



AGENDA
PLANNING & ZONING COMMISSION
OCTOBER 28, 2024
COMMISSION ROOM
MANDAN CITY HALL
5:30 PM
WWW.CITYOFMANDAN.COM

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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. September 23, 2024 Minutes

C. PUBLIC HEARINGS

1. Consider a request for a final plat for Biwer Subdivision.
Staff recommendation: To approve the final plat for Biwer Subdivision.
2. Consider a final plat for Mandan Industrial Park 14th Addition.
Staff Recommendation: Planning Staff recommends approval of the final plat.

3. **Consider a zone change from MA - Industrial to CB - Commercial for Helblings 7th Addition**
Staff Recommendation: To approve the zone change for Helblings 7th Addition.

4. **Consideration of Arrive 2050, the 2025-2050 Metropolitan Transportation Plan**

D. OTHER BUSINESS

E. ADJOURN

A. ROLL CALL Chair Robinson called the meeting to order.

Commissioners Present: Mayor Froelich, Mudder, Horn, Buchmiller, Gardner, Intveld, Smith, Hammond, Robinson. Commissioners Absent: Huber, Leingang, McLean.

B. CONSIDER APPROVAL OF MINUTES

1. *August 26, 2024 Minutes.* Commissioner Smith pointed out...on Page 14, the very bottom of the page, the last line, where it says, Commissioner Huber and Commissioner Huber agrees to postpone; it should read “Commissioner Huber and Commissioner Smith”.

Commissioner Smith motioned to approve the August 26, 2024 minutes as corrected. Commissioner Hammond seconded the motion. Upon vote, the motion passed unanimously.

C. PUBLIC HEARINGS

1. *Consider a request for a setback variance for Lots 5-7, Block 1, Twin City Industrial Sites.*

Staff Recommendation: Planning Staff recommends review of the request and findings of fact, consideration of the statement of hardship and potential identification of a hardship, and modifying or accepting Staff’s findings of fact as necessary to support the motion of the board..

STAFF REPORT: City Principal Planner Stromme presented.

Background/alternatives

Mark Dettling dba M. Dettling Properties LLC, (Leingang Building) requested consideration of a variance to Section 105-3-16 of the City Code of Ordinances related to the MC-Industrial District Front Yard Setback. The zoning regulations in effect require a thirty-five (35) ft. front yard building setback. The variance request, if granted, would permit the construction of a building addition within the building setback area. The property is located at 2601 Twin City Drive and is described as Lots 5-7, Block 1, Twin City Industrial Sites Addition Section 25, Township 139N, Range 81W.

Property history/background

Twin City Industrial Sites were platted in 1974 and the property began development in 1980. Previous uses were industrial in nature. Multiple building additions were constructed on the property over the course of the 1980s and early 1990s. The 1992 addition to the larger warehouse complex was constructed approximately nine (9) ft. from the lot line. Staff found no records of a granted zoning variance to permit said building addition.

Proposed Project

The request would permit the construction of a building addition to the storage buildings on the east end of the lot. The current building is built up to the thirty-five (35) ft. setback line. Per the conceptual plan submitted with this item, the proposed building addition would encroach within the setback area by twenty (20) ft. (see submittals and property images) resulting in a fifteen (15) ft. setback for this building, a twenty (20) ft. variance, or a ~57% reduction in the setback required.

Staff Recommendation

Planning Staff recommends review of the request and findings of fact, consideration of the statement of

hardship and potential identification of a hardship, and modifying or accepting Staff's findings of fact as necessary to support the motion of the Board.

The applicant has provided a statement regarding their need for this variance "additional submittals". The applicant states, due to water runoff and drainage issues, that building in the southeast corner of the property is not possible and that this condition deprives them of what would otherwise be a reasonable use of land. Staff advises the Commission to specify, should there be interest in granting the requested variance, whether the minimum 20x30' addition is favorable, or if the applicant can build in line with the non-conforming referenced structure, which has a front yard setback of roughly eight (8) ft.

Variance Criteria

A variance can only be recommended by the Planning and Zoning Commission or approved by the Board of City Commissioners if it is found that:

- (a) There are unique circumstances or conditions specific to the land or building in question, as detailed in the board's findings. These conditions do not apply broadly to other properties in the neighborhood and are not a result of any actions by the applicant after this chapter was adopted.
- (b) The strict application of the zoning regulations would prevent the reasonable use of the property, as outlined in the board's findings. The variance is necessary for reasonable use and represents the minimum adjustment needed to provide the applicant with relief.
- (c) The variance will align with the overall purpose and intent of the zoning regulations and will not harm the neighborhood or public welfare.

Zoning, Land Use, and Future Land Use

The property is zoned MC - Industrial and is used as a contractor's office, warehouse and shop. Adjacent properties are zoned MC - Industrial to the east and west and used for similar purposes. The property to the south is a refined petroleum products facility and is zoned MB - Industrial. The future land use designation is industrial. The Gateway to Mandan overlay applies to the subject property given its frontage on Interstate 94.

Additional Information and Public Outreach

The application and variance fee of \$400 was received on August 26, 2024. Five (5) letters were sent to adjacent property owners. No objections or comments were received.

Findings of Fact

Zoning Variance

The need for a variance is not based on special circumstances or conditions unique to the specific parcel of land involved that are not generally applicable to other properties in this area or within the MC - Industrial district.

- The hardship is not caused by the provisions of the Zoning Ordinance.
- Strict application of the provisions of the Zoning Ordinance would not deprive the property owner of the reasonable use of the property.
- The requested variance is not the minimum variance that would accomplish the relief sought by the applicant.
- The granting of the variance is not in harmony with the general purposes and intent of the Zoning

Ordinance.

Planner Stromme recommended the Board review the request and findings of fact, to consider of the applicants statement of hardship, to potentially identify a hardship, and if so, to modify or accept staff's findings of fact as necessary to support the motion of the Board. The findings of fact only need to be modified if a hardship is identified. If no hardship is identified and a variance not warranted, no modification is necessary.

Commissioner Mudder inquired if the Board were to allow this variance, are there any future plans on the setback for the road in that area? And, what are the plans for maintenance on that road? Planner Stromme replied there have been no comments or concerns from other departments regarding potential building or construction. Commissioner Mudder inquired about the water problem in the back and if it is because of snow. Mark Dettling, the applicant explained his plan and/or solutions about where snow will be put due to the water problems in that area. The engineer involved is Mark Isaacs.

Chair Robinson inquired if there were any comments or questions. Hearing none, the public hearing was opened.

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 setback variance for Lots 5-7, Block 1, Twin City Industrial Sites. A second and third invitation was given to come forward to speak for or against the request.

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 further comments or questions from members of the Planning and Zoning Commission.

Commissioner Smith commented that he is not against the variance, however he recommended that it be as limited of a variance as possible.

Commissioner Smith moved to recommend approval of a setback variance request for Lots 5-7, Block 1, Twin City Industrial Sites from Section 105-3-16 of the City Code of Ordinances related to the MC-Industrial District Front Yard Setback but limited to a twenty (20) foot variance and to permit the variance request due to the following hardship: strict application of zoning regulation that would prevent the reasonable use of property due to the nature of the flooding circumstances and water control in the southeast corner of the property. Commissioner Buchmiller seconded the motion.

Chair Robinson called for a roll call vote: Horn: Yes; Mudder: Yes; Mayor Froelich: Yes;

Intveld: Yes; Buchmiller: Yes; Smith: Yes; Hammond: Yes; Gardner: Yes; Robinson: Yes. The motion passed.

2. *Consider a preliminary plat and zone change from A (Agriculture) and MA (Industrial) to MA (Industrial) for Mandan Industrial Park 14th Addition.*

Staff Recommendation: Planning Staff recommends approval of the preliminary plat and zone change..

STAFF REPORT: City Principal Planner Stromme presented.

Statement/purpose

Central Bottling Company, Inc. requested a preliminary plat and zone change from A (Agriculture) and MA (Industrial) to MA (Industrial) for Mandan Industrial Park 14th Addition.

Background/alternatives

The purpose of this request is to increase the size of the bottling facilities property by combining it with the lot to the east of it, which is in a separate subdivision. The property is located at 2517 34th Avenue NW in the Mandan Industrial Park, west of Old Red Trail NW on the south side of 34th Avenue NW.

Request Overview

The request includes the platting of the existing properties into a single lot so they all have the same zoning distinction. The property currently consists of two parcels in two separate subdivisions, a vacated right of way that was not platted over to combine, and a property zoned MA - Industrial and a vacant lot zoned agricultural. The property to be combined would result in a 6.12-acre lot to be MA - Industrial zoned and used for that purpose.

Property History

Mandan Industrial Park was platted in 1974, and Sunview Heights is believed to have been platted in 1964, based on limited subdivision records. The section line/right-of-way vacation occurred after the platting, in 1981. At the time, it was not standard practice to require a plat to absorb vacated property. Imagery records suggest that the vacant lot in Sunview Heights was never developed with structures. The central bottling facility, built in 1982, has remained largely unchanged over the years.

Preliminary Plat and Zone Change

The preliminary plat is 6.12 acres in size and would contain one lot in one block. The plat includes various easements including those for public utilities and a water transmission line. There is no record of a zone change occurring for Sunview Heights addition. It is in the City's A - Agricultural District and that portion of the lot would be rezoned to the MA - Industrial district.

Adjacent Properties Zoning, Land Use, and Future Land Use

Adjacent properties are zoned and used as follows: to the east, residential homes zoned R7 - Residential. To the south, commercial offices zoned CC - Commercial. To the west and north, industrial facilities zoned MA - Industrial. The future land use distinction for this property is industrial.

Additional Information and Public Outreach

- An application and fee of \$1,000 was received on August 23, 2024.

- Twenty-three (23) letters were sent to adjacent property owners on September 5, 2024. No comments were received.

Findings of Fact

Preliminary Plat

1. All technical requirements for consideration of a preliminary plat have been met;
2. The proposed plat generally conforms to the 2014 Fringe Area Road Master Plan;
3. 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;
4. 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;
5. 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;
6. The proposed subdivision is not located in the Special Flood Hazard Area, an area where the proposed developer would adversely impact water quality and/or environmentally sensitive lands, or areas that are topographically unsuited for development;
7. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance;
8. The proposed subdivision is consistent with the Comprehensive Plan, other plans and studies, policies and accepted planning practice; and an amendment to the Future Land Use Plan is underway, and;
9. The proposed subdivision would not adversely affect the public health, safety and general welfare.

Zone Change

1. The City of Mandan and other agencies would be able to provide necessary public services, facilities, and programs to serve the development allowed by this zone change;
2. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance;
3. The proposed zoning change is consistent with the Future Land Use Plan, other adopted plans and policies and accepted planning practice;
4. The proposed zoning change would not adversely affect public health, safety and general welfare.

Staff Comments

- Future development on this site may require a stormwater management plan and/or development agreements.
- Non-access lines may be requested along Old Red Trail NW as a preventative measure.

Planner Stromme recommended approval of the request to consider a preliminary plat and zone change from A (Agriculture) and MA (Industrial) to MA (Industrial) for Mandan Industrial Park 14th Addition. The surveyor for the project was available to answer questions. The Land Use Plan is supportive of the Industrial Park.

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 to consider a preliminary plat and zone change from A (Agriculture) and MA (Industrial) to MA (Industrial) for Mandan Industrial Park 14th Addition. A second and third invitation was given to come forward to speak for or against the request.

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 further comments or questions from members of the Planning and Zoning Commission.

Commissioner Buchmiller moved to recommend approval of the request to consider a preliminary plat and zone change from A (Agriculture) and MA (Industrial) to MA (Industrial) for Mandan Industrial Park 14th Addition. Commissioner Gardner seconded the motion.

Chair Robinson called for a roll call vote: Horn: Yes; Mudder: Yes; Mayor Froelich: Yes; Intveld: Yes; Buchmiller: Yes; Smith: Yes; Hammond: Yes; Gardner: Yes; Robinson: Yes. The motion passed.

3. *Consider a request for a preliminary plat for Biwer Subdivision.
Staff recommendation: To approve the preliminary plat for Biwer Subdivision..*

STAFF REPORT: City Principal Planner Stromme presented.

Statement/purpose

Consider a request for a preliminary plat for Biwer Subdivision.

Background/alternatives

Thomas Biwer, et al., and the City of Mandan, on behalf of the Lower Heart River Water Resource District (LHRWRD), requested consideration of a preliminary plat for the Biwer Subdivision, an 11.14-acre development in southeast Mandan. This request would facilitate the transfer of a 1.5-acre portion from the City of Mandan's parcel (LOT A of NW 1/4 SE 1/4 & LOT A of GOV LOT 7, less 12.32 acres of LOT 7, totaling 44.28 acres, parcel 9001C) to be combined with Thomas Biwer et al.'s parcel (LOT 1 of GOV LOT 8, including the former AUD LOT A of NE 1/4, 9.64 acres) through the platting process.

Property History

The City of Mandan, in partnership with LHRWRD, has been working on transferring land from this parcel to the Biwer parcel as part of a real estate transaction approved by the City Commission. This transfer is intended to support the construction of the Mandan Flood Risk Reduction project. Tom Biwer has offered the City a crucial 1.5-acre piece of land along the levee centerline, near the subject subdivision, in exchange for 1.5 acres of city-owned land adjacent to his property involved in this subdivision.

Preliminary Plat

The preliminary plat would be 11.14 acres in size and include open lot in one block. It details the property being located in a special flood hazard area. The portion of land to be acquired from the City and combined with the Biwer lot is roughly 103 feet by 630 feet and is the southwest most portion of the plat.

Adjacent Properties Zoning, Land Use, and Future Land Use

Adjacent properties to the east are zoned R7 - Residential and used for single-unit residential purposes. To the south and west, properties are undeveloped and zoned A - Agriculture. To the north, the City's wastewater treatment plant is located and is zoned A - Agriculture. The future land use plan designates this area as open space.

Additional Information and Public Outreach

- An application was received on August 23, 2024.
- Twenty-seven (27) letters were sent to adjacent property owners on September 5, 2024. No comments were received.

