

**BISMARCK PLANNING & ZONING COMMISSION
MEETING MINUTES
January 28, 2026**

The Bismarck Planning & Zoning Commission met on January 28, 2026, 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, Mike Schmitz (via Zoom), Conner Swanson, Kendra Taylor, and Al Wangler.

Commissioners Robert Field, Trent Wangen, and Sheldon Sivak 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 December 17, 2025 meeting.

MOTION: Commissioner Johnson made a motion to approve the minutes of the December 17, 2025 meeting. Commissioner Schell seconded the motion, and it was unanimously approved with Commissioners Bitner, Johnson, Schell, Schwartz, Schmitz, Swanson, Taylor, and Wangler 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. JFP FOXHAVEN SUBDIVISION

**MAJOR STREET PLAN AMENDMENT, ZONING MAP AMENDMENT, and
MAJOR SUBDIVISION PRELIMINARY PLAT**

3B. BOULDER RIDGE EIGHTH ADDITION

ZONING MAP AMENDMENT and MAJOR SUBDIVISION PRELIMINARY PLAT

3C. CLEAR SKY SECOND ADDITION

ZONING MAP AMENDMENT and MAJOR SUBDIVISION PRELIMINARY PLAT

MOTION: Based on the findings contained in the staff reports, Commissioner Bitner made a motion to approve consent agenda items 3A, 3B, and 3C calling for public hearings as recommended by staff. Commissioner Johnson seconded

the motion, and it was unanimously approved with Commissioners Bitner, Johnson, Schell, Schwartz, Schmitz, Swanson, Taylor, and Wangler voting in favor of the motion.

PUBLIC HEARING – BOULDER RIDGE SEVENTH ADDITION SECOND REPLAT MINOR SUBDIVISION FINAL PLAT

Chair Schwartz called for the public hearing on the minor subdivision final plat titled Boulder Ridge Seventh Addition Second Replat. The property is located in north Bismarck, east of North Washington Street, south of 57th Avenue NE, between Flint Drive and Calvert 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 minor subdivision final plat would not adversely impact the public health, safety, and general welfare.

Ms. Oster said, based on the findings contained in the staff report, staff recommends approval of the minor subdivision final plat titled 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.

Commissioner Schell asked if Planning staff are comfortable with the building permits already issued for this property relating to a shared property line. Ms. Oster said the agenda packet includes an item that shows a general location of the proposed building layout. Commissioner Schell asked whether the property line adjustment will cause any issues with the setbacks. Ms. Oster explained that the line has moved slightly to the east and will not have any effect on setbacks.

Chair Schwartz opened the public hearing.

Landon Niemiller, Swenson Hagen & Co., explained that the developer is platting after the construction has begun due to pouring the foundation before winter. Commissioner Schell and Mr. Niemiller discussed addressing, lot numbering, and plans for the west lots.

Mr. Nairn said staff will support the change in lot numbering.

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

MOTION: Based on the findings contained in the staff report, Commissioner Schell made a motion to approve the minor subdivision final plat titled Boulder Ridge Seventh Addition Second Replat with the conditions and change to the lot numbering. Commissioner Swanson seconded the motion, and the motion was unanimously approved with Commissioners Bitner, Johnson, Schell, Schwartz, Schmitz, Swanson, Taylor, and Wangler voting in favor of the motion.

**PUBLIC HEARING – COTTONWOOD PARKVIEW ADDITION FIRST REPLAT,
BLOCK 1, LOTS 2-9
ZONING MAP AMENDMENT**

Chair Schwartz called for the public hearing on the 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 property is located in south Bismarck, south of Sante Fe Avenue, north of Rutland Drive, on the west side of Kamrose Drive.

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

Mr. Johnson said, based on the findings contained in the staff report, staff recommends approval of the zoning map amendment for Cottonwood Parkview Addition First Replat.

Commissioner Schell asked about landscaping requirements. Mr. Johnson said no additional landscaping will be required.

Chair Schwartz opened the public hearing.

Nic Cullen, Houston Engineering, came forward to answer commissioners' questions.

Commissioner Schell asked whether the existing building would be demolished. Mr. Cullen indicated nothing would be demolished.

Chair Schwartz asked why the applicant is making this request. Mr. Cullen responded that it will provide tax savings.

Commissioner Schell asked if this area would be similar to the property across the street with several two-unit buildings. Mr. Cullen said this property will mimic the property across the street.

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

MOTION: Based on the findings contained in the staff report, Commissioner Johnson made a motion to approve the zoning map amendment for Cottonwood Parkview Addition First Replat. Commissioner Schmitz seconded the motion. The motion was unanimously approved with Commissioners Bitner, Johnson, Schell, Schwartz, Schmitz, Swanson, Taylor, and Wangler voting in favor.

