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Tim Solberg, AICP, Director of Planning and Zoning

Larry M. Weil, Community Development Director

Lisa Sankey, Planner

Malachi Petersen, Planner

Chanda Erickson, Office Manager

West Fargo Planning & Zoning Commission Agenda
Tuesday, January 14, 2020 - West Fargo City Hall – **5:30 p.m.**

1. Call to Order
2. Approval of Minutes - December 10, 2019
3. Public Hearing – A20-1 The Wilds 18th Addition, a replat of Lots 24-43 and 52, Block 1 & Rezoning from R-2: Limited Multiple Dwellings to R-1SM: Mixed One & Two Family Dwellings, a portion of Lot 52, Block 1 of The Wilds 11th Addition, City of West Fargo, North Dakota – Thomsen Homes
4. Public Hearing – A20-2 Conditional Use Permit for Off Premise Sign within the Entertainment Mixed Use District at 320 32nd Avenue West (Lot 8, Block 1 of Eagle Run Plaza 6th Addition), City of West Fargo, North Dakota - Epic
5. Public Hearing – A20-3 Conditional Use Permit for an accessory building greater than 1000 ft² in an R-1E: Rural Estate District for personal storage at 3839 Kensington Drive (Lot 4, Block 2 of Windsor Green Subdivision), City of West Fargo, North Dakota - Mitchell
6. Public Hearing – A20-4 Planned Unit Development Amendment for an office building at 1360 Prairie Parkway (Lot 2, Block 1 of KASS 1st Addition), City of West Fargo, North Dakota – BC Contracting
7. Public Hearing – A20-5 Rezoning from R-R: Rural Residential District to C: Light Commercial of 225 40th Avenue East (Lot 1, Block 1 of Nelson Acres 5th Addition), City of West Fargo, North Dakota – Greenworks
8. Continued Public Hearing - A19-50 Adoption of Official Zoning Map
9. Non-agenda
10. Adjournment



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Tim Solberg, AICP, Director of Planning and Zoning
Larry M. Weil, Community Development Director
Lisa Sankey, Planner
Malachi Petersen, Planner
Chanda Erickson, Office Manager

West Fargo Planning & Zoning Commission
Tuesday, December 10, 2019 at 5:30pm
West Fargo City Hall

Members Present: Joe Kolb
David Gust
Shane Lebahn
Jana Reinke
April Walker
Eric Dodds

Members Absent: Tom McDougall

Others Present: Dustin Scott, Tim Solberg, Lisa Sankey, Malachi Petersen, John Shockley, Chanda Erickson, Jerrold Wallace, Brian Kounovsky, Darby Plath, Shaina Eagleson, Danny Hanson, Jerry & Deb Olafson, Barb Erbstoesser, Dave Scott, Tyron Leslie, Timothy Cockayne, Robin Hovde, Nancy Peterson

Minutes Submitted by: Chanda Erickson, Office Manager

Meeting was called to order by Commissioner Kolb at 5:30pm.

Commissioner Gust moved and Commissioner Dodds seconded to approve the November 12, 2019 meeting minutes with one edit of when Commissioner Dodds left the meeting. No opposition, Motion carried.

Commissioner Kolb opened a Public Hearing – A19-48 Eagle Run Plaza 10th, Replat of Lots 5 & 6, Block 1 of Eagle Run Plaza 6th Addition, City of West Fargo, North Dakota.

- Brian Kounovsky, EPIC Companies, clarified plans for an underground tunnel for the parking ramp and a skyway for connectivity.

The Public Hearing was closed. After discussion, Commissioner Gust moved and Commissioner Walker seconded to approve the application with the six conditions listed in the staff report. No opposition. Motion carried.

Commissioner Kolb opened a Public Hearing – A19-49 The Ranch at the Wilds, Subdivision and Rezoning from A: Agricultural to PUD: Planned Unit Development of property located in the S ½ of Section 31, T139N, R49W, City of West Fargo, North Dakota.

- Tyrone Leslie, Heritage Homes, gave a brief presentation regarding his proposed development “The Ranch at The Wilds”.
- Brian Pattengale, Houston Engineering, discussed technical aspects of the proposed development.
- Darby Plath, 1026 47 Pl W, expressed concern about density change, the smaller lot sizes and traffic changes. He also would like the notifications to be for residents past the 150 foot area.
- Shania Eagleson, 4720 5th St W, requested the lots not be smaller than 80 feet and was not agreeable to the density change.
- Danny Hanson, 1015 Mulberry Ln, had questions regarding putting age requirements in the PUD and concerned about the density increase in relation to the neighboring school.
- Jerry Olafson, 1043 50th Ave W, had concerns about the land being rezoned commercial and having a strip mall in the neighborhood. He also didn’t like the active adult community being next to a school.
- Barb Erbstoesser, Executive Director of West Fargo Parks, remarked that the Wilds neighborhood is deficient in park dedication and we will need to address that in the near future.
- Dave Scott, 1060 50th Ave W, addressed several concerns from traffic to increased density.
- Gary Orth, 928 Mulberry Ln, emailed his concern about smaller homes not fitting in the Wilds neighborhood.
- Jason Jundt, 5018 Prairie Green Court, emailed his opposition to the zoning change and concern regarding his property value.
- Tony and Kirsten Schaff, 49th Terrace W, emailed primarily regarding their frustration with the proposed increase in density in the neighborhood.
- Edward Crary, 1058 Larkin Ln, called to voice his opposition to the development.
- Chris Bachmeier, 4725 Chokecherry Ct W, called to oppose the zoning and density change.

The Public Hearing was closed. After discussion, Commissioner Walker moved and Commissioner Gust seconded to approve the application with the eight conditions listed in the staff report and to take names of the residents that want future notification regarding this application. No opposition. Motion carried.

Commissioner Kolb opened a Public Hearing – A19-50 Adoption of Official Zoning Map. Public Hearing was left open for discussion to be continued next month.

The Commission reviewed application A19-12 Elmwood Court 4th Addition, City of West Fargo, North Dakota, a revised plat review to rezone to a Planned Unit Development (PUD). After discussion, Commissioner Gust moved and Commissioner Dodds seconded to approve the application with the six conditions listed in the staff report. No opposition. Motion carried.

The Commission reviewed application A19-26 Southdale 3rd Addition, City of West Fargo, North Dakota, a revised plat review for Cass County Housing Authority. After discussion, Commissioner Dodds moved and Commissioner Walker seconded to approve the application with the four conditions listed in the staff report. No opposition. Motion carried.

Commissioner Kolb opened a tabled item – A19-45 Sandhills 4th Addition, Replat and Rezoning of A: Agricultural to LI: Light Industrial of Lots 1-4 and 20-22, Block 8 of Meadow Brook Park Subdivision, City of West Fargo, North Dakota. In November, the Commission tabled this item after an area property owner expressed concern with a waterline easement for a community well running through the middle of the lots and potential for a building being placed on top of aging water lines.

- Timothy Cockayne, 204 Park Blvd, provided information regarding the 1967 easements on the properties.
- Robin Hovde, 2712 Gress Ave, verified location of the water lines and community well.
- John Shockley, City Attorney, advised the developer that an easement vacation will be required in order to build on the property.
- Nancy Peterson, spoke on behalf of the property owner Ryan Restad, and assured they have hired an attorney to research the easement and will not compromise the water lines.

After discussion, Commissioner Dodds moved and Commissioner Gust seconded to approve the application with the six conditions listed in the staff report and adding there be resolution regarding the water easement. No opposition. Motion carried.

Planning and Zoning Director Tim Solberg appeared before the Commission with a non-agenda item, elections for Chair and Vice Chair coming up in January. He also mentioned there is still a spot open as a Planning and Zoning Commission Member.

Commissioner Dodds and Commissioner Gust seconded to adjourn. No opposition. Meeting adjourned.

STAFF REPORT

A20-1 REPLAT & REZONING	
The Wilds 18 th Addition	
A replat of lots 24-43 and 52 Block 1 of the Wilds 11 th Addition, City of West Fargo, North Dakota and rezoning from R-2: Limited Multiple Dwellings to R-1SM: Mixed One & Two Family Dwellings, a portion of Lot 52, Block 1 of the Wilds 11 th Addition, City of West Fargo, North Dakota.	
Applicant: EagleRidge Development LLC Owner: Thomsen Homes LLC	Staff Contact: Malachi Petersen
Planning & Zoning Commission Public Hearing:	01-14-2020
City Commission Introduction:	
1 st Reading & Public Hearing on Rezoning:	
2 nd Reading & Final Plat Approval:	

PURPOSE:

Replat and rezoning for minor lot line adjustments to provide for single-family dwellings.

STATEMENTS OF FACT:

Existing Land Use:	Residential Development Land
Land Use Classification:	G-2 Sub-Urban - Growth Sector
Current Zoning District(s):	R-1SM: Mixed One & Two Family Dwellings; P: Public (Lot 35), R-2: Limited Multiple Dwelling (Lot 52)
Zoning Overlay District(s):	52 Ave Corridor Overlay
Proposed Lot size(s) or range:	4,176 – 10,354 ft ²
Total area size:	6.36 acres
Adjacent Zoning Districts:	North & West – R-1SM: Mixed One & Two Family South & East – R-1: One & Two Family Dwellings
Adjacent street(s):	Albert Ct W (Local), 11 th St W (Local)
Adjacent Bike/Pedestrian Facilities:	Local sidewalks connecting to paths along 52 nd Ave W and 9 th St W
Available Parks/Trail Facilities:	Wilds parks within ½ mile
Land Dedication Requirements:	Provided with previous subdivision

DISCUSSION AND OBSERVATIONS:

- The applicant has submitted an application and proposed plat.
- The replat and rezoning is necessary for minor lot line adjustments to provide for continued development.
- Lot 35 is a City owned lot, which is zoned P: Public Facilities. No changes have been made to this lot.
- Lot 52 is zoned R-2: Limited Multiple Dwelling and a tiny portion will be rezoned R-1SM: Mixed One and Two Family Dwellings, in order to shift lot lines for proposed Lot 6.
- The new lots will be required to meet the current zoning district requirements.
- The proposed replat does not affect any public easements or rights of ways, and the applicant has stated that it will not affect existing utility connections.

STAFF REPORT

NOTICES:

Sent to: Applicable agencies and departments

Comments Received:

- None to date.

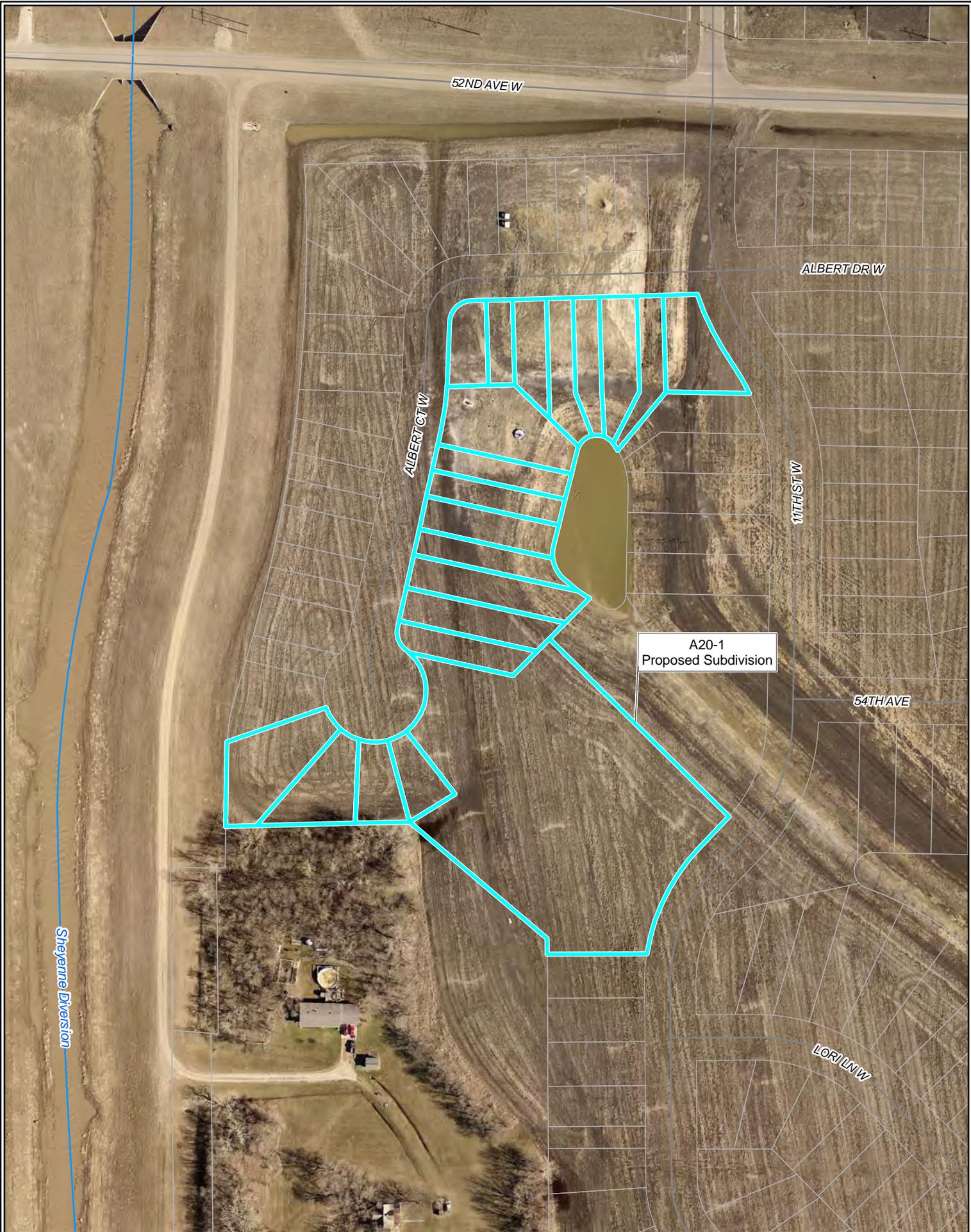
CONSISTENCY WITH COMPREHENSIVE PLAN AND OTHER APPLICABLE CITY PLANS AND ORDINANCES:

- The proposed plan is consistent with City plans and Ordinances.

RECOMMENDATIONS:

It is recommended that the City approve the proposed application on the basis that it is consistent with City plans and ordinances with recommended conditions of approval as follows:

1. Utility plan is verified to be unchanged and approved by City Engineer.
2. An updated drainage plan is approved by the City Engineer.
3. An Attorney Title Opinion to the City of West Fargo is received.
4. Signed Final Plat is received with any necessary easements.
5. A certificate is received showing taxes are current.



52ND AVE W

ALBERT DR W

ALBERT CT W

11TH ST W

54TH AVE

A20-1
Proposed Subdivision

LORI LN W

Sheyenne Diversion



52ND AVE W

ALBERT DR W

ALBERT CT W

11TH ST W

54TH AVE

A20-1
Proposed Subdivision

LORI LN W

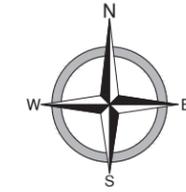
Sheyenne Diversion



- A: Agricultural
- C: Light Commercial
- C-OP: Commercial Office Park
- HC: Heavy Commercial
- LI: Light Industrial
- M: Heavy Industrial
- P: Public
- PUD: Planned Unit Development
- R-1: One and Two Family
- R-1A: Single Family
- R-1B: Special Single Family
- R-1E: Rural Estate
- R-1S: Special One and Two Family
- R-1SM: Mixed One and Two Family
- R-2: Limited Multiple Dwelling
- R-3: Multiple Dwelling
- R-4: Mobile Home
- R-5: Manufactured Home
- R-L1A: Large Lot Single Family
- R-R: Rural Residential



PLAT OF
THE WILDS EIGHTEENTH ADDITION
 TO THE CITY OF WEST FARGO, A REPLAT OF LOTS 24-43 INCLUSIVE AND LOT 52
 ALL IN BLOCK 1, THE WILDS ELEVENTH ADDITION
 TO THE CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA



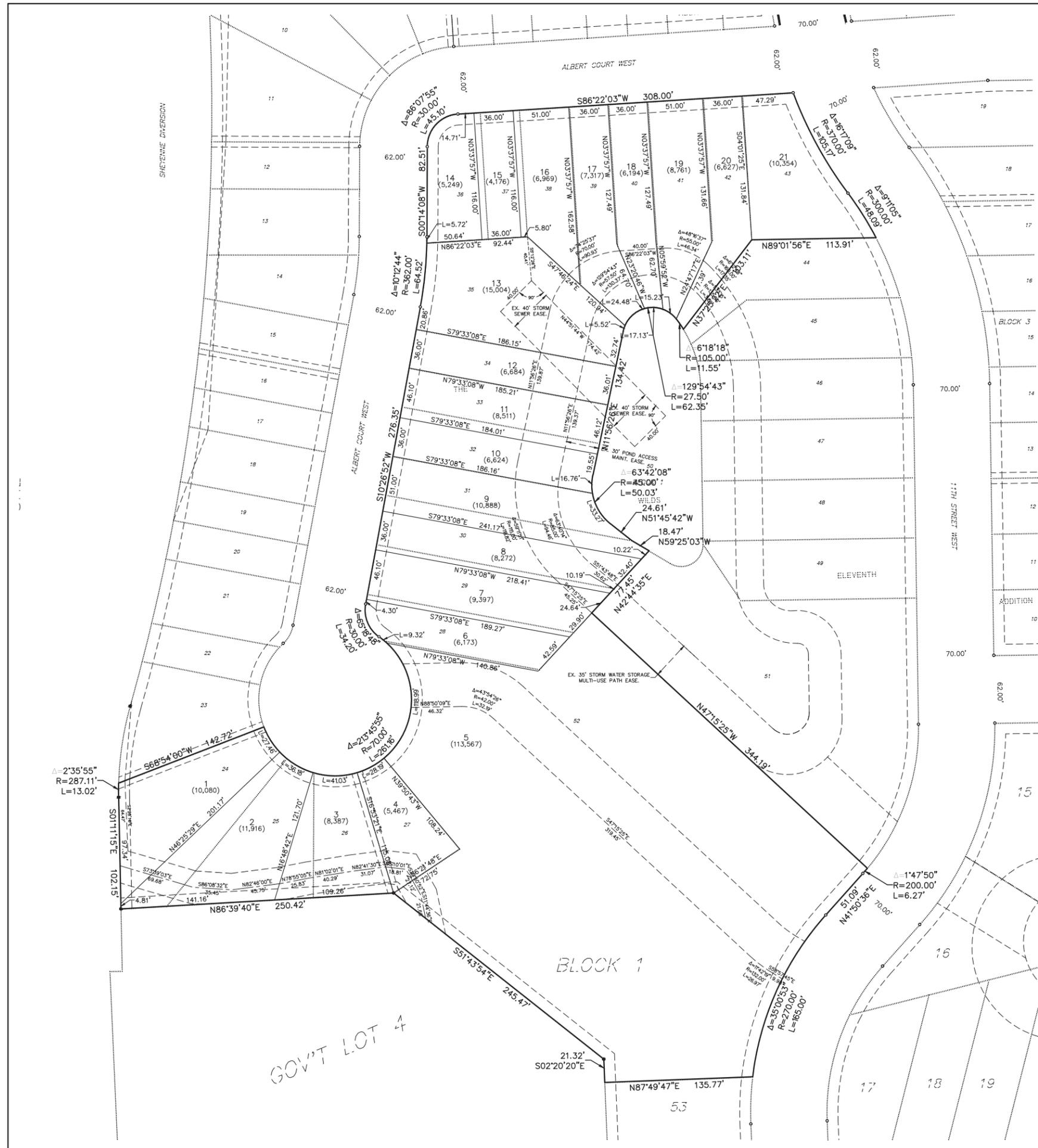
0 30
 Scale in Feet

BASIS OF BEARINGS:
 THE WILDS ELEVENTH ADDITION
 TO THE CITY OF WEST FARGO
 ACCORDING TO THE RECORDED
 PLAT THEREOF.

