



**AGENDA
PLANNING & ZONING COMMISSION
MAY 27, 2026
COMMISSION ROOM
MANDAN CITY HALL
5:30 PM
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The City of Mandan is encouraging citizens to provide their comments for agenda items via email to info@cityofmandan.com. Please provide your comments before 3:30 p.m. on the day of the meeting. Include the agenda item number your comment references. Comments will be forwarded to the Commissioners and appropriate departments.

A. ROLL CALL

B. CONSIDER APPROVAL OF MINUTES

1. April 27, 2026 Minutes

C. PUBLIC HEARINGS

1. Consider a special use permit for Lot 1, Block 1, Vic Fleck Subdivision (2264 Sunny Road S).
2. Consider a special use permit for Lot 12, Block 18, Mandan Proper (210 5th Avenue NW).
3. Consider a preliminary plat and zone change for Keidels South Heart Terrace 5th Addition tabled from April 27th meeting.

D. OTHER BUSINESS

E. ADJOURN

A. CONSIDER APPROVAL OF MINUTES

1. *February 23, 2026 Minutes. Commissioner Renner motioned to approve the February 23, 2026 minutes. (There was no meeting held in March, 2026.) Commissioner Intveld seconded the motion. Upon vote, the motion passed unanimously.*

B. PUBLIC HEARINGS

1. *Consider a setback variance for Lot 6, Block 1, Nicola 2nd Addition. David Wiosna, Interstate Engineering, presented in the absence of Rachel LaQua, Interim Planner.*

STATEMENT/PURPOSE

Consider a front setback variance for Lot 6, Block 1, Nicola 2nd Addition.

BACKGROUND/ALTERNATIVES

Requested Variance

Craig Valnes requested consideration of a building setback variance to the City Code of Ordinances related to front and rear yard building setbacks in the LSMHS - Trailer Park Subdivision Zoning District. The property is located at 1100 11th St SE on Lot 6, Block 1, Nicola Second Addition.

Adjacent Properties Zoning, Land Use and Future Land Use

The property to the west and south is zoned LSMHS - Trailer Park Subdivision, to the east and north is R7 - Single Family Residential. The future land use plan designates this property as Medium Density Residential.

Staff Comments

The applicant plans to install a manufactured home that is too long to fit within the stated front and rear yard setbacks. The front setback is 15 feet and the rear setback is 10 feet. The applicant states that the proposed manufactured home would leave about 12 feet from the

front and rear property lines, necessitating the variance. In addition to the overall length of the manufactured home, the rear exit of the home is located such that positioning the home as near as possible within setbacks would place the rear exit on top of existing utilities. The purpose of the ordinance is to ensure adequate spacing between neighboring structures for the purposes of privacy, aesthetics, and fire safety. The LSMHS district is indicated on the city's zoning map, but it is not included in current city code. Front and rear yard setbacks for the property were developed at a time when LSMHS was included in city code. Neighboring manufactured homes also appear to conflict with setback requirements and are of similar lengths to the one proposed by the applicant.

Findings of Fact

Zoning Variance

1. The hardship is not caused by the provisions of the Zoning Ordinance.
2. Strict application of the provisions of the Zoning Ordinance would not deprive the property owner of the reasonable use of the property.
3. The requested variance is the minimum variance that would accomplish the relief sought by the applicant.

4. The granting of the variance is in harmony with the general purposes and intent of the Zoning Ordinance.

Staff recommended approval of the setback variance for Lot 6, Block 1, Nicola Second Addition.

Commissioner Mudder inquired if anyone has to work on utilities in that area, will there be enough room to move around? Mr. Wiosna replied that he believes there would be room.

Chair Robinson inquired if there were any comments or questions.

Open Public Hearing

Chair Robinson opened the public hearing and invited anyone calling in or present, to come forward to speak for or against the request for setback variance for Lot 6, Block 1, Nicola 2nd Addition.

Chair Robinson inquired if there were any comments or questions.

Chair Robinson provided a second and final invitation to come forward to speak for or against the request for a setback variance for Lot 6, Block 1, Nicola 2nd Addition.

Close Public Hearing

Chair Robinson inquired if there were any comments or questions. Hearing none, this portion of the public hearing was closed.

Commission Action

Chair Robinson inquired if there were any comments or questions.

Commissioner Renner moved to recommend approval of the requested variance of the front yard setback in the Residential Mobile Home Subdivision District for Lot 6, Block 1, Nicola 2nd Addition from a minimum of 15' to a minimum of 12' based on the request that would accomplish the relief sought by the applicant. Commissioner Mudder seconded the motion.

Chair Robinson called for a roll call vote: Horn: Yes; Lang: Yes; Mudder: Yes; Mayor Froelich: Yes; Intveld: Yes; McLean: Yes; Gardner: Yes; Renner: Yes; Chair Robinson: Yes. The motion passed.

2. Consider a final plat for Eighteen Eighty Four Addition. David Wiosna, Interstate Engineering, presented in the absence of Rachel LaQua, Interim Planner.

STATEMENT/PURPOSE

Consider a final plat for Eighteen Eighty Four Addition.

BACKGROUND/ALTERNATIVES

Requested Final Plat

The preliminary plat was conditionally approved at the February 23, 2026 meeting of City Commission. This is the final plat for the 1884 Addition, located in the SE1/4 of Section 32, T139N R81W, 5th PM, Morton County, ND, within the ETJ. This portion of the SE¼ of Section 32 has been previously partially platted as Lot "A", and has six existing lots, Lot 1, Block 1, Kahl Irey Addition, Lot 2, Block 1, Kahl Irey Addition, Lot 1 of Lot "A", Lot 2 of Lot "A", Lot 3 of Lot "A", and the remainder of Lot "A". The

applicant proposes to replat Lot 1, Lot 2, and Lot 3 of Lot “A” and replat Lots 1 & 2, Block 1, of the Kahl-Irey Addition.

Final Plat Details

Total Area: 15.3 acres to be platted into Lot 1 (2.0 acres), Lot 2 (2.04 acres), Lot 3 (1.88 acres), and Lot 4 (2.74 acres) of Block 1 and Lot 1 (1.05 acres), Lot 2 (2.17 acres), and Lot 3 (1.04 acres) of Block 2.

Configuration

Four lots within Block 1 and three lots within Block 2. Lot 2 of Block 2 has a 293’ “panhandle” connecting that lot to 22½ Avenue. Lot 3 of Block 2 is a non-conforming remnant.

Access

Access to the lots is via 22½ Avenue and a proposed 40’ wide access easement running southeast across the proposed Lot 2, Block 1 from the proposed Kahl Street in the exhibit. 22 ½ Avenue is a public road, although access easements were granted to existing Lot 2 of Lot “A” in 1994 despite prior prescription. A portion of 22 ½ Avenue was platted with 80’ right-of-way, which is proposed to reduce to 66’.

Zone Change Request: No zone change request is being made at this time.

Adjacent Properties Zoning, Land Use and Future Land Use

Adjacent Zoning North/South/East/West – Agricultural. The future land use plan designates this area as public land, and is shown outside the 2030 growth boundary. The very low density residential nature of the development should be in line with this.

Staff Comments

- The final plat appears to protect access to existing and proposed lots.
- The final plat application includes an updated master plan which provides for orderly development and maintains access for future development.
- Lot 3 of Block 2 is a nonconforming remnant and may not be able to be developed.

Findings of Fact

1. All technical requirements for consideration of a final plat have been met;
2. The proposed subdivision would likely not have substantial effects on the safety and circulation of public roadways in the vicinity, and therefore no traffic impact study is required;
3. The proposed plat includes sufficient easements and rights-of-way to provide for orderly development and provision of municipal services beyond the boundaries of the subdivision for projects identified in City masterplans;
4. The City of Mandan and other agencies would be able to provide necessary public services, facilities and programs to serve the development allowed by the proposed subdivision at the time of development.
5. The proposed subdivision is not located in the Special Flood Hazard Area or an area where the proposed development would adversely impact water quality and/or environmentally sensitive lands, or areas that are topographically unsuited for development;
6. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance;
7. The proposed subdivision is consistent with the Comprehensive Plan, the Future Land Use Plan, and

other plans and studies, policies and accepted planning practice;

8. The proposed subdivision would not adversely affect the public health, safety and general welfare.

Staff recommended approval of the request for the Eighteen Eighty Four Final Plat Addition.

Chair Robinson inquired if there were any comments or questions.

Open Public Hearing

Chair Robinson opened the public hearing and invited anyone calling in or present, to come forward to speak for or against the request for a final plat for Eighteen Eighty Four Addition.

Chair Robinson inquired if there were any comments or questions.

Chair Robinson provided a second and final invitation to come forward to speak for or against the request for a final plat for Eighteen Eighty Four Addition.

Close Public Hearing

Chair Robinson inquired if there were any comments or questions. Hearing none, this portion of the public hearing was closed.

Commission Action

Chair Robinson inquired if there were any comments or questions.

Commissioner Mudder moved to recommend approval of a final plat for Eighteen Eighty Four Addition. Commissioner Gardner seconded the motion. Chair Robinson called for a roll call vote: Horn: Yes; Lang: Yes; Mudder: Yes; Mayor Froelich: Yes; Intveld: Yes; McLean: Yes, Gardner: Yes; Renner: Yes; Chair Robinson: Yes. The motion passed.

3. Consider a preliminary plat for Lakewood Commercial Park 7th Addition. David Wiosna, Interstate Engineering, presented in the absence of Rachel LaQua, Interim Planner.

STATEMENT/PURPOSE

Consider a preliminary plat for Lakewood Commercial Park 7th Addition.

BACKGROUND/ALTERNATIVES

Requested Preliminary Plat Background

This is the preliminary plat for the Lakewood Commercial Park 7th Addition, located in Lots 1B & 4, Block 1, Lakewood Commercial, Lots 2 & 3, Block 1, Koch's Lakewood Villas and Lot 2, Block 1, Koch's Lakewood Villas 2nd Addition, all located in Section 6, T138N R80W, 5th PM, Morton County, ND, within city limits. The applicant proposes to combine Lot 1B, Block 1, Lakewood Commercial and Lot 1, Block 1, Koch's Lakewood Villas 2nd Addition and to replat the remaining lots. The applicant wishes to subdivide in order to develop vacant land and convey additional space to current landowners.

Preliminary Plat Details Total Area: 2.9 acres (126,324 square feet) to be platted into Lot 1 (84,430 square feet), Lot 2 (5,844 square feet), Lot 3 (8,226 square feet), Lot 4 (8,227 square feet), Lot 5 (8,223 square feet), and Lot 6 (12,501 square feet), all Block 1.

Configuration

Six lots, all within Block 1. Lot 1 occupies over 60% of the plat area and contains a large low-lying area occupying the east 1/3. A 15' utility easement runs along the backs of Lots 3, 4, 5, and 6.

Access to lots 3, 4, 5, and 6 is via Nash Lane. Access to Lot 2 is via Shoal Loop SE. Lot 1 could be accessed from 40th Ave SE.

Adjacent Properties Zoning, Land Use and Future Land Use

This property and all surrounding properties are zoned CB - Commercial. The Future Land Use Plan designates this property as High Density Residential.

Staff Comments

- The preliminary plat appears to protect access to existing and proposed lots.
- The plat does not have a legend.
- Lot 1 has a large retention pond area, making that portion of the lot unlikely to be developed.

This is the preliminary plat for the Lakewood Commercial Park 7th Addition, located in Lots 1B & 4, Block 1, Lakewood Commercial, Lots 2 & 3, Block 1, Koch's Lakewood Villas and Lot 2, Block 1, Koch's Lakewood Villas 2nd Addition, all located in Section 6, T138N R80W, 5th PM, Morton County, ND, within city limits. The applicant proposes to combine Lot 1B, Block 1, Lakewood Commercial and Lot 1, Block 1, Koch's Lakewood Villas 2nd Addition and to replat the remaining lots. The applicant wishes to subdivide in order to develop vacant land and convey additional space to current landowners. There was one comment received in opposition to the multi-use shops.

Findings of Fact

Preliminary Plat

1. All technical requirements for consideration of a preliminary plat have been met;
2. The proposed subdivision would likely not have substantial effects on the safety and circulation of public roadways in the vicinity, and therefore no traffic impact study is required;
3. The proposed plat includes sufficient easements and rights-of-way to provide for orderly development and provision of municipal services beyond the boundaries of the subdivision for projects identified in City masterplans;
4. The City of Mandan and other agencies would be able to provide necessary public services, facilities and programs to serve the development allowed by the proposed subdivision at the time of development.
5. The proposed subdivision is not located in the Special Flood Hazard Area or an area where the proposed development would adversely impact water quality and/or environmentally sensitive lands, or areas that are topographically unsuited for development;
6. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance;
7. The proposed subdivision is consistent with the Comprehensive Plan, the Future Land Use Plan, and

other plans and studies, policies and accepted planning practice;

8. The proposed subdivision would not adversely affect the public health, safety and general welfare.

Staff recommended approval of the Preliminary Plat for Lakewood Commercial Park 7th Addition.

Chair Robinson inquired if there were any comments or questions.

Commissioner Mudder inquired if this plan will affect the drainage system off of Lot 6. Mr. Wiosna stated that it should not affect drainage in this area. Commissioner Renner inquired about Lot 2, heading to the west, there is a slight slivered area, why isn't that piece squared off? Mr. Wiosna explained that is how the lay of the land is at that spot; on Lot 2 it appears they extended downwards to attempt to even it out with the existing boundary. He does not see any issues with that area.

Open Public Hearing

Chair Robinson opened the public hearing and invited anyone calling in or present, to come forward to speak for or against the request for a preliminary plat for Lakewood Commercial Park 7th Addition.

Landon Niemiller, an engineer with Swenson Hagen came forward and stated he is representing the Mittleider's on this project. With regard to the drainage questions, they will protect the drainage and allow those properties to continue draining the way they always have drained and they will handle any stormwater issues at that point. Regarding the lots in the north, that odd sort of curved lot, there is an existing lot line there and they will do their best to make it work, however they do not have access to some of the properties or access to non-involved plats so they are matching into those. As noted by Mr. Wiosna, this is a request for a preliminary plat and there is no request for a zoning change and the multi-use shops will be addressed at a later time.

Chair Robinson inquired if there were any comments or questions.

Chair Robinson provided a second and final invitation to come forward to speak for or against the request for a preliminary plat for Lakewood Commercial Park 7th Addition.

Close Public Hearing

Chair Robinson inquired if there were any comments or questions. Hearing none, this portion of the public hearing was closed.

Commission Action

Chair Robinson inquired if there were any comments or questions.

Commissioner Intveld moved to recommend approval of a preliminary plat for Lakewood Commercial Park 7th Addition. Commissioner Renner seconded the motion. Chair Robinson called for a roll call vote: Horn: Yes; Lang: Yes; Mudder: Yes; Mayor Froelich: Yes; Intveld: Yes; McLean: Yes; Gardner: Yes; Renner: Yes; Chair Robinson: Yes. The motion passed.

4. Consider a preliminary plat and zone change for School District 8th Addition. David Wiosna, Interstate Engineering, presented in the absence of Rachel LaQua, Interim Planner. He reported that some

last minute communication was submitted prior to the meeting. He stated that based on that communication, staff is changing its recommendation from deny to approve. The Findings remain the same.

