



Community Development Department

BISMARCK PLANNING AND ZONING COMMISSION
MEETING AGENDA
December 17, 2014

First Floor Conference Room 5:00 p.m. City-County Building

Item No. Page

MINUTES

- 1. Consider approval of the minutes of the November 19, 2014 meeting of the Bismarck Planning & Zoning Commission.

CONSENT AGENDA

CONSIDERATION

The following items are requests for a public hearing.

- 2. Apple Creek Road Subdivision (JW)

Apple Creek Township

- a. Zoning Change (A to RR) 1
Staff recommendation: schedule a hearing [] schedule a hearing [] table [] deny
b. Preliminary Plat 5
Staff recommendation: tentative approval [] tentative approval [] table [] deny

- 3. Boulder Ridge Seventh Addition (Klee)

- a. Zoning Change (A to RM10, RM15, RM30, RT & CA)..... 13
Staff recommendation: schedule a hearing [] schedule a hearing [] table [] deny
b. Preliminary Plat 17
Staff recommendation: tentative approval [] tentative approval [] table [] deny

- 4. South 40 feet of the vacated East Thayer Avenue adjacent to Blocks 1 & 2, Eagles Addition – Zoning Change (CG & MA to CG) (JW) 23

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.

5. **Madison Lane Addition – PUD Amendment (JT)** 27
Staff recommendation: approve approve continue table deny
6. **West 40 feet of Lot 1, Block 1, Sonnet Heights Subdivision Fifth Replat – Zoning Change (CG to RT) (JT)** 37
Staff recommendation: approve approve continue table deny
7. **Lot 4B, Block 3, North Hills Fifteenth Addition – Zoning Change (RM10 to RT) (Klee)** 41
Staff recommendation: approve approve continue table deny
8. **Auditor’s Lot A of Lot 13, Lot 14, Lot 16 & Auditor’s Lot A of Lot 17, Block 1, Boulder Ridge First Addition – Zoning Change (R10 to CA) (Klee)**..... 45
Staff recommendation: approve approve continue table deny
9. **Lot 4A, Block 1, Sunrise Town Centre Addition – Special Use Permit (drive through) (JW)**49
Staff recommendation: approve approve continue table deny
10. **Lot 1, Block 1, Boutrous Third Addition – Special Use Permit (digital billboard) (JW)**.....55
Staff recommendation: deny approve continue table deny

OTHER BUSINESS

11. **Other**

ADJOURNMENT

12. **Adjourn.** The next regular meeting date is scheduled for Wednesday, January 28, 2015.

Enclosures: Meeting Minutes of November 19, 2014
 Building Permit Activity Report for November 2014

**BISMARCK COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

BACKGROUND:	
Title: Apple Creek Road Subdivision – Zoning Change (A to RR)	
Status: Planning Commission – Consideration	Date: December 17, 2014
Owner(s): Terry Wald	Engineer: Swenson, Hagen & Co.
Reason for Request: Plat and zone property to create one addition lot for rural residential development.	
Location: East of Bismarck, along the east side of 52 nd Street NE and the north side of Apple Creek Road, south of County Highway 10 (Part of the SW ¼ of Section 6, T138N-R78W/Apple Creek Township and Auditor’s Lot 8A of the SE ¼ of Section 1, T138N-R80W/ Lincoln Township)	
Project Size: 48.45 acres	Number of Lots: 3 lots in 1 block
EXISTING CONDITIONS:	PROPOSED CONDITIONS:
Land Use: Undeveloped	Land Use: Rural residential
Zoning: A – Agricultural	Zoning: RR – Residential
Uses Allowed: A – Agriculture	Uses Allowed: RR – Rural residential
Maximum Density Allowed: A – One unit/40 acres	Maximum Density Allowed: RR – One unit/65,000sf
PROPERTY HISTORY:	
Zoned: N/A	Platted: N/A
ADDITIONAL INFORMATION:	
<ol style="list-style-type: none"> The proposed plat is located within the City’s Urban Service Area Boundary (USAB) and in an area identified in the Future Land Use Plan (FLUP) in the 2014 Growth Management Plan as low density residential. The proposed plat is subject to USAB requirements including the requirement to ghost plat to achieve the overall density requirements for the low density residential land use outlined in the FLUP. The overall average density of 2.5 units is required. As proposed, the overall density of the plat is .14 units per acre. The applicant has submitted a request to waive the requirement of ghost platting. The request seems reasonable at this time as the property is being platted in order to create one additional buildable lot (Lot 2) for the purpose of obtaining a building permit to construct one single-family dwelling unit. Staff has informed the applicant that further subdivision of any of the lots in the proposed plat would require a replat including a ghost plat that would achieve the overall density requirements identified in the FLUP in the 2014 Growth Management Plan. The applicant has submitted a concept plan that shows how the proposed plat may be subdivided for future urbanization. The overall density of the concept plan is 2.8 units per acre. A copy of the concept plan is attached. The proposed plat is located within both Lincoln Township and Apple Creek Township. The two townships are two different taxing districts and a lot cannot be located within multiple townships. As a result, Lot 1 located in Lincoln Township is considered a non-conforming lot as it does not meet the minimum lot size for a lot located within the RR-Residential zoning district. 	

FINDINGS:

1. The proposed zoning change is not completely consistent with the Future Land Use Plan (FLUP) in the 2014 Growth Management Plan, which identifies this area as low density residential (urban density average of 2.5 units / acre).
2. The proposed zoning change would be compatible with adjacent land uses. Adjacent land uses include partially developed agriculture zoned property to the north, south east and west, and unplatted MA – Industrial zoned property to the southwest.
3. The subdivision proposed for this property would be served by South Central Regional Water District and would have direct access to Apple Creek Road; 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 and subdivision regulations, provided that a waiver is granted to waive the requirement of ghost platting for the proposed subdivision.
6. The proposed zoning change is not completely consistent with the master plan, other adopted plans, policies and accepted planning practice. In particular, the proposed zoning change is not consistent with the FLUP in the 2014 Growth Management Plan; however, as the zoning change is being proposed for the addition of one additional single-family dwelling unit staff is comfortable with the proposed zoning change at this time. Any future subdivision of the proposed plat will require a ghost plat that would achieve the overall density requirements identified in the FLUP.

RECOMMENDATION:

Based on the above findings, staff recommends scheduling a public hearing on the zoning change from the A – Agricultural zoning district to the RR – Residential zoning district for Apple Creek Road Subdivision, with the understanding that any further subdivision of any of the lots in the proposed plat would require a replat including a ghost plat that would achieve the overall density requirements identified in the FLUP in the 2014 Growth Management Plan.

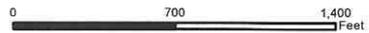
/JW

Proposed Plat and Zoning Change (A to RR) Apple Creek Road Subdivision

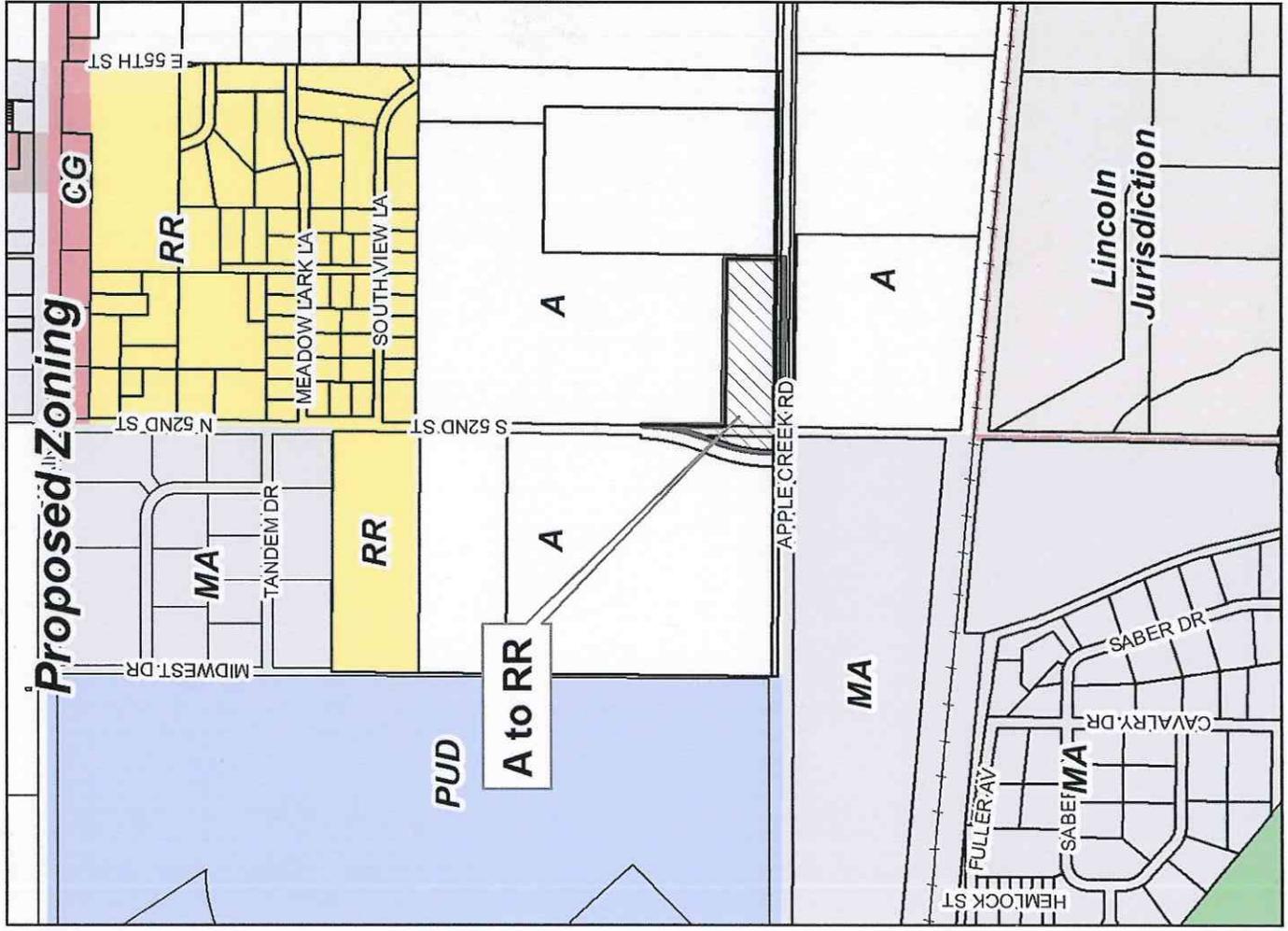
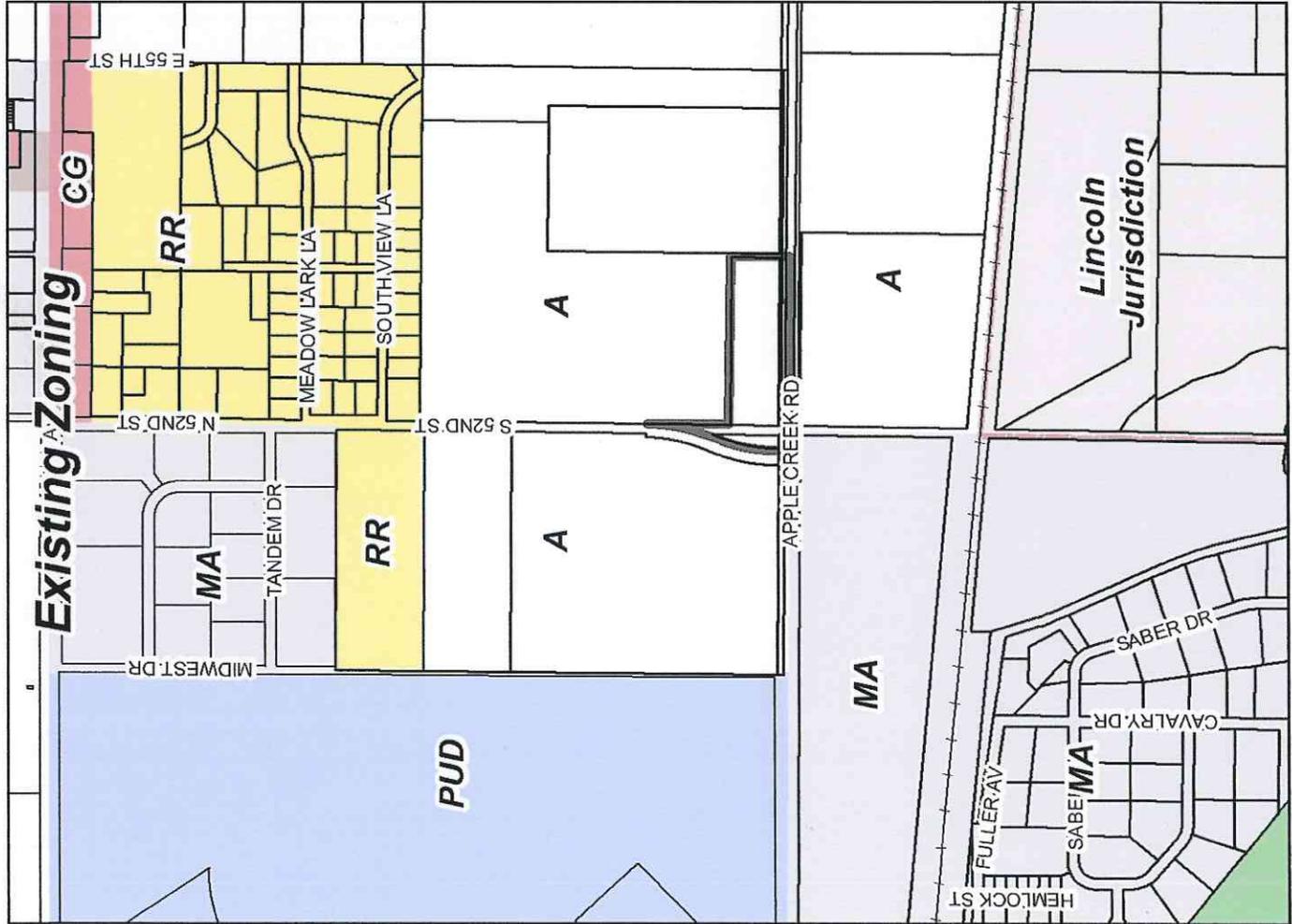


DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.
Date: 11/17/2018(Hlb)

Source: City of Bismarck



Apple Creek Road Subdivision - 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.

December 2014

**BISMARCK COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

BACKGROUND:	
Title: Apple Creek Road Subdivision – Preliminary Plat (A to RR)	
Status: Planning Commission – Consideration	Date: December 17, 2014
Owner(s): Terry Wald	Engineer: Swenson, Hagen & Co.
Reason for Request: Plat and zone property to create one addition lot for rural residential development.	
Location: East of Bismarck, along the east side of 52 nd Street NE and the north side of Apple Creek Road, south of County Highway 10 (Part of the SW ¼ of Section 6, T138N-R78W/Apple Creek Township and Auditor’s Lot 8A of the SE ¼ of Section ,1 T138N-R80W/ Lincoln Township)	
Project Size: 48.45 acres	Number of Lots: 3 lots in 1 blocks
EXISTING CONDITIONS:	PROPOSED CONDITIONS:
Land Use: Undeveloped	Land Use: Rural residential
Zoning: A – Agricultural	Zoning: RR – Residential
Uses Allowed: A – Agriculture	Uses Allowed: RR – Rural residential
Maximum Density Allowed: A – One unit/40 acres	Maximum Density Allowed: RR – One unit/65,000sf
PROPERTY HISTORY:	
Zoned: N/A	Platted: N/A
ADDITIONAL INFORMATION:	
<ol style="list-style-type: none"> The proposed plat is located within the City’s Urban Service Area Boundary (USAB) and in an area identified in the Future Land Use Plan (FLUP) in the 2014 Growth Management Plan as low density residential. The proposed plat is subject to USAB requirements including the requirement to ghost plat to achieve the overall density requirements for the low density residential land use outlined in the FLUP. The overall average density of 2.5 units is required. As proposed, the overall density of the plat is .14 units per acre. The applicant has submitted a request to waive the requirement of ghost platting. The request seems reasonable at this time as the property is being platted in order to create one additional buildable lot (Lot 2) for the purpose of obtaining a building permit to construct one single-family dwelling unit. Staff has informed the applicant that further subdivision of any of the lots in the proposed plat would require a replat including a ghost plat that would achieve the overall density requirements identified in the FLUP in the 2014 Growth Management Plan. The applicant has submitted a concept plan that shows how the proposed plat may be subdivided for future urbanization. The overall density of the concept plan is 2.8 units per acre. A copy of the concept plan is attached. The proposed plat is located within both Lincoln Township and Apple Creek Township. The two townships are two different taxing districts and a lot cannot be located within multiple townships. As a result, Lot 1 located in Lincoln Township is considered a non-conforming lot as it does not meet the minimum lot size for a lot located within the RR-Residential zoning district. The applicant has requested that the right-of-way for the north-south section line located in the proposed plat be vacated by the Burleigh County Commission. This request is scheduled for the December 15, 2014 meeting of the Burleigh County Commission. 	

FINDINGS:

1. All technical requirements for consideration of a preliminary plat have been met.
2. The proposed subdivision is consistent with the 2014 Fringe Area Road Master Plan for this area, which identifies both 52nd Street SE and Apple Creek Road as existing arterial roadways.
3. The proposed subdivision would be compatible with adjacent land uses. Adjacent land uses include partially developed agriculture zoned property to the north, south east and west, and unplatted MA – Industrial zoned property to the southwest.
4. The proposed subdivision would be served by South Central Regional Water District and would have direct access to Apple Creek Road; therefore, it would not place an undue burden on public services and facilities.
5. The proposed subdivision would not adversely affect property in the vicinity.
6. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance and subdivision regulations, provided that a waiver is granted to waive the requirement of ghost platting for the proposed subdivision.
7. The proposed zoning change is not completely consistent with the master plan, other adopted plans, policies and accepted planning practice. In particular, the proposed zoning change is not consistent with the FLUP in the 2014 Growth Management Plan; however, as the zoning change is being proposed for the addition of one additional single-family dwelling unit staff is comfortable with the proposed zoning change at this time. Any future subdivision of the proposed plat will require a ghost plat that would achieve the overall density requirements identified in the FLUP.

RECOMMENDATION:

Based on the above findings, staff recommends tentative approval of the preliminary plat of Apple Creek Road Subdivision Meadows 3rd Subdivision, with the understanding that any further subdivision of any of the lots in the proposed plat would require a replat including a ghost plat that would achieve the overall density requirements identified in the FLUP in the 2014 Growth Management Plan.

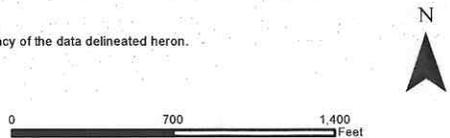
/JW

Proposed Plat and Zoning Change (A to RR) Apple Creek Road Subdivision



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.
Date: 11/17/20 (Hlb)

Source: City of Bismarck



APPLE CREEK ROAD SUBDIVISION

PART OF THE SOUTHWEST 1/4
OF SECTION 6, T. 138N., R. 79W.
AND AUDITOR'S LOT 8A OF THE SOUTHEAST 1/4
OF SECTION 1, T. 138N., R. 80 W.

BISMARCK, NORTH DAKOTA

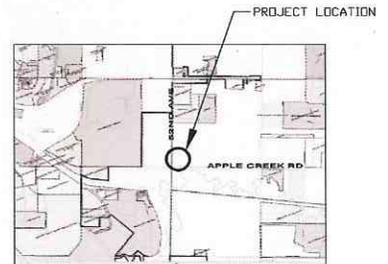


SCALE - 1"=60'
NOVEMBER 11, 2014
HAYG 88

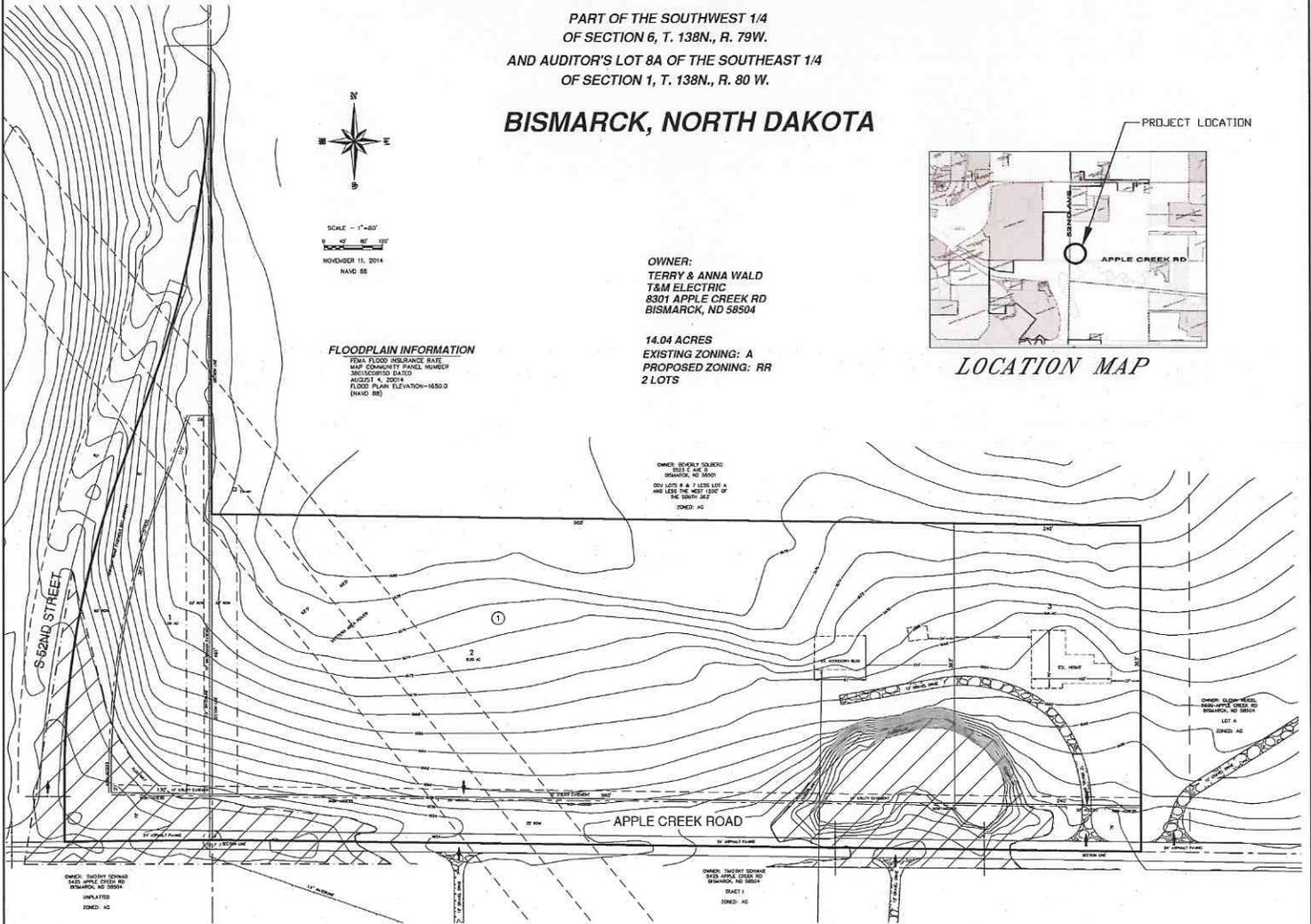
FLOODPLAIN INFORMATION
FINAL FLOOD INSURANCE RATE
MAP COMMENTARY PANEL NUMBER
380300000 EA 100
AUGUST 14, 2014
FLOOD PLAIN ELEVATION=1650.0
(HAYG 88)

OWNER:
TERRY & ANNA WALD
T&M ELECTRIC
8301 APPLE CREEK RD
BISMARCK, ND 58504

14.04 ACRES
EXISTING ZONING: A
PROPOSED ZONING: RR
2 LOTS



LOCATION MAP





**CITY/ETA SUBDIVISION REQUIREMENTS/STANDARDS
WAIVER REQUEST FORM**

If any waivers from subdivision requirements/standards are being requested, this form must be completed and submitted. This form cannot be used for amendments to the Fringe Area Road Master Plan or the Land Use Plan, or for written justification for the use of a cul-de-sacs or private roadways.

