



Community Development Department

BISMARCK PLANNING AND ZONING COMMISSION
MEETING AGENDA
December 21, 2011

Tom Baker Meeting Room 5:00 p.m. City-County Building

Item No. Page

MINUTES

- 1. Consider the approval of the minutes of the November 16, 2011 meeting of the Bismarck Planning and Zoning Commission.

CONSENT AGENDA

CONSIDERATION

The following items are requests for a public hearing.

- 2. Shiloh Christian School 3rd Addition (JT)
a. Zoning Change (A to RT) 1
Staff recommendation: schedule a hearing [ ]schedule a hearing [ ]table [ ]deny
b. Preliminary Plat 5
Staff recommendation: tentative approval [ ]tentative approval [ ]table [ ]deny
3. Boulder Ridge 3rd Addition (Klee)
a. Zoning Change (A to R5, R10 and RM15) 11
Staff recommendation: schedule a hearing [ ]schedule a hearing [ ]table [ ]deny
b. Fringe Area Road Master Plan (Section 16, T139N-R80W) 15
Staff recommendation: schedule a hearing [ ]schedule a hearing [ ]table [ ]deny
c. Preliminary Plat 19
Staff recommendation: tentative approval [ ]tentative approval [ ]table [ ]deny

Bismarck-Burleigh County Community Development Department
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4. **Boulder Ridge 4<sup>th</sup> Addition (Klee)**
- a. Zoning Change (A to R5).....25  
*Staff recommendation: schedule a hearing*    schedule a hearing    table    deny
- b. Preliminary Plat .....29  
*Staff recommendation: tentative approval*    tentative approval    table    deny
5. **Eagle Crest 5<sup>th</sup> Addition (Klee)**
- b. Zoning Change (A & R5 to R5 & P).....33  
*Staff recommendation: schedule a hearing*    schedule a hearing    table    deny
- b. Preliminary Plat .....37  
*Staff recommendation: tentative approval*    tentative approval    table    deny

## REGULAR AGENDA

### FINAL CONSIDERATION/PUBLIC HEARINGS

The following items are requests for final action and forwarding to the City Commission.

6. **Mapleton Addition – Final Plat (JT).....43**  
*Staff recommendation: approve*    approve    continue    table    deny
7. **Lots 3 & 4, less the East 80.63 feet of Lot 4, Block 1, Eastdale Addition – Zoning Change (R10 to CA) (JT).....49**  
*Staff recommendation: approve*    approve    continue    table    deny
8. **Lot 5, Block 1, Centennial Park 4<sup>th</sup> Addition and Tract 1 of N½ of Section 25, T139N-R80W – Zoning Change (RM30 & A to CG) (Klee).....53**  
*Staff recommendation: deny*    approve    continue    table    deny
9. **Definitions – Zoning Ordinance Text Amendment (Klee).....57**  
*Staff recommendation: approve*    approve    continue    table    deny

## OTHER BUSINESS

10. **Other**

## ADJOURNMENT

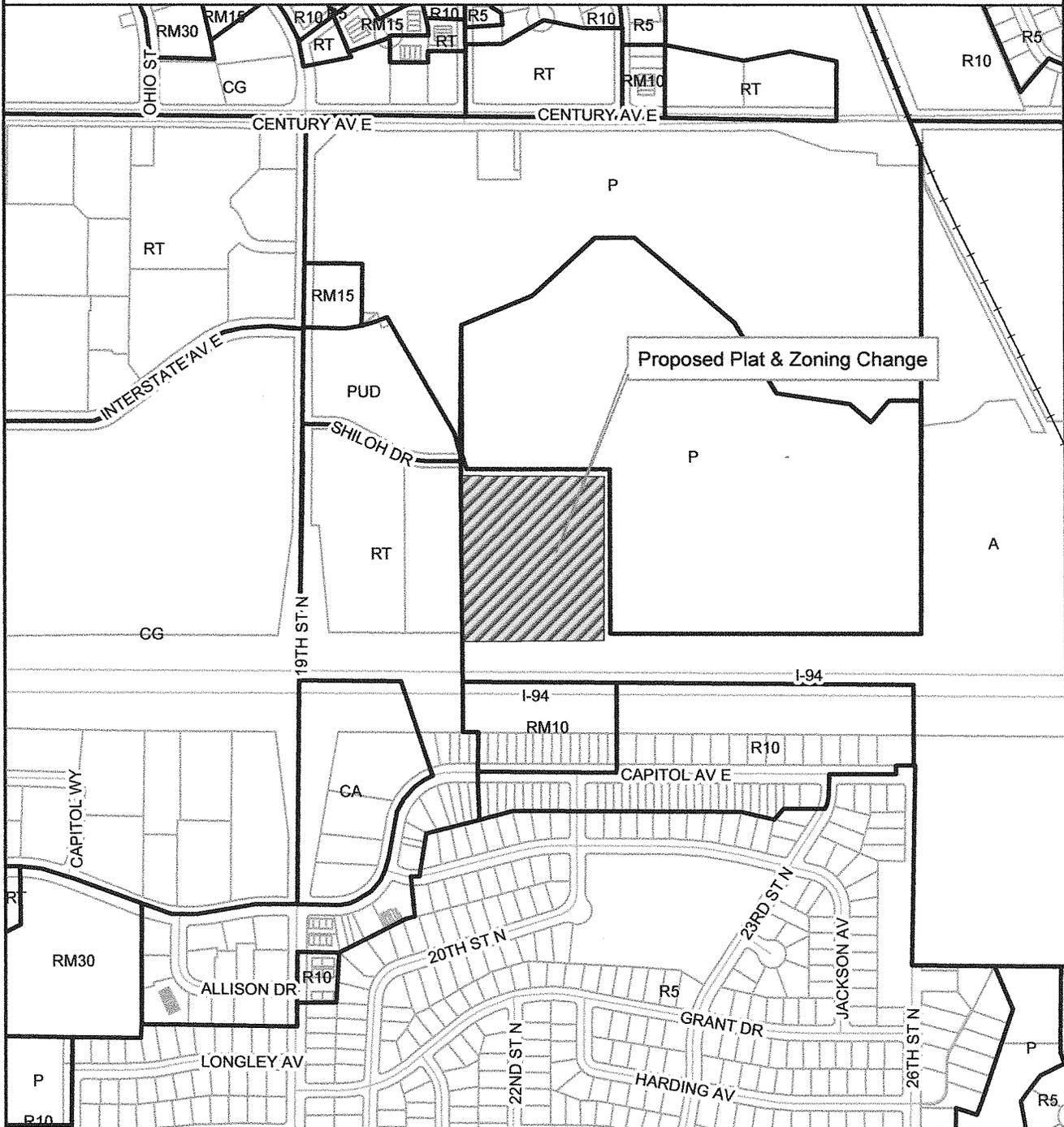
11. **Adjourn.** The next regular meeting date is scheduled for Wednesday, January 25, 2012.

Enclosure:        Minutes of the November 16, 2011 meeting  
                          Major Building Permits Report for November 2011  
                          Building Permit Activity Report for November 2011

**BISMARCK-BURLEIGH COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

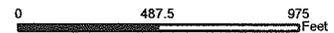
<b>BACKGROUND:</b>		
<b>Title:</b> Shiloh Christian School Third Addition – Zoning Change (A to RT)		
<b>Status:</b> Planning Commission – Consideration	<b>Date:</b> December 21, 2011	
<b>Owner(s):</b> Shiloh Christian School	<b>Engineer:</b> Kadrmaz, Lee & Jackson	
<b>Reason for Request:</b> Rezone property to allow for future development and expansion of school-related facilities.		
<b>Location:</b> Along the north side of I-94 east of North 19 <sup>th</sup> Street approximately 1/8 mile (an unplatted portion of the NE ¼ of Section 27, T139N - R80W/Hay Creek Township).		
<b>Project Size:</b> 10 acres	<b>Number of Lots:</b> One lot in one block	
<b>EXISTING CONDITIONS:</b>		
<b>Land Use:</b> Undeveloped	<b>PROPOSED CONDITIONS:</b>	
<b>Zoning:</b> A-Agriculture	<b>Land Use:</b> Expanded school and school-related accessory uses	
<b>Uses Allowed:</b> Agricultural related uses	<b>Zoning:</b> RT-Residential	
<b>Maximum Density Allowed:</b> 1 unit per 40 acres	<b>Uses Allowed:</b> Multi-family dwellings, offices and education group including accessory facilities	
	<b>Maximum Density Allowed:</b> 30 units per acre	
<b>PROPERTY HISTORY:</b>		
<b>Zoned:</b> N/A	<b>Platted:</b> N/A	<b>Annexed:</b> N/A
<b>FINDINGS:</b>		
<ol style="list-style-type: none"> <li>1. The proposed zoning change is consistent with the Bismarck-Mandan Regional Future Land Use Plan, which identifies the area as general commercial.</li> <li>2. The proposed zoning change would be compatible with adjacent land uses. Adjacent land uses include public sports facilities to the north and east, Shiloh Christian School to the west and I-94 to the south.</li> <li>3. The proposed zoning change would not place an undue burden on public services.</li> <li>4. The proposed zoning change would not adversely affect property in the vicinity.</li> <li>5. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance and subdivision regulations.</li> <li>6. The proposed zoning change is consistent with the master plan; other adopted plans, policies and accepted planning practice.</li> </ol>		
<b>RECOMMENDATION:</b>		
Based on the above findings, staff recommends scheduling a public hearing for the zoning change from A-Agriculture to RT- Residential on Lot 1, Block 1, Shiloh Christian School Third Addition.		

# Proposed Plat & Zoning Change Shiloh Christian School Third Addition



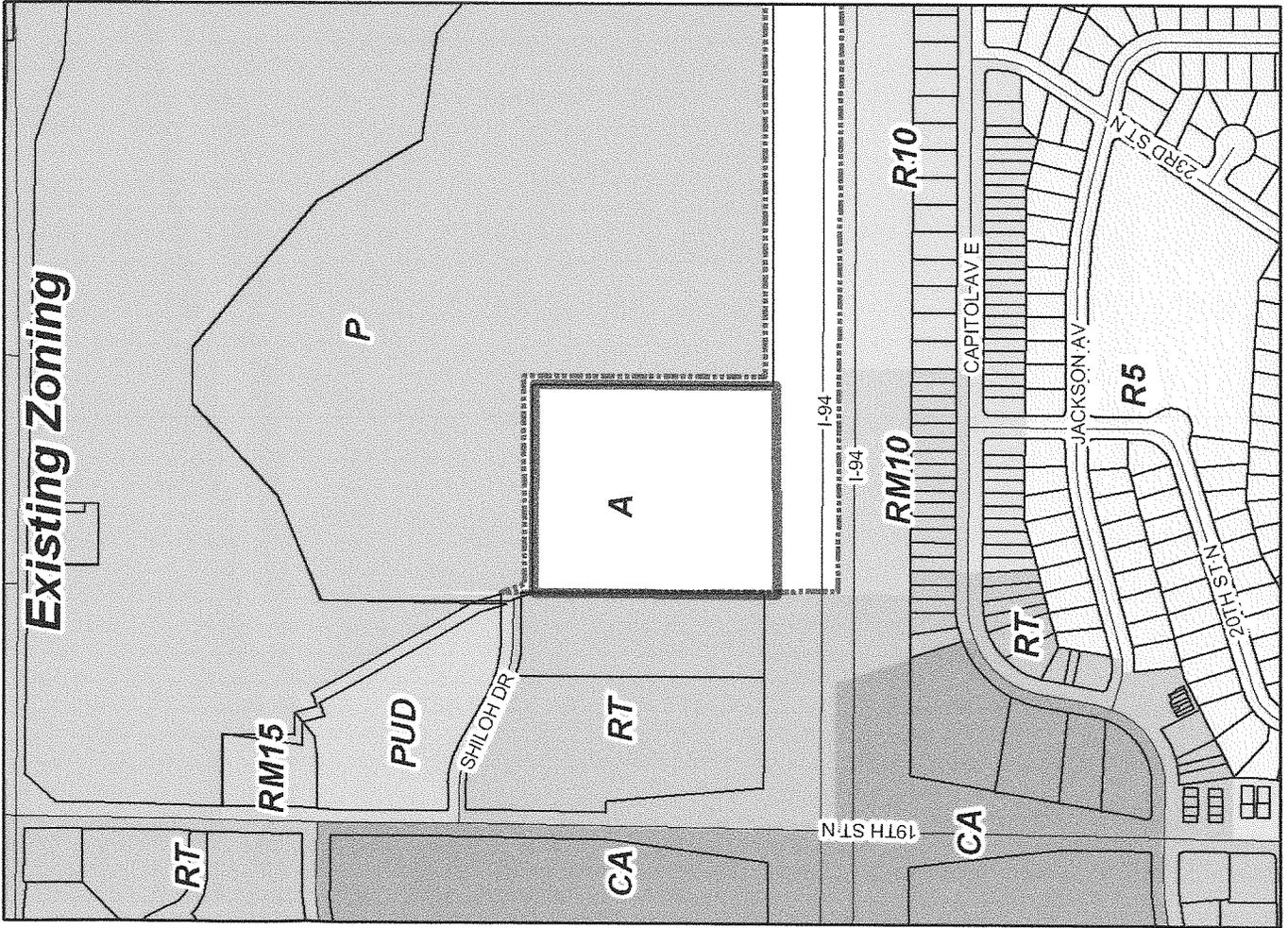
DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.  
Map was Updated/Created: November 23, 2011 (kdg)

Source: City of Bismarck

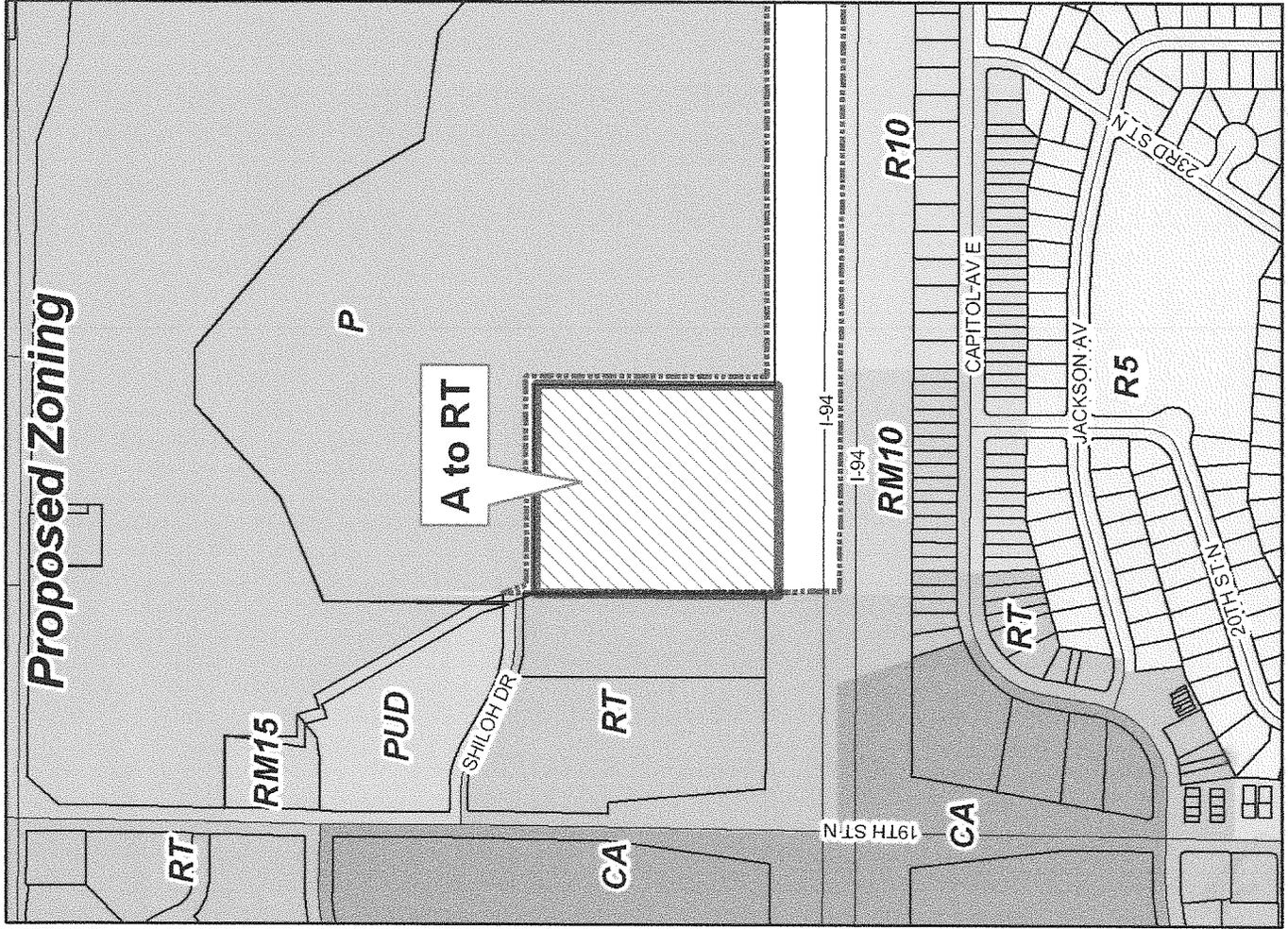


# Lot 1 Block 1, Shiloh Christian School Third Addition

## Existing Zoning



## Proposed Zoning



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**BISMARCK-BURLEIGH COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

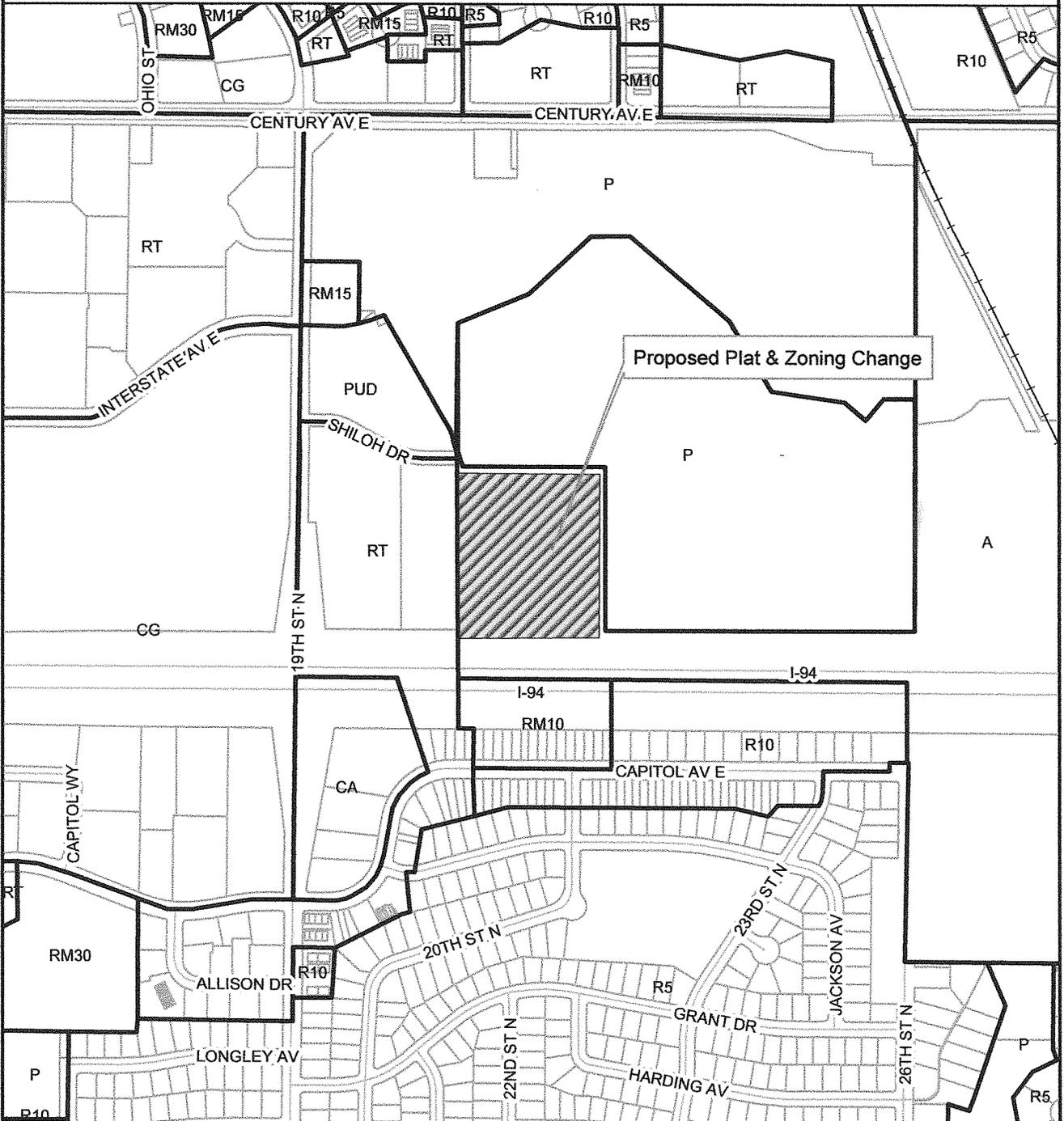
<b>BACKGROUND:</b>		
<b>Title:</b> Shiloh Christian School Third Addition – Zoning Change (A to RT)		
<b>Status:</b> Planning Commission – Consideration	<b>Date:</b> December 21, 2011	
<b>Owner(s):</b> Shiloh Christian School	<b>Engineer:</b> Kadrmass, Lee & Jackson	
<b>Reason for Request:</b> Rezone property to allow for future development and expansion of school-related facilities.		
<b>Location:</b> Along the north side of I-94 east of North 19 <sup>th</sup> Street approximately 1/8 mile (an unplatted portion of the NE ¼ of Section 27, T139N - R80W/Hay Creek Township).		
<b>Project Size:</b> 10 acres	<b>Number of Lots:</b> One lot in one block	
<b>EXISTING CONDITIONS:</b>		
<b>Land Use:</b> Undeveloped	<b>PROPOSED CONDITIONS:</b>	
<b>Zoning:</b> A-Agriculture	<b>Land Use:</b> Expanded school and school-related accessory uses	
<b>Uses Allowed:</b> Agricultural related uses	<b>Zoning:</b> RT-Residential	
<b>Maximum Density Allowed:</b> 1 unit per 40 acres	<b>Uses Allowed:</b> Multi-family dwellings, offices and education group including accessory facilities	
	<b>Maximum Density Allowed:</b> 30 units per acre	
<b>PROPERTY HISTORY:</b>		
<b>Zoned:</b> N/A	<b>Platted:</b> N/A	<b>Annexed:</b> N/A
<b>FINDINGS:</b>		
<ol style="list-style-type: none"> <li>1. All technical requirements for consideration of the preliminary plat have been met.</li> <li>2. The proposed subdivision lies outside the Fringe Area Road Master Plan area.</li> <li>3. The proposed subdivision is compatible with adjacent land uses. Adjacent land uses include sports facilities to the north and east, Shiloh Christian School to the west and I-94 to the south.</li> <li>4. The proposed subdivision would not adversely affect the adjacent properties.</li> <li>5. The City and other agencies would be able to provide necessary public services, facilities, and programs to serve the development allowed by the proposed subdivision at the time the property is developed.</li> <li>6. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance and subdivision regulations.</li> </ol>		
<i>findings continued...</i>		

7. The proposed subdivision is consistent with the master plan; other adopted plans, policies and accepted planning practice.

