



AGENDA
PLANNING & ZONING COMMISSION
DECEMBER 18, 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. November 25, 2024 Minutes

C. PUBLIC HEARINGS

1. Consider a request for a final plat for JR's Estates 2nd Addition.
Staff Recommendation: To recommend approval of the final plat of JR's Estates 2nd Addition.
2. Consider a request for a special use permit for Discovery Kids childcare center for Lot 5, Block 1, Eastwood Acres 4th Add.
Staff Recommendation: To recommend approval of the special use permit for Discovery Kids childcare center with conditions.

3. Consider HRTWC Preliminary Plat

Staff Recommendation: To recommend approval of the preliminary plat.

D. OTHER BUSINESS

1. Appoint 2025 Chair, Vice Chair and Secretary.
2. Schedule 2025 meetings.

E. ADJOURN

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

B. CONSIDER APPROVAL OF MINUTES

1. *October 28, 2024 Minutes. Commissioner Smith motioned to approve the October 28, 2024 minutes. Commissioner Buchmiller seconded the motion. Upon vote, the motion passed unanimously.*

C. PUBLIC HEARINGS

1. *Consider a request for a preliminary plat for JRs Estates 2nd Add.*

Staff recommendation: To approve the preliminary plat for JRs Estates 2nd Add.. City Principal Planner Stromme presented.

Arlen Ruff and Laureen Bryan and Swanberg Morton, LLP, requested consideration for a preliminary plat to be titled JRs Estates 2nd Addition. The purpose of the plat is to facilitate a small ownership transfer between the parties. Said property is located in west Mandan, southwest of Lohstreter Road NW at 2003 Bruley Road NW.

Property History

The subdivision Replat of Lohstreter's First Addition was approved in 1976, with Lot 1, Block 5 being divided into two after the plat's approval. A home was built on the subject property, Lot 1 less the east 75 feet, in 1991. In 2024, a retaining wall on the property was upgraded. To reflect the retaining wall's location, this preliminary plat has been prepared to facilitate the land's ownership transfer. City records indicate that JRs Estates was platted in 2007 with the purpose being to construct a barn.

Preliminary Plat

The preliminary plat covers 51.23 acres of land but primarily focuses on a small, 2,555sf portion of the property where ownership was transferred between Ruff/Bryan and Swanberg Morton LLP, located near Lot 1, Block 1. The requirement for this item to be processed as a preliminary and final plat is due to its size in acres as being associated with the larger property to the west. MDU has an overhead power line on the property and it is shown in an easement on the plat.

Adjacent Properties Zoning, Land Use, and Future Land Use

The property is zoned R7 - Residential (as rezoning to R7 was a previous practice associated with annexation). Adjacent properties to the east and south are zoned R7-single family residential. To the north and west Ag - agriculture. The future land use plan designates this area as low density residential.

Additional Information and Public Outreach

- The application was received on October 21, 2024.
- This item was published in the Mandan News as required. Twenty-seven (27) letters were sent to adjacent property owners on November 7, 2024.

Staff comments:

- This plat serves as a reconfiguration and is not intended to facilitate land development. Rather, it

enables an ownership transfer between two parties, requiring survey work to define and plat newly described and reconfigured properties.

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 recommends approval of the preliminary plat for JRs Estates 2nd Addition.

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 preliminary plat for JRs Estates 2nd Addition. A second invitation was given to come forward to speak.

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 a request for a preliminary plat for JRs Estates 2nd Addition. Commissioner Hammond seconded the motion. Chair Robinson called for a roll call vote: Huber: Yes; Mudder: Yes; Mayor Froelich: Yes; Intveld: Yes; McLean: Yes; Buchmiller: Yes;

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

2. *Consider Cove at Lakewood PUD Amendment.* City Principal Planner Stromme presented.

VE Land Company, represented by Arthur Goldammer, requests consideration of a PUD (Planned Unit Development) amendment for the Cove at Lakewood development. The proposed amendment revises the development plan, changing the plan from detached individual commercial structures to attached multi-use shops. The property is situated in southeast Mandan, west of 40th Avenue SE and south of 21st Street SE. Its legal description is Lots 1-3, Block 1, Cove at Lakewood Addition to the City of Mandan, Morton County, North Dakota.

Overview of Request

The developer proposed a new development plan consisting of a mix of attached multi-use shop units, including two single-story buildings and four two-story shop buildings, along with two standalone office/commercial buildings currently planned as a salon and an animal rescue facility.

Property Details and Zoning History

The Cove at Lakewood Plat was approved at the May 16, 2023 City Commission meeting. A previous PUD Amendment, to enable the most recent development plan (for detached business suites), was approved by the City Commission in April. Previously, the properties were included in a similar development proposal, and before that, they were part of oversized stormwater and amenity ponds tied to an earlier development plan.

This PUD amendment primarily relates to building form/appearance and development intensity, and there are no uses proposed as part of this development that were not approved in the 2020 Ordinance. The most recent plan was for twenty-three (23) detached structures comprising a mix of single and two-story buildings. The revised layout includes thirty-one (31) attached units, consisting of two single-story buildings with five (5) units each and five (5) two-story shop buildings, ranging between three (3) and five (5) units per building.

Multi-use shops typically require special use permits, which are intended to provide a higher level of review and ensure greater control over project outcomes. The review process for the proposed development aligns closely with the scope and criteria of a special use permit. However, given that the project has been part of a Planned Unit Development (PUD) for an extended period, and that only portions of the project are multi-use shops, staff determined that it would be more appropriate to continue treating the project and its review as an amendment to the existing PUD, rather than introducing special use permitting at this stage. The review criteria for multi-use shops were used in the evaluation of this project. Specific standards requested by the applicant to be added that were not adopted into the PUD Ordinance in 2020 relate to parking and setbacks. The general intent of the amendment is to update legal descriptions (lot numbers) to match the PUD.

Uses included in the Planned Unit Development Ordinance include:

- Multi-family (permitted if in an approved residential structure - no residential uses permitted in multi-use shop structures).
- Retail group A
- Office-bank group

- Service group A
- Service group B
- Health-medical group
- Education group

Elevations and renderings of the proposed structures to be developed on this property, and a draft of the PUD Amendment Ordinance, are available in the attachments to this agenda document.

Multi-Use Shop Review

Multi-use shops are generally permitted when the following conditions have been met.

- (1) Each individual unit within the structure shall have an open space/yard or public way on no more than three sides.
- (2) Each individual unit within the structure shall have its own separate means of egress.
- (3) Such units shall only contain group business, factory, mercantile, or storage occupancy classifications as set forth by Section 3 of the North Dakota State Building Code.
- (4) Uses, whether commercial or accessory to residential, shall be declared at the time of the conditional use permit issuance. No change in use may be conducted unless reevaluated through the special use permitting process and the structure meets all building code requirements for the desired change of use.
- (5) Traditional mixed-use (residential and commercial combined) multi-use shops shall not be permitted. The declaration of either commercial or accessory to residential shall apply to all units within the structure and the structure will be constructed according to the minimum standards of the building code for the declared use.
- (6) Minimum off-street parking requirements shall be planned and provided for based on the declared uses. Any inadequate provision of parking within the development for a combination of uses may result in the revocation of the special use permit.
- (7) Each structure shall be limited to one curb stop accessible by city staff.
- (8) The declaration of commercial or accessory to residential shall in no way affect the way valuation, special assessments, utility rates, and other city fees are determined. These shall remain determined by separate city policy.
- (9) Covenants, conditions, and restrictions (CC&Rs) or another form of recorded agreement approved by the city attorney shall set out, at a minimum, provisions for access and responsibility for costs of inspections related to the fire suppression system, if any.
- (10) For the city's utility billing purposes, a recorded development association or another form of recorded agreement approved by the city attorney is required if any of the individual units within the development are not owned by the same owner of the development. The recorded development association or recorded agreement shall set out, at a minimum, the allocation of costs and statement of understanding of the collective responsibility of owners for payment of city utilities. If a recorded development association or another form of recorded agreement approved by the city attorney is in place, the city will issue one utility bill per month to one owner or representative of the structure for the entire structure's base charges and consumption or usage. The monthly utility bill will not be sent to each individual owner within the structure. If ownership is divided after a special use permit has been obtained, the property owner shall furnish a copy of said recorded agreement to the city showing it meets this provision.

Staff is directed to review multi-use shop projects with the following criteria in mind.

- a. The proposed use is in harmony with the purpose and intent of this chapter. The proposed use aligns

with the overarching goals and objectives of the zoning ordinance in its adherence to minimum development requirements and comprehensive submittal.

- b. The proposed use is not in conflict with the adopted comprehensive plan of the city. The proposal generally adheres to the city's comprehensive plan and is not in conflict with its planning priorities.
- c. The proposed use will not adversely affect the health, safety, and general welfare of the public and the workers and residents in the area. Based on accommodations made to provide adequate off-street parking, fire safety, and landscaping, this project is not likely to adversely affect the health, safety, or general welfare of the public, workers, and residents in the vicinity of the project area.
- d. The proposed use will not be detrimental to the use or development of adjacent properties or of the surrounding neighborhood. The proposal complements the character and uses of the surrounding area.
- e. The proposed use meets all appropriate regulations for the district in which it will be located. The proposed development complies with zoning and district-specific regulations.
- f. The proposed use will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of importance to the community. This project is not located in an area where natural, scenic or historic features of importance to the community have been identified.
- g. The proposed use includes adequate screening or buffering to compensate for any departure that the proposed use has from existing adjacent uses. The project utilizes a mix of land-use transitions and open space, in addition to landscaping, to act as screening or buffering to account for the transition in land use from the subject property to adjoining uses.
- h. The proposed use includes adequate provisions for those individuals who are mobility impaired. The design accounts for this in the use of ADA-spaces and sidewalk connections to the property.

Staff Comments

- Staff recommends that signage and lighting be restricted from being placed on the rear or side of buildings as a means to mitigate potential negative impacts of commercial development adjacent to lower-density residential.
- Staff recommends that parking intended to fulfill handicap space requirements be positioned away from overhead doors to ensure its availability is not hindered by the need to provide access inside to shop spaces.
- Minimum off-street parking requirements are met by the proposed site plan. It is possible that additional off-street parking will be contained within the individual shop units themselves.
- Staff recommends that any proposed signage allowances for the two-story units be shared with Mandan Architecture Review Commission for their review and approval.

Agency & Other Department Comments

- The City Building Inspections Department advised the applicant on steps necessary to develop in accordance with the City Floodplain Development Ordinance which will involve a LOMR-F.
- The City Assessing Department requests that the condominium agreements filed with Morton County be updated to reflect the new legal descriptions and to include clearer language regarding each condominium's share of undivided interest in Stormwater Lot 3, Block 1.
- 162 letters were sent to adjoining property owners notifying of this request. As of the writing of this report, two statements in objection to the proposed development have been received.
- Development on this property will be subject to a development agreement with the City of Mandan. A previously approved development agreement will be updated for this purpose.
- A sidewalk and boulevard trees will be required along 21st Street SE.
- Lot 3, Block 1 (storm water lot) must be held in undivided interest by the developable lots in this

subdivision plat.

Adjacent Properties Zoning, Land Use, and Future Land Use

Adjacent properties are zoned PUD (Ords. 1216, 1250, 1355) and have been developed with low-density residential, high-density residential, and multi-use shops. Although the 2015 Future Land Use Plan recommended industrial uses on this property, staff would not support that due to the character of development in the area of the proposed development.

Additional Information and Public Outreach

- An application was received on October 25, 2024.
- This item was advertised as a public hearing in the Mandan News, and seventy (70) letters were mailed to adjacent property owners on November 7, 2024.

Findings of Fact

PUD Amendment

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 PUD Amendment;
2. The proposed PUD Amendment is consistent with the general intent and purpose of the zoning ordinance;
3. The proposed PUD Amendment is consistent with the Future Land Use Plan, other adopted plans and policies, and accepted planning practice;
4. The proposed PUD Amendment would not adversely affect public health, safety and general welfare.

