



**AGENDA
PLANNING & ZONING COMMISSION
APRIL 28, 2025
COMMISSION ROOM
MANDAN CITY HALL
5:30 PM
WWW.CITYOFMANDAN.COM**

The public may access the LIVE meeting at:

Watch & Listen

Government Access (Midcontinent) cable channels 2 & 602

HD Streaming LIVE at: tinyURL.com/FreeTV-602 and on Roku

or Apple TV

Or Telephone:

Dial: + 1 312 626 6799

Listen

Radio Access 102.5 FM

RadioAccess.org

Zoom Webinar:

<https://us02web.zoom.us/j/88480650136>

Webinar ID: 884 8065 0136

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. March 24, 2025 Minutes

C. PUBLIC HEARINGS

1. Consider a variance for Lot 1, Block 35, Mandan Proper

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.

2. Consider a variance for Lot 2, Block 1, Midway 10th Addition

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.

3. Consider Schaff Estates 3rd Addition Preliminary Plat and Zone Change

Staff Recommendation: Planning staff recommends postponement of this request.

D. OTHER BUSINESS

1. Review of New Zoning Code

E. ADJOURN



Planning & Zoning Commission

Agenda Documentation

MEETING DATE: April 28, 2025
PREPARATION DATE: April 16, 2025
SUBMITTING DEPARTMENT:
DEPARTMENT DIRECTOR:
PRESENTER:
SUBJECT:

STATEMENT/PURPOSE:

BACKGROUND/ALTERNATIVES:

ATTACHMENTS:

1. March 24, 2025 Planning & Zoning Minutes

FISCAL IMPACT:

STAFF IMPACT:

LEGAL REVIEW:

RECOMMENDATION:

SUGGESTED MOTION:

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

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

B. CONSIDER APPROVAL OF MINUTES

1. *February 24, 2025 Minutes. Commissioner McLean motioned to approve the February 24, 2025 minutes. Commissioner Smith seconded the motion. Upon vote, the motion passed unanimously.*

C. PUBLIC HEARINGS

1. *Consider Developers West Acres 2nd Add. Zone Change*

Staff Recommendation: Planning staff recommends approval of the request..

City Principal Planner Stromme presented.

Delton and Terrie Stein requested a zoning change from CA - Commercial to R7 - Residential for the property at 3801 43rd Street NW. Their plans include converting the existing commercial building into a residential structure and in the future, constructing an expansion of the shop/garage to the west.

Property History

Developer's West Acres was originally platted in 1976, with the shop constructed in 1990. The lot was replatted in 1996 as part of Developer's West Acres 2nd Addition, which reconfigured the lots between 42nd Street NW and 43rd Street NW. Since the lot was already developed, its configuration remained unchanged. Ordinance 901 later modified the area's development plan by rezoning most neighboring lots from CA - Commercial to R7 - Residential or RM - Residential. Previously used as a commercial warehouse, the property was acquired by the Steins in 2024. The property is roughly 32,000sf in size, and the existing building on this property is roughly 3,600sf in size. The proposed addition would extend the building further west.

Zone Change

The requested zone change would place the property in the R7 - Residential district which is similar to the zoning of properties to the south and west. It would permit the residential use of the property and associated accessory uses.

Adjacent Properties Zoning, Land Use, and Future Land Use

Adjacent properties to the west and south are zoned R7 - Residential and are used as single-unit detached residences. The adjacent properties to the east and north are zoned RM - Residential and are similarly used as single-unit detached residences. The proposed re-zoning to R7 - Residential aligns with the future land use plan recommendation of low-density residential land use on this property.

Additional Information and Public Outreach

- The application and fee of \$600.00 was received on February 21, 2025.
- The notice was published in the Mandan News as required. Thirty-six (36) letters were sent to adjacent property owners on March 6, 2025.

-
- There have been no comments or opposition received by the city.

Staff Comments

Although the Land Use Plan initially designates residential use for this property in broad terms, Goal 1 of the City’s Future Land Use Plan emphasizes promoting a well-planned community that balances land uses and expands services. This goal includes a policy to establish neighborhood commercial centers that offer goods and services to the surrounding area. Due to the location, this property has the potential to eventually serve as a convenient hub for such services in the neighborhood.

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 consistent with the Future Land Use Plan/Map, other adopted plans and policies, and accepted planning practice;
4. The proposed zoning change would not adversely affect public health, safety and general welfare.

Planner Stromme recommended approval of the request for Developers West Acres 2nd Addition zone change to R7 Residential.

Chair Robinson inquired if there were any comments or questions for Planner Stromme or the project team. 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 Developers West Acres 2nd Addition Zone Change to R7 Residential.

Chair Robinson provided a second and third invitation to come forward.

Chair Robinson inquired if there were any comments or questions.

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 McLean moved to recommend approval of the request for Developers West Acres 2nd Addition Zone Change to R7 Residential. Commissioner Leingang seconded the motion. Chair Robinson called for a roll call vote: Leingang: Yes; Huber: Yes; Intveld: Yes; Mayor Froelich: Yes;

***Smith: Yes; Horn: Yes; Hammond: Yes; Gardner: Yes; McLean: Yes; Mudder: Yes; Robinson: Yes.
The motion passed.***

2. *Consider MDU Addition Final Plat and Zone Change*

Staff Recommendation: Planning staff recommends approval of the request..
City Principal Planner Stromme presented.

Montana-Dakota Utilities (MDU) requested approval of a final plat and a zone change from A – Agriculture to CB – Commercial for the MDU Addition. The property is in the far northern section of Mandan’s Extraterritorial Area (ETA), east of Highway 1806 and south of County 37th Street.

Request Overview

The request aims to finalize the platting of the MDU Addition by consolidating multiple auditor’s lots into two platted lots. Lot 1, an 11.28-acre parcel, will be designated for the MDU Lineman Training Center and rezoned to CB – Commercial, which permits educational and workforce training uses. Lot 2, encompassing 100.22 acres, includes multiple easements and a major electrical substation. Lot 2 will retain its A – Agriculture zoning, with no further development planned at this time. Following approval and completion of the development review process, MDU will commence construction of the Lineman Training Facility. Attachments provide renderings of the proposed structure which is proposed for the west side of Lot 1 and will be 13,584sf in size. The property has historically hosted electrical transmission facilities related to the RM Heskett Station, located south of the site. Prior to 2009, the land was used as a tilled agricultural field with major electrical transmission lines crossing it. In 2010, a substation was built in the center of the property, spanning multiple lots. In 2021, MDU developed an outdoor linemen training facility on the northern portion of the property, adjacent to 37th Street.

Planning Department Staff understands that the City’s Land Use Plan recommendation for open space is largely influenced by the significant presence of electrical transmission infrastructure on the site, which restricts conventional development. The proposed training facility aligns with the existing land use, and the planned buildings will incorporate materials similar to those found in the surrounding area.

Final Plat Details

The final plat encompasses 113.57 acres and includes two lots within a single block:

- Lot 1: 11.28 acres designated for the lineman training center, which will be zoned CB – Commercial.
- Lot 2: 100.22 acres that will remain zoned A – Agriculture, containing multiple utility easements and a major electrical substation.

The plat dedicates 2.07 acres of right-of-way (ROW), including a 50-foot ROW dedication from the centerline of 37th Street, aligning with ROW dedications for neighboring subdivisions to the west. It also identifies major and minor utility transmission easements for various electrical utilities and includes a Morton County Water Resource District easement. Utility lines and easements affecting Lot 1 are for the existing training center.

Zone Change Request

The property is currently zoned A – Agriculture. Following a thorough evaluation, staff has determined that the CB – Commercial zoning district is the most appropriate classification for the proposed training facility. The CB district provides the necessary entitlements for the training center while avoiding industrial uses that could negatively affect nearby residential areas. Additionally, the CB zoning serves as a logical extension of the existing commercial zoning immediately to the west.

Adjacent Properties Zoning, Land Use, and Future Land Use

The property is zoned Ag - Agriculture. Adjacent properties to the west are zoned Ag - Agriculture and CB - Commercial. Properties to the north are zoned Ag - Agriculture and County Residential. Properties to the north are County Industrial and property to the south are zoned Ag - Agriculture and County Industrial.

Additional Information and Public Outreach

- The final plat application and fee of \$400.00 was received on February 21, 2025.
- The zone change application and fee of \$600.00 was received on December 26, 2024.
- This item was published in the Mandan News as required.
- Twenty-seven (27) letters were sent to adjacent property owners on March 7, 2025.

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;
7. 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.

Planner Stromme recommended approval of the request for the MDU Addition Final Plat and Zone Change request from A - Agriculture to CB - Commercial for Lot 1, Block 1 of MDU Addition. There were no changes from the preliminary plat that was approved by this Commission.

Commissioner Mudder inquired if there will be any major changes made to 37th Street? Planner Stromme replied there will not be any major changes made rather there will be changes made to a section line right of way and the plan for them is to be platted into a future right of way arterial road.

Chair Robinson inquired if there were any comments or questions for Planner Stromme or the project team. 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 the request for the MDU Addition Final Plat and Zone Change request from A - Agriculture to CB - Commercial for Lot 1, Block 1 of MDU Addition.

Chair Robinson provided a second and third invitation to come forward.

Chair Robinson inquired if there were any comments or questions.

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 the request for the MDU Addition Final Plat and Zone Change request from A - Agriculture to CB - Commercial for Lot 1, Block 1 of MDU Addition. Commissioner Mudder seconded the motion. Chair Robinson called for a roll call vote: Leingang: Yes; Huber: Yes; Intveld: Yes; Mayor Froelich: Yes; Smith: Yes; Horn: Yes; Hammond: Yes; Gardner: Yes; McLean: Yes; Mudder: Yes; Robinson: Yes. The motion passed.

3. *Consider a variance for Lot 2, Block 1, North Prairie Subdivision Replat*

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..

City Principal Planner Stromme presented.

Cheydan Gordon requested consideration for a variance to Section 105-1-3 (4) of the City Code of Ordinances related to the size of accessory buildings in the R7 – Residential zoning district. The property is in the extraterritorial area north of Mandan, south of 37th Street NW, west of Highland Rd.

History and Request Overview:

In 2023, the Planning & Zoning Commission recommended approval of a variance request allowing the applicant to construct an 8,000 square foot accessory building, exceeding the maximum allowed size for accessory buildings in the R7 – Residential zoning district, which is based on the size of the home it is accessory to. The home on the property is ~6,200sf in size. The applicant now seeks permission to increase the square footage of accessory buildings on the property to 11,000 to permit both the 8,000sf shop and a newly-desired 3,000sf cold storage building.

Requested Variance:

The applicant's current request would substantially increase the total accessory building space on the property. While the original request sought an increase from the previously-allowable 4,800sf to 8,000sf, the updated request would result in a cumulative accessory building total of 11,000sf — which is 6,380sf larger than what is allowed by zoning (pending final finished square footage of the home).

Adjustment of Site Planning/Ghost Plat

The original variance allowed the 8,000sf structure, which would have been placed along the northern property line. The applicant now proposes to locate both the 8,000sf accessory building and the 3,000sf cold storage building on the south side of the property, adjacent to the existing 3,000sf. The "ghost plat", which is intended to reserve areas for future development, includes both a five-acre tract of land west of the building/home site and a 100' corridor reservation for an eventual public road connecting development to the south with the future Beltway to the north. It would be supplemented by an updated development agreement if the Commission chooses to grant the variance.

Relevant Plans and Studies The property remains in a key growth area, as identified in the following plans:

- Mandan Land Use and Transportation Plan
- Mandan Morton Fringe Area Road Masterplan
- Regional Beltway Study

These studies prioritize urban single-family residential development in this area, with a preferred minimum density of three dwelling units per acre. Additionally, this area is part of the future alignment for a collector roadway, intended to connect Old Red Trail to the planned Beltway/Northern Bridge Corridor. The applicants' existing and proposed land uses are significant departures from what the city has planned for this area and may disrupt orderly growth and development in this part of Mandan.

Impact on Growth and Development

Permitting the construction of multiple large accessory structures of this scale in a prime urban growth area introduces the risk of disorderly urban development by encouraging rural-style land use patterns. Such low-density, rural-style development can contribute to fragmented infrastructure, increased service costs, and inefficient land use. The city is going to continue growing to the northwest, and this area will not be rural in nature.

Adjacent Properties Zoning, Land Use and Future Land Use

The properties surrounding this property are zoned R7 – Residential and MA – Industrial. The future land use plan identifies this area for low-density residential and for commercial uses along the beltway

corridor. Existing land uses are rural residential, vacant, a laydown yard and a shop. The property is roughly 1/3 mile from Red Trail Elementary School.

Additional Information and Public Outreach

- Application and fee of \$400 was received on February 21, 2025.
- Letters were sent to six (6) adjacent property owners.

Findings of Fact

Zoning Variance

1. 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 CB - Commercial / Gateway Overlay districts.
2. The hardship is not caused by the provisions of the Zoning Ordinance.
3. Strict application of the provisions of the Zoning Ordinance would not deprive the property owner of the reasonable use of the property.
4. The requested variance is not the minimum variance that would accomplish the relief sought by the applicant.
5. The granting of the variance is not in harmony with the general purposes and intent of the Zoning Ordinance.

Planner Stromme stated that the city Planning Staff recommended 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.

Commissioner Huber inquired if the property is within city limits ETA? Planner Stromme stated that he did not indicate if this property was within the ETA. Commissioner Huber inquired if it might be more appropriate to consider a zone change to all residential, as more fitting in the context of the area that it is located in? Planner Stromme stated that staff is in the development phase of the creation of a rural district. The city does not have one currently so there is no district to put this in. Commissioner Huber inquired what zoning would there be for properties that are adjacent to this along Highland Road as you travel north and west along 37th Street? Planner Stromme stated that most of the properties located in that area are in the R7 District. The analysis performed in the Zoning Study and the city's Future Land Use Plan do not call for rural style development in this area rather it calls for urban or early urban expansion. The rural land use designation would be reserved for areas about one mile out from the city. The city does not have zoning permits nor a planning basis at this time to permit large lot rural style development near the city. Commissioner Huber stated that she resides in this area and is familiar with it and that access is currently not available to the south so it is only accessed from the north off Highland Road as it turns onto 37th Street. It is on a private drive and it is very rural in characteristic in every direction except to the elementary school in this area. She commented that a property owner has acquired adjacent property of about 50 acres. Commissioner Smith stated that he had the same comments regarding the variance that it is de facto zoning rather than just a variance and that sets a bad precedence by the Commission. He said that after reviewing the future land use plan, this property is adjacent to commercial property and as pointed out by Commissioner Huber the tract next to it is a 10 acre tract. He inquired if the applicant has a desire to develop a commercial R7, should the city consider rezoning the property? Planner Stromme explained that at this time the applicant has not shared any solid development

plans for the additional land that they have in this area. His understanding is that part of the purchasing plan is not developing the land and using it for agricultural purposes. Commissioner McLean inquired if anything has been built on that land; Planner Stromme stated that the house has been constructed.

Planner Stromme stated that he has received telephone calls and has been informed that a letter is forthcoming from one of the invited individuals. Chair Robinson inquired if the 8,000 square foot structure been constructed? Planner Stromme stated that the shop nor the accessory building have not been constructed. The biggest change to note would be the placement. There are no developmental plans for the 40 acres. This request does not include any of the corridor, He stated that any future development in this area will involve roads and corridor discussions.

Chair Robinson inquired if there were any comments or questions for Planner Stromme or the project team. 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 the variance for Lot 2, Block 1, North Prairie Subdivision Replat.

Chair Robinson inquired if the rough line shown in one of the photos would be the shop building?

Planner Stromme provided an aerial view explaining the locations of the property layout and structures including the collector road, an extension of 30th Avenue (vs. corridor).

Mark Isaacs, ILSE, came forward and spoke on behalf of the applicant. The applicant purchased the land west of these 10 acres and it runs north to south. The land directly north of these 10 acres is presently owned by Mor-Gran-Sou. In the ghost platting it shows he owns 10 acres currently and that was condensed in the ghost plat usable area into smaller lots. The variance was initially granted for 8,000 sq. ft. The applicant's plans changed due to having to store additional items and that explains why he is requesting additional buildings for cold storage items.

Commissioner Mudder inquired if that area is utilized as urban, will this hurt the value of those lots?

Planner Stromme stated that as urban density develops, so does property value, hence he would not anticipate property reductions. Commissioner McLean inquired if the future off ramp on 56th will be affected? Planner Stromme replied that this property should not affect the interchange.

Chair Robinson provided a second and third invitation to come forward to speak for or against the request for the variance for Lot 2, Block 1, North Prairie Subdivision Replat.

Chair Robinson inquired if there were any comments or questions.

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 Gardner commented that it is his understanding that the north-south road would not really affect anything in terms of the north-south. Would there be an access through that property concern in the future? Planner Stromme replied that there are no major plans at this time for north-south collector in the future. It would likely be brought in as development at some point. Commissioner Gardner inquired if there were any negative or positive comment(s) received? Planner Stromme stated that the comments were related to the site of the building, however, they were not submitted formally and they were basically indicating that they be located on the north vs. the south property line. Planner Stromme explained that with relation to the position of the house, there is a three-acre lot with rural residence zoned as R7 immediately to the south of this site. Commissioner Smith commented that the property to the south and to the north appears to be basically commercial rule which is an unusual position. He has no preference with either way. Commissioner Huber stated that she is in support of approving the variance because of the zoning of the city's R7 situation or she would also be supportive of requesting the applicant to resubmit for a zone change that allows for this type of out building. Commissioner McLean inquired what the difference is between a shop and cold storage. Commissioner Smith recalled that the applicant referred to the building as a pole structure. What is the difference between a pole structure and a shop? Is that a pole barn? Building Official Singer clarified that one structure will have a foundation, and one will not. The plan for the 80 x 100 shop was a pole submitted design plan building and the pole structure that would be allowed in the ETA and not in the city's normal setting. When you have an 80 x 100 structure, engineering is involved, wherein for a pole structure, they are not.

Chair Robinson inquired if there were any further comments or questions.

Commissioner Huber moved to recommend approval of the variance from Section 105-1-3 (4) of the City Code of Ordinances related to accessory buildings in the R7 – Residential zoning district to permit the variance request (up to 11,000sf of accessory structure square footage configured in two buildings) due to the hardship of the applicant being deprived of a reasonable use of said land or building and to modify the staff finding of fact which would be the fact that the hardship is caused by the provisions of the zoning ordinance. Commissioner McLean seconded the motion. Chair Robinson called for a roll call vote: Leingang: Yes; Huber: Yes; Intveld: Yes; Mayor Froelich: Yes; Smith: Yes; Horn: Yes; Hammond: Yes; Gardner: Yes; McLean: Yes; Mudder: Yes; Robinson: Yes. The motion passed.

D. OTHER BUSINESS

1. *Potential Request for Future Land Use Plan Amendment.* City Principal Planner Stromme stated that this is an informational item that warrants discussion by this Commission. The location is 40th Avenue Southwest by the new Discovery Montessori School. The zoning is residential with multi-family or single-family housing properties. There are two owners, one private and one city owner that the city received in back taxes. There are two different commercial designations on this property. There is commercial property on 40th Avenue with a condition applied in 2006 that prevents residential use on it and then there is commercial property in the back that has residential homes on it that the city owns. This

property has been available for purchase. Since 2015, the property has been high density residential to be developed on this property. The city received an offer for less than the asking for multi-use shops with a special use permit. The project stopped there. They are proposing to purchase it from the city to construct multi-use shops. The city will not accept the application with a land use plan that does not support special use commercial on it. Their plan would require amending the city's Land Use Plan to support multi-use shop development on it. The plan has been scheduled for the City Commission as to how complimentary this would be to adjacent uses. All properties in this area are residential. The nearest non-residential would be a 4–5-minute walk to the north. The city believes the proposal would present conflicts such as hours of operation, form and type of use not relevant to this area. Planner Stromme recommended that the city not entertain an application for a land use amendment for this property, but rather, attempt to resolve in other ways to help the applicant identify eventual use for this property.