SUBDIVISION INFORMATION:

Name of Subdivision:

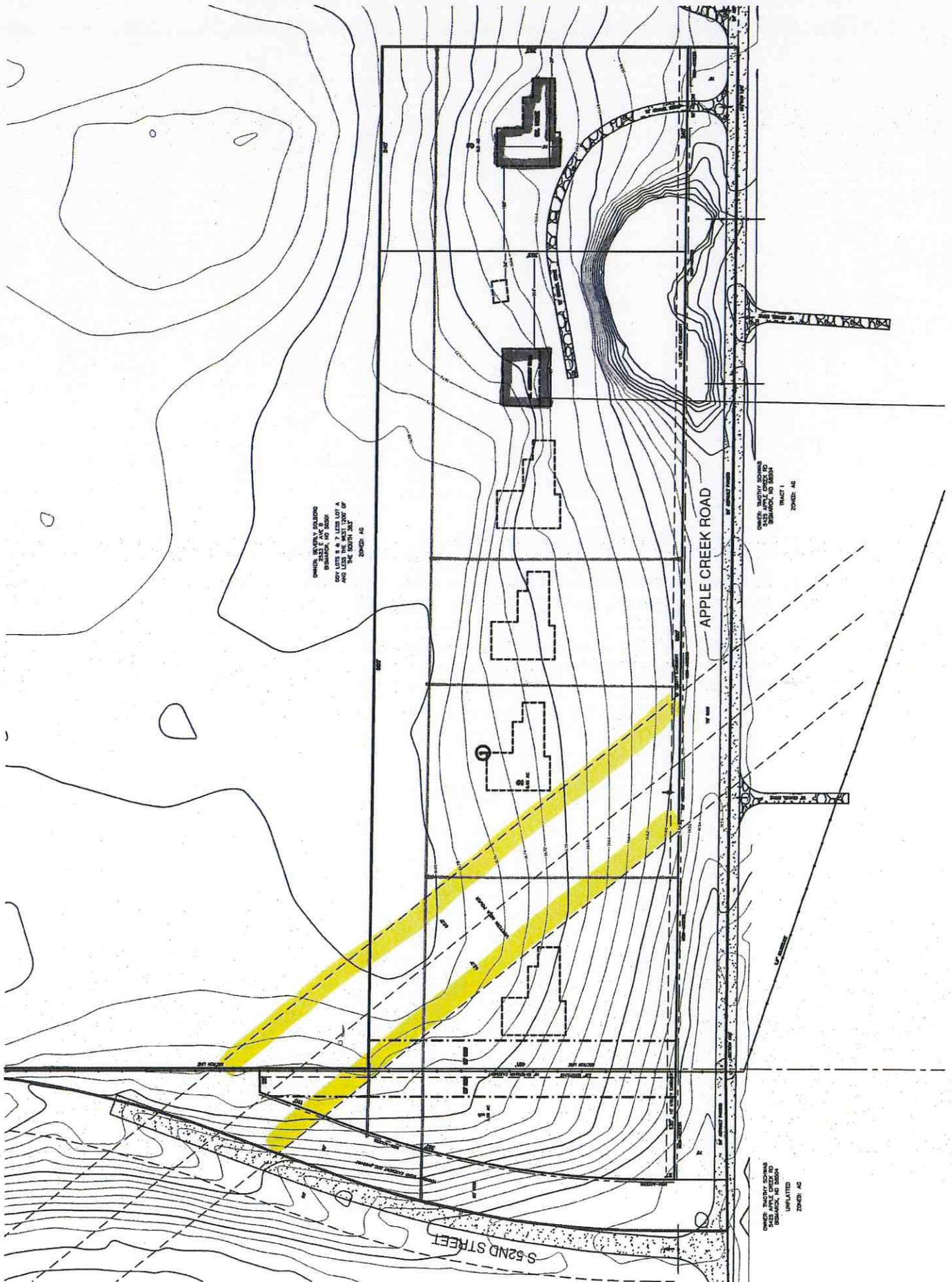
Location of Subdivision:

Name of Property Owner/Developer:

Contact Person (if different from owner):

REQUESTED WAIVERS FROM SUBDIVISION REQUIREMENTS/STANDARDS:

<input checked="" type="checkbox"/> Ghost Platting	Reason for Request	Minimal space available due to Transmission line and water line easements
<input type="checkbox"/> Paving of Interior Roadways	Reason for Request	
<input type="checkbox"/> Maximum Block Length	Reason for Request	
<input type="checkbox"/> Minimum Lot Width	Reason for Request	
<input checked="" type="checkbox"/> Minimum Lot Size (only allowed if platting an existing non-conforming parcel)	Reason for Request	Lot 1 is in a different township requiring a separate lot (1 acre)
<input type="checkbox"/> Other (Please specify)	Reason for Request	
<input type="checkbox"/> Other (Please specify)	Reason for Request	



OWNER, BARRY SCHWAB
TRACT 1 UNPLATTED
ZONED: A2
DIV LOTS 6 & 7 LESS LOT A
AND 1/2 AC. SOUTHWEST CORNER OF
SECTION 36, T34N, R30E, S10M, NE 1/4'

OWNER, BARRY SCHWAB
TRACT 1 UNPLATTED
ZONED: A2

OWNER, BARRY SCHWAB
TRACT 1 UNPLATTED
ZONED: A2

APPLE CREEK ROAD

S 52ND STREET

RECEIVED
DEC 04 2014

RESOLUTION

WE, THE BOARD OF TOWNSHIP SUPERVISORS OF APPLE CREEK TOWNSHIP,
BURLEIGH COUNTY, NORTH DAKOTA, HAVE BEEN ADVISED OF THE
PROPOSED PLAT AND ZONING CHANGE OF APPLE CREEK ROAD
SUBDIVISION AND HEREBY RECOMMEND TO THE BOARD OF CITY
COMMISSIONERS THAT SAID PLAT AND ZONING CHANGE BE
(APPROVED) (DENIED). WE FURTHER RECOMMEND ACCEPTANCE OF THE
RIGHTS-OF-WAY SHOWN ON SAID PLAT BY THE URLEIGH COUNTY BOARD
OF COUNTY COMMISSIONERS ON OUR BEHALF (PLEASE ATTACH
CONDITIONS, IF ANY, TO THE BOARD'S ACTION.)

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

1. where are the approaches for lot 2?
2. Dispute with adjacent landowner about North West land along 52nd St (Rick Solberg)
3. Whats going to be done with lot 2? Future development?

Paul Jent 12/1/14
CHAIRMAN, TOWNSHIP BOARD DATE

Ann C. Doughty 12/1/14
ATTEST: TOWNSHIP CLERK DATE

**BISMARCK COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

BACKGROUND:		
Title: Boulder Ridge Seventh Addition – Zoning Change (A to RM10, RM30, RT, CA & P)		
Status: Planning Commission – Consideration	Date: December 17, 2014	
Owner(s): Five Guys Investment, LLC – Section 16 Ron & Ruth Knutson – W½ of Section 9 MDU – Part of W½ of Section 9 TPR, LLP – E½ of Section 9	Engineer: Swenson, Hagen & Co.	
Reason for Request: Plat and zone property for mixed density residential, office and neighborhood commercial development.		
Location: In northwest Bismarck, along either side of 57 th Avenue NE between North Washington Street and Yukon Drive (Part of the SE ¼ and SW ¼ of Section 9 and part of the NW ¼ of Section 16, T139N-R80W/Hay Creek Township).		
Project Size: 108.79 acres	Number of Lots: 27 lots in 9 blocks	
EXISTING CONDITIONS:		
Land Use: Undeveloped	PROPOSED CONDITIONS:	
Zoning: A – Agricultural	Land Use: Mixed-density residential & office	
	Zoning: RM10 – Residential RM30 – Residential RT – Residential CA – Commercial P – Public	
Uses Allowed: A – Agriculture	Uses Allowed: RM10 – Multi-family residential RM30 – Multi-family residential RT – Multi-family residential & office uses CA – Neighborhood commercial uses P – Public uses, including parks	
Maximum Density Allowed: A – One unit/40 acres	Maximum Density Allowed: RM10 – 10 units/acre RM30 – 30 units/acre RT – 30 units/acre CA – 30 units/acre P – N/A	
PROPERTY HISTORY:		
Zoned: N/A	Platted: N/A	Annexed: N/A
ADDITIONAL INFORMATION:		
<p>1. The Future Land Use Plan (FLUP) in the 2014 Growth Management Plan (GMP) identifies the area south of 57th Avenue NE as medium density residential and the area north of 57th Avenue NE as medium density residential west of Normandy Street and commercial mixed use east of Normandy Street.</p>		
<i>(continued)</i>		

2. The development block concept outlined in the GMP indicates that the designated future land use is intended to define the personality of an area, but that a block designated as a specific category can accommodate different residential densities and even compatible mixed uses, while retaining its basis character or designated use type.
3. The medium density residential designation is primarily for residential uses with urban services, with an overall average density of 6 to 7 units per acre. The commercial mixed use designation is for mixed use areas with retail commercial as the dominant use, typically accounting for more than 50% of the overall development area.

FINDINGS:

1. The proposed zoning change is not completely consistent with the Future Land Use Plan (FLUP) in the 2014 Growth Management Plan. In particular, the proposed CA and RT zoning districts are not completely consistent with the FLUP, which identifies the predominant land use for the area north of 57th Avenue NE as medium density residential (4-10 units per acre) between Normandy Drive and North Washington Street as mixed use commercial east of Normandy Drive.
2. The proposed zoning change would not be completely compatible with adjacent land uses. Adjacent land uses include developing single-family residential to the south, mixed-density residential and general commercial uses to the east, undeveloped agricultural property and existing rural residential uses to the west and agricultural uses to the north.
3. The subdivision proposed for this property would be annexed prior to development; therefore, the proposed zoning change would not place an undue burden on public services.
4. The proposed zoning change would not adversely affect property in the vicinity.
5. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance.
6. The proposed zoning change is consistent with the master plan, other adopted plans, policies and accepted planning practice.

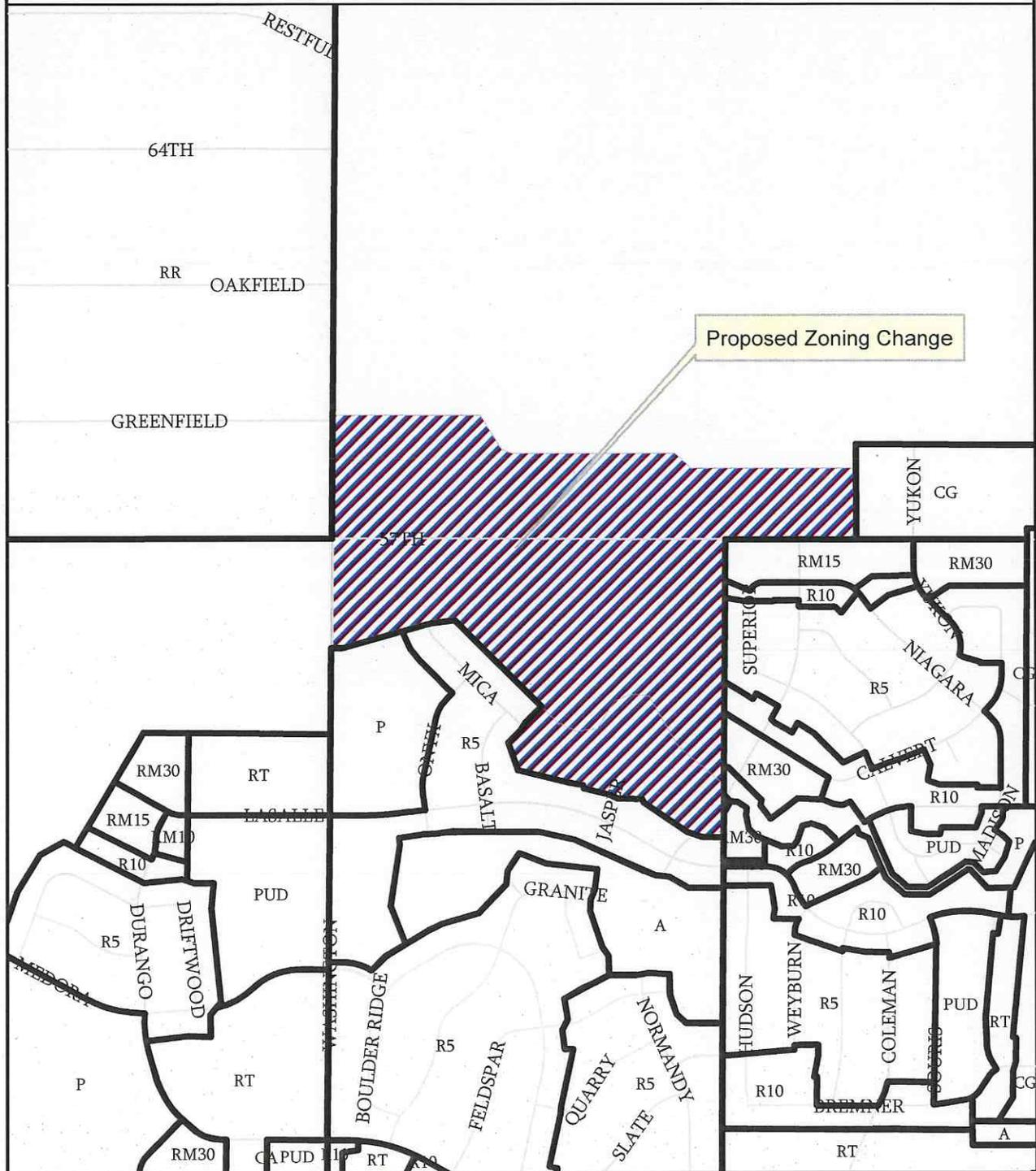
RECOMMENDATION:

Based on the above findings, staff recommends scheduling a public hearing on the zoning change from the A-Agricultural zoning district to the RM10-Residential, RM30-Residential, RT-Residential and CA-Commercial zoning districts, with the understanding that staff cannot support the zoning as proposed for the north side of 57th Avenue NE (Blocks 1-4).

It should be noted that staff would be supportive of RM30-Residential zoning for Blocks 1 and 2, RT-Residential for Block 3, and either RT – Residential or CA – Commercial for Block 4. Staff would also be supportive of a mix of vertically integrated neighborhood commercial, office and residential on Block 4 and a mix of vertically integrated office and residential uses on Block 3.

/Klee

Proposed Plat and Zoning Change (A to P, CA, RT, RM30 & RM10) Boulder Ridge Seventh 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: 11/17/20 (M/b)

Source: City of Bismarck



**BISMARCK COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

BACKGROUND:		
Title: Boulder Ridge Seventh Addition – Preliminary Plat		
Status: Planning Commission – Consideration	Date: December 17, 2014	
Owner(s): Five Guys Investment, LLC – Section 16 Ron & Ruth Knutson – W½ of Section 9 MDU – Part of W½ of Section 9 TPR, LLP – E½ of Section 9	Engineer: Swenson, Hagen & Co.	
Reason for Request: Plat and zone property for mixed density residential, office and neighborhood commercial development.		
Location: In northwest Bismarck, along either side of 57 th Avenue NE between North Washington Street and Yukon Drive (Part of the SE ¼ and SW ¼ of Section 9 and part of the NW ¼ of Section 16, T139N-R80W/Hay Creek Township).		
Project Size: 108.79 acres	Number of Lots: 27 lots in 9 blocks	
EXISTING CONDITIONS:		
Land Use: Undeveloped	PROPOSED CONDITIONS:	
Zoning: A – Agricultural	Land Use: Mixed-density residential, office, neighborhood commercial and public uses	
	Zoning: RM10 – Residential RM30 – Residential RT – Residential CA – Commercial P – Public	
Uses Allowed: A – Agriculture	Uses Allowed: RM10 – Multi-family residential RM30 – Multi-family residential RT – Multi-family residential & office uses CA – Neighborhood commercial uses P – Public uses, including parks	
Maximum Density Allowed: A – One unit/40 acres	Maximum Density Allowed: RM10 – 10 units/acre RM30 – 30 units/acre RT – 30 units/acre CA – 30 units/acre P – N/A	
PROPERTY HISTORY:		
Zoned: N/A	Platted: N/A	Annexed: N/A
FINDINGS:		
1. All technical requirements for consideration of a preliminary plat have been met.		
<i>(continued)</i>		

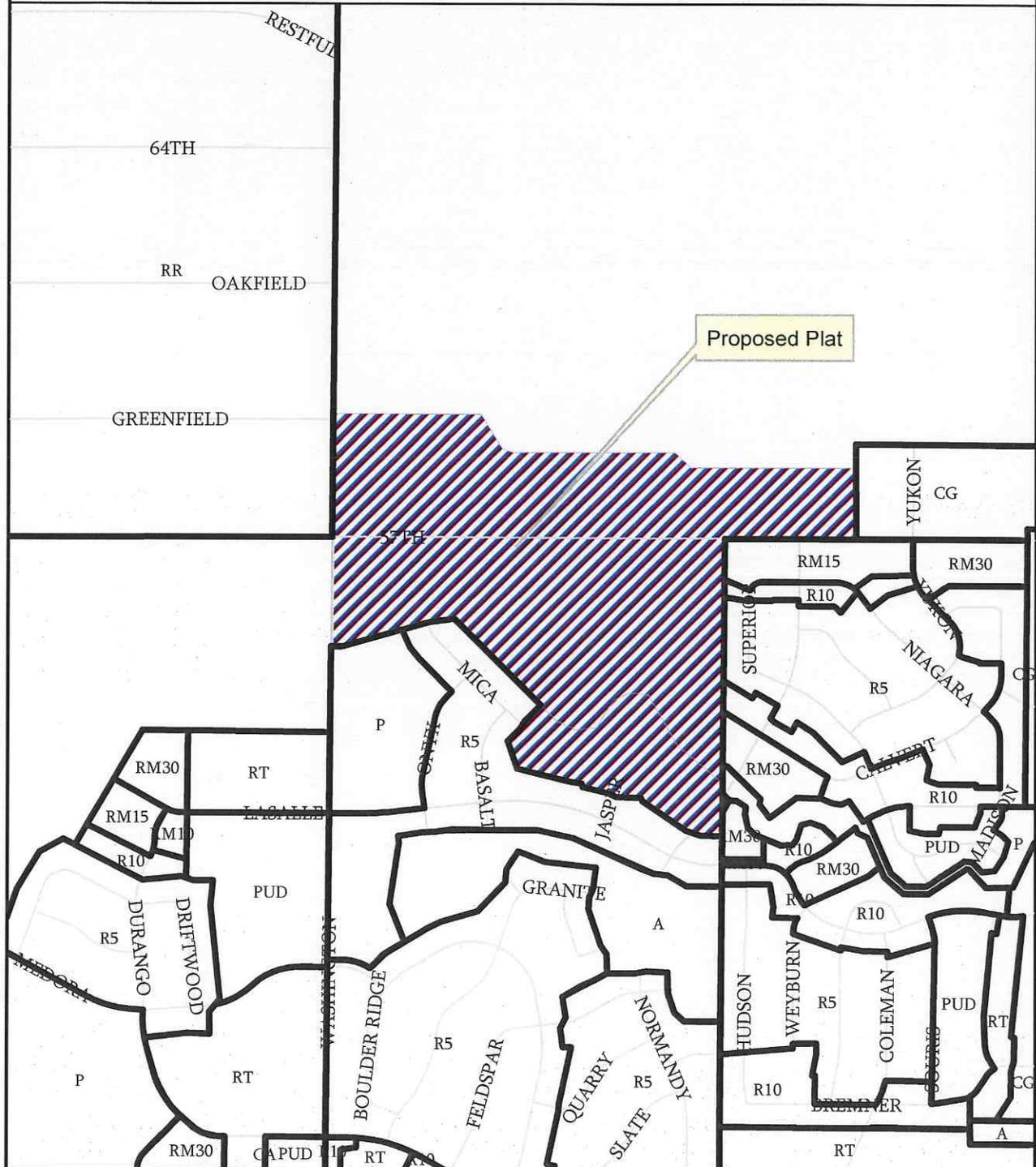
2. The proposed subdivision is consistent with the Fringe Area Road Master Plan for Sections 9 & 16, T139N-R80W/Hay Creek Township, which identifies Normandy Street as the north-south collector for these sections. 57th Avenue NE and North Washington Street are section line roadways and are classified as arterials.
3. The developer is working with the Bismarck Parks and Recreation District on a neighborhood park within the development (Lot 1, Block 9). A concept plan for the proposed park is attached.
4. The proposed subdivision would not be completely compatible with adjacent land uses. Adjacent land uses include developing single-family residential to the south, mixed-density residential and general commercial uses to the east, undeveloped agricultural property and existing rural residential uses to the west and agricultural uses to the north.
5. The proposed subdivision would be annexed prior to development; 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 tentative approval of the preliminary plat of Boulder Ridge Seventh Addition.

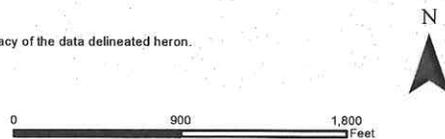
/Klee

Proposed Plat and Zoning Change (A to P, CA, RT, RM30 & RM10) Boulder Ridge Seventh 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: 11/17/20 (Nhb)

Source: City of Bismarck

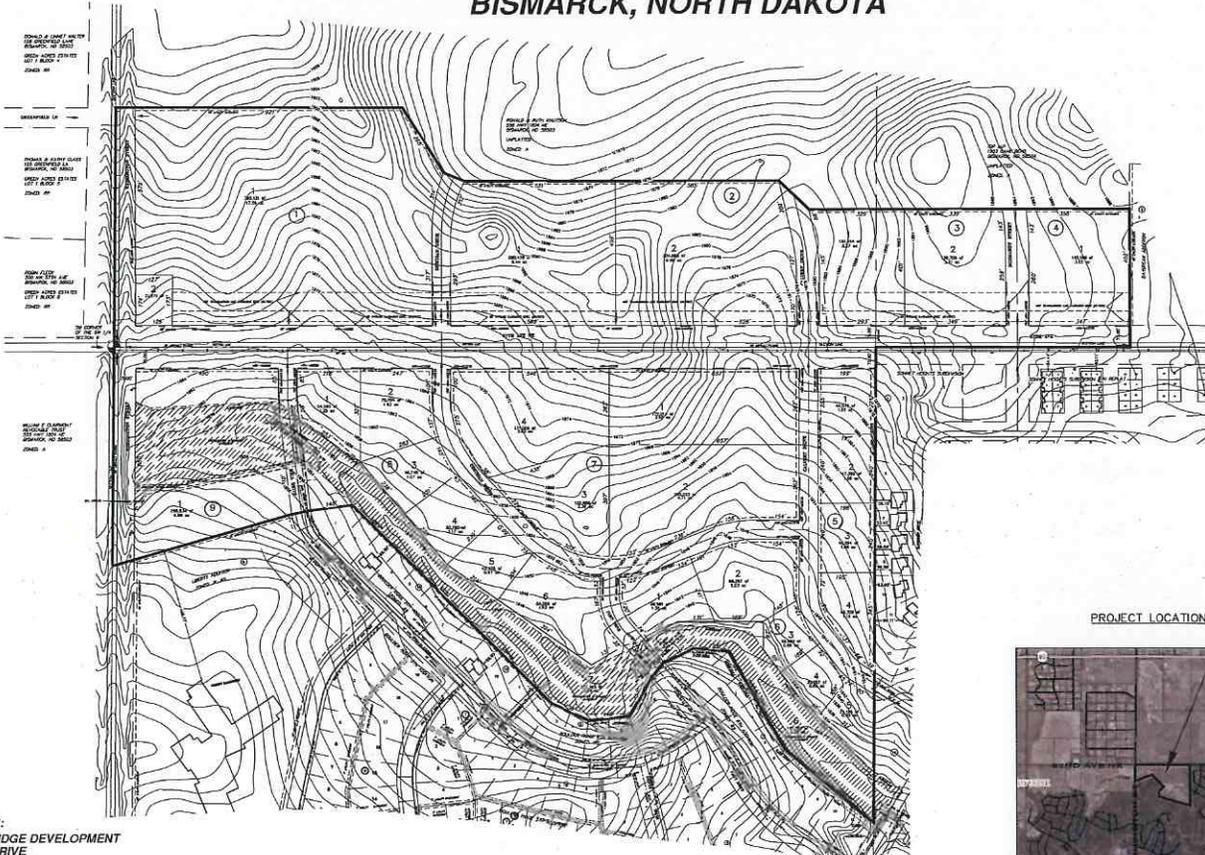


DEC 05 2014

BOULDER RIDGE SEVENTH ADDITION

PART OF THE NORTHWEST 1/4 OF SECTION 16 AND PART OF THE SOUTHWEST 1/4 OF SECTION 9
T. 139 N., R. 80 W.

