

MORTGAGEE: BANK FORWARD

MARC KNUTSON, MARKET PRESIDENT

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS DAY OF , 20, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED MARC KNUTSON, MARKET PRESIDENT OF BANK FORWARD, KNOWN TO ME TO BE THE DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE NAME OF BANK FORWARD.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

OWNER: ENCLAVE COVEY, LLC
(BLOCK 2, LOTS 1 AND 3; BLOCK 3, LOT 3)

AUSTIN MORRIS, MANAGER

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS DAY OF , 20, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED AUSTIN MORRIS, MANAGER, 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 ENCLAVE COVEY, LLC.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

MORTGAGEE: BANK FORWARD

MARC KNUTSON, MARKET PRESIDENT

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS DAY OF , 20, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED MARC KNUTSON, MARKET PRESIDENT OF BANK FORWARD, KNOWN TO ME TO BE THE DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE NAME OF BANK FORWARD.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

OWNER: BROOKSTONE PROPERTY, LLC
(BLOCK 3, LOT 2; ALL OF BLOCKS 5, 6, AND 7; BLOCK 8, LOTS 2-33)

MATTHEW HAUFF, PRESIDENT

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS DAY OF , 20, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED MATTHEW HAUFF, PRESIDENT, 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 BROOKSTONE PROPERTY, LLC.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

MORTGAGEE: CORNERSTONE BANK

[NAME], [TITLE]

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS DAY OF , 20, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED [NAME], [TITLE], KNOWN TO ME TO BE THE DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE NAME OF CORNERSTONE BANK.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

OWNER: CITY OF FARGO
(BLOCK 2, LOT 4; BLOCK 8, LOT 1)

TIMOTHY J. MAHONEY, MAYOR

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS DAY OF , 20, 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

OWNER: BANK FORWARD
(LOT 1, BLOCK 1)

THOMAS WATSON, PRESIDENT

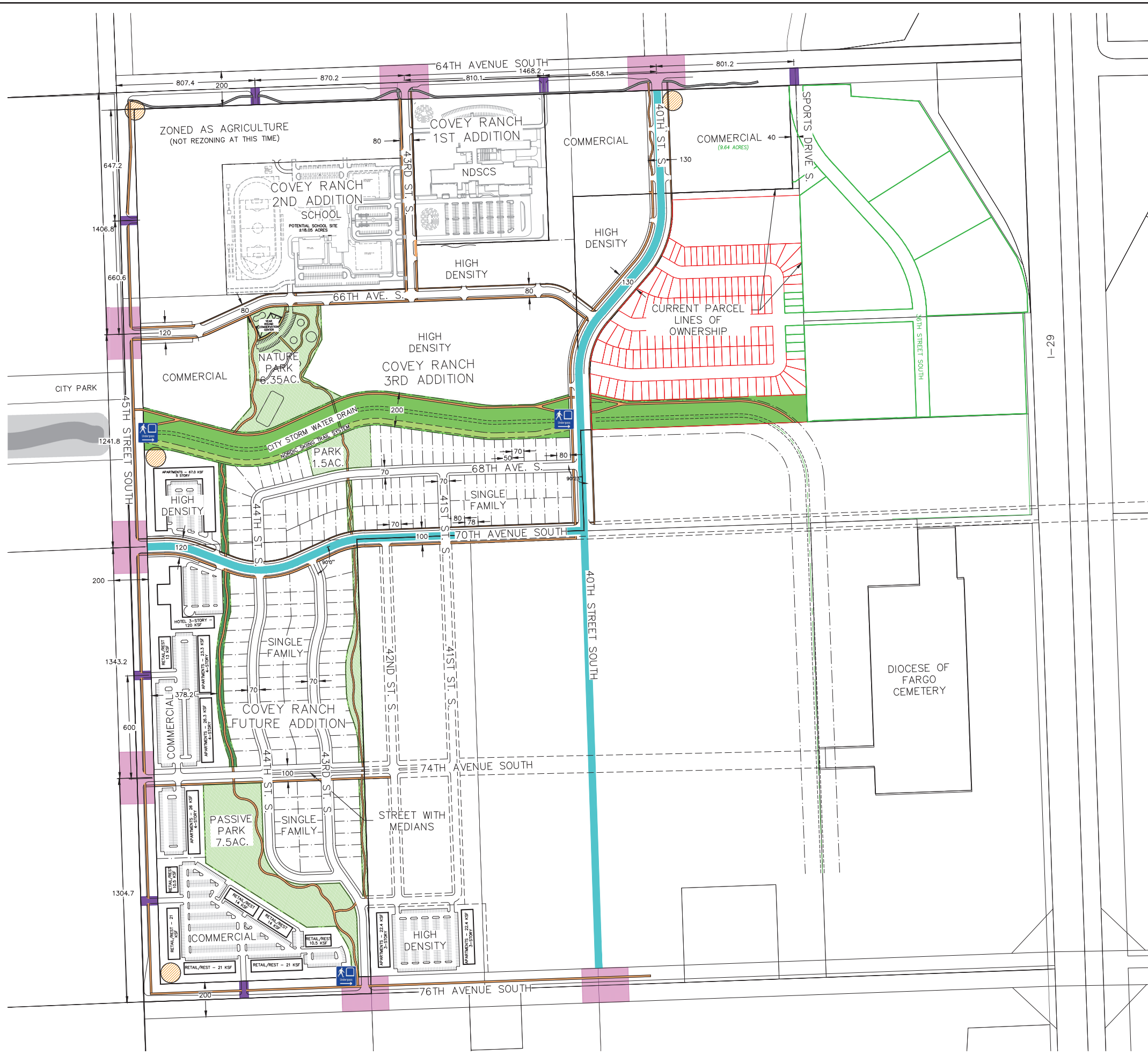
STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS DAY OF , 20, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED THOMAS WATSON, PRESIDENT OF BANK FORWARD, 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 BANK FORWARD.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

PRELIMINARY
2025-11-21

FILE LOCATION: R:\Projects\1200012100\121246\CIVIL\PRESENTATION\121246_MasterConcept_Alt.dwg



AREA CALCULATIONS

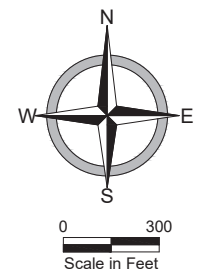
COVEY RANCH 1ST ADDITION
R.O.W.: +/- 1.3 AC.
LOTS: +/- 15.0 AC.
1ST ADDITION TOTAL: +/- 16.3 AC.

COVEY RANCH 2ND ADDITION
R.O.W.: +/- 0.6 AC.
LOTS: +/- 18.0 AC.
2ND ADDITION TOTAL: +/- 18.6 AC.

*3RD ADDITION PARK DEDICATION: 6.3 AC. / 78.8 AC. = 7.9%
**FUTURE ADDITIONS PARK DEDICATION: 11.3 AC. / 71.3 AC. = 15.8%

LEGEND

- FULL ACCESS INTERSECTION
- CONTROLLED ACCESS (RIGHT IN/RIGHT OUT)
- PROPOSED COLLECTOR ROADWAY
- PROPOSED 10 FT. SHARED-USE PATH
- APPROVED 10 FT. SHARED-USE PATH
- 30 FT. NORDIC SKIING TRAIL SYSTEM
- SIGN MONUMENT LOCATION
- PARK DISTRICT LAND
- HOA PARKS
- PEDESTRIAN UNDERPASS



COVEY RANCH DEVELOPMENT
CONCEPTUAL MASTER PLAN
CITY REVIEW EXHIBIT
FARGO, NORTH DAKOTA

PROJECT No. 21246
DATE: 06.19.23
REVISED: 10.17.25
DRAFTER: CEF/LFB
REVIEWER: MW





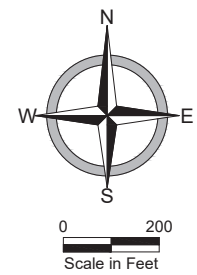
ZONED AS AGRICULTURE
(NOT REZONING AT THIS TIME)

- ZONING LEGEND**
- MR-3
 - SR-4
 - LC - LIMITED COMMERCIAL
 - PARK / PUBLIC
 - EXISTING ZONING TO REMAIN

AREA CALCULATIONS

COVEY RANCH 1ST ADDITION	
R.O.W.:	+/- 1.3 AC.
LOTS:	+/- 15.0 AC.
1ST ADDITION TOTAL:	+/- 16.3 AC.
COVEY RANCH 2ND ADDITION	
R.O.W.:	+/- 0.6 AC.
LOTS:	+/- 18.0 AC.
2ND ADDITION TOTAL:	+/- 18.6 AC.
COVEY RANCH 3RD ADDITION	
R.O.W.:	+/- 35.6 AC.
LOTS:	+/- 120.7 AC.
CONVEYANCE:	+/- 15.9 AC.
PARK LAND:	+/- 7.0 AC.*
3RD ADDITION TOTAL:	+/- 179.2 AC.
COVEY RANCH FUTURE ADDITIONS	
R.O.W.:	+/- 19.3 AC.
LOTS:	+/- 71.3 AC.
HOA:	+/- 2.1 AC.
PARK LAND:	+/- 11.3 AC.**
FUTURE ADDITIONS TOTAL:	+/- 104.0 AC.

*3RD ADDITION PARK DEDICATION: 7.0 AC. / 120.7 AC. = 5.8%
**FUTURE ADDITIONS PARK DEDICATION: 11.3 AC. / 71.3 AC. = 15.8%



**COVEY RANCH 3RD ADDITION
ZONING MAP
CITY REVIEW EXHIBIT
FARGO, NORTH DAKOTA**

PROJECT No.	21246
DATE:	06.19.23
REVISED:	10.27.25
DRAFTER:	CEP/LFB
REVIEWER:	BR/MW



City of Fargo Staff Report			
Title:	Urban Plains by Brandt Eighth Addition—Proposed Lot 1, Block 1	Date:	11/26/2025
Location:	2975 Seter Parkway South	Staff Contact:	Donald Kress, planning coordinator
Legal Description:	Proposed Lot 1, Block 1, Urban Plains by Brandt Eighth Addition		
Owner(s)/Applicant:	Urban Plains Land Company, LLC / Brookstone Companies	Engineer:	None
Entitlements Requested:	Conditional Use Permits (CUP's) (CUP to allow household living in the LC, Limited Commercial Zone and CUP for Alternative Access Plan—reduction in parking ratio)		
Status:	Planning Commission Public Hearing: December 2 nd , 2025		
Existing		Proposed	
Land Use: Undeveloped		Land Use: Multi-Dwelling Residential	
Zoning: LC, Limited Commercial		Zoning: LC, Limited Commercial	
Uses Allowed: 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 , and certain telecommunications facilities with Conditional Overlay Ordinance No. 5413, which provides site and building design standards <i>*A CUP is required for off-premise advertising</i>		Uses Allowed: No change proposed. Conditional Overlay Ordinance No. 5413 remains in effect. Conditional Use Permit to allow an alternative access plan—reduction in parking ratio. Conditional Use Permit to allow housing living in the LC, Limited Commercial zone at a density of 40 dwelling units per acre.	
Maximum Lot Coverage: 55%		Maximum Lot Coverage: 55%	
Proposal:			
<p><i>NOTE—PENDING SUBDIVISION: This conditional use permit is proposed on Lot 1, Block 1, of the proposed Urban Plains by Brandt Eighth Addition. That plat was recommended for approval by the Planning Commission at their November 4th, 2025 meeting. That plat is currently in staff review. The conditional use permit, if approved, will not be recorded or go into effect until after final approval and recordation of the Urban Plains by Brandt Eighth Addition plat.</i></p> <p>The applicant requests two entitlements</p> <ol style="list-style-type: none"> 1. CUP for alternative access plan—reduction in parking ratio; and 2. CUP to allow household living in the LC, Limited Commercial Zone. <p>Approval and Appeal</p> <p>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.</p> <p>Surrounding Land Uses and Zoning Districts:</p> <ul style="list-style-type: none"> • North: LC, with conditional overlay (C-O) ordinance no. 5413; undeveloped; multi-dwelling buildings proposed. Across Seter Parkway South is GC, General Commercial with C-O ordinance no. 5413; recreational uses. • East: LC with C-O ordinance no. 5413; undeveloped and Alerus Bank. Across Seter Parkway South is GC, General Commercial with C-O ordinance no. 5413; undeveloped (potential science museum site). 			

- South: LC with C-O ordinance no. 5413; undeveloped; proposed office building. Across 32nd Avenue South is LC with C-O ordinance no. 4900; commercial uses and undeveloped.
- West: LC, with C-O ordinance no. 5413; undeveloped;; City of West Fargo is west across Veterans Boulevard—LC, Light Commercial with corridor overlay (West Fargo zoning) with commercial uses

Context:

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

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

Parks: Urban Plains Park (3020 51st Street South) is approximately 0.25 mile east of the subject property, and provides amenities of playgrounds for ages 2-5 and 5-12, recreational trails; restrooms; soccer field, shelters; and a Garden of Healing. This park is a project of the Urban Woods and Prairie Initiative with Audubon Great Plains.

Pedestrian / Bicycle: Shared use paths are located just south and west of the subject property on 32nd Avenue South and Veterans Boulevard, which connect to the metro area system.

Transit: MATBUS Route 24 serves the serves the area. There is a stop at 51st Street and 32nd Avenue South, approximately 0.30 mile from the subject property. This route provides service to Ground Transportation Center, West Acres, Sanford Medical Center, Scheels Arena, Cashwise Foods, Bluestem Drive, Costco, 19th Avenue South & Burlington Drive.

Area Plans:

The Fargo Growth Plan 2024 designates the place type of the subject property as “Mixed Commercial, Office, and Residential.” Primary uses in the “Mixed Commercial, Office, and Residential” place type include commercial/retail, distribution, warehousing, wholesaling, offices, flex buildings, with secondary uses of flex warehouse and multi-family residential. The current zoning of LC, Limited Commercial is consistent with this place type designation and would allow commercial and office development by right, and residential/mixed-use development with a conditional use permit. The existing conditional overlay would prohibit certain commercial uses, as noted above under “Existing” and “Proposed.”

The area of 32nd Avenue South and Veterans Boulevard is designated in the Fargo Growth Plan 2024 as a Neighborhood Center. It is the smallest of the three growth centers, the other two being the Community Center and the Regional Center. Neighborhood Centers are intended “to provide walkable neighborhood commercial opportunities to nearby residents.” (Growth Plan p.94) Neighborhood Centers would have “services and activities designed to draw people living within a half-mile or less.” (p 88). A Neighborhood Centers center is a “condensed mixed use district designed primarily to cater to the immediate surrounding neighborhoods, reachable within a 5- to 10-minute walk. The district typically includes one to three story buildings with a mix of restaurant/retail, small office, and residential uses.” (p.89) A Neighborhood Center is intended to serve as a way to absorb growth in an urban manner by incorporating Urban and Suburban Neighborhood; Mixed Commercial, Office, Residential; and Parks and Open Space place types (p.93).

The proposed multi-dwelling building contributes to the development of this Neighborhood Center by providing residential component of this area. The adjacent property to the south is proposed as an office building, providing that component of the neighborhood center. The developer has stated that the first multi-dwelling building and the office building are intended to start development at the same time. Future development of this area has not been specified, but would be consistent with the commercial uses allowed in the LC, Limited Commercial zone. The surrounding area includes existing and proposed restaurants, financial institutions, and other services on this subdivision and the nearby Uptown on Main subdivision; recreational facilities including the sports dome and Urban Plains by Brandt Park; and the Scheels Arena event center, all within approximately a walkable quarter mile.

Staff Analysis:

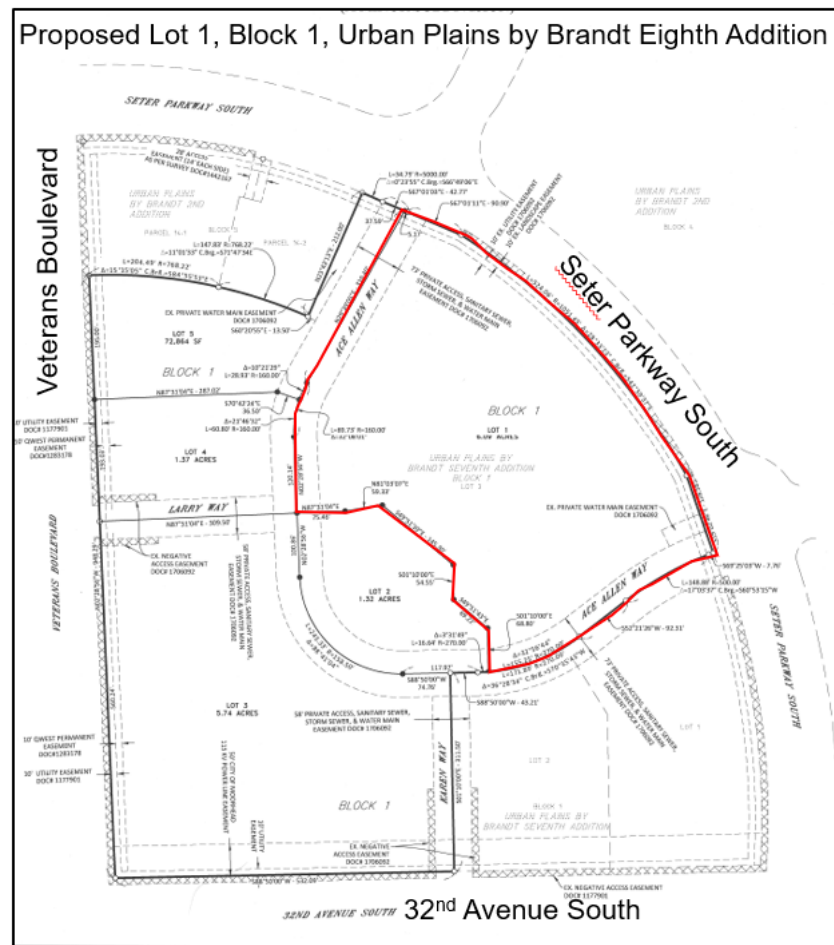
The area bounded by Veterans Boulevard, 32nd Avenue South, and Seter Parkway South was originally platted in 2006 with the Urban Plains by Brandt First Addition. The proposed Urban Plains by Brandt

Eighth Addition will be the third replat of this property. There are other individual undeveloped lots within the bounds of the Urban Plains First Addition, but only one other location on the corner of two arterials (45th Street and 32nd Avenue South). The other undeveloped lots are on local or collector streets. Additionally, most have adjacent development that has been in place for between five and almost 20 years, whereas the area bounded by Veterans Boulevard, 32nd Avenue South, and Seter Parkway South is a block that has had its first development, Alerus Bank, in 2025. The proposed development will probably start construction in 2026. This block has the potential to have its lots developed close together in time.

The applicant proposes to multi-dwelling residential development on proposed Lot 1, Block 1, Urban Plains by Brandt Eighth Addition. The applicant's description of the project is:

The project consists of 3 multifamily buildings with 4 floors of mixed apartment types and common areas over below grade parking. The project will be a multi-year project, with one apartment being constructed each year. The design intent is to coincide with the surrounding Urban Plains development as well as follow the requirements listed in the existing Conditional Overlay. 204 apartment units (68 units per building)

Proposed Lot 1, Block 1, Urban Plains by Brandt Eighth Addition is outlined on the graphic below.



The applicant has applied for two conditional use permits--one to allow residential use in the LC, Limited Commercial zone and another for an alternative access plan—parking reduction, in order to develop this property. These CUP's are analyzed individually below, with separate findings and conditions for each.

CUP FOR ALTERNATIVE ACCESS

The chart below shows the difference between the parking ratio that would be required by the Land Development Code and the parking ratio proposed by the applicant.