**RECOMMENDATION:**

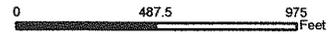
Based on the above findings, staff recommends a tentative approval of the preliminary plat for Shiloh Christian School Third Addition.

# Proposed Plat & Zoning Change Shiloh Christian School Third Addition



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.  
Map was Updated/Created: November 23, 2011 (kdg)

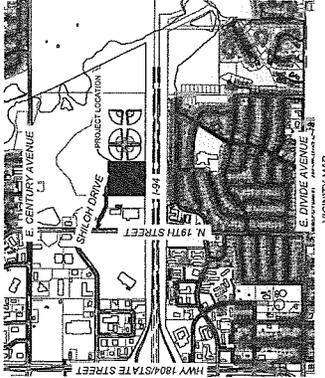
Source: City of Bismarck



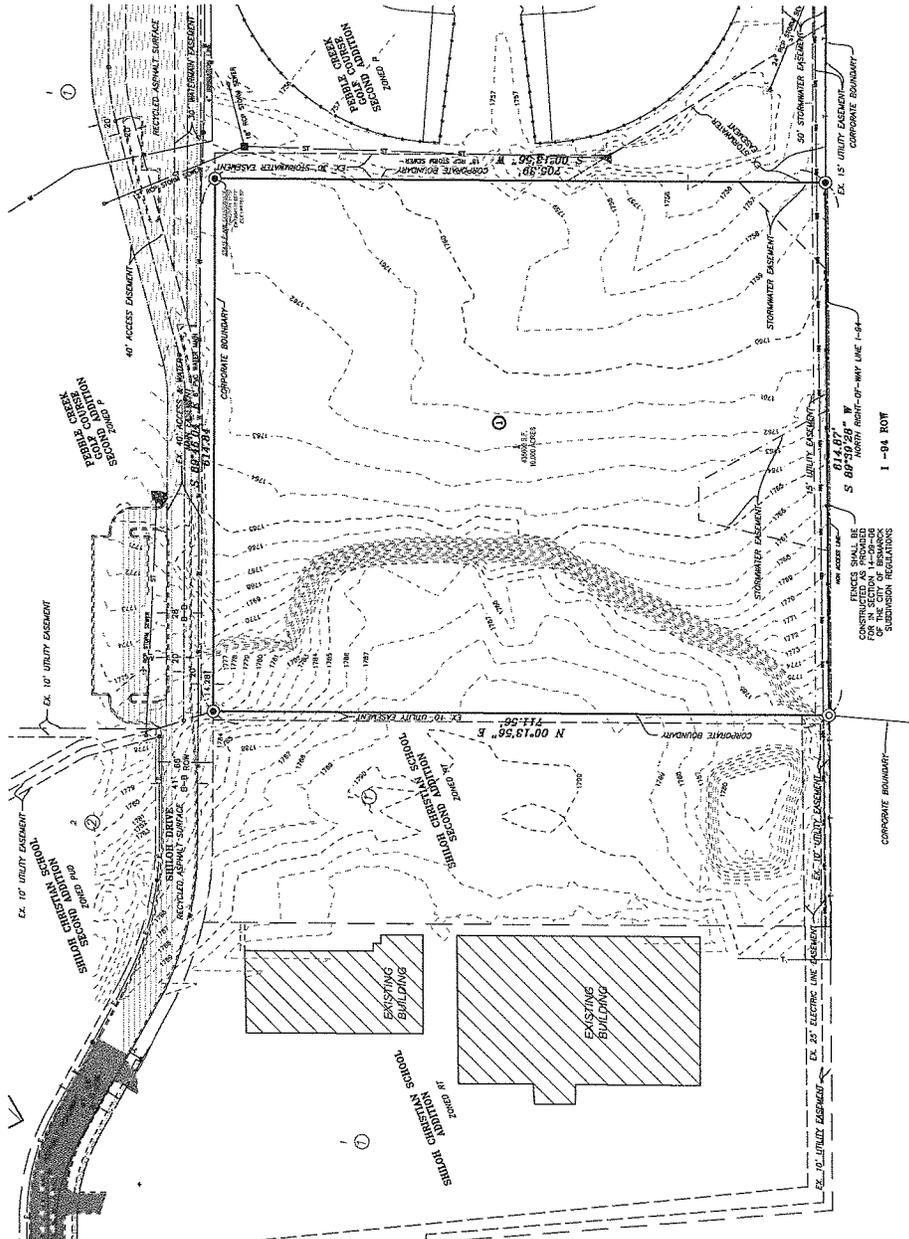
RECEIVED  
NOV 18 2011

OWNER:  
SHILOH CHRISTIAN SCHOOL  
1011 SHILOH DRIVE, 58001  
BISMARCK, ND  
PHONE 701-221-2304

BUSINESS BRICKS  
KADIMAS, LEE & JACKSON, INC.  
139 200 11th Street, 58001  
BISMARCK, ND  
PHONE 701-355-9400



**PRELIMINARY PLAT**  
**SHILOH CHRISTIAN SCHOOL THIRD ADDITION**  
AN UNPLATED PORTION OF THE NE 1/4 OF SECTION 27, TOWNSHIP 138 NORTH, RANGE 80 WEST,  
BURLINGHAM COUNTY, NORTH DAKOTA



**PLAT LEGEND**

**BOUNDARY DIMENSION**  
P-SOUTH-OF-WAY OR BLOCK LINE  
P-LOT-ON P-LOT-NUMBER

**PROPERTY**  
A-B-J PROPERTY C-LOT-NUMBER  
P-PLAT-NUMBER  
E-SECTION-INT  
L-SECTION-INT  
M-ACCESS LINE

**STREET NAME**  
EXISTING  
PROPOSED  
BLOCK OF NUMBERS  
COURT  
CROSS ROADWAY  
FRONT ROADWAY  
PROPOSED STORMWATER & DRAINAGE EASEMENT  
EXISTING BUILDING

**PLAT INFORMATION**  
- NUMBER OF LOTS: 1  
- LOT AREA: 10,000 ACRES  
- BLOCK AREA: 6,000 ACRES  
- TOTAL AREA: 10,000 ACRES

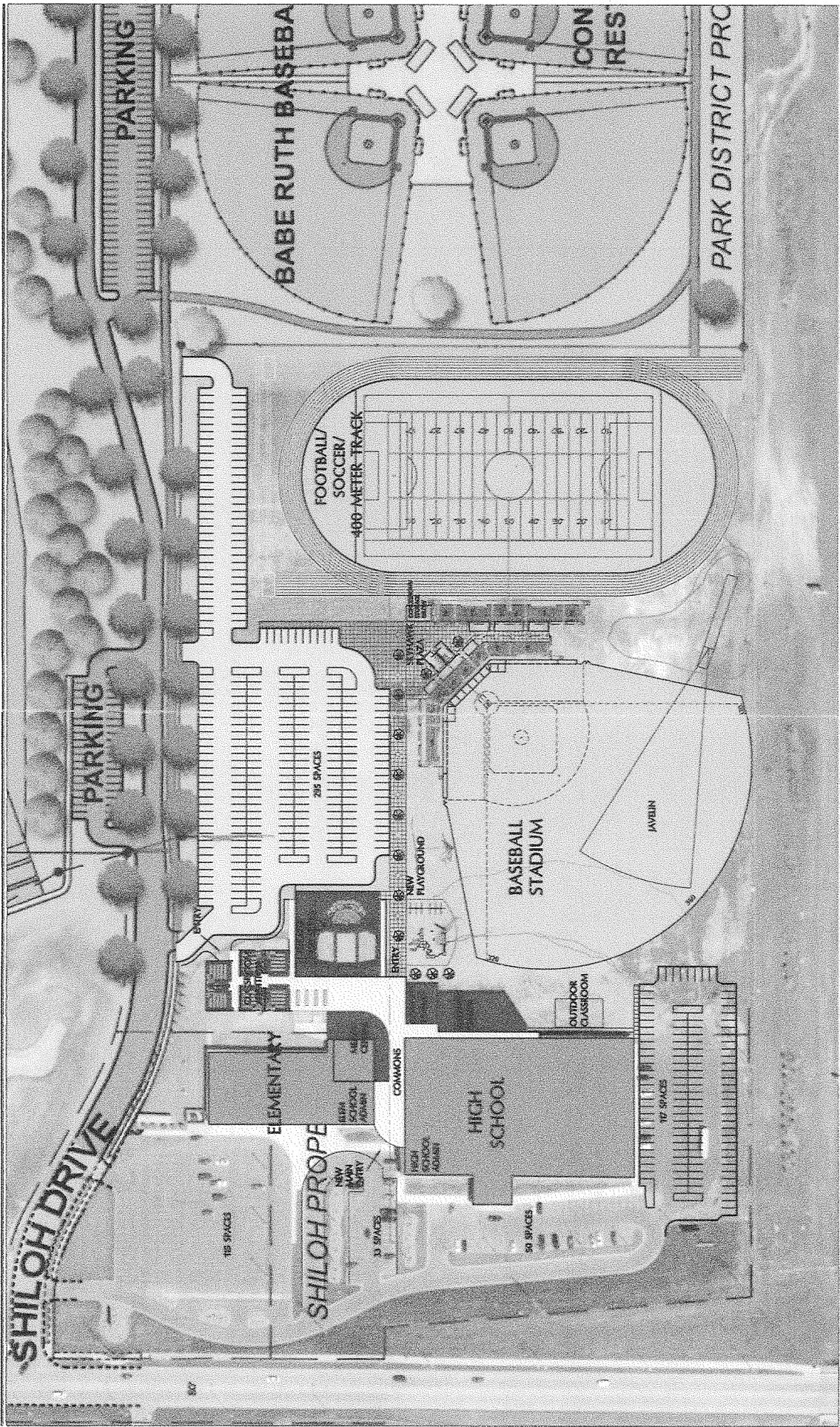
**ZONING INFORMATION**  
ZONING: A  
REQUESTED ZONING: RT

**DATE:** NOVEMBER 2011  
**BASE OF BEARING:** STATE PLANE COORDINATE SYSTEM BASED ON THE NAD 83 DATUM  
**BENCHMARK:** NE PROPERTY CORNER ELEV 1761.52



SHILOH CHRISTIAN SCHOOL THIRD ADDITION

Kadimas  
Lee &  
Jackson  
Registered Surveyors



SHILOH CHRISTIAN SCHOOL  
 MASTER PLAN 9-21-2011

ZERR BERG



**BISMARCK-BURLEIGH COUNTY COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

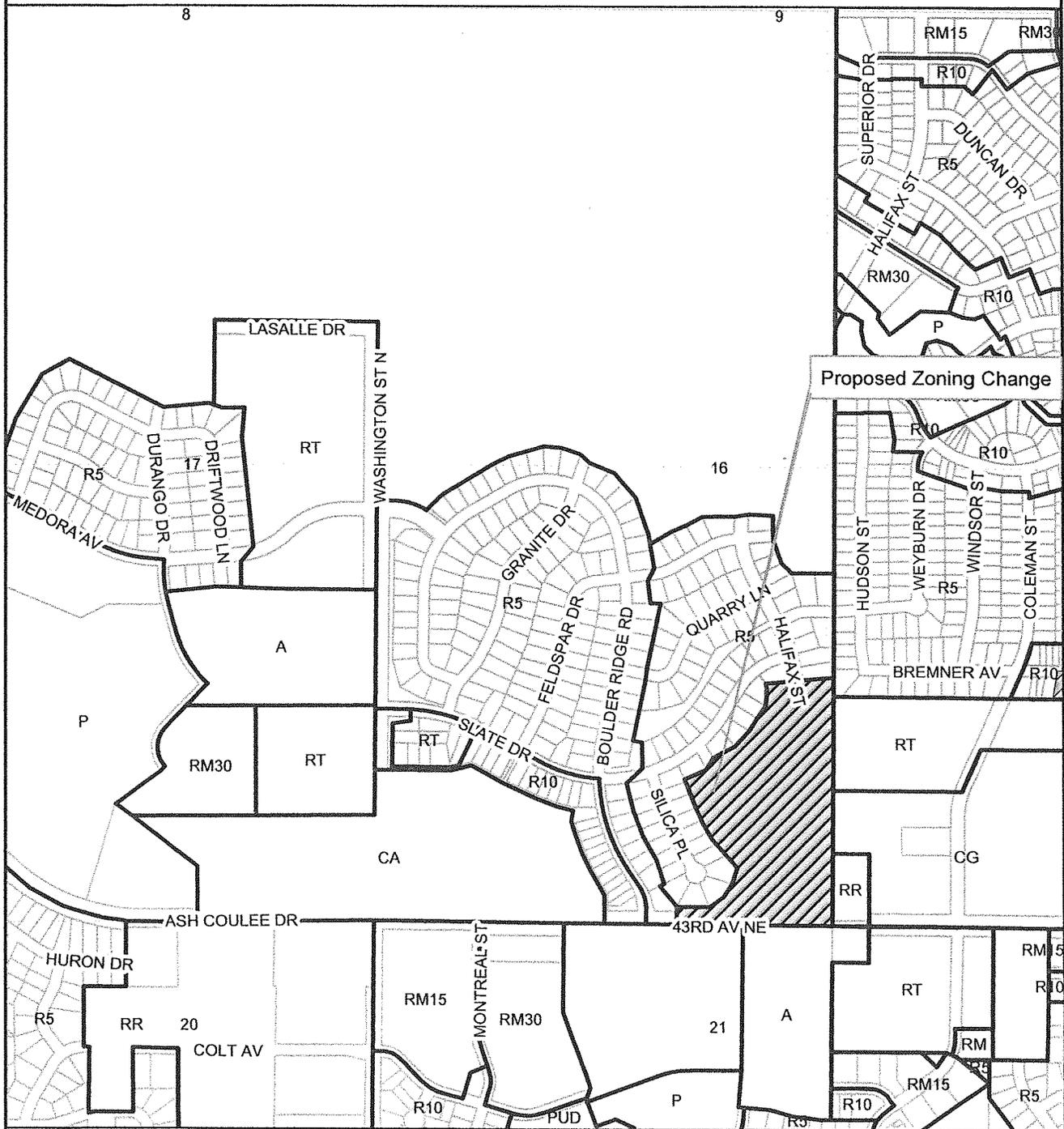
<b>BACKGROUND:</b>		
<b>Title:</b> Boulder Ridge 3 <sup>rd</sup> Addition – Zoning Change (A to R5, R10 and RM15)		
<b>Status:</b> Planning Commission – Consideration	<b>Date:</b> December 21, 2011	
<b>Owner(s):</b> Five Guys Investment, LLP	<b>Engineer:</b> Swenson, Hagen & Co.	
<b>Reason for Request:</b> Plat and zone property for mixed density residential development.		
<b>Location:</b> North of 43 <sup>rd</sup> Avenue NE and east of North Washington Street (part of the SW ¼ of Section 16, T139N-R80W/Hay Creek Township).		
<b>Project Size:</b> 20.77 acres	<b>Number of Lots:</b> 35 lots in 3 blocks	
<b>EXISTING CONDITIONS:</b>	<b>PROPOSED CONDITIONS:</b>	
<b>Land Use:</b> Undeveloped	<b>Land Use:</b> Mixed density residential	
<b>Zoning:</b> A – Agricultural	<b>Zoning:</b> R5 – Residential R10 – Residential RM15 – Residential	
<b>Uses Allowed:</b> A – Agriculture	<b>Uses Allowed:</b> R5 – Single-family residential R10 – One- and two-family residential RM15 – Multi-family residential	
<b>Maximum Density Allowed:</b> A – One unit/40 acres	<b>Maximum Density Allowed:</b> R5 – 5 units/acre R10 – 10 units/acre RM15 – 15 units/acre	
<b>PROPERTY HISTORY:</b>		
<b>Zoned:</b> N/A	<b>Platted:</b> N/A	<b>Annexed:</b> N/A
<b>FINDINGS:</b>		
<ol style="list-style-type: none"> <li>1. The proposed zoning change would be generally consistent with the Land Use Plan, which identifies the long range use of this area as urban residential west of the north-south collector and a combination of mixed use and commercial east of the north-south collector (land use portion of US Highway 83 Corridor Transportation Study). Moving the location of the change in land use from the north-south collector east to the quarter-section line is reasonable. Such a change would be considered minor and could be done administratively.</li> <li>2. The proposed zoning change would be compatible with adjacent land uses. Adjacent land uses include single-family residential to the north and west, undeveloped property to the south, and a mix of commercial and institutional uses to the east.</li> <li>3. The subdivision proposed for this property will be annexed prior to development; therefore, the zoning change would not place an undue burden on public services and facilities.</li> </ol>		
<i>(continued)</i>		

4. The proposed zoning change would not adversely affect property in the vicinity.
5. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance.
6. The proposed zoning change is consistent with the master plan, other adopted plans, policies and accepted planning practice.

**RECOMMENDATION:**

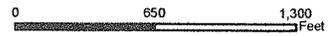
Based on the above findings, staff recommends scheduling a public hearing on the zoning change from A – Agricultural to R5 – Residential, R10 – Residential and RM15 – Residential for Boulder Ridge 3<sup>rd</sup> Addition.

