



Bismarck Planning and Zoning Commission

MEETING
January 28, 2026

Tom Baker Meeting Room	City-County Office Building	5:00 PM
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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.

1. APPROVAL OF MEETING MINUTES

- A. Consider approval of minutes
- B. Guide to Public Participation
- C. Map of all items on the agenda

2. PUBLIC COMMENT

Limited to items on this meeting's Consent agenda, or the previous Planning and Zoning Commission meeting.

3. CONSENT AGENDA

A. JFP Foxhaven Subdivision (IJ)

Major Street Plan Amendment | MSPA2025-001 | Consideration
Staff recommends: Call for Public Hearing

Zoning Map Amendment | ZC2025-021 | Consideration
Staff recommends: Call for Public Hearing

Major Subdivision Preliminary Plat | PPLT2025-011 | Consideration
Staff recommends: Call for Public Hearing

B. Boulder Ridge Eighth Addition (JW)

Zoning Map Amendment | ZC2025-022 | Consideration
Staff recommends: Call for Public Hearing

Major Subdivision Preliminary Plat | PPLT2025-012 | Consideration
Staff recommends: Call for Public Hearing

C. Clear Sky Second Addition (LO)

Zoning Map Amendment | ZC2025-020 | Consideration
Staff recommends: Call for Public Hearing

Major Subdivision Preliminary Plat | PPLT2025-010 | Consideration
Staff recommends: Call for Public Hearing

4. REGULAR AGENDA

A. Boulder Ridge Seventh Addition Second Replat (LO)

Minor Subdivision Final Plat | MPLT2025-011 | Public Hearing
Staff recommends: Approve w/ conditions

B. Cottonwood Parkview Addition First Replat, Block 1, Lots 2-9 (IJ)

Zoning Map Amendment | ZC2025-018 | Public Hearing
Staff recommends: Approve

C. Edgewood Village Seventh Addition Second Replat (IJ)

Zoning Map Amendment | ZC2025-019 | Public Hearing
Staff recommends: Approve w/ conditions

Minor Subdivision Final Plat | MPLT2025-010 | Public Hearing
Staff recommends: Approve w/ conditions

D. Prairie Place Subdivision, Block 2, Lot 4 less the West 240' (JW)

Rural Residential Lot Split | RRLS2025-002 | Public Hearing
Staff recommends: Approve w/ conditions

5. OTHER BUSINESS

A. Election of officers

6. **ADJOURN**

- A. The next meeting of the Planning & Zoning Commission is scheduled for February 25, 2026.
- B. Building Permit Data: [Month to Date](#) or [Year to Date](#)

**BISMARCK PLANNING & ZONING COMMISSION
MEETING MINUTES
December 17, 2025**

The Bismarck Planning & Zoning Commission met on December 17, 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), Cole Johnson, Gabe Schell, Sheldon Sivak, Trent Wangen and Paul Zent.

Commissioners Robert Field, Amber Larson, and Mike Schmitz were absent.

Staff members present were Sarah Fricke – Senior Administrative Assistant, Isak Johnson – Planner, Daniel Nairn – Planning Director, Lauren Oster – Planner, and Jenny Wollmuth – Senior Planner.

MINUTES

Chair Schwartz called for consideration of the minutes of the November 19, 2025 meeting.

MOTION: Commissioner Zent made a motion to approve the minutes of the November 19, 2025 meeting. Commissioner Wangen seconded the motion, and it was unanimously approved with Commissioners Bitner, Johnson, Schell, Schwartz, Sivak, Wangen, and Zent voting in favor of the motion.

PUBLIC COMMENT

Chair Schwartz opened the public comment period.

There being no comments, Chair Schwartz closed the public comment period.

CONSIDERATION

**3A. COTTONWOOD PARKVIEW ADDITION FIRST REPLAT, BLOCK 1, LOTS 2-9,
ZONING MAP AMENDMENT**

**3B. EDGEWOOD VILLAGE SEVENTH ADDITION FIRST REPLAT, BLOCK 1, LOTS 1-50
ZONING MAP AMENDMENT**

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

PUBLIC HEARING – MEADOW VILLAGE ADDITION FIRST REPLAT PLANNED UNIT DEVELOPMENT AMENDMENT

Chair Schwartz called for the public hearing on the planned unit development amendment for Meadow Village Addition First Replat. The property is located in south Bismarck, east of South Washington Street, in the northwest quadrant of the intersection of East Burleigh Avenue and Boston Drive, along the north and south sides of Freiburg Lane.

Ms. Wollmuth explained the proposed amendment would reduce the front yard setback for lots adjacent to public roadways from 25 feet to 15 feet.

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 planned unit development amendment would not adversely impact public health, safety, and general welfare.

Ms. Wollmuth said, based on the findings contained in the staff report, staff recommends approval of the planned unit development amendment for Meadow Village Addition First Replat.

Chair Schwartz opened the public hearing.

Arthur Goldammer, the developer, explained the development is being finalized and the change to the PUD is necessary.

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 planned unit development amendment for Meadow Village Addition First Replat. Commissioner Johnson seconded the motion. The motion was unanimously approved with Commissioners Bitner, Johnson, Schell, Schwartz, Sivak, Wangen, and Zent voting in favor.

PUBLIC HEARING – SECLUDED ACRES FOURTH SUBDIVISION MINOR SUBDIVISION FINAL PLAT

Chair Schwartz called for the public hearing on minor subdivision final plat titled Secluded Acres Fourth Subdivision. The property is located southwest of Bismarck, west of South Washington Street, between West Burleigh Avenue and 48th Avenue SW, along the west side of Thornburg Drive (a replat of Lot 1, Block 1, Secluded Acres Third Addition).

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 minor subdivision plat would not adversely impact public health, safety, and general welfare.

Ms. Wollmuth said, based on the findings contained in the staff report, staff recommends approval of the minor subdivision final plat titled Secluded Acres Fourth Subdivision.

Commissioner Schell asked if the proposal will meet setback requirements for existing drain fields. Ms. Wollmuth said that according to the information submitted, this requirement would be met. Commissioner Schell also asked about the proposed platted access easement and

access to Thornburg Drive, and any coordination with the County Highway Department. Ms. Wollmuth stated that the Burleigh County Highway Department has reviewed and approved the plans, there will be one access point to serve Lots 2 and 3 and Lot 1 will be accessed from the public roadway.

Chair Schwartz opened the public hearing.

Cody Strothman, the property owner, explained the plan for the three lots.

Commissioner Zent asked for the acreage of each lot. Mr. Strothman said two lots will be 1.5 acres and one will be 2 acres.

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

Commissioner Johnson asked if staff considered the public comments on this item regarding the proposed lot sizes. Ms. Wollmuth explained that the current zoning of RR – Residential requires a minimum of 65,000 square feet or 1.5 acres for each lot. She went on to say that the proposed plat meets the size requirements for lots located within the RR – Residential zoning district and this is why staff is making a recommendation to approve the proposed plat.

MOTION: Based on the findings contained in the staff report, Commissioner Zent made a motion to approve the minor subdivision final plat titled Secluded Acres Fourth Subdivision. Commissioner Sivak seconded the motion. The motion was unanimously approved with Commissioners Bitner, Johnson, Schell, Schwartz, Sivak, Wangen, and Zent voting in favor.

PUBLIC HEARING – PROMONTORY POINT VI ADDITION PARTS OF BLOCKS 2, 11 & 12 ANNEXATION

Chair Schwartz called for final consideration on the annexation of Parts of Blocks 2, 11 and 12, Promontory Point VI Addition. The property is located in northwest Bismarck, north of Interstate 94, north of the intersection of Clairmont Road and Valley 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 annexation would not adversely impact 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 Parts of Blocks 2, 11 and 12, Promontory Point VI Addition.

Commissioner Schell stated that on December 16, the Bismarck City Commission adopted a new policy making utility capital charges due when building permits are applied for, rather than at the point of subdivision recordation.

MOTION: Based on the findings contained in the staff report, Commissioner Wangen made a motion to approve the annexation of Parts of Blocks 2, 11 and 12, Promontory Point VI Addition. Commissioner Sivak seconded the motion. The motion was unanimously approved with Commissioners Bitner, Johnson, Schell, Schwartz, Sivak, Wangen, and Zent voting in favor.

**PUBLIC HEARING – WACHTERS SEVENTEENTH ADDITION, BLOCK 2, LOT 1
SPECIAL USE PERMIT – DRIVE-THROUGH**

Chair Schwartz called for the public hearing on a special use permit to allow a drive-through in conjunction with a restaurant on Lot 1, Block 2, Wachter's Seventeenth Addition. The property is located in southcentral Bismarck, east of University Drive, in the southeast quadrant of the intersection of South 11th Street and East Bismarck Expressway.

Ms. Oster explained that the site is currently nonconforming for landscaping requirements. Perimeter parking lot landscaping will be required along East Bismarck Expressway and South 11th Street and trees may also be required depending on the width of the boulevard available.

Ms. Oster stated that the proposed location of the drive lane does not meet the minimum width required in the ordinance for drive-throughs.

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 would adversely impact public health, safety, and general welfare.

Ms. Oster said, based on the findings, staff recommends continuation of the public hearing for the special use permit to allow a drive-through in conjunction with a restaurant on Lot 1, Block 2, Wachter's Seventeenth Addition to give the applicant additional time to provide the changes required to make the drive-through conform to the ordinance, including a survey.

Commissioner Schell asked if the applicant had other options to comply with the ordinance. Ms. Oster explained that the drive-through could be moved to another side of the building.

Chair Schwartz opened the public hearing.

The applicant, Kevin Cavanagh, said he has an easement from the adjacent property owner for the required additional one foot.

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

Ms. Oster explained that even with the easement, the proposal does not meet the requirements outlined in the zoning ordinance for approval. She explained that stacking is measured starting at the pick-up window.

Mr. Cavanagh said it will be expensive to delay his project another month.

Mr. Nairn explained that the ordinance states stacking must be entirely on the parcel but the applicant has the possibility to apply for a lot line adjustment to add an additional one foot to the parcel and another month would allow for this.

Commissioner Schell said a change in use will trigger a site plan review for landscaping and the routing of traffic and he said as City Engineer, he is not comfortable approving this without reviewing all of the information.

Mr. Nairn explained that city staff's job is to follow the ordinance and base their recommendations on that.

Commissioner Bitner commented that nine feet is wide enough to accommodate most vehicles.

Commissioner Johnson noted that there are other drive-throughs in the downtown area that do not entirely fit on their parcels.

Commissioners discussed opportunities to approve the request by including conditions to the approval.

MOTION: Commissioner Johnson made a motion to approve the special use permit to allow a drive-through in conjunction with a restaurant on Lot 1, Block 2, Wachter's Seventeenth Addition with the condition that the easement is reviewed and approved by city staff. Commissioner Bitner seconded the motion, and it was unanimously approved with Commissioners Bitner, Johnson, Schell, Schwartz, Sivak, Wangen, and Zent voting in favor of the motion.

OTHER BUSINESS

Mr. Nairn said the Planning and Zoning Commission will have new members beginning in January. He said that membership may change again in March when the ETA boundary is effective, because Planning and Zoning Commissions must live in the ETA they represent.

Chair Schwartz thanked Paul Zent for his service to the Planning and Zoning Commission and Paul Zent thanked the commissioners and staff for their hard work.

Mr. Nairn said staff will hold a training session for new commissioners in March, after the ETA boundary changes and membership changes.

ADJOURNMENT

There being no further business, Chair Schwartz declared the Bismarck Planning & Zoning Commission adjourned at 5:59 p.m. to meet again on January 28, 2026.

Respectfully submitted,

Sarah S. Fricke
Recording Secretary

Mike Schwartz
Chair

BISMARCK PLANNING AND ZONING COMMISSION

GUIDE TO PUBLIC PARTICIPATION

The Planning and Zoning Commission welcomes and values public input during its meetings. The following procedures for public comment are to ensure that all individuals have a fair opportunity to be heard while maintaining an orderly, transparent, and efficient meeting environment. There are two opportunities available:

Public Hearings

All public hearing items are shown on the regular agenda, which is when comments on these items should be given.

1. **Introduction.** The Chair of the Planning and Zoning Commission introduces the item on the agenda and asks staff to present a report.
2. **Staff Report:** A planner presents the staff report. The presentation will be an overview of the written staff report included in the agenda packet with a visual presentation of materials.
3. **Commission Questions.** Commissioners may ask staff questions, but they will not discuss the request or share an opinion prior to obtaining input from the public.
4. **Open Public Hearing.** The Chair will then open the public hearing on the request and ask if anyone would like to speak to the commission.
5. **Applicant Statement.** The applicant is traditionally given the courtesy to present their proposal or any additional information first.
6. **Public Statements.** The hearing is then opened to the public to voice their support, opposition, or give any comments regarding the item. This is the opportunity to approach the podium.
7. **Close Hearing.** The Chair closes the hearing for the item once all interested people have spoken, and no more public comments are allowed.
8. **Commission Discussion.** Commissioners discuss the proposal. They may ask staff or the applicant questions or for clarification of items stated during the public hearing.
9. **Commission Action.** The Planning and Zoning Commission makes its decision on that item.

Other Public Comments

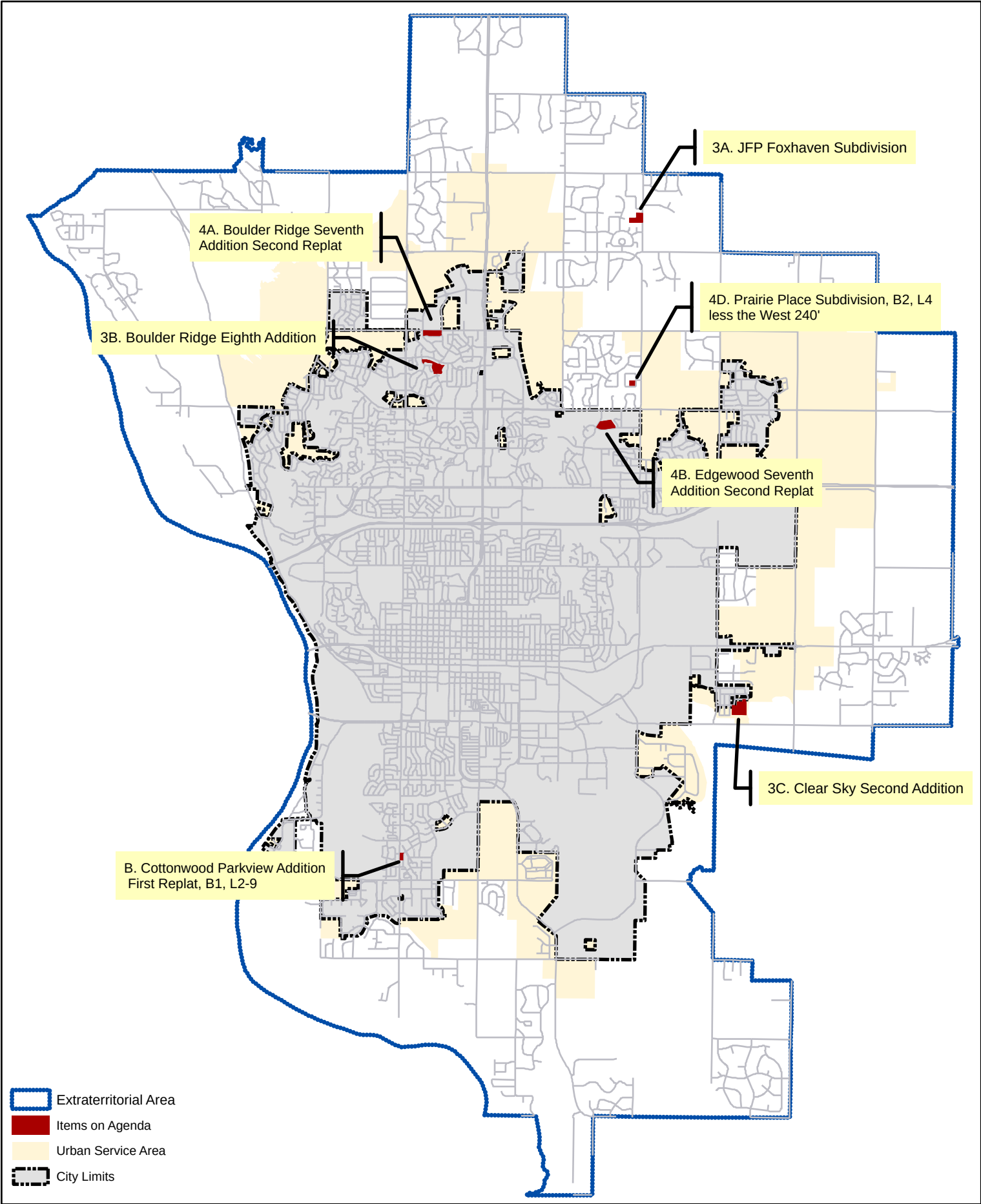
Any comments addressing an item on the current agenda, other than a public hearing, or an agenda item from the preceding meeting.

1. **Public Comment.** General public comments are received toward the beginning of the meeting.
2. **Time Limits.** Each person may comment for five minutes, unless extended by the Chair. An individual may not yield their time to another. The total comment period is limited to 30 minutes, unless extended by the Chair.

General Instructions

The following guidance applies to both public hearings and other public comments:

- Write your first and last name and address on the sign-in sheet at the podium.
- Adjust the microphone, if necessary, state your name, then provide comments. Traditionally, comments are addressed to the Chair and Planning and Zoning Commission.
- Comments may not be defamatory, abusive, harassing, or unlawful; include information that is exempt or confidential under North Dakota open records law; or interfere with the orderly conduct of the meeting.
- Commenters may only address the Commission, not staff, applicants, or other meeting attendees. Commissioners may question any person. The Chair may ask speakers to limit their time, not repeat previous testimony, and speak only once.
- Written materials may be distributed to the Commissioners or displayed visually on screens. Staff are available to assist.
- Reasonable accommodations will be made upon request, pursuant to the City's Title VI policy.



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

STAFF REPORT

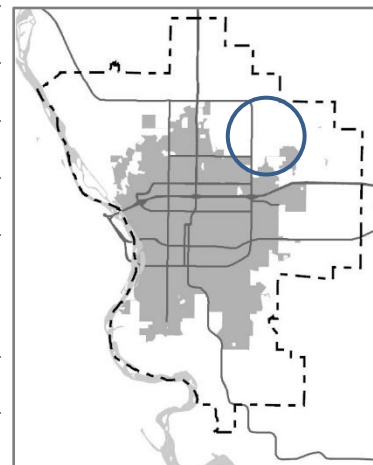
Agenda Item # 3A
January 28, 2026

Application for: **Preliminary Plat**
Zoning Map Amendment
Major Street Plan
Amendment

Project ID: **PPLT2025-011**
ZC2025-021
MSPA2025-001

Project Summary

<i>Title:</i>	JFP Foxhaven Subdivision
<i>Status:</i>	Planning and Zoning Commission – Consideration
<i>Property Owner(s):</i>	Loren Fischer
<i>Project Contact:</i>	Landon Niemiller, AICP, Swenson Hagen & Co
<i>Project Location:</i>	Northeast of Bismarck, between 73rd Avenue Northeast and Arcata Drive, along the west side of 41st Street NE
<i>Project Size:</i>	10.0 acres
<i>Applicant Request:</i>	Plat and rezone the land to facilitate rural residential-style development
<i>Staff Recommendation:</i>	Tentatively approve / call for public hearing



Site Information

<i>Existing Conditions</i>		<i>Proposed Conditions</i>	
<i>Lots/Blocks:</i>	1 tract of land	<i>Lots/Blocks:</i>	5 lots in 2 blocks
<i>Land Use:</i>	Undeveloped	<i>Land Use:</i>	Rural residential
<i>Future Land Use:</i>	Rural Residential (RR)	<i>Future Land Use:</i>	No change
<i>Zoning:</i>	A – Agricultural	<i>Zoning:</i>	RR – Residential
<i>Uses Allowed:</i>	A – Agriculture	<i>Uses Allowed:</i>	RR – Large lot single-family residential and limited agriculture
<i>Max Density:</i>	A – 1 unit / 40 acres	<i>Max Density:</i>	RR – 1 unit per 65,000 square feet

Area Information

Property History

<i>Zoning Jurisdiction:</i>	Extraterritorial Area (ETA)	<i>Zoned:</i>	Pre-1980
<i>Township:</i>	Hay Creek (organized)	<i>Platted:</i>	N/A
<i>Neighborhood:</i>	Foxhaven	<i>Annexed:</i>	N/A

(continued)

Project Narrative

Loren Fischer is requesting approval of a major subdivision preliminary plat for JFP Foxhaven Subdivision as well as an accompanying zoning map amendment from the A – Agricultural zoning district to the RR – Residential zoning district and major street plan amendment (MSPA) for a segment of a future alignment of 76th Avenue NE.

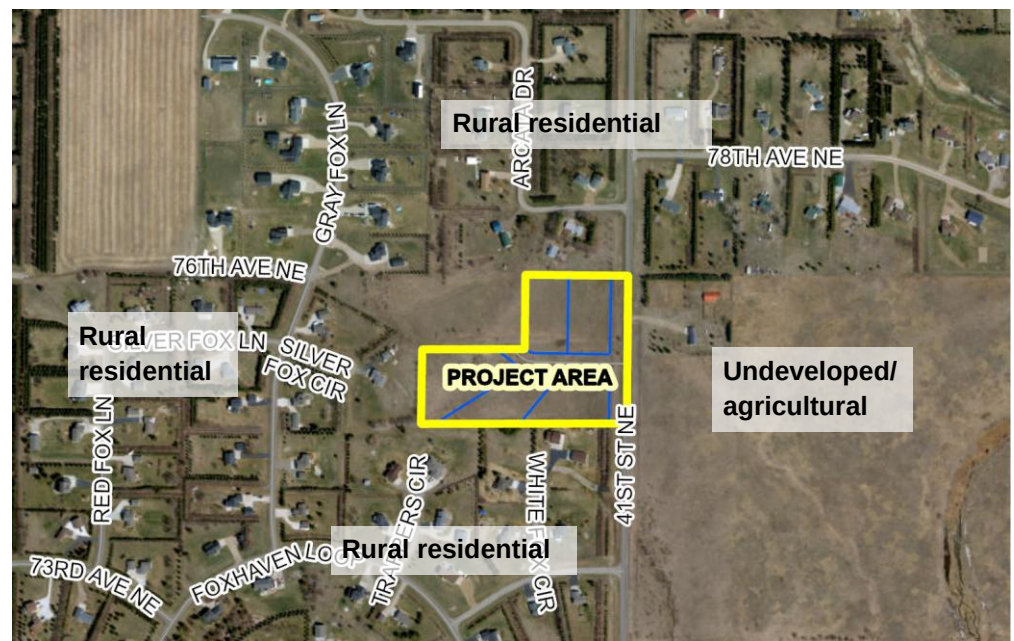
The plat would consist of 5 lots in 2 blocks. The MSPA would shift an proposed future alignment of an extension of 76th Avenue NE, a collector roadway, slightly to the north to rearrange the developable land for this proposed subdivision – as well as the potential developable land to the east.

The applicant has stated that they intend to contact the property owner to the east of this proposed plat area regarding the MSPA upon the recommendation of City and County staff. Staff have not heard confirmation that that contact has been made as of this report. Planning staff will contact that property owner, as well as others potentially affected property owners, prior to the public hearing as part of the City's standard notification procedures. If approved, the MSPA does not guarantee that a roadway would be built in this area or how it would be funded.

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 Rural Residential (RR) in the Future Land Use Plan. The RR areas are places for country living with convenient proximity to city life. Goals and objectives of this plan as they relate to major subdivision preliminary plats, zoning map amendments, and major street plan amendments are referenced in review standards below.

The project area is primarily surrounded by rural residential land uses to the north, west, and south. To the east, across 41st Street NE, is land that is in an undeveloped/agricultural state.

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Public Engagement

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

Hay Creek Township was notified of this request on January 12, 2026. The township has no provided a response as of this report's publishing.

Basic project information, with the ability to contact staff for more details, has been provided publicly online through the Open Development Projects Dashboard and 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.

Major Subdivision Preliminary Plat

The Major Street Plan is adhered to with the proposed subdivision ([Major Street Plan](#))

Yes, with a formal amendment to the Major Street Plan. The applicant requests approval of an amendment to the Major Street Plan in conjunction with the proposed plat. If the amendment is approved as presented above in this staff report, the proposed plat would conform to the amended plan. A proposed future section of 76th Avenue NE, a collector roadway, is located within this plat as is proposed to be shifted north compared to its current future alignment. A plan reference map is attached to this staff report.

An initial proposed alignment for the change has been reviewed by City, County Highway, and MPO staff, and no concerns have been noted.

The Active Mobility Plan is adhered to with the proposed subdivision ([Active Mobility Plan](#))

Yes. There are no corridors identified in the Active Mobility Plan within or adjacent to the proposed subdivision. A plan reference map is attached to this staff report.

A neighborhood park will be available within walking distance for all urban residents ([Goal I1-a](#), Section 14-09-04(2)a(vii))

Yes. The provision of neighborhood parks and open space is not needed because the proposed preliminary plat is not an urban subdivision with residential zoning districts.

Vehicle trips generated by the proposed subdivision will be adequately supported by the transportation system ([Goal C3-c](#))

Yes. The proposed subdivision would likely not have a substantial effect on circulation and safety of public roadways in the vicinity, and therefore no traffic impact study is required.

Street connectivity is provided for efficient travel and secondary access for emergency services ([Goal C4](#), Section 14-09-05)

Yes, with the understanding that 76th Avenue NE is proposed to have a temporary cul-de-sac until land further to the west is developed. Other subdivision design requirements, such as maximum block length, intended to promote street connectivity have been met, presuming 76th Avenue NE fully connects to the west in the future.

Roadway access is managed to reduce potential points of conflict and improve safety ([Goal C3-b](#))

Yes. Direct access to major public roadways is appropriately limited and spacing of all intersections is adequate to meet the City's

(continued)

access management standards and professional engineering judgement. Non-access lines will be dedicated with the proposed plat to communicate and enforce this access control.

Stormwater runoff impacted by this subdivision is adequately managed to protect public and private investments and the natural environment ([Goal 15, Section 14.1-04-03](#));

Yes. There is a plan to manage any stormwater runoff generated by this subdivision. A scoping sheet for a post-construction stormwater management permit (PCSMP) has been submitted and is being reviewed by the City Engineer, with concurrence from the County Engineering, and the PCSMP will be approved prior to a hearing on the final plat.

The plat includes stormwater and drainage easements along the southernmost lots, including a area for a detention pond.

Dimensional standards of the zoning ordinance are met with the proposed subdivision (Title 14)

Yes. All lots meet area and width requirements of the zoning district within which they are located, and there is sufficient space within each lot for anticipated buildings to meet density, setback, and lot coverage requirements. All rights-of-way and dedicated easements conform to design standards of the subdivision ordinance.

Natural hazards and impact to environmentally sensitive land is minimized through the location and design of the proposed subdivision ([Goal 16-a](#))

Yes. The proposed subdivision is not located within the Special Flood Hazard Area (SFHA), also known as the 100-year floodplain, an area where the proposed development would adversely impact water quality and/or environmentally sensitive lands, or an area that is topographically unsuited for development

Water supply systems will seamlessly transition from a rural to an urban system through cooperation with the South-Central Regional Water District ([Goal G3-f, Section 14-09-04\(2\)d](#))

Yes. The proposed subdivision is within two miles of the city limits and will require an agreement with the South Central Regional Water District prior to recordation of the plat. The City of Bismarck will retain rights to extend municipal water into the proposed subdivision after five years.

The City's investment in infrastructure associated with the proposed subdivision is expected to receive a proportional long-term return to residents through future revenues or other public goods associated with this subdivision ([Goal G3-a](#))

Yes. The proposed subdivision is outside of Bismarck city limits and will not be served by municipal services at this time.

Technical specifications required of the preliminary plat have been met (Section 14-09-07)

Yes. The proposed preliminary plat contains the required information to ensure an accurate and timely review by staff, the Planning and Zoning Commission, and the general public.

Proper administrative procedures related to the request are being followed (Section 14-09-04)

Yes. All administrative procedures of the City Code of Ordinances and North Dakota Century Code have been followed to date. Staff held a meeting with the applicant to discuss the request prior to submittal of a formal application. A complete application for the preliminary plat was submitted to the Planning Department, and the required staff review of all submitted materials has occurred prior to submittal of this report to the Planning and Zoning Commission.

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

(continued)

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

Zoning Map Amendment

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 Rural Residential (RR) 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.

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 rural residential-style development. Development that may be anticipated from the proposed zoning would have no negative impact on the surrounding properties.

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

This project area has never been zoned beyond the default A – Agricultural zoning district. There are numerous subdivisions within the surrounding area that are currently zoned RR – Rural Residential. The development within this area would very likely be compatible.

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 would not adversely impact housing opportunities in any way.

The goals and objectives of Together 2045 Bismarck's Comprehensive Plan would be advanced by the proposed zoning ordinance map amendment ([Comprehensive Plan](#))

Yes. The following objectives of the plan would be advanced through the proposed amendment.

- S5: Protect the rural character of existing planned rural residential areas in Bismarck's Extraterritorial Area.
- G2(c): Exercise zoning and subdivision authority within the City's Extraterritorial Area and periodically review this boundary with potential adjustments to align with expected growth.
- G5(c): Determine strategies to reduce development costs of large-lot rural residential subdivisions, in cooperation with Burleigh County Highway Department, to facilitate potential urbanization in the future.

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 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 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.

Major Street Plan Amendment

The overall continuity and function of the Major Street Plan, and its connections to surrounding areas, is retained or improved after the proposed amendment ([MSP standards](#))

Yes. This proposed amendment would shift an existing future alignment in the plan approximately 210 feet to the north while preserving the overall east-west connection.

Amending the plan only specifies that the proposed alignment has been identified as a potentially useful path for a future roadway if the City and County continues to grow into this area in the future. It does not require any landowner to dedicate land for the road right-of-way unless the landowner(s) wished to develop their land through the platting process in such a way that they believe the proposed road would be useful for them. Furthermore, it does not specify an exact timeline for when any construction would take place, and given current development trends, it is possible that nothing will be constructed for decades. Additionally, it does not specify a funding source.

The spacing and quantity of intersections sufficient to meet access management standards are retained after the proposed amendment ([MSP standards](#))

Yes. The proposed amendment to the Major Street Plan would meet all requirements of the City's access control policy and engineering judgement for safe and efficient spacing of intersections.

This project does not increase or reduce the number of intersections in this area. By shifting the alignment further to the north, the spacing between the two nearest intersections of platted roadways stays the same but reversed. In other words, the current longer distance to the nearest intersections becomes shorter, while the current shorter distance becomes longer.

There is a driveway to a private property on 41st Street NE that the proposed intersection would become closer to as well. However, there will be limited traffic generated from the proposed development and no through traffic at this time.

The current plan is not adequately aligned with the existing or proposed street layout or development proposed for the site and the amendment will, to some degree, alleviate this deficiency ([MSP standards](#))

Yes. The proposed development on the western side of the MSPA would be better facilitated this alignment shift. City, County, and MPO staff have seen a potential, preliminary master plan for future development to the east of 41st Street NE which this amendment could also facilitate should it be approved.

The proposed alignment is not adversely affected by steep grades, wetlands, drainages, railroad crossings, transmission lines, or any other constraints to a degree greater than the current plan ([MSP standards](#))

Yes. No unique natural or manmade features will obstruct the proposed alignment of the Major Street Plan.

The proposed amendment does not substantially increase the length of the alignment, affecting construction and maintenance costs, unless offset by commensurate public benefit ([MSP standards](#))

Yes. The length of the existing alignment (measured from Moonstone Lane to the west to 52nd Street NE to the east) is approximately 8,322.1 ft, and the length of the proposed alignment is 8,311.1ft. The proposed amendment

(continued)

would keep the length of this segment approximately the same.

The proposed amendment is consistent with the goals and objectives of Together 2045 Bismarck's Comprehensive Plan ([MSP standards](#))

Yes. The overall goals and objectives of the comprehensive plan have been met. In particular, the Goal C4: "Encourage a highly connected network of streets and pathways" and Goal C3: "Construct and support safe and efficient streets and roads" would be met.

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

Based on the above findings, staff recommends tentative approval / calling for a public hearing on major subdivision preliminary plat of JFP Foxhaven Subdivision as well as calling for a public hearing on the associated major street plan amendment and zoning map amendment from the A – Agricultural zoning district to the RR – Residential zoning district.