Planner Stromme recommended approval of the PUD Amendment for Cove at Lakewood Addition.

Commissioner Huber inquired about the nature of the two statements and objections received. Planner Stromme stated those were carried over from a previous time that this PUD was first introduced. He said he does not recall receiving any recent comments on this matter. The staff report was updated from the previous report. He said the comments were related to traffic concerns on 21st Street and the animal rescue was proposed that addressed animal barking and things of that nature.

Commissioner Mudder voiced concern about a water retention (pond), is there a minimum distance or worry about an under-toe or anything such as that? Planner Stromme replied regarding building placement, the previous PUD and this version of the PUD would permit the buildings to be placed 5-feet from the rear lot line. They will be further away from the rear lot line. He said at the time this application was submitted the applicant was working with a professional engineer regarding the placement of fill to be placed and storm water capacity of the pond. Those are checked at the start of the project regarding quality, compaction, and things like that.

Commissioner Gardner requested a comparison of the previous PUD request and any major differences that have changed between the two. Planner Stromme stated that the most significant change would be that the previous development was going to call for a mix of detached single and two story shops with varying architectural styles. The biggest change is they are going from twenty-three (23) detached units to thirty-one (31) attached units. The uses that are allowed will be the same.

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 PUD Amendment for Cove at Lakewood Addition. A second invitation was given to come forward to speak.

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 PUD Amendment for Cove at Lakewood Addition. Commissioner Gardner seconded the motion. Chair Robinson called for a roll call vote: Huber: Yes; Mudder: Yes; Mayor Froelich: Yes; Intveld: Yes; McLean: Yes; Buchmiller: Yes; Smith: Yes; Hammond: Yes; Gardner: Yes; Robinson: Yes. The motion passed.

D. OTHER BUSINESS

Planner Stromme announced that December's meeting will be on Wednesday, December 18, 2024 at 5:30 p.m. He requested that members bring their 2025 calendars as meeting dates will be set for the upcoming year. In addition, there are several applications that will be brought forward for review.

Planner Stromme provided an update on the new Zoning Code document. He said that some adjustments have been made to the project, budget and scope geared towards an engineer and developer kind-of targeted engagement.

E. ADJOURN

There being no further business to discuss or come before the Board, a motion was made by Commissioner Mudder and seconded by Commissioner Hammond to adjourn the meeting. Upon vote, the motion passed unanimously.

The meeting adjourned at 5:53 p.m.



Planning & Zoning Commission

Agenda Documentation

MEETING DATE: December 18, 2024
PREPARATION DATE: December 5, 2024
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Andrew Stromme
PRESENTER: Andrew Stromme, City Planner
SUBJECT: Consider a request for a final plat for JR's Estates 2nd Addition.

STATEMENT/PURPOSE:

Consider a request for a final plat for JR's Estates 2nd Addition.

BACKGROUND/ALTERNATIVES:

Arlen Ruff and Laureen Bryan and Swanberg Morton, LLP, request consideration for a final plat to be titled JR's Estates 2nd Addition. The purpose of the plat is to facilitate a small ownership transfer between the parties. Said property is located in west Mandan, southwst of Lohstreter Road NW at 2003 Bruley Road NW.

Property History

The subdivision Replat of Lohstreter's First Addition was approved in 1976, with Lot 1, Block 5 being divided into two after the plat's approval. A home was built on the subject property, Lot 1 less the east 75 feet, in 1991. In 2024, a retaining wall on the property was upgraded. To reflect the retaining wall's location, this plat has been prepared to facilitate the land's ownership transfer. City records indicate that JR's Estates was platted in 2007 with the purpose being to construct a barn.

Final Plat

The final plat covers 51.23 acres of land but primarily focuses on a small, 2,555sf portion of the property where ownership was transferred between Ruff/Bryan and Swanberg Morton LLP, located near Lot 1, Block 1. The requirement for this item to be processed as a preliminary and final plat is due to its size in acres as being associated with the larger property to the west. MDU has an overhead power line on the property and it is shown in an easement on the plat.

Adjacent Properties Zoning, Land Use, and Future Land Use

The property is zoned R7 - Residential (as rezoning to R7 was a previous practice

associated with annexation). Adjacent properties to the east and south are zoned R7 - single family residential. To the north and west Ag - agriculture. The future land use plan designates this area as low density residential.

Additional Information and Public Outreach

- The application was received on October 21, 2024.
- This item was published in the Mandan News as required. Twenty-seven letters were sent to adjacent property owners on November 26, 2024.

Staff comments:

- This plat serves as a reconfiguration and is not intended to facilitate land development. Instead, it enables an ownership transfer between two parties, requiring survey work to define and plat newly described and reconfigured properties.

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.

ATTACHMENTS:

1. Ruff Application
2. Swanberg Morton Application
3. Jr's Estates 2nd Add. Final Plat
4. Jr's Estates 2nd Addition preliminary plat
5. JR's Estates 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 for JR's Estates 2nd Addition.

SUGGESTED MOTION:

I move to recommend approval of the final plat for JR's Estates 2nd Addition.

CITY OF MANDAN	
Development Review Application	
☐	Minor Plat (\$300)
☐	Preliminary Plat up to 20 acres (\$400)
☒	Preliminary Plat more than 20 acres (\$450)
☒	Final Plat up to 20 lots (\$400)
☐	Final Plat 21 to 40 lots (\$550)
☐	Final Plat more than 40 lots (\$700)
☐	Annexation (\$450)
☐	Masterplanned Subdivision (not accepted without preliminary plat) (\$250)
☐	Appeals to Administrative Denials (Variance to Non-zoning/Non-subdivision regulations) (\$250)
Summary of Request (Add separate sheet(s) as necessary)	
Re-configure common lot line between Jr's Estates and Lohstreter's 1st Addition Replat	

Engineer/Surveyor			Property Owner or Applicant		
Name Mark R. Isaacs, RLS - ILSE, Inc.			Name Arlen Ruff & Laureen Bryan		
Address 4215 Old Red Trail NW			Address 2003 Bruley Road		
City Mandan	State ND	Zip 58554	City Mandan	State ND	Zip 58554
email mark@ilsurveynd.com			email arlenruff@kelschlaw.com		
Phone 701-595-2079		Fax	Phone 701-663-9818		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	R7	R7	JR'S Estates 2nd Addition
Property Address				Legal Description		
2003 Bruley Road, Mandan, ND 58554				Lot 2, Block 1 in Jr's Estates & Lot 1, Block 5 in		
Current Use						
Residential & Agriculture				Replat of Lohstreter's First Addition		
Proposed Use						
Residential & Agriculture				Section 18	Township 139	Range 81
Parcel Size 51.23 Acres	Building Footprint	Stories	Building SF	Required Parking		Provided Parking

Print Name Arlen M. Ruff		Signature <i>Arlen M. Ruff</i>		Date 10-21-2024
Laureen Bryan		<i>Laureen Bryan</i>		10/21-24
Office Use Only				
Date Received:	10/21/24	Initials:	AS	Fees Paid:
Notice in paper	Mailed to neighbors		P&Z meeting	
☐ Approved	Approved with conditions:			
☐ Denied				

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)	Variance (\$500)
☐	Final Plat 21 to 40 lots (\$550)	Special Use Permit (\$450)
☐	Final Plat more than 40 lots (\$700)	Stormwater submittal (\$300)
☐	Annexation (\$450)	Stormwater 2 nd & subsequent resubmittal (\$50)
☐	Masterplanned Subdivision (not accepted without preliminary plat) (\$250)	
☐	Appeals to Administrative Denials (Variance to Non-zoning/Non-subdivision regulations) (\$250)	
Summary of Request (Add separate sheet(s) as necessary)		
Re-configure common lot line between Jr's Estates and Lohstreeter's 1st Addition Replat		

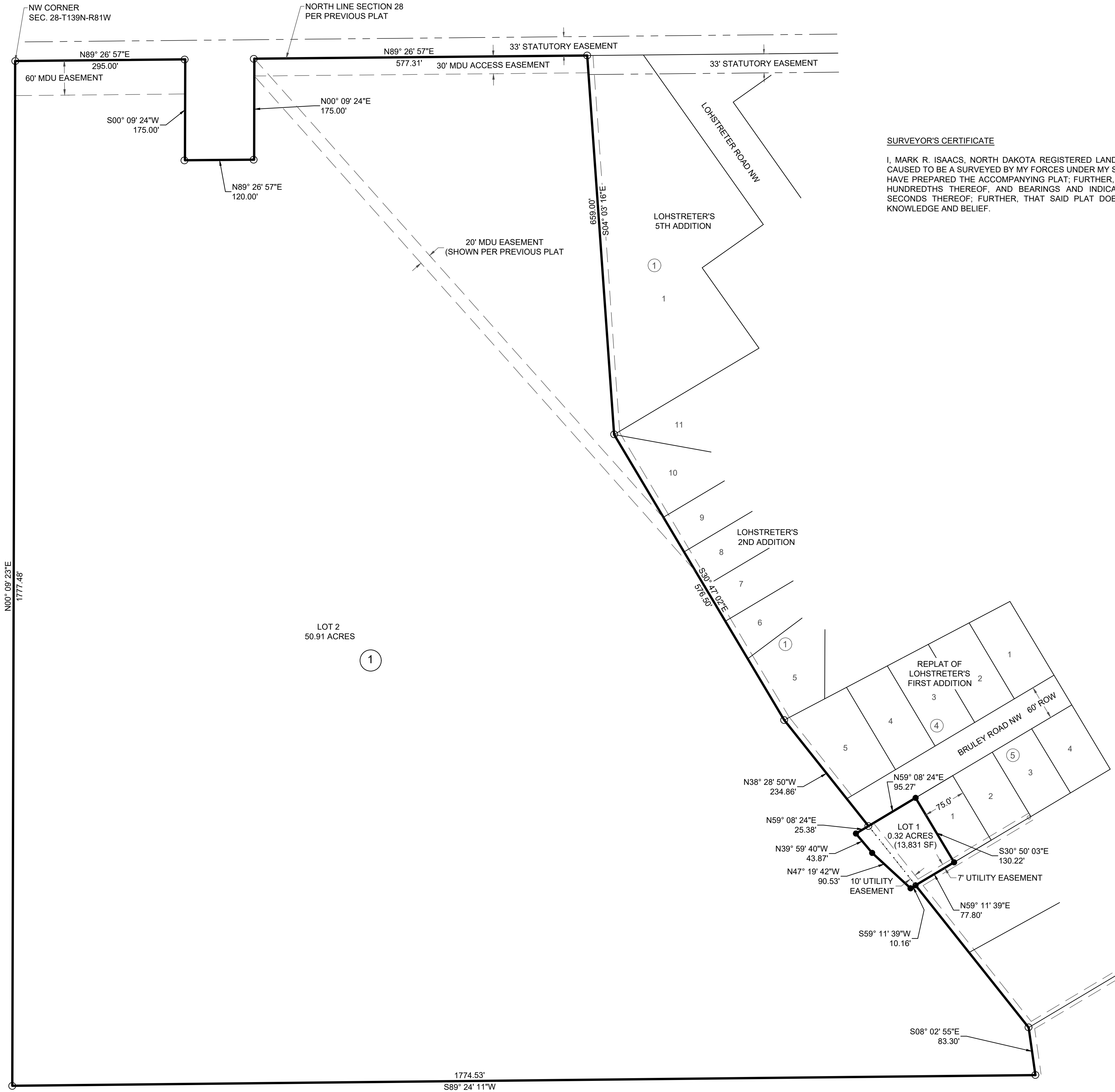
Engineer/Surveyor			Property Owner or Applicant		
Name Mark R. Isaacs, RLS - ILSE, Inc.			Name Swanberg Morton, LLP		
Address 4215 Old Red Trail NW			Address PO Box 728		
City Mandan	State ND	Zip 58554	City Valley City	State ND	Zip 58072
email mark@ilsurveynd.com			email mark@swanbergconstruction.com		
Phone 701-595-2079		Fax	Phone 701-490-0721		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	R7	R7	JR'S Estates 2nd Addition	
Property Address				Legal Description			
2003 Bruley Road, Mandan, ND 58554				Lot 2, Block 1 in Jr's Estates & Lot 1, Block 5 in			
Current Use				Replat of Lohstreter's First Addition			
Residential & Agriculture							
Proposed Use							
Residential & Agriculture				Section 18	Township 139	Range 81	
Parcel Size 51.23 Acres	Building Footprint	Stories	Building SF	Required Parking		Provided Parking	

Print Name <i>Mark Isaacs</i>	Signature <i>[Signature]</i>	Date <i>10/18/2024</i>
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Office Use Only			
Date Received:	Initials:	Fees Paid: \$	Date
Notice in paper	Mailed to neighbors	P&Z meeting	
☐ Approved	Approved with conditions:		
☐ Denied			

JR'S ESTATES 2ND ADDITION
TO THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA
LOT 2, BLOCK 1 IN "JR'S ESTATES" AND PART OF LOT 1, BLOCK 5 IN
REPLAT OF LOHSTRETER'S FIRST ADDITION
ALL IN THE NORTHWEST QUARTER OF SECTION 28, T139N, R81W



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.

