

City of Fargo Staff Report			
Title:	Amber Valley Tenth Addition	Date: Update:	2/24/2026 7/28/2026
Location:	2301 45 th Street South and 4502 23 rd Avenue South	Staff Contact:	Luke Morman, Planner
Legal Description:	Lot 1, Block 1, Amber Valley First Addition and Lot 1, Block 3, Agassiz Crossing First Addition		
Owner(s)/Applicant:	Newman Signs, Inc / Houston Engineering	Engineer:	Houston Engineering
Entitlements Requested:	Minor Subdivision (Replat of Lot 1, Block 1, Amber Valley First Addition and Lot 1, Block 3, Agassiz Crossing First Addition to the City of Fargo, Cass County, North Dakota)		
Status:	City Commission Consent Agenda: August 3 rd , 2026		

Existing	Proposed
Land Use: Undeveloped	Land Use: Retail sales and service
Zoning: GC, General Commercial	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, 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 Amber Valley Tenth Addition, a replat of Lot 1, Block 1, Amber Valley First Addition and Lot 1, Block 3, Agassiz Crossing First 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: Across 23rd Avenue South GC, General Commercial; office and retail sales and service • East: Across 45th Street South GC, General Commercial; retail sales and service • South: GC, General Commercial; office and industrial service • West: Across 46th Street South GC, General Commercial; retail sales and service. Area Plans: The Fargo Growth Plan 2024 designates the area of the subject property as "Mixed Commercial Office and Residential" place type. The proposed development is consistent with this land use designation.

Context:

Schools: The subject property is located within the West Fargo School District and is served by Freedom Elementary, Liberty Middle, and Sheyenne High schools.

Neighborhood: The subject property is located within the Amber Valley neighborhood.

Parks: Anderson Softball Complex, located at 4200 23rd Avenue South, provides amenities of baseball/softball fields, concessions, picnic tables, playground for ages 2-5, and restrooms. Cornerstone Bank Arena, located at 4404 23rd Avenue South, provides amenities of indoor ice arenas, meeting rooms, and restrooms. Both Parks facilities are approximately a quarter of a mile east of the subject properties.

Pedestrian / Bicycle: Off-road shared-use paths are located along the south side of 23rd Avenue South, east side of 45th Street South and a separate trail is located to the west of the subject property. All paths are within a quarter of a mile of the subject properties and components of the metro area bikeways system.

MATBUS Route: MATBUS Route 24 runs along 23rd Avenue South and Agassiz Xing South with stops within a quarter of a mile of the subject property.

Staff Analysis:

The proposed plat will combine two lots into a one lot, one block, minor subdivision entitled, Amber Valley Tenth Addition.

Easements

A new 10' Utility Easement is proposed along 46th Street South and a new Negative Access Easement is proposed along 45th Street South to cover the existing south property addressed 2301 45th Street South (Lot 1, Block 1, Amber Valley First Addition). There was an existing sign easement in the northeast corner of the plat that was vacated via separate document by the owner after the Planning Commission approval.

Staff has determined that an Amenities Plan is not necessary for the proposed subdivision.

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 GC, General Commercial, and no zone change is proposed. This zoning is consistent with the "Mixed Commercial Office and Residential" place type of the Fargo Growth Plan 2024. 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 properties. To date, Planning staff has received and responded to one inquiry about the project with no noted concerns. 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 **Amber Valley Tenth Addition**, as outlined within the staff report, as the proposal complies 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."