- LEGEND**
- IRON MONUMENT FOUND
 - SET 5/8"x18" REBAR WITH YELLOW PLASTIC CAP #6571
 - (4,810) LOT AREAS IN SQ. FT.
 - L ARC LENGTH
 - R RADIUS LENGTH
 - Δ CENTRAL ANGLE

UTILITY EASEMENTS ARE 10' WIDE ALONG AND ADJACENT TO ALL STREET RIGHT OF WAYS AND REAR PROPERTY LINES AS SHOWN UNLESS OTHERWISE NOTED.

STORM SEWER EASEMENTS ARE 10' WIDE LYING 5' ON EACH SIDE OF SIDE PROPERTY LINES AS SHOWN UNLESS OTHERWISE NOTED.



**PLAT OF
THE WILDS EIGHTEENTH ADDITION
TO THE CITY OF WEST FARGO, A REPLAT OF LOTS 24-43 INCLUSIVE AND LOT 52
ALL IN BLOCK 1, THE WILDS ELEVENTH ADDITION
TO THE CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA**

CERTIFICATE

STEVEN W. HOLM, BEING DULY SWORN, DEPOSES AND SAYS THAT HE IS THE REGISTERED LAND SURVEYOR WHO PREPARED AND MADE THE ATTACHED PLAT OF "THE WILDS EIGHTEENTH ADDITION" TO THE CITY OF WEST FARGO, A REPLAT OF LOTS 24-43 INCLUSIVE AND LOT 52 ALL IN BLOCK 1, THE WILDS ELEVENTH ADDITION TO THE CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA; THAT SAID PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY; 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 THE EXTERIOR BOUNDARY LINES OF SAID ADDITION ARE DESCRIBED AS FOLLOWS, TO WIT:

LOTS 24-43 INCLUSIVE AND LOT 52 ALL IN BLOCK 1, THE WILDS ELEVENTH ADDITION TO THE CITY OF WEST FARGO, ACCORDING TO THE RECORDED PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, CASS COUNTY, NORTH DAKOTA.

SAID TRACT CONTAINS ? ACRES, MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD, IF ANY.



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

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 20___, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED STEVEN W. HOLM, REGISTERED LAND SURVEYOR, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

DEDICATION

WE, THE UNDERSIGNED, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LAND DESCRIBED IN THE PLAT OF "THE WILDS EIGHTEENTH ADDITION" TO THE CITY OF WEST FARGO, A REPLAT OF LOTS 24-43 INCLUSIVE AND LOT 52 ALL IN BLOCK 1, THE WILDS ELEVENTH ADDITION TO THE CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA, THAT WE HAVE CAUSED IT TO BE PLATTED INTO LOTS AND BLOCKS AS SHOWN BY SAID PLAT AND CERTIFICATE OF STEVEN W. HOLM, REGISTERED LAND SURVEYOR, AND THAT THE DESCRIPTION AS SHOWN IN THE CERTIFICATE OF THE REGISTERED LAND SURVEYOR IS CORRECT. WE HEREBY DEDICATE ALL STREETS, LANES, COURTS, DRIVES, UTILITY EASEMENTS, FENCE EASEMENTS, ACCESS EASEMENTS AND MULTI-USE PATH EASEMENTS SHOWN ON SAID PLAT TO THE USE OF THE PUBLIC AND ALL STORM SEWER EASEMENTS, STORM WATER STORAGE EASEMENTS, DRAINAGE EASEMENTS AND POND ACCESS MAINTENANCE EASEMENTS SHOWN ON SAID PLAT TO THE USE OF THE CITY OF WEST FARGO.

OWNER: LOTS 1-4, 6-12 AND 14-21, BLOCK 1
THOMSEN HOMES

OWNER: LOT 5, BLOCK 1
WESTPORT INVESTMENTS, LLC

NEILS THOMSEN, PRESIDENT

JIM BULLIS, SECRETARY

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 NEILS THOMSEN, 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 THOMSEN HOMES.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

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 JIM BULLIS, SECRETARY, 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 WESTPORT INVESTMENTS, LLC.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

OWNER: LOT 13, BLOCK 1
WEST FARGO CITY

BERNIE L. DARDIS, PRESIDENT OF
THE WEST FARGO CITY COMMISSION

TINA FISK, 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 BERNIE L. DARDIS, PRESIDENT OF THE WEST FARGO CITY COMMISSION, AND TINA FISK, 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 WEST FARGO.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

WEST FARGO PLANNING COMMISSION APPROVAL

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

TOM MCDUGALL, CHAIRMAN

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 MCDUGALL, CHAIRMAN OF THE WEST 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 WEST FARGO PLANNING COMMISSION.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

WEST FARGO CITY COMMISSION APPROVAL

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

BERNIE L. DARDIS, PRESIDENT OF
THE WEST FARGO CITY COMMISSION

TINA FISK, 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 BERNIE L. DARDIS, PRESIDENT OF THE WEST FARGO CITY COMMISSION, AND TINA FISK, 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 WEST FARGO.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

CITY ENGINEER'S APPROVAL

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

DUSTIN T. SCOTT, 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 DUSTIN T. SCOTT, 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 FREE ACT AND DEED.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

WEST FARGO CITY ATTORNEY APPROVAL

I HEREBY CERTIFY THAT PROPER EVIDENCE OF TITLE HAS BEEN EXAMINED BY ME AND I APPROVE THE PLAT AS TO FORM AND EXECUTION THIS _____ DAY OF _____, 20___.

JOHN T. SHOCKLEY, CITY ATTORNEY

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 JOHN T. SHOCKLEY, CITY ATTORNEY, 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 THE CITY ATTORNEY.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA



STAFF REPORT

A20-2		CONDITIONAL USE PERMIT	
320 32 nd Ave W			
Lot 8, Block 1 of Eagle Run Plaza 6 th Addition			
Applicant: Lance Johnson – Epic Events Owner: Sheyenne 32 South LLC		Staff Contact: Tim Solberg, AICP	
Planning & Zoning Commission Introduction:		01-14-2020	
Public Hearing:		01-14-2020	
City Commission:			

PURPOSE:

Constructing an off premise sign within the Entertainment Mixed Use District.

STATEMENTS OF FACT:

Land Use Classification:	G-4A Core Retrofit Growth Area
Existing Land Use:	Mixed Use
Current Zoning District(s):	EMU: Entertainment Mixed Use District (final consideration at 01-14-2020 City Commission Meeting)
Zoning Overlay District(s):	CO: Corridor Overlay District
Total area size:	32,725 Square Feet
Adjacent Zoning Districts:	North, South & West – PUD: Planned Unit Development (Commercial) East – A: Agricultural
Adjacent street(s):	Sheyenne Street (Arterial); 32 nd Avenue West (Arterial)
Adjacent Bike/Pedestrian Facilities:	Multi-use path along 32 nd Ave W and Sheyenne St.
Available Parks/Trail Facilities:	Plaza under construction within the development

DISCUSSION AND OBSERVATIONS:

- EMU: Entertainment Mixed Use District zoning district allows for off-premise signage as a conditional use with the statement that “Signage within the district should take into account the characteristics of its surrounding area and the intent and context of a vibrant entertainment environment. The Commission should deliberate such items as size, intensity of light or color, and motion to avoid nuisance factors to the public and neighboring uses.”
- The applicant has submitted an application, as well as site and building plans and elevations of the proposed sign. The proposed sign is a 19.2’ x 48.8’ (898.56 ft²) video board to promote sponsors, events taking place in the district and for commercial tenants of the properties located within the Entertainment district.
- The property is developed with a multi-tenant mixed building with varying general commercial and residential uses as well as a community plaza.
- The specific conditions for off-premise signs in the EMU District are that:
 - Off-premise signage within the district is allowed as a conditional use following the provisions set forth in Section 4-550 of City Ordinances. Signage within the district should take into account the characteristics of its surrounding area and the intent and context of a vibrant

STAFF REPORT

- entertainment environment. The Commission should consider such items as size, intensity of light or color, and motion to avoid nuisance factors to the public and neighboring uses
- Off-premise signs are allowed in “HC”: Heavy Commercial, “LI”: Light Industrial, “M”: Heavy Industrial, “DMU”: Downtown Mixed Use, and “EMU”: Entertainment Mixed Use Districts. No off- premise sign shall exceed seven hundred fifty (750) square feet in area, unless otherwise approved through the conditional use permit process. No two off-premise signs may be placed less than two hundred fifty (250) feet apart, unless said signs are separated by buildings or other obstructions in such a manner that only one sign is visible from the roadway at any time.
 - In reviewing the application information, the plans adequately address the ordinance conditions for off-premise signs, but the increased size as well as district regulations require consideration and review as a conditional use.
 - A conditional use permit agreement is required to be signed prior to issuance of a building permit and may include conditions deemed appropriate by the Commission.

CRITERIA FOR GRANTING CONDITIONAL USE PERMIT:

With reference to the criteria for granting conditional uses, the following is noted:

1. Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
 - No concerns noted.
2. Off-street parking and loading areas where required, with particular attention to the items in (1) above and the economic, noise, glare or odor effects of the special exception on adjoining properties and properties generally in the district.
 - No concerns noted.
3. Refuse and service areas, with particular reference to the items in (1) and (2) above.
 - No concerns noted.
4. Utilities, with reference of locations, availability, and compatibility.
 - No concerns noted.
5. Screening and buffering with reference to type, dimensions, and character.
 - No concerns noted.
6. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district.
 - Discretion and discernment should be given by the Commission taking into account scale of the sign against the adjacent properties as well as concerns from neighboring properties notified as well as the general public.
7. Required yards and other open space.
 - No concerns noted.
8. Soil conditions, as they relate to on-site sewage disposal, water supply, basement excavating, road construction and related land use.
 - No concerns noted.
9. General compatibility with adjacent properties and other property in the district.
 - The land adjacent to this area is Entertainment Mixed Use Zoning District and compatible uses and buildings have been previously approved within the subdivision.

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NOTICES:

Sent to: Property owners within 350' and applicable agencies and departments.

Comments Received: A resident of Maple Ridge at the Preserve 4th Addition expressed disappointment that the City does not notify property owners directly outside of the required 350'. He did not express any concern with the sign.

CONSISTENCY WITH COMPREHENSIVE PLAN AND OTHER APPLICABLE CITY PLANS AND ORDINANCES:

- Billboards are not specifically addressed in the Comprehensive Plan, but should be considered in context to the approved district. Staff is of the belief that the proposal, albeit large, should be considered for its scale adjacent to the buildings and the district to which it is in. Outside of the Entertainment Mixed Use District and where adjacent to smaller scaled buildings, this sign would be inappropriate and not compatible. In its current proposal the sign appears to be appropriately sized, however staff is cautious to ensure that the surrounding properties and general public will not be negatively affected by the proposal. These are considerations that should be carefully deliberated by both Planning Commission and City Commission.

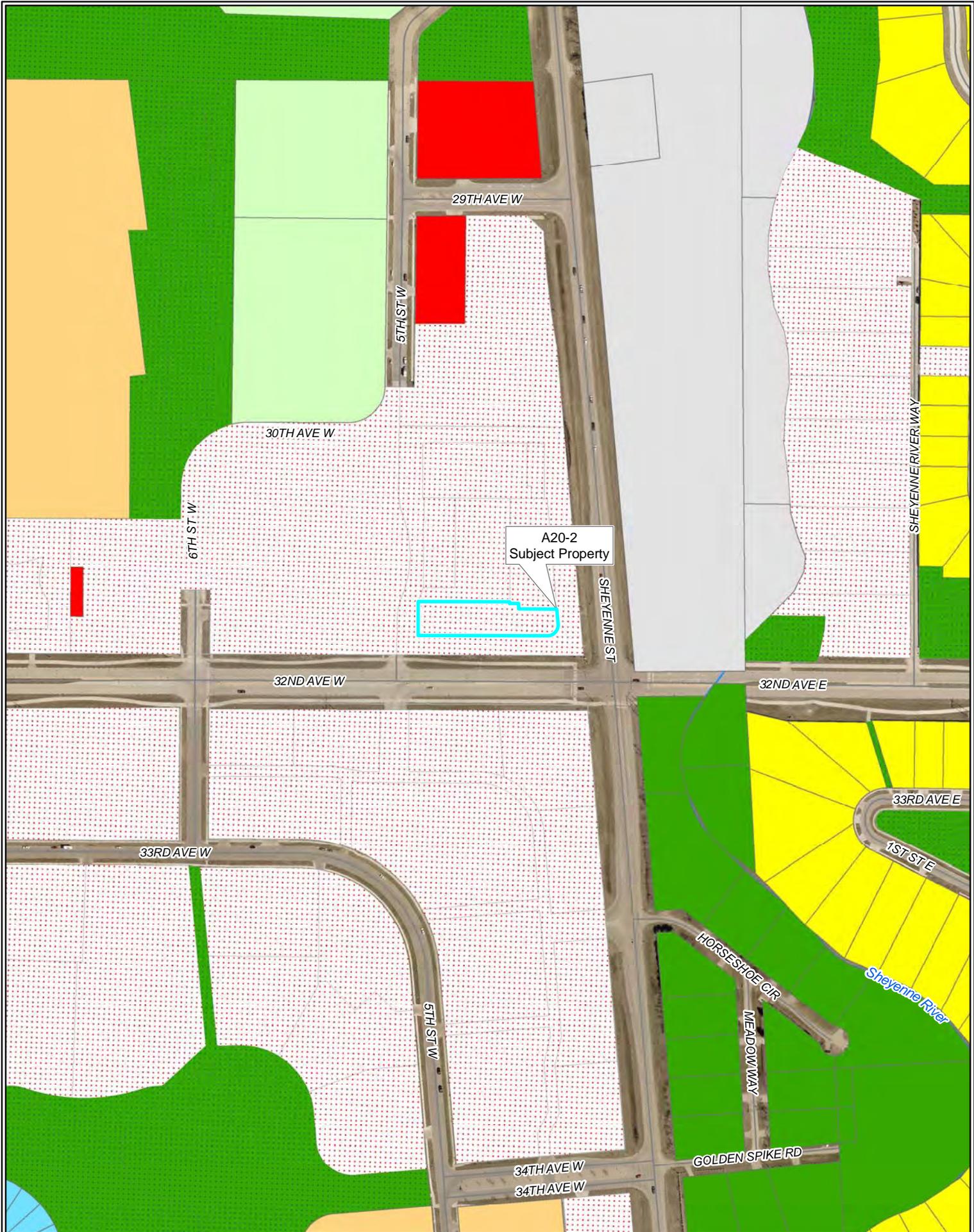
RECOMMENDATIONS:

If it is found through deliberation by the Commission that the proposal will not generate a nuisance to adjacent properties and the general public, it is recommended that the City approve the proposed application on the basis that it is consistent with City plans and ordinances with recommended conditions of approval as follows:

1. The sign is accessory to the surrounding buildings in their current scale of multiple stories and within the Entertainment Mixed Use District present at Eagle Run Plaza 6th Addition and should either the buildings or the zoning district change, then the sign would require review and potential removal.
2. A Signed Conditional Use Permit Agreement is received.

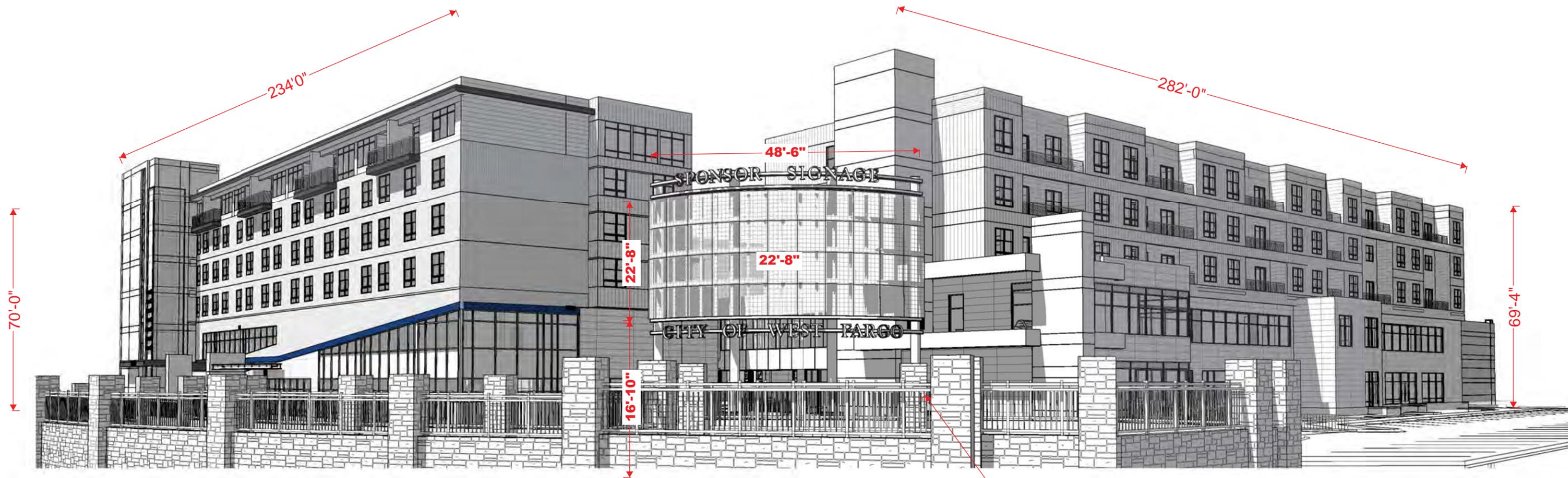


A20-2
Subject Property



City of
WEST FARGO

<ul style="list-style-type: none"> A: Agricultural C: Light Commercial C-OP: Commercial Office Park HC: Heavy Commercial LI: Light Industrial M: Heavy Industrial P: Public PUD: Planned Unit Development 	<ul style="list-style-type: none"> R-1: One and Two Family R-1A: Single Family R-1B: Special Single Family R-1E: Rural Estate R-1S: Special One and Two Family R-1SM: Mixed One and Two Family R-2: Limited Multiple Dwelling R-3: Multiple Dwelling R-4: Mobile Home R-5: Manufactured Home R-L1A: Large Lot Single Family R-R: Rural Residential
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PERSPECTIVE VIEW FROM MIDDLE OF 32ND AND SHEYENNE INTERSECTION APPROX. 4FT ABOVE ROAD. THE GROUND ELEVATION OF SIGN IS ALSO APPROX. 2-3FT BELOW THE ROAD.