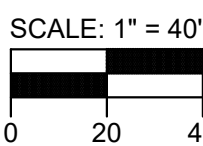
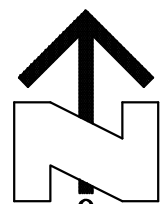
MARK R. ISAACS, RLS 9628

LEGEND

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

AREA TABLE

LOT 1	0.32 ACRES (13,939 SF)
LOT 2	50.91 ACRES
TOTAL	51.23 ACRES



DECEMBER 5TH, 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.

PROPERTY DESCRIPTION

ALL OF LOT 2, BLOCK 1 IN "JR'S ESTATES" AND LOT 1, BLOCK 5 LESS THE EAST 75.00 FEET IN "REPLAT OF LOHSTRETER'S FIRST ADDITION ALL TO THE CITY OF MANDAN, SITUATED IN THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 139 NORTH, RANGE 81 WEST IN THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA, AND CONTAINING 51.23 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".

ARLEN RUFF
LOT 1, BLOCK 1

LAUREEN BRYAN
LOT 1, BLOCK 1

STATE OF _____)
COUNTY OF _____) SS

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

NOTARY PUBLIC _____

SWANBERG MORTON, LLP
LOT 2, BLOCK 1

STATE OF _____)
COUNTY OF _____) SS

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

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 "JR'S ESTATES 2ND ADDITION" LYING WITHIN THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA AS SHOWN ON THE ANNEXED PLAT.

JAREK WIGNESS, PE

OWNER:

ARLEN RUFF & LAUREEN BRYAN
2003 BRULEY ROAD
MANDAN, ND 58554

SWANBERG MORTON, LLP
PO BOX 728
VALLEY CITY, ND 58072

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.

JR'S ESTATES 2ND ADDITION		I ndependent L and S urveying & E ngineering 	
SECTION 28, T-139-N, R-81-W MANDAN, NORTH DAKOTA			
SHEET: 1 OF 1	JOB NUMBER: 24034		
SCALE: 1"= 200'	DWG REVISION DATES		
DRAWN BY: MRI	12/5/24	-	4215 Old Red Trail NW Mandan, ND 58554 Phone: 701-663-5184 Cell: 701-595-2079 mark@isurveynd.com
DWG DATE: 11/18/24	-	-	mark
DWG NAME: 24034_Jr's Estates Second Addition			Final.dwg

PRELIMINARY PLAT

JR'S ESTATES 2ND ADDITION

TO THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA
LOT 2, BLOCK 1 IN "JR'S ESTATES" AND PART OF LOT 1, BLOCK 4 IN
REPLAT OF LOHSTRETER'S FIRST ADDITION
ALL IN THE NORTHWEST QUARTER OF SECTION 28, T139N, R81W

PROPERTY DESCRIPTION

ALL OF LOT 2, BLOCK 1 IN "JR'S ESTATES" AND LOT 1, BLOCK 5 LESS THE EAST 75.00 FEET IN "REPLAT OF LOHSTRETER'S FIRST ADDITION ALL TO THE CITY OF MANDAN, SITUATED IN THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 139 NORTH, RANGE 81 WEST IN THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA, AND CONTAINING 51.23 ACRES MORE OR LESS AND SUBJECT TO ALL LEGAL RIGHTS OF WAY AND EASEMENTS.

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ARLEN RUFF LAUREEN BRYAN

STATE OF _____)
COUNTY OF _____) SS

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

NOTARY PUBLIC _____

AREA TABLE

LOT 1	0.32 ACRES (13,939 SF)
LOT 2	50.91 ACRES
TOTAL	51.23 ACRES

SWANBERG MORTON, LLP

STATE OF _____)
COUNTY OF _____) SS

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

NOTARY PUBLIC _____

PLANNING COMMISSION APPROVAL

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BILL ROBINSON - CHAIRMAN NANCY MOSER - SECRETARY

APPROVAL OF THE BOARD OF CITY COMMISSIONERS

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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 "JR'S ESTATES 2ND ADDITION" LYING WITHIN THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA AS SHOWN ON THE ANNEXED PLAT.

JAREK WIGNESS, PE

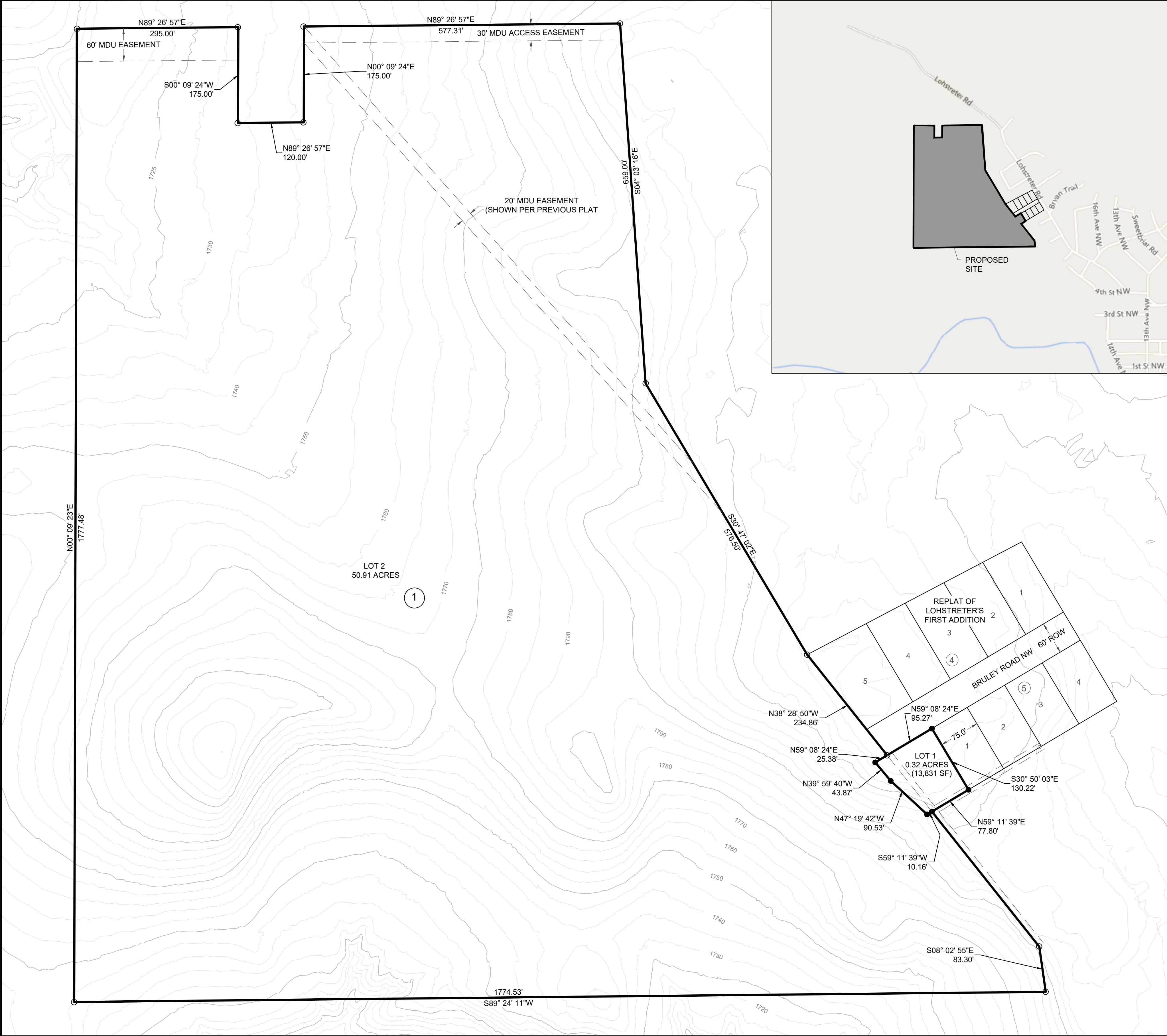
JR'S ESTATES
2ND ADDITION
SECTION 28, T-139-N, R-81-W
MANDAN, NORTH DAKOTA

SHEET: 1 OF 1
SCALE: 1"= 200'
DRAWN BY: MRI
DWG DATE: 9/26/24
DWG NAME: 24034 Preliminary Plat.dwg

JOB NUMBER: 24034
DWG REVISION DATES
- - -
- - -
- - -

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

Independent
Land
Surveying &
Engineering



LEGEND

	EXISTING VEGETATION		EXISTING CONTOUR
	EXISTING POWER POLE		EXISTING BUILDING
	EXISTING GATE VALVE		EXISTING ASPHALT
	EXISTING ELECTRIC BOX		EXISTING CONCRETE
	EXISTING TV/TELEPHONE PEDESTAL		NON-ACCESS LINE
	EXISTING LIGHT POLE		
	EXISTING GUY WIRE		
	EXISTING FENCE LINE		
	EXISTING STORM SEWER		
	EXISTING SANITARY SEWER		
	EXISTING WATERMAIN		
	EXISTING FIBER OPTIC		
	EXISTING UNDERGROUND ELECTRIC		
	EXISTING EASEMENT		
	EXISTING OVERHEAD POWER		

OWNER:

ARLEN RUFF & LAUREEN BRYAN
2003 BRULEY ROAD
MANDAN, ND 58554

SWANBERG MORTON, LLP
PO BOX 728
VALLEY CITY, ND 58072

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

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.
- PROPOSED ZONING IS R7.