Planner Stromme inquired if anyone had any comments regarding this concern. He stated that the Planning Department would not support this on behalf of the city. Commissioner McLean stated that he is familiar with this location. He inquired where access would be? Planner Stromme stated that they would not need access to the rear lot as they would combine them into one access point. Commissioner Smith commented that the city lot is a drainage area. He inquired if that is part of the storm water drainage plan and is that considered a wetland or a wetland issue? Planner Stromme explained that it has not been researched and there has not been any stormwater infrastructure on this property and any sale of it would be buyer beware. The city did not accept the terms, so there have been no claims to use it. However, any development on it would be subject to delineations on it to not cause destruction. Commissioner Huber inquired if there were ever plans for a pond in this area? Planner Stromme replied that from a review of the records, he has not found documentation such as drainage or wetlands or involvement in a storm water management plan. Since this development was approved, only two employees still work for the city. The applicant intends to submit an application for the April 4th meeting. Based on the above discussion, Planner Stromme said he is not sure enough information has been received and is available in order to present it to the City Commission.

2. *Update on Zoning Study.* City Principal Planner Stromme stated there are no major updates to present however, the bulk of the material has been reviewed and there are some additional items that will need adjusting, such as boulevard landscaping and driveway widths that will require future analysis.

Planner Stromme announced that he will be moving and will be leaving his position as City Principal Planner with the city on May 9, 2025. His recommendation to the Planning and Zoning Commission would be to focus on the timing of the completion of this project and to make sure the ordinance update is followed through. The new City Planner will need time to review the changes.

Chair Robinson extended a thank you to Planner Stromme for his dedicated services to the city of Mandan and commented that the zoning work completed over the last 12 months has been an important project.

Commissioner Huber motioned to extend congratulations and thank you to Planner Stromme for a job that has been extremely well done and that he has made the Mandan Community a better place than when he started as the city planner. Commissioner McLean seconded the motion. Upon vote, the motion passed unanimously.

E. ADJOURN *There being no further business to discuss or come before the Board, a motion was*

made by Commissioner McLean and seconded by Commissioner Hammond to adjourn the meeting. Upon vote, the motion passed unanimously.

The meeting adjourned at 6:33 p.m.



Planning & Zoning Commission

Agenda Documentation

MEETING DATE: April 28, 2025
PREPARATION DATE: April 16, 2025
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Andrew Stromme
PRESENTER: Andrew Stromme, City Planner
SUBJECT: Consider a variance for Lot 1, Block 35, Mandan Proper

STATEMENT/PURPOSE:

Consider a variance for Lot 1, Block 35, Mandan Proper

BACKGROUND/ALTERNATIVES:

The Church of St. Joseph requests consideration of a variance to Section 105-4-2.2 (c) of the City Code of Ordinances related to building setbacks in the Downtown Fringe zoning district. The property is located at 311 1st Avenue NE.

History and Request Overview:

The applicant proposes to demolish the existing residence and construct a two-story office building to serve as the administrative offices for St. Joseph's Church, located directly across the street to the north. The current home, built in 1930, sits on a 3,650-square-foot lot measuring 50 feet wide along 1st Avenue NE and 73 feet deep along 3rd Street NE. The new building would be oriented to face 3rd Street NE to the north, featuring a garage door along 1st Avenue NE and a second-story balcony overlooking the southeast corner of the property.

The applicant states that, in their assessment, the existing structure is not in suitable condition and redevelopment is necessary. The applicants statement of hardship is included in the attachments. A separate, narrative-based letter is included from the applicant.

Requested Variance:

The City Ordinance governing development and redevelopment in the DF – Downtown Fringe district requires a minimum front yard setback of 15 feet for non-residential properties adjacent to residential lots, as well as off-street parking. It also encourages redeveloped properties to maintain setbacks that align with neighboring properties. Due

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.

Page 2 of 4

to the potential conflict between these requirements—and in the interest of transparency and avoiding disputes—staff determined that a front yard setback variance is the most appropriate path forward.

Under the ordinance's general provisions, lots with two street frontages are considered to have two front yards, and have two side yards. The proposed project meets the required 15-foot setback along 1st Avenue NE, but the applicant is requesting a reduced setback of 7 feet along 3rd Street NE—8 feet less than required. Staff believes this reduced setback is generally consistent with neighboring properties along 3rd Street to the east and west. The primary issue is that the ordinance requires both a 15-foot setback and harmony with adjacent development, without prioritizing one over the other or providing an administrative path for reconciliation.

The applicant is also requesting to fulfill off-street parking requirements through the use of separate, St. Joseph-owned parking facilities. The proposed building includes 3,648 square feet of office space on the main and second floors, and an additional 1,824 square feet in the basement (not intended for office use), totaling 5,472 square feet. Per City Ordinance Section 105-1-6, shared or off-site parking agreements require Commission approval, and office uses require one parking space per 400 square feet—resulting in a need for 9 to 14 spaces. Given the complementary nature of weekday office use and weekend church services, staff believes a shared off-site parking arrangement is appropriate and unlikely to create conflicts. It is the City's desire that, should the Board be open to the shared parking, a document be recorded memorializing that the two properties are linked to fulfill this purpose.

Staff Comments

- Staff notes that the proposed redevelopment generally aligns with the City's broader goals to strengthen and revitalize the urban core while supporting opportunities for growth and expansion.
- The site's proximity to the existing St. Joseph facilities is seen as a positive, and the use of compatible materials and landscaping is expected to enhance visual and functional cohesion between the existing buildings and the new development.
- This project would require separate review and approval by Mandan Architecture Review Committee.
- The use of shared parking is viewed by staff to be favorable to an alternative proposal which would have been to pave the boulevards for parking which as it preserves the landscaped boulevard and allows for trees to be either preserved

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.

Page 3 of 4

or replaced which better fits the neighborhood character by not over-paving the area when an acceptable alternative exists.

Adjacent Properties Zoning, Land Use and Future Land Use

The properties surrounding this property are in the DF - Downtown Fringe and DC - Downtown Core zoning districts. The future land use plan identifies this area for medium-density residential. Existing land use is residential.

Additional Information and Public Outreach

- Application and fee of \$400 was received on March 26, 2025.
- Letters were sent to 14 adjacent property owners.
- At the time of the agenda packet being published, the City has received no comments or questions regarding the project.

Findings of Fact Zoning Variance

1. 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
2. The hardship **is not caused by** the provisions of the Zoning Ordinance.
3. Strict application of the provisions of the Zoning Ordinance **would not deprive** the property owner of the reasonable use of the property.
4. The requested variance **is not the minimum variance** that would accomplish the relief sought by the applicant.
5. The granting of the variance **is not in harmony** with the general purposes and intent of the Zoning Ordinance.

ATTACHMENTS:

1. Application
2. Statement of Hardship
3. Building Plans
4. Landscape Plan
5. Fr. Waltz Letter

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.

Page 4 of 4

6. Images of Property

7. Location Map

FISCAL IMPACT:

N/A

STAFF IMPACT:

This project has received a standard level of staff review.

LEGAL REVIEW:

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

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.

SUGGESTED MOTION:

Move to recommend approval of the variance from Sections 105-4-2.2 (c) and 105-1-6 of the City Code of Ordinances related to building setbacks in the DF – Downtown Fringe zoning district and off-street parking requirements, shared parking agreements to permit the variance request due to the following hardship: **[PZ Commissioner to identify/fill in the blank]** and to modify the following Staff finding(s) of fact.

- Recommended Condition: an agreement be recorded memorializing the shared parking.

Move to recommend denial of the variance from Sections 105-4-2.2 (c) and 105-1-6 of the City Code of Ordinances related to building setbacks in the DF – Downtown Fringe zoning district and off-street parking requirements, shared parking agreements and accept the findings of fact due to no hardship being identified.

| 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) | <input checked="" type="checkbox"/> 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) | |
| <p style="font-size: 1.2em;">want to tear down existing home + put office building in its place</p> | |

| Engineer/Surveyor | | | Property Owner or Applicant | | |
|---|-------------|--------------|---|-------------|--------------|
| Name Toman Engineering | | | Name Church of St. Joseph - Mandan Trustee | | |
| Address 501 1st St NW | | | Address 108 3rd St NE | | |
| City Mandan | State ND | Zip 58554 | City Mandan | State ND | Zip 58554 |
| email www.tomanengineering.com | | | email frjoshwaltz@gmail.com | | |
| Phone 701-663-6483 | | Fax | Phone 701-663-9562 | | 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. | | | | | |

damen.buffington989@gmail.com

| Location | | Type | | Existing Zone | Proposed Zone | Project Name |
|---------------------------------|--------------------|---------|-------------|---|------------------|------------------------------|
| City | ETA | New | Addition | DF | DF | BIK 35, Lot 1, Mandan Proper |
| Property Address | | | | Legal Description | | |
| 311 1st Ave NE, Mandan ND 58554 | | | | SUBDIV: MANDAN PROPER BLK: 35 E 73' LOT 1(3585) | | |
| Current Use | | | | | | |
| Vacant | | | | | | |
| Proposed Use | | | | | | |
| Church Business Office | | | | Section | Township | Range |
| | | | | 27 | 139 | 81 |
| Parcel Size | Building Footprint | Stories | Building SF | Required Parking | Provided Parking | |
| 3650 sq ft | 40 x 48 | 2 | 1,920 SF | Parking lot | Street + | |

.08 acres

| | | |
|------------------------------|---------------|-----------------|
| Print Name Fr. Josh Waltz | Signature | Date 3-28-25 |
|------------------------------|---------------|-----------------|

| Office Use Only | | | |
|-----------------|---------------------------|-------------------|----------------|
| Date Received: | Initials: nm | Fees Paid: \$ 400 | Date 3-26-2025 |
| Notice in paper | Mailed to neighbors | P&Z meeting | |
| Approved | Approved with conditions: | | |
| Denied | | | |

Additional Submittals

Variance

A zoning variance application shall include a detailed statement with the following information:

1. The circumstances or conditions applying to the land or buildings for which the variance is sought
 - a. The small & narrow lot makes it difficult to comply with setback coverage requirements.
 - b. The pre-existing structures that were constructed before current zoning laws create non-conforming conditions that require a variance for modifications to build a new office building.
 - c. Zoning code conflicts, zoning regulations or updates in zoning laws create situations that make it necessary to reconcile the requirement so Fr. Waltz can build a new office building.
 - d. See letter from Fr. Waltz

2. How the applicant is deprived of a reasonable use of said land or building;
 - a. The inability to build or expand due to strict zoning will prevent construction of St. Joseph Rectory. Due to lot size and setbacks the land can't be used for new St. Joseph office building.
 - b. Zoning restrictions render a property significantly less valuable and would create much higher costs to St. Joseph Rectory.

3. How the grant of a variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare; and
 - a. The proposed structure will be consistent with surrounding properties, ensuring that the variance does not disrupt the aesthetic or functional harmony of the area.
 - b. Approval of the variance will not create conditions that could lower property values in the neighborhood but would improve the overall appearance and increase the value of the neighboring properties.

4. The minimum variance that will accomplish the relief sought.
 - a. Preserves neighborhood integrity, the office building will not be a structure that will be out of character with the surrounding neighborhood. The new office building will add character and value to the neighborhood.
 - b. This modification does not increase risks related to fire safety, flooding, traffic, or other public concerns.
 - c. No other design or layout options have been considered, and we feel a variance is the only feasible solution that allows for functional use of the property.

The zoning map may be used to view the subject property and surrounding property's zoning and view property lines overlaid on an aerial. 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.



Construction of these plans should not be undertaken without a professional who can construct said project. Although every possible effort is made to insure the accuracy of these drawings, the builder and associated tradesman must carefully review all dimensions, rough openings, details submitted in these drawings and perform any necessary on-site reviews and all responsibility for the same. Builders and associated tradesman are to adhere to the most relevant or applied local building codes if no local code has been adopted adhere to the IRC or IBC standards.

FINE LINE DRAFTING AND DESIGN is not an Architect or Engineer.
 FINE LINE DRAFTING AND DESIGN is not an Architect or Engineer.
 This purchaser and/or builder of these plans releases Fine Line Drafting and Design, its officers, owners, employees or any family members associated with Fine Line Drafting and Design from any claims or legal situations that may occur before, during the construction of the project or any time thereafter.

COPYRIGHT NOTE
 ALL RIGHTS RESERVED FINE LINE DRAFTING AND DESIGN
 These drawings and specifications shall remain the property of the Designer and shall not be used for any other projects without the written consent of the Designer. These documents are not to be reproduced, changed or copied in any form or manner without the Designer's written permission and consent from the Designer.



ALL EXTERIOR DIMENSIONS ARE TO EXTERIOR EDGE OF BEARING (CONCRETE/STUD). ALL INTERIOR DIMENSIONS ARE TO STUD UNO.

| DRAWING SCHEDULE | |
|----------------------------|---|
| COVER SHEET | 1 |
| BASEMENT PLAN | 2 |
| 1ST FLOOR PLAN | 3 |
| 2ND FLOOR PLAN | 4 |
| NORTH AND SOUTH ELEVATIONS | 5 |
| WEST AND EAST ELEVATIONS | 6 |
| ROOF PLAN | 7 |
| PROPOSED SITE PLAN | 8 |

ST JOSEPH OFFICE

DARREN BUFFINGTON

DRAWN BY: BJF

JOB # 2519

SCALE As Noted ON 11X17

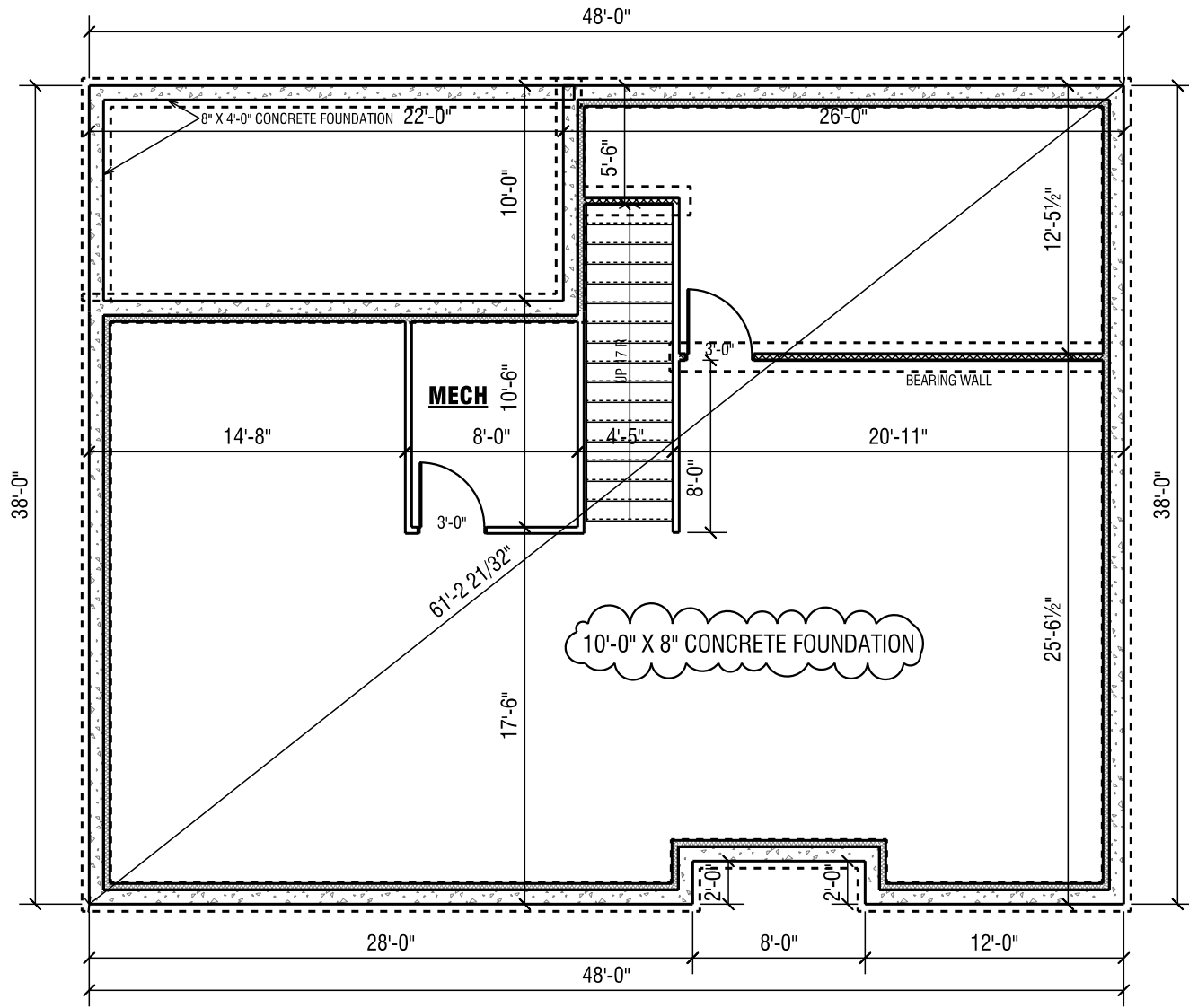
DATE:

PRINT DATE: 4/21/2025

PAGE #

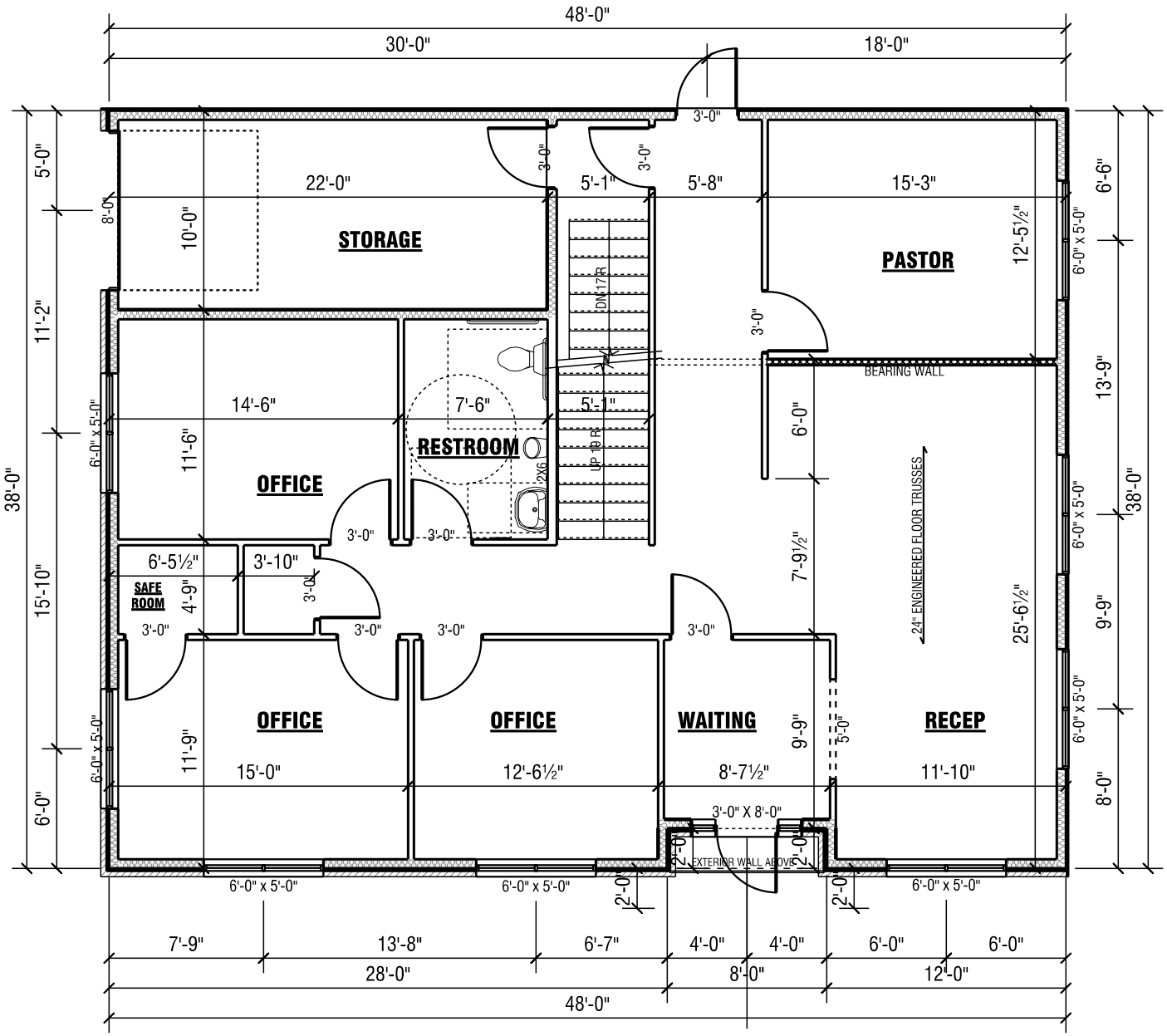
1

FINE LINE DRAFTING AND DESIGN
 215 Airport Road Suite 103 * Bismarck, ND 58501
 Cell- 701-426-1052 * Email-fidd@midconetwork.com
 www.facebook.com/FineLineDraftingBismarck



