



1. Call to Order
2. Approval of Minutes – April 11, 2022
3. Public Hearing - A22-10 Conditional Use Permit to allow for illuminated signs facing residential districts as per section 4-460.7.14 of the General Sign Provisions located at 3901, 3921, 3941, 3961, 3981, 3985, 3989, 3993, 3997 4th Street East (Lots 1, 9-10, 17-22, Block 1 of Westview 4th Addition), City of West Fargo, North Dakota – 40th Ave Association
4. Public Hearing - A22-11 Poplar River 1st Addition, a replat and Planned Unit Development Amendment for proposed office building at 105 13th Avenue East (Lot 1, Block 2 of Oakhaven Addition), City of West Fargo, North Dakota – Capp
5. Public Hearing – A22-12 Wood Addition, a replat of Lot 3, Block 1 of Hersch Addition, and a minor subdivision of property located in the NW ¼ of Section 29, T139N, R49W, (116 and 122 Golden Spike Rd), City of West Fargo, North Dakota – Wood
6. Public Hearing – A21-14 Stockyards 1st Addition, a subdivision located in the NE¼ of Section 6, T139N, R49W, City of West Fargo, North Dakota – GS5 LLC
7. Non-Agenda Items
 - The Western Planner Conference will be held in Bismarck September 13-16, 2022. A planning commissioner training session will be held from 1:00-5:00pm on Tuesday September 13. Please contact staff if you are interested in attending the conference and/or training session. Additional information can be found online at:
<https://www.westernplanner.org/2022-conference>.
8. Adjourn



*Aaron Nelson, Director of Planning and Zoning
Lisa Sankey, Planner
Malachi Petersen, Planner
Chanda Erickson, Office Manager*

West Fargo Planning & Zoning Commission
Monday, April 11, 2022 at 5:30pm
West Fargo City Hall

Members Present: Joe Kolb, David Gust, Shane Lebahn, April Walker, Lana Rakow, Eric Dodds, Mike Thorstad, Brady Woodard

Members Absent: Eric Dodds

Others Present: Aaron Nelson, Lisa Sankey, Kathryn DelZoppo, Chanda Erickson

Minutes Submitted by: Chanda Erickson, Office Manager

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

Commissioner Rakow moved and Commissioner Lebahn seconded to approve the March 8, 2022 meeting minutes with a small a correction. No opposition, Motion carried.

Commissioner Kolb opened a Public Hearing - A22-9 Boulevard Square Addition, a replat of Lot 3, Block 1 of South Pond at the Preserve 6th Addition (3156 Bluestem Drive), City of West Fargo, North Dakota. There was no public comment. The Public Hearing was closed. After continued discussion, Commissioner Gust moved and Commissioner Woodard seconded to approve the application. No opposition. Motion carried.

Site Plan Review in the CO: Corridor Overlay District located at 793 32nd Ave W (Lot 1, Block 1 of Eagle Run Plaza 12th Addition), City of West Fargo, North Dakota – Oakridge Condos LLC After discussion, Commissioner Gust moved and Commissioner Walker seconded to approve the site plan. No opposition. Motion carried.

Site plan review in the CO-I: Interstate Corridor Overlay District for a 6,400 square foot addition for Costco at 750 23rd Avenue East (Lot 1, Block 1 of North Pond at the Preserve 1st Addition), City of West Fargo, North Dakota – Costco. After discussion, Commissioner Walker moved and Commissioner Thorstad seconded to approve the site plan. No opposition. Motion carried.

Non agenda items:

Gensler Subdivision was withdrawn by the applicant.

Thank you to Shane Lebahn for his service to the Planning and Zoning Commission.

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

STAFF REPORT

A22-10		CONDITIONAL USE PERMIT	
Westview 4 th Addition			
3901, 3921, 3941, 3961, 3981, 3985, 3989, 3993, 3997 4 th Street East (Lots 1, 9-10, 17-22, Block 1 of Westview 4 th Addition), City of West Fargo, North Dakota			
Owners: APR Holdings, Oak Ridge Condos LLC, Knight Reedstrom Companies, Prairiewood, The Circle & Juice Box Applicant: 40 th Avenue Association		Staff Contact: Lisa Sankey	
Planning & Zoning Commission Public Hearing:		05-10-2022	
City Commission:			

PURPOSE:

Allow for illuminated signs facing residential districts for commercial office park development as provided for as a conditional use in 4-460.7.14 of City Ordinances.

STATEMENTS OF FACT:

Land Use Classification:	G-2: Sub-Urban - Growth Sector
Existing Land Use:	Commercial Office Condos
Current Zoning District(s):	PUD: Planned Unit Development
Zoning Overlay District(s):	CO: Corridor Overlay District
Lot size(s) or range:	5,664 ft ² – 12,320 ft ²
Adjacent Zoning Districts:	North – PUD: Planned Unit Development (Residential) South – City of Fargo East – R-1SM: Mixed One & Two Family Dwellings West - R-1A: Single Family Dwellings
Adjacent street(s):	4 th Street East (Collector); 40 th Avenue East (Arterial)
Adjacent Bike/Pedestrian Facilities:	Shadow Wood Park within ½ mile accessible by multi-use path
Available Parks/Trail Facilities:	Adjacent sidewalks and multi-use path along 4 th Street East & 40 th Avenue East
Public Dedication Requirements:	n/a

DISCUSSION AND OBSERVATIONS:

- The applicant has submitted an application requesting a conditional use permit for illuminated signs.
- Under Section 4-460.7.14 of the General Sign Provisions, signs in residential districts and signs facing residential districts shall not be illuminated unless approved as a conditional use.
- A similar application was approved for an 85.5 ft² monument sign for the Townhouses of Charleswood Development sign along 19th Avenue East, facing the Huntington Woods Development to the north. Signage was designed so LED lighting was directed down toward the letters and should not cause adverse effects such as glare or traffic safety problems.

STAFF REPORT

- Other signs conditionally permitted previously included Electronic Message Centers (EMC) for Lutheran Church of the Cross, Meadow Ridge Bible Chapel and Triumph West Church as well as Hulbert arena with the conditions that included limiting the hours of operation of the electronic message center to 6 am to 10 pm.
- Within the C-OP District, wall signage for each lot is limited to 80 square feet in size and signs may be illuminated by external flood lights, or internally. No flashing, blinking, or motion lighting of any kind is permissible.
- Also under the sign regulations, Illuminated signs shall be shielded to prevent lights from being directed at oncoming traffic in such brilliance that it impairs the vision of the driver. Nor shall such signs interfere with or obscure an official traffic sign or signal.
- Less than half a mile east there is a strip mall in the City of Fargo with no conditions relating to lighted signage facing the residential area to the south. There is also an EMC (Electronic Message Center) with off-premise signage for Sheyenne High School which was permitted as a conditional use permit in 2013.
- 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.
 - Illuminated signage is regulated by the sign code as summarized above in the discussion section. As with sign examples listed above, conditions for new signage could include hours of operation, time of day illumination to ensure the intensity of the lighting is reduced during dark, foot candles not to exceed a certain standard, etc.
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.

STAFF REPORT

- No concerns noted.

NOTICES:

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

Comments Received:

- An email was received (see attached) from a property owner along the south side of 40th Avenue East, who is opposed to illuminated signage and indicated there should be certain standards regarding size, color and position of signage.
- An email with photos (see attached) was received from a property owner along the south side of 40th Avenue, who is against installation of illuminated and non-illuminated signs facing residential districts.

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

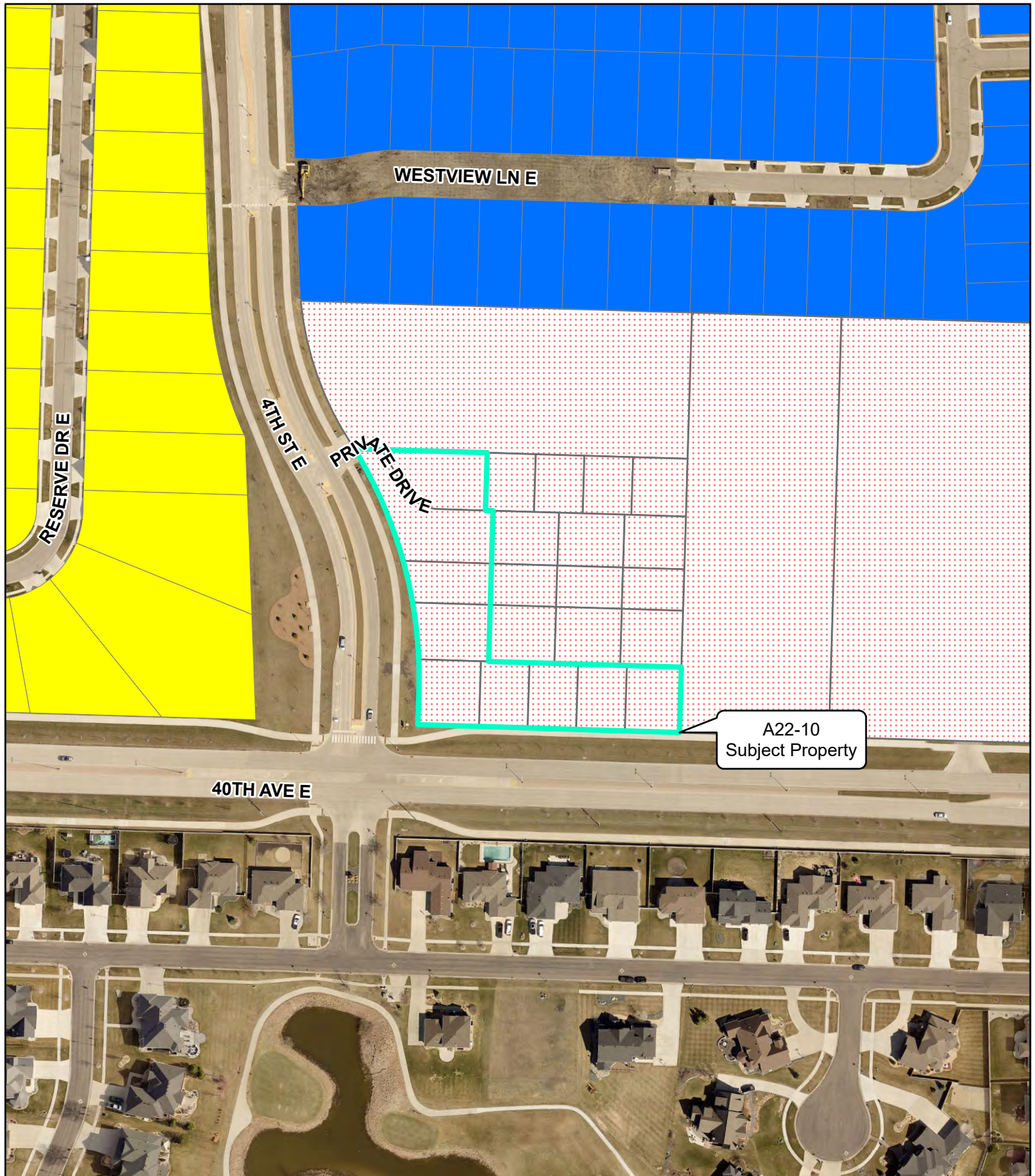
- The signs are accessory to the surrounding buildings and appears to be appropriately sized for the area.

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. Consideration be given to any public comments that may be received.
2. Signage follow C-OP: Commercial Office Park Standards.
3. A Signed Conditional Use Permit Agreement which outlines these details or any additional conditions by Planning and Zoning Commission is received.





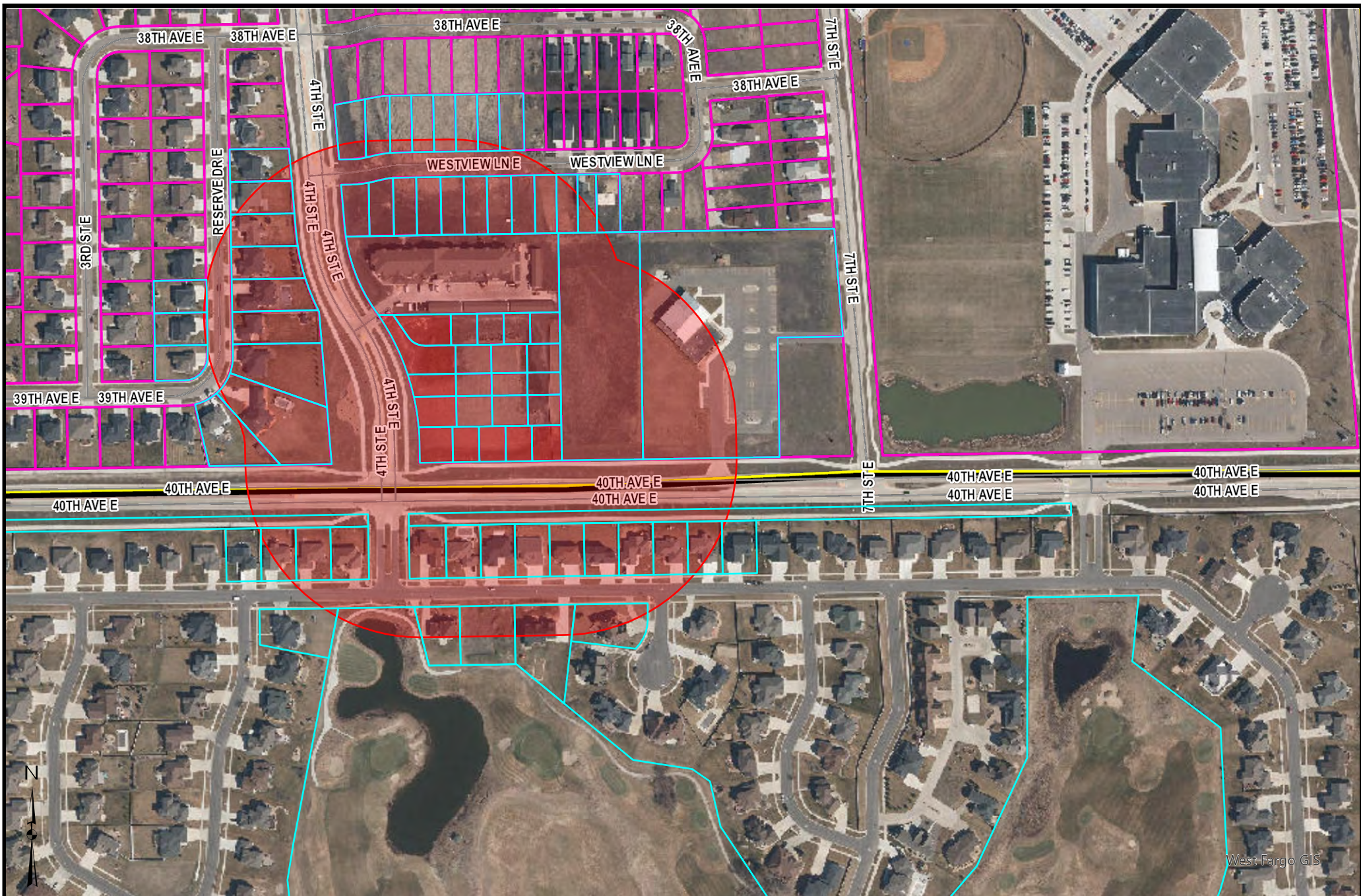
West Fargo Zoning

- A: Agricultural
- C: Light Commercial
- C-OP: Commercial Office Park
- DMU: Downtown Mixed Use
- EMU: Entertainment Mixed Use
- HC: Heavy Commercial

- LI: Light Industrial
- M: Heavy Industrial
- P: Public
- PUD: Planned Unit Development
- R-L1A: Large Lot Single Family Dwelling
- R-1A: Single Family Dwelling
- R-1: One and Two Family Dwelling

- R-1SM: Mixed One and Two Family Dwelling
- R-2: Limited Multiple Dwelling
- R-3: Multiple Dwelling
- R-4: Mobile Home
- R-5: Manufactured Home Subdivision
- R-1E: Rural Estate
- R-R: Rural Residential





These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

Westview 4th Notification Area	
Date: 4/19/2022	
This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.	

