



Community Development Department

**BISMARCK PLANNING AND ZONING COMMISSION
MEETING AGENDA
July 22, 2020**

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

Watch live meeting coverage on Government Access Channels 2 & 602HD, listen to Radio Access 102.5 FM Radio, or stream FreeTV.org and RadioAccess.org. Agenda items can be found online at www.bismarcknd.gov/agendacenter.

Due to ongoing public health concerns related to COVID-19, the City of Bismarck is encouraging citizens to provide their comments for public hearing items on this agenda via email to planning@bismarcknd.gov. The comments will be sent to the Planning and Zoning Commissioners prior to the meeting and included in the minutes of the meeting. To ensure your comments are received and distributed prior to the meeting, please submit them by 12noon on the day of the meeting and reference the agenda item your comment addresses.

If you would like to appear via video or audio link for a 3-5-minute comment on a public hearing item, please provide your e-mail

address and contact information to planning@bismarcknd.gov at least one business day before the meeting.

The physical meeting room will be open to the public, but we certainly understand the public wishing to limit their exposure at this time, while still participating in government. Before entering the City-County Office Building, all individuals should self-screen for COVID-19 symptoms or potential exposure and, if unable to pass the screening protocol, will be expected to participate remotely in the meeting for the public's safety.

Some of the Planning and Zoning Commissioners will be attending this meeting remotely. The number of meeting participants attending in person in the Tom Baker Meeting Room, including the Planning and Zoning Commissioners, will be required to maintain social distancing.

| | |
|----------|----------|
| Item No. | Page No. |
|----------|----------|

MINUTES

1. Consider approval of the minutes of the June 24, 2020 meeting of the Bismarck Planning & Zoning Commission.

**CONSENT AGENDA
CONSIDERATION**

The following items are requests for public hearings.



2. **Lots 1-16, Block 1, Stoneridge Addition First Replat (JW)**
 Zoning Change (PUD to PUD) | ZC2020-008..... 1
Staff recommendation: schedule a hearing *schedule a hearing* *continue* *table* *deny*
3. **Lot 1, Block 1, Pat's Acres and Auditor's Lots A, B and C of the NE¼ of the NE¼ of Section 14, T139N-R80W/Hay Creek Township (WH)**
 Zoning Change (RR & A to PUD) | ZC2020-009..... 8
 Hay Creek Township
Staff recommendation: schedule a hearing *schedule a hearing* *continue* *table* *deny*

**REGULAR AGENDA
 CONTINUED PUBLIC HEARING**

The following item is a request for final action and forwarding to the City Commission.

4. **Parts of S½ of Section 19 & the N½ of Section 30, T139N-R80W/
 Hay Creek Township & City Lands (DN)**
 Zoning Change (A, R5, R10, RM30 & RT to P) | ZC2020-004 14
Staff recommendation: approve *approve* *continue* *table* *deny*

FINAL CONSIDERATION and PUBLIC HEARING

The following item is a request for final action and forwarding to the City Commission.

5. **Northern Sky Second Addition (WH) 21**
- **Partial Annexation | ANNX2020-003**
Staff recommendation: approve *approve* *continue* *table* *deny*
 - **Zoning Change (RT & CA to RT & CA) | ZC2020-006**
Staff recommendation: approve *approve* *continue* *table* *deny*
 - **Major Subdivision Final Plat | FPLT2020-008**
Staff recommendation: approve *approve* *continue* *table* *deny*

PUBLIC HEARINGS

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

6. **Tract 500 of Blocks 27 & 38 and Lots 3 & 4, the North 20 feet of Lot 5, and
 Lots 9 & 10, Block 38, Northern Pacific Second Addition (JW)**
 Zoning Change (RM30 & HM to HM) | ZC2020-007 31
Staff recommendation: schedule a hearing *schedule a hearing* *continue* *table* *deny*
7. **Lot 4, Block 2, Prairie Pines First Subdivision (JW)**
 Special Use Permit (Oversized Accessory Building) | SUP2020-008..... 36
 Hay Creek Township
Staff recommendation: approve *approve* *continue* *table* *deny*

8. **Lot 1, Block 1, Eugene's First Addition First Replat (JW)**
Special Use Permit (Drive-through) | SUP2020-009 44

Staff recommendation: approve approve continue table deny

9. **Lots 1 & 2, Block 5, Northstar Commercial Park Third Subdivision (WH)**
Special Use Permit (Retail Liquor Sales in ETA) | SUP2020-010 50

Hay Creek Township

Staff recommendation: approve approve continue table deny

10. **Lot 4, Block 6, Park Hills 1st Addition (DN)**
Special Use Permit (Accessory Dwelling Unit) | SUP2020-011 57

Staff recommendation: approve approve continue table deny

OTHER BUSINESS

11. **Other**
12. **AICP Code of Ethics**
13. **North Dakota Planning Association Membership**

ADJOURNMENT

14. **Adjourn.** The next regular meeting date is scheduled for **August 26, 2020.**

Enclosures: Meeting Minutes of June 24, 2020
 Building Permit Activity Month to Date Report for June 2020
 Building Permit Activity Year to Date Report for June 2020

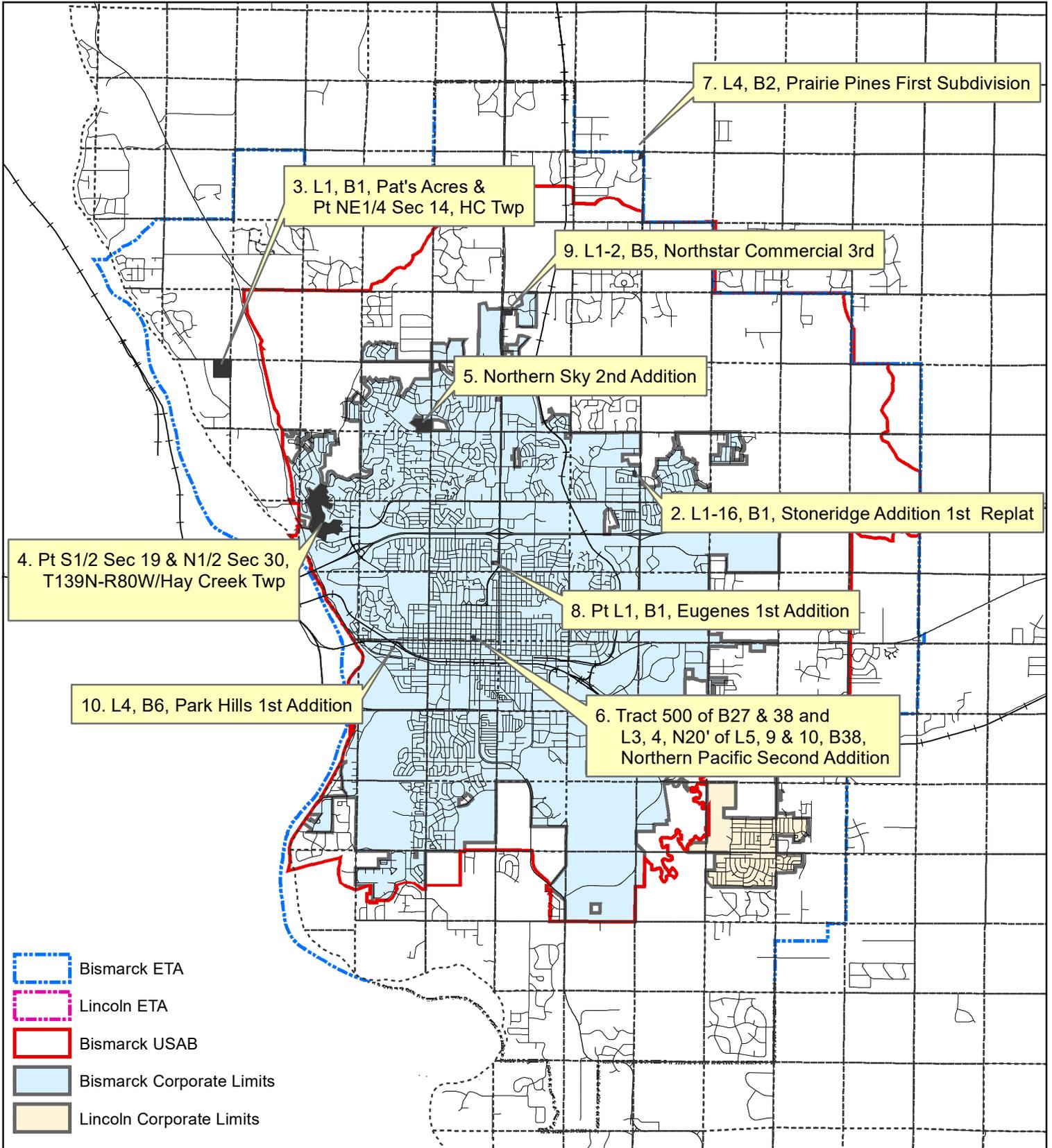
BISMARCK PLANNING AND ZONING COMMISSION PUBLIC HEARING PROCEDURE AND PROTOCOL

All public hearings before the Bismarck Planning and Zoning Commission will follow the same basic format. This outline has been prepared to help you understand the procedure and protocol.

1. The Chair of the Planning and Zoning Commission will introduce the item on the agenda and ask staff to present the staff report.
2. The Planner assigned to the file will present the staff report on the item. The presentation will be an overview of the written staff report included in the agenda packet, which is posted on the City's website by the end of the day on the Friday before the meeting.
3. The members of the Planning and Zoning Commission may ask staff questions about the request itself or staff's recommendation, but they will not discuss the request prior to obtaining input from the public.
4. The Chair of the Planning and Zoning Commission will then open the public hearing on the request and ask if anyone would like to speak to the Commission.
5. The applicant or his or her designated agent is usually given the courtesy of speaking first to outline the proposal and/or clarify any information presented by staff. The applicant may speak at this time or wait until others have spoken.
6. The public hearing is then opened to the public to voice their support, opposition or to ask questions about the proposal. Please write your name and address on the sign-in sheet, step up to the podium, speak clearly, state both your first and last names and your address, then your comments. Speaking over the microphone rather than directly into it will provide the best audio quality. Also, please avoid tapping or banging the podium, as the microphone amplifies the sound. Your comments as well as any materials distributed to the Planning and Zoning Commissioners at this time will be made part of the public record. If you would prefer to provide written materials to staff at the beginning of the meeting, we will distribute the materials to the Commission for you.
7. Please be respectful of the Planning and Zoning Commissioners, staff and others speaking on the request. Personal attacks against the applicant or others, clapping/cheering or booing speakers is not acceptable. Staff and the applicant will only respond to questions from the Planning and Zoning Commissioners, not questions directly from those speaking at the public hearing.
8. Everyone who wishes to speak will be given a chance to speak; however, at larger public hearings, the Chair may ask speakers to limit their time at the podium to five minutes, not repeat previous testimony/comments and only speak once. Members of the Planning and Zoning Commission may ask questions of those speaking, but may also listen and deliberate after the hearing is closed.
9. After everyone in the audience wishing to speak has given his or her comments, the Chair will close the public hearing portion for the agenda item. No additional comments from the public are allowed after the hearing has been closed. At this point, the Chair will ask staff if they have any additional information or final comments.
10. The Planning and Zoning Commissioners will then discuss the proposal. They may ask staff or the applicant additional questions or for clarification of items stated during the public hearing. At the conclusion of the discussion, the Commission will make its recommendation or decision.

General Location Map

Planning Commission Meeting - July 22, 2020



July 2020

0 4,000 8,000 16,000 Feet



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.



STAFF REPORT

City of Bismarck
Community Development Department
Planning Division

Agenda Item # 2

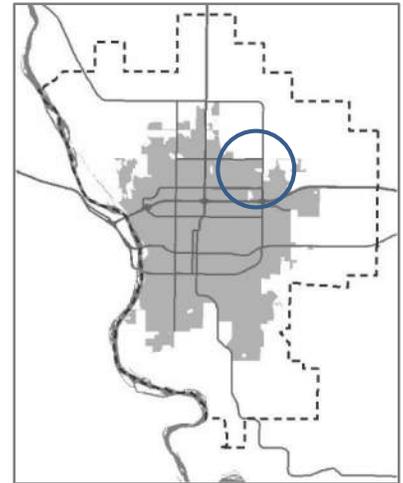
July 22, 2020

Application for: Zoning Change

TRAKiT Project ID: ZC2020-008

Project Summary

| | |
|-------------------------|---|
| Title: | Stoneridge Addition First Replat, Block 1, Lots 1-16 |
| Status: | Planning & Zoning Commission – Consideration |
| Owner(s): | Verity Homes of Bismarck, LLC |
| Project Contact: | Landon Niemiller, Swenson, Hagen & Co |
| Location: | In northeast Bismarck, west of Centennial Road and north of East Century Avenue, along the west side of French Street |
| Project Size: | 1.75 acres |
| Request: | Rezone property to allow for two 8-unit multifamily buildings |



Site Information

| Existing Conditions | | Proposed Conditions | |
|--|--|--|--|
| Number of Lots: | 16 lots in 1 block | Number of Lots: | 16 lots in 1 block |
| Land Use: | Multifamily residential | Land Use: | Multifamily residential |
| Designated GMP Future Land Use: | Already zoned. Not in Future Land Use Plan | Designated GMP Future Land Use: | Already zoned. Not in Future Land Use Plan |
| Zoning: | PUD – Planned Unit Development | Zoning: | PUD – Planned Unit Development |
| Uses Allowed: | PUD – Uses specified in PUD | Uses Allowed: | PUD – Uses specified in PUD |
| Max Density Allowed: | PUD – Density specified in PUD | Max Density Allowed: | PUD – Density specified in PUD |

Property History

| | | | | | |
|---------------|-----------------------------|-----------------|---------|-----------------|---------|
| Zoned: | 04/2014 PUD 04/2015 PUDA | Platted: | 04/2015 | Annexed: | 04/2011 |
|---------------|-----------------------------|-----------------|---------|-----------------|---------|

Staff Analysis

Verity Homes of Bismarck, LLC is requesting approval of a zoning change from an existing PUD – Planned Unit Development to a new PUD – Planned Unit Development for Lots 1-16, Block 1, Stoneridge Addition First Replat. Staff have determined that a

zoning change rather than a PUD Amendment would be needed as the overall layout of the development is changing.

The proposed zoning change would allow for the development of two 8-unit, 2-story multifamily buildings with attached garages on individual lots. The density of the project will not differ from the density in the existing PUD.

The proposed zoning change is in conjunction with a minor subdivision final plat titled Stoneridge Addition Second Replat, that will be submitted for consideration at a future meeting.

Adjacent uses include multifamily residential to the north across Jericho Road, developing CG – Commercial zoned property to the east across French Street, vacant commercially zoned and RM – Residential and CG – Commercial zoned property to the south across Greensboro Drive and single-family residential to the west.

Required Findings of Fact (relating to land use)

1. The proposed zoning change is in a developed area of the community and is outside of the Future Land Use Plan in the 2014 Growth Management Plan, as amended;
2. The proposed zoning change is compatible with adjacent land uses and zoning;
3. The City of Bismarck and/or other agencies would be able to provide necessary public services, facilities and programs to serve any development allowed by the new zoning classification at the time the property is developed;
4. The proposed zoning change is justified by a change in conditions since the previous zoning

classification was established or by an error in the zoning map;

5. The zoning change is in the public interest and is not solely for the benefit of a single property owner;
6. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance;
7. The proposed zoning change is consistent with the master plan, other adopted plans, policies and accepted planning practice; and
8. The proposed zoning change would not adversely affect the public health, safety, and general welfare.

Staff Recommendation

Based on the above findings, staff recommends scheduling a public hearing for the zoning change from an existing PUD – Planned Unit Development to a new PUD – Planned Unit Development for Lots 1-16, Block 1, Stoneridge Addition First Replat.

Attachments

1. Location Map
2. Aerial Map
3. Zoning and Plan Reference Map
4. Applicant PUD Written Statement
5. Proposed Site Plan
6. Proposed Building Elevations

Staff report prepared by:

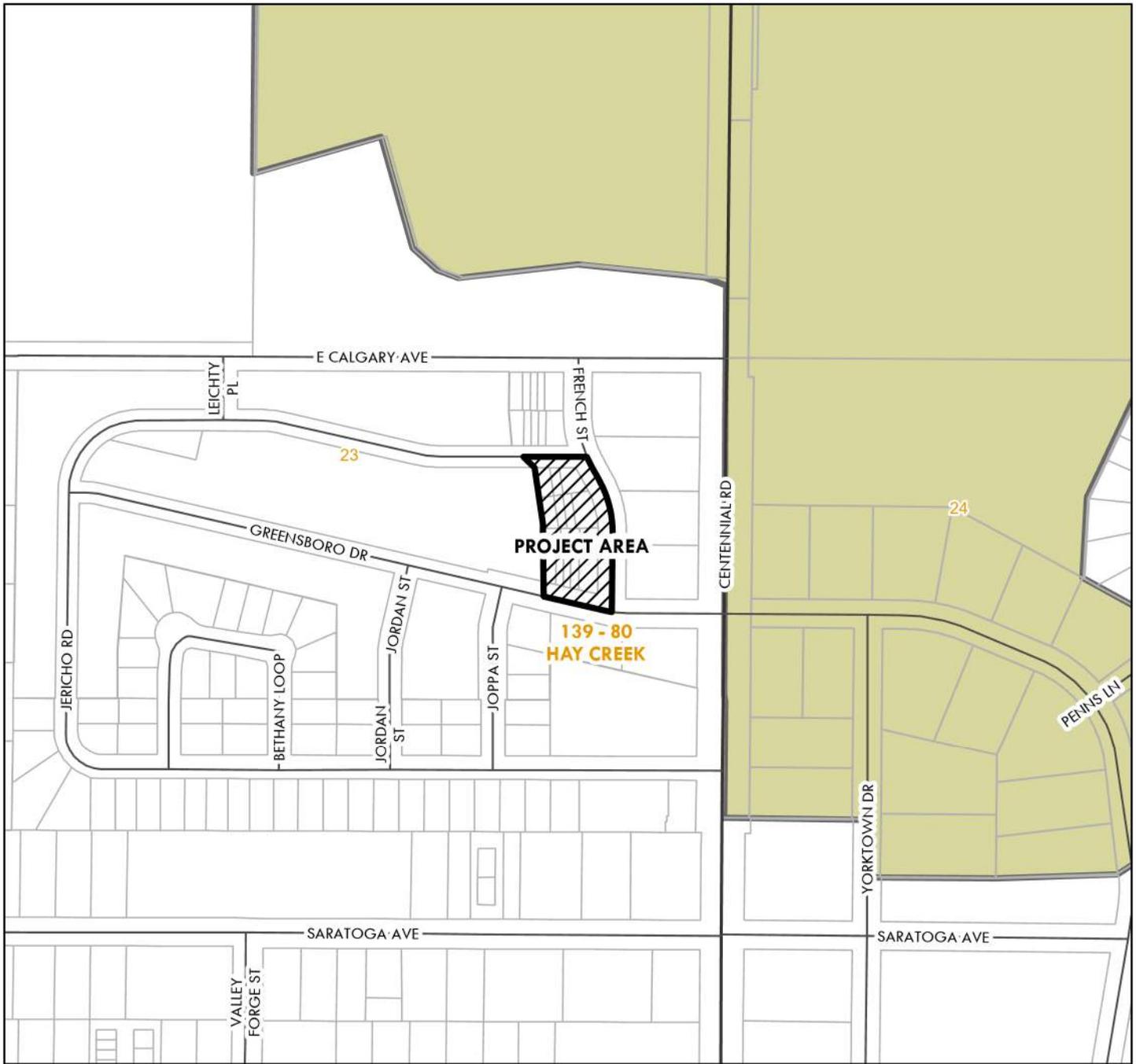
Jenny Wollmuth, AICP, CFM
701-355-1845 | jwollmuth@bismarcknd.gov



Location Map

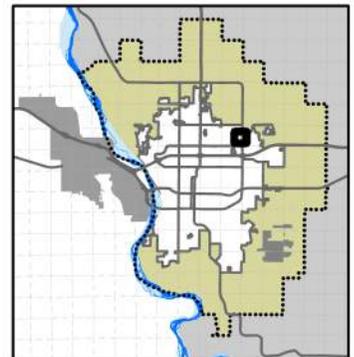
STONERIDGE ADDITION 1ST REPLAT, L1-16, B1

ZC2020-008



- City Limits
- County Outside ETA
- Bismarck ETA Jurisdiction

Section, township, and range indicated in orange



City of Bismarck
 Community Development Department
 Planning Division
 July 14, 2020 (HLB)

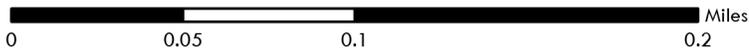
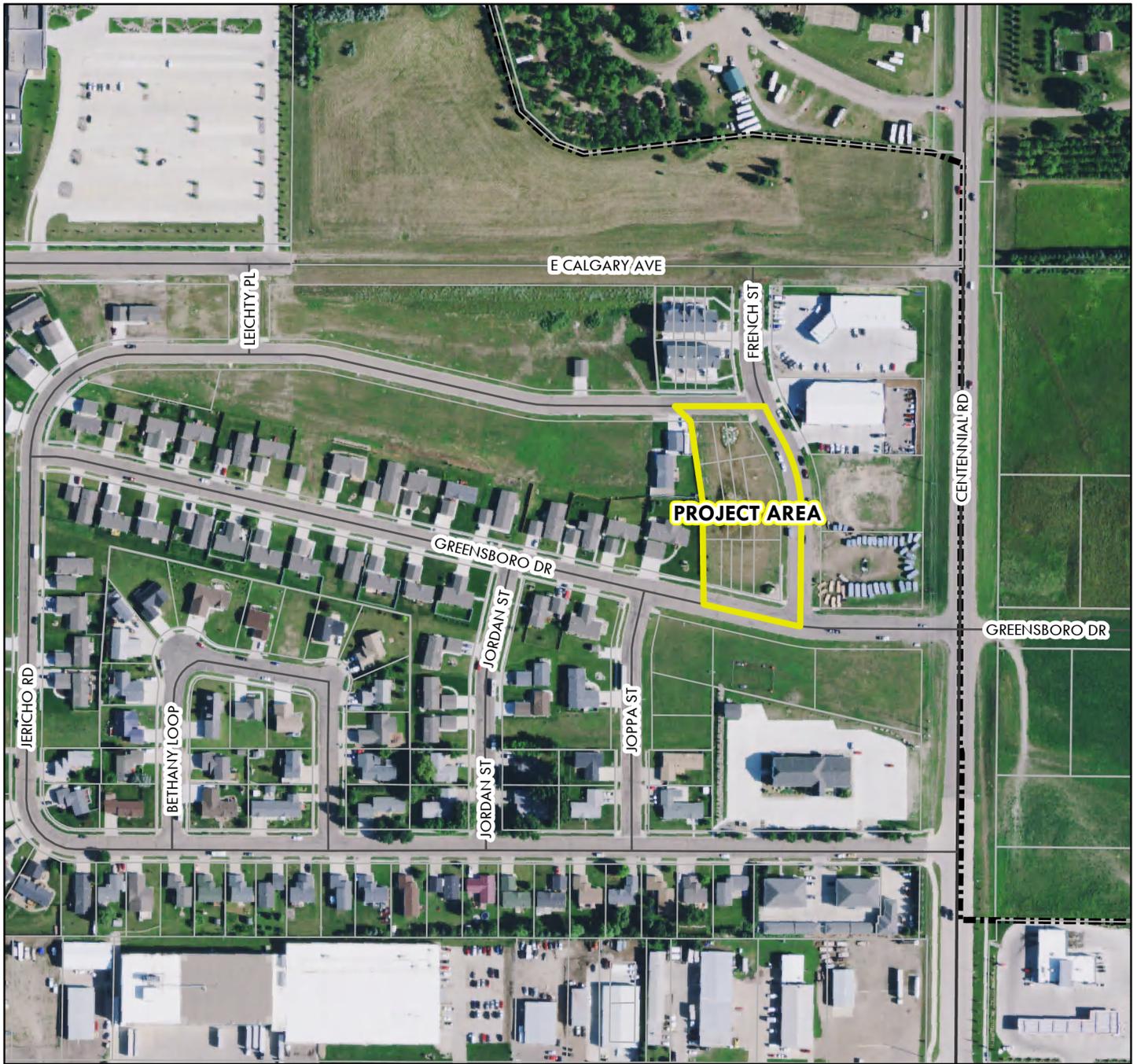
This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.



Aerial Map

STONERIDGE ADDITION 1ST REPLAT, L1-16, B1

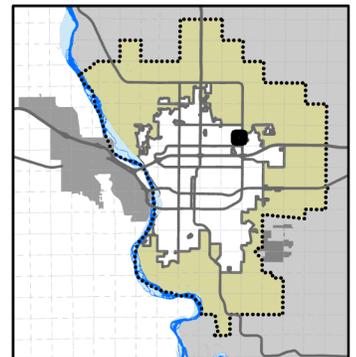
ZC2020-008



City Limits Bismarck ETA Jurisdiction

Aerial Imagery from 2019

City of Bismarck
Community Development Department
Planning Division
July 21, 2020



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.



Zoning and Plan Reference Map

STONERIDGE ADDITION 1ST REPLAT, L1-16, B1

ZC2020-008

Zoning Districts

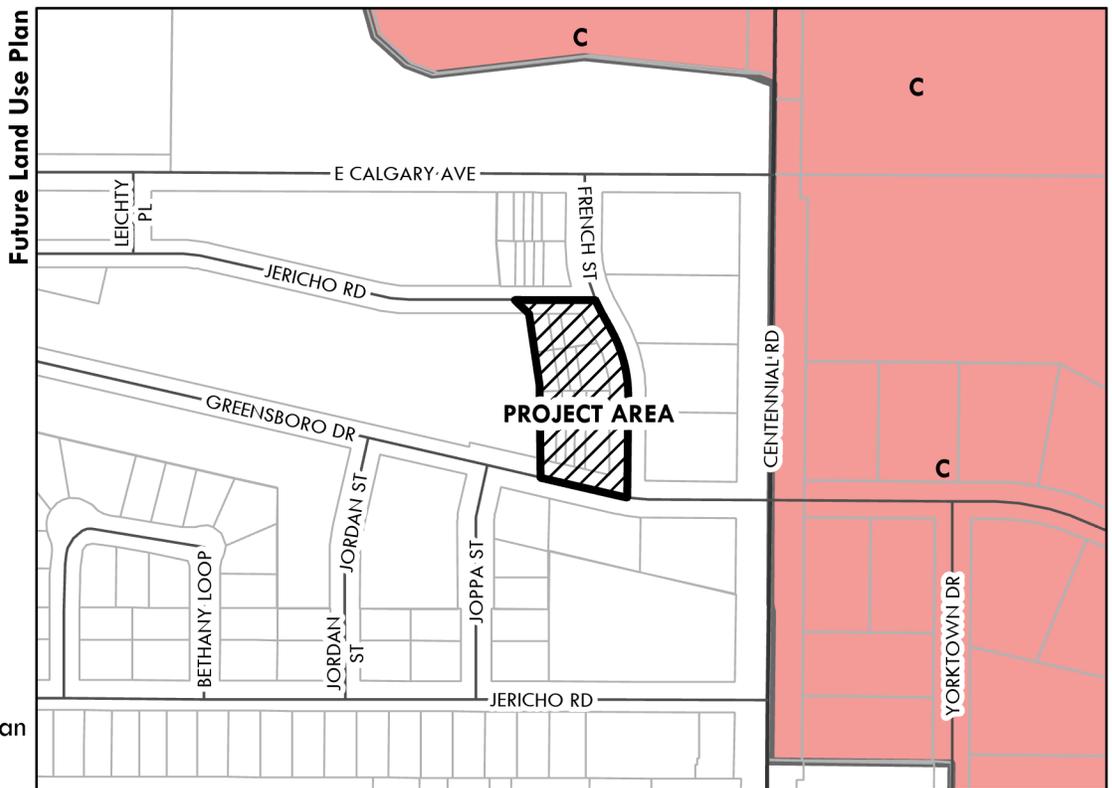
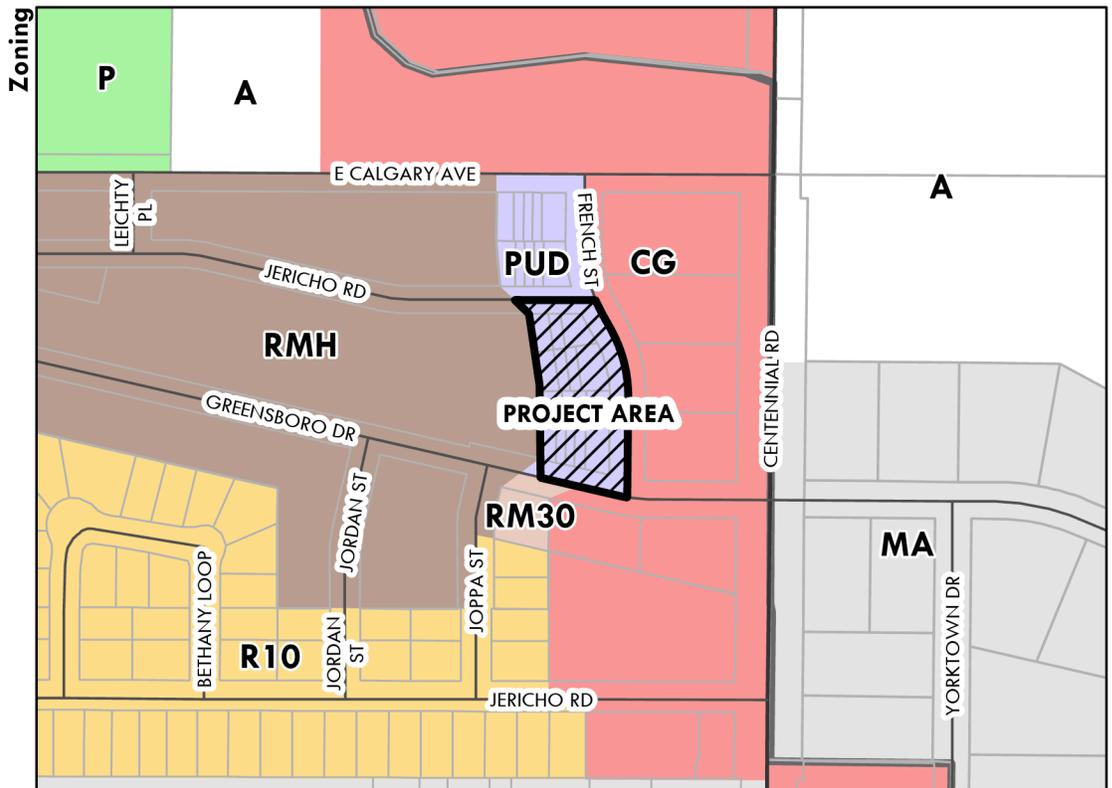
| | |
|------------|-------------------------------|
| A | Agriculture |
| RR | Rural |
| R5 | Residential |
| RMH | Manufactured Home Residential |
| R10 | Residential |
| RM | Residential Multifamily |
| RT | Residential (Offices) |
| HM | Health and Medical |
| CA | Commercial |
| CG | Commercial |
| MA | Industrial |
| MB | Industrial |
| PUD | Planned Unit Development |
| DC | Downtown Core |
| DF | Downtown Fringe |

Future Land Use Plan

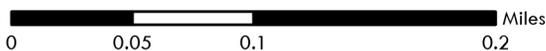
| | |
|----------------|--------------------------------------|
| CONSRV | Conservation |
| BP | Business Park |
| C | Commercial |
| C/MU | Commercial/Mixed Use |
| CIVIC | Civic |
| HDR | High Density Residential |
| I | Industrial |
| LDR | Low Density Residential |
| MDR | Medium Density Residential |
| MDR-/MU | Medium Density Residential/Mixed Use |
| O/MU | Office/Mixed Use |
| RR-C | Clustered Rural Residential |
| RR | Standard Rural Residential |
| UR | Urban Reserve |

Fringe Area Road Master Plan

- ● ● Future Arterial Road
- ■ ■ Future Collector Road



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City of Bismarck
Community Development Dept.
Planning Division
July 17, 2020



SWENSON, HAGEN & CO. P.C.

civil engineering . surveying . land planning . hydrology
landscape & site design . construction management

STONERIDGE ADDITION SECOND REPLAT

Request for Stoneridge PUD zoning change

Verity Homes of North Dakota is proposing to develop approximately 1.7 acres located west of French Street, North of Greensboro Drive, and south of Jericho Road. The area is currently platted as Stoneridge Addition First Replat.

Verity Homes is considering developing the property into a residential development with 2 eight-unit rowhouse structures, 2 story homes with garages, platted as individual lots

The projected density of the area will not change, as the existing PUD & plat allows for 16 units to be constructed.

Vehicle access for the buildings will be provided through an access easement on the west side of the lot, to be maintained by the Home Owners' Association. Garage doors will not face the public right-of-way, allowing for better aesthetics along the east property line.

Additional parking for the subdivision will be provided along the landscape buffer on the west side of the property.

The request also includes a variation in setback requirements, namely 0' setbacks off of the private access easement & 6' side yard setbacks on the lot line common to both buildings, (Lots 8 & 9 Block 1 of the replat).

The building setback adjacent to public rights-of-way will remain at 25'.