Attachments

1. Draft Zoning Ordinance
2. Zoning and Plan Reference Map
3. Proposed Zoning Map
4. Preliminary Plat
5. Draft Major Street Plan Resolution
6. Plan Amendment Map

Staff report prepared by: Isak Johnson, AICP, Planner

701-355-1850 | ijohnson@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 A – Agricultural zoning district and included in the RR – Residential zoning district:

Lots 1-2, Block 1, and Lots 1-3, Block 2, JFP Foxhaven Subdivision

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 Districts

A	Agriculture
RR	Rural
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

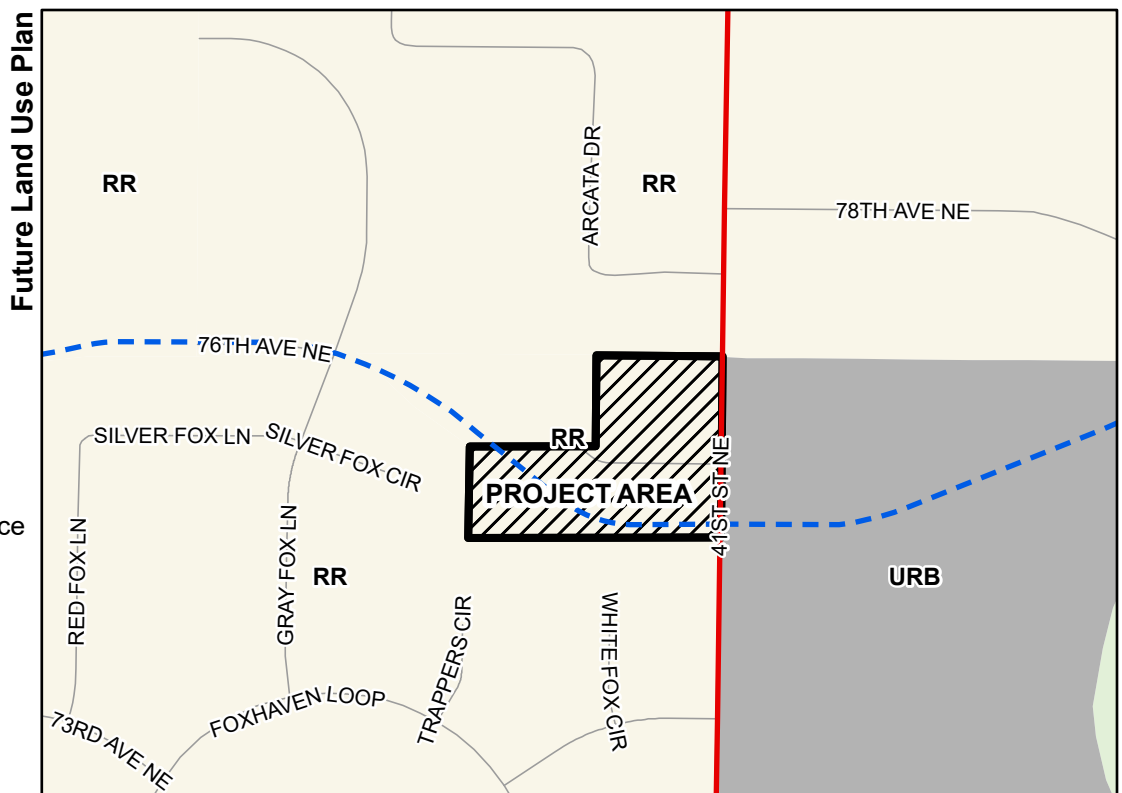
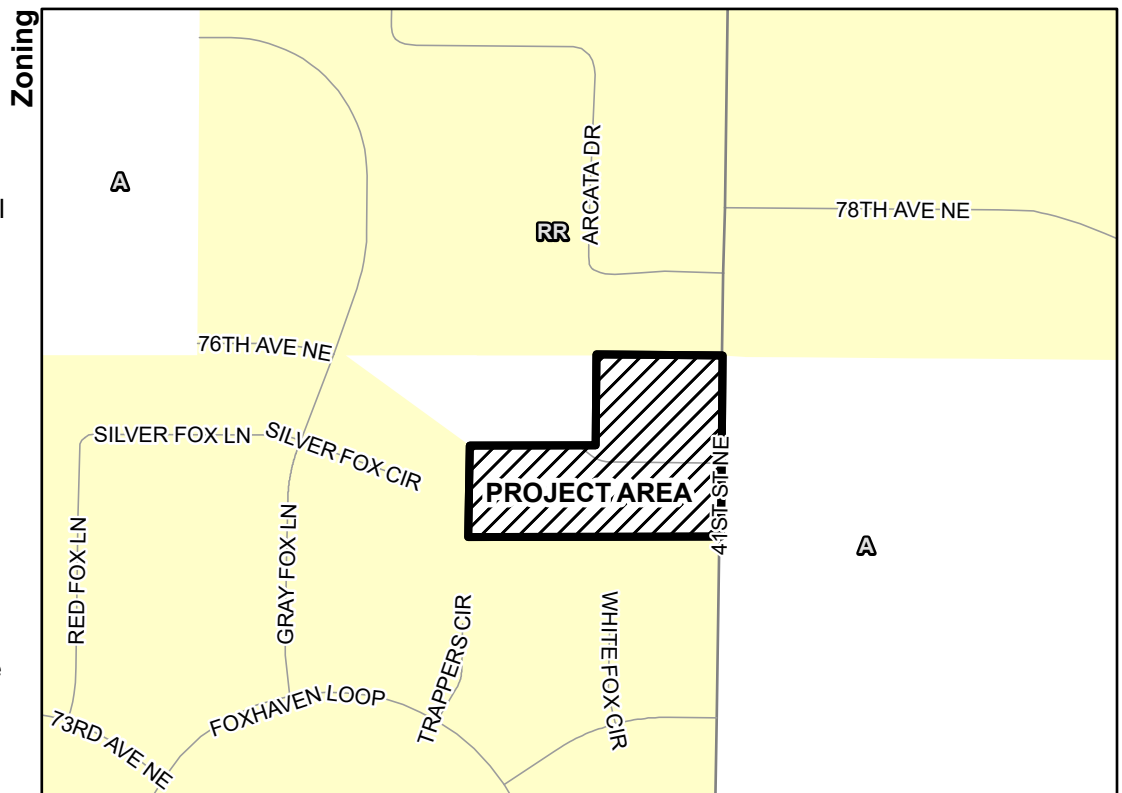
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PKOS	Parks/Open Space Urban Reserve
URA/URB	Mid/Long-Term

Active Mobility Plan

— Future Shared Trail

Major Street Plan

- Existing Arterial
- - Future Arterial
- Existing Collector
- - Future Collector
- Existing Interstate
- - Future Interstate
- ▬ City Limits



This map is for representational use only and does not represent a survey.
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0 500 1,000 2,000 Feet



City of Bismarck
Planning Department
January 16, 2026

Proposed New Zoning Map

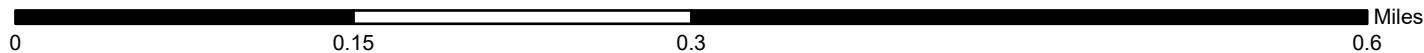
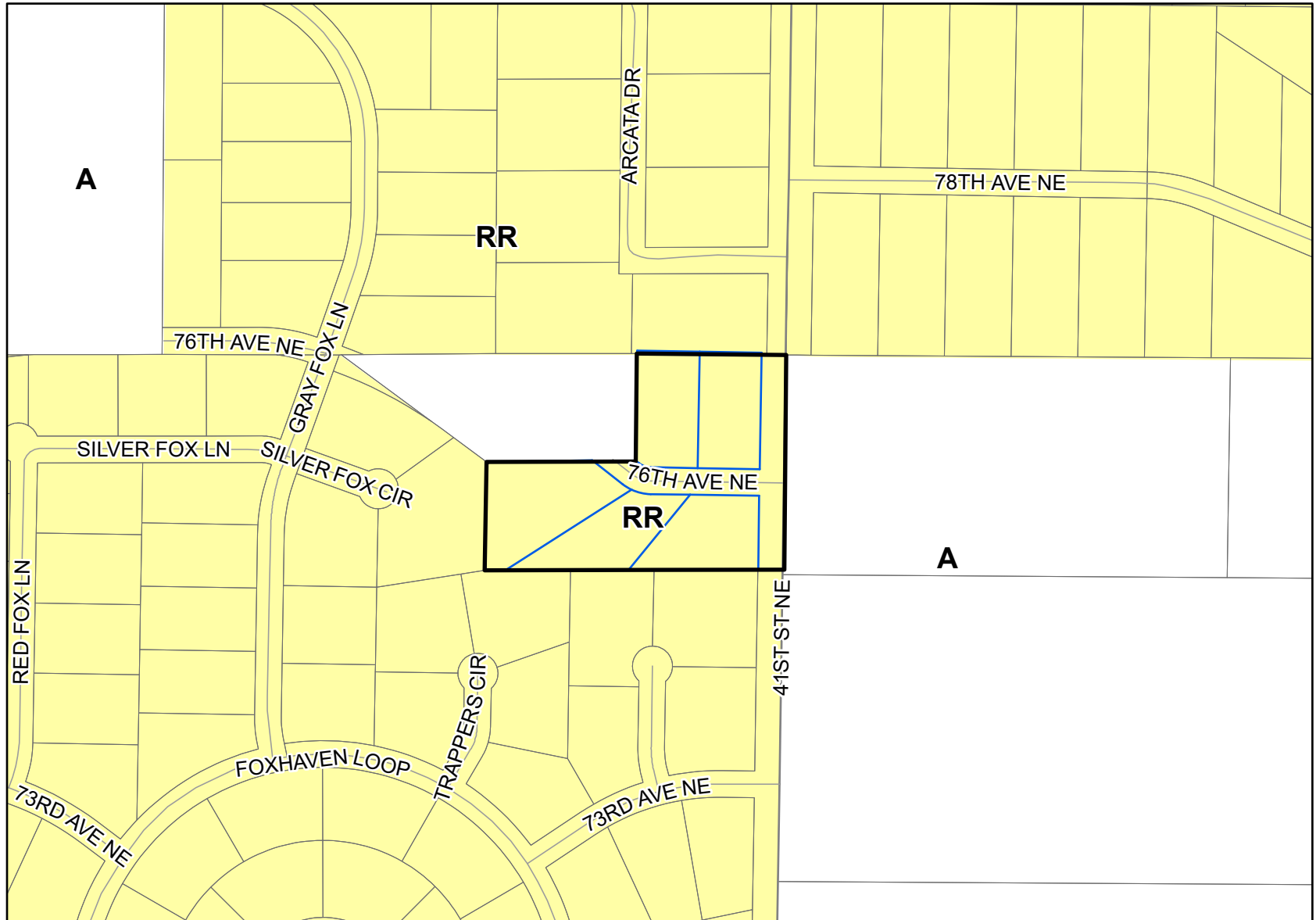
 Project Area
(zoning within
is proposed)

 City Limits

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



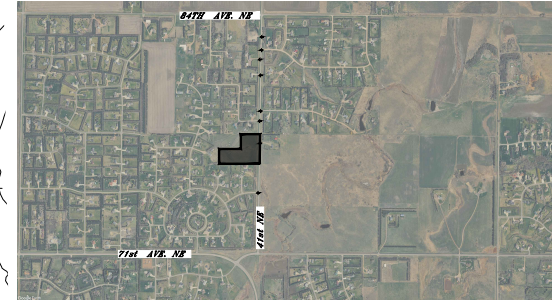
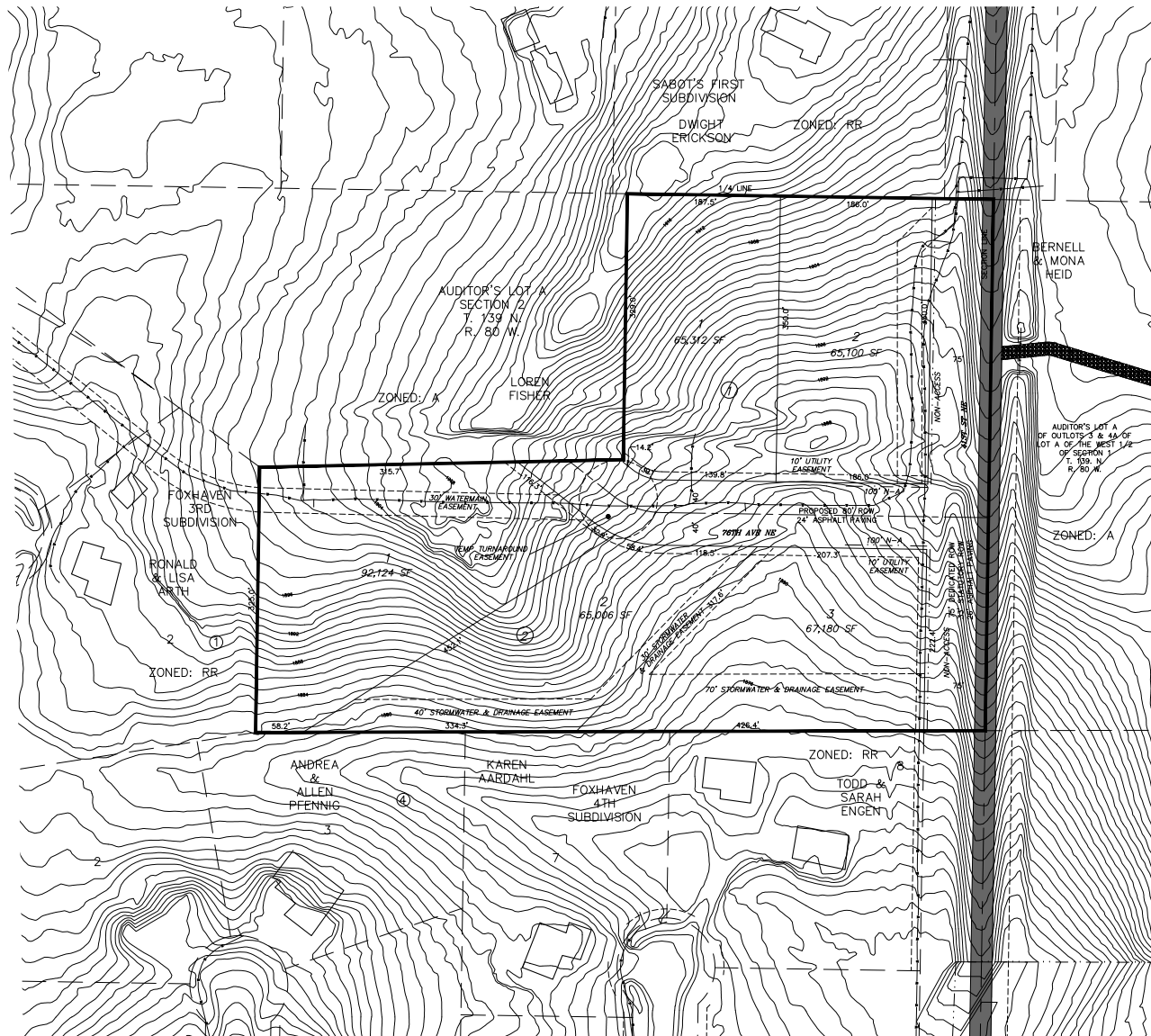
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City of Bismarck
Planning Department
January 16, 2026

JFP FOXHAVEN SUBDIVISION

AUDITOR'S LOT B OF THE SE 1/4
OF SECTION 2, TOWNSHIP 139 NORTH, RANGE 80 WEST
BURLEIGH COUNTY, NORTH DAKOTA



LOCATION MAP

10.0 ACRES
EXISTING ZONING: A
5 LOTS, 2 BLOCKS

ZONING: A
PROPOSED ZONING: RR

OWNER: LOREN FISCHER

SURVEYOR: SWENSON HAGEN & CO



SCALE - 1" = 40'

VERTICAL DATUM: NAVD 88

DECEMBER 23, 2025

**RESOLUTION OF
THE BISMARCK BOARD OF CITY COMMISSIONERS
AMENDMENT TO THE MAJOR STREET PLAN (MSPA2025-001)**

WHEREAS, the Board of City Commissioners of the City of Bismarck, North Dakota, wishes to formally amend the City of Bismarck's Major Street Plan, which shows existing and future corridors for major streets in Bismarck and its extraterritorial area; and

WHEREAS, said Major Street Plan was adopted as part of Together 2045 Bismarck's Comprehensive Plan by the Bismarck Planning and Zoning Commission on November 16 and by the Bismarck Board of City Commissioners on December 27, 2022; and

WHEREAS, the Major Street Plan may, from time to time, be amended according to standards and procedures established in the comprehensive plan; and

WHEREAS, the Planning and Zoning Commission held a public hearing on February 25, 2026 and, after consideration of the matter, recommended the amendment to the Board of City Commission.

NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota, to amend the Major Street Plan to shift the alignment of a future collector section of 76th Avenue Northeast between Gray Fox Lane and 52nd Street Northeast further to the north for the area shown on the attached exhibit and described, more or less, as:

Parts of Hay Creek Township Sections 1 and 2, T139N-R80W in Burleigh County, North Dakota

is in all things allowed and granted.

BE IT FURTHER RESOLVED that the Planning Director of the City of Bismarck is directed to revise all subsequent publications of the Major Street Plan to reflect the amendments hereby resolved.

Adopted this 10th day of March, 2026.

CERTIFICATE

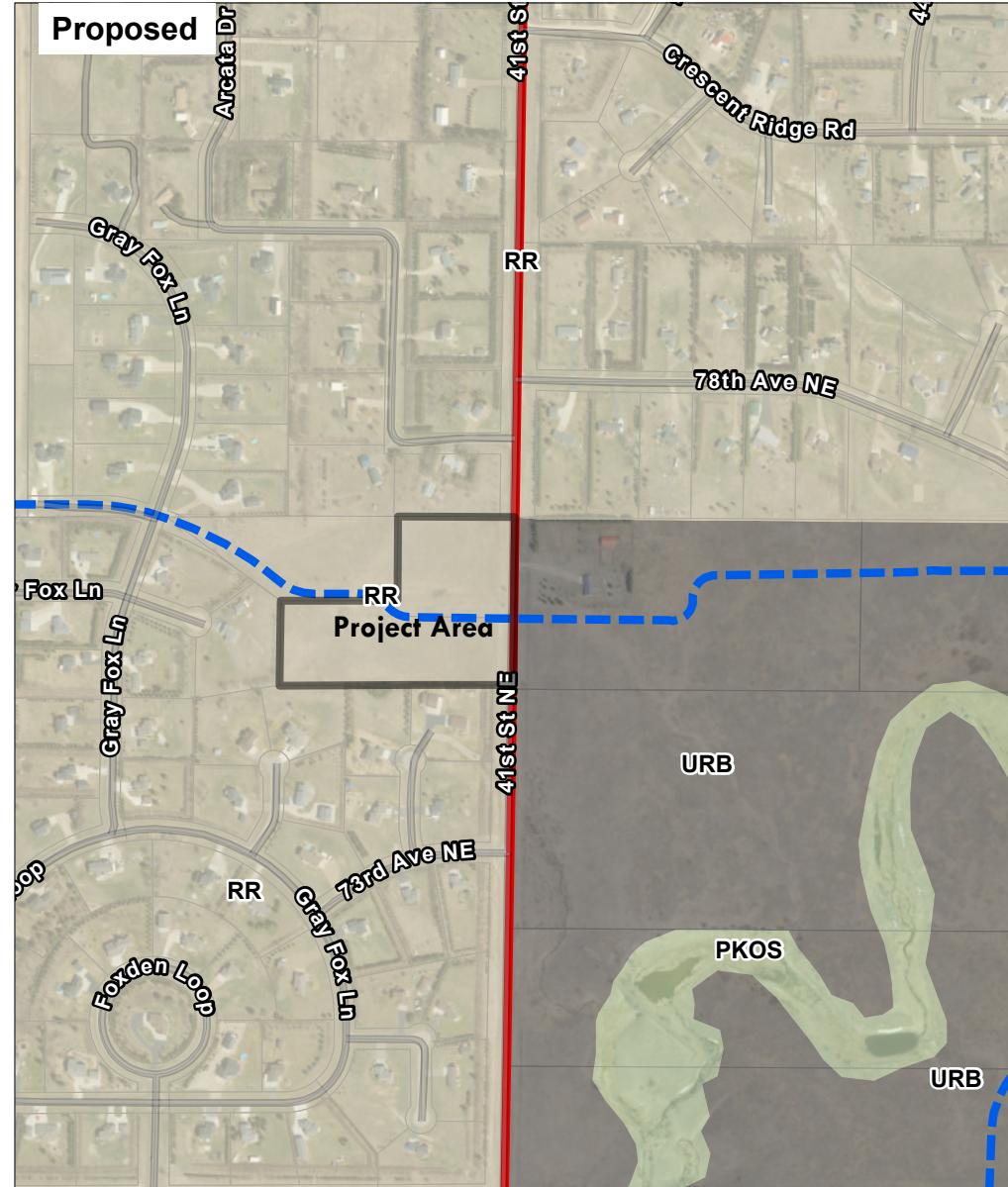
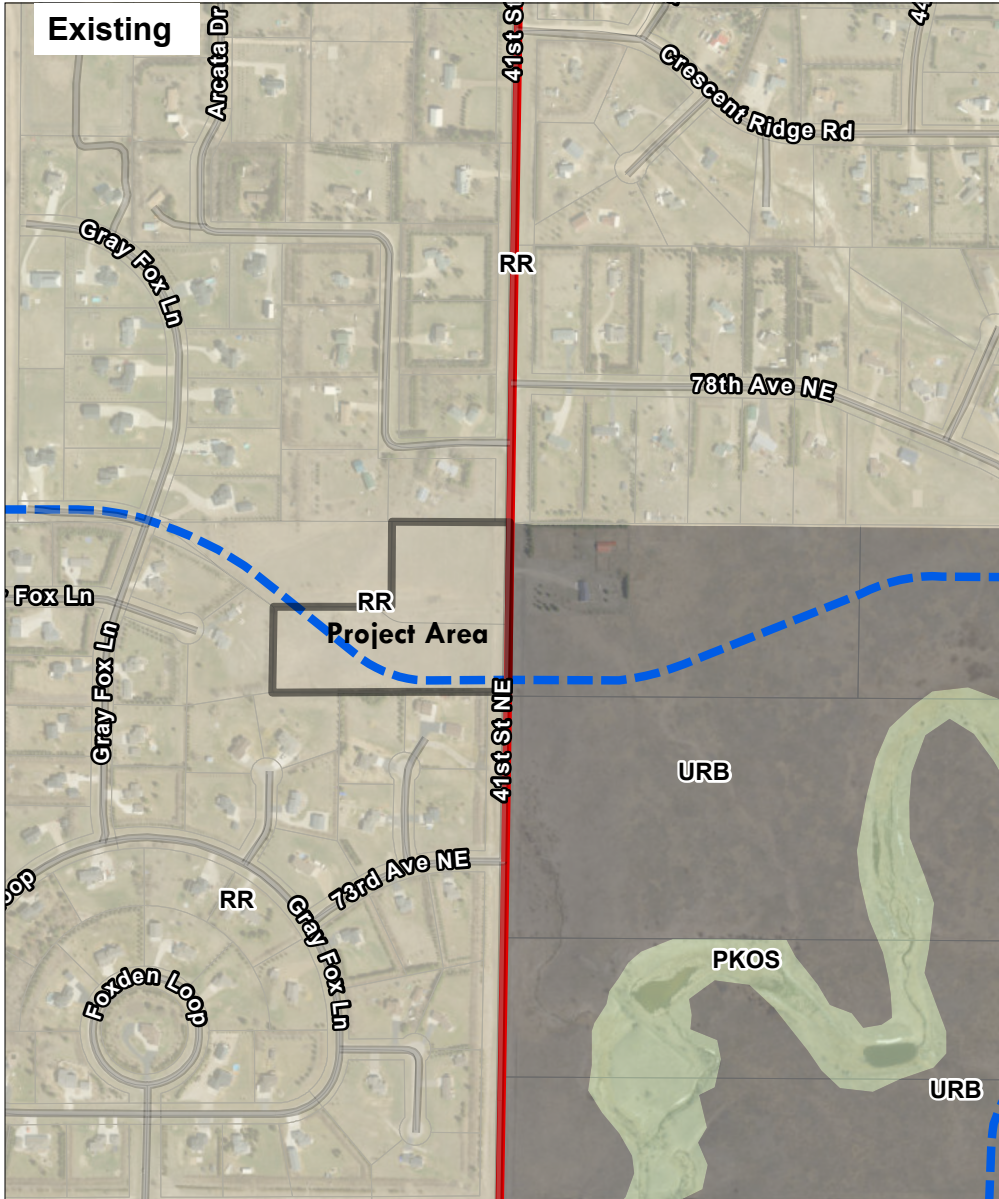
I, Jason Tomanek, do hereby certify that I am the duly appointed, qualified City Administrator of the City of Bismarck, North Dakota, and that the foregoing is a full, true and correct copy of a resolution adopted at a legally convened meeting of the Board of City Commissioners held on this March 10, 2026.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City of Bismarck, North Dakota.

Jason Tomanek
City Administrator
Bismarck, North Dakota

Date

DRAFT



City of Bismarck
Planning Department
January 20, 2026

 Bismarck ETA
Future Land Use Plan

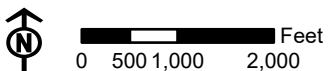
 Rural Residential (RR)
 Parks and Open Space (PKOS)

 Urban Reserve Long-Term (URB)

Major Street Plan

 Future Collector
 Existing Arterial

 Existing Shared Use Path



*This map is for
representational
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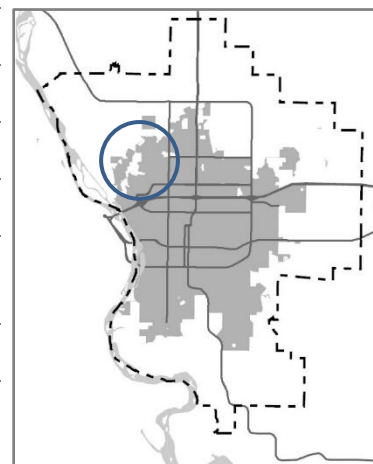
STAFF REPORT

Application for: **Zoning Map Amendment**
Preliminary Plat

Project ID: **ZC2025-022**
PPLT2025-012

Project Summary

<i>Title:</i>	Boulder Ridge Eighth Addition
<i>Status:</i>	Planning and Zoning Commission – Consideration
<i>Property Owner(s):</i>	Five Guys Investment LLP
<i>Project Contact:</i>	Landon Niemiller, AICP, Swenson Hagen & Co
<i>Project Location:</i>	North Bismarck, east of North Washington Street, between 43rd Avenue NE and East Lasalle Drive
<i>Project Size:</i>	13.6 acres
<i>Applicant Request:</i>	Rezone and plat to facilitate single-family development and neighborhood park
<i>Staff Recommendation:</i>	Tentatively approve / call for public hearing



Site Information

<i>Existing Conditions</i>		<i>Proposed Conditions</i>	
<i>Lots/Blocks:</i>	Part of 1 parcel	<i>Lots/Blocks:</i>	16 Lots in 4 Blocks
<i>Land Use:</i>	Undeveloped	<i>Land Use:</i>	Single-family residential
<i>Future Land Use:</i>	Urban Neighborhood (UN)	<i>Future Land Use:</i>	No change
<i>Zoning:</i>	A – Agricultural	<i>Zoning:</i>	R10 – Residential P – Public
<i>Uses Allowed:</i>	A – Agriculture	<i>Uses Allowed:</i>	R10 – Single and two-family residential P – Parks, open space, stormwater facilities, and other public uses
<i>Max Density:</i>	A – 1 unit / 40 acres	<i>Max Density:</i>	R10 – 10 units / acre P – N/A

Area Information

Property History

<i>Zoning Jurisdiction:</i>	Bismarck City Limits	<i>Zoned:</i>	N/A
<i>Township:</i>	N/A (City of Bismarck)	<i>Platted:</i>	N/A
<i>Neighborhood:</i>	Boulder Ridge	<i>Annexed:</i>	07/2013

(continued)

Project Narrative

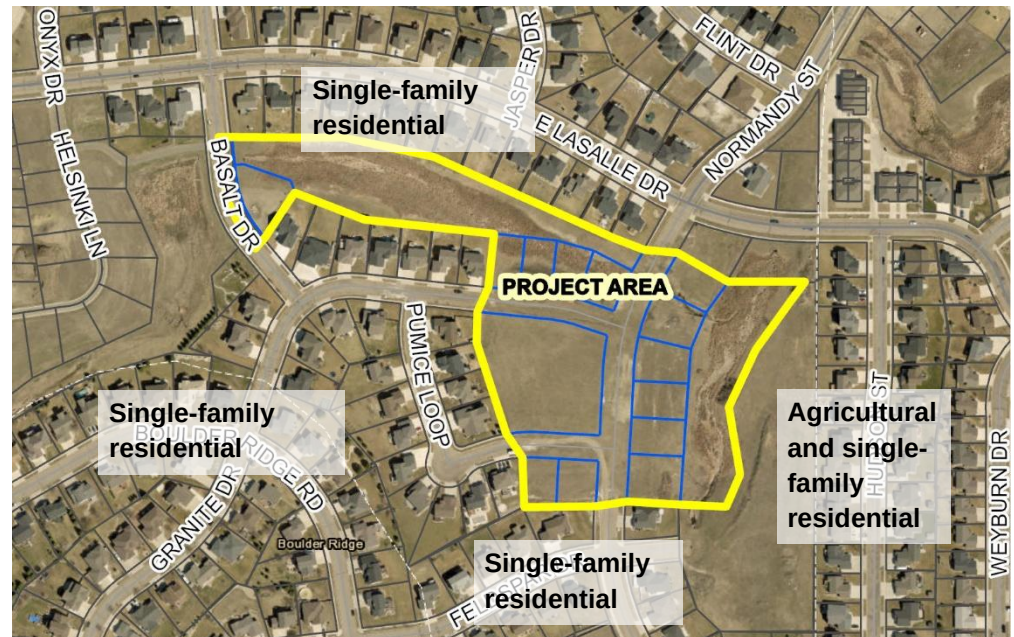
Five Guys Investment LLP requests approval of a zoning map amendment from the A – Agricultural zoning district to the R10 – Residential zoning

district and P – Public zoning district and a major subdivision preliminary plat titled Boulder Ridge Eighth Addition.

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 Urban Neighborhood (UN) in the Future Land Use Plan. The UN areas are places for quiet enjoyment of home life. Goals and objectives of this plan as they relate to the major subdivision preliminary plat and the zoning map amendment are referenced in review standards below.

Adjacent uses include developing single-family residential to the north, south, and west, and a remnant agriculture zoned parcel to the east.

Public Engagement

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

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

Projects Dashboard and 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.

Zoning Map Amendment

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

(continued)

Yes. The proposed zoning map amendment is within the area designated as Urban Neighborhood 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.

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 single- and two-family residential and a neighborhood park. Development that may be anticipated from the proposed zoning would have no negative impact on the surrounding properties.

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 A – Agricultural is the default for any piece of land that has not been otherwise zoned. The property is adjacent to the Boulder Ridge neighborhood which continues to develop and expand. Therefore, the proposed zoning of the property to the R10 – Residential zoning district and P – Public zoning district at this time will help facilitate future phases of development.

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 would not adversely impact housing opportunities in any way.

The goals and objectives of Together 2045 Bismarck's Comprehensive Plan would be advanced by the proposed zoning ordinance map amendment ([Comprehensive Plan](#))

Yes. The following objectives of the plan would be advanced through the proposed amendment.

- S10: Support the arrangement of compatible land uses to minimize adjacent conflicts.
- G3: Coordinate expansion of city infrastructure and services with growth.
- I1(a): Ensure neighborhood parks are included within newly developed residential subdivisions so that all residents have a small park within a half-mile walk from home.

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 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.

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.

(continued)

Major Subdivision Preliminary Plat

The Major Street Plan is adhered to with the proposed subdivision ([Major Street Plan](#))

Yes. The corridors identified in the Major Street Plan are incorporated into rights-of-way within the proposed subdivision. Normandy Street, a collector roadway, is included within the plat. Once constructed this segment of Normandy Street will be a continuous collector roadway within this area from 43rd Avenue NE to 57th Street NE. A plan reference map is attached to this staff report.

The Active Mobility Plan is adhered to with the proposed subdivision ([Active Mobility Plan](#))

Yes. There are no corridors identified in the Active Mobility Plan within or adjacent to the proposed subdivision. A plan reference map is attached to this staff report.

