

**BISMARCK PLANNING & ZONING COMMISSION
MEETING MINUTES
October 26, 2022**

The Bismarck Planning & Zoning Commission met on October 26, 2022, at 5:00 p.m. in the Tom Baker Meeting Room in the City-County Office Building, 221 North 5th Street. The meeting was held in person and via Zoom. Chair Schwartz presided and was present in the Tom Baker Meeting Room.

Commissioners present were Cole Johnson, Vernon Laning, Paul Levchak, Gabe Schell, Mike Schwartz, and Wendy Van Duyne.

Commissioners Brian Bitner, Kevin Martin, Mike Schmitz, Trent Wangen and Paul Zent were absent.

Staff members present were Jannelle Combs – City Attorney, Ben Ehreth – Community Development Director, Sarah Fricke – Community Development Senior Administrative Assistant, Kim Lee – Planning Manager, Daniel Nairn – Senior Planner, and Jenny Wollmuth – Senior Planner.

Chair Schwartz called the meeting to order and Community Development Senior Administrative Assistant Sarah Fricke took roll call.

MINUTES

Chair Schwartz called for consideration of the minutes of the September 28, 2022 meeting.

MOTION: Commissioner Laning made a motion to approve the minutes of the September 28, 2022 meeting, as presented. Commissioner Van Duyne seconded the motion, and it was unanimously approved with Commissioners Johnson, Laning, Levchak, Schell, Schwartz, and Van Duyne voting in favor of the motion.

CONSIDERATION

- 2. TNK RANCH SUBDIVISION – ZONING CHANGE AND MAJOR SUBDIVISION PRELIMINARY PLAT**
- 3. SHAMROCK INDUSTRIAL PARK - ZONING CHANGE**
- 4. LIMITED COMMERCIAL RECREATION IN CA COMMERCIAL – ZONING ORDINANCE TEXT AMENDMENT**
- 5. TOGETHER 2045: BISMARCK’S COMPREHENSIVE PLAN**

MOTION: Based on the findings contained in the staff reports, Commissioner Levchak made a motion to approve the consent agenda items 2, 3, 4 and 5, granting tentative approval or calling for a public hearing on the items as recommended by staff. Commissioner Laning seconded the motion and it was unanimously approved with Commissioners Johnson, Laning, Levchak, Schell, Schwartz, and Van Duyne voting in favor of the motion.

PUBLIC HEARING – ZONING CHANGE AND MAJOR SUBDIVISION FINAL PLAT FRANK ADDITION

Chair Schwartz called for the public hearing on the zoning change and major subdivision final plat for Frank Addition. The proposed plat is a two-lot subdivision on 1.76 acres. The property is located in north Bismarck, north of 43rd Avenue NE, along the west side of Ottawa Street (part of the SW1/4 of Section 16, T139-R80W/City Lands).

Ms. Wollmuth gave an overview of the request, including the following findings related to land use for the 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.
8. The proposed zoning change would not adversely affect the public health, safety, and general welfare.

Ms. Wollmuth then provided the following findings related to land use for the major subdivision 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 (PCSMP) with written concurrence from the County Engineer.
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 zoning change from the A – Agricultural zoning district to the CG – Commercial zoning district and approval of the major subdivision final plat for Frank Addition with the following conditions prior to recordation of the final plat:

1. The applicants must enter into a development agreement for the future reconstruction of Ottawa street to an urbanized section.
2. The applicants must submit a petition for Ottawa Street improvements.
3. The applicants must pay the required utility capital charges.

Rob Illg, SEH, Inc. was present to respond to questions or comments. There were none.

Chair Schwartz opened the public hearing.

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

MOTION: Based on the findings contained in the staff report, Commissioner Levchak made a motion to recommend approval of the zoning change from the A – Agricultural zoning district to the CG – Commercial zoning district and major subdivision final plat for Frank Addition, with the following conditions to recordation of the plat: 1) The applicants must enter into a development agreement for the future reconstruction of Ottawa street to an urbanized section; 2) The applicants must submit a petition for Ottawa Street improvements; 3) The applicants must pay the required utility capital charges. Commissioner Van Duyne seconded the motion, and the motion was unanimously approved with Commissioners Johnson, Laning, Levchak, Schell, Schwartz, and Van Duyne voting in favor of the motion.

PUBLIC HEARING – ZONING CHANGE AND MAJOR SUBDIVISION FINAL PLAT ASTER RIDGE SUBDIVISION

Chair Schwartz called for the public hearing on the of a zoning change from the A – Agricultural zoning district to the RR5 – Residential zoning district and a major subdivision final plat for Aster Ridge Subdivision, a four-lot subdivision on 40.5 acres. The property is located northeast of Bismarck, between 57th Avenue NE and 71st Avenue NE, along the west side of 66th Street NE (part of the NE $\frac{1}{4}$ of Section 7, T139N-R79W/Gibbs Township).

Ms. Wollmuth gave an overview of the requests, including the following findings related to land use for the 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 Gibbs Township Board of Supervisors has been notified of the request but has not yet made a recommendation for 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.
9. The proposed zoning change would not adversely affect the public health, safety, and general welfare.

Ms. Wollmuth then provided the following findings related to land use for the major subdivision 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 (PCSMP) with written concurrence from the County Engineer.
3. The Gibbs Township Board of Supervisors has been notified of the request but has not yet made a recommendation for the proposed zoning change.
4. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance.
5. The proposed subdivision is consistent with the master plan, other adopted plans, policies, and accepted planning practice.
6. 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 zoning change from the A – Agricultural zoning district to the RR5 – Residential zoning district and approval of the major subdivision final plat for Aster Ridge Subdivision.

Commissioner Laning asked if staff responds to public comments. Ms. Wollmuth replied that the comments are forwarded to the Commissioners the morning of the meeting only.

Chair Schwartz opened the public hearing.

Written comments regarding this request are attached as Exhibit A.

Landon Niemiller, Swenson Hagen & Co. said he was present to respond to any questions or comments the Commission may have.

Resident Stephanie Kuntz stated she was against the zoning change. Commissioners Schell and Levchak stated only four parcels would be created, ranging from 8.7 to 10 acres in size.

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

MOTION: Based on the findings contained in the staff report, Commissioner Levchak made a motion to recommend approval of the zoning change from the A – Agricultural zoning district to the RR5 – Residential zoning district and major subdivision preliminary plat for Aster Ridge Subdivision. Commissioner Johnson seconded the motion, and the motion was unanimously approved with Commissioners Johnson, Laning, Levchak, Schell, Schwartz, and Van Dyne voting in favor of the motion.

PUBLIC HEARING – ZONING CHANGE BRUNSKILL SUBDIVISION (VERSION 2)

Chair Schwartz called for the public hearing on the zoning change from the A – Agricultural zoning district to the RR5 – Residential zoning district and a major subdivision final plat for Brunskill Subdivision a four-lot subdivision on 39.95 acres. The property is located southeast of Bismarck, in the northwest quadrant of the intersection of 66th Street SE and 55th Avenue SE (the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 30, T138N-R79W/Apple Creek Township).

Ms. Wollmuth gave an overview of the requests, including the following findings related to land use for the 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 Apple Creek Township Board of Supervisors has not yet made a recommendation for 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.
9. The proposed zoning change would not adversely affect the public health, safety, and general welfare.

Ms. Wollmuth then provided the following findings related to land use for the major subdivision 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 (PCSMP) with written concurrence from the County Engineer.
3. The Apple Creek Township Board of Supervisors has been notified of the request but has not yet made a recommendation for the proposed zoning change.
4. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance.
5. The proposed subdivision is consistent with the master plan, other adopted plans, policies, and accepted planning practice.
6. 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 zoning change from the A – Agricultural zoning district to the RR5 – Residential zoning district and approval of the major subdivision final plat for Brunskill Subdivision.

Ms. Wollmuth reminded the Commission they previously denied a major subdivision final plat and zoning change for this property at their meeting of August 24, 2022. The proposed plat and zoning change have been revised to include four large rural residential lots ranging from 5 acres to 20 acres in size.

Commissioner Schell asked if all of the lots are a minimum of 5 acres. Ms. Wollmuth stated each lot was at least 5 acres in size.

Chair Schwartz opened the public hearing.

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

MOTION: Based on the findings in the staff report, Commissioner Levchak made a motion to recommend approval of the zoning change from the A – Agricultural zoning district to the RR5 – Residential zoning district and the major subdivision final plat for Brunskill Subdivision. Commissioner Johnson seconded the motion, and the motion was unanimously approved with Commissioners Johnson, Laning, Levchak, Schell, Schwartz, and Van Duyne voting in favor of the motion.

**PUBLIC HEARING - SPECIAL USE PERMIT (OVERSIZED ACCESSORY BUILDING)
LOT 7, BLOCK 3, PHEASANT VALLEY**

Chair Schwartz called for the public hearing on a special use permit to increase the total allowable area of accessory buildings to 3,200 square feet on Lot 7, Block 3, Pheasant Valley. The property is located northeast of Bismarck, west of Centennial Road and south of 71st Avenue NE (6700 Ringneck Road).

Mr. Nairn 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 be consistent with the general intent and purpose of the zoning ordinance.
2. The proposed special use would be compatible with adjacent land uses and zoning if recommended conditions are met.
3. The Hay Creek Township Board of Supervisors has been notified of the proposed special use but has not yet made a recommendation.
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 if recommended conditions are met.
9. The proposed special use would not adversely affect the public health, safety, and general welfare if recommended conditions are met.

Mr. Nairn said, based on these findings, staff recommends approval of the special use permit to increase the total allowable area of accessory buildings to 3,200 square feet on Lot 7, Block 3, Pheasant Valley.

Chair Schwartz opened the public hearing.

Written comments regarding this request are attached as Exhibit B.

Albert Perrin III came forward to respond to any questions or comments.

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

MOTION: Based on the findings contained in the staff report, Commissioner Levchak made a motion to recommend approval of the special use permit to increase the total allowable area of accessory buildings to 3,200 square feet on Lot 7, Block 3, Pheasant Valley. Commissioner Johnson seconded the motion, and the motion was unanimously approved with Commissioners Johnson, Laning, Levchak, Schell, Schwartz, and Van Duyne voting in favor of the motion.

**PUBLIC HEARING - SPECIAL USE PERMIT (EMC)
LOT 2, BLOCK 1, CAROLS ADDITION**

Chair Schwartz called for the public hearing on a special use permit to allow an electronic message center on a freestanding sign in a residential area on Lot 2, Block 1 Carols Addition. The property is located in north Bismarck, in the southwest quadrant of the intersection of North Washington Street and Buckskin Avenue (125 Buckskin Avenue). Mr. Nairn gave an overview of the request, including the following findings related to land use:

1. The proposed special use would comply with all applicable provisions of the zoning ordinance and be consistent with the general intent and purpose of the zoning ordinance if recommended conditions are met.
2. The proposed special use would be compatible with adjacent land uses and zoning if recommended conditions are met.
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 if recommended conditions are met.
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 if recommended conditions are met.
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 if recommended conditions are met.
8. The proposed special use would not adversely affect the public health, safety, and general welfare if recommended conditions are met.

Mr. Nairn said, based on these findings, staff recommends approval of the special use permit to allow a 32 square foot electronic message center sign on Lot 2, Block 1, Carols Addition, with the following condition:

1. Written consent to encroach within a pipeline easement document #904727 is obtained from the owner of the easement prior to issuance of a sign permit.

Commissioner Laning asked whether the property or the sign is within 150 feet of a residential area. Mr. Nairn responded that the proposed sign is within 150 feet of a residential zone. Commissioner Levchak asked how the property would be accessed. Mr. Nairn replied that the access will be from the north on Buckskin Avenue.

Chair Schwartz opened the public hearing.

Written comment in opposition to the request is attached as Exhibit C.

Scott Bina from Mann Signs came forward to respond to any questions or comments and let the commission know that Mann Signs is currently working on getting the encroachment agreement.

Karen Bonnet came forward to speak in opposition to the special use permit.

Chair Schwartz closed the public hearing.

MOTION: Based on the findings contained in the staff report, Commissioner Levchak made a motion to recommend approval of the special use permit to allow a 32 square foot electronic message center sign on Lot 2, Block 1, Carols Addition, with the condition that a written consent to encroach within a pipeline easement document #904727 be obtained from the owner of the easement prior to issuance of a sign permit. Commissioner Schell seconded the motion, and the motion was unanimously approved with Commissioners Johnson, Laning, Levchak, Schell, Schwartz, and Van Duyne voting in favor of the motion.

PUBLIC HEARING - SPECIAL USE PERMIT (OVERSIZED ACCESSORY BUILDING) LOT 4, BLOCK 3, APPLE MEADOWS FIRST ADDITION

Chair Schwartz called for the public hearing on a special use permit to increase the total allowable area of accessory buildings to 3,200 square feet on Lot 4, Block 3, Apple Meadows First Addition. The property is located east of Bismarck, south of County Highway 1/East Main Avenue, west of 80th Street NE, at the intersection of Baron Lane and Beacon Loop (7921 Beacon Loop).

Mr. Nairn indicated the original plan included a covered walkway that would have put the project over 3,200 square feet so it was removed from the plan. Mr. Nairn showed revised building plans.

Mr. Nairn 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 Apple Creek Township Board of Supervisors has been notified of the request but has not yet made a recommendation for the proposed zoning change.

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.
9. The proposed special use would not adversely affect the public health, safety and general welfare.

Mr. Nairn said, based on these findings, staff recommends approval of the special use permit to increase the total allowable area of accessory buildings to 3,200 square feet on Lot 4, Block 3, Apple Meadows First Subdivision.

Written comments in opposition to the request are attached as Exhibit D. Both comments are related to the design and not the size. A bedroom is indicated on the plans and staff asked the applicant about it being a possible dwelling. There is not a full bathroom, nor a full kitchen. The applicant states this will be for occasional use for guests only.

Commissioner Levchak questioned whether these types of buildings are measured at the foundation or at the eaves of the building. Mr. Nairn said they are measured at the foundation.

Chair Schwartz opened the public hearing.

Brittann Schettler and Dave Schettler came forward to respond to any questions or comments.

Commissioner Schell asked the owner to expand on the use of the special use permit, in particular the bedroom. Mr. Schettler confirmed that the building will be used for guests and cleaning game and that he understands this could not be used as a separate dwelling unit.

Commissioner Van Duyne asked about the exterior aesthetics of the building. Mr. Schettler confirmed that siding and shingles will match the house.

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

MOTION: Based on the findings contained in the staff report, Commissioner Levchak made a motion to recommend approval of the special use permit to increase the total allowable area of accessory buildings to 3,200 square feet on Lot 4, Block 3, Apple Meadows First Subdivision. Commissioner Laning seconded the motion, and the motion was unanimously approved with Commissioners

Johnson, Laning, Levchak, Schell, Schwartz, and Van Duyne voting in favor of the motion.

**PUBLIC HEARING - SPECIAL USE PERMIT (OVERSIZED ACCESSORY BUILDING)
LOT 3, BLOCK 6, GRANDE PRAIRIE ESTATES THIRD SUBDIVISION**

Chair Schwartz called for the public hearing on a special use permit to increase the total allowable area of accessory buildings to 3,200 square feet on Lot 3, Block 6, Grande Prairie Estates Third Subdivision. The property is located northeast of Bismarck, north of 43rd Avenue NE and west of Centennial Road, along the east side of Junction Road (5221 Junction Road).

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 Hay Creek Township Board of Supervisors has been notified of the request but has not yet made a recommendation for the proposed zoning change.
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.
9. 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 allowable area of accessory buildings to 3,200 square feet on Lot 3, Block 6, Grande Prairie Estates Third Subdivision with the following condition:

1. The proposed accessory building be used for residential uses only.

Chair Schwartz opened the public hearing.

Written comments regarding this request are attached as Exhibit E.

Peter Hoerner came forward to respond to any questions or comments.

Commissioner Schell suggested planning a layout prior to building because a second approach may be necessary.

Ms. Wollmuth noted that the proposed request does not include approval of a second approach and that the Burleigh County Commission would need to approve a second approach if one was wanted by the owners.

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

MOTION: Based on the findings contained in the staff report, Commissioner Levchak made a motion to recommend approval of the special use permit to increase the total allowable area of accessory buildings to 3,200 square feet on Lot 3, Block 6, Grande Prairie Estates Third Subdivision with the condition that the proposed accessory building be used for residential uses only. Commissioner Laning seconded the motion, and the motion was unanimously approved with Commissioners Johnson, Laning, Levchak, Schell, Schwartz, and Van Duyne voting in favor of the motion.

OTHER BUSINESS

Commissioner Laning asked if there would be an in-depth presentation on Together 2045 Bismarck's Comprehensive Plan.

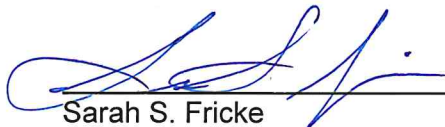
Mr. Nairn said that a draft of the plan was submitted to the commission prior to this meeting to allow additional time for review, but that a new draft plan and a full presentation will be provided for the public hearing scheduled for November 16.

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 5:55 p.m. to meet again on November 16, 2022.

Respectfully submitted,



Sarah S. Fricke
Recording Secretary



Mike Schwartz
Chair

Sarah Fricke

From: craig kuntz <[REDACTED]>
Sent: Wednesday, October 26, 2022 7:20 AM
To: Planning - General Mailbox
Subject: Public Hearing for rezoning Aster Ridge

CAUTION: *External Email - Use caution clicking links or opening attachments*****

To whom it may concern,
I am against the request to change the zoning to Residential as well as the subdivision.
I have nothing against Tim and Deb and wish them the best in this request.
However I moved out here in 2014 for the sole reason it was slightly out of town and was a very quiet area.
It's a great place to raise a family due to the "country" feel, adding more houses and traffic will only take that away.
Changing this area to Residential will only make the area more populated, along with more traffic and noise.
We have the 66th bypass coming through already that will create more traffic and noise.
I would however prefer this proposed change over it being sold to a developer who will sell off the land in 1.5-2.0 acre lots
as that will compound the reasons I'm against this in the first place.
Thanks for your time.
Sincerely,
Craig Kuntz
6030 62nd St NE
Bismarck, ND 58504

Sarah Fricke

From: Planning - General Mailbox
Sent: Monday, October 24, 2022 2:24 PM
To: Sarah Fricke; Daniel Nairn; Jenny Wollmuth; Kim Lee
Subject: FW: comments for re-zoning in Gibbs Township

From: Amber Haman <[REDACTED]>
Sent: Monday, October 24, 2022 1:11 PM
To: Planning - General Mailbox <planning@bismarcknd.gov>
Subject: comments for re-zoning in Gibbs Township

CAUTION: *External Email - Use caution clicking links or opening attachments*****

In reference to the letter sent to property owners on October 14, 2022, regarding the approval of a major subdivision final plan on 66th st NE, I state no objection and do support this final plat and zoning change from A to RR5. This area of the property is only ½ mile north of the Silver Ranch planned subdivision and significantly south of other subdivisions that are zoned RR5.

Thank you,

Amber Haman
6505 Rocky Road
Bismarck, ND 58503

Sarah Fricke

From: Planning - General Mailbox
Sent: Wednesday, October 19, 2022 1:35 PM
To: Sarah Fricke
Subject: FW: Albert Perrin III Special Use Permit Request

From: Snow, Darren J. <[REDACTED]>
Sent: Wednesday, October 19, 2022 8:09 AM
To: Daniel Nairn <dnairn@bismarcknd.gov>; Planning - General Mailbox <planning@bismarcknd.gov>
Subject: Albert Perrin III Special Use Permit Request

CAUTION: ***External Email - Use caution clicking links or opening attachments***

Daniel and Planning team,
I live at 6913 Ringneck Road just a few houses down from Perrin's. I received the letter notifying me of the special use permit request.

I am supportive of the special use permit being approved.

Thanks,

Darren Snow, PE

Marathon Petroleum Logistics

North West Area

Operations Director

1611 E Century Ave, Suite 300

Bismarck, ND 58503



Sarah Fricke

From: Derek Schulte <[REDACTED]>
Sent: Wednesday, October 26, 2022 7:46 AM
To: Planning - General Mailbox
Subject: Electronic Message Center sign opinion

CAUTION: *External Email - Use caution clicking links or opening attachments*****

Hello,

I am a resident of Bismarck and I want to speak out against the proposed Electronic Message Center sign for the property at the corner of Washington Street and Buckskin Avenue. I am concerned that it will needlessly add to light pollution in the area and is a waste of electricity. Thank you,

Derek Schulte
3835 Renee Dr.
Bismarck

Sarah Fricke

From: Planning - General Mailbox
Sent: Monday, October 24, 2022 10:25 AM
To: Sarah Fricke; Daniel Nairn; Jenny Wollmuth; Kim Lee
Subject: FW: Lot 4 Block 3 Apple Meadows First Subdivision (Schettler)

From: [REDACTED] >
Sent: Friday, October 21, 2022 6:33 PM
To: Planning - General Mailbox <planning@bismarcknd.gov>; Daniel Nairn <dnairn@bismarcknd.gov>
Subject: Re: Lot 4 Block 3 Apple Meadows First Subdivision (Schettler)

CAUTION: *External Email - Use caution clicking links or opening attachments*****

Good Evening,

Regarding the special use permit for the 3200 sq ft building being requested by Brittann Schettler at Lot 4, Block 3, Apple Meadows First Subdivision, I am supportive of the size of the building provided the following are addressed:

1. The building follows the subdivision association requirement that exterior buildings be of the same exterior construction of the residence. If you drive through Apple Meadows Subdivisions 1 and 2, you will see various sizes of exterior buildings but they all have one thing in common; they all match the exterior construction of the primary dwelling. I am not in favor of a steel, tin or barn looking exterior building.

Jason Bartsch
7901 Beacon Loop

Sarah Fricke

From: Planning - General Mailbox
Sent: Tuesday, October 25, 2022 2:09 PM
To: Sarah Fricke; Daniel Nairn; Jenny Wollmuth; Kim Lee
Subject: FW: Brittany Schettler Special Permit

From: GARY KITZAN <[REDACTED]>
Sent: Tuesday, October 25, 2022 7:40 AM
To: Planning - General Mailbox <planning@bismarcknd.gov>
Subject: Brittany Schettler Special Permit

CAUTION: *External Email - Use caution clicking links or opening attachments*****

Good morning, we are writing in response to the special use permit that Brittann Schettler is requesting to build an 80 x 40 ft shop at [7921 Beacon Loop](#).

While there are many shops in our development that exceed the size allowable in our covenants, the siding and shingles of these shops match the home on the property. We are willing to overlook the astronomical size of this building, but it appears that this structure, will look like a barn with steel siding and other features. The new structure should be built to match their existing home's siding and shingles as the other shops in our development do.

Also, the plans show there will be a bedroom and a living room upstairs which indicates to us that their plan is to use this as a second dwelling in the future. We strongly oppose this as well as it is against our covenants to have a second dwelling on our lots.

Thank you for taking the time to consider our thoughts on this issue.

Sincerely,
Gary and Marla Kitzan
7830 Beacon Loop

Sent from my iPhone

Sarah Fricke

From: Planning - General Mailbox
Sent: Friday, October 21, 2022 8:48 AM
To: Sarah Fricke; Daniel Nairn; Jenny Wollmuth; Kim Lee
Subject: FW: proposed permit to build on lot3, block 6 grand prairie 3rd subdivision

From: [REDACTED] >
Sent: Thursday, October 20, 2022 11:43 PM
To: Planning - General Mailbox <planning@bismarcknd.gov>
Subject: proposed permit to build on lot3, block 6 grand prairie 3rd subdivision

CAUTION: *External Email - Use caution clicking links or opening attachments*****

I received the letter from the planning and zoning commission on the proposed building on this lot. I have been at my present address since 1995. The proposed building is very close to the drainage easement. Since my time out here I have seen water on that very location several times. Both during spring runoff and a couple of times when we had 5" plus rainfall. The culverts to the west will not handle a heavy flow of water at one time and in spring a rapid melt with ice in the culverts will cause water to back up.

I have no problem with this building being built but just wanted to make the owner aware that water could be an issue on this site.

Darold R Cvancara
5466 Cactus Circle
[REDACTED]

Thank you

Sarah Fricke

From: Don Becker <[REDACTED]>
Sent: Wednesday, October 26, 2022 7:25 AM
To: Planning - General Mailbox
Subject: Peter Hoerner building

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I am Don Becker, 5212 Junction Road, and owner of property directly across the street from Mr.Hoerners property. My wife and I have no problem with them putting up this shop. Thank you for the bulletin you sent out. Sincerely, Don and Carol Becker

Sent from my iPhone

Sarah Fricke

From: Planning - General Mailbox
Sent: Friday, October 21, 2022 8:51 AM
To: Sarah Fricke; Daniel Nairn; Jenny Wollmuth; Kim Lee
Subject: FW: Comments regarding special use permit

From: Burgard, Michael <[REDACTED]>
Sent: Friday, October 21, 2022 8:19 AM
To: Planning - General Mailbox <planning@bismarcknd.gov>
Subject: Comments regarding special use permit

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I object to approving the increase to the total area of accessory buildings to 3200 sq ft on Lot 3, Block 6 ... 5221 Junction Road. Our planning and zoning commission has current set max limits in place for reasons on these properties and increasing the capacity only welcomes more requests in our sub-division. More structures on the properties in clusters.

I, myself, would build additional structures if we ALL just could request these special use permits, but I follow the rules. I also feel that these types of requests eventually turn the properties into more commercialized properties with businesses operating out of them. Not saying that is the case with this request, but take a drive through our development and see the increased activity with trucks, equipment parked, etc. Its more than we all think.

We built these properties in Grand Prairie to have space, with nice outlying shop buildings (to max zoning requirements) to keep it clean and organized. We are loosing that sense of comfort in our community with everyone just wanting to build bigger and above the limits. What's next 4000 sq ft.. which in turn I will be submitting my permit if we just continue on that path.

Lastly, the location that was provided on the plan is of concern for the overall flow on the spring watershed/runoff. The water running thought that property should not be blocked if there is any buildup on the property. That should be evaluated by the planning committee as well so that property owners to the east are not having backed up water into their properties.

Resident – Grand Prairie Estates

Mike Burgard
5613 Flatrock Drive
Bismarck ND