STATEMENT/PURPOSE

Consider a preliminary plat and zone change for School District 8th Addition.

BACKGROUND/ALTERNATIVES

Requested Preliminary Plat

The applicant met with city staff at a pre-planning meeting on April 2, 2026. Staff discussed concerns regarding connectivity to an area roughly west of existing 8th St NW. Staff also had concerns with the plat's deviation from the 2023 Mandan High School Placemaking Plan, which provided for an extension of 8th St NW and included roundabouts at the intersection of 9th Ave with Division St and 9th St.

This is the preliminary plat for School District 8th Addition, currently Lots 1 to 5, Block 2, School District First Addition Replat, located in the NE1/4 of Section 28, T139N R81W, 5th PM, Morton County, ND, within city limits.

Preliminary Plat Details

Total Area: 27.84 acres to be platted into 4 blocks with a total of 8 lots.

Configuration

The applicant proposes to create 4 blocks, which will preserve the existing ASA and Brave Center. Block 1 contains 3 lots, Block 2 contains 1 lot, Block 3 contains 3 lots, and Block 4 contains 1 lot.

Access

Access is provided by proposed 9th St NW and 9th Ave NW, dividing the plat into roughly four quadrants. The east side of the plat, including lots 2 & 3, block 3, abut Sunset Dr, 6th Ave NW, 8th St NW, and 8th Ave NW. Proposed rights-of-way are approximately 66 feet in width for 9th Ave NW, and 60 feet for 8th St NW.

Requested Zone Change

Requested zone change is from Agriculture and CA – Commercial Districts to the following: R7 – Single-Family Residential for Lot 3, Block 1, and Lot 1, Block 4 R3.2 – Two-Family Residential for Lot 3, Block 3 CA – Commercial for Lot 2, Block 3 CC - Commercial for Lots 1 & 2, Block 1; Lot 1, Block 2; and Lot 1, Block 3.

Adjacent Properties Zoning, Land Use and Future Land Use

Adjacent property to the north is Agriculture, to the west and south are zoned R7 - Single-Family Residential; to the east is CA - Commercial, R3.2 - Two Family Residential, and RM - Multi Family Residential. The Future Land Use Plan designates the property as Park on the north side of the property and Public/Semi-Public on the south portion.

Staff Comments

- The westward extension of 8th St NW that was outlined in the Placemaking Plan has not been

included in this plat. Staff have concerns that there is a lack of east-west connectivity to Block 3 in particular and a general lack of connectivity to the plat as a whole.

- The requested zone changes for Lots 1 & 2, Block 1, Lot 1, Block 3, and Lot 1, Block 2 to CC – Commercial/Light Industrial Transition is to allow for uses in the public recreation use group, which allows for parks and other public recreation facilities.

Findings of Fact

Preliminary Plat

1. All technical requirements for consideration of a preliminary plat have been met;
2. The proposed subdivision would likely not have substantial effects on the safety and circulation of public roadways in the vicinity, and therefore no traffic impact study is required;
3. The proposed plat includes sufficient easements and rights-of-way to provide for orderly development and provision of municipal services beyond the boundaries of the subdivision for projects identified in City masterplans;
4. The City of Mandan and other agencies would be able to provide necessary public services, facilities and programs to serve the development allowed by the proposed subdivision at the time of development.
5. The proposed subdivision is not located in the Special Flood Hazard Area or an area where the proposed development would adversely impact water quality and/or environmentally sensitive lands, or areas that are topographically unsuited for development;
6. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance;
7. The proposed subdivision is consistent with the Comprehensive Plan and generally consistent with the Future Land Use Plan. However, it is not consistent with the 2023 Mandan High School Placemaking Plan;
8. The proposed subdivision would not adversely affect the public health, safety and general welfare.

Findings of Fact

Zone Change

1. Fulfills the goals, objectives, and policies of the future land use plan; and
2. Fulfills the goals, objectives, and policies of other plans as may be adopted by the city.

Staff recommended approval of the preliminary plat and zone change for School District 8th Addition.

Chair Robinson inquired if there were any comments or questions.

Commissioner Mudder inquired on the map where 8th Street is projected to be. Mr. Wiosna explained the placemaking plan will essentially extend a street and this preliminary plat does not follow that.

Commissioner Renner inquired if that is the key difference? Mr. Wiosna replied that it is and he provided an excerpt from the placemaking plan. The 8th street northwest is not going to carry over into this plan and it will not be extended. The access to that area will be a question for future development of this area.

Commissioner Renner inquired if this Commission can vote on a preliminary plat that does not have access to a part of it? Mr. Wiosna said that staff has discussed these issues with the applicant, with the roundabout and some of the right of way. It leaves a large lot on the south side of the property, however that will have to be decided at a future time. The plat is not clear why that piece was not included in the

placemaking plan. Commissioner Lang inquired about a round-about location. Mr. Wiosna replied that the placemaking plan that he provided for viewing, was a concept from 2023, therefore the preliminary plat that is being viewed does not have a round about included, however the applicant and the developer indicated they would include that going forward. If appropriate, the Commission can make that a condition of preliminary approval. Commissioner Gardner inquired of the zoning request of CC that was mentioned that was because the city wanted to make sure that the area would not be out of compliance. Why was it decided to go to CC rather than CA or CB because they are not sufficient? Mr. Wiosna questioned why the CC was decided noting there was discussion to go RM multi family which also allows for public recreation however, the owner was not interested. He stated that CA or CB does not allow for public recreation. He offered to get clarification on this issue. Commissioner Renner inquired if there is a rule there has to be a buffer zone in R7 and Commercial? Mr. Wiosna stated that the Zoning Ordinance requires a buffer zone between uses and sometimes between zones. It's incumbent upon the developer to meet the buffer requirements. Building Official Jordan Singer commented that the CC lots that you see, Lot 1 is currently the Skate Park and the second one next to R7 is a city dump site for grass clippings. That was taken into consideration when determining what zone would be appropriate. Commissioner Mudder inquired about the All Season's Arena Road heading west of there, what is the prediction of when that will be completed? Will the developer be working on that sooner than later? Mr. Wiosna stated he is not aware of the construction timeline for that project. Commissioner Horn stated that road is a future concept. Commissioner Renner inquired if the land has not been sold and there is no development planned, what is the reasoning for a preliminary plat? Is it to lock the developer into the way the city wants it to be and what the city will allow? Mr. Wiosna stated he can speak to why they wanted to go with the plat, is because the school district would like to be done with that piece of land. Building Official Singer commented that the existing plat is zoned all AG so it ties the hands of anyone coming in the future. This is the concept of what it could be so it does help the school district in order for them to do what they like with the property. Commissioner Gardner inquired if there would be any repercussions if they were zoned out of their usage? Mr. Wiosna stated he did not think there are any immediate repercussions, however one would want to avoid something not conforming for future planning.

Chair Robinson inquired if there were any comments or questions.

Open Public Hearing

Chair Robinson opened the public hearing and invited anyone calling in or present, to come forward to speak for or against the request for a preliminary plat and zone change for School District 8th Addition.

Abe Ulmer, an engineer with ILSE came forward to provide clarification of questions that have been asked. The main purpose of this request has to do with the school district having many lots that need to be cleaned up and prepared for future development. The ASA is part of the school and in the end the school will be demolished. Part of that project is attempting to secure a portion of land to make that deal with the Parks to get their building on their property for the ASA. One of the main goals of this project is to clean up the property before the School District sells it to someone. He stated that 9th Street is already built to a certain point until it dead-ends into the football field. There is no north and south street. There are several easements on this plat and with the existing water lines, there is work in progress with the city staff to move or vacate some of those. There are plans to add more right of way triangles to procure that right of

way for a future round about at 9th Street and 9th Avenue intersection of the four quadrants of the land. The Planning Department and city staff have been contacted provide input. The School District was hesitant to zone it RM, knowing that's multi-family. The discussion is still open as to whether it be CC or something of that nature that allows public use on these properties and the RM zoning is still up for discussion. CC was suggested due to uses for the Brave Center for the ASA, the Skate Park and the city's grass/leaves dump site. He said they are suggesting CA zoning in the far east lot along Sunset Drive to be able to offer more businesses. The School District intends to sell this property and if they desire to change the zone, they can move forward with those requests. This may make it easier for the School District to sell these lots. If there is interest in building the property, that would be encouraged because the School District does not want to build it.

Carleen Petermann came forward and stated she lives across the street from the area being discussed. She commented that this is a preliminary plat so there can be changes made even though the Commission approved the request as is. She has several concerns with how the traffic will flow; and what will be allowed to be built there; and how it will affect that area of the city. She inquired if the public will have another opportunity so speak to the Commission before it becomes finalized.

Chair Robinson inquired if there were any comments or questions.

Chair Robinson provided the following clarifications. Commissioner Horn commented that there is no developer or buyer at this time and the School District does not have any ideas from a developer at this point. They are in the process of getting it zoned because it is easier to sell land once zoning is established and there is a layout of plans. That's the primary purpose for bringing this forward at this time.

Chair Robinson provided a second and final invitation to come forward to speak for or against the request for a preliminary plat and zone change for School District 8th Addition.

Close Public Hearing

Chair Robinson inquired if there were any comments or questions. Hearing none, this portion of the public hearing was closed.

Commission Action

Chair Robinson inquired if there were any comments or questions.

Commissioner Mudder moved to recommend approval of a preliminary plat and zone change for School District 8th Addition on the condition there will be a roundabout at 9th Street and 9th Avenue intersection, is included as previously discussed and outlined by Abe Ulmer. Commissioner Intveld seconded the motion. Chair Robinson called for a roll call vote: Horn: Yes; Lang: Yes; Mudder: Yes; Mayor Froelich: Yes; Intveld: Yes; McLean: Yes, Gardner: Yes; Renner: Yes; Chair Robinson: Yes. The motion passed.

5. Consider a preliminary plat and zone change for Keidels South Heart Terrace 5th Addition. Commissioner Gardner recused himself from participating in this matter due to a conflict of interest.

David Wiosna, Interstate Engineering, presented in the absence of Rachel LaQua, Interim Planner.

STATEMENT/PURPOSE

Consider a preliminary plat and zone change for Keidels South Heart Terrace 5th Addition.

BACKGROUND/ALTERNATIVES

Requested Preliminary Plat

This is the preliminary plat for Keidel’s South Heart Terrace 5th Addition, located in the NW1/4 of Section 3, T138N R81W, 5th PM, Morton County, ND, within city limits. This portion of the NW1/4 of Section 3 has been previously platted as Keidel’s South Heart Terrace 4th, which was vacated.

The applicant has met with City staff numerous times with this item being tabled originally in fall 2025 and now. Most recently, the applicant met with city staff at a pre-planning meeting on April 2, 2026. Staff discussed some concerns regarding connectivity to the east at Clover Grove. Engineering staff had concerns with secondary access for fire and emergency services access.

Preliminary Plat Details

Total Area: 47.82 acres to be platted into 5 blocks with a total of 71 lots.

Configuration

The applicant proposes to create 5 blocks:

- Block 1 – 4 lots, ranging in size from 14,566 square feet to 19,204 square feet
- Block 2 – 16 lots, ranging in size from 14,398 square feet to 31,626 square feet
- Block 3 – 13 lots, ranging in size from 14,059 square feet to 20,749 square feet
- Block 4 – 18 lots, ranging in size from 11,418 square feet to 38,219 square feet
- Block 5 – 20 lots, ranging in size from 10,916 square feet to 389,818 square feet. Lot 20 is a drainage basin with a 40’ stormwater and drainage easement across Lot 19

Access

Block 1 accesses onto 8th Ave SW. Block 2 is accessed via 8th Ave SW, Cobblestone Loop, and a cul-de-sac created by 7th Ave SW. Block 3 is accessed via 6th Ave SW, Cobblestone Loop, 4th Ave SW. Block 4 is accessed via Cobblestone Loop, 4th Ave SW and a cul-de-sac at 2nd Ave SW. Block 5 is accessed via Cobblestone Loop and a cul-de-sac coming off of Cobblestone Loop labeled Liffrig Court.

~ Connection to existing roads is via extension of 8th Ave SW, 6th Ave SW, 4th Ave SW, and Cobblestone Loop from Keidel’s South Heart Terrace 3rd Addition directly to the north. Cobblestone Loop is also proposed to connect to 8th Ave. Cobblestone Loop abuts adjacent property to the south between Blocks 1 & 5.

~ Proposed rights-of-way are 66 feet in width for Cobblestone Loops and 6th Ave SW, and 80 feet for 8th Ave SW and 4th Ave SW.

~ The plat shows 8th Ave SW moving eastward from its current orientation and shows multifamily lots on the west side of 8th Ave. City staff had requested minimal access points along 8th Ave SW as the potential buildout and platting of the land to the south may include intensive uses such as a hotel, conference center, or school. 8th Ave SW will operate as a collector and therefore access to 8th Ave must be appropriately managed.

~ There is no access to the east of this subdivision. City staff had, after facilitating conversations with the proposed Clover Grove subdivision (approved PUD but which has not been subdivided) to the east, requested that at a minimum, staff would like to see an eastward right of way preserved through platting and/or a Memorandum of Understanding. The currently shown cul-de-sac on the east side of the subdivision does not allow for continuation of Liffrig Court into the coulee between the Keidel's 5th Subdivision and Clover Grove. The applicant has noted that the construction of such a road would be costly. City staff acknowledged that but, in the interests of future connectivity, requested preservation of the option. This plat does not meet those requests. City staff noted that this is a persistent occurrence on the south side of Mandan, with subdivisions being self-contained rather than providing east-west access, leading to a lack of connectivity for vehicular and pedestrian traffic and higher likelihood of future concerns as the south side of Mandan continues to develop. This subdivision is a replica of an island and does not connect well from east to west.

Requested Zone Change

R7 Residential for: Lots 1-5 and 12-15, Block 2 Lots 6-9, Block 3 Lots 5-18, Block 4 Lots 1-19, Block 5.

RM – Residential for: Lots 1-4, Block 1 Lots 6-11 and 16, Block 2 Lots 1-5 and 10-13, Block 3 Lots 1-4, Block 4.

Adjacent Properties Zoning, Land Use and Future Land Use

Adjacent properties to the north and south is zoned R7 – Residential and Agriculture, to the east zoned RM – Residential and Agriculture; and to the west is public right-of-way and Agriculture. The Future Land Use Plan designates this area as Low Density Residential.

Staff Comments

- The preliminary plat does not contemplate access to Clover Grove to the east, either in actual dedication or preservation of right of way.
- The preliminary plat does not provide the required secondary access according to 2021 International Fire Code (IFC), Appendix D104.3 - Remoteness. "Where two fire apparatus roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses."
- The straight-line measurement between access roads is approximately 1,190 feet. The straight-line diagonal measurement of the platted area is approximately 2,504 feet. This produces a ratio of .475, which does not satisfy the remoteness requirement.
- Staff requests that the owner and applicant develop an updated plat with full connection to the east

at Clover Grove.

- Lot 19 of Block 5 has no access and will not be able to be developed.