180'-0"

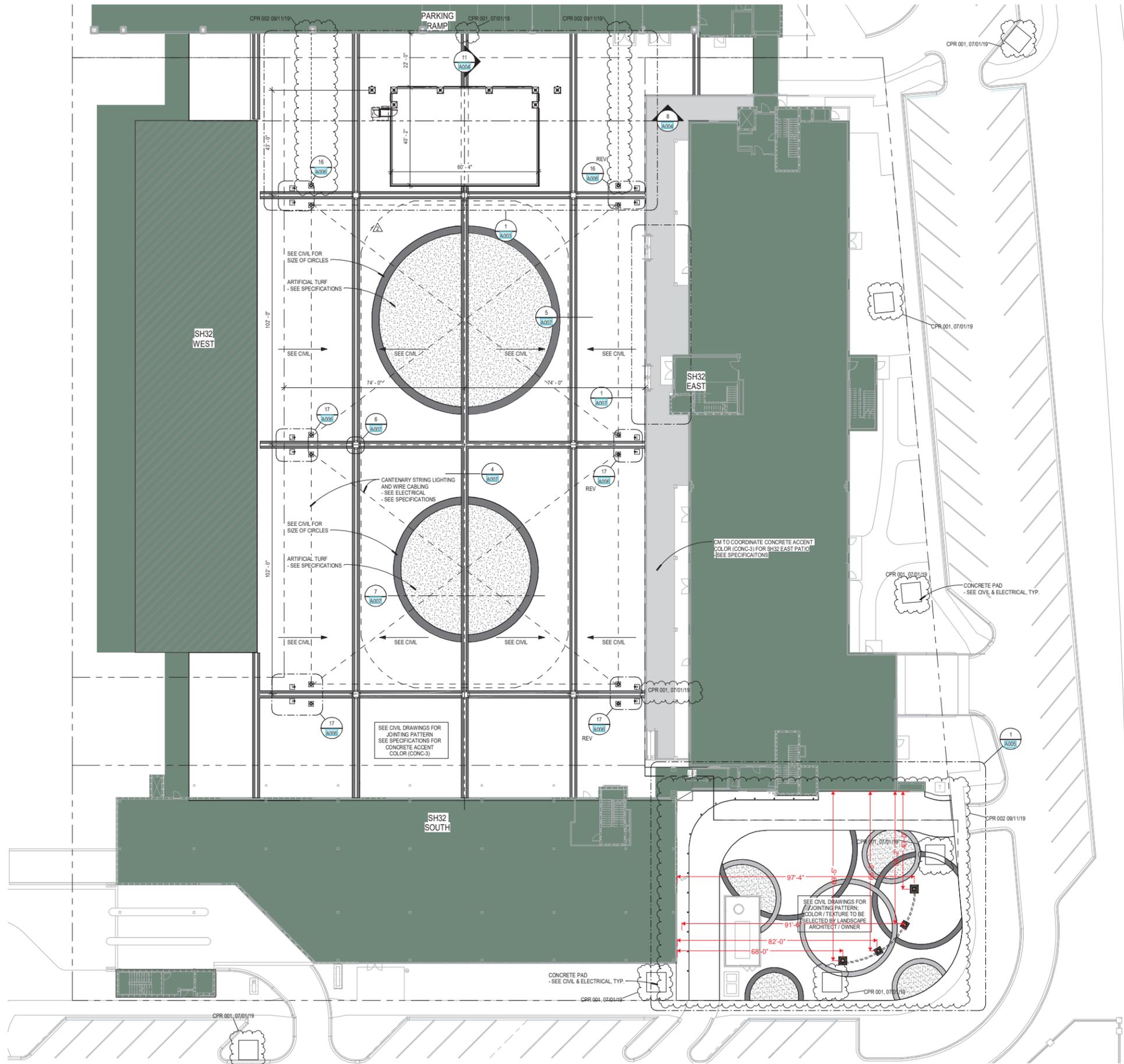


- 15mm Video Display
384 lines of resolution x
936 columns of resolution
Active Area: 19'2.4" x 46'9.6"
- Opt: 10mm Video Display
576 lines of resolution x
1404 columns of resolution
Active Area: 19'2.4" x 46'9.6"

THE LIGHTS AT SHEYENNE 32

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10/7/2019 9:05:51 AM BIM 360://16-023 - Sheyenne 32 Plaza/16-023 West Fargo, Sheyenne32 Plaza.rvt



1 Site Plan - Enlarged Detailed Plan
A002 1" = 20'-0"

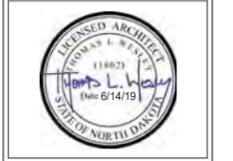
Sheyenne 32 Plaza

West Fargo, ND

Drawing History

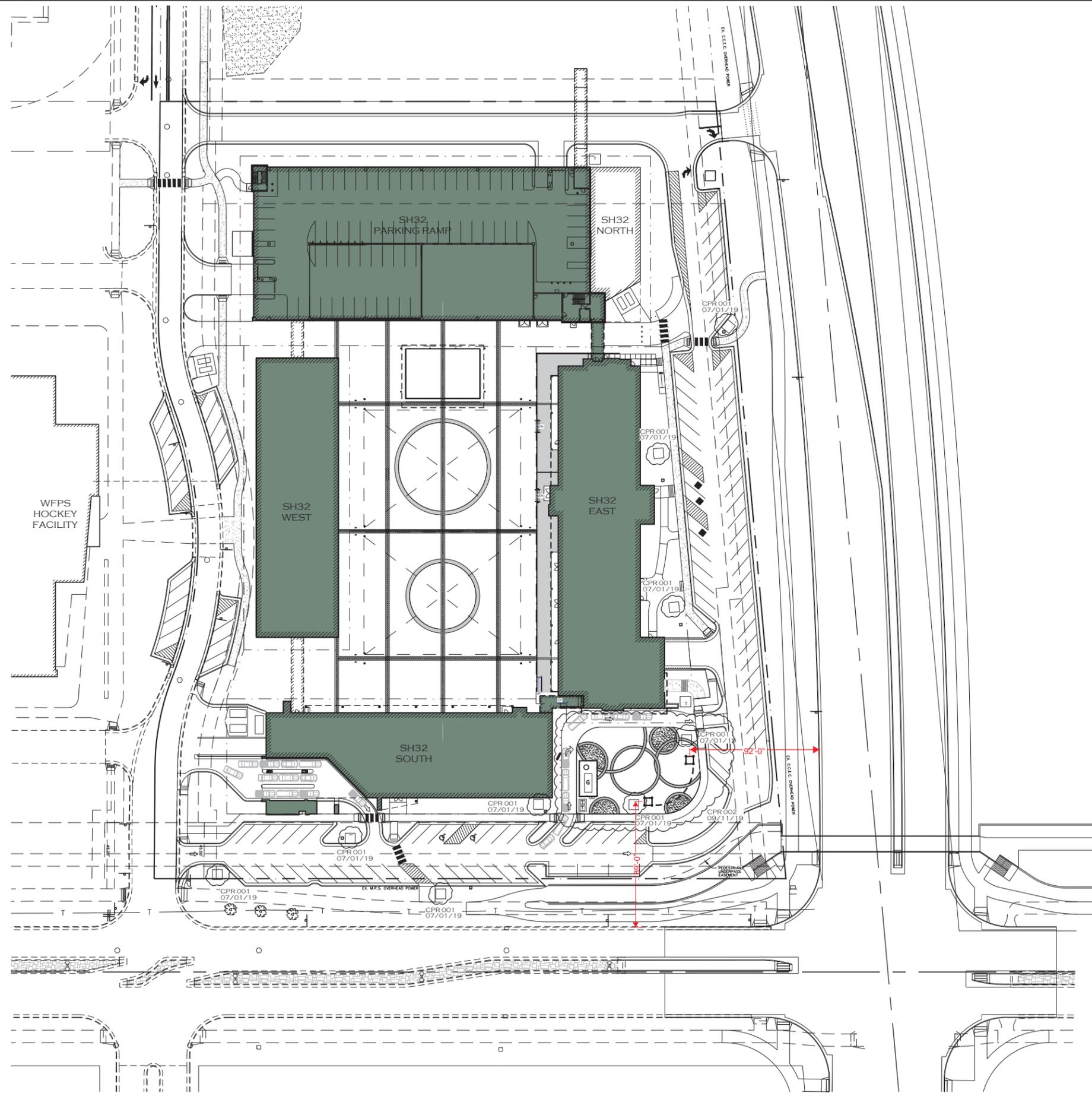
No.	Description	Date
1	BP#1 Bid Set	09/14/19
2	BP#1 Addendum #1	06/25/19
3	CA	10/01/19

DRAWN BY: LS/TA JN: 16-023



ENLARGED SITE PLAN

SHEET
A002



1 SITE PLAN
1" = 40'-0"

Sheyenne 32 Plaza

West Fargo, ND

Drawing History

No.	Description	Date
1	BP#1 Bid Set	06/14/19
	CA	09/11/19

DRAWN BY: LSK/D JN: 16-023



FOR
REFERENCE
ONLY

Site Plan

SHEET
A001

STAFF REPORT

A20-3		CONDITIONAL USE PERMIT	
3839 Kensington Dr			
Lot 4, Block 2 of Windsor Green Subdivision, City of West Fargo, North Dakota			
Applicant/Owner: Brad & Jacque Mitchell		Staff Contact: Lisa Sankey	
Planning & Zoning Commission Introduction:		01-14-2020	
Public Hearing:		01-14-2020	
City Commission:			

PURPOSE:

Construct a 2,376 square foot accessory building for personal storage in a rural estate zoned district.

STATEMENTS OF FACT:

Land Use Classification:	G-2: Sub-Urban – Growth Sector
Existing Land Use:	Single Family Dwelling
Current Zoning District(s):	R-1E: Rural Estate District
Zoning Overlay District(s):	CO: Corridor Overlay District
Total area size:	1.07 Acres
Adjacent Zoning Districts:	West: R-1A: Single Family Dwellings North, South and East: R-1E: Rural Estate District
Adjacent street(s):	Kensington Dr (Local); Sheyenne Street (Arterial)
Adjacent Bike/Pedestrian Facilities:	None
Available Parks/Trail Facilities:	None

DISCUSSION AND OBSERVATIONS:

- The R-1E: Rural Estate zoning district allows for accessory structures greater than 1,000 ft² as a conditional use provided they are in character with the development pattern of the subdivision they are in.
- The applicant has provided a site plan which shows the new accessory structure will be built in the rear yard with a side yard setback of 92’ and rear yard setback of 85’.
- The applicant indicated the structure would be built of residential materials which match the exterior color and type of the main structure on the property.
- A conditional use permit agreement is required to be signed prior to issuance of a building permit and may include conditions deemed appropriate by the Commission.

CRITERIA FOR GRANTING CONDITIONAL USE PERMIT:

With reference to the criteria for granting conditional uses, the following is noted:

1. Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
 - The property has adequate access and the improvements will not affect the current access.

STAFF REPORT

2. Off-street parking and loading areas where required, with particular attention to the items in (1) above and the economic, noise, glare or odor effects of the special exception on adjoining properties and properties generally in the district.
 - No concerns noted
3. Refuse and service areas, with particular reference to the items in (1) and (2) above.
 - No concerns noted
4. Utilities, with reference of locations, availability, and compatibility.
 - No concerns noted
5. Screening and buffering with reference to type, dimensions, and character.
 - No concerns noted
6. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district.
 - No concerns noted
7. Required yards and other open space.
 - No concerns noted.
8. Soil conditions, as they relate to on-site sewage disposal, water supply, basement excavating, road construction and related land use.
 - No concerns noted.
9. General compatibility with adjacent properties and other property in the district.
 - The land adjacent to this area is R-1E: Rural Estate District and similar style and sized accessory buildings have been previously approved within the subdivision. There is a 2,400 square foot structure to the east, along the river.

NOTICES:

Sent to: Property owners within 350' and applicable agencies and departments.

Comments Received:

- A few calls and an email were received objecting to the structure.
- A petition was also submitted protesting the conditional use permit on the basis the size of structure is not in alignment with neighborhood homes and buildings.

CONSISTENCY WITH COMPREHENSIVE PLAN AND OTHER APPLICABLE CITY PLANS AND ORDINANCES:

- The application is providing an accessory to an existing use and therefore the application may be considered consistent with the Comprehensive Plan.

RECOMMENDATIONS:

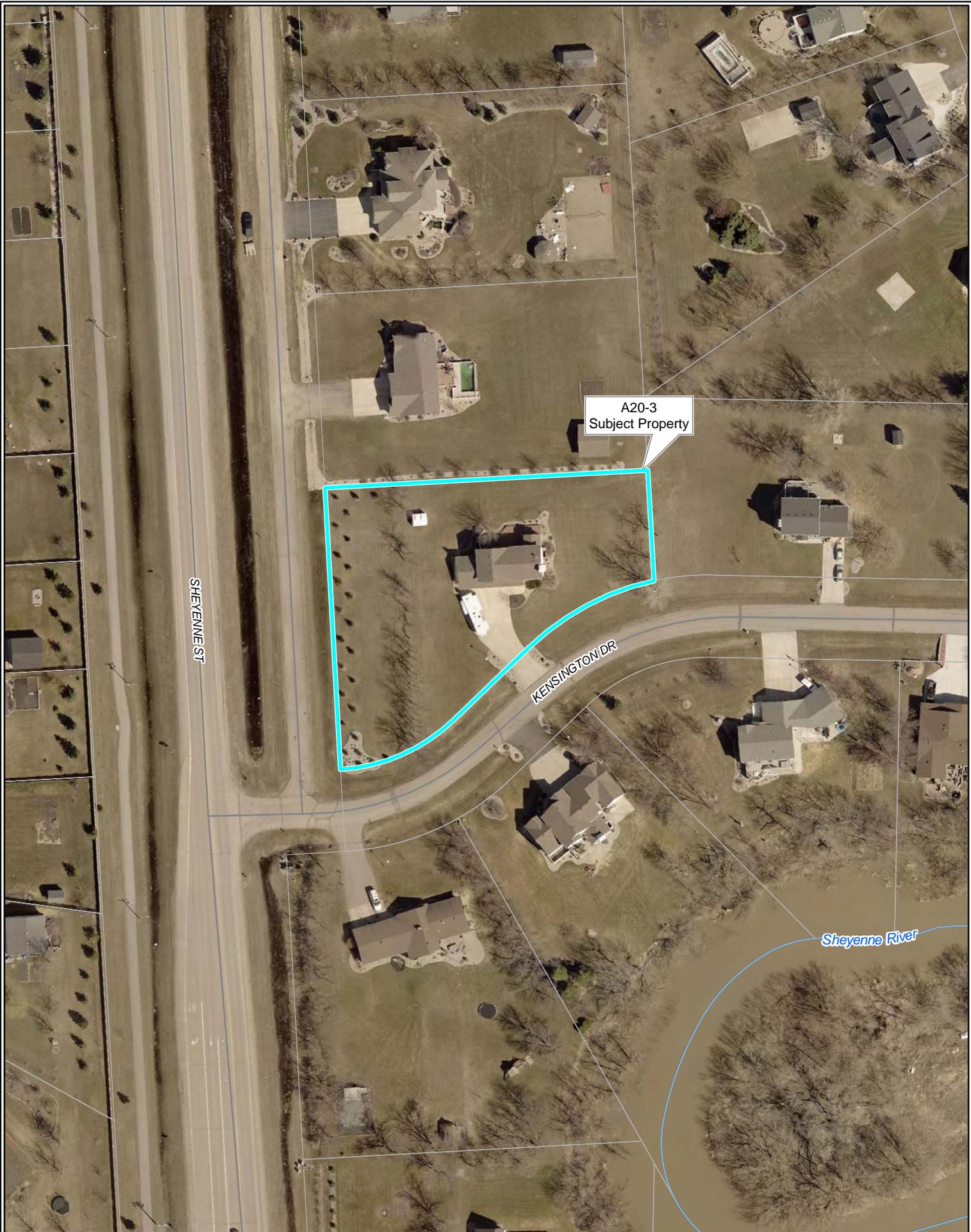
It is recommended that the City either approve the proposed application on the basis that it is consistent with City plans and ordinances with recommended conditions of approval as follows:

1. The accessory building is constructed of the same color and materials as the primary residential structure.
2. A Signed Conditional Use Permit Agreement is received.

OR:

STAFF REPORT

Deny the request based on public comment that the application is incompatible with adjacent properties and other property in the district.