BISMARCK, NORTH DAKOTA



LOCATION MAP

DEVELOPER:
BOULDER RIDGE DEVELOPMENT
101 SLATE DRIVE
BISMARCK, ND 58503

OWNERS:
FIVE GUYS INVESTMENT, LLP
4308 BOULDER RIDGE RD
BISMARCK, ND 58503

RON & RUTH KNOTSON
555 HWY 1804
BISMARCK, ND 58503

TRP LLP
1203 OAHE BEND
BISMARCK, ND 58504

MDU
818 E DIVIDE AVE
BISMARCK, ND 58501

THE PROPOSED 40.00 FOOT WIDE PRIVATE ACCESS ON THE NORTH SIDE OF 57TH AVENUE, WEST OF US 83 AND EAST OF YUKON, SHALL BE RESTRICTED IN THE FUTURE. A FULL ACCESS WILL BE ALLOWED ONTO 57TH AVENUE ON A TEMPORARY BASIS. WHEN 57TH AVENUE IS IMPROVED TO AN URBAN ROADWAY SECTION, OR TRAFFIC WARRANTS DICTATES, OR SAFETY WARRANTS RESTRICTION, THIS ACCESS SHALL BE RESTRICTED AS NECESSARY TO PROTECT PUBLIC SAFETY, AND MINIMIZE IMPACTS TO ROADWAY CAPACITY.

108.79 ACRES
29 LOTS
EXISTING ZONING: A
PROPOSED ZONING:

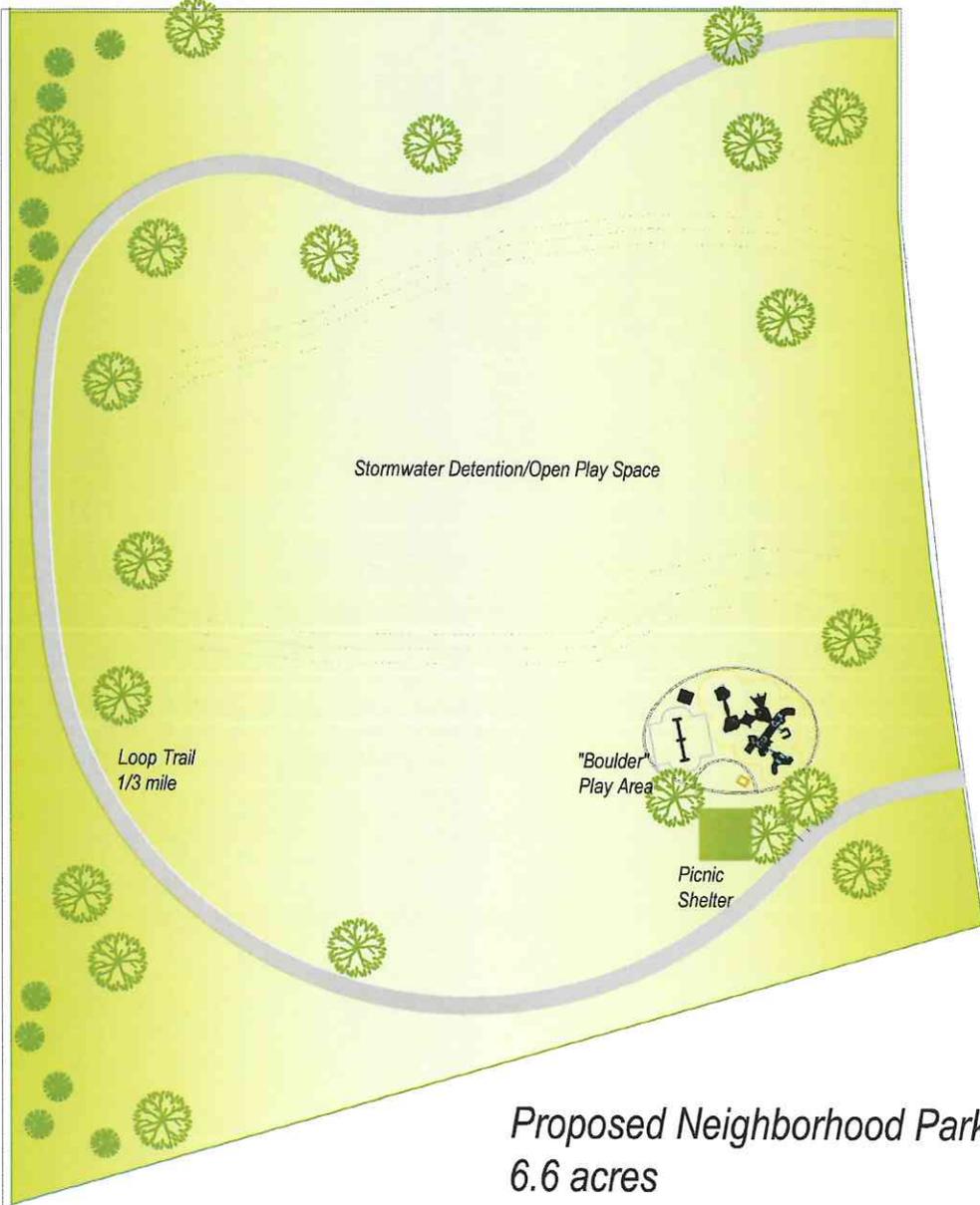
CA: ALL OF BLOCK 1
RT: ALL OF BLOCKS 2, 3, & 4
RM 30: ALL OF BLOCK 7
RM 10: ALL OF BLOCK 5; LOTS 1-5 BLOCK 6; LOTS 1-6 BLOCK 8
P: LOT 2 BLOCK 1; LOT 6 BLOCK 6; LOT 7 BLOCK 8; LOT 1 BLOCK 9

FLOODPLAIN: 1824-1860
FIRM MAP NUMBER 38015C0785 D
MAP REVISED AUGUST 4, 2014



57th AVENUE

N. WASHINGTON STREET



MICA DRIVE

Liberty
Elementary School

**BISMARCK COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

BACKGROUND:		
Title: The South 40 feet of the vacated East Thayer Avenue adjacent to Blocks 1 and 2, Eagles Addition – Zoning Change (MA to CG)		
Status: Planning Commission – Consideration	Date: December 17, 2014	
Owner(s): Fraternal Order of the Eagles M Family, LLC	Engineer: N/A	
Reason for Request: Rezone property to bring entire property under one zoning district.		
Location: In central Bismarck, east of North 26 th Street between East Rosser Avenue and East Broadway Avenue.		
Project Size: 14,800 square feet, more or less	Number of Lots: Portion of 2 blocks	
EXISTING CONDITIONS:	PROPOSED CONDITIONS:	
Land Use: Block 1: Eagles club and undeveloped parcel Block 2: Multi-family Residential	Land Use: Block 1: Eagles club and undeveloped parcel Block 2: Multi-family Residential	
Zoning: CG - Commercial MA - Industrial	Zoning: CG – Commercial	
Uses Allowed: CG – General commercial, multi-family residential offices, fraternal clubs MA – Light industrial, manufacturing, storage facilities and general commercial	Uses Allowed: CG – General commercial, multi-family residential offices, fraternal clubs	
Maximum Density Allowed: CG – 42 units / acre MA – N/A	Maximum Density Allowed: CG – 42 units / acre	
PROPERTY HISTORY:		
Zoned: Pre-1980	Platted: Pre-1980	Annexed: Pre-1980
ADDITIONAL INFORMATION:		
<p>1. The proposed zoning change is being requested to bring all of the parcels including Blocks 1 and 2, Eagles Addition into the same zoning district. East Thayer Avenue North of South 26th Street was vacated and added to the adjacent properties to the north (Blocks 1 and 2, Eagles Addition) in 1994. Prior to the vacation, the zoning district boundary separating the CG – Commercial zoning district and the MA – Industrial zoning district followed the centerline of East Thayer Avenue. This boundary was not adjusted when the entire vacated roadway was added to Blocks 1 and 2, Eagles Addition.</p>		
FINDINGS:		
<p>1. The proposed zoning change would be compatible with adjacent land uses. Adjacent land uses include existing commercial uses to the north, south and west and existing industrial uses to the south.</p>		
<i>(continued)</i>		

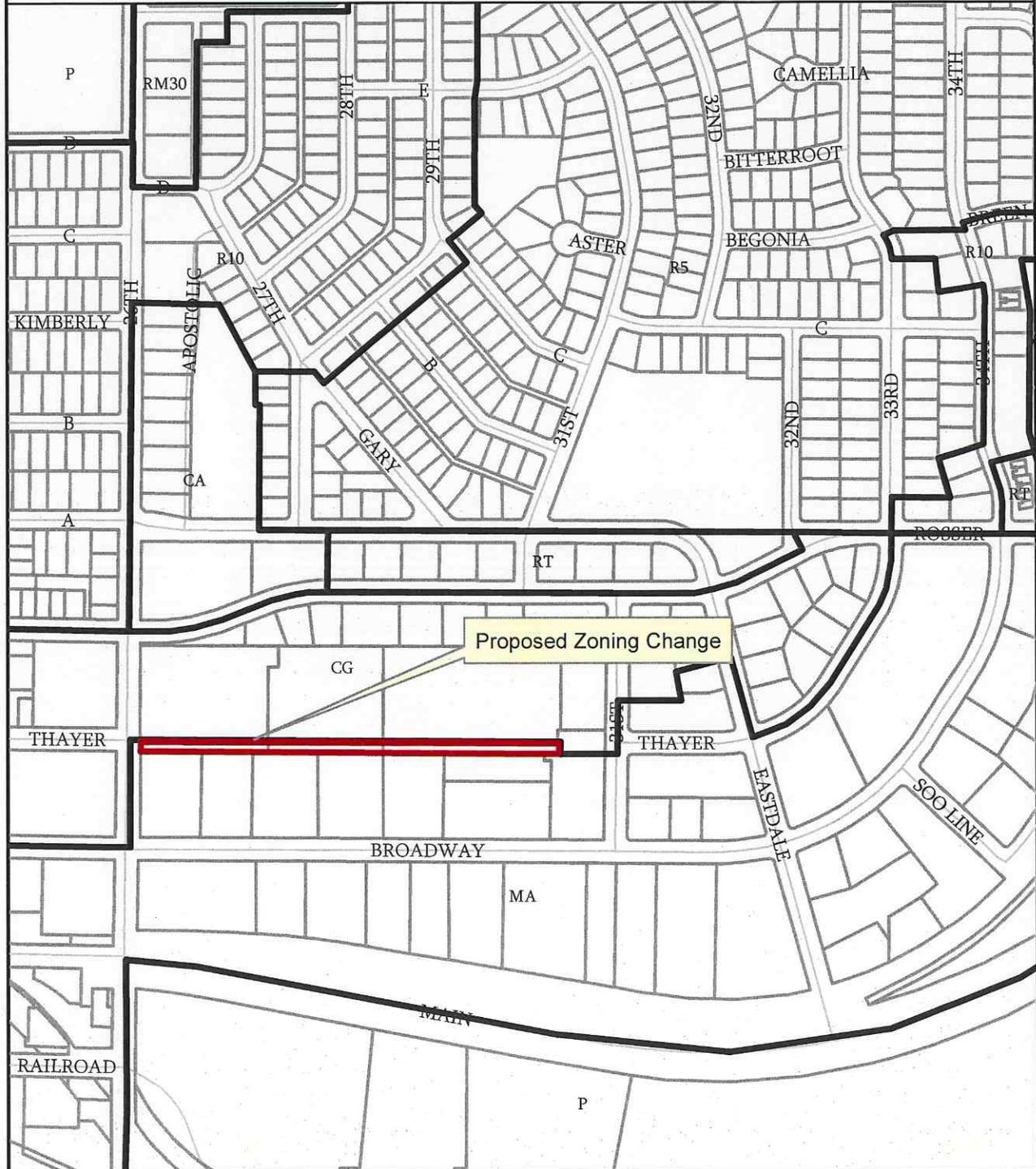
2. The property is already annexed; therefore, the proposed zoning change would not place an undue burden on public services.
3. The proposed zoning change would not adversely affect property in the vicinity.
4. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance.
5. The proposed zoning change is consistent with the master plan, other adopted plans, policies and accepted planning practice.

RECOMMENDATION:

Based on the above findings, staff recommends scheduling a public hearing on the zoning change from the MA – Industrial zoning district to the CG – Commercial zoning district on the South forty (40) feet of the vacated East Thayer Avenue adjacent to Blocks 1 and 2, Eagles Addition.

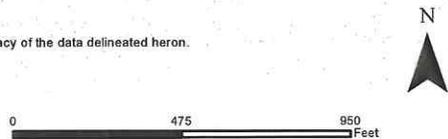
/JW

**Proposed Zoning Change (MA to CG)
The South 40' of the vacated Thayer Avenue
adjacent to Blocks 1 and 2, Eagles Addition**

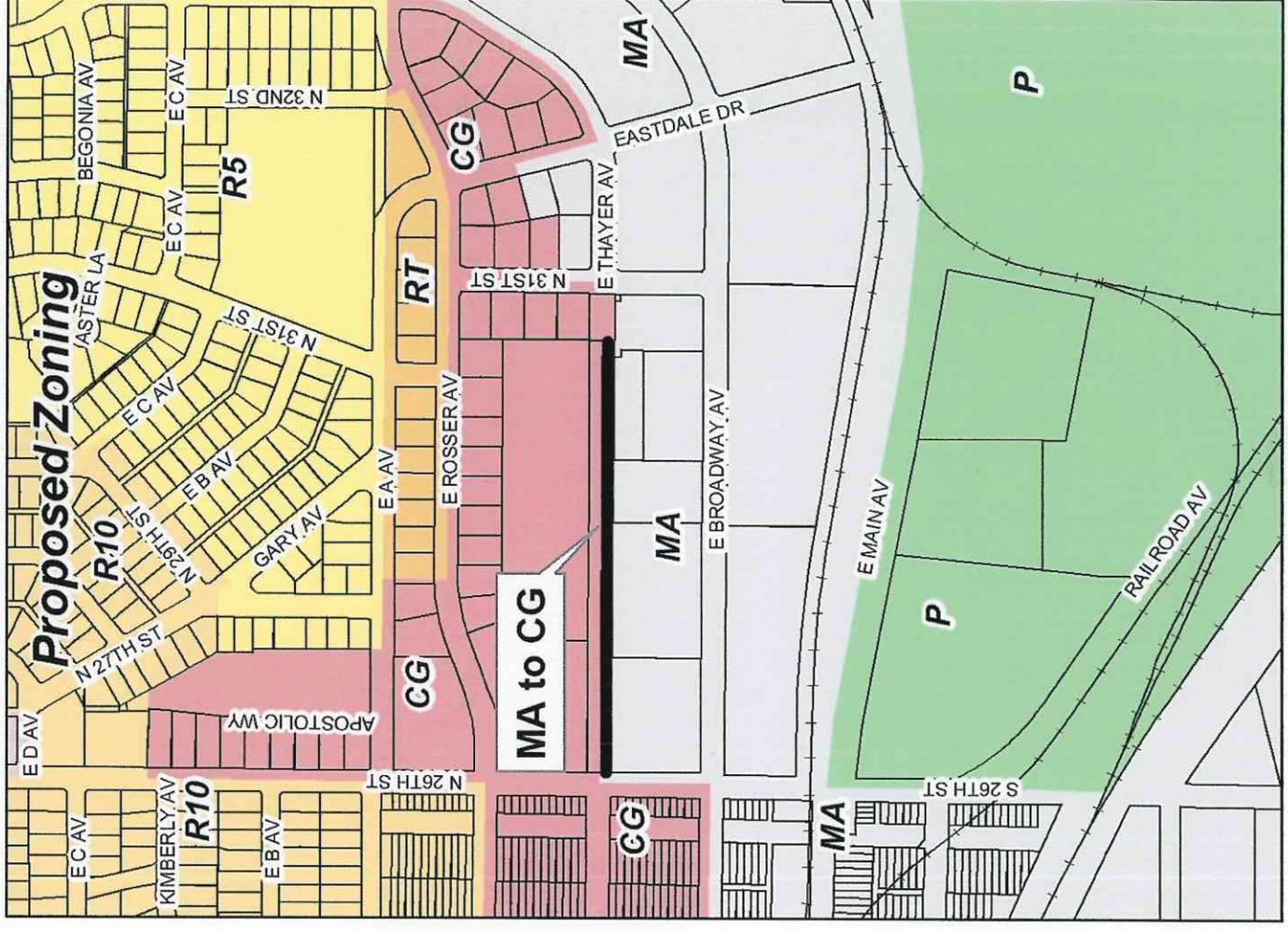
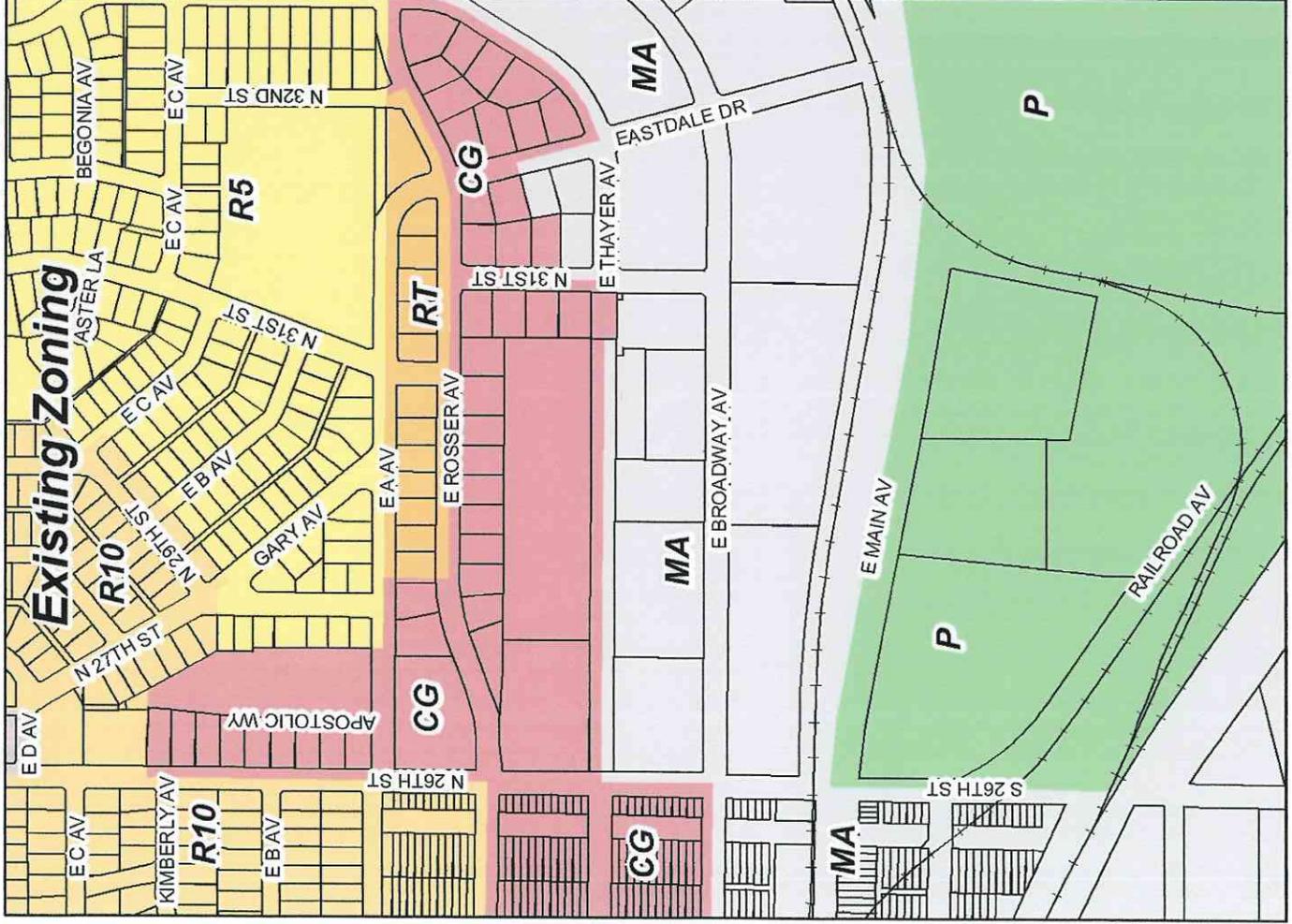


DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.
Date: 12/1/2014(hlb)

Source: City of Bismark



The South 40 feet of the vacated East Thayer Avenue adjacent to Blocks 1 & 2, Eagles Addition



**BISMARCK COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

BACKGROUND:		
Title: Madison Lane Addition – PUD Amendment		
Status: Planning Commission – Public Hearing	Date: December 17, 2014	
Owner(s): Verity Homes of Bismarck, LLC	Engineer: Swenson, Hagen & Co.	
Reason for Request: To amend the existing Planned Unit Development (PUD) to allow the construction of a twinhome on a previously designated private park area (Lot 33, Block 1) and to move the private park area to two lots (Lots 10-11, Block 1) within the subdivision that were recently placed in the Special Flood Hazard Area (SFHA) or 100-year floodplain with the adoption of the revised FEMA Flood Insurance Rate Map (FIRM) in August 2014.		
Location: In north Bismarck, approximately ¼ mile west of US Highway 83 between Canada Avenue and LaSalle Drive along the private roadway, Madison Lane.		
Project Size: 6.51 acres	Number of Lots: 3 lots in 1 block (amendment) 41 lots in 1 block (entire subdivision)	
EXISTING CONDITIONS:		
Land Use: Single-family dwellings and a private park	PROPOSED CONDITIONS:	
	Land Use: 38 single-family dwellings, 1 twinhome and a private park for area residents	
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 (38 single-family units and one twinhome – 5.83 units/acre), as amended	
PROPERTY HISTORY:		
Zoned: 04/2012	Platted: 04/2012	Annexed: 04/2007
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 original PUD was approved in April 2012 and included provisions to allow 40 single-family dwelling units. The area was recently remapped by FEMA and a portion of the subdivision has been included in the Special Flood Hazard Area or 100-year floodplain. 		
<i>(continued)</i>		

3. 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 for the modification of the previously-designated private park area to be relocated on the two lots that are now included in the special flood hazard area or 100-year flood plain in the southwest corner of the subdivision. In addition, the PUD amendment, as proposed, would allow for the construction of a twinhome with the applicable lot area on a lot that was previously platted for the construction of a private park and common area.

FINDINGS

1. The proposed PUD amendment is compatible with adjacent land uses. Adjacent land uses include single and two-family residential to the north and mixed density residential uses to the south, east and west.
2. The entire property is located within City limits; therefore the proposed PUD amendment 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 Madison Lane Addition, as outlined in the attached PUD amendment document.

