

City of Fargo Staff Report			
Title:	Bowers Second Addition	Date:	2/24/2026
		Update:	5/21/2026
Location:	725 17 th Street North	Staff Contact:	Luke Morman, Planner
Legal Description:	A portion of Block 3, Bowers Addition and a part of Auditor's Lot 6 in the Northeast Quarter of Section 1, Township 139 North, Range 49 West, of the Fifth Principal Meridian		
Owner(s)/Applicant:	Kota Investments, LLC / Lowry Engineering	Engineer:	Lowry Engineering
Entitlements Requested:	Minor Subdivision (Replat of a portion of Block 3, Bowers Addition and a part of Auditor's Lot 6 in the Northeast Quarter of Section 1, Township 139 North, Range 49 West, of the Fifth Principal Meridian to the City of Fargo, Cass County, North Dakota)		
Status:	City Commission Consent Agenda: May 26 th , 2026		

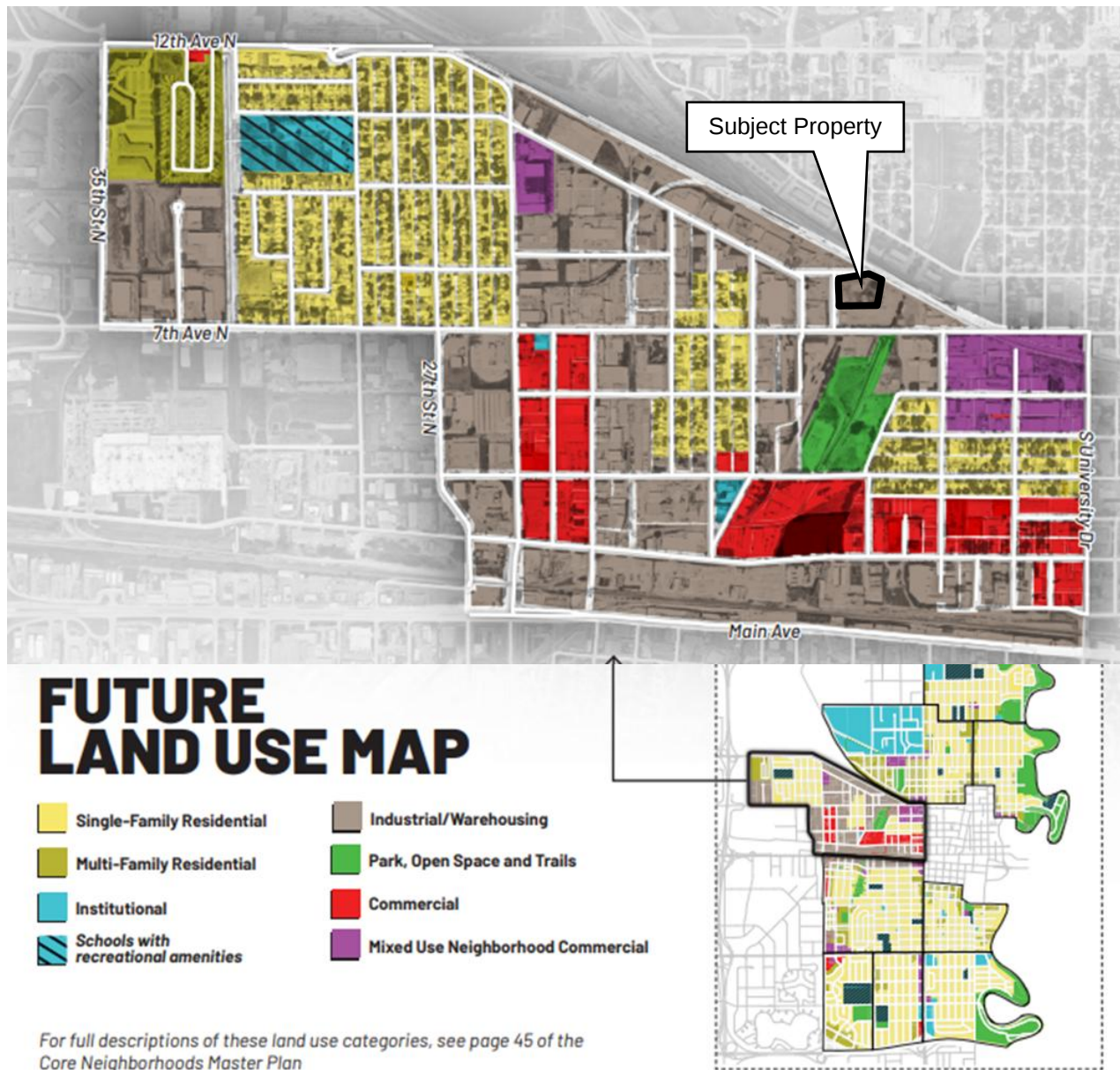
Existing	Proposed
Land Use: Industrial service	Land Use: Industrial service and undeveloped
Zoning: LI, Limited Industrial	Zoning: No change
Uses Allowed: Allows colleges, community service, daycare centers of unlimited size, detention facilities, health care facilities, parks and open areas, religious institutions, safety services, basic utilities, adult establishments, office, off-premise advertising signs, commercial parking, outdoor recreation and entertainment, retail sales and service, self-service storage, vehicle repair, limited vehicle service, industrial service, manufacturing and production, warehouse and freight movement, wholesale sales, aviation, surface transportation, and certain telecommunication facilities.	Uses Allowed: No change
Maximum Building Coverage Allowed: 85%	Maximum Lot Coverage Allowed: No change