Findings of Fact

Preliminary Plat

1. All technical requirements for consideration of a preliminary plat have been met;
 2. The proposed subdivision would likely not have substantial effects on the safety and circulation of public roadways in the vicinity, and therefore no traffic impact study is required;
 3. The proposed plat does not include sufficient easements and rights-of-way to provide for orderly development and provision of municipal services beyond the boundaries of the subdivision for projects identified in City masterplans;
 4. The City of Mandan and other agencies would not be able to provide necessary public services, facilities and programs to serve the development allowed by the proposed subdivision at the time of development. Insufficient access is provided according to the 2021 IFC with secondary access.
 5. The proposed subdivision is not located in the Special Flood Hazard Area or an area where the proposed development would adversely impact water quality and/or environmentally sensitive lands, or areas that are topographically unsuited for development;
 6. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance;
 7. The proposed subdivision is not consistent with the Comprehensive Plan, the Future Land Use Plan, and other plans and studies, policies and accepted planning practice;
- The proposed subdivision would adversely affect the public health, safety and general welfare.

Findings of Fact

Zone Change

1. Fulfills the goals, objectives, and policies of the future land use plan; and
2. Fulfills the goals, objectives, and policies of other plans as may be adopted by the city.

City Engineer Wigness came forward and stated that he prepared exhibits that will provide an understanding of nuances of the secondary access remoteness that is being considered. Remoteness is the key area of focus due to the two key access points of 8th Avenue Southwest and 4th Avenue Southwest. The remoteness piece of the International Fire Code requires the two access points must be a distance apart equal to half of the diagonal distance of the area that it is meant to serve. He provided two developments for discussion and explained each and explained why the requirement has not been met and the need to push for a secondary access to be connected from Liffrog Court down to an existing right of way as a concern today and in the future. The developers have provided a master plan that indicates non-compliance. The city believes the last opportunity to make a significant secondary access connection until it continues south where they can connect to Highway 6, several years from now, or connect to McKenzie Drive if it crosses the Heart River and continues through an area south of Mandan. Fire Chief Bitz provided his position reiterating his concern surrounding the activity for emergency services. He said that the department views connectivity as an essential to meeting both the letter and intent of the fire code and to ensure the long-term public safety as the neighborhoods and surrounding areas continue to develop. This also may be the last opportunity for the community to the east. This will address the deprivation of secondary access to both communities.

Chair Robinson inquired if there were any comments or questions.

Engineer Wigness stated he believes there is an existing right of way currently maintained by some property owners to the south of there. As this area is developed it would become a city street and maintained by the Public Works Department. There is a 100 ft. existing right of way existing today.

Chair Robinson inquired if there were any comments or questions.

Open Public Hearing

Chair Robinson opened the public hearing and invited anyone calling in or present, to come forward to speak for or against the request for a preliminary plat and zone change for Keidels South Heart Terrace 5th Addition.

Abe Ulmer, an engineer with ILSE came forward and stated he has been involved in this project since it began on the north side of 19th Street. Today, he will speak only to the south side. Keidels Third was started with a master plan in 2013 that was approved by the Commission and city staff with a cul de sac based on the fact that it will be steep and a snake like road going down the east side. It was decided at that time to put the cul de sac in, not connected to the east. In 2021 a plat was filed and approved with the cul de sac as shown. The previous developers who owned the land, vacated that plat, and moved forward with Keidel's 5th and that was approved. Water and sewer were bid out. The, one of the developers passed away and everything was put on hold until they eventually sold that property. In 2022, Keidel's 4th and Keidel's 5th were approved with a master plan of that same cul de sac. We are working now with the new developers since we had an abundance of knowledge of the history of this land. The neighbor to the east proposed to put in over 30 units and required himself to have a secondary access and this was pushed on them (Ulmer's group) by staff to provide that secondary access while working with the neighbor to accomplish this. It was a very expensive road with not great access or great for development. In summary, the history of this property is that it has been approved multiple times by this Commission and the City Commission with the latest being in 2022 with the cul de sac on the southeast. Ulmer said that the grading can be brought up to code by 8-10% but the neighbor will have to do a lot of grading on their part too. If they are not willing to do that and they do not comply, it will not work. There will have to be major discussions and cooperation between the two to make something work. Ulmer explained that in 2022 they platted the area by using the entire master plan for the property but at that time they were only platting the west two blocks. The master plan was all the way across the property but to the east and that showed that cul de sac. Keidel's 4th that was platted and then was recorded by a different engineering company and a different developer had that cul de sac planned in it. Municipalities look at accesses differently for major or minor developments.

Mr. Ulmer has had discussions with Fire Chief Bitz regarding this road. He said that the former Chief Nardello did not want a steep snaky road so when working on Keidel's 4th and 5th, it was not an option. Chief Bitz has a different view on it. Engineer Wigness stated that he was not working for the city in 2022, nor were several of the other city officials who were also not familiar with the history of this area as reported by Abe Ulmer.

Mike Liffbrig came forward and stated that he was unaware that he was the namesake for Liffbrig Court. He

stated he purchased the land to the south, 127 acres and another 80 acres with the idea of carving off the top 47, the north 47, to build some beautiful things on the south such as coulees and flats, etc. With the assistance of Abe Ulmer, at this time we're focusing on the 47 acres now and all are non-profit. In all the discussions he has had with city staff and Ulmer it was never mentioned there was a fire code issue or a connectivity issue. All that came afterwards after the Clover Grove people entered the picture. He does not know what will happen with Clover Grove, noting that this far it has been very spotty. He feels that the land he has purchased is now being asked to bear the burden of the development because what he is proposing has been approved three times and now there are new requirements and it seems unfair to him. In order to move forward he hired Ulmer to look at the snake road possibilities who indicated it will be tricky piece of roadway to build. He said he has visited with the neighbors (in Keidel's) and they do not want a snake road there. He said he is trying to make this project a win-win for everyone however he feels he is being treated unfairly.

Justin Glaser, came forward and stated he lives at 230 Cobblestone Loop and stated he is one of the neighbors that Mike Liffrig has met with. He said he is familiar with Cobblestone Loop and that a house was hit on that hill after a truck rolled down it. That was his house. He said he bought his house based on the original plat and the dollar values based on the views he would have. Now, all of a sudden everyone wants to change the game and he does not agree with it. It has been recorded multiple times and now they want to change the game. He is frustrated with this being brought up again.

Mike Lafferty came forward and stated he lives at 222 Cobblestone Loop. He was the first to build there. He said he has approached developers indicating that he would like to expand his property to the east and developers have told him that when it gets to that point, something will be worked out. He said he has spoken with Mike Liffrig, now the third developer, about the possibility of doing that and each time, it's based on a similar plat map that has changed a little bit. That road could change the dynamics entirely and to the south as well. He would like to see this request approved.

Chair Robinson inquired if there were any comments or questions.

Chair Robinson provided a second and final invitation to come forward to speak for or against the request for a preliminary plat and zone change for Keidels South Heart Terrace 5th Addition.

Close Public Hearing

Chair Robinson inquired if there were any comments or questions. Hearing none, this portion of the public hearing was closed.

Commission Action

Commissioner Renner stated that the fire code part is his concern along with several other questions. Building Official Singer read the fire code for remoteness: Remoteness is where two fire apparatus access roads are required. They shall be placed a distance apart, equal to not less than one half of the length of maximum overall diagonal dimension. One of the reasons for multiple access roads is that if one access road is blocked or otherwise unavailable another will allow access by the fire department. Therefore, when more than one access road is required, those roads must be separated by enough distance to avoid a situation where both would be blocked or unavailable simply because they are too close to one another. Building Official Singer provided the definition for Fire Apparatus, Access Road as written in the Fire

Code: A road that provides fire apparatus access from a fire station to a facility building or portion thereof. This is a general term inclusive of all other terms such as the fire lane, public street, private street, parking lot, lane, and access roadway. These are general terms anticipated for emergency vehicles for required access to a building(s). Private driveways could be included and subject to these provisions.

Chair Robinson inquired why wouldn't the diagonals begin and end at 19th? Singer replied because the fire apparatus road requirement states that road, that provides fire apparatus access from a fire station to a facility, building or portion there. If this is being read correctly, it is not to a street, this is to a building which the fire department is serving. That explains why definitions by different communities may get mixed up. Singer explained that what he read is the conclusion that Mandan city staff have adopted and follow. Engineer Wigness commented that he provided both diagonal distances for interpretation purposes. When discussions were occurring with the developer and the engineer the area to the east was not included in any of the discussions because it is un-platted. Alternative discussions offered as an alternative compromise to constructing that snake road was a memorandum of understanding acknowledging future connection to the east. In response to the city saying that this un-platted area outside of the plat, the city acknowledges that there should be a connection in the future. The response was to include it into the plat and to memorialize that there would not be connection to the east, which was somewhat confrontational. By leaving it off Liffrig's Court and the homes there, that would be a compromise and in compliance. The city is willing to work with that as a kind of stepping stone in the right direction in the future. Commissioner Renner inquired if they got rid of the lots around Liffrig's Court, would this work? Mike Liffrig commented that if we are talking about compromises then what about the fire code issue? Commissioner Renner commented that if those were gone, it changes the length of that line and it brings Liffrig into compliance with the IFC Code. It will reduce the length of the line and it will also not prevent future connections to the east. Tearing down a house will be looked at unfavorably in the future and the best course of action would be to establish a right of way at this time or establish an understanding that the right of way will be established in the best interests of the long-term development of this area. Liffrig commented that he could sign a memorandum but that's a taking under the constitution and, he does not have the money to do that nor will anyone ever have money to do that for no good reason. He will not be able to sell this property with this burden on it and its fraught for the city to try to do this.

Chair Robinson inquired about when he is asking about vacating Liffrig Court, he assumes they were looking at 4 or 6 lots there. It probably provides compliance and ability to expand the plat going south. It probably does tie the property up in this area, Liffrig Court being in the far southeast corner. The lots are touching a cul de sac. Do you understand Commissioner Renner's question and intention? That is, to get rid of those properties and to shorten the line which would cause losing lots but it would allow Liffrig to proceed with development on the southern lots before Liffrig would get that line so pushed that there would have to be another point of access. Engineer Wigness commented that he agrees and commented that not building the road would be more affordable than building the road. He also agrees that the idea that the developability of the land immediately adjacent to the access road, maybe that would not be profitable. The second access road would benefit all of the properties shown in the master plan. Commissioner Mudder voiced concern about the 10% grade having to do with safety issues when traveling down that hill. Commissioner Lang commented that the speed limit is 15 mph at the Lakota Drive curves. If a fire truck is going to travel that road, they will use the most direct route to get to this neighborhood and will they even use this snaky driving road? Chair Robinson inquired why it is not

measured off of 19th and 4th Avenue? Commissioner Lang stated she has been a past developer that had it for sale and it is incredibly steep and she does not understand how a road could be put on that lot that's feasible. Engineer Wigness stated he did research in response to the existing Cobblestone Loop and the exact same steepness discussed and he found that Cobblestone Loop max existing grade is about 14% and max existing grade and the Snake Road was about 9.4%, almost a 5% difference. He offered to get the measurements for aid in future decision making. Commissioner Renner stated it would be difficult for a fire truck getting up or down that steep road in the middle of winter so in reality will the road ever get used if there is an emergency? He would like to see compliance met without having to building that road. This request could be denied if that would help Mr. Liffrig with future plans for development to the south. Putting this road in will not help anyone. Mr. Wiosna said this matter can be tabled and further discussion held rather than to deny the request, that way the city could avoid having to public notice it again. Commissioner McLean stated he has several concerns about the project. This has been approved twice and Mr. Liffrig bought the property under that premises and now this Commission is changing the game. He's not wrong. We are changing the game for him right in the middle of the game. It's not like the fire codes have changed since the last time it was approved yet now the discussion is coming up with fire codes. Now we have to follow these rules that are different rules from what was previously done somehow, someway. His concern is that Mr. Liffrig bought this land and now the city is saying he will lose revenue on some lots and now the city is changing rules on him. That is a concern. It was approved not once, but twice by two prior developers and nothing was said about this road. He voiced concerns about the road, and it shouldn't matter what grade it is. He believes there is a compromise but Mr. Liffrig should not be required to compromise more than anyone else involved. He should not have to pay for a road for a different developer either. That's not fair to Mr. Liffrig.

Chair Robinson commented there has been discussion to tabling this matter or denying the request. He requested clarification on the fire truck route because he believes it will not take that road either, rather it will take 19th traveling up 4th Avenue or possibly 8th. He inquired why the measurement does not begin at that corner. Fire Chief Bitz will be requested to join discussion to answer questions related to this matter before the Commission can make any decisions.

Commissioner Mudder moved to table the request for a preliminary plat and zone change for Keidels South Heart Terrace 5th Addition to allow for further discussion. Commissioner Renner seconded the motion. Chair Robinson called for a roll call vote: Horn: Yes; Lang: Yes; Mudder: Yes; Mayor Froelich: Yes; Intveld: Yes; McLean: Yes; Gardner: Yes; Renner: Yes; Chair Robinson: Yes. The motion passed.

C. OTHER BUSINESS Building Official Singer stated that the May meeting is tentatively scheduled for Wednesday, May 27, 2026, due to the Memorial Day holiday. There may also be a meeting scheduled for the Commissioners to review the Zoning Code.

D. ADJOURN

There being no further business to discuss or come before the Board, a motion was made by Commissioner Mudder and seconded by Commissioner Intveld to adjourn the meeting. Upon vote, the motion passed unanimously. The meeting adjourned at 7:31 p.m.



Planning & Zoning Commission

Agenda Documentation

MEETING DATE: May 27, 2026
PREPARATION DATE: May 19, 2026
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Rachel LaQua, Interim Planner
SUBJECT: Consider a special use permit for 2264 Sunny Road S

STATEMENT/PURPOSE:

Consider a special use permit for propane storage and distribution at 2264 Sunny Road S.

BACKGROUND/ALTERNATIVES:

This proposed special use permit is for the use of propane storage and distribution at the property described as Lot 1, Block 1, Vic Fleck Subdivision, T139N R81W, City of Mandan. The property address is 2264 Sunny Rd S.

Property

The property is zoned CB- Business Commercial and is shown in the future land use plan as rural residential, though this area is unlikely to be downzoned to rural residential. The owners are proposing to put 2- 30,000 gallon propane tanks in the existing truck yard, located on the south end of the site.

The building department will review the final plans and ensure that any needed floodplain regulations are followed as the floodplain is close to the proposed location.

Total Area: 21.7 acres. Access to the property is via Sunny Road S.

Utilities and Easements

No utilities should be affected by this installation.

Findings of Fact

Special Use Permit

Will the proposed use be designed, constructed, operated, and maintained so as to be compatible in appearance with the existing or intended character of the neighborhood?

Yes.

Will the proposed use involve activities, processes, materials, equipment, or conditions of operation that will be incompatible with the neighborhood due to the production of traffic, noise, smoke, fumes, glare, or odors?

No.

Will the hours of operation of the proposed use be different than the adjacent uses?

Will the proposed use require exterior lighting of a type and intensity greater than the adjacent uses?

No. Surrounding uses are similar or vacant.

Will the proposed use require exterior lighting of a type and intensity greater than the adjacent uses?

No.

Will the site of the proposed use have sufficient area to provide the parking required for the use?

Yes.

Will the proposed use require adjustments to the normal lot size, height, and setback requirements of the district?