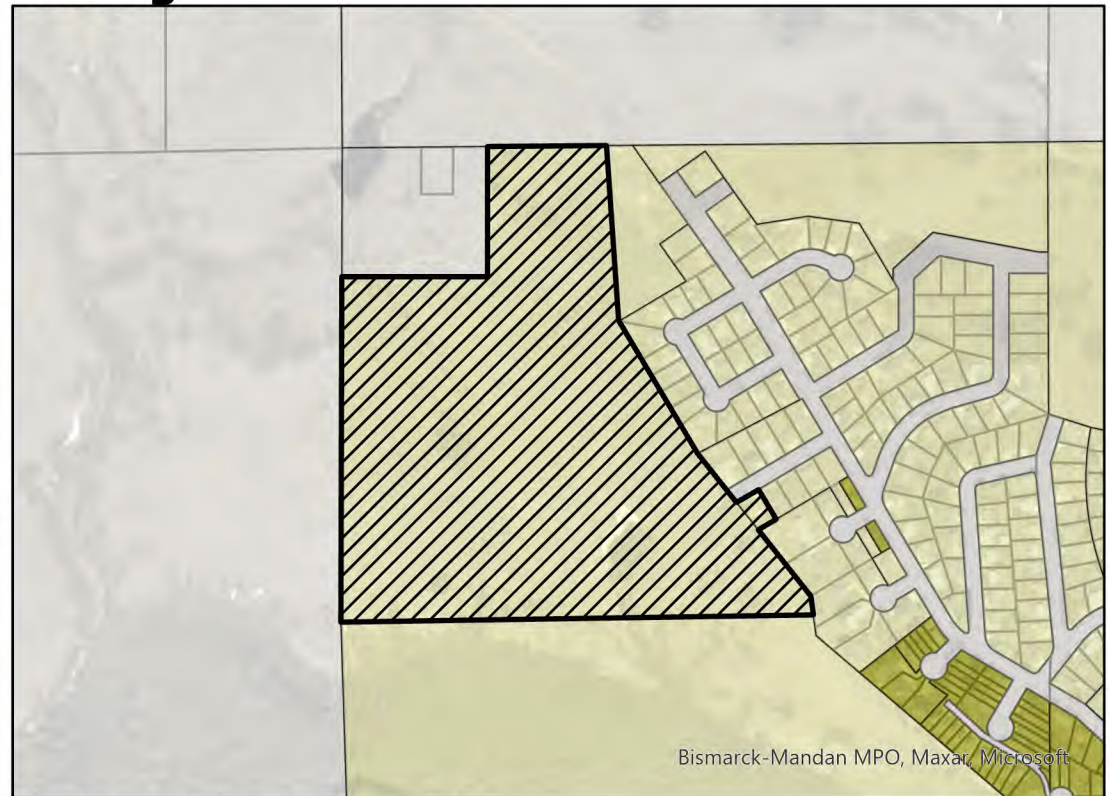
Zoning and Future Land Use Reference Map

Helbling 7th

Zoning

Zoning Map Key

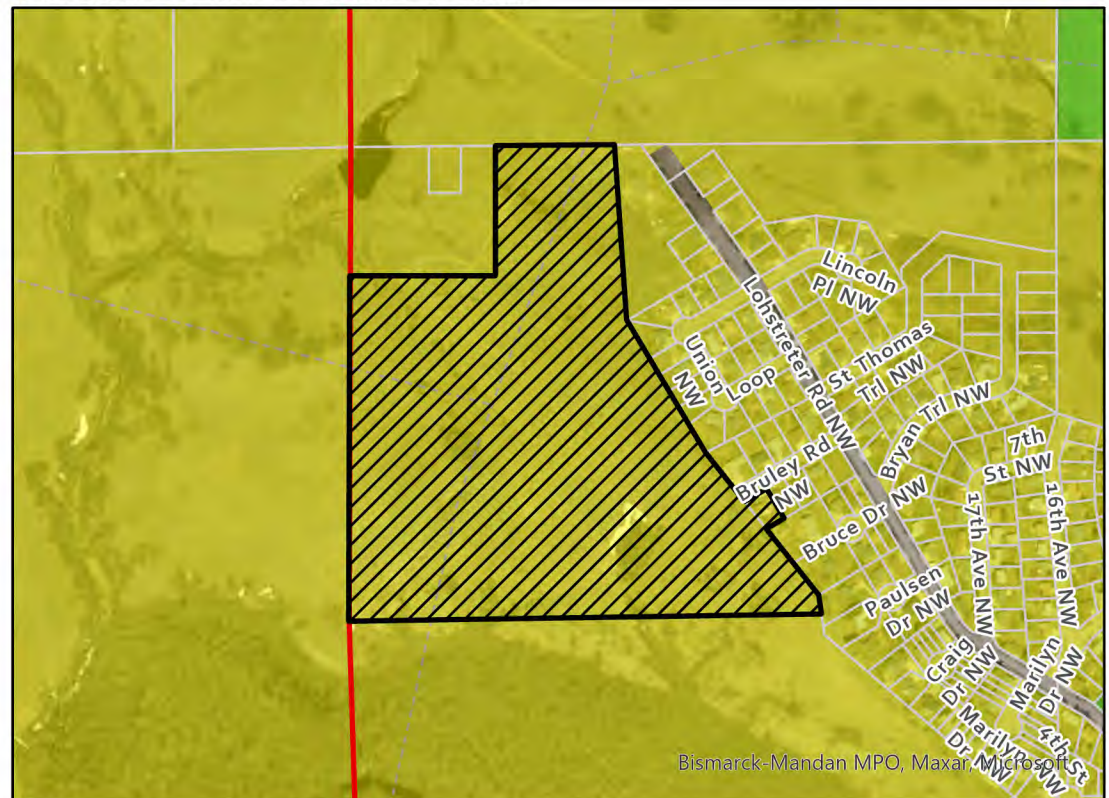
- Agriculture - City of Mandan
- Agriculture - Morton County
- CA - Neighborhood Commercial
- CB - Business Commercial
- CC - Commercial/Light Industrial Transition
- DC - Downtown Core
- DF - Downtown Fringe
- Industrial - Morton County
- LSMHS - Trailer Park Subdivision
- MA - Heavy Commercial/Light 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
- November '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
- November '24 Planning Activities

Future Land Use Plan





Planning & Zoning Commission

Agenda Documentation

MEETING DATE: December 18, 2024
PREPARATION DATE: December 6, 2024
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Andrew Stromme
PRESENTER: Andrew Stromme, City Planner
SUBJECT: Consider a request for a special use permit for Discovery Kids childcare center for Lot 5, Block 1, Eastwood Acres 4th Addition.

STATEMENT/PURPOSE:

To consider a request for a special use permit for Discovery Kids childcare center for Lot 5, Block 1, Eastwood Acres 4th Addition.

BACKGROUND/ALTERNATIVES:

Ashley and Steven Featherston request consideration of a Special Use Permit for a proposed childcare facility at Lot 5, Block 1, Eastwood Acres 4th Addition (1702 East Main Street). The proposed childcare center would occupy an existing commercial building on the property.

Project Description

The applicants intend to open Discovery Kids Childcare Center, a new childcare facility, proposed to be licensed for up to 249 childcare slots (actual number likely to reduce once furnished + re-measured by the State of North Dakota (a State license is required)). The project includes minor interior modifications and the installation of a fire sprinkler system. Exterior improvements will consist of creating a fenced play area on the south side of the building, re-striping the parking lot to enhance traffic flow, and slight access adjustments to promote safe site access from East Main Street. The proposed modifications are intended to address facility licensing requirements.

As childcare centers require both State licensing from the Department of Health and Human Services and a special use permit issued by the City, the project is subject to both regulatory reviews.

Property Information + History

The site is accessed primarily from East Main Street and was developed in 1977 as a

Subject: Consider a request for a special use permit for Discovery Kids childcare center for Lot 5, Block 1, Eastwood Acres 4th Add.

Staff Recommendation: To recommend approval of the special use permit for Discovery Kids childcare center with conditions.

manufacturing facility and warehouse. It was later repurposed to be commercial / office space in 2020. The major tenant recently moved out, and the space is now being proposed to be used as a childcare center.

Proposed Special Use

Childcare centers in Mandan are currently regulated under special use permits. Applicants must meet specific criteria outlined in the zoning ordinances. The applicant for this proposal appears to meet or has the potential to meet all licensing requirements set forth by the City's zoning regulations as outlined in the staff report. Additionally, it is anticipated that all applicable building and fire codes will be satisfied in this building for the proposed use.

Evaluative Criteria

Per Section 105-1-13(d)(6), to provide a favorable recommendation, the Planning and Zoning Commission or the Board of City Commissioners should evaluate eight criteria outlined in Exhibit 6. Based on these criteria, staff has made the following determinations:

- **Plan Compliance:** The proposed use aligns with the city's adopted plan. A daycare for up to 249 children constitutes a commercial use and is consistent with the future land use plan's commercial designation for this property.
- **Consistency with Zoning Regulations:** The proposed use is in harmony with the City's zoning code, contingent on meeting the minimum use standards provided in the attachments.
- **Operational Restrictions:** Additional restrictions are necessary to mitigate noise from the outdoor play area and protect the health, safety, and welfare of the public, workers, and nearby residents. Staff recommends the following:
 - No more than fifteen **(15)** children are allowed in the outdoor play area at any one time.
 - The play area may only be used between 9:30 AM and 7:00 PM.
- **Impact on Adjacent Properties:** Without these operational restrictions, the use may negatively impact the development and use of adjacent properties and the surrounding neighborhood.
- **Regulatory Compliance:** The proposed use meets all applicable regulations for the district in which it is located.
- **Natural, Scenic, or Historic Features:** The proposed use will not result in the destruction, loss, or damage to a natural, scenic, or historic feature important to the community.
- **Buffers for Compatibility:** Limited space exists between the proposed exterior play area and the property to the west. At a minimum, a non-transparent fence

Subject: Consider a request for a special use permit for Discovery Kids childcare center for Lot 5, Block 1, Eastwood Acres 4th Add.

Staff Recommendation: To recommend approval of the special use permit for Discovery Kids childcare center with conditions.

material should be required along the west side of the proposed play area to screen the play area from the adjacent property.

- **Accessibility:** The proposed use includes adequate provisions for individuals with mobility impairments.

Childcare-Specific Use Standards

Day care center. A day care center is a facility providing services to more than 12 children or any number of adults. A day care center requires special use approval and must comply with the following criteria:

- The facility must receive state approval before an occupancy permit can be issued;
 - The applicant is in the process of receiving state approval for the intended use.
- For a facility catering to children, each building shall provide not less than 35 square feet of interior play area per child;
 - The center will provide adequate interior play area for each child.
- For a facility catering to children, a fenced outdoor play area of not less than 75 square feet per child shall be provided that is located no closer than ten feet to an adjoining residential lot;
 - The center will provide adequate exterior play area for each child.
- For a facility catering to adults, there shall be an outdoor lawn area and covered porch offering either active recreation or passive activities for groups or individuals;
 - The center will not cater to adult care.
- As a minimum, onsite parking shall be provided at the ratio of one space per manager and employee per shift plus one space for each 12 clients; and
 - The property is of a size that is likely to accommodate a number of parking spots greater than required by City code. A striping plan is to be submitted for review.
- Drop off and pickup of clients shall be in an area off the public street that is separate from parking spaces.

Staff believes that all standards are able to be met by this property.

Additional Information and Public Outreach

- The application was received on November 22, 2024.

Subject: Consider a request for a special use permit for Discovery Kids childcare center for Lot 5, Block 1, Eastwood Acres 4th Add.

Staff Recommendation: To recommend approval of the special use permit for Discovery Kids childcare center with conditions.

- This item was published in the Mandan News as required. Thirty-one letters were sent to adjacent property owners on November 26, 2024. As of the time this staff report was written, the Planning Department received no comments or questions regarding the proposal.

Adjacent Properties Use, Zoning and Future Land Use

The property is zoned CA - commercial. Adjacent properties to the west, north, and east are zoned CA - commercial. The Future Land Use Plan designates this property as commercial. As current zoning, and the City's long-range plan is for the area to be for commercial land uses, limited buffering and screening from the property to the west is proposed to be required.

Conditions of Approval

Conditions of approval include:

- Submission of a copy of the State Childcare License to the City for its records.
- Establishment of a potential shared-use agreement for the water line proposed for fire suppression connection. (if the water line is shared)
- Modifications to the site design to incorporate access adjustments, including the use of vertical curbing and/or landscaping, to direct vehicle ingress and egress toward the westernmost feasible location to access the properties' parking lot. These changes are intended to promote organized turning movements and enhance traffic flow and site safety.
- Installation of an opaque fence along the western boundary of the outdoor play area for screening purposes.
- Limiting the number of children allowed in the outdoor play area to a maximum of 15 at any given time during designated hours.
- Preservation of access to the building north of the proposed childcare center, in accordance with the easement recorded in the County Recorder's Office (Book 68, Page 509) and noted on the Eastwood Acres 4th Plat.