# Proposed Plat & Zoning Change (A to R10, R5 & RM15) Boulder Ridge Third Addition

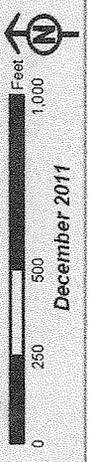
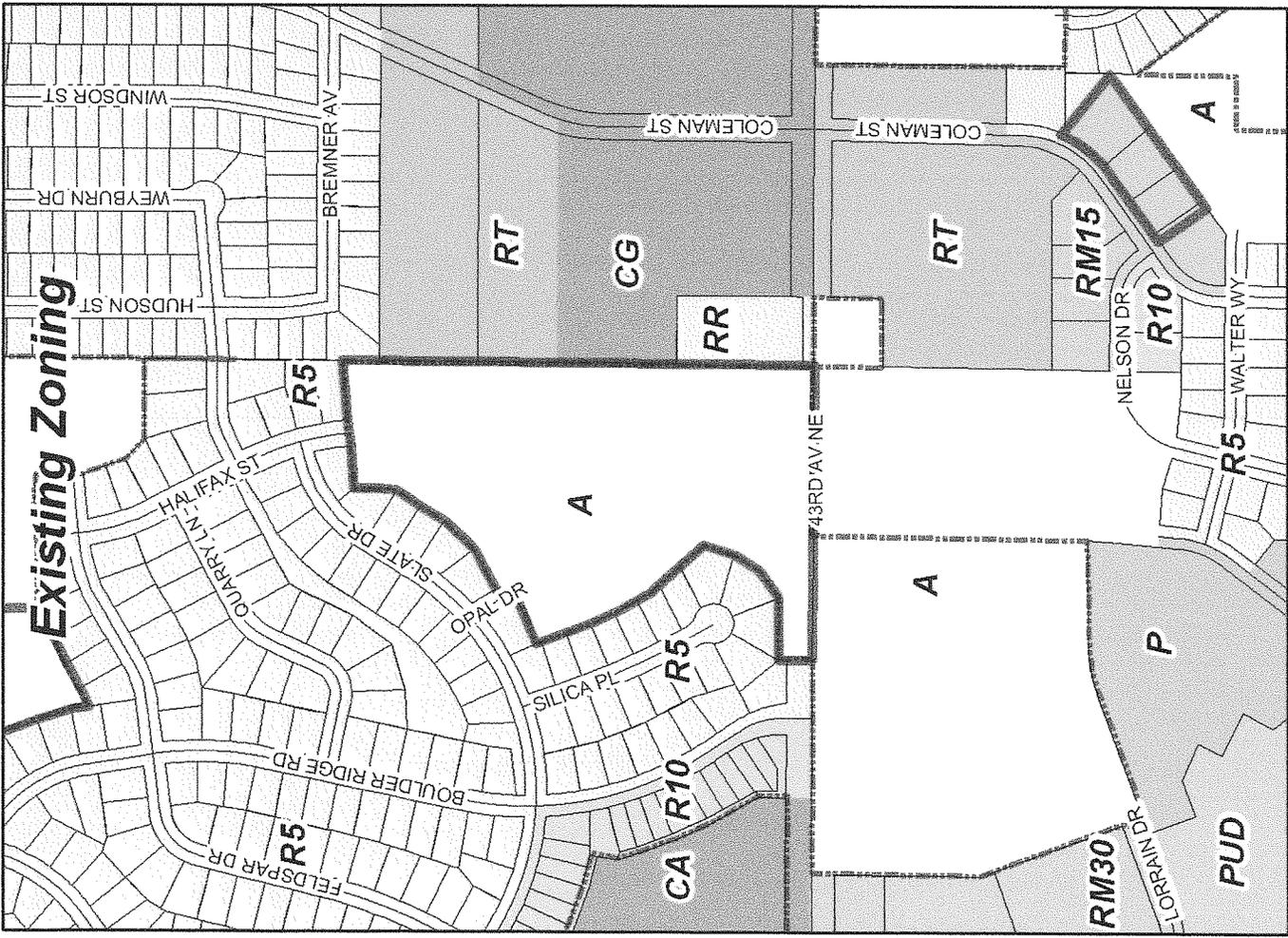


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Map was Updated/Created: November 22, 2011 (klea)

Source: City of Bismarck



# Boulder Ridge Third Addition - Zoning Change

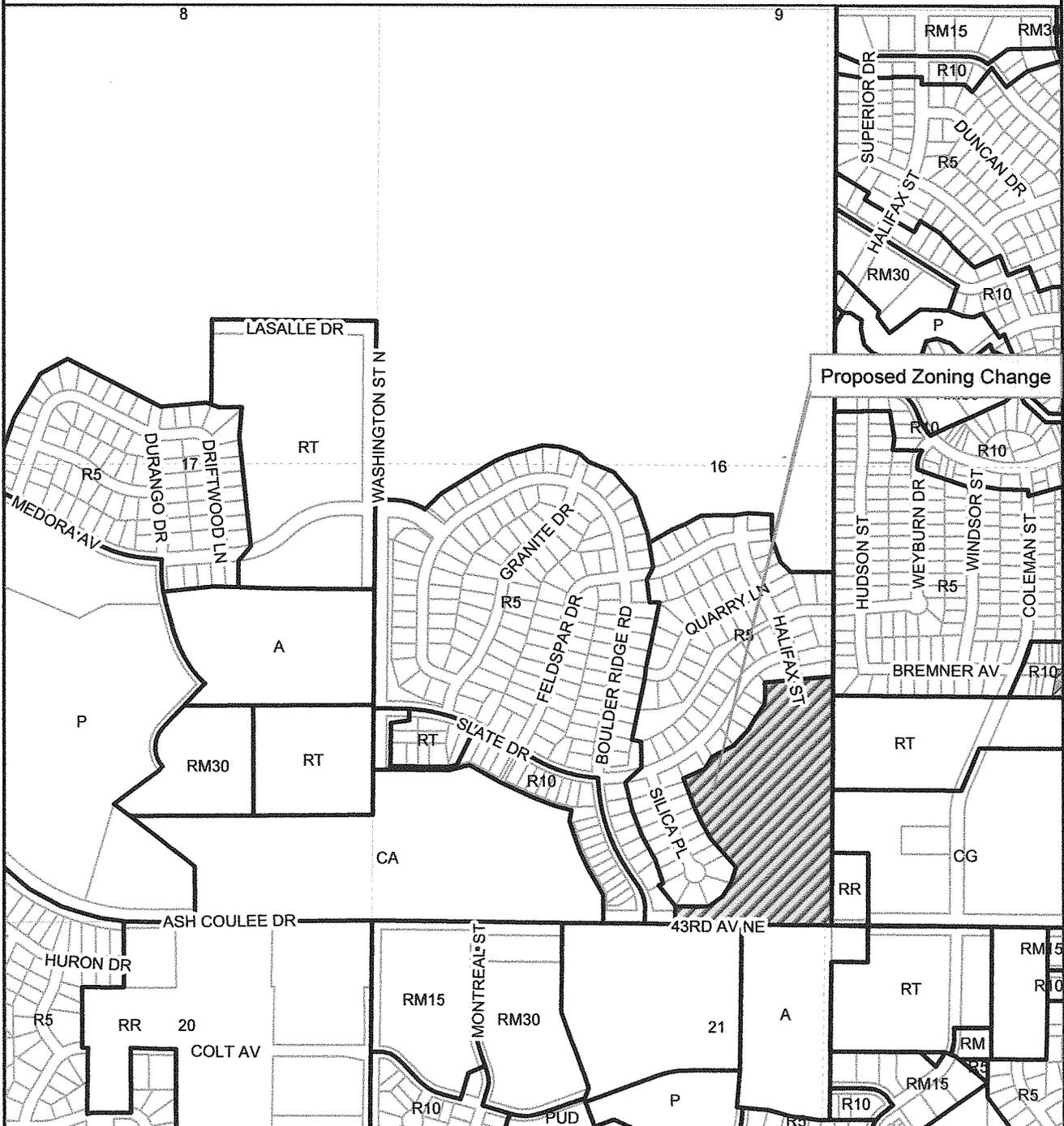


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**BISMARCK-BURLEIGH COUNTY PLANNING & DEVELOPMENT DEPARTMENT  
STAFF REPORT**

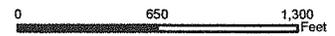
<b>BACKGROUND:</b>	
<b>Title:</b> Section 16, T139N-R80W/Hay Creek Township– Fringe Area Road Master Plan Amendment (in conjunction with final plat for Boulder Ridge 3 <sup>rd</sup> Addition)	
<b>Status:</b> Planning Commission – Consideration	<b>Date:</b> December 21, 2011
<b>Reason for Request:</b> Move the south end of the north-south collector to the west to avoid impact to existing home and provide adequate space for multi-family development along the north side of 43 <sup>rd</sup> Avenue NE between the north-south collector and the quarter-section line.	
<b>Location:</b> Section bounded by Washington Street on the west, the unimproved 57 <sup>th</sup> Avenue NE right-of-way on the north, US Highway 83 on the east, and 43 <sup>rd</sup> Avenue NE on the south.	
<b>FINDINGS:</b>	
<ol style="list-style-type: none"> <li>1. The Fringe Area Road Master Plan was adopted by the City Commission on September 9, 2003.</li> <li>2. The developer of Boulder Ridge 3<sup>rd</sup> Addition is requesting an amendment to the Fringe Area Road Master Plan for Section 16, Hay Creek Township, to realign the southern end of the north-south collector in this section. This amendment will move the south end of the north-south collector (Halifax Drive/Normandy Street) from the quarter-section line to a location approximately 500 feet to the west. This roadway segment will be in alignment with Normandy Street from the south across 43<sup>rd</sup> Avenue NE.</li> <li>3. The proposed subdivision (Boulder Ridge 3<sup>rd</sup> Addition) will conform to the Fringe Area Road Master Plan as amended.</li> </ol>	
<b>RECOMMENDATION:</b>	
Based on the above findings, staff recommends scheduling a public hearing on the amendment to the Fringe Area Road Master Plan for Section 16, T 139N-R80W/Hay Creek Township (Map 9), to move the south end of the north-south collector (Halifax Drive/Normandy Street) from the quarter-section line to a location approximately 500 feet to the west.	

# Proposed Plat & Zoning Change (A to R10, R5 & RM15) Boulder Ridge Third Addition



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Map was Updated/Created: November 22, 2011 (Klee)

Source: City of Bismarck



## BOULDER RIDGE

### LOCATION OF HALIFAX OR NORMANDY STREET

In 2002 during the master planning for the development to be known as "Boulder Ridge" it was noted that the north bound collector from 43<sup>rd</sup> Avenue, to be named Halifax Street, was proposed to be located on the quarter line next to an existing single family home. The home owner had established a tree line along the quarter line and the home is located within 60 feet of the quarter line. This would not allow a 40 foot right of way and a 25 foot setback without the destruction of the trees and a non conforming setback on the home location. The home on the south side of 43<sup>rd</sup> Avenue is even closer to the quarter line than the one on the north.

The solution is to move the collector street west to avoid the impact to the existing homes and provide adequate space for a multiple family development along 43<sup>rd</sup> Avenue. The master plan in 2002 reflects this relocation and the plat of Boulder Ridge 3<sup>rd</sup> Addition will complete the move.

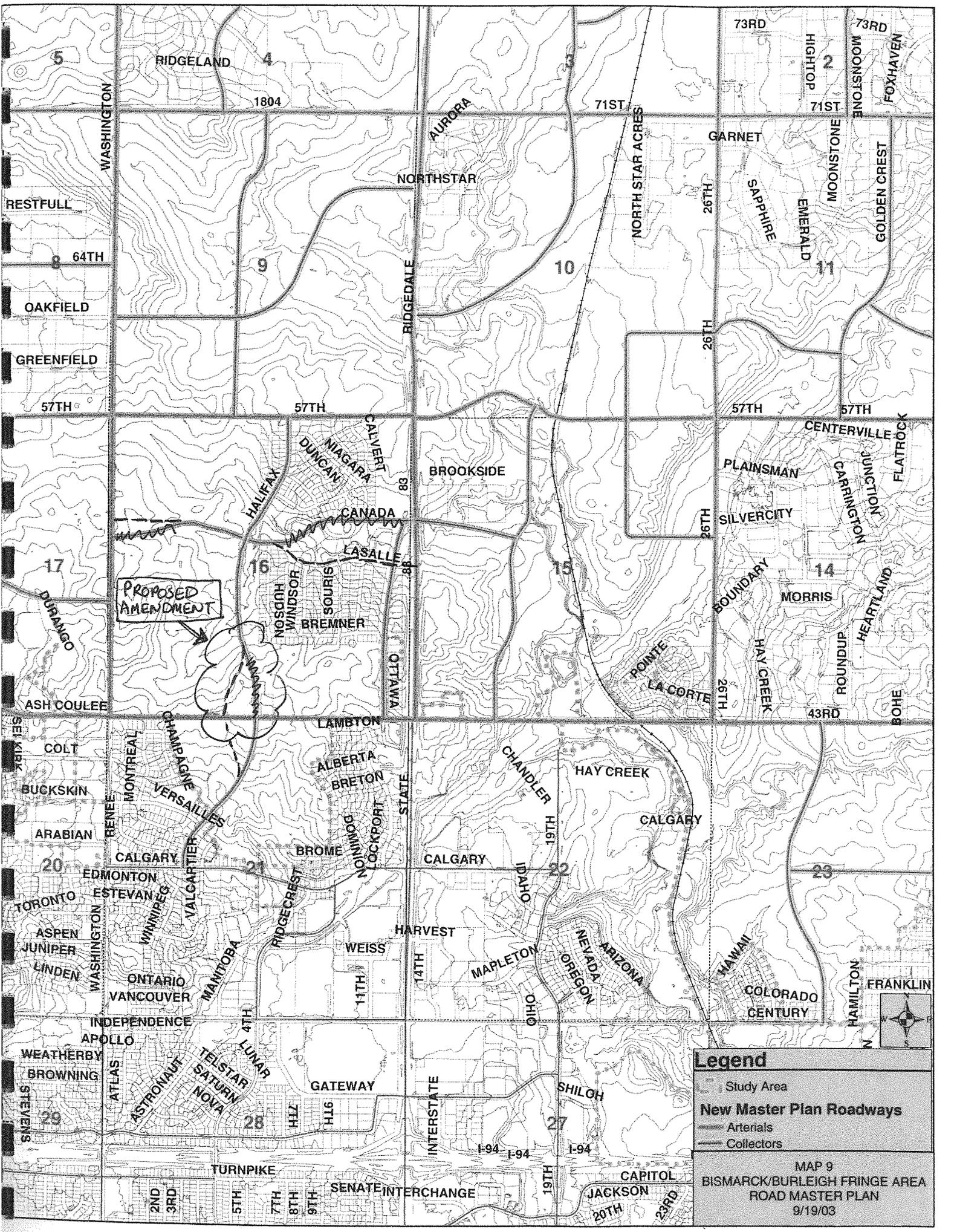
**BISMARCK-BURLEIGH COUNTY COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

<b>BACKGROUND:</b>		
<b>Title:</b> Boulder Ridge 3 <sup>rd</sup> Addition – Preliminary Plat		
<b>Status:</b> Planning Commission – Consideration	<b>Date:</b> December 21, 2011	
<b>Owner(s):</b> Five Guys Investment, LLP	<b>Engineer:</b> Swenson, Hagen & Co.	
<b>Reason for Request:</b> Plat and zone property for mixed density residential development.		
<b>Location:</b> North of 43 <sup>rd</sup> Avenue NE and east of North Washington Street (part of the SW ¼ of Section 16, T139N-R80W/Hay Creek Township).		
<b>Project Size:</b> 20.77 acres	<b>Number of Lots:</b> 35 lots in 3 blocks	
<b>EXISTING CONDITIONS:</b>	<b>PROPOSED CONDITIONS:</b>	
<b>Land Use:</b> Undeveloped	<b>Land Use:</b> Mixed density residential	
<b>Zoning:</b> A – Agricultural	<b>Zoning:</b> R5 – Residential R10 – Residential RM15 – Residential	
<b>Uses Allowed:</b> A – Agriculture	<b>Uses Allowed:</b> R5 – Single-family residential R10 – One- and two-family residential RM15 – Multi-family residential	
<b>Maximum Density Allowed:</b> A – One unit/40 acres	<b>Maximum Density Allowed:</b> R5 – 5 units/acre R10 – 10 units/acre RM15 – 15 units/acre	
<b>PROPERTY HISTORY:</b>		
<b>Zoned:</b> N/A	<b>Platted:</b> N/A	<b>Annexed:</b> N/A
<b>ADDITIONAL INFORMATION</b>		
1. The process has been initiated to change the name of the north-south collector through this section from Halifax Drive to Normandy Street, which will provide continuity of the street name from the south across 43 <sup>rd</sup> Avenue NE.		
<b>FINDINGS:</b>		
1. All technical requirements for consideration of a preliminary plat have been met.		
2. The proposed subdivision does not conform to the Fringe Area Road Master Plan for this area; however, an amendment is being initiated in conjunction with this plat to move the south end of the north-south collector from the quarter line approximately 500 feet to the west. The proposed subdivision will conform to the Fringe Area Road Master Plan as amended.		
<i>(continued)</i>		

3. The proposed subdivision would be compatible with adjacent land uses. Adjacent land uses include single family residential to the north and west, undeveloped property to the south, and a mix of commercial and institutional uses to the east.
4. The proposed subdivision would be annexed prior to development; therefore, it would not place an undue burden on public services and facilities.
5. The proposed subdivision would not adversely affect property in the vicinity.
6. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance and subdivision regulations.
7. The proposed subdivision is consistent with the master plan, other adopted plans, policies and accepted planning practice.

**RECOMMENDATION:**

Based on the above findings, staff recommends tentative approval of the preliminary plat of Boulder Ridge 3<sup>rd</sup> Addition.



**PROPOSED AMENDMENT**

**Legend**

- Study Area
- New Master Plan Roadways**
  - Arterials
  - Collectors

MAP 9  
 BISMARCK/BURLEIGH FRINGE AREA  
 ROAD MASTER PLAN  
 9/19/03

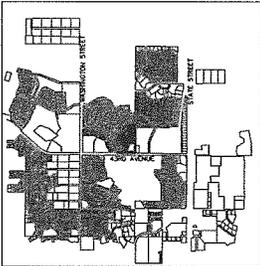


# BOULDER RIDGE THIRD ADDITION

PART OF THE SW 1/4 OF  
SECTION 16, T. 139 N., R. 80 W.  
BISMARCK, NORTH DAKOTA

BOULDER RIDGE DEVELOPMENT

### LOCATION MAP



**OWNER:**  
BOULDER RIDGE DEVELOPMENT  
1291 EAGLE CREST LOOP  
BISMARCK, ND 58503  
258-3484

**TOTAL ACREAGE = 20.77 ACRES**  
**TOTAL LOTS = 35 LOTS**

**CURRENT ZONING: A**

**PROPOSED ZONING:**

- RS LOTS 7-12 BLOCK 1**
- LOTS 1-5 & 7-15 BLOCK 2**
- LOTS 1-5 BLOCK 3**
- R10 LOTS 3-6 BLOCK 1**
- LOT 6 BLOCK 2**
- LOT 6 BLOCK 3**
- RM15 LOT 2 BLOCK 1**



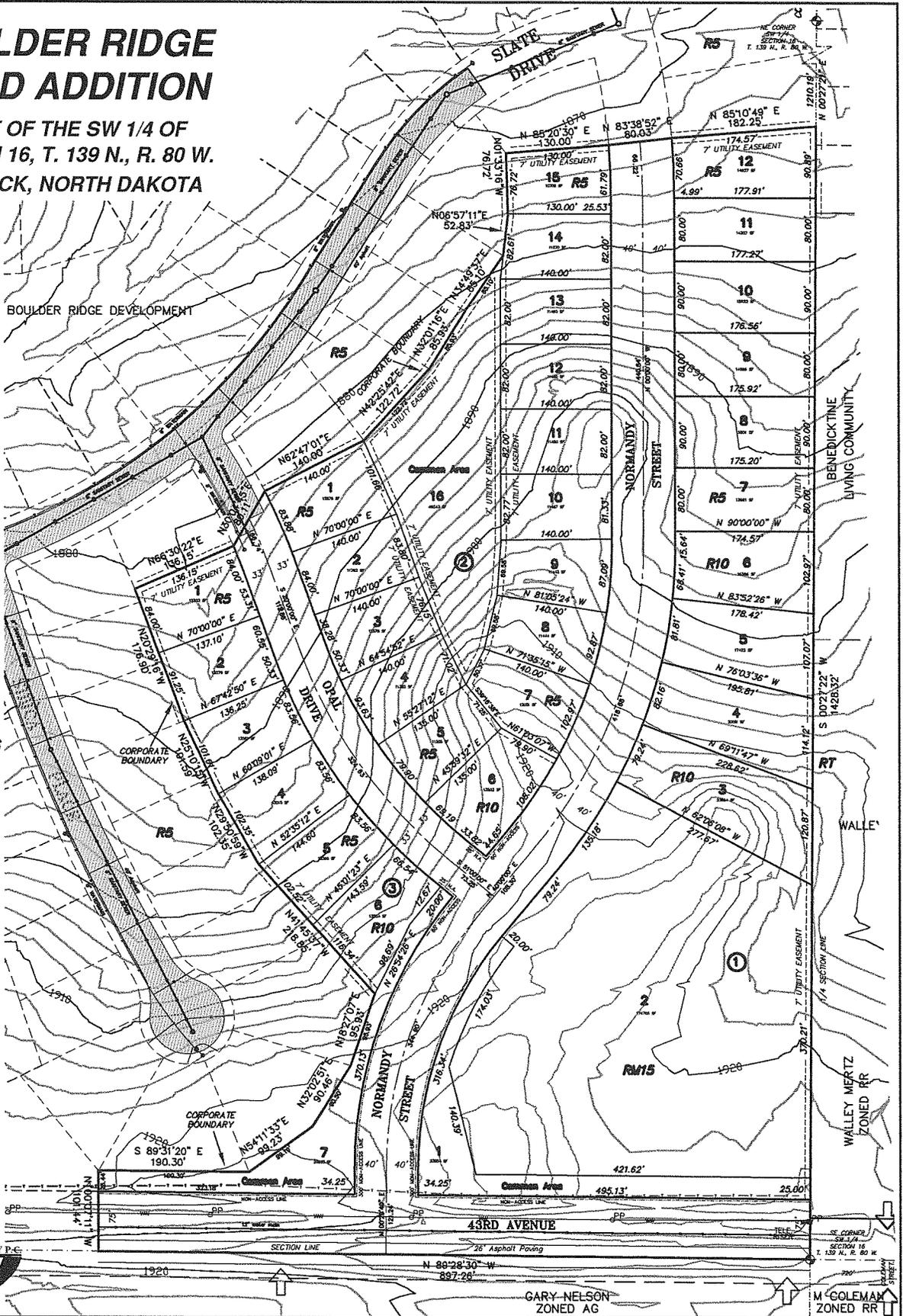
NOVEMBER 18, 2011

SCALE - 1"=60'



NGVD29

**DRAFT**





**BISMARCK-BURLEIGH COUNTY COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

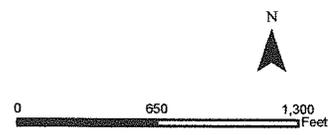
<b>BACKGROUND:</b>		
<b>Title:</b> Boulder Ridge 4 <sup>th</sup> Addition – Zoning Change (A to R5)		
<b>Status:</b> Planning Commission – Consideration	<b>Date:</b> December 21, 2011	
<b>Owner(s):</b> Five Guys Investment, LLP	<b>Engineer:</b> Swenson, Hagen & Co.	
<b>Reason for Request:</b> Plat and zone property for single-family residential development.		
<b>Location:</b> North of 43 <sup>rd</sup> Avenue NE and east of North Washington Street (parts of the NW¼ and SW¼ of Section 16, T139N-R80W/Hay Creek Township).		
<b>Project Size:</b> 9.76 acres	<b>Number of Lots:</b> 25 lots in 4 blocks	
<b>EXISTING CONDITIONS:</b>		
<b>Land Use:</b> Undeveloped	<b>PROPOSED CONDITIONS:</b>	
<b>Zoning:</b> A – Agricultural	<b>Land Use:</b> Single-family residential	
<b>Uses Allowed:</b> A – Agriculture	<b>Zoning:</b> R5 – Residential	
<b>Maximum Density Allowed:</b> A – One unit/40 acres	<b>Uses Allowed:</b> R5 – Single-family residential	
	<b>Maximum Density Allowed:</b> R5 – 5 units/acre	
<b>PROPERTY HISTORY:</b>		
<b>Zoned:</b> N/A	<b>Platted:</b> N/A	<b>Annexed:</b> N/A
<b>FINDINGS:</b>		
<ol style="list-style-type: none"> <li>1. The proposed zoning change is consistent with the Land Use Plan, which identifies the long range use of this area as urban residential (land use portion of US Highway 83 Corridor Transportation Study).</li> <li>2. The proposed zoning change would be compatible with adjacent land uses. Adjacent land uses include single-family residential to the south and undeveloped property to the north, east and west.</li> <li>3. The subdivision proposed for this property would be annexed prior to development; therefore, the zoning change would not place an undue burden on public services and facilities.</li> <li>4. The proposed zoning change would not adversely affect property in the vicinity.</li> <li>5. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance.</li> <li>6. The proposed zoning change is consistent with the master plan, other adopted plans, policies and accepted planning practice.</li> </ol>		
<b>RECOMMENDATION:</b>		
Based on the above findings, staff recommends scheduling a public hearing on the zoning change from A – Agricultural to R5 – Residential for Boulder Ridge 4 <sup>th</sup> Addition.		