No.

Staff Comments

no comments.

Adjacent Properties Zoning, Land Use and Future Land Use

The property is zoned CB - Business Commercial. Adjacent property to the north is

interstate, to the west and east is R7 - Single Family Residential, and to the south Agriculture.

Public Outreach and Application Details

Application and fee was received on April 24, 2026.

Letters were sent to thirteen adjacent property owners on May 8, 2026.

ATTACHMENTS:

1. Application - Redacted
2. Additional Submittal
3. Vic Fleck Authorization Letter_Redacted
4. Exhibit
5. Fitterer Propone Location Map
6. Site Plan

FISCAL IMPACT:

N/A

STAFF IMPACT:

minimal

LEGAL REVIEW:

This item has been reviewed as part of the agenda packet.

RECOMMENDATION:

to recommend approval of the SPU for Lot 1, Block 1, Vic Fleck Subdivision, as presented.

SUGGESTED MOTION:

I move to recommend approval of the SPU for Lot 1, Block 1, Vic Fleck Subdivision, as presented.

CITY OF MANDAN	
Development Review Application	
Minor Plat (\$300)	Zone Change (\$600)
Preliminary Plat up to 20 acres (\$450)	Planned Unit Development (\$700)
Preliminary Plat more than 20 acres (\$500)	Land Use and Transportation Plan Amendment (\$1,000)
Final Plat up to 20 lots (\$450)	Vacation (\$500)
Final Plat 21 to 40 lots (\$600)	Variance (\$400)
Final Plat more than 40 lots (\$750)	x Special Use Permit (\$450)
Annexation (\$450)	Stormwater submittal (\$300)
Masterplanned Subdivision (not accepted without preliminary plat) (\$250)	Stormwater 2 nd & subsequent resubmittal (\$50)
Appeals to Administrative Denials (Variance to Non-zoning/Non-subdivision regulations) (\$250)	Document Recording (\$30)
Summary of Request (Add separate sheet(s) as necessary)	
Propane storage / distribution facility added to parcel use.	

Engineer/Surveyor			Property Owner or Applicant		
Name Nicolas Cullen, Houston Engineering, Inc			Name Fitterer Sales Inc.		
Address [REDACTED]			Address [REDACTED]		
City Bismarck	State ND	Zip 58503	City New England	State ND	Zip 58647
email [REDACTED]			email [REDACTED]		
Phone [REDACTED]		Fax	Phone [REDACTED]		Fax
If the applicant is not the current owner, the current owner must submit a notarized statement authorizing the applicant to proceed with the request.					

Location		Type		Existing Zone	Proposed Zone	Project Name	
City	x	ETA	x	New	Addition	Commercial	Commercial
Property Address				Legal Description			
2264 Sunny Road S				Lot 1 Block 1 Vic Fleck Subdivision			
Current Use							
Commercial/Industrial Excavating & Trucking							
Proposed Use							
Commercial/Industrial Excavating, Trucking, Propane Storage/Distribution				Section 29	Township 139	Range 81	
Parcel Size	Building Footprint	Stories	Building SF	Required Parking	Provided Parking		
20.62	N/A	N/A	N/A	N/A	N/A		

Print Name Austin Fitterer	Signature <i>Austin Fitterer</i>	Date 4/23/2026
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Office Use Only			
Date Received:	Initials: <i>nm</i>	Fees Paid: \$ Yes. <i>450.00</i>	Date <i>4-24-2026</i>
Notice in paper	Mailed to neighbors	P&Z meeting	
Approved	Approved with conditions:		
Denied			

Additional Submittals

Conditional-Special Use Permit

A special or conditional use permit application shall include the following additional submittals:

1. An answer with explanation for each of the following questions (please answer the below questions as completely as possible. Incomplete applications will not be accepted and may cause a delay in the application process):

a. Will the proposed use be designed, constructed, operated, and maintained so as to be compatible in appearance with the existing or intended character of the neighborhood?

Yes. The proposed propane storage and distribution use will be designed, constructed, operated, and maintained to be compatible with the existing and intended commercial/industrial character of the surrounding area. The subject property is currently utilized for commercial and industrial activities including excavating and trucking operations. The addition of propane storage and distribution is consistent with similar industrial uses in the area. The two 30,000-gallon propane tanks will be elevated and located near the south end of the site to minimize visual impacts, and no occupied structures are proposed as part of this improvement.

b. Will the proposed use involve activities, processes, materials, equipment, or conditions of operation that will be incompatible with the neighborhood due to the production of traffic, noise, smoke, fumes, glare, or odors?

No. The proposed use will not involve activities, processes, or conditions of operation that are incompatible with the surrounding neighborhood. Propane storage will occur within sealed, code-compliant tanks designed to applicable safety standards. Normal operations will not generate smoke, odors, glare, or fumes. Traffic impacts are expected to be minimal and consistent with existing trucking and industrial operations currently occurring on the site. Noise levels will be limited to periodic delivery or loading activities and will be comparable to existing uses.

c. Will the hours of operation of the proposed use be different than the adjacent uses?

No. The hours of operation for the proposed propane storage and distribution use are not anticipated to be materially different from those of adjacent or existing site uses. Propane deliveries and distribution activities will generally occur during normal business hours consistent with other commercial and industrial operations in the vicinity.

- d. Will the proposed use require exterior lighting of a type and intensity greater than the adjacent uses?

No. The proposed use does not require exterior lighting of a type or intensity greater than adjacent uses. Any lighting required for safety or operational needs will be minimal and designed to be consistent with existing site lighting and surrounding properties. Lighting, if installed, will be directed downward and shielded to prevent spillover onto adjacent parcels.

- e. Will the site of the proposed use have sufficient area to provide the parking required for the use?

Yes. The site has sufficient area to provide any parking required for the proposed use. The propane storage and distribution improvements do not increase staffing levels or parking demand beyond existing site operations. Existing parking areas associated with current commercial and industrial uses are adequate to accommodate the proposed use.

- f. Will the proposed use require adjustments to the normal lot size, height, and setback requirements of the district?

No. The proposed use does not require adjustments to the normal lot size, height, or setback requirements of the zoning district.

The zoning map may be used to view the subject property and surrounding property's zoning and view property lines overlaid on aerials. The zoning map may be found on the City's website at CityofMandan.com and selecting Departments → Engineering and Planning → Maps → Zoning Map or by clicking [here](#) if viewing this document digitally.



Austin Fitterer
Fitterer Sales - Mandan
[Redacted]
Mandan, ND 58554
4/23/2026

Subject: Special Use Permit Owner Statement

To Whom It May Concern,

This letter is to confirm that, Vic Fleck authorizes us permission, to move forward with the Special Use Permit Request.

This request allows Fitterer Sales to submit a Special Use Permit to the City of Mandan. This request is regarding Fitterer Sales moving our Propane Bulk facility.

If any additional information is needed, please feel free to contact myself [Redacted] or Chris Fitterer [Redacted]

X Austin Fitterer
Austin Fitterer
Fitterer Sales Location Manager

X [Signature]
Chris Fitterer
Fitterer Sales Owner

X Vic Fleck
Vic Fleck
Property Owner

[Signature]
04/23/2020

Sincerely,
Austin Fitterer

TRINITY LEMIEUX
Notary Public
State of North Dakota
My Commission Expires April 25, 2028

ArcGIS Web Map



7/23/2026, 3:35:59 PM

Override 1
Page 28 of 53

Sections
Roads_County_Cart 13-Private Rd

Morton Addresses
13-Private Rd





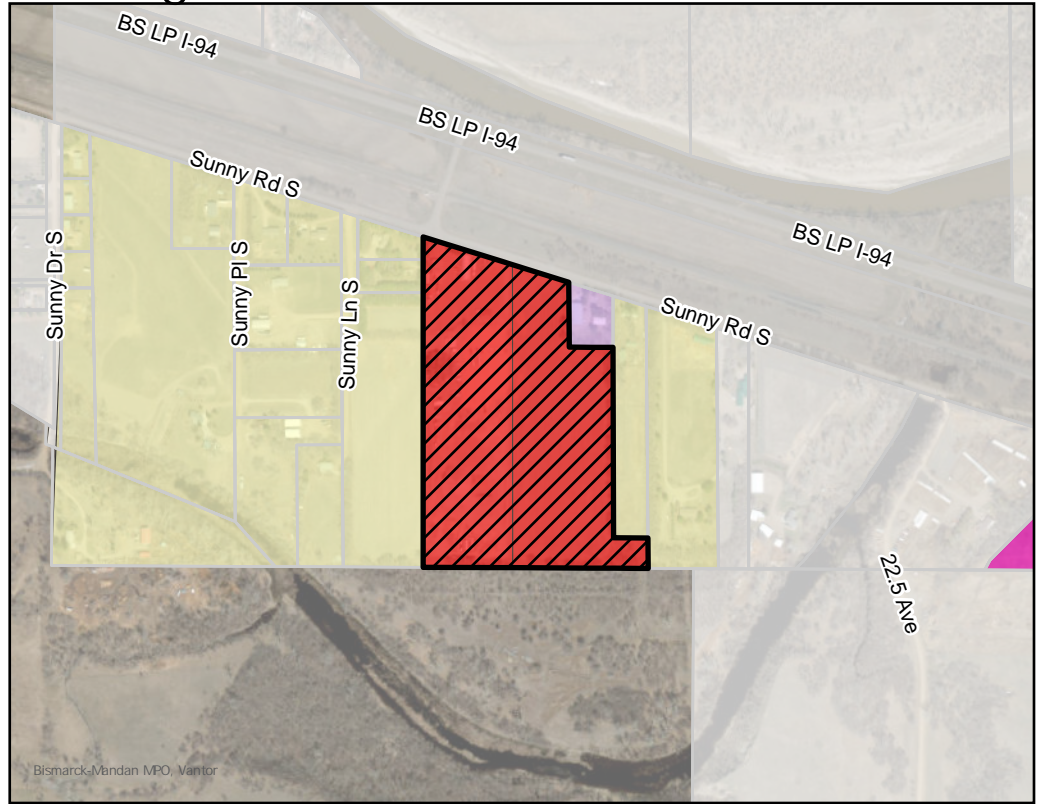
Zoning and Future Land Use Reference Map

L1 Blk 1 Vic Fleck Subdivision

Zoning Map Key

- | | |
|---|---|
| Agriculture - City of Mandan | MC - Heavy Commercial/Light Industrial Restricted |
| Agriculture - Morton County | MD - Heavy Commercial/Heavy Industrial Restricted |
| CA - Neighborhood Commercial | MHS - Trailer Park |
| CB - Business Commercial | PUD - Planned Unit Development |
| CC - Commercial/Light Industrial Transition | R3.2 - Residential Single & Two Family |
| DC - Downtown Core | R7 - Residential Single Family |
| DF - Downtown Fringe | RH - Residential Mobile Home Park |
| Industrial - Morton County | RM - Residential Multi-family Dwellings |
| LSMHS - Trailer Park Subdivision | RMH - Residential Mobile Home Subdivision |
| MA - Heavy Commercial/Light Industrial | Residential - County Residential Zoning |
| MB - Heavy Commercial/Heavy Industrial | ROW - Right-of-Way |
| | Proposed Site |

