



**AGENDA
PLANNING & ZONING COMMISSION
JUNE 23, 2025
COMMISSION ROOM
MANDAN CITY HALL
5:30 PM
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The City of Mandan is encouraging citizens to provide their comments for agenda items via email to info@cityofmandan.com. Please provide your comments before 3:30 p.m. on the day of the meeting. Include the agenda item number your comment references. Comments will be forwarded to the Commissioners and appropriate departments.

A. ROLL CALL

B. CONSIDER APPROVAL OF MINUTES

1. May 28, 2025 Minutes

C. PUBLIC HEARINGS

1. **Consider Schaff Estates 3rd Addition Preliminary Plat, Special Use Permit, and Zone Change**
2. **Consider a zone change from RM (Multi Family) to a PUD (Planned Unit Development) for Clover Grove.**
3. **Consider a zone change request from CB - Commercial to RMH - Residential for Lots 3-6, Block 2, Meadowlands Subdivision**

- 4. Consider a building setback variance for Lots 4-15, Block 2, Mandan Proper**

- 5. Consider a building setback variance for Lot 6, Landeis Subdivision Replat Lots 4-6**

D. OTHER BUSINESS

1. Appointment to the board.

E. ADJOURN



Planning & Zoning Commission

Agenda Documentation

MEETING DATE: June 23, 2025
PREPARATION DATE: June 12, 2025
SUBMITTING DEPARTMENT:
DEPARTMENT DIRECTOR:
PRESENTER:
SUBJECT:

STATEMENT/PURPOSE:

BACKGROUND/ALTERNATIVES:

ATTACHMENTS:

1. May 28, 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, Gardner, Hammond, Huber, McLean, Mudder, Smith and Robinson. Absent: Horn, Leingang, Intveld.

B. CONSIDER APPROVAL OF MINUTES

1. *April 28, 2025 Minutes. Commissioner McLean motioned to approve the April 28, 2025 minutes. Commissioner Hammond seconded the motion. Upon vote, the motion passed unanimously.*

C. PUBLIC HEARINGS

1. *Consider Schaff Estates 3rd Addition Preliminary Plat and Zone Change.*
City Administrator Neubauer presented.

City staff and the applicant recommended this item to be postponed at the April 28, 2025 meeting to allow additional time to resolve issues. Subsequently, the request was re-advertised as needed for clarity with intended zoning. The applicants are seeking to rezone the existing home and shop from CB – Commercial to R7 - Residential. The property location is 2392 37th Street. The property is currently zoned commercial with the exception of the farmstead to the east being zoned Agricultural and the house on the property is zoned residential. This area is identified as a commercial intersection. The future beltway corridor connecting the interstate to north Bismarck would go right by this property.

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: Residential

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: May 9, 2025
- Application Fee: \$1,000.00
- Notification letters were sent to five (5) adjacent property owners. No comments or opposition has been received.

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;
4. The proposed zoning change would not adversely affect public health, safety and general welfare.

City staff recommended approval of the request for approval of Schaff Estates 3rd Addition Preliminary Plat and Zone Change request from CB - Commercial to R7 – Residential.

Chair Robinson inquired if there were any comments or questions for City Administrator Neubauer or the project team. Chair Robinson inquired if there were any further comments or questions. Hearing none, the public hearing was opened.

Open Public Hearing

Chair Robinson opened the public hearing and invited anyone calling in or present, to come forward to speak for or against the request for Schaff Estates 3rd Addition Preliminary Plat and Zone Change from CB - Commercial 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

Building Official Singer reported that the applicants have received their occupancy for this request and they moved in.

Commissioner Huber inquired if the zone change applies to the whole property or only the piece where the residence is located? City Engineer replied that it only applies to the area where the house is located. Commissioner Mudder stated that his initial concern had to do with the corridor going out to preserve the commercial aspect to the rest of the property for a future corridor.

The applicant Alex Weinreis came forward and stated that it applies to the area of the house and the shop. An updated document has been submitted that indicates the line it covers; in particular, where the trees rows are located that indicate the area to be zoned as Residential. The applicants requested the area to be zoned Residential with a special use permit that would allow for parking semi's on the property in the

shop. Administrator Neubauer stated that the map included in the agenda packet does not include a provision for a special use permit for this property. Based on that, he requested this matter be postponed in order to allow time to clarify the request from the applicants to include a Special Use Permit.

Commissioner McLean moved to recommend postponing the request for the Schaff Estates 3rd Addition Preliminary Plat and Zone Change request from CB - Commercial to R7 – Residential to allow time to clarify the additional request to include a Special Use Permit for this property.

Commissioner Huber stated she recalls this matter initiated from a Residential zoning to Commercial because the truck shop was located on the property and so now taking it back to Residential and a Special Use Permit, otherwise you would have a non-compliant use within Residential. It was her understanding that at the last meeting the plan was to see if the request for the one piece to go Residential and the rest to remain Commercial. Administrator Neubauer concurred that is what the city was expecting also and that is why the map just received was just one piece, which is the reason why there is now a request to postpone this matter in order to clarify the intent before proceeding at this time.

Commissioner Mudder seconded the motion to postpone this matter. Chair Robinson called for a roll call vote: Smith: Yes; Huber: Yes; Mayor Froelich: Yes; Hammond: Yes; Gardner: Yes; McLean: Yes; Mudder: Yes; Robinson: Yes. The motion passed. The motion passed.

2. Consider a Special Use Permit for Lot 1B, Block 1, Lakewood Commercial Park 3rd Addition 4th Replat.. Jarek Wigness, City Engineer, presented.

Steven and Erica Mittleider submitted an application for a Special Use Permit for shop condos on a pair of parcels south of the New Discovery Montessori Preschool. The proposed project combines a tax-forfeited lot and a commercial lot. The applicant owns the west lot and the east lot is a low lying city-owned lot.

Property History

The property is located at 2510 40th Ave SE and is currently a vacant lot zoned CB - Business Commercial. The adjacent city-owned lot would be included in this plan and is also vacant and is currently a low-lying area.

Adjacent Properties

The surrounding properties are zoned CB - Business Commercial. The Future Land Use Plan designates this property as high-density residential. The surrounding area is generally Residential zoned.

Additional Info & Public Outreach

An application and fee of \$450 were submitted on April 25, 2025. Ninety-five (95) letters were sent to adjacent property owners on May 8, 2025.

The sale of the city owned east lot was brought to the March 4, 2025, City Commission meeting and at that meeting the City Commission denied the sale of the lot on the basis that staff would recommend denial of any future applications for multi-use development on this property.

Staff Comments

Several neighbors voiced concerns over where the water will be directed to and the density of the area.

City Engineer Wigness stated that the applicant presented an offer to purchase the lot from the City. The City Commission denied the purchase based upon the intended use of the property due to land use conflicts and lack of alignment with the city's plan. For those reasons, city staff recommended denial of the special use permit in that the proposed plan includes the city lot and the city is not interested in selling property to build shop condos at this time.

Based on the above, city staff recommended denial of the request for a Special Use Permit for Lot 1B, Block 1, Lakewood Commercial Park 3rd Addition 4th Replat.

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

Commissioner Smith inquired about drainage. There is a low area that is a city lot and there are elevations. If looking to the south, that drainage channel to the end of McKenzie Drive, the elevation is @ 1,627 and the water basically forms a dam in that area. Is there drainage or a culvert that goes from McKenzie to the south side? Engineer Wigness stated he does not know and offered to research that. The south side is designated Corp lands and the city cannot touch that so the question is pertinent to the north side. Shawn Froseth (a resident living in that area) provided comments about the problems with water back up in that area.

Chair Robinson inquired if there were any further comments or questions for Engineer Wigness. 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 a Special Use Permit for Lot 1B, Block 1, Lakewood Commercial Park 3rd Addition 4th Replat.

Steve and Erica Mittleider came forward and stated they are the residents who own the lot at 2510 40th Avenue Southeast having resided at Lakewood since 2007. The lot is currently zoned Commercial Business and they applied for a Special Use Permit to build multi use shops. They have previously presented before the Commission and requested permission to purchase the land locked city owned lot behind their property. The Commission requested that the Mittleider's present to the Planning and Zoning Committee first to get approval for the Special Use Permit. The focus today is to get approval to build multi-use shops on the lot they currently own. The goal with the shops is to provide an aesthetically pleasing development that will blend with the surrounding area. Home builders have reached out to them about relocating their offices to the unit right off 40th Avenue; a chiropractic office has also expressed interest in moving their Bismarck office to this area. They will follow Mandan City Ordinances and polices required to gain site approval along with a building permit. With their lot currently being zoned for their project along with businesses expressing interest in locating in this area and the neighbors to this property in agreement with the project plans, the applicants requested the city grant approval for the Special Use permit. The Mittleider's own the lot #2610, located next to the Montessori pre-school. The lot behind them is the low spot. They are waiting for a response from the

Corp to address the low spot wetlands area. The area south of McKenzie Drive, years ago when this area was developed, Swensen-Hagan took soil samples of the entire Lakewood project and it was determined at that time that the wetlands had characteristics however, the city's lot at that time did not. KLJ came out and did their study and have submitted it to the Corp. There is a request for KLJ (Derek) to submit a status update as soon as it is available. The applicants are working with Nyhus Law firm to draft Bylaws and to put the plans into effect that certain things do not occur (such as trailers being parked there overnight or unwelcome noise is at a minimum); and they plan to develop an HOA that assures a nice community area. The snow would be pushed to the north end.

Commissioner Huber inquired about the shop condos being sold to individual businesses or owners in comparison to a multi-tenant building that would generally be leased. What is the plan for control of that? Mr. Mittleider explained that their goal is to sell the individual shop condos, however if that doesn't happen, they will consider options to rent. Commissioner Huber stated that she is not comfortable with approving this request until there is a specific plan as to how the control of units would be handled until specific plans are in place as to who would be controlling the uses and/or contents of what could go in the units. The applicants stated they are currently working with an attorney to draft an HOA document.

Jane Huizenga, a resident since 2010 of the Koch Villas 2503 Ash Lane, came forward and requested that the Special Use Permit be denied for the shop buildings that would be located in her backyard which is the area that they would be putting the snow located about 10 feet from her fence. When she purchased her lot, it was her understanding that nothing could go back there. She has no objections to the buildings on the other lot and her reason for objecting for what will be directly behind her property is an objection she has about any building going in that location of 4205 Shoal Loop. She does not have a problem with the 40th Avenue lot. She commented there is nothing else like that down in Lakewood that is a business that backs up to residences. She requested the request be denied.

Chuck Weiland, 2509 Ash Lane, came forward and commented that the shops would also be located in his backyard. He purchased his property 13 years ago from Koch Construction and was told that the lot back there was for watershed. All the water that comes through his lot will go out under the fence and go down into that watershed. His concern is the watershed along with the concerns brought up by Ms. Huizenga. He requested this Board to leave the watershed area as designed.

Dean Morast, 2507 Ash Lane, came forward and stated that he agrees with the comments made by Huizenga and Weiland. He stressed there is a significant amount of water that runs back there and the drainage was designed for that reason. He requested this Commission leave the watershed area as designed. Shawn Froseth commented that the water would end up in the river. His understanding is the city has to approve, then the Corp has to approve. That area acts as a substantial drainage area and should be left alone.

Richard Long, 2504 Ash Lane, came forward and inquired about the design of the condo shops and if the living quarters are on top, those buildings are built extremely high. He stated he is in opposition to having condo shops allowed in this area citing various reasons.

Mr. Mittleider commented on the possibility of changing Bylaws that as an owner of apartments he has had to deal with evictions under the rules that are in place. The future land use plan for this to be high

density residential, 30 units per acre, and there is concern about a 17 ft. sidewall? There could be a 4-story apartment complex with decks and all the problems that come with renters.

Chair Robinson will request the City Planning Department to clarify the exact footage of the setback from the fences of the residents who live in the condos.

Chair Robinson inquired if there were any comments or questions. He stated that the Commission has received written comments from the individuals who came forward to speak.

Close Public Hearing

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

Commission Action

Chair Robinson stated that the request today is for a Special Use Permit for the Mittleider's lot only at Lot 1B, Block 1, at 2510 40th Avenue Southeast, Lakewood Commercial Park 3rd Addition 4th Replat.

City Engineer Wigness stated that the plan submitted included both lots. The lot which is a .92 acre parcel on the west owned by the Mittleider's is the one to be voted on (not the city lot).

Commissioner Mudder inquired if that area will affect the watershed in that area? City Engineer Wigness stated that the applicant's would be held to development standards wherein they would have to meet pre-development standards for the watershed wherein the developers would be developing to the right of way.

Commissioner Huber commented that the request tonight is about the use of the land and so the concerns would remain the same whether its one or both plots in terms of shop condos and the lack of ability to control the types or intensities of the commercial nature use of those properties. There are some alternatives or some median of something different between shop condos and the suggestion that high density apartments have to be at 30 units on each of those lots. It does not seem to be appropriate to lock in the interior of the lot. This is part of a due diligence process and the exploration of what could potentially be approved for that lot. Ultimately it is the decision of the City Commission to approve what goes on the lot and who to sell it to. Commission Huber inquired of Commissioner Wigness if the situation with this lot and the thought that it is needed for watershed. Engineer Wigness replied that he does not believe the city would be interested in retaining a lot and keeping it out of production if it can contribute to the betterment to the city. If this lot were a storm pond it would have had an undivided interest among the contributing parcels. Commissioner McLean commented it could hand-tie the city lot and if this Commission gives him what he wants on his lot the city lot is either going to have to go that direction and there would not be access. Engineer Wigness commented that the lots do tie together and it would make sense for the lots to go the same way, however with the high density residential future land use it was the city's position not to go through with the Purchase Agreement for a multi-use shop condo.

Commissioner Gardner stated his concern is that when someone has an idea to develop and build and do something productive, he does not want to see property rendered as useless. To deny an opportunity the

question comes up of what else do we build if an applicant returns with another request, will that be denied also because it will not fit the property. Chair Robinson pointed out that the property has options. It is zoned currently and they have potential buyers that fit with various constructions and the city is aware the property is land locked or at they should have when they denied the offer. The master plan must have addressed the drainage in the master plan when it was developed thirty years ago hence development occurred and things changed which is what is now occurring.

Commissioner Huber summarized the issues are (1) The future of the city lot that may or may not be the Mittleider's direct interest today rather their interest lies in what can be done with the property adjacent to 40th Avenue of which there does need to be a plan for that lot; (2) Focus on the property on 40th Avenue, there should be some type of layout that provides access to the lot behind it so that it does not become permanently landlocked. She would be interested in some different approach, in particular, if the businesses mentioned could they be accommodated with more of a multi-tenant commercial rather than a shop condo approach?

Chair Robinson concurred with Commissioner Huber's comments and that the plan should include access to that back lot whoever owns it in the future. Commissioner Mudder inquired if the city can sell part of that lot because the watershed is of concern. Engineer Wigness commented that it is not his determination to sell a portion, rather he believes the city would most likely sell the whole lot because it would still end up with a land locked parcel. Commissioner Smith commented it could be possible to sell the whole lot and have a drainage easement restricting development. Commissioner McLean voiced concern about the apartment complex to the north that sheds a lot of water from its parking lot. A suggestion would be for the HOA to purchase that lot and leave the watershed in place. Commissioner Huber commented there appears to be more work to be done on this matter.

Commissioner Huber moved to recommend denial of a Special Use Permit for Lot 1B, Block 1, Lakewood Commercial Park 3rd Addition 4th Replat.

Commissioner Gardner commented that if this matter comes back in whatever fashion, that the watershed be part of the plan

Commissioner Smith seconded the motion to deny the request of a Special Use Permit for Lot 1B, Block 1, Lakewood Commercial. Chair Robinson called for a roll call vote: Huber: Yes; Mayor Froelich: Yes; Smith: Yes; Hammond: Yes; Gardner: Yes; McLean: Yes; Mudder: Yes; Robinson: Yes. The motion passed. The motion passed.

3. *Consider a zone change from RM (Multi Family) to a PUD (Planned Unit Development) for Clover Grove.. Jordan Singer, Building Official presented.*

Evolution Planning & Design has submitted an application for a zone change from RM (Multi-Family) to a PUD (Planned Unit Development) for Macedonia Hills Gov't Lot 2, less out lot A in the NW 1/4 of NE 1/4 of Section 3, Township 138N, Range 81W.

Property History

The property is 14.82 acres located at 151 19th Street SE.

Zone Change

The intent of the PUD (Planned Unit Development) is for 57 entry-level single-family detached and duplex-type home lots. The R3.2 Zoning District serves as the basis for this PUD Narrative.

Adjacent Properties Zoning, Land Use, and Future Land Use

Adjacent properties to the west and north are zoned R7 - Residential Single Family. Property to the east is zoned R3.2 - Residential Single & Two Family. The property to the south is zoned Ag - Agriculture. The future land use plan recommends low-density residential land use on this property.

Additional Information and Public Outreach

- The application and fee of \$700.00 was received on April 25, 2025.
- This item was published in the Mandan News as required. Forty-six (46) letters were sent to adjacent property owners on May 9, 2025.
- There have been no comments or opposition to this request have been received.

Staff Comments

There are concerns about density and access management and emergency access. Future connectivity and number of proposed lots exceed International Fire Code Appendix D 107.1 related to number of units allowed with only one access point constructed or planned.

In this site plan there is a public street coming off 19th and a public park and development. This is a roadway that is showing a 40 ft. along with private streets that are 31 ft. and that is a major concern. The other one would be the private and public utilities. The city is not interested in doing a private street with public utilities at this time. The other piece is the density, however in the fire and building codes there are sections noting anything above 30 units would need two access points. The public street counts as one access point and any of the street connections are still part of that connection point. There is a temporary one next to the park but it is not far enough away to be considered a secondary access. The development team has expressed interest in doing part of it a number of units and then a second phase. That would be okay in the master plan addressed how that second road would be for the city and that piece is not available yet. For those and a few other reasons such as snow storage and in general the roads and streets, city staff recommended denial of this PUD request for Clover Grove.

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.

City Staff recommended denial of the request for a zone change from RM (Multi Family) to a PUD

(Planned Unit Development) for Clover Grove.

Chair Robinson inquired if the one access point there, would that involve volume of housing? If coming from the west to east on 19th Street there would not be a visual of that intersection because it drops off below the hill. Commissioner McLean inquired if the city has a recommendation for a second access point? Singer replied that is the difficult part about future development. In the past, developments have been reviewed with a plan showing the access points and that is the struggle now to get a second road in at that point. This concern has come up with other developments that are in the second phase of construction that no longer want to construct the road that they showed in a master plan that annexed to the city connectivity. Commissioner McLean inquired about two access points development to the east of this and that only has one visible access point as well as off of Macedonia. How did that one get through?

Singer replied that the development to the west connection point that was supposed to be was off Mario Court up to 23rd and now has been deemed as not viable to work. The city needs to work on future connectivity to assure that missing connection points do not happen. He stated that is one of the reasons city staff is recommending denial because of things that have occurred in the past. He explained that when there are street improvements to be made and there are private utilities or public street and vice versa, it's difficult to get under the road surface when there is something that's not in your control. Commissioner Huber inquired if the developer were to come back with a proposal for 30-units and would address the other issues outlined with the streets, would that be something that the Building Official's and Engineer offices and the Planning Department could support? Singer stated that discussion has occurred and stated that it would be helpful to have more specs included. Commissioner Gardner inquired if the Fire Department and others approve of 30 units? Singer replied that the city is looking at development plans to include future connectivity. Commissioner Gardner stated that he will recuse himself on this should it go to a vote because he is helping the school with a development to the south and west. Commissioner Smith inquired if the developer is asking this Commission to approve Phase 2 at this point? He stated that he agrees with city staff that there is not enough information available to vote on this request because the project is not far enough along to consider granting approval.

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

Open Public Hearing

Chair Robinson opened the public hearing and invited anyone calling in or present, to come forward to speak for or against the request a zone change from RM (Multi Family) to a PUD (Planned Unit Development) for Clover Grove.

Lucas Mayer came forward to speak and stated this project commenced in January 2025. He provided a background of his experience in creating developments and building homes in Arizona and now wishes to build in Mandan. The goal of this project is to bring attainable and achievable housing to the community. They want to create flexible floor plans that can bring in young professionals and families. They do have a verbal approval from the Park Board in agreement that this is a great location being centrally located around other neighborhoods as well as Clover Grove.

Commissioner McLean commented that Mr. Higlin and Commissioner Froehlich both called and said they like the two-acre area for the park. He inquired if the roads could be made wider in that area so they

are at least at the minimum width? Mr. Mayer replied that it will make it more challenging. There are concerns with the grading in this area and widening the roads would push the lots closer to the drainage easement which is a tradeoff. There is a 100 ft. township easement on the west side of the property that runs north and south and they are adding a drainage easement to the property on the east side of the property. The roadway on the east side is only 40 ft. and it will be publicly dedicated noting that is the solution for future. There are private streets with public utility with privately managed right of ways and those can be worked out in a development agreement.

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

Commissioner McLean stated he believes there is a path forward for this request. The city will need to work with the applicants to fix what needs to be fixed via a compromise that will work for both parties. Building Official Singer commented that some of the details sought in a PUD would be helpful. Commissioner McLean inquired if this matter should be postponed to allow for time to address the questions. Singer stated that city staff would recommend denial of the request and the applicant will have to resubmit their request with specific details for the PUD; the application fees would be paid by the city. Commissioner Huber inquired if the matter was tabled, perhaps the application fees would not be required again. Singer stated that another option would be to get the fixes needed and take to the City Commission level contingent on those items that have not yet been determined. If tabled, it will have to be re-advertised. The fees are applied towards advertising and such other applicable fees. Commissioner Gardner commented that the request should not be denied rather the intent is to work with the developer to come up with a viable plan for both parties. Lucas Mayer stated he would prefer to table the matter rather than have it denied and come back to a future meeting with a solution that works for both parties.

Missy Moritz came forward and commented that when she did a project in Bismarck she did not have city staff approval, however, there was discussion at the Planning and Zoning and it was passed conditionally but she is not aware of how the process works. Commissioner Mudder stated he would prefer the matter be tabled to make sure everyone is in agreement and to assure the city's questions are answered before moving forward.

Commissioner Mudder moved to recommend tabling this matter for a zone change from RM (Multi Family) to a PUD (Planned Unit Development) for Clover Grove.

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

D. OTHER BUSINESS

City Administrator Neubauer reported that Rachel LaQua and Kay Atkinson from Interstate Engineering will be assisting city staff in the Planning Department due to the City Planner position vacated by Andrew Stromme.

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 7:11 p.m.



Planning & Zoning Commission

Agenda Documentation

MEETING DATE: June 23, 2025
PREPARATION DATE: June 13, 2025
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Rachel Laqua
SUBJECT: Consider Preliminary Plat, Special Use Permit, and Zone Change for Schaff Estates 3rd Addition

STATEMENT/PURPOSE:

Consider Preliminary Plat, Zone Change, and Special Use Permit for Schaff Estates 3rd Addition.

