

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

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

B. CONSIDER APPROVAL OF MINUTES

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

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..* City Principal Planner Stromme presented.

The Church of St. Joseph requested 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 First Avenue NE and is adjacent to the current structures.

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 residence, built in 1930, sits on a 3,650 square-foot lot measuring 50 ft. wide along First Avenue NE and 73 ft. deep along 3rd Street NE. The new building would be oriented to face 3rd Street NE to the north, featuring a garage door along First 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 applicant's 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 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 city 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 First Avenue NE, but the applicant is requesting a reduced setback of 7 ft. along 3rd Street NE and is 8 ft. 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 ft. 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 using 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 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 and that a document be recorded memorializing that the two properties are linked to fulfill this request.

#### 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 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 fourteen (14) adjacent property owners.
- The city has not received any 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.
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 recommended approval of the request for a variance for Lot 1, Block 35, Mandan

Proper. The applicant was present to answer any questions.

Chair Robinson inquired if there were any comments or questions for Planner Stromme or the project team.

Commissioner Mudder inquired if there will be any handicap parking included in the area and how will that be addressed? Will it be one parking space every 400 ft? Planner Stromme explained there will be one handicap parking space required per 400 sq. ft. of finished office space. The applicant has not shared plans to alter or provide handicap parking for this facility.

Commissioner Huber inquired if any comments have been received from the public on this request?

Planner Stromme replied there have not been any comments or opposition received.

Commissioner Huber inquired if this area is within an area that is considered the Downtown Fringe of the new zoning code recommendations to be implemented or would it still be in that Downtown Fringe that would affect the front yard and side yard setbacks if it were in a more typical residential zoning area?

Planner Stromme replied that he will have to look into that inquiry.

Chair Robinson inquired if there were any further comments or questions for Planner Stromme. 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 a variance for Lot 1, Block 35, Mandan Proper.

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 or the applicant.

Commissioner Mudder inquired about again about the parking plan due to his concern for the parishioners of which many are elderly. A Darren Buffington, a representative on behalf of Fr. Josh Walz came forward and stated that the parking has been addressed due to the size of the lot and the reason for the variance is because of St. Joseph's parking lot that is directly to the west. It is approximately one house length and there will be at least one parking spot. They knew parking would be an issue and that explains why it has been proposed to use the St. Joseph's parking lot for parking (for the office). There are very few individuals that come to the parish office and there are basically four employees plus Fr. Walz. And the plan is that Fr. Walz will be living across the street and parks at the rectory. The employees will be parking at the St. Joseph's Church parking lot.

Chair Robinson inquired if there were any further comments or questions for Planner Stromme or the applicant.

Planner Stromme stated that the Board will need to find a hardship to support the motion.

*Commissioner McLean moved to recommend approval of the request a variance for Lot 1, Block 35, Mandan Proper from Sections 105-4-2.2 c and 105-1-6 of the City Code of Ordinances related to the building setbacks in the DF Downtown Fringe Zoning District in offset off-street parking requirements shared parking agreements to the permit and variance requested due to the following hardship @ No. 4, the request for variance is the minimum variance would accomplish the relief sought by the applicant.*

(Planner Stromme stated the Board will need to cite the hardship and there was no hardship identified in this motion pursuant to the statement of hardship submitted by the applicant, one of those needs to be significant enough to warrant relief.)

*Commissioner McLean re-stated the motion to include hardship No. 2 (and to remove No. 4): A hardship is caused by a provision in the Zoning Code.*

(Planner Stromme clarified that is one of his recommended Findings. He directed the Board to review the attachment submitted by the applicant entitled “Statement of Hardship” is where the Board will need to determine the applicant’s finding to warrant a variance.) {Commissioner Huber added that a small a narrow setback coverage or the pre-existing structures were constructed before current zoning laws creating non-conforming conditions that require a variance for a modification to build a new office building. In summary, 1(a) for the first one, is fitting for this scenario.}

*Commissioner McLean stated the motion will be to include Hardship No 1(a) will apply to the variance; and to include a modification of the staff Findings of Fact and recommend condition and agreement to be recorded memorializing the shared parking.*

Chair Robinson recited the motion as presented. The motion is to recommend approval of the variance from Sections 105-4-2.2 Subsection 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 identified as small and narrow lots under the current city ordinance makes it difficult to comply with setback requirements. And to modify the following staff findings of fact: Recommended condition and agreement to be recorded memorializing the shared parking.

