

b.	Final Plat	5
	<i>Staff recommendation: approve</i>	<input type="checkbox"/> approve <input type="checkbox"/> continue <input type="checkbox"/> table <input type="checkbox"/> deny
6.	Country View Estates (Klee)	
	<i>Apple Creek Township</i>	
a.	Zoning Change (A to RR)	11
	<i>Staff recommendation: approve</i>	<input type="checkbox"/> approve <input type="checkbox"/> continue <input type="checkbox"/> table <input type="checkbox"/> deny
b.	Final Plat	15
	<i>Staff recommendation: approve</i>	<input type="checkbox"/> approve <input type="checkbox"/> continue <input type="checkbox"/> table <input type="checkbox"/> deny
7.	Lots 1-3, Block 1, Kavaney Commercial Park 2nd Replat –	
	Zoning Change (CR to CG) (Klee)	23
	<i>Staff recommendation: approve</i>	<input type="checkbox"/> approve <input type="checkbox"/> continue <input type="checkbox"/> table <input type="checkbox"/> deny

OTHER BUSINESS

- 8. ETA Agreement with Apple Creek Township
- 9. Certificate of Appreciation for Jan Wangler
- 10. Other

ADJOURNMENT

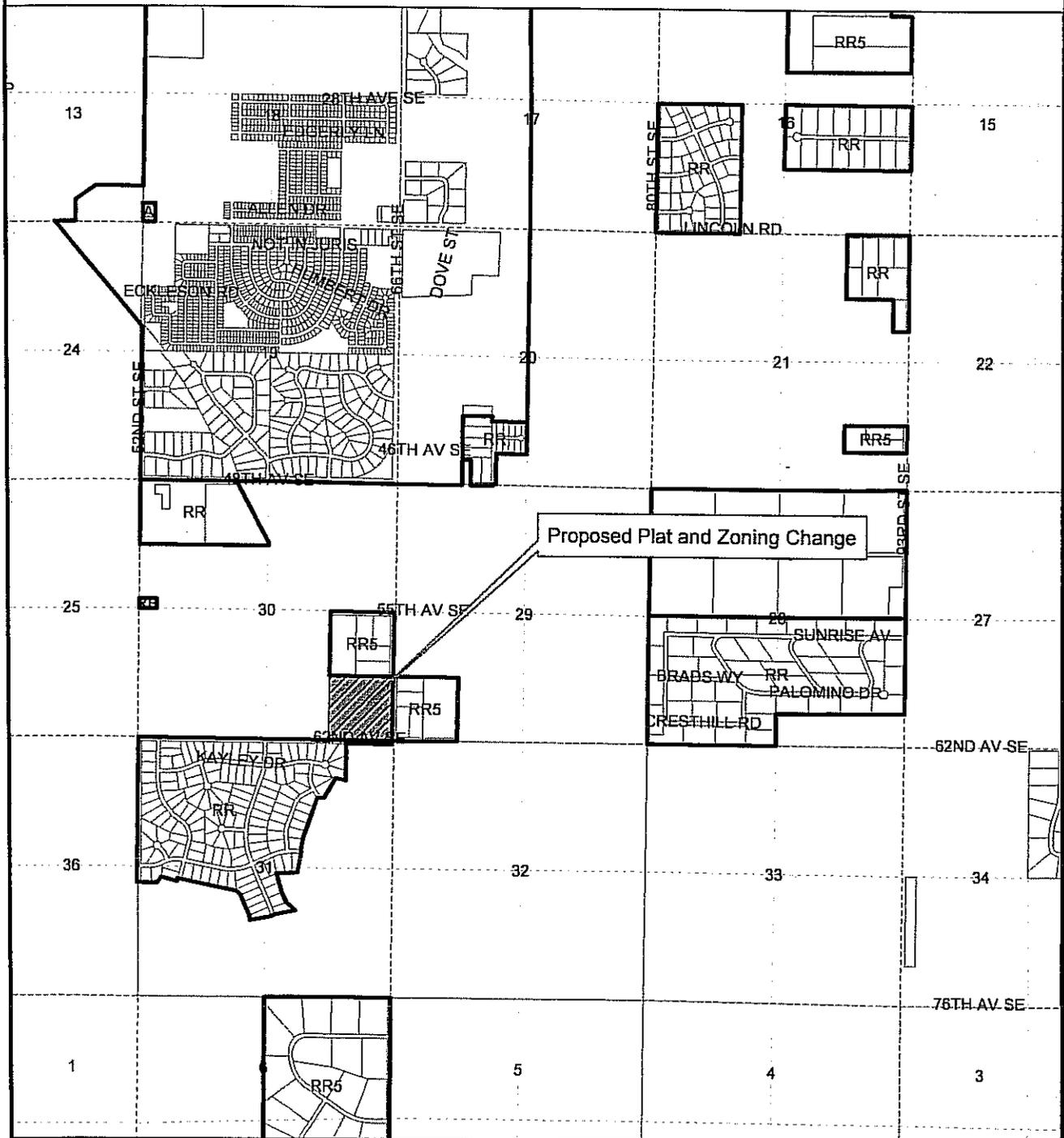
- 11. **Adjourn.** The next regular meeting date is scheduled for Wednesday, February 24, 2010.

Enclosure: Minutes of the November 18, 2009 meeting
 Major Building Permits Report for November and December 2009
 Building Permit Activity Report for November and December 2009

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

BACKGROUND:	
Title: WDH Subdivision – Zoning Change (A to RR5)	
Status: Planning Commission – Public Hearing	Date: January 27, 2010
Owner(s): WDH Properties LLC (Wayne D. Harvison)	Engineer: Kadrmass Lee & Jackson
Reason for Request: Plat 40 acre tract into a five-lot subdivision for rural residential development.	
Location: South of Lincoln along the west side of 66 th Street SE and along the north side of 62 nd Avenue SE (The SE¼ of the SE¼ of Section 30, T138N-R79W/Apple Creek Township)	
Project Size: 39.9 acres	Number of Lots: Five lots in one block
EXISTING CONDITIONS:	
Land Use: Agriculture	PROPOSED CONDITIONS:
Zoning: A – Agriculture	Land Use: Rural residential
Uses Allowed: Agriculture & large lot residential	Zoning: RR5 – Residential
Uses Allowed: Agriculture & large lot residential	Uses Allowed: Residential and limited agriculture
Maximum Density Allowed: 1 unit per 40 acres	Maximum Density Allowed: 1 unit per 5-acres
PROPERTY HISTORY:	
Zoned: N/A	Platted: N/A
FINDINGS:	
<ol style="list-style-type: none"> 1. The proposed zoning change is consistent with the Land Use Plan, which identifies this area as rural residential (Bismarck-Mandan Regional Land Use Plan). 2. The proposed zoning change is compatible with adjacent land uses. Adjacent land uses include agriculturally-zoned property to the west, RR5-residential lots to the north and east. Copper Ridge Subdivision, which is zoned RR, is to the south. 3. The subdivision proposed for this property will be a large-lot rural residential subdivision, will be served by South Central Regional Water District, and will have access to 66th Street SE and 62nd Avenue SE; therefore, the 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 planning practice. 	
RECOMMENDATION:	
Based on the above findings, staff recommends approval of the zoning change for WDH Subdivision from A–Agricultural to RR5–Residential.	

Proposed Plat and Zoning Change (A to RR5) WDH Subdivision



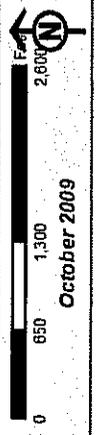
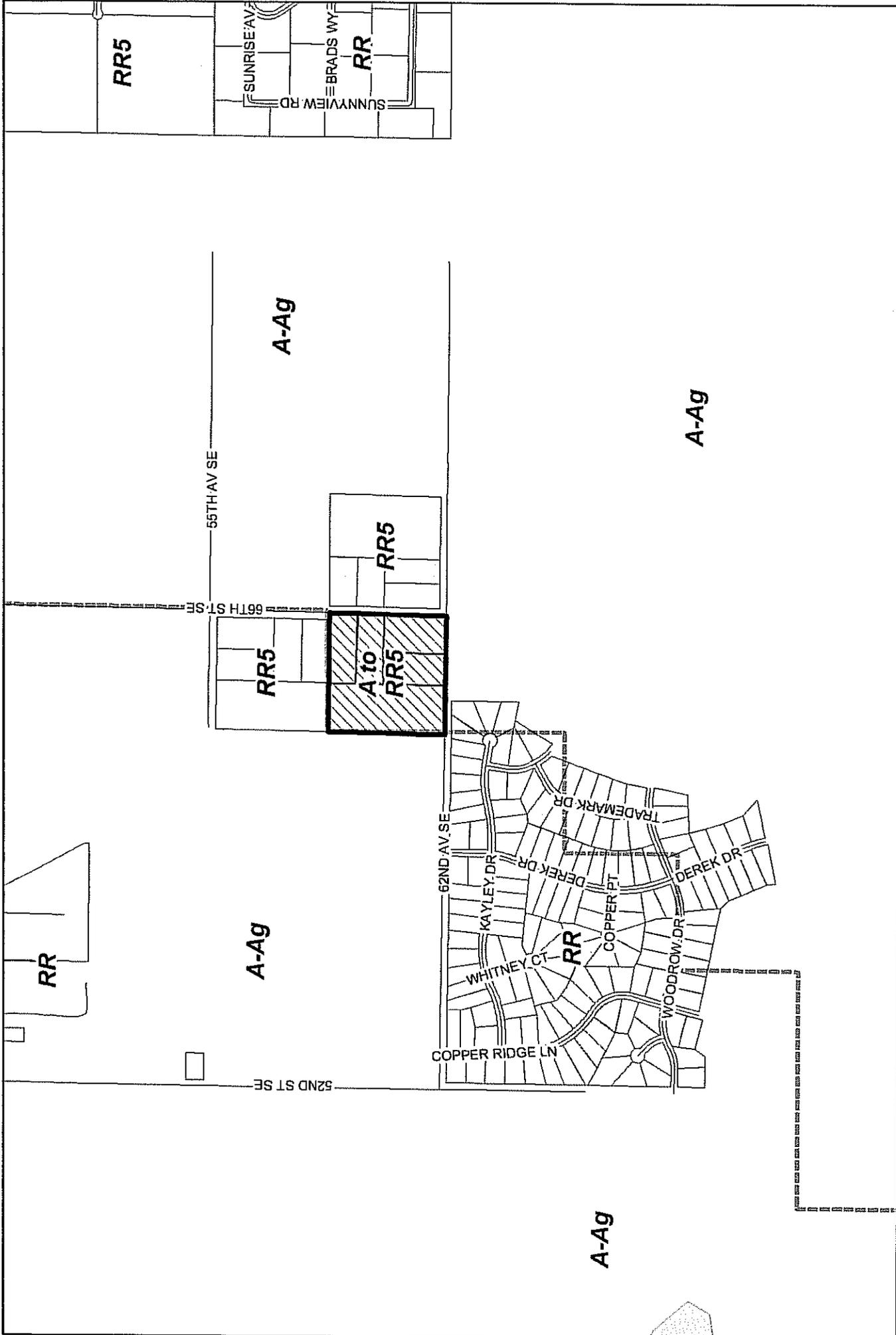
0 1,000 Feet

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 herein. Map was Updated/Created: December 21, 2009 (Dec)

Source: City of Denmark



WDH Subdivision



Legend

2 Mile ETA Boundary
 RR
 RR5
 A

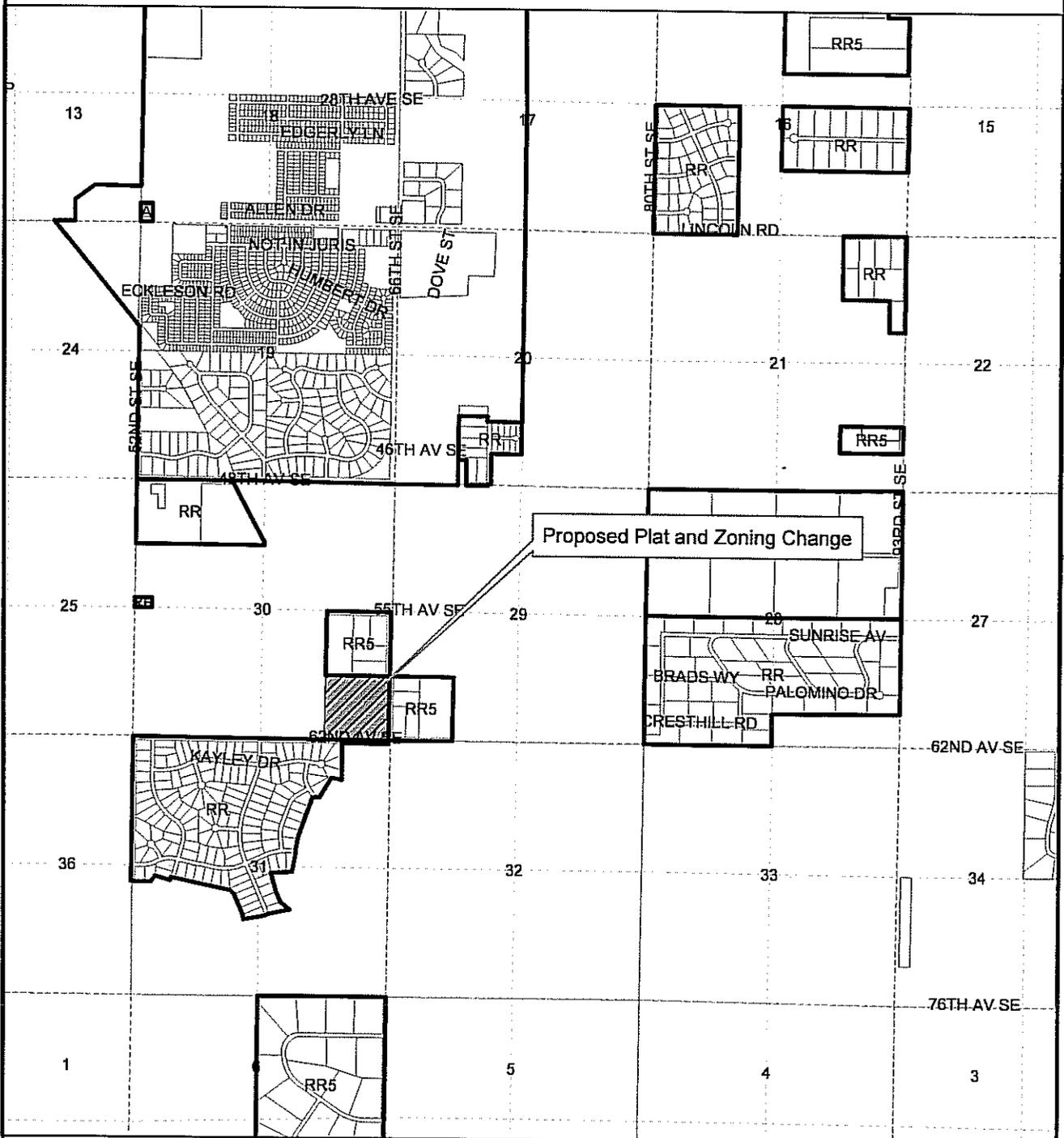
This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

October 2009

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

BACKGROUND:	
Title: WDH Subdivision – Final Plat	
Status: Planning Commission – Public Hearing	Date: January 27, 2010
Owner(s): WDH Properties LLC (Wayne D. Harvison)	Engineer: Kadrmass Lee & Jackson
Reason for Request: Plat 40 acre tract into a five-lot subdivision for rural residential development.	
Location: South of Lincoln along the west side of 66 th Street SE and along the north side of 62 nd Avenue SE (The SE¼ of the SE¼ of Section 30, T138N-R79W/Apple Creek Township)	
Project Size: 39.9 acres	Number of Lots: Five lots in one block
EXISTING CONDITIONS:	PROPOSED CONDITIONS:
Land Use: Agriculture	Land Use: Rural residential
Zoning: A – Agriculture	Zoning: RR5 – Residential
Uses Allowed: Agriculture & large lot residential	Uses Allowed: Residential and limited agriculture
Maximum Density Allowed: 1 unit per 40 acres	Maximum Density Allowed: 1 unit per 5-acres
PROPERTY HISTORY:	
Zoned: N/A	Platted: N/A
FINDINGS:	
<ol style="list-style-type: none"> 1. All technical requirements for approval of a final plat have been met. 2. This proposed subdivision conforms to the Fringe Area Road Master Plan, which identifies 66th Street SE as an arterial roadway and 55th Avenue SE as a collector. 3. The lots would be served by private driveways. No interior roadways are proposed. 4. The proposed zoning change is compatible with adjacent land uses. Adjacent land uses include agriculturally-zoned property to the west, RR5-residential lots to the north and east. Copper Ridge Subdivision, which is zoned RR, is to the south. 5. The proposed subdivision is a large-lot rural residential subdivision, would be served by South Central Regional Water District, and would have access to 66th Street SE and 62nd Ave SE; therefore, the zoning change would not place an undue burden on public services. 6. The Apple Creek Township Board of Supervisors has recommended approval of the plat. 7. The City Engineer has approved the Storm Water Management Plan. 8. The proposed subdivision is consistent with adopted plans, policies and accepted planning practice. 	
RECOMMENDATION:	
Based on the above findings, staff recommends approval of the final plat of WDH Subdivision.	

Proposed Plat and Zoning Change (A to RR5) WDH Subdivision



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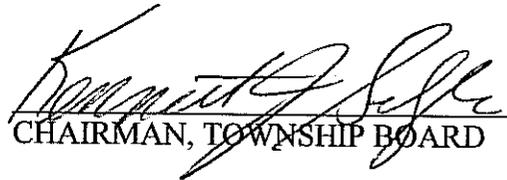
DISCLAIMER: This map is for reproduction use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated herein. Map was Updated/Created: September 21, 2019 (ptg)
 Source: City of Denham.



