

City of Fargo Staff Report			
Title:	Berg Addition	Date:	7/1/2026 7/30/2026
Location:	2202 5 th Avenue North	Staff Contact:	Donald Kress, Planning Coordinator
Legal Description:	Lots 1-5, Block 11, Lots 22-26, Block 12, part of the vacated 22nd Street North right-of-way, and part of the vacated alley along the West line of Block 11, Tyler's Addition to the City of Fargo, Cass County, North Dakota		
Owner(s)/Applicant:	Arnold Berg, Jr. /Justin Berg Realty	Engineer:	Lowry Engineering, Inc.
Entitlements Requested:	Minor Subdivision (Replat of Lots 1-5, Block 11, Lots 22-26, Block 12, part of the vacated 22nd Street North right-of-way, and part of the vacated alley along the West line of Block 11, Tyler's Addition, to the City of Fargo, Cass County, North Dakota)		
Status:	City Commission Consent Agenda: August 3 rd , 2026		

Existing	Proposed
Land Use: Trucking company; vehicle parking	Land Use: Unchanged
Zoning: LI, General Industrial.	Zoning: Unchanged
Uses Allowed : Colleges, community service, daycare centers of unlimited size, detention facilities, health care facilities, parks and open areas, religious institutions, safety services, basic utilities, adult establishment, offices, 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 telecommunications facilities.	Uses Allowed: Unchanged
Maximum Lot Coverage Allowed: Maximum 85% building coverage.	Maximum Lot Coverage Allowed: Unchanged

Proposal:
The applicant requests one entitlement: - A minor subdivision, entitled Berg Addition which is a replat of Replat of Lots 1-5, Block 11, Lots 22-26, Block 12, part of the vacated 22nd Street North right-of-way, and part of the vacated alley along the West line of Block 11, Tyler's Addition, 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: LI, industrial service with industrial uses

- East: SR-3, Single-Dwelling Residential with residential use
- South: LI, industrial uses
- West: LI, industrial uses

Area Plans:

The Fargo Growth Plan 2024 designates the place type of the subject property as “Transitional Industrial/Commercial.” The future land use map in the Madison/Unicorn Park Neighborhood Implementation Brief of the Core Neighborhoods Plan designates the subject property as “Industrial / Warehouse.” The existing LI, Limited Industrial zoning and the current industrial land uses are consistent with this place type and land use designation. No zone change is proposed.

Context:

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

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

Parks: There are no parks within a quarter mile of the subject property.

Pedestrian / Bicycle: There are no shared use paths adjacent to the subject property.

Bus Route: MATBus Route 17 runs along 20th Street North, with a stop two blocks east of the subject property. This route connects the downtown Ground Transportation Center with the industrial areas along 2nd, 7th, and 12th Avenue North.

Staff Analysis:

SUBDIVISION

The proposed subdivision replats several lots and portions of a vacated street and alley within Tyler’s Addition into a two-lot, one block subdivision. The buildings on the subject property are used as shops and offices; most of the property is used for truck parking. These uses are intended to continue, with no further development is planned at this time. The applicant intends to convey Lot 2 to another business for use as a truck parking area.

At staff’s direction, the applicant has added a 10-foot wide easement for the exclusive use of the City between the two existing sanitary sewer and water line easements.

Staff and the applicant have executed an amenities plan addressing stormwater management.

FINDINGS

Minor Subdivision

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

1. **Section 20-0907.B.3 of the LDC stipulates that the Planning Commission recommend approval or denial of the application, based on whether it complies with the adopted Area Plan, the standards of Article 20-06 and all other applicable requirements of the Land Development Code. Section 20-0907.B.4 of the LDC further stipulates that a Minor Subdivision Plat shall not be approved unless it is located in a zoning district that allows the proposed development and complies with the adopted Area Plan, the standards of Article 20-06 and all other applicable requirements of the Land Development Code.** This subdivision is intended to replat several lots and portions of a vacated street and alley within Tyler’s Addition into a two-lot, one block subdivision. The Fargo Growth Plan 2024 designates

the place type of the subject property as “Transitional Industrial/Commercial.” The future land use map in the Madison/Unicorn Park Neighborhood Implementation Brief of the Core Neighborhoods Plan designates the subject property as “Industrial / Warehouse.” The existing LI, Limited Industrial zoning and current industrial uses are consistent with this place type and land use designation. 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 and responded to one inquiry about the application. Staff has reviewed this request and finds that this application complies with standards of Article 20-06 and all 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 principals.

(Criteria Satisfied)

Staff Recommendation:

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

Planning Commission Recommendation: July 7th, 2026

At the July 7th, 2026 Planning Commission, that Commission, by a vote of 8-0 with three Commissioners absent, moved to accept the findings and recommendations of staff and recommended approval to the City Commission the proposed plat of **Berg Addition**, as outlined in the staff report, as the proposal complies with the Fargo Growth Plan 2024, Core Neighborhoods Plan, Standards of Article 20-06, Sections 20-0907 B and C of the Land Development Code, and all other applicable requirements of the Land Development Code.

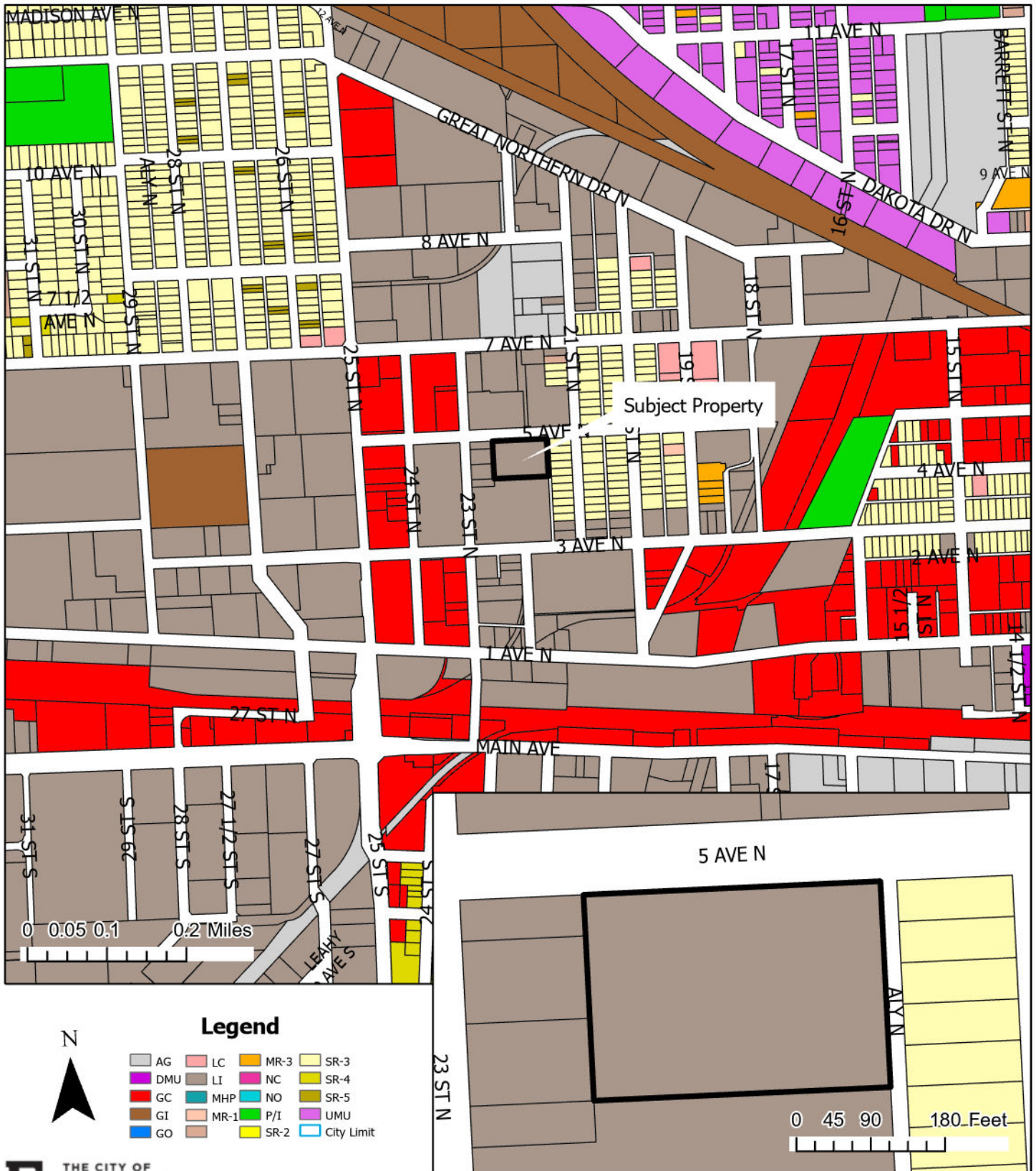
Attachments:

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

Minor Subdivision

Berg Addition

2202 5th Avenue North



Minor Subdivision

Berg Addition

2202 5th Avenue North

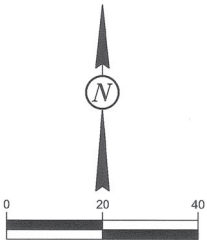


BERG ADDITION

A REPLAT OF LOTS 1 THROUGH 5, BLOCK 11 AND LOTS 22 THROUGH 26 BLOCK 12, TYLER'S ADDITION AND PART OF THE VACATED 22ND STREET RIGHT OF WAY AND THE EAST HALF OF THE VACATED ALLEY ADJACENT TO LOTS 1 THROUGH 5, BLOCK 11, TYLER'S ADDITION TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA
(A MINOR SUBDIVISION)

5TH AVE N

P.O.B.