Commissioner Huber commented that the Finding of Fact was No. 4, the requested variances would be the minimum variance that would accomplish the relief sought by the applicant.

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Commissioner Huber commented that the Finding of Fact was No. 4, the requested variances would be the minimum variance that would accomplish the relief sought by the applicant.

*Commissioner Gardner seconded the motion. Chair Robinson called for a roll call vote: Yes; Huber: Yes; Mayor Froelich: Yes; Horn: Yes; Hammond: Yes; Gardner: Yes; McLean: Yes; Mudder: Yes; Robinson: Yes. The motion passed. The motion passed.*

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.. City Principal Planner Stromme presented.*

ABRA Auto Body requested a setback 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 business has operated as an auto body repair shop since at least 2007 on this property.

#### Proposed Project

The applicant proposes a rear addition that would align with the closest existing portion of the building adjacent to the platted 36th Avenue SE. The 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 ft. to 13 ft. 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 was 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 does not have any 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.

- 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 was noted 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 five (5) adjacent property owners.
- One set of general questions about the project. There have been no comments or opposition to this request.

#### 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 recommended approval of the request for a variance for Lot 2, Block 1, Midway 10th Addition.

Chair Robinson inquired if there were any comments or questions for Planner Stromme.

Commissioner Mudder inquired if this expansion will not affect the road when it becomes effective?

Planner Stromme replied that is correct. This expansion would be built in line with the current building which is 7 ft. or so from the current building which is approximately 7 feet from the property line.

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

Abe Ulmer with Independent Land Surveying and Engineering stated he is the engineer on the project. He concurred with the information provided by Planner Stromme. This property is Midway 10<sup>th</sup> Addition and Midway 11<sup>th</sup> Addition was added later. The applicant, ABRA is present to answer questions. The plan is to extend it out to match the existing plan.

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 Huber moved to recommend approval of a variance for Lot 2, Block 1, Midway 10th Addition from Section 105-3-13 Subsection 6 of the City Code of Ordinances related to the side yard building setbacks to the CC Commercial District to permit the variance request due to the following hardship future road and existing right of way to the west causing this lot to have a double front setback of 35 feet and to modify the following staff findings of fact No. 5 that the granting of the variance is in harmony with the general purposes and intent of the zoning ordinance; and that the recommended approval be contingent upon the Mandan Architectural Review Committee (MARC) review and approval.*

*Commissioner Mudder seconded the motion. Chair Robinson called for a roll call vote: Yes; Huber: Yes; Mayor Froelich: Yes; Horn: Yes; Hammond: Yes; Gardner: Yes; McLean: Yes; Mudder: Yes; Robinson: Yes. The motion passed. The motion passed.*

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

*Staff Recommendation: Planning staff recommends postponement of this request.. City Principal Planner Stromme presented.*

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.

Planner Stromme stated that both staff and the applicant recommend postponing the item to a later date.

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

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 five (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;
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.

Planner Stromme recommended that this matter be postponed in order to allow the applicant additional time to present a better plan of what review they are seeking. This item was noticed as a public hearing

given a completed application was in hand, however, due to their request shifting and there not being enough time to accommodate the changing request, a public hearing needs to be conducted. Therefore no action can be taken on this request at this time and that it be brought back at a future time when the applicant will be available to present the request to the Board.

Commissioner Huber inquired why this zone change is being requested. Planner Stromme stated that the zone change is being requested due to the applicant's being advised that they should have their property financeable in the future. Commissioner Huber stated that her inquiry has to do with there being a business currently located on the property and so it seemed like a zoning change would be appropriate to accommodate a zoning change. Would Agricultural zoning accommodate that business? Planner Stromme stated that the request was received late last week and staff has not had enough time to be able to answer questions about how the site and its evolution will be able to fit within the perimeters of zoning.

