

**BISMARCK PLANNING & ZONING COMMISSION
MEETING MINUTES
December 20, 2023**

The Bismarck Planning & Zoning Commission met on December 20, 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. Vice Chair Johnson presided and was present in the Tom Baker Meeting Room.

Commissioners present were Cole Johnson, Paul Levchak, Daniel Lukens, Gabe Schell, Mike Schmitz, Wendy Van Duyne, Trent Wangen, and Paul Zent.

Commissioners Brian Bitner, Robert Field and Mike Schwartz were absent.

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

MINUTES

Vice Chair Johnson called for consideration of the minutes of the November 15, 2023 meeting.

MOTION: Commissioner Zent made a motion to approve the minutes of the November 15, 2023 meeting, as presented. Commissioner Lukens seconded the motion, and it was unanimously approved with Commissioners Johnson, Levchak, Lukens, Schell, Schmitz, Van Duyne, Wangen and Zent voting in favor of the motion.

CONSIDERATION

- 2. SONNET HEIGHTS SUBDIVISION EIGHTH REPLAT
ZONING MAP AMENDMENT
MINOR SUBDIVISION FINAL PLAT**
- 3. FIRST RESPONDERS THIRD ADDITION
MAJOR SUBDIVISION PRELIMINARY PLAT**
- 4. HOME OCCUPATION
ZONING ORDINANCE TEXT AMENDMENT**

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

**FINAL CONSIDERATION – ANNEXATION
HAY CREEK TOWNSHIP, LOT C, SECTION 19 AND LOT B, SECTION 30**

Vice Chair Johnson called for final consideration on the annexation of Lot C, Section 19 and Lot B, Section 30, Hay Creek Township. The proposed annexation includes 72.8 acres, more

or less. The property is located in northwest Bismarck, east of River Road and north of Burnt Boat Drive.

Ms. Oster provided 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 annexation would not adversely impact the public health, safety, and general welfare.

Ms. Oster said, based on the findings, staff recommends approval the annexation of Lot C, Section 19 and Lot B, Section 30, Hay Creek Township

There being no comments or questions, Vice Chair Johnson closed the consideration.

MOTION: Based on the findings contained in the staff report, Commissioner Schmitz made a motion to recommend approval of the annexation of Lot C, Section 19 and Lot B, Section 30, Hay Creek Township. Commissioner Wangen seconded the motion, and the motion was unanimously approved with Commissioners Johnson, Levchak, Lukens, Schell, Schmitz, Van Duyne, Wangen and Zent voting in favor of the motion.

PUBLIC HEARING – ZONING ORDINANCE TEXT AMENDMENT DIMENSIONAL REQUIREMENTS FOR RESIDENTIAL ACCESSORY BUILDINGS

Chair Johnson called for the public hearing on the zoning ordinance text amendment to clarify dimensional requirements for Residential Accessory buildings.

Mr. Johnson provided an overview of the proposed amendment and stated that, as a cumulative result of all findings contained in the staff report, City of Bismarck staff find that the proposed zoning ordinance text amendment would not adversely impact the public health, safety and general welfare.

Mr. Johnson stated that, based on the findings, staff recommends approval of the zoning ordinance text amendment to clarify regulations of accessory structure dimensional requirements.

Mayor why would we go down with no ADU seems like a shift that could. Informal complaints about accessory structures being too tall. Why would an accessory structure have different rules than dwelling units?

Vice Chair Johnson opened the public hearing.

MOTION: Based on the findings contained in the staff report, Commissioner Zent made a motion to recommend approval of the minor subdivision final plat for Trillium Fifth Addition, with the condition that any proposed development exceeding a maximum of 65 percent impervious surface area will require additional stormwater considerations in the subdivision area. Commissioner Lukens seconded the motion, and the motion was unanimously approved with Commissioners Field, Johnson, Lukens, Schell, Schwartz, Van Duyne, Wangen, and Zent voting in favor of the motion.

PUBLIC HEARING – MINOR SUDIVISION FINAL PLAT CENTENNIAL PARK FIRST ADDITION FIRST REPLAT

Chair Johnson called for the public hearing on the minor subdivision final plat for Centennial Park First Addition First Replat. The property is located in southeast Bismarck, south of Interstate 94, and east of North Bismarck Expressway along the southeast side of Revere Drive.

Ms. Oster 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.

Ms. Oster said, based on the findings, staff recommends approval of the minor subdivision final plat for Centennial Park First Addition First Replat, with the condition that a petition and development agreement for the construction of Revere Place is signed prior to the recordation of the proposed plat.

Chair Schwartz opened the public hearing.

Molly Barnes, the applicant came forward to thank staff, request approval, and answer any questions from the commissioners.

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

MOTION: Based on the findings contained in the staff report, Commissioner Zent made a motion to recommend approval of the minor subdivision final plat for Trillium Fifth Addition, with the condition that any proposed development exceeding a maximum of 65 percent impervious surface area will require additional stormwater considerations in the subdivision area. Commissioner Lukens seconded the motion, and the motion was unanimously approved with Commissioners Field, Johnson, Lukens, Schell, Schwartz, Van Duyne, Wangen, and Zent voting in favor of the motion.

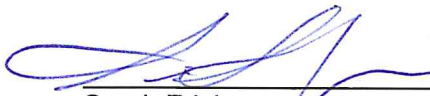
OTHER BUSINESS

Paul Levchak

ADJOURNMENT

There being no further business, Chair Schwartz declared the Bismarck Planning & Zoning Commission adjourned at 5:23 p.m. to meet again on January 24, 2024.

Respectfully submitted,



Sarah Fricke
Recording Secretary

Cole Johnson
Vice Chair