A neighborhood park will be available within walking distance for all urban residents ([Goal I1-a](#), Section 14-09-04(2)a(vii))

Yes. A statement of intent for the provision of neighborhood parks and open space has been submitted. A neighborhood park is proposed to be located on Lot 1, Block 2 of the proposed subdivision.

Vehicle trips generated by the proposed subdivision will be adequately supported by the transportation system ([Goal C3-c](#))

Yes. The proposed subdivision would likely not have a substantial effect on circulation and safety of public roadways in the vicinity, and therefore no traffic impact study is required.

Street connectivity is provided for efficient travel and secondary access for emergency services ([Goal C4](#), Section 14-09-05)

Yes. Subdivision design requirements, such as maximum block length, intended to promote street

connectivity have been met, and there are no cul-de-sacs or dead-end streets in the proposed subdivision. The City's Secondary Roadway Access Policy has been met allowing alternative routes into and out of the subdivision.

Roadway access is managed to reduce potential points of conflict and improve safety ([Goal C3-b](#))

Yes. Direct access to major public roadways is appropriately limited and spacing of all intersections is adequate to meet the City's access management standards and professional engineering judgement. Non-access lines will be dedicated with the proposed plat to communicate and enforce this access control.

Stormwater runoff impacted by this subdivision is adequately managed to protect public and private investments and the natural environment ([Goal I5](#), Section 14.1-04-03);

Yes. There is a plan to manage any stormwater runoff generated by this subdivision. A scoping sheet for a post-construction stormwater management permit (PCSMP) has been approved by the City Engineer, and the PCSMP will be approved prior to submittal of a final plat.

Dimensional standards of the zoning ordinance are met with the proposed subdivision (Title 14)

Yes. All lots meet area and width requirements of the zoning district within which they are located, and there is sufficient space within each lot for anticipated buildings to meet density, setback, and lot coverage requirements. All rights-of-way and dedicated easements conform to design standards of the subdivision ordinance.

Natural hazards and impact to environmentally sensitive land is minimized through the location and design of the proposed subdivision ([Goal I6-a](#))

Yes. The proposed subdivision is not located within the Special Flood Hazard Area (SFHA), also known as the 100-year floodplain, an area

(continued)

where the proposed development would adversely impact water quality and/or environmentally sensitive lands, or an area that is topographically unsuited for development.

Water supply systems will seamlessly transition from a rural to an urban system through cooperation with the South-Central Regional Water District (Goal G3-f, Section 14-09-04(2)d)

Yes. The proposed subdivision will be served with municipal water upon development and no future transition will be necessary.

The City's investment in infrastructure associated with the proposed subdivision is expected to receive a proportional long-term return to residents through future revenues or other public goods associated with this subdivision (Goal G3-a)

Yes. The proposed subdivision involves infill and redevelopment of an area already served by municipal infrastructure. The additional up-front and ongoing costs to the City are expected to be minimal, relative to the benefits provided by the subdivision.

Technical specifications required of the preliminary plat have been met (Section 14-09-07)

Yes. The proposed preliminary plat contains the required information to ensure an accurate and timely review by staff, the Planning and Zoning Commission, and the general public.

Proper administrative procedures related to the request are being followed (Section 14-09-04)

Yes. All administrative procedures of the City Code of Ordinances and North Dakota Century Code have been followed to date. Staff held a meeting with the applicant to discuss the request prior to submittal of a formal application. A complete application for the preliminary plat was submitted to the Planning Department, and the required staff review of all submitted materials has occurred prior to submittal of this report to the Planning and Zoning Commission.

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

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

Staff Recommendation

Based on the above findings, staff recommends calling for a public hearing on the proposed zoning map amendment from the A – Agricultural zoning districts to the R10 – Residential and P – Public zoning districts and tentative approval of the major subdivision preliminary plat for Boulder Ridge Eighth Addition.

Attachments

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

Staff report prepared by: Jenny Wollmuth, AICP, CFM, Senior Planner
701-355-1845 | jwollmuth@bismarcknd.gov

CITY OF BISMARCK

ORDINANCE NO. XXXX

First Reading
Second Reading
Final Passage and Adoption
Publication Date

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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 A – Agriculture zoning district and included in the R10 – Residential zoning district:

Lots 1-6, Block 1; Lots 1-2, Block 3; and Lots 1-7, Block 4, Boulder Ridge Eighth Addition

The following described property shall be excluded from the A – Agriculture zoning district and included in the P – Public zoning district:

Lot 1, Block 2, Boulder Ridge Eighth Addition

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.

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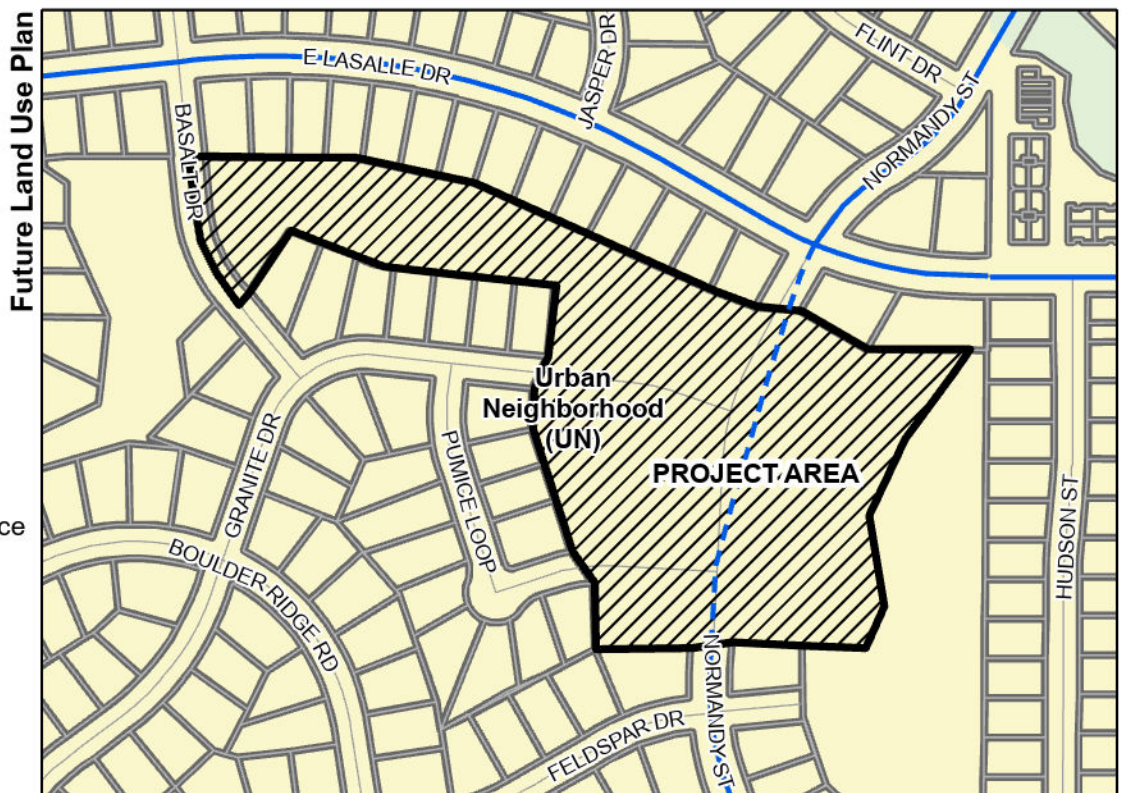
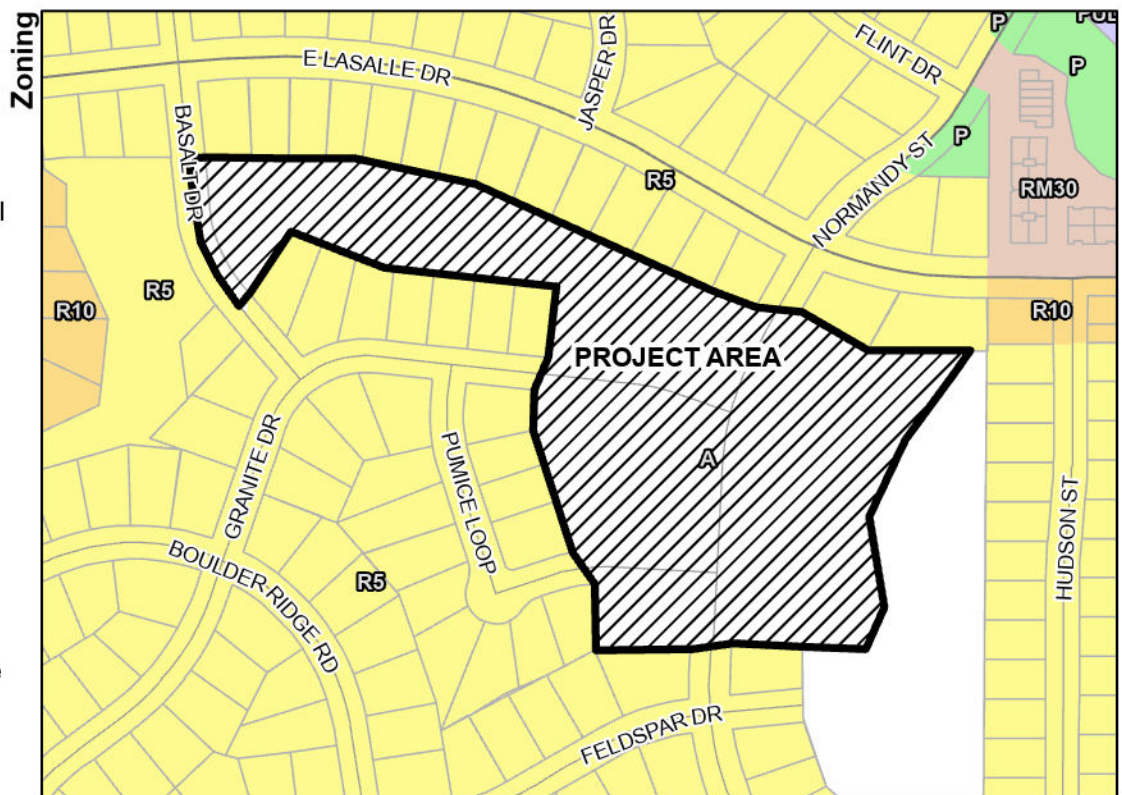
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Active Mobility Plan

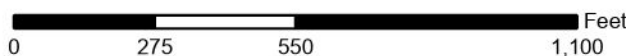
— Future Shared Trail

Major Street Plan

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- -	Future Arterial
—	Existing Collector
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—	Existing Interstate
- -	Future Interstate
▬	City Limits



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City of Bismarck
Planning Department
January 21, 2026

Proposed New Zoning Map

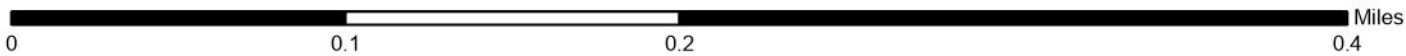
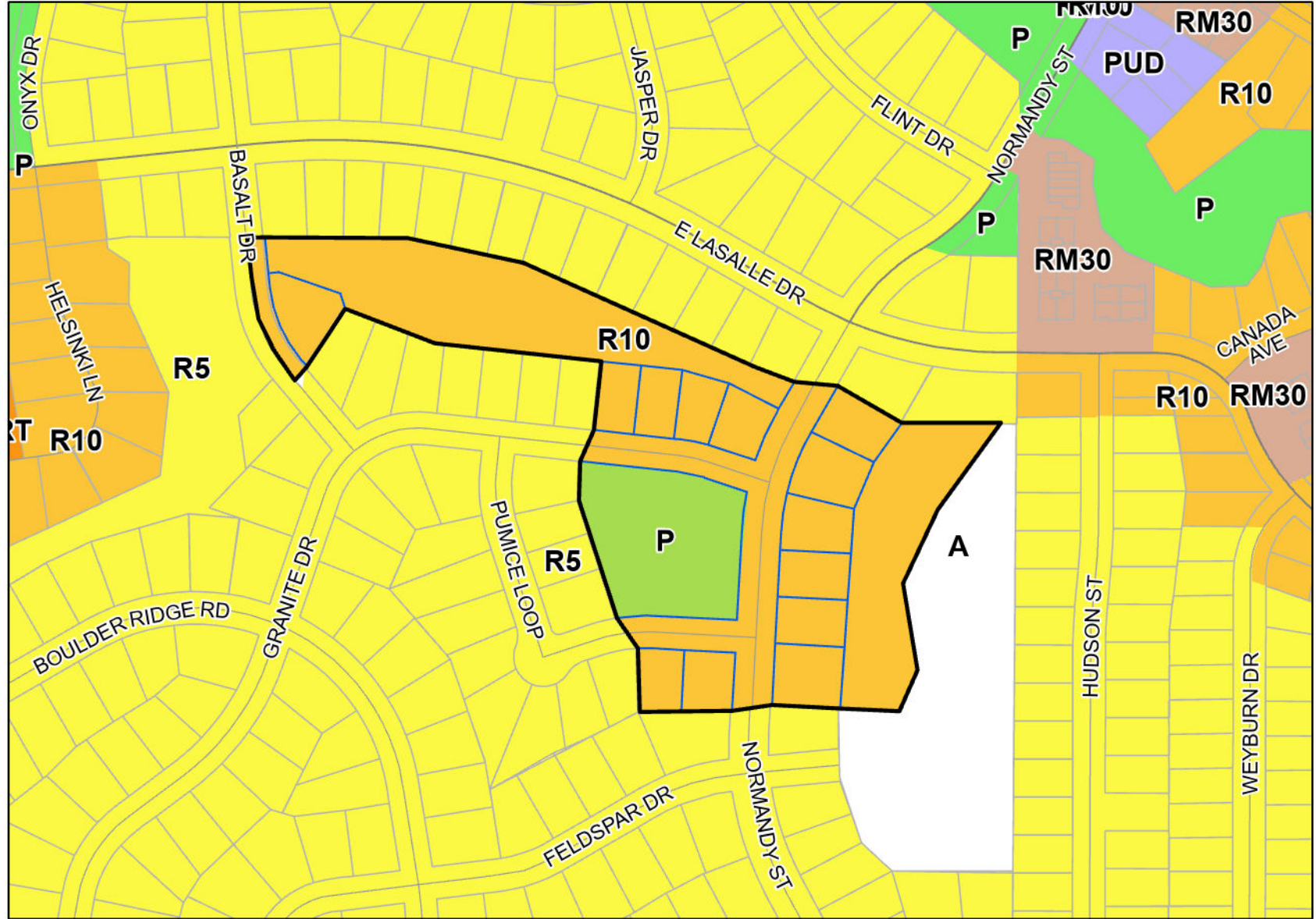
 Project Area (zoning within is proposed)

 City Limits

Zoning Districts

- A** Agriculture
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- R10** Residential
- RM** Residential Multifamily
- RT** Residential (Offices)
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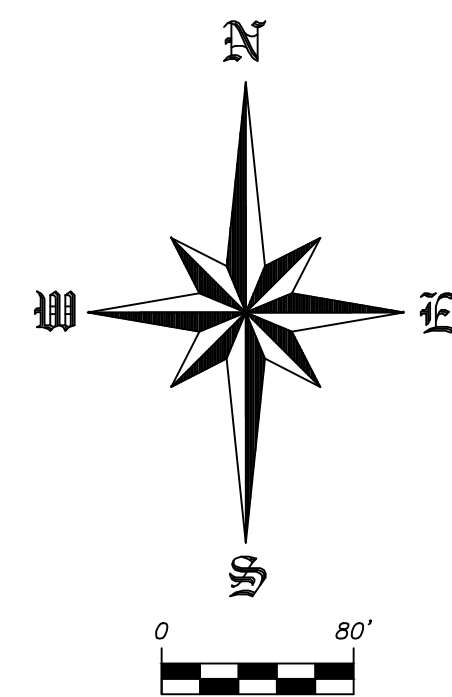
A "C-" prior to the district indicates that special conditions would apply to the zoning district



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City of Bismarck
Planning Department
January 23, 2026



SCALE - 1" = 80'
VERTICAL DATUM: NAVD 88
JANUARY 9, 2026

BOULDER RIDGE EIGHTH ADDITION

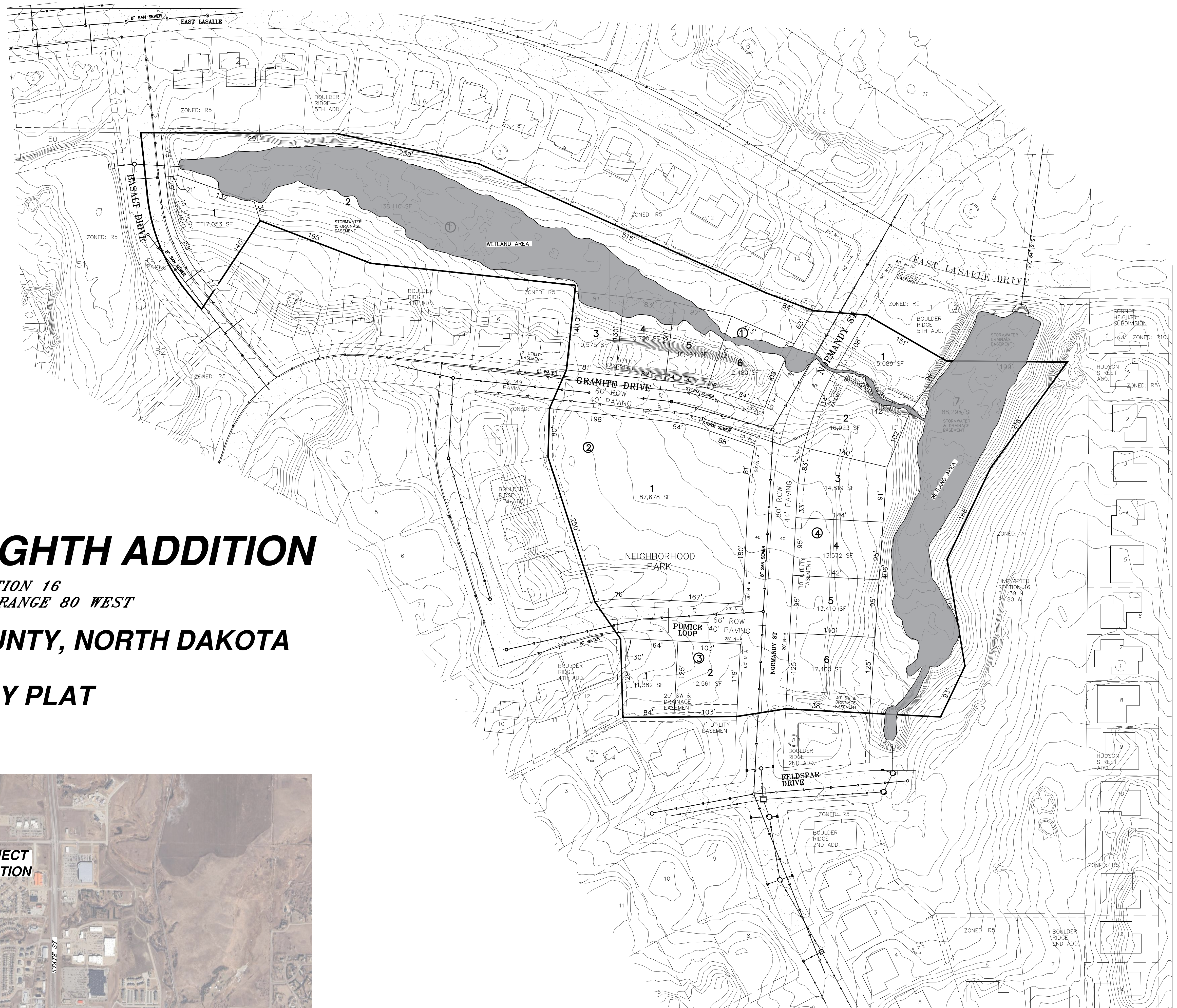
PART OF SECTION 16
TOWNSHIP 139 NORTH, RANGE 80 WEST

BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA

PRELIMINARY PLAT



LOCATION MAP



13.6 ACRES
EXISTING ZONING: AG
PROPOSED ZONING: R10/P

16 LOTS, 4 BLOCKS

OWNER: 5 GUYS INVESTMENT, LLP

CENTERLINE LENGTHS:

NORMANDY ST---827 LF (COLLECTOR)
PUMICE LOOP---261 LF (LOCAL)
GRANITE DRIVE---378 LF (LOCAL)

MAXIMUM ALLOWABLE HOUSING UNITS:

R10 ---26 UNITS
P---0 UNITS



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

STAFF REPORT

Agenda Item # 3C

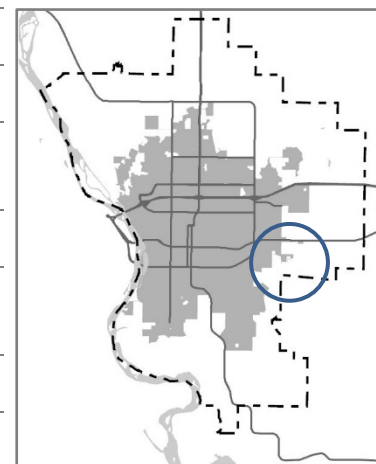
January 28, 2026

Application for: **Zoning Map Amendment**
Preliminary Plat

Project ID: **ZC2025-020**
PPLT2025-010

Project Summary

<i>Title:</i>	Clear Sky Second Addition
<i>Status:</i>	Planning and Zoning Commission – Consideration
<i>Property Owner(s):</i>	FRF Investments LLP 94 Investments LLP
<i>Project Contact:</i>	Andra Marquardt, PLS, Toman Engineering
<i>Project Location:</i>	East of Bismarck, east of 52nd Street SE and north of Apple Creek Road
<i>Project Size:</i>	19.18 acres, more or less
<i>Applicant Request:</i>	Rezone and plat to facilitate single-family development
<i>Staff Recommendation:</i>	Tentatively approve / call for public hearing



Site Information

<i>Existing Conditions</i>		<i>Proposed Conditions</i>	
<i>Lots/Blocks:</i>	3 unplatted parcels and 1 platted	<i>Lots/Blocks:</i>	60 lots in 4 blocks
<i>Land Use:</i>	Undeveloped	<i>Land Use:</i>	Single-family residential
<i>Future Land Use:</i>	Urban Neighborhood (UN)	<i>Future Land Use:</i>	No change
<i>Zoning:</i>	A – Agricultural R5 – Residential	<i>Zoning:</i>	R5 – Residential
<i>Uses Allowed:</i>	A – Agriculture R5 – Single-family residential	<i>Uses Allowed:</i>	R5 – Single-family residential
<i>Max Density:</i>	A – 1 unit / 40 acres R5 – 5 units / acre	<i>Max Density:</i>	R5 – 5 units / acre

Area Information

<i>Zoning Jurisdiction:</i>	Extraterritorial Area (ETA)
<i>Township:</i>	Hay Creek (organized)
<i>Neighborhood:</i>	Undefined

Property History

<i>Zoned:</i>	06/2019 (R5 zoned Parcel)
<i>Platted:</i>	07/2019 (R5 zoned Parcel)
<i>Annexed:</i>	N/A

(continued)

Project Narrative

FRF Investments LLP and 94 Investments LLP are requesting approval of a zoning map amendment from the R5 – Residential and the A – Agricultural zoning districts to the R5 –

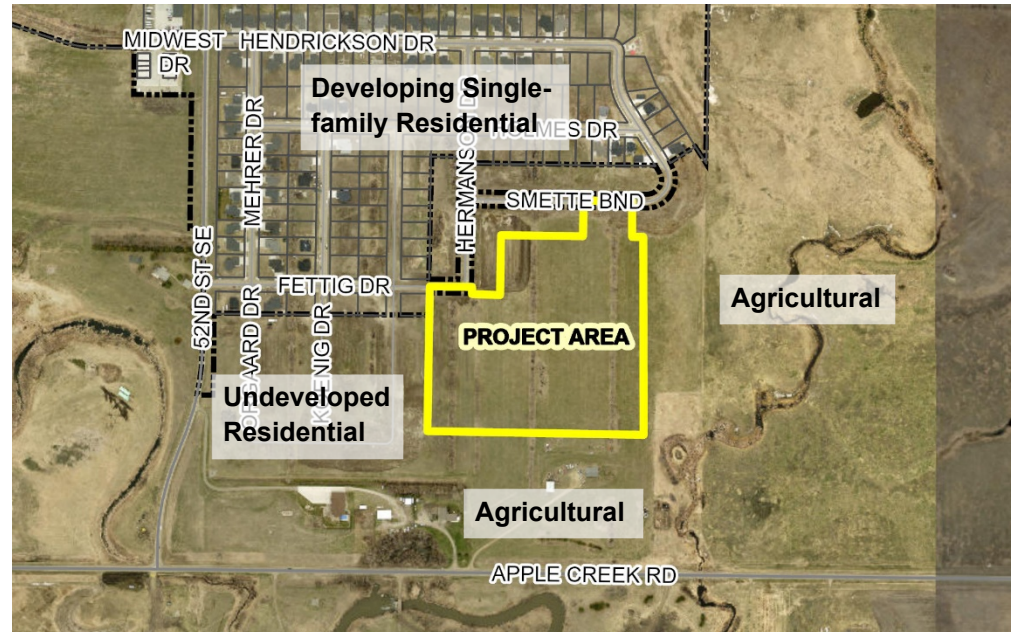
Residential zoning district and a major subdivision preliminary plat titled Clear Sky Second Addition.

The applicant has indicated that annexation of the proposed plat will occur at a later date.

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 Urban Neighborhood (UN) in the Future Land Use Plan. The UN areas are places for quiet enjoyment of home life. Goals and objectives of this plan as they relate to the major subdivision preliminary plat and the zoning map amendment are referenced in review standards below.

Adjacent uses include developing single-family residential to the north, undeveloped residential to the west, and agricultural land to the south and east.

Public Engagement

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

Basic project information, with the ability to contact staff for more details, has been provided publicly online through the Open Development Projects Dashboard and 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.

(continued)

Zoning Map Amendment

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 Urban Neighborhood 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.

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 single-family residential. Development that may be anticipated from the proposed zoning would have no negative impact on the surrounding properties.

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 R5- Residential for Lots 39-41, Block 1, Clear Sky Addition was established in June 2019, and the current zoning district of A – Agricultural for the remainder of the project area is the default for any piece of land that has not been otherwise zoned. The property is adjacent to the Clear Sky neighborhood which continues to develop and expand. Therefore, the proposed zoning of the property to the R5 – Residential zoning district at this time will help facilitate future phases of development.

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 would not adversely impact housing opportunities in any way.

The goals and objectives of Together 2045 Bismarck's Comprehensive Plan would be advanced by the proposed zoning ordinance map amendment ([Comprehensive Plan](#))

Yes. The following objectives of the plan would be advanced through the proposed amendment.

- S10: Support the arrangement of compatible land uses to minimize adjacent conflicts.
- C4(c): Provide for sufficient street and pathway connectivity and shortened block lengths on new development during the subdivision review process, including to undeveloped areas outside of the development with use of temporary stub-outs as necessary.
- G3: Coordinate expansion of city infrastructure and services with growth.

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 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.

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

(continued)

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.

Major Subdivision Preliminary Plat

The Major Street Plan is adhered to with the proposed subdivision ([Major Street Plan](#))

Yes. There are no corridors identified in the Major Street Plan within or adjacent to the proposed subdivision. A plan reference map is attached to this staff report.

The Active Mobility Plan is adhered to with the proposed subdivision ([Active Mobility Plan](#))

Yes. There are no corridors identified in the Active Mobility Plan within or adjacent to the proposed subdivision. A plan reference map is attached to this staff report.

A neighborhood park will be available within walking distance for all urban residents ([Goal 11-a](#), Section 14-09-04(2)a(vii))

Yes. Adequate parks and open space already exist to serve anticipated residents of this subdivision with the previously dedicated Heroes Park. The requirements of the neighborhood parks and open space policy have been waived by the Bismarck Parks and Recreation District. A formal letter waiving this requirement will be provided by the Bismarck Parks and Recreation District.

Additionally, a neighboring property owner intends to dedicate land to the Bismarck Parks and Recreation District to the southeast of the plat. A park development agreement will be finalized separately. Lots 12 and 14, Block 4, Clear Sky Second Addition include access easements to provide connectivity between the Clear Sky neighborhood and that future park area.

Vehicle trips generated by the proposed subdivision will be adequately supported by the transportation system ([Goal C3-c](#))

Yes. The proposed subdivision would likely not have a substantial effect on circulation and safety of public roadways in the vicinity, and therefore no traffic impact study is required.

Street connectivity is provided for efficient travel and secondary access for emergency services ([Goal C4](#), Section 14-09-05)

Yes. Subdivision design requirements, such as maximum block length, intended to promote street connectivity have been met, and there are no cul-de-sacs or dead-end streets in the proposed subdivision. The City's Secondary Roadway Access Policy has been met allowing alternative routes into and out of the subdivision.

Roadway access is managed to reduce potential points of conflict and improve safety ([Goal C3-b](#))

Yes. Direct access to major public roadways is appropriately limited and spacing of all intersections is adequate to meet the City's access management standards and professional engineering judgement. Non-access lines will be dedicated with the proposed plat to communicate and enforce this access control.

Stormwater runoff impacted by this subdivision is adequately managed to protect public and private investments and the natural environment ([Goal 15](#), Section 14.1-04-03);

Yes. There is a plan to manage any stormwater runoff generated by this subdivision. A scoping sheet for a post-construction stormwater management permit (PCSMP) has been approved by the City Engineer, and the PCSMP will be approved prior to submittal of a final plat.

Dimensional standards of the zoning ordinance are met with the proposed subdivision (Title 14)

(continued)

Yes, with a waiver from subdivision requirements requested by the applicant. Lots 12 and 14, Block 4, Clear Sky Second Addition are encumbered completely by access and stormwater and drainage easements and therefore would be considered non-buildable. Staff find this justification to be valid. This waiver request is attached.

All remaining lots meet area and width requirements of the zoning district within which they are located, and there is sufficient space within each lot for anticipated buildings to meet density, setback, and lot coverage requirements. All rights-of-way and dedicated easements conform to design standards of the subdivision ordinance.

Natural hazards and impact to environmentally sensitive land is minimized through the location and design of the proposed subdivision ([Goal I6-a](#))

Yes. The proposed subdivision is not located within the Special Flood Hazard Area (SFHA), also known as the 100-year floodplain, an area where the proposed development would adversely impact water quality and/or environmentally sensitive lands, or an area that is topographically unsuited for development.

Water supply systems will seamlessly transition from a rural to an urban system through cooperation with the South-Central Regional Water District ([Goal G3-f](#), Section 14-09-04(2)d)

Yes. The proposed subdivision will be served with municipal water upon development and no future transition will be necessary.

The City's investment in infrastructure associated with the proposed subdivision is expected to receive a proportional long-term return to residents through future revenues or other public goods associated with this subdivision ([Goal G3-a](#))

Yes. The future revenue and other public goods generated by the proposed subdivision are

expected to be proportional to the public costs of development. Public costs associated with provision of municipal water and sewer service to new development will be adequately compensated for through payment of utility capital charges. The initial development will be funded by the developer or through special assessment of properties benefitted by said improvements, as outlined in the Development Cost Policy. Ongoing costs of maintenance and operation of all public facilities will be offset by property and/or sales tax derived from the proposed subdivision.

Technical specifications required of the preliminary plat have been met (Section 14-09-07)

Yes. The proposed preliminary plat contains the required information to ensure an accurate and timely review by staff, the Planning and Zoning Commission, and the general public.

Proper administrative procedures related to the request are being followed (Section 14-09-04)

Yes. All administrative procedures of the City Code of Ordinances and North Dakota Century Code have been followed to date. Staff held a meeting with the applicant to discuss the request prior to submittal of a formal application. A complete application for the preliminary plat was submitted to the Planning Department, and the required staff review of all submitted materials has occurred prior to submittal of this report to the Planning and Zoning Commission.

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

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

(continued)

Staff Recommendation

Based on the above findings, staff recommends calling for a public hearing on the proposed zoning map amendment from the R5 – Residential and the A – Agricultural zoning districts to the R5 – Residential zoning district and tentative approval of the major subdivision preliminary plat for Clear Sky Second Addition.

