



Community Development Department

BISMARCK PLANNING AND ZONING COMMISSION
MEETING AGENDA
July 28, 2010

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

Item No. Page

MINUTES

- 1. Consider the approval of the minutes of the June 23, 2010 meeting of the Bismarck Planning and Zoning Commission.

CONSENT AGENDA

CONSIDERATION

The following item is a request for a public hearing.

- 2. Lots 4 & 5, Block 1, Sonnet Heights Subdivision 1st Replat - Zoning Change (RM30 to R10) (JT) ..... 1

Staff recommendation: tentative approval [ ]tentative approval [ ]table [ ]deny

REGULAR AGENDA

FINAL CONSIDERATION/PUBLIC HEARINGS

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

- 3. Country West XXX (Klee)
a. Annexation..... 5

Staff recommendation: approve [ ]approve [ ]continue [ ]table [ ]deny

- b. Zoning Change (R5 to R10).....9

Staff recommendation: approve [ ]approve [ ]continue [ ]table [ ]deny

- c. Final Plat.....13

Staff recommendation: approve [ ]approve [ ]continue [ ]table [ ]deny

Bismarck-Burleigh County Community Development Department
221 North 5th Street • PO Box 5503 • Bismarck, ND 58506-5503 • TDD: 711 • www.bismarck.org

- 4. **Parts of Sattler’s Sunrise 6<sup>th</sup> and 8<sup>th</sup> Additions – Annexation (G<sup>2</sup>)** ..... 21  
*Staff recommendation: approve*                      approve    continue    table    deny
  
- 5. **Schmitt Subdivision – Final Plat (G<sup>2</sup>)** .....29  
*Apple Creek Township*  
*Staff recommendation: approve*                      approve    continue    table    deny
  
- 6. **Northridge Estates Commercial Park – Minor Subdivision Final Plat (Klee)** .....35  
*Hay Creek Township*  
*Staff recommendation: approve*                      approve    continue    table    deny

**OTHER BUSINESS**

- 7. **Other Business**

**ADJOURNMENT**

- 8. **Adjourn.** The next regular meeting date is scheduled for Wednesday, August 25, 2010.

Enclosure:            Minutes of the June 23, 2010 meeting  
                             Major Building Permits Report for June 2010  
                             Building Permit Activity Report for June 2010

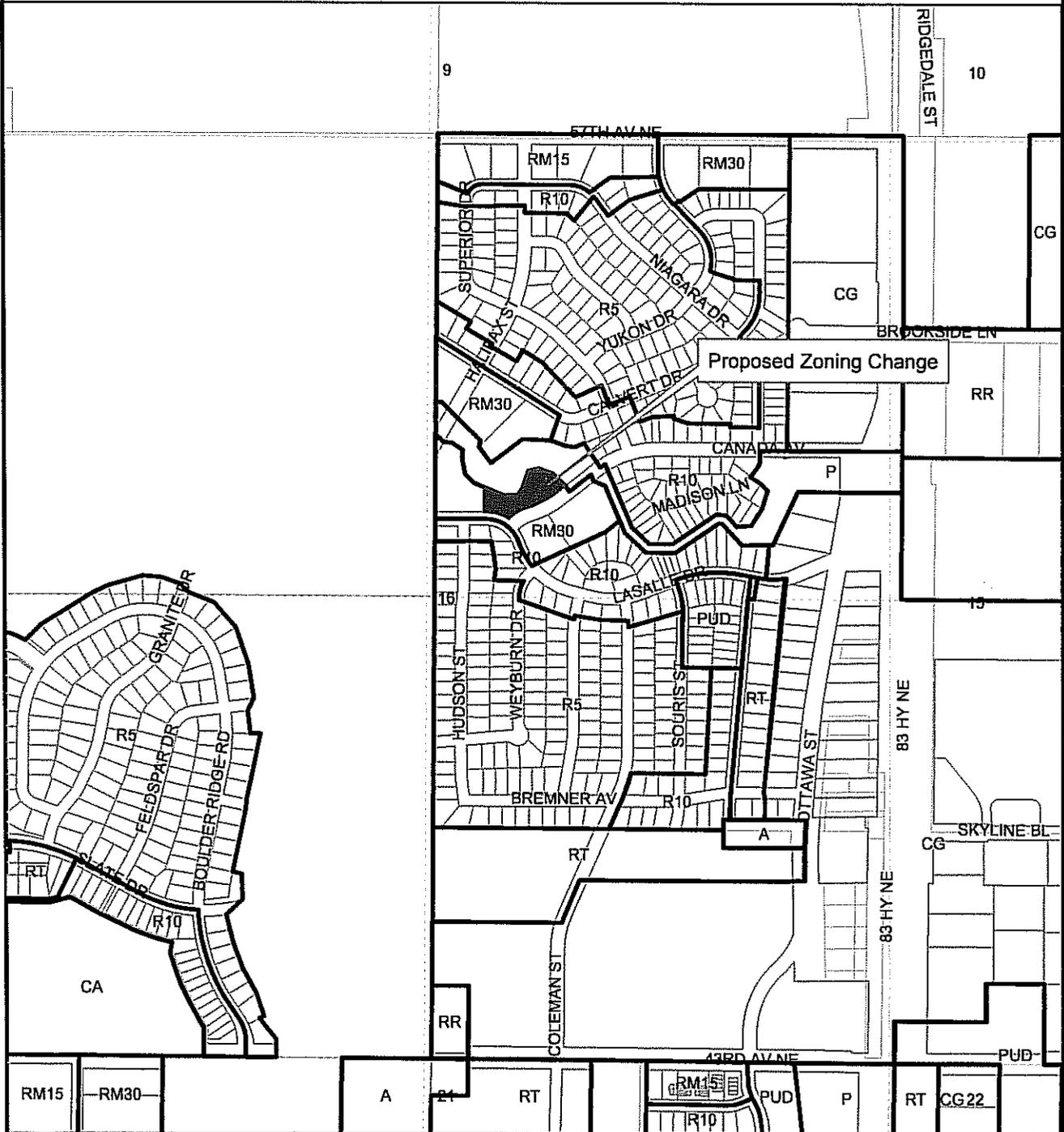
**BISMARCK-BURLEIGH COUNTY COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

<b>BACKGROUND:</b>		
<b>Title:</b> Lots 4 & 5 less the West 276.41 feet, Block 1, Sonnet Heights Subdivision 1 <sup>st</sup> Replat – Zoning Change (RM30 to R10)		
<b>Status:</b> Planning Commission – Consideration	<b>Date:</b> July 28, 2010	
<b>Owner(s):</b> Jomani Developing, LLC	<b>Engineer:</b> None	
<b>Reason for Request:</b> Rezone property to allow single and two-family dwellings in conjunction with a forthcoming replat.		
<b>Location:</b> Along the north side of Canada Avenue at the intersection with Lasalle Drive (Lots 4 & 5, less the West 276.41 feet, Block 1, Sonnet Heights Subdivision First Replat).		
<b>Project Size:</b> 62,179 square feet (1.43 acres)	<b>Number of Lots:</b> Part of two lots in one block	
<b>EXISTING CONDITIONS:</b>		
<b>Land Use:</b> Vacant/Undeveloped	<b>PROPOSED CONDITIONS:</b>	
<b>Zoning:</b> RM30 – Residential	<b>Land Use:</b> Single and two-family residential	
<b>Uses Allowed:</b> Multi-family residential	<b>Zoning:</b> R10 – Residential	
<b>Maximum Density Allowed:</b> 30 units/acre	<b>Uses Allowed:</b> Single and two-family residential	
	<b>Maximum Density Allowed:</b> 10 units/acre	
<b>PROPERTY HISTORY:</b>		
<b>Zoned:</b> 05/07	<b>Platted:</b> 05/07	<b>Annexed:</b> 03/07
<b>FINDINGS:</b>		
<ol style="list-style-type: none"> <li>1. The proposed zoning change would be consistent with the Land Use Plan, which identifies this area as urban residential (Bismarck-Mandan Regional Land Use Plan).</li> <li>2. The proposed zoning change is compatible with adjacent land uses. There is undeveloped single, two and multi-family residential zoning to the south, east and west and park property to the north.</li> <li>3. The subdivision is already annexed and utilities will be in place within Canada Avenue and Lasalle Drive; therefore, the zoning change will not place an undue burden on public services.</li> <li>4. The proposed zoning change would not adversely affect property in the vicinity.</li> <li>5. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance.</li> <li>6. The proposed zoning change is consistent with all adopted plans, policies and accepted planning practice.</li> </ol>		
<b>RECOMMENDATION:</b>		
Based on the above findings, staff recommends scheduling a public hearing on the zoning change for Lots 4 & 5 less the West 276.41 feet, Block 1, Sonnet Heights Subdivision 1 <sup>st</sup> Replat from RM30 – Residential to R10 – Residential.		

# Proposed Zoning Change (RM30 to R10)

## Lot 4 & 5, less the W276.41', Block 1

### Sonnet Heights Subdivision First Replat



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.  
 Map was Updated/Created: June 28, 2010 (kdg)

Source: City of Bismarck

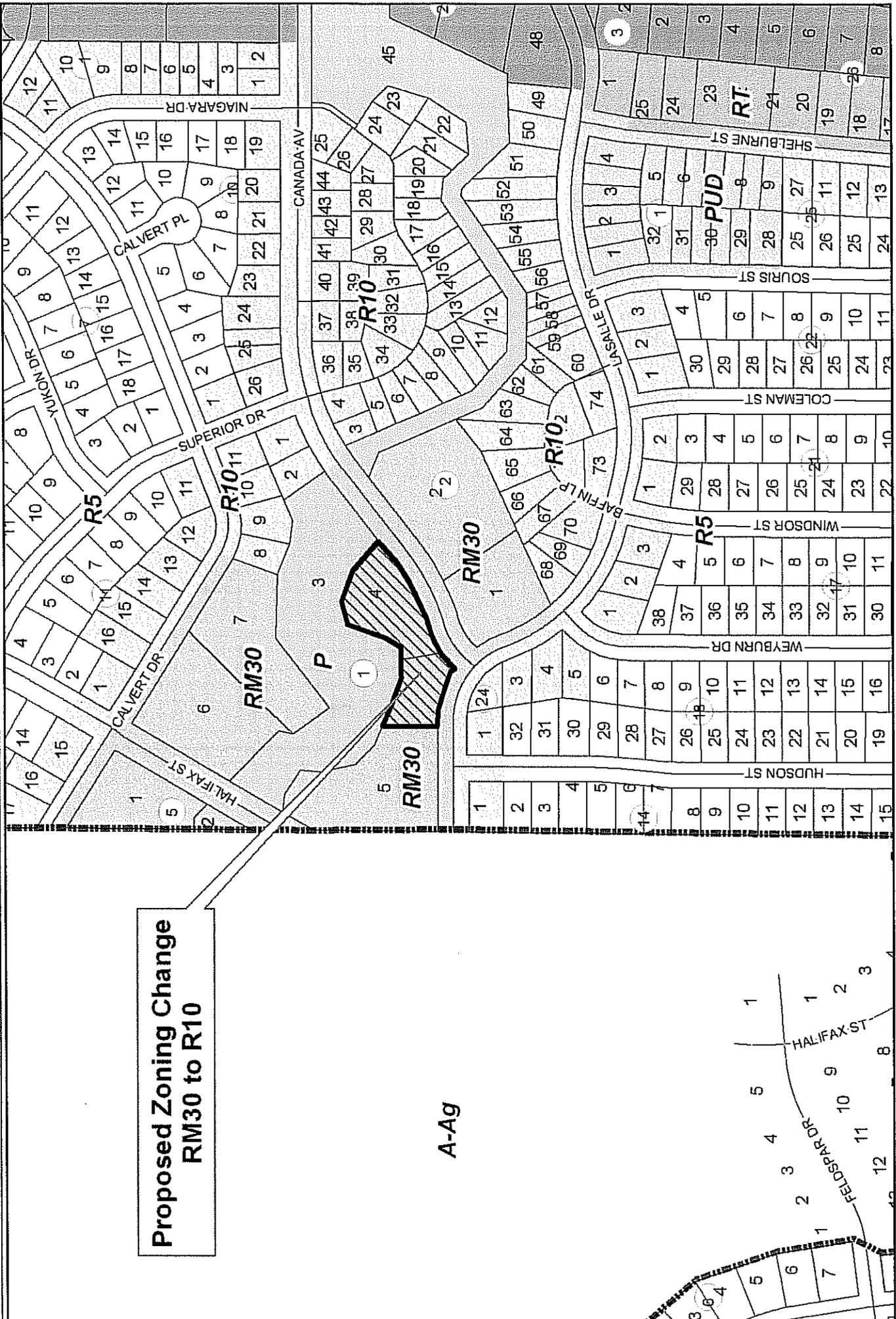


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**Lots 4 & 5, less the West 276.41', Block 1, Sonnet Heights Subdivision First Replat**

**Proposed Zoning Change  
RM30 to R10**

**A-Ag**



July 2010

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

<b>BACKGROUND:</b>		
<b>Title:</b> Country West XXX – Annexation		
<b>Status:</b> Planning Commission – Final Consideration (continued)	<b>Date:</b> July 28, 2010	
<b>Owner:</b> C-Family Trust/Clairmont Development Co.	<b>Engineer:</b> Swenson Hagen & Company	
<b>Reason for Request:</b> Develop property for four twinhomes (eight dwelling units).		
<b>Location:</b> Along the north side of Valley Drive at the intersection with Tyler Parkway (part of the SE ¼ of Section 19, T139N-R80W/Hay Creek Township).		
<b>Project Size:</b> 1.66 acres	<b>Number of Lots:</b> 8 lots in 1 block	
<b>EXISTING CONDITIONS:</b>	<b>PROPOSED CONDITIONS:</b>	
<b>Land Use:</b> Vacant/Undeveloped	<b>Land Use:</b> Two-family residential	
<b>Zoning:</b> R5 – Residential	<b>Zoning:</b> R10 – Residential	
<b>Uses Allowed:</b> Single-family residential	<b>Uses Allowed:</b> Single and two-family residential	
<b>Maximum Density Allowed:</b> 5 units/acre	<b>Maximum Density Allowed:</b> 10 units/acre	
<b>PROPERTY HISTORY:</b>		
<b>Zoned:</b> 07/98	<b>Platted:</b> N/A	<b>Annexed:</b> N/A
<b>ADDITIONAL INFORMATION:</b>		
<ol style="list-style-type: none"> <li>1. The final consideration of this request was continued at the June 23, 2010 meeting because a concern was raised regarding the extension of Tyler Parkway to the northern edge of the Clairmont property.</li> <li>2. Section 14-09-04(4)(f) of the City's Regulations Governing the Subdivision of Land indicates that "all areas proposed for development shall be platted to the edge of the property with all undevelopable land included within the plat (subject to discussion and agreement by the landowner and the City). If this is the last phase of development for this tract, the remainder of the parcel would have to be platted in accordance with the City's undevelopable land provisions (a copy of which is attached).</li> <li>3. Based on the topography, it appears that the remainder of the area east of the proposed alignment of Tyler Parkway is not developable and should be included in this plat, along with the right-of-way for Tyler Parkway. The land west of Tyler Parkway appears to have a small area that is still developable; therefore, platting of this area would not be required.</li> </ol>		
<b>FINDINGS:</b>		
<ol style="list-style-type: none"> <li>1. The City and other agencies would be able to provide necessary public services, facilities and programs to serve the development allowed by the annexation at the time the property is developed.</li> <li>2. The proposed annexation would not adversely affect property in the vicinity.</li> </ol>		
<i>(continued)</i>		

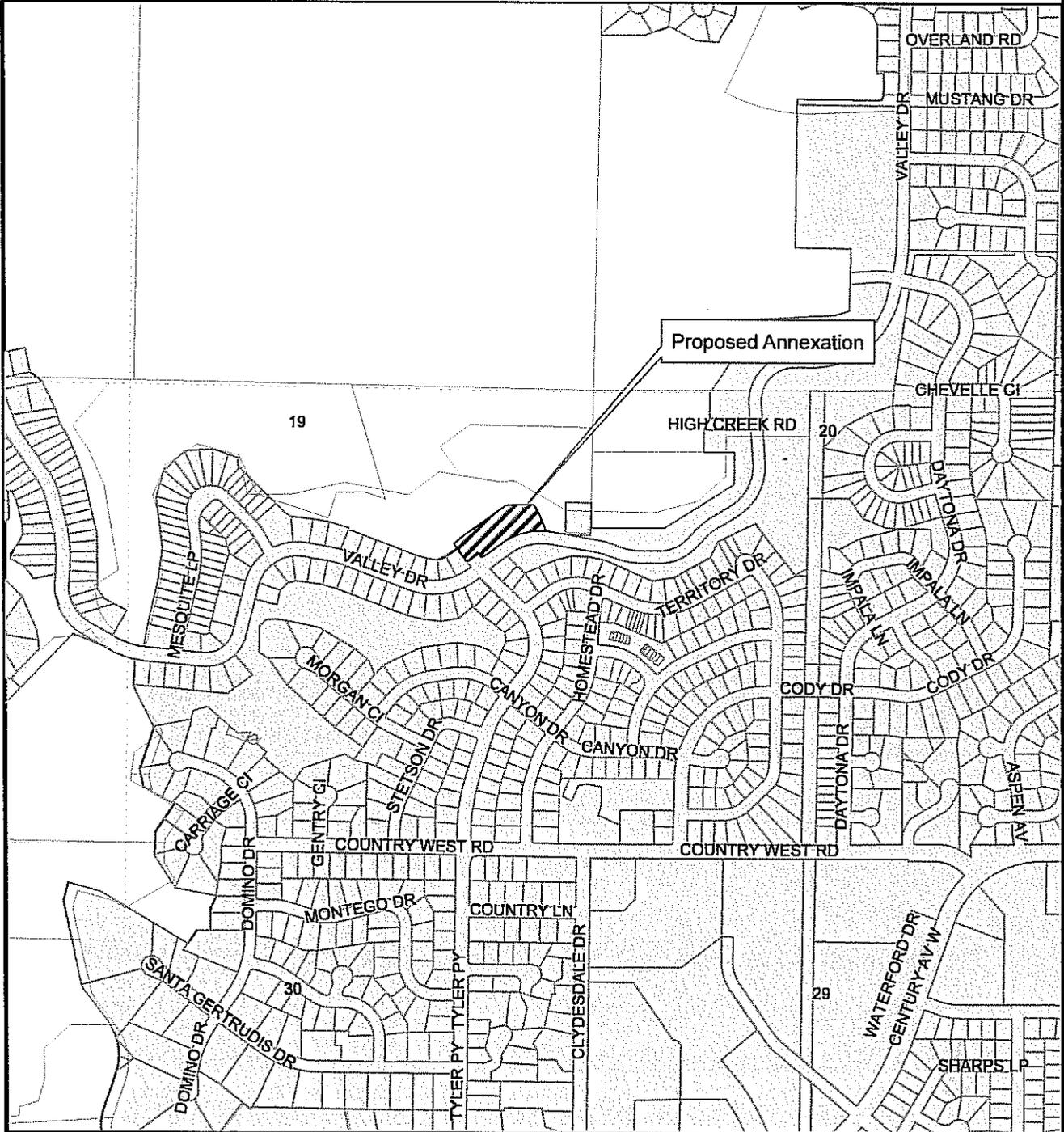
3. The proposed annexation is consistent with the general intent and purpose of Title 14 of the City Code of Ordinances.
4. The proposed annexation is consistent with the master plan, other adopted plans, policies and accepted planning practice.

**RECOMMENDATION:**

Based on the above findings, staff recommends approval of the annexation of Country West XXX, provided the final plat is revised to include the Tyler Parkway right-of-way and the undevelopable land east of the proposed alignment of Tyler Parkway prior to the request being forwarded to the Board of City Commissioners for final action.

If the applicant is unwilling to include this additional undevelopable property in the final plat, staff recommends denial of the annexation because it is tied to the final plat.

# Proposed Annexation Country West XXX



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: May 25, 2010 (kkg)

Source: City of Bismarck



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

<b>BACKGROUND:</b>		
<b>Title:</b> Country West XXX – Zoning Change (R5 to R10)		
<b>Status:</b> Planning Commission – Public Hearing (continued)		<b>Date:</b> July 28, 2010
<b>Owner:</b> C-Family Trust/Clairmont Development Co.		<b>Engineer:</b> Swenson Hagen & Company
<b>Reason for Request:</b> Develop property for four twinhomes (eight dwelling units).		
<b>Location:</b> Along the north side of Valley Drive at the intersection with Tyler Parkway (part of the SE ¼ of Section 19, T139N-R80W/Hay Creek Township).		
<b>Project Size:</b> 1.66 acres		<b>Number of Lots:</b> 8 lots in 1 block
<b>EXISTING CONDITIONS:</b>		<b>PROPOSED CONDITIONS:</b>
<b>Land Use:</b> Vacant/Undeveloped		<b>Land Use:</b> Two-family residential
<b>Zoning:</b> R5 – Residential		<b>Zoning:</b> R10 – Residential
<b>Uses Allowed:</b> Single-family residential		<b>Uses Allowed:</b> Single and two-family residential
<b>Maximum Density Allowed:</b> 5 units/acre		<b>Maximum Density Allowed:</b> 10 units/acre
<b>PROPERTY HISTORY:</b>		
<b>Zoned:</b> 07/98	<b>Platted:</b> N/A	<b>Annexed:</b> N/A
<b>ADDITIONAL INFORMATION:</b>		
<ol style="list-style-type: none"> <li>The public hearing on this request was continued at the June 23, 2010 meeting because a concern was raised regarding the extension of Tyler Parkway to the northern edge of the Clairmont property.</li> <li>Section 14-09-04(4)(f) of the City's Regulations Governing the Subdivision of Land indicates that "all areas proposed for development shall be platted to the edge of the property with all undevelopable land included within the plat (subject to discussion and agreement by the landowner and the City). If this is the last phase of development for this tract, the remainder of the parcel would have to be platted in accordance with the City's undevelopable land provisions (a copy of which is attached).</li> <li>Based on the topography, it appears that the remainder of the area east of the proposed alignment of Tyler Parkway is not developable and should be included in this plat, along with the right-of-way for Tyler Parkway. The land west of Tyler Parkway appears to have a small area that is still developable; therefore, platting of this area would not be required.</li> </ol>		
<b>FINDINGS:</b>		
<ol style="list-style-type: none"> <li>The proposed zoning change would be consistent with the Land Use Plan, which identifies this area as open space adjacent to residential (Bismarck-Mandan Regional Land Use Plan). Given the topography of the property, it is reasonable to allow an administrative amendment to the land use plan to move the dividing line between the two land uses to the north side of the proposed lots.</li> </ol>		
<i>(continued)</i>		

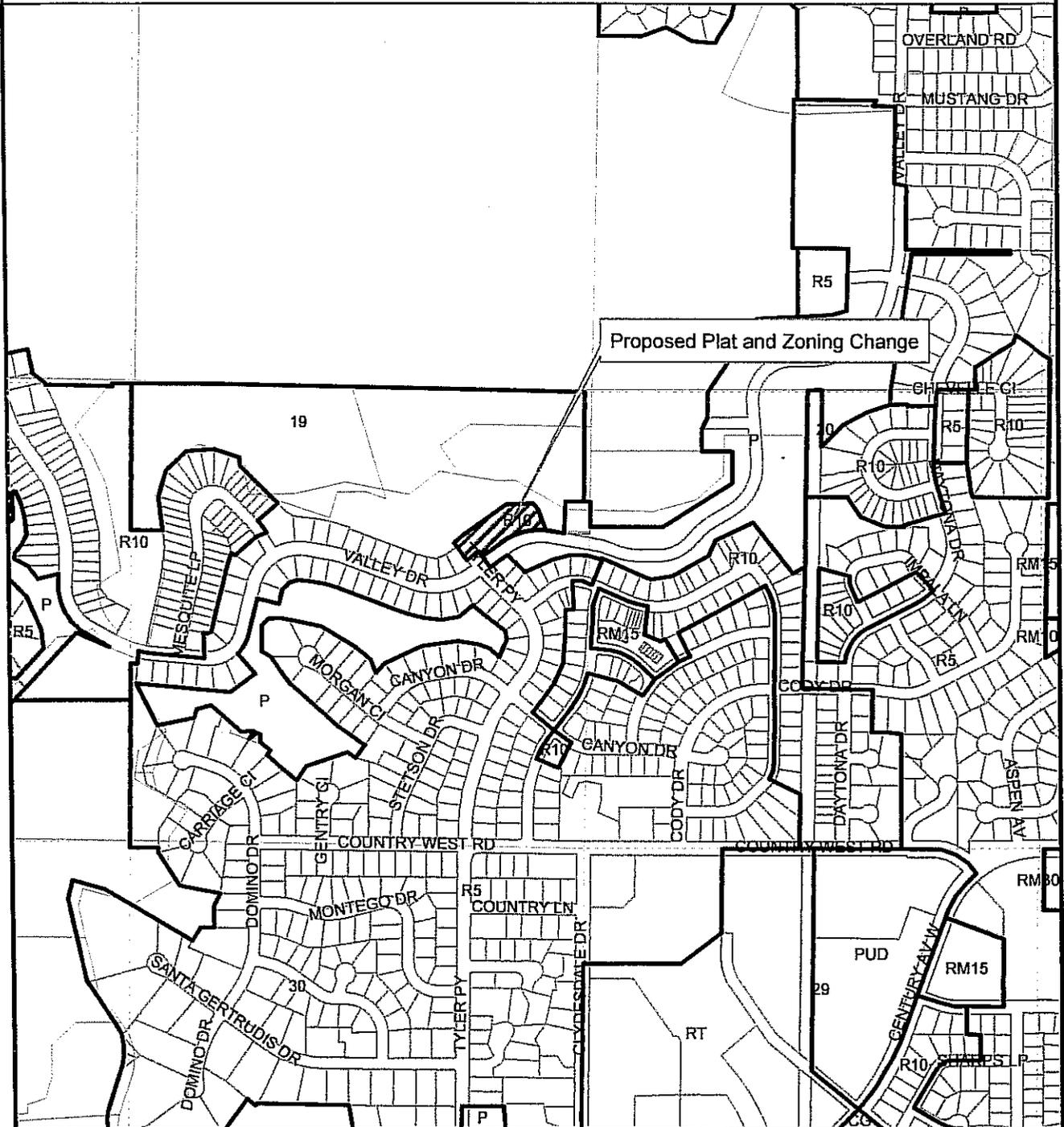
2. The proposed zoning change is compatible with adjacent land uses. There is single-family residential to the south and west, park property to the east and undeveloped land to the north.
3. The subdivision proposed for this property would be completely annexed prior to development and utilities are already in place in Valley Drive; 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 all adopted plans, policies and accepted planning practice.

**RECOMMENDATION:**

Based on the above findings, staff recommends approval of the zoning change for Country West XXX Addition from R5 – Residential to R10 – Residential, provided the final plat is revised to include the Tyler Parkway right-of-way and the undevelopable land east of the proposed alignment of Tyler Parkway prior to the request being forwarded to the Board of City Commissioners for final action.

If the applicant is unwilling to include this additional undevelopable property in the final plat, staff recommends denial of the zoning change because it is tied to the final plat.

