

**BISMARCK PLANNING & ZONING COMMISSION
MEETING MINUTES
April 22, 2026**

The Bismarck Planning & Zoning Commission met on April 22, 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 DakotaMediaAccess.org for public viewing. Chair Schwartz presided and was present in the Tom Baker Meeting Room.

Commissioners present were Cole Johnson, Gabe Schell, Mike Schwartz, Conner Swanson and Al Wangler.

Commissioners not present were Brian Bitner, Mike Schmitz, Sheldon Sivak and Kendra Taylor.

Staff members present were Brady Blaskowski – Building Official, Sandra Bogaczyk – Office Assistant, Julie Mees – City Attorney, Daniel Nairn – Planning Director, Lauren Oster – Planner, and Jenny Wollmuth – Senior Planner.

Guest present were Debra Hill – Citizen, Jenny Baker and Elizabeth Garvin (via Zoom) – Clarion Associates.

MINUTES

Chair Schwartz called for consideration of the minutes of the March 25, 2026 meeting.

MOTION: Commissioner Johnson made a motion to approve the minutes of the March 25, 2026 meeting. Commissioner Swanson seconded the motion, and it was unanimously approved with Commissioners Johnson, Schell, Swanson, Wangler and Chair Schwartz voting in favor of the motion.

PUBLIC COMMENT

Chair Schwartz opened the public comment period.

Debra Hill expressed her concern that not enough public green space was available for all ages for improved mental and physical health and asked commissioners if the City could plan more parks, not just playgrounds.

Chair Schwartz encouraged Ms. Hill to also speak at the Bismarck Parks and Recreation District board meeting and thanked her for her comments.

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

CONSIDERATION

3A. DCN FIRST ADDITION

ZONING MAP AMENDMENT and MAJOR SUBDIVISION PRELIMINARY PLAT

**3B. CLEAR SKY SECOND ADDITION
ZONING MAP AMENDMENT and MAJOR SUBDIVISION PRELIMINARY PLAT**

**3C. BERG ACRES ADDITION
ZONING MAP AMENDMENT and MAJOR SUBDIVISION PRELIMINARY PLAT**

**3D. CAPITAL ELECTRIC SECOND SUBDIVISION, BLOCK 1, PART OF LOT 2.
ZONING MAP AMENDMENT**

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

**PUBLIC HEARING – JMAC INDUSTRIAL SECOND ADDITION
ZONING MAP AMENDMENT, MAJOR SUBDIVISION FINAL PLAT and ANNEXATION**

Chair Schwartz called for the public hearing on a zoning map amendment from MA – Industrial and A – Agricultural zoning districts to the MA – Industrial zoning district, a major subdivision final plat titled JMAC Industrial Second Addition and annexation of all of the proposed plat. The property is located in north Bismarck, east of Highway 83 NE, in the southwest quadrant of the intersection of North 19th Street and 71st Avenue NE.

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 zoning map amendment, annexation and major subdivision final plat would not adversely impact public health, safety, and general welfare.

As stated in the Agenda Packet most of the project area was annexed in 2016. However, there is currently no city water available in this area and sanitary sewer has not been extended across North 19th Street for the eastern lots in this subdivision. Additionally, the only available point of access is from 71st Avenue NE to the north.

Ms. Oster said, based on the findings contained in the staff report, staff recommends approval of the zoning map amendment, annexation and major subdivision final plat for JMAC Industrial Second Addition with the following condition:

1. A waiver for a cul-de-sac and a waiver permitting a greater block length beyond subdivision standard of 1320 feet are approved with this request.

Chair Schwartz opened the public hearing.

Landon Niemiller, Swenson Hagen & Co., came forward to answer questions.

Commissioner Schell stated that there is currently no access to City water so no permits can be issued until access is available. Mr. Niemiller confirmed that his client is aware of this condition and that a plan exists to bring in water.