BACKGROUND/ALTERNATIVES:

The Planning & Zoning Commission tabled the item at the May 28, 2025 meeting.

The applicants are seeking to plat the subject property into two lots, one containing the shop and existing home, the other vacant. They are also seeking to rezone the existing home and shop from CB – Commercial to R7 – Residential, as well as requesting a non-enumerated special use permit for the shop, for the parking and storage of a personal use commercial vehicle over 2.5 tons on a residential property (Code Section 105-1-3-(1)a.1 & 2). The property location is 2392 37th Street.

The property is currently zoned CB-Commercial and is located in the ETA. The surrounding properties are undeveloped, with the exception of the farmstead to the east zoned Agricultural. This area is identified in the future land use plan as a commercial intersection. The future beltway corridor connecting the interstate to north Bismarck would go by this property.

The applicant has stated that the existing shop is utilized for personal use and not for business purposes.

Preliminary Plat Details

Total Area: 9.17 acres

Configuration: Two lots within one block

- Lot 1: 6.33 acres (reserved for future use)
- Lot 2: 2.84 acres (site of the existing residential home and shop)

Zone Change Request

- Current Zoning: CB – Commercial
- Requested Zoning: R7 - Residential for Lot 2

Special Use Permit Request

The applicant is requesting a non-enumerated special use permit for the parking and storage of a personal use commercial vehicle over 2.5 tons on a residential property (105-1-3-(1)a.1 & 2), based on the fact that the use will be stored indoors in an existing shop that's allowable in the current and adjacent zoning district of commercial as well as the future land use of commercial, that there will be no excess noise, no additional commercial vehicles beyond the (1) one existing, and that the special use permit will sunset at such time as the property or existing personal use commercial vehicle is sold. The special use permit is also requested upon the condition that if the personal use commercial vehicle is determined to be utilized in service to a business, that the special use permit would be revoked.

1. Will the proposed use be designed, constructed, operated, and maintained so as to be compatible in appearance with the existing or intended character of the neighborhood? **Yes. The indoor storage of the vehicle and required sunset if the property is sold will keep the use in compatibility with the future commercial use of the surrounding properties, and the existing use is compatible with the generally agricultural nature of the existing use of surrounding properties.**
2. Will the proposed use involve activities, processes, materials, equipment, or conditions of operation that will be incompatible with the neighborhood due to the production of traffic, noise, smoke, fumes, glare, or odors? **No, based on the restriction of 1 (one) existing truck for personal use, to be stored indoors.**
3. Will the hours of operation of the proposed use be different than the adjacent uses? **No, as the use is for personal use only.**
4. Will the proposed use require exterior lighting of a type and intensity greater than the adjacent uses? **No, as the use is for personal use only.**
5. Will the site of the proposed use have sufficient area to provide the parking required for the use? **Yes, the existing truck must be kept inside the existing shop.**
6. Will the proposed use require adjustments to the normal lot size, height, and setback requirements of the district? **No.**

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

- Applications Received: May 9, 2025 and June 19, 2025
- Application Fee: \$1,000.00
- Notifications: Letters sent to 6 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;
4. The proposed zoning change would not adversely affect public health, safety and general welfare.

ATTACHMENTS:

1. Location Map Schaff Estates 3rd
2. revised Schaff Estates 3rd Add Prelim Plat
3. draft Ordinance - Schaff Estates 3rd zone change

4. Weinreis Application
5. Redford Application
6. Special Use Permit Application
7. Additional Submittal - Special Use Permit

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:

City Staff recommends approval of the Schaff Estates 3rd Addition Preliminary Plat and the zone change request from CB - Commercial to R7 – Residential for Lot 2, and approval of the non-enumerated special use permit as conditioned in the staff report.

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 for Lot 2, and approval of the non-enumerated special use permit as conditioned in the staff report.



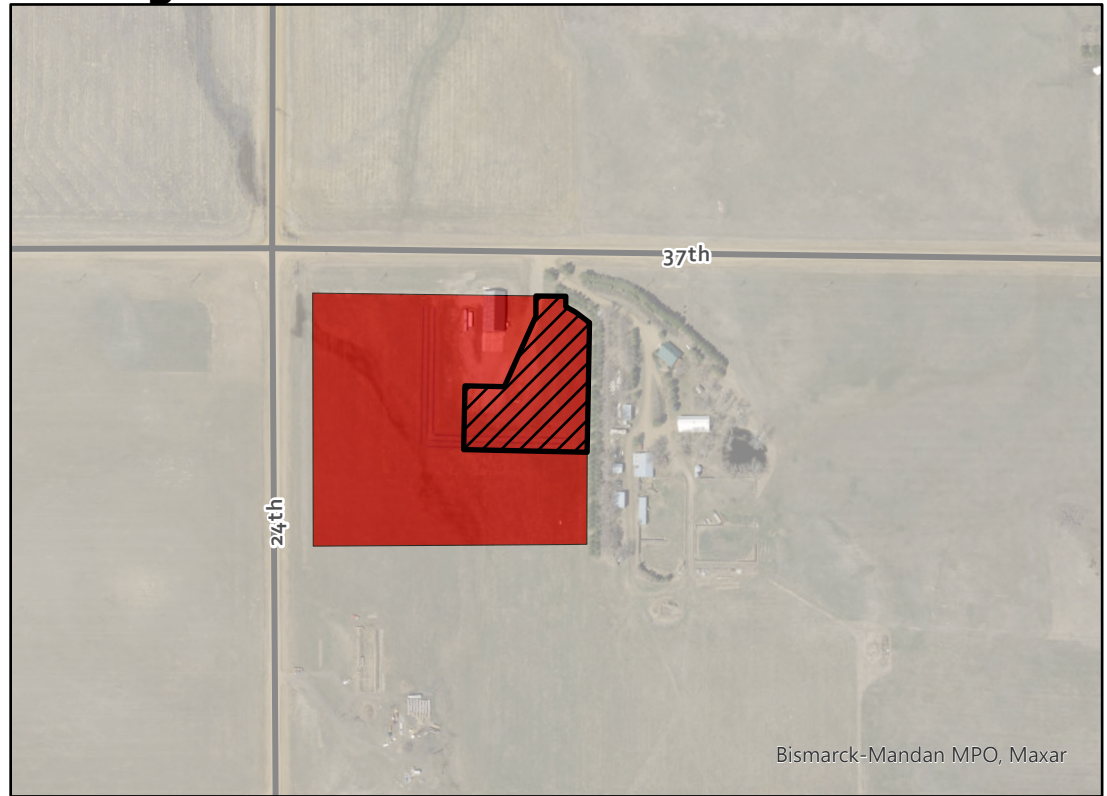
Zoning and Future Land Use Reference Map

Schaff Estates 3rd

Zoning

Zoning Map Key

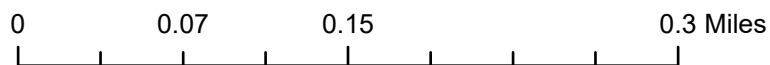
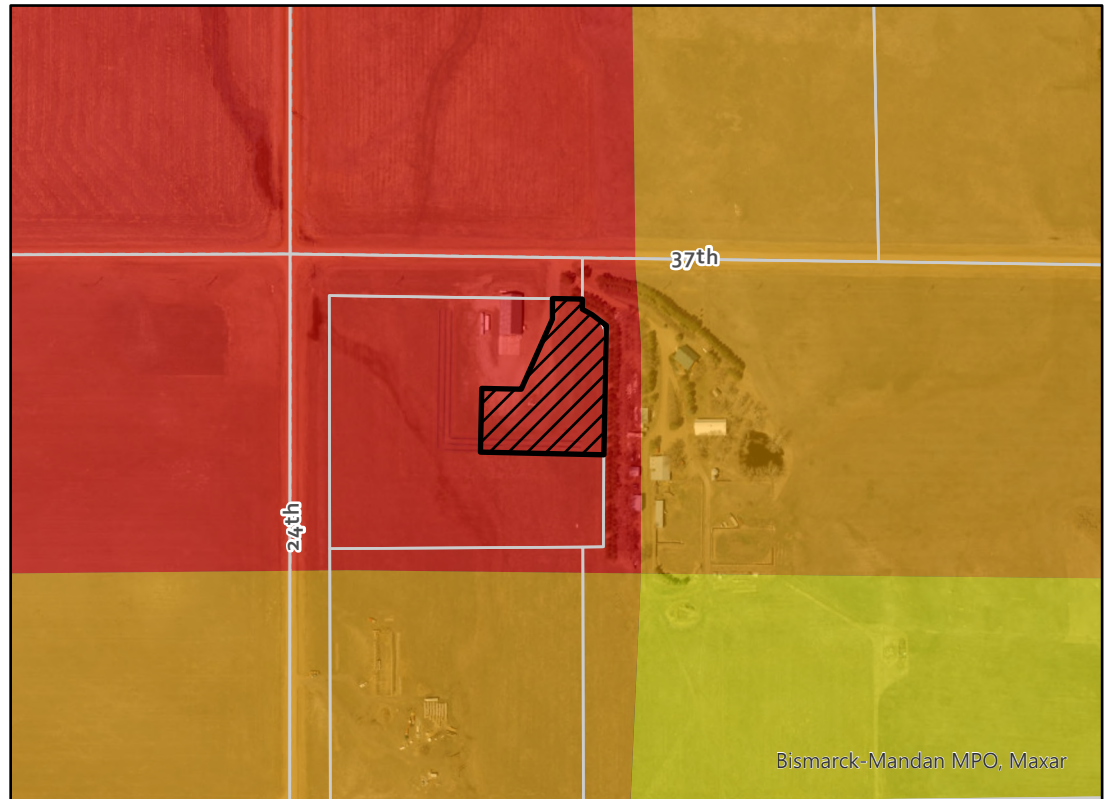
- Agriculture - City of Mandan
- Agriculture - Morton County
- CA - Neighborhood Commercial
- CB - Business Commercial
- CC - Commercial/Light Industrial Transition
- DC - Downtown Core
- DF - Downtown Fringe
- Industrial - Morton County
- LSMHS - Trailer Park Subdivision
- MA - Heavy Commercial/Light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

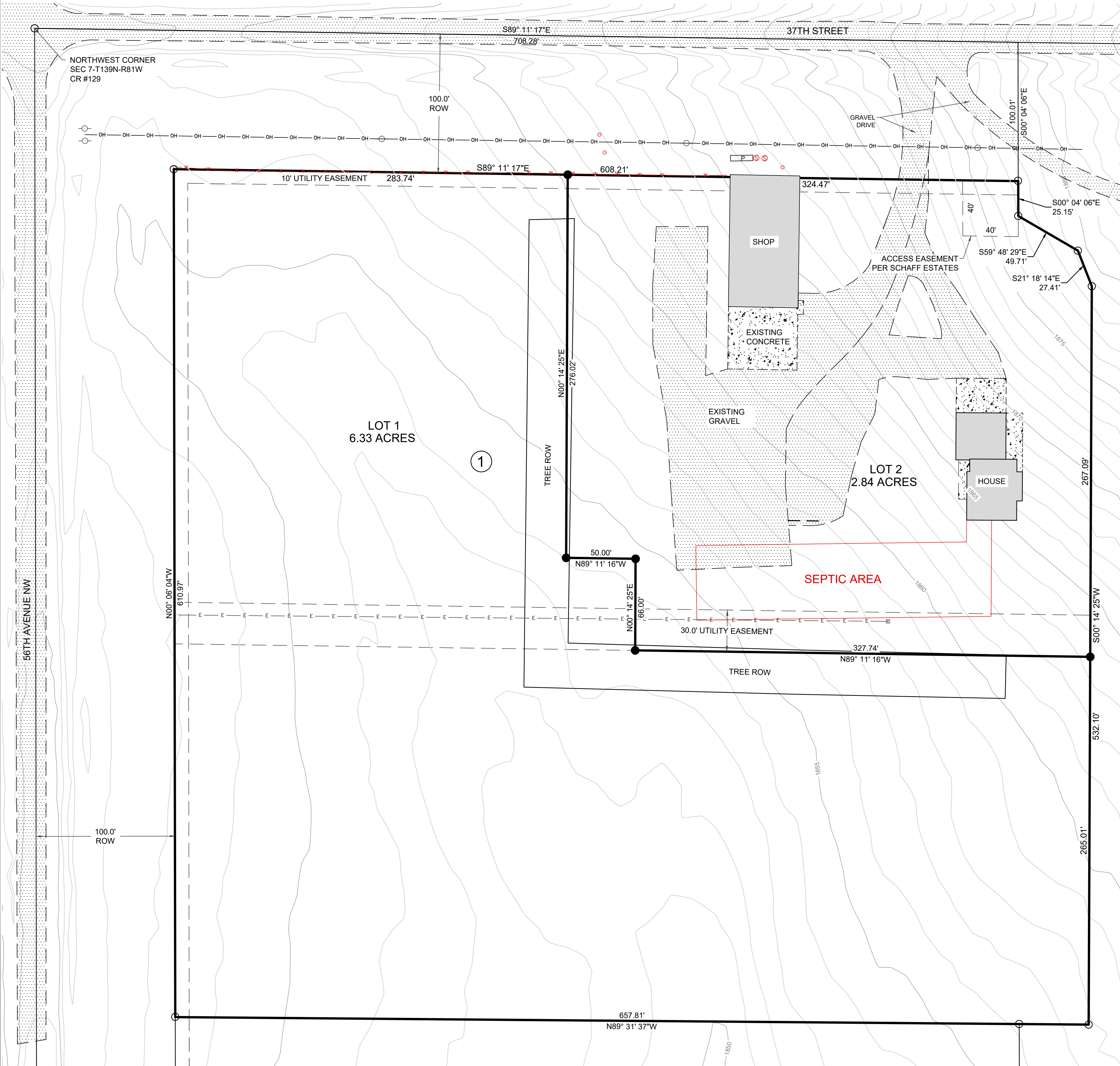
Future Land Use Plan



N



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

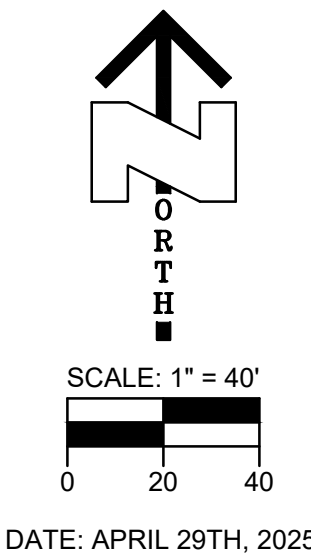
I, MARK R. ISAACS, NORTH DAKOTA REGISTERED LAND SURVEYOR NO. 9628, HEREBY CERTIFY THAT I HAVE CAUSED TO BE A SURVEYED BY MY FORCES UNDER MY SUPERVISION THE PROPERTY DESCRIBED HEREON AND I HAVE PREPARED THE ACCOMPANYING PLAT; FURTHER, THAT DISTANCE INDICATED HEREON ARE IN FEET AND HUNDREDTHS THEREOF, 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.

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

AREA TABLE

LOT 1	6.65 ACRES
LOT 2	2.84 ACRES
TOTAL	9.17 ACRES

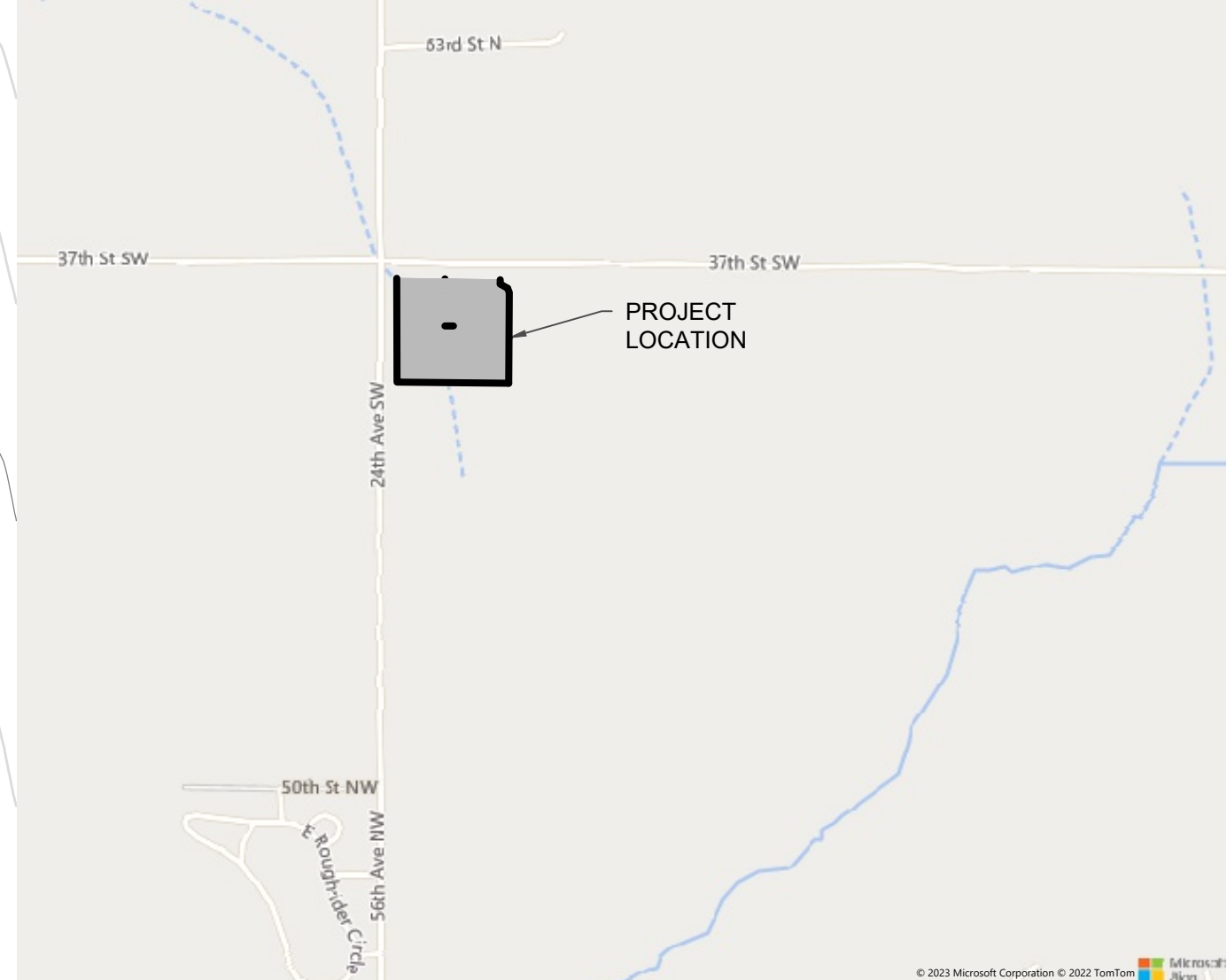


VERTICAL DATUM - NAVD 1988.
 BASED ON NORTH DAKOTA SOUTH ZONE-NAD83, INTERNATIONAL FEET.
 MEASUREMENTS HAVE BEEN ESTABLISHED BY RTK FROM THE "BSMK" CORS STATION AND ARE REPORTED IN GRID.

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 DESIGNATION 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 _____

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.

JAREK WIGNESS, PE _____

SCHAFF ESTATES 3RD
SCHAFF ESTATES,
 EAST 1/2 OF COV'T LOT 1
 SECTION 7, T-139-N, R-81-W
 MORTON CO., NORTH DAKOTA

SHEET: 1 OF 1 JOB NUMBER: 22153

SCALE: 1" = 40'	DWG REVISION DATES
DRAWN BY: MRI	4/29/25
DWG DATE: 3/15/25	-

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

ORDINANCE NO. XXXX

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

WHEREAS, Adjacent properties are zoned a mix of CB – Commercial and Ag – Agriculture. R7 - Residential zoning would be appropriate; and

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

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

LOT 2, SCHAFF ESTATES 3RD ADDITION IN SECTION 7, TOWNSHIP 139N, RANGE 81W, CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA:

SAID TRACT OF LAND CONTAINING 9.17 ACRES, MORE OR LESS.

- shall be removed from the CB – Commercial District and shall be included in the R7 – Residential.

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

James Froelich, President
Board of City Commissioners

Attest:

Jim Neubauer
City Administrator

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

June 23, 2025
July 15, 2025
August 5, 2025

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>
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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)	
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				2nd Addition			
Proposed Use Residential				Section 7	Township 139 N	Range 81 W	
Parcel Size 9.17 Ac	Building Footprint	Stories	Building SF	Required Parking	Provided Parking		

Print Name Deborah S Luptak	Signature 	Date 4/1/2025
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Office Use Only			
Date Received:	Initials: <i>ym</i>	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			

CITY OF MANDAN	
Development Review Application	
Minor Plat (\$300)	Zone Change (\$600)
Preliminary Plat up to 20 acres (\$450)	Planned Unit Development (\$700)
Preliminary Plat more than 20 acres (\$500)	Land Use and Transportation Plan Amendment (\$1,000)
Final Plat up to 20 lots (\$450)	Vacation (\$500)
Final Plat 21 to 40 lots (\$600)	Variance (\$400)
Final Plat more than 40 lots (\$750)	X Special Use Permit (\$450)
Annexation (\$450)	Stormwater submittal (\$300)
Masterplanned Subdivision (not accepted without preliminary plat) (\$250)	Stormwater 2 nd & subsequent resubmittal (\$50)
Appeals to Administrative Denials (Variance to Non-zoning/Non-subdivision regulations) (\$250)	Document Recording (\$30)
Summary of Request (Add separate sheet(s) as necessary)	
Special use permit to allow parking of a truck over 2.5 tons within a residential zone	

Engineer/Surveyor			Property Owner or Applicant		
Name Mark R. Isaacs, ILSE, Inc.			Name David & Alexandra Weinreis		
Address 4215 Old Red Trail NW			Address 2932 37th Street		
City	State	Zip	City	State	Zip
Mandan	ND	58554	Mandan	ND	58554
email			email		
mark@ilsurveynd.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	
x	City	ETA	New x Addition	CB	R7	Schaff Estates 3rd Addition	
Property Address				Legal Description			
2932 37th Street, Mandan				Lot 1, Block 1 in Schaff Estates			
Current Use				Proposed Use			
Residential				2nd Addition			
				Section 7	Township 139 N	Range 81 W	
Parcel Size	Building Footprint	Stories	Building SF	Required Parking		Provided Parking	
9.17 Acres							

Print Name Alexandra Weinreis	Signature <i>Alexandra Weinreis</i>	Date 6-19-25
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Office Use Only			
Date Received:	Initials: <i>ym</i>	Fees Paid: \$ <i>450</i>	Date <i>6-19-2025</i>
Notice in paper		Mailed to neighbors	
P&Z meeting			
Approved	Approved with conditions:		
Denied			

Additional Submittals

Conditional-Special Use Permit

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

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

a. Will the proposed use be designed, constructed, operated, and maintained so as to be compatible in appearance with the existing or intended character of the neighborhood? *Yes, The appearance will always be kept nice.*

b. Will the proposed use involve activities, processes, materials, equipment, or conditions of operation that will be incompatible with the neighborhood due to the production of traffic, noise, smoke, fumes, glare, or odors? *NO*

c. Will the hours of operation of the proposed use be different than the adjacent uses? *NO just for parking*

d. Will the proposed use require exterior lighting of a type and intensity greater than the adjacent uses? **NO**

e. Will the site of the proposed use have sufficient area to provide the parking required for the use? **yes there will be plenty of parking**

f. Will the proposed use require adjustments to the normal lot size, height, and setback requirements of the district? **NO**

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



Planning & Zoning Commission

Agenda Documentation

MEETING DATE: June 23, 2025
PREPARATION DATE: June 13, 2025
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Rachel Laqua
SUBJECT: Consider a Zone Change from RM (Multi-Family) to a PUD (Planned Unit Development) for Clover Grove.