RESOLUTION

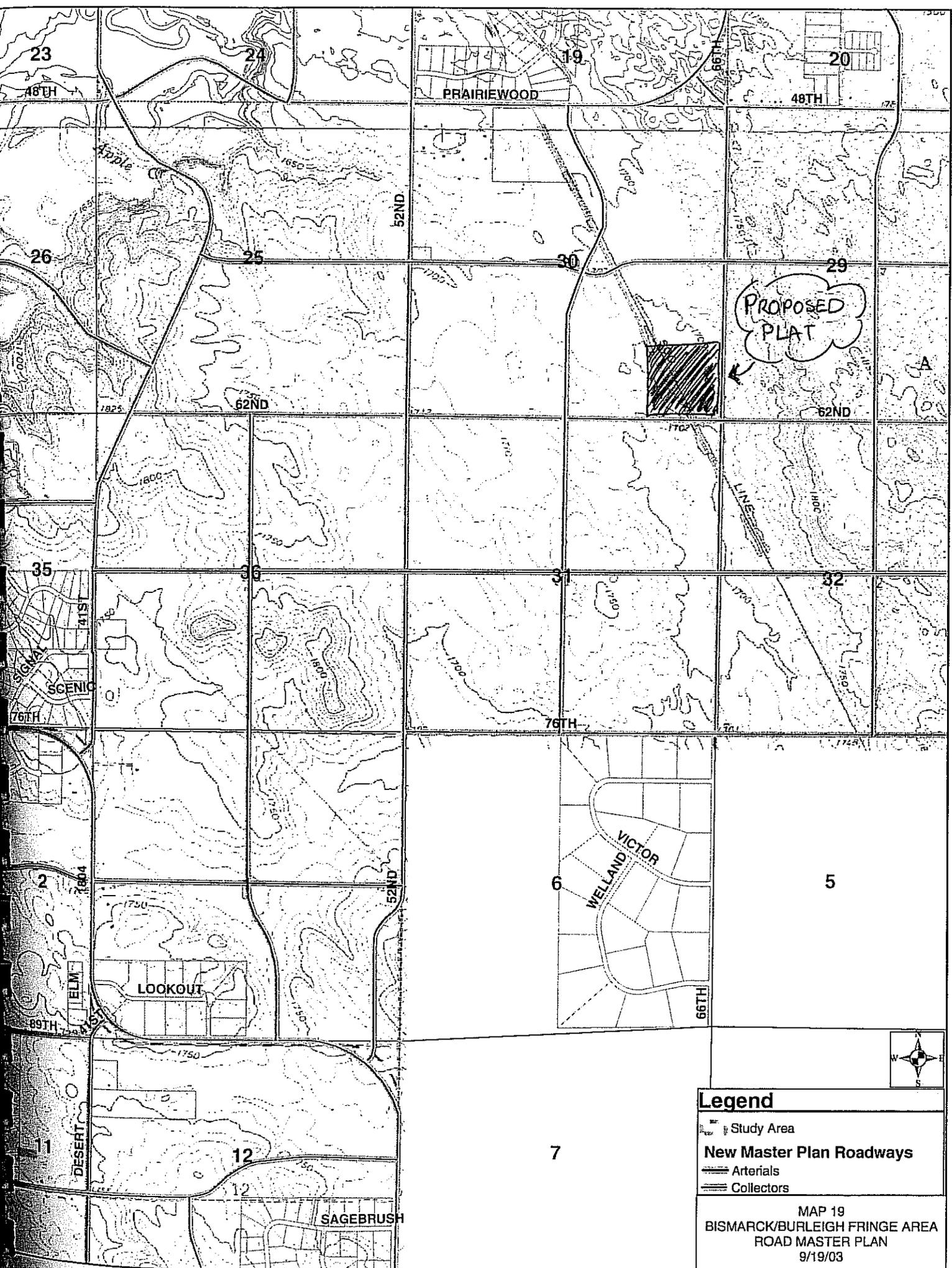
WE, THE BOARD OF TOWNSHIP SUPERVISORS OF APPLE CREEK TOWNSHIP,
BURLEIGH COUNTY, NORTH DAKOTA, HAVE BEEN ADVISED OF THE
PROPOSED PLAT OF WDH SUBDIVISION AND HEREBY RECOMMEND TO THE
BOARD OF CITY COMMISSIONERS THAT SAID PLAT BE (APPROVED)
(DENIED). (PLEASE ATTACH CONDITIONS, IF ANY, TO THE BOARD'S
ACTION.)

IF THE TOWNSHIP IS RECOMMENDING DENIAL, PLEASE LIST THE REASONS:


CHAIRMAN, TOWNSHIP BOARD


ATTEST: TOWNSHIP CLERK

*PLEASE RETURN WITHIN 60 DAYS OF
DATE OF THIS LETTER BY CERTIFIED MAIL.



PROPOSED
PLAT

Legend

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

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



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

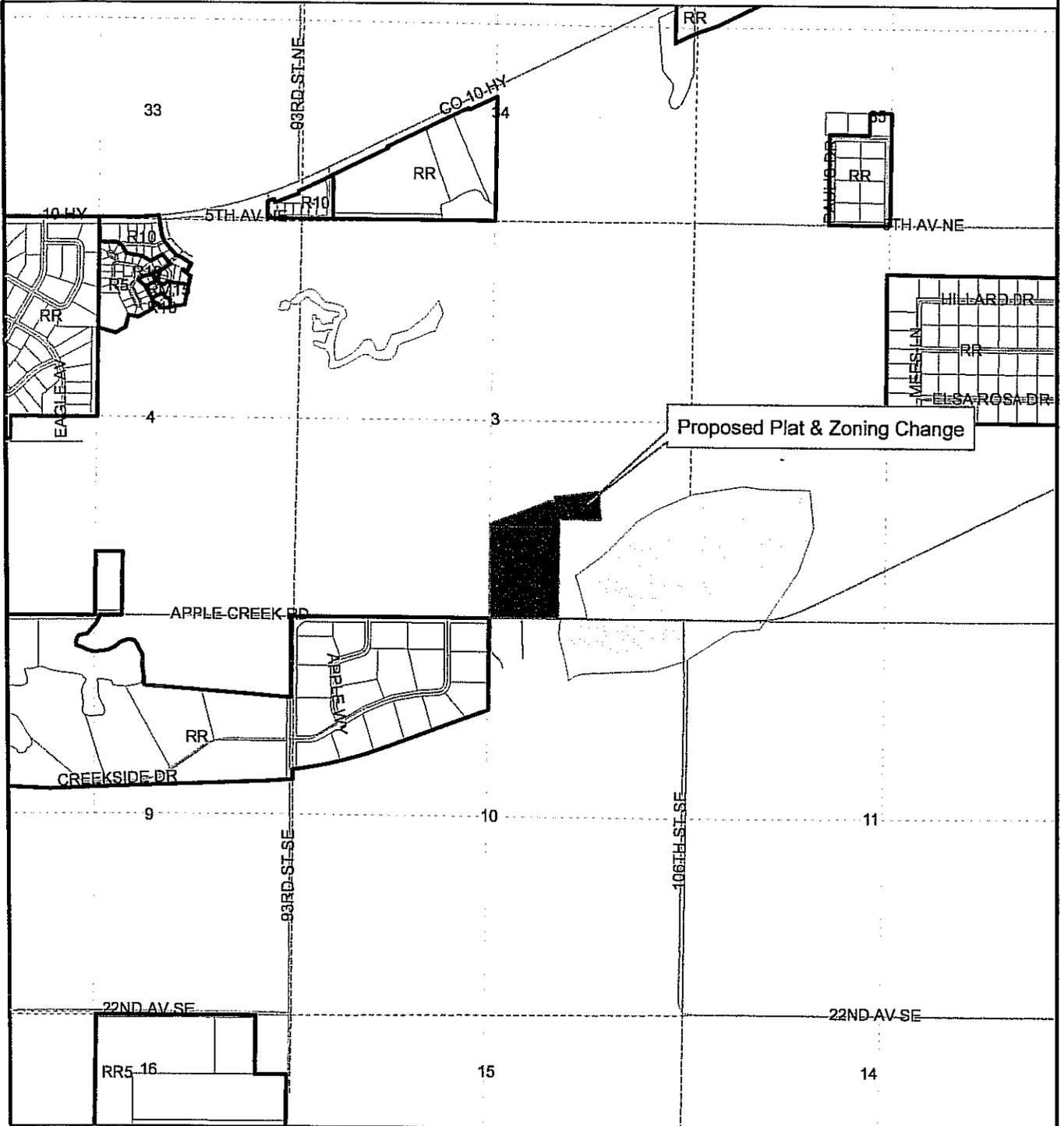
BACKGROUND:	
Title: Country View Estates (formerly known as Golfview Estates) – Zoning Change (A to RR)	
Status: Planning Commission – Public Hearing	Date: January 27, 2010
Owner(s): Apple Creek, LLP	Engineer: Kadrmass Lee & Jackson
Reason for Request: Develop property for single-family rural residential subdivision.	
Location: North of Apple Creek Road between 80 th Street SE and 106 th Street SE (part of the SE¼ of Section 3, T138N-R79W/Apple Creek Township).	
Project Size: 27.8 acres	Number of Lots: 16 lots in 3 blocks
EXISTING CONDITIONS:	
Land Use: Agriculture/Undeveloped	PROPOSED CONDITIONS:
Zoning: A – Agriculture	Land Use: Residential
Uses Allowed: Agriculture	Zoning: RR – Residential
Uses Allowed: Agriculture	Uses Allowed: Rural residential & limited agriculture
Maximum Density Allowed: One unit per 40 acres	Maximum Density Allowed: One unit per 65,000 square feet
PROPERTY HISTORY:	
Zoned: N/A	Platted: N/A
ADDITIONAL INFORMATION:	
<ol style="list-style-type: none"> The proposed subdivision has been revised to: 1) eliminate one access point on Apple Creek Road to address a concern of the Apple Creek Township Board of Supervisors and area residents; and 2) reduce the number of lots from 22 to 16 in order to comply with the City’s secondary access policy. The Apple Creek Township Board of Supervisors has now recommended approval of the subdivision proposed for this property with reservations (see attached resolution). The resolution references the 2010 Extraterritorial Jurisdiction Agreement with the City of Bismarck and the strong opposition of local land owners. 	
FINDINGS:	
<ol style="list-style-type: none"> The proposed zoning change would be consistent with the Land Use Plan, which identifies this area as rural residential (Bismarck-Mandan Regional Land Use Plan). The proposed zoning change would be compatible with adjacent land uses. Adjacent land uses include rural residential to the southwest and agricultural uses to the north, east, west and southeast. The proposed zoning change is justified by a change in conditions since the previous zoning classification was established. In particular, there has been additional rural residential development in this area within the past decade (East Valley Estates platted in 2002). 	
<i>(continued)</i>	

4. The subdivision proposed for this property would be served by South Central Regional Water District and would have access to Apple Creek Road; therefore, the proposed zoning change will not place an undue burden on public services or facilities.
5. The proposed zoning change would not adversely affect property in the vicinity.
6. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance.
7. 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 Country View Estates from A – Agricultural to RR – Residential.

Proposed Plat & Zoning Change (A to RR) Country View Estates



0 1,000
Feet

DISCLAIMER: This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data displayed herein. Map was Updated/Checked: December 20, 2009 (New)

Source: City of Homestead



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

BACKGROUND:	
Title: Country View Estates (formerly known as Golfview Estates) – Final Plat (Revised)	
Status: Planning Commission – Public Hearing	Date: January 27, 2010
Owner(s): Apple Creek, LLP	Engineer: Kadrmass Lee & Jackson
Reason for Request: Develop property for single-family rural residential subdivision.	
Location: North of Apple Creek Road between 80 th Street SE and 106 th Street SE (part of the SE¼ of Section 3, T138N-R79W/Apple Creek Township).	
Project Size: 27.8 acres	Number of Lots: 16 lots in 3 blocks
EXISTING CONDITIONS:	
Land Use: Agriculture/Undeveloped	PROPOSED CONDITIONS:
Zoning: A – Agriculture	Land Use: Residential
Uses Allowed: Agriculture	Zoning: RR – Residential
Maximum Density Allowed: One unit per 40 acres	Uses Allowed: Rural residential & limited agriculture
PROPERTY HISTORY:	Maximum Density Allowed: One unit per 65,000 square feet
Zoned: N/A	Platted: N/A
ADDITIONAL INFORMATION:	
<ol style="list-style-type: none"> The proposed subdivision has been revised to: 1) eliminate one access point on Apple Creek Road to address a concern of the Apple Creek Township Board of Supervisors and area residents; and 2) reduce the number of lots from 22 to 16 in order to comply with the City's secondary access policy. Vehicle count numbers taken in June 2009 for this portion of Apple Creek Road are 450 vehicles per day between 93rd Street SE and Apple Way (west of the new development) and 1267 vehicles per day between 93rd Street SE and 80th Street SE. Using a trip generation standard of 9 vehicle trips per day for single family residential development, approximately 135 additional trips would be added with the proposed development (15 additional dwelling units). The City's secondary access policy generally limits the total number of rural residential lots from the last intersecting primary roadway access to 16 lots and the length of roadways from the last intersecting primary roadway access to 1320 feet. The applicant has requested waivers to use a cul-de-sac because of the existing features and topography in this area and to include lots with minimum widths of less than 150 feet for lots on cul-de-sacs and curved roadways (although all lots will have an average width of 150 or greater). The Apple Creek Township Board of Supervisors has now recommended approval of the subdivision proposed for this property with reservations (see attached resolution). The resolution references the 2010 Extraterritorial Jurisdiction Agreement with the City of Bismarck and the strong opposition of local land owners. The township has also requested verbally that the developer be required to pay for street signs and traffic control signs within the subdivision. 	

(continued)

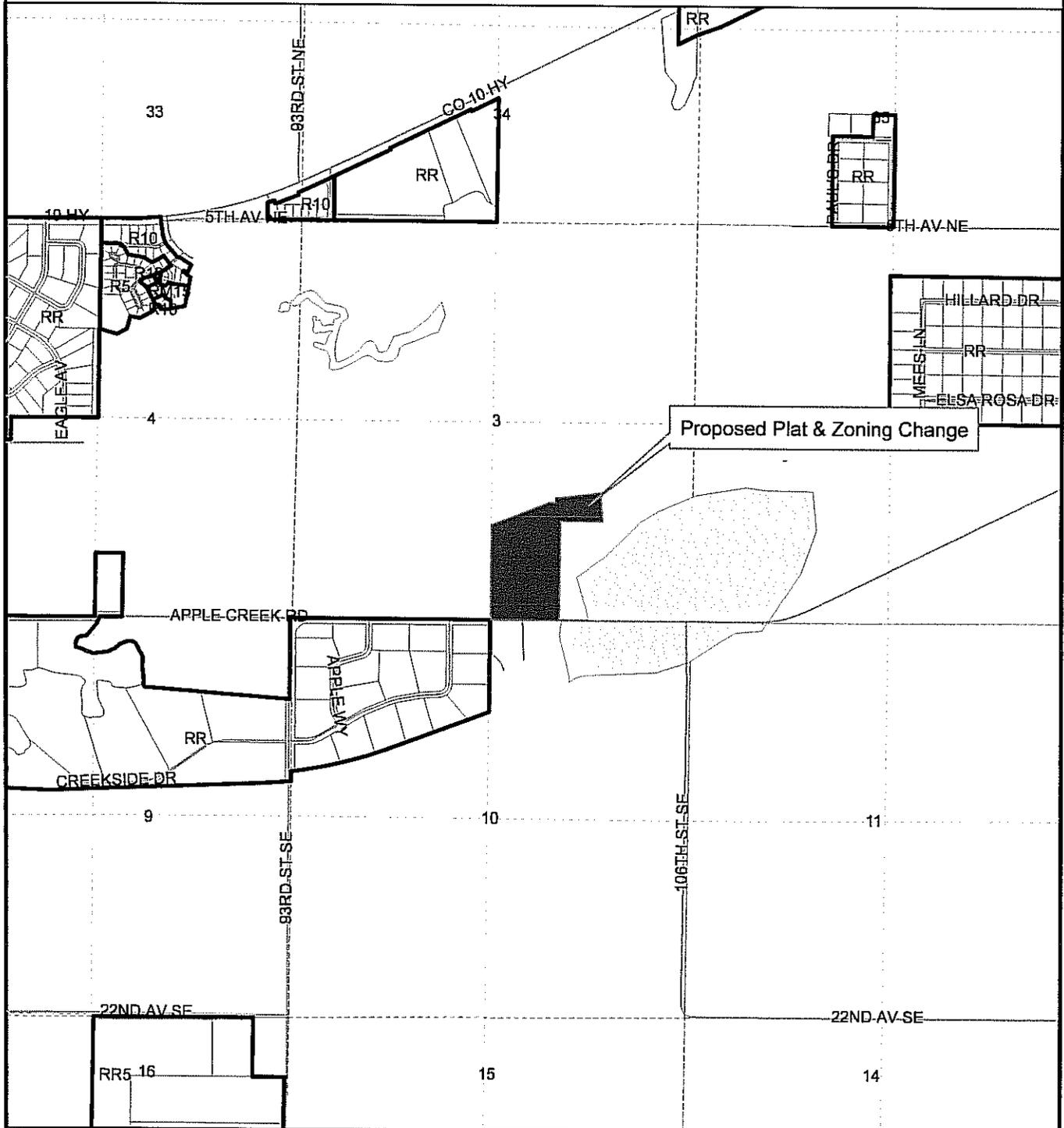
FINDINGS:

1. All technical requirements for approval of a final plat have been met.
2. The revised storm water management plan for the proposed subdivision has been approved by the City Engineer.
3. The Apple Creek Township Board of Supervisors has recommended approval of the plat (with reservations).
4. The proposed subdivision is outside of the area covered by the Fringe Area Road Master Plan. Apple Creek Road is a section line road and is classified as an arterial.
5. The proposed subdivision would be compatible with adjacent land uses. Adjacent land uses include rural residential to the southwest and agricultural uses to the north, east, west and southeast.
6. The proposed subdivision would be served by South Central Regional Water District and would have access to Apple Creek Road; therefore, the proposed subdivision would not place an undue burden on public services or facilities.
7. The proposed subdivision would not adversely affect property in the vicinity.
8. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance and subdivision regulations.
9. 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 of Country View Estates, and granting waivers to use a cul-de-sac because of the existing features and topography in this area and to include lots with minimum widths of less than 150 feet for lots on cul-de-sacs and curved roadways.