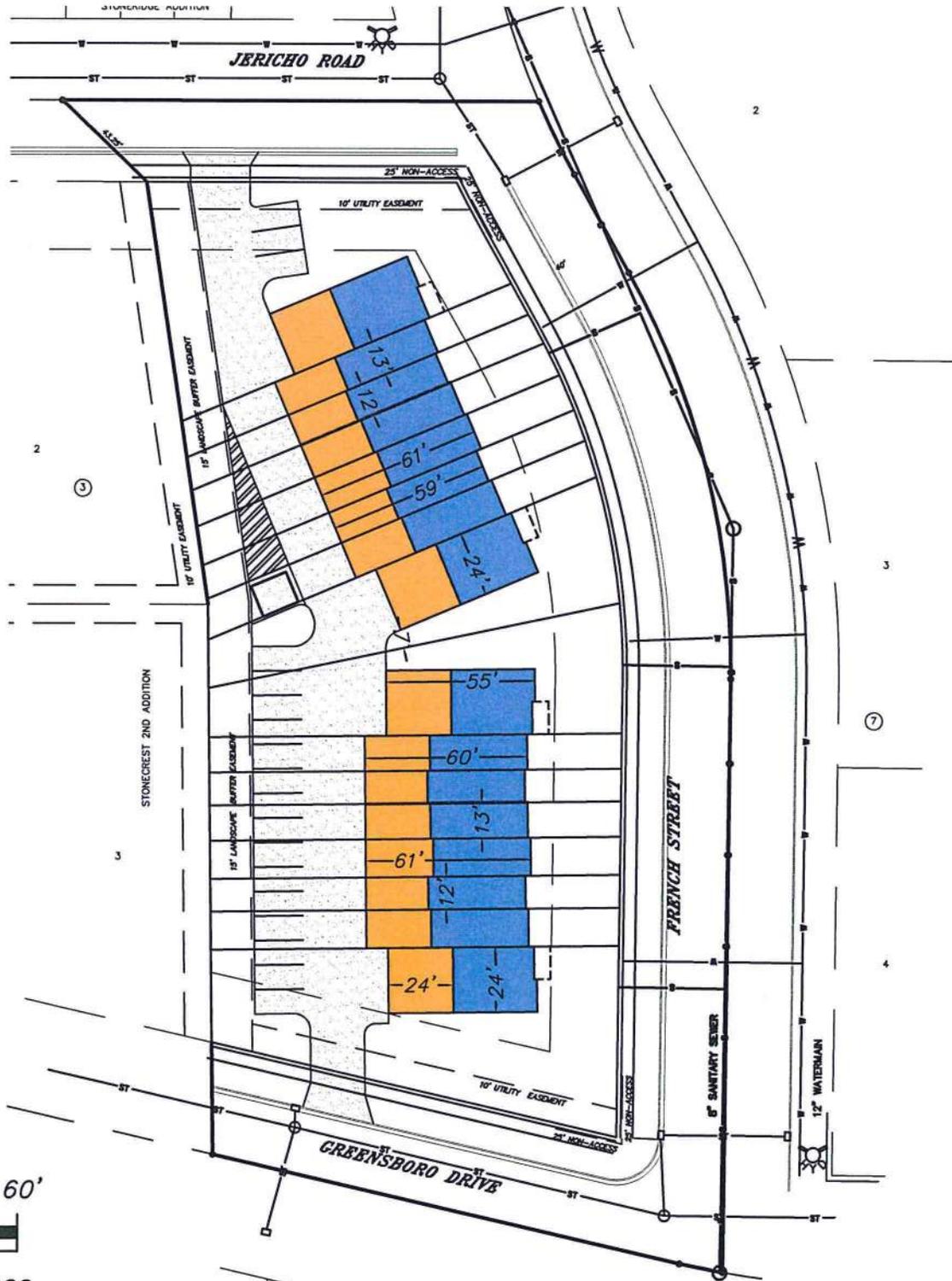
Lot size minimums shall be:

Lot width—12'

Lot Area—1700 SF

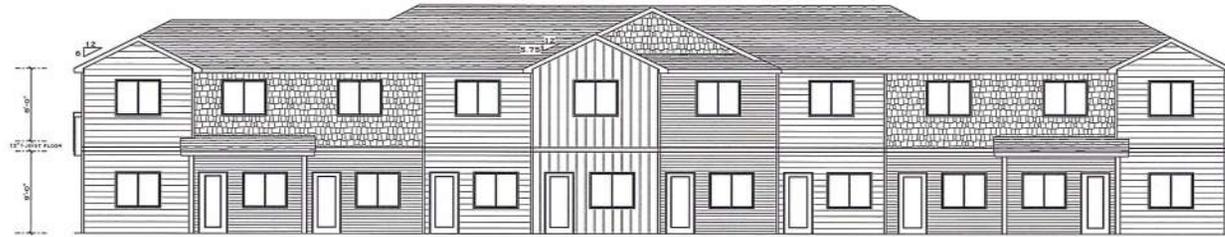
See site plan for PUD specifics.

STONERIDGE ADDITION SECOND REPLAT PUD SITE PLAN



JUNE 18, 2020
SCALE 1" = 60'

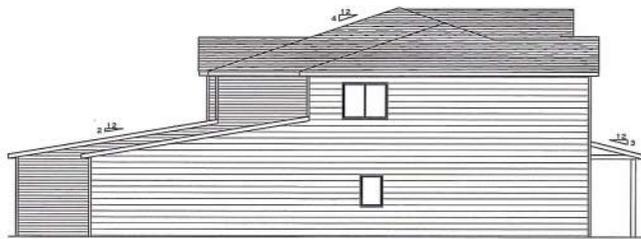
1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
 2. FINISH GRADE SHALL BE INDICATED BY A DASHED LINE.
 3. ALL ROOFS SHALL BE 12/12 UNLESS NOTED OTHERWISE.
 4. ALL WINDOWS AND DOORS SHALL BE 6'0" HIGH UNLESS NOTED OTHERWISE.
 5. ALL EXTERIOR WALLS SHALL BE 8" CMU UNLESS NOTED OTHERWISE.
 6. ALL INTERIOR WALLS SHALL BE 5/8" GYP BOARD UNLESS NOTED OTHERWISE.
 7. ALL FLOORS SHALL BE 4" CONCRETE ON 2" GYP BOARD UNLESS NOTED OTHERWISE.
 8. ALL CEILING SHALL BE 5/8" GYP BOARD UNLESS NOTED OTHERWISE.
 9. ALL ROOFING SHALL BE 1/2" ASPHALT/FLUTE SHINGLES ON 1" OSB UNLESS NOTED OTHERWISE.
 10. ALL EXTERIOR FINISHES SHALL BE AS NOTED ON THE SPECIFICATIONS.
 11. ALL INTERIOR FINISHES SHALL BE AS NOTED ON THE SPECIFICATIONS.
 12. ALL UTILITIES SHALL BE AS NOTED ON THE SPECIFICATIONS.
 13. ALL MECHANICAL SYSTEMS SHALL BE AS NOTED ON THE SPECIFICATIONS.
 14. ALL ELECTRICAL SYSTEMS SHALL BE AS NOTED ON THE SPECIFICATIONS.
 15. ALL PAINT SHALL BE AS NOTED ON THE SPECIFICATIONS.
 16. ALL HARDWARE SHALL BE AS NOTED ON THE SPECIFICATIONS.
 17. ALL SCHEDULES SHALL BE AS NOTED ON THE SPECIFICATIONS.
 18. ALL NOTES SHALL BE AS NOTED ON THE SPECIFICATIONS.
 19. ALL DIMENSIONS SHALL BE TO FACE UNLESS NOTED OTHERWISE.
 20. ALL FINISH GRADES SHALL BE INDICATED BY A DASHED LINE.



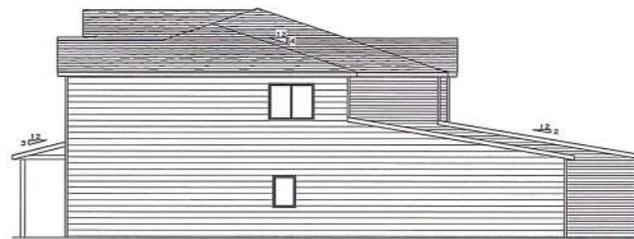
FRONT ELEVATION



REAR ELEVATION



LEFT ELEVATION



RIGHT ELEVATION

FRONT STREET MILLWORK & LUMBER INC.
 3320 E. CENERY AVE. - BISMARCK, ND 58505
 PHONE: 701.223.0500
 MARCIE@FRONTSTREETMILLWORK.COM

VERITY HOMES
 VEH-STONE RIDGE RENTALS 2018

DRAWN BY: MARCIE FRANKLUND
 DATE: OCTOBER 6, 2017
 REVISIONS:
 WEDNESDAY, JANUARY 16, 2019

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



STAFF REPORT

City of Bismarck
Community Development Department
Planning Division

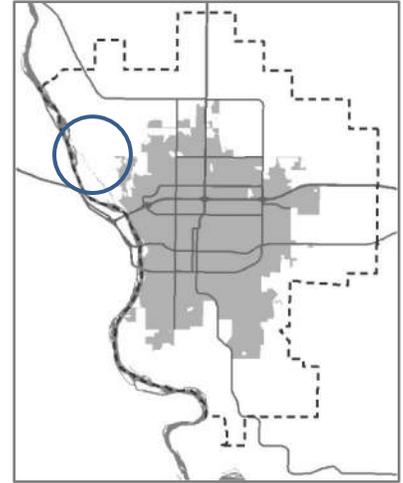
Agenda Item # 3
July 22, 2020

Application for: Zoning Change

TRAKiT Project ID: ZC2020-009

Project Summary

| | |
|-------------------------|---|
| Title: | Lot 1, Block 1, Pat's Acres and Auditor's Lots A, B and C of the NE 1/4 of the NE 1/4 of Section 14 T139N-R80W/Hay Creek Township |
| Status: | Planning & Zoning Commission – Consideration |
| Owner(s): | Chase and Toni Dauenhauer |
| Project Contact: | Chase Dauenhauer |
| Location: | Northwest of Bismarck, west of River Road, along the south side of Burnt Creek Loop |
| Project Size: | 33.25 acres |
| Request: | Rezone property to allow for seasonal commercial recreation uses in addition to existing rural residential and agricultural uses. |



Site Information

Existing Conditions

Proposed Conditions

| | | | |
|--|---|--|--|
| Number of Lots: | 4 parcels | Number of Lots: | 4 parcels |
| Land Use: | Rural residential and agricultural | Land Use: | Agricultural and seasonal commercial recreation uses |
| Designated GMP Future Land Use: | Conventional Rural Residential | Designated GMP Future Land Use: | Conventional Rural Residential |
| Zoning: | A – Agricultural RR – Residential | Zoning: | PUD – Planned Unit Development |
| Uses Allowed: | A – Agriculture RR – Large lot single-family residential and limited agriculture | Uses Allowed: | PUD – Uses specified in PUD |
| Max Density Allowed: | A – 1 unit / 40 acres RR – 1 unit per 65,000 square feet | Max Density Allowed: | PUD – Density specified in PUD |

Property History

| | | | | | |
|---------------|--------------------|-----------------|--------------------|-----------------|-----|
| Zoned: | Pat's Acres 9/2004 | Platted: | Pat's Acres 1/1988 | Annexed: | N/A |
|---------------|--------------------|-----------------|--------------------|-----------------|-----|

Staff Analysis

Chase and Toni Dauenhauer are requesting approval of a zoning change from the A – Agricultural and RR – Residential zoning districts to a PUD – Planned Unit Development zoning district for Lot 1, Block 1, Pat’s Acres and Auditor’s Lots A, B and C of the NE 1/4 of the NE 1/4 of Section 14 T139N-R80W/Hay Creek Township.

Adjacent uses include agricultural uses to the north and east; rural residential, agricultural and seasonal commercial recreation uses to the south; and rural residential uses to the west.

The proposed Planned Unit Development would allow the continued use of the properties as agricultural and rural residential uses and also allow for seasonal commercial recreation uses. Aspects of the commercial recreation uses could include concessions and sales of event-themed merchandise as well as occasional uses of the property for short events such as family reunions, weddings, planting events, company picnics, fundraising events, church events, equine events, training, demonstrations, boarding, horse drawn rides, and riding lessons.

Commercial recreational uses are only allowed in the CG – Commercial and MA – Industrial zoning districts. None of these zoning districts would be appropriate in this location because of the intensity of the other permitted uses within those districts; therefore, the PUD is being proposed to address seasonal commercial recreational uses.

Portions of the property are not platted. If future buildings will be constructed to support any of the proposed uses, all of the property would need to be platted. All access to the property and the proposed uses will be from Burnt Creek Loop. If additional access points are desired to serve the new proposed uses, the applicant will need to obtain approval of the same from Burleigh County.

Required Findings of Fact (relating to land use)

1. The proposed zoning change does not generally conform to the Future Land Use Plan in the 2014 Growth Management Plan, as

amended, but because of the seasonal nature of the commercial recreation uses, the proposed zoning change would be consistent with the Future Land Use Plan which identifies the long-term use of the land as rural residential;

2. The proposed zoning change is compatible with adjacent land uses and zoning;
3. The City of Bismarck and/or other agencies would be able to provide necessary public services, facilities and programs to serve any development allowed by the new zoning classification at the time the property is developed;
4. The Hay Creek Township Board of Supervisors has recommended approval of the proposed zoning change;
5. The proposed zoning change is justified by a change in conditions since the previous zoning classification was established or by an error in the zoning map;
6. The zoning change is in the public interest and is not solely for the benefit of a single property owner;
7. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance;
8. The proposed zoning change is consistent with the master plan, other adopted plans, policies and accepted planning practice; and
9. The proposed zoning change would not adversely affect the public health, safety, and general welfare.

Staff Recommendation

Based on the above findings, staff recommends scheduling a public hearing for the zoning change from the A – Agricultural and RR – Residential zoning district to a PUD – Planned Unit Development zoning district for Lot 1, Block 1, Pat’s Acres and Auditor’s Lots A, B and C of the NE 1/4 of the NE 1/4 of Section 14 T139N-R80W/Hay Creek Township.

(continued)

Attachments

1. Location Map
 2. Aerial Map
 3. Zoning and Plan Reference Map
-

Staff report prepared by: Will Hutchings, Planner

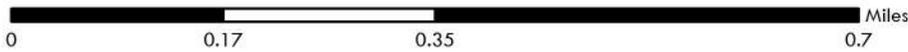
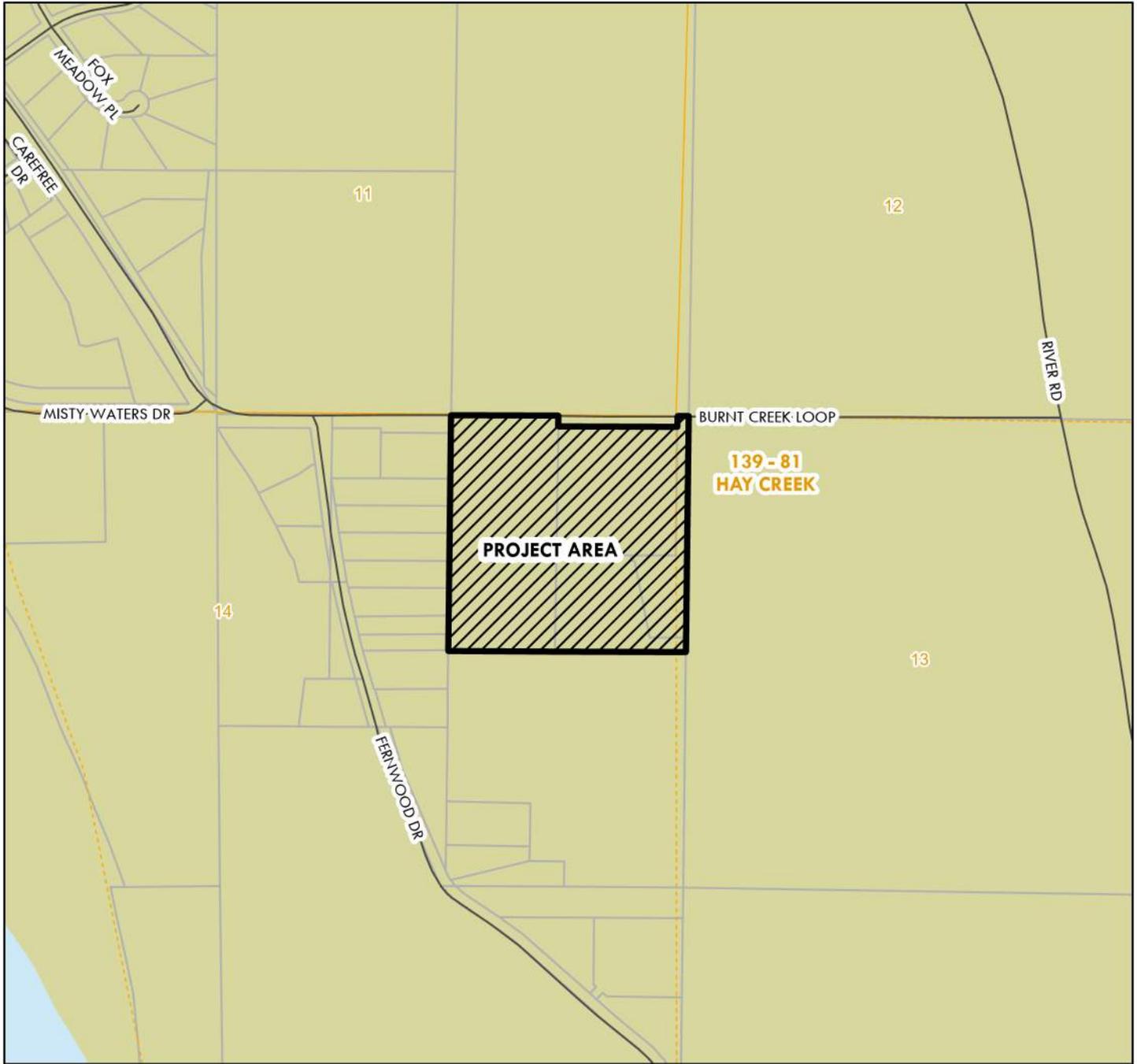
701-355-1850 | whutchings@bismarcknd.gov



Location Map

ZC2020-009

PATS ACRES, L1, B1; PT SEC 14 HAY CREEK TWP

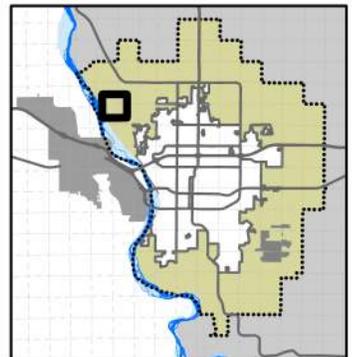


-  Bismarck ETA Jurisdiction
-  County Outside ETA

Section, township, and range indicated in orange

City of Bismarck
 Community Development Department
 Planning Division
 June 26, 2020 (HLB)

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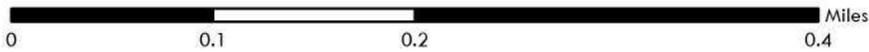




Aerial Map

ZC2020-009

PATS ACRES, L1, B1; PT SEC 14 HAY CREEK TWP

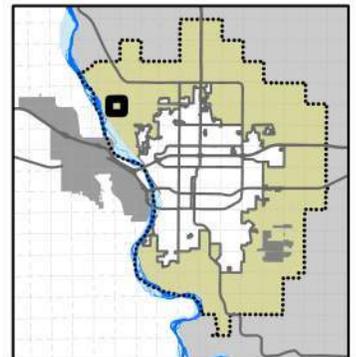


 Bismarck ETA Jurisdiction

Aerial Imagery from 2019

City of Bismarck
Community Development Department
Planning Division
July 15, 2020

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.





Zoning and Plan Reference Map

PATS ACRES, L1, B1; PT SEC 14 HAY CREEK TWP

ZC2020-009

Zoning Districts

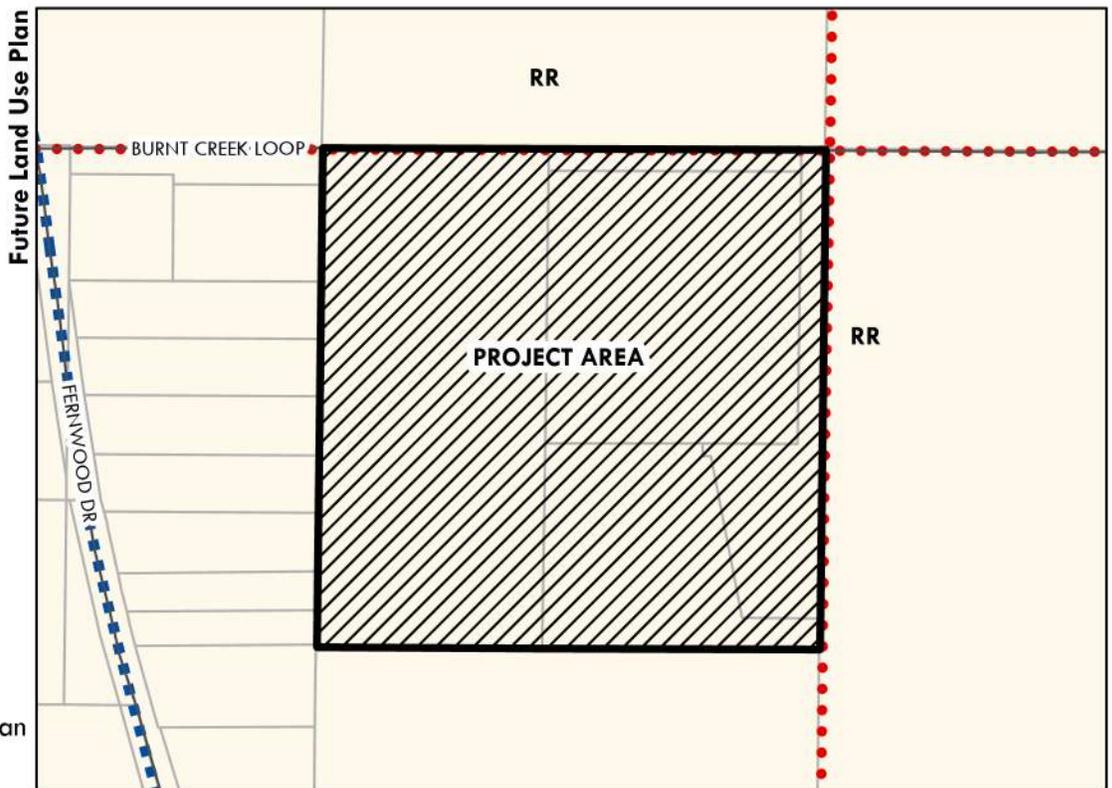
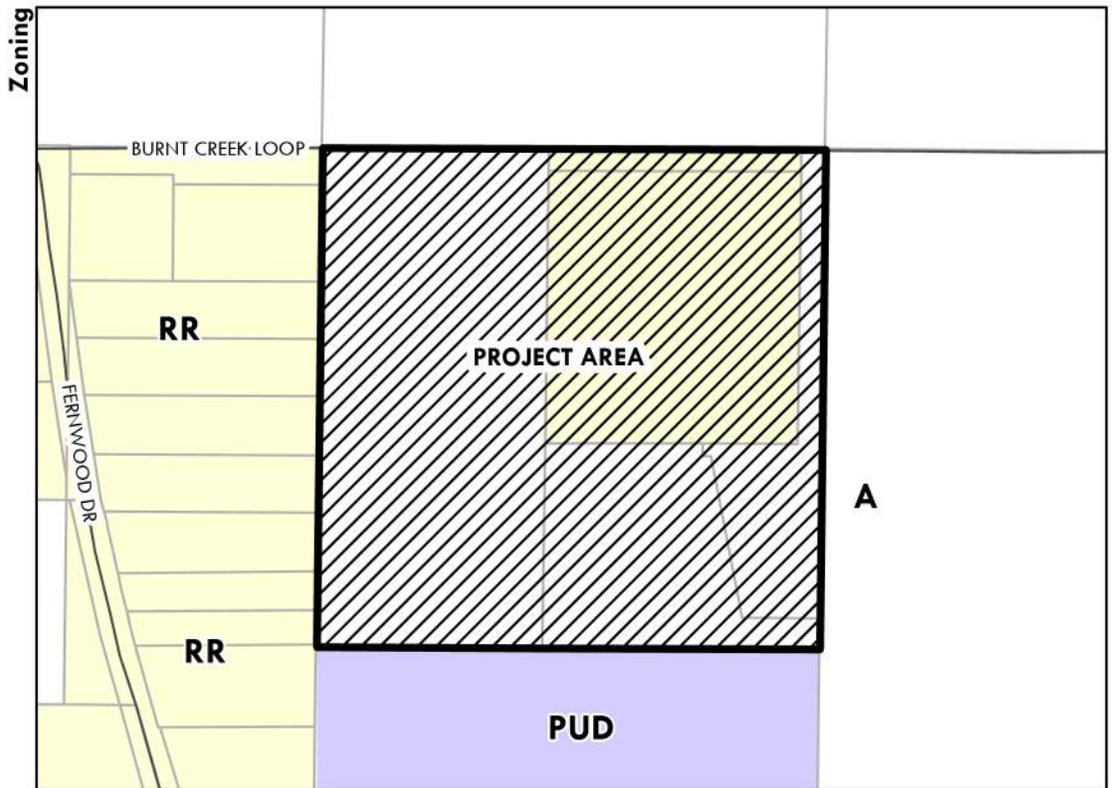
| | |
|------------|-------------------------------|
| A | Agriculture |
| RR | Rural Residential |
| R5 | Residential |
| RMH | Manufactured Home Residential |
| R10 | Residential |
| RM | Residential Multifamily |
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| HM | Health and Medical |
| CA | Commercial |
| CG | Commercial |
| MA | Industrial |
| MB | Industrial |
| PUD | Planned Unit Development |
| DC | Downtown Core |
| DF | Downtown Fringe |

Future Land Use Plan

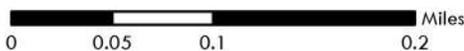
| | |
|----------------|--------------------------------------|
| CONSRV | Conservation |
| BP | Business Park |
| C | Commercial |
| C/MU | Commercial/Mixed Use |
| CIVIC | Civic |
| HDR | High Density Residential |
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| MDR-/MU | Medium Density Residential/Mixed Use |
| O/MU | Office/Mixed Use |
| RR-C | Clustered Rural Residential |
| RR | Standard Rural Residential |
| UR | Urban Reserve |

Fringe Area Road Master Plan

- Future Arterial Road
- ■ ■ Future Collector Road



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City of Bismarck
Community Development Dept.
Planning Division
July 15, 2020



STAFF REPORT

City of Bismarck
 Community Development Department
 Planning Division

Agenda Item #4

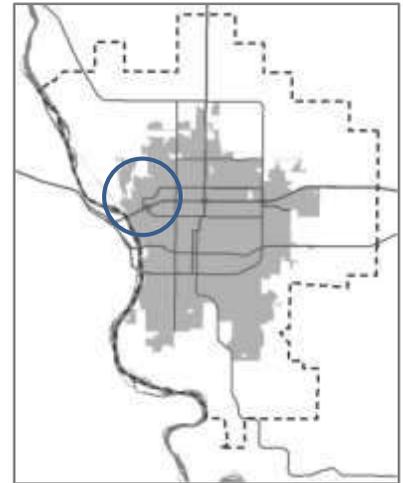
July 22, 2020

Application for: Zoning Change

TRAKiT Project ID: ZC2020-004

Project Summary

| | |
|-------------------------|--|
| Title: | Parts of the S½ of Section 19 & the N½ of Section 30, T139N-R80W/Hay Creek Township & City Lands |
| Status: | Planning & Zoning Commission – Public Hearing (Continued) |
| Owner(s): | Clairmont Family Trust |
| Project Contact: | Landon Niemiller, Swenson, Hagen & Co. |
| Location: | In northwest Bismarck, north of Burnt Boat Drive between Clairmont Road and Tyler Parkway |
| Project Size: | 116.45 Acres |
| Request: | Rezone an area to P – Public for future use as park and conservation area |



Site Information

| Existing Conditions | | Proposed Conditions | |
|-----------------------------|--|-----------------------------|---|
| Number of Lots: | 13 parcels | Number of Lots: | 13 parcels |
| Land Use: | Undeveloped | Land Use: | Park and Conservation Area |
| Designated GMP | Conservation | Designated GMP | Conservation |
| Future Land Use: | | Future Land Use: | |
| Zoning: | A – Agricultural R5 – Residential R10 – Residential RM30 – Residential RT – Residential | Zoning: | P – Public Use |
| Uses Allowed: | A – Agriculture R5 – Single-family residential R10 – Single and two-family residential RM30 – Multi-family residential RT – Offices and multi-family residential | Uses Allowed: | P – Parks, open space, stormwater facilities, and other public uses |
| Max Density Allowed: | A – 1 unit / 40 acres R5 – 5 units / acre R10 – 10 units / acre RM30 – 30 units / acre RT – 30 units / acre | Max Density Allowed: | P – N/A |

Property History

| | | |
|---|--|---------------------------------|
| <p>Zoned: 02/1985 (RT and RM30) 05/1996 (R5) 01/1999 (A) 04/1999 (R5) 11/1999 (R10)</p> | <p>Platted: 02/1985 (Country West V)</p> | <p>Annexed: Pre-1980 (part)</p> |
|---|--|---------------------------------|

Staff Analysis

The Clairmont Family Trust is requesting approval of a zoning change from the A – Agricultural, R5 – Residential, R10 – Residential, RM30 – Residential and RT – Residential zoning districts to the P – Public zoning district for parts of the S½ of Section 19 and the N½ of Section 30, T139N-R80W/Hay Creek Township and City Lands, as shown on the attached location map.

The Planning and Zoning Commission considered this request at their meeting of May 27, 2020 and held a public hearing on June 24. The hearing was continued upon recommendation from staff because of an error in the location map, which impacted the neighbor notification process.

The public has been duly notified of this request. A notice was published in the Bismarck Tribune on June 12th and June 19th, and an additional 186 letters were mailed to the owners of nearby properties on July 10th.

The proposed final use of this land is a park and conservation area. After rezoning, the property would be transferred to another party for installation and dedication of this use.

Adjacent uses include single and two-family residential to the north, east, and west, and commercial and office uses to the south and southeast. The area proposed for rezoning is all low-lying land within Tyler Coulee.

The Future Land Use Plan in the 2014 Growth Management Plan, as amended, identifies the majority of this area as Conservation. This request for rezoning conforms to the Future Land Use Plan.

The southeast part of this area has been annexed, but the northern majority of the land has not. The entire area is surrounded by city limits. It is anticipated that a

future owner will seek to combine the land with a plat and annexation prior to final disposition of the land.

The southern portion of this area had been zoned and annexed for residential use, but was detached from the city limits and rezoned back to the A – Agricultural zoning district in 1999.

Required Findings of Fact (relating to land use)

1. The proposed zoning change generally conforms to the Future Land Use Plan in the 2014 Growth Management Plan, as amended;
2. The proposed zoning change is compatible with adjacent land uses and zoning;
3. The City of Bismarck and/or other agencies would be able to provide necessary public services, facilities and programs to serve any development allowed by the new zoning classification at the time the property is developed;
4. The proposed zoning change is justified by a change in conditions since the previous zoning classification was established or by an error in the zoning map;
5. The zoning change is in the public interest and is not solely for the benefit of a single property owner;
6. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance;
7. The proposed zoning change is consistent with the master plan, other adopted plans, policies and accepted planning practice; and
8. The proposed zoning change would not adversely affect the public health, safety, and general welfare.

(continued)

Staff Recommendation

Based on the above findings, staff recommends approval of the zoning change from the A – Agricultural, R5 – Residential, R10 – Residential, RM30 – Residential and RT – Residential zoning districts to the P – Public zoning district for parts of the S½ of Section 19 and the S½ of Section 30, T139N-R80W/Hay Creek Township and City Lands, as shown on the attached location map.