From: [Joshua Herberg](#)
To: [Lisa A. Sankey](#)
Subject: Proposed Conditional Use Permit for Illuminated Signs
Date: Tuesday, May 3, 2022 7:35:42 PM

Hello Lisa,

We are writing in response to the letter we received dated April 21 for the Proposed Conditional Use Permit for Illuminated Signs along 40th Ave South. We are asking that the city deny the requested use permit. As a resident who lives along 40th Ave south close to the office park, the illuminated signs are distracting and un-needed, given the concentration of single and multi-family homes surrounding it. There is no buffer between us and the office park.

At the Osgood HOA meeting in February 2022, the existing illuminated Juice Box sign was brought up and the majority of homeowners in attendance were disappointed that the sign was allowed to be installed.

Before this office park went in, we could look to the west and see the sunset over the trees. Now we look west and see cookie-cutter office buildings with one large illuminated sign. Furthermore, as a graphic design who has worked on signage, given the uniformity of the office buildings, there should be consistency in how the signage is designed and installed to create a more professional office complex. For example, all the signs should be one color, unlit and positioned within the same area of each building given specific dimensions to work with. This would help the office complex attempt to blend in with the neighborhood.

We are asking the city of West Fargo to commit to the neighboring residents and original zoning that was approved prior to this request. **Please deny the requested use permit.**

We look forward to hearing from you as we will be unable to attend the Commission meeting on May 10.

Thank you
Josh and Carrie Herberg
6077 Osgood Pkwy S

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: [Connie Kirchoffner](#)
To: [Lisa A. Sankey](#)
Subject: Fwd: Proposed Conditional Use Permit for Illuminated Signs
Date: Tuesday, May 3, 2022 8:48:56 PM

Sent from my iPhone

Begin forwarded message:

From: Connie Kirchoffner <ckirch12@me.com>
Date: May 3, 2022 at 7:36:23 PM CDT
To: lisa.sankey@westfargond.gov
Subject: Proposed Conditional Use Permit for Illuminated Signs

Dear Ms Sankey,

I am writing in response to your letter of request for a Conditional Use Permit that has been submitted to the City of West Fargo for 3901, 3921, 3941, 3961, 3981, 3985, 3989, 3993, 3997 4th Street East, City of West Fargo, ND.

We are against allowing any installation of illuminated signs facing residential districts.

Currently there is an illuminated sign that is a glaring nuisance within this business district. The business "Juice Box Fargo" is an illuminated sign that is a glaring nuisance across from our established residential neighborhood. The business has put up a very large neon "Orange" which glares into the privacy of our home! The business is an organic juice shop which displays an inorganic sign. The sign displays "Juice Box Fargo" for a business in West Fargo. The sign is illuminated all night long and glares into our home!

As retired residents with medical conditions, we find looking across and seeing the signs illuminated and non illuminated on the office condos a nuisance and a stress on our health.

Please do not allow any signs illuminated or non illuminated on these businesses that face residential homes. The businesses could place signs in their office condo that face other businesses and not private residential homes. This would certainly solve the problem of these signs being nuisances to the surrounding residential homes.

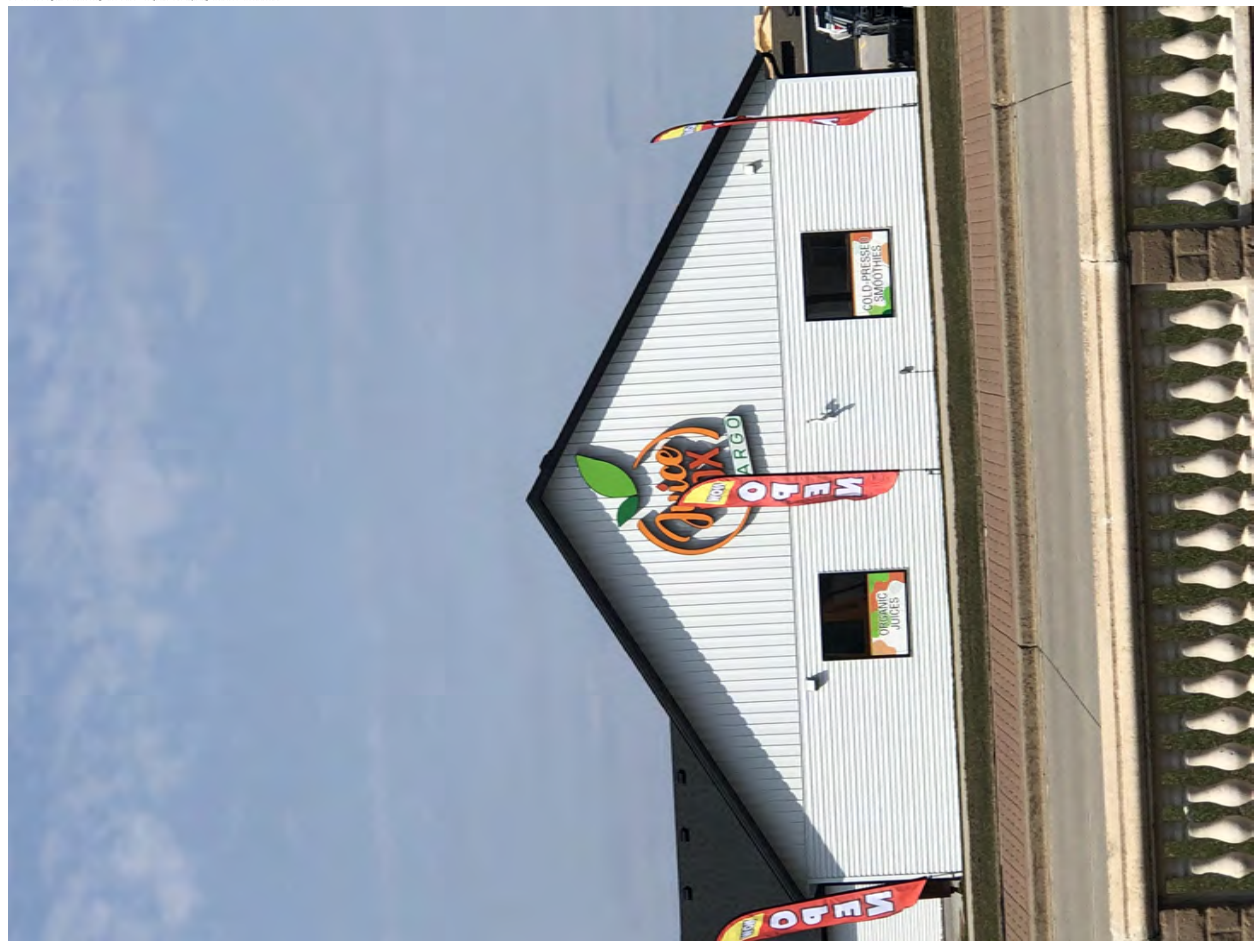
In a previous meeting residents were told this development was "supposed to be a business area that looked like a residential area". By adding illuminated and non illuminated signage to each office condo it defeats the purpose of this business district looking like a residential area. That also means residents could have 5 or more business signs glaring into their homes.

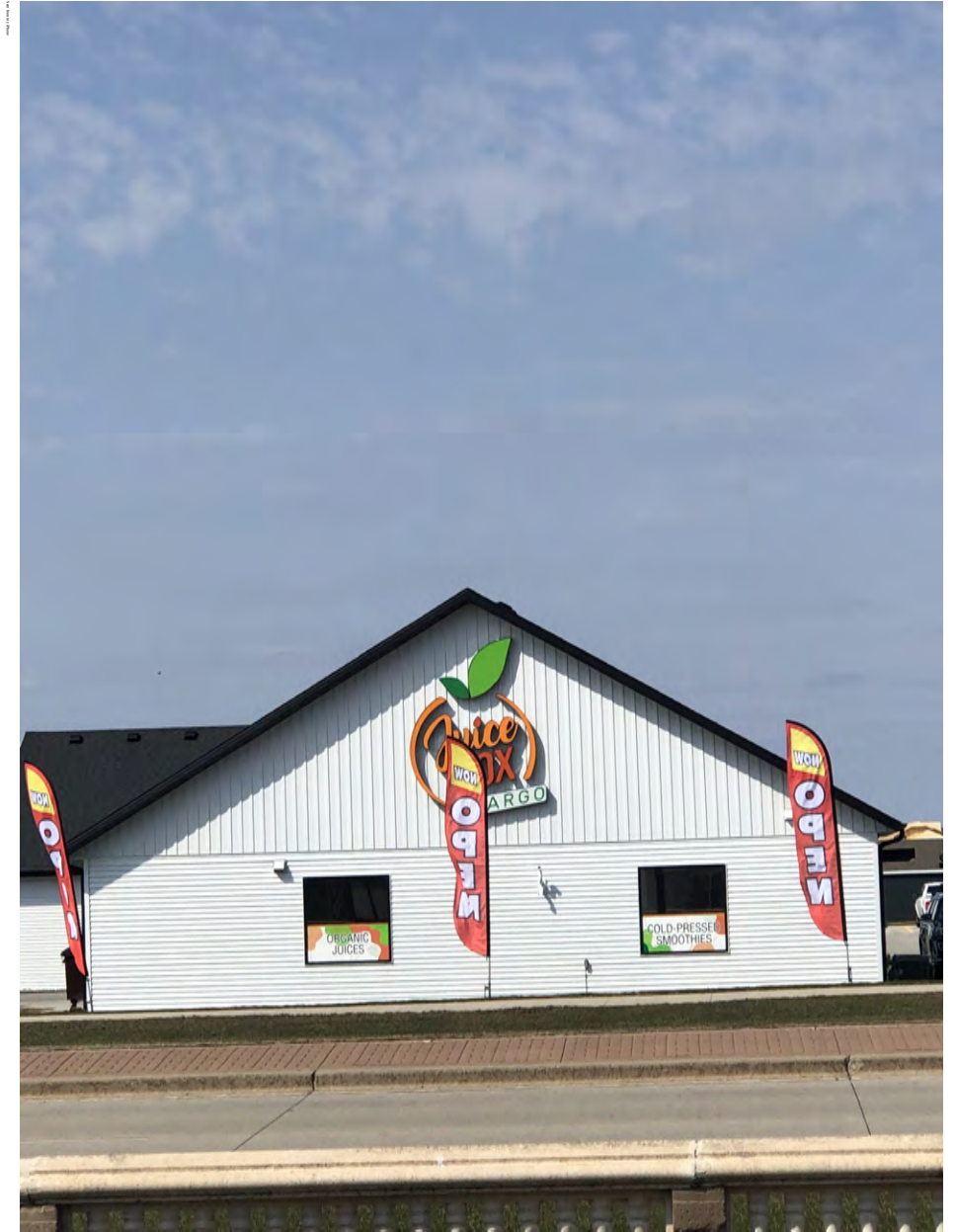
Please acknowledge that this area is in a residential area and should be treated as such, and we ask that City of West Fargo look to avoid further nuisances and by not allowing illuminated and non illuminated signage that face residential homes.

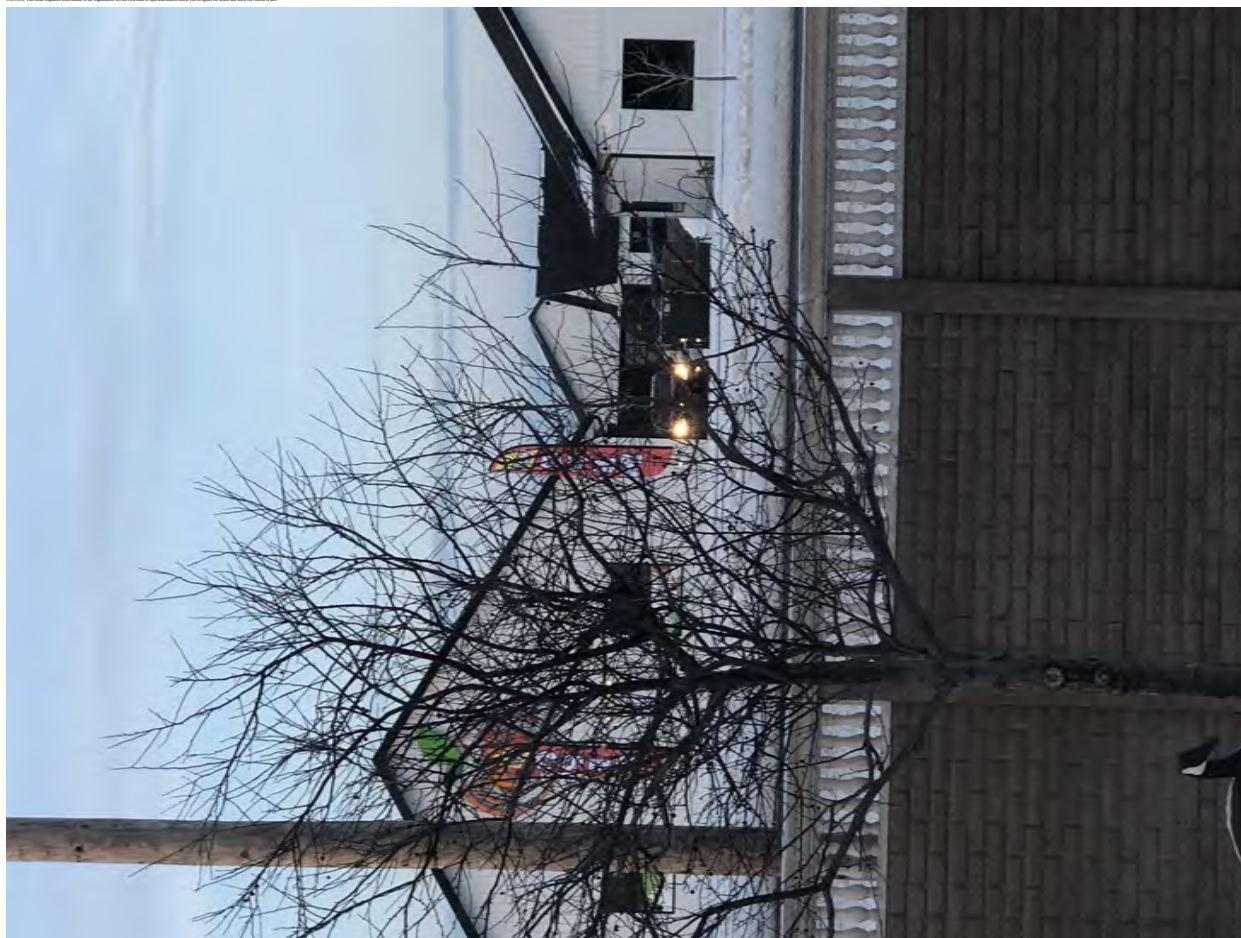
Thank you,
Constance Kirchoffner

Sent from my iPhone

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.