Planning Commission Recommendation: March 3rd, 2026

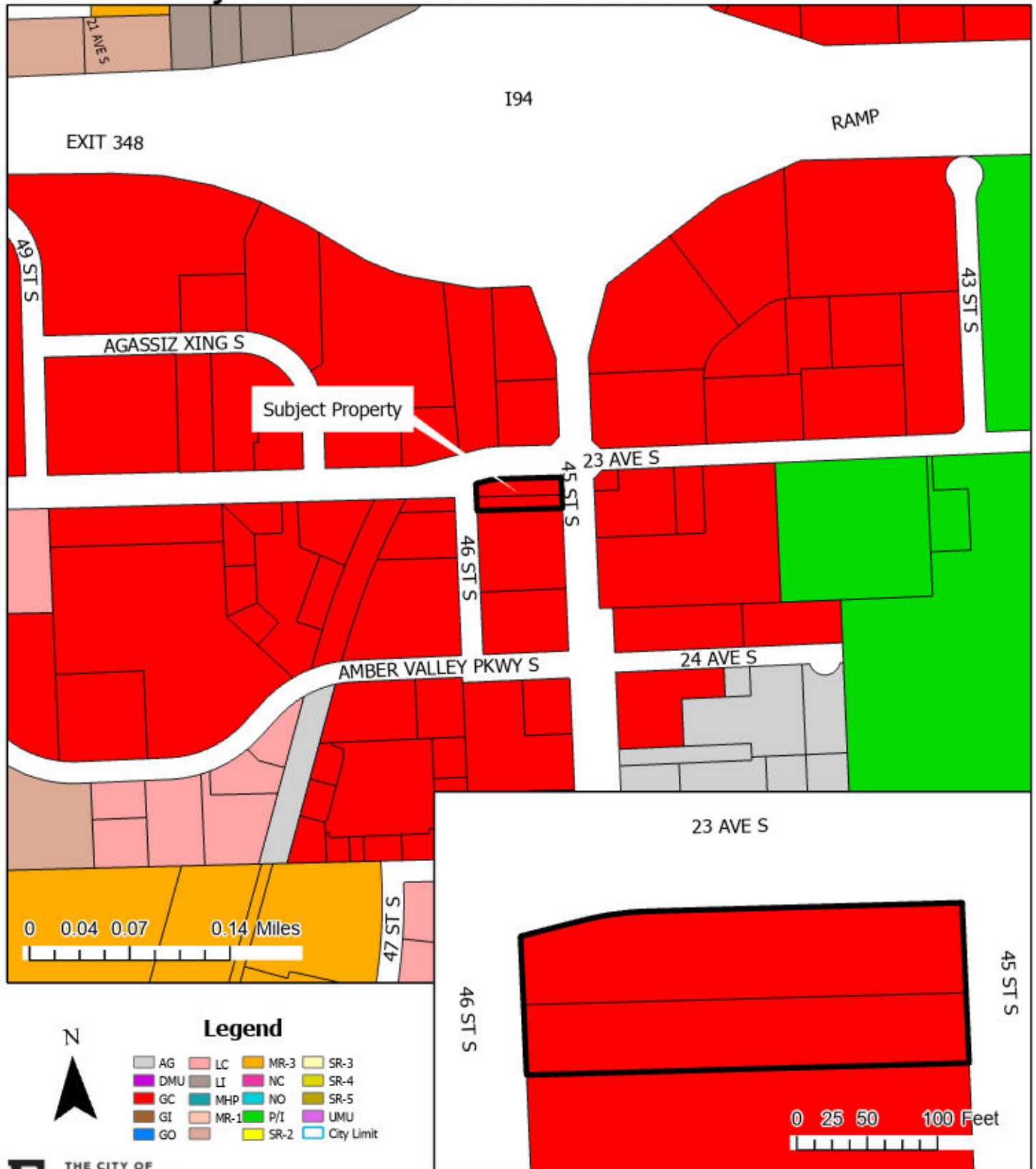
At the February 24th, 2026 Planning Commission, that Commission, by a vote of 10-0 with one Commissioner absent, moved to accept the findings and recommendations of staff and recommended approval to the City Commission of the proposed plat of Amber Valley Tenth Addition, as outlined within the staff report, as the proposal complies with the Fargo Growth Plan 2024, Standards of Article 20-06, and 20-0907 of the LDC, and all other applicable requirements of the LDC.