Attachments

1. Location Map
2. Aerial Map
3. Zoning and Plan Reference Map
4. List of all Parcels in Rezoning

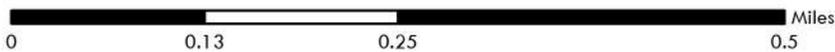
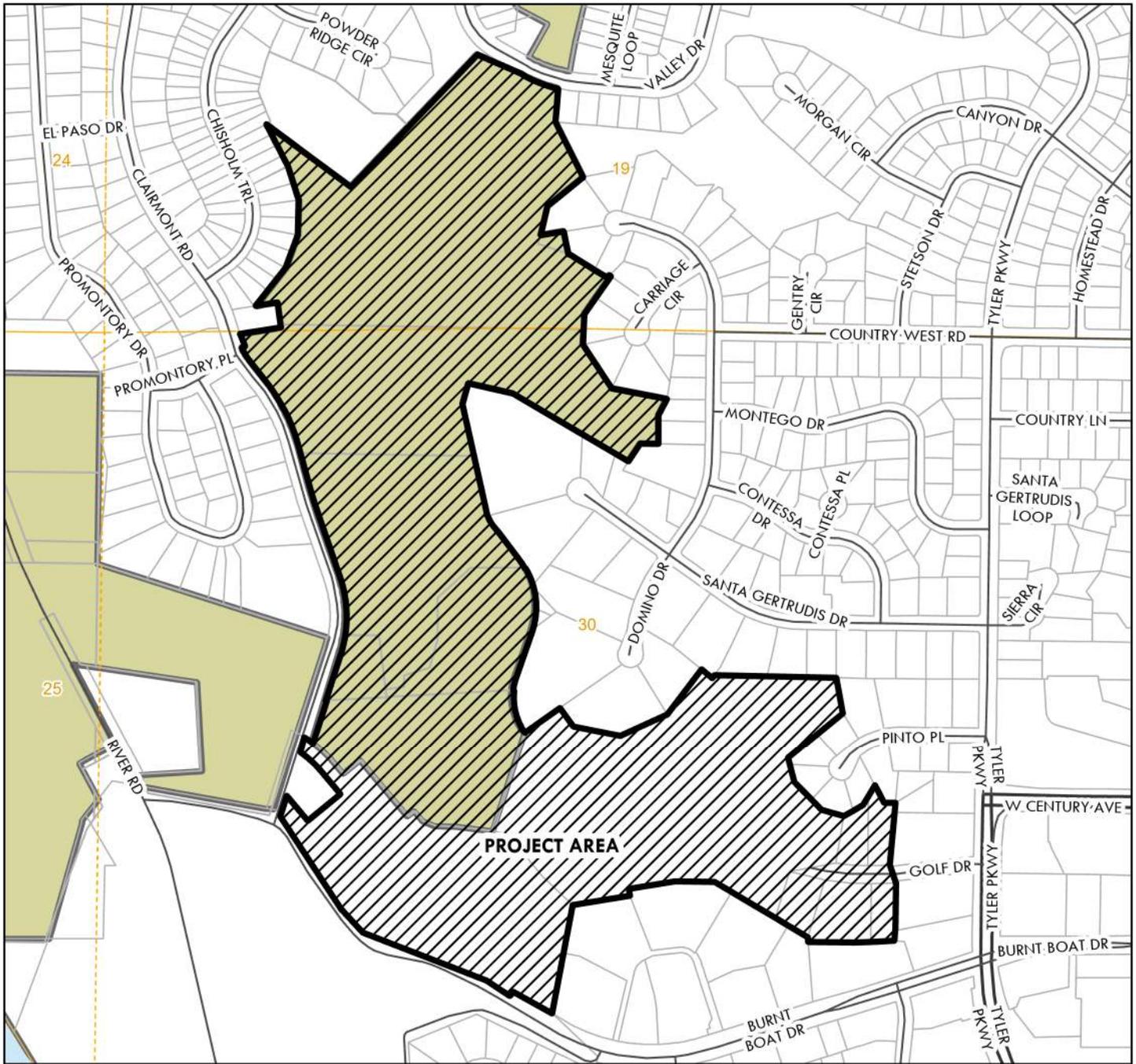
Staff report prepared by: Daniel Nairn, AICP, Planner
701-355-1854 | dnairn@bismarcknd.gov



Location Map

HAY CREEK TOWNSHIP, PT SEC 19 & 30

ZC2020-004

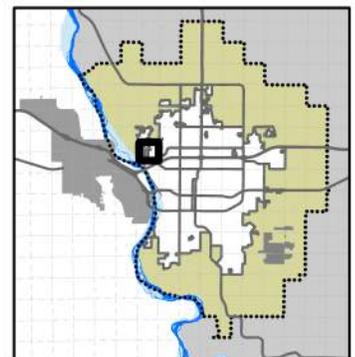


- City Limits
- Bismarck ETA Jurisdiction
- County Outside ETA

Section, township, and range indicated in orange

City of Bismarck
 Community Development Department
 Planning Division
 July 9, 2020 (HLB)

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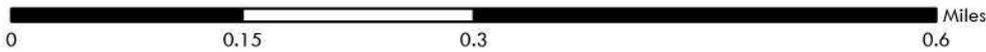
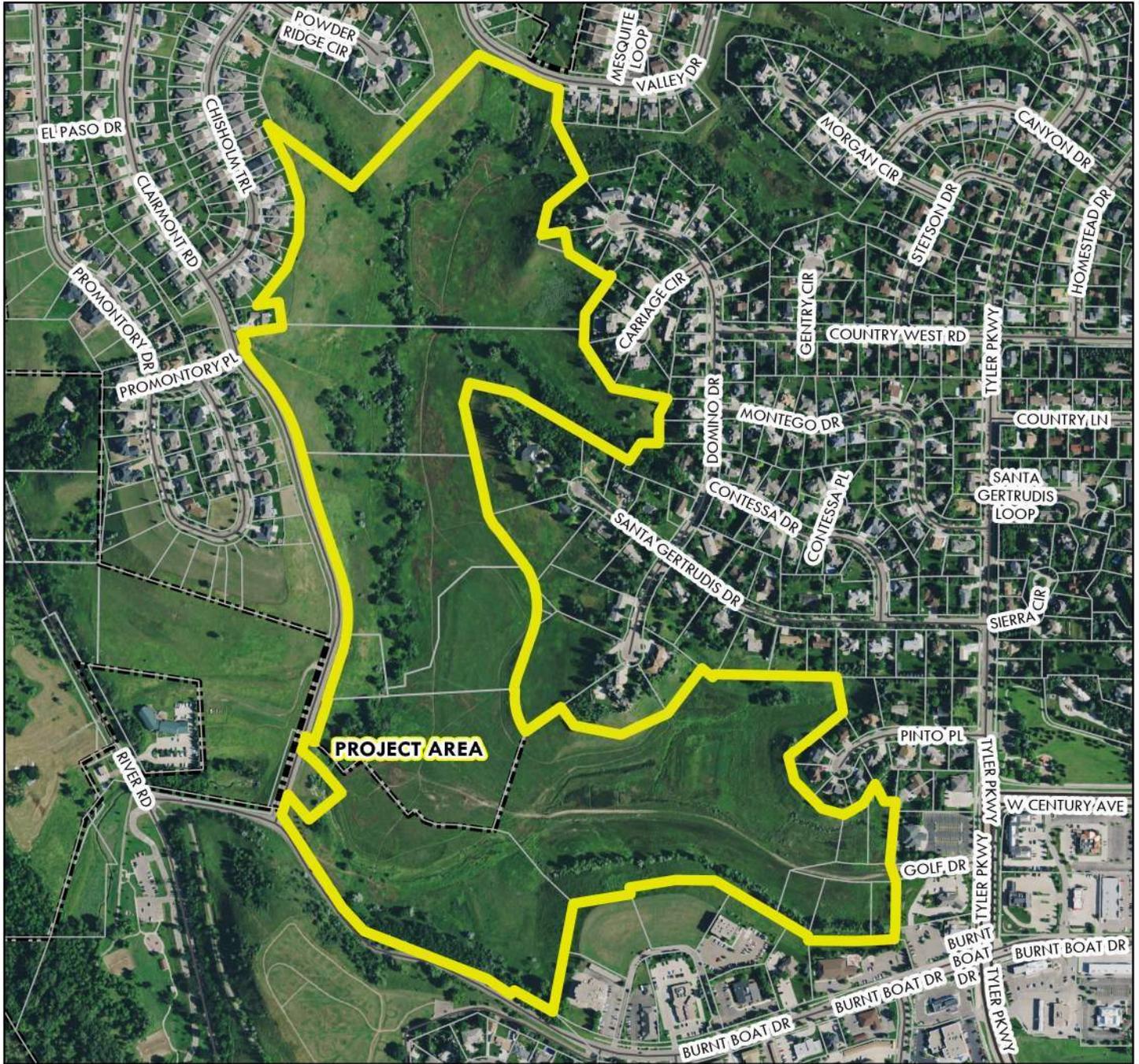




Aerial Map

HAY CREEK TOWNSHIP, PT SEC 19 & 30

ZC2020-004

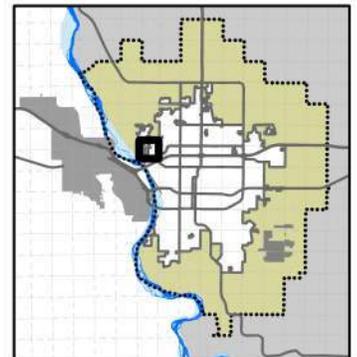


 City Limits  Bismarck ETA Jurisdiction

Aerial Imagery from 2019

City of Bismarck
 Community Development Department
 Planning Division
 July 15, 2020

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Zoning and Plan Reference Map

ZC2020-004

HAY CREEK TOWNSHIP, PT SEC 19 & 30

Zoning Districts

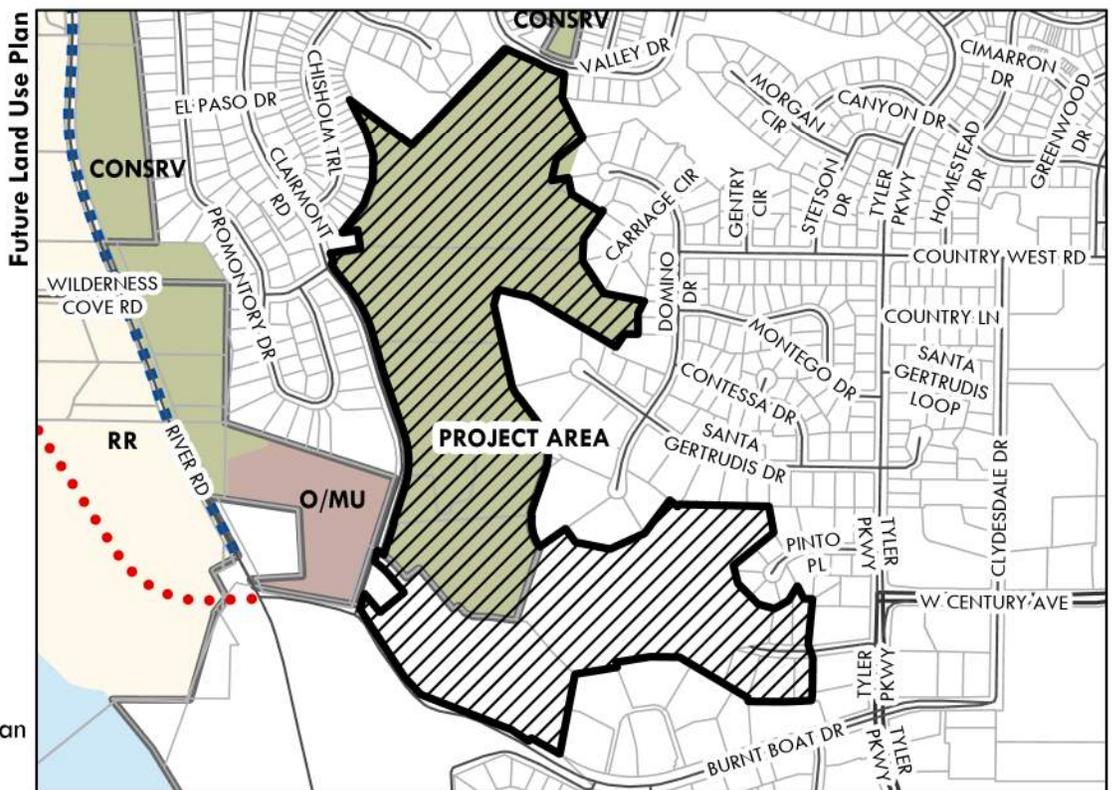
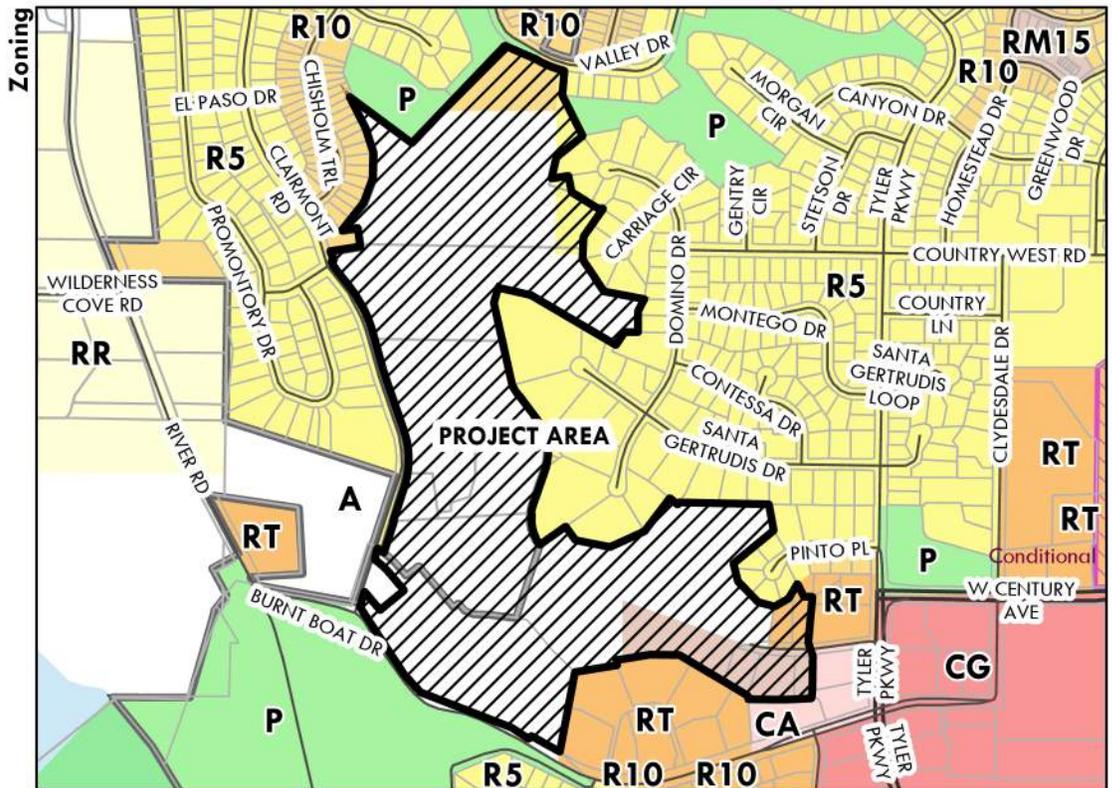
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| R10 | Residential |
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| DF | Downtown Fringe |

Future Land Use Plan

| | |
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| CONSRV | Conservation |
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| C/MU | Commercial/Mixed Use |
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Fringe Area Road Master Plan

- Future Arterial Road
- ■ ■ Future Collector Road



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City of Bismarck
Community Development Dept.
Planning Division
July 15, 2020

Zoning change parcel #s:

Parcels:

31-139-80-000-19-620

31-139-80-00-30-420

31-139-80-00-30-410

31-139-80-00-30-414

31-139-80-00-30-400

31-139-80-00-30-412

0160-030-180

0160-030-175

0926-002-150 (Lots 3 & 4 Block 2 Country West V, less parts)

0926-002-200 (Lot 5 Block 3 & N 7' Vacated ROW Country West V)

0926-003-150 (Lot 4 Block 3 & S 7' Vacated ROW Country West V)

0926-003-100 (Lot 3 Block 3 & S 7' Vacated ROW Country West V)

0926-003-050 (Lot 2 Block 3 Country West V, less parts)



STAFF REPORT

City of Bismarck
Community Development Department
Planning Division

Agenda Item # 5

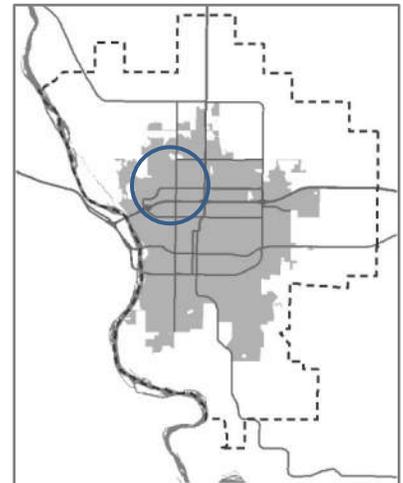
July 22, 2020

**Application for: Major Subdivision Final Plat
Zoning Change
Annexation**

TRAKiT Project ID: FPLT2020-008
ZC2020-003
ANNX2020-003

Project Summary

| | |
|-------------------------|--|
| Title: | Northern Sky Second Addition |
| Status: | Planning & Zoning Commission – Public Hearing |
| Owner(s): | Wilment Development, LLC |
| Project Contact: | Landon Niemiller, Swenson, Hagen & Co. |
| Location: | Northwest Bismarck, along the west side of North Washington Street and the north side of Ash Coulee Drive (a replat of Lot 2, Block 2, Northern Sky Addition and part of Lot 3, Block 1, Replat of Millennium Addition and part of Lot C-3 of the SE ¹ / ₄ of Section 17, T139N-R80W/Hay Creek Township) |
| Project Size: | 23.4 acres |
| Request: | Plat, zone, and partially annex property to allow the construction of Northern Sky Drive |



Site Information

| Existing Conditions | | Proposed Conditions | |
|--|---|--|---|
| Number of Lots: | 2 parcels | Number of Lots: | 3 lots in 3 blocks |
| Land Use: | Undeveloped | Land Use: | Residential/Office and Light Commercial |
| Designated GMP Future Land Use: | Already zoned. Not in Future Land Use Plan | Designated GMP Future Land Use: | Already zoned. Not in Future Land Use Plan |
| Zoning: | RT – Residential CA – Commercial | Zoning: | RT – Residential CA – Commercial |
| Uses Allowed: | RT – Offices and multi-family residential CA – Neighborhood commercial | Uses Allowed: | RT – Offices and multi-family residential CA – Neighborhood commercial |
| Max Density Allowed: | RT – 30 units / acre CA – 30 units / acre | Max Density Allowed: | RT – 30 units / acre CA – 30 units / acre |

Property History

| | | | | | |
|--------|---------|----------|---|----------|-----|
| Zoned: | 04/2015 | Platted: | 08/2012 (Northern Sky Add) 05/2003 (Millennium Add Replat) | Annexed: | N/A |
|--------|---------|----------|---|----------|-----|

Staff Analysis

Wilment Development, LLC is requesting approval of a zoning change from the RT – Residential and CA – Commercial zoning districts to the RT – Residential and CA – Commercial zoning districts, a major subdivision final plat for Northern Sky Second Addition and partial annexation.

The public has been duly notified of this request. A notice was published in the Bismarck Tribune on July 10, 2020 and July 17, 2020, and 29 letters were mailed to the owners of nearby properties on July 10, 2020.

Adjacent uses include offices and a convenience store with a filling station to the north, undeveloped property to the east across North Washington Street, developing neighborhood commercial and residential uses to the south across Ash Coulee Drive, and a City-owned water tower and Horizon Middle School to the west.

The proposed plat and zoning change would allow the owner to annex and construct the remainder of Northern Sky Drive to create a connection from Durango Drive to Ash Coulee Drive. The City Commission, at their regular meeting on February 25, 2020, approved a development agreement for the construction of Northern Sky Drive and the partial annexation of the proposed plat with the understanding that the developer shall file a petition for the annexation of all lots adjacent to Northern Sky Drive no later than 10 years from the executed development agreement.

The north half of Ash Coulee Drive adjacent to the proposed plat would also be annexed in conjunction with annexation of Northern Sky Drive.

The proposed zoning change will not be a substantial change compared to the current zoning but is required to ensure that each zoning district aligns with the proposed lots and right-of-way.

Utility Capital Charges

The creation of any new lots in the City of Bismarck is subject to utility capital charges for municipal utilities. Utility capital charges are due at the latter of three points; annexation and platting; water and sewer escrow; or petition for street improvement.

Required Findings of Fact (relating to land use)

Zoning Change

1. The proposed zoning change is in a developed area of the community and is outside of the Future Land Use Plan in the 2014 Growth Management Plan, as amended;
2. The proposed zoning change is compatible with adjacent land uses and zoning;
3. The City of Bismarck and/or other agencies would be able to provide necessary public services, facilities and programs to serve any development allowed by the new zoning classification at the time the property is developed;
4. The proposed zoning change is justified by a change in conditions since the previous zoning classification was established or by an error in the zoning map;
5. The zoning change is in the public interest and is not solely for the benefit of a single property owner;
6. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance;
7. The proposed zoning change is consistent with the master plan, other adopted plans, policies and accepted planning practice; and

- 8. The proposed zoning change would not adversely affect the public health, safety, and general welfare.

- 10. The proposed subdivision would not adversely affect the public health, safety and general welfare.

Final Plat

- 1. All technical requirements for approval of a final plat have been met;
- 2. The final plat generally conforms to the preliminary plat for the proposed subdivision that was tentatively approved by the Planning and Zoning Commission;
- 3. The proposed subdivision generally conforms to the 2014 Fringe Area Road Master Plan, as amended;
- 4. The City Engineer has conditionally approved the Post-Construction Stormwater Management Permit (PCSMP)
- 5. The proposed subdivision plat includes sufficient easements and rights-of-way to provide for orderly development and provision of municipal services beyond the boundaries of the subdivision.
- 6. The City of Bismarck and/or other agencies would be able to provide necessary public services, facilities and programs to serve any development allowed by the proposed subdivision at the time the property is developed;
- 7. The proposed subdivision is not located within the Special Flood Hazard Area (SFHA), also known as the 100-year floodplain, an area where the proposed development would adversely impact water quality and/or environmentally sensitive lands, or an area that is topographically unsuited for development;
- 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; and

Annexation

- 1. The City of Bismarck and/or other agencies would be able to provide necessary public services, facilities and programs to serve any development allowed by the annexation at the time the property is developed;
- 2. The proposed annexation is a logical and contiguous extension of the current corporate limits of the City of Bismarck;
- 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 accepted planning practice; and
- 5. The proposed annexation would not adversely affect the public health, safety and general welfare.

Staff Recommendation

Based on the above findings, staff recommends approval of a zoning change from the RT – Residential and CA – Commercial zoning districts zoning district to the RT – Residential and CA – Commercial zoning districts, final plat of Northern Sky Second Addition and the annexation of Northern Sky Drive and the north half of Ash Coulee Drive adjacent to Northern Sky Second Addition.

Attachments

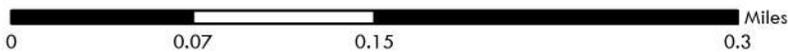
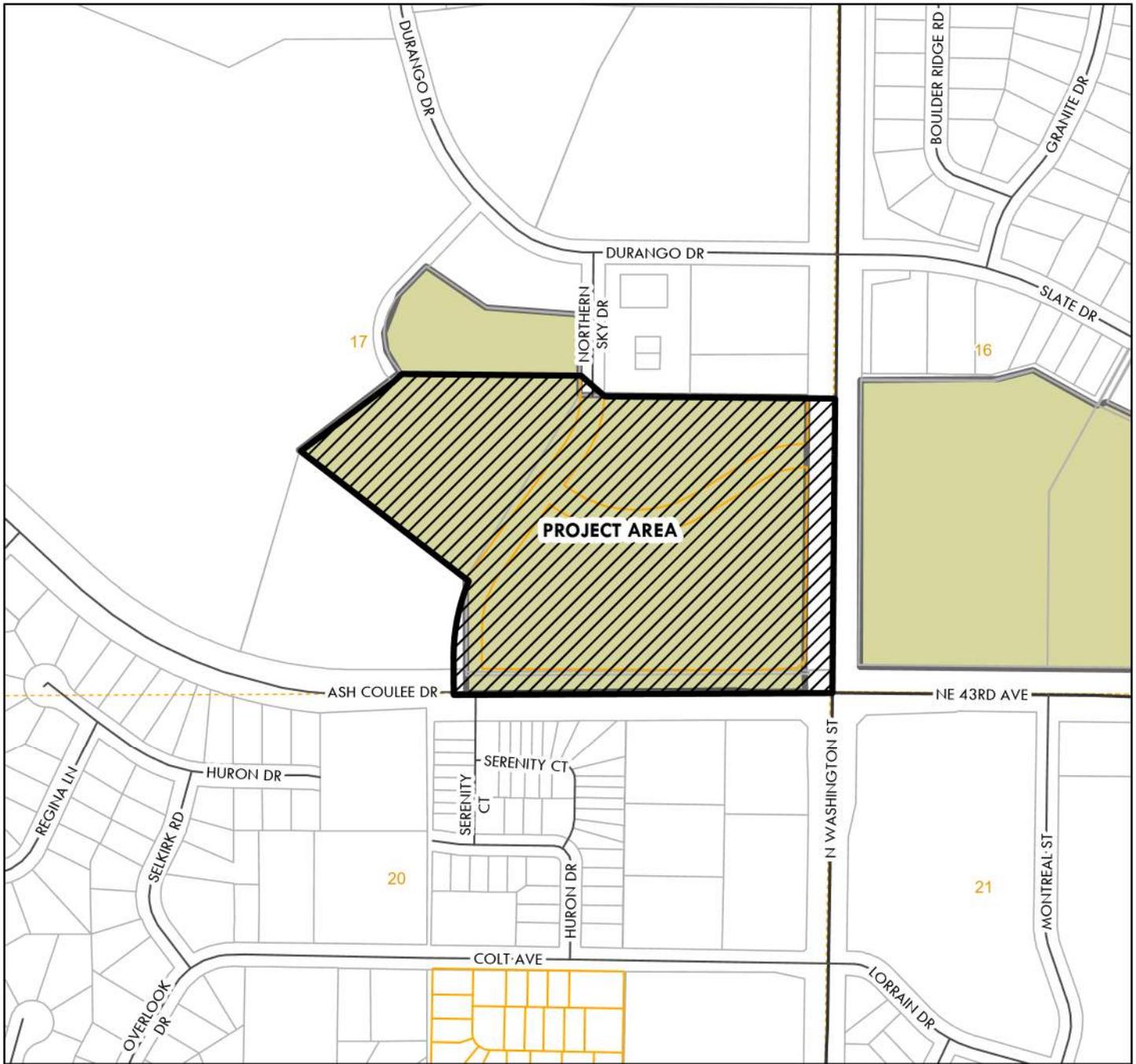
- 1. Location Map
- 2. Annexation Location Map
- 3. Aerial Map
- 4. Zoning and Plan Reference Map
- 5. Final Plat
- 6. Preliminary Plat

Staff report prepared by: Will Hutchings, Planner
701-355-1850 | whutchings@bismarcknd.gov



Location Map
NORTHERN SKY SECOND ADDITION

PPLT2020-002
ANNX2020-003
ZC2020-003
FPLT2020-008

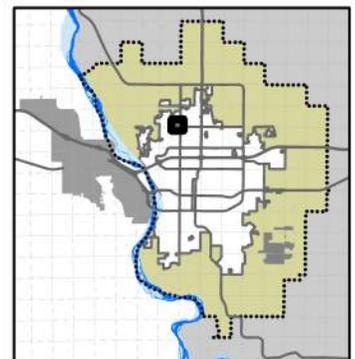


- City Limits
- County Outside ETA
- Bismarck ETA Jurisdiction
- Lots Pending Approval

Section, township, and range indicated in orange

City of Bismarck
Community Development Department
Planning Division
July 15, 2020 (HLB)

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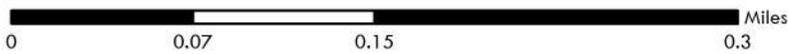
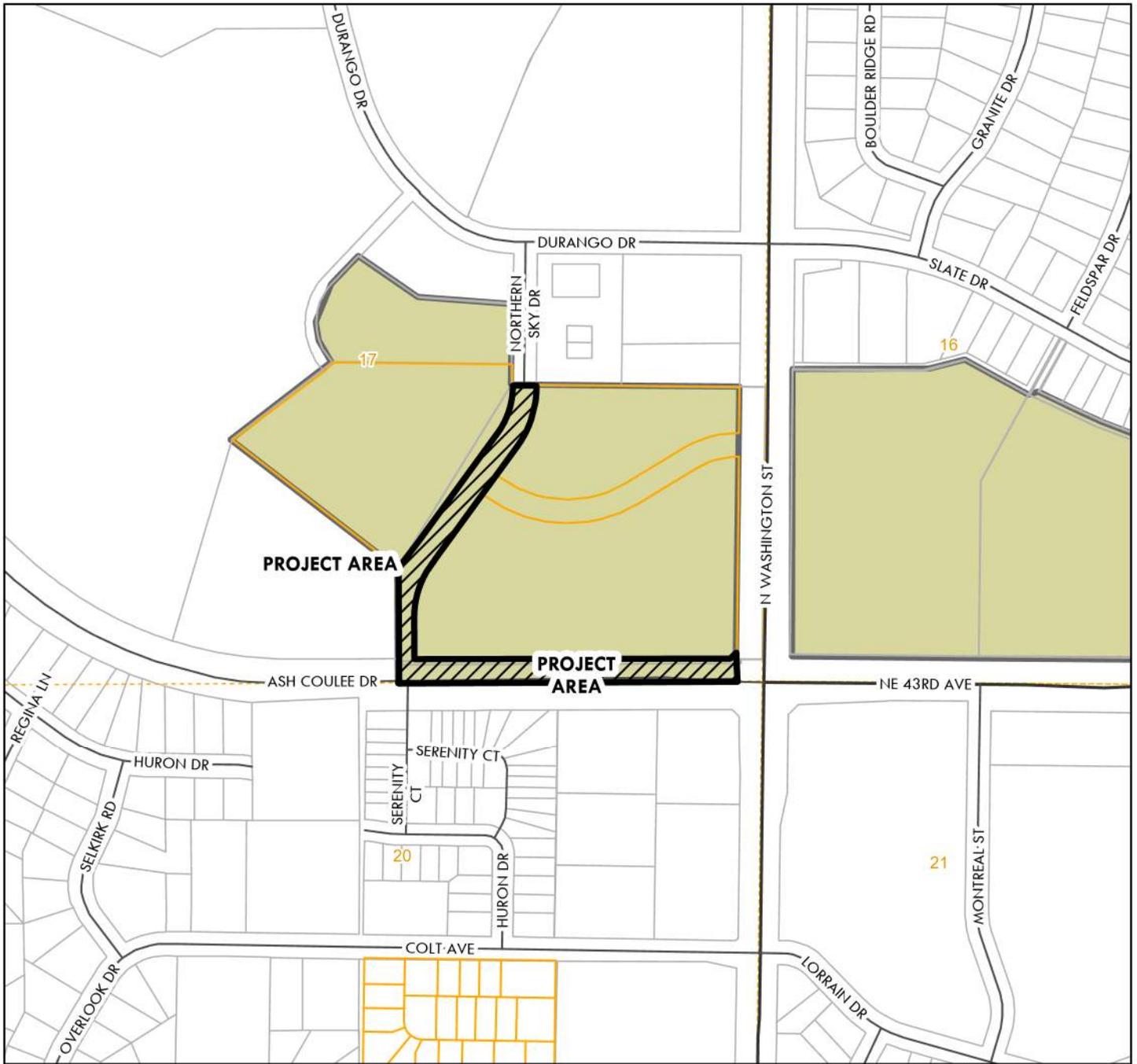




Location Map

ANNX2020-003

ANNEXATION
NORTHERN SKY SECOND ADDITION

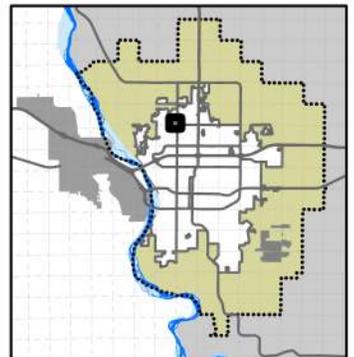


- City Limits
- County Outside ETA
- Bismarck ETA Jurisdiction
- Lots Pending Approval

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City of Bismarck
Community Development Department
Planning Division
July 15, 2020 (HLB)

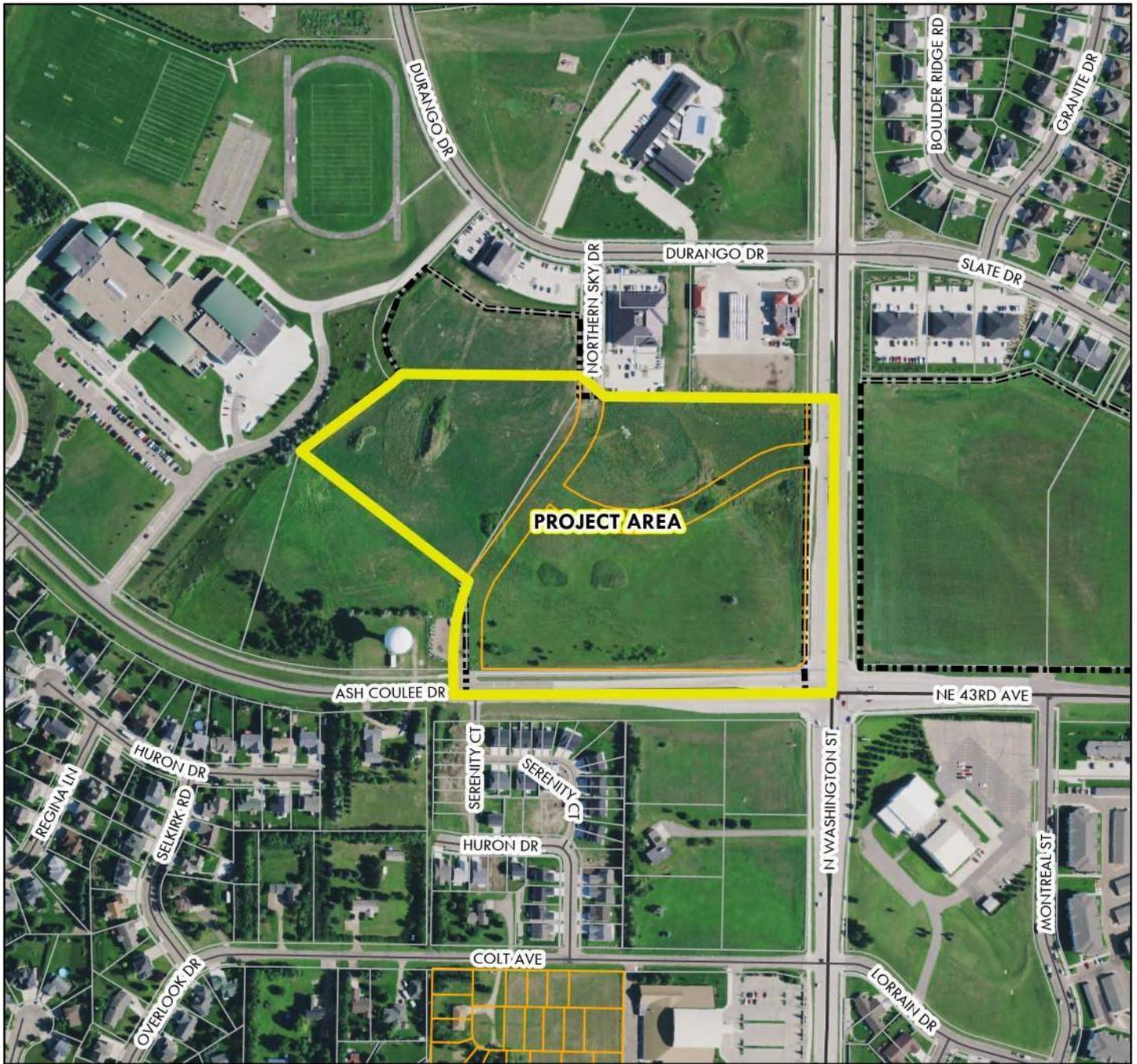
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Aerial Map
NORTHERN SKY SECOND ADDITION

PPLT2020-002
ANNX2020-003
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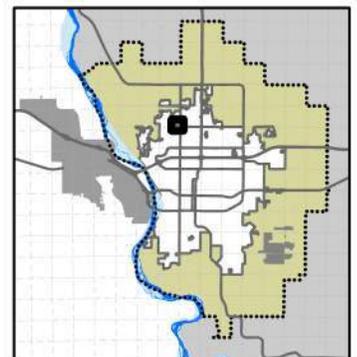


- Lots Pending Approval
- City Limits
- Bismarck ETA Jurisdiction

Aerial Imagery from 2019

City of Bismarck
Community Development Department
Planning Division
July 15, 2020