# Proposed Plat and Zoning Change (R5 to R10) Country West XXX

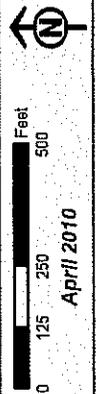
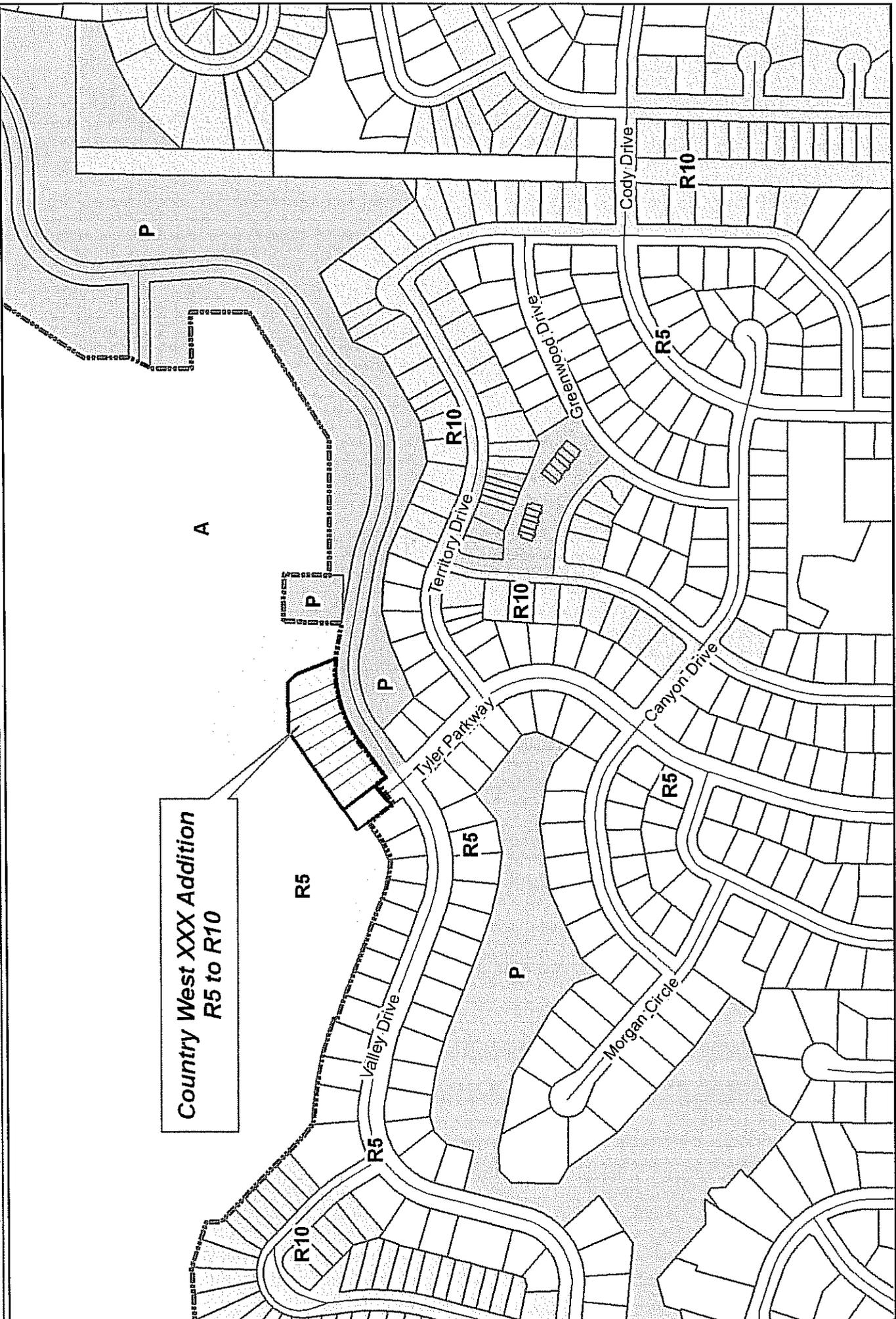


DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.  
Map was Updated/Created: May 25, 2010 (kalg)

Source: City of Bismarck

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# Country West XXX Addition - Zoning Change R5 to R10



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

<b>BACKGROUND:</b>		
<b>Title:</b> Country West XXX – Final Plat		
<b>Status:</b> Planning Commission – Public Hearing (continued)	<b>Date:</b> July 28, 2010	
<b>Owner:</b> C –Family Trust/Clairmont Development Co.	<b>Engineer:</b> Swenson Hagen & Company	
<b>Reason for Request:</b> Develop property for four twinhomes (eight dwelling units).		
<b>Location:</b> Along the north side of Valley Drive at the intersection with Tyler Parkway (part of the SE¼ of Section 19, T139N-R80W/Hay Creek Township).		
<b>Project Size:</b> 1.66 acres	<b>Number of Lots:</b> 8 lots in 1 block	
<b>EXISTING CONDITIONS:</b>		
<b>Land Use:</b> Vacant/Undeveloped	<b>PROPOSED CONDITIONS:</b>	
<b>Zoning:</b> R5 – Residential	<b>Land Use:</b> Two-family residential	
<b>Uses Allowed:</b> Single-family residential	<b>Zoning:</b> R10 – Residential	
<b>Maximum Density Allowed:</b> 5 units/acre	<b>Uses Allowed:</b> Single and two-family residential	
	<b>Maximum Density Allowed:</b> 10 units/acre	
<b>PROPERTY HISTORY:</b>		
<b>Zoned:</b> 07/98	<b>Platted:</b> N/A	<b>Annexed:</b> N/A
<b>ADDITIONAL INFORMATION:</b>		
<ol style="list-style-type: none"> <li>The public hearing on this request was continued at the June 23, 2010 meeting because a concern was raised regarding the extension of Tyler Parkway to the northern edge of the Clairmont property.</li> <li>Section 14-09-04(4)(f) of the City’s Regulations Governing the Subdivision of Land indicates that “all areas proposed for development shall be platted to the edge of the property with all undevelopable land included within the plat (subject to discussion and agreement by the landowner and the City). If this is the last phase of development for this tract, the remainder of the parcel would have to be platted in accordance with the City’s undevelopable land provisions (a copy of which is attached).</li> <li>Based on the topography, it appears that the remainder of the area east of the proposed alignment of Tyler Parkway is not developable and should be included in this plat, along with the right-of-way for Tyler Parkway. The land west of Tyler Parkway appears to have a small area that is still developable; therefore, platting of this area would not be required.</li> </ol>		
<b>FINDINGS:</b>		
<ol style="list-style-type: none"> <li>All technical requirements for approval of a final plat have been met.</li> <li>The proposed subdivision is consistent with the Fringe Area Road Master Plan, which identifies both Valley Drive and Tyler Parkway as collectors.</li> </ol>		
<i>(continued)</i>		

3. A waiver from the storm water management plan submittal requirements has been approved by the City Engineer.
4. The proposed subdivision is compatible with adjacent land uses. There is single-family residential to the south and west, park property to the east and undeveloped land to the north.
5. The proposed subdivision would be completely annexed prior to development and utilities are already in place in Valley Drive; therefore, the proposed subdivision would not place an undue burden on public services.
6. The proposed subdivision would not adversely affect property in the vicinity.
7. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance and subdivision regulations, provided additional property is included in the plat in accordance with the undevelopable land provisions of the subdivision regulations.
8. The proposed subdivision is consistent with the master plan, other adopted plans, policies and accepted planning practice.

**RECOMMENDATION:**

Based on the above findings, staff recommends approval of the final plat of Country West XXX, provided the final plat is revised to include the Tyler Parkway right-of-way and the undevelopable land east of the proposed alignment of Tyler Parkway prior to the request being forwarded to the Board of City Commissioners for final action.

If the applicant is unwilling to include this additional undevelopable property in the final plat, staff recommends denial of the final plat of Country West XXX because the plat as presented does not comply with the undevelopable land provisions of the subdivision regulations.

**CHAPTER 14-09 - REGULATIONS GOVERNING THE SUBDIVISION OF LAND**

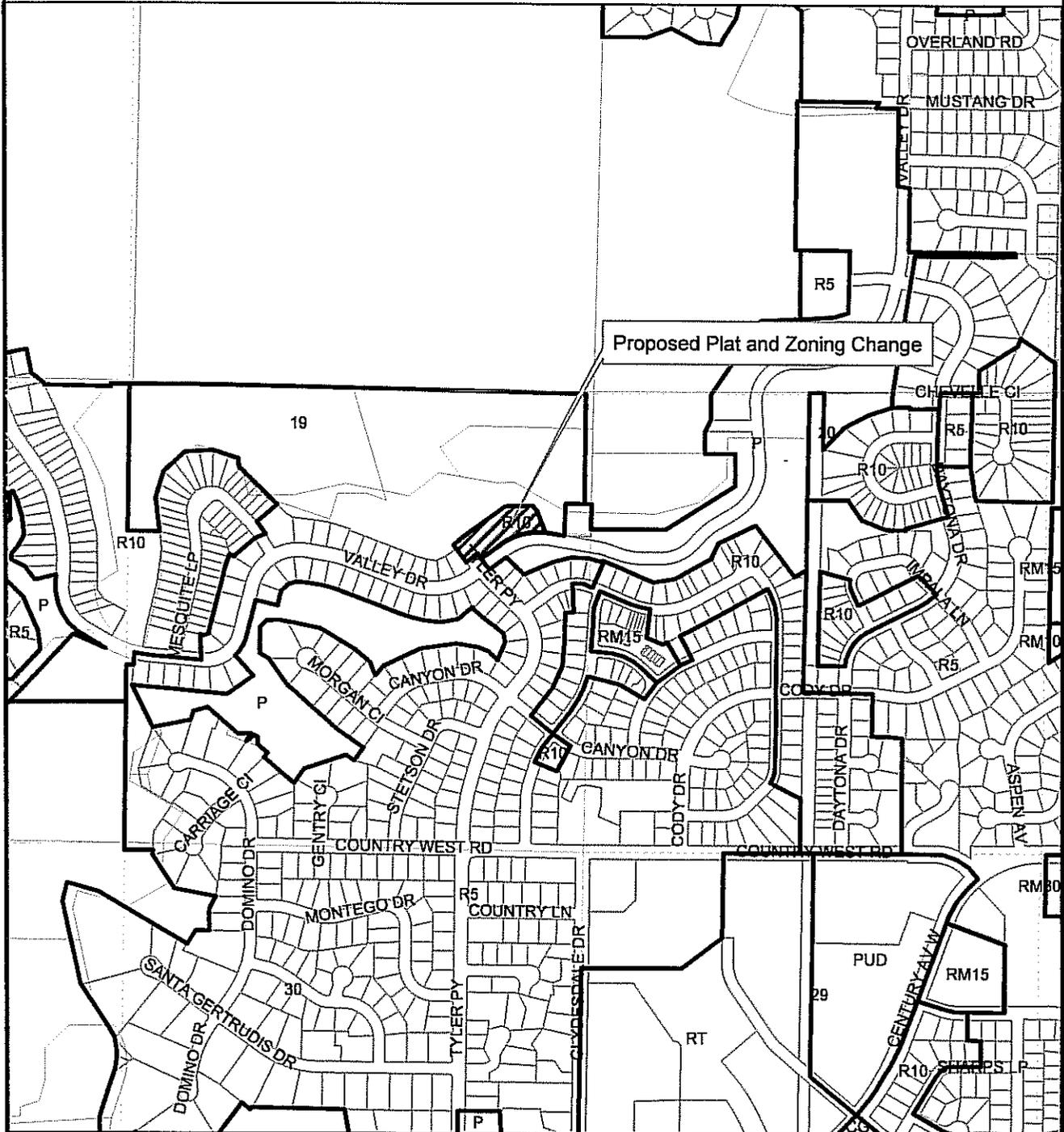
14-09-04. Procedure.

4. Tentative approval - Major Subdivision Plat:

- f. All areas proposed for development shall be platted to the edge of the property with all undevelopable land included within the plat (subject to discussion and agreement by the landowner and the City).
- i. Land determined by the owner and City to be undevelopable and/or needed for stormwater purposes shall be:
  - a. Included in adjoining platted lot(s) as a stormwater easement that is privately owned, with only major maintenance by City. The amount of property taxes and special assessments for these areas will be determined by the City based on the level of benefit and the value of the land; or
  - b. Platted as a separate lot(s) that is owned and maintained by the City, as a regional stormwater conveyance or detention facility; or
  - c. Platted as a separate lot(s) that is owned and maintained by the Bismarck Parks and Recreation District (subject to their agreement) as a natural area; or
  - d. Platted as a separate lot(s) that is owned and maintained by the Bismarck Parks and Recreation District, (subject to their agreement) and including a City-maintained stormwater easement; or
  - e. Any combination of the above options.

Undevelopable land will be maintained as a natural area unless a drainage easement is present and the easement requires major maintenance. Major maintenance shall include maintenance of existing structures, mowing below floodplain elevation, cleaning of sediment and maintenance of access.

# Proposed Plat and Zoning Change (R5 to R10) Country West XXX



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: May 25, 2010 (kdg)

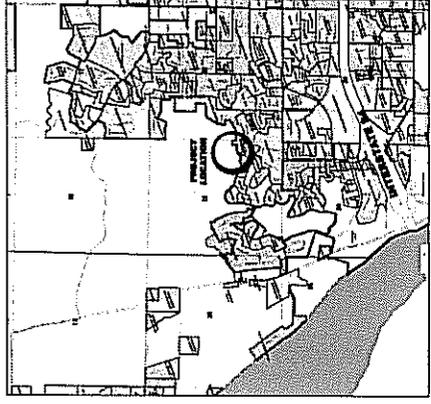
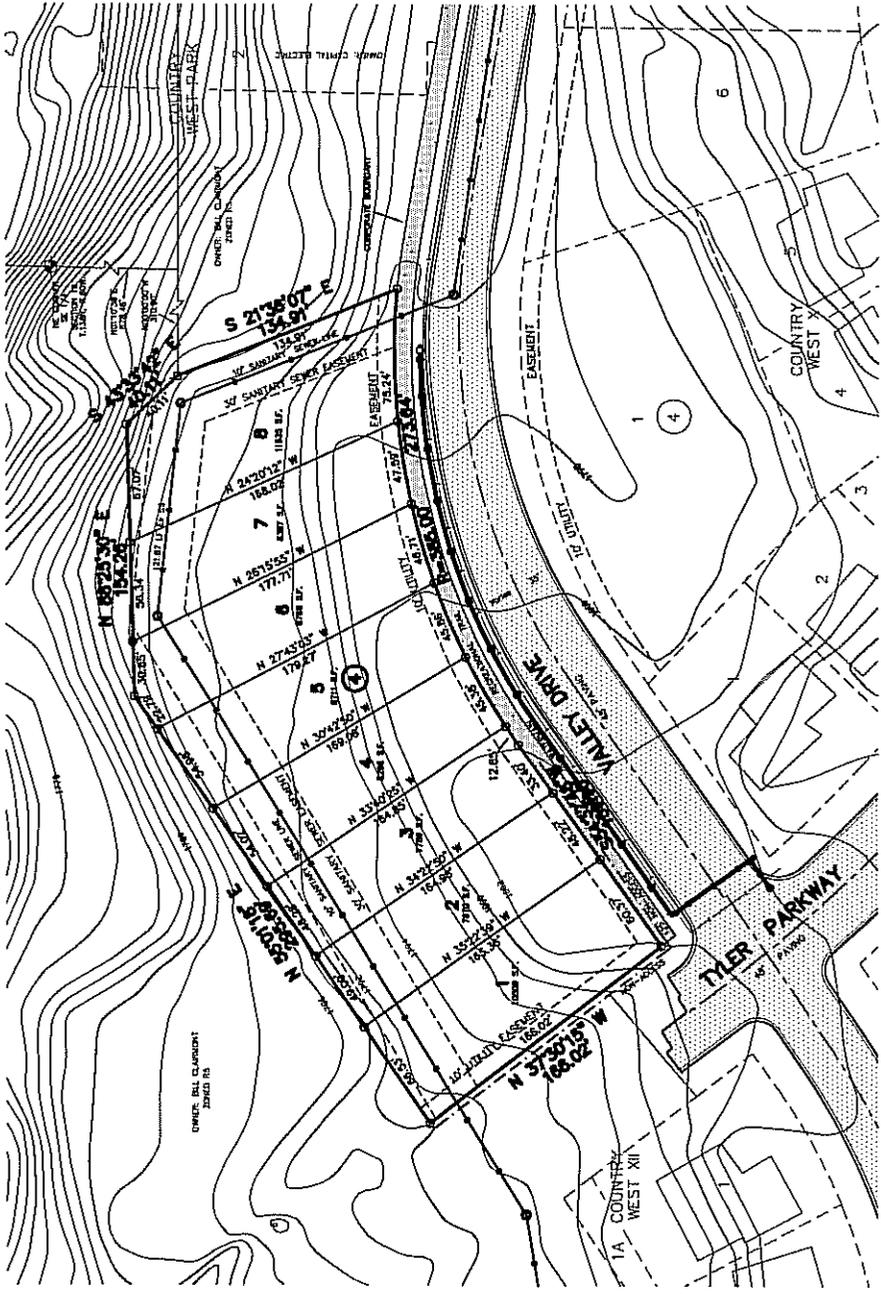
Source: City of Bismarck



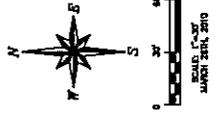
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**COUNTRY WEST XXX**  
 PART OF THE SOUTHEAST 1/4 SECTION 19  
 T. 139 N., R. 80 W.  
 BISMARCK, NORTH DAKOTA  
**BISMARCK, NORTH DAKOTA**



**LOCATION MAP**  
 CLARIONT DEVELOPMENT CO  
 P.O. BOX 1074  
 BISMARCK, ND 58502  
 235-0803  
 CURRENT ZONING: R3  
 PROPOSED ZONING: R10



**ACREAGE: 1.66 ACRES**  
**8 LOTS**

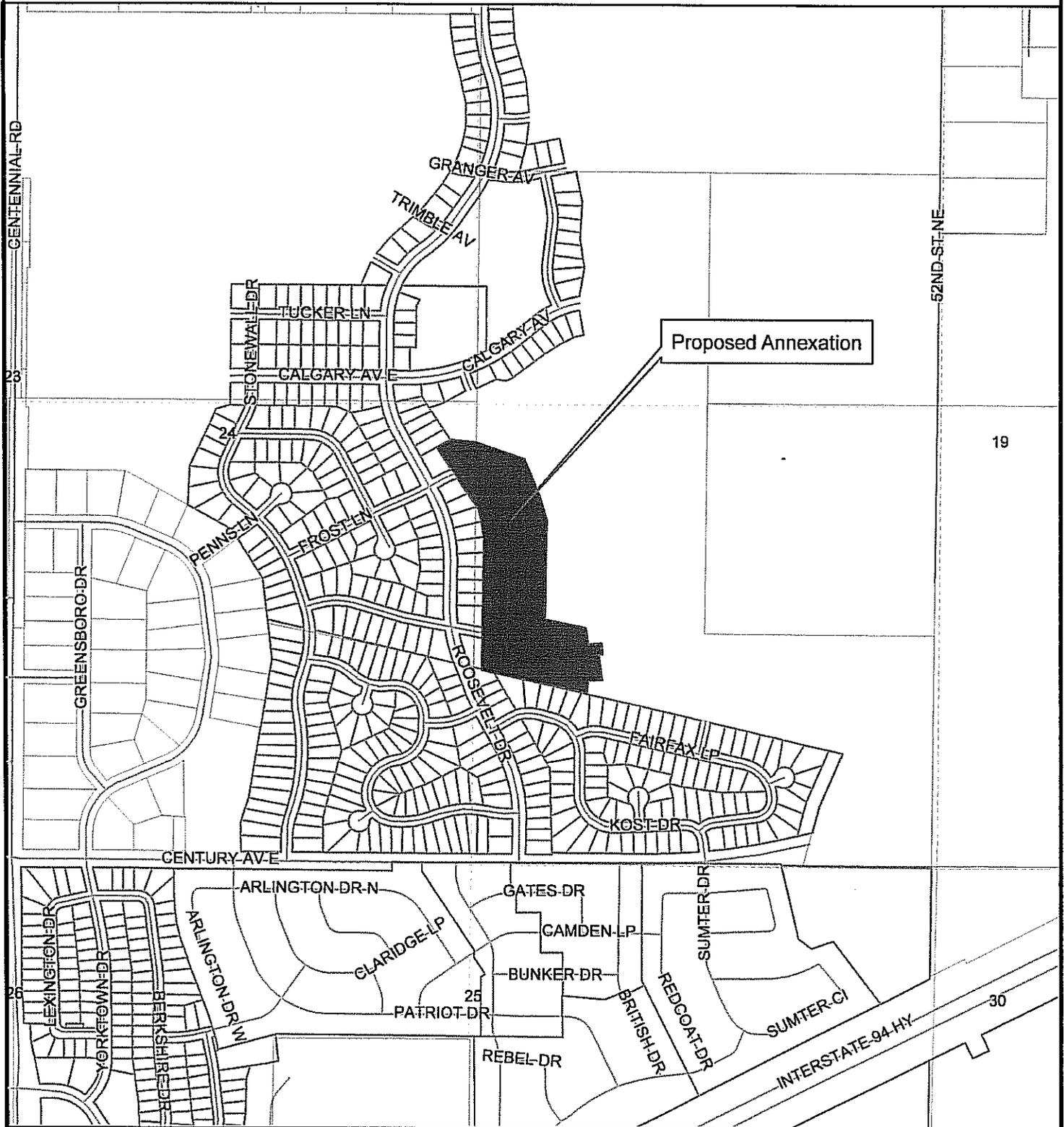
**NOTES:**  
 THESE LOTS ARE INTENDED FOR CONSTRUCTION OF FRAMEWORKS  
 ONLY FOR ACCREDITMENT. PART OF EACH OF A FRAME FRAME  
 THESE LOTS DO NOT QUALIFY INDIVIDUALLY FOR SINGLE FAMILY HOUSING



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

<b>BACKGROUND:</b>		
<b>Title:</b> Portions of Sattler's Sunrise Sixth and Eighth Additions – Annexation		
<b>Status:</b> Planning Commission – Final Consideration	<b>Date:</b> July 28, 2010	
<b>Owner(s):</b> Sattler Homes Inc. (Robb Sattler)	<b>Engineer:</b> Swenson Hagen & Co.	
<b>Reason for Request:</b> To match the annexation with plat revisions to correspond with utility improvements (see attached memo from Dave Patience)		
<b>Location:</b> On the north side of the eastern terminus of Century Avenue adjacent to and east of the existing Sattlers developments (Section 24, T139N-R80W/Hay Creek Township).		
<b>Project Size:</b> 14.01 acres	<b>Number of Lots:</b> 39 lots in 5 blocks	
<b>EXISTING CONDITIONS:</b>	<b>PROPOSED CONDITIONS:</b>	
<b>Land Use:</b> undeveloped	<b>Land Use:</b> residential & public	
<b>Zoning:</b> A-Agricultural	<b>Zoning:</b> R5-Residential and P-Public	
<b>Uses Allowed:</b> General agriculture and large lot residential	<b>Uses Allowed:</b> Single-family and public uses	
<b>Maximum Density Allowed:</b> One unit per 40-acres	<b>Maximum Density Allowed:</b> One unit per 7,000 square feet	
<b>PROPERTY HISTORY:</b>		
<b>Zoned:</b> approvals: Sattler's 6 <sup>th</sup> 7-22-08 Sattler's 8 <sup>th</sup> 3-10-09	<b>Platted:</b> approvals: Sattler's 6 <sup>th</sup> 7-22-08 Sattler's 8 <sup>th</sup> 3-24-09	<b>Annexed:</b> ---
<b>FINDINGS:</b>		
<ol style="list-style-type: none"> <li>1. Zoning changes and subdivision plats have been approved but neither plat has been recorded yet. The applicant has requested revisions to both final plats to correspond with this annexation.</li> <li>2. The City and other agencies would be able to provide necessary public services, facilities and programs to serve the development allowed by the annexation at the time the property is developed.</li> <li>3. The proposed annexation would not adversely affect property in the vicinity.</li> <li>4. The proposed annexation is consistent with the general intent and purpose of Title 14 of the City Code of Ordinances.</li> <li>5. The proposed annexation is consistent with the master plan, other adopted plans, policies and planning practice.</li> </ol>		
<b>RECOMMENDATION:</b>		
<p>Based on the above findings, staff recommends approval of the annexation of Lot 1 of Block 1, Lots 1 &amp; 2 of Block 2, Lots 1- 8 and Lot 18 of Block 7 of Sattler's Sunrise 6<sup>th</sup> Addition; and Lots 1-11 of Block 1 and Lots 1-16 of Block 2 of Sattler's Sunrise 8<sup>th</sup> Addition (to be known as - after approved plat revisions - Lots 1-9 of Block 1, Lots 1-18 of Block 2 and Lots 1-12 of Block 3 of Sattler's Sunrise 8<sup>th</sup> Addition).</p>		

# Proposed Annexation of portions of Sattler's Sunrise Sixth Addition and Sattler's Sunrise Eighth Addition



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.  
Map was Updated/Created: July 9, 2010 (kdg)

Source: City of Bismarck



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CITY OF BISMARCK  
BOARD OF COMMISSIONER

WE HAVE FOUND IT DESIRABLE TO REVISE THE FINAL PLAT OF SUNRISE SIXTH ADDITION AND SUNRISE EIGHTH ADDITION. THE PLAT OF SUNRISE SIXTH ADDITION IS NECESSARY FOR THE EXTENSION OF SANITARY SEWER SERVICE FOR THE SUNRISE SIXTH ADDITION, SEVENTH ADDITION AND EIGHTH ADDITIONS. THIS SANITARY SEWER WAS EXTENDED FROM THE EAST. THE DEVELOPER NEEDED TO ESTABLISH THE LOCATION OF THE HICCOCK DRIVE IN SURISE SIXTH ADDITION TO ACCOMODATE CONSTRUCTION OF THE SANITARY SEWER. THE NEED TO CONSTRUCT A STORM WATER FACILITY ALONG HITCHCOCK DRIVE HAS MADE IT DESIABLE TO PAVE HICCOCK DRIVE TO THE EAST EXTENT OF THE STORM WATER FACILITY. TO EXTEND THE PAVING ACROSS THIS FACILITY REQUIRES ANNEXATION OF PART OF THE ORIGINAL SIXTH ADDITION. IN LUE OF ANNEXING PART OF EACH PLAT WE REQUEST THAT THOSE AREAS NECESSARY FOR ANNEXATION BE INCLUDED ON THE PLAT OF THE EIGHTH ADDITION. WE ACKNOWLEDGE THAT EACH PLAT MUST SIGNED AND SUBMITTED TO THE CITY WITHIN 6 MONTHS OR AN EXTENSION GRANTED FOR THIS APPROVAL.

DAVID PATIENCE  
SWENSON HAGEN & CO.

# SATTLER'S SUNRISE SIXTH ADDITION

PART OF THE SOUTHEAST 1/4 AND AUDITOR'S LOTS 2, 3 & 4  
OF THE SOUTHEAST 1/4, SECTION 24 T. 139 N., R. 80 W.,  
BISMARCK, NORTH DAKOTA

**ANNEXATION OF CITY ENGINEER**  
I, \_\_\_\_\_, City Engineer of the City of Bismarck, North Dakota, do hereby certify that the annexation of the above described property to the City of Bismarck, North Dakota, is in accordance with the provisions of the Charter of the City of Bismarck, North Dakota, and the laws of the State of North Dakota, and that the same has been duly approved by the Board of Public Safety and the Board of Health of the City of Bismarck, North Dakota, and that the same has been duly recorded in the Office of the City Engineer of the City of Bismarck, North Dakota, and that the same is now a part of the City of Bismarck, North Dakota.

**ANNEXATION OF BOARD OF CITY COMMISSIONERS**  
We, the Board of City Commissioners of the City of Bismarck, North Dakota, do hereby certify that the annexation of the above described property to the City of Bismarck, North Dakota, is in accordance with the provisions of the Charter of the City of Bismarck, North Dakota, and the laws of the State of North Dakota, and that the same has been duly approved by the Board of Public Safety and the Board of Health of the City of Bismarck, North Dakota, and that the same has been duly recorded in the Office of the City Engineer of the City of Bismarck, North Dakota, and that the same is now a part of the City of Bismarck, North Dakota.

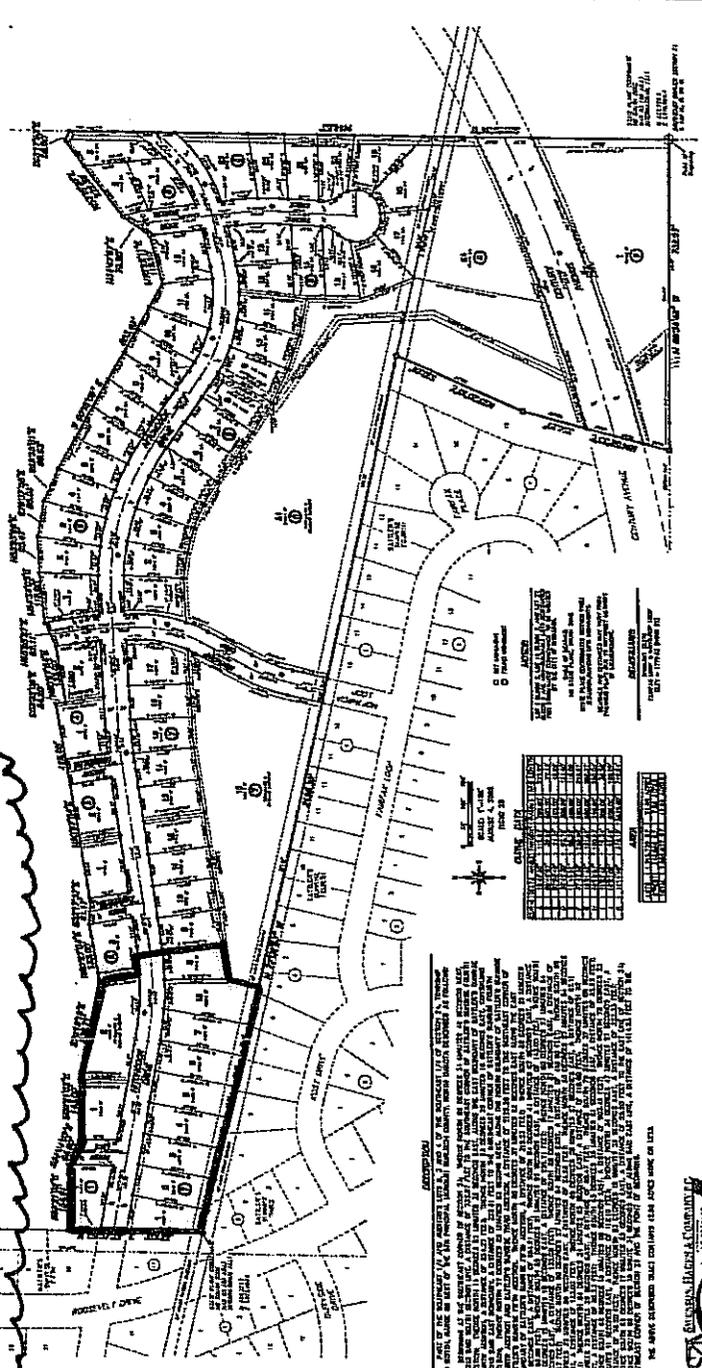
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**ANNEXATION  
LOT 1 BLOCK 1, LOT 1 & 2 BLOCK 2  
LOT 1 THROUGH 8 & LOT 18 WEST OF LOT 8**

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This plat is preliminary and not for construction. Recordation purposes or implementation unless stated and stamped.



WYNNE LEE YENGER - CHAIRMAN

CARL D. HORNSTAD - SECRETARY

APPROVAL OF BOARD OF CITY COMMISSIONERS

THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND AS SHOWN ON THE ANNEXED PLAT, HAS ACCEPTED THE DEDICATION OF ALL STREETS SHOWN THEREON, HAS APPROVED THE GROUNDS AS SHOWN ON THE ANNEXED PLAT AS AN ANNEXATION TO THE EXISTING PLAT OF THE CITY OF BISMARCK, NORTH DAKOTA, AND DOES HEREBY VACATE ANY PREVIOUS PLANNING WITHIN THE RESOLUTION ACTION OF THE BOARD OF CITY COMMISSIONERS OF BISMARCK, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED THE DAY OF 2008.