Proposal:
The applicant requests approval of one entitlement: 1. A minor subdivision to be known as Bowers Second Addition, a replat of a portion of Block 3, Bowers Addition and a part of Auditor's Lot 6 in the Northeast Quarter of Section 1, Township 139 North, Range 49 West, of the Fifth Principal Meridian to the 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: Across 8th Avenue North LI, Limited Industrial; undeveloped and BNSF railroad • East/South: LI, Limited Industrial; City of Fargo impound lot • West: Across 17th Street North LI, Limited Industrial; warehouse and office.

Area Plans:

The Fargo Growth Plan 2024 designates the area of the subject property as “Transitional (or Flex) Industrial/Commercial” place type. The proposed development is consistent with this land use designation.

The subject property is located within the 2021 Core Neighborhoods Master Plan. This plan designates the subject property as “Industrial/Warehousing” uses. The existing LI, Limited Industrial, zoning and industrial service use are consistent with this land use designation.



Context:

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

Neighborhood: The subject property is located within the Madison/Unicorn Park neighborhood.

Parks: Cannon Park, located at 351 21st Street North, provides amenities of picnic tables, a playground for ages 2-5, and a shelter. Unicorn Park, located at 1603 3rd Avenue North, provides amenities of basketball courts, grills, picnic tables, a playground for ages 5-12, recreational trails, and warming houses. Johnson Soccer Complex, located at 420 11th Avenue North, provides amenities of picnic tables, a playground for ages 2-5, restrooms, a shelter, soccer fields, and warming houses. All parks are approximately within a quarter of a mile from the subject property.

Pedestrian / Bicycle: Off-road shared-use paths are located within Unicorn Park and the Johnson Soccer Complex which are within a quarter of a mile of the subject property. Both paths are components of the metro area bikeways system.

MATBUS Route: MATBUS Route 17 runs along 20th Street North and 7th Avenue North with stops within a quarter of a mile of the subject property.

Staff Analysis:

The proposed plat will split one lot into a two-lot minor subdivision entitled Bowers Second Addition.

Easements

A Negative Access Easement was added on the north/northeast property line by the transition from 8th Avenue North to 16th Street North. A Shared Access and Utility Easement will allow for both lots to share the driveway off of 17th Street North. Off of that easement is a Memorandum of Lease and Ingress/Egress Easement for an existing Telecommunication Support Structure (TSS). A Storm Sewer and Drainage Easement is proposed along the east property lines to connect to the existing City storm sewer to the northeast of the proposed Lot 1.

Staff has coordinated with the applicant to create an Amenities Plan discussing stormwater management.