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Zoning and Plan Reference Map

NORTHERN SKY SECOND ADDITION

PPLT2020-002
ANNX2020-003
ZC2020-003
FPLT2020-008

Zoning Districts

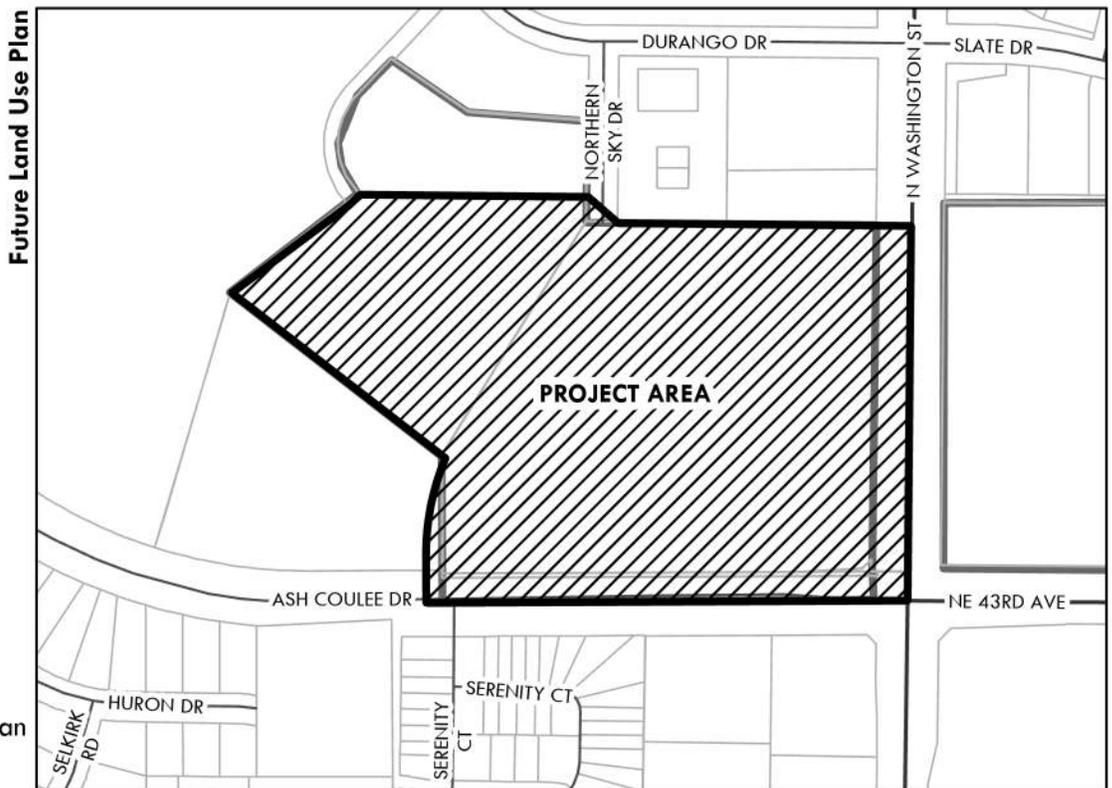
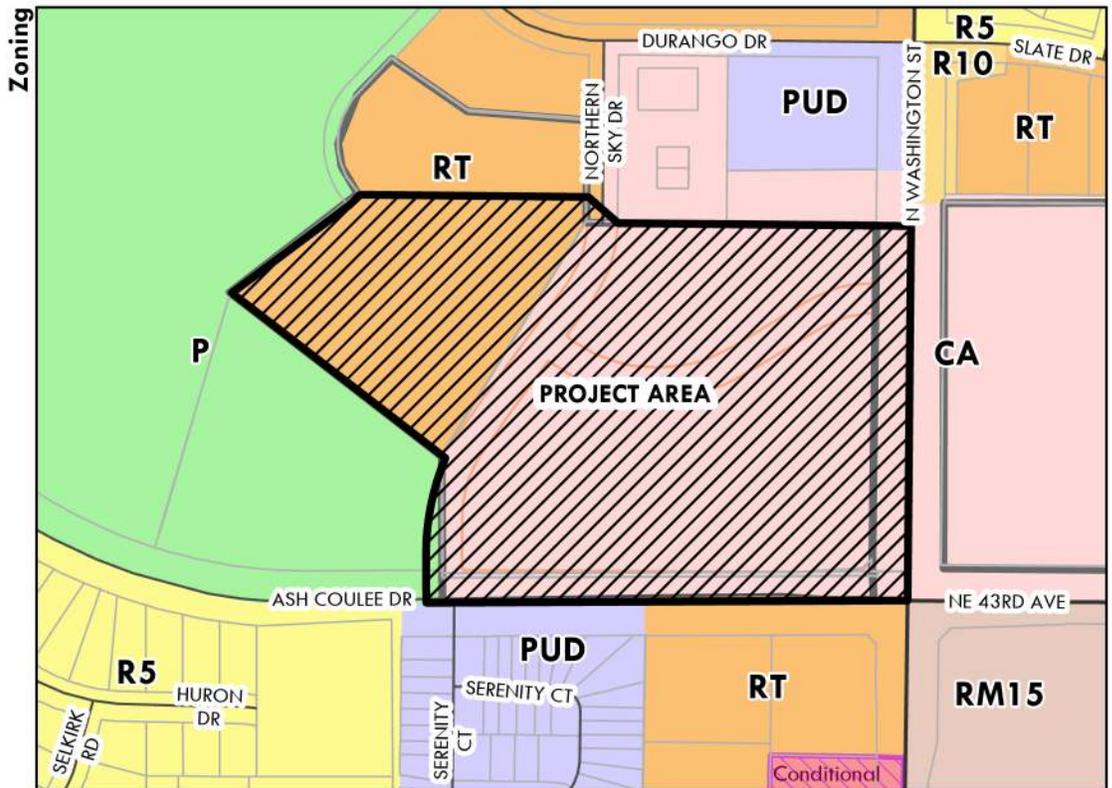
| | |
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| RMH | Manufactured Home Residential |
| R10 | Residential |
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| RT | Residential (Offices) |
| HM | Health and Medical |
| CA | Commercial |
| CG | Commercial |
| MA | Industrial |
| MB | Industrial |
| PUD | Planned Unit Development |
| DC | Downtown Core |
| DF | Downtown Fringe |

Future Land Use Plan

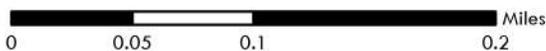
| | |
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| CONSRV | Conservation |
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| C/MU | Commercial/Mixed Use |
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Fringe Area Road Master Plan

- ● ● Future Arterial Road
- ■ ■ Future Collector Road



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City of Bismarck
Community Development Dept.
Planning Division
July 15, 2020

NORTHERN SKY SECOND ADDITION

BEING A REPLAT OF LOT 2 BLOCK 2 NORTHERN SKY ADDITION AND PART OF LOT 3 BLOCK 1 REPLAT OF MILLENNIUM ADDITION AND THE WEST HALF OF NORTH WASHINGTON STREET AND THE NORTH HALF OF ASH COULEE DRIVE RIGHTS-OF-WAY, AND AUDITOR'S LOT C-3 OF THE SE 1/4 OF SECTION 17, TOWNSHIP 139 NORTH, RANGE 80 WEST
BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA

DESCRIPTION

BEING A REPLAT OF LOT 2 BLOCK 2 NORTHERN SKY ADDITION AND PART OF LOT 3 BLOCK 1 REPLAT OF MILLENNIUM ADDITION AND PART OF THE WEST HALF OF NORTH WASHINGTON STREET AND THE NORTH HALF OF ASH COULEE DRIVE RIGHTS-OF-WAY AND AUDITOR'S LOT C-3 OF THE SE 1/4 OF SECTION 17, TOWNSHIP 139 NORTH, RANGE 80 WEST.

DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 3 BLOCK 1 NORTHERN SKY ADDITION; THENCE SOUTH 89 DEGREES 27 MINUTES 15 SECONDS EAST, ALONG THE SOUTH LINE OF NORTHERN SKY ADDITION, A DISTANCE OF 638.72 FEET TO THE EAST LINE OF THE SE 1/4 OF SECTION 17, TOWNSHIP 139 NORTH, RANGE 80 WEST; THENCE SOUTH 60 DEGREES 35 MINUTES 16 SECONDS WEST, ALONG SAID EAST LINE, A DISTANCE OF 872.18 FEET TO THE SOUTH LINE OF SAID SE 1/4; THENCE SOUTH 89 DEGREES 43 MINUTES 28 SECONDS WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 1048.24 FEET; THENCE NORTH 00 DEGREES 23 MINUTES 39 SECONDS WEST, A DISTANCE OF 187.22 FEET; THENCE NORTHEASTERLY AND TO THE RIGHT, ON A 250.00 FOOT RADIUS CURVE, AN ARC LENGTH OF 130.68 FEET; THENCE NORTH 52 DEGREES 16 MINUTES 05 SECONDS WEST, ALONG THE NORTHEASTERLY LINE OF LOT 3 BLOCK 1 MILLENNIUM ADDITION REPLAT, A DISTANCE OF 582.03 FEET TO THE EASTERLY LINE OF LOT 2 BLOCK 1 MILLENNIUM ADDITION REPLAT; THENCE NORTH 53 DEGREES 10 MINUTES 53 SECONDS EAST, ALONG SAID EASTERLY LINE, A DISTANCE OF 319.92 FEET; THENCE NORTH 46 DEGREES 29 MINUTES 40 SECONDS EAST, CONTINUING ALONG SAID EASTERLY LINE, A DISTANCE OF 32.98 FEET TO THE SOUTH LINE OF LOT 1A OF LOT 1 BLOCK 2 NORTHERN SKY ADDITION; THENCE SOUTH 89 DEGREES 25 MINUTES 44 SECONDS EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 496.99 FEET; THENCE SOUTH 48 DEGREES 48 MINUTES 41 SECONDS EAST, A DISTANCE OF 86.98 FEET TO THE POINT OF BEGINNING.

CONTAINING 23.38 ACRES, MORE OR LESS.

SURVEYOR'S CERTIFICATE

I, TERRY BALZER, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THE APPROVED PLAT IS A TRUE COPY OF A SURVEY PERFORMED UNDER MY SUPERVISION AND COMPLETED ON 2020, THAT ALL INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT ALL MONUMENTS SHOWN HEREON ARE CORRECT; THAT ALL REQUIRED MONUMENTS HAVE BEEN SET, AND THAT ALL DIMENSIONAL AND GEODETIC DETAILS ARE CORRECT.

STATE OF NORTH DAKOTA)
COUNTY OF BURLEIGH)
SWENSON, HAGEN & CO. P.C.
909 BASIN AVENUE
BISMARCK, NORTH DAKOTA
58504

TERRY BALZER
PROFESSIONAL LAND SURVEYOR
N.D. REGISTRATION NO. 3595

APPROVAL OF CITY PLANNING COMMISSION

THE SUBDIVISION OF LAND AS SHOWN ON THE APPROVED PLAT HAS BEEN APPROVED BY THE PLANNING COMMISSION OF THE CITY OF BISMARCK, ON THE 2020, IN ACCORDANCE WITH LAWS OF THE STATE OF NORTH DAKOTA, ORDINANCES OF THE CITY OF BISMARCK AND REGULATIONS ADOPTED BY THE SAID PLANNING COMMISSION. IN WITNESS WHEREOF, ARE SET THE HANDS AND SEALS OF THE CHAIRMAN AND SECRETARY OF THE PLANNING COMMISSION OF THE CITY OF BISMARCK.

MICHAEL J. SCHWARTZ - CHAIRMAN
ATTEST
BEN EHRETH - SECRETARY

APPROVAL OF BOARD OF CITY COMMISSIONERS

THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND AS SHOWN ON THE ANNEKED PLAT, HAS ACCEPTED THE RE-DEDICATION OF ALL STREETS SHOWN THEREON, HAS APPROVED THE GROUNDS AS SHOWN ON THE ANNEKED PLAT AS AN AMENDMENT TO THE MASTER PLAN OF THE CITY OF BISMARCK, NORTH DAKOTA, AND DOES HEREBY VACATE ANY PREVIOUS PLATING WITHIN THE BOUNDARY OF THE ANNEKED PLAT.

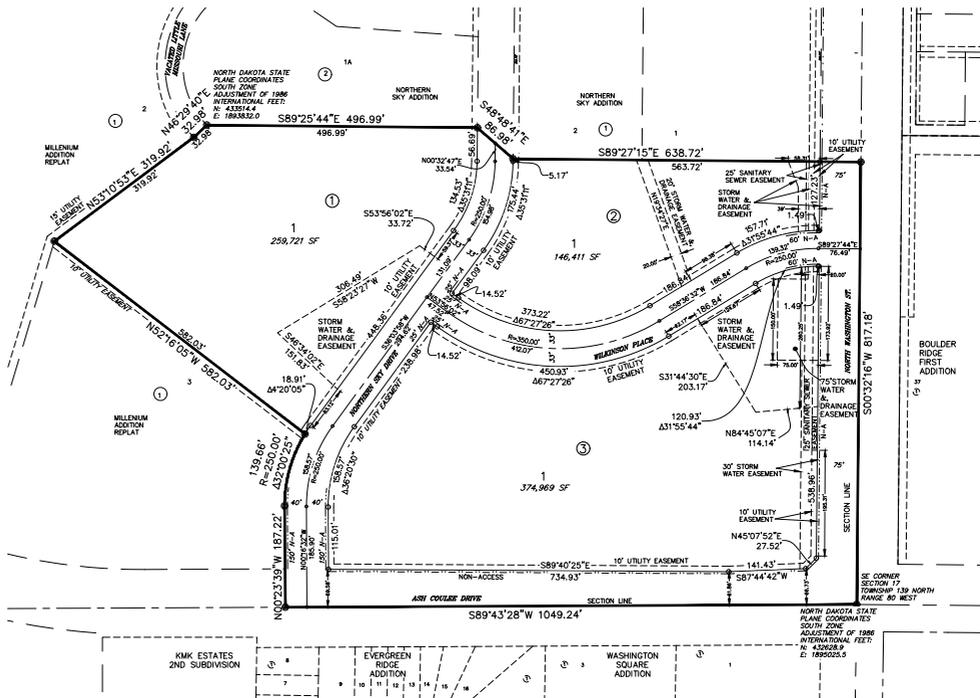
THE FOREGOING ACTION OF THE BOARD OF CITY COMMISSIONERS OF BISMARCK, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED THE ____ DAY OF ____ 2020.

ATTEST
KEITH J. HUNKE - CITY ADMINISTRATOR

APPROVAL OF CITY ENGINEER

I, GABRIEL J. SCHELL, CITY ENGINEER OF THE CITY OF BISMARCK, NORTH DAKOTA, HEREBY APPROVE "NORTHERN SKY SECOND ADDITION", BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA AS SHOWN ON THE ANNEKED PLAT.

GABRIEL J. SCHELL
CITY ENGINEER



OWNER'S CERTIFICATE & DEDICATION

I, DON CLEMENT, KNOW ALL MEN BY THESE PRESENTS THAT I, DON CLEMENT OF WILMONT DEVELOPMENT, LLC, BEING THE OWNER AND PROPRIETOR OF THE PROPERTY SHOWN HEREON HAS CAUSED THAT PORTION DESCRIBED HEREON TO BE SURVEYED AND PLATTED AS "NORTHERN SKY SECOND ADDITION", BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, AND DO SO DEDICATE AND RE-DEDICATE STREETS AS SHOWN HEREON INCLUDING ALL SEWER, CULVERTS, WATER AND OTHER PUBLIC UTILITY LINES WHETHER SHOWN HEREON OR NOT TO THE PUBLIC USE FOREVER.

THEY ALSO DEDICATE EASEMENTS TO THE CITY OF BISMARCK TO RUN WITH THE LAND, FOR GAS, ELECTRIC, TELEPHONE OR OTHER PUBLIC UTILITIES OR SERVICES ON OR UNDER THOSE CERTAIN STRIPS OF LAND DESIGNATED HEREON AS UTILITY EASEMENTS.

THEY FURTHERMORE DEDICATE UNTO THE CITY OF BISMARCK "STORM WATER AND DRAINAGE EASEMENTS" TO RUN WITH THE LAND FOR THE PURPOSE OF STORM WATER AND SURFACE WATER DRAINAGE UNDER, OVER, THROUGH AND/OR ACROSS THOSE AREAS DEDICATED HEREON AS "STORM WATER AND DRAINAGE EASEMENTS" FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, REPAIR, ENLARGING AND MAINTAINING STORM WATER MANAGEMENT FACILITIES TOGETHER WITH NECESSARY APPURTENANCES THERETO FOR STORM WATER, STORM SEWER AND SURFACE WATER DRAINAGE AND MANAGEMENT OF SAID STORM WATER FLOW IN A MANNER THAT WILL PERMIT THE FREE AND UNOBSTRUCTED FLOW OF WATER UNDER, OVER AND/OR ACROSS THE EASEMENT AREA.

STATE OF NORTH DAKOTA)
COUNTY OF _____)

DON CLEMENT
WILMONT DEVELOPMENT, LLC
3250 ROCK ISLAND PLACE, STE. 4
BISMARCK, ND 58504

ON THIS ____ DAY OF _____ 2020, BEFORE ME PERSONALLY APPEARED DON CLEMENT OF WILMONT DEVELOPMENT, LLC, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NOTARY PUBLIC _____
_____, COUNTY, _____
MY COMMISSION EXPIRES _____

STATE OF NORTH DAKOTA)
COUNTY OF _____)

CITY OF BISMARCK
221 N 5TH ST
BISMARCK, ND 58503

IN THIS ____ DAY OF _____ 2020, BEFORE ME PERSONALLY APPEARED DON CLEMENT OF WILMONT DEVELOPMENT, LLC, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NOTARY PUBLIC _____
_____, COUNTY, _____
MY COMMISSION EXPIRES _____

NOTES

BASIS OF BEARING:
NORTH DAKOTA STATE PLANE, SOUTH ZONE BY CITY ORDINANCE
COORDINATE DATUM:
NORTH DAKOTA STATE PLANE COORDINATE SYSTEM
NAD 83 SOUTH ZONE
ADJUSTMENT OF 1986
UNITS ARE INTERNATIONAL FEET

BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS PLATS DUE TO DIFFERENT METHODS OF MEASUREMENTS.

VERTICAL DATUM

NGVD 29

AREA DATA

| | | |
|---------|----------------|------------|
| LOTS | 781.02 S.F. | 17.9 ACRES |
| STREETS | 237.701 S.F. | 5.4 ACRES |
| TOTAL | 1,018.721 S.F. | 23.3 ACRES |

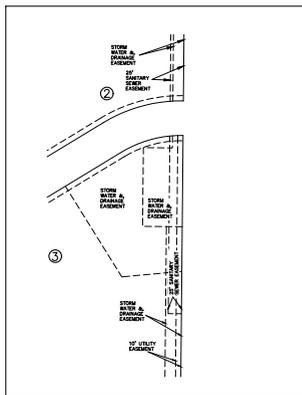
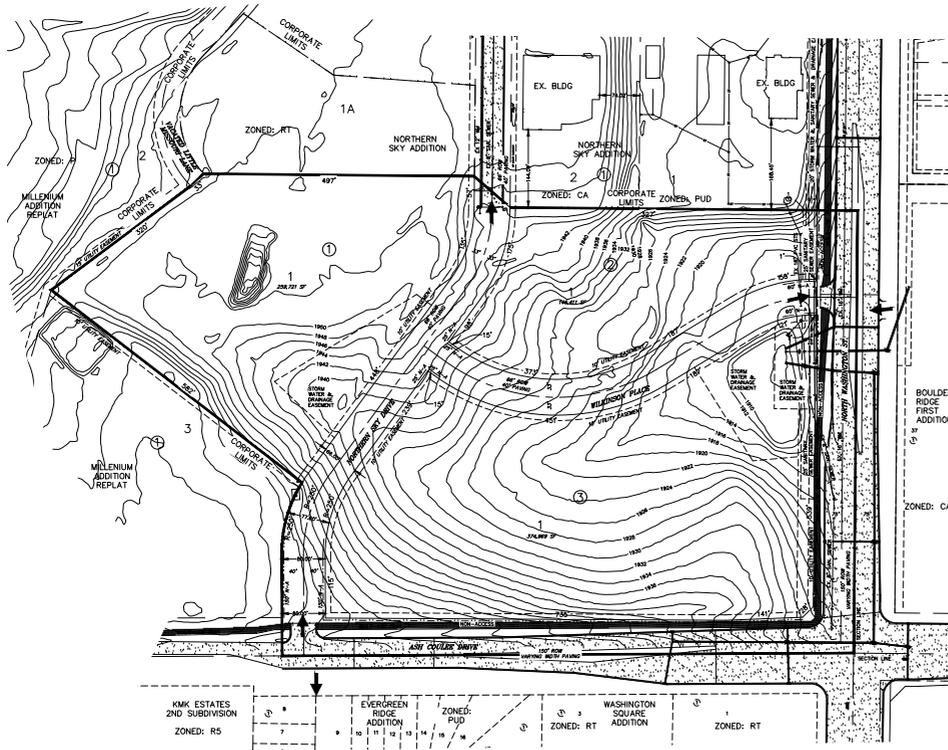


PRELIMINARY

NORTHERN SKY SECOND ADDITION

BEING A REPLAT OF LOT 2 BLOCK 2 NORTHERN SKY ADDITION AND PART OF LOT 3 BLOCK 1 REPLAT OF MILLENNIUM ADDITION AND PART OF AUDITOR'S LOT C-3 OF THE SE 1/4 OF SECTION 17, TOWNSHIP 139 NORTH, RANGE 80 WEST

BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA



EASEMENT DETAILS



LOCATION MAP

23.38 ACRES
EXISTING ZONING: RT/CA

3 LOTS
3 BLOCKS

OWNER: WILMENT DEVELOPMENT, LLC

ADDRESS: 3250 ROCK ISLAND PL
STE. 4
BISMARCK, ND 58504

OWNER: CITY OF BISMARCK

ADDRESS: P.O BOX 5503
BISMARCK, ND 58506-5503

SURVEYOR: TERRY BALTZER #3595
SH & CO
909 BASIN AVE.
BISMARCK, ND 58504



0 100' 200'

SCALE - 1" = 100'

VERTICAL DATUM: NAVD 88

MARCH 11, 2020





STAFF REPORT

City of Bismarck
Community Development Department
Planning Division

Agenda Item # 6

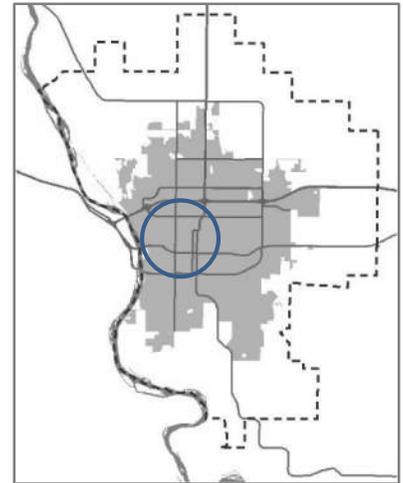
July 22, 2020

Application for: Zoning Change

TRAKiT Project ID: ZC2020-007

Project Summary

| | |
|-------------------------|---|
| Title: | Tract 500 of Blocks 27 & 38, and Lots 3, 4, the North 20 feet of Lot 5, and Lots 9 & 10, Block 38, Northern Pacific Second Addition |
| Status: | Planning & Zoning Commission – Public Hearing |
| Owner(s): | Amy Gross, Bismarck Cancer Center |
| Project Contact: | Lon Romsaas, PE, Swenson, Hagen & Co |
| Location: | In central Bismarck, between East Rosser Avenue and East Avenue B, along the west side of North 8 th Street |
| Project Size: | 68,240 square feet |
| Request: | Rezone property for the expansion of the Bismarck Cancer Center |



Site Information

| Existing Conditions | | Proposed Conditions | |
|--|--|--|---|
| Number of Lots: | 4 parcels in 1 block | Number of Lots: | 4 parcels in 1 block |
| Land Use: | Medical use (Bismarck Cancer Center) | Land Use: | Medical use (Bismarck Cancer Center) |
| Designated GMP Future Land Use: | Already zoned. Not in Future Land Use Plan | Designated GMP Future Land Use: | Already zoned. Not in Future Land Use Plan |
| Zoning: | HM – Medical Facility RM30 – Residential | Zoning: | HM – Medical Facility |
| Uses Allowed: | HM – Health and medical, multi-family and limited commercial uses RM30 – Multi-family residential | Uses Allowed: | HM – Health and medical, multi-family and limited commercial uses |
| Max Density Allowed: | HM – 30 units / acre RM30 – 30 units / acre | Max Density Allowed: | HM – 30 units / acre |

Property History

| | | | | | |
|---------------|----------|-----------------|------|-----------------|----------|
| Zoned: | Pre-1980 | Platted: | 1912 | Annexed: | Pre-1980 |
|---------------|----------|-----------------|------|-----------------|----------|

Staff Analysis

The Bismarck Cancer Center is requesting approval of a zoning change from the HM – Medical Facility and RM30 – Residential zoning districts to the HM – Health Facility zoning district for Tract 500 of Blocks 27 & 38, and Lots 3, 4, the North 20 feet of Lot 5, and Lots 9 & 10, Block 38, Northern Pacific Second Addition.

The Planning and Zoning Commission, at their meeting of June 24, 2020, called for a public hearing on the proposed zoning change.

The proposed zoning change request is in conjunction with a plat modification to vacate and rededication portions of the adjacent alley and a lot combination to combine the parcels owned by the application to allow for a future addition to the existing building and reconfiguration of the property.

The public has been duly notified of this request. A notice was published in the Bismarck Tribune on July 10th and July 17th and 38 letters were mailed to the owners of nearby properties on July 10th.

Adjacent uses include existing single and multifamily residential to the north and east across North 8th street as well as various medical uses and associated parking to the east, across North 8th Street, south, and west across North 7th Street.

Required Findings of Fact (relating to land use)

1. The proposed zoning change is in a developed area of the community and is outside of the Future Land Use Plan in the 2014 Growth Management Plan, as amended;
2. The proposed zoning change is compatible with adjacent land uses and zoning;
3. The City of Bismarck and/or other agencies would be able to provide necessary public

services, facilities and programs to serve any development allowed by the new zoning classification at the time the property is developed;

4. The proposed zoning change is justified by a change in conditions since the previous zoning classification was established or by an error in the zoning map;
5. The zoning change is in the public interest and is not solely for the benefit of a single property owner;
6. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance;
7. The proposed zoning change is consistent with the master plan, other adopted plans, policies and accepted planning practice; and
8. The proposed zoning change would not adversely affect the public health, safety, and general welfare.

Staff Recommendation

Based on the above findings, staff recommends approval of the zoning change from the HM – Medical Facility and RM30 – Residential zoning districts to the HM – Health Facility zoning district for Tract 500 of Blocks 27 & 38, and Lots 3, 4, the North 20 feet of Lot 5, and Lots 9 & 10, Block 38, Northern Pacific Second Addition.

Attachments

1. Location Map
2. Aerial Map
3. Zoning and Plan Reference Map

Staff report prepared by:

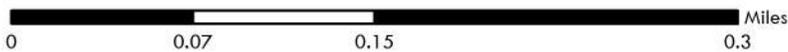
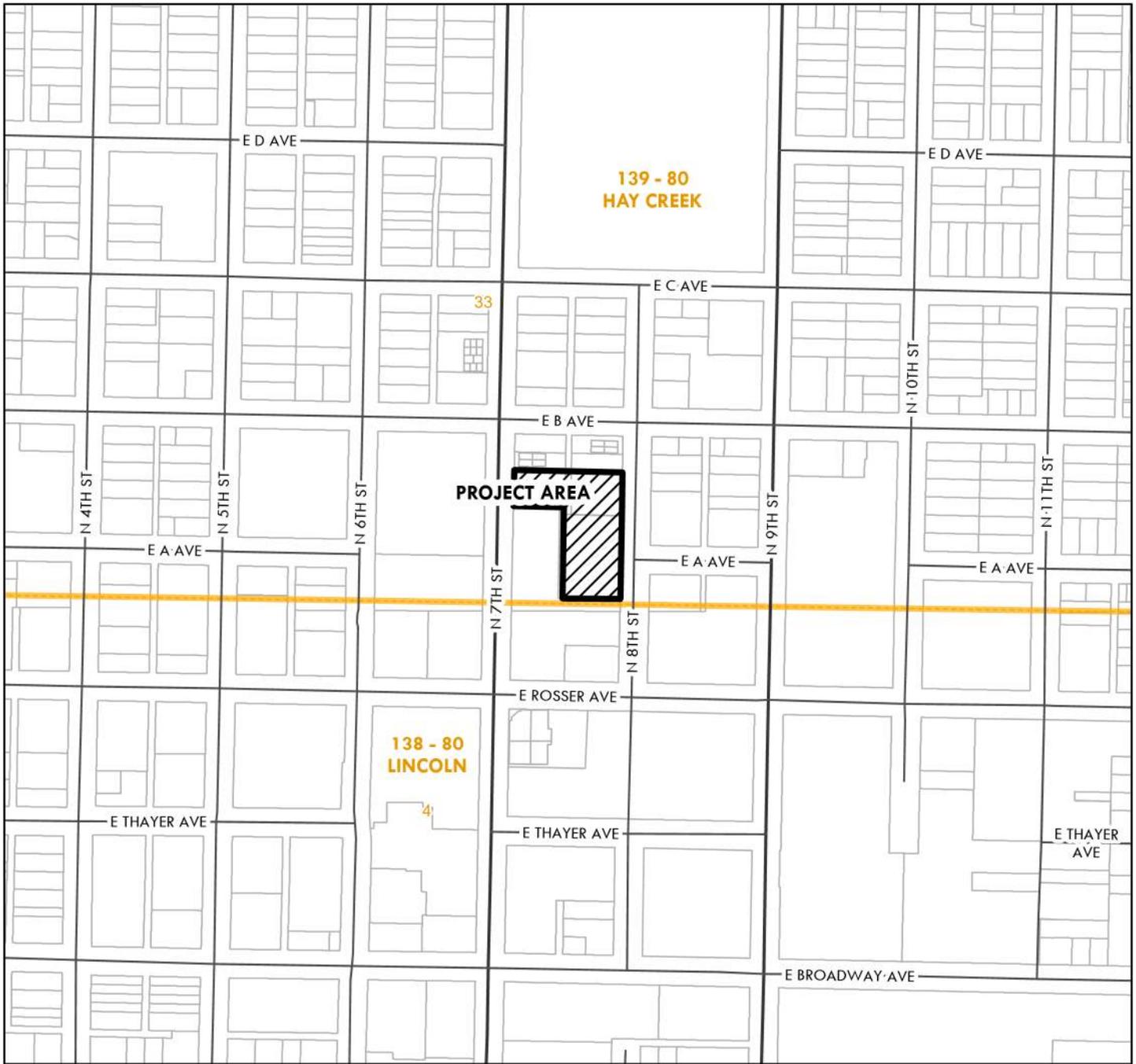
Jenny Wollmuth, AICP, CFM, Planner
701-355-1845 | jwollmuth@bismarcknd.gov



Location Map

ZC2020-007

TRACT 500 OF B27&38,L3,4,Pt 5,9,10,B38,NORTHERN PACIFIC 2ND



City Limits

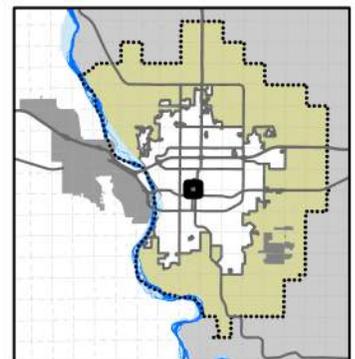
County Outside ETA

Bismarck ETA Jurisdiction

Section, township, and range indicated in orange

City of Bismarck
Community Development Department
Planning Division
July 10, 2020 (HLB)

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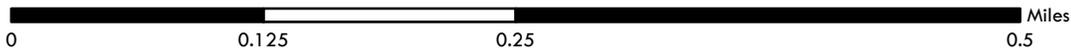
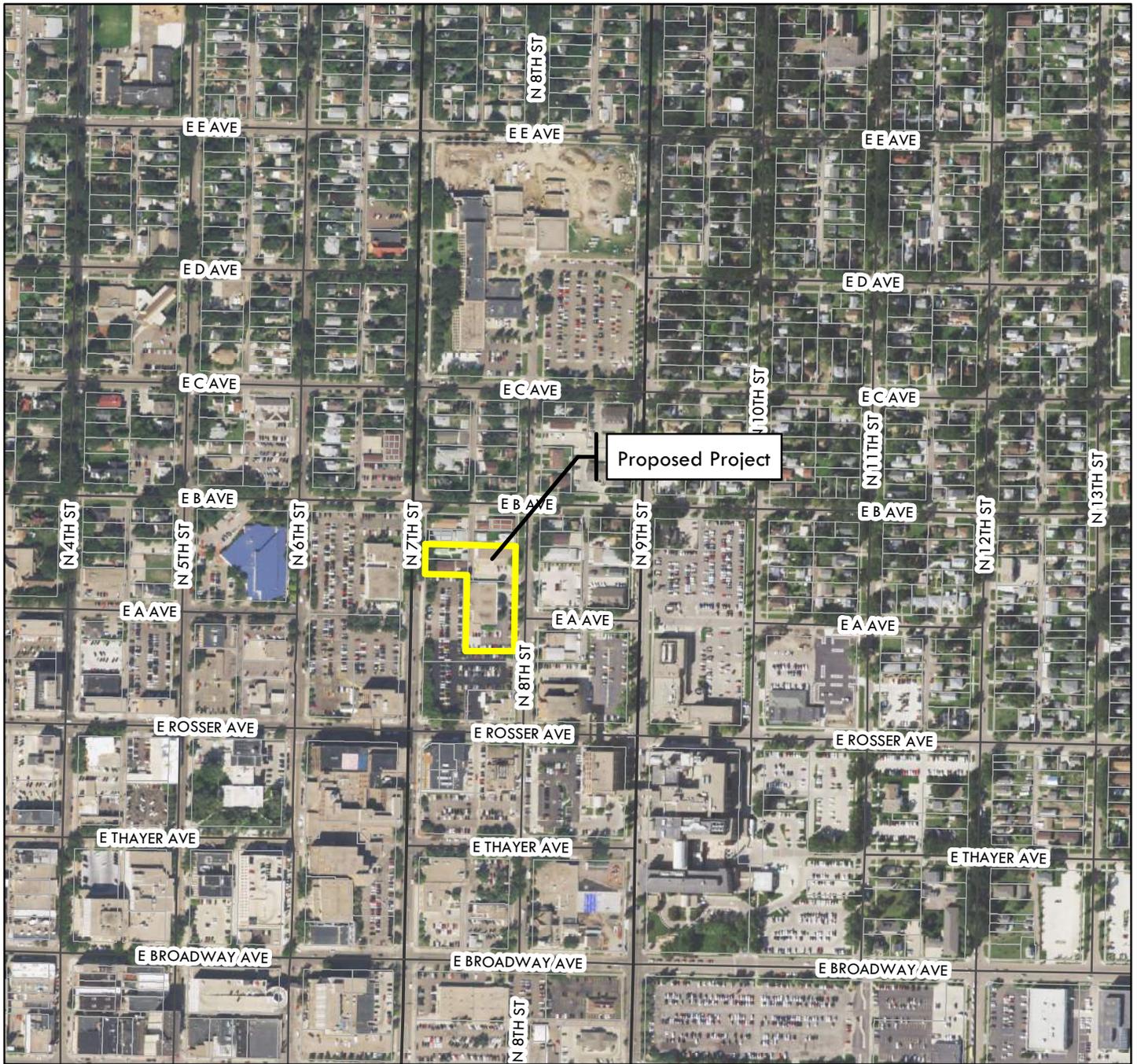




Aerial Map

ZC2020-007

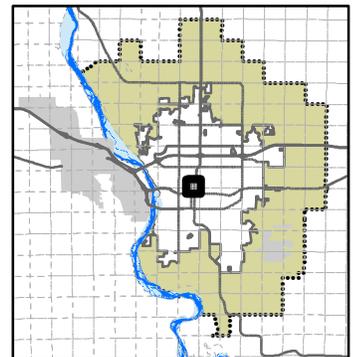
Tract 500 of Blocks 27 and 38, and Lots 3, 4 and the North 20 feet of Lot 5, and Lots 9 and 10, Block 38, Northern Pacific Second Addition



City Limits Bismarck ETA Jurisdiction

Aerial Imagery from 2018

City of Bismarck
Community Development Department
Planning Division
June 18, 2020



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.



