

City of Fargo Staff Report			
Title:	Horizon Addition	Date:	4/29/2026 6/18/2026
Location:	11 12 th Street North	Staff Contact:	Donald Kress, current planning coordinator
Legal Description:	All of Lots 1-3 and 10-12, and part of Lot 9, Block 39, and all of Block 40, and all of the vacated alleys in Blocks 39 and 40, all in Roberts' Second Addition, City of Fargo, Cass County, North Dakota		
Owner(s)/Applicant:	Rising Investments, LLC / MBN Engineering, Inc.	Engineer:	MBN Engineering, Inc.
Entitlements Requested:	Minor Subdivision (Plat of Horizon Addition , a plat of all of Lots 1-3 and 10-12, and part of Lot 9, Block 39, and all of Block 40, and all of the vacated alleys in Blocks 39 and 40, all in Roberts' Second Addition, City of Fargo, Cass County, North Dakota)		
Status:	City Commission Consent Agenda: June 22nd, 2026		
Existing		Proposed	
Land Use: Vacant (previous structure demolished in 2018)		Land Use: Multi-Dwelling Residential	
Zoning: DMU, Downtown Mixed Use		Zoning: No change	
Uses Allowed: DMU Allows detached houses, attached houses, duplexes, multi-dwelling structures, community service, daycare centers of unlimited size, health care facilities, parks and open space, religious institutions, safety services, offices, off-premise advertising, commercial parking, retail sales and service, vehicle repair, limited vehicle service, and major entertainment events.		Uses Allowed: No Change	
Maximum Lot Coverage Allowed: 100%		Maximum Lot Coverage Allowed: No change	
Proposal:			
The applicant requests one entitlement: 1. A minor subdivision, entitled Horizon Addition, a plat of all of Lots 1-3 and 10-12, and part of Lot 9, Block 39, and all of Block 40, and part of the vacated alleys in Blocks 39 and 40, all in Roberts' Second Addition, City of Fargo, Cass County, North Dakota This project was reviewed by the City's Planning and Development, Engineering, Public Works, and Fire Departments ("staff"), whose comments are included in this report. Surrounding Land Uses and Zoning Districts: • North: DMU commercial and multi-dwelling residential uses • East: DMU with single-dwelling residences; mixed use commercial/multi-dwelling residential uses • South: DMU with commercial and multi-dwelling residential uses • West: DMU with bar/restaurant, wholesale, and retail uses			
Area Plans:			
The subject property is located within two plans. The Downtown InFocus plan's future land use map of identifies this area as intended for "Mixed Use" development. The property is zoned DMU, Downtown Mixed Use, which allows mixed-use development.			

The Fargo Growth Plan 2024 designates the place type of the subject property as “Downtown/Core.” The current zoning of DMU, Downtown mixed use, is consistent with this place type.

Context

Schools: The subject property is located within the Fargo School District, specifically within the Roosevelt/Horace Mann Elementary, Ben Franklin Middle and North High schools.

Neighborhood: The subject property is located within the Downtown neighborhood.

Parks: Island Park, located at 502 1st Avenue South, is approximately 0.4 mile southeast of the subject property, and provides amenities of basketball court, tennis courts, handball, grills and picnic tables, playground, cross country ski trails, recreational trails, rentals and a swimming pool.

Pedestrian / Bicycle: A separated bike lane is adjacent to the subject property along NP Avenue.

MATBus: Route 13 runs east along NP Avenue. The nearest stop to the subject property is approximately one block east on the south side of NP Avenue.

- Route 13 runs from 32nd Avenue North to NP Avenue, mainly along 10th Street North and University Drive North, and connects at the Ground Transportation Center.

Routes 15 and 18 run west along 1st Avenue North. The nearest stop to the subject property is approximately on block to the northeast on the north side of 1st Avenue North.