Staff comments

- The City portion of this plat is presently in the City Limits. Subject to City Commission review, it may be "excluded" from the corporate limits, based on the request from Tom Biwer et. al.. The Biwer's desire the property they own in this area to be excluded from the corporate boundaries.

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;
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. Portions of the subdivision are located in the Special Flood Hazard Area and have wetland designations, and while no development is proposed, any such would be required to be developed according to the existing ordinance requirements pertaining to Floodplain Development and therefore, the proposed development should not 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.

Planner Stromme recommended approval of the request for a preliminary plat for Biwer Subdivision. Chair Robinson inquired if there were any comments or questions. Hearing none, the public hearing was opened.

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 to consider a request for a preliminary plat for Biwer Subdivision. A second and third invitation was given to come forward to speak for or against the request.

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 further comments or questions from members of the Planning and Zoning Commission.

Commissioner Smith moved to recommend approval of a request for a preliminary plat for Biwer Subdivision. Commissioner Intveld seconded the motion. Chair Robinson called for a roll call vote: Horn: Yes; Mudder: Yes; Mayor Froelich: Yes; Intveld: Yes; Buchmiller: Yes; Smith: Yes; Hammond: Yes; Gardner: Yes; Robinson: Yes. The motion passed

D. **OTHER BUSINESS** Planner Stromme stated that he has two (2) items for updates that were not listed on the Agenda:

1. City of Mandan Zoning Study: Progress is being made and the study is at a point where there is an agreement of the draft copy of everything being in place where it needs to be. The next step is to review the copy and request any additional feedback and re-draft any portions that may need to be re-drafted.

2. Missouri Landing Shop Condo SUP Update: The applicant will not be coming back to the P & Z Commission as they were approved for a Special Use Permit with a fully modified site plan.

DI. **ADJOURN** There being no further business to discuss or come before the Board, a motion was made by Commissioner Hammond and seconded by Commissioner Gardner to adjourn the meeting. Upon vote, the motion passed unanimously.
The meeting adjourned at 6:04 p.m.



Planning & Zoning Commission

Agenda Documentation

MEETING DATE: October 28, 2024
PREPARATION DATE: October 15, 2024
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Andrew Stromme
PRESENTER: Andrew Stromme, City Planner
SUBJECT: Consider a request for a final plat for Biwer Subdivision

STATEMENT/PURPOSE:

Consider a request for a final plat for Biwer Subdivision

BACKGROUND/ALTERNATIVES:

Thomas Biwer, et al., and the City of Mandan, on behalf of the Lower Heart River Water Resource District (LHRWRD), are requesting consideration of a final plat for the Biwer Subdivision, an 11.14-acre development in southeast Mandan. This request would facilitate the transfer of a 1.5-acre portion from the City of Mandan's parcel (LOT A of NW 1/4 SE 1/4 & LOT A of GOV LOT 7, less 12.32 acres of LOT 7, totaling 44.28 acres, parcel 9001C) to be combined with Thomas Biwer et al.'s parcel (LOT 1 of GOV LOT 8, including the former AUD LOT A of NE 1/4, 9.64 acres) through the platting process.

Property History

The City of Mandan, in partnership with LHRWRD, has been working on transferring land from this parcel to the Biwer parcel as part of a real estate transaction approved by the City Commission. This transfer is intended to support the construction of the Mandan Flood Risk Reduction project. Tom Biwer has offered the City a crucial 1.5-acre piece of land along the levee centerline, near the subject subdivision, in exchange for 1.5 acres of City-owned land adjacent to his property involved in this subdivision. A preliminary plat for this subdivision was introduced at the September Planning and Zoning Commission and was recommended for approval. The City Commission considered and accepted this recommendation, voting to approve the preliminary plat, at its October 15th 2024 meeting.

Final Plat

The final plat comprises 11.14 acres in size and include open lot in one block. It details the property being located in a special flood hazard area. The portion of land to be acquired from the City and combined with the Biwer lot is roughly 103 feet by 630 feet

and is the southwest most portion of the plat.

Adjacent Properties Zoning, Land Use, and Future Land Use

Adjacent properties to to the east are zoned R7 - Residential and used for single-unit residential purposes. To the south and west, properties are undeveloped and zoned A - Agriculture. To the north, the City's wastewater treatment plant is located and is zoned A - Agriculture. The future land use plan designates this area as open space.

Additional Information and Public Outreach

- An application was received on September 19, 2024.
- Twenty-seven letters were sent to adjacent property owners on October 8, 2024. This item was also advertised as a public hearing in the Mandan News.
- The State of North Dakota Historic Preservation Office has commented that prior to development on this property, a cultural survey should be conducted. No development is proposed in association with this subdivision. It is solely a land transfer, at this point in time.

Staff comments:

- The City portion of this plat is presently in the City Limits. Subject to City Commission review, it may be "excluded" from the corporate limits, based on the request from Tom Biwer et. al.. The Biwer's desire the property they own in this area to be excluded from the corporate boundaries. The City Commission, at its 10/15/24 meeting, approved the first consideration of the exclusion ordinance no. 1456. It will return to City Commission for a second consideration at the November 5, 2024 meeting.

Findings of Fact Final Plat

1. All technical requirements for approval of a final plat have been met;
2. The final plat generally conforms to the preliminary plat for the proposed subdivision that was approved by the Planning and Zoning Commission;
3. The proposed subdivision generally demonstrates an ability for the property to align with the Future Land Use Plan and other plans and studies;
4. Portions of the proposed subdivision are 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, however, no development is proposed on the lands within the subdivision;

5. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance;
6. The proposed subdivision is generally consistent with the master plan, other adopted plans, policies and accepted planning practice; and
7. The proposed subdivision would not adversely affect the public health, safety, and general welfare.

ATTACHMENTS:

1. Biwer Application - final plat
2. Biwer Subdivision Final Plat
3. images
4. Location Map - Biwer Sub.

FISCAL IMPACT:

N/A

STAFF IMPACT:

Considerable staff time has gone into the review of this request.

LEGAL REVIEW:

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

RECOMMENDATION:

Planning staff recommends approval of the final plat for Biwer Subdivision.

SUGGESTED MOTION:

I move to recommend approval of the final plat for Biwer Subdivision.

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)	☐ 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)	
Plat to file land swap between City of Mandan and Biwer Irrevocable Trust for Lower Heart River Water Resource District Project.	

Engineer/Surveyor			Property Owner or Applicant		
Name Todd Norton/AE2S			Name Biwer Irr. Trust/City of Mandan		
Address 1815 Schafer St. Suite 301			Address 3718 Kingston Drive		
City Bismarck	State ND	Zip 58501	City Bismarck	State ND	Zip 58503
email todd.norton@ae2s.com			email biwer@bis.midco.net		
Phone 701-220-6642		Fax 701-221-0531	Phone 701-258-0297		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	A	A	Biwer Subdivision		
Property Address						Legal Description				
3817 Lakewood Drive SE						Lot 1 Gov't Lot 8				
Current Use						and Portion of Gov't Lot 7				
Ag										
Proposed Use										
Ag						Section 12		Township 138N		Range 81W
Parcel Size 11.14	Building Footprint		Stories	Building SF		Required Parking		Provided Parking		

Print Name Thomas Biwer	Signature <i>Thomas Biwer</i>	Date 27 Sept 2024
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Office Use Only			
Date Received:	Initials: <i>nm</i>	Fees Paid: \$ <i>450</i>	Date <i>9-19-2024</i>
Notice in paper		Mailed to neighbors	P&Z meeting
☐ Approved	Approved with conditions:		
☐ Denied			

BIWER SUBDIVISION

ALL OF LOT 1 OF GOVERNMENT LOT 8 & A PORTION OF LOT A OF GOVERNMENT LOT 7,
NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 138 NORTH, RANGE 81 WEST OF THE 5TH P.M.
TO THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA

DESCRIPTION

ALL OF LOT 1 OF GOVERNMENT LOT 8, PER DOC. NO. 414323, MORTON COUNTY RECORDER'S OFFICE, AND A PORTION OF AUDITOR'S LOT A OF GOVERNMENT LOT 7, PER DOC. NO. 193013, MORTON COUNTY RECORDER'S OFFICE, IN THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 138 NORTH, RANGE 81 WEST OF THE FIFTH PRINCIPAL MERIDIAN, MANDAN, MORTON COUNTY, NORTH DAKOTA DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 12; THENCE SOUTH 00°02'03" EAST, PERPENDICULAR TO THE NORTH LINE OF SAID EXISTING LOT 1 OF GOVERNMENT LOT 8, A DISTANCE OF 872.44 FEET; THENCE SOUTH 89°57'57" WEST ON THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID EXISTING LOT 1 A DISTANCE OF 554.88 FEET TO THE NORTHEAST CORNER OF SAID EXISTING LOT 1 AND THE POINT OF BEGINNING; THENCE SOUTH 00°22'46" EAST ON THE EAST LINE OF SAID EXISTING LOT 1 A DISTANCE OF 10.82 FEET; THENCE SOUTH 29°00'53" WEST CONTINUING ON SAID EAST LINE A DISTANCE OF 971.43 FEET; THENCE NORTH 00°02'51" EAST CONTINUING ON SAID EAST LINE A DISTANCE OF 79.39 FEET; THENCE SOUTH 31°05'53" WEST CONTINUING ON SAID EAST LINE A DISTANCE OF 431.49 FEET TO THE SOUTHWEST CORNER OF SAID EXISTING LOT 1; THENCE NORTH 89°57'09" WEST PERPENDICULAR TO THE WEST LINE OF SAID EXISTING LOT 1 A DISTANCE OF 103.50 FEET; THENCE NORTH 00°02'51" EAST PARALLEL WITH SAID WEST LINE OF EXISTING LOT 1 A DISTANCE OF 631.30 FEET; THENCE SOUTH 89°57'09" EAST PERPENDICULAR TO SAID WEST LINE OF EXISTING LOT 1 A DISTANCE OF 103.50 FEET TO SAID WEST LINE OF EXISTING LOT 1; THENCE NORTH 00°02'51" EAST ON SAID WEST LINE A DISTANCE OF 518.71 FEET TO THE NORTHWEST CORNER OF SAID EXISTING LOT 1; THENCE NORTH 89°57'57" EAST ON THE NORTH LINE OF SAID EXISTING LOT 1 A DISTANCE OF 692.97 FEET TO THE POINT OF BEGINNING.

TOTAL TRACT CONTAINS 485.057 SQ FT OR 11.14 ACRES, MORE OR LESS.

SURVEYORS CERTIFICATE

I, TODD NORTON, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THE ANNEXED PLAT IS A TRUE COPY OF THE NOTES OF A SURVEY PERFORMED UNDER MY SUPERVISION AND COMPLETED ON 2024, THAT ALL INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT ALL MONUMENTS SHOWN HEREON ARE CORRECT, THAT ALL REQUIRED MONUMENTS HAVE BEEN SET, AND THAT ALL DIMENSIONAL AND GEODETIC DETAILS ARE CORRECT.

SURVEY WAS BASED ON A SURVEY COMPLETED BY THOMAS M LAMBRECHT IN 2024. ALL NOTES AND PROCEDURES APPLIED TO THAT SURVEY ACCEPTED AND PERTINENT TO THIS SURVEY.

AE2S
1815 SCHAFER STREET STE. 301
BISMARCK, NORTH DAKOTA 58501

TODD NORTON
PROFESSIONAL LAND SURVEYOR
NORTH DAKOTA REGISTRATION NO. 4624

STATE OF)
COUNTY OF) SS

ON THIS ____ DAY OF ____ 2024, BEFORE ME PERSONALLY APPEARED TODD NORTON, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING SURVEYORS CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NOTARY PUBLIC

COUNTY, NORTH DAKOTA
MY COMMISSION EXPIRES _____

APPROVAL OF CITY PLANNING COMMISSION

THE SUBDIVISION OF LAND AS SHOWN ON THE ANNEXED PLAT HAS BEEN APPROVED BY THE PLANNING COMMISSION OF THE CITY OF MANDAN, ON THE ____ DAY OF ____ 2024, IN ACCORDANCE WITH LAWS OF THE STATE OF NORTH DAKOTA, ORDINANCES OF THE CITY OF MANDAN AND REGULATIONS ADOPTED BY THE SAID PLANNING COMMISSION. IN WITNESS WHEREOF ARE SET THE HANDS AND SEALS OF THE CHAIRMAN AND SECRETARY OF THE PLANNING COMMISSION OF THE CITY OF MANDAN.

BILL ROBINSON - CHAIRMAN

NANCY MOSER - SECRETARY

APPROVAL OF BOARD OF CITY COMMISSIONERS

THE BOARD OF CITY COMMISSIONERS OF THE CITY OF MANDAN, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND AS SHOWN ON THE ANNEXED PLAT, HAS ACCEPTED THE DEDICATION OF ALL STREETS SHOWN THEREON, HAS APPROVED THE GROUNDS AS SHOWN ON THE ANNEXED PLAT AS AN AMENDMENT TO THE MASTER PLAN OF THE CITY OF MANDAN, NORTH DAKOTA AND DOES HEREBY VACATE ANY PREVIOUS PLATTING WITHIN THE BOUNDARY OF THE ANNEXED PLAT.

THE FOREGOING ACTION OF THE BOARD OF CITY COMMISSIONERS OF MANDAN, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED THE ____ DAY OF ____ 2024.

JAMES FROELICH - MAYOR

ATTEST: JIM NEUBAUER
CITY ADMINISTRATOR

APPROVAL OF CITY ENGINEER

I, JAREK WIGNESS, CITY ENGINEER, HEREBY APPROVE "BIWER SUBDIVISION", MANDAN, NORTH DAKOTA AS SHOWN ON THE ANNEXED PLAT.