ATTEST  
W. C. WOCKER - CITY ADMINISTRATOR

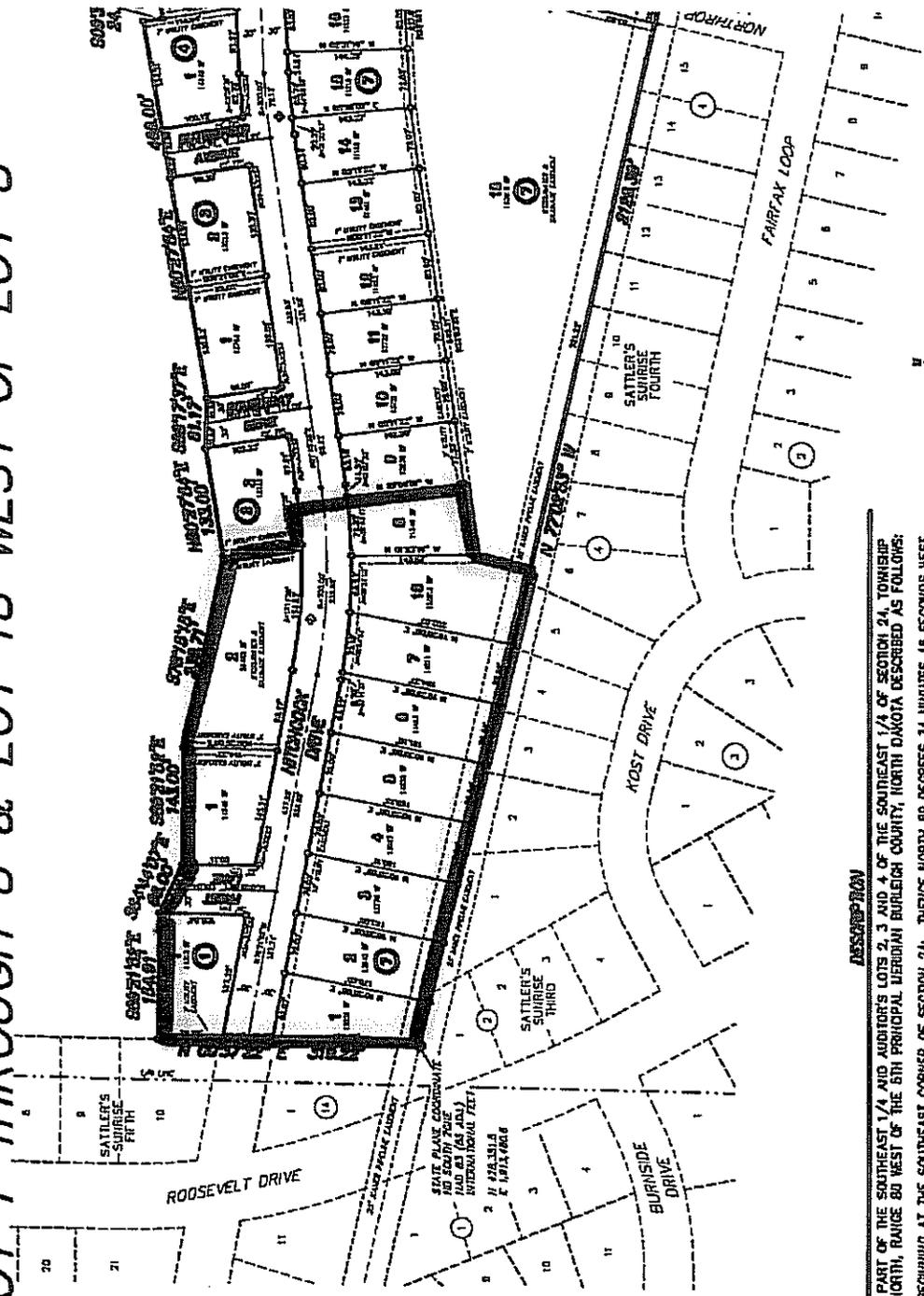
ANNEXATION  
LOT 1 BLOCK 1, LOT 1& 2 BLOCK 2  
LOT 1 THROUGH 8 & LOT 18 WEST OF LOT 8

STATE OF NORTH DAKOTA }  
COUNTY OF BURLEIGH } SS

SWEINSON, HAGEN &  
909 DASH AVE  
BISMARCK, NORTH D  
58501

ON THIS DAY OF 2008, BEF  
TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXE  
HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAID

SWEINSON, HAGEN &  
909 DASH AVE  
BISMARCK, NORTH D  
58501



ASSUMPTION

PART OF THE SOUTHEAST 1/4 AND ADDITION'S LOTS 2, 3 AND 4 OF THE SOUTHEAST 1/4 OF SECTION 24, TOWNSHIP 139 NORTH, RANGE 80 WEST OF THE 6TH PRINCIPAL MERIDIAN BURLEIGH COUNTY, NORTH DAKOTA DESCRIBED AS FOLLOWS:  
BEGINNING AT THE SOUTHWEST CORNER OF SECTION 24; THENCE NORTH 89 DEGREES 34 MINUTES 48 SECONDS WEST ALONG SAID SOUTH SECTION LINE A DISTANCE OF 232.07 FEET TO THE SOUTHWEST CORNER OF SATTLE'S SURVIVE FOURTH ADDITION; THENCE NORTH 14 DEGREES 52 MINUTES 35 SECONDS EAST ALONG THE EAST BOUNDARY OF SATTLE'S SURVIVE FOURTH ADDITION A DISTANCE OF 354.27 FEET; THENCE NORTH 23 DEGREES 29 MINUTES 10 SECONDS EAST CONTINUING ALONG SAID EAST BOUNDARY A DISTANCE OF 328.81 FEET TO THE NORTHEAST CORNER OF SATTLE'S SURVIVE FOURTH ADDITION; THENCE NORTH 77 DEGREES 02 MINUTES 53 SECONDS WEST, ALONG THE NORTH BOUNDARY OF SATTLE'S SURVIVE FOURTH ADDITION AND SATTLE'S SURVIVE THIRD ADDITION A DISTANCE OF 2129.39 FEET TO THE SOUTHWEST CORNER OF SATTLE'S SURVIVE FIFTH ADDITION; THENCE NORTH 80 DEGREES 37 MINUTES 22 SECONDS EAST ALONG THE EAST BOUNDARY OF SATTLE'S SURVIVE FIFTH ADDITION A DISTANCE OF 319.22 FEET; THENCE SOUTH 89 DEGREES 21 MINUTES 50 SECONDS EAST A DISTANCE OF 143.01 FEET; THENCE SOUTH 43 DEGREES 17 SECONDS EAST A DISTANCE

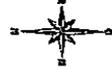
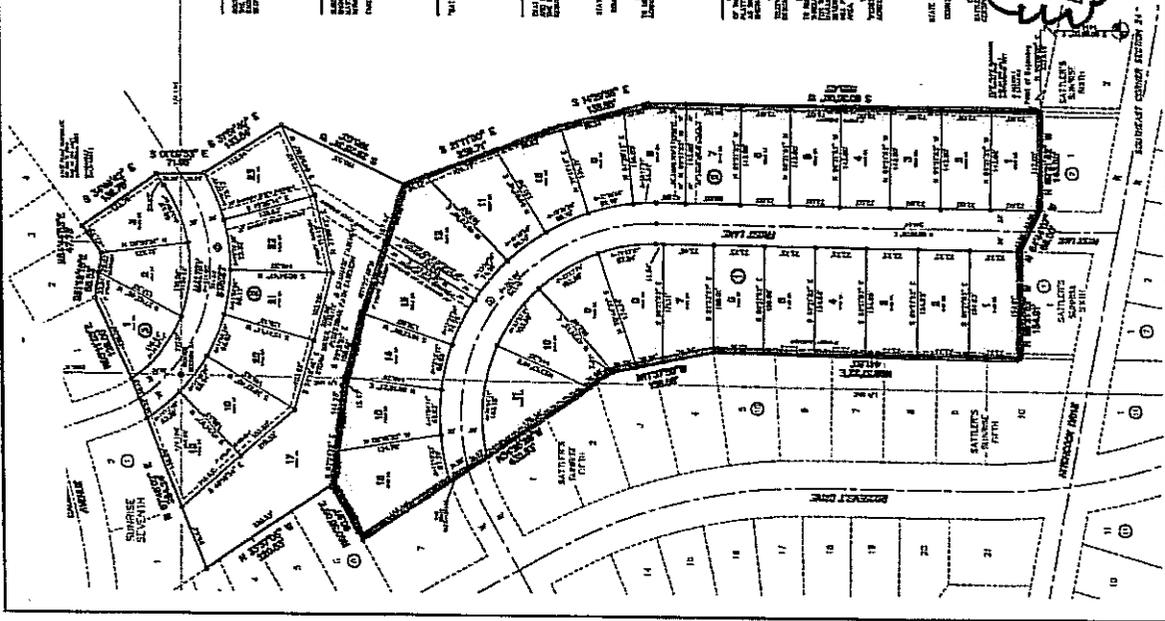


CURTIS DATA

# SATTLE'S SUNRISE EIGHTH ADDITION

PART OF THE NW 1/4 OF THE SEC 14, THE SW 1/4 OF THE NE 1/4, THE NE 1/4 OF THE SW 1/4,  
AND THE SE 1/4 OF THE NW 1/4, SECTION 24, TOWNSHIP 130 NORTH, RANGE 60 WEST  
BURLEIGH COUNTY, NORTH DAKOTA

## BISMARCK, NORTH DAKOTA



SCALE  
1" = 40' 0"

DATE  
MAY 14, 1907

BY  
J. H. SATTLE

**APPROVAL OF CITY ENGINEER**  
I, J. H. SATTLE, City Engineer of the City of Bismarck, North Dakota, do hereby certify that the above plat is a true and correct copy of the original as filed in my office, and that the same complies with the provisions of the laws of the State of North Dakota in that behalf made.

**APPROVAL OF CITY CLERK**  
I, J. H. SATTLE, City Clerk of the City of Bismarck, North Dakota, do hereby certify that the above plat is a true and correct copy of the original as filed in my office, and that the same complies with the provisions of the laws of the State of North Dakota in that behalf made.

**APPROVAL OF CITY ATTORNEY**  
I, J. H. SATTLE, City Attorney of the City of Bismarck, North Dakota, do hereby certify that the above plat is a true and correct copy of the original as filed in my office, and that the same complies with the provisions of the laws of the State of North Dakota in that behalf made.

**APPROVAL OF COUNTY ENGINEER**  
I, J. H. SATTLE, County Engineer of Burleigh County, North Dakota, do hereby certify that the above plat is a true and correct copy of the original as filed in my office, and that the same complies with the provisions of the laws of the State of North Dakota in that behalf made.

**APPROVAL OF COUNTY CLERK**  
I, J. H. SATTLE, County Clerk of Burleigh County, North Dakota, do hereby certify that the above plat is a true and correct copy of the original as filed in my office, and that the same complies with the provisions of the laws of the State of North Dakota in that behalf made.

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I, J. H. SATTLE, County Attorney of Burleigh County, North Dakota, do hereby certify that the above plat is a true and correct copy of the original as filed in my office, and that the same complies with the provisions of the laws of the State of North Dakota in that behalf made.

**APPROVAL OF STATE ENGINEER**  
I, J. H. SATTLE, State Engineer of North Dakota, do hereby certify that the above plat is a true and correct copy of the original as filed in my office, and that the same complies with the provisions of the laws of the State of North Dakota in that behalf made.

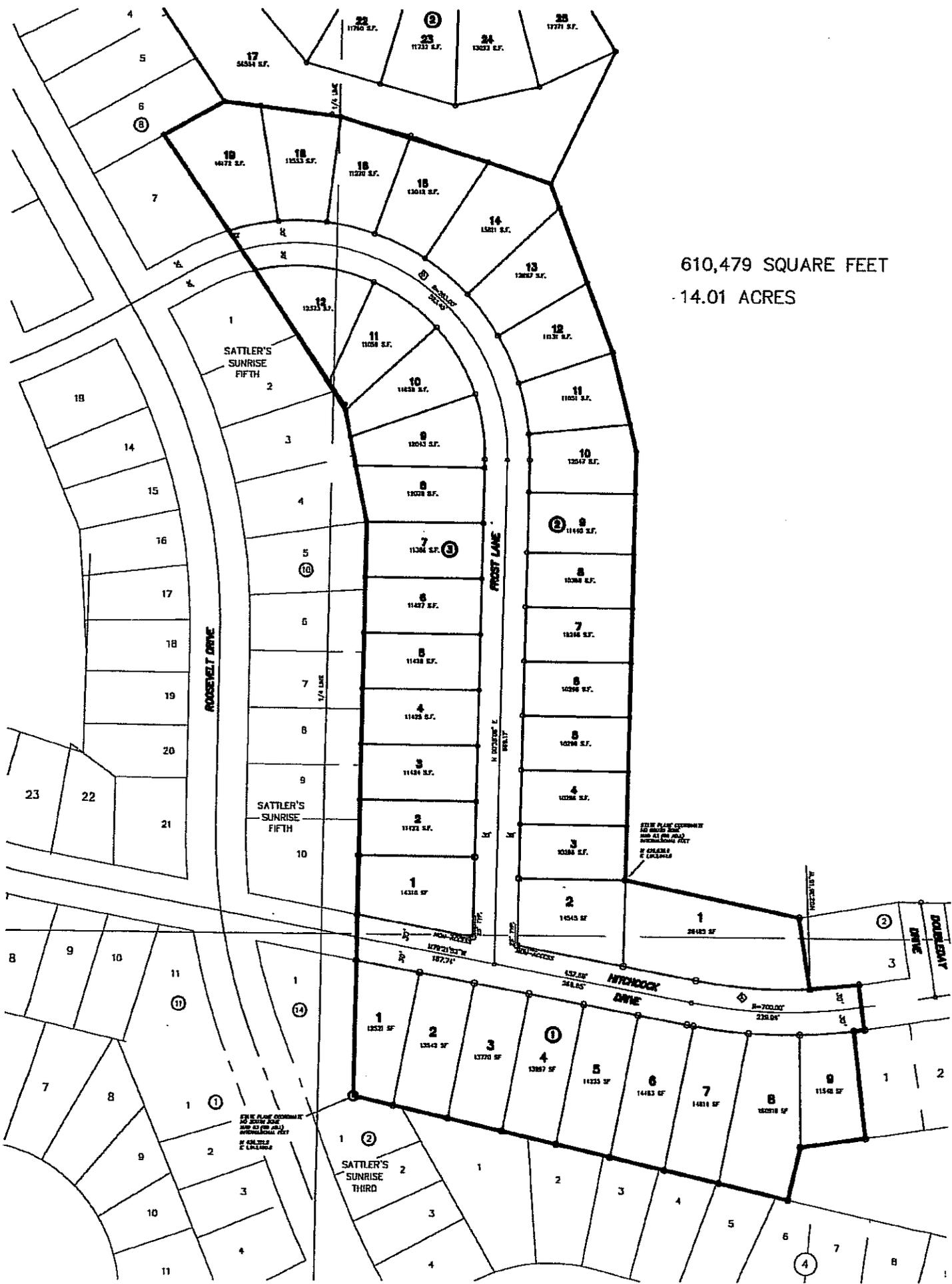
**APPROVAL OF STATE CLERK**  
I, J. H. SATTLE, State Clerk of North Dakota, do hereby certify that the above plat is a true and correct copy of the original as filed in my office, and that the same complies with the provisions of the laws of the State of North Dakota in that behalf made.

**ANNEXATION**  
LOT 1 THROUGH 11 BLOCK 1, LOTS 1 THROUGH 16 BLOCK 2



Document is preliminary and not for construction, recording purposes or implementation unless signed and stamped



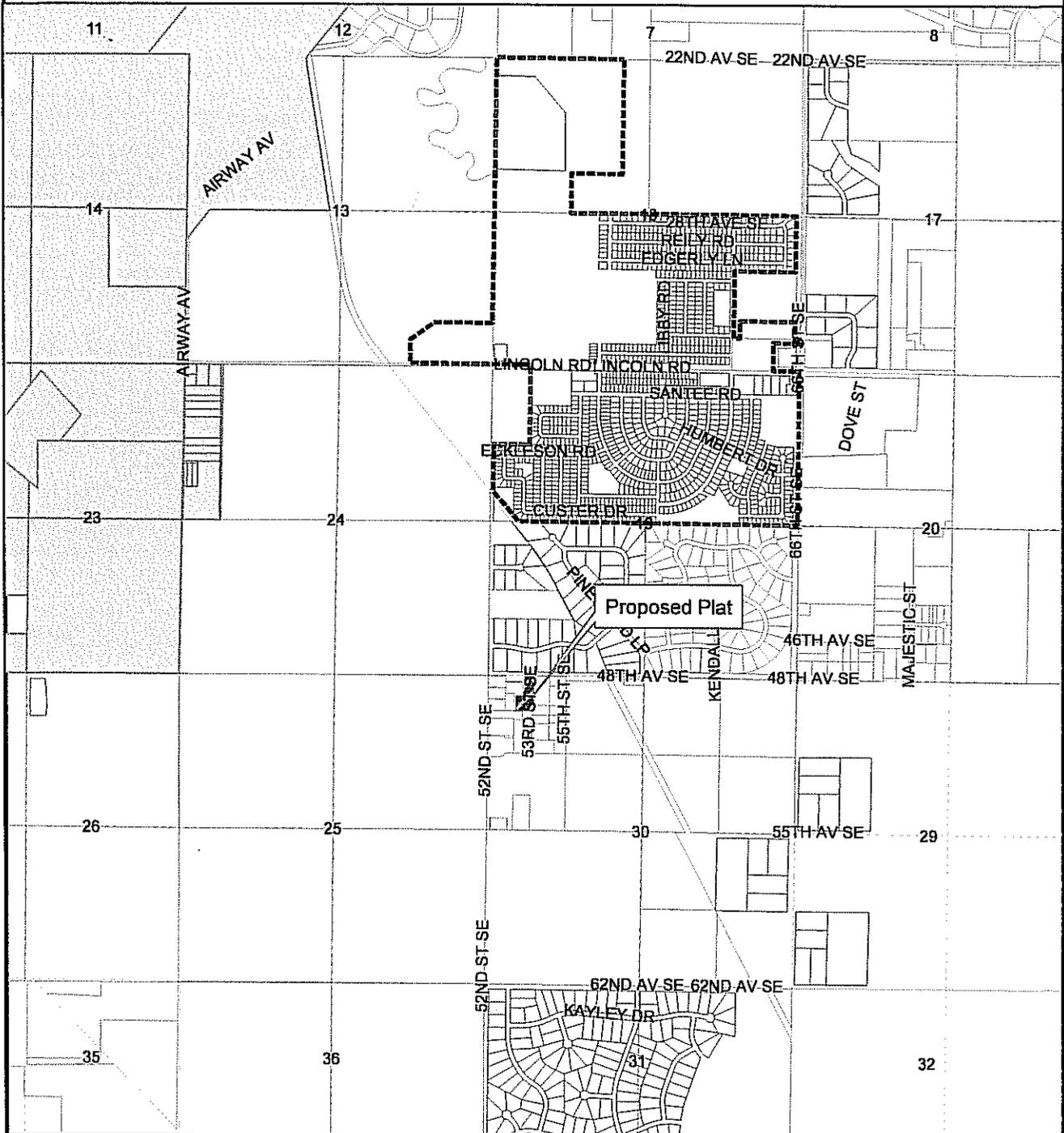


610,479 SQUARE FEET  
 14.01 ACRES

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

<b>BACKGROUND:</b>		
<b>Title:</b> Schmitt Subdivision – Final Plat		
<b>Status:</b> Planning Commission – Public Hearing	<b>Date:</b> July 28, 2010	
<b>Owner(s):</b> Gerald Schmitt & Marie Halvorson	<b>Engineer:</b> Swenson, Hagen & Company	
<b>Reason for Request:</b> The owners wish to plat this undeveloped parcel to build a single family house.		
<b>Location:</b> South of Lincoln in Swansonville, 1/8 mile east of 52 <sup>nd</sup> Street S.E. on the south side of 48 <sup>th</sup> Avenue S.E. (NW ¼ of Section 30, T138N-R79W Apple Creek Township)		
<b>Project Size:</b> 2.9 acres	<b>Number of Lots:</b> 1 lot in 1 block	
<b>EXISTING CONDITIONS:</b>		
<b>Land Use:</b> vacant, undeveloped	<b>PROPOSED CONDITIONS:</b>	
<b>Zoning:</b> RR- Rural Residential	<b>Land Use:</b> Single-family dwelling	
<b>Uses Allowed:</b> large-lot single family residential	<b>Zoning:</b> RR- Rural Residential	
<b>Maximum Density Allowed:</b> 1 unit per 65,000 sq. ft.	<b>Uses Allowed:</b> large-lot single family residential	
	<b>Maximum Density Allowed:</b> 1 unit per 65,000 sq. ft.	
<b>PROPERTY HISTORY:</b>		
<b>Zoned:</b> ---	<b>Platted:</b> ---	<b>Annexed:</b> ---
<b>ADDITIONAL INFORMATION:</b>		
<ol style="list-style-type: none"> <li>1. This parcel is currently zoned RR-Residential which matches the proposed use. A zoning change is not needed.</li> <li>2. The proposed subdivision complies with the Fringe Area Road Master Plan, adequate right-of-way will be dedicated for 48<sup>th</sup> Avenue, a future arterial roadway.</li> <li>3. Because this property is within 2-miles of the corporate boundary, a plat note indicates the terms for possible future city water supplying this property.</li> <li>4. Access to the property is provided by a shared, unimproved private driveway which is maintained by the users.</li> <li>5. The applicant is requesting a waiver of the minimum lot width of 150-feet. This lot is 148.5-feet wide.</li> <li>6. The proposed subdivision is compatible with adjacent land uses and would not adversely affect property in the vicinity. Surrounding land use includes similar large-lot, mostly unplatted, RR-Residential properties.</li> <li>7. The Storm Water Management Plan has been approved by the City Engineer.</li> <li>8. No response was received from Apple Creek Township.</li> <li>9. The proposed plat is not completely consistent with all adopted plans, policies and accepted planning practices because it is not served by a publicly maintained, all-weather access road built to minimum standard specifications. Emergency services could encounter more than normal difficulties when providing assistance in extreme weather situations.</li> </ol>		
<b>RECOMMENDATION:</b>		
Based on the above findings, staff recommends approval of the final plat of Schmitt Subdivision with approval of the waiver which would allow a 148.5' frontage on 48 <sup>th</sup> Avenue SE.		

# Proposed Plat Schmitt Subdivision



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.  
Map was Updated/Created: May 26, 2010 (kkg)

Source: City of Bismarck



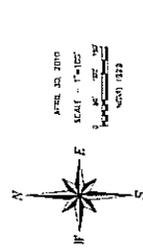
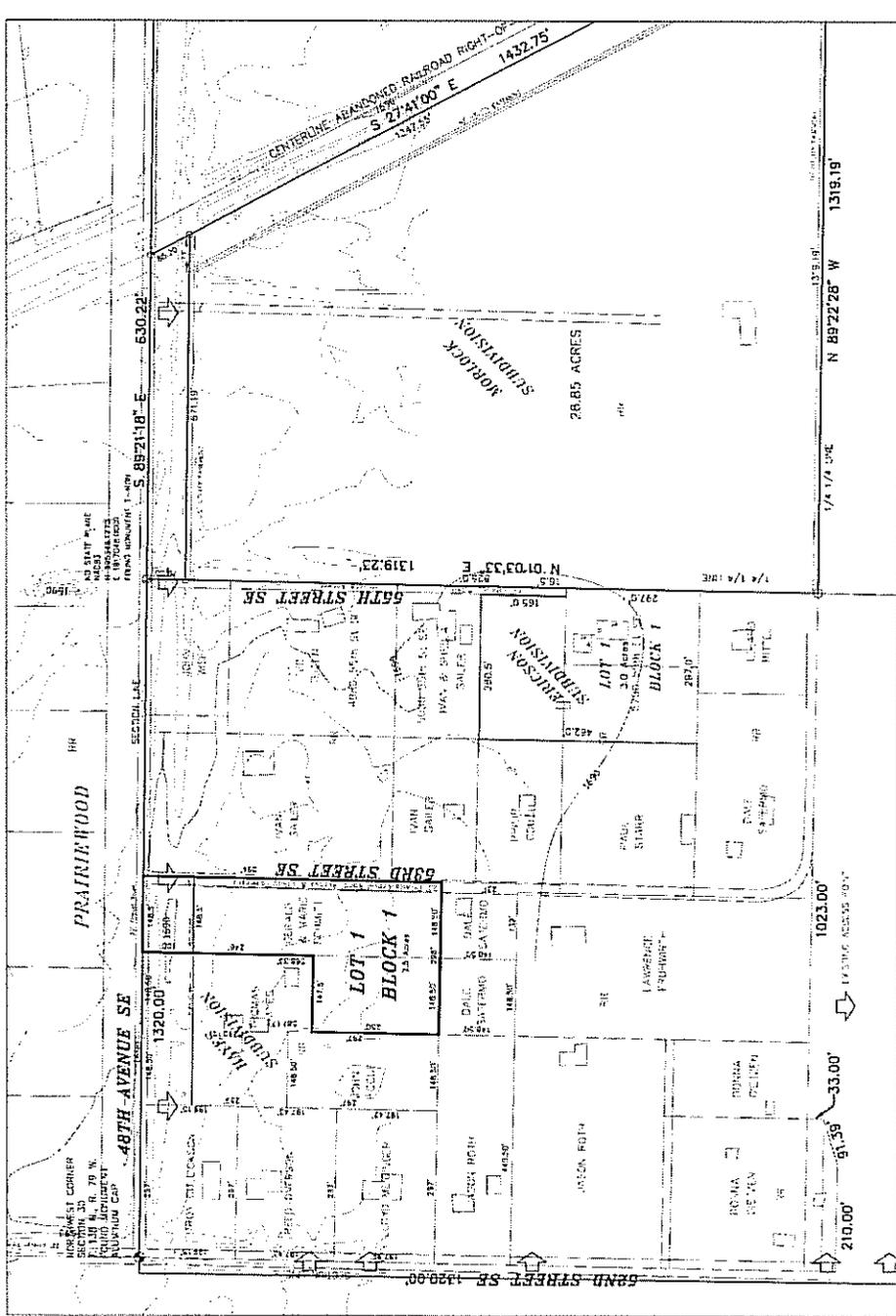
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RECEIVED

JUN 17 2010

PRELIMINARY PLAT  
**SCHMITT SUBDIVISION**  
 PART OF GOVERNMENT LOT 1 & THE  
 SOUTH 250' LOT 1 BLOCK THAYES SUBDIVISION  
 SECTION 30, T. 138 N., R. 79 W.  
**BURLEIGH COUNTY, NORTH DAKOTA**



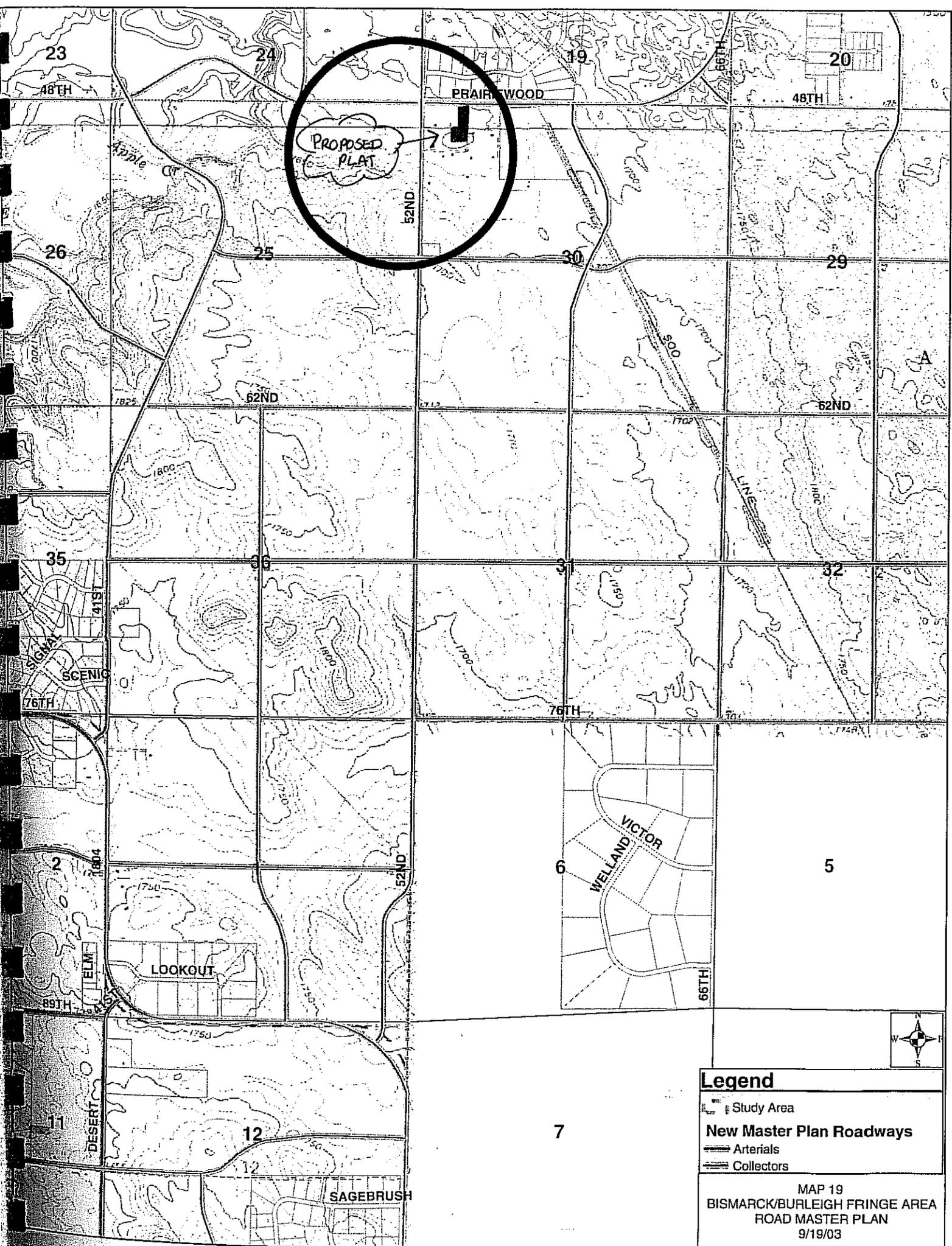
**GERALD & MARIE SCHMITT**  
 4430 PRESTON LOOP  
 BISMARCK, ND 58504  
 220-2501

**EXISTING ZONING GOVT LOT 1-RR**  
**TOTAL ACREAGE - 2.86 ACRES**  
**TOTAL LOTS - 1**

Not Within The Urban Service Area

NOTE: WATER SERVICE AGREEMENT BETWEEN THE CITY OF BISMARCK AND THE STATE OF NORTH DAKOTA IS IN EFFECT. THE PROVISIONS OF THIS AGREEMENT ARE APPLICABLE TO ALL LANDS WITHIN THE CITY OF BISMARCK. THE CITY OF BISMARCK IS NOT PROVIDING WATER SERVICE TO THIS PROPERTY. WATER SERVICE IS AVAILABLE TO DISSENTANCE WHICH SERVICE IS AVAILABLE.