STAFF REPORT

A22-11 REPLAT & PLANNED UNIT DEVELOPMENT AMENDMENT	
Poplar River 1 st Addition	
105 13 th Avenue East (Lot 1, Block 2 of Oakhaven Addition), City of West Fargo, North Dakota	
Owner/Applicant: Patrick Capp/Lost River Properties LLC	Staff Contact: Malachi Petersen
Planning & Zoning Commission Public Hearing:	05/10/2022
City Commission Final Approval:	

PURPOSE:

Replat to split lot and to allow for development of a professional office building in an approved Planned Unit Development.

STATEMENTS OF FACT:

Land Use Classification:	G-2 Sub-Urban Growth Sector
Existing Land Use:	Dental Office
Current Zoning District(s):	PUD: Planned Unit Development
Zoning Overlay District(s):	CO: Corridor Overlay
Proposed Zoning District(s):	PUD: Planned Unit Development
Proposed Lot size(s) or range:	Lot 1 26,980 ft ² ; Lot 2 40,320 ft ²
Total area size:	1.55 Acres
Adjacent Zoning Districts:	North - R-3: Multiple Dwelling South – PUD: Planned Unit Development East and West - PUD: Planned Unit Development
Adjacent street(s):	13 th Ave E (arterial); 1 st St (collector); 14 th Ave E (local)
Adjacent Bike/Pedestrian Facilities:	Bikeway along 13 th Ave & Existing Sidewalks
Available Parks/Trail Facilities:	Charleswood & Elmwood Parks within ¼ mile
Park Dedication Requirements:	Provided with previous subdivision.

DISCUSSION AND OBSERVATIONS:

- In 2005 a PUD Amendment for this property was approved by the West Fargo Planning & Zoning Commission as well as by the West Fargo City Commission. This PUD amendment allowed for a deviation from multiple family residential on the site and for the north side of the property to develop with a dental office space with the understanding that the south side of the lot would be developed later on with professional office space. According to the 2005 PUD, a PUD amendment would be needed at the time that the south side of the property was developed.
- The applicant has submitted a preliminary plat and site plan for a 10,300 ft² professional office building which would house a medical office and additional office tenant space on the south side of the property. For tax purposes the applicant is also wanting to replat the property into two lots, with one lot containing the existing development and the second lot containing the proposed development.
- The proposed site appears to meet parking requirements with 1 space per 200 ft² of medical office / clinic space and 1 space per 300 ft² of office tenant space.

STAFF REPORT

- The proposed site would have shared access with the preexisting development as well as a new access via 14th Ave E.
- A detailed landscaping plan has been submitted showing an extension of the existing 24" tall landscape berm along 1st St. The landscaping plan also shows the addition of shrubs and trees to the new site. The site appears to meet landscaping standards for the Corridor Overlay District.
- The 2005 PUD amendment called for parking lot lighting to be "low intensity lighting and directed away from residential areas."
- The 2005 PUD amendment called for business signage to include "wall and monument types of signs only and follow the Corridor Overlay District regulations."

NOTICES:

Sent to: Property owners within 150', applicable agencies /departments, public notice

Comments Received:

- None to date.

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

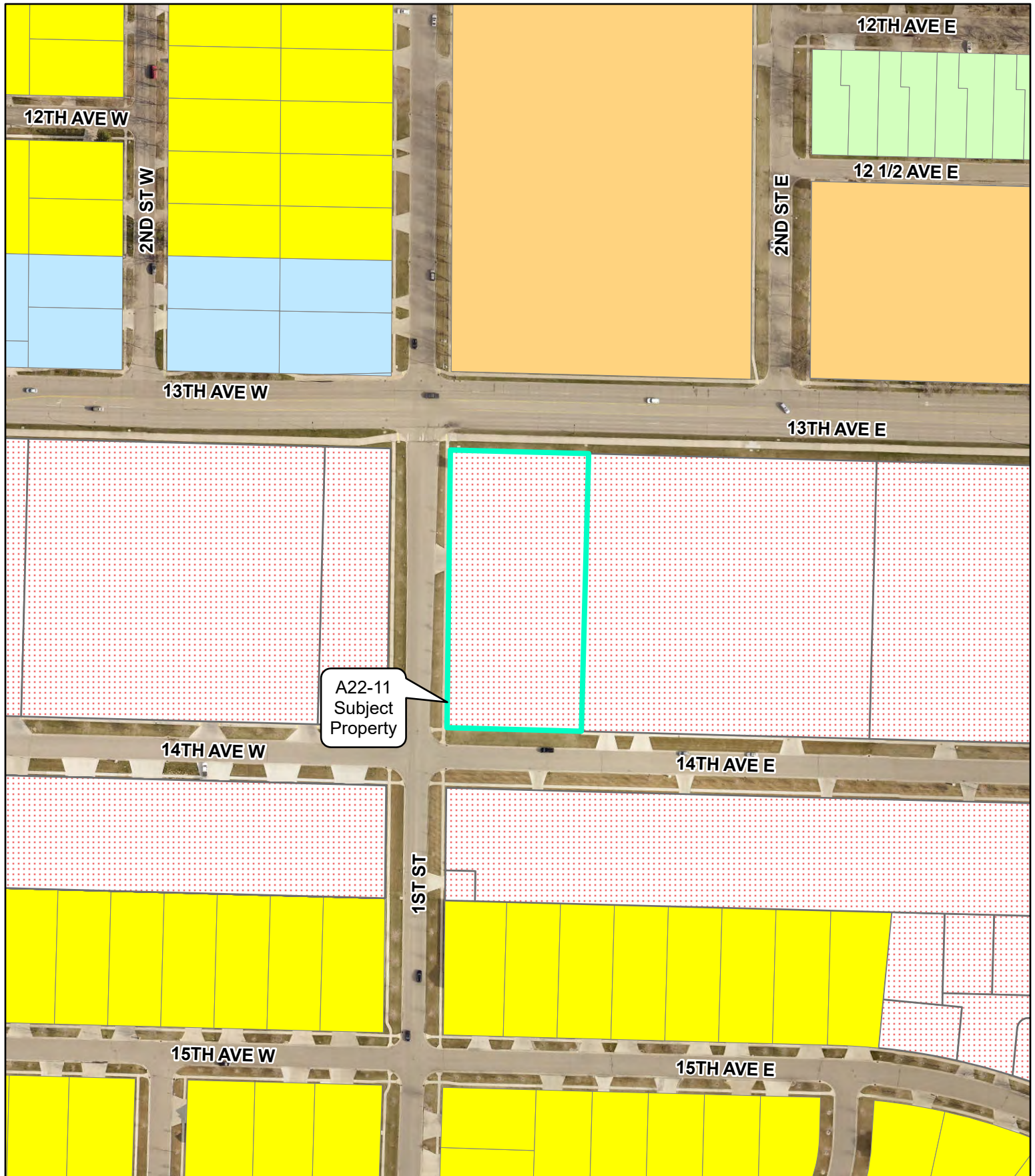
- The underlying land use classification of this property is G-2 Sub-Urban Growth Sector. The Sub-Urban Growth Sector includes existing residential neighborhoods and developed commercial areas that are not likely to see much change in the next decades. There may be a few undeveloped tracts of land still available for development.
- Maintaining compatibility with surrounding uses will provide consistency with City Plans and Ordinances. Increasing employment opportunities within this district is consistent with the Comprehensive Plan.

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. Development of Lot 2, Block 1 will be subject, but not limited to CO: Corridor Overlay, 4-440 Supplementary District Regulations, 4-449-A. Landscaping Standard, 4-450 Off-Street Parking and Loading Requirements, and 4-460 Sign Regulations.
2. In addition to following 4-460 Sign Regulations, any signage should be either wall or monument type signs.
3. Any additional lighting proposed for the parking should be low intensity lighting and directed away from residential areas.
4. A signed PUD Agreement is received.
5. An Attorney Title Opinion is received.
6. An updated drainage plan is received and approved by the City Engineer.
7. A signed Final Plat is received with any necessary easements.
8. A certificate is received showing taxes are current.





West Fargo Zoning		
A: Agricultural	LI: Light Industrial	R-1SM: Mixed One and Two Family Dwelling
C: Light Commercial	M: Heavy Industrial	R-2: Limited Multiple Dwelling
C-OP: Commercial Office Park	P: Public	R-3: Multiple Dwelling
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EMU: Entertainment Mixed Use	R-L1A: Large Lot Single Family Dwelling	R-5: Manufactured Home Subdivision
HC: Heavy Commercial	R-1A: Single Family Dwelling	R-1E: Rural Estate
	R-1: One and Two Family Dwelling	R-R: Rural Residential



(CONC.) 13TH AVE. E.

14TH AVE. E.



LOT INFORMATION:
TOTAL SITE AREA = 40,320 SF (0.925 ACRES)
ZONING = PUD WITH CORRIDOR OVERLAY

SETBACK REQUIREMENTS:
FRONT = 15' NON ABUTTING LOT
INTERIOR SIDE = 10'
REAR = 10'
BUILDING COVERAGE = 40%

LOT COVERAGE INFORMATION:
TOTAL LOT AREA = 40,320 SF
BUILDING AREA = 10,660 SF (APPROXIMATE)
BUILDING COVERAGE = 26.43%
IMPERVIOUS AREA = 26,823 SF (AS SHOWN)
IMPERVIOUS COVERAGE = 66.52%

PARKING REQUIREMENTS:
OFFICE : 1 SPACE/300 SF
MEDICAL OFFICE AND CLINIC: 1 SPACE/200 SF
ESTIMATED BUILDING USE
MEDICAL OFFICE = 7,000 SF = 35
OFFICE = 3,600 SF = 12
TOTAL STALLS REQUIRED = 47
TOTAL STALLS PROVIDED = 47 (2 HANDICAPPED)

GENERAL NOTES:
BUILDING FOOTPRINT SHOWN IS APPROXIMATE. FINAL BUILDING LAYOUT TO BE DETERMINED
PROPOSED LANDSCAPE BERM ALONG 1ST STREET SHALL BE 24" TALL

PRELIMINARY
NOT FOR CONSTRUCTION



Drawn By
BTP
Checked By
BTP
Date
4-29-22
Scale
As Shown
Project No.
11114-0001

SHEET
1

CAPT LEASE BUILDING
WEST FARGO, NORTH DAKOTA
PRELIMINARY SITE PLAN

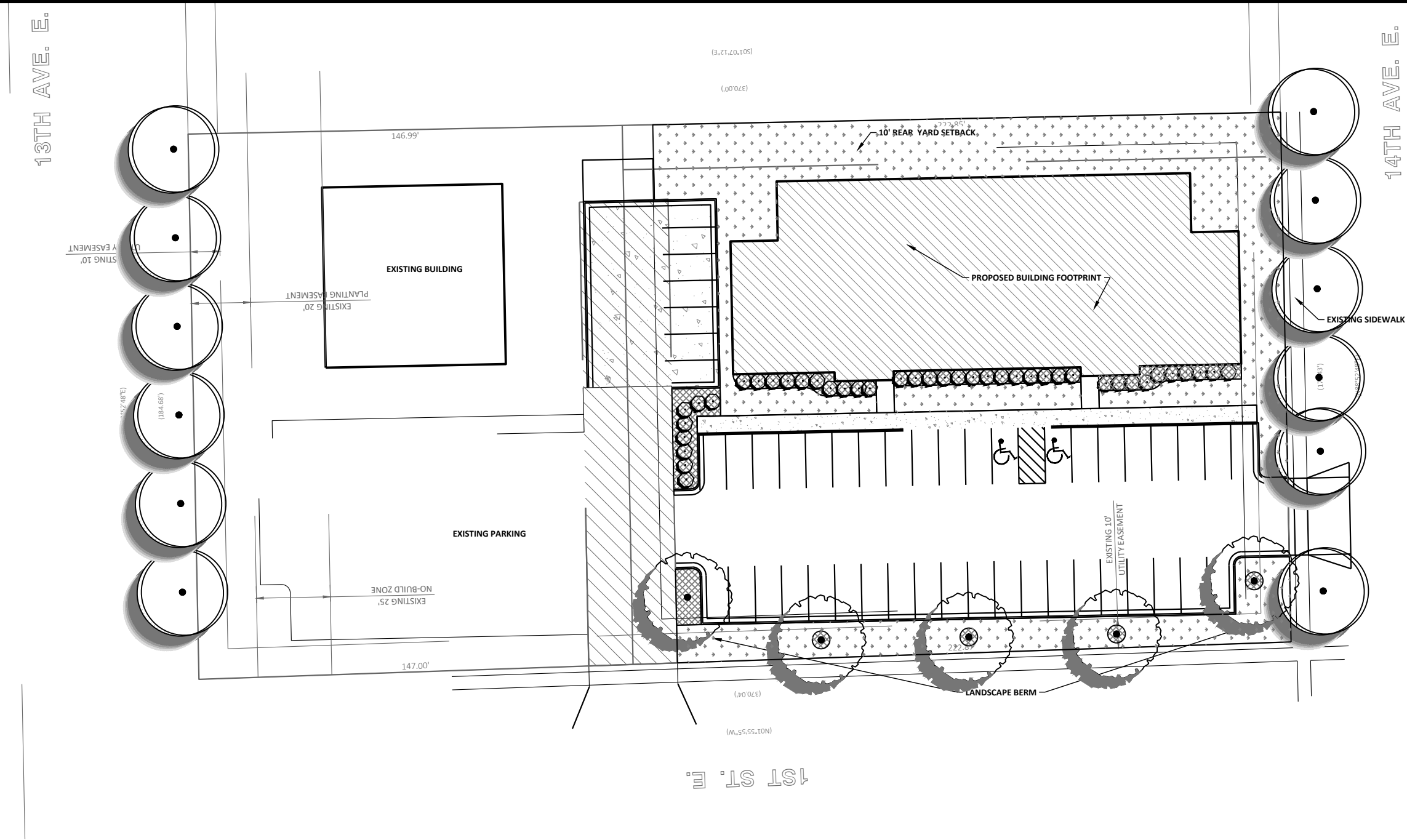
Revision

No.