A20-3
Subject Property

SHEYENNE ST

KENSINGTON DR

Sheyenne River



A20-3
Subject Property

SHEYENNE ST

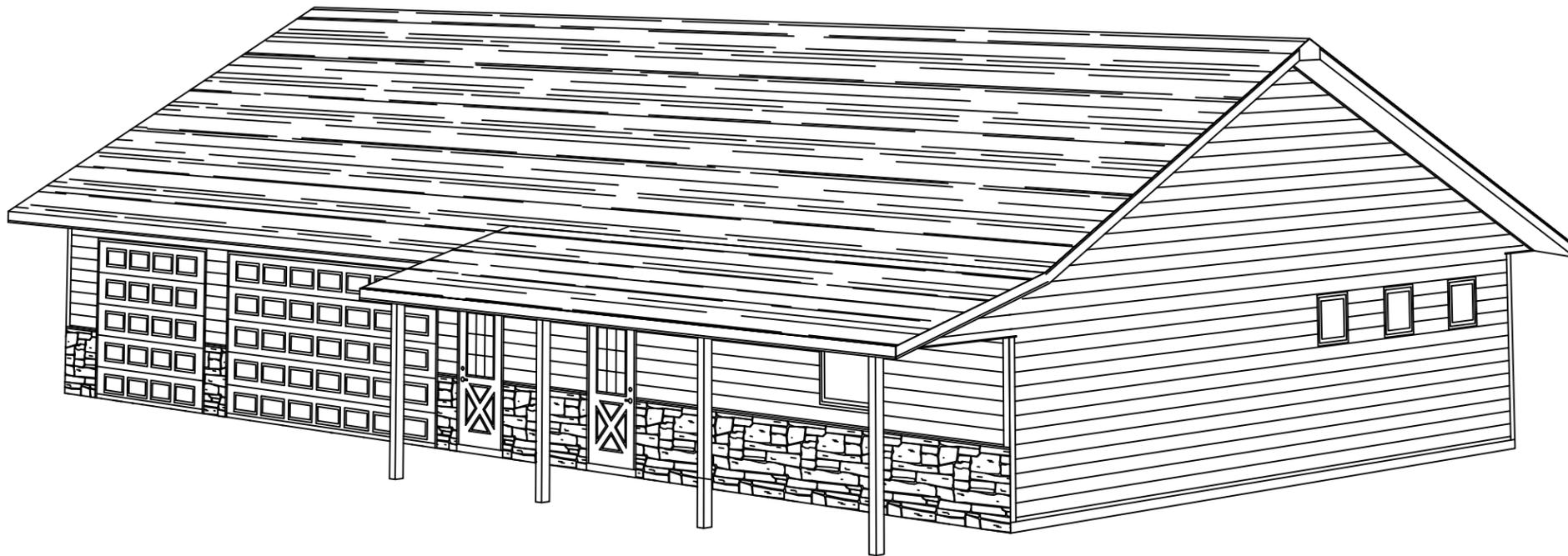
KENSINGTON DR

Sheyenne River



- | | | | | |
|---|--|---|---|--|
| <ul style="list-style-type: none"> ■ A: Agricultural ■ C: Light Commercial ■ C-OP: Commercial Office Park ■ HC: Heavy Commercial | <ul style="list-style-type: none"> ■ LI: Light Industrial ■ M: Heavy Industrial ■ P: Public ■ PUD: Planned Unit Development | <ul style="list-style-type: none"> ■ R-1: One and Two Family ■ R-1A: Single Family ■ R-1B: Special Single Family ■ R-1E: Rural Estate | <ul style="list-style-type: none"> ■ R-1S: Special One and Two Family ■ R-1SM: Mixed One and Two Family ■ R-2: Limited Multiple Dwelling ■ R-3: Multiple Dwelling | <ul style="list-style-type: none"> ■ R-4: Mobile Home ■ R-5: Manufactured Home ■ R-L1A: Large Lot Single Family ■ R-R: Rural Residential |
|---|--|---|---|--|





OFFICE: _____
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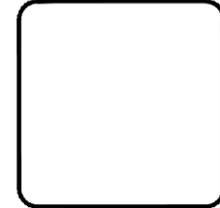
SUPPLEMENT TO FORM 86

Owner's Signature: _____

Date: _____

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DATE:	
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REVISED DATE:	



SCALE: _____
 SHEET NO. _____
 OF _____

OFFICE:
JOB NO.:



MORTON BUILDINGS, INC.
P.O. BOX 399 MORTON, IL 61550-0399 309-263-7474



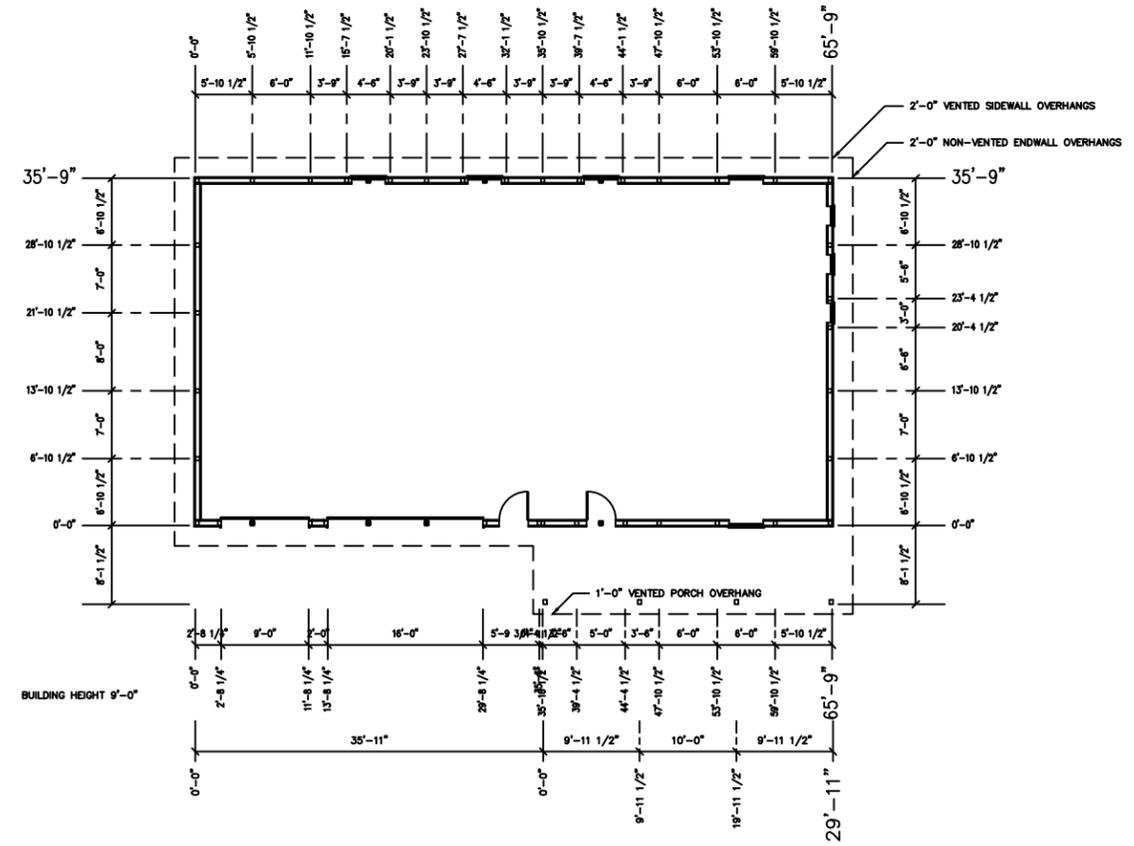
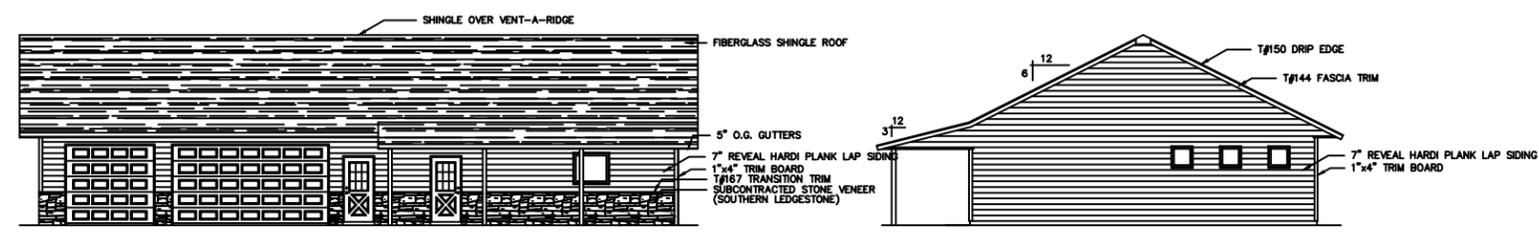
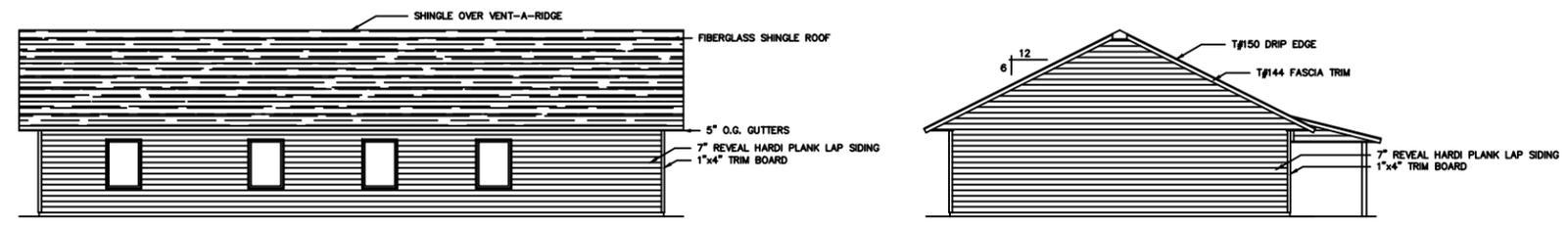
DRAWN BY:	
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REVISED DATE:	

SUPPLEMENT TO FORM 86
Owner's Signature: _____

Date: _____

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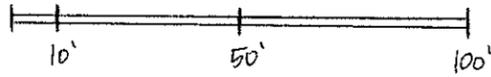
SCALE:
SHEET NO. _____
OF _____



BRAD & JAZQUE MITCHELL

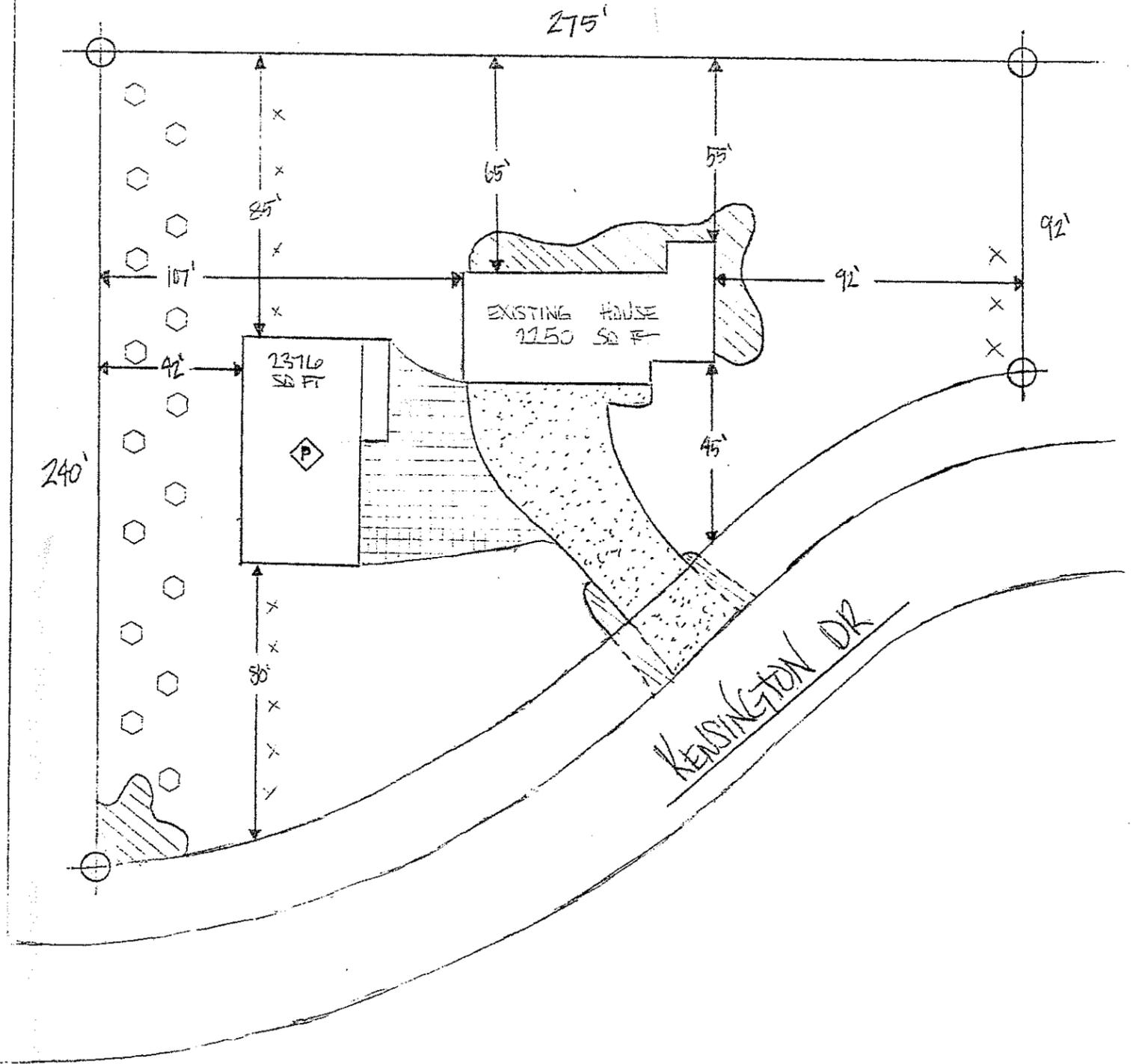
WINDSOR GREEN

1/4"



-  PROPOSED 36' x 66' BUILDING
-  EXISTING LANDSCAPING
-  EXISTING CONCRETE
-  PROPOSED CONCRETE
-  EXISTING EVERGREEN
-  EXISTING TREES

SHERBINE



To: Tim Solberg, Director of Planning and Zoning

From: Windsor Green Estates Property Owners

Re: Proposed Conditional Use Permit

Date: January 5, 2020

As "Owners" of lots in Windsor Green Estates, we protest the issuance of a conditional use permit for Lot 4, Block 2 (3839 Kensington Drive). It is our belief that an outbuilding of 2,376 square feet (36'x66') is unreasonable for private storage and not in alignment with the dwellings and buildings currently in the association. The opinion of "Owners" is that to protect and maintain the integrity of our neighborhood and property values, this structure must comply with limits set forth by the City of West Fargo.

It is not the intention of "The Association" of homeowners to block the building of a secondary structure on the property, but insist that such structure fall within the 1,000 square foot limits as allowed by Rural Estate District R-1E.

Thank you for your attention to this matter.

John Paul 3813 Sheyenne St

<i>Larry + Ann Storgard</i>	<i>3813 Kensington Dr.</i>
<i>John & Sarah Quis</i>	<i>3801 Kensington</i>
<i>Melanie Miller</i>	<i>3809 Kensington</i>
<i>Joe Peyerl</i>	<i>3806 Kensington Dr.</i>
<i>Janine Peyerl</i>	<i>3806 Kensington Dr.</i>
<i>Glenn & Tina Key</i>	<i>3825 Sheyenne St</i>
<i>Lynn Pahr</i>	<i>3810 Kensington Dr.</i>
<i>Debra Pahr</i>	<i>3810 Kensington Dr.</i>
<i>Bob Dross</i>	<i>3814 Kensington Dr.</i>
<i>Susan Gross</i>	<i>3814 Kensington Dr.</i>
<i>ELHANSON</i>	<i>3818 Kensington Dr.</i>
<i>Marcus Huss</i>	<i>3818 Kensington Dr.</i>
<i>Joel Mickerson</i>	<i>3822 Kensington Dr.</i>
<i>Brack Leedahl</i>	<i>3835 Kensington Dr.</i>
<i>Chad & Shannyn Jacobsen</i>	<i>3802 Kensington Dr.</i>
<i>ROBERT & JILL MASTRZAK</i>	<i>3805 KENSINGTON DR.</i>
<i>Larry & Renee Sander</i>	<i>3834 Kensington Dr.</i>
<i>Linda John Lund</i>	<i>3830 Kensington Dr.</i>

STAFF REPORT

A20-4		PLANNED UNIT DEVELOPMENT AMENDMENT	
1360 Prairie Parkway			
Lot 2, Block 1 of KASS 1 ST Addition			
Applicant: BC Contracting Owner: Darin Hersch		Staff Contact: Malachi Petersen	
Planning & Zoning Commission Introduction:		01-14-2020	
Public Hearing:		01-14-2020	
City Commission:			

PURPOSE:

Development of an office building for a construction company.

STATEMENTS OF FACT:

Land Use Classification:	G-2: Sub-Urban – Growth Sector
Existing Land Use:	Vacant
Current Zoning District(s):	PUD: Planned Unit Development
Zoning Overlay District(s):	CO: Corridor Overlay District
Total area size:	34,000 ft ²
Adjacent Zoning Districts:	South – R-1: One & Two Family Dwellings North & East – PUD: Planned Unit Development (Commercial) West – R-2: Limited Multiple Dwelling
Adjacent street(s):	13 th Avenue East (Arterial); 14 th Avenue East (Local) Prairie Parkway (Local)
Adjacent Bike/Pedestrian Facilities:	13 th Ave E multi-use path; 9 th St E multi-use path
Available Parks/Trail Facilities:	Charleswood Park/Bikeways within ½ mile and accessible by multi-use path along 13 th Ave E and 9 th St E
Park Dedication Requirements:	Have been provided in previous subdivision.

DISCUSSION AND OBSERVATIONS:

- Applicant intends to construct a two-story 15,000 ft² office building on a vacant property that will be identical to the office building that was built in Phase I to the north.
- Detailed site plan, floor plan, and building elevations have been submitted.
- The preliminary site plan shows setbacks and yard requirements of the CO: Corridor Overlay to be met.
- The site plan includes 57 parking stalls. The City Off-Street Parking regulations found in 4-450 of the City Ordinances would require 75 spaces based on the area of the proposed office building (1 space per 200 square feet of gross floor area). According to the permit review, 93 parking spaces were provided with the original building to the north; however, the detailed development plans are indicating 133 spaces for the combined sites, rather than the 150 required.
 - If it can be demonstrated by the property owner through market studies or other means that the required off-street parking is excessive and/or a lower parking demand is supported by

STAFF REPORT

the Institute of Traffic Engineers (ITE) Parking Generation manual and a lesser requirement justifiable, the City Commission may reduce the number of required spaces by passage of a resolution approved by a majority of the members of the City Commission which could be handled with consideration of the PUD approval.

- ITE average parking demand for a suburban office building is 2.84 vehicles per 1,000 ft² which is far less than the City’s required parking leaving staff to believe a reduced parking requirement may be justified due to ITE Parking Generation manual and the ability of the two properties to share parking between the two lots.
- Building materials proposed include a mix of stone, EIFS, glass, and cement fiber panel, which meets the increased building construction requirements of the CO: Corridor Overlay District.
- The City’s landscaping standards require a buffer yard between the property and the residential uses in the west portion of the lot.
 - Under these guidelines along the west side they would have the option of providing either a 15’ buffer yard with a 6’ architectural screen with alternating small evergreen and deciduous trees OR a 30’ buffer yard with alternating small evergreen and deciduous trees with one row of shrubs. This requirement appears to be able to be met by a proposed 6’ “opaque vinyl fence” and 15’ landscape buffer.
- Regarding the buffer requirements on the south side of the lot adjacent to 14th Ave E, according to 4-449-A, Section 9 “Buffer Yards” subsection B. subparagraph 2(b), a buffer yard is not required on the “front side” of the building as a “buffer yard shall not be required on the front of the higher intensity use where the front abuts the public right-of-way.”
- The property would utilize Prairie Parkway with an existing approved access location to be shared with the developed property to the north, as well as access along 14th Ave E.

NOTICES:

Sent to:	Property owners within 150’ and applicable agencies and departments
Comments Received:	
<ul style="list-style-type: none"> ● None to date. 	

CONSISTENCY WITH COMPREHENSIVE PLAN AND OTHER APPLICABLE CITY PLANS AND ORDINANCES:

- The proposed PUD Amendment is consistent with the City’s Land Use Plan, which depicts the area developing as Office Park.

RECOMMENDATIONS:

It is recommended that the City approve the proposed application on the basis that it is consistent with City plans and ordinances with recommended conditions of approval as follows:

1. Buffer yard and trash collection be considered in coordination with adjacent neighbors and sanitation manager prior to permitting and included in PUD agreement if necessary.
2. Signage would be subject to the provisions of the C-OP: Commercial Office Park zoning district regulations.

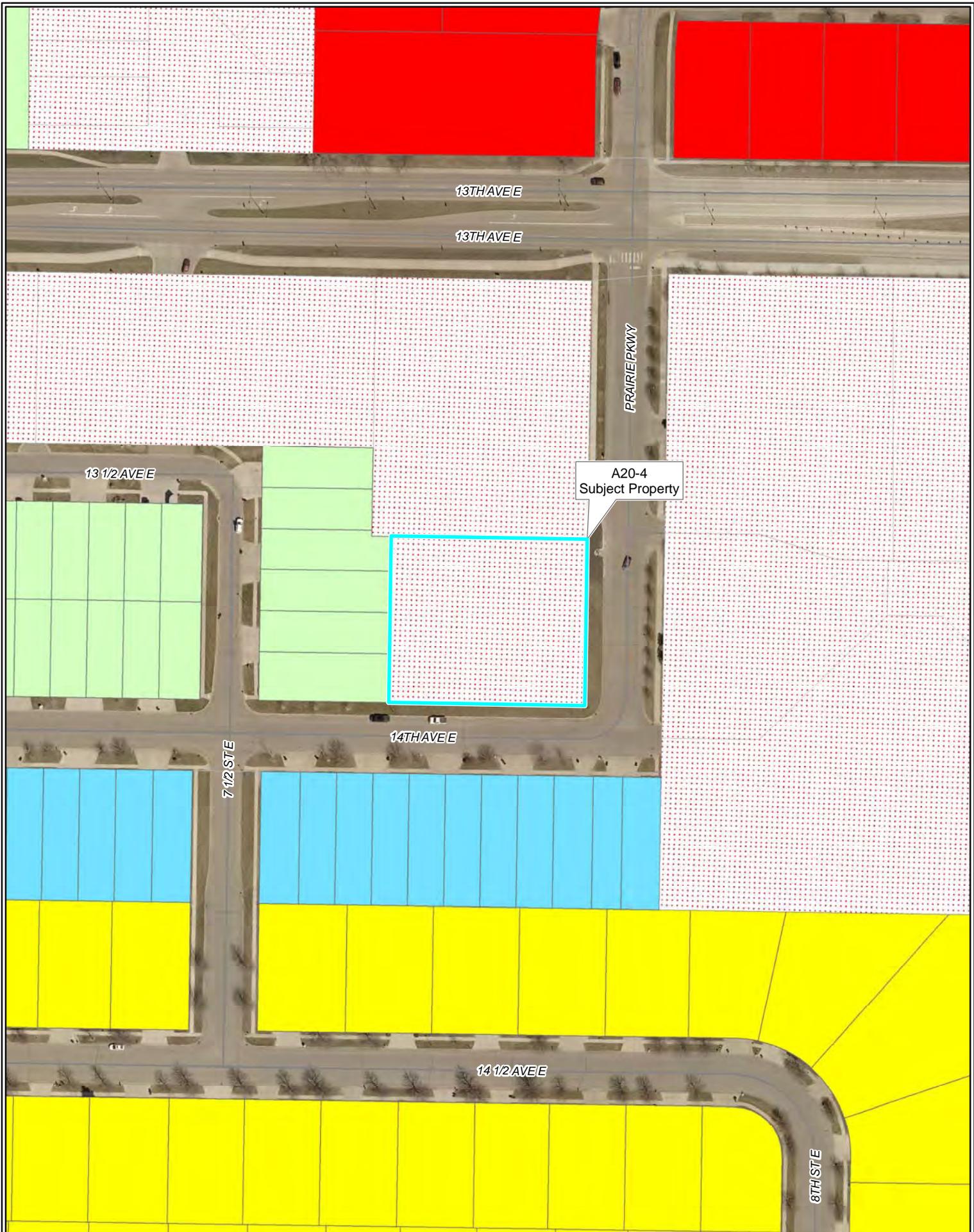
STAFF REPORT

3. Development will be subject, but not limited to CO: Corridor Overlay, 4-440 Supplementary District Regulations, 4-450 Off-Street Parking and Loading Requirements, and 4-460 Sign Regulations.
4. A signed PUD Agreement is received.



A20-4
Subject Property





A20-4
Subject Property



- | | | | | |
|--------------------------------|---------------------------------|-------------------------------|------------------------------------|----------------------------------|
| — A: Agricultural | — LI: Light Industrial | — R-1: One and Two Family | — R-1S: Special One and Two Family | — R-4: Mobile Home |
| — C: Light Commercial | — M: Heavy Industrial | — R-1A: Single Family | — R-1SM: Mixed One and Two Family | — R-5: Manufactured Home |
| — C-OP: Commercial Office Park | — P: Public | — R-1B: Special Single Family | — R-2: Limited Multiple Dwelling | — R-L1A: Large Lot Single Family |
| — HC: Heavy Commercial | — PUD: Planned Unit Development | — R-1E: Rural Estate | — R-3: Multiple Dwelling | — R-R: Rural Residential |



BC CONTRACTING OFFICE II

705 13th AVE. E. WEST FARGO, ND

OPTION C

SITE REQUIREMENTS - PHASE I
 LAND USE PLAN: OFFICE PARK
 ZONING: PUD
 C-OP COMMERCIAL OFFICE PARK
 CO - COMMERCIAL OVERLAY
 AREA = 58,300 SF (1.34 ACRES)
 MAX HEIGHT = NONE
 40% MAX BUILDING COVERAGE = 23,320 SF
 15% MIN. PERVIOUS SURFACE = 8,745 SF
 10% LANDSCAPING = 5,830 SF

SITE REQUIREMENTS - PHASE II
 LAND USE PLAN: OFFICE PARK
 ZONING: PUD
 C-OP COMMERCIAL OFFICE PARK
 CO - COMMERCIAL OVERLAY
 AREA = 34,000 SF (.78 ACRES)
 MAX HEIGHT = NONE
 40% MAX BUILDING COVERAGE = 13,600 SF
 15% MIN. PERVIOUS SURFACE = 1,312 SF
 10% LANDSCAPING = 3,400 SF

PARKING SUMMARY

PARKING CRITERIA
 OFFICE = 1 PARKING SPACE / 250 S.F.

PARKING REQUIRED
 OFFICE 15,000 SF / 250 x 2 = 120 SPACES

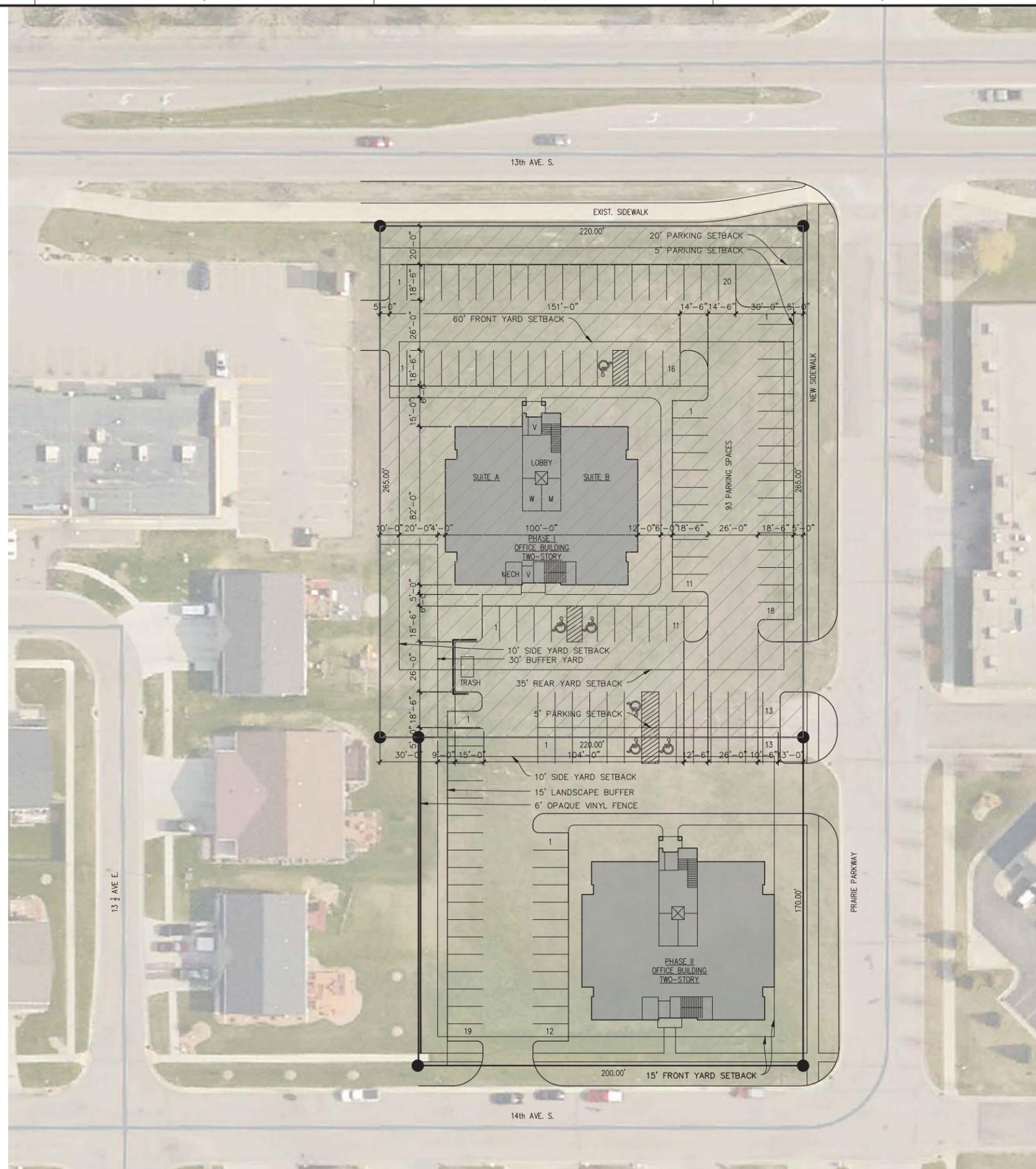
PARKING PROVIDED
 TOTAL PARKING PROVIDED = 133 SPACES

BUFFER YARD

BUFFER YARD C-OP/R-2 DISTRICTS - 4-449-A
ARCHITECTURAL BUFFER YARD B
 6' SCREEN
 15' BUFFER YARD
 SMALL EVERGREEN TREES
VEGETATIVE BUFFER YARD B
 30' BUFFER YARD
 SMALL EVERGREEN TREES
 ROW OF EVERGREEN SHRUBS

SETBACK CRITERIA
 AS PER PLANNING CODE 4-427-4.A

SETBACKS
 15' FRONT YARD
 10' SIDE YARD



RHET ARCHITECTURE, LLC
 ATTN: RHET FISKNESS, AIA
 27 11th ST. N. FARGO, ND 58102
 PHONE: 701.388.2867
 EMAIL: RHET@RHET-ARCH.COM
 WEB: WWW.RHET-ARCH.COM

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Registered Architect under the laws of the State of North Dakota.

Signature: _____
 Date: 00/00/2019 REG. NO.: 1811

NOT FOR CONSTRUCTION

PROJECT:
BC CONTRACTING OFFICE II
 PRAIRIE PKWY & 14th AVE.
 WEST FARGO, ND 58078

OWNER:
BC CONTRATING
 ATTN: TREVOR DEYO
 705 13th AVENUE E.
 SUITE 202
 WEST FARGO, ND
 PHONE: 701.551.0354

PD	PRELIMINARY DESIGN	08/02/2019
MARK	DESCRIPTION	DATE

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PROJECT NO:	19-102902
DRAWN BY:	RF
CHECKED BY:	RF
DRAWING TITLE:	SITE PLAN

A001

1 SITE PLAN
 A001 SCALE: 1" = 30'-0"

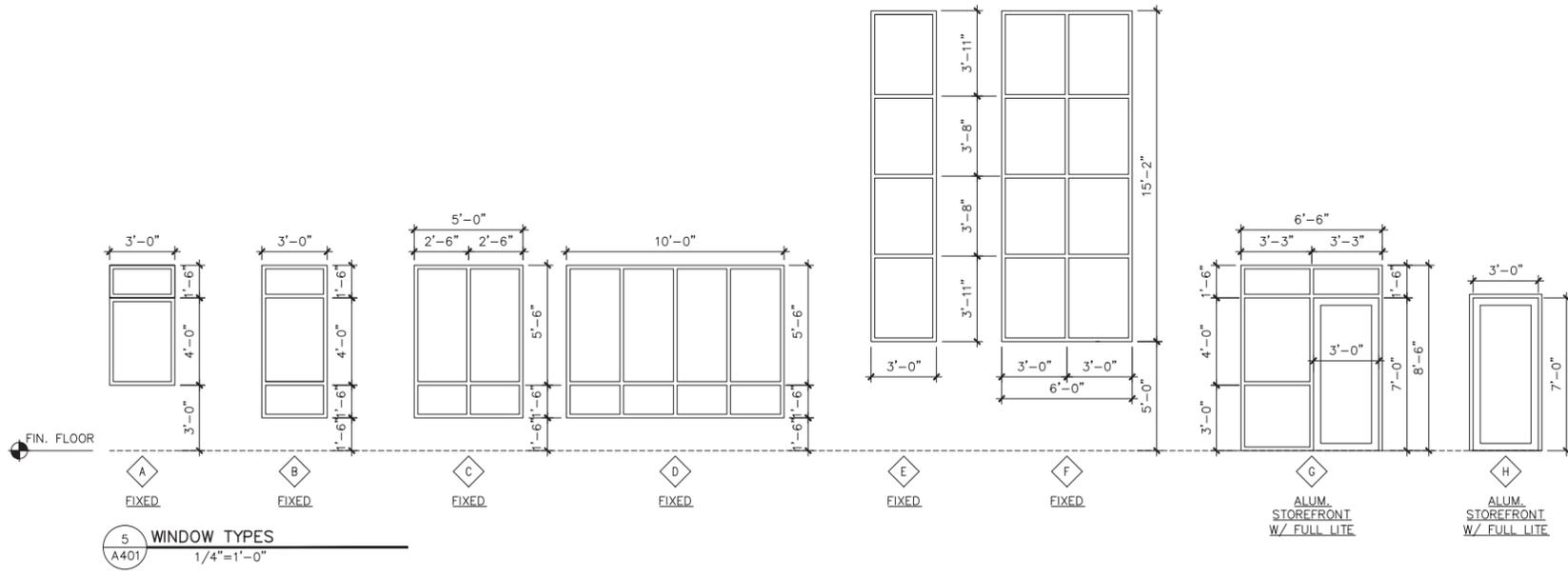
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 Plot Date: 2-Aug-19

Rhet Fiskness Architect
 901 5th Avenue South
 Fargo, ND 58103
 Phone: 701.388.2867
 Email: rhet@rhetfiskness.com

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Registered Architect under the laws of the State of North Dakota.



Signature: _____
 Date: 10/12/2016 REG. NO.: 1811



TYPICAL ELEVATION NOTES

- ASPHALT SHINGLES
- PRE-FIN. MTL. FASCIA, SOFFIT, & GUTTER, COLOR #1
- EIFS COLOR #4
- PRECAST STONE CAP
- THIN VENEER STONE
- NICHIHA CEMENT FIBER PANEL COLOR #2
- EIFS COLOR #4
- PRECAST STONE CAP
- PRE-FIN. MTL. DOWNSPOUT COLOR #1
- SPLASH BLOCK AT ALL DOWNSPOUT LOCATIONS, TYP.

PROJECT:
BC CONTRACTING OFFICE
 705 13th AVENUE E.
 WEST FARGO, ND

CLIENT:
BC CONTRACTING
 Attn: Trevor Deyo
 700 South 7th Street
 Fargo, ND 58103
 701.551.0354 office

REVISION	DATE
2	10/24/2016
CD	CONSTRUCTION DOCUMENTS 10/12/2016
MARK	DESCRIPTION DATE

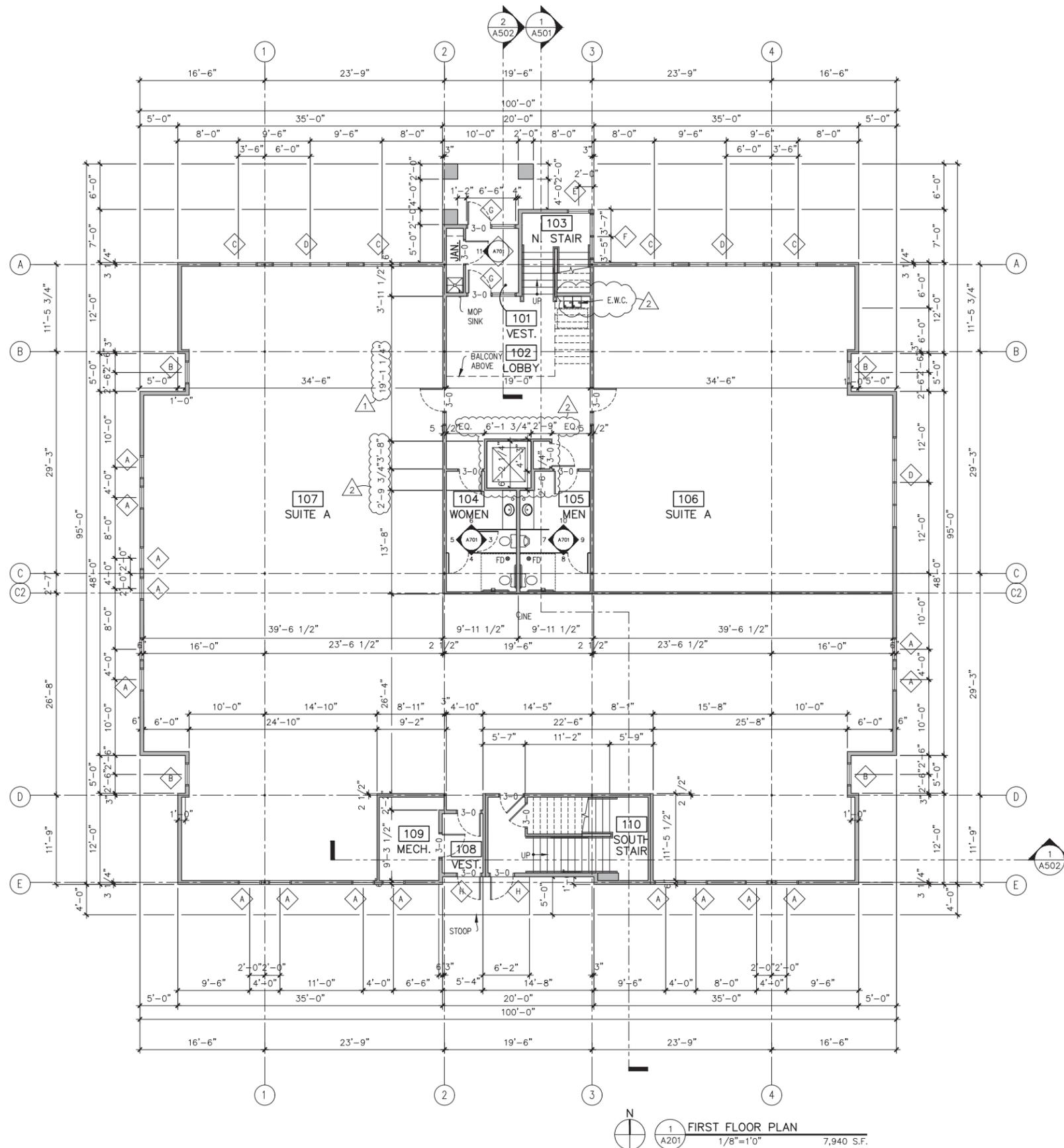
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PROJECT NO: 16-102907
 DRAWN BY: RF
 CHECKED BY: RF
 DRAWING TITLE:
ELEVATIONS

A401

NOTES

1. ALL INTERIOR WALLS ARE 2X4 WOOD STUD WITH 5/8" G.W.B. UNLESS OTHERWISE NOTED.
2. ALL DIMENSION TO FACE OF STUD.
3. CENTERLINE OF ALL SINKS & APPLIANCES SHALL BE MIN. OF 24" O.C. FROM FACE OF G.W.B.
4. CENTERLINE OF THE WATER CLOSETS SHALL BE 18" FROM THE SIDEWALL FACE OF G.W.B..
5. ALL OFFICE, MEETING, & RESTROOMS WALLS SHALL INCLUDE SOUND BATT. INSUL.



1 FIRST FLOOR PLAN
1/8" = 1'0" 7,940 S.F.

RHET FISKNESS ARCHITECT

Rhet Fiskness Architect
901 5th Avenue South
Fargo, ND 58103
Phone: 701.388.2867
Email: rhet@rhetfiskness.com

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Registered Architect under the laws of the State of North Dakota.

Rhet Fiskness

Signature: _____
Date: 10/12/2016 REG. NO.: 1811

PROJECT:
**BC CONTRACTING
OFFICE**
705 13th AVENUE E.
WEST FARGO, ND

CLIENT:
BC CONTRACTING
Attn: Trevor Deyo
700 South 7th Street
Fargo, ND 58103
701.551.0354 office

MARK	DESCRIPTION	DATE
2	REVISION	10/24/2016
1	REVISION	10/19/2016
CD	CONSTRUCTION DOCUMENTS	10/12/2016

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PROJECT NO: 16-102907
DRAWN BY: PA
CHECKED BY: RF
DRAWING TITLE:
FIRST FLOOR PLAN

A201

Rhet Fiskness Architect
 901 5th Avenue South
 Fargo, ND 58103
 Phone: 701.388.2867
 Email: rhet@rhetfiskness.com

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Registered Architect under the laws of the State of North Dakota.

Signature: _____
 Date: 10/12/2016 REG. NO.: 1811

PROJECT:
BC CONTRACTING OFFICE
 705 13th AVENUE E.
 WEST FARGO, ND

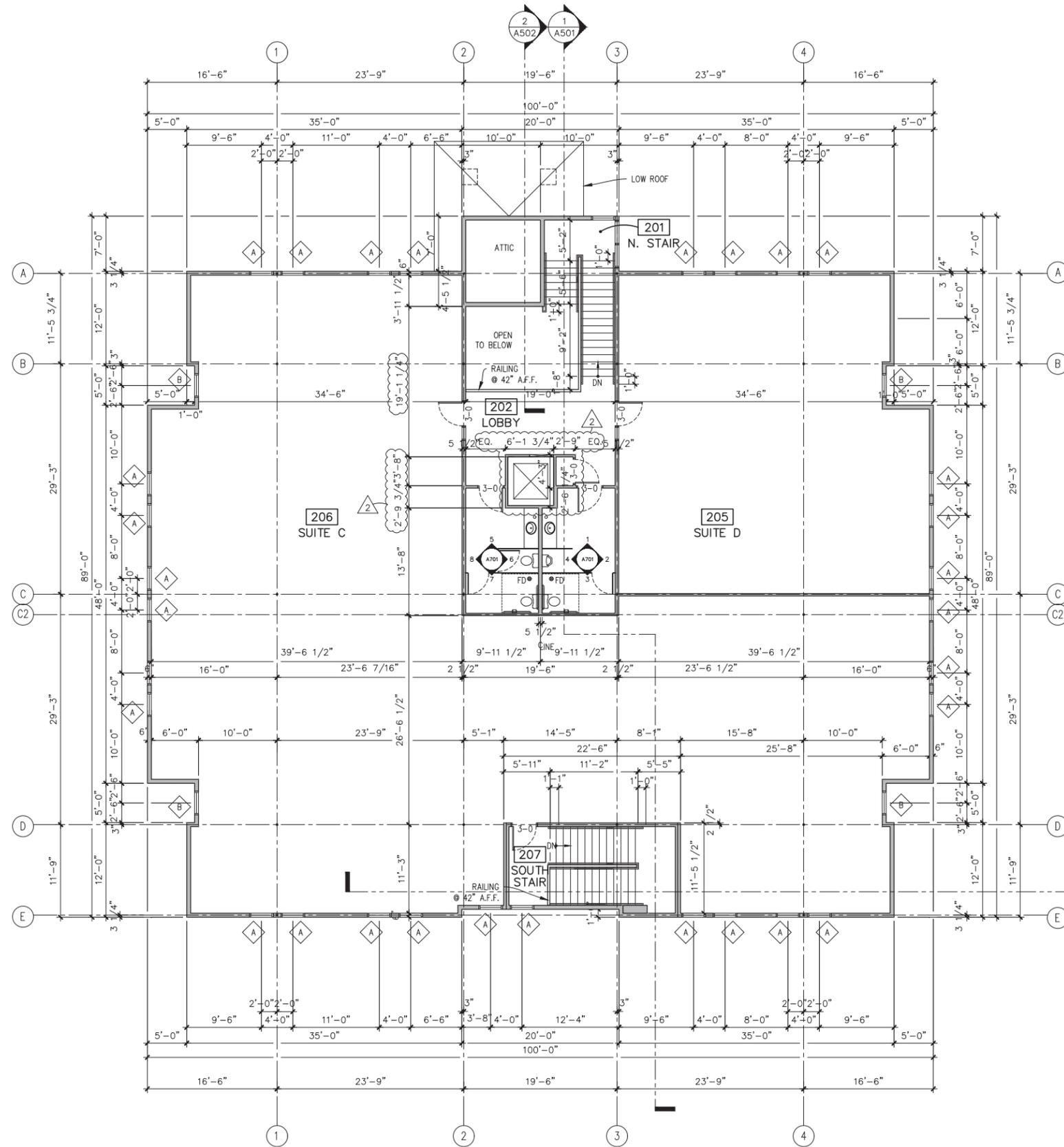
CLIENT:
BC CONTRACTING
 Attn: Trevor Deyo
 700 South 7th Street
 Fargo, ND 58103
 701.551.0354 office

MARK	DESCRIPTION	DATE
2	REVISION	10/24/2016
1	REVISION	10/19/2016
CD	CONSTRUCTION DOCUMENTS	10/12/2016

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PROJECT NO:	16-102907
DRAWN BY:	PA
CHECKED BY:	RF
DRAWING TITLE:	SECOND FLOOR PLAN

A202



1 SECOND FLOOR PLAN
 1/8" = 1'-0" 7,538 S.F.

CITY OF WEST FARGO PLANNING & COMMUNITY DEVELOPMENT

STAFF REPORT

A20-5		REZONING
225 40 th Avenue West		
Lot 1, Block 1 of Nelson Acres 5 th Addition		
Applicant; Jodi Kallias, Greenworks Properties Owner: Duwane Engness	Staff Contact: Lisa Sankey	
Planning & Zoning Commission Introduction:	01-14-2020	
Public Hearing:	01-14-2020	
City Commission Introduction:		
1 st Reading and Public Hearing:		
2 nd Reading:		

PURPOSE:

Rezone in order to develop the property for a landscaping business.

STATEMENTS OF FACT:

Land Use Classification:	G-2: Sub-Urban – Growth Sector
Existing Land Use:	Single Family Dwelling
Current Zoning District(s):	R-R: Rural Residential District
Proposed Zoning District:	C: Light Commercial
Zoning Overlay District(s):	CO: Corridor Overlay District
Total area size:	2.5 Acres
Adjacent Zoning Districts:	North: R-1A: Single Family Dwelling; West & South: R-R: Rural Residential; East: R-1E: Rural Estate District
Adjacent street(s):	40 th Avenue West (Arterial); Sheyenne Street (Arterial)
Adjacent Bike/Pedestrian Facilities:	Multi-use path along 40 th Avenue West
Available Parks/Trail Facilities:	Eagle Run Park on the north side of 40 th Avenue West

DISCUSSION AND OBSERVATIONS:

- The applicant has provided a site plan, which proposes converting the home into offices and boutique/gift shop for a landscaping business, as well as an area for garden stock, mulch and decorative rock.
- The property is surrounded by a City Shop and water tower to the west with retention ponds to the south and is located at the intersection of two arterial streets. The applicant believes the site would be an ideal location for this type of business (see attached letter).
- The existing access will require further review and consideration by the City Engineer. Although this would be an item handled at time of permitting, it would be prudent to review at this time to avoid any future issues with development of the property.
- Rezoning the property to C: Light Commercial would open the property up to any of the uses allowed within the district; however, the City’s landscaping regulations would require buffering between uses of lower intensity and the City’s CO: Corridor Overlay will require increased yard and building requirements lending to the compatibility of any of those uses within the area.

STAFF REPORT

NOTICES:

Sent to: Property owners within 150' and applicable agencies and departments.

Comments Received:

- None to date.

CONSISTENCY WITH COMPREHENSIVE PLAN AND OTHER APPLICABLE CITY PLANS AND ORDINANCES:

- The application is a mix of commercial for the neighborhood and section that is otherwise completely developed with residential and therefore the application would be strongly supported by the Comprehensive Plan by providing a mix of uses.

RECOMMENDATIONS:

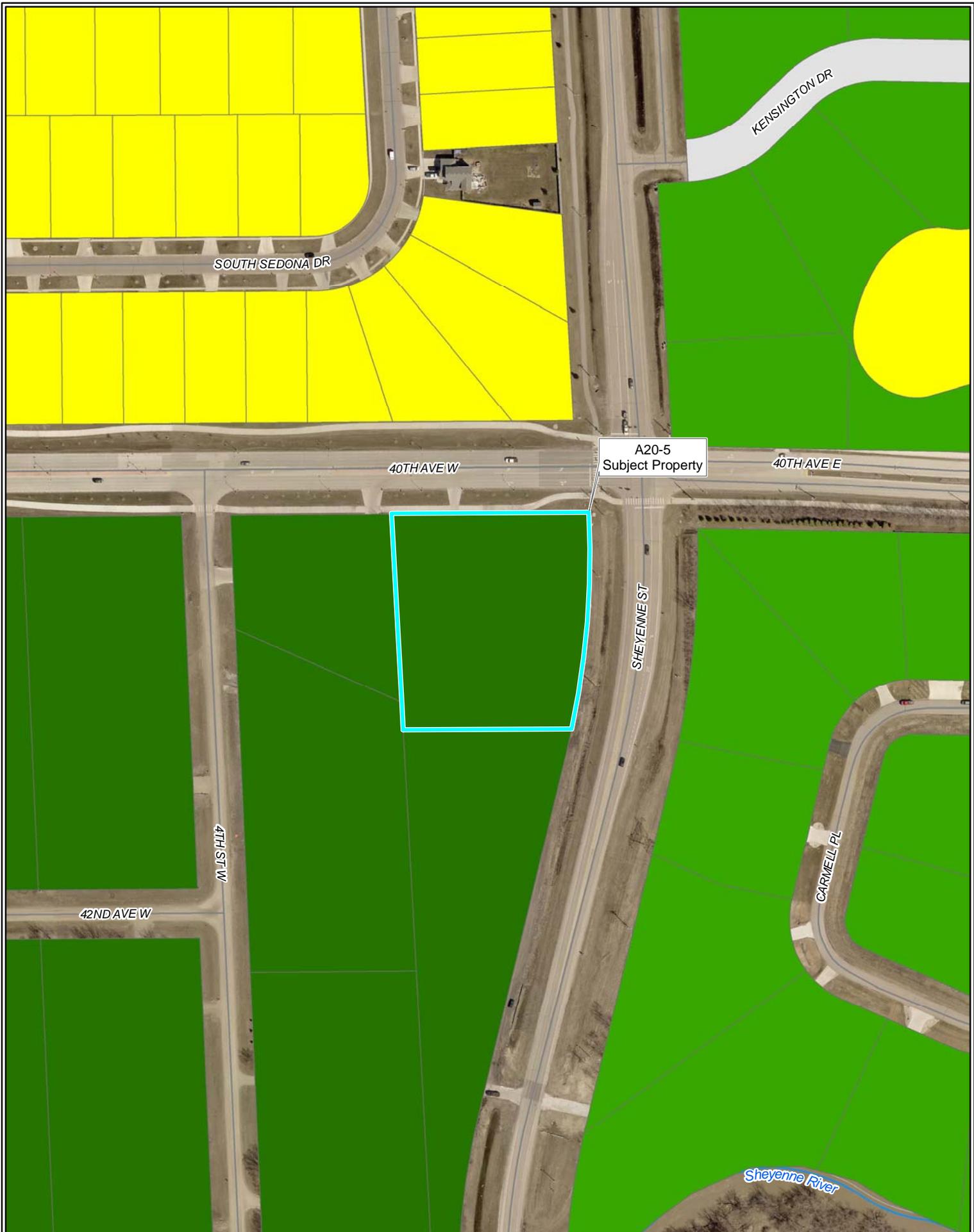
It is recommended that the City approve the proposed application on the basis that it is consistent with City plans and ordinances with recommended conditions of approval as follows:

1. Consideration of any public comment regarding the proposed change.
2. Review and recommendation of the existing access or any proposed changes by the City Engineer.



A20-5
Subject Property





A20-5
Subject Property

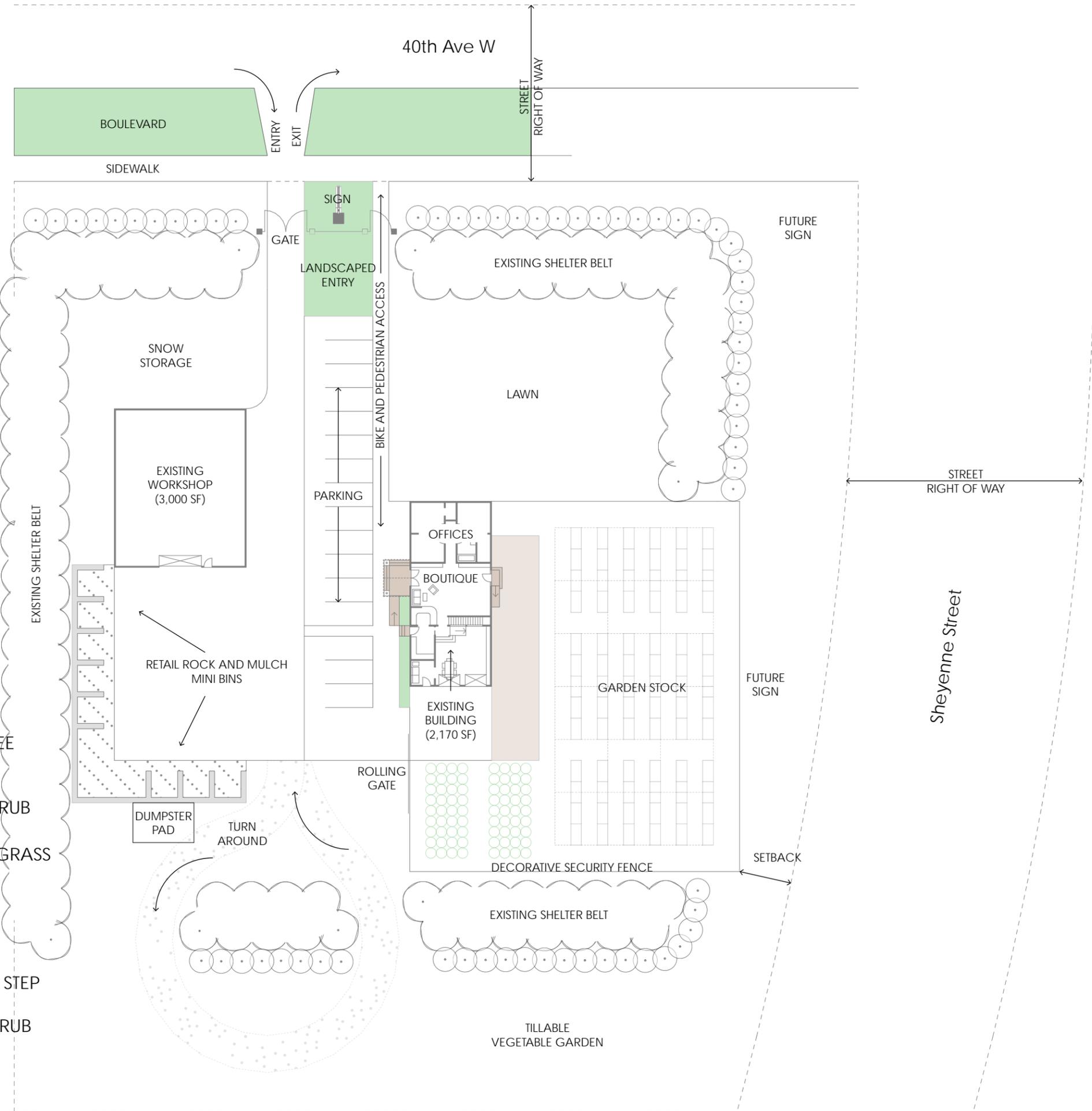


- | | | | | |
|--|--|---|---|--|
| <ul style="list-style-type: none"> ■ A: Agricultural ■ C: Light Commercial ■ C-OP: Commercial Office Park ■ HC: Heavy Commercial | <ul style="list-style-type: none"> ■ LI: Light Industrial ■ M: Heavy Industrial ■ P: Public ■ PUD: Planned Unit Development | <ul style="list-style-type: none"> ■ R-1: One and Two Family ■ R-1A: Single Family ■ R-1B: Special Single Family ■ R-1E: Rural Estate | <ul style="list-style-type: none"> ■ R-1S: Special One and Two Family ■ R-1SM: Mixed One and Two Family ■ R-2: Limited Multiple Dwelling ■ R-3: Multiple Dwelling | <ul style="list-style-type: none"> ■ R-4: Mobile Home ■ R-5: Manufactured Home ■ R-L1A: Large Lot Single Family ■ R-R: Rural Residential |
|--|--|---|---|--|



CITY OF WEST FARGO
RECYCLING DROP OFF

-  DECIDUOUS TREE
-  DECIDUOUS SHRUB
-  ORNAMENTAL GRASS
-  PERENNIAL
-  BOULDER
-  OUTCROPPING STEP
-  EVERGREEN SHRUB



GREENWORKS PROPERTIES, LLC

1482: NELSON ACRES 5TH
225 40th Ave W
West Fargo, ND 58078

↑ NORTH
1" = 40'-0" SCALE

DESIGNED BY:
Accelerated
GreenWorksInc.
"Where our work speaks for itself"

December 20th, 2019

GreenWorks Properties, LLC
PO Box 603
West Fargo, ND 58078

December 20, 2019

To Whom It May Concern:

We are currently under contract to purchase the property located at 225 40th Ave W in West Fargo. We intend to utilize the lot for a new boutique shop with gifts and garden stock (trees, shrubs and perennials, etc).

By introducing this new business, we hope to impact the surrounding community in a positive way through (1) added classes in the workshop space, (2) retail sales of plant goods for the new development in neighborhoods and (3) adding a valuable second office to better serve our existing client base. Our sister company, Accelerated Green Works will be occupying the lot and offers residential landscape design services as well as installation and future planning.

Many of those projects specialize in the middle to higher end residential market and this is a good opportunity for us to bring these goods and services closer to those we currently work with. We look forward to meeting everyone and introducing ourselves in the near future. I encourage you to call at the number listed below if you have any questions regarding our plans for the space.

It is our sincere intention to be good neighbors and a steward to the existing community. We pride ourselves on a tightknit and clean organization that focuses on quality above all else. You can trust that we will do our diligence to take the best care of those around us so that the business and neighboring properties can flourish and exist in harmony with one another. Thank you for your support as we reach for new heights in West Fargo!

Sincerely,



Jodi Kallias

GreenWorks Properties, LLC
(701) 566-2757
info@greenworksproperties.com

STAFF REPORT

A19-50 Adoption of Official Zoning Map	
Adoption of Official Zoning Map	
City of West Fargo	Staff Contact: Tim Solberg, AICP
Planning & Zoning Commission Introduction:	12-10-2019
Public Hearing:	12-10-2019 – Continued to 01-14-2020;
Planning & Zoning Commission:	01-14-2020
City Commission Introduction & 1 st Reading:	01-06-2020
Public Hearing & 2 nd Reading:	01-20-2020

PURPOSE:

Replacement of the Official Zoning Map to reflect amendments and make necessary changes to reflect new districts and cleanup of other issues.

DISCUSSION AND OBSERVATIONS:

- The zoning map for the City was last updated in July 16, 2018. A number of rezonings have taken place since that time, as the City has experienced tremendous growth.
- Under 4-302. Replacement of Official Zoning Map, the West Fargo Zoning Ordinance provides for the replacement of the Official Zoning Map as follows:
 - In the event that the Official Zoning Map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes and additions, the City Commission may by resolution or ordinance adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map. The new Official Zoning Map may correct drafting or other errors or omissions in the prior Official Zoning Map, but no such correction shall have the effect of amending the original Official Zoning Map or any subsequent amendment thereof. The new Official Zoning Map shall be identified by the signature of the President of the Board of the City Commissioners attested by the City Auditor, and bearing the seal of the City under the following words: “This is to certify that this Official Zoning Map adopted as part of Ordinance 1125 on July 16, 2018, supersedes and replaces the Official Zoning Map adopted March 16, 2015, as part of the Ordinance 1031 of the City of West Fargo, North Dakota.” Unless the prior Official Zoning Map has been lost, or has been totally destroyed, the prior map or any significant parts thereof remaining, shall be preserved, together with all available records pertaining to its adoption or amendment.
- Along with the updated map, staff is proposing to provide for the rezoning of some properties to reflect the established use of the properties to conforming uses and also to rezone areas to reflect the removal of the Sheyenne Street Corridor Overlay and Main Avenue Overlay and newly created Downtown Mixed Use District and Entertainment Mixed Use Districts. More specifically:
 - Staff proposes to rezone the following addresses from C: Light Commercial to R-2: Limited Multiple Dwelling to reflect the long term established residential use of the properties. The properties have a very difficult time being financed due to their current zoning:
 - 126 1 AVE E
 - 122 1 AVE E
 - 118 1 AVE E
 - 114 1 AVE E
 - 110 1 AVE E

STAFF REPORT

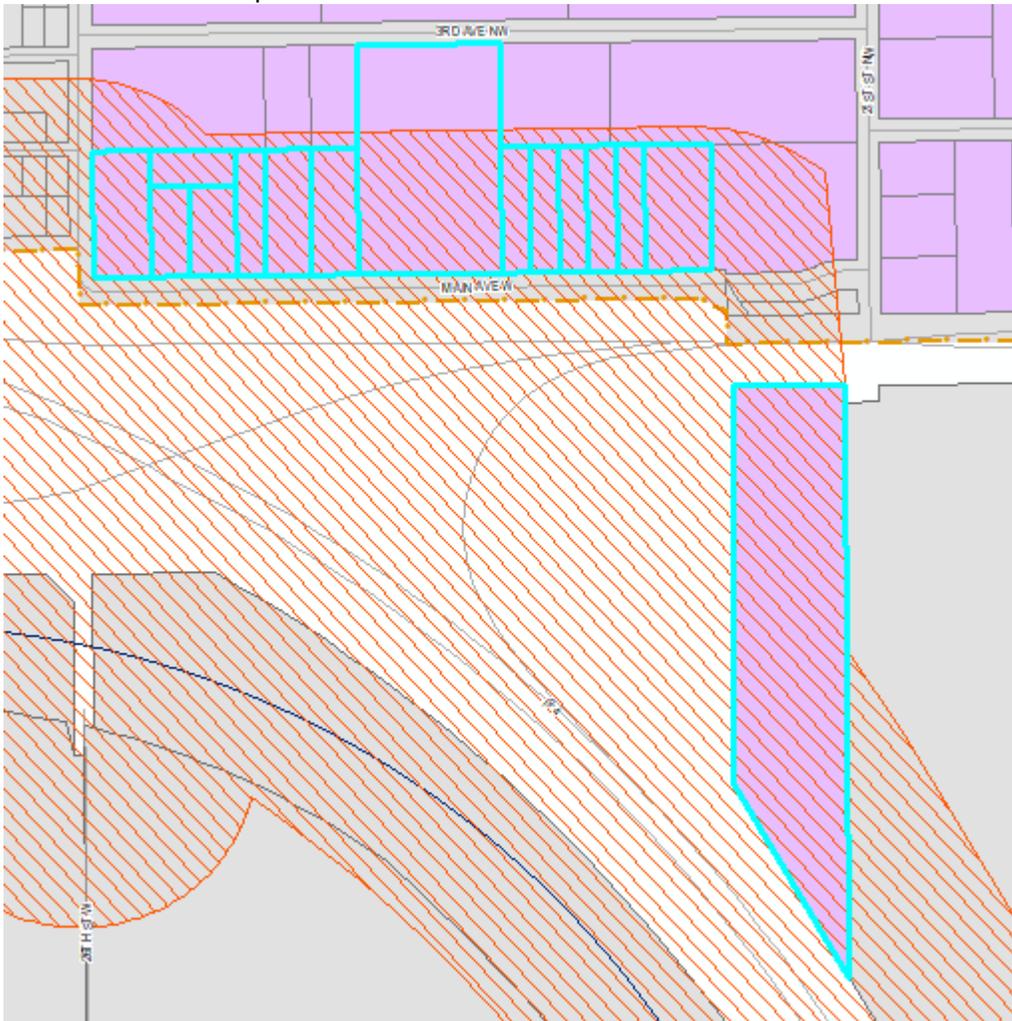
- 106 1 AVE E
- 236 1 AVE E
- 18 3 ST E
- 14 3 ST E
- 206 2 AVE W
- 234 2 AVE W
- 210 2 AVE W
- 218 2 AVE W
- 214 2 AVE W
- 230 2 AVE W
- 226 2 AVE W
- 202 2 AVE W
- 222 2 AVE W
- 338 1 AVE E
- 334 1 AVE E
- 330 1 AVE E
- 326 1 AVE E
- 322 1 AVE E
- 318 1 AVE E
- 314 1 AVE E
- 310 1 AVE E
- 306 1 AVE E
- 302 1 AVE E



- Staff proposes to rezone the following properties from PUD: Planned Unit Development to LI: Light Industrial. There exists two Corridor Overlay districts which staff feels provides sufficient protection to provide for the intended effect along the Main Avenue corridor and the Interstate Corridor which the PUD's intended to protect. This is a way to simplify land use decisions as well as allow for redevelopment of the sites with clear instruction from City Ordinances. Of note, one property has an off-premise sign which is currently non-conforming due to the PUD in place, which has left it in disrepair. If rezoned, the property owner would be able to replace the off-premise sign, if not rezoned the sign would remain on site in disrepair.
 - 2210 MAIN AVE W
 - 2536 MAIN AVE W
 - 2504 MAIN AVE W
 - 2438 MAIN AVE W
 - 2426 MAIN AVE W
 - 2324 MAIN AVE W

STAFF REPORT

- 2316 MAIN AVE W
- 2308 MAIN AVE W
- 2234 MAIN AVE W
- 2226 MAIN AVE W
- 2218 MAIN AVE W
- 2520 MAIN AVE W
- 2512 MAIN AVE W
- 2528 MAIN AVE W
- Parcel ID: 53-0000-09068-000, which is an Extraterritorial Zoned parcel south of Main Avenue West at the intersection of Main and Interstate Highway 94. The parcel was in the process of subdivision and rezoning to PUD. The rezone was completed; however, a plat was never recorded. Prior to issuance of future building permits, the platting will need to be completed.



- Staff proposed to rezone the following properties from PUD: Planned Unit Development to R-1SM: Mixed One and Two-Family Dwelling. The PUD here was created prior to the City adopting the R-1SM district. The R-1SM District was based upon the development of this PUD and rezoning is providing cleanup and more clear instruction for redevelopment or additions and accessory buildings.

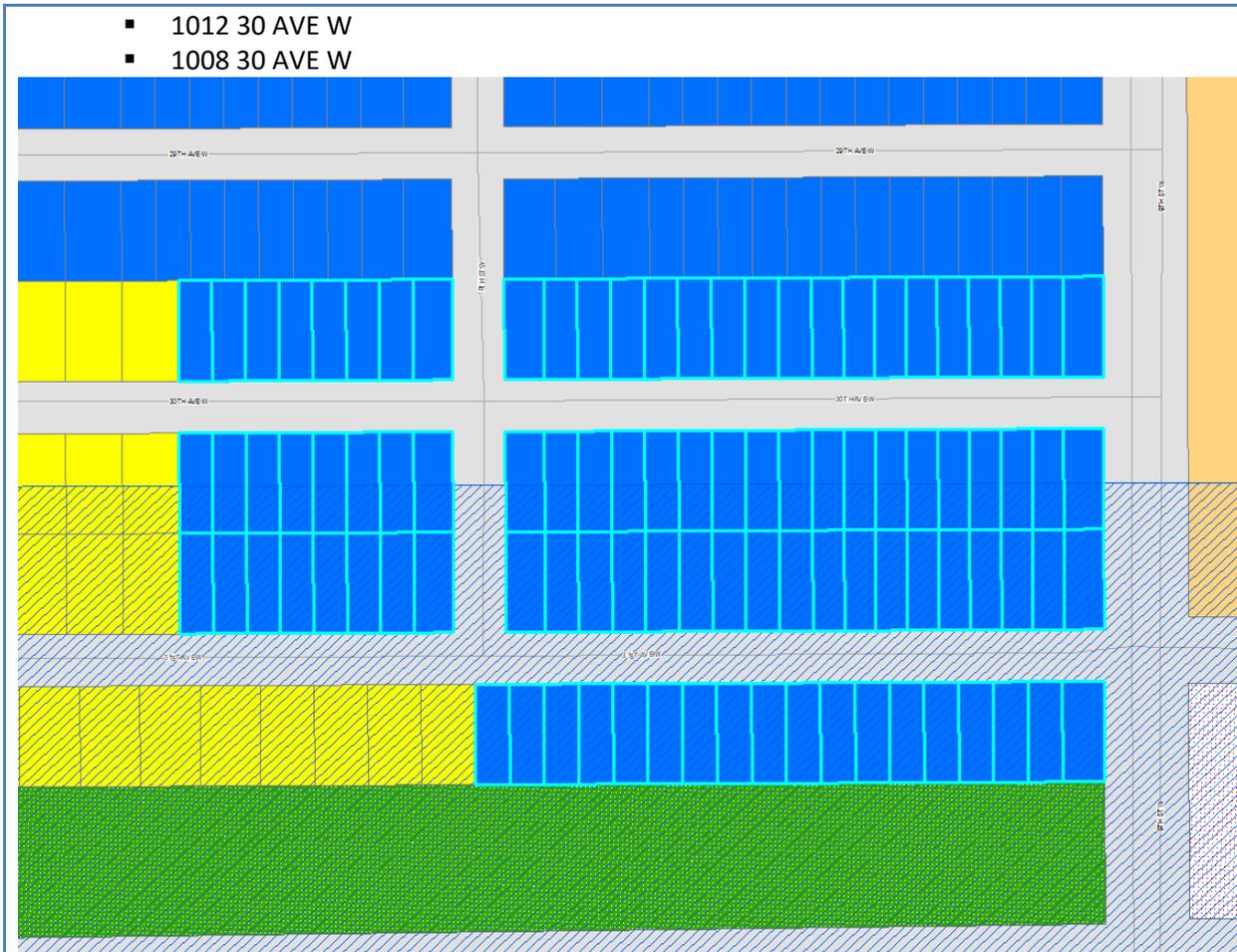
STAFF REPORT

- 972 30 AVE W
- 968 30 AVE W
- 964 30 AVE W
- 960 30 AVE W
- 956 30 AVE W
- 952 30 AVE W
- 948 30 AVE W
- 944 30 AVE W
- 940 30 AVE W
- 936 30 AVE W
- 932 30 AVE W
- 928 30 AVE W
- 924 30 AVE W
- 920 30 AVE W
- 916 30 AVE W
- 912 30 AVE W
- 908 30 AVE W
- 904 30 AVE W
- 975 30 AVE W
- 971 30 AVE W
- 967 30 AVE W
- 963 30 AVE W
- 959 30 AVE W
- 955 30 AVE W
- 951 30 AVE W
- 947 30 AVE W
- 943 30 AVE W
- 939 30 AVE W
- 935 30 AVE W
- 931 30 AVE W
- 927 30 AVE W
- 923 30 AVE W
- 919 30 AVE W
- 915 30 AVE W
- 911 30 AVE W
- 907 30 AVE W
- 902 31 AVE W
- 906 31 AVE W
- 910 31 AVE W
- 914 31 AVE W
- 918 31 AVE W
- 922 31 AVE W
- 926 31 AVE W
- 930 31 AVE W
- 934 31 AVE W
- 938 31 AVE W
- 942 31 AVE W

STAFF REPORT

- 946 31 AVE W
- 950 31 AVE W
- 954 31 AVE W
- 958 31 AVE W
- 962 31 AVE W
- 966 31 AVE W
- 970 31 AVE W
- 973 31 AVE W
- 969 31 AVE W
- 965 31 AVE W
- 961 31 AVE W
- 957 31 AVE W
- 953 31 AVE W
- 949 31 AVE W
- 945 31 AVE W
- 941 31 AVE W
- 937 31 AVE W
- 933 31 AVE W
- 929 31 AVE W
- 925 31 AVE W
- 921 31 AVE W
- 917 31 AVE W
- 913 31 AVE W
- 909 31 AVE W
- 905 31 AVE W
- 1039 30 AVE W
- 1035 30 AVE W
- 1031 30 AVE W
- 1027 30 AVE W
- 1023 30 AVE W
- 1019 30 AVE W
- 1015 30 AVE W
- 1011 30 AVE W
- 1010 31 AVE W
- 1014 31 AVE W
- 1018 31 AVE W
- 1022 31 AVE W
- 1026 31 AVE W
- 1030 31 AVE W
- 1034 31 AVE W
- 1038 31 AVE W
- 1036 30 AVE W
- 1032 30 AVE W
- 1028 30 AVE W
- 1024 30 AVE W
- 1020 30 AVE W
- 1016 30 AVE W

STAFF REPORT



- 1012 30 AVE W
- 1008 30 AVE W

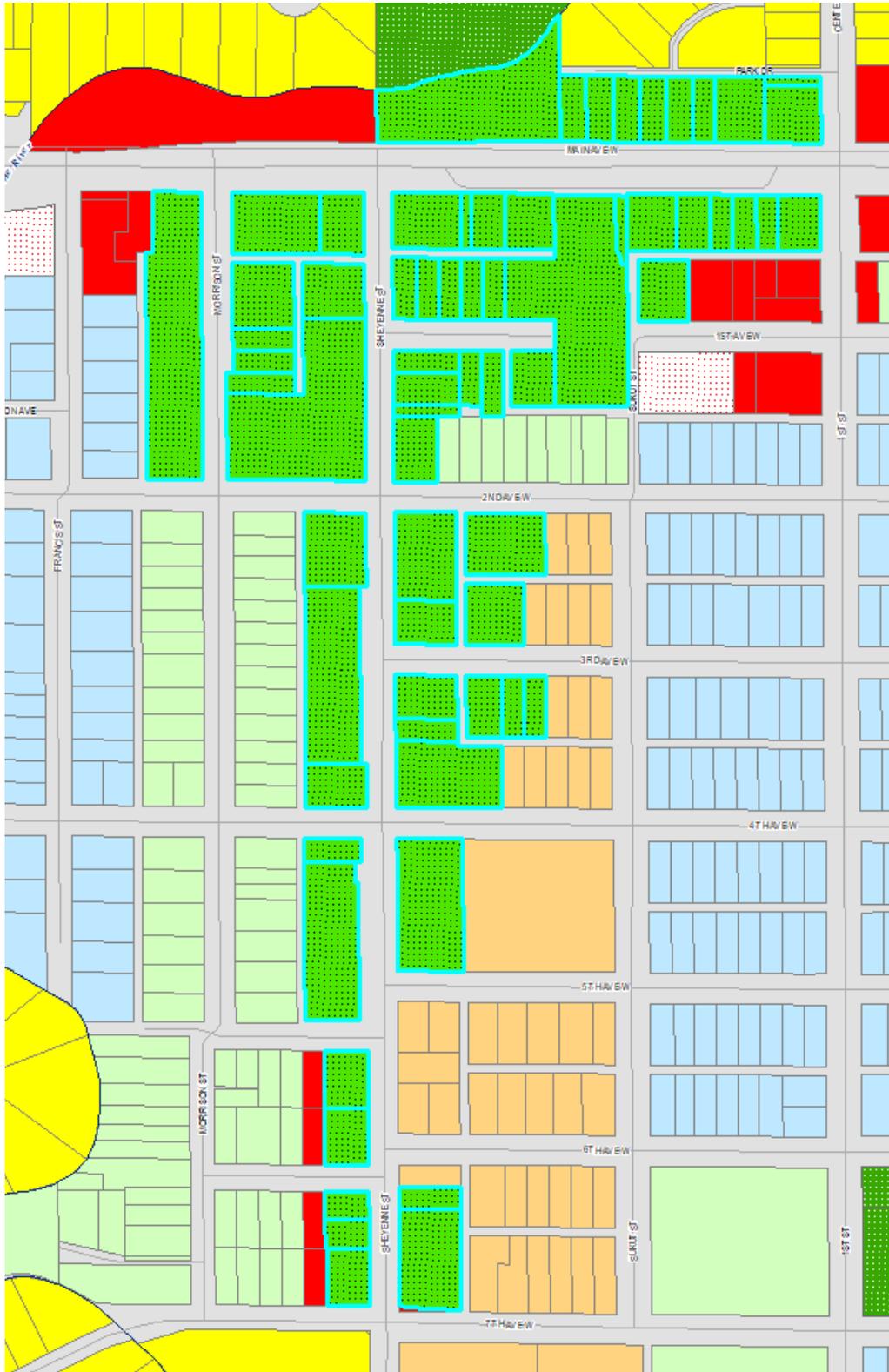
- Staff is proposing to rezone any property that is currently within the CO-S: Sheyenne Street Corridor Overlay that are zoned C: Light Commercial and a select area of the current CO-M: Main Avenue Overlay district to the new DMU: Downtown Mixed Use district. Following are the properties proposed to be rezoned.
 - 400 SHEYENNE ST
 - 444 SHEYENNE ST UNIT A
 - 444 SHEYENNE ST UNIT B
 - 300 SHEYENNE ST
 - 313 MAIN AVE W
 - 301 MAIN AVE W
 - 100 SHEYENNE ST
 - 110 SHEYENNE ST
 - PARKING LOT
 - 101 MORRISON ST
 - 35 MORRISON ST
 - 35 MORRISON ST
 - 102 MORRISON ST
 - 210 SHEYENNE ST
 - 322 SHEYENNE ST
 - 502 SHEYENNE ST

STAFF REPORT

- 306 6 AVE W
- 602 SHEYENNE ST
- SHEYENNE ST
- 620 SHEYENNE ST
- 232 7 AVE W
- 605 SHEYENNE ST
- 239 MAIN AVE W
- 227 MAIN AVE W
- 231 MAIN AVE W
- 219 MAIN AVE W
- 228 1 AVE W
- 232 1 AVE W
- 236 1 AVE W
- 240 1 AVE W
- 29 SHEYENNE ST
- 133 MAIN AVE W
- 127 MAIN AVE W
- 119 MAIN AVE W
- 117 MAIN AVE W
- 113 MAIN AVE W
- 103 MAIN AVE W
- 109 SHEYENNE ST
- 121 SHEYENNE ST
- 227 1 AVE W
- 237 1 AVE W
- 219 1 AVE W
- 101 SHEYENNE ST
- 107 SHEYENNE ST
- 219 2 AVE W
- 220 3 AVE W
- 221 SHEYENNE ST
- 205 SHEYENNE ST
- 225 3 AVE W
- 217 3 AVE W
- 213 3 AVE W
- 321 SHEYENNE ST
- 309 SHEYENNE ST
- 301 SHEYENNE ST
- 409 SHEYENNE ST
- 207 MAIN AVE W
- MAIN AVE W
- 144 PARK DR
- 150 PARK DR
- 138 PARK DR
- 132 PARK DR
- 126 PARK DR
- 120 PARK DR

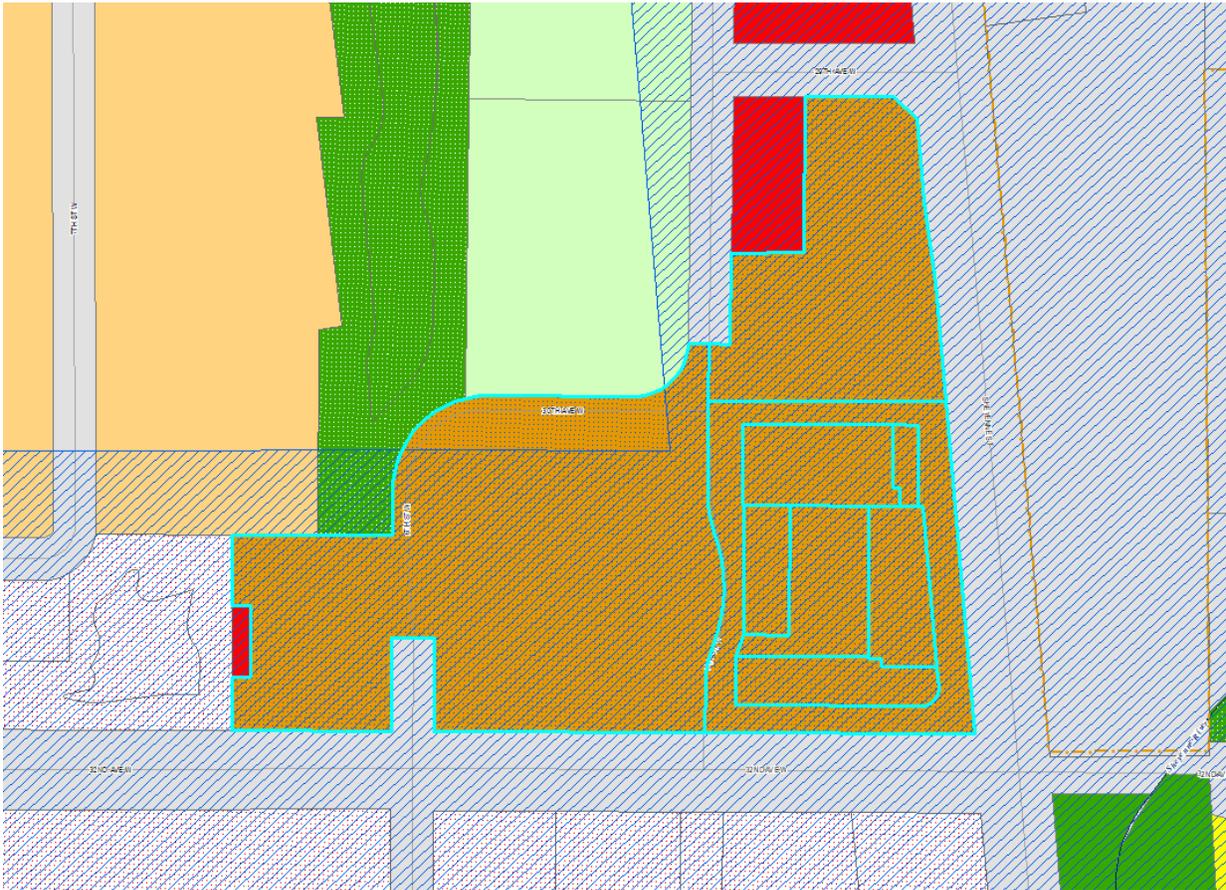
STAFF REPORT

- 160 MAIN AVE W
- 108 MAIN AVE W
- 100 MAIN AVE W



STAFF REPORT

- Staff is proposing to rezone the PUD: Planned Unit Development of Eagle Run Plaza 6th Addition (otherwise known as the “Lights at Sheyenne 32” to the new EMU: Entertainment Mixed Use district. Below are the following properties:
 - 520 32 AVE W
 - 2920 SHEYENNE ST
 - 3070 SHEYENNE ST
 - 3050 SHEYENNE ST
 - 360 32 AVE W
 - 300 32 AVE W
 - 3150 SHEYENNE ST
 - 320 32 AVE W



- Staff has incorporated on a map the rezonings that have taken place since July 2018. A notice will be placed in the paper to inform the public that map revisions are being undertaken, and a public hearing will be held to address any zoned areas which might be questioned. The staff recommends that the map be adopted by ordinance as the new Official Zoning Map with the following certificate:
 - This is to certify that this Official Zoning Map adopted as part of Ordinance ___ on ____, 2020, supersedes and replaces the Official Zoning Map adopted July 16, 2018, as part of the Ordinance 1125 of the City of West Fargo, North Dakota.”

STAFF REPORT

NOTICES:

Sent to:	Notice in the newspaper and City Departments and to property owners within 150' of substantially altered zoning districts.
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Comments Received:

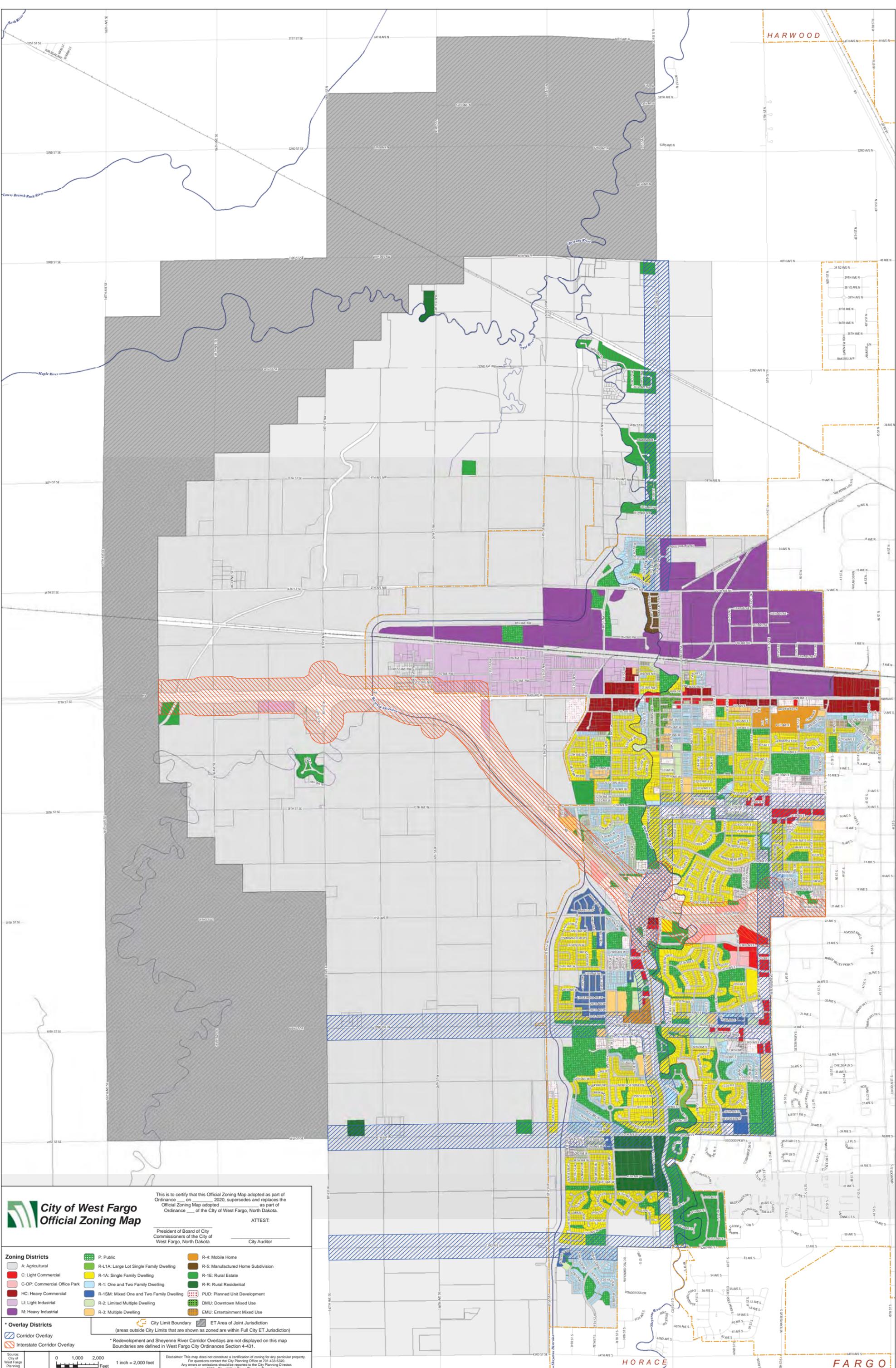
- None to date.

RECOMMENDATIONS:

Following the public hearing and obtaining public comments, consider recommending approval of the ordinance amendments.

PLANNING AND ZONING RECOMMENDATION:

At their December 10, 2019 meeting, the Planning and Zoning continued the public hearing to allow for notification of property owners within the areas being considered for rezoning. Staff is proposing a first reading of the new zoning map at the January 6, 2020 meeting. Planning Commission will close the public hearing at their January 14 meeting and provide a recommendation to the City Commission for consideration at the January 20, 2020 meeting where an additional public hearing will be held. If favorable, at that time a 2nd reading could be held.



City of West Fargo Official Zoning Map

This is to certify that this Official Zoning Map adopted as part of Ordinance _____ on _____ 2020, supersedes and replaces the Official Zoning Map adopted _____ as part of Ordinance _____ of the City of West Fargo, North Dakota.

ATTEST:

 President of Board of City Commissioners of the City of West Fargo, North Dakota

 City Auditor

Zoning Districts		
A: Agricultural	P: Public	R-4: Mobile Home
C: Light Commercial	R-L1A: Large Lot Single Family Dwelling	R-5: Manufactured Home Subdivision
C-OP: Commercial Office Park	R-1A: Single Family Dwelling	R-1E: Rural Estate
HC: Heavy Commercial	R-1: One and Two Family Dwelling	R-R: Rural Residential
LI: Light Industrial	R-15M: Mixed One and Two Family Dwelling	PUD: Planned Unit Development
M: Heavy Industrial	R-2: Limited Multiple Dwelling	DMU: Downtown Mixed Use
	R-3: Multiple Dwelling	EMU: Entertainment Mixed Use

Overlay Districts

- City Limit Boundary
- ET Area of Joint Jurisdiction (areas outside City Limits that are shown as zoned are within Full City ET Jurisdiction)
- Corridor Overlay
- Interstate Corridor Overlay

* Redevelopment and Sheyenne River Corridor Overlays are not displayed on this map. Boundaries are defined in West Fargo City Ordinances Section 4-431.

Source: City of West Fargo Planning and GIS

Scale: 0 1,000 2,000 Feet. 1 inch = 2,000 feet

Disclaimer: This map does not constitute a certification of zoning for any particular property. For questions contact the City Planning Office at 701-433-5200. Any errors or omissions should be reported to the City Planning Director, January 2020 - City of West Fargo Planning Department

HARWOOD

HORACE

FARGO