BASEMENT PLAN
SCALE: 1/8" = 1'-0"

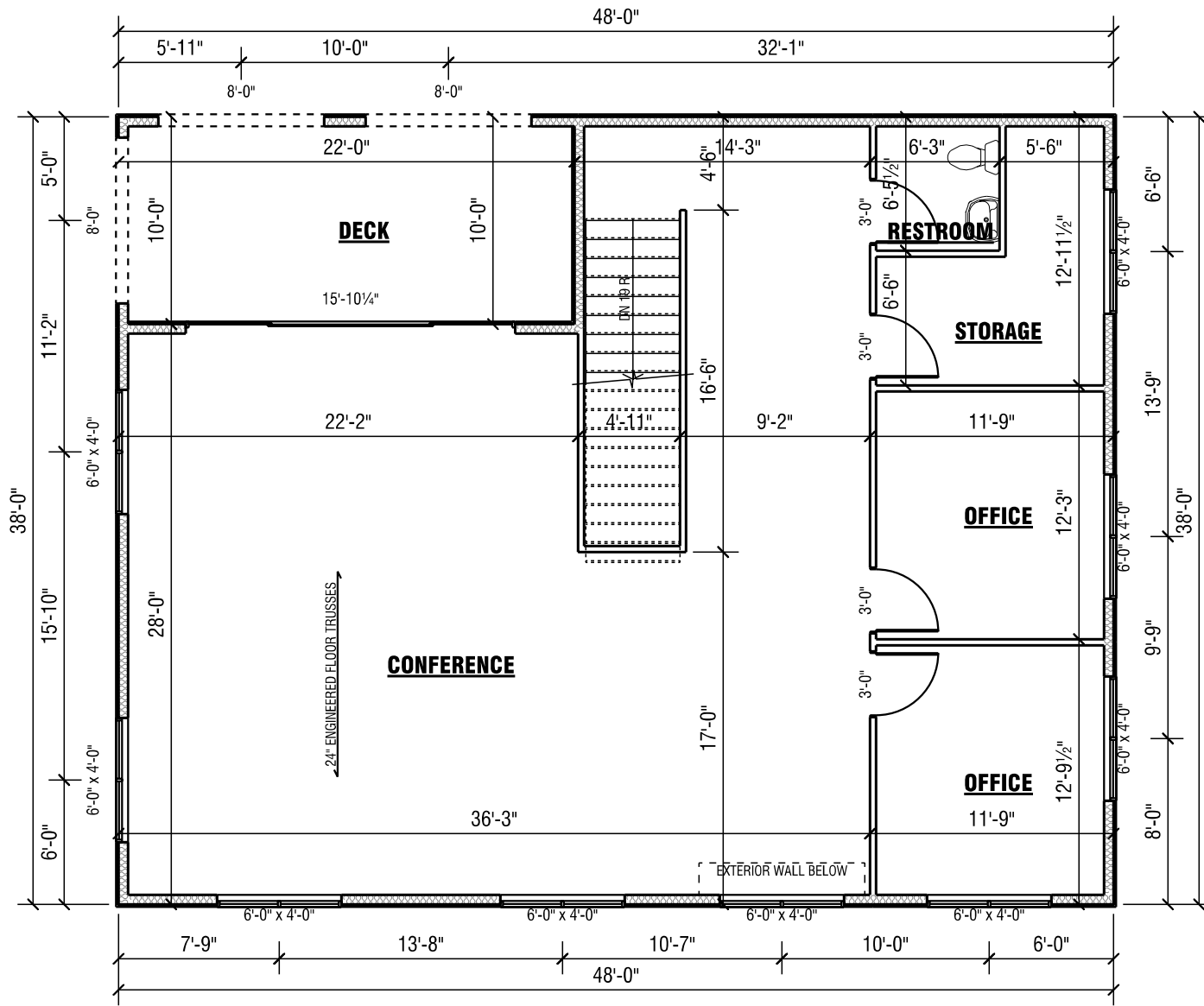
ALL EXTERIOR DIMENSIONS ARE TO EXTERIOR EDGE OF BEARING (CONCRETE/STUD). ALL INTERIOR DIMENSIONS ARE TO STUD UNO.



1ST FLOOR PLAN

SCALE: 1/8" = 1'-0"

ALL EXTERIOR DIMENSIONS ARE TO EXTERIOR EDGE OF BEARING (CONCRETE/STUD). ALL INTERIOR DIMENSIONS ARE TO STUD UNO.



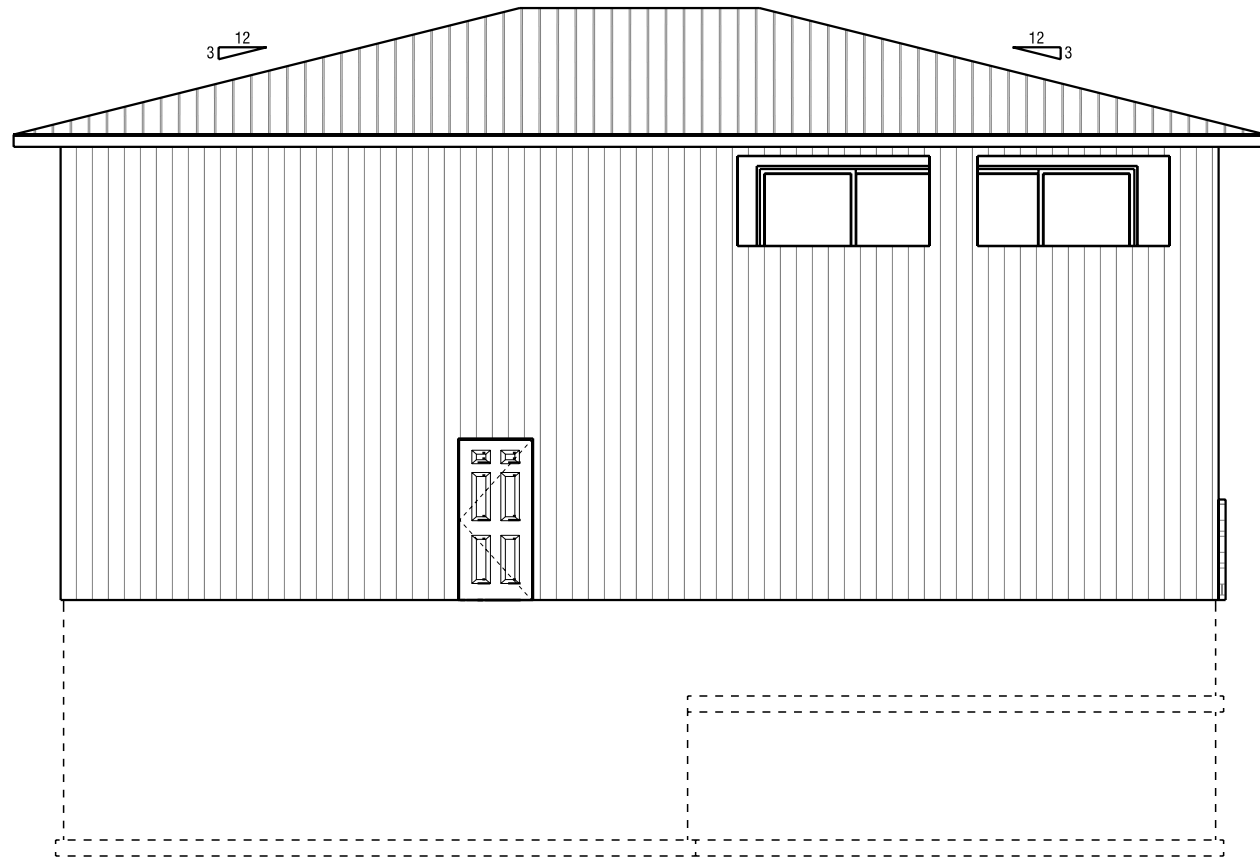
2ND FLOOR PLAN

SCALE: 1/8" = 1'-0"

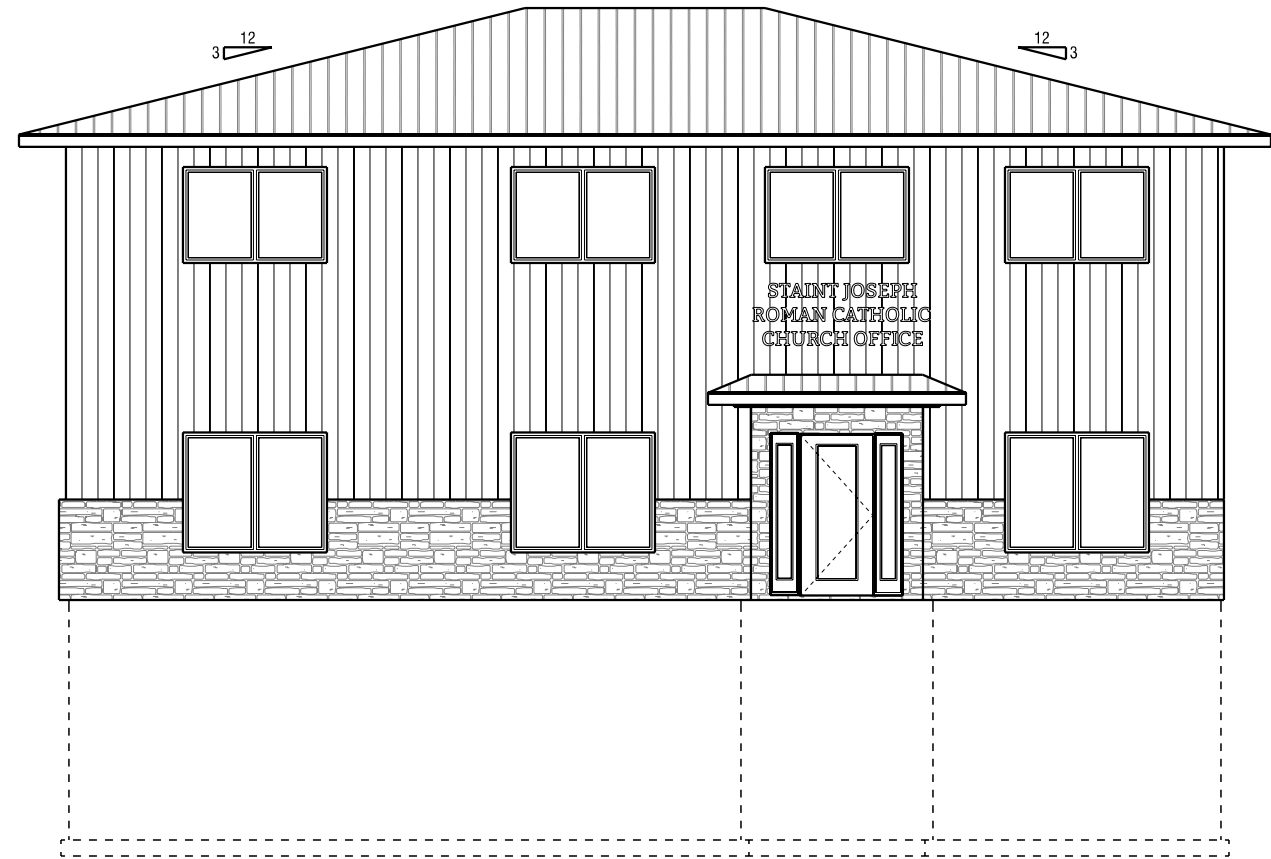
ALL EXTERIOR DIMENSIONS ARE TO EXTERIOR EDGE OF BEARING (CONCRETE/STUD). ALL INTERIOR DIMENSIONS ARE TO STUD UNO.

Construction of these plans should not be undertaken without a professional who can construct said project. Although every possible effort is made to insure the accuracy of these drawings, the builder and associated tradesman must carefully review all dimensions, rough openings, details submitted in these drawings and perform any necessary on-site reviews and all responsibility for the same. Builders and associated tradesman are to adhere to the most relevant or applicable local building codes if no local code has been adopted adhere to the IRC or IBC standards. FINE LINE DRAFTING AND DESIGN is not an Architect or Engineer. This purchaser, and/or builder, of these plans releases Fine Line Drafting and Design, its officers, owners, employees or any family members associated with Fine Line Drafting and Design from any claims or legal situations that may occur before, during the construction of the project or any time thereafter.

*****COPYRIGHT NOTE*****
ALL RIGHTS RESERVED FINE LINE DRAFTING AND DESIGN
These drawings and specifications shall remain the property of the Designer and shall not be used for any other projects without the written consent of the Designer. These documents are not to be reproduced, changed or copied in any form or manner without the Designer's written permission and consent from the Designer.



SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



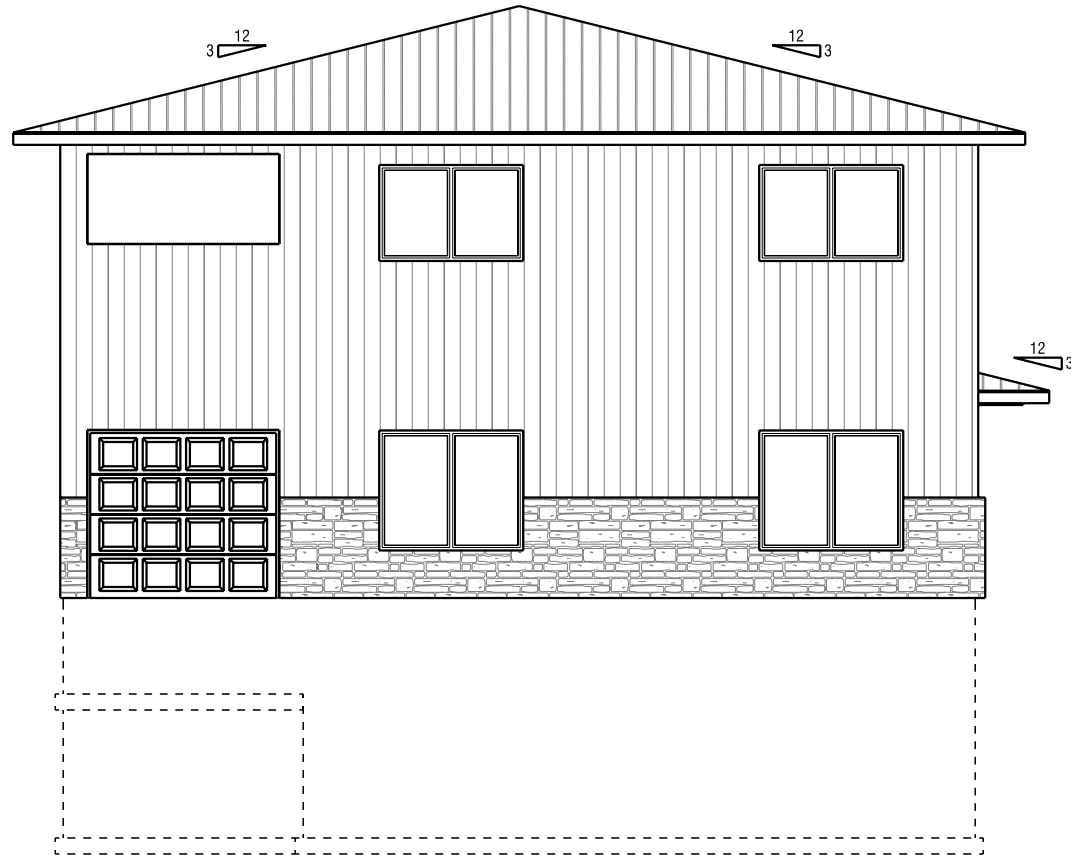
NORTH ELEVATION
SCALE: 1/8" = 1'-0"

ALL EXTERIOR DIMENSIONS ARE TO EXTERIOR EDGE OF BEARING (CONCRETE/STUD). ALL INTERIOR DIMENSIONS ARE TO STUD UNO.

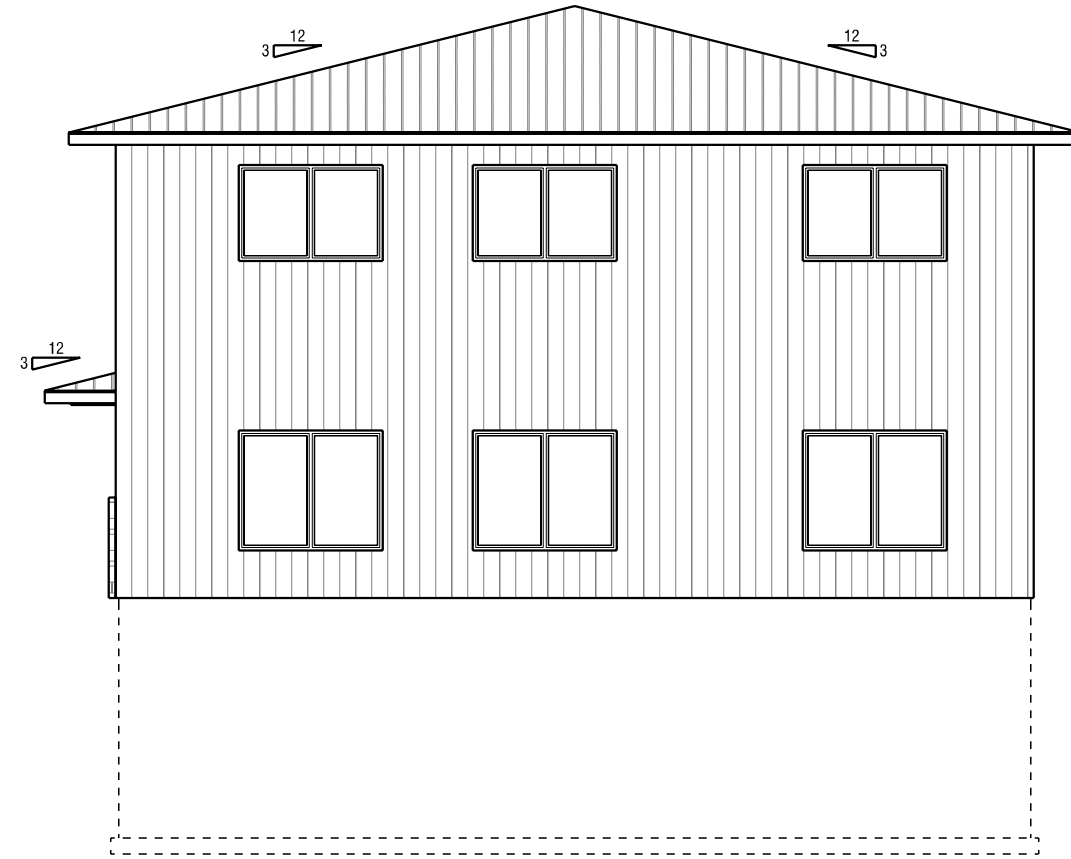


Construction of these plans should not be undertaken without a professional who can construct said project. Although every possible effort is made to insure the accuracy of these drawings, the builder and associated tradesman must carefully review all dimensions, rough openings, details submitted in these drawings and perform any necessary on-site reviews and all responsibility for the same. Builders and associated tradesman are to adhere to the most relevant or applied local building codes if no local code has been adopted adhere to the IRC or IBC standards. FINE LINE DRAFTING AND DESIGN is not an Architect or Engineer. This purchaser and/or builder of these plans releases Fine Line Drafting and Design, its officers, owners, employees or any family members associated with Fine Line Drafting and Design from any claims or legal situations that may occur before, during the construction of the project or any time thereafter.