# Proposed Plat & Zoning Change (A to R5) Boulder Ridge Fourth Addition

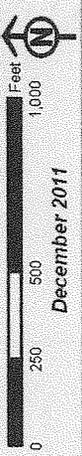


DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.  
Map was Updated/Created: November 21, 2011 (kdg)

Source: City of Bismarck



# Boulder Ridge Fourth Addition - Zoning Change



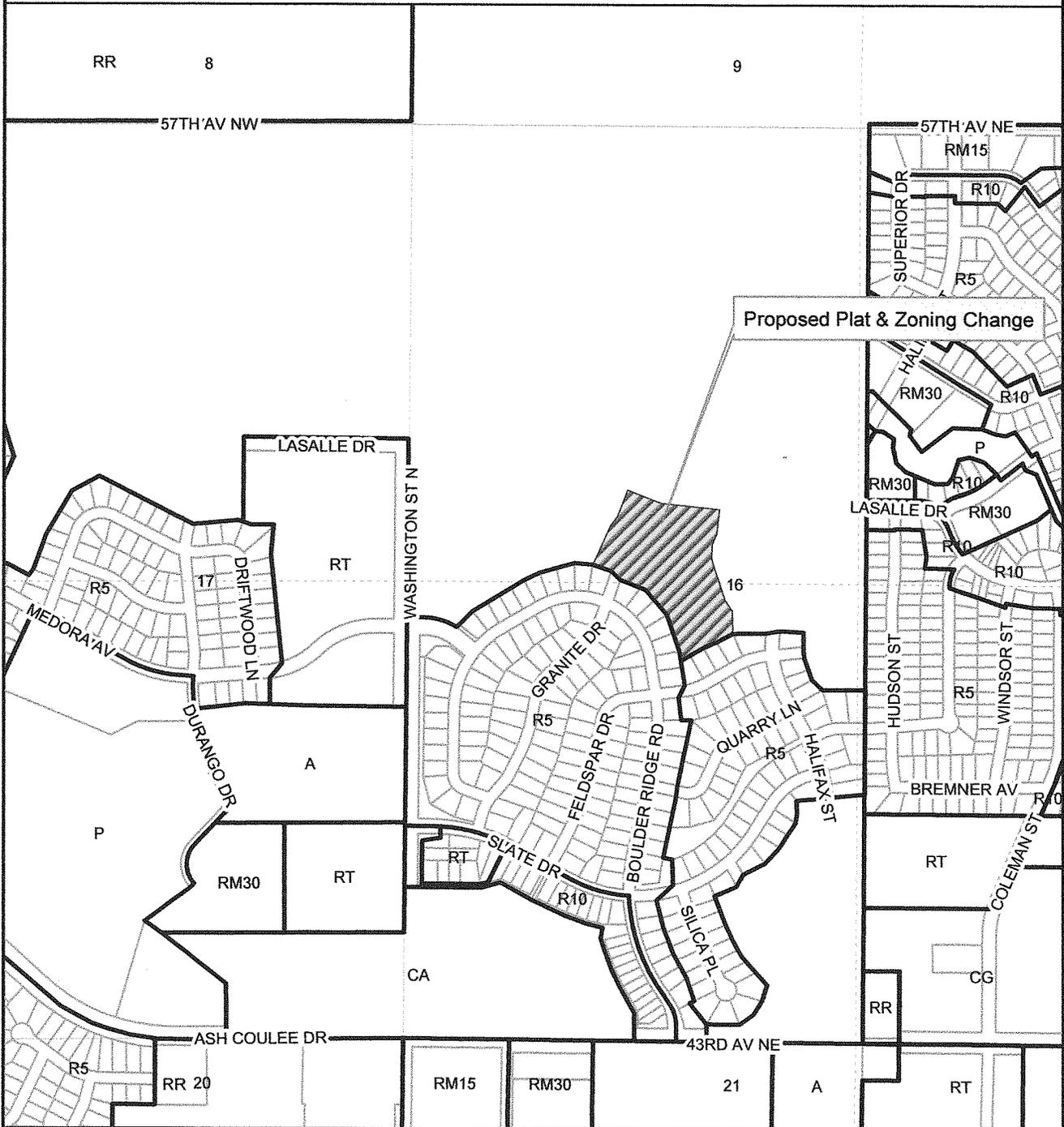
December 2011

This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

**BISMARCK-BURLEIGH COUNTY COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

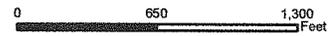
<b>BACKGROUND:</b>		
<b>Title:</b> Boulder Ridge 4 <sup>th</sup> Addition – Preliminary Plat		
<b>Status:</b> Planning Commission – Consideration	<b>Date:</b> December 21, 2011	
<b>Owner(s):</b> Five Guys Investment, LLP	<b>Engineer:</b> Swenson, Hagen & Co.	
<b>Reason for Request:</b> Plat and zone property for single-family residential development.		
<b>Location:</b> North of 43 <sup>rd</sup> Avenue NE and east of North Washington Street (parts of the NW¼ and SW¼ of Section 16, T139N-R80W/Hay Creek Township).		
<b>Project Size:</b> 9.76 acres	<b>Number of Lots:</b> 25 lots in 4 blocks	
<b>EXISTING CONDITIONS:</b>		
<b>Land Use:</b> Undeveloped	<b>PROPOSED CONDITIONS:</b>	
<b>Zoning:</b> A – Agricultural	<b>Land Use:</b> Single-family residential	
<b>Uses Allowed:</b> A – Agriculture	<b>Zoning:</b> R5 – Residential	
<b>Maximum Density Allowed:</b> A – One unit/40 acres	<b>Uses Allowed:</b> R5 – Single-family residential	
	<b>Maximum Density Allowed:</b> R5 – 5 units/acre	
<b>PROPERTY HISTORY:</b>		
<b>Zoned:</b> N/A	<b>Platted:</b> N/A	<b>Annexed:</b> N/A
<b>FINDINGS:</b>		
<ol style="list-style-type: none"> <li>1. All technical requirements for consideration of a preliminary plat have been met.</li> <li>2. The proposed subdivision does not impact the Fringe Area Road Master Plan for this area, which identifies Halifax Drive/Normandy Street and the north-south collector and LaSalle Drive as the east-west collector for this section.</li> <li>3. The proposed subdivision would be compatible with adjacent land uses. Adjacent land uses include single-family residential to the south and undeveloped property to the north, east and west.</li> <li>4. The proposed subdivision would be annexed prior to development; therefore, it will not place an undue burden on public services and facilities.</li> <li>5. The proposed subdivision would not adversely affect property in the vicinity.</li> <li>6. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance and subdivision regulations.</li> <li>7. The proposed subdivision is consistent the master plan, other adopted plans, policies and accepted planning practice.</li> </ol>		
<b>RECOMMENDATION:</b>		
Based on the above findings, staff recommends tentative approval of the preliminary plat of Boulder Ridge 4 <sup>th</sup> Addition.		

# Proposed Plat & Zoning Change (A to R5) Boulder Ridge Fourth Addition



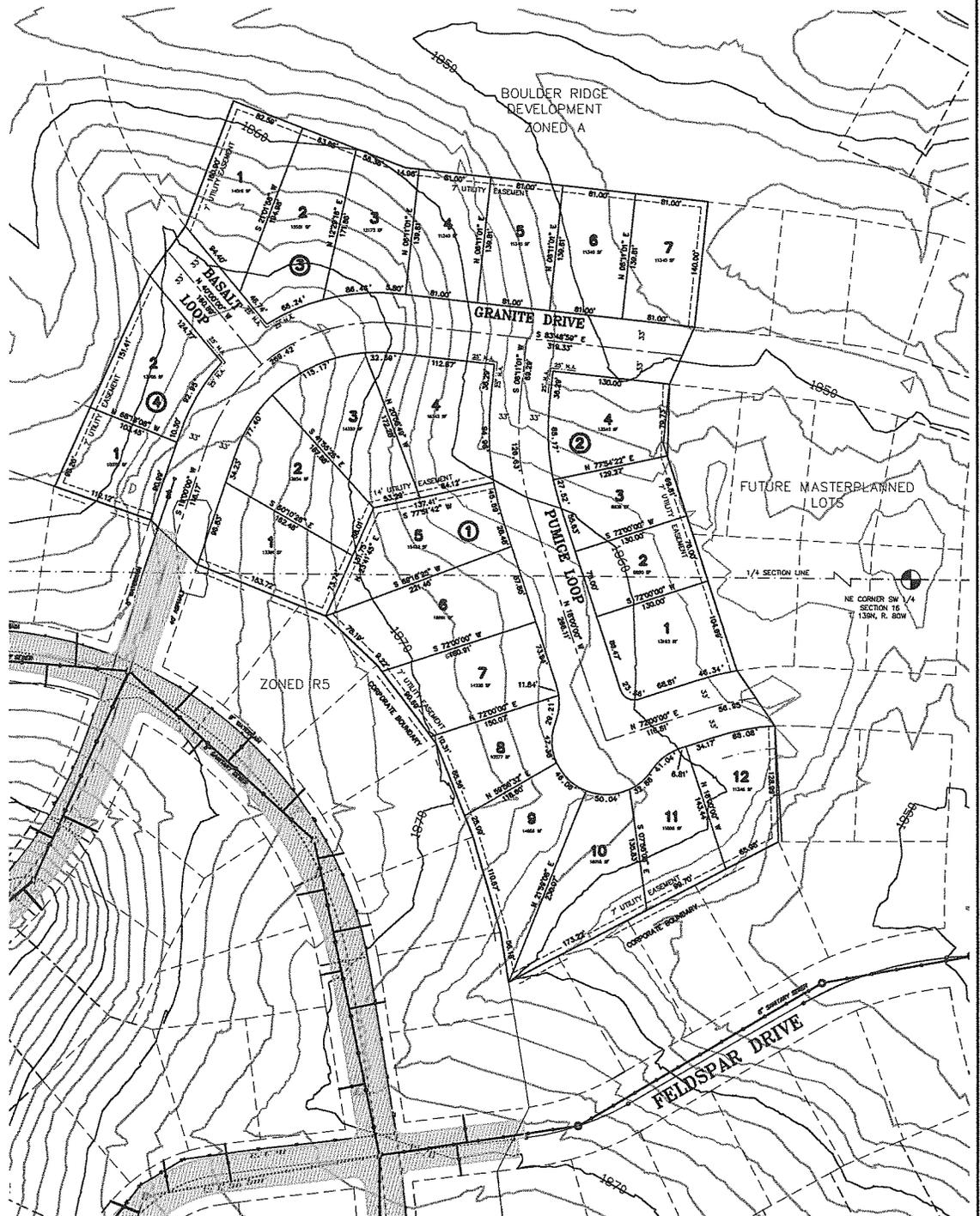
DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.  
Map was Updated/Created: November 21, 2011 (kdg)

Source: City of Bismarck

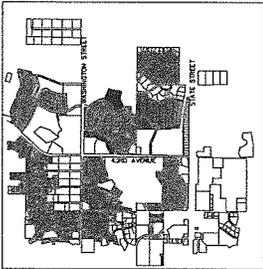


# BOULDER RIDGE FOURTH ADDITION

PART OF THE SW 1/4 AND PART OF THE NW 1/4 OF  
SECTION 16, T. 139 N., R. 80 W.  
BISMARCK, NORTH DAKOTA



### LOCATION MAP



**OWNER:**  
**BOULDER RIDGE DEVELOPMENT**  
**1281 EAGLE CREST LOOP**  
**BISMARCK, ND 58503**  
**258-3464**

**TOTAL ACREAGE = 8.78 ACRES**  
**TOTAL LOTS = 25 LOTS**

**CURRENT ZONING: A**  
**PROPOSED ZONING: R5**



NOVEMBER 18, 2011  
 SCALE - 1"=50'



NGVD29

**DRAFT**





**BISMARCK-BURLEIGH COUNTY COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

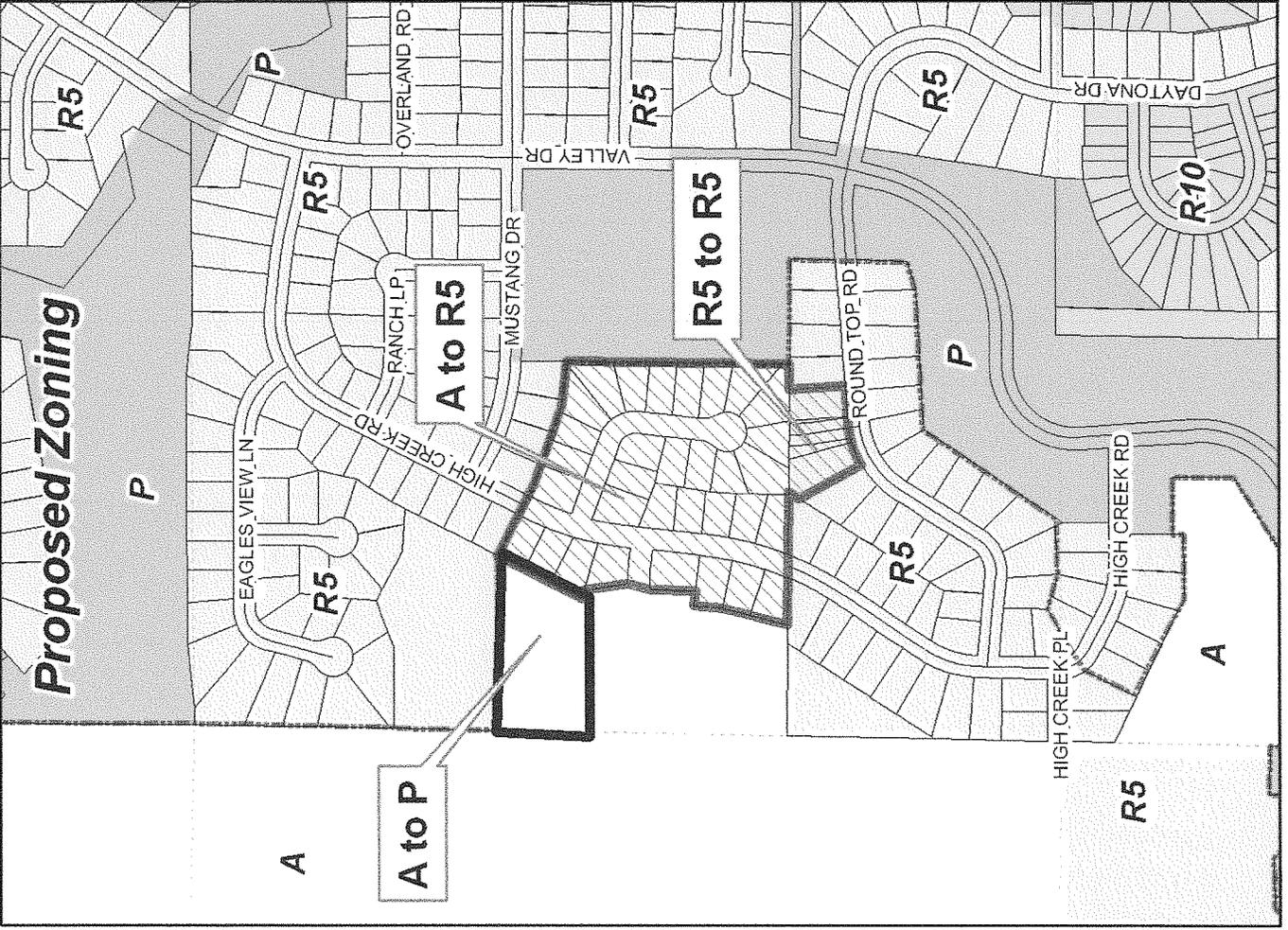
<b>BACKGROUND:</b>		
<b>Title:</b> Eagle Crest 5th Addition – Zoning Change (A & R5 to R5 & P)		
<b>Status:</b> Planning Commission – Consideration	<b>Date:</b> December 21, 2011	
<b>Owner(s):</b> Knutson Properties, LLP	<b>Engineer:</b> Swenson, Hagen & Co.	
<b>Reason for Request:</b> Plat and zone property for single-family residential development.		
<b>Location:</b> West of Valley Drive along High Creek Road between Mustang Drive and Round Top Road (part of Tract 2-A of the NW ¼ of Section 20, T139N-R80W/Hay Creek Township, and a replat of Lot 1, Block 4 and Lot 5, Block 5, Eagle Crest 4 <sup>th</sup> Addition).		
<b>Project Size:</b> 16.53 acres	<b>Number of Lots:</b> 36 lots in 3 blocks	
<b>EXISTING CONDITIONS:</b>		
<b>Land Use:</b> Undeveloped	<b>PROPOSED CONDITIONS:</b>	
<b>Zoning:</b> A – Agricultural R5 – Residential	<b>Land Use:</b> Single-family residential	
	<b>Zoning:</b> R5 – Residential P – Public (Lot 5, Block 1)	
<b>Uses Allowed:</b> A – Agriculture R5 – Single-family residential	<b>Uses Allowed:</b> R5 – Single-family residential P – Public uses	
<b>Maximum Density Allowed:</b> A – One unit/40 acres R5 – 5 units/acre	<b>Maximum Density Allowed:</b> R5 – 5 units/acre P – N/A	
<b>PROPERTY HISTORY:</b>		
<b>Zoned:</b> Part – 08/11 (Eagle Crest 4 <sup>th</sup> )	<b>Platted:</b> Part – 08/11 (Eagle Crest 4 <sup>th</sup> )	<b>Annexed:</b> Part – 08/11 (Eagle Crest 4 <sup>th</sup> )
<b>FINDINGS:</b>		
<ol style="list-style-type: none"> <li>1. The proposed zoning change would be consistent with the Land Use Plan, which identifies the long range use of this area as urban residential (Bismarck-Mandan Regional Land Use Plan).</li> <li>2. The proposed zoning change would be compatible with adjacent land uses. Adjacent land uses include single-family residential to the north and south, New Generations Park to the east and undeveloped property to the west.</li> <li>3. The subdivision proposed for this property would be annexed prior to development; therefore, the zoning change would not place an undue burden on public services and facilities.</li> <li>4. The proposed zoning change would not adversely affect property in the vicinity.</li> <li>5. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance.</li> <li>6. The proposed zoning change is consistent with the master plan, other adopted plans, policies and accepted planning practice.</li> </ol>		

**RECOMMENDATION:**

Based on the above findings, staff recommends scheduling a public hearing on the zoning change from A – Agricultural and R5 – Residential to R5 – Residential and P – Public for Eagle Crest 5<sup>th</sup> Addition.