Minor Subdivision

The LDC stipulates that the following criteria are 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.**

The current zoning is LI, Limited Industrial, and no zone change is proposed. This zoning is consistent with the "Transitional (or Flex) Industrial/Commercial" place type of the Fargo Growth Plan 2024 and the "Industrial/Warehousing" uses in the Core Neighborhoods Master Plan. In accordance with Section 20-0901.F of the LDC, notices of the proposed plat have been sent out to property owners within 300 feet of the subject property. To date, Planning staff has received no inquiries about the project. The project has been reviewed by the city's Planning, Engineering, Public Works, Inspections, and Fire Departments. These departments have found that the plat meets the standards of Article 20-06 and other applicable requirements of the Land Development Code.

(Criteria Satisfied)

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

While this section of the LDC specifically addresses only major subdivision plats, staff believes it is important to note that any improvements associated with the project (both existing and proposed) are subject to special assessments. Special assessments associated with the costs of

the public infrastructure improvements are proposed to be spread by the front footage basis and storm sewer by the square footage basis as is typical with the City of Fargo assessment principles.

(Criteria Satisfied)

Staff Recommendation:

Suggested Motion: "To accept the findings and recommendations of the Planning Commission and staff and move to approve the proposed plat of the **Bowers Second Addition**, as outlined within the staff report, as the proposal complies with the Fargo Growth Plan 2024, Core Neighborhoods Master Plan, the standards of Article 20-06, Section 20-0907.B and C, and all other applicable requirements of the Land Development Code."

Planning Commission Recommendation: March 3rd, 2026

At the March 3rd, 2026 Planning Commission, that Commission, by a vote of 10-0 with one Commissioner absent, moved to accept the findings and recommendations of staff and recommended approval to the City Commission of the proposed plat of the Bowers Second Addition, as outlined within the staff report, as the proposal complies a with the Fargo Growth Plan 2024, the standards of Article 20-06, Section 20-0907.B and C, and all other applicable requirements of the Land Development Code.

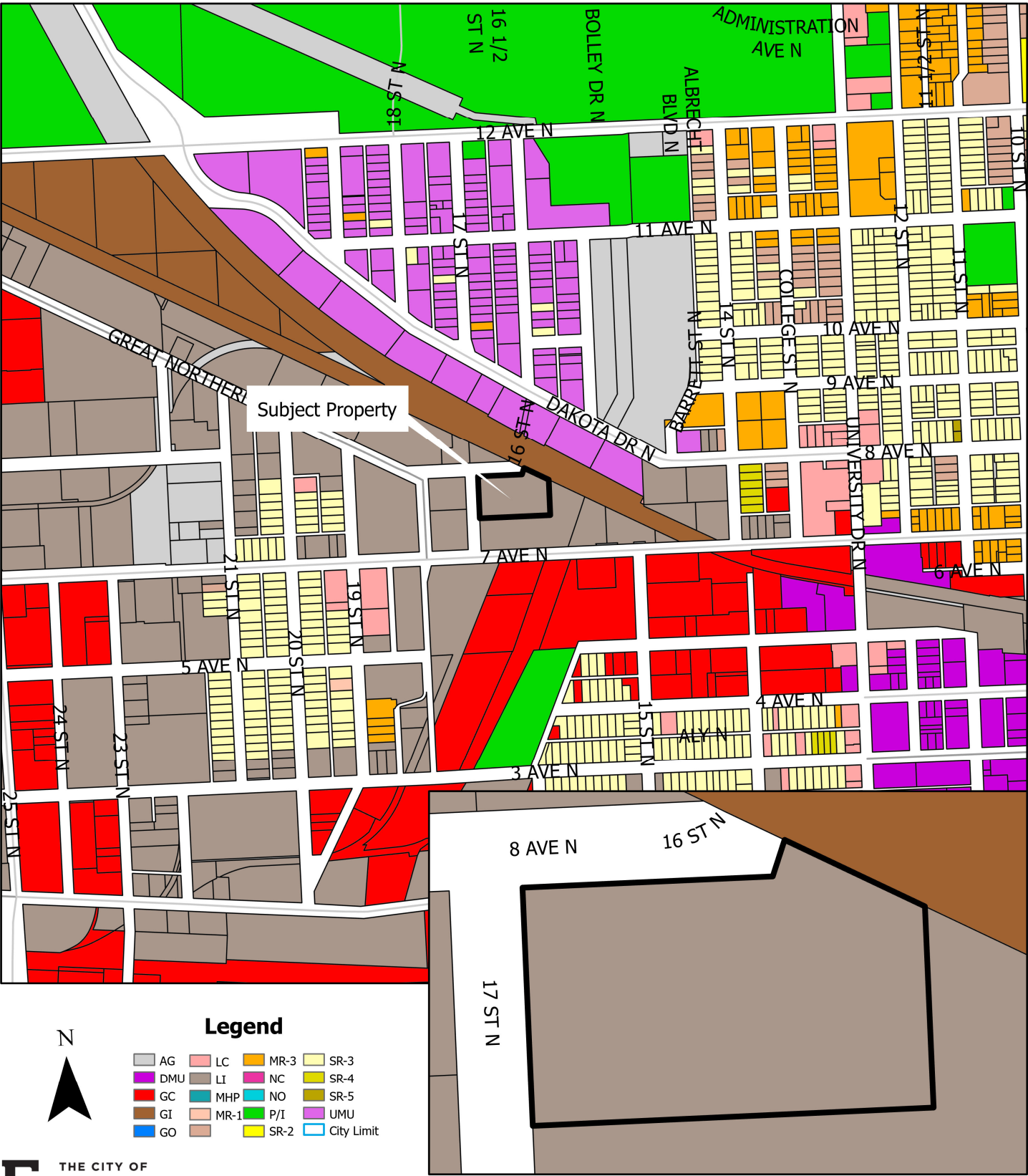
Attachments:

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

Minor Subdivision

Bowers Second Addition

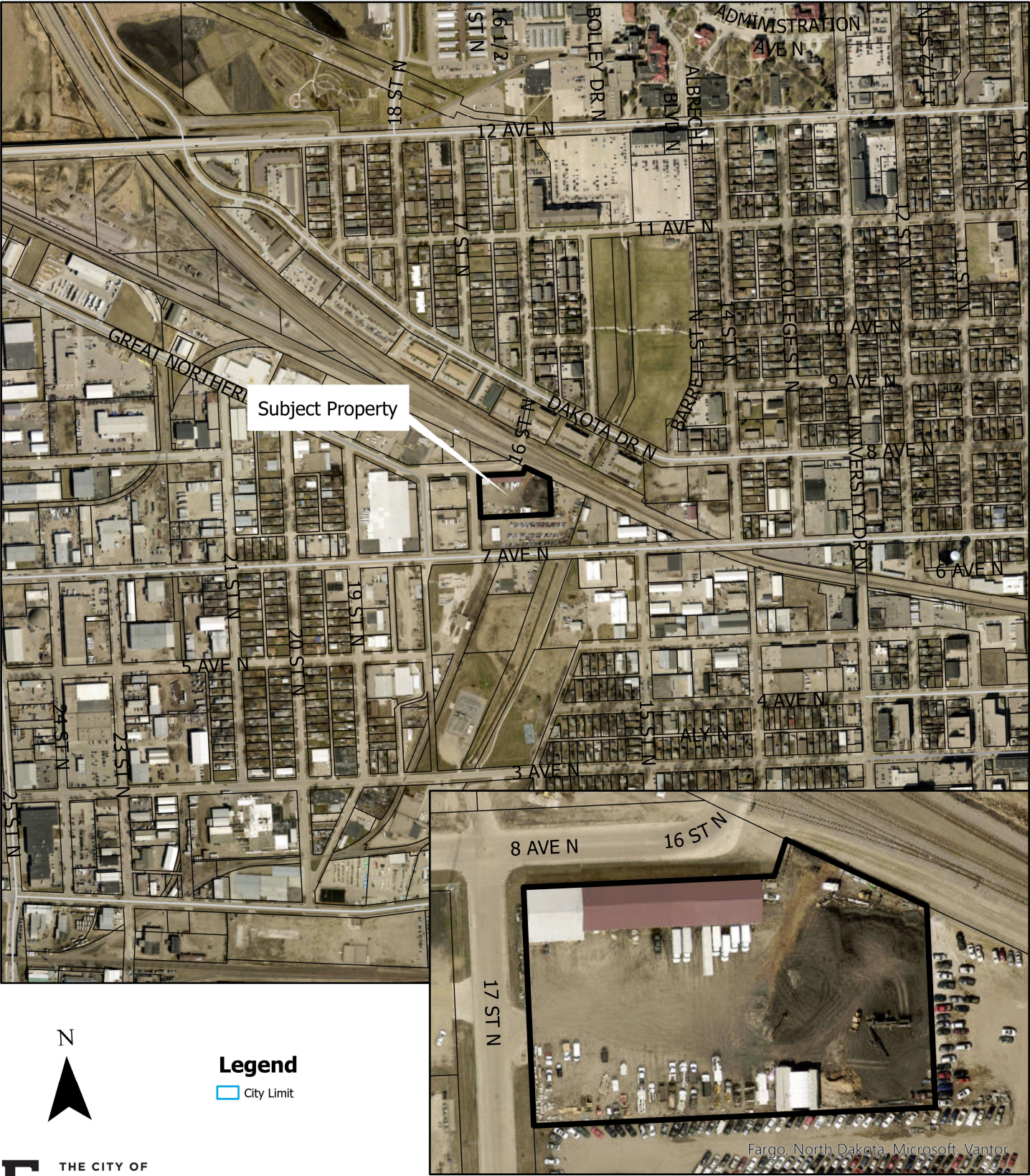
725 17th Street North



Minor Subdivision

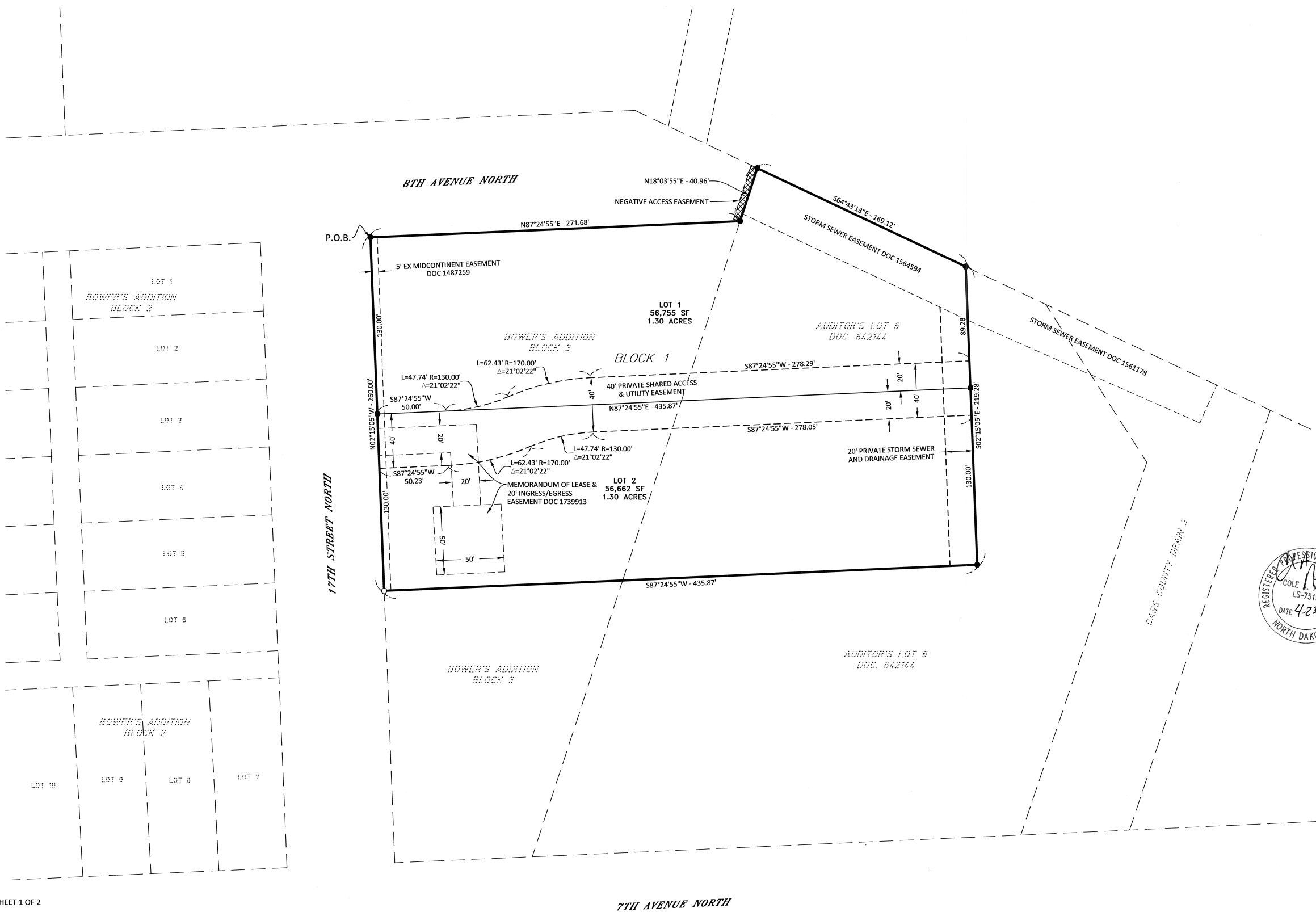
Bowers Second Addition

725 17th Street North



BOWERS SECOND ADDITION

A REPLAT OF PART OF BLOCK 3, BOWERS ADDITION AND PART OF AUDITOR'S LOT 6 OF THE NORTHEAST QUARTER OF SECTION 1,
TOWNSHIP 139 NORTH, RANGE 49 WEST OF THE FIFTH PRINCIPAL MERIDIAN, TO THE CITY OF FARGO, NORTH DAKOTA
(A MINOR SUBDIVISION)



LEGEND

- MONUMENT SET
- MONUMENT FOUND
- P.O.B. POINT OF BEGINNING
- - - EX. EASEMENT
- - - EX. PROPERTY LINE
- - - EX. SECTION LINE
- - - PROPERTY LINE
- ===== PROPERTY BOUNDARY LINE
- - - NEW EASEMENT LINE
- XXXXXXXXXX NEGATIVE ACCESS EASEMENT

SURVEY INFORMATION