/jt

**MADISON LANE ADDITION PUD AMENDMENT
ORDINANCE NO. 5877 (Adopted April 24, 2012)
MAJOR PUD AMENDMENT (Adopted XXXX, 2014)**

WHEREAS, Ordinance No. 5877 was adopted by the Board of City Commissioners on April 24, 2012; 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, Verity Homes of Bismarck, LLC has requested an amendment to the Planned Unit Development Madison Lane 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:

Madison Lane Addition

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

1. *1. Uses Permitted.* Permitted uses include 38 single-family dwellings, 1 twinhome and a private park and playground area.
2. *General Development Standards.* Each buildable lot shall have an area of not less than 5,000 square feet, a front property line width of not less than 40 feet measured 40 feet from the property line, and a front yard setback of 20 feet measured from the edge of the access easement. Each buildable lot shall have two side yards with a minimum side yard setback of six feet on each side of the home. All other development standards, including lot coverage and height limits shall be the same as the R5-Residential standards.
3. *Density.* The maximum allowable density shall be ~~40-units~~ 38 single-family units and one twinhome unit.
4. *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.

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 10-11 and 33, Block 1 Madison Lane 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: 10/21/20 (lib)

Source: City of Bismarck

N



0 437.5 875 Feet

RECEIVED
OCT 17 2013

PUD AMENDMENT WRITTEN STATEMENT

PUD ORDINANCE NO. 5877

Lots 1-41, Block 1 Madison Lane Addition

Verity Homes of North Dakota proposes amending PUD Ordinance No. 5877 relating to the development of Madison Lane Addition, to allow a two-family dwelling on a split Lot 33, with appropriate lot areas, approximately 3,960 sf & 5,675. (see attached proposed auditor's lot and site plan)

Currently, single-family dwellings and a private park/playground area are the allowed uses with adjusted R5 setbacks. Due to the recent updates in FEMA flood maps, two of the intended single-family lots (lots 10-11) are now in the flood plain with limited buildable area.

In exchange for the allowed twinhome on Lot 33, the developer would designate lots 10-11 as the new private park/playground area.

REVISED
02/17/13

REV. NO.	DATE	REMARKS
0	02/15/2013	Permitted Plan Set
1	03/14/2013	Permitted Plan Set
2	03/20/2013	Correction SM (4th Bldg)
3	04/07/2013	Revisions: Foundation Schedule Updated
4	04/25/2013	Revisions: Updated closet on 2nd and added WP GR
5	06/10/2013	Revisions: Erimented printer in back, resealed with nozzle



SSS13032-042 / SAKAKAWEA / 5002	SHEET NUMBER	0.00
CORE		
Howard L. Mallory or Assignees		
808 Brenner Ave		
LOCATION		
Lot # L17 B17 Sonnet Height		
PRINT DATE: 06/11/2013		

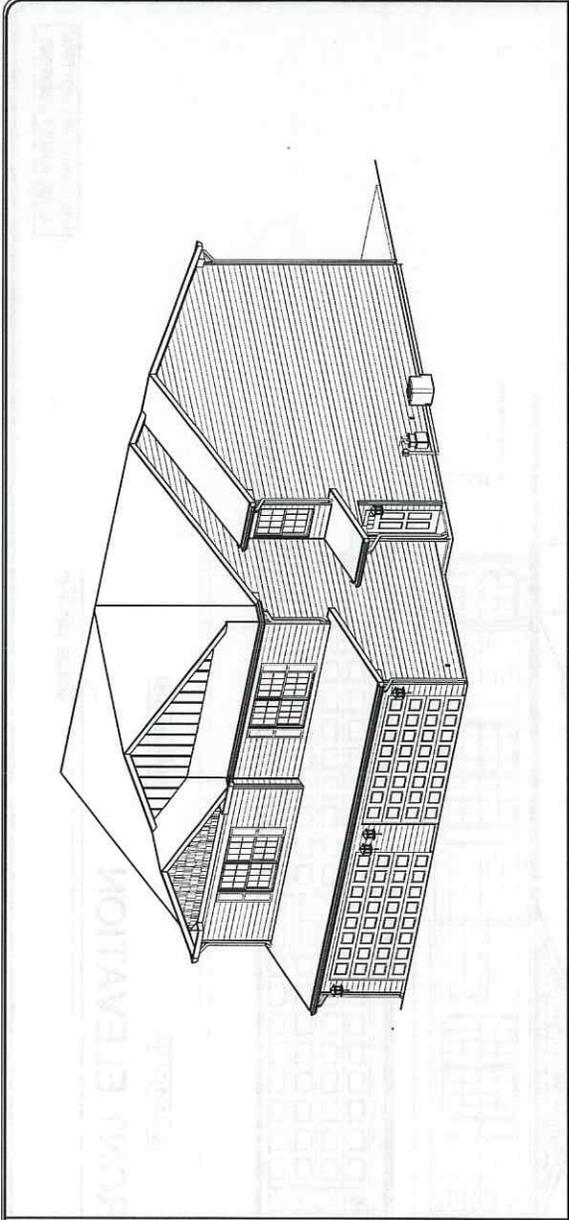
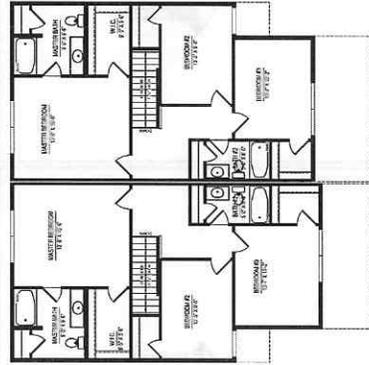


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1.02	REAR ELEVATION
1.03	RIGHT ELEVATION
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3.01	FIRST FLOOR PLAN
3.02	SECOND FLOOR PLAN
4.01	ROOF PLAN
5.01	FIRST FLOOR ELECTRICAL PLAN
5.02	SECOND FLOOR ELECTRICAL PLAN
6.01	SECTIONS
6.02	DETAILS
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7.01	INTERIOR DETAILS AND VIEWS
7.02	CABINET VIEWS
8.01	FIRST FLOOR FLOORING SHEET
8.02	SECOND FLOOR FLOORING SHEET

5SS13032-042 / 5002

SECOND FLOOR PLAN LAYOUT



BUILDER/CONTRACTOR:



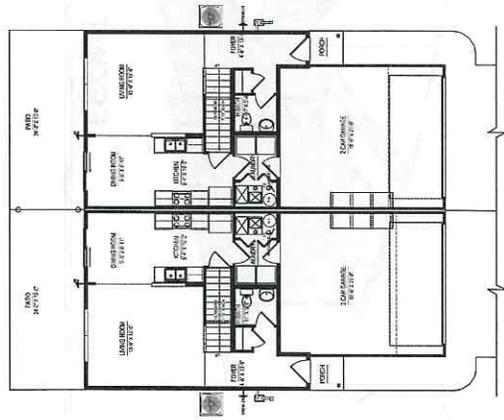
PROJECT INFORMATION

1st. FLOOR (ABOVE GRADE)	641	SQ.FT.
2nd. FLOOR (ABOVE GRADE)	901	SQ.FT.
FINISHED BASEMENT	0	SQ.FT.
Total Heated:	1542	SQ.FT.
GARAGE	424	SQ.FT.
FRONT PORCH	20	SQ.FT.
UNFINISHED BASEMENT	0	SQ.FT.

FINISHED SQUARE FOOTAGE CALCULATIONS FOR THIS HOUSE WERE MADE BASED ON PLAN DIMENSIONS AND MAY VARY FROM THE FINISHED SQUARE FOOTAGE OF THE HOUSE AS BUILT.

It is the Subcontractor's responsibility to verify all details and dimensions. All work shall be performed in accordance with all applicable national, state, and local codes and regulations. All dimensions are to rough frame of studs or to the outside of concrete. Verify cabinet dimensions/layout shown w/ final layout from supplier. All footings to be below frost line and must rest on undisturbed soil capable of handling the building. All penetrations are to be sealed in accordance with state and local codes.

FIRST FLOOR PLAN LAYOUT



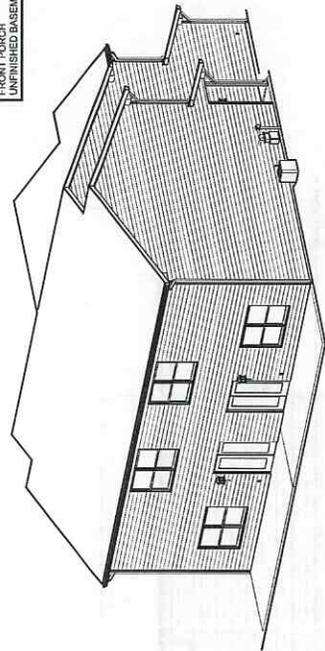
RECEIVED
OCT 17 2017

REV. NO.	DATE	REMARKS
0	02/15/2013	Primary Plan Set
1	03/14/2013	Permitting Plan Set
2	03/20/2013	Construction Set (As Built)
3	04/07/2013	Revision: Foundation Schedules Updated
4	04/25/2013	Revision: Updated closet on 2nd and added WP GF
5	06/10/2013	Revision: Estimated sprinkler in back, replaced with hosebib

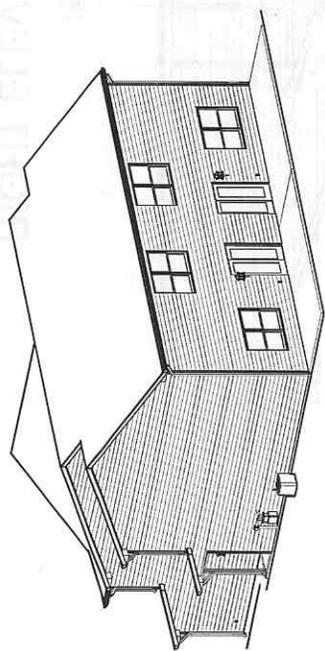


PRINT DATE:	06/11/2013
LOT #:	L17 B17 Sonnet Height
ADDRESS:	808 Brenner Ave
CITY:	Howards L. Mallory or Assignees
PROJECT:	SSS13032-042 / SAKAKAWEA / 5002
SHEET NUMBER:	1.02

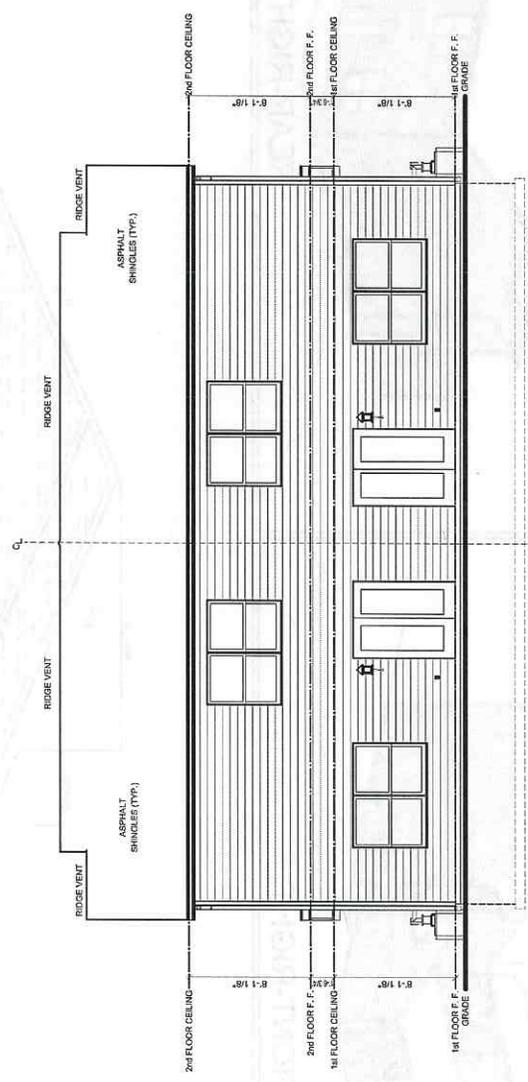
1st FLOOR (ABOVE GRADE)	SQ. FT.	641	SQ. FT.
2nd FLOOR (ABOVE GRADE)	SQ. FT.	901	SQ. FT.
FINISHED BASEMENT	SQ. FT.	0	SQ. FT.
Front Porch	SQ. FT.	154	SQ. FT.
UNFINISHED BASEMENT	SQ. FT.	24	SQ. FT.
	SQ. FT.	0	SQ. FT.



REAR-LEFT



REAR-RIGHT



5SS13032 LOT 17A

5SS13042 LOT 17B

REAR ELEVATION

SCALE: 1/8"=1'-0"

GRADE SHOWN MAY VARY FROM ACTUAL AS BUILT CONDITIONS

**BISMARCK COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

BACKGROUND:		
Title: The West 40 feet of Lot 1, Block 1, Sonnet Heights Subdivision 5 th Replat – Zoning Change (CG to RT)		
Status: Planning Commission – Public Hearing	Date: December 17, 2014	
Owner(s): Jomani Developing, LLC	Engineer: SEH Engineering, Inc.	
Reason for Request: To rezone property to allow it to be combined with the adjacent RT-zoned parcels for development of a new office building.		
Location: In north Bismarck along the west side of Ottawa Street west of US Highway 83 between LaSalle Drive and Bremner Avenue.		
Project Size: 6,320 SF (.14 acre)	Number of Lots: Part of 1 lot in 1 block	
EXISTING CONDITIONS:	PROPOSED CONDITIONS:	
Land Use: Undeveloped	Land Use: Office building	
Zoning: CG – Commercial	Zoning: RT – Residential	
Uses Allowed: General commercial, multi-family dwellings and office uses	Uses Allowed: Multi-family dwellings and office uses	
Maximum Density Allowed: 42 units per acre	Maximum Density Allowed: 30 units per acre	
PROPERTY HISTORY:		
Zoned: 05/2011	Platted: 05/2011	Annexed: 03/2007
ADDITIONAL INFORMATION:		
<p>1. The owner intends to combine the westerly 40 feet of Lot 1, Block 1, Sonnet Heights 5th Addition Replat with the adjacent Lots 2-4, Block 1, Sonnet Heights 5th Addition Replat. The lots cannot be combined as one parcel with multiple zoning districts in place. The final approval of the lot combination request will be withheld until each of the lots has the same zoning in place.</p>		
FINDINGS:		
<p>1. The proposed zoning change is outside the boundaries of the Future Land Use Plan (FLUP) in the 2014 Growth Management Plan.</p> <p>2. The proposed zoning change is considered a down-zoning and would generally be compatible with adjacent land uses. Adjacent land uses include undeveloped RT – Residential and CG – Commercial zoned parcels to the south, office uses to the north, single-family dwellings across Shelburne Street to the west and undeveloped CG – Commercial parcels to the east.</p>		
<i>(continued)</i>		

3. The property is already annexed; therefore the proposed subdivision would not place an undue burden on public services.
4. The proposed zoning change would not have an adverse impact on property in the vicinity.
5. The proposed zoning is consistent with the general intent and purpose of the zoning ordinance.
6. The proposed zoning change is consistent with the master plan, other adopted plans, policies and accepted planning practice.

RECOMMENDATION:

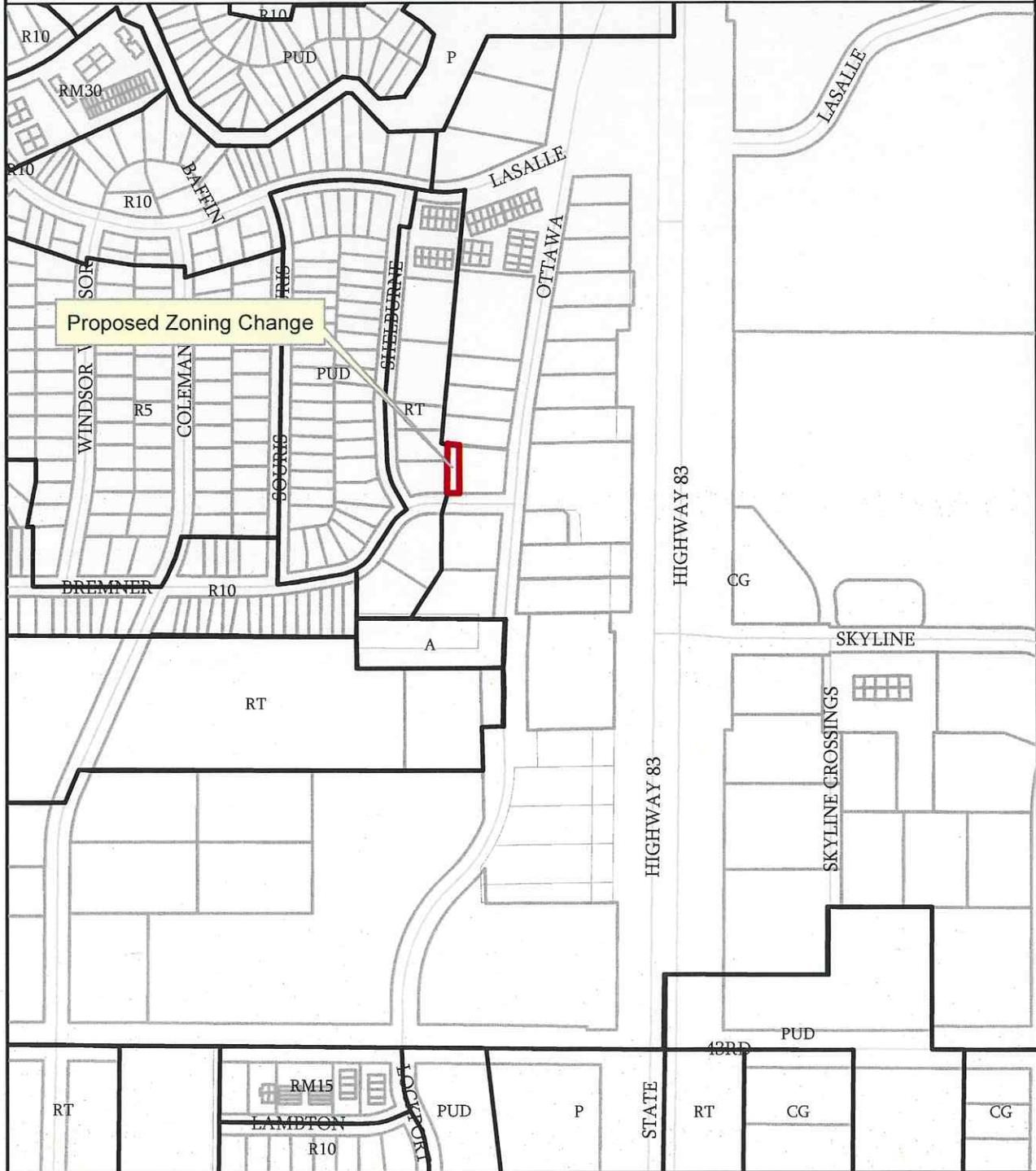
Based on the above findings, staff recommends approval of the zoning change from the CG – Commercial zoning district to the RT – Residential zoning district for the West 40 feet of Lot 1, Block 1, Sonnet Heights Subdivision 5th Replat.

/jt

Proposed Zoning Change (CG to RT)

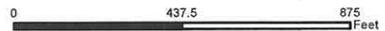
West 40' of Lot 1, Block 2

Sonnet Heights Subdivision 5th Replat

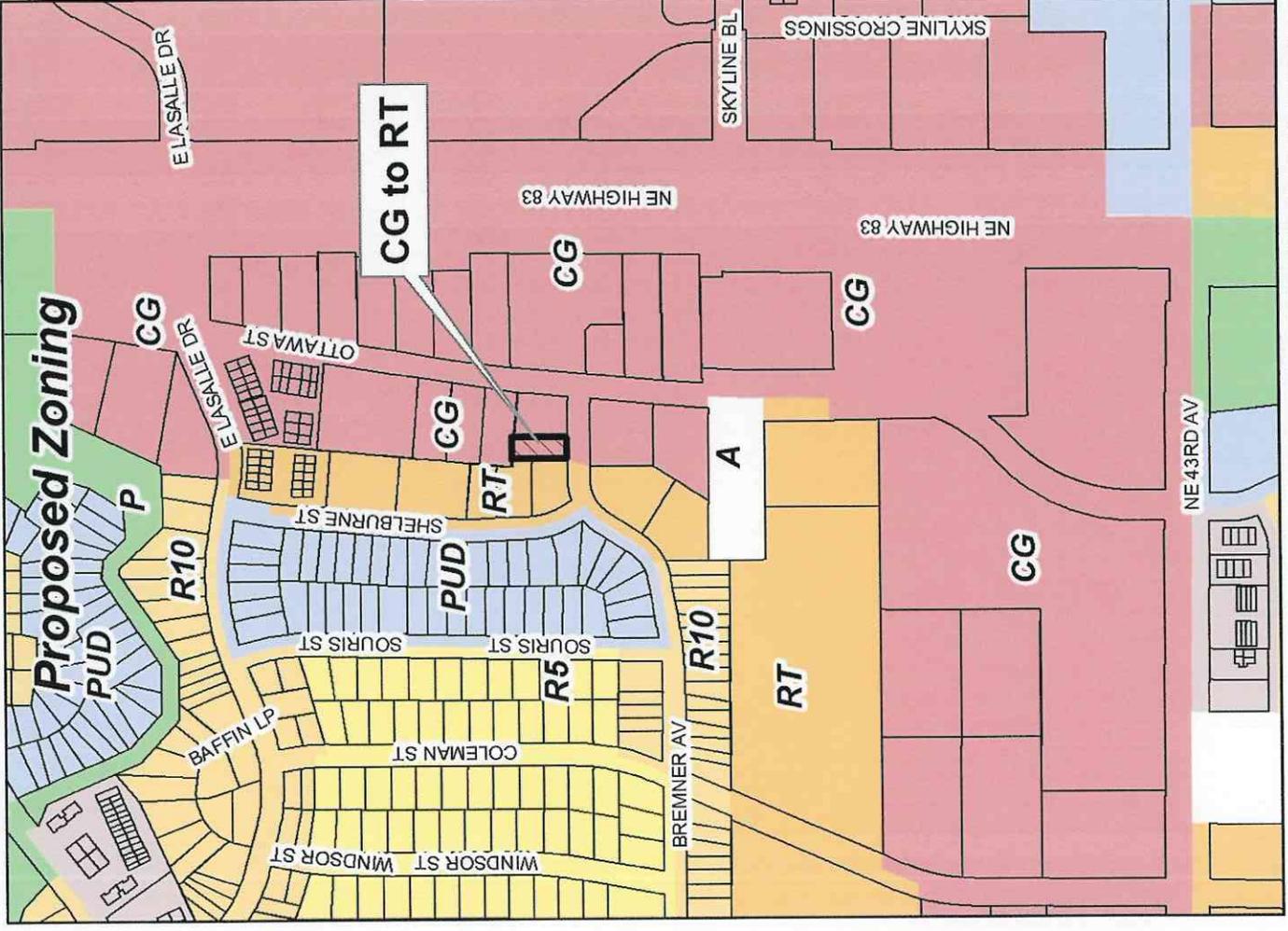
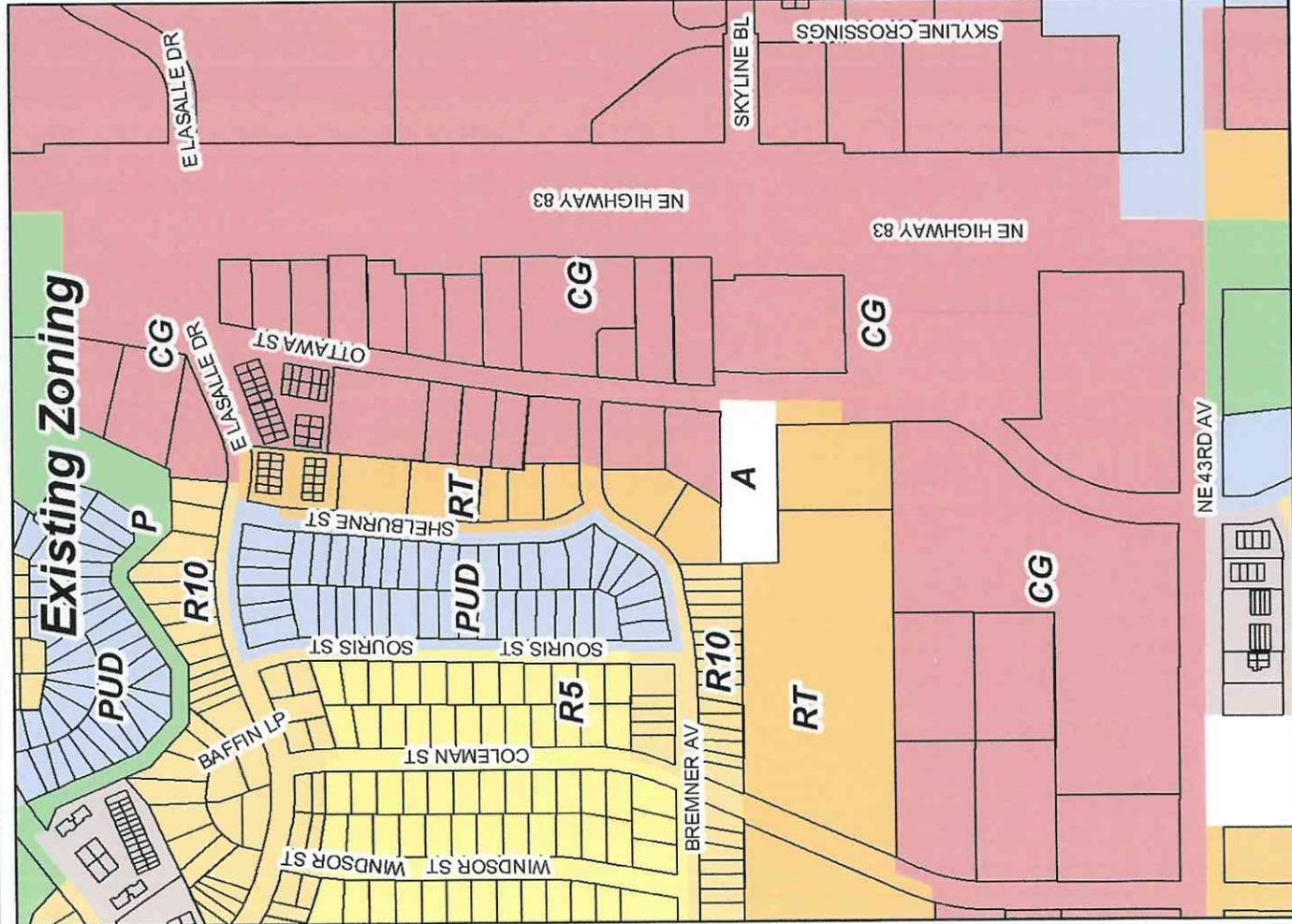


DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.
 Date: 11/12/20 (M/b)

Source: City of Bismarck



The West 40' of Lot 1, Block 1, Sonnet Heights Subdivision 5th Replat - Zoning Change

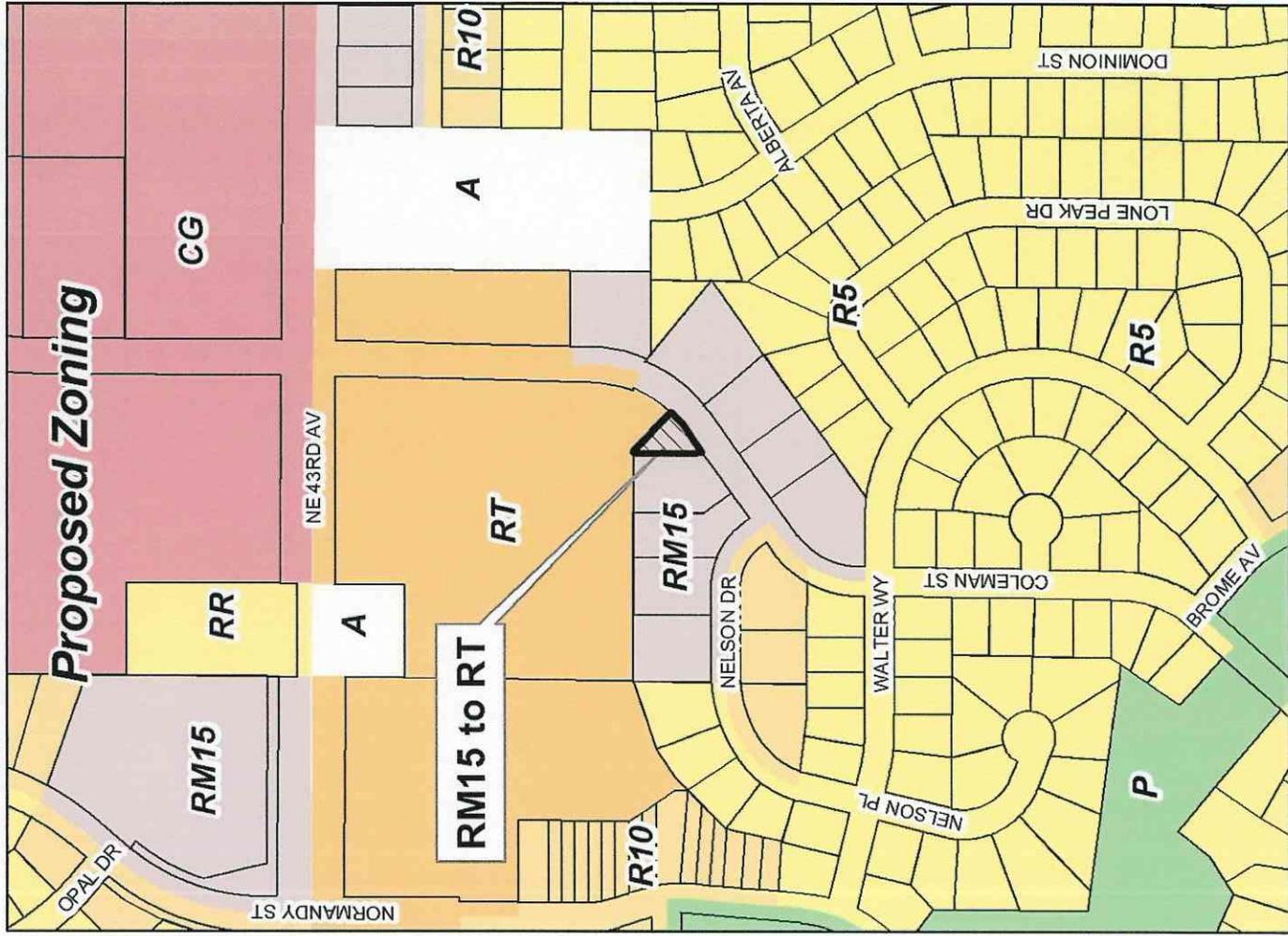
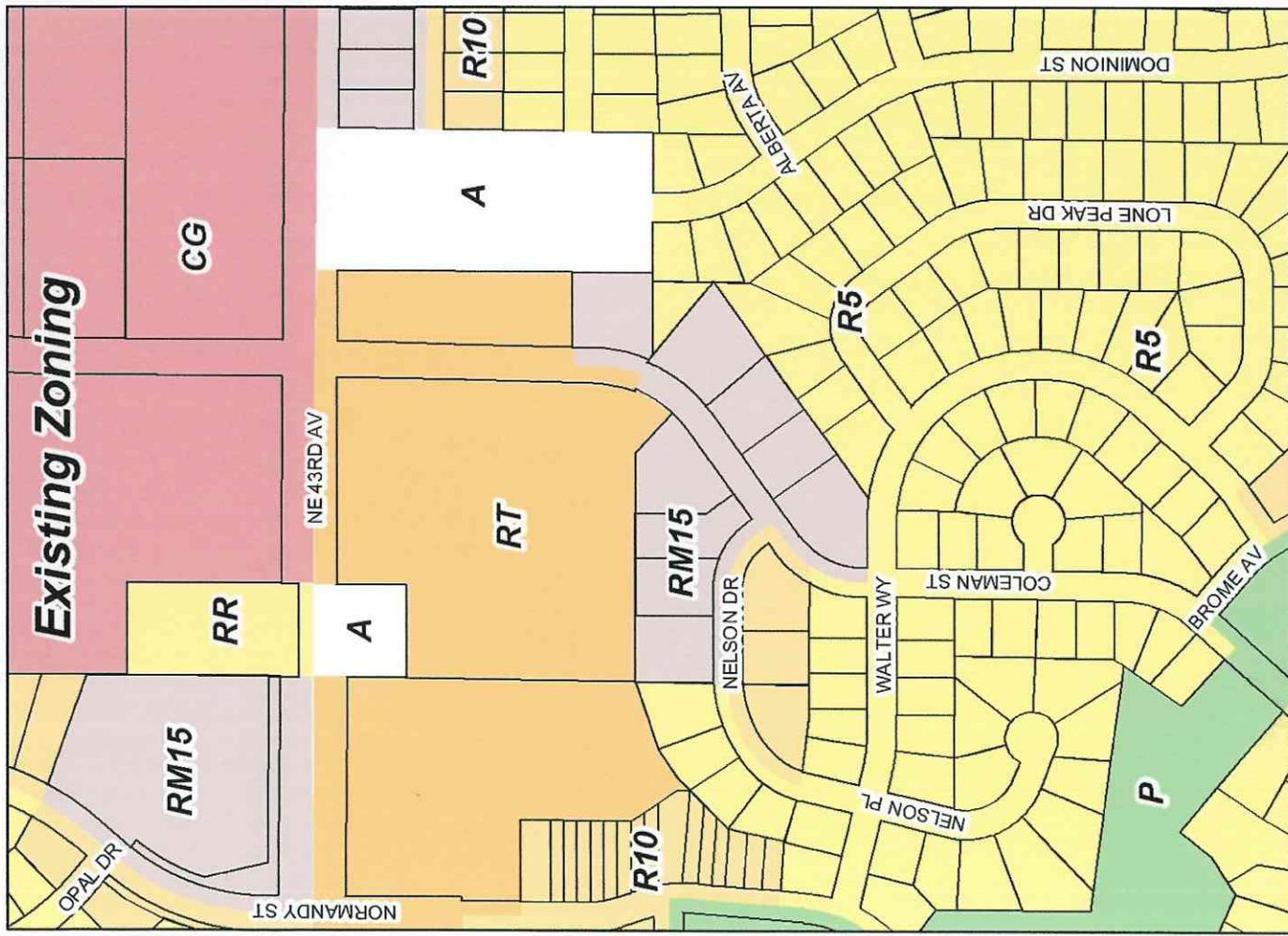


This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon. August 2014

**BISMARCK COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

BACKGROUND:		
Title: Lot 4B, Block 3, North Hills 15 th Addition – Zoning Change (RM15 to RT)		
Status: Planning Commission – Public Hearing	Date: December 17, 2014	
Owner(s): Koch Construction, Inc.	Engineer: N/A	
Reason for Request: Rezoning property to allow this parcel to be combined with the adjacent RT-zoned parcel upon transfer of ownership.		
Location: In north Bismarck, south of 43 rd Avenue NE along the west side of Coleman Street.		
Project Size: 0.15 acres/6,369 square feet	Number of Lots: Part of 1 lot in 1 block	
EXISTING CONDITIONS:		
Land Use: Undeveloped	PROPOSED CONDITIONS:	
Zoning: RM15 – Residential	Land Use: Open Space/Office	
Uses Allowed: Multi-family residential	Zoning: RT – Residential	
Maximum Density Allowed: 15 units/acre	Uses Allowed: Multi-family residential and office uses	
	Maximum Density Allowed: 30 units/acre	
PROPERTY HISTORY:		
Zoned: 07/2008	Platted: 07/2008	Annexed: 07/2007
FINDINGS:		
<ol style="list-style-type: none"> 1. This proposed zoning change is outside of the area included in 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 multi-family residential to the east, west and south and an office building to the north. 3. The parcel is already annexed and will be combined with the adjacent developed parcel upon approval of the zoning change and transfer of ownership; therefore, the proposed 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. 5. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance. 6. The proposed zoning change is consistent with the master plan, other adopted plans, policies and accepted planning practice. 		
RECOMMENDATION:		
Based on the above findings, staff recommends approval of the zoning change from the RM15 – Residential zoning district to the RT – Residential zoning district for Lot 4B, Block 3, North Hills 15 th Addition.		
<i>/Klee</i>		

Lot 4B, Block 3, North Hills 15th Addition - Zoning Change



December 2014

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

**BISMARCK COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

BACKGROUND:		
Title: Auditor's Lot A of Lot 13, Lot 14, Lot 16 & Auditor's Lot A of Lot 17, Block 1, Boulder Ridge First Addition – Zoning Change (R10 to CA)		
Status: Planning Commission – Public Hearing	Date: December 17, 2014	
Owner(s): 14 Guys, LLP	Engineer: N/A	
Reason for Request: Rezone property to allow parcels to be combined with adjacent CA-zoned parcels upon annexation.		
Location: In north Bismarck, north of 43 rd Avenue NE between North Washington Street and Boulder Ridge Road.		
Project Size: 1.16 acres/50,737 square feet	Number of Lots: Parts of 4 lots in 1 block	
EXISTING CONDITIONS:		
Land Use: Undeveloped	Land Use: Buffer Yard	
Zoning: R10 – Residential	Zoning: CA – Commercial	
Uses Allowed: One and two-family residential	Uses Allowed: Limited commercial uses/buffer yard	
Maximum Density Allowed: 10 units/acre	Maximum Density Allowed: 30 units/acre	
PROPERTY HISTORY:		
Zoned: 09/2005	Platted: 09/2005	Annexed: 03/2006 (part)
ADDITIONAL INFORMATION:		
<p>1. When Boulder Ridge First Addition was platted, the lots between the CA-Commercial zoned lot and the adjacent R10-Residential zoned lots were created for a buffer yard that was to be maintained by the home owners association. The two CA-zoned lots have since been transferred to another owner and a decision by the original developer was made that since the new owner of the CA-zoned lots would have to provide a buffer yard in conjunction with development of the sites, it made sense to transfer the ownership of these lots to the that owner to be used for the required buffer yard. The proposed use of the lots as a buffer yard is not changing; the only thing that will change is who will be responsible for planting and maintaining the buffer yard.</p>		
FINDINGS:		
<p>1. This proposed zoning change is outside of the area included in the Future Land Use Plan (FLUP) in the 2014 Growth Management Plan.</p> <p>2. The proposed zoning change would be compatible with adjacent land uses. Adjacent land uses include two-family residential and office uses to the north, two-family residential uses to the east and undeveloped CA-zoned property to the south and west.</p> <p>3. Some of the parcels are annexed and some are not. All of these parcels, as well as the adjacent CA-zoned parcels, will be annexed prior to development; therefore, the proposed zoning change would not place an undue burden on public services and facilities.</p>		

(continued)

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

RECOMMENDATION:

Based on the above findings, staff recommends approval of the zoning change from the R10 – Residential zoning district to the CA – Commercial zoning district for Auditor’s Lot A of Lot 13, Lot 14, Lot 16 & Auditor’s Lot A of Lot 17, Block 1, Boulder Ridge First Addition.

/Klee

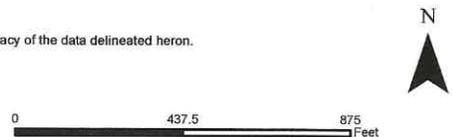
Proposed Zoning Change (R10 to CA)

Lots A of Lot 13, Lot 14, Lot 16 & Lot A of 17, Block 1 Boulder Ridge First Addition

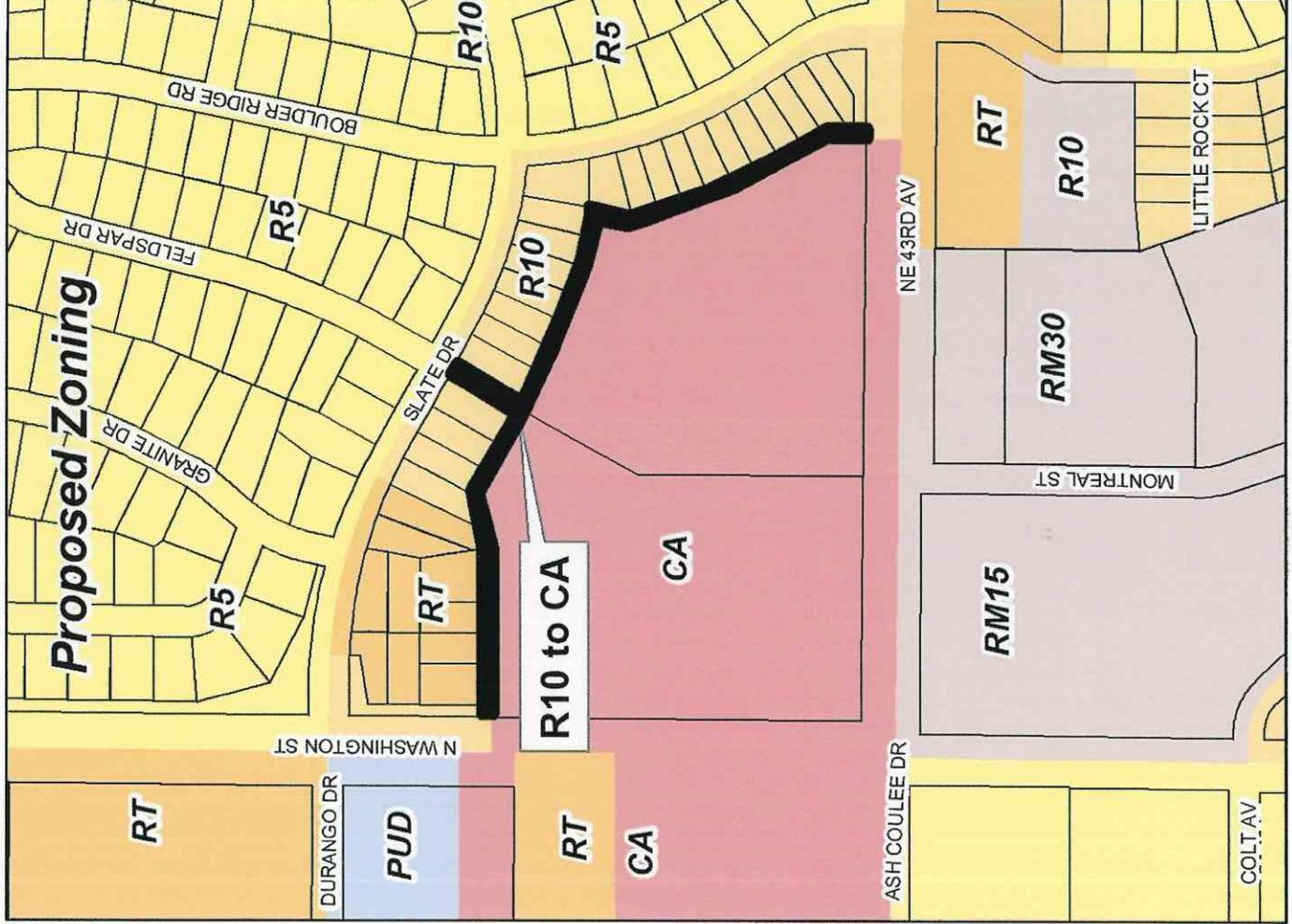
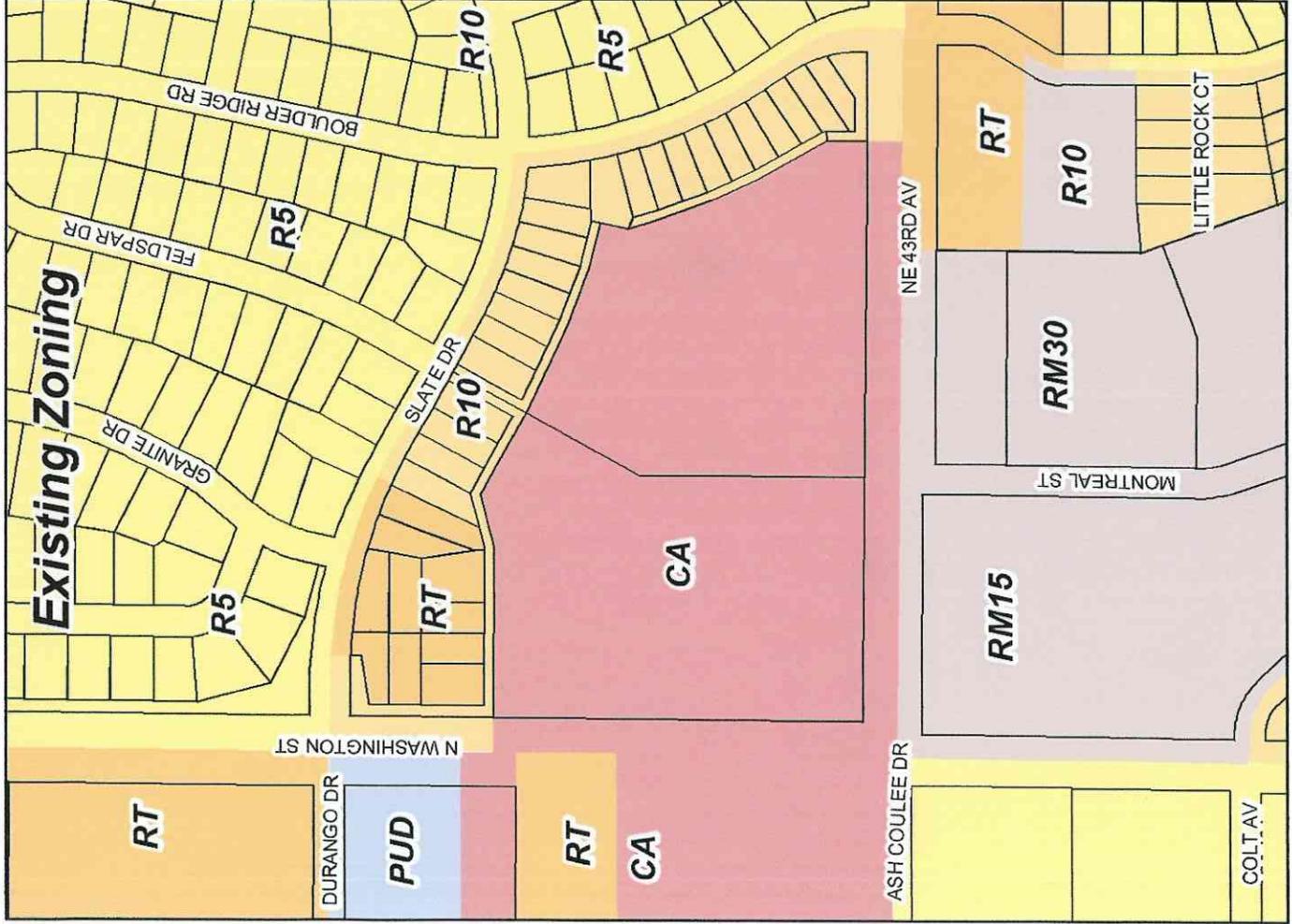


DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.
Date: 12/3/2014(hb)

Source: City of Bismarck



Auditor's Lot A of Lots 13, 14, 16 & Auditor's Lot A of Lot 17, Block 1, Boulder Ridge First Addition - Zoning Change



**BISMARCK COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

BACKGROUND:		
Title: Lot 4A, Block,1 Sunrise Town Centre Addition – Special Use Permit (Drive-Through)		
Status: Planning Commission – Public Hearing	Date: December 17, 2014	
Owner(s): BNC National Bank	Engineer: KLJ	
Reason for Request: Allow a drive-through window and ATM kiosk in conjunction with a financial institution.		
Location: In northeast Bismarck, east of Centennial Road, between East Century Avenue and Saratoga Avenue (3000 Yorktown Drive).		
Project Size: 40,009 square feet	Number of Lots: One parcel	
EXISTING CONDITIONS:	PROPOSED CONDITIONS:	
Land Use: Undeveloped	Land Use: Financial institution with a drive – through window with an ATM kiosk	
Zoning: CG – Commercial	Zoning: CG – Commercial	
Uses Allowed: General commercial	Uses Allowed: General commercial	
Maximum Density Allowed: 42 units per acre	Maximum Density Allowed: 42 units per acre	
PROPERTY HISTORY:		
Zoned: 03/2013	Platted: 03/2013	Annexed: 03/2013
FINDINGS:		
<ol style="list-style-type: none"> 1. A financial institution with a drive-through window is allowed as a special use in the CG – Commercial zoning district, provided specific conditions are met. The proposed drive-through window and ATM kiosk meet all six provisions outlined in Section 14-03-08(4)(g) and meets the required vehicle stacking outlined in Section 14-03-10(2) of the City Code of Ordinances (Zoning). Copies of both sections the ordinance are attached. 2. The proposed special use would not adversely affect the public health, safety and general welfare. 3. The proposed special use would not be detrimental to the use or development of adjacent properties. 4. The use would be designed, operated and maintained in a manner that is compatible with the appearance of the existing character of the surrounding area. 5. Adequate public facilities and services are in place. 6. This use would not cause a negative effect, when considered in conjunction with the cumulative effect of other uses in the immediate vicinity. 7. Adequate measures have been taken to minimize traffic congestion in the public streets and provide for appropriate on-site circulation of traffic. 		