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 COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

<b>BACKGROUND:</b>	
<b>Title:</b> Northridge Estates Commercial Park – Minor Subdivision Final Plat (a replat of Lot 1, Block 1, Northridge Estates Second Subdivision)	
<b>Status:</b> Planning Commission – Public Hearing	<b>Date:</b> July 28, 2010
<b>Owner(s):</b> Hogue & Steinle Land, Inc.	<b>Engineer:</b> Swenson, Hagen & Co.
<b>Reason for Request:</b> Replat property to create four commercial lots with access via a private access easement.	
<b>Location:</b> Along the north side of ND Highway 1804 east of the intersection with North Washington Street.	
<b>Project Size:</b> 12.12 acres	<b>Number of Lots:</b> 4 lots in 1 block
<b>EXISTING CONDITIONS:</b>	<b>PROPOSED CONDITIONS:</b>
<b>Land Use:</b> Undeveloped	<b>Land Use:</b> Commercial development
<b>Zoning:</b> CA – Commercial	<b>Zoning:</b> CA – Commercial
<b>Uses Allowed:</b> Limited commercial	<b>Uses Allowed:</b> Limited commercial
<b>Maximum Density Allowed:</b> N/A	<b>Maximum Density Allowed:</b> N/A
<b>PROPERTY HISTORY:</b>	
<b>Zoned:</b> 04/03	<b>Platted:</b> 04/03
<b>ADDITIONAL INFORMATION</b>	
<ol style="list-style-type: none"> <li>1. This minor subdivision plat was previously submitted and considered in 2004 as Northridge Estates Second Subdivision Replat. At the July 28, 2004 meeting, the Planning &amp; Zoning Commission recommended approval of the plat with provisions for the construction of a right turn lane along ND Highway 1804 for west bound traffic at the intersection with North Washington Street and a right turn lane along North Washington Street for north bound traffic at the intersection with the proposed access point prior to a building permit being issued for any of the lots. The minor plat was subsequently denied by the Board of City Commissioners.</li> <li>2. When the CA – Commercial zoning for Lot 1, Block 1, Northridge Estates 2<sup>nd</sup> Subdivision was approved in 2003, it was done with the understanding that the zoning was being requested so this area could be reserved for commercial development before adjacent residential lots were developed. At that time, the applicant indicated that this parcel would not be developed until the area was more fully developed. The zoning was also approved with the understanding that it would be occupied by one commercial land use, not four separate uses.</li> <li>3. Policy 4(c) of the City’s Growth Management Plan states, “Direct commercial and industrial land uses to locations where adequate services are available, including access to major roadways and municipal utilities, rather than to areas outside of the corporate limits because of concerns with adequate fire protection, the use of septic systems, and the desire to direct such uses to the urban core.”</li> </ol>	
<i>(continued)</i>	

4. The property is located within the Urban Service Area Boundary, which did not exist when the underlying plat was approved.
5. If this minor subdivision final plat is approved, the North Dakota Department of Transportation has indicated that a right turn lane, constructed to NDDOT standards, will be required along ND Highway 1804 for west bound traffic at the intersection with North Washington Street. They have also indicated that the existing approach on ND Highway 1804 located approximately 600± feet east of North Washington Street will need to be removed.
6. Hay Creek Township has recommended approval of the plat, with conditions (see attached). The conditions relate to the need for a right turn lane on North Washington Street at the intersection with the private access road, a request that the buffer yard be planted as soon as possible, a request that the County Engineer determine if there is proper line of sight for south bound traffic on North Washington Street at the intersection with the private access road, and the need to pave the private access road to prevent mud from being carried out onto North Washington Street.
7. The proposed minor subdivision final plat eliminates the access point on ND Highway 1804 (which complies with the underlying plat approved in 2003 and NDDOT's request) and includes a 20-foot landscape buffer on the new lots adjacent to the RR parcels to the north and east.

#### **FINDINGS:**

1. All technical requirements for approval of a minor subdivision final plat have been met.
2. The storm water management plan has been approved by the City Engineer.
3. The proposed minor subdivision does not require the dedication of public rights-of-way or the construction of new streets; does not create any public improvements; does not land-lock or otherwise impair convenient ingress and egress to or from the rear or side of the subject tract or any adjacent property; does not violate any local, state or federally adopted law, ordinance, regulation, plan or policy; and is part of a previously platted subdivision.
4. The proposed minor subdivision may not be completely compatible with adjacent land uses. Adjacent land uses include rural residential to the north and east, an elk ranch to the south, and agricultural land to the west. Although a 20-foot landscaped buffer yard has been included between the commercial uses and the adjacent residential uses, having four commercial uses on this property versus one commercial use will have a significant impact on the adjacent rural residential parcels.
5. The proposed minor subdivision may place an undue burden on public services. In particular, the creation of four commercial parcels will require the construction of a right turn lane along ND Highway 1804 at the intersection with North Washington Street and along North Washington Street at the intersection with the proposed access point.
6. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance and subdivision regulations.
7. The proposed minor subdivision is not completely consistent with the master plan, other adopted plans, policies and accepted planning practice.

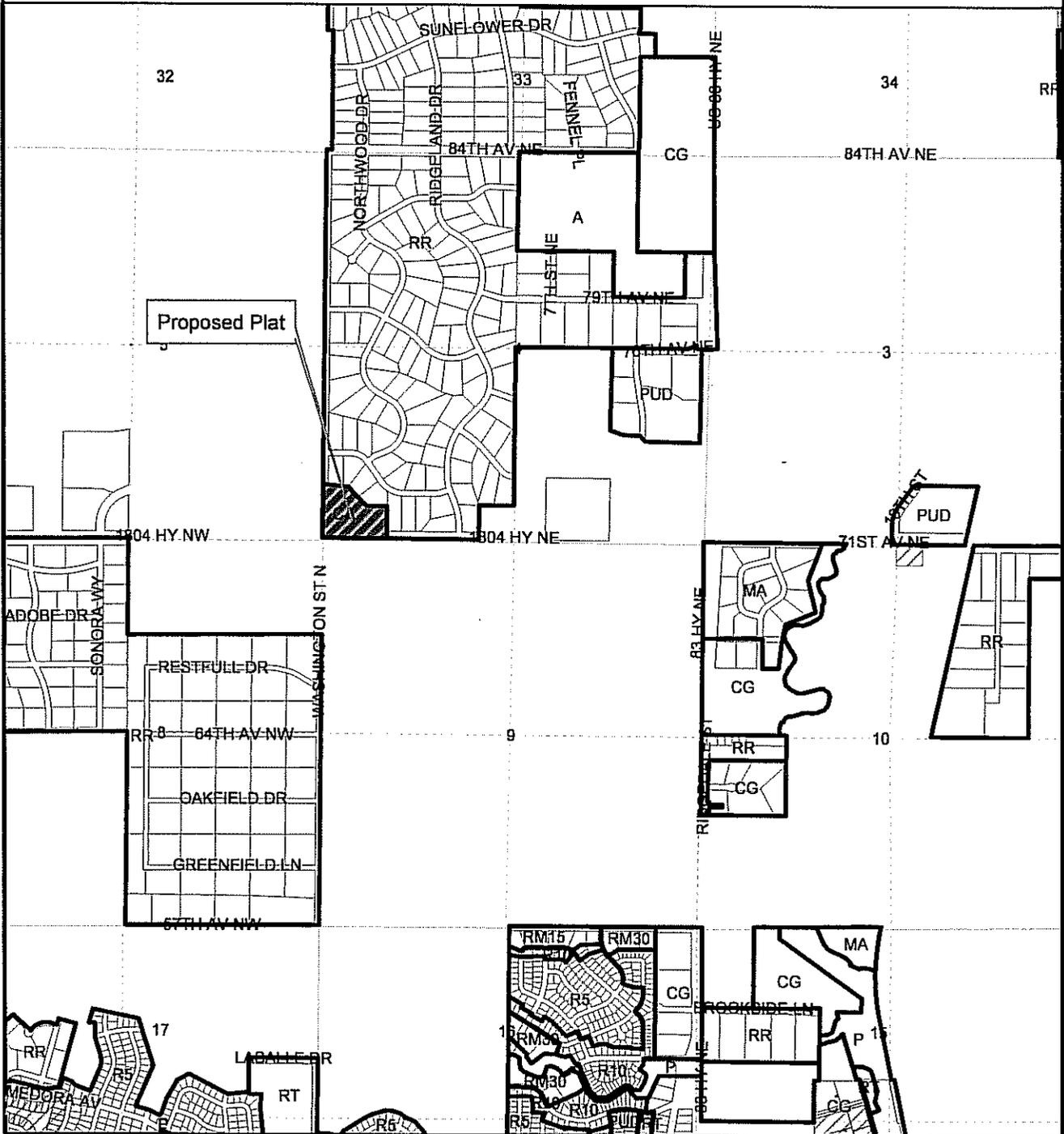
**RECOMMENDATION:**

Although staff has concerns with the intensity of development at this intersection and believes that commercial development in this location at this time is premature, the plat does meet all of the technical requirements for approval of a minor subdivision final plat.

Based on the above findings, staff recommends approval of minor subdivision final plat of Northridge Estates Commercial Park (a replat of Lot 1, Block 1, Northridge Estates 2<sup>nd</sup> Subdivision), with the following provisions:

- 1) A westbound right turn lane along ND Highway 1804 at the intersection with North Washington Street must be constructed by the applicant in accordance with NDDOT requirements prior to the plat being recorded;
- 2) A northbound right turn lane along North Washington Street at the intersection with the proposed private access must be constructed by the applicant in accordance with Burleigh County and Hay Creek Township requirements prior to the plat being recorded;
- 3) The private access road must be paved as needed to provide dust-free access to any site being developed. The paving of the private access road may be phased if the properties develop from west to east, but must be constructed in its entirety prior to the development of Lots 3 or 4;
- 4) The entire buffer yard must be planted by June 15, 2011 or in conjunction with the development of the first site, whichever comes first. The landscape plan for the buffer yard must meet the requirements of Section 14-03-11 of the City Code of Ordinances and must be approved by City staff prior to installation; and
- 5) The County Engineer, on behalf of Hay Creek Township, review the line of sight for southbound traffic on North Washington Street at the intersection with the proposed private access road and determine if there is a proper line of sight prior to the request being forwarded to the Board of City Commissioners for final action.

# Proposed Plat Northridge Estates Commercial Park



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.  
Map was Updated/Created: June 29, 2010 (kdg)

Source: City of Blismarck



1:50000



RECEIVED  
JUL 27 2010

RESOLUTION

WE, THE BOARD OF TOWNSHIP SUPERVISORS OF HAY CREEK TOWNSHIP,  
BURLEIGH COUNTY, NORTH DAKOTA, HAVE BEEN ADVISED OF THE  
PROPOSED PLAT OF NORTHRIDGE ESTATES COMMERCIAL PARK 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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*See attached ~~conditions~~ conditions.*

*[Signature]*  
\_\_\_\_\_  
CHAIRMAN, TOWNSHIP BOARD

*July 6, 2010*

*[Signature]*  
\_\_\_\_\_  
ATTEST, TOWNSHIP CLERK

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

## HAYCREEK TOWNSHIP COMMENTS TO ATTACHED REOLUTION

1. We concur with the right hand turning lane on North Washington Street. This needs to be completed in accordance with County specifications. Costs borne by the developer.
2. Request that trees be planted as soon as possible for the buffer zone.
3. Request that the County Engineers Office determine if there is proper line of site for south bound traffic on North Washington Street at the point of entry to the commercial site.
4. The interior road design is to meet the surfacing requirements for the access road. This will prevent mud from being carried out onto North Washington Street during construction in the development. Interior road will be a private road.

**CITY PLANNING & ZONING COMMISSION  
MEETING MINUTES  
June 23, 2010**

The Bismarck Planning & Zoning Commission met on June 23, 2010, at 5:00 p.m. in the Tom Baker Meeting Room in the City-County Office Building, 221 North 5<sup>th</sup> Street. Chairman Yeager presided.

Commissioners present were Mark Armstrong, Mel Bullinger, Jack Hegedus, Curt Juhala, Vernon Laning, Ken Selzler, Lisa Waldoch and Wayne Yeager.

Commissioners Jo Conmy 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, Charlie Whitman – City Attorney and Ray Ziegler – Building Official.

Others present were Frank & Patricia Kartch – 8233 Arcata Drive, Christopher Hambrick – 8200 Arcata Drive, Paul Zent – 5100 93<sup>rd</sup> Street SE, Jake Axtman – 2120 South 12<sup>th</sup> Street, Wade Felton – 503 Greenfield Lane, Anne Bry – 436 Saturn Drive, Michelle Gust – 2413 LaCorte Loop, Jeanette Johnson – 5121 Sumter Circle, Michael Gunsch – 3712 Lockport Street and Gailen Narum – 2422 LaCorte Loop.

**MINUTES**

Chairman Yeager called for consideration of the minutes of the May 26, 2010 meeting.

**MOTION:** Commissioner Armstrong made a motion to approve the minutes of the May 26, 2010 meeting as received. Commissioner Juhala seconded the motion and it was unanimously approved with Commissioners Armstrong, Bullinger, Hegedus, Juhala, Laning, Selzler, Waldoch and Yeager voting in favor of the motion.

**INTRODUCTION OF COMMISSIONER VERNON LANING**

Chairman Yeager introduced Vernon Laning, a new Commissioner representing the extraterritorial area.

**CONSIDERATION –  
PRELIMINARY PLAT – SCHMITT SUBDIVISION**

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

A preliminary plat for Schmitt Subdivision. The property is 1 lot in 1 block on 2.9 acres located south of Lincoln in Swansonville, 1/8 mile east of 52<sup>nd</sup> Street SE on the south side of 48<sup>th</sup> Avenue SE (NW ¼ of Section 30, T138N-R79W/Apple Creek Township).

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

**FINAL CONSIDERATION – ANNEXATION AND PUBLIC HEARING – ZONING CHANGE FROM R5-RESIDENTIAL TO R10-RESIDENTIAL AND FINAL PLAT – COUNTRY WEST XXX**

Chairman Yeager called for the final consideration for the annexation and the public hearing for the zoning change from the R5-Residential zoning district to the R10-Residential zoning district and the final plat for Country West XXX. The property is located along the north side of Valley Drive at the intersection with Tyler Parkway (part of the SE ¼ of Section 19, T139N-R80W/Hay Creek Township).

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

1. The City and other agencies would be able to provide necessary public services, facilities and programs to serve the development allowed by the annexation at the time the property is developed.
2. The proposed annexation would not adversely affect property in the vicinity.
3. The proposed annexation is consistent with the general intent and purpose of Title 14 of the City Code of Ordinances.
4. The proposed annexation is consistent with the master plan, other adopted plans, policies and planning practice.

Ms. Lee then listed the following findings for the zoning change:

1. The proposed zoning change would be consistent with the Land Use Plan, which identifies this area as open space adjacent to residential (Bismarck-Mandan Regional Land Use Plan). Given the topography of the property, it is reasonable to allow an administrative amendment to the land use plan to move the dividing line between the two land uses to the north side of the proposed lots.
2. The proposed zoning change is compatible with adjacent land uses. There is single-family residential to the south and west, park property to the east and undeveloped land to the north.
3. The subdivision proposed for this property would be completely annexed prior to development and utilities are already in place in Valley Drive; 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 all adopted plans, policies and accepted planning practice.

Ms. Lee then listed the following findings for the plat:

1. All technical requirements for approval of a final plat have been met.
2. The proposed subdivision is consistent with the Fringe Area Road Master Plan, which identifies both Valley Drive and Tyler Parkway as collectors.
3. A waiver from the storm water management plan submittal requirements has been approved by the City Engineer.
4. The proposed subdivision is compatible with adjacent land uses. There is single-family residential to the south and west, park property to the east and undeveloped land to the north.
5. The proposed subdivision would be completely annexed prior to development and utilities are already in place in Valley Drive; therefore, the proposed subdivision will not place an undue burden on public services.
6. The proposed subdivision would not adversely affect property in the vicinity.
7. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance and subdivision regulations.
8. The proposed subdivision is consistent with the master plan, other adopted plans, policies and accepted planning practice.

Ms. Lee said based on the above findings, staff recommends approval of the annexation, zoning change from the R5-Residential zoning district to the R10-Residential zoning district and final plat for Country West XXX.

Chairman Yeager called for the final consideration for the annexation and the public hearing for the plat, zoning change from the R5-Residential zoning district to the R10-Residential zoning district and final plat for Country West XXX.

Wade Felton said his family owns land to the north of this proposed plat and is concerned with access to his property and is requesting that that access to the north be included with the plat and annexation of Country West XXX. Mr. Felton went on to say that his fear is if an extension of Tyler Parkway is not included, then there would not be any developable property from where

Mr. Clairmont's proposed plat ends. He added that if there is not right-of-way across the embankment, they will be opposed the proposed plat.

Chairman Yeager closed the public hearing.

**MOTION:** Based on the findings contained in the staff reports, Commissioner Armstrong made a motion to continue the final consideration for the annexation and the public hearing for the zoning change from R5-Residential zoning district to R10-Residential zoning district and the final plat for Country West XXX to provide staff with time to review the need to provide an extension of Tyler Parkway in conjunction with this plat. Commissioner Hegedus seconded the motion and it was unanimously approved with Commissioners Armstrong, Bullinger, Hegedus, Juhala, Laning, Selzler, Waldoch and Yeager voting in favor of the motion.

**PUBLIC HEARING –ZONING CHANGE FROM A-AGRICULTURAL TO RR-RESIDENTIAL FOR LOT A OF THE NE¼ OF SECTION 2, T139N-R80W/HAY CREEK TOWNSHIP**

Chairman Yeager called for the public hearing for the zoning change from A-Agricultural zoning district to RR-Residential zoning district for Lot A of the NE¼ of Section 2, T139N-R80W/Hay Creek Township. The property is located 1¼ miles east of US Highway 83 south of 84<sup>th</sup> Avenue NE, along the west side of Arcata Drive (in the NE¼ of Section 2, T139N-R80W/ Hay Creek Township).

Mr. Greenquist provided an overview of the request and listed the following findings for the zoning change:

1. The proposed zoning change is compatible with adjacent land uses. Adjacent land uses include large-lot rural residential to the west, south, and east. The land to the north is undeveloped agricultural.
2. The existing use of this parcel is rural residential. It is served by South Central Regional Water District and has access to 84<sup>th</sup> Avenue NE; therefore, the zoning change will not place an undue burden on public services.
3. The proposed zoning change would not adversely affect property in the vicinity.
4. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance
5. The proposed zoning change is consistent with the master plan, other adopted plans, policies and planning practice.

Mr. Greenquist added that the Board of Adjustment granted a variance for this property for an accessory building contingent upon the zoning being approved.

Mr. Greenquist said based on the above findings, staff recommends approval of the zoning change from A-Agricultural zoning district to RR-Residential zoning district for Lot A of the NE¼ of Section 2, T139N-R80W/Hay Creek Township.

Chairman Yeager opened the public hearing for the zoning change from A-Agricultural zoning district to RR-Residential zoning district for Lot A of the NE¼ of Section 2, T139N-R80W/Hay Creek Township.

No public comment was received.

Chairman Yeager closed the public hearing.

**MOTION:** Based on the findings contained in the staff report, Commissioner Hegedus made a motion to approve the zoning change from A-Agricultural zoning district to RR-Residential zoning district for Lot A of the NE¼ of Section 2, T139N-R80W/Hay Creek Township. Commissioner Waldoch seconded the motion and it was unanimously approved with Commissioners Armstrong, Bullinger, Hegedus, Juhala, Laning, Selzler, Waldoch and Yeager voting in favor of the motion.

**PUBLIC HEARING – SPECIAL USE PERMIT FOR LOT 8, BLOCK 2, TIBESAR’S FIRST ADDITION (1911 11<sup>th</sup> STREET NORTH)**

Chairman Yeager called for the public hearing for a special use permit to allow a day care facility for Lot 8, Block 2, Tibesar’s First Addition. The property is located at 1911 11<sup>th</sup> Street North along the east side of 11<sup>th</sup> Street North between Divide and Capitol Avenues.

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

1. The proposed special use complies with all applicable provision of the zoning ordinance and is consistent with the general intent and purpose of the zoning ordinance.
2. The proposed special use would not adversely affect the public health, safety and general welfare.
3. The proposed special use would not be detrimental to the use or development of adjacent properties.
4. The use would be designed, operated and maintained in a manner that is compatible with the appearance of the existing character of the surrounding area.
5. Adequate public facilities and services are in place.
6. The use would not cause a negative cumulative effect, when considered in conjunction with the cumulative effect of other uses in the immediate vicinity.

7. Adequate measures have been taken to minimize traffic congestion in the public streets and provide for appropriate on-site circulation of traffic. In particular, adequate off-street parking would be provided.

Mr. Tomanek also provided the following additional information:

1. The day care is intended to accommodate up to 49 children ranging in age from 0-12 years.
2. The applicants have been working with the Building Official to satisfy all of the requirements necessary to meet the guidelines set forth to establish and operate a daycare facility. In particular, the appropriate accommodations have been met to allow for adequate outdoor play space for the children, appropriate parking and ADA compliant restroom facilities.
3. Section 14-03-08(4)(r) of the City Code of Ordinances outlines the requirements for a day care center.

Mr. Tomanek said that based on the above findings, staff recommends approval of the special use permit to allow the operation of a day care facility at 1911 11<sup>th</sup> Street North (Lot 8, Block 2, Tibesar's First Addition) with the following conditions: 1) the configuration of the day care facility closely resemble the proposed layout included with the application, and 2) the number of children allowed to occupy the day care facility be limited to less than 50.

Chairman Yeager opened the public hearing for the special use permit on Lot 8, Block 2, Tibesar's First Addition (1911 11<sup>th</sup> Street North).

Commissioner Bullinger asked if the fence will be chain link or privacy. Michelle Gust with The Enrichment Garden said it will be a chain link fence with privacy slats.

Commissioner Laning inquired if there are any issues with the use being limited to less than 50 children. Ms. Gust responded by saying there are no issues with the limit of less than (49 is max) 50 children or less.

Commissioner Waldoch asked where the proposed outdoor play area will be located. Ms. Gust answered by saying the play area will be on the east side of building.

Chairman Yeager closed the public hearing.

**MOTION:** Based on the findings contained in the staff report, Commissioner Laning made a motion to approve the special use permit for a day care facility at 1911 11<sup>th</sup> Street North (Lot 8, Block 2, Tibesar's First Addition) with the following conditions: 1) the configuration of the day care facility closely resemble the proposed layout included with the application and 2) the number of children allowed to occupy the day care facility be limited to less than 50. Commissioner Hegedus seconded the motion and it was unanimously approved with Commissioners Armstrong,

Bullinger, Hegedus, Juhala, Laning, Selzler, Waldoch and Yeager voting in favor of the motion.

## **PUBLIC HEARING – ZONING ORDINANCE TEXT AMENDMENT – FP FLOODPLAIN DISTRICT**

Chairman Yeager called for the public hearing for the zoning ordinance text amendment relative to the FP Floodplain District.

Ms. Lee provided an overview of the zoning ordinance text amendment for the FP Floodplain District. The proposed ordinance would bring the ordinance in line with FEMA's model ordinance for this region and will include additional provisions to minimize losses within the floodplain.

Mr. Lee said staff recommends approval of the zoning ordinance text amendment relative to the FP Floodplain District.

Chairman Yeager opened the public hearing for the zoning ordinance text amendment relative to the FP Floodplain District.

Commissioner Bullinger said he attended the public input meeting in May and at the meeting it was announced that the public hearing on this zoning ordinance text amendment would be on June 23, 2010. Commissioner Bullinger then asked Ms. Lee how the public hearing was advertised. Ms. Lee responded by saying it was published for two weeks prior to the meeting in the Bismarck Tribune and also placed on the City of Bismarck's website under public notices. Commissioner Bullinger inquired whether or not any feedback was received between the May public input meeting and now. Ms. Lee said she has not received any, but Mr. Ziegler received one or two comments.

Commissioner Armstrong asked if the ordinance would have to be amended every time the base flood elevation changes. Ms. Lee said yes, because the map references would need to be updated.

Gailen Narum with Burleigh County Water Resource District distributed the Technical Bulletin 10-01, attached as Exhibit A. Mr. Narum also distributed and read the Floodplain Ordinance Position Statement Bismarck Planning and Zoning Commission – June 23, 2010, attached as Exhibit B.

Paul Zent with Apple Creek Township asked if roads and streets are included in the proposed ordinance. Ms. Lee said that public rights-of-way are not included in the proposed ordinance because the City and County Engineering Departments address those issues with roadway standards. Zoning typically only applies to private property.

Mr. Ziegler commented that if there is going to be a basement or crawl space constructed, the inspectors strongly recommend that FEMA's the Technical Bulletin 10-01 is followed. Mr. Ziegler added that the items in the technical bulletin are only recommendations by FEMA and not requirements; however, builders have been very accommodating to meet those recommendations.

Chairman Yeager closed the public hearing.

**MOTION:** Commissioner Hegedus made a motion to approve the zoning ordinance text amendment relative to the FP Floodplain District, with the proposed change from the wording "assessed value" to "market value as assessed". Commissioner Armstrong seconded the motion and it was unanimously approved with Commissioners Armstrong, Bullinger, Hegedus, Juhala, Laning, Selzler, Waldoch 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 6:28 p.m. to meet again on July 28, 2010.

Respectfully submitted,

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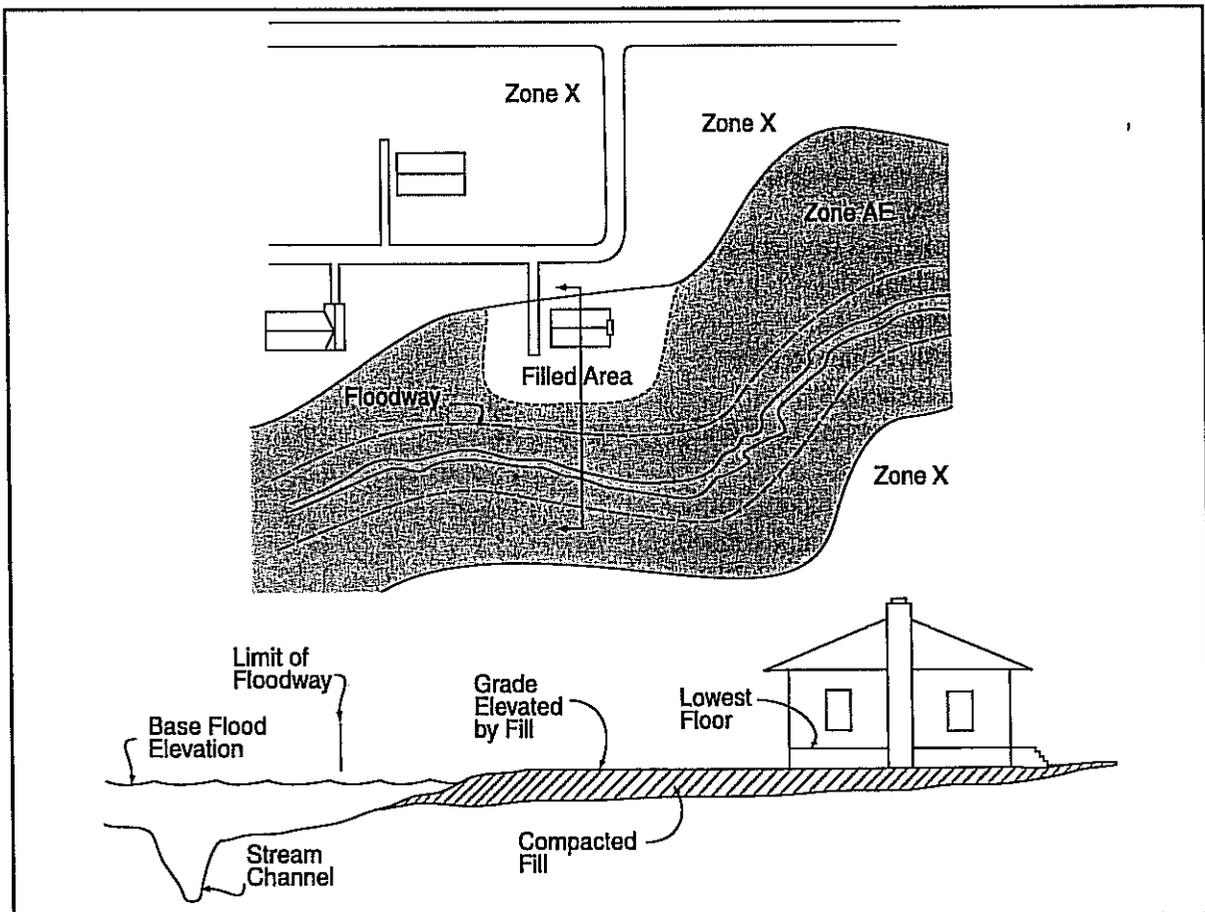
Kimberley Gaffrey  
Recording Secretary

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Wayne Yeager  
Chairman

## Ensuring That Structures Built on Fill In or Near Special Flood Hazard Areas Are Reasonably Safe From Flooding

in accordance with the  
National Flood Insurance Program



FEDERAL EMERGENCY MANAGEMENT AGENCY  
MITIGATION DIRECTORATE

FIA-TB-10  
(5/01)

## Key Word/Subject Index

This index allows the user to locate key words and subjects in this Technical Bulletin. The Technical Bulletin User's Guide (printed separately) provides references to key words and subjects throughout the Technical Bulletins. For definitions of selected terms, refer to the Glossary at the end of this bulletin.

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Any comments on the Technical Bulletins should be directed to:

Federal Emergency Management Agency  
Mitigation Directorate  
Program Policy and Assessment Branch  
500 C Street, SW.  
Washington, DC 20472

Wave design on cover based on the Japanese print *The Great Wave Off Kanagawa*, by Katsuchika Hokusai (1760–1849), Asiatic Museum of Fine Arts, Boston.

## TECHNICAL BULLETIN 10-01

# **Ensuring That Structures Built on Fill In or Near Special Flood Hazard Areas Are Reasonably Safe From Flooding in accordance with the National Flood Insurance Program**

### **Introduction**

For the purpose of administering the National Flood Insurance Program (NFIP), FEMA identifies and maps flood hazard areas nationwide by conducting flood hazard studies and publishing Flood Insurance Rate Maps (FIRMs). These flood hazard areas, referred to as Special Flood Hazard Areas (SFHAs), are based on a flood having a 1-percent probability of being equaled or exceeded in any given year (also referred to as the 100-year flood or Base Flood).