Attachments:

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

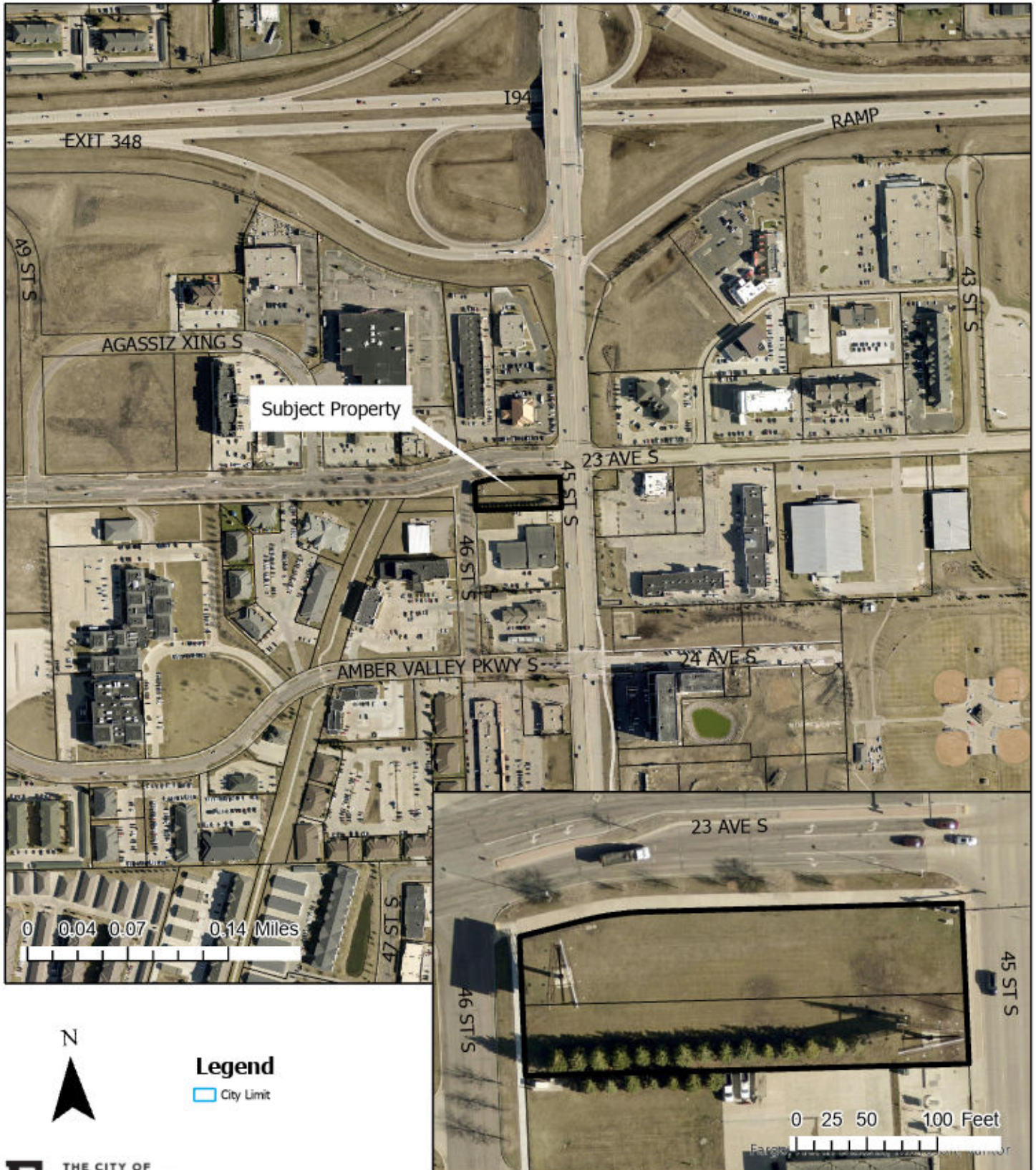
Minor Subdivision

Amber Valley Tenth Addition 2301 45th Street South and 4502 23rd Avenue South



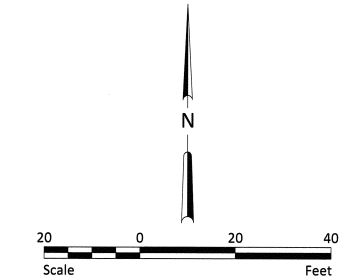
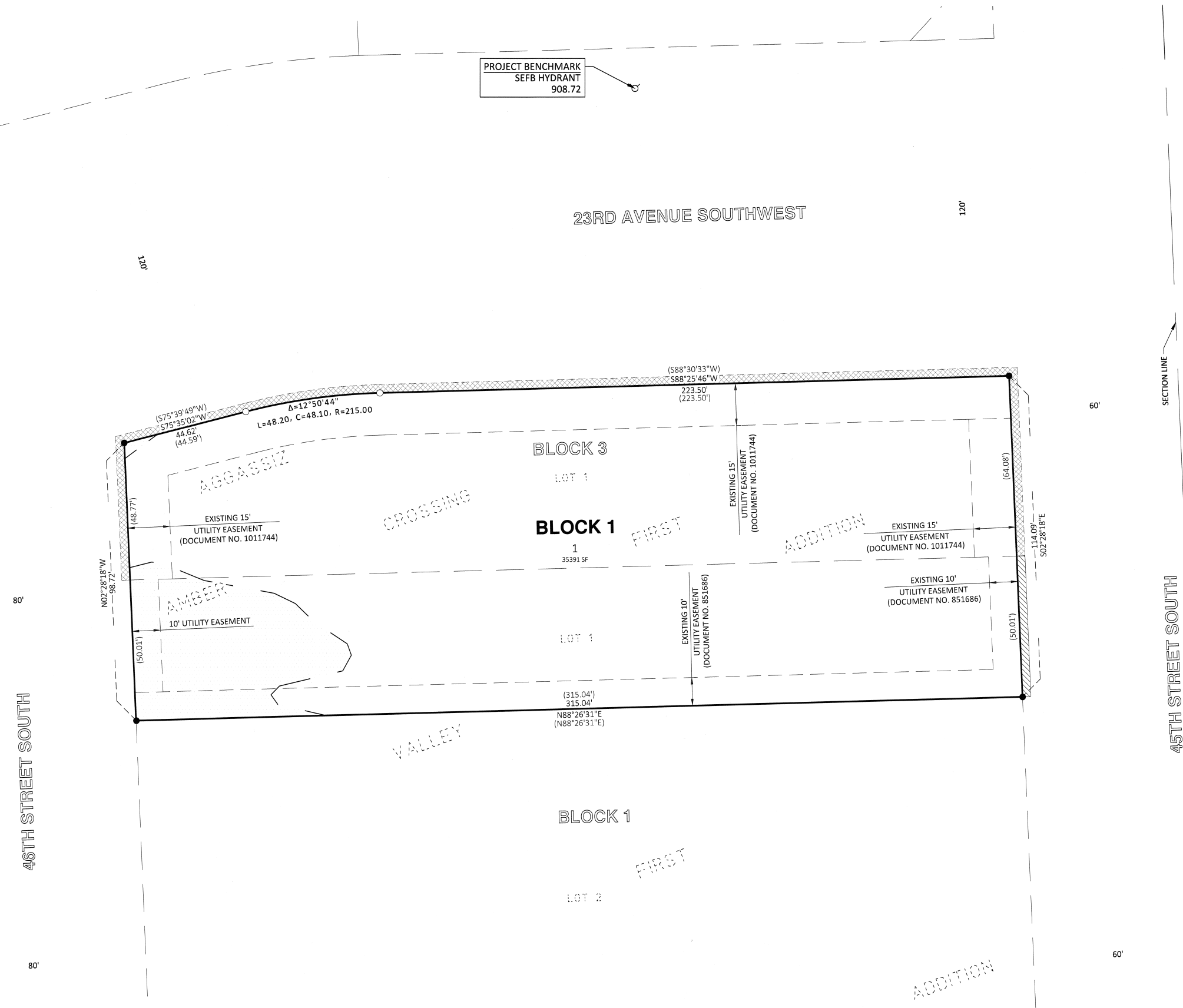
Minor Subdivision

Amber Valley Tenth Addition 2301 45th Street South and 4502 23rd Avenue South



AMBER VALLEY TENTH ADDITION

A MINOR SUBDIVISION
BEING A REPLAT OF LOT 1, BLOCK 1, AMBER VALLEY FIRST ADDITION &
LOT 1, BLOCK 3, AGASSIZ CROSSING FIRST ADDITION
TO THE CITY OF 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	—————
NEW LOT LINE	—————
NEW UTILITY EASEMENT	—————
EXISTING LOT LINE	—————
EXISTING UTILITY EASEMENT	—————
ELEVATION CONTOUR (NAVD 1988)	906
EXISTING NEGATIVE ACCESS EASEMENT (DOC. NO. 1011744)	▨
NEW NEGATIVE ACCESS EASEMENT	▨
ZONE AE - AREA WITHIN FEMA 100-YEAR FLOODPLAIN	□