RECOMMENDATION:

Based on the above findings, staff recommends approval of a special use permit to allow a drive-through window and ATM kiosk in conjunction with a financial institution on Lot 4A, Block 1, Sunrise Town Centre Addition, with the following conditions:

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

/JW

14-03-08(4)

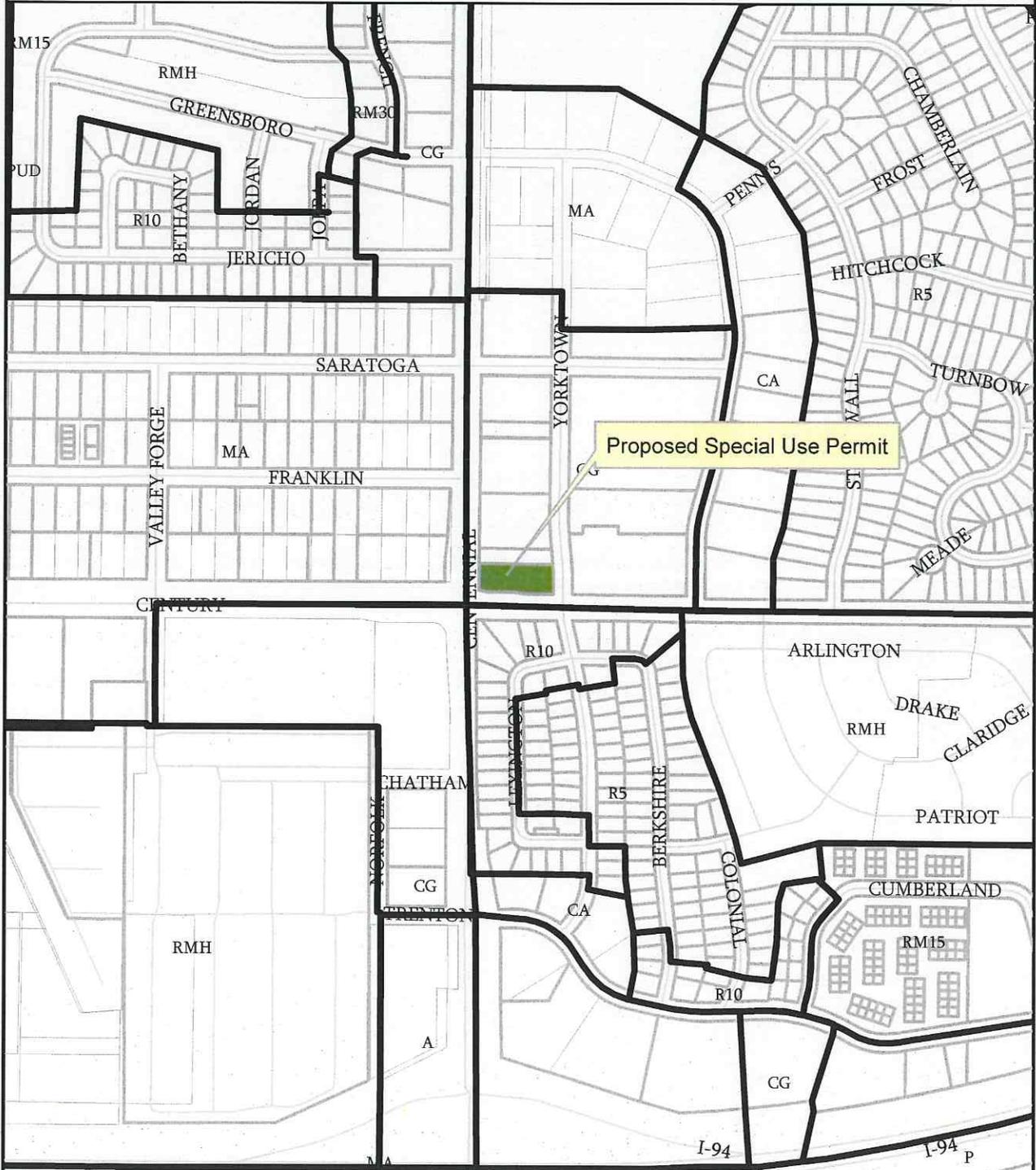
- g. Drive-in retail or service establishments. An establishment dispensing goods at retail or providing services through a drive-in facility, including, but not limited to drive-in restaurants, banks or other drive-in facilities exclusive of theatres may be permitted in a CG, CR, MA or HM district (drive-in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

14-03-10(2)

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:

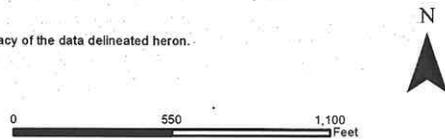
Type of Use	Minimum Number of Stacking Spaces	Measured From
Financial institution- ATM	3 spaces per lane	Kiosk
Financial institution - teller	4 spaces for first lane, 3 spaces for each additional lane	Window or pneumatic tube kiosk
Drive-through restaurant	12 spaces	Pick-up window
Drive-through coffee 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 Lot 4A, Block 1, Sunrise Town Centre 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: 11/14/2018(b)

Source: City of Bismarck



**BANK SITE LAYOUT
SPECIAL USE PERMIT EXHIBIT
LOT 4A, BLOCK 1,
SUNRISE TOWN CENTRE ADDITION**

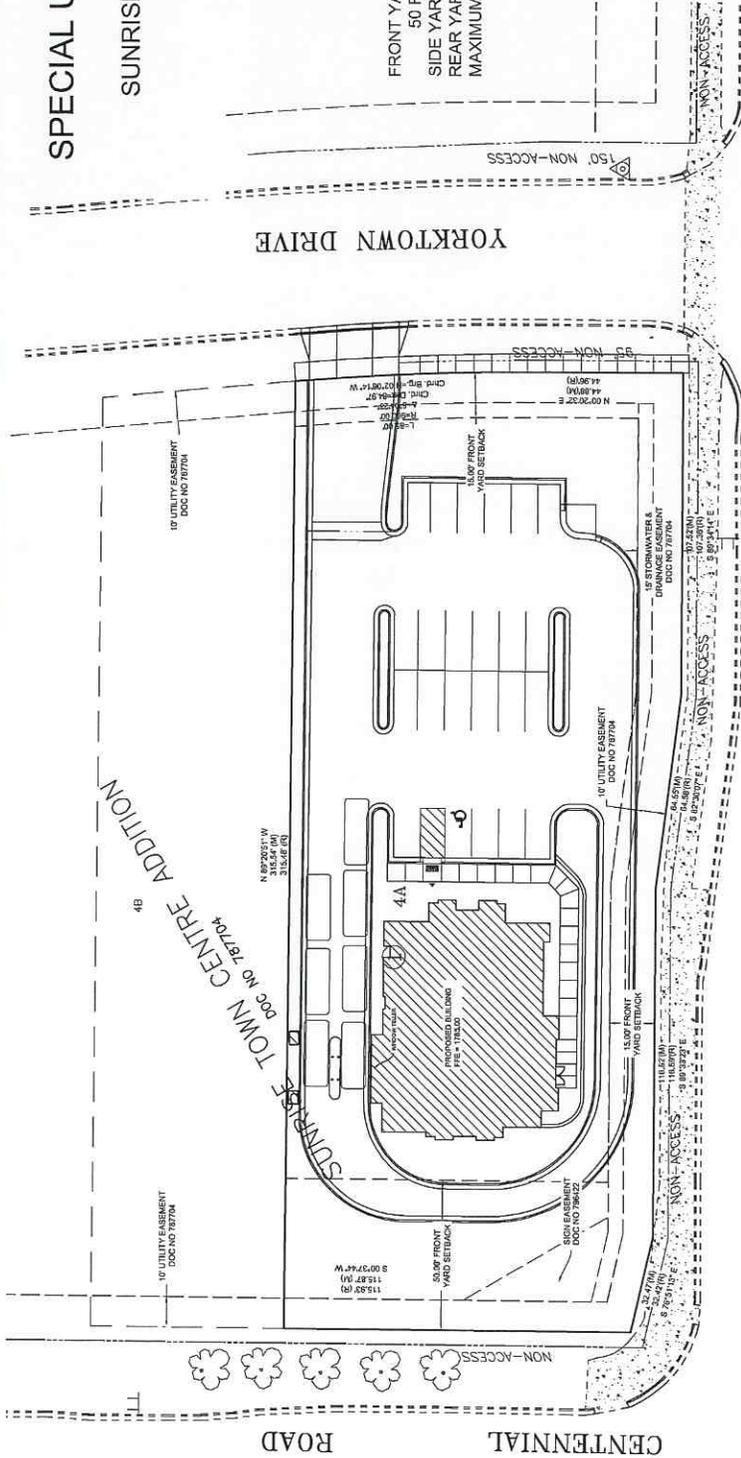
BISMARCK, NORTH DAKOTA
1614483

11/12/2014

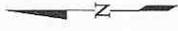
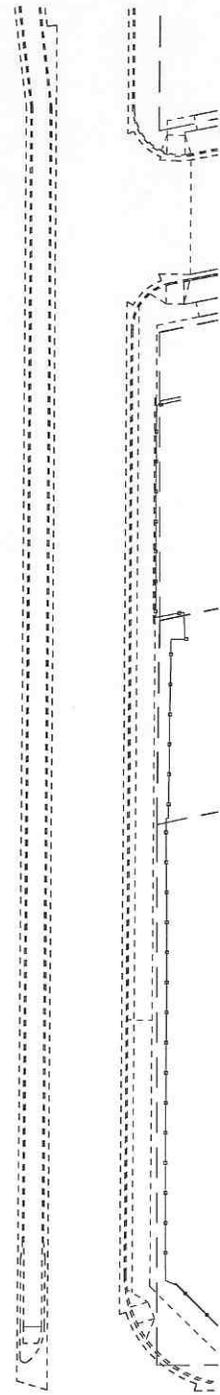
PARKING CALCULATION:
1 STALL PER 250 SF OF BUILDING
BUILDING FOOTPRINT = 4,178 SF
4178/250 = 16.7 => 17 STALLS REQUIRED
STALLS SHOWN 24

ZONING INFORMATION:
CG - HEAVY COMMERCIAL
FRONT YARD SETBACK: 15 FT;
50 FT ADJACENT TO PRINCIPAL ARTERIALS
SIDE YARD SETBACK: 0 FT
REAR YARD SETBACK: 10 FT
MAXIMUM HEIGHT ALLOWED: 130 FT

VEHICLE STAKING:
4 SPACES FOR FIRST LANE,
3 SPACES FOR EACH ADDITIONAL LANE,
2 LANES SHOWN = 7 VEHICLE STAKING



CENTURY AVENUE



© JULY 2014

PRELIMINARY - NOT FOR CONSTRUCTION

**BISMARCK COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

BACKGROUND:		
Title: Lot 1, Block 1, Boutrous 3 rd Addition – Special Use Permit (Digital Billboard)		
Status: Planning Commission – Public Hearing	Date: December 17, 2014	
Owner(s): The Boutrous Group, LLP – owner Dakota Outdoor Advertising – applicant	Engineer: RMG Outdoor, INC	
Reason for Request: Allow the placement of a forty-five (45) foot tall; two-sided pylon sign with a 36' x 10.6' two-sided digital billboard face less than 300 feet from a residential zoning district.		
Location: In central Bismarck, along the west side of North 12 th Street and north side of East Capitol Avenue, west of US Highway 83 (2112 North 12 th Street).		
Project Size: 28,532 square feet	Number of Lots: 1 lot in 1 block	
EXISTING CONDITIONS:		
Land Use: Commercial (billboard)	PROPOSED CONDITIONS:	
Zoning: CG – Commercial	Land Use: Commercial (billboard/digital billboard)	
Uses Allowed: General commercial uses	Zoning: CG – Commercial	
Maximum Density Allowed: 42 units/acre	Uses Allowed: General commercial uses	
	Maximum Density Allowed: 42 units/acre	
PROPERTY HISTORY:		
Zoned: Pre-1980	Platted: 8/2008	Annexed: Pre-1980
ADDITIONAL INFORMATION:		
<ol style="list-style-type: none"> The proposed special use permit is for a two-sided, forty-five (45) foot tall pylon sign that would include two 36' x 10.6' digital billboards. The applicant has indicated that the sign would be positioned in such a manner as to ensure that the digital sign faces would not be seen by the residential properties to the west and northwest, and would be visible to north and south bound traffic. The applicant has submitted renderings that would support this statement; those renderings are attached. Staff has concerns with the proposed special use. In particular, the potential for the digital billboards to increase the number of visual distractions on an existing high traffic roadway (State Street) and near a high ranking dangerous intersection (State Street and East Capitol Avenue). According to the NDDOT 2011-2013 Urban High Crash Locations, the proposed special use would be placed near the 7th most dangerous intersection in the state of ND and the 2nd most dangerous intersection in the City of Bismarck. The NDDOT compiles this information based on scores according to crash severity. A copy of the document is attached. The NDDOT has recently conducted a safety improvement study for State Street / US Highway 83 from East Divide Avenue to East Calgary Avenue. This study identifies a number of safety concerns and makes recommendations regarding lane assignments and traffic light visibility and other potential obstructions to the safe flow of traffic. As this project has not been finalized, the City of Bismarck and the NDDOT have not made final determinations on which safety options will be implemented. 		
<i>(continued)</i>		

4. The applicant and landowner met with City staff on Wednesday, December 10, 2014 in an effort to alleviate staff's concerns with the proposed special use. The applicant provided staff with copies of studies from other cities through the county that indicate that digital billboards do not increase the potential for visual distractions resulting in higher crash statistics. City staff would like to conduct further research prior to making a final recommendation on the proposed special use.

FINDINGS:

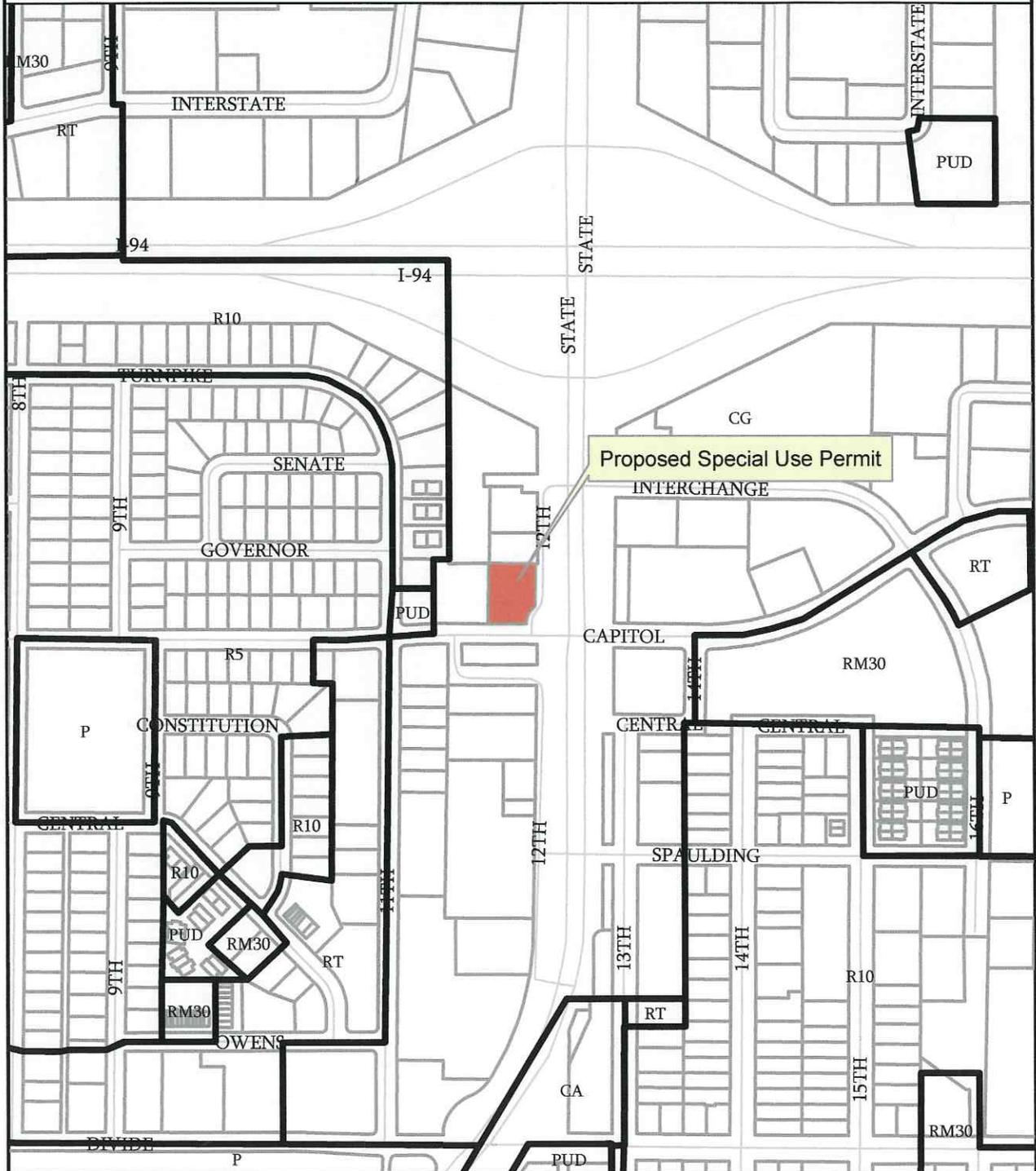
1. The proposed digital billboards meet the provisions outlined in Section 4-04-12(5). In particular, the digital billboard is oriented away from the residential properties and the sign faces or viewing surfaces of the digital billboard signs would not be visible from any of the residential property located within 300 feet of the sign.
2. The proposed special use is in harmony with the purpose and intent of the zoning ordinance and the master plan of the City of Bismarck.
3. The proposed special use may adversely affect the public health, safety and general welfare. In particular, adding digital billboards with a potential to increase visual distractions may increase the crash potential in the area.
4. The proposed special use would not be detrimental to the use or development of adjacent properties. In particular, the digital billboards would be orientated away from the residential properties to the west and northwest.
5. The proposed special use complies with the special regulations established by Section 14-03-08 of the City Code of Ordinances, and all special conditions necessary for the safety and welfare of the public. In particular, the visual distractions in this area may be increased with the placement of the proposed digital billboards.

RECOMMENDATION:

Based on the above findings, staff recommends continuing the public hearing on the special use permit request to allow a forty-five (45) foot tall pylon sign with two 10.6' x 36' digital billboard faces less than 300 feet from a residential zoning district to the January 28, 2014 meeting of the Bismarck Planning and Zoning Commission to allow staff additional time to further research the information submitted by the applicant and the safety improvements outlined in the NDDOT safety improvement study.

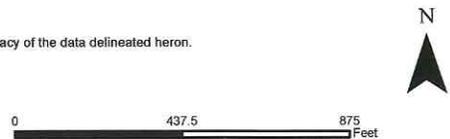
/JW

Proposed Special Use Permit Lot 1, Block 1, Boutros 3rd Addition



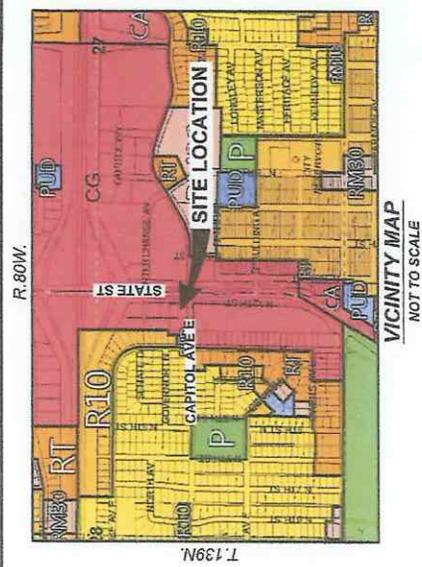
DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.
Date: 10/23/20 (Mib)

Source: City of Bismarck

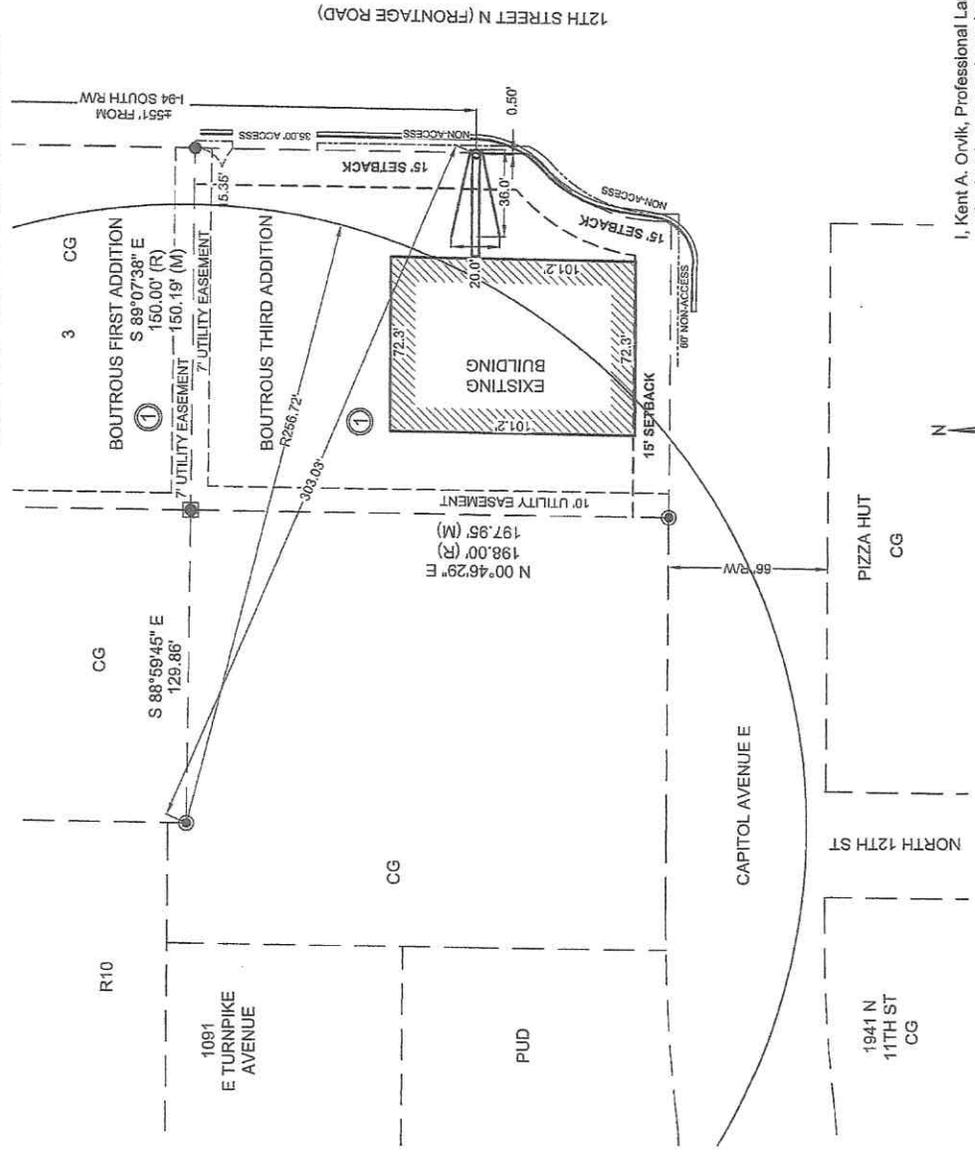


RECEIVED
OCT 15 2014

CERTIFICATE OF SURVEY

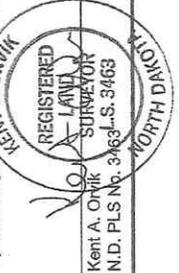


VICINITY MAP
NOT TO SCALE



- LEGEND**
- YPC Unreadable - Found
 - 1/2" Rebar - Found
 - 1" Iron Pipe - Found
 - Adjacent Property Line
 - Building Setback Line
 - Easement Line
 - Curb and Gutter
 - Existing Building
 - PUD-Planned Unit Developments
 - RT-Residential District
 - R5-Residential District
 - R10-Residential District
 - RM13-Residential District
 - RM30-Residential District
 - CA-Commercial District
 - CG-Commercial District
 - P-Public Use District
 - Measured Record

I, Kent A. Orvik, Professional Land Surveyor, N.D. PLS No. 3463, do hereby certify that the survey shown hereon was made by me, or under my direction, from notes made in the field, and the same is true and correct to the best of my knowledge and belief. The field survey was performed June 30, 2014.