Proposed Plat & Zoning Change (A to RR) Country View Estates



0 1,000
Feet



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 displayed herein. Map was Updated/Created: Decem (ev 20, 2009) (Use)

Source: City of Bismarck

RECEIVED
JUN 19 2009

GOLFVIEW ESTATES

AN UNPLATTED PORTION OF THE SOUTHEAST QUARTER,
SECTION 3, TOWNSHIP 138 NORTH, RANGE 79 WEST
BURLEIGH COUNTY, NORTH DAKOTA

OWNER:
MRS. J. M. HALL
4515 SHERWOOD PLACE S.E.
MADISON, ND

ENGINEER:
NORMAN ENGINEERING, INC.
2217 WEST WINDYBUSH
BISMARCK, ND 58102
PHONE 701-251-9200

APPROVAL OF BOARD OF CITY COMMISSIONERS
THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA, HAS REVIEWED THE PLANNING AND ZONING APPLICATION FOR THE PROPOSED DEVELOPMENT OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 138 NORTH, RANGE 79 WEST, BURLEIGH COUNTY, NORTH DAKOTA, AND HAS APPROVED THE SAME FOR THE CITY OF BISMARCK.

APPROVAL OF CITY ENGINEER
I, THE CITY ENGINEER, HAVE REVIEWED THE PLANNING AND ZONING APPLICATION FOR THE PROPOSED DEVELOPMENT OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 138 NORTH, RANGE 79 WEST, BURLEIGH COUNTY, NORTH DAKOTA, AND HAVE APPROVED THE SAME FOR THE CITY OF BISMARCK.

APPROVAL OF CITY PLANNING COMMISSION
THE CITY PLANNING COMMISSION HAS REVIEWED THE PLANNING AND ZONING APPLICATION FOR THE PROPOSED DEVELOPMENT OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 138 NORTH, RANGE 79 WEST, BURLEIGH COUNTY, NORTH DAKOTA, AND HAS APPROVED THE SAME FOR THE CITY OF BISMARCK.

APPROVAL OF BOARD OF COUNTY COMMISSIONERS
THE BOARD OF COUNTY COMMISSIONERS OF BURLEIGH COUNTY, NORTH DAKOTA, HAS REVIEWED THE PLANNING AND ZONING APPLICATION FOR THE PROPOSED DEVELOPMENT OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 138 NORTH, RANGE 79 WEST, BURLEIGH COUNTY, NORTH DAKOTA, AND HAS APPROVED THE SAME FOR BURLEIGH COUNTY.

DESCRIPTION
THE PROPOSED DEVELOPMENT OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 138 NORTH, RANGE 79 WEST, BURLEIGH COUNTY, NORTH DAKOTA, IS A RESIDENTIAL DEVELOPMENT OF 16 LOTS, EACH 1/4 ACRES, TO BE PLATTED AS GOLFVIEW ESTATES. THE PROPOSED DEVELOPMENT IS TO BE PLATTED AS 16 LOTS, EACH 1/4 ACRES, TO BE PLATTED AS GOLFVIEW ESTATES.

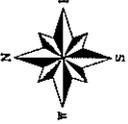
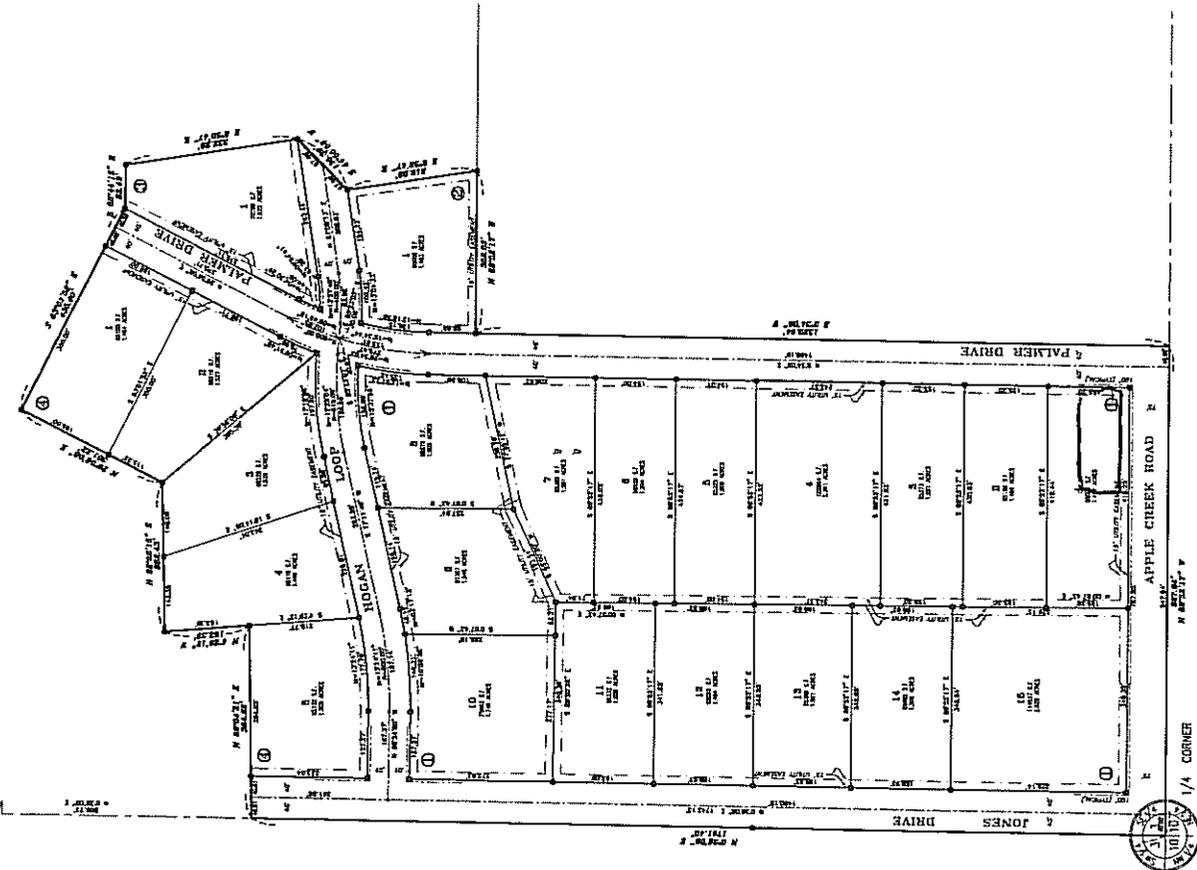
SURVEYOR'S CERTIFICATE
I, THE SURVEYOR, HAVE REVIEWED THE PLANNING AND ZONING APPLICATION FOR THE PROPOSED DEVELOPMENT OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 138 NORTH, RANGE 79 WEST, BURLEIGH COUNTY, NORTH DAKOTA, AND HAVE APPROVED THE SAME FOR THE CITY OF BISMARCK.

OWNER'S CERTIFICATE AND DECLARATION
I, THE OWNER, HEREBY CERTIFY THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I HAVE READ THE PLANNING AND ZONING ORDINANCES OF THE CITY OF BISMARCK AND BURLEIGH COUNTY, NORTH DAKOTA, AND I AM AWARE OF THE REQUIREMENTS THEREOF.

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

PLANNING AND ZONING OFFICER
I, THE PLANNING AND ZONING OFFICER, HAVE REVIEWED THE PLANNING AND ZONING APPLICATION FOR THE PROPOSED DEVELOPMENT OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 138 NORTH, RANGE 79 WEST, BURLEIGH COUNTY, NORTH DAKOTA, AND HAVE APPROVED THE SAME FOR THE CITY OF BISMARCK.

APPROVAL OF BOARD OF COUNTY COMMISSIONERS
THE BOARD OF COUNTY COMMISSIONERS OF BURLEIGH COUNTY, NORTH DAKOTA, HAS REVIEWED THE PLANNING AND ZONING APPLICATION FOR THE PROPOSED DEVELOPMENT OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 138 NORTH, RANGE 79 WEST, BURLEIGH COUNTY, NORTH DAKOTA, AND HAS APPROVED THE SAME FOR BURLEIGH COUNTY.



DATE: JUNE 2009
TOPOGRAPHIC DATUM: NAD 83
BASE OF BEARING: STATE PLANE

Kadmas
Leach
Jackson
Surveyors

RECEIVED

MAY 7 17009

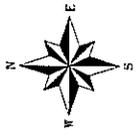
Kadmas Lee & Jackson

PRELIMINARY PLAT GOLFVIEW ESTATES

AN UNPLATTED PORTION OF THE SOUTHEAST QUARTER,
SECTION 3, TOWNSHIP 138 NORTH, RANGE 79 WEST,
BURLEIGH COUNTY, NORTH DAKOTA

ENCLOSURE
APPLY CHECK TO:
4310 S. UNIVERSITY AVE.
BISMARCK, ND 58101-1000

ENCLOSURE
APPLY CHECK TO:
4310 S. UNIVERSITY AVE.
BISMARCK, ND 58101-1000



DATE: MAY 2009
TOPOGRAPHIC SURVEY BY:
BASIS OF BEARING - STATE PLANE

ZONING INFORMATION
CURRENT ZONING: A
REQUESTED ZONING: RH

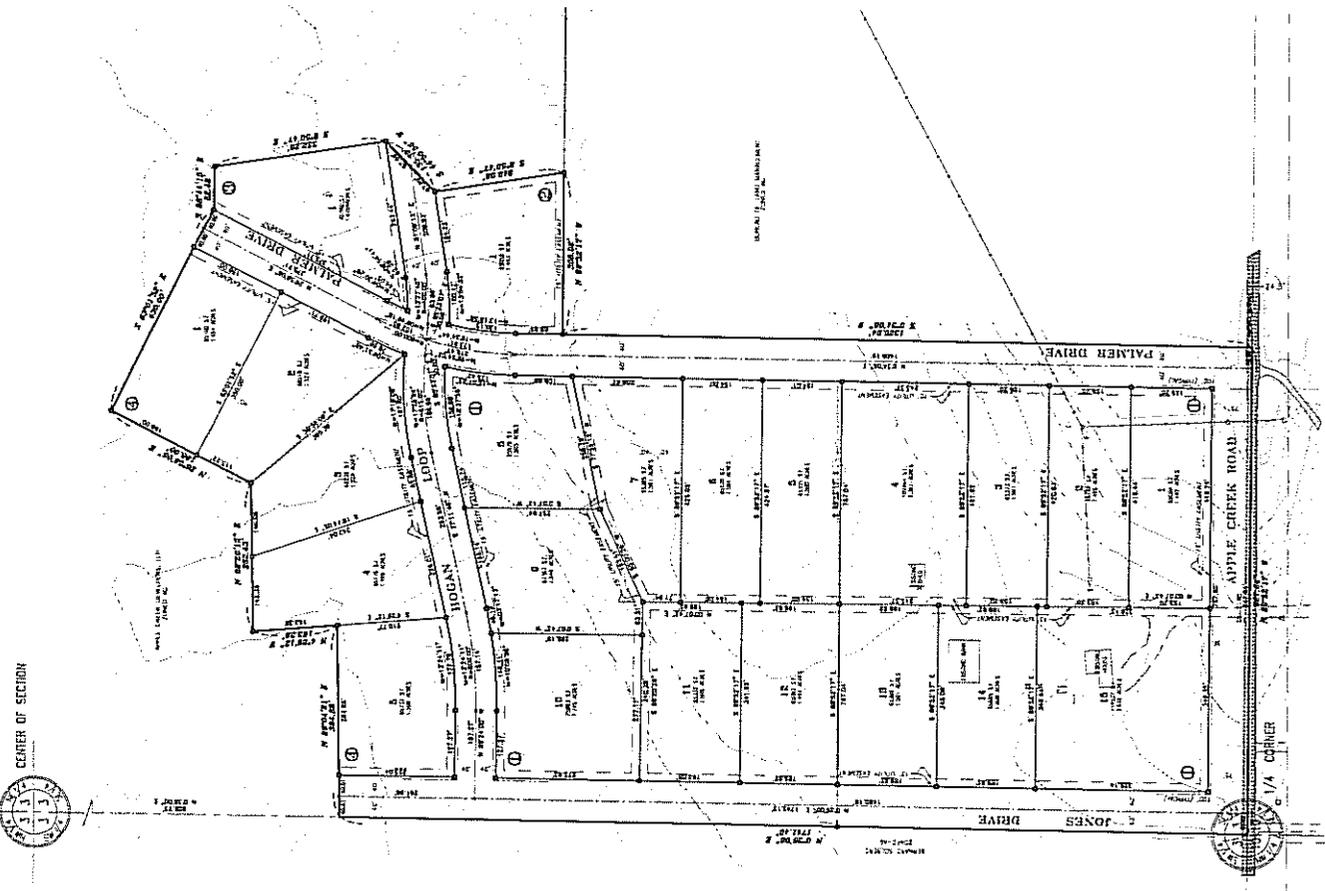
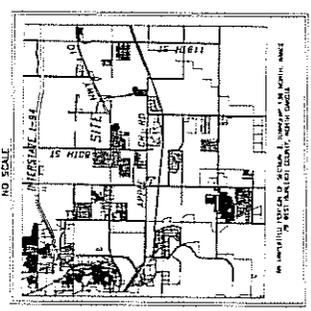
PLAT INFORMATION
NUMBER OF LOTS: 22

LOT AREA - 35.406 ACRES
P.L.W. AREA - 10.310 ACRES
TOTAL AREA - 45.716 ACRES

PLAT NOTES:
1. EXISTING ACCESS ROADS:
BRUSHY TRAIL, SWAMPY HOLLOW, ONE
BRUSHY ACCESS POINT, GOLFVIEW,
AND BRUSHY TRAIL, TRACT III
PROPOSED IMPROVES THERE.

LEGEND

- 1. LOT AREA
- 2. LOT AREA
- 3. LOT AREA
- 4. LOT AREA
- 5. LOT AREA
- 6. LOT AREA
- 7. LOT AREA
- 8. LOT AREA
- 9. LOT AREA
- 10. LOT AREA
- 11. LOT AREA
- 12. LOT AREA
- 13. LOT AREA
- 14. LOT AREA
- 15. LOT AREA
- 16. LOT AREA
- 17. LOT AREA
- 18. LOT AREA
- 19. LOT AREA
- 20. LOT AREA
- 21. LOT AREA
- 22. LOT AREA



RESOLUTION

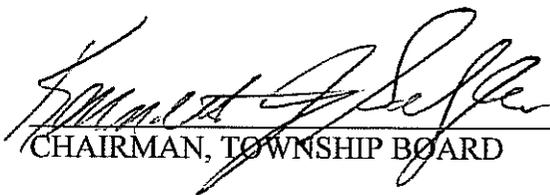
WE, THE BOARD OF TOWNSHIP SUPERVISORS OF APPLE CREEK TOWNSHIP, BURLEIGH COUNTY, NORTH DAKOTA, HAVE BEEN ADVISED OF THE PROPOSED PLAT OF COUNTRY VIEW ESTATES AND HEREBY RECOMMEND TO THE BOARD OF CITY COMMISSIONERS THAT SAID PLAT BE (APPROVED)* (DENIED). (PLEASE ATTACH CONDITIONS, IF ANY, TO THE BOARD'S ACTION.)

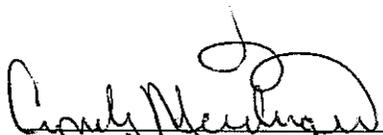
IF THE TOWNSHIP IS RECOMMENDING DENIAL, PLEASE LIST THE REASONS:

* with reservations.

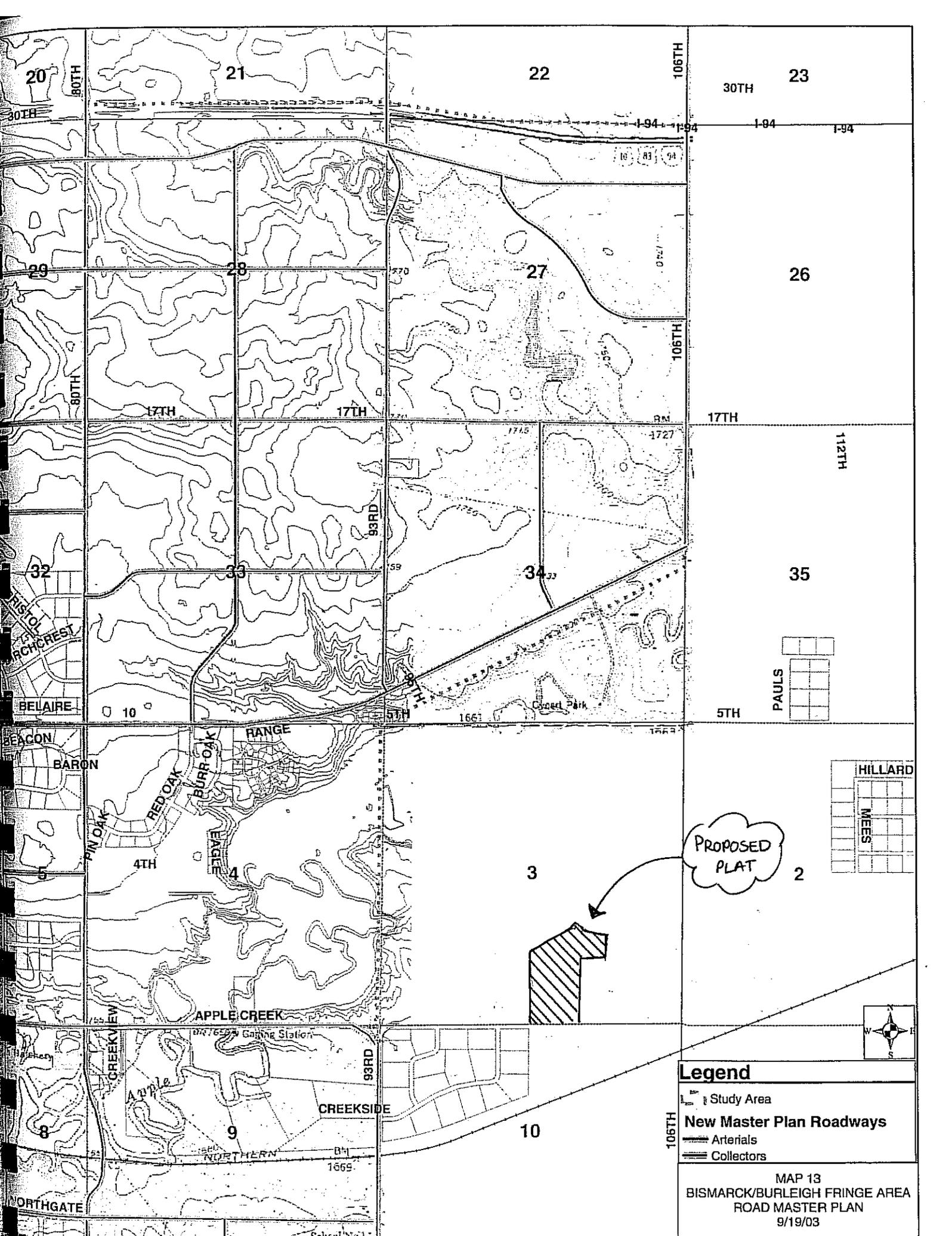
A. 2010 Extraterritorial jurisdiction agreement,

B. Strong opposition of local land owners.


CHAIRMAN, TOWNSHIP BOARD


ATTEST: TOWNSHIP CLERK

*PLEASE RETURN WITHIN 60 DAYS OF DATE OF THIS LETTER BY CERTIFIED MAIL.