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 from the MA – Industrial and A – Agricultural zoning district to the MA – Industrial zoning district, major subdivision final plat for JMAC Industrial Second Addition and annexation of all of the proposed plat with the following conditions:

1. A waiver for a cul-de-sac and a waiver permitting a greater block length beyond subdivision standard of 1320 feet are approved with this request.

Commissioner Wangler seconded the motion, and it was unanimously approved with Commissioners Johnson, Schell, Swanson, Wangler and Chair Schwartz voting in favor of the motion.

PUBLIC HEARING – LAND DEVELOPMENT CODE ZONING ORDINANCE TEXT AMENDMENT and ZONING MAP AMENDMENT

Mr. Nairn provided a detailed overview of the draft Land Development Code request after two years of developing with public guidance through a steering committee, input from various City departments, Bismarck Parks and Recreation, and the general public, and engaging the Planning and Zoning and City Commissions to implement the Together 2045 Comprehensive Plan with the purpose and goal of writing the document in accessible language for the public to better engage in participation of City ordinances.

Mr. Nairn described the new simplified zoning districts, including residential transitional standards shaped so that surrounding neighborhoods are not negatively affected. Many customized zoning districts have been eliminated, which would not directly intend to promote new developments but rather bring the present situation into conformity.

He stated that new use categories would be created and enable transparency and public access which would streamline the project administration processes.

The following dates are scheduled for further review:

May 12 th	Bismarck City Commission first reading
May 26 th	Public Hearing at Bismarck City Commission
October 1 st	Effective date of new Code, to be reviewed one year later and to include text amendments

Commissioner Schell asked if the footnotes would remain or be removed from the final document. Mr. Nairn stated that they would be removed for the Bismarck City Commission.

Mr. Wangler responded to the public comment received as Exhibit A requesting zero parking requirements and lead a discussion possibly addressing that request in a later document revision.

Mr. Nairn stated that based on the findings contained in the staff report, staff recommends approval of the zoning ordinance text amendment to propose a new Land Development Code, as a repeal and replacement of Title 14 Zoning and Subdivision ordinance in the City Code of ordinances, and a new zoning map corresponding to the districts of the Land Development Code.

Chair Schwartz opened the public hearing.

Ms. Hill again expressed her concern that there is a lack of public spaces and asked Commissioners to consider limiting any flexibility the ordinance may allow.

Chair Swartz asked staff if green space is included in the Plan. Mr. Nairn affirmed and noted that neighborhood parks will be decided during project development.

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

Mr. Nairn clarified that the Code allows for flexibility in creating green spaces but the item would be a public hearing to allow for comment.

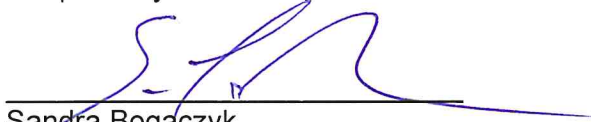
MOTION: Based on the findings contained in the staff report, Commissioner Schell made a motion to approve the land development code, replacing the entirety of Title 14, and corresponding new zoning map. Commissioner Johnson seconded the motion, and it was unanimously approved with Commissioners Johnson, Schell, Swanson, Wangler and Chair Schwartz voting in favor of the motion.

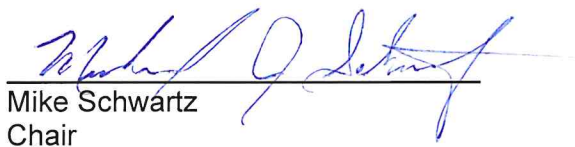
Commissioner Schell commended staff for their persevering efforts to direct this undertaking together with the consultants and Steering Committee's efforts and stated what a nice job everyone did and how proud they should be given the tremendous outcome.

ADJOURNMENT

There being no further business, Chair Schwartz declared the Bismarck Planning & Zoning Commission adjourned at 6:28 p.m. to meet again on May 27, 2026.

Respectfully submitted,



Sandra Bogaczyk
Recording Secretary

Mike Schwartz
Chair