Zoning and Plan Reference Map

ZC2020-007

Tract 500 of Blocks 27 and 38, and Lots 3, 4 and the North 20 feet of Lot 5, and Lots 9 and 10, Block 38, Northern Pacific Second Addition

-  Project Area - No Change Proposed
-  Zoning or Plan Change Proposed

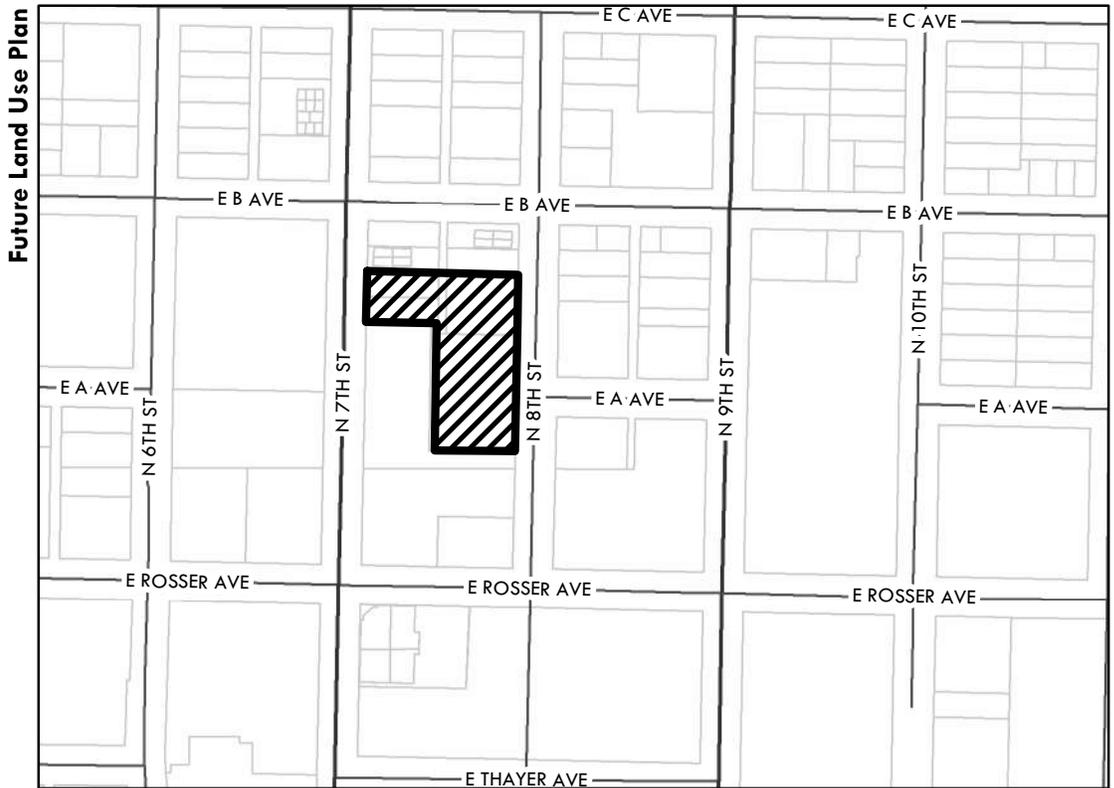
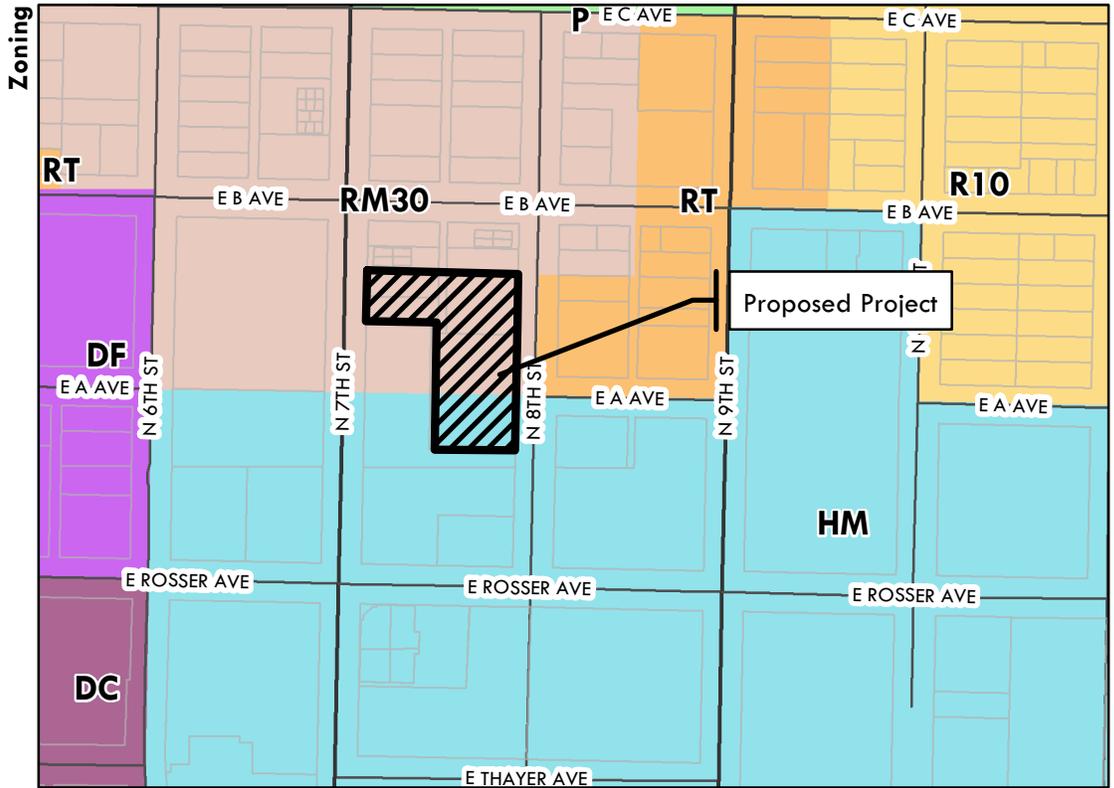
Zoning Districts

- A** Agriculture
- RR** Rural Residential
- R5** Residential
- RMH** Manufactured Home Residential
- R10** Residential
- RM** Residential Multifamily (Offices)
- RT** Residential (Offices)
- HM** Health and Medical
- CA** Commercial
- CG** Commercial
- MA** Industrial
- MB** Industrial
- PUD** Planned Unit Development
- DC** Downtown Core
- DF** Downtown Fringe

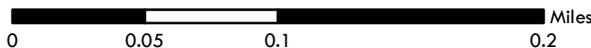
Diagonal lines indicate special condition

Future Land Use Plan

- CONSRV** Conservation
- BP** Business Park
- C** Commercial
- C/MU** Commercial/Mixed Use
- CIVIC** Civic
- HDR** High Density Residential
- I** Industrial
- LDR** Low Density Residential
- MDR** Medium Density Residential
- MDR-/MU** Medium Density Residential/Mixed Use
- O/MU** Office/Mixed Use
- RR-C** Clustered Rural Residential
- RR** Standard Rural Residential
- UR** Urban Reserve



Fringe Area Road Master Plan



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



City of Bismarck
Community Development Dept.
Planning Division
June 18, 2020



STAFF REPORT

City of Bismarck
Community Development Department
Planning Division

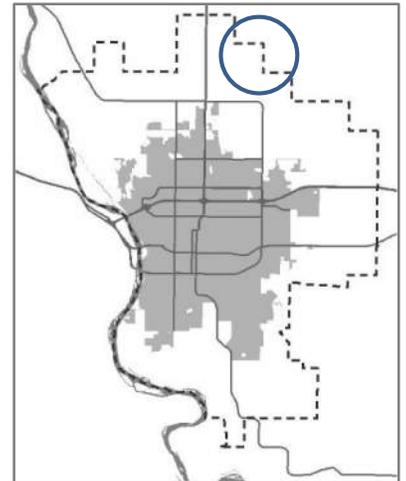
Agenda Item # 7
July 22, 2020

Application for: Special Use Permit

TRAKiT Project ID: SUP2020-008

Project Summary

| | |
|-------------------------|--|
| Title: | Lot 4, Block 2, Prairie Pines First Subdivision |
| Status: | Planning & Zoning Commission – Public Hearing |
| Owner(s): | Kenneth Fricke and Lila Teunissen |
| Project Contact: | Kenneth Fricke |
| Location: | North of Bismarck, south of 97 th Avenue NE and west of 41 st Street NE, within the Cedar Place cul-de-sac (4019 Cedar Lane) |
| Project Size: | 2.36 acres |
| Request: | Increase the area of accessory buildings to 2,844 square feet |



Site Information

| Existing Conditions | | Proposed Conditions | |
|--|--|--|--|
| Number of Lots: | 1 lot in 1 block | Number of Lots: | 1 lot in 1 block |
| Land Use: | Rural Residential | Land Use: | Rural Residential |
| Designated GMP Future Land Use: | Conventional Rural Residential | Designated GMP Future Land Use: | Conventional Rural Residential |
| Zoning: | RR – Residential | Zoning: | RR – Residential |
| Uses Allowed: | RR – Large lot single-family residential and limited agriculture | Uses Allowed: | RR – Large lot single-family residential and limited agriculture |
| Max Density Allowed: | RR – 1 unit per 65,000 square feet | Max Density Allowed: | RR – 1 unit per 65,000 square feet |

Property History

| | | | | | |
|---------------|----------|-----------------|---------|-----------------|-----|
| Zoned: | Pre-1980 | Platted: | 03/1999 | Annexed: | N/A |
|---------------|----------|-----------------|---------|-----------------|-----|

Staff Analysis

Kenneth Fricke and Lila Teunissen are requesting approval of a special use permit to increase the area of accessory buildings on their property to 2,844

square feet by constructing a 2,400 square foot accessory building and 96 square foot accessory building. The applicant has indicated that there is an

(continued)

existing 256 square foot accessory building and a 92 square foot accessory building located on the property that will remain.

The public has been duly notified of this request. A notice was published in the Bismarck Tribune on July 10th and July 17th and 30 letters were mailed to the owners of nearby properties on July 10th.

Adjacent uses include rural residential uses to the north, east across 41st Street NE, south, and west.

Section 14-03-06(1)(b)(5) of the City Code of Ordinances (Accessory Uses and Buildings) states, “the allowable accessory buildings for a single-family rural residence on a lot in a rural residential zoning district (RR & RR5) with more than 65,000 square feet in area may be increased to a maximum of thirty-two hundred (3,200) square feet provided a special use permit is approved by the Planning Commission in accordance with the provisions of Section 14-03-08 of the City Code of Ordinances (Special Uses).”

The parcel size for the proposed special use is 2.36 acres or 102,801 square feet and meets the criteria for a maximum allowable size of all accessory buildings located on the property.

According to the site plan submitted by the applicant, the proposed accessory buildings would meet setback requirements, and building wall and height requirements for an accessory building located within the RR – Residential zoning district.

Required Findings of Fact (relating to land use)

1. The proposed special use complies with all applicable provisions of the zoning ordinance and is consistent with the general intent and purpose of the zoning ordinance;
2. The proposed special use is compatible with adjacent land uses and zoning;
3. The proposed special use would be designed, constructed, operated and maintained in a

manner that is compatible with the appearance of the existing or intended character of the surrounding area;

4. Adequate public facilities and services are in place or would be provided at the time of development;
5. The proposed special use would not cause a negative cumulative effect, when considered in conjunction with other uses in the immediate vicinity;
6. Adequate measures have been or would be taken to minimize traffic congestion in the public streets and to provide for appropriate on-site circulation of traffic;
7. The proposed special use is consistent with the master plan, other adopted plans, policies and accepted planning practice; and
8. The proposed special use would not adversely affect the public health, safety and general welfare.

Staff Recommendation

Based on the above findings, staff recommends approval of the special use permit to increase the total area of accessory buildings to 2,844 square feet by constructing a 2,400 square foot accessory building and a 96 square foot accessory building on Lot 4, Block 2, Prairie Pines First Subdivision.

Attachments

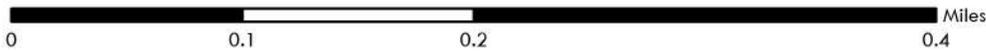
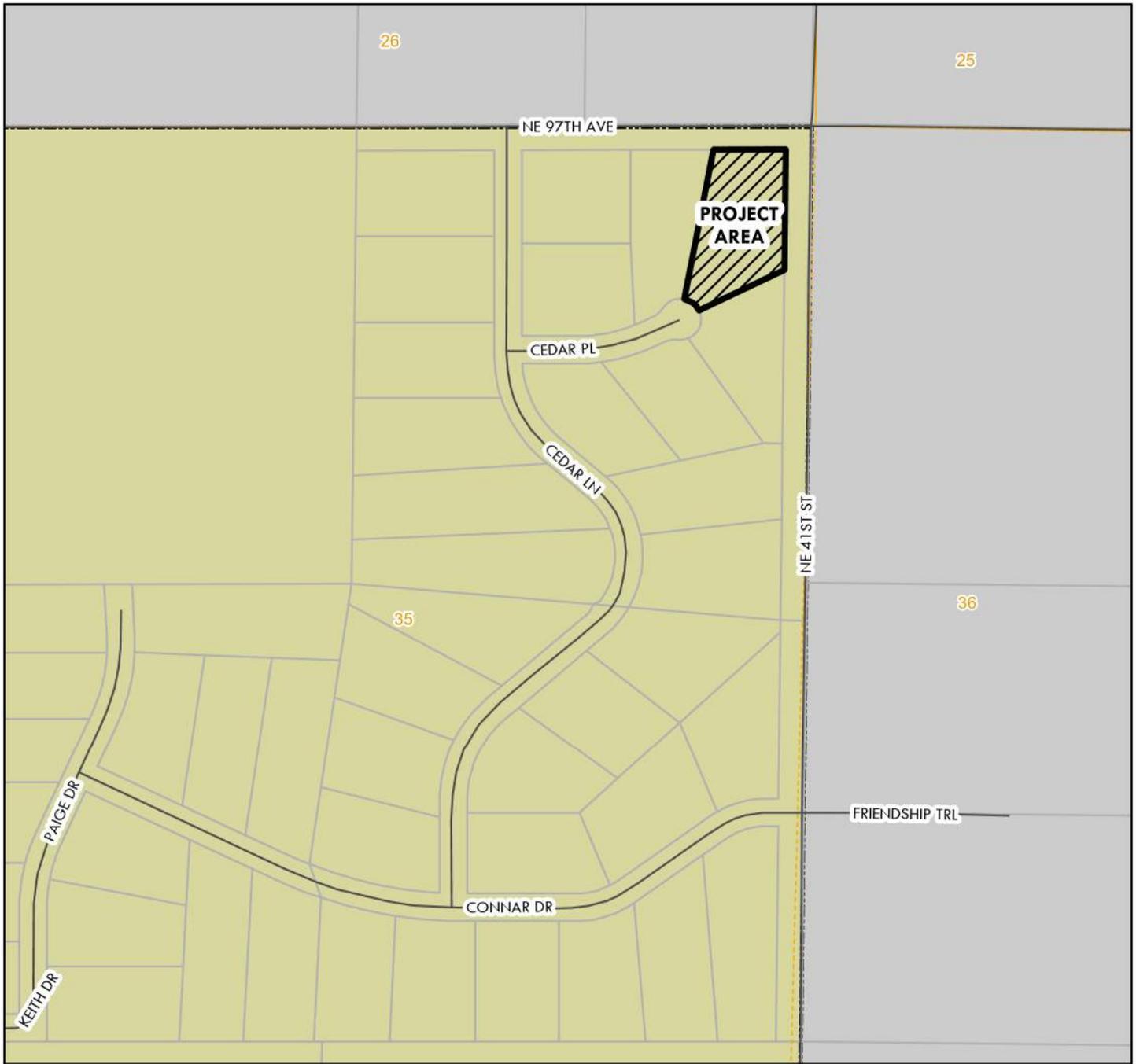
1. Location Map
2. Aerial Map
3. Zoning and Plan Reference Map
4. Proposed Site Plan
5. Proposed Building Elevations
6. Proposed Building Floor Plan



Location Map

PRAIRIE PINES FIRST SUBDIVISION, L4, B2

SUP2020-008

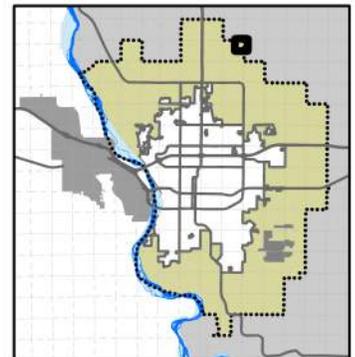


-  Bismarck ETA Jurisdiction
-  County Outside ETA

Section, township, and range indicated in orange

City of Bismarck
 Community Development Department
 Planning Division
 June 17, 2020 (HLB)

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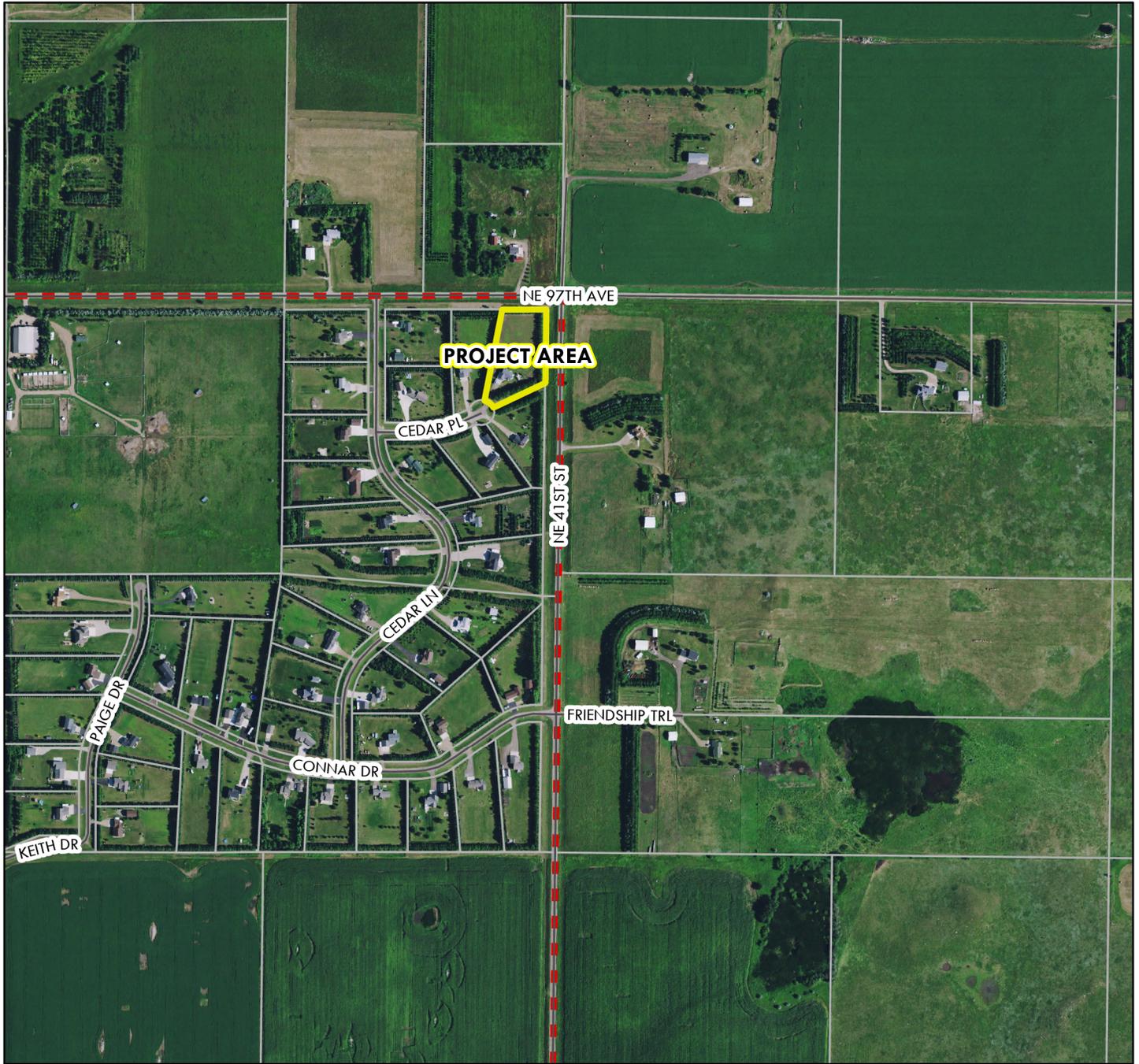




Aerial Map

PRAIRIE PINES FIRST SUBDIVISION, L4, B2

SUP2020-008



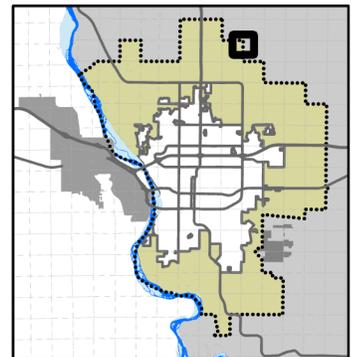
 Bismarck ETA Jurisdiction

Aerial Imagery from 2019

City of Bismarck
Community Development Department
Planning Division
July 21, 2020



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.





Zoning and Plan Reference Map

SUP2020-008

PRAIRIE PINES FIRST SUBDIVISION, L4, B2

Zoning Districts

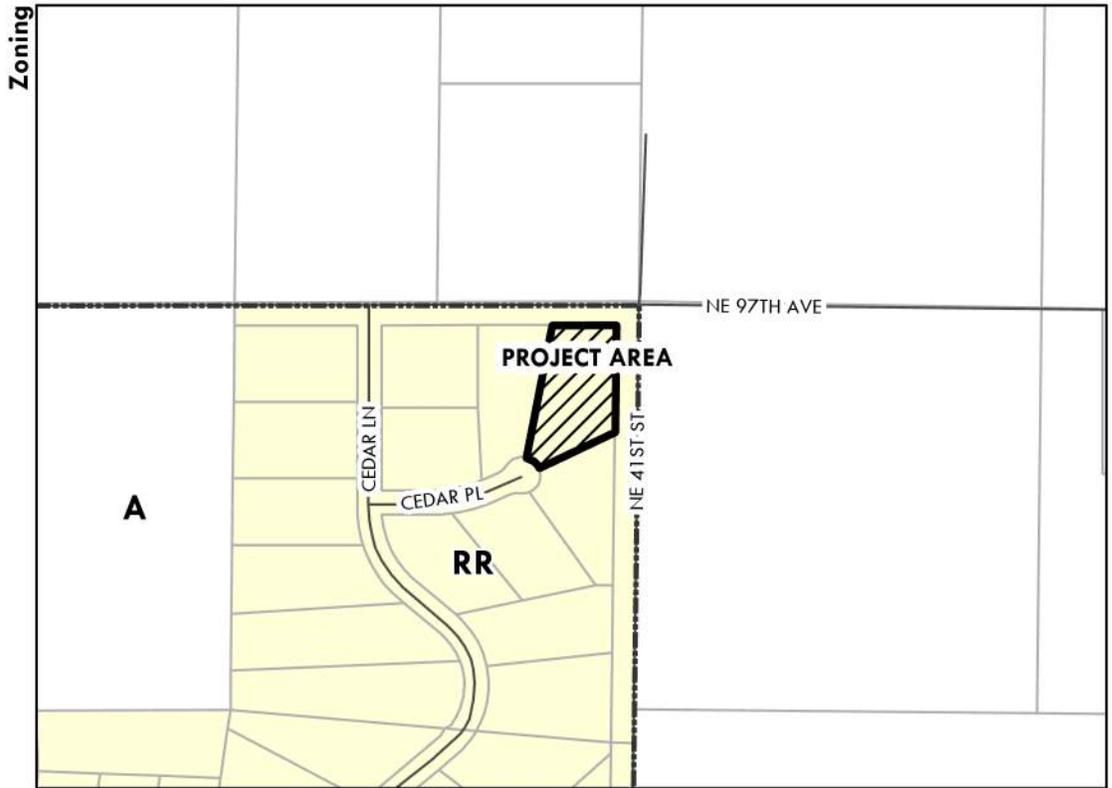
| | |
|------------|-------------------------------|
| A | Agriculture |
| RR | Rural |
| | Residential |
| R5 | Residential |
| RMH | Manufactured Home Residential |
| R10 | Residential |
| RM | Residential Multifamily |
| RT | Residential (Offices) |
| HM | Health and Medical |
| CA | Commercial |
| CG | Commercial |
| MA | Industrial |
| MB | Industrial |
| PUD | Planned Unit Development |
| DC | Downtown Core |
| DF | Downtown Fringe |

Future Land Use Plan

| | |
|----------------|--------------------------------------|
| CONSRV | Conservation |
| BP | Business Park |
| C | Commercial |
| C/MU | Commercial/Mixed Use |
| CIVIC | Civic |
| HDR | High Density Residential |
| I | Industrial |
| LDR | Low Density Residential |
| MDR | Medium Density Residential |
| MDR-/MU | Medium Density Residential/Mixed Use |
| O/MU | Office/Mixed Use |
| RR-C | Clustered Rural Residential |
| RR | Standard Rural Residential |
| UR | Urban Reserve |

Fringe Area Road Master Plan

- Future Arterial Road
- ■ ■ Future Collector Road



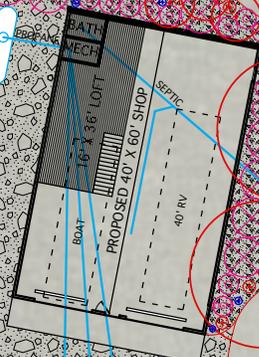
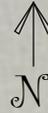
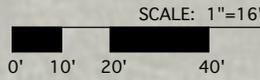
This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated herein.



City of Bismarck
Community Development Dept.
Planning Division
July 17, 2020

10' UTILITY ESMT

25' WATER ESMT



4019 CEDAR PLACE
BISMARCK
LOT 4



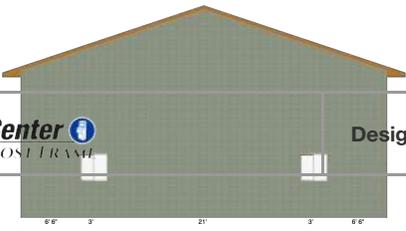
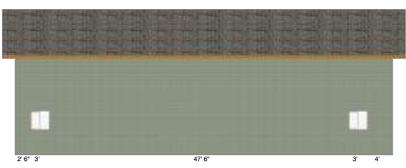
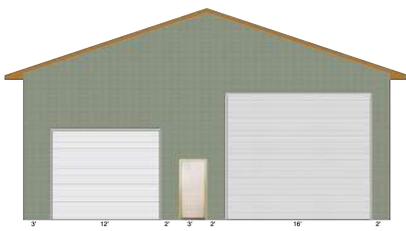
20' DRAINAGE ESMT

40' BLDG. SET BACK



Wall Configurations

*Illustration may not depict all options selected.

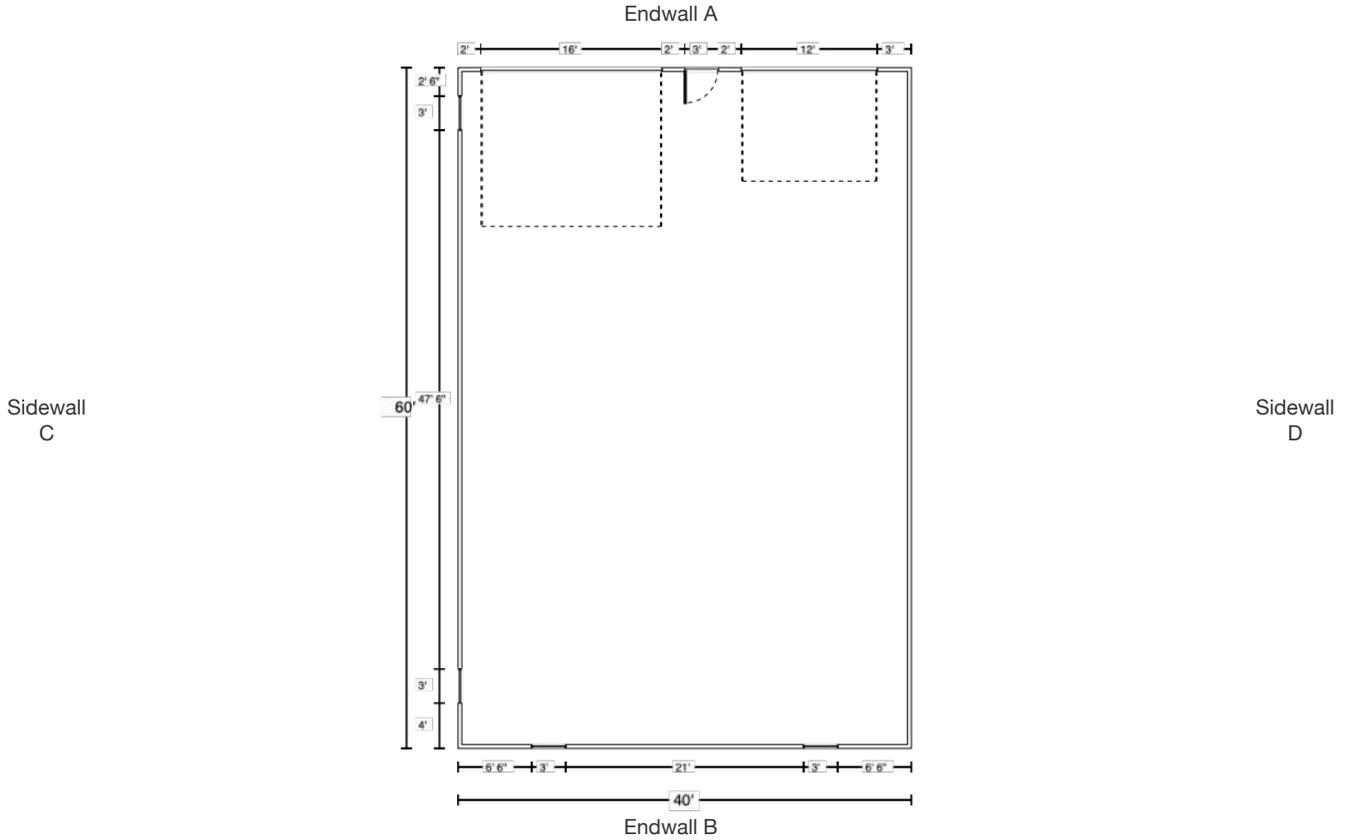
| | |
|---|--|
|  <p>Design-It Center RESIDENTIAL POST FRAME</p> <p>Design Name: Residential Post Frame Design</p> <p>Design ID: 305553129087</p> <p>Estimate ID: 66679</p> <p>ENDWALL B</p> <p>(2) - JELD-WEN® 36"W x 36"H Better Series Vinyl Slidi...</p> |  <p>SIDEWALL D</p> |
|  <p>SIDEWALL C</p> <p>(2) - JELD-WEN® 36"W x 36"H Better Series Vinyl Slidi...</p> |  <p>ENDWALL A</p> <p>(1) - Mastercraft® Primed Steel 6-Panel Prehung Exteri... (1) - Ideal Door® Commercial 16' x 14' White Insulated... (1) - Ideal Door® Commercial 12' x 10' White Insulated...</p> |



BISMARCK, 3300 STATE ST, BISMARCK, ND, 701-222-2700

Residential Post Frame Floor Plan

**Illustration may not depict all selections.



Design Name: Residential Post Frame Design
Design ID: 305553129087
Date: 07/14/2020
Estimate ID: 66679

Estimated Total Price: \$30060.26*

*Today's estimated price, future pricing may go up or down. Tax, labor, and delivery not included. Price does not reflect mail-in rebates.

Floor type (concrete, dirt, gravel) is NOT included in estimated price. The floor type is used in the calculation of materials needed. Labor, foundation, steel beams, paint, electrical, heating, plumbing, and delivery are also NOT included in estimated price. This is an estimate. It is only for general price information. This is not an offer and there can be no legally binding contract between the parties based on this estimate. The prices stated herein are subject to change depending upon the market conditions. The prices stated on this estimate are not firm for any time period unless specifically written otherwise on this form. The availability of materials is subject to inventory conditions.

MENARDS IS NOT RESPONSIBLE FOR ANY LOSS INCURRED BY THE GUEST WHO RELIES ON PRICES SET FORTH HEREIN OR ON THE AVAILABILITY OF ANY MATERIALS STATED HEREIN. All information on this form, other than price, has been provided by the guest and Menards is not responsible for any errors in the information on this estimate, including but not limited to quantity, dimension and quality. Please examine this estimate carefully.

MENARDS MAKES NO REPRESENTATIONS, ORAL, WRITTEN OR OTHERWISE THAT THE MATERIALS LISTED ARE SUITABLE FOR ANY PURPOSE BEING CONSIDERED BY THE GUEST. BECAUSE OF WIDE VARIATIONS IN CODES, THERE ARE NO REPRESENTATIONS THAT THE MATERIALS LISTED HEREIN MEET YOUR CODE REQUIREMENTS. THE PLANS AND/OR DESIGNS PROVIDED ARE NOT ENGINEERED. LOCAL CODE OR ZONING REGULATIONS MAY REQUIRE SUCH STRUCTURES TO BE PROFESSIONALLY ENGINEERED AND CERTIFIED PRIOR TO CONSTRUCTION.





STAFF REPORT

City of Bismarck
Community Development Department
Planning Division

Agenda Item #8

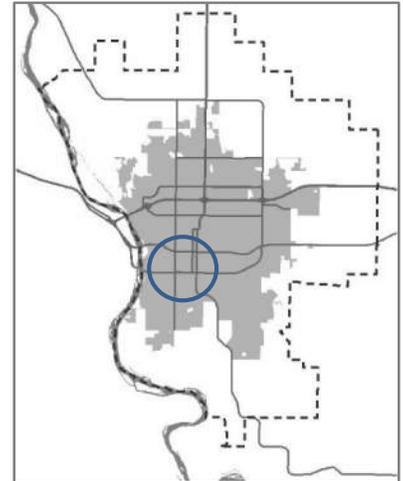
July 22, 2020

Application for: Special Use Permit

TRAKiT Project ID: SUP2020-009

Project Summary

| | |
|-------------------------|---|
| Title: | Eugenes First Addition First Replat, Lot 1, Block 1 |
| Status: | Planning & Zoning Commission – Public Hearing |
| Owner(s): | State Street Investors |
| Project Contact: | Jerry Hauff, Cornerstone Bank |
| Location: | In north-central Bismarck, north of East Divide Avenue and west of State Street, between north 11 th and north 12 th Street |
| Project Size: | 81,425 square feet |
| Request: | Allow the operation of a drive-through in conjunction with a financial institution |



Site Information

| Existing Conditions | | Proposed Conditions | |
|--|--|--|--|
| Number of Lots: | 1 lot in 1 block | Number of Lots: | 1 lot in 1 block |
| Land Use: | Undeveloped | Land Use: | Restaurant |
| Designated GMP Future Land Use: | Already zoned. Not in Future Land Use Plan | Designated GMP Future Land Use: | Already zoned. Not in Future Land Use Plan |
| Zoning: | CG – Commercial | Zoning: | CG – Commercial |
| Uses Allowed: | CG – General commercial, multi-family residential, and offices | Uses Allowed: | CG – General commercial, multi-family residential, and offices |
| Max Density Allowed: | CG – 42 units / acre | Max Density Allowed: | CG – 42 units / acre |

Property History

| | | | | | |
|---------------|---------|-----------------|---------|-----------------|----------|
| Zoned: | 04/1959 | Platted: | 04/2020 | Annexed: | Pre-1980 |
|---------------|---------|-----------------|---------|-----------------|----------|

Staff Analysis

State Street Investors, LLC and Cornerstone Bank are requesting approval of a special use permit to allow

the operation of a drive-through in conjunction a financial institution (Cornerstone Bank).

(continued)

The public has been duly notified of this request. A notice was published in the Bismarck Tribune on July 10th and 17th and 13 letters were mailed to the owners of nearby properties on July 10th.

Adjacent uses include a manufactured home sales facility and manufactured home park to the north; a financial institution and fast food restaurant to the east across State Street; a fueling station with convenience store to the south; and commercial and public uses including a fire station and offices to the west, across North 11th Street.

A drive-through in conjunction with a financial institution is a permitted use within the CG – Commercial zoning district provided conditions outlined in Section 14-03-08(4)(g) of the City Code of Ordinances (Special Uses/Drive-in/Drive-through) are met. The applicant has indicated that the following conditions will be met prior to approval of a site plan and building permit for the proposed special use.

The following conditions apply:

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.*

The lot area, lot width, front yard, side yards, rear yard and height limit of the structure and its appurtenances appear to conform to the requirements of the CG – Commercial zoning district. Compliance with all development standards will be verified through the site plan and building permit review processes.

2. *Access to and egress from a drive-in/drive-through 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.*

Access to and egress from the drive-through will be within the site via North 11th Street and North 12th Street and will not impact adjacent sidewalks and streets.

3. *Adequate off-street parking shall be provided in conformance with section 14-03-10 of this ordinance. In addition, vehicle stacking spaces shall be provided on the premises in accordance with section 14-03-10 of this ordinance, in addition to all common ingress and egress areas provided.*

Adequate off-street parking will be provided in conformance with Section 14-03-10 of this ordinance and will be verified through the site plan review process. Vehicle stacking spaces will also be provided on the premises in accordance 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 local street.*

Ingress and egress points to and from the drive-through will be located more than 60 feet from North 12th Street and State Street and 40 feet from North 11th Street and East Owens Avenue.

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.*

Ingress and egress for the drive-through will be within the site and from an existing access along North 12th Street. It appears that the drive-through will comply with this provision and compliance will be verified through the site plan review process.

- 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.*

This provision is not applicable, as the drive-through will not be located on a corner lot.

Required Findings of Fact (relating to land use)

- 1. The proposed special use complies with all applicable provisions of the zoning ordinance and is consistent with the general intent and purpose of the zoning ordinance;
- 2. The proposed special use is compatible with adjacent land uses and zoning;
- 3. The proposed special use would be designed, constructed, operated and maintained in a manner that is compatible with the appearance of the existing or intended character of the surrounding area;
- 4. Adequate public facilities and services are in place or would be provided at the time of development;
- 5. The proposed special use would not cause a negative cumulative effect, when considered in

conjunction with other uses in the immediate vicinity;

- 6. Adequate measures have been or would be taken to minimize traffic congestion in the public streets and to provide for appropriate on-site circulation of traffic;
- 7. The proposed special use is consistent with the master plan, other adopted plans, policies and accepted planning practice; and
- 8. The proposed special use would not adversely affect the public health, safety and general welfare.

Staff Recommendation

Based on the above findings, staff recommends approval of the special use permit for a drive-through in conjunction with a financial institution on Lot 1, Block 1, Eugenes First Addition First Replat.

Attachments

- 1. Location Map
- 2. Aerial Map
- 3. Zoning and Plan Reference Map
- 4. Site Plan

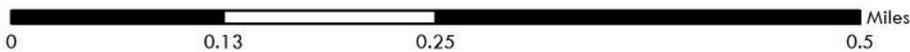
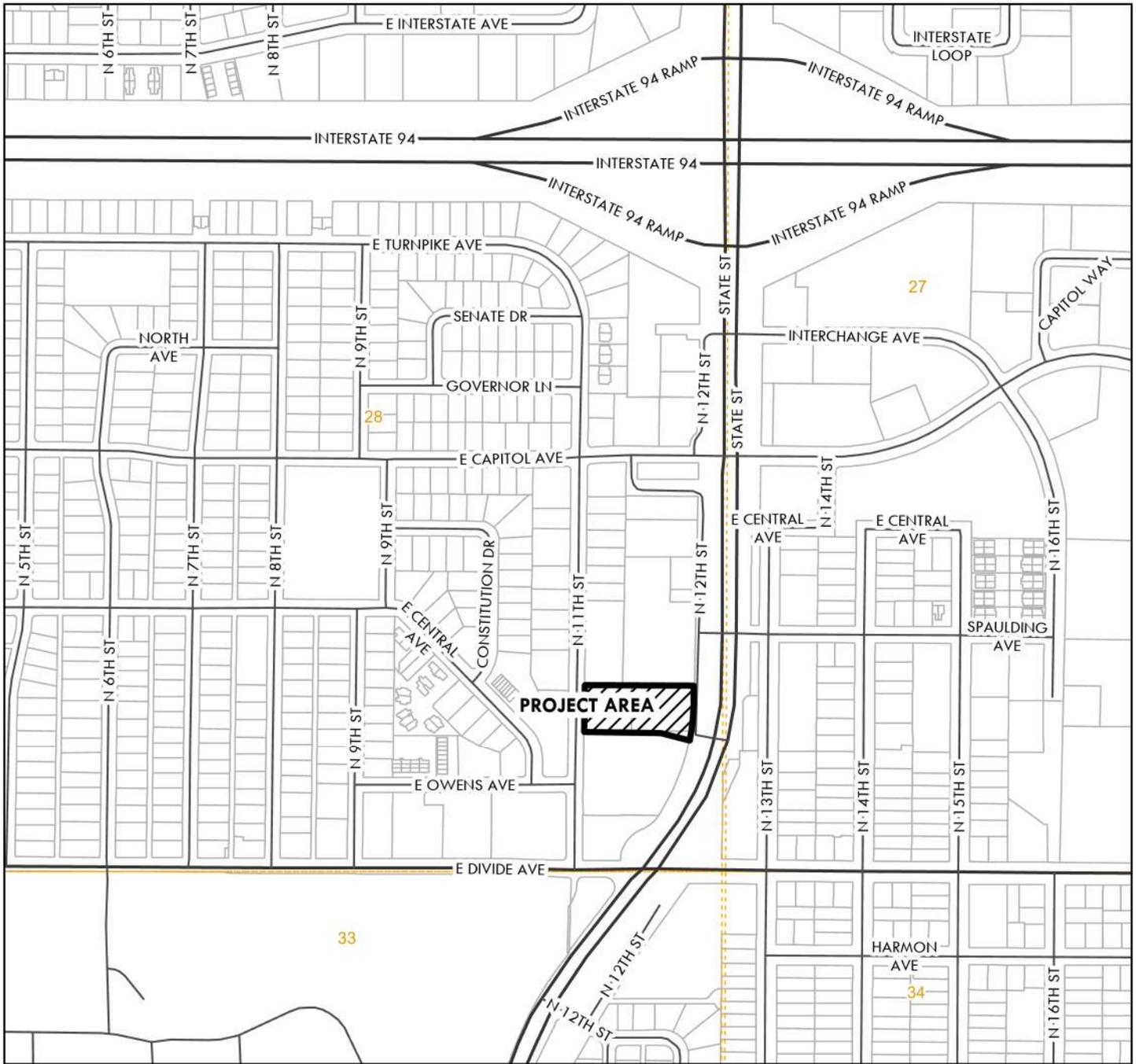
Staff report prepared by: Jenny Wollmuth, AICP, CFM, Planner
 701-355-1845 | jwollmuth@bismarcknd.gov



Location Map

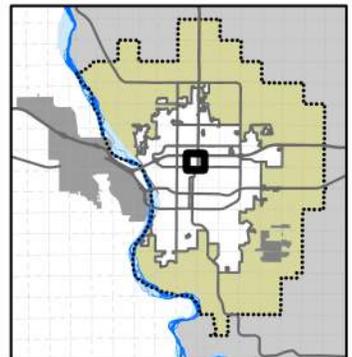
EUGENES FIRST ADDITION FIRST REPLAT, L1, B1

SUP2020-009



- City Limits
- Bismarck ETA Jurisdiction
- County Outside ETA

Section, township, and range indicated in orange



City of Bismarck
 Community Development Department
 Planning Division
 June 24, 2020 (HLB)

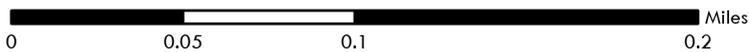
This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated herein.



Aerial Map

EUGENES FIRST ADDITION FIRST REPLAT, L1, B1

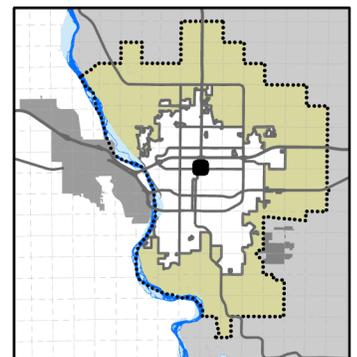
SUP2020-009



City Limits Bismarck ETA Jurisdiction

Aerial Imagery from 2019

City of Bismarck
Community Development Department
Planning Division
July 21, 2020



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 herein.



Zoning and Plan Reference Map

EUGENES FIRST ADDITION FIRST REPLAT, L1, B1

SUP2020-009

Zoning Districts

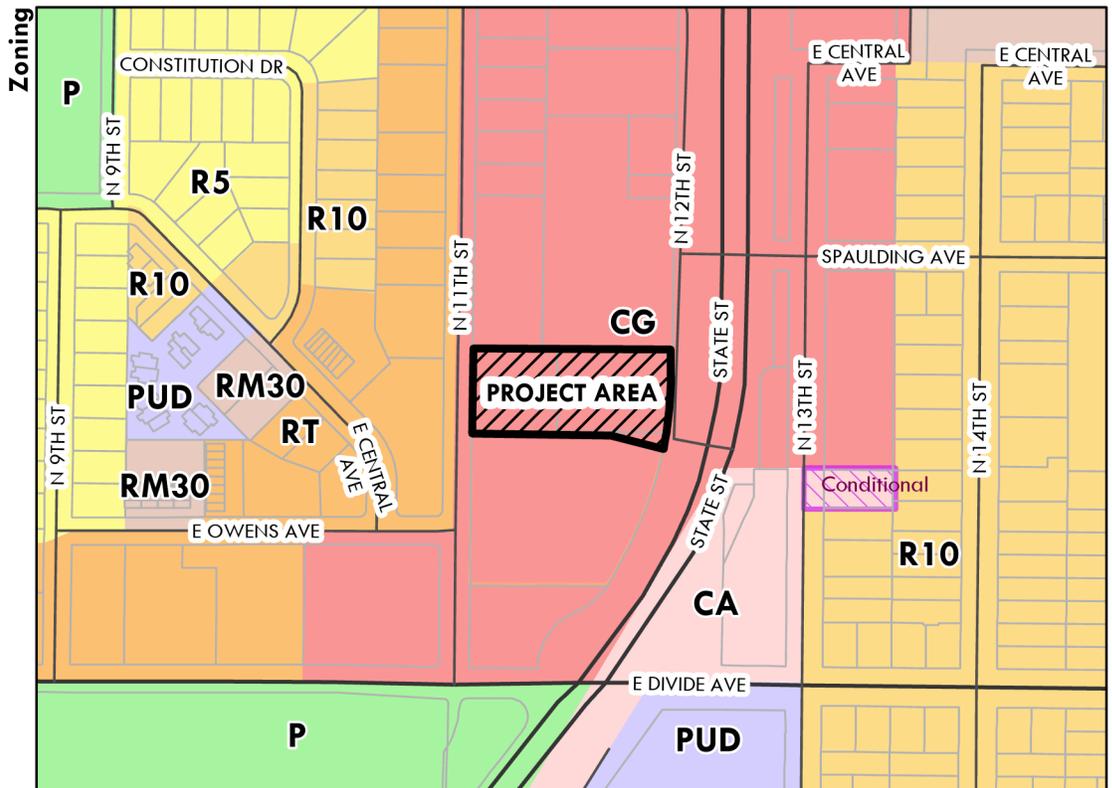
| | |
|------------|-------------------------------|
| A | Agriculture |
| RR | Rural Residential |
| R5 | Residential |
| RMH | Manufactured Home Residential |
| R10 | Residential |
| RM | Residential Multifamily |
| RT | Residential (Offices) |
| HM | Health and Medical |
| CA | Commercial |
| CG | Commercial |
| MA | Industrial |
| MB | Industrial |
| PUD | Planned Unit Development |
| DC | Downtown Core |
| DF | Downtown Fringe |

Future Land Use Plan

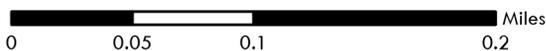
| | |
|----------------|--------------------------------------|
| CONSRV | Conservation |
| BP | Business Park |
| C | Commercial |
| C/MU | Commercial/Mixed Use |
| CIVIC | Civic |
| HDR | High Density Residential |
| I | Industrial |
| LDR | Low Density Residential |
| MDR | Medium Density Residential |
| MDR-/MU | Medium Density Residential/Mixed Use |
| O/MU | Office/Mixed Use |
| RR-C | Clustered Rural Residential |
| RR | Standard Rural Residential |
| UR | Urban Reserve |

Fringe Area Road Master Plan

- ● ● Future Arterial Road
- ■ ■ Future Collector Road



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City of Bismarck
Community Development Dept.
Planning Division
July 17, 2020

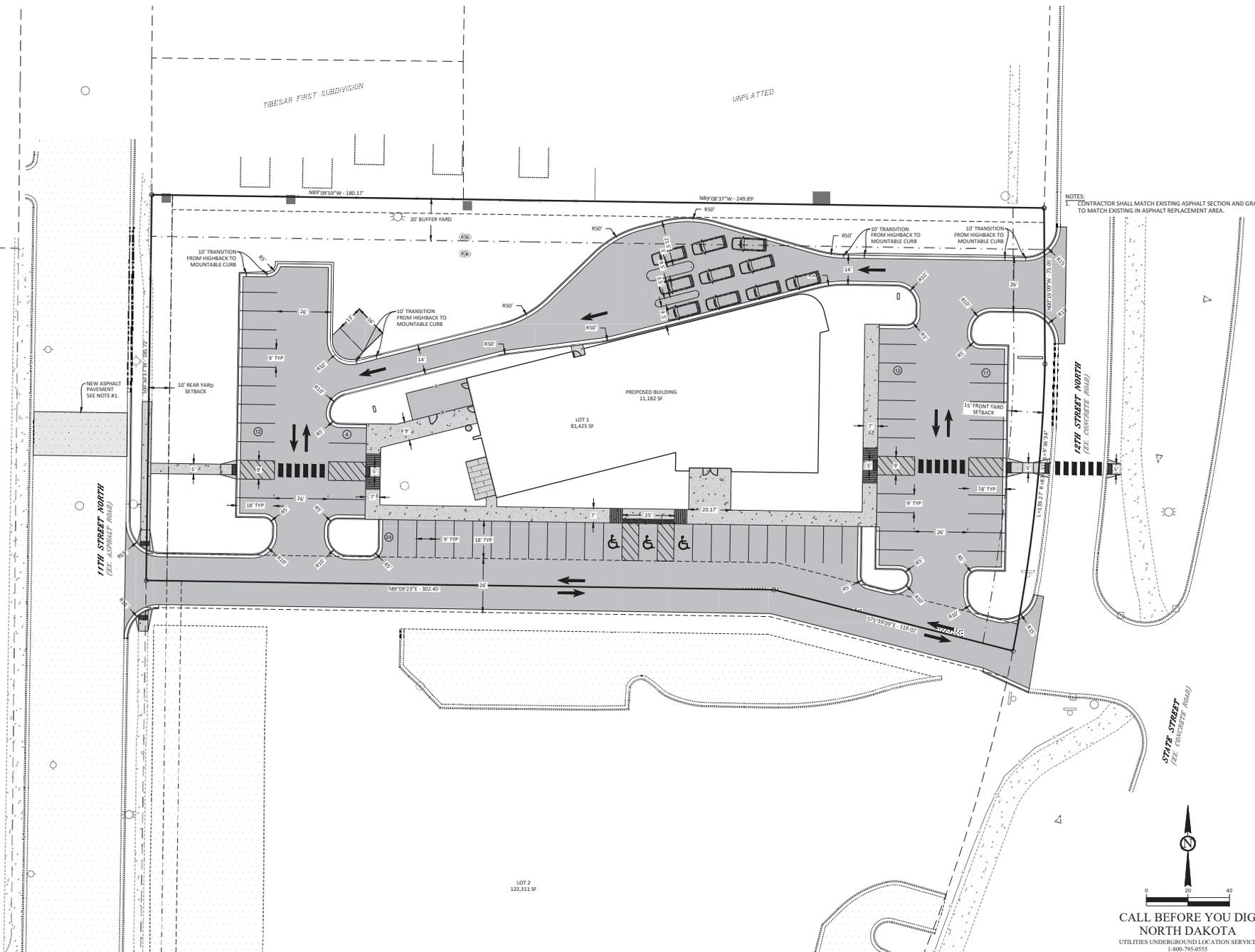
New Branch

1806 N. 12th St.
Bismarck, ND 58501



1111 WESTRAC DRIVE - SUITE 108
FARGO, NORTH DAKOTA 58103

NOTES:
1. CONTRACTOR SHALL MATCH EXISTING ASPHALT SECTION AND GRADE TO MATCH EXISTING IN ASPHALT REPLACEMENT AREA.



wild | crg
architecture | construction
500 2nd Avenue North | Suite 514
Fargo, North Dakota 58102
Phone 701 | 293 | 8106
Fax 701 | 293 | 8119
wildcrg.com

OVERALL
SITE PLAN

| | | |
|-----------------------|------------------------------------|-------|
| Copyright 2020 | Wild & Associates, Ltd. | Sheet |
| Date: 7-3-2020 | Construction Resources Group, Inc. | |
| Project Number: W6512 | | |
| Drawn by: HJP | | |
| Reviewed by: HJP | | |
| Approved by: AJT | | |

CALL BEFORE YOU DIG
NORTH DAKOTA
UTILITIES UNDERGROUND LOCATION SERVICE
1-800-795-0555

C-4



STAFF REPORT

City of Bismarck
Community Development Department
Planning Division

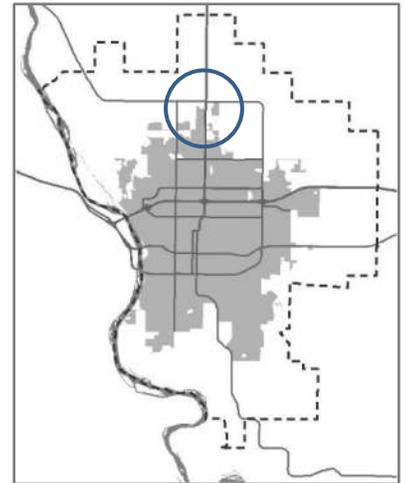
Agenda Item #9
July 22, 2020

Application for: Special Use Permit

TRAKiT Project ID: SUP2020-010

Project Summary

| | |
|-------------------------|--|
| <i>Title:</i> | Lots 1 & 2, Block 5, North Star Commercial Park Third (1205 Northstar Drive) |
| <i>Status:</i> | Planning & Zoning Commission – Public Hearing |
| <i>Owner(s):</i> | David and Brenda Meyer |
| <i>Project Contact:</i> | Jake Miller – JJ Miller Holdings |
| <i>Location:</i> | North of Bismarck, east of US Highway 83 along the south side of Northstar Drive |
| <i>Project Size:</i> | 4.74 acres |
| <i>Request:</i> | Re-establish a retail liquor sales facility within a building located within the City's extraterritorial area. |



Site Information

Existing Conditions

| | |
|--|--|
| <i>Number of Lots:</i> | 1 parcel |
| <i>Land Use:</i> | Vacant |
| <i>Designated GMP Future Land Use:</i> | Already zoned. Not in Future Land Use Plan |
| <i>Zoning:</i> | CG – Commercial |
| <i>Uses Allowed:</i> | CG – General commercial, multi-family residential, and offices |
| <i>Max Density Allowed:</i> | CG – 42 units / acre |

Proposed Conditions

| | |
|--|--|
| <i>Number of Lots:</i> | 1 parcel |
| <i>Land Use:</i> | Retail liquor establishment |
| <i>Designated GMP Future Land Use:</i> | Already zoned. Not in Future Land Use Plan |
| <i>Zoning:</i> | CG – Commercial |
| <i>Uses Allowed:</i> | CG – General commercial, multi-family residential, and offices |
| <i>Max Density Allowed:</i> | CG – 42 units / acre |

Property History

| | | | | | |
|---------------|--------|-----------------|--------|-----------------|-----|
| <i>Zoned:</i> | 2/1979 | <i>Platted:</i> | 8/1979 | <i>Annexed:</i> | N/A |
|---------------|--------|-----------------|--------|-----------------|-----|

Staff Analysis

Jake Miller is requesting approval of a special use permit to allow a retail liquor sales facility within an existing building located in the extra-territorial area.

The public has been duly notified of this request. A notice was published in the Bismarck Tribune on July 10,

(continued)

2020 and July 17, 2020, and 43 letters were mailed to the owners of nearby properties on July 10, 2020.

Adjacent uses include developing industrial and commercial uses to the north across Northstar Drive, industrial uses and vacant land to the east across Aurora Street, vacant CG - Commercial zoned land to the south, and A – Agricultural zoned land to the west across U.S. Highway 83.

Retail liquor sales for Burleigh County Class liquor license holders may be permitted within the city's four-mile extraterritorial jurisdiction in any CA, CG, or MA district as a special use. The property is located within the City of Bismarck's extraterritorial area and zoned CG – Commercial, and the applicant was granted the applicable liquor license at the June 15, 2020 meeting of the Burleigh County Commission.

A previous retail liquor facility was at this location, known as Burnt Creek Club. It was granted a special use permit by the Planning and Zoning Commission on February 27, 2002. That use lapsed with the closing of the establishment in August 2018. In order to re-establish a retail liquor facility at this location, a new special use permit will need to be approved by the Planning and Zoning Commission.

The following criteria from Section 14-03-08 (4) (s) of the City Code of Ordinances (Special Uses/Retail Liquor Sales) apply:

- 1. *The site is not within three hundred (300) feet from the nearest lot line point of any religious institution, public or parochial school, public library, hospital, or college or university building used for academic purposes.*

The site is not within three hundred (300) feet from the nearest lot line point of any of these uses.

- 2. *The site is a minimum of three hundred (300) feet from similarly licensed premises, to be measured upon a straight line drawn directly between the nearest primary public accesses onto the licensed liquor premises. The line may not pass through obstructions but shall follow the public right-of-way around them as nearly as possible.*

There are no similar uses within 300 feet of the proposed facility.

- 3. *The site will not impede the orderly development of the city.*

The site is existing and will not impede the orderly development of the City.

- 4. *The site must not have an adverse impact on the character of the neighborhood. The following criteria may be used to evaluate proposed sites: the effect on traffic movements in the area, the number and nature of sites already existing in the area, the general nature, character, age and condition of the adjacent development, the proximity to residential areas, regardless of zoning, or any other criteria the city may deem pertinent.*

The site is existing and the existing layout including traffic access point does not have an impact on traffic movements. The building and proposed use, character and age are not incompatible with the adjacent neighborhood and the site is not located near residential areas.

- 5. *The site will be licensed by the county and comply with the requirements of the license.*

This condition has already been met.

- 6. *The site must comply with applicable building code, health and sanitation, and zoning regulations.*

There are ongoing discussions with the applicant between the City Building Official and the Bismarck Rural Fire Department Chief to ensure the proposed building will meet all applicable building and fire code regulations. Prior to occupancy, the applicant will need to ensure all required provisions are met.

Required Findings of Fact (relating to land use)

- 1. The proposed special use complies with all applicable provisions of the zoning ordinance and is consistent with the general intent and purpose of the zoning ordinance;

(continued)

- 2. The proposed special use is compatible with adjacent land uses and zoning;
- 3. The Hay Creek Township Board of Supervisors has recommended approval of the proposed special use;
- 4. The proposed special use would be designed, constructed, operated and maintained in a manner that is compatible with the appearance of the existing or intended character of the surrounding area;
- 5. Adequate public facilities and services are in place or would be provided at the time of development;
- 6. The proposed special use would not cause a negative cumulative effect, when considered in conjunction with other uses in the immediate vicinity;
- 7. Adequate measures have been or would be taken to minimize traffic congestion in the public streets and to provide for appropriate on-site circulation of traffic;
- 8. The proposed special use is consistent with the master plan, other adopted plans, policies and accepted planning practice; and

- 9. The proposed special use would not adversely affect the public health, safety and general welfare provided the staff recommended conditions listed below are met prior to occupancy.

Staff Recommendation

Based on the above findings, staff recommends approval of the special use permit for a retail liquor sales facility for Lots 1 & 2, Block 5, Northstar Commercial Park Third Subdivision with the following condition:

- 1. The retail liquor sales facility must meet all applicable building, health and sanitation and fire codes prior to occupancy.

Attachments

- 1. Location Map
- 2. Aerial Map
- 3. Zoning and Plan Reference Map
- 4. Site Plan

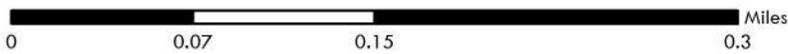
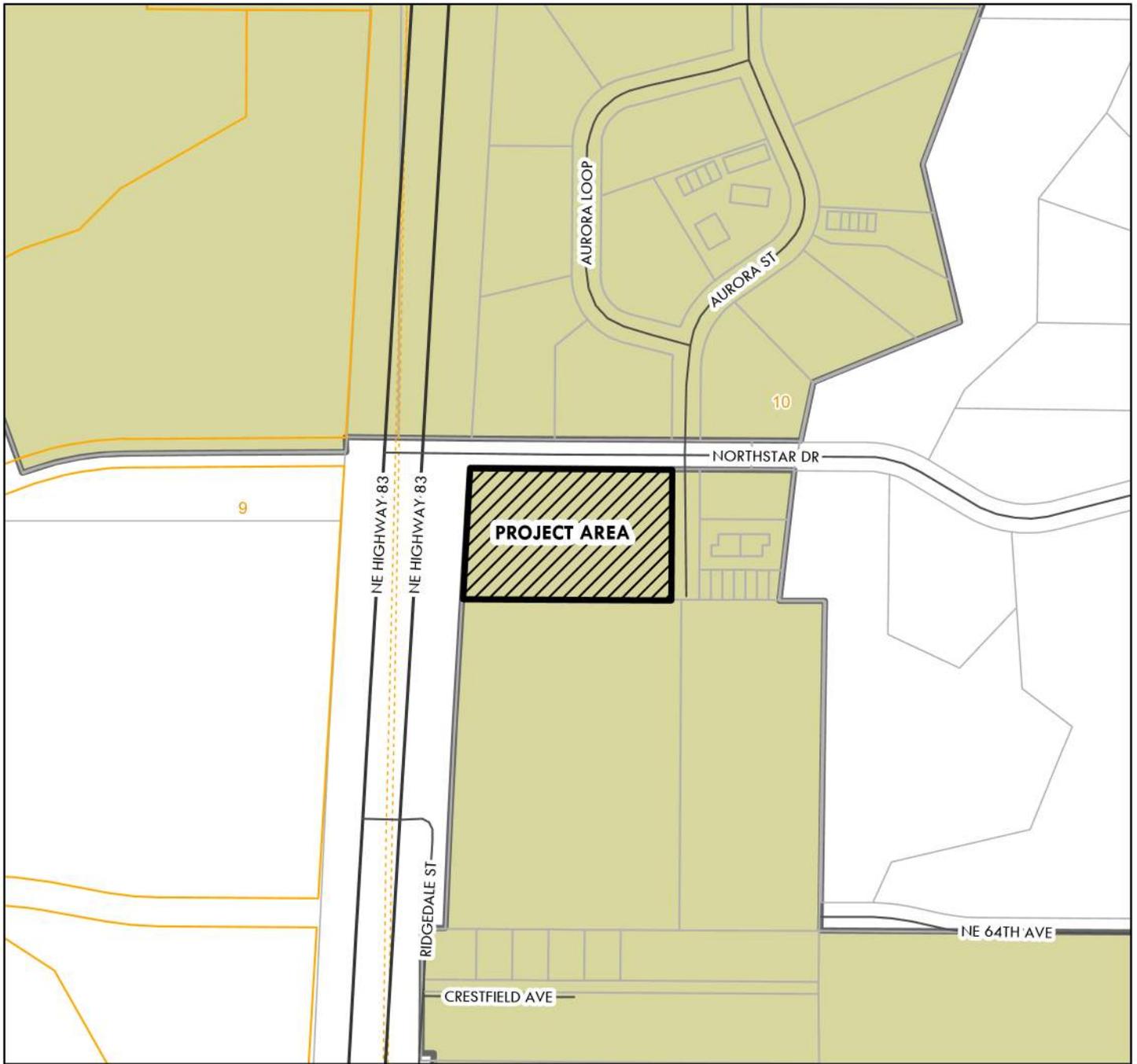
Staff report prepared by: Will Hutchings, Planner
701-355-1850 | whutchings@bismarcknd.gov



Location Map

NORTHSTAR COMMERCIAL PARK 3RD SUB., L1-2, B5

SUP2020-010

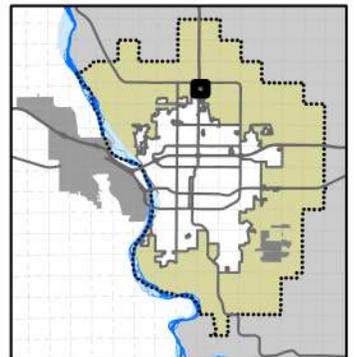


- City Limits
- County Outside ETA
- Bismarck ETA Jurisdiction
- Lots Pending Approval

Section, township, and range indicated in orange

City of Bismarck
 Community Development Department
 Planning Division
 July 16, 2020 (HLB)

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 herein.





Aerial Map

NORTHSTAR COMMERCIAL PARK 3RD SUB., L1-2, B5

SUP2020-010

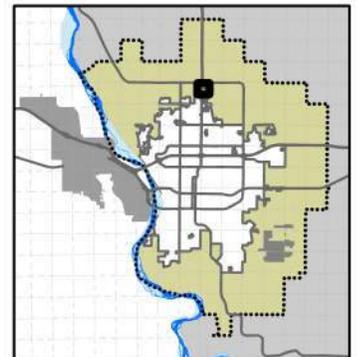


- Lots Pending Approval
- City Limits
- Bismarck ETA Jurisdiction

Aerial Imagery from 2019

City of Bismarck
Community Development Department
Planning Division
July 16, 2020

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.





Zoning and Plan Reference Map

NORTHSTAR COMMERCIAL PARK 3RD SUB., L1-2, B5

SUP2020-010
ZC2020-006

Zoning Districts

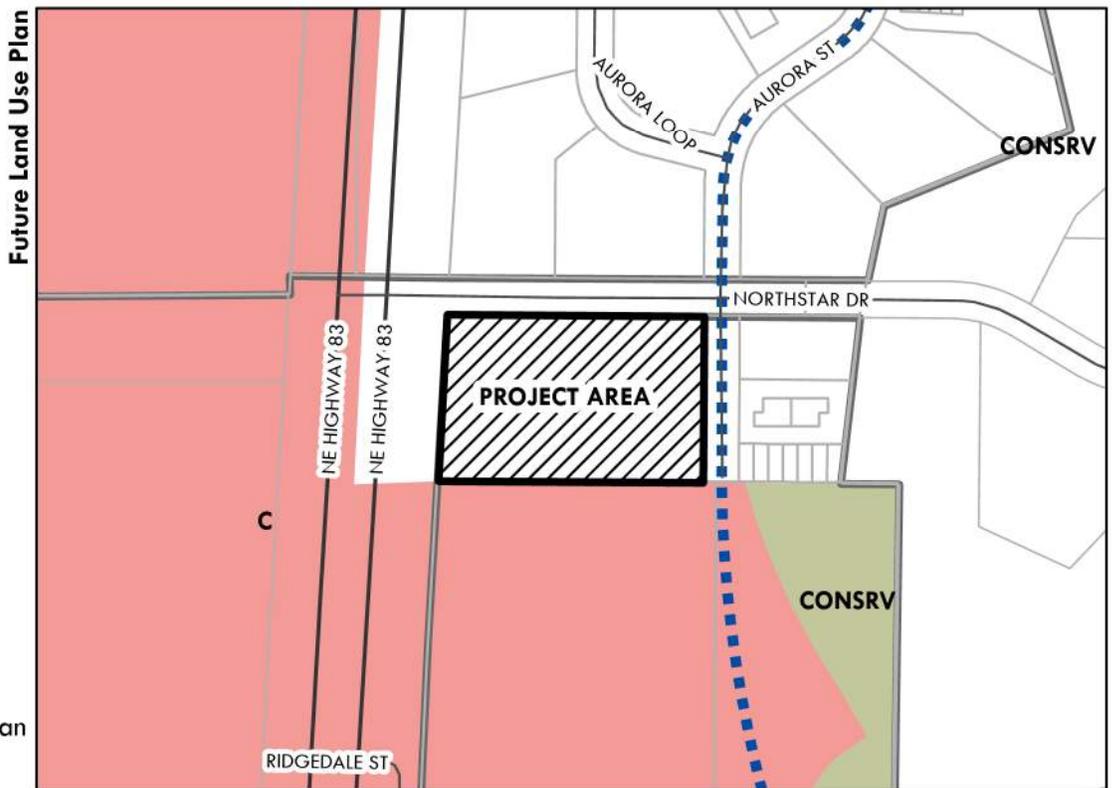
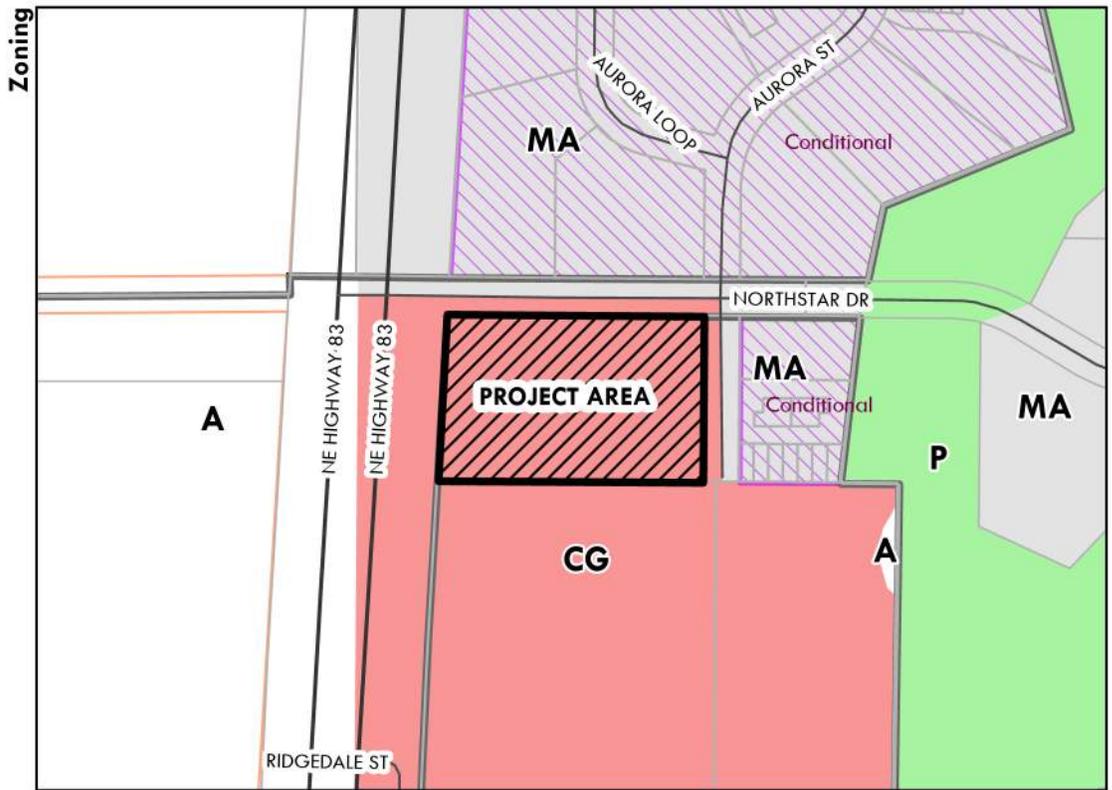
| | |
|------------|-------------------------------|
| A | Agriculture |
| RR | Rural |
| | Residential |
| R5 | Residential |
| RMH | Manufactured Home Residential |
| R10 | Residential |
| RM | Residential Multifamily |
| RT | Residential (Offices) |
| HM | Health and Medical |
| CA | Commercial |
| CG | Commercial |
| MA | Industrial |
| MB | Industrial |
| PUD | Planned Unit Development |
| DC | Downtown Core |
| DF | Downtown Fringe |

Future Land Use Plan

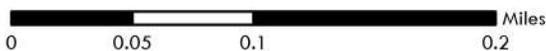
| | |
|----------------|--------------------------------------|
| CONSRV | Conservation |
| BP | Business Park |
| C | Commercial |
| C/MU | Commercial/Mixed Use |
| CIVIC | Civic |
| HDR | High Density Residential |
| I | Industrial |
| LDR | Low Density Residential |
| MDR | Medium Density Residential |
| MDR-/MU | Medium Density Residential/Mixed Use |
| O/MU | Office/Mixed Use |
| RR-C | Clustered Rural Residential |
| RR | Standard Rural Residential |
| UR | Urban Reserve |

Fringe Area Road Master Plan

- ● ● Future Arterial Road
- ■ ■ Future Collector Road



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 herein.



City of Bismarck
Community Development Dept.
Planning Division
July 16, 2020

LOT 4

1

LOT 5

NORTHSTAR DRIVE

N 89°45'40" E

271.05'

N 89°45'33" E

287.49'

15 33

14

66

75

CONCRETE SIDEWALK

34

EDGE OF ASPHALT

65

76

EXISTING BUILDING

58

85

LOT 1

57

48

47

N 02°44'28" E

363.92'

S 00°14'35" E

363.10'

5

LOT 2

S 00°14'45" E

362.78'

U.S. HIGHWAY 83

NORTHSTAR COMMERCIAL PARK
SECOND SUBDIVISION

S 89°41'44" W
289.99'

S 89°41'44" W
287.51'

56

25 0 25 50
SCALE 1"=50' FEET



| | | | |
|----------------------------|-------------------|------------------------|-----------------|
| Rev'd. | | SHEET NO. | |
| [Redacted] | | 1 | |
| Kadmas Lee & Jackson | | EXISTING SITE PLAN | |
| DRWN BY ATV | CHECKED BY RWD | CAD/PL. NO. 1602200 | DATE 2/08/02 |



STAFF REPORT

City of Bismarck
Community Development Department
Planning Division

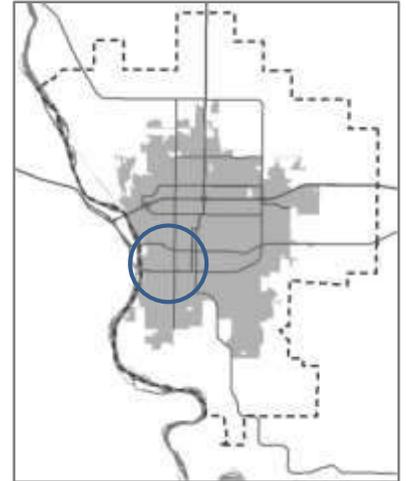
Agenda Item #10
July 22, 2020

Application for: Special Use Permit

TRAKit Project ID: SUP2020-011

Project Summary

| | |
|-------------------------|--|
| <i>Title:</i> | Lot 4, Block 6, Park Hills First Addition (945 Lake Avenue) |
| <i>Status:</i> | Planning & Zoning Commission – Public Hearing |
| <i>Owner(s):</i> | Jeffrey Lund |
| <i>Project Contact:</i> | Jeffrey Lund |
| <i>Location:</i> | In west-central Bismarck, between Memorial Highway and West Main Avenue on the south side of Lake Avenue |
| <i>Project Size:</i> | 664 square foot structure on a 17,715 square foot lot |
| <i>Request:</i> | Construct an accessory dwelling unit as a separate structure in rear of lot |



Site Information

Existing Conditions

| | |
|--|--|
| <i>Number of Lots:</i> | 1 parcel |
| <i>Land Use:</i> | Single-family residential |
| <i>Designated GMP Future Land Use:</i> | Already zoned. Not in Future Land Use Plan |
| <i>Zoning:</i> | R10 – Residential |
| <i>Uses Allowed:</i> | R10 – Single and two-family residential |
| <i>Max Density Allowed:</i> | R10 – 10 units / acre |

Proposed Conditions

| | |
|--|--|
| <i>Number of Lots:</i> | 1 parcel |
| <i>Land Use:</i> | Single-family residential with accessory dwelling unit |
| <i>Designated GMP Future Land Use:</i> | Already zoned. Not in Future Land Use Plan |
| <i>Zoning:</i> | R10 – Residential |
| <i>Uses Allowed:</i> | R10 – Single and two-family residential |
| <i>Max Density Allowed:</i> | R10 – 10 units / acre |

Property History

| | | | | | |
|---------------|----------|-----------------|----------|-----------------|----------|
| <i>Zoned:</i> | Pre-1980 | <i>Platted:</i> | Pre-1980 | <i>Annexed:</i> | Pre-1980 |
|---------------|----------|-----------------|----------|-----------------|----------|

Staff Analysis

Jeff Lund is requesting approval of a special use permit to construct an accessory dwelling unit in the rear of Lot 4, Block 6, Park Hills First Addition (945 Lake Avenue).

Adjacent uses include single-family or two-family to the west, east, and south, and railroad tracks across Lake Avenue to the north.

The following criteria from Section 14-03-08(y) of the City Code of Ordinances (Special Uses/Accessory Dwelling Units) apply:

1. *No more than one accessory dwelling unit may be permitted on each lot or parcel.*
Approval of only one unit is being requested.
2. *An accessory dwelling unit must be contained completely within the principal structure on the lot or parcel, or contained within an accessory structure that meets all requirements of this Code, including size and setback requirements of the underlying zoning district. However, the height of any accessory dwelling unit may be up to twenty (20) feet or the height of the principal structure on the lot, whichever is less.*

The accessory dwelling unit will be contained within an accessory structure that meets all requirements for the zoning district. The structure will be located three feet from both rear and side lot lines, and the structure combined with the existing detached garage will not exceed the allowable 1,200 square feet of accessory buildings on the lot. The height of the proposed structure would be approximately 19 feet from grade, within the allowable height limit.

3. *The principal or accessory dwelling unit must be occupied by the owner of the subject parcel as a legal residence for more than six (6) months of any given year. The home may not be owned by a corporation, but the owner-occupant may be a benefited person in a private trust or life estate. The owner-occupancy requirement applies to the applicant as well as all subsequent owners of the property.*

The applicant intends to continue use of this property as an owner-occupied dwelling.

4. *At least one off-street parking space shall be provided for an accessory dwelling, in addition to any parking required for the principal dwelling unit on the lot.*

The existing residence has a two-stall detached garage and the ordinance allows two additional spaces to be counted in front of the garage stalls. Sufficient parking exists on the site for the single-family home and the accessory dwelling unit.

5. *No accessory dwelling unit may include more than one (1) bedroom.*

The proposed unit includes one bedroom.

6. *Units within Accessory Structure: The floor area of an accessory dwelling unit may not be greater than 800 square feet or less than 300 square feet on any lot or parcel five (5) acres in area or less.*

The proposed accessory dwelling unit measures a total of 720 square feet, in two stories, which is within the allowable range.

7. *An accessory dwelling unit must be connected to public utilities if available on the lot or parcel. If the lot is serviced by an on-site sewage treatment facility, the applicant must show that sufficient sewage treatment capacity will be available to meet anticipated needs.*

The applicant intends to install water and sewer pipes to connect the accessory building to the primary structure, sharing a water meter. Therefore, no additional utility capital charges will be required.

The structure will require a building permit. The applicant intends to purchase a pre-fabricated structure, similar to images attached to this report, and place it on a permanent foundation. The Building Inspections Division will work with the applicant to ensure that residential building code specifications are

met during placement, utility connections, and interior build-out.

Required Findings of Fact (relating to land use)

1. The proposed special use complies with all applicable provisions of the zoning ordinance and is consistent with the general intent and purpose of the zoning ordinance;
2. The proposed special use is compatible with adjacent land uses and zoning;
3. The proposed special use would be designed, constructed, operated and maintained in a manner that is compatible with the appearance of the existing or intended character of the surrounding area;
4. Adequate public facilities and services are in place or would be provided at the time of development;
5. The proposed special use would not cause a negative cumulative effect, when considered in conjunction with other uses in the immediate vicinity;
6. Adequate measures have been or would be taken to minimize traffic congestion in the public streets and to provide for appropriate on-site circulation of traffic;

7. The proposed special use is consistent with the master plan, other adopted plans, policies and accepted planning practice; and
8. The proposed special use would not adversely affect the public health, safety and general welfare.

Staff Recommendation

Based on the above findings, staff recommends approval of the special use permit to construct an accessory dwelling unit in the rear of Lot 4, Block 6, Park Hills First Addition, with the following conditions:

1. All residential building code requirements are met for construction of the dwelling.
2. Municipal water and sewer services are provided with a connection to the primary residence on the lot.

Attachments

1. Location Map
2. Aerial Map
3. Zoning and Plan Reference Map
4. Preliminary Site Plan
5. Example images of structure

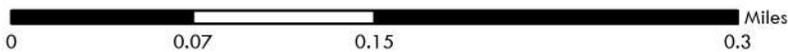
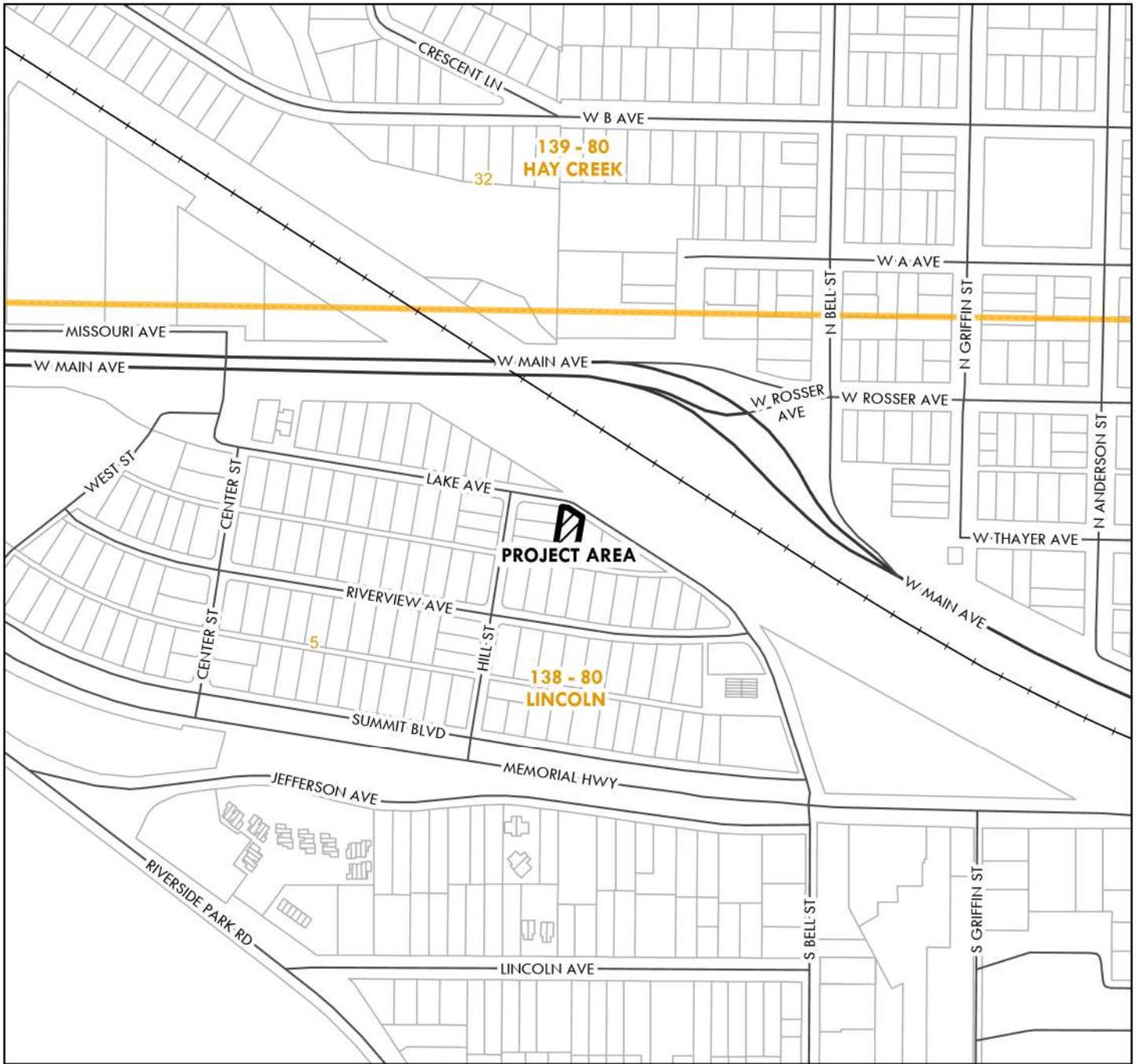
Staff report prepared by: Daniel Nairn, AICP, Planner
 701-355-1854 | dnairn@bismarcknd.gov



Location Map

PARK HILL 1ST ADDITION, L4, B6

SUP2020-011



City Limits

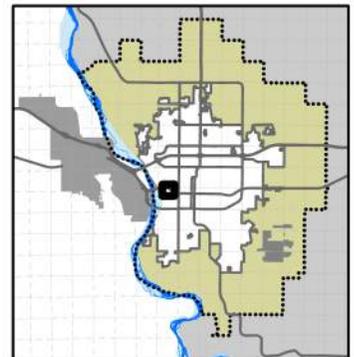
County Outside ETA

Bismarck ETA Jurisdiction

Section, township, and range indicated in orange

City of Bismarck
 Community Development Department
 Planning Division
 June 30, 2020 (HLB)

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 herein.

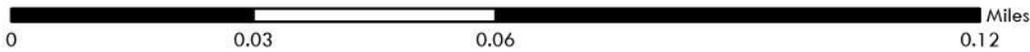
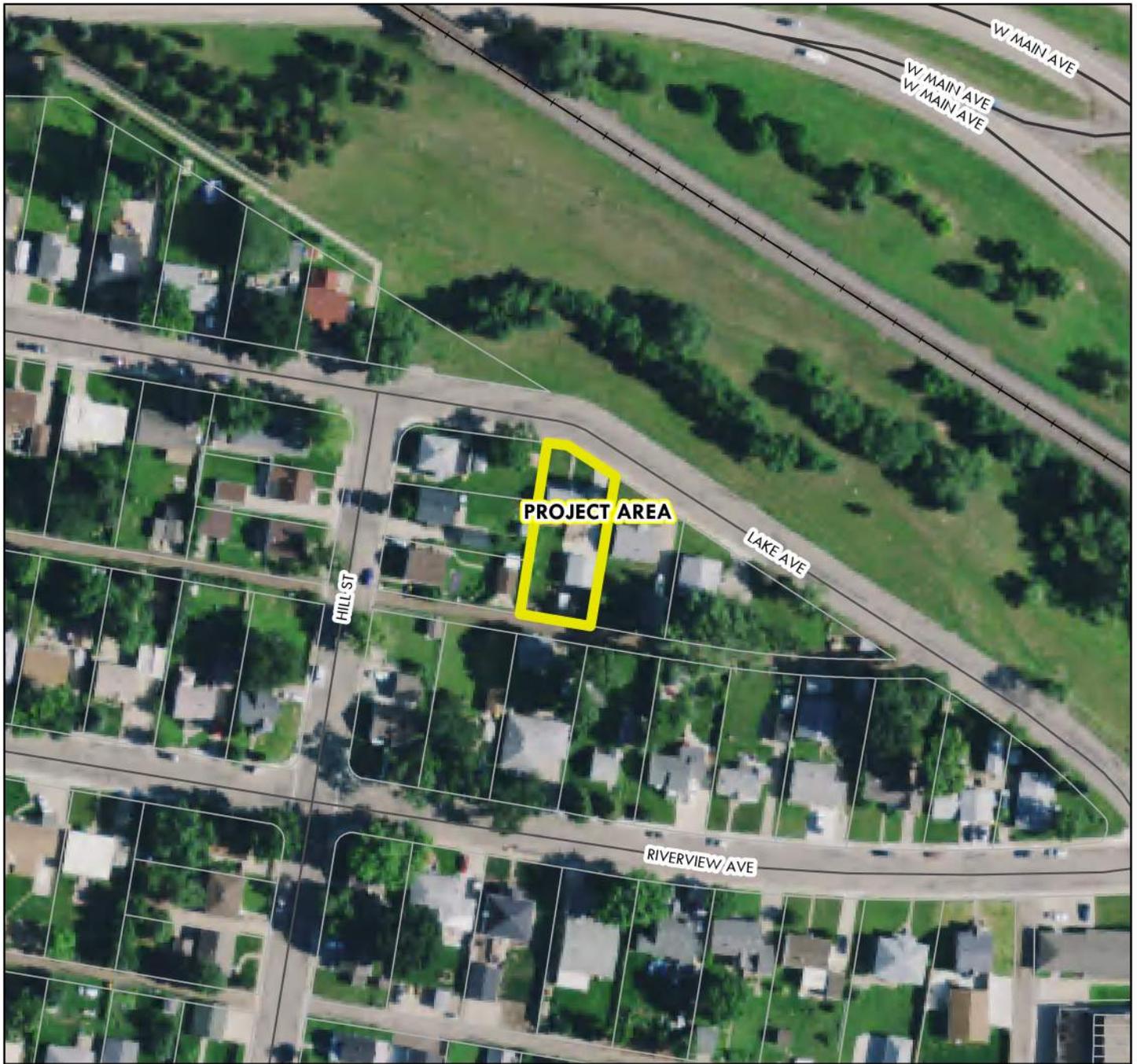




Aerial Map

PARK HILL 1 ST ADDITION, L4, B6

SUP2020-011

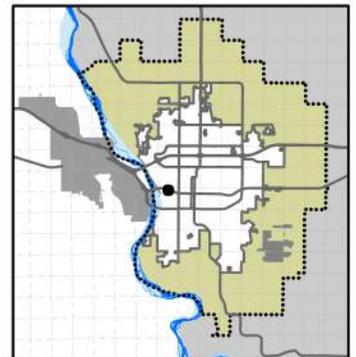


City Limits Bismarck ETA Jurisdiction

Aerial Imagery from 2019

City of Bismarck
Community Development Department
Planning Division
July 14, 2020

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.





Zoning and Plan Reference Map

SUP2020-011

PARK HILL 1 ST ADDITION, L4, B6

Zoning Districts

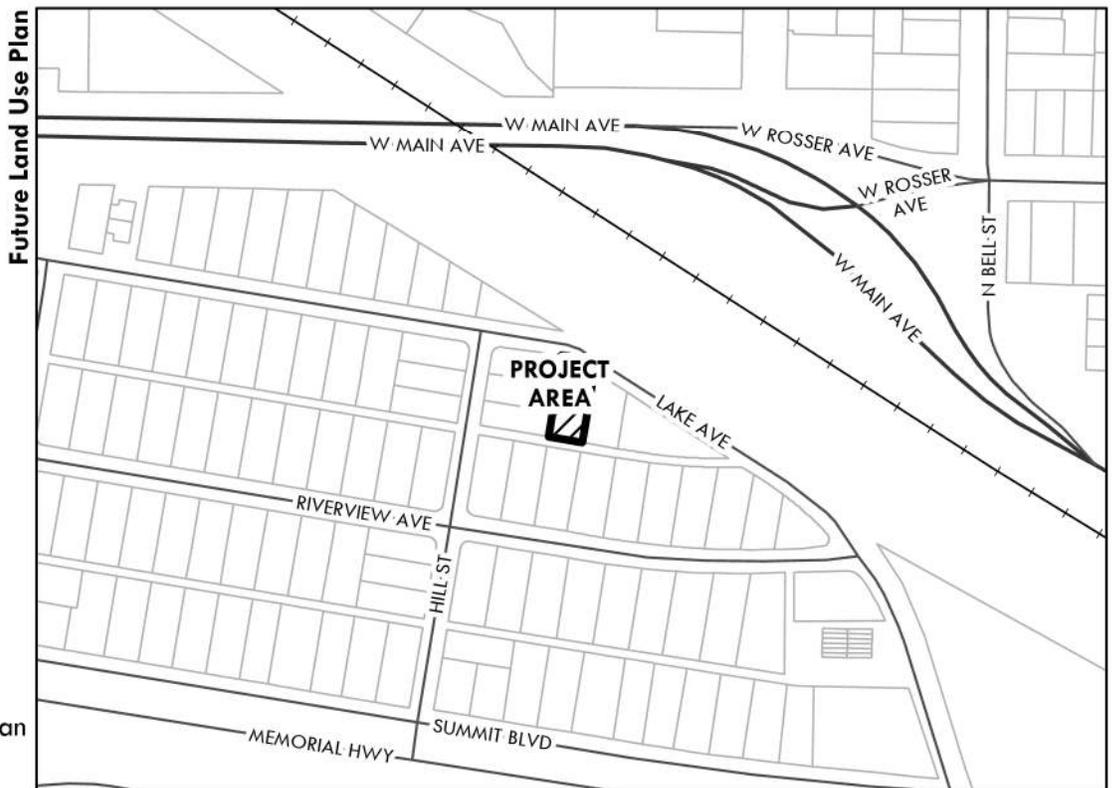
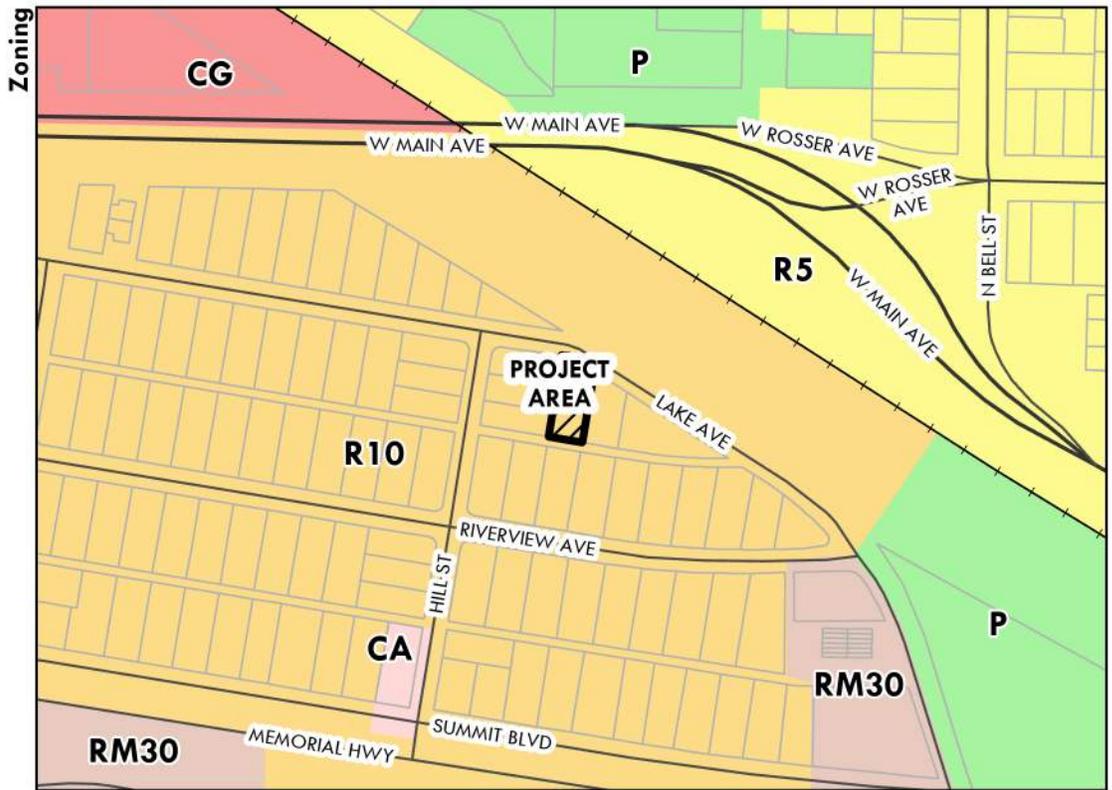
- A** Agriculture
- RR** Rural
- R5** Residential
- RMH** Manufactured Home Residential
- R10** Residential
- RM** Residential Multifamily
- RT** Residential (Offices)
- HM** Health and Medical
- CA** Commercial
- CG** Commercial
- MA** Industrial
- MB** Industrial
- PUD** Planned Unit Development
- DC** Downtown Core
- DF** Downtown Fringe

Future Land Use Plan

- CONSRV** Conservation
- BP** Business Park
- C** Commercial
- C/MU** Commercial/Mixed Use
- CIVIC** Civic
- HDR** High Density Residential
- I** Industrial
- LDR** Low Density Residential
- MDR** Medium Density Residential
- MDR-/MU** Medium Density Residential/Mixed Use
- O/MU** Office/Mixed Use
- RR-C** Clustered Rural Residential
- RR** Standard Rural Residential
- UR** Urban Reserve

Fringe Area Road Master Plan

- ● ● Future Arterial Road
- ■ ■ Future Collector Road



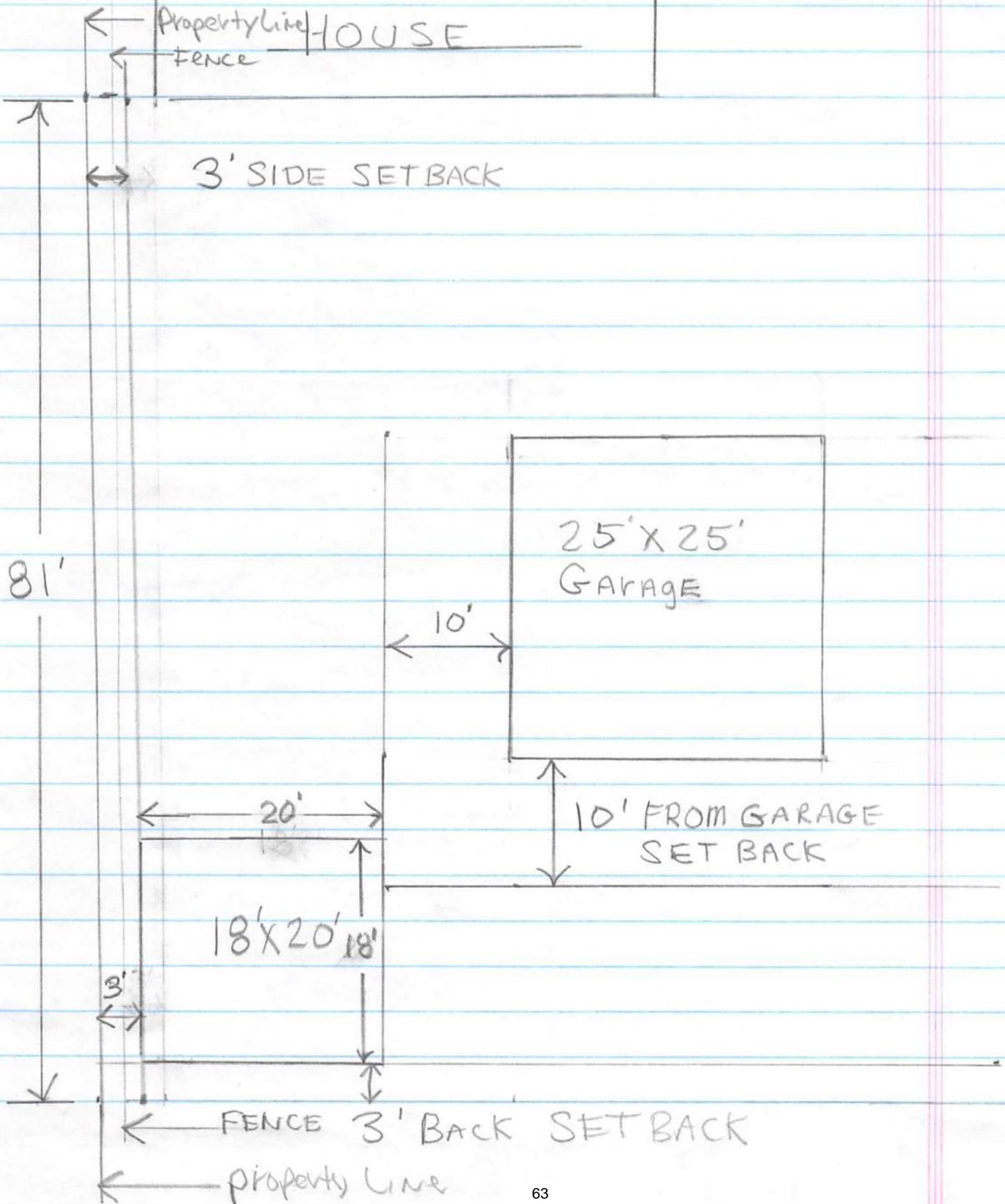
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City of Bismarck
 Community Development Dept.
 Planning Division
 July 14, 2020

LUND
JEFFREY R

3/32



Sample Images Submitted for Accessory Dwelling Unit



BISMARCK PLANNING & ZONING COMMISSION
MEETING MINUTES
June 24, 2020

The Bismarck Planning & Zoning Commission met on June 24, 2020, at 5:00 p.m. in the Tom Baker Meeting Room in the City-County Office Building, 221 North 5th Street. Due to ongoing public health concerns related to COVID-19, many of the Planning and Zoning Commissioners and staff participated in the meeting remotely via Zoom. Chair Schwartz presided and was present in the Tom Baker Meeting Room.

Commissioners present were Steve Bakken, Brian Bitner, Vernon Laning, Paul Levchak, Kevin Martin, Gabe Schell, Wendy Van Duyne, John Van Dyke, Trent Wangen and Mike Schwartz.

Commissioner Brian Eiseman was absent.

Staff members present were Ben Ehreth – Community Development Director, Kim Lee – Planning Manager, Will Hutchings – Planner, Daniel Nairn – Planner, Jenny Wollmuth – Planner, Hilary Balzum – Community Development Administrative Assistant and Janelle Combs – City Attorney.

MINUTES

Chair Schwartz called for consideration of the minutes of the May 27, 2020 meeting.

MOTION: Commissioner Laning made a motion to approve the minutes of the May 27, 2020 meeting. Commissioner Bakken seconded the motion and it was unanimously approved with Commissioners Bakken, Bitner, Laning, Levchak, Martin, Schell, Van Duyne, Wangen and Schwartz voting in favor of the motion.

Commissioner Van Dyke joined the meeting at this time.

CONSIDERATION

- A. SILVER RANCH SECOND ADDITION – PRELIMINARY PLAT AND ZONING CHANGE**
- B. SILVER RANCH THIRD ADDITION – PRELIMINARY PLAT, FRINGE AREA ROAD MASTER PLAN AMENDMENT AND ZONING CHANGE**
- C. TRACT 500 OF BLOCKS 27 AND 38, AND LOTS 3, 4, AND THE NORTH 20 FEET OF LOT 5, AND LOTS 9 AND 10, BLOCK 38, NORTHERN PACIFIC SECOND ADDITION – ZONING CHANGE**

Chair Schwartz called for consideration of the following consent agenda items:

- A. Silver Ranch Second Addition – Preliminary Plat and Zoning Change

- B. Silver Ranch Third Addition – Preliminary Plat, Fringe Area Road Master Plan Amendment and Zoning Change
- C. Tract 500 of Blocks 27 and 38, and Lots 3, 4, and the North 20 feet of Lot 5, and Lots 9 and 10, Block 38, Northern Pacific Second Addition – Zoning Change

No items were pulled from the consent agenda for discussion.

MOTION: Based on the findings contained in the staff reports, Commissioner Bakken made a motion to approve consent agenda items A, B and C, granting tentative approval or calling for a public hearing on the items as recommended by staff. Commissioner Bitner seconded the motion and it was unanimously approved with Commissioners Bakken, Bitner, Laning, Martin, Schell, Van Duyne, Wangen and Schwartz voting in favor of the motion. Commissioners Levchak and Van Dyke opposed the motion.

**FINAL CONSIDERATION – ANNEXATION
NORTH 223 FEET OF LOT 1, BLOCK 3, TIMBERLANE PLACE SECOND
SUBDIVISION**

Chair Schwartz called for final consideration of the annexation of the North 223 feet of Lot 1, Block 3, Timberlane Place Second Subdivision. The property is located southwest of Bismarck, south of Riverwood Drive/Mills Avenue and east of Traynor Lane.

Ms. Lee gave an overview of the request, including the following findings related to land use for the annexation:

1. The City of Bismarck and/or other agencies would be able to provide necessary public services, facilities and programs to serve any development allowed by the annexation at the time the property is developed.
2. The proposed annexation is a logical and contiguous extension of the current corporate limits of the City of Bismarck.
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 accepted planning practice.
5. The proposed annexation would not adversely affect the public health, safety and general welfare.

Ms. Lee said based on the above findings, staff recommends approval of the annexation of the North 223 feet of Lot 1, Block 3, Timberlane Place Second Subdivision.

Commissioner Van Dyke asked if the property would be contiguous to the City upon approval of the proposed annexation.

Ms. Lee said that is correct and added that City utility capital charges would be applied if this property is not combined with the adjacent property already within city limits. She said there are other options, but the owner has requested to have his properties combined.

Commissioner Levchak asked how the property currently has water serviced.

Ms. Lee said it either has a well or is serviced through South Central Regional Water District and would now connect to City services.

Commissioner Van Dyke asked if there would be a recorded easement if the properties were to not be combined in order to ensure access and utilities.

Ms. Lee said yes, that would be a requirement.

MOTION: Based on the findings contained in the staff report, Commissioner Bakken made a motion to recommend approval of the annexation of the North 223 feet of Lot 1, Block 3, Timberlane Place Second Subdivision. Commissioner Levchak seconded the motion and the motion was approved with Commissioners Bakken, Bitner, Laning, Levchak, Martin, Schell, Schwartz, Van Duynes, Van Dyke and Wangen voting in favor of the motion.

PUBLIC HEARINGS – MAJOR SUBDIVISION FINAL PLAT FIRST RESPONDERS ADDITION

Chair Schwartz called for the public hearing on the major subdivision final plat for First Responders Addition. The proposed plat is one lot in one block on 4.65 acres and is located in east Bismarck, between East Main Avenue / County Highway 10 and Apple Creek Road, along the west side of 52nd Street SE (part of Auditor's Lot 6 of the E¹/₂, and part of Lot 7B of Auditor's Lot 7 of the SE¹/₄ of Section 1, T138N-R80W/City Lands).

Ms. Wollmuth gave an overview of the request, including the following findings related to land use for the final plat:

1. All technical requirements for approval of a major subdivision final plat have been met.
2. The City Engineer has conditionally approved the Post-Construction Stormwater Management Permit (PSCSMP) with the following conditions: 1) the two proposed ponds outside of the plat are temporary as a permanent area-wide stormwater management system is being planned to include the proposed plat and all unplatted properties adjacent to the plat; and 2) two offsite stormwater and drainage easements are provided and approved by the City Commission and recorded with the Burleigh County Recorder prior to the recordation of final plat;

3. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance.
4. The proposed subdivision is consistent with the master plan, other adopted plans, policies and accepted planning practice.
5. The proposed subdivision would not adversely affect the public health, safety and general welfare

Ms. Wollmuth said, based on these findings, staff recommends approval of the major subdivision final plat for First Responders Addition, with the understanding that required off-site stormwater and drainage easements are approved and recorded prior to recordation of the final plat.

Commissioner Levchak asked if there would be access to this property from Midwest Drive and through the neighboring properties.

Ms. Wollmuth said she anticipates traffic would go south on 52nd Street SE and then west on Midwest Drive to the property.

Commissioner Levchak asked if access is allowed onto 52nd Street SE.

Ms. Wollmuth said there is a non-access line along that right-of-way so there would not be direct access allowed.

Chair Schwartz opened the public hearing.

Matt Geiger, 161 Commercial LLC, said he owns the property in question and current adjacent uses to the north, south and west are zoned Conditional MA-Industrial. He said this property is already annexed as well as zoned for the intended use. He said he also owns the subdivision to the east and he will protect that investment very carefully with a good fit of use at this location.

Commissioner Levchak asked if the rural homeowners to the east have been contacted about this change.

Mr. Geiger said he did not contact them directly because it is already zoned and annexed, but they did receive an adjacent property owner notification from the Planning Division about this request.

Ms. Wollmuth added that the staff recommendation does include a condition of off-site easements being required and she understands the owner and his consulting engineering are working with the City Engineer on getting those completed.

There being no further comments, Chair Schwartz closed the public hearing.

MOTION: Based on the findings contained in the staff report, Commissioner Bakken made a motion to recommend approval of the major subdivision final plat for First Responders Addition, with the understanding that required off-site stormwater and drainage easements are approved and recorded prior to recordation of the final plat. Commissioner Laning seconded the motion and the motion was unanimously approved with Commissioners Bakken, Bitner, Laning, Levchak, Martin, Schell, Van Duyne, Van Dyke, Wangen and Schwartz voting in favor of the motion.

**PUBLIC HEARING – ZONING CHANGE
PARTS OF S½ OF SECTION 19 & THE N½ OF SECTION 30, T139N-R80W/HAY
CREEK TOWNSHIP & CITY LANDS**

Chairman Schwartz called for the public hearing on a zoning change from the A – Agricultural, R5 – Residential, R10 – Residential, RM30 – Residential and RT - Residential zoning districts to the P – Public zoning district for parts of the S½ of Section 19 and the N½ of Section 30, T139N-R80W/Hay Creek Township and City Lands. The property is located in northwest Bismarck, north of Burnt Boat Drive and between Clairmont Road and Tyler Parkway.

Mr. Nairn gave an overview of the request, including the following findings related to land use:

1. The proposed zoning change generally conforms to the Future Land Use Plan in the 2014 Growth Management Plan, as amended.
2. The proposed zoning change is compatible with adjacent land uses and zoning.
3. The City of Bismarck and/or other agencies would be able to provide necessary public services, facilities and programs to serve any development allowed by the new zoning classification at the time the property is developed.
4. The proposed zoning change is justified by a change in conditions since the previous zoning classification was established or by an error in the zoning map.
5. The zoning change is in the public interest and is not solely for the benefit of a single property owner.
6. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance.
7. The proposed zoning change is consistent with the master plan, other adopted plans, policies and accepted planning practice.
8. The proposed zoning change would not adversely affect the public health, safety, and general welfare.

Mr. Nairn said it was discovered after the staff report was prepared that there is an error in the project location map which impacted the adjacent property owner notification process, and not all needing to be notified had been notified. He said staff would like to change their recommendation from approve to continue in order to allow time for renotification of the adjacent property owners.

Chair Schwartz opened the public hearing.

Landon Niemiller, Swenson Hagen & Co., said he spoke with staff regarding the notification error and they determined together that continuing the request at this time would be best.

Commissioner Levchak asked if the public hearing would be held at the next meeting if the motion is to continue the request.

Ms. Lee said she suggests continuing the public hearing so that it does not need to be re-advertised.

Additional written comments in support of the request are attached as Exhibits A-C.

MOTION: Commissioner Laning made a motion to continue the public hearing on the request for a zoning change from the A-Agricultural, R5-Residential, R10-Residential, RT-Residential and RM30-Residential zoning districts to the P-Public zoning district on part of Sections 19 & 30, T139N-R80W/Hay Creek Township & City Lands, to the next meeting to allow time for renotification of the adjacent property owners with corrected information. Commissioner Levchak seconded the motion and the motion was unanimously approved with Commissioners Bakken, Bitner, Laning, Martin, Levchak, Schell, Van Duyne, Van Dyke, Wangen and Schwartz voting in favor of the motion.

**PUBLIC HEARING - SPECIAL USE PERMIT
LOT 8, BLOCK 2, PRAIRIE PINES FIRST SUBDIVISION (9421 CEDAR LANE)**

Chair Schwartz called for the public hearing on a special use permit to increase the total area of accessory buildings to 3,200 square feet by constructing a 3,000 square-foot accessory building and a 200 square-foot accessory building on Lot 8, Block 2, Prairie Pines First Subdivision. The property is located north of Bismarck, south of 97th Avenue NE and west of 41st Street NE, along the east side of Cedar Lane (9421 Cedar Lane).

Ms. Wollmuth gave an overview of the request, including the following findings related to land use:

1. The proposed special use complies with all applicable provisions of the zoning ordinance and is consistent with the general intent and purpose of the zoning ordinance.
2. The proposed special use is compatible with adjacent land uses and zoning.

3. The proposed special use would be designed, constructed, operated and maintained in a manner that is compatible with the appearance of the existing or intended character of the surrounding area.
4. Adequate public facilities and services are in place or would be provided at the time of development.
5. The proposed special use would not cause a negative cumulative effect, when considered in conjunction with other uses in the immediate vicinity.
6. Adequate measures have been or would be taken to minimize traffic congestion in the public streets and to provide for appropriate on-site circulation of traffic.
7. The proposed special use is consistent with the master plan, other adopted plans, policies and accepted planning practice.
8. The proposed special use would not adversely affect the public health, safety and general welfare.

Ms. Wollmuth said, based on these findings, staff recommends approval of the special use permit to increase the total area of accessory buildings to 3,200 square feet by constructing a 3,000 square-foot accessory building and a 200 square-foot accessory building on Lot 8, Block 2, Prairie Pines First Subdivision (9421 Cedar Lane).

Commissioner Laning said the request is for a 3,200 square-foot building and a 200 square-foot building, but a 20 x 20 building would be 400 square feet, not 200.

Ms. Wollmuth said she may have misspoken and clarified the request is for one 3,000 square-foot building and one 200 square-foot building so the total would be 3,200 square feet, not 3,400 square feet.

Commissioner Van Dyke said considering there has been multiple requests on the most recent agendas similar to this one, staff entertained an ordinance amendment to grant these approvals administratively.

Ms. Wollmuth said at this time staff does not have plans to modify the requirements or criteria for special use permits for oversized accessory buildings.

Chair Schwartz opened the public hearing.

Commissioner Levchak said this will be a nice-looking building, but added that it looks very commercial and asked what the intended use is.

Core Morlock, 9421 Cedar Lane, said he collects cars and currently has them stored in four different locations throughout the state, so with this building he would be able to have them all in one place.

Commissioner Laning asked if the total square footage would be 3,200 square feet.

Mr. Morlock said that is correct, that he would build one 3,000 square-foot building and one 10 x 20 square-foot building, not 20 x 20 square feet, for a total of 3,200 square feet.

Written comments in support of the request are attached as Exhibits D-F.

There being no further comments, Chair Schwartz closed the public hearing.

MOTION: Based on the findings contained in the staff report, Commissioner Bitner made a motion to approve the special use permit to increase the total area of accessory buildings to 3,200 square feet by constructing a 3,000 square-foot accessory building and a 200 square-foot accessory building on Lot 8, Block 2, Prairie Pines First Subdivision (9421 Cedar Lane). Commissioner Bakken seconded the motion and the motion was unanimously approved with Commissioners Bakken, Bitner, Laning, Levchak, Martin, Schell, Van Duyne, Van Dyke, Wangen and Schwartz voting in favor of the motion.

OTHER BUSINESS

There was no other business to discuss at this time.

ADJOURNMENT

There being no further business, Chair Schwartz declared the Bismarck Planning & Zoning Commission adjourned at 5:35 p.m. to meet again on July 22, 2020.

Respectfully submitted,

Hilary Balzum
Recording Secretary

Mike Schwartz
Chair

From: [Planning - General Mailbox](#)
To: [Hilary Balzum](#); [Daniel Nairn](#); [Jenny Wollmuth](#); [Kim Lee](#); [William Hutchings](#)
Subject: FW: rezoning of Clairmont Family trust property
Date: Monday, June 22, 2020 1:46:00 PM

From: [REDACTED]
Sent: Saturday, June 20, 2020 9:17 AM
To: Planning - General Mailbox <planning@bismarcknd.gov>
Subject: rezoning of Clairmont Family trust property

I reside at 1732 Golf Drive, this is the street that is used for access to the area proposed for rezoning.
I am in favor of this proposal provided there will be provisions for the parking of vehicles off the street to prevent congestion on Golf Drive.

thank you
Dale Pfliger

From: [Planning - General Mailbox](#)
To: [Hilary Balzum](#); [Daniel Nairn](#); [Jenny Wollmuth](#); [Kim Lee](#); [William Hutchings](#)
Subject: FW: Clairmont foundation property
Date: Tuesday, June 23, 2020 3:27:49 PM

From: Cynthia Goulet [mailto:]
Sent: Tuesday, June 23, 2020 1:36 PM
To: Planning - General Mailbox <planning@bismarcknd.gov>
Subject: Clairmont foundation property

Greetings,

I write in favor of the zoning change for the Clairmont Family Trust property. My husband and I have lived on Valley Drive, which borders the north end of the Trust property, for approximately two years. Hiking on the trails on this property has become one of our favorite activities. We hike those trails in all seasons, and in spring, summer and fall, average two or more times a week. On our treks, and especially in spring/summer/fall seasons, we always see other persons using the trails: dog owners with their dogs, mountain bikers, and fellow hikers. And in this time of COVID 19, we have seen significantly increased use of the current trails, especially by families. That has been a wonderful development to see. I foresee that with some enhancements made to the property that still fully preserve the "wilderness" aspect, its use will continue to increase.

The property ideally lends itself to being an "urban wilderness park." It will be a unique addition to the City for that reason, different from other city parks, and will truly be a treasure for the City.

Sincerely,

Cynthia Wagner Goulet

[3125 Valley Drive](#)

[Bismarck, ND 58503](#)

Sent from my iPhone

From: [Planning - General Mailbox](#)
To: [Hilary Balzum](#); [Daniel Nairn](#); [Jenny Wollmuth](#); [Kim Lee](#); [William Hutchings](#)
Subject: FW: Comments re: Zoning Change for Clairmont Family Trust property
Date: Wednesday, June 24, 2020 9:24:52 AM

From: Wgoulet [mailto: [REDACTED]]
Sent: Tuesday, June 23, 2020 5:03 PM
To: Planning - General Mailbox <planning@bismarcknd.gov>
Subject: Comments re: Zoning Change for Clairmont Family Trust property

Greetings,

I write in favor of the zoning change for the Clairmont Family Trust property.

My wife and I have lived on Valley Drive, which borders the north end of the Trust property, for approximately two years. Hiking on the trails on this property has become one of our favorite activities. We hike those trails in all seasons, and in spring, summer and fall, average two or more times a week. On our treks, and especially in spring/summer/fall seasons, we always see other persons using the trails: dog owners with their dogs, mountain bikers, and fellow hikers. And in this time of COVID 19, we have seen significantly increased use of the current trails, especially by families. That has been a wonderful development to see. I foresee that with some enhancements made to the property that still fully preserve the “wilderness” aspect, its use will continue to increase.

The property ideally lends itself to being an “urban wilderness park.” It will be a unique addition to the City for that reason, different from other city parks, and will truly be a treasure for the City.

Sincerely,

Wally Goulet
3125 Valley Drive
Bismarck, ND 58503

From: [Planning - General Mailbox](#)
To: [Hilary Balzum](#); [Daniel Nairn](#); [Jenny Wollmuth](#); [Kim Lee](#); [William Hutchings](#)
Subject: FW: COREY MORLOCK-SPECIAL USE PERMIT
Date: Wednesday, June 24, 2020 9:24:20 AM

From: Jennifer Markwed [mailto: [REDACTED]]
Sent: Tuesday, June 23, 2020 4:56 PM
To: Planning - General Mailbox <planning@bismarcknd.gov>
Subject: COREY MORLOCK-SPECIAL USE PERMIT

We are Corey's next-door neighbors and support this 100%.

We are emailing you in support of Corey Morlock receiving a special use permit for constructing a shop/accessory building.

This will be a great addition to his property and will increase property values in the area and in our development.

THANK YOU

Michael and Jennifer Markwed
9401 Cedar Ln
Bismarck, ND 58503

From: [Planning - General Mailbox](#)
To: [Hilary Balzum](#); [Daniel Nairn](#); [Jenny Wollmuth](#); [Kim Lee](#); [William Hutchings](#)
Cc: [Allison Carlson](#); [Joanie Sanda](#)
Subject: FW: Corey Morlock special use permit
Date: Thursday, June 18, 2020 8:31:01 AM

-----Original Message-----

From: Shelly Lang [<mailto:>]
Sent: Wednesday, June 17, 2020 3:27 PM
To: Planning - General Mailbox <planning@bismarcknd.gov>
Subject: Corey Morlock special use permit

As a resident of Prairie Pines First Subdivision, I feel the Bismarck Planning & Zoning Commission along with Burleigh County Commissioners should follow the policy for this area. There is already talk that if this passes others will be requesting larger and larger buildings. These commissions also need to consider this is a residential area and not zoned commercial. What will this larger building be used for? If the use of this building becomes commercial what will be the consequences? What protections will Burleigh County give the residents of a Prairie Pines First Subdivision?

Again I would ask that you follow the policies of this area for buildings on a residential lot of less than 2 acres.

Thank you.

Michelle Lang

Sent from my iPad

From: [Jenny Wollmuth](#)
To: [Hilary Balzum](#)
Subject: Fwd: building notice 9421
Date: Tuesday, June 16, 2020 1:10:26 PM

Get [Outlook for Android](#)

From: Gregory Meduna <[REDACTED]>
Sent: Tuesday, June 16, 2020 11:29:24 AM
To: Jenny Wollmuth <jwollmuth@bismarcknd.gov>
Subject: building notice 9421

Hello Jenny,

I received a letter regarding planned construction at 9421 Cedar Lane. I have no concerns with the requested 3200sqft outbuilding request. I find this request reasonable considering the location of the building. There are many smaller buildings in our subdivision that were placed in front of the home near the road. This not only looks terrible but many of these building included the addition of another approach and culvert. The request at 9421 is fine with me and find it hard to believe any reasonable person would find issue with this request.

Also, some of my neighbors are telling me they aren't getting these notification letters. How far from this construction site should property owners be notified? The map below shows someone I know didn't receive notifications for the last 2 garage builds. I have also received letters for buildings over on Dublin in the past which isn't even part of our subdivision.

Thanks,

Greg



PERMIT ACTIVITY REPORT - MTD
DATE SELECTION 6/2020

*****City*****

*****ETA*****

| Permit Type | 6/2020 | | 6/2019 | | 6/2020 | | 6/2019 | |
|-----------------------------------|------------|------------------------|-----------|------------------------|-----------|-----------------------|-----------|-----------------------|
| | Total | Valuations | Total | Valuations | Total | Valuations | Total | Valuations |
| SINGLE FAMILY DETACHED | 24 | \$5,993,313.09 | 14 | \$3,114,573.16 | 7 | \$2,068,788.72 | 2 | \$539,184.77 |
| ROWHOUSE (2) 1-HR FIRE SEPARATION | 5 | \$981,398.42 | 4 | \$721,311.32 | 0 | \$0.00 | 0 | \$0.00 |
| THREE OR FOUR UNIT | 3 | \$804,000.00 | 0 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 |
| MANUFACTURED HOMES | 0 | \$0.00 | 1 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 |
| RESIDENTIAL ADDITION | 2 | \$13,631.26 | 4 | \$435,197.00 | 2 | \$129,000.00 | 1 | \$11,040.00 |
| DETACHED GARAGE | 7 | \$148,141.00 | 3 | \$30,819.00 | 13 | \$532,816.00 | 5 | \$174,988.00 |
| DECKS\PORCHES & COVERED PORCHES | 38 | \$142,901.32 | 18 | \$44,299.00 | 6 | \$39,396.00 | 4 | \$22,678.00 |
| SWIMMING POOLS | 2 | \$151,000.00 | 1 | \$50,000.00 | 1 | \$62,500.00 | 0 | \$0.00 |
| RESIDENTIAL ALTERATION/OTHER | 6 | \$113,066.00 | 2 | \$90,000.00 | 1 | \$3,000.00 | 0 | \$0.00 |
| HOME OCCUPATION | 1 | \$2,160.00 | 0 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 |
| STORAGE SHED | 6 | \$35,840.00 | 3 | \$9,360.00 | 2 | \$5,760.00 | 0 | \$0.00 |
| BASEMENT FINISH | 8 | \$135,641.50 | 6 | \$100,398.90 | 2 | \$6,475.00 | 1 | \$22,074.00 |
| RESIDENTIAL | 1 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 |
| FIREWORKS SALES | 0 | \$0.00 | 0 | \$0.00 | 9 | \$0.00 | 11 | \$0.00 |
| MISC TEMPORARY STRUCTURES | 0 | \$0.00 | 2 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 |
| NEW SIGN PERMITS | 11 | \$67,075.00 | 11 | \$271,015.00 | 0 | \$0.00 | 0 | \$0.00 |
| SIGN ALTERATION | 6 | \$106,800.00 | 7 | \$48,400.00 | 0 | \$0.00 | 0 | \$0.00 |
| ELECTRONIC MESSAGE CENTER | 1 | \$36,000.00 | 0 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 |
| COMMERCIAL NEW CONSTRUCTION | 3 | \$3,484,900.00 | 4 | \$5,611,000.00 | 0 | \$0.00 | 0 | \$0.00 |
| COMMERCIAL ADDITION | 0 | \$0.00 | 2 | \$6,199,473.00 | 0 | \$0.00 | 0 | \$0.00 |
| COMMERCIAL ALTERATION | 15 | \$2,826,589.00 | 9 | \$6,914,150.00 | 1 | \$37,811.28 | 1 | \$6,414,869.00 |
| Total | 139 | \$15,042,456.59 | 91 | \$23,639,996.38 | 44 | \$2,885,547.00 | 25 | \$7,184,833.77 |

PERMIT ACTIVITY REPORT - MTD
DATE SELECTION 6/2020

*****City*****

*****ETA*****

| Trade Permit Type | 6/2020 | | 6/2019 | | 6/2020 | | 6/2019 | |
|---------------------|------------|-----------------------|------------|-----------------------|-----------|---------------------|-----------|---------------------|
| | Total | Valuations | Total | Valuations | Total | Valuations | Total | Valuations |
| BUILDING ELECTRIC | 109 | \$33,000.00 | 83 | \$124,568.00 | 0 | \$0.00 | 0 | \$0.00 |
| BUILDING MECHANICAL | 142 | \$1,411,515.34 | 111 | \$1,917,240.00 | 22 | \$159,212.03 | 15 | \$36,681.00 |
| BUILDING PLUMBING | 40 | \$1,399,711.67 | 33 | \$588,239.00 | 9 | \$457,040.75 | 4 | \$70,000.00 |
| BUILDING SEPTIC | 0 | \$0.00 | 0 | \$0.00 | 2 | \$0.00 | 3 | \$0.00 |
| Total | 291 | \$2,844,227.01 | 227 | \$2,630,047.00 | 33 | \$616,252.78 | 22 | \$106,681.00 |

PERMIT ACTIVITY REPORT - MTD
DATE SELECTION 6/2020

| | *****City***** | | *****ETA***** | |
|--------------------|----------------|----------|---------------|----------|
| | 6/2020 | 6/2019 | 6/2020 | 6/2019 |
| Living Units | Units | Units | Units | Units |
| MANUFACTURED HOMES | 0 | 1 | 0 | 0 |
| Total | 0 | 1 | 0 | 0 |

**PERMIT ACTIVITY REPORT - YTD
DATE SELECTION 6/2020**

*****City*****

*****ETA*****

| Permit Type | 6/2020 | | 6/2019 | | 6/2020 | | 6/2019 | |
|-----------------------------------|------------|-------------------------|------------|------------------------|------------|------------------------|-----------|------------------------|
| | Total | Valuations | Total | Valuations | Total | Valuations | Total | Valuations |
| SINGLE FAMILY DETACHED | 92 | \$23,292,963.90 | 71 | \$17,320,067.15 | 26 | \$7,988,608.59 | 13 | \$4,801,027.60 |
| ROWHOUSE (2) 1-HR FIRE SEPARATION | 14 | \$2,800,348.79 | 20 | \$3,709,046.48 | 2 | \$429,629.68 | 0 | \$0.00 |
| THREE OR FOUR UNIT | 3 | \$804,000.00 | 0 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 |
| MANUFACTURED HOMES | 6 | \$0.00 | 6 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 |
| RESIDENTIAL ADDITION | 7 | \$498,947.02 | 13 | \$1,203,222.66 | 7 | \$417,781.52 | 5 | \$291,084.19 |
| DETACHED GARAGE | 20 | \$364,019.25 | 12 | \$150,416.00 | 32 | \$1,200,829.00 | 27 | \$699,985.00 |
| DECKS\PORCHES & COVERED PORCHES | 83 | \$380,542.24 | 67 | \$281,045.00 | 10 | \$52,286.00 | 16 | \$76,959.00 |
| SWIMMING POOLS | 6 | \$385,510.00 | 2 | \$107,699.00 | 1 | \$62,500.00 | 0 | \$0.00 |
| RESIDENTIAL ALTERATION/OTHER | 21 | \$1,083,015.12 | 20 | \$758,041.00 | 6 | \$184,075.00 | 3 | \$156,750.00 |
| HOME OCCUPATION | 2 | \$2,160.00 | 6 | \$0.00 | 2 | \$0.00 | 0 | \$0.00 |
| STORAGE SHED | 7 | \$50,582.00 | 12 | \$36,964.00 | 3 | \$8,640.00 | 0 | \$0.00 |
| BASEMENT FINISH | 48 | \$714,612.25 | 65 | \$884,981.90 | 10 | \$146,409.50 | 9 | \$152,052.00 |
| RESIDENTIAL | 6 | \$0.00 | 2 | \$0.00 | 0 | \$0.00 | 1 | \$0.00 |
| FIREWORKS SALES | 0 | \$0.00 | 0 | \$0.00 | 10 | \$0.00 | 11 | \$0.00 |
| NURSERY STOCK SALES | 0 | \$0.00 | 4 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 |
| MISC TEMPORARY STRUCTURES | 5 | \$0.00 | 2 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 |
| MOVE WITHIN | 0 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 | 1 | \$0.00 |
| NEW SIGN PERMITS | 53 | \$714,729.00 | 65 | \$845,150.00 | 2 | \$1,175.00 | 1 | \$2,500.00 |
| SIGN ALTERATION | 13 | \$163,105.00 | 18 | \$220,008.00 | 0 | \$0.00 | 0 | \$0.00 |
| ELECTRONIC MESSAGE CENTER | 1 | \$36,000.00 | 1 | \$23,090.00 | 0 | \$0.00 | 0 | \$0.00 |
| COMMERCIAL NEW CONSTRUCTION | 11 | \$65,919,106.00 | 13 | \$18,300,101.00 | 5 | \$0.00 | 1 | \$54,134.00 |
| COMMERCIAL ADDITION | 4 | \$1,582,716.00 | 6 | \$21,944,748.00 | 0 | \$0.00 | 0 | \$0.00 |
| COMMERCIAL ALTERATION | 73 | \$27,848,546.07 | 69 | \$24,094,432.96 | 1 | \$37,811.28 | 4 | \$7,204,869.00 |
| Total | 475 | \$126,640,902.64 | 474 | \$89,879,013.15 | 117 | \$10,529,745.57 | 92 | \$13,439,360.79 |

PERMIT ACTIVITY REPORT - YTD
DATE SELECTION 6/2020

*****City*****

*****ETA*****

| Permit Type | 6/2020 | | 6/2019 | | 6/2020 | | 6/2019 | |
|---|-------------|------------------------|-------------|------------------------|------------|-----------------------|------------|---------------------|
| | Total | Valuations | Total | Valuations | Total | Valuations | Total | Valuations |
| BUILDING ELECTRIC | 471 | \$163,498.00 | 385 | \$336,934.96 | 0 | \$0.00 | 0 | \$0.00 |
| BUILDING MECHANICAL | 602 | \$12,163,605.46 | 552 | \$10,692,604.39 | 87 | \$1,087,978.03 | 80 | \$686,711.27 |
| BUILDING MECHANICAL FIREPLACE | 0 | \$0.00 | 0 | \$0.00 | 1 | \$3,000.00 | 0 | \$0.00 |
| BUILDING MECHANICAL NEW CONSTRUCTION | 1 | \$23,000.00 | 0 | \$0.00 | 0 | \$0.00 | 0 | \$0.00 |
| BUILDING PLUMBING | 182 | \$9,884,623.36 | 131 | \$2,672,892.00 | 35 | \$1,163,519.18 | 15 | \$233,300.00 |
| BUILDING SEPTIC | 0 | \$0.00 | 0 | \$0.00 | 12 | \$6,850.00 | 8 | \$75.00 |
| Total | 1256 | \$22,234,726.82 | 1068 | \$13,702,431.35 | 135 | \$2,261,347.21 | 103 | \$920,086.27 |

PERMIT ACTIVITY REPORT - YTD
DATE SELECTION 6/2020

*****City*****

*****ETA*****

| Living Units | 6/2020 | 6/2019 | 6/2020 | 6/2019 |
|-----------------------------------|------------|-----------|-----------|-----------|
| | Units | Units | Units | Units |
| DECKS\PORCHES & COVERED PORCHES | 0 | 0 | 0 | 0 |
| MANUFACTURED HOMES | 6 | 6 | 0 | 0 |
| BASEMENT FINISH | 0 | 0 | 0 | 0 |
| DECKS\PORCHES & COVERED PORCHES | 0 | 0 | 0 | 0 |
| DETACHED GARAGE | 1 | 0 | 1 | 0 |
| RESIDENTIAL ADDITION | 1 | 0 | 1 | 0 |
| RESIDENTIAL ALTERATION/OTHER | 2 | 0 | 0 | 0 |
| ROWHOUSE (2) 1-HR FIRE SEPARATION | 14 | 20 | 2 | 0 |
| SINGLE FAMILY DETACHED | 87 | 70 | 23 | 13 |
| SWIMMING POOLS | 1 | 0 | 0 | 0 |
| THREE OR FOUR UNIT | 7 | 0 | 0 | 0 |
| Total | 119 | 96 | 27 | 13 |