PROPOSED PLAT

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

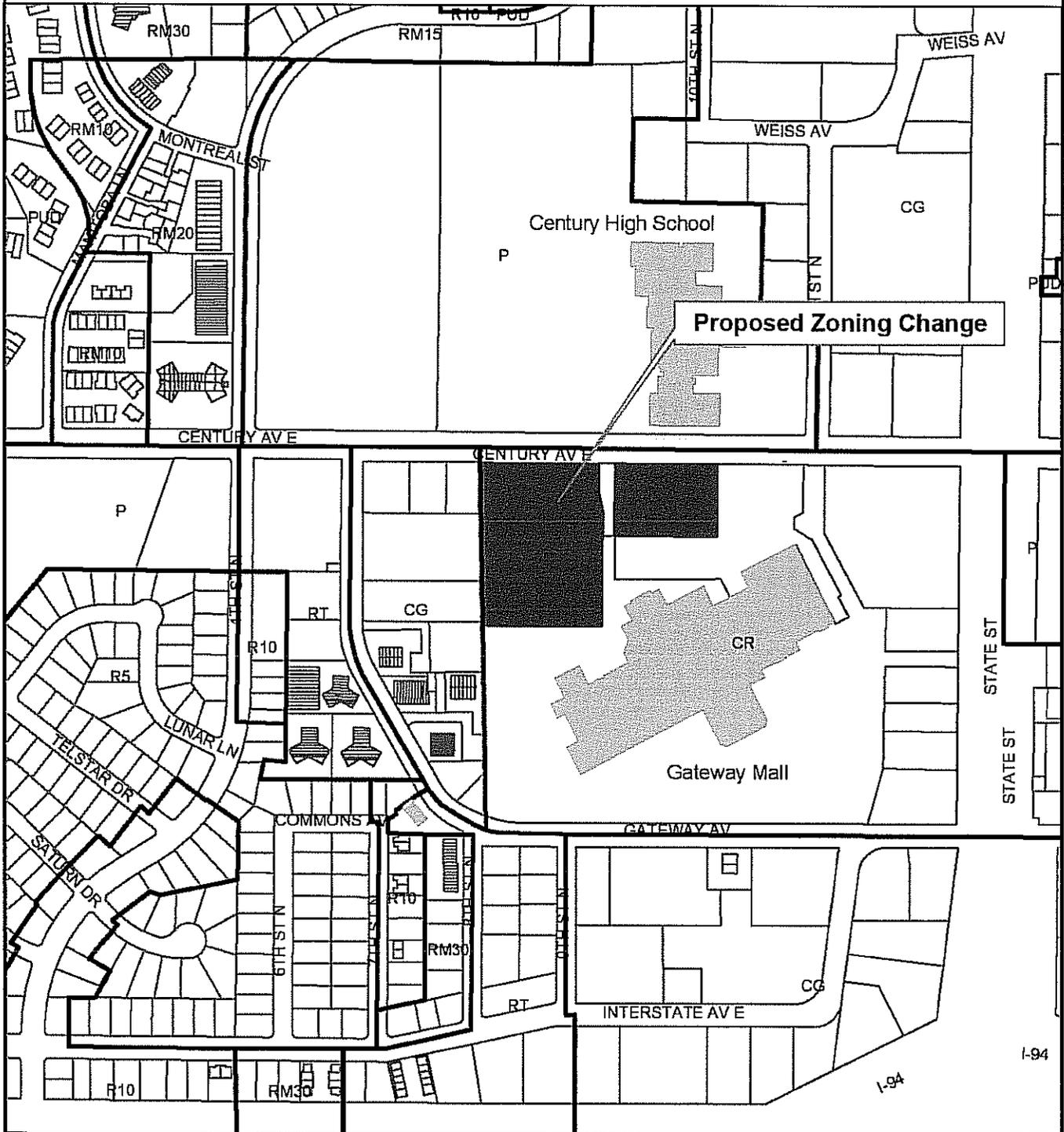
MAP 13
 BISMARCK/BURLEIGH FRINGE AREA
 ROAD MASTER PLAN
 9/19/03

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

BACKGROUND:	
Title: Lots 1-3, Block 1, Kavaney Commercial Park 2 nd Replat – Zoning Change (CR to CG)	
Status: Planning Commission – Public Hearing	Date: January 27, 2010
Owner(s): Daniel Development Partnership, LLLP	Engineer: N/A
Reason for Request: Rezone property to allow general commercial development, as the lots are no longer part of the Gateway Fashion Mall property.	
Location: South of Century Avenue East and west of State Street, north of the Gateway Fashion Mall property.	
Project Size: 7.37 acres, more or less	Number of Lots: 3 lots in 1 block
EXISTING CONDITIONS:	
Land Use: Undeveloped	PROPOSED CONDITIONS:
Zoning: CR – Commercial	Land Use: Commercial uses
Uses Allowed: Regional shopping center	Zoning: CG – Industrial
Maximum Density Allowed: N/A	Uses Allowed: General commercial uses
	Maximum Density Allowed: 42 units/acre
PROPERTY HISTORY:	
Zoned: 07/73	Platted: 05/04 (replat)
FINDINGS:	
<ol style="list-style-type: none"> 1. The proposed zoning change 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 a variety of commercial uses and undeveloped commercially-zoned property to the east, west and south, and a senior high school to the north across Century Avenue. 3. The proposed zoning change is justified by a change in conditions since the previous zoning classification was established. In particular, this property is no longer part of the Gateway Fashion Mall property. 4. The property is already annexed and has access to Century Avenue via the access easement over Lot 4, Block 1, Kavaney Commercial Park 2nd Replat; therefore, the proposed zoning change will not place an undue burden on public services or facilities. 5. The proposed zoning change would not adversely affect property in the vicinity. 6. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance and subdivision regulations. 7. 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 from CR – Commercial to CG – Commercial for Lots 1-3, Block 1, Kavaney Commercial Park 2 nd Replat.	

Proposed Zoning Change (CR to CG)

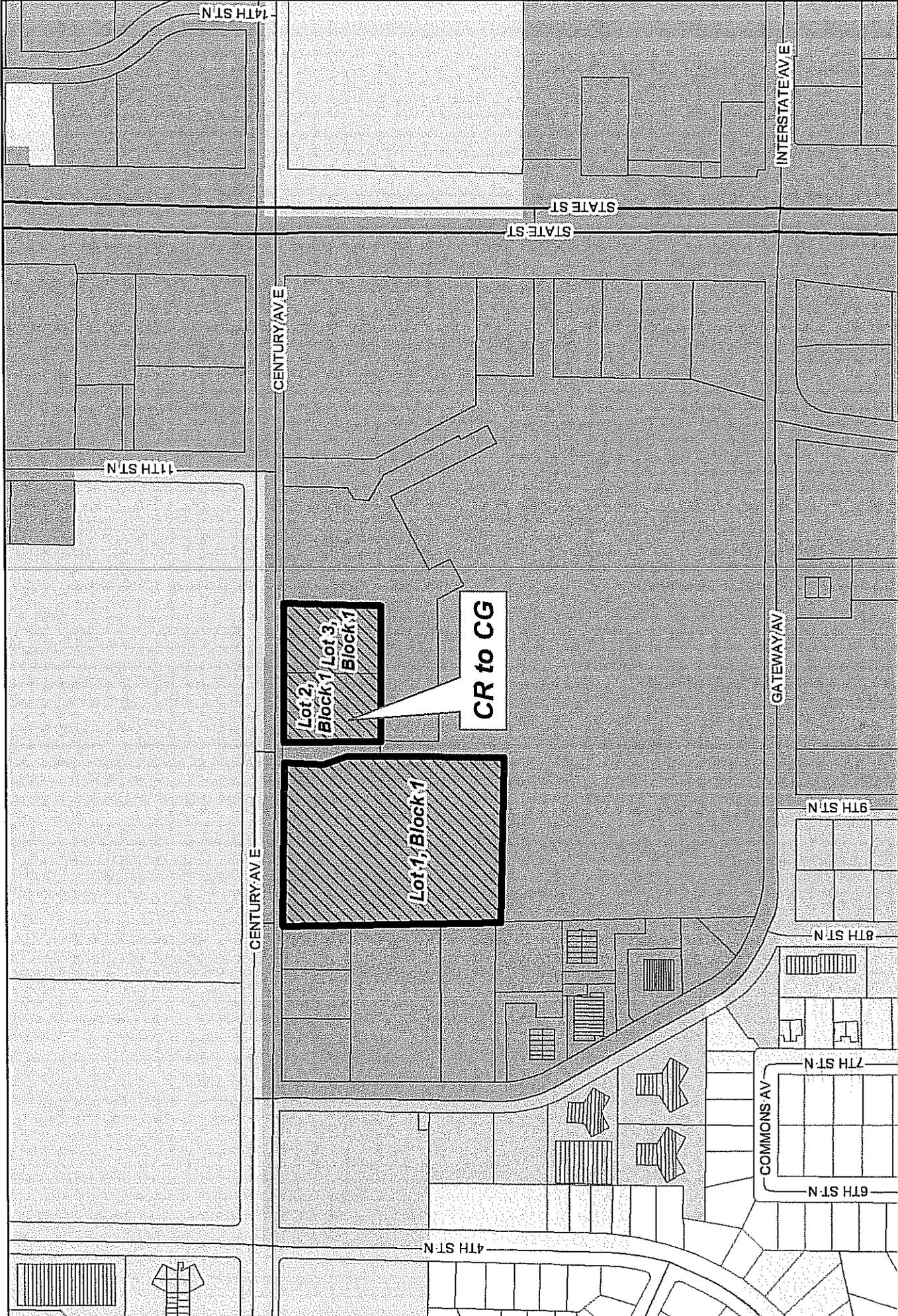
Lots 1-3, Block 1, Kavaney Commercial Park 2nd Replat



DISCLAIMER: This map is for representation 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 7, 2009 (ddp)

Source: City of Cincinnati

Lots 1-3, Block 1, Kavaney Commercial Park 2nd Replat - Zoning Change CR-Commercial to CG-Commercial



Legend

- CG
- CR
- P
- R5
- R10
- RT
- Proposed Zoning Change

Feet
 0 125 250 500
 November 2009

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-Mandan



METROPOLITAN PLANNING ORGANIZATION

P.O. Box 5503 • 221 North 5th Street
Bismarck, North Dakota 58506
Telephone 701 355 1840
TDD Dial 711
Fax 701 222 6450
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Web www.bismarck.org

December 21, 2009

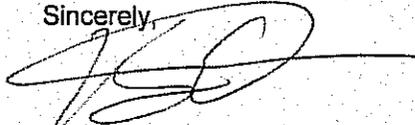
Ms. Kim Lee
City of Bismarck
221 N. 5th Street
Bismarck, ND 58506

Dear Ms. Lee:

The Bismarck-Mandan MPO respectfully requests to be placed on the January 27, 2010 City of Bismarck Planning Commission Agenda for a public hearing for the possible recommendation of acceptance/adoption of the Bismarck-Mandan MPO 2009-2035 Long Range Transportation Plan (LRTP) to the Bismarck City Commission. Attached is a memorandum identifying the significant changes from the Draft LRTP to the Final LRTP, as well as the public comments received on the document and how the public comments were addressed. The Final LRTP can be viewed at the following web-site: www.bis-manplan2009.com.

Please contact me if you have any questions related to this request.

Sincerely,



Ben Ehreth, AICP
Bismarck-Mandan MPO Planner

ATTCH: *2009-2035 Bismarck-Mandan Long Range Transportation Plan Summary of Proposed Revisions to October 2009 Draft Document Memorandum*



MEMORANDUM

Bill Troe, AICP
Jason Carbee, AICP
12120 Shamrock Plaza
Suite 300
Omaha, NE 68154
(402) 334-8181
(402) 334-1984 (Fax)

To: Ben Ehreth

Date: December 21, 2009

Subject: 2009-2035 Bismarck-Mandan Long-Range Transportation Plan
Summary of Proposed Revisions to October 2009 Draft Document

Since the Draft Long Range Transportation Plan (LRTP) document was released for comment and review in October, there have been several comments, suggestions and questions raised by the public, stakeholders and agencies. There have been several minor revisions and additions to the Final LRTP document based on these comments. The purpose of this memorandum is to briefly outline the most significant revisions between the October 2009 Draft and the December 2009 Final LRTP. The most significant changes are:

- **Inclusion of an Environmental Justice Section:** Environmental justice refers to treating all people equally, regardless of race, ethnicity or income in terms of the natural and built environment. This section was added to describe and illustrate the locations of proposed projects in relation to areas of poverty, non-white and Latino / Hispanic populations. This was added to address a comment from FHWA and NDDOT.
- **Recommendations for Corridor Preservation:** There were regionally significant alternatives that were not included in the fundable, recommended transportation plan, but they should have right-of-way preserved for when they are eventually constructed. Thus, although they are not planned for construction by 2035, a recommendation to preserve the necessary corridors for implementation was added to the 2009-2035 document. Additionally, some of the recommended LRTP projects will require right-of-way acquisition, and for those projects corridor preservation should occur prior to project construction. A figure showing these corridors will be included in the Final document.
- **Removed Functional Classification Recommendations:** During the October MPO Technical Advisory Committee meeting, it was decided that the current functional classification system was not consistent between the rural and urban systems, and included some gaps. The result of the discussion was that there should be a comprehensive functional classification study for the metropolitan area, and any corridor-specific recommendations made in the LRTP would be premature. Thus, the discussion of future roadway functional classification and Figure 29 were removed from the December version of the draft LRTP document.

- **Recommended Plan Traffic Forecasts / Operations:** The draft LRTP document illustrated 2035 traffic conditions, with future traffic volume forecasts and operations / levels of service, if no transportation improvements were made beyond those included in the 2010-2013 Transportation Improvement Program (which is referred to as the 2035 Existing-plus-Committed Network). It was determined that it would be beneficial if the Final LRTP provided a figure representing 2035 traffic conditions, with the recommended roadway network improvements in place.
- **Minor revisions to the Non-Motorized Recommended Improvements:** Additional comments were received from bicycle user groups and Bismarck Parks and Recreation department related to the non-motorized recommendation included in Figure 28:
 - **Bike Route Adjustments:** Based on bicycle user group comments, one on-street bicycle route was dropped (12th Street between Rosser Avenue and Bismarck Expressway) and one on-street route was added (a connection between 10th Avenue West and 2nd Street North in Mandan).
 - **Trail Adjustments:** Two of the recommended trails had recently been constructed (Burleigh Avenue and Valley Drive), and did not need to be included in the recommended plan. One of the trails shown as already in place had not yet been constructed (Riverwood Road to Burleigh Avenue connection). This trail was added to the list as a short-range recommended project, consistent with Bismarck Parks and Recreation.
- **Minor revision to the Roadway Recommended Improvements:** At the Lincoln Planning Commission meeting in November, there were discussions about different potential improvements in the Lincoln Road corridor, including the concept of a roundabout at 52nd Street / Lincoln Road. The LRTP recommendations for Lincoln road were adjusted to reflect that:
 - A Lincoln Road Corridor Study should be completed
 - The recommendation in the LRTP reflects more general intersection improvements, contingent upon the findings of the corridor study.

A summary matrix of the comments we have received on the October draft document is provided in Table 1. A summary matrix all of the general comments received over the course of the study are provided in Table 2. Each matrix categorizes generally what type of comment each was, where the comment originated, and the study team action / response to the comment.

If you have any questions on this, please contact Jason at (402) 952-2506.