Date

By

H:\BNA\11100\11114\11114_0001\CAD\preliminary Landscape Plan 2 04282022.dwg:Layout1-4/29/2022 3:12 PM-(bpattengale)



LANDSCAPE REQUIREMENTS

- STREET TREES: N/A
- PLANT UNITS:
 - REQUIRED: 4 PLANT UNIT/1000 SF OF LOT AREA
 - 40,320 SF OF LOT AREA/ 1000 x 4= 162 PLANT UNITS
 - PROVIDED: 5 TREES = 50 PLANT UNITS
 - 41 SHRUBS = 205 PLANT UNITS
 - 250 TOTAL PLANT UNITS PROVIDED
- STREET TREES:
 - REQUIRED: 1 TREE/30' FRONTAGE
 - 13TH AVE = 184.60' / 30 = 6 TREES
 - 14TH AVE = 179.35 / 30 = 6 TREES
 - 1ST STREET = N/A - ALREADY PLANTED
 - PROVIDED: 12 TREES

CONCEPT PLANT SCHEDULE

	STREET TREE	12
	LARGE TREE	5
	SHRUB	41
	MULCH	1,462 sf
	SOD	10,692 sf



LOT INFORMATION:

TOTAL SITE AREA = 40,320 SF (0.925 ACRES)
ZONING = PUD WITH CORRIDOR OVERLAY

SETBACK REQUIREMENTS:

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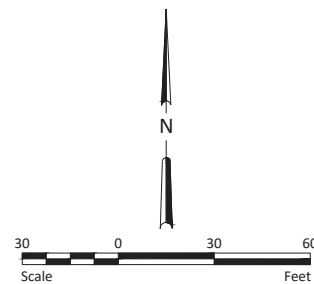
PROPOSED LANDSCAPE BERM ALONG 1ST STREET SHALL BE
24" TALL

PRELIMINARY
NOT FOR CONSTRUCTION

By	Date	Revision	No.
CAPT LEASE BUILDING			
WEST FARGO, NORTH DAKOTA			
PRELIMINARY LANDSCAPE PLAN			
			
Drawn By	BTP	Checked By	BTP
Date	4-29-22	Scale	As Shown
Project No.	11114-0001	SHEET	1

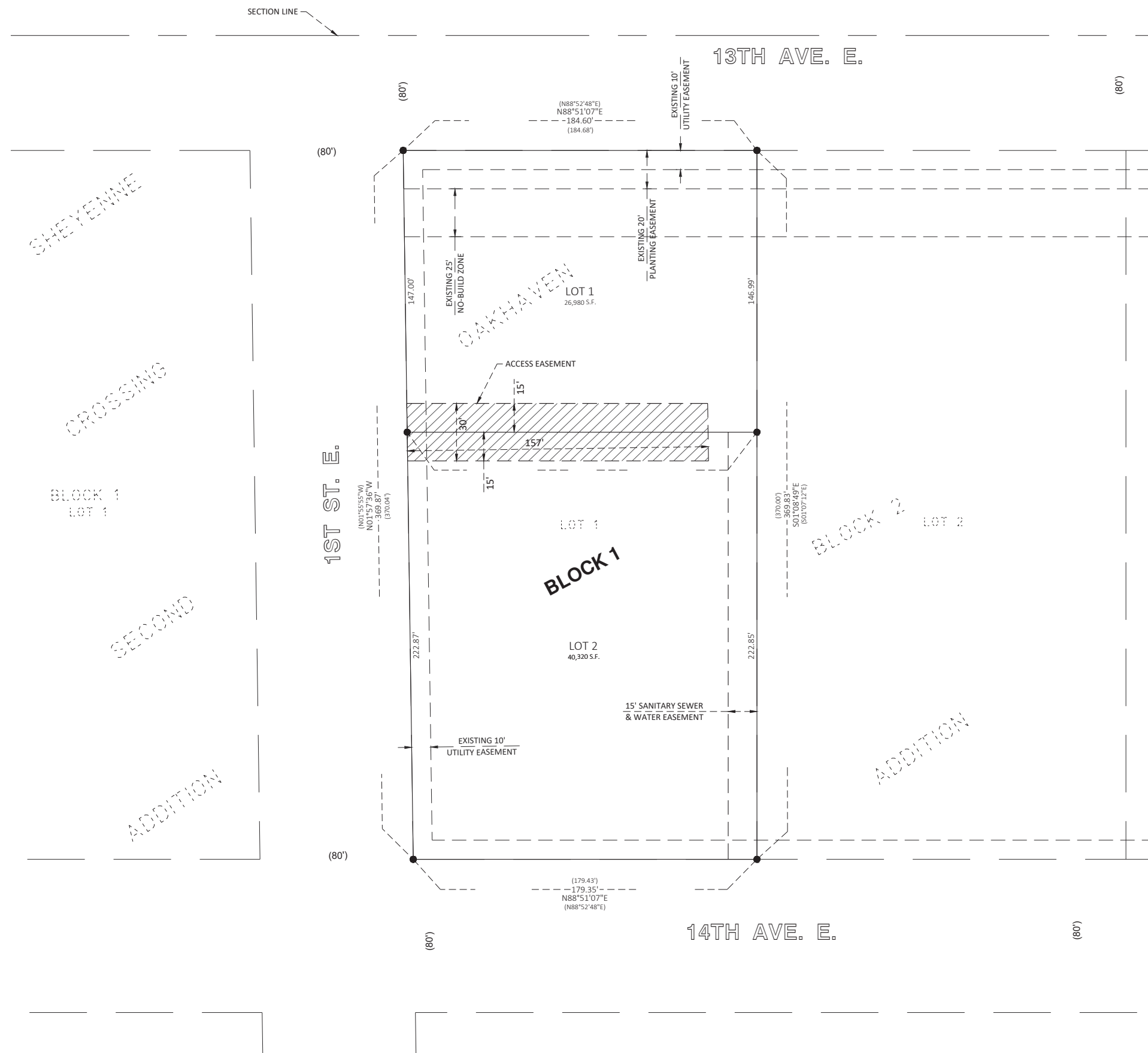
POPLAR RIVER FIRST ADDITION

BEING A REPLAT OF LOT 1, BLOCK 2,
OAKHAVEN ADDITION
TO THE CITY OF WEST FARGO,
CASS COUNTY, NORTH DAKOTA



LEGEND

IRON MONUMENT FOUND	●
1/2" I.D. PIPE SET	○
MEASURED BEARING	N00°00'00"E
PLAT BEARING	(N00°00'00"E)
MEASURED DISTANCE	100.00'
PLAT DISTANCE	(100.00')
PLAT BOUNDARY	—
EXISTING LOT LINE	- - -
UTILITY EASEMENT	- - - - -
EXISTING LOT LINE	- - -
EXISTING EASEMENT	- - - - -
BEARINGS SHOWN ARE BASED ON THE WEST FARGO COORDINATE SYSTEM.	



Sheet 1 of 2
Project No. 11114-0001

PRELIMINARY PLAT

POPLAR RIVER FIRST ADDITION

BEING A REPLAT OF LOT 1, BLOCK 2,
OAKHAVEN ADDITION
TO THE CITY OF WEST FARGO,
CASS COUNTY, NORTH DAKOTA

OWNER'S CERTIFICATE AND DEDICATION:

KNOW ALL PERSONS BY THESE PRESENTS: That Lost River Properties, LLC, a North Dakota Limited Liability Company is the owner and proprietor of Lot 1, Block 2, Oakhaven Addition, City of West Fargo, Cass County, North Dakota.

Said tract contains 1.545 acres, more or less.

And that said party has caused the same to be surveyed and platted as **POPLAR RIVER FIRST ADDITION** to the City of West Fargo, Cass County, North Dakota, does hereby dedicate and convey to the public, for public use, the sanitary sewer and water easement depicted on this plat, and does hereby dedicate and convey to the present and future owners of Lot 1 and Lot 2 the Access Easement depicted on this plat.

OWNER:
Lost River Properties, LLC

Patrick J. Capp, President

State of North Dakota)
) ss
County of Cass)

On this _____ day of _____, 20____ before me personally appeared Patrick J. Capp, President of Lost River Properties, 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

CITY ENGINEER'S APPROVAL:

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

Dustin T. Scott, City Engineer

WEST FARGO PLANNING COMMISSION APPROVAL:

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

Joseph F. Kolb, Chairman
West Fargo Planning Commission

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

WEST FARGO CITY COMMISSION APPROVAL:

Approved by the West Fargo City Commission this _____ day of _____, 20____.

Bernie L. Dardis
President of the West Fargo City Commission

Tina Fisk
City Auditor

State of North Dakota)
) ss
County of Cass)

On this _____ day of _____, 20____, before me personally appeared Bernie L. Dardis, President of the West Fargo City Commission; and Tina Fisk, City Auditor, City of West 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 West Fargo.

Notary Public: _____

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: _____

State of North Dakota)
) ss
County of Cass)

On this _____ day of _____, 20____ before me personally appeared Dustin T. Scott, West Fargo City Engineer, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same as his free act and deed.

Notary Public: _____

State of North Dakota)
) ss
County of Cass)

On this _____ day of _____, 20____, before me personally appeared Joseph F. Kolb, Chairman, West 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 he executed the same on behalf of the West Fargo Planning Commission.

Notary Public: _____

State of North Dakota)
) ss
County of Cass)

On this _____ day of _____, 20____, before me personally appeared John T. Shockley, City Attorney, 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 Attorney.

Notary Public: _____



CITY OF WEST FARGO PLANNING & COMMUNITY DEVELOPMENT

STAFF REPORT

A22-12 SUBDIVISION/REPLAT	
Wood Addition	
Wood Addition, a replat of Lot 3, Block 1 of Hersch Addition, and a minor subdivision of property located in the NW ¼ of Section 29, T139N, R49W, (116 and 122 Golden Spike Rd), City of West Fargo, North Dakota	
Owner/Applicant: Harry Wood	Staff Contact: Malachi Petersen
Planning & Zoning Commission Public Hearing:	05/10/2022
Final Plat Approval:	

PURPOSE:

Plat unplatted parcel and Replat for a lot line adjustment for developed residential lots.

STATEMENTS OF FACT:

Land Use Classification:	G-4A – Core Retrofit Growth Area
Existing Land Use:	Single Family Dwellings
Current Zoning District(s):	R-1E: Rural Estate District
Zoning Overlay District(s):	CO-SR: Sheyenne River Corridor
Proposed Lot size(s) or range:	1.13 & 3.33 Acres
Total area size:	4.46 Acres
Adjacent Zoning Districts:	North & West R-1E: Rural Estate District South & East– R-1A: Single Family Dwellings
Adjacent street(s):	Golden Spike Rd – Local Street (gravel)
Adjacent Bike/Pedestrian Facilities:	Multi-use path along Sheyenne Street
Available Parks/Trail Facilities:	Rendezvous park facility within ½ mile
Park Dedication Requirements:	No increased development therefore no dedication to be required at this time.

DISCUSSION AND OBSERVATIONS:

- The applicant has submitted an application and preliminary plat.
- The applicant proposes platting an existing single family developed lot and adjusting lot lines.
- 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.

NOTICES:

Sent to:	Hearing notice in the official newspaper and applicable agencies and departments
Comments Received:	
	• None to date.

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

- The proposed application is consistent with the City plans and ordinances.

STAFF REPORT

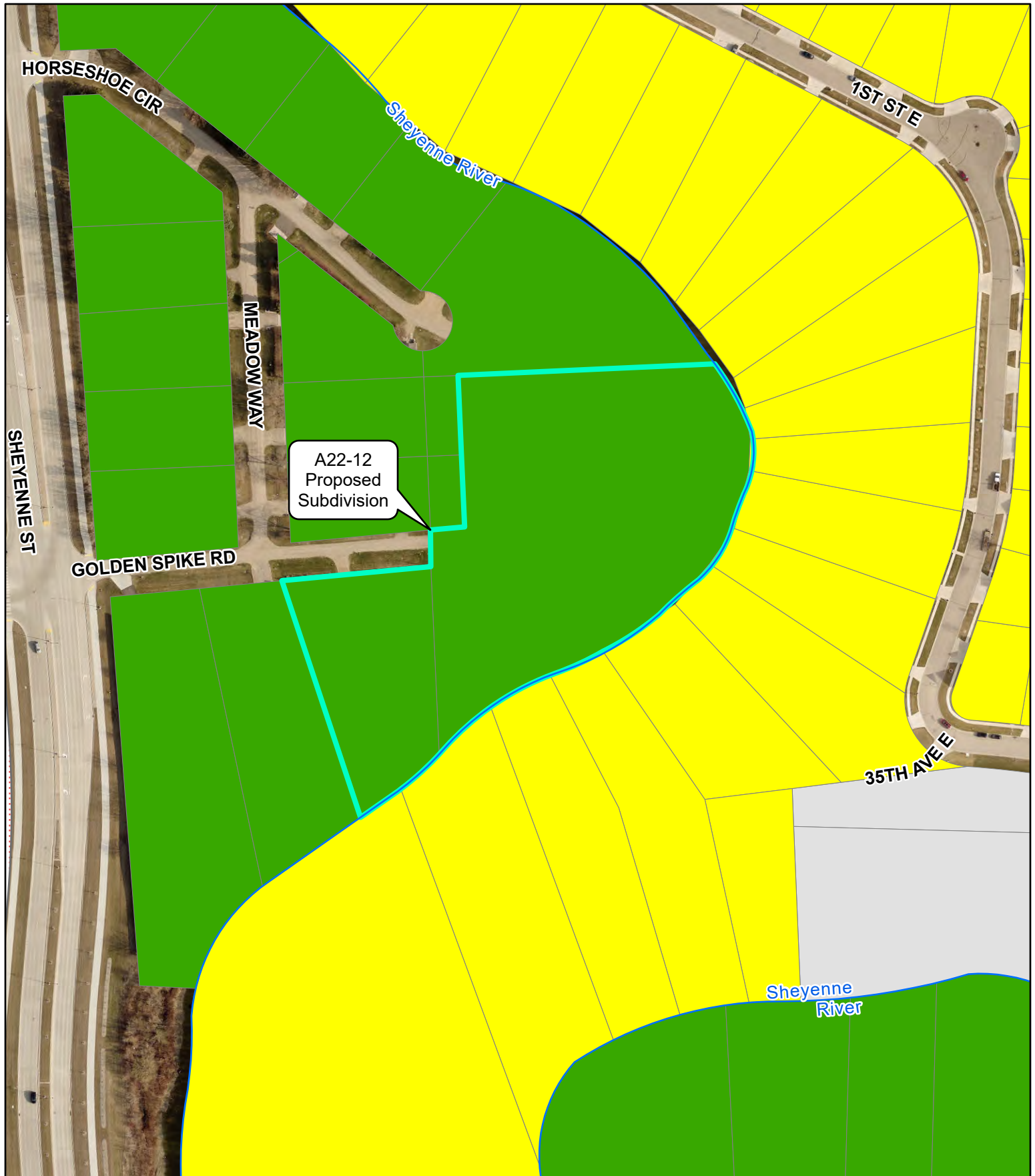
- The Comprehensive Plan includes this area in the “Core Retrofit Growth Area”, however it is due to proximity and the subdivision is not anticipated to be retrofitted.