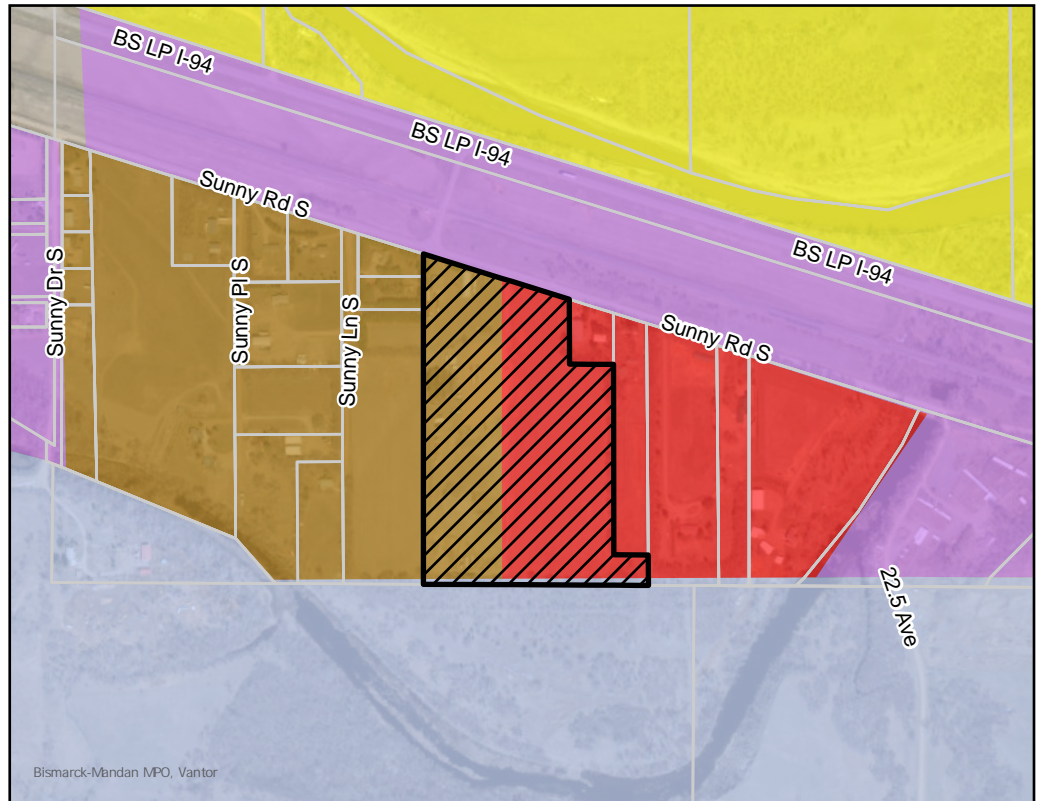
Zoning

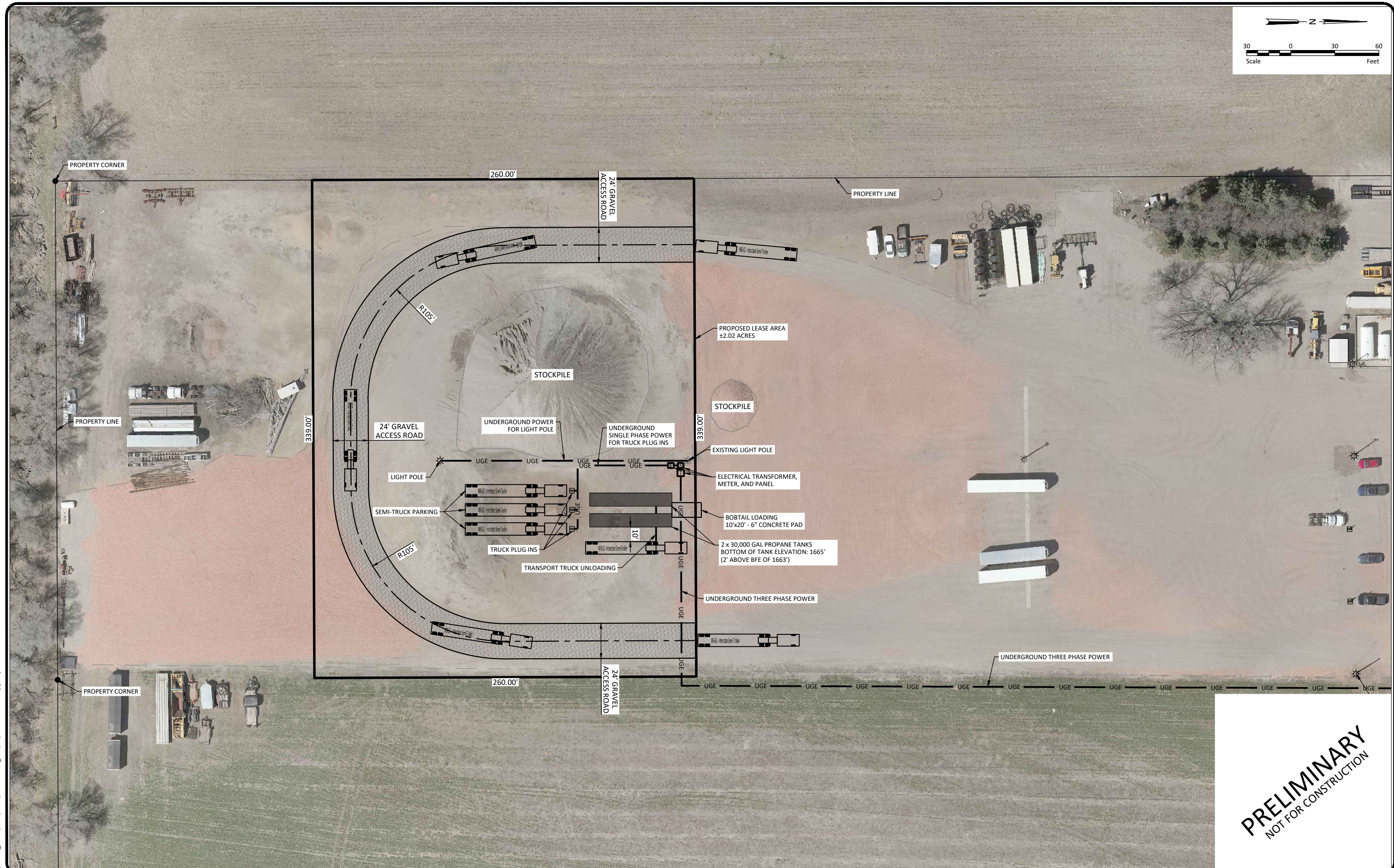
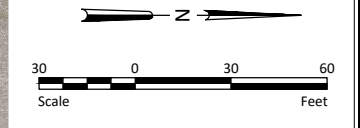


Future Land Use Plan

Future Land Use Plan Key

- | |
|----------------------------|
| Rural Residential |
| Low Density Residential |
| Medium Density Residential |
| High Density Residential |
| Commercial |
| Industrial |
| Public/Semi-Public |
| Public Land |
| Park |
| Greenways |
| Open Space |
| Open Water |
| Proposed Site |





PRELIMINARY
NOT FOR CONSTRUCTION

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No.	Revision	Date	By

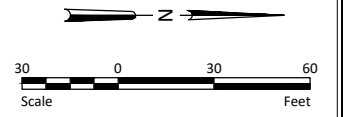


Drawn by TP	Date 5-20-26
Checked by NC	Scale AS SHOWN

FITTERER PROPANE STORAGE & DISTRIBUTION
FITTERER OIL
MORTON COUNTY, NORTH DAKOTA

SITE PLAN I
PROJECT NO. 14871-0001

SHEET
C-2



PRELIMINARY
NOT FOR CONSTRUCTION

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No.	Revision	Date	By



Drawn by TP	Date 5-20-26
Checked by NC	Scale AS SHOWN

FITTERER PROPANE STORAGE & DISTRIBUTION
FITTERER OIL
MORTON COUNTY, NORTH DAKOTA

SITE PLAN II
PROJECT NO. 14871-0001

SHEET
C-3



Planning & Zoning Commission

Agenda Documentation

MEETING DATE: May 27, 2026
PREPARATION DATE: May 19, 2026
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Rachel LaQua, Interim Planner
SUBJECT: Consider a special use permit for Lot 12, Block 18, Mandan Proper (210 5th Avenue NW).

STATEMENT/PURPOSE:

To consider a special use permit for Lot 12, Block 18, Mandan Proper (210 5th Avenue NW).

BACKGROUND/ALTERNATIVES:

This proposed special use permit is for the use of a former church as a wedding and event venue at the property described as Lot 12, Block 18, Mandan Proper, T139N R81W, City of Mandan. The property address is 210 5th Ave NW.

Property

The property is zoned DF – Downtown Fringe.

The property is the site of a former church in a largely residential area on the corner of 2nd St NW and 5th Ave NW. Total Area: 0.16 acres. Parking for the property is provided via on-street parking and off-street parking stalls that have been created out of the boulevard.

The application plans to use the location for weddings, receptions, or other events. There are about 23 existing parking spaces. The applicant is also planning to purchase the neighboring home for later use. That home is not part of this special use permit. The application states that hours of operation would cease at midnight.

In a pre-planning meeting, the applicant stated that alcohol would be served, likely a beer and wine license. At that meeting, city staff encouraged the applicant to meet with neighbors and discuss the proposed use.

Staff Review:

Concerns regarding parking were the main item of concern at the pre-planning meeting. Staff is confident that the surrounding public parking on street, particularly a block south in commercial diagonal on-street parking, is able to handle the parking needs of the facility.

Access:

Access will remain in existing locations.

Utilities and Easements

utilities will not change; there are no known easements.

Adjacent Zoning, Land Use, and Future Land Use

Property on all sides is zoned DF.

The future land use plan designates this area as Commercial.

This use is generally considered a commercial use.

Public Outreach and Application Details

Application and fee was received on April 24, 2026.

Letters were sent to ninety-nine adjacent property owners on May 8, 2026.

Findings of Fact

Special Use Permit

Will the proposed use be designed, constructed, operated, and maintained so as to be compatible in appearance with the existing or intended character of the neighborhood?

Yes; the previous use was also a congregational assembly use.

Will the proposed use involve activities, processes, materials, equipment, or conditions of operation that will be incompatible with the neighborhood due to the production of traffic, noise, smoke, fumes, glare, or odors?

No. Operator will need to follow Mandan Noise regulations.

Will the hours of operation of the proposed use be different than the adjacent uses?

Will the proposed use require exterior lighting of a type and intensity greater than the

adjacent uses?

Surrounding properties are residential in nature. Operating hours are estimated to end at midnight. Additional lighting would be to illuminate a sign and would not be pointed into neighboring residences.

Will the site of the proposed use have sufficient area to provide the parking required for the use?

yes.

Will the proposed use require adjustments to the normal lot size, height, and setback requirements of the district?

No.

ATTACHMENTS:

1. Application - redacted
2. Additional Submittal
3. L12, Mandan Proper Location Map
4. Franciere Letter_Redacted
5. Serhienko Letter_Redacted

FISCAL IMPACT:

N/A

STAFF IMPACT:

minimal

LEGAL REVIEW:

This item hasa been reviewed as part of the agenda packet.

RECOMMENDATION:

to recommend approval of the special use permit for an event venue at Lot 12, Block 18, Mandan Proper, as presented.

SUGGESTED MOTION:

I move to to recommend approval of the special use permit for an event venue at Lot 12, Block 18, Mandan Proper, as presented.

Planning & Zoning Commission

Agenda Documentation

May 27, 2026

Subject: Consider a special use permit for Lot 12, Block 18, Mandan Proper (210 5th Avenue NW).

Page 4 of 4

CITY OF MANDAN	
Development Review Application	
Minor Plat (\$300)	Zone Change (\$600)
Preliminary Plat up to 20 acres (\$450)	Planned Unit Development (\$700)
Preliminary Plat more than 20 acres (\$500)	Land Use and Transportation Plan Amendment (\$1,000)
Final Plat up to 20 lots (\$450)	Vacation (\$500)
Final Plat 21 to 40 lots (\$600)	Variance (\$400)
Final Plat more than 40 lots (\$750)	x Special Use Permit (\$450)
Annexation (\$450)	Stormwater submittal (\$300)
Masterplanned Subdivision (not accepted without preliminary plat) (\$250)	Stormwater 2 nd & subsequent resubmittal (\$50)
Appeals to Administrative Denials (Variance to Non-zoning/Non-subdivision regulations) (\$250)	Document Recording (\$30)
Summary of Request (Add separate sheet(s) as necessary)	

Engineer/Surveyor			Property Owner or Applicant		
Name			Name Cassandra Chapa		
Address			Address [REDACTED]		
City	State	Zip	City	State	Zip
			Mandan	ND	58554
email			email [REDACTED]		
Phone		Fax	Phone [REDACTED]		Fax
If the applicant is not the current owner, the current owner must submit a notarized statement authorizing the applicant to proceed with the request.					

Location		Type		Existing Zone	Proposed Zone	Project Name
<input checked="" type="checkbox"/> City	<input type="checkbox"/> ETA	<input type="checkbox"/> New	<input type="checkbox"/> Addition		DF	Event Venue
Property Address				Legal Description		
210 5th Avenue NW, Mandan ND				Lot 12, Block 18, Mandan Proper to the City of Mandan, Morton County, State of North Dakota (PID #65-2453000)		
Current Use						
Church/Assembly						
Proposed Use						
				Section	Township	Range
Parcel Size	Building Footprint	Stories	Building SF	Required Parking		Provided Parking
.161 Acre		1	7,000			30 Existing + DF Street

Print Name Cassandra Chapa	Signature <i>CChapa</i>	Date 4/24/26
-------------------------------	----------------------------	-----------------

Office Use Only			
Date Received:	Initials: <i>Ym</i>	Fees Paid: \$ <i>150.00</i>	Date <i>4-24-2026</i>
Notice in paper		Mailed to neighbors	
<input type="checkbox"/> Approved	Approved with conditions:		
<input type="checkbox"/> Denied			

Additional Submittals

Conditional-Special Use Permit

A special or conditional use permit application shall include the following additional submittals:

1. An answer with explanation for each of the following questions (please answer the below questions as completely as possible. Incomplete applications will not be accepted and may cause a delay in the application process):
 - a. Will the proposed use be designed, constructed, operated, and maintained so as to be compatible in appearance with the existing or intended character of the neighborhood?

Appearance will remain relatively similar. Buyer may paint the exterior to a more modern color scheme for their business. Operations of the Event Venue would remain similar to that of a church. (place of assembly, gathering, music, and hosting events)

- b. Will the proposed use involve activities, processes, materials, equipment, or conditions of operation that will be incompatible with the neighborhood due to the production of traffic, noise, smoke, fumes, glare, or odors?

Noise and traffic would remain similar to the current operations of a church. The current operations of the church use include music, speakers, organ, singers, large assembly and gathering. Event venue would use music, speakers, or singers as well. Assembly and gathering would be of the same relative numbers and degree. Traffic patterns would remain similar to that of a church. Current occupancy 166. Event venue's operation would plan for 150 occupancy or less.

- c. Will the hours of operation of the proposed use be different than the adjacent uses?

Hours of operation would be similar, but differ in some ways; some week days, primarily weekends. This is dependent on the schedule of events. Weddings during the afternoons are typical with receptions ending around 11:00pm-midnight. 8am-midnight are the set hours of operation. This would be similar to the operations of the Buyer's currently established business on Main Street in Mandan, V3NU3 in Downtown Mandan.

- d. Will the proposed use require exterior lighting of a type and intensity greater than the adjacent uses?

Buyer would like to install lighting on the existing monument sign, illuminate sign on the building, and ambience lighting for the building. There are no set plans yet for lighting, but lighting would be designed not be disruptive or not shining onto other buildings.

- e. Will the site of the proposed use have sufficient area to provide the parking required for the use?

Current parking accommodations for the church, 30 onsite spots and DF street parking, would be utilized in a similar manner by the Event Veue to that of the church.

- f. Will the proposed use require adjustments to the normal lot size, height, and setback requirements of the district?

No.

The zoning map may be used to view the subject property and surrounding property's zoning and view property lines overlaid on aerials. The zoning map may be found on the City's website at CityofMandan.com and selecting Departments → Engineering and Planning → Maps → Zoning Map or by clicking [here](#) if viewing this document digitally.



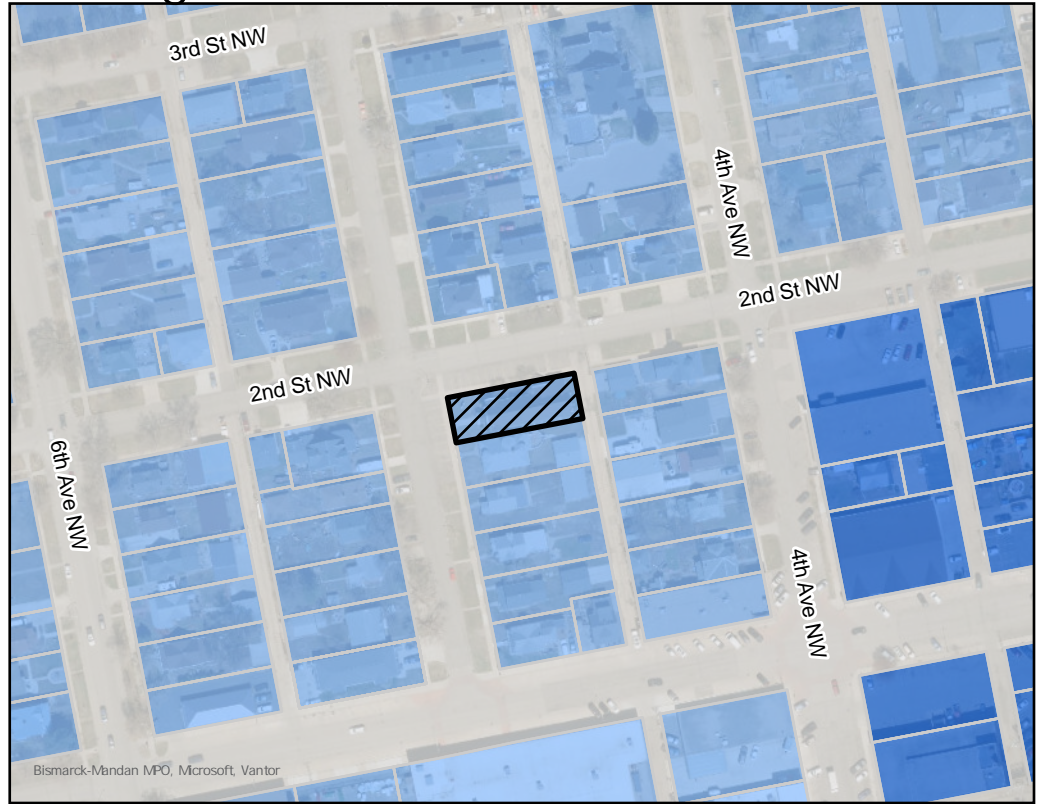
Zoning and Future Land Use Reference Map