Table 1. Summary of Comments Received on October Draft of Long Range Transportation Plan

Type of Comment	Comment Origin	Comment Content	Study Team Response / Action
Draft LRTP Content Comments			
	MPO Technical Advisory Committee	The recommendations for future functional classification may be premature, as there needs to be more consistency between urban and rural classifications on the current system.	Recommended functional classification has been removed from the document. The LRTP will recommend that a regional functional classification study be undertaken.
	Public / Bicycle Advocacy Group	Trail on 19th Street between Capitol and Century not shown.	Added to figure.
	Bismarck Parks and Recreation	Accommodate Northwest Subarea Study Trails / make consistent with LRTP.	LRTP will indicate that NW Subarea trails are still being finalized, that some improvements are assumed. Roadway improvement costs assume adjacent trail construction.
	NDDOT	Please describe the extension of transit from residential growth areas to employment growth areas.	A more complete description was added to the report text.
	NDDOT	Where is a future river crossing outlined in this plan? The location should be kept in mind for corridor preservation as the area develops over time.	Corridor preservation elements will be added into the final LRTP document.
	NDDOT / FHWA	Need an overlay / map of the projects with respect to environmental justice areas.	Environmental justice write-up and maps will be added.
	NDDOT	Consultation with resource agencies should be described in the report.	It is included in "Environmental Mitigation and Consultation" chapter. References to this chapter will be included earlier in report.
	NDDOT	Can percent trucks be included in the Daily Traffic Volumes in Figure 6?	Available truck data from NDDOT website will be added.
	NDDOT	Are there any vehicle / trail accident rates for at-grade rail crossings? This would be good data to have for projecting future safety improvements at these locations.	There have been 3 auto-train property-damage crashes between 2005 and 2007 at three different crossings (all in Bismarck): 3rd St / BNSF, 26th St / BNSF, Railroad Ave / DMVW Stub. None in Morton County evaluation area. Low incidence for estimating a "rate" with confidence.
	NDDOT	Were building permit trends part of the discussions with staff when coming up with the development concept?	Building permits are part of what staff base their growth allocation assumptions on.
	NDDOT	In the bullet list on page 85, is serviceability a considered element, and / or should it be?	Text was modified to reflect that serviceability / traffic operations level of service was considered in developing the bullet list.
	NDDOT	Can projections of future use or ridership be generated for Table 10?	No, the Bismarck-Mandan travel model does person vehicle trips only - no transit forecasting tools are available.
	NDDOT	Page 103 - Are there any planning processes that can be undertaken to develop a more proactive (planning processes) approach to ease truck volumes on non-truck route corridors?	The document will add text that addresses this.
	NDDOT	On page 104 regarding "ITS Elements of the Plan", how were assumptions on system compatibility arrived at?	ITS elements cited here are from the Bismarck-Mandan ITS Architecture report. This paragraph was worded in a confusing way, sentences were rewritten to clarify.
	NDDOT	Are there city ordinances (particularly for the traffic noise item) that come into play for the planning process (in terms of environmental mitigation)?	There are pertinent ordinances related to traffic noise. This information has been added to the document.

Type of Comment	Comment Origin	Comment Content	Study Team Response / Action
Draft LRTP Content Comments (continued)			
	NDDOT	The lead-in discussion on page 59 of how the growth rate projections were developed was very good.	Noted.
	FHWA	Need a statement about preparing the document using Federal dollars inside the front cover.	FHWA-supplied example was incorporated into updated draft.
	FHWA	Pages 6-10 - I like how the plan lists the 8 planning factors and how the plan addresses each of them.	Noted.
	FHWA	Figure 2 - some of the lettering in the diagram is difficult to read.	It was fixed for the updated draft.
	FHWA	Page 18 - 96% auto / truck trips. What percentage are the other modes?	Added a graphic and text to describe this.
	FHWA	Figure 6 - The traffic volumes are difficult to read where they overlap a street name, particularly in the insets.	Fixed the overlaps and label placement for the update draft in a single figure.
	FHWA	Figure 8 - Should probably indicate in the legend that the LOS shown is "Peak Hour" LOS, not all the time LOS.	Note has been added to the updated figure.
	FHWA	Figure 9 - Need to define MEV. Be careful that street names are not blocked by crash dots.	MEV defined on map and added to glossary. Labels have been adjusted.
	FHWA	Isn't 2008 transit ridership available for CAT and Bis-Man transit?	Ridership for both systems was recently received and has been added to the updated draft.
	FHWA	Why does the intercity bus photo show a Trailways bus when there is no mention of Trailways in the text?	Rimrock Stages is also known as Rimrock Trailways. Text has been modified to clarify this.
	FHWA	Page 50 - Should the reference to Figure 13 actually be to Figure 14 or 15?	Yes, Figure 14. It has been fixed for the updated draft.
	FHWA	Page 50 - Is the bullet on "7th / 9th from Avenue B through Divide Avenue" correct?	No, it should read "7th / 9th from Avenue B through Boulevard Avenue". It has been updated.
	FHWA	Page 51 - The first and second bullets refer to 71st Avenue North. Shouldn't this just be 71st Avenue?	"North" has been removed from references to 71st Ave.
	FHWA	The discussion on housing, employment and traffic forecasts is rather technical. It should be in plain English for the audience.	It has been revised in an attempt to make it more readable / accessible to the general public.
	FHWA	You reference a traffic analysis zone, but do not define it or say why you are using it over census divisions.	It has been defined in the text, and an explanation of how it fits with the travel model has been added.
	FHWA	Page 67 - What is meant by "Upgrade Divide Avenue from Volk St through Bismarck Expressway?"	The TIP project description has been revised to include a more complete description.
	FHWA	Pages 76-77 (in "Alternatives Analysis" chapter) please indicate where you will discuss the recommendations.	A reference to the "Recommended Transportation Plan" chapter has been added to the Alternatives Analysis chapter.
	FHWA	Page 81 - You mention "the rule" addressing YOE dollars. Please note what the rule and citation is.	Citation to FHWA and FTA Statewide and Metropolitan Planning Rule (72 Fed. Reg. 7224) has been added.

Type of Comment	Comment Origin	Comment Content	Study Team Response / Action
Draft LRTP Content Comments (continued)			
	FHWA	Page 87 - Please make sure that the discussion of Interstate Maintenance (IM) Funds has been revised per our conversation on October 19, 2009.	Revisions were made, clarifying that the interstate projects we are assuming are eligible for IM funds are reconstruction projects, not "expansion" projects.
	FHWA	Table 5 - Where are all of the other project numbers?	The projects numbers that are not included in the recommended plan Table 5 are those that were evaluated in the Alternatives Analysis, but not included in the final plan. A footnote has been added to clarify. Rather than renumbering the recommended plan projects, we wanted to keep the original alternatives numbering system for consistency.
	FHWA	Page 87 - Suggest last paragraph be moved to same page as Table 6 to be more connected to its explanation.	Referencing text to Table 6 has been moved per comment.
	FHWA	Page 93 - Seventh line from the bottom - "Trail years"?	Text has been corrected.
	FHWA	Collins Road? Or Collins Avenue?	Collins Avenue - it has been fixed.
	FHWA	Page 104 - Disconnect / unfinished sentence in the second ITS paragraph.	The paragraph has been revised.
	FHWA	Is the functional class recommendation consistent with the functional classification update plans for Bismarck and Mandan?	The map and references to future functional classification recommendations have been removed from the document. The upcoming functional classification plan update for Bismarck and Mandan will guide.
	FHWA	Page 113 - Not sure archeological sites should be identified on this map!	The archeological sites were removed as soon as comment was received.

Table 2. Summary of General Comments Received During Long Range Transportation Plan Update

Type of Comment	Comment Origin	Comment Content	Study Team Response / Action
Project / Corridor Specific Comments			
	Public	Expand the proposed 12th St. bike route from Bis. Expwy. up to Ave B by extended the route east to 15 St then North up to Divide Ave. and stop.	This comment was incorporated into the recommended LRTP.
	Public / Bicycle Advocacy Group	Concerns with safety on proposed on-street route for 12th Street.	12th Street removed from the recommended list. LRTP is recommending a Pedestrian / Bike Master Plan be completed, including implementation plan for on-street routes.
	Public	The north-south bike route on 28th St from Bis. Expwy. up to Ave D is good. Why not continue this route up 28th St. north to tie into the Sleepy Hollow bike path, or just continue along that road.	Extending the 26th St bike route further north would require some extreme grades for bicyclists - with grades at 10%. This extension is not included in the recommended LRTP, but might be included in Bike Master Plan.
	Public	Extend the proposed north-south bike route on 5th St as a separated bike path along the west side of the mall either through the parking lot or along the edge of it, then end the path at the 3rd St intersection with Expwy.	Suggestion will be noted and should be considered in more detailed Bicycle and Pedestrian Master Plan. As commenter noted, agreement with mall to use their property would be required.
	Public	There should be a sidewalk added on the east side of the mall along 9th St where there currently is not one.	Suggestion is noted, and will be passed along to Bismarck Engineering.
	Public	Desire to use abandoned rail line and bridge north of Lincoln Road as a rails to trail project for connection to Bismarck / recreation.	This trail is in the recommended LRTP.
	Public / Bicycle Advocacy Group	Consider linking the trail from Pioneer Park to the Tyler Parkway trail.	There is potential to widen the existing sidewalk along Burnt Boat, some light poles are in place adjacent to sidewalk and concerns about cultural resources in this area.
	Public / Bicycle Advocacy Group	Consider linking 10th Ave SW to 2nd Street in Mandan.	These are low volume streets (800 to 2400 vehicles a day) so a bike route would likely work here. Some short grades on 2nd St (3-6%) Will add to LRTP recommendations.
	Public	Add new interchange at 52nd / I-94	This was an alternative that we looked at. The interchange would have constructability issues due to the landfill / grades at I-94, and was dropped from further consideration.
	Public	12th Street as an improved north-south corridor through: changing intersection controls, removing one side of on-street parking.	Several similar improvements were considered for 12th Street in the alternatives analysis. Concerns for neighborhood impacts with parking removal.
	Public	Need an overpass / exit at 71st/Highway 1804 and US 83	An interchange at US 83/Hwy 1804 was considered. It did not make the fundable list of recommended projects through 2035, but corridor preservation will be recommended.
	Public	Signals on Expressway, Main, 9th St, 7th St and State Street/US 83 need to be synchronized.	The City recently implemented improved corridor timings / "synchronization" in the State Street and Bismarck Expressway corridors. It is anticipated that more corridors will have similar signal timing improvements in the future.
	Public	Consider adding ramps at Collins Ave / I-94.	LRTP update looked at adding an interchange at Collins Ave. Collins is located less than a mile from Sunset Ave and Mandan Ave, too close for a standalone interchange to meet FHWA spacing guidelines.

Type of Comment	Comment Origin	Comment Content	Study Team Response / Action
Project / Corridor Specific Comments (continued)			
	Lincoln Planning Commission	Can we consider a roundabout at 52nd Street / Lincoln Road? Difficulty turning onto Lincoln Road throughout Lincoln.	Recommendation will be adjusted to reflect intersection / access improvements along Lincoln Road and a corridor completed (potentially including roundabout) to determine details of each access.
	Public / Stakeholder Issue	Improve Highway 10 connection to I-94.	Alternatives were developed that included improved connectivity in this area. Not part of recommended plan.
	Public / Stakeholder Issue	Desire to extend 37th St.	Northwest Mandan grid improvements were considered; not part of recommended plan. Some will be developer-funded as development occurs.
	Public / Stakeholder Issue	Desire for south Missouri River crossing.	Included as an alternative, not part of recommended 2035 LRTP.
	Public / Stakeholder Issue	Speeding concerns on 7th / 9th.	Arterial roadways posted at 25 mph. Enforcement concern passed on to Bismarck Police.
	Public / Stakeholder Issue	Safety and congestion along Highway 10.	Improvements were included in recommended LRTP.
	Public / Stakeholder Issue	Concerns with safety, turning traffic and no shoulders along Lincoln Road.	Improvements were included in recommended LRTP - recommended corridor study in near future as well.
	Public / Stakeholder Issue	Limited shoulders along Business Loop 94 in Morton County west of Mandan.	Rehabilitation project. Forwarded comment to NDDOT staff.
	Public / Stakeholder Issue	Desire to divert heavy trucks from Main Street.	Beltway concept was considered in alternatives analysis, not part of recommended LRTP.
	Public / Stakeholder Issue	Desire to extend Divide Avenue.	In current TIP.
	Public / Stakeholder Issue	Pedestrian crossing conflicts with Bismarck Expressway traffic.	LRTP recommends pedestrian crossing enhancements; recently implemented signal optimization in corridor accommodates pedestrian crossing, more time given to crossing at 3rd Street.
	Public / Stakeholder Issue	Improve Highway 6 connection to I-94.	Significant residential impacts with direct connection. Morton County beltway concept provides Highway 6 to I-94 connection; not on funded LRTP list.
	Public / Stakeholder Issue	Desire for 24th Avenue interstate access.	Part of the Morton County beltway alternative - not in funded 2035 LRTP, but preserve corridor.
	Public / Stakeholder Issue	Desire for Collins Avenue interchange.	This was considered; located less than 1 mi from Sunset Ave and Mandan Ave, likely to close for approval. Potential impacts to development near I-94 / Collins Ave.
	Public / Stakeholder Issue	I-94/I-194 safety concerns between Mandan Avenue and McKenzie Dr.	Improvement projects along I-94/I-194 part of recommended LRTP.
	Public / Stakeholder Issue	Intersection safety concerns at 43rd Ave / Centennial.	Improvements including addition of turn lanes included in recommended LRTP.
	Bismarck Airport	Preserve right-of-way for north and south Missouri River crossings.	Corridor preservation elements will be added into the final LRTP document.
	Bismarck Airport	Airport requests that Burleigh Beltway alignment is retained. Comment also notes that Airport Master Plan shows a direct connection between the National Guard Building and Beltway.	Beltway (project #2) is included as a recommended LRTP project. Text will be added to recommendations referring to Airport Master Plan, funding for airport roadway projects will not be from FHWA / FTA sources.

Type of Comment	Comment Origin	Comment Content	Study Team Response / Action
Project / Corridor Specific Comments (continued)			
	Public / Stakeholder Issue	Intersection safety concerns at Tyler Parkway / Century Avenue.	Several alternatives investigated in area to relieve traffic / realign intersection. LRTP assumes some NW Subarea Study improvements. Crash rate lower than region average.
	Public / Stakeholder Issue	19th/Divide bicycle safety concerns.	On-street bicycle routes provide alternatives to this corridor.
	NDDOT	Page 91 - Why isn't project 21 a short-range project? Wouldn't this alleviate some of the delays we are currently seeing for a relatively low cost?	The recommended projects were prioritized against one another by the MPO TAC and anticipated funding levels were evaluated by period. The projects selected ahead of it reflected a higher priority / need.
Subarea Mobility Comments			
	Public	Increased bike traffic between Bismarck and Lincoln. Need for trails / bike lanes / paved shoulders for bicycle safety.	Recommendations are included for bike trails connecting Lincoln to Bismarck and trails along Bismarck Expressway to improve regional trail connectivity to southeast Bismarck.
	Public / Stakeholder Issue	I-94 crossing desired west of Mandan.	Alternatives were developed that included this crossing.
	Public / Stakeholder Issue	Look for a river crossing farther north.	Discussions included a crossing farther north. Northern River Crossing study inputs and process were confirmed, no river crossing was included in the recommended plan.
	Public / Stakeholder Issue	Lack of West Bismarck access to west Main / Memorial Highway	Concepts were included in West Side Study, but neighborhood impacts were identified.
	Public / Stakeholder Issue	Improve northwest Bismarck connectivity.	Recommendations assume improvements to this area are made, contingent on outcome of NW Subarea study.
	Public / Stakeholder Issue	Desire for improved north Mandan subarea access to Mandan.	Alternative was developed for this issue - constructability issues.
	Public / Stakeholder Issue	Desire for improved Lincoln connectivity to Bismarck.	Confirmed the findings of the Lincoln-Bismarck Connector Study, recommend improvements to 66th Street, grade separation with railroad and Improvements to Apple Creek Road.
	Public / Stakeholder Issue	Desire for improved access to BSC and Community Bowl.	Alternatives for connections via Schafer Street and across I-94 were considered. Potential for impacts to neighborhoods and Fraine Barracks.
	Public / Stakeholder Issue	Lincoln transit service desired.	Included in Transit portion of recommended plan.
	Public / Stakeholder Issue	U of Mary transit service desired.	Included in Transit portion of recommended plan.
	Public / Stakeholder Issue	North-South discontinuities throughout Bismarck.	Several multimodal improvements were included that would address this issue.
	Public / Stakeholder Issue	More Heart River bridges desired southwest of Mandan.	Considered; need by 2035 not identified.
	Public / Stakeholder Issue	Improve southeast Mandan east-west connectivity.	McKenzie Road extension is part of recommended LRTP.
	Public / Stakeholder Issue	Concern about traffic impacts from new Bismarck elementary school.	Several improvements to roadway, trail and transit system recommended in the area.
	Public / Stakeholder Issue	Concern about truck traffic increases with NPCC.	Beltway concept in LRTP, improvements to Bismarck Expressway and I-94 ramps address regional truck traffic access to / from NPCC.
	Public / Stakeholder Issue	Concern about traffic impacts from new Mandan middle school.	Improvements to adjacent roadways included in LRTP.
	Public / Stakeholder Issue	Improve rural fire access to University of Mary.	Burleigh County beltway concept recommended would provide improved access.

Type of Comment	Comment Origin	Comment Content	Study Team Response / Action
General Regionwide Comments			
	Public / Stakeholder Issue	Habitat / cultural resource concerns in Burnt Boat Drive / Golf Drive area.	Detailed NW Subarea Study will provide more corridor-specific analysis. Concern will be passed along to study team.
	Public	Allow more unprotected left turns at signals throughout the area.	There are engineering standards related to traffic flow and safety for when protected lefts are and are not implemented at an intersection. This suggestion will be forwarded on to Engineering departments.
	Public	Improve traffic flow at intersections across the area by removing on-street parking adjacent to the intersection and restriping for turn lanes.	There were several of these intersection improvements recommended throughout the study area.

OFFICIAL URBAN RENEWAL PLAN
CITY OF BISMARCK
BISMARCK, NORTH DAKOTA
CENTRAL CITY REDEVELOPMENT PROJECT
AS MODIFIED

JANUARY 1979

REVISED DECEMBER 11, 1979

REVISED JULY 31, 1984

REVISED JUNE 21, 1988

REVISED NOVEMBER 8, 1994

REVISED OCTOBER 24, 2006

REVISED

- 2) Improving existing circulation routes for both vehicles and pedestrians.
- 3) Provide adequate parking for existing and new uses in centralized parking areas within a reasonable pedestrian distance from the uses to be served.
- 4) Encouraging new development in conformance with the objectives of the plan to emphasize place and purpose of each structure and a conscious effort to establish unity and coherence in the new architecture.
- 5) Providing for future growth and a high level of core development by:
 - a) Establishing and implementing public actions directed at supporting and assisting the renewal plan.
 - b) Encouraging increased parking facilities when demand justifies.
 - c) Establishing a program of rehabilitation of the structures to remain so that they will be compatible with anticipated new development.