Structures within the SFHA in a community participating in the NFIP are subject to floodplain management regulations that impact building standards and are designed to minimize flood risk. For example, Title 44, Part 60, Section 3(c)(2) of the Code of Federal Regulations—abbreviated as 44 CFR 60.3(c)(2)—requires that the lowest floor of a residential structure, including basement, built within the SFHA be at or above the Base Flood Elevation (BFE). In addition, flood insurance must be purchased for these structures if they are used as collateral to secure a loan provided by a federally regulated lender. Flood insurance coverage may be purchased for all eligible structures within a participating community. Insurance rates for structures located within the SFHA differ from the rates for structures located outside the SFHA.

When permitted under applicable Federal, state, and local laws, ordinances, and regulations, earthen fill is sometimes placed in an SFHA to reduce flood risk to the filled area. Under certain conditions, when engineered earthen fill is placed within an SFHA to raise the surface of the ground to or above the BFE, a request may be submitted to FEMA to revise the FIRM to indicate that the filled land is outside of the SFHA. When such revisions are warranted, FEMA usually revises the FIRM by issuing a Letter of Map Revision based on fill (LOMR-F). After FEMA has revised the FIRM to show that the filled land is outside the SFHA, the community is no longer required to apply the minimum NFIP floodplain management standards to any structures built on the land and the mandatory flood insurance purchase requirements no longer apply. It is worth noting that states and local communities may have floodplain regulations that are more restrictive than the minimum requirements of the NFIP and may continue to enforce some or all of their floodplain management requirements in areas outside the SFHA.

Although a structure built on a site that has been elevated by the placement of fill may be removed by FEMA from the SFHA, the structure may still be subject to damage during the Base Flood and higher-magnitude floods. Constructing the entire structure at or above the level of the BFE will minimize the flood risk from the Base Flood and is therefore the most prudent approach to constructing on fill. Conversely, a structure with a basement (subgrade area) adjacent to or near the floodplain may well be impacted by subsurface flooding brought on by surface flooding.

This bulletin provides guidance on the construction of buildings on land elevated above the BFE through the placement of fill. Several methods of construction are discussed, and the most prudent—those that result in the entire building being above the BFE—are recommended.

In some areas of the country, basements are a standard construction feature. Individuals may wish to construct basements on land after it has been removed from the floodplain by a FEMA revision. Buildings with basements built in filled areas are at an added risk of flooding when compared to buildings on other types of foundations. However, there are two major ways to minimize this additional risk from subsurface flooding. First, the building should be located farther back from the edge of the fill closest to the flooding source. Second, the higher the basement floor is elevated, the less the risk. This technical bulletin provides guidance on how to determine that these buildings will be reasonably safe from flooding during the occurrence of the Base Flood and larger floods. To be reasonably safe from flooding during the Base Flood condition, the basement must (1) be dry, not have any water in it, and (2) be structurally sound, not have loads that either exceed the structural capacity of walls or floors or cause unacceptable deflections. In practice, this means that soils around the basement must have low permeability to minimize or stop water infiltration to the basement wall and floors. Any water that does permeate to the basement must be removed by a drainage layer on the outside (soil side) of the basement. In addition, the foundation walls and floor slab must be designed and constructed for any increased loads that may occur during the Base Flood condition.

## **NFIP Regulations**

Part of a community's application to participate in the NFIP must include "a commitment to recognize and duly evaluate flood hazards in all official actions in the areas having special flood hazards and to take other such official actions reasonably necessary to carry out the objectives of the program" [44 CFR 59.22 (a)(8)].

NFIP regulations at 44 CFR 60 include Subpart A: Requirements for Flood Plain Management Regulations. Each community participating in the NFIP adopts a floodplain management ordinance that meets or exceeds the minimum requirements listed in 44 CFR 60. Subpart A establishes specific criteria for determining the adequacy of a community's floodplain management regulations. The overriding purpose of the floodplain management regulations is to ensure that participating communities take into account flood hazards, to the extent that they are known, in all official actions relating to land management and use.

One of the minimum requirements established by the regulations is set forth at 44 CFR 60.3 (a)(3), which states that, for all proposed construction or other development within a participating community, the community must "Review all permit applications to determine whether the proposed building sites will be reasonably safe from flooding." 44 CFR 59.1 defines "development" as

*"...any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operation or storage of equipment or materials,"*

### Warning

Construction of a residential building in an identified SFHA with a lowest floor below the BFE is a violation of the floodplain management requirements set forth at 44 CFR 60.3(c)(2), unless the community has obtained an exception to NFIP requirements from FEMA and has approved procedures in place.

By issuance of this Technical Bulletin, FEMA is noting that residual flood hazards may exist in areas elevated above the BFE by the placement of engineered earthen fill. Residual risks in these areas include subsurface flood conditions and flooding from events that exceed the base flood. This bulletin is intended to guide local floodplain management officials in determining whether structures placed in filled areas are reasonably safe from flooding. FEMA will require that the jurisdiction having authority for floodplain management determine that an area is reasonably safe from flooding before removing it from the SFHA.

### Floodways, V Zones, and Alluvial Fan Flood Hazard Areas

This bulletin does **not** apply to the following:

- Construction in the floodway. The NFIP prohibits encroachments into the floodway that would cause increases in flood stage.
- Construction in SFHAs designated Zone V, VE, or V1-V30 on FIRMs. The NFIP prohibits the use of structural fill for support of buildings in V zones. Buildings constructed in a V zone must be constructed on an open foundation consisting of piles, piers, or posts and must be elevated so that the bottom of the lowest horizontal structural member is at or above the BFE. In addition, this bulletin strongly recommends that structural fill **not** be used to elevate buildings constructed in A zones in coastal areas. Detailed guidance concerning proper construction methods for buildings in coastal areas is presented in FEMA's *Coastal Construction Manual* (FEMA 55) and in NFIP Technical Bulletin 5, *Free-of-Obstruction Requirements*.
- Construction in SFHAs subject to alluvial fan flooding (designated Zone A0 with depths and velocities shown on FIRMs). The NFIP will not remove land from the floodplain based on the placement of fill in alluvial fan flood hazard areas.

### More Restrictive State and Local Requirements

NFIP Technical Bulletins provide guidance on the **minimum** requirements of the NFIP regulations. State or local requirements that exceed those of the NFIP take precedence. Design professionals should contact community officials to determine whether more restrictive state or local regulations apply to the building or site in question. All applicable standards of the state or local building code must be met for any building in a flood hazard area.

## Notes for Local Officials

### Professional Certification

As required by state and local floodplain management ordinances, a proposed development must be determined to be reasonably safe from flooding. The official having the authority to make this determination should require all appropriate information for making the determination. This may include a certification by a qualified design professional that indicates the land or structures to be removed from the SFHA are reasonably safe from flooding, according to the criteria described in this technical bulletin. Such a professional certification may come from a professional engineer, professional geologist, professional soil scientist, or other design professional qualified to make such evaluations. A sample of such a certification is shown in Figure 1.

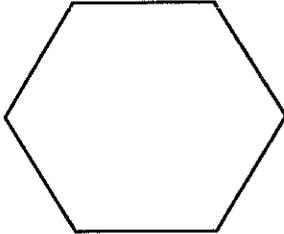
Project Name and Address	
I, _____ certify that the design for the aforementioned development is reasonably safe from flooding in accordance with the guidance provided within FEMA's Technical Bulletin 10-01 related to ensuring that structures are reasonably safe from flooding and in accordance with accepted professional practices.	
Signature	Date
Title	
Type of License	License Number
Address and Phone	
Professional Seal	
License Expiration Date	

Figure 1 Sample of professional certification form.

## **Administrative Options for Community Permitting**

Communities may choose a variety of administrative procedures to assist them in gathering information that can be used to determine whether a proposed development is reasonably safe from flooding. Communities are encouraged to establish procedures that alert them to potential future development of a filled area. These procedures should allow for the evaluation of future development and a means to determine whether it will be reasonably safe from flooding. The following are examples of such procedures:

- Require building sites to be identified on final subdivision plats and evaluate those building sites against the standards described in this Technical Bulletin.
- Require grading plans as a condition of issuing fill permits and require that those grading plans include building sites, and evaluate those building sites based on this Technical Bulletin.
- Require buffer zones or setback zones around the perimeter of fill pads or at the edge of the floodplain and establish construction requirements within these buffer zones to ensure that buildings are safe from residual risk.
- Require as a condition of final subdivision plat approval that the developer agree that no basements will be built in any flood areas.
- Adopt or have regulations that control development of areas immediately adjacent to floodplains that would ensure that any construction is reasonably safe from flooding. For example, under the Minnesota State Building Code, communities designate areas outside of the floodplain as “Secondary Flood Hazard Areas” where building officials evaluate plans for basements and can require modifications to the basement if an official believes there is a residual risk.
- When issuing a permit for the placement of fill only in the SFHA, stipulate that no buildings will be built on the site without a subsequent building permit.

## **Placement of Fill**

Properly placing fill requires an understanding of soil mechanics, local site conditions, the specific characteristics of the soils being placed, the methods used to place and compact the fill, and soil testing procedures. Standard engineering and soil mechanics texts cover these subjects in detail. The performance of these filled areas should consider, but is not limited to, the following:

- the consolidation of the fill layers and any underlying layers
- the effect of this consolidation on either excessive settlement or differential settlement
- how the permeability of the soils affects water infiltration on any structures built on the site

### **Loss of Storage and Conveyance**

The placement of fill in the SFHA can result in an increase in the BFE by reducing the ability to convey and store flood waters. This can result in increased flood damage to both upstream and downstream properties. To prevent these possible results, some communities prohibit fill, require compensatory storage for filled areas, and/or identify a more restrictive floodway.

### **Risk of Flood Damage in Areas Adjacent to the SFHA**

Areas adjacent to the SFHA may have residual risks of flood damage similar to those in areas removed from the SFHA through the placement of fill. Both areas are subject to residual risk from subsurface water related to flooding and from floods greater than the Base Flood. Methods of construction discussed in this bulletin should also be used in these areas.

## **Building on Land Removed From the SFHA by the Placement of Fill**

The safest methods of constructing a building on filled land removed from the SFHA are those that result in the entire structure being above the BFE. Methods that place the lowest floor of the building at, rather than above, the BFE are at greater flood risk, and methods that result in the lowest floor (including a basement floor) below the BFE have the highest flood risk of all. Placement of the lowest floor of these structures below the BFE, even though they are outside the SFHA, will result in an increased threat from subsurface flooding and magnified damages from flooding that exceeds the BFE.

### **Freeboard**

Freeboard is an additional height used as a factor of safety in determining the elevation of a structure, or floodproofing, to compensate for factors that may increase the flood height (ASCE 24-98, *Flood Resistant Design and Construction*). When fill is used to protect buildings from the Base Flood, the community should consider whether freeboard should be required. This consideration should include whether better information exists or conditions have changed (from when the BFE was originally established) that indicate that the BFE may be higher than originally expected. One example of when the BFE may be higher is when a culvert or bridge is blocked by debris. Flood modeling assumes an open channel or culvert. Even when the BFE is not expected to be higher, freeboard may be appropriate to provide increased protection from flood events less frequent than the Base Flood or to account for future changes that may increase the BFE.

The foundation types for buildings outside the SFHA described in the following sections are listed in order of their increasing risk of flood damage.

## Non-Basement Foundations

Non-basement foundations consist primarily of stem wall, crawlspace, and slab-on-grade foundations.

### Stem Wall Foundation

A stem wall foundation can be used to raise the lowest floor above the surrounding grade. After the stem walls have been constructed and extended to the desired elevation, the area enclosed by the stem walls is filled with engineered compacted fill and a slab is poured on top (see Figure 2). Through the placement of additional fill, the site may be elevated above the BFE. This approach provides freeboard—an additional amount of elevation that helps protect against subsurface flooding and floods that exceed the Base Flood. Constructing a stem wall foundation and placing this additional fill on the site provide the highest level of flood protection.

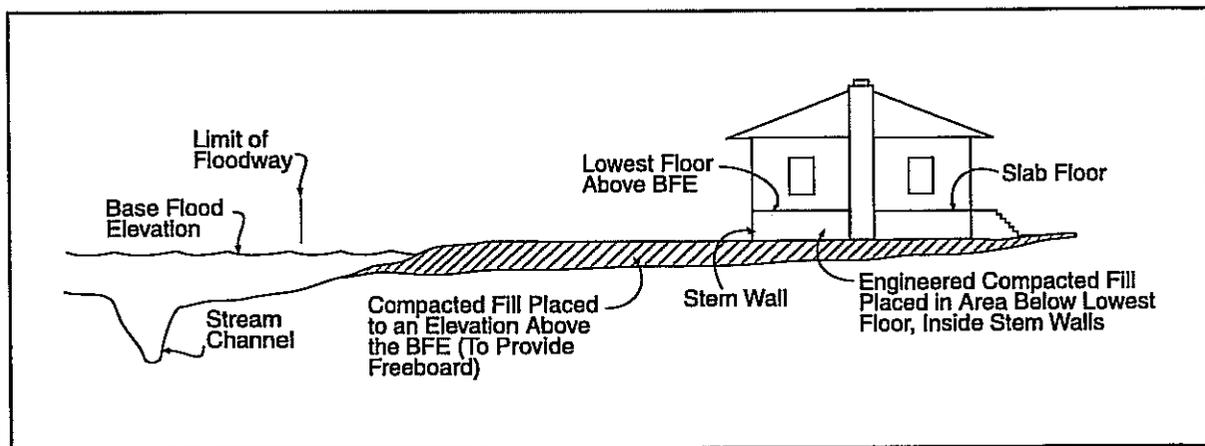


Figure 2 Structure on a stem wall foundation. The lowest floor is raised above the BFE. The space enclosed by the stem walls is filled with engineered compacted fill.

### Crawlspace Foundation

Constructing a crawlspace beneath the first floor will raise the lowest floor of the structure above the surrounding grade (see Figure 3). Openings in the foundation walls are recommended. If flooding reaches the building, the openings allow flood waters to enter the area below the lowest floor and equalize the hydrostatic pressure on the foundation walls (see NFIP Technical Bulletin 1, *Openings In Foundation Walls*).

The crawlspace alternative is less preferable than stem wall construction, which does not result in an enclosed area under the first floor and therefore requires no flood openings. Placing additional fill to a level above the BFE provides freeboard that helps protect against subsurface flooding and floods that exceed the Base Flood. Constructing a crawlspace foundation and placing additional fill on the site provide increased flood protection.

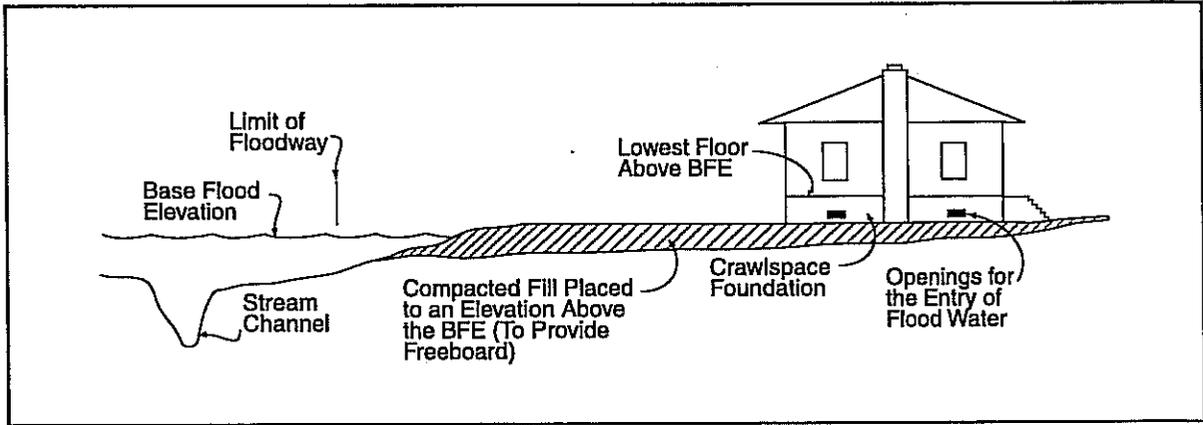


Figure 3 Structure on a crawlspace foundation. The lowest floor is raised above the BFE. Openings in the foundation walls allow water from floods higher than the fill elevation to enter the crawlspace and equalize the pressure on foundation walls.

### Slab-On-Grade Foundation

This method normally provides less flood protection than crawlspace construction because it does not elevate the house above the adjacent grade (see Figure 4). As a result, the lowest floor of the house can be as low as the BFE and would be inundated by any flood greater than the BFE. Placing additional engineered fill beneath the building to a level above the BFE would provide freeboard and therefore increased flood protection.

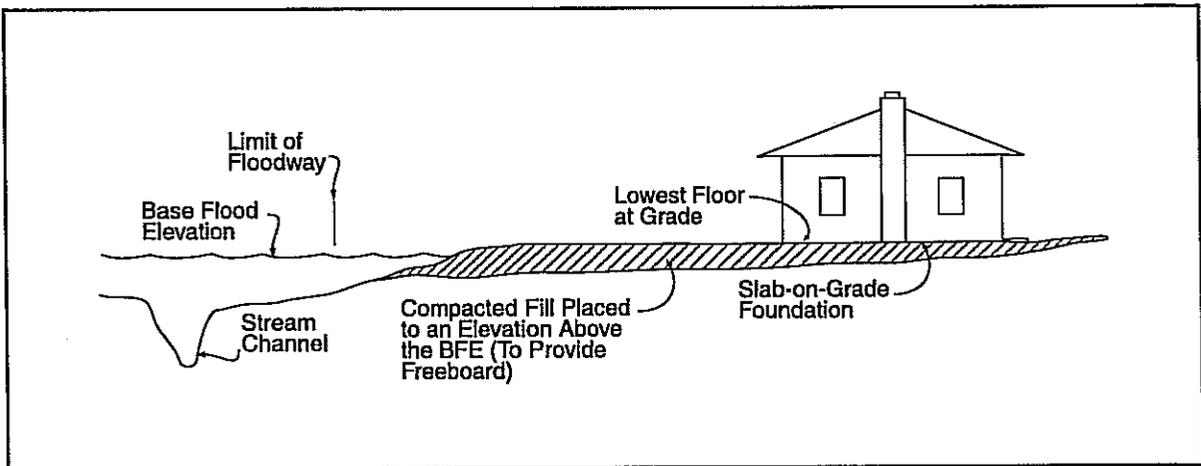


Figure 4 Structure on a slab-on-grade foundation. The lowest floor is typically slightly higher than the surrounding grade.

## **Basement Foundations**

Although basements are a desired feature in some areas of the United States, NFIP minimum requirements generally do not allow their construction in the SFHA, because of the increased risk of flood damages. The only instances where this is not the case are buildings for which FEMA has granted a special exemption to allow floodproofed basements. However, once land is removed from the SFHA through a map revision, these NFIP minimum requirements no longer apply. As a result, builders and property owners who build on land removed from the SFHA sometimes elect to install basements, which are at a higher risk of flood damage than the foundation types described previously.

Constructing a basement on such land is **not** recommended, because the basement (i.e., lowest) floor and portions of the basement walls may well be subjected to subsurface flooding. The basement may therefore be subject to seepage and lateral hydrostatic and uplift pressure caused by high groundwater levels associated with flooding in surrounding areas. Additionally, when flooding exceeds the BFE, the basement area may be totally inundated with floodwater. When builders and homeowners decide to accept the additional risk associated with basement construction on filled land, they need to ensure that the basement and the rest of the house are reasonably safe from flooding.

### **Warning**

In filled areas adjacent to floodplains, floods can still greatly influence the groundwater at the filled site. High groundwater at a site with a basement can result in water infiltrating the basement or greatly increased hydrostatic pressures on the walls and basement slab that can cause failure or permanent deformation. Even when floods have not reached houses with basements, FEMA has seen numerous examples of flooded basements, bowed basement floors, and collapsed basement walls that have resulted from the effects of high groundwater caused by flooding. In addition, the collapse of flooded basements has also occurred when water is rapidly pumped from basements surrounded by saturated soils whose pressure exceeds the capacity of the basement walls.

### **Flood Insurance Coverage for Basements**

It is extremely important to note that the NFIP offers only limited coverage for basement flooding. First, in order for a claim to be paid, there must be a general condition of overland flooding where floodwaters come in contact with the structure. Secondly, the NFIP does not provide coverage for finished nonstructural elements such as paneling and linoleum in basement areas. Contents coverage is restricted to a limited number of items listed in the flood insurance policy. Contact a local insurance agent for more information.

Four basement construction methods are described below in increasing order of flood risk.

### Basement Foundation With Lowest Floor At or Above BFE

Placing the lowest floor of the basement at or above the BFE has the effect of eliminating flood-induced damage up to the BFE (see Figure 5). In general, the higher the basement floor is above the BFE the lower the risk of damage from seepage and hydrostatic pressure caused by flood-related groundwater. Where possible, the basement should be built with its floor at or above the BFE. An added benefit is that floods that exceed the BFE will cause significantly less damage to a structure with this type of basement than to structures with basements whose floors are at greater depths.

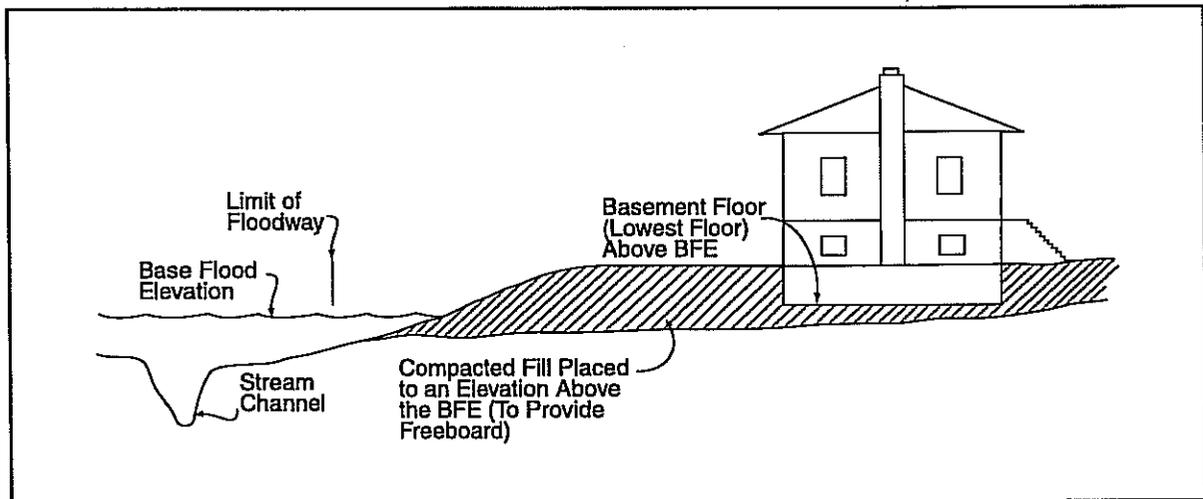


Figure 5 Basement foundation with lowest floor above the BFE. Damage from floods below the BFE is eliminated.

### Basement Foundation in Fill Placed Above BFE

Placing fill to a level higher than the BFE has the effect of reducing the depth of the basement floor below the BFE (see Figure 6). It is recommended that fill be placed to a level at least 1 foot above the BFE. In general, the higher the basement floor the lower the risk of damage from seepage and hydrostatic pressure caused by flood-related groundwater. Where possible, enough fill should be properly placed so that the lowest grade adjacent to the structure is raised to an elevation greater than the BFE. An added benefit of fill placed above the BFE is that it helps protect the building from floods greater than the Base Flood. These floods are less likely to reach the structure.

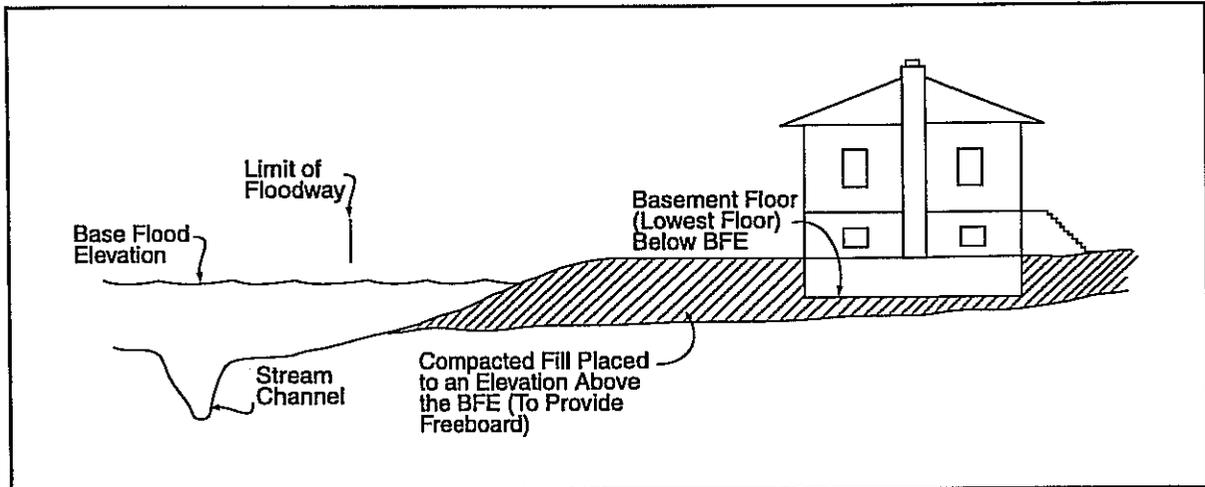


Figure 6 Basement foundation in fill placed above the BFE. The depth of the basement floor below the BFE is less than when no fill is placed.

### Basement Foundation With Lowest Opening Above BFE

In the event that the lowest floor is not elevated to or above the BFE and fill is not placed to a level above the BFE, the next best method of reducing flood risk is to place the lowest opening into the basement (e.g., window well) at a level higher than the BFE (see Figure 7). This will reduce the chances that surface flooding will enter and inundate the basement. However, the basement walls and floor slab will still be subjected to hydrostatic pressure with the potential for damage and seepage into the basement. In addition, the above-grade basement walls will be exposed to water from floods greater than the Base Flood. For this reason, the lowest opening in the basement walls should be above the BFE, as shown in Figure 7.

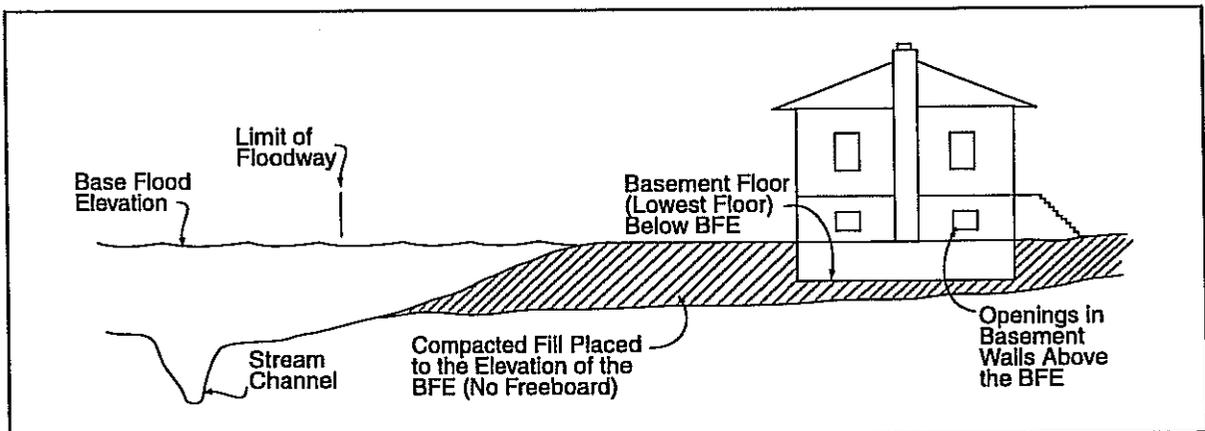


Figure 7 Basement foundation with lowest opening above the BFE. Surface flooding is less likely to enter and inundate the basement.

### Basement Foundation With Lowest Opening at BFE

This is the least preferable condition of all because it results in the highest flood risk and is not recommended (see Figure 8). The lack of fill above the BFE, coupled with the lowest floor being below BFE and lowest opening at the BFE, exposes the basement to flooding from both subsurface flooding and any flood greater than the Base Flood.

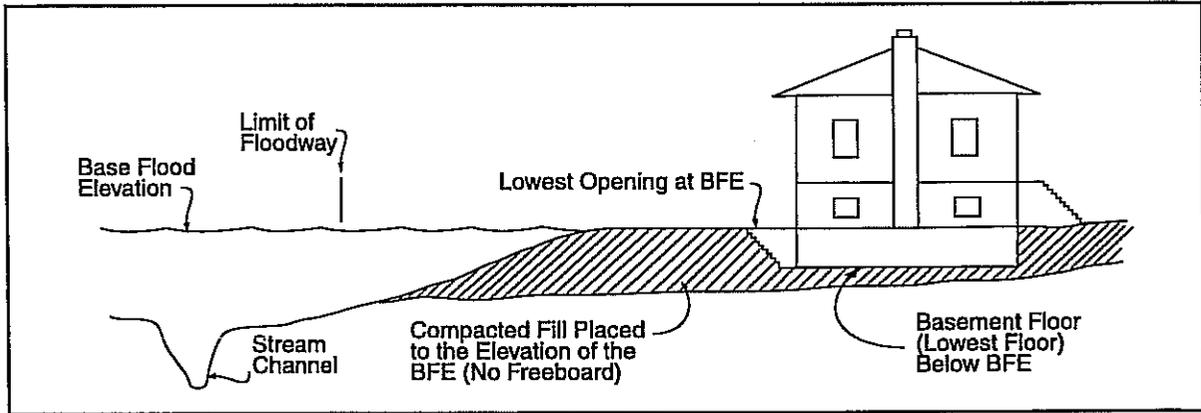


Figure 8 Basement foundation with lowest opening at the BFE. The basement is exposed to flooding from any flood greater than the Base Flood.

# Flood Risk by Foundation Type

Table 1 summarizes the foundation construction methods described in this bulletin and ranks them in order of increasing flood risk—the safest foundation types appear near the top; the less safe foundation types appear near the bottom. The foundation construction methods that result in a building that is reasonably safe from flooding are shown in the dark gray area of the table. If the basement construction methods shown in the light gray area are used, the requirements described in the following sections of this bulletin must be met in order for the building to be considered reasonably safe from flooding.

