

**BISMARCK PLANNING & ZONING COMMISSION
MEETING MINUTES
June 24, 2026**

The Bismarck Planning & Zoning Commission met on June 24, 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, Sheldon Sivak, Conner Swanson, and Kendra Taylor (via zoom).

Commissioners not present were Brain Bitner, Mike Schmitz, and Al Wangler.

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 May 27, 2026 meeting.

MOTION: Commissioner Swanson made a motion to approve the minutes of the May 27, 2026, meeting. Commissioner Johnson seconded the motion, and it was unanimously approved with Commissioners Johnson, Schell, Schwartz, Sivak, Swanson, and Taylor 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.

**FINAL CONSIDERATION – NORTHERN SKY SECOND ADDITION FIRST REPLAT,
BLOCK 2
ANNEXATION**

Chair Schwartz called for the final consideration of the annexation of Block 2, Northern Sky Second Addition First Replat. The property is located in northwest Bismarck, in the northwest corner of North Washington Street and Ash Coulee Drive, on the north side of Wilkinson Place.

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

Ms. Oster said, based on the findings contained in the staff report, staff recommends approval of the annexation of Block 2, Northern Sky Second Addition First Replat.

MOTION: Based on the findings contained in the staff report, Commissioner Johnson made a motion to approve the annexation of Block 2, Northern Sky Second Addition First Replat. Commissioner Sivak seconded the motion, and it was unanimously approved with Commissioners Johnson, Schell, Schwartz, Swanson, Sivak, and Taylor voting in favor of the motion.

**PUBLIC HEARING – DCN ADDITION
ZONING MAP AMENDMENT and MAJOR SUBDIVISION FINAL PLAT**

Chair Schwartz called for the public hearing on the zoning map amendment from the A – Agriculture and RT – Residential (OX- Office Mixed-Use) zoning district to the RT – Residential (OX- Office Mixed-Use) zoning district and a major subdivision final plat titled DCN Addition. The property is located in north-central Bismarck, north of East Calgary Avenue, between North Washington Street and State Street, in the southwest quadrant of the intersection of Coleman Street and 43rd Avenue NE.

Ms. Wollmuth provided an overview of the request and stated that, as a cumulative result of all findings contained in the staff report, City of Bismarck staff find that the zoning map amendment and major subdivision final plat titled DCN Addition would not adversely impact the public health, safety, and general welfare.

Ms. Wollmuth said, based on the findings contained in the staff report, staff recommends approval of the zoning map amendment from the A – Agriculture and RT – Residential (OX- Office Mixed-Use) zoning district to the RT – Residential (OX- Office Mixed-Use) zoning district and a major subdivision final plat titled DCN Addition.

Chair Schwartz opened the public hearing.

Brad Krogstad, KLJ consultant representing the applicant, appeared for questions. Chair Schwartz asked if there are any buildings planned for the area. Mr. Krogstad said there are no immediate plans that he is aware of, but the applicant wants the opportunity to build in the future.

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

MOTION: Based on the findings contained in the staff report, Commissioner Swanson made a motion to approve the zoning map amendment from the A – Agriculture and RT – Residential (OX- Office Mixed -Use) zoning district to the RT – Residential (OX- Office Mixed- Use) zoning district and a major subdivision final plat titled DCN Addition. Commissioner Sivak seconded the motion, and it was unanimously approved with Commissioners Johnson, Schell, Schwartz, Sivak, Swanson, and Taylor voting in favor of the motion.

**PUBLIC HEARING – BERG ACRES ADDITION
ZONING MAP AMENDMENT and MAJOR SUBDIVISION FINAL PLAT**

Chair Schwartz called for the public hearing on a zoning map amendment from the A – Agriculture and CG – Commercial (CX-Commercial Mixed-Use) zoning district to the CG –

Commercial (CG-Commercial General) zoning district and major subdivision final plat titled Berg Acres Addition. The property is located in east Bismarck between 52nd Street and 66th Street, along the south side of East Main Avenue.

Ms. Wollmuth provided an overview of the request and stated that, as a cumulative result of all findings contained in the staff report, City of Bismarck staff find that the zoning map amendment and major subdivision final plat titled Berg Acres Addition would not adversely impact the public health, safety, and general welfare.