STATEMENT/PURPOSE:

Consider a Zone Change from RM (Multi-Family) to a PUD (Planned Unit Development) for Clover Grove.

BACKGROUND/ALTERNATIVES:

The Planning & Zoning Commission tabled this item at the May 28, 2025 meeting.

Evolution Planning & Design has submitted an application for a zone change from RM (Multi-Family) to a PUD (Planned Unit Development) for Macedonia Hills Gov't Lot 2, less outlot A in the NW 1/4 of NE 1/4 of Section 3, Township 138N, Range 81W.

The PUD request, if granted, would be followed by platting and approval of a phased subdivision plan. Staff and Applicant met after the May 28th meeting to discuss changes to the PUD application. Most items have been resolved.

Property History

The property is 14.82 acres located at 151 19th Street SE.

Zone Change

The intent of the PUD (Planned Unit Development) is for 57 entry-level single-family detached and duplex-type home lots. The R3.2 Zoning District serves as the basis for this PUD Narrative.

Adjacent Properties Zoning, Land Use, and Future Land Use

Adjacent properties to the west and north are zoned R7 - Residential Single Family. Property to the east is zoned R3.2 - Residential Single & Two Family. The property to the south is zoned Ag - Agriculture. The future land use plan recommends low-density

residential land use on this property.

Additional Information and Public Outreach

- The application and fee of \$700.00 was received on April 25, 2025.
- This item was published in the Mandan News as required. Letter were sent to forty-six adjacent property owners.
- As of the drafting of this agenda document, no comments have been received by the City.

Staff Comments

Access: Access to the property will be from a new north-south local street on the west side of the property that is currently a 100' township right of way. The applicant proposed changing this to an 80' wide city right of way with a 40' back of curb local street with sidewalks and boulevards on the east side of the street.

Interior access to the property will be via a 50' or 51' access easement (provided plans are unclear and have both measurements in different locations) with a 31' street, 5' boulevard and 5' sidewalk.

Applicant and staff have been in discussion for multiple months regarding access management to the property. International Fire Code Appendix D 107.1 allows for only one access per 30 houses, and requires additional access points for additional units. The applicant has only one existing access, the new north-south public right of way on the west side of the development, and any additional access to the east or west requires cooperation from additional landowners. Access management guidance from the transportation plan indicate that there should not be an additional permanent access allowed onto 19th from this development. The applicant is showing a class 5 gravel emergency/temporary access on the eastern edge of the property. This would be able to be used for temporary access to properties to the south while the new north-south road is being constructed, and the applicant is recommending it remain as an emergency access point. The applicant is recommending it be gated and will need to work with emergency management on that.

Staff recommends that the applicant only plat Phase II when east-west access to existing subdivisions becomes available. They have provided a viable plan to connect westward but do not have any agreements with that landowner.

Utilities: all interior utilities shall be metered individually per unit and will be privately owned and maintained by the HOA. Finalized HOA documents should be provided at time of final plat.

Park Land: The PUD shows adequate park space connecting the development to 19th and the applicant has noted that the park district plans to accept this park space. This should be platted as a separate lot and the park district should confirm acceptance at the final plat stage.

Phasing: This PUD would allow the ability to plat Phase I and Phase II, with Phase II being restricted until such time as east-west additional access has been planned for and secured. Phase I is able to be fully self contained. Any site grading that occurs on Phase II prior to platting should be both approved by the City and should be grassed and maintained until Phase II is platted and construction begins.

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.

ATTACHMENTS:

1. Location Map - Clover Grove
2. Application
3. Clover Grove PUD Narrative 2nd Submittal
4. Clover Grove PUD Site Plan_250424_24X36
5. Draft PUD Ord. - Clover Grove
6. Clover Grove Community Updated Planning Response
7. Gilberto Garcia Notarized Form
8. Mariel Lopez-Valentin Notarized Form

FISCAL IMPACT:

N/A

STAFF IMPACT:

The project underwent extensive review by members of the staff.

LEGAL REVIEW:

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

RECOMMENDATION:

City Staff recommends approval of the zone change from RM (Multi Family) to a PUD (Planned Unit Development) with the following conditions:

Platting of Phase I; Masterplan of Phase II

SUGGESTED MOTION:

I move to recommend approval of the zone change from RM (Multi Family) to a PUD (Planned Unit Development) with the following conditions:

Platting of Phase I; Masterplan of Phase II



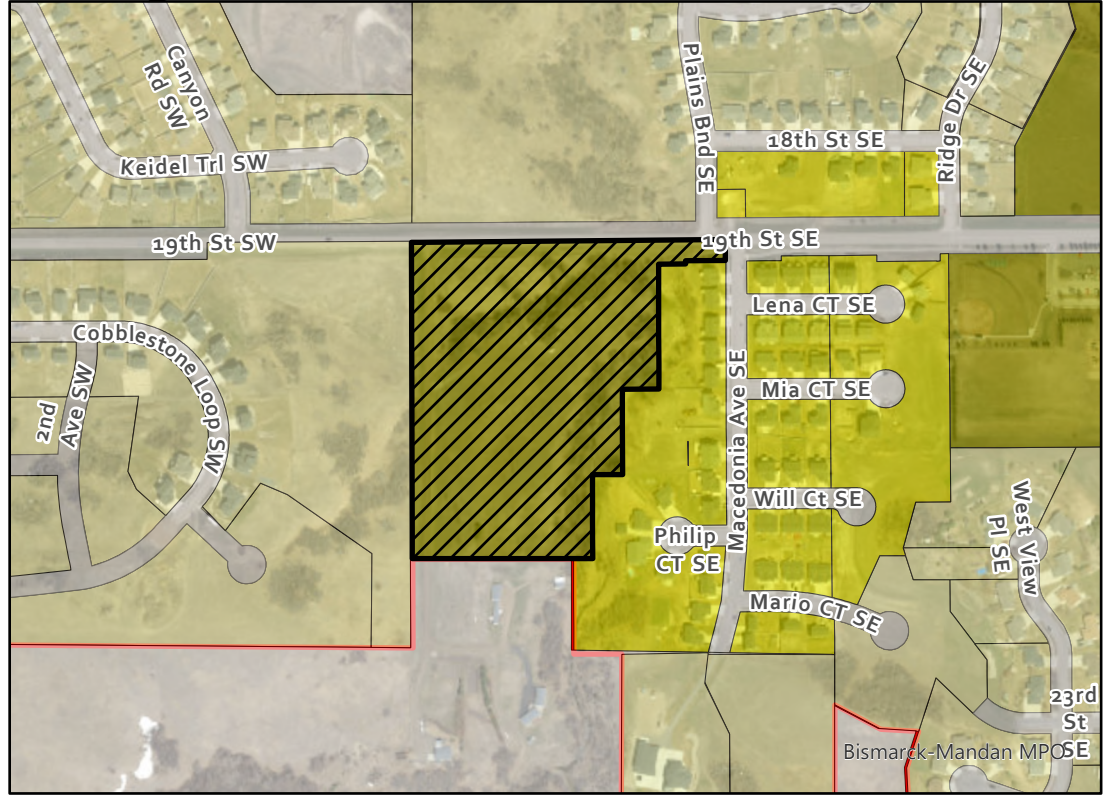
Zoning and Future Land Use Reference Map

Clover Grove

Zoning

Zoning Map Key

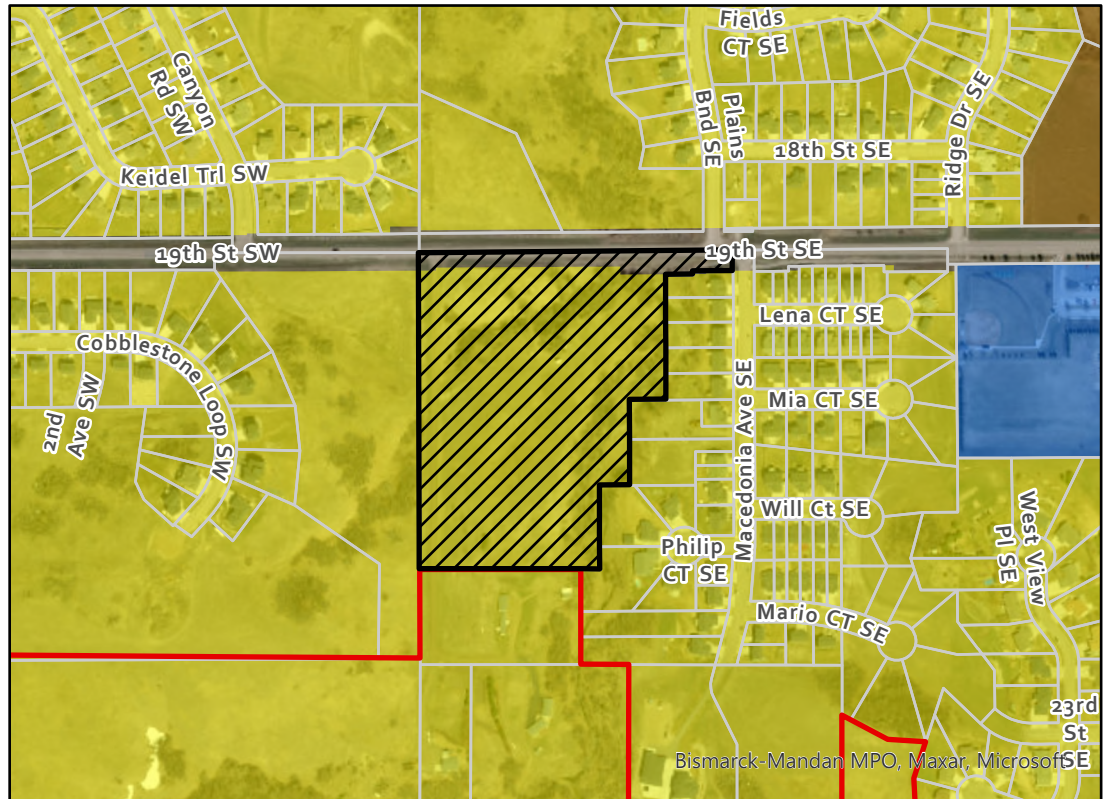
- Agriculture - City of Mandan
- Agriculture - Morton County
- CA - Neighborhood Commercial
- CB - Business Commercial
- CC - Commercial/Light Industrial Transition
- DC - Downtown Core
- DF - Downtown Fringe
- Industrial - Morton County
- LSMHS - Trailer Park Subdivision
- MA - Heavy Commercial/Light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

Future Land Use Plan



N



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

Engineer/Surveyor			Property Owner or Applicant		
Name Toman Engineering Co.- Andra Marquardt			Name Evolution Planning & Design - Ron Harris		
Address 501 1st St. NW			Address 2954 S Hillridge		
City Mandan	State ND	Zip 58554	City Mesa	State AZ	Zip 85212
email andram@tomanengineering.com			email evteamplanning@gmail.com		
Phone 701-663-6483		Fax	Phone 480-450-7471		Fax
If the applicant is not the current owner, the current owner must submit a notarized statement authorizing the applicant to proceed with the request.					

Location		Type		Existing Zone	Proposed Zone	Project Name	
X	City	X	New	RM	PUD	Clover Grove	
Property Address				Legal Description			
151 19th Street SE				Attached			
Current Use				Macedonia Hills Gov't Lot 2, less			
Vacant				outlot A in the NW 1/4 of NE 1/4			
Proposed Use							
Single & Two-Family Residential Subdivision				Section 3	Township 138N	Range 81W	
Parcel Size	Building Footprint	Stories	Building SF	Required Parking		Provided Parking	
14.82 ac	varies	2	varies	2 per lot min.		2 per lot min.	

Print Name Ronald Harris	Signature <i>Ronald Harris</i>	Date 4/23/25
-----------------------------	-----------------------------------	-----------------

Office Use Only			
Date Received:	Initials: <i>ym</i>	Fees Paid: \$ 700	Date: 4-25-2025
Notice in paper	Mailed to neighbors	P&Z meeting	
Approved	Approved with conditions:		
Denied			

CLOVER GROVE

PLANNED UNIT DEVELOPMENT

Zoning Request for 14.82 Acres

Located at

151 19th Street SE (PIN 65-5513550)



Prepared for:

MEIER COMPANIES

6115 S. Kyrene Road, Ste 101
Tempe, AZ 85283

Prepared by:

EVOLUTION

Planning + Design, LLC
480-450-7471

CLOVER GROVE PLANNED UNIT DEVELOPMENT

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A. PURPOSE AND INTENT

The purpose of this Planned Unit Development (PUD) request is to place a regulatory zoning district and associated development regulations on the subject 14.82-acre property located at 151 19th Street SE. This request will support a future Clover Grove Addition residential subdivision development plan in the Mandan South Growth Area. The property's existing RM 'multi-family' zoning district entitlement is not an appropriate district which conforms with the Mandan Land Use and Transportation Comprehensive Plan future anticipated land use for the property. This request is provided to support a mixed residential development plan which will conform with the City of Mandan Future Land Use Plan and enhance the surrounding land use character with a well-designed logical development plan.

The intent of the PUD and subsequent development planning is to develop an entry-level family home community, associated land improvements and a public park space. The proposed community plan includes single-family detached and duplex type subdivided home lots with a proposed internal private local street network. Additionally, a new public park space is proposed along 19th Street which will be well located to serve the surrounding neighborhoods with new recreation opportunities as well as the future residents of Clover Grove.

1) Regulatory Provisions

Pursuant to Section 105-4-3 of the Mandan Zoning Ordinance, the PUD will establish a regulatory framework for the Clover Grove residential development by creating development standards and establishing project specific design guidelines. The City of Mandan R3.2 regulatory criteria serves as the basis for the PUD standards contained in this document.

The PUD is intended to be a stand-alone document of zoning regulations for a particular project. Provisions not specifically regulated by the PUD are governed by the Mandan Zoning Ordinance. A PUD may include background information to help illustrate the intent of the development. The purpose and intent statements are not requirements that will be enforced by the city. The PUD only modifies the Mandan Zoning Ordinance regulations and does not modify other City Codes or requirements.

B. EXISTING CONDITIONS

1) Property Ownership

The subject property is currently owned by "GILBERTO CASAS-GARCIA & MARIEL LOPEZ-VALENTIN". An Owner's Title Policy has been included with the application verifying ownership with area legal description.

2) Site Location

151 19th Street SE, between Plains Bend SE and 8th Ave SW.

3) Topography and Physical Features

The property is currently vacant and has not been previously developed, except for existing overhead powerlines and poles which bisect the site, existing north-south roadway and other utilities. A significant existing regional drainageway runs along the eastern boundary of the property, as well as local off-site drainage which crosses the property as it flows to the northeast. Topography across the site is uneven and rolling as also observed on neighboring properties in this foothill area.

C. DEVELOPMENT SITE PLAN

The Clover Grove development plan consists of a subdivided single-family home neighborhood and public park space to be constructed in two phases. (Refer to Figure 3: Development Site Plan) The plan also incorporates the identified regional and local drainage flows through the property which will be preserved and protected to ensure unimpeded through drainage conditions. As result of these conditions and site topography, the ‘core’ area of the property will primarily be utilized for the residential subdivision improvement area, with large drainage buffer areas to the north (along 19th Street) and the east project boundary. These buffer areas also serve as increased perimeter development setbacks, preserving the natural character of the surrounding low-density residential area, minimizing impacts to neighboring property owners.

Two residential home types will be offered in Clover Grove. Single-family detached and single-family duplex. The plan proposes 57 total subdivided home lots, 11 detached and 46 duplex lots with varied lot widths and depths. Proposed project density is 3.84 dwelling units per acre. The 11 detached single-family home lots, within the phase 2 development area, are situated along the west and south boundaries of the property. This transition of home density provides larger home lots adjacent to existing rural home properties to the south, and residential development which may occur to the west of this property in the future.

Project access is taken from 19th Street via a new public street segment proposed within the existing Township roadway easement. This development plan anticipates extinguishing the existing 100’ wide easement and converting to new 80’ public street right of way. The internal project streets will be a Private Local Street type with public access and utility easement as required by the city.

1) Phasing

CLOVER GROVE
Planned Unit Development

Clover Grove will be developed in two phases over time. Phase 1 will include overall site rough grading, utility and street installation, and construction of 28 home lots located north of the existing 50-foot wide powerline corridor easement which bisects the site. Phase 2 will conclude with the construction of the remaining 29 home lots and streets located south of the powerline easement.

The new public local street along the project’s west edge will be constructed in Phase 1 to ensure adequate resident and emergency access. During this street construction, neighboring residents to the south will be detoured to a temporary access route which leads to 19th Street through the Clover Grove site. During future Phase 2 development this temporary access may serve as an additional emergency access point to the project, with additional required approval from the City of Mandan Fire Department.

2) Master Planning

As a phased development plan, Clover Grove will have a Master Plan prepared and submitted to the City of Mandan for approval. The Master Plan will identify each phase / plat area to be approved in the future, as well as, access requirements for each phase.

3) Platting

Clover Grove will be platted in two phase to ensure conformity with the PUD and to give the City and surrounding community that any changes in the future must follow the PUD amendment process.

D. ZONING AND LAND USE COMPATIBILITY

The Clover Grove property existing zoning is RM Residential District, a district which permits multi-family and higher density residential development. Properties adjacent to this property maintain varied residential zoning district designations, lot sizes and housing types. The following table provides details about existing zoning and land uses which are adjacent to Clover Grove.

Existing Surrounding Zoning and Land Use

Direction	Mandan Future Land Use Plan Designation	Zoning	Land Use
North	Low Density Residential	R7 – Residential Single Family	Vacant

CLOVER GROVE
Planned Unit Development

East	Low Density Residential	R3.2 – Residential Single & Two Family	Single family and Duplex Residential.
South	Low Density Residential	Unincorporated – Morton County A- (Agricultural)	Rural Lot Residences
West	Low Density Residential	R7 – Residential Single Family	Vacant / Single Family Residential

E. PUD DEVELOPMENT STANDARDS

The following standards are herein established for Permitted Uses, Setback, Height and Area requirements for residential development within this PUD. Setback and area requirements differ between single-family detached lots and duplex lots and are defined in the Development Standards Table contained in this section.

1) Permitted Uses

The following uses are permitted in this PUD,

- a. Residential, Single Family Detached
- b. Residential, Duplex / Two-Family
- c. Residential, Model Home Complex and Sales Office
- d. Public Park, Recreation Amenities and Public Parking

2) Setback, Height and Area Requirements

The following PUD Development Standards table shall be applicable to residential development within the PUD.

PUD Development Standards – Single Family Detached	
Front Yard Setback	20 feet Min.
Side Yard Setback	Interior 5 feet Min.
Rear Yard Setback	20 feet Min.
Lot Coverage	50% Max. (Primary Structure)
Lot Area	4,500 Square feet Min.
Building Height	Two – Stories Max.
Parking	Two Spaces per Lot (in-garage)

PUD Development Standards – Two-Family Duplex	
Front Yard Setback	30 feet Min. to Living Space
Side Yard Setback	Interior 5 feet Min.; 0’ shared property line;
Rear Yard Setback	20 feet Min.
Lot Coverage	50% Max. (Primary Structure)
Lot Area	3,000 Square feet Min.
Building Height	Two – Stories Max.
Parking	Two Spaces per Lot (in-garage)

3) Signs

Any Signage proposed within the PUD area will conform with the Mandan Code of Ordinances, Section 105-1-15.

F. CITY OF MANDAN LAND USE & TRANSPORTATION PLAN CONFORMANCE

The City of Mandan Comprehensive Plan Future Land Use Map identifies a mix of “Low-Density Residential” and “Greenways” land uses for the Clover Grove property. The Greenways partial designation on the property is responding to the regional drainageway which traverses its eastern boundary. Management and incorporation of this drainageway, as well as other local drainage elements which bisect the property, have been considered in the proposed development planning.

The Goals and Policies contained within the Comprehensive Plan reflects the City desire to implement policy directions with an organized long-term guide to implement appropriate future land uses and growth. The following Goals and Policies have been selected from the Comprehensive Plan to illustrate the proposed PUD zoning request and associated residential development plan conformance with the Plan.

Goal 1: Promote a well-planned community balancing land uses and expansion of services.

Policy 4. Identify, prioritize and protect sensitive natural features, such as the rivers, streams, wetlands, natural open space and local parks, as development proceeds.

Applicant Response: Future property development will identify, prioritize and protect the natural drainageways which impact the site, and incorporate these elements into the new neighborhood.

Goal 2: Provide a variety of housing types, densities and choices to meet the life cycle housing needs of residents.

Applicant Response: As stated in the Plan, A variety of residential densities supports a range in housing styles for home ownership in attached and detached formats and increases opportunity for meeting life cycle and varied income housing needs. The intent of the Clover Grove PUD and subsequent development regulations is to permit a new, high quality entry-level housing neighborhood with attached and detached homes which are scaled for family living.

Goal 4: Coordinate transportation with land use planning.

Goal 5: Provide safe and functional roadways that serve automobiles, trucks, transit, bicycles and pedestrians.

Applicant Response: The proposed land use of this property and its required access to public roadway is a challenge which has been identified by City staff. Located along a Minor Collector roadway (19th Street), a unique transportation solution is proposed to provide a new segment of public local roadway connecting to 19th Street. This will serve as the access point for the Clover Grove development and future Public Park, as well as provide a connecting link to existing and future development located to the south. This new roadway segment will be constructed to City of Mandan standards and be a benefit to pedestrian and bicycle traffic in the surrounding vicinity.

Goal 8: Continue to work with Mandan Parks & Recreation to provide for the park, recreation, trail, and open space needs of the Mandan community.

