

**BISMARCK PLANNING & ZONING COMMISSION
MEETING MINUTES
November 15, 2023**

The Bismarck Planning & Zoning Commission met on November 15, 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 Brian Bitner, Robert Field, Cole Johnson, Paul Levchak, Daniel Lukens, Gabe Schell, Mike Schmitz, Wendy Van Duyne, and Paul Zent.

Commissioner Trent Wangen was absent.

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

MINUTES

Chair Schwartz called for consideration of the minutes of the October 25, 2023 meeting.

MOTION: Commissioner Zent made a motion to approve the minutes of the October 25, 2023 meeting, as presented. Commissioner Lukens seconded the motion, and it was unanimously approved with Commissioners Bitner, Field, Johnson, Levchak, Lukens, Schell, Schmitz, Schwartz, Van Duyne, and Zent voting in favor of the motion.

CONSIDERATION

**2. DIMENSIONAL REQUIREMENTS FOR ACCESSORY BUILDINGS
ZONING ORDINANCE TEXT AMENDMENT**

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

**FINAL CONSIDERATION – ANNEXATION
PUBLIC HEARING – MAJOR SUBDIVISION FINAL PLAT
PUBLIC HEARING – ZONING MAP AMENDMENT
SILVER RANCH FOURTH ADDITION**

Chair Schwartz called for the public hearing on the zoning ordinance map amendment from the A – Agricultural zoning district to the Conditional RM20 – Residential, R10 – Residential, and P – Public zoning districts, the final plat for Silver Ranch Fourth Addition, and the

annexation of part of Silver Ranch Fourth Addition and part of Silver Ranch Third Addition. The proposed annexation includes 40.84 acres, more or less. The property is located in northeast of Bismarck, north of 43rd Avenue NE and east of 52nd Street NE, along extensions of Silver Boulevard and Silbernagel Drive.

Mr. Nairn stated that the proposed Conditional RM20 – Residential zoning district is intended to be developed at low-to-moderate densities suitable to the Urban Neighborhood classification. The applicant has expressed that this is their intent, although not strictly required by the requested zoning district.

Mr. Nairn 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 proposed zoning map amendment would not adversely impact the public health, safety, and general welfare.

Mr. Nairn said, based on the findings, staff recommends approval of the zoning ordinance map amendment from the A – Agricultural zoning district to the Conditional RM20 – Residential, R10 – Residential, and P – Public zoning districts, the final plat for Silver Ranch Fourth Addition, and the annexation of part of Silver Ranch Fourth Addition and part of Silver Ranch Third Addition.

Mr. Nairn explained that staff had received calls from two neighbors regarding sight distances at the intersection of proposed Noble Drive and 52nd Street NE and dust and noise concerns.

Commissioner Johnson questioned the reason for the larger-than-average block sizes. Mr. Nairn explained that Block 1 contains a large school site, which for this reason is less of a concern for staff, and Blocks 2 and 3 contain residential uses that, according to the applicant, will be served by internal private drives.

Commissioner Levchak voiced concerns with the Noble Drive intersection.

Commissioner Schell stated the intersection of Noble Drive was relocated to the present location during the preliminary plat and sight distances would have been reviewed at this time. He further stated that he would review this study to confirm.

Chair Schwartz opened the public hearing.

Landon Niemiller of Swenson Hagen & Co came forward to address any questions or concerns. He addressed the stated concerns and said he will look and make sure the Noble Drive intersection is appropriate. Commissioner Schell asked if the applicant is satisfied with the condition in the zoning ordinance. Mr. Niemiller is confident they can meet the requirements with satisfaction for both the applicant and city staff.

There being no further comments or questions, 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 ordinance map amendment from the A – Agricultural zoning district to the Conditional RM20 – Residential, R10 – Residential, and P – Public zoning districts, the final plat for Silver Ranch Fourth Addition, and the annexation of part of Silver Ranch Fourth Addition and part of Silver Ranch Third Addition. Commissioner Zent seconded the motion, and the motion was unanimously approved with

Commissioners Bitner, Field, Johnson, Levchak, Lukens, Schell, Schmitz, Schwartz, Van Duyne, and Zent voting in favor of the motion.

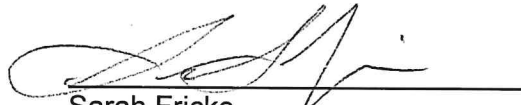
OTHER BUSINESS

Mr. Nairn presented the commission with a summary of an upcoming release of Request for Proposals for New Land Development Code. Commissioner Schell asked about a timeline. Mr. Nairn explained the Request for Proposals would be sent the same week and applications are due by January 5, 2024, with an expected start in March 2024 to be refined by the chosen consultant. Commissioner Van Duyne asked how much involvement is expected from the Planning and Zoning Commission. Mr. Nairn explained that the commission will be making a final recommendation to the City Commission, would be represented on a steering committee, and otherwise may be as involved as they wish to be, and staff will be updating the commission throughout the process. Chair Schwartz then asked if any action was required, and Mr. Nairn stated this was informative only and no action is required at this time.

ADJOURNMENT

There being no further business, Chair Schwartz declared the Bismarck Planning & Zoning Commission adjourned at 5:23 p.m. to meet again on December 20, 2023.

Respectfully submitted,



Sarah Fricke
Recording Secretary



Mike Schwartz
Chair