PROPOSED UNITS	LDC RATIO	LDC NUMBER OF SPACES REQUIRED	PROPOSED RATIO	PROPOSED NUMBER OF SPACES REQUIRED
204	2.25 spaces per unit	459	1.75	357

The applicant's engineer has provided an analysis of the proposed change in parking ratio (copy attached). This study compares the requirements of the LDC, the recent MetroCOG Parking and Access Study, and the parking ratio proposed by the applicant. This analysis has been reviewed by the City's traffic engineer, who determined that the requested change in parking ratio was supported by the analysis and generally consistent with other recent similar parking reduction requests.

A concept site plan and a rendering provided by the applicant are attached. This plan indicates the parking areas. Parking will be provided in three locations:

- under the building;
- on a surface lot around the building; and
- on parking spaces on the adjacent private drive. As this is a private drive, these parking spaces are on the subject property. This situation is different from on-street parking on a dedicated public street, where the parking spaces along the street are in the public right of way.

The parking analysis notes that, in addition to providing parking on the individual subject property, the Developer's Declaration of Covenants, Conditions, Restrictions, and Easements grants reciprocal parking rights across all lots within the Urban Plains Development. This agreement provides a perpetual, non-exclusive easement for shared parking, vehicular passage, and pedestrian access.

Conditional Use Permit Approval Criteria (Section 20-0909.D) –Alternative Access

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. As noted above, provisions of the LDC will apply and additional conditions will be added to ensure that this project is developed in a manner that is appropriate to the context of the surrounding properties and uses. Staff finds this proposal is consistent with the purpose of the LDC, Fargo Growth Plan 2024, and other adopted policies of the City.
(Criteria Satisfied)
2. **Will the proposed conditional use at the specified location contribute to and promote the welfare or convenience of the public?**
Staff believes that the location of the proposed conditional use will contribute and promote the welfare and convenience of the public. The CUP will allow the office to be developed to a higher quality design than would be possible if development had to meet strictly the LDC parking requirements, as there will be more room on the lot to provide for design flexibility. **(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 of an office building 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, Planning staff has received one inquiry about the nature of the development from a surrounding property owner. **(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 recently adopted Fargo Growth Plan 2024 encourages re-evaluation of minimum parking standards, noting that developers would be able to “provide higher quality designs due to greater flexibility over the provision of on-site parking (p.106).” Fargo’s Go2030 Comprehensive Plan includes “explore reducing minimum parking standards” as one of its guiding principles (page 24). The subject property is part of the proposed Urban Plains by Brandt Eighth Addition subdivision, zoned LC, Limited Commercial with a conditional overlay. The overlay provides development standards for building form and style and site design beyond the development standards required by the LDC.

The subject property is bordered by a dedicated public street, Seter Parkway South, on the north side and a private drive, Ace Allen Way, on the east and west sides. The immediate neighborhood includes both commercial and multi-dwelling residential uses, as noted above. The adjacent property to the south, Lot 2, Block 1, of the proposed Urban Plains by Brandt Eighth Addition, is proposed to be developed with an approximately 30,000 square foot office building. New development will comply with the dimensional standards of the LC, Limited Commercial zone, the conditional overlay, and the LDC, other than this proposed modification of the parking ratio and the request for higher density noted below.

(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 takes access from two points to Ace Allen Way, a private drive that was established with the Urban Plains by Brandt Seventh Addition (2023). Ace Alley Way makes a loop around the subject property, connecting to Seter Parkway South, a dedicated public street classified as a local street. The subject property does not have direct access to Seter Parkway South.

(Criteria Satisfied)

RECOMMENDED CONDITIONS:

1. Parking for the residential use shall be calculated at the ratio of 1.75 spaces per residential unit.
2. Future permits to be generally consistent with the site plan provided in the December 2nd, 2025 Planning Commission packet. Changes may require review by the Planning Commission as determined by Planning staff.
3. If the use changes from what is outlined in the provided parking narrative, then updated information will be required to be reviewed and approved by the City of Fargo Traffic Engineer and Planning Commission as determined by Planning staff.

CONDITIONAL USE PERMIT—HOUSEHOLD LIVING IN THE LC, LIMITED COMMERCIAL ZONE

The subject property is zoned LC, Limited Commercial. Residential uses are not allowed by right in the LC zone. Thus, a conditional use permit is required to allow residential use in this zone.

The applicant's site plan (copy attached) proposes three multi-family buildings at an overall density of 40 dwelling units per acre (40 du/ac). There will be approximately 68 of units per building, for a total of 204 units. High densities have been approved for multi-dwelling projects such as J&O 45th Street Apartments Addition, recently approved by the Planning Commission and City Commission.

It has been the Planning Department's practice to support applications for residential uses in commercial zoning districts only when a mixed-use project—on that includes commercial and residential uses on the same lot—is being created. However, in this case, the lot adjacent to the south is being developed with a 30,000 square foot office building. This combination of adjacent uses is an example of what is often referred to as "horizontal mixed-use." Such mixed-use development is a goal of the Growth Plan's Neighborhood Center referred to above.

Conditional Use Permit Approval Criteria (Section 20-0909.D)—Household Living in the LC zone

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. As noted above, provisions of the LDC will apply and additional conditions will be added to ensure that this project is developed in a manner that is appropriate to the context of the surrounding properties and uses. Staff finds this proposal is consistent with the purpose of the LDC, Fargo Growth Plan 2024, and other adopted policies of the City.

(Criteria Satisfied)

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

Staff believes that the location of the proposed conditional use will contribute and promote the welfare and convenience of the public. The CUP will allow a high density multi-dwelling residential development that will offer housing opportunities that have convenient access to commercial uses, and that makes more efficient use of the land. **(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, Planning staff has received one inquiry about the nature of the development from a surrounding property owner. **(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.

Fargo's Go2030 Comprehensive Plan includes "Improve quality of new housing by fostering strong relationships with the development and building community to promote dense, walkable communities" as one of its guiding principles (page 25). The subject property is part of the proposed Urban Plains by Brandt Eighth Addition subdivision, zoned LC, Limited Commercial with a conditional overlay. Residents of the proposed apartment buildings will have walkable access to existing and future restaurants, financial institutions, and other services on this subdivision and the nearby Uptown on Main subdivision; to recreational facilities including the sports dome and Urban Plains by Brandt Park; and to the Scheels Arena event center, all within approximately a walkable quarter mile.

The conditional overlay provides development standards for building form and style and site design beyond the development standards required by the LDC.

The subject property is bordered by a private drive, Ace Allen Way, on the east and west sides. This private drive connects to Seter Parkway South, a dedicated public street.

The immediate neighborhood includes both commercial and multi-dwelling residential uses, as noted above. The adjacent property to the south, Lot 2, Block 1, of the proposed Urban Plains by Brandt Eighth Addition, is proposed to be developed with an approximately 30,000 square foot office building.

New development will comply with the dimensional standards of the LC, Limited Commercial zone, the conditional overlay, and the LDC, other than this request for higher density and the proposed modification of the parking ratio noted above.

(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 takes access from two points to Ace Allen Way, a private drive that was established with the Urban Plains by Brandt Seventh Addition (2023). Seter Parkway South, a dedicated public street classified as a local street, borders the subject property on the north side. Ace Allen Way borders the east and west sides of subject property, connecting to Seter Parkway South. The subject property does not have direct access to Seter Parkway. There is also access to 32nd Avenue South, to the south of the subject property, via Karen Way, another private drive within the subdivision.

(Criteria Satisfied)

RECOMMENDED CONDITIONS:

1. To allow household living in the LC, Limited Commercial zone at a maximum density of 40 dwelling units per acre on proposed Lot 1, Block 1, Urban Plains by Brandt Eighth Addition.
1. Future permits to be generally consistent with the site plan provided in the December 2nd, 2025 Planning Commission packet. Changes may require review by the Planning Commission as determined by Planning staff.

ADDITIONAL NOTES FOR BOTH CUP'S:

- Approval of the CUP does not approve the site plan.
- Conditional Overlay Ordinance No. 5413 will remain in effect. The CUP does not modify the conditional overlay.
- The CUP's will not go into effect until they are recorded, which will not happen until the Urban Plains by Brandt Eighth Addition has been recorded.

Staff Recommendation:

Suggested Motion: To accept the findings and recommendations of staff and move to approve the proposed conditional use permit to allow an alternative access plan and conditional use permit for household living in the LC, Limited Commercial zone on proposed Lot 1, the Block 1, Urban Plains by Brandt Eighth Addition, as presented, as the proposal complies with the Fargo Growth Plan 2024, Standards of Section 20-0909.D, and all other applicable requirements of the LDC, subject to the conditions listed below:

RECOMMENDED CONDITIONS—ALTERNATIVE ACCESS:

1. Parking for the residential use shall be calculated at the ratio of 1.75 spaces per residential unit.

2. Future permits are generally consistent with the site plan provided in the December 2nd, 2025 Planning Commission packet. Changes may require review by the Planning Commission as determined by Planning staff.
3. If the use changes from what is outlined in the provided parking narrative, then updated information will be required to be reviewed and approved by the City of Fargo Traffic Engineer and Planning Commission as determined by Planning staff.

RECOMMENDED CONDITIONS—HOUSEHOLD LIVING IN THE LC ZONE

2. To allow household living in the LC, Limited Commercial zone at a maximum density of 40 dwelling units per acre on proposed Lot 1, Block 1, Urban Plains by Brandt Eighth Addition.
2. Future permits to be generally consistent with the site plan provided in the December 2nd, 2025 Planning Commission packet. Changes may require review by the Planning Commission as determined by Planning staff.

Planning Commission Recommendation: December 2nd, 2025

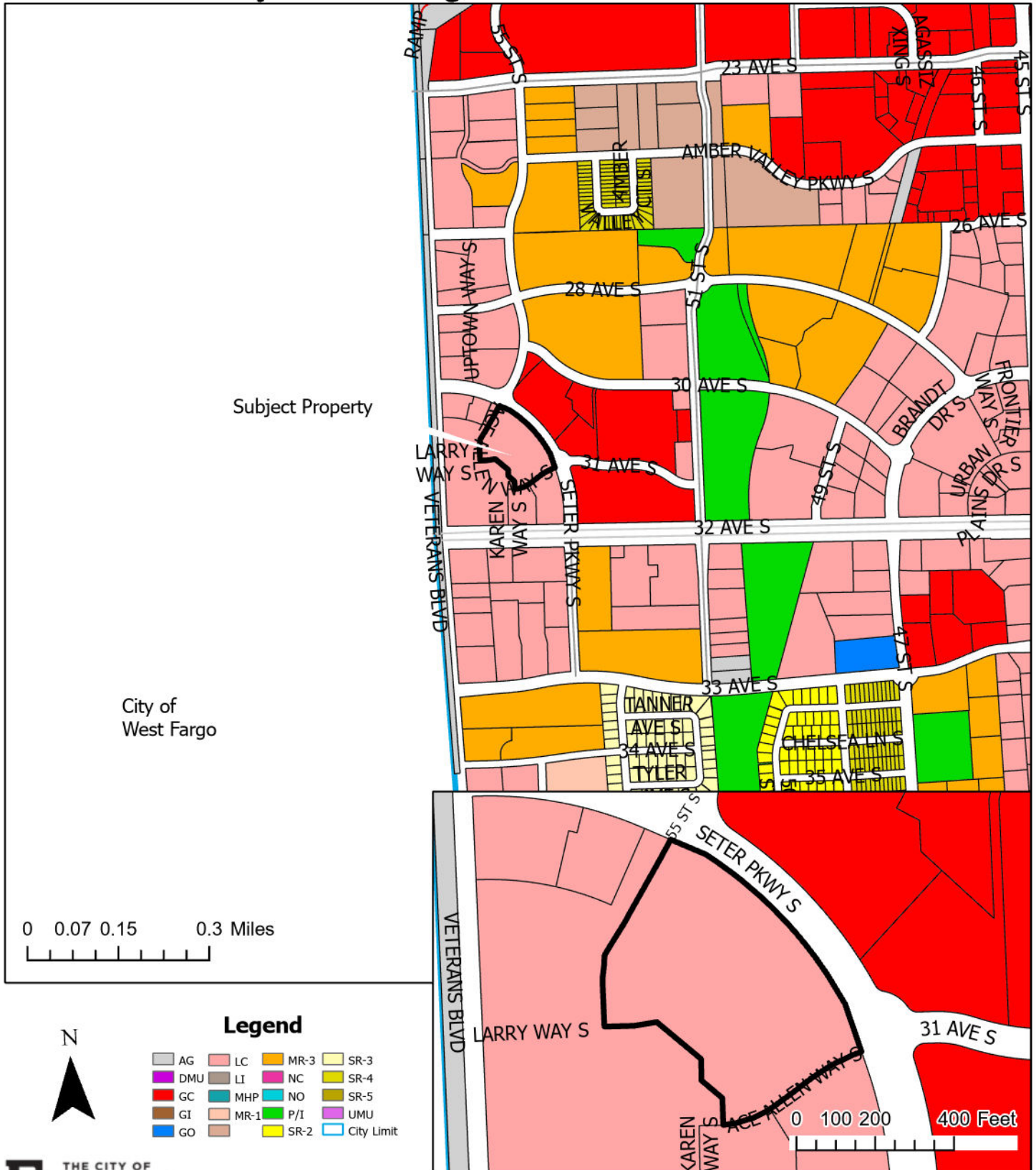
Attachments:

1. Zoning map
2. Location map
3. Parking analysis
4. Concept site plan
5. Concept rendering

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

Urban Plains by Brandt Eighth Addition

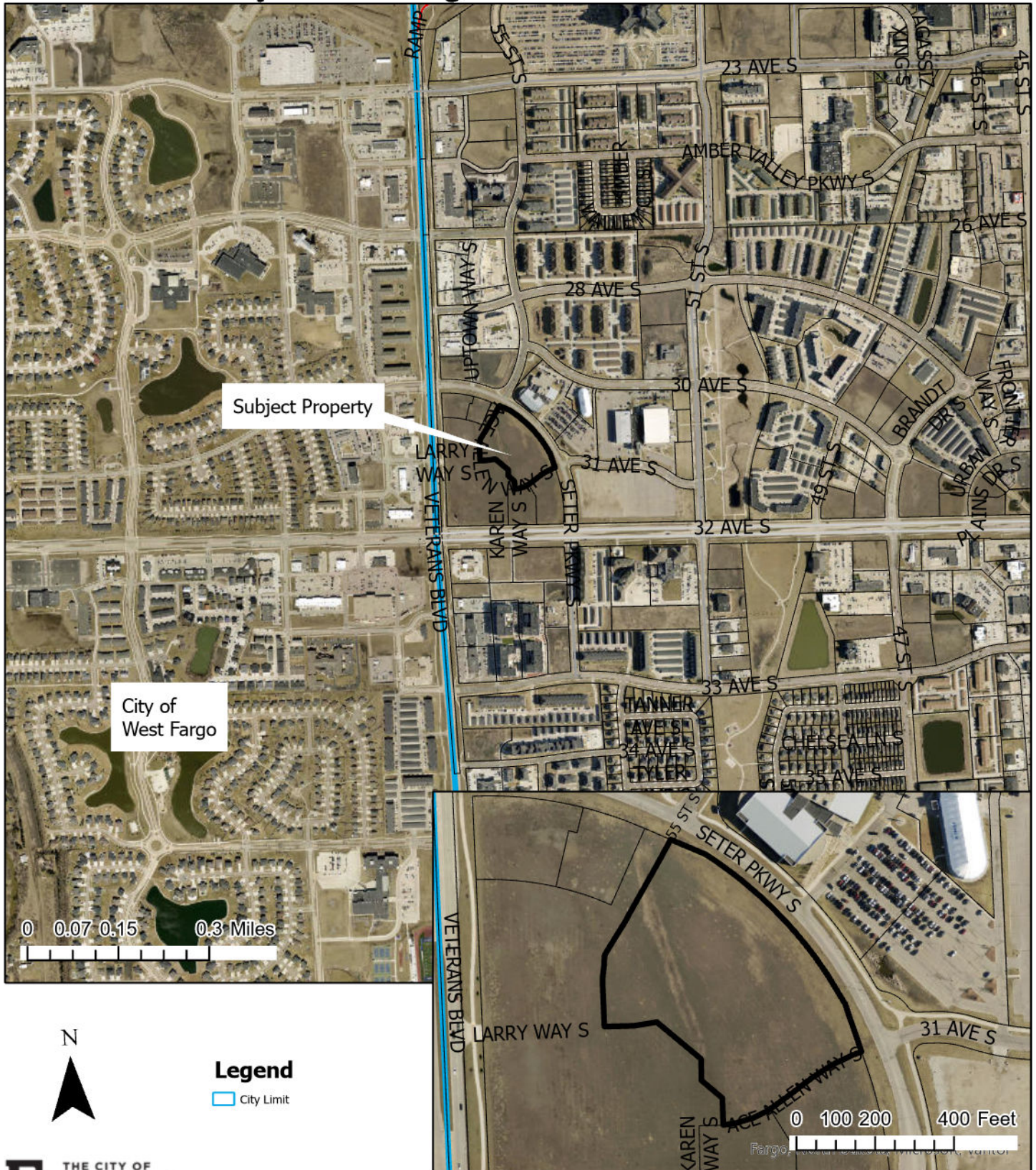
2975 Seter Parkway South

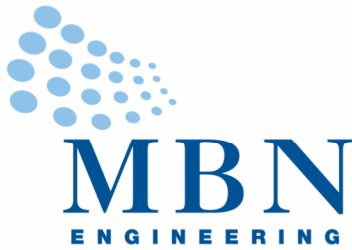


CUP, Conditional Use Permit to allow household living in the LC, Limited Commercial zoning district and a CUP, Conditional Use Permit to allow an Alternative Access Plan for a parking reduction

Urban Plains by Brandt Eighth Addition

2975 Seter Parkway South





November 11, 2025

City of Fargo
Attn: Donald Kress
Planning and Development
225 4th Street North
Fargo, ND 58102

Subject: Urban Plains Development – Apartment Buildings
Urban Plains By Brandt Eighth Addition (Lot 1)
Administrative Parking Reduction Request
MBN Project # 25-203

Dear Mr. Kress,

As part of the Conditional Use Permit for the Urban Plains By Brandt Eighth Addition, we respectfully request approval for an administrative parking reduction for the proposed 3 apartment buildings located on Lot 1 of this plat, which is zoned Limited Commercial.

The proposed apartment buildings will consist of 4 levels of above grade apartments totaling 68 units per building, and 1 lower-level basement dedicated to underground parking. Total unit counts for all 3 buildings will be 204. Under the current land development code, Apartments require 2.25 parking spaces per unit, resulting in a total requirement of 459 spaces.

We are requesting a reduction from 2.25 spaces per unit to 1.75 spaces per unit or a minimum of 357 spaces (22.22% reduction).

Additional parallel parking will be available throughout the comprehensive development to further support the apartment buildings and adjacent businesses. This includes 84 parallel spaces proposed along Ace Allen Way South. Furthermore, under the Developer's Declaration of Covenants, Conditions, Restrictions, and Easements, reciprocal parking rights are granted across all lots within the Urban Plains Development. This agreement provides a perpetual, non-exclusive easement for shared parking, vehicular passage, and pedestrian access.

The FM Metro Cog recently completed a Parking and Access study for Fargo and West Fargo comparing the existing parking and access requirements of each city and providing guidance on "right sizing" parking areas related to residential, commercial and mixed use.

For our project I've illustrated the comparison of current Fargo parking requirements for an apartment building, what the new recommendations are from the Metro Cog study and what is being proposed for the Urban Plains Apartments.