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. An Attorney Title Opinion is received.
2. A revised drainage plan is received and approved by the City Engineer.
3. Final Plat is received with any necessary easements.
4. Tax payments are current on the property.





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



STAFF REPORT

A21-14 SUBDIVISION AND REZONING	
Stockyards 1 st Addition	
Property in the NE¼ of Section 6, T139N, R49W, City of West Fargo, North Dakota	
Owner/Applicant: GS5, LLC; KPH, Inc.; 3 Card Partners, LLC/Matt Prochniak, Moore Engineering	Staff Contact: Aaron Nelson
Planning & Zoning Commission Public Hearing:	05-11-2021 – Approval (zone change & previous preliminary plat) 05-10-2022 (new preliminary plat)
City Commission Public Hearing & 1 st Reading:	06-07-2021 – Approval (zone change)
2 nd Reading and Final Plat Approval:	

PURPOSE:

Plat and rezone property for future heavy industrial development.

STATEMENTS OF FACT:

Land Use Classification:	G-2 Sub-Urban – Growth Sector
Existing Land Use:	Vacant (former stockyards)
Current Zoning District(s):	A: Agricultural
Zoning Overlay District(s):	CO-R: Redevelopment Overlay District; CO-SR: Sheyenne River
Proposed Zoning District(s):	M: Heavy Industrial
Proposed Lot size(s) or range:	5, 16, & 60 Acres
Total area size:	81.8 Acres
Adjacent Zoning Districts:	North – A: Agricultural (Cass Co Hwy); P: Public Facilities South – M: Heavy Industrial East – R-5: Manufactured Home Subdivision (across River) West – P: Public Utilities (Drain #21) & M: Heavy Industrial
Adjacent street(s):	12 th Avenue NW – Arterial, 9 th Street NW – Arterial, 7 th Avenue NW – Local
Adjacent Bike/Pedestrian Facilities:	Multi-use path on the north side of 12 th Avenue NW
Available Parks/Trail Facilities:	None
Land Dedication Requirements:	5% dedication required

DISCUSSION AND OBSERVATIONS:

- This is a revised application for subdivision and rezone that was previously reviewed by the Planning & Zoning Commission and City Commission in early 2021.
 - The applicant has submitted a new preliminary plat, which replaces the previous version of the plat that was reviewed in 2021. The new plat requires public hearing and preliminary plat approval by the Planning & Zoning Commission and final plat approval by the City Commission.
 - There is no change in the request to rezone the property from A (Agricultural) to M (Heavy Industrial). The requested rezone was recommended for approval by the Planning Commission on May 11, 2021 and the first reading of the rezone ordinance was approved

STAFF REPORT

by City Commission on June 7, 2021. Second reading and final adoption of the rezone is still pending.

- The property is proposed to be platted into 3 lots, each abutting public right-of-way.
 - Lot 1 is 59.9 acres in size and is intended to be developed for industrial rental units located in a series of buildings fronting private drives. The attached site plan illustrates the applicant's development concept. This lot fronts 12th Ave NW, 9th St NW, and 7th Ave NW. Primary access and utility servicing would be provided via 12th Ave NW and 7th Ave NW.
 - Lot 2 is 16.3 acres in size and is owned by KPH, Inc. Primary access and utility servicing would be provided via 12th Ave NW.
 - Lot 3 is 5 acres in size and is owned by 3 Card Partners, LLC. Primary access and utility servicing would be provided via 7th Ave NW.
- The Sheyenne River constitutes the eastern boundary of the subdivision. The CO-SR (Sheyenne River Corridor Overlay) zoning district is located within 100 feet of the riverbank and restricts building and other development activities which may cause increased riverbank destabilization.
- The subdivision plat includes a building control line delineating the area of protection 100 feet from the Sheyenne riverbank along the eastern side of the property and 100 feet from Cass County Drain 21 along a portion of the western side of the property.
- A negative access easement will be established along portions of 12th Ave NW and 9th St NW, which are both arterial streets. A single shared-access location would be allowed for 12th Ave NW at the location of the shared lot line for Lots 1 and 2. Access onto 9th St NW would need to be spaced an adequate distance from 12th Ave NW, as determined by the City Engineer.
- Staff has some concern with the revised subdivision plat, specifically in regards to the removal of the public right-of-way connection that was originally proposed to link 7th Ave NW to 12th Ave NW. Improved street connectivity is a key theme within the City's comprehensive plan, West Fargo 2.0, as discussed in more detail in the following sections of this staff report. Additionally, the City's subdivision ordinance states that "Blocks shall generally not exceed 1,200 feet in length nor be shorter than 600 feet in length." (§4-0406.2). Due to several barriers, such as the county drain, Sheyenne river, and railroad tracks, there is a general lack of existing street connectivity in this area. Because of the lack of street connectivity in this part of the City, the area of land bounded by existing streets encompasses about 342 acres in area (as illustrated in the attached map), which is quite large—even when compared to other industrial areas.
- Staff would also note that, without definitive development plans, the platting of a large lot (such as the proposed 60-acre Lot 1) increases the likelihood of future piecemeal re-platting as development occurs and plans change over time. While not inherently problematic, the repeated splitting of land into additional lots over time can lead to challenges in providing efficient access and City services, absent sufficient access to public right-of-way. However, this is primarily an issue for the property owner.
- The applicant is proposing that all internal circulation and access be accommodated via a system of private drives. In order to allow the property owners to maintain maximal flexibility for future site plans and layout of the property, they do not wish to establish public right-of-way or public access easement(s) as part of the subdivision. Instead, the applicant is proposing to establish any necessary access easements privately amongst the current and future property owners within the subdivision. The applicant has proposed to establish a subdivision agreement in which the property owners will agree to allowing public use of the private drives, among other details. The applicant's intent is to allow for the arrangement and re-arrangement of private drives without the need to replat and without the need for Planning & Zoning/City Commission approval.

STAFF REPORT

- o Staff has indicated to the applicant that such a proposal is contrary to the purpose of the subdivision process—to provide for the proper arrangements of streets and adequate spaces for utilities, access of emergency vehicles, recreation, public utility lines, etc. in accordance with City plans—and that staff’s recommendation is to, at the very least, establish some type of public access between 7th Ave and 12th Ave with the plat.

NOTICES:

Sent to:	Legal notices published in the Forum and notices sent to applicable agencies and departments (In 2021, property owners within 150’ were also notified in regards to the proposed rezone.)
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Comments Received in relation to revised preliminary plat:

- Engineering Department noted the need for negative access easements for purposes of access control along the abutting arterial streets—12th Ave NW and 9th St NW.
- Fire Department noted that snow removal and road repair are concerns for private drives. Additionally, fire code standards must be met—all roads must be a minimum of 26 feet in width with no paring on either side and turning radius of roads must follow minimum standards for aerial fire apparatus.

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

- For the most part, the proposed application is consistent with City plans and ordinances. However, staff would note that street connectivity is a key theme of the City’s West Fargo 2.0 Comprehensive Plan. Specifically, West Fargo 2.0 includes the following:
 - o *Connectivity* is one of the Plan’s 6 key principles of good urban design:
 - “In typical communities, ‘connectivity’ means that all streets should be connected to other streets, maximizing the number of routes to and from a destination.
 - By avoiding dead ends and cul-de-sacs and creating an interconnected street network, drivers, cyclists, pedestrians, and emergency services can choose from a number of different options.
 - Greater connectivity allows for traffic to disperse, minimizing congestion by providing multiple ways to get from point A to point B.
 - West Fargo’s development patterns in the last couple of decades have reduced the number of interconnected streets, increasing traffic on the few major roads in and out of neighborhoods.”
 - o *Connected* is one of the Plan’s guiding principles:
 - “through a safe, efficient and reliable transportation system that encourages active transportation while balancing all modes of transportation during all season, offers strong linkage between neighborhoods and incorporates a network of complete and walkable streets.”
 - o One of the Plan’s recommendations from the *transportation* section is to “Improve Network Design.”
 - “Modifying the existing roadway network during infill development will help reduce the dependence on arterial roadways. This is one way to address

STAFF REPORT

congestion issues, to date, have been studied using conventional traffic engineering approaches. Infill network designs are another tool the City of West Fargo should add to the toolbox. These types of infill projects would most likely occur in commercial or industrial areas, because adjustments to residential neighborhood circulation patterns may prove more challenging. In areas where the roadway network creates circuitous paths for walkers and bikers, the city should continue to implement bicycle and pedestrian only connections.”

- Select sections of the West Fargo 2.0 Comprehensive Plan are included as an attachment.
- Based on the City’s policy for improved connectivity, staff is recommending the incorporation of a street connection or public access easement to provide public connectivity between 7th Ave NW and 12th Ave NW.

RECOMMENDATIONS:

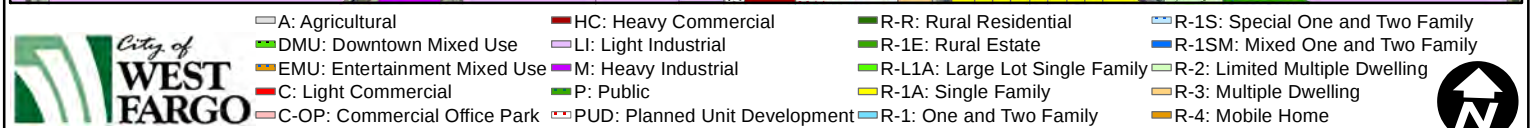
It is recommended that the Planning & Zoning Commission approve the proposed preliminary plat on the basis that it is consistent with City plans and ordinances with recommended conditions of approval as follows:

1. The applicant incorporates a street connection or public access easement on the plat to provide public connectivity between 7th Ave NW and 12th Ave NW.
2. A signed subdivision agreement is received.
3. Public land dedication agreement received.
4. A drainage plan is received and approved by the City Engineer.
5. Signed Final Plat is received with all conditions satisfied.
6. A certificate is received showing taxes are current.

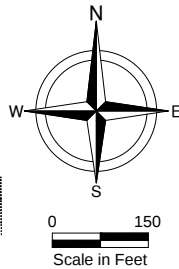
Attachments:

- Aerial map
- Zoning map
- Preliminary Plat
- Proposed agreement language from applicant
- Preliminary Area plan
- Preliminary Site plan
- Excerpts from West Fargo 2.0 Comprehensive Plan
- Street boundary area map
- Original 2021 preliminary plat (for reference)





PLAT OF
STOCKYARDS FIRST ADDITION
TO THE CITY OF WEST FARGO, A PLAT OF PART OF THE NORTHEAST QUARTER OF SECTION 6,
TOWNSHIP 139 NORTH, RANGE 49 WEST, CASS COUNTY, NORTH DAKOTA



BASIS OF BEARINGS: THE NORTH
LINE OF THE NE1/4 OF SECTION 6
HAS A RECORD BEARING OF
N89°16'05\"W.

AREA OF DEDICATED CASS COUNTY
HIGHWAY NO. 10: 0.6± ACRES.

BENCHMARK: ALUMINUM ROD WITH
SLEEVE DESIGNATED AS FMM 18,
LOCATED IN THE NORTHEAST
QUADRANT OF THE INTERSECTION OF
COUNTY HIGHWAYS 10 & 17.
ELEVATION IS 899.66 (NAVD 88).

LEGEND	
●	IRON MONUMENT FOUND
○	SET 5/8\"X18\" REBAR WITH YELLOW PLASTIC CAP #6571
P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
L	ARC LENGTH
R	RADIUS LENGTH
Δ	CENTRAL ANGLE
CH. BRG.	CHORD BEARING
---	ACCESS CONTROL
---	SECTION LINE
---	QUARTER SECTION LINE
---	PLAT BOUNDARY LINE
---	LOT LINE
---	EASEMENT LINE
---	BUILDING CONTROL LINE
---	EXISTING LOT LINE
---	RIGHT OF WAY LINE
---	2 FOOT CONTOUR LINE
ZONE A: SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD. NO BASE FLOOD ELEVATION DETERMINED ACCORDING TO FEMA MAP NUMBERS 38017C0568C AND 38017C0569G BOTH EFFECTIVE JANUARY 16, 2015.	

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
"STOCKYARDS FIRST ADDITION" TO THE CITY OF WEST FARGO, A PLAT OF PART OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 139 NORTH, RANGE 49
WEST OF THE FIFTH PRINCIPAL MERIDIAN, CASS COUNTY, NORTH DAKOTA; THAT SAID PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE SURVEY THEREOF;
THAT ALL DISTANCES ARE CORRECTLY SHOWN ON SAID PLAT; THAT MONUMENTS HAVE BEEN PLACED IN THE GROUND AS INDICATED FOR THE GUIDANCE OF
FUTURE SURVEYS AND THAT SAID ADDITION IS DESCRIBED AS FOLLOWS, TO WIT:

THAT PART OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 139 NORTH, RANGE 49 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CASS COUNTY, NORTH
DAKOTA, DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON MONUMENT WHICH DESIGNATES THE NORTHEAST CORNER OF SAID SECTION 6; THENCE NORTH 89 DEGREES 16 MINUTES 05 SECONDS
WEST ON A RECORD BEARING ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER FOR A DISTANCE OF 1579.00 FEET TO A POINT OF INTERSECTION WITH THE
NORTHERLY EXTENSION OF THE EASTERLY LINE OF LOT 1, BLOCK 1, MAUL'S SECOND ADDITION; ACCORDING TO THE RECORDED PLAT THEREOF ON FILE AND OF
RECORD IN THE OFFICE OF THE RECORDER, SAID COUNTY, THE POINT OF BEGINNING; THENCE SOUTH 21 DEGREES 34 MINUTES 55 SECONDS WEST ALONG SAID
EASTERLY LINE AND THE NORTHERLY EXTENSION THEREOF FOR A DISTANCE OF 435.00 FEET; THENCE SOUTH 44 DEGREES 14 MINUTES 55 SECONDS WEST
CONTINUING ALONG SAID EASTERLY LINE FOR A DISTANCE OF 75.00 FEET; THENCE SOUTH 61 DEGREES 51 MINUTES 53 SECONDS WEST CONTINUING ALONG SAID
EASTERLY LINE FOR A DISTANCE OF 201.28 FEET; THENCE SOUTH 69 DEGREES 09 MINUTES 55 SECONDS WEST CONTINUING ALONG SAID EASTERLY LINE FOR A
DISTANCE OF 162.00 FEET TO THE SOUTHERLY LINE OF SAID LOT 1; THENCE NORTH 79 DEGREES 42 MINUTES 05 SECONDS WEST ALONG SAID SOUTHERLY LINE
FOR A DISTANCE OF 263.47 FEET TO THE WESTERLY LINE OF SAID LOT 1; THENCE NORTH 14 DEGREES 58 MINUTES 55 SECONDS EAST ALONG SAID WESTERLY
LINE FOR A DISTANCE OF 251.35 FEET; THENCE NORTH 42 DEGREES 35 MINUTES 55 SECONDS EAST CONTINUING ALONG SAID WESTERLY LINE FOR A DISTANCE
OF 107.00 FEET; THENCE NORTH 24 DEGREES 04 MINUTES 55 SECONDS EAST CONTINUING ALONG SAID WESTERLY LINE AND THE NORTHERLY EXTENSION THEREOF
FOR A DISTANCE OF 272.90 FEET TO THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 89 DEGREES 16 MINUTES 05 SECONDS WEST ALONG SAID
NORTH LINE FOR A DISTANCE OF 326.24 FEET TO A POINT OF INTERSECTION WITH THE NORTHERLY EXTENSION OF THE EASTERLY LINE OF WEST FARGO SEVENTH
ADDITION, ACCORDING TO THE RECORDED PLAT THEREOF, ON FILE AND OF RECORD IN THE OFFICE OF SAID RECORDER; THENCE SOUTH 02 DEGREES 41 MINUTES
28 SECONDS EAST ALONG SAID EASTERLY LINE AND THE NORTHERLY EXTENSION THEREOF FOR A DISTANCE OF 68.18 FEET; THENCE SOUTHERLY CONTINUING
ALONG SAID EASTERLY LINE ON A TANGENTIAL CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 2565.00 FEET AND A CENTRAL ANGLE OF 14 DEGREES 12
MINUTES 23 SECONDS FOR AN ARC DISTANCE OF 635.99 FEET TO A POINT OF REVERSE CURVATURE; THENCE SOUTHERLY CONTINUING ALONG SAID EASTERLY
LINE ON A REVERSE CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 2415.00 FEET AND A CENTRAL ANGLE OF 00 DEGREES 14 MINUTES 21 SECONDS FOR
AN ARC DISTANCE OF 10.08 FEET; THENCE SOUTHEASTERLY CONTINUING ALONG SAID EASTERLY LINE ON A NON-TANGENTIAL CURVE CONCAVE TO THE
SOUTHWEST, HAVING A RADIUS OF 637.96 FEET AND A CENTRAL ANGLE OF 32 DEGREES 25 MINUTES 22 SECONDS FOR AN ARC DISTANCE OF 361.01 FEET
(CHORD BEARING OF SOUTH 24 DEGREES 40 MINUTES 17 SECONDS EAST); THENCE SOUTH 08 DEGREES 27 MINUTES 36 SECONDS EAST TANGENT TO SAID CURVE
CONTINUING ALONG SAID EASTERLY LINE FOR A DISTANCE OF 720.45 FEET; THENCE SOUTH 02 DEGREES 20 MINUTES 36 SECONDS EAST CONTINUING ALONG SAID
EASTERLY LINE FOR A DISTANCE OF 530.64 FEET TO THE SOUTHEAST CORNER OF SAID WEST FARGO SEVENTH ADDITION, SAID POINT ALSO BEING ON THE
NORTHERLY RIGHT OF WAY LINE OF 7TH AVENUE NORTHWEST, ACCORDING TO THE YARDS FIRST ADDITION; SAID PLAT IS ON FILE AND OF RECORD IN THE OFFICE
OF SAID RECORDER; THENCE NORTH 88 DEGREES 36 MINUTES 16 SECONDS EAST ALONG SAID NORTHERLY RIGHT OF WAY LINE FOR A DISTANCE OF 1.22 FEET;
THENCE EASTERLY CONTINUING ALONG SAID NORTHERLY RIGHT OF WAY LINE ON A TANGENTIAL CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 280.00
FEET AND A CENTRAL ANGLE OF 23 DEGREES 53 MINUTES 43 SECONDS FOR AN ARC DISTANCE OF 116.77 FEET; THENCE NORTH 88 DEGREES 36 MINUTES 16
SECONDS EAST NOT TANGENT TO CURVE AND CONTINUING ALONG THE NORTHERLY RIGHT OF WAY LINE OF 7TH AVENUE NORTHWEST, ACCORDING TO THE YARDS
SECOND ADDITION, SAID PLAT IS ON FILE AND OF RECORD IN THE OFFICE OF SAID RECORDER, FOR A DISTANCE OF 1412.12 FEET TO THE WESTERLY LINE OF LOT
8, BLOCK 1, SAID PLAT OF THE YARDS FIRST ADDITION; THENCE NORTH 01 DEGREE 29 MINUTES 34 SECONDS WEST ALONG SAID WESTERLY LINE FOR A DISTANCE
OF 214.00 FEET; THENCE NORTH 44 DEGREES 01 MINUTE 21 SECONDS EAST CONTINUING ALONG SAID WESTERLY LINE FOR A DISTANCE OF 143 FEET, MORE OR
LESS, TO THE CENTERLINE OF THE SHEYENNE RIVER; THENCE NORTHERLY ALONG SAID CENTERLINE TO A POINT OF INTERSECTION WITH THE NORTH LINE OF SAID
NORTHEAST QUARTER; THENCE NORTH 89 DEGREES 16 MINUTES 05 SECONDS WEST ALONG SAID NORTH LINE FOR A DISTANCE OF 708 FEET, MORE OR LESS, TO
THE POINT OF BEGINNING.

SAID TRACT CONTAINS 81.8 ACRES, MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS, RESERVATIONS, RESTRICTIONS, AND RIGHTS-OF-WAYS OF RECORD, IF
ANY.

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

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

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

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

DOCUMENTS OF RECORD:

1. DRAINAGE RIGHT OF WAY EASEMENT RECORDED IN BOOK 78
OF DEEDS, PAGE 487 AS DOC. NO. 45647.
2. EASEMENT FOR ROADWAY RECORDED AS DOCUMENT NO.
176421.
3. COUNTY ROAD EASEMENT RECORDED AS DOCUMENT NO.
222239.
4. RIGHT OF WAY DEED TO CASS COUNTY RECORDED AS
DOCUMENT NO. 419953.

PLAT OF
STOCKYARDS FIRST ADDITION
TO THE CITY OF WEST FARGO, A PLAT OF PART OF THE NORTHEAST QUARTER OF SECTION 6,
TOWNSHIP 139 NORTH, RANGE 49 WEST, CASS COUNTY, NORTH DAKOTA

DEDICATION

WE, THE UNDERSIGNED, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LAND DESCRIBED IN THE PLAT OF "STOCKYARDS FIRST ADDITION" TO THE CITY OF WEST FARGO, A PLAT OF PART OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 139 NORTH, RANGE 49 WEST OF THE FIFTH PRINCIPAL MERIDIAN, 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 AND UTILITY EASEMENTS SHOWN ON SAID PLAT TO THE USE OF THE PUBLIC.

OWNER: LOT 1, BLOCK 1: GS5, LLC

NAME: _____
TITLE: _____

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2022, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME IN THE NAME OF GS5, LLC.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

MORTGAGEE: LOT 1, BLOCK 1: BANK FORWARD

NAME: _____
TITLE: _____

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2022, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME IN THE NAME OF BANK FORWARD.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

OWNER: LOT 2, BLOCK 1: KPH, INC.

NAME: _____
TITLE: _____

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2022, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME IN THE NAME OF KPH, INC.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

MORTGAGEE: LOT 2, BLOCK 1: BANK FORWARD

NAME: _____
TITLE: _____

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2022, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME IN THE NAME OF BANK FORWARD.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

OWNER: LOT 3, BLOCK 1: 3 CARD PARTNERS, LLC

NAME: _____
TITLE: _____

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2022, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME IN THE NAME OF 3 CARD PARTNERS, LLC.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

MORTGAGEE: LOT 3, BLOCK 1: ASPIRE BANK

NAME: _____
TITLE: _____

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2022, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME IN THE NAME OF ASPIRE BANK.

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 _____, 2022.

JOSEPH F. KOLB, CHAIRMAN

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2022, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED JOSEPH F. KOLB, 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 _____, 2022.

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 _____, 2022, 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 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 _____, 2022.

JOHN T. SHOCKLEY, CITY ATTORNEY

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2022, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED 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

CITY ENGINEER'S APPROVAL

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

DUSTIN T. SCOTT, CITY ENGINEER

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2022, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED 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 THE CITY ENGINEER.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA



moore
engineering, inc.

SHEET 1 OF 2
PROJ. NO. 22256

Applicant's proposed Subdivision Agreement language to be added as separate standalone clauses or sections within typical City of West Fargo prepared Subdivision Agreement:

1. Access to Public:

- a. General Use: We, the equitable owners of all property described within the Stockyards 1st Addition, hereby grant the unrestricted access of all intended private roadways for public use. There shall not be a gate, restricted access, or any other obstructive barrier preventing public access to the private development in perpetuity until an official document revising this Developer's Agreement is approved by the Planning & Zoning Commission and City Commission of the City of West Fargo. All intended private roadways are to include any common access corridors used to navigate through the development which are in lieu of a public roadway. This general access does not include any private driveways, fully private access roadways, or private parking or business areas.
- b. Specific/Requested Use: In addition to the general use and access as described in the aforementioned section, We, the equitable owners of all property described within the Stockyards 1st Addition, hereby grant the unrestricted access to the City of West Fargo and related entities. This exclusive access to the City of West Fargo and other related entities provides the permitted access for not only service and maintenance vehicles and emergency services, but also the ability to utilize the intended private roadways as a potential construction detour route during future public improvement projects adjacent to the plat.

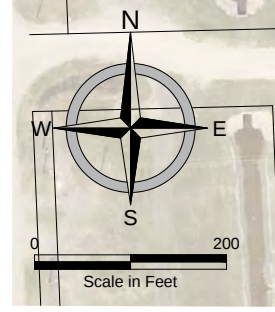
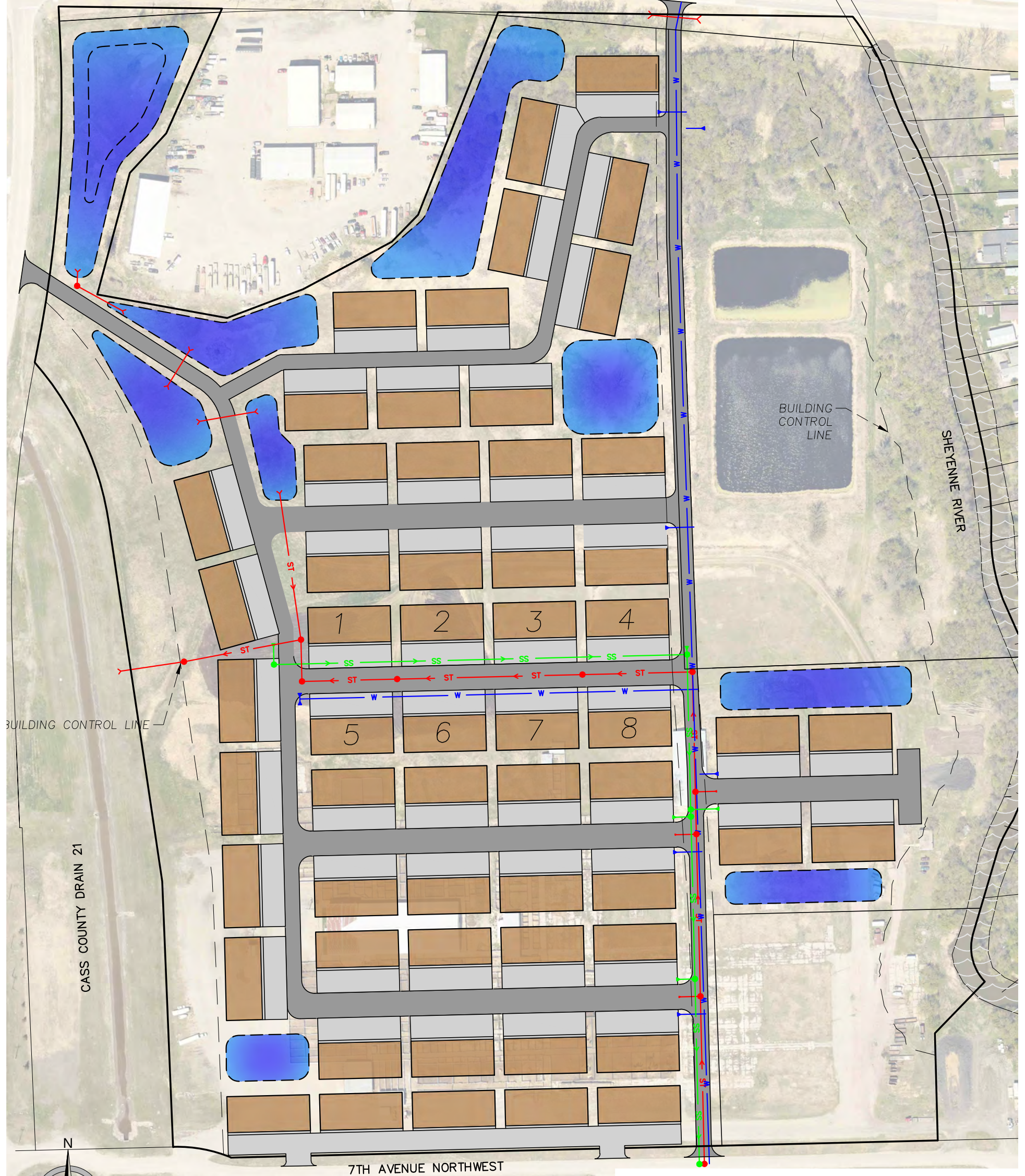
2. Maintenance of Private Roadways:

- a. General Maintenance: We, the equitable owners of all property described within the Stockyards 1st Addition, hereby agree that we shall maintain the intended private roadways in perpetuity until an official document revising this Developer's Agreement is approved by the Planning & Zoning Commission and City Commission of the City of West Fargo. This maintenance shall include maintenance and upkeep of all infrastructure within these intended private roadways utilized by the public through granted access. Infrastructure shall include underground (i.e. sanitary sewer, water main, storm sewer) and roadway (i.e. street/pavement). The maintenance shall be scheduled regularly so that the roadways are traversable and do not provide hinderance to any vehicle navigating the development. This maintenance will be at a more frequent basis, if necessary, for the use of emergency services.

3. Future 7th Ave. NW Improvements:

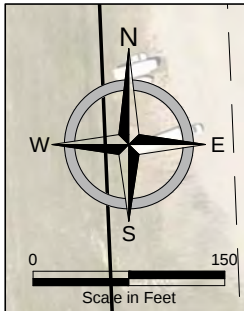
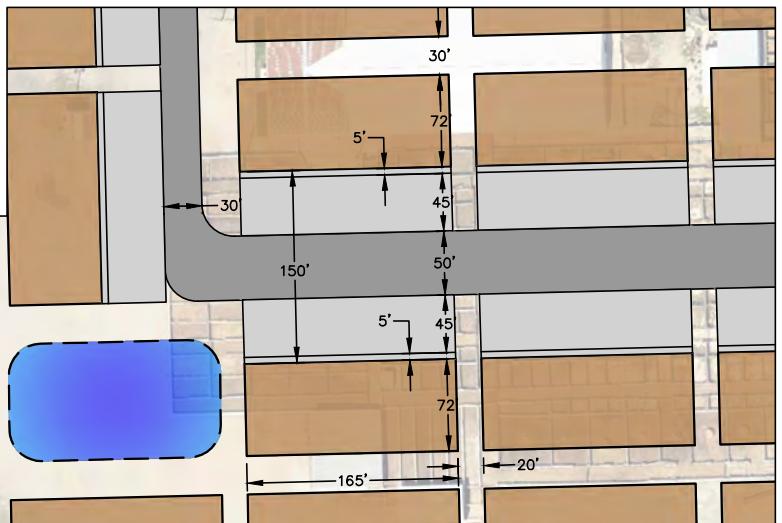
- a. Improvement Project: We, the equitable owners of all property described within the Stockyards 1st Addition, hereby agree that we shall not protest any public improvement projects as it relates to the improvements of the 7th Avenue Northwest corridor and applicable related areas.

CASS COUNTY HIGHWAY NO. 10
12TH AVENUE NORTHWEST



7TH AVENUE NORTHWEST

INSET A:



PRELIMINARY PRIVATE SITE PLAN
STOCKYARDS 1ST ADDITION
WEST FARGO, NORTH DAKOTA

PROJECT No.	22256
DATE:	04.01.22
REVISED:	
DRAFTER:	BJP
REVIEWER:	MJP



PRINCIPLES OF GOOD PLANNING AND DESIGN

Because the City of West Fargo is such a desirable place to live, it will always face development pressure. Strategies and policies focused on the built environment can help to conserve and enhance the aspects of the city that make it special to residents and visitors. Over the past four decades, planners and urban designers have been studying the most-loved cities and towns centers around the world to learn what makes them so vibrant, and livable. What they have discovered is a set of fundamental characteristics that most-loved places possess. These principles, including walkability, connectivity, density, scale, and mixed uses, are described here in more detail.



01 WALKABILITY

The term “walkability” has become a buzzword in recent years without much effort to provide definition. As a result, it is often misunderstood to mean a pedestrian-only place. In fact, the term describes an environment where there is balance between many modes of transportation. Most importantly, it describes an environment in which people feel comfortable walking. In West Fargo, climate often makes it challenging to travel on foot during winter months but walkability is nonetheless a goal to which the community should aspire.

The constituent elements of walkability are referred to as “The 3 D’s”: Distance, Destination, and Design. When each of these elements is addressed, people are more likely to walk.

02 CONNECTIVITY

In typical communities, “connectivity” means that all streets should be connected to other streets, maximizing the number of routes to and from a destination. By avoiding dead ends and cul-de-sacs and creating an interconnected street network, drivers, cyclists, pedestrians, and emergency services can choose from a number of different options. Greater connec-

tivity allows for traffic to disperse, minimizing congestion by providing multiple ways to get from point A to point B. West Fargo’s development patterns in the last couple of decades have reduced the number of interconnected streets, increasing traffic on the few major roads in and out of neighborhoods.

03 MIXED-USE

Whenever possible, activity centers should include a mix of commercial (retail, restaurants and offices), residential, recreational, and civic uses. This mix should be well-balanced, incorporating both vertical and horizontal mixed-use within the block and the building. An ideal mix allows residents and visitors to meet all of their daily needs within a short walking distance. When this occurs, the number of automobile trips per household is substantially reduced. This mix of uses is optimized when commercial

establishments have residential dwelling units above to help promote active streets. In West Fargo, the sprawling nature of the community and its suburban residential style of development have limited the mix of uses throughout the community. However, downtown West Fargo and other areas of the city offer tremendous opportunities for added integration of various uses.

04 SCALE

Scale refers to the size of buildings and their relationship to their occupants, to nearby pedestrians and to the buildings around them. The term “human-scale” refers to a size that feels comfortable to people. Both short and tall buildings can be human-scale, and having variation is important. The proportions of doors and windows, the height of each story, the relationship between details of the building and the way a building relates proportionally to the spaces people occupy around it. All these factors impact whether a building is at a scale that feels “right”

to a person. It is important in the design of walkable places to create a sense of enclosure and human-scale by locating buildings closer to the street and minimizing the large expanses of pavement that can make a pedestrian feel exposed and out of place. The most important aspect of creating buildings that are scaled appropriately is the design of the first floor and how it relates to the sidewalk and pedestrian areas adjacent to it.

05 INTENSITY

Developing in a more compact pattern in strategic locations, where multi-story buildings are located closely together, can minimize air and water pollution, preserve open space, and enhance social interactions and a sense of community. There is widespread global acceptance that development intensity is an integral component of environmental stewardship and sustainability. Intensity plays a role in the creation of neighbor-

hoods that offer convenience, value and a high quality of life. In addition, more compact development patterns are likely to reduce vehicle miles traveled (VMTs) by enabling more people to walk or bike to work or to run errands. Density can also produce reductions in energy consumption and carbon dioxide emissions both directly and indirectly. In West Fargo, the downtown presents opportunities for added development intensity.

06 HIDDEN PARKING

Visible parking lots in front of, and beside buildings, has a detrimental effect on people's willingness to walk. If a pedestrian has to walk past large gaps in the streetscape, especially when it is covered with asphalt parking lots, they lose the comforting sense of enclosure and visual interest, making the walking experience less desirable. This begins to make them less likely to walk this route in the future. To combat this, parking should be hidden behind buildings in the internal parts of a block or be wrapped with buildings to screen the parking and activate the street or civic spaces. The redevelopment of surface parking lots and some

existing buildings presents opportunities to hide parking either under buildings or within parking structures that are lined with buildings. Garages should incorporate wayfinding and smart parking technologies to maximize their efficiency and ease of use, and should also accommodate space for bike lockers.

Adding transparent windows to buildings on the ground floor will provide an inviting atmosphere and will help entice people to visit businesses that might otherwise feel uninviting.

For more information on these Principles for Good Design, we recommend referencing [The Smart Growth Manual](#) by Andres Duany, Jeff Speck and Mike Lydon, 2009.

VISION

The community vision for West Fargo is to be “a complete, sustainable, and prosperous city that plays a pivotal role in the metro by providing a high quality of life for its citizens and a thriving economy.”

GUIDING PRINCIPLES

TPUDC worked with the public to identify a set of enduring guiding principles critical to West Fargo’s current and future quality of life. These principles embody the core philosophy and vision expressed by the community. Though the local context and approach for achieving these goals may change over time, the guiding principles should endure for generations.



WE ENVISION

WEST FARGO ...



HEALTHY

as a healthy community with engaging parks, public spaces, and facilities that provide a range of amenities and experiences throughout a safe, inviting and connected system.



VIBRANT

with dynamic economic, educational, and cultural opportunities that support our citizens by growing our local economy, encouraging local businesses and improving the arts.



AUTHENTIC

with a distinctive sense of place and community identity that is uniquely West Fargo, creating places that are interesting, beautiful, useful and likely to provide long-standing value.



BALANCED

as a community with balanced and diverse land uses that expand our lifestyle choices and quality of life.



WELCOMING

with strong, livable neighborhoods where families and neighbors can build relationships in a safe, attractive and healthy environment.

CONNECTED



through a safe, efficient and reliable transportation system that encourages active transportation while balancing all modes of transportation during all season, offers strong linkage between neighborhoods and incorporates a network of complete and walkable streets.

FISCALLY RESPONSIBLE



as a city dedicated to delivering excellent municipal services in a fiscally responsible manner that reduces the impacts of special assessments on the local population.

ENGAGED



with strong leadership that cultivates community, incorporates equity and sustainability in decision-making, fosters partnerships to further local and regional goals, and thrives through active citizen engagement.

BOLD



moves forward with initiatives and programs secure in the knowledge that we are worthy of the best, and staying one step ahead of peer cities in innovation, creativity, prosperity and quality of life.

PROACTIVE



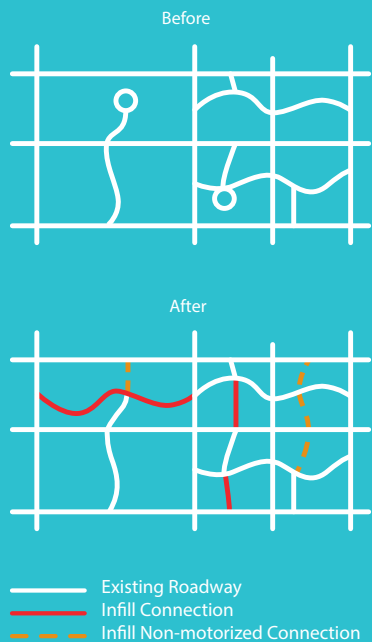
plans for the future success rather than react to today's concerns.

RECOMMENDATIONS

Improve Network Design

Modifying the existing roadway network during infill development will help reduce the dependence on arterial roadways. This is one way to address congestion issues, to date, have been studied using conventional traffic engineering approaches. Infill network designs are another tool the City of West Fargo should add to the toolbox. These types of infill projects would most likely occur in commercial or industrial areas, because adjustments to residential neighborhood circulation patterns may prove more challenging. In areas where the roadway network creates circuitous paths for walkers and bikers, the city should continue to implement bicycle and pedestrian only connections. Figure 13 illustrates an example of network infill.

Figure 13. Network infill



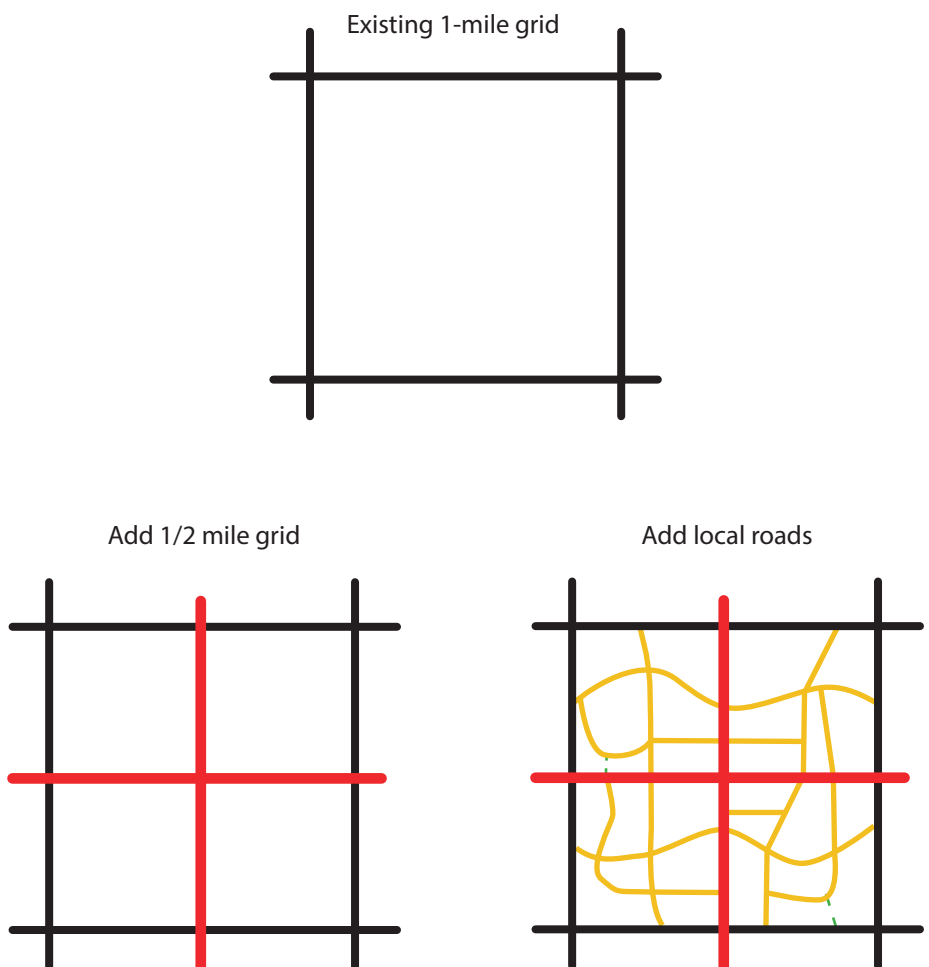
Assuming the construction of the FM Area Diversion Project, the area west of I-94 may open for future development. Building on a potential I-94 crossing on 13th Avenue West, it is critical that a strong network be built to support development in these areas. A one-mile grid of roads is already in place. Rather than allowing developers to decide the roadway system, the City of West Fargo should be deliberate in the development of a new network.

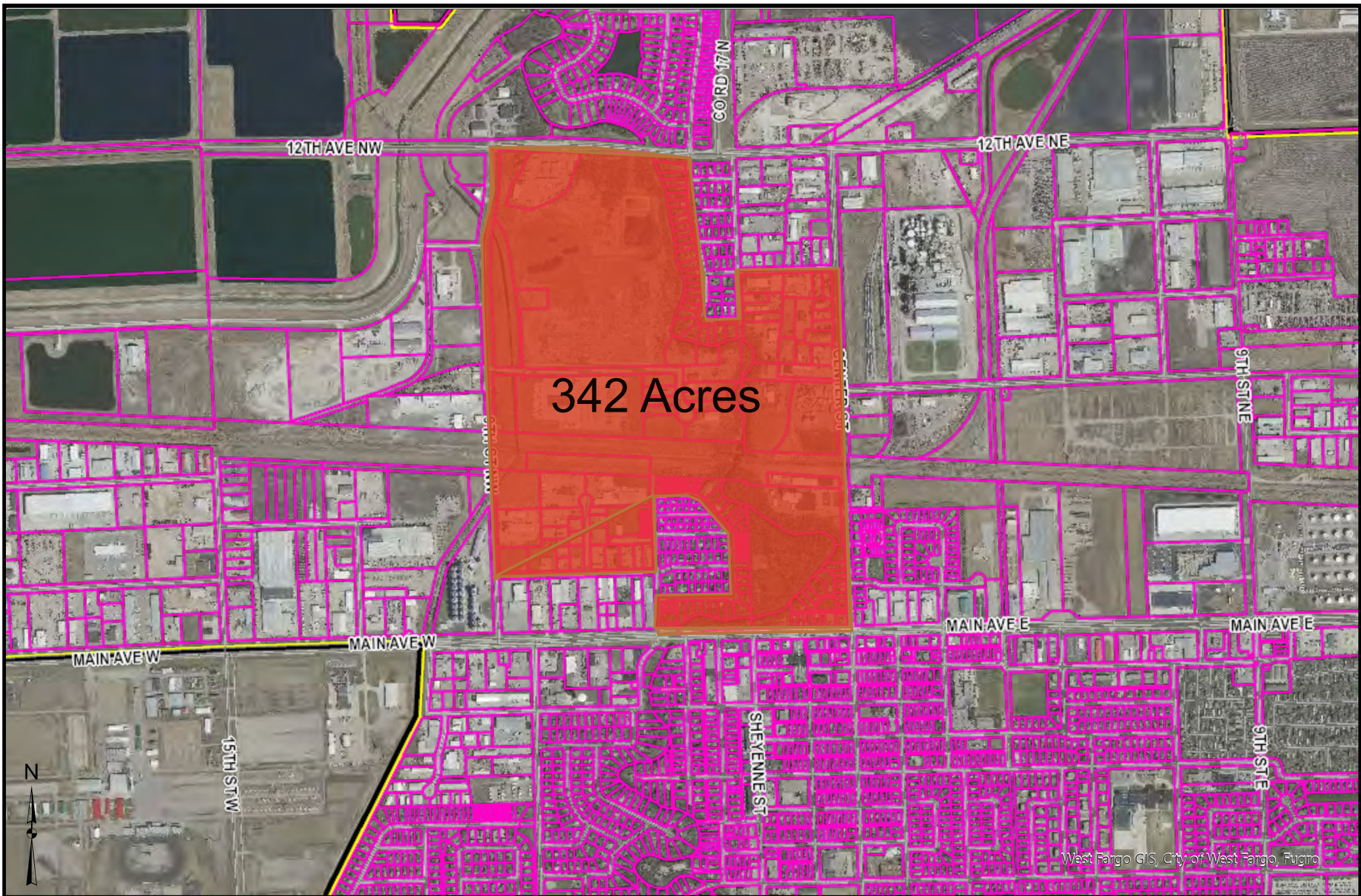
As shown in Figure 14, a continuous one-mile and half-mile grid is crit-

ical to overall circulation. Then, as smaller, local roads are added, they should also be as connected as possible, with multiple connections to the one-mile and half-mile roads.