3. Proposed Renewal Actions

A summary of renewal action in the project area, includes the following:

- a. Acquisition and clearance of substandard and blighting properties as well as those required for achievement of Plan objectives.
- b. Disposal, retention or dedication of various lands for redevelopment by private or corporate developers in accordance with the provisions of the Plan.
- c. Installation of all public improvements and facilities described in the Plan.
- d. Rehabilitation of buildings and lands to local standards established by the Plan.

The Revised Urban Renewal Project Area is planned for predominately office, commercial, residential and service uses.

The development plan for the project area includes spot acquisition and subsequent development for commercial, transient and

permanent housing, parking and public use, including a pedestrian semi-mall system with appropriate traffic circulation measures and a climatized overhead walkway system. Major core structures which are considered capable of being rehabilitated to standards set forth elsewhere in the Plan shall be retained, and a rehabilitation program initiated.

The majority of the existing public improvements within the area are presently considered adequate. The only additional major installations, other than the repair and/or replacement of existing improvements which are anticipated is are the improvement of the Civic Center by ~~installation of seating and~~ the construction of an addition. New improvements ~~also~~ will also embrace as much of a skyway system as financially possible, ~~Also to be constructed will be parking structures, and quiet rail improvements.~~ The goal of all these public improvements is to create an environment that attracts redevelopment and eliminates blighting influences and other deteriorating conditions that limit the quality of life and opportunities for development or redevelopment of downtown properties.

The City of Bismarck will acquire property, remove structures, construct site improvements and dispose of, by either sale or dedication, all property acquired by it for the uses outlined in the Plan and subject to the controls and restrictions contained in the Plan and requirements of applicable laws. Specific items involving City acquisition and construction within the Revised Urban Renewal Area are the following:

- 1) Public parking to be provided on Block 44, Original Plat.
- 2) Restoration and acquisition of the Burlington Northern Depot.
- 3) Overhead walkway between the parkade (~~N1/2 Block 46, Original Plat~~) parking facilities and adjacent structures where feasible.
- 4) Addition of two stories to parkade (N1/2 Block 46, Original Plat) (completed)
- 5) Rehabilitation and renewal of structures as recommended by the City Building Inspector and approved by the City Commission.
- 6) ~~Federally assisted low income elderly housing on part of E1/2 Block 72, Original Plat.~~

- 7) ~~Addition of seating and exhibit space to~~ Development of the Bismarck Civic Center in concert with the facility master plan.
- 8) ~~Chancellor Square pedestrian mall renovation~~ Renovation and maintenance of public improvements within the DC zoning district.
- 9) Construction of a public parking ramp on the East half E ½ of Block 68, Original Plat.
- 10) Construction of Quiet Rail facilities at surface crossings within the Urban Renewal Plan area.

- e. Creation of various programs to encourage private investment in the core of the community through the use of the following programs:
 - 1) Purchase and maintenance of Downtown Streetscape Elements
 - 2) Sidewalk Subsurface Infill
 - 3) Technical Assistance Bank
 - 4) Façade and Signage Incentive Grant
 - 5) Housing Incentive Grant
 - 6) Revolving Loan Fund
 - 7) Project-related Skyway Development
 - 8) Quiet Rail Zone
 - 9) Downtown plans and studies

B. Land Use Plan

1. Land Use & Zoning Plan

The city zoning map is included by reference to this Plan. The land uses within the area of the Plan are in compliance with the requirements of the Bismarck zoning ordinance.

2. Land Use Provisions and Requirements

Notwithstanding the less restrictive provisions of any zoning or building ordinance now in force or hereafter enacted, there are hereby imposed on each disposition parcel in the project area the following general and specific controls on redevelopment and land use which shall be implemented by appropriate covenants and other provisions in redevelopment contracts and deeds for each parcel.

a. Statement of uses to be permitted:

Public: Mall and plaza area
 Open space

Commercial: Retail
 Public utility
 Office/Bank
 Transient housing (motel, hotel, etc.)

Public open spaces

Residential: All types

Parking: Private or public parking

Rights-of-way: Publicly owned

Utility Easements

b. Additional regulations and controls on the sale or dedication of real property to be disposed of:

1) Public and Open Space

Uses include all type of public and pedestrian areas: malls, walkways, enclosed skyways, sitting areas and landscape areas. Amenities such as information booths, kiosks, display areas, street furniture, planters and similar attractive fixtures.

2) Commercial

The proposed commercial uses are to encourage and permit the strengthening of the retail and service core of the central business district.

Permitted uses generally include those retail, commercial office, service and public open-space uses which augment the existing central area retail development.

It is understood that all accessory uses allowed by local land use controls are allowed. Development controls shall be enforced as per zoning ordinance requirements.

3. Interim Land Uses

Any property acquired as part of this Urban Renewal Plan may be devoted to a temporary use by the City of Bismarck prior to the permanent disposition to a redeveloper when such is for parking, relocation purposes, or public recreation uses, and is in accordance with the intent of this Urban Renewal Plan as reflected by the controls and regulations herein.

In no case shall such temporary use delay completion of this project.

4. Other Controls and Regulations

The following landscaping, lighting, and sign regulations shall apply to all land to be redeveloped.

a. Landscaping and Lighting

- 1) All parking areas shall be subject to the applicable provisions of the Zoning Ordinance, which include paving and landscaping requirements.

b. Permitted Uses

- 1) The permitted primary uses for the plan area are included in the zoning districts which are appropriate to the plan area.
- 2) The design and type of light standards for the illumination of all off-street vehicular areas shall be subject to approval by the City of Bismarck.
- 3) Any area not paved shall be maintained in grass and landscaping.
- 4) Parking and loading areas and structures shall conform to the standards and controls of the City of Bismarck ordinance.

c. Signs

All signs shall conform to the requirements of the City of Bismarck, including the Building Regulations found in Title 4 of the City Code of Ordinances and the Zoning Regulations found in Title 14 of the City Code of Ordinances.

d. Duration of Urban Renewal Controls

All land use provisions, requirements and regulations and modification of same will become effective on the date of the approval of this Plan and shall be effective for a period of twenty-five (25) years therefrom.

The termination of this Plan under this provision shall not affect the provisions of Section B-2, hereof relative to the covenants respecting restrictions upon the basis of race, religion, color or national origin, which covenants shall run in perpetuity.

e. Applicability for properties not to be acquired

Where an owner of property not to be acquired desires to acquire project land for the expansion of his existing facilities, he will be

required to execute a redevelopment contract wherein he will agree to comply to the extent possible with the land use, controls and standards of the Plan for his present property.

C. Project Proposals

1. Land Acquisition

- a. The following maps are attached hereto and made a part hereof:

Map No. 1, Boundary Map

- b. Properties within the boundary of the Urban Renewal Plan may be acquired by the City of Bismarck if in the course of executing this Urban Renewal Program it is determined that the land areas are required for creation of a marketable disposition parcel and further that project eligibility for Urban Renewal treatment is not compromised.

2. Rehabilitation and Conservation

The Plan establishes rehabilitation standards for real property within the project area which is not to be acquired. Said rehabilitation standards are those existing city codes and ordinances of the City of Bismarck.

3. Redeveloper's Obligations

- a. The Redeveloper shall devote each such parcel to the uses specified for it in this Plan.
- b. The Redeveloper shall begin and complete the development of such land for uses required in the Plan within a reasonable time specified in the disposition instruments.
- c. The Redeveloper shall agree to retain the interest he acquires in individual properties transferred to him until he has completed the construction and development of said properties in accord with the provisions of this Plan and disposition instruments, and he shall agree not to sell, lease or otherwise transfer the interest he acquired or any part thereof without the prior written consent of the city.
- d. No covenant, agreement, lease, conveyance or other instrument shall be effected or excuted by the city of by a Redeveloper (or any successor in interest) whereby the use of the land in the Project area is restricted, either by the Urban Renewal Agency or Redeveloper (or any successor in interest) upon the basis of race, creed, color, or national orgin in the sale, lease, or occupancy thereof.

The foregoing restriction shall be implemented by appropriate covenants or other provision in disposal instruments as covenants running with the land.

- e. No Redeveloper, his successors, or assigns, shall discriminate in the use, sale or lease of any property within the project area or any part thereof, against any person because of race, color, religion or national origin and such provision shall be included in disposition instruments as a covenant running with the land.
- f. All plans for structures, site improvements, signs (other than directional signs) and landscaping must be approved in writing for conformance with the provisions of this Plan by the City of Bismarck before construction is commenced.

4. Underground Utility Lines

All utility lines, both public and private, shall be placed underground, or otherwise incorporated into proposed or existing structures.

5. Temporary Project Improvements

Not applicable as no temporary project improvements are a part of the redevelopment activity.

D. Financing

The cost of renewal heretofore accomplished within the area has been paid from the proceeds of grants received from the federal government and of bonds issued by the City for the construction of the parking facility within the original project area. It is contemplated that the cost of the completion of the renewal of the Revised Area will be paid or reimbursed from tax increments as authorized and provided in Section 40-58-20, NDCC (enacted by S.L. 1973, Chapter 342).

The cost of renewal subject to reimbursement from tax increments shall include all expenditures incident to carrying out the Urban Renewal Plan for the Revised Area and any modification thereof; including but not limited to all expenses of the clearance, redevelopment, rehabilitation and conservation of the area, installation of improvements provided in accordance with the Urban Renewal Plan, and all interest and redemption premiums on bonds or other obligations issued by the City to provide funds for payment of such expenses. From the total cost to be reimbursed there shall be deducted all amounts, if any, received from the federal government or others and from special assessments, revenues and other receipts (other than property taxes) which are actually collected and applied to the payment of such cost or to the payment of said bonds or other obligations.

It is contemplated that it will be necessary for the City to issue general obligation bonds to provide some or all of the cash funds required, and that the tax increments will be appropriated by the Board of City Commissioners for the payment of such bonds and interest and redemption premiums thereon. The Board of City Commissioners will exercise all of the urban renewal project powers

granted under the Urban Renewal Law, and will request the County Auditor and Treasurer to compute, certify and remit tax increments resulting from the renewal of the Revised Area in accordance with the revised Urban Renewal Plan and any modifications thereof. The Auditor will be requested to compute and certify the original taxable value of each lot and parcel of real estate in the Revised Area, as last assessed and equalized in 1978, as a basis for the computation of incremental values and tax increments in subsequent years.”

E. Other Provisions Necessary to Meet State & Local Requirements

If any further displacement occurs as a result of project area improvements it will be dealt with according to the North Dakota Century Code and the relocation requirements thereof.

F. Procedure for Changes in Approved Plan

Minor administrative alterations to the foregoing Official Plan provisions may be made at the discretion of the City of Bismarck. Major modifications to said Official Plan must be approved by the governing body in a manner consistent with the previous approval.

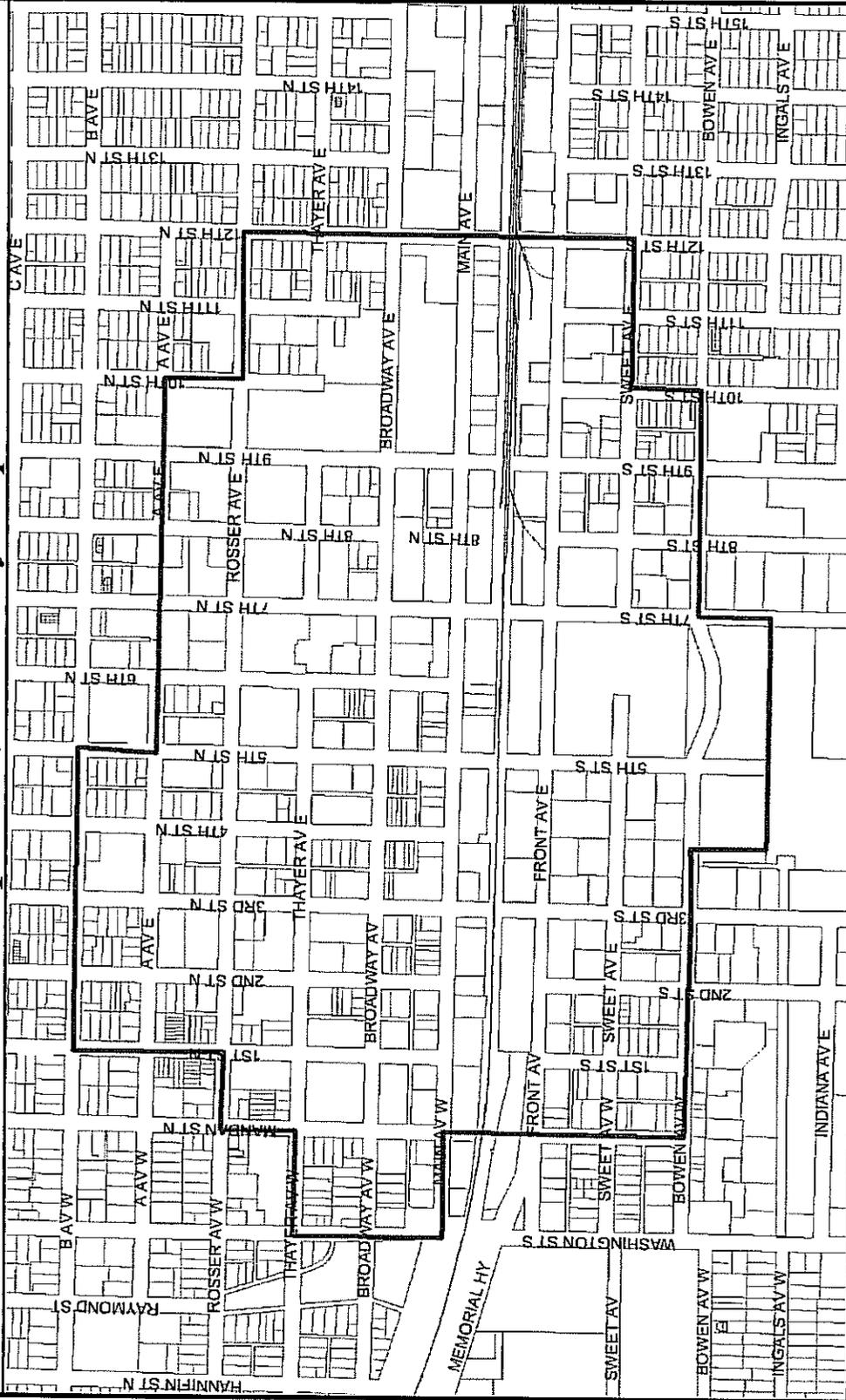
EXHIBIT "A"

BOUNDARY DESCRIPTION

All that area within the City of Bismarck falling within the following described premises:

Beginning at the centerline west line of Washington Street and Main Avenue; thence north along the centerline west line of Washington Street to the centerline north line of Thayer Avenue; thence east along the centerline north line of Thayer Avenue to the centerline west line of Mandan Street; thence north along the centerline west line of Mandan Street to the centerline north line of Rosser Avenue; thence east along the centerline north line of Rosser Avenue to the centerline west line of 1st Street; thence north along the centerline west line of 1st Street to the centerline north line of Avenue B; thence east along the centerline north line of Avenue B to the centerline east line of 5th Street; then south along the centerline east line of 5th Street to the centerline north line of Avenue A; thence east along the centerline north line of Avenue A to the centerline east line of 10th Street; thence south along the centerline east line of 10th Street to the centerline north line of Rosser Avenue; thence east along the centerline north line of Rosser Avenue to the centerline east line of 12th Street; thence south along the centerline east line of 12th Street extending across Burlington Northern right of way to the centerline south line of Sweet Avenue; thence west along the centerline south line of Sweet Avenue to the centerline east line of 10th Street; thence south along the centerline east line of 10th Street to the centerline south line of Bowen Avenue; thence west along the centerline south line of Bowen Avenue to the centerline east line of 7th Street; thence south along the centerline east line of 7th Street to the a point on the centerline east line on 7th Street in line with the southern edge of Lot 1, Block 4, Wachter's Addition; thence west along the southern edge of Lots 1 and 2, Block 4, Wachter's Addition; thence north along the western edge of Lot 2, Block 4, Wachter's Addition to the centerline south line of Bowen Avenue; thence west along the centerline south line of Bowen Avenue to the to the centerline west line of Mandan Street; thence north along the centerline west line of Mandan Street extending across Burlington Northern right of way to the centerline south line of Main Avenue; thence west along the centerline south line of Main Avenue to the centerline west line of Washington Street, the point of beginning.

Official Urban Renewal Plan (Revised)
Map No. 1, Boundary Map



CITY OF BISMARCK
 PLANNING & DEVELOPMENT DEPARTMENT
 09/26/06

**CITY PLANNING & ZONING COMMISSION
MEETING MINUTES
November 18, 2009**

The Bismarck Planning & Zoning Commission met on November 18, 2009, at 5:00 p.m. in the Tom Baker Meeting Room in the City-County Office Building, 221 North 5th Street. Chairman Yeager presided.

Commissioners present were Mark Armstrong, Mel Bullinger, Jo Conmy, Jack Hegedus, Curt Juhala, Elden Spier, Lisa Waldoch, Jan Wangler and Wayne Yeager.

Commissioners Doug Lee and John Warford were absent.

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

Others present were Joe Bitz – 1518 Columbia Drive, Bismarck, Leo and Patricia Bitz – 7311 34th Avenue SE, Wishek, Brandon Schock – GR-8 Country Wind Power, Steve Redding – GR-8 Country Wind Power, Sheryl Zaun – 5700 East Main Avenue #10, Bismarck, Cynthia Kuntz – 5700 East Main Avenue, Paul Silbernagel – 5801 Prairie Rose Loop, Bismarck and Elmer Steiner – 6665 Eric Avenue, Bismarck.