Applicant Response: As identified in the Comprehensive Plan, there is a continuing need for Parks and public green spaces as the city continues to grow. Through ongoing discussions with the Mandan Park District, this proposed PUD development plan includes a public park space located directly along 19th Street and its existing multi-use trail.

G. DESIGN GUIDELINES

1) Architectural Design

Homes in Clover Grove are designed with contemporary forms in mind with application of traditional materials. Homes will be provided with multiple elevations and structural options to allow flexibility in functionality and affordability. An Architectural design package has been submitted to the

Architectural Review Committee for evaluation of home designs, massing and architectural features.

2) Landscaping

Each lot or parcel of land shall be landscaped within one year of issuance of a certificate of occupancy or within two years of issuance of a building permit if a certificate of occupancy has not been issued according to Section 105-1-14. Trees, shrubs, perennials, and related landscape amenities may be added at the discretion of the developer to contribute to the overall curb appeal of the development.

3) Lighting (Internal Downward Nocturnal Illumination)

Internal downward nocturnal illumination shall be provided and installed to provide safety and security on the new segment of public local street which connects to 19th Street SE. There is no existing streetlighting system along 19th Street. Funding to install and procure the lights may be provided by a Special Assessment District per City of Mandan Ordinance.

4) Fences / Walls

Fencing or walls for privacy purposes are optional and may be included at the discretion of the Developer.

5) Open Space / Parks

As described in the preceding Sections, a Public Park space has been incorporated into the development plan. Discussion with the Mandan Park District has indicated that this is an ideal location along 19th Street in a growing part of the city which is presently underserved by improved park space. Recreational sport courts, gathering space, play areas and open turf elements are all planned to be incorporated in the final park design in accordance with the recommendations of Park District representative. Open space common areas within the residential subdivision will be landscaped and maintained by the future Homeowners association.

H. INFRASTRUCTURE STATEMENT

The infrastructure for the proposed Clover Grove Addition will be connected to the existing water and sewer system along the 19th Street corridor. Each unit within the Addition will have a separate utility connection for the water and sewer services.

The main roadway connection into the Addition will be a public dedicated roadway with all interior streets being private and maintained by the Homeowner's Association.

A Storm Water Development Plan will be developed for the proposed subdivision in accordance with the City of Mandan requirements.

Utility companies will provide all utilities including power, gas, cable, and telephone for each proposed unit. The existing utilities are currently in the area. The existing overhead powerline and easement which bisect the site will remain. Coordination with the power company to relocate and adjust the existing power poles will occur with this site development project.

I. HOMEOWNERS ASSOCIATION

A Homeowners Association (HOA) will be formed for the purpose of maintaining common areas, landscaping, snow removal, and future infrastructure maintenance and repair. The HOA Board of Directors shall be solely responsible for hiring professional companies to perform all required maintenance and other HOA responsible items. A capital improvement fund shall be created and funded by Homeowners to provide future reserves for all capital improvements needed by the HOA for repairs and maintenance, and for other community enhancements, maintenance, and/or repairs that should arise.

APPENDICES

Appendix A: Owner Title Policy

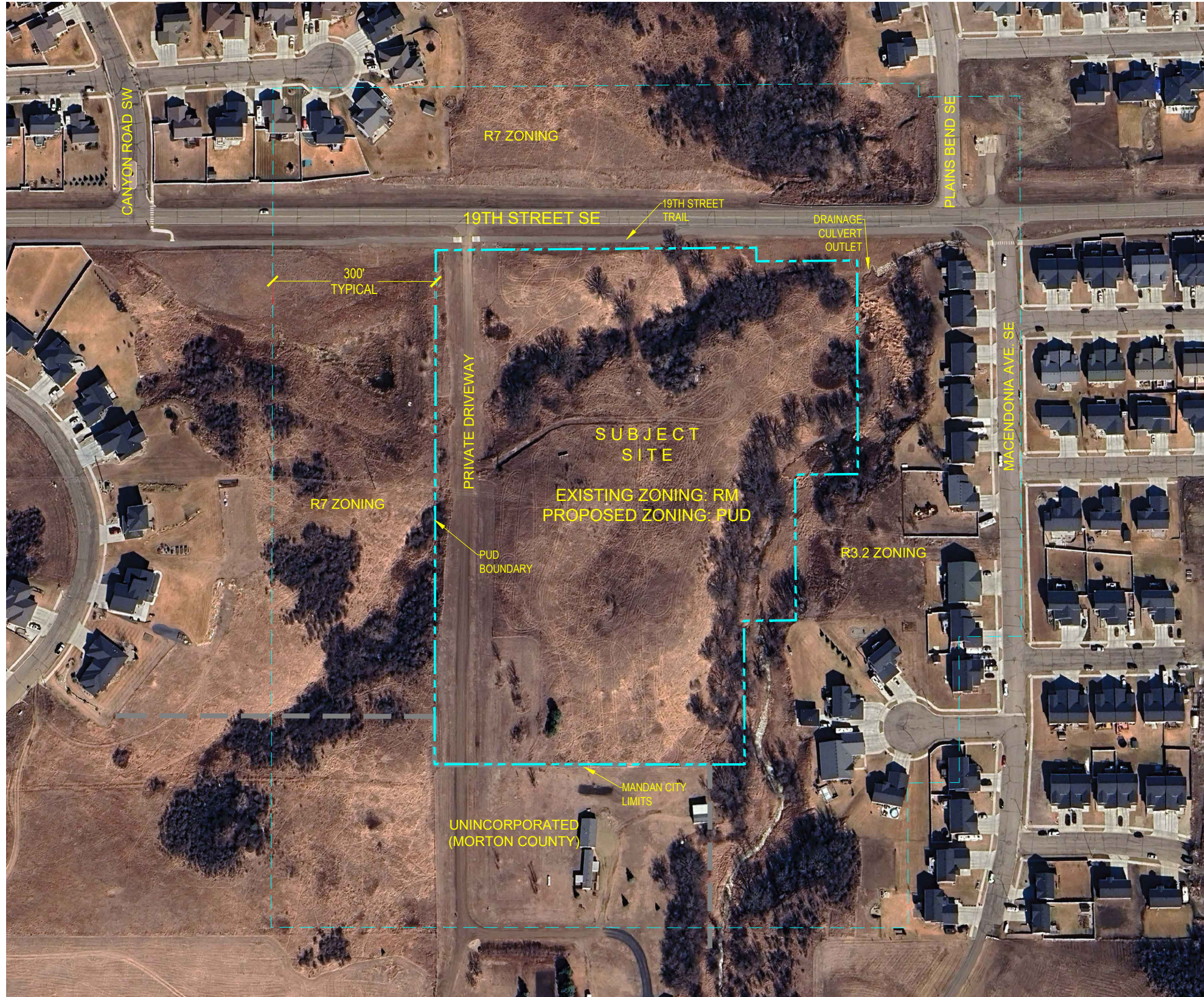
Appendix B:

PROPERTY LEGAL DESCRIPTION – CLOVER GROVE ADDITION PUD

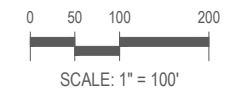
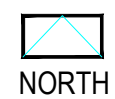
A TRACT OF LAND BEING A PART OF GOVERNMENT LOT 2 OF SECTION 3, TOWNSHIP 138 NORTH, RANGE 81 WEST OF THE 5TH PRINCIPAL MERIDIAN, OF THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF GOVERNMENT LOT 2 OF SECTION 3, T138N-R81W; THENCE SOUTH 00°08'57" WEST ALONG THE WEST BOUNDARY LINE OF SAID GOVERNMENT LOT 2 FOR 50.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF 19TH STREET SE; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES; THENCE NORTH 89°33'41" EAST FOR 589.17 FEET; THENCE SOUTH 00°26'21" EAST FOR 25.00 FEET; THENCE NORTH 89°33'39" EAST FOR 185.27 FEET TO THE NORTHWEST CORNER OF MACEDONIA HILLS 1ST ADDITION OF THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA; THENCE ALONG THE WEST BOUNDARY LINE OF SAID MACEDONIA HILLS 1ST ADDITION THE FOLLOWING FIVE (5) COURSES; THENCE SOUTH 00°10'21" EAST FOR 392.58 FEET; THENCE SOUTH 89°36'59" WEST FOR 114.88 FEET; THENCE SOUTH 00°10'41" EAST FOR 267.89 FEET; THENCE SOUTH 89°33'09" WEST FOR 95.14 FEET; THENCE SOUTH 00°12'37" EAST FOR 264.07 FEET TO THE NORTHEAST CORNER OF OUTLOT "A" OF SAID GOVERNMENT LOT 2; THENCE NORTH 89°57'15" WEST ALONG THE NORTH BOUNDARY LINE OF SAID OUTLOT "A" FOR 570.05 FEET TO THE NORTHWEST CORNER OF SAID OUTLOT "A", SAID POINT BEING ON THE WEST BOUNDARY LINE OF SAID GOVERNMENT LOT 2; THENCE NORTH 00°08'57" EAST ALONG SAID WEST BOUNDARY LINE FOR 944.67 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINING 14.82 ACRES, MORE OR LESS.

Appendix C: (Reserved) PUD Conditions of Approval



AREA CONTEXT PLAN



PREPARED BY
EVOLUTION
 PLANNING
 & DESIGN
 480.450.7471
 evteamplanning@gmail.com

PREPARED FOR
MEIER
 COMPANIES
 6115 S. KYRENE
 SUITE 101
 TEMPE, ARIZONA

LOCATION
CLOVER GROVE - 151 19TH STREET SE
 MANDAN, NORTH DAKOTA

PIN 65-5513550

SCALE
 1" = 100'

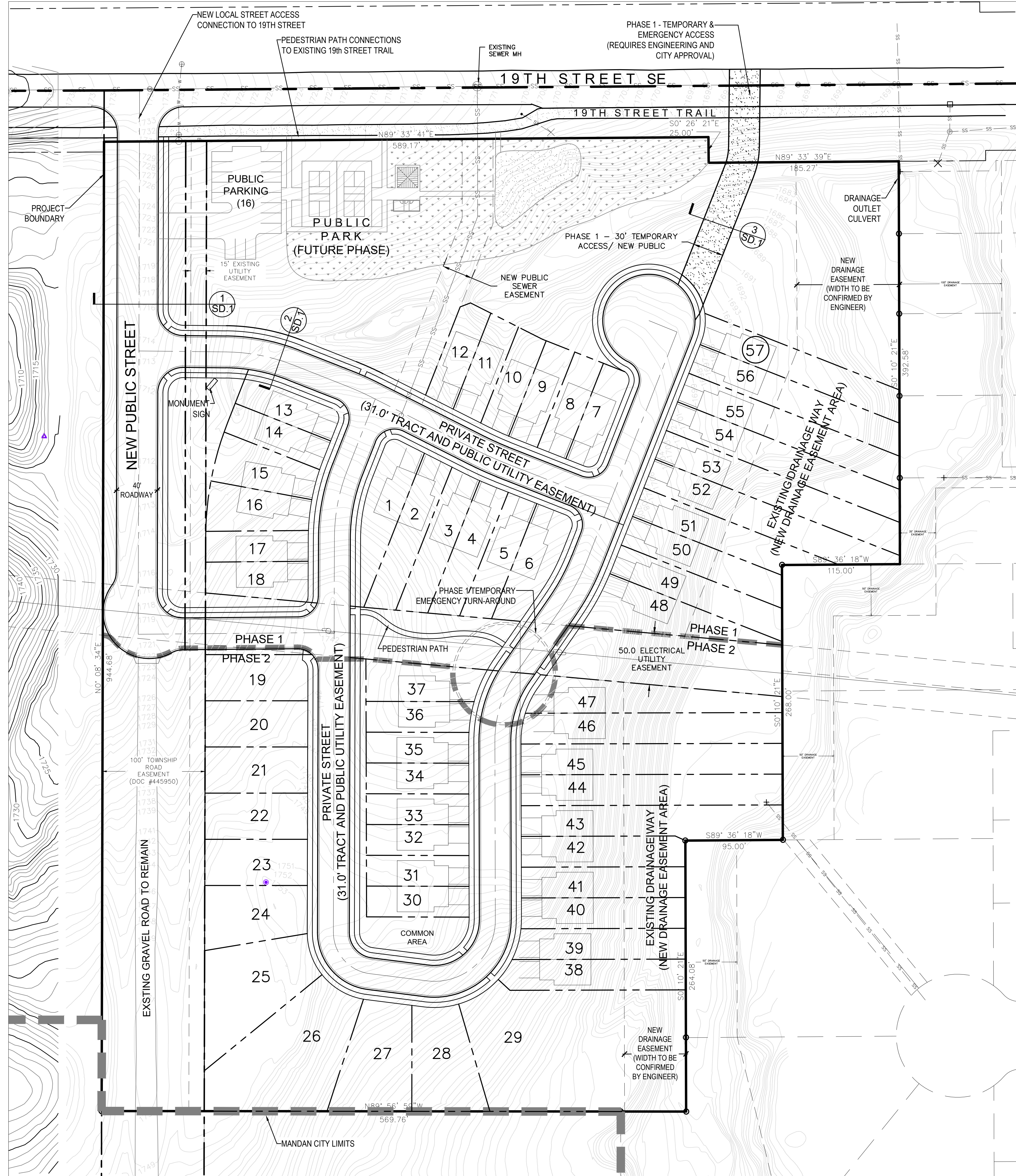
DATE
 04/25/25

REVISION

TITLE
 AREA CONTEXT
 MAP

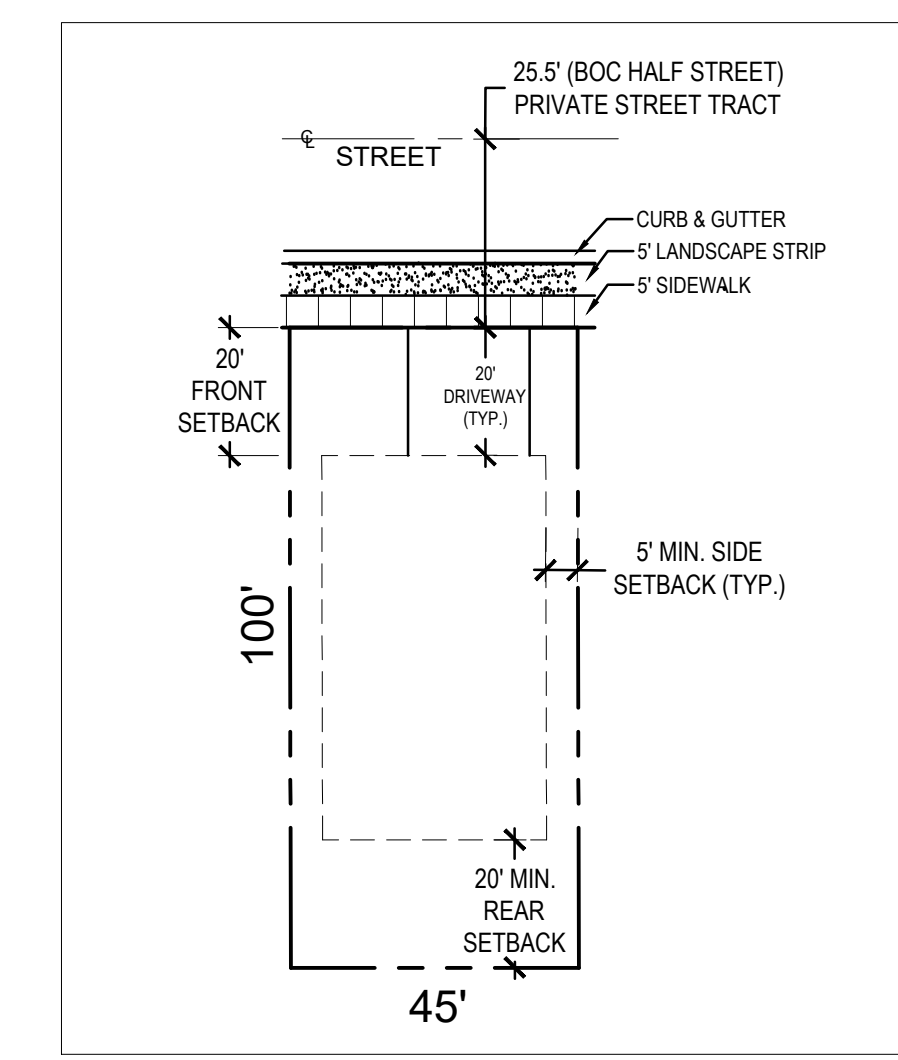
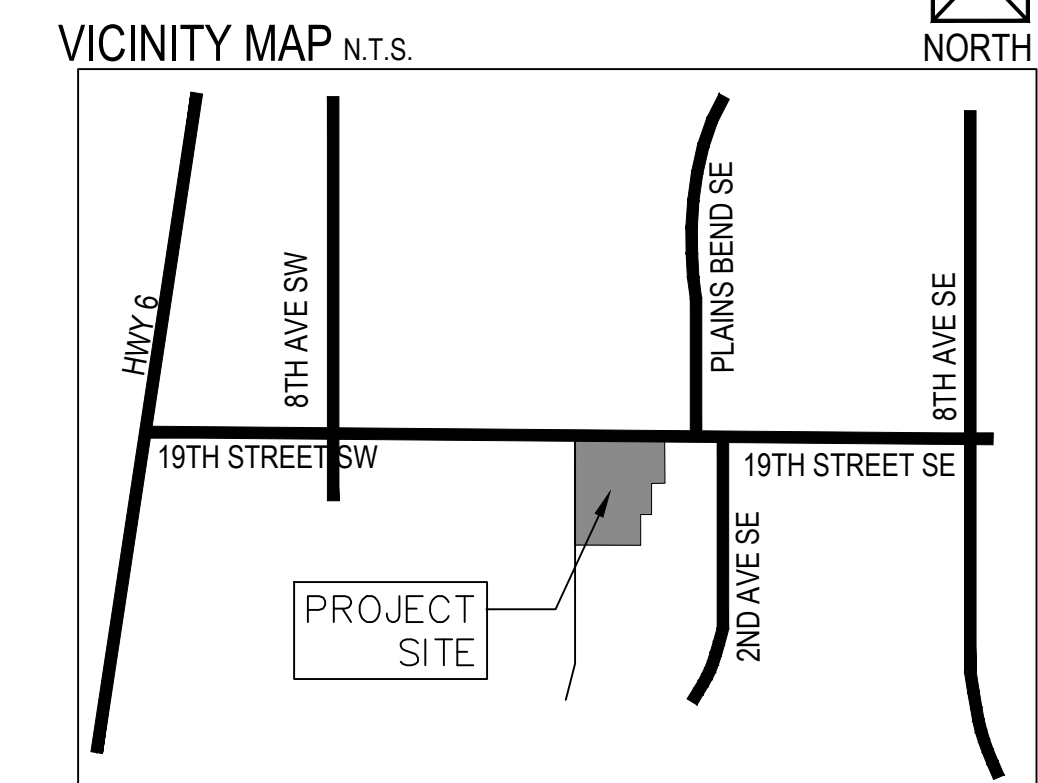
SHEET

SP.02

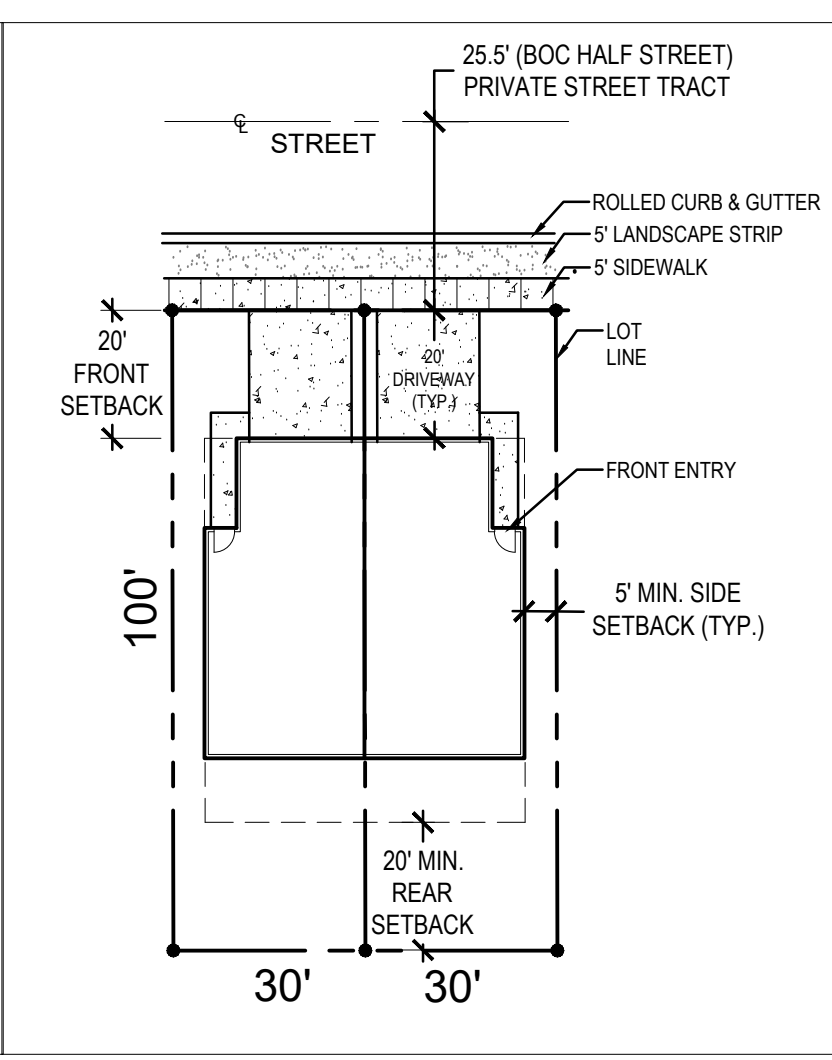


PLANNED UNIT DEVELOPMENT SITE PLAN

LEGAL DESCRIPTION
MACEDONIA HILLS GOVERNMENT LOT 2, LESS OUTLOT A IN THE NW 1/4 OF THE NE 1/4 OF SECTION 3, TOWNSHIP 138N, RANGE 81W, CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA



45' X 100' DETACHED
TYPICAL MIN. LOT DETAIL
SCALE: 1" = 30"

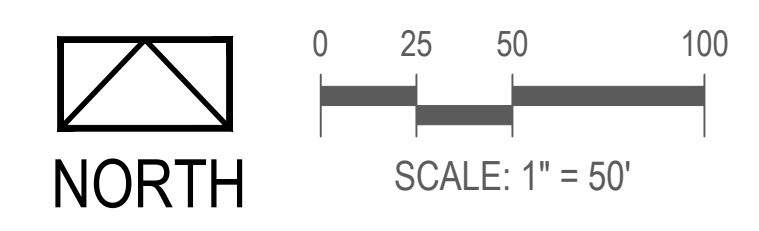


30' X 100' DUPLEX
TYPICAL MIN. LOT DETAIL
SCALE: 1" = 30"

PLAN DATA

TOTAL AREA:	14.82 AC
EXISTING ZONING:	RM
PROPOSED ZONING:	PUD
EXISTING LAND USE:	VACANT
PROPOSED LAND USE:	DETACHED HOME AND DUPLEX RESIDENTIAL SUBDIVISION
TOTAL LOTS PROPOSED:	57
DENSITY:	3.84 DU/AC
DETACHED LOT SIZE:	45' X 100' MIN.
DUPLEX LOT SIZE:	30' X 100' MIN.
BUILDING HEIGHT:	TWO-STORY MAX.