A perfectly square grid is not required in every neighborhood - curvilinear streets can still be effective if the connectivity is still achieved. Some developers may be motivated to keep cul-de-sacs in their designs, however they counter the objective of having neighborhoods supported with multiple connections to the larger network.

Figure 14. Building a strong network





These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

Current Area Bounded by Streets

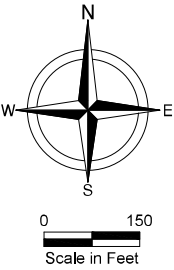
Date: 4/21/2022

This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.



PLAT OF
STOCKYARDS FIRST ADDITION
TO THE CITY OF WEST FARGO, A PLAT OF PART OF THE NORTHEAST QUARTER OF SECTION 6,
TOWNSHIP 139 NORTH, RANGE 49 WEST, CASS COUNTY, NORTH DAKOTA.

PREVIOUS PLAT PROPOSAL FROM 2021
(FOR REFERENCE)



AREA OF DEDICATED ROADS: 4.8 ACRES.
TOTAL PLAT AREA: 81.8 ACRES.

BASIS OF BEARINGS: WEST FARGO
SEVENTH 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 #5900
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- L ARC LENGTH
- R RADIUS LENGTH
- Δ CENTRAL ANGLE
- (150') PLATTED OR RECORD DISTANCE
- (5.0 ACRES) LOT AREAS
- ACCESS CONTROL LINE

Line Table		
Line #	Length	Direction
L1	29.10	S2°41'28"E
L2	39.07	S2°41'28"E
L3	1.22	N88°36'16"E

Curve Table			
Curve #	Length	Radius	Delta
C1	10.08	2415.00	0°14'21"
C2	116.78	280.00	23°53'45"

PRELIMINARY

DOCUMENTS OF RECORD:

1. DRAINAGE RIGHT OF WAY EASEMENT RECORDED IN BOOK 78 OF DEEDS, PAGE 487 AS DOC. NO. 45647.
2. EASEMENT TO NORTHERN STATES POWER COMPANY RECORDED AS DOCUMENT NO. 399756.
3. EASEMENT TO NORTHERN STATES POWER COMPANY RECORDED AS DOCUMENT NO. 364651.
4. RIGHT OF WAY PLAT RECORDED AS DOCUMENT NO. 464043.
5. EASEMENT AGREEMENT TO HELD BEEF INDUSTRIES RECORDED AS DOCUMENT NO. 659372.
6. EASEMENT FOR ROADWAY RECORDED AS DOCUMENT NO. 176421.
7. COUNTY ROAD EASEMENT RECORDED AS DOCUMENT NO. 222239.
8. RIGHT OF WAY EASEMENT TO NORTHWESTERN BELL TELEPHONE COMPANY RECORDED AS DOCUMENT NO. 708471.
9. RIGHT OF WAY EASEMENT TO NORTHWESTERN BELL TELEPHONE COMPANY RECORDED AS DOCUMENT NO. 708472.
10. RIGHT OF WAY EASEMENT TO CASS COUNTY RECORDED AS DOCUMENT NO. 1049785.
11. RIGHT OF WAY DEED TO CASS COUNTY RECORDED AS DOCUMENT NO. 413773.
12. RIGHT OF WAY DEED TO CASS COUNTY RECORDED AS DOCUMENT NO. 419953.

PLAT OF
STOCKYARDS FIRST ADDITION
TO THE CITY OF WEST FARGO, A PLAT OF PART OF THE NORTHEAST QUARTER OF SECTION 6,
TOWNSHIP 139 NORTH, RANGE 49 WEST, CASS COUNTY, NORTH DAKOTA.

CERTIFICATE

SHAWN M. THOMASSON, BEING DULY SWORN, DEPOSES AND SAYS THAT HE IS THE REGISTERED LAND SURVEYOR WHO PREPARED AND MADE THE ATTACHED PLAT OF "STOCKYARDS FIRST ADDITION" TO THE CITY OF WEST FARGO, A PLAT OF PART OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 139 NORTH, RANGE 49 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CASS COUNTY, NORTH DAKOTA; THAT SAID PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE SURVEY THEREOF; THAT ALL DISTANCES ARE CORRECTLY SHOWN ON SAID PLAT; THAT MONUMENTS HAVE BEEN PLACED IN THE GROUND AS INDICATED FOR THE GUIDANCE OF FUTURE SURVEYS AND THAT SAID ADDITION IS DESCRIBED AS FOLLOWS, TO WIT:

THAT PART OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 139 NORTH, RANGE 49 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CASS COUNTY, NORTH DAKOTA, DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON MONUMENT WHICH DESIGNATES THE NORTHEAST CORNER OF SAID SECTION 6; THENCE NORTH 89 DEGREES 16 MINUTES 05 SECONDS WEST ON A RECORD BEARING ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER FOR A DISTANCE OF 1579.00 FEET TO A POINT OF INTERSECTION WITH THE NORTHERLY EXTENSION OF THE EASTERLY LINE OF LOT 1, BLOCK 1, MAUL'S SECOND ADDITION, ACCORDING TO THE RECORDED PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF SAID RECORDER, THE POINT OF BEGINNING; THENCE SOUTH 21 DEGREES 34 MINUTES 55 SECONDS WEST ALONG SAID EASTERLY LINE AND THE NORTHERLY EXTENSION THEREOF FOR A DISTANCE OF 434.82 FEET; THENCE SOUTH 44 DEGREES 14 MINUTES 55 SECONDS WEST CONTINUING ALONG SAID EASTERLY LINE FOR A DISTANCE OF 75.00 FEET; THENCE SOUTH 61 DEGREES 51 MINUTES 53 SECONDS WEST CONTINUING ALONG SAID EASTERLY LINE FOR A DISTANCE OF 201.28 FEET; THENCE SOUTH 69 DEGREES 09 MINUTES 55 SECONDS WEST CONTINUING ALONG SAID EASTERLY LINE FOR A DISTANCE OF 162.00 FEET TO THE SOUTHERLY LINE OF SAID LOT 1; THENCE NORTH 79 DEGREES 42 MINUTES 05 SECONDS WEST ALONG SAID SOUTHERLY LINE FOR A DISTANCE OF 263.47 FEET TO THE WESTERLY LINE OF SAID LOT 1; THENCE NORTH 14 DEGREES 58 MINUTES 55 SECONDS EAST ALONG SAID WESTERLY LINE FOR A DISTANCE OF 251.35 FEET; THENCE NORTH 42 DEGREES 35 MINUTES 55 SECONDS EAST CONTINUING ALONG SAID WESTERLY LINE FOR A DISTANCE OF 107.00 FEET; THENCE NORTH 24 DEGREES 04 MINUTES 55 SECONDS EAST CONTINUING ALONG SAID WESTERLY LINE AND THE NORTHERLY EXTENSION THEREOF FOR A DISTANCE OF 272.71 FEET TO THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 89 DEGREES 16 MINUTES 05 SECONDS WEST ALONG SAID NORTH LINE FOR A DISTANCE OF 326.23 FEET TO A POINT OF INTERSECTION WITH THE NORTHERLY EXTENSION OF THE EASTERLY LINE OF WEST FARGO SEVENTH ADDITION, ACCORDING TO THE RECORDED PLAT THEREOF, ON FILE AND OF RECORD IN THE OFFICE OF SAID RECORDER; THENCE SOUTH 02 DEGREES 41 MINUTES 28 SECONDS EAST ALONG SAID EASTERLY LINE AND THE NORTHERLY EXTENSION THEREOF FOR A DISTANCE OF 68.17 FEET; THENCE SOUTHERLY CONTINUING ALONG SAID EASTERLY LINE ON A TANGENTIAL CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 2565.00 FEET AND A CENTRAL ANGLE OF 14 DEGREES 12 MINUTES 23 SECONDS FOR AN ARC DISTANCE OF 635.99 FEET (CHORD BEARING OF SOUTH 04 DEGREES 24 MINUTES 44 SECONDS WEST) TO A POINT OF REVERSE CURVATURE; THENCE SOUTHERLY CONTINUING ALONG SAID EASTERLY LINE ON A REVERSE CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 2415.00 FEET AND A CENTRAL ANGLE OF 00 DEGREES 14 MINUTES 21 SECONDS FOR AN ARC DISTANCE OF 10.08 FEET (CHORD BEARING OF SOUTH 11 DEGREES 23 MINUTES 45 SECONDS WEST); THENCE SOUTHEASTERLY CONTINUING ALONG SAID EASTERLY LINE ON A NON-TANGENTIAL CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 637.96 FEET AND A CENTRAL ANGLE OF 32 DEGREES 25 MINUTES 22 SECONDS FOR AN ARC DISTANCE OF 361.01 FEET (CHORD BEARING OF SOUTH 24 DEGREES 40 MINUTES 17 SECONDS EAST); THENCE SOUTH 08 DEGREES 27 MINUTES 36 SECONDS EAST CONTINUING ALONG SAID EASTERLY LINE FOR A DISTANCE OF 720.45 FEET; THENCE SOUTH 02 DEGREES 20 MINUTES 36 SECONDS EAST CONTINUING ALONG SAID EASTERLY LINE FOR A DISTANCE OF 530.64 FEET TO THE SOUTHEAST CORNER OF SAID WEST FARGO SEVENTH ADDITION, SAID POINT ALSO BEING ON THE NORTHERLY RIGHT OF WAY LINE OF 7TH AVENUE NORTHWEST, ACCORDING TO THE RECORDED PLAT OF THE YARDS FIRST ADDITION, ON FILE AND OF RECORD IN THE OFFICE OF SAID RECORDER; THENCE NORTH 88 DEGREES 36 MINUTES 16 SECONDS EAST ALONG SAID NORTHERLY RIGHT OF WAY LINE FOR A DISTANCE OF 1.22 FEET; THENCE EASTERLY CONTINUING ALONG SAID NORTHERLY RIGHT OF WAY LINE ON A TANGENTIAL CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 280.00 FEET AND A CENTRAL ANGLE OF 23 DEGREES 53 MINUTES 45 SECONDS FOR AN ARC DISTANCE OF 116.78 FEET (CHORD BEARING OF SOUTH 79 DEGREES 26 MINUTES 52 SECONDS EAST); THENCE NORTH 88 DEGREES 36 MINUTES 16 SECONDS EAST CONTINUING ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID 7TH AVENUE NORTHWEST, ACCORDING TO THE RECORDED PLAT OF THE YARDS SECOND ADDITION, ON FILE AND OF RECORD IN THE OFFICE OF SAID RECORDER, FOR A DISTANCE OF 1412.12 FEET TO THE WESTERLY LINE OF LOT 8, BLOCK 1, SAID PLAT OF THE YARDS FIRST ADDITION; THENCE NORTH 01 DEGREE 29 MINUTES 34 SECONDS WEST ALONG SAID WESTERLY LINE FOR A DISTANCE OF 214.00 FEET; THENCE NORTH 44 DEGREES 01 MINUTE 21 SECONDS EAST CONTINUING ALONG SAID WESTERLY LINE FOR A DISTANCE OF 143 FEET, MORE OR LESS, TO THE CENTERLINE OF THE SHEYENNE RIVER; THENCE NORTHERLY ALONG SAID CENTERLINE TO A POINT OF INTERSECTION WITH THE NORTH LINE OF SAID NORTHEAST QUARTER, SAID POINT BEARS SOUTH 89 DEGREES 16 MINUTES 05 SECONDS EAST FROM THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 16 MINUTES 05 SECONDS WEST ALONG SAID NORTH LINE FOR A DISTANCE OF 708 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 81.8 ACRES, MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS, RESERVATIONS, RESTRICTIONS, AND RIGHTS--OF--WAYS OF RECORD, IF ANY.

SHAWN M. THOMASSON
REGISTERED LAND SURVEYOR
REG. NO. LS-5900

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2021, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED SHAWN M. THOMASSON, 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 "STOCKYARDS FIRST ADDITION" TO THE CITY OF WEST FARGO, A PLAT OF PART OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 139 NORTH, RANGE 49 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CASS COUNTY, NORTH DAKOTA; THAT WE HAVE CAUSED IT TO BE PLATTED INTO LOTS AND BLOCKS AS SHOWN BY SAID PLAT AND CERTIFICATE OF SHAWN M. THOMASSON, 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, HIGHWAYS, UTILITY AND ACCESS EASEMENTS SHOWN ON SAID PLAT TO THE USE OF THE PUBLIC AND WE HEREBY DEDICATE THE PRIVATE STORM SEWER EASEMENTS SHOWN ON SAID PLAT TO THE USE OF THE OWNERS OF THE LOTS IN THIS PLAT.

OWNER ALL OF BLOCK 1, EXCEPTING THEREFROM, LOT 1 AND ALL OF BLOCK 2, EXCEPTING THEREFROM, LOT 2: GS5, LLC

BY: _____
ITS: _____

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2021, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THE NAME OF GS5, LLC.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

OWNER LOT 1, BLOCK 1 AND LOT 2, BLOCK 2: KPH, INC.

BY: _____
ITS: _____

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2021, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THE NAME OF KPH, INC.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

MORTGAGEE ALL OF STOCKYARDS FIRST ADDITION: BANK FORWARD

BY: _____
ITS: _____

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2021, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THE NAME OF BANK FORWARD.

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 _____, 2021.

JOSEPH F. KOLB, CHAIRMAN

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2021, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED JOSEPH F. KOLB, 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 _____, 2021.

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 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 _____, 2021.

JOHN T. SHOCKLEY, CITY ATTORNEY

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2021, 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

CITY ENGINEER'S APPROVAL

THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 2021.

DUSTIN T. SCOTT, CITY ENGINEER

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2021, 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