



Community Development Department

BISMARCK PLANNING AND ZONING COMMISSION
MEETING AGENDA
September 24, 2014

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

Item No. Page

MINUTES

- 1. Consider approval of the minutes of the August 27, 2014 meeting of the Bismarck Planning & Zoning Commission.

CONSENT AGENDA

CONSIDERATION

The following items are requests for a public hearing.

- 2. Lots 1 and 3-18, Block 1, Missouri Valley Complex – PUD Amendment (Klee) 1
Staff recommendation: schedule a hearing []schedule a hearing []table []deny

REGULAR AGENDA

FINAL CONSIDERATION/PUBLIC HEARINGS

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

- 3. Misty Waters First Replat – Minor Subdivision Final Plat (JW) 17
Hay Creek Township
Staff recommendation: approve []approve []continue []table []deny
- 4. Sonnet Heights Subdivision Sixth Replat – Minor Subdivision Final Plat (Klee) 21
Staff recommendation: continue []approve []continue []table []deny



- 5. **Stoneridge Addition (JT)**
 - a. Zoning Change (RR to R5 & PUD).....25
Staff recommendation: continue approve continue table deny
 - b. Minor Subdivision Final Plat..... 37
Staff recommendation: continue approve continue table deny
- 6. **Lot 2, Block 3, KMK Estates – Zoning Change (RR to R10 & Conditional RT) (JT).. 43**
Staff recommendation: approve approve continue table deny
- 7. **Block 15, McKenzie’s Addition – PUD Amendment (JW)..... 47**
Staff recommendation: approve approve continue table deny
- 8. **Lot 1B of Lot 1 and the North 83.35 feet of Lot 2, Block 1, Sunrise Town Centre Addition - Special Use Permit (Drive-through) (JW)..... 59**
Staff recommendation: approve approve continue table deny

OTHER BUSINESS

- 9. **Other**

ADJOURNMENT

- 10. **Adjourn.** The next regular meeting date is scheduled for Wednesday, October 22, 2014.

Enclosures: Meeting Minutes of August 27, 2014
 Building Permit Activity Report for August 2014

**BISMARCK COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

BACKGROUND:		
Title: Lots 1 and 3-18, Block 1, Missouri Valley Complex – Major PUD Amendment		
Status: Planning Commission – Consideration		Date: September 24, 2014
Owner(s): Burleigh County		Engineer: None
Reason for Request: Amend PUD to allow the construction and operation of the Burleigh/Morton Detention Center on Lot 1.		
Location: In east Bismarck, along the south side of County Highway 10, the east side of Bismarck Expressway and the north side of Yegen Road and Apple Creek Road. Lot 1 is located along the north side of Apple Creek Road east of and at the intersection with Yegen Road.		
Project Size: 162.28 acres (entire PUD) 45.11 acres (Lot 1)		Number of Lots: 18 lots in 1 block (entire PUD) 1 lot in 1 block (Lot 1)
EXISTING CONDITIONS:		PROPOSED CONDITIONS:
Land Use: County fairgrounds (various uses)		Land Use: County fairgrounds (various uses)
Zoning: PUD – Planned Unit Development		Zoning: PUD – Planned Unit Development
Uses Allowed: Uses specified in PUD		Uses Allowed: Uses specified by PUD
Maximum Density Allowed: N/A		Maximum Density Allowed: N/A
PROPERTY HISTORY:		
Zoned: 06/2006 (PUD amended in 06/2006, 09/2009 & 09/2013)	Platted: 06/2006	Annexed: 11/1980
ADDITIONAL INFORMATION:		
<ol style="list-style-type: none"> Section 14-04-18 of the Bismarck Code of Ordinances (Zoning) indicates that the intent of the City's Planned Unit Development district is "to encourage flexibility in development of land in order to promote its most appropriate use; to improve the design, character and quality of new development; to facilitate the adequate and economical provision of streets and utilities; and to preserve the natural and scenic features of open space." A copy of this section is attached. The Missouri Valley Complex Planned Unit Development was approved by the City of Bismarck in June 2004 and the final plat was recorded in July 2006. The PUD ordinance indicates that the PUD shall only be amended in accordance with the provisions of Section 14-04-18(4) of the City Code of Ordinances (Planned Unit Developments) and that major changes require a majority vote of the Bismarck Planning & Zoning Commission. The PUD was amended in July 2006 to correct lot numbers and to expand the area that could be used for off-road vehicles. The PUD was amended again in 2009 to allow utilities on all lots and again in 2013 to allow auctions on certain lots. 		
<i>(continued)</i>		

4. All allowable land uses in a PUD are specified in the PUD ordinance. If a specific type of land use is not specified, it is not allowed. To allow auctions within the PUD, new language is proposed as an addition to the permitted uses for this PUD.
5. The property owner has requested the amendment to allow the construction and operation of a new detention center for Burleigh and Morton Counties on Lot 1.

FINDINGS:

1. The Missouri Valley Complex is outside of the area included in the Future Land Use Plan (FLUP) in the 2014 Growth Management Plan.
2. The PUD as amended would not create incompatibilities with the existing adjacent land uses, as the area proposed for the detention center is separated from the remainder of the Missouri Valley Complex by a tributary of Apple Creek (including floodway and special flood hazard areas) and there are light industrial uses to the west across Yegen Road and to the south across Apple Creek Road. Adjacent land uses for the entire PUD include undeveloped State-owned land to the north and southeast, a State prison and other State-owned land to the west, industrial uses to the south and southwest, and industrial uses and undeveloped RR and A-zoned land to the east.
3. The property is already annexed and municipal services are available in Apple Creek Road; therefore, the PUD as amended will not place an undue burden on public services.
4. The proposed PUD amendment is consistent with adopted plans, policies and accepted planning practice, provided that the detention center use is limited to Lot 1.

RECOMMENDATION:

Based on the above findings, staff recommends scheduling a public hearing on the major PUD amendment for Missouri Valley Complex to allow the construction and operation of a detention center on Lot 1, Block 1 as outlined in the attached draft PUD amendment document.

/Klee

**MISSOURI VALLEY COMPLEX PLANNED UNIT DEVELOPMENT
ORDINANCE NO. 5373 (Adopted November 23, 2004 – effective July 10, 2006)
MAJOR PUD AMENDMENT (Adopted July 26, 2006)
MAJOR PUD AMENDMENT (Adopted September 23, 2009)
MAJOR PUD AMENDMENT (Adopted September 25, 2013)
MAJOR PUD AMENDMENT (Adopted _____)**

WHEREAS, Ordinance No. 5373 was adopted by the Board of City Commissioners on November 23, 2004; and

WHEREAS, the PUD shall only be amended in accordance with the provisions of Section 14-04-18(4) of the City Code of Ordinances (Planned Unit Developments); and

WHEREAS, the PUD was amended on July 26, 2006 to correct lot numbers and to expand the area that could be used for off-road vehicles; again on September 23, 2009 to allow utilities on all lots; and again on September 25, 2013 to allow auctions on specific lots.

WHEREAS, Burleigh County has requested a fourth amendment to the Planned Unit Development for Lots 1 and 3-19, Block 1, Missouri Valley Complex.

NOW, THEREFORE, BE IT RESOLVED by the Bismarck Planning and Zoning Commission of the City of Bismarck, North Dakota, a municipal corporation, that the request to amend the Planned Unit Development for the following described property:

Lot 1 and Lots 3-19, Block 1, Missouri Valley Complex

is hereby approved and this PUD is now subject to the following development standards:

1. Uses Permitted. Uses permitted include:

Lots 5, 7 & 8 – Perimeter Landscaping and Parking

To be used for landscaping and parking. The east end of Lot 8 and the south end of Lot 5 may include structures to define these locations as entrance points to the Missouri Valley Complex.

Lot 6 – Lift Station

Lot 6 is the site of an existing sanitary sewer lift station and is reserved for continuation of that use.

Lots 11, 12, 14 & 18 – Off-Road Motor Sports

For motorcycle events such as motocross and for other similar motor sports activities including but not limited to ATVs and snowmobiles or bicycle uses.

Lot 19 – Roads

The interior road system is designated as a lot rather than as dedicated streets or access easements. The objective is for the county to retain ownership of the roads and provide maintenance.

Lot 1 – Detention Center

A detention center for Burleigh and Morton Counties is allowed on Lot 1.

Lots 1, 3, 4, 9, 10, 11 & 13 – Nature & Recreation

The primary land use objectives for these lots are to preserve and enhance the creek and wetland areas for outdoor recreation, wildlife habitat and flood water storage. Some typical uses would include multi-use trails, environmental education, archery, community gardens, bird watching, a dog agility course, Frisbee golf, non-motorized watercraft, picnic areas and other suitable uses of a similar character. Structures within these lots may include picnic tables, picnic shelters, toilets and similar structures. Lots 4 and 9 could include structures to define these locations as entrance points to the Missouri Valley Complex.

Lots 14, 15, 16, 17 & 18 – Multi-Use Activities

An indoor arena for year-round functions such as agricultural and community education; festivals; stock shows; dances; community meetings; auctions limited to benefit auctions, estate auctions, occasional livestock auctions tied to 4H or other not-for-profit educational livestock shows, and similar types of auctions, but specifically excluding commercial livestock sales and auctions (regardless of whether the livestock being sold commercially is breeding/production stock or other livestock); collector meets and other suitable activities.

A grandstand for outdoor entertainment, concerts, trade shows, fairs, collector and swap meets, car shows and other suitable activities.

Active use areas include parking for events such as exhibits, carnival rides, vendor booths, etc.

Buckstop Junction on Lot 16: There is a long-term lease agreement in this area with the Missouri Valley Historical Society. Area is reserved based on the Historical Society plan for expansion of additional streets, building sites and other “town” features. A new parking area is planned to the northwest of the “town”.

A crop maze, historic period agriculture demonstrations or research related agricultural plots may occupy areas within these lots.

The NDSU / Burleigh County Extension / 4H activities and offices are on Lot 17. Part of the 4H program includes a shooting sports component. An indoor shooting range may be constructed on a portion of Lot 17.

The area is also slated for an indoor arena and parking. Part of this area, including Lot 18, may be developed as an outdoor arena for livestock or rodeo activities or other suitable uses such as tractor pulls.

Accessory uses including restroom facilities, registration booths, various concessions such as food and beverage services, beer gardens, and other services and uses normally associated with major events that bring large gatherings of people are allowed throughout the "Multi-Use Activities" area.

Any proposed changes that are inconsistent with these permitted use standards will require an amendment to this PUD.

Lots 11, 12, 14 & 18

Camping is allowed on Lots 11, 12, 14 & 18 when associated with an event such as a rodeo or motocross rally.

All lots – Utility Systems

For the benefit of the public, utility systems for gas, water, communication, electrical and sewer are allowed on any lot when the following factors are present:

- 1) The structure or use is necessary for the safe or efficient operation of the utility.
- 2) The utility which the structure or use serves is one available to the general public.
- 3) The design and location of the premises and structures are in compliance with the development standards for this PUD and other applicable codes.
- 4) The use complies with setback regulations specified for this PUD.
- 5) Wherever the lot on which the use is located adjoins a lot in a residential district, there is planted and maintained a landscaped screened planting strip no less than five feet in width adjacent to all lot boundaries so adjoining a lot in a residential district.
- 6) Proper fencing with lot entrances shall be erected at least six (6) feet high and maintained around all installations and structures in which there is any safety hazard whatsoever for children, provided that all structures shall be so located that such safety fence shall be so placed as not to encroach on any front yard.
- 7) The following uses are declared to be typical utilities:
 - a. Electric transformer or substations.
 - b. Electric transmission lines.
 - c. Sewage lift stations.
 - d. Water pumping stations.
 - e. Cell phone, microwave, radio, or communication towers.

- f. Gas regulator stations, excluding stations emitting noise of more than fifty (50) decibels at any property line adjacent to any residentially zoned area.

2. *Development Standards.*

The primary objective for this PUD area is to promote development consistent with the goals and objectives of the Missouri Valley Fairgrounds Site Strategic Development Plan of October 2001. A parallel objective is to allow flexibility in developing the site by placing a greater emphasis on development concepts and a lesser emphasis on a list of detailed specific uses, locations, arrangements, and numbers of buildings and structures.

Proposed developments in this area are not exempt from construction requirements of building, plumbing, electrical, and fire codes.

Building setback requirements in this PUD are as follows:

Front yard. Each lot shall have a front yard of not less than 25 feet.

Side yard. Each lot shall have side yards of not less than 15 feet.

Rear yard. Each lot shall have a rear yard of not less than 50 feet.

East Boundary. For Lots 4, 9, 10, 11, 12 & 13 of Block 1, a building setback of 75 feet shall apply to the east boundary line of those lots.

Lot 19 contains the interior road system. Building setbacks will be measured from the boundary of this lot.

Lot coverage shall not exceed 80 percent (80%).

Except for utilities as allowed herein, no structure shall exceed 50 feet in height.

For structures or trees within any powerline easement area, written permission from the easement owner is required.

Parking lots will be subject to the requirements of Section 14-03-11 of the Code of Ordinances of the City of Bismarck, North Dakota.

Any proposed changes that are inconsistent with these development standards will require an amendment to this PUD.

3. *Changes.*

This PUD shall only be amended in accordance with Section 14-04-18(4) of the City Code of Ordinances (Planned Unit Developments). Major changes require a

public hearing and a majority vote of the Bismarck Planning & Zoning Commission.

Section 14-04-18 of the City Code of Ordinances (Planned Unit Developments)

14-04-18. Planned Unit Developments: It is the intent of this section to encourage flexibility in development of land in order to promote its most appropriate use; to improve the design, character and quality of new development; to facilitate the adequate and economical provision of streets and utilities; and to preserve the natural and scenic features of open space.

1. Site plan, written statement and architectural drawings. The application must be accompanied by a site plan, a written statement and architectural drawings:

a. Site plan. A complete site plan of the proposed planned unit prepared at a scale of not less than one (1) inch equals one hundred (100) feet shall be submitted in sufficient detail to evaluate the land planning, building design, and other features of the planned unit. The site plan must contain, insofar as applicable, the following minimum information.

- 1) The existing topographic character of the land;
- 2) Existing and proposed land uses;
- 3) The location of all existing and proposed buildings, structures and improvements;
- 4) The maximum height of all buildings;
- 5) The density and type of dwelling;
- 6) The internal traffic and circulation systems, off-street parking areas, and major points of access to public right-of-way;
- 7) Areas which are to be conveyed, dedicated or reserved as common park areas, including public parks and recreational areas;
- 8) Proposed interior buffer areas between uses;
- 9) Acreage of PUD;
- 10) Utility service plan showing existing utilities in place and all existing and proposed easements;
- 11) Landscape plan; and
- 12) Surrounding land uses, zoning and ownership.

b. Written statement. The written statement to be submitted with the planned unit application must contain the following information:

1) A statement of the present ownership and a legal description of all the land included in the planned unit;

2) An explanation of the objectives to be achieved by the planned unit, including building descriptions, sketches or elevations as may be required to describe the objectives; and

3) A copy of all proposed condominium agreements for common areas.

c. Architectural drawings - the following architectural drawings shall be submitted in sufficient detail to allow evaluation of building height, form, massing, texture, materials of construction, and type, size, and location of door and window openings:

1) Elevations of the front and one side of a typical structure.

2) A perspective of a typical structure, unless waived by the planning department.

2. Review and approval.

a. All planned units shall be considered by the planning commission in the same manner as a zoning change. The planning commission may grant the proposed planned unit in whole or in part, with or without modifications and conditions, or deny it.

b. All approved site plans for planned units, including modifications or conditions shall be endorsed by the planning commission and filed with the Director of Community Development. The zoning district map shall indicate that a planned unit has been approved for the area included in the site plan.

3. Standards. The planning commission must be satisfied that the site plan for the planned unit has met each of the following criteria:

a. Proposal conforms to the comprehensive plan.

b. Buffer areas between noncompatible land uses may be required by the planning commission.

c. Preservation of natural features including trees and drainage areas should be accomplished.

d. The internal street circulation system must be designed for the type of traffic generated. Private internal streets may be permitted if they conform to this ordinance and are constructed in a manner agreeable to the city engineer.

e. The character and nature of the proposal contains a planned and coordinated land use or mix of land uses which are compatible and harmonious with adjacent land areas.

4. Changes.

a. Minor changes in the location, setting, or character of buildings and structures may be authorized by the Director of Community Development.

b. All other changes in the planned unit shall be initiated in the following manner:

1) Application for Planned Development Amendment.

a) The application shall be completed and filed by all owners of the property proposed to be changed, or his/their designated agent.

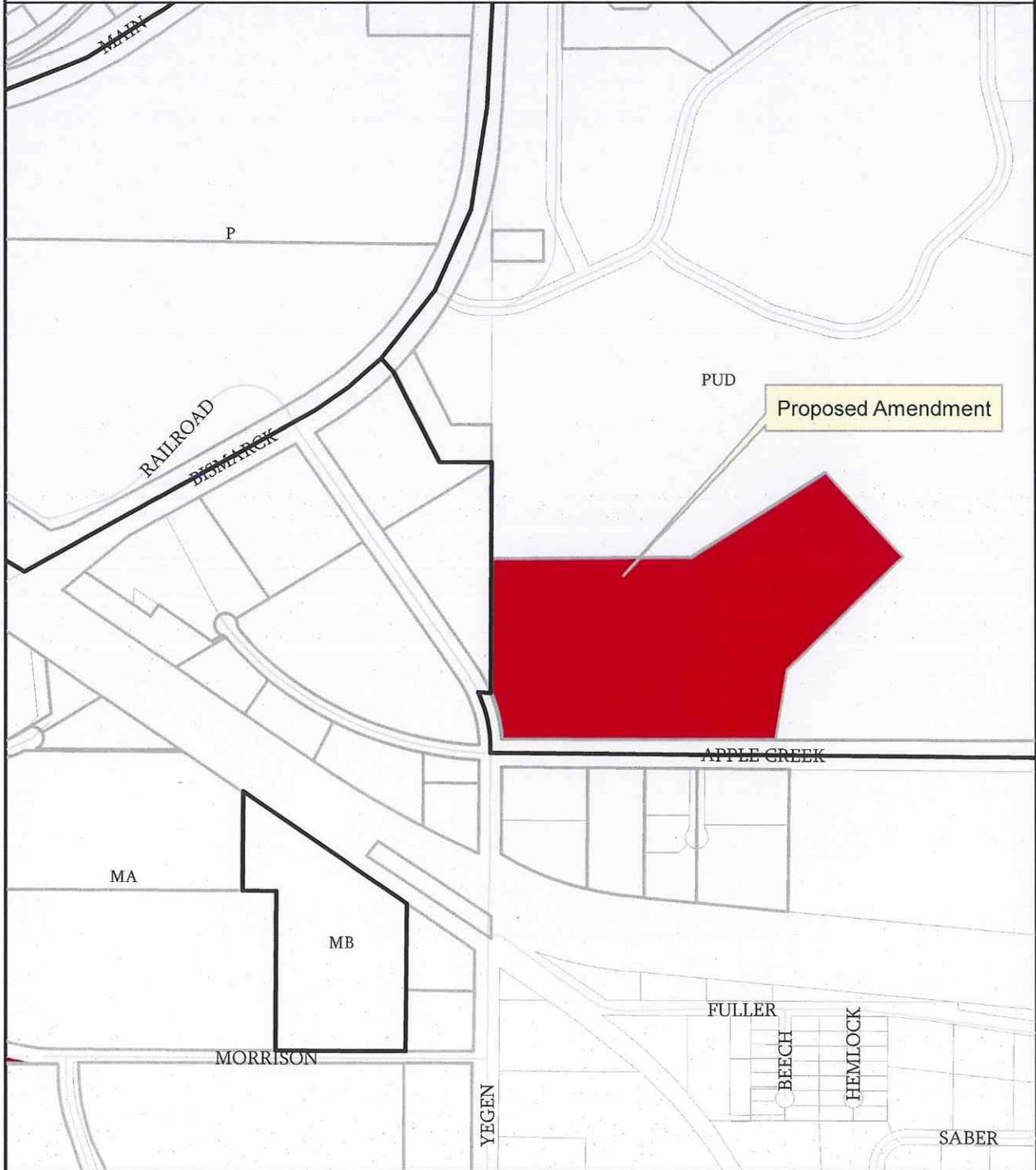
b) The application shall be submitted by the specified application deadline and on the proper form and shall not be accepted by the Director of Community Development unless and, until all of the application requirements of this section have been fulfilled.