Chair Robinson inquired if there were any comments or questions for Planner Stromme or the applicant. He stated this matter is now open for public questions or comments.

Alex Weinreis came forward and stated that the reason they are asking for the zone change is that in 2023 when it was changed to CB because they do own a trucking business, however she stated that they do not run their business out of their shop. They had brought up a plan of wanting to build a home on that property, however they were told with CB they were allowed to have a residential home on that property. They had just finished building a house and then found out they cannot get a mortgage on that house because it is located on a commercial lot. They are now considering requesting the house and shop they built to be zoned possibly either residential or back to AG zoning and they would agree to leaving the rest of the property as CB zoning. They have been told they cannot get a mortgage or a commercial loan. They want to add the shop to their home on the same land because the value will be worth more than just the house itself. They do own a trucking business but they do not run a business out of the shop, rather, it's just an oversized garage building used for storage.

Commissioner Huber inquired if it would only be the one lot that would be zoned Agricultural? The applicant explained via the draft map provided, there is a row of trees and they are going to request just that lot itself zoned so that they can have it zoned as residential would work best for them to secure a loan for the house. Or, in the alternative, to have the zoning switched back to AG, they were told they can still get it to work with AG. The rest of the property would be zoned CB.

Commissioner Mudder inquired if the applicants changed the zoning to CB or was that done prior to their purchase of the property? Alex Weinreis stated that they built the shop after getting the building permit and they came back in 2023 because they were purchasing approximately .6 acres west side of the property and this Board noticed that it was actually supposed to be a commercial lot but it was still zoned AG so when she brought up wanting to build a house this Board recommended the CB because it allows a residential home on the lot however, she (the applicants) could not get a residential mortgage and they cannot get a commercial loan because it's a residential house. They discovered this information after the house was built.

Planner Stromme pulled up a map showing the location of where the home is located. Chair Robinson inquired if that roadway is a shared entrance? Alex Weinreis stated it is a shared entrance with the

neighbor.

Planner Stromme explained that this item has been prepared and studied as a zone change however, the applicant requested the action per staff is not the specific review that they are seeking, thus, approving this plat or approving a zone change is not in the interest of the applicant at this time. Planner Stromme recommended that this Board postpone this matter until the applicant has provided a plat and an application that has been noticed consistent with what their ultimate request is being sought. In summary, there is nothing to approve currently.

Planner Stromme provided some of the background information on this matter. When this item came back as Schaff Estates 2<sup>nd</sup> Addition, the applicant was adding about .67 acres of land to their property and at that time, this commission did request that it come back with a zone change to CB and cited the difficulties that this Commission has had with Commercial zoning being the last thing added to the map. It was added in 2023 or 2024 at this Commission's request so that a situation where the whole entire area has been developed and then people don't want to see commercial on the corner anymore and they wanted to avoid that situation. That is why it was put into CB. Miss Weinreis is correct that since the Schaff Estates project came along, it was known there was going to be a house on this property. That's what the ghost platting was done to permit a short-term use of this property and not get in the way of the long-term commercial opportunity that it could have. He is not sure if zoning AG or R7 because residential lots must be treated the same and we would not as a city be able to say that home occupancies would include semi-trailers because the city has many R7's within the city that would not be a good thing; R7 may be a bit of a concern given the home occupation. The AG district may have some potential but it's not meant to be for 2-acre lots rather it's meant to be quarter sections and sections of land that are used with a farmstead or something like that rather than an urban zoning district.

Alex Weisreis stated that she met with an appraiser and was told that the value of having the house zoned residential right next to a commercial lot lowers the value of her residential home. From what the appraiser advised, that if the property could get switched back to AG that will help in the long run as far as when they go in to appraise it and try to find similar areas for valuation purposes.