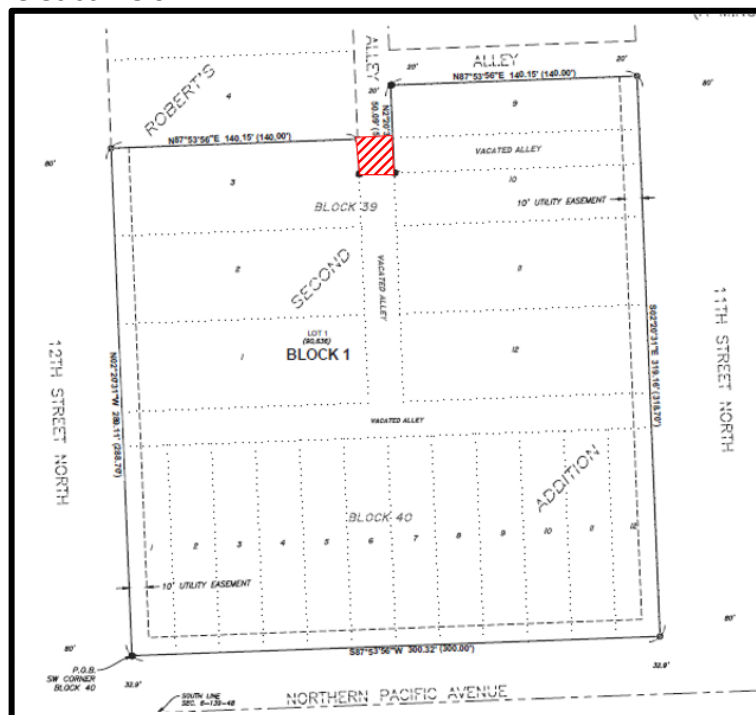
- Route 15 connects Downtown to West Acres and 45th Street South, mainly by way of 13th Avenue South, University Drive South, 10th Street South;
- Route 18 connects Downtown to 52nd Avenue South, mainly by way of 25th Street South, 32nd Avenue South, and 42nd Street South.

Staff Analysis:

The plat will combine the underlying lots in a portion of Block 39 and all of Block 40 of Roberts' Second Addition and the vacated alleys within those blocks, into a single lot and block.

Access directly into the first-level parking of the building will be taken directly from 12th Street North.

A developer agreement between the City and the applicant addresses the small area of dedicated alley on the north side of the subject property, cross-hatched in the graphic below, in regard to maintenance and to not protesting future alley improvements or future alley vacation. The applicant declined to vacate this portion of alley with this subdivision.



An amenities plan addresses stormwater management.

Minor Subdivision

The LDC stipulates that the following criteria is met before a minor subdivision can be approved

1. **Section 20-0907.B.3 of the LDC stipulates that the Planning Commission recommend approval or denial of the application, based on whether it complies with the adopted Area Plan, the standards of Article 20-06 and all other applicable requirements of the Land Development Code. Section 20-0907.B.4 of the LDC further stipulates that a Minor Subdivision Plat shall not be approved unless it is located in a zoning district that allows the proposed development and complies with the adopted Area Plan, the standards of Article 20-06 and all other applicable requirements of the Land Development Code.**

This subdivision is intended to replat existing lots and blocks and vacated alleys into one new lot and block. The Fargo Growth Plan 2024 designates the place type of the subject property as "Downtown/Core." The Downtown In Focus plan's future land use map of identifies this area as intended for "Mixed Use" development. The subject property is zoned DMU, Downtown Mixed Use. This zoning is consistent with the designations of both plans. This zoning allows the proposed multi-dwelling residential development. No zone change is proposed. In accordance with Section 20-0901.F of the LDC, notices of the proposed plat have been sent out to property owners within 300 feet of the subject property. To date, staff has received no comment or inquiries on the application. **(Criteria Satisfied)**

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

No new public improvements are being created by this plat. Any improvements associated with the project (both existing and proposed) are subject to special assessments. Special assessments associated with the costs of the public infrastructure improvements are proposed to be spread by the front footage basis and storm sewer by the square footage basis as is typical with the City of Fargo assessment principles
(Criteria Satisfied)

Staff Recommendation:

Suggested Motion: "To accept the findings and recommendations of the Planning Commission and staff and move to approve the proposed plat of the **Horizon Addition**, as outlined in the staff report, as the proposal complies with the Fargo Growth Plan 2024, Downtown InFocus Plan, Sections 20-0907 B and C and Standards of Article 20-06 of the Land Development Code, and all other applicable requirements of the Land Development Code."