# Eagle Crest Fifth Addition - Zoning Change



**BISMARCK-BURLEIGH COUNTY COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

<b>BACKGROUND:</b>		
<b>Title:</b> Eagle Crest 5 <sup>th</sup> Addition – Preliminary Plat		
<b>Status:</b> Planning Commission – Consideration	<b>Date:</b> December 21, 2011	
<b>Owner(s):</b> Knutson Properties, LLP	<b>Engineer:</b> Swenson, Hagen & Co.	
<b>Reason for Request:</b> Plat and zone property for single-family residential development.		
<b>Location:</b> West of Valley Drive along High Creek Road between Mustang Drive and Round Top Road (part of Tract 2-A of the NW ¼ of Section 20, T139N-R80W/Hay Creek Township, and a replat of Lot 1, Block 4 and Lot 5, Block 5, Eagle Crest 4 <sup>th</sup> Addition).		
<b>Project Size:</b> 16.53 acres	<b>Number of Lots:</b> 36 lots in 3 blocks	
<b>EXISTING CONDITIONS:</b>		
<b>Land Use:</b> Undeveloped	<b>PROPOSED CONDITIONS:</b>	
<b>Zoning:</b> A – Agricultural R5 – Residential	<b>Land Use:</b> Single-family residential	
<b>Uses Allowed:</b> A – Agriculture R5 – Single-family residential	<b>Zoning:</b> R5 – Residential P – Public (Lot 5, Block 1)	
<b>Maximum Density Allowed:</b> A – One unit/40 acres R5 – 5 units/acre	<b>Uses Allowed:</b> R5 – Single-family residential P – Public uses	
	<b>Maximum Density Allowed:</b> R5 – 5 units/acre P – N/A	
<b>PROPERTY HISTORY:</b>		
<b>Zoned:</b> Part – 08/11 (Eagle Crest 4 <sup>th</sup> )	<b>Platted:</b> Part – 08/11 (Eagle Crest 4 <sup>th</sup> )	<b>Annexed:</b> Part – 08/11 (Eagle Crest 4 <sup>th</sup> )
<b>ADDITIONAL INFORMATION</b>		
<ol style="list-style-type: none"> <li>The proposed plat includes a replat of Lot 1, Block 4 and Lot 5, Block 5, Eagle Crest 4<sup>th</sup> Addition, and will eliminate the Crest Loop right-of-way between those two lots. The Valero pipeline easement along the northern edge of Eagle Crest 4<sup>th</sup> makes it difficult to construct a roadway in this location.</li> <li>With the elimination of the Crest Loop connection, the roadway from the north now includes a cul-de-sac and has been renamed Crest Circle. The applicant is requesting the use of a cul-de-sac for this development and has submitted written justification for this request. Section 14-09-05(1)(m) of the Subdivision Regulations (Design Standards) states, “The use of cul-de-sac streets shall be limited in order to promote a well-connected street network that provides for safe, direct and convenient access by vehicles, bicycles, and pedestrians. Cul-de-sac streets may be permitted in instances where there is no reasonable opportunity to provide for future connections to adjoining streets, including natural barriers such as topography or water features, man-made barriers such as railroad tracks, or to discourage through traffic between incompatible land uses. Detailed written justification for the use of cul-de-sac streets in proposed subdivision plats shall be provided as part of the plat application process.” Based on these criteria, staff has no objection to the use of a cul-de-sac in this location, as the Valero pipeline easement creates a man-made barrier.</li> </ol>		
<i>(continued)</i>		

3. With the elimination of the Crest Loop connection, the maximum block length will also be exceeded along Round Top Road between Valley Drive and High Creek Road. The applicant is also requesting a waiver from the maximum block length and has submitted written justification for this request. Section 14-09-05(3)(a) of the Subdivision Regulations (Design Standards) states, "Block length should usually not exceed one thousand three hundred twenty (1,320) feet nor be less than three hundred (300) feet, measured from street center line to street center line." As the Valero pipeline easement creates a man-made barrier, it seems reasonable to allow the block length to be exceeded in this situation.
4. Section 14-09-05(3)(b) of the Subdivision Regulations (Design Standards) includes provisions for requiring a pedestrian walkway in situations where blocks are longer than 900 feet in length. Because of the grade differential between Round Top Road and the southern end of Crest Circle, a pedestrian walkway is not practical in this location.

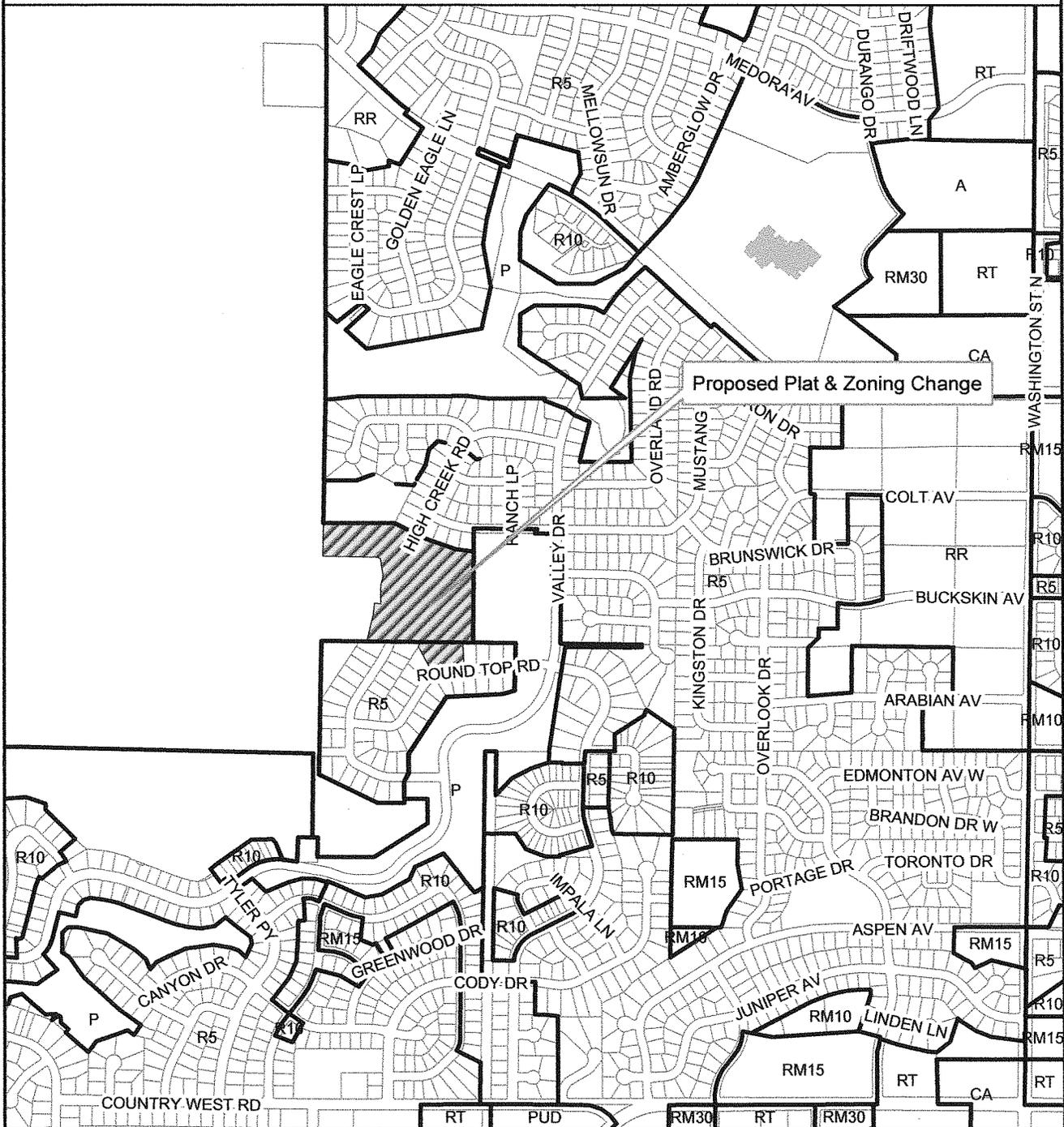
#### **FINDINGS:**

1. All technical requirements for consideration of a preliminary plat have been met.
2. The proposed subdivision does not impact the Fringe Area Road Master Plan for the area, which identifies Valley Drive as the north-south collector for this section.
3. The proposed subdivision would be compatible with adjacent land uses. Adjacent land uses include single-family residential to the north and south, New Generations Park to the east and undeveloped property to the west.
4. The proposed subdivision would be annexed prior to development; therefore, it would not place an undue burden on public services and facilities.
5. The proposed subdivision would not adversely affect property in the vicinity.
6. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance and subdivision regulations.
7. The proposed subdivision is consistent the master plan, other adopted plans, policies and accepted planning practice.

#### **RECOMMENDATION:**

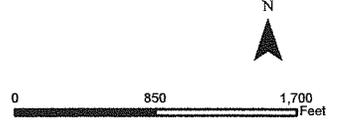
Based on the above findings, staff recommends tentative approval of the preliminary plat of Eagle Crest 5<sup>th</sup> Addition, and granting waivers to allow the use of a cul-de-sac and to exceed the maximum block length.

# Proposed Plat & Zoning Change (A & R5 to R5 & P) Eagle Crest Fifth Addition



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.  
Map was Updated/Created: December 15, 2011 (kdg)

Source: City of Bismarck



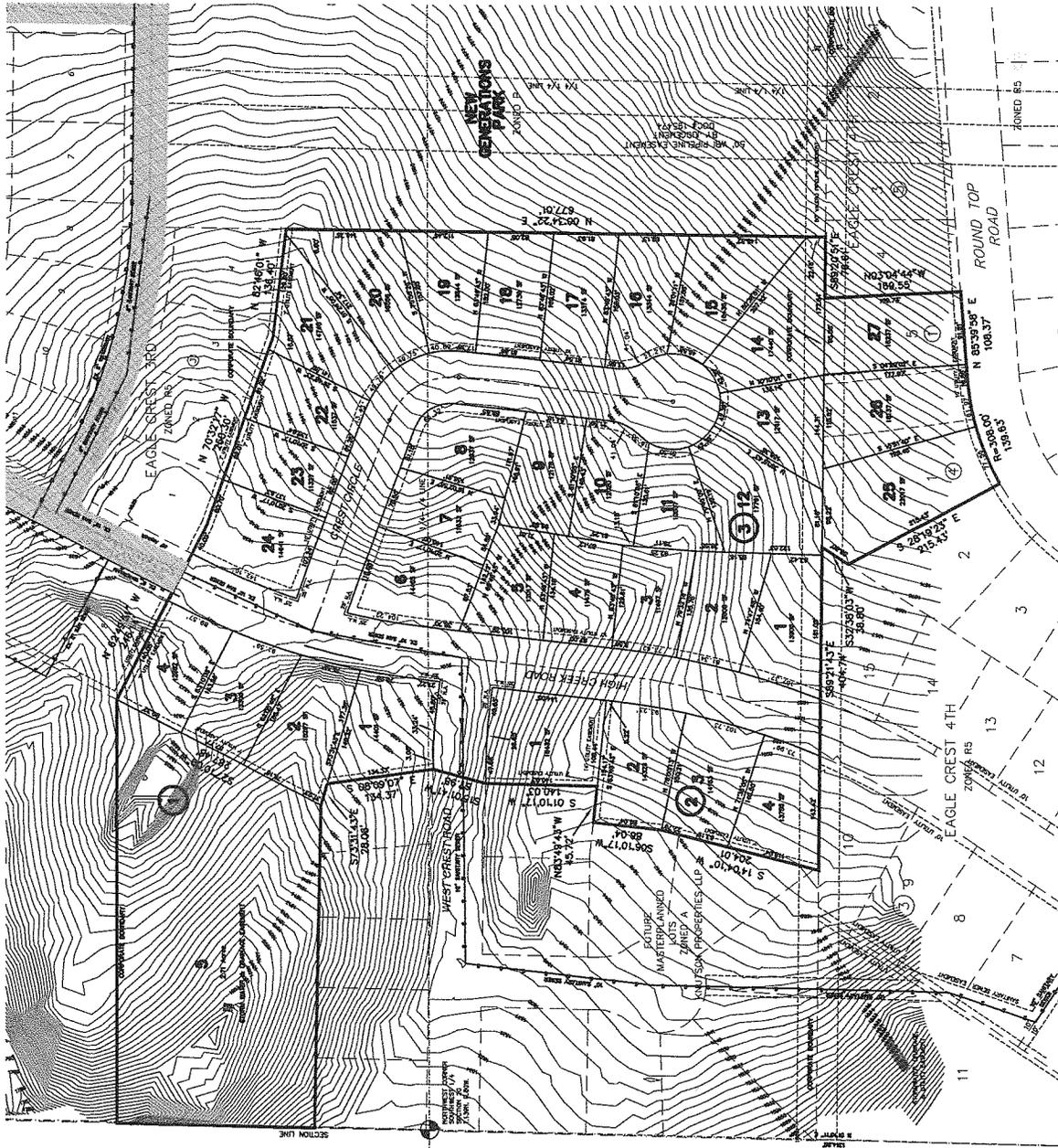
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DEC 09 2011



NOVEMBER 18, 2011  
SCALE - 1"=60'  
NG0029

# EAGLE CREST FIFTH ADDITION BISMARCK NORTH DAKOTA

PRELIMINARY PLAT  
PART OF TRACT 2-A OF THE NW 1/4  
REPLAT OF LOT 5 BLOCK 5 AND LOT 1 BLOCK 4 AND  
CREST LOOP EAGLE CREST 4TH ADDITION  
SECTION 20, T. 139 N., R. 80 W.  
BISMARCK, NORTH DAKOTA

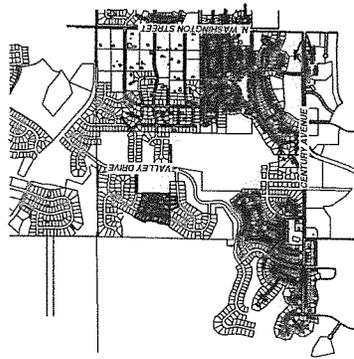


**OWNER:**  
KIMTUSON PROPERTIES L.L.P.  
1505 EAGLE CREST LOOP  
BISMARCK, ND 58501  
258-3384

**ZONING:**  
EXISTING - A & RS  
PROPOSED - RS & P (LOT 5 BLOCK 1)

**ACREAGE:**  
TOTAL - 16.83 Acres

**LOTS:**  
TOTAL - 36 LOTS



RECEIVED

NOV 18 2011



RECEIVED

NOV 18 2011



### CITY/ETA SUBDIVISION SUBMITTAL REQUIREMENTS WAIVER REQUEST FORM

If any waivers from subdivision requirements/standards are being requested, this form must be completed and submitted in conjunction with the unified development application.

**SUBDIVISION INFORMATION:**

Name of Subdivision: **EAGLE CREST 5TH**

Location of Subdivision: **SECTION 20 139-80**

Name of Property Owner/Developer: **KNUTSON PROPERTIES**

Contact Person (if different from owner): **DAVE PATIENCE**

**REQUESTED WAIVERS FROM SUBDIVISION REQUIREMENTS/STANDARDS:**

<input type="checkbox"/> <b>Ghost Platting</b>	Reason for Request	
<input type="checkbox"/> <b>Paving of Interior Roadways</b>	Reason for Request	
<input checked="" type="checkbox"/> <b>Maximum Block Length</b>	Reason for Request	<b>OIL PRODUCTS PIPELINE &amp; GAS PIPELINE PROHIBIT CROSSING</b>
<input type="checkbox"/> <b>Minimum Lot Width</b>	Reason for Request	
<input checked="" type="checkbox"/> <b>Use of Cul-de-sacs</b>	Reason for Request	<b>OIL PRODUCTS PIPELINE + GAS PIPELINE PREVENT STREET CROSSING FROM BEING CONSTRUCTED TO CITY STANDARDS</b>
<input type="checkbox"/> <b>Minimum Lot Size</b> (only allowed if platting an existing non-conforming parcel)	Reason for Request	
<input type="checkbox"/> <b>Other</b> (Please specify)	Reason for Request	

**BISMARCK-BURLEIGH COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

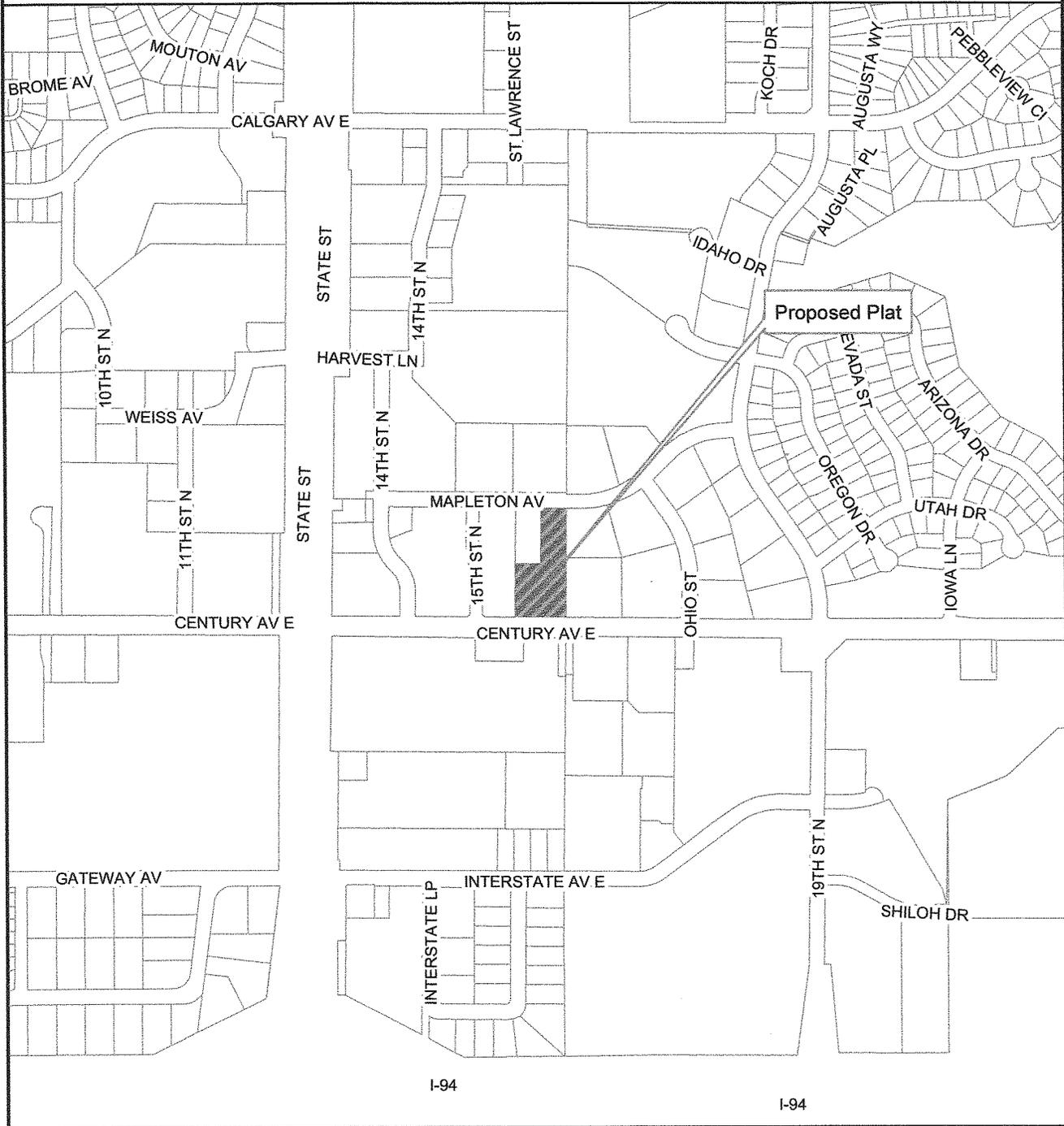
<b>BACKGROUND:</b>		
<b>Title:</b> Mapleton Addition – Final Plat		
<b>Status:</b> Planning Commission – Public Hearing	<b>Date:</b> December 21, 2011	
<b>Owner(s):</b> Aldeez Investments, LLC	<b>Engineer:</b> Swenson, Hagen & Company	
<b>Reason for Request:</b> Plat property to allow for future commercial development.		
<b>Location:</b> Along the north side of Century Avenue between North 15 <sup>th</sup> Street and Ohio Street (an unplatted portion of the east 264 feet of the south 330 feet of the SW ¼ of Section 22, T139N - R80W/Hay Creek Township).		
<b>Project Size:</b> 3.0 acres	<b>Number of Lots:</b> Two lots in one block	
<b>EXISTING CONDITIONS:</b>		
<b>Land Use:</b> Single-family house and storage buildings	<b>PROPOSED CONDITIONS:</b>	
<b>Zoning:</b> CG-Commercial	<b>Land Use:</b> Commercial uses	
<b>Uses Allowed:</b> Multi-family dwellings, offices, hotels, wholesale and heavy commercial	<b>Zoning:</b> CG-Commercial	
<b>Maximum Density Allowed:</b> 42 units per acre	<b>Uses Allowed:</b> Multi-family dwellings, offices, hotels, wholesale and heavy commercial	
<b>Maximum Density Allowed:</b> 42 units per acre	<b>Maximum Density Allowed:</b> 42 units per acre	
<b>PROPERTY HISTORY:</b>		
<b>Zoned:</b> Pre-1980	<b>Platted:</b> N/A	<b>Annexed:</b> Pre-1980
<b>ADDITIONAL INFORMATION:</b>		
1. The existing structures will be demolished prior to the redevelopment of the property.		
<b>FINDINGS:</b>		
1. All technical requirements for consideration of the final plat have been met.		
2. The proposed subdivision lies outside the Fringe Area Road Master Plan area.		
3. The stormwater management plan has been approved by the City Engineer.		
4. The proposed subdivision is compatible with adjacent land uses. Adjacent land uses include commercial and office uses surrounding the property.		
5. The proposed subdivision would not adversely affect the adjacent properties.		
6. The City and other agencies will be able to provide necessary public services, facilities, and programs to serve the development allowed by the proposed subdivision at the time the property is developed.		
<i>continued...</i>		

7. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance and subdivision regulations.
8. The proposed subdivision is consistent with the master plan; other adopted plans, policies and accepted planning practice.

**RECOMMENDATION:**

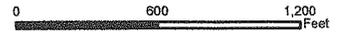
Based on the above findings, staff recommends approval of the final plat for Mapleton Addition.