MBN ENGINEERING, INC. | Mechanical | Electrical | Civil | Transmission | www.mbnengr.com

FARGO OFFICE 701 Main Avenue • Fargo, ND 58103 • Phone: 701-478-6336

SIOUX FALLS OFFICE 101 Main Avenue South, Suite 302 • Sioux Falls, SD 57104 • Phone: 701-478-6336

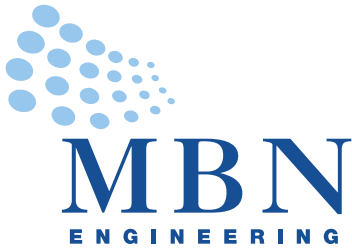
BISMARCK OFFICE 418 Rosser Avenue East, Suite 204 • Bismarck, ND 58501 • Phone: 701-478-6336

Table 1: Apartment Parking Comparison

Entity	Spaces/Unit	Proposed Units	Parking Total
City of Fargo ¹ (Land Development Code)	2.25	204	459
Metro Cog ² (Off-street only)	1.08	204	221
Metro Cog ³ (On/Off Street)	1.51	204	308
Urban Plains Apartments ⁴ (Off-street)	1.75	204	357

1. Based on City of Fargo code, 2.25 spaces/unit is required, yielding 459 spaces for 204 units.
2. Under the Metro Cog study, with off-street parking only, it recommends a parking ratio of 1.08 spaces/unit, yielding 221 spaces for 204 units.
3. Under the Metro Cog study with off-street and on-street parking, it recommends a parking ratio of 1.51 spaces/unit, yielding 308 spaces for 204 units.
4. Under the proposed Urban Plains Apartments, 1.75 spaces/unit yields 357 spaces for 204 units.
 - a. Under the current proposed plan this layout will include 369 off-street parking spaces at a 1.8 space/unit ratio.
 - b. In addition under the Developer's Declaration of Covenants, Conditions, Restrictions, and Easements, reciprocal parking rights are granted across all lots within the Urban Plains Development. This agreement provides a perpetual, non-exclusive easement for shared parking, vehicular passage, and pedestrian access.
 - c. See the attached site plan following this document.
 - d. Select the link for the Metro Cog Study <http://www.fmmetrocog.org/projects-rfps/completed-projects/fargowest-fargo-parking-and-access-requirements-study>

Utilizing the Metro Cog study and the case examples they provided, it was noted that the apartments that were studied showed that on average were only using 74% of the spaces available onsite. Comparing this to the City of Fargo code and the 74% utilization rate, this would yield 349 stalls to meet the demand. With the proposed 1.75/unit parking ratio, the Urban Plains site would provide 357 stalls (8 additional).



Should you have any questions or require additional information, please do not hesitate to contact me at 701-478-6336.

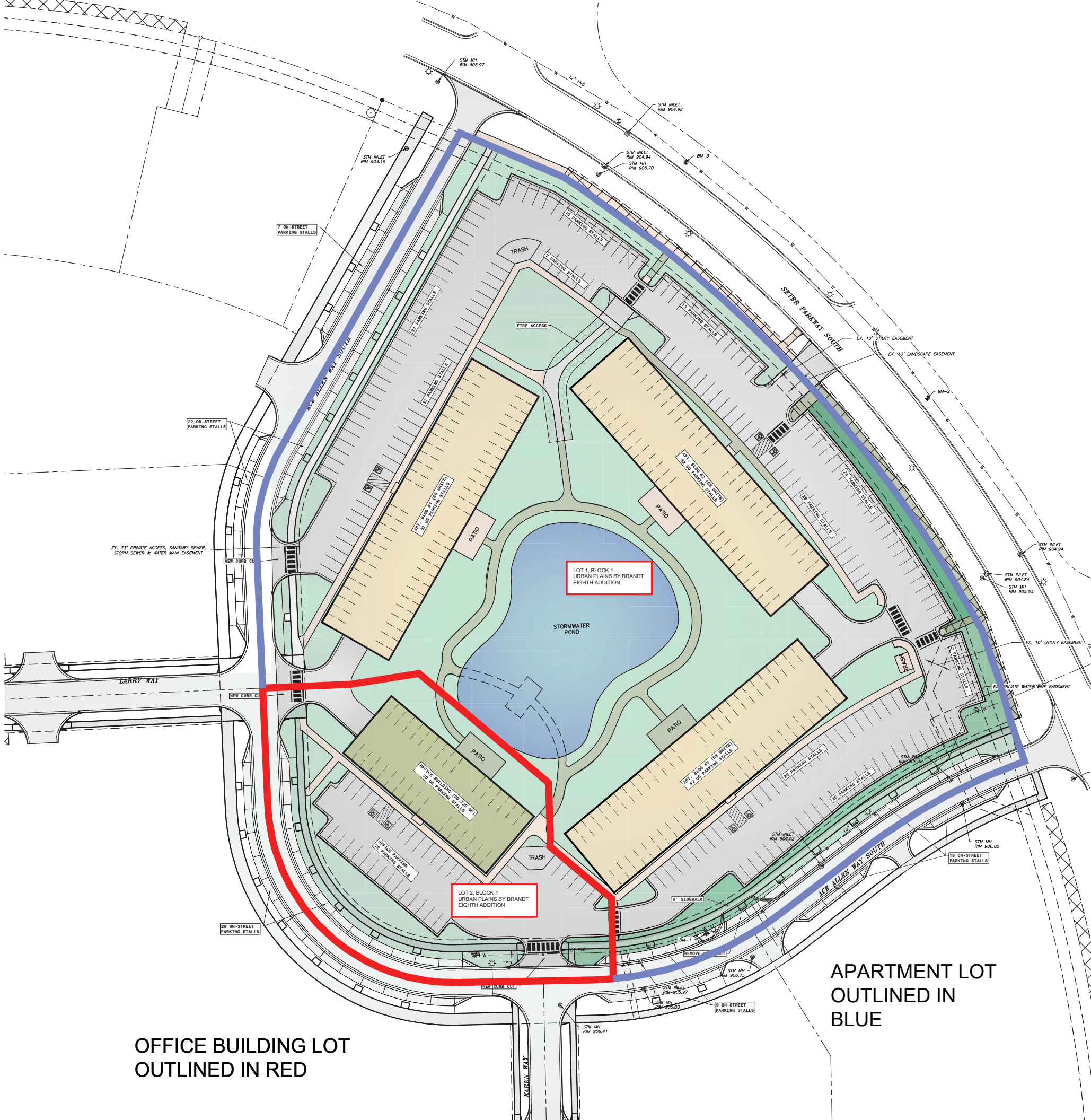
Sincerely,

A handwritten signature in blue ink, appearing to read "T. Eukel". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Tony Eukel, P.E.
Civil Engineer



NOT TO SCALE



URBAN PLAINS DEVELOPMENT MASTER PLAN

PROPERTY ADDRESS: 2975 SETER PARKWAY S, FARGO, ND 58104
ZONING DISTRICT: LIMITED COMMERCIAL (LC)
CONDITIONAL OVERLAY: No.5143

LOT AREA: 322,780 SF
MAX BUILDING HEIGHT ALLOWED: 55%
MAX BUILDING COVERAGE ALLOWED: 55%

PROPOSED BUILDING FOOTPRINT SQUARE FOOTAGE: 61,140 SF
PROPOSED PATIO SQUARE FOOTAGE: 3,200 SF
PROPOSED LOT COVERAGE: 20%

OFFICE BUILDING (B OCCUPANCY):
BUILDING FOOTPRINT: 160'x64' = 10,240 SF
3 STORIES ABOVE GRADE / 1 LL PARKING GARAGE: 30,720 SF

APARTMENT BUILDING #1 (R-2 OCCUPANCY)
BUILDING FOOTPRINT: 260'x66' = 17,1760 SF
4 STORIES ABOVE GRADE / 1 LL PARKING GARAGE: 68,640 SF

APARTMENT BUILDING #2 (R-2 OCCUPANCY)
BUILDING FOOTPRINT: 260'x66' = 17,1760 SF
4 STORIES ABOVE GRADE / 1 LL PARKING GARAGE: 68,640 SF

APARTMENT BUILDING #3 (R-2 OCCUPANCY)
BUILDING FOOTPRINT: 260'x66' = 17,1760 SF
4 STORIES ABOVE GRADE / 1 LL PARKING GARAGE: 68,640 SF

APARTMENT UNIT MIX
15% STUDIO = 30 UNITS (10 PER BLDG)
40% 1 BEDROOM = 81 UNITS (27 PER BLDG)
30% 2 BEDROOM = 72 UNITS (24 PER BLDG)
10% 3 BEDROOM = 21 UNITS (7 PER BLDG)
TOTAL UNITS = 204 UNITS (68 UNITS PER BLDG)

PARKING COUNTS

OFFICE BUILDING
REQ PARKING (1/300 SF) = 30,720/300 = 103 SPACES
PARKING PROVIDED
UNDERGROUND: 30 SPACES
EXTERIOR: 42 SPACES
ON-STREET: 6 SPACES
TOTAL: 78 SPACES (1/400 SF) (25% REDUCTION)

APARTMENT BUILDINGS (204 UNITS)
REQ PARKING
30 STUDIO UNITS X 1.25 = 38 SPACES
174 1+BED UNITS X 2.0 = 348 SPACES
204 GUEST PARKING X 0.25 = 51 SPACES
TOTAL REQ: 437 SPACES

PROVIDED PARKING (BLDG 1-3)
UNDERGROUND = 156 SPACES
EXTERIOR = 213 SPACES
TOTAL PROVIDED: 369 SPACES (1.80 SPACES/UNIT)

ON-STREET PARALLEL PARKING (ACE ALLEN WAY SOUTH)
TOTAL: 84 SPACES

OFFICE BUILDING LOT
OUTLINED IN RED

APARTMENT LOT
OUTLINED IN
BLUE





URBAN PLAINS DEVELOPMENT

FARGO, ND



City of Fargo Staff Report			
Title:	Urban Plains by Brandt Eighth Addition—Proposed Lot 2, Block 1	Date:	11/26/2025
Location:	2975 Seter Parkway South	Staff Contact:	Donald Kress, planning coordinator
Legal Description:	Proposed Lot 2, Block 1, Urban Plains by Brandt Eighth Addition		
Owner(s)/Applicant:	Urban Plains Land Company, LLC / Brookstone Companies	Engineer:	MBN Engineering
Entitlements Requested:	Conditional Use Permit (CUP) (for Alternative Access Plan—reduction in parking ratio)		
Status:	Planning Commission Public Hearing: December 2 nd , 2025		
Existing		Proposed	
Land Use: Undeveloped		Land Use: Office	
Zoning: LC, Limited Commercial		Zoning: LC, Limited Commercial	
Uses Allowed: 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 , and certain telecommunications facilities with Conditional Overlay Ordinance No. 5413, which provides site and building design standards <i>*A CUP is required for off-premise advertising</i>		Uses Allowed: No change proposed. Conditional Overlay Ordinance No. 5413 remains in effect. Conditional Use Permit to allow an alternative access plan—reduction in parking ratio.	
Maximum Lot Coverage: 55%		Maximum Lot Coverage: 55%	
Proposal:			
<p><i>NOTE—PENDING SUBDIVISION: This conditional use permit is proposed on Lot 2, Block 1, of the proposed Urban Plains by Brandt Eighth Addition. That plat was recommended for approval by the Planning Commission at their November 4th, 2025 meeting. That plat is currently in staff review. The conditional use permit, if approved, will not be recorded or go into effect until after final approval and recordation of the Urban Plains by Brandt Eighth Addition plat.</i></p> <p>The applicant requests one entitlement:</p> <ol style="list-style-type: none"> Conditional Use Permit (CUP) for alternative access plan—reduction in parking ratio. <p>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.</p> <p>Surrounding Land Uses and Zoning Districts:</p> <ul style="list-style-type: none"> North: LC, with conditional overlay (C-O) ordinance no. 5413; undeveloped; multi-dwelling buildings proposed. Across Seter Parkway South is GC, General Commercial with C-O ordinance no. 5413; recreational uses. East: LC with C-O ordinance no. 5413; undeveloped and Alerus Bank. Across Seter Parkway South is GC, General Commercial with C-O ordinance no. 5413; undeveloped (potential science museum site). South: LC with C-O ordinance no. 5413; undeveloped. Across 32nd Avenue South is LC with C-O ordinance no. 4900; commercial uses and undeveloped. 			

- West: LC, with C-O ordinance no. 5413; undeveloped;; City of West Fargo is west across Veterans Boulevard—LC, Light Commercial with corridor overlay (West Fargo zoning) with commercial uses

Context:

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

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

Parks: Urban Plains Park (3020 51st Street South) is approximately 0.25 mile east of the subject property, and provides amenities of playgrounds for ages 2-5 and 5-12, recreational trails; restrooms; soccer field, shelters; and a Garden of Healing. This park is a project of the Urban Woods and Prairie Initiative with Audubon Great Plains.

Pedestrian / Bicycle: Shared use paths are located just south and west of the subject property on 32nd Avenue South and Veterans Boulevard, which connect to the metro area system.

Transit: MATBUS Route 24 serves the serves the area. There is a stop at 51st Street and 32nd Avenue South, approximately 0.30 mile from the subject property. This route provides service to Ground Transportation Center, West Acres, Sanford Medical Center, Scheels Arena, Cashwise Foods, Bluestem Drive, Costco, 19th Avenue South & Burlington Drive.

Area Plans:

The Fargo Growth Plan 2024 designates the place type of the subject property as “Mixed Commercial, Office, and Residential.” Primary uses in the “Mixed Commercial, Office, and Residential” place type include commercial/retail, distribution, warehousing, wholesaling, offices, flex buildings, with secondary uses of flex warehouse and multi-family residential. The current zoning of LC, Limited Commercial is consistent with this place type designation and would allow commercial and office development by right, and residential/mixed-use development with a conditional use permit. The existing conditional overlay would prohibit certain commercial uses, as noted above under “Existing” and “Proposed.”

The area of 32nd Avenue South and Veterans Boulevard is designated in the Fargo Growth Plan 2024 as a Neighborhood Center. The Neighborhood Center is the smallest of the three growth centers, the other two being the Community Center and the Regional Center. Neighborhood Centers are intended “to provide walkable neighborhood commercial opportunities to nearby residents.” (Growth Plan p.94) Neighborhood Centers would have “services and activities designed to draw people living within a half-mile or less.” (p.88). A Neighborhood Center is a “condensed mixed use district designed primarily to cater to the immediate surrounding neighborhoods, reachable within a 5- to 10-minute walk. The district typically includes one to three story buildings with a mix of restaurant/retail, small office, and residential uses.” (p.89) A Neighborhood Center is intended to serve as a way to absorb growth in an urban manner by incorporating Urban and Suburban Neighborhood; Mixed Commercial, Office, Residential; and Parks and Open Space place types (p.93).

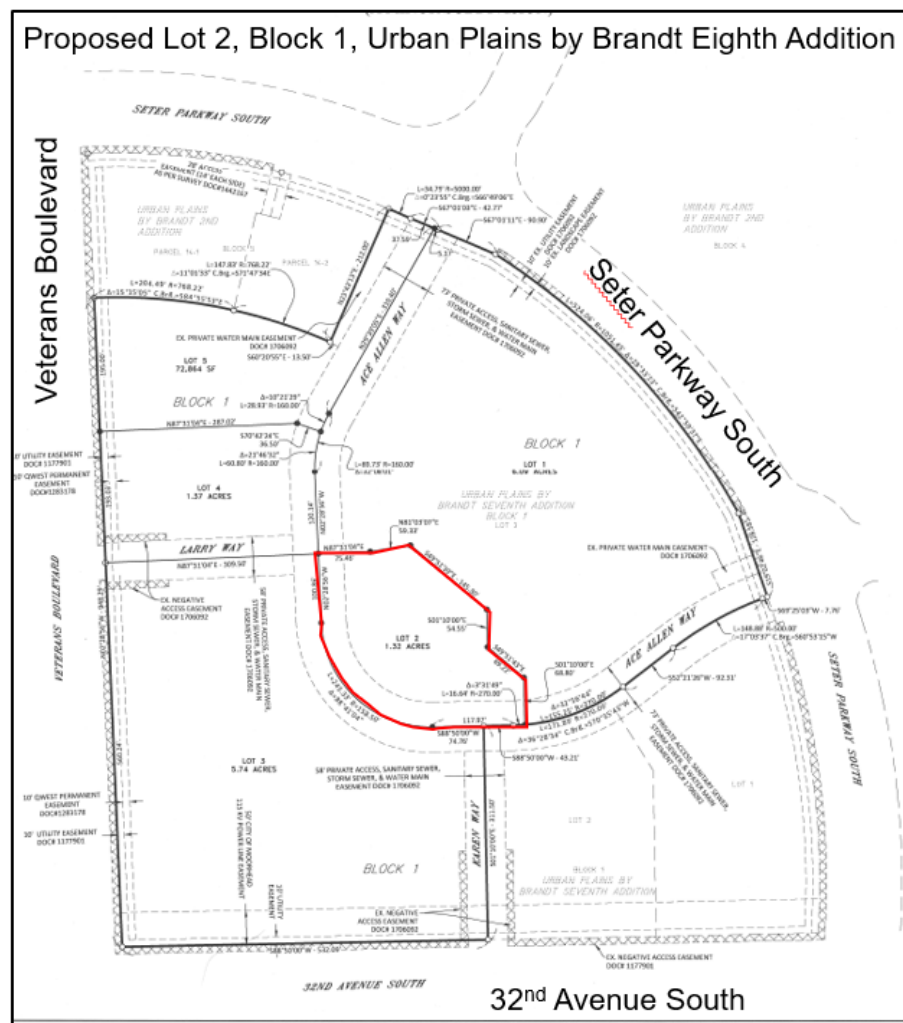
The proposed office building contributes to the development of this Neighborhood Center by providing an office component of this area. The adjacent property to the north is proposed as a multi-family residential development, providing that component of the neighborhood center. The developer has stated that the office building and the first of the three proposed multi-dwelling buildings are intended to start development at the same time. Future development of this area has not been specified, but would be consistent with the commercial uses allowed in the LC, Limited Commercial zone. The surrounding area includes existing and future restaurants, financial institutions, and other services on this subdivision and the nearby Uptown on Main subdivision; recreational facilities including the sports dome and Urban Plains by Brandt Park; and the Scheels Arena event center, all within approximately a walkable quarter mile.

Staff Analysis:

The area bounded by Veterans Boulevard, 32nd Avenue South, and Seter Parkway South was originally platted in 2006 with the Urban Plains by Brandt First Addition. The proposed Urban Plains by Brandt Eighth Addition will be the third replat of this property. There are other individual undeveloped lots within

the bounds of the Urban Plains First Addition, but only one other location on the corner of two arterials (45th Street and 32nd Avenue South). The other undeveloped lots are on local or collector streets. Additionally, most have adjacent development that has been in place for between five and almost 20 years, whereas the area bounded by Veterans Boulevard, 32nd Avenue South, and Seter Parkway South is a block that has had its first development, Alerus Bank, in 2025. The proposed development will probably start construction in 2026. This block has the potential to have its lots developed close together in time.

The applicant proposes to develop an office building on proposed Lot 2, Block 1, Urban Plains by Brandt Eighth Addition. This lot is outlined in the graphic below. The applicant has applied for a conditional use permit for alternative access—parking reduction.



CUP FOR ALTERNATIVE ACCESS

The chart below shows the difference between the parking ratio that would be required by the Land Development Code and the parking ratio proposed by the applicant.

BUILDING SQUARE FEET	LDC RATIO	LDC NUMBER OF SPACES REQUIRED	PROPOSED RATIO	PROPOSED NUMBER OF SPACES REQUIRED
30,720	1 space per 300 SF	103	1 space per 365 SF	85

The applicant's engineer has provided an analysis of the proposed change in parking ratio (copy attached). This study compares the requirements of the LDC, the recent MetroCOG Parking and Access Study, and the parking ratio proposed by the applicant. This analysis has been reviewed by the City's traffic engineer, who determined that the requested change in parking ratio was supported by the analysis and generally consistent with other recent similar parking reduction requests.