2) Consideration by Planning Commission. The planning commission secretary, upon the satisfactory fulfillment of the amendment application and requirements contained herein, shall schedule the requested amendment for a regular or special meeting of the planning commission, but in no event later than sixty (60) calendar days following the filing and acceptance of the application. The planning commission may approve and call for a public hearing on the request, deny the request or table the request for additional study.

3) Public Hearing by Planning Commission. Following preliminary approval of an amendment application, the Director of Community Development shall set a time and place for a public hearing thereon. Notice of the time and place of holding such public hearing shall be published in a newspaper of general circulation in the City of Bismarck once each week for two (2) consecutive weeks prior to the hearing. Not less than ten (10) days prior to the date of the scheduled public hearing, the City shall attempt to notify all known adjacent property owners within three hundred (300) feet of the planned unit development amendment. "Notify"

shall mean the mailing of a written notice to the address on record with the City Assessor or Burleigh County Auditor. The failure of adjacent property owners to actually receive the notice shall not invalidate the proceedings. The Planning Commission may approve, approve subject to certain stated conditions being met, deny or table the application for further consideration and study, or, because of the nature of the proposed change, make a recommendation and send to the Board of City Commissioners for final action.

Proposed PUD Amendment Lot 1, Block 1, Missouri Valley Complex



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.
Date: 8/28/2014(hlb)

Source: City of Bismarck





AUG 22 2014

August 15, 2014

Kim Lee, Planning Manager
City of Bismarck | Community Development
221 N. 5th Street
P.O. Box 5503
Bismarck, ND 58506-5503

**RE: PUD Amendment
Missouri Valley Complex
Written Statement**

Via: E-mail only

Dear Kim,

Please consider this letter the required written statement to be included with the PUD Amendment Request for Lot 1, Block 1 of Missouri River Complex.

General Site Description:

The existing property is approximately 45.109 acres. Generally, as it exists today the site is natural and has been undisturbed. A portion of the property towards the southeast is wetlands and has been delineated as such by surveying. There are portions of the existing property near the west edge that have been used as storage of dirt by the Burleigh County Highway Department.

The site will be modified to accommodate the detention center use and needs as described below:

The detention center has been placed on the site to maximize the best use of the site, minimize impacts to the site as well as avoid the existing wetlands and poor subsoil conditions.

The entire property will be fenced. The intent of fencing is to delineate the property edges. It will be "rural" in style. It will not be security fencing or fencing similar the State Penitentiary.

The vegetation over the entire site will be returned to natural local vegetation, with the exception of the area directly adjacent to the southeast facing front door and parking lots. The area near the front door will be a combination of turf grass and landscaping.

The site will include two approaches from Apple Creek Road. The site will include a paved and gravel loop road surrounding the building, which will provide access to the various parking lots on the property, several detention center access points, and services entrances. The road will also meet public safety requirements for fire access.

The site will include four separate paved parking lots. The two on the southeast side of the site will accommodate staff and public parking. The two on the northwest side of the site will accommodate law enforcement overflow and work release. Included with the parking lots will be appropriate sidewalks to connect the parking to the building. Also, included will be the required landscaping necessary to meet the City of Bismarck landscaping requirements.

The site will also include minimum site signage to direct the public and law enforcement.

The lighting on the site will be the minimum required to accommodate safety and traffic needs.

General Building Description:

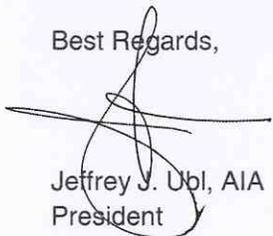
The building houses a single and very specific use. The building is approximately 213,000 SF. Included within the building will 12,990 SF of staff and administration space, there will be four separate detention center housing pods to include beds for 476 inmates. Additionally, there will be 21,752 SF dedicated to booking and intake. The remaining square footage will be dedicated to housing, food services, laundry, security, healthcare services, and utilities.

The building design has been purposefully sited and designed to accommodate future growth. The building design allows for four additional housing pods as well as room for a new Sheriff's office if deemed necessary in the future.

The building exterior will be a combination of precast wall construction and metal walls panels, textured and colored to compliment the natural landscape. (See attached preliminary rendering)

I hope you find this statement complete. If you have any questions regarding this request please let me know. I can be contacted directly at 701.751.4555.

Best Regards,



Jeffrey J. Ubl, AIA
President

**BISMARCK COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

BACKGROUND:		
Title: Misty Waters First Replat – Minor Subdivision Final Plat		
Status: Planning Commission – Public Hearing	Date: September 24, 2014	
Owner(s): Christopher Krein & Brian Gebeke Misty Waters, LLC	Engineer: Toman Engineering	
Reason for Request: Replat property to allow for twin home and multi-family development as specified in the existing PUD -Planned Unit Development.		
Location: The property is located northwest of Bismarck, along either side of Misty Waters Drive, north of Burnt Creek Loop (a replat of Lots 82-84, Block 1 and Lots 38-40, Block 3, Misty Waters).		
Project Size: 5.6 acres	Number of Lots: 10 lots in 2 blocks	
EXISTING CONDITIONS:		
Land Use: Residential	PROPOSED CONDITIONS:	
Zoning: PUD – Planned Unit Development	Land Use: Two-family & multi-family residential	
Uses Allowed: Uses specified in PUD	Zoning: PUD – Planned Unit Development	
Maximum Density Allowed: Density specified in PUD	Uses Allowed: Uses specified in PUD	
PROPERTY HISTORY:	Maximum Density Allowed: Density specified in PUD	
Zoned: 05/2005 08/2006 (PUDA)	Platted: 05/2005	Annexed: N/A
ADDITIONAL INFORMATION:		
1. The Hay Creek Township Board of Supervisors has not yet met to make a recommendation on the proposed subdivision; however, it is expected that a recommendation will be made during the public hearing for the proposed subdivision.		
FINDINGS:		
1. All technical requirements for approval of the minor subdivision final plat have been met.		
2. The storm water management plan waiver has been approved by the City Engineer, with written concurrence from the County Engineer.		
3. The proposed subdivision does not impact the Fringe Area Road Master Plan, which identifies Burnt Creek Loop as an existing collector for this area.		
4. The proposed subdivision would be compatible with adjacent land uses as specified in the PUD – Planned Unit Development. Adjacent land uses include residential uses, a marina with a public boat ramp and convenience store.		
<i>(continued)</i>		

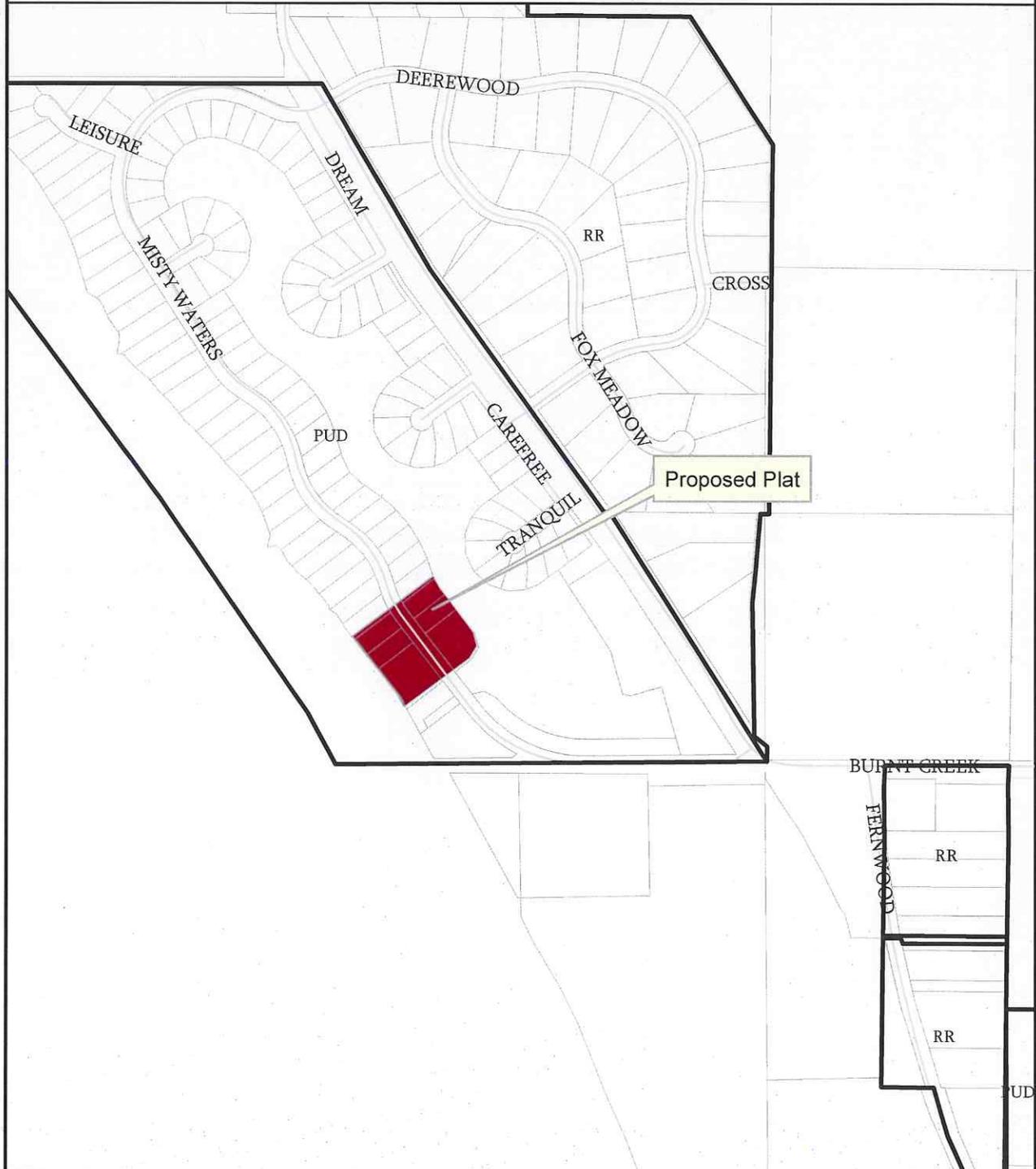
5. The proposed subdivision is served by South Central Regional Water District and utilizes a central sewage system which is pumped and taken to the City of Bismarck Waste Water Treatment Plant as needed; therefore, it would not place an undue burden on public services and facilities.
6. The proposed 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.

RECOMMENDATION:

Based on the above findings, staff recommends approval of the minor subdivision final plat for Misty Waters First Replat.

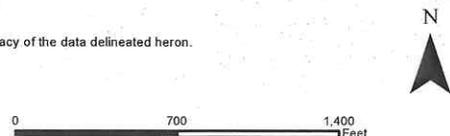
/JW

Proposed Minor Plat Misty Waters First Replat



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Date: 8/27/2014(hlb)

Source: City of Bismarck



**BISMARCK COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

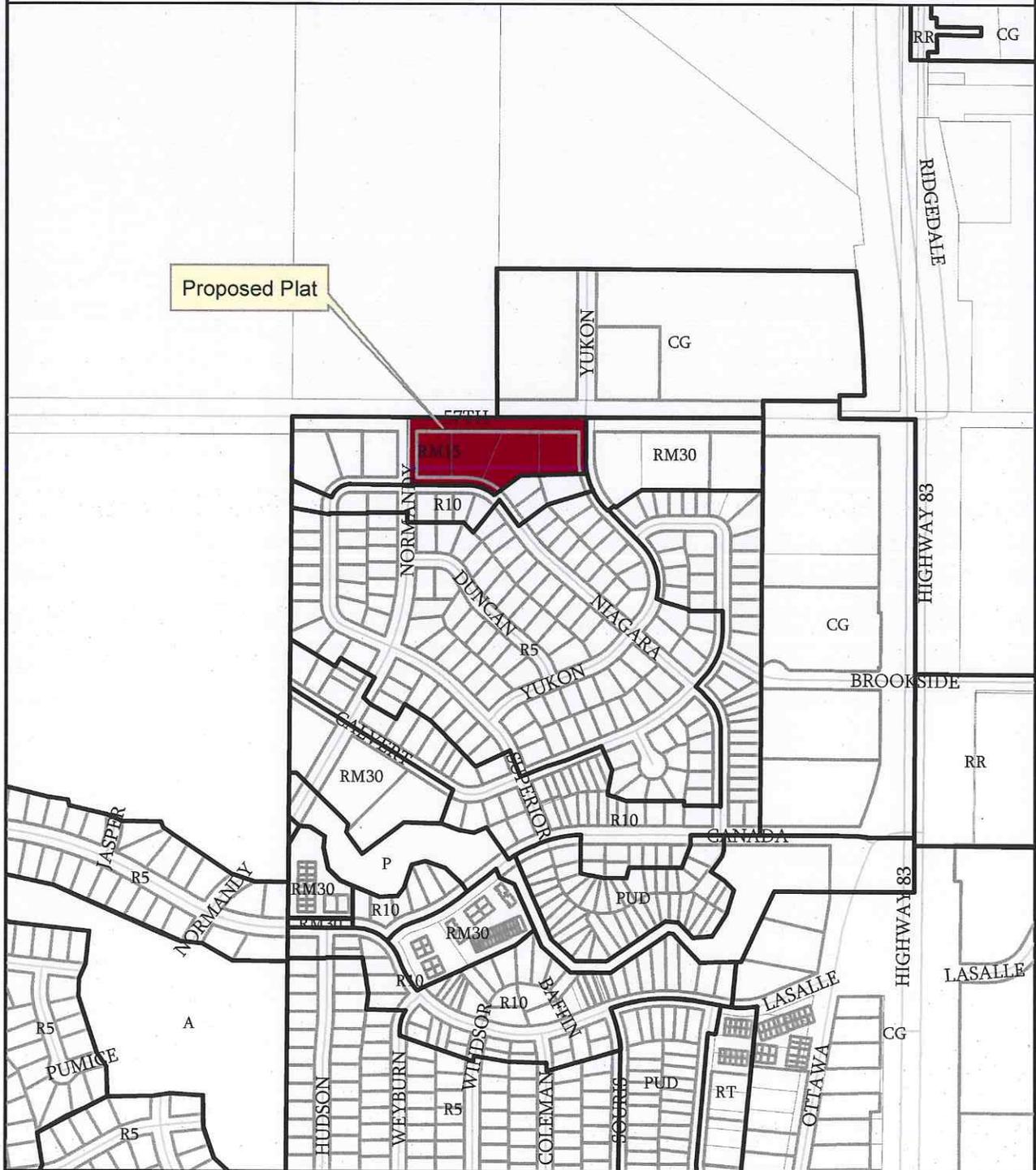
BACKGROUND:		
Title: Sonnet Heights Subdivision Sixth Replat – Minor Subdivision Final Plat		
Status: Planning Commission – Public Hearing	Date: September 24, 2014	
Owner(s): Liberty Homes, LLP	Engineer: Swenson, Hagen & Co.	
Reason for Request: Replat property so each unit being constructed on the property is on its own parcel (five buildings with 8 units in three of the buildings and 6 units in two of the buildings).		
Location: Along the south side of 57 th Avenue NE between Yukon Drive and Normandy Street (a replat of Lots 1-4, Block 3, Sonnet Heights Subdivision).		
Project Size: 4.88 acres	Number of Lots: 37 lots in 1 block	
EXISTING CONDITIONS:	PROPOSED CONDITIONS:	
Land Use: Developing multi-family residential	Land Use: Multi-family residential	
Zoning: RM30 – Residential	Zoning: RM30 – Residential	
Uses Allowed: Multi-family residential	Uses Allowed: Multi-family residential	
Maximum Density Allowed: 30 units/acre	Maximum Density Allowed: 30 units/acre	
PROPERTY HISTORY:		
Zoned: 12/1980	Platted: 12/1980	Annexed: 04/2007
FINDINGS:		
<ol style="list-style-type: none"> 1. All technical requirements for approval of the minor subdivision final plat have been met. 2. The storm water management plan has not been approved by the City Engineer. 3. The proposed subdivision does not impact the Fringe Area Road Master Plan, which identifies Normandy Street as a north-south collector and 57th Avenue NE as an arterial. 4. The proposed subdivision would not impact adjacent land uses. Adjacent land uses include a combination of one and two-family residential to the south, undeveloped multi-family residential to the east and west and developing commercial and undeveloped land to the north across 57th Avenue NE. 5. The proposed subdivision is already annexed and is in the process of being developed; therefore, it would not place an undue burden on public services and facilities. 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. 		

RECOMMENDATION:

Based on the above findings, staff recommends continuing the public hearing on the minor subdivision final plat for Sonnet Heights Subdivision Sixth Replat.

/Klee

Proposed Plat Sonnet Heights Subdivision Sixth 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.
Date: 9/2/2014 (hib)

Source: City of Bismarck

0 550 1,100
Feet



**BISMARCK COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

BACKGROUND:		
Title: Stoneridge Addition – Zoning Change (RM30 to PUD)		
Status: Planning Commission – Public Hearing	Date: September 24, 2014	
Owner(s): Liechty Homes, Inc. (owner) Verity Homes of Bismarck, LLC (applicant)	Engineer: Swenson, Hagen & Co.	
Reason for Request: Rezone property to allow the development of a 6-building/27-unit row house development.		
Location: In northeast Bismarck west of Centennial Road along the west side of French Street and the south side of Calgary Avenue.		
Project Size: 2.95 acres	Number of Lots: 27 lots in 2 blocks	
EXISTING CONDITIONS:		
Land Use: Undeveloped	PROPOSED CONDITIONS:	
	Land Use: 6-building, 27-unit row house development	
Zoning: RM30 – Residential	Zoning: PUD – Planned Unit Development	
Uses Allowed: Multi-family residential	Uses Allowed: PUD – Uses specified in PUD	
Maximum Density Allowed: 30 units/acre	Maximum Density Allowed: PUD – Density as specified in PUD	
PROPERTY HISTORY:		
Zoned: 04/2011	Platted: 04/2011	Annexed: 04/2011
ADDITIONAL INFORMATION:		
<p>1. Section 14-04-18 of the Bismarck Code of Ordinances (Zoning) indicates that the intent of the City’s Planned Unit Development district is “to encourage flexibility in development of land in order to promote its most appropriate use; to improve the design, character and quality of new development; to facilitate the adequate and economical provision of streets and utilities; and to preserve the natural and scenic features of open space.” A copy of this section is attached.</p> <p>2. The required site plan and written statement for the PUD have been submitted by the applicant and are attached. The PUD as proposed would allow for a 16-building row house development. The proposed PUD will have access points along French Street. In addition, the proposed PUD will provide the required landscaping outlined in Section 14-03-11 of the City Code of Ordinances (Landscaping and Screening) in an effort to provide a visual transition between the proposed multi-family building and the single-family dwellings to the west.</p>		
FINDINGS:		
<p>1. The proposed zoning change is outside of the area covered by the Future Land Use Plan (FLUP) in the 2014 Growth Management Plan.</p>		
<i>(continued)</i>		

2. The proposed zoning change would be compatible with adjacent land uses. Adjacent land uses include developing single-family homes to the west and undeveloped commercially-zoned parcels to the north, east and south.
3. The property is annexed and services would be extended in conjunction with development; therefore, the zoning change would not place an undue burden on public services and facilities.
4. The proposed zoning change would not adversely affect property in the vicinity, provided the required landscape buffer yard is installed in conjunction with site development. A 15-foot landscape buffer yard is required along the western edge of the property to help mitigate the impacts of the multi-family development adjacent to the existing single-family development. The landscape buffer yard ordinance requires a combination of trees and shrubs or a combination of a 6-foot screening fence and a variety of trees to help screen the higher intensive land uses from the lower intensive single-family land use to the west.
5. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance and subdivision regulations.
6. The proposed zoning change is consistent with the master plan, other adopted plans, policies and accepted planning practice.