ATTACHMENTS:

1. Application
2. Additional Submittals
3. Property Owner Permission
4. DRAFT Special Use Permit
5. Images

Subject: Consider a request for a special use permit for Discovery Kids childcare center for Lot 5, Block 1, Eastwood Acres 4th Add.

Staff Recommendation: To recommend approval of the special use permit for Discovery Kids childcare center with conditions.

6. Location Map - Discovery Kids

FISCAL IMPACT:

N/A

STAFF IMPACT:

A considerable amount of staff time has gone into reviewing the request and preparing a recommendation.

LEGAL REVIEW:

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

RECOMMENDATION:

Planning staff recommends approval of the special use permit for Discovery Kids childcare center for Lot 5, Block 1, Eastwood Acres 4th Addition with the conditions provided in the staff report.

SUGGESTED MOTION:

I move to recommend approval of the special use permit for Discovery Kids childcare center for Lot 5, Block 1, Eastwood Acres 4th Addition with the conditions provided in the staff report.

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) we are requesting to use the property as a childcare center offering services for ages 6 weeks to 12 years of age	

Engineer/Surveyor			Property Owner or Applicant		
Name			Name Discovery Properties LLC		
Address			Address 327a Bethany Loop		
City	State	Zip	City	State	Zip
			Bismarck	ND	58503
email			email ashleyfeatherston@icloud.com		
Phone	Fax		Phone	Fax	
			701-426-4112		
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	CA	CA	Discovery Kids
Property Address				Legal Description		
1702 E Main St Mandan ND 58504				Lot 5, Block 1, Eastwood Acres 4th		
Current Use						
Empty - small portion leased to therapy						
Proposed Use						
Childcare Center						
Parcel Size	Building Footprint	Stories	Building SF	Required Parking	Provided Parking	
9.2 acres	12,300 sf	1	12,400	18-20	20	
Section 26		Township 139		Range 81		

Print Name Ashley Featherston	Signature Ashley Featherston	Date 11/3/2024
----------------------------------	---------------------------------	-------------------

Office Use Only			
Date Received:	Initials: nm	Fees Paid: \$ 450	Date 11-22-2024
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 only exterior addition planned at this time is to install a fence

- 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

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

The hours of operation should align with other adjacent uses.

Hours will be 7:00 am - 6:00 pm

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

NO

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

Yes - we will get lines painted as well

- 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.

Date: 11/15/2024

To Whom It May Concern:

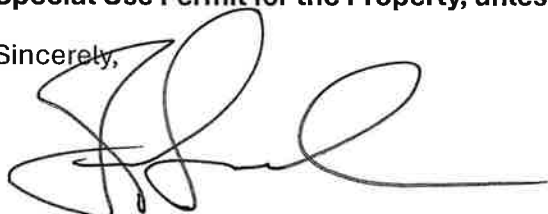
I, Jon Sperl, on behalf of the **Willard B. & Julia A. Olson Surface Trust**, as the rightful owners of the property located at **1702 E Main St., Mandan, ND 58554** (hereinafter referred to as the "Property"), do hereby grant Steven and Ashley Featherston on behalf of **Discovery Properties LLC** permission to apply for and pursue a Special Use Permit for the Property.

This permission is granted for the purpose of allowing Discovery Properties LLC to proceed with any applications, presentations, or necessary actions with relevant municipal, county, or other governmental authorities regarding the Special Use Permit for the Property.

The permission granted in this letter does not constitute a transfer of ownership, lease, or any interest in the Property other than the rights specifically enumerated above. The intention of this letter is solely to permit Discovery Properties LLC to pursue the aforementioned permit.

This authorization is valid for the duration necessary for Discovery Properties LLC to obtain the Special Use Permit for the Property, unless explicitly revoked in writing.

Sincerely,



Jon Sperl
Trustee, Willard B. & Julia A. Olson Surface Trust

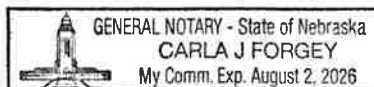
State of [State] Nebraska
County of [County] Box Butte

This instrument was acknowledged before me on this 15 day of November [month], 2024 [year], by:

Jon Sperl, Trustee of the Willard B. & Julia A. Olson Surface Trust.

Notary Public

My commission expires: 8-2-2026
Carla J. Forgey





SPECIAL USE PERMIT

For Daycare Center

The property owner(s) of the Lot 5, Block 1, Eastwood Acres 4th Addition are granted a special use permit for a daycare center as defined in Section 101-1-3 of the Mandan Code of Ordinances (MCO) subject to the following conditions:

1. The facility must receive state approval before an occupancy permit can be issued and limited to the number of children permitted by said license; and
2. The building shall provide not less than 35 square feet of interior play area per child; and
3. The fenced outdoor play area shall include not less than 75 square feet per child and shall be located no closer than ten feet to an adjoining residential lots on the east and west boundaries; and
4. The facility is not permitted to cater to adults; and
5. As a minimum, onsite parking shall be provided at the ratio of one space per manager and employee per shift plus one space for each 12 clients, and parking lot striping shall be maintained; and
6. Drop off and pickup of clients shall be in an area off the public street that is separate from parking spaces; and
7. No more than fifteen (15) children to be outside utilizing the play area at any one time; and
8. The play area is required to be utilized no earlier than 9:30am and no later than 7:00pm.
9. A nontransparent fence shall be constructed on the west side of the outside play area for screening purposes.

Dated this 18th day of December, 2024

President, Planning and Zoning Commission

ATTEST:

Planning and Zoning Secretary

Ratified by the Board of City Commissioners on _____.



View of property from east



View of property from southwest – looking east



View of property and adjoining property, from the south



Aerial of property within subarea – looking north



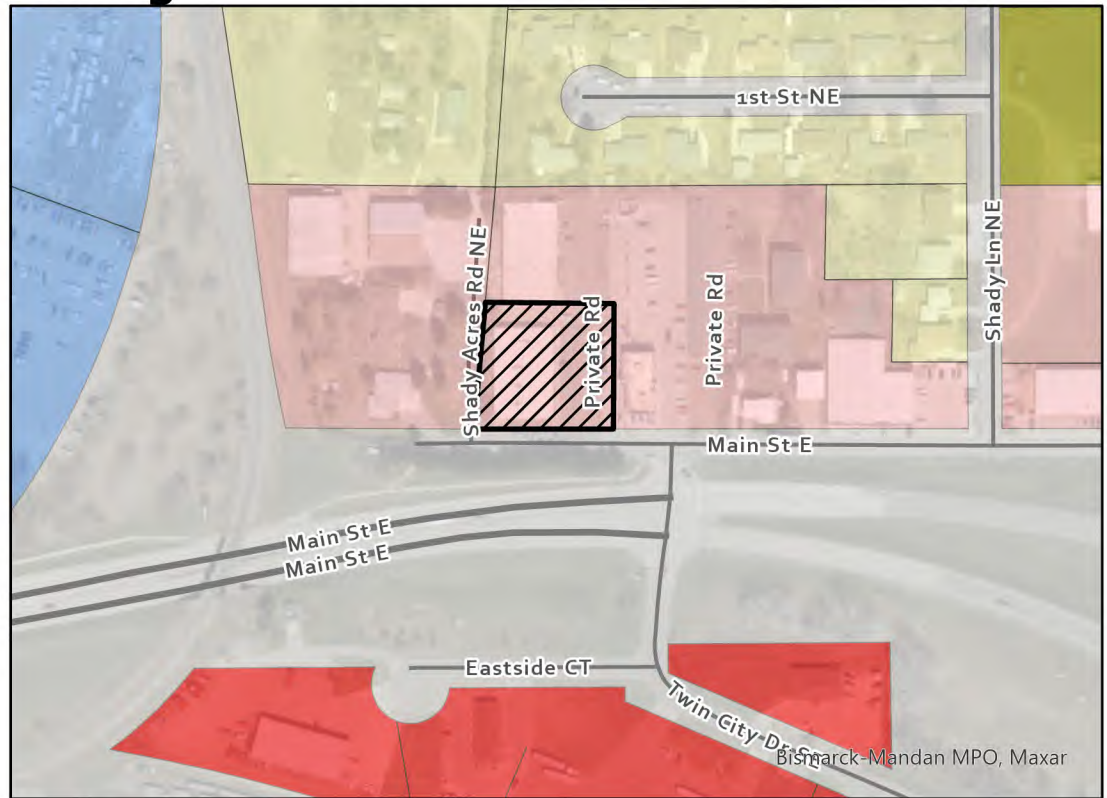
Zoning and Future Land Use Reference Map

Discovery Kids

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
- ETA Line
- City Limits
- 08-City Primary Streets
- 09-City Secondary Streets
- 11-City Trailer Court Streets
- 12-City Private Dr
- 13-Private Rd
- December '24 Planning Activities

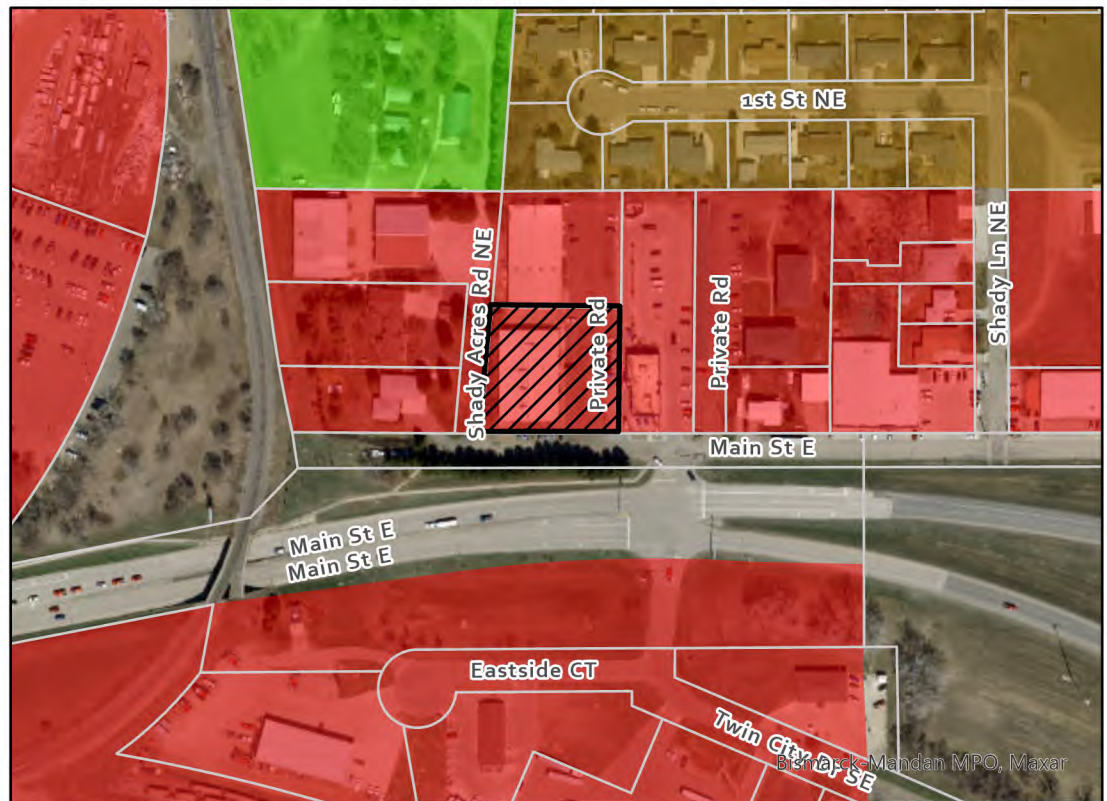
Zoning



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
- December '24 Planning Activities

Future Land Use Plan





Planning & Zoning Commission

Agenda Documentation

MEETING DATE: December 18, 2024
PREPARATION DATE: December 9, 2024
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Andrew Stromme
PRESENTER: Andrew Stromme, City Planner
SUBJECT: Consider Preliminary Plat for HRWTC Addition.