Ms. Wollmuth said, based on the findings contained in the staff report, staff recommends approval of the zoning map amendment from the A – Agriculture and CG – Commercial (CX-Commercial Mixed-Use) zoning district to the CG – Commercial (CG-Commercial General) zoning district and major subdivision final plat titled Berg Acres Addition with the condition that a development agreement identifying future improvements to 62nd Street Southeast along the western boundary of the plat and interim use of the private septic system until public sanitary service becomes available is approved by the City Commission prior to recording the plat.

Chair Schwartz opened the public hearing.

Tom Weigel, Moore Engineering representing the applicant, was available for questions. Commissioner Johnson questioned the alignment of 62nd Street Southeast to the west of the property. Mr. Weigel confirmed this road is intended as a dedicated easement for an access road to support future development south of the property and the planned access road avoids interfering with the existing building and shed.

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

MOTION: Based on the findings contained in the staff report, Commissioner Sivak made a motion to approve the zoning map amendment from A – Agriculture and CG – Commercial (CX-Commercial Mixed-Use) zoning district to the CG – Commercial (CG-Commercial General) zoning district and major subdivision final plat titled Berg Acres Addition with the condition that a development agreement identifying future improvements to 62nd Street Southeast along the western boundary of the plat and interim use of the private septic system until public sanitary sewer service becomes available is approved by the City Commission prior to recording the plat. Commissioner Johnson seconded the motion, and it was unanimously approved with Commissioners Johnson, Schell, Schwartz, Sivak, Swanson, and Taylor voting in favor of the motion.

**PUBLIC HEARING – PART OF MEADOW VALLEY ADDITION AND PART OF THE
REPLAT OF LOT 1, BLOCK 2, MEADOW VALLEY ADDITION
SPECIAL USE PERMIT – DRIVE-THROUGH**

Chair Schwartz called for the public hearing on a special use permit for a drive-through in conjunction with a financial institution on Lot 2 and the West 1 foot of Lot 3, Block 2, Meadow Valley Addition and Lots 41-44 of the Replat of Lot 1, Block 2 of Meadow Valley Addition. The property is located in central Bismarck, on the south side of East Bismarck Expressway, between Bozeman Drive and South 7th Street.

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 proposed special use would not adversely impact the public health, safety, and general welfare.

Mr. Johnson said, based on the findings, staff recommends approval of the special use permit for a drive-through in conjunction with a financial institution on Lot 2 and the West 1 foot of Lot 3, Block 2, Meadow Valley Addition and Lots 41-44 of the Replat of Lot 1, Block 2 of Meadow Valley Addition.

Chair Schwartz opened the public hearing.

Jennifer Smith joined via Teams to explain that the project is for an ATM.

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

MOTION: Commissioner Johnson made a motion to approve the special use permit in for a drive-through in conjunction with a financial institution on Lot 2 and the West 1 foot of Lot 3, Block 2, Meadow Valley Addition and Lots 41-44 of the Replat of Lot 1, Block 2 of Meadow Valley Addition. Commissioner Sivak seconded the motion.

Commissioner Swanson inquired if the remaining section of the property would be affected by the current decision, or if it would require its own separate special use permit. Mr. Johnson clarified that once the replat is finalized and recorded, any other use on the remaining piece of the property will be completely unaffected by the current special use permit.

The motion was unanimously approved with Commissioners Johnson, Schell, Schwartz, Swanson, and Sivak voting in favor of the motion.

BYLAWS

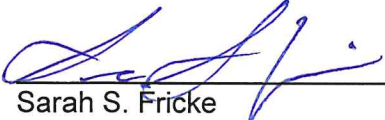
Mr. Nairn presented an updated draft of bylaws that included requests of the commissioners. Commissioner Schell asked whether the ETA members of the Commission would be removed by County Commission. Mr. Nairn confirmed that would be the case and noted that the bylaws could be amended to reflect this.

MOTION: Commissioner Schell made a motion to approve the bylaws with a modification to the removal of commissioners section to clarify a path for ETA members to be removed by the Burleigh County Commission. Commissioner Swanson seconded the motion, and it was unanimously approved with Commissioners Johnson, Schell, Schwartz, Sivak, and Swanson voting in favor of the motion.

ADJOURNMENT

There being no further business, Chair Schwartz declared the Bismarck Planning & Zoning Commission adjourned at 5:32 p.m. to meet again on July 22, 2026.

Respectfully submitted,



Sarah S. Fricke
Recording Secretary

Mike Schwartz
Chair