JAREK WIGNESS
CITY ENGINEER

OWNER'S CERTIFICATE

WE, THE UNDERSIGNED, BEING THE SOLE OWNERS OF THE LAND PLATTED HEREON, DO HEREBY VOLUNTARILY CONSENT TO THE EXECUTION OF SAID PLAT, AND DO DEDICATE ALL THE STREETS, ALLEYS, PARKS, AND PUBLIC GROUNDS AS SHOWN HEREON, INCLUDING ALL SEWERS, CULVERTS, BRIDGES, WATERLINES, SIDEWALKS AND OTHER IMPROVEMENTS ON OR UNDER SUCH STREETS, ALLEYS OR OTHER PUBLIC GROUNDS, WHETHER SUCH IMPROVEMENTS ARE SHOWN HEREON OR NOT, TO PUBLIC USE FOREVER. WE ALSO DEDICATE EASEMENTS TO RUN WITH THE LANDS FOR WATER, SEWER, GAS, ELECTRICITY, TELEPHONE, OR OTHER PUBLIC UTILITY LINES OF SERVICES UNDER, ON OR OVER THESE CERTAIN STRIPS OF LAND DESIGNATED AS "UTILITY EASEMENTS".

THOMAS BIWER
BRENDA BIWER
STATE OF)
COUNTY OF) SS

ON THIS ____ DAY OF ____ 2024, BEFORE ME PERSONALLY APPEARED THOMAS BIWER AND BRENDA BIWER, KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING OWNER CERTIFICATE AND THEY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC

COUNTY, _____
MY COMMISSION EXPIRES _____

RACHEL A. BIWER

STATE OF)
COUNTY OF) SS

ON THIS ____ DAY OF ____ 2024, BEFORE ME PERSONALLY APPEARED RACHEL A. BIWER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING OWNER CERTIFICATE AND THEY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC

COUNTY, _____
MY COMMISSION EXPIRES _____

JEROME BIWER

STATE OF)
COUNTY OF) SS

ON THIS ____ DAY OF ____ 2024, BEFORE ME PERSONALLY APPEARED JEROME BIWER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING OWNER CERTIFICATE AND THEY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC

COUNTY, _____
MY COMMISSION EXPIRES _____

ROBERT BIWER

STATE OF)
COUNTY OF) SS

ON THIS ____ DAY OF ____ 2024, BEFORE ME PERSONALLY APPEARED ROBERT BIWER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING OWNER CERTIFICATE AND THEY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC

COUNTY, _____
MY COMMISSION EXPIRES _____

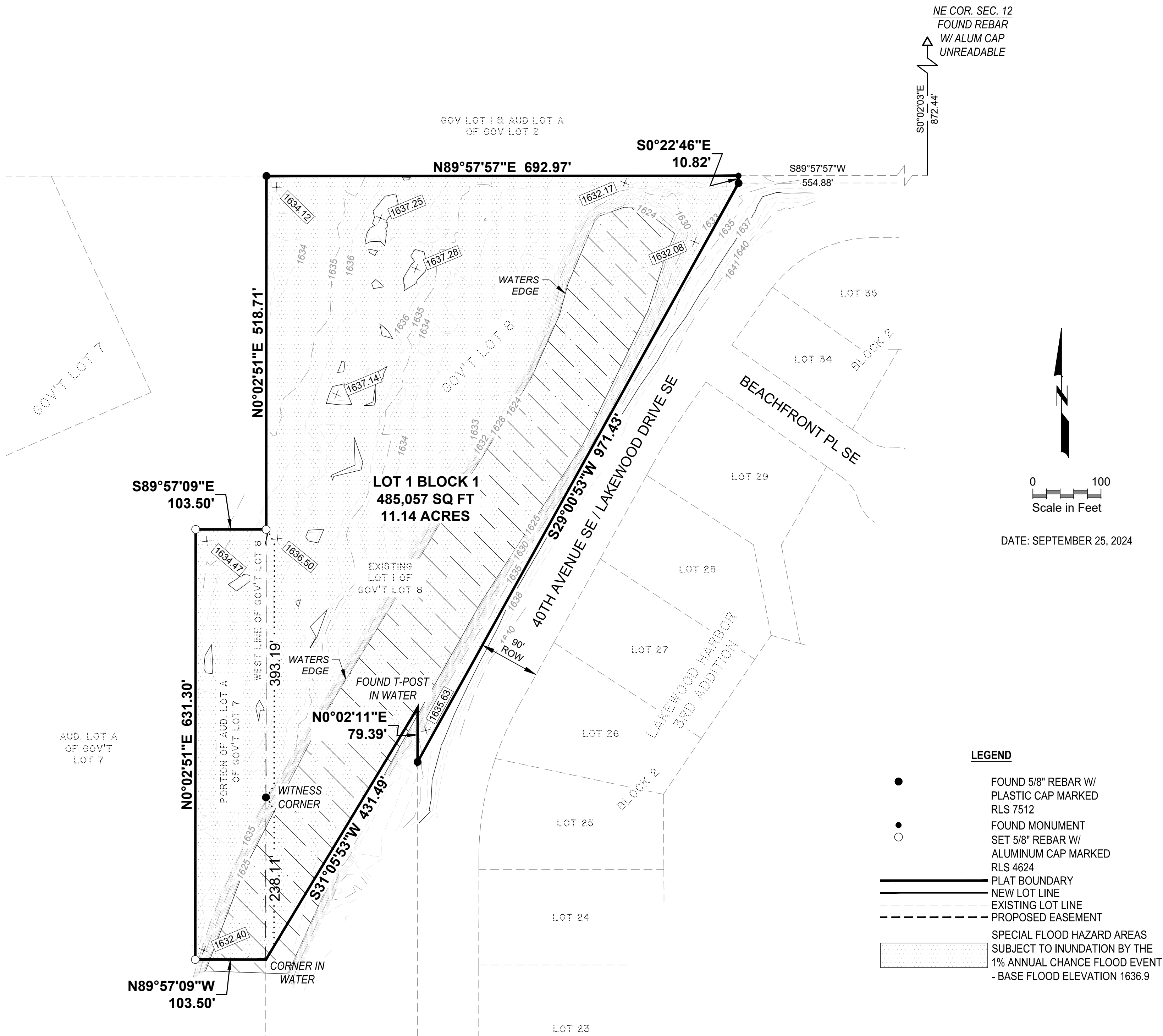
CYNTHIA BEMENT

STATE OF)
COUNTY OF) SS

ON THIS ____ DAY OF ____ 2024, BEFORE ME PERSONALLY APPEARED CYNTHIA BEMENT, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING OWNER CERTIFICATE AND THEY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC

COUNTY, _____
MY COMMISSION EXPIRES _____



LEGEND

- FOUND 5/8" REBAR W/ PLASTIC CAP MARKED RLS 7512
- FOUND MONUMENT SET 5/8" REBAR W/ ALUMINUM CAP MARKED RLS 4624
- ===== PLAT BOUNDARY
- ===== NEW LOT LINE
- EXISTING LOT LINE
- PROPOSED EASEMENT
- Special Flood Hazard Areas
- SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD EVENT - BASE FLOOD ELEVATION 1636.9

BASIS OF BEARING

NAD83 (CONUS) ND STATE PLANE
SOUTH ZONE. DISTANCES ARE GRID,
INTERNATIONAL FEET.
GRID TO GROUND CONVERSION:
1.0001515230

FLOODPLAIN NOTES

FIRM PANEL: 0515D
MAP NUMBER: 38059C0515D

NOTES:

- 1) BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS DOCUMENTS OF RECORD DUE TO DIFFERENT METHODS OF MEASUREMENT.
- 2) SUBJECT TO ALL EASEMENTS OF RECORD WHETHER SHOWN OR NOT SHOWN.

Draft



Advanced Engineering and Environmental Services, Inc.
1815 Schaffer St Suite 301 Bismarck, ND

Ph: 701-221-0530 Web: www.AE2S.com

W:\HDR\12154-2018-000\CAD Draw\SURVEY\Plats\Bwer Plat\CAD Draw\Bwer

Page 1 of 1

Images



Looking south towards the property.



Looking west towards the property.



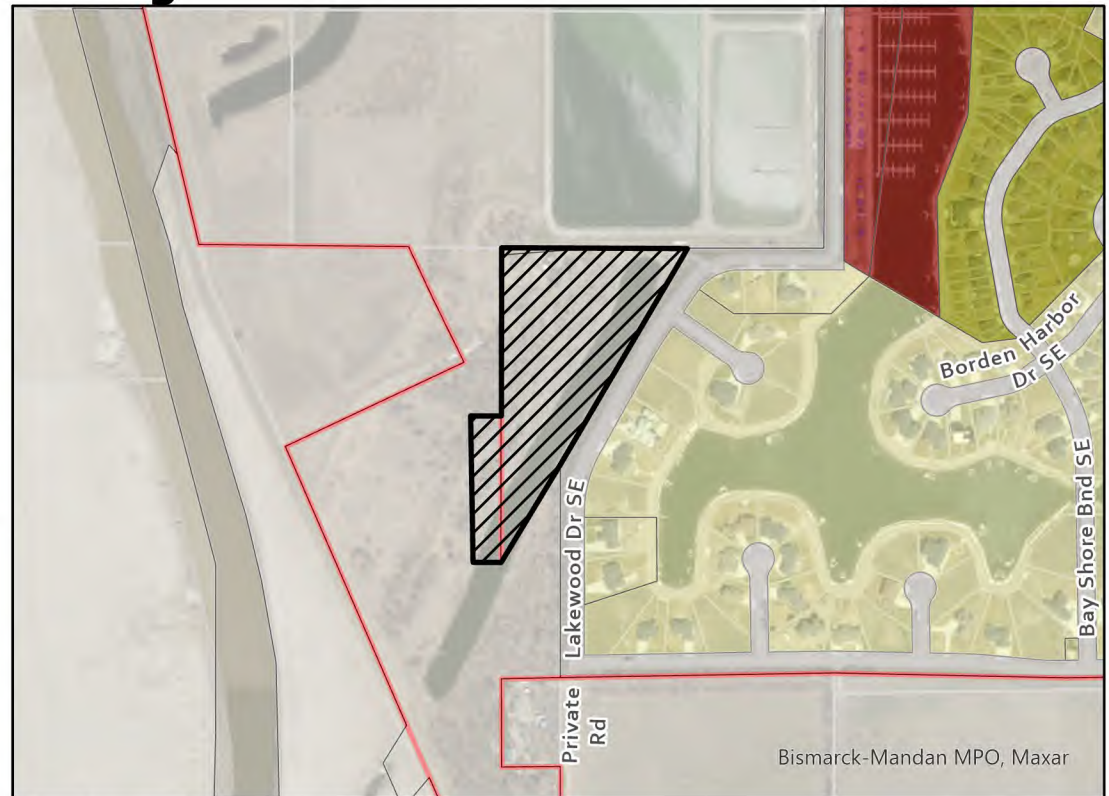
Zoning and Future Land Use Reference Map

Biwer Subdivision

Zoning

Zoning Map Key

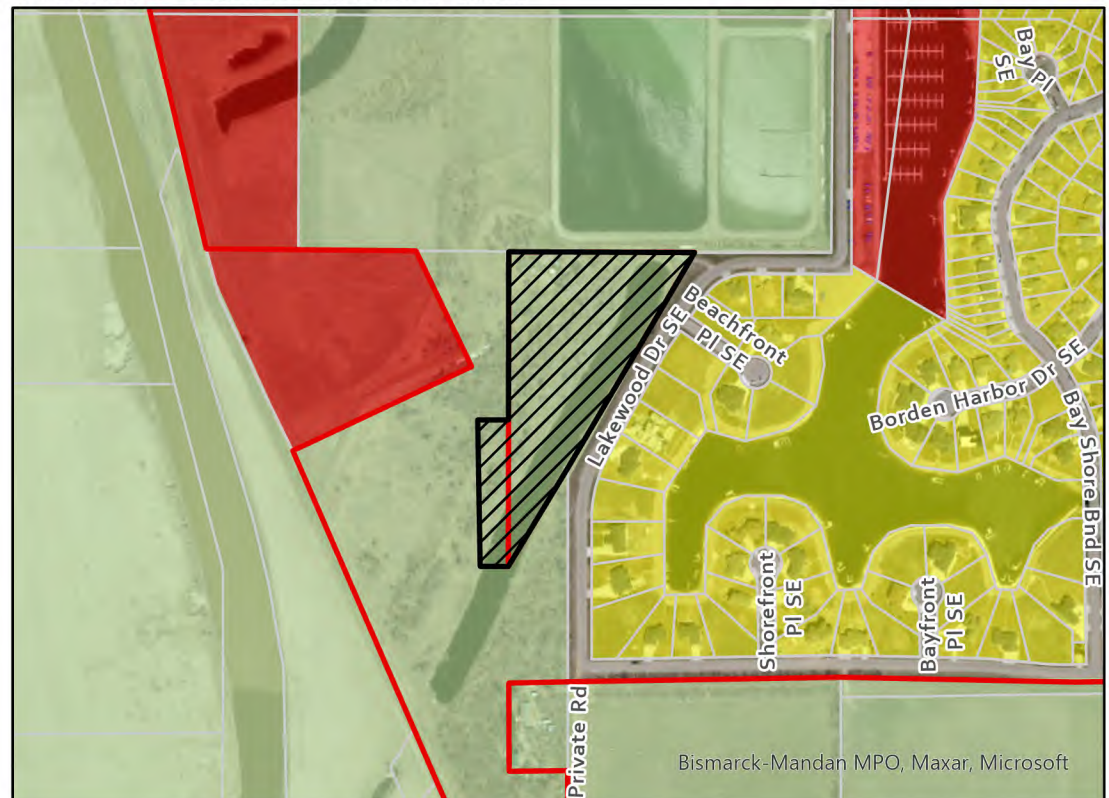
- | | |
|---|---|
| Agriculture - City of Mandan | MD - Heavy Commercial/Heavy Industrial Restricted |
| Agriculture - Morton County | MHS - Trailer Park |
| CA - Neighborhood Commercial | PUD - Planned Unit Development |
| CB - Business Commercial | R3.2 - Residential Single & Two Family |
| CC - Commercial/Light Industrial Transition | R7 - Residential Single Family |
| DC - Downtown Core | RH - Residential Mobile Home Park |
| DF - Downtown Fringe | RM - Residential Multi-family Dwellings |
| Industrial - Morton County | RMH - Residential Mobile Home Subdivision |
| LSMHS - Trailer Park Subdivision | Residential - County Residential Zoning |
| MA - Heavy Commercial/Light Industrial | ROW - Right-of-Way |
| MB - Heavy Commercial/Heavy Industrial | Parcels |
| MC - Heavy Commercial/Light Industrial Restricted | City Limits |
| | ETA Line |
| | September '24 Planning Activities |



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 |
| Parcels |
| City Limits |
| ETA Line |
| September '24 Planning Activities |

Future Land Use Plan





Planning & Zoning Commission

Agenda Documentation

MEETING DATE: October 28, 2024
PREPARATION DATE: October 15, 2024
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Andrew Stromme
PRESENTER: Andrew Stromme, City Planner
SUBJECT: Consider a final plat for Mandan Industrial Park 14th Addition.