NOTE:
Survey was performed in U.S. State Plane NAD 1983 (Conus), North Dakota South Zone 3302, GEOID12A. Units are International Feet.

2112 N 12TH ST - CORNERSTONE
DAKOTA OUTDOOR LIVING
RAPID CITY, SOUTH DAKOTA

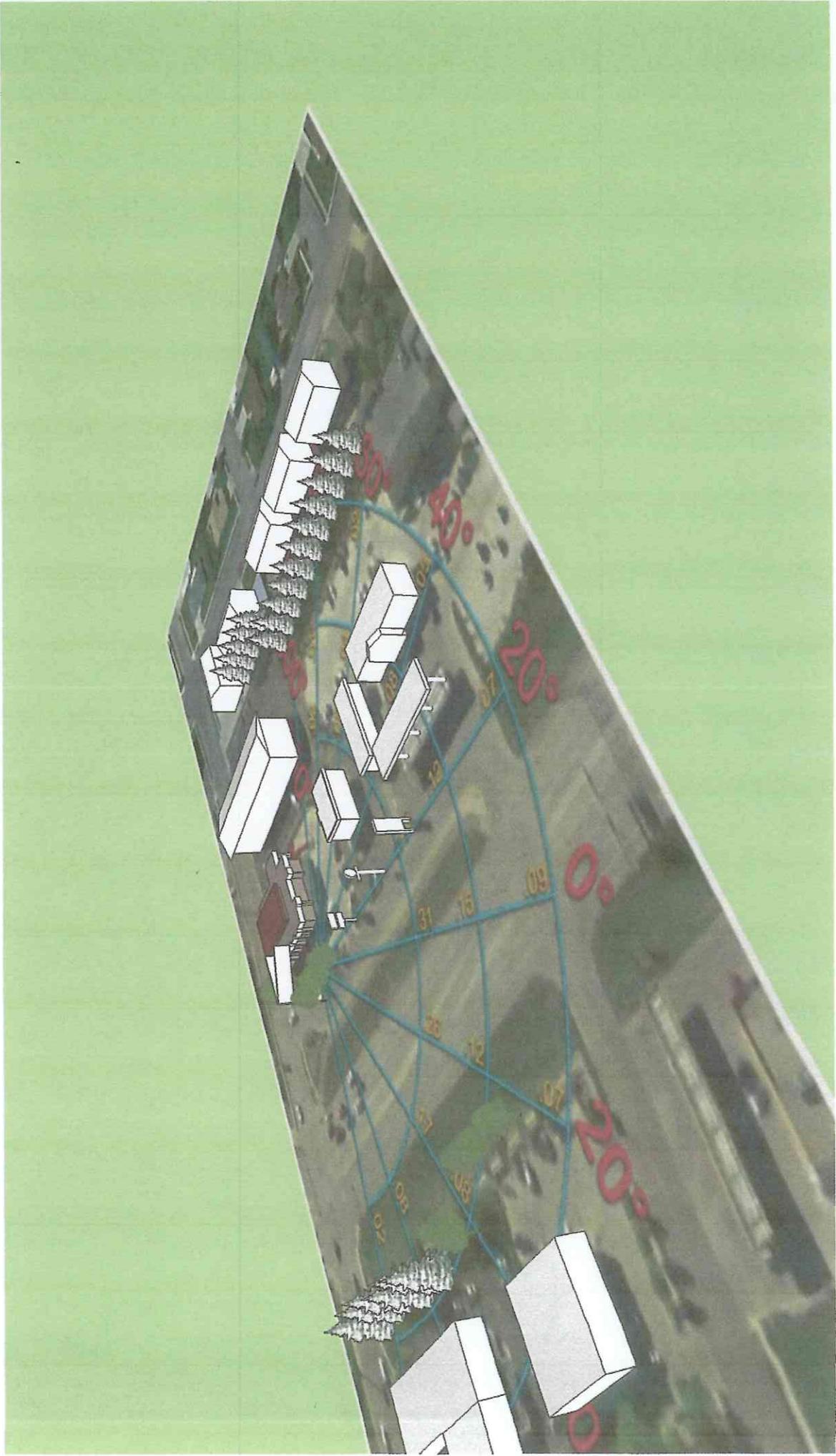
LOT 1, BLOCK 1
BOUTROUS THIRD ADDITION
BURLINGHAM COUNTY
NORTH DAKOTA

DATE: 10/1/14

- Exhibit "C" -

RECEIVED

OCT 15 2014



- Exhibit "D" -

2011-2013 Urban High Crash Locations

23 USC § 409 Documents
 NDDOT Reserves All Objections

City	Location	Crash Severity				Total By Year	Total Crashes	Weighted Total Crashes	Rank 2011-2013	Trends
		Fatal	InjA	InjB	InjC					
Bismarck	State St & Century Ave	0	0	4	25	78	107	272	5	Total crashes have been steady. There were 53 rear end crashes (21 of 58 occurred between 1 pm - 3 pm) and 19 left turn crashes (15 of 19 were WB to SB).
Bismarck	State St & Capitol Ave	1	0	8	12	48	69	258	7	Total crashes have been steady. There was 1 fatal involving a NB vehicle that ran a red light. There were 32 rear end crashes (20 NB, 8 SB, 1 EB, and 3 WB), 23 of 32 rear end crashes occurred between 3 pm - 6 pm. There were 23 angle crashes (11 were SB & EB).
Bismarck	State St & Interstate Ave	0	1	0	26	69	96	254	8	Total crashes have been steady. There were 57 rear end crashes (31 were NB, 14 SB, 6 EB, and 6 WB), 12 angle crashes, 9 left turn crashes (6 of 9 were SB to EB), and 13 sideswipe same direction (all NB).
Bismarck	Bismarck Expwy & 7th St	0	1	5	15	51	72	225	12	Total crashes increased in 2013. There were 47 rear end crashes (21 SB, 13 EB, and 13 WB), and 13 sideswipe same direction crashes (12 of 13 were WB).
Bismarck	Bismarck Expwy & Washington St	0	1	3	16	56	76	214	16	Total crashes increased in 2013. There were 47 rear end crashes (14 EB, 13 WB, 11 NB, and 9 SB), surface conditions were 4 wet, 8 ice/snow, 36 dry, and time of day were 9 crashes between 8am - 10 am and 22 crashes between 2pm - 6pm.
Bismarck	State St & I-94 WB Ramps	0	2	4	6	50	62	188	20	Total crashes peaked in 2012. There were 21 NB rear end crashes and 15 SB rear end crashes, with 17 of 36 (48%) during non-dry conditions (11 ice/snow, 6 wet). There were 8 NB+WB angle crashes.
Bismarck	State St & Divide Ave	0	0	2	16	68	86	186	23	Total crashes have been increasing. There were 63 rear end crashes (26 SB, 17 NB, 13 WB, and 7 EB) with 18 ice/snow conditions and 19 crashes between 1pm-3pm. 10 sideswipe same direction crashes (8 of 10 SB).
Bismarck	Main Ave & 7th St	1	0	3	7	46	57	171	26	Total crashes have been steady. There was 1 fatal crash that involved V1 SB which failed to stop at red light and hit a pedestrian. There were 22 rear end crashes (15 SB, 6 EB), 17 angle crashes (11 SB & WB, 6 SB & EB), and 16 sideswipe same direction crashes (13 SB).
Bismarck	Bismarck Expwy & 3rd St	0	1	3	10	45	59	167	28	Total crashes have been steady. There were 18 WB rear end crashes, with 7 between 4pm and 5pm. There were 11 EB rear end crashes. There were 5 EB to NB left turn crashes, with 4 of 5 on the weekend.
Bismarck	Bismarck Expwy & 9th St / University Dr	0	1	4	7	43	55	158	31	Total crashes dipped in 2012. There were 18 EB rear end crashes and 14 WB rear end crashes. There were 5 NB+EB angle crashes.
Bismarck	Bismarck Expwy & Divide Ave	0	1	2	9	40	52	145	35	Total crashes decreased in 2013. There were 30 rear end crashes (14 WB, 7 SB, 6 ND, 3 EB), and 13 angle crashes.
Bismarck	Main Ave & 9th St	0	0	5	9	35	49	144	38	Total crashes have been steady. There were 23 angle crashes (18 NB & EB, and 5 NB & WB), and 17 rear end crashes (8 NB, 4 EB, and 5 WB).

**BISMARCK PLANNING & ZONING COMMISSION
MEETING MINUTES
November 19, 2014**

The Bismarck Planning & Zoning Commission met on November 19, 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, Ken Selzler, Lisa Waldoch and Wayne Yeager.

Commissioner Mike Seminary was absent.

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 and Jason Hammes – Assistant City Attorney.

MINUTES

Chairman Yeager called for consideration of the minutes of the October 22, 2014 meeting.

MOTION: Commissioner Armstrong made a motion to approve the minutes of the October 22, 2014 meeting as received. Commissioner Waldoch seconded the motion and it was unanimously approved with Commissioners Armstrong, Atkinson, Bullinger, Donahue, Laning, Lee, Schwartz, Selzler, Waldoch and Yeager voting in favor of the motion.

CONSIDERATION

- A. RDO HAY CREEK INDUSTRIAL PARK –
ZONING CHANGE AND PRELIMINARY PLAT**
- B. REUTER’S ADDITION –
ZONING CHANGE AND PRELIMINARY PLAT**
- C. WEST 40 FEET OF LOT 1, BLOCK 1, SONNET HEIGHTS SUBDIVISION
5TH REPLAT -
ZONING CHANGE**
- D. LOT 4B, BLOCK 3, NORTH HILLS 15TH ADDITION –
ZONING CHANGE**
- E. AUDITOR’S LOT A OF LOT 13, LOT 14, LOT 15, LOT 16 & AUDITOR’S
LOT A OF LOT 17, BLOCK 1, BOULDER RIDGE 1ST ADDITION –
ZONING CHANGE**
- F. MADISON LANE ADDITION –
PUD AMENDMENT**

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

- A. RDO Hay Creek Industrial Park – Zoning Change And Preliminary Plat
- B. Reuter’s Addition – Zoning Change And Preliminary Plat

- C. West 40 feet of Lot 1, Block 1, Sonnet Heights Subdivision 5th Replat – Zoning Change
- D. Lot 4B, Block 3, North Hills 15th Addition – Zoning Change
- E. Auditor's Lot A of Lot 13, Lot 14, Lot 15, Lot 16 & Auditor's Lot A Of Lot 17, Block 1, Boulder Ridge 1st Addition – Zoning Change
- F. Madison Lane Addition – PUD Amendment

Commissioner Atkinson said he would like to pull item #B for discussion.

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

Ms. Wollmuth gave a brief overview of agenda item B (Reuter's Addition). The property is located in northeast Bismarck, along the west side of 52nd Street NE, east of Roosevelt Drive between 43rd Avenue NE and East Century Avenue (the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 24, T139N-R80W/Hay Creek Township) and includes 177 lots in 10 blocks on 40 acres.

Ms. Wollmuth said all technical requirements of a preliminary plat have been met. However, staff has recommended that prior to scheduling a public hearing for a final plat, zoning change and annexation, an appropriate annexation route must be provided to the proposed plat.

Art Goldammer, Verity Homes of Bismarck, LLC, said the 40 acres included in the proposals is currently under contract and he would very much like to keep the process moving so as to avoid a donut hold being created in the master plan of Bismarck. He said the proposed Sattler's Sunrise 10th Addition has been proposed in various locations surrounding the Reuter's Addition proposals but it has continuously been suspended or continued. He said it was first going to be located to the east, then south and now west of this proposed plat and he said they all conveniently stop short of being able to provide city services to this parcel which is making development of the land impossible. He said he offered to pay for the roads to connect the pieces and even that was refused.

Chairman Yeager asked how far short the plat is from City services. Mr. Goldammer said it is approximately 75 feet.

Jason Frank, Diversity Homes of Bismarck, said he and Mr. Goldammer are trying to develop this land together and that he supports the 2014 Growth Management Plan and feels that their plan for both single and multi-family housing fits perfectly into the vision in the Plan. He said there is an opportunity for water and sewer services to be purchased and he feels that is unfair as they are publicly owned services. He said they have worked with the Bismarck Parks and Recreation District and they will sell the land to them as green space as there is already an agreement in place for that. He said they just want to move this project forward.

Commissioner Lee asked if a community can take land from an adjacent owner in order to provide land for a road. Mr. Hammes said that is not an option to the best of his knowledge.

Chairman Yeager asked if potable water, sanitary sewer services and other services being held hostage can be put in place without a road.

Commissioner Lee asked that the legal counsel of the City research the options and present the information at the public hearing to inform on how to move this process along. Mr. Hammes said that can be arranged.

MOTION: Commissioner Lee made a motion to approve consent agenda item B, granting tentative approval and calling for public hearings on the items. Commissioner Schwartz seconded the motion and it was unanimously approved with Commissioners Armstrong, Atkinson, Bullinger, Donahue, Laning, Lee, Schwartz, Waldoch and Yeager voting in favor of the motion.

Hay Creek Township Supervisor Dave Pearce joined the meeting at this time.

PUBLIC HEARING – RURAL RESIDENTIAL LOT SPLIT LOT 2, BLOCK 1, OAKLAND SUBDIVISION

Chairman Yeager called for the continued public hearing on the rural residential lot split for Lot 2, Block 1, Oakland Subdivision. The property is located northeast of Bismarck, along the south side of 84th Avenue NE, between 26th Street NE and 41st Street NE (3605 84th Avenue NE).

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

1. All technical requirements for approval of a rural residential lot split have been met.
2. The resulting parcels will meet the minimum lot width (150 feet), depth (200 feet) and area requirements (65,000 square feet) for the RR – Residential zoning district.
3. The proposed rural residential lot split will not be detrimental to the use or development of adjacent properties, provided that the existing private driveway or access easement does not encroach any further to the east than its current location and that a private access and maintenance agreement be recorded with the Burleigh County Recorders office.
4. The proposed rural residential lot split will not place an undue burden on existing public services and facilities. In particular, the proposed lot 2B would have access to 84th Avenue NE via an existing private driveway (access easement).
5. The proposed rural residential lot split is consistent with the master plan, other adopted plans, policies and accepted planning practice.

Ms. Wollmuth said based on the above findings, staff recommends approval of the rural residential lot split for Lot 2, Block 1, Oakland Subdivision into two parcels, a northern parcel of 2.75 acres and a southern parcel of 6.60 acres, with the following conditions:

1. The existing private driveway (access easement) not encroach any further east than its current location.
2. A plat of irregular description will be prepared as required and recorded by the Burleigh County Auditor.

3. A private access and maintenance agreement be recorded with the Burleigh County Recorder to ensure the existing private driveway provides access to the lots along the west side of the existing private driveway and that existing and future owners of those lots maintain the private driveway (access easement).
4. Further subdivision of Lot 2, Block 1, Oakland Subdivision will require the property to be replatted.

Commissioner Atkinson said the drawing in the staff report shows forty feet of access with a ten foot access easement. Ms. Wollmuth said that is correct and it is adjacent to the proposed Lot 2A and would be all one lot. She said the easement is 40 feet wide and the existing home on Lot 2A must be set back 40 feet from the access easement.

Chairman Yeager opened the public hearing.

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

Mr. Pearce said the day after the last Hay Creek Township meeting, Mr. Oakland contacted him about the changes that had been made to the proposal as they relate to concerns from neighboring owners, Chris and Roberta Hambrick. He said some of their requests are not to be decided here or at this time, but the direction this has gone will not cause grief to the neighbors and he and the Township are supportive of the proposal.

MOTION: Based on the findings contained in the staff report, Commissioner Lee made a motion to approve the rural residential lot split for Lot 2, Block 1, Oakland Subdivision, with the following conditions: 1. The existing private driveway (access easement) not encroach any further east than its current location; 2. A plat of irregular description will be prepared as required and recorded by the Burleigh County Auditor; 3. A private access and maintenance agreement be recorded with the Burleigh County Recorder to ensure the existing private driveway provides access to the lots along the west side of the existing private driveway and that existing and future owners of those lots maintain the private driveway (access easement); and 4. Further subdivision of Lot 2, Block 1, Oakland Subdivision will require the property to be replatted. Commissioner Atkinson seconded the motion and it was approved with Commissioners Armstrong, Atkinson, Bullinger, Donahue, Laning, Lee, Schwartz, Selzler, Waldoch, Yeager and Mr. Pearce voting in favor of the motion.

FINAL CONSIDERATION – ANNEXATION PUBLIC HEARING – ZONING CHANGE AND FINAL PLAT – MEADOWLARK COMMERCIAL 7TH ADDITION

Chairman Yeager called for the public hearing on the final plat; the zoning change from the RR-Residential zoning districts to the RT-Residential, CG-Commercial, MA-Industrial and P-Public zoning districts to the RT-Residential, CG-Commercial and MA-Industrial zoning districts; and final consideration of the annexation of Meadowlark Commercial 7th Addition. The proposed plat is 16 lots in four blocks on 66.06 acres and is located in north Bismarck, along the east side of US Highway 83 along the south side of the future section line road, 57th Avenue NE (A replat of part of Auditor's Lot C, Lots 1 and 2, Block 3, and Lot 4, Block 6, Meadowlark Commercial

Third Addition and LaSalle Avenue and 15th Street North rights-of-way, Section 15, T139N-R80W/Hay Creek Township).

Mr. Tomanek gave an overview of the requests, including the following findings for the annexation:

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

Mr. Tomanek then gave the findings for the land use plan amendment:

1. The proposed change in the Future Land Use Plan (FLUP) in the 2014 Growth Management Plan would be somewhat compatible with adjacent land uses. Adjacent land uses include developing commercial uses to the south, agricultural uses to the east and north and existing rural residential uses to the west. The FLUP designates the area which has currently developed as rural residential dwellings as commercial and open space land uses.
2. The proposed Land Use Plan Amendment does reflect a change in conditions since the Future Land Use Plan (FLUP) was established. In particular, the BPRD no longer desires to become the owner of any property along the Hay Creek corridor and a multi-use trail easement would be dedicated along the Hay Creek corridor to allow for the extension of the multi-use trail.
3. The City and other agencies would be able to provide necessary public services, facilities and programs to serve the development allowed by the Future Land Use Plan at the time the property is developed.
4. The proposed Land Use Plan amendment may adversely affect property in the vicinity. In particular, commercial development along North 19th Street would likely result in increased traffic movements in an existing rural residential area.
5. The proposed Future Land Use Plan amendment is generally consistent with the other aspects of the master plan, other adopted plans, policies and planning practice. In particular, introducing the office/mixed-use land use classification to an area currently identified as open space and commercial land uses would be an appropriate land use transition.
6. The amendment to the Land Use Plan is in the public interest and is not solely for the benefit of a single property owner.

Mr. Tomanek then gave the findings for the zoning change:

1. The proposed zoning change would be somewhat consistent with the Future Land Use Plan in the 2014 Growth Management Plan as amended. The Future Land Use Plan of the 2014 Growth Management Plan reflects the previous requested land use of the owner/developer, Skyline Properties, LLC. The previous arrangement between the applicant and the BPRD would have provided land to the BPRD along the Hay Creek corridor for multi-use trails and open space. As part of the arrangement, BPRD would have become the land owner along a portion of North 19th Street, thus resulting in BPRD sharing a portion of the construction costs associated with the extension of North 19th Street. The current agreement between the applicant and the BPRD would no longer result in the BPRD owning land along North 19th Street; however, the applicant has indicated a willingness to provide an easement to allow the extension of the Hay Creek trail. The final location of the future trail extension is not known at this time and it is likely that the exact location would not be determined until such time as each lot along the east side of North 19th Street is studied and programmed to accommodate an end-user of the property. If the final location of the multi-use trail cannot lie adjacent to Hay Creek due to topographic constraints, BPRD has indicated that an alternative would be to locate the multi-use trail within the North 19th Street public right-of-way.
2. The proposed zoning change would be somewhat compatible with adjacent land uses. Adjacent land uses include agricultural to the north and east, developing commercial property to the south and five, rural residential homes to the west. The commercial development would be directly north and east of the existing homes and separated by a public street.
3. The proposed zoning change may have an adverse impact on property in the vicinity; in particular, there are existing rural residentially-zoned homes directly adjacent to the proposed subdivision. Additionally, staff would prefer that the Hay Creek corridor be allowed to remain intact and be separated from developable lots through the use of an easement along the edge of the floodway or separate lots intended to preserve the natural corridor and drainageway.
4. The entire property would be annexed prior to development; therefore the subdivision would not place an undue burden on public services.
5. The proposed zoning change is generally consistent with the general intent and purpose of the zoning ordinance.
6. The proposed subdivision is generally consistent with the master plan, other adopted plans, policies and accepted planning practice.

Mr. Tomanek then gave the findings for the final plat:

1. The preliminary plat was tentatively approved by the City Planning & Zoning Commission on June 26, 2013. The final plat was submitted in June 2013 and has been revised several times over the past 15 months.
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 would be somewhat compatible with adjacent land uses. Adjacent land uses include agricultural to the north and east, developing commercial property to the south and rural residential homes to the west. The commercial development would be directly north and east of the existing homes and separated by a public street.
5. The proposed subdivision is generally consistent with the 2014 Fringe Area Road Master Plan, which identifies an extension of 19th Street North as the north/south collector for Section 15, Hay Creek Township.
6. The proposed subdivision may have an adverse impact on property in the vicinity; in particular, there are existing rural residentially-zoned homes directly adjacent to the proposed subdivision. Additionally, staff would prefer that the Hay Creek corridor is allowed to remain intact and be separated from developable lots through the use of easements or separate lots intended to preserve the natural corridor and drainage way.
7. An annexation request for portions of the property has been submitted in conjunction with this request and development would not be permitted on parcels that are not within City limits; therefore, the subdivision would not place an undue burden on public services.
8. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance.
9. The proposed subdivision is consistent with the master plan, other adopted plans, policies and accepted planning practice.