# Proposed Plat Mapleton Addition



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.  
Map was Updated/Created: October 19, 2011 (kdg)

Source: City of Bismarck







**BISMARCK-BURLEIGH COUNTY COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

<b>BACKGROUND:</b>		
<b>Title:</b> Lots 3 & 4, less the East 80.63 feet of Lot 4, Block 1, Eastdale Addition – Zoning Change (RT to CA)		
<b>Status:</b> Planning Commission – Public Hearing	<b>Date:</b> December 21, 2011	
<b>Owner(s):</b> J & L Development, Inc.	<b>Engineer:</b> Swenson, Hagen & Company	
<b>Reason for Request:</b> The proposed zoning change would allow the addition of a second building and the expansion of the existing strip mall facility.		
<b>Location:</b> In east Bismarck, along the north side of East Rosser Avenue just east of North 26 <sup>th</sup> Street.		
<b>Project Size:</b> 16,379 SF (0.37 acres)	<b>Number of Lots:</b> Part of 2 lots in 1 block	
<b>EXISTING CONDITIONS:</b>	<b>PROPOSED CONDITIONS:</b>	
<b>Land Use:</b> Vacant/Undeveloped	<b>Land Use:</b> Commercial strip mall	
<b>Zoning:</b> RT – Residential	<b>Zoning:</b> CA – Commercial	
<b>Uses Allowed:</b> RT – Multi-family and offices	<b>Uses Allowed:</b> CA – Multi-family, light commercial and offices	
<b>Maximum Density Allowed:</b> RT – 30 units per acre	<b>Maximum Density Allowed:</b> CA – 30 units per acre	
<b>PROPERTY HISTORY:</b>		
<b>Zoned:</b> 08/71	<b>Platted:</b> 08/71	<b>Annexed:</b> Pre-1980
<b>ADDITIONAL INFORMATION:</b>		
<ol style="list-style-type: none"> <li>1. There was an error in the legal description in the public hearing notice.</li> <li>2. A site plan has been submitted as part of the City's formal Site Plan Review Process. The site plan shows the expansion of the existing strip mall facility located on the parcel directly to the west and an additional strip mall facility on the remaining undeveloped property related to this zoning change request. The site plan also illustrates the appropriate buffer yard screening elements and separation distance necessary to satisfy the regulations of the Landscaping and Screening Ordinance.</li> <li>3. The primary access to the site will be from the south off Rosser Avenue. There is a significant elevation change across the site from south to north that would limit access from the north.</li> </ol>		
<b>FINDINGS:</b>		
<ol style="list-style-type: none"> <li>1. The proposed zoning change is in an area outside the boundaries of the Bismarck-Mandan Regional Future Land Use Plan.</li> </ol>		

*continued...*

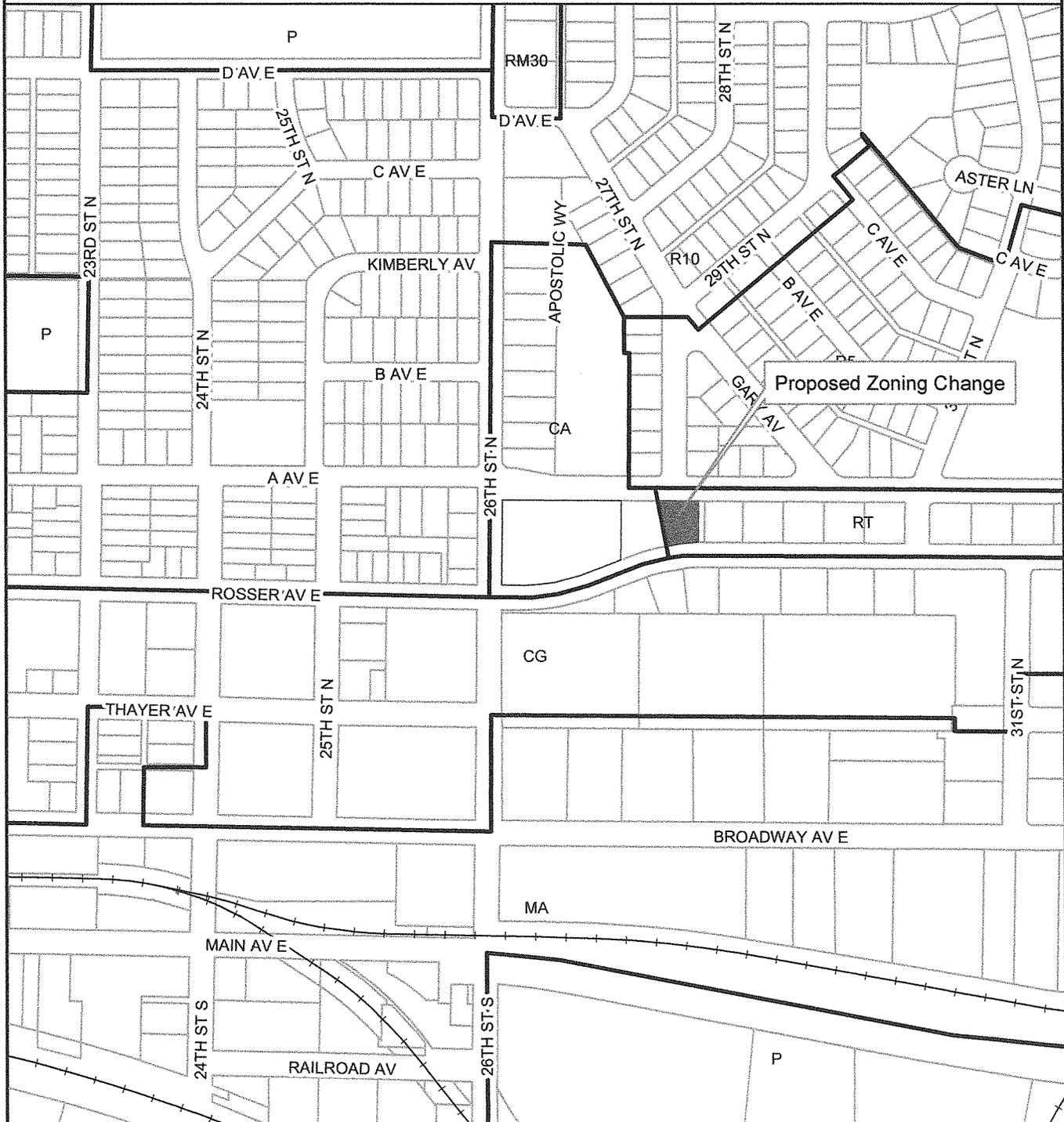
2. The proposed zoning change would be compatible with adjacent land uses. Adjacent land uses include a church and developed single-family residential to the north, developed multi-family property to the east, partially-developed commercial property to the south and commercial property to the west.
3. The property is already annexed; therefore the proposed zoning change would not place an undue burden on public services.
4. With the installation of the required buffer yard landscaping, the proposed zoning change would not adversely affect property in the vicinity.
5. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance.
6. The proposed zoning change is consistent with the master plan, other adopted plans, policies and accepted planning practice.

**RECOMMENDATION:**

Based on the above findings, staff recommends approval of the zoning change for Lots 3 & 4, less the East 80.63 feet of Lot 4, Block 1, Eastdale Addition, from RT-Residential to CA-Commercial.

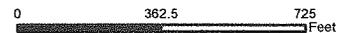
# Proposed Zoning Change (RT to CA)

## Lots 3-4, less the E80.63' of Lot 4, Block 1, Eastdale Addition

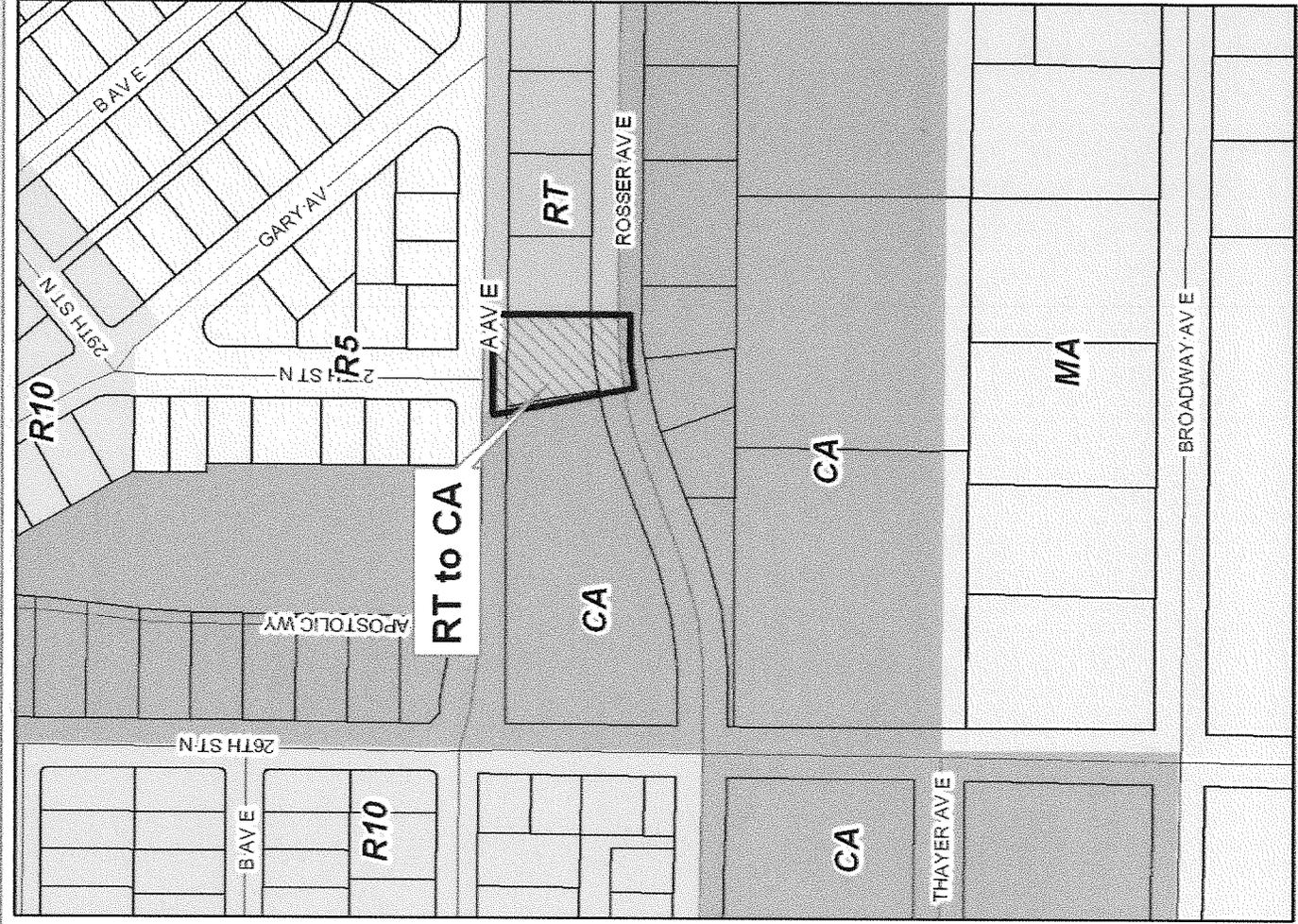


DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.  
 Map was Updated/Created: November 9, 2011 (kiee)

Source: City of Bismarck



**Lots 3-4, less the East 80.63 feet of Lot 4, Block 1, Eastdale Addition**



October 2011

This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

**BISMARCK-BURLEIGH COUNTY PLANNING & DEVELOPMENT DEPARTMENT  
STAFF REPORT**

<b>BACKGROUND:</b>		
<b>Title:</b> Lot 5, Block 1, Centennial Park 4 <sup>th</sup> Addition and Tract 1 of the N½ of Section 25, T139N-R80W/ Hay Creek Township – Zoning Change (RM30 & A to CG)		
<b>Status:</b> Planning Commission – Public Hearing	<b>Date:</b> December 21, 2011	
<b>Owner(s):</b> Dale Pahlke	<b>Engineer:</b> N/A	
<b>Reason for Request:</b> Change zoning to allow commercial development (specific use not identified).		
<b>Location:</b> Along the south side of Trenton Drive approximately ¼ mile east of Centennial Road.		
<b>Project Size:</b> 6.37 acres, more or less	<b>Number of Lots:</b> 1 lot and 1 unplatted tract	
<b>EXISTING CONDITIONS:</b>		
<b>Land Use:</b> Undeveloped	<b>PROPOSED CONDITIONS:</b>	
<b>Zoning:</b> RM30 – Residential (L5, B1) A – Agricultural (unplatted tract)	<b>Land Use:</b> Commercial (unspecified)	
	<b>Zoning:</b> CG – Commercial	
<b>Uses Allowed:</b> RM30 – Multi-family residential A – Agricultural uses	<b>Uses Allowed:</b> CG – General commercial	
<b>Maximum Density Allowed:</b> RM30 - 30 units per acre A – 1 unit per 40 acres	<b>Maximum Density Allowed:</b> 42 units per acre	
<b>PROPERTY HISTORY:</b>		
<b>Zoned:</b> 06/94 (L5, B1, CP4th)	<b>Platted:</b> 05/94 (L5, B1, CP4th)	<b>Annexed:</b> 03/04 (L5, B1, CP4th)
<b>ADDITIONAL INFORMATION:</b>		
<ol style="list-style-type: none"> <li>1. This area was originally platted as Centennial Park 2<sup>nd</sup> Addition in 1978 with MA – Industrial zoning.</li> <li>2. When the plat of Centennial Park 4<sup>th</sup> was approved in 1994, the zoning was changed to a mix of residential and commercial uses at the request of the property owner (Century Park Partnership). At that time, the lots along the south side of Trenton Drive were zone to CG – Commercial (Lots 1-3) and to RM30 – Residential (Lots 4 &amp; 5).</li> <li>3. In 1996, Lot 4, Block 1, was rezoned from RM30 – Residential to CG – Commercial at the request of the property owner (Frank Bavendick). At this same time, an RM15 area was created on the north side of Trenton Drive between the CA – Commercial along Yorktown Drive and Colonial Drive to serve as a transition between the commercial development and the single-family residential to the north, with the consent of the property owner (Century Park Partnership).</li> <li>4. In 1997, most of the RM15 transition area created in 1996 was rezoned to R10 – Residential at the request of the property owner (Centennial Partners) in order to reduce the density on the residential lots. The remaining RM15 parcel (Lot 17, Block 4) was rezoned to CA – Commercial in 1998 at the request of the property owner (Centennial Partners).</li> </ol>		
<i>(continued)</i>		

5. A request to rezone Lot 5, Block 1, Centennial Park 4<sup>th</sup> Addition from RM30 to CG was denied by the Planning & Zoning Commission during consideration of the request in April 2004 and was subsequently withdrawn by the applicant.
6. If the zoning change were to be approved, the unplatted tract would need to be platted and Trenton Drive extended to the eastern edge of the tract prior to development of the tract.

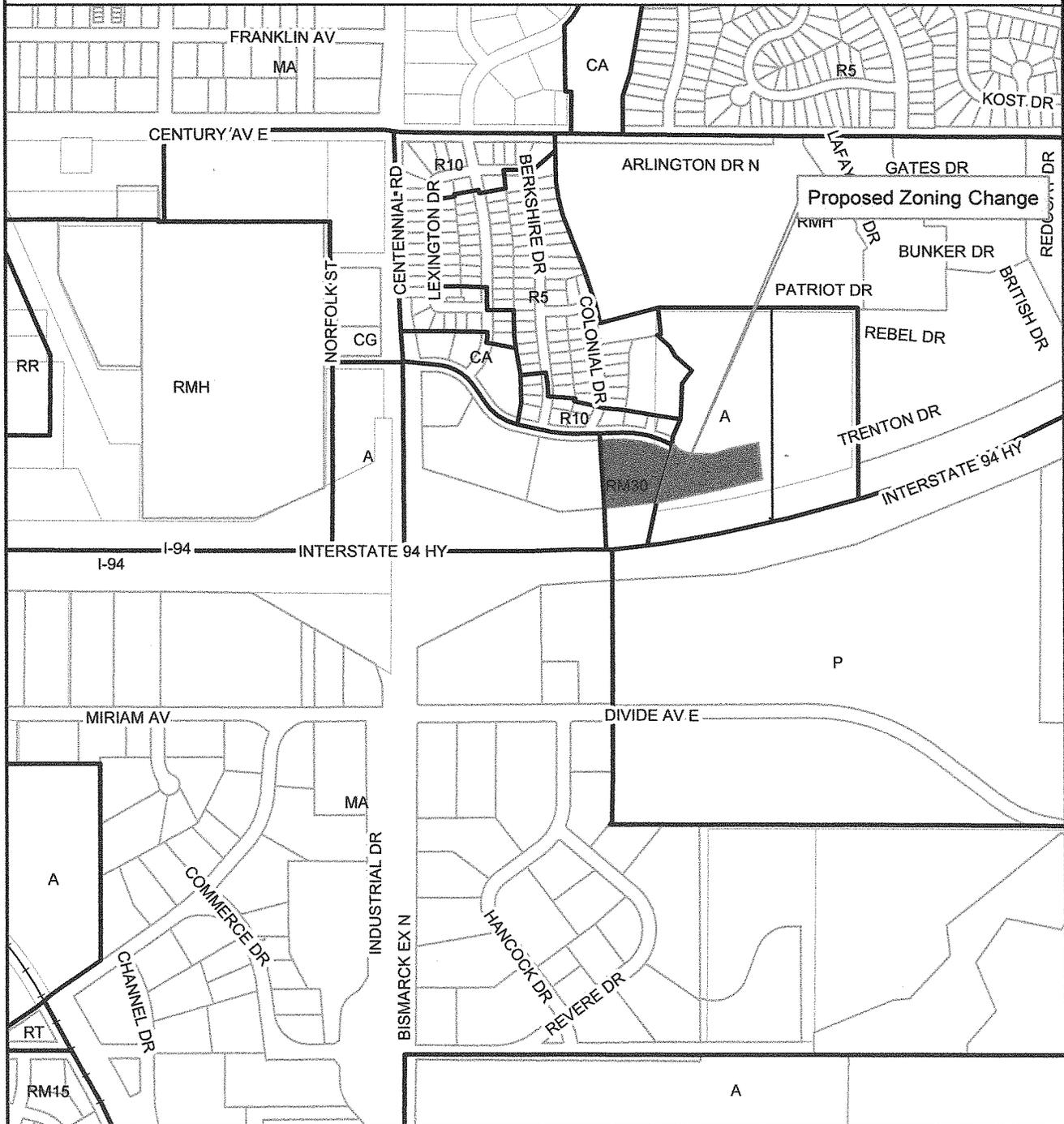
#### **FINDINGS:**

1. The proposed zoning change would be inconsistent with the Land Use Plan, which identifies the long range use of this area as urban residential (Tract 1) and commercial (Lot 5, Block 1) (Bismarck-Mandan Regional Land Use Plan). The commercial land use designation for Lot 5, Block 1, Centennial Park 4<sup>th</sup> Addition is contrary to the established zoning for this lot.
2. The proposed zoning change would not be compatible with all adjacent land uses. Adjacent land uses include single-family residential and undeveloped R10-zoned lots to the north, undeveloped CG-zoned lots to the west, I-94 and commercial/industrial uses to the south across I-94, and undeveloped land to the east.
3. The proposed zoning change will not place an undue burden on public services, provided the unplatted property was platted and the entire Trenton Drive right-of-way was extended to the eastern edge of the property and improved.
4. The proposed zoning change would adversely affect property in the vicinity. In particular, an extension of commercial uses on the south side of Trenton Drive would adversely affect the low-density residential development on the north side of Trenton Drive.
5. The proposed zoning change is not consistent with the general intent and purpose of the zoning ordinance. In particular, the zoning ordinance discourages incompatible uses in close proximity to one another without the use of transitional zoning and/or landscape buffers.
6. The proposed zoning change is not consistent with adopted plans, policies and accepted planning practice. In particular, given the fact that there is no longer a zoning transition between the single-family residential area on the north side of Trenton Drive and the commercial area on the south side of Trenton Drive, expanding the existing commercial area further to the east is contrary to the concepts of transitional zoning and buffers.

#### **RECOMMENDATION:**

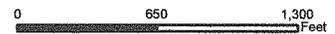
Based on the above findings, staff recommends denying the request for a zoning change from RM30 – Residential and A – Agricultural to CG – Commercial on Lot 5, Block 1, Centennial Park 4<sup>th</sup> Addition and Tract 1 of the N½ of Section 25, T139N-R80W/Hay Creek Township.