STATEMENT/PURPOSE:

Central Bottling Company, Inc. is requesting a final plat approval for Mandan Industrial Park 14th Addition.

BACKGROUND/ALTERNATIVES:

Central Bottling Company, Inc. is requesting a final plat approval for Mandan Industrial Park 14th Addition. The purpose of this request is to increase the size of the bottling facilities property by combining it with the lot to the east of it, which is in a separate subdivision. The property is located at 2517 34th Avenue NW in the Mandan Industrial Park, west of Old Red Trail NW on the south side of 34th Avenue NW.

Request Overview

The request includes the platting of the existing properties into a single lot and have them all have the same zoning distinction. The property currently consists of two parcels in two separate subdivisions, a vacated right of way that was not platted over to combine, and a property zoned MA - Industrial and a vacant lot zoned agricultural. The property to be combined would result in a 6.12 acre lot to be MA - Industrial zoned and used for that purpose. The preliminary plat and zone change was approved at the September 2024 Planning and Zoning Commission meeting, and the City Commission approved the first consideration of Ordinance 1455 and the preliminary plat at its October 15th, 2024 meeting.

Property History

Mandan Industrial Park was platted in 1974, and Sunview Heights is believed to have been platted in 1964, based on limited subdivision records. The section line/right-of-way vacation occurred after the platting, in 1981. At the time, it was not standard practice to require a plat to absorb vacated property. Imagery records suggest that the vacant lot in

Sunview Heights was never developed with structures. The central bottling facility, built in 1982, has remained largely unchanged over the years.

Final Plat

The final plat is 6.12 acres in size and would contain one lot in one block. The plat includes various easements including those for public utilities and a water transmission line.

Adjacent Properties Zoning, Land Use, and Future Land Use

Adjacent properties are zoned and used as follows: to the east, residential homes zoned R7 - Residential. To the south, commercial offices zoned CC - Commercial. To the west and north, industrial facilities zoned MA - Industrial. The future land use distinction for this property is industrial.

Additional Information and Public Outreach

- An application and fee of \$1000 was received on September 27, 2024.
- Twenty-three letters were sent to adjacent property owners on October 9, 2024. This item was also noticed in the Mandan News.

Findings of Fact

Final Plat

1. All technical requirements for approval of a final plat have been met;
2. The final plat generally conforms to the preliminary plat for the proposed subdivision that was approved by the Planning and Zoning Commission;
3. The proposed subdivision generally demonstrates an ability for the property to align with the Future Land Use Plan and other plans and studies;
4. 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;
5. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance;
6. The proposed subdivision is generally consistent with the master plan, other adopted plans, policies and accepted planning practice; and
7. The proposed subdivision would not adversely affect the public health, safety, and general welfare.

Staff Comments

- Mandan Architectural Review Commission considered and approved plans for a small building addition at their October 8, 2024 meeting.
- Non-access lines may be requested along Old Red Trail NW as a preventative measure for access management of the arterial road system.

ATTACHMENTS:

1. Application
2. Mandan Industrial Park 14th Addition Final Plat
3. images
4. Location Map

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

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

RECOMMENDATION:

Planning staff recommends approval of the final plat.

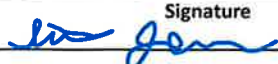
SUGGESTED MOTION:

I move to recommend approval of the final plat.

CITY OF MANDAN			
Development Review Application			
☐	Minor Plat (\$300)		Zone Change (\$600)
☐	Preliminary Plat up to 20 acres (\$400)		Planned Unit Development (\$700)
☐	Preliminary Plat more than 20 acres (\$450)		Land Use and Transportation Plan Amendment (\$1,000)
☒	Final Plat up to 20 lots (\$400)		Vacation (\$500)
☐	Final Plat 21 to 40 lots (\$550)		Variance (\$400)
☐	Final Plat more than 40 lots (\$700)		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)		
Summary of Request (Add separate sheet(s) as necessary)			
Combine lots 4 & 5, Block 1 in Mandan Industrial Park and part of Lot 2 in Sunview Heights			

Engineer/Surveyor			Property Owner or Applicant		
Name Mark R. Isaacs, RLS - ILSE, Inc.			Name Central Bottling Company, Inc.		
Address 4215 Old Red Trail NW			Address PO Box 660937		
City Mandan	State ND	Zip 58554	City Dallas	State TX	Zip 75266
email mark@ilsurveynd.com			email		
Phone 701-595-2079		Fax	Phone		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	☐ ETA	☐ New	☒ Addition	MA / AG.	MA	Mandan Industrial Park 14th Addition	
Property Address					Legal Description		
2517 34th Street NW, Mandan, ND					Lots 4 & 5, Block 1 in Mandan Industrial Park		
Current Use							
Warehouse/Distribution					Part of Lot 2 in Sunview Heights & Vacated ROW		
Proposed Use							
Warehouse/Distribution					Section 16 & 17	Township 139	Range 81
Parcel Size 6.12 Acres	Building Footprint		Stories	Building SF	Required Parking		Provided Parking

Print Name Steve Jensen	Signature 	Date 08/22/24
----------------------------	--	------------------

Office Use Only			
Date Received:	Initials: <i>nm</i>	Fees Paid: \$ <i>400</i>	Date <i>9-27-2024</i>
Notice in paper		Mailed to neighbors	P&Z meeting
☐ Approved	Approved with conditions:		
☐ Denied			

MANDAN INDUSTRIAL PARK 14TH ADDITION

TO THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA
LOTS 4 AND 5, BLOCK 1 IN "MANDAN INDUSTRIAL PARK" IN THE
SOUTHEAST QUARTER OF SECTION 17, T139N, R81W;
AND PART OF LOT 2 IN "SUNVIEW HEIGHTS" AND VACATED RIGHT OF WAY
IN THE SOUTHWEST QUARTER OF SECTION 16, T139N, R81W

PROPERTY DESCRIPTION

ALL OF LOTS 4 AND 5, BLOCK 1 IN MANDAN INDUSTRIAL PARK IN SOUTHEAST QUARTER OF SECTION 17 AND LOT 2 IN SUNVIEW HEIGHTS AND VACATED RIGHT OF WAY IN THE SOUTHWEST QUARTER OF SECTION 16; ALL IN TOWNSHIP 139 NORTH, RANGE 81 WEST IN THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 16; THENCE SOUTH 00° 08' 29"E A DISTANCE OF 463.53 FEET TO THE SOUTH RIGHT OF WAY LINE OF 34TH STREET NW AND THE POINT OF BEGINNING; THENCE NORTH 89° 52' 09" EAST ON SAID SOUTH LINE A DISTANCE OF 132.91 FEET TO THE WEST RIGHT OF WAY LINE OF OLD RED TRAIL NW; THENCE SOUTH 20° 07' 38" EAST ON SAID WEST LINE A DISTANCE OF 255.78 FEET TO THE SOUTHEAST CORNER OF LOT 2 IN SUNVIEW HEIGHTS; THENCE SOUTH 68° 25' 27" WEST ON THE SOUTH LINE OF SAID LOT 2 A DISTANCE OF 216.06 FEET TO THE CENTER OF THE VACATED RIGHT OF WAY; THENCE SOUTH 00° 08' 29" EAST ON SAID CENTER OF VACATED RIGHT OF WAY A DISTANCE OF 39.67 FEET; THENCE SOUTH 89° 51' 18" WEST PASSING INTO SAID SECTION 17 ON THE SOUTH LINE OF LOT 5 OF MANDAN INDUSTRIAL PARK AND THE EXTENSION THEREOF A DISTANCE OF 403.14 FEET; THENCE NORTH 00° 08' 23" WEST ON A LINE OF LOT 4 IN MANDAN INDUSTRIAL PARK A DISTANCE OF 39.81 FEET; THENCE SOUTH 89° 55' 11" WEST ON A SOUTH LINE OF SAID LOT 4 A DISTANCE OF 216.61 FEET TO THE SOUTHWEST CORNER OF SAID LOT 4; THENCE NORTH 00° 10' 41" WEST ON THE WEST LINE OF SAID LOT 4 A DISTANCE OF 385.02 FEET TO THE NORTHWEST CORNER OF SAID LOT 4; THENCE SOUTH 72° 43' 43" EAST ON THE SOUTH RIGHT OF WAY LINE OF 34TH STREET NW A DISTANCE OF 220.32 FEET; THENCE NORTH 89° 52' 09" EAST ON SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 390.59 FEET TO THE POINT OF BEGINNING; CONTAINING 6.12 ACRES, MORE OR LESS, AND SUBJECT TO ALL LEGAL RIGHTS OF WAY AND EASEMENTS.

OWNER'S CERTIFICATE OF DEDICATION

WE, THE UNDERSIGNED, BEING SOLE OWNERS OF THE LAND PLATTED HEREON, DO HEREBY VOLUNTARILY CONSENT TO THE EXECUTION OF SAID PLAT AND DO DEDICATE ALL THE STREETS, ALLEYS, PARKS, AND PUBLIC GROUNDS AS SHOWN HEREON, INCLUDING ALL SEWERS, CULVERTS, BRIDGES, WATERLINES, SIDEWALKS, AND OTHER IMPROVEMENTS ON OR UNDER SUCH STREETS, ALLEYS OR OTHER PUBLIC GROUNDS, WHETHER SUCH IMPROVEMENTS ARE SHOWN HEREON OR NOT, TO PUBLIC USE FOREVER. WE ALSO DEDICATE EASEMENTS TO RUN WITH THE LANDS FOR WATER, SEWER, GAS, ELECTRICITY, TELEPHONE, OR OTHER PUBLIC UTILITY LINES OR SERVICES UNDER, ON OR OVER THESE CERTAIN STRIPS OF LAND DESIGNATION AS "UTILITY EASEMENT".

CENTRAL BOTTLING COMPANY, INC.

STATE OF _____)
COUNTY OF _____) SS

SUBSCRIBED AND SWORN BEFORE ME, A NOTARY PUBLIC, THIS ____ DAY OF _____, 2024.

NOTARY PUBLIC _____

PLANNING COMMISSION APPROVAL

THE SUBDIVISION SHOWN HEREON HAS BEEN APPROVED BY THE PLANNING COMMISSION OF THE CITY OF MANDAN ON THIS ____ DAY OF _____, 20____, IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA, ORINANCES OF THE CITY OF MANDAN, AND REGULATIONS ADOPTED BY THE PLANNING COMMISSION OF SAID CITY, IN WITNESS WHEREOF ARE SET THE HANDS OF THE CHAIRMAN AND THE SECRETARY OF THE PLANNING COMMISSION OF THE CITY OF MANDAN, NORTH DAKOTA.

BILL ROBINSON - CHAIRMAN

NANCY MOSER - SECRETARY

APPROVAL OF THE BOARD OF CITY COMMISSIONERS

THE BOARD OF CITY COMMISSIONERS OF THE CITY OF MANDAN, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND SHOWN HEREON, HAS ACCEPTED THE DEDICATION OF ALL STREETS, ALLEYS, AND PUBLIC WAYS SHOWN HEREON, HAS ACCEPTED THE DEDICATION OF ALL PARKS AND PUBLIC GROUNDS SHOWN HEREON, FURTHERMORE, SAID BOARD OF CITY COMMISSIONERS HAS APPROVED THE STREETS, ALLEYS, AND OTHER PUBLIC WAYS AND GROUNDS SHOWN HEREON AS AN AMENDMENT TO THE MASTER STREET PLAN OF THE CITY OF MANDAN, THE FOREGOING ACTION BY THE BOARD OF CITY COMMISSIONERS OF MANDAN, NORTH DAKOTA, HAS TAKEN BY RESOLUTION APPROVED THE ____ DAY OF _____, 20____.