RECOMMENDATION:

Based on the above findings and because the storm water management plan for the minor subdivision final plat has not been approved by the City Engineer, staff recommends continuing the hearing for the zoning change from the RM15 – Residential zoning district to the PUD – Planned Unit Development zoning for Stoneridge Addition.

/jt

ORDINANCE NO.

<i>Introduced by</i>	_____
<i>First Reading</i>	_____
<i>Second Reading</i>	_____
<i>Final Passage and Adoption</i>	_____
<i>Publication Date</i>	_____

AN ORDINANCE TO AMEND AND RE-ENACT SECTION 14-03-02 OF THE 1986 CODE OF ORDINANCES, OF THE CITY OF BISMARCK, NORTH DAKOTA, AS AMENDED, RELATING TO THE BOUNDARIES OF ZONING DISTRICTS.

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

Section 1. Amendment. Section 14-03-02 of the Code of Ordinances of the City of Bismarck, North Dakota is hereby amended to read as follows:

The following described property shall be excluded from the RM30 – Residential District and included within the PUD – Planned Unit Development District.

Stoneridge Addition

This PUD is subject to the following development standards:

- Uses Permitted.* Uses permitted include a maximum of 27 residential units in a mix of 3 to 5-unit row houses. The configuration of residential units shall generally conform to the overall development plan for Stoneridge Addition dated July 25, 2014. Any change in the use of the property from that indicated above will require an amendment to this PUD.
- Multi-family Residential Development Standards.* Each buildable lot shall have an area of not less than twelve-hundred (1,200) square feet, a minimum width at the building setback line of not less than sixteen (16) feet, a minimum front yard setback of twenty (20) feet (as measured from the edge of the lot), a minimum side yard setback of five (5) feet, a minimum rear yard setback of five (5) feet, and a maximum building height of forty (40) feet. Rear yards are along the private access roads and the front yard is along the courtyard portion of the site.
- Private Driveway Maintenance.* The development and construction of the private driveways shall be the responsibility of the developer. On-going

repair and maintenance of the private roadway shall be the responsibility of the home owners association.

4. *Development Standards.* Landscaping and buffer yards shall be provided in accordance with Section 14-03-11 of the City Code of Ordinances (Landscaping and Screening).
5. *Changes.* This PUD shall only be amended in accordance with Section 14-04-18(4) of the City Code of Ordinances (Planned Unit Developments). Major changes require a public hearing and a majority vote of the Bismarck Planning & Zoning Commission.

Section 2. Repeal. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. Taking Effect. This ordinance shall take effect upon final passage, adoption and publication.

14-04-18. Planned Unit Developments.

It is the intent of this section to encourage flexibility in development of land in order to promote its most appropriate use; to improve the design, character and quality of new development; to facilitate the adequate and economical provision of streets and utilities; and to preserve the natural and scenic features of open space.

1. Site plan, written statement and architectural drawings. The application must be accompanied by a site plan, a written statement and architectural drawings:
 - a. Site plan. A complete site plan of the proposed planned unit prepared at a scale of not less than one (1) inch equals one hundred (100) feet shall be submitted in sufficient detail to evaluate the land planning, building design, and other features of the planned unit. The site plan must contain, insofar as applicable, the following minimum information.
 - 1) The existing topographic character of the land;
 - 2) Existing and proposed land uses;
 - 3) The location of all existing and proposed buildings, structures and improvements;
 - 4) The maximum height of all buildings;
 - 5) The density and type of dwelling;
 - 6) The internal traffic and circulation systems, off-street parking areas, and major points of access to public right-of-way;
 - 7) Areas which are to be conveyed, dedicated or reserved as common park areas, including public parks and recreational areas;
 - 8) Proposed interior buffer areas between uses;
 - 9) Acreage of PUD;
 - 10) Utility service plan showing existing utilities in place and all existing and proposed easements;
 - 11) Landscape plan; and
 - 12) Surrounding land uses, zoning and ownership.
 - b. Written statement. The written statement to be submitted with the planned unit application must contain the following information:
 - 1) A statement of the present ownership and a legal description of all the land included in the planned unit;
 - 2) An explanation of the objectives to be achieved by the planned unit, including building descriptions, sketches or elevations as may be required to described the objectives; and
 - 3) A copy of all proposed condominium agreements for common areas.
 - c. Architectural drawings - the following architectural drawings shall be submitted in sufficient detail to allow evaluation of building height, form, massing, texture, materials of construction, and type, size, and location of door and window openings:
 - 1) Elevations of the front and one side of a typical structure.
 - 2) A perspective of a typical structure, unless waived by the planning department.
2. Review and approval.
 - a. All planned units shall be considered by the planning commission in the same manner as a zoning change. The planning commission may grant the proposed planned unit in whole or in part, with or without modifications and conditions, or deny it.
 - b. All approved site plans for planned units, including modifications or conditions shall be endorsed by the planning commission and filed with the Director of Community Development. The

zoning district map shall indicate that a planned unit has been approved for the area included in the site plan.

3. Standards. The planning commission must be satisfied that the site plan for the planned unit has met each of the following criteria:
 - a. Proposal conforms to the comprehensive plan.
 - b. Buffer areas between noncompatible land uses may be required by the planning commission.
 - c. Preservation of natural features including trees and drainage areas should be accomplished.
 - d. The internal street circulation system must be designed for the type of traffic generated. Private internal streets may be permitted if they conform to this ordinance and are constructed in a manner agreeable to the city engineer.
 - e. The character and nature of the proposal contains a planned and coordinated land use or mix of land uses which are compatible and harmonious with adjacent land areas.
4. Changes.
 - a. Minor changes in the location, setting, or character of buildings and structures may be authorized by the Director of Community Development.
 - b. All other changes in the planned unit shall be initiated in the following manner:
 - 1) Application for Planned Development Amendment.
 - a) The application shall be completed and filed by all owners of the property proposed to be changed, or his/their designated agent.
 - b) The application shall be submitted by the specified application deadline and on the proper form and shall not be accepted by the Director of Community Development unless and, until all of the application requirements of this section have been fulfilled.
 - 2) Consideration by Planning Commission. The planning commission secretary, upon the satisfactory fulfillment of the amendment application and requirements contained herein, shall schedule the requested amendment for a regular or special meeting of the planning commission, but in no event later than sixty (60) calendar days following the filing and acceptance of the application. The planning commission may approve and call for a public hearing on the request, deny the request or table the request for additional study.
 - 3) Public Hearing by Planning Commission. Following preliminary approval of an amendment application, the Director of Community Development shall set a time and place for a public hearing thereon. Notice of the time and place of holding such public hearing shall be published in a newspaper of general circulation in the City of Bismarck once each week for two (2) consecutive weeks prior to the hearing. Not less than ten (10) days prior to the date of the scheduled public hearing, the City shall attempt to notify all known adjacent property owners within three hundred (300) feet of the planned unit development amendment. "Notify" shall mean the mailing of a written notice to the address on record with the City Assessor or Burleigh County Auditor. The failure of adjacent property owners to actually receive the notice shall not invalidate the proceedings. The Planning Commission may approve, approve subject to certain stated conditions being met, deny or table the application for further consideration and study, or, because of the nature of the proposed change, make a recommendation and send to the Board of City Commissioners for final action.

Proposed Zoning Change (RM30 to PUD)

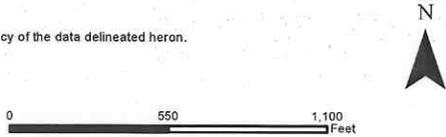
Lots 2-3, Block 2 and Lots 4-6, Block 3

Stonecrest Second Addition

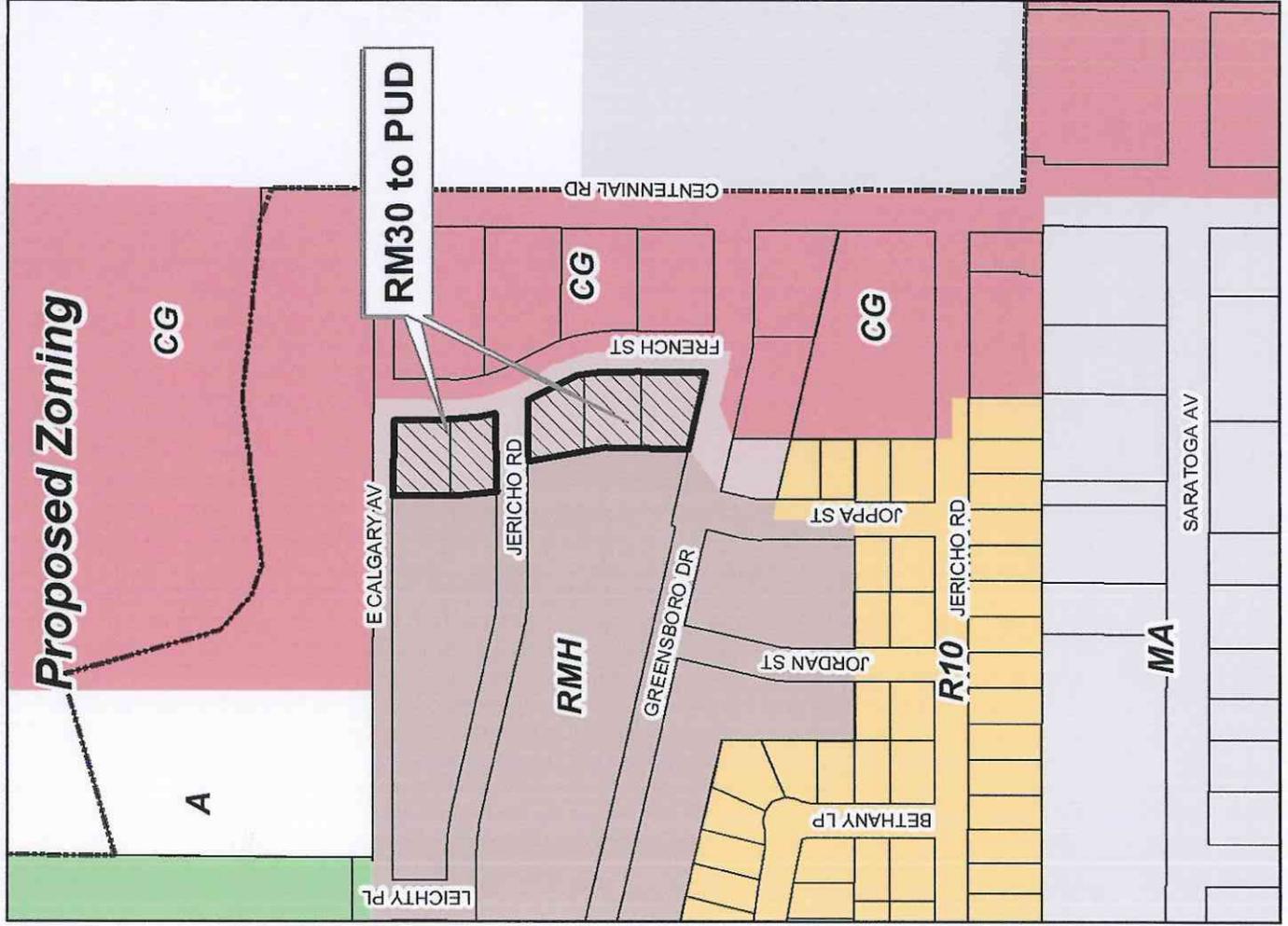
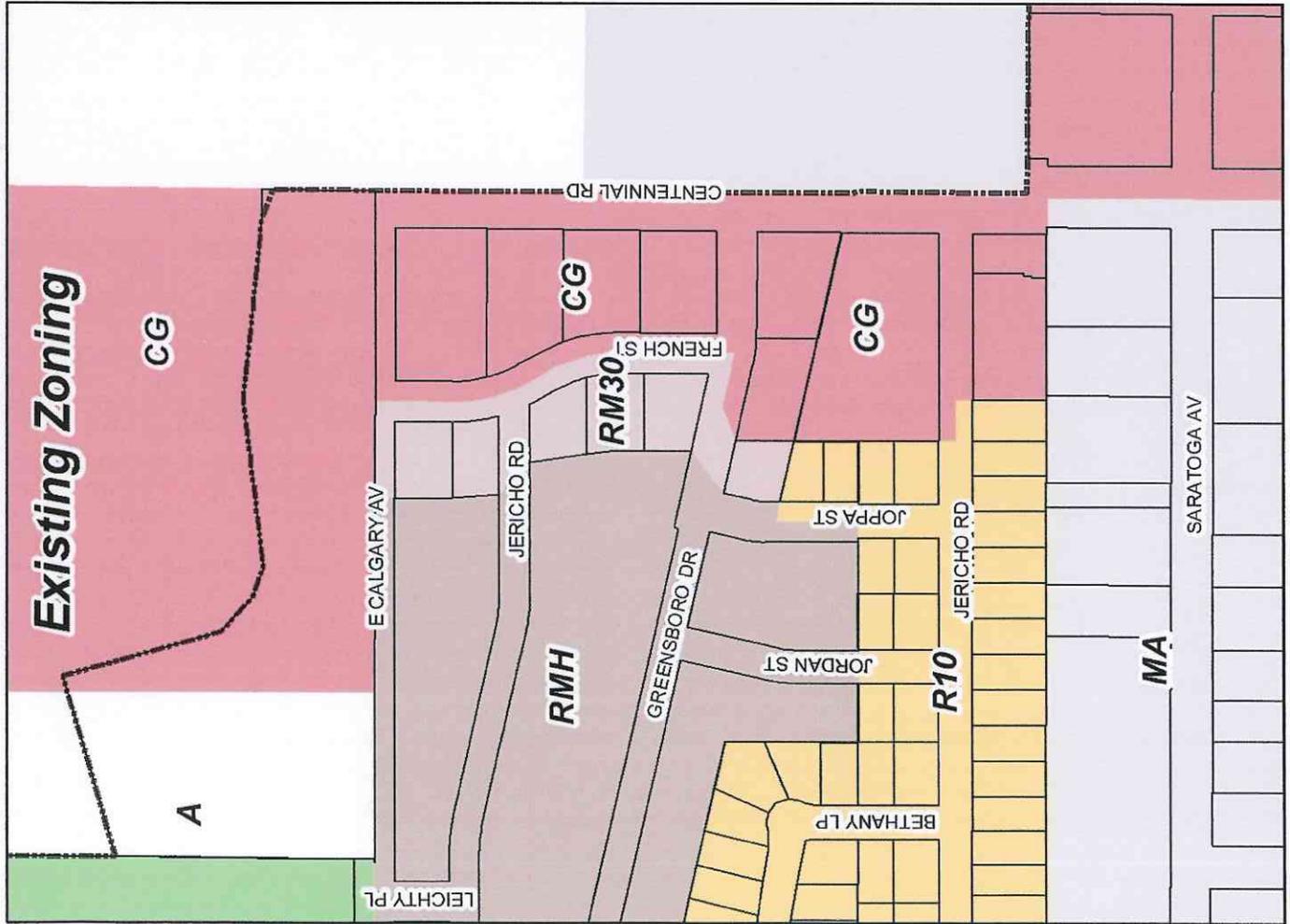


DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.
 Date: 7/25/2014(hlb)

Source: City of Bismarck



Lots 2-3, Block 2 and Lots 4-6, Block 3, Stonecrest 2nd Addition - Zoning Change



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

August 2014

JUL 2 5 2014

Stone Ridge Addition

Request for Approval of Stone Ridge Planned Unit Development

Verity Homes of North Dakota is proposing to develop approximately 1.82 acres located South of Calgary avenue. The area is currently platted as Lots 2-3, Block 2 and Lots 4-6 Block 3 Stonecrest 2nd Addition, Bismarck, North Dakota.

Verity Homes is considering developing the property into a residential development with 27 row houses that will include a mix of two and three bedroom units, featuring high end finishes such as quartz countertops, hardwood flooring, and security systems, along with architectural design unique to the Northeast Bismark.

Verity Homes proposes rezoning the property to a PUD district in order to accommodate the intended project which will result in a logical and orderly development pattern that will be consistent with surrounding land uses. The projected density of 15 units per acre and reconfiguration of the lots is not to establish new uses, but to allow for potential homeowners to have a vested interest in their residence, while sharing in the use and maintenance of common areas.

The project will address the housing needs of the community by building modestly priced housing in North Bismarck. Verity Homes anticipates that the proposed row houses, situated on smaller parcels of land, will attract younger, first-time homebuyers.

Considering that the existing zoning of the property allows for the construction of high density residences, the proposed zoning change would not adversely affect property in the vicinity.

Interior landscaping, adequate parking and emergency lane access will be applied per the city standards and ordinances.

Zoning: PUD

Front yard: 25'

Side yard: 6'

Rear yard: 10'

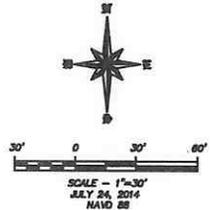
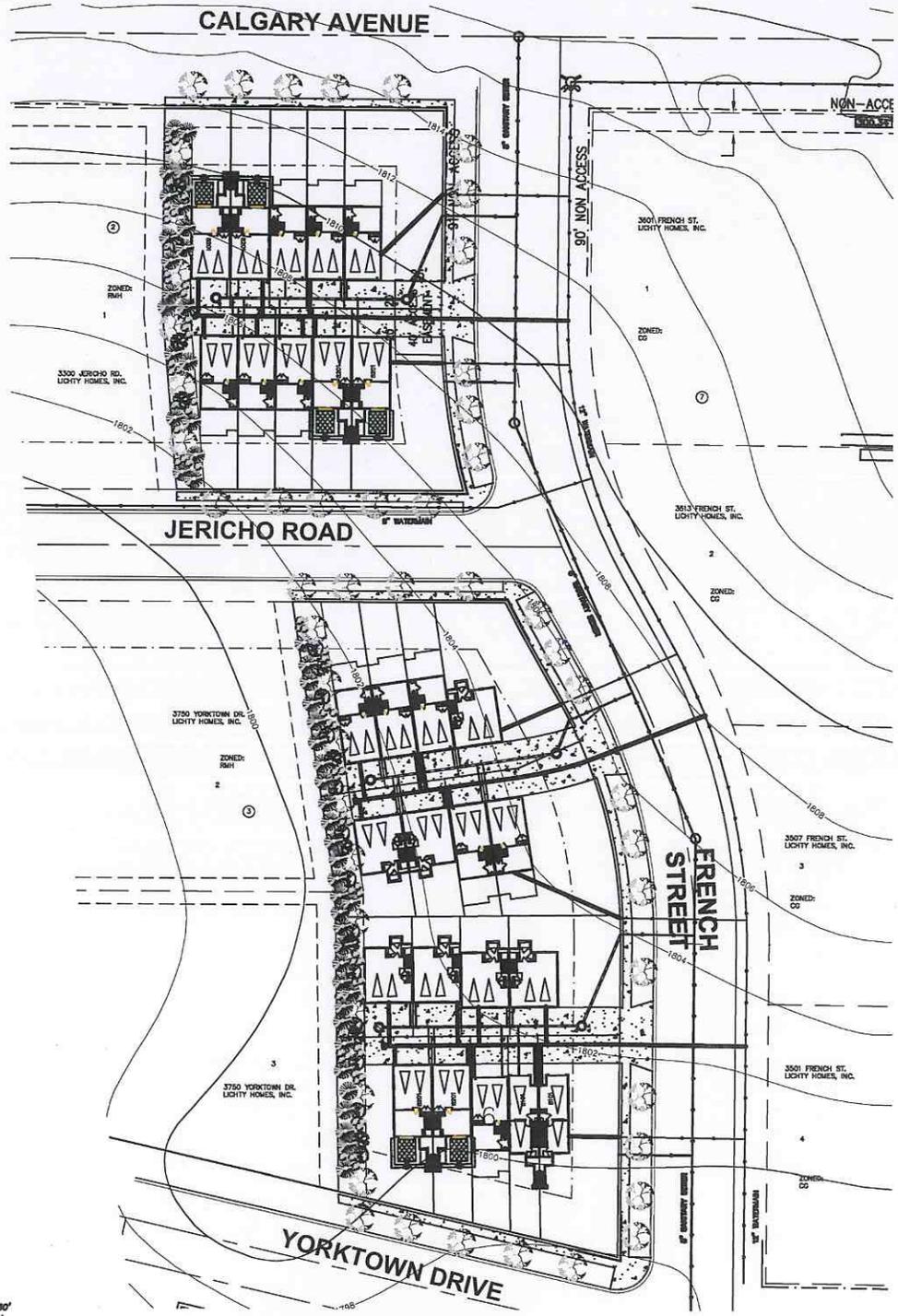
Zero setback on Access Easements

Lot area: 1,500 square feet minimum

Building Height: 40' maximum (37' Typical)

See attachments for architectural drawings, etc.

JUL 25 2014



EXISTING ZONING: RM 30
PROPOSED ZONING: PUD

- DEPTH OF FRONT YARD : 25'
- WIDTH OF SIDE YARD: 6'
- DEPTH OF REAR YARD: 10'
- LOT WIDTH IN FRONT OF BUILDING LINE: 16'
- MAXIMUM NUMBER OF UNITS: 74'
- MAXIMUM BUILDING HEIGHT: 40'
- ACCESS EASEMENT SETBACK: ZERO
- MINIMUM LOT SIZE:
 - INTERIOR: 1,500 sf
 - END : 2,600 sf

1.82 ACRES, ROW HOUSES, 15 UNITS PER ACRE

SHEET C1.0
 DRAWN BY: JLL
 CHECK BY: JLL
 DATE: 7/25/14
 FILE NO.:
 COMPUTER FILE:

SWENSON, HAGEN & COMPANY P.C.
 909 Bain Avenue
 Bonaville, North Dakota 58004
 shagen@swensonhagen.com
 Phone (701) 223-2600
 Fax (701) 223-2606

Surveying
 Hydrology
 Land Planning
 Civil Engineering
 Landscape & Site Design
 Construction Management

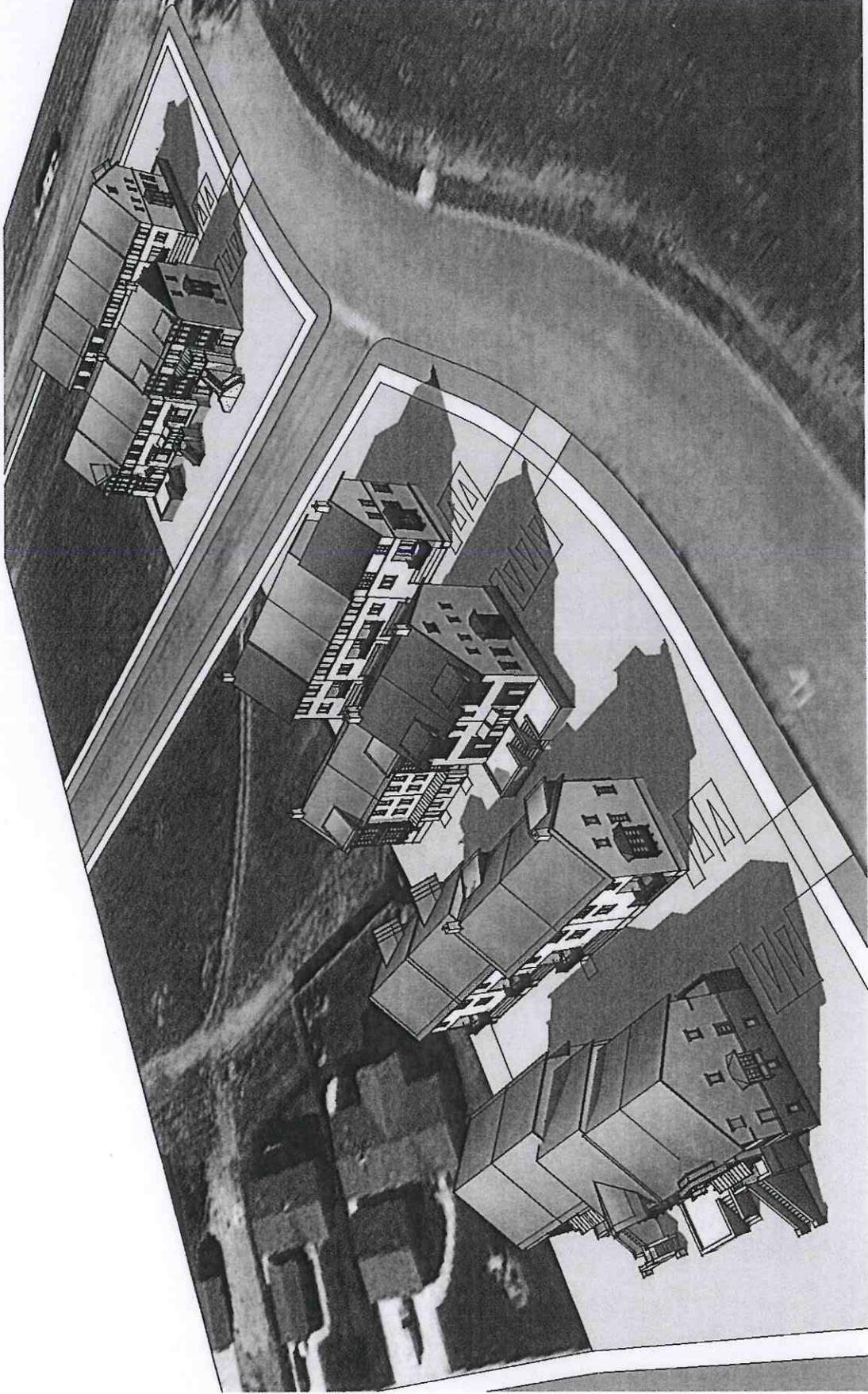
PUD SITE PLAN & ZONE CHANGE
STONERIDGE ADDITION
REPLAT OF LOTS 2-3 BLOCK 2, LOTS 4-6 BLOCK 3
STONECREST 2ND ADDITION

REVISION	DATE

JUL 25 2014

© 2014 URBAN DESIGN ASSOCIATES

URBAN DESIGN ASSOCIATES



STONERIDGE SITE PLANNING
2 JULY 2014

AERIAL VIEW LOOKING NW
RED DOOR HOMES | BISMARCK, NORTH DAKOTA

**BISMARCK COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

BACKGROUND:		
Title: Stoneridge Addition –Minor Subdivision Final Plat		
Status: Planning Commission – Public Hearing	Date: September 24, 2014	
Owner(s): Liechty Homes, Inc. (owner) Verity Homes of Bismarck, LLC (applicant)	Engineer: Swenson, Hagen & Co.	
Reason for Request: Rezone property to allow the development of a 6-building/27-unit row house development.		
Location: In northeast Bismarck west of Centennial Road along the west side of French Street and the south side of Calgary Avenue.		
Project Size: 2.95 acres	Number of Lots: 27 lots in 2 blocks	
EXISTING CONDITIONS:	PROPOSED CONDITIONS:	
Land Use: Undeveloped	Land Use: 6-building, 27-unit row house development	
Zoning: RM30 – Residential	Zoning: PUD – Planned Unit Development	
Uses Allowed: Multi-family residential	Uses Allowed: PUD – Uses specified in PUD	
Maximum Density Allowed: 30 units/acre	Maximum Density Allowed: PUD – Density as specified in PUD	
PROPERTY HISTORY:		
Zoned: 04/2011	Platted: 04/2011	Annexed: 04/2011
FINDINGS:		
<ol style="list-style-type: none"> 1. All technical requirements for approval of a minor subdivision final plat have been met. 2. The storm water management plan has not been approved by the City Engineer. 3. The property is already annexed; therefore, the proposed subdivision would not place an undue burden on public services and facilities. 4. The proposed subdivision would be compatible with adjacent land uses. Adjacent land uses include developing single-family homes to the west and undeveloped commercially-zoned parcels to the north, east and south. 5. The proposed zoning change would not adversely affect property in the vicinity, provided the required landscape buffer yard is installed in conjunction with site development. A 15-foot landscape buffer yard is required along the western edge of the property to help mitigate the impacts of the multi-family development adjacent to the existing single-family development. The landscape buffer yard ordinance requires a combination of trees and shrubs or a combination of a 6-foot screening fence and a variety of trees to help screen the higher intensive land uses from the lower intensive single-family land use to the west. 		
<i>(continued)</i>		

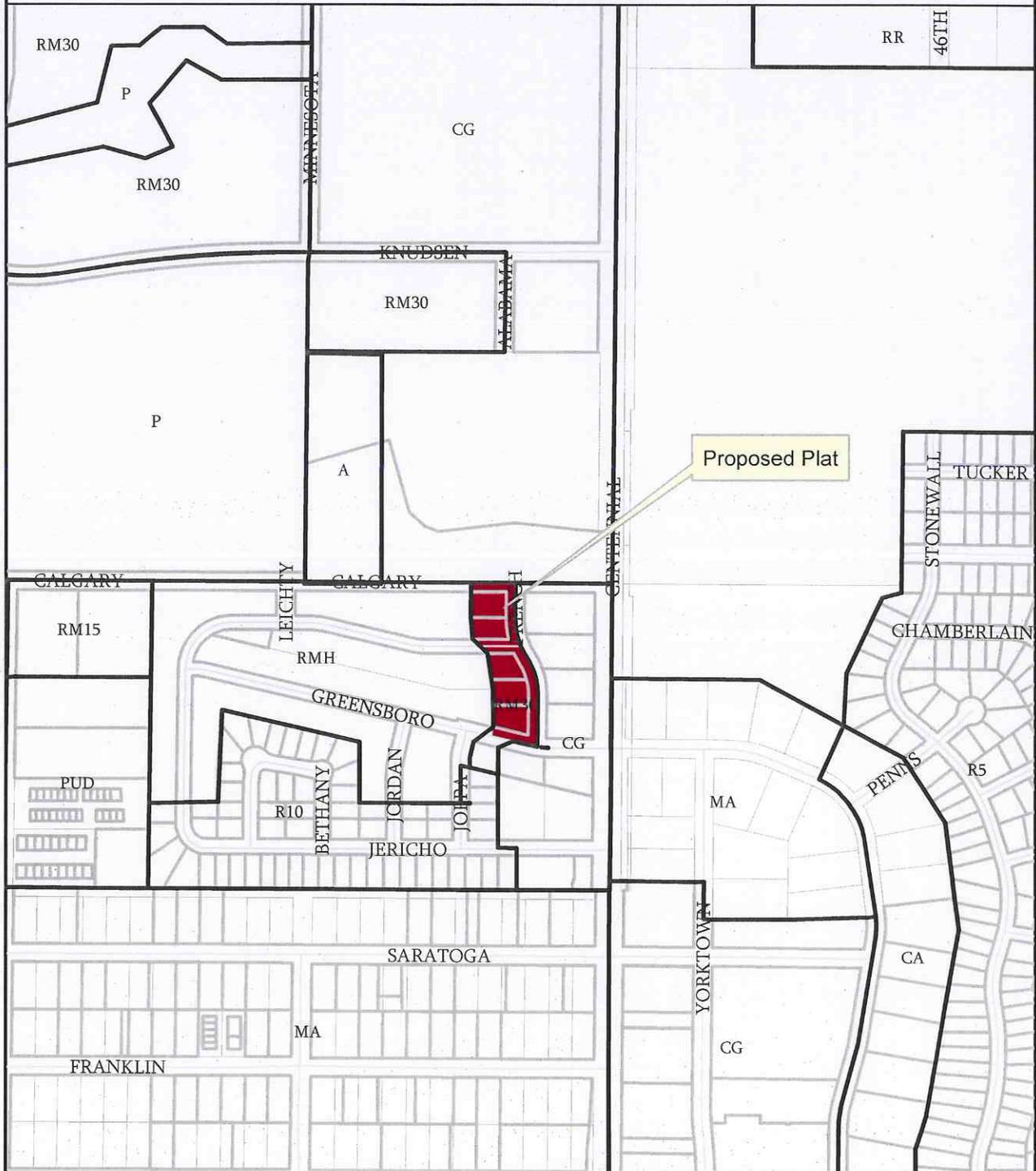
6. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance and subdivision regulations.
7. The proposed subdivision is consistent with the master plan, other adopted plans, policies and accepted planning practice.

RECOMMENDATION:

Based on the above findings, staff recommends continuing the public hearing for the minor subdivision final plat for Stoneridge Addition.

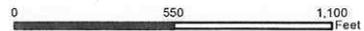
/jt

Proposed Minor Plat Stoneridge 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.
Date: 8/26/2014(1b)

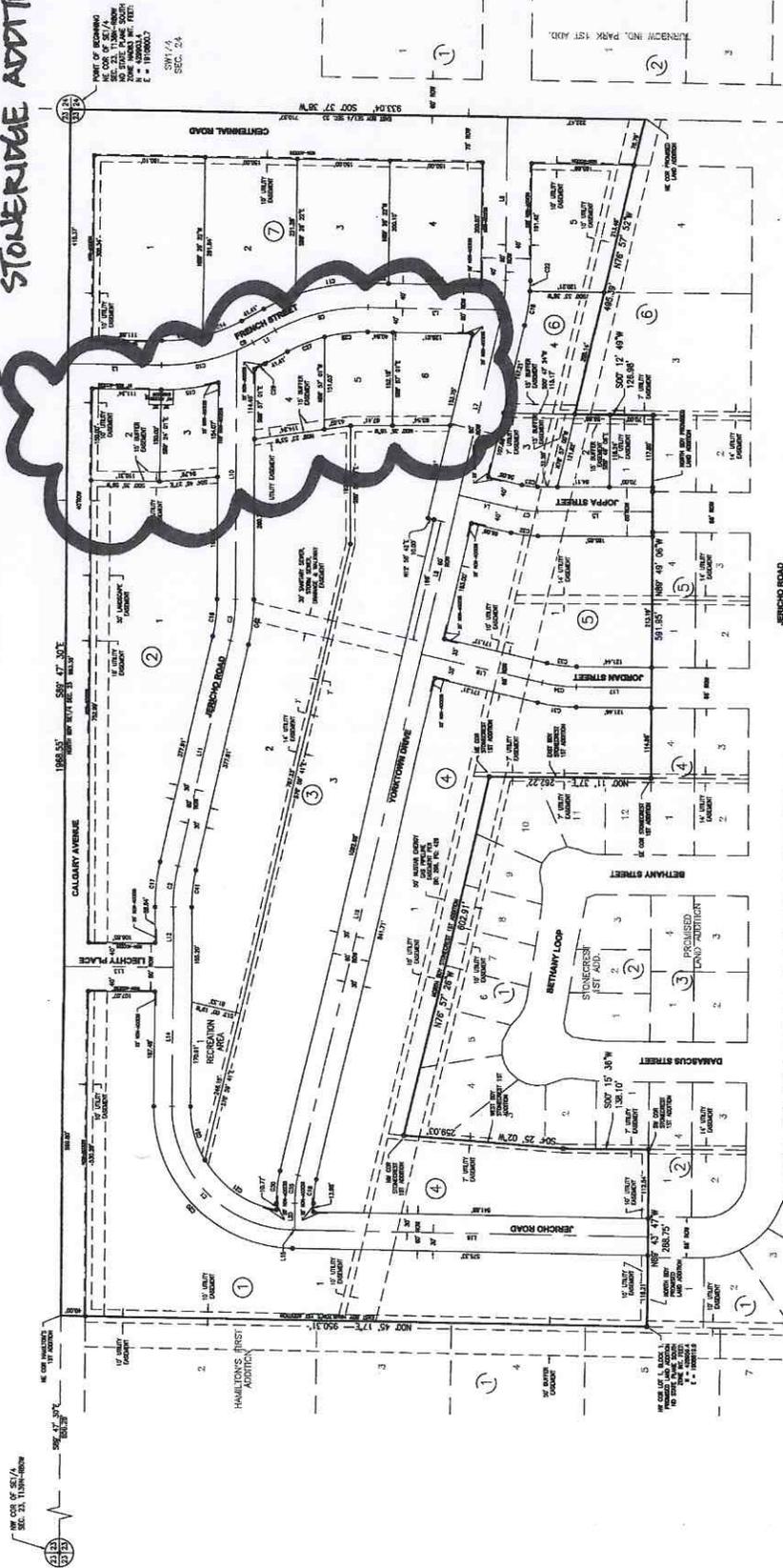
Source: City of Bismarck



STONECREST SECOND ADDITION

TO THE CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA
PART OF THE N1/2 OF THE SE1/4 OF SECTION 23, T139N-R80W

AREA BEING REPLAYED AS STONERIDGE ADDITION



JUNE, 2011
Scale: AS SHOWN
DATE: 06/01/2011
HORIZ. DATUM: 1983 ST. PLANE, NO. SOUTH (3302)

- LEGEND
- 4 FOUND SECTION/QUARTER CORNER
 - 0 FOUND REBAR MONUMENT
 - SET REBAR MONUMENT

OWNER: LARRY HARRIS, INC.
1501 13TH AVE. S.W.
BISMARCK, ND 58501

BASE OF BEARING: NORTH BOUNDARY LINE OF SE 1/4 SEC. 23 SOUTH BY 70' EAST

NOTE: BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS RECORDS OF RECORD USE TO DIFFERENT METHODS

2. NORTH OF SECTION 23, T139N-R80W

LOT #	AREA	LOT TABLE
BLOCK 1	1	16184
BLOCK 2	1	13360
BLOCK 3	1	16824
BLOCK 4	1	14040
BLOCK 5	1	12480
BLOCK 6	1	11760
BLOCK 7	1	11940
BLOCK 8	1	6438
BLOCK 9	1	851
BLOCK 10	1	3294
BLOCK 11	1	2184
BLOCK 12	1	2787
BLOCK 13	1	5316
BLOCK 14	1	3705
BLOCK 15	1	3584
BLOCK 16	1	4626
BLOCK 17	1	14311
TOTAL		2381

LINE #	BEARING	DISTANCE
L1	S09°12'48" E	41.41'
L2	S07°35'00" W	53.81'
L3	S07°30'00" W	218.14'
L4	N12°00'00" E	66.98'
L5	N07°00'00" W	186.80'
L6	N07°00'00" W	186.80'
L7	N12°00'00" E	218.14'
L8	S19°58'17" W	264.82'
L9	S19°58'17" W	264.82'
L10	S78°29'07" E	465.00'
L11	S78°29'07" E	273.71'
L12	S09°27'07" E	28.64'
L13	N07°00'00" E	172.86'
L14	S09°27'07" E	273.71'
L15	N07°00'00" E	5.60'
L16	N07°00'00" E	571.64'
L17	N07°11'37" E	121.44'
L18	N12°00'00" E	201.19'
L19	N19°58'17" W	674.70'
L20	S09°40'57" W	43.48'

CURVE #	ARC LENGTH	DELTA	RADIUS	CHORD BEARING	CHORD LENGTH
C01	126.42'	207.15°	540.00'	N0°32'48" W	119.37'
C02	58.30'	87.11°	147.22'	S06°47'47" E	66.83'
C03	68.18'	107.58°	165.00'	S11°43'45" E	87.88'
C04	84.00'	133.13°	180.00'	S7°48'45" E	103.20'
C05	81.00'	129.29°	170.00'	S05°28'27" W	92.25'
C06	74.62'	129.29°	160.00'	N03°28'27" W	74.45'
C07	36.45'	74.27°	74.27'	S01°46'14" E	56.38'
C08	36.00'	138.00°	72.00'	S01°46'14" E	38.84'
C09	288.15'	89.15°	1763.00'	S08°34'14" E	321.00'
C10	145.85'	89.15°	1763.00'	N44°36'48" E	114.42'
C11	25.25'	139.91°	50.00'	S07°38'28" E	17.00'
C12	25.25'	139.91°	50.00'	S07°38'28" E	17.00'
C13	91.56'	203.50°	170.00'	N74°27'44" E	90.47'
C14	63.37'	149.47°	126.00'	S22°00'40" E	66.20'
C15	68.82'	124.26°	140.00'	S7°06'18" E	69.71'
C16	18.58'	70.75°	36.00'	S7°38'54" E	18.58'
C17	62.80'	129.07°	126.00'	S03°34'14" E	52.60'
C18	63.15'	124.70°	126.00'	S0°35'10" W	63.15'
C19	43.62'	129.71°	100.00'	S7°25'11" W	43.62'
C20	48.42'	129.71°	100.00'	N0°35'10" E	48.42'

CURVE #	ARC LENGTH	DELTA	RADIUS	CHORD BEARING	CHORD LENGTH
C1	311.44'	87.13°	300.00'	N02°36'37" E	288.81'
C2	67.94'	127.70°	135.00'	S02°36'37" E	67.94'
C3	67.94'	127.70°	135.00'	S02°36'37" E	67.94'
C4	16.84'	130.00°	33.00'	N02°36'37" E	16.84'
C5	46.25'	87.13°	300.00'	N04°47'02" W	46.25'
C6	34.44'	120.48°	100.00'	N0°25'41" E	34.44'
C7	18.10'	207.48°	36.00'	S17°18'25" E	18.10'
C8	30.04'	94.12°	300.00'	S27°29'42" E	30.02'
C9	126.07'	247.50°	300.00'	S17°29'42" E	125.14'
C10	55.76'	124.70°	250.00'	N0°25'10" E	55.67'
C11	45.91'	130.00°	300.00'	N02°34'14" W	45.81'

TOMAN ENGINEERING
801 1st Street NW, Mandan, ND 58544
Phone: 701-485-0483 Fax: 701-485-0923
Bismarck, ND 58501



**BISMARCK COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

BACKGROUND:		
Title: Lot 2, Block 3, KMK Estates – Zoning Change (RR to Conditional RT & R10)		
Status: Planning Commission – Public Hearing	Date: September 24, 2014	
Owner(s): Jerry Kessel	Engineer: N/A	
Reason for Request: Rezone property for future twin homes and multi-family or office uses.		
Location: In northwest Bismarck along the west side of North Washington Street and the north side of Arabian Drive.		
Project Size: 4.09 acres	Number of Lots: 1 lot in 1 block	
EXISTING CONDITIONS:		
Land Use: Rural residential	PROPOSED CONDITIONS:	
Zoning: RR – Residential	Land Use: Two-family residential and office or multi-family uses	
Uses Allowed: RR – Large lot single-family residential	Zoning: RT – (Conditional) Residential R10 – Residential	
Maximum Density Allowed: RR – 1 unit/65,000 SF	Uses Allowed: RT (Conditional) – multi-family dwellings and office uses with building heights not to exceed 2-stories R10 – Single and two-family residential	
	Maximum Density Allowed: RT – 30 units/acre R10 – 10 units/acre	
PROPERTY HISTORY:		
Zoned: 05/1959	Platted: 06/1966	Annexed: N/A
ADDITIONAL INFORMATION:		
<ol style="list-style-type: none"> The parcel measures approximately 510 feet east/west and 350 feet north/south. The applicant has split the parcel into two separate lots with the existing house and outbuildings located on the west 250 feet of the parcel. The R10 – Residential zoning district would be located on the west 250 feet, the remainder of the parcel would be zoned Conditional RT – Residential. Planning staff has some concerns relating to the request for RT-Residential zoning along the eastern portion of the parcel. The RT-Residential zoning district allows office uses and multi-family uses such as condos, apartments, townhomes and group living facilities. The applicant has indicated he intends to sell the property and does not have plans to redevelop the site. Without a defined use for this property, Planning staff cannot be supportive of an unconditional RT-Residential zoning district because the allowable height of 50 feet in the RT-Residential zoning district has the potential for allowing incompatible structures adjacent to the existing single-family and rural residential uses to the south and north. With previous zoning change requests along North Washington Street, Planning staff has been supportive of limiting structures to no more than two stories in height. 		

FINDINGS:

1. The proposed zoning change is outside the boundaries of the Future Land Use Plan (FLUP) in the 2014 Growth Management Plan.
2. The proposed zoning change would be generally compatible with adjacent land uses. Adjacent land uses include single-family dwellings to the south and west, large-lot single-family rural residential dwellings to the north, single and two-family dwellings and partially-developed multi-family zoned parcel with a child care center across North Washington Street to the east.
3. The parcel would be annexed prior to development; therefore, it would not place an undue burden on public services and facilities.
4. The proposed zoning change would not adversely affect property in the vicinity, provided limitations are placed on the overall height of any structures and they would not exceed two stories.
5. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance and subdivision regulations.
6. The proposed zoning change is consistent with the master plan, other adopted plans, policies and accepted planning practice.

RECOMMENDATION:

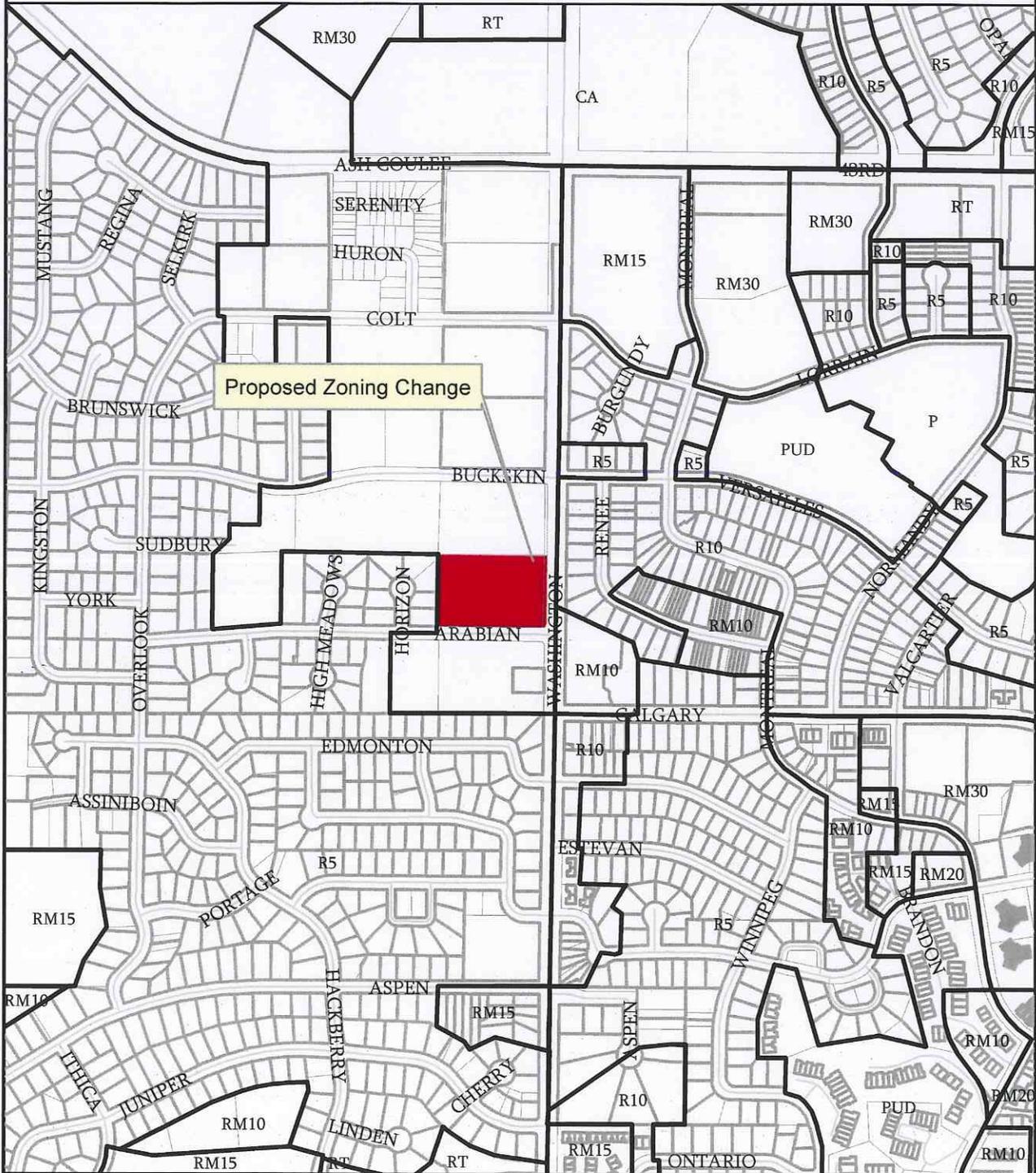
Based on the above findings, staff recommends approval of the zoning change from the RR – Residential zoning district to the R10 – Residential on Lot 2, less the East 250 feet and to the Conditional RT – Residential zoning district on the remainder of the parcel, for Lot 2, Block 3, KMK Estates, with the following condition:

- The maximum height of any building is limited to two stories.

ljt

Proposed Zoning Change (RR to R10 & RT)

Lot 2, Block 3, KMK Estates

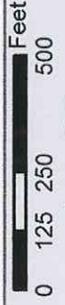
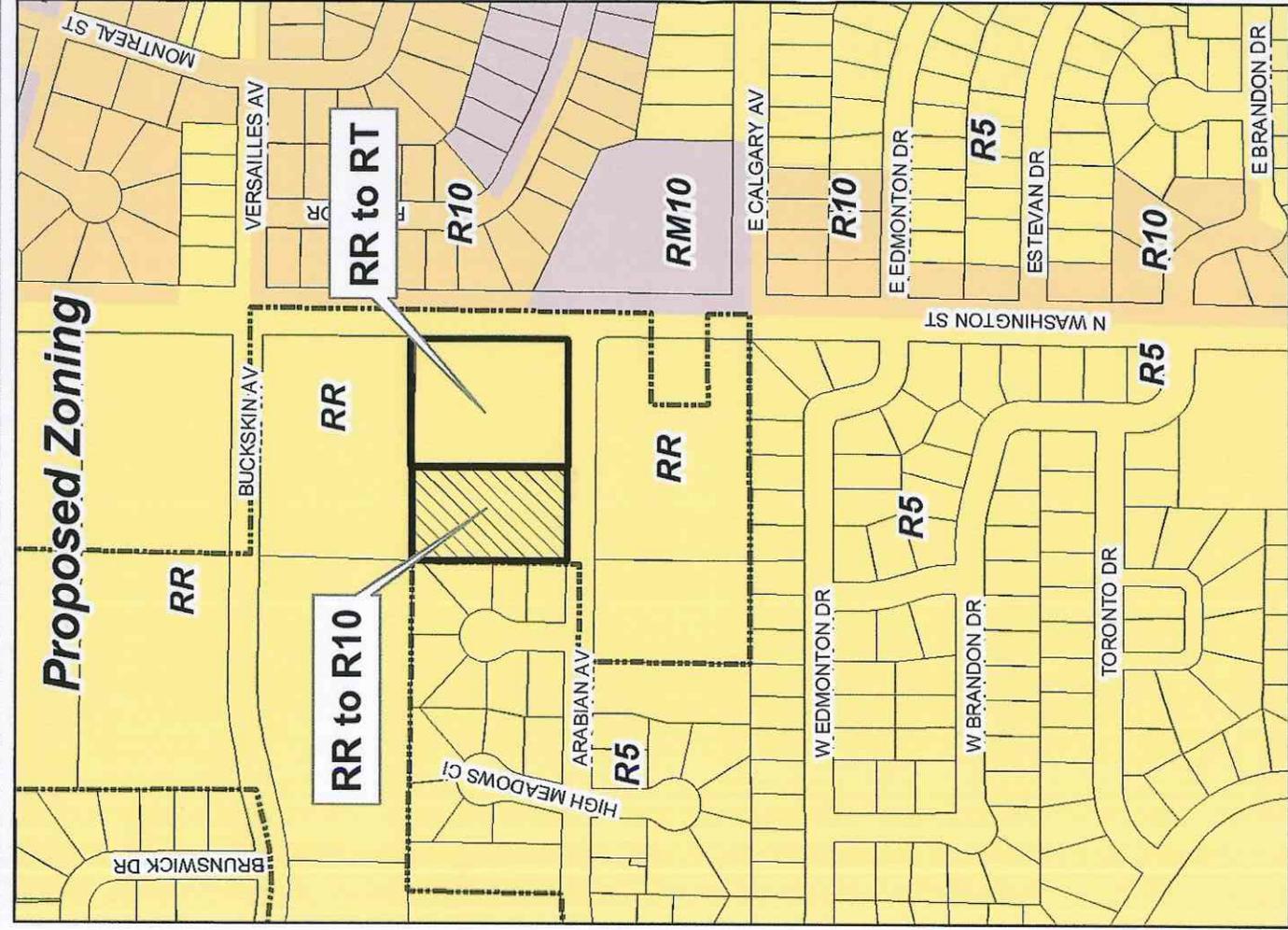
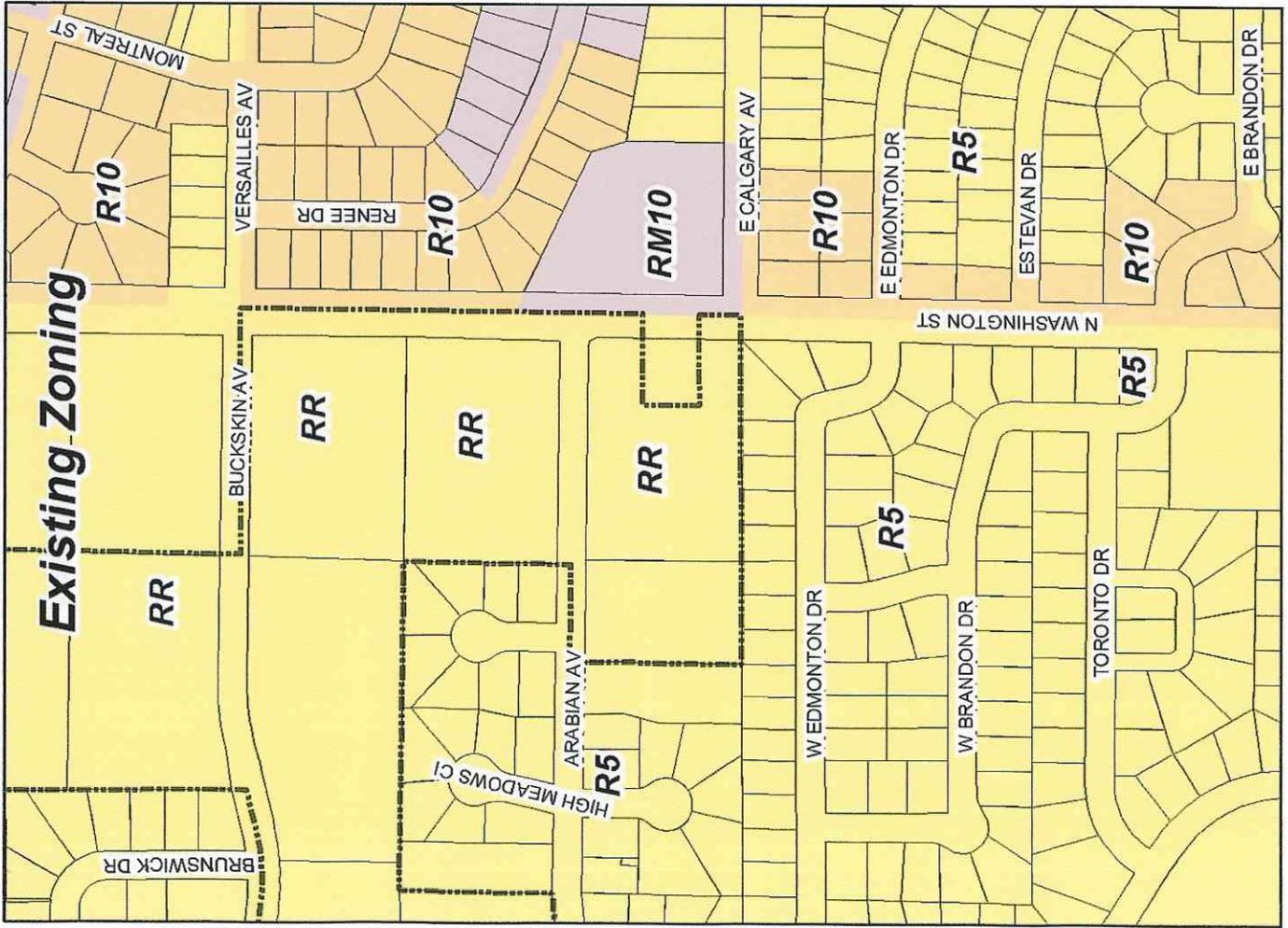


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Date: 7/28/2014(mib)

Source: City of Bismarck



Lot 2, Block 3, KMK Estates - Zoning Change



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August 2014

**BISMARCK COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

BACKGROUND:		
Title: Block 15, McKenzie's Addition – PUD Amendment		
Status: Planning Commission – Public Hearing	Date: September 24, 2014	
Owner(s): Diocese of Bismarck	Consultant: Al Fitterer Architect, PC	
Reason for Request: To amend the Planned Unit Development (PUD) to allow the demolition and reconstruction of a new office building at 520 North Washington Street (Center for Pastoral Ministry) and to allow 304 West A Avenue (CB Little House) to be used as a residential use.		
Location: In central Bismarck, along the west side of North Washington Street between Avenue A and Avenue B.		
Project Size: 90,000 square feet	Number of Lots: 1 block	
EXISTING CONDITIONS:	PROPOSED CONDITIONS:	
Land Use: Religious facilities, office and residential	Land Use: Religious facilities, office and residential	
Zoning: PUD – Planned Unit Development	Zoning: PUD – Planned Unit Development	
Uses Allowed: Uses specified in PUD	Uses Allowed: Uses specified in PUD, as amended	
Maximum Density Allowed: Specified in PUD (5 units/acre)	Maximum Density Allowed: Specified in PUD (5 units/acre)	
PROPERTY HISTORY:		
Zoned: 03/2004 (PUD) 04/2004 (PUDA)	Platted: Pre-1980	Annexed: Pre-1980
ADDITIONAL INFORMATION		
<ol style="list-style-type: none"> 1. Section 14-04-18 of the Bismarck Code of Ordinances (Zoning) indicates that the intent of the City's Planned Unit Development district is "to encourage flexibility in development of land in order to promote its most appropriate use; to improve the design, character and quality of new development; to facilitate the adequate and economical provision of streets and utilities; and to preserve the natural and scenic features of open space." A copy of this section is attached. 2. The original PUD was approved in March 2004 and included provisions that brought the existing office uses into compliance and allowed the adaptive reuse of the CB Little House for non-Diocese offices. 3. The PUD was amended in April of 2005, to allow the demolition of the carriage house which was being used for storage. Since the use of the carriage house for storage was included in the original PUD ordinance, removing the carriage house from the property required an amendment to the PUD. The area occupied by the carriage house has become open space. 		
<i>(continued)</i>		

4. The required site plan and written statement for the PUD amendment have been submitted by the applicant and are attached. The PUD amendment as proposed would allow the demolition and reconstruction of the office building located at 520 North Washington Street (Center for Pastoral Ministry), in line with the existing building, seventeen (17) feet from North Washington Street and the change the use of the building located at 304 West Avenue A (CB Little House) from offices for the ND State Bar Association into residential living quarters for clergy of the Diocese of Bismarck.

FINDINGS

1. The proposed PUD amendment is compatible with adjacent land uses. Adjacent land uses include residential to the north, south and east, and a private catholic grade school with associated offices to the west.
2. The entire property is located within City limits; therefore the proposed zoning change would not place an undue burden on public services.
3. The proposed PUD amendment would not adversely affect property in the vicinity.
4. The proposed PUD amendment is consistent with the general intent and purpose of the zoning ordinance.
5. The proposed PUD amendment 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 Planned Unit Development amendment for Block 15, McKenzie's Addition, as outlined in the attached PUD amendment document.

/JW

**BLOCK 15, MCKENSIE'S ADDITION PUD AMENDMENT
ORDINANCE NO. 5309 (Adopted March 9, 2004)
MAJOR PUD AMENDMENT (Adopted April 27, 2005)
MAJOR PUD AMENDMENT (Adopted _____)**

WHEREAS, Ordinance No. 5309 was adopted by the Board of City Commissioners on June March 9, 2005; and

WHEREAS, the ordinance indicates that any change in the uses outlined in the ordinance requires an amendment to the PUD; and

WHEREAS, Section 14-04-18(4) of the City Code of Ordinances (Planned Unit Developments) outlines the requirements for amending a PUD; and

WHEREAS, the PUD was amended on April 27, 2005 to allow the demolition of the carriage house; and

WHEREAS, The Diocese of Bismarck has requested an amendment to the Planned Unit Development for Block 15, Mckenzie's Addition.

NOW, THEREFORE, BE IT RESOLVED by the Bismarck Planning and Zoning Commission of the City of Bismarck, North Dakota, a municipal corporation, that the request to amend the Planned Unit Development for the following described property:

Block 15, McKenzie's Addition

is hereby approved and this PUD is now subject to the following development standards:

1. *1. Uses Permitted.* Uses permitted include uses accessory to a religious facility (rectory/offices), office uses, and parking. The use of the building at 519 Raymond Street (northwest corner of the block) is limited to rectory/office for Cathedral of the Holy Spirit; the use of the building at 520 North Washington Street (northeast corner of the block) is limited to offices and other related uses in conjunction with the Catholic Diocese of Bismarck's Center for Pastoral Ministry; and the use of the building at 304 West Avenue A (southeast corner of the block – CB Little House) is limited to ~~professional offices (medical or bank uses not allowed)~~ residential living units for clergy of the Catholic Diocese of Bismarck ~~The use of both the carriage house and the maintenance building is limited to accessory storage. The configuration of the site shall generally conform to the site plan submitted with the application dated July 7, 2014. Any change in the use of the property from that indicated above will require an amendment to this PUD.~~
2. *General Development Standards.* The maximum allowable density, minimum lot area, minimum lot width, lot coverage, setbacks and height limits are the same as the R5-Residential standard, except for the building located at 520

North Washington Street, which will be setback seventeen (17) feet from the front property line along North Washington Street. Any change to the buildings that would violate these standards will require an amendment to this PUD.

3. *Parking.* Adequate parking shall continue to be provided on site for the existing and proposed uses.
4. *Signage.* Signage is limited to the existing sign at the entrance on North Washington Street, the existing sign at the entrance on East Avenue A, the existing sign on the front of the rectory building, and one additional sign. The existing signs may be upgraded and refurbished as needed, although the size of the faces cannot be increased. The one additional sign allowed may be a monument style sign or of a style similar to the existing signs, with a face no more than 15 square feet in area. This new sign may be placed at the entrance on North Washington Street or at the entrance on East Avenue A (it may not be placed at the southeast corner of the block).
5. *Changes.* This PUD shall only be amended in accordance with Section 14-04-18(4) of the City Code of Ordinances (Planned Unit Developments). Major changes require a public hearing and a majority vote of the Bismarck Planning & Zoning Commission.

Section 14-04-18 of the City Code of Ordinances (Planned Unit Developments)

14-04-18. Planned Unit Developments: It is the intent of this section to encourage flexibility in development of land in order to promote its most appropriate use; to improve the design, character and quality of new development; to facilitate the adequate and economical provision of streets and utilities; and to preserve the natural and scenic features of open space.

1. Site plan, written statement and architectural drawings. The application must be accompanied by a site plan, a written statement and architectural drawings:

a. Site plan. A complete site plan of the proposed planned unit prepared at a scale of not less than one (1) inch equals one hundred (100) feet shall be submitted in sufficient detail to evaluate the land planning, building design, and other features of the planned unit. The site plan must contain, insofar as applicable, the following minimum information.

- 1) The existing topographic character of the land;
- 2) Existing and proposed land uses;
- 3) The location of all existing and proposed buildings, structures and improvements;
- 4) The maximum height of all buildings;
- 5) The density and type of dwelling;
- 6) The internal traffic and circulation systems, off-street parking areas, and major points of access to public right-of-way;
- 7) Areas which are to be conveyed, dedicated or reserved as common park areas, including public parks and recreational areas;
- 8) Proposed interior buffer areas between uses;
- 9) Acreage of PUD;
- 10) Utility service plan showing existing utilities in place and all existing and proposed easements;
- 11) Landscape plan; and
- 12) Surrounding land uses, zoning and ownership.

b. Written statement. The written statement to be submitted with the planned unit application must contain the following information:

- 1) A statement of the present ownership and a legal description of all the land included in the planned unit;

- 2) An explanation of the objectives to be achieved by the planned unit, including building descriptions, sketches or elevations as may be required to describe the objectives; and

- 3) A copy of all proposed condominium agreements for common areas.

c. Architectural drawings - the following architectural drawings shall be submitted in sufficient detail to allow evaluation of building height, form, massing, texture, materials of construction, and type, size, and location of door and window openings:

- 1) Elevations of the front and one side of a typical structure.

- 2) A perspective of a typical structure, unless waived by the planning department.

2. Review and approval.

a. All planned units shall be considered by the planning commission in the same manner as a zoning change. The planning commission may grant the proposed planned unit in whole or in part, with or without modifications and conditions, or deny it.

b. All approved site plans for planned units, including modifications or conditions shall be endorsed by the planning commission and filed with the Director of Community Development. The zoning district map shall indicate that a planned unit has been approved for the area included in the site plan.

3. Standards. The planning commission must be satisfied that the site plan for the planned unit has met each of the following criteria:

a. Proposal conforms to the comprehensive plan.

b. Buffer areas between noncompatible land uses may be required by the planning commission.

c. Preservation of natural features including trees and drainage areas should be accomplished.

d. The internal street circulation system must be designed for the type of traffic generated. Private internal streets may be permitted if they conform to this ordinance and are constructed in a manner agreeable to the city engineer.

e. The character and nature of the proposal contains a planned and coordinated land use or mix of land uses which are compatible and harmonious with adjacent land areas.

4. Changes.

a. Minor changes in the location, setting, or character of buildings and structures may be authorized by the Director of Community Development.

b. All other changes in the planned unit shall be initiated in the following manner:

1) Application for Planned Development Amendment.

a) The application shall be completed and filed by all owners of the property proposed to be changed, or his/their designated agent.

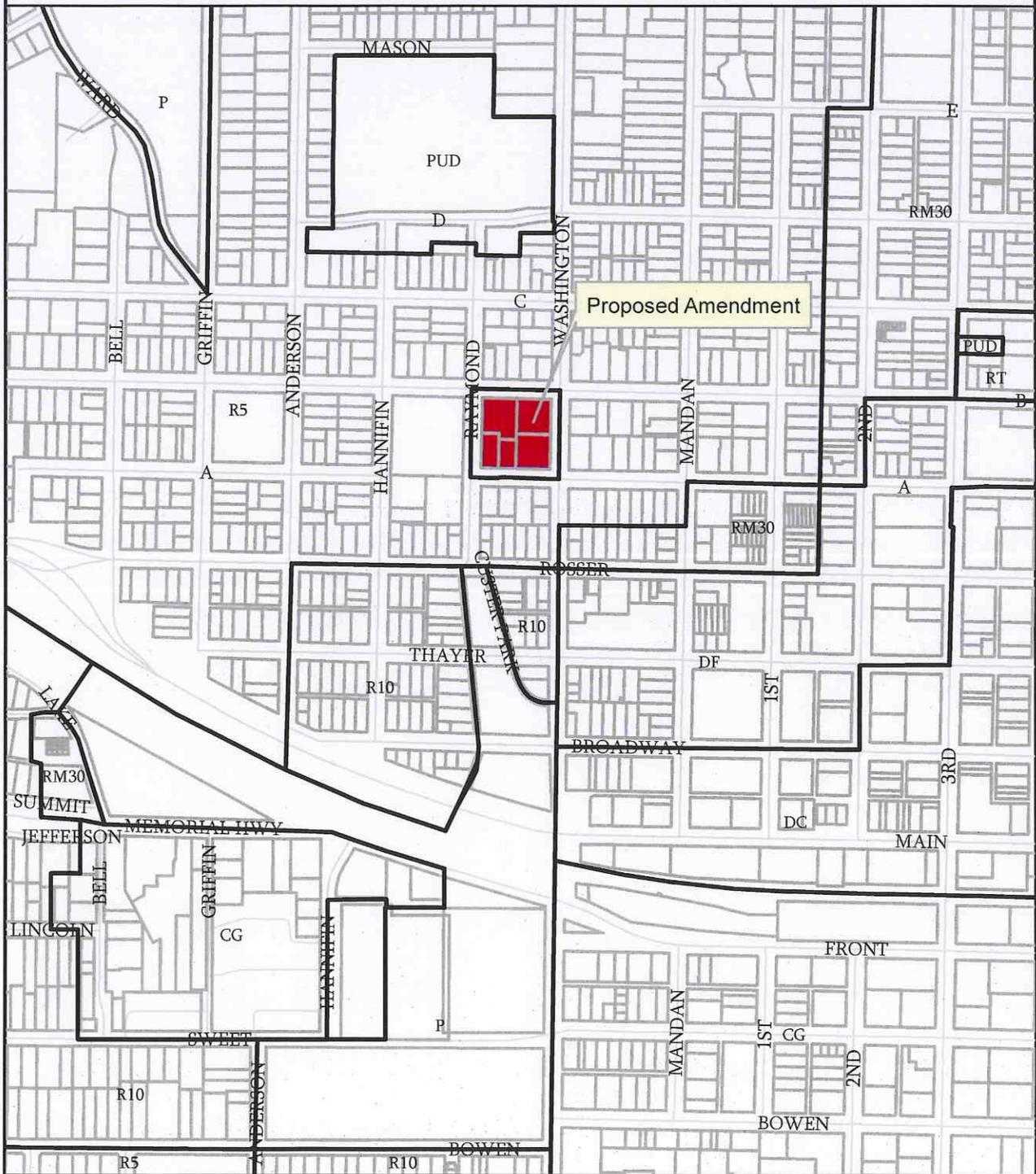
b) The application shall be submitted by the specified application deadline and on the proper form and shall not be accepted by the Director of Community Development unless and, until all of the application requirements of this section have been fulfilled.

2) Consideration by Planning Commission. The planning commission secretary, upon the satisfactory fulfillment of the amendment application and requirements contained herein, shall schedule the requested amendment for a regular or special meeting of the planning commission, but in no event later than sixty (60) calendar days following the filing and acceptance of the application. The planning commission may approve and call for a public hearing on the request, deny the request or table the request for additional study.

3) Public Hearing by Planning Commission. Following preliminary approval of an amendment application, the Director of Community Development shall set a time and place for a public hearing thereon. Notice of the time and place of holding such public hearing shall be published in a newspaper of general circulation in the City of Bismarck once each week for two (2) consecutive weeks prior to the hearing. Not less than ten (10) days prior to the date of the scheduled public hearing, the City shall attempt to notify all known adjacent property owners within three hundred (300) feet of the planned unit development amendment. "Notify"

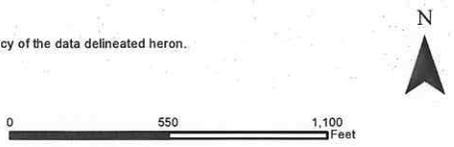
shall mean the mailing of a written notice to the address on record with the City Assessor or Burleigh County Auditor. The failure of adjacent property owners to actually receive the notice shall not invalidate the proceedings. The Planning Commission may approve, approve subject to certain stated conditions being met, deny or table the application for further consideration and study, or, because of the nature of the proposed change, make a recommendation and send to the Board of City Commissioners for final action.

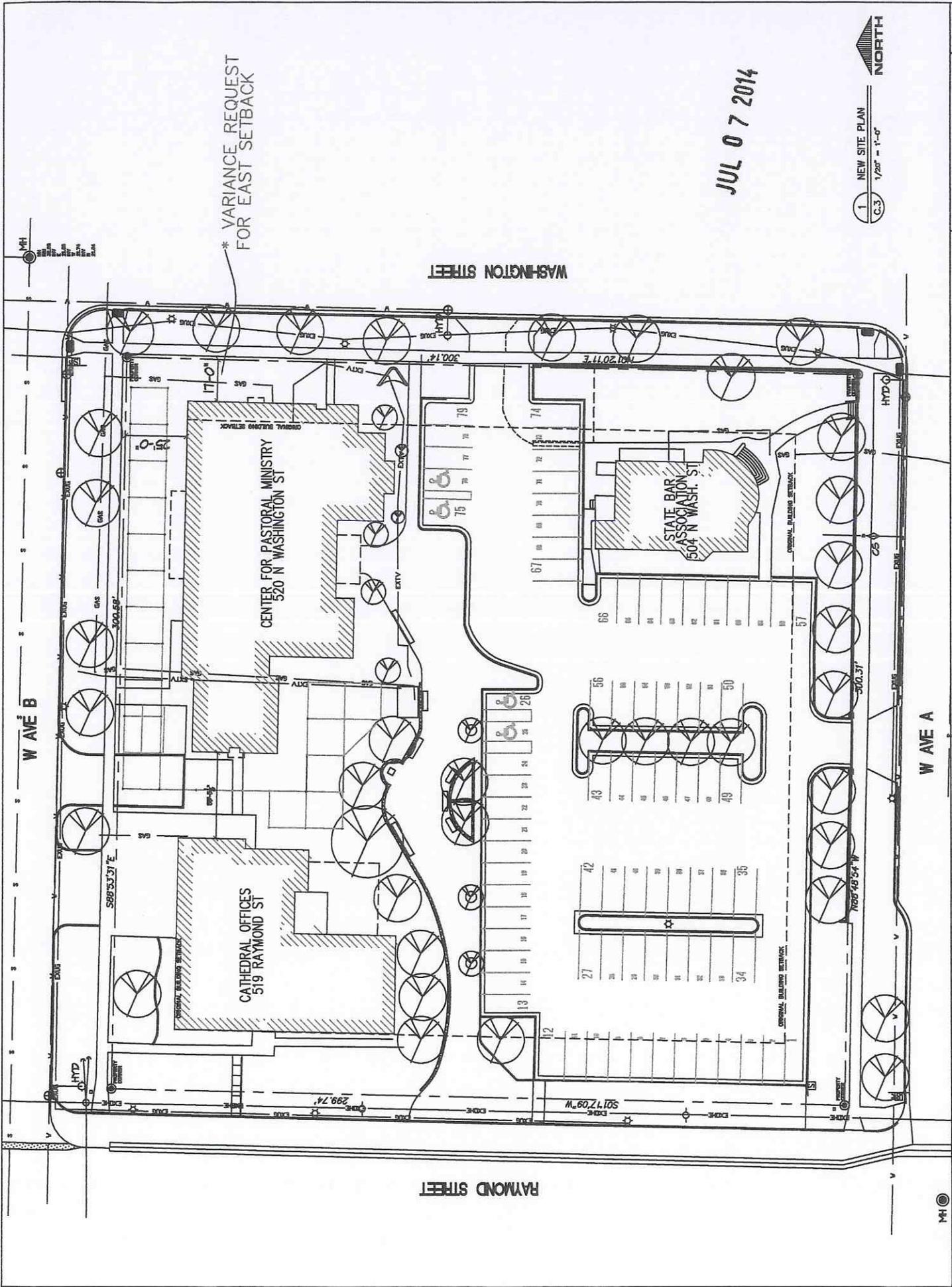
Proposed PUD Amendment Lots 1-24, Block 15, McKenzie's Addition



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Date: 7/18/2014(hlb)

Source: City of Bismarck





* VARIANCE REQUEST FOR EAST SETBACK

JUL 07 2014

1 NEW SITE PLAN
C.3 1/2" = 1'-0"



CENTER FOR PASTORAL MINISTRY
F1221
6-12-14

AL FITTNER, ARCHITECT PC
200 THIRD AVE NW MANDAN, NORTH DAKOTA 58554
701-663-7643 VOICE
701-668-7574 FAX

MHC



Al Fitterer Architect PC

200 Third Avenue NW • PO Box 129 • Mandan, ND 58554 • Phone (701)663-7543 • Fax (701)663-7544

Attachment to Unified Development Application City of Bismarck

To: Community Development – Bismarck	From: Al Fitterer, Al Fitterer Architect PC
Attn: Jenny Wollmuth, Planner	Date: 7/7/2014
Re: Roman Catholic Diocese of Bismarck	CC: Dale Eberle, Chancellor

Urgent For Review For Your Use Please Reply

PUD Amendment to Ordinance No. 5309

1. 520 North Washington; Center for Pastoral Ministry
 - a. NE Corner of block.
 - i. Demolish existing two story office structure.
 - ii. Construct new office building with partial basement.
 - iii. Setback variance from 25 to 17 feet. (existing building setback is 17 feet)
 2. 519 North Raymond; Cathedral of Holy Spirit
 - a. NW Corner of block.
 - i. Existing use is office space.
 - ii. Change from office use to rectory for Cathedral of Holy Spirit.
 3. 304 West Avenue A; CB Little House
 - a. SE Corner of block
 - i. Existing use is office space.
 - ii. Change from office use to residential.
 4. Maintenance building
 - a. Center of block
 - i. Demolish building.
-

**BISMARCK COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

BACKGROUND:		
Title: Lot 1B of Lot 1 and the North 83.35 feet of Lot 2, Block 1, Sunrise Town Centre Addition – Special Use Permit (drive-through in conjunction with a coffee shop)		
Status: Planning Commission – Public Hearing	Date: September 24, 2014	
Owner(s): SNT Development, Inc.	Engineer: Lowry Engineering	
Reason for Request: To allow for a drive-through in conjunction with a coffee shop.		
Location: In northeast Bismarck, east of Centennial Road between East Century Avenue and Saratoga Avenue.		
Project Size: 45,012 square feet	Number of Lots: 1 parcel in 1 block	
EXISTING CONDITIONS:	PROPOSED CONDITIONS:	
Land Use: Undeveloped	Land Use: General commercial uses including drive-through in conjunction with a coffee shop with a special use permit	
Zoning: CG – Commercial	Zoning: CG – Commercial	
Uses Allowed: CG – General commercial uses	Uses Allowed: GC – General commercial uses	
Maximum Density Allowed: CG – 42 units/ acre	Maximum Density Allowed: CG – 42 units/acre	
PROPERTY HISTORY:		
Zoned: 03/2013	Platted: 03/2013	Annexed: 03/2013
ADDITIONAL INFORMATION:		
<ol style="list-style-type: none"> 1. A drive-through is allowed as a special use in the CG – Commercial district, provided specific conditions are met. The proposed filling station meets all six (6) provisions outlined in Section 14-03-08(4)(g) of the City Code of Ordinances (Special Uses) and meets the required vehicle stacking outline in Section 14-03-10(2) of the City Code of Ordinances (Off-Street Parking and Loading). Copies of both sections of the ordinance are attached. 		
FINDINGS:		
<ol style="list-style-type: none"> 1. The proposed special use would comply with all applicable provisions of the zoning ordinance. 2. The proposed special use permit 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 		
<i>(continued)</i>		

4. The use would be designed, constructed, operated and maintained in a manner that is compatible with the appearance of the existing or intended 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 to provide for appropriate on-site circulation of traffic; in particular, adequate vehicle stacking spaces would be provided in a manner that would not negatively impact traffic movements on Yorktown Drive.

RECOMMENDATION:

Based on the above findings, staff recommends approval of the special use permit to allow a drive-through in conjunction with a coffee shop on Lot 1B of Lot 1 and the North 83.35 feet of Lot 2, Block 1, Sunrise Town Centre Addition with the following condition:

1. The site must generally conform to the site plan submitted with the application.

/JW

Section 14-03-08(4) (Special Uses)

g. Drive-in retail or service establishments. An establishment dispensing goods at retail or providing services through a drive-in facility, including, but not limited to drive-in restaurants, banks or other drive-in facilities exclusive of theatres may be permitted in a CG, CR, MA or HM district (drive-in banks only may also be permitted in a CA district) as a special use provided:

- 1) The lot area, lot width, front yard, side yards, rear yard, floor area and height limit of the structure and its appurtenances shall conform to the requirements of the district in which it is located.
- 2) Access to and egress from a drive-in establishment shall be arranged for the free flow of vehicles at all times, so as to prevent the blocking or endangering of vehicular or pedestrian traffic through the stopping or standing or backing of vehicles on sidewalks or streets.
- 3) Adequate off-street parking shall be provided in conformance with section 14-03-10 of this ordinance. In addition, an ingress automobile parking reservoir shall be provided on the premises in conformance with section 14-03-10 of this ordinance.
- 4) Ingress and egress points shall be maintained at not less than sixty (60) feet from an intersecting street corner of arterial or collector streets, and not less than forty (40) feet from an intersecting street corner on a local street.
- 5) All access and egress driveways shall cross a sidewalk only in such a manner that its width at the inner edge of the sidewalk is no greater than its width at the curb, excluding any curved or tapered section known as the curb return. Any portion of a parking or loading area abutting a sidewalk at a point other than a permitted driveway shall be provided with wheel stops, bumper guards, or other devices to prevent encroachment of parked, standing or moving vehicles upon any sidewalk area not contained within a permitted driveway. All curb cuts, widths and other specifications shall comply with the standards established by the city engineer.
- 6) On a corner lot no fence, wall, terrace, structure, shrubbery or automobile shall be parked or other obstruction to vision having a height greater than three (3) feet above the curb shall occupy the space in a triangle formed by measuring ten (10) feet back along the side and front property lines.

Section 14-03-10(2) (off Street Parking and Loading)

2) Off-street vehicle stacking. Except as provided elsewhere in this section, no application for a building permit or certificate of occupancy for a commercial or industrial use shall be approved unless there is included with the plan for such building improvement or use, a site plan showing the required space designated as being reserved for off-street vehicle stacking purposes to be provided in connection with such building improvements or use in accordance with this section; and no certificate of occupancy shall be issued unless the required facilities have been provided. Each required vehicle stacking space shall be of an area at least ten (10) feet wide and twenty (20) feet in length. Vehicle stacking lanes shall be located completely upon the parcel of land that includes the structure they are intended to serve and shall be so designed as to not impede on- or off-site traffic movements. All vehicle stacking spaces shall be surfaced with a dustless all-weather hard surface material. Acceptable surfacing materials include asphalt, concrete, brick, cement pavers or similar materials installed and maintained according to industry standards. Crushed rock or gravel shall not be considered an acceptable surfacing material. The number of off-street vehicle stacking spaces shall be provided on the basis of the following minimum requirements:

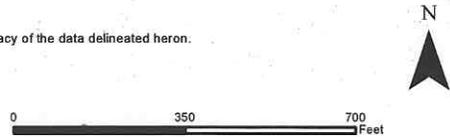
Type of Use	Minimum Number of Stacking Spaces	Measured From
Financial institution- ATM	3 spaces per lane	Kiosk
Financial institution - teller	4 spaces for first lane, 3 spaces for each additional lane	Window or pneumatic tube kiosk
Drive-through restaurant	12 spaces	Pick-up window
Drive-through coffee shop	10 spaces	Pick-up window
Car wash, automatic	6 spaces per bay	Entrance
Car wash, self-service	3 spaces per bay	Entrance
Drive-through car service (oil change and similar)	3 spaces per bay	Entrance
Drive-through pharmacy	3 spaces	Window
Drive-through cleaners	3 spaces	Window
Drive-through photo lab	3 spaces	Window
Self-service fueling station	2 spaces per fueling island	Each end of the fueling island
Gated parking lots and entrances	2 spaces	Gate

Proposed Special Use Permit (Drive-Through) Lot 1B of Lot 1 and the North 83.35 feet of Lot 2, Block 1 Sunrise Town Centre Addition



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Date: 9/18/2014(hlb)

Source: City of Bismarck



BISMARCK PLANNING & ZONING COMMISSION
MEETING MINUTES
August 27, 2014

The Bismarck Planning & Zoning Commission met on August 27, 2014 at 5:00 p.m. in the Tom Baker Meeting Room in the City-County Office Building, 221 North 5th Street. Chairman Yeager presided.

Commissioners present were Mark Armstrong, Tom Atkinson, Mel Bullinger, Mike Donahue, Vernon Laning, Doug Lee, Mike Schwartz, Mike Seminary, Lisa Waldoch and Wayne Yeager.

Commissioner absent was Ken Selzler.

Staff members present were Carl Hokenstad – Director of Community Development, Kim Lee – Planning Manager, Jason Tomanek – Planner, Jenny Wollmuth – Planner, Hilary Balzum – Community Development Office Assistant, Charlie Whitman – City Attorney, Steve Saunders – Transportation Planner and Jason Hammes – Assistant City Attorney.

PRESENTATION/PUBLIC HEARING – FRINGE AREA ROAD MASTER PLAN UPDATE

Chairman Yeager called for the presentation and public hearing on the 2014 Fringe Area Road Master Plan Update.

Bill Troe, SRF Consulting, said the Fringe Area Road Master Plan (FARMP) will become part of the City's Master Plan and that the Planning and Zoning Commission's recommendation will need to be by resolution and will be forwarded to the Bismarck City Commission. He said planning is being done for the anticipated growth of Bismarck extending several miles outside of city limits, with rugged terrain directly adjacent to the city needing focus. He said arterial and collector roadway networks need to be identified in order to reduce the potential for an uncoordinated approach to future roadway connections. He went on to say arterial, major and minor collectors and continuous corridors are all potential route alignments and an attempt has been given to follow section lines and contours, avoiding steep terrain, barriers and existing buildings. He said multiple opportunities for input from the public and the steering committee have been offered and that significant improvements along the beltway in Burleigh County have been made with multiple configuration options. He then said as the fringe areas of the community develop, thought out concepts will have changed from many years ago and alignments may need to change. He then said inconsistency issues would require a FARMP amendment to be approved by the Planning and Zoning Commission and the City Commission, adding that the amendment process is outlined in the Plan.

Commissioner Laning asked if the beltway would also serve as a truck bypass with constant movement. Mr. Troe said the plan is not designed to account for traffic increases and that the

current Long Range Transportation Plan study that is currently being conducted would be a better place to discuss traffic increases.

Commissioner Seminary made reference to page 8 of the proposed FARMP where it gives information on the framework provided by the Plan and that it will go through changes. He said we are in a unique market as we have exceptionally rapid growth and funding is changing how we may work the process. He asked Mr. Troe to give two suggestions that might help address how to fund the new fringe roads.

Mr. Troe said performance measures need to be adopted for decision making and to find different ways to help ourselves improve funding sources depending on the jurisdiction involved. He said the funding will still come back to using a formula to account for federal funding no matter what the growth rate is.

Chairman Yeager opened the public hearing.

There being no comments, Chairman Yeager closed the public hearing.

Ms. Lee told the Commission that the FARMP is proposing a uniform procedure for amendment to coincide with the Plan.

MOTION: Commissioner Lee made a motion to recommend approval of the Plan by resolution and forward the 2014 Fringe Area Road Master Plan to the Bismarck City Commission for adoption as proposed. Commissioner Atkinson seconded the motion and it was unanimously approved with Commissioners Armstrong, Atkinson, Bullinger, Donahue, Laning, Lee, Schwartz, Seminary, Waldoch and Yeager voting in favor of the motion. A copy of the resolution is attached as Exhibit A.

MINUTES

Chairman Yeager called for consideration of the minutes of the July 23, 2014 meeting.

MOTION: Commissioner Armstrong made a motion to approve the minutes of the July 23, 2014 meeting as received. Commissioner Lee seconded the motion and it was unanimously approved with Commissioners Armstrong, Atkinson, Bullinger, Donahue, Laning, Lee, Schwartz, Seminary, Waldoch and Yeager voting in favor of the motion.

CONSIDERATION

- A. HERITAGE RIDGE ADDITION –
ZONING CHANGE (A TO R5, R10, RM15 & P) AND PRELIMINARY PLAT**
- B. LOTS 2-3, BLOCK 2 AND 4-6, BLOCK 3, STONECREST 2ND ADDITION –
ZONING CHANGE (RM30 TO PUD)**

- C. LOT 2, BLOCK 3, KMK ESTATES –
ZONING CHANGE (RR TO R10 & RT)
- D. LOTS 1-3, BLOCK 1, SONNET HEIGHTS SUBDIVISION –
ZONING CHANGE (RM15 TO PUD)
- E. LOTS 1-24, BLOCK 15, MCKENZIE'S ADDITION –
PUD AMENDMENT

Chairman Yeager requested that item #6, a zoning change for Lots 1-3, Block 1, Sonnet Heights Subdivision, be removed for discussion by the Commission as he will be turning the meeting over to Vice Chairman Lee for consideration of that item.

MOTION: Commissioner Lee made a motion to remove consent agenda item #6, a zoning change for Lots 1-3, Block 1, Sonnet Heights Subdivision, to allow Chairman Yeager to remove himself as Chairman for that item. Commissioner Seminary seconded the motion and it was unanimously approved with Commissioners Armstrong, Bullinger, Donahue, Laning, Lee, Schwartz, Seminary, Waldoch and Yeager voting in favor of the motion.

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

- A. Heritage Ridge Addition –
Zoning Change (A to R5, R10, RM15 & P) and Preliminary Plat
- B. Lots 2-3, Block 2 and 4-6, Block 3, Stonecrest 2nd Addition –
Zoning Change (RM30 to PUD)
- C. Lot 2, Block 3, KMK Estates –
Zoning Change (RR to R10 & RT)
- E. Lots 1-24, Block 15, McKenzie's Addition –
PUD Amendment

MOTION: Commissioner Laning made a motion to approve consent agenda items A, B, C and E, granting tentative approval or calling for public hearings on the items as recommended by staff. Commissioner Lee seconded the motion and it was unanimously approved with Commissioners Armstrong, Bullinger, Donahue, Laning, Lee, Schwartz, Seminary, Waldoch and Yeager voting in favor of the motion.

Chairman Yeager removed himself from the meeting and turned it over to Vice Chairman Lee.

Vice Chairman Lee called for consideration of the following consent agenda item:

- D. Lots 1-3, Block 1, Sonnet Heights Subdivision
Zoning Change (RM15 to PUD)

MOTION: Commissioner Armstrong made a motion to approve consent agenda item D, calling for a public hearing on the item as recommended by staff.

Commissioner Atkinson seconded the motion and it was unanimously approved with Commissioners Armstrong, Bullinger, Donahue, Laning, Lee, Schwartz, Seminary and Waldoch voting in favor of the motion.

Chairman Yeager returned to the meeting.

**FINAL CONSIDERATION – ANNEXATION
PARTS OF KMK ESTATES AND HIGH MEADOWS 9TH ADDITION**

Chairman Yeager called for the final consideration of the annexation of parts of KMK Estates and High Meadows 9th Addition. The property is located in northwest Bismarck, along the west side of North Washington Street, south of Ash Coulee Drive. Ms. Lee noted that these properties are the remaining unannexed properties included in the 2007 annexation agreement.

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

1. The owners of all of the properties included in this annexation entered into annexation agreements with the City and submitted applications for annexation in July 2007.
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.
3. The proposed annexation would not adversely affect property in the vicinity.
4. The proposed annexation is consistent with the general intent and purpose of the zoning ordinance.
5. The proposed annexation is consistent with the master plan, other adopted plans, policies and planning practice.

Ms. Lee said based on these findings, staff recommends approval of the annexation of the following, in accordance with the annexation agreement entered into in July 2007:

- Lot A of Lot 3, Block 2, KMK Estates (being replatted as part of High Meadows 12th Addition)
- Lot B of Lot 3, Block 2, KMK Estates (being replatted as part of High Meadows 12th Addition)
- Lot 4, Block 2, KMK Estates (being replatted as part of High Meadows 12th Addition)
- Lot 1, Block 3, KMK Estates
- Lot 2, Block 3, KMK Estates
- E1/2 of Lot 4 less Lot A, Block 3, KMK Estates P
- Part of Lot 6, Block 3 east of High Meadows 5th, KMK Estates

- Lot 7, Block 3, KMK Estates
- Lot 1 less the N120' of the S220' of the E150', Block 4, KMK Estates
- Lot 2, Block 4, KMK Estates
- Lot 6, Block 1, High Meadows 9th Addition
- Lot 7, Block 1, High Meadows 9th Addition

MOTION: Based on the findings contained in the staff report, Commissioner Lee made a motion to approve the annexation of parts of KMK Estates and High Meadows 9th Addition as recommended by staff. Commissioner Waldoch seconded the motion and it was approved with Commissioners Atkinson, Bullinger, Donahue, Laning, Lee, Schwartz, Seminary, Waldoch and Yeager voting in favor of the motion.

**PUBLIC HEARING – FINAL PLAT AND ZONING CHANGE–
HIGH MEADOWS 12TH ADDITION**

Chairman Yeager called for the public hearing on the final plat and the zoning change from the RR-Residential zoning district to the R5-Residential and PUD-Planned Unit Development zoning districts for High Meadows 12th Addition. The proposed plat is 45 lots in three blocks on 9.16 acres and is located in northwest Bismarck, west of North Washington Street between Colt Avenue and Bucksin Avenue (a replat of Lots A and B of Lot 3, Block 2 and Lot 4, Block 2, KMK Estates Subdivision).

Ms. Lee provided an overview of the requests and presented the following findings for the zoning change:

1. The proposed zoning change is outside of the area covered by the Future Land Use Plan (FLUP) in the 2014 Growth Management Plan.
2. The proposed zoning change would be compatible with adjacent land uses. Adjacent land uses include a combination of urban single-family residential and rural single-family residential to the west and south, a religious institution to the east and a developing one and two-unit residential subdivision to the north.
3. The subdivision proposed for this property would be annexed and services will be extended in conjunction with development; therefore, it would not place an undue burden on public services and facilities.
4. The proposed zoning change would not adversely affect property in the vicinity.
5. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance.
6. The proposed zoning change is consistent with the master plan, other adopted plans, policies and accepted planning practice.

Ms. Lee then gave the findings for the final plat:

1. The revised preliminary plat was tentatively approved by the Planning & Zoning Commission on July 23, 2014.
2. All technical requirements for approval of a final plat have been met.
3. The storm water management plan has been approved by the City Engineer.
4. The proposed subdivision is outside of the area covered by the Fringe Area Road Master Plan. North Washington Street to the east of the proposed plat and Ash Coulee Drive to the north of the proposed plat are both classified as minor arterials on the MPO's Functional Classification Network (2009).
5. The proposed subdivision would be compatible with adjacent land uses. Adjacent land uses include a combination of urban single-family residential and rural single-family residential to the west and south, a religious institution to the east and a one and two-unit residential subdivision to the north.
6. The proposed subdivision would be annexed and services will be extended in conjunction with development; therefore, it would not place an undue burden on public services and facilities.
7. The proposed subdivision would not adversely affect property in the vicinity.
8. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance and subdivision regulations.
9. The proposed subdivision is consistent the master plan, other adopted plans, policies and accepted planning practice.

Ms. Lee said based on these findings, staff recommends approval of the final plat and the zoning change from the RR-Residential zoning district to the R5-Residential and PUD-Planned Unit Development zoning districts for High Meadows 12th Addition, as outlined in the attached draft PUD ordinance, and with the understanding that all lots to be occupied by single family dwellings be increased to 5,000 square feet.

Commissioner Waldoch asked if the developer has been asked previously to increase those lots that are less than 5,000 square feet to bring them up to the minimum desired size. Ms. Lee said they have been asked, but the plat was not changed. To avoid a precedent being set, the lot sizes need to be increased to at least 5,000 square feet.

Commissioner Waldoch asked what the reasoning is behind the smaller lots. Ms. Lee said the developer might be better to answer that question.

Commissioner Seminary said in some ways, given the concerns about the smaller lot sizes, smaller lots could increase density and reduce the funding needed for public improvements for the area. Ms. Lee said the majority of single-family lots within the community are much larger and setbacks have been reduced in this plat, but it is not desirable to reduce the lot sizes themselves to below 5,000 square feet.

Chairman Yeager opened the public hearing.

Dave Patience, Swenson, Hagen & Co., said this will be an infill project for KMK Estates and the lot widths were considered when taking into consideration the width of the public street. He said a 50 foot wide lot cannot be 100 feet deep or they will lose two rows of lots as well as a street.

There being no further comments, Chairman Yeager closed the public hearing.

MOTION: Based on the findings contained in the staff reports, Commissioner Donahue made a motion to approve the final plat and zoning change from the RR-Residential zoning district to the R5-Residential and PUD-Planned Unit Development zoning districts for High Meadows 12th Addition, as outlined in the draft PUD ordinance, and with the understanding that all lots to be occupied by single-family dwellings be increased to 5,000 square feet. Commissioner Lee seconded the motion and it was unanimously approved with Commissioners Armstrong, Atkinson, Bullinger, Donahue, Laning, Lee, Schwartz, Seminary and Yeager voting in favor of the motion. Commissioner Waldoch opposed the motion.

PUBLIC HEARING – FINAL PLAT– HUBER SECOND SUBDIVISION

Chairman Yeager called for the public hearing on the final plat of Huber Second Subdivision. The proposed plat is three lots in one block on 6.17 acres and is located northeast of Bismarck, along the south side of 43rd Avenue NE east of 52nd Street NE (Lot A of Government Lot 1 of the NW1/4, Section 19, 139N-R79W/Gibbs Township).

Chairman Yeager asked if there was a representative present from Gibbs Township who would like to comment on this item. Gibbs Township Supervisor John Hauck was present but did not wish to give any comments at this time.

Ms. Wollmuth said that the proposed subdivision will be ghost platted for future development and a waiver for a private roadway to serve the proposed subdivision has been requested.

Ms. Wollmuth gave an overview of the request then presented the following findings:

1. The preliminary plat was tentatively approved on July 23, 2013.

2. All technical requirements for approval of the final plat have been met.
3. The stormwater management plan has been approved by the City Engineer, with written concurrence from the Burleigh County Engineer.
4. The Gibbs Township Board of Supervisors has recommended approval of the proposed plat.
5. The proposed subdivision is generally consistent with the Fringe Area Road Master Plan for this area, which identifies 43rd Avenue NE as an arterial roadway.
6. The proposed subdivision would be compatible with adjacent land uses. Adjacent land uses include rural residential to the east and south, and undeveloped agriculturally zoned property to the north, west and south.
7. The subdivision proposed for this property would be served by South Central Regional Water District and would have access to 43rd Avenue NE via a private roadway; therefore the proposed zoning change would not place an undue burden on public services.
8. The proposed subdivision would not adversely affect property in the vicinity.
9. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance and subdivision regulations.
10. The proposed subdivision is consistent with the master plan, other adopted plans, policies and accepted planning practice.

Ms. Wollmuth said based on these findings, staff recommends approval of the final plat of Huber 2nd Subdivision, including the granting a waiver for the use of the private roadway.

Chairman Yeager opened the public hearing.

There being no comments, Chairman Yeager closed the public hearing.

MOTION: Based on the findings contained in the staff report, Commissioner Lee made a motion to approve the final plat of Huber 2nd Subdivision, including the granting of a waiver for the use of the private roadway. Commissioner Schwartz seconded the motion and it was approved with Commissioners Armstrong, Atkinson, Bullinger, Donahue, Laning, Lee, Schwartz, Seminary, Waldoch and Yeager voting in favor of the motion.