**PUBLIC HEARING – EDGEWOOD VILLAGE SEVENTH ADDITION SECOND REPLAT
ZONING MAP AMENDMENT and MINOR SUBDIVISION FINAL PLAT**

Chair Schwartz called for the public hearing on 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 property is located in northeast Bismarck, east of Nebraska Drive and west of Oklahoma Lane, on the north side of Knudsen Avenue.

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

Mr. Johnson said, based on the findings contained in the staff report, staff recommends approval of the zoning map amendment and minor plat titled 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 the North Dakota Century Code.

Commissioner Schell suggested the watermain easement be removed from the face of the plat and the owner's certificate of dedication.

Chair Schwartz opened the public hearing.

Nic Cullen said he agrees with Commissioner Schell's suggestion to remove the easement.

Commissioner Schell asked whether the existing building would be demolished. Mr. Cullen indicated nothing would be demolished.

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

MOTION: Based on the findings contained in the staff report, Commissioner Wangler made a motion to approve the zoning map amendment and minor subdivision final plat title Edgewood Village Seventh Addition Second Replat with the conditions. Commissioner Schmitz seconded the motion. The motion was unanimously approved with Commissioners Bitner, Johnson, Schell, Schwartz, Schmitz, Swanson, Taylor, and Wangler voting in favor.

**PUBLIC HEARING – PRAIRIE PLACE SUBDIVISION
BLOCK 2, LOT 4 LESS THE WEST 240'
RURAL RESIDENTIAL LOT SPLIT**

Chair Schwartz called for the public hearing on a rural residential lot split on Lot 4 less the west 240 feet, Block 2, Prairie Place Subdivision into two lots. The property is located northeast of Bismarck, north of 43rd Avenue NE, between 26th Street NE and Centennial Road, along the north and west side of Wildrose Crescent.

Ms. Wollmuth provided an overview of the request and stated that, as a cumulative result of all findings contained in the staff report, City of Bismarck staff find that the rural residential lot split would not adversely impact public health, safety, and general welfare.

Ms. Wollmuth said, based on the findings, staff recommends approval of the rural residential lot split on Lot 4 less the west 240 feet, Block 2, Prairie Place Subdivision, with the following condition: A deed transferring the ownership of the eastern parcel is recorded with the Burleigh County Recorder prior to the issuance of a building permit.

Commissioner Schell asked if the Burleigh County Highway department had any concerns with the additional access points and if there are any restrictions in the covenants. Ms. Wollmuth stated Burleigh County is always part of the review process and they typically express concerns during that review prior to public hearing if concerns exist and the applicant is available to answer questions regarding covenants.

Commissioner Schmitz asked if the resulting lots would match the typical lot size in the development. Mr. Wollmuth said the proposed lot sizes are similar to the others in the area.

Commissioner Wangler asked whether the existing buildings will be in compliance after the lot split. Ms. Wollmuth said both resulting lots will remain complaint to ordinance.

Chair Schwartz opened the public hearing.

Jordan Williams, the applicant, reaffirmed that the lot coverage will be under the allowed amount after the lot is split.

Schell asked about covenants. Mr. Williams said there are no covenants prohibiting the split.

John Paczkowski, an adjacent property owner, said that covenants exist for the subdivision, but does not believe anything excludes this request.

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

MOTION: Commissioner Schmitz made a motion to approve the rural residential lot split on Lot 4 less the west 240', Block 2, Prairie Place Subdivision into two parcels with the condition that a deed transferring the ownership of the eastern parcel is recorded with the Burleigh County Recorder prior to the issuance of a building perm. Commissioner Johnson seconded the motion, and it was unanimously approved with Commissioners Bitner, Johnson, Schell, Schwartz, Schmitz, Swanson, Taylor, and Wangler voting in favor of the motion.

OTHER BUSINESS

Mr. Nairn provided an update on the special use permit for a drive-through that was approved with conditions at the December meeting. An easement was reviewed by staff and recorded. Staff is currently awaiting a site plan submittal and a building permit application for the structural alterations.

ELECTION OF OFFICERS

Chair Schwartz was unanimously reelected as Chair and Commissioner Johnson was unanimously reelected as Vice-Chair.

Mr. Nairn said he will be providing a training this Spring that will include a presentation and an opportunity for questions and will take approximately an hour and a half. Staff will send out poll with meeting options.

ADJOURNMENT

There being no further business, Chair Schwartz declared the Bismarck Planning & Zoning Commission adjourned at 5:50 p.m. to meet again on February 25, 2026.

Respectfully submitted,



Sarah S. Fricke
Recording Secretary



Mike Schwartz
Chair