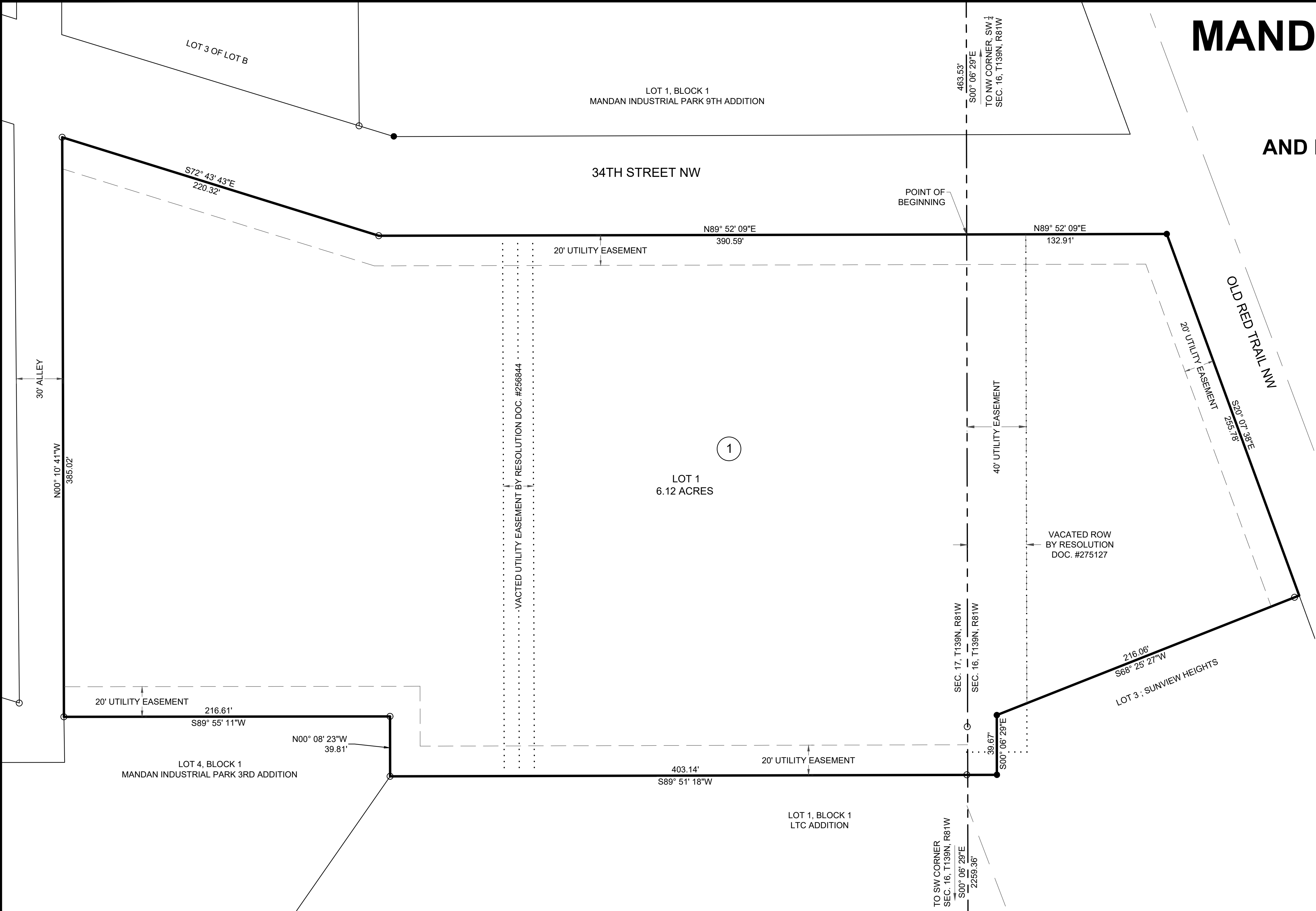
JIM NEUBAUER - CITY ADMINISTRATOR

JAMES FROELICH - PRESIDENT OF THE BOARD
OF CITY COMMISSIONERS

I, JAREK WIGNESS, CITY ENGINEER FOR THE CITY OF MANDAN, NORTH DAKOTA, HEREBY APPROVES "MANDAN INDUSTRIAL PARK 14TH ADDITION" LYING WITHIN THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA AS SHOWN ON THE ANNEXED PLAT.

JAREK WIGNESS, PE

MANDAN INDUSTRIAL PARK 14TH ADDITION SECTION 16, T-139-N, R-81-W SECTION 17, T-139-N, R-81-W MANDAN, NORTH DAKOTA		I ndependent L and S urveying & E ngineering 4215 Old Red Trail NW Mandan, ND 58554 Phone: 701-663-5184 Cell: 701-595-2079 mark@ilsurveynd.com
SHEET: 1 OF 1	JOB NUMBER: 24111	
SCALE: 1"= 40'	DWG REVISION DATES	
DRAWN BY: MRI	- -	
DWG DATE: 9/26/24	- -	
DWG NAME: 24111 Final Plat.dwg		



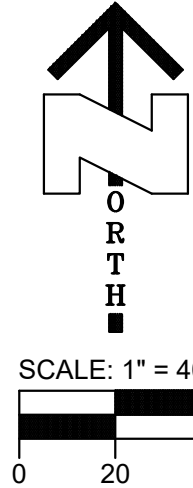
SURVEYOR'S CERTIFICATE

I, MARK R. ISAACS, NORTH DAKOTA REGISTERED LAND SURVEYOR NO. 9628, HEREBY CERTIFY THAT I HAVE CAUSED TO BE A SURVEYED BY MY FORCES UNDER MY SUPERVISION THE PROPERTY DESCRIBED HEREON AND I HAVE PREPARED THE ACCOMPANYING PLAT; FURTHER, THAT DISTANCE INDICATES HEREON ARE IN FEET AND HUNDREDTHS THEREOF, AND BEARINGS AND INDICATED IN QUADRANTS AND DEGREES, MINUTES, AND SECONDS THEREOF; FURTHER, THAT SAID PLAT DOES TRULY SHOW THE SURVEY TO THE BEST OF MY KNOWLEDGE AND BELIEF.

MARK R. ISAACS, RLS 9628

AREA TABLE

LOT 1	6.12 ACRES (266,587 SF)
TOTAL	6.12 ACRES (266,587 SF)



DATE: SEPTEMBER 26TH, 2024

VERTICAL DATUMN - NAVD 1988.

BASED ON NORTH DAKOTA SOUTH
ZONE-NAD83, INTERNATIONAL FEET.

MEASUREMENTS HAVE BEEN ESTABLISHED
BY RTK FROM THE "BSMK" CORS STATION
AND ARE REPORTED IN GRID.

LEGEND

- FOUND SURVEY MONUMENT
- SET CAPPED REBAR "LS-9628"
- VACATED LOT LINE

OWNER:
CENTRAL BOTTLING COMPANY, INC.
PO BOX 660937
DALLAS, TX 75266

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 MA.

Images



Looking south towards the property.



Looking west towards the property.



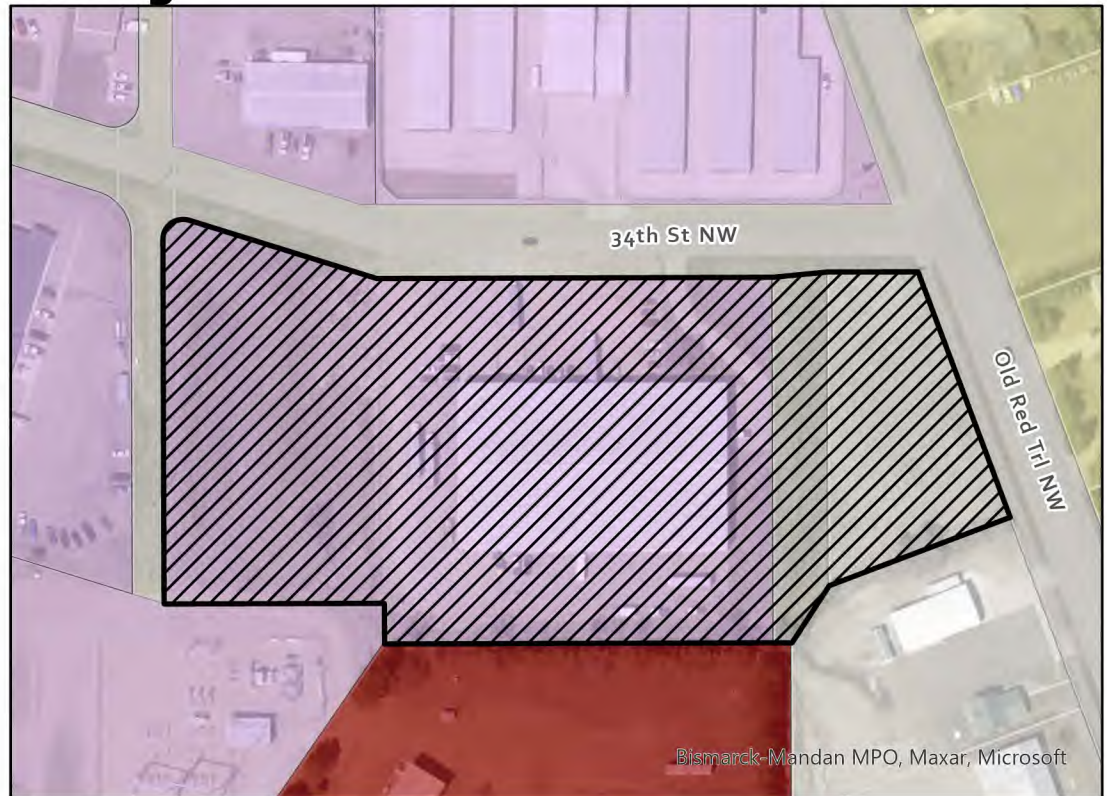
Zoning and Future Land Use Reference Map

Mandan Industrial Park 14th Addition

Zoning

Zoning Map Key

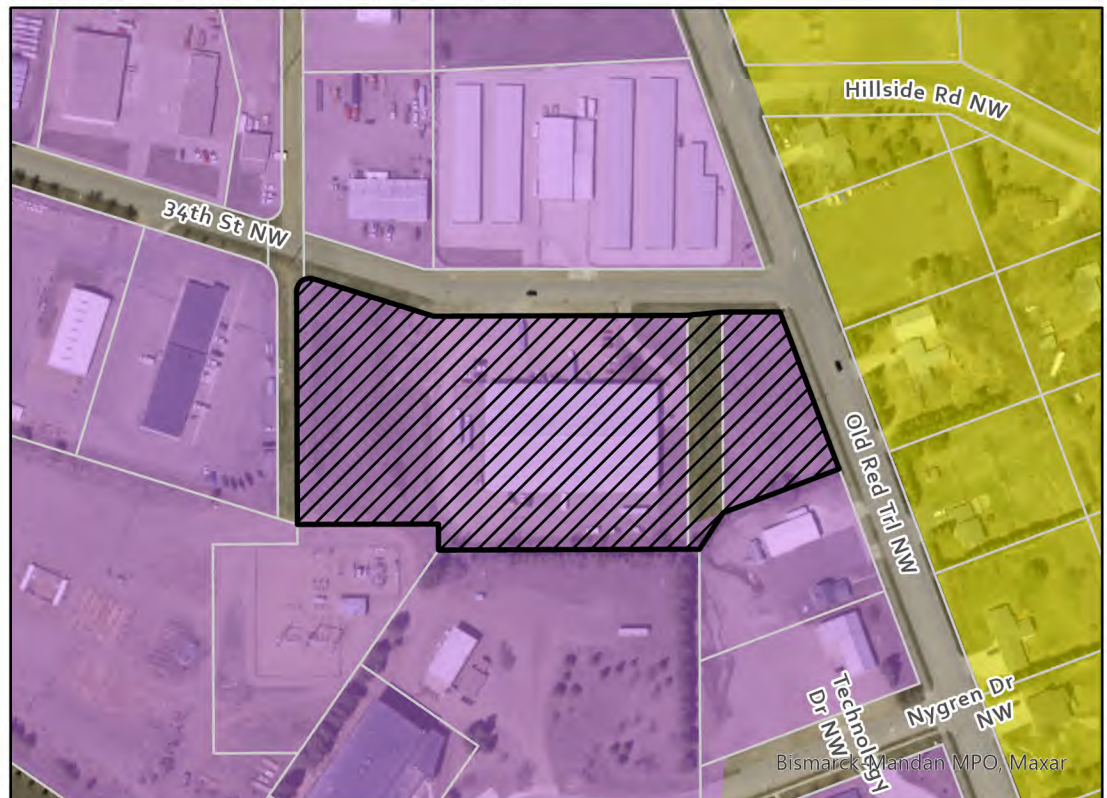
- | | |
|---|---|
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| CA - Neighborhood Commercial | PUD - Planned Unit Development |
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| DC - Downtown Core | RH - Residential Mobile Home Park |
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| | September '24 Planning Activities |



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 |
| Parcels |
| City Limits |
| ETA Line |
| September '24 Planning Activities |

Future Land Use Plan





Planning & Zoning Commission

Agenda Documentation

MEETING DATE: October 28, 2024
PREPARATION DATE: October 15, 2024
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Andrew Stromme
PRESENTER: Andrew Stromme, City Planner
SUBJECT: Consider a zone change from MA - Industrial to CB - Commercial for Helblings 7th Addition

STATEMENT/PURPOSE:

Consider a zone change from MA - Industrial to CB - Commercial for Helblings 7th Addition

BACKGROUND/ALTERNATIVES:

Overview of Request

Helbling Land Company requests a zone change for a portion of the property within Helbling 7th Addition. This request pertains to one of the lots included in the recently approved Helbling 7th Minor Plat, which was authorized by the City Commission. The plat has received conceptual approval for the use of a vacated right-of-way, but at this stage, the zone change requires additional action. While minor plats and right-of-way vacations are only addressed during City Commission meetings, a zone change necessitates separate notice and public hearings by both the Planning and Zoning and City Commissions.

Property Details and Zoning History

The property in question is Lot 8, Block 1, Helbling's 2nd Addition, which, along with Lots 9 and 1, Block 1, is being consolidated from three separate lots and an undeveloped right-of-way into one lot (Lot 1, Block 1, Helbling's 7th Addition). Historically, the area has featured two zoning distinctions: CB - Commercial on the east and west sides, and a narrow section of MA - Industrial. According to city records, these zoning classifications were applied in the 1980s. The property was developed in 1980.

Zone Change

City staff supports the proposed zone change as it simplifies the zoning designations for this property. Although the existing land use and proposed CB - Commercial zoning may initially seem in conflict with the current land use plan, which designates this

property as future medium-density residential, the change is justified when considered through a more granular planning perspective. The CB - Commercial zoning could accommodate future residential development on this lot, and the existing commercial use has the potential to serve the surrounding residential neighborhood. Staff affirms that there are no changes in land use proposed by this zone change, rather that this is a clean-up effort associated with a plat.

Additionally, the city's land use plan encourages the identification and creation of commercial nodes within residential areas, making this property an existing example of such integration.

To clarify city records, the vacated right-of-way along 5th Avenue SE, which borders both CB - Commercial and MA - Industrial zones, is included in the zone change ordinance. The portion adjacent to Lot 1 of Helblings 2nd Addition will be designated as CB - Commercial, while the portion next to Lot 2, currently zoned MA - Industrial, will be designated as MA - Industrial.

Adjacent Properties Zoning, Land Use, and Future Land Use

The properties to the south are zoned MC - Industrial and MA - Industrial, and are used for Retail and Service B. To the west, the properties are zoned R3.2 - Residential and used for low-density housing. To the north, the properties are zoned CC - Commercial, serving as convenience retail. To the east is a Manufactured Home Park, zoned MA - Industrial. The future land use plan calls for medium-density residential.

Findings of Fact

Zone Change

1. The City of Mandan and other agencies would be able to provide necessary public services, facilities and programs to serve the development allowed by this zone change;
2. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance;
3. The proposed zoning change is generally consistent with the Future Land Use Plan, other adopted plans and policies, and accepted planning practice;
4. The proposed zoning change would not adversely affect public health, safety and general welfare.

ATTACHMENTS:

1. Application
2. draft Ordinance
3. Helbling 7th Addition

4. Location Map

FISCAL IMPACT:

N/a

STAFF IMPACT:

N/a

LEGAL REVIEW:

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

RECOMMENDATION:

Staff recommends approval of the zone change from MA - Industrial to CB - Commercial for Helblings 7th Addition.

SUGGESTED MOTION:

I move to recommend approval of the zone change for Helblings 7th Addition.

CITY OF MANDAN	
Development Review Application	
☐ Minor Plat (\$300)	☒ Zone Change (\$600)
☐ Preliminary Plat up to 20 acres (\$400)	☐ Planned Unit Development (\$700)
☐ Preliminary Plat more than 20 acres (\$450)	☐ Land Use and Transportation Plan Amendment (\$1,000)
☐ Final Plat up to 20 lots (\$400)	☐ Vacation (\$500)
☐ Final Plat 21 to 40 lots (\$550)	☐ Variance (\$400)
☐ Final Plat more than 40 lots (\$700)	☐ 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)	
Summary of Request (Add separate sheet(s) as necessary)	
Combine 8 lots into 2 lots in Helbling's 2nd Addition & change zoning lines to match new lot lines	

Engineer/Surveyor			Property Owner or Applicant		
Name Mark R. Isaacs, RLS - ILSE, Inc.			Name L & H Manufacturing, Inc. & Helbling Land Company		
Address 4215 Old Red Trail NW			Address 410 6th Street SE		
City Mandan	State ND	Zip 58554	City Mandan	State ND	Zip 58554
email mark@ilsurveynd.com			email corralrv@midco.net		
Phone 701-595-2079		Fax	Phone 701-663-9538		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	☐ ETA	☐ New	☒ Addition	MA & CB	MA & CB	Helblings 7th Addition
Property Address				Legal Description		
612 3rd St. SE, Mandan, ND				Lots 1, 2, 3, 7, 8, 9, 10, & 12, Block 1 in		
Current Use						
Commercial				Helbling's 2nd Addition in the Northeast Quarter		
Proposed Use						
Commercial				Section 34	Township 139	Range 81
Parcel Size	Building Footprint	Stories	Building SF	Required Parking		Provided Parking
3.52 Acres						

Print Name	Signature	Date
Tim Helbling, Managing Partner for Helbling Land Co.	☒	
Donald W. Helbling, President L&H Manufacturing, Inc.	☒	DATE
Office Use Only		
Date Received:	Initials: <i>Ym</i>	Fees Paid: \$ 600.00
Notice in paper	Mailed to neighbors	Date 9-30-2024
☐ Approved	Approved with conditions:	
☐ Denied		

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 High Density Residential; and

WHEREAS, Adjacent properties to the north are zoned CB-Business, to the west zoned R3.2 - Residential, to the east zoned MA – Heavy Commercial/Light Industrial, and to the south MA – Heavy Commercial/Light Industrial. The MA – Heavy Commercial/Industrial zoning & CB - Business 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:

LOTS 1-3, 7-10, & 12, BLOCK 1, HELBLINGS 2ND ADDITION (TO BE PLATTED AS HELBLINGS 7TH ADDITION) OF SECTION 34, TOWNSHIP 139N, RANGE 81W, CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA:

SAID TRACT OF LAND CONTAINING 3.52 ACRES, MORE OR LESS.

- Lot 1, Block 1, Helblings 7th Addition shall be zoned CB – Business, and Lot 2, Block 1, Helblings 7th Addition shall be included in the MA – Heavy Commercial/Industrial District.

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

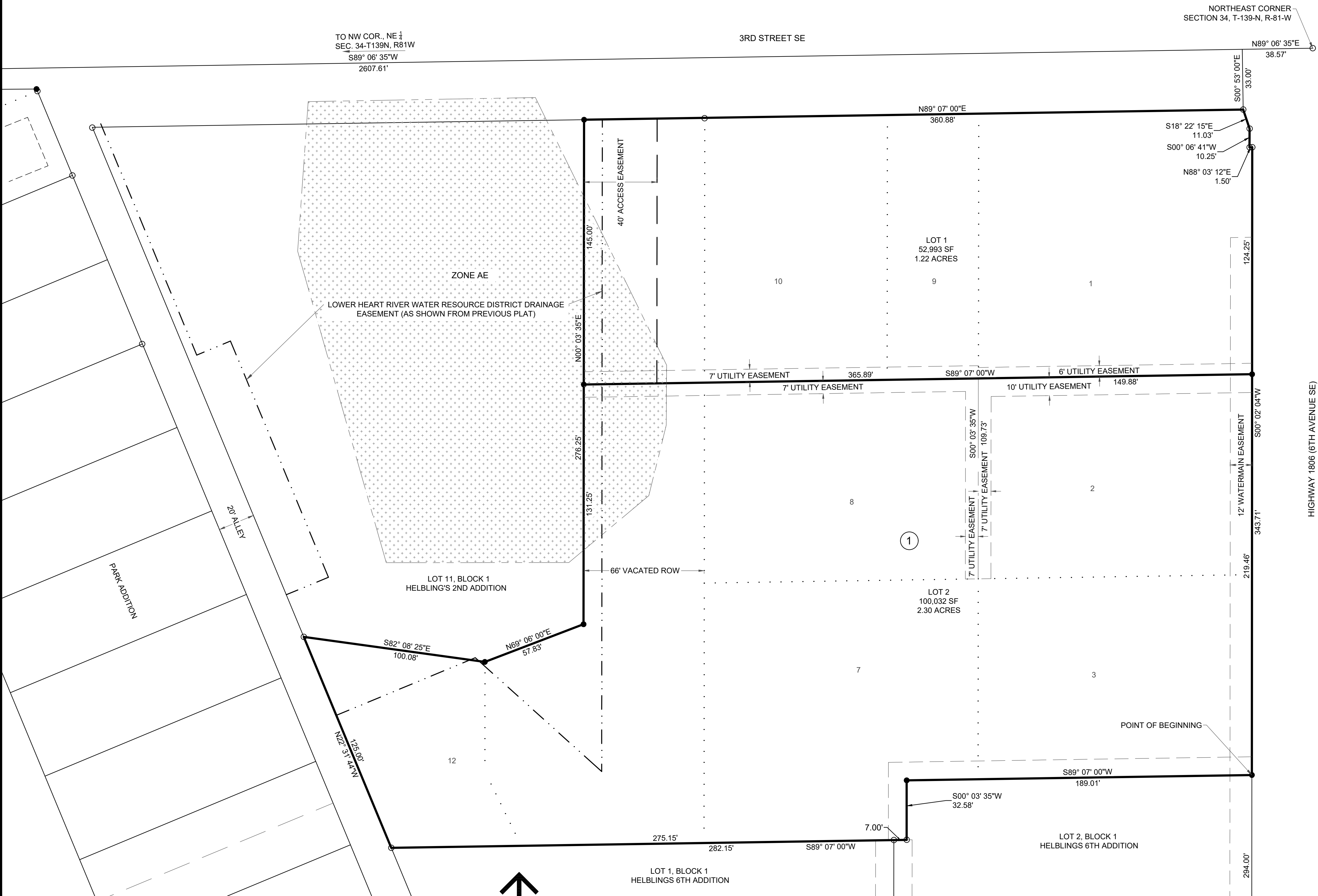
Attest:

Jim Neubauer
City Administrator

Planning and Zoning Commission:
First Consideration:
Second Consideration and Final Passage:

October 28, 2024
November 19, 2024
December 3, 2024

HELBLINGS 7TH ADDITION
TO THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA
LOTS 1, 2, 3, 7, 8, 9, 10, & 12, BLOCK 1 HELBLINGS 2ND ADDITION
AND VACATED RIGHT OF WAY ALL IN THE NE 1/4 OF SECTION 34, T139N, R81W

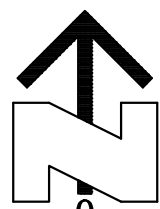


AREA TABLE

LOT 1	1.22 ACRES (52,993 SF)
LOT 2	2.30 ACRES (100,032 SF)
TOTAL	3.52 ACRES (153,025 SF)

LEGEND

- FOUND SURVEY MONUMENT
- SET CAPPED REBAR "LS-9628"
- VACATED LOT LINE



SCALE: 1" = 30'

DATE: AUGUST 28TH, 2024

VERTICAL DATUM - NAVD 1988.

BASED ON NORTH DAKOTA SOUTH ZONE-NAD83, INTERNATIONAL FEET.

MEASUREMENTS HAVE BEEN ESTABLISHED BY RTK FROM THE "BSMK" CORS STATION AND ARE REPORTED IN GRID.

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.
- THE 40' ACCESS EASEMENT IS FOR THE BENEFIT OF LOTS 1 AND 2, BLOCK 1.
- A PORTION THIS PROPERTY, SHOWN HEREON, IS SITUATED WITHIN "ZONE AE" OF THE 100 YEAR FLOOD PLAIN. FEMA PANEL 38059C0485E, EFFECTIVE DATE: OCTOBER 16, 2015. BASE FLOOD ELEVATION = 1635.

OWNER:
HELBLING LAND COMPANY
PO BOX 639
MANDAN, ND 58554

OWNER:
L & H MANUFACTURING, INC.
410 6TH STREET SE
MANDAN, ND 58554

SITE ADDRESS:
410 6TH STREET SE
MANDAN, ND 58554

PROPERTY DESCRIPTION

LOTS 1, 2, 3, 7, 8, 9, 10, AND 12, BLOCK 1 IN HELBLING'S 2ND ADDITION TO THE CITY OF MANDAN AND VACATED RIGHT OF WAY, ALL SITUATED IN THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 139 NORTH, RANGE 81 WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA MORE PARTICULARLY DESCRIBED AS FOLLOWS,

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 3; THENCE SOUTH 89° 07' 00" WEST A DISTANCE OF 189.01 FEET; THENCE SOUTH 00° 03' 35" WEST A DISTANCE OF 32.58 FEET; THENCE SOUTH 89° 07' 00" WEST A DISTANCE OF 282.15 FEET TO THE SOUTHWEST CORNER OF SAID LOT 12; THENCE NORTH 22° 31' 44" WEST ON THE WEST LINE OF SAID LOT 12 A DISTANCE OF 125.00 FEET TO THE SOUTH WEST CORNER OF LOT 11 IN HELBLING'S 2ND ADDITION; THENCE SOUTH 82° 08' 25" EAST A DISTANCE OF 100.08 FEET; THENCE NORTH 69° 06' 00" EAST A DISTANCE OF 57.83 FEET; THENCE NORTH 00° 03' 35" EAST A DISTANCE OF 276.25 FEET TO THE SOUTH RIGHT OF WAY OF 3RD STREET; THENCE NORTH 89° 07' 00" EAST ON SAID SOUTH LINE A DISTANCE OF 360.88 FEET TO THE WEST RIGHT OF WAY OF 6TH STREET; THENCE SOUTH 18° 22' 15" EAST ON SAID WEST RIGHT OF WAY LINE A DISTANCE OF 11.03 FEET; THENCE SOUTH 00° 06' 41" WEST ON SAID WEST RIGHT OF WAY LINE A DISTANCE OF 10.25 FEET; THENCE NORTH 88° 03' 12": EAST ON SAID WEST RIGHT OF WAY LINE A DISTANCE OF 1.50 FEET; THENCE SOUTH 00° 02' 04" WEST ON SAID WEST RIGHT OF WAY LINE A DISTANCE OF 343.71 FEET TO THE POINT OF BEGINNING, CONTAINING 3.52 ACRES (153,025 SQUARE FEET), MORE OR LESS.

SURVEYOR'S CERTIFICATE

I, MARK R. ISAACS, A NORTH DAKOTA REGISTERED LAND SURVEYOR NO. 9628, HEREBY CERTIFY THAT I HAVE CAUSED TO BE A SURVEYED BY MY FORCES UNDER MY SUPERVISION THE PROPERTY DESCRIBED HEREON AND I HAVE PREPARED THE ACCOMPANYING PLAT; FURTHER, THAT DISTANCES INDICATED HEREON ARE IN FEET AND HUNDREDTHS OF FEET THEREOF, AND BEARINGS ARE INDICATED IN QUADRANTS AND DEGREES, MINUTES, AND SECONDS THEREOF; FURTHER, THAT SAID PLAT DOES TRULY SHOW THE SURVEY TO THE BEST OF MY KNOWLEDGE AND BELIEF.

MARK R. ISAACS, RLS 9628

OWNER'S CERTIFICATE OF DEDICATION

WE, THE UNDERSIGNED, BEING SOLE OWNERS OF THE LAND PLATTED HEREON, DO HEREBY VOLUNTARILY CONSENT TO THE EXECUTION OF SAID PLAT AND DO DEDICATE ALL THE STREETS, ALLEYS, PARKS, AND PUBLIC GROUNDS AS SHOWN HEREON, INCLUDING ALL SEWERS, CULVERTS, BRIDGES, WATERLINES, SIDEWALKS, AND OTHER IMPROVEMENTS ON OR UNDER SUCH STREETS, ALLEYS OR OTHER PUBLIC GROUNDS, WHETHER SUCH IMPROVEMENTS ARE SHOWN HEREON OR NOT, TO PUBLIC USE FOREVER. WE ALSO DEDICATE EASEMENTS TO RUN WITH THE LANDS FOR WATER, SEWER, GAS, ELECTRICITY, TELEPHONE, OR OTHER PUBLIC UTILITY LINES OR SERVICES UNDER, ON OR OVER THESE CERTAIN STRIPS OF LAND DESIGNATION AS "UTILITY EASEMENT".