COPYRIGHT NOTE
ALL RIGHTS RESERVED FINE LINE DRAFTING AND DESIGN
 These drawings and specifications shall remain the property of the Designer and shall not be used for any other projects without the written consent of the Designer. These documents are not to be reproduced, changed or copied in any form or manner without the Designer's written permission and consent from the Designer.



EAST ELEVATION
 SCALE: 1/8" = 1'-0"



WEST ELEVATION
 SCALE: 1/8" = 1'-0"

ALL EXTERIOR DIMENSIONS ARE TO EXTERIOR EDGE OF BEARING (CONCRETE/STUD). ALL INTERIOR DIMENSIONS ARE TO STUD UNO.

FINE LINE DRAFTING AND DESIGN
 215 Airport Road Suite 103 * Bismarck, ND 58501
 Cell- 701-426-1052 * Email-fidd@midconetwork.com
 www.facebook.com/FineLineDraftingBismarck

ST JOSEPH OFFICE
 DARREN BUFFINGTON

DRAWN BY: BJB

JOB # 2519

SCALE 1/8" = 1'-0" ON 11X17

DATE:

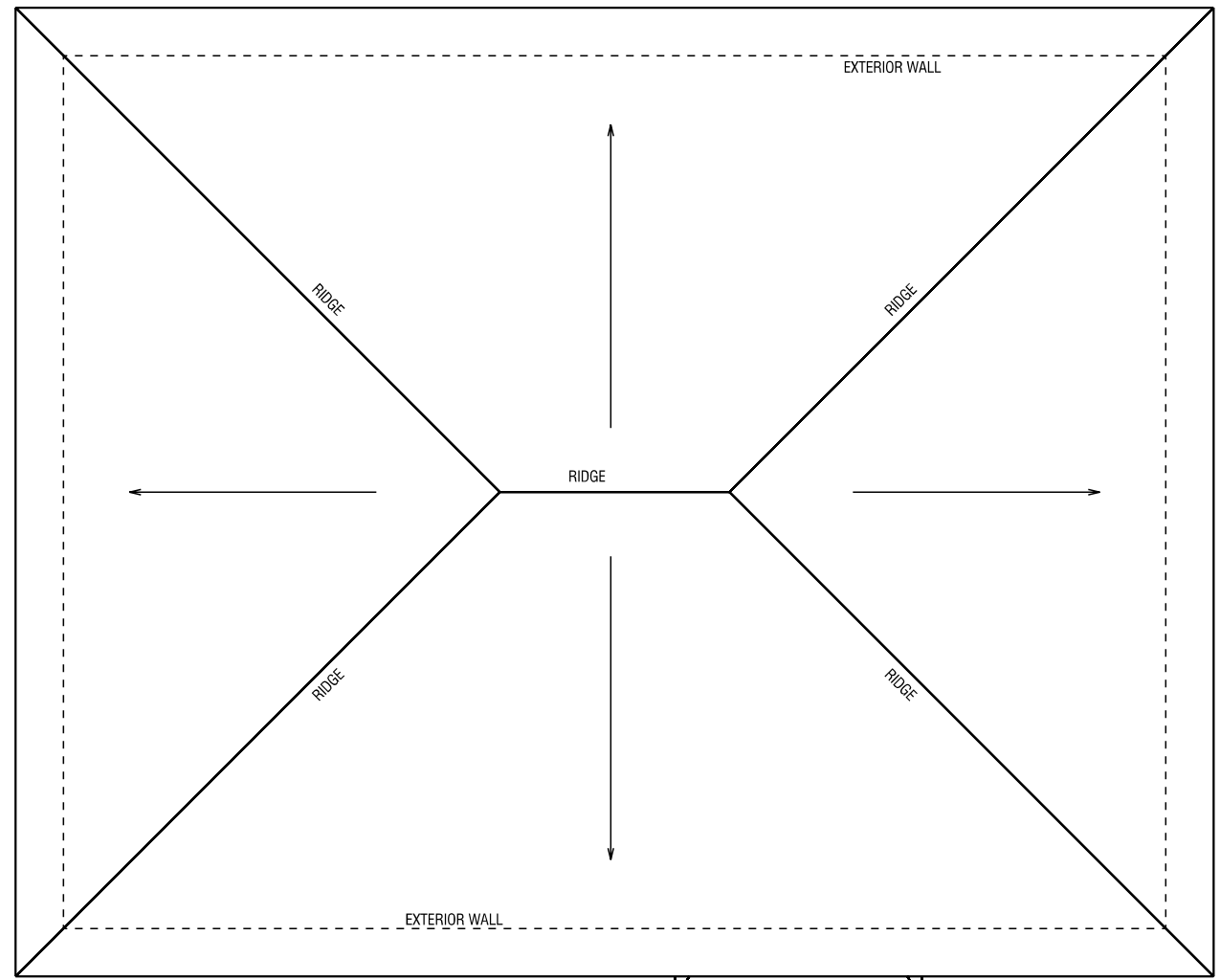
PRINT DATE: 4/21/2025

PAGE # **6**

Construction of these plans should not be undertaken without a professional who can construct said project. Although every possible effort is made to insure the accuracy of these drawings, the builder and associated tradesman must carefully review all dimensions, rough openings, details submitted in these drawings and perform any necessary on-site reviews and all responsibility for the same. Builders and associated tradesman are to adhere to the most relevant or applicable local building codes if no local code has been adopted adhere to the IRC or IBC standards. FINE LINE DRAFTING AND DESIGN is not an Architect or Engineer. This purchaser and/or builder of these plans releases Fine Line Drafting and Design, its officers, owners, employees or any family members associated with Fine Line Drafting and Design from any claims or legal situations that may occur before, during the construction of the project or any time thereafter.



COPYRIGHT NOTE
ALL RIGHTS RESERVED FINE LINE DRAFTING AND DESIGN
 These drawings and specifications shall remain the property of the Designer and shall not be used for any other projects without the written consent of the Designer. These documents are not to be reproduced, changed or copied in any form or manner without the Designer's written permission and consent from the Designer.



- ROOF NOTES
1. ROOF PITCH - 3/12
 2. ROOF HEEL HT - 8"
 3. ROOF OVERHANG - 24" UNO

SEE NORTH ELEVATION

TOP ELEVATION

SCALE: 1/8" = 1'-0"

ALL EXTERIOR DIMENSIONS ARE TO EXTERIOR EDGE OF BEARING (CONCRETE/STUD). ALL INTERIOR DIMENSIONS ARE TO STUD UNO.

FINE LINE DRAFTING AND DESIGN
 215 Airport Road Suite 103 * Bismarck, ND 58501
 Cell- 701-426-1052 * Email- fidd@midconetwork.com
 www.facebook.com/FineLineDraftingBismarck

ST JOSEPH OFFICE
 DARREN BUFFINGTON

DRAWN BY: BJB

JOB # 2519

SCALE 1/8" = 1'-0" ON 11X17

DATE:

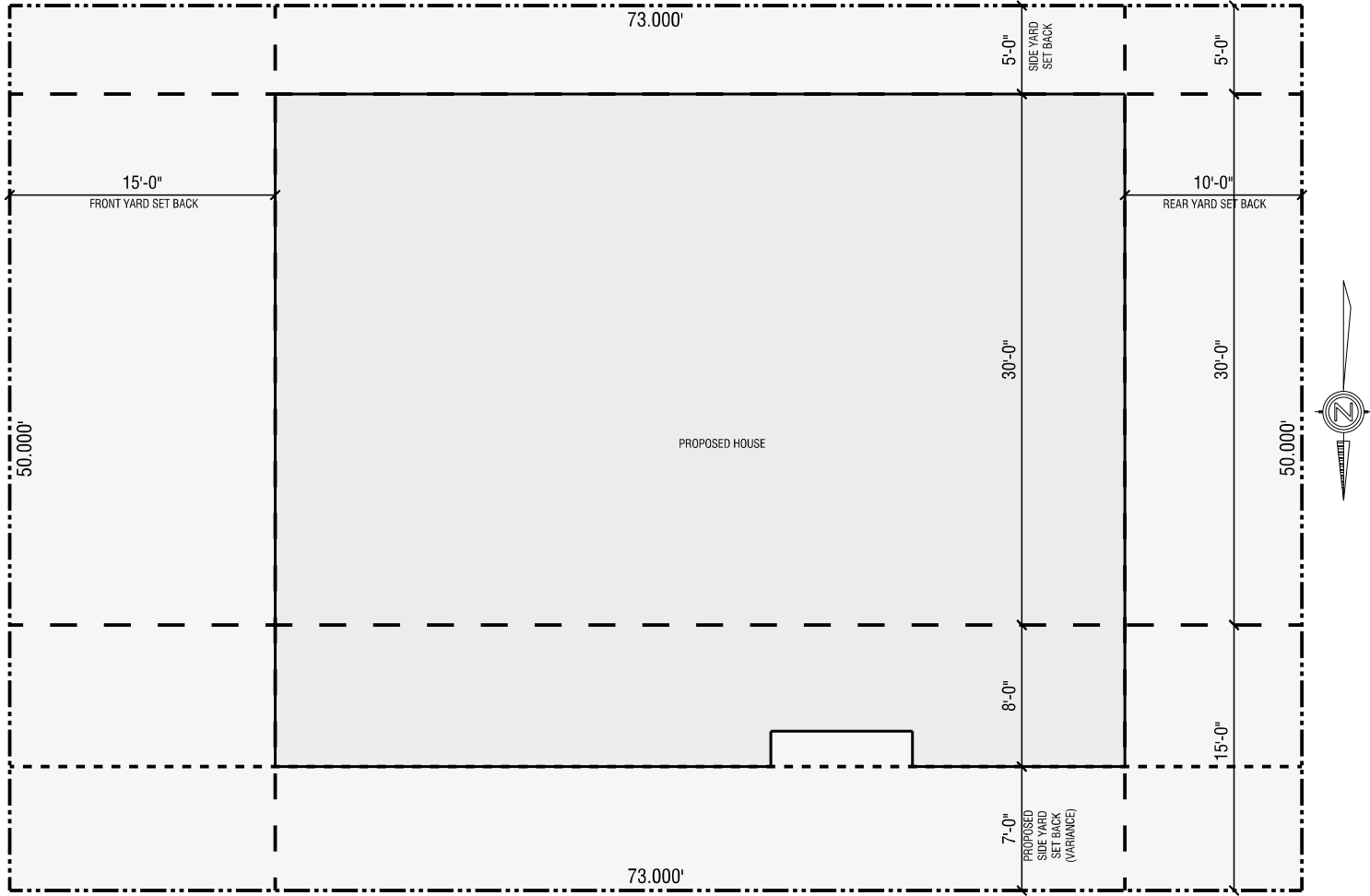
PRINT DATE: 4/21/2025

PAGE # **7**

Construction of these plans should not be undertaken without a professional who can construct said project. Although every possible effort is made to insure the accuracy of these drawings, the builder and associated tradesman must carefully review all dimensions, rough openings, details submitted in these drawings and perform any necessary on-site reviews and all responsibility for the same. Builders and associated tradesman are to adhere to the most relevant or applied local building codes if no local code has been adopted adhere to the IRC or IBC standards. FINE LINE DRAFTING AND DESIGN is not an Architect or Engineer. This purchaser and/or builder of these plans releases Fine Line Drafting and Design, its officers, owners, employees or any family members associated with Fine Line Drafting and Design from any claims or legal situations that may occur before, during the construction of the project or any time thereafter.



*****COPYRIGHT NOTE*****
ALL RIGHTS RESERVED FINE LINE DRAFTING AND DESIGN
 These drawings and specifications shall remain the property of the Designer and shall not be used for any other projects without the written consent of the Designer. These documents are not to be reproduced, changed or copied in any form or manner without the Designer's written permission and consent from the Designer.



SITE PLAN
 SCALE: 1" = 10'-0"

ALL EXTERIOR DIMENSIONS ARE TO EXTERIOR EDGE OF BEARING (CONCRETE/STUD). ALL INTERIOR DIMENSIONS ARE TO STUD UNO.

FINE LINE DRAFTING AND DESIGN
 215 Airport Road Suite 103 * Bismarck, ND 58501
 Cell- 701-426-1052 * Email- fidd@midconetwork.com
 www.facebook.com/FineLineDraftingBismarck

ST JOSEPH OFFICE
 DARREN BUFFINGTON

DRAWN BY: BJF

JOB # 2519

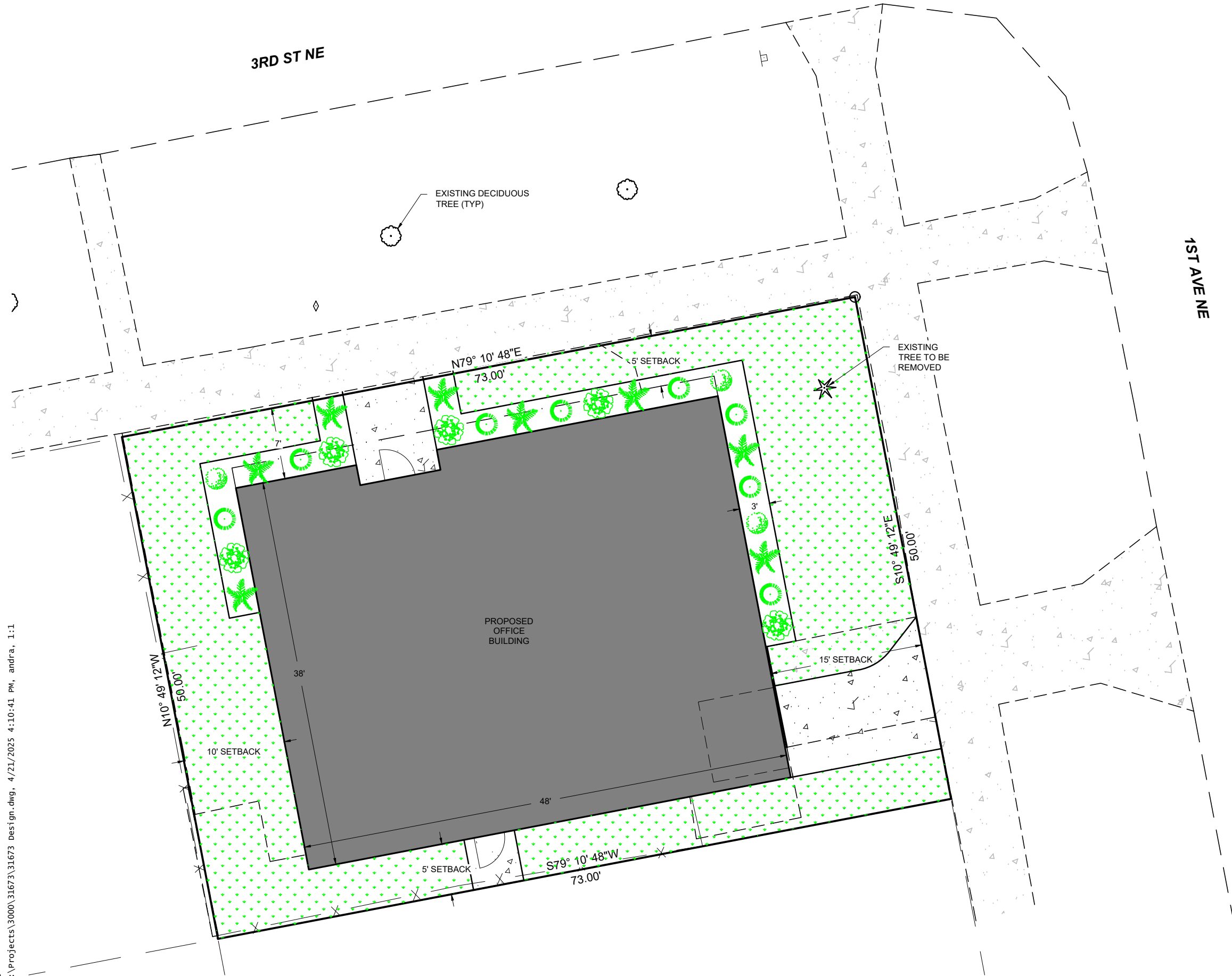
SCALE 1" = 10'-0" ON 11X17

DATE:

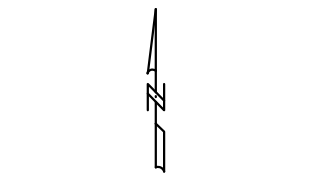
PRINT DATE: 4/21/2025

PAGE # 8

H:\Projects\3000\31673\31673 Design.dwg, 4/21/2025 4:10:41 PM, andra, 1:1





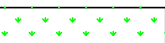


1. ALL LANDSCAPING SHALL BE INSTALLED PER CITY OF MANDAN SPECIFICATIONS.



VERT. DATUM: NGVD88
 HORIZ DATUM: 1983 STATE PLANE, ND SOUTH (3302)

LEGEND

-  DAKOTA SUNSPOT POTTED PLANT
Potentilla Fruticosa 'Fargo'
SIZE = 2 GALLON
-  SIBERIAN ARBORVITAE
Thuja occidentalis 'Wareana'
SIZE=2 GALLON
-  TINY WINE NINEBARK
Physocarpus Opulifolius
SIZE=1GALLON
-  SHENANDOAH SWITCH GRASS
Panicum virgatum shenandoah
SIZE=1 GALLON
-  PROPOSED GRASS

TOMAN ENGINEERING
 501 1st Street NW, Mandan, ND 58554
 Ph: 701-663-6483 * www.tomanengineering.com
TECO © 2024. ALL RIGHTS RESERVED.
 THIS DOCUMENT MAY NOT BE USED OR REPRODUCED IN ANY FORM OR BY ANY MEANS WITHOUT PERMISSION OF TOMAN ENGINEERING CO.