**Proposed Zoning Change (RM30 & A to CG)  
 Lot 5, Block 1, Centennial Park Fourth Addition  
 and Tract 1 of the N½ of Section 25, T139N-R80W**

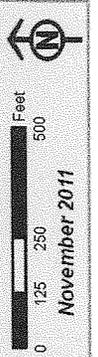
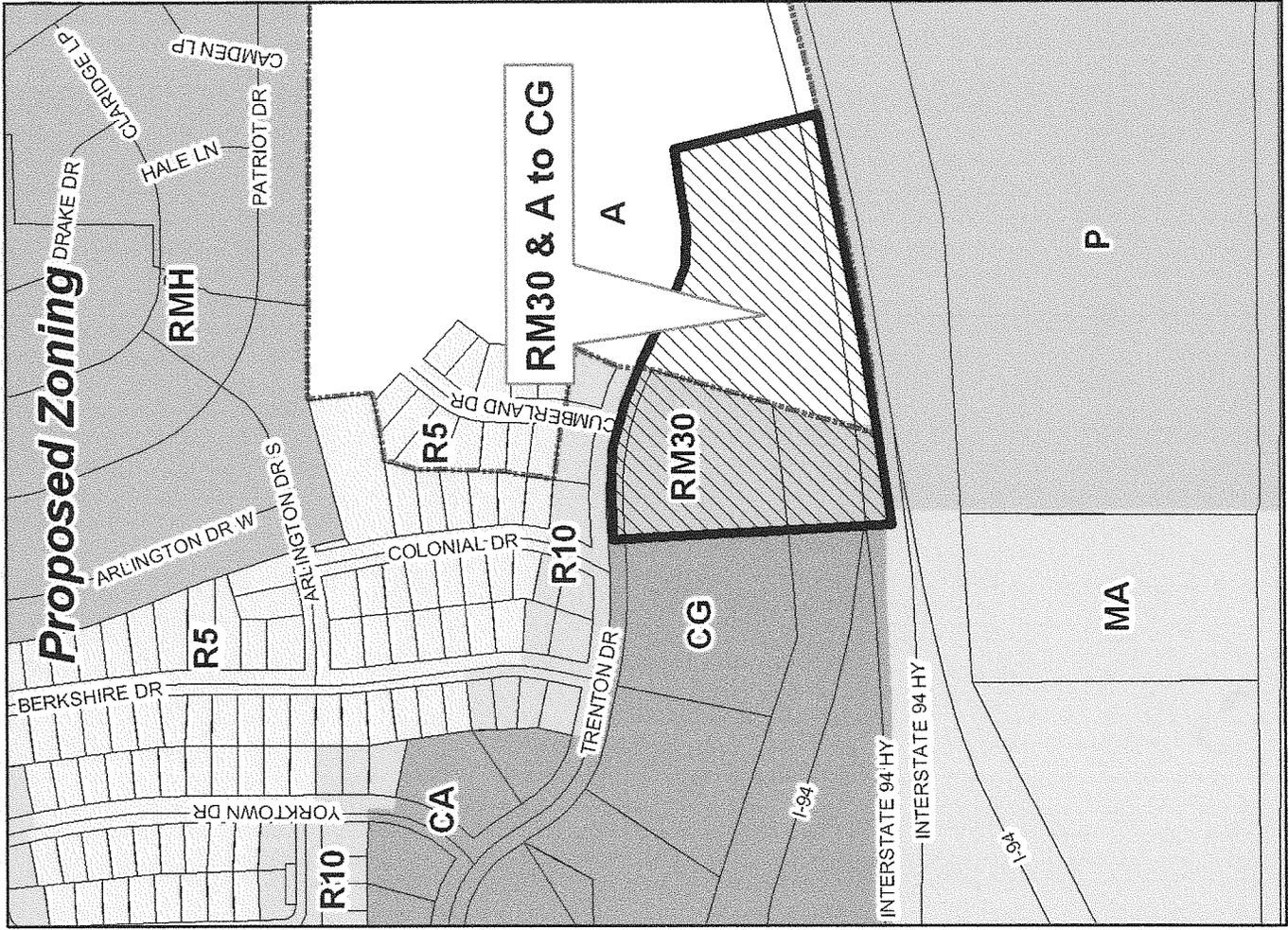
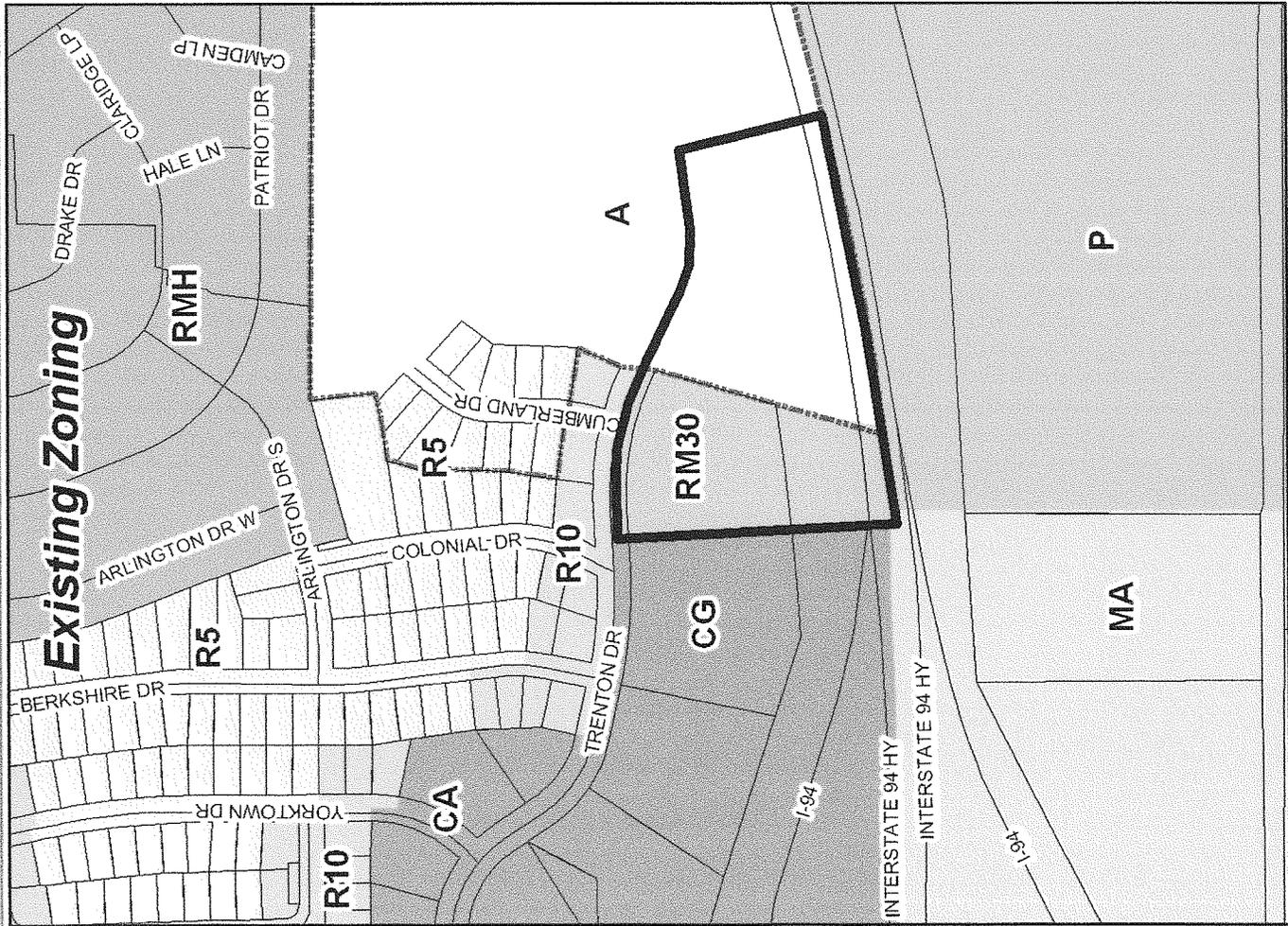


DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.  
 Map was Updated/Created: October 19, 2011 (kdg)

Source: City of Bismarck



# Proposed Zoning Change - RM30 & A to CG



November 2011

This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

# CITY OF BISMARCK Ordinance No. XXXX

<b>First Reading</b>	
<b>Second Reading</b>	
<b>Final Passage and Adoption</b>	
<b>Publication Date</b>	

AN ORDINANCE TO AMEND AND RE-ENACT SECTIONS 14-02-03 OF THE BISMARCK CODE OF ORDINANCES (REV.) RELATING TO DEFINITIONS.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA:

Section 1. Amendment. Section 14-03-08 of the City of Bismarck Code of Ordinances (1986 Rev.) relating to Special Uses is hereby amended and re-enacted to read as follows:

14-02-03. Definitions. The following definitions represent the meanings of terms as they are used in these regulations:

\* \* \* \* \*

Dwelling-Single-family: A building containing only one dwelling unit designed to be located on a permanent perimeter foundation and, if site built, constructed in accordance with the provisions of the applicable City codes governing construction; or, if manufactured off site, constructed in accordance with either the City codes governing construction or the HUD Manufactured Home Construction and Safety Standards Act of 1974 (24 CFR 3280). All single-family dwellings shall be considered and taxed as real property, as provided by law. Each single-family dwelling shall have a minimum ~~overall front~~ width of ~~twenty-four (24)~~ twenty (20) feet, a minimum ~~overall~~ depth of twenty (20) feet, a ~~minimum main floor living space square footage of nine hundred (900) square feet,~~ and a minimum ceiling height of seven (7) feet, six (6) inches. A manufactured home that meets all of the requirements herein is classified as a single family dwelling.

\* \* \* \* \*

Family: One or more persons related by blood, adoption, marriage, or foster care for children, living and cooking together as a single housekeeping unit; or, a number of persons, but not exceeding four, living together as a single housekeeping unit, though not related by blood, adoption, marriage, or foster care for children. In accordance with the provisions of NDCC 25-16-13, a group home serving six or fewer developmentally disabled persons is classified as a family in all single-family residential districts (RR, RR5 and R5), and a group home serving eight or fewer developmentally disabled persons is classified as a family in all other residential zoning districts.

\* \* \* \* \*

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 3. Effective Date. This ordinance shall take effect following final passage, adoption and publication.

**CITY PLANNING & ZONING COMMISSION  
MEETING MINUTES  
November 16, 2011**

The Bismarck Planning & Zoning Commission met on November 16, 2011, at 5:00 p.m. in the Tom Baker Meeting Room in the City-County Office Building, 221 North 5<sup>th</sup> Street. Chairman Yeager presided.

Commissioners present were Mark Armstrong, Tom Atkinson, Mel Bullinger, Curt Juhala, Vernon Laning, Doug Lee, Ken Selzler, Mike Schwartz, Lisa Waldoch and Wayne Yeager.

Commissioner John Warford was absent.

Staff members present were Carl Hokenstad – Community Development Director, Kim Lee – Planning Manager, Jason Tomanek – Planner, Kimberley Gaffrey – Office Assistant III, Charlie Whitman – City Attorney and Ray Ziegler – Building Official.

Others present were Edward Weigel – 1319 Sorrento Circle, Bede Frank – 1412 North 35<sup>th</sup> Street, Robert Brown, 1412 North 35<sup>th</sup> Street, Mel Rodenburg – 1212 North 35<sup>th</sup> Street, Matthew Reichert – 3712 Lockport Street, Jake Axtman – 909 Basin Avenue, Alexis Duxbury – 1014 North 4<sup>th</sup> Street and Scott Bittner – Bismarck.

**MINUTES**

Chairman Yeager called for consideration of the minutes of the October 26, 2011 meeting.

**MOTION:** Commissioner Armstrong made a motion to approve the minutes of the October 26, 2011 meeting as received. Commissioner Lee seconded the motion and it was unanimously approved with Commissioners Armstrong, Atkinson, Bullinger, Juhala, Laning, Lee, Selzler, Schwartz, Waldoch and Yeager voting in favor of the motion.

**CONSIDERATIONS –**

**PRELIMINARY – MAPLETON ADDITION**

**ZONING CHANGE – LOT 5, BLOCK 1, CENTINNIAL PARK FOURTH ADDITION AND TRACT 1 OF THE N½ OF SECTION 25, T139N-R80W**

**ZONING ORDINANCE TEXT AMENDMENT – DEFINITIONS**

Chairman Yeager called for consideration of the following consent agenda items:

- A. A preliminary plat for Mapleton Addition. The property is 2 lots in 1 block on 2.57 acres, located along the north side of Century Avenue between North 15<sup>th</sup> Street and Ohio Street (an unplatted portion of the east 264 feet of the south 330 feet of the SW¼ of Section 22, T139N - R80W/Hay Creek Township).
- B. A zoning change from the RM30-Residential and A-Agricultural zoning districts to the CG-Commercial zoning district for Lot 5, Block 1, Centennial Park 4<sup>th</sup> Addition and Tract 1 of the

N½ of Section 25, T139N-R80W/ Hay Creek Township. The property is one lot and one unplatted tract on 6.37 acres, located along the south side of Trenton Drive approximately ¼ mile east of Centennial Road.

- C. A zoning ordinance text amendment relating to definitions. The proposed amendments would modify the definitions of family and single-family dwelling.

At the request of Commissioner Lee, Chairman Yeager pulled item B from the consent agenda for further discussion.

**MOTION:** Based on the findings contained in the staff reports, Commissioner Armstrong made a motion to approve Consent Agenda items A and C, calling for public hearings on the items. Commissioner Laning seconded the motion and it was unanimously approved with Commissioners Armstrong, Atkinson, Bullinger, Juhala, Laning, Lee, Selzler, Schwartz, Waldoch and Yeager voting in favor of the motion.

Ms. Lee said the staff recommendation included in the agenda packet is to deny the zoning change for Lot 5, Block 1, Centennial Park 4<sup>th</sup> Addition and Tract 1 of the N½ of Section 25, T139N-R80W/ Hay Creek Township because of the adverse impact it would have on the adjacent single family residential area.

**MOTION:** Commissioner Lee made a motion to call for a public hearing on Consent Agenda item B. Commissioner Atkinson seconded the motion, with Armstrong, Atkinson, Juhala, Laning, Lee, Selzler, Schwartz, Waldoch Yeager voting in favor of the motion and Commissioner Bullinger voting against. The motion passed 9 to 1.

#### **PUBLIC HEARING – ZONING CHANGE FROM RM15- RESIDENTIAL TO R10- RESIDENTIAL AND MINOR SUBDIVISION FINAL PLAT – SHANNON VALLEY FOURTH ADDITION FIRST REPLAT**

Chairman Yeager called for the public hearing for the zoning change from the RM15-Residential zoning district to the R10-Residential zoning district and the minor subdivision final plat for Shannon Valley Fourth Addition First Replat. The property is 8 lots in 1 block on 1.33 acres and is located along the west side of North 35<sup>th</sup> Street between Baltus Drive and Shannon Drive (a replat of Lots 1-4, Block 2, Shannon Valley 4<sup>th</sup> Addition).

Ms. Lee provided an overview of the request and listed the following findings for the zoning change:

1. This area is outside of the area covered by the Land Use Plan.
2. The proposed zoning change would be compatible with adjacent land uses. Adjacent land uses include multi-family to the north, east and south and one and two-family residential to the west.
3. The property is already annexed; therefore, the proposed zoning change will not place an undue burden on public services.
4. The proposed zoning change would not adversely affect property in the vicinity.

5. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance.
6. The proposed zoning change is consistent with the master plan, other adopted plans, policies and accepted planning practice.

Ms. Lee then listed the following findings for the minor subdivision final plat:

1. All technical requirements for approval of a minor subdivision final plat have been met.
2. The storm water management plan has been approved by the City Engineer.
3. The proposed subdivision is compatible with adjacent land uses. Adjacent land uses include multi-family to the north, east and south and one and two-family residential to the west.
4. The proposed subdivision is already annexed and utilities are in place in North 35<sup>th</sup> Street.
5. The proposed subdivision would not adversely affect property in the vicinity.
6. The proposed subdivision is consistent with the general intent and purpose of the subdivision regulations.
7. The proposed subdivision is consistent with the master plan, other adopted plans, policies and accepted planning practice.

Ms. Lee then listed the following additional information:

1. The applicants are proposing to replat and rezone the property for twinhome development. The current zoning would allow the construction of four two-unit buildings on the property, but they would have to be on a large common lot as a condo association. The proposed changes will allow the same style of development with individual ownership of each unit and lot.

Ms. Lee said based on the above findings, staff recommends approval of the zoning change from the RM15-Residential zoning district to the R10-Residential zoning district and minor subdivision final plat for Shannon Valley Fourth Addition First Replat.

Chairman Yeager called for the public hearing for the zoning change from the RM15-Residential zoning district to the R10-Residential zoning district and the minor subdivision final plat for Shannon Valley Fourth Addition First Replat.

There was no public comment.

Chairman Yeager closed the public hearing.

**MOTION:** Based on the findings contained in the staff reports, Commissioner Laning made a motion to approve the zoning change from the RM15-Residential zoning district to

the R10-Residential zoning district and the minor subdivision final plat for Shannon Valley Fourth Addition First Replat. Commissioner Waldoch seconded the motion and it was unanimously approved with Commissioners Armstrong, Atkinson, Bullinger, Juhala, Laning, Lee, Selzler, Schwartz, Waldoch and Yeager voting in favor of the motion.

**PUBLIC HEARING – ZONING CHANGE FROM RT-RESIDENTIAL TO CA-COMMERCIAL – LOTS 3 & 4, LESS THE EAST 80.63 FEET OF LOT 4, BLOCK 1, EASTDALE ADDITION**

Chairman Yeager called for the public hearing for the zoning change from the RT-Residential zoning district to the CA-Commercial zoning district for Lots 3 & 4, less the East 80.63 feet of Lot 4, Block 1, Eastdale Addition. The property is located in east Bismarck, along the north side of East Rosser Avenue just east of North 26<sup>th</sup> Street.

Mr. Tomanek listed the following findings for the zoning change:

1. The proposed zoning change is in an area outside the boundaries of the Bismarck-Mandan Regional Future Land Use Plan.
2. The proposed zoning change would be compatible with adjacent land uses. Adjacent land uses include a church and developed single-family residential to the north, developed multi-family property to the east, partially-developed commercial property to the south and commercial property to the west.
3. The property is already annexed; therefore the proposed zoning change would not place an undue burden on public services.
4. With the installation of the required buffer yard landscaping, the proposed zoning change would not adversely affect property in the vicinity.
5. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance.
6. The proposed zoning change is consistent with the master plan, other adopted plans, policies and accepted planning practice.

Mr. Tomanek said based on the above findings, staff recommends approval of the zoning change from the RT-Residential zoning district to the CA-Commercial zoning district for Lots 3 & 4, less the East 80.63 feet of Lot 4, Block 1, Eastdale Addition.

Chairman Yeager called for the public hearing for the zoning change from the RT-Residential zoning district to the CA-Commercial zoning district for Lots 3 & 4, less the East 80.63 feet of Lot 4, Block 1, Eastdale Addition.

No public comment was received.

Chairman Yeager closed the public hearing.

**MOTION:** Based on the findings contained in the staff report, Commissioner Schwartz made a motion to approve the zoning change from the RT-Residential zoning district to the CA-Commercial zoning district for Lots 3 & 4, less the East 80.63 feet of Lot 4, Block 1, Eastdale Addition. Commissioner Atkinson seconded the motion and it was unanimously approved with Commissioners Armstrong, Atkinson, Bullinger, Juhala, Laning, Lee, Selzler, Schwartz, Waldoch and Yeager voting in favor of the motion.

### **PUBLIC HEARING – SPECIAL USE PERMIT FOR LOT 1, BLOCK 1, EASTDALE ADDITION**

Chairman Yeager called for the public hearing for a special use permit to allow a bank drive-through to be located on Lot 1, Block 1, Eastdale Addition. The property is located in east Bismarck, along the north side of East Rosser Avenue just east of North 26<sup>th</sup> Street.

Mr. Tomanek provided an overview of the request and listed the following findings for the special use permit:

1. A bank with a drive-through window is allowed as a special use in the CA-Commercial zoning district, provided specific conditions are met. The proposed drive-through window meets all six provisions outlined in Section 14-03-08(4)(g) of the City Code of Ordinances (Zoning).
2. The proposed special use would not adversely affect the public health, safety and general welfare.
3. The proposed special use would not be detrimental to the use or development of adjacent properties.
4. The use would be designed, operated and maintained in a manner that is compatible with the appearance of the existing character of the surrounding area.
5. Adequate public facilities and services are in place.
6. This use would not cause a negative effect, when considered in conjunction with the cumulative effect of other uses in the immediate vicinity.
7. Adequate measures have been taken to minimize traffic congestion in the public streets and provide for appropriate on-site circulation of traffic. In particular, adequate off-street parking is available on-site and stacking space for seven vehicles in the two drive-through lanes would be provided.
8. The City Traffic Engineer has reviewed the proposed site plan and has no opposition to the special use permit to allow the operation of a drive-through.

Mr. Tomanek then listed the following additional information:

1. The site plan submitted with the application demonstrates the required stacking spaces as those proposed with recent amendment to the vehicle stacking requirements. Previous to the proposed amendment, the required stacking spaces for a bank facility was 12. The proposed ordinance amendment would reduce the number off stacking spaces for a bank facility to 3 spaces per lane for an ATM and 4 spaces per teller lane. The amendment was considered by the Board of City Commissioners on November 8<sup>th</sup> and a public hearing has been scheduled for November 22<sup>nd</sup>.

Mr. Tomanek said that based on the above findings, staff recommends approval of the special use permit to allow a bank drive-through to be located on Lot 1, Block 1, Eastdale Addition, with the following conditions:

1. The construction and operation of a drive-through window must meet all applicable requirements for such a use in the CA-Commercial zoning district.
2. Development of the site must generally conform to the site plan submitted with the application.
3. The special use permit is contingent upon the final passage and adoption of the proposed amendments relating to vehicle stacking that will be considered by the Board of City Commissioners later this month.

Chairman Yeager called for the public hearing for the special use permit to allow a bank drive-through to be located on Lot 1, Block 1, Eastdale Addition.

No public comment was received.

Chairman Yeager closed the public hearing.