LEGEND

- MONUMENT SET
- MONUMENT FOUND
- P.O.B. POINT OF BEGINNING
- (U.E.) PUBLIC UTILITY EASEMENT
- - - EX. EASEMENT
- - - EX. PROPERTY LINE
- - - EX. SECTION LINE
- - - EX. PROPERTY LINE TO BE VACATED HERON
- - - PROPERTY BOUNDARY LINE
- - - NEW ROW/PROPERTY LINE
- - - NEW 10' UTILITY EASEMENT
- - - NEW 10' SANITARY SEWER AND WATER LINE EASEMENT

SURVEY INFORMATION

DATE OF SURVEY: FEBRUARY, 2026
BASIS OF BEARING: CITY OF FARGO GROUND COORDINATE SYSTEM,
DECEMBER 1992, US SURVEY FOOT
VERTICAL DATUM: NAVD88

NOTES

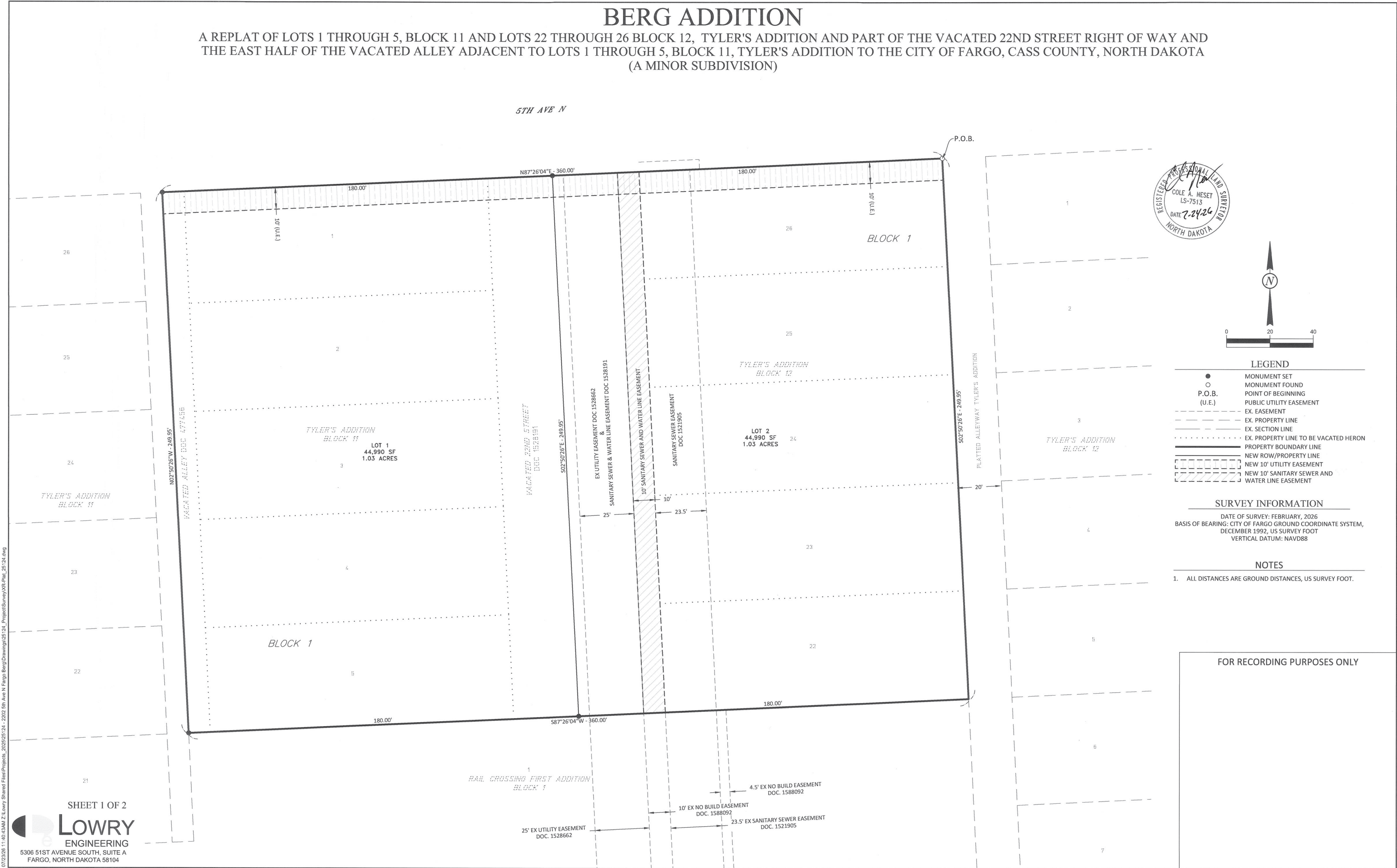
- ALL DISTANCES ARE GROUND DISTANCES, US SURVEY FOOT.