MINUTES

Chairman Yeager called for consideration of the minutes of the October 29, 2009 meeting.

MOTION: Commissioner Juhala made a motion to approve the minutes of the October 29, 2009 meeting as received. Commissioner Hegedus seconded the motion and it was unanimously approved with Commissioners Armstrong, Bullinger, Conmy, Hegedus, Juhala, Spier, Waldoch, Wangler and Yeager voting in favor of the motion.

**CONSIDERATION –
ZONING CHANGE FROM CR-COMMERCIAL TO CG-COMMERCIAL – LOTS 1-3,
BLOCK 1, KAVANEY COMMERCIAL PARK 2ND ADDITION**

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

- A zoning change from CR-Commercial to CG-Commercial on Lots 1-3, Block 1, Kavaney Commercial Park 2nd Replat. The property is three lots in one block on 7.37 acres located south of Century Avenue East and west of State Street, north of the Gateway Mall property.

MOTION: Commissioner Hegedus made a motion to approve the consent agenda. Commissioner Juhala seconded the motion and it was unanimously approved with Commissioners Armstrong, Bullinger, Conny, Hegedus, Juhala, Spier, Waldoch, Wangler and Yeager voting in favor of the motion.

PUBLIC HEARING – DETACHMENT, ZONING CHANGE FROM RM30-RESIDENTIAL, RT-RESIDENTIAL, CA-COMMERCIAL AND CG-COMMERCIAL TO A-AGRICULTURAL, AND PLAT VACATION– HERITAGE SUBDIVISION

Chairman Yeager called for the public hearing for the detachment, zoning change from RM-Residential, RT-Residential, CA-Commercial and CG-Commercial to A-Agricultural and the plat vacation for Heritage Subdivision, a 152.76 acre development with 136 lots in three blocks. The property is located along the north side of East Main Avenue/County Highway 10 and the west side of 66th Street NE (SE ¼ of Section 31, T139N-R79W/Gibbs Township).

Mr. Tomanek provided an overview of the requests and listed the following findings for the detachment:

1. The City and other agencies currently do not provide public services, facilities or programs intended to serve a development.
2. The detachment would not adversely impact property in the vicinity.
3. The proposed detachment is consistent with the general intent and purpose of the zoning ordinance.
4. The proposed detachment is consistent with the master plan, other adopted plans and planning practice.

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

1. The proposed zoning change would be compatible with adjacent land uses. Adjacent land uses include agricultural land to the west, north and east, and a mix of light industrial, commercial and rural residential uses to the west and south.
2. The proposed zoning change is justified by the change in conditions since the previous zoning classification was established. In particular, the property has never been developed and is not served by municipal utilities.
3. The City and other agencies would not be able to provide necessary public services, facilities or programs necessary to serve the subdivision under the current zoning classification at this time.
4. The proposed zoning change would not adversely affect property in the vicinity.

5. The proposed zoning change is consistent with the intent and purpose of the zoning ordinance.
6. The proposed zoning change is not completely consistent with the Bismarck Land Use Plan, which identifies this area as general commercial, neighborhood commercial and urban residential. The proposed A-Agriculture zoning and use would not preclude future development as identified in the Land Use Plan when services are available.

Mr. Tomanek then listed the following findings for the plat vacation:

1. The City and other agencies currently do not provide public services, facilities or programs intended to serve a development allowed by annexation; however, City and County staff are in the process of working with the applicants to ensure adequate right-of-way is preserved to help with the future beltway along 66th Street NE and East Main Avenue/County Highway 10.
2. The detachment would not adversely impact property in the vicinity, provided adequate right-of-way for East Main Avenue/County Highway 10 and 66th Street NE.
3. The proposed detachment is consistent with the general intent and purpose of the zoning ordinance.
4. The proposed detachment is consistent with the master plan, other adopted plans and planning practice.

Mr. Tomanek said based on the above findings, staff recommends approval of the detachment, zoning change from RM-Residential, RT-Residential, CA-Commercial and CG-Commercial to A-Agricultural and plat vacation for Lots 1-136, Block 1, Lots 1-9, Block 2 and Lots 1-4, Block 3, Heritage Subdivision, with the following condition: 1) The one hundred (100) feet of right-of-way for 66th Street NE be preserved as shown on the plat and the varying widths (100-135 feet) of right-of-way for East Main Avenue/Highway 10 is preserved to allow for future development of the roadway network.

Commissioner Juhala asked if the surrounding land was zoned A-Agricultural. Mr. Tomanek responded by saying yes, the surrounding land is zoned A-Agricultural.

Commissioner Hegedus inquired if the one hundred (100) feet right-of-way is standard on the west side of the section line. Mr. Tomanek answered by saying that it is actually preferred to have two hundred (200) feet of right-of-way since 66th Street has been recognized as the beltway corridor, however the County Engineer has been working with the owners to come up with a comfortable accommodation for the right-of-way on the east side of the centerline of 66th Street for the full two hundred (200) feet.

Commissioner Waldoch asked if there is currently access to the property. Mr. Tomanek said there is a small access point shown on the plat for Heritage Subdivision, however, there is not access from Main Avenue or 66th Street other than farm roads. Commissioner Waldoch inquired

if access will be an issue in the future if this land was ever replatted. Mr. Tomanek responded by saying that is something that would need to be reviewed at the time of a replat.

Chairman Yeager opened the public hearing for the detachment, zoning change and plat vacation for Heritage Subdivision.

No public comment was received.

Chairman Yeager closed the public hearing.

MOTION: Based on the findings contained in the staff reports, Commissioner Juhala made a motion to approve the detachment; zoning change from RM-Residential, RT-Residential, CA-Commercial and CG-Commercial to A-Agricultural and plat vacation for Lots 1-136, Block 1, Lots 1-9, Block 2 and Lots 1-4, Block 3 for Heritage Subdivision, with the following condition: 1) The one hundred (100) feet of right-of-way for 66th Street NE be preserved as shown on the plat and the varying widths (100-135 feet) of right-of-way for East Main Avenue/Highway 10 is preserved to allow for future development of the roadway network. Commissioner Armstrong seconded the motion and it was unanimously approved with Commissioners Armstrong, Bullinger, Conmy, Hegedus, Juhala, Spier, Waldoch, Wangler and Yeager voting in favor of the motion.

PUBLIC HEARING – ZONING ORDINANCE TEXT AMENDMENT – SMALL WIND ENERGY SYSTEMS

Chairman Yeager called for the public hearing for the zoning ordinance text amendment relative to small wind energy systems.

Mr. Greenquist provided an overview of the zoning ordinance text amendment for small wind energy systems. The proposed ordinance provides standards for the placement and operation of small wind turbines for household use which are less than 25 kilowatts in capacity. Mr. Greenquist said that this draft ordinance was presented to the Bismarck Planning & Zoning Commission in May 27, 2009 and was tabled at that time. Mr. Greenquist went on to say that no changes have been made to the proposed ordinance. Mr. Greenquist stated that it appears the two major issues with wind turbines are appearance and sound and he feels the proposed ordinance addresses both of those issues. Mr. Greenquist said he received a comment from Jack Hanson from Enterprise Wind Sales in Valley City and Mr. Hanson said he objects the proposed ordinance because the height requirements are too restrictive and that roof top turbines should be allowed. Mr. Greenquist said comments from GR-8 Country Wind Power were received and they are in favor of the proposed ordinance. Mr. Greenquist then reviewed the proposed ordinance in detail.

Commissioner Juhala commented that he did not fully understand small wind energy systems so he conducted his own research and found out that a 25 kilowatt turbine only produces enough electricity to power 250 of the 100 watt light bulbs or 5 of the 50 gallon water heater and asked

what the efficiency of the 25 kilowatt turbines are. Mr. Greenquist said there are representatives from GR-8 Country Wind Power that could answer his questions.

Steve Redding with GR-8 Country Wind Power said they sell, install and maintain the small wind energy systems. Mr. Redding said the current buy back rate for investor owned utilities at 2.5 to 3.5 cents per kilowatt hour and Basin Electric's rate is 4 cents per kilowatt hour. Mr. Redding went on to say that the efficiency is about at 30 to 40 percent.

Chairman Yeager closed the public hearing.

MOTION: Commissioner Wangler made a motion to approve the zoning ordinance text amendment relative to small wind energy systems. Commissioner Spier seconded the motion and it was unanimously approved with Commissioners Armstrong, Bullinger, Conmy, Hegedus, Juhala, Spier, Waldoch, Wangler and Yeager voting in favor of the motion.

PUBLIC HEARING – ZONING ORDINANCE TEXT AMENDMENT – SETBACKS IN RT, CA AND CG DISTRICTS

Chairman Yeager called for the public hearing for the zoning ordinance text amendment relative to setbacks in RT, CA and CG Districts.

Ms. Lee provided an overview of the zoning ordinance text amendment relating to setbacks in the RT-Residential, CA-Commercial and CG-Commercial districts. The proposed ordinance would increase the side and rear yard setbacks in these districts for buildings over two stories in height when located adjacent to an R5-Residential or R10-Residential zoning district.

Chairman Yeager opened the public hearing for the zoning ordinance text amendment relative to setbacks in RT, CA and CG Districts.

No public comment was received.

Chairman Yeager closed the public hearing.

MOTION: Commissioner Armstrong made a motion to approve the zoning ordinance text amendment relative to setbacks in RT, CA and CG Districts. Commissioner Hegedus seconded the motion and it was unanimously approved with Commissioners Armstrong, Bullinger, Conmy, Hegedus, Juhala, Spier, Waldoch, Wangler and Yeager voting in favor of the motion.

OTHER BUSINESS

There was no other business.

ADJOURNMENT

There being no further business Chairman Yeager declared the Bismarck Planning & Zoning Commission adjourned at 5:48 p.m. to meet again on December 23, 2009.

Respectfully submitted,

Kimberley Gaffrey
Recording Secretary

Wayne Yeager
Chairman

**Major Permit Activity
November 2009**

Non-deeded Owner: Legacy Building
Address: 4909 Shelburne Street
Cost: \$764,372.00
Description: Two story office building

Non-deeded Owner: Bismarck Aquatic Center
Address: 1601 Canary Avenue
Cost: \$810,000.00
Description: One story building

DATE SELECTION 11/2009

Permit Type	***** City *****		***** ETA *****		***** County *****							
	11/2009 Permits	Valuation	11/2008 Permits	Valuation	11/2009 Permits	Valuation	11/2008 Permits	Valuation				
SINGLE FAMILY DETACHED	14	2,606,906.00	12	2,177,018.00	3	423,377.00	2	324,955.00	2	636,000.00	0	.00
SINGLE FAMILY ATTACHED	0	.00	4	672,626.00	0	.00	0	.00	0	.00	0	.00
TWO UNIT	2	345,000.00	0	.00	0	.00	0	.00	0	.00	0	.00
THREE & FOUR FAMILY	0	.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	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOBILE HOME WITHOUT EXTRA	3	.00	3	.00	0	.00	0	.00	0	.00	0	.00
MOBILE HOME WITH EXTRAS	1	2,520.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOBILE HOME MISCELLANEOUS	1	1,412.00	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
STRUCTURE OTHER THAN BLDG	0	.00	0	.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	1	810,000.00	0	.00	0	.00	0	.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	1	1,200,000.00	0	.00	0	.00	0	.00	0	.00
OFFICE, BANK & PROFESSION	1	764,372.00	0	.00	0	.00	0	.00	0	.00	0	.00
SCHOOLS AND EDUCATIONAL	0	.00	1	450,000.00	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	2	98,800.00	1	1,500.00	0	.00	0	.00	0	.00	0	.00
PUBLIC BUILDING	1	7,000.00	2	553,008.00	0	.00	0	.00	0	.00	0	.00
ROOM ADDITIONS	2	114,539.00	2	59,712.00	0	.00	0	.00	0	.00	0	.00
RESIDENTIAL GARAGES	4	30,428.00	1	3,072.00	3	36,608.00	1	25,347.00	0	.00	0	.00
PATIOS AND COVERS	6	23,655.00	4	15,990.00	2	3,765.00	1	3,660.00	0	.00	0	.00
SWIMMING POOLS AND SPAS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
OTHER	8	47,331.00	5	139,048.00	1	.00	0	.00	0	.00	0	.00
HOME OCCUPATIONS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
STORAGE SHEDS	3	4,250.00	1	1,750.00	0	.00	1	4,544.00	0	.00	0	.00
BASEMENT FINISH	5	22,319.00	4	10,747.00	4	16,273.00	9	52,082.00	0	.00	1	988.00
INDUSTRIAL BUILDINGS	2	8,800.00	2	39,700.00	0	.00	0	.00	0	.00	0	.00
COMMERCIAL BUILDINGS	0	.00	1	190,268.00	0	.00	0	.00	0	.00	0	.00

DATE SELECTION 11/2009

Permit Type	***** City *****		***** ETA *****		***** County *****							
	11/2009 Permits	Valuation	11/2008 Permits	Valuation	11/2009 Permits	Valuation	11/2008 Permits	Valuation	11/2009 Permits	Valuation	11/2008 Permits	Valuation
OFFICE & PROFESSIONAL BLD	8	327,331.00	6	735,165.00	2	29,000.00	0	.00	0	.00	0	.00
OTHER	1	1,500.00	1	61,840.00	0	.00	0	.00	0	.00	0	.00
ALTER PUBLIC	0	.00	1	3,700.00	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	1	.00	0	.00	0	.00	0	.00	0	.00	0	.00
OTHER	1	.00	1	.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
MISC. TEMPORARY STRUCTURE	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	4	48,205.00	5	49,259.00	0	.00	0	.00	1	811.00	0	.00
SIGN ALTERATION	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
Permit Type Total	71	5,264,368.00	58	6,364,303.00	15	509,023.00	14	410,588.00	3	636,811.00	1	958.00

DATE SELECTION 11/2009

Permit Type	***** City *****		***** ETA *****		***** County *****	
	11/2009 Permits	11/2008 Permits	11/2009 Permits	11/2008 Permits	11/2009 Permits	11/2008 Permits
Plumbing	49	16	11	7	2	1
Electrical	102	84	0	0	0	0
Mechanical	113	120	30	21	2	3
Drain Field	1	0	11	3	3	0
Hood Suppression	0	0	0	0	0	0
SprinklerStandpipe	2	0	0	0	0	0
Alarm Detection	1	0	0	0	0	0
Total	268	220	52	31	7	4

DATE SELECTION 11/2009

Living Units	***** City *****		***** BFA *****		***** County *****	
	Units 11/2009	Units 11/2008	Units 11/2009	Units 11/2008	Units 11/2009	Units 11/2008
SINGLE FAMILY DETACHED	14	12	3	2	2	0
SINGLE FAMILY ATTACHED	0	4	0	0	0	0
TWO UNIT	2	0	0	0	0	0
BASEMENT FINISH	0	0	0	1	0	0
Total	16	16	3	3	2	0

DATE SELECTION 11/2009

Permit Type	***** City *****		***** ETA *****		***** County *****							
	11/2009	11/2008	11/2009	11/2008	11/2009	11/2008						
	Permits	Valuation	Permits	Valuation	Permits	Valuation						
SINGLE FAMILY DETACHED	156	27,024,791.00	181	31,427,786.00	65	12,153,733.00	97	21,429,849.00	10	2,083,128.00	11	2,561,593.00
SINGLE FAMILY ATTACHED	28	4,250,384.00	66	10,430,998.00	0	.00	2	372,825.00	0	.00	0	.00
TWO UNIT	2	345,000.00	1	293,000.00	0	.00	0	.00	0	.00	0	.00
THREE & FOUR FAMILY	11	3,413,935.00	6	3,375,500.00	0	.00	0	.00	0	.00	0	.00
FIVE & MORE FAMILY	3	4,008,000.00	13	14,067,904.00	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	0	.00	1	.00	0	.00	0	.00	0	.00	0	.00
MOBILE HOME WITHOUT EXTRA	28	.00	27	.00	0	.00	1	.00	0	.00	0	.00
MOBILE HOME WITH EXTRAS	5	6,420.00	5	360.00	0	.00	0	.00	0	.00	0	.00
MOBILE HOME MISCELLANEOUS	5	8,587.00	4	3,900.00	0	.00	0	.00	0	.00	0	.00
HOTELS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
HOTELS	0	.00	0	.00	0	.00	1	11,520.00	0	.00	0	.00
GROUP QUARTERS	2	327,693.00	1	134,715.00	0	.00	0	.00	0	.00	0	.00
STRUCTURE OTHER THAN BLDG	3	14,571,030.00	0	.00	0	.00	0	.00	0	.00	0	.00
AMUSEMENT & RECREATION	1	2,896,625.00	1	8,489,841.00	0	.00	0	.00	0	.00	0	.00
CHURCHES AND RELIGIOUS	0	.00	1	1,500.00	0	.00	0	.00	0	.00	0	.00
INDUSTRIAL	17	3,945,871.00	13	10,056,888.00	15	2,054,900.00	2	224,010.00	1	210,867.00	1	334,731.00
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	2	18,648,860.00	2	19,883,719.00	0	.00	0	.00	0	.00	0	.00
OFFICE, BANK & PROFESSION	1	764,372.00	7	7,508,185.00	0	.00	0	.00	0	.00	0	.00
SCHOOLS AND EDUCATIONAL	2	10,323,743.00	1	450,000.00	1	44,075.00	0	.00	0	.00	0	.00
COMM (RETAIL SALES)	1	13,606.00	6	7,200,904.00	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	15	549,741.00	24	2,886,460.00	2	155,000.00	3	466,000.00	0	.00	0	.00
PUBLIC BUILDING	15	14,728,805.00	9	1,751,187.00	3	4,490,342.00	0	.00	1	22,786.00	0	.00
ROOM ADDITIONS	27	1,043,650.00	37	1,313,440.00	16	568,612.00	10	623,215.00	2	12,064.00	2	136,233.00
RESIDENTIAL GARAGES	80	1,111,891.00	83	764,540.00	84	1,486,802.00	103	2,027,566.00	10	208,320.00	9	521,408.00
PATIOS AND COVERS	121	668,812.00	134	446,203.00	21	80,515.00	34	193,024.00	2	18,960.00	1	3,600.00
SWIMMING POOLS AND SPAS	0	.00	2	43,720.00	0	.00	0	.00	0	.00	0	.00
OTHER	171	1,275,205.00	167	1,378,449.00	16	323,694.00	34	563,780.00	2	2,800.00	0	.00
HOME OCCUPATIONS	2	.00	4	40.00	2	.00	1	40.00	0	.00	0	.00
STORAGE SHEDS	75	135,353.00	84	161,049.00	9	17,463.00	13	31,874.00	0	.00	1	56,000.00
BASEMENT FINISH	118	627,674.00	141	674,986.00	54	326,847.00	69	369,730.00	1	4,940.00	6	29,397.00
INDUSTRIAL BUILDINGS	19	1,311,037.00	24	4,153,663.00	2	60,000.00	4	365,230.00	0	.00	0	.00
COMMERCIAL BUILDINGS	31	2,376,423.00	25	3,361,635.00	2	336,000.00	0	.00	0	.00	0	.00