Table 1 Flood Risk by Foundation Construction Method

Foundation Flood Risk														
Flood Risk During the Base Flood	Fill		Foundation Construction Method											
			Stem Walls		Crawlspace		Slab-On-Grade		Basement					
	Above BFE	At BFE	Above BFE	At BFE	Above BFE	At BFE	Above BFE	At BFE	Above BFE	At BFE	Below BFE	Above BFE	At BFE	
Increasing Level of Flood Risk ↓	■		■											
	■				■									
	■						■							
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-  Reasonably Safe From Flooding
-  Follow Guidance in This Bulletin To Ensure That Building Is Reasonably Safe From Flooding

## Basement Construction Guidance

For those who have chosen to accept the additional risk associated with basement construction below the Base Flood on filled land that has been removed from the SFHA, this bulletin provides technical guidance about measures that can be taken to protect basements and meet the requirement that buildings be made reasonably safe from flooding. A simplified approach, including the requirements that must be met for its use, is presented first. For buildings that do not meet the criteria for the simplified approach, this bulletin provides technical guidance for the development of an engineering design tailored to the site conditions.

### Structural Design

Design of foundation elements is addressed in model building codes. This technical bulletin does not address the structural design of basement walls or foundations. Floors and slabs should be designed for the hydrostatic pressures that can occur from the Base Flood. For the structural design, it is recommended that the full hydrostatic pressures be assumed unrelieved by the drainage system. Foundation walls that have not been designed for hydrostatic pressures, such as unreinforced masonry or pressure-treated wood wall systems, should not be used (see Figure 9).



Figure 9 Failure of this unreinforced masonry basement during flooding in East Grand Forks, MN, in 1997 caused approximately \$32,000 in damage.

## Simplified Approach

### Design Requirements

If, for a building and building site, all the requirements listed below are met (see Figure 10), the building is reasonably safe from flooding. If all of these requirements are not met, the more detailed analysis described under Engineered Basement Option, on page 19 of this bulletin, should be performed to determine whether the building is reasonably safe from flooding.

- The ground surface around the building and within a defined setback distance from the edge of the SFHA (see next item) must be at or above the BFE.
- The setback is the distance from the edge of the SFHA to the nearest wall of the basement. The minimum allowable setback distance is 20 feet.
- The ground around the building must be compacted fill; the fill material—or soil of similar classification and degree of permeability—must extend to at least 5 feet below the bottom of the basement floor slab.
- The fill material must be compacted to at least 95 percent of Standard Laboratory Maximum Dry Density (Standard Proctor), according to ASTM Standard D-698. Fill soils must be fine-grained soils of low permeability, such as those classified as CH, CL, SC, or ML according to ASTM Standard D-2487, *Classification of Soils for Engineering Purposes*. See Table 1804.2 in the 2000 *International Building Code (IBC)* for descriptions of these soil types.
- The fill material must be homogeneous and isotropic; that is, the soil must be all of one material, and the engineering properties must be the same in all directions.
- The elevation of the basement floor should be no more than 5 feet below the BFE.
- There must be a granular drainage layer beneath the floor slab, and a ¼-horsepower sump pump with a backup power supply must be provided to remove the seepage flow. The pump must be rated at four times the estimated seepage rate and must discharge above the BFE and away from the building. This arrangement is essential to prevent flooding of the basement or uplift of the floor under the effect of the seepage pressure.
- The drainage system must be equipped with a positive means of preventing backflow.
- Model building codes (such as the 2000 International Residential Code) also address foundation drainage (IRC Section R405) and foundation walls (IRC Section R404). Model building codes generally allow foundation drains to discharge through either mechanical means or gravity drains. In addition, there is often an exception to the requirement for drainage systems in well-drained soils. However, in or near floodplains, well-drained soils can, in fact, help convey groundwater towards the building foundation. Therefore, this exception should not apply in or near floodplains.

- In some cases in or near floodplains, even with standard drainage systems, hydrostatic pressures from groundwater against the basement can result. When a standard drainage system is unable to eliminate hydrostatic pressure on the foundation, model building codes, including the 2000 International Residential Code (IRC Section R404.1.3), require that the foundation be designed in accordance with accepted engineering practice. **The simplified approach contained in this Technical Bulletin assumes no hydrostatic pressure on the foundation and should be used only when a standard drainage system, discharged by a sump pump that is equipped with backup power and that discharges above BFE, is employed.** For other drainage systems, the designer should use the engineered basement option presented on page 19 of this bulletin and other appropriate building code requirements.

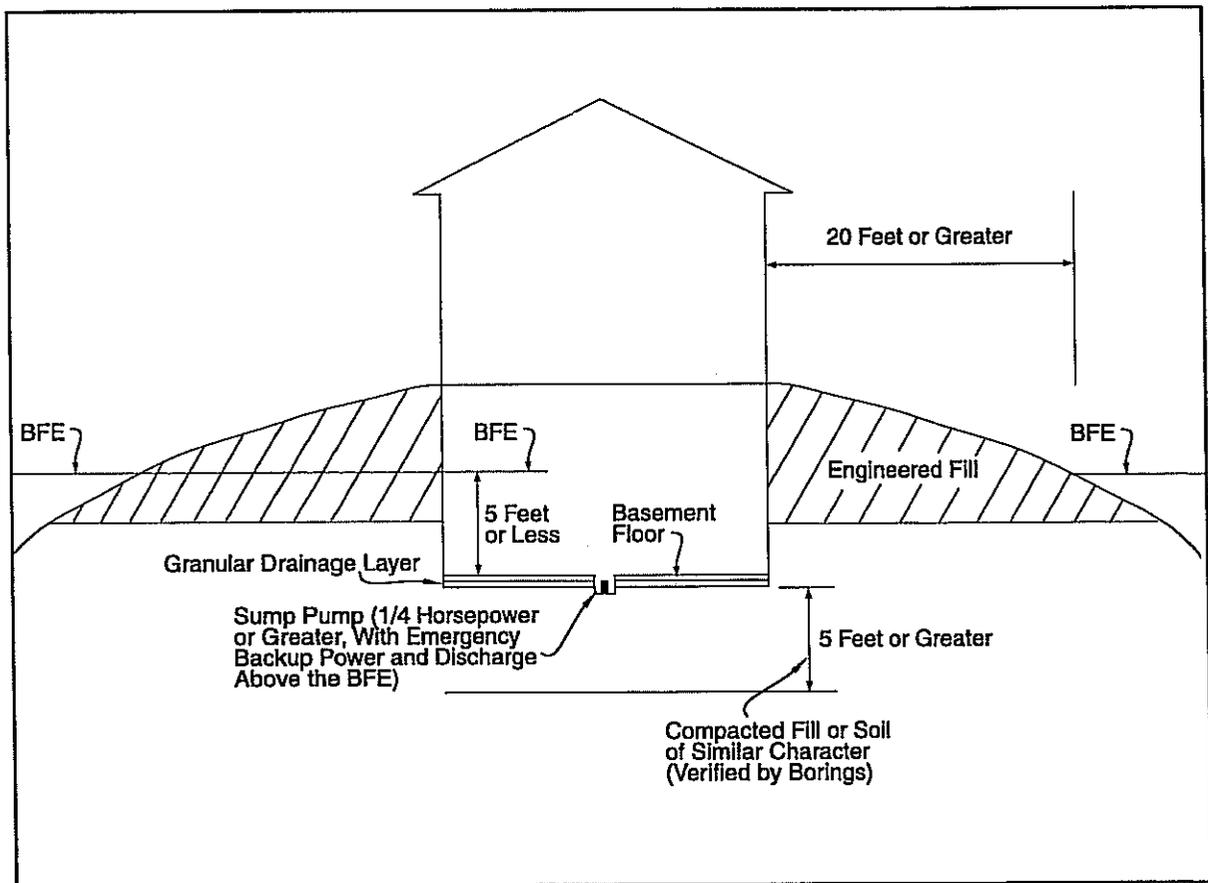


Figure 10 Requirements for use of the simplified approach to basement construction.

## Technical Background for the Simplified Approach

The simplified approach is based on the following conditions:

1. The area of the footprint of the basement is less than or equal to 1,200 square feet.
2. The soil is saturated; therefore, there is no time lag in the development of the seepage pattern with a change in flood water level. The groundwater table in floodplains is typically very shallow, and fine-grained soils have a substantial potential for maintaining saturation above the water table by capillary rise.
3. The tailwater level is at the elevation of the BFE. For this bulletin, "tailwater" is defined as the groundwater level beyond the structure, on the side away from the flood water surface. This is a reasonably conservative assumption because the flood would raise the groundwater level in the general area. In some cases, the tailwater level can be higher than the flood level because there is higher ground, as a valley wall, that feeds the groundwater into the floodplain soils.
4. The effective elevation of the base of the seepage flow zone can be defined (see Figure 11). This elevation is needed to permit calculation of the quantity of seepage flow. If the base elevation is not known, its depth below the base of the floor slab can be conservatively approximated as one-half of the building width most nearly perpendicular to the shoreline of the flood water. This would approximate the boundary effects of the three-dimensional seepage flow, in that it would represent the flow coming in from all sides and meeting in the center beneath the floor slab. This approach assumes a constant soil type and density over the flow zone. If the site has stratified soil layers, the engineered basement option should be used (see page 19 of this bulletin).
5. The quantity of seepage flow can be calculated by a simplified method based on Dupuit's assumption that equipotential lines are vertical. (The Dupuit method uses Darcy's law with specific physical characteristics. A more detailed description can be found in the first two references listed under "Further Information," on page 23 of this bulletin.) The elements of the method are presented in Figure 11. The entry surface, with hydraulic head "a," is a vertical line extending downward from the edge of the flood surface. The exit surface, with hydraulic head "b," is a vertical line extending downward from the side of the structure closest to the flood water's edge. The length of the flow path, "L," is the setback distance. Flow is assumed to be horizontal, and the horizontal coefficient of permeability is the effective permeability. For simplicity, the small inclined entry zone at the river bank and the exit zone below the basement floor are ignored. This is a reasonably conservative measure. The phreatic line, or the line below which the seepage flow occurs under positive pressure, extends from the edge of the flood water to the elevation of the bottom of the basement floor slab. If the exit zone below the basement floor were included, the hydraulic head at "b" would be higher. As shown in Figure 11, the phreatic line is not a straight line, but within the limits of the assumed boundary values, it is close to a straight line.

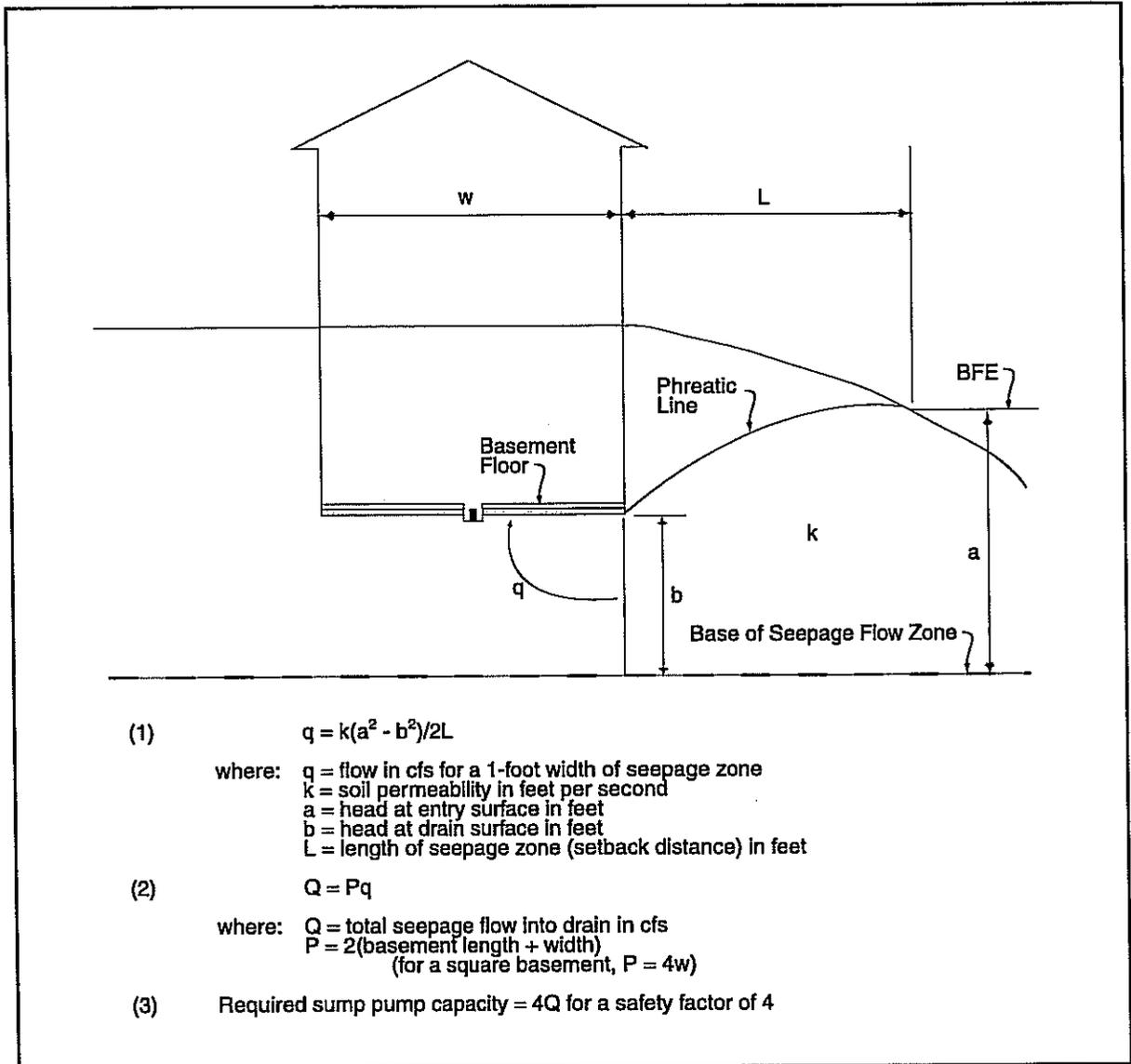


Figure 11 Method for calculation of seepage flow.

The Dupuit equation for the quantity of seepage flow is:

$$q = k(a^2 - b^2)/2L$$

where:  $q$  is the flow in cubic feet per second for a 1-foot width of seepage zone

$k$  is the soil permeability in feet per second (fps) (maximum value of  $k$  is  $1 \times 10^{-3}$  fps)

$a$  and  $b$  are hydraulic heads in feet ( $a < b + 5$ )

$L$  is the length of the flow zone in feet ( $L > 20$  feet)

To obtain  $Q$ , the total seepage flow, in cubic feet per second,  $q$  must be multiplied by the length around the periphery of the four sides of the structure. This is a simplifying approach that obviates the need for a three-dimensional flow net calculation and is reasonably conservative.

It should be noted that the soil permeability does not affect the geometry of the seepage zone or the geometry of the phreatic line. The permeability does have a significant effect on the quantity of seepage that must be collected and discharged by the drainage layer and the sump pump. The calculation of the quantity  $Q$  provides a basis for the selection of a sump pump of adequate capacity. To allow for possible errors in the estimation of the soil permeability, the pump should have a capacity of at least four times the calculated value of  $Q$ . As noted in the requirements section, a standard sump pump of  $\frac{1}{4}$  horsepower or greater will generally satisfy the requirements of seepage removal for the conditions described above.

### **Engineered Basement Option**

If the requirements specified for the simplified approach are not met, a licensed soils engineer or geologist should perform a detailed engineering analysis to determine whether the structure will be reasonably safe from flooding. The analysis should consider, but is not limited to, the issues described in the following sections.

#### **Depth, Soil Type, and Stratification of Subsurface Soils**

The depth, soil type, and stratification of the subsurface soils may be complex. Four potential generalized scenarios are shown in Figures 12 and 13. Figure 12 shows two cases of homogeneous soil. The depth of penetration of the basement and the depth of the flow zone are not limited to the assumptions on which the simplified approach is based. Case I represents a foundation consisting of clayey soils, either fill or natural deposits or a combination, which are more or less homogeneous because they have similar engineering properties. If an adequate setback distance is provided, the seepage quantity would be relatively low, and uplift pressure beneath the slab could be controlled by an appropriately sized sump pump because of low permeability.

Case II represents a foundation consisting of sandy soils, either fill or natural soil deposits or a combination, which are more or less homogeneous because they have similar engineering properties. The seepage quantity would be fairly large, and more attention would have to be given to the setback distance and to the provision of an adequately sized sump pump to prevent excessive uplift pressure beneath the floor slab because of high permeability.

Figure 13 shows two simple cases of stratified soils, with impervious clays overlying pervious sands. This is a common occurrence in natural floodplain deposits. In Case III, the contact between the two soil strata is at some distance **below** the basement floor. This case would involve a moderate quantity of seepage, depending on the thickness,  $d$ , of the impervious stratum below the basement floor. There is also a potential for excessive uplift pressure beneath the floor, at the level of the bottom of the clay stratum. If  $d$  is equal to  $h$ , the net hydraulic head between the flood level and the floor level, the safety factor against uplift would be approximately 1.0. If  $d$  is less than  $h$ , there would be excessive uplift, with a safety factor equal to less than 1.0.

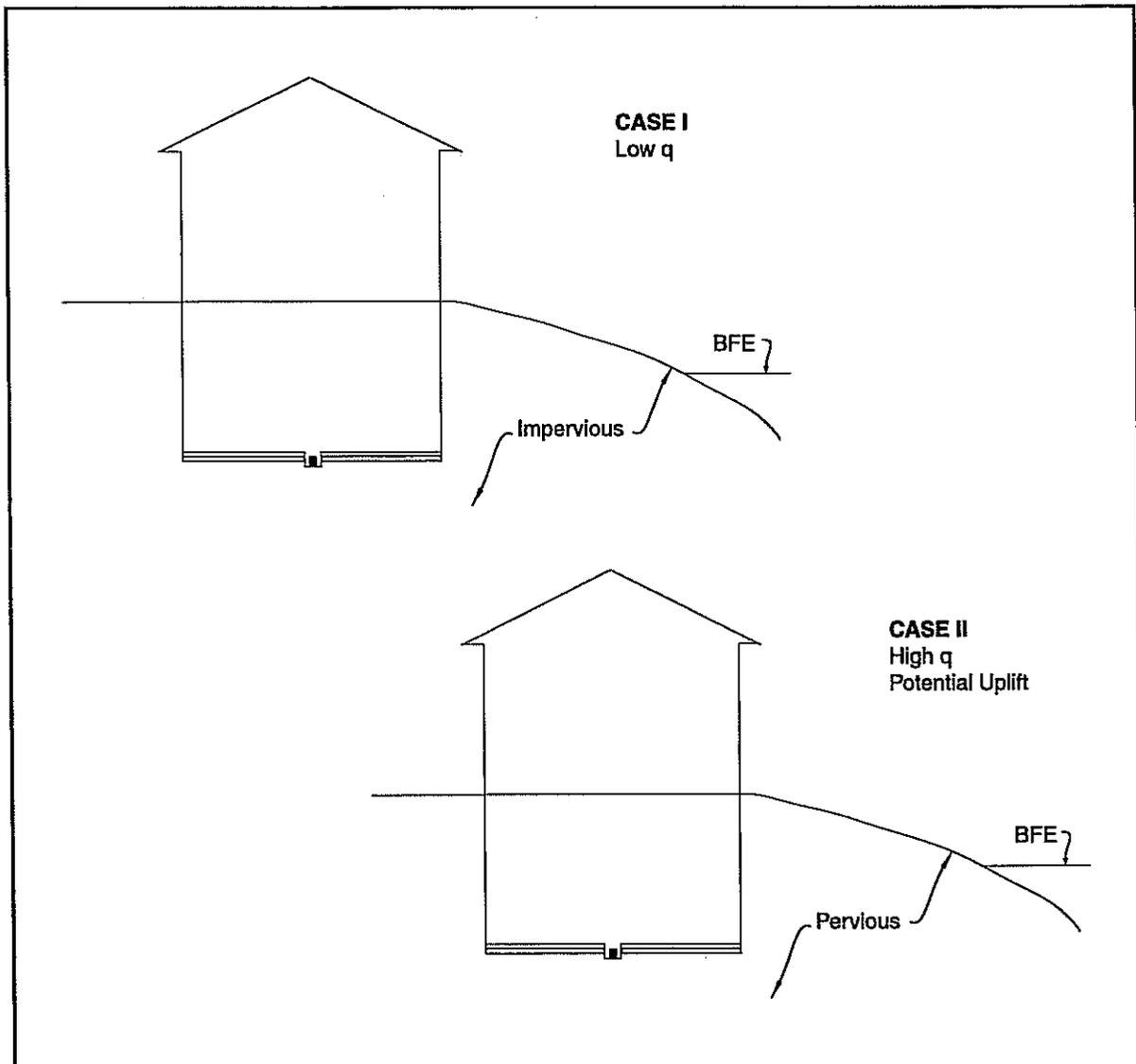


Figure 12 Case I and Case II – homogeneous soil.

Case IV shows impervious soils overlying pervious soils, with the contact between the soil strata at some distance **above** the basement floor. This case would involve a large quantity of seepage and potential for excessive uplift beneath the basement floor.

### Geotechnical Investigations

Geotechnical investigations must be made for cases that do not conform with the assumptions on which the simplified approach is based. Information that is needed to permit an adequate engineering analysis includes the following:

- The BFE, which is to be used as the design flood water surface for calculating expected seepage.

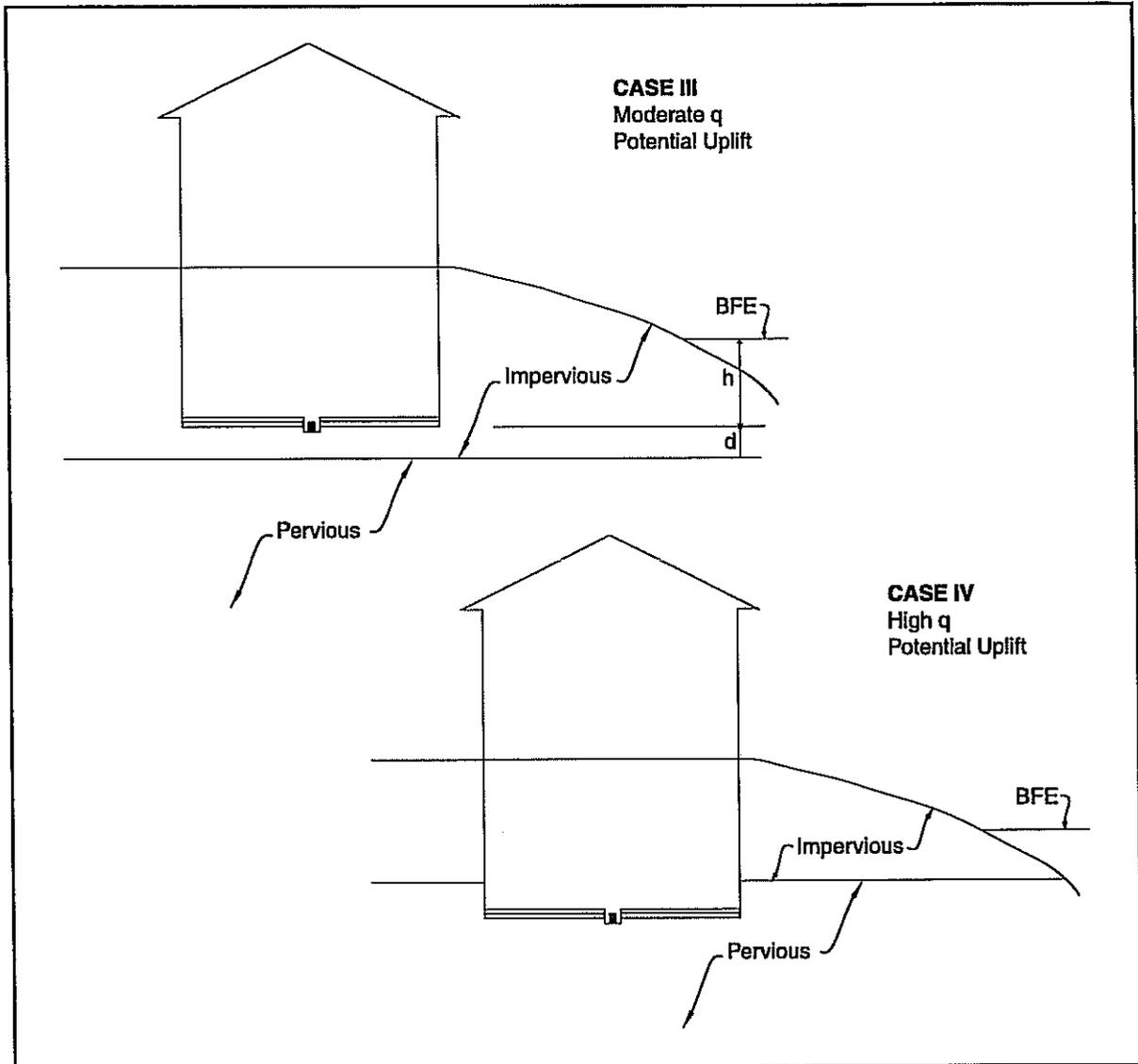


Figure 13 Case III and Case IV – stratified soils.

- The elevation of the **bottom** of the basement floor. This can be adjusted as needed to achieve more suitable conditions.
- The setback distance of the basement wall from the edge of the flood water. This can be adjusted to achieve more suitable seepage control or to accommodate available space restraints.
- The elevation of the groundwater table and its seasonal variations. A high water table would cause problems with groundwater control during construction of a basement, even without a flood event.
- The stratification of the subsurface materials, for both natural and fill soils. In general, borings should be drilled to a depth below the bottom of the floor slab that is at least two times as great as the depth of the bottom of the floor slab below the BFE.

- The engineering classification of the soils, for both natural and fill soils. This must be done in accordance with ASTM D2487, *Classification of Soils for Engineering Purposes*. This is the Unified Soil Classification System that is universally used throughout the United States. Local or county agricultural soil survey maps should not be used, because they do not give specific information about location and depth of soils, and their designations are not pertinent to civil engineering use.
- Subsurface conditions landward from the structure. This includes information about the location of the water table, whether it is higher or lower than the flood level, and information about any penetrations of the soil, such as ponds. Attention should be given to the possibility that higher ground, such as valley walls, could contribute to the groundwater level in the floodplain, either perennially or during periods of heavy rain.
- Information about any penetrations through the basement walls below the BFE, such as utility lines and other openings.
- Analysis of seepage quantity. The analysis can be made by the conservative simplified method described in Item 5 in the section titled Technical Background for the Simplified Approach (illustrated in Figure 11), or by the construction of a flow net that takes into account all of the boundary conditions more rigorously. A flow net may be required to permit analysis of uplift pressures. Uplift pressures may be more significant in laminated or stratified soil deposits.

### **Buildings in Existing Filled Areas**

In evaluating buildings in existing filled areas, the two approaches already described—the simplified approach or the engineered basement option—can be used. If the simplified approach is used, all the requirements for the use of this approach must be met. Some possible means for evaluating whether these requirements are met include soil tests and investigations, including soil borings and hand augers; field records from the time the fill was placed; and soil surveys. If the requirements for the simplified approach are not met, a licensed soils engineer or geologist should perform a more detailed engineering analysis as described under Engineered Basement Option on page 19. More extensive soil investigations and testing may be required to complete the analysis.

### **The NFIP**

The NFIP was created by Congress in 1968 to provide federally backed flood insurance coverage, because flood coverage was generally unavailable from private insurance companies. The NFIP is also intended to reduce future flood losses by identifying floodprone areas and ensuring that new development in these areas is adequately protected from flood damage. The NFIP is based on an agreement between the Federal government and participating communities that have been identified as floodprone. FEMA, through the Federal Insurance Administration (FIA), makes flood insurance available to the residents of a participating community, provided the community adopts and enforces adequate floodplain management regulations that meet the minimum NFIP requirements. The NFIP encourages communities to adopt floodplain management ordinances that exceed the minimum NFIP criteria set forth in Part 60 of the NFIP Floodplain Management Regulations (44 CFR 60). Included in the NFIP requirements, found under Title 44 of the U.S. Code of Federal Regulations, are minimum building design and construction standards for buildings located in SFHAs. Through their floodplain management

ordinances or laws, communities adopt the NFIP performance standards for new, substantially improved, and substantially damaged buildings in floodprone areas identified on FEMA's FIRMs.

## Technical Bulletins

This publication is one of a series of Technical Bulletins that FEMA has produced to provide guidance concerning the building performance standards of the NFIP. These standards are contained in 44 CFR 60.3. The bulletins are intended for use primarily by state and local officials responsible for interpreting and enforcing NFIP regulations and by members of the development community, such as design professionals and builders. New bulletins, as well as updates of existing bulletins, are issued periodically, as necessary. The bulletins do not create regulations; rather they provide specific guidance for conforming with the minimum requirements of existing NFIP regulations. Users of the Technical Bulletins who need additional guidance concerning NFIP regulatory requirements should contact the Mitigation Division of the appropriate FEMA regional office or the local floodplain administrator. NFIP Technical Bulletin 0, the *User's Guide to Technical Bulletins*, lists the bulletins issued to date, provides a key word/subject index for the entire series, and lists addresses and telephone numbers for FEMA's 10 Regional Offices.

## Ordering Information

Copies of FEMA Technical Bulletins can be obtained from the FEMA Regional Office that serves your area. In addition, Technical Bulletins and other FEMA publications can be ordered from the FEMA Publications Distribution Facility at 1-800-480-2520. The Technical Bulletins are also available at the FEMA web site at [www.fema.gov](http://www.fema.gov).

## Further Information

The following publications contain information related to the guidance presented in this bulletin:

American Society of Civil Engineers. 1998. SEI/ASCE 24-98, *Flood Resistant Design and Construction*.

Cedergren, H. R. 1977. *Seepage, Drainage and Flow Nets*. Wiley. New York.

Harr, M. E. 1977. *Mechanics of Particulate Media*. McGraw Hill. New York.

International Code Council. 2000. *International Building Code*. Birmingham, AL.

International Code Council. 2000. *International Residential Code*. Birmingham, AL.