FOR RECORDING PURPOSES ONLY

07/23/26 11:40:33AM Z:\Lowry Shared Files\Projects_2025\25124 - 2202 5th Ave N Fargo Berg Drawings\25124_Project\Survey\25124_Plot_25124.dwg

SHEET 1 OF 2

LOWRY
ENGINEERING
5306 51ST AVENUE SOUTH, SUITE A
FARGO, NORTH DAKOTA 58104



BERG ADDITION

A REPLAT OF LOTS 1 THROUGH 5, BLOCK 11 AND LOTS 22 THROUGH 26 BLOCK 12, TYLER'S ADDITION AND PART OF THE VACATED 22ND STREET RIGHT OF WAY AND THE EAST HALF OF THE VACATED ALLEY ADJACENT TO LOTS 1 THROUGH 5, BLOCK 11, TYLER'S ADDITION TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA (A MINOR SUBDIVISION)

OWNERS' CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS, THAT ARNOLD BERG, JR, IS THE OWNER OF THAT PART OF THE SOUTHWEST 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 NORTHEAST CORNER OF LOT 26, BLOCK 12, TYLER'S ADDITION; THENCE S02°50'26"E ALONG THE WEST LINE OF THE BLOCK 12 ALLEYWAY A DISTANCE OF 249.95 FEET TO THE SOUTHEAST CORNER OF LOT 22, OF SAID BLOCK 12; THENCE S87°26'04"W A DISTANCE OF 360.00 FEET TO THE CENTERLINE OF THE VACATED ALLEY OF BLOCK 11, TYLER'S ADDITION; THENCE N02°50'26"W ALONG SAID CENTERLINE A DISTANCE OF 249.95 FEET TO THE SOUTH LINE OF THE 5TH AVENUE NORTH RIGHT OF WAY; THENCE N87°26'04"E ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 360.00 FEET TO THE POINT OF BEGINNING.

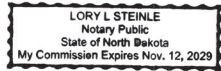
SAID OWNERS HAVE CAUSED THE ABOVE DESCRIBED TRACT OF LAND SHOWN ON THIS PLAT TO BE SURVEYED AND PLATTED AS BERG ADDITION TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA. SAID OWNERS HEREBY DEDICATE AND CONVEY A 10.00 FOOT SANITARY SEWER AND WATER LINE EASEMENT TO THE CITY OF FARGO AS SHOWN ON SAID PLAT, SAID OWNERS ALSO HEREBY DEDICATE AND CONVEY TO THE PUBLIC, FOR PUBLIC USE, ALL UTILITY EASEMENTS AS SHOWN ON SAID PLAT. SAID BERG ADDITION, CONSISTS OF 2 LOTS AND 1 BLOCK, AND CONTAINS 2.06 ACRES, MORE OR LESS TOGETHER WITH EASEMENTS AND RIGHT OF WAYS OF RECORD.

BY: Arnold Berg Jr
ARNOLD BERG, JR

STATE OF ND)
)SS
COUNTY OF Cass)

ON THIS 27 DAY OF July, 2026, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED ARNOLD BERG, JR, 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.

[Signature]
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 BERG 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 24 DAY OF July, 2026.

COLE A. NESET
REGISTERED LAND SURVEYOR
LS-7513

STATE OF NORTH DAKOTA)
)SS
COUNTY OF CASS)

ON THIS 24th DAY OF July, 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.

[Signature]
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 _____)
)SS
COUNTY OF _____)

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____.

JOSHUA A. BOSCHEE, MAYOR

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

STATE OF _____)
)SS
COUNTY OF _____)

ON THIS _____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED JOSHUA A. BOSCHEE 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 _____ DAY OF _____, 20____.

MARANDA R. TASA, CHAIR
FARGO PLANNING COMMISSION

STATE OF _____)
)SS
COUNTY OF _____)

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