WE, DO HEREBY DEDICATE A 40 FOOT ACCESS EASEMENT FOR THE BENEFIT OF LOTS 1 AND 2, BLOCK 1, WHICH WILL RUN WITH THE LANDS.

DONALD W. HELBLING
L & H MANUFACTURING CO., INC.

TIM HELBLING, MANAGING PARTNER
HELBLING LAND COMPANY, LLP
LOT 1 & 2, BLOCK 1

SUBSCRIBED AND SWORN BEFORE ME, AND NOTARY PUBLIC, THIS ____ DAY OF _____, 20__.

_____, NOTARY PUBLIC.

APPROVAL OF THE BOARD OF CITY COMMISSIONERS

THE BOARD OF CITY COMMISSIONERS OF THE CITY OF MANDAN, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND SHOWN HEREON, HAS ACCEPTED THE DEDICATION OF ALL STREETS, ALLEYS, AND PUBLIC WAYS SHOWN HEREON LYING WITHIN THE CORPORATE LIMITS OF THE CITY OF MANDAN, HAS ACCEPTED THE DEDICATION OF ALL PARKS AND PUBLIC GROUNDS SHOWN HEREON, FURTHERMORE, SAID BOARD OF CITY COMMISSIONERS HAS APPROVED THE STREETS, ALLEYS, AND OTHER PUBLIC WAYS AND GROUNDS SHOWN HEREON AS AN AMENDMENT TO THE MASTER STREET PLAN OF THE CITY OF MANDAN, THE FOREGOING ACTION BY THE BOARD OF CITY COMMISSIONERS OF MANDAN, NORTH DAKOTA, HAS TAKEN BY RESOLUTION APPROVED THE ____ DAY OF _____, 20__.

JIM NEUBAUER - CITY ADMINISTRATOR

JAMES FROELICH - PRESIDENT OF THE BOARD
OF CITY COMMISSIONERS

I, JAREK WIGNESS, CITY ENGINEER FOR THE CITY OF MANDAN, NORTH DAKOTA, HEREBY APPROVES "HELBLINGS 7TH ADDITION" OF THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA AS SHOWN ON THE ANNEXED PLAT.

JAREK WIGNESS, PE

HELBLINGS 7TH ADDITION
LOTS 1,2,3,7,8,9,10,&12,BLOCK 1
HELBLINGS 2ND ADDITION
MANDAN, NORTH DAKOTA

SHEET: 1 OF 1 JOB NUMBER: 24019
SCALE: 1"= 30' DWG REVISION DATES
DRAWN BY: MRI
DWG DATE: 8/28/24
DWG NAME:24019 Helbling 7th Addition.dwg

Independent
Land
Surveying &
Engineering

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



Zoning and Future Land Use Reference Map

Helbling 7th

Zoning

Zoning Map Key

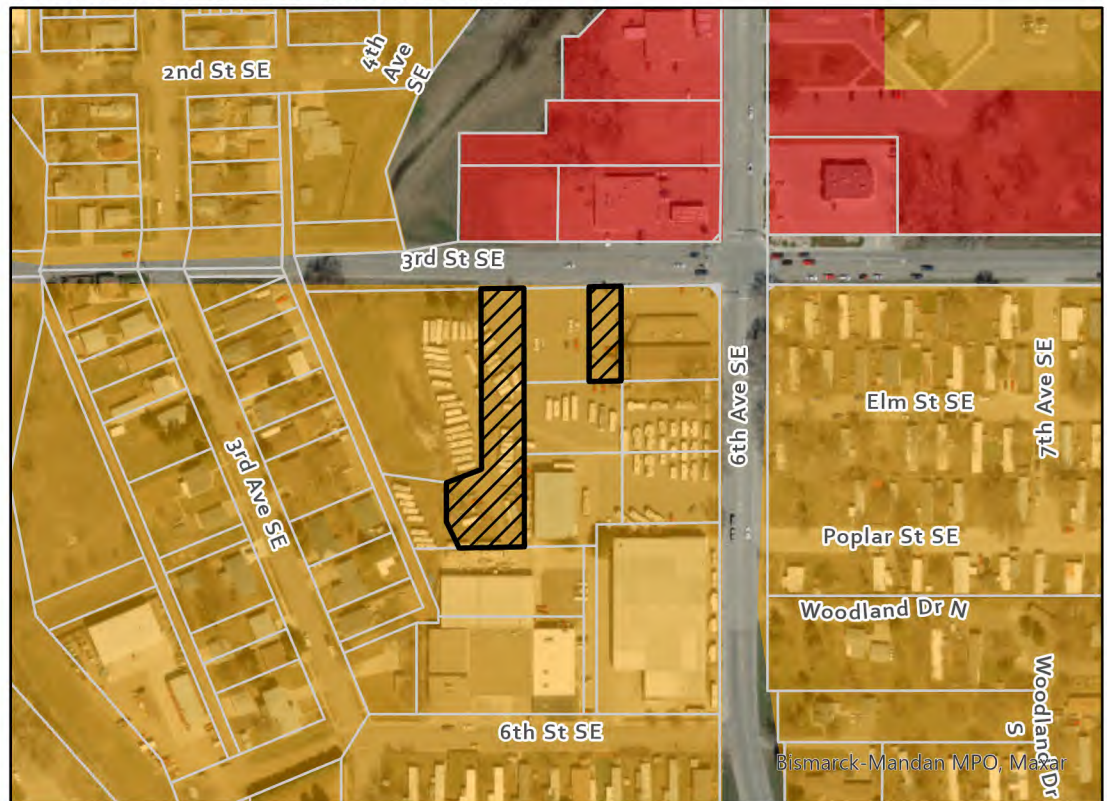
- Agriculture - City of Mandan
- Agriculture - Morton County
- CA - Neighborhood Commercial
- CB - Business Commercial
- CC - Commercial/Light Industrial Transition
- DC - Downtown Core
- DF - Downtown Fringe
- Industrial - Morton County
- LSMHS - Trailer Park Subdivision
- MA - Heavy Commercial/Light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



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
- Parcels
- City Limits
- ETA Line
- Zone Change Area

Future Land Use Plan



To: City of Mandan Planning and Zoning Commissioners
From: Rachel Lukaszewski, Executive Director – Bis-Man MPO
Jason Carbee, Project Manager – HDR
Date: October 16, 2024
Re: Review and Resolution of Receipt for Arrive 2050 (BMMPO
2025-2050 Metropolitan Transportation Plan)

Introduction

Arrive 2050 is the Metropolitan Transportation Plan (MTP) for the Bismarck-Mandan Metropolitan Planning Organization (BMMPO), which includes the City of Bismarck, City of Mandan, City of Lincoln, Burleigh County, and Morton County. As a long-range planning tool, it covers a planning horizon for the future 25 years. Attached to this memorandum is an Executive Summary for the Arrive 2050 MTP. Also, the full document may be accessed from the study website, Arrive2050.com. **The BMMPO, and their consultant HDR, request a public hearing and the opportunity to present the final Arrive 2050 MTP to the Mandan Planning and Zoning Commission at their October 28, 2024 meeting.**

Summary

Arrive 2050 is designed to help the BMMPO and local jurisdictions meet current and future transportation needs and to gauge the success of these efforts with established performance measures. Arrive 2050 will guide the development of multimodal transportation systems throughout the Bismarck-Mandan metropolitan area for the next 5 years. It will be used to prioritize federal transportation spending throughout this period, and as such, it is vitally important that the plan reflect the choices and needs of the Bismarck-Mandan metropolitan area's residents, workers, and visitors. Since transportation has a broad impact on society, long-range transportation planning must consider concerns, such as impact upon the environment, land use, and economic development, in addition to traditional transportation-related issues, such as mobility and safety.

Plan Development Process

Development of Arrive 2050 includes the following key processes:

- Identify the baseline and future conditions based on historic growth and development, analyze the region's transportation system, and evaluate existing issues and needs.
- Create a transportation vision, goals, and objectives to guide the development.
- Establish a fiscal constraint.
- Evaluate options and alternatives that will address the region's transportation issues and needs and help meet the overall transportation vision for Bismarck-Mandan.
- Prioritize projects based on need, fiscal constraint and timeline for implementation.
- Plan review and approval by the Bismarck-Mandan MPO's Policy Board.

Public Engagement

The development of Arrive 2050 was conducted with a pro-active public involvement process. BMMPO staff also worked cooperatively with decision-makers of its member jurisdictions, the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), the North Dakota Department of Transportation (NDDOT), and the public to execute a continuous, cooperative, and comprehensive planning process and develop the highest quality public investment plan for our region.

A steering committee was established to provide technical direction and guidance of the Metropolitan Transportation Plan (MTP) development. Representation on the committee included:

- City of Bismarck
- City of Mandan
- City of Lincoln
- Burleigh County
- Morton County
- Federal Transit Administration
- Federal Highway Administration
- North Dakota Department of Transportation

Four rounds of public input opportunity were held at strategic phases of the MTP development process. Each phase was structured to ensure inputs from the public would support key elements of the Arrive 2050 MTP. Additional tools such as a project web page and social media were executed to engage the public and key stakeholders.

Vision, Goals, Objectives & Performance Measures

The future of the transportation system in the Bismarck-Mandan metropolitan area will be driven by the vision, goals, objectives, and performance measures developed for Arrive 2050. The goals developed for Arrive 2050 reflect guidance from MAP-21 planning factors, MAP-21 and FAST Act National Performance Goals, the Bipartisan Infrastructure Legislation, current Federal Planning Emphasis Areas, the NDDOT statewide transportation plan, and input from project stakeholders and community outreach.

Constrained & Prioritized Plan

Development of the project list for Arrive 2050 is based on an established fiscal constraint agreed to between the Bismarck-Mandan MPO and NDDOT. All projects were prioritized through a process which balanced technical analysis, public input, project needs and feasibility. These elements were used to determine which projects would be selected for the constrained funding plan and in what period the project(s) would be proposed (short, mid, or long-range).

Requested Action:

The Bismarck-Mandan MPO requests a motion to recommend approve of Arrive 2050, the 2025-2050 Metropolitan Transportation Plan, by Resolution of Adoption.



ARRIVE 2050

METROPOLITAN
TRANSPORTATION PLAN

Executive
Summary
October 2024





The Metropolitan Transportation Plan

The MTP is the MPO's road map for navigating the region's future multimodal transportation system. The plan reflects local conditions and assesses the performance of the Bismarck-Mandan region's transportation system while meeting the metropolitan transportation planning requirements of the Bipartisan Infrastructure Law. Under these requirements, the MTP:

- Must be updated every 5 years;
- Must be fiscally constrained;
- Utilizes a planning horizon of at least 20 years;
- Consults local agencies, NDDOT, Federal Highway Administration (FHWA), and Federal Transit Administration (FTA);
- Is a performance-based plan that guides progress toward regional performance measures and targets while supporting state performance targets.

Arrive 2050 builds off the 2045 MTP to continue transportation planning in the Bismarck-Mandan region while incorporating the findings and recommendations of plans and studies that have been completed since the publication of the 2045 MTP. The plan was developed in accordance with Bismarck-Mandan MPO's Public Participation Plan to ensure proactive public involvement throughout the MTP development process.

The Metropolitan Transportation Planning Process

Federal regulations related to metropolitan transportation planning require MPOs to develop four key documents (listed below) to ensure transportation planning in the region is performance based, multimodal, continuous, cooperative, and comprehensive.

Metropolitan Transportation Plan (MTP)



Guides the development of the area's transportation system over the next 20+ years. The MTP is required to be updated every 5 years for the MPO to maintain eligibility for federal transportation dollars. The MTP addresses transportation system needs and provides a set of methods, strategies, and actions for developing an integrated multimodal system that supports the efficient movement of people and goods, including pedestrians, bicyclists, automobile drivers, transit users, and freight shippers.

Transportation Improvement Program (TIP)



Identifies federally funded transportation improvements in the area over a 4-year time frame. Federal regulations require each MPO to develop a TIP for projects using federal transportation funding sources. The TIP is developed on an annual basis in cooperation with MPO area member jurisdictions, transit providers, and NDDOT.

Unified Planning Work Program



Describes the multimodal transportation planning projects to be conducted in the Bismarck-Mandan MPO area in any specified 2-year period. This biennial document is the foundation for requesting federal funds and a control tool for scheduling, budgeting, and monitoring the transportation planning process.