PROJECT: ST JOSEPH'S OFFICE BUILDING
 E. 73' OF LOT 1, BLOCK 1, MANDAN PROPER
 LANDSCAPE PLAN

| NO | DESCRIPTION | BY | DATE |
|----|-------------|----|------|
| | | | |
| | | | |
| | | | |

SHEET NUMBER
1
 OF 1 SHEETS

CHURCH of SAINT JOSEPH

Established 1879

To the board of the City of Mandan,

I appreciate you taking the time to hear my proposal for the construction of a new parish office for the Church of St. Joseph in Mandan. There are several reasons for this proposal that I will lay out. The main reason for the building of the new parish office is, with the current arrangements, my staff are working in my home. Every day of the work week, my staff is living on the main floor of my house. Oftentimes, my business manager needs to come to work early to prepare for the day, so she is in the house at 7-7:30am. The only thing that separates my employees from my living quarters is an unlocked door. Try to imagine living with your staff for most of the week. They are even here on my day off which is Monday.

Due to the nature of our work, the weekend is not a time of rest, but a time when we prepare for the Mass and celebrate the Mass. Every Monday I hear all the work that is going on, and I have no privacy in my own house. I love my staff and they work hard and are diligent in their work. I would like to provide an actual office space that is not a wing of my living quarters. There is never a time of solitude based on the current working conditions. Even on weekends sometimes employees need to come in to get something done quick or grab something they left. If my door is open and all of a sudden they are there, it makes for awkward encounters.

On top of this, the current offices are not large enough to house my whole staff, so two of my employees are located over in a random room of the school. This poses the difficulty of dialogue among my staff as they are in separate buildings. As our school grows, we will soon be needing the room that they are using for classroom space. Also, anytime we want to have a staff meeting, we have to meet at my dining room table because there is no conference room in the current parish offices due to a lack of room.

But maybe the worst thing about the current situation is that I have many people see me with serious issues and it is very difficult to make sure there is privacy in the current offices. I have a noise machine that I turn on that drives my staff crazy, but it is needed to maintain confidentiality in my meetings. A new space can ensure that my office is secure and away from the rest of the staff so that people can feel comfortable sharing their struggles. The only way that would be possible now is if I met with people in my actual living quarters which would not only be imprudent but also would be a scandal to the people of my parish. The proposal of a new area dedicated to the parish office will remedy the current problems we are facing.

I appreciate you considering this proposal and I hope you can see the necessity for the creation of a new area or workspace for my current parish staff. Thank you and God bless!

Pax Christi,



Fr. Josh Waltz

108 Third Street, NE • Mandan, ND 58554 • 701-663-9562 • Fax 701-663-6522

Website: www.stjosephmandan.com Email: office@stjosephmandan.com

We are a family that fosters spiritual guidance, service, and fellowship through the ministry of the Sacraments of Jesus Christ to all of God's people, seen and unseen.

Images

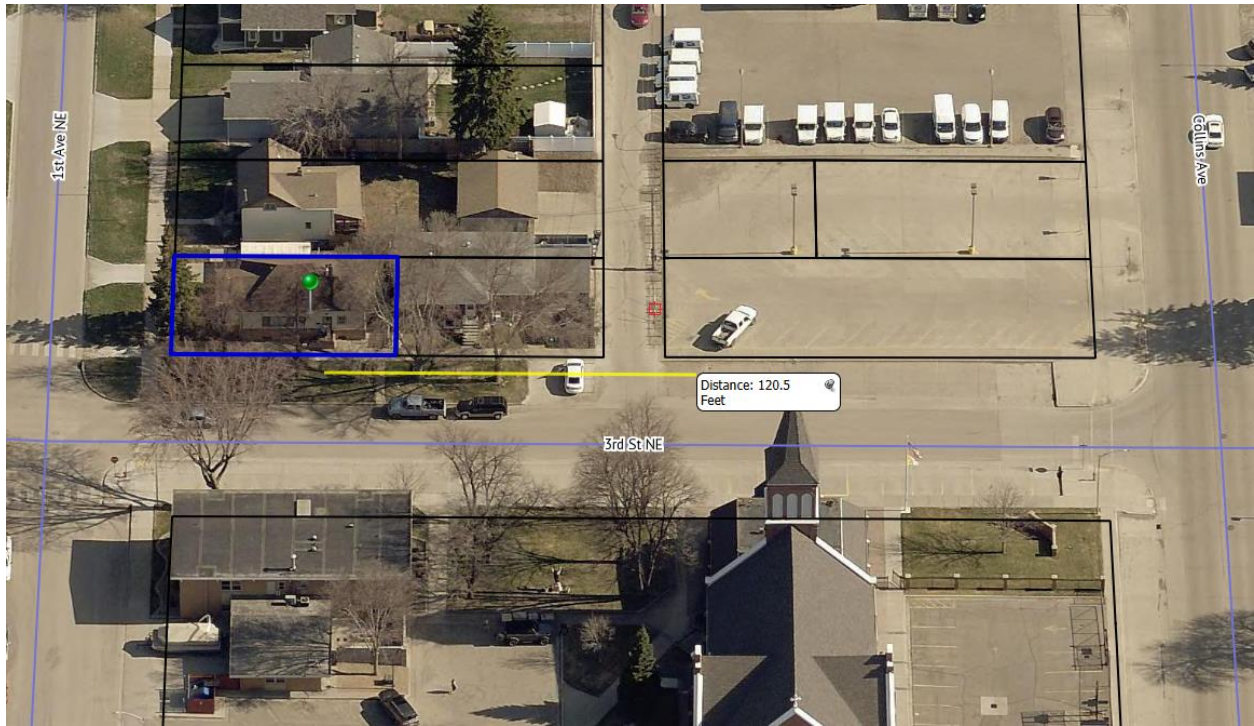


View of existing structure from 1st Avenue NE

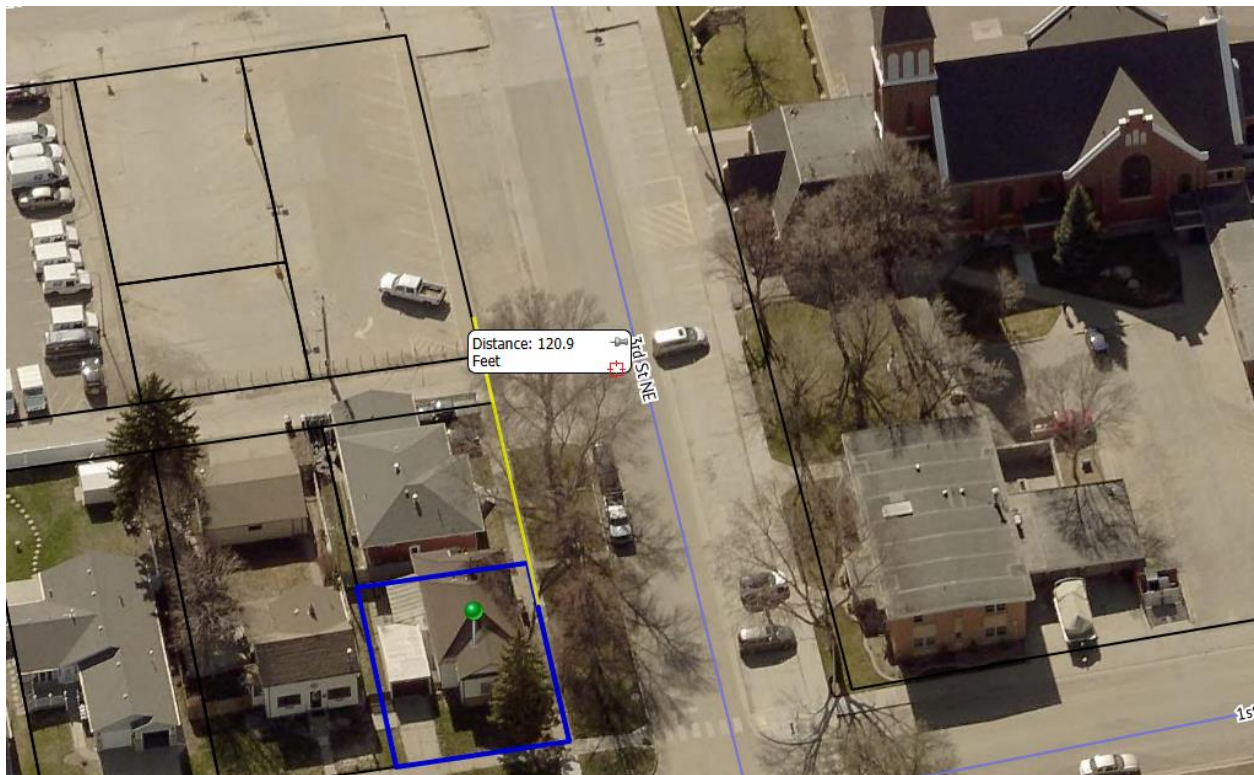


View of existing structure from 3rd Street NE

Images



Oblique image showing proposed off-site parking within 120' of the proposed entrance.



Oblique image showing proposed off-site parking within 120' of the proposed entrance.



Zoning and Future Land Use Reference Map

Lot 1, Block 35, Mandan Proper

Zoning

Zoning Map Key

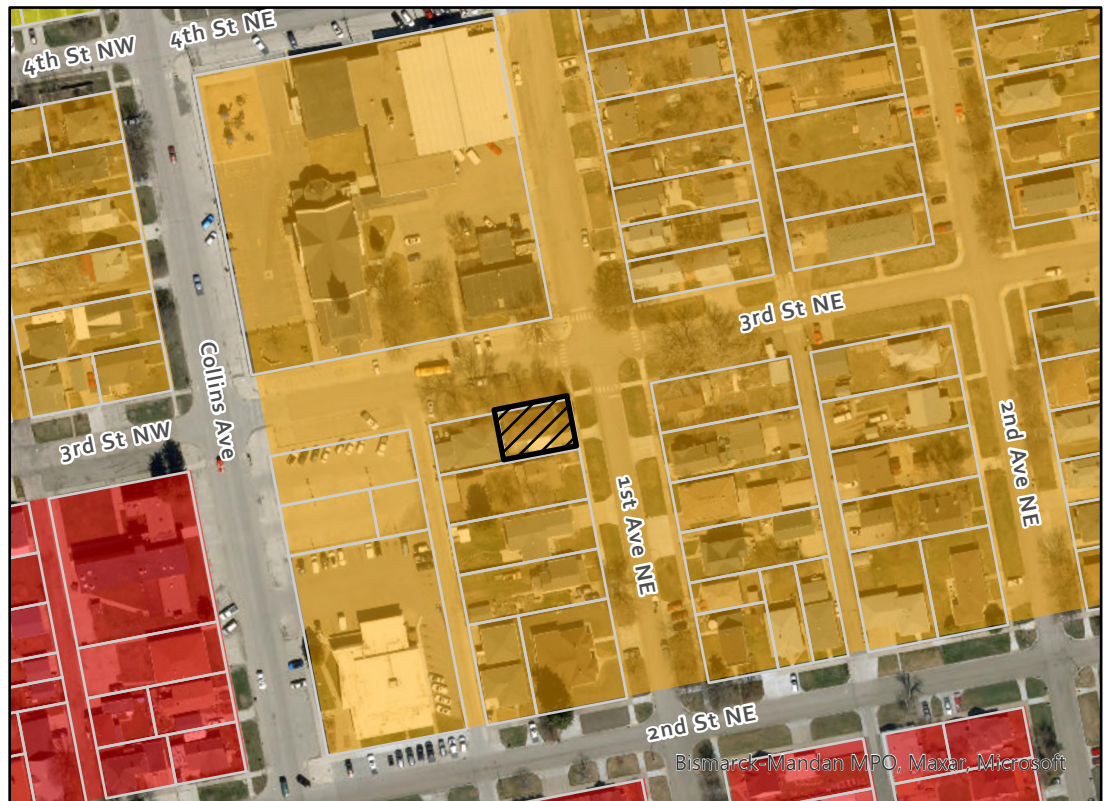
- Agriculture - City of Mandan
- Agriculture - Morton County
- CA - Neighborhood Commercial
- CB - Business Commercial
- CC - Commercial/Light Industrial Transition
- DC - Downtown Core
- DF - Downtown Fringe
- Industrial - Morton County
- LSMHS - Trailer Park Subdivision
- MA - Heavy Commercial/Light 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
- April '25 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
- April '25 Planning Activities

Future Land Use Plan





Planning & Zoning Commission

Agenda Documentation

MEETING DATE: April 28, 2025
PREPARATION DATE: April 16, 2025
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Andrew Stromme
PRESENTER: Andrew Stromme, City Planner
SUBJECT: Consider a variance for Lot 2, Block 1, Midway 10th Addition

STATEMENT/PURPOSE:

Consider a variance for Lot 2, Block 1, Midway 10th Addition

BACKGROUND/ALTERNATIVES:

Abra Auto Body requests consideration of a variance to Section 105-3-13 (6) of the City Code of Ordinances related to side yard building setbacks in the CC - Commercial District. The property is located at 3729 Memorial Highway on Lot 2, Block 1, Midway 10th Addition.

History and Request Overview

According to City assessing records, the building on the property was originally constructed in 1965, with an addition completed in 1978. At the time of the original construction, the property was likely located in a different zoning district—possibly the Central Business (CB) district—which did not require side yard setbacks. Although documentation is limited, there is no clear record of when the property was rezoned to the Commercial Corridor (CC) district.

Staff believes that no side yard setback was required at the time of original development, and the existing side setback was likely established voluntarily. In 2005, with the approval of the Midway 11th Addition, the parcel became a corner lot, subjecting it to the 35-foot front yard setback requirement of the CC district. The existing structure is now classified as a legal nonconformity.

The property has operated as an auto body repair shop since at least 2007.

Proposed Project

The applicant proposes a rear addition that would align with the closest existing portion

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.

Page 2 of 5

of the building adjacent to the platted 36th Avenue SE. Project details include:

- Extension of 60 feet to the rear
- Maximum width of 125 feet
- Addition of approximately 6,930 square feet of auto body repair space

Setback and Encroachment

The entire west side of the current building encroaches into the required setback in a legally nonconforming manner, with encroachment ranging from approximately 6 feet to just over 22 feet. The proposed addition would maintain a 13.3-foot setback from the 36th Avenue SE property line.

Storefront Improvements

The project also includes storefront improvements, specifically:

- Reorienting the building entrance to face the Memorial Highway corridor
- Squaring off the building facade to improve visual appeal and access

Requested Variance

The applicant is requesting a variance to reduce the required setback from 35 feet to 13 feet along the platted but unimproved 36th Avenue SE right-of-way. This request would allow the proposed addition to align with the existing, legally nonconforming structure.

The applicant's statement of hardship is included in the attached materials for review.

Staff Comments

- This item was introduced to the Mandan Architecture Review Commission at the December 10, 2024 meeting and no action was taken.
- Landscaping is required for buildings that are substantially altered such as to the extent planned by the applicants. This generally consists of a strip of landscaping along the Memorial Highway *in front* of the parking lot/between the parking lot and the road itself and other requirements as necessary.
- Staff has no concerns regarding the reduced building setback at the proposed location, as the addition is not near a planned intersection, where maintaining clear zones or sight triangles would typically be necessary for safety and visibility.

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.

Page 3 of 5

- Previous planning efforts for the Memorial Highway Corridor have emphasized supporting the expansion and intensification of commercial and industrial uses. The proposed storefront improvements are consistent with this planning direction and align with the City's broader vision for the corridor.
- It is also worth noting that this property will experience reduced access once improvements to Memorial Highway are completed. The westernmost driveway apron is scheduled for removal, and it is uncertain whether a new access point onto 36th Avenue SE will be allowed, due to its proximity to higher-speed traffic on the main highway corridor.

Adjacent Properties Zoning, Land Use and Future Land Use

The properties surrounding this property are zoned CC – Commercial/Light Industrial Transition to the west, east and south. Properties to the north are zoned MC - Heavy Commercial. The future land use plan identifies this area for commercial uses along the memorial highway corridor. Existing land uses are a body shop.

Additional Information and Public Outreach

- Application and fee of \$400 was received on March 28, 2025.
- Letters were sent to 5 adjacent property owners.
- As of the time of the publication of this packet, staff fielded one set of general questions about the project.

Findings of Fact Zoning Variance

1. 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 CB - Commercial / Gateway Overlay districts.
2. The hardship **is not caused by** the provisions of the Zoning Ordinance.
3. Strict application of the provisions of the Zoning Ordinance **would not deprive** the property owner of the reasonable use of the property.
4. The requested variance **is not the minimum variance** that would accomplish the relief sought by the applicant.
5. The granting of the variance **is not in harmony** with the general purposes and

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.

Page 4 of 5

intent of the Zoning Ordinance.

ATTACHMENTS:

1. Application
2. Statement of Hardship
3. ABRA Drawings
4. Abra Image
5. Images of property
6. Location Map

FISCAL IMPACT:

N/A

STAFF IMPACT:

Significant staff time has gone into the review of this project between previous and current requests.

LEGAL REVIEW:

This item has been reviewed as part of the agenda packet

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.

SUGGESTED MOTION:

Move to recommend approval of the variance from Section 105-3-13 (6) of the City Code of Ordinances related to side yard building setbacks in the CC - Commercial District to permit the variance request due to the following hardship: **[PZ Commissioner to identify/fill in the blank]** and to modify the following Staff finding(s) of fact.

- Recommended: Approve contingent upon Mandan Architecture Review Commission review and approval.

Move to recommend denial of the variance from Section 105-3-13 (6) of the City Code of Ordinances related to side yard building setbacks in the CC - Commercial zoning district and accept the findings of fact due to no hardship being identified.

Planning & Zoning Commission

Agenda Documentation

April 28, 2025

Subject: Consider a variance for Lot 2, Block 1, Midway 10th Addition

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.

Page 5 of 5

| 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) | X 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) | |
| Request for variance to reduce building setback | |

| Engineer/Surveyor | | | Property Owner or Applicant | | |
|---|-------|-------|-------------------------------|-------|-------|
| Name ILSE Inc. - Abe Ulmer | | | Name Abra Auto Body Mandan | | |
| Address 4215 Old Red Trail NW | | | Address 3729 Memorial Hwy | | |
| City | State | Zip | City | State | Zip |
| Mandan | ND | 58554 | Mandan | ND | 58554 |
| email | | | email | | |
| abe@ilsurveynd.com | | | jbuller@abraauto.com | | |
| Phone | | Fax | Phone | | Fax |
| 701-220-0968 | | | 701-663-4527 | | |
| If the applicant is not the current owner, the current owner must submit a notarized statement authorizing the applicant to proceed with the request. | | | | | |

| Location | | Type | | Existing Zone | Proposed Zone | Project Name | |
|---------------------|--------------------|----------|-----------------|--------------------------------------|------------------|--------------|--|
| X | City | ETA | New | Addition | CC | Same | Abra Auto Body Addition and Renovation |
| Property Address | | | | Legal Description | | | |
| 3729 Memorial Hwy | | | | Lot 2, Block 1, Midway 10th Addition | | | |
| Current Use | | | | | | | |
| ABRA Auto Body Shop | | | | | | | |
| Proposed Use | | | | | | | |
| Same | | | | | | | |
| Section | | Township | | Range | | | |
| NE 1/4 36 | | 139N | | 81W | | | |
| Parcel Size | Building Footprint | Stories | Building SF | Required Parking | Provided Parking | | |
| 1.34 acres | Ex+Pro 18,076sf | 1 | Ex + Pro= 18076 | 45 | 45 | | |

| | | |
|------------|-----------|------|
| Print Name | Signature | Date |
|------------|-----------|------|

| Office Use Only | | | |
|-----------------------------------|---------------------------|--------------------------|------------------------|
| Date Received: | Initials: <i>nm</i> | Fees Paid: <i>400.00</i> | Date: <i>3-28-2025</i> |
| Notice in paper | Mailed to neighbors | P&Z meeting | |
| <input type="checkbox"/> Approved | Approved with conditions: | | |
| <input type="checkbox"/> Denied | | | |

Additional Submittals

Variance

A zoning variance application shall include a detailed statement with the following information:

1. The circumstances or conditions applying to the land or buildings for which the variance is sought

The existing lot has Memorial Highway to the north and future 36th Avenue SE to the west. Due to the future road and existing right of way to the west, this lot has a double front setback of 35'. ABRA would like to reduce the west 35' setback to be a 13' setback to match the existing building.