Mr. Tomanek said based on the above findings, staff recommends approval of the zoning change from the RT – Residential and CG – Commercial districts to the CG – Commercial zoning district for Lots 1-3, Block 1; from the CG – Commercial and P – Public zoning districts to the CG – Commercial zoning district for Lots 1-3, Block 2; from the CG – Commercial zoning district to the CG – Commercial zoning district for Lots 1-3, Block 3; from the RT – Residential and P – Public zoning districts to the RT – Residential zoning district for Lots 2-8, Block 4; and from the MA – Industrial and P – Public zoning districts to the MA – Industrial zoning district, Meadowlark Commercial 7th Addition; the annexation of Lots 1-3, Block 1, Lots 1-2, Block 2, and Lots 1-4, Block 4, Meadowlark Commercial 7th Addition; the proposed amendment to the Future Land Use Plan (FLUP) in the 2014 Growth Management Plan for Section 15, T139N-R80W/Hay Creek Township, to introduce the office/mixed-use land use classifications into an area classified as commercial and open space/conservation land uses between North 19th Street and the Canadian Pacific Railroad right-of-way north of East Lasalle Avenue; and the final plat of Meadowlark Commercial 7th Addition, with the understanding that the applicant will meet with the Bismarck Parks and Recreation District staff to determine a mutually acceptable location for the future Hay Creek multi-use path and lots are not developable until such time as all adjacent roadways are in place or under contract to be constructed.

Commissioner Lee asked for the annexation portions to be explained again. Mr. Tomanek said the south part of the proposed plat is already annexed, all of Block 3 would stay out of City limits and the rest would be annexed.

Commissioner Lee asked if this will create holes in what is annexed and what is not. Mr. Tomanek said the three lots that are not being annexed are directly adjacent to others that are not annexed, so there should not be an issue of gaps in annexed lots being created.

Chairman Yeager opened the public hearing.

Kevin Nelson, Larson Engineering, said the preliminary plat was started in 2013 and every time an existing issue was worked out a new one would come up. He said this plat will be a wonderful addition to the city and the owners have plans that will benefit the city. He said the owner requested the P-Public zoning district be changed to the RT-Residential zoning district as there are not any plans for multi-family housing to be in that location but rather offices, a park and a multi-use trail through the property would not benefit the sale of the property and a green space along the edge of the plat would be more ideal. He said he realizes the sensitivity of the impact on the neighbors and that the developer can still do the project without having to develop directly adjacent to Gussner's Acreage Homesites. He said not annexing the three lots means Brookside Lane will not have to become a major connection to 19th Street North at this time. There being no further comments, Chairman Yeager closed the public hearing.

Mr. Tomanek added that the zoning map in the packet has an error in the zoning district labels, but that the lots and blocks description in the staff report is correct.

MOTION: Based on the findings contained in the staff report, Commissioner Armstrong made a motion to approve the zoning change from the RT – Residential and CG – Commercial districts to the CG – Commercial zoning district for Lots 1-3, Block 1; from the CG – Commercial and P – Public zoning districts to the CG – Commercial zoning district for Lots 1-3, Block 2; from the CG – Commercial zoning district to the CG – Commercial zoning district for Lots 1-3, Block 3; from the RT – Residential and P – Public zoning districts to the RT – Residential zoning district for Lots 2-8, Block 4; and from the MA – Industrial and P – Public zoning districts to the MA – Industrial zoning district, Meadowlark Commercial 7th Addition; the annexation of Lots 1-3, Block 1, Lots 1-2, Block 2, and Lots 1-4, Block 4, Meadowlark Commercial 7th Addition; the proposed amendment to the Future Land Use Plan (FLUP) in the 2014 Growth Management Plan for Section 15, T139N-R80W/Hay Creek Township, to introduce the office/mixed-use land use classifications into an area classified as commercial and open space/conservation land uses between North 19th Street and the Canadian Pacific Railroad right-of-way north of East Lasalle Avenue; and the final plat of Meadowlark Commercial 7th Addition, with the understanding that the applicant will meet with the Bismarck Parks and Recreation District staff to determine a mutually acceptable location for the future Hay Creek multi-use path and lots are not developable until such time as all adjacent roadways are in place or under contract to be constructed. Commissioner Schwartz seconded the motion and the request was unanimously approved with Commissioners Armstrong, Atkinson, Bullinger, Donahue, Laning, Lee, Schwartz, Selzler, Waldoch and Yeager voting in favor of the motion.

OTHER BUSINESS

Chairman Yeager noted that this is Commissioner Armstrong's last meeting and thanked him for his multiple years of dedication to both the City of Bismarck and Burleigh County as well of all of the work he did during the flood event in 2011.

ADJOURNMENT

There being no further business, Chairman Yeager declared the Bismarck Planning & Zoning Commission adjourned at 5:42 p.m. to meet again on December 17, 2014.

Respectfully submitted,

Hilary Balzum
Recording Secretary

Wayne Lee Yeager
Chairman

DRAFT

Hilary Balzum

From: Planning General Mailbox
Sent: Thursday, October 23, 2014 8:56 AM
To: Jenny Wollmuth; Kim Lee; Hilary Balzum
Subject: FW: Oakland split and road

From: [redacted] [mailto:[redacted]]
Sent: Thursday, October 23, 2014 6:00 AM
To: Planning General Mailbox
Subject: Oakland split and road

Please forward this to all members of Planning and Zoning involved.

I am writing again because at the time of the next meeting I will be home with a newborn and unable to attend. My husband may not be able to attend either depending on how things are going.

City planning listed this as not being detrimental to any neighbors. Have you even looked at what you are doing to our property? You are boxing us in on three sides by roads. That is detrimental to our life and to our property value. This is not city yet out here and decreases the value of our home. Is the city going to pay us for loss in property value and quality of life?

The township representative even got up and said this is a road. Slapping a pretty term on it doesn't change reality. Oakland stated to my husband at after the initial subdivision meeting that the only time he would consider splitting the lot is if his children wanted to build a home near them. He has already lied to us as well. What will be next he decides to split the lot a few more times and City planning turns a blind eye again. What regulations and rules will city planning apply to this split to prevent this?

You have not had a non-partial engineering firm measure to see if there is room for this road - per Jenny Wollmuth. City planning told us at the meeting for the initial Oakland subdivision that there would never be a road there because there was not legally room for one. Were you lying to us? Why have you not measured to be sure? How can you rule on something without the facts?

Oakland has room to the south between to empty plotted spaces for a road that would not then affect our home and box us in. There is nothing there now. There would be no problem for a road to be put in allowing adequate legal room.

Before this split and ROAD are allowed we would like to see and have reviewed as we feel necessary any legal documentation drawn up by city planning. This does have a very detrimental affect on our home and again we were told by City Planning there would never be a road there because there was not legal room for a road.

Thank you

Roberta Hambrick

Hilary Balzum

From: Planning General Mailbox
Sent: Monday, October 27, 2014 4:57 PM
To: Jenny Wollmuth; Hilary Balzum
Subject: FW: Oakland split and road

From: [redacted] [mailto:[redacted]]
Sent: Friday, October 24, 2014 1:58 PM
To: Planning General Mailbox
Subject: Oakland split and road

Please forward to all members involved.

I will not be able to attend due to it being the end of my pregnancy but want to be sure you understand this is very important to me. We have been in our home nine years and love our home. We do not want it destroyed. Boxing us in on three sides with roads is detrimental and does ruin our quality of life. We are starting to feel like our only chance of anyone listening to us is to take legal action.

More Detrimental aspects to the neighbor most directly affected by city planning trying to allow an illegal road. It would be nice if city planning actually looked at this in person because trying to take a nap in my ninth month of pregnancy I had to listen to noise from the Oakland property again inside my own home with the windows shut. Explain to me how this is not detrimental.

A voting member of your committee got up and stated this is a road. Why else are you talking about maintenance?

Is this even legally far enough back from our property line in the first place because it will be a road and there will be building/maintenance required because of three lots being accessed off of it?

With this road being too close to our property line who is going ensure they do not destroy our fence. We have equines and if they continue to have the numerous noisy vehicles going in and out all the time who is going to pay vet bills due to them spooking my horses or causing wire cuts and such?

Are you going to place a noise ordinance to prevent loud vehicles?

Why can't this road be run to the south to connect in with the rest of his subdivision? Wouldn't that make more sense in case he wants to further divide his lot? As City planning told us there is not legal room for a road because of their chosen location. Any further divisions of his property would then be a huge mess, not? Then he has a legal road put in where there is currently nothing to make it illegal.

If he decides to rent out this barn to family and friends who will limit the amount of traffic and noise to a reasonable level for a so called "driveway?" They have not been at all respectful about noisy vehicles so far and we have a right to be allowed to sleep in our own home. You have an obligation to think about that when you list this as not detrimental.

Is he going to start trying to run the trucks for construction behind our house because everyone in Fox Haven is pissed at him for destroying our peaceful, pleasant neighborhood? What regulations or monitoring will city planning be providing to ensure this doesn't happen? Again you have an obligation because this is detrimental to our life.

There is no room for snow removal. The previous neighbors struggled in years with heavy snow fall to try and clear snow. More than once they damaged our fence. What regulations is city planning going to place to ensure this doesn't happen with three lots on a road directly on our property line? Again if the fence is damaged what protects my equines? Again this is detrimental to our safety and well being. Again there is room for a road to connect his desired lot to the south where there is nothing to make it illegal. He can re-plot those two lots easily if needed at this point. That would not be detrimental to anyone.

There is no room for a ditch and not a safe distance between our property line and the road for fire safety. If you were to come out here and look at the distance you would see it borders our tree row. A spark from chains or a vehicle or a cigarette butt thrown out pose a great risk to destroying our home. **VERY DETRIMENTAL AND UNSAFE.**

As this is all new plotting on a previously one owner property why is city planning not looking at this like a new property and requiring a safe and legal road to be put in not on a property line where there is no room? There are other options available to the Oaklands.

Thanks

Roberta Hambrick

8200 Arcata Drive

Hilary Balzum

From: Roberta Hambrick [REDACTED]
Sent: Friday, November 07, 2014 12:34 PM
To: Planning - General Mailbox
Subject: Oakland lot split

Please forward to all committee members.

Why are you not using the half section line on the west side of Oakland's subdivision as the roadway? This area is there for that purpose. All three lots should be directed to that side and that half section used as a legal roadway. Which would create a conforming situation.

We would have no objection to this if you route all three lots there and take out the current road on our property line. This would also eliminate future hassles because that is an area left for the purpose of a road.

We went through rezoning and followed through with all requirements placed by the city to make sure our property change was not detrimental to our neighbors. We expect that the city planning will force the same rules/requirements on ALL people within their jurisdiction.

Thank you

Roberta Hambrick

PERMIT ACTIVITY REPORT - MTD
DATE SELECTION 11/2014

*****City*****ETA*****

*****City*****ETA*****

Census Code	11/2014		11/2013		11/2014		11/2013	
	Permits	Valuations	Permits	Valuations	Permits	Valuations	Permits	Valuations
SINGLE FAMILY DETACHED	3	\$499,974.40	13	\$2,359,206.50	4	\$645,576.75	7	\$1,211,473.25
ROWHOUSE (2) 1-HR FIRE SEPARATION	3	\$461,075.50	0	\$0.00	0	\$0.00	0	\$0.00
FIVE OR MORE FAMILY	1	\$0.00	1	\$0.00	0	\$0.00	0	\$0.00
MANUFACTURED HOMES	0	\$0.00	1	\$0.00	0	\$0.00	0	\$0.00
NON-STRUCTURAL DEVELOPMENT	0	\$0.00	1	\$500.00	0	\$0.00	0	\$0.00
CHURCHES & RELIGIOUS	1	\$23,000.00	0	\$0.00	0	\$0.00	0	\$0.00
INDUSTRIAL BUILDINGS	3	\$5,625,355.00	0	\$0.00	1	\$140,366.00	1	\$31,000.00
OFFICE, BANK, & PROFESSIONAL BUILDINGS	0	\$0.00	1	\$548,147.19	0	\$0.00	0	\$0.00
SCHOOLS & EDUCATIONAL	0	\$0.00	1	\$500.00	0	\$0.00	0	\$0.00
OTHER NEW	1	\$75,000.00	0	\$0.00	0	\$0.00	0	\$0.00
PUBLIC BUILDING	0	\$0.00	3	\$307,275.00	0	\$0.00	0	\$0.00
ROOM ADDITIONS	2	\$0.00	1	\$25,851.00	0	\$0.00	2	\$45,258.00
RESIDENTIALGARAGES	1	\$27,048.00	2	\$10,944.00	0	\$0.00	2	\$19,620.00
RESIDENTIAL GARAGES	0	\$0.00	0	\$0.00	1	\$7,200.00	0	\$0.00
DECKS, PORCHES, & COVERED PATIOS	4	\$2,940.00	1	\$2,640.00	0	\$0.00	0	\$0.00
OTHER	5	\$11,941.00	8	\$146,270.00	0	\$0.00	0	\$0.00
BASEMENT FINISH	4	\$16,278.25	11	\$44,597.75	0	\$0.00	6	\$32,550.75
COMMERCIAL BUILDINGS	5	\$68,946.00	10	\$2,438,536.00	0	\$0.00	0	\$0.00
OFFICE BUILDING	3	\$1,280,129.00	0	\$0.00	0	\$0.00	0	\$0.00
OFFICE BUILDINGS	0	\$0.00	2	\$719,668.00	0	\$0.00	0	\$0.00
OTHER ADDITIONS	4	\$649,600.00	4	\$817,300.00	0	\$0.00	0	\$0.00
COMMERCIAL	0	\$0.00	1	\$0.00	0	\$0.00	0	\$0.00

PERMIT ACTIVITY REPORT - MTD
DATE SELECTION 11/2014

*****City*****ETA*****

Census Code	11/2014		11/2013		11/2014		11/2013	
	Permits	Valuations	Permits	Valuations	Permits	Valuations	Permits	Valuations
NEW SIGN PERMITS	5	\$46,471.00	3	\$43,600.00	0	\$0.00	0	\$0.00
Total	45	\$8,787,758.15	64	\$7,465,035.44	6	\$793,142.75	18	\$1,339,902.00

PERMIT ACTIVITY REPORT - MTD
DATE SELECTION 11/2014

*****City*****ETA*****

Trade Permit Type	11/2014		11/2013		11/2014		11/2013	
	Permits	Valuations	Permits	Valuations	Permits	Valuations	Permits	Valuations
BUILDING ELECTRIC ALTERATION	7	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
BUILDING ELECTRIC NEW RESIDENTIAL	1	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
BUILDING ELECTRICAL NEW COMMERCIAL	8	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
BUILDING ELECTRICAL OTHER	44	\$0.00	104	\$0.00	0	\$0.00	0	\$0.00
BUILDING MECHANICAL HVAC APPLIANCE	0	\$0.00	0	\$0.00	1	\$993.00	0	\$0.00
BUILDING MECHANICAL NEW CONSTRUCTION	3	\$69,572.00	0	\$0.00	0	\$0.00	0	\$0.00
BUILDING MECHANICAL OTHER	27	\$179,305.00	88	\$1,105,841.00	8	\$9,100.00	31	\$361,554.00
BUILDING PLUMBING	14	\$129,660.00	68	\$957,440.00	7	\$92,180.00	11	\$141,315.00
BUILDING SEPTIC	0	\$0.00	1	\$0.00	0	\$0.00	17	\$0.00
Total	104	\$378,537.00	261	\$2,063,281.00	16	\$102,273.00	59	\$502,869.00

PERMIT ACTIVITY REPORT - MTD
DATE SELECTION 11/2014

Living Units	*****City*****		*****ETA*****	
	11/2014	11/2013	11/2014	11/2013
	Units	Units	Units	Units
FIVE OR MORE FAMILY	0	66	0	0
OTHER NEW	0	0	0	0
MANUFACTURED HOMES	0	0	0	0
ROOM ADDITIONS	2	0	0	0
ROWHOUSE (2) 1-HR FIRE SEPARATION	4	0	0	0
SINGLE FAMILY DETACHED	3	13	3	6
Total	9	79	3	6

PERMIT ACTIVITY REPORT - YTD
DATE SELECTION 12/2014

*****City*****ETA*****

*****City*****ETA*****

Census Code	12/2014		12/2013		12/2014		12/2013	
	Permits	Valuations	Permits	Valuations	Permits	Valuations	Permits	Valuations
SINGLE FAMILY DETACHED	310	\$45,569,591.95	412	\$72,667,024.65	85	\$12,204,178.23	141	\$28,030,897.25
ROWHOUSE (2) 1-HR FIRE SEPARATION	170	\$22,560,488.44	203	\$29,957,927.25	4	\$721,514.50	4	\$869,119.00
2-UNIT DUPLEX OR CONDO	10	\$1,473,424.35	9	\$1,456,553.00	0	\$0.00	0	\$0.00
THREE OR FOUR FAMILY	1	\$0.00	5	\$2,692,008.00	0	\$0.00	0	\$0.00
FIVE OR MORE FAMILY	14	\$41,106,000.00	15	\$27,098,400.00	0	\$0.00	0	\$0.00
MANUFACTURED HOMES	1	\$0.00	45	\$3,000.00	0	\$0.00	0	\$0.00
MOBILE HOME	37	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
MOBILE HOME EXTRAS	1	\$1,800.00	0	\$0.00	0	\$0.00	0	\$0.00
HOTELS	0	\$0.00	2	\$14,096,480.00	0	\$0.00	0	\$0.00
MOTELS	0	\$0.00	2	\$2,015,000.00	0	\$0.00	0	\$0.00
NON-STRUCTURAL DEVELOPMENT	9	\$825,711.64	20	\$9,419,710.00	1	\$0.00	2	\$1,000.00
AMUSEMENT & RECREATION	1	\$343,900.00	0	\$0.00	0	\$0.00	0	\$0.00
CHURCHES & RELIGIOUS	1	\$23,000.00	0	\$0.00	0	\$0.00	0	\$0.00
OFFICE, BANK, & PROFESSIONAL BUILDINGS	11	\$6,886,989.00	11	\$17,614,194.70	0	\$0.00	0	\$0.00
SCHOOLS & EDUCATIONAL	3	\$3,273,745.00	2	\$11,922,017.00	0	\$0.00	0	\$0.00
RETAIL SALES	2	\$217,815.00	2	\$813,256.00	0	\$0.00	0	\$0.00
PUBLIC PARKING GARAGE	0	\$0.00	1	\$12,986,524.00	0	\$0.00	0	\$0.00
OTHER	97	\$26,620,553.88	136	\$12,233,888.25	7	\$261,666.50	12	\$3,359,069.00
OTHER NEW	1	\$75,000.00	0	\$0.00	0	\$0.00	0	\$0.00
ROOM ADDITIONS	28	\$597,889.90	20	\$534,892.50	12	\$435,064.90	12	\$566,183.00
RESIDENTIAL GARAGES	86	\$608,070.00	92	\$888,760.00	80	\$1,500,672.50	97	\$1,850,704.00
RESIDENTIAL GARAGES	0	\$0.00	0	\$0.00	1	\$7,200.00	0	\$0.00
DECKS, PORCHES, & COVERED PATIOS	201	\$699,751.25	117	\$383,927.00	18	\$146,575.00	28	\$185,598.00

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Census Code	12/2014		12/2013		12/2014		12/2013	
	Permits	Valuations	Permits	Valuations	Permits	Valuations	Permits	Valuations
SWIMMING POOLS & SPAS	8	\$393,247.59	4	\$169,595.00	4	\$176,326.00	1	\$30,000.00
HOME OCCUPATION	4	\$0.00	8	\$0.00	0	\$0.00	4	\$8,320.00
STORAGE SHEDS	15	\$39,790.00	25	\$47,881.00	3	\$26,640.00	3	\$9,200.00
BASEMENT FINISH	137	\$795,699.18	173	\$841,079.25	27	\$163,652.75	60	\$344,142.50
INDUSTRIAL BUILDINGS	56	\$39,121,742.00	40	\$30,273,711.00	4	\$1,095,747.45	7	\$2,000,736.00
COMMERCIAL BUILDINGS	41	\$11,585,877.98	64	\$18,811,995.37	3	\$596,760.00	0	\$0.00
OFFICE BUILDINGS	23	\$6,924,302.74	21	\$4,893,557.00	0	\$0.00	0	\$0.00
OFFICE BUILDING	3	\$1,280,129.00	0	\$0.00	0	\$0.00	0	\$0.00
OTHER ADDITIONS	38	\$7,824,777.04	36	\$3,574,580.85	3	\$2,887,348.00	3	\$233,500.00
PUBLIC BUILDING	10	\$72,882,012.28	21	\$13,806,794.00	0	\$0.00	2	\$10,868,110.00
APARTMENTS TO CONDOS	16	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
SINGLE FAMILY TO MULTI-FAMILY	1	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
MULTI-FAMILY TO SINGLE - FAMILY	4	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
RESIDENTIAL	3	\$0.00	9	\$0.00	0	\$0.00	4	\$0.00
COMMERCIAL	7	\$286,625.32	4	\$0.00	0	\$0.00	0	\$0.00
CHRISTMAS TREE SALES	0	\$0.00	1	\$3,000.00	0	\$0.00	0	\$0.00
FIREWORKS SALES	1	\$0.00	1	\$0.00	13	\$0.00	19	\$0.00
NURSERY STOCK SALES	5	\$0.00	4	\$0.00	0	\$0.00	0	\$0.00
MISC TEMPORARY STRUCTURES	7	\$0.00	12	\$0.00	0	\$0.00	6	\$0.00
CIRCUS CARNIVAL	0	\$0.00	1	\$0.00	0	\$0.00	0	\$0.00
NEW SIGN PERMITS	101	\$3,209,013.31	66	\$1,579,665.63	2	\$21,725.00	1	\$4,000.00
SIGN ALTERATION	1	\$16,500.00	3	\$126,485.00	0	\$0.00	0	\$0.00
1303 ELECTRONIC MESSAGE CENTER	1	\$34,711.49	2	\$15,290.42	0	\$0.00	0	\$0.00
Total	1466	\$295,278,158.34	1589	\$290,927,196.87	267	\$20,245,070.83	406	\$48,360,578.75

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Permit Type	12/2014		12/2013		12/2014		12/2013	
	Permits	Valuations	Permits	Valuations	Permits	Valuations	Permits	Valuations
BUILDING ELECTRIC ALTERATION	7	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
BUILDING ELECTRIC NEW RESIDENTIAL	1	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
BUILDING ELECTRICAL NEW COMMERCIAL	8	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
BUILDING ELECTRICAL OTHER	1169	\$0.00	1434	\$0.00	2	\$0.00	0	\$0.00
BUILDING MECHANICAL ALTERATION	2	\$126,000.00	0	\$0.00	0	\$0.00	0	\$0.00
BUILDING MECHANICAL HVAC APPLIANCE	0	\$0.00	0	\$0.00	1	\$993.00	0	\$0.00
BUILDING MECHANICAL NEW CONSTRUCTION	3	\$69,572.00	0	\$0.00	0	\$0.00	0	\$0.00
BUILDING MECHANICAL OTHER	1401	\$23,199,960.50	1557	\$30,597,624.50	219	\$1,737,714.00	304	\$5,206,215.00
BUILDING MECHANICAL WATER HEATER	1	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
BUILDING PLUMBING	751	\$13,019,079.00	840	\$15,781,587.00	117	\$1,287,325.00	174	\$2,362,940.00
BUILDING SEPTIC	1	\$0.00	2	\$0.00	99	\$0.00	153	\$0.00
Total	3344	\$36,414,611.50	3833	\$46,379,211.50	438	\$3,026,032.00	631	\$7,569,155.00

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	12/2014	12/2013	12/2014	12/2013
Living Units	Units	Units	Units	Units
FIVE OR MORE FAMILY	522	448	0	0
OTHER NEW	0	0	0	0
THREE OR FOUR FAMILY	4	18	0	0
MANUFACTURED HOMES	1	15	0	0
2-UNIT DUPLEX OR CONDO	20	18	0	0
ROOM ADDITIONS	16	6	6	2
ROWHOUSE (2) 1-HR FIRE SEPARATION	171	203	4	4
SINGLE FAMILY DETACHED	310	411	84	140
Total	1044	1119	94	146