- BEARINGS SHOWN ARE BASED ON THE CITY OF FARGO GROUND COORDINATE SYSTEM, DECEMBER 1992.
- NOTES:**
1. NEGATIVE ACCESS EASEMENT, AS NOTED ON THIS PLAT, IS AN EASEMENT DEDICATED AS PART OF THE RIGHT-OF-WAY DEDICATION WHICH EASEMENT 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.
 2. A PORTION OF THE PROPERTY IS SITUATED IN ZONE AE (100-YEAR FLOODPLAIN) AS DEPICTED ON FEMA FIRM PANELS 38017C0778G & 38017C0778G DATED JAN. 16, 2015.
 3. BASE FLOOD ELEVATION = 905.7' (NAVD 1988)
 4. ZONE AE ONLY DEPICTED WITHIN THE BOUNDARY OF THIS PLAT. EXISTING GROUND ELEVATIONS WITHIN THE DEPICTED ZONE AE ARE BETWEEN ELEVATION 905.0 AND 906.0 (NAVD88 - 2020 METRO-AREA LIDAR COLLECT). NO EVEN-FOOT CONTOURS EXIST WITHIN THIS DEPICTED BOUNDARY - ELEVATION CONTOURS ARE NOT DEPICTED.

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AMBER VALLEY TENTH ADDITION
A MINOR SUBDIVISION
BEING A REPLAT OF LOT 1, BLOCK 1, AMBER VALLEY FIRST ADDITION &
LOT 1, BLOCK 3, AGASSIZ CROSSING FIRST ADDITION
TO THE CITY OF FARGO,
CASS COUNTY, NORTH DAKOTA

OWNER'S CERTIFICATE:
KNOW ALL PERSONS BY THESE PRESENTS: That Newman Signs, Inc. dba Newman Outdoor Advertising, is the owner and proprietor of the following described tract of land:
Lot 1, Block 1, Amber Valley First Addition and Lot 1, Block 3, Agassiz Crossing First Addition, to the City of Fargo, Cass County, North Dakota.
Said tract contains 0.812 acres, more or less.
And that said party has caused the same to be surveyed and platted as AMBER VALLEY TENTH ADDITION to the City of Fargo, Cass County, North Dakota, and do hereby dedicate to the public, for public use, the utility easement and negative access easement as shown on this plat.

OWNER:
Newman Signs, Inc. dba Newman Outdoor Advertising
Leo Ness

State of North Dakota)
) ss
County of Cass)

On this 26th day of May, 2026 before me personally appeared Leo Ness, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that she executed the same on behalf of said limited liability company.

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

SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT:
I, James A. Schlieman, 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 7th day of April, 2026.

James A. Schlieman, Professional Land Surveyor No. 6086

State of North Dakota)
) ss
County of Cass)

On this 7th day of APRIL, 2026 before me personally appeared James A. Schlieman, 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: Steven M. Hanson
STEVEN M. HANSON
Notary Public
State of North Dakota
My Commission Expires July 19, 2027

CITY ENGINEER'S APPROVAL:
Approved by the Fargo City Engineer this day of , 20.

Tom Knakmuhs, PE, City Engineer

State of North Dakota)
) ss
County of Cass)

On this day of , 20 before me personally appeared Tom Knakmuhs, PE, 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 Fargo City Engineer.

Notary Public:

FARGO PLANNING COMMISSION APPROVAL:
Approved by the City of Fargo Planning Commission this 3rd day of March, 2026.

Maranda R. Tasa, Chair
Fargo Planning Commission

State of North Dakota)
) ss
County of Cass)

On this 26th day of May, 2026 before me personally appeared Maranda R. Tasa, Chair, 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 she executed the same on behalf of the Fargo Planning Commission.

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

FARGO 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 North Dakota)
) SS
County of Cass)

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: