PLANNING AND ZONING COMMISSION

MEETING AGENDA
July 26, 2023

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

The City of Bismarck is encouraging citizens to provide their comments for public hearing items on the Planning & Zoning Commission 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 that comments are compiled and forwarded to the Planning and Zoning Commissioners with enough time to review all comments, please submit your comments no later than 8am the day of the meeting. Comments received after 8am the day of the meeting will not be included for consideration by the Planning and Zoning Commission. Comments should also include which agenda item number your comment references and your name (anonymous comments will not be forwarded to the Planning & Zoning Commissioners or included in the minutes of the meeting). 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.

As always, live meeting coverage is available on Government Access Channels 2 & 602HD, Radio Access 102.5 FM, FreeTV.org, RadioAccess.org, ROKU, Apple TV and Fire TV.

Item No. Page No.

MINUTES

1. Consider approval of the minutes of the June 28, 2023 meeting of the Bismarck Planning & Zoning Commission.

CONSENT AGENDA
CONSIDERATION

The following items are requests for public hearings.

2. **2023 Growth Phasing Plan Amendment** (DN)……..…… 5

Growth Phasing Plan Amendment | GPPA2023-001 | *Consideration*

Staff recommendation: schedule a hearing □ schedule a hearing □ continue □ table □ deny

REGULAR AGENDA

PUBLIC HEARINGS

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

3. **Schilling Second Addition Lot 2, Block 1** (DN)……..…… 10

   Zoning Change (CG to PUD) | ZC2023-004 | *Public Hearing*

   Staff recommendation: approve □ approve □ continue □ table □ deny

4. **Edgewood Village First Replat, Lot 52, Block 1** (JW)……..…. 26

   Zoning Change (RM30 to PUD) | ZC2023-006 | *Public Hearing*

   Staff recommendation: approve □ approve □ continue □ table □ deny

5. **Basin Electric Fourth Addition Lot 1 Block 1 And Tracts 1A, 2A and 3A of Lot 1, Lot 2, Block 1, Basin Electric Third Addition And Lot 3, Block 1, Wisdom Park Office Addition** (DN)…… 37

   Zoning Change (RT to Conditional CG) | ZC2023-007 | *Public Hearing*

   Staff recommendation: approve □ approve □ continue □ table □ deny

6. **Northern Sky Drive and Wilkinson Place rights-of-way in Northern Sky Second Addition First Replat** (IJ)…… 45

   Annexation | ANNX2023-002 | *Final Consideration*

   Staff recommendation: approve □ approve □ continue □ table □ deny

OTHER BUSINESS

7. Other Business

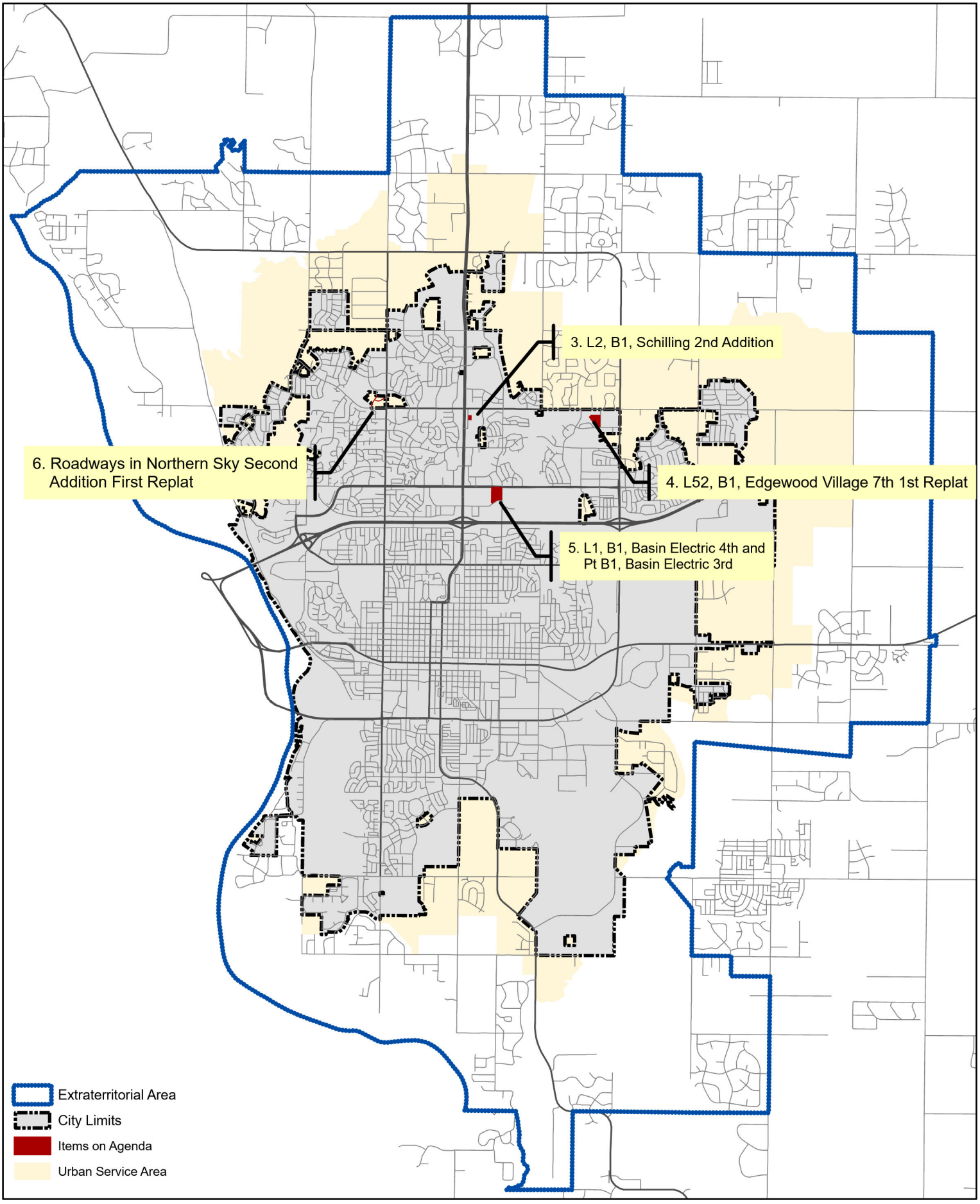
ADJOURNMENT

8. **Adjourn.** The next regular meeting date is scheduled for August 23, 2023.

Enclosures: Meeting Minutes of June 28, 2023
Building Permit Activity Month to Date Report for June 2023
Building Permit Activity Year to Date Report for June 2023

General Location Map

Bismarck Planning and Zoning Commission - July 26, 2023



This map is for reference purpose only and is not intended as a survey or accurate representation of all map features.

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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.

Bismarck COMMUNITY DEVELOPMENT

STAFF REPORT

Agenda Item # 2
July 26, 2023

Application for: **Growth Phasing Plan Amendment**

Project ID: **GPPA2023-001**

Project Summary

Title:	2023 Amendments to Growth Phasing Plan
Status:	Planning & Zoning Commission – Consideration
Project Contact:	Daniel Nairn, AICP, Planning Manager
Request:	Modify areas of the Growth Phasing Plan to reflect changing development conditions
Staff Recommendation:	Call for public hearing

Project Narrative

The Community Development Department is proposing an amendment to the Growth Phasing Plan, most recently included within the Together 2045 Comprehensive Plan. This Plan is amended annually to reflect changing development conditions and available capacity to absorb projected growth.

Purpose of the Growth Phasing Plan

The primary function of the Growth Phasing Plan is to establish antic phasing of growth in areas outside of the City of Bismarck and within the City's extraterritorial authority. The areas included in the Plan could reasonably be served by municipal utilities at some point in the future. The outer boundary of the Growth Phasing Plan coincides with the Urban Service Area Boundary (USAB).

The Growth Phasing Plan is further divided into Expansion Ready and Expansion Future areas. The Expansion Ready areas are anticipated for development relatively sooner, because City services may be readily accessed, based on available funding. The Expansion Future areas are anticipated for development in the relatively longer-term, with immediate City participation in financing or extending municipal services unlikely and limited. However, development in these areas may be possible with private funding for infrastructure.

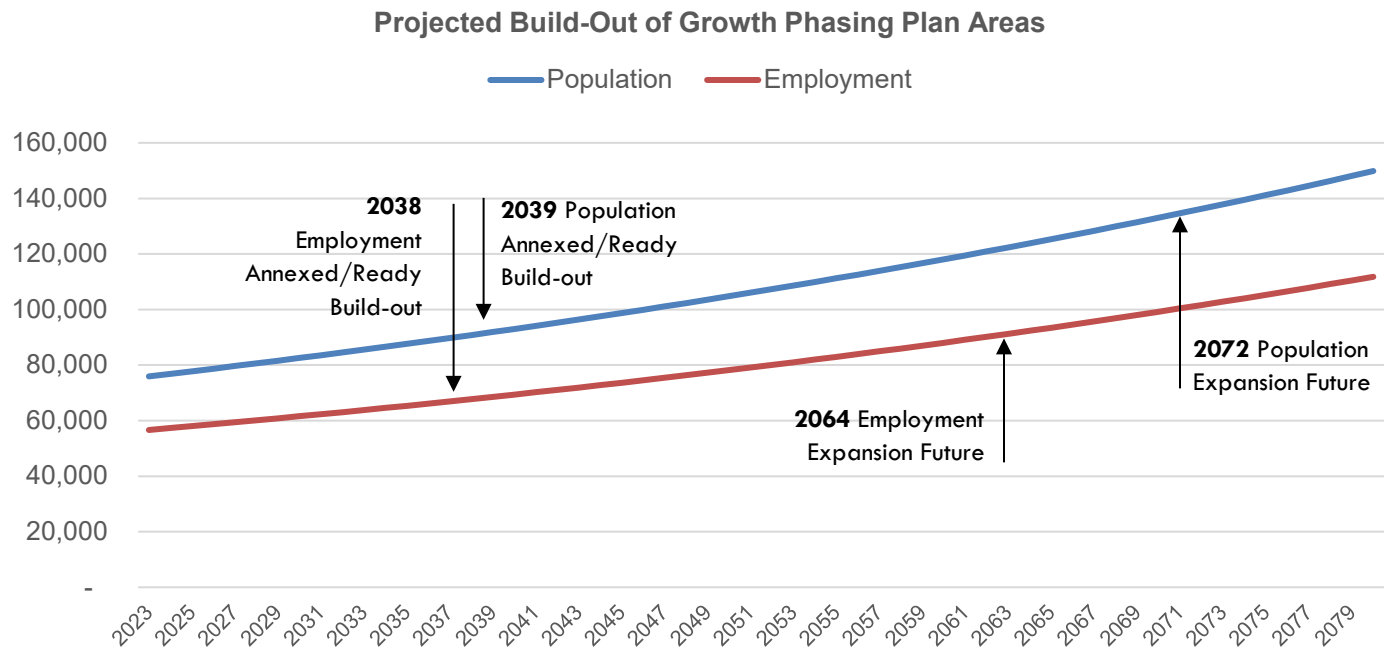
Areas that are already developed as rural residential are assumed to remain as such and are not included in either the Expansion Ready or Expansion Future areas. It is anticipated that urban growth will occur around these subdivisions within the time horizon of the plan.

Growth Capacity Analysis

Each year, City staff analyzes the potential development capacity of the entire USAB, as well as undeveloped areas in city limits. This measures how much development could be absorbed if areas that are currently undeveloped would be built-out at prevailing densities for each Future Land Use Plan classification.

This available capacity is compared to overall growth projections for the City to help determine how much additional serviceable land may be necessary to meet expected demand for new development. The results of the analysis inform staff's recommendation for boundary adjustments.

(continued)



Within the city limits, there is capacity for an additional 8,856 residents and 8,017 jobs. An additional 6,455 residents and 2,955 jobs may be accommodated in the Expansion Ready areas. The Expansion Future areas may accommodate an additional 44,955 residents and 24,012 jobs. The expected build-out year for each of these projections is shown on the chart above.

Because there is often a significant lag between annexation and full build-out, future annexation of these areas is projected separately. At Bismarck's historic rate of annexation growth, the Expansion Ready area is projected to be annexed by 2027, and the Expansion Future area by 2053.

Proposed Changes to the Growth Phasing Plan

Minimal changes to the Growth Phasing Plan map are proposed because sufficient area already exists to accommodate anticipated growth.

Three areas previously shown as Expansion Ready are proposed to change to Transitional Rural, because the areas are already developed with no imminent change anticipated.

Two Expansion Future areas are proposed to be changed to Expansion Ready, because annexations within the previous year surround these areas on all sides.

All proposed changes to the map are shown on the attached Growth Phasing Plan Amendment Map.

Staff also propose text changes to the names of areas of the plan:

Existing Name	Proposed Name
Annexed Priority	Annexed Priority 1
Expansion Ready	Expansion Priority 2
Expansion Future	Expansion Priority 3

The proposed names emphasize a sequence of priority, rather than a timeframe, better reflecting the intent of the plan. Furthermore, the term "ready" may connote more immediacy to growth than is always the case. Name changes would be applied to all instances within the Together 2045 Comprehensive Plan.

The following changes to page 56 of Together 2045 are also proposed:

(continued)

"The Expansion Priority 2 areas are not yet annexed but may be provided with municipal services efficiently without significant public or private cost. These areas are contiguous to the existing city limits on one or more sides and development within these areas often includes opportunities to provide additional interconnectivity of the roadway network resulting in more efficient vehicle trip distribution and improved emergency service response. Major water, sewer and transportation infrastructure are generally nearby with capacity available for extension into the area."

The Expansion Priority 2 areas are the City's second highest priority, after annexed areas, for future growth and development. As funds are available, the City may participate in capital improvements to serve this area and any practices that may facilitate expansion of corporate limits should be focused in this area."

Public Engagement

Public engagement will commence if the Planning and Zoning Commission calls for a public hearing on this request.

Review Standards and Findings of Fact

The request is evaluated according to standards contained within the Comprehensive Plan, Bismarck Code of Ordinances, and relevant state law. Findings of fact, related to land use, are presented in response to each standard.

Annexed Priority areas are amended to reflect the current legal corporate limit at the time of the update (GPP standards)

Yes. All lands annexed within the previous year are incorporated into the Annexed Priority areas. A total of 185 acres were annexed in 2022.

Expansion Ready areas have basic infrastructure, such as trunklines and arterial roadways, either within or adjacent to the area that may be utilized for development, or such basic infrastructure is programmed for the near future (GPP standards)

Yes. The areas being added into Expansion Ready are near improvement districts in either Paradise Valley Addition or Daybreak Second Addition and utilities are expected to be extended into these general areas in the near-term future.

The Urban Service Area Boundary, including both the Expansion Ready and Expansion Future areas, is large enough to contain approximately twenty-five years of anticipated annexation (GPP standards)

Yes. The overall USAB is projected to be annexed by 2053, in 30 years.

CORE Areas are determined to have the highest need and opportunity for redevelopment based on data such as improvement-to-land value ratio, rate of change in assessed value, building condition, and other evidence (GPP standards)

Yes. No changes to the CORE Areas are proposed at this time.

The proposed amendment is consistent with the goals and objectives of the comprehensive plan (GPP standards)

Yes. The proposed amendments further Objective G2(d): "Evaluate the Growth Phasing Plan annually and adjust to account for actual pace and direction of growth."

The proposed amendment would not adversely affect the public health, safety, and general welfare (Goal S10-a)

Yes. As a cumulative result of all findings contained in this staff report, City of Bismarck staff find that the proposed amendment to the Major Street Plan would not adversely impact the public health, safety, and general welfare.

Staff Recommendation

(continued)

Based on the above findings, staff recommends amendment of the map and text of the Growth Phasing Plan of Together 2045 Bismarck's Comprehensive Plan, as described in this staff report and attachment.

Attachments

1. Growth Phasing Plan Amendment Map

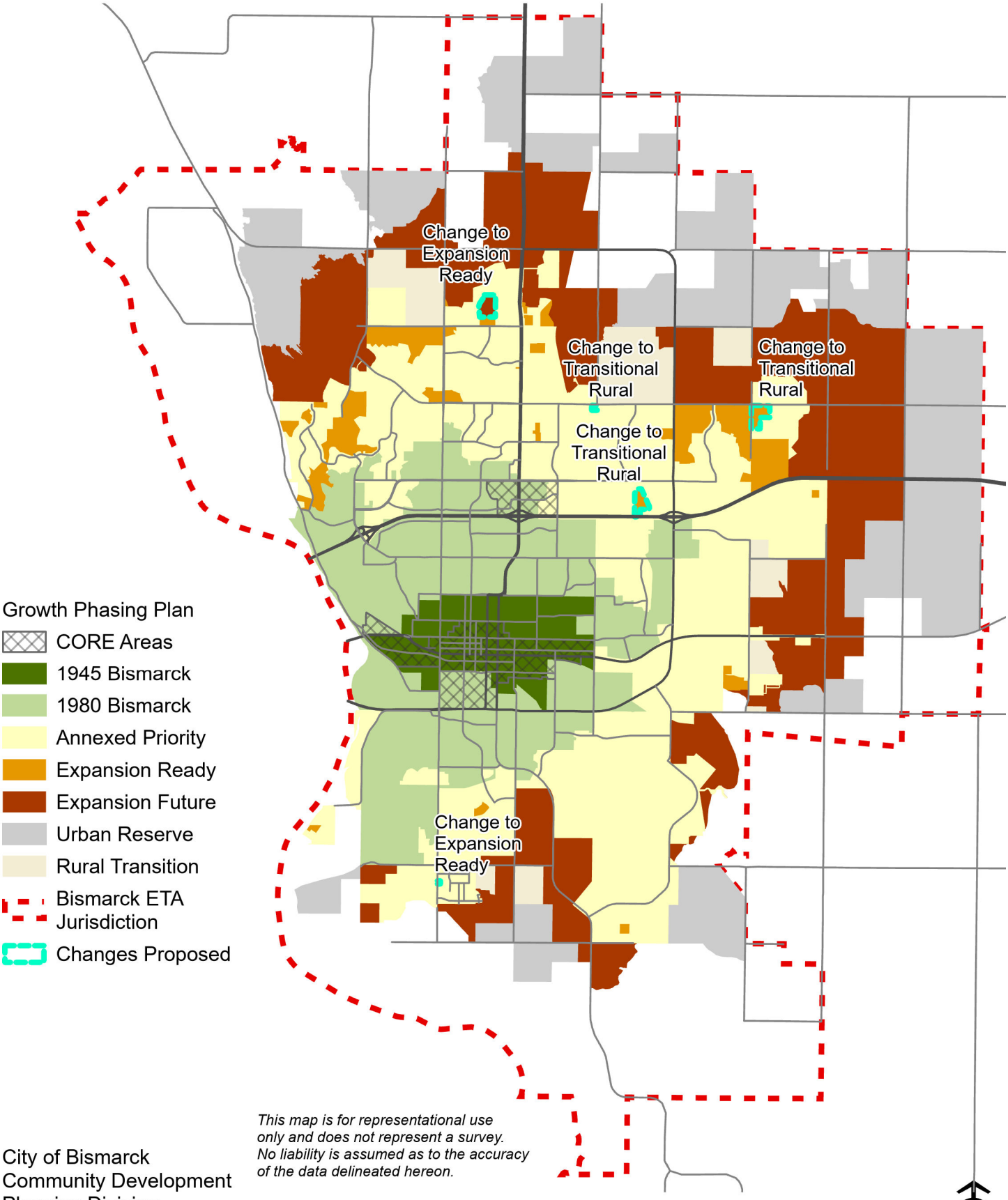
Staff report prepared by: Daniel Nairn, AICP, Planning Manager

701-355-1854 | dnairn@bismarcknd.gov

Growth Phasing Plan Map

2023 GROWTH PHASING PLAN AMENDMENTS

GPPA2023-001



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
Planning Division
July 18, 2023

Bismarck COMMUNITY DEVELOPMENT

STAFF REPORT

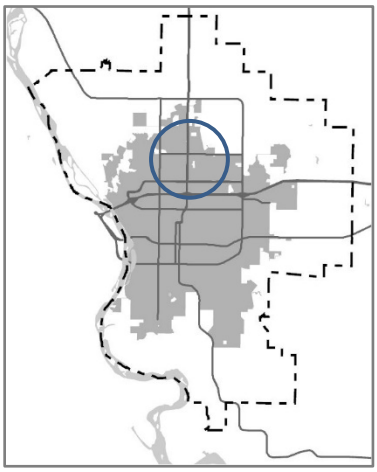
Agenda Item # 3
July 26, 2023

Application for: **Zoning Map Amendment**

Project ID: **ZC2023-004**

Project Summary

Title:	Lot 2, Block 1, Schilling Second Addition
Status:	Planning & Zoning Commission – Consideration
Property Owner(s):	Club House West, LLC, Applicant Capital Electric Cooperative, Owner
Project Contact:	Will Hutchings, AICP, Stantec
Project Location:	In north Bismarck, east of State Street/US Highway 83 and south of 43rd Avenue NE on the east side of the State Street frontage road
Project Size:	1.73 Acres
Applicant Request:	Rezone to PUD for redevelopment of a new indoor self-storage facility
Staff Recommendation:	Approve



Site Information

Existing Conditions		*Proposed Conditions*	
Lots/Blocks:	1 Lot in 1 Block	*Lots/Blocks:*	1 Lot in 1 Block
Land Use:	Office building (vacant)	*Land Use:*	Indoor storage building
Future Land Use:	Community Mixed Use (CMU)	*Future Land Use:*	Community Mixed Use (CMU)
Zoning:	CG – Commercial	*Zoning:*	PUD – Planned Unit Development
Uses Allowed:	CG – General commercial, multi-family residential, and offices	*Uses Allowed:*	PUD – Uses specified in PUD
Max Density:	CG – 42 units / acre	*Max Density:*	PUD – Density specified in PUD

Area Information

Zoning Jurisdiction:	Bismarck City Limits
Township:	N/A (City of Bismarck)
Neighborhood:	North Valley

Property History

Zoned:	12/2021
Platted:	03/2022
Annexed:	Pre-1980

(continued)

Project Narrative

Club House West, LLC and Capital Electric Cooperative are requesting approval of a zoning map amendment from the CG – Commercial zoning district to the PUD – Planned Unit Development zoning district for Lot 2, Block 1, Schilling Second Addition.

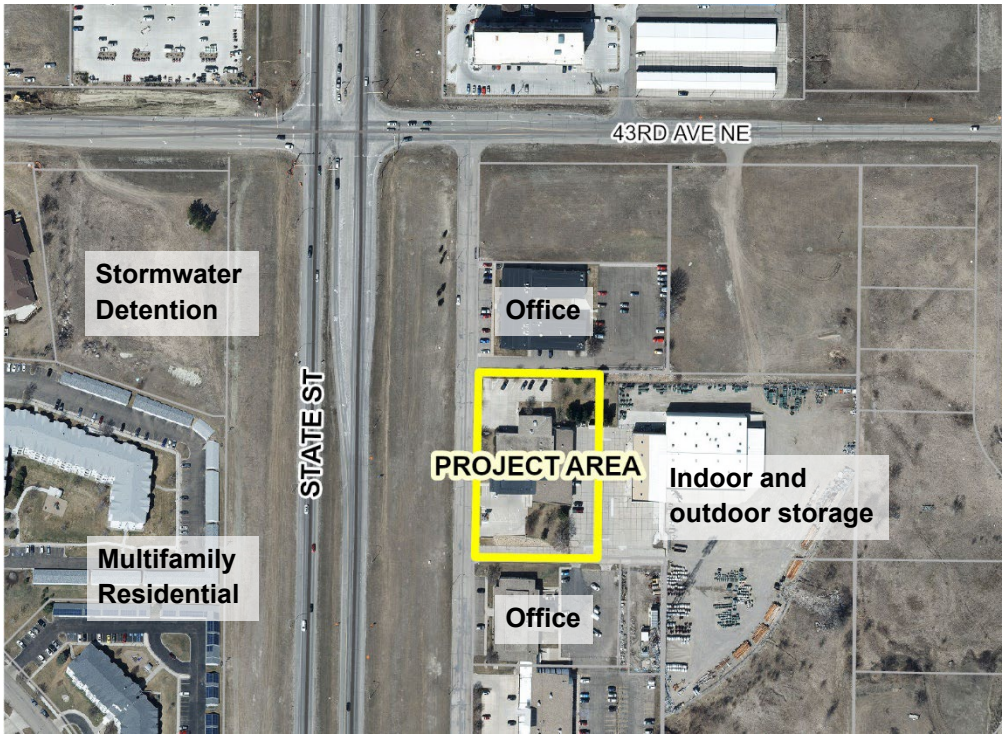
The lot currently contains an office building that was constructed in 1970 and altered over the years. Club House West, LLC proposes to purchase the property from Capital Electric Cooperative, demolish the existing building, and construct an indoor self-storage building on the site.

The PUD would limit the use of the property to indoor storage, as proposed, and retail and service uses. Industrial uses would be prohibited. The proposed PUD includes design and use standards that would apply to the building and site. A draft of the proposed PUD ordinance is attached to this report, along with plans and elevations submitted by the applicant and referenced by the ordinance.

The current owner, Capital Electric Cooperative, assents to the application on the condition that a transfer of the property occurs. Staff will hold any publication of the ordinance until notified by the applicant that the transfer has been completed.

Project Context

Land uses adjacent to the project area are depicted on the adjacent map:



A Zoning and Plan Reference Map is attached to this staff report, including current zoning, the Future Land Use Plan, Major Street Plan, and Active Mobility Plan.

The property has been identified as Community Mixed Use (CMU) in the Future Land Use Plan, which is intended for urban development of a higher intensity, predominantly commercial use, that would serve the region as a whole. Goals and objectives of this plan as they relate to a zoning map amendment are referenced in review standards below.

Although the site is adjacent to State Street/US Highway 83, vehicle access to this area is limited. The frontage road does not have full signalized

(continued)

access to either 43rd Avenue NE, to the north, or State Street, to the south, and there are no plans to improve either roadway to provide this. These access limitations have the effect of limiting the viability of land uses that generate many vehicle trips, such as traditional commercial uses.

Public Engagement

The public has been duly notified of this request. A notice was published in the Bismarck Tribune on July 14 and July 21, and 15 letters were mailed to the owners of nearby properties on July 14, 2023.

Basic project information, with the ability to contact staff for more details, has been provided publicly online through the Community Development Activities map.

All written comments received by staff prior to the public hearing will be distributed to the Planning and Zoning Commission and summarized by staff during the oral presentation.

Review Standards and Findings of Fact

The request is evaluated according to standards contained within the Comprehensive Plan, Bismarck Code of Ordinances, and relevant state law. Findings of fact, related to land use, are presented in response to each standard.

The Future Land Use Plan is adhered to with the proposed amendment (Future Land Use Plan)

Yes. The proposed zoning map amendment is within the area designated as Community Mixed Use (CMU) in the Future Land Use Plan, as described in the Project Context section above. The proposed zoning district would generally conform to the character of this district.

Adherence to the character of the CMU district depends on the design standards included with the PUD, which creates a visual impression more associated with a commercial than an industrial district. The appropriateness of these conditions is described further below.

Adjacent land uses and zoning are not incompatible with the proposed amendment (Goal S10-a, S5-a)

Yes, with certain conditions applied to this zoning district. Adjacent uses are described in the project context section above. The proposed zoning district would allow indoor self-storage.

The PUD also allows lighter commercial uses; provided sufficient parking is supplied. The number of parking spaces proposed on the site would not support more than a relatively small portion of the building to be in commercial use.

Although storage uses have traditionally been classified as industrial in Bismarck, the design requirements would result in a visual impact more like commercial than industrial uses. Facades visible from the street would have minimum window coverage and higher quality commercial-grade materials. Furthermore, the customers and suppliers for the type of self-storage facility would also be more commercial than industrial in nature.

With these conditions, development that may be anticipated from the proposed zoning would have no negative impact on the surrounding properties.

A change in conditions or an error in the zoning map has occurred since the previous zoning classification was established (Goal S9-e)

Yes. The current zoning district of CG - Commercial was established in December, 2021. Prior to this, the land was zoned as a PUD for light industrial and storage uses. The proposed PUD is similar to the zoning that was in effect from 2008 through 2021, although with more restrictive use and design standards.

Undue restriction of housing options or access to neighborhood amenities would not result from the proposed amendment (Goal S1-a, Goal T1-c)

(continued)

Yes. The proposed zoning map amendment would not adversely impact housing opportunities in any way.

The general intent and purpose of the zoning ordinance would be adhered to with the proposed amendment (Section 14-02-01; NDCC 40-27-03)

Yes. The proposed zoning map amendment would support the purpose of the zoning ordinance, as stated in the City Code of Ordinances and North Dakota Century Code.

Proper administrative procedures related to the request are being followed (Section 14-07-02, NDCC Chapter 40-47)

Yes. All administrative procedures of the City Code of Ordinances and North Dakota Century Code have been followed to date. The applicant has submitted a complete application for a zoning map amendment, and the required staff review of all submitted materials has occurred prior to submittal of this report to the Planning and Zoning Commission.

A public hearing has been scheduled by the Planning and Zoning Commission for this request, and all requirements for notice of this hearing have been met, as documented in this report above.

Together 2045 Bismarck's Comprehensive Plan is adhered to with the proposed Planned Unit Development (Section 14-04-18(3)a)

Yes. Objectives of the plan would be advanced through the proposed planned unit development, as described in this staff report.

Adequate buffer areas have been provided between any noncompatible land uses (Section 14-04-18(3)b)

Yes. The adjacent use to the east is a similar storage use, and therefore no landscaped buffer is provided. Uses to the north and south are either office or commercial and would not be considered incompatible with the proposed use. Landscaping is proposed on both side yards.

Natural features of the site would be preserved, insomuch as possible, including the preservation of trees and natural drainage ways (Section 14-04-18(3)c)

Yes. The land includes a notable slope from north to south. The proposed building is designed to take advantage of these natural conditions to minimize the need for grading and other ground disturbance. Landscaping in the front yard is also adjusted to align with topography, with strategic use of retaining walls for stabilization.

The applicant has signaled the intent to preserve certain mature trees on site, but this may not be possible due to site grading. If the trees must be removed, new trees would be planted in these locations.

The internal roadway circulation system within the planned unit development has been adequately designed for the type of traffic that would be generated (Section 14-04-18(3)d)

Yes, with release and replacement of an existing access easement on the site. And existing 26-foot access easement that includes land within the proposed PUD would need to be moved to allow room for the building as proposed. Therefore, an easement release could be required in conjunction with final review of the PUD by the City Commission. The applicant also owns the property to the east and will dedicate a new access easement to provide the same function.

Another access easement will be retained through this property to provide access from State Street to Lot 3, Block 1, Schilling Second Addition to the east.

The character and nature of the proposed planned unit development contains a planned and coordinated land use or mix of land uses that are compatible and harmonious with the area in which it is located (Section 14-04-18(3)e)

(continued)

Yes. The proposed indoor storage use fits the character of the land use mix in this area. For reasons already stated, this use, as designed and laid out in the proposed planned unit development, would be compatible and harmonious with the surrounding area.

The public health, safety and general welfare will not be adversely impacted by the proposed zoning map amendment (Goal S10-a)

Yes. As a cumulative result of all findings contained in the staff report, City of Bismarck staff find that the proposed zoning map amendment would not adversely impact the public health, safety, and general welfare, provided all issues raised in these findings are addressed and verified through final submittals prior to the public hearing.

Staff Recommendation

Based on the above findings, staff recommends approval of a zoning map amendment from the CG – Commercial zoning district to the PUD – Planned Unit Development zoning district, as outlined in the attached draft zoning ordinance and submitted plans, for Lot 2, Block 1, Schilling Second Addition, with the following condition:

1) The 26-foot access easement on the east side of Lot 2, Block 1, Schilling Second Addition is relocated such that no building foundation would be within the easement.

Attachments

1. Draft Zoning Ordinance
2. Zoning and Plan Reference Map
3. Proposed Zoning Map
4. PUD renderings, building elevations, and landscape plan.

Staff report prepared by: Daniel Nairn, AICP, Planning Manager

701-355-1854 | dnairn@bismarcknd.gov

CITY OF BISMARCK
ORDINANCE NO. XXXX

Introduced by	_____
First Reading	_____
Second Reading	_____
Final Passage and Adoption	_____
Publication Date	_____

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

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

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

The following described property shall be excluded from the CG - Commercial zoning district and included within the PUD – Planned Unit Development zoning district:

Lot 2, Block 1, Schilling Second Addition

This PUD is subject to the following standards:

1. *Conformance to Submitted Documents*. The development must generally conform to the submitted site plan, landscape plan, and building elevations approved in conjunction with the PUD.

2. *Uses Permitted.* The uses within the district shall be limited to the following:

    a. *Principal Uses*. The following principal use shall be allowed:

        i. Self-storage facility

        ii. Retail Group A

        iii. Service Group A

    b. *Accessory Uses*. The following uses shall be allowed as accessory to the principal uses on the property.

i. Leasing office

3. *Special Uses.* The following uses shall be allowed with a special use permit

    a. No special uses are permitted

4. *Use Standards.* The following use standards shall apply within this district:

    a. *Building Storage Type*. The storage building shall be designed to be primarily accessed from common interior spaces with temperature and humidity control capabilities and containing fully enclosed, compartmentalized stalls or lockers which are rented or leased as individual units for the storage of property customarily related to residential, office, and/or local commercial activities.

    b. *Hazardous Items*. No storage of combustible or flammable liquids, combustible fibers, or explosive materials as defined in the fire prevention code, or toxic materials, shall be permitted within the self-storage buildings or upon the premises. A lease agreement between the lessee and lessor shall state:

        i. No flammable, combustible or toxic material shall be stored or used on premises, and

        ii. The property shall be subject to periodic and unannounced inspections for flammable, toxic and other hazardous materials by City officials.

    c. *Outdoor Storage*. No storage outside of a building shall be permitted.

    d. *Use Limitations*. Except as provided herein, the use of the premises shall be limited to personal or business storage only and shall not be used for operating any other business, for maintaining or repairing of any vehicles, recreational equipment or other items, or for any recreational activity, hobby or purpose other than the storage of personal items and business items as hereinbefore set forth.

    e. *Interior Clearance*. All interior entryways, access corridors remain clear and free of storage items and obstructions except for reasonable durations of time customary to lessee's loading and unloading activities.

5. *Dimensional Standards.* The following dimensional standards shall apply to all structures within this district:

a. The rear yard setback, along the eastern boundary of this zoning district, shall have a minimum setback of zero, subject to all requirements of building and fire codes, notwithstanding any access easement on the adjoining property.

b. The front yard setback from State Street right-of-way shall following the CG – Commercial zoning district. However, encroachments of up to five (5) feet into this setback may be permitted, as long as a minimum of 75% of the building elevation conforms to the setback.

c. All other dimensional standards, including but not limited to, setbacks, height, and lot coverage shall follow the standards of the CG – Commercial zoning district.

6. *Parking, Loading and Access.* The following standards shall apply to all development within the district.

    a. *Parking Provided*. The number of parking spaces shall be provided on the basis of the following minimum requirements:

        i. 1 space for every 13,500 square feet of storage area; and

        ii. 1 space for each 300 square feet of leasing area; and

        iii. Interior space dedicated to retail or service uses shall follow provisions of Section 14-03-10 Off-Street Parking and Loading.

        iv. Each interior loading bay may be counted as one (1) off-street parking space.

    b. *Paving and Grading*. All exterior access aisles, parking areas and walkways on the site shall be graded, drained, hard-surfaced and maintained in accordance with the standards and specifications of the City.

    c. All other requirements of the Section 14-03-10 Off-Street Parking and Loading shall apply, as applicable.

7. *Design and Aesthetic Standards*. The following design and aesthetic standards shall apply to all structures in the district:

    a. *Intent*. It is the intent of the design standards to create and maintain a high visual quality and appearance for this development, encourage architectural creativity and diversity, create a lessened visual impact upon the surrounding land uses, and stimulate and protect investment through the establishment of high standards with respect to materials, details and appearance.

b. *Building Materials*. All building facades must be designed primarily with architecturally finished materials.

    i. Primary building materials are limited to modular masonry materials such as brick, stone or dimensional block; precast concrete or aggregate panels; stucco or stucco-like materials; or prefinished metal architectural panels.

    ii. If prefinished metal architectural panels or stucco or stucco-like materials are used, no more than 50 percent of the west elevation facing the State Street right-of-way may utilize these materials. These materials may comprise up to 70% of the north and south façades and up to 100% of the east façade.

    iii. The following building materials are expressly prohibited: wood as an exterior wall finish, except where used as an accent material; and exposed, untextured, uncolored, unaugmented concrete, including poured in place, pre-cast concrete panels and concrete block.

c. *Window Coverage*. The west façade shall include windows, glazing, glass overhead doors, or storefront systems covering at least 15 percent of the total area of the façade. Window transparency or tinting shall not be regulated.

d. *Prominent Entrance*. The primary entrance for pedestrians into the building shall be on the west façade and shall be distinguished through design and material from the remainder of the building façade.

e. *Loading Bay Doors*. Any loading bays facing the right-of-way for State Street must feature an overhead door composed of glass with a metal frame.

f. *Continuity of Design*. All subsequent renovations, additions and related structures constructed after the construction of the original building shall be constructed of materials comparable to those used in the original construction and shall be designed in a manner conforming to the original architectural design and general appearance.

g. *Screening of Mechanical Equipment and Solid Waste Collection Areas*. Mechanical equipment and solid waste collections areas shall be screened in accordance with Section 14-03-12 Screening of Mechanical Equipment and Solid Waste Collection Areas.

8. *Landscaping and Screening*. The placement of street trees and/or perimeter parking lot landscaping may be modified to generally conform to the landscape plan submitted with this PUD. The existing use to the east within the PUD - Planned Unit Development zoning district does not require a buffer yard to be installed in this district. All other, landscaping and buffer yards shall be provided in accordance with requirements for commercial uses in Section 14-03-11 Landscaping and Screening.

9. *Signs*. Signage may be installed in accordance with the provisions of Chapter 14-03.1 Signs following standards for the CG – Commercial zoning district. Notwithstanding, off-premise advertising signs (billboards) are specifically prohibited within this district.

10. *Modifications.* This PUD shall only be amended in accordance with Section 14-04-18(4) of the City Code of Ordinances (Planned Unit Developments). Major modifications require a public hearing and approval by the Bismarck Planning & Zoning Commission.

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

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

Zoning and Plan Reference Map

SCHILLING SECOND ADDITION L2, B1

ZC2023-004

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

UN	Urban Neighborhood
NMU	Neighborhood Mixed Use
CMU	Community Mixed Use
DMU	Destination Mixed Use
DT	Downtown
IND	Industrial
IF	Industrial Flex
IMU	Industrial Mixed Use
INS	Institutional
RR	Rural Residential
TR	Transitional Rural
PKOS	Parks/Open Space
URA/ URB	Urban Reserve Mid/Long-Term

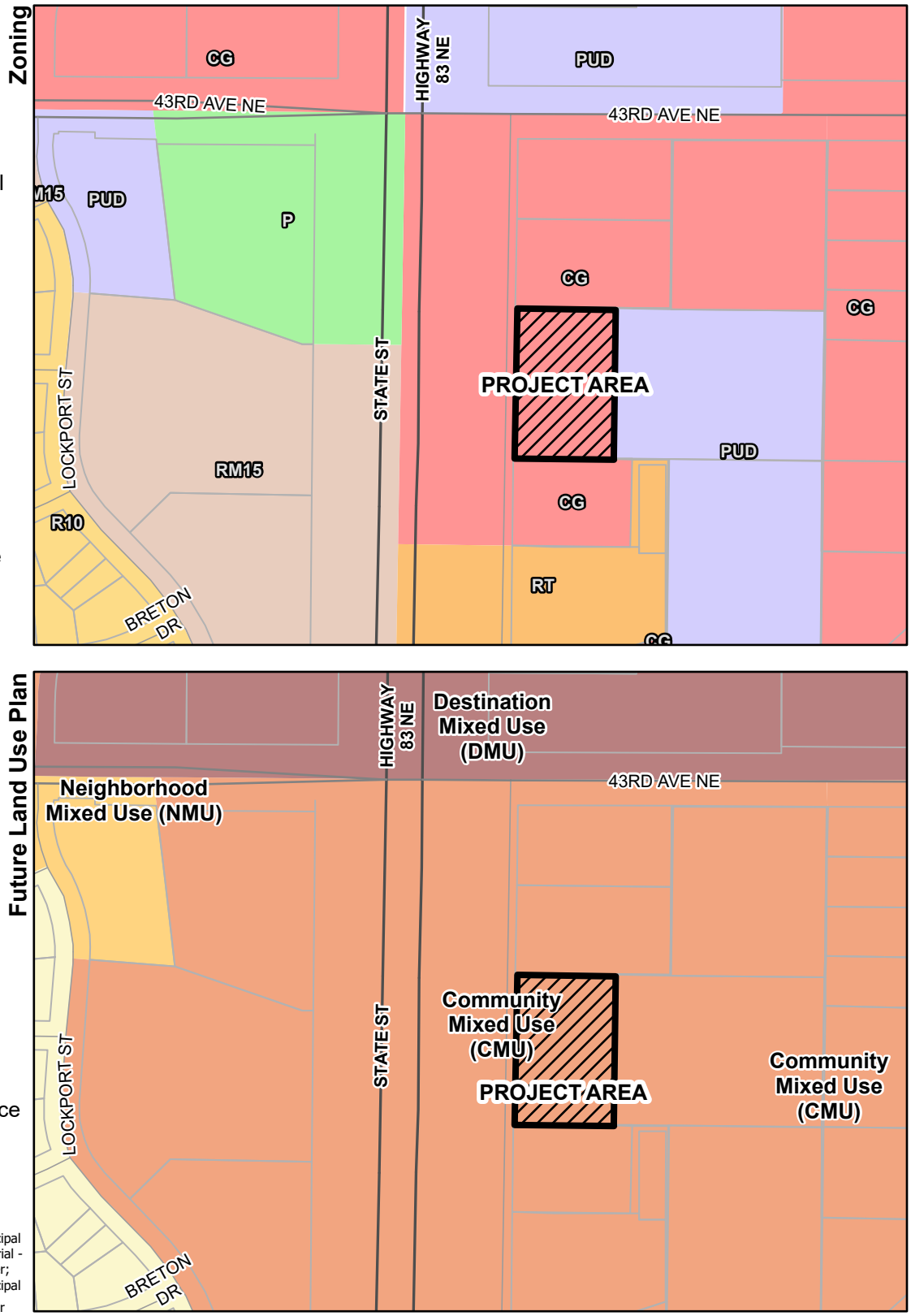
Major Street Plan

- Future Arterial
- Future Collector
- Future Interstate

Streets

Functional System

- Interstate
- Principal Arterial - Other; Principal
- Minor Arterial; Major
- Local



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.

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20

City of Bismarck
Community Development
Planning Division
May 12, 2023

Proposed Zoning Change

SCHILLING SECOND ADDITION L2, B1

ZC2023-004

Proposed New Zoning Map

Project Area (zoning within is proposed)

City Limits

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
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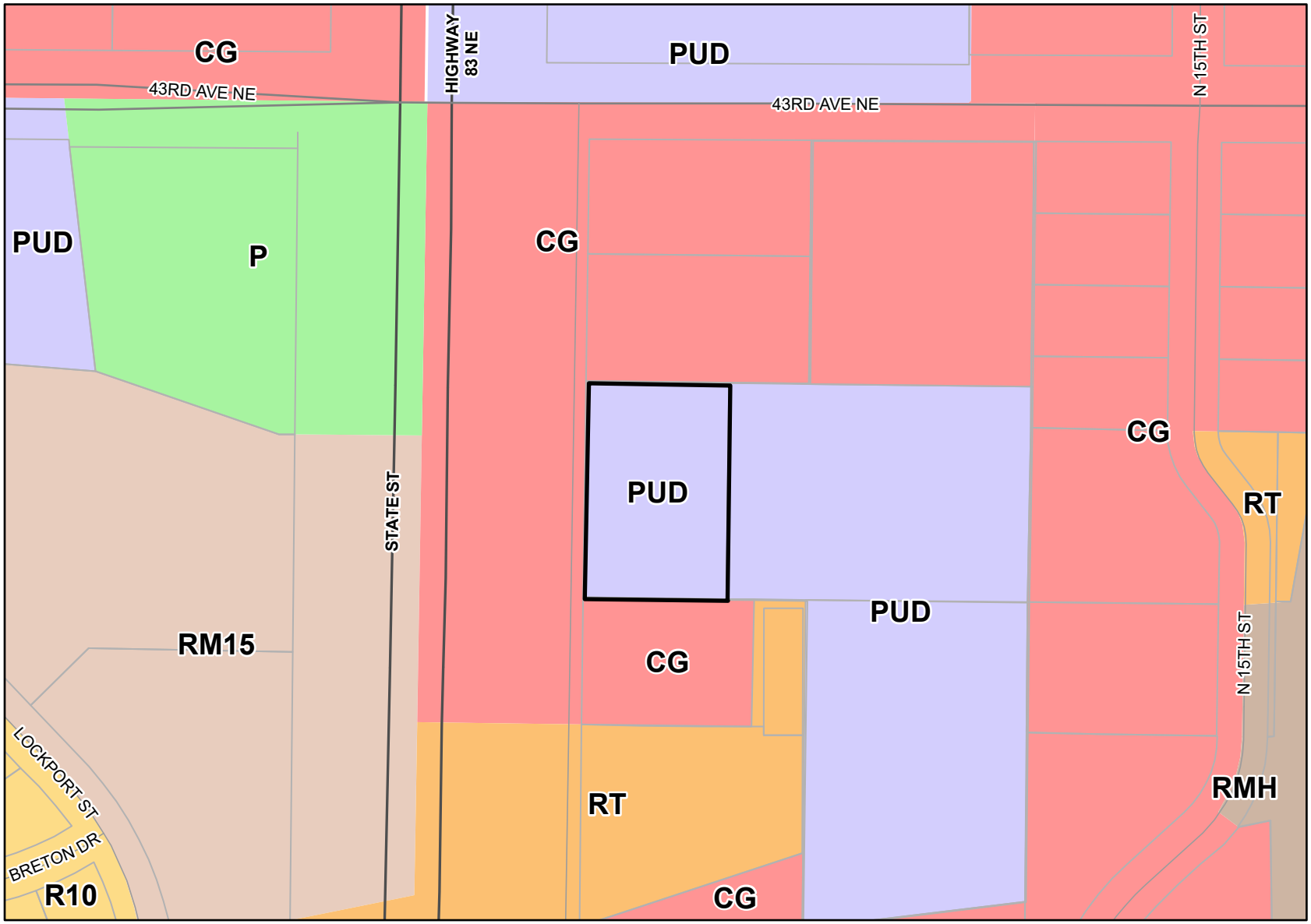
MA	Industrial
MB	Industrial
PUD	Planned Unit Development
DC	Downtown Core
DF	Downtown Fringe

A "C-" prior to the district indicates that special conditions would apply to the zoning district



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City of Bismarck
Community Development
Planning Division
May 17, 2023

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NORTHWEST EXTERIOR RENDERING

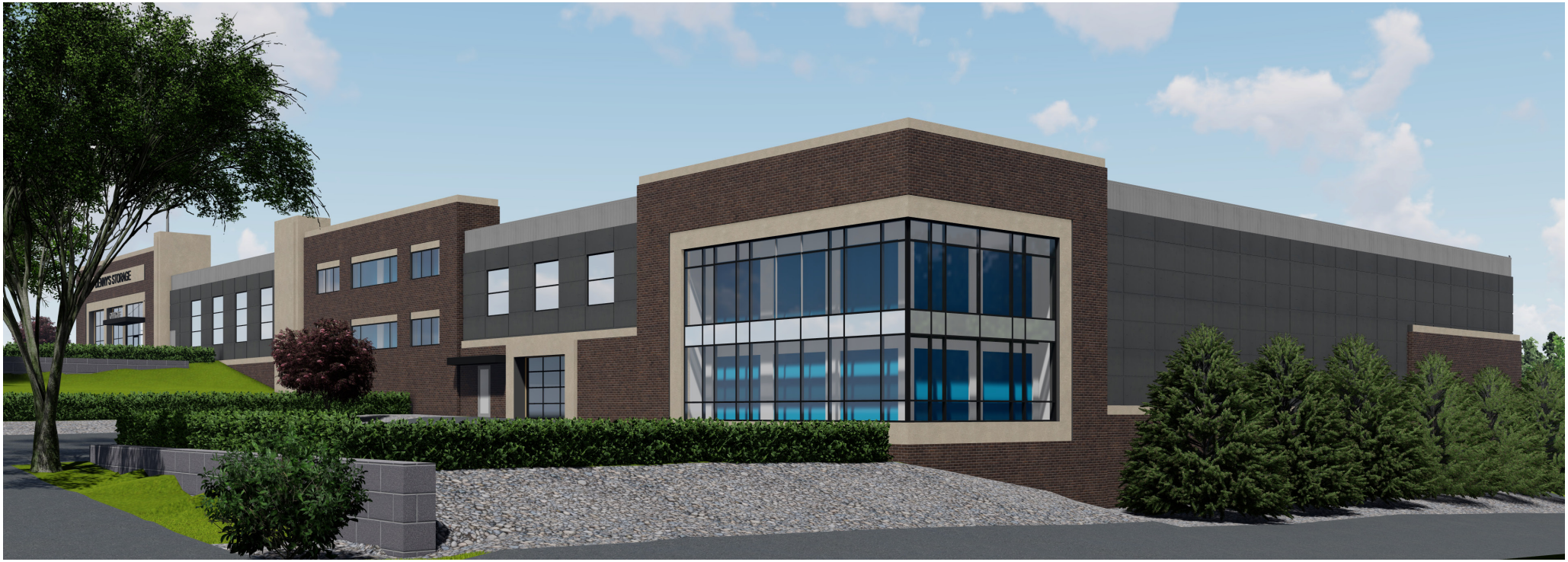
7.7.2023

DENNY'S STORAGE - BISMARCK

4111 State Street, Bismarck, ND

23-066.00

©2023 DJR



SOUTHWEST EXTERIOR RENDERING

7.7.2023

DENNY'S STORAGE - BISMARCK

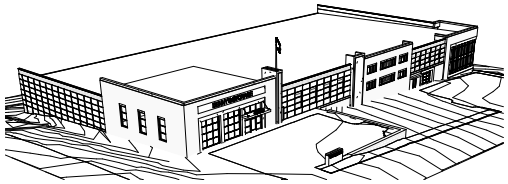
4111 State Street, Bismarck, ND

23-066.00

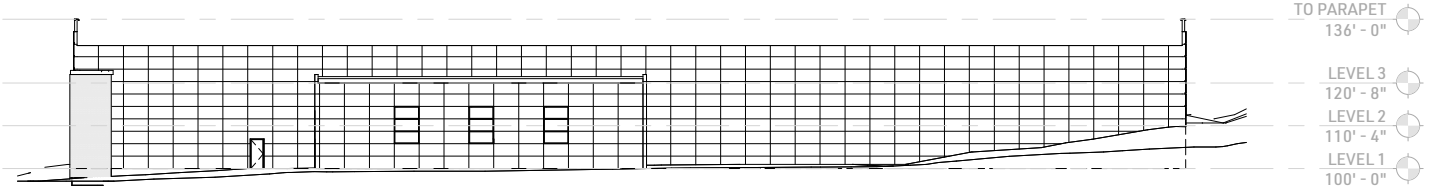
DJR

DENNY'S STORAGE COMPANY EST. 1977

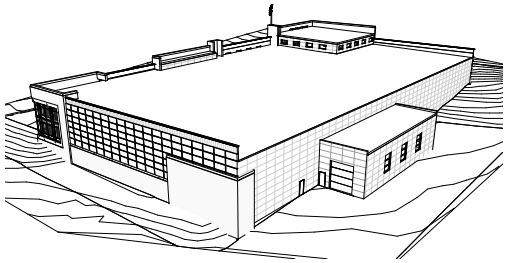
©2023 DJR



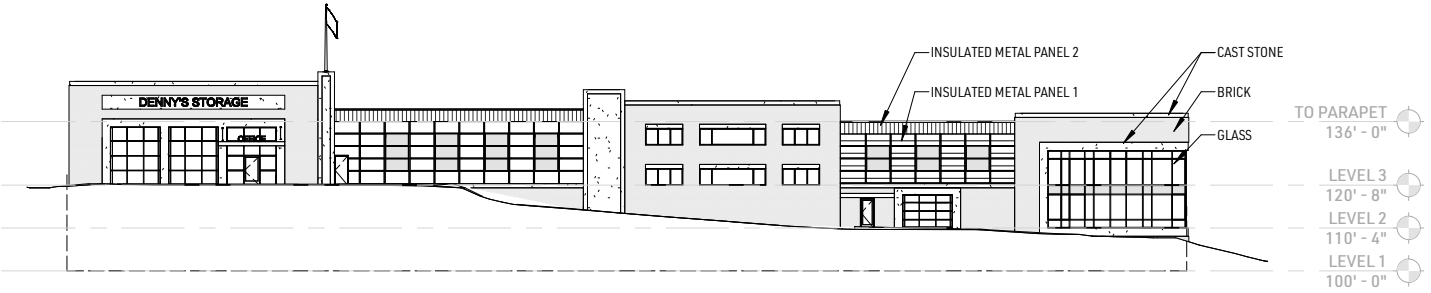
3D2 **NW AERIAL**



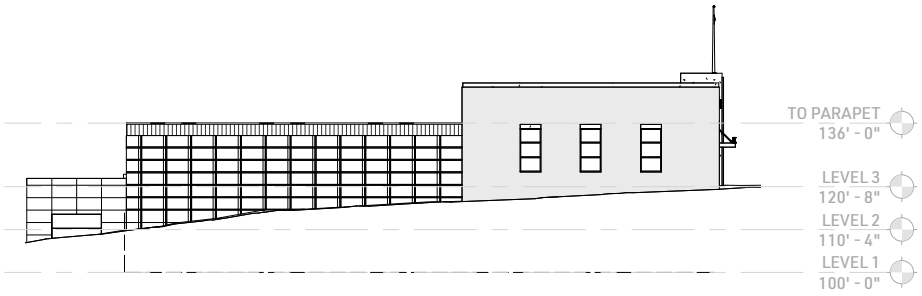
E **EAST EXTERIOR ELEVATION**
1" = 30'-0"



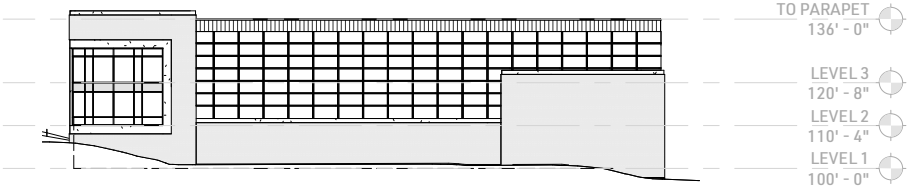
3D **SE AERIAL**



W **WEST EXTERIOR ELEVATION**
1" = 30'-0"



N **NORTH EXTERIOR ELEVATION**
1" = 30'-0"



S **SOUTH EXTERIOR ELEVATION**
1" = 30'-0"

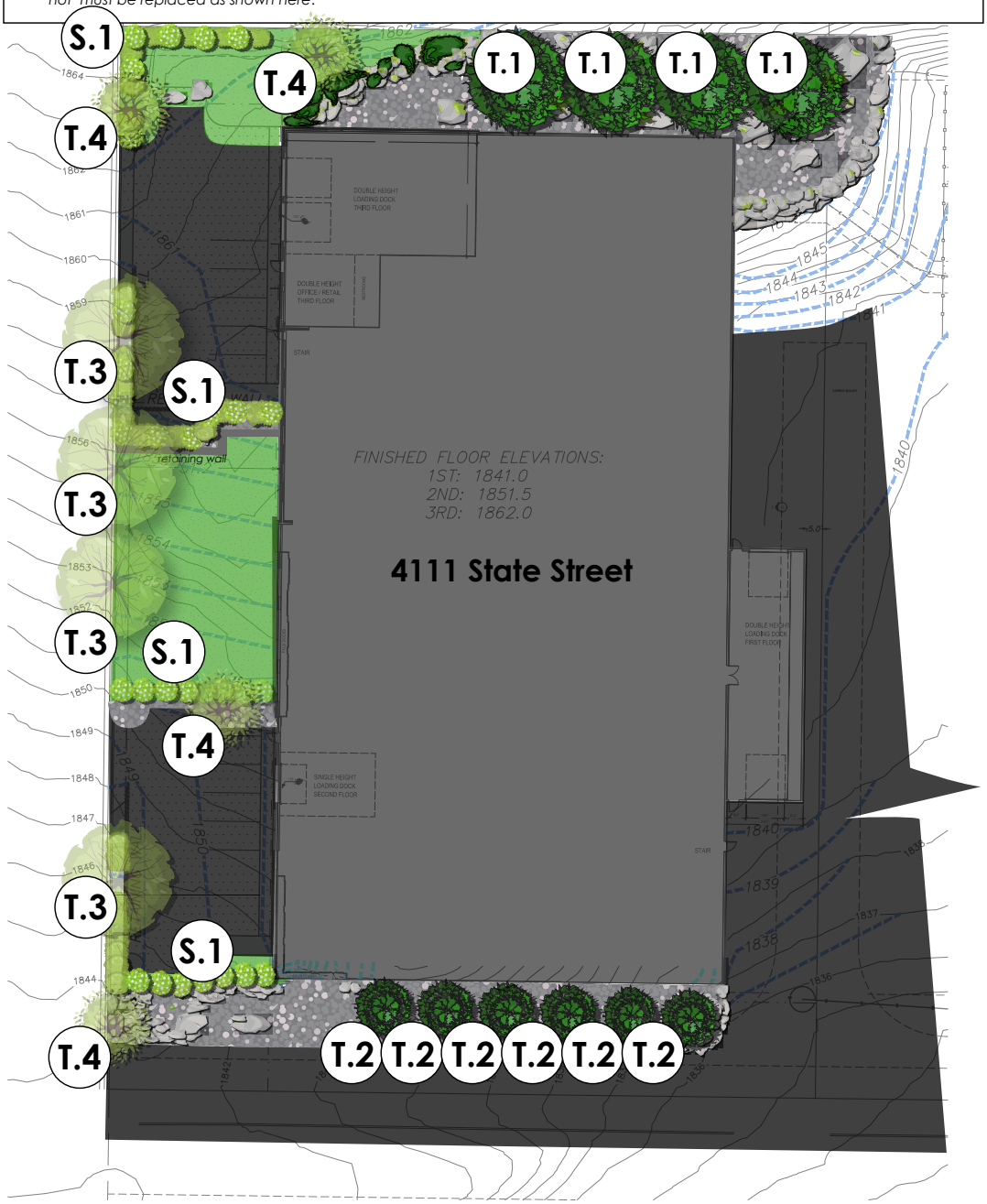
DJR

DENNY'S STORAGE COMPANY EST. 1977

Copyright 2023 DJR Architecture, Inc.

Clubhouse West, LLC + LANDSCAPE CONCEPT

Trees	Shrubs & Plants	*Other*
T.1 Large upright coniferous tree T.2 Small upright coniferous tree T.3 Large Shade tree 2-3 varying species T.4 Small Ornamental Tree * *If possible mature existing Trees will remain - if not must be replaced as shown here.*	S.1 Perimeter parking lot continuous hedge (3' mature height)	*Grass Seed Mix* *Landscape Boulders* *Cement/Brick Hardscaping* *Planting Mulch (not detailed)* *Rock Chips*



Bismarck COMMUNITY DEVELOPMENT

STAFF REPORT

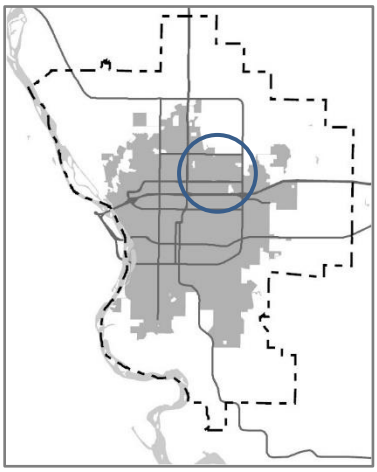
Agenda Item # 4
July 26, 2023

Application for: **Zoning Map Amendment**

Project ID: **ZC2023-006**

Project Summary

Title:	Edgewood Village 7th Addition First Replat, Lot 52, Block 1
Status:	Planning & Zoning Commission – Public Hearing
Property Owner(s):	Edgewood Properties LLLP
Project Contact:	Landon Niemiller, AICP, Swenson Hagen & Co
Project Location:	In northeast Bismarck, east of Nebraska Drive and south of 43rd Avenue NE, in the northwest quadrant of the intersection of Knudsen Avenue and Minnesota Drive
Project Size:	10.12 acres
Applicant Request:	Rezone to PUD for redevelopment to allow multiple detached single-family homes on one lot
Staff Recommendation:	Approve with conditions



Site Information

Existing Conditions		*Proposed Conditions*	
Lots/Blocks:	1 lot in 1 block	*Lots/Blocks:*	1 lot in 1 block
Land Use:	Undeveloped	*Land Use:*	Multiple detached single-family dwelling units
Future Land Use:	Neighborhood Mixed Use (NMU)	*Future Land Use:*	Neighborhood Mixed Use (NMU)
Zoning:	RM30 – Residential	*Zoning:*	PUD – Planned Unit Development
Uses Allowed:	RM30 – Multi-family residential	*Uses Allowed:*	PUD – Uses specified in PUD
Max Density:	RM30 – 30 units / acre	*Max Density:*	PUD – Density specified in PUD

Area Information

Zoning Jurisdiction:	Bismarck City Limits
Township:	N/A (City of Bismarck)
Neighborhood:	Edgewood North

Property History

Zoned:	08/2020
Platted:	08/2020
Annexed:	03/2013

(continued)

Project Narrative

Edgewood Properties LLLP is requesting approval of a zoning map amendment from the RM30 – Residential zoning district to the PUD – Planned Unit Development zoning district for Lot 52, Block 1, Edgewood Village First Replat.

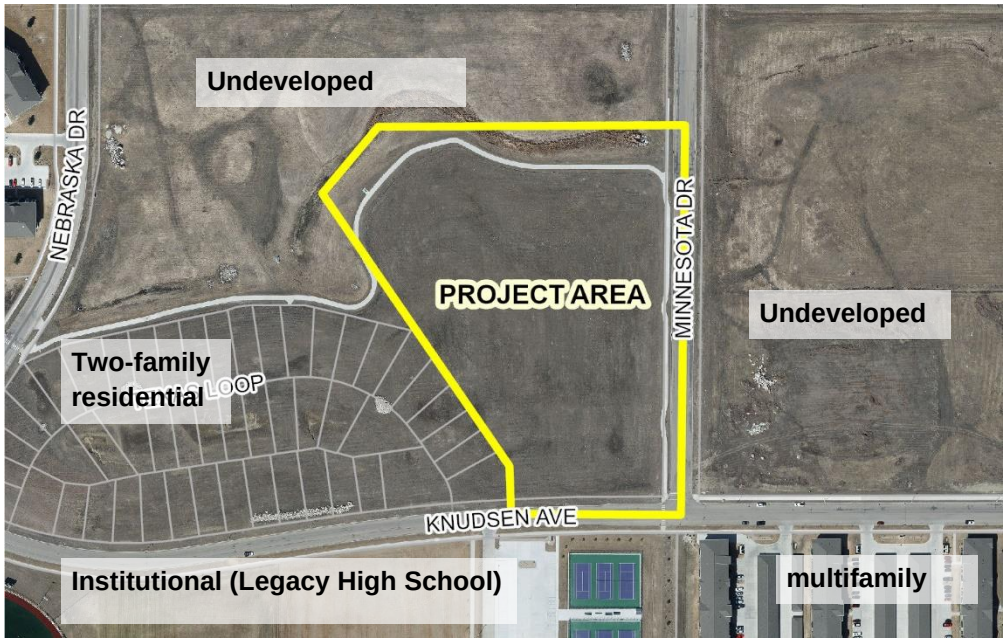
The applicant is proposing to develop the property to include up to 31 detached single-family homes on one lot. The proposed development would also include a shared clubhouse, that would be designed in such a way that it could be converted to a single-family dwelling in the future, and other amenities such as greenspace and sports courts.

Approval of a PUD would be required as multiple detached single-family homes are not permitted to be located on one lot in the RM30 – Residential zoning district under current zoning requirements.

The Planning and Zoning Commission at their meeting of June 28, 2023 considered this request and called for a public hearing.

Project Context

Land uses adjacent to the project area are depicted on the adjacent map:



A Zoning and Plan Reference Map is attached to this staff report, including current zoning, the Future Land Use Plan, Major Street Plan, and Active Mobility Plan.

The property has been identified as Neighborhood Mixed Use (NMU) in the Future Land Use Plan. The NMU areas are areas with a mix of mostly residential, with some lower density buildings, and smaller-scale commercial and institutional uses. Goals and objectives of this plan as they relate to the proposed zoning map amendment are referenced in review standards below.

The proposed development would be accessed via a 26-foot-wide internal access easement / private roadway connecting Knudsen Avenue and Minnesota Drive. This easement must be named to aid emergency services, be dedicated to the public, and accepted by the City Commission prior to administrative approval of a site plan for the development. The applicant understands and has confirmed that this requirement would be met.

The proposed development also includes an additional pedestrian trail that would connect to the existing trail network west of the proposed development.

(continued)

Public Engagement

The public has been duly notified of this request. A notice was published in the Bismarck Tribune on July 14 and July 21, and 5 letters were mailed to the owners of nearby properties on July 14, 2023.

Basic project information, with the ability to contact staff for more details, has been provided publicly online through the Community Development Activities map.

All written comments received by staff prior to the public hearing will be distributed to the Planning and Zoning Commission and summarized by staff during the oral presentation.

Review Standards and Findings of Fact

The request is evaluated according to standards contained within the Comprehensive Plan, Bismarck Code of Ordinances, and relevant state law. Findings of fact, related to land use, are presented in response to each standard.

The Future Land Use Plan is adhered to with the proposed amendment (Future Land Use Plan)

Yes. The proposed zoning map amendment is within the area designated as Neighborhood Mixed Use (NMU) in the Future Land Use Plan, as described in the Project Context section above. The proposed zoning district would generally conform to the character of this district.

Adjacent land uses and zoning are not incompatible with the proposed amendment (Goal S10-a, S5-a)

Yes. Adjacent uses are described in the project context section above. The proposed zoning district would allow the development of 31 detached single-family homes on one lot and include a shared a clubhouse and other shared amenities. Development that may be anticipated from the proposed zoning would have not negative impact on the surrounding properties.

A change in conditions or an error in the zoning map has occurred since the previous zoning classification was established (Goal S9-e)

Yes. The current zoning district of RM30 – Residential was established in August 2020 and based on the lot size, which is 10.12 acres, a total of 303 units would be permitted on this lot. Conditions have changed since this time, and the applicant is proposing to develop 31 single-family homes on this lot. Approval of the proposed PUD would be required as multiple detached single-family homes are not permitted to be located on one lot under current zoning requirements.

Undue restriction of housing options or access to neighborhood amenities would not result from the proposed amendment (Goal S1-a, Goal T1-c)

Yes. The proposed zoning map amendment would not adversely impact housing opportunities in any way.

The general intent and purpose of the zoning ordinance would be adhered to with the proposed amendment (Section 14-02-01; NDCC 40-27-03)

Yes. The proposed zoning map amendment would support the purpose of the zoning ordinance, as stated in the City Code of Ordinances and North Dakota Century Code.

Proper administrative procedures related to the request are being followed (Section 14-07-02, NDCC Chapter 40-47)

Yes. All administrative procedures of the City Code of Ordinances and North Dakota Century Code have been followed to date. The applicant has submitted a complete application for a zoning map amendment, and the required staff review of all submitted materials has occurred prior to submittal of this report to the Planning and Zoning Commission.

(continued)

The public health, safety and general welfare will not be adversely impacted by the proposed zoning map amendment (Goal S10-a)

Yes. As a cumulative result of all findings contained in the staff report, City of Bismarck staff find that the proposed zoning map amendment would not adversely impact the public health, safety, and general welfare.

Staff Recommendation

Based on the above findings, staff recommends scheduling approval of the zoning map amendment from the RM30 – Residential zoning district to the PUD – Planned Unit Development zoning district on Lot 52, Block 1, Edgewood Village First Replat with the following condition:

1. An access easement to the benefit of the public is prepared, accepted by the City Commission, and recorded with the Burleigh County Recorder prior to administrative approval of a site plan for the development.

Attachments

1. Draft Zoning Ordinance
2. Zoning and Plan Reference Map
3. Proposed Zoning Map
4. PUD Narrative
5. PUD Site Plan

Staff report prepared by: Jenny Wollmuth, AICP, CFM, Senior Planner

701-355-1845 | jwollmuth@bismarcknd.gov

CITY OF BISMARCK
ORDINANCE NO. XXXX

Introduced by	_____
First Reading	_____
Second Reading	_____
Final Passage and Adoption	_____
Publication Date	_____

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

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

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

The following described property shall be excluded from the RM30 - Residential zoning district and included within the PUD – Planned Unit Development zoning district:

Lot 52, Block 1, Edgewood Village Seventh Addition First Replat

This PUD is subject to the following standards:

1. *Conformance to Submitted Documents*. The development must generally conform to the submitted site plan approved in conjunction with the PUD.

2. *Uses Permitted.* The uses within the district shall be limited to the following:

    a. *Principal Uses*. The following principal uses shall be allowed:

        i. Single-family residential. Up to 31 single-family dwelling units.

        ii. Shared uses. Shared uses include a community clubhouse, which may be converted into a single-family dwelling unit, green space, and sports courts.

DRAFT

3. *Special Uses.* The following uses shall be allowed with a special use permit

    a. All special uses permitted within the R5 – Residential zoning district.

4. *Dimensional Standards.* The following dimensional standards shall apply to all structures within this district:

    a. *Setback requirements.* The minimum setback requirements for all buildings shall be:

        i. Twenty (20) feet along the west and north lot boundary;

        ii. Twenty-five (25) feet along the east and south lot boundary, adjacent to the public right-of-way;

        iii. Twenty (20) feet along the access easement / private roadway providing access to the proposed buildings; and,

        iv. Setbacks between buildings shall meet the minimum allowed under the City's Building Code.

    b. *Lot Coverage*. The ground area occupied by all structures including single-family units, accessory buildings, and clubhouse shall comply with the maximum lot coverage for the RM – Residential zoning district.

    c. *Height requirements.* No single-family dwelling unit shall exceed forty (40) feet in height. No accessory building shall exceed twenty-five (25) feet in height.

5. *Off-Street Parking and Loading.* Off-street parking and loading shall be installed in accordance with the provisions of Section 14-03-10 of the City Code of Ordinances (Off-Street Parking and Loading).

6. *Landscaping and Screening.* Landscaping and screening may be installed in accordance with the provisions of Section 14-03-11 of the City Code of Ordinances (Landscaping and Screening).

7. *Signs*. Signage may be installed in accordance with the provisions of Chapter 14-03.1 (Signs) following standards for residential zoning districts.

8. *Not listed*. All uses not listed within this PUD shall be prohibited.

9. *Modifications.* This PUD shall only be amended in accordance with Section 14-04-18(4) of the City Code of Ordinances (Planned Unit Developments). Major modifications require a public hearing and approval by the Bismarck Planning & Zoning Commission.

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

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

DRAFT

Zoning and Plan Reference Map

ZC2023-006

EDGEWOOD VILLAGE 7th ADDITION FIRST REPLAT L52, B1

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
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MB	Industrial
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DC	Downtown Core
DF	Downtown Fringe

Future Land Use Plan

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NMU	Neighborhood Mixed Use
CMU	Community Mixed Use
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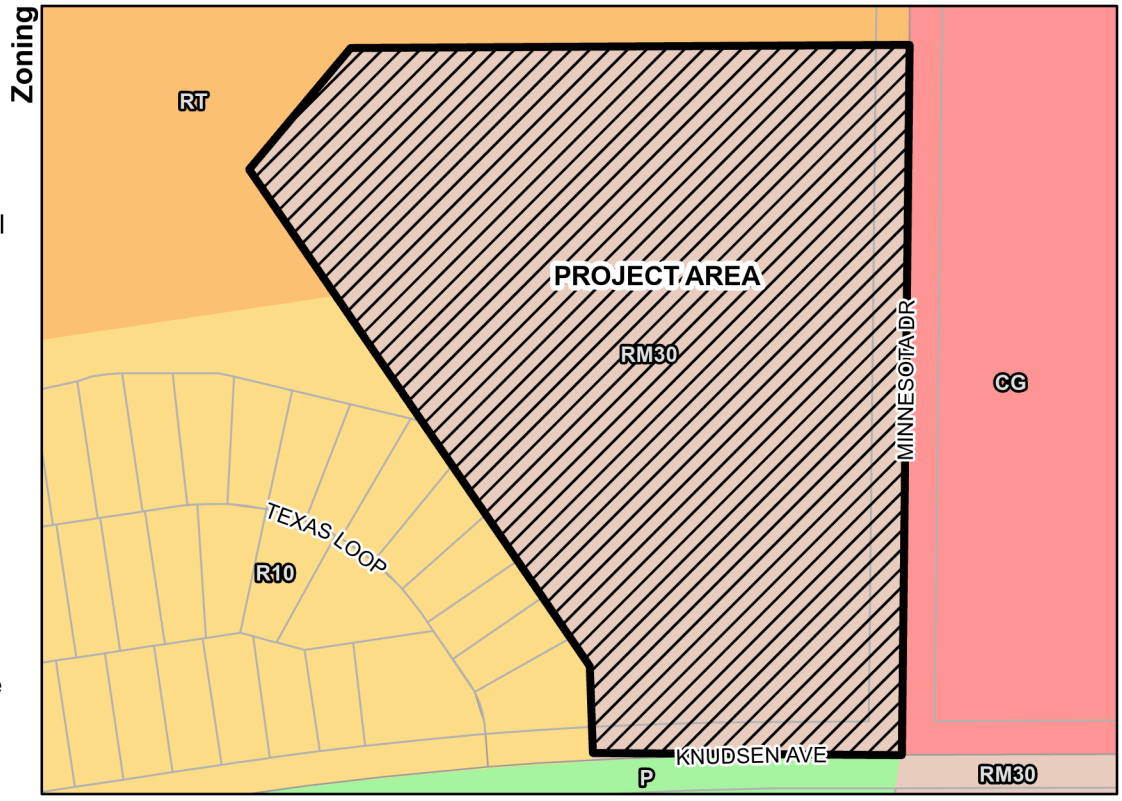
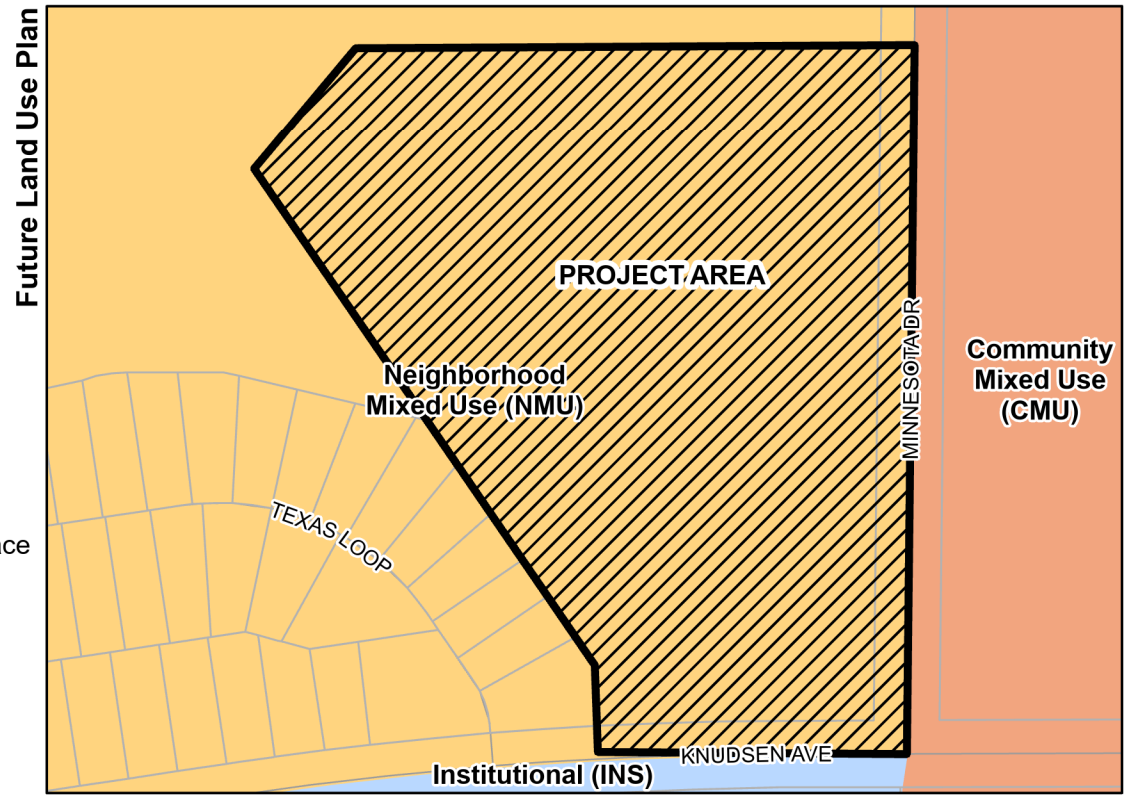
PKOS	Parks/Open Space
URA/ URB	Urban Reserve Mid/Long-Term

Major Street Plan

- Existing Arterial
- Future Arterial
- Existing Collector
- Future Collector
- Existing Interstate
- Future Interstate





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City of Bismarck
Community Development
Planning Division
June 23, 2023

Proposed Zoning Change

EDGEWOOD VILLAGE 7th ADDITION FIRST REPLAT L52, B1

ZC2023-006

Proposed New Zoning Map

Project Area (zoning within is proposed)

City Limits

Zoning Districts

A	Agriculture
RR	Rural Residential
R5	Residential
RMH	Manufactured Home Residential
R10	Residential
RM	Residential Multifamily
RT	Residential (Offices)
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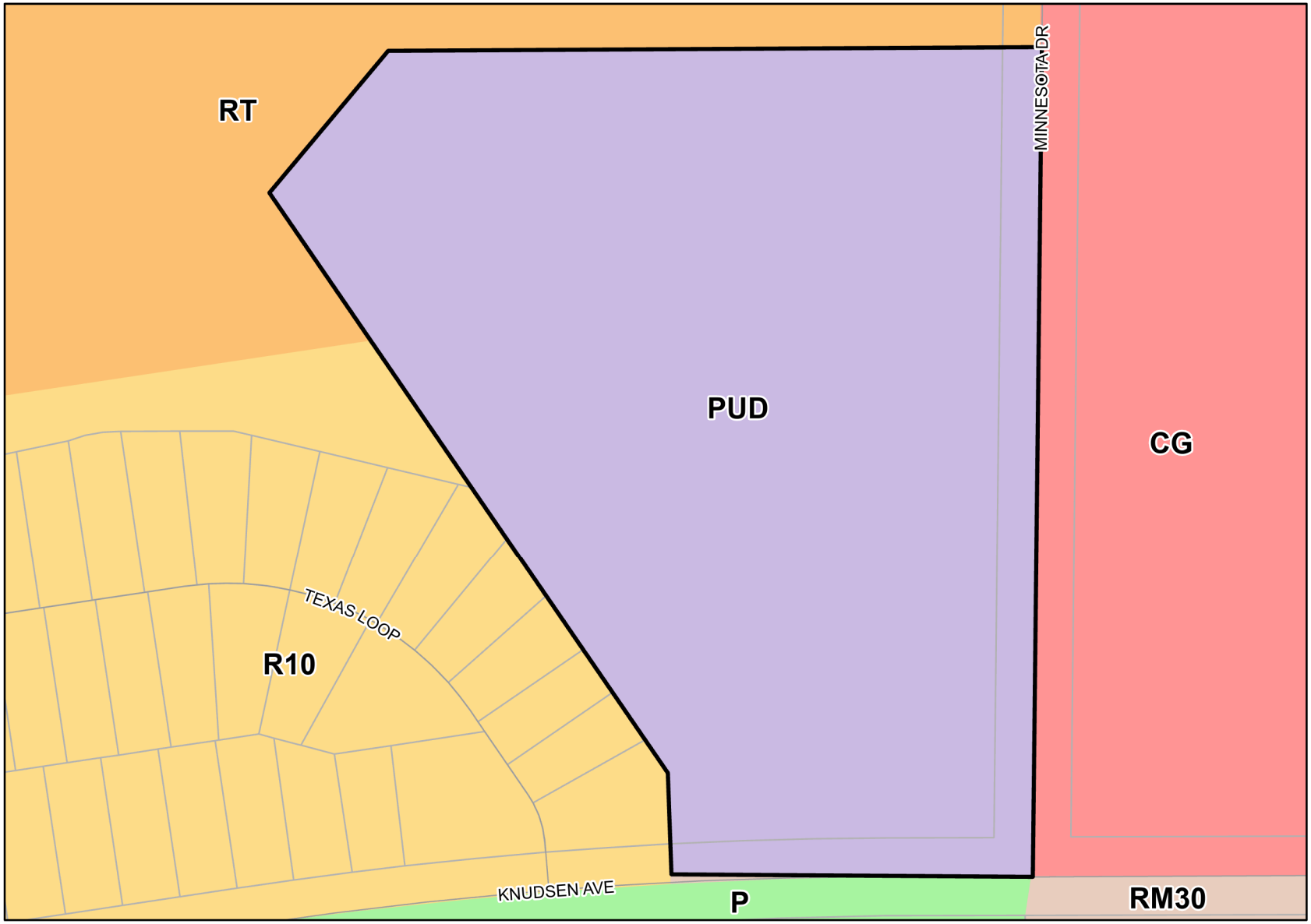

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City of Bismarck
Community Development
Planning Division
June 21, 2023

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SWENSON, HAGEN & CO. P.C.
civil engineering . surveying . land planning . hydrology
landscape & site design . construction management

EDGEWOOD VILLAGE 7TH ADDITION FIRST REPLAT

LOTS 52 BLOCK 1

Request for PUD

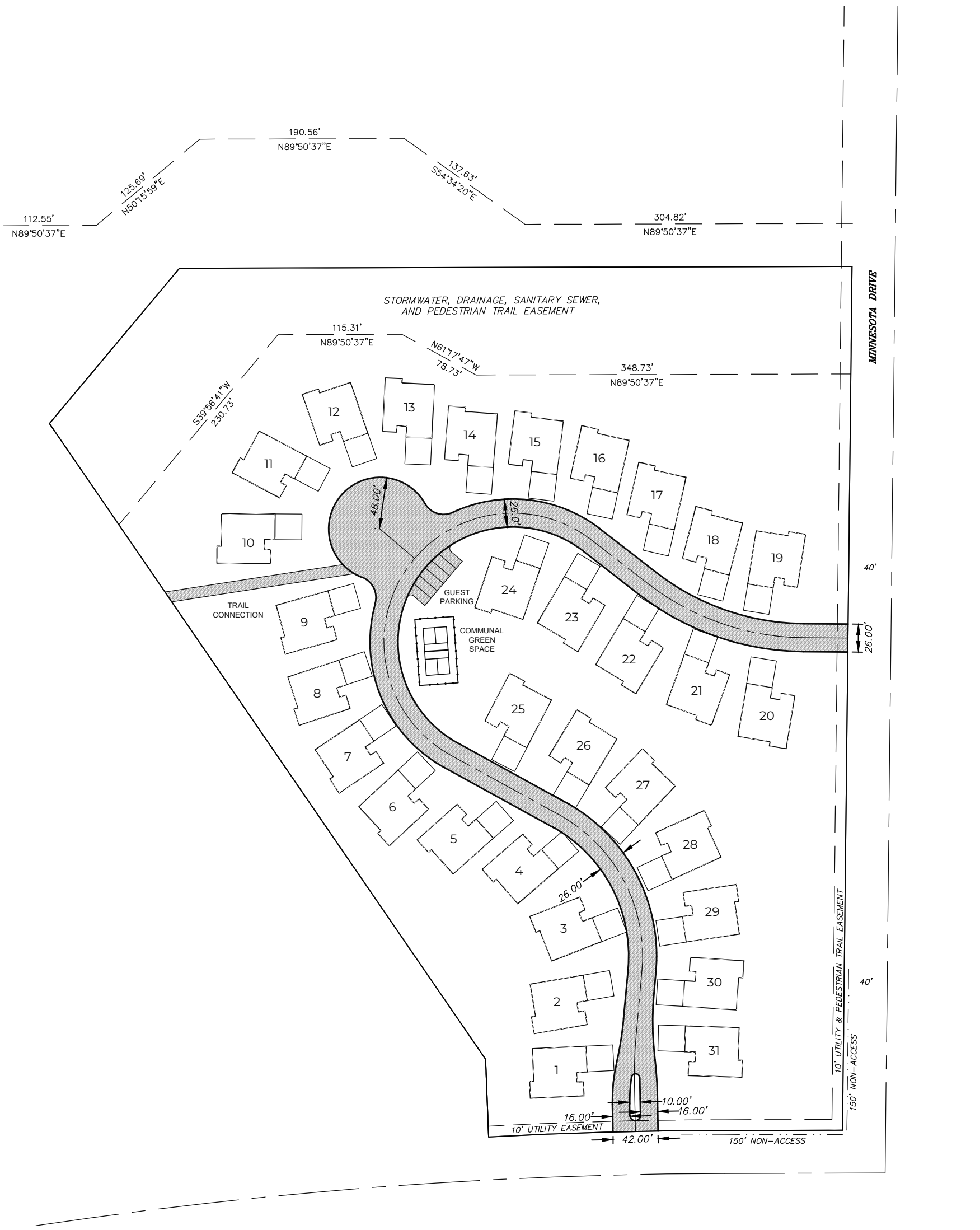
Edgewood Properties, LLLP is proposing to re-zone Lot 52 Block 1 Edgewood Village 7th Addition First Replat, west of Minnesota Drive, north of Knudsen Avenue into a development featuring single family-homes. The area is currently zoned as RM30, and is adjacent to properties zoned R10 to the west & RT to the north, both of which were also developed by this group.

The proposed 31 single-family homes will be located on a single lot, with each unit being leased, rather than owned. The remaining areas will be a mix of shared-uses, with options for accessory buildings, a pickleball course, and other amenities. A community clubhouse will be constructed with aesthetics similar to the homes, and may be converted to a home at a future date.

The development shall be accessed by a private road/private access area, which will be owned & maintained by Edgewood Properties, LLLP or one of its subsidiaries. The private road/access area will also contain private sanitary sewer & waterlines for the areas served by the road, as well as stormwater facilities.

Additionally, the homes will be constructed so that lot lines may be platted at a future date and will conform to current city of Bismarck zoning standards.

909 Basin Avenue . Bismarck, North Dakota 58504
(701) 223-2600 . (701) 223-2606 Fax
sheng@swensonhagen.com



SWENSON, HAGEN & COMPANY P.C.
Surveying
Hydrology
Land Planning
Civil Engineering
Landscape & Site Design
Construction Management
909 Basin Avenue
Bismarck, North Dakota 58504
sheng@swensonhagen.com
Phone (701) 223 - 2600
Fax (701) 223 - 2606

EXHIBIT 1.0 - EDGEWOOD VILLAGE 7TH FIRST REPLAT
ROADWAY DIMENSIONS

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Bismarck COMMUNITY DEVELOPMENT

STAFF REPORT

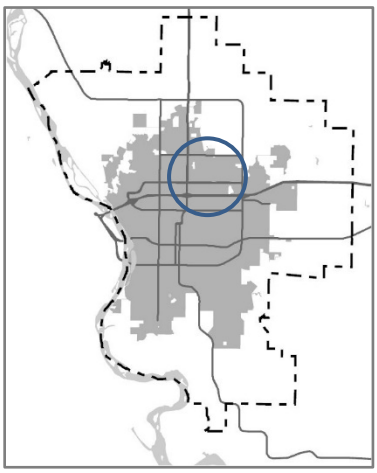
Agenda Item # 5
July 26, 2023

Application for: **Zoning Map Amendment**

Project ID: **ZC2023-007**

Project Summary

Title:	Basin Electric Fourth Addition, Lot 1, Block 1; Tracts 1A, 2A, and 3A of Lot 1 and Lot 2, Block 1, Basin Electric Third Addition; Lot 3, Block 1, Wisdom Park Office Addition
Status:	Planning & Zoning Commission – Public Hearing
Property Owner(s):	Columbo, LLC Sanford Bismarck 1838 Properties, LLC / Jason Dean Dockter
Project Contact:	Landon Niemiller, AICP, Swenson, Hagen & Co.
Project Location:	In northeast Bismarck, in the southwest quadrant of the intersection of East Century Avenue and North 19th Street
Project Size:	17.03 Acres
Applicant Request:	Rezone property to allow commercial uses
Staff Recommendation:	Approve



Site Information

Existing Conditions		*Proposed Conditions*	
Lots/Blocks:	6 lots in 3 blocks	*Lots/Blocks:*	6 lots in 3 blocks
Land Use:	Office and undeveloped	*Land Use:*	Undefined Commercial Uses
Future Land Use:	Community Mixed Use (CMU)	*Future Land Use:*	Community Mixed Use (CMU)
Zoning:	RT – Residential	*Zoning:*	Conditional CG – Commercial
Uses Allowed:	RT – Offices and multi-family residential	*Uses Allowed:*	CG – General commercial, multi-family residential, and offices
Max Density:	RT – 30 units / acre	*Max Density:*	RT – 30 units / acre

Area Information

Zoning Jurisdiction:	Bismarck City Limits
Township:	N/A (City of Bismarck)
Neighborhood:	Memorial

Property History

Zoned:	Pre-1980
Platted:	07/1980, 05/2003, 07/2022
Annexed:	Pre-1980

(continued)

Project Narrative

Columbo, LLC, Sanford Health, and 1838 Properties, LLC / Jason Dean Dockter request approval of a zoning map amendment from the RT – residential zoning district to the Conditional CG – Commercial zoning district for Lot 1, Block 1, Basin Electric 4th Addition; Tracts 1A, 2A, 3A (of Lot 1), Lot 2, Block 1, Basin Electric 3rd Addition and Lot 3, Block 1, Wisdom Park Office Addition.

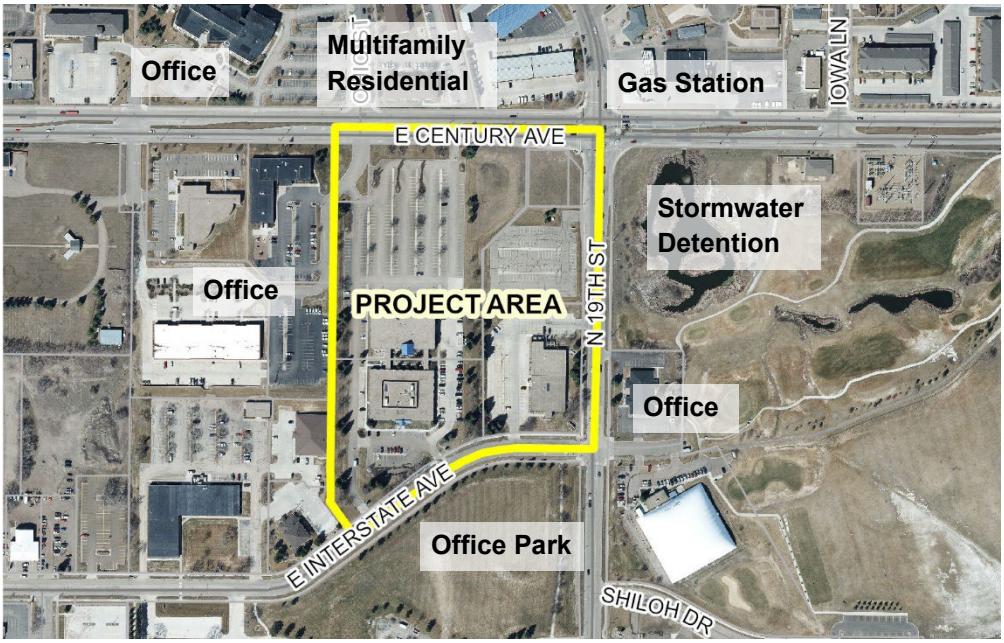
A majority of the area is developed as office uses and no change is anticipated. Lots 1 and 2, Block 1, Basin Electric Fourth Addition are currently vacant.

The applicant is requesting some restrictions on the CG – Commercial zoning district, to prevent more intensive uses that may not be compatible with existing office uses within the district or nearby residential uses. The draft zoning ordinance, including all conditions, is attached to this staff report. These conditions have been added since the Planning and Zoning Commission previously considered this request.

The Planning and Zoning Commission considered this request at their meeting of June 28, 2023 and called for a public hearing on the zoning change.

Project Context

Land uses adjacent to the project area are depicted on the adjacent map:



Zoning and Plan Reference Map is attached to this staff report, including current zoning, the Future Land Use Plan, Major Street Plan, and Active Mobility Plan.

The property is designated as Community Mixed Use in the Future Land Use Plan, which is characterized by higher intensity of activity, including commercial and institutional uses, and greater levels of development density. Goals and objectives of this plan as they relate to zoning map amendments are referenced in review standards below.

East Century Avenue is identified as an Arterial Roadway, and North 19th Street is identified as a collector roadway.

Public Engagement

The public has been duly notified of this request. A notice was published in the Bismarck Tribune on July 14 and July 21, and 15 letters were mailed

(continued)

to the owners of nearby properties on July 14, 2023.

Basic project information, with the ability to contact staff for more details, has been provided publicly online through the Community Development Activities map.

All written comments received by staff prior to the public hearing will be distributed to the Planning and Zoning Commission and summarized by staff during the oral presentation.

Review Standards and Findings of Fact

The request is evaluated according to standards contained within the Comprehensive Plan, Bismarck Code of Ordinances, and relevant state law. Findings of fact, related to land use, are presented in response to each standard.

The Future Land Use Plan is adhered to with the proposed zoning map amendment (Future Land Use Plan)

Yes. The proposed zoning map amendment is within the area designated as Community Mixed Use in the Future Land Use Plan, as described in the Project Context above. The proposed zoning district would generally conform to the character of this district. A plan reference map is attached to this staff report.

The proposed amendment is compatible with adjacent land uses and zoning (Goal S10-a, S5-a)

Yes. Adjacent uses are described in the project context section above. The proposed zoning district would allow a range of commercial and multifamily residential uses, although with certain more intensive uses restricted, including but not limited to:

- Retail Group B, which includes vehicle sales.
- Service Group B, which includes motor vehicle repair garage
- Wholesale trade and distribution
- Gas stations and car washes
- Hotel/Motel

Given these conditions, development that may be anticipated from the proposed zoning would have not negative impact on the surrounding properties.

It should be noted that an off-premise advertising sign (billboard), while allowed in the CG – Commercial district, would not be permitted on either Lot 1 or Lot 2, Basin Electric Fourth Addition, because of dimensional standards. There are no locations on this property that would comply with required spacing distance from the intersection of East Century Avenue and North 19th Street.

A change in conditions or by an error in the zoning map has occurred since the previous zoning classification was established (Goal S9-e)

Yes. The current zoning district of RT – Residential was established prior to 1980. Conditions have changed since this time, including adoption of new comprehensive plans.

Undue restriction of housing options or access to neighborhood amenities would not result from the proposed zoning map amendment (Goal S1-a, Goal T1-c)

Yes. The proposed zoning map amendment may support a mix of uses to create vibrant neighborhoods where necessities and amenities of daily life are easily accessible to all residents, including residents of a nearby multifamily residential complex.

The general intent and purpose of the zoning ordinance would be adhered to with the proposed zoning map amendment (Section 14-02-01; NDCC 40-27-03)

Yes. The proposed zoning map amendment would support the purpose of the zoning

(continued)

ordinance, as stated in the City Code of Ordinances and North Dakota Century Code.

Proper administrative procedures related to the request are being followed (Section 14-07-02, NDCC Chapter 40-47)

Yes. All administrative procedures of the City Code of Ordinances and North Dakota Century Code have been followed to date. The applicant has submitted a complete application for a zoning map amendment, and the required staff review of all submitted materials has occurred prior to submittal of this report to the Planning and Zoning Commission.

A public hearing has been scheduled by the Planning and Zoning Commission for this request, and all requirements for notice of this hearing have been met, as documented in this report above.

The public health, safety and general welfare will not be adversely impacted by the proposed zoning map amendment (Goal S10-a)

Yes. As a cumulative result of all findings contained in this staff report, City of Bismarck staff find that the proposed zoning map amendment would not adversely impact the public health, safety, and general welfare.

Staff Recommendation

Based on the above findings, staff recommends approval of the zoning map amendment from from the RT – Residential zoning district to the Conditional CG – Commercial zoning district for Lot 1, Block 1, Basin Electric 4th Addition; Tracts 1A, 2A, 3A (of Lot 1), Lot 2, Block 1, Basin Electric 3rd Addition and Lot 3, Block 1, Wisdom Park Office Addition.

Attachments

1. Draft Zoning Ordinance
2. Zoning and Plan Reference Map
3. Proposed Zoning Map

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

CITY OF BISMARCK
ORDINANCE NO. XXXX

First Reading	_____
Second Reading	_____
Final Passage and Adoption	_____
Publication Date	_____

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

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

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

The following described property shall be excluded from the RT – Residential zoning district and included in the Conditional CG - Commercial zoning district:

Lot 1, Block 1, Basin Electric Fourth Addition

This Conditional CG – Commercial zoning district is subject to the following additional standards:

1. *Use Restrictions*. All uses permitted within the CG – Commercial zoning district are permitted, with the exception of the following:
    a. Retail group B
    b. Service group B
    c. Group Dwelling
    d. Hotel-motel
    e. Wholesale group
    f. Commercial parking lot
2. *Special Uses*. All uses allowed as special uses in the CG – Commercial zoning district are permitted, with the exception of the following:

a. Seasonal nursey or bedding stock

b. Filling station

c. Auto laundry – car wash

d. Retail liquor sales

3. *Dimensional Standards*. All dimensional standards and other requirements of the ordinance shall follow the CG – Commercial zoning district provisions.

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

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

Zoning and Plan Reference Map

BASIN ELECTRIC 4TH AND 3RD ADDITIONS

ZC2023-007

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

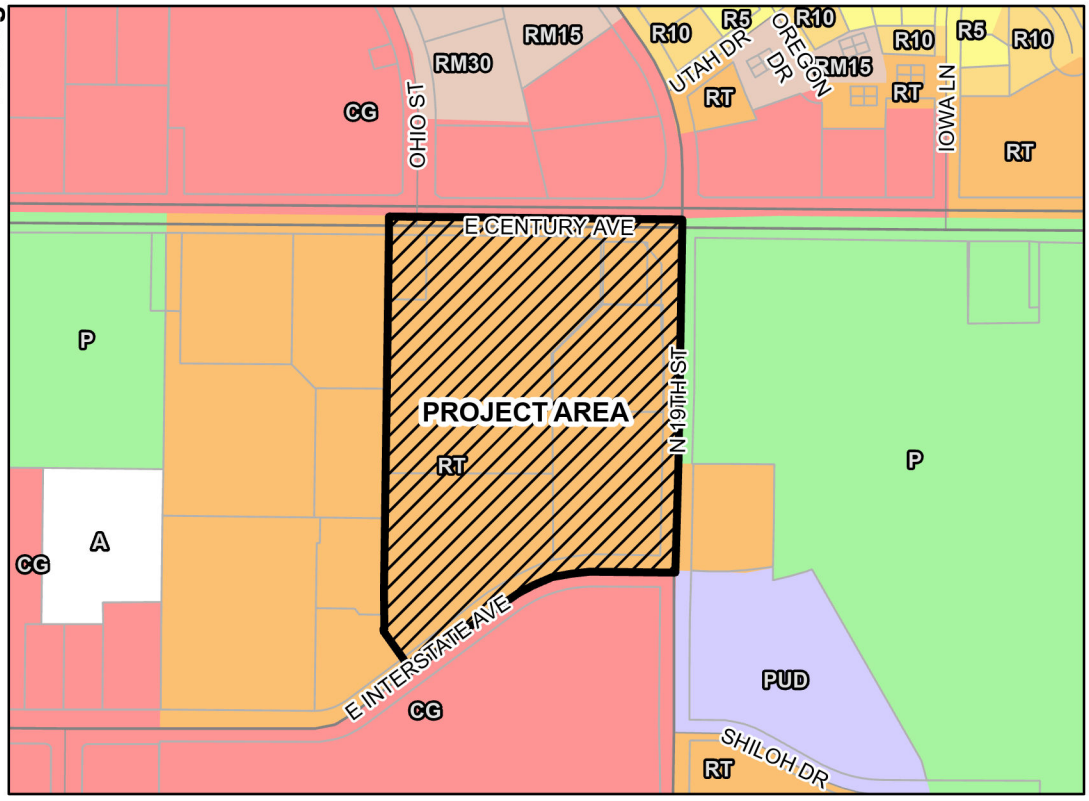
Future Land Use Plan

UN	Urban Neighborhood
NMU	Neighborhood Mixed Use
CMU	Community Mixed Use
DMU	Destination Mixed Use
DT	Downtown
IND	Industrial
IF	Industrial Flex
IMU	Industrial Mixed Use
INS	Institutional
RR	Rural Residential
TR	Transitional Rural
PKOS	Parks/Open Space
URA/ URB	Urban Reserve Mid/Long-Term

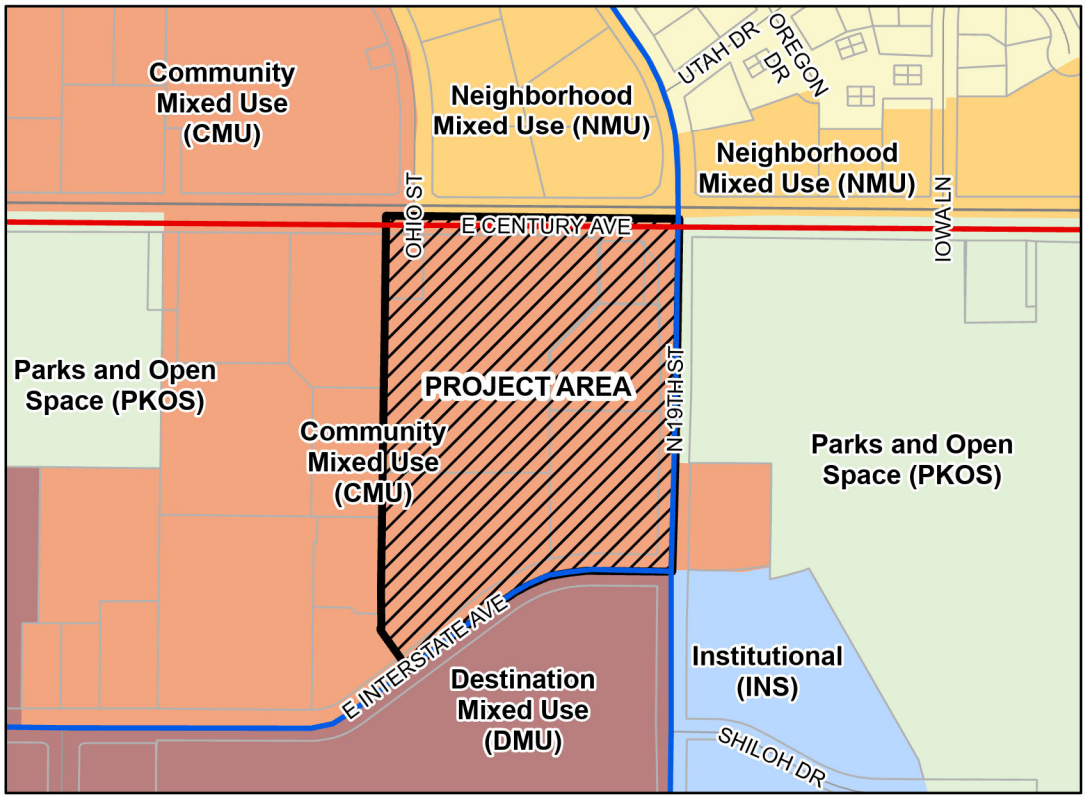
Major Street Plan

- Existing Arterial
- Future Arterial
- Existing Collector
- Future Collector
- Existing Interstate
- Future Interstate

Zoning



Future Land Use 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.

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N

City of Bismarck
Community Development
Planning Division
June 13, 2023

Proposed Zoning Change

BASIN ELECTRIC 4TH ADDITION PARTS OF BASIN 3RD AND WISDOM

ZC2023-007

Proposed New Zoning Map

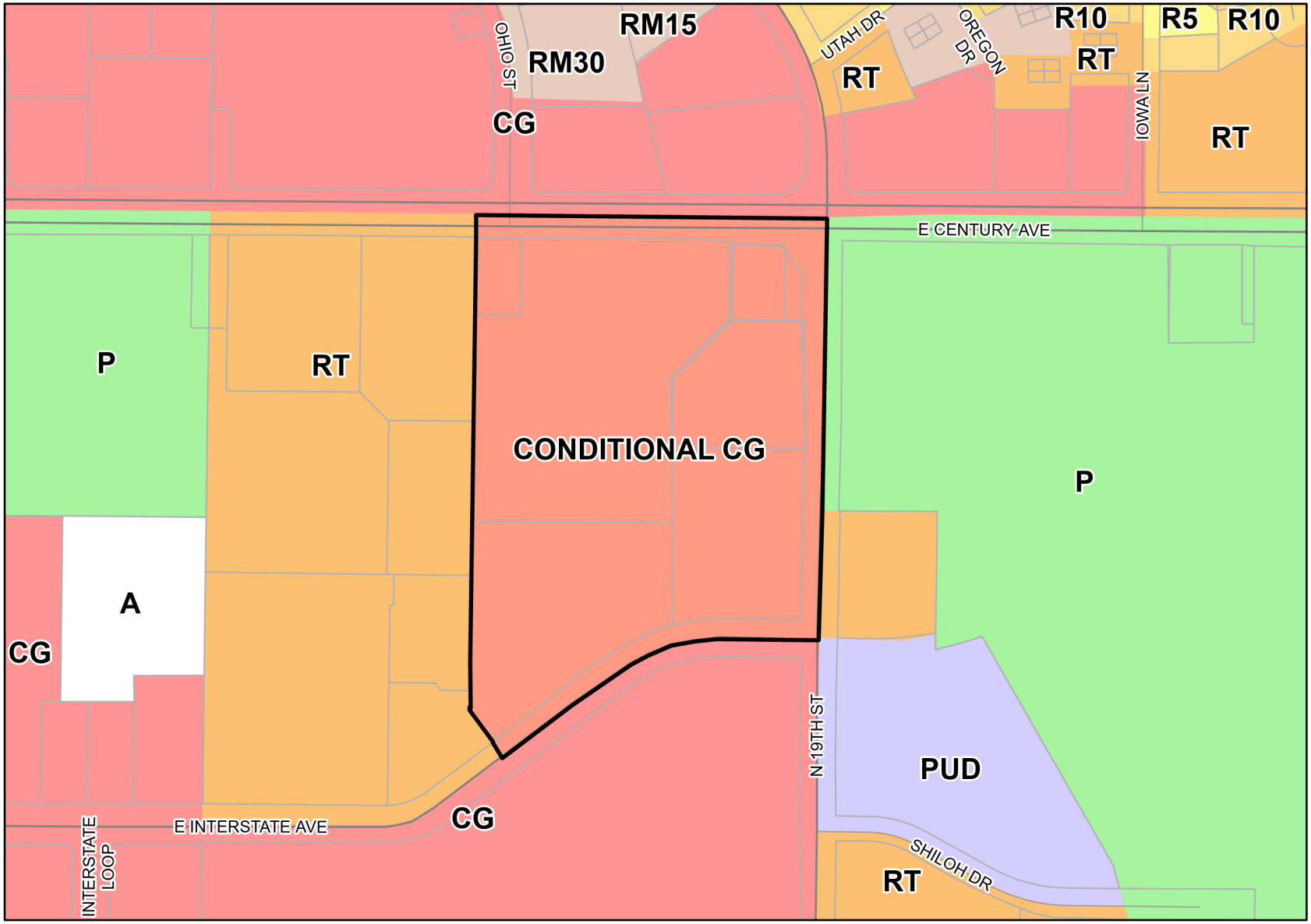
Project Area (zoning within is proposed)

City Limits

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

A "C-" prior to the district indicates that special conditions would apply to the zoning district



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City of Bismarck
Community Development
Planning Division
July 17, 2023

Bismarck COMMUNITY DEVELOPMENT

STAFF REPORT

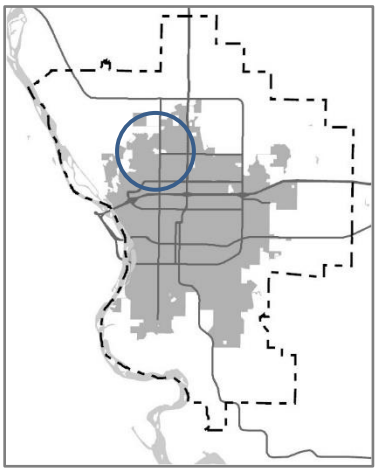
Agenda Item # 6
July 26, 2023

Application for: **Annexation**

Project ID: **ANNX2023-002**

Project Summary

Title:	Northern Sky Drive and Wilkinson Place Right-of-Way, Northern Sky Second Addition First Replat
Status:	Planning & Zoning Commission – Final
Property Owner(s):	Wilment Development, LLC
Project Contact:	Isak Johnson, Planner
Project Location:	In northwest Bismarck, in the northwest quadrant of the intersection of North Washington Street and Ash Coulee Drive
Project Size:	2.35 acres, more or less
Applicant Request:	Annex the portion of Northern Sky Drive right-of-way not previously annexed and the Wilkinson Place right-of-way
Staff Recommendation:	Approve



Site Information

Existing Conditions		*Proposed Conditions*	
Lots/Blocks:	NA	*Lots/Blocks:*	NA
Land Use:	Undeveloped	*Land Use:*	Undeveloped
Future Land Use:	Community Mixed Use (CMU)	*Future Land Use:*	Community Mixed Use (CMU)
Zoning:	RT – Residential CA – Neighborhood Commercial	*Zoning:*	RT – Residential CA – Neighborhood 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:	RT – 30 units / acre CA – 30 units / acre	*Max Density:*	RT – 30 units / acre CA – 30 units / acre

(continued)

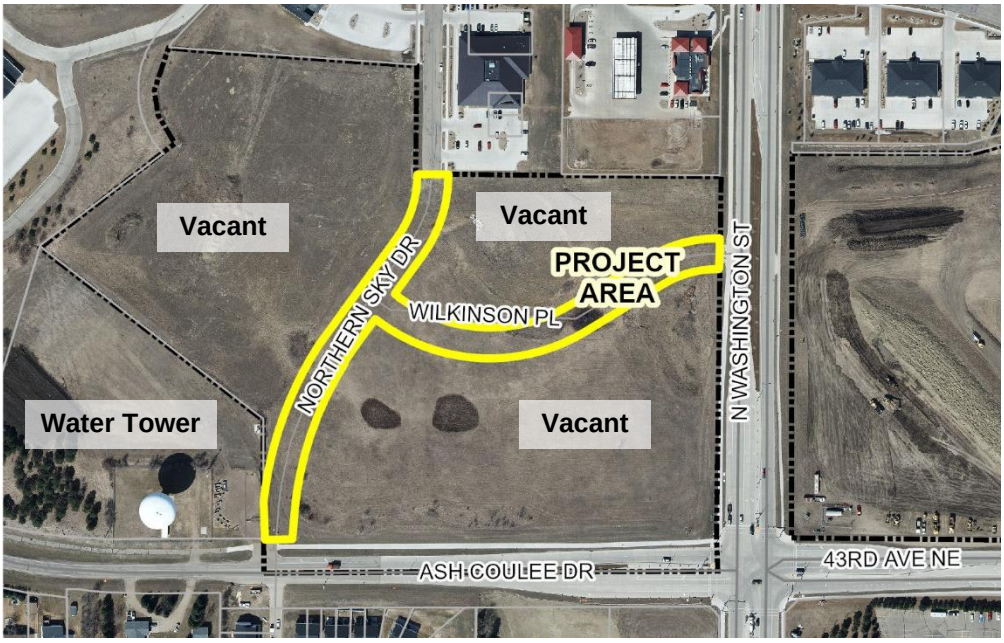
Area Information		**Property History**	
Zoning Jurisdiction:	Bismarck City Limits	*Zoned:*	08/2020
Township:	Hay Creek (organized)	*Platted:*	04/2022
Neighborhood:	Horizon Heights	*Annexed:*	NA

Project Narrative

Wilment Development, LLC is requesting approval of the annexation of two rights-of way within Northern Sky Second Addition First Replat. These rights-of-way are the portion of Northern Sky Drive right-of-way not previously annexed and all of the Wilkinson Place right-of-way not previously annexed. The requested action will bring all of this segment of Northern Sky Drive within Northern Sky Second Addition First Replat, not previously annexed, and all of this segment of Wilkinson Place into the corporate limits. The remainder of Northern Sky Second Addition First Replat will not be annexed at this time but will be annexed prior to development.

Project Context

Land uses adjacent to the project area are depicted on the adjacent map:



A Zoning and Plan Reference Map is attached to this staff report, including current zoning, the Future Land Use Plan, Major Street Plan, and Active Mobility Plan.

A Growth Phasing Plan Map is also attached to this staff report, showing prioritization for extension of the Bismarck city limits.

The property has been identified as Community Mixed Use (CMU) in the Future Land Use Plan. The CMU areas are places of commerce, employment, and residence for the Bismarck community. Goals and objectives of this plan as they relate to an annexation are referenced in review standards below.

Due to an amended development agreement between the City of Bismarck and the developer, Wilment Development LLC, the developer retained the right to annex the rights-of-way of Northern Sky Drive and Wilkinson Place prior to the annexation and development of the adjacent parcels. This agreement then allowed the developer to delay annexation of the adjacent

(continued)

parcels to February 25, 2030 (10 years after the adoption of the original development agreement), or earlier, at the developer's discretion.

Public Engagement

Annexations do not have a public hearing before the Planning & Zoning Commission. The public will be duly notified of this request before it is heard by the City Commission, as will Burleigh County and Hay Creek Township in accordance with the provisions of Section 40-51.2-05 of the North Dakota Century Code.

Review Standards and Findings of Fact

The request is evaluated according to standards contained within the Comprehensive Plan, Bismarck Code of Ordinances, and relevant state law. Findings of fact, related to land use, are presented in response to each standard.

The Growth Phasing Plan is adhered to with the proposed annexation (Growth Phasing Plan)

Yes. The proposed annexation incorporates land that is within the Urban Service Area Boundary and has been designated as Expansion Ready.

Adequate public facilities are or will be available to serve the annexed properties completely and equitably (Goal G3-b, Goal G3-c)

Yes. 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.

The proposed annexation is a logical and contiguous extension of the current corporate limits of the City of Bismarck (Goal G2-b, NDCC 40-51.2-03)

Yes. While this annexation does not meet the normally preferred amount of land contiguous to the current corporate limits of the City of Bismarck, the entirety of Northern Sky Second Addition First Replat is bounded by the current corporate limits; furthermore, under a development agreement, the remaining area of Northern Sky Second Addition First Replat, not previously annexed, will be annexed prior to development at a date no later than February 25, 2030. This area would be considered unambiguously contiguous (at least 20%).

Proper administrative procedures related to the request are being followed (NDCC 40-51.2)

Yes. All administrative procedures of the City Code of Ordinances and North Dakota Century Code have been followed to date. A written petition for the proposed annexation was submitted to the Community Development Department, which has been deemed valid by City staff. A public hearing, subject to all notice requirements, would be held with the City Commission.

The public health, safety and general welfare will not be adversely impacted by the proposed annexation (Goal S10-a)

Yes. As a cumulative result of all findings contained in this staff report, City of Bismarck staff find that the proposed annexation would not adversely impact the public health, safety, and general welfare.

Staff Recommendation

Based on the above findings, staff recommends approval of the annexation of that portion of Northern Sky Drive right-of-way and Wilkinson Place right-of-way not previously annexed and included in the plat of Norther Sky Second Addition First Replat, as outlined in the draft annexation ordinance.

Attachments

1. Draft Annexation Ordinance
2. Map of Annexation
3. Zoning and Plan Reference Map

(continued)

4. Growth Phasing Plan Map

Staff report prepared by: Isak Johnson, Planner

701-355-1850 | ijohnson@bismarcknd.gov

CITY OF BISMARCK
ORDINANCE NO. XXXX

First Reading	_____
Second Reading	_____
Final Passage and Adoption	_____

AN ORDINANCE ANNEXING PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, DECLARING THE TERRITORY ANNEXED; DECLARING THE SAME TO BE A PART OF THE CORPORATE LIMITS OF SAID CITY.

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

Section 1. Territory Annexed. The territory and land hereinafter described is hereby declared and found to be a part of the corporate limits of the City of Bismarck, Burleigh County, North Dakota, as follows:

All that right-of-way of Northern Sky Drive in Northern Sky Drive Second Addition First Replat not previously annexed adjacent to the south boundary line of Northern Sky Second Addition First Replat, beginning at the north right-of-way line of Ash Coulee Drive and terminating at the northern boundary line of Northern Sky Second Addition First Replat.

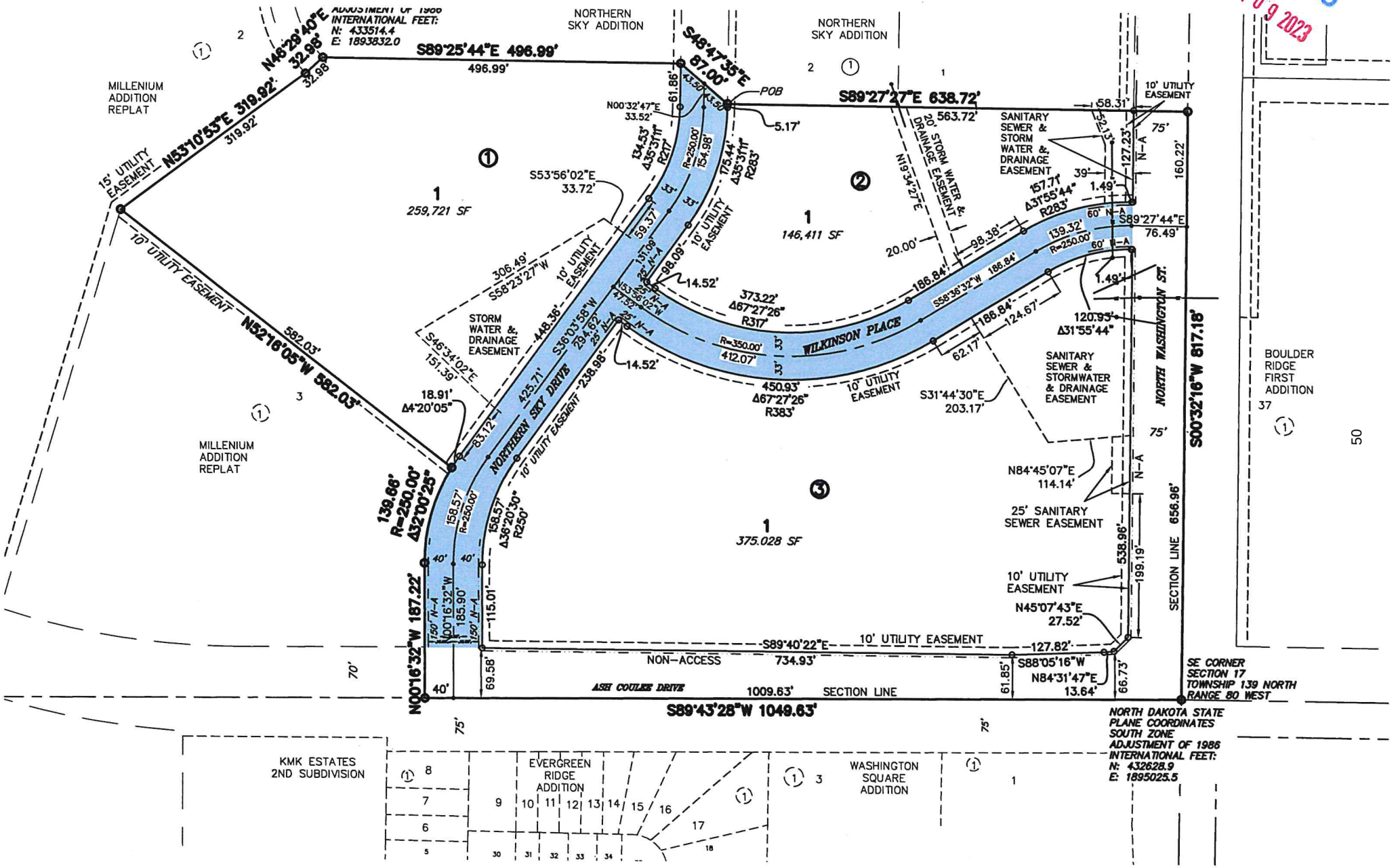
and

All that right-of-way of Wilkinson Place in Northern Sky Drive Second Addition First Replat not previously annexed adjacent to the east boundary line of Northern Sky Second Addition First Replat, beginning at the west right-of-way line of North Washington Street and terminating at the portion of Northern Sky Drive described above.

The above described tracts of land contain 2.35 acres, more or less.

Section 2. Provisions Applicable. From and after the final passage and adoption of this ordinance and upon recording of this ordinance with the Burleigh County Recorder, the territory herein described shall be a part of the corporate limits of the City of Bismarck, North Dakota.

DRAFT


RECEIVED
JUN 09 2023
MILLENIUM ADDITION REPLAT
NORTHERN SKY ADDITION
NORTHERN SKY ADDITION
BOULDER RIDGE FIRST ADDITION
KMK ESTATES 2ND SUBDIVISION
EVERGREEN RIDGE ADDITION
WASHINGTON SQUARE ADDITION
S89°25'44"E 496.99'
N46°29'40"E 32.98'
N53°10'53"E 319.92'
S48°47'35"E 61.00'
POB
S89°27'27"E 638.72'
10' UTILITY EASEMENT
15' UTILITY EASEMENT
10' UTILITY EASEMENT
N52°16'05"W 582.03'
S53°56'02"E 33.72'
259,721 SF
146,411 SF
375,028 SF
20' STORM WATER & DRAINAGE EASEMENT
SANITARY SEWER & STORM WATER & DRAINAGE EASEMENT
STORM WATER & DRAINAGE EASEMENT
SANITARY SEWER & STORMWATER & DRAINAGE EASEMENT
WILKINSON PLACE
NORTHERN SKY DRIVE
NORTH WASHINGTON ST.
ASH COULEE DRIVE
25' SANITARY SEWER EASEMENT
S00°32'16"W 817.18'
SECTION LINE 656.96'
S89°43'28"W 1049.63'
NON-ACCESS 734.93'
1009.63' SECTION LINE
SE CORNER SECTION 17 TOWNSHIP 139 NORTH RANGE 80 WEST
NORTH DAKOTA STATE PLANE COORDINATES SOUTH ZONE ADJUSTMENT OF 1986 INTERNATIONAL FEET:
N: 432628.9
E: 1895025.5
ADJUSTMENT OF 1986 INTERNATIONAL FEET:
N: 433514.4
E: 1893832.0

Zoning and Plan Reference Map

ANNX2023-002

NORTHERN SKY 2ND ADDT 1ST REPLAT,NORTHERN SKY DR
WILKINSON P

Zoning Districts

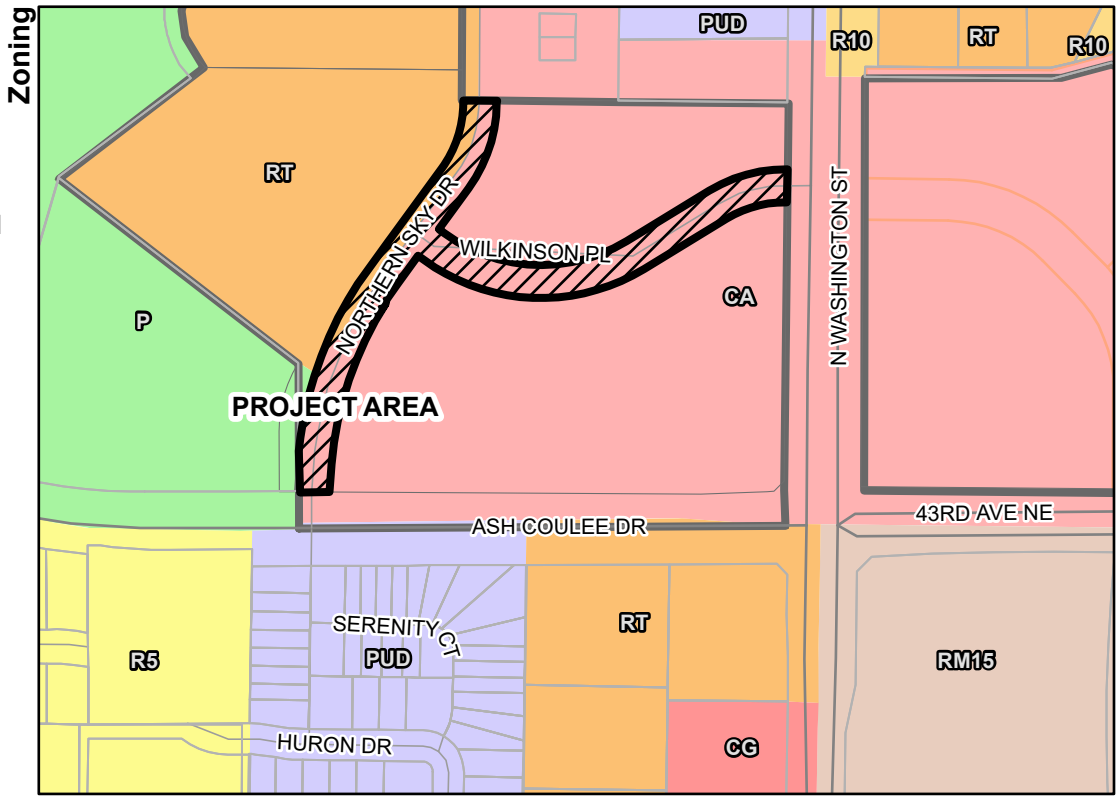
A	Agriculture
RR	Rural Residential
R5	Residential
RMH	Manufactured Home Residential
R10	Residential
RM	Residential Multifamily
RT	Residential (Offices)
HM	Health and Medical
CA	Commercial
CG	Commercial
MA	Industrial
MB	Industrial
PUD	Planned Unit Development
DC	Downtown Core
DF	Downtown Fringe

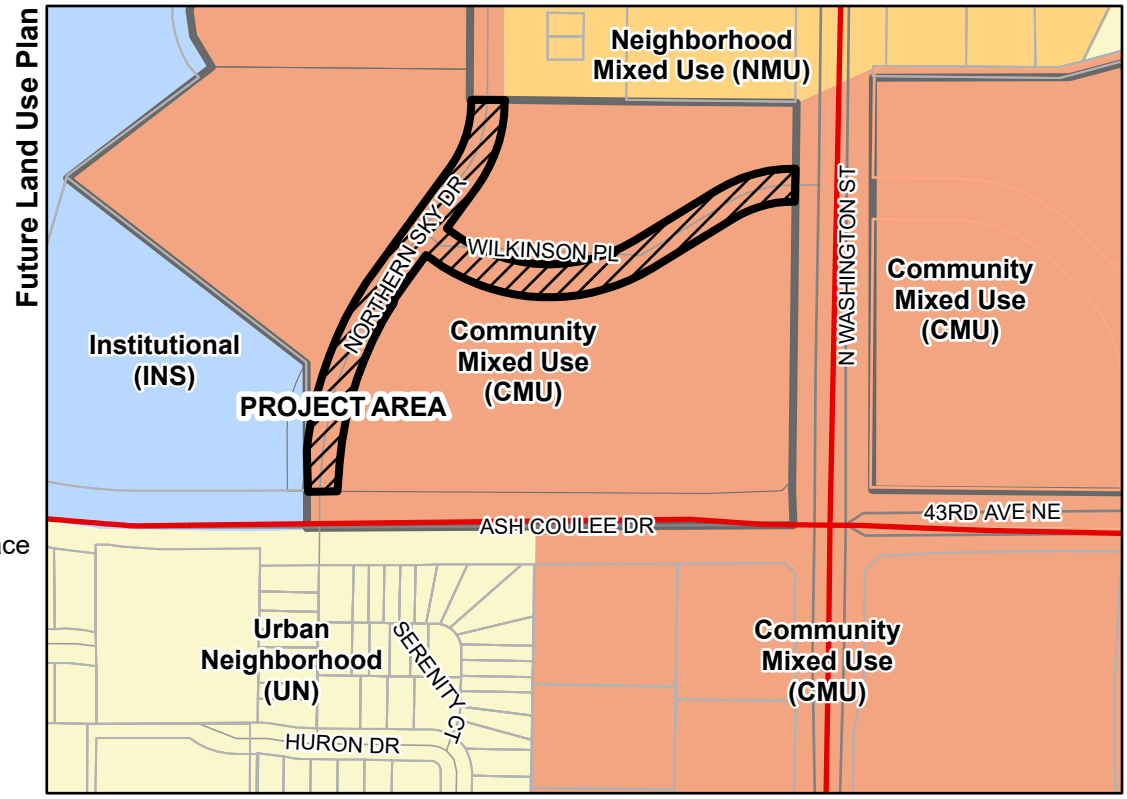
Future Land Use Plan

UN	Urban Neighborhood
NMU	Neighborhood Mixed Use
CMU	Community Mixed Use
DMU	Destination Mixed Use
DT	Downtown
IND	Industrial
IF	Industrial Flex
IMU	Industrial Mixed Use
INS	Institutional
RR	Rural Residential
TR	Transitional Rural
PKOS	Parks/Open Space Urban Reserve
URA/ URB	Mid/Long-Term

Major Street Plan

- Existing Arterial
- Future Arterial
- Existing Collector
- Future Collector
- Existing Interstate
- Future Interstate





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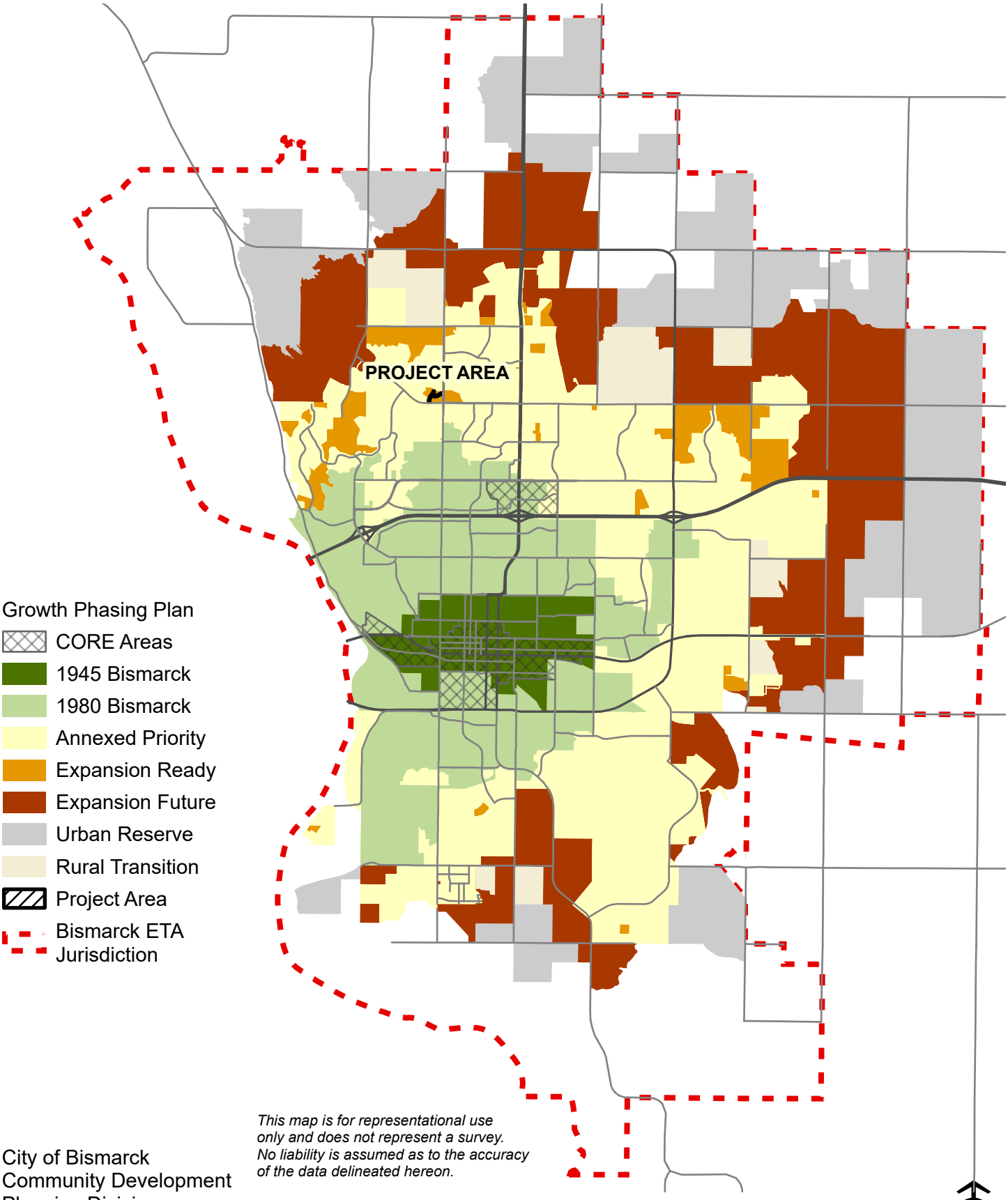
City of Bismarck
Community Development
Planning Division
June 28, 2023

Growth Phasing Plan Map

ANNX2023-002

NORTHERN SKY 2ND ADDT 1ST REPLAT,NORTHERN SKY DR WILKINSON P



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City of Bismarck
Community Development
Planning Division
June 28, 2023

BISMARCK PLANNING & ZONING COMMISSION
MEETING MINUTES
June 28, 2023

The Bismarck Planning & Zoning Commission met on June 28, 2023, 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, Paul Levchak, Daniel Lukens, Gabe Schell, Wendy Van Duyne, and Paul Zent.

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

MINUTES

Chair Schwartz called for consideration of the minutes of the May 24, 2023 meeting.

MOTION: Commissioner Van Duyne made a motion to approve the minutes of the May 24, 2023 meeting, as presented. Commissioner Zent seconded the motion, and it was unanimously approved with Commissioners Johnson, Levchak, Lukens, Schell, Schwartz, Van Duyne, and Zent voting in favor of the motion.

CONSIDERATION

2. LOT 52, BLOCK 1, EDGEWOOD VILLAGE 7TH ADDITION – ZONING MAP AMENDMENT

3. LOT 1, BLOCK 1, AND TRACTS 1A, 2A AND 3A OF LOT 1, LOT 2, BLOCK 1, BASIN ELECTRIC THIRD ADDITION AND LOT 3, BLOCK 1, WISDOM PARK OFFICE ADDITION – ZONING MAP AMENDMENT

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

FINAL CONSIDERATION – ANNEXATION
NORTHERN SKY SECOND ADDITION FIRST REPLAT, PART OF LOT 2, BLOCK 1 AND ASH COULEE DRIVE RIGHT-OF-WAY

Chair Schwartz called for the final consideration on the annexation of part of Lot 2, Block 1, and Ash Coulee Drive Right-of-Way, Northern Sky Second Addition First Replat. The property is located in northwest Bismarck, in the northwest quadrant of North Washington Street and Ash Coulee Drive.

Ms. Lee gave an overview of the request and stated that, as a cumulative result of all findings contained in the staff report, City of Bismarck staff find that the annexation would not adversely impact the public health, safety, and general welfare.

Ms. Lee said, based on the findings, staff recommends approval of the annexation of part of Lot 2, Block 1, and Ash Coulee Drive Right-of-Way, Northern Sky Second Addition First Replat.

There were no comments or questions.

MOTION: Based on the findings contained in the staff report, Commissioner Zent made a motion to recommend approval of the annexation of part of Lot 2, Block 1, and Ash Coulee Drive Right-of-Way, Northern Sky Second Addition First Replat. Commissioner Levchak seconded the motion, and the motion was unanimously approved with Commissioners Johnson, Levchak, Lukens, Schell, Schwartz, Van Duyne, and Zent voting in favor of the motion.

PUBLIC HEARING – ZONING MAP AMENDMENT
PART OF BLOCK 16, WACHTERS SECOND ADDITION AND ADJACENT LANDS

Chair Schwartz called for the public hearing on a zoning map amendment from the RM30 – Residential, CG – Commercial and PUD – Planned Unit Development zoning districts to the RM30 – Residential and CG – Commercial zoning districts for Lots 1-3 and 7, Block 16, Wachters Second Addition and adjacent lands. The property is located in south central Bismarck, in the southeast quadrant of the intersection of Bismarck Expressway and South Washington Street.

Ms. Lee provided a brief history and an overview of the request and stated that, as a cumulative result of all findings contained in the staff report, City of Bismarck staff find that the proposed zoning map amendment would not adversely impact the public health, safety, and general welfare.

Ms. Lee said, based on the findings, staff recommends approval of the zoning map amendment from the RM30 – Residential, CG – Commercial and PUD – Planned Unit Development zoning districts to the RM30 – Residential and CG – Commercial zoning districts for Lots 1-3 and 7, Block 16, Wachters Second Addition, and adjacent lands.

Commissioner Schell asked for further explanation on adjacent property owners' inquiries. Ms. Lee stated that the inquiries she had received were simply asking the reason for the City's request and both landowners agreed with the request after hearing an explanation.

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 map amendment from the RM30 – Residential, CG – Commercial and PUD – Planned Unit Development zoning districts to the RM30 – Residential and CG – Commercial zoning districts for Lots 1-3 and 7, Block 16, Wachters Second Addition, and

adjacent lands. Commissioner Zent seconded the motion, and the motion was unanimously approved with Commissioners Johnson, Levchak, Lukens, Schell, Schwartz, Van Duyne, and Zent voting in favor of the motion.

OTHER BUSINESS

Mr. Ehreth introduced Isak Johnson as the newest staff member of the Planning Division. He then announced Ms. Lee's retirement and thanked her for her almost 23 years of service to the City of Bismarck. Mr. Nairn will take over as Planning Manager.

Ms. Lee came forward to share remarks about her experience with the City of Bismarck and express gratitude to the members of Planning and Zoning Commission and others she has interacted with throughout her career.

Chair Schwartz thanked Ms. Lee for her dedication and years of service to the community and then welcomed Mr. Johnson. Chair Schwartz then congratulated Mr. Nairn on his new position.

ADJOURNMENT

There being no further business, Chair Schwartz declared the Bismarck Planning & Zoning Commission adjourned at 5:22 p.m. to meet again on July 26, 2023.

Respectfully submitted,

_____
Sarah Fricke
Recording Secretary

_____
Mike Schwartz
Chair

DRAFT

PERMIT ACTIVITY REPORT - MTD
DATE SELECTION 6/2023

	**********City**********				**********ETA**********			
	6/2023		6/2022		6/2023		6/2022	
Census Code	**Permits**	**Valuations**	**Permits**	**Valuations**	**Permits**	**Valuations**	**Permits**	**Valuations**
SINGLE FAMILY DETACHED	6	$1,827,317.52	8	$3,266,198.96	4	$1,303,710.95	4	$1,511,195.19
ROWHOUSE (2) 1-HR FIRE SEPARATION	8	$2,098,357.80	20	$4,064,570.41	0	$0.00	0	$0.00
MANUFACTURED HOMES	2	$0.00	0	$0.00	0	$0.00	0	$0.00
RESIDENTIAL ADDITION	5	$499,505.38	0	$0.00	2	$292,218.15	3	$72,201.96
DETACHED GARAGE	5	$189,950.10	5	$114,700.00	7	$320,700.00	3	$109,200.00
DECKS\PORCHES & COVERED PORCHES	24	$168,699.25	10	$29,301.00	1	$8,064.00	1	$14,578.20
SWIMMING POOLS	2	$160,000.00	2	$180,284.00	1	$60,000.00	2	$262,900.00
RESIDENTIAL ALTERATION/OTHER	6	$690,202.02	2	$33,000.00	0	$0.00	0	$0.00
HOME OCCUPATION	0	$0.00	1	$0.00	0	$0.00	0	$0.00
STORAGE SHED	1	$2,827.50	1	$3,000.00	0	$0.00	0	$0.00
BASEMENT FINISH	3	$101,157.50	3	$64,395.75	0	$0.00	1	$15,050.00
RESIDENTIAL	0	$0.00	0	$0.00	1	$0.00	0	$0.00
FIREWORKS SALES	0	$0.00	0	$0.00	5	$0.00	8	$0.00
NEW SIGN PERMITS	10	$54,645.00	0	$0.00	1	$6,600.00	1	$8,000.00
SIGN ALTERATION	5	$23,945.00	0	$0.00	0	$0.00	0	$0.00
ELECTRONIC MESSAGE CENTER	1	$309,234.00	0	$0.00	0	$0.00	0	$0.00
COMMERCIAL NEW CONSTRUCTION	7	$6,520,000.00	5	$8,584,698.00	3	$150,000.00	3	$2,400,000.00
COMMERCIAL ALTERATION	12	$2,072,970.00	5	$2,382,039.00	2	$513,047.00	0	$0.00
Total	**97**	**$14,718,811.07**	**62**	**$18,722,187.12**	**27**	**$2,654,340.10**	**26**	**$4,393,125.35**

PERMIT ACTIVITY REPORT - MTD
DATE SELECTION 6/2023

	**********City**********				**********ETA**********			
	6/2023		6/2022		6/2023		6/2022	
Trade Permit Type	**Permits**	**Valuations**	**Permits**	**Valuations**	**Permits**	**Valuations**	**Permits**	**Valuations**
BUILDING ELECTRIC	90	$0.00	93	$0.00	0	$0.00	0	$0.00
BUILDING MECHANICAL	189	$3,755,807.79	168	$3,321,126.61	2	$6,534.00	10	$35,393.50
BUILDING PLUMBING	41	$888,283.62	50	$3,074,477.99	13	$133,000.00	11	$91,400.00
BUILDING SEPTIC	0	$0.00	0	$0.00	3	$5,000.00	2	$2,000.00
Total	**320**	**$4,644,091.41**	**311**	**$6,395,604.60**	**18**	**$144,534.00**	**23**	**$128,793.50**

PERMIT ACTIVITY REPORT - MTD
DATE SELECTION 6/2023

	*******************City*******************		*******************ETA*******************	
	6/2023	**6/2022**	**6/2023**	**6/2022**
Living Units	**Units**	**Units**	**Units**	**Units**
MANUFACTURED HOMES	2	0	0	0
BASEMENT FINISH	0	0	0	0
DECKS\PORCHES & COVERED PORCHES	0	0	0	0
DETACHED GARAGE	0	0	0	0
RESIDENTIAL ADDITION	0	0	0	0
RESIDENTIAL ALTERATION/OTHER	0	0	0	0
ROWHOUSE (2) 1-HR FIRE SEPARATION	8	19	0	0
SINGLE FAMILY DETACHED	6	7	4	4
SWIMMING POOLS	0	0	0	0
Total	**16**	**26**	**4**	**4**

PERMIT ACTIVITY REPORT - YTD
DATE SELECTION 6/2023

	**********City**********				**********ETA**********			
	6/2023		6/2022		6/2023		6/2022	
Census Code	**Permits**	**Valuations**	**Permits**	**Valuations**	**Permits**	**Valuations**	**Permits**	**Valuations**
SINGLE FAMILY DETACHED	28	$10,136,883.26	81	$25,596,489.28	13	$4,770,544.89	16	$4,967,341.15
ROWHOUSE (2) 1-HR FIRE SEPARATION	34	$8,193,035.17	40	$8,802,102.69	8	$2,395,976.11	0	$0.00
MANUFACTURED HOMES	8	$0.00	2	$0.00	0	$0.00	0	$0.00
RESIDENTIAL ADDITION	7	$513,203.80	3	$47,988.00	4	$472,603.83	4	$118,652.76
DETACHED GARAGE	12	$325,150.10	15	$193,390.00	15	$719,900.00	21	$837,636.50
DECKS\PORCHES & COVERED PORCHES	65	$322,785.25	41	$135,087.00	6	$30,729.00	4	$26,611.20
SWIMMING POOLS	3	$245,000.00	3	$255,284.00	5	$423,400.00	4	$439,601.00
RESIDENTIAL ALTERATION/OTHER	17	$898,825.94	26	$673,284.67	6	$621,388.36	8	$407,627.49
HOME OCCUPATION	2	$0.00	2	$0.00	0	$0.00	0	$0.00
STORAGE SHED	7	$18,577.50	7	$25,480.00	2	$5,400.00	1	$3,000.00
BASEMENT FINISH	31	$701,582.50	32	$857,159.25	3	$85,677.50	9	$201,346.50
RESIDENTIAL	1	$0.00	1	$0.00	1	$0.00	0	$0.00
COMMERCIAL	5	$0.00	1	$0.00	0	$0.00	0	$0.00
FIREWORKS SALES	0	$0.00	0	$0.00	9	$0.00	8	$0.00
NURSERY STOCK SALES	4	$0.00	4	$0.00	0	$0.00	0	$0.00
MISC TEMPORARY STRUCTURES	0	$0.00	2	$0.00	0	$0.00	0	$0.00
NEW SIGN PERMITS	31	$561,861.62	42	$358,343.00	1	$6,600.00	3	$46,866.00
SIGN ALTERATION	16	$111,635.27	1	$35,000.00	0	$0.00	0	$0.00
ELECTRONIC MESSAGE CENTER	1	$309,234.00	0	$0.00	0	$0.00	0	$0.00
COMMERCIAL NEW CONSTRUCTION	51	$73,786,653.00	32	$51,803,286.00	3	$150,000.00	13	$4,800,000.00
COMMERCIAL ADDITION	2	$1,499,890.00	3	$11,600,387.00	0	$0.00	1	$2,937,630.00
COMMERCIAL ALTERATION	58	$23,704,248.00	48	$13,863,611.88	7	$1,003,547.00	2	$3,715,000.00
Total	**383**	**$121,328,565.41**	**386**	**$114,246,892.77**	**83**	**$10,685,766.69**	**94**	**$18,501,312.60**

PERMIT ACTIVITY REPORT - YTD
DATE SELECTION 6/2023

	*******************City*******************				*******************ETA*******************			
	6/2023		**6/2022**		**6/2023**		**6/2022**	
Permit Type	**Permits**	**Valuations**	**Permits**	**Valuations**	**Permits**	**Valuations**	**Permits**	**Valuations**
BUILDING ELECTRIC	396	$0.00	451	$169,500.00	4	$0.00	2	$0.00
BUILDING MECHANICAL	730	$14,458,735.97	690	$13,038,916.13	118	$1,256,690.25	109	$752,591.63
BUILDING PLUMBING	145	$5,284,542.29	194	$6,992,827.76	36	$452,765.14	36	$350,473.00
BUILDING SEPTIC	0	$0.00	0	$0.00	6	$15,000.00	6	$2,000.00
Total	**1271**	**$19,743,278.26**	**1335**	**$20,201,243.89**	**164**	**$1,724,455.39**	**153**	**$1,105,064.63**

PERMIT ACTIVITY REPORT - YTD
DATE SELECTION 6/2023

	*******************City*******************		*******************ETA*******************	
	6/2023	**6/2022**	**6/2023**	**6/2022**
Living Units	**Units**	**Units**	**Units**	**Units**
DECKS\PORCHES & COVERED PORCHES	0	0	0	0
MANUFACTURED HOMES	8	1	0	0
BASEMENT FINISH	0	0	0	0
DECKS\PORCHES & COVERED PORCHES	0	0	0	0
DETACHED GARAGE	0	0	0	0
RESIDENTIAL ADDITION	0	0	0	0
RESIDENTIAL ALTERATION/OTHER	0	0	0	0
ROWHOUSE (2) 1-HR FIRE SEPARATION	34	39	8	0
SINGLE FAMILY DETACHED	27	78	12	11
SWIMMING POOLS	0	0	0	0
Total	**69**	**118**	**20**	**11**