

BISMARCK PLANNING & ZONING COMMISSION
MEETING MINUTES
July 22, 2026

The Bismarck Planning & Zoning Commission met on July 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, Sheldon Sivak, and Al Wangler.

Commissioners not present were Mike Schmitz and Kendra Taylor. Due to an audio error on Zoom, Commissioners Conner Swanson and Brian Bitner were unable to participate.

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

MINUTES

Chair Schwartz called for consideration of the minutes of the June 24, 2026, meeting.

MOTION: Commissioner Johnson made a motion to approve the minutes of the June 24, 2026, meeting. Commissioner Wangler seconded the motion, and it was unanimously approved with Commissioners Johnson, Schell, Schwartz, Sivak, 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. UPDATE TO TITLE 14.1 STORMWATER MANAGEMENT

3B. WILLIAM BLACKSTONE ADDITION UPDATE

3C. ELK RIDGE FOURTH ADDITION UPDATE

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

**PUBLIC HEARING – PARADISE VALLEY THIRD ADDITION
ZONING MAP AMENDMENT and MAJOR SUBDIVISION PRELIMINARY PLAT**

Chair Schwartz called for the public hearing on the zoning map amendment from the RM30 – Residential zoning district to the CX-Commercial Mixed-Use and the RM-Residential Multi-Family zoning districts and a preliminary subdivision plat titled Paradise Valley Third Addition. The property is located in south Bismarck, along the south side of Burleigh Avenue between Rutland Drive and Boston Drive.

Mr. Johnson noted that the applicant chose to opt into the new Land Development Code processes and 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 preliminary subdivision plat titled Paradise Valley Third Addition would not adversely impact the public health, safety, and general welfare.

Mr. Johnson said, based on the findings contained in the staff report, staff recommends approval of the zoning map amendment from the RM30 – Residential zoning district to the CX-Commercial Mixed-Use and the RM-Residential Multi-Family zoning districts and a preliminary subdivision plat titled Paradise Valley Third Addition.

Chair Schwartz asked if there are any buffering requirements. Mr. Johnson replied there are buffering requirements in the Land Development Code and conformance to any relevant requirements would be determined during site development.

Chair Schwartz opened the public hearing.

Hannah Boese, Lowry Engineering, was available for questions.

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 from the RM30 – Residential zoning district to the CX-Commercial Mixed-Use and the RM-Residential Multi-Family zoning districts and a preliminary subdivision plat titled Paradise Valley Third Addition. Commissioner Sivak seconded the motion, and it was unanimously approved with Commissioners Johnson, Schell, Schwartz, Sivak, and Wangler voting in favor of the motion.

**PUBLIC HEARING – HERITAGE RIDGE SECOND ADDITION, BLOCK 1, LOTS 14-15
SPECIAL USE PERMIT – PERSONAL FLEX**

Chair Schwartz called for the public hearing on a special use permit for personal flex buildings on Lots 14-15, Block 1, Heritage Ridge Second Addition. The property is located in northwest Bismarck, west of North Washington Street between 57th Avenue NW and 64th Avenue NW, along the east side of Tyler Parkway.

Ms. Wollmuth provided an overview of the request stating that personal flex buildings are a new use introduced with the adoption of the Land Development Code (LDC). They are defined as a non-habitable, non-commercial building used by an individual or household for

personal storage, hobbies, craftwork, or private recreation, and not open to the public. Personal flex uses are intended for use by residents of an adjacent neighborhood. Ms. Wollmuth explained that as a cumulative result of all findings contained in the staff report, City of Bismarck staff find that special use permit for personal flex would not adversely impact the public health, safety, and general welfare.

Ms. Wollmuth said, based on the findings contained in the staff report, staff recommend approval of the special use permit.

Commissioner Johnson asked about the difference between the proposed personal flex buildings and storage units. Ms. Wollmuth explained that personal flex buildings are non-habitable, non-commercial buildings used by an individual or household for personal storage, hobbies, craftwork, or private recreation, and not open to the public.

Commissioner Sivak asked if anything similar currently exists. Mr. Nairn compared the personal flex units to a planned unit development amendment approved for Misty Waters last year.

Chair Schwartz opened the public hearing.

Landon Niemiller, Swenson Hagen & Co. stated the goal is to provide additional storage for the residents of the 55+ community.

Commissioner Wangler asked for the size of the units. Mr. Niemiller replied that the units will be approximately 1,500 square feet.

Commissioner Johnson asked what would stop someone from renting a unit and using it for something other than storage. Mr. Niemiller explained that no commercial permit would be issued by the city, and they will have an HOA that will be managing the units.

Chair Schwartz asked if each unit would have its own water and sewer. Mr. Niemiller said that each unit would have its own water and sewer connection, but there will be a shared service for each building.

Commissioner Wangler asked if an individual bathroom will be in each unit. Mr. Niemiller replied yes.

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 special use permit for personal flex buildings on Lots 14-15, Block 1, Heritage Ridge Second Addition. Commissioner Johnson seconded the motion, and it was unanimously approved with Commissioners Johnson, Schell, Schwartz, Sivak, and Wangler voting in favor of the motion.

PUBLIC HEARING – SILVER RANCH FOURTH ADDITION, BLOCK 1, LOTS 1 & 3 SPECIAL USE PERMIT – EMC SIGN

Chair Schwartz called for the public hearing on a special use permit for an electronic message center sign on Lots 1 & 3, Block 1, Silver Ranch Fourth Addition. The property is located in northeast Bismarck, east of 52nd Street NE, along the north side of Noble Drive.

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

Ms. Wollmuth said, based on the findings, staff recommends approval of the special use permit for an electronic message center sign on Lots 1 & 3, Block 1, Silver Ranch Fourth Addition.

Chair Schwartz opened the public hearing.

Shannon Schlinger, Mann Signs, was available for questions.

Commissioner Schell asked, because there is no ambient street lighting on 52nd Street, will the sign have constant frame in the evening hours. Mr. Schlinger replied that the operation of the sign is up to BPS, but they intend to follow ordinance. BPS was present and stated the sign will be turned off at night.

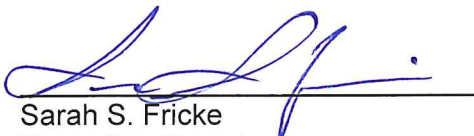
There being no further comments, Chair Schwartz closed the public hearing.

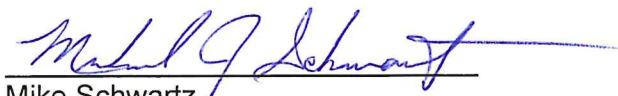
MOTION: Commissioner Johnson made a motion to approve the special use permit for an electronic message center sign on Lots 1 & 3, Block 1, Silver Ranch Fourth Addition. Commissioner Sivak seconded the motion. The motion was unanimously approved with Commissioners Johnson, Schell, Schwartz, Sivak, and Wangler voting in favor of the motion.

ADJOURNMENT

There being no further business, Chair Schwartz declared the Bismarck Planning & Zoning Commission adjourned at 5:31 p.m. to meet again on August 19, 2026.

Respectfully submitted,


Sarah S. Fricke
Recording Secretary


Mike Schwartz
Chair