Attachments

1. Draft Zoning Ordinance
2. Zoning and Plan Reference Map
3. Proposed Zoning Map
4. Preliminary Plat
5. Subdivision Standards Waiver Request

Staff report prepared by: Lauren Oster, Planner

701-355-1846 | laoster@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 R5 – Residential and A - Agricultural zoning districts and included in the R5 - Residential zoning district:

Lots 1-8, Block 1; Lots 1-18, Block 2; Lots 1-12, Block 3; and Lots 1-22, Block 4, Clear Sky Second Addition

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 Districts

A	Agriculture
RR	Rural
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

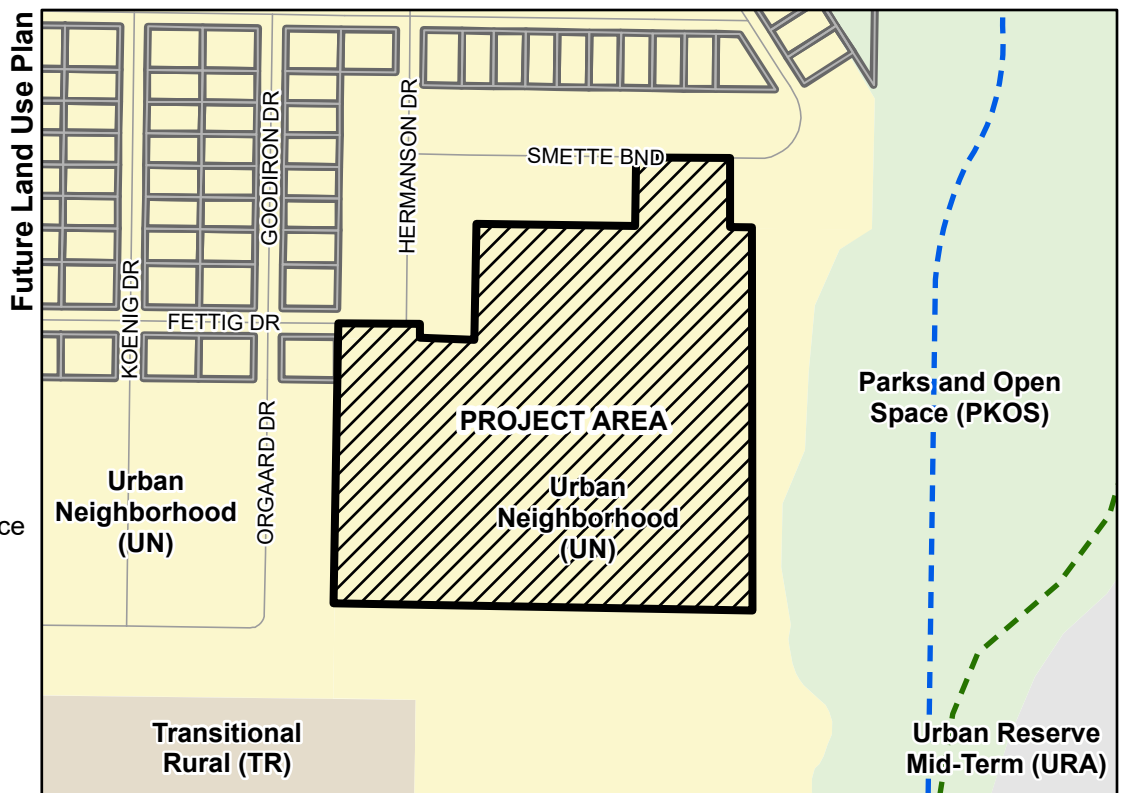
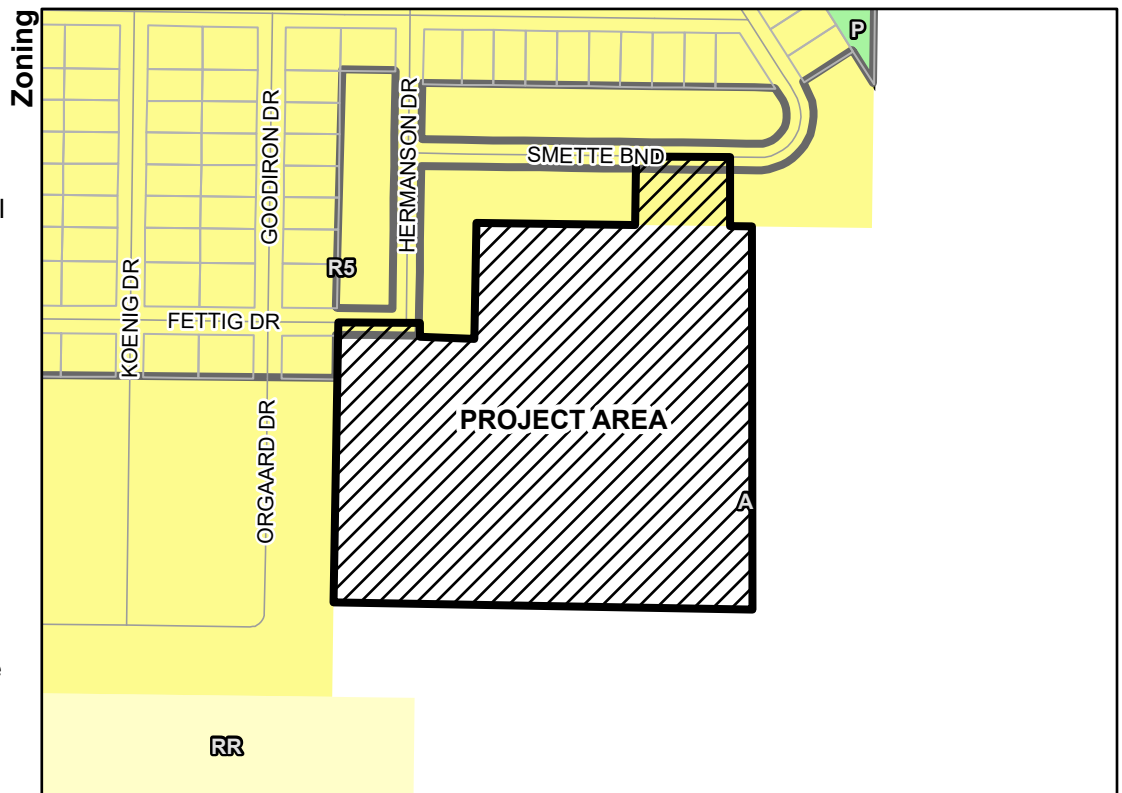
UN	Urban Neighborhood
NMU	Neighborhood Mixed Use
CMU	Community Mixed Use
DMU	Destination Mixed Use
DT	Downtown
IND	Industrial
IF	Industrial Flex
IMU	Industrial Mixed Use
INS	Institutional
RR	Rural
TR	Transitional Rural
PKOS	Parks/Open Space
URA/URB	Urban Reserve Mid/Long-Term

Active Mobility Plan

— Future Shared Trail

Major Street Plan

- Existing Arterial
- Future Arterial
- Existing Collector
- Future Collector
- Existing Interstate
- Future Interstate
- City Limits

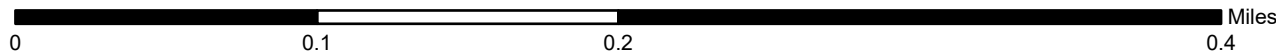
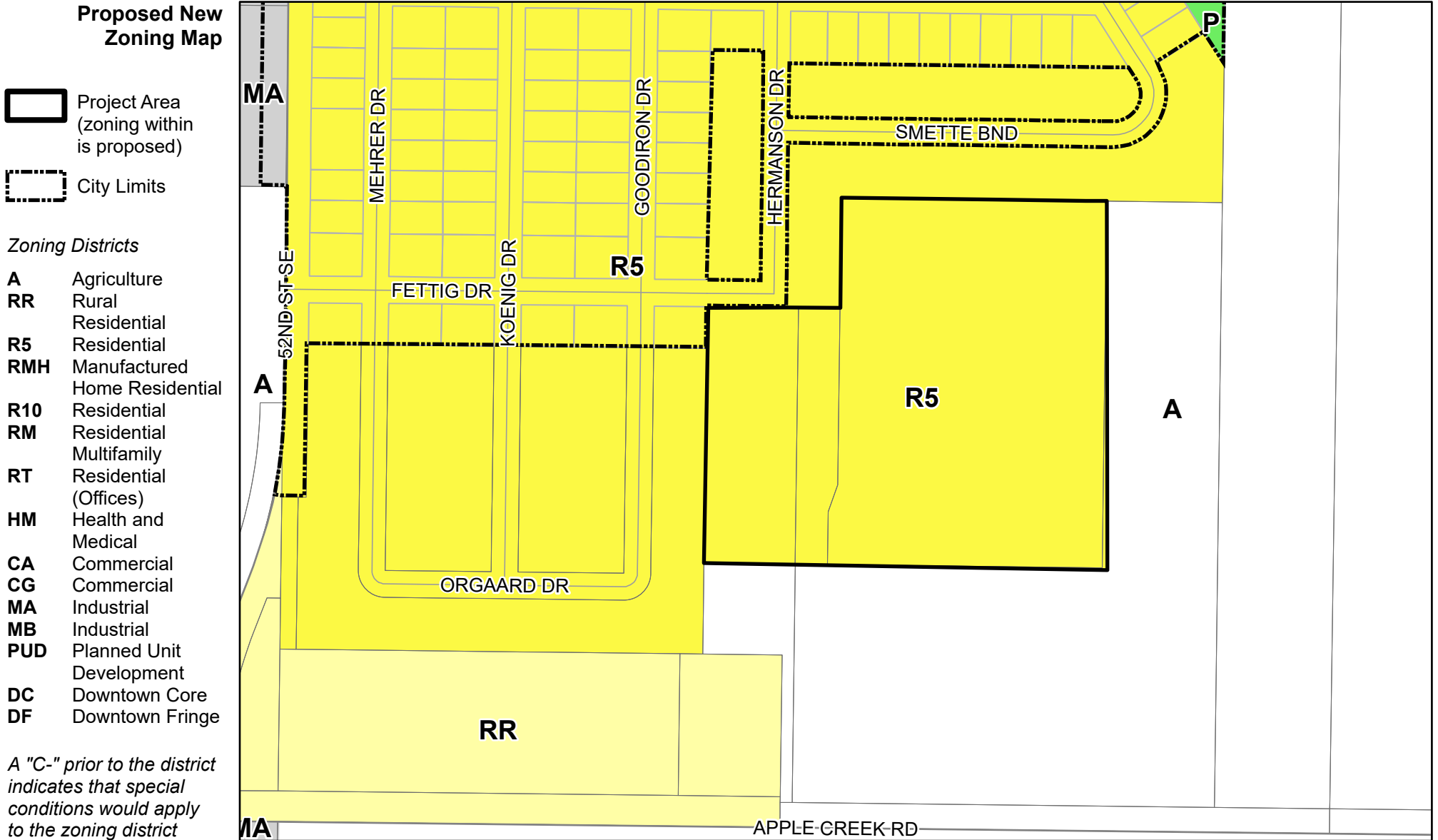


This map is for representational use only and does not represent a survey.
No liability is assumed as to the accuracy of the data delineated hereon.

0 330 660 1,320 Feet



City of Bismarck
Planning Department
January 20, 2026



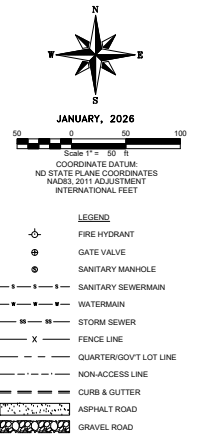
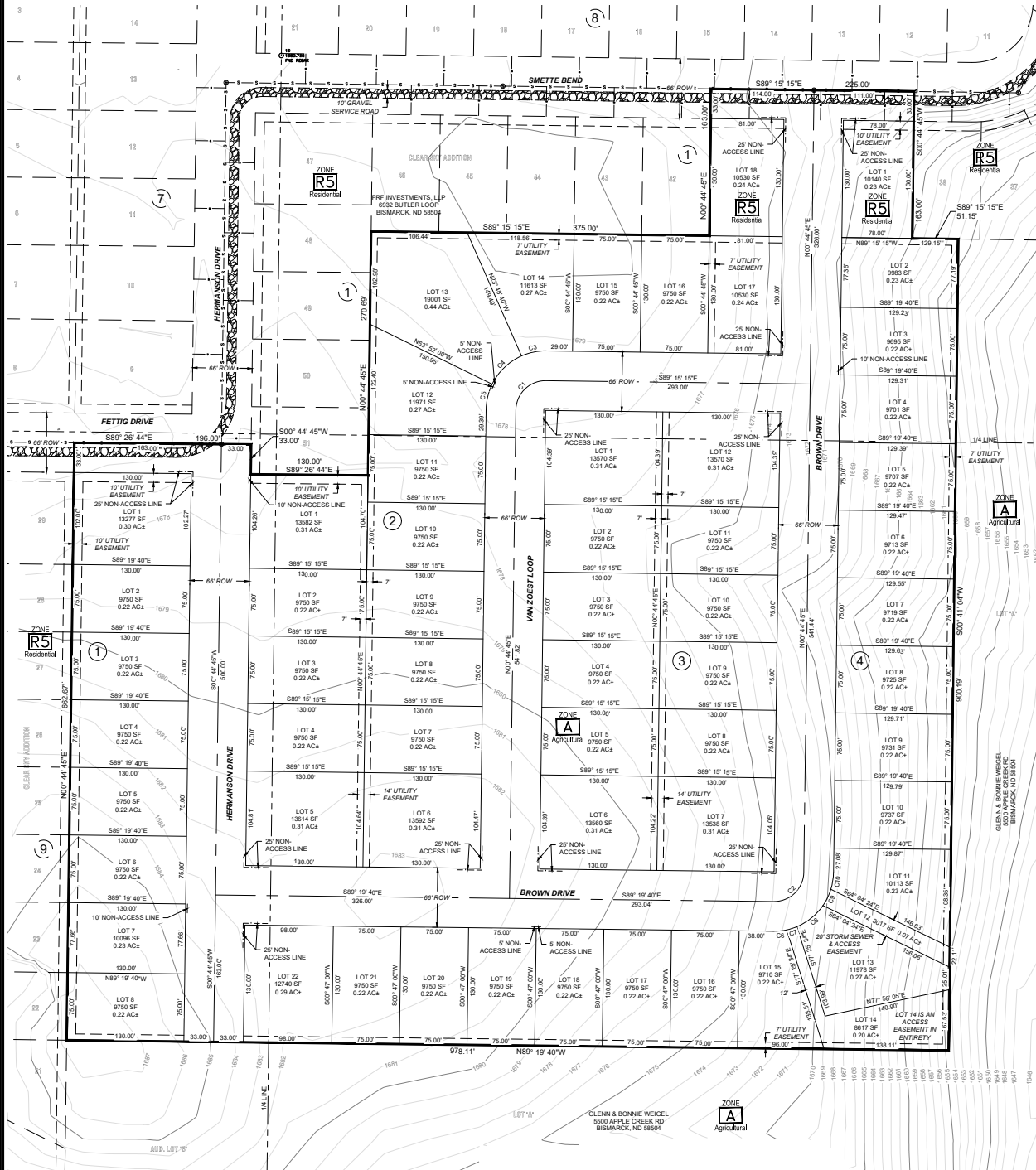
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No liability is assumed as to the accuracy of the data delineated hereon.*



City of Bismarck
Planning Department
January 20, 2026

PRELIMINARY PLAT CLEAR SKY SECOND ADDITION

ALL OF LOTS 39-41, BLOCK 1, AND PART OF FETTING DRIVE AND SMETTE BEND, CLEAR SKY ADDITION, PART OF LOT "A" AND AUD. LOT "B," ALL IN THE SOUTHWEST 1/4 OF SECTION 6, T138N-R79W OF THE 5TH P.M. OF THE CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA.



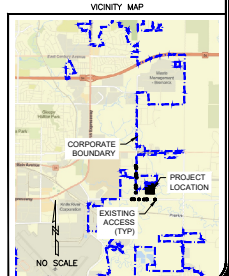
CENTERLINE STREET CURVE TABLE				
CURVE #	DELTA	RADIUS	LENGTH	CHORD
C1	90°00'00"	33.00'	51.34'	46.87'
C2	89°59'39"	33.00'	51.79'	46.84'

LOT LINE CURVE TABLE			
CURVE #	DELTA	RADIUS	LENGTH
C3	24°30'29"	66.00'	28.29'
C4	40°03'02"	66.00'	46.14'
C5	20°23'59"	66.00'	28.24'
C6	12°50'46"	66.00'	14.34'
C7	10°25'59"	66.00'	12.02'
C8	32°43'09"	66.00'	37.89'
C9	17°20'46"	66.00'	20.38'
C10	16°27'58"	66.00'	18.97'

OWNERS:
FRF INVESTMENTS, LLP
6832 BUTLER LOOP
BISMARCK, ND 58504
94 INVESTMENTS, LLP
6131 CAREFREE CIRCLE
BISMARCK, ND 58503

BASIS OF BEARING:
BASIS OF BEARING: SOUTH BOUNDARY LINE OF THE SW1/4, SECTION 6, T138N-R79W NORTH 89° 20' 19" WEST.

NOTES:
1. BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS DOCUMENTS OF RECORD DUE TO DIFFERENT METHODS OF FIELD MEASUREMENT.
2. WATER TO BE PROVIDED BY THE CITY OF BISMARCK.
3. TOTAL LOT ACRES: 14.43
TOTAL ROAD ACRES: 4.75
TOTAL ACRES: 19.18





TOMAN ENGINEERING

501 1st Street NW, Mandan, ND 5854

Phone: 701-663-6483 * Fax: 701-663-0923

SURVEYOR: ANDRA L. MARQUARDT, RLS-4623



City of Bismarck
Community Development Department
Planning Division
Phone: 701-355-1840 • FAX: 701-222-6450 • TDD: 711
PO Box 5503 • Bismarck, ND 58506-5503
planning@bismarcknd.gov

Last Revised: 05/14/2025

SUBDIVISION REQUIREMENTS/ STANDARDS WAIVER REQUEST

If any waivers from subdivision requirements/standards are being requested, this form must be completed and submitted in conjunction with the unified development application. ***This form cannot be used for amendments to the Major Street Plan or the Future Land Use Plan, or for written justification for the use of cul-de-sacs or private roadways.***

SUBDIVISION INFORMATION:

Name of Subdivision:

Clear Sky Second Addition

REQUESTED WAIVERS FROM SUBDIVISION REQUIREMENTS/STANDARDS:

☐ Ghost Platting

Reason for Request:

☐ Paving of Interior Roadways

Reason for Request:

☐ Maximum Block Length

Reason for Request:

☒ Minimum Lot Width/Area

Reason for Request:

Lots 14 Block 4 does not meet the lot width requirements for R5 zoning due to it being reserved as a storm water and access easement, and Lot 12 Block 4 does not meet the zone requirement for lot area due to being reserved for an access easement, both for the City of Bismarck and Park District.

☐ Other (Specify)

Reason for Request:

☐ Other (Specify)

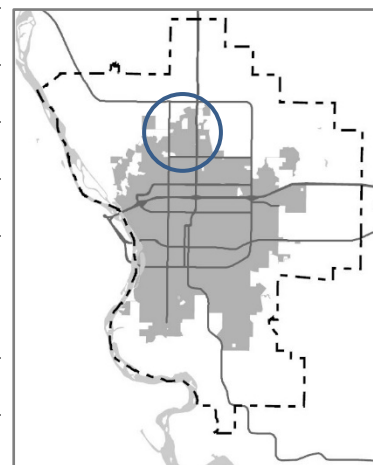
Reason for Request:

☐ Other (Specify)

Reason for Request:

Project Summary

<i>Title:</i>	Boulder Ridge Seventh Addition Second Replat
<i>Status:</i>	Planning and Zoning Commission - Public Hearing
<i>Property Owner(s):</i>	The New Development Company, Inc.
<i>Project Contact:</i>	Landon Niemiller, AICP, Swenson Hagen & Co.
<i>Project Location:</i>	In north Bismarck, east of North Washington Street, south of 57th Avenue NE, between Flint Drive and Calvert Drive
<i>Project Size:</i>	10.83 acres
<i>Applicant Request:</i>	Replat property for development
<i>Staff Recommendation:</i>	Approve with conditions



Site Information

<i>Existing Conditions</i>		<i>Proposed Conditions</i>	
<i>Lots/Blocks:</i>	2 lots in 1 block	<i>Lots/Blocks:</i>	11 lots in 1 block
<i>Land Use:</i>	Undeveloped	<i>Land Use:</i>	Rowhouses
<i>Future Land Use:</i>	Neighborhood Mixed Use (NMU)	<i>Future Land Use:</i>	No change
<i>Zoning:</i>	RM15 – Residential	<i>Zoning:</i>	No change
<i>Uses Allowed:</i>	RM15 – Multi-family residential	<i>Uses Allowed:</i>	No change
<i>Max Density:</i>	RM15 – 15 units / acre	<i>Max Density:</i>	No change

Area Information

Property History

<i>Zoning Jurisdiction:</i>	Bismarck City Limits	<i>Zoned:</i>	07/2019
<i>Township:</i>	N/A (City of Bismarck)	<i>Platted:</i>	12/2020
<i>Neighborhood:</i>	Boulder Ridge	<i>Annexed:</i>	07/2019 and 06/2021

(continued)

Project Narrative

The New Development Company, Inc. is requesting approval of a minor subdivision final plat titled Boulder Ridge Seventh Addition Second Replat.

The proposed plat is a replat of Lots 1 and 2, Block 3, Boulder Ridge Seventh Addition First

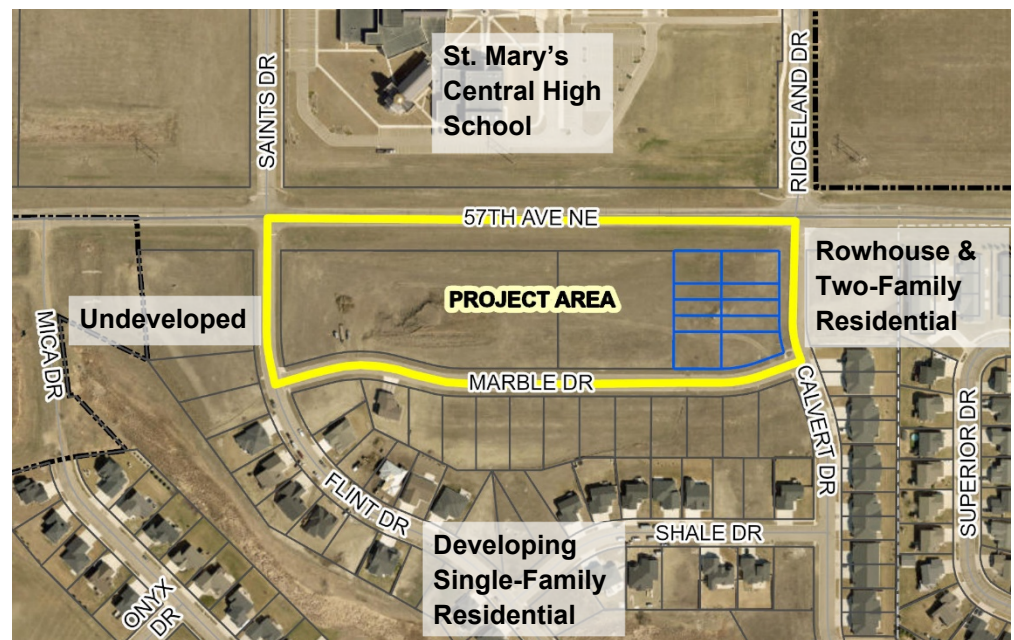
Replat. The proposed plat would create 11 lots in 1 block.

The property is included in the RM15 – Residential zoning district; a zoning map amendment is not being requested.

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 the social and commercial gathering spaces for the immediate surrounding residential areas. Goals and objectives of this plan as they relate to the minor subdivision final plat are referenced in review standards below.

Adjacent uses include St. Mary's Central High School to the north across 57th Avenue NE; Rowhouses and two-family residential to the east across Calvert Drive; developing single-family residential south across Marble Drive; and undeveloped land west across Flint Drive.

Public Engagement

The public has been duly notified of this request. A notice was published in the Bismarck Tribune on January 16 and 23, and 49 postcards were mailed to the owners of nearby properties on January 16, 2026.

A physical sign providing information on the public hearing was placed in a publicly accessible spot at the project location on January 12, 2026.

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

(continued)

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.

Additional Notification Requirements

North Dakota Century Code (NDCC) and the City's zoning ordinance identifies specific applicant notification requirements for a public hearing at the Planning and Zoning Commission for a plat. In particular, the City's zoning ordinance requires a certified letter be sent no later than 10 days before the hearing and NDCC requires a certified letter be sent no later than 5 days before the hearing.

The applicant and their consultant receive notification updates throughout the application process including notification of the potential timeline of the hearing when the application is received. However, the required certified letter was not sent in the time period referenced in the zoning ordinance but was sent in the time period referenced in NDCC.

The applicant and their consultant are aware of this error and the required certified letter was sent to the applicant on January 22, 2026. The applicant has requested that this requirement be waived in order to meet the expected project timeline for a minor subdivision final plat.

The Planning and Zoning Commission has waived other zoning ordinance requirements in the past and this request may mirror those decisions as the intent of the zoning ordinance to notify the applicant was upheld and state law was met.

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.

Dimensional standards of the zoning ordinance are met with the proposed subdivision ([Title 14](#))

Yes, with written justification and approval of a private street as described in Section 14-09-05(1)e. All dedicated easements conform to design standards of the subdivision ordinance. All lots meet area and width requirements of the zoning district within which they are located, and there is sufficient space within each lot for anticipated buildings to meet density, setback, and lot coverage requirements with approval of a private street.

The applicant has submitted a written justification for the use of a private drive adjacent to Lots 2-11 noting that a site plan for the rowhouse development has already been approved and the dedication of a public right-of-way would create setback violations for the structures that are in place. Staff have requested that a signed private drive private utility agreement be submitted prior to recordation of the plat.

Stormwater runoff impacted by this subdivision is adequately managed to protect public and private investments and the natural environment ([Goal 15, Section 14.1-04-03](#));

Yes. There is a plan to manage any stormwater runoff generated by this subdivision. The post-construction stormwater management permit (PCSMP) has been conditionally approved by the City Engineer.

Technical specifications required of the final plat have been met (Section 14-09-07)

Yes. The proposed final plat contains the required information to ensure an accurate and timely review by staff, the Planning and Zoning Commission, and the general public.

Proper administrative procedures related to the request are being followed (Section 14-09-04)

(continued)

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 final plat approval, 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 for this request, and all requirements for notice of this hearing have been met, as documented in this report above.

As noted in the *Public Engagement* section of the report, the required certified letter was not sent in the time period referenced in the zoning ordinance but was sent in the time period referenced in NDCC. The required certified letter was sent to the applicant on January 22, 2026. The applicant has requested that this requirement be waived in order to meet the expected project timeline for a minor subdivision final plat.

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

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

Staff Recommendation

Based on the above findings, staff recommends approval of the minor subdivision final plat for Boulder Ridge Seventh Addition Second Replat with the following conditions:

1. A signed private drive private utility agreement be submitted prior to recordation of the plat.
2. The Title 14 requirement for a certified letter sent at least 10 days prior to the hearing is waived, with the understanding that it was sent at least 5 days prior to the hearing in accordance with the North Dakota Century Code.

Attachments

1. Zoning and Plan Reference Map
2. Final Plat
3. Original Plat with Replatted Area Highlighted
4. Private Street Justification
5. Building Overlay Exhibit
6. Certified Letter Requirement Waiver

Staff report prepared by: Lauren Oster, Planner

701-355-1846 | laoster@bismarcknd.gov

Zoning Districts

A	Agriculture
RR	Rural
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

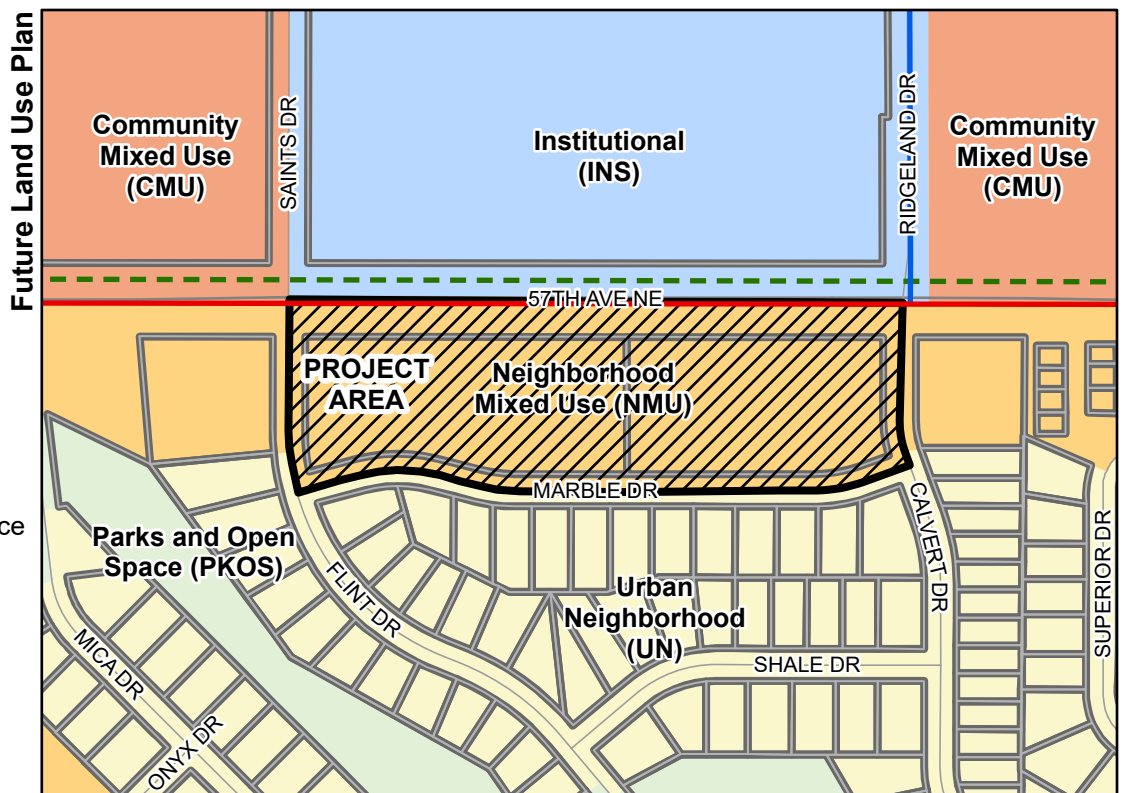
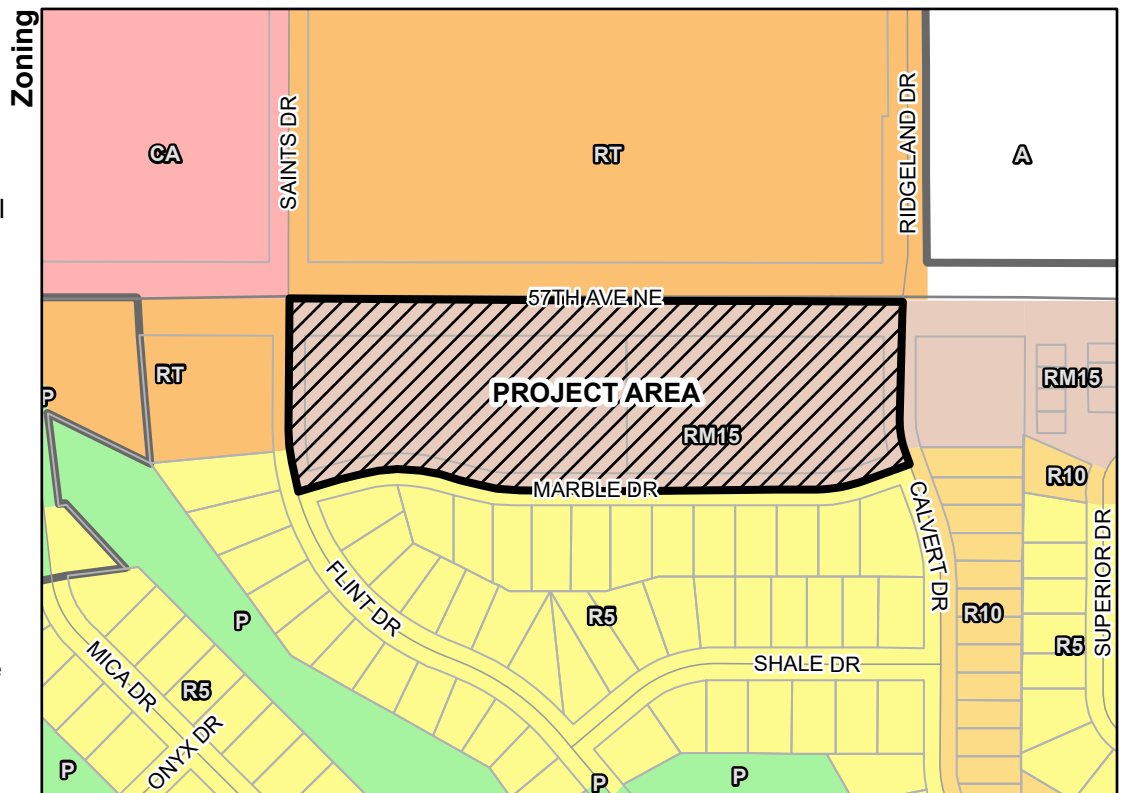
UN	Urban
NMU	Neighborhood Mixed Use
CMU	Community Mixed Use
DMU	Destination Mixed Use
DT	Downtown
IND	Industrial
IF	Industrial Flex
IMU	Industrial Mixed Use
INS	Institutional
RR	Rural
TR	Transitional Rural
PKOS	Parks/Open Space
URA/URB	Urban Reserve Mid/Long-Term

Active Mobility Plan

— Future Shared Trail

Major Street Plan

—	Existing Arterial
- -	Future Arterial
—	Existing Collector
- -	Future Collector
—	Existing Interstate
- -	Future Interstate
—	City Limits



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 herein.

