

**BISMARCK PLANNING & ZONING COMMISSION
MEETING MINUTES
July 23, 2025**

The Bismarck Planning & Zoning Commission met on July 23, 2025, 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. Dakota Media Access was present to record the meeting and archive on freetv.org for public viewing. 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 Schwartz, Sheldon Sivak, Trent Wangen, and Paul Zent.

Commissioner Schmitz was absent.

Staff members present were 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 June 25, 2025 meeting.

MOTION: Commissioner Larson made a motion to approve the minutes of the June 25, 2025 meeting, as presented. Commissioner Zent seconded the motion, and it was unanimously approved with Commissioners Bitner, Field, Johnson, Larson, Lukens, Schell, Schwartz, Sivak, Wangen, and Zent voting in favor of the motion.

CONSIDERATION

**2A. LUNDE ADDITION
PRELIMINARY PLAT**

**2B. BOUDLER RIDGE COMMERCIAL ADDITION
PRELIMINARY PLAT AND ZONING MAP AMENDMENT**

**2C. NORTHERN PACIFIC ADDITION, BLOCK 10, LOTS 1-4
ZONING MAP AMENDMENT AND FUTURE LAND USE PLAN AMENDMENT**

**2D. WILLIAM BLACKSTONE ADDITION
ZONING MAP AMENDMENT**

**2E. SOUTH MEADOWS ADDITION THIRD REPLAT, BLOCK 1, LOTS 1-10
ZONING MAP AMENDMENT AND FUTURE LAND USE PLAN AMENDMENT**

**2F. KEEPING OF CHICKENS WITHIN CITY LIMITS
ZONING ORDINANCE TEXT AMENDMENT**

Staff recommended item 2C be pulled from the initial motion in order to explain the reason for the project.

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

Mr. Johnson explained that item 2C is a staff-initiated zoning map amendment based on a development inquiry on one of the parcels there that would not be permitted within the existing zoning. Staff mailed letters explaining the proposed amendment to the eight property owners who would be included in the proposed zoning map amendment should the Planning and Zoning Commission choose to initiate the zoning change from Staff's recommendation.

Staff set up an informational meeting for the property owners to attend in addition to providing staff contact information regarding any questions or concerns they may have. Staff did not receive any inquiries from the property owners prior to this meeting of the Commission.

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

PUBLIC HEARING – ELK RIDGE FOURTH ADDITION ZONING MAP AMENDMENT MAJOR SUBDIVISION FINAL PLAT

Chair Schwartz called for the public hearing on a zoning map amendment from the A – Agricultural zoning district to the R10 – Residential zoning district and major subdivision final plat titled Elk Ridge Fourth Addition. The property is located northwest of Bismarck, between North Washington Street and River Road, east of Tyler Parkway and north of Frisco Way.

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 zoning map amendment and major subdivision final plat 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 zoning map amendment from the A – Agricultural zoning district to the R10 – Residential zoning district and major subdivision final plat titled Elk Ridge Fourth Addition.

Chair Schwartz opened the public hearing.

Landon Niemiller – Swenson Hagen & Co. explained that this is one of the next phases of the property owner's plans and will be similar to the previous projects.

Commissioner Schell advised that a temporary turnaround easement should be approved by City Commission in conjunction with the plat.

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

MOTION: Based on the findings contained in the staff report, Commissioner Wangen made a motion to approve the zoning map amendment from the A – Agricultural zoning district to the R10 – Residential zoning district and major subdivision final plat titled Elk Ridge Fourth Addition. Commissioner Zent seconded the motion, and the motion was approved with Commissioners Bitner, Field, Johnson, Larson, Lukens, Schell, Schwartz, Sivak, Wangen, and Zent voting in favor of the motion.

FINAL CONSIDERATION – BOULDER RIDGE COMMERCIAL ADDITION ANNEXATION

Chair Schwartz called for final consideration on an annexation on Lots 1-3, Block 1 and Lot 1, Block 2, Boulder Ridge Commercial Addition. The property is located in northwest Bismarck, in the northeast quadrant of the intersection of North Washington Street and 43rd Avenue Northeast.

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 annexation 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 annexation of Lots 1-3, Block 1 and Lot 1, Block 2, Boulder Ridge Commercial Addition.

Commissioner Schell questioned why the annexation is being brought to the Commission before the Final Plat and Zoning Map Amendment. Ms. Oster said the applicant wishes to not have to delay the annexation due to state requirements of notification to the county and township 15 days prior to the public hearing before the City Commission.

MOTION: Based on the findings contained in the staff report, Commissioner Johnson made a motion to approve the annexation of Lots 1-3, Block 1 and Lot 1, Block 2, Boulder Ridge Commercial Addition. Commissioner Sivak seconded the motion, and the motion was unanimously approved with Bitner, Field, Johnson, Larson, Lukens, Schell, Schwartz, Sivak, Wangen, and Zent voting in favor of the motion.

PUBLIC HEARING – OAKLAND SUBDIVISION, BLOCK 1, LOT 4 SPECIAL USE PERMIT – ACCESSORY BUILDING

Chair Schwartz called for the public hearing on a special use permit to increase the allowable area of accessory buildings to 3,200 square feet. The property is located north of Bismarck, east of US Highway 83, between 71st Avenue NE and 84th Avenue NE, along the north side of Grey Fox 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 would not adversely impact public health, safety, and general welfare.

Ms. Wollmuth said, based on the findings, staff recommends approval of the special use permit to increase the allowable area of accessory buildings to 3,200 square feet.

Chair Schwartz opened the public hearing.

Tanner Broderick, property owner, stated that we was available for questions.

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

MOTION: Commissioner Wangen made a motion to approve the special use permit to increase the allowable area of accessory buildings to 3,200 square feet. Commissioner Bitner seconded the motion, and it was unanimously approved with Commissioners Bitner, Field, Johnson, Larson, Lukens, Schell, Schwartz, Sivak, Wangen, and Zent voting in favor of the motion.

**PUBLIC HEARING – MCKENZIE & COFFIN’S ADDITION
BLOCK 91, LOTS 1-16 & LOTS 24-29
SPECIAL USE PERMIT – ELECTRONIC MESSAGE CENTER SIGN**

Chair Schwartz called for the public hearing on a special use permit for an electronic message center (EMC) sign on Lots 1-16 & Lots 24-29, Block 91, McKenzie and Coffin’s Addition, and vacated alley adjacent to said lots. The property is located in central Bismarck, along the west side of North 6th Street, between East Avenue F and East Boulevard Avenue

Mr. Johnson 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 would not adversely impact the public health, safety, and general welfare.

Mr. Johnson said, based on the findings contained in the staff report, staff recommends approval of the special use permit to allow an electronic message center (EMC) sign on Lots 1-16 & Lots 24-29, Block 91, McKenzie and Coffin’s Addition, and vacated alley adjacent to said lots.

Chair Schwartz opened the public hearing.

Shannon Schlinger, the applicant, stated she was available for questions. Chair Schwartz asked if the proposed sign would be replacing the existing sign. Mr. Schlinger confirmed that the old sign would be removed if the proposal was approved.

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

Commissioner Larson asked staff to outline special design requirements because the proposed EMC is close to residential areas.

Mr. Johnson explained that the sign will have limits to brightness, minimum time limit to display and types of transitions. Between 9 p.m. and 7 a.m. the sign will either be off or have a static image displayed.

Commissioner Schell asked if part of the sign will be static. Mr. Johnson said the top part of the sign will be static.

MOTION: Based on the findings contained in the staff report, Commissioner Johnson made a motion to approve the special use permit to allow an electronic message center (EMC) sign on Lots 1-16 & Lots 24-29, Block 91, McKenzie and Coffin's Addition, and vacated alley adjacent to said lots. Commissioner Sivak seconded the motion, and the motion was unanimously approved with Commissioners Bitner, Field, Johnson, Larson, Lukens, Schell, Schwartz, Sivak, Wangen, and Zent voting in favor of the motion.

OTHER BUSINESS

Mr. Ehreth explained that, starting next month, the Commission will be required to offer a public comment period for items on the current or immediately previous meeting. The Chair will be able to assign a maximum of 5 minutes to each speaker with a total time limit of 30 minutes.

Commissioner Schell asked if the Procedure and Policy document will be updated to reflect this new requirement. Mr. Ehreth said staff will be updating the document.

Commissioner Zent asked if the public comments will be verbal only or also written comments. Mr. Ehreth said the new policy is written to only include verbal comments.

Chair Schwartz asked if the policy applies to any agenda item, current or previous. Mr. Ehreth said it applies to all items, other than public hearings, on the current agenda and any items from the previous agenda.

ADJOURNMENT

There being no further business, Chair Schwartz declared the Bismarck Planning & Zoning Commission adjourned at 5:37 p.m. to meet again on August 27, 2025.

Respectfully submitted,



Sarah Fricke
Recording Secretary



Mike Schwartz
Chair