U.S. Department of the Army, Corps of Engineers. 1986. EM 1110-2-1901, *Seepage Analysis and Control for Dams*. Washington, DC.

U.S. Department of the Army, Corps of Engineers. 1978. EM 1110-2-1913, *Design and Construction of Levees*. Washington, DC.

## **Glossary**

**Base Flood** – The flood that has a 1-percent probability of being equaled or exceeded in any given year (also referred to as the 100-year flood).

**Basement** – Any area of a building having its floor subgrade (below ground level) on all sides.

**Community** – Any state or area or political subdivision thereof, or any Indian tribe or authorized tribal organization, or Alaska Native village or authorized native organization, which has the authority to adopt and enforce floodplain management regulations for the areas within its jurisdiction.

**Federal Emergency Management Agency (FEMA)** – The independent Federal agency that, in addition to carrying out other activities, administers the NFIP.

**Federal Insurance Administration (FIA)** – The component of FEMA directly responsible for administering the flood insurance aspects of the NFIP.

**Flood Insurance Rate Map (FIRM)** – The insurance and floodplain management map issued by FEMA that identifies, on the basis of detailed or approximate analysis, areas of 100-year flood hazard in a community.

**Floodprone area** – Any land area susceptible to being inundated by flood water from any source.

**Mitigation Directorate** – The component of FEMA directly responsible for administering the flood hazard identification and floodplain management aspects of the NFIP.

**New construction/structure** – For floodplain management purposes, new construction means structures for which the start of construction commences on or after the effective date of a floodplain management regulation adopted by a community and includes subsequent improvements to the structure. For flood insurance purposes, these structures are often referred to as “post-FIRM” structures.

**Special Flood Hazard Area (SFHA)** – Area subject to inundation by the base flood, designated Zone A, A1-30, AE, AH, AO, V, V1-V30, or VE.



# Burleigh County Water Resource District

City/County Office Building - 221 North 5<sup>th</sup> Street  
Bismarck, North Dakota 58501-4028

## FLOODPLAIN ORDINANCE POSITION STATEMENT BISMARCK PLANNING AND ZONING COMMISSION – JUNE 23, 2010

### INTRODUCTION:

The Burleigh County Water Resource District supports the proposed revisions to the City's Floodplain Ordinance; however, one serious issue remains unresolved that in our opinion requires reconsideration and additional changes to the ordinance. The proposed ordinance continues to allow the construction of basement (i.e., lowest) floors below the floodplain elevation on properties that have been removed from the floodplain or Special Flood Hazard Area (SPHA) through a Letter of Map Revision (LOMR). We strongly encourage and recommend you reconsider and not allow finished floor elevations, basements or crawl spaces to be constructed in these areas. To support this position we offer the following background and justification:

1. The Corps of Engineers in their *Oahe- Bismarck Area Studies, Analysis of Missouri River Flood Potential in the Bismarck, North Dakota Area, August 1985* - stated the following:

*"... the City of Bismarck, Burleigh County, and those developing in the flood plain should also consider additional flood plain management measures in the form of raising new development more than the 1 foot above the potential existing-conditions 100-year flood elevation and raising access roads to area of extensive development. These floodplain management measures would reduce future flood damages and provide greater safety to persons living in the floodplain. Also those persons living or having businesses in the flood plain should continue to take advantage of the Federal Flood Insurance Program to minimize flood damage losses."*

The Corps of Engineers report documented that the Oahe Delta Formation would result in increased Base Flood Elevations (BFE's or the 100-year event) along the Missouri River into the future. Nearly 25 years later, as a community, we are just now getting around to implementing these recommendations. Historically only the minimum National Flood Insurance Program (NFIP) or the State of North Dakota standards were implemented and enforced. This has resulted in many residences being constructed within the Missouri River floodplain and in LOMR areas that are subjected to a higher level of flood risk.

2. The *Bismarck/Burleigh County Flood Insurance Study*, effective September 1985, documented Base Flood Elevations, and the floodplain/floodway boundaries on Flood Insurance Rate Maps (FIRM's) for the Missouri River and other streams in Burleigh County. Subsequently, the Federal Emergency Management Agency (FEMA) published a revised DFIRM in 2005, which incorporated documented increases in the BFE's of up to one foot in some areas. These increased flood elevations are associated with changes that occurred in river conveyance capacity during the 20 year span between FIS Reports. Unfortunately these increases have already reached those projected by the COE in their August 1985 report. As these increases continue new residences constructed to minimum standards will at some point in their life span be subjected to increased flood risks, so we need to protect them now by not allowing avoidable risks.

As a point of interest, approximately 17 years passed between the topographic data sets used to create the FIS Report and FIRM's. Another 9 years has passed and significant silt accumulation has occurred south of the Heart River associated with the March 2009 ice jam event. At this point we do not know what affect this has had on the BFE's.

3. FEMA does not have authority under the National Flood Insurance Program (NFIP) to restrict basement (i.e., lowest) floors elevations being constructed below the floodplain elevation on properties which have been removed from the floodplain through the Letter of Map Revision (LOMR) process. This is not for a lack of trying; they simply have been unable to press required regulatory changes through congress. Subsequently, FEMA prepared a document entitled “*Ensuring That Structures Built In or Near Special Flood Hazard Area Are Reasonably Safe From Flooding*”, typically referred to as *Technical Bulletin 10-01*, to address increased risks associated with development placed in areas removed from or adjacent to the floodplain.

Page 9 of Technical Bulletin 10-10 states the following:

### **“Basement Foundations**

*Although basements are a desired feature in some areas of the United States, NFIP minimum requirements generally do not allow their construction in the SFHA, because of the increased risk of flood damages. The only instances where this is not the case, are buildings for which FEMA has granted a special exemption to allow floodproofed basements. However, once land is removed from the SFHA through a map revision {e.g., LOMR}, these NFIP minimum requirements no longer apply. As a result, builders and property owners who build on land removed from the SFHA sometimes elect to install basements, which are at a higher risk of flood damage than the foundation types described previously. Constructing a basement on such land is **not** recommended, because the basement (i.e., lowest) floor and portions of the basement walls may well be subjected to subsurface flooding. The basement may therefore be subject to seepage and lateral hydrostatic and uplift pressure caused by high groundwater levels associated with flooding in surrounding areas. Additionally, when flooding exceeds the BFE, the basement area may be totally inundated with floodwater. When builders and homeowners decide to accept the additional risk associated with basement construction on filled land, they need to ensure that the basement and the rest of the house are reasonably safe from flooding. {Underline Emphasis – The bolding of the word “not” is a direct quote.}*

Letters of Map Revision are intended to remove properties from the floodplain as such action reduces the potential risk for flood damages associated with structures constructed on these elevated properties. While not specifically intended to allow landowners to avoid the cost of flood insurance, in many cases that has become the net objective, unfortunately along with the ability to construct basement (i.e., lowest) floors below the floodplain. Again upon removal a parcel from the floodplain the property is no longer subject to NFIP criteria or in this case the City’s floodplain ordinance. Therefore, in the case of a LOMR the requirement to place the basement (i.e., lowest) floors a residence two feet above the BFE no longer applies. While the City may have other means to require finished floor elevations to be elevated that authority is not contained in this ordinance and it should be as this is a floodplain issue.

### **CONCLUSIONS:**

The decision and question before the Planning Commission this evening is clear. What level of “public risk” are you willing to accept on behalf of the Community and residents that purchase these properties? What is this “public risk”? When a flood disaster occurs, and it will occur, the public through disaster declarations ends up footing a portion of the expenses related to flood damages and recovery. The Burleigh County Water Resource District documented flood damages over \$1 million in the rural residential area of Fox Island from the March 2009 flood, which was not a 100 year event. This breaks down to around \$767,000 to the primary residences and \$239,000 to garages and outbuildings. Approximately \$395,000 was covered by insurance reimbursements and \$13,050 via FEMA disaster assistance. The proposed ordinance addresses the need to elevate garages and outbuildings which is very important, however, once the property is removed from the floodplain the ordinance no longer applies and these structures no longer need to be elevated as required by the ordinance.

Residential structures removed from the floodplain through the LOMR process are not required to carry flood insurance. Therefore, allowing basement (i.e., lowest) floors to be constructed on properties increases the potential for flood damages, and since they are not required to have flood insurance the public risk and potential cost burden is increased. The impacts suffered on Fox Island are culminated from the use of three sets of minimum standards, the pre 1985 FIS mapping, the 1985 FIRM and the current 2005 FIRM. As a community do we want to continue to insure the risks associated with the construction of basement (i.e., lowest) floors below the BFE? The answer for us is no.

It is important to recognize the Corps of Engineers has no project authority to address the Oahe Delta formation and its impacts; therefore we fully anticipate and expect floodplain elevations to continue to increase. If we do not prepare for this inevitable occurrence, by regulating development on property within as well as removed from the floodplain, we will be allowing new residences to be constructed and assuming what to us is an unacceptable public risk. In addition, it is important to protect those who purchase these residences and are typically uninformed regarding the risks associated with properties constructed in or near a floodplain.

#### **RECOMMENDATIONS:**

1. The prudent and most effective step is to not allow basement (i.e., lowest) floors to be constructed on properties removed from the floodplain through the LOMR process. We are willing to work with Community Development to revise the ordinance language to specifically address our concerns. While we previously submitted suggested language, it was not included in the current draft before you today. Understand again the intent of a LOMR is to raise a parcel above the floodplain, thus reducing the potential flood damage risks to new structures. Subsequently, allowing basement (i.e., lowest) floors to be constructed below the floodplain elevation, after the property is removed from the floodplain, is in direct conflict with the purpose and value of a LOMR. If you agree to reconsider this issue we request that you table action on this ordinance while possible revised language is developed.
2. A much less desirable alternative is to implement a requirement within the ordinance that requires all structures constructed within areas removed from the floodplain to comply with Technical Bulletin 10-01. Developers along the Missouri River have taken it upon themselves not to construct deep basements, as they understand the risks; however they still place basement floors below the floodplain elevation. The proposed ordinance language before you does not restrict that from occurring, therefore, these structures continue to be placed at higher risk. As our Board is responsible for overseeing water resources and promoting flood prevention; we are obligated to inform you that allowing basement (i.e., lowest) floors below the floodplain is an unacceptable practice and is **not** recommended by FEMA. In this instance we again would request you table action to consider implementation of the criteria outlined in Technical Bulletin 10-01, as it should not be incorporated without adequate time to review its content and implications.

**Major Permit Activity  
June 2010**

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Non-deeded Owner: Dakota Apartments  
Address: 211 West Bowen Avenue  
Cost: \$1,194,000.00  
Description: 10028 square feet, two story, 12 unit apartment building

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Non-deeded Owner: Bismarck Public Schools - Vo Tech  
Address: 1200 College Drive  
Cost: \$1,931,370.00  
Description: 60,000 square feet interior remodel of shops, classrooms and offices

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Non-deeded Owner: St. Alexius Medical Center  
Address: 900 East Broadway Avenue  
Cost: \$2,000,400.00  
Description: 2nd floor patient rooms renovation

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Non-deeded Owner: ND State Penitentiary  
Address: 311 Railroad Avenue  
Cost: \$1,510,040.00  
Description: Single story building

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Non-deeded Owner: St. Alexius Medical Center  
Address: 810 East Rosser Avenue  
Cost: \$1,212,105.00  
Description: 2nd floor interior alteration and remodel of clinic space

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Non-deeded Owner: Dakota Carrier Network  
Address: 4202 Coleman Street  
Cost: \$8,412,386.00  
Description: 2 story building

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Permit Num 2010-00758 OPEN Date 6/10/2010  
 Contractor CREATIVE CONSTRUCTION LLC  
 Deeded Owner BISMARCK REFORMED CHURCH  
 Nondeeded Owner BISMARCK COMMUNITY CHURCH  
 Property Id 230-016-001 Block 16  
 Address 1617 MICHIGAN AV  
 Desc of Work 1. CONSTRUCT ROOF FRAMING OVER EXISTING  
 2. FLAT ROOF AND INSTALL METAL ROOFING  
 3.

Permit Fee 303.65  
 Cost Less Land 31,353.00  
 Location CITY OF BISMARCK  
 Census Code 0704 - OTHER  
 Addition Name LINCOLN REPLAT B 16  
 Legal Desc 1. 1-6 AND L 17  
 2.  
 3.  
 4.

Permit Num 2010-00759 OPEN Date 6/10/2010  
 Contractor PROFESSIONAL CONTRACTORS INC  
 Deeded Owner HOUSING AUTHORITY BURLEIGH CO  
 Nondeeded Owner DAKOTA APARTMENTS  
 Property Id 641-001-110 Block 1  
 Address 211 W BOWEN AV  
 Desc of Work 1. 1002B SF, TWO STORY 12 UNIT APARTMENT  
 2. BUILDING  
 3. SEE ATTACHED COMMENTS

Permit Fee 3,835.25  
 Cost Less Land 1,194,000.00  
 Location CITY OF BISMARCK  
 Census Code 0105 - FIVE & MORE FAMILY  
 Addition Name BURLEIGH COUNTY HOUSING  
 Legal Desc 1. LOT 23  
 2.  
 3.  
 4.

Permit Num 2010-00761 CLOSED Date 6/10/2010  
 Contractor STEVE FLECKENSTEIN CONSTRUCT  
 Deeded Owner JOHNSON, CHARLES J & ROSE M  
 Nondeeded Owner CHARLES & ROSE JOHNSON  
 Property Id 1173-006-160 Block 6  
 Address 2111 S 3RD ST  
 Desc of Work 1. 500 SF 4TH LEVEL BASEMENT FINISH TO  
 2. INCLUDE ONE BEDROOM W/EGRESS AND  
 3. FAMILY ROOM

Permit Fee 76.15  
 Cost Less Land 2,375.00  
 Location CITY OF BISMARCK  
 Census Code 0608 - BASEMENT FINISH  
 Addition Name COTTONWOOD LAKE 5TH  
 Legal Desc 1. 33 LESS N 26' & N 11.83' OF L 32  
 2.  
 3.  
 4.

Permit Num 2010-00762 OPEN Date 6/10/2010  
 Contractor SELF/OWNER CHARLES CHAPMAN  
 Deeded Owner CHAPMAN, CHARLES L & LINDA L  
 Nondeeded Owner CHAPMAN, CHARLES AND LINDA  
 Property Id 190-015-060 Block 15  
 Address 1245 S HIGHLAND ACRE RD  
 Desc of Work 1. CONSTRUCT DOOR WITH SIDE LIGHT ON 2ND  
 2. LEVEL AND 292 SF UNCOVERED REAR DECK  
 3. ON 4' PIER FOOTINGS

Permit Fee 92.95  
 Cost Less Land 4,380.00  
 Location CITY OF BISMARCK  
 Census Code 0603 - PATIOS AND COVERS  
 Addition Name HIGHLAND ACRES  
 Legal Desc 1. 12  
 2.  
 3.  
 4.

Permit Num 2010-00763 OPEN Date 6/10/2010  
 Contractor CENTENNIAL HOMES INC  
 Deeded Owner TATLEY MEADOWS LLP  
 Nondeeded Owner JOE LARSON  
 Property Id 825-001-001 Block 1  
 Address 400 VICTORIA TP CI  
 Desc of Work 1. 2009 FRIENDSHIP 28'X 60' MANUFACTURED  
 2. HOME ON REQUIRED PIER FOOTINGS  
 3.

Permit Fee .00  
 Cost Less Land  
 Location CITY OF BISMARCK  
 Census Code 0107 - MANUFACTURED HOMES  
 Addition Name TATLEY MEADOWS I, II, III  
 Legal Desc 1. ALL OF TATLEY MEADOWS I,II,III  
 2.  
 3.  
 4.

Permit Num 2010-00764 OPEN Date 6/10/2010  
 Contractor CENTENNIAL HOMES INC  
 Deeded Owner MITZEL BUILDERS  
 Nondeeded Owner CORY HEILMAN  
 Property Id 1142-001-001 Block 1  
 Address 3901 NORTH VALLEY TP LP  
 Desc of Work 1. 2010 FRIENDSHIP 28'X 52' MANUFACTURED  
 2. HOME ON REQUIRED PIER FOOTINGS  
 3.

Permit Fee .00  
 Cost Less Land  
 Location CITY OF BISMARCK  
 Census Code 0107 - MANUFACTURED HOMES  
 Addition Name NORTH VALLEY ESTATES 2ND  
 Legal Desc 1. ALL LOT 1 THAT LIES NORTH OF THE AM  
 2. OCO PIPELINE LESS THAT PART TAKEN F  
 3. OR CAPITOL ELECTRIC HEADQUARTERS AD  
 4. DN

Permit Num 2010-00765 OPEN Date 6/10/2010  
 Contractor CAVALIER HOMES INC  
 Deeded Owner CAVALIER HOMES INC  
 Nondeeded Owner CAVALIER HOMES INC  
 Property Id 1555-003-505 Block 3  
 Address 902 VOYAGER PL  
 Desc of Work 1. SINGLE FAMILY HOUSE WITH 1111 SF GARAGE,  
 2. 1552 SF FINISHED BASEMENT, 48 SF COVERED  
 3. ENTRY, 324 SF DECK.

Permit Fee 881.85  
 Cost Less Land 175,963.00  
 Location CITY OF BISMARCK  
 Census Code 0101 - SINGLE FAMILY DETACHED  
 Addition Name SOUTHBAY 2ND ADDITION  
 Legal Desc 1. LOT 102 & UNDIVIDED INTEREST IN COM  
 2. MON AREAS  
 3.  
 4.

Permit Num 2010-00766 CLOSED Date 6/10/2010  
 Contractor RIOS CONSTRUCTION INC  
 Deeded Owner HANSON, VALERIE  
 Nondeeded Owner VALERIE HANSON  
 Property Id 030-082-005 Block 82  
 Address 922 N 2ND ST  
 Desc of Work 1. 6'X 20' FRONT COVERED PORCH AND 4'X 4'  
 2. SIDE DECK. MUST BE ON 4' POST HOLES.  
 3. DOUBLE FEES APPLY

Permit Fee 76.15  
 Cost Less Land 2,040.00  
 Location CITY OF BISMARCK  
 Census Code 0603 - PATIOS AND COVERS  
 Addition Name MONSON'S SUBDIVISION  
 Legal Desc 1. 02-  
 2.  
 3.  
 4.

Permit Num 2010-00777 OPEN Date 6/11/2010  
 Contractor DAKOTA WEST CONTRACTING  
 Deeded Owner ST ND  
 Nondeeded Owner BIS PUB SCHOOLS - VO TECH  
 Property Id 160-031-050 Block 31  
 Address 1200 COLLEGE DR  
 Desc of Work 1. MN LVL, 60,000SF INTERIOR REMODEL OF  
 2. SHOPS, CLASSROOMS AND OFFICES.  
 3.

Permit Fee 5,458.85  
 Cost Less Land 1,931,370.00  
 Location CITY OF BISMARCK  
 Census Code 0801 - ALTER PUBLIC  
 Addition Name CITY LANDS 139-80  
 Legal Desc 1. PT OF NE 1/4 SECTION 31  
 2.  
 3.  
 4.

Permit Num 2010-00778 OPEN Date 6/11/2010  
 Contractor CDS HOMES LLC  
 Deeded Owner REINOWSKI, BRIAN D  
 Nondeeded Owner BRIAN REINOWSKI  
 Property Id 1510-007-140 Block 7  
 Address 4718 FELDSPAR DR  
 Desc of Work 1. SINGLE FAMILY HOUSE W/925SF GARAGE, 270SF  
 2. BONUS ROOM, 223SF UNFINISHED BSMT, 36SF  
 3. COVERED ENTRY AND 230 SF COVERED PATIO

Permit Fee 949.85  
 Cost Less Land 195,037.00  
 Location CITY OF BISMARCK  
 Census Code 0101 - SINGLE FAMILY DETACHED  
 Addition Name BOULDER RIDGE 1ST ADDITION  
 Legal Desc 1. LOT 29 & UNDIV INTEREST IN FOLLOWIN  
 2. G COMMON AREAS: AUD LOT OF B L13, L  
 3. 15, AUD LOT B OF L17, B1; L8 B2; L7  
 4. B3; L11 B9 & L12- 13 B10

Permit Num 2010-00779 OPEN Date 6/11/2010  
 Contractor NORTHWEST CONTRACTING INC  
 Deeded Owner LAHMAN, JIMMY D  
 Nondeeded Owner JAKE'S AUTO GLASS  
 Property Id 115-003-820 Block 3  
 Address 1830 E BOWEN AV  
 Desc of Work 1. 44'X75' SINGLE STORY WOOD FRAMED  
 2. BUILDING  
 3.

Permit Fee 1,065.45  
 Cost Less Land 229,864.00  
 Location CITY OF BISMARCK  
 Census Code 0403 - INDUSTRIAL  
 Addition Name CITY LANDS 138-80  
 Legal Desc 1. TRACTS A & B  
 2.  
 3.  
 4.

Permit Num 2010-00782 OPEN Date 6/14/2010  
 Contractor SELF/OWERN - SHIRLEY HOGGARTH  
 Deeded Owner HOGGARTH, SHIRLEY B  
 Nondeeded Owner SHIRLEY HOGGARTH  
 Property Id 985-006-080 Block 6  
 Address 3302 E C AV  
 Desc of Work 1. 12'X 12' ACCESSORY BUILDING ON 4"  
 2. FLOATING SLAB; FIRE WALL REQUIRED IF  
 3. 3' OR LESS FROM HOUSE

Permit Fee 64.05  
 Cost Less Land 1,800.00  
 Location CITY OF BISMARCK  
 Census Code 0607 - STORAGE SHEDS  
 Addition Name EAST VIEW  
 Legal Desc 1. 17  
 2.  
 3.  
 4.

Permit Num 2010-00783 OPEN Date 6/15/2010  
 Contractor JOHN J JONES CONSTRUCTION CO  
 Deeded Owner CITY OF BISMARCK (WATER)  
 Nondeeded Owner CITY OF BISMARCK  
 Property Id 1575-001-001 Block 1  
 Address 601 LONDON AV  
 Desc of Work 1. WASTEWATER TREATMENT FACILITY DIGESTER  
 2. IMPROVEMENTS-RMV/RPLC COVERS, RMV/RPLC  
 3. MIXERS, GAS PIPING, RE-INSULATE

Permit Fee 1,337.45  
 Cost Less Land 310,000.00  
 Location CITY OF BISMARCK  
 Census Code 0801 - ALTER PUBLIC  
 Addition Name MUNICIPAL 3RD  
 Legal Desc 1. LOT 1 WASTE WATER TREATMENT PLANT W  
 2. ATER  
 3.  
 4.

Permit Num 2010-00784 OPEN Date 6/15/2010  
 Contractor DURWOOD D GEIER  
 Deeded Owner GEIER, DURWOOD & SANDRA  
 Nondeeded Owner DURWOOD D GEIER  
 Property Id 959-006-005 Block 6  
 Address 4131 VALLEY DR  
 Desc of Work 1. SINGLE FAMILY HOUSE WITH 894 SF GARAGE,  
 2. 1083 SF FINISHED & 641 SF UNFINISH BSMNT  
 3. 29 SF COVERED ENTRY, 220 SF COVERED DECK

Permit Fee 949.85  
 Cost Less Land 195,447.00  
 Location CITY OF BISMARCK  
 Census Code 0101 - SINGLE FAMILY DETACHED  
 Addition Name COUNTRY WEST XXVIII  
 Legal Desc 1. LOT 2  
 2.  
 3.  
 4.

Permit Num 2010-00786 OPEN Date 6/15/2010  
 Contractor MICHAEL BAUMGARTNER CONSTRUCT  
 Deeded Owner COMMUNITYWORKS NORTH DAKOTA  
 Nondeeded Owner COMMUNITY WORKS OF ND  
 Property Id 1390-002-015 Block 2  
 Address 3227 SLEEPY HOLLOW LP  
 Desc of Work 1. SINGLE FAMILY HOUSE W/730 SF GARAGE,  
 2. 747 SF 2ND LEVEL, 449 SF UNFINISHED BSMT  
 3. 15 SF UNCVRD ENTRY & 120 SF UNCVRD DECK

Permit Fee 851.25  
 Cost Less Land 166,905.00  
 Location CITY OF BISMARCK  
 Census Code 0101 - SINGLE FAMILY DETACHED  
 Addition Name SLEEPY HOLLOW HEIGHTS 1ST  
 Legal Desc 1. LOT 4 & EAST 8' OF LOT 3  
 2.  
 3.  
 4.

Permit Num 2010-00787 CLOSED Date 6/15/2010  
 Contractor TNT FIREWORKS  
 Deeded Owner BISMARCK, CITY OF  
 Nondeeded Owner AMERICAN PROMOTIONAL EVENTS NW  
 Property Id 115-022-010 Block 22  
 Address 4000 UNIVERSITY DR  
 Desc of Work 1. TEMPORARY USE FOR FIREWORK SALES. VALID  
 2. 06/27/10 TO 07/05/10. MUST BE 125' FROM  
 3. CENTERLINE AND 60' FROM ALL BUILDINGS.

Permit Fee 100.00  
 Cost Less Land  
 Location CITY OF BISMARCK  
 Census Code 1102 - FIREWORKS SALES  
 Addition Name CITY LANDS 138-80  
 Legal Desc 1. PT OF E1/2 SE1/4 SEC 22 AIRPORT TRA  
 2. CTS 1 & 2 AIRPORT  
 3.  
 4.

Permit Num 2010-00799 OPEN Date 6/16/2010  
 Contractor ASSOCIATED POOL BUILDERS INC  
 Deeded Owner KRALJIC, STEVEN & REBECCA J  
 Nondeeded Owner STEVEN & REBECCA J KRALJIC  
 Property Id 1440-001-090 Block 1  
 Address 1400 EAGLE CREST LP  
 Desc of Work 1. 25'X 50' IN-GROUND POOL; MUST HAVE 6'  
 2. NON-CLIMBABLE FENCE WITH SELF CLOSING,  
 3. SELF LATCHING GATE

Permit Fee 501.65  
 Cost Less Land 70,395.00  
 Location CITY OF BISMARCK  
 Census Code 0604 - SWIMMING POOLS AND SPAS  
 Addition Name EAGLE CREST  
 Legal Desc 1. LOT 19  
 2.  
 3.  
 4.

Permit Num 2010-00800 OPEN Date 6/16/2010  
 Contractor OWNER-ARTHUR TERNES  
 Deeded Owner TERNES ARTHUR M & KAY L  
 Nondeeded Owner KAY AND ARTHUR TERNES  
 Property Id 025-060-075 Block 60  
 Address 203 E E AV  
 Desc of Work 1. REMOVE 2 EXISTING SHEDS & CONSTRUCT AN  
 2. 8'X 10' SHED ON 4" FLOATING SLAB.MUST BE  
 3. 10' FROM EAVE OF HSE.APP'D ADMIN VARIANC

Permit Fee 49.25  
 Cost Less Land 1,000.00  
 Location CITY OF BISMARCK  
 Census Code 0607 - STORAGE SHEDS  
 Addition Name MCKENZIE & COFFIN'S  
 Legal Desc 1. E 60 FT L 30-32  
 2.  
 3.  
 4.

Permit Num 2010-00801 OPEN Date 6/17/2010  
 Contractor SELF/OWNER GORDON SANDAU  
 Deeded Owner RBRTA RAE SANDAU SPEC NEEDS TR  
 Nondeeded Owner RBRTA RAE SANDAU SPEC NEEDS TR  
 Property Id 370-007-005 Block 7  
 Address 1912 N 8TH ST  
 Desc of Work 1. 6'X12' UNCOVERED, DETACHED REAR DECK  
 2.  
 3.

Permit Fee 51.10  
 Cost Less Land 1,080.00  
 Location CITY OF BISMARCK  
 Census Code 0603 - PATIOS AND COVERS  
 Addition Name JENNING'S 2ND  
 Legal Desc 1. 02  
 2.  
 3.  
 4.

Permit Num 2010-00802 OPEN Date 6/17/2010  
 Contractor TOBIAS MARMAN CONSTRUCTION INC  
 Deeded Owner SWENSON, LARRY E & RITA M  
 Nondeeded Owner TOBIAS MARMAN CONSTRUCTION INC  
 Property Id 809-001-001 Block 1  
 Address 3923 NORMANDY ST  
 Desc of Work 1. SINGLE FAMILY HOUSE WITH 1158 SF GARAGE,  
 2. 1262 SF FINISHED & 440 SF UNFIN BASEMENT  
 3. 60 SF PATIO,112 SF DECK,NO EXPOSED ICF'S

Permit Fee 946.45  
 Cost Less Land 194,157.00  
 Location CITY OF BISMARCK  
 Census Code 0101 - SINGLE FAMILY DETACHED  
 Addition Name NORTH HILLS 13TH  
 Legal Desc 1. LOT 1  
 2.  
 3.  
 4.

Permit Num 2010-00803 OPEN Date 6/17/2010  
 Contractor SELF/OWNER ST ALEXIUS  
 Deeded Owner ST ALEXIUS HOSPITAL  
 Nondeeded Owner ST ALEXIUS MEDICAL CENTER  
 Property Id 005-076-001 Block 76  
 Address 900 E BROADWAY AV  
 Desc of Work 1. 1975 2ND FLOOR ROOM RENOVATION, WILL  
 2. ADD SIX PATIENT RMS, RMDL EXISTING  
 3. PATIENT ROOMS AND NURSES STATION

Permit Fee 5,610.65  
 Cost Less Land 2,000,400.00  
 Location CITY OF BISMARCK  
 Census Code 0703 - OFFICE & PROFESSIONAL BLDG  
 Addition Name WILLIAM'S SURVEY  
 Legal Desc 1. ALL B76 & B94 & VAC THAYER AVE ADJ  
 2. B76 & B94 & W1/2 VAC 10TH ST ADJ TO  
 3. B76 & E2.2' VAC 9TH ST ADJ TO N99'  
 4. B76

Permit Num 2010-00804 OPEN Date 6/17/2010  
 Contractor CAPITAL CITY CONSTRUCTION INC  
 Deeded Owner STATE OF ND  
 Nondeeded Owner ND STATE PENITENTIARY  
 Property Id 115-002-010 Block 2  
 Address 3100 RAILROAD AV  
 Desc of Work 1. 120'X120' SINGLE STORY BUILDING WITH  
 2. 739 SF MEZZANINE  
 3. SEE ATTACHED COMMENTS

Permit Fee 4,532.65  
 Cost Less Land 1,510,040.00  
 Location CITY OF BISMARCK  
 Census Code 0501 - PUBLIC BUILDING  
 Addition Name CITY LANDS 138-80  
 Legal Desc 1. LOT A LESS TH PT SE1/4 TH LIES SELY  
 2. BIS EX R/W & N OF OLD-OLD HIGHWAY  
 3. 10 & ITS CONNECTION WITH BIS EX (TH  
 4. IS IS PRISON LESS FAIRGROUNDS)

Permit Num 2010-00806 OPEN Date 6/17/2010  
 Contractor SELF/OWNER JASON FETCH  
 Deeded Owner FETCH, JASON D & TERA M  
 Nondeeded Owner FETCH, JASON AND TERA  
 Property Id 1433-001-005 Block 1  
 Address 5304 MELLOWSUN DR  
 Desc of Work 1. BASEMENT FINISH TO INCLUDE ONE BEDROOM  
 2. WITH EGRESS WINDOW, ONE BATHROOM, FAMILY  
 3. ROOM AND MECHANICAL ROOM

Permit Fee 109.75  
 Cost Less Land 6,607.00  
 Location CITY OF BISMARCK  
 Census Code 0608 - BASEMENT FINISH  
 Addition Name HORIZON HEIGHTS 3RD  
 Legal Desc 1. LOT 2  
 2.  
 3.  
 4.