**PUBLIC HEARING – SPECIAL USE PERMIT
LOTS 7-9 LESS THE EAST 10 FEET, BLOCK 37, NORTHERN PACIFIC
ADDITION (OFF-SITE PARKING LOT)**

Chairman Yeager called for the public hearing for a special use permit for an off-site parking lot to be located on Lots 7-9 less the East 10 feet, Block 27, Northern Pacific Addition. The property is located in central Bismarck, north of East Avenue A and east of North 8th Street. Ms. Wollmuth gave an overview of the request, including the following findings:

1. The proposed special use would comply with applicable provisions of the zoning ordinance. In particular, the proposed special use meets all five (5) provisions outlined in Section 14-03-08(4)(x) of the City Code of Ordinances (Special Uses)(Off-site Parking).
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, provided the landscaping and buffer yard is installed. According to the site plan submitted with the application, the required landscaping and buffer yard will be installed per Section 14-03-11(10) of the City Code of Ordinances.
4. The use would be designed, constructed, operated and maintained in a manner that is compatible with the appearance of the existing or intended character of the surrounding area.
5. Adequate public facilities and services are in place to serve the proposed special use.
6. The proposed special use would not cause a negative cumulative effect, when considered in conjunction with the cumulative effect of other uses in the immediate vicinity.
7. The proposed special use is compatible with adopted plans, policies and accepted planning practice.

Ms. Wollmuth said based on the above findings, staff recommends approval of the special use permit to allow the construction of an off-site parking lot on Lots 7-9, Block 37, Northern Pacific 2nd Addition, with the following condition:

1. Development of the site shall generally conform to the site plan submitted.

Chairman Yeager opened the public hearing.

There being no comments, Chairman Yeager closed the public hearing.

MOTION: Based on the findings contained in the staff report, Commissioner Lee made a motion to approve the special use permit to allow the construction of an off-site parking lot on Lots 7-9 less the east 10 feet, Block 37, Northern Pacific 2nd Addition, with the following condition: 1. Development of the site shall generally conform to the site plan submitted. Commissioner Laning seconded the motion and it was approved with Commissioners Armstrong, Atkinson,

Bullinger, Donahue, Laning, Lee, Schwartz, Seminary, Waldoch and Yeager voting in favor of the motion.

**PUBLIC HEARING – SPECIAL USE PERMIT
LOT 2, BLOCK 3, GRAND PRAIRIE ESTATES 3RD SUBDIVISION (INCREASED
SIZE OF ACCESSORY BUILDING)**

Chairman Yeager called for the public hearing for a special use permit for the increased size of an accessory building to be located on Lot 2, Block 3, Grand Prairie Estates 3rd Subdivision. The property is located northeast of Bismarck, north of 43rd Avenue NE, along the west side of Plainsman Road, and east of 26th Street NE.

Ms. Wollmuth said that there is an existing 1300 square foot accessory building on the property and that the applicant is proposing to construct a 1,664 square foot additional accessory building.

Ms. Wollmuth gave an overview of the request, including the following findings:

1. The proposed special use complies with all applicable provisions 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 proposed special use would be compatible with the surrounding rural residential neighborhood.
5. The request is compatible with adopted plans, policies and accepted planning practice.

Ms. Wollmuth said based on the above findings, staff recommends approval of the special use permit to increase the total allowable square feet of accessory buildings to 2,964 square feet on Lot 2, Block 3, Grand Prairie Estates 3rd Subdivision.

Chairman Yeager opened the public hearing.

John Oss, 5113 Carrington Drive, said he is comfortable with this request but he has concerns about a vacant lot near him having only an accessory building being built on it with no primary structure.

Marshall Liudahl, 5409 Carrington Drive, said he feels approving this special use permit would be setting a precedent for the entire subdivision to be allowed to have that much

square footage in accessory buildings. He said he would like to have more square footage himself and he hopes the commission will also approve his request when he presents it.

Comments received via email supporting the request are attached as Exhibit B.

Ms. Wollmuth said the zoning ordinance was amended in 2012 to allow residents the opportunity to construct larger accessory building upon the approval of a special use permit.

There being no further comments, Chairman Yeager closed the public hearing.

MOTION: Based on the findings contained in the staff report, Commissioner Schwartz made a motion to approve the special use permit to increase the total allowable square feet of accessory buildings to 2,964 square feet on Lot 2, Block 3, Grand Prairie Estates 3rd Subdivision. Commissioner Lee seconded the motion and it was approved with Commissioners Armstrong, Atkinson, Bullinger, Donahue, Laning, Lee, Schwartz, Seminary, Waldoch and Yeager voting in favor of the motion.

**PUBLIC HEARING – SPECIAL USE PERMIT
LOTS 1-2 AND THE WEST 40 FEET OF THE VACATED 11TH STREET, BLOCK 4,
CENTURY COMMERCIAL PARK (EXPANDED DAY CARE CENTER)**

Chairman Yeager called for the public hearing for a special use permit for the expanded day care center to be located on Lots 1-2 and the west 40 feet of the vacated 11th Street, Block 4, Century Commercial Park. The property is located in north central Bismarck, along the east side of North 10th Street, north of Weiss Avenue and west of State Street.

Ms. Wollmuth gave an overview of the request, including the following findings:

1. A child care center is allowed as a special use in the CG-Commercial zoning district, provided specific conditions are met. The proposed child care center meets the provisions outlined in Section 14-03-08(4)(q) of the City Code of Ordinances. A copy of this section is attached.
2. The proposed special use would not adversely affect the public health, safety and general welfare.
3. The proposed special use would not be detrimental to the use or development of adjacent properties.
4. The use would be designed, operated and maintained in a manner that is compatible with the appearance of the existing character of the surrounding area.
5. Adequate public facilities and services are in place.
6. 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 measure have been taken to minimize traffic congestion in the public streets and provide for appropriate on-site circulation of traffic; in particular, on-street parking is limited to Sundays only.

Ms. Wollmuth said abased on the above findings, staff recommends approval of the special use permit to expand the child care center on Lots 1-2 and the west 40 feet of the vacated 11th Street, Block 4, Century Commercial Park, with the following conditions:

1. The number of clients is limited to 81 clients.
2. The use of the existing outdoor recreation area is limited to fourteen (14) clients per classroom rotation.

Chairman Yeager opened the public hearing.

There being no comments, Chairman Yeager closed the public hearing.

Chairman Yeager asked if the building official will consider the existing toilet facilities in the building during the plan review process and parking requirements on the site plan. Ms. Wollmuth said he is already aware of both issues and is working with the client.

OTHER BUSINESS

There was no other business to discuss at this time.

ADJOURNMENT

There being no further business, Chairman Yeager declared the Bismarck Planning & Zoning Commission adjourned at 5:58 p.m. to meet again on September 24, 2014.

Respectfully submitted,

Hilary Balzum
Recording Secretary

Wayne Lee Yeager
Chairman

**RESOLUTION OF ADOPTION
for the
2014 FRINGE AREA ROAD MASTER PLAN**

WHEREAS, the Metropolitan Planning Organization and its member jurisdictions, including the City of Bismarck, initiated the development of a 2014 Fringe Area Road Master Plan for the metropolitan area; and

WHEREAS, the Metropolitan Planning Organization and its member jurisdictions, after multiple public involvement meetings and substantial consultation with local planning and engineering staff, have prepared the 2014 Fringe Area Road Master Plan; and

WHEREAS, the 2014 Fringe Area Road Master Plan will be used as a policy tool to promote the orderly growth and development of Bismarck and its fringe area, and will be used in conjunction with the 2014 Growth Management Plan and the Bismarck Comprehensive Policy Plan; and

WHEREAS, notices were published in the official newspaper for the City of Bismarck for a public hearing before the Bismarck Planning & Zoning Commission in accordance with state law; and

WHEREAS, the Bismarck Planning and Zoning Commission has reviewed the 2014 Fringe Area Road Master Plan and held a public hearing on said plan on August 27, 2014;

NOW, THEREFORE BE IT RESOLVED, by the Bismarck Planning & Zoning Commission, that it hereby adopts the 2014 Fringe Area Road Master Plan, as presented at the August 27, 2014 public hearing; and

BE IT FURTHER RESOLVED, that the Bismarck Planning & Zoning Commission recommends the adoption of the 2014 Fringe Area Road Master Plan by the Bismarck Board of City Commissioners.


Wayne Lee Yeager, Chairman
Bismarck Planning & Zoning Commission

Aug. 27, 2014
Date

ATTEST:


Carl D. Hokenstad, Secretary
Bismarck Planning & Zoning Commission

8/27/2014
Date

From:
Sent: Tuesday, August 26, 2014 9:42 PM
To: Planning General Mailbox
Subject: Deb and Gary Schmidt Permit Approval

To whom it may concern,

I support the approval of the special use permit for the construction of the accessory building as described in the letter dated 15 Aug 2014.

Jim Isaak
5300 Plainsman Road
Bismarck, ND

PERMIT ACTIVITY REPORT - MTD
DATE SELECTION 8/2014

Permit Type	***** City *****		***** DATE SELECTION *****		***** ETA *****			
	Permits 8/2014	Valuation	Permits 8/2013	Valuation	Permits 8/2014	Valuation		
SINGLE FAMILY DETACHED	35	6,784,099.48	51	9,876,308.75	8	1,530,313.10	10	2,396,057.00
SINGLE FAMILY ATTACHED	27	3,808,860.50	60	8,636,052.00	0	.00	2	448,259.00
TWO UNIT	0	.00	1	151,926.00	0	.00	0	.00
THREE & FOUR FAMILY	0	.00	1	181,368.00	0	.00	0	.00
FIVE & MORE FAMILY	0	.00	3	9,401,400.00	0	.00	0	.00
CONDO/TOWNHOUSE-1 HR. WALL	0	.00	0	.00	0	.00	0	.00
MANUFACTURED HOMES	0	.00	4	.00	0	.00	0	.00
MOBILE HOME WITHOUT EXTRA	11	.00	0	.00	0	.00	0	.00
MOBILE HOME WITH EXTRAS	0	.00	0	.00	0	.00	0	.00
MOBILE HOME MISCELLANEOUS	0	.00	0	.00	0	.00	0	.00
HOTELS	0	.00	1	8,534,080.00	0	.00	0	.00
MOTELS	0	.00	0	.00	0	.00	0	.00
GROUP QUARTERS	0	.00	0	.00	0	.00	0	.00
NON-STRUCTURAL DEVELOPMENTS	1	635,311.64	3	1,621,645.00	0	.00	0	.00
AMUSEMENT & RECREATION	1	343,900.00	0	.00	0	.00	0	.00
CHURCHES AND RELIGIOUS	0	.00	0	.00	0	.00	0	.00
INDUSTRIAL	7	5,531,512.00	2	2,006,835.00	0	.00	0	.00
RESEARCH & DEVELOPMENT	0	.00	0	.00	0	.00	0	.00
AUTO SERVICE AND REPAIR	0	.00	0	.00	0	.00	0	.00
HOSPITALS & INSTITUTIONAL	0	.00	0	.00	0	.00	0	.00
OFFICE, BANK & PROFESSION	3	550,000.00	0	.00	0	.00	0	.00
SCHOOLS AND EDUCATIONAL	1	1,100,000.00	0	.00	0	.00	0	.00
COMM (RETAIL SALES)	0	.00	0	.00	0	.00	0	.00
OTHER (PUBLIC PARKING GAR	0	.00	0	.00	0	.00	0	.00
OTHER STRUCTURES	2	1,417,736.00	16	755,012.00	0	.00	0	.00
PUBLIC BUILDING	0	.00	0	.00	0	.00	0	.00
ROOM ADDITIONS	5	151,431.50	3	81,861.00	0	.00	1	24,804.00
RESIDENTIAL GARAGES	12	82,783.00	9	59,240.00	13	287,792.00	22	345,730.00
PATIO AND COVERS	22	56,241.00	24	87,390.00	2	43,280.00	4	11,940.00
SWIMMING POOLS AND SPAS	2	109,690.00	1	45,000.00	0	.00	0	.00
OTHER	7	15,150.00	7	160,520.00	0	.00	1	10,000.00
HOME OCCUPATIONS	0	.00	0	.00	0	.00	0	.00
STORAGE SHEDS	0	.00	6	10,750.00	1	2,400.00	0	.00
BASEMENT FINISH	14	81,861.50	9	49,770.00	4	20,116.25	7	41,880.00
INDUSTRIAL BUILDINGS	2	39,688.00	1	42,500.00	0	.00	0	.00
COMMERCIAL BUILDINGS	1	57,672.00	2	1,737,435.00	0	.00	0	.00

PERMIT ACTIVITY REPORT - MTD
DATE SELECTION 8/2014

Permit Type	***** City *****		***** ETA *****	
	Permits 8/2014	Valuation 8/2014	Permits 8/2013	Valuation 8/2013
OFFICE & PROFESSIONAL BLD	1	23,531.49	3	1,719,815.00
OTHER	1	80,000.00	1	3,200.00
ALTER PUBLIC	1	4,187,428.00	0	.00
APTS TO CONDO	0	.00	0	.00
TO/FROM RESIDENTIAL	0	.00	0	.00
SINGLE FAMILY TO MULTI-FA	0	.00	0	.00
MULTI-FAMILY TO SINGLE-FA	0	.00	0	.00
RESIDENTIAL	2	.00	1	.00
OTHER	0	.00	0	.00
CHRISTMAS TREE SALES	0	.00	0	.00
FIREWORKS SALES	0	.00	0	.00
NURSERY STOCK SALES	0	.00	0	.00
TEMPORARY STRUCTURE PERMIT	0	.00	1	.00
CIRCUS/CARNIVAL	0	.00	0	.00
MOVE OUT OF PWT LOCATION	0	.00	0	.00
MOVE INTO PERMIT LOCATION	0	.00	0	.00
MOVE WITHIN PWT LOCATION	0	.00	0	.00
NEW SIGN PERMIT	16	256,637.00	5	56,721.35
SIGN ALTERATION	0	.00	0	.00
ELECTRONIC MESSAGE CENTER	0	.00	0	.00
FLOOD RELATED PERMITS	0	.00	0	.00
Permit Type Total	174	25,313,533.11	217	45,549,900.10
			28	1,883,901.35
				49
				3,408,670.00

DATE SELECTION 8/2014

Permit Type	***** CITY *****			
	Permits 8/2014	Permits 8/2013	Permits 8/2014	Permits 8/2013
Plumbing	111	113	12	24
Electrical	144	132	0	0
Mechanical	119	163	21	30
Drain Field	0	0	5	37
Hood Suppression	1	4	0	0
Sprinkler Standpipe	8	7	0	0
Alarm Detection	1	0	0	0
Total	384	419	38	91

Living Units	***** City *****		DATE SELECTION		ETA *****	
	Units	8/2014	Units	8/2013	Units	8/2014
SINGLE FAMILY DETACHED	35	51	8	10		
SINGLE FAMILY ATTACHED	27	60	0	2		
TWO UNIT	0	2	0	0		
THREE & FOUR FAMILY	0	4	0	0		
FIVE & MORE FAMILY	0	108	0	0		
MOBILE HOME WITHOUT EXTRA	3	0	0	0		
INDUSTRIAL	0	1	0	0		
OTHER STRUCTURES	0	3	0	0		
ROOM ADDITIONS	4	1	0	0		
PATIOS AND COVERS	1	1	0	0		
BASEMENT FINISH	1	0	2	1		
RESIDENTIAL	0	1	0	0		
Total	71	232	10	13		

BIP140-X 9/02/2014

MAJOR PERMIT ACTIVITY OVER \$1,000,000

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PERMIT LOCATION	PERMIT NUMBER	PROPERTY ADDRESS	DATE SELECTION	OWNERS NAME CONTRACTOR	VALUATION
CITY OF BISMARCK	2014-0001216	1202 BURLINGTON	08/2014	CREATIVE CONSTRUCTION LLC	1,108,077.00
CITY OF BISMARCK	2014-0001234	1719 E BOULEVARD		CREATIVE CONSTRUCTION LLC	4,187,428.00
CITY OF BISMARCK	2014-0001372	3800 NEBRASKA		BISMARCK PARK DISTRICT	
				CAPITAL CITY CONSTRUCTION INC	
				RED DEED HOMES DBA	1,100,000.00
				RED DEER HOMES DBA	
CITY OF BISMARCK	2014-0001416	2735 E BROADWAY		NORTHWEST CONTRACTING INC	1,261,210.00
				NORTHWEST CONTRACTING INC	

PERMIT ACTIVITY REPORT - YTD
DATE SELECTION 8/2014

Permit Type	***** City *****		***** 8/2013 *****		***** ETA *****		***** 8/2013 *****	
	Permits	Valuation	Permits	Valuation	Permits	Valuation	Permits	Valuation
OFFICE & PROFESSIONAL BLD	16	2,969,085.74	13	2,856,043.00	0	.00	0	.00
OTHER	15	9,200,437.04	28	2,235,593.00	3	2,887,348.00	3	233,500.00
ALTER PUBLIC	6	16,583,803.00	13	36,640,769.00	0	.00	1	72,860.00
APTS TO CONDO	16	.00	0	.00	0	.00	0	.00
TO/FROM RESIDENTIAL	0	.00	0	.00	0	.00	0	.00
SINGLE FAMILY TO MULTI-FA	1	.00	0	.00	0	.00	0	.00
MULTI-FAMILY TO SINGLE-FA	4	.00	0	.00	0	.00	0	.00
RESIDENTIAL	3	.00	8	.00	0	.00	2	.00
OTHER	3	286,625.32	0	.00	0	.00	0	.00
CHRISTMAS TREE SALES	0	.00	0	.00	0	.00	0	.00
FIREWORKS SALES	1	.00	1	.00	13	.00	16	.00
NURSERY STOCK SALES	5	.00	4	.00	0	.00	0	.00
TEMPORARY STRUCTURE PERMI	4	.00	8	.00	0	.00	3	.00
CIRCUS/CARNIVAL	0	.00	1	.00	0	.00	0	.00
MOVE OUT OF PMT LOCATION	0	.00	0	.00	0	.00	0	.00
MOVE INTO PERMIT LOCATION	0	.00	0	.00	0	.00	0	.00
MOVE WITHIN PMT LOCATION	0	.00	0	.00	0	.00	0	.00
NEW SIGN PERMIT	72	2,905,028.86	42	890,209.88	1	21,000.00	1	4,000.00
SIGN ALTERATION	1	16,500.00	1	57,485.00	0	.00	0	.00
ELECTRONIC MESSAGE CENTER	1	34,711.49	2	15,290.42	0	.00	0	.00
FLOOD RELATED PERMITS	0	.00	0	.00	0	.00	0	.00
Permit Type Total	1087	257,905,857.42	1188	277,150,727.23	199	17,111,666.78	324	41,543,235.50

Permit Type	***** DATE SELECTION 8/2014 *****			
	Permits 8/2014	City Permits 8/2013	ETA Permits 8/2014	ETA Permits 8/2013
Plumbing	541	565	66	122
Electrical	893	965	2	0
Mechanical	1044	1060	138	178
Drain Field	0	0	36	94
Hood Suppression	1	4	0	0
SprinklerStandpipe	8	7	0	0
Alarm Detection	1	0	0	0
Total	2526	2663	242	394

 DATE SELECTION 8/2014

 ETA *****

Living Units	Units 8/2014	City Units 8/2013	DATE SELECTION 8/2014	ETA Units 8/2013
SINGLE FAMILY DETACHED	212	309	56	114
SINGLE FAMILY ATTACHED	140	157	4	4
TWO UNIT	22	14	0	0
THREE & FOUR FAMILY	4	10	0	0
FIVE & MORE FAMILY	276	358	0	0
MANUFACTURED HOMES	1	13	0	0
MOBILE HOME WITHOUT EXTRA	5	0	0	0
MOTELS	0	74	0	0
INDUSTRIAL	15	1	0	0
OTHER STRUCTURES	2	3	0	25
PUBLIC BUILDING	0	8	0	0
ROOM ADDITIONS	9	6	3	0
RESIDENTIAL GARAGES	1	0	1	0
PATIOS AND COVERS	3	1	0	0
SWIMMING POOLS AND SPAS	0	0	1	0
OTHER	3	4	1	3
BASEMENT FINISH	12	9	4	2
COMMERCIAL BUILDINGS	0	1	0	0
OTHER	85	9	0	0
RESIDENTIAL	0	1	0	0
Total	790	978	70	148