A concept site plan and a rendering provided by the applicant are attached. This plan indicates the parking areas. Parking will be provided in three locations:

- under the building;
- on a surface lot around the building; and
- on parking spaces on the adjacent private drive. As this is a private drive, these parking spaces are on the subject property. This situation is different from on-street parking on a dedicated public street, where the parking spaces along the street are in the public right of way.

The parking analysis notes that, in addition to providing parking on the individual subject property, the Developer's Declaration of Covenants, Conditions, Restrictions, and Easements grants reciprocal parking rights across all lots within the Urban Plains Development. This agreement provides a perpetual, non-exclusive easement for shared parking, vehicular passage, and pedestrian access.

ADDITIONAL NOTES:

- Approval of the CUP does not approve the attached concept site plan.
- Conditional Overlay Ordinance No. 5413 will remain in effect. The CUP does not modify the conditional overlay.
- The CUP will not go into effect until it is recorded, which will not happen until the Urban Plains by Brandt Eighth Addition has been recorded.

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. As noted above, provisions of the LDC will apply and additional conditions will be added to ensure that this project is developed in a manner that is appropriate to the context of the surrounding properties and uses. Staff finds this proposal is consistent with the purpose of the LDC, Fargo Growth Plan 2024, and other adopted policies of the City.

(Criteria Satisfied)

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

Staff believes that the location of the proposed conditional use will contribute and promote the welfare and convenience of the public. The CUP will allow the multi-dwelling buildings to be developed to a higher quality design than would be possible if development had to meet strictly the LDC parking requirements, as there will be more room on the lot to provide for design flexibility. **(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 of an office building 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, Planning staff has received one inquiry about the nature of the development in relation to stormwater from an adjacent property owner. Staff is reviewing the property owner's concerns. **(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 recently adopted Fargo Growth Plan 2024 encourages re-evaluation of minimum parking standards, noting that developers would be able to “provide higher quality designs due to greater flexibility over the provision of on-site parking (p.106).” Fargo’s Go2030 Comprehensive Plan includes “explore reducing minimum parking standards” as one of its guiding principles (page 24). The subject property is part of the proposed Urban Plains by Brandt Eighth Addition subdivision, zoned LC, Limited Commercial with a conditional overlay. The overlay provides development standards for building form and style and site design beyond the development standards required by the LDC.

The subject property is bordered by a private drive, Ace Allen Way, on the east, west, and south sides. This private drive connects to Seter Parkway South, a dedicated public street.

The immediate neighborhood includes both commercial and multi-dwelling residential uses, as noted above. The adjacent property to the north, Lot 1, Block 1, of the proposed Urban Plains by Brandt Eighth Addition, is proposed to be developed with three multi-dwelling buildings for a total of approximately 204 residential units. New development will comply with the dimensional standards of the LC, Limited Commercial zone, the conditional overlay, and the LDC, other than this proposed modification of the parking ratio.

(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 takes access from two points to Ace Allen Way, a private drive that was established with the Urban Plains by Brandt Seventh Addition (2023). Ace Allen Way makes a loop around the subject property, connecting to Seter Parkway South, a dedicated public street classified as a local street. There is also access to 32nd Avenue South, to the south of the subject property, via Karen Way, another private drive within the subdivision.

(Criteria Satisfied)

RECOMMENDED CONDITIONS:

1. Parking for the office shall be calculated at the ratio of 1 space per 365 square feet of building gross floor area.
2. Future permits to be generally consistent with the site plan provided in the December 2nd, 2025 Planning Commission packet. Changes may require review by the Planning Commission as determined by Planning staff.
3. If the use changes from what is outlined in the provided parking narrative, then updated information will be required to be reviewed and approved by the City of Fargo Traffic Engineer and Planning Commission as determined by Planning staff.

Staff Recommendation:

Suggested Motion: To accept the findings and recommendations of staff and move to approve the proposed conditional use permit to allow an alternative access plan on proposed Lot 2, Block 1, Urban Plains by Brandt Eighth Addition, as presented, as the proposal complies with the Fargo Growth Plan 2024, Standards of Section 20-0909.D, and all other applicable requirements of the LDC, subject to the conditions listed below:

RECOMMENDED CONDITIONS:

1. Parking for the office shall be calculated at the ratio of 1 space per 365 square feet of building gross floor area.
2. Future permits to be generally consistent with the site plan provided in the December 2nd, 2025 Planning Commission packet. Changes may require review by the Planning Commission as determined by Planning staff.
3. If the use changes from what is outlined in the provided parking narrative, then updated information will be required to be reviewed and approved by the City of Fargo Traffic Engineer and Planning Commission as determined by Planning staff.

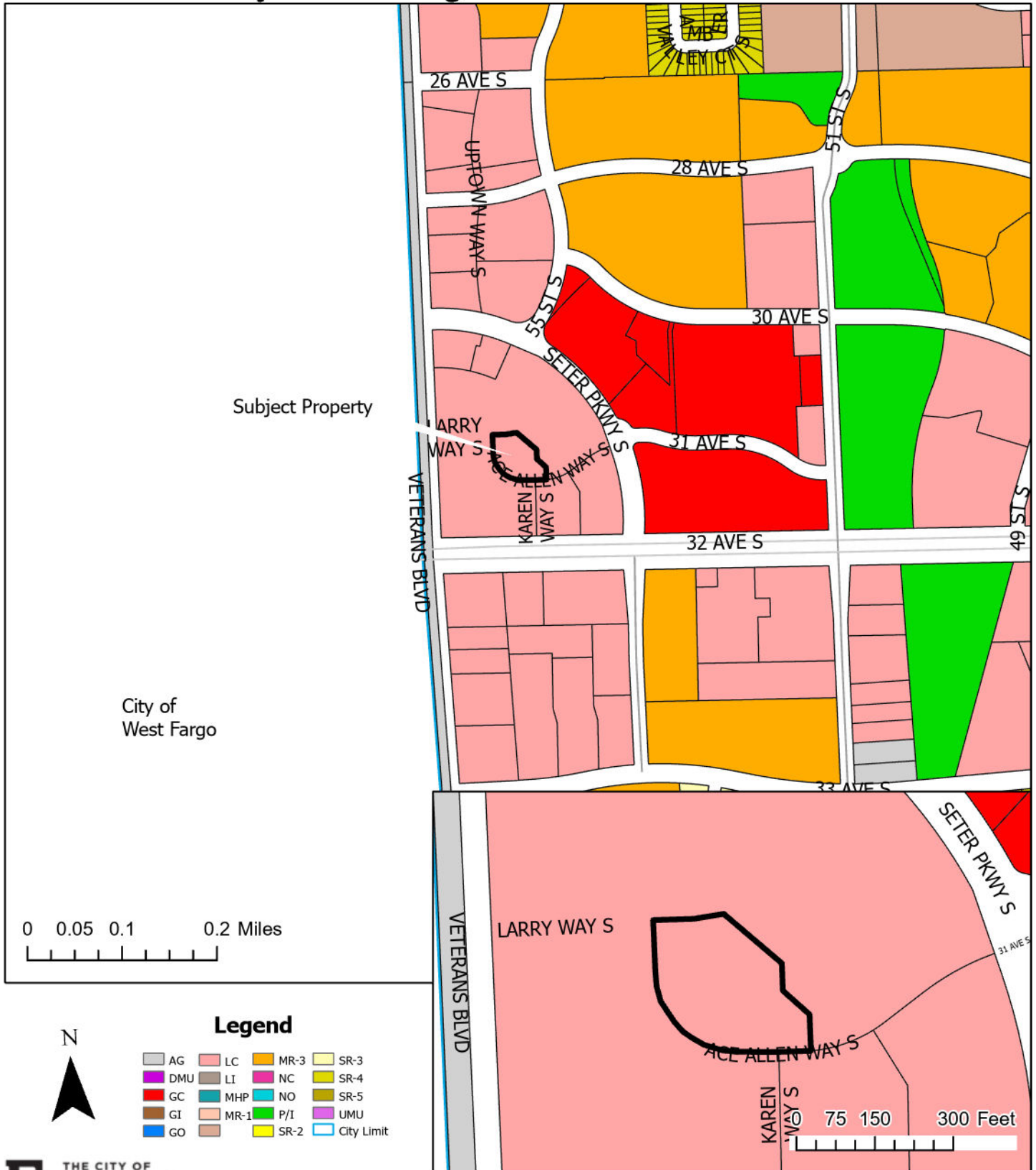
Planning Commission Recommendation: December 2nd, 2025**Attachments:**

1. Zoning map
2. Location map
3. Parking analysis
4. Concept site plan
5. Concept rendering

CUP, Conditional Use Permit to allow an Alternative Access Plan for a parking reduction

Urban Plains by Brandt Eighth Addition

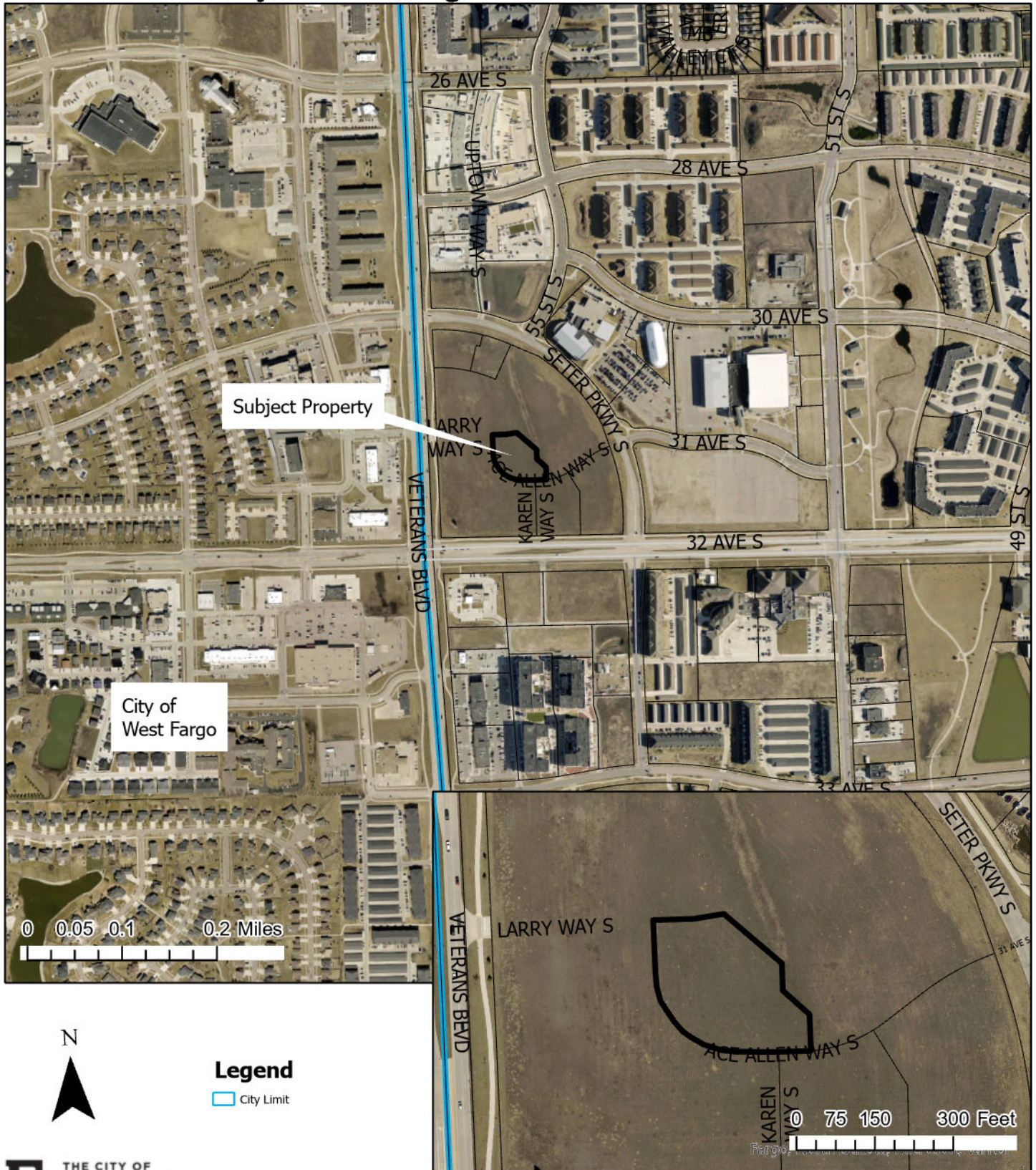
2975 Seter Parkway South

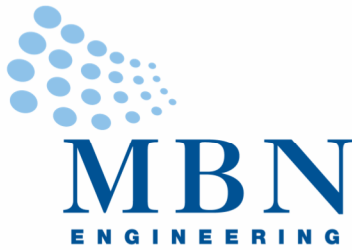


CUP, Conditional Use Permit to allow an Alternative Access Plan for a parking reduction

Urban Plains by Brandt Eighth Addition

2975 Seter Parkway South





November 11, 2025

City of Fargo
Attn: Donald Kress
Planning and Development
225 4th Street North
Fargo, ND 58102

Subject: Urban Plains Development – Office Building
Urban Plains By Brandt Eighth Addition (Lot 2)
Administrative Parking Reduction Request
MBN Project # 25-203

Dear Mr. Kress,

As part of the Conditional Use Permit for the Urban Plains By Brandt Eighth Addition, we respectfully request approval for an administrative parking reduction for the proposed office building located on Lot 2 of this plat, which is zoned Limited Commercial.

The proposed office building will consist of three floors, totaling approximately 30,720 SF of gross office space, with a lower-level basement dedicated to underground parking. Under the current land development code, office space requires 1 parking space per 300 SF, resulting in a total requirement of 103 spaces.

We are requesting a parking reduction of 1 space per 365 SF or a minimum of 85 parking stalls. The proposed office building will include 30 underground spaces, 42 off-street spaces, and 13 parallel spaces along Ace Allen Way South, totaling 85 spaces. These parallel spaces are situated within the private utility and access easement located adjacent to the office building and on the office property (Lot 1).

Additional parallel parking will be available throughout the comprehensive development to further support the office building and adjacent businesses. This includes an additional 71 parallel spaces proposed along Ace Allen Way South. Furthermore, under the Developer's Declaration of Covenants, Conditions, Restrictions, and Easements, reciprocal parking rights are granted across all lots within the Urban Plains Development. This agreement provides a perpetual, non-exclusive easement for shared parking, vehicular passage, and pedestrian access.

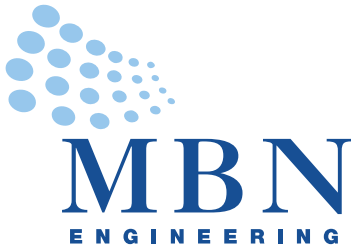
The FM Metro Cog also completed a recent parking and access study for Fargo and West Fargo comparing the existing parking and access requirements of each city and providing guidance on "right sizing" parking areas related to residential, commercial and mixed use.

MBN ENGINEERING, INC. | Mechanical | Electrical | Civil | Transmission | www.mbnengr.com

FARGO OFFICE 701 Main Avenue • Fargo, ND 58103 • Phone: 701-478-6336

SIOUX FALLS OFFICE 101 Main Avenue South, Suite 302 • Sioux Falls, SD 57104 • Phone: 701-478-6336

BISMARCK OFFICE 418 Rosser Avenue East, Suite 204 • Bismarck, ND 58501 • Phone: 701-478-6336



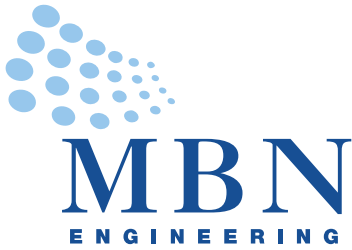
For our project I've illustrated the comparison of current Fargo parking requirements for a commercial office building, what the new recommendations are from the Metro Cog study, and what is being proposed for the Urban Plains Office.

Table 1: Office Space Parking Comparison

Entity	Spaces/ Sq .Ft.	Proposed Sq. Ft.	Parking Total
City of Fargo ¹ (Land Development Code)	1/300	30,720	103
Metro Cog ² (Off-street only)	2.85/1000 (1/350)	30,720	88
Urban Plains Office ³ (On/Off Street – Onsite and Ace Allen Way)	2.74/1000 (1/365)	30,720	85

1. Based on City of Fargo ordinance, 1 space/300 Sq. Ft. is required, yielding 103 spaces for a 30,720 Sq.Ft. office building.
2. Under the Metro Cog study for commercial office spaces with off-street parking only, it recommends a parking ratio of 2.85/1000 (1/350), yielding 88 spaces for a 30,720 Sq. Ft. office building.
3. Under the proposed Urban Plains Office Building the plan includes 72 off-street parking spaces and the adjacent 13 parallel spaces located on Ace Allen Way South, providing 85 stalls.
 - a. An additional 71 parallel parking spaces will be available to the north and south of the office and are connected by pedestrian paths and crossings, making pedestrian walkability very easy.
 - b. In addition under the Developer's Declaration of Covenants, Conditions, Restrictions, and Easements, reciprocal parking rights are granted across all lots within the Urban Plains Development. This agreement provides a perpetual, non-exclusive easement for shared parking, vehicular passage, and pedestrian access.
 - c. See the attached site plan following this document for highlight parking areas.

Although the project will be 3 stalls short of the Metro Cog recommendations, there is additional parking that will be available along Ace Allen Way with great pedestrian connectivity that will help support this development. Furthermore, with the reciprocal parking agreement, the adjacent apartment buildings will have available parking during the day as most tenants will be off-site that will further support the office building.



Should you have any questions or require additional information, please do not hesitate to contact me at 701-478-6336.