L12 Blk 18 Mandan Proper

Zoning

Zoning Map Key

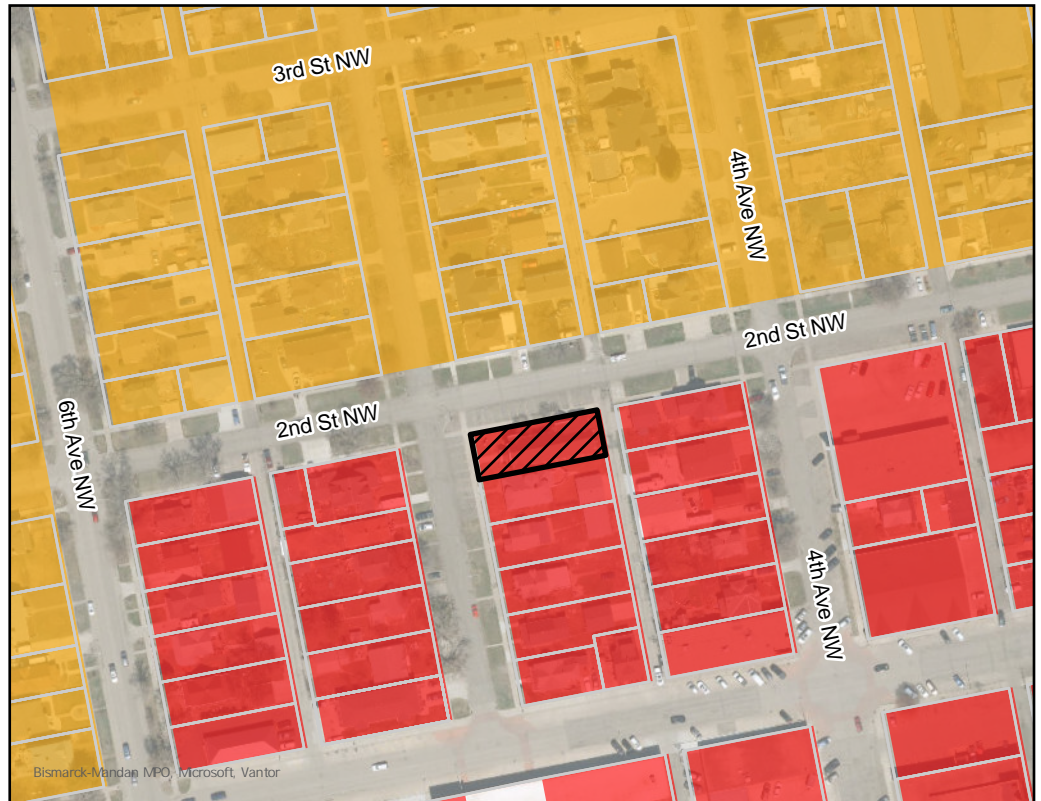
- | | |
|---|---|
| Agriculture - City of Mandan | MC - Heavy Commercial/Light Industrial Restricted |
| Agriculture - Morton County | MD - Heavy Commercial/Heavy Industrial Restricted |
| CA - Neighborhood Commercial | MHS - Trailer Park |
| CB - Business Commercial | PUD - Planned Unit Development |
| CC - Commercial/Light Industrial Transition | R3.2 - Residential Single & Two Family |
| DC - Downtown Core | R7 - Residential Single Family |
| DF - Downtown Fringe | RH - Residential Mobile Home Park |
| Industrial - Morton County | RM - Residential Multi-family Dwellings |
| LSMHS - Trailer Park Subdivision | RMH - Residential Mobile Home Subdivision |
| MA - Heavy Commercial/Light Industrial | Residential - County Residential Zoning |
| MB - Heavy Commercial/Heavy Industrial | ROW - Right-of-Way |
| Proposed Site | |



Future Land Use Plan

Future Land Use Plan Key

- | |
|----------------------------|
| Rural Residential |
| Low Density Residential |
| Medium Density Residential |
| High Density Residential |
| Commercial |
| Industrial |
| Public/Semi-Public |
| Public Land |
| Park |
| Greenways |
| Open Space |
| Open Water |
| Proposed Site |



Susan Franciere

May 13, 2026

Mandan Planning Department
Attn: Planning and Zoning Commission
205 Second Ave NW
Mandan, ND 58554

Response: Your letter of 8 May regarding an event venue on 5th Ave NW.

Dear Commissioners,

The term "event venue" can mean anything and everything. It has very little in common with religious observances. It is often a euphemism for commercialized parties with attendant adult behavior and street spillovers, particularly when open until midnight.

Fifth Avenue is sheltered from Main Street by the north wall of Runnings. It has remained a stable, quiet and restful residential environment, especially at night. Many children openly play about and do not need to be exposed to certain adult behaviors at any time.

Although alcohol has never been mentioned, its use is inevitable at adult gatherings that are supposed to end at midnight. Who will check? Mandan Police are already overwhelmed. They do not need more work.

Late night traffic in a quiet residential area can be stressful and disruptive for everyone living there. The corner location of the proposed venue can disrupt a very wide area extending beyond the 300 block of 5th Avenue to 2nd Street & even 3rd Street and 6th and 4th Avenues.

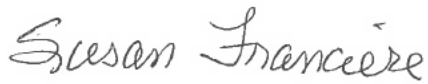
It may be useful to contrast religious and "events" use.

- Intermittent organ music or singing usually once a week in the mornings; loud noise possible, multiple times a week at night
- One quiet light shining; commercialized (neon?) outdoor signs that invite different behaviors from passersby.
- Church members on Sunday mornings and other occasions are quiet, respectful and courteous, even at times helpful; night time revelers will tend to be noisy and loud especially when speakers and popular music are used.

- Cars and traffic are usually gone by noon on Sundays and remain minimal during the week; disruptive night traffic is accelerated with expected peaks late to midnight.
- The number of church members are generally stable; keeping the number of event attendees stable may be difficult given the amount of party-hopping in vogue.

While fresh, new ideas in business should always be encouraged and welcomed, and while rightly or wrongly the area in question has been zoned commercial, an event venue at this time at 210 5th Avenue NW is not a correct or compatible use of the property.

Thank you for your consideration,

A handwritten signature in cursive script that reads "Susan Franciere".

Susan Franciere

Connie Serhienko

May 13, 2026

Mandan Planning Department
Attn: Planning and Zoning Commission
205 Second Ave NW
Mandan, ND 58554

RE: Opposition to Proposed Special Use Permit for 210 5th Avenue NW

Dear Commissioners,

I am writing as a concerned resident of the neighborhood next to 210 5th Ave NW to formally oppose the proposed conversion of this property from a house of worship into a commercial event and wedding venue.

While a church is a compatible and respectful neighbor within a residential area, the transition to a high-volume event center—operating from 8:00 a.m. until midnight—presents significant conflicts with the character and safety of our community. My primary concerns include:

- **Noise Disturbance:** Unlike the occasional and respectful gatherings of a church congregation, a wedding and reception venue involves amplified music, microphones, and outdoor celebrations. Extending these activities until midnight in a residential area is inherently disruptive to families and quiet enjoyment of our homes.
- **Traffic and Parking:** Our residential streets are not designed to accommodate the heavy influx of vehicles that a wedding venue attracts. This transition will lead to significant congestion, street parking shortages for residents, and increased safety risks for local children and pedestrians.

The City's own zoning standards note that **Conditional or Special Uses** should not be detrimental to surrounding properties. I believe a midnight-closing event center in the heart of our neighborhood would be exactly that.

I respectfully ask the Commission to deny this request or, at the very least, implement strict restrictions on operating hours, noise levels, and guest capacity to protect our neighborhood's integrity.

Thank you for your consideration of these concerns.

Sincerely,



Connie Serhienko



Planning & Zoning Commission

Agenda Documentation

MEETING DATE: May 27, 2026
PREPARATION DATE: May 19, 2026
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Rachel LaQua, Interim Planner
SUBJECT: Consider a preliminary plat and zone change for Keidels South Heart Terrace 5th Addition

STATEMENT/PURPOSE:

Consider a preliminary plat and zone change for Keidels South Heart Terrace 5th Addition

BACKGROUND/ALTERNATIVES:

Requested Preliminary Plat

Background

This is the preliminary plat for Keidel’s South Heart Terrace 5th Addition, located in the NW1/4 of Section 3, T138N R81W, 5th PM, Morton County, ND, within city limits. This portion of the NW1/4 of Section 3 has been previously platted as Keidel’s South Heart Terrace 4th, which was vacated.

The applicant has met with City staff numerous times between this item being tabled originally in fall 2025 and now. Most recently, the applicant met with city staff at a pre-planning meeting on April 2, 2026. Staff discussed some concerns regarding connectivity to the east at Clover Grove. Engineering staff had concerns with secondary access for fire and emergency services access.

Preliminary Plat Details

Total Area: 47.82 acres to be platted into 5 blocks with a total of 71 lots.

Configuration

The applicant proposes to create 5 blocks:

- Block 1 – 4 lots, ranging in size from 14,566 square feet to 19,204 square feet
- Block 2 – 16 lots, ranging in size from 14,398 square feet to 31,626 square feet
- Block 3 – 13 lots, ranging in size from 14,059 square feet to 20,749 square feet
- Block 4 – 18 lots, ranging in size from 11,418 square feet to 38,219 square feet
- Block 5 – 20 lots, ranging in size from 10,916 square feet to 389,818 square feet. Lot 20 is a drainage basin with a 40' stormwater and drainage easement across Lot 19.

Access

Block 1 accesses onto 8th Ave SW. Block 2 is accessed via 8th Ave SW, Cobblestone Loop, and a cul-de-sac created by 7th Ave SW. Block 3 is accessed via 6th Ave SW, Cobblestone Loop, and 4th Ave SW. Block 4 is accessed via Cobblestone Loop, 4th Ave SW, and a cul-de-sac at 2nd Ave SW. Block 5 is accessed via Cobblestone Loop and a cul-de-sac coming off of Cobblestone Loop labeled Liffrig Court.

Connection to existing roads is via extension of 8th Ave SW, 6th Ave SW, 4th Ave SW, and Cobblestone Loop from Keidel's South Heart Terrace 3rd Addition directly to the north. Cobblestone Loop is also proposed to connect to 8th Ave. Cobblestone Loop abuts adjacent property to the south between Blocks 1 & 5.

Proposed rights-of-way are 66 feet in width for Cobblestone Loops and 6th Ave SW, and 80 feet for 8th Ave SW and 4th Ave SW.

The plat shows 8th Ave SW moving eastward from its current orientation and shows multifamily lots on the west side of 8th Ave. City staff had requested minimal access points along 8th Ave SW as the potential buildout and platting of the land to the south may include intensive uses such as a hotel, conference center, or school. 8th Ave SW will operate as a collector and therefore access to 8th Ave must be appropriately managed.

There is no access to the east of this subdivision. City staff had, after facilitating conversations with the proposed Clover Grove subdivision (approved PUD but which

has not been subdivided) to the east, requested that at a minimum, staff would like to see an eastward right of way preserved through platting and/or a memorandum of understanding. The currently shown cul-de-sac on the east side of the subdivision does not allow for continuation of Liffrog Court into the coulee between the Keidel's 5th Subdivision and Clover Grove. The applicant has noted that the construction of such a road would be costly. City staff acknowledged that but, in the interests of future connectivity, requested preservation of the option. This plat does not meet those requests. City staff have noted that this is a persistent occurrence on the south side of Mandan, with subdivisions being self contained rather than providing east-west access, leading to a lack of connectivity for vehicular and pedestrian traffic and higher likelihood of future concerns as the south side of Mandan continues to develop.

Requested Zone Change

R7 – Residential for:

Lots 1-5 and 12-15, Block 2

Lots 6-9, Block 3

Lots 5-18, Block 4

Lots 1-19, Block 5

RM – Residential for:

Lots 1-4, Block 1

Lots 6-11 and 16, Block 2

Lots 1-5 and 10-13, Block 3

Lots 1-4, Block 4

Adjacent Properties Zoning, Land Use and Future Land Use

Adjacent properties to the north and south is zoned R7 – Residential and Agriculture, to the east zoned RM – Residential and Agriculture; and to the west is public right-of-way and Agriculture. The Future Land Use Plan designates this area as Low Density Residential.

Staff Comments

- The preliminary plat does not contemplate access to Clover Grove to the east, either in actual dedication or preservation of right of way.
- The preliminary plat does not provide the required secondary access according to 2021 International Fire Code (IFC), Appendix D104.3 - Remoteness. "Where two fire apparatus roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension

of the lot or area to be served, measured in a straight line between accesses.”

- a. The straight line measurement between access roads is approximately 1,190 feet. The straight line diagonal measurement of the platted area is approximately 2,504 feet. This produces a ratio of .475, which does not satisfy the remoteness requirement.
- Staff requests that the owner and applicant develop an updated plat with full connection to the east at Clover Grove.
 - Lot 19 of Block 5 has no access and will not be able to be developed.

Findings of Fact **Preliminary Plat**

1.

1. All technical requirements for consideration of a preliminary plat have been met;
2. The proposed subdivision would likely not have substantial effects on the safety and circulation of public roadways in the vicinity, and therefore no traffic impact study is required;
3. The proposed plat **does not** include sufficient easements and rights-of-way to provide for orderly development and provision of municipal services beyond the boundaries of the subdivision for projects identified in City masterplans;
4. The City of Mandan and other agencies **would not** be able to provide necessary public services, facilities and programs to serve the development allowed by the proposed subdivision at the time of development. **Insufficient access is provided according to the 2021 IFC.**
5. The proposed subdivision is not located in the Special Flood Hazard Area or an area where the proposed development would adversely impact water quality and/or environmentally sensitive lands, or areas that are topographically unsuited for development;
6. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance;
7. The proposed subdivision is **not** consistent with the Comprehensive Plan, the Future Land Use Plan, and other plans and studies, policies and accepted planning practice;

The proposed subdivision **would** adversely affect the public health, safety and general welfare.

Findings of Fact

Zone Change

1. Fulfills the goals, objectives, and policies of the future land use plan; and
2. Fulfills the goals, objectives, and policies of other plans as may be adopted by the city.

Public Outreach and Application Details

This item has been published in the Mandan News as required. An application and fee was received on July 25, 2025. Letters were sent to eighty-two adjacent property owners on April 9, 2026.

ATTACHMENTS:

1. Application Redacted
2. Keidels 5th Prelim. revised 3-31-26
3. Proposed Zoning Map
4. Draft Ordinance
5. Location Map

FISCAL IMPACT:

N/A

STAFF IMPACT:

There has been considerable staff time into reviewing the proposed development.

LEGAL REVIEW:

This item has been reviewed as part of the agenda packet.