STATEMENT/PURPOSE:

Consider Preliminary Plat for HRWTC Addition.

BACKGROUND/ALTERNATIVES:

The State of North Dakota Department of Corrections requests consideration of a preliminary plat for HRWTC Addition. The property is located west of Mandan, on the south side of Highway 10, west of the Heart River.

Property History

The property has been developed since the very early 1900s and has been in the ownership of the State of North Dakota for the duration in which it's been developed. The State of North Dakota began planning for a correctional facility on this property in 2022, and funding was appropriated for the Heart River Women's Correctional Center (HRWTC) in 2023.

Project Overview

The project involves preparing the site for the State of North Dakota's Heart River Women's Transformational Center, a correctional facility designed to serve approximately 260 female inmates. The facility will be operated by the North Dakota Department of Corrections. A new complex, consisting of multiple buildings, will be constructed west of the existing North Dakota Youth Correctional Center (NDYCC). The Department plans to use the existing approach south of ND Highway 6 as the primary access point for construction and ongoing operations. The facility is projected to open its doors in 2027.

Preliminary Plat

The preliminary plat encompasses 86.91 acres of land located west of Mandan, within the general property of the North Dakota Youth Correctional Center (NDYCC). The plat

consolidates three auditor's lots into a single-lot, single-block subdivision to facilitate the construction of the new women's facility. The property is bisected by a 75-foot-wide electrical easement, with portions of the site already developed as part of the existing NDYCC.

Adjacent Properties Zoning, Land Use, and Future Land Use

This property is zoned A - Agriculture and a portion MC - Industrial, with adjacent properties also zoned MC - Industrial and A - Agriculture. It is bordered by the railroad to the north, Dombeck Industrial Park 1st Addition and State of North Dakota Lands to the west, the USDA Great Plains Research Facility to the south, and the Lower Heart River/Highway 6 to the east. The proposed use aligns with the future land use plan recommendation of public land use, supporting its integration into the broader vision for community development and infrastructure planning.

Additional Information and Public Outreach

- The application was received on November 26, 2024.
- This item was published in the Mandan News as required. Forty-one letters were sent to adjacent property owners on November 22, 2024.

Staff Comments

- This property currently has two zoning designations: A - Agriculture and MC - Industrial. To combine these properties, a rezoning is required, as City ordinance prohibits a single property from having multiple zoning designations. A rezoning application can be submitted concurrently with the Final Plat to resolve this issue. Staff considers this a routine housekeeping matter and not a significant concern.
- The preliminary plat was received and noticed as "Heart River Women's Transformational Center Addition" and later resubmitted as HRWTC Addition to address concerns regarding the length of the plat name.
- Additional review and final approval is necessary to be obtained for the utility servicing plan. A coordination meeting is in the works of being scheduled for an Interagency review. This may result in additional easements being shown on the plat. The property intends to use municipal water and sewer.
- The property was annexed into the City of Mandan in 2024 via City Commission approval.

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.

ATTACHMENTS:

1. Application
2. HRWTC Addition
3. Aerial + Site Plan
4. DRAFT ANNEXATION ORDINANCE
5. Location Map

FISCAL IMPACT:

N/A

STAFF IMPACT:

A considerable amount of City Staff time has gone into reviewing the proposed development.

LEGAL REVIEW:

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

RECOMMENDATION:

Planning Staff recommends approval of the preliminary plat for HRTWC Addition with the following conditions: a zone change be requested to address the dual-zoning issue and a utility servicing plan be approved by the City of Mandan.

Planning & Zoning Commission

Agenda Documentation

December 18, 2024

Subject: Consider HRWTC Preliminary Plat

Staff Recommendation: To recommend approval of the preliminary plat with conditions.

Page 4 of 4

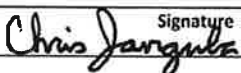
SUGGESTED MOTION:

I move to approve the preliminary plat for HRTWC Addition with the conditions presented by staff.

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

Engineer/Surveyor			Property Owner or Applicant		
Name Andrew Schrank, PE - Highlands Engineering			Name State of North Dakota		
Address 319 24th Street E			Address 205 2nd Ave NW		
City Dickinson	State ND	Zip 58601	City Mandan	State ND	Zip 58554
email schrank@highlandseng.com			email cjangula@nd.gov		
Phone 701-483-2444		Fax 701-483-2610	Phone 701-328-6133		Fax n/a
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	☐	New	☐	Addition
					AG	AG	Heart River Women's Transformational Center
Property Address 701 16th Ave SW, Mandan, ND						Legal Description See enclosed plat.	
Current Use Correctional Center							
Proposed Use Correctional Center							
Parcel Size 86.91		Building Footprint See Enclosed Map		Stories 1	Building SF ±241,000 total	Required Parking t.b.d.	Provided Parking ±122 added

Print Name Chris Jangula	Signature 	Date 11-18-24
-----------------------------	--	------------------

Office Use Only			
Date Received:	Initials: <i>YM</i>	Fees Paid: \$ <i>500</i>	Date <i>11-26-2024</i>
Notice in paper		Mailed to neighbors	P&Z meeting
☐	Approved	Approved with conditions:	
☐	Denied		

Updated 1/1/2024

N:\PLANNING & ZONING\0. Administration\Application Documents\Development Application - January 1, 2024.docx

HRWTC ADDITION

LOCATED IN AUDITOR'S LOT D OF THE SOUTHWEST QUARTER (SW¹/₄) AND AUDITOR'S LOT E OF THE SOUTHEAST QUARTER (SE¹/₄) OF SECTION TWENTY-EIGHT (28)
AND LOCATED IN THE NORTHWEST QUARTER (NW¹/₄) OF SECTION THIRTY-THREE (33)
TOWNSHIP ONE HUNDRED THIRTY-NINE NORTH (T139N), RANGE EIGHTY-ONE WEST (R81W), OF THE 5TH PRINCIPAL MERIDIAN
CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN AUDITOR'S LOT D OF THE SOUTHWEST QUARTER (SW¼) AND AUDITOR'S LOT E OF THE SOUTHEAST QUARTER (SE¼) OF SECTION TWENTY-EIGHT (28) AND LOCATED IN THE NORTHWEST QUARTER (NW¼) OF SECTION THIRTY-THREE (33), TOWNSHIP ONE HUNDRED THIRTY-NINE NORTH (139N), RANGE EIGHTY-ONE WEST (R81W), OF THE 5TH PRINCIPAL MERIDIAN, CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION THIRTY-THREE (33) BEING A FOUND REBAR AND CAP; THENCE N 89°15'00" E ALONG THE NORTH LINE OF SAID SECTION THIRTY-THREE (33), A DISTANCE OF 475.00 FEET TO THE POINT OF BEGINNING BEING A SET REBAR AND CAP LS-5466 ON THE EAST LINE OF SAID SECTION THIRTY-THREE (33); THENCE S 89°23'39" W ALONG SAID EAST LINE OF SAID SECTION THIRTY-THREE (33), A DISTANCE OF 181.52 FEET TO THE POINT OF BEGINNING BEING A SET REBAR AND CAP LS-5466 ON THE RECORDER'S OFFICE PER DOCUMENT NUMBER 270271; THENCE N 00°16'02" W ALONG SAID EAST LINE AND LEAVING SAID NORTH LINE, A DISTANCE OF 113.52 FEET TO A SET REBAR AND CAP LS-5466 AT THE NORTHEAST CORNER OF SAID DOMBECK INDUSTRIAL PARK FIRST ADDITION ALSO BEING ON THE SOUTH RIGHT-OF-WAY OF THE BURLINGTON NORTHERN RAILROAD AT THE BEGINNING OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 4019.72 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE, BEING A SOUTH RIGHT-OF-WAY OF SAID BURLINGTON NORTHERN RAILROAD, THOUGH A CENTRAL ANGLE OF 107°48'44" TO THE POINT OF BEGINNING BEING A SET REBAR AND CAP LS-5466 ON THE EAST LINE OF SAID SECTION THIRTY-THREE (33); THENCE S 89°23'39" W ALONG SAID EAST LINE OF SAID SECTION THIRTY-THREE (33), A DISTANCE OF 142.61 FEET TO THE WEST EDGE OF THE HEART RIVER; THENCE S 14°55'10" E ALONG SAID WEST EDGE OF SAID HEART RIVER LEAVING SAID SOUTH RIGHT-OF-WAY, A DISTANCE OF 214.67 FEET; THENCE CONTINUING S 10°54'24" E ALONG SAID WEST EDGE OF SAID HEART RIVER, A DISTANCE OF 210.25 FEET TO THE INTERSECTION OF SAID WEST EDGE OF SAID HEART RIVER AND SAID NORTH LINE OF SAID SECTION THIRTY-THREE (33); THENCE S 89°23'39" W ALONG SAID EAST LINE OF SAID SECTION THIRTY-THREE (33), A DISTANCE OF 100.00 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION THIRTY-THREE (33) BEING A FOUND BLM BRASS CAP; THENCE S 00°29'08" E LEAVING SAID NORTH LINE ALONG THE EAST LINE OF SAID NORTHWEST QUARTER (NW¼) OF SAID SECTION THIRTY-THREE (33), A DISTANCE OF 2039.66 FEET TO A SET REBAR AND CAP LS-5466; THENCE N 80°39'22" W LEAVING SAID EAST LINE, A DISTANCE OF 1000.00 FEET TO A SET REBAR AND CAP LS-5466; THENCE S 37°24'44" W, A DISTANCE OF 1576.94 FEET TO A SET REBAR AND CAP LS-5466; THENCE S 89°23'39" W PARALLEL TO SAID NORTH LINE OF SAID SECTION THIRTY-THREE (33), A DISTANCE OF 4050.00 FEET TO A SET REBAR AND CAP ON THE SOUTH QUARTER CORNER OF SAID SECTION THIRTY-THREE (33) BEING A FOUND BLM BRASS CAP; THENCE S 00°59'31" W ALONG THE EAST LINE OF SAID DOMBECK INDUSTRIAL PARK FIRST ADDITION; THENCE N 00°59'31" W ALONG THE EAST LINE OF SAID DOMBECK INDUSTRIAL PARK FIRST ADDITION, A DISTANCE OF 599.88 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 86.91 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY PREVIOUS EASEMENTS, AGREEMENTS, CONVEYANCES AND SURVEYS.

SURVEYOR'S CERTIFICATE

I, K. MCIMSTON, REGISTERED PROFESSIONAL LAND SURVEYOR, LS-5466, FOR HIGHLANDS ENGINEERING AND SURVEYING, PLLC, RESIDING AT 319 24TH STREET EAST, DICKINSON, N.D., DO HEREBY CERTIFY THAT THE HRWTC ADDITION PLAT SHOWN HEREON IS A CORRECT REPRESENTATION OF THE SURVEY, THAT ALL DISTANCES ARE CORRECT, MONUMENTS ARE PLACED IN THE GROUND AS SHOWN, THAT THE OUTSIDE BOUNDARY LINES ARE CORRECTLY DESIGNATED ON THE PLAT AND WAS MADE BY ME, OR UNDER MY DIRECTION, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME

KC HOMISTON, LS-5466

STATE OF _____ }
COUNTY OF _____ } SS

ON THIS _____ DAY OF _____, 20_____, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED KC HOMISTON, TO ME KNOWN TO BE THE SAME PERSONS DESCRIBED IN AND THAT EXECUTED THE WITHIN AND FOREGOING INSTRUMENT AND SEVERALLY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____
RESIDING AT COUNTY OF _____
STATE OF _____

PROPRIETOR'S CERTIFICATE

I, DOUG BERGMAN, GOVERNOR OF THE STATE OF NORTH DAKOTA, THE AUTHORIZED REPRESENTATIVE OF THE STATE OF NORTH DAKOTA OWNER AND PROPRIETOR OF PROPERTY LYING IN AUDITOR'S LOT D OF THE SOUTHWEST QUARTER (SW¼) AND AUDITOR'S LOT E OF THE SOUTHEAST QUARTER (SE¼) OF SECTION TWENTY-EIGHT (28) AND LOCATED IN THE NORTHWEST QUARTER (NW¼) OF SECTION THIRTY-THREE (33), TOWNSHIP ONE HUNDRED THIRTY-NINE NORTH (T139N), RANGE EIGHTY-ONE WEST (R81W), COUNTY OF BURTON, STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THE PLAT SHOWN HEREON AND DESCRIBED IN THE SURVEYOR'S CERTIFICATE, DO HEREBY DECLARE THAT I HAVE CAUSED THE SAME TO BE SURVEYED AS SHOWN ON THE ACCOMPANYING PLAT, AND DO HEREBY DEDICATE ALL UTILITY EASEMENTS AND PUBLIC RIGHT OF WAY AS SHOWN TO PUBLIC USE FOREVER.