DEVELOPMENT SITE PLAN



PREPARED BY
EVOLUTION
PLANNING
& DESIGN
480.450.7471
evteamplanning@gmail.com

PREPARED FOR
MEIER
COMPANIES
6115 S. KYRENE
SUITE 101
TEMPE, ARIZONA

LOCATION
CLOVER GROVE - 151 19TH STREET SE
MANDAN, NORTH DAKOTA
PIN 65-5513550

SCALE	AS NOTED
DATE	04/25/25
REVISION / RESUBMITTAL	06/16/25
TITLE	DEVELOPMENT SITE PLAN
SHEET	SP.01



SITE PLAN RENDERING 
NORTH



CHARACTER RENDERINGS

CLOVER GROVE

PLANNED UNIT DEVELOPMENT

DATE 04/25/25



DUPLEX TWO-FAMILY

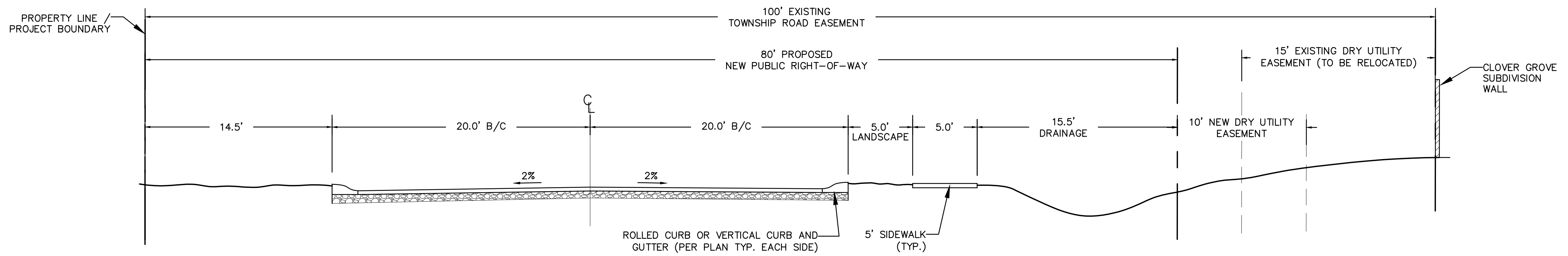
DETACHED SINGLE-FAMILY

ARCHITECTURAL RENDERINGS

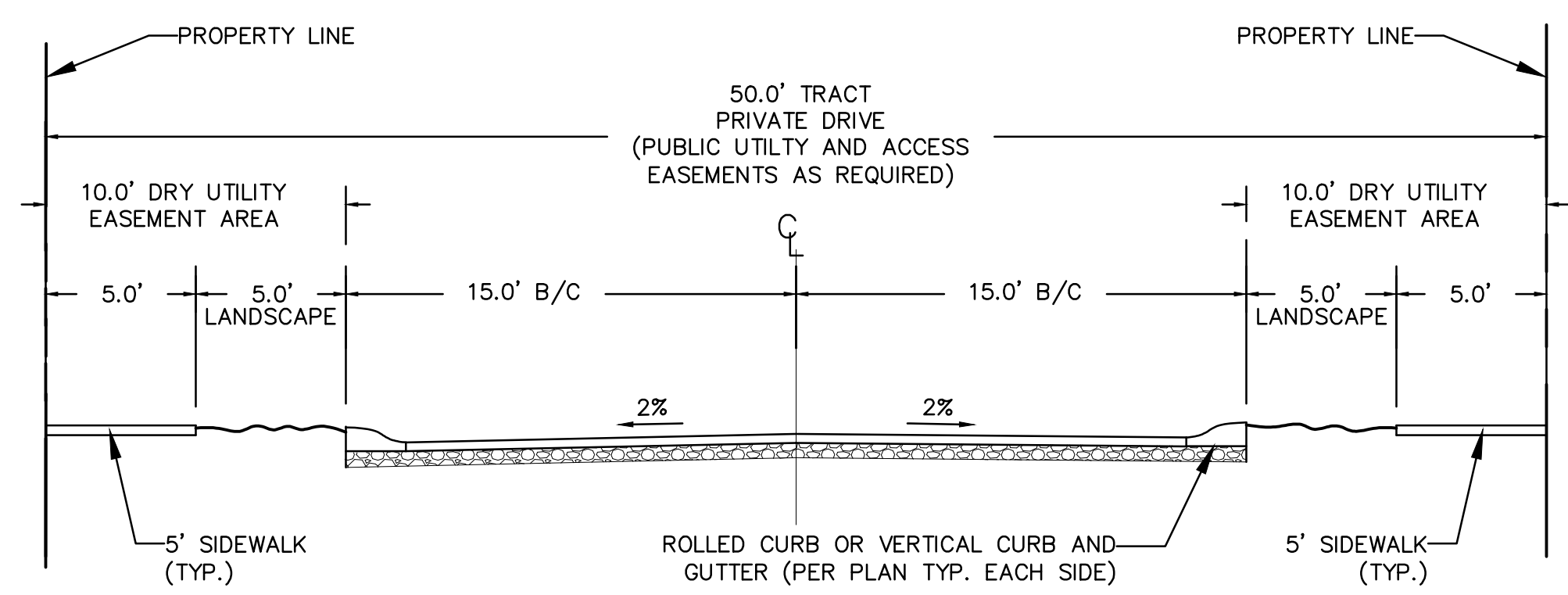
CLOVER GROVE

PLANNED UNIT DEVELOPMENT

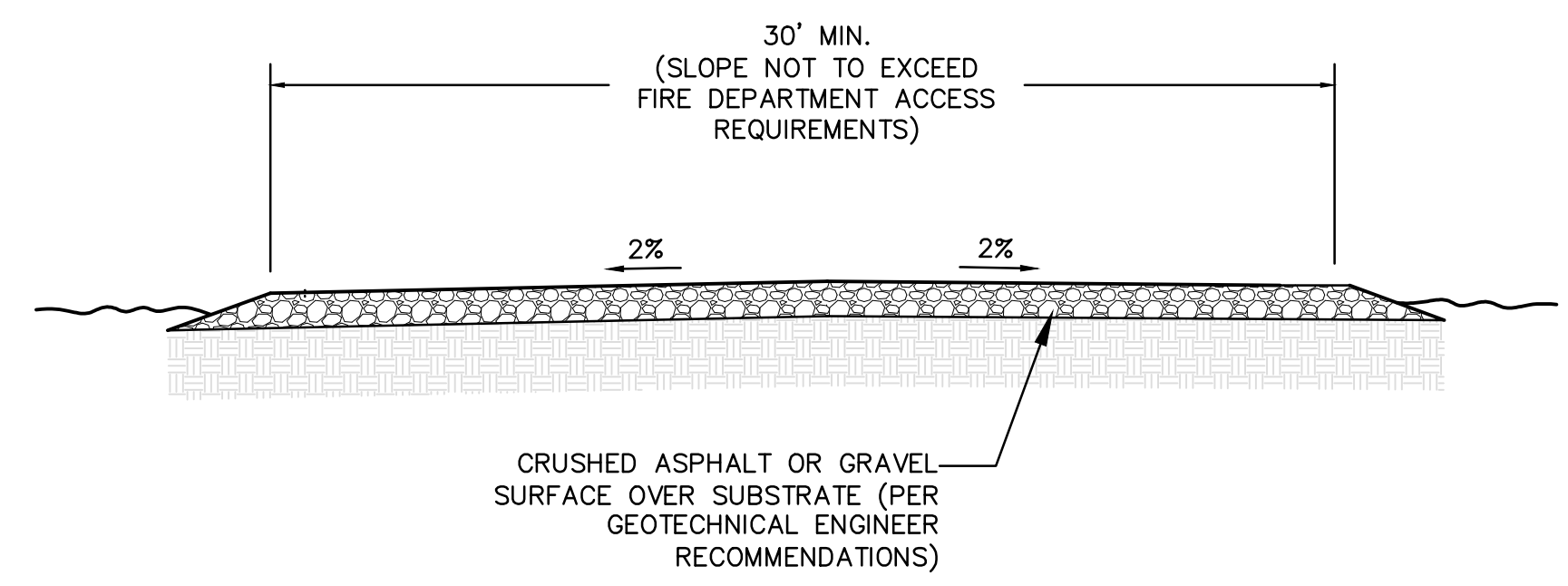
DATE 04/25/25



1 - NEW PUBLIC STREET SECTION
(LOOKING NORTH)

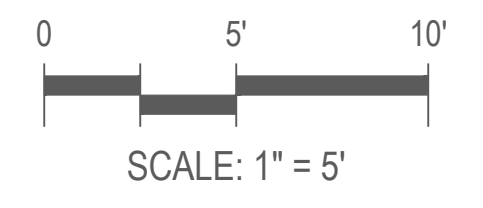


2 - PRIVATE STREET SECTION



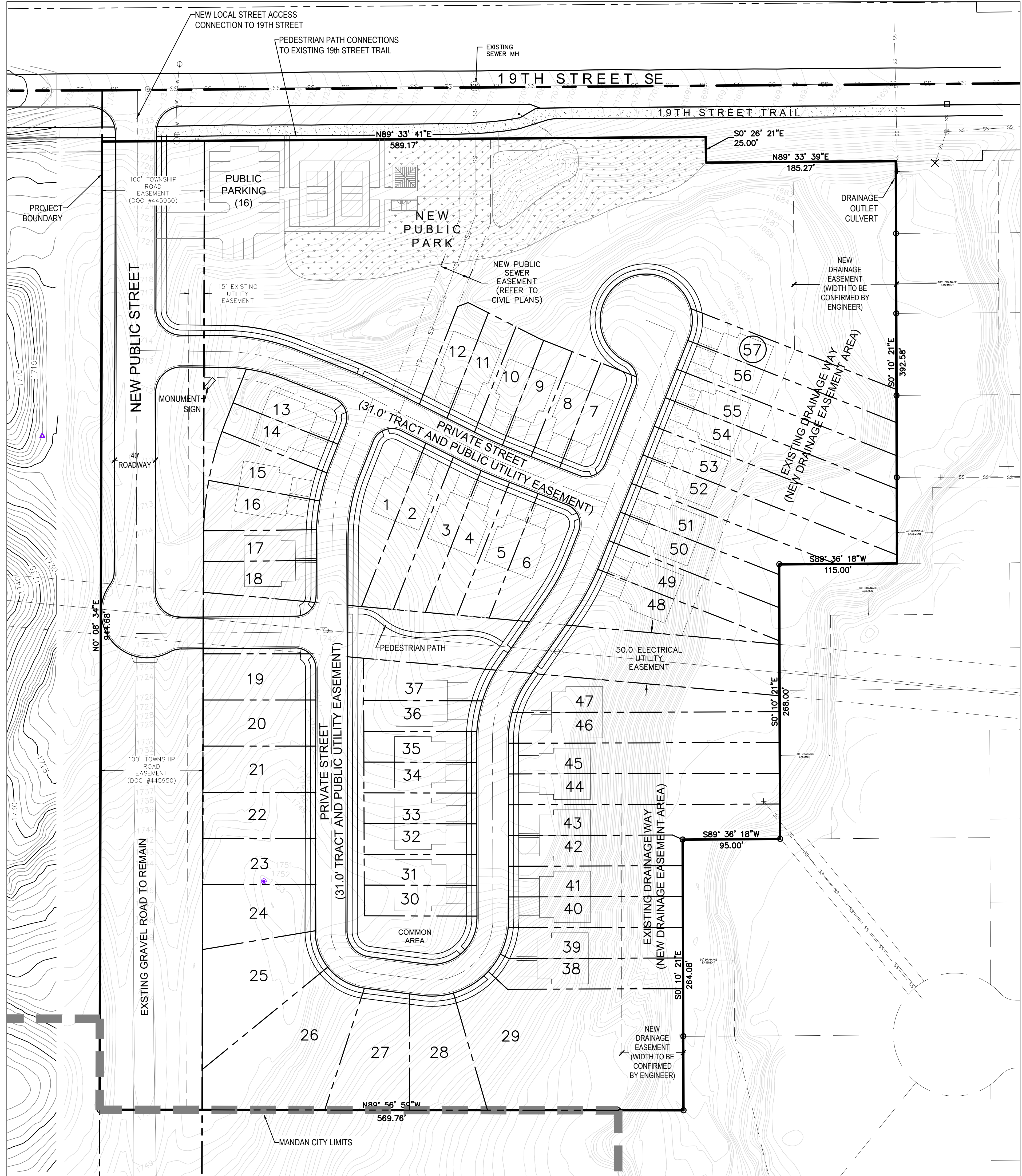
3 - TEMPORARY PHASE 1 ACCESS SECTION

STREET SECTION DETAILS



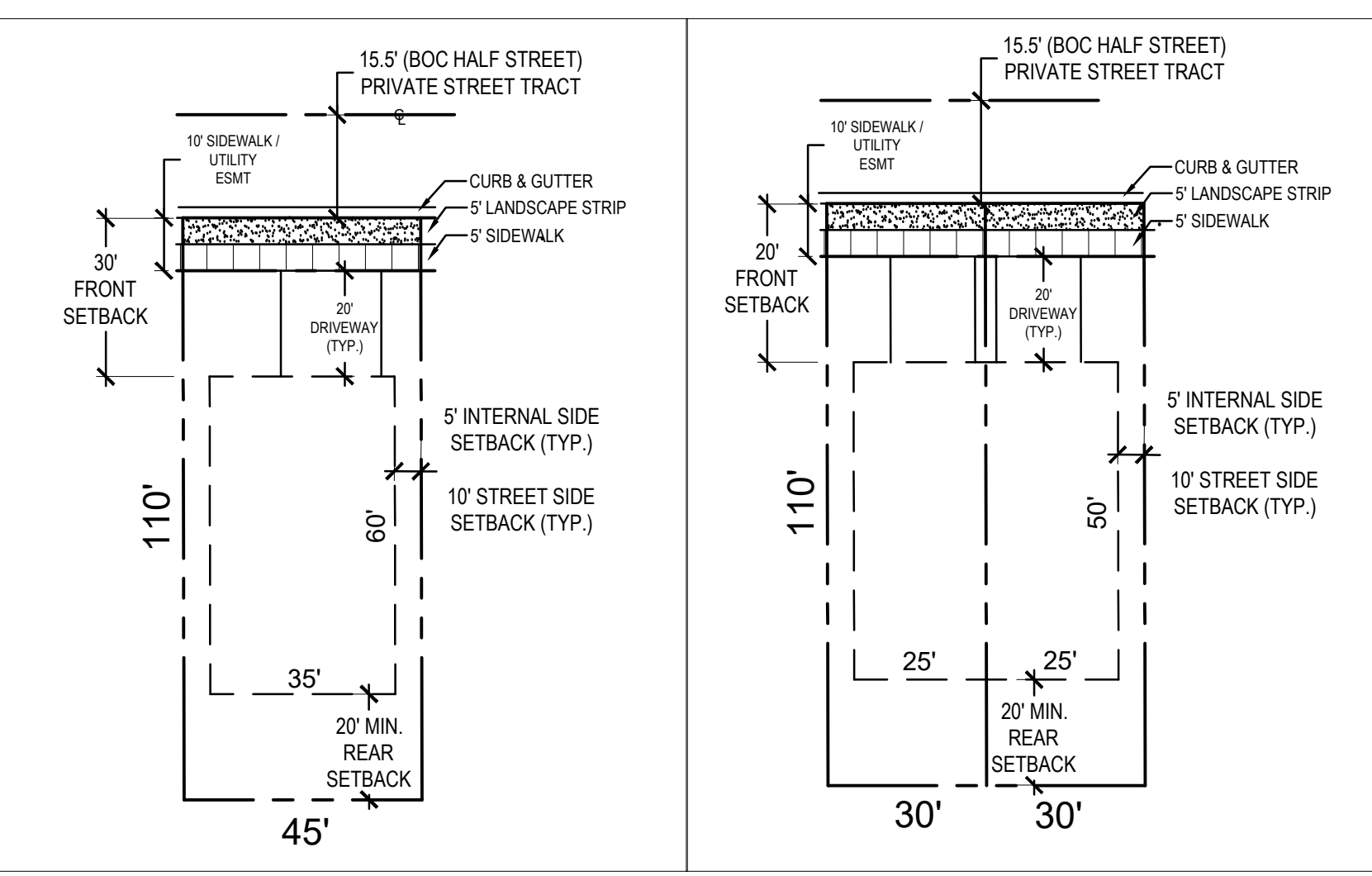
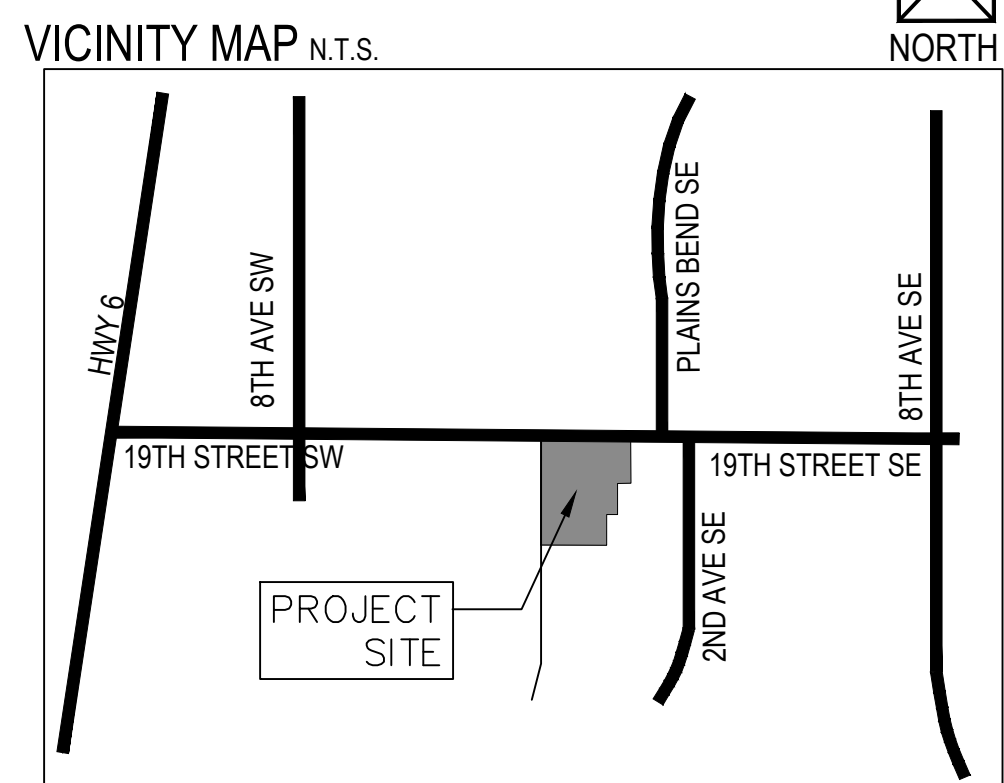
SCALE	1" = 100'
DATE	04/25/25
REVISION	
TITLE	STREET SECTION DETAILS

SHEET
SD.01



PLANNED UNIT DEVELOPMENT SITE PLAN

LEGAL DESCRIPTION
MACEDONIA HILLS GOVERNMENT LOT 2, LESS OUTLOT A IN THE NW 1/4 OF THE NE 1/4 OF SECTION 3, TOWNSHIP 138N, RANGE 81W, CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA



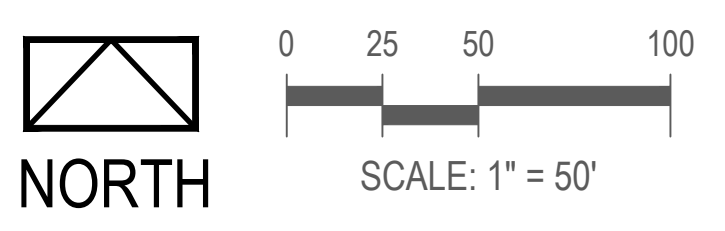
45' X 110' DETACHED
TYPICAL MIN. LOT DETAIL
SCALE: 1" = 30'

30' X 110' DUPLEX
TYPICAL MIN. LOT DETAIL
SCALE: 1" = 30'

PLAN DATA

TOTAL AREA:	14.82 AC
EXISTING ZONING:	RM
PROPOSED ZONING:	PUD
EXISTING LAND USE:	VACANT
PROPOSED LAND USE:	DETACHED HOME AND DUPLEX RESIDENTIAL SUBDIVISION
TOTAL LOTS PROPOSED:	57
DENSITY:	3.84 DU/AC
DETACHED LOT SIZE:	45' X 110' MIN.
DUPLEX LOT SIZE:	30' X 110' MIN.
BUILDING HEIGHT:	TWO-STORY MAX.

DEVELOPMENT SITE PLAN



PREPARED BY
EVOLUTION
PLANNING
& DESIGN
480.450.7471
evteamplanning@gmail.com

PREPARED FOR
MEIER
COMPANIES
6115 S. KYRENE
SUITE 101
TEMPE, ARIZONA

LOCATION
CLOVER GROVE - 151 19TH STREET SE
MANDAN, NORTH DAKOTA

PIN 65-5513550

SCALE	AS NOTED
DATE	04/25/25
REVISION	
TITLE	DEVELOPMENT SITE PLAN
SHEET	

SP.01

ORDINANCE NO. XXXX

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

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

WHEREAS, the existing zoning on the subject property is RM- Residential District and the Low Density Residential designation on the Land Use Plan stems from surrounding uses, topography and access in the area. The transition of RM- Residential to PUD is supported due to the proposed PUD master plan supporting lower density development than the existing zoning district would allow, which is only slightly higher than the density required by the Low Density Residential Land Use Designation.

WHEREAS, Clover Grove, will be zoned and defined as a PUD as the overlay zoning with RM- Residential District as the underlying zoning. Housing types are limited to single family attached (twin/town/row homes) and single family detached homes/

WHEREAS, Clover Grove will be developed in 2 phases, as will be required to be defined in the master plan and phasing map. Phase 1 will be zoned as PUD. Phase 2 will initially be defined as a superblock, requiring the developer to submit a final plat and PUD amendment following the master plan submitted with the plat of Phase I.