2. How the applicant is deprived of a reasonable use of said land or building;

The entire west side of the existing building is currently inside the west 35' setback. 32' of existing building is located approx. 22' into the west 35' setback, with another 120' of the building approx. 6' into the 35' setback. ABRA would like to build a building addition onto the south end of the building. The 35' setback restricts them from matching the existing building width.

3. How the grant of a variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare; and

The grant of this variance would match the existing building which has been there for many years.

The Plat of Midway 11th Addition, which created 36th Avenue, took place without including this property. The neighboring land owners platted Midway 11th and put the proposed row adjacent to the west property line, which in turn made the setback into a front yard setback of 35', and such put the existing building into the existing building setback.

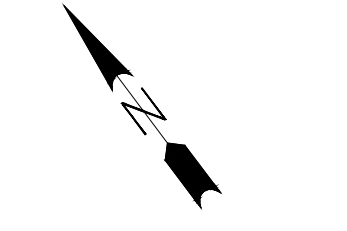
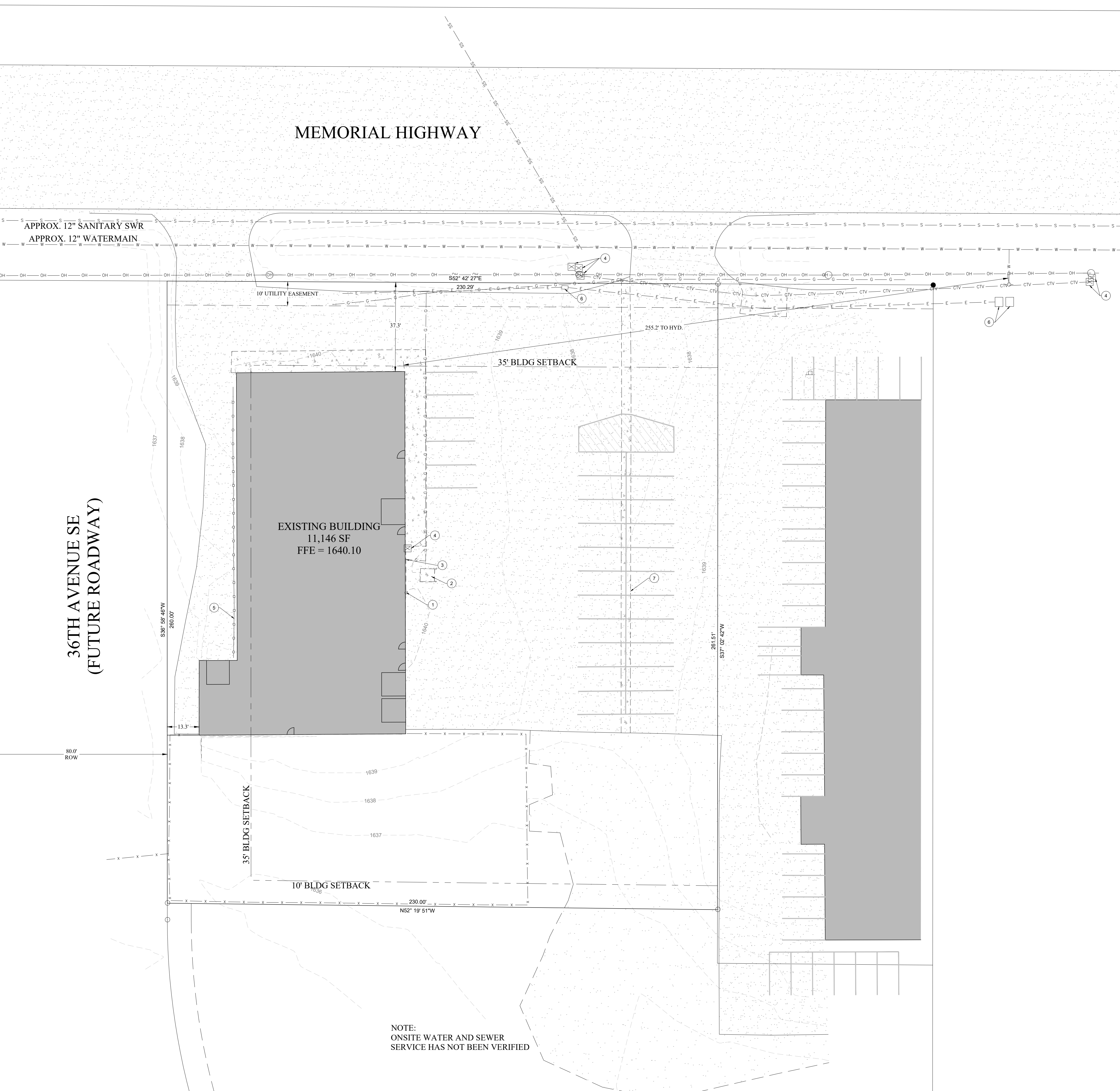
4. The minimum variance that will accomplish the relief sought.

Variance to reduce the west setback on this property from 35' to 13'.

The zoning map may be used to view the subject property and surrounding property's zoning and view property lines overlaid on an aerial. 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.

MEMORIAL HIGHWAY

APPROX. 12" SANITARY SWR
APPROX. 12" WATERMAIN



SCALE: 1" = 20'
 0 20 40
 SURVEY INFO: VERT. DATUM: NAVD88
 HORIZONTAL COORDINATE: NAD83 ND SOUTH, INTERNATIONAL FEET
 MEASUREMENTS HAVE BEEN ESTABLISHED BY RTK FROM THE "BSMK" CORS
 STATION AND ARE REPORTED IN GRID.

LEGEND

| | | | | | |
|---------|--------------------------------|-----------|------|-----|-------------------|
| ⊙ | EXISTING SANITARY MANHOLE | --- | 1780 | --- | EXISTING CONTOUR |
| ○ | EXISTING SANITARY CLEANOUT | [Pattern] | | | EXISTING ASPHALT |
| ○ | EXISTING POWER POLE | [Pattern] | | | EXISTING GRAVEL |
| □ | EXISTING SIGN | [Pattern] | | | EXISTING CONCRETE |
| ⊠ | EXISTING TV/TELEPHONE PEDESTAL | [Pattern] | | | EXISTING BUILDING |
| ⊙ | EXISTING FIRE HYDRANT | | | | |
| SS-SS | EXISTING STORM SEWER | | | | |
| S-S | EXISTING SANITARY SEWER | | | | |
| W-W | EXISTING WATERMAIN | | | | |
| OH-OH | EXISTING OVERHEAD POWER | | | | |
| G-G | EXISTING UNDERGROUND GAS | | | | |
| E-E | EXISTING UNDERGROUND ELECTRIC | | | | |
| CTV-CTV | EXISTING UNDERGROUND CTV | | | | |
| X-X | EXISTING FENCE | | | | |

GENERAL NOTES:

SPECIFICATIONS: All work shall conform to the Project Manual and Specifications as supplemented by or modified by the following plan notes. All work in the City of Mandan Right of Way shall conform to the City of Mandan Construction Specifications and Details.

PERMITS: The Contractor is required to obtain all permits that may be required prior to construction. The Contractor may also be required to complete and file a Notice of Intent (NOI) with the North Dakota Dept. of Environmental Quality if site disturbance is over 1 Acre. The Contractor shall also notify the City of Bismarck prior to working within the City ROW.

CONTRACTOR PARKING STAGING AREA: The Contractor shall not use private property to park vehicles, store materials, or use as a staging area without written permission from the owner of that property. Any damages to private property shall be repaired to the satisfaction of the owner by and at the Contractor's expense.

BENCHMARK: Benchmarks and survey Control points for this project are shown on the plan or will be established by the Engineer. Care shall be taken as to not cover, remove, damage, obscure, move or destroy set benchmarks, lath, hubs, property pins, or other survey monuments. Any damaged or destroyed control points shall be replaced at the Contractor's expense.

SURVEYING: The Contractor shall be responsible for all layout surveying and staking needed for construction activities. Project construction staking shall be provided by the Contractor. Any damaged or destroyed control points will be replaced by the Engineer at the Contractor's expense. Electronic files and control point information will be available through the Engineer for use of grading contractors utilizing GPS equipment.

PROTECTION OF EXISTING UTILITIES: The Contractor is advised that existing utilities are shown in their approximate location and have been taken from information supplied by North Dakota One Call and documents of record. The contractor shall exercise care in construction operations to ensure that existing utilities, pavement, trees, shrubs, grasses, seeded areas, fences, signs, conduits, private irrigation systems, and other site improvements located on or around the construction limits are not disturbed. The Contractor is responsible for locating and protecting all existing utilities. The Contractor shall be responsible for repairing any damage to existing utilities caused by the construction process. Any discrepancies shall immediately be brought to the attention of the Architect/Engineer.

CALL OUTS:

1. EXISTING SANITARY CLEANOUT
2. EXISTING TRANSFORMER
3. EXISTING GAS METER
4. EXISTING TELEPHONE PEDESTAL
5. EXISTING GUARD RAIL
6. EXISTING JUNCTION BOX
7. EXISTING CONCRETE VALLEY GUTTER

NOTE:
ONSITE WATER AND SEWER
SERVICE HAS NOT BEEN VERIFIED

LEGAL DESCRIPTION:
 LOT 2, BLOCK 1,
 MIDWAY 10TH ADD.
 Lot Area: 1.34 ACRES

ZONING:
 CC - COMMERCIAL/LIGHT
 INDUSTRIAL TRANSITION

SETBACKS:
 FRONT: 35'
 SIDE: 0'
 REAR: 10'

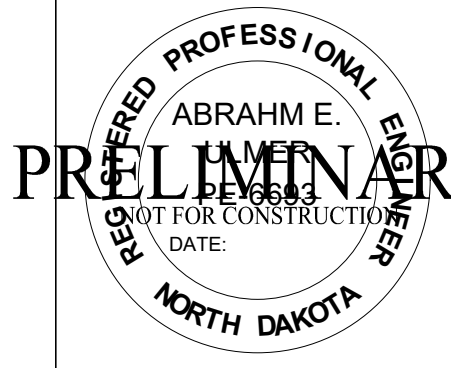
OWNER:
 BULLER BROTHERS LLC
 1901 E BISMARK EXPY
 BISMARCK, ND 58504

CAUTION
 CONTRACTOR IS RESPONSIBLE
 FOR VERIFYING LOCATION OF
 ALL UTILITIES PRIOR TO
 EXCAVATION

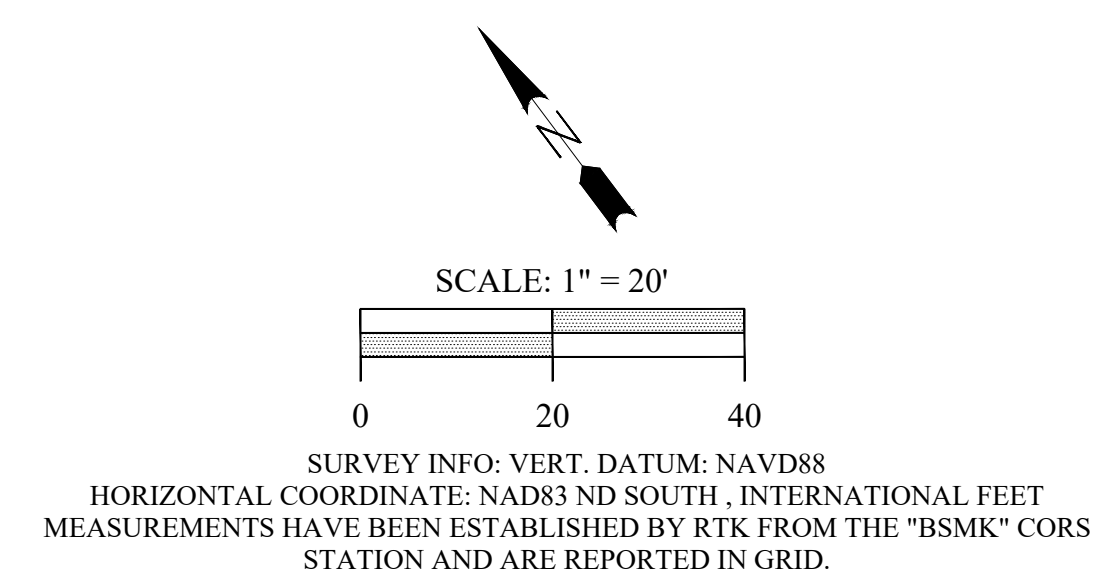
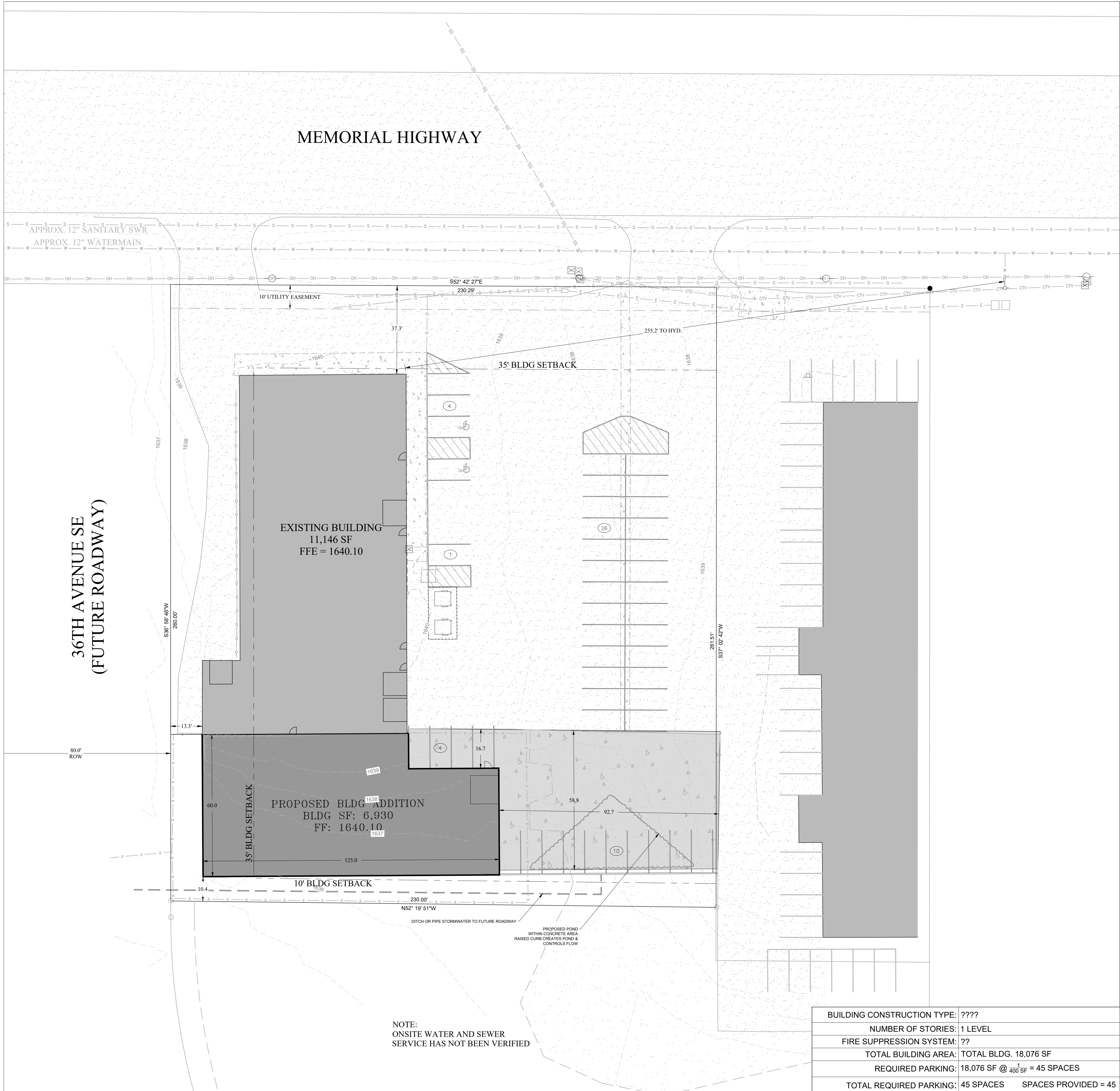
| REV# | DESCRIPTION | BY | DATE |
|------|-------------|----|------|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

ABRA AUTO BODY MANDAN
 3729 MEMORIAL HWY SE
 LOT 2, BLOCK 1, MIDWAY 10TH ADDITION
 MANDAN, NORTH DAKOTA

Independent Land Surveying
 & Engineering Inc.
 4215 OLD RED TRAIL NW, Mandan, ND 58554
 Phone: 701-663-5184 PROJ # 24203



C100
 SHEET
**EXISTING
 CONDITIONS**



LEGEND

- PROPOSED BUILDING ADDITION
- PROPOSED CONCRETE SIDEWALK
- PROPOSED CONCRETE PAVEMENT
- PROPOSED SANITARY CLEANOUT
- PROPOSED SANITARY SEWER SERVICE
- PROPOSED WATER SERVICE
- PROPOSED CURB STOP
- PROPOSED CONTOUR
- CONSTRUCTION LIMITS
- PROPOSED PARKING STALL COUNT
- PROPOSED LANDSCAPE
- PROPOSED CURB & GUTTER

GENERAL NOTES:

SPECIFICATIONS: All work shall conform to the Project Manual and Specifications as supplemented by or modified by the following plan notes. All work in the City of Mandan Right of Way shall conform to the City of Mandan Construction Specifications and Details.

PROPOSED CONTOURS: The final contours shown on the plans represent the finished surface to the topsoil, pavement, surfacing, storm sewers, etc. The Contractor is to make allowances as required to account for topsoil and pavement surfacing when completing the site grading.

SURVEYING: The Contractor shall be responsible for all layout surveying and staking needed for dirt work construction activities. The Engineer shall supply an electronic file and a minimum of 5 control monuments at the site for the use of the site grading Contractor in laying out the work. Care shall be taken as to not cover, remove, damage, obscure, move or destroy set survey monuments.

SUBGRADE PREPARATION & TRENCHING DENSITY REQUIREMENTS: Areas to receive Fill, Gravel Base, Pavement, and the bottom of cut areas shall be scarified to a minimum depth of 6 inches specified and compacted. Contractor shall be required to manipulate substandard areas by working the soil until the specified density and uniform moisture content are achieved. Fill material shall be placed in lifts not exceeding eight inches loose thickness. All Trenches, Fill, and Gravel base shall be compacted to 95% density with a moisture content between +3% to -3% optimum moisture as per ASTM D698.

CONCRETE: All Concrete in the city Right of Way shall be in accordance with the City of Mandan Construction Specifications.