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME

BY: DOUG BURGUM, GOVERNOR OF THE STATE OF NORTH DAKOTA

STATE OF _____ }
COUNTY OF _____ } SS

ON THIS _____ DAY OF _____, 20_____, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED DOUG BERGUM, GOVERNOR OF THE STATE OF NORTH DAKOTA, TO ME KNOWN TO BE THE SAME PERSONS DESCRIBED IN AND THAT EXECUTED THE WITHIN AND FOREGOING INSTRUMENT AND SEVERALLY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____
RESIDING AT COUNTY OF _____
STATE OF _____

APPROVAL OF THE BOARD OF CITY COMMISSIONERS

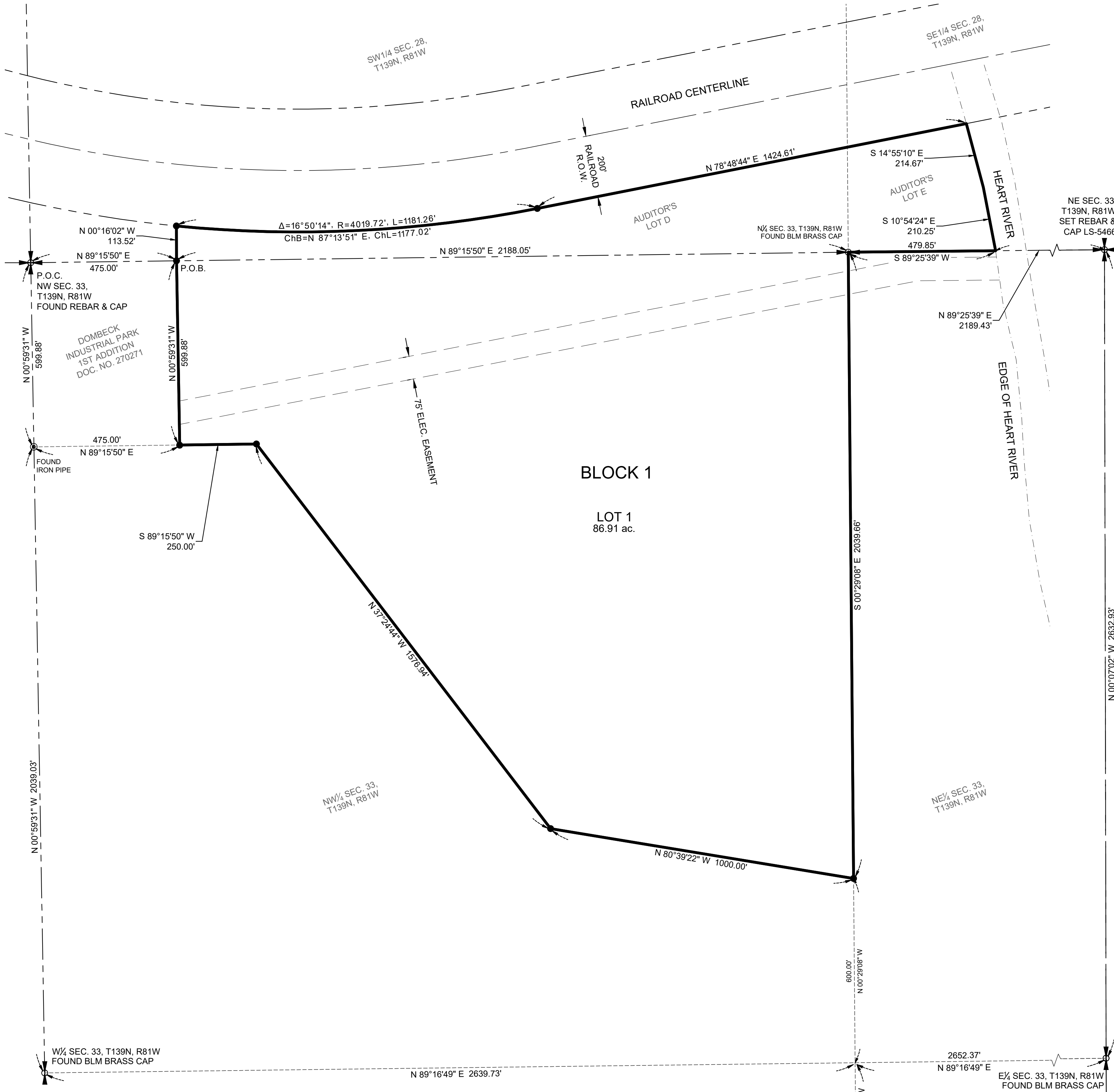
THE BOARD OF CITY COMMISSIONERS OF THE CITY OF MANDAN, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND SHOWN HEREIN AND HAS ACCEPTED THE DEDICATION OF ALL STREETS, ALLEYS AND PUBLIC WAYS SHOWN HEREON LYING WITHIN THE CORPORATE LIMITS OF THE CITY OF MANDAN, HAS ACCEPTED THE DEDICATION OF ALL PARKS 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 THE CITY OF MANDAN, NORTH DAKOTA, HAS TAKEN BY RESOLUTION APPROVED THIS _____ DAY OF _____, 20____.

BY: JAMES FROELICH, MAYOR BY: JIM NEUBAUER, CITY ADMINISTRATOR

APPROVAL OF THE BOARD OF CITY COMMISSIONERS

I, JAREK WIGNESS, CITY ENGINEER FOR THE CITY OF MANDAN, NORTH DAKOTA, HEREBY APPROVE "HEART RIVER WOMEN'S TRANSFORMATIONAL CENTER ADDITION", CITY OF MANDAN, NORTH DAKOTA AS SHOWN ON THE PLAT.

BY: JAREK WIGNESS, CITY ENGINEER

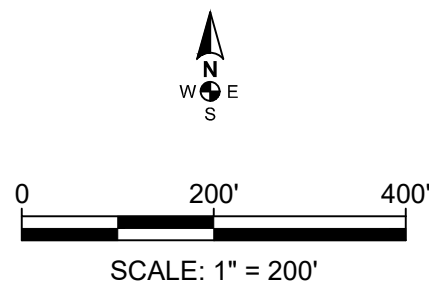


LEGEND

	PROPERTY BOUNDARY
	EXISTING LOTS
	FOUND MONUMENT
	SET #5, 18-INCH REBAR & CAP STAMPED "HIGHLANDS LS-5466"
	SECTION LINE
	QUARTER LINE
	SECTION CORNER
	QUARTER CORNER
	RIGHT OF WAY LINE
	EXISTING EASEMENTS
	EDGE OF WATER
P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING

SURVEY NOTES

- 1) DISTANCES SHOWN ARE MEASURED GROUND DISTANCES INTERNATIONAL FOOT, DERIVED FROM A LOCAL COORDINATE SYSTEM.
- 2) VERTICAL DATUM: NAVD 88
- 3) DATE OF LATEST FIELD WORK: JANUARY 25, 2024



HEART RIVER WOMEN'S TRANSFORMATIONAL CENTER ADDITION

LOCATED IN AUDITOR'S LOT D OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) AND AUDITOR'S LOT E OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF SECTION TWENTY-EIGHT (28) AND LOCATED IN THE NORTHWEST QUARTER (NW $\frac{1}{4}$) OF SECTION THIRTY-THREE (33) TOWNSHIP ONE HUNDRED THIRTY-NINE NORTH (T139N), RANGE EIGHTY-ONE WEST (R81W), OF THE 5TH PRINCIPAL MERIDIAN CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA

EXISTING SITE LAYOUT

LEGEND

- PROPERTY BOUNDARY
- EXISTING LOT
- EXISTING BUILDING
- SET 48" BLANCH REBAR & CAP
- STAMPED "HIGHLANDS 5446"
- SECTION LINE
- QUARTER CORNER
- QUARTER CORNER
- RIGHT OF WAY LINE
- EXISTING EASEMENTS
- EDGE OF WATER
- EDGE OF WATER
- POINT OF BEGINNING

SURVEY NOTES

- 1) DISTANCES SHOWN ARE MEASURED GROUND DISTANCES. INTERNATIONAL FOOT, DERIVED FROM A LOCAL COORDINATE SYSTEM.
- 2) VERTICAL DATUM NAVD 88
- 3) DATE OF LATEST FIELD WORK: JANUARY 25, 2024



PROJECT NUMBER: 231287
DATE: 11/15/24
SCALE: 1" = 200'



© 2024 Mirosoft Corporation © 2024 Mirosoft Corporation
86 SEC. 33, T139N, R81W
FOUND REBAR & CAP

HEART RIVER WOMEN'S TRANSFORMATIONAL CENTER ADDITION

LOCATED IN AUDITOR'S LOT D OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) AND AUDITOR'S LOT E OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF SECTION TWENTY-EIGHT (28) AND LOCATED IN THE NORTHWEST QUARTER (NW $\frac{1}{4}$) OF SECTION THIRTY-THREE (33) TOWNSHIP ONE HUNDRED THIRTY-NINE NORTH (T139N), RANGE EIGHTY-ONE WEST (R81W), OF THE 5TH PRINCIPAL MERIDIAN CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA

PROPOSED SITE LAYOUT

LEGEND

- PROPERTY BOUNDARY
- EXISTING LOT
- PROPOSED LOT
- SET 48" IN-CH REBAR & CAP
- STAMPED "HIGHLANDS 15-548"
- SECTION LINE
- QUARTER LINE
- SECTION CORNER
- QUARTER CORNER
- RIGHT OF WAY LINE
- EXISTING EASEMENTS
- EDGE OF WATER
- POINT OF BEGINNING
- P.O.B.

SURVEY NOTES

- 1) DISTANCES SHOWN ARE MEASURED GROUND DISTANCES. INTERNATIONAL FOOT, DERIVED FROM A LOCAL COORDINATE SYSTEM.
- 2) VERTICAL DATUM: NAVD 88
- 3) DATE OF LATEST FIELD WORK: JANUARY 25, 2024

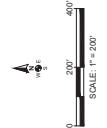




**HIGHLANDS
ENGINEERING**

319 24TH STREET EAST, DICKINSON, ND 58601
OFFICE 701.483.2444 | WWW.HIGHLANDS-ENG.COM

PROJECT NUMBER:	231287	SCALE:	1" = 200'
DRAWN BY:	AJA	DATE:	11/15/24



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ORDINANCE NO. 1449

AN ORDINANCE ANNEXING CERTAIN ADJOINING LANDS TO THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA, AND EXTENDING THE CORPORATE BOUNDARIES THEREOF.

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

WHEREAS, the City of Mandan, Morton County, North Dakota has determined it to be its interests to annex the hereinafter described property, which is contiguous to the City of Mandan, Morton County, North Dakota, but not embraced within the limits thereof, and has met all requirements as directed by Section 40-51.2-03 of the North Dakota Century Code.