DATE SELECTION 11/2009

Permit Type	***** City *****		***** ETA *****		***** County *****							
	11/2009	11/2008	11/2009	11/2008	11/2009	11/2008						
	Permits	Valuation	Permits	Valuation	Permits	Valuation						
OFFICE & PROFESSIONAL BLD	77	10,777,489.00	65	13,844,496.00	6	1,011,737.00	0	.00	0	.00	0	.00
OTHER	16	2,930,793.00	12	1,037,413.00	0	.00	1	2,000.00	0	.00	0	.00
ALTER PUBLIC	7	363,886.00	12	1,879,300.00	1	30,000.00	0	.00	0	.00	0	.00
APTS TO CONDO	0	.00	1	36,600.00	0	.00	0	.00	0	.00	0	.00
TO/FROM RESIDENTIAL	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
RESIDENTIAL	14	.00	14	.00	0	.00	3	.00	0	.00	0	.00
OTHER	11	.00	4	.00	1	.00	0	.00	0	.00	0	.00
CHRISTMAS TREE SALES	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
FIREWORKS SALES	1	.00	1	.00	9	.00	7	.00	0	.00	0	.00
NURSERY STOCK SALES	3	.00	4	.00	0	.00	0	.00	0	.00	0	.00
MISC. TEMPORARY STRUCTURE	15	.00	19	.00	3	.00	0	.00	0	.00	0	.00
MOVE OUT OF PMT LOCATION	5	.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	2	.00	1	.00	0	.00	0	.00	0	.00	0	.00
NEW SIGN PERMIT	56	775,578.00	63	733,736.00	0	.00	0	.00	1	811.00	0	.00
SIGN ALTERATION	5	110,885.00	2	3,870.00	0	.00	0	.00	0	.00	0	.00
	1153	129,336,239.00	1268	147,815,187.00	312	23,139,720.00	385	26,679,663.00	30	2,564,676.00	31	3,642,962.00

DATE SELECTION 11/2009

Permit Type	***** City *****		***** RTA *****		***** County *****	
	11/2009 Permits	11/2008 Permits	11/2009 Permits	11/2008 Permits	11/2009 Permits	11/2008 Permits
Plumbing	420	446	99	148	11	15
Electrical	924	1056	0	0	0	0
Mechanical	924	956	205	270	12	19
Drain Field	1	0	11	3	3	0
Hood Suppression	0	0	0	0	0	0
SprinklerStandpipe	2	0	0	0	0	0
Alarm Detection	1	0	0	0	0	0
Total	2315	2458	402	546	35	48

DATE SELECTION 11/2009

Living Units	City		ETA		County	
	Units 11/2009	Units 11/2008	Units 11/2009	Units 11/2008	Units 11/2009	Units 11/2008
SINGLE FAMILY DETACHED	156	181	64	97	10	11
SINGLE FAMILY ATTACHED	28	66	0	2	0	0
TWO UNIT	2	2	0	0	0	0
THREE & FOUR FAMILY	26	24	0	0	0	0
FIVE & MORE FAMILY	80	217	0	0	0	0
MOBILE HOME WITHOUT EXTRA	3	9	0	0	0	0
MOBILE HOME WITH EXTRAS	1	2	0	0	0	0
MOBILE HOME MISCELLANEOUS	1	0	0	0	0	0
GROUP QUARTERS	4	0	0	0	0	0
HOSPITALS & INSTITUTIONAL	294	192	0	0	0	0
ROOM ADDITIONS	6	9	3	2	0	1
RESIDENTIAL GARAGES	10	2	3	2	1	0
PATIOS AND COVERS	26	19	2	3	0	0
OTHER	19	36	1	6	1	0
HOME OCCUPATIONS	1	0	0	0	0	0
STORAGE SHEDS	10	3	0	0	0	0
BASEMENT FINISH	11	38	3	18	0	0
COMMERCIAL BUILDINGS	1	0	23	0	0	0
ALTER PUBLIC	7	0	0	0	0	0
RESIDENTIAL	1	6	0	1	0	0
FIREWORKS SALES	0	0	1	0	0	0
Total	697	806	100	131	12	12

PERMIT LOCATION	PERMIT NUMBER	PROPERTY ADDRESS	DATE SELECTION	11/2009	OWNERS NAME CONTRACTOR	VALUATION
CITY OF BISMARCK	2009-0001543	4909 SHELBURNE	ST		LEGACY BUILDING NELSON BUILDERS LLC	764,372.00
CITY OF BISMARCK	2009-0001556	1601 CANARY	AV		BISMARCK AQUATIC CENTER CREATIVE CONSTRUCTION LLC	810,000.00
COUNTY OF BURLEIGH	2009-0001491	11220 EDGEWOOD	DR		WELL BUILT HOMES INC WELL BUILT HOMES INC	488,752.00

**Major Permit Activity
December 2009**

None

DATE SELECTION 12/2009

Permit Type	City				ETA	County						
	12/2009		12/2008			12/2009		12/2008				
	Permits	Valuation										
SINGLE FAMILY DETACHED	3	620,302.00	2	345,969.00	1	189,554.00	1	270,217.00	1	138,551.00	0	.00
SINGLE FAMILY ATTACHED	0	.00	0	.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	0	.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	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOBILE HOME WITHOUT EXTRA	1	.00	1	.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
STRUCTURE OTHER THAN BLDG	0	.00	0	.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	0	.00	0	.00	0	.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	0	.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	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
PUBLIC BUILDING	1	313,290.00	0	.00	0	.00	0	.00	0	.00	0	.00
ROOM ADDITIONS	1	8,064.00	1	12,122.00	0	.00	0	.00	0	.00	0	.00
RESIDENTIAL GARAGES	0	.00	0	.00	1	28,800.00	0	.00	0	.00	0	.00
PATIOS AND COVERS	0	.00	2	8,115.00	0	.00	0	.00	0	.00	0	.00
SWIMMING POOLS AND SPAS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
OTHER	4	21,100.00	4	115,160.00	1	8,000.00	0	.00	0	.00	0	.00
HOME OCCUPATIONS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
STORAGE SHEDS	0	.00	0	.00	1	2,000.00	0	.00	0	.00	0	.00
BASEMENT FINISH	20	167,389.00	15	100,074.00	5	30,262.00	5	21,755.00	1	8,175.00	0	.00
INDUSTRIAL BUILDINGS	0	.00	2	46,432.00	1	4,250.00	0	.00	0	.00	0	.00
COMMERCIAL BUILDINGS	1	264,506.00	4	254,500.00	0	.00	0	.00	0	.00	0	.00

DATE SELECTION 12/2009

Permit Type	City		ETA		County	
	12/2009	12/2008	12/2009	12/2008	12/2009	12/2008
	Permits	Valuation	Permits	Valuation	Permits	Valuation
OFFICE & PROFESSIONAL BLD	3	132,900.00	9	2,751,120.00	0	.00
OTHER	1	1,900.00	1	54,963.00	0	.00
ALTER PUBLIC	0	.00	0	.00	0	.00
APTS TO CONDO	0	.00	0	.00	0	.00
TO/FRGM RESIDENTIAL	0	.00	0	.00	0	.00
RESIDENTIAL	0	.00	5	.00	0	.00
OTHER	1	.00	0	.00	0	.00
CHRISTMAS TREE SALES	0	.00	0	.00	0	.00
FIREWORKS SALES	0	.00	0	.00	0	.00
NURSERY STOCK SALES	0	.00	0	.00	0	.00
MISC. TEMPORARY STRUCTURE	0	.00	0	.00	0	.00
MOVE OUT OF PMT LOCATION	0	.00	0	.00	0	.00
MOVE INTO PERMIT LOCATION	0	.00	0	.00	0	.00
MOVE WITHIN PMT LOCATION	0	.00	0	.00	0	.00
NEW SIGN PERMIT	2	11,162.00	4	18,203.00	0	.00
SIGN ALTERATION	0	.00	0	.00	0	.00
Permit Type Total	38	1,540,613.00	50	3,706,658.00	10	262,866.00

DATE SELECTION 12/2009

Permit Type	City		ETA		County	
	12/2009 Permits	12/2008 Permits	12/2009 Permits	12/2008 Permits	12/2009 Permits	12/2008 Permits
Plumbing	15	13	5	0	0	0
Electrical	111	51	0	0	0	0
Mechanical	73	80	17	16	1	0
Drain Field	0	0	1	2	0	0
Hood Suppression	1	0	0	0	0	0
SprinklerStandpipe	1	0	0	0	0	0
Alarm Detection	1	0	0	0	0	0
Total	202	144	23	18	1	0

DATE SELECTION 12/2009

Living Units	***** City *****		***** ETA *****		***** County *****	
	Units 12/2009	Units 12/2008	Units 12/2009	Units 12/2008	Units 12/2009	Units 12/2008
SINGLE FAMILY DETACHED	3	2	1	1	1	0
MOBILE HOME WITHOUT EXTRA	1	0	0	0	0	0
Total	4	2	1	1	1	0

DATE SELECTION 12/2009

Permit Type	City		ETA		County							
	12/2009	12/2008	12/2009	12/2008	12/2009	12/2008						
Permits	Valuation	Permits	Valuation	Permits	Valuation	Permits	Valuation					
SINGLE FAMILY DETACHED	158	27,413,139.00	183	31,773,755.00	65	12,070,560.00	98	21,700,066.00	11	2,221,679.00	11	2,561,593.00
SINGLE FAMILY ATTACHED	28	4,250,384.00	66	10,430,990.00	0	.00	2	372,825.00	0	.00	0	.00
TWO UNIT	2	345,000.00	1	293,000.00	0	.00	0	.00	0	.00	0	.00
THREE & FOUR FAMILY	11	3,413,935.00	6	3,375,500.00	0	.00	0	.00	0	.00	0	.00
FIVE & MORE FAMILY	3	4,008,000.00	13	14,067,904.00	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	0	.00	1	.00	0	.00	0	.00	0	.00	0	.00
MOBILE HOME WITHOUT EXTRA	29	.00	28	.00	0	.00	1	.00	0	.00	0	.00
MOBILE HOME WITH EXTRAS	5	6,420.00	5	360.00	0	.00	0	.00	0	.00	0	.00
MOBILE HOME MISCELLANEOUS	5	8,587.00	4	3,900.00	0	.00	0	.00	0	.00	0	.00
HOTELS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
HOTELS	0	.00	0	.00	0	.00	1	11,520.00	0	.00	0	.00
GROUP QUARTERS	2	327,693.00	1	134,715.00	0	.00	0	.00	0	.00	0	.00
STRUCTURE OTHER THAN BLDG	3	14,571,030.00	0	.00	0	.00	0	.00	0	.00	0	.00
AMUSEMENT & RECREATION	1	2,896,625.00	1	8,489,841.00	0	.00	0	.00	0	.00	0	.00
CHURCHES AND RELIGIOUS	0	.00	1	1,500.00	0	.00	0	.00	0	.00	0	.00
INDUSTRIAL	17	3,945,871.00	13	10,056,888.00	15	2,054,900.00	2	224,010.00	1	210,867.00	1	334,731.00
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	2	18,648,860.00	2	19,883,719.00	0	.00	0	.00	0	.00	0	.00
OFFICE, BANK & PROFESSION	1	764,372.00	7	7,508,185.00	0	.00	0	.00	0	.00	0	.00
SCHOOLS AND EDUCATIONAL	2	10,323,743.00	1	450,000.00	1	44,075.00	0	.00	0	.00	0	.00
COMM (RETAIL SALES)	1	13,606.00	6	7,200,904.00	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	15	549,741.00	24	2,886,460.00	2	155,000.00	3	466,000.00	0	.00	0	.00
PUBLIC BUILDING.	16	15,042,095.00	9	1,751,187.00	3	4,490,342.00	0	.00	1	22,786.00	0	.00
ROOM ADDITIONS	28	1,051,714.00	39	1,485,834.00	17	841,339.00	9	461,943.00	2	12,064.00	2	136,233.00
RESIDENTIAL GARAGES	80	1,111,891.00	83	764,540.00	85	1,515,602.00	103	2,027,566.00	10	208,320.00	9	521,408.00
PATIOS AND COVERS	121	668,812.00	136	454,318.00	21	80,515.00	34	193,024.00	2	18,960.00	1	3,600.00
SWIMMING POOLS AND SPAS	0	.00	2	43,720.00	0	.00	0	.00	0	.00	0	.00
OTHER	175	1,296,305.00	171	1,493,609.00	17	331,694.00	34	563,780.00	2	2,800.00	0	.00
HOME OCCUPATIONS	2	.00	4	40.00	2	.00	1	40.00	0	.00	0	.00
STORAGE SHEDS	75	135,353.00	84	161,049.00	10	19,463.00	13	31,874.00	0	.00	1	56,000.00
BASEMENT FINISH	138	795,063.00	156	775,060.00	59	357,109.00	74	391,485.00	2	13,115.00	6	29,397.00
INDUSTRIAL BUILDINGS	19	1,311,037.00	26	4,200,095.00	3	64,250.00	4	365,230.00	0	.00	0	.00
COMMERCIAL BUILDINGS	32	2,640,929.00	29	3,636,135.00	2	336,000.00	0	.00	0	.00	0	.00

DATE SELECTION 12/2009

Permit Type	***** City *****		***** ETA *****		***** County *****							
	12/2009	12/2008	12/2009	12/2008	12/2009	12/2008						
	Permits	Valuation	Permits	Valuation	Permits	Valuation						
OFFICE & PROFESSIONAL BLD	80	10,910,389.00	74	16,595,616.00	6	1,011,737.00	0	.00	0	.00	0	.00
OTHER	17	2,932,693.00	13	1,092,376.00	0	.00	1	2,000.00	0	.00	0	.00
ALTER PUBLIC	7	363,896.00	12	1,879,300.00	1	30,000.00	0	.00	0	.00	0	.00
APTS TO CONDO	0	.00	1	36,600.00	0	.00	0	.00	0	.00	0	.00
TO/FROM RESIDENTIAL	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
RESIDENTIAL	14	.00	19	.00	0	.00	3	.00	0	.00	0	.00
OTHER	12	.00	4	.00	1	.00	0	.00	0	.00	0	.00
CHRISTMAS TREE SALES	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
FIREWORKS SALES	1	.00	1	.00	9	.00	7	.00	0	.00	0	.00
NURSERY STOCK SALES	3	.00	4	.00	0	.00	0	.00	0	.00	0	.00
MISC. TEMPORARY STRUCTURE	15	.00	19	.00	3	.00	0	.00	0	.00	0	.00
MOVE OUT OF PMT LOCATION	5	.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	2	.00	1	.00	0	.00	0	.00	0	.00	0	.00
NEW SIGN PERMIT	58	786,840.00	67	751,939.00	0	.00	0	.00	1	811.00	0	.00
SIGN ALTERATION	5	110,885.00	2	3,070.00	0	.00	0	.00	0	.00	0	.00
	1190	130,644,898.00	1319	151,682,117.00	322	23,402,586.00	390	26,811,363.00	32	2,711,402.00	31	3,642,962.00

DATE SELECTION 12/2009

Permit Type	***** City *****		***** ETA *****		***** County *****	
	12/2009 Permits	12/2008 Permits	12/2009 Permits	12/2008 Permits	12/2009 Permits	12/2008 Permits
Plumbing	436	459	103	148	11	15
Electrical	1034	1107	0	0	0	0
Mechanical	990	1036	221	286	13	19
Drain Field	0	0	1	2	0	0
Hood Suppression	1	0	0	0	0	0
SprinklerStandpipe	1	0	0	0	0	0
Alarm Detection	1	0	0	0	0	0
Total	2518	2602	423	564	36	48

DATE SELECTION 12/2009

Living Units	***** City *****		***** ETA *****		***** County *****	
	Units 12/2009	Units 12/2008	Units 12/2009	Units 12/2008	Units 12/2009	Units 12/2008
SINGLE FAMILY DETACHED	158	183	65	98	11	11
SINGLE FAMILY ATTACHED	28	66	0	2	0	0
TWO UNIT	2	2	0	0	0	0
THREE & FOUR FAMILY	26	24	0	0	0	0
FIVE & MORE FAMILY	80	217	0	0	0	0
MOBILE HOME WITHOUT EXTRA	4	9	0	0	0	0
MOBILE HOME WITH EXTRAS	1	2	0	0	0	0
MOBILE HOME MISCELLANEOUS	1	0	0	0	0	0
GROUP QUARTERS	4	0	0	0	0	0
HOSPITALS & INSTITUTIONAL	294	192	0	0	0	0
ROOM ADDITIONS	0	9	4	2	0	1
RESIDENTIAL GARAGES	1	2	3	2	1	0
PATIOS AND COVERS	1	19	2	3	0	0
OTHER	3	36	1	6	1	0
STORAGE SHEDS	0	3	0	0	0	0
BASEMENT FINISH	0	38	3	18	0	0
COMMERCIAL BUILDINGS	1	0	23	0	0	0
ALTER PUBLIC	7	0	0	0	0	0
RESIDENTIAL	1	6	0	1	0	0
FIREWORKS SALES	0	0	1	0	0	0
Total	612	808	102	132	13	12