WHEREAS, all residential lots shall be governed by the setbacks and density as described in the attached PUD Master Plan.

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

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

A TRACT OF LAND BEING A PART OF GOVERNMENT LOT 2 OF SECTION 3, TOWNSHIP 138 NORTH, RANGE 81 WEST OF THE 5TH PRINCIPAL MERIDIAN, OF THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF GOVERNMENT LOT 2 OF SECTION 3, T138N-R81W; THENCE SOUTH 00°08'57" WEST ALONG THE WEST BOUNDARY LINE OF SAID GOVERNMENT LOT 2 FOR 50.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF 19TH STREET SE; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES; THENCE NORTH 89°33'41" EAST FOR 589.17 FEET; THENCE SOUTH 00°26'21" EAST FOR 25.00 FEET; THENCE NORTH 89°33'39" EAST FOR 185.27 FEET TO THE NORTHWEST CORNER OF MACEDONIA HILLS 1ST ADDITION OF THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA; THENCE ALONG

THE WEST BOUNDARY LINE OF SAID MACEDONIA HILLS 1ST ADDITION THE FOLLOWING FIVE (5) COURSES; THENCE SOUTH 00°10'21" EAST FOR 392.58 FEET; THENCE SOUTH 89°36'59" WEST FOR 114.88 FEET; THENCE SOUTH 00°10'41" EAST FOR 267.89 FEET; THENCE SOUTH 89°33'09" WEST FOR 95.14 FEET; THENCE SOUTH 00°12'37" EAST FOR 264.07 FEET TO THE NORTHEAST CORNER OF OUTLOT "A" OF SAID GOVERNMENT LOT 2; THENCE NORTH 89°57'15" WEST ALONG THE NORTH BOUNDARY LINE OF SAID OUTLOT "A" FOR 570.05 FEET TO THE NORTHWEST CORNER OF SAID OUTLOT "A", SAID POINT BEING ON THE WEST BOUNDARY LINE OF SAID GOVERNMENT LOT 2; THENCE NORTH 00°08'57" EAST ALONG SAID WEST BOUNDARY LINE FOR 944.67 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 14.82 ACRES, MORE OR LESS.

Said tract encompasses proposed Clover Grove Development in the City of Mandan, Morton County, North Dakota.

Said tract shall be removed from the RM Residential District and be included in the PUD District (Planned Unit Development) **with the following conditions and restrictions:**

- a. Single-Family Detached or Two- Family Duplex Residential are permitted.
- b. Model Home Complex and Sales Office.
- c. Public Park, Recreation Amenities and Public Parking.
- d. Single-Family Detached Residential requirements:
 - 20' minimum Front and Rear Yard Setback
 - 5' minimum Side Yard Setback
 - 50% maximum lot coverage.
 - Lot area is minimum 4,500 square feet.
 - Maximum building height is two stories.
 - Minimum of two parking spaces per lot (in-garage).
- e. Two-Family Duplex Residential requirements:
 - 30' minimum Front Yard Setback
 - 5' minimum interior Side Yard Setback
 - 20' minimum Rear Yard Setback
 - 50% maximum lot coverage
 - Lot area is minimum 3,000 square feet
 - Maximum building height is two stories
 - Minimum of two parking spaces per lot (in-garage).
- f. Any signage proposed within the PUD area will conform with the Mandan Code of Ordinances, Section 105-1-15.
- g. Home design and architectural feature packages are submitted to the Mandan Architectural Review Committee for evaluation.
- h. Each lot or parcel of land shall be landscaped within one year of issuance of a certificate of occupancy or within two years of issuance of a building permit, if a certificate of occupancy has not been issued according to Section 105-1-14. Trees, shrubs, perennials, and related landscape amenities may be added at the discretion of the developer to contribute to the overall curb appeal of the development.

- i. Lighting (Internal Downward Nocturnal Illumination) Internal downward nocturnal illumination shall be provided and installed to provide safety and security on the new segment of public local street which connects to 19th Street SE. There is no existing streetlighting system along 19th Street. Funding to install and procure the lights may be provided by a Special Assessment District per City of Mandan Ordinance.
- j. Fencing or walls for privacy purposes are optional and may be included at the discretion of the developer.
- k. Recreational sport courts, gathering space, play areas and open turf elements are all planned to be incorporated in the final park design in accordance with the recommendations of Park District representative. Open space common areas within the residential subdivision will be landscaped and maintained by the future Homeowners Association.
- l. A Homeowners Association (HOA) will be formed for the purpose of maintaining common areas, landscaping, snow removal, and future infrastructure maintenance and repair. The HOA Board of Directors shall be solely responsible for hiring professional companies to perform all required maintenance and other HOA responsible items. A capital improvement fund shall be created and funded by Homeowners to provide future reserves for all capital improvements needed by the HOA for repairs and maintenance, and for other community enhancements, maintenance, and/or repairs that should arise.

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

James Froelich, President
Board of City Commissioners

Attest:

Jim Neubauer
City Administrator

Planning and Zoning Commission:	<u>June 23, 2025</u>
First Consideration:	<u>July 15, 2025</u>
Second Consideration and Final Passage:	<u>August 5, 2025</u>

Clover Grove: Addressing Access, Connectivity, and Community Planning

Submitted by Lukas Meier

Applicant / Developer

Overview

At Clover Grove, our mission extends beyond building homes—we are committed to creating a **safe, well-connected, and purpose-driven community**. In response to feedback from the City of Mandan, we offer the following detailed response and proactive strategy to address key areas of concern.

Our approach prioritizes:

- **Public safety** through compliant fire and emergency access,
- **Connectivity** through short- and long-term planning,
- **Affordability** for young professionals and families seeking attainable homeownership in Mandan,
- And **strategic density** that supports responsible growth and economic sustainability.

2. Long-Term Connectivity Planning

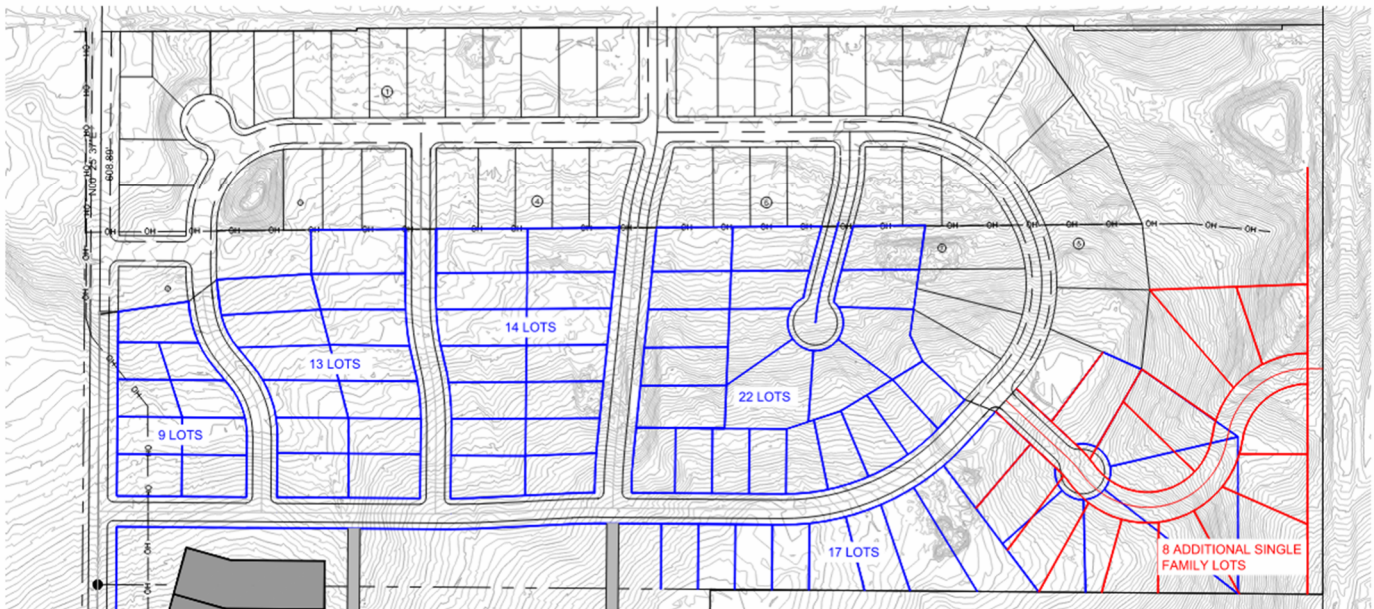
We fully align with the city's view that **interconnectivity is essential** for safety, emergency response, and future neighborhood integration.

Future Access Strategy

While current ownership and platting constraints limit secondary access today, we are:

- **Engaged with neighboring landowners** to the west and southwest, actively coordinating alignment for future roadway extensions.
- Pursuing **preliminary design concepts and letters of intent** to ensure that the southern road stub from Clover Grove is purposefully aligned for future connectivity.
- Exploring a **“ghost plat” mechanism** similar to what has been successfully applied in Sloane's Addition, maintaining planning flexibility and alignment with the city's long-term vision.

We are committed to ensuring that Clover Grove becomes a connected part of the broader Mandan Street network over time.



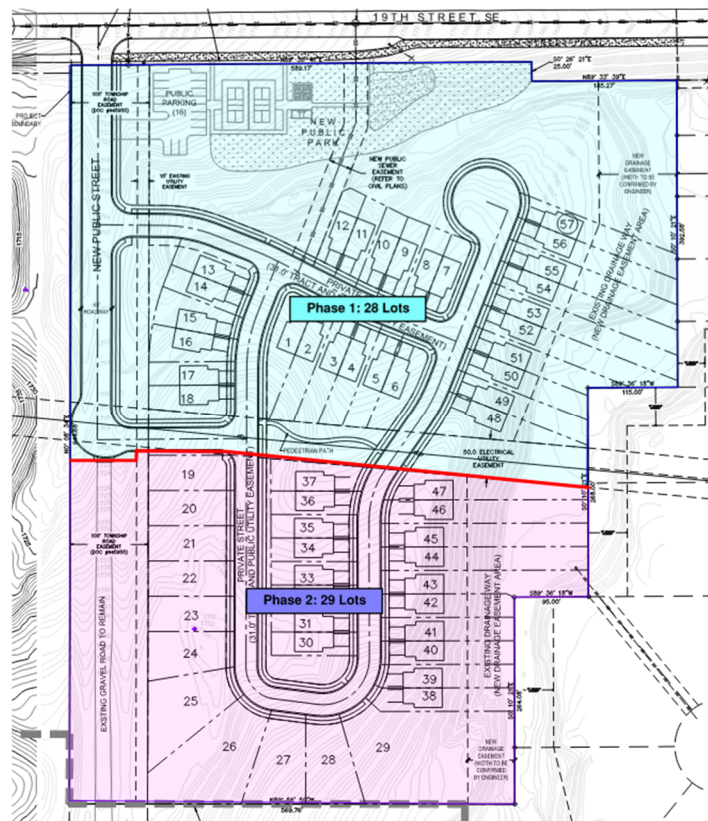
Preliminary Access Route of Neighboring Property

3. Phased Development Strategy

In parallel, we are prepared to adopt a **phased platting approach**, dividing the project into two sub-30-unit subdivisions:

- Each phase would proceed with separate approvals and stay under the 30-unit threshold outlined in **D107.1**.
- This structure maintains technical compliance while offering time to develop full connectivity through adjacent parcels.

This option reflects our commitment to flexibility and our readiness to adapt to evolving planning dynamics without compromising the integrity of the community vision.



Preliminary Access Route from Neighboring Property

4. Density & Land Use Alignment

We recognize the City's concern regarding density, as the proposed 3.8 units per acre (approximately 4.5 with ROW) exceeds the FLUP's target of ~3 units per acre for this area. However, we believe this moderate increase is both **intentional and necessary** to address pressing housing needs in Mandan.

Purpose-Driven Density

Our vision for Clover Grove is to provide **attainable, high-quality housing** for **young professionals, first-time homebuyers, and working families**—segments of the population who are increasingly priced out of new construction. The reality of today's market is that low-density development models often translate to **higher costs per unit**, reducing affordability and limiting who can realistically live here.

By slightly increasing density:

- We can **reduce per-unit land and infrastructure costs**, passing those savings on to buyers.
- We support Mandan's goal of attracting and retaining **a skilled, diverse workforce**.
- We create a vibrant, mixed-income neighborhood that promotes **homeownership and community stability**.

Efficient, Responsible Growth

This plan also reflects a commitment to **efficient land use** and **cost-effective infrastructure investment**. Rather than promoting sprawl, Clover Grove concentrates development in a manner that:

- Maximizes existing utility and roadway networks,
- Preserves surrounding green space,
- And supports long-term fiscal sustainability for the city.

We respectfully maintain that the proposed density is:

- **Contextually appropriate**, given the area's transition potential,
- **Code-compliant**, when viewed through the lens of practical planning and precedent,
- And **critical to achieving our housing mission**.

Conclusion

Clover Grove represents a unique opportunity to deliver **safe, attainable housing** within a **planned, responsive framework**. We are fully committed to:

- Collaborating with City Planning, Engineering, and Fire Departments,
- Executing a flexible, phased development approach,
- Prioritizing both interim and long-term access solutions,
- And ensuring affordability and quality of life for Mandan's next generation of homeowners.

We look forward to continued dialogue and partnership with the City of Mandan as we work together to make Clover Grove a model for responsible, community-centered growth.

April 25, 2025

City of Mandan
Planning Department Staff

Re: 151 19 Street SE – PUD Zoning Request

Dear City Planning Staff,

As owner of the subject property, I authorize representatives of Evolution Planning and Design, LLC to act as the applicant for the enclosed PUD rezoning request.

Gilberto Casas Garcia

Owner Signature

Gilberto Casas Garcia

Printed Name

04.26.25

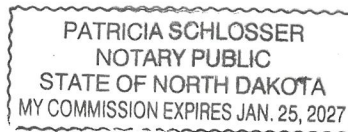
Date

I certify under penalty of perjury under the laws of ^{North Dakota} ~~[INSERT STATE]~~ that the foregoing paragraph is true and correct to the best of my knowledge.

WITNESS my hand and seal

Patricia Schlosser

Notary Public Signature



(SEAL)

Patricia Schlosser

Notary Public Name

Title (if applicable)

Registration/Serial Number, Notary ID, or Bar Number (if applicable)

My Commission Expires on the: January 25, 2027

April 25, 2025

City of Mandan
Planning Department Staff

Re: 151 19 Street SE – PUD Zoning Request

Dear City Planning Staff,

As owner of the subject property, I authorize representatives of Evolution Planning and Design, LLC to act as the applicant for the enclosed PUD rezoning request.

Marisel Lopez
Owner Signature

Marisel López -Valentín
Printed Name

4/25/2025
Date

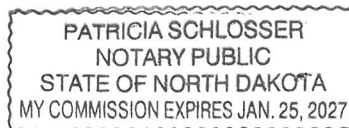
I certify under penalty of perjury under the laws of North Dakota [INSERT STATE] that the foregoing paragraph is true and correct to the best of my knowledge.

WITNESS my hand and seal

Patricia Schlosser
Notary Public Signature

Patricia Schlosser
Notary Public Name

(SEAL)



Title (if applicable)

Registration/Serial Number, Notary ID, or Bar Number (if applicable)

My Commission Expires on the: Jan 25, 2027



Planning & Zoning Commission

Agenda Documentation

MEETING DATE: June 23, 2025
PREPARATION DATE: June 12, 2025
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Rachel Laqua
SUBJECT: Consider a zone change from CB - Commercial to RMH - Residential for Lots 3-6, Block 2, Meadowlands Subdivision

STATEMENT/PURPOSE:

Meadowlands Park, LLC, is requesting a zone change from CB - Commercial to RMH - Residential for Lots 3-6, Block 2, Meadowlands Subdivision

BACKGROUND/ALTERNATIVES:

Request Overview

This request is to change the zoning from CB – Commercial to RMH – Residential for Lots 3-6, Block 2, Meadowlands Subdivision. The existing Meadowlands Development to the west is zoned RH and is a single lot manufactured home park. The proposed RMH is intended for manufactured home units with fee-simple lot ownership. There is no proposed layout as the applicant would like to ensure that the zoning would be able to be approved prior to creating a layout. The applicant would like to have 40-50 lots. All access would be from 18th Ave SE and would require at least two accesses based on the proposed number of lots.

Property History

- Originally Platted in 2015 as Meadowlands Addition, the approved plat included a right-of-way for 18th Avenue SE, extending from Memorial Highway to Third Street SE.
- The initial plan envisioned commercial development along Memorial Highway and Third Street SE with right-in, right-out access due to high traffic volumes. Lots along Memorial Highway are still zoned CB.
- The development’s original approval heavily relied on this connection to Memorial Highway, which has not yet been developed.

Adjacent Properties

- To the north and south: Zoned CB - Commercial.
- To the west: Zoned RH - Residential Mobile Home Park
- To the east: Zoned MA - Heavy Commercial/Light Industrial and MB - Heavy Commercial/Heavy Industrial.

Future Land Use

- The Future Land Use Plan designates this area for industrial use. No amendments have been made to alter planned land uses, and an amendment is not required at this time given the adjacent uses would not support industrial development on these properties.
- The proposed land uses are unlikely to significantly impact the area and are similar to the uses to the west.

Applicable Plans and Studies

- The City recognizes the need for affordable housing and a variety of housing types.

Applicable Agency Comments

- Any modifications to access along Memorial Highway SE will require review by the North Dakota Department of Transportation, especially considering the potential relocation of the intersection near the current flood structure.

Staff Comments

- Outstanding items from Phase 1 need resolution before further development, such as installing street lights on private roads (Section 105-3-10 (10) (f)).
- Construction of 18th Avenue would be required as part of the development of Lots 3-6, with no building permits being issued until the road construction is substantially complete.
- Layout and platting of site will be required. All streets and utilities internal to the

property will be privately owned and maintained via an HOA.

- Buffering on east side of the property between Lots 3-6, Meadowlands Subdivision and industrially zoned Riverwood Commercial Park shall be maintained or replaced as part of development.
- Connection of 18th Avenue into Memorial Highway will need to be completed as part of the 18th Avenue construction.

Additional Information and Public Outreach

- An application and fee of \$600 was received on May 23, 2025
- Eight letters were sent to adjacent property owners.

Findings of Fact Zone Change

1. The City of Mandan and/or other agencies would be able to provide necessary public services, facilities and programs to serve the development allowed by this zone change, *contingent on an approved preliminary and final plat, development agreement, and all roads being constructed to City standards.*
2. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance, *provided that the above mentioned are achieved.*
3. The proposed zoning change, *without other items being addressed, is generally consistent* with the Future Land Use Plan, other adopted plans and policies, and accepted planning practice;
4. The proposed zoning change is compatible with adjacent zoning;
5. The proposed zoning change, *without approved preliminary and final plat, construction of 18th Avenue and intersection with Memorial Highway, secondary access, streetlights, and other potentially applicable items,* would adversely affect public health, safety and general welfare.

ATTACHMENTS:

1. Application
2. Location Map
3. Zoning Exhibit
4. draft Ordinance

FISCAL IMPACT:

N/A

STAFF IMPACT:

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

LEGAL REVIEW:

This item has been reviewed as part of the agenda packet

RECOMMENDATION:

City Staff recommends approval of the zone change for Lots 3-6 of the Meadowlands Subdivision from CB- Commercial to RMH – Residential contingent on approved preliminary and final plat, approved development agreement, and all road standards and access management requirements being met.


SUGGESTED MOTION:

I move to approve the zone change for Lots 3-6 of the Meadowlands Subdivision from CB- Commercial to RMH – Residential contingent on approved preliminary and final plat, approved development agreement, and all road standards and access management requirements being met.

CITY OF MANDAN	
Development Review Application	
<input type="checkbox"/> Minor Plat (\$300)	<input checked="" type="checkbox"/> Zone Change (\$600)
<input type="checkbox"/> Preliminary Plat up to 20 acres (\$450)	<input type="checkbox"/> Planned Unit Development (\$700)
<input type="checkbox"/> Preliminary Plat more than 20 acres (\$500)	<input type="checkbox"/> Land Use and Transportation Plan Amendment (\$1,000)
<input type="checkbox"/> Final Plat up to 20 lots (\$450)	<input type="checkbox"/> Vacation (\$500)
<input type="checkbox"/> Final Plat 21 to 40 lots (\$600)	<input type="checkbox"/> Variance (\$400)
<input type="checkbox"/> Final Plat more than 40 lots (\$750)	<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"/> Document Recording (\$30)
Summary of Request (Add separate sheet(s) as necessary)	

Engineer/Surveyor			Property Owner or Applicant		
Name ILSE Inc. Abe Ulmer			Name Meadowlands Development, LLC		
Address 4215 Old Red Trail NW			Address PO Box 1264		
City Mandan	State ND	Zip 58554	City Mandan	State ND	Zip 58554
email abe@ilsurveynd.com			email barryjennings1700@gmail.com		
Phone 701-663-5184		Fax	Phone 701-712-1353		Fax
If the applicant is not the current owner, the current owner must submit a notarized statement authorizing the applicant to proceed with the request.					

Location		Type		Existing Zone	Proposed Zone	Project Name	
<input checked="" type="checkbox"/> City	ETA	<input type="checkbox"/> New	<input type="checkbox"/> Addition	CB	RMH		
Property Address 82, 92, 102, & 122 18th Ave SE				Legal Description Lots 3, 4, 5, & 6, Block 2, Meadowlands Addition			
Current Use Vacant							
Proposed Use							
				Section 26	Township 139	Range 81	
Parcel Size	Building Footprint	Stories	Building SF	Required Parking		Provided Parking	

Print Name Barry Jennings	Signature 	Date 5-20-25
------------------------------	--	-----------------

Office Use Only			
Date Received:	Initials: YM	Fees Paid: \$600	Date: 5-23-2025
Notice in paper	Mailed to neighbors	P&Z meeting	
<input type="checkbox"/> Approved	Approved with conditions:		
<input type="checkbox"/> Denied			



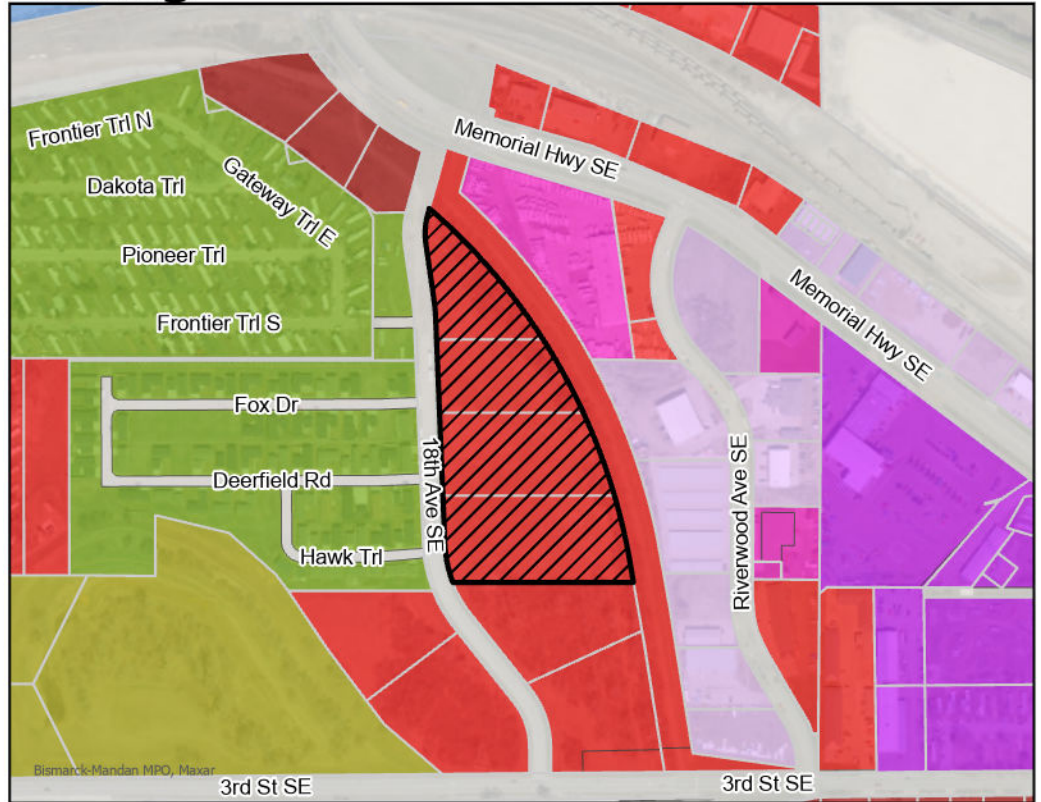
Zoning and Future Land Use Reference Map

Meadowlands Addition

Zoning Map Key

- | | |
|---|---|
| Agriculture - City of Mandan | MD - Heavy Commercial/Heavy Industrial Restricted |
| Agriculture - Morton County | MHS - Trailer Park |
| CA - Neighborhood Commercial | PUD - Planned Unit Development |
| CB - Business Commercial | R3.2 - Residential Single & Two Family |
| CC - Commercial/Light Industrial Transition | R7 - Residential Single Family |
| DC - Downtown Core | RH - Residential Mobile Home Park |
| DF - Downtown Fringe | RM - Residential Multi-family Dwellings |
| Industrial - Morton County | RMH - Residential Mobile Home Subdivision |
| LSMHS - Trailer Park Subdivision | Residential - County Residential Zoning |
| MA - Heavy Commercial/Light Industrial | ROW - Right-of-Way |
| MB - Heavy Commercial/Heavy Industrial | June '25 Planning Activities |
| MC - Heavy Commercial/Light Industrial Restricted | |

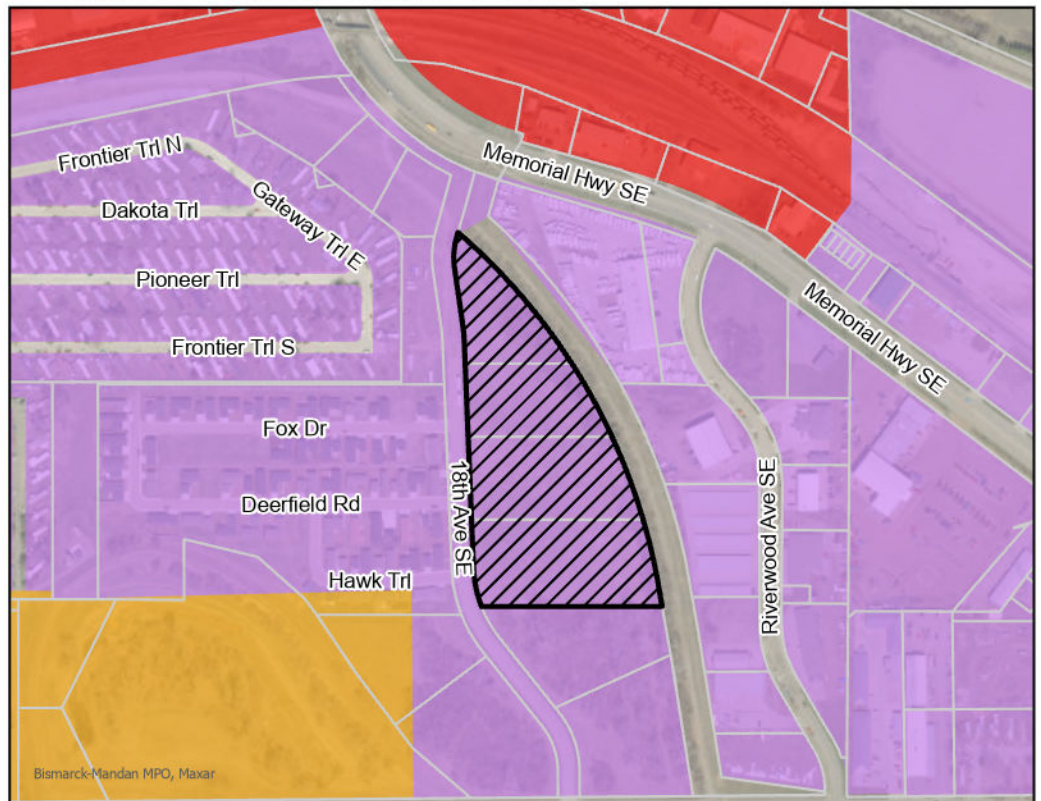
Zoning



Future Land Use Plan

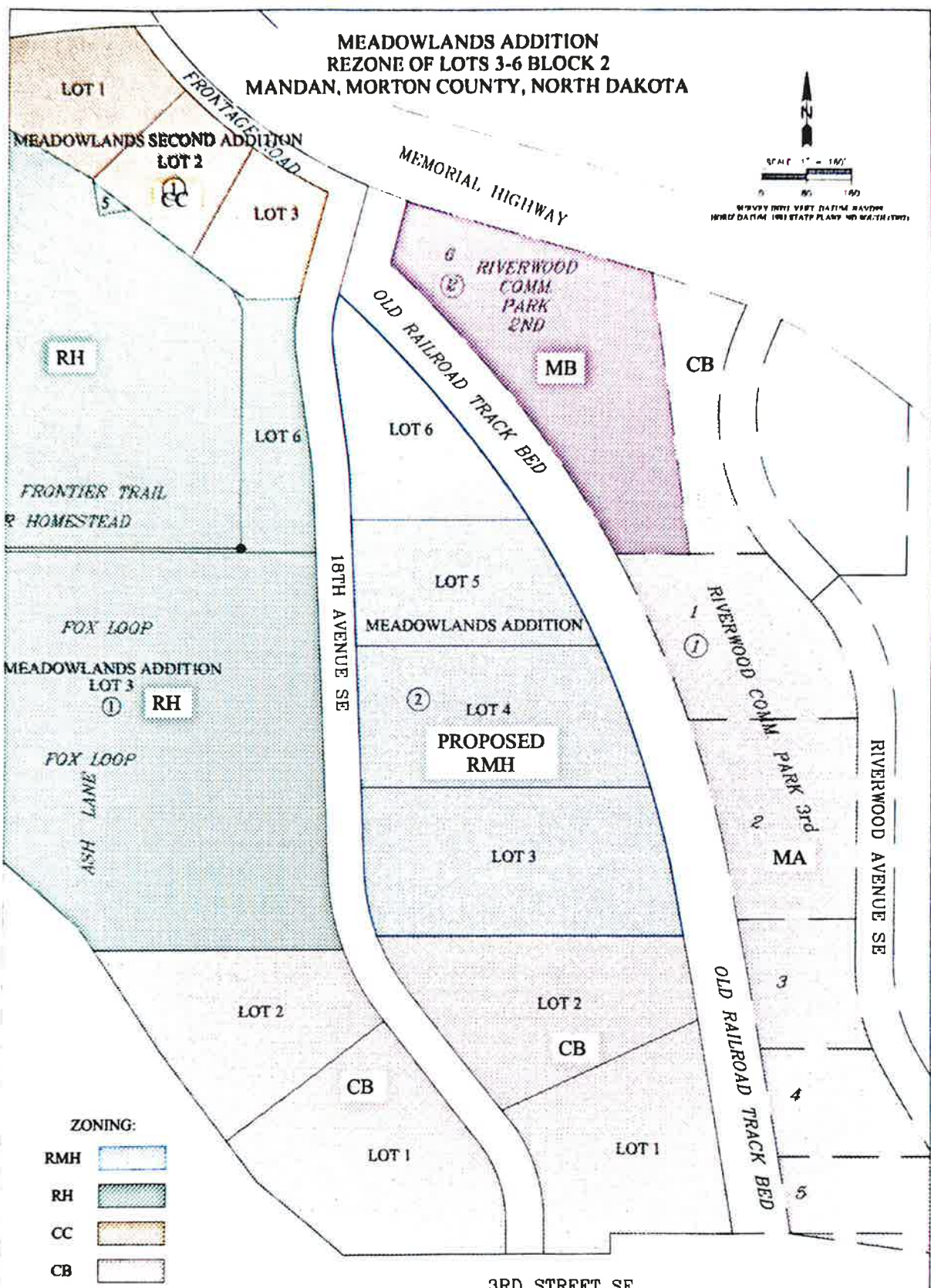
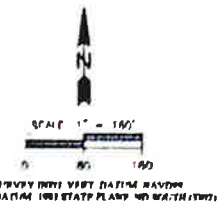
Future Land Use Plan Key

- | |
|------------------------------|
| Rural Residential |
| Low Density Residential |
| Medium Density Residential |
| High Density Residential |
| Commercial |
| Industrial |
| Public/Semi-Public |
| Public Land |
| Park |
| Greenways |
| Open Space |
| Open Water |
| June '25 Planning Activities |



N

**MEADOWLANDS ADDITION
REZONE OF LOTS 3-6 BLOCK 2
MANDAN, MORTON COUNTY, NORTH DAKOTA**



ZONING:

RMH	
RH	
CC	
CB	
MB	
MA	

**Independent Land Surveying
& Engineering Inc.**
4375 OLD RED TRAIL NW, MANDAN, ND 58540
 Phone: 701.863.3141 Fax: 701.863.3142 Email: i@ilsurvey.com

MEADOWLANDS ADDITION

SCHEMATIC 1/17/18 ST 3E
 MANDAN, NORTH DAKOTA
 LOT 1 BLOCK 2 SCHUMBERG ADDITION
 SHEET 1 OF 1

R.A.V. 2022

ORDINANCE NO. XXXX

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

WHEREAS, The Mandan Land Use and Transportation Plan designates the subject property as Industrial; and

WHEREAS, Adjacent properties to the north and south is zoned CB – Commercial, to the west zoned LSMHS – Trailer Park Subdivision; and to the east MA – Heavy Commercial/Light Industrial. RMH – Residential Mobile Home Park zoning would be appropriate; and

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

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

LOTS 3-6, BLOCK 2, MEADOWLANDS SUBDIVISION IN SECTION 26, TOWNSHIP 139N, RANGE 81W, CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA:

SAID TRACT OF LAND CONTAINING 3.07 ACRES, MORE OR LESS.

- shall be removed from the CB – Commercial District and shall be included in the RMH – Residential Mobile Home Park District.

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

James Froelich, President
Board of City Commissioners

Attest:

Jim Neubauer
City Administrator

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

June 23, 2025
July 15, 2025
August 5, 2025



Planning & Zoning Commission

Agenda Documentation

MEETING DATE: June 23, 2025
PREPARATION DATE: June 12, 2025
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Rachel Laqua
SUBJECT: Consider a building setback variance for Lots 4-15, Block 2, Mandan Proper

STATEMENT/PURPOSE:

BS Real Estate LLC & Image Dentistry is requesting a building setback variance for Lots 4-15, Block 2, Mandan Proper

BACKGROUND/ALTERNATIVES:

Requested Variance:

BS Real Estate LLC & Image Dentistry requests consideration of a building setback variance to Section 105-4-2.2 (c) (4) of the City Code of Ordinances related to front yard building setbacks in the DF - Downtown Fringe District. The property is located at 500 East Main Street on Lots 4-15, Block 2, Mandan Proper.

Adjacent Properties Zoning, Land Use and Future Land Use

The properties surrounding this property are zoned DC - Downtown Core to the west and DF - Downtown Fringe to the north, east and south. The future land use plan identifies this area commercial.

Additional Information and Public Outreach

- Application and fee of \$400 was received on May 23, 2025.
- Letters were sent to five adjacent property owners.

Staff Comments

The applicant purchased the property in order to reuse the existing building but is not able to do so. They will be fully reconstructing the property, meaning that the property will not fall under non-conforming ordinances.

There is a maximum setback of 25' allowed in the Downtown Fringe District and the applicant is requesting a variance to allow for a 59' setback. This would allow for parking in the front of the building.

The ordinance is clearly written to disincentivize parking along the front of buildings in order to provide a walkable, interesting environment, shown further by the requirement that building entrances face the street. The buildings to either side of this property have varied setbacks and do not provide clear guidance. Buildings to the west are built with a zero or close to zero setback; buildings to the south have a greater setback; one building to the east has a zero setback and one has a larger setback. Other buildings on the same block have also been built with what appears to be a 0' or minimal setback.

Findings of Fact Zoning Variance

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

ATTACHMENTS:

1. Application
2. Additional Submittal
3. Location Map

FISCAL IMPACT:

N/A

STAFF IMPACT:

Minimal

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:

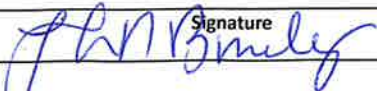
In favor: I move to approve the requested variance of the front yard setback in the DF-Downtown Fringe District for Lots 4-15, Mandan Proper from a maximum of 25' to a maximum of 59' due to the following hardship: **[PZ Commissioner to identify/fill in the blank]** and to modify the Staff finding(s) of fact.

In opposition: I move to deny the requested variance of the front yard setback in the DF-Downtown Fringe District for Lots 4-15, Mandan Proper from a maximum of 25' to a maximum of 59' 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)	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)	

Engineer/Surveyor			Property Owner or Applicant		
Name Abe Ulmer - ILSE Inc			Name BS Real Estate LLC - Leah Brady		
Address 4215 Old Red Trail NW			Address 2431 Stewart Dr.		
City Mandan	State ND	Zip 58554	City Bismarck	State ND	Zip 58503
email abe@ilsurveynd.com			email drb@idealimagedentistry.com		
Phone 701-220-0968		Fax	Phone 701-391-0415		Fax
If the applicant is not the current owner, the current owner must submit a notarized statement authorizing the applicant to proceed with the request.					

Location		Type		Existing Zone	Proposed Zone	Project Name	
X	City	ETA	New	Addition	DF	DF	Ideal Image Dentistry
Property Address					Legal Description		
500 East Main Street					Lots 4-15, Block 2, Mandan Proper		
Current Use							
Old Hardees - Vacant							
Proposed Use							
Ideal Image Dentistry					Section 27	Township 139	Range 81
Parcel Size	Building Footprint	Stories	Building SF	Required Parking	Provided Parking		
39,065 sf	10,540 sf	1	10,540	26	49		

Print Name Leah N Brady	Signature 	Date 5-21-25
----------------------------	---	-----------------

Office Use Only			
Date Received:	Initials: nm	Fees Paid: 400 \$	Image # Date 5-23-2025
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

Image Dentistry is asking for a variance to the existing maximum front yard setback of 25' in the DF (Downtown Fringe) zoning. Ideal Image would like to set the proposed building back at 59' from the front property line along Main Street. This would allow the property to have the building entrance facing main street with a parking lot in the front of the building.

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

BS Real Estate LLC, bought the property looking to utilize the existing building by remodeling to meet their needs.

The existing building ended up needing additional work to meet Ideal Image Dentistry's requirements, so they looked at the full reconstruction option to tear down the existing building to build a new building and parking lot.

The intent of utilizing the existing site was to have a front parking lot along main street with the entrance off main street to the building facing Main street.

The required 25' maximum setback would change the site layout by pushing the building up against main street which would put the parking on the north, along with the main entrance facing north away from main street. The back of the building would face main street, which goes against the welcome feel of having the parking and entrance facing main street. It would also take away the main street access which was one of the main reasons for purchasing this lot.

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 the variance would not be injurious or detrimental to the public welfare since it would similarly match the existing Hardees site which functioned on the property for many years without problems.

The increased setback would also match many existing businesses east of this property that are located in the same zoning district and are also setback from Main street with a parking lot in front.

Examples include: Capital Credit Union (52'+/-), Genex (40' +/-), Toco Johns (70' +/-), Mandan Tire (52'+/-), Railway Credit Union(73'+/-), etc..

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

Ideal Image Dentistry is asking for the maximum front yard setback from main street to be increased from 25' to 59'.

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.



Zoning and Future Land Use Reference Map

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
- June '25 Planning Activities



Future Land Use Plan

Future Land Use Plan Key

- Rural Residential
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Commercial
- Industrial
- Public/Semi-Public
- Public Land
- Park
- Greenways
- Open Space
- Open Water
- June '25 Planning Activities



City of Mandan
Planning Department
6/3/25



N





Planning & Zoning Commission

Agenda Documentation

MEETING DATE: June 23, 2025
PREPARATION DATE: June 13, 2025
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Rachel Laqua
SUBJECT: Consider a building setback variance for Lot 6, Landeis Subdivision Replat Lots 4-6

STATEMENT/PURPOSE:

Consider a variance for Lot 6, Landeis Subdivision Replat Lots 4-6

BACKGROUND/ALTERNATIVES:

Corey and Renee Schaff request consideration of a variance to Section 105-3-5 (e) 1.a. of the City Code of Ordinances related to building setbacks in the R7 – Residential zoning district. The property is located at 2145 37th Street. There is a 50 ft required setback from an arterial street, which is what 37th Street is designated as on the long range documents. Currently 37th Street is a collector street and has a 35' required setback.

Requested Variance:

The applicant is requesting a variance to allow for a garage building that currently exists at 39' from the property line to be torn down, rebuilt, and expanded into a second existing residential building on the property. Both the existing garage and the planned garage expansion will meet the required 35' setback for 37th Street as currently designated.

Adjacent Properties Zoning, Land Use and Future Land Use

The properties surrounding this property are zoned R7 – Residential and Ag - Agriculture. The future land use plan identifies this area for low-density residential.

Additional Information and Public Outreach

- Application and fee of \$400 was received on May 23, 2025.

- Letters were sent to five adjacent property owners.

Findings of Fact Zoning Variance

1. The need for a variance **is 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 the minimum variance** that would accomplish the relief sought by the applicant.
5. The granting of the variance **is in harmony** with the general purposes and intent of the Zoning Ordinance.

ATTACHMENTS:

1. Application
2. Additional Submittal
3. Location Map
4. Lot Survey
5. Survey Record

FISCAL IMPACT:

N/A

STAFF IMPACT:

Minimal

LEGAL REVIEW:

This item has been reviewed as part of the agenda packet

RECOMMENDATION:

Planning staff recommends to approve the requested variance from Section 105-3-5(e)1.a. which requires a 50' front yard setback from an arterial roadway, based on the existing designation of the road as a collector street with a required 35' setback, which

the existing and proposed building meet, and is not likely to be improved in the near to mid term future based planning documents.

SUGGESTED MOTION:

I Move to recommend approval to approve the requested variance from Section 105-3-5(e)1.a. which requires a 50' front yard setback from an arterial roadway, based on the existing designation of the road as a collector street with a required 35' setback, which the existing and proposed building meet, and is not likely to be improved in the near to mid term future based planning documents.

I Move to recommend denial of the requested variance from Section 105-3-5(e)1.a. which requires a 50' front yard setback from an arterial roadway due to no hardship being identified.

CITY OF MANDAN			
Development Review Application			
<input type="checkbox"/>	Minor Plat (\$300)	<input type="checkbox"/>	Zone Change (\$600)
<input 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 checked="" 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)			
Variance from front yard setback line			

Engineer/Surveyor			Property Owner or Applicant		
Name Mark R. Isaacs, RLS - ILSE, Inc.			Name Renee R. Schaff / Corey Schaff		
Address 4215 Old Red Trail NW			Address 2145 37th Street		
City Mandan	State ND	Zip 58554	City Mandan	State ND	Zip 58554
email mark@ilsurveynd.com			email coreyschaff@hotmail.com		
Phone 701-595-2079		Fax	Phone 701-527-7560		Fax
If the applicant is not the current owner, the current owner must submit a notarized statement authorizing the applicant to proceed with the request.					

Location		Type		Existing Zone	Proposed Zone	Project Name	
City	<input checked="" type="checkbox"/> ETA	New	<input checked="" type="checkbox"/> Addition	R7	R7	Landeis Subdivision Variance	
Property Address				Legal Description			
2145 37th Street, Mandan, ND 58554				Lot 6 in Landeis Subdivision			
Current Use				Replat of Lots 4-6			
Residential							
Proposed Use							
Residential				Section 4	Township 139	Range 81	
Parcel Size	Building Footprint	Stories	Building SF	Required Parking		Provided Parking	
4.91 Acres							

Print Name Renee R. Schaff and Corey Schaff	Signature 	Date 5-23-25
--	--	-----------------

Office Use Only			
Date Received:	Initials: nm	Fees Paid: \$ 400	Date 5-23-2025
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

I am seeking a variance of the 50ft setback from an arterial street (37th Street). There is a current building on the property (2145 37th Street) that is 39 ft away from property line. We are looking to replace this building with an improved structure for the purposes of housing my widow'd mother in order to allow her to live on this property for the rest of her life. This property has been in my mothers family for 65+ years and my mother has resided at this property for 35 years.

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

The improved structure needs to use the existing buildings footprint in order to meet the needs of the property owner and to accommodate lot landscaping characteristics. The current structure was approved for construction and built by my father in the mid-late 90s. We have no plans of removing or modifying the current structure if this variance request is denied.

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

We are only asking for a variance of a few feet relating to a setback from the southern edge of the property line. The setback in question is the larger of the two setback requirements (arterial street vs collector street), which pertains to a road (37th Street) that would currently be considered a collector street and will not be improved for many years, if ever, according to the City of Mandan's long range planning documents. These documents only identify this road as a possible future minor arterial street. The road as currently constructed would only require a 35ft setback from the property line, not 50ft. The granting of this variance of a few feet should not impact the use of the currently constructed road, nor the use of an improved road in the future because the improvement of this structure does not encroach the existing 50 ft ROW in any way, shape, or form. Furthermore, if this variance is denied, there is already an existing structure with a 39ft setback from the property line that will remain on the property.

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

We are seeking an 11ft reduction in regards to the 50 ft property line setback from an arterial roadway. Granting of this variance would provide a 39 ft setback instead of 50 ft setback.

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.



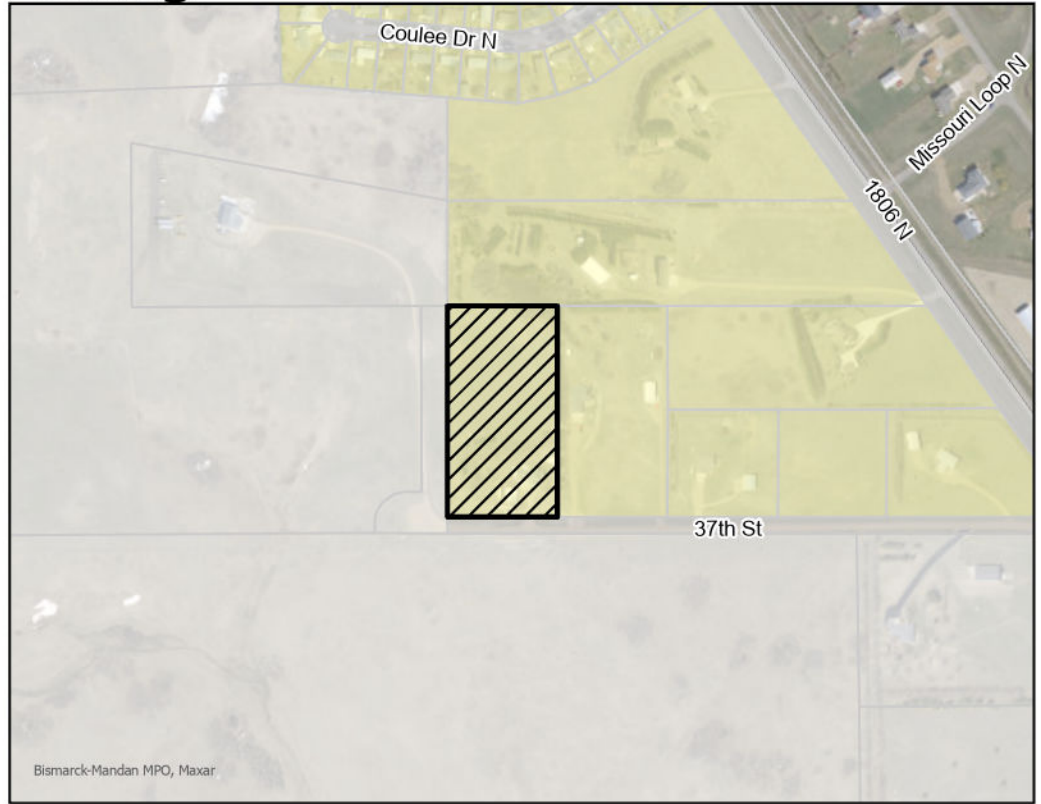
Zoning and Future Land Use Reference Map

Landeis Subdivision

Zoning

Zoning Map Key

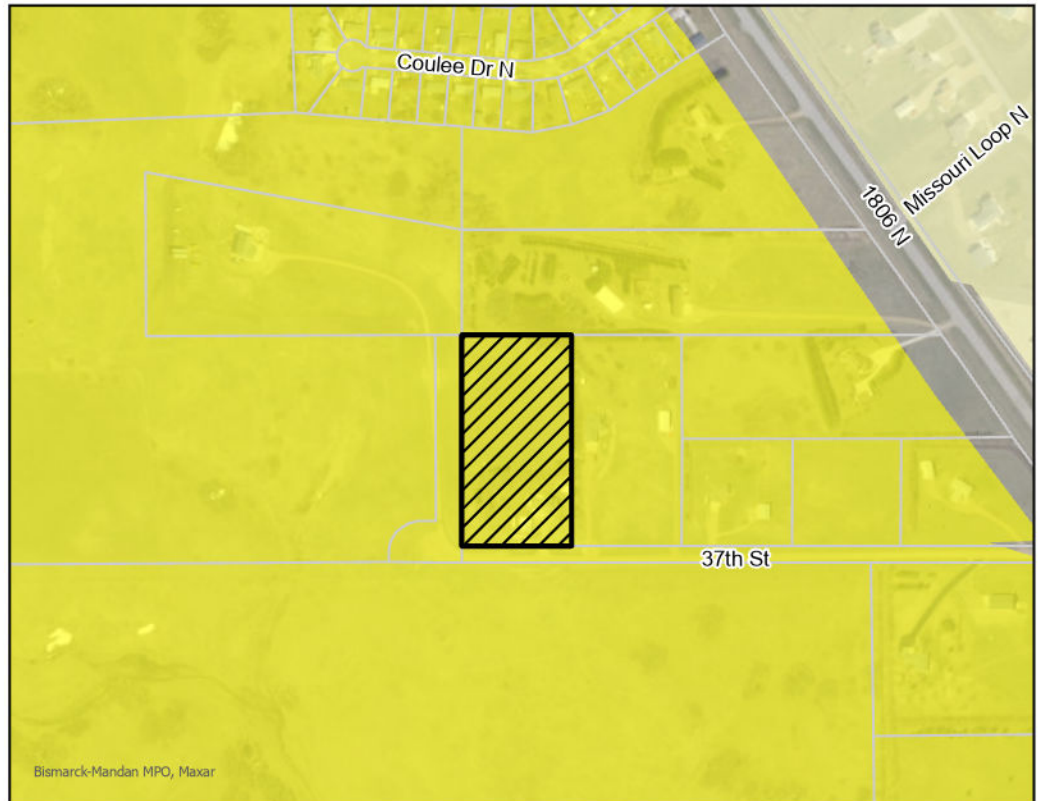
- | | |
|---|---|
| Agriculture - City of Mandan | MD - Heavy Commercial/Heavy Industrial Restricted |
| Agriculture - Morton County | MHS - Trailer Park |
| CA - Neighborhood Commercial | PUD - Planned Unit Development |
| CB - Business Commercial | R3.2 - Residential Single & Two Family |
| CC - Commercial/Light Industrial Transition | R7 - Residential Single Family |
| DC - Downtown Core | RH - Residential Mobile Home Park |
| DF - Downtown Fringe | RM - Residential Multi-family Dwellings |
| Industrial - Morton County | RMH - Residential Mobile Home Subdivision |
| LSMHS - Trailer Park Subdivision | Residential - County Residential Zoning |
| MA - Heavy Commercial/Light Industrial | ROW - Right-of-Way |
| MB - Heavy Commercial/Heavy Industrial | June '25 Planning Activities |
| MC - Heavy Commercial/Light Industrial Restricted | |



Future Land Use Plan

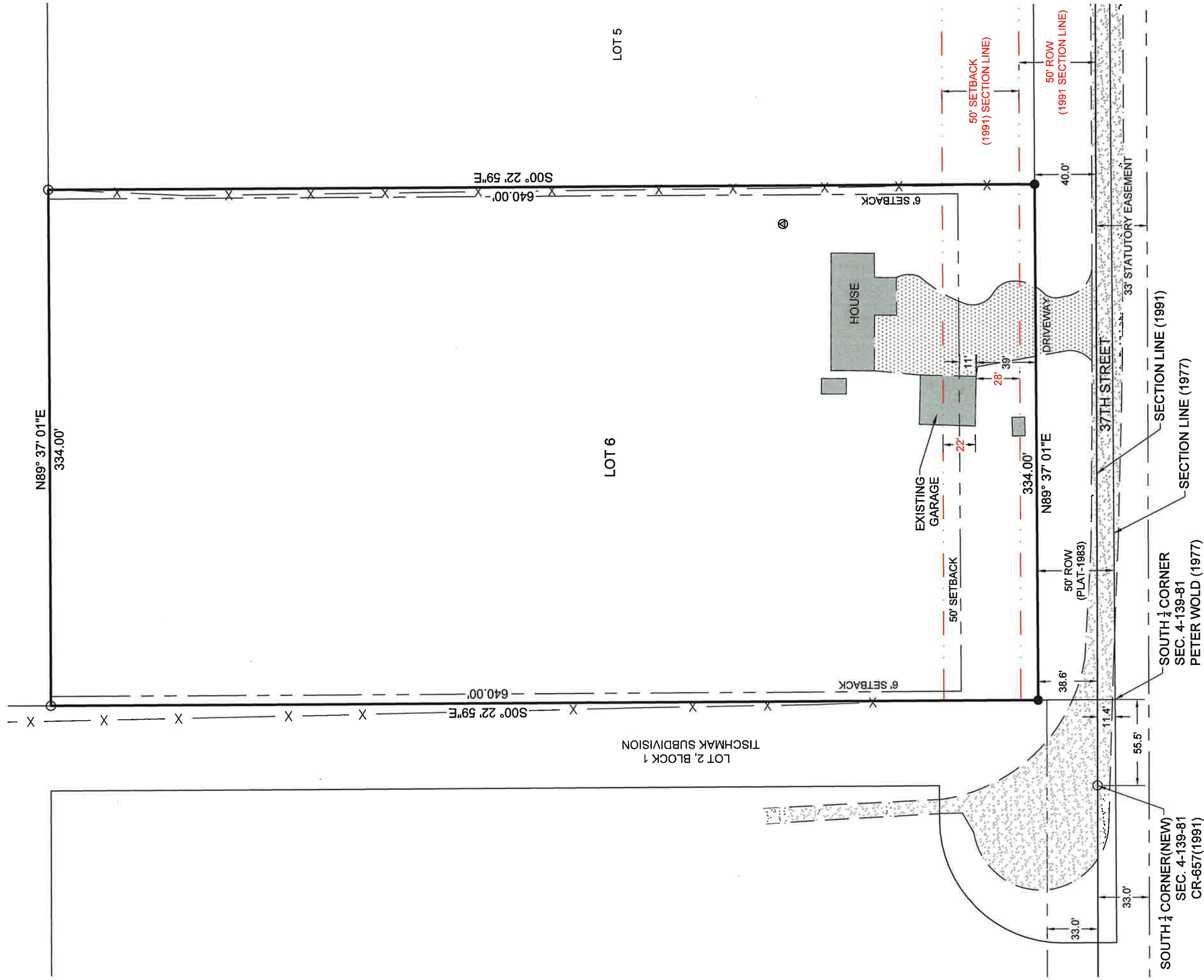
Future Land Use Plan Key

- | |
|------------------------------|
| Rural Residential |
| Low Density Residential |
| Medium Density Residential |
| High Density Residential |
| Commercial |
| Industrial |
| Public/Semi-Public |
| Public Land |
| Park |
| Greenways |
| Open Space |
| Open Water |
| June '25 Planning Activities |



N



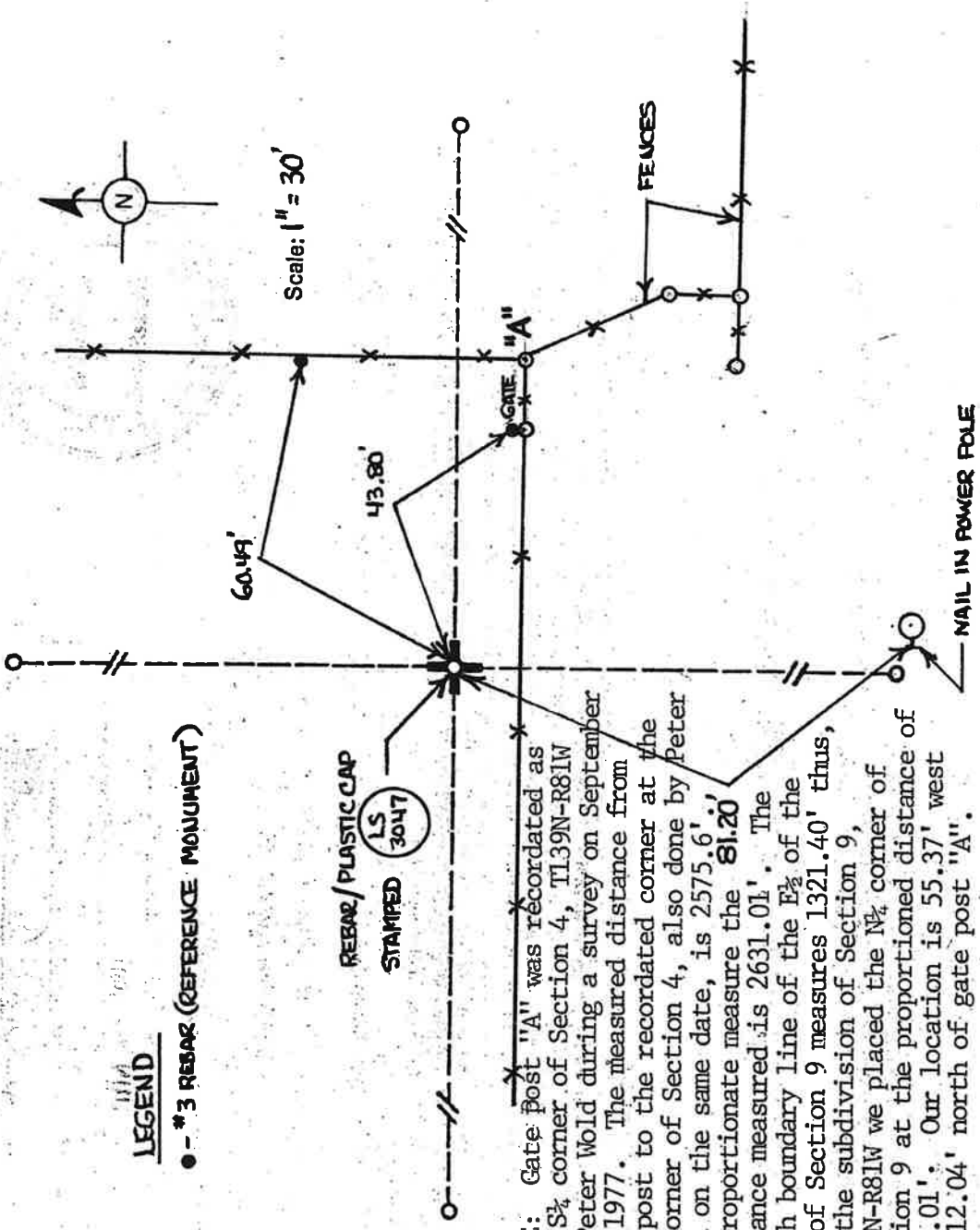


BASED ON NORTH DAKOTA SOUTH ZONE-NAD83(2011), INTERNATIONAL FEET. MEASUREMENTS HAVE BEEN ESTABLISHED BY RTK FROM THE "BSMK" CORRS STATION AND ARE REPORTED IN GRID.

- LEGEND**
- FOUND SURVEY MONUMENT
 - SET 1/2" CAPPED REBAR "LS-9628"
 - ⊕ EXISTING WELL

Independent Land Surveying & Engineering	
4215 Old Red Trail NW Mandan, ND 58554 Phone: 701-963-5184 Cell: 701-595-2079 mark@lsurveynd.com	
RENEE SCHAFF LOT SURVEY LOT 6 LANDEIS SUBDIVISION REPLAT LOTS 4-6 MANDAN, ND	
SHEET: 1 OF 1 SCALE: 1" = 60' DRAWN BY: MRI DWG DATE: 4/24/25	JOB NUMBER: 25071 DWG REVISION DATES 5/23/25 DWG NAME: 25071 Survey.dwg

9. SKETCH SHOWING MONUMENTATION:
Describe accessories, dimension a minimum of three permanent ties to the corner, show distances to and the angles between adjacent corners.

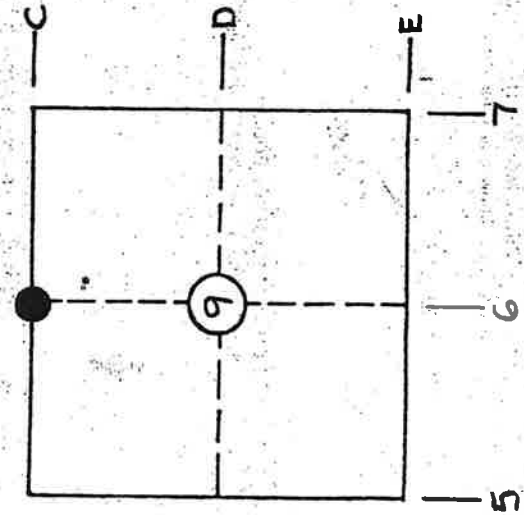


LEGEND

● - #3 REBAR (REFERENCE MONUMENT)

NOTE: Gate post "A" was re-recorded as the S $\frac{1}{4}$ corner of Section 4, T139N-R81W by Peter Wold during a survey on September 26, 1977. The measured distance from this post to the re-recorded corner at the SE corner of Section 4, also done by Peter Wold on the same date, is 2575.6'. By proportionate measure the **81.20'** distance measured is 2631.01'. The south boundary line of the E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 9 measures 1321.40' thus, for the subdivision of Section 9, T139N-R81W we placed the N $\frac{1}{4}$ corner of Section 9 at the proportioned distance of 2631.01'. Our location is 55.37' west and 12.04' north of gate post "A".

10. SECTION DIAGRAM:



11. INDEX CODE DIAGRAM:

A	1	2	3	4	5	6	7	8	9	10	11	12	13
B	6	5	4	3	2								
C						●							
D	7	8	9	10	11	12							
E													
F	18	17	16	15	14	13							
G													
H	19	20	21	22	23	24							
J													
K	30	29	28	27	26	25							
L													
M	31	32	33	34	35	36							
N													

NORTH DAKOTA LAND SURVEY MONUMENT RECORD

(Report one monument only on this form)

1. TYPE OF CORNER in NW 1/4 Quarter of Section 9, Twp. 139 N, Rge. 81 W.
 a. Public Land Corner NE COR (Example: SE sec. Cor., N 1/4 Cor., 1/16 Cor., Meander Cor., Etc.)
 b. Property Corner NE Lot No. Block No. Recorded Plat
 c. Other Monument (Bench Mark, Horz. Control Point, Etc.)
2. PURPOSE OF SURVEY (check)
 a. Subdivision b. Boundary c. Hydrographic e. Judicial f. Mine g. Photogrammetric
 h. Bench Mark Circuit i. other
3. DESCRIPTION OF ORIGINAL MONUMENT (from GLO Notes or Deed Description):
 Note: If original call is not known, give reason why not.
 Granite Stone 12"x10"x5"

4. DESCRIBE CORNER EVIDENCE FOUND:
 Also describe the method used to verify or contradict any evidence found.
 Found no evidence of original corner.
 Found corner post recorded by Peter Wold (See note on sketch on other side of this sheet) *
5. DESCRIPTION OF METHOD USED TO RESTORE OR REESTABLISH THIS CORNER:
 (1) measure from accessories, (2) testimony, (3) lines of occupation, or (4) proportionate measure from other corners.
 Proportionate measure from other corners.

6. DESCRIPTION OF MONUMENT SET AT THIS CORNER:
 Note: The other side of this sheet is to be used to draw a sketch showing the location of the monument and the accessories which have been placed to perpetuate the position of the corner.
 Set #3 Rebar, 18" long, with plastic cap stamped IS 3047.

7. CERTIFICATION:
Gregory L. Lattimore do hereby certify that under the requirements of NDCC 47-20.1-03 the corner mentioned on line 1.a. and identified with a circle on the index code diagram on the other side of this sheet was, in a field survey on June 12, 1991, established, reestablished, monumented, remonumented, recovered or restored as expressed above and is in conformance with the rules and regulations of the U.S. Dept. of Interior, Bureau of Land Management as expressed in their current Manual of Surveying Instructions, or is in compliance with a decree of a court of law.
 do hereby certify that as permitted by NDCC 47-20.1-04 the corner mentioned on line 1.b. and 1.c. and identified on the section diagram on the other side of this sheet was, in a field survey on 19 found, restored, established, reestablished as expressed above and is in conformance with the rules of North Dakota or is in compliance with a decree of a court of law.
 SIGNED BY: Gregory L. Lattimore DATE: 6/18/91
 APPROVED AND SIGNED BY: Gregory L. Lattimore ND RLS NO. 3047 DATE: 6/18/91
 (Chief of Survey Party)


(Do not fill in)

ACCEPTED FOR FILING

State of North Dakota)
 County of MORTON) ss
 By: Mary Stewart
 Date: JUN 24 1991
 Time: 11:30 A.M.
 Document No. 657
 Fee: \$ Pl. 5.00

Record to be filed by Index Reference Number, numerically, then alphabetically, under appropriate Township, Range.

Surveyor's Seal



8. Co. Morton Index Ref. No. 6-C
 Co. Index Ref. No.



Planning & Zoning Commission

Agenda Documentation

MEETING DATE: June 23, 2025
PREPARATION DATE: June 13, 2025
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER:
SUBJECT: Appointment to the board.

STATEMENT/PURPOSE:

Ben Buchmiller resigned from the commission on April 28. The At-Large vacant seat has a term that expires on December 31, 2027.

BACKGROUND/ALTERNATIVES:

Nancy reached out to the last three people who submitted letters of interest, two of which did not respond back. One did express interest in serving. Nick Renner, who served on the board from 2017-2021 is interested in filling the vacant seat.

ATTACHMENTS:

1. Nick Renner Letter of Interest

FISCAL IMPACT:

STAFF IMPACT:

LEGAL REVIEW:

RECOMMENDATION:

Recommendation to appoint Nick Renner to the board to fill the vacant seat with a term ending December 31, 2027.

SUGGESTED MOTION:

I move to appoint Nick Renner to the board to fill the vacant seat with a term ending December 31, 2027.

From: donotreply@form.govoffice.com
To: [Kari N. Schmidt](#)
Subject: Committee/Board Application (form) has been filled out on your site.
Date: Monday, October 23, 2023 5:53:29 PM

Your Site has received new information through a form.

Form: Committee/Board Application

Site URL: www.cityofmandan.com

Please indicate which board/committee(s) you are interested in::

Planning & Zoning Commission

Name (First & Last):: Nick P. Renner

Address:: [REDACTED] Mandan ND 58554 USA

Phone Number:: [REDACTED]

Email Address:: [REDACTED]

Are you currently a resident of the City of Mandan?:

Yes

Business or Organization Name (if applicable):

Functional Title or Role: Commissioner

Please explain your reasons for wanting to serve on this board, commission, or committee:: I served on the P&Z committee in the past and found it very interesting. I decided not to seek a second term because I had some stuff coming up that would require some of my time that I didn't think I could commit enough time to do the position properly. I feel I have the time now and would be honored to be on the committee again. Thank you for considering me.

Please give a brief explanation of the skills or qualification you could bring to this board, commission or committee:: I believe I have a good understanding of the different zones and their uses. I feel very comfortable reading maps and plots. I'm not afraid to ask questions if I don't understand something to make an informed decision.

Do Not Click Reply - This e-mail has been generated from a SmartForm.