**MOTION:** Based on the findings contained in the staff report, Commissioner Laning made a motion to approve the request for a special use permit to allow a bank drive-through to be located on Lot 1, Block 1, Eastdale Addition, with the following conditions: 1) the construction and operation of a drive-through window must meet all applicable requirements for such a use in the CA-Commercial zoning district; 2) development of the site must generally conform to the site plan submitted with the application; and 3) the special use permit is contingent upon the final passage and adoption of the proposed amendments relating to vehicle stacking that will be considered by the Board of City Commissioners later this month. Commissioner Juhala seconded the motion and it was unanimously approved with Commissioners Armstrong, Atkinson, Bullinger, Juhala, Laning, Lee, Selzler, Schwartz, Waldoch and Yeager voting in favor of the motion.

**PUBLIC HEARING – SPECIAL USE PERMIT FOR PART OF THE E½ OF THE SE¼ OF SECTION 28, T139N-80W/HAY CREEK TOWNSHIP (2000 NORTH 12<sup>TH</sup> STREET)**

Chairman Yeager called for the public hearing for a special use permit for a restaurant drive-through to be located on an unplatted tract in the E½ of the SE¼ of Section 28, T139N-R80W. The property is

located along the west side of North 12<sup>th</sup> Street between Divide Avenue and Capitol Avenue (2000 North 12<sup>th</sup> Street).

Mr. Tomanek provided an overview of the request and listed the following findings for the special use permit:

1. A restaurant with a drive-through window is allowed as a special use in the CG-Commercial zoning district, provided specific conditions are met. The proposed drive-through window meets all six provisions outlined in Section 14-03-08(4)(g) of the City Code of Ordinances (Zoning). A copy of this section the ordinance is attached.
2. The proposed special use would not adversely affect the public health, safety and general welfare.
3. The proposed special use would not be detrimental to the use or development of adjacent properties.
4. The use would be designed, operated and maintained in a manner that is compatible with the appearance of the existing character of the surrounding area.
5. Adequate public facilities and services are in place.
6. This use would not cause a negative effect, when considered in conjunction with the cumulative effect of other uses in the immediate vicinity.
7. Adequate measures have been taken to minimize traffic congestion in the public streets and provide for appropriate on-site circulation of traffic. In particular, ample off-street parking is available on-site and stacking space for 12 vehicles in the drive-through lane would be provided.
8. The City Traffic Engineer has reviewed the proposed site plan and has no opposition to the special use permit to allow the operation of a drive-through.

Mr. Tomanek said that based on the above findings, staff recommends approval of the special use permit to allow a drive-through window in conjunction with a restaurant on an unplatted tract described as part of the E½ of the SE¼ of Section 28, T139N-80W/Hay Creek Township (2000 North 12<sup>th</sup> Street), with the following conditions:

1. The construction and operation of a drive-through window must meet all applicable requirements for such a use in the CG-Commercial zoning district.
2. Development of the site must generally conform to the site plan submitted with the application.

Chairman Yeager called for the public hearing for the special use permit to allow a drive-through window in conjunction with a restaurant on an unplatted tract described as part of the E½ of the SE¼ of Section 28, T139N-80W/Hay Creek Township (2000 North 12<sup>th</sup> Street).

No public comment was received.

Chairman Yeager closed the public hearing.

**MOTION:** Based on the findings contained in the staff report, Commissioner Waldoch made a motion to approve the request for a special use permit to allow a drive-through window in conjunction with a restaurant on an unplatted tract described as part of the E½ of the SE¼ of Section 28, T139N-80W/Hay Creek Township (2000 North 12<sup>th</sup> Street), with the following conditions: 1) the construction and operation of a drive-through window must meet all applicable requirements for such a use in the CG-Commercial zoning district; and 2) development of the site must generally conform to the site plan submitted with the application. Commissioner Lee seconded the motion and it was unanimously approved with Commissioners Armstrong, Atkinson, Bullinger, Juhala, Laning, Lee, Selzler, Schwartz, Waldoch and Yeager voting in favor of the motion.

### **OTHER BUSINESS**

Alexis Duxbury appeared and expressed her concern with floodplain management and the flooding in Burleigh County. She suggested that a moratorium be placed on any new construction in the affected areas.

Commissioner Armstrong said that her suggestions are better suited for the County Planning Commission and the County Commission and urged her to attend the next County Planning Commission meeting.

### **ADJOURNMENT**

There being no further business Chairman Yeager declared the Bismarck Planning & Zoning Commission adjourned at 5:36 p.m. to meet again on December 21, 2011.

Respectfully submitted,

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Kimberley Gaffrey  
Recording Secretary

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Wayne Yeager  
Chairman

**Major Permit Activity  
November 2011**

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Non-deeded Owner:      Brendel Condos  
Address:                 3400 Baltus Drive  
Cost:                     \$499,315.00  
Description:             Single story, three unit condominium

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Non-deeded Owner:      Brendel Condos  
Address:                 3400 Baltus Lane  
Cost:                     \$520,000.00  
Description:             Two-story, four unit condominium

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Non-deeded Owner:      Brendel Condos  
Address:                 3401 Baltus Lane  
Cost:                     \$650,000.00  
Description:             Three unit condominium

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Non-deeded Owner:      Brendel Condos  
Address:                 3404 Baltus Lane  
Cost:                     \$650,000.00  
Description:             Two-story, four unit condominium

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Non-deeded Owner:      ND State Penitentiary Building  
Address:                 3100 Railroad Avenue  
Cost:                     \$4,615,018.00  
Description:             Precast concrete cell modules

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Non-deeded Owner:      Joann Fabrics  
Address:                 2700 State Street  
Cost:                     \$687,686.00  
Description:             15,975 square feet alteration

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Non-deeded Owner:      ND Department of Transportation  
Address:                 608 East Boulevard Avenue  
Cost:                     \$2,579,938.00  
Description:             48,000 square feet alteration

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Non-deeded Owner:      Archway Mental Health  
Address:                 900 East Broadway Avenue  
Cost:                     \$374,919.00  
Description:             Demo and alteration of exam rooms, reception area and offices

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Non-deeded Owner:      MedCenter One, Inc.  
Address:                 701 East Rosser Avenue  
Cost:                     \$2,799,680.00  
Description:             1st and 2nd floor interior buildout

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DATE SELECTION 11/2011

Permit Type	City		ETA		County							
	11/2011	11/2010	11/2011	11/2010	11/2011	11/2010						
	Permits	Valuation	Permits	Valuation	Permits	Valuation						
SINGLE FAMILY DETACHED	19	3,323,798.00	15	2,636,801.00	1	125,214.00	4	636,033.00	1	263,781.00	0	.00
SINGLE FAMILY ATTACHED	4	551,767.00	4	505,259.00	0	.00	0	.00	0	.00	0	.00
TWO UNIT	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
THREE & FOUR FAMILY	4	2,189,315.00	0	.00	0	.00	0	.00	0	.00	0	.00
FIVE & MORE FAMILY	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
CONDO/TOWNHOUSE-1 HR.WALL	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MANUFACTURED HOMES	8	4,900.00	5	.00	1	.00	0	.00	0	.00	0	.00
MOBILE HOME WITHOUT EXTRA	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOBILE HOME WITH EXTRAS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOBILE HOME MISCELLANEOUS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
HOTELS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOTELS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
GROUP QUARTERS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
NON-STRUCTURAL DEVELOPMEN	0	.00	1	3,534,287.00	0	.00	0	.00	0	.00	0	.00
AMUSEMENT & RECREATION	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
CHURCHES AND RELIGIOUS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
INDUSTRIAL	0	.00	1	7,500.00	0	.00	2	125,422.00	0	.00	0	.00
RESEARCH & DEVELOPMENT	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
AUTO SERVICE AND REPAIR	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
HOSPITALS & INSTITUTIONAL	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
OFFICE, BANK & PROFESSION	0	.00	1	1,769,000.00	0	.00	0	.00	0	.00	0	.00
SCHOOLS AND EDUCATIONAL	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
COMM (RETAIL SALES)	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
OTHER (PUBLIC PARKING GAR	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
OTHER STRUCTURES	3	440,040.00	1	7,494.00	1	5,000.00	0	.00	0	.00	0	.00
PUBLIC BUILDING	1	4,615,018.00	0	.00	0	.00	0	.00	0	.00	0	.00
ROOM ADDITIONS	4	127,976.00	3	130,496.00	0	.00	2	34,470.00	0	.00	0	.00
RESIDENTIAL GARAGES	1	1,920.00	1	3,456.00	0	.00	1	19,200.00	1	19,200.00	1	20,250.00
PATIOS AND COVERS	3	7,515.00	0	.00	0	.00	1	1,890.00	0	.00	0	.00
SWIMMING POOLS AND SPAS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
OTHER	26	42,200.00	9	14,900.00	1	1,500.00	0	.00	0	.00	0	.00
HOME OCCUPATIONS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
STORAGE SHEDS	1	1,500.00	2	1,800.00	0	.00	0	.00	0	.00	0	.00
BASEMENT FINISH	9	49,717.00	9	46,593.00	1	6,802.00	3	15,437.00	0	.00	2	10,925.00
INDUSTRIAL BUILDINGS	0	.00	2	505,000.00	0	.00	0	.00	0	.00	0	.00
COMMERCIAL BUILDINGS	3	694,868.00	8	1,752,214.00	0	.00	0	.00	0	.00	0	.00

DATE SELECTION 11/2011

Permit Type	***** City *****		***** ETA *****		***** County *****							
	11/2011 Permits	Valuation	11/2010 Permits	Valuation	11/2011 Permits	Valuation	11/2010 Permits	Valuation				
OFFICE & PROFESSIONAL BLD	7	6,022,284.00	4	496,587.00	0	.00	0	.00	0	.00	0	.00
OTHER	5	694,619.00	0	.00	1	100,000.00	0	.00	0	.00	0	.00
ALTER PUBLIC	1	2,579,938.00	1	1,113,138.00	0	.00	0	.00	0	.00	0	.00
APTS TO CONDO	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
TO/FROM RESIDENTIAL	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
RESIDENTIAL	0	.00	0	.00	1	.00	0	.00	0	.00	0	.00
OTHER	0	.00	3	.00	0	.00	0	.00	0	.00	0	.00
CHRISTMAS TREE SALES	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
FIREWORKS SALES	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
NURSERY STOCK SALES	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
TEMPORARY STRUCTURE PERMI	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
CIRCUS/CARNIVAL	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOVE OUT OF PMT LOCATION	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOVE INTO PERMIT LOCATION	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOVE WITHIN PMT LOCATION	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
NEW SIGN PERMIT	1	2,200.00	8	126,569.00	0	.00	0	.00	0	.00	0	.00
SIGN ALTERATION	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
ELECTRONIC MESSAGE CENTER	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
FLOOD RELATED PERMITS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
Permit Type Total	100	21,349,575.00	78	12,651,094.00	7	238,516.00	13	832,452.00	2	282,981.00	3	31,175.00

DATE SELECTION 11/2011

Permit Type	***** City *****		***** ETA *****		***** County *****	
	11/2011 Permits	11/2010 Permits	11/2011 Permits	11/2010 Permits	11/2011 Permits	11/2010 Permits
Plumbing	56	55	5	6	1	1
Electrical	139	110	0	0	0	0
Mechanical	136	105	28	23	9	3
Drain Field	0	1	18	16	2	0
Hood Suppression	1	2	0	0	0	0
SprinklerStandpipe	3	2	0	0	0	0
Alarm Detection	2	0	0	0	0	0
Total	337	275	51	45	12	4

DATE SELECTION 11/2011

Living Units	***** City *****		***** ETA *****		***** County *****	
	Units 11/2011	Units 11/2010	Units 11/2011	Units 11/2010	Units 11/2011	Units 11/2010
SINGLE FAMILY DETACHED	18	15	1	4	1	0
SINGLE FAMILY ATTACHED	2	4	0	0	0	0
THREE & FOUR FAMILY	14	0	0	0	0	0
MANUFACTURED HOMES	0	1	0	0	0	0
PUBLIC BUILDING	1	0	0	0	0	0
ROOM ADDITIONS	1	0	0	0	0	0
OTHER	1	1	0	0	0	0
BASEMENT FINISH	0	2	0	0	0	1
Total	37	23	1	4	1	1

PERMIT LOCATION	PERMIT NUMBER	PROPERTY ADDRESS	DATE SELECTION	11/2011	OWNERS NAME CONTRACTOR	VALUATION
CITY OF BISMARCK	2011-0001577	701 E ROSSER	AV		MEDCENTER ONE INC NORTHWEST CONTRACTING INC	2,886,104.00
CITY OF BISMARCK	2011-0001578	701 E ROSSER	AV		MEDCENTER ONE INC NORTHWEST CONTRACTING INC	2,799,680.00
CITY OF BISMARCK	2011-0001596	608 E BOULEVARD	AV		ND DEPT OF TRANSPORTATION DAKOTA WEST CONTRACTING	2,579,938.00
CITY OF BISMARCK	2011-0001624	3100 RAILROAD	AV		ND STATE PENITENTIARY BUILDING TINDALL CORPORATION	4,615,018.00

DATE SELECTION 11/2011

Permit Type	***** City *****		***** ETA *****		***** County *****							
	11/2011	11/2010	11/2011	11/2010	11/2011	11/2010						
	Permits	Valuation	Permits	Valuation	Permits	Valuation						
SINGLE FAMILY DETACHED	309	53,755,914.00	238	41,964,736.00	83	16,168,319.00	80	14,944,570.00	12	2,321,290.00	10	1,899,221.00
SINGLE FAMILY ATTACHED	73	11,284,736.00	79	11,491,708.00	0	.00	0	.00	0	.00	0	.00
TWO UNIT	1	238,476.00	2	456,971.00	0	.00	0	.00	0	.00	0	.00
THREE & FOUR FAMILY	10	5,909,815.00	3	1,720,000.00	0	.00	0	.00	0	.00	0	.00
FIVE & MORE FAMILY	4	4,896,961.00	3	2,747,291.00	0	.00	0	.00	0	.00	0	.00
CONDO/TOWNHOUSE-1 HR.WALL	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MANUFACTURED HOMES	49	18,340.00	29	5,100.00	1	.00	0	.00	0	.00	0	.00
MOBILE HOME WITHOUT EXTRA	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOBILE HOME WITH EXTRAS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOBILE HOME MISCELLANEOUS	0	.00	1	31,516.00	0	.00	0	.00	0	.00	0	.00
HOTELS	2	12,311,458.00	1	4,362,000.00	0	.00	0	.00	0	.00	0	.00
MOTELS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
GROUP QUARTERS	0	.00	3	652,434.00	0	.00	0	.00	0	.00	0	.00
NON-STRUCTURAL DEVELOPMEN	0	.00	3	7,915,111.00	0	.00	0	.00	0	.00	0	.00
AMUSEMENT & RECREATION	0	.00	0	.00	0	.00	1	500.00	0	.00	0	.00
CHURCHES AND RELIGIOUS	0	.00	1	120,000.00	0	.00	0	.00	0	.00	0	.00
INDUSTRIAL	9	3,349,302.00	11	4,766,518.00	2	314,000.00	8	949,956.00	0	.00	0	.00
RESEARCH & DEVELOPMENT	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
AUTO SERVICE AND REPAIR	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
HOSPITALS & INSTITUTIONAL	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
OFFICE, BANK & PROFESSION	5	3,540,323.00	9	30,461,482.00	0	.00	0	.00	0	.00	0	.00
SCHOOLS AND EDUCATIONAL	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
COMM (RETAIL SALES)	6	3,302,780.00	6	2,771,193.00	0	.00	0	.00	0	.00	0	.00
OTHER (PUBLIC PARKING GAR	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
OTHER STRUCTURES	20	5,974,097.00	33	2,370,737.00	1	5,000.00	5	2,500.00	0	.00	0	.00
PUBLIC BUILDING	8	49,728,782.00	7	1,981,683.00	1	511,064.00	0	.00	2	304,742.00	0	.00
ROOM ADDITIONS	30	644,298.00	21	547,016.00	12	603,208.00	25	1,535,761.00	1	21,306.00	2	97,680.00
RESIDENTIAL GARAGES	56	538,572.00	74	641,176.00	75	1,504,988.00	73	1,242,387.00	7	238,900.00	20	557,090.00
PATIOS AND COVERS	100	301,096.00	118	396,549.80	14	100,245.00	15	58,517.00	0	.00	4	17,265.00
SWIMMING POOLS AND SPAS	0	.00	2	71,595.00	1	47,300.00	0	.00	0	.00	0	.00
OTHER	169	993,543.00	172	1,714,096.00	17	302,924.00	14	307,301.00	4	169,127.00	4	12,500.00
HOME OCCUPATIONS	2	.00	4	.00	1	.00	1	.00	0	.00	0	.00
STORAGE SHEDS	41	74,700.00	97	181,646.00	3	18,433.00	12	27,754.00	0	.00	1	5,120.00
BASEMENT FINISH	155	789,475.00	126	604,625.00	42	237,459.00	47	263,628.00	3	10,806.00	4	23,575.00
INDUSTRIAL BUILDINGS	20	4,065,080.00	20	2,269,393.00	1	286,382.00	1	5,688.00	0	.00	0	.00
COMMERCIAL BUILDINGS	47	8,797,648.00	35	5,047,204.00	1	84,100.00	1	988,684.00	0	.00	1	77,503.00

DATE SELECTION 11/2011

Permit Type	***** City *****		***** ETA *****		***** County *****							
	11/2011	11/2010	11/2011	11/2010	11/2011	11/2010						
	Permits	Valuation	Permits	Valuation	Permits	Valuation						
OFFICE & PROFESSIONAL BLD	43	14,475,773.00	71	10,421,090.00	0	.00	1	97,000.00	0	.00	0	.00
OTHER	25	4,849,813.00	14	5,495,366.00	4	1,660,000.00	1	16,995.00	0	.00	0	.00
ALTER PUBLIC	14	13,140,065.00	16	7,349,679.00	0	.00	0	.00	0	.00	0	.00
APTS TO CONDO	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
TO/FROM RESIDENTIAL	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
RESIDENTIAL	10	.00	11	.00	4	.00	0	.00	0	.00	0	.00
OTHER	9	.00	11	.00	0	.00	0	.00	0	.00	0	.00
CHRISTMAS TREE SALES	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
FIREWORKS SALES	0	.00	2	.00	12	.00	10	.00	0	.00	0	.00
NURSERY STOCK SALES	6	.00	3	.00	0	.00	0	.00	0	.00	0	.00
TEMPORARY STRUCTURE PERMI	3	.00	4	.00	7	.00	5	.00	0	.00	0	.00
CIRCUS/CARNIVAL	2	50.00	1	.00	0	.00	0	.00	0	.00	0	.00
MOVE OUT OF PMT LOCATION	2	.00	3	.00	0	.00	0	.00	0	.00	0	.00
MOVE INTO PERMIT LOCATION	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOVE WITHIN PMT LOCATION	0	.00	2	.00	0	.00	0	.00	0	.00	0	.00
NEW SIGN PERMIT	62	727,814.00	65	585,807.00	0	.00	1	1,945.00	0	.00	0	.00
SIGN ALTERATION	2	9,587.00	1	26,915.00	0	.00	0	.00	0	.00	0	.00
ELECTRONIC MESSAGE CENTER	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
FLOOD RELATED PERMITS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
	1296	206,049,211.00	1302	149,170,637.80	282	21,843,422.00	301	20,443,186.00	29	3,066,171.00	46	2,689,954.00

DATE SELECTION 11/2011

Permit Type	***** City *****		***** ETA *****		***** County *****	
	11/2011 Permits	11/2010 Permits	11/2011 Permits	11/2010 Permits	11/2011 Permits	11/2010 Permits
Plumbing	572	512	98	105	10	11
Electrical	1144	1021	0	0	0	0
Mechanical	1137	980	255	194	34	21
Drain Field	0	1	18	16	2	0
Hood Suppression	1	2	0	0	0	0
SprinklerStandpipe	3	2	0	0	0	0
Alarm Detection	2	0	0	0	0	0
Total	2906	2556	461	401	58	45

## DATE SELECTION 11/2011

Living Units	***** City *****		***** ETA *****		***** County *****	
	Units 11/2011	Units 11/2010	Units 11/2011	Units 11/2010	Units 11/2011	Units 11/2010
SINGLE FAMILY DETACHED	306	238	83	80	12	10
SINGLE FAMILY ATTACHED	71	79	0	0	0	0
TWO UNIT	2	4	0	0	0	0
THREE & FOUR FAMILY	38	12	0	0	0	0
FIVE & MORE FAMILY	62	28	0	0	0	0
MANUFACTURED HOMES	8	3	0	0	0	0
GROUP QUARTERS	0	9	0	0	0	0
INDUSTRIAL	1	0	0	0	0	0
COMM (RETAIL SALES)	1	0	0	0	0	0
OTHER STRUCTURES	0	4	0	0	0	0
PUBLIC BUILDING	1	0	0	0	0	0
ROOM ADDITIONS	5	0	3	6	0	1
RESIDENTIAL GARAGES	0	1	0	1	0	1
PATIOS AND COVERS	4	1	0	0	0	0
OTHER	6	7	0	1	0	0
STORAGE SHEDS	0	2	0	0	0	0
BASEMENT FINISH	9	9	1	1	0	1
INDUSTRIAL BUILDINGS	1	0	0	0	0	0
ALTER PUBLIC	1	0	0	0	0	0
RESIDENTIAL	1	0	0	0	0	0
Total	517	397	87	89	12	13