- All Concrete shall have 28 day strength of 4,000 psi, with a maximum allowable slump of 4 inches, and air entrainment content between 5% to 7%. The Contractor shall provide a mix design to be approved by the Engineer.
- All Concrete placed next to the building and/or structures shall have 1/2" expansion material installed and sealed.
- Thickened edge sidewalk shall have continuous reinforcement of #4 deformed bars tied together at 24" on center. All other sidewalk shall be the same reinforcement.
- Parking Lot concrete shall be 6" reinforced concrete. See detail on plan sheet C700.
- Reinforcement shall be #4 grade 60 deformed bars placed at 24" center-to-center, to be tied together and placed at the vertical center of the concrete slab
- Concrete joints shall be a maximum of 10'x10', and a concrete jointing plan shall be required by the Contractor and approved prior to implementation.
- All Construction joints shall be formed with a keyway or tied together with 18" tie bars drilled 1/2 length into existing concrete every 24".
- Concrete joints shall be saw cut 1/3 the concrete depth, 1/4" wide, cleaned, and sealed with caulking and backer rod. Backer rod shall meet the requirements of ASTM D 5249 type 1. Joint Sealant shall be a cold applied joint sealant specifically manufactured for exterior pavements. Sealant shall be a one part silicone, or electromeric sealant complying with ASTM C920. Sealant shall be white or gray to match concrete color, with a low modulus and be capable of withstanding repeated joint movement without losing adhesion to the concrete without cohesion failure. Joints shall be clean and free of debris per manufactures instructions.
- Curing Compounds shall conform to ASTM C309- Type 2 white pigmented. Curing Compound coverage shall be per manufactures recommendations.
- Concrete tests shall be done per the following:
-One test per 50 Cubic Yards of concrete poured for parking lot pavement or sidewalks.

PAVEMENT MARKING/STRIPING: Contractor to stripe entire parking lot after pavement operations are complete as per layout on plan sheets. All paint shall meet the NDDOT specifications. Stripes shall be 4" wide yellow paint. Blue Striping and symbols shall be installed at handicap stalls, along with access aisle diagonal painted with blue lines spaced at 2' on center. All paint shall be applied at 110 SF/GAL.

AGGREGATE BASE: Aggregate base shall be Class 5 Gravel per NDDOT specifications or approved equal. Gravel shall be installed to the thickness as shown on plan details, and compacted per specifications.

CALL OUTS:

1. PROPOSED BUILDING ADDITION
2. PROPOSED 6" THICK REINFORCED CONCRETE PAVEMENT
3. PROPOSED CURB & GUTTER
4. PROPOSED PARKING STRIPING
5. PROPOSED HC PARKING STALLS - PROVIDE STRIPING & APPROPRIATE SIGNAGE
6. PROPOSED BOLLARD
7. PROPOSED DUMPSTER SCREENING - ???
8. PROPOSED LANDSCAPE
9. PROPOSED DUMPSTER SCREENING

| | |
|-----------------------------|--------------------------------|
| BUILDING CONSTRUCTION TYPE: | ???? |
| NUMBER OF STORIES: | 1 LEVEL |
| FIRE SUPPRESSION SYSTEM: | ?? |
| TOTAL BUILDING AREA: | TOTAL BLDG. 18,076 SF |
| REQUIRED PARKING: | 18,076 SF @ 400 SF = 45 SPACES |
| TOTAL REQUIRED PARKING: | 45 SPACES SPACES PROVIDED = 45 |

LEGAL DESCRIPTION:
LOT 2, BLOCK 1,
MIDWAY 10TH ADD.
Lot Area: 1.34 ACRES

ZONING:
CC - COMMERCIAL/LIGHT
INDUSTRIAL TRANSITION

SETBACKS:
FRONT: 35'
SIDE: 0'
REAR: 10'

OWNER:
BULLER BROTHERS LLC
1901 E BISMARK EXPY
BISMARCK, ND 58504

CAUTION
CONTRACTOR IS RESPONSIBLE
FOR VERIFYING LOCATION OF
ALL UTILITIES PRIOR TO
EXCAVATION

| REV# | DESCRIPTION | BY | DATE |
|------|-------------|----|------|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

ABRA AUTO BODY MANDAN
3729 MEMORIAL HWY SE
LOT 2, BLOCK 1, MIDWAY 10TH ADDITION
MANDAN, NORTH DAKOTA

Independent Land Surveying & Engineering Inc.
4215 OLD RED TRAIL NW, Mandan, ND 58554
Phone: 701-663-5184 PROJ # 24203



C200

SHEET

PROPOSED CONDITIONS



Images



View of existing structure from Memorial Highway SE.



The proposed addition would be built in-line with the loading dock which projects off of the building towards the west (viewer's right).

Images



Oblique view, looking south toward subject property. Proposed building addition would be in the rear.



Oblique view, looking west toward subject property. Proposed building addition would be in the rear.



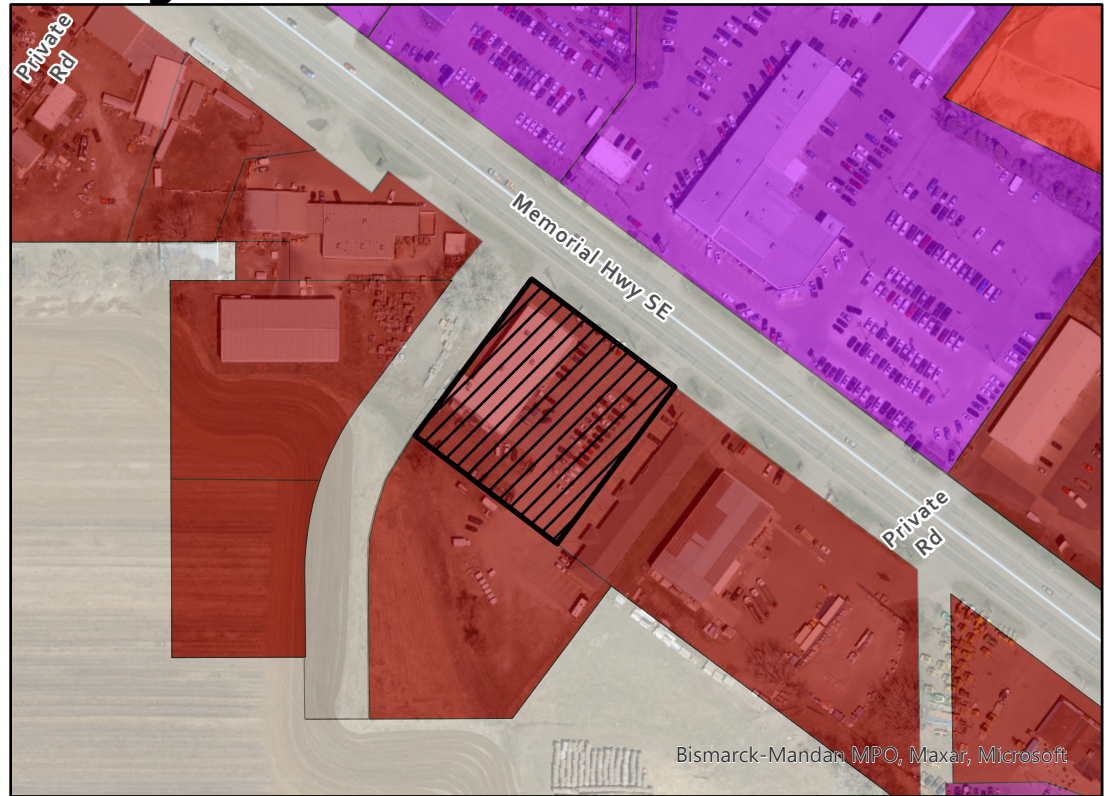
Zoning and Future Land Use Reference Map

Lot 2, Block 1, Midway 10th Add

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
- April '25 Planning Activities

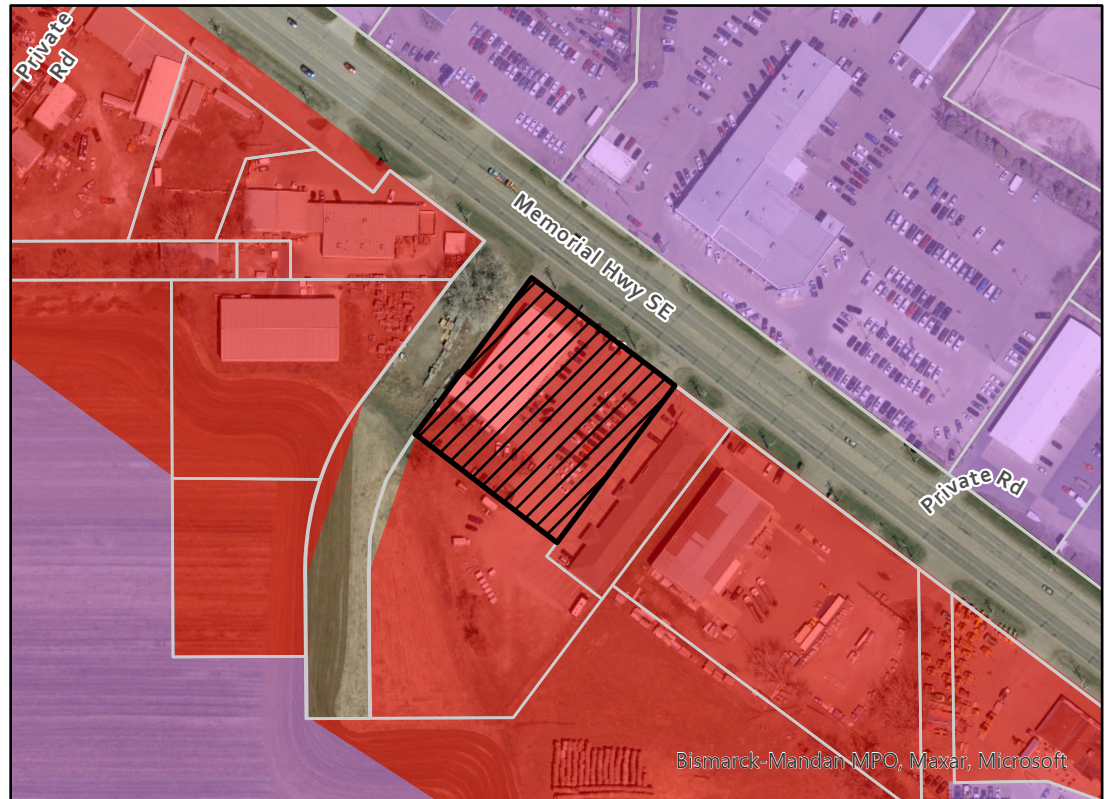


Bismarck-Mandan MPO, Maxar, Microsoft

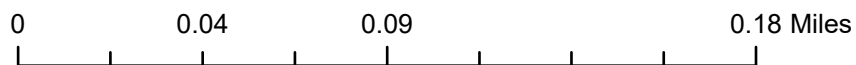
Future Land Use Plan Key

- 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
- April '25 Planning Activities

Future Land Use Plan



Bismarck-Mandan MPO, Maxar, Microsoft



N





Planning & Zoning Commission

Agenda Documentation

MEETING DATE: April 28, 2025
PREPARATION DATE: April 16, 2025
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Andrew Stromme
PRESENTER: Andrew Stromme, City Planner
SUBJECT: Consider Preliminary Plat and Zone Change for Schaff Estates 3rd Addition

STATEMENT/PURPOSE:

Consider Preliminary Plat and Zone Change for Schaff Estates 3rd Addition.

BACKGROUND/ALTERNATIVES:

The applicants are seeking to rezone the existing home and shop from CB – Commercial to Agricultural. However, because the public hearing notice advertised a rezoning to R7 – Residential, and the associated plat would also require updating, both staff and the applicant recommend postponing the item to the May meeting.

Preliminary Plat Details

Total Area: 9.17 acres

Configuration: Two lots within one block

- Lot 1: 7.38 acres (reserved for future use)
- Lot 2: 1.79 acres (site of the existing residential home)

Zone Change Request

- Current Zoning: CB – Commercial
- Requested Zoning: Agricultural District (noted)

Note: The request will be re-advertised as needed for consistency with intended zoning.

Adjacent Zoning, Land Use, and Future Land Use

Staff Recommendation: Planning staff recommends postponement of this request.

Page 2 of 3

Adjacent Zoning: North/South/East/West – Mix of Ag (Agriculture) and CB (Commercial)

Public Outreach and Application Details

- Application Received: March 28, 2025
- Application Fee: \$1,000.00
- Notifications: Letters sent to 5 adjacent property owners

Findings of Fact Preliminary Plat

1. All technical requirements for approval of a preliminary plat have been met;
2. The proposed subdivision generally demonstrates an ability for the property to align with the Future Land Use Plan and other plans and studies;
3. 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;
4. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance;
5. The proposed subdivision is generally consistent with the master plan, other adopted plans, policies and accepted planning practice; and
6. 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 not 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. Weinreis Application

Planning & Zoning Commission

Agenda Documentation

April 28, 2025

Subject: Consider Schaff Estates 3rd Addition Preliminary Plat and Zone Change

Staff Recommendation: Planning staff recommends postponement of this request.

Page 3 of 3

2. Redford Application
3. Schaff Estates 3rd preliminary plat
4. Mark Up Preliminary Plat
5. Location Map Schaff Estates 3rd

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 Schaff Estates 3rd Addition Preliminary Plat and the zone change request from CB - Commercial to R7 - Residential for Schaff Estates 3rd Addition.

SUGGESTED MOTION:

I move to recommend approval of the Preliminary Plat for Schaff Estates 3rd Addition and the zone change from CB - Commercial to R7 - Residential.

| CITY OF MANDAN | | | |
|---|--|-------------------------------------|--|
| Development Review Application | | | |
| <input type="checkbox"/> | Minor Plat (\$300) | <input checked="" type="checkbox"/> | Zone Change (\$600) |
| <input checked="" type="checkbox"/> | Preliminary Plat up to 20 acres (\$400) | <input type="checkbox"/> | Planned Unit Development (\$700) |
| <input type="checkbox"/> | Preliminary Plat more than 20 acres (\$450) | <input type="checkbox"/> | Land Use and Transportation Plan Amendment (\$1,000) |
| <input type="checkbox"/> | Final Plat up to 20 lots (\$400) | <input type="checkbox"/> | Vacation (\$500) |
| <input type="checkbox"/> | Final Plat 21 to 40 lots (\$550) | <input type="checkbox"/> | Variance (\$400) |
| <input type="checkbox"/> | Final Plat more than 40 lots (\$700) | <input type="checkbox"/> | Special Use Permit (\$450) |
| <input type="checkbox"/> | Annexation (\$450) | <input type="checkbox"/> | Stormwater submittal (\$300) |
| <input type="checkbox"/> | Masterplanned Subdivision (not accepted without preliminary plat) (\$250) | <input type="checkbox"/> | Stormwater 2 nd & subsequent resubmittal (\$50) |
| <input type="checkbox"/> | Appeals to Administrative Denials (Variance to Non-zoning/Non-subdivision regulations) (\$250) | <input type="checkbox"/> | |
| Summary of Request (Add separate sheet(s) as necessary) | | | |
| Create 1 residential lot | | | |

| Engineer/Surveyor | | | Property Owner or Applicant | | |
|---|-----------|--------------|--|-----------|--------------|
| Name Mark R. Isaacs; ILSE, Inc. | | | Name David & Alexandria Weinreis | | |
| Address 4915 Old Red Trail NW | | | Address 5010 39th Avenue NW | | |
| City | State | Zip | City | State | Zip |
| Mandan | ND | 58554 | Mandan | ND | 58554 |
| email | | | email | | |
| mark@ilsruveynd.com | | | alexweinreis@gmail.com | | |
| Phone | | Fax | Phone | | Fax |
| 701-595-2079 | | | 701-690-3229 | | |
| If the applicant is not the current owner, the current owner must submit a notarized statement authorizing the applicant to proceed with the request. | | | | | |

| Location | | Type | | Existing Zone | Proposed Zone | Project Name | |
|-------------------------------|---|------------------------------|--|----------------------------------|----------------|-----------------------------|--|
| <input type="checkbox"/> City | <input checked="" type="checkbox"/> ETA | <input type="checkbox"/> New | <input checked="" type="checkbox"/> Addition | CB | R7 | Schaff Estates 3rd Addition | |
| Property Address | | | | Legal Description | | | |
| 2392 37th Street, Mandan | | | | Lot 1, Block 1 in Schaff Estates | | | |
| Current Use | | | | Proposed Use | | | |
| Residential | | | | 2nd Addition | | | |
| Residential | | | | Section 7 | Township 139 N | Range 81 W | |
| Parcel Size | Building Footprint | Stories | Building SF | Required Parking | | Provided Parking | |
| 9.17 Ac | | | | | | | |


| | | |
|------------|---|------------------------|
| Print Name | Signature <i>Alexandria Weinreis</i> | Date <i>3-28-25</i> |
|------------|---|------------------------|

| Office Use Only | | | |
|-----------------------------------|---------------------------|--------------------------|-----------------------|
| Date Received: | Initials: <i>YM</i> | Fees Paid: <i>\$1000</i> | Date <i>3-28-2025</i> |
| Notice in paper | | Mailed to neighbors | P&Z meeting |
| <input type="checkbox"/> Approved | Approved with conditions: | | |
| <input type="checkbox"/> Denied | | | |

| CITY OF MANDAN | | | |
|---|--|-------------------------------------|--|
| Development Review Application | | | |
| <input type="checkbox"/> | Minor Plat (\$300) | <input checked="" type="checkbox"/> | Zone Change (\$600) |
| <input checked="" type="checkbox"/> | Preliminary Plat up to 20 acres (\$400) | <input type="checkbox"/> | Planned Unit Development (\$700) |
| <input type="checkbox"/> | Preliminary Plat more than 20 acres (\$450) | <input type="checkbox"/> | Land Use and Transportation Plan Amendment (\$1,000) |
| <input type="checkbox"/> | Final Plat up to 20 lots (\$400) | <input type="checkbox"/> | Vacation (\$500) |
| <input type="checkbox"/> | Final Plat 21 to 40 lots (\$550) | <input type="checkbox"/> | Variance (\$400) |
| <input type="checkbox"/> | Final Plat more than 40 lots (\$700) | <input type="checkbox"/> | Special Use Permit (\$450) |
| <input type="checkbox"/> | Annexation (\$450) | <input type="checkbox"/> | Stormwater submittal (\$300) |
| <input type="checkbox"/> | Masterplanned Subdivision (not accepted without preliminary plat) (\$250) | <input type="checkbox"/> | Stormwater 2 nd & subsequent resubmittal (\$50) |
| <input type="checkbox"/> | Appeals to Administrative Denials (Variance to Non-zoning/Non-subdivision regulations) (\$250) | <input type="checkbox"/> | |
| Summary of Request (Add separate sheet(s) as necessary) | | | |
| Create 1 residential lot | | | |

| Engineer/Surveyor | | | Property Owner or Applicant | | |
|---|--------------------|---------------------|--|----------------------------|---------------------|
| Name Mark R. Isaacs; ILSE, Inc. | | | Name Redford Signature Homes, Inc. | | |
| Address 4915 Old Red Trail NW | | | Address 724 Cody Drive | | |
| City Mandan | State ND | Zip 58554 | City Bismarck | State ND | Zip 58503 |
| email mark@ilsruveynd.com | | | email redford@bis.midco.net | | |
| Phone 701-595-2079 | Fax | | Phone 701-220-7884 | Fax 701-258-2131 | |
| 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 | <input checked="" type="checkbox"/> ETA | New | <input checked="" type="checkbox"/> Addition | CB | R7 | Schaff Estates 3rd Addition | |
| Property Address 2392 37th Street, Mandan | | | | Legal Description Lot 1, Block 1 in Schaff Estates | | | |
| Current Use Residential | | | | Proposed Use 2nd Addition | | | |
| Parcel Size 9.17 Ac | | | | Building Footprint | Stories | Building SF | Required Parking |
| Residential | | | | Section 7 | Township 139 N | Range 81 W | Provided Parking |

| | | |
|---------------------------------------|---|-------------------------|
| Print Name Deborah S Luptak | Signature  | Date 4/1/2025 |
|---------------------------------------|---|-------------------------|

| Office Use Only | | | |
|-----------------------------------|---------------------------|---------------------------|-------------------------|
| Date Received: | Initials: ym | Fees Paid: \$ 1000 | Date: 3-28-2025 |
| Notice in paper | Mailed to neighbors | P&Z meeting | Receipt # 100495 |
| <input type="checkbox"/> Approved | Approved with conditions: | | |
| <input type="checkbox"/> Denied | | | |

PRELIMINARY PLAT
SCHAFF ESTATES 3RD ADDITION
OF MORTON COUNTY, NORTH DAKOTA
LOT 1, BLOCK 1 SCHAFF ESTATES 2ND ADDITION
LYING WITHIN THE 1-MILE EXTRATERRITORIAL JURISDICTION OF THE CITY OF MANDAN
ALL IN SECTION 7, 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.

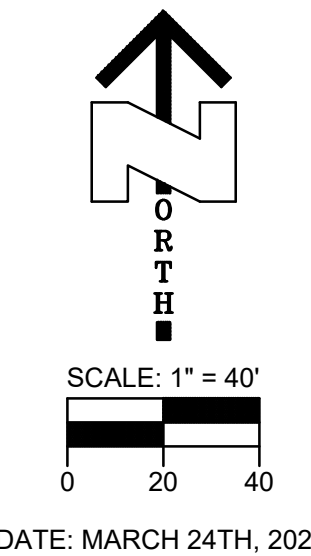
MARK R. ISAACS, RLS 9628

OWNERS:
 DAVID & ALEXANDRA WEINREIS
 5010 39TH AVE NW
 MANDAN, ND 58554

- NOTES:**
1. BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS DOCUMENTS OF RECORD DUE TO DIFFERENT METHODS OF FIELD MEASUREMENTS.
 2. SUBJECT TO ALL EASEMENTS OF RECORD WHETHER SHOWN OR NOT SHOWN.
 3. EXISTING ZONING IS CB.
 4. THE 40' ACCESS EASEMENT SHOWN HEREON IS FOR THE BENEFIT OF LOTS 1 & 2, BLOCK 1.

AREA TABLE

| | |
|--------------|-------------------|
| LOT 1 | 7.38 ACRES |
| LOT 2 | 1.79 ACRES |
| TOTAL | 9.17 ACRES |



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.

LEGEND

- FOUND REBAR MONUMENT
- SET 1/2" CAPPED REBAR "LS-9628"
- SEWER LINE CLEANOUT
- ELECTRIC BOX
- UNDERGROUND ELECTRIC
- EXISTING WATER
- OVERHEAD ELECTRIC
- POWER POLE
- EXISTING PROPANE TANK
- EXISTING SANITARY MANHOLE

VICINITY MAP



PROPERTY DESCRIPTION

LOT 1 BLOCK 1 SCHAFF ESTATES 2ND ADDITION IN SECTION 7, TOWNSHIP 139 NORTH, RANGE 81 WEST OF THE 5TH PRINCIPAL MERIDIAN OF THE CITY OF MANDAN, MORTON COUNTY, CONTAINING 9.17 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 DESIGNATED AS "UTILITY EASEMENT".

WE DO HEREBY DEDICATE AN ACCESS EASEMENT FOR THE BENEFIT OF LOTS 1 AND 2, BLOCK 1, AND SHOWN ON THE PLAT WITH THE DESIGNATION OF "40' ACCESS EASEMENT", WHICH WILL RUN WITH THE LANDS.

DAVID WEINREIS _____ ALEXANDRA WEINREIS _____
 STATE OF _____)
 COUNTY OF _____) SS
 SUBSCRIBED AND SWORN BEFORE ME, A NOTARY PUBLIC, THIS ____ DAY OF _____, 2023.
 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, ORDINANCES 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 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 _____

JAREK WIGNESS, PE _____
 I, JAREK WIGNESS, CITY ENGINEER FOR THE CITY OF MANDAN, NORTH DAKOTA, HEREBY APPROVES "SCHAFF ESTATES 3RD ADDITION" OF THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA AS SHOWN ON THE ANNEXED PLAT.

| | | | | | |
|---|--|--|--|--|--|
| SCHAFF ESTATES 3RD SCHAFF ESTATES, EAST 1/2 OF COVNT LOT 1 SECTION 7, T-139-N, R-81-W MORTON CO., NORTH DAKOTA | | | | | |
| SHEET: 1 OF 1 SCALE: 1" = 40" DRAWN BY: MRI DWG DATE: 3/15/25 DWG NAME: 22153 Preliminary Plat_3rd.dwg | JOB NUMBER: 22153 DWG REVISION DATES: <table border="1"> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </table> | | | | |
| | | | | | |
| | | | | | |
| 4215 Old Red Trail NW Mandan, ND 58554 Phone: 701-663-5184 Cell: 701-595-2079 mark@isurveynd.com | | | | | |



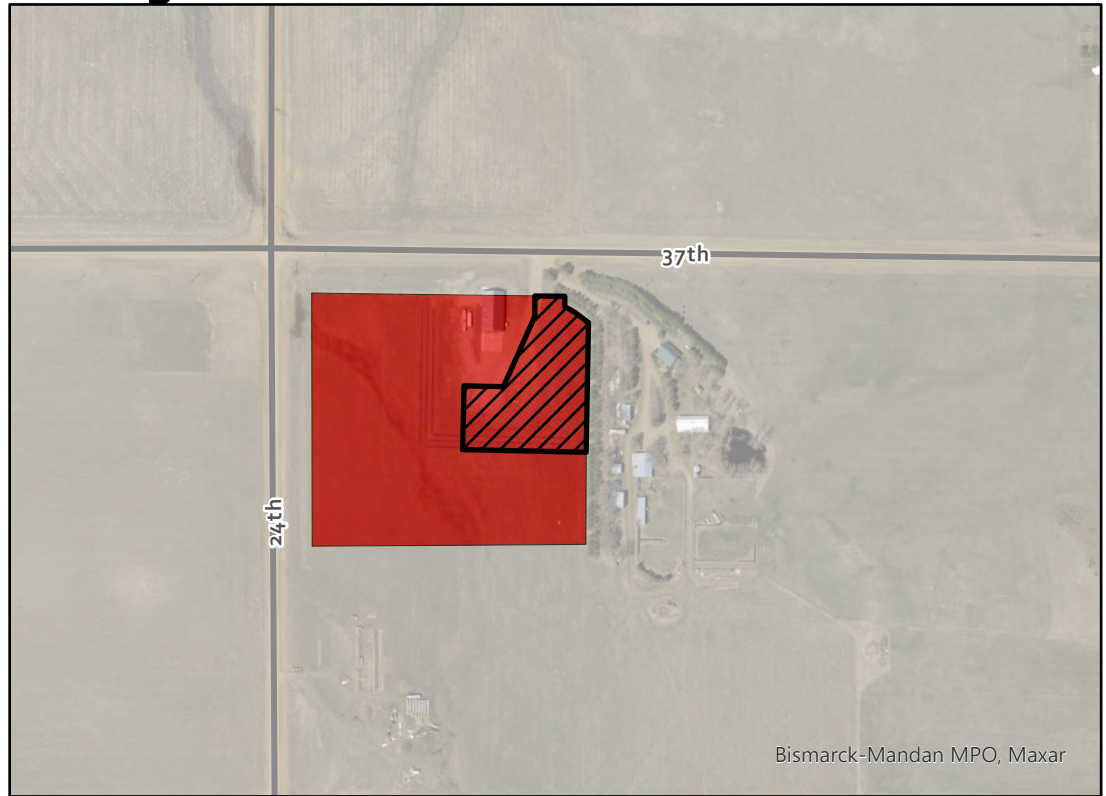
Zoning and Future Land Use Reference Map

Schaff Estates 3rd

Zoning

Zoning Map Key

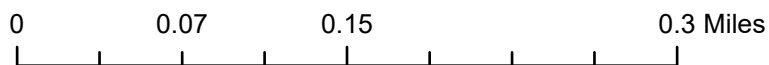
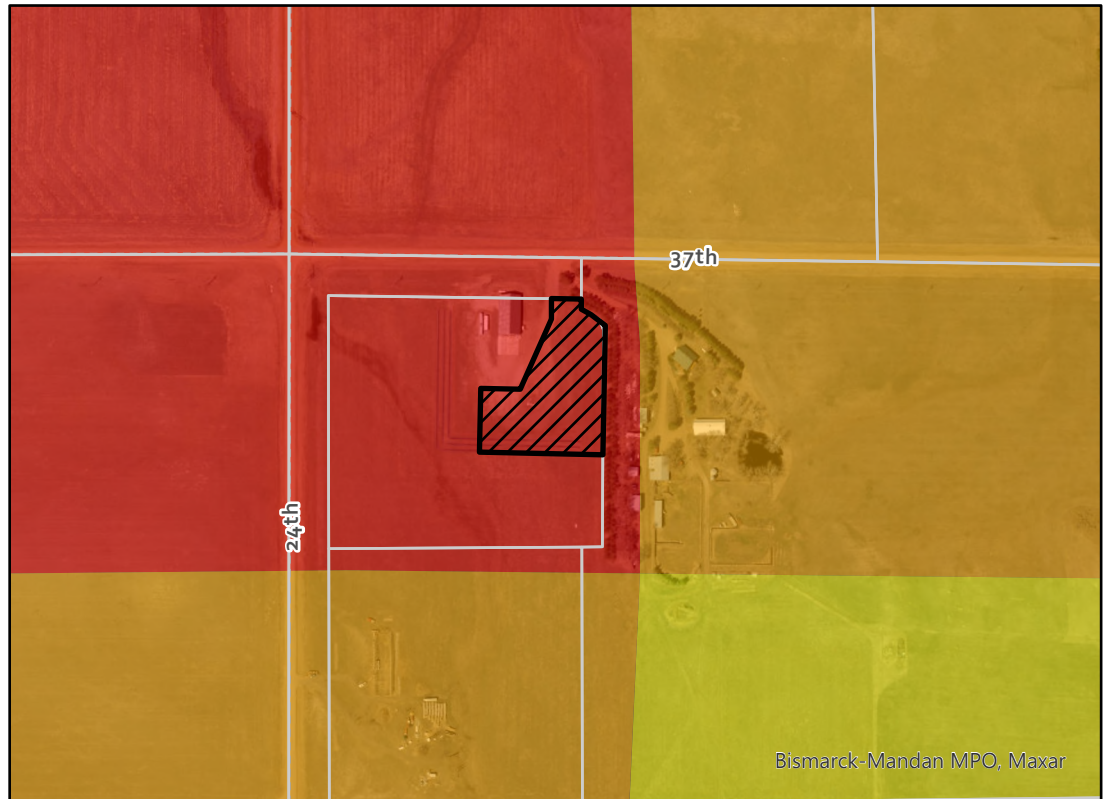
- Agriculture - City of Mandan
- Agriculture - Morton County
- CA - Neighborhood Commercial
- CB - Business Commercial
- CC - Commercial/Light Industrial Transition
- DC - Downtown Core
- DF - Downtown Fringe
- Industrial - Morton County
- LSMHS - Trailer Park Subdivision
- MA - Heavy Commercial/Light 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
- April '25 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
- April '25 Planning Activities

Future Land Use Plan



N





Planning & Zoning Commission

Agenda Documentation

MEETING DATE: April 28, 2025
PREPARATION DATE: April 16, 2025
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Andrew Stromme
PRESENTER: Andrew Stromme, City Planner
SUBJECT: Update on Zoning Study

STATEMENT/PURPOSE:

Beth Elliott of Stantec Consulting Services will present an update and summary of the Mandan Zonign Study project.

BACKGROUND/ALTERNATIVES:

The City's Zoning Study has been underway for well over a year. Final drafts are available for public and commissioner review. Future Planning Staff are going to be tasked with bringing it forward for adoption.

ATTACHMENTS:

1. Zoning Study Update Presentation

FISCAL IMPACT:

STAFF IMPACT:

LEGAL REVIEW:

RECOMMENDATION:

Accept the update and provide any questions and comments to staff.

SUGGESTED MOTION:



City of Mandan Zoning Ordinance Rewrite

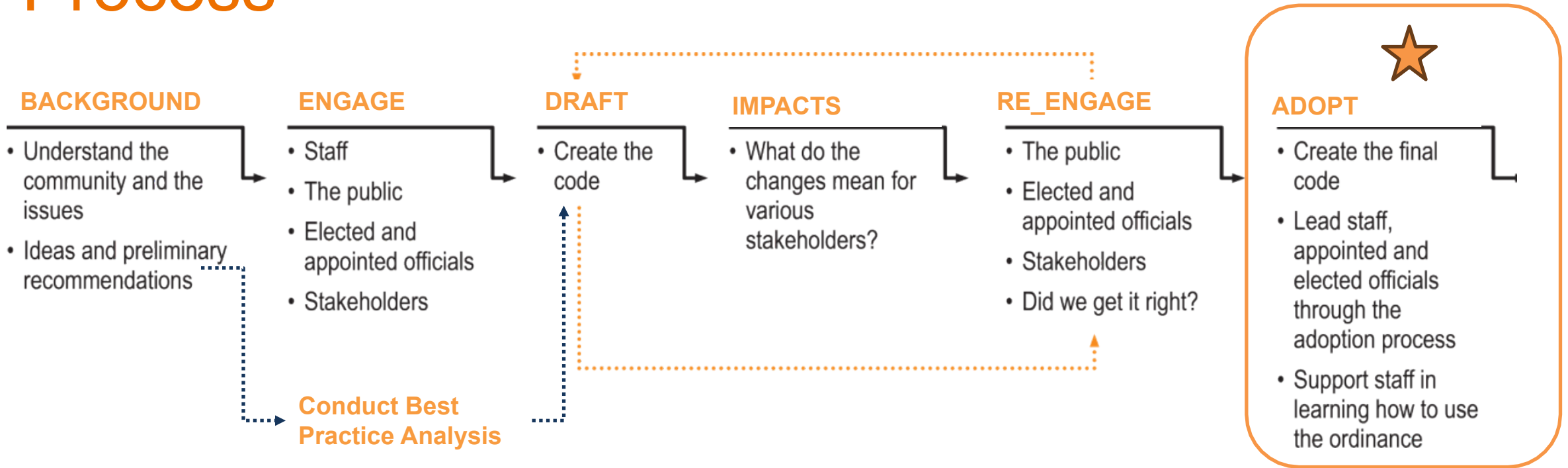
Planning and Zoning Commission
April 28, 2025



Presentation Topics

1. Quick review of process
2. Engagement re-cap
3. Key Recommendations
4. Next Steps

Process



Engagement

Working Group: 6 meetings

General Public: Online survey, Dec 2023– Jan 2024 (585 responses!)

Community workshop, August 2024

Developers, builders, large property owners: 3 meetings (February – March 2025)

Planning Commission: 3 meetings (Nov 2023, Aug 2024, now) plus additional staff updates



Key Recommendations

Zoning Districts

- New zoning district for Rural Residential uses (RR)
- Downtown Fringe (DF):
 - Reframed as transition between Downtown Core (higher intensity) and residential neighborhoods
 - Reduced commercial uses
 - Reduced geographic footprint
- New Heavy Industrial (MX) district for refinery and Mandan Natural Gas Power Plant
- New Corridor Mixed Use (CMU) and Neighborhood Mixed Use (NMU) districts to encourage wider variety of uses

Park Dedication

Acquire sufficient park and open space to meet current and future needs



Regulate landscaping

Create Landscaping and Buffering Standards between higher and lower intensity users



Mitigation of incompatibilities



Enhancement of the pedestrian experience



Creating a robust tree canopy to help with traffic calming and heat build-up




Reducing stormwater runoff

Regulate landscaping

- Tier 1 for Residential and attached residential structure up to four units
- Tier 2 for multi-unit residential structures, commercial, industrial, and institutional uses


- Required along all streets
- One tree pre 40 linear feet of street frontage for single family homes (new)

Street Trees




- Three types
- Denser, taller, deeper buffers required between zoning districts

Perimeter buffers



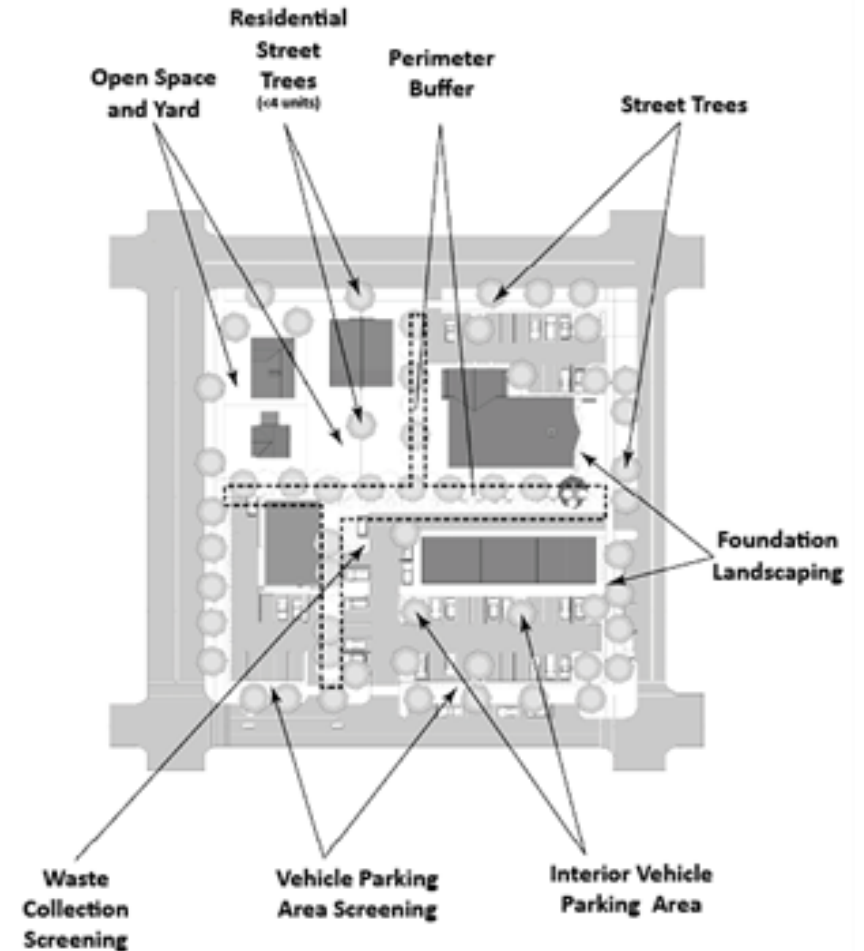

- Screening
- Interior landscaping
- Open space and yards

Parking



- Quality of plants and trees
- Species diversity
- Drought tolerance
- Items that require screening

General Standards



Hot Button Topic: Driveway Widths

Table 115-6-4:2:b. Residential Driveway Width

| Residential Lot Width | Allowed Driveway Width |
|--|------------------------|
| On lots less than 50 feet | 9-20 feet wide |
| On lots greater than 50 feet up to 60 feet | 9-25 feet wide |
| On lots greater than 60 feet up to 80 feet | 9-30 feet wide |
| On lots greater than 80 feet | 9-36 feet wide |

- Minimum and maximum driveway widths established for residential lots.
- Intent is to better manager impervious surface and improve the aesthetics.
- Revisions pending to accommodate more 3-car garages

Non-Conformities

Existing uses, structures, sites, and signs that do not conform to the new code will not be required to comply unless major changes/expansions are proposed. Change of ownership does not impact this.

New developments, projects, additions or expansions of uses or sites will be required to comply with the new code.



Next Steps

Approval Process

- Will be handled by new City Planner
- Dates TBD
- Will include:
 1. Public hearing at the Planning & Zoning Commission
 2. Approval by City Council