0 285 570 1,140 Feet



City of Bismarck
Planning Department
January 20, 2026

BOULDER RIDGE SEVENTH ADDITION SECOND REPLAT

BEING ALL OF BLOCK 3 OF BOULDER RIDGE SEVENTH ADDITION FIRST REPLAT
AND PART OF THE SOUTH 1/2 OF 57TH AVE NE, PART OF THE WEST 33' OF CALVERT DRIVE, PART OF
THE EAST 1/2 OF FLINT DRIVE, AND PART OF THE NORTH 1/2 OF MARBLE DRIVE RIGHTS-OF-WAY
OF THE NW 1/4 OF SECTION 16, TOWNSHIP 139 NORTH, RANGE 80 WEST
OF THE FIFTH PRINCIPAL MERIDIAN

BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA

DESCRIPTION

BEING ALL OF BLOCK 3 OF BOULDER RIDGE SEVENTH ADDITION FIRST REPLAT AND PART OF THE SOUTH 1/2 OF 57TH AVE NE, PART OF THE WEST 33' OF CALVERT DRIVE, PART OF THE EAST 1/2 OF FLINT DRIVE, AND PART OF THE NORTH 1/2 OF MARBLE DRIVE RIGHTS-OF-WAY OF THE NW 1/4 OF SECTION 16, TOWNSHIP 139 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTERLINE INTERSECTION OF CALVERT DRIVE AND MARBLE DRIVE RIGHTS-OF-WAY; THENCE SOUTH 70 DEGREES 04 MINUTES 17 SECONDS WEST, ON THE CENTERLINE OF MARBLE DRIVE RIGHT-OF-WAY, A DISTANCE OF 98.96 FEET; THENCE WESTERLY AND TO THE RIGHT, CONTINUING ON SAID CENTERLINE, ON A 100.00 FOOT RADIUS CURVE, AN ARC LENGTH OF 104.72 FEET; THENCE NORTH 89 DEGREES 55 MINUTES 43 SECONDS WEST, CONTINUING ON SAID CENTERLINE, A DISTANCE OF 611.85 FEET; THENCE WESTERLY AND TO THE RIGHT, CONTINUING ON SAID CENTERLINE, ON A 300.00 FOOT RADIUS CURVE, AN ARC LENGTH OF 73.30 FEET; THENCE NORTH 75 DEGREES 55 MINUTES 43 SECONDS WEST, CONTINUING ON SAID CENTERLINE, A DISTANCE OF 95.11 FEET; THENCE WESTERLY AND TO THE LEFT, CONTINUING ON SAID CENTERLINE, ON A 300.00 FOOT RADIUS CURVE, AN ARC LENGTH OF 150.31 FEET; THENCE SOUTH 75 DEGREES 21 MINUTES 49 SECONDS WEST, CONTINUING ON SAID CENTERLINE, A DISTANCE OF 134.75 FEET TO THE CENTERLINE OF FLINT DRIVE RIGHT-OF-WAY; THENCE NORTHERLY AND TO THE RIGHT, ON SAID CENTERLINE, ON A 500.00 FOOT RADIUS CURVE, THE RADIUS OF WHICH BEARS NORTH 75 DEGREES 08 MINUTES 10 SECONDS EAST, AN ARC LENGTH OF 130.33 FEET; THENCE NORTH 00 DEGREES 04 MINUTES 17 SECONDS EAST, CONTINUING ON SAID CENTERLINE, A DISTANCE OF 262.35 FEET TO THE CENTERLINE OF 57TH AVE NE RIGHT-OF-WAY; THENCE SOUTH 89 DEGREES 55 MINUTES 43 SECONDS EAST, ON SAID CENTERLINE, A DISTANCE OF 1247.15 FEET TO THE CENTERLINE OF CALVERT DRIVE RIGHT-OF-WAY; THENCE SOUTH 00 DEGREES 04 MINUTES 17 SECONDS WEST, ON SAID CENTERLINE, A DISTANCE OF 243.92 FEET; THENCE SOUTHERLY AND TO THE LEFT, CONTINUING ON SAID CENTERLINE, ON A 200.00 FOOT RADIUS CURVE, AN ARC LENGTH OF 69.81 FEET; THENCE SOUTH 19 DEGREES 55 MINUTES 43 SECONDS EAST, CONTINUING ON SAID CENTERLINE, A DISTANCE OF 35.41 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 10.83 ACRES, MORE OR LESS.

APPROVAL OF CITY PLANNING & ZONING COMMISSION

THE SUBDIVISION OF LAND AS SHOWN ON THE PLAT HAS BEEN APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF BISMARCK, ON THE _____ 202____, IN ACCORDANCE WITH LAWS OF THE STATE OF NORTH DAKOTA, ORDINANCES OF THE CITY OF BISMARCK AND REGULATIONS ADOPTED BY THE SAID PLANNING COMMISSION. IN WITNESS WHEREOF ARE SET THE HANDS AND SEALS OF THE CHAIRMAN AND SECRETARY OF THE PLANNING & ZONING COMMISSION OF THE CITY OF BISMARCK.

MICHAEL J. SCHWARTZ - CHAIRMAN

ATTEST

DANIEL NAIRN - SECRETARY

APPROVAL OF BOARD OF CITY COMMISSIONERS

THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND AS SHOWN ON THE PLAT, HAS ACCEPTED THE DEDICATION OF ALL STREETS SHOWN THEREON, HAS APPROVED THE GROUNDS AS SHOWN ON THE APPROVED PLAT AS AN AMENDMENT TO THE MASTER PLAN OF THE CITY OF BISMARCK, NORTH DAKOTA, AND DOES HEREBY VACATE ANY PREVIOUS PLATING WITHIN THE BOUNDARY OF THE APPROVED PLAT. THE FOREGOING ACTION OF THE BOARD OF CITY COMMISSIONERS OF BISMARCK, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED THE _____ DAY OF _____, 202____.

MICHAEL T. SCHMITZ - PRESIDENT

ATTEST

JASON TOMANEK - CITY ADMINISTRATOR

APPROVAL OF CITY ENGINEER

I, GABRIEL J. SCHELL, CITY ENGINEER OF THE CITY OF BISMARCK, NORTH DAKOTA, HEREBY APPROVE THIS PLAT.

GABRIEL J. SCHELL
CITY ENGINEER

OWNER'S CERTIFICATE & DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE NEW DEVELOPMENT COMPANY, INC., BEING THE OWNER AND PROPRIETOR OF THE PROPERTY SHOWN HEREON HAS CAUSED THAT PORTION DESCRIBED HEREON TO BE SURVEYED AND PLATTED AS "BOULDER RIDGE SEVENTH ADDITION SECOND REPLAT", BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, AND DO SO RE-DEDICATE STREETS AS SHOWN HEREON INCLUDING ALL SEWER, CULVERTS, WATER AND OTHER PUBLIC UTILITY LINES WHETHER SHOWN HEREON OR NOT TO THE PUBLIC USE FOREVER.

THEY ALSO DEDICATE EASEMENTS TO THE CITY OF BISMARCK TO RUN WITH THE LAND, FOR GAS, ELECTRIC, TELEPHONE OR OTHER PUBLIC UTILITIES OR SERVICES ON OR UNDER THOSE CERTAIN STRIPS OF LAND DESIGNATED HEREON AS UTILITY EASEMENTS.

THEY FURTHER GRANT SANITARY SEWER EASEMENTS TO THE LAND OWNERS OF LOTS 2-11 BLOCK 1 BOULDER RIDGE SEVENTH ADDITION SECOND REPLAT, TO CONSTRUCT, OPERATE, MAINTAIN, AND REPAIR SANITARY SEWER FACILITIES UNDER OR UPON THE REAL PROPERTY DESIGNATED HEREON AS SANITARY SEWER EASEMENTS.

THEY FURTHER GRANT WATERMAIN EASEMENTS TO THE LAND OWNERS OF LOTS 2-11 BLOCK 1 BOULDER RIDGE SEVENTH ADDITION SECOND REPLAT, TO CONSTRUCT, OPERATE, MAINTAIN, AND REPAIR WATERMAIN FACILITIES UNDER OR UPON THE REAL PROPERTY DESIGNATED HEREON AS WATERMAIN EASEMENTS.

THEY FURTHER GRANT ACCESS EASEMENTS TO THE LAND OWNERS OF LOTS 2-11 BLOCK 1 BOULDER RIDGE SEVENTH ADDITION SECOND REPLAT, THEIR TENANTS, VISITORS AND LICENSEES, IN COMMON WITH ALL OTHERS HAVING LIKE RIGHT AT ALL TIMES HEREAFTER FOR ALL PURPOSES CONNECTED WITH THE USE OF SAID PARTIES, TO PASS AND REPASS ALONG SAID EASEMENT AND TO HOLD SAID EASEMENT TO SAID PARTIES, THEIR HEIRS AND ASSIGNS AND APPURTENANT TO THE LAND OF SAID PARTIES. SAID EASEMENT INCLUDES THE RIGHT OF THE GRANTEEES TO CONSTRUCT, REPAIR AND MAINTAIN A PRIVATE ROAD WITHIN THE EASEMENT AREA.

THEY FURTHER GRANT LANDSCAPE EASEMENTS TO THE LAND OWNERS OF LOTS 2-11 BLOCK 1 BOULDER RIDGE SEVENTH ADDITION SECOND REPLAT, THEIR TENANTS, VISITORS AND LICENSEES, TO ACCESS THEIR PARCELS IN ORDER TO MOW, MAINTAIN AND/OR REPLACE LANDSCAPING, HARDSCAPING, RETAINING WALLS, LIGHTING, FENCES, AND IRRIGATION OVER, ACROSS, AND UNDER THE EASEMENT AREA.

STATE OF NORTH DAKOTA)
COUNTY OF BURLEIGH) SS

DREW KNUTSON, MANAGING PARTNER
THE NEW DEVELOPMENT COMPANY, INC.
101 SLATE DR.
BISMARCK, ND 58503

ON THIS _____ DAY OF _____, 202____, BEFORE ME PERSONALLY APPEARED DREW KNUTSON OF THE NEW DEVELOPMENT COMPANY, INC., KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA
MY COMMISSION EXPIRES _____

SURVEYOR'S CERTIFICATE

I, TERRY BALTZER, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THE APPROVED PLAT IS A TRUE COPY OF THE NOTES OF A SURVEY PERFORMED UNDER MY SUPERVISION AND COMPLETED ON _____, THAT ALL INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT ALL MONUMENTS SHOWN HEREON ARE CORRECT, THAT ALL REQUIRED MONUMENTS HAVE BEEN SET, AND THAT ALL DIMENSIONAL AND GEODETIC DETAILS ARE CORRECT.

SWENSON, HAGEN & CO. P.C.
3002 AIRWAY AVE
BISMARCK, NORTH DAKOTA
58504

TERRY BALTZER
PROFESSIONAL LAND SURVEYOR
N.D. REGISTRATION NO. 3598

NOTES

BASIS OF BEARINGS:
NORTH DAKOTA STATE PLANE, SOUTH ZONE BY
CITY ORDINANCE

COORDINATE DATUM:
NORTH DAKOTA STATE PLANE COORDINATE
SYSTEM
NAD 83 SOUTH ZONE
ADJUSTMENT OF 2011
UNITS ARE INTERNATIONAL FEET

BEARINGS AND DISTANCES MAY VARY FROM
PREVIOUS PLATS DUE TO DIFFERENT METHODS
OF MEASUREMENTS.



SWENSON, HAGEN & COMPANY P.C.

3002 Airway Avenue
Bismarck, North Dakota 58504
Surveying
Hydrology
Land Planning
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Landscape & Site Design
Construction Management
Phone (701) 221-2600
Fax (701) 221-2606
dsh@swensondagn.com

BOULDER RIDGE SEVENTH ADDITION SECOND REPLAT

BEING ALL OF BLOCK 3 OF BOULDER RIDGE SEVENTH ADDITION FIRST REPLAT
AND PART OF THE SOUTH 1/2 OF 57TH AVE NE, PART OF THE WEST 33' OF CALVERT DRIVE, PART OF
THE EAST 1/2 OF FLINT DRIVE, AND PART OF THE NORTH 1/2 OF MARBLE DRIVE RIGHTS-OF-WAY
OF THE NW 1/4 OF SECTION 16, TOWNSHIP 139 NORTH, RANGE 80 WEST
OF THE FIFTH PRINCIPAL MERIDIAN

BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA

ND STATE PLANE
COORDINATES
SOUTH ZONE
INTERNATIONAL FEET
NAD 83 ADJUSTMENT
OF 2011
N 437881.0
E 1896202.2

S89°55'43"E
1247.15'

ND STATE PLANE
COORDINATES
SOUTH ZONE
INTERNATIONAL FEET
NAD 83 ADJUSTMENT
OF 2011
N 437881.4
E 1897449.9

0' 50'
SCALE - 1" = 50'
JANUARY 8, 2026

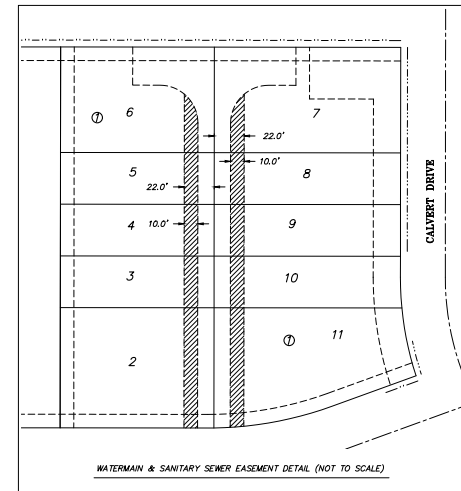
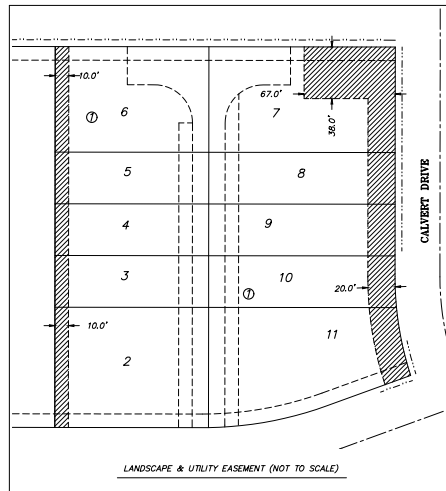
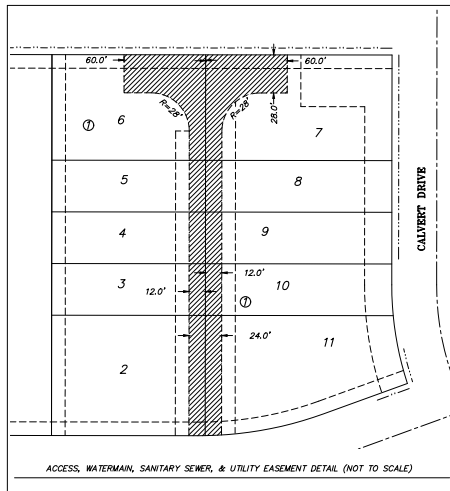
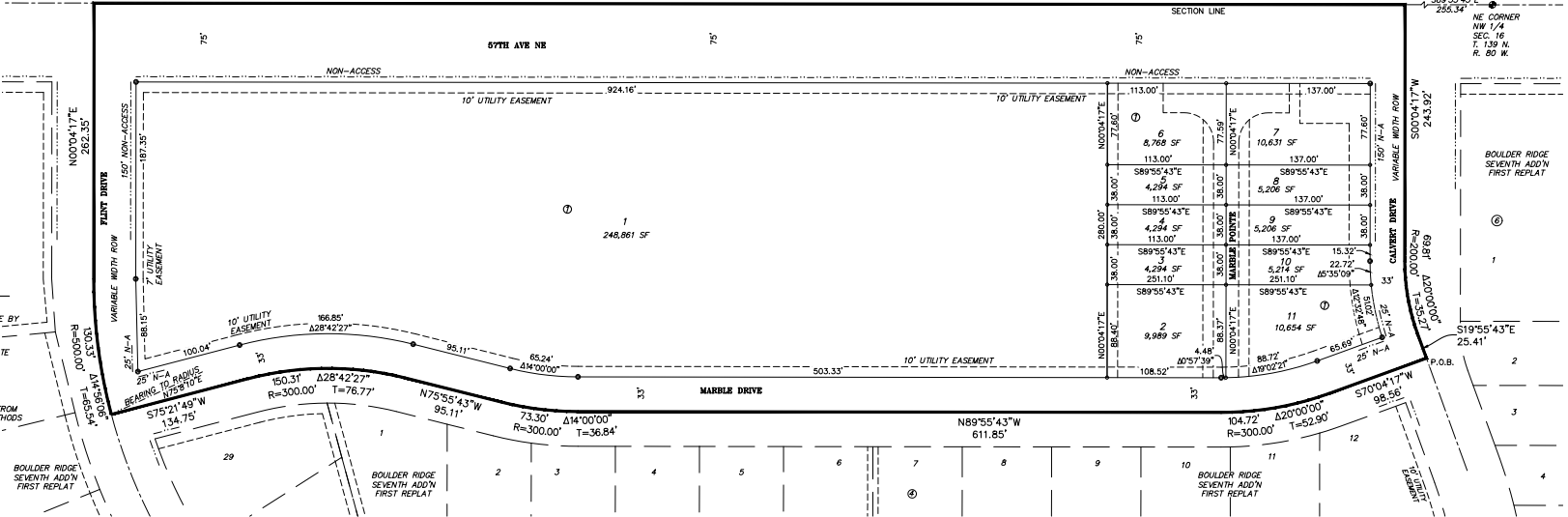
○ MONUMENT TO BE SET
● MONUMENT IN PLACE

NOTES

BASIS OF BEARING:
NORTH DAKOTA STATE PLANE, SOUTH ZONE BY
CITY ORDINANCE
COORDINATE DATUM:
NORTH DAKOTA STATE PLANE COORDINATE
SYSTEM
NAD 83 SOUTH ZONE
ADJUSTMENT OF 2011
UNITS ARE INTERNATIONAL FEET
BEARINGS AND DISTANCES MAY VARY FROM
PREVIOUS PLATS DUE TO DIFFERENT METHODS
OF MEASUREMENTS.

AREA DATA

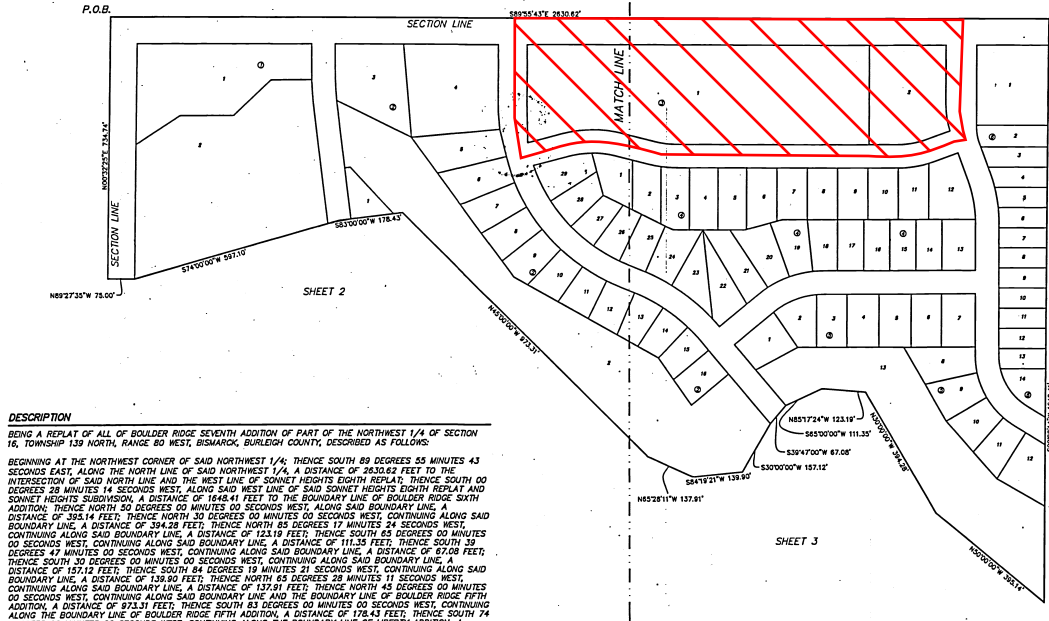
TOTAL	302,432.52	1.79 ACRES
STREETS	134,181.51	0.54 ACRES
TOTAL	436,614.03	1.93 ACRES



SWENSON, HAGEN & COMPANY P.C.
3002 Avenue Avenue
Bismarck, North Dakota 58104
shc@swensonhagen.com
Phone (701) 221-3000
Fax (701) 221-3006
Civil Engineering
Landscape & Site Design
Construction Management

BOULDER RIDGE SEVENTH ADDITION FIRST REPLAT

BEING A REPLAT OF ALL OF BOULDER RIDGE SEVENTH ADDITION OF
PART OF THE NW 1/4 OF SECTION 16, TOWNSHIP 139 NORTH, RANGE 80 WEST
BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA



DESCRIPTION

BEING A REPLAT OF ALL OF BOULDER RIDGE SEVENTH ADDITION OF PART OF THE NORTHWEST 1/4 OF SECTION 16, TOWNSHIP 139 NORTH, RANGE 80 WEST, BISMARCK, BURLEIGH COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID NORTHWEST 1/4; THENCE SOUTH 89 DEGREES 55 MINUTES 43 SECONDS EAST, ALONG THE NORTH LINE OF SAID NORTHWEST 1/4, A DISTANCE OF 830.62 FEET TO THE INTERSECTION OF SAID NORTH LINE AND THE WEST LINE OF SONNET HEIGHTS EIGHTH REPLAT; THENCE SOUTH 00 DEGREES 28 MINUTES 14 SECONDS WEST, ALONG SAID WEST LINE OF SAID SONNET HEIGHTS EIGHTH REPLAT AND SONNET HEIGHTS SUBDIVISION, A DISTANCE OF 1648.41 FEET TO THE BOUNDARY LINE OF BOULDER RIDGE SEVENTH ADDITION; THENCE NORTH 50 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG SAID BOUNDARY LINE, A DISTANCE OF 394.28 FEET; THENCE NORTH 85 DEGREES 17 MINUTES 24 SECONDS WEST, CONTINUING ALONG SAID BOUNDARY LINE, A DISTANCE OF 123.19 FEET; THENCE SOUTH 45 DEGREES 00 MINUTES 00 SECONDS WEST, CONTINUING ALONG SAID BOUNDARY LINE, A DISTANCE OF 111.35 FEET; THENCE SOUTH 39 DEGREES 47 MINUTES 00 SECONDS WEST, CONTINUING ALONG SAID BOUNDARY LINE, A DISTANCE OF 87.08 FEET; THENCE SOUTH 30 DEGREES 00 MINUTES 00 SECONDS WEST, CONTINUING ALONG SAID BOUNDARY LINE, A DISTANCE OF 157.12 FEET; THENCE SOUTH 84 DEGREES 19 MINUTES 21 SECONDS WEST, CONTINUING ALONG SAID BOUNDARY LINE, A DISTANCE OF 138.90 FEET; THENCE NORTH 85 DEGREES 28 MINUTES 11 SECONDS WEST, CONTINUING ALONG SAID BOUNDARY LINE, A DISTANCE OF 137.91 FEET; THENCE NORTH 45 DEGREES 00 MINUTES 00 SECONDS WEST, CONTINUING ALONG SAID BOUNDARY LINE AND THE BOUNDARY LINE OF BOULDER RIDGE FIFTH ADDITION, A DISTANCE OF 973.31 FEET; THENCE SOUTH 83 DEGREES 00 MINUTES 00 SECONDS WEST, CONTINUING ALONG THE BOUNDARY LINE OF BOULDER RIDGE FIFTH ADDITION, A DISTANCE OF 178.43 FEET; THENCE SOUTH 74 DEGREES 00 MINUTES 00 SECONDS WEST, CONTINUING ALONG THE BOUNDARY LINE OF LIBERTY ADDITION, A DISTANCE OF 597.10 FEET; THENCE NORTH 89 DEGREES 27 MINUTES 35 SECONDS WEST, CONTINUING ALONG SAID BOUNDARY LINE, A DISTANCE OF 78.00 FEET TO THE WEST LINE OF SAID NORTHWEST 1/4; THENCE NORTH 00 DEGREES 32 MINUTES 25 SECONDS EAST, ALONG SAID WEST LINE, A DISTANCE OF 734.74 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 2,570,033 SQUARE FEET, MORE OR LESS.

SURVEYOR'S CERTIFICATE

I, TERRY BALZER, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THE APPROVED PLAT IS A TRUE COPY OF THE NOTES OF A SURVEY PERFORMED UNDER MY SUPERVISION AND COMPLETED ON OCTOBER 15, 2020, THAT ALL INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT ALL MONUMENTS SHOWN HEREON ARE CORRECT, THAT ALL REQUIRED MONUMENTS HAVE BEEN SET, AND THAT ALL DIMENSIONAL AND GEODETIC DETAILS ARE CORRECT.



SWENSON, HAGEN & CO. P.C.
909 BASIN AVENUE
BISMARCK, NORTH DAKOTA
58504

TERRY BALZER
PROFESSIONAL LAND SURVEYOR
N.D. REGISTRATION NO. 3595

APPROVAL OF CITY PLANNING COMMISSION

THE SUBDIVISION OF LAND AS SHOWN ON THE PLAT HAS BEEN APPROVED BY THE PLANNING COMMISSION OF THE CITY OF BISMARCK, ON THE 15th DAY OF November, 2020, IN ACCORDANCE WITH LAWS OF THE STATE OF NORTH DAKOTA, ORDINANCES OF THE CITY OF BISMARCK AND REGULATIONS ADOPTED BY THE SAID PLANNING COMMISSION. IN WITNESS WHEREOF ARE SET THE HANDS AND SEALS OF THE CHAIRMAN AND SECRETARY OF THE PLANNING COMMISSION OF THE CITY OF BISMARCK.

Michael J. Schwartz - CHAIRMAN

BOB DWYER - SECRETARY

APPROVAL OF BOARD OF CITY COMMISSIONERS

THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND AS SHOWN ON THE PLAT, HAS ADOPTED THE REBATHING OF ALL STREETS SHOWN THEREON, HAS APPROVED THE GROUNDS AS SHOWN ON THE PLAT AS AN AMENDMENT TO THE MASTER PLAN OF THE CITY OF BISMARCK, NORTH DAKOTA, AND DOES HEREBY VACATE ANY PREVIOUS PLATING WITHIN THE BOUNDARY OF THE PLAT.

THE FOREGOING ACTION OF THE BOARD OF CITY COMMISSIONERS OF BISMARCK, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED THE 22nd DAY OF December, 2020.

ATTEST
KEITH J. HUNKE - CITY ADMINISTRATOR

APPROVAL OF CITY ENGINEER

I, GABRIEL J. SCHILL, CITY ENGINEER OF THE CITY OF BISMARCK, NORTH DAKOTA, HEREBY APPROVE "BOULDER RIDGE SEVENTH ADDITION FIRST REPLAT", BISMARCK, NORTH DAKOTA AS SHOWN ON THE APPROVED PLAT.

GABRIEL J. SCHILL
CITY ENGINEER



SWENSON, HAGEN & COMPANY P.C.
909 Basin Avenue
Bismarck, North Dakota 58504
dswenson@swensonhagen.com
Phone (701) 223-3500
Fax (701) 223-3506

OWNER'S CERTIFICATE & DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT FIVE GUYS INVESTMENT, LLP, AND THE CITY OF BISMARCK, BEING THE OWNERS AND PROPRIETORS OF THE PROPERTY SHOWN HEREON HAVE CAUSED THAT PORTION DESCRIBED HEREON TO BE SURVEYED AND PLATTED AS "BOULDER RIDGE SEVENTH ADDITION FIRST REPLAT", BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, AND DO SO HEREBY DEDICATE THE SAME AS SHOWN HEREON INCLUDING ALL SEWER, CULVERTS, WATER AND OTHER PUBLIC UTILITY LINES WHETHER SHOWN HEREON OR NOT TO THE PUBLIC USE FOREVER.

THEY ALSO DEDICATE EASEMENTS TO THE CITY OF BISMARCK TO RUN WITH THE LAND, FOR GAS, ELECTRIC, TELEPHONE OR OTHER PUBLIC UTILITIES OR SERVICES ON OR UNDER THOSE CERTAIN STRIPS OF LAND DESIGNATED HEREON AS UTILITY EASEMENTS.

THEY FURTHERMORE DEDICATE UNTO THE CITY OF BISMARCK "STORM WATER AND DRAINAGE EASEMENTS" TO RUN WITH THE LAND FOR THE PURPOSE OF STORM SEWER AND SURFACE WATER DRAINAGE UNDER, OVER, THROUGH AND/OR ACROSS THOSE AREAS DEDICATED HEREON AS "STORM WATER AND DRAINAGE EASEMENTS" FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, REPAIR, ENLARGING AND MAINTAINING STORM WATER MANAGEMENT FACILITIES TOGETHER WITH NECESSARY APPURTENANCES THEREON FOR STORM WATER, STORM SEWER AND SURFACE WATER DRAINAGE AND MANAGEMENT OF SAID STORM WATER FLOW IN A MANNER THAT WILL PERMIT THE FREE AND UNOBSTRUCTED FLOW OF WATER UNDER, OVER AND/OR ACROSS THE EASEMENT AREA.

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

ATTAS BOUTROUS
FIVE GUYS INVESTMENT, LLP
101 24th Street
BISMARCK, ND 58503
OWNER, ALL LOTS EXCEPTING LOT 2 BLOCK 1

ON THIS 14th DAY OF Dec., 2020, BEFORE ME PERSONALLY APPEARED ATTAS BOUTROUS OF FIVE GUYS INVESTMENT, LLP, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

LANDON NEWMILLER
Notary Public
State of North Dakota
My Commission Expires Mar 25, 2022

NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA
MY COMMISSION EXPIRES 3-25-22

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

CITY OF BISMARCK
221 N. 5th St.
BISMARCK, ND 58501
OWNER, LOT 2 BLOCK 1

ON THIS 23rd DAY OF December, 2020, BEFORE ME PERSONALLY APPEARED Keith Hunke of the CITY OF BISMARCK, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

DONNA SEBERT
Notary Public
State of North Dakota
My Commission Expires August 6, 2024

NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA
MY COMMISSION EXPIRES Aug 6, 2024

FLOODPLAIN INFORMATION

FLOOD INSURANCE RATE MAP
COUNTY PANEL NUMBER 480500350
DATE 01/15/2010
FLOOD PLAN ELEVATION:
APPROXIMATELY 1980-1984.5 (NAVD 83)

Curve #	Length	Radius	Delta	Tangent
C1	121.42'	1000.00'	37°04'18"	61.79'
C2	593.41'	500.00'	168°00'00"	337.25'
C3	256.58'	525.00'	128°00'00"	130.90'
C4	150.31'	300.00'	128°42'27"	76.77'
C5	73.30'	300.00'	114°00'00"	36.84'
C6	104.72'	300.00'	120°00'00"	52.80'
C7	89.61'	200.00'	120°00'00"	35.27'
C8	130.63'	400.00'	120°00'00"	70.53'
C9	174.53'	250.00'	140°00'00"	90.99'
C10	202.46'	200.00'	158°00'00"	110.86'



DECEMBER 9, 2020

AREA DATA
LOTS 1-1280 14.11 ACRES
STREETS 590,720 SF 13.33 ACRES
TOTAL 2,570,033 SF 59.00 ACRES

NOTES

BASIS OF BEARING:
NORTH DAKOTA STATE PLANE, SOUTH ZONE BY
CITY ORDINANCE

COORDINATE DATUM:
NORTH DAKOTA STATE PLANE COORDINATE

NAD 83 SOUTH ZONE

ADJUSTMENT OF 1988

UNITS ARE INTERNATIONAL FEET

BEARINGS AND DISTANCES MAY VARY FROM
PREVIOUS PLATS DUE TO DIFFERENT METHODS
OF MEASUREMENTS

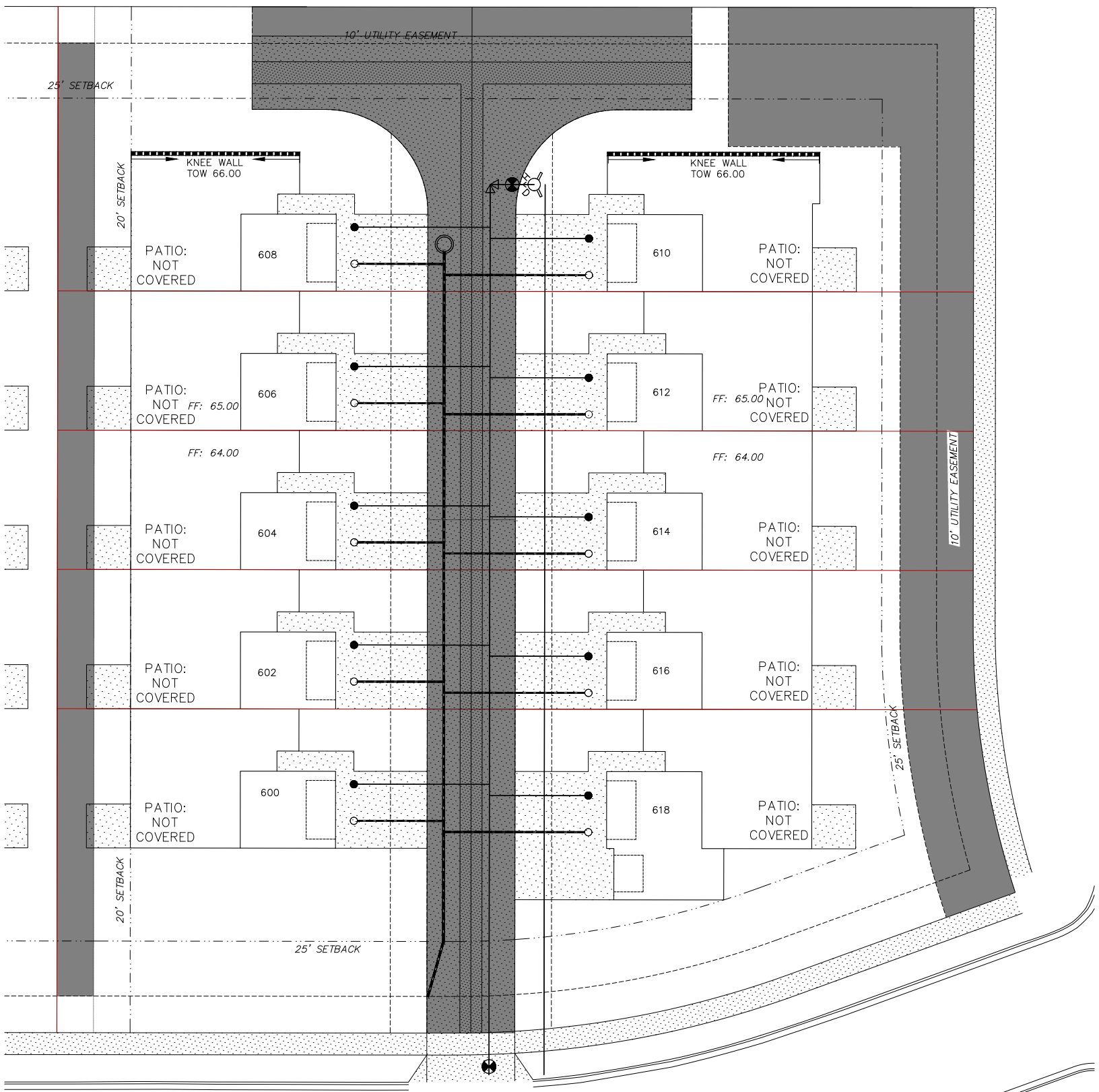
N-A-N NON-ACCESS

THE EAST LINE OF THE NW 1/4 FOR THIS PLAT IS
DEFINED AS BEING THE WEST LINE OF SONNET
HEIGHTS SUBDIVISION AND SONNET HEIGHTS EIGHTH
REPLAT. THE NORTH LINE OF SAID NW 1/4 IS
DEFINED AS BEING THE SOUTH LINE OF DAYBREAK
MEDICAL ADDITION AND LIGHT OF CHRIST ADDITION

Boulder Ridge Seventh Addition Second Replat

Private Road Waiver--

The first phase of the project has site plan approval for a number of rowhomes, with the first two structures being platted with this project. The proposed driveway will require an access easement (private road) in order for the units to be separated into sellable parcels. The private drive will not extend beyond the limits of the subdivision to connect to the public ROW north of the project. An HOA will be created to maintain the road. A dedication of public right-of-way in lieu of a private road will be far too large for the driveway, and would create a setback violation for structures in place.





City of Bismarck
Community Development Department
Planning Division
Phone: 701-355-1840 • FAX: 701-222-6450 • TDD: 711
PO Box 5503 • Bismarck, ND 58506-5503
planning@bismarcknd.gov

Last Revised: 05/14/2025

SUBDIVISION REQUIREMENTS/ STANDARDS WAIVER REQUEST

If any waivers from subdivision requirements/standards are being requested, this form must be completed and submitted in conjunction with the unified development application. ***This form cannot be used for amendments to the Major Street Plan or the Future Land Use Plan, or for written justification for the use of cul-de-sacs or private roadways.***

SUBDIVISION INFORMATION:

Name of Subdivision:

Boulder Ridge Seventh Addition Second Replat

REQUESTED WAIVERS FROM SUBDIVISION REQUIREMENTS/STANDARDS:

☐ Ghost Platting

Reason for Request:

☐ Paving of Interior Roadways

Reason for Request:

☐ Maximum Block Length

Reason for Request:

☐ Minimum Lot Width/Area

Reason for Request:

☒ Other (Specify)

Reason for Request:

In order to meet the expected project timeline of a minor plat, and having received notice within the sufficient time noted in state law, the applicant requests that their 10 day certified letter notification requirement noted in Section 14-09-04 of the City Code of Ordinances be waived. All NDCC notification requirements have been met.

☐ Other (Specify)

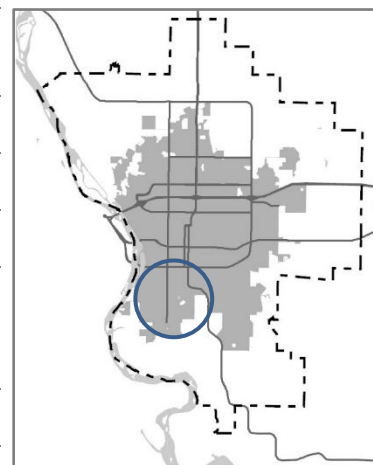
Reason for Request:

☐ Other (Specify)

Reason for Request:

Project Summary

<i>Title:</i>	Cottonwood Parkview Addition First Replat, Block 1, Lots 2-9
<i>Status:</i>	Planning and Zoning Commission - Public Hearing
<i>Property Owner(s):</i>	Edgewood REIT
<i>Project Contact:</i>	Nic Cullen, PE, CFM, Houston Engineering
<i>Project Location:</i>	In south Bismarck, south of Sante Fe Avenue, north of Rutland Drive, on the west side of Kamrose Drive
<i>Project Size:</i>	1.71 acres
<i>Applicant Request:</i>	Rezone the property to facilitate future combination of existing parcels with existing buildings into a single parcel
<i>Staff Recommendation:</i>	Approve



Site Information

<i>Existing Conditions</i>		<i>Proposed Conditions</i>	
<i>Lots/Blocks:</i>	8 lots in 1 block	<i>Lots/Blocks:</i>	No change
<i>Land Use:</i>	Two-family residential	<i>Land Use:</i>	No change
<i>Future Land Use:</i>	Urban Neighborhood (UN)	<i>Future Land Use:</i>	No change
<i>Zoning:</i>	Conditional R10 - Residential	<i>Zoning:</i>	RM10 – Residential
<i>Uses Allowed:</i>	Conditional R10 – Two-family residential	<i>Uses Allowed:</i>	RM10 – Multi-family residential
<i>Max Density:</i>	Conditional R10 – 10 units / acre	<i>Max Density:</i>	RM10 – 10 units / acre

Area Information

Property History

<i>Zoning Jurisdiction:</i>	Bismarck City Limits	<i>Zoned:</i>	06/2018
<i>Township:</i>	N/A (City of Bismarck)	<i>Platted:</i>	08/2022
<i>Neighborhood:</i>	Cottonwood	<i>Annexed:</i>	01/2019

(continued)

Project Narrative

Edgewood REIT is requesting approval of a zoning map amendment from the Conditional R10 – Residential zoning district to the RM10 – Residential zoning district on Lots 2-9, Block 1, Cottonwood Parkview Addition First Replat.

The applicant has submitted a lot combination to ultimately use the proposed zoning district to combine the existing eight parcels into one parcel with all existing buildings. No changes to the

structures themselves are proposed by the landowner currently. Both the existing zoning district and the proposed zoning district permit the existing building types and permit the same density of units, but only the RM10 – Residential zoning district permits all the units to be on one parcel. The buildings each need their own individual parcel of land in the R10 – Residential zoning district.

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 Urban Neighborhood (UN) in the Future Land Use Plan. The UN areas are places for quiet enjoyment of home life. Goals and objectives of this plan as they relate to zoning map amendments are referenced in review standards below.

The project area is within a predominately residential neighborhood of various housing types. To the south are single- and two-family dwellings. To the west, across South Washington Street, is a mixture of single- and multi-family dwellings. To the north are some developing

multi-family apartment buildings, and to the east is a mixture of two-family and multi-family dwellings.

Public Engagement

The public has been duly notified of this request. A notice was published in the Bismarck Tribune on January 16 and 23, and 62 postcards were mailed to the owners of nearby properties on January 16, 2026.

A physical sign providing information on the public hearing was placed in a publicly accessible spot at the project location on January 12, 2026.

(continued)

Basic project information, with the ability to contact staff for more details, has been provided publicly online through the Open Development Projects Dashboard and 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 Urban Neighborhood (UN) 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.

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 the existing two-family dwellings to remain and continue as is as well as multi-family dwellings. The landowner has not proposed any physical changes to the structures; therefore, no negative impacts or functional impacts are predicted.

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

No. The current zoning district of Conditional R10 – Residential was established in June 2018. The

findings of fact supporting the decision to apply this zoning district are still in effect. No physical changes to the land or structures are proposed based on information submitted by the applicant. This rezoning is to facilitate a future lot combination as the owner reimagines how they own/operate the properties.

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 would not adversely impact housing opportunities in any way.

The goals and objectives of Together 2045 Bismarck's Comprehensive Plan would be advanced by the proposed zoning ordinance map amendment ([Comprehensive Plan](#))

Yes. The following objectives of the plan would be advanced through the proposed amendment.

- S9: Provide the means for adaptation of the built environment to meet complex and changing economic and social demands.

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 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

(continued)

all submitted materials has occurred prior to submittal of this report to the Planning and Zoning Commission.

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 the Conditional R10 – Residential zoning district to the RM10 – Residential zoning district for Lots 2-9, Block 1, Cottonwood Parkview Addition First Replat.

Attachments

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

Staff report prepared by: Isak Johnson, AICP, Planner

701-355-1850 | ijohnson@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 Conditional R10 – Residential zoning district and included in the RM10 – Residential zoning district:

Lots 2-9, Block 1, Cottonwood Parkview Addition First Replat

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 Districts

A	Agriculture
RR	Rural
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

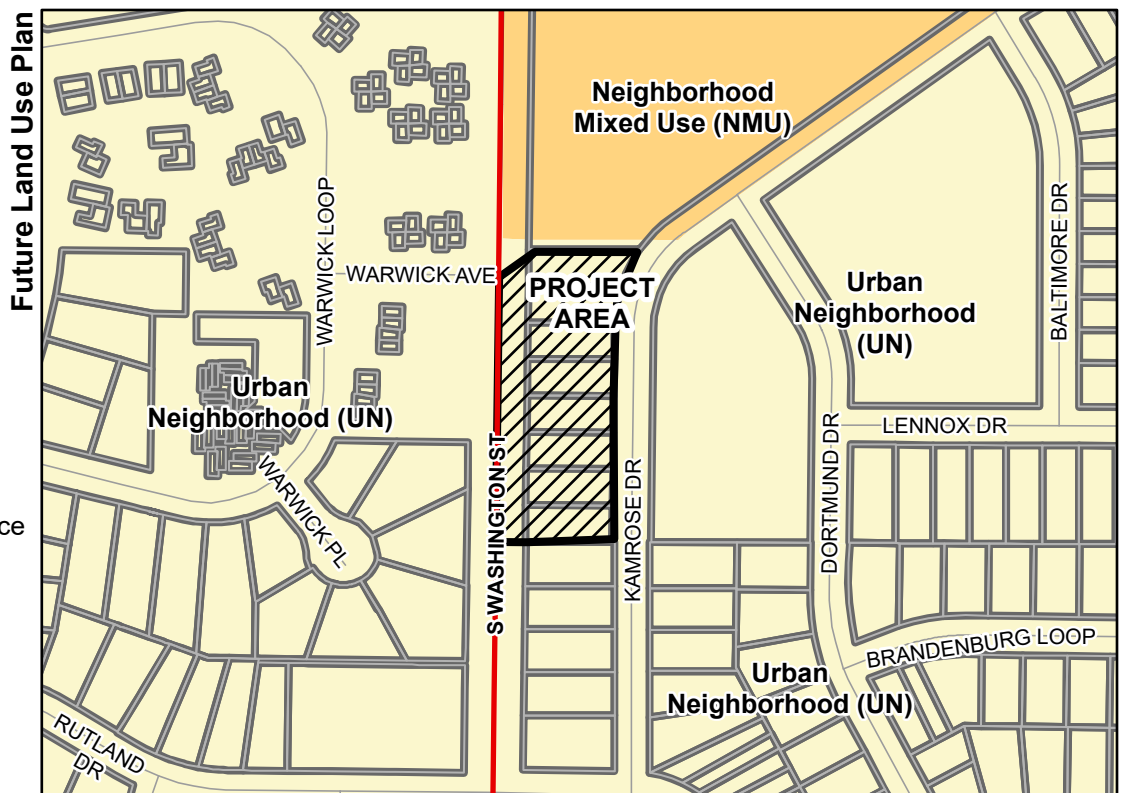
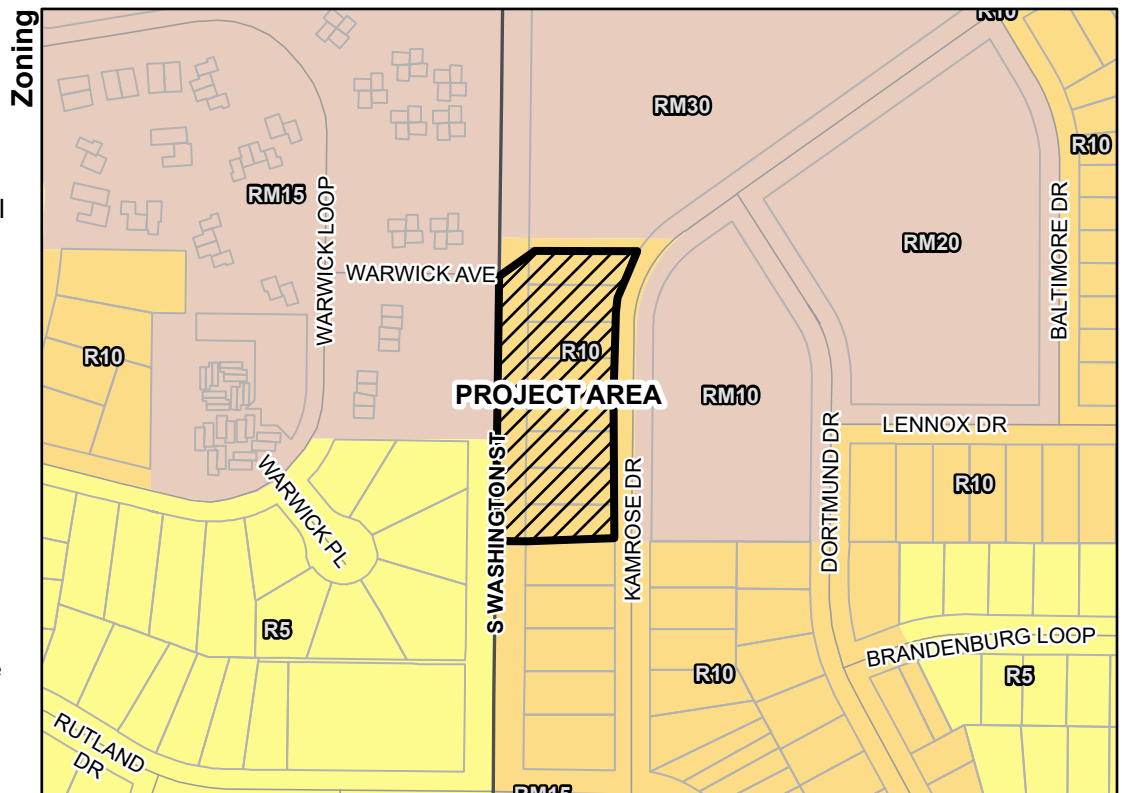
UN	Urban Neighborhood
NMU	Neighborhood Mixed Use
CMU	Community Mixed Use
DMU	Destination Mixed Use
DT	Downtown
IND	Industrial
IF	Industrial Flex
IMU	Industrial Mixed Use
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RR	Rural Residential
TR	Transitional Rural
PKOS	Parks/Open Space
URA/URB	Urban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

Active Mobility Plan

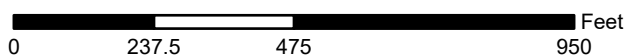
— Future Shared Trail

Major Street Plan

- Existing Arterial
- Future Arterial
- Existing Collector
- Future Collector
- Existing Interstate
- Future Interstate
- City Limits



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No liability is assumed as to the accuracy of the data delineated herein.



City of Bismarck
Planning Department
December 5, 2025

Proposed New Zoning Map

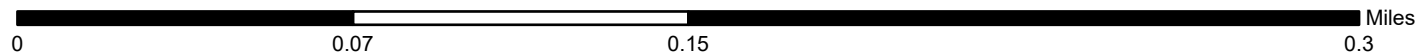
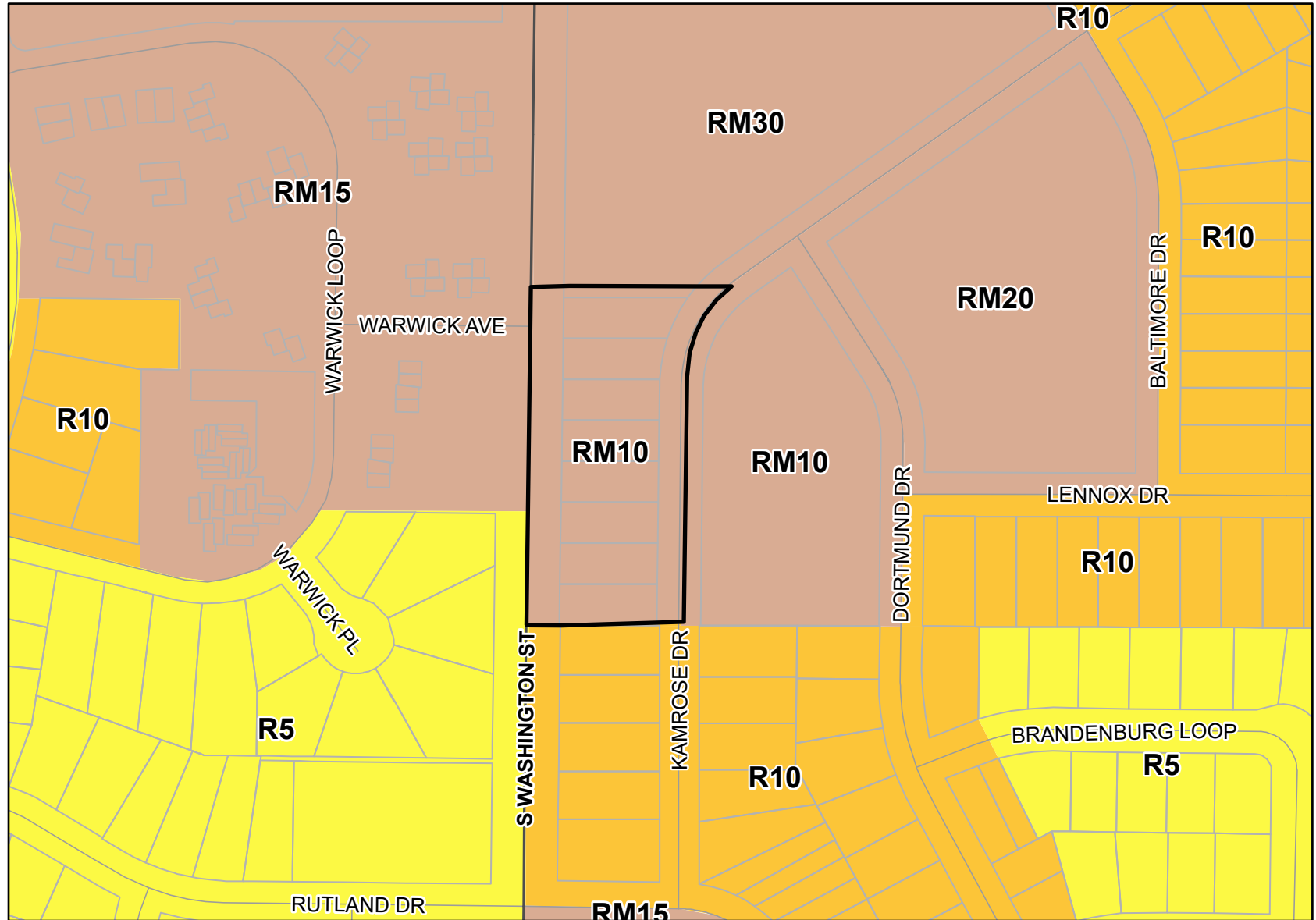
 Project Area
(zoning within
is proposed)

 City Limits

Zoning Districts

A	Agriculture
RR	Rural
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
Planning Department
December 5, 2025

STAFF REPORT

Agenda Item # 4C

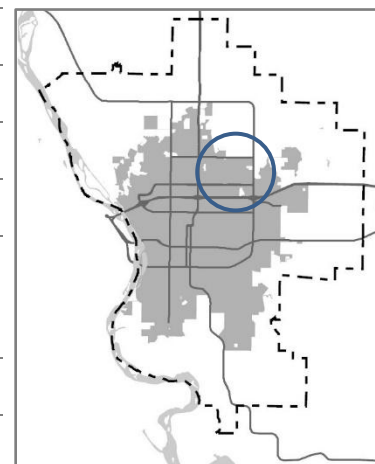
January 28, 2026

Application for: **Zoning Map Amendment**
Minor Plat

Project ID: **ZC2025-019**
MPLT2025-010

Project Summary

<i>Title:</i>	Edgewood Village Seventh Addition Second Replat
<i>Status:</i>	Planning and Zoning Commission - Public Hearing
<i>Property Owner(s):</i>	Edgewood REIT
<i>Project Contact:</i>	Nic Cullen, PE, CFM, Houston Engineering
<i>Project Location:</i>	In northeast Bismarck, east of Nebraska Drive and west of Oklahoma Lane, on the north side of Knudsen Avenue
<i>Project Size:</i>	10.55 acres
<i>Applicant Request:</i>	Rezone and replat
<i>Staff Recommendation:</i>	Approve with conditions



Site Information

<i>Existing Conditions</i>		<i>Proposed Conditions</i>	
<i>Lots/Blocks:</i>	50 lots in 1 block	<i>Lots/Blocks:</i>	1 lot in 1 block
<i>Land Use:</i>	Two-family residential	<i>Land Use:</i>	No change
<i>Future Land Use:</i>	Neighborhood Mixed Use (NMU)	<i>Future Land Use:</i>	No change
<i>Zoning:</i>	R10 – Residential	<i>Zoning:</i>	RM10 – Residential
<i>Uses Allowed:</i>	R10 – Single and two-family residential	<i>Uses Allowed:</i>	RM10 – Multi-family residential
<i>Max Density:</i>	R10 – 10 units / acre	<i>Max Density:</i>	RM10 – 10 units / acre

Area Information

Property History

<i>Zoning Jurisdiction:</i>	Bismarck City Limits	<i>Zoned:</i>	05/2020
<i>Township:</i>	N/A (City of Bismarck)	<i>Platted:</i>	08/2020
<i>Neighborhood:</i>	Edgewood North	<i>Annexed:</i>	04/2013

(continued)

Project Narrative

Edgewood REIT is requesting approval of a zoning map amendment from the R10 – Residential zoning district to the RM10 – Residential zoning district and a minor subdivision final plat titled Edgewood Village Seventh Addition Second Replat.

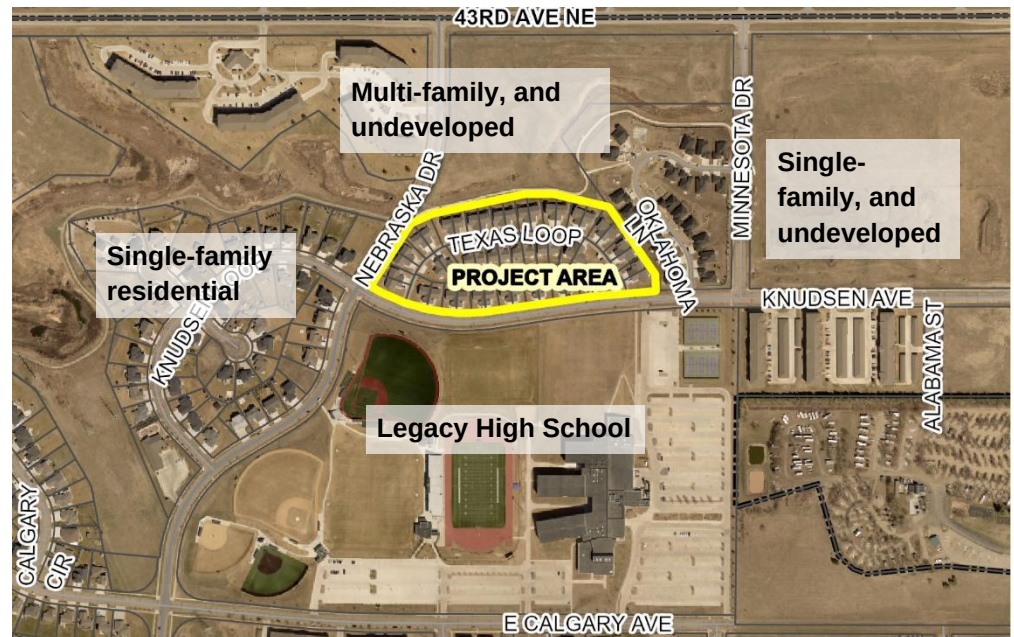
The applicant intends to use the proposed replat to combine the existing 50 lots in one block into a new one lot in one block subdivision with all existing buildings. The replat also adjusts details regarding easements and access.

No changes to the structures themselves are proposed by the landowner currently. Both the existing zoning district and the proposed zoning district permit the existing building types and permit the same density of units, but only the RM10 – Residential zoning district permits all the units to be on one parcel. The buildings each need their own individual parcel of land in the R10 – Residential zoning district.

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 the social and commercial gathering spaces for the immediate surrounding residential areas. Goals and objectives of this plan as they relate to zoning map amendments and minor subdivision final plats are referenced in review standards below.

The project area is adjacent to Legacy High School to the south, single-family residential uses

to the east and west, and some multi-family residential uses and undeveloped land further to the east and north.

Public Engagement

The public has been duly notified of this request. A notice was published in the Bismarck Tribune on January 16 and 23, and 17 postcards were mailed to the owners of nearby properties on January 16, 2026.

(continued)

A physical sign providing information on the public hearing was placed in a publicly accessible spot at the project location on January 12, 2026.

Basic project information, with the ability to contact staff for more details, has been provided publicly online through the Open Development Projects Dashboard and 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.

Additional Notification Requirements

North Dakota Century Code (NDCC) and the City's zoning ordinance identifies specific applicant notification requirements for a public hearing at the Planning and Zoning Commission for a plat. In particular, the City's zoning ordinance requires a certified letter be sent no later than 10 days before the hearing and NDCC requires a certified letter be sent no later than 5 days before the hearing.

The applicant and their consultant receive notification updates throughout the application process including notification of the potential timeline of the hearing when the application is received. However, the required certified letter was not sent in the time period referenced in the zoning ordinance but was sent in the time period referenced in NDCC.

The applicant and their consultant are aware of this error and the required certified letter was sent to the applicant on January 22, 2025. The applicant has requested that this requirement be waived in order to meet the expected project timeline for a minor subdivision final plat.

The Planning and Zoning Commission has waived other zoning ordinance requirements in the past and this request may mirror those decisions as

the intent of the zoning ordinance to notify the applicant was upheld and state law was met

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.

Zoning Map Amendment

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 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 as no physical changes are being proposed to the land or buildings.

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 the existing two-family dwellings to remain and continue as is as well as multi-family dwellings. The landowner has not proposed any physical changes to the structures; therefore, no negative impacts or functional differences are predicted.

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

No. The current zoning district of R10 – Residential was established in May 2020. The findings of fact supporting the decision to apply this zoning district are still in effect. No physical changes to the land or structures are proposed based on information submitted by the applicant.

(continued)

This rezoning is to facilitate the proposed replat as the owner reimagines how they own/operate the properties.

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 would not adversely impact housing opportunities in any way.

The goals and objectives of Together 2045 Bismarck's Comprehensive Plan would be advanced by the proposed zoning ordinance map amendment ([Comprehensive Plan](#))

Yes. The following objectives of the plan would be advanced through the proposed amendment.

- S9: Provide the means for adaptation of the built environment to meet complex and changing economic and social demands.

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 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.

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.

Minor Subdivision Final Plat

Dimensional standards of the zoning ordinance are met with the proposed subdivision ([Title 14](#))

Yes. All lots meet area and width requirements of the zoning district within which they are located, and there is sufficient space within each lot for anticipated buildings to meet density, setback, and lot coverage requirements.

Stormwater runoff impacted by this subdivision is adequately managed to protect public and private investments and the natural environment ([Goal 15](#), Section 14.1-04-03);

Yes. There is a plan to manage any stormwater runoff generated by this subdivision. The post-construction stormwater management permit (PCSMP) has been conditionally approved by the City Engineer.

Technical specifications required of the final plat have been met (Section 14-09-07)

Yes. The proposed final plat contains the required information to ensure an accurate and timely review by staff, the Planning and Zoning Commission, and the general public.

Proper administrative procedures related to the request are being followed (Section 14-09-04)

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 final plat approval, and the required staff review of all

(continued)

submitted materials has occurred prior to submittal of this report to the Planning and Zoning Commission. A public hearing has been scheduled for this request, and all requirements for notice of this hearing have been met, as documented in this report above.

As noted in the *Public Engagement* section of the report, the required certified letter was not sent in the time period referenced in the zoning ordinance but was sent in the time period referenced in NDCC. The required certified letter was sent to the applicant on January 22, 2026. The applicant has requested that this requirement be waived in order to meet the expected project timeline for a minor subdivision final plat.

The public health, safety and general welfare will not be adversely impacted by the proposed subdivision
[*\(Goal S10-a\)*](#)

Yes. As a cumulative result of all findings contained in this staff report, City of Bismarck staff find that the proposed subdivision 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 the R10 – Residential zoning district to the RM10 – Residential zoning district and of the minor subdivision final plat of Edgewood Village Seventh Addition Second Replat, with the following condition:

1. The Title 14 requirement for a certified letter sent at least 10 days prior to the hearing is waived, with the understanding that it was sent at least 5 days prior to the hearing in accordance with North Dakota Century Code.

Attachments

1. Draft Zoning Ordinance
2. Zoning and Plan Reference Map
3. Proposed Zoning Map
4. Minor Plat
5. Replat Area of Original Plat
6. Certified Letter Requirement Waiver

Staff report prepared by: Isak Johnson, AICP, Planner

701-355-1850 | ijohnson@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 R10 – Residential zoning district and included in the RM10 – Residential zoning district:

Lots 1, Block 1, Edgewood Village Seventh Addition Second Replat

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

EDGEWOOD VILLAGE 7TH ADDITION 2ND REPLAT

MPLT2025-010

Zoning Districts

A	Agriculture
RR	Rural
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

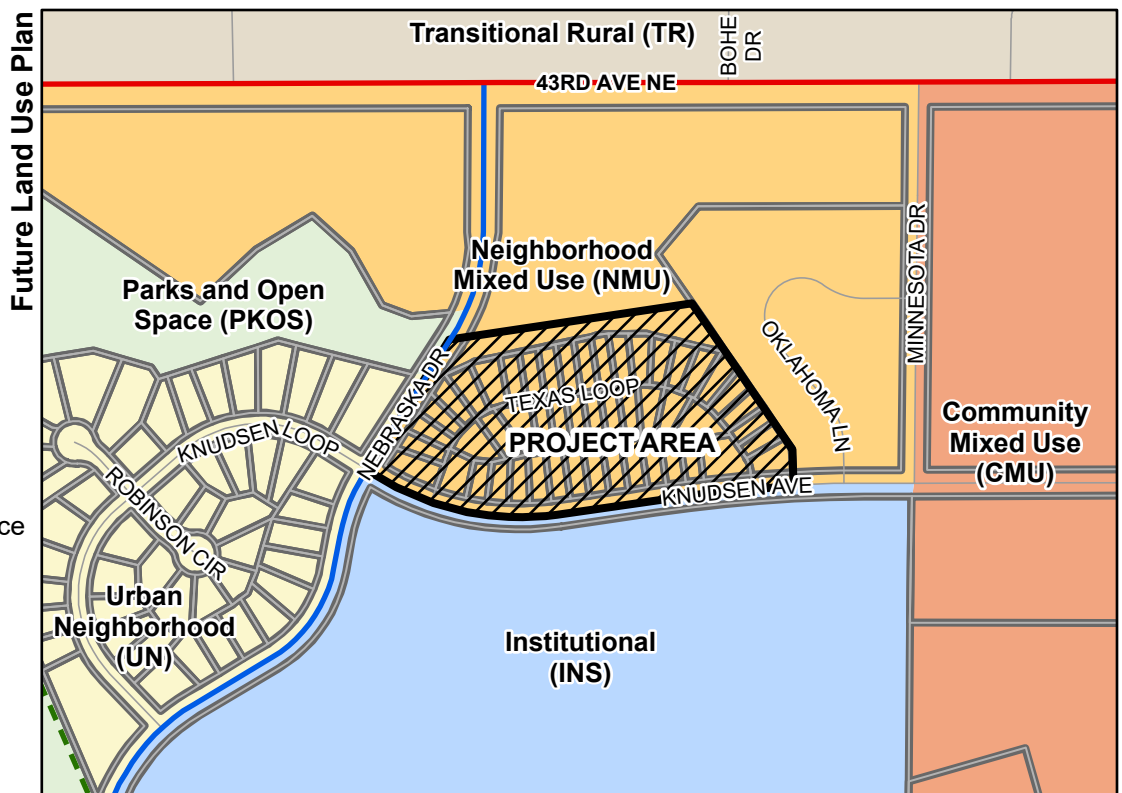
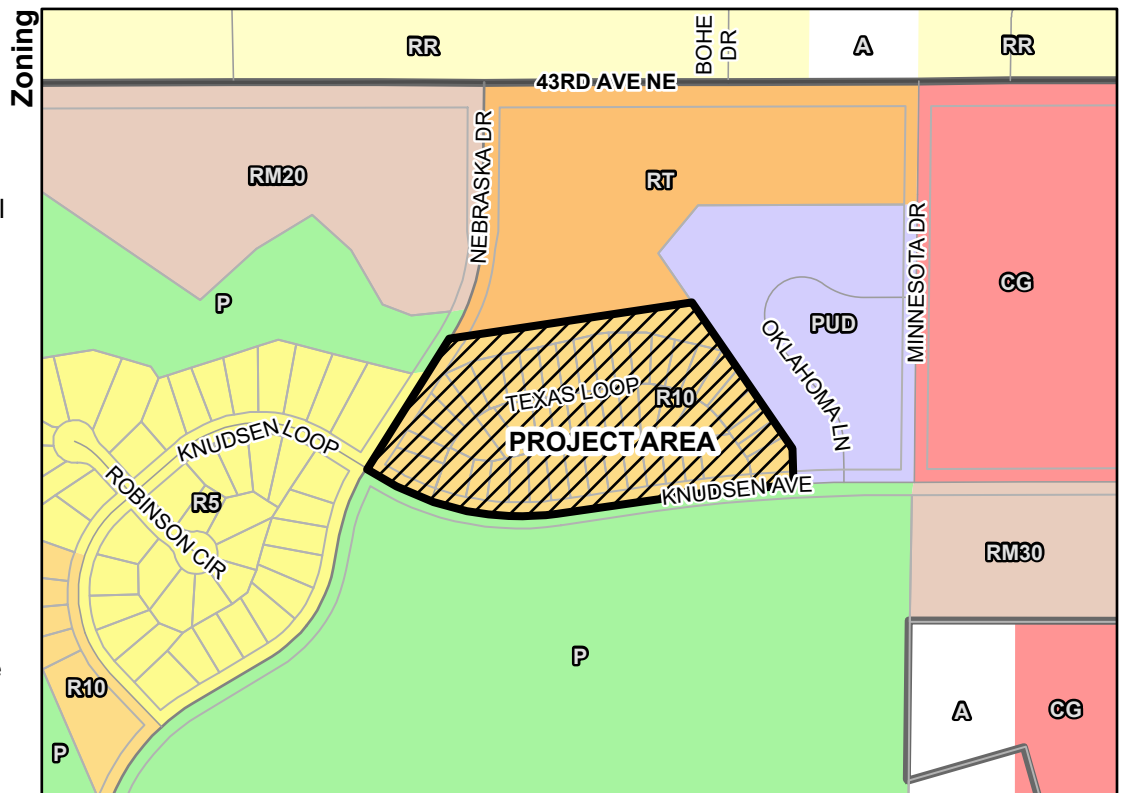
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NMU	Neighborhood Mixed Use
CMU	Community Mixed Use
DMU	Destination Mixed Use
DT	Downtown
IND	Industrial
IF	Industrial Flex
IMU	Industrial Mixed Use
INS	Institutional
RR	Rural
TR	Transitional Rural
PKOS	Parks/Open Space
URA/URB	Urban Reserve Mid/Long-Term

Active Mobility Plan

— Future Shared Trail

Major Street Plan

- Existing Arterial
- Future Arterial
- Existing Collector
- Future Collector
- Existing Interstate
- Future Interstate
- City Limits



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0 425 850 1,700 Feet



City of Bismarck
Planning Department
January 20, 2026

Proposed New Zoning Map

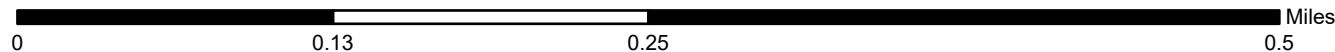
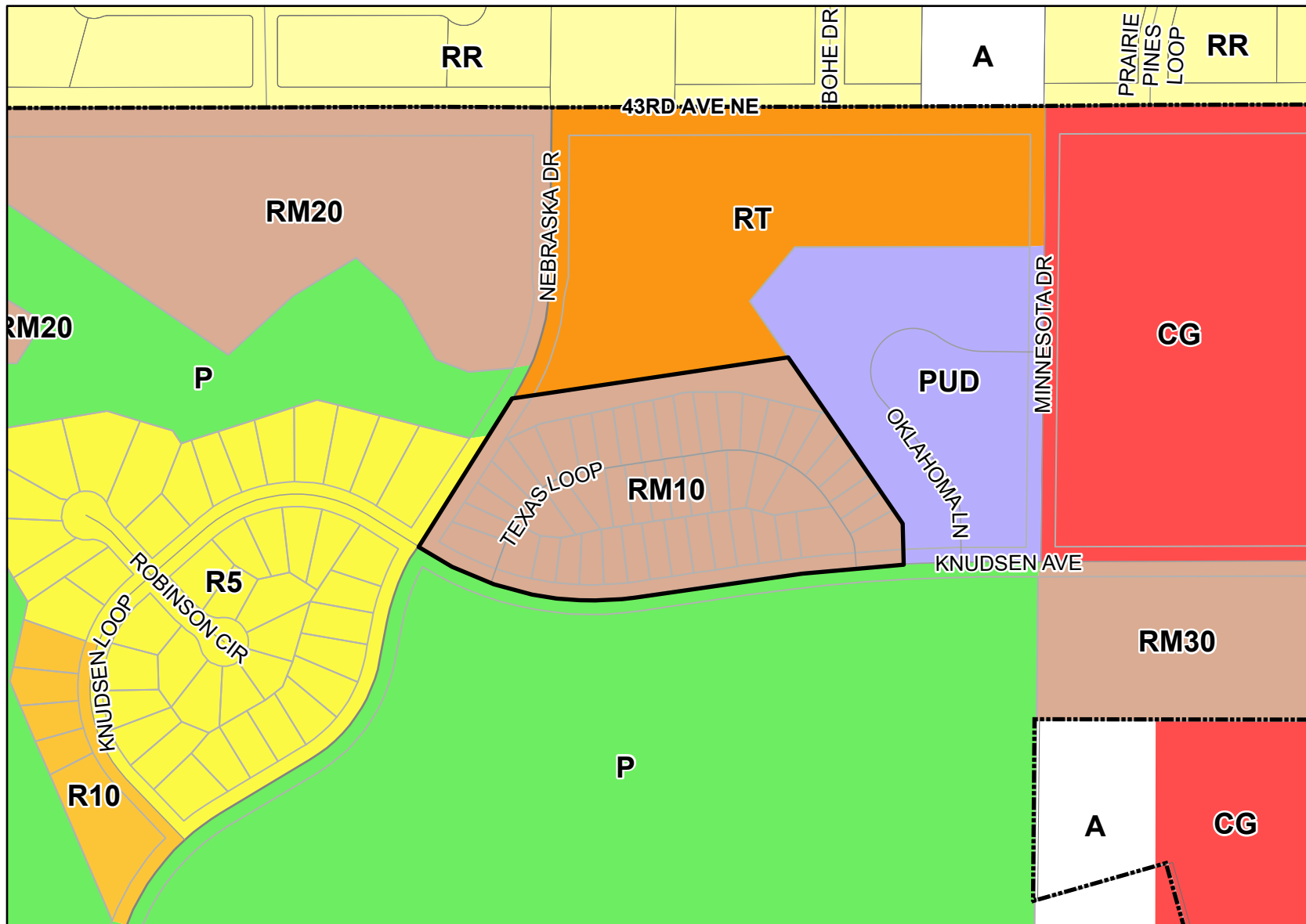
 Project Area
(zoning within
is proposed)

 City Limits

Zoning Districts

A	Agriculture
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A "C-" prior to the district
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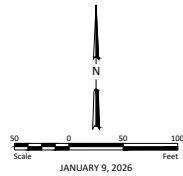
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City of Bismarck
Planning Department
December 5, 2025

EDGEWOOD VILLAGE SEVENTH ADDITION SECOND REPLAT

A REPLAT OF LOTS 1-50 OF BLOCK 1 EDGEWOOD VILLAGE 7TH ADDITION 1ST REPLAT OF THE NE 1/4 OF SECTION 23, TOWNSHIP 139 NORTH, RANGE 80 WEST BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA



NW COR OF THE
NE 1/4 SECT 23-139-80
(LOCATION FROM EDGEWOOD
VILLAGE 7TH ADDITION PLAT)

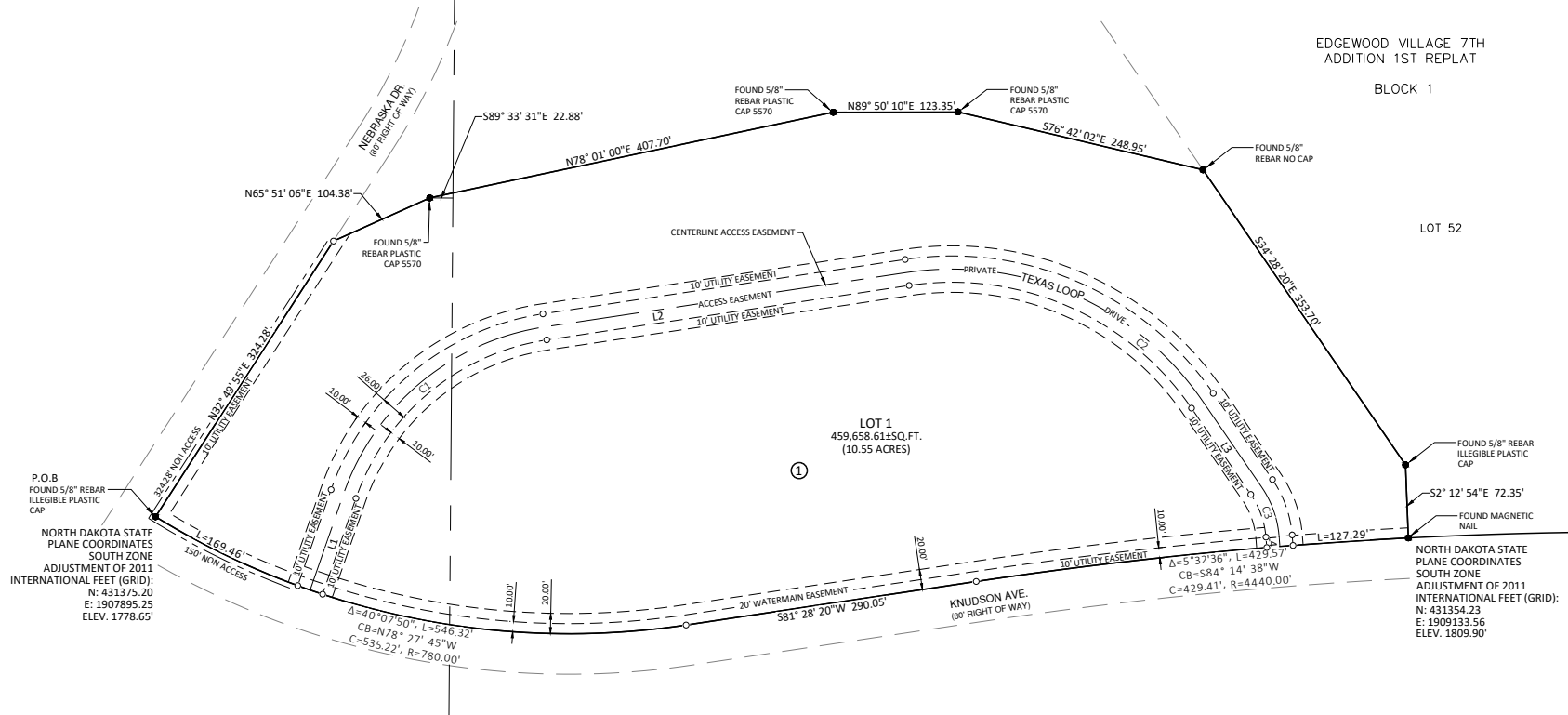
QUARTER LINE

LOT 51

EDGEWOOD VILLAGE 7TH
ADDITION 1ST REPLAT

BLOCK 1

LOT 52



P.O.B.
FOUND 5/8" REBAR
ILLEGIBLE PLASTIC
CAP

NORTH DAKOTA STATE
PLANE COORDINATES
SOUTH ZONE
ADJUSTMENT OF 2011
INTERNATIONAL FEET (GRID):
N: 431375.20
E: 1907895.25
ELEV. 1778.65'

NORTH DAKOTA STATE
PLANE COORDINATES
SOUTH ZONE
ADJUSTMENT OF 2011
INTERNATIONAL FEET (GRID):
N: 431354.23
E: 1909133.56
ELEV. 1809.90'

CENTER OF
SECT 23-139-80
(LOCATION FROM EDGEWOOD
VILLAGE 7TH ADDITION PLAT)

Parcel Line Table			
Line #	Length	Direction	
L1	100.52'	N19° 09' 21"E	
L2	362.22'	N81° 27' 17"E	
L3	103.42'	S34° 29' 12"E	
L4	10.30'	S4° 37' 40"E	

Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	271.83'	250.00'	62°17'56"	N50° 18' 19"E	258.64'
C2	335.41'	300.00'	64°03'31"	S66° 30' 57"E	318.21'
C3	52.08'	100.00'	29°50'23"	S19° 34' 00"E	51.49'

AREA DATA	
LOT ACREAGE:	9.811 ACRES
PRIVATE ACCESS ACREAGE:	0.742 ACRES
TOTAL ACREAGE:	10.553 ACRES

MONUMENT FOUND: ●
IRON MONUMENT SET W/CAP "LS-4431" ○
P.O.B. POINT OF BEGINNING

NOTES

BASIS OF BEARING:
NORTH DAKOTA STATE PLANE SOUTH ZONE BY
CITY ORDINANCE

COORDINATE DATUM:
NORTH DAKOTA STATE PLANE COORDINATE SYSTEM
NAD 83 SOUTH ZONE
ADJUSTMENT OF 2011
UNITS ARE INTERNATIONAL FEET
WITH MEASURED GROUND DISTANCE
COORDINATE CONVERSION FACTOR TO GRID: 0.9998515

VERTICAL BENCHMARK:
SE PROPERTY CORNER, MAG NAIL
ELEV. 1809.90' (NAVD 88)

SW PROPERTY CORNER, YELLOW PLASTIC CAP
ELEV. 1778.65' (NAVD 88)

DATE OF SURVEY
NOVEMBER 17, 2025

NEBRASKA DRIVE AND KNUDSON AVENUE RIGHT OF WAYS
WERE PREVIOUSLY DEDICATED BY THE FOLLOWING PLATS:
EDGEWOOD VILLAGE 7TH ADDITION, RECORDED
DOCUMENT NO. 786421 AND EDGEWOOD VILLAGE 7TH
ADDITION 1ST REPLAT, RECORDED DOCUMENT NO. 906852

EDGEWOOD VILLAGE SEVENTH ADDITION SECOND REPLAT

A REPLAT OF LOTS 1-50 OF BLOCK 1 EDGEWOOD VILLAGE 7TH ADDITION 1ST REPLAT OF THE NE 1/4 OF SECTION 23,
TOWNSHIP 139 NORTH, RANGE 80 WEST BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA

DESCRIPTION:

A REPLAT OF LOTS 1-50 OF BLOCK 1, EDGEWOOD VILLAGE 7TH ADDITION 1ST REPLAT OF THE NE 1/4 OF SECTION 23, TOWNSHIP 139 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA.

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTHERLY 40.00 FOOT RIGHT OF WAY LINE OF KNUDSON AVENUE AND THE EASTERLY 40.00 FOOT RIGHT OF WAY LINE OF NEBRASKA DRIVE; THENCE NORTH 32°49'55" EAST, ON AND ALONG THE EASTERLY RIGHT OF WAY LINE OF SAID NEBRASKA DRIVE, A DISTANCE OF 324.28 FEET; THENCE NORTH 65°51'08" EAST, A DISTANCE OF 104.38 FEET; THENCE NORTH 78°01'00" EAST, A DISTANCE OF 407.70 FEET; THENCE NORTH 89°50'10" EAST, A DISTANCE OF 123.35 FEET; THENCE SOUTH 75°42'02" EAST, A DISTANCE OF 248.95 FEET; THENCE SOUTH 34°28'20" EAST, A DISTANCE OF 353.70 FEET; THENCE SOUTH 02°12'54" EAST, A DISTANCE OF 72.35 FEET TO THE NORTH RIGHT OF WAY LINE OF SAID KNUDSON AVENUE; THENCE SOUTHWESTERLY AND TO THE LEFT, ON AND ALONG SAID NORTH RIGHT OF WAY LINE, ON A 4440.00 FOOT RADIUS NON-TANGENTIAL CURVE, A DISTANCE OF 429.57 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 5°32'36", THE CHORD OF WHICH BEARS SOUTH 84°14'38" WEST, A DISTANCE OF 429.41 FEET; THENCE SOUTH 81°29'20" WEST, CONTINUING ON AND ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 280.05 FEET; THENCE NORTHWESTERLY AND TO THE RIGHT, CONTINUING ON AND ALONG SAID NORTH RIGHT OF WAY LINE, ON A 780.00 FOOT RADIUS NON-TANGENTIAL CURVE, A DISTANCE OF 546.32 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 40°07'50", THE CHORD OF WHICH BEARS NORTH 79°27'45" WEST, A DISTANCE OF 535.22 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 10.55 ACRES MORE OR LESS AND IS SUBJECT TO ANY PREVIOUSLY ACQUIRED EASEMENTS OR RIGHT OF WAYS.

SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT:

I, TODD MARSHALL, HEREBY CERTIFY I AM A LICENSED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, THAT THIS SURVEY WAS MADE BY ME OR UNDER MY DIRECTION AND SUPERVISION AND THAT THE SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, THAT ALL MONUMENTS SHOWN HEREON ARE CORRECT, THAT ALL REQUIRED MONUMENTS HAVE BEEN SET, AND THAT ALL DIMENSIONAL AND GEODETTIC DETAILS ARE CORRECT.

TODD MARSHALL,
PROFESSIONAL LAND SURVEYOR
N.D. REGISTRATION NO. 4431

HOUSTON ENGINEERING, INC
3712 LOCKPORT STREET
BISMARCK, NORTH DAKOTA, 58501

OWNER'S CERTIFICATE AND DEDICATION

KNOWN ALL MEN BY THESE PRESENT THAT EWR COULEE RIDGE TOWNHOMES, LLC, BEING THE OWNER AND PROPRIETOR OF THE PROPERTY SHOWN HEREON HAS CAUSE THAT PORTION DESCRIBED HEREON TO BE SURVEYED AND PLATTED AS "EDGEWOOD VILLAGE SEVENTH ADDITION SECOND REPLAT", BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, AND DO SO DEDICATE AND RE-DEDICATE STREETS AS SHOWN HEREON INCLUDING ALL SEWER, CULVERTS, WATER AND OTHER PUBLIC UTILITY LINES WHETHER SHOWN HEREON OR NOT TO THE PUBLIC USE FOREVER.

THEY ALSO DEDICATE EASEMENTS TO THE CITY OF BISMARCK TO RUN WITH THE LAND, FOR GAS, ELECTRIC, TELEPHONE OR OTHER PUBLIC UTILITIES OR SERVICES ON OR UNDER THOSE CERTAIN STRIPS OF LAND DESIGNATED HEREON AS UTILITY EASEMENTS.

THEY FURTHER DEDICATE TO THE PUBLIC WATERMAIN, SANITARY SEWER, STORMWATER & DRAINAGE EASEMENTS TO RUN WITH THE LAND FOR THE PURPOSE OF AND THE RIGHT TO CONSTRUCT, OPERATE, MAINTAIN, AND REPAIR WATERMAIN, SANITARY SEWER, & STORMWATER FACILITIES ACROSS THOSE LANDS DESIGNATED AS SUCH.

THEY ALSO DEDICATE AN ACCESS EASEMENT TO THE HOMEOWNERS ON LOT 1 BLOCK 1 EDGEWOOD VILLAGE SEVENTH ADDITION SECOND REPLAT, AT ALL TIMES HEREFTER, TO RUN WITH THE LAND, SAID EASEMENT TO INCLUDE THE FULL AND FREE RIGHT FOR SAID PARTIES, THEIR TENANTS, VISITORS, LICENSEES, AND POLICE/FIRE/MAINTENANCE TO PASS, AND REPASS ALONG SAID EASEMENT, AND THE RIGHT TO CONSTRUCT, REPAIR, AND ACCESS A PRIVATE DRIVEWAY ACROSS SAID EASEMENT.

STATE OF NORTH DAKOTA)
COUNTY OF BURLEIGH) ss
_____, PRESIDENT
EWR COULEE RIDGE TOWNHOMES, LLC
51 BROADWAY N STE. 600
FARGO, ND 58102

ON THIS _____ DAY OF _____, 2026, BEFORE ME PERSONALLY APPEARED _____, PRESIDENT OF EWR COULEE RIDGE TOWNHOMES, LLC, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE WITHIN CERTIFICATE AND THEY ACKNOWLEDGE TO ME THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA

APPROVAL OF BOARD OF CITY COMMISSIONERS

THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND AS SHOWN ON THIS PLAT, HAS APPROVED THE GROUND AS SHOWN ON THIS PLAT AS AN AMENDMENT TO THE MASTER PLAN OF THE CITY OF BISMARCK, NORTH DAKOTA, HAS ACCEPTED THE DEDICATION OF ALL RIGHTS OF WAY AND PUBLIC EASEMENTS SHOWN THEREON AND DOES HEREBY VACATE ANY PREVIOUS PLATTING WITHIN THE BOUNDARY OF THIS PLAT.

THE FOREGOING ACTION OF THE BOARD OF COMMISSIONERS OF BISMARCK, NORTH DAKOTA, WAS APPROVED THE _____ DAY OF _____, 2026.

MICHAEL T. SCHMITZ - PRESIDENT
ATTEST: JASON TOMANEK - CITY ADMINISTRATOR

APPROVAL OF CITY PLANNING AND ZONING COMMISSION:

THE SUBDIVISION OF LAND AS SHOWN ON THE PLAT HAS BEEN APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF BISMARCK, NORTH DAKOTA, ON THE _____ DAY OF _____, 2026, IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA AND ORDINANCES OF THE CITY OF BISMARCK.

MICHAEL J. SCHWARTZ - CHAIR
ATTEST: DANIEL NARRIN - SECRETARY

APPROVAL OF CITY ENGINEER

I, GABRIEL J. SCHELL, CITY ENGINEER TO THE CITY OF BISMARCK, NORTH DAKOTA, HEREBY APPROVE THIS PLAT.

GABRIEL J. SCHELL, CITY ENGINEER

EDGEWOOD VILLAGE 7TH ADDITION 1ST REPLAT

BEING A REPLAT OF BLOCK 3 OF EDGEWOOD VILLAGE 7TH ADDITION AND
PARTS OF KNUDSEN AVENUE, MINNESOTA DRIVE, NEBRASKA DRIVE,
AND 43RD AVE NE RIGHTS-OF-WAY
OF THE NE 1/4 OF SECTION 23, TOWNSHIP 139 NORTH, RANGE 80 WEST
BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA

NW CORNER
NE 1/4
SECTION 23
TOWNSHIP 139 NORTH
RANGE 80 WEST

N89°50'42"E
1319.63'

NORTH DAKOTA STATE
PLANE COORDINATES
ADJUSTMENT OF 1988
INTERNATIONAL FEET
N: 4325.47
E: 19089.77



NOTES

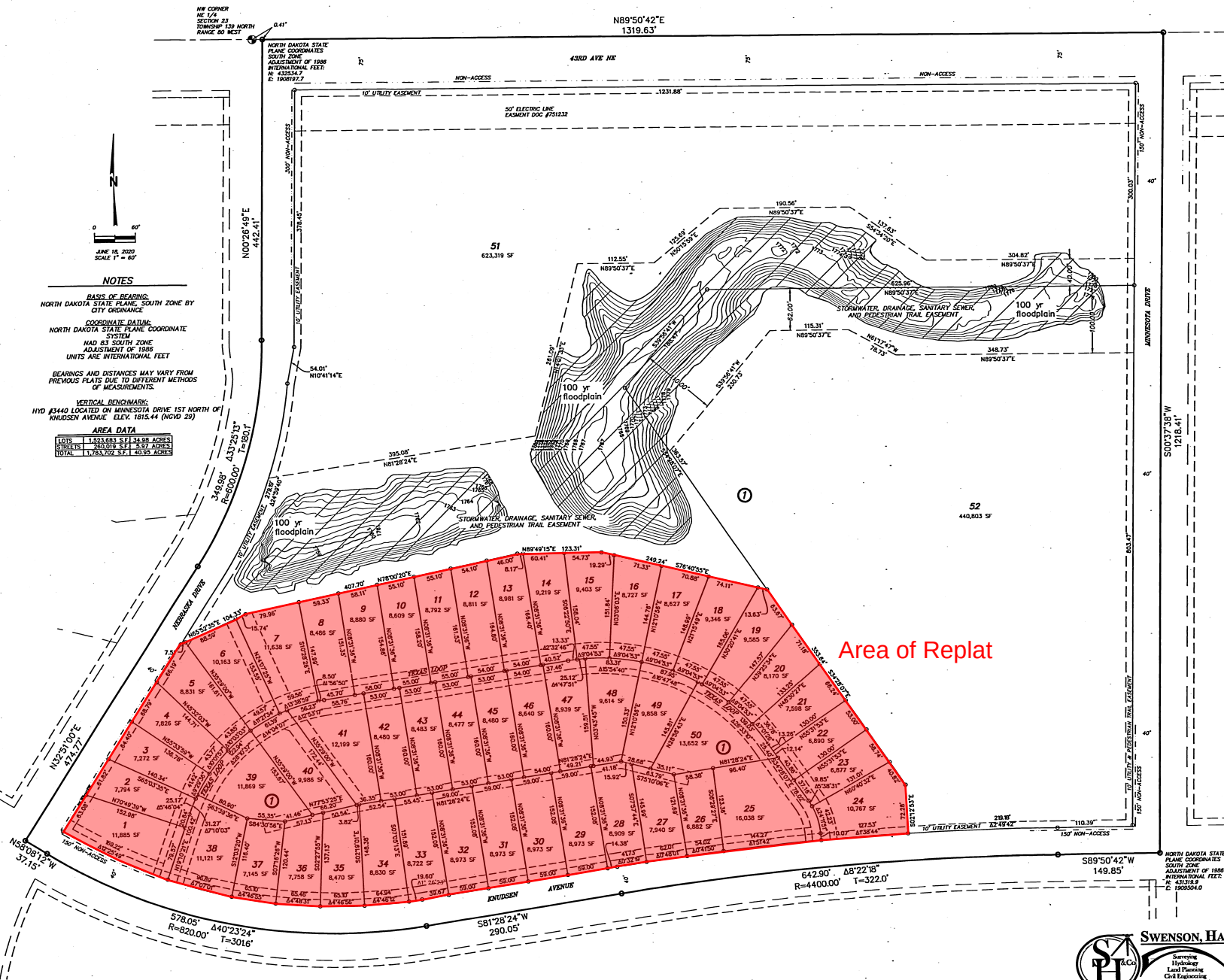
BASE OF BEARING:
NORTH DAKOTA STATE PLANE, SOUTH ZONE BY
CITY ORDINANCE

COORDINATE DATUM:
NORTH DAKOTA STATE PLANE COORDINATE
SYSTEM
NAD 83 SOUTH ZONE
ADJUSTMENT OF 1988
UNITS ARE INTERNATIONAL FEET

BEARINGS AND DISTANCES MAY VARY FROM
PREVIOUS PLATS DUE TO DIFFERENT METHODS
OF MEASUREMENTS.