DATE OF SURVEY: DECEMBER, 2025
BASIS OF BEARING: CITY OF FARGO GROUND COORDINATE SYSTEM,
DECEMBER 1992, US SURVEY FOOT
VERTICAL DATUM: NAVD88

- NOTES**
1. ALL DISTANCES ARE GROUND DISTANCES. US SURVEY FOOT.
 2. A NEGATIVE ACCESS EASEMENT IS AN EASEMENT WHICH DENIES DIRECT VEHICULAR ACCESS TO A STREET OR PUBLIC WAY FROM THE LOT OR LOTS ADJACENT TO SUCH STREET OR WAY. THE NEGATIVE ACCESS EASEMENT IS NOT A STRIP OF LAND OF ANY CERTAIN WIDTH, BUT IS A LINE COTERMINOUS WITH THE BOUNDARY OF THE ADJACENT LOT OR LOTS.



FOR RECORDING PURPOSES ONLY

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BOWERS SECOND ADDITION

A REPLAT OF PART OF BLOCK 3, BOWERS ADDITION AND PART OF AUDITOR'S LOT 6 OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 139 NORTH, RANGE 49 WEST OF THE FIFTH PRINCIPAL MERIDIAN, TO THE CITY OF FARGO, NORTH DAKOTA (A MINOR SUBDIVISION)

OWNERS' CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS, THAT KOTA INVESTMENTS LLC, IS THE OWNER OF THAT PART OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 139 NORTH, RANGE 49 WEST OF THE 5TH PRINCIPAL MERIDIAN, IN THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF BLOCK 3 (ALSO REFERRED TO AS LOT 1, BLOCK 3), BOWERS ADDITION; THENCE N87°24'55"E ALONG THE NORTH LINE OF SAID BLOCK 3 A DISTANCE OF 271.68 FEET; THENCE N18°03'55"E A DISTANCE OF 40.96 FEET; THENCE S64°43'13"E A DISTANCE OF 169.12 FEET; THENCE S02°15'05"E A DISTANCE OF 219.28 FEET; THENCE S87°24'55"W A DISTANCE OF 435.87 FEET TO THE WEST LINE OF SAID BLOCK 3; THENCE N02°15'05"W ALONG SAID WEST LINE A DISTANCE OF 260.00 FEET TO THE POINT OF BEGINNING