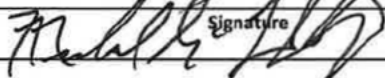
RECOMMENDATION:

SUGGESTED MOTION:

CITY OF MANDAN		
Development Review Application		
<input type="checkbox"/>	Minor Plat (\$300)	X Zone Change (\$600)
<input type="checkbox"/>	Preliminary Plat up to 20 acres (\$450)	Planned Unit Development (\$700)
X	Preliminary Plat more than 20 acres (\$500)	Land Use and Transportation Plan Amendment (\$1,000)
<input type="checkbox"/>	Final Plat up to 20 lots (\$450)	Vacation (\$500)
<input type="checkbox"/>	Final Plat 21 to 40 lots (\$600)	Variance (\$400)
<input type="checkbox"/>	Final Plat more than 40 lots (\$750)	Special Use Permit (\$450)
<input type="checkbox"/>	Annexation (\$450)	Stormwater submittal (\$300)
<input type="checkbox"/>	Masterplanned Subdivision (not accepted without preliminary plat) (\$250)	Stormwater 2 nd & subsequent resubmittal (\$50)
<input type="checkbox"/>	Appeals to Administrative Denials (Variance to Non-zoning/Non-subdivision regulations) (\$250)	Document Recording (\$30)
Summary of Request (Add separate sheet(s) as necessary)		

Engineer/Surveyor			Property Owner or Applicant		
Name Mark Isaacs - ILSE Inc			Name Michael Liffrig		
Address [REDACTED]			Address [REDACTED]		
City Mandan	State ND	Zip 58554	City Mandan	State ND	Zip 58554
email [REDACTED]			email [REDACTED]		
Phone [REDACTED]		Fax	Phone [REDACTED]		Fax
If the applicant is not the current owner, the current owner must submit a notarized statement authorizing the applicant to proceed with the request.					

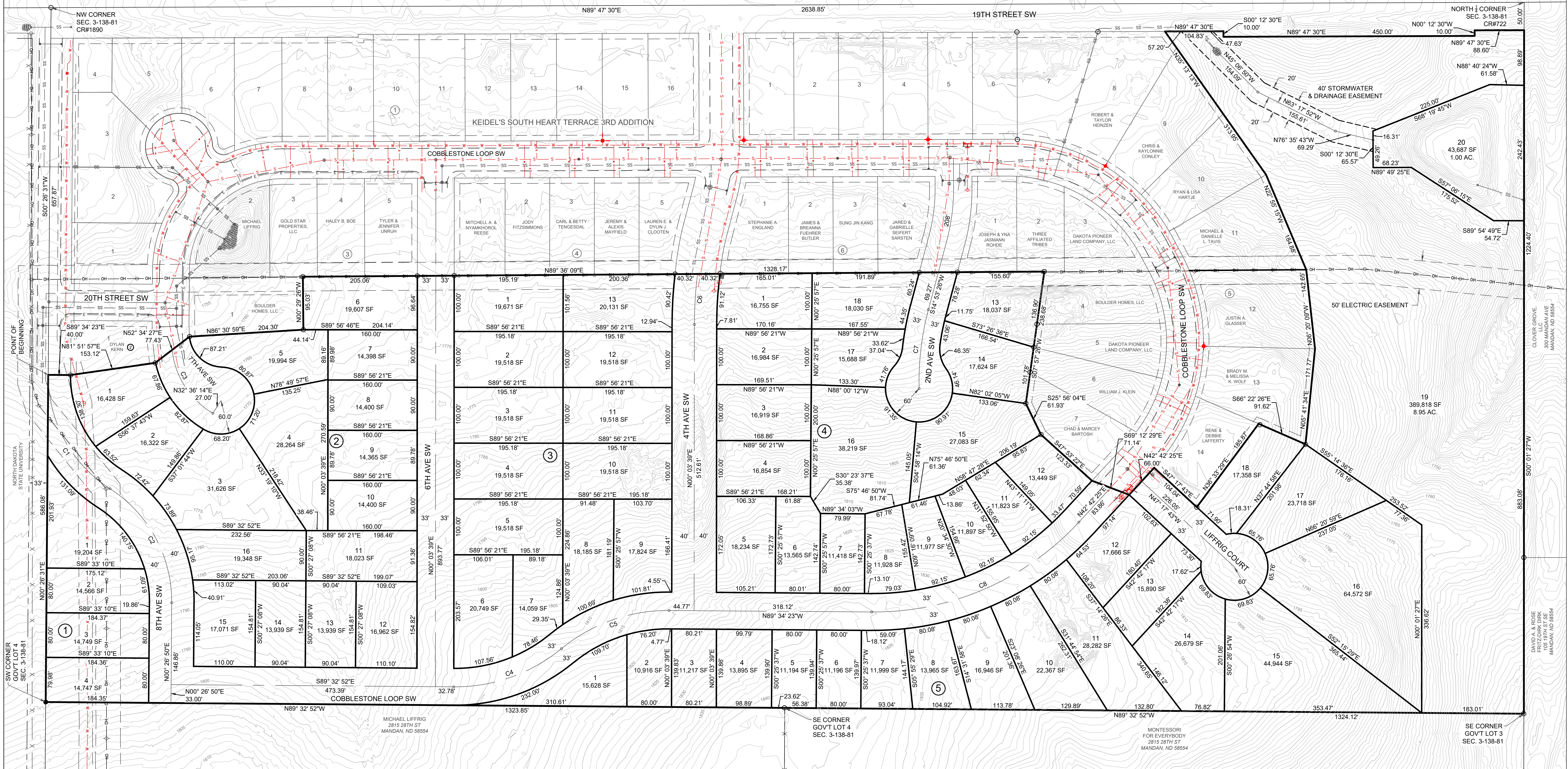
Location		Type		Existing Zone	Proposed Zone	Project Name	
X	City	ETA	New	Addition	R7	R3.2 & r7	Keidels South Heart Terrace 5th Addition
Property Address				Legal Description			
8th Ave SW				Part of NW Quarter S3-T138N-R81W			
Current Use							
Vacant							
Proposed Use							
Residential Subdivision				Section 3	Township 138	Range 81	
Parcel Size	Building Footprint	Stories	Building SF	Required Parking	Provided Parking		
47.82 Acres	NA	NA	NA	NA	NA		

Print Name Michael Liffrig	Signature 	Date 7/24/25
-------------------------------	---	-----------------

Office Use Only			
Date Received:	Initials: <i>ym</i>	Fees Paid: \$ 1100	Date 7-25-2025
Notice in paper	Mailed to neighbors	P&Z meeting	
Approved	Approved with conditions:		
Denied			

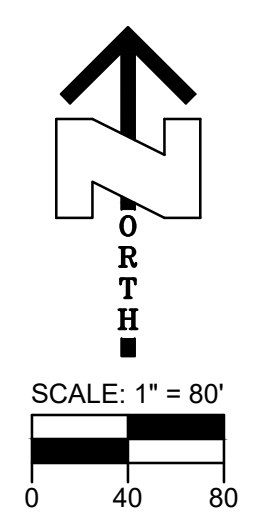
PRELIMINARY PLAT

KEIDEL'S SOUTH HEART TERRACE 5TH ADDITION TO THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA PART OF GOVERNMENT LOTS 3 AND 4 OF SECTION 3, T138N, R81W



PROPERTY DESCRIPTION
A TRACT OF LAND BEING A PART OF GOVERNMENT LOTS 3 AND 4 OF SECTION 3, TOWNSHIP 138 NORTH, RANGE 81 WEST OF THE 5TH PRINCIPAL MERIDIAN, MORTON COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 3 MARKED BY A 1/2" REBAR; THENCE SOUTH 00° 26' 31" WEST ON THE WEST LINE OF SAID SECTION 3 A DISTANCE OF 657.87 FEET TO A 1/2" REBAR WITH LS-9628 CAP BEING THE POINT OF BEGINNING; THENCE SOUTH 89° 34' 23" EAST A DISTANCE OF 40.00 FEET TO A 1/2" REBAR WITH LS-4623 CAP; THENCE NORTH 81° 51' 57" EAST A DISTANCE OF 153.12 FEET TO A 1/2" REBAR WITH LS-4623 CAP; THENCE NORTH 52° 34' 27" EAST A DISTANCE OF 77.43 FEET TO A 1/2" REBAR WITH LS-4623 CAP; THENCE NORTH 86° 30' 59" EAST A DISTANCE OF 204.30 FEET TO A 1/2" REBAR WITH LS-4623 CAP; THENCE NORTH 00° 29' 26" WEST A DISTANCE OF 95.03 FEET TO A 1/2" REBAR WITH LS-4623 CAP; THENCE NORTH 89° 36' 09" EAST A DISTANCE OF 1328.17 FEET TO A 1/2" REBAR WITH LS-4623 CAP; THENCE SOUTH 07° 57' 38" WEST A DISTANCE OF 238.62 FEET TO A 1/2" REBAR WITH LS-4623 CAP; THENCE SOUTH 25° 56' 04" EAST A DISTANCE OF 61.93 FEET TO A 1/2" REBAR WITH LS-4623 CAP; THENCE SOUTH 47° 53' 22" EAST A DISTANCE OF 123.33 FEET TO A 1/2" REBAR WITH LS-4623 CAP; THENCE SOUTH 69° 12' 29" EAST A DISTANCE OF 71.14 FEET TO A 1/2" REBAR WITH LS-4623 CAP; THENCE NORTH 42° 42' 25" EAST A DISTANCE OF 66.00 FEET TO A 1/2" REBAR WITH LS-4623 CAP; THENCE SOUTH 47° 17' 43" EAST A DISTANCE OF 104.04 FEET TO A 1/2" REBAR WITH LS-4623 CAP; THENCE NORTH 36° 33' 29" EAST A DISTANCE OF 185.87 FEET TO A 1/2" REBAR WITH LS-4623 CAP; THENCE SOUTH 66° 22' 26" EAST A DISTANCE OF 91.62 FEET TO A 1/2" REBAR WITH LS-4623 CAP; THENCE NORTH 05° 41' 34" EAST A DISTANCE OF 171.77 FEET TO A 1/2" REBAR WITH LS-4623 CAP; THENCE NORTH 06° 20' 09" WEST A DISTANCE OF 142.65 FEET TO A 1/2" REBAR WITH LS-4623 CAP; THENCE NORTH 22° 55' 15" WEST A DISTANCE OF 184.88 FEET TO A 1/2" REBAR WITH LS-4623 CAP; THENCE NORTH 35° 13' 13" WEST A DISTANCE OF 313.95 FEET TO A 1/2" REBAR WITH LS-4623 CAP AND THE SOUTH RIGHT OF WAY LINE OF 19TH STREET; THENCE NORTH 89° 47' 30" EAST ON SAID SOUTH LINE A DISTANCE OF 104.83 FEET; THENCE SOUTH 00° 12' 30" EAST ON SAID SOUTH LINE A DISTANCE OF 10.00 FEET; THENCE NORTH 89° 47' 30" EAST ON SAID SOUTH LINE A DISTANCE OF 450.00 FEET; THENCE NORTH 00° 12' 30" WEST ON SAID SOUTH LINE A DISTANCE OF 10.00 FEET; THENCE NORTH 89° 47' 30" EAST ON SAID SOUTH LINE A DISTANCE OF 88.60 FEET TO THE EAST LINE OF SAID NORTHWEST QUARTER; THENCE SOUTH 00° 01' 27" WEST ON SAID EAST LINE A DISTANCE OF 1224.40 FEET TO A 1/2" REBAR WITH LS-3595 CAP MARKING THE SOUTHEAST CORNER OF GOVERNMENT LOT 3; THENCE NORTH 89° 32' 52" WEST ON THE SOUTH LINE OF SAID LOT 3 A DISTANCE OF 1324.12 FEET TO A 1/2" REBAR WITH LS-951 CAP MARKING THE SOUTHEAST CORNER OF GOVERNMENT LOT 4; THENCE CONTINUING NORTH 89° 32' 52" WEST ON THE SOUTH LINE OF SAID LOT 4 A DISTANCE OF 1323.85 FEET TO A 1/2" REBAR WITH LS-9628 CAP MARKING THE SOUTHWEST CORNER OF SAID LOT 4; THENCE NORTH 00° 26' 31" EAST ON THE WEST LINE OF SECTION 3 A DISTANCE OF 586.08 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINING 46.76 ACRES, MORE OR LESS.



- NOTES:**
- BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS DOCUMENTS OF RECORD DUE TO DIFFERENT METHODS OF FIELD MEASUREMENTS.
 - SUBJECT TO ALL EASEMENTS OF RECORD WHETHER SHOWN OR NOT SHOWN.
 - EXISTING ZONING IS R7 & A.
 - PROPOSED ZONING IS: R7

ACREAGE TABLE	
LOT AREAS	39.94 ACRES
DEDICATED ROW	6.82 ACRES
TOTAL	46.76 ACRES

- LEGEND**
- FOUND SURVEY MONUMENT
 - SET CAPPED REBAR "LS-9628"
 - EXISTING POWER POLE
 - ⊕ EXISTING GATE VALVE
 - ⊕ EXISTING FIRE HYDRANT
 - EXISTING SANITARY SEWER
 - EXISTING STORM SEWER
 - EXISTING WATER MAIN
 - EXISTING OVERHEAD ELECTRIC
 - EXISTING UTILITY EASEMENT
 - EXISTING BARB WIRE FENCE
 - EXISTING CURB BACK
 - EXISTING ELECTRIC LINE

CENTERLINE CURVE DATA				
CURVE #	ARC LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH
C1	242.18'	240.00'	S28° 28' 05"E	232.03'
C2	242.21'	240.00'	S28° 27' 51"E	232.06'
C3	140.00'	150.00'	S32° 41' 17"E	134.97'
C4	209.01'	300.00'	N70° 29' 36"E	204.81'
C5	208.88'	300.00'	N70° 28' 50"E	204.68'
C6	90.76'	750.00'	N03° 31' 40"E	90.71'
C7	142.83'	500.00'	N06° 42' 25"E	142.35'
C8	416.44'	500.00'	N66° 34' 01"E	404.50'