VERTICAL BENCHMARK:
HYD #3440 LOCATED ON MINNESOTA DRIVE 1ST NORTH OF
KNUDSEN AVENUE. ELEV. 1815.44 (NGVD 29)

AREA DATA	
LOTS	1,423.683 SF 14.98 ACRES
STREETS	26,019 SF 0.57 ACRES
TOTAL	1,785,092 SF 40.95 ACRES



Area of Replat



SWENSON, HAGEN & COMPANY P.C.
Surveying
Hydrology
Land Planning
Civil Engineering
Landscape & Site Design
Construction Management
500 Basin Avenue
Bismarck, North Dakota 58504
Along@swensonhagen.com
Phone (701) 223-1900
Fax (701) 223-1900

EDGEWOOD VILLAGE 7TH ADDITION 1ST REPLAT

BEING A REPLAT OF BLOCK 3 OF EDGEWOOD VILLAGE 7TH ADDITION AND
PARTS OF KNUDSEN AVENUE, MINNESOTA DRIVE, NEBRASKA DRIVE,
AND 43RD AVE NE RIGHTS-OF-WAY
OF THE NE 1/4 OF SECTION 23, TOWNSHIP 139 NORTH, RANGE 80 WEST
BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA

DESCRIPTION

BEING A REPLAT OF BLOCK 3 EDGEWOOD VILLAGE 7TH ADDITION, AND PARTS OF KNUDSEN AVENUE, MINNESOTA DRIVE, NEBRASKA DRIVE, AND 43RD AVE NE RIGHTS-OF-WAY OF THE NE 1/4 OF SECTION 23, TOWNSHIP 139 NORTH, RANGE 80 WEST, BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT THAT IS 0.41 FEET NORTH 89 DEGREES 50 MINUTES 42 SECONDS EAST OF THE NORTHWEST CORNER OF THE NE 1/4 OF SAID SECTION 23; THENCE NORTH 89 DEGREES 50 MINUTES 42 SECONDS EAST, ALONG THE NORTH LINE OF SAID SECTION 23, A DISTANCE OF 1318.63 FEET TO THE CENTERLINE OF MINNESOTA DRIVE, RIGHT-OF-WAY; THENCE SOUTH 00 DEGREES 37 MINUTES 38 SECONDS WEST, ALONG SAID CENTERLINE, A DISTANCE OF 1218.41 FEET TO THE CENTERLINE OF KNUDSEN AVENUE, RIGHT-OF-WAY; THENCE SOUTH 89 DEGREES 50 MINUTES 42 SECONDS WEST, ALONG SAID CENTERLINE, A DISTANCE OF 148.85 FEET; THENCE SOUTHWESTERLY AND TO THE LEFT, CONTINUING ALONG SAID CENTERLINE, ON A 440.00 FOOT RADIUS CURVE, AN ARC LENGTH OF 642.80 FEET; THENCE SOUTH 81 DEGREES 29 MINUTES 24 SECONDS WEST, CONTINUING ALONG SAID CENTERLINE, A DISTANCE OF 30.00 FEET; THENCE SOUTHWESTERLY AND TO THE RIGHT, CONTINUING ALONG SAID CENTERLINE, ON A 620.00 FOOT RADIUS CURVE, AN ARC LENGTH OF 576.00 FEET; THENCE NORTH 58 DEGREES 08 MINUTES 12 SECONDS WEST, CONTINUING ALONG SAID CENTERLINE, A DISTANCE OF 37.15 FEET TO THE CENTERLINE OF NEBRASKA DRIVE, RIGHT-OF-WAY; THENCE NORTH 35 DEGREES 51 MINUTES 00 SECONDS EAST, ALONG SAID CENTERLINE, A DISTANCE OF 474.77 FEET; THENCE NORTHEASTERLY AND TO THE LEFT, CONTINUING ALONG SAID CENTERLINE, ON A 600.00 FOOT RADIUS CURVE, AN ARC LENGTH OF 348.98 FEET; THENCE NORTH 00 DEGREES 26 MINUTES 49 SECONDS EAST, CONTINUING ALONG SAID CENTERLINE, A DISTANCE OF 442.41 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT CONTAINS 40.95 ACRES, MORE OR LESS.

SURVEYOR'S CERTIFICATE

I, TERRY BALTZER, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS PLAT IS A TRUE COPY OF THE NOTES OF A SURVEY PERFORMED UNDER MY SUPERVISION AND COMPLETED ON JUNE 5, 2020, THAT ALL INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT ALL MONUMENTS SHOWN HEREON ARE CORRECT, THAT ALL REQUIRED MONUMENTS HAVE BEEN SET, AND THAT ALL DIMENSIONAL AND GEODETIC DETAILS ARE CORRECT.



STATE OF NORTH DAKOTA)
COUNTY OF BURLEIGH) SS
SWENSON, HAGEN & CO. P.C.
909 BASIN AVENUE
BISMARCK, NORTH DAKOTA
58504

Terry Baltzer
TERRY BALTZER
PROFESSIONAL LAND SURVEYOR
N.D. REGISTRATION NO. 3595

APPROVAL OF PLANNING AND ZONING COMMISSION

THE SUBDIVISION OF LAND AS SHOWN ON THIS PLAT HAS BEEN APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF BISMARCK, ON JUNE 5, 2020, IN ACCORDANCE WITH LAWS OF THE STATE OF NORTH DAKOTA, ORDINANCES OF THE CITY OF BISMARCK AND REGULATIONS ADOPTED BY THE SAID PLANNING COMMISSION. IN WITNESS WHEREOF, I SET THE HANDS AND SEALS OF THE CHAIRMAN AND SECRETARY OF THE PLANNING COMMISSION OF THE CITY OF BISMARCK.

Michael A. Schwartz
MICHAEL A. SCHWARTZ - CHAIRMAN

Ben Erith
ATTN: BEN ERITH - SECRETARY

APPROVAL OF BOARD OF CITY COMMISSIONERS

THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND AS SHOWN ON THIS PLAT, HAS ACCEPTED THE RE-DEDICATION OF ALL STREETS SHOWN THEREON, HAS APPROVED THE ORDINANCES SHOWN ON THE PLAT AS AN AMENDMENT TO THE MASTER PLAN OF THE CITY OF BISMARCK, NORTH DAKOTA, AND DOES HEREBY VACATE ANY PREVIOUS PLATING WITHIN THE BOUNDARY OF THE APPROVED PLAT.

THE FOREGOING ACTION OF THE BOARD OF CITY COMMISSIONERS OF BISMARCK, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED THE 21ST DAY OF JUNE, 2020.

Keith J. Hunkle
ATTN: KEITH J. HUNKLE - CITY ADMINISTRATOR

APPROVAL OF CITY ENGINEER

I, GABRIEL J. SCHILL, CITY ENGINEER OF THE CITY OF BISMARCK, NORTH DAKOTA, HEREBY APPROVE "EDGEWOOD 7TH ADDITION 1ST REPLAT", BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA AS SHOWN ON THIS PLAT.

Gabriel J. Schill
GABRIEL J. SCHILL
CITY ENGINEER

OWNER'S CERTIFICATE & DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT EDGEWOOD PROPERTIES, L.L.P., BEING THE OWNER AND PROPRIETOR OF THE PROPERTY SHOWN THAT PORTION DESCRIBED HEREON TO BE SURVEYED AND PLATTED AS "EDGEWOOD 7TH ADDITION 1ST REPLAT", BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, AND DO SO DEDICATE AND RE-DEDICATE STREETS AS SHOWN HEREON INCLUDING ALL SEWER, CULVERTS, WATER AND OTHER PUBLIC UTILITY LINES WHETHER SHOWN HEREON OR NOT TO THE PUBLIC USE FOREVER.

THEY ALSO DEDICATE EASEMENTS TO THE CITY OF BISMARCK TO RUN WITH THE LAND, FOR GAS, ELECTRIC, TELEPHONE OR OTHER PUBLIC UTILITIES OR SERVICES ON OR UNDER THOSE CERTAIN STRIPS OF LAND DESIGNATED HEREON AS UTILITY EASEMENTS.

THEY FURTHER DEDICATE EASEMENTS TO THE PUBLIC WATERMAIN, SANITARY SEWER, STORMWATER & DRAINAGE EASEMENTS TO RUN WITH THE LAND FOR THE PURPOSE OF AND THE RIGHT TO CONSTRUCT, OPERATE, MAINTAIN, AND REPAIR WATERMAIN, PEDESTRIAN TRAIL, SANITARY SEWER, & STORMWATER FACILITIES ACROSS THOSE LANDS DESIGNATED AS SUCH.

THEY ALSO DEDICATE AN ACCESS EASEMENT TO THE OWNERS OF LOTS 1-50 BLOCK 1 EDGEWOOD 7TH ADDITION 1ST REPLAT, AT ALL TIMES HEREFTER, TO RUN WITH THE LAND, SAID EASEMENT TO INCLUDE THE FULL AND FREE RIGHT FOR SAID PARTIES, THEIR TENANTS, VISITORS, LICENSEES, AND POLICE/FIRE/MAINTENANCE TO PASS, AND REPASS ALONG SAID EASEMENT, AND THE RIGHT TO CONSTRUCT, REPAIR, AND ACCESS A PRIVATE DRIVEWAY ACROSS SAID EASEMENT.

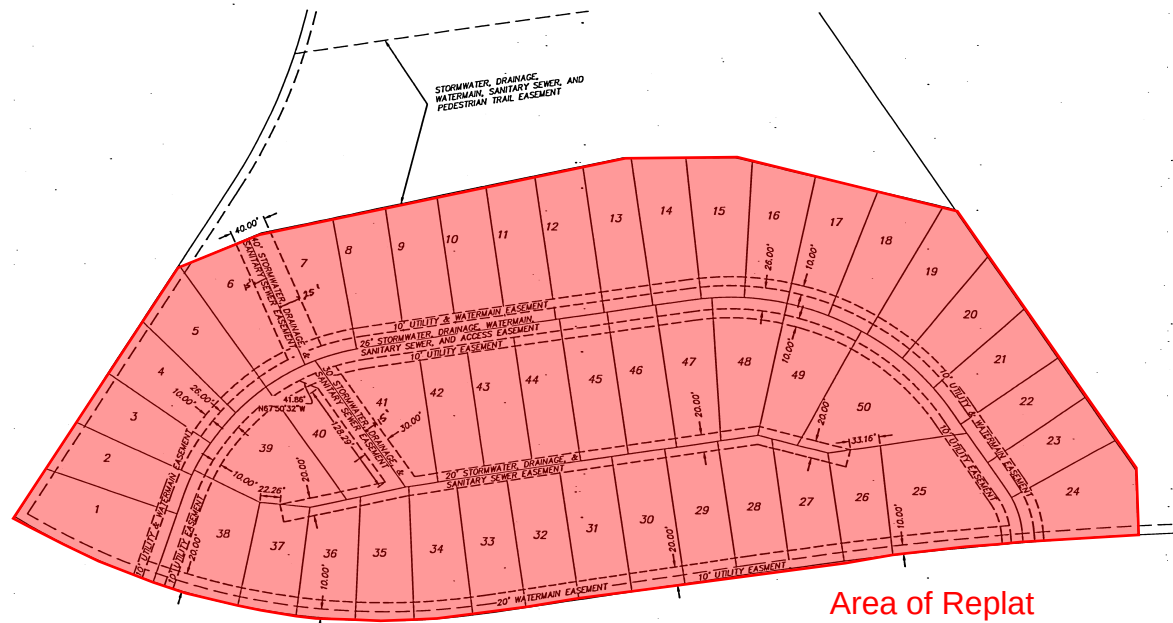
STATE OF NORTH DAKOTA)
COUNTY OF BURLEIGH)

Jon Strindem
JON STRINDEM, PRESIDENT
EDGEWOOD PROPERTIES, L.L.P.
51 BROADWAY N STE. 600
FARGO, ND 58102

ON THIS 23RD DAY OF JUNE, 2020, BEFORE ME PERSONALLY APPEARED JON STRINDEM, PRESIDENT OF EDGEWOOD PROPERTIES, L.L.P., KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

David P. Oppen
DAVID P. OPPEN
Notary Public
Burleigh County, North Dakota
My Commission Expires 1-16-21

NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA
MY COMMISSION EXPIRES 1-16-21



EASEMENT DETAILS LOTS 1-50 BLOCK 1



NOTES

BASES OF BEARINGS:
NORTH DAKOTA STATE PLANE, SOUTH ZONE BY
CITY ORDINANCE

COORDINATE DATUM:
NORTH DAKOTA STATE PLANE COORDINATE
SYSTEM
HAD 83 SOUTH ZONE
ADJUSTMENT OF 1988
UNITS ARE INTERNATIONAL FEET

BEARINGS AND DISTANCES MAY VARY FROM
PREVIOUS PLATS DUE TO DIFFERENT METHODS
OF MEASUREMENTS.

VERTICAL BENCHMARK:
HYD #3440 LOCATED ON MINNESOTA DRIVE 1ST NORTH OF
KNUDSEN AVENUE. ELEV. 1815.44 (NGVD 29)

AREA DATA	
LOTS	1,183.192 SF 14.98 ACRES
STREETS	260,019 SF 5.97 ACRES
TOTAL	1,783,192 SF 40.95 ACRES



SWENSON, HAGEN & COMPANY P.C.
909 BASIN AVENUE
BISMARCK, NORTH DAKOTA 58504
along@swensonhagen.com
Phone (701) 223-9000
Fax (701) 223-3006
Surveying
Hydrology
Land Planning
Civil Engineering
Landscape & Site Design
Construction Management



City of Bismarck
Community Development Department
Planning Division
Phone: 701-355-1840 • FAX: 701-222-6450 • TDD: 711
PO Box 5503 • Bismarck, ND 58506-5503
planning@bismarcknd.gov

Last Revised: 05/14/2025

SUBDIVISION REQUIREMENTS/ STANDARDS WAIVER REQUEST

If any waivers from subdivision requirements/standards are being requested, this form must be completed and submitted in conjunction with the unified development application. ***This form cannot be used for amendments to the Major Street Plan or the Future Land Use Plan, or for written justification for the use of cul-de-sacs or private roadways.***

SUBDIVISION INFORMATION:

Name of Subdivision:

Edgewood Village Seventh Addition Second Replat

REQUESTED WAIVERS FROM SUBDIVISION REQUIREMENTS/STANDARDS:

☐ Ghost Platting

Reason for Request:

☐ Paving of Interior Roadways

Reason for Request:

☐ Maximum Block Length

Reason for Request:

☐ Minimum Lot Width/Area

Reason for Request:

☒ Other (Specify)

Reason for Request:

In order to meet the expected project timeline of a minor plat, and receiving notice within the sufficient time under state law, the applicant requests that their 10 day certified letter notification requirement noted in 14-09-04 be waived. All NDCC notification requirements have been met.

☐ Other (Specify)

Reason for Request:

☐ Other (Specify)

Reason for Request:

STAFF REPORT

Agenda Item # 4D

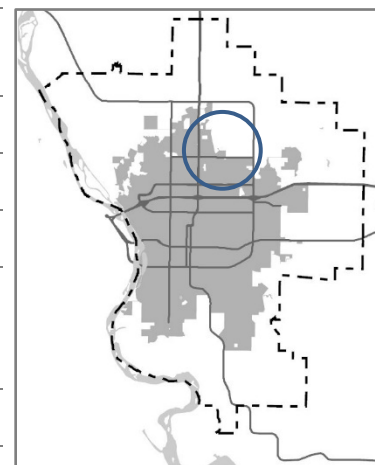
January 28, 2026

Application for: **Rural Residential Lot Split**

Project ID: **RRLS2025-002**

Project Summary

<i>Title:</i>	Prairie Place Subdivision, Block 2, Lot 4 less the West 240 feet
<i>Status:</i>	Planning and Zoning Commission - Public Hearing
<i>Property Owner(s):</i>	Jordan and Amanda Williams
<i>Project Contact:</i>	Jordan Williams
<i>Project Location:</i>	North of Bismarck, north of 43rd Avenue NE, between 26th Street NE and Centennial Road, along the north and west side of Wildrose Crescent
<i>Project Size:</i>	3.32 acres
<i>Applicant Request:</i>	Approval of a rural residential lot split
<i>Staff Recommendation:</i>	Approve with conditions



Site Information

<i>Existing Conditions</i>		<i>Proposed Conditions</i>	
<i>Lots/Blocks:</i>	1 parcel in 1 block	<i>Lots/Blocks:</i>	2 parcels in 1 block
<i>Land Use:</i>	Rural Residential	<i>Land Use:</i>	No Change
<i>Future Land Use:</i>	Rural Residential (RR)	<i>Future Land Use:</i>	No Change
<i>Zoning:</i>	RR – Residential	<i>Zoning:</i>	No Change
<i>Uses Allowed:</i>	RR – Large lot single-family residential and limited agriculture	<i>Uses Allowed:</i>	No Change
<i>Max Density:</i>	RR – 1 unit per 65,000 square feet	<i>Max Density:</i>	No Change

Area Information

Property History

<i>Zoning Jurisdiction:</i>	Extraterritorial Area (ETA)	<i>Zoned:</i>	09/1978
<i>Township:</i>	Hay Creek (organized)	<i>Platted:</i>	09/1978
<i>Neighborhood:</i>	Grande Prairie	<i>Annexed:</i>	N/A

(continued)

Project Narrative

Jordan and Amanda Williams are requesting approval of a rural residential lot split of Lot 4 less the West 240 feet, Block 2, Prairie Place Subdivision.

The request would split Lot 4 less the West 240 feet from north to south, creating two separate parcels. The western parcel would be approximately 75,960 square feet (211 feet X 360 feet) and include the existing single-family dwelling and accessory buildings. The eastern parcel would be approximately 68,900 square feet (191.39 feet X 360 feet). The applicant has

indicated that they intend to construct a new single-family dwelling on this parcel.

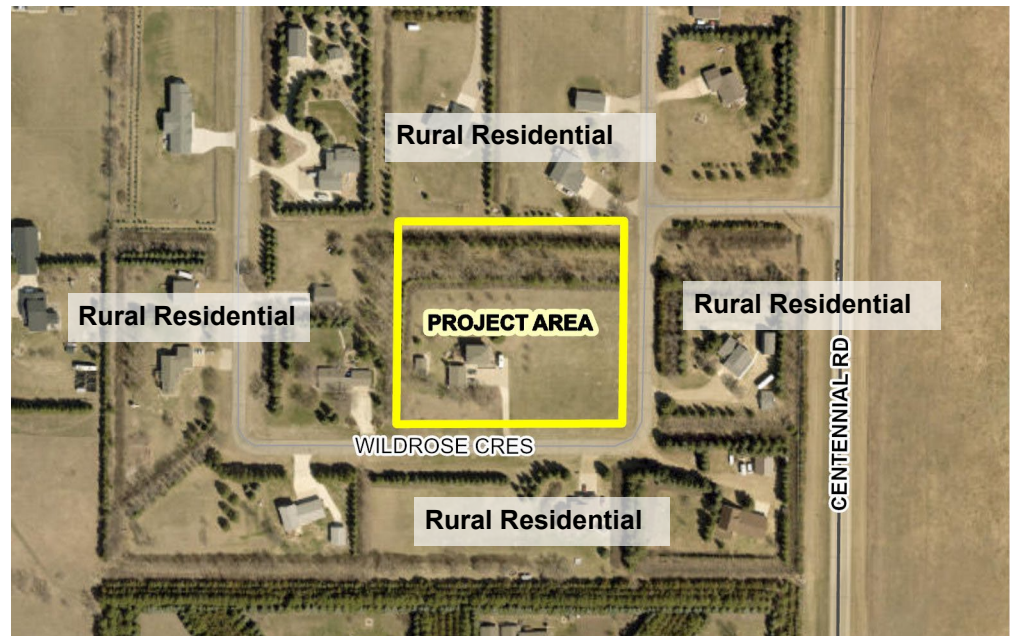
The property is located within the RR – Residential zoning district. The minimum lot size for a property within this zoning district is 65,000 square feet, with a minimum lot width of 150 feet feed and a minimum lot depth of 200 feet. Both proposed parcels meet these requirements.

If approved as proposed, a deed transferring the ownership of the eastern parcel is required to be recorded with the Burleigh County Recorder prior to the issuance of a building permit.

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 Rural Residential (RR) in the Future Land Use Plan. The RR areas are places for country living with convenient proximity to city life. Goals and objectives of this plan as they relate to this request are referenced in review standards below.

The property is surrounded by rural residential single-family homes.

Public Engagement

Hay Creek Township was notified of this request on January 6, 2026.

The public has been duly notified of this request. A notice was published in the Bismarck Tribune on January 16 and 23, and 61 postcards were mailed to the owners of nearby properties on January 16, 2026.

(continued)

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.

A physical sign providing information on the public hearing was placed in a publicly accessible spot at the project location on January 12, 2026.

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

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.

Dimensional standards of the zoning ordinance are met with the proposed lot split ([Title 14](#))

Yes. Both lots meet all area and width requirements of the RR – Residential zoning district, and there is sufficient space within each lot for anticipated buildings to meet density, setback, and lot coverage requirements.

Both lots would be greater than the minimum lot size for the RR – Residential zoning district which is 65,000 square feet and the minimum lot width and depth requirement which is 150 feet and 200 feet respectively.

Proper administrative procedures related to the request are being followed (Section 14-09-05)

Yes. All administrative procedures of the City Code of Ordinances have been followed to date. The applicant with a legal interest in the property has submitted a complete application for a rural residential lot split, 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 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 lot split ([Goal S10-a](#))

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

Staff Recommendation

Based on the above findings, staff recommend approval of the rural residential lot split of Lot 4 less the West 240 feet, Block 2, Prairie Place Subdivision, with the following condition.

1. A deed transferring the ownership of the eastern parcel is recorded with the Burleigh County Recorder prior to the issuance of a building permit.

Attachments

1. Draft Resolution
2. Zoning and Plan Reference Map
3. Proposed site layout

Staff report prepared by: Jenny Wollmuth, AICP, CFM, Senior Planner
701-355-1845 | jwollmuth@bismarcknd.gov

**RESOLUTION OF
BISMARCK PLANNING AND ZONING COMMISSION**

**RURAL RESIDENTIAL LOT SPLIT
IN PRAIRIE PLACE SUBDIVISION (RRLS2025-002)**

WHEREAS, the rural residential lot split process outlined in Section 14-09-04(5) of the City Code of Ordinances is intended to facilitate the further division of previously platted rural residential lots into two or three parcels for development; and

WHEREAS, the owners of property described as Lot 4 less the West 240 feet, Block 2, Prairie Place Subdivision have requested approval of a rural residential lot split to split Lot 4 less the West 240 feet, Block 2, Prairie Place Subdivision into two parcels in the RR – Residential zoning district on said property; and

WHEREAS, The Bismarck Planning and Zoning Commission held a public hearing on January 28, 2026 regarding this request for a rural residential lot split and considered public testimony and findings of fact related to the request.

NOW, THEREFORE, BE IT RESOLVED by the Planning and Zoning Commission of the City of Bismarck, North Dakota, that the application for a rural residential lot split of Lot 4 less the West 240 feet, Block 2, Prairie Place Subdivision into two parcels is hereby approved, subject to the following conditions:

1. All other terms and conditions of the zoning ordinance are met.
2. A deed transferring the ownership of the eastern parcel is recorded with the Burleigh County Recorder prior to the issuance of a building permit.

Adopted this 28th Day of January 2026.

CERTIFICATE

I, Daniel Nairn, do hereby certify that I am the duly appointed, qualified Planning Director of the City of Bismarck, North Dakota, and that the foregoing is a full, true and correct copy of a resolution adopted at a legally convened meeting of the Planning and Zoning Commission held on this January 28, 2026.

IN WITNESS WHEREOF, I have hereunto set my hand.

Daniel Nairn, AICP
Planning Director
Bismarck, North Dakota

Date



Zoning and Plan Reference Map

RRLS2025-002

PRAIRIE PLACE SUBDIVISION B2 L4 LESS THE WEST 240'

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/	Mid/Long-Term
URB	

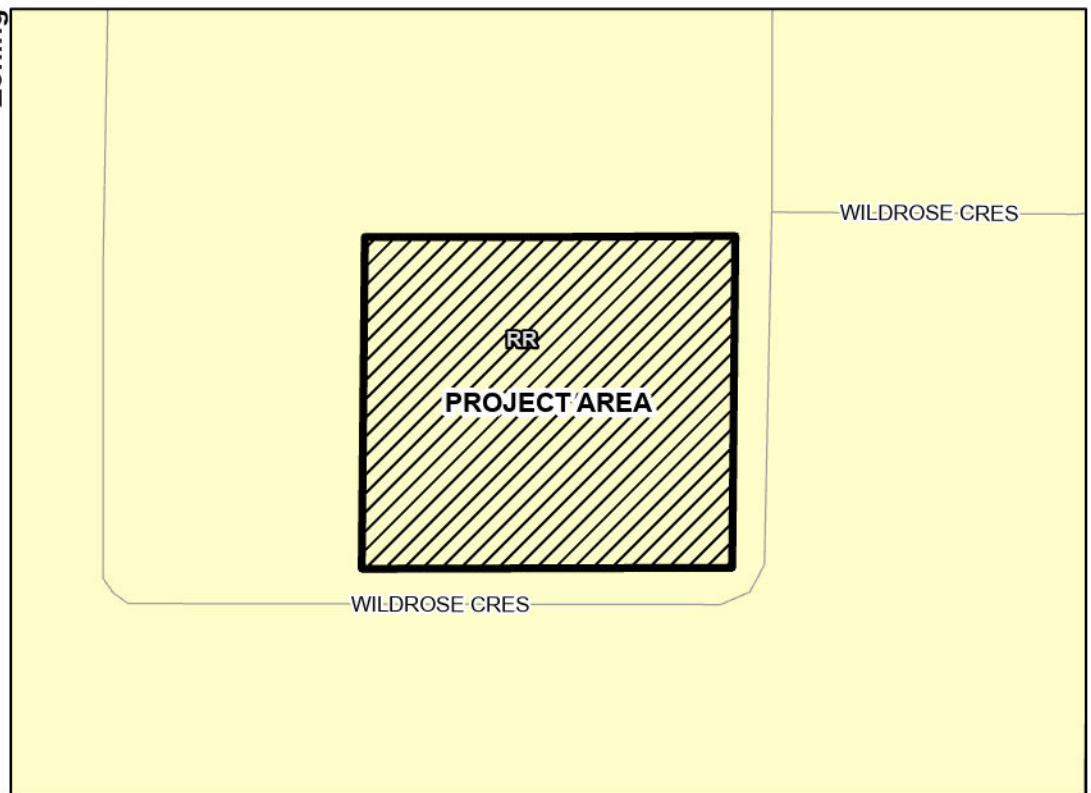
Active Mobility Plan

— Future Shared Trail

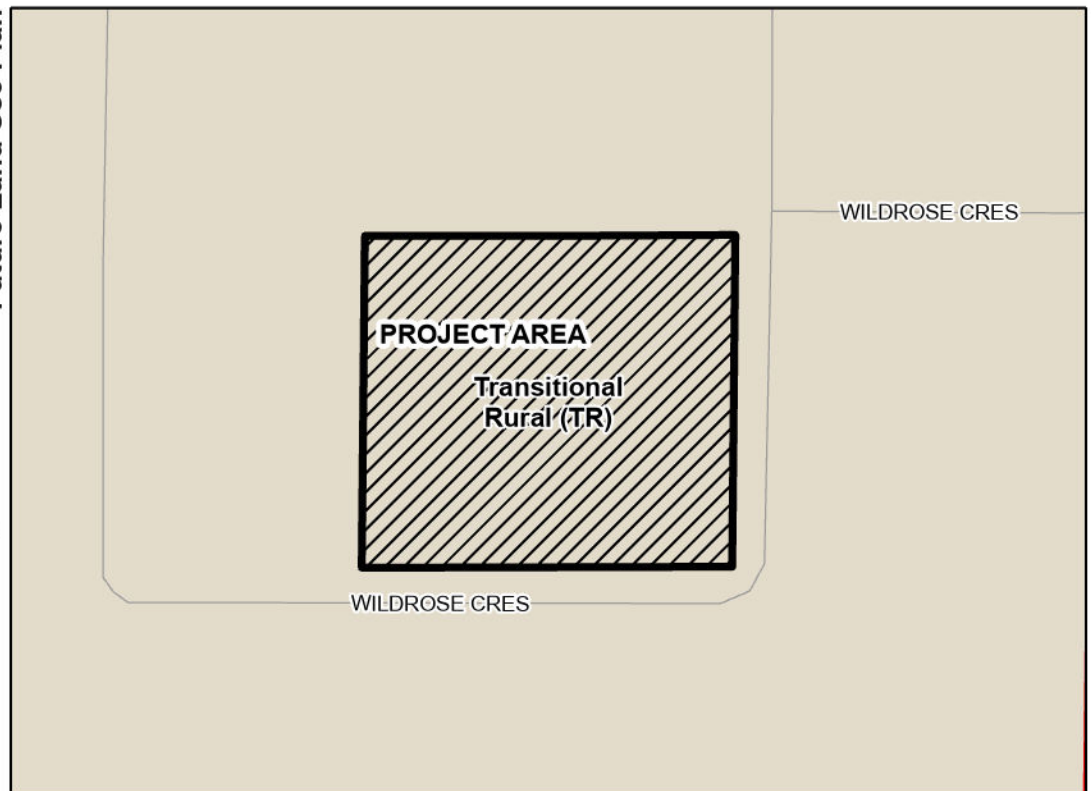
Major Street Plan

- Existing Arterial
- Future Arterial
- Existing Collector
- Future Collector
- Existing Interstate
- Future Interstate
- City Limits

Zoning



Future Land Use Plan



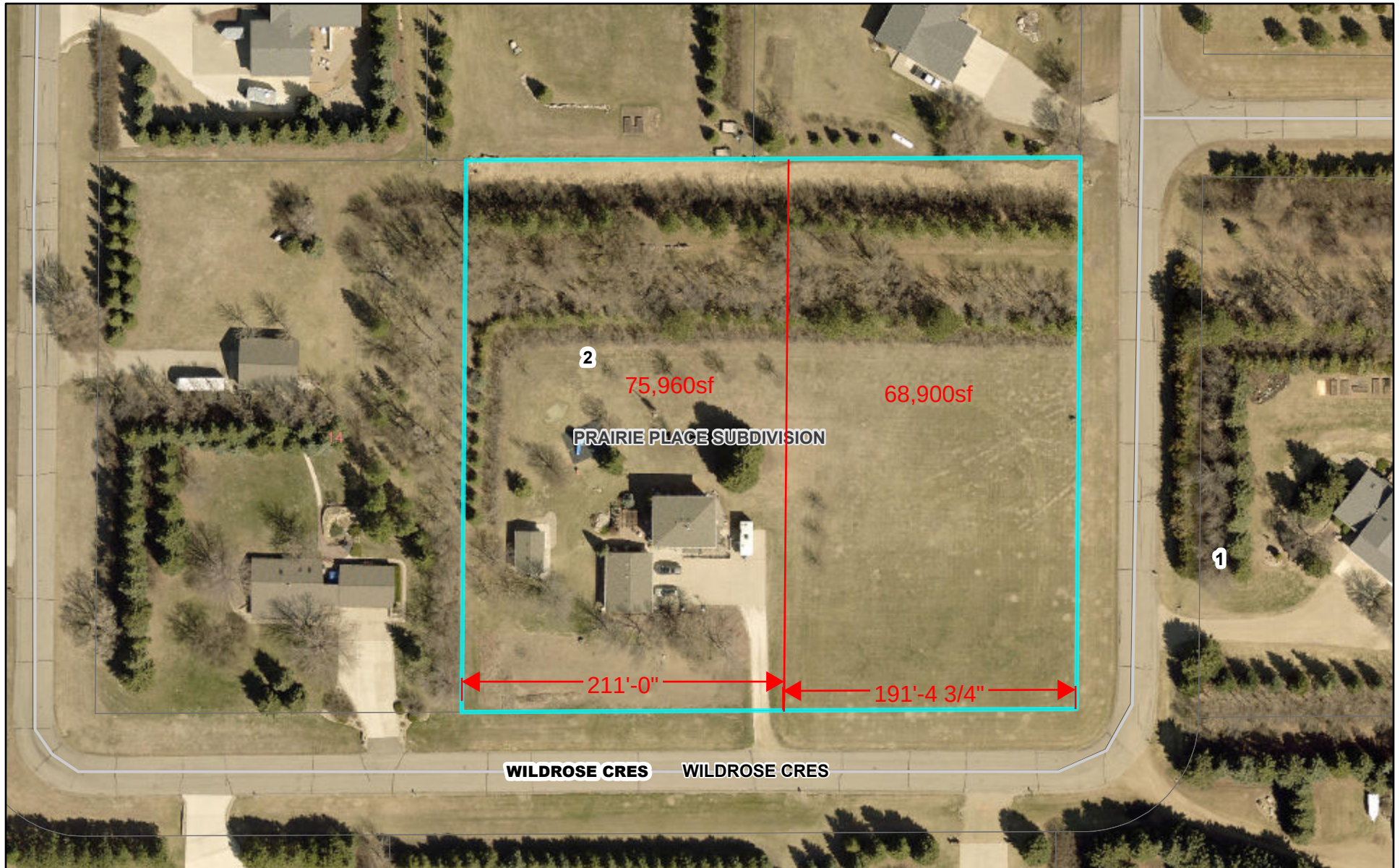
This map is for representational use only and does not represent a survey.
No liability is assumed as to the accuracy of the data delineated hereon.

0 150 300 600 Feet



City of Bismarck
Planning Department
January 20, 2026

Community Development Map



12/31/2025

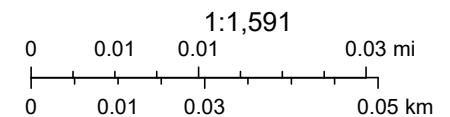
- PLSS Township
- PLSS Section
- PLSS Intersected
- ETA until 3/1/26

- Road_List_Burleigh_County_ND
- BUILT
- Streets
- Burleigh County Parcels

- Blocks
- Subdivisions

- World Imagery
- Low Resolution 15m Imagery

- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations
- 30cm Resolution Metadata



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