

**BISMARCK PLANNING & ZONING COMMISSION
MEETING MINUTES
August 28, 2024**

The Bismarck Planning & Zoning Commission met on August 28, 2024, 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 (via Zoom), Robert Field, Cole Johnson, Amber Larson, Daniel Lukens (via Zoom), Gabe Schell, Mike Schmitz, Mike Schwartz, Sheldon Sivak, Trent Wangen, and Paul Zent.

Staff members present were Jannelle Combs – City Attorney, 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 July 24, 2024, meeting.

MOTION: Commissioner Wangen made a motion to approve the minutes of the July 24, 2024, meeting, as presented. Commissioner Zent seconded the motion, and it was unanimously approved with Commissioners Bitner, Field, Johnson, Larson, Lukens, Schell, Schmitz, Schwartz, Sivak, Wangen and Zent voting in favor of the motion.

CONSIDERATION

**2A. LANDSBERGER SECOND SUBDIVISION
PRELIMINARY PLAT
ZONING MAP AMENDMENT
MAJOR STREET PLAN AMENDMENT**

**2B. PARTS OF RIVERVIEW ADDITION AND MCKENZIE ADDITION
ZONING MAP AMENDMENT**

**2C. MUNICIPAL SIXTH ADDITION
PRELIMINARY PLAT**

2D. LOT COVERAGE IN R5 – RESIDENTIAL ZONING DISTRICT

MOTION: Based on the findings contained in the staff reports, Commissioner Zent made a motion to approve consent agenda items 2A, 2B, 2C, and 2D, calling for public hearings as recommended by staff. Commissioner Wangen seconded the motion, and it was unanimously approved with Commissioners Bitner, Field, Johnson, Larson, Lukens, Schell, Schmitz, Schwartz, Sivak, Wangen and Zent voting in favor of the motion.

**PUBLIC HEARING – SPECIAL USE PERMIT (ACCESSORY BUILDING)
MAIER SUBDIVISION, LOT 1, BLOCK 1**

Chair Schwartz called for the public hearing on the special use permit to increase the allowable size of accessory structures to 3,200 square feet on Lot 1, Block 1, Maier Subdivision. The property is located northwest of Bismarck, west of River Road and north of Sandy River Drive, on the east side of Fernwood 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 special use permit would not adversely impact the public health, safety, and general welfare.

Ms. Oster said, based on the findings contained in the staff report, staff recommends approval of the special use permit to increase the allowable size of accessory structures up to 3,200 square feet on Lot 1, Block 1, Maier Subdivision, as presented, with the condition that all wet floodproofing requirements for the three current accessory structures are met.

Chair Schwartz opened the public hearing.

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

MOTION: Based on the findings contained in the staff report, Commissioner Bitner made a motion to approve the special use permit to increase the allowable size of accessory structures to 3,200 square feet on Lot 1, Block 1, Maier Subdivision, with the condition that all wet floodproofing requirements for the three current accessory structures are met. Commissioner Sivak seconded the motion, and the motion was unanimously approved with Commissioners Bitner, Field, Johnson, Larson, Lukens, Schell, Schmitz, Schwartz, Sivak, Wangen and Zent voting in favor of the motion.

**PUBLIC HEARING – SPECIAL USE PERMIT (ACCESSORY BUILDING)
NORTHWOOD ESTATES REPLAT, LOT 10, BLOCK 4**

Chair Schwartz called for the public hearing on the special use permit to increase the allowable size of accessory structures to 3,200 square feet on Lot 10, Block 4, Northwood Estates Replat. The property is located north of Bismarck, east of US Highway 83 and south of 110th Avenue NE on the north side of Olive Lane.

Ms. Wollmuth 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 special use permit would not adversely impact the public health, safety, and general welfare.

Ms. Wollmuth said, based on the findings contained in the staff report, staff recommends approval of the special use permit to increase the allowable size of accessory structures up to 3,200 square feet on Lot 10, Block 4, Northwood Estates Replat.

Commissioner Zent questioned two objects on the arial photo of the property. Ms. Wollmuth said the applicant was present to answer his question.

Chair Schwartz opened the public hearing.

Molly Barnes, the applicant, said the two objects in the arial photo are trailers, and the proposed building would be used for storage only.

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

MOTION: Commissioner Wangen made a motion to approve the special use permit to increase the allowable size of accessory structures to 3,200 square feet on Lot 10, Block 4, Northwood Estates Replat. Commissioner Bitner seconded the motion, and the motion was unanimously approved with Commissioners Bitner, Field, Johnson, Larson, Schell, Schmitz, Schwartz, Sivak, Wangen and Zent voting in favor of the motion. Commissioner Lukens was unavailable to vote.

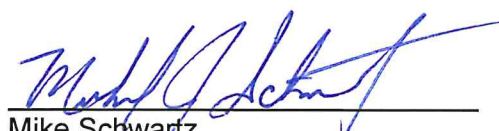
OTHER BUSINESS

ADJOURNMENT

There being no further business, Chair Schwartz declared the Bismarck Planning & Zoning Commission adjourned at 5:14 p.m. to meet again on September 25, 2024.

Respectfully submitted,



Sarah Fricke
Recording Secretary

Mike Schwartz
Chair