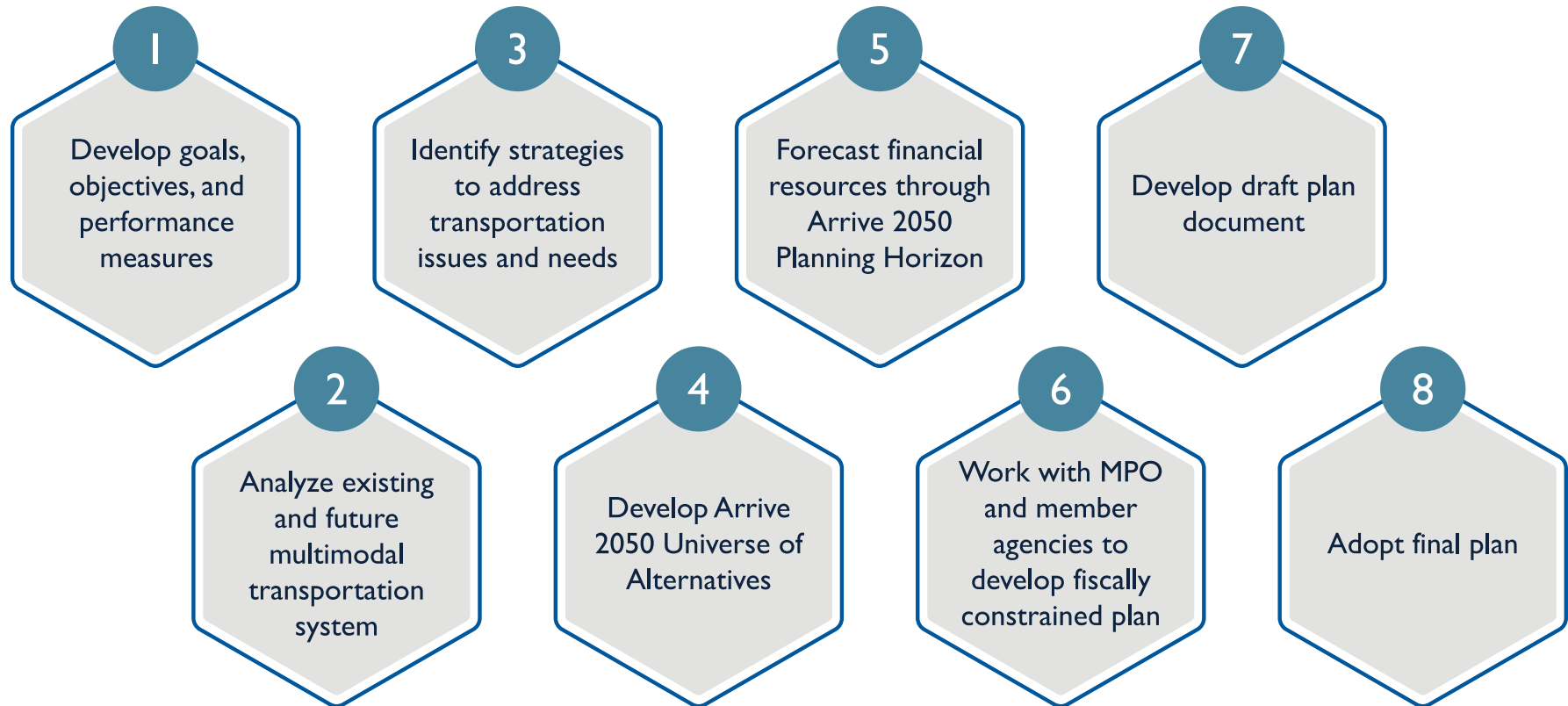
Public Participation Plan



Identifies the role of the MPO regarding public participation and provides guidelines to be followed in achieving public involvement through advertising, public meetings, hearings, and other relevant forums.



The Arrive 2050 Process





Arrive 2050 Goals



Safety



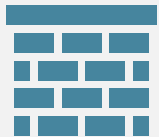
Maintenance



Economic



Forward-Thinking



Resilient



Active Transportation
and Transit



Efficiency and
Reliability



Equity



Public Engagement

Public engagement is a key driver of Arrive 2050 and was ongoing throughout the plan's development. Public engagement is critical to the transportation planning process. Public engagement activities held as a part of Arrive 2050 include:

Arrive 2050 Website



Online Surveys



Public Open Houses



Arrive 2050 Steering Committee



Stakeholder Meetings



MPO TAC, MPO Policy Board, and NDDOT Management Committee Updates



Public Open Houses

A series of public open houses were held at various milestones during the development of Arrive 2050:

Public Open House #1

November 2023

Gathered input on:

Arrive 2050 goals and priorities
Existing transportation system issues and needs

Public Open House #2

May 2024

Gathered input on:

Potential future transportation strategies and projects

Public Open House #3

July 2024

Provide opportunity for residents to share input on prioritizing Arrive 2050 projects

Public Open House #4

September 2024

Provide opportunity for residents to review draft Arrive 2050 MTP



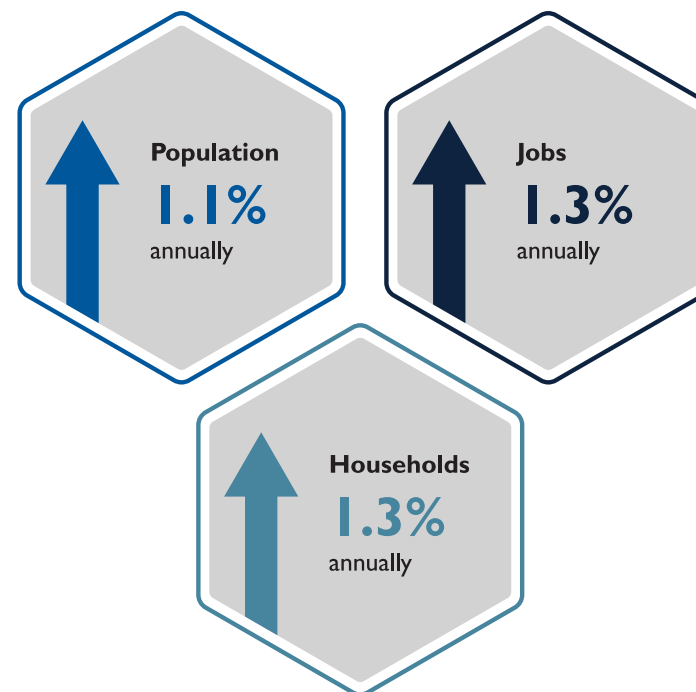
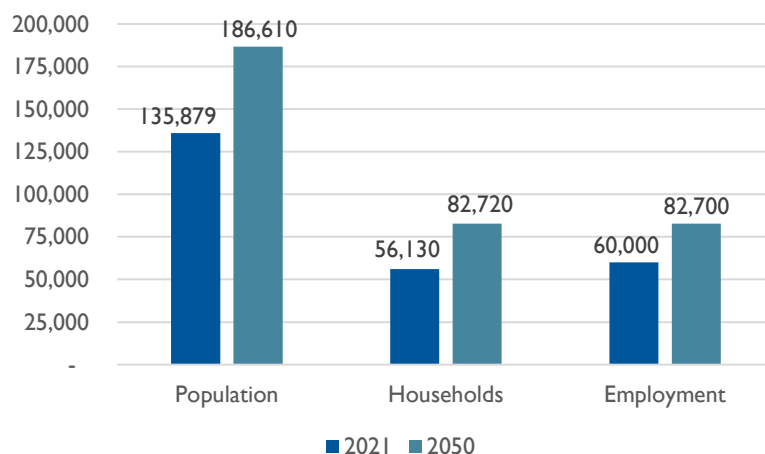
Baseline Transportation System Performance – Summary of Issues and Needs

	Safety	Frequent crashes occur along the MPO's higher-volume arterial roadway network; crashes resulting in serious injury have increased in the region.
	Traffic Operations	AM and PM peak hour congestion today due to high numbers of road users, future growth expected to lead to additional congestion.
	Freight	The presence of high freight-generating land uses in eastern and southern Bismarck highlights the need to provide efficient connections among freight destinations and the region's highways and interstate system.
	Bicycle Pedestrian System	The existing bicycle and pedestrian network provides a strong foundation for future expansion that can enhance system connectivity while providing increased access to community destinations.
	Transit Services	Transit ridership saw a significant decline in 2020, and ridership has begun to trend toward pre-2020 levels. Investment in transit-supportive improvements will encourage additional ridership in the future.
	Pavement Conditions	Continued investment and management of the MPO's pavement assets can address pavement deficiencies while preventing a decline in conditions that would result in deterioration beyond an acceptable level.
	Bridge Conditions	Several bridges are in poor condition, while others exhibit functional deficiencies that impact their ability to support usage by all types of vehicles. Improving these structurally and functionally deficient bridges can prevent load restrictions and/or closures in the future.
	Cross-area Travel	Cross-area travel and mobility has been identified as a significant issue, specifically north-south travel in Bismarck and east-west travel in Mandan. Barriers to continuous corridors and arterial access levels are some of the cross-area travel issues.



Growth and Performance of the Future Transportation System

Based on anticipated growth trends for the MPO Area's household and employment levels, overall future travel conditions through the year 2050 were analyzed. This analysis resulted in the evaluation of key transportation performance measures and anticipated future issues.



Daily Trips



48% increase

Vehicle Miles Traveled



60% increase

Vehicle Hours Traveled



79% increase

Average Trip Length (miles)



8% increase

Average Travel Speed (miles per hour)

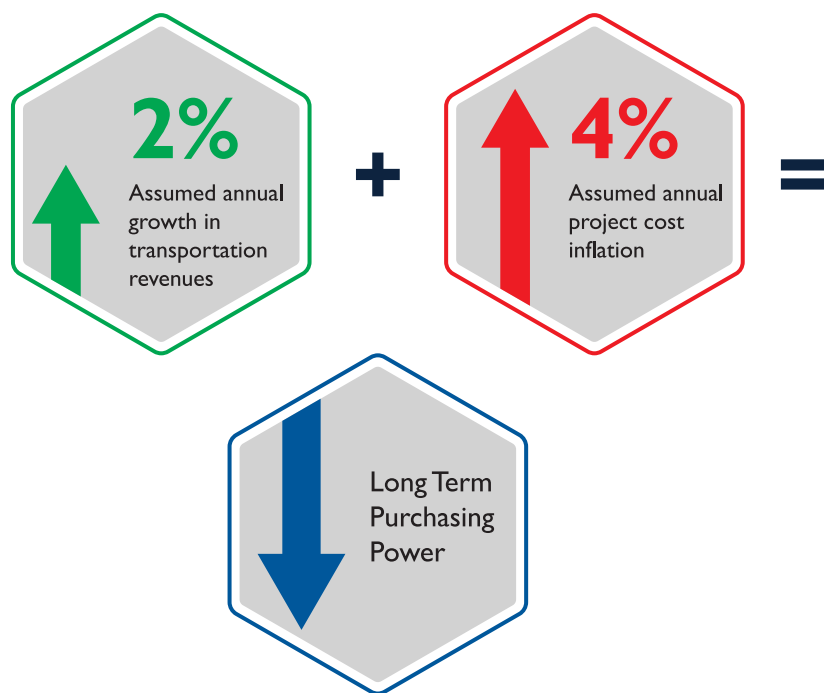


11% decrease



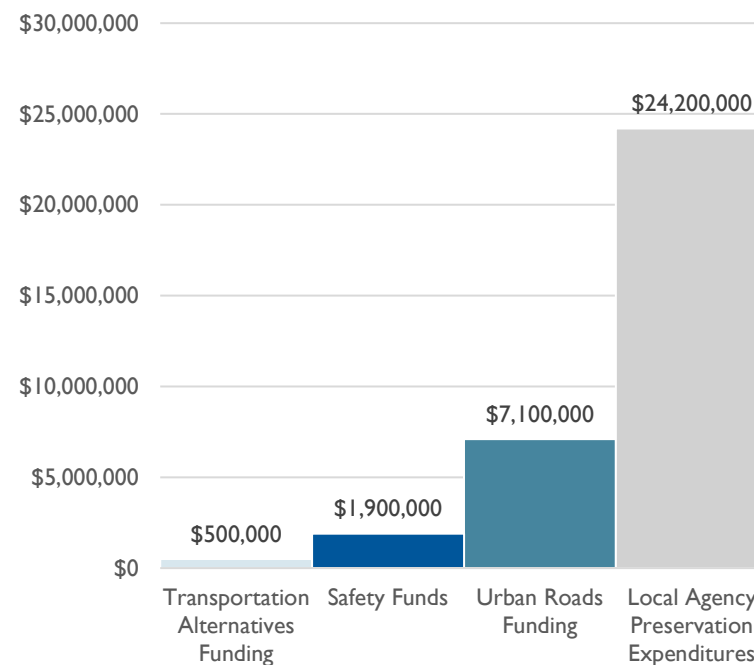
Arrive 2050 Funding Plan

Projected Future Funding Levels - The Arrive 2050 Plan is fiscally constrained. This means that we have estimated future transportation funding levels and evaluated transportation needs to create a plan that we can reasonably afford.



Annual future funding levels for the MPO's key transportation programs were forecasted through the year 2050 to understand the revenue levels the agency can reasonably expect through the life of Arrive 2050. These funds are federally-sourced and allocated to the MPO on an annual basis:

Annual Funding Levels for Transportation



Fiscally Constrained Plan

The Arrive 2050 plan evaluated available funding, anticipated needs to maintain the existing system, and the priorities for the transportation system to identify a fiscally constrained plan. There are numerous other priority projects that do not fit within current funding sources that the MPO and its partners will continue to look for opportunities to implement. The map below shows the range of project types that are part of the Arrive 2050 plan.

METROPOLITAN
TRANSPORTATION PLAN

Resolution of Adoption

For the 2025-2050 Bismarck-Mandan
Metropolitan Transportation Plan

Whereas, the U.S. Department of Transportation requires the development, approval, and maintenance of a Metropolitan Transportation Plan for the Bismarck-Mandan Metropolitan Planning Organization (MPO) as a condition of Federal transportation funding; and

Whereas, the MPO has been designated by the Governor of North Dakota as the organization responsible for preparing and maintaining the Metropolitan Transportation Plan; and

Whereas, the MPO after an extensive public and stakeholder involvement process and substantial consideration of technical, environmental, financial, and social factors has prepared the 2025-2050 Metropolitan Transportation Plan which is in compliance with Federal and State transportation planning guidance; and

Whereas, City of Mandan staff has actively participated in Plan development and has had the opportunity to review the 2020-2045 Metropolitan Transportation Plan, and any comments received have been addressed within the Plan; and

Whereas, all relevant State and Federal agencies have had the opportunity to review the Plan and any comments received have been addressed within the Plan; and

Whereas, notice was published for a public hearing in accordance with the MPO Public Participation Plan, and the Mandan Planning Commission held a public hearing on the 2025-2050 Metropolitan Transportation Plan and has approved it as a guide for their future planning and development policies, and has recommended it to the Mandan City Commission; and

Now Therefore be it Resolved, by the Mandan City Commission that it adopts the 2025-2050 Metropolitan Transportation Plan; and

Be It Further Resolved, that City of Mandan staff is directed to implement or support the 2025-2050 Metropolitan Transportation Plan.

CERTIFICATE

The undersigned representatives of the City of Mandan certify that the forgoing is true and correct copy of a Resolution, adopted at a legally convened meeting of the Mandan City Commission held on December 3, 2024.

By: _____

James Froelich
President, Mandan City Commission

Date

Attest: _____

Jim Neubauer
Administrator, City of Mandan

Date