Mark Isaacs with Independent Land Surveyors and Engineering came forward to speak. Moving forward with this request to bring it back in the future and since this is a preliminary plat, would it speed up the process if they were to act on the preliminary plat request now? Because if the zoning is not done until next month we'd essentially lose a month if we just postpone it and don't act on the preliminary plat. You're not making a zoning decision, you're making a decision on the plat itself, we would at least procedurally have that part done. If the applicants are requesting an R7 zoning for this lot, and preliminary plats can be tweaked as such to include the shop and still request the R7 it would still stay with what the application was to present tonight. Commissioner Mudder inquired if it were going to be changed to R7, it would basically be the western border to make it a more desirable lot? Mr. Isaacs replied that is correct and the plan would be to bring it over to the west tree row that will not be quite three acres. The ghost plat would line up with a street that is planned that would come in to the corner of this lot and then head slightly south and that would allow for that corner to be commercial. Then that would be R7. There is a farmstead to the east of this property that is Agricultural and if that develops around it, it would be residential since there is a house on that property. The discussion is how you view the existing shop for storage or is it being used for a business. The property is zoned commercial with the

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exception of the one house already zoned residential and the farmstead to the east zoned Ag.

Chair Robinson inquired of the long-term plan for this area. Planner Stromme stated this is identified as a commercial intersection. It would be the beltway corridor connecting the interstate to north Bismarck would go right by this property. The whole ten (10) acres will be zoned commercial. The property to the east is high density residential.

Planner Stromme commented that additional time is needed to determine if the semi-trucks are going to be of concern when putting them on a residential lot. He would not recommend taking action on this item at this time given the uncertainties involved. The applicant has not indicated a need of urgency to resolve this tonight. Planner Stromme recommended a motion to postpone (rather than tabling) this matter until a later time.

*Commissioner McLean moved to postpone the Schaff Estates 3<sup>rd</sup> Addition Preliminary Plat and Zone Change until a later time. Commissioner Gardner seconded the motion. Chair Robinson called for a roll call vote: Yes; Huber: Yes; Mayor Froelich: Yes; Horn: Yes; Hammond: Yes; Gardner: Yes; McLean: Yes; Mudder: Yes; Robinson: Yes. The motion passed. The motion passed.*

#### D. OTHER BUSINESS

1. *Review of New Zoning Code.* Planner Stromme introduced Beth Elliott of Stantec Consulting Services, via online, who will present an update and summary of the Mandan Zoning Study project. Erin Purdue had a prior conflict and was unable to present this material.

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.

#### PROCESS

- Background
  1. Understand the community and the issues
  2. Ideas and preliminary recommendations
    - Conduct Best Practice Analysis
- Engagement
  1. Staff
  2. The Public
  3. Elected and appointed officials
  4. Stakeholders
- Draft
  1. Create the Code
- Impacts
  1. What do the changes mean for various stakeholders
- Re-Engage
  1. The Public
  2. Elected and appointed officials

3. Stakeholders
  4. Did we get it right?
- Adoption
    1. Create the Final Code
    2. Lead staff, appointed and elected officials through adoption process
    3. Support Staff in learning how to use the Ordinance
  
  - Approval Process
    1. Will be handled by the new Mandan City Planner
    2. Dates TBD
    3. Will include:
      - Public hearing at the Planning and Zoning Commission
      - Approval by Mandan Board of City Council

Ms. Elliott concluded the presentation by asking if anyone had any questions.

Commissioner Gardner inquired if this Board will approve prior to the City Commission. Planner Stromme stated that this Board will be requested to make a recommendation to the City Commission to approve the final version. He explained that this process has followed the common and standard way of making changes to City Zoning Ordinances while following the standard required approval process.

There are references that are related to each other throughout the entire Code that are to be adopted. This project has been thoroughly vetted and the recommendations are adequate for the City of Mandan and this revised version of the City Ordinance Zoning Code shall be adopted as a whole.

Chair Robinson stated that the on-line participation and interest in this project has repeatedly been very high which is commendable. The Mandan citizens have been involved in this project.

## **2. Resignation of Commissioner Buchmiller.**

Planner Stromme reported that the city received notice that Commissioner Buchmiller has resigned his position as a member of this Commission effective immediately. His position will be filled as soon as possible.

## **3. On behalf of the Planning and Zoning Commission, Commissioner Mudder extended a thank you to Planner Stromme for his years of service and dedication to Mandan and wished him well in his future endeavors.**

- 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 6:44 p.m.