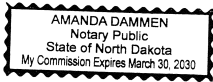
SAID OWNERS HAVE CAUSED THE ABOVE DESCRIBED TRACT OF LAND SHOWN ON THIS PLAT TO BE SURVEYED AND PLATTED AS BOWERS SECOND ADDITION TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA. SAID OWNERS HEREBY DEDICATE AND CONVEY THE 40' SHARED ACCESS & UTILITY EASEMENT, AND THE 20' STORM SEWER & DRAINAGE EASEMENT AS SHOWN ON SAID PLAT AS PRIVATE EASEMENTS FOR THE BENEFIT OF ALL LOTS AND BLOCKS. SAID BOWERS SECOND ADDITION, CONSISTS OF 2 LOTS AND 1 BLOCK, AND CONTAINS 2.60 ACRES, MORE OR LESS TOGETHER WITH EASEMENTS AND RIGHT OF WAYS OF RECORD.

BY: Wade Myszka
WADE MYSKA, OWNER
KOTA INVESTMENTS, LLC

STATE OF ND)
COUNTY OF Cass)SS

ON THIS 24 DAY OF April, 2026, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED WADE MYSKA, OWNER, KOTA INVESTMENTS, LLC, TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED SAME AS THEIR FREE ACT AND DEED.

Amanda Dammen
NOTARY PUBLIC, COUNTY: Cass STATE: ND



SURVEYORS CERTIFICATE

I, COLE A. NESET, REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NORTH DAKOTA, DO HEREBY CERTIFY THAT I HAVE SURVEYED AND PLATTED THE PROPERTY DESCRIBED ON THIS PLAT AS BOWERS SECOND ADDITION; THAT THIS PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY; THAT ALL DISTANCES ARE SHOWN CORRECTLY ON SAID PLAT IN FEET AND HUNDREDTHS OF A FOOT; THAT ALL MONUMENTS ARE OR WILL BE INSTALLED CORRECTLY IN THE GROUND AS SHOWN; AND THAT THE EXTERIOR BOUNDARY LINES ARE CORRECTLY DESIGNATED.

DATED THIS 23 DAY OF April, 2026.

Cole A. Neset
COLE A. NESET,
REGISTERED LAND SURVEYOR
LS-7513

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS 23rd DAY OF April, 2026, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED COLE A. NESET, TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED SAME AS THEIR FREE ACT AND DEED.

Alicia Thompson
NOTARY PUBLIC, COUNTY: CASS STATE: NORTH DAKOTA



CITY ENGINEER'S APPROVAL

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

TOM KNAKMUHS, P.E.
CITY ENGINEER

STATE OF _____)
COUNTY OF _____)SS

ON THIS _____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED TOM KNAKMUHS, P.E., TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED SAME AS THEIR FREE ACT AND DEED.

NOTARY PUBLIC, COUNTY: _____ STATE: _____

CITY COMMISSION APPROVAL

APPROVED BY THE BOARD OF CITY COMMISSIONERS AND ORDERED FILED THIS _____ DAY OF _____, 20____.

TIMOTHY J. MAHONEY, MAYOR

ATTEST:
ANGIE BEAR, DEPUTY AUDITOR ON BEHALF OF CITY AUDITOR

STATE OF _____)
COUNTY OF _____)SS

ON THIS _____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, 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 THAT THEY EXECUTED THE SAME AS THEIR FREE ACT AND DEED ON BEHALF OF THE CITY OF FARGO.

NOTARY PUBLIC, COUNTY: _____ STATE: _____

CITY PLANNING COMMISSION APPROVAL

THIS PLAT IN THE CITY OF FARGO IS HEREBY APPROVED THIS 3rd DAY OF March, 2026.

MARANDA R. TASA, CHAIR
FARGO PLANNING COMMISSION

STATE OF _____)
COUNTY OF _____)SS

ON THIS _____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED MARANDA R. TASA, TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED SAME AS THEIR FREE ACT AND DEED.

NOTARY PUBLIC, COUNTY: _____ STATE: _____

FOR RECORDING PURPOSES ONLY