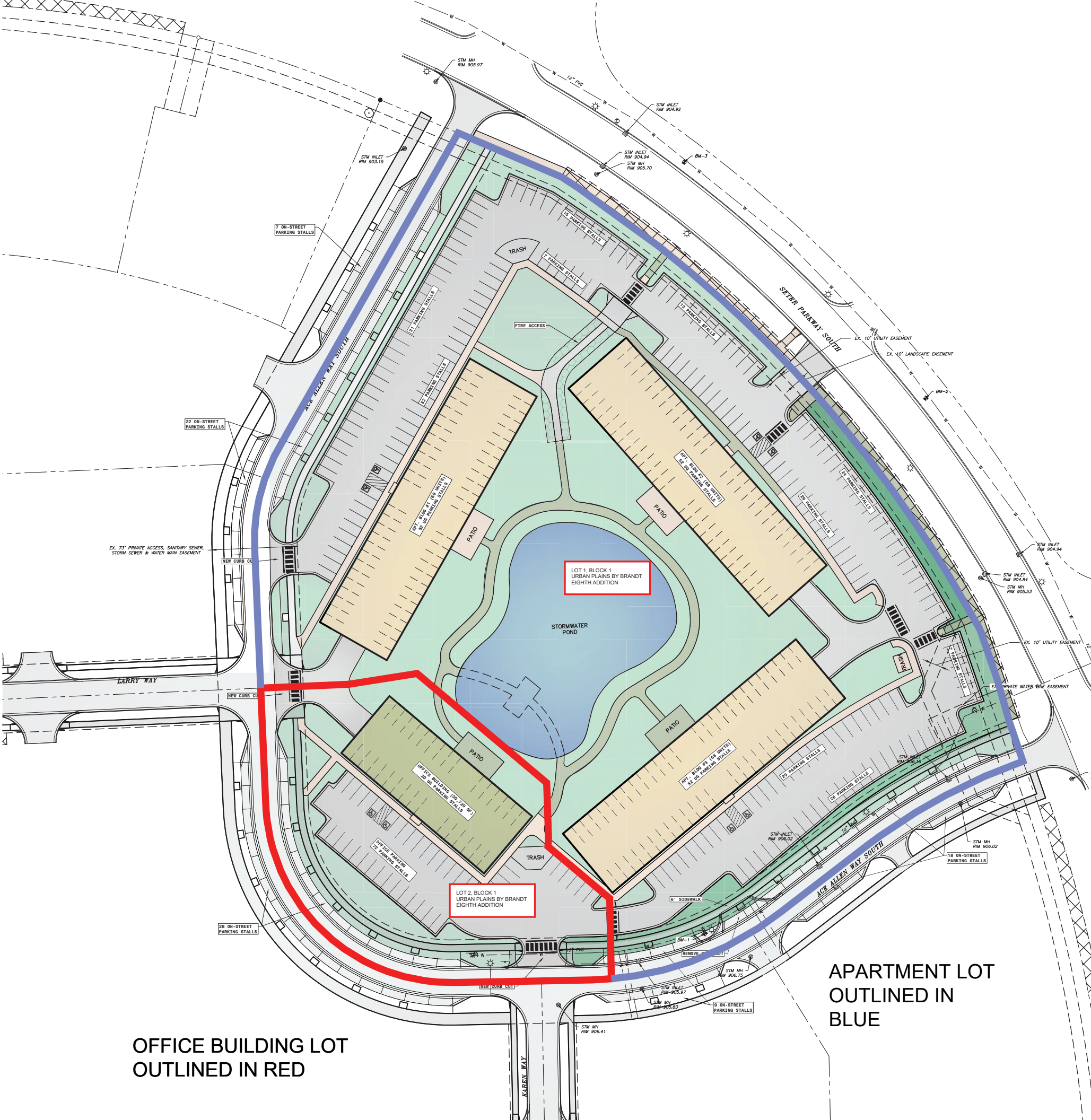
Sincerely,

A handwritten signature in blue ink, appearing to read "T. Eukel". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Tony Eukel, P.E.
Civil Engineer



NOT TO SCALE



URBAN PLAINS DEVELOPMENT MASTER PLAN

PROPERTY ADDRESS: 2975 SETER PARKWAY S, FARGO, ND 58104
ZONING DISTRICT: LIMITED COMMERCIAL (LC)
CONDITIONAL OVERLAY: No.5143

LOT AREA: 322,780 SF
MAX BUILDING HEIGHT ALLOWED: 55%
MAX BUILDING COVERAGE ALLOWED: 55%

PROPOSED BUILDING FOOTPRINT SQUARE FOOTAGE: 61,140 SF
PROPOSED PATIO SQUARE FOOTAGE: 3,200 SF
PROPOSED LOT COVERAGE: 20%

OFFICE BUILDING (B OCCUPANCY):
BUILDING FOOTPRINT: 160'x64' = 10,240 SF
3 STORIES ABOVE GRADE / 1 LL PARKING GARAGE: 30,720 SF

APARTMENT BUILDING #1 (R-2 OCCUPANCY)
BUILDING FOOTPRINT: 260'x66' = 17,1760 SF
4 STORIES ABOVE GRADE / 1 LL PARKING GARAGE: 68,640 SF

APARTMENT BUILDING #2 (R-2 OCCUPANCY)
BUILDING FOOTPRINT: 260'x66' = 17,1760 SF
4 STORIES ABOVE GRADE / 1 LL PARKING GARAGE: 68,640 SF

APARTMENT BUILDING #3 (R-2 OCCUPANCY)
BUILDING FOOTPRINT: 260'x66' = 17,1760 SF
4 STORIES ABOVE GRADE / 1 LL PARKING GARAGE: 68,640 SF

APARTMENT UNIT MIX
15% STUDIO = 30 UNITS (10 PER BLDG)
40% 1 BEDROOM = 81 UNITS (27 PER BLDG)
30% 2 BEDROOM = 72 UNITS (24 PER BLDG)
10% 3 BEDROOM = 21 UNITS (7 PER BLDG)
TOTAL UNITS = 204 UNITS (68 UNITS PER BLDG)

PARKING COUNTS

OFFICE BUILDING
REQ PARKING (1/300 SF) = 30,720/300 = 103 SPACES
PARKING PROVIDED
UNDERGROUND: 30 SPACES
EXTERIOR: 42 SPACES
ON-STREET: 6 SPACES
TOTAL: 78 SPACES (1/400 SF) (25% REDUCTION)

APARTMENT BUILDINGS (204 UNITS)
REQ PARKING
30 STUDIO UNITS X 1.25 = 38 SPACES
174 1+BED UNITS X 2.0 = 348 SPACES
204 GUEST PARKING X 0.25 = 51 SPACES
TOTAL REQ: 437 SPACES

PROVIDED PARKING (BLDG 1-3)
UNDERGROUND = 156 SPACES
EXTERIOR = 213 SPACES
TOTAL PROVIDED: 369 SPACES (1.80 SPACES/UNIT)

ON-STREET PARALLEL PARKING (ACE ALLEN WAY SOUTH)
TOTAL: 84 SPACES

OFFICE BUILDING LOT
OUTLINED IN RED

APARTMENT LOT
OUTLINED IN
BLUE





URBAN PLAINS DEVELOPMENT

FARGO, ND



Agenda Item #	4a, 4b
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City of Fargo Staff Report			
Title:	Veterans Square Addition	Date:	11-25-2025
Location:	5600 38 Avenue South	Staff Contact:	Chelsea Levorsen, Planner
Legal Description:	Lot 5, Block 1, Veterans Square Addition		
Owner(s)/Applicant:	JB Real Estate Investments LLC	Engineer:	n/a
Entitlements Requested:	Conditional Use Permit to allow Household Living in the GC, General Commercial zoning District & Conditional Use Permit for an Alternate Access Plan for reduced Parking		
Status:	Planning Commission Public Hearing: December 2, 2025		

Existing	Proposed
Land Use: Undeveloped	Land Use: Multi-Dwelling Residential
Zoning: GC, General Commercial	Zoning: GC, No Change
<p>Uses Allowed: Allows colleges, community service, daycare centers of unlimited size, detention facilities, health care facilities, parks and open space, religious institutions, safety services, basic utilities, adult establishment, offices, off-premise advertising, commercial parking, outdoor recreation and entertainment, retail sales and service, self-service storage, vehicle repair, limited vehicle service, and some telecommunication facilities.</p> <p>Conditional Overlay Ordinance No. 5044, which provides site and building design standards, allows for a maximum building height of 110', and prohibits specific uses, portable signs, and off-premise signs.</p> <p>Conditional Use Permit for Residential Land Use, permitting a maximum density of 24 units per acre and requires a minimum of 30% open space and bicycle parking facilities.</p>	<p>Uses Allowed: No Change Proposed.</p> <p>Conditional Overlay Ordinance No. 5044:</p> <p>Conditional Use Permit Revised Conditional Use Permit to allow household living in the GC, General Commercial zoning District Conditional Use Permit for and Alternate Access Plan for reduced Parking</p>
Maximum Lot Coverage Allowed: 85%	Maximum Lot Coverage Allowed: 85%

Proposal:
<p>The applicant requests two entitlements:</p> <ol style="list-style-type: none"> 1. Conditional Use Permit (CUP) to allow household living in the GC, General Commercial zoning district 2. Conditional Use Permit (CUP) for alternative access plan for a parking reduction

Approval and Appeal

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

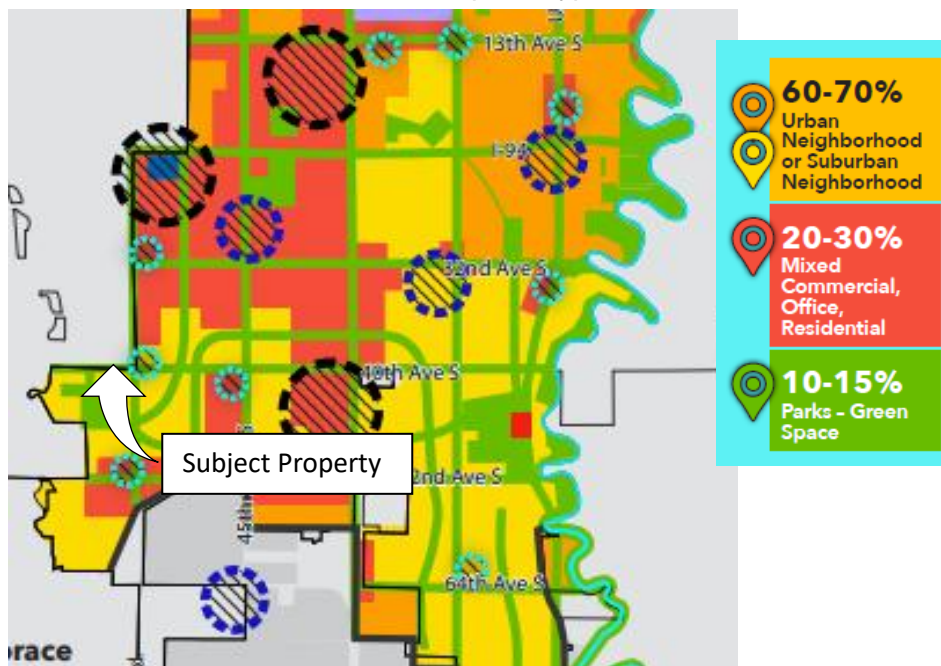
Surrounding Land Uses and Zoning Districts:

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

Area Plans:

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

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



Place Types

	Agriculture/Farming
	Suburban Edge - Rural
	Suburban Neighborhood
	Urban Neighborhood
	Downtown/Core
	Mixed Commercial, Office and Residential
	Campus - Institutional
	Transitional Industrial/Commercial
	General Industrial and Flex Warehouse
	Parks - Green Space

Growth Centers

	Regional Center
	Community Center
	Neighborhood Center

Context:

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

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

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

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

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

Staff Analysis:

Site History

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

Current Proposal

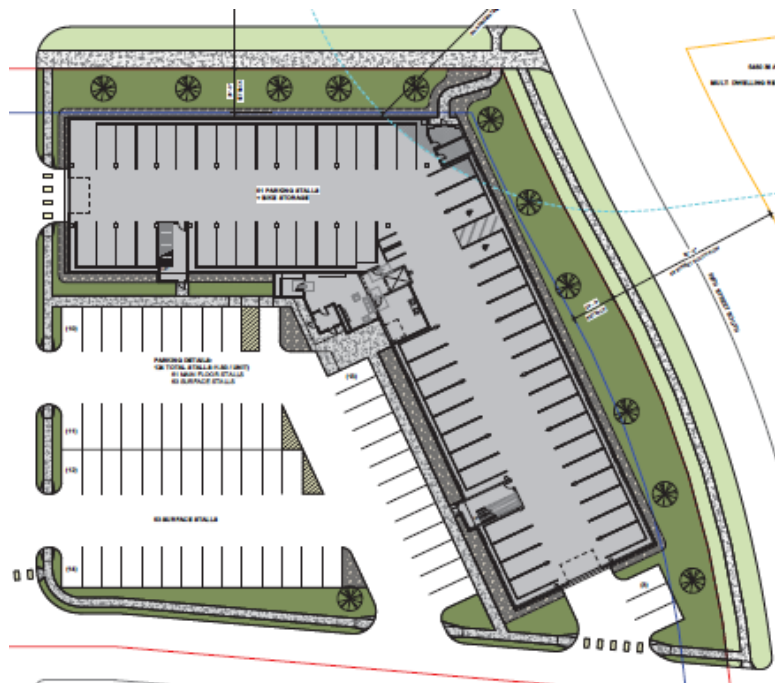
The applicant is proposing to construct a five-story, 69-unit, multi-family building. The building will provide first floor parking and floors two through five will offer residential apartments units varying from one to three bedrooms. The subject property is zoned GC, General Commercial. Residential uses are not permitted by right in the GC zoning district. Thus, a conditional use permit is required to allow residential use in this zoning district. The Conditional Overlay from 2016, Ordinance 5044, will remain on the property. The Conditional Overlay requires higher quality design, including the use of high-quality exterior materials, building façade treatments and features, the screening of loading, HVAC, and trash facilities, additional pedestrian circulation, imposes a maximum building height, and limits specific uses.

The existing Conditional Use Permit (Ordinance No. 2016-011) will terminate upon the approval of the proposed CUP.

The applicant is proposing a density of 40 units per acre. The subject property is 1.76 acres, thus a density of 40 would permit 70.40 units. Fractions are rounded down, to permit 70 units.

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

In addition to a Conditional Use Permit to allow residential use in the GC zoning district, the applicant is also requesting a Conditional Use Permit for an alternate Access Plan for a parking reduction. Section 20-0701, subsection e.1.b.(1) of the Land Development Code requires that a minimum of 2 parking spaces per 1-bedroom unit plus 0.25 guest parking spaces be provided for each unit for structures containing 7 or more units. Therefore, 69 units would require 156 off-street parking spaces. The applicant's preliminary site plan provides 61 interior spaces and 63 surface spaces, for a total of 124 parking spaces. The applicant is requesting a reduction of 32 spaces (20.5%). The parking reduction provides approximately 1.8 parking spaces per dwelling unit.



Staff initially had concerns about the scale of the building in relation to near-by single dwelling residential homes. This prompted staff to have conversations with the applicant about adding 'pedestrian-scale' design elements along 38th Avenue and 56th Street to 'soften' the view for adjacent property owners.

The Conditional Overlay on the property will require higher quality building design and materials and additional pedestrian connectivity and are listed in the motion. The applicant has provided a rendering showing how these treatments may look.

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.

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

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

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

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

(Criteria Satisfied)

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

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

(Criteria Satisfied)

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

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

(Criteria Satisfied)

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

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

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

Staff does not believe that the parking reduction will prevent development and use of neighboring properties in accordance with applicable zoning districts. The proposed parking reduction provides approximately 1.8 parking spaces per residential unit. This ratio is comparable to previously approved parking reduction. A parking study, provided by the applicant, provides supporting data with parking comparisons from Metro COG's Fargo-West Fargo Parking and Access Study and the Institute of Transportation Engineers (ITE). The City's Traffic Engineer has reviewed the provided narrative and supports the applicant's findings.

(Criteria Satisfied)

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

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

(Criteria Satisfied)

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

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

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

(Criteria Satisfied)

Staff Recommendation:

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

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

11. Ground floor facades that face public streets shall have plantings, including a combination of small trees, shrubs, and perennials, evenly distributed along the building foundation.
12. Future permits are generally consistent with the site plan provided in December, 2025 Planning Commission packet. Changes may require review by the Planning Commission as determined by Planning Staff.

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

1. A minimum of 124 parking spaces shall be provided
2. Bicycle facilities shall be required
3. Any expansion in the number of residential units shall terminate the Conditional Use Permit
4. Future permits are generally consistent with the site plan provided in December, 2025 Planning Commission packet. Changes may require review by the Planning Commission as determined by Planning Staff.

Planning Commission Recommendation: December 2, 2025

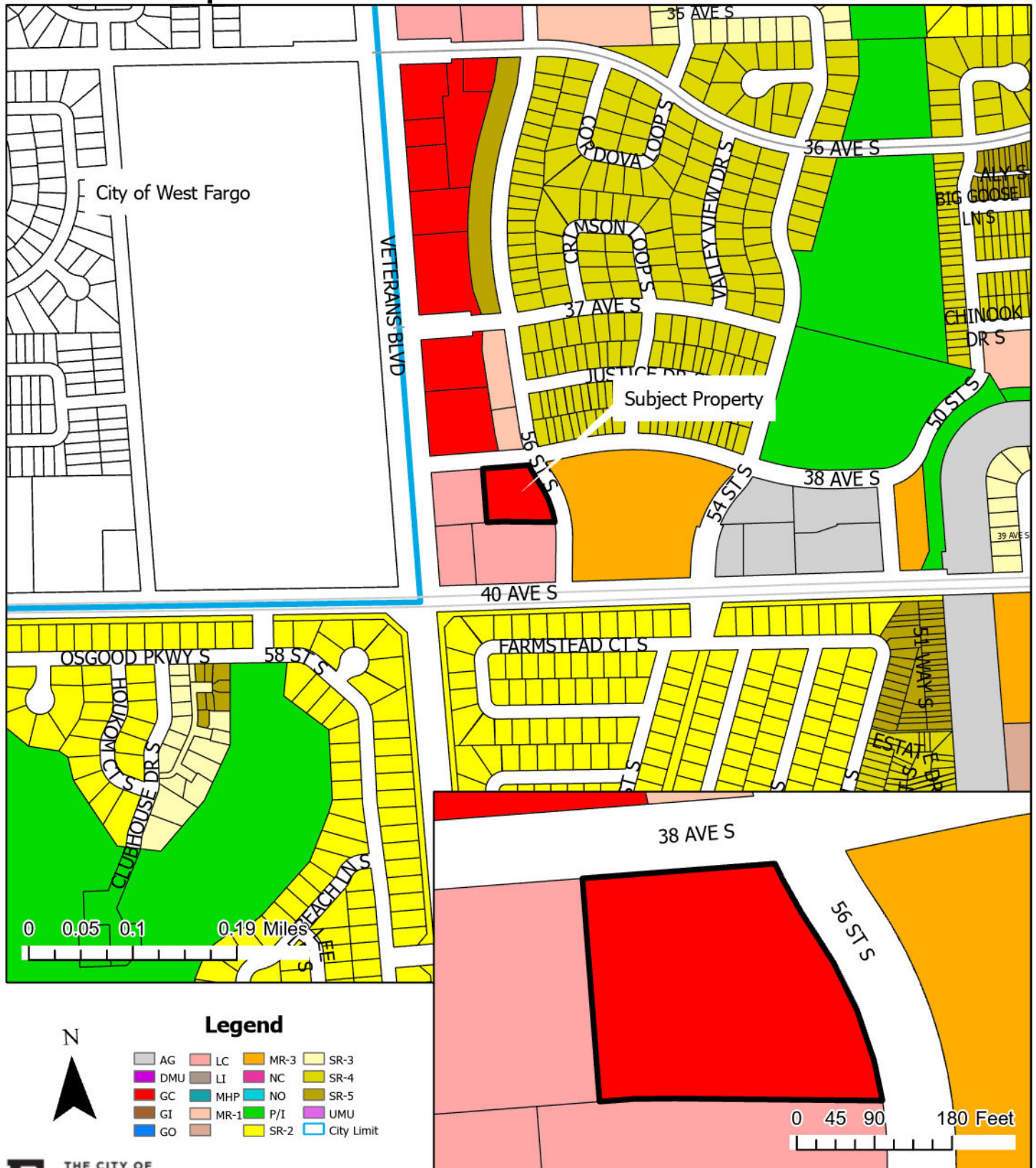
Attachments:

1. Zoning Map
2. Location Map
3. Preliminary Site Plan and Elevations
4. Building Rendering
5. Northeast Corner Landscape Features

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

Veterans Square Addition

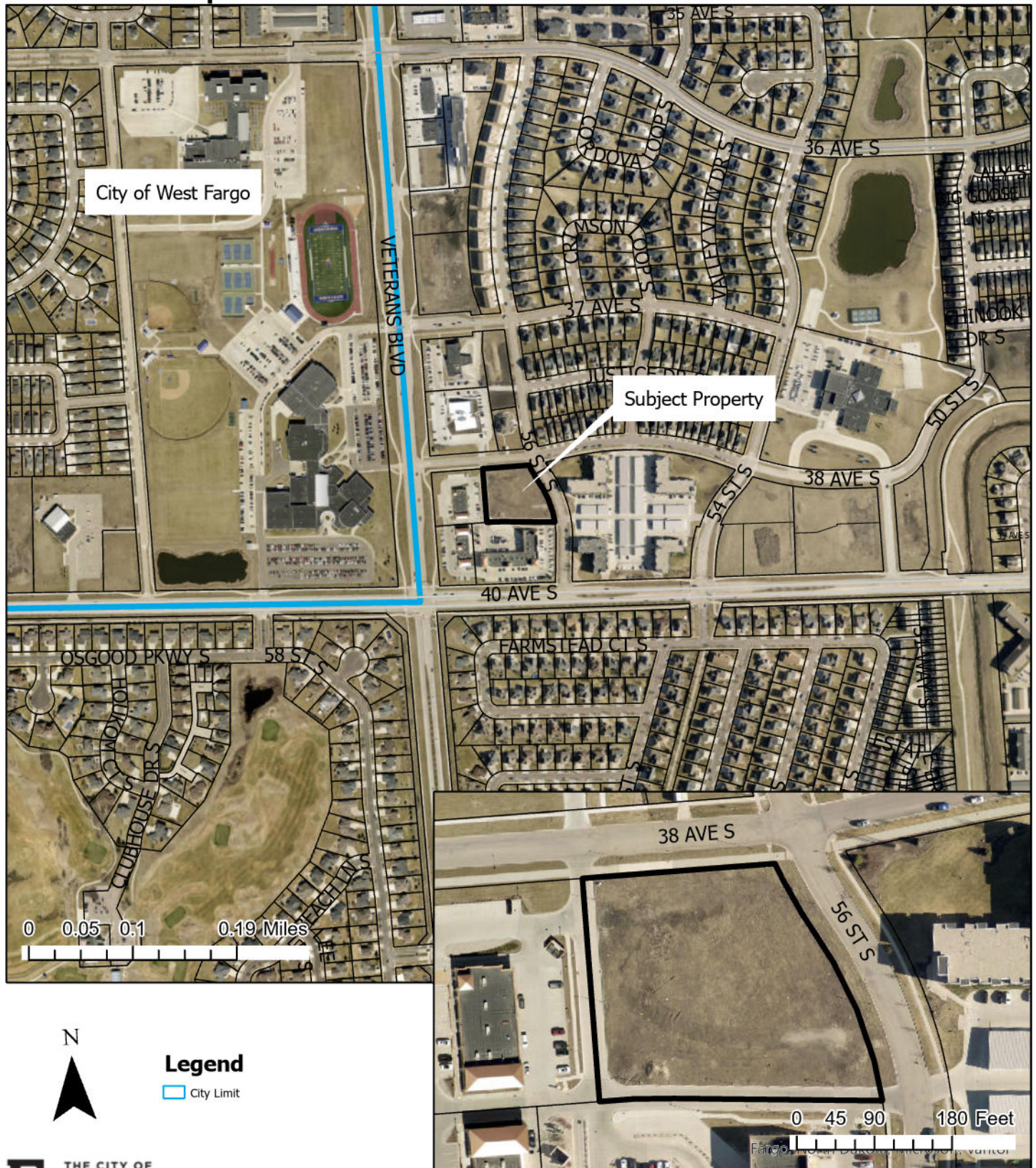
5600 38th Avenue South



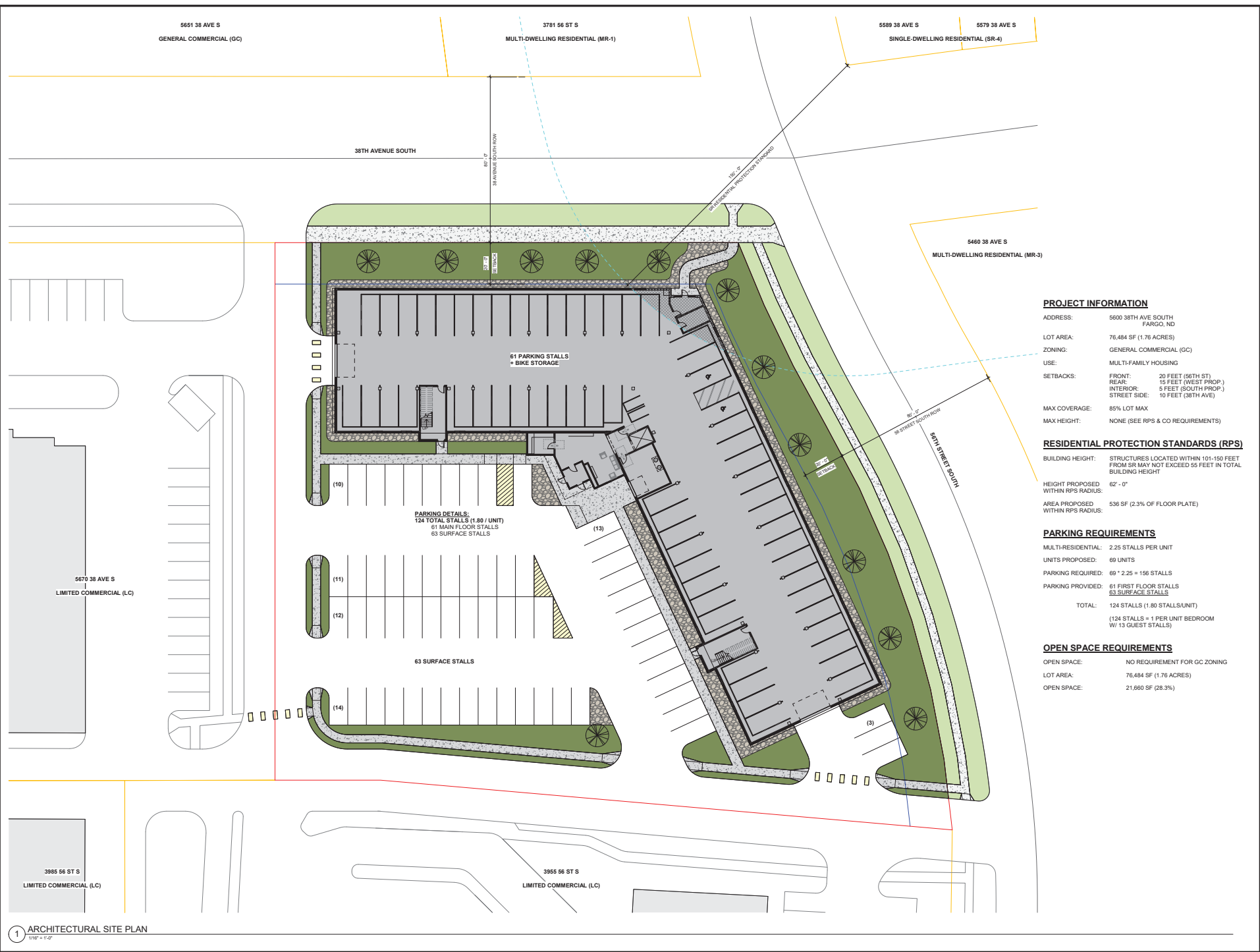
CUP, Conditional Use Permit to allow household living in the GC, General Commercial zoning district and a CUP, Conditional Use Permit to allow an Alternative Access Plan for a parking reduction

Veterans Square Addition

5600 38th Avenue South



Fargo Planning Commission
December 2, 2025



PROJECT INFORMATION

ADDRESS: 5600 38TH AVE SOUTH
FARGO, ND
LOT AREA: 76,484 SF (1.76 ACRES)
ZONING: GENERAL COMMERCIAL (GC)
USE: MULTI-FAMILY HOUSING
SETBACKS: FRONT: 20 FEET (56TH ST)
REAR: 15 FEET (WEST PROP.)
INTERIOR: 5 FEET (SOUTH PROP.)
STREET SIDE: 10 FEET (38TH AVE)
MAX COVERAGE: 85% LOT MAX
MAX HEIGHT: NONE (SEE RPS & CO REQUIREMENTS)

RESIDENTIAL PROTECTION STANDARDS (RPS)

BUILDING HEIGHT: STRUCTURES LOCATED WITHIN 101-150 FEET
FROM SR MAY NOT EXCEED 55 FEET IN TOTAL
BUILDING HEIGHT
HEIGHT PROPOSED: 62' 0"
WITHIN RPS RADIUS:
AREA PROPOSED: 536 SF (2.3% OF FLOOR PLATE)
WITHIN RPS RADIUS:

PARKING REQUIREMENTS

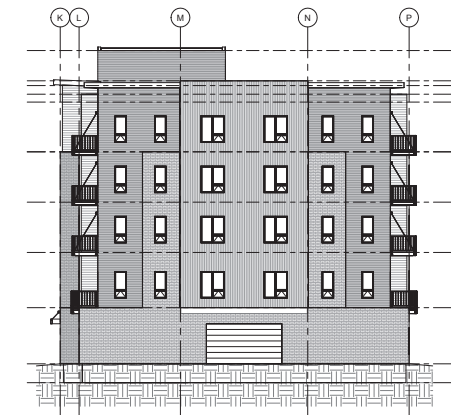
MULTI-RESIDENTIAL: 2.25 STALLS PER UNIT
UNITS PROPOSED: 69 UNITS
PARKING REQUIRED: 69 * 2.25 = 156 STALLS
PARKING PROVIDED: 61 FIRST FLOOR STALLS
63 SURFACE STALLS
TOTAL: 124 STALLS (1.80 STALLS/UNIT)
(124 STALLS = 1 PER UNIT BEDROOM
W/ 13 GUEST STALLS)

OPEN SPACE REQUIREMENTS

OPEN SPACE: NO REQUIREMENT FOR GC ZONING
LOT AREA: 76,484 SF (1.76 ACRES)
OPEN SPACE: 21,660 SF (28.3%)

1 ARCHITECTURAL SITE PLAN
1/8" = 1'-0"

10/20/2025 10:28:43 AM
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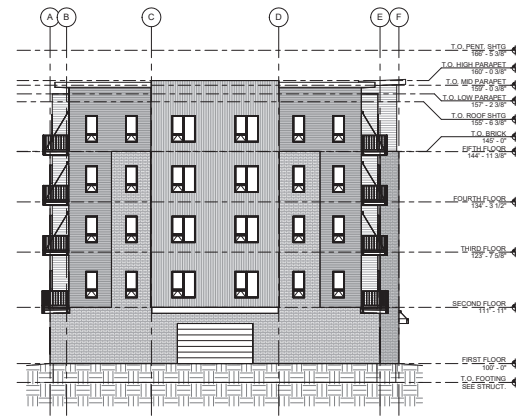
4 SOUTHEAST ELEVATION
3/32" = 1'-0"



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



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



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

ELEVATION FINISH LEGEND	
	FACE BRICK (TYPE 1) MFR. HERRON BRICK TYPE: UTILITY - HALF RUNNING BOND COLOR: TBD
	FACE BRICK (TYPE 2) MFR. HERRON BRICK TYPE: UTILITY - HALF RUNNING BOND COLOR: TBD
	STEEL SIDING (TYPE 1) MFR. ECKO TYPE: TRADITIONAL LAP COLOR: TBD
	STEEL SIDING (TYPE 2) MFR. ECKO TYPE: TRADITIONAL LAP COLOR: TBD
	STEEL SIDING (TYPE 3) MFR. MAC METALS TYPE: NORWOOD COLOR: TBD



City of Fargo Staff Report			
Title:	Valley View Estates Fourth Addition	Date:	11/26/2025
Location:	4950-4992 36th Avenue South; 4953, 4957, 4961, 4965, 4969, 4973, 4977, 4981, 4985, 4989, 4993, 4997 Big Goose Lane South.	Staff Contact:	Donald Kress, planning coordinator
Legal Description:	Lots 1 through 12, Block 4 and 1 through 10, Block 5, Valley View Estates Second Addition		
Owner(s)/Applicant:	EWR Fargo TH Trio, LLC / Houston Engineering	Engineer:	Houston Engineering
Entitlements Requested:	Minor Subdivision (replat of Lots 1 through 12, Block 4 and 1 through 10, Block 5, Valley View Estates Second Addition)		
Status:	Planning Commission Public Hearing: December 2nd, 2025		
Existing		Proposed	
Land Use: Single Dwelling Residential—attached housing		Land Use: Multi-dwelling residential	
Zoning: SR-5, Single-Dwelling Residential,		Zoning: No change	
Uses Allowed: SR-5 Allows detached houses, attached houses and duplexes, daycare centers, parks and open space, religious institutions, safety services, basic utilities, and certain telecommunications facilities.		Uses Allowed: No change	
Maximum Density Allowed: SR-5 allows a maximum of 14.5 units per acre		Maximum Density Allowed: No change	
Proposal:			
<p>The applicant requests one entitlement:</p> <ol style="list-style-type: none"> 1. A minor subdivision, entitled Valley View Estates Fourth Addition, replat of Lots 1 through 12, Block 4 and 1 through 10, Block 5, Valley View Estates Second Addition 			
<p>Surrounding Land Uses and Zoning Districts:</p> <ul style="list-style-type: none"> • North: SR-4: Single-Dwelling Residential; single family residences (detached) • East: SR-4: Single-Dwelling Residential; single family residences (detached) • South: SR-4: Single-Dwelling Residential; single family residences (detached) • West: SR-4: Single-Dwelling Residential; single family residences (detached) 			
Area Plans:			
<p>When the subject property was patted in 2021, it was designated as “Residential Area—Medium to High Density” in the 2020 amendment to the 2003 future land use plan. That plat was superceded in 2024 with the Fargo Growth Plan, which designates the subject property as the “Suburban Neighborhood” place type. Residential uses within that place type include small to medium lot single-family detached housing and townhomes with limited massing up to four units. The existing SR-5 zoning and attached 3- and 4-unit buildings are consistent with this place type.</p>			
Context:			
<p>Schools: The subject property is located within the West Fargo School District, specifically within the Independence Elementary, Liberty Middle and Sheyenne High schools.</p>			
<p>Neighborhood: The subject property is located within the Brandt Crossing neighborhood.</p>			

Parks: Valley View Park is approximately 300 feet to the west of the project site. This park provides playgrounds for ages 2-5 and 5-12, recreational trails, and a shelter. A portion of this park is a stormwater detention basin.

Pedestrian / Bicycle: There is a multi-use trail that runs along the east side of Valley View Park. The plat provides a connection to this trail from 50th Street South

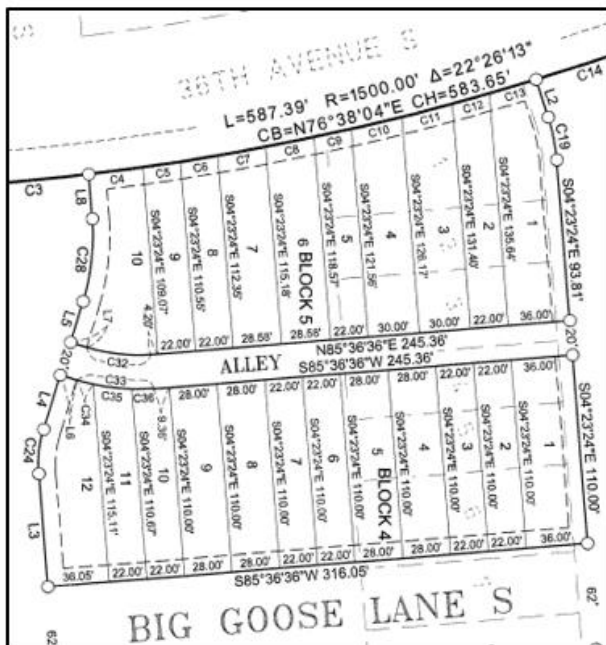
Staff Analysis:

The subject property was platted in 2021 as part of Valley View Estates Second Addition. Blocks 4 and 5 were intended for attached single-dwelling development and were created through the Alternative Residential Development Options—Attached Housing (LDC Section 20-0506 B). This LDC section exempts attached housing from lot width, lot area, and building coverage requirements of the underlying zoning district, and does not require an interior side setback on the “attached” side of a lot containing an attached house. No separate entitlement was required to apply these Alternate Residential Development Standards, as they are allowed by right, but the application is confirmed for compliance with the subdivision process.

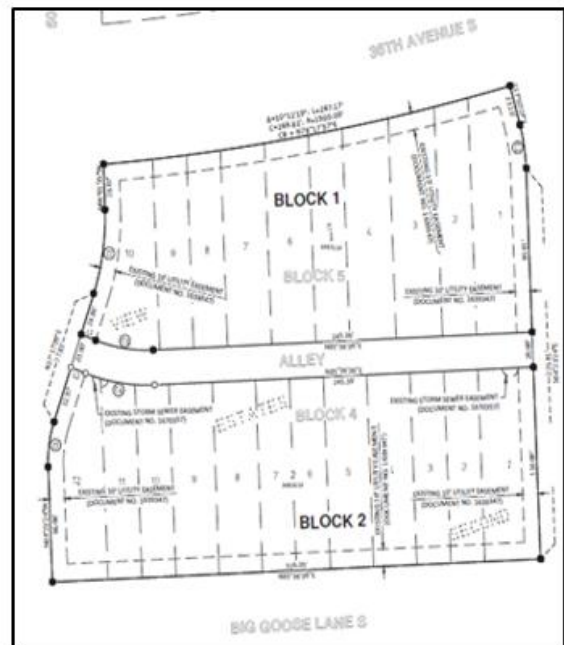
This project was reviewed by the City’s Planning and Development, Engineering, Public Works, and Fire Departments (“staff”), whose comments are included in this report.

The proposed plat would eliminate the internal lot lines within the two blocks of the subject property, creating two lots as depicted on the plat.

CURRENT CONFIGURATION



PROPOSED CONFIGURATION



ACCESS: All the residences take vehicular access from the alley, and pedestrian access from either 36th Avenue South or Big Goose Lane South. The alley is a dedicated public alley, though the homeowners’ association (HOA) for that block performs snow removal.

STAFF’S RECOMMENDATION OF DENIAL

Staff does not support changing this plat from its current configuration as created by the Valley View Estates Second Addition. As noted above, the lots in Blocks 4 and 5 of that addition were created under the Alternative Residential Development Options--Attached Housing (Section 20-0506) of the Land Development Code. LDC Section 20-0506.A describes the purpose and benefits of development under the Alternative Residential Development Options:

- Section 20-0506.A.1 states that it is the purpose of these development options to allow for a variety in development standards while maintaining the overall character of a single-dwelling neighborhood.
- Section 20-0506.A.1.d states that a public benefit of using these development standards is that they promote opportunities for affordable housing.

These lots were configured as owner-occupied, single-dwelling, for-sale residences. Replatting the existing lots into two large lots by removing the lot lines between the individual units would change the single-dwelling character of the development. The residences would not be able to be sold as individual units. Staff believes that once the lot lines are removed, the configuration will be permanently changed, which would eliminate these units from the city's stock of affordable owner-occupied housing.

Staff understands that, at this time, all units are occupied by renters. However, the Planning Department does not consider these to be rental units.

Staff has met with the applicant and advised him of the recommendation for denial. The applicant decided to take the subdivision forward to the Planning Commission.

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 subdivision will not change the actual physical development on the subject property. The six residential buildings—four 4-unit and two 3-unit buildings—will remain in place, as will the pedestrian and vehicular access to these buildings. However, the proposed subdivision will change the nature of the development. As noted above, the existing lots were created under the Alternative Residential Development Options--Attached Housing (Section 20-0506) of the Land Development Code. This development option creates a specific subdivision configuration of individual lots and attached housing, with specific purposes and community benefits. Eliminating the internal lot lines, as this subdivision proposes to do, destroys the original configuration and eliminates the community benefits that configuration was intended to provide. Further, it is staff's interpretation that this subdivision would effectively turn these residential buildings from attached single-dwelling buildings to multi-dwelling buildings, based on definitions of these terms in LDC Section 20-1202, Words Defined. Multi-dwelling buildings are not allowed in the SR-5 zone, so the buildings would no longer be consistent with the SR-5 zoning. The site lacks the ability to be able to meet the all development standards of an MR-multi-dwelling zone, so the property could not be rezoned into zoning consistency.

(Criteria Not 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)**

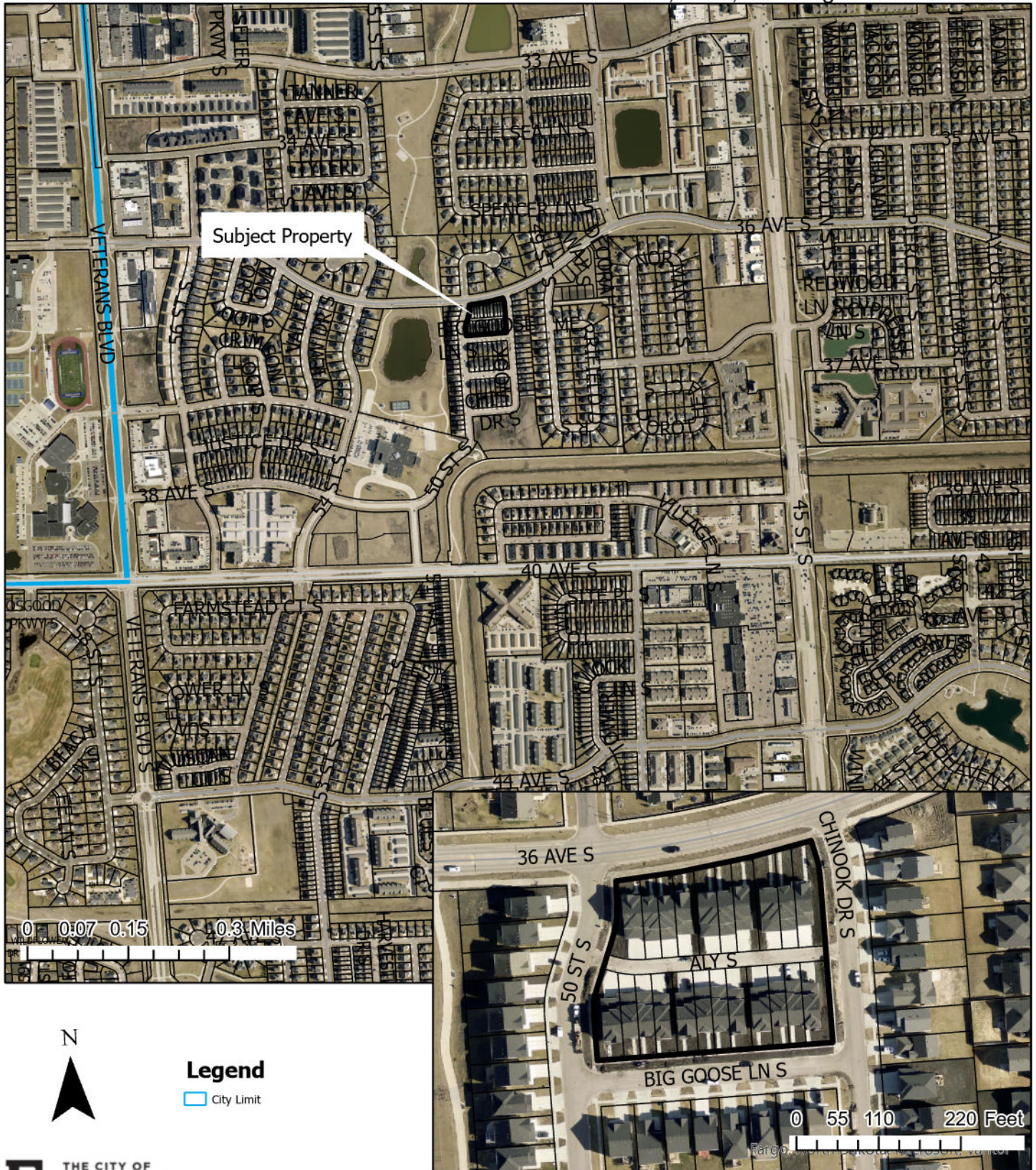
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Staff Recommendation:
Suggested Motion: “To accept the findings and recommendations of staff and move to recommend denial to the City Commission of the proposed plat of the Valley View Estates Fourth Addition , as the proposal does not comply with Standards of Article 20-06, Section 20-0907.B.and C of the LDC, and all other applicable requirements of the LDC.”
Planning Commission Recommendation: December 2 nd , 2025
Attachments:
<ol style="list-style-type: none"> 1. Zoning map 2. Location map 3. Preliminary plat

Minor Subdivision

4950 - 4992 36th Avenue South; 4953, 4957,
4961, 4965, 4969, 4973, 4977, 4981, 4985,
4989, 4993, 4997 Big Goose Lane South

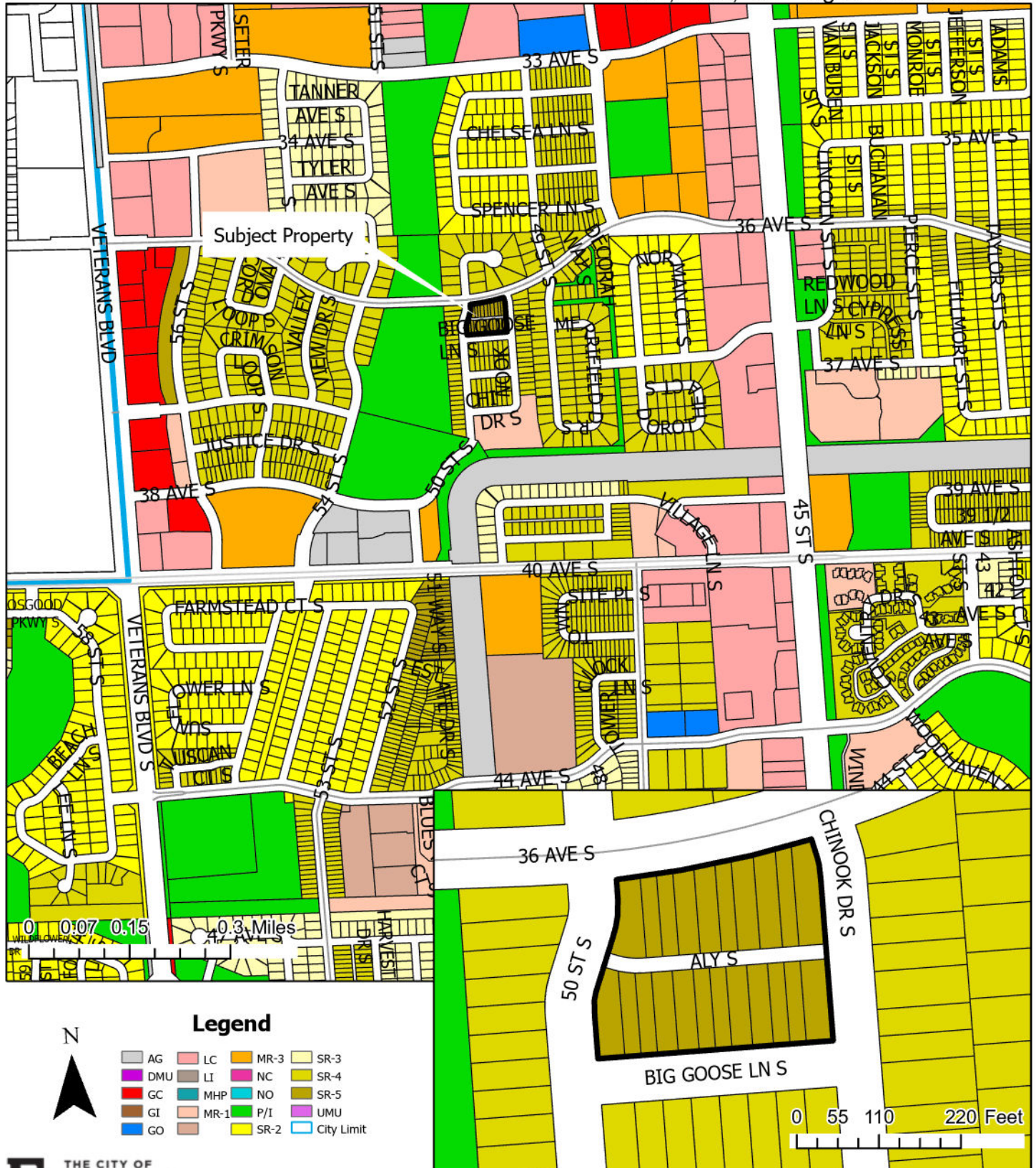
Valley View Estates Fourth Addition



Minor Subdivision

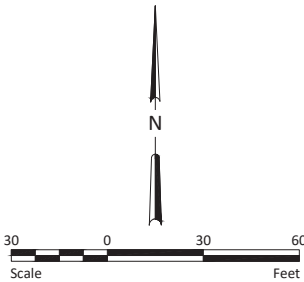
4950 - 4992 36th Avenue South; 4953, 4957,
4961, 4965, 4969, 4973, 4977, 4981, 4985,
4989, 4993, 4997 Big Goose Lane South

Valley View Estates Fourth Addition



VALLEY VIEW ESTATES FOURTH ADDITION

A MINOR SUBDIVISION
BEING A REPLAT OF BLOCK 4 & BLOCK 5, VALLEY VIEW ESTATES SECOND ADDITION
TO THE CITY OF FARGO,
CASS COUNTY, NORTH DAKOTA



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

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

Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	48.73	131.00	21°18'44"	N06°37'47"E	48.45
C2	25.34	108.00	13°26'43"	S11°06'46"E	25.29
C3	37.83	100.00	21°40'33"	S83°33'07"E	37.61
C4	45.40	120.00	21°40'33"	S83°33'07"E	45.13
C5	26.10	69.00	21°40'33"	N06°26'53"E	25.95

Parcel Line Table		
Line #	Length	Direction
L1	10.02	S72°42'51"E
L2	10.02	S72°42'51"E

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VALLEY VIEW ESTATES FOURTH ADDITION
A MINOR SUBDIVISION
BEING A REPLAT OF BLOCK 4 & BLOCK 5, VALLEY VIEW ESTATES SECOND ADDITION
TO THE CITY OF FARGO,
CASS COUNTY, NORTH DAKOTA

OWNER'S CERTIFICATE AND DEDICATION:

KNOW ALL PERSONS BY THESE PRESENTS: That EWR Fargo TH Trio, LLC, a North Dakota limited liability company, is the owner and proprietor of the following described tract of land:

Blocks 4 and 5, Valley View Estates Second Addition to the City of Fargo, Cass County, North Dakota; together with the dedicated Alley situated between Blocks 4 and 5.
Said tract contains 1.703 acres, more or less.

And that said party has caused the same to be surveyed and platted as VALLEY VIEW ESTATES FOURTH ADDITION to the City of Fargo, Cass County, North Dakota. The alley marked "PREVIOUSLY DEDICATED ALLEY" shown on this plat was dedicated in one or more prior plats and is not being dedicated through or by this plat, but said party (owner) acknowledges it as a current and existing public alley.

OWNER:

EWR Fargo TH Trio, LLC, a North Dakota limited liability company

Jon Strinden,

State of)
) ss
County of)

On this day of , 20 before me personally appeared Jon Strinden, of EWR Fargo TH Trio, LLC, a North Dakota limited liability company, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same on behalf of said limited liability company.

Notary Public:

SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT:

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

Dated this day of , 20.

Curtis A. Skarphol, Professional Land Surveyor No. 4723

State of North Dakota)
) ss
County of Cass)

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

Notary Public:

CITY ENGINEER'S APPROVAL:

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

Tom Knakmuhs, PE, City Engineer

State of North Dakota)
) ss
County of Cass)

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

Notary Public:

FARGO PLANNING COMMISSION APPROVAL:

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

Maranda R. Tasa, Chair
Fargo Planning Commission

State of North Dakota)
) ss
County of Cass)

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

Notary Public:

FARGO CITY COMMISSION APPROVAL:

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

Timothy J. Mahoney, Mayor

Attest: Steven Sprague, City Auditor

State of North Dakota)
) ss
County of Cass)

On this day of , 20 before me personally appeared Timothy J. Mahoney, Mayor, City of Fargo; and Steven Sprague, City Auditor, City of Fargo, known to me to be the persons who are described in and who executed the within instrument and acknowledged to me that they executed the same on behalf of the City of Fargo.

Notary Public:

**City of Fargo
Staff Report**

Title:	Annexation of a portion of the North Half of Section 10, Township 138 North, Range 49 West	Date:	11/25/2025
Location:	6620, 6630, and 6750 43rd Street South; 3800 and 3900 64th Avenue South; 6688 and 6800 45th Street South	Staff Contact:	Maegin Elshaug, Planning Coordinator
Legal Description:	Portion of the North Half of Section 10, Township 138 North, Range 49 West, of the 5th Principal Meridian, Cass County, North Dakota		
Owner(s)/Applicant:	Enclave Covey, LLC / Dabbert Custom Homes, LLC / Brookstone Property, LLC / City of Fargo	Engineer:	Moore Engineering
Entitlements Requested:	Planning Commission review of consistency with Fargo Growth Plan 2024		
Status:	Planning Commission review December 2 nd , 2025		

Proposal:

The applicant requests one entitlement:

1. Annexation of an approximately 122.95 acre portion of the North Half of Section 10, Township 138 North, Range 49 West, of the 5th Principal Meridian, 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: P/I, Public & Institutional with school use, and across 64th Avenue South is AG, Agricultural and LC, Limited Commercial with C-O, Conditional Overlay with agricultural use;
- East: AG with agricultural uses;
- South: AG with agricultural uses;
- West: Across 45th Street South is AG with agricultural use.

Staff Analysis:

This 122.95 acre property, located between Interstate 29 and 45th Street South, is proposed to be annexed as part of a larger proposed subdivision, Covey Ranch Third Addition, described in "Concurrent Subdivision And Zone Change" below. The boundary of the annexation plat and the subdivision plat are not exact, as portions within the subdivision plat have previously been annexed.

This is an owner-initiated annexation. This annexation is by ordinance, pursuant to the process described in North Dakota Century Code Section 40-51.2 (the Municipal Annexation Act of 1969).

CURRENT STATUS

The annexation plat is concurrent with subdivision plat and zoning change applications (see more in "Concurrent Subdivision and Zone Change" section below). As of the writing of this staff report, staff continues to work with the applicants to confirm and solidify details of the applications. In order to provide additional time to coordinate, staff is recommending continuation of the applications. It is staff's intent to present the applications at the December 2, 2025 Planning Commission meeting in order to introduce the project, but to recommend continuation of the applications to the January 6, 2026 Planning Commission meeting in order to give additional time to coordinate and finalize details.

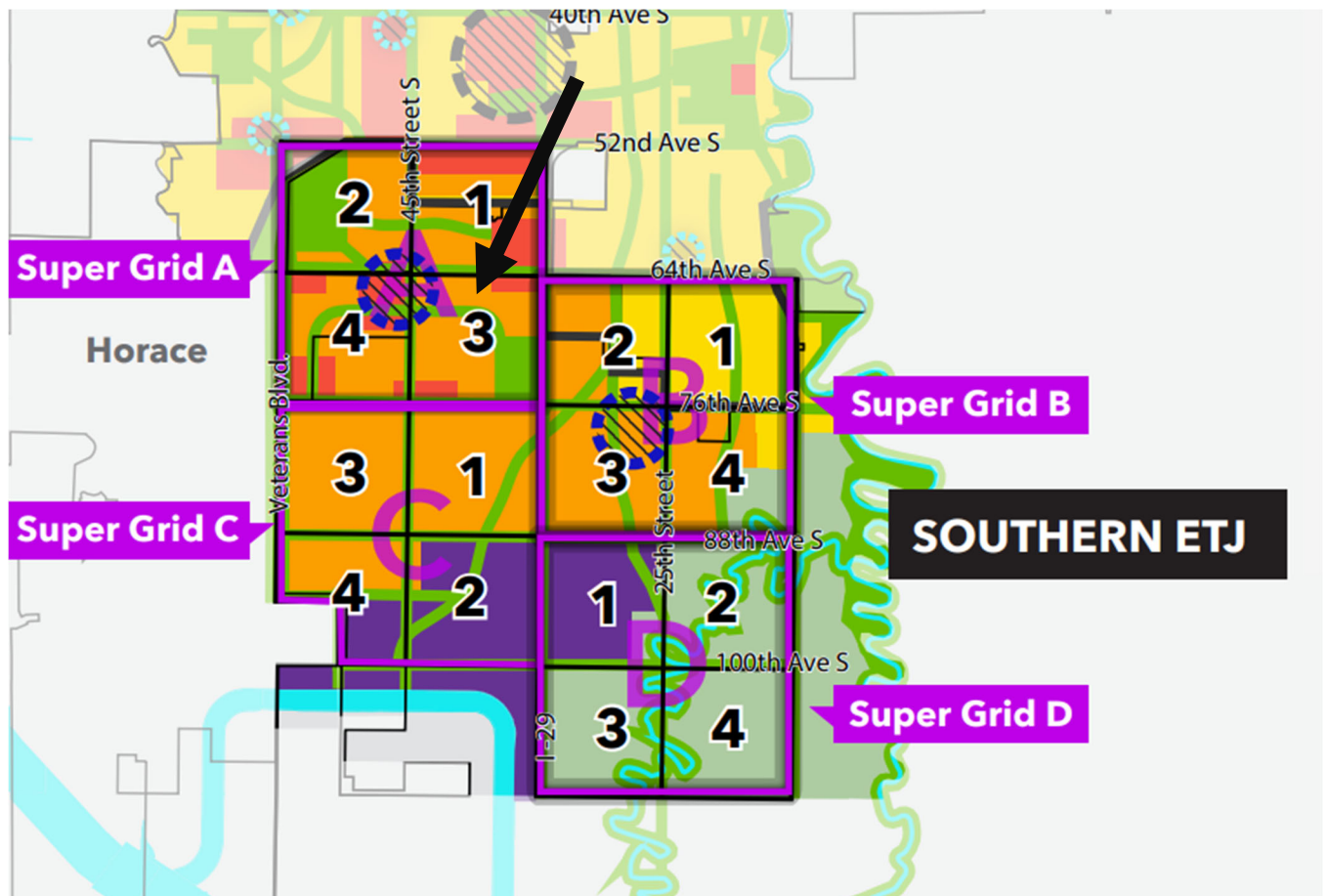
OWNERSHIP

The entire property involved in the annexation is owned by the applicants, Enclave Covey, LLC; Dabbert Custom Homes, LLC; Brookstone Property, LLC; and the City of Fargo. The City of Fargo is working on acquiring some property related to necessary storm water infrastructure and will own the property at the time of plat recordation. There are no existing residences or businesses in the annexation area. A large part of the annexation area is used for agriculture at this time.

PLAN CONSISTENCY

The proposed annexation area is adjacent to city limits and is depicted within Super Grid Number A3 of the Southern ETJ of the Fargo Growth Plan 2024, as shown on the graphic below.

Streets and city utility lines that will be developed within the proposed annexation area will be contiguous with existing streets and city utility lines.



The future place type designation is “Urban Neighborhood.”

Primary uses within this place type are

- small lot single-family detached housing
- duplexes

Secondary uses are

- triplex, and quadplex,
- townhomes up to 10 units per building,
- pockets of multi-family structures,
- places of worship,
- schools,
- daycare centers,
- home offices,

- neighborhood-scale retail and services.

The development proposed by the Covey Ranch Third Addition is consistent with this place type.

CONCURRENT SUBDIVISION AND ZONE CHANGE

The entire annexation area will be incorporated into the proposed Covey Ranch Third Addition, which includes a subdivision and zone change. The subdivision will create 159 lots in 8 blocks, including two lots to remain as remain as agricultural, 142 lots for single-dwelling residences; four lots for multi-dwelling residences; seven lots for commercial development; two lots for Park purposes to be owned by the Fargo Park District; and two lots for storm water purposes to be owned by the City of Fargo. The staff report for Covey Ranch Third Addition provides details. The Covey Ranch Third Addition is going through the review and hearing process concurrently with this annexation, and appears as items 1.a and 1.b on the December 2nd, 2025 Planning Commission agenda.