Permit Num 2010-00807 OPEN Date 6/17/2010  
 Contractor OWNER- DONALD MIZERA  
 Deeded Owner MIZERA, DONALD P  
 Nondeeded Owner DONALD MIZERA  
 Property Id 400-006-015 Block 6  
 Address 2003 ST JOSEPH DR  
 Desc of Work 1. REMOVE EXISTING STAIRS & BUILD 6'X 9.5'  
 2. FRONT PORCH ON 4' PIERS. PORCH WILL HAVE  
 3. ACCESS FOR FUTURE RAMP.PER ADMIN VARIANC

Permit Fee 40.00  
 Cost Less Land 500.00  
 Location CITY OF BISMARCK  
 Census Code 0605 - OTHER  
 Addition Name MARIAN PARK 2ND  
 Legal Desc 1. 04  
 2.  
 3.  
 4.

Permit Num 2010-00819 OPEN Date 6/21/2010  
 Contractor MARK FLECK CONSTRUCTION INC  
 Deeded Owner SOUTHBAY DEVELOPMENT LLC  
 Nondeeded Owner MARK FLECK CONSTRUCTION INC  
 Property Id 1555-003-350 Block 3  
 Address 3815 NEPTUNE CI  
 Desc of Work 1. SINGLE FMLY W/1147 SF GARAGE,1221 SF 2ND  
 2. FLR,1318SF UNFIN BSMNT (ENTRANCE PROTECT  
 3. 1'ABOVE BFE),304 SF COVRD ENTRY,NO DECK

Permit Fee 1,136.85  
 Cost Less Land 250,597.00  
 Location CITY OF BISMARCK  
 Census Code 0101 - SINGLE FAMILY DETACHED  
 Addition Name SOUTHBAY 2ND ADDITION  
 Legal Desc 1. LOT 71 & UNDIVIDED INTEREST IN COMM  
 2. ON AREAS  
 3.  
 4.

Permit Num 2010-00821 CLOSED Date 6/22/2010  
 Contractor EDSONS CONSTRUCTION LLC  
 Deeded Owner LINDSTROM, CODY C & ANGELA M  
 Nondeeded Owner LINDSTROM, CODY AND ANGELA  
 Property Id 455-006-030 Block 6  
 Address 114 W KAVANEY DR  
 Desc of Work 1. TWO EGRESS WINDOWS ON EAST SIDE OF  
 2. HOUSE  
 3.

Permit Fee 84.55  
 Cost Less Land 3,200.00  
 Location CITY OF BISMARCK  
 Census Code 0605 - OTHER  
 Addition Name HOMAN ACRES 1ST  
 Legal Desc 1. 07  
 2.  
 3.  
 4.

Permit Num 2010-00822 OPEN Date 6/22/2010  
 Contractor SELF/OWNER JULIE FRYE  
 Deeded Owner KOSSE, MARK A & FRYE, JULIE A  
 Nondeeded Owner KOSSE, MARK AND FRYE JULIE  
 Property Id 550-021-001 Block 21  
 Address 1853 N 23RD ST  
 Desc of Work 1. 18'X10' UNCOVERED REAR DECK ON 4' PIER  
 2. FOOTINGS  
 3.

Permit Fee 76.15  
 Cost Less Land 2,700.00  
 Location CITY OF BISMARCK  
 Census Code 0603 - PATIOS AND COVERS  
 Addition Name STEIN'S 4TH  
 Legal Desc 1. 1  
 2.  
 3.  
 4.

Permit Num 2010-00823 OPEN Date 6/22/2010  
 Contractor SELF/OWNER CHUCK GLASSER  
 Deeded Owner GLASSER, CHUCK F & MARY C  
 Nondeeded Owner GLASSER CHUCK  
 Property Id 1435-003-025 Block 3  
 Address 1105 PARKERPLUM DR  
 Desc of Work 1. SINGLE FAMILY HOUSE WITH 720 SF GARAGE,  
 2. 1800 SF FINISHED BASEMENT, 272 SF CVRD  
 3. PRCH AND 140 SF DECK. ICF HOUSE

Permit Fee 861.45  
 Cost Less Land 169,272.00  
 Location CITY OF BISMARCK  
 Census Code 0101 - SINGLE FAMILY DETACHED  
 Addition Name HORIZON HGTS 4TH 1ST REP  
 Legal Desc 1. LOT 6  
 2.  
 3.  
 4.

Permit Num 2010-00825 OPEN Date 6/23/2010  
 Contractor DAKOTA WEST CONTRACTING  
 Deeded Owner KIRKWOOD MANOR, LLC  
 Nondeeded Owner KRUMM AND ASSOCIATES  
 Property Id 1200-001-150 Block 1  
 Address 600 S 2ND ST SUITE 210  
 Desc of Work 1. SUITE 210 - 5500 SF INTERIOR FINISH/  
 2. REMODEL OF WALLS AND CEILING FOR TENENT.  
 3.

Permit Fee 1,034.85  
 Cost Less Land 220,658.00  
 Location CITY OF BISMARCK  
 Census Code 0703 - OFFICE & PROFESSIONAL BLDG  
 Addition Name WAL MART ADDITION  
 Legal Desc 1. 4 POSSESSORY INTEREST  
 2.  
 3.  
 4.

Permit Num 2010-00826 OPEN Date 6/23/2010  
 Contractor SELF/OWNER ST ALEXIUS  
 Deeded Owner ST ALEXIUS MEDICAL CENTER  
 Nondeeded Owner ST ALEXIUS MEDICAL CENTER  
 Property Id 001-130-010 Block 130  
 Address 810 E ROSSER AV  
 Desc of Work 1. 2ND FLOOR - 9371 SF INTERIOR ALTERATION  
 2. WILL DEMO EXISTING PULMONARY REHAB AND  
 3. REMODEL FOR CLINIC SPACE

Permit Fee 3,877.05  
 Cost Less Land 1,212,105.00  
 Location CITY OF BISMARCK  
 Census Code 0703 - OFFICE & PROFESSIONAL BLDG  
 Addition Name ORIGINAL PLAT  
 Legal Desc 1. 1-14 & S6' L15 & ALL VACATED ALLEY  
 2. ADJ L3-14 B130 ORIGINAL PLAT & L1-2  
 3. B28 NORTHERN PACIFIC 2ND  
 4.

Permit Num 2010-00827 OPEN Date 6/23/2010  
 Contractor HERTEL CONSTRUCTION  
 Deeded Owner HOMAN, LINDA  
 Nondeeded Owner HOMAN, LINDA  
 Property Id 607-002-090 Block 2  
 Address 1627 OMAHA DR  
 Desc of Work 1. REMOVE EXISTING 12'X18' DECK AND  
 2. RECONSTRUCT 341 SF TWO TIER UNCOVERED  
 3. REAR DECK ON 4' PIER FOOTINGS

Permit Fee 101.35  
 Cost Less Land 5,115.00  
 Location CITY OF BISMARCK  
 Census Code 0603 - PATIOS AND COVERS  
 Addition Name WACHTER'S 5TH  
 Legal Desc 1. 19  
 2.  
 3.  
 4.

Permit Num 2010-00828 CLOSED Date 6/23/2010  
 Contractor SELF/OWNER JOSEPH SCHULTE  
 Deeded Owner SCHULTE, JOSEPH & JOLEEN  
 Nondeeded Owner SCHULTE, JOSEPH  
 Property Id 689-001-045 Block 1  
 Address 2636 CLYDESDALE DR  
 Desc of Work 1. REPAIR EXISTING FOUNDATION  
 2.  
 3.

Permit Fee 134.95  
 Cost Less Land 10,000.00  
 Location CITY OF BISMARCK  
 Census Code 0605 - OTHER  
 Addition Name NORTHWEST ACRES 5TH  
 Legal Desc 1. 7 & UNDIVIDED COMMON INT IN LOT 3 B  
 2. LK 1 NORTHWEST ACRES 5TH & LOT B OF  
 3. LOT 17 BLK 2 NORTHWEST ACRES 2ND  
 4.

Permit Num 2010-00829 OPEN Date 6/23/2010  
 Contractor SELF/OWNER LANDERS INT SVC  
 Deeded Owner BOUTROUS, TED J; LLC  
 Nondeeded Owner LANDERS INTERSTATE SERVICE  
 Property Id 644-001-150 Block 1  
 Address 2210 N 12TH ST  
 Desc of Work 1. 25SF MAIN LEVEL INERIOR ALTERATION  
 2. OF RETAIL AREA  
 3.

Permit Fee 92.95  
 Cost Less Land 5,000.00  
 Location CITY OF BISMARCK  
 Census Code 0702 - COMMERCIAL BUILDINGS  
 Addition Name BOUTROUS 1ST  
 Legal Desc 1. 4 & UNDIV INT IN PRIVATE ROAD  
 2.  
 3.  
 4.

Permit Num 2010-00830 OPEN Date 6/23/2010  
 Contractor CAPITAL CITY CONSTRUCTION INC  
 Deeded Owner DCN, LLC  
 Nondeeded Owner DAKOTA CARRIER NETWORK  
 Property Id 812-001-001 Block 1  
 Address 4202 COLEMAN ST  
 Desc of Work 1. 2-STORY 42000SF BUILDING WITH WALK-OUT  
 2. BASEMENT  
 3.

Permit Fee 19,717.05  
 Cost Less Land 8,412,386.00  
 Location CITY OF BISMARCK  
 Census Code 0407 - OFFICE, BANK & PROFESSION  
 Addition Name NORTH HILLS 16TH  
 Legal Desc 1. LOT 1  
 2.  
 3.  
 4.

Permit Num 2010-00831 OPEN Date 6/23/2010  
 Contractor EDGEWOOD DEVELOPMENT GROUP LLC  
 Deeded Owner WELK, ANTHONY A & SHARON A  
 Nondeeded Owner EDGEWOOD DEVELOPMENT GROUP LLC  
 Property Id 1605-003-020 Block 3  
 Address 3307 N COLORADO DR  
 Desc of Work 1. SINGLE FAMILY ROWHOUSE WITH 654 SF  
 2. GARAGE, 446 SF 2ND FLOOR, 32 SF COVERED  
 3. ENTRY. SLAB ON GRADE. 2-1 HR FIREWALL

Permit Fee 915.85  
 Cost Less Land 185,218.00  
 Location CITY OF BISMARCK  
 Census Code 0102 - SINGLE FAMILY ATTACHED  
 Addition Name EDGEWOOD VILLAGE 2ND ADD  
 Legal Desc 1. LOT 5  
 2.  
 3.  
 4.

Permit Num 2010-00832 OPEN Date 6/23/2010  
 Contractor EDGEWOOD DEVELOPMENT GROUP LLC  
 Deeded Owner EDGEWOOD VILLAGE 2ND ADDT LLLP  
 Nondeeded Owner EDGEWOOD DEVELOPMENT GROUP LLC  
 Property Id 1605-003-025 Block 3  
 Address 3313 N COLORADO DR  
 Desc of Work 1. SINGLE FAMILY ROWHOUSE W/ 654 SF GARAGE,  
 2. 446 SF 2ND FLOOR, 32 SF COVERED ENTRY.NO  
 3. DECK. SLAB ON GRADE. 2-1 HOUR FIREWALL.

Permit Fee 915.85  
 Cost Less Land 185,218.00  
 Location CITY OF BISMARCK  
 Census Code 0102 - SINGLE FAMILY ATTACHED  
 Addition Name EDGEWOOD VILLAGE 2ND ADD  
 Legal Desc 1. LOT 6  
 2.  
 3.  
 4.

Permit Num 2010-00833 OPEN Date 6/23/2010  
 Contractor CAPITAL CITY CONSTRUCTION INC  
 Deeded Owner IRET PROPERTIES  
 Nondeeded Owner MEDCENTER ONE  
 Property Id 001-042-001 Block 42  
 Address 715 E BROADWAY AV SUITE 150  
 Desc of Work 1. SUITE 150 - INTERIOR FINISH OF EAST  
 2. 2275SF OF SUITE 150 FOR MEDCENTER ONE  
 3. EMS/ BUSINESS OFFICE

Permit Fee 735.65  
 Cost Less Land 132,100.00  
 Location CITY OF BISMARCK  
 Census Code 0703 - OFFICE & PROFESSIONAL BLDG  
 Addition Name ORIGINAL PLAT  
 Legal Desc 1. TRACT 715 OF BLOCKS 40 & 42  
 2.  
 3.  
 4.

Permit Num 2010-00834 OPEN Date 6/23/2010  
 Contractor EDGEWOOD DEVELOPMENT GROUP LLC  
 Deeded Owner VANDEWALLE, KATHLEEN  
 Nondeeded Owner EDGEWOOD DEVELOPMENT GROUP LLC  
 Property Id 1605-001-315 Block 1  
 Address 3306 N COLORADO DR  
 Desc of Work 1. SINGLE FAMILY ROWHOUSE W/627 SF GARAGE,  
 2. 11/8 SF COVERED PATIO, 36 SF COVERED  
 3. ENTRY. SLAB ON GRADE. 2-1 HOUR FIREWALL.

Permit Fee 735.65  
 Cost Less Land 132,660.00  
 Location CITY OF BISMARCK  
 Census Code 0102 - SINGLE FAMILY ATTACHED  
 Addition Name EDGEWOOD VILLAGE 2ND ADD  
 Legal Desc 1. LOT 52  
 2.  
 3.  
 4.

Permit Num 2010-00835 OPEN Date 6/23/2010  
 Contractor EDGEWOOD DEVELOPMENT GROUP LLC  
 Deeded Owner EDGEWOOD VILLAGE 2ND ADDT LLLP  
 Nondeeded Owner EDGEWOOD DEVELOPMENT GROUP LLC  
 Property Id 1605-001-310 Block 1  
 Address 3312 N COLORADO DR  
 Desc of Work 1. SINGLE FAMILY HOUSE WITH 627 SF GARAGE,  
 2. 118 SF COVERED PATIO, 36 SF COVERED ENTRY  
 3. SLAB ON GRADE. 2-1 HOUR FIREWALL.

Permit Fee 735.65  
 Cost Less Land 132,819.00  
 Location CITY OF BISMARCK  
 Census Code 0102 - SINGLE FAMILY ATTACHED  
 Addition Name EDGEWOOD VILLAGE 2ND ADD  
 Legal Desc 1. LOT 51  
 2.  
 3.  
 4.

Permit Num 2010-00837 OPEN Date 6/23/2010  
 Contractor RED DOOR HOMES OF BISMARCK  
 Deeded Owner MITZEL BUILDERS INC  
 Nondeeded Owner RED DOOR HOMES OF BISMARCK  
 Property Id 1435-001-001 Block 1  
 Address 5101 SUNLIGHT DR  
 Desc of Work 1. SINGLE FAMILY HOUSE WITH 760 SF GARAGE,  
 2. 1026 SF UNFINISHED BASEMENT, 44 SF COVERD  
 3. ENTRY. NO DECK.

Permit Fee 684.65  
 Cost Less Land 117,729.00  
 Location CITY OF BISMARCK  
 Census Code 0101 - SINGLE FAMILY DETACHED  
 Addition Name HORIZON HGTS 4TH 1ST REP  
 Legal Desc 1. LOT 1  
 2.  
 3.  
 4.

DATE SELECTION 6/2010

Permit Type	City		ETA		County							
	6/2010	6/2009	6/2010	6/2009	6/2010	6/2009						
	Permits	Valuation	Permits	Valuation	Permits	Valuation						
SINGLE FAMILY DETACHED	118	20,836,815.00	60	10,728,066.00	52	9,368,706.00	27	5,520,717.00	7	1,439,451.00	3	514,516.00
SINGLE FAMILY ATTACHED	45	7,051,303.00	7	965,269.00	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	8	1,813,935.00	0	.00	0	.00	0	.00	0	.00
FIVE & MORE FAMILY	2	2,144,000.00	2	3,500,000.00	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	6	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOBILE HOME WITHOUT EXTRA	4	4,095.00	12	.00	0	.00	0	.00	0	.00	0	.00
MOBILE HOME WITH EXTRAS	2	.00	1	1,200.00	0	.00	0	.00	0	.00	0	.00
MOBILE HOME MISCELLANEOUS	2	31,516.00	2	2,675.00	0	.00	0	.00	0	.00	0	.00
HOTELS	1	4,362,000.00	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	2	144,700.00	1	203,693.00	0	.00	0	.00	0	.00	0	.00
STRUCTURE OTHER THAN BLDG	2	4,380,824.00	1	13,590,000.00	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	1	120,000.00	0	.00	0	.00	0	.00	0	.00	0	.00
INDUSTRIAL	5	3,790,581.00	5	935,300.00	1	56,000.00	0	.00	0	.00	1	210,867.00
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	2	18,648,860.00	0	.00	0	.00	0	.00	0	.00
OFFICE, BANK & PROFESSION	5	26,472,193.00	0	.00	0	.00	0	.00	0	.00	0	.00
SCHOOLS AND EDUCATIONAL	0	.00	1	8,879,743.00	0	.00	0	.00	0	.00	0	.00
COMM (RETAIL SALES)	2	267,117.00	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	6	127,114.00	4	425,301.00	0	.00	0	.00	0	.00	0	.00
PUBLIC BUILDING	5	1,673,597.00	13	14,703,385.00	0	.00	1	753,000.00	0	.00	1	22,786.00
ROOM ADDITIONS	8	138,117.00	12	558,275.00	10	896,988.00	11	606,698.00	2	97,680.00	1	4,000.00
RESIDENTIAL GARAGES	42	385,636.00	26	195,535.00	38	623,272.00	39	691,856.00	14	452,904.00	2	12,288.00
PATIOS AND COVERS	66	209,360.00	51	145,840.00	6	31,847.00	8	29,665.00	2	8,400.00	1	960.00
SWIMMING POOLS AND SPAS	1	70,395.00	0	.00	0	.00	0	.00	0	.00	0	.00
OTHER	87	1,399,800.00	73	741,109.00	6	108,952.00	10	263,994.00	4	12,500.00	1	1,000.00
HOME OCCUPATIONS	3	.00	1	.00	1	.00	2	.00	0	.00	0	.00
STORAGE SHEDS	56	100,280.00	36	70,390.00	6	14,736.00	2	4,200.00	0	.00	0	.00
BASEMENT FINISH	76	339,408.00	85	473,723.00	25	120,897.00	42	256,913.00	2	12,650.00	1	4,940.00
INDUSTRIAL BUILDINGS	9	1,022,581.00	12	423,555.00	0	.00	0	.00	0	.00	0	.00
COMMERCIAL BUILDINGS	15	1,957,393.00	21	1,650,791.00	1	988,684.00	1	303,000.00	0	.00	0	.00

DATE SELECTION 6/2010

Permit Type	City		ETA		County							
	6/2010	6/2009	6/2010	6/2009	6/2010	6/2009						
	Permits	Valuation	Permits	Valuation	Permits	Valuation						
OFFICE & PROFESSIONAL BLD	40	6,680,732.00	42	5,419,436.00	0	.00	1	625,402.00	0	.00	0	.00
OTHER	8	1,415,456.00	8	2,255,693.00	0	.00	0	.00	0	.00	0	.00
ALTER PUBLIC	9	2,724,647.00	5	246,145.00	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	11	.00	6	.00	0	.00	0	.00	0	.00	0	.00
OTHER	4	.00	3	.00	0	.00	1	.00	0	.00	0	.00
CHRISTMAS TREE SALES	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
FIREWORKS SALES	2	.00	1	.00	10	.00	9	.00	0	.00	0	.00
NURSERY STOCK SALES	3	.00	3	.00	0	.00	0	.00	0	.00	0	.00
TEMPORARY STRUCTURE PERMI	3	.00	8	.00	5	.00	3	.00	0	.00	0	.00
CIRCUS/CARNIVAL	1	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOVE OUT OF PMT LOCATION	2	.00	4	.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	1	.00	1	.00	0	.00	0	.00	0	.00	0	.00
NEW SIGN PERMIT	25	190,000.00	28	571,799.00	1	1,945.00	0	.00	0	.00	0	.00
SIGN ALTERATION	1	26,915.00	0	.00	0	.00	0	.00	0	.00	0	.00
ELECTRONIC MESSAGE CENTER	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
	681	88,066,583.00	545	87,149,718.00	162	12,212,027.00	157	9,055,445.00	31	2,023,585.00	11	771,357.00

DATE SELECTION 6/2010

Permit Type	***** City *****		***** ETA *****		***** County *****	
	6/2010 Permits	6/2009 Permits	6/2010 Permits	6/2009 Permits	6/2010 Permits	6/2009 Permits
Plumbing	200	178	54	28	6	3
Electrical	494	443	0	0	0	0
Mechanical	487	438	77	93	11	6
Drain Field	0	0	27	6	0	0
Hood Suppression	0	1	0	0	0	0
SprinklerStandpipe	2	4	0	0	0	0
Alarm Detection	3	0	0	0	0	0
Total	1203	1081	177	140	19	11

DATE SELECTION 6/2010

Living Units	City		ETA		County	
	Units 6/2010	Units 6/2009	Units 6/2010	Units 6/2009	Units 6/2010	Units 6/2009
SINGLE FAMILY DETACHED	118	60	52	27	7	3
SINGLE FAMILY ATTACHED	45	7	0	0	0	0
THREE & FOUR FAMILY	0	14	0	0	0	0
FIVE & MORE FAMILY	21	71	0	0	0	0
MOBILE HOME WITHOUT EXTRA	0	1	0	0	0	0
MOBILE HOME WITH EXTRAS	1	0	0	0	0	0
GROUP QUARTERS	2	4	0	0	0	0
HOSPITALS & INSTITUTIONAL	0	294	0	0	0	0
ROOM ADDITIONS	1	0	2	2	1	0
RESIDENTIAL GARAGES	1	1	1	1	1	0
PATIOS AND COVERS	0	0	0	1	0	0
OTHER	3	2	0	1	0	1
STORAGE SHEDS	2	0	0	0	0	0
BASEMENT FINISH	5	0	1	2	0	0
COMMERCIAL BUILDINGS	0	0	0	23	0	0
RESIDENTIAL	0	1	0	0	0	0
FIREWORKS SALES	0	0	0	1	0	0
Total	199	455	56	58	9	4

PERMIT LOCATION	PERMIT NUMBER	PROPERTY ADDRESS	DATE SELECTION	06/2010	OWNERS NAME CONTRACTOR	VALUATION
CITY OF BISMARCK	2010-0000759	211 W BOWEN	AV		DAKOTA APARTMENTS PROFESSIONAL CONTRACTORS INC	1,194,000.00
CITY OF BISMARCK	2010-0000777	1200 COLLEGE	DR		BIS PUB SCHOOLS - VO TECH DAKOTA WEST CONTRACTING	1,931,370.00
CITY OF BISMARCK	2010-0000803	900 E BROADWAY	AV		ST ALEXIUS MEDICAL CENTER SELF/OWNER ST ALEXIUS	2,000,400.00
CITY OF BISMARCK	2010-0000804	3100 RAILROAD	AV		ND STATE PENITENTIARY CAPITAL CITY CONSTRUCTION INC	1,510,040.00
CITY OF BISMARCK	2010-0000826	810 E ROSSER	AV		ST ALEXIUS MEDICAL CENTER SELF/OWNER ST ALEXIUS	1,212,105.00
CITY OF BISMARCK	2010-0000830	4202 COLEMAN	ST		DAKOTA CARRIER NETWORK CAPITAL CITY CONSTRUCTION INC	8,412,386.00

DATE SELECTION 6/2010

Permit Type	***** City *****		***** ETA *****		***** County *****							
	6/2010	6/2009	6/2010	6/2009	6/2010	6/2009						
	Permits	Valuation	Permits	Valuation	Permits	Valuation						
SINGLE FAMILY DETACHED	33	5,999,680.00	22	4,191,566.00	10	1,914,144.00	11	1,936,216.00	2	479,842.00	1	187,060.00
SINGLE FAMILY ATTACHED	10	1,543,518.00	7	965,269.00	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	4	924,999.00	0	.00	0	.00	0	.00	0	.00
FIVE & MORE FAMILY	1	1,194,000.00	2	3,500,000.00	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	4	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOBILE HOME WITHOUT EXTRA	1	.00	6	.00	0	.00	0	.00	0	.00	0	.00
MOBILE HOME WITH EXTRAS	0	.00	1	1,200.00	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
HOTELS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
GROUP QUARTERS	0	.00	1	203,693.00	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	2	814,864.00	1	14,500.00	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	10,730,000.00	0	.00	0	.00	0	.00	0	.00
OFFICE, BANK & PROFESSION	2	8,883,436.00	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)	1	77,861.00	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	4	2,000.00	0	.00	0	.00	0	.00	0	.00	0	.00
PUBLIC BUILDING	1	1,510,040.00	6	225,740.00	0	.00	1	753,000.00	0	.00	0	.00
ROOM ADDITIONS	0	.00	3	249,081.00	4	289,725.00	5	383,079.00	0	.00	0	.00
RESIDENTIAL GARAGES	10	96,358.00	7	49,514.00	16	275,072.00	13	205,824.00	1	40,320.00	1	.00
PATIOS AND COVERS	20	68,170.00	18	56,618.00	3	15,737.00	0	.00	1	3,600.00	1	960.00
SWIMMING POOLS AND SPAS	1	70,395.00	0	.00	0	.00	0	.00	0	.00	0	.00
OTHER	16	281,935.00	18	87,212.00	0	.00	3	81,000.00	1	1,000.00	0	.00
HOME OCCUPATIONS	0	.00	0	.00	1	.00	0	.00	0	.00	0	.00
STORAGE SHEDS	19	34,366.00	13	27,681.00	2	4,572.00	0	.00	0	.00	0	.00
BASEMENT FINISH	12	50,530.00	12	75,501.00	1	2,138.00	3	17,683.00	0	.00	0	.00
INDUSTRIAL BUILDINGS	0	.00	1	81,470.00	0	.00	0	.00	0	.00	0	.00
COMMERCIAL BUILDINGS	1	5,000.00	1	7,900.00	0	.00	1	303,000.00	0	.00	0	.00

DATE SELECTION 6/2010

Permit Type	***** City *****		***** ETA *****		***** County *****							
	6/2010	6/2009	6/2010	6/2009	6/2010	6/2009						
	Permits	Valuation	Permits	Valuation	Permits	Valuation						
OFFICE & PROFESSIONAL BLD	6	3,684,688.00	5	1,021,048.00	0	.00	1	625,402.00	0	.00	0	.00
OTHER	3	57,253.00	1	1,055,045.00	0	.00	0	.00	0	.00	0	.00
ALTER PUBLIC	3	2,259,947.00	4	15,500.00	0	.00	0	.00	0	.00	0	.00
APTS TO CONDO	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
TO/FROM RESIDENTIAL	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
RESIDENTIAL	0	.00	1	.00	0	.00	0	.00	0	.00	0	.00
OTHER	0	.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	2	.00	1	.00	10	.00	9	.00	0	.00	0	.00
NURSERY STOCK SALES	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
TEMPORARY STRUCTURE PERMI	3	.00	7	.00	5	.00	3	.00	0	.00	0	.00
CIRCUS/CARNIVAL	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOVE OUT OF PMT LOCATION	1	.00	1	.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	1	.00	0	.00	0	.00	0	.00	0	.00	0	.00
NEW SIGN PERMIT	8	80,099.00	6	103,935.00	0	.00	0	.00	0	.00	0	.00
SIGN ALTERATION	1	26,915.00	0	.00	0	.00	0	.00	0	.00	0	.00
ELECTRONIC MESSAGE CENTER	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
Permit Type Total	166	26,741,055.00	151	23,587,472.00	52	2,501,388.00	50	4,305,204.00	5	524,762.00	3	188,020.00

DATE SELECTION 6/2010

Permit Type	City		ETA		County	
	6/2010 Permits	6/2009 Permits	6/2010 Permits	6/2009 Permits	6/2010 Permits	6/2009 Permits
Plumbing	56	46	24	9	3	0
Electrical	140	88	0	0	0	0
Mechanical	99	92	14	15	1	1
Drain Field	0	0	27	6	0	0
Hood Suppression	0	1	0	0	0	0
SprinklerStandpipe	2	4	0	0	0	0
Alarm Detection	3	0	0	0	0	0
Total	300	231	65	30	4	1

DATE SELECTION 6/2010

Living Units	***** City *****		***** ETA *****		***** County *****	
	Units 6/2010	Units 6/2009	Units 6/2010	Units 6/2009	Units 6/2010	Units 6/2009
SINGLE FAMILY DETACHED	33	22	10	11	2	1
SINGLE FAMILY ATTACHED	10	7	0	0	0	0
THREE & FOUR FAMILY	0	7	0	0	0	0
FIVE & MORE FAMILY	12	71	0	0	0	0
GROUP QUARTERS	0	4	0	0	0	0
HOSPITALS & INSTITUTIONAL	0	214	0	0	0	0
ROOM ADDITIONS	0	0	1	2	0	0
RESIDENTIAL GARAGES	0	0	0	1	0	0
COMMERCIAL BUILDINGS	0	0	0	23	0	0
FIREWORKS SALES	0	0	0	1	0	0
Total	55	325	11	38	2	1