OWNER/DEVELOPER:
MICHAEL LIFFRIG
2815 28TH STREET
MANDAN, ND 58554

KEIDEL'S SOUTH HEART TERRACE 5TH ADDITION
GOV'T LOTS 3 & 4
SECTION 3-T138N-R81W
MANDAN, NORTH DAKOTA

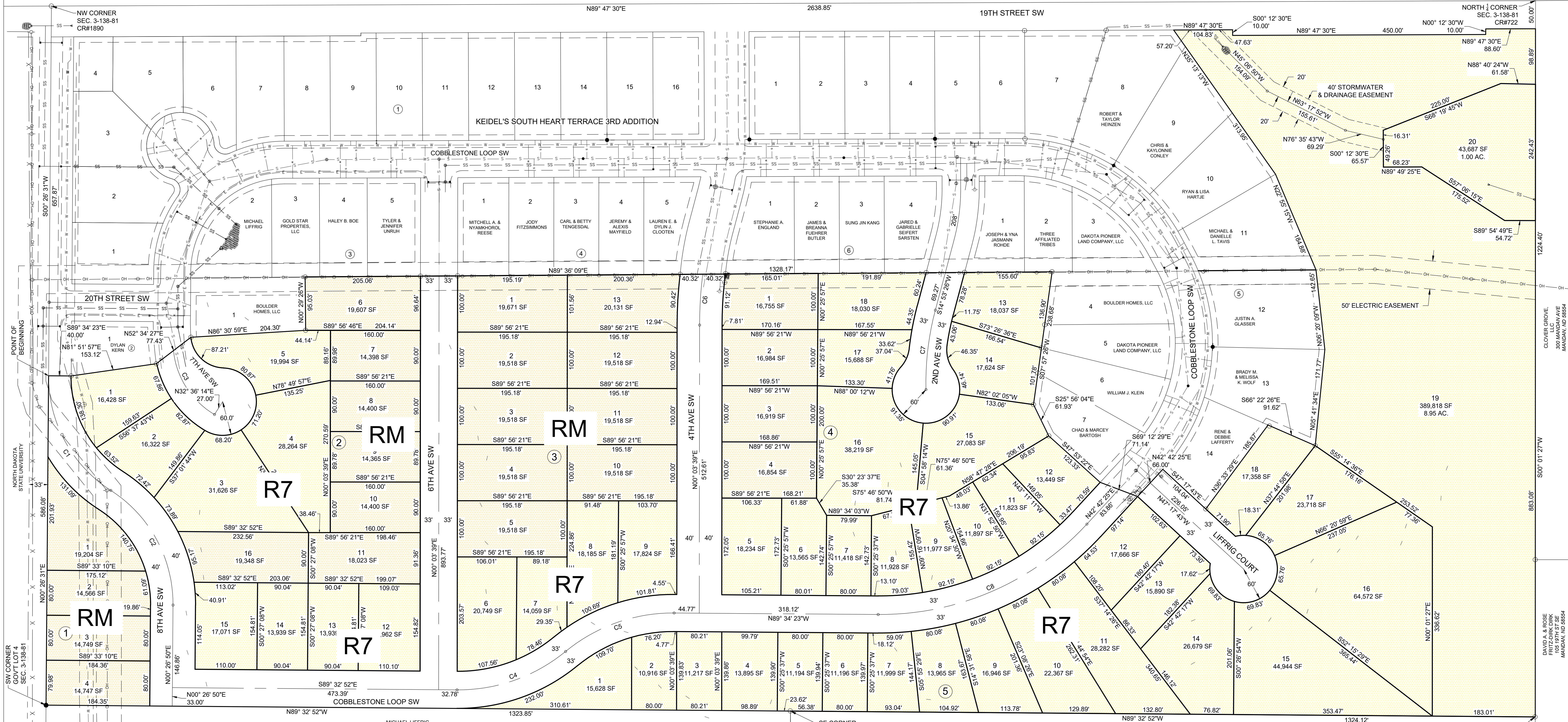
SHEET: 1 OF 1 JOB NUMBER: 24026
SCALE: 1" = 80' DWG REVISION DATES
DRAWN BY: MRL 3/12/26 -
DWG DATE: 7/23/25 3/31/26 -
DWG NAME: 24026 Keidels 5th Preliminary Plat

Independent Land Surveying & Engineering
4215 Old Red Trail NW
Mandan, ND 58554
Phone: 701-663-5184
Cell: 701-595-2078
mark@lsvrnynd.com
12-26.dwg

PRELIMINARY PLAT

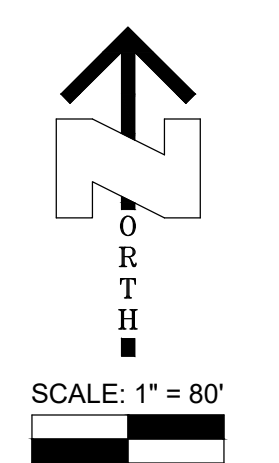
KEIDEL'S SOUTH HEART TERRACE 5TH ADDITION

TO THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA
PART OF GOVERNMENT LOTS 3 AND 4 OF SECTION 3, T138N, R81W



PROPERTY DESCRIPTION
A TRACT OF LAND BEING A PART OF GOVERNMENT LOTS 3 AND 4 OF SECTION 3, TOWNSHIP 138 NORTH, RANGE 81 WEST OF THE 5TH PRINCIPAL MERIDIAN, MORTON COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 3 MARKED BY A 3/8" REBAR; THENCE SOUTH 00° 26' 31" WEST ON THE WEST LINE OF SAID SECTION 3 A DISTANCE OF 657.87 FEET TO A 1/2" REBAR WITH LS-9628 CAP BEING THE POINT OF BEGINNING; THENCE SOUTH 89° 34' 23" EAST A DISTANCE OF 40.00 FEET TO A 1/2" REBAR WITH LS-4623 CAP; THENCE NORTH 81° 51' 57" EAST A DISTANCE OF 153.12 FEET TO A 1/2" REBAR WITH LS-4623 CAP; THENCE NORTH 52° 34' 27" EAST A DISTANCE OF 77.43 FEET TO A 1/2" REBAR WITH LS-4623 CAP; THENCE NORTH 86° 30' 59" EAST A DISTANCE OF 204.30 FEET TO A 1/2" REBAR WITH LS-4623 CAP; THENCE NORTH 00° 29' 26" WEST A DISTANCE OF 95.03 FEET TO A 1/2" REBAR WITH LS-4623 CAP; THENCE NORTH 89° 36' 09" EAST A DISTANCE OF 1328.17 FEET TO A 1/2" REBAR WITH LS-4623 CAP; THENCE SOUTH 07° 57' 38" WEST A DISTANCE OF 238.62 FEET TO A 1/2" REBAR WITH LS-4623 CAP; THENCE SOUTH 25° 56' 04" EAST A DISTANCE OF 61.93 FEET TO A 1/2" REBAR WITH LS-4623 CAP; THENCE SOUTH 47° 53' 22" EAST A DISTANCE OF 123.33 FEET TO A 1/2" REBAR WITH LS-4623 CAP; THENCE SOUTH 69° 12' 29" EAST A DISTANCE OF 71.14 FEET TO A 1/2" REBAR WITH LS-4623 CAP; THENCE NORTH 42° 42' 25" EAST A DISTANCE OF 66.00 FEET TO A 1/2" REBAR WITH LS-4623 CAP; THENCE SOUTH 47° 17' 43" EAST A DISTANCE OF 104.04 FEET TO A 1/2" REBAR WITH LS-4623 CAP; THENCE NORTH 36° 33' 29" EAST A DISTANCE OF 185.87 FEET TO A 1/2" REBAR WITH LS-4623 CAP; THENCE SOUTH 66° 22' 26" EAST A DISTANCE OF 91.62 FEET TO A 1/2" REBAR WITH LS-4623 CAP; THENCE NORTH 05° 41' 34" EAST A DISTANCE OF 171.77 FEET TO A 1/2" REBAR WITH LS-4623 CAP; THENCE NORTH 06° 20' 09" WEST A DISTANCE OF 142.65 FEET TO A 1/2" REBAR WITH LS-4623 CAP; THENCE NORTH 22° 55' 15" WEST A DISTANCE OF 184.88 FEET TO A 1/2" REBAR WITH LS-4623 CAP; THENCE NORTH 35° 13' 13" WEST A DISTANCE OF 313.95 FEET TO A 1/2" REBAR WITH LS-4623 CAP AND THE SOUTH RIGHT OF WAY LINE OF 19TH STREET; THENCE NORTH 89° 47' 30" EAST ON SAID SOUTH LINE A DISTANCE OF 104.83 FEET; THENCE SOUTH 00° 12' 30" EAST ON SAID SOUTH LINE A DISTANCE OF 10.00 FEET; THENCE NORTH 89° 47' 30" EAST ON SAID SOUTH LINE A DISTANCE OF 450.00 FEET; THENCE NORTH 00° 12' 30" WEST ON SAID SOUTH LINE A DISTANCE OF 10.00 FEET; THENCE NORTH 89° 47' 30" EAST ON SAID SOUTH LINE A DISTANCE OF 88.60 FEET TO THE EAST LINE OF SAID NORTHWEST QUARTER; THENCE SOUTH 00° 01' 27" WEST ON SAID EAST LINE A DISTANCE OF 1224.40 FEET TO A 1/2" REBAR WITH LS-3595 CAP MARKING THE SOUTHEAST CORNER OF GOVERNMENT LOT 3; THENCE NORTH 89° 32' 52" WEST ON THE SOUTH LINE OF SAID LOT 3 A DISTANCE OF 1324.12 FEET TO A 1/2" T BAR WITH LS-951 CAP MARKING THE SOUTHEAST CORNER OF GOVERNMENT LOT 4; THENCE CONTINUING NORTH 89° 32' 52" WEST ON THE SOUTH LINE OF SAID LOT 4 A DISTANCE OF 1323.85 FEET TO A 1/2" REBAR WITH LS-9628 CAP MARKING THE SOUTHWEST CORNER OF SAID LOT 4; THENCE NORTH 00° 26' 31" EAST ON THE WEST LINE OF SECTION 3 A DISTANCE OF 586.08 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINING 46.76 ACRES, MORE OR LESS.



- NOTES:**
- BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS DOCUMENTS OF RECORD DUE TO DIFFERENT METHODS OF FIELD MEASUREMENTS.
 - SUBJECT TO ALL EASEMENTS OF RECORD WHETHER SHOWN OR NOT SHOWN.
 - EXISTING CURB BACK
 - PROPOSED ZONING IS: R7

ACREAGE TABLE

LOT AREAS	39.94 ACRES
DEDICATED ROW	6.82 ACRES
TOTAL	46.76 ACRES

- LEGEND**
- FOUND SURVEY MONUMENT
 - SET CAPPED REBAR "LS-9628"
 - EXISTING POWER POLE
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MANDAN, NORTH DAKOTA

Independent
Land
Surveying &
Engineering

4215 Old Red Trail NW
Mandan, ND 58554
Phone: 701-663-5184
Cell: 701-595-2079
mark@isurveynd.com

DATE: MARCH 31ST, 2026

ORDINANCE NO. XXXX

AN ORDINANCE TO AMEND AND REENACT SECTION 105-2-2 OF THE MANDAN CODE OF ORDINANCES RELATING TO DISTRICT BOUNDARIES AND ZONING MAP OF THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA.

WHEREAS, The Mandan Land Use and Transportation Plan designates the subject property as Low Density Residential; and

WHEREAS, Adjacent properties to the north and south is zoned R7 – Residential and Agriculture, to the east zoned RM – Residential and Agriculture; and to the west is public right-of-way and Agriculture. R7 and RM – Residential would be appropriate; and

BE IT ORDAINED By the Board of City Commissioners of the City of Mandan, Morton County, North Dakota, as follows:

SECTION 1. ZONING AMENDMENT. Section 105-2-2 of the Mandan Code of Ordinances is amended to read as follows:

KEIDELS SOUTH HEART TERRACE 5TH ADDITION IN SECTION 3, TOWNSHIP 138N, RANGE 81W, CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA:

SAID TRACT OF LAND CONTAINING 47.82 ACRES, MORE OR LESS.

- zoning shall be changed from R7 – Residential and shall be included in the following:

R7 – Residential for
Lots 1-5 and 12-15, Block 2
Lots 6-9, Block 3
Lots 5-18, Block 4
Lots 1-19, Block 5

RM – Residential for
Lots 1-4, Block 1
Lots 6-11 and 16, Block 2
Lots 1-5 and 10-13, Block 3
Lots 1-4, Block 4

SECTION 2. RE-ENACTMENT. Section 105-2-2 of the Mandan Code of Ordinances is hereby re-enacted as amended. The city planner is authorized and directed to make the necessary changes upon the official zoning map of the city in accordance with this section.

James Froelich, President
Board of City Commissioners

Attest:

Jim Neubauer
City Administrator

Planning and Zoning Commission: April 27, 2026
First Consideration: May 19, 2026
Second Consideration and Final Passage: June 2, 2026



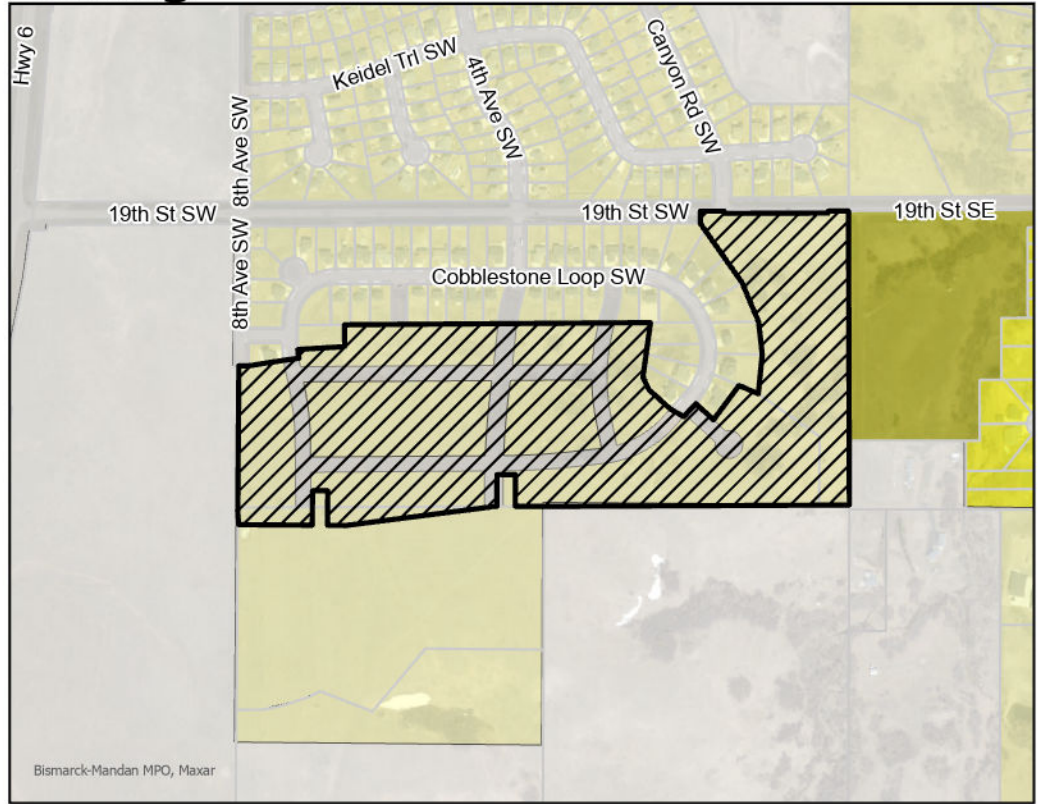
Zoning and Future Land Use Reference Map

Keidels 5th

Zoning Map Key

- | | |
|---|---|
| Agriculture - City of Mandan | MC - Heavy Commercial/Light Industrial Restricted |
| Agriculture - Morton County | MD - Heavy Commercial/Heavy Industrial Restricted |
| CA - Neighborhood Commercial | MHS - Trailer Park |
| CB - Business Commercial | PUD - Planned Unit Development |
| CC - Commercial/Light Industrial Transition | R3.2 - Residential Single & Two Family |
| DC - Downtown Core | R7 - Residential Single Family |
| DF - Downtown Fringe | RH - Residential Mobile Home Park |
| Industrial - Morton County | RM - Residential Multi-family Dwellings |
| LSMHS - Trailer Park Subdivision | RMH - Residential Mobile Home Subdivision |
| MA - Heavy Commercial/Light Industrial | Residential - County Residential Zoning |
| MB - Heavy Commercial/Heavy Industrial | ROW - Right-of-Way |
| | Proposed Site |

Zoning



Future Land Use Plan

Future Land Use Plan Key

- | |
|----------------------------|
| Rural Residential |
| Low Density Residential |
| Medium Density Residential |
| High Density Residential |
| Commercial |
| Industrial |
| Public/Semi-Public |
| Public Land |
| Park |
| Greenways |
| Open Space |
| Open Water |
| Proposed Site |