PROCESS

The Planning Commission will evaluate this proposed annexation for consistency with Fargo Growth Plan 2024. A hearing will be scheduled for this annexation at the City Commission concurrently with the final plat and zone change hearing for the Covey Ranch Third Addition.

CURRENT STATUS

Staff will continue to work with applicants on details of the applications related to the development, and at this time, staff is recommending continuation in order to do that.

Staff Recommendation:

Recommendation:

“Move to continue to the January 6, 2026 Planning Commission meeting”

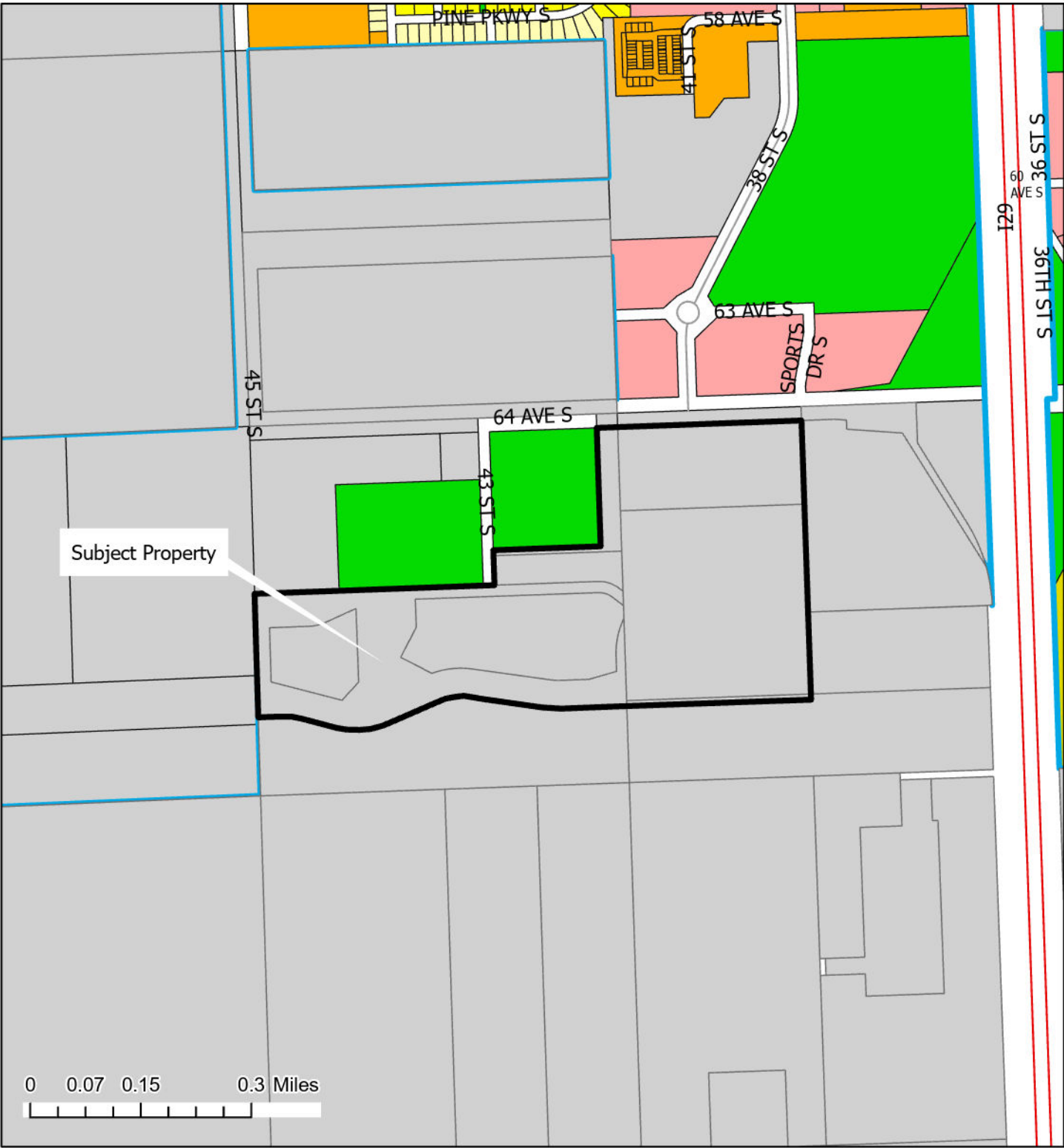
Attachments:

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

Annexation

Portion of the north half of
Sec. 10, T138N, R49W

3800 & 3900 64th Avenue South;
6620, 6630 & 6750 43rd Street South;
6800 & 6688 45th Street South



Legend

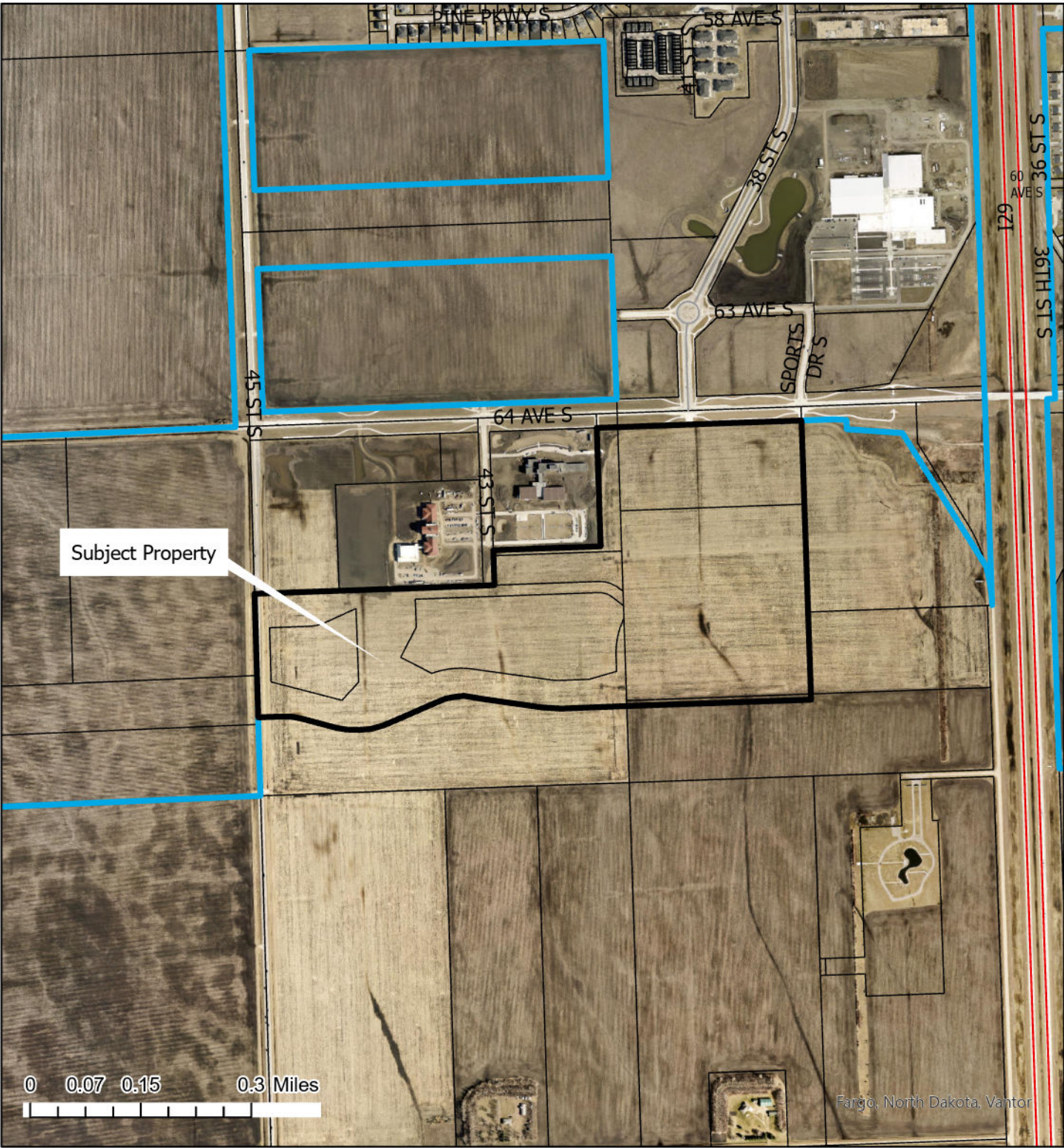
AG	LC	MR-3	SR-3
DMU	LI	NC	SR-4
GC	MHP	NO	SR-5
GI	MR-1	P/I	UMU
GO		SR-2	City Limit

Fargo Planning Commission
December 2, 2025

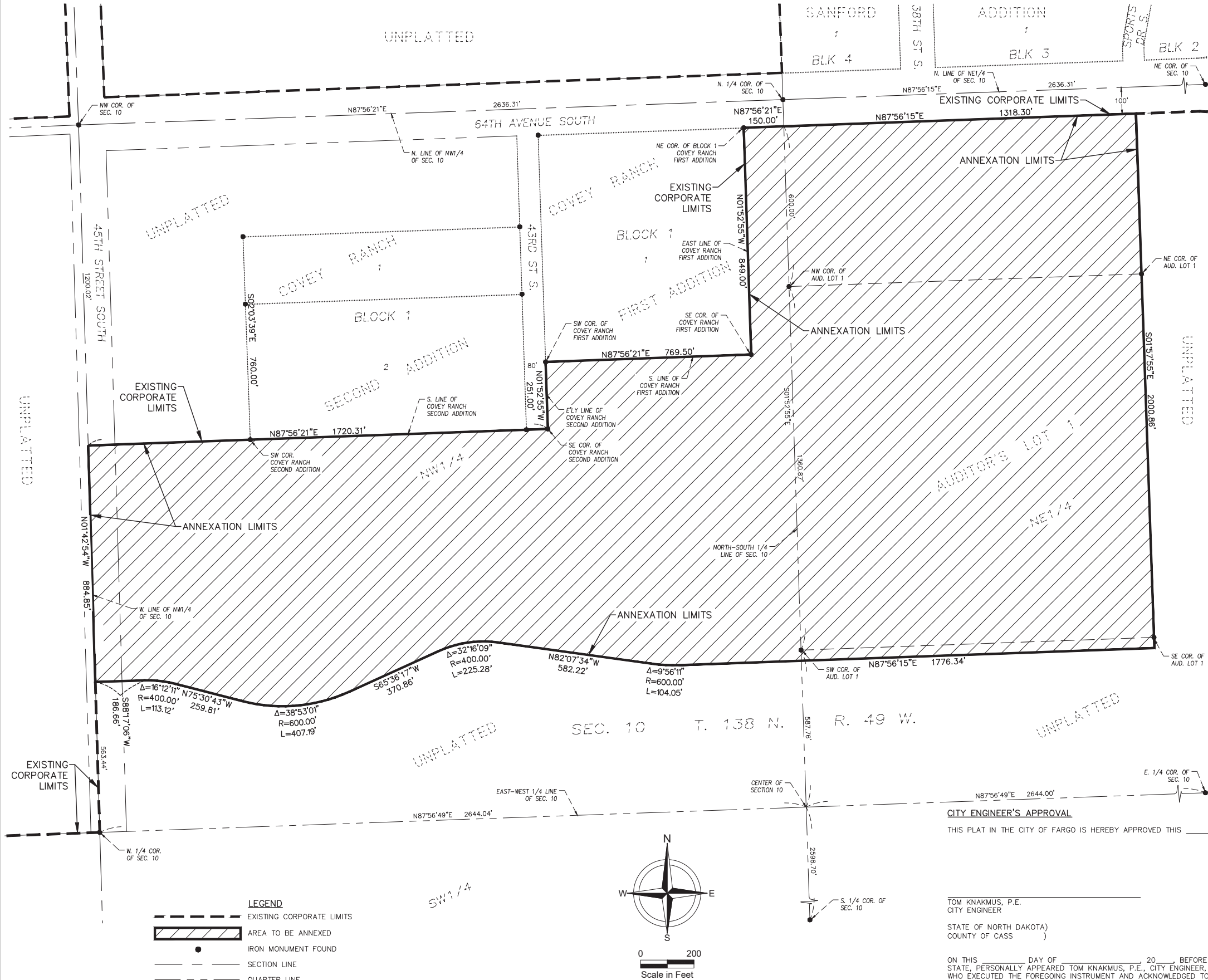
Annexation

Portion of the north half of
Sec. 10, T138N, R49W

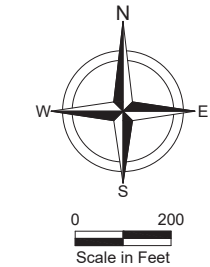
3800 & 3900 64th Avenue South;
6620, 6630 & 6750 43rd Street South;
6800 & 6688 45th Street South



ANNEXATION PLAT
TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA



- LEGEND**
- EXISTING CORPORATE LIMITS
 - AREA TO BE ANNEXED
 - IRON MONUMENT FOUND
 - SECTION LINE
 - QUARTER LINE
 - EXISTING PLATTED LOT
 - EXISTING RIGHT-OF-WAY



BASIS OF BEARINGS: THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 10 HAS AN ASSIGNED BEARING OF N01°42'54"W.

CERTIFICATE

AARON SKATTUM, BEING DULY SWORN, DEPOSES AND SAYS THAT HE IS THE REGISTERED LAND SURVEYOR WHO PREPARED AND MADE THE ATTACHED ANNEXATION PLAT TO THE CITY OF FARGO; THAT THE PROPERTY REPRESENTED IN THE PLAT IS A PART OF THE NORTH HALF OF SECTION 10, TOWNSHIP 138 NORTH, RANGE 49 WEST, CASS COUNTY, NORTH DAKOTA; THAT THE ATTACHED PLAT IS A CORRECT REPRESENTATION OF THE PROPERTY ANNEXED TO THE CITY OF FARGO; THAT ALL DISTANCES ARE CORRECTLY SHOWN ON SAID PLAT AND THE EXTERIOR BOUNDARY LINES OF SAID LAND ANNEXED TO THE CITY OF FARGO ARE AS FOLLOWS, TO WIT:

THAT PART OF THE NORTH HALF OF SECTION 10, TOWNSHIP 138 NORTH, RANGE 49 WEST, CASS COUNTY, NORTH DAKOTA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF BLOCK 1 OF COVEY RANCH FIRST ADDITION TO THE CITY OF FARGO, ACCORDING TO THE RECORDED PLAT THEREOF; THENCE NORTH 87 DEGREES 56 MINUTES 21 SECONDS EAST ALONG THE EASTERLY EXTENSION OF THE NORTHERLY LINE OF SAID BLOCK 1 A DISTANCE OF 150.00 FEET TO THE NORTH-SOUTH QUARTER LINE OF SAID SECTION 10; THENCE NORTH 87 DEGREES 56 MINUTES 15 SECONDS EAST ALONG A LINE PARALLEL WITH, AND 100.00 FEET SOUTHERLY OF, AS MEASURED AT RIGHT ANGLES TO, AND PARALLEL WITH THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 10 A DISTANCE OF 1,318.30 FEET TO A POINT OF INTERSECTION WITH THE NORTHERLY EXTENSION OF THE EASTERLY LINE OF AUDITOR'S LOT 1 OF SAID NORTHEAST QUARTER, ACCORDING TO THE RECORDED PLAT THEREOF; THENCE SOUTH 01 DEGREE 57 MINUTES 55 SECONDS EAST ALONG SAID NORTHERLY EXTENSION, AND ALONG THE EASTERLY LINE AND THE SOUTHERLY EXTENSION THEREOF A DISTANCE OF 2,000.86 FEET TO A POINT ON A LINE LYING 40.00 FEET SOUTH OF, AS MEASURED AT A RIGHT ANGLE TO, AND PARALLEL WITH THE SOUTH LINE OF SAID AUDITOR'S LOT 1; THENCE SOUTH 87 DEGREES 56 MINUTES 15 SECONDS WEST ALONG SAID PARALLEL LINE A DISTANCE OF 1,776.34 FEET; THENCE WESTERLY 104.05 FEET ALONG A TANGENTIAL CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 600.00 FEET AND A CENTRAL ANGLE OF 09 DEGREES 56 MINUTES 11 SECONDS; THENCE NORTH 82 DEGREES 07 MINUTES 34 SECONDS WEST A DISTANCE OF 582.22 FEET; THENCE WESTERLY 225.28 FEET ALONG A TANGENTIAL CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 400.00 FEET AND A CENTRAL ANGLE OF 32 DEGREES 16 MINUTES 09 SECONDS; THENCE SOUTH 65 DEGREES 36 MINUTES 17 SECONDS WEST A DISTANCE OF 370.86 FEET; THENCE WESTERLY 407.19 FEET ALONG A TANGENTIAL CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 600.00 FEET AND A CENTRAL ANGLE OF 38 DEGREES 53 MINUTES 01 SECOND; THENCE NORTH 75 DEGREES 30 MINUTES 43 SECONDS WEST A DISTANCE OF 259.81 FEET; THENCE WESTERLY 113.12 FEET ALONG A TANGENTIAL CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 400.00 FEET AND A CENTRAL ANGLE OF 16 DEGREES 12 MINUTES 11 SECONDS; THENCE SOUTH 88 DEGREES 17 MINUTES 06 SECONDS WEST A DISTANCE OF 186.66 FEET TO THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10; THENCE NORTH 01 DEGREE 42 MINUTES 54 SECONDS WEST ALONG THE WEST LINE OF SAID NORTHWEST QUARTER A DISTANCE OF 884.85 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY EXTENSION OF THE SOUTHERLY LINE OF COVEY RANCH SECOND ADDITION TO THE CITY OF FARGO, ACCORDING TO THE RECORDED PLAT THEREOF; THENCE NORTH 87 DEGREES 56 MINUTES 21 SECONDS EAST ALONG SAID WESTERLY EXTENSION, AND ALONG THE SOUTHERLY LINE OF SAID COVEY RANCH SECOND ADDITION A DISTANCE OF 1,720.31 FEET TO THE SOUTHEASTERLY CORNER THEREOF; THENCE NORTH 01 DEGREE 52 MINUTES 55 SECONDS WEST ALONG THE EAST LINE OF SAID COVEY RANCH SECOND ADDITION A DISTANCE OF 251.00 FEET TO THE SOUTHWEST CORNER OF SAID COVEY RANCH FIRST ADDITION; THENCE NORTH 87 DEGREES 56 MINUTES 21 SECONDS EAST ALONG THE SOUTH LINE OF SAID COVEY RANCH FIRST ADDITION A DISTANCE OF 769.50 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE NORTH 01 DEGREE 52 MINUTES 55 SECONDS WEST ALONG THE EAST LINE OF SAID COVEY RANCH FIRST ADDITION A DISTANCE OF 849.00 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 122.95 ACRES, AND IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD, IF ANY.



AARON SKATTUM
REGISTERED LAND SURVEYOR
NO. LS-6153

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED AARON SKATTUM, 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

FARGO CITY COMMISSION APPROVAL

THIS PLAT IN THE CITY OF FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 20____.

TIMOTHY J. MAHONEY, MAYOR

CITY AUDITOR

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED TIMOTHY J. MAHONEY, MAYOR AND _____, 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

CITY ENGINEER'S APPROVAL

THIS PLAT IN THE CITY OF FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 20____.

TOM KNAKMUS, P.E.
CITY ENGINEER

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED TOM KNAKMUS, P.E., CITY ENGINEER, 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

SHEET 1 OF 1
PROJ. NO. 21246



PRELIMINARY
2025-11-21