Planning Commission Recommendation: May 5th, 2026

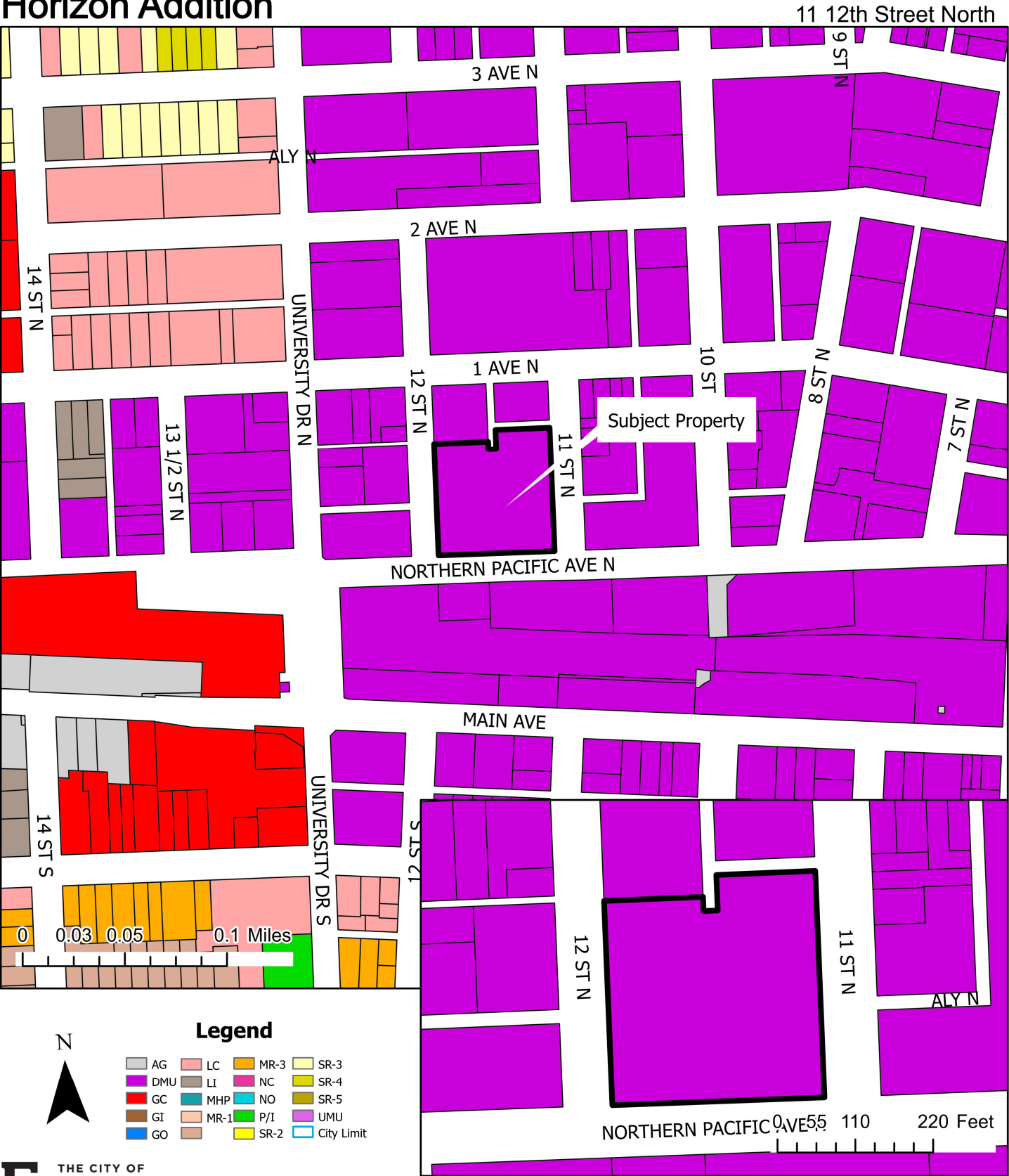
At the May 5th, 2026, Planning Commission hearing, that Commission, by a vote of 7-0 with two Commissioners absent, moved to accept the findings and recommendations of staff and moved to recommend approval to the City Commission of the proposed plat of the **Horizon Addition**, as outlined in the staff report, as the proposal complies with the Fargo Growth Plan 2024, Downtown in Focus Plan, Sections 20-0907 B and C and Standards of Article 20-06 of the Land Development Code, and all other applicable requirements of the Land Development Code.

Attachments:

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

Minor Subdivision

Horizon Addition



Minor Subdivision

Horizon Addition

11 12th Street North





1218 55th Street North
Fargo, ND 58102
Email: josh@jnsurvey.com

SHEET 1 OF 1

- NOTES
1. GROUND DISTANCES ARE SHOWN AND ARE IN TERMS OF U.S. SURVEY FEET.
 2. UTILITY EASEMENTS ARE 10' WIDE ALONG AND ADJACENT TO ALL STREET RIGHT-OF-WAYS AND REAR PROPERTY LINES AS SHOWN UNLESS OTHERWISE NOTED.

LEGEND

○ SET 5/8" REBAR CAP LS 27292
● FOUND MONUMENT
○ PLAT LOT AREAS (SQ. FT.)
--- NEW EASEMENT
--- EXISTING PROPERTY LINE
--- ORIGINAL PLATTED LINE
--- SECTION LINE
--- POINT OF COMMENCEMENT
--- POINT ON LINE
--- RECORDED BEARING/DISTANCE

(R)
P.O.C.
P.O.L.

#	DISTANCE	BEARING
L2	20.02'	N87°53'56"E
L1	20.04'	S02°20'31"E



Joshua J. Nelson, PLS
Professional Land Surveyor
Registration No. LS-27292
State of North Dakota
County of Cass
On this 4th day of May, 2026, appeared before me, Joshua J. Nelson, known to me to be the person whose name is subscribed to the above certificate and did acknowledge to me that he executed the same as his own free act and deed.

TAMARA K STEARLETON
Notary Public
State of North Dakota
My Commission Expires Aug 5, 2027



Dated this 4th day of May, 2026
Surveyor's Certificate and Acknowledgment
I, Joshua J. Nelson, 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 located or placed in the ground as shown.

Notary Public: Tamara K. Stearleton
On this 4th day of May, 2026, before me personally appeared Justin Berg, President, Rising Investments, 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 company.

TAMARA K STEARLETON
Notary Public
State of North Dakota
My Commission Expires Aug 5, 2027

OWNER
Rising Investments, LLC
Justin Berg, President
State of North Dakota
County of Cass
On this 4th day of May, 2026, before me personally appeared Justin Berg, President, Rising Investments, 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 company.

Tract Contains 2.08 Acres, more or less, and is subject to Easements, Reservations, Restrictions and Rights-of-Way of record.
Solid owners of the above described property, have caused the same to be surveyed and platted as "HORIZON ADDITION" to the City of Fargo, Cass County, North Dakota, and do hereby dedicate to the public for public use the utility easement shown on said plat.
OWNER
Rising Investments, LLC
Justin Berg, President
State of North Dakota
County of Cass
On this 4th day of May, 2026, before me personally appeared Justin Berg, President, Rising Investments, 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 company.

OWNER'S CERTIFICATE
KNOW ALL PERSONS BY THESE PRESENTS, That the Rising Investments, LLC, a North Dakota Limited Liability Company, as owner of all of Block 40; all of Lots 1, 2, 3, 9, 10, 11, and 12, except the north twenty feet of Lot 9, in Block 39; and the south 135 feet of the north and south alley (now vacated) in SECOND ADDITION to the City of Fargo, situate in the County of Cass and the State of North Dakota.
The property is more particularly described as follows:
BEGINNING at the southwest corner Block 40 of ROBERTS' SECOND ADDITION, according to the recorded plat thereof, Cass County, North Dakota; thence North 02 degrees 20 minutes 31 second West on the west line of said Block 40 a distance of 289.11 feet to the northwest corner of Lot 3, Block 39, said addition; thence North 87 degrees 53 minutes 56 seconds East on the north line of said Lot 3 a distance of 140.15 feet to the northeast corner of said Lot 3; thence South 02 degrees 20 minutes 31 seconds East on the east line of said Lot 3 a distance of 20.04 feet; thence North 87 degrees 53 minutes 56 seconds East a distance of 20.02 feet to a point of intersection with the west line of Lot 10, said block; thence North 02 degrees 20 minutes 31 seconds West on west line of said Lot 10 a distance of 50.09 feet; thence North 87 degrees 53 minutes 56 seconds East on the south line of the north 20 feet of Lot 9, Block 39 a distance of 140.15 feet to a point of intersection with the east line of said block; thence South 02 degrees 20 minutes 31 seconds East on the east line of said block a distance of 319.16 feet to the southeast corner of said Block 40; thence South 87 degrees 53 minutes 56 seconds West on the south line of said block a distance of 300.32 feet to the southwest corner of Block 40 and the POINT OF BEGINNING.

TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA
BEING A REPLAT OF ALL OF LOTS 1, 2, 3, 10, 11, 12 AND PART OF BLOCK 39 AND ALL OF BLOCK 40 AND ALL OF THE VACATED ALLEYS IN BLOCKS 39 AND 40, ALL PART OF ROBERTS' SECOND ADDITION TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA.
(A MINOR SUBDIVISION)

HORIZON ADDITION

CITY OF FARGO ENGINEERING DEPARTMENT APPROVAL
Approved by the City Engineer this _____ day of _____, 20____
Tom Krakunus, P.E.
City Engineer

Notary Public: _____
On this _____ day of _____, 20____, before me, a notary public in and for said county, personally appeared Tom Krakunus, P.E., City Engineer, known to me to be the person described in and who executed the same as a free act and deed.

FARGO CITY COMMISSION APPROVAL
Approved by the Board of Commissioners and ordered filed this _____ day of _____, 20____
Mayor
Timothy J. Mahoney
Attest:
Angie Bear, Deputy Auditor on behalf of City Auditor

Notary Public: _____
On this _____ day of _____, 20____, before me, a notary public in and for said county, personally appeared Timothy J. Mahoney and Angie Bear, known to me to be the persons described in and who executed the foregoing instrument and acknowledged the same as a free act and deed on behalf of the City of Fargo.

CITY OF FARGO PLANNING COMMISSION APPROVAL
Approved by the City of Fargo Planning Commission this 5th day of May, 2026
Miranda Wolf
Notary Public
State of North Dakota
County of Cass
On this 5th day of May, 2026, before me, a notary public in and for said county, personally appeared Miranda R. Tasa, Planning Commission Chair, known to me to be the person described in and who executed the same as a free act and deed.

MIRANDA WOLF
Notary Public
State of North Dakota
My Commission Expires May 18, 2027