SECTION 1. PROPERTY ANNEXED. The following described land is situated in the County of Morton, State of North Dakota, and contiguous to the corporate limits of the City of Mandan, North Dakota, and is hereby added to, taken into, annexed and made part of the City of Mandan, namely:

PARCEL "A" in the attached Certificate of Survey, and described as:

A PARCEL OF LAND LOCATED IN THE SOUTH HALF (S½) OF SECTION TWENTY-EIGHT (28) AND THE NORTHWEST QUARTER (NW¼) OF SECTION THIRTY-THREE (33), TOWNSHIP ONE-HUNDRED THIRTY-NINE NORTH (T139N), RANGE EIGHTY-ONE WEST (R81W) OF THE FIFTH PRINCIPAL MERIDIAN (5TH.P.M.), CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION THIRTY-THREE (33) BEING A FOUND REBAR AND CAP; THENCE N 89°15'50" E ALONG THE NORTH LINE OF SAID SECTION THIRTY-THREE (33), A DISTANCE OF 475.00 FEET TO THE POINT OF BEGINNING BEING A SET REBAR AND CAP LS-5466 ON THE EAST LINE OF DOMBECK INDUSTRIAL PARK FIRST ADDITION, AS RECORDED AT THE MORTON COUNTY RECORDER'S OFFICE PER DOCUMENT NUMBER 270271; THENCE N 00°16'02" W ALONG SAID EAST LINE AND LEAVING SAID NORTH LINE, A DISTANCE OF 113.52 FEET TO A SET REBAR AND CAP LS-5466 AT THE NORTHEAST CORNER OF SAID DOMBECK INDUSTRIAL PARK FIRST ADDITION ALSO BEING ON THE SOUTH RIGHT-OF-WAY OF THE BURLINGTON NORTHERN RAILROAD AT THE BEGINNING OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 4019.72 FEET;

THENCE NORTHEASTERLY ALONG SAID CURVE, BEING SAID SOUTH RIGHT-OF-WAY OF SAID BURLINGTON NORTHERN RAILROAD, THOUGH A CENTRAL ANGLE OF 16°50'14" AND ARC LENGTH OF 1181.26 FEET TO A SET REBAR AND CAP LS-5466; THENCE CONTINUING N 78°48'44" E ALONG SAID SOUTH RIGHT-OF-WAY, A DISTANCE OF 1424.61 FEET TO THE WEST EDGE OF THE HEART RIVER; THENCE S 14°55'10" E ALONG SAID WEST EDGE OF SAID HEART RIVER LEAVING SAID SOUTH RIGHT-OF-WAY, A DISTANCE OF 214.67 FEET; THENCE CONTINUING S 10°54'24" E ALONG SAID WEST EDGE OF SAID HEART RIVER, A DISTANCE OF 210.25 FEET TO THE INTERSECTION OF SAID WEST EDGE OF SAID HEART RIVER AND SAID NORTH LINE OF SAID SECTION THIRTY-THREE (33); THENCE S 89°25'39" W ALONG SAID NORTH LINE LEAVING SAID WEST EDGE OF SAID HEART RIVER, A DISTANCE OF 479.85 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION THIRTY-THREE (33) BEING A FOUND BLM BRASS CAP; THENCE S 00°29'08" E LEAVING SAID NORTH LINE ALONG THE EAST LINE OF SAID NORTHWEST QUARTER (NW¼) OF SAID SECTION THIRTY-THREE (33), A DISTANCE OF 2039.66 FEET TO A SET REBAR AND CAP LS-5466; THENCE N 80°39'22" W LEAVING SAID EAST LINE, A DISTANCE OF 1000.00 FEET TO A SET REBAR AND CAP LS-5466; THENCE N 37°24'44" W, A DISTANCE OF 1576.94 FEET TO A SET REBAR AND CAP LS-5466; THENCE S 89°15'50" W PARALLEL TO SAID NORTH LINE OF SAID SECTION THIRTY-THREE (33), A DISTANCE OF 250.00 FEET TO A SET REBAR AND CAP LS-5466 AT THE SOUTHEAST CORNER OF SAID DOMBECK INDUSTRIAL PARK FIRST ADDITION; THENCE N 00°59'31" W ALONG THE EAST LINE OF SAID DOMBECK INDUSTRIAL PARK FIRST ADDITION, A DISTANCE OF 599.88 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 86.91 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY PREVIOUS EASEMENTS, AGREEMENTS, CONVEYANCES AND SURVEYS.

SECTION 2. CORPORATE BOUNDARY EXTENDED. Upon the taking effect of this Ordinance, the corporate limits and boundary lines of the City of Mandan shall thereafter include said lands.

James Froelich, President
Board of City Commissioners

Attest:

Jim Neubauer
City Administrator

First Consideration:
Second Consideration and Final Passage:
Recording Date:

July 2, 2024

July 16, 2024



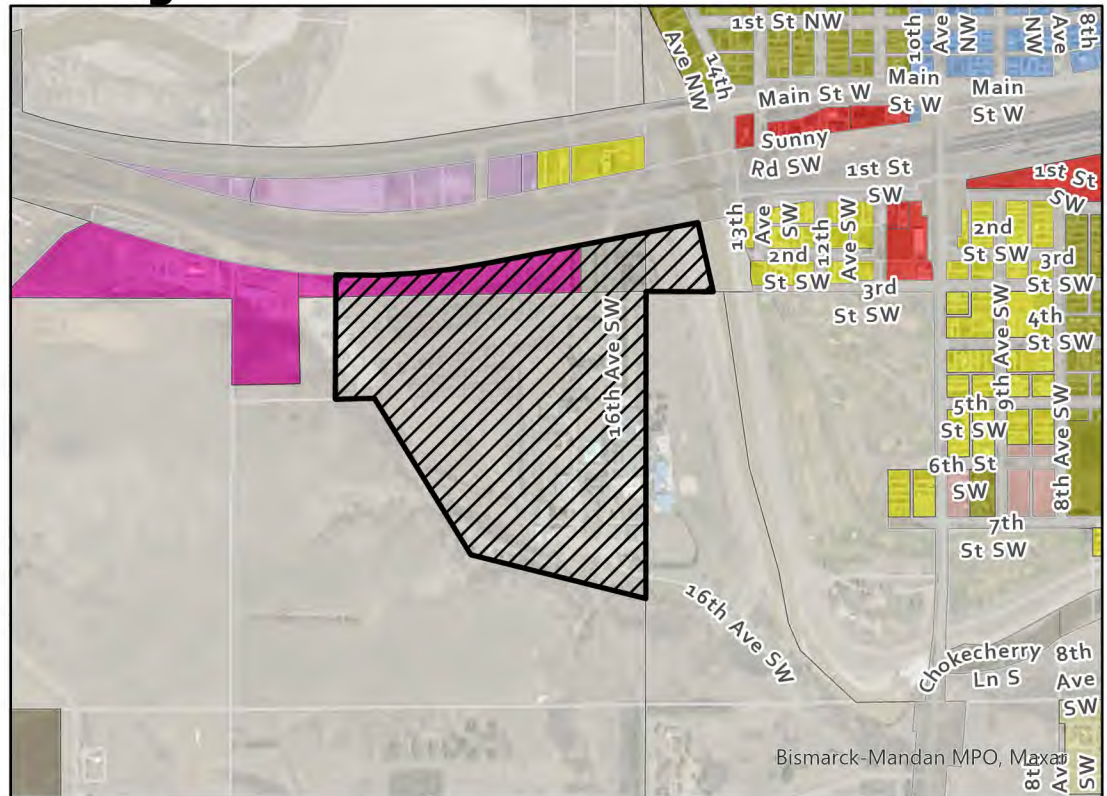
Zoning and Future Land Use Reference Map

Heart River Annexation

Zoning

Zoning Map Key

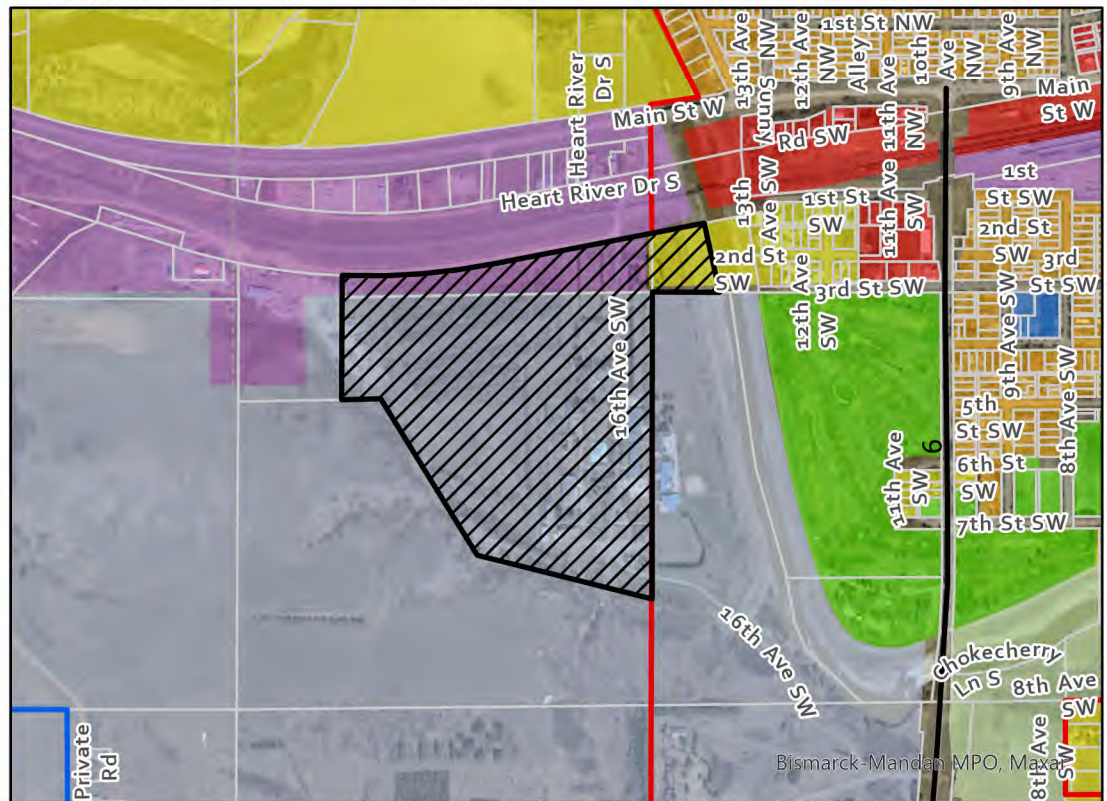
- Agriculture - City of Mandan
- Agriculture - Morton County
- CA - Neighborhood Commercial
- CB - Business Commercial
- CC - Commercial/Light Industrial Transition
- DC - Downtown Core
- DF - Downtown Fringe
- Industrial - Morton County
- LSMHS - Trailer Park Subdivision
- MA - Heavy Commercial/Light 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
- Parcels
- June '24 Planning Items



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
- June '24 Planning Items

Future Land Use Plan





Planning & Zoning Commission

Agenda Documentation

MEETING DATE: December 18, 2024
PREPARATION DATE: December 6, 2024
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Andrew Stromme
PRESENTER:
SUBJECT: Schedule 2025 meetings.

STATEMENT/PURPOSE:

Set the schedule for 2025 Planning & Zoning meetings.

BACKGROUND/ALTERNATIVES:

Staff proposes the following for 2025 Meeting Dates of the Planning and Zoning Commission:

- January 27
- February 24
- March 24
- April 28
- May 26 (Memorial Day)
- June 23
- July 28
- August 25
- September 22
- October 27
- November 24
- December 22

ATTACHMENTS:

None

FISCAL IMPACT:

STAFF IMPACT:

LEGAL REVIEW:

RECOMMENDATION:

SUGGESTED MOTION: