



**PRELIMINARY AGENDA
CITY COMMISSION
JULY 15, 2025
ED “BOSH” FROEHLICH MEETING ROOM
MANDAN CITY HALL
5:30 PM
WWW.CITYOFMANDAN.COM**

The public may access the LIVE meeting at:

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<https://us02web.zoom.us/j/85190179804>

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 Noon 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

1. Roll call of all City Commissioners

B. THE PLEDGE OF ALLEGIANCE

C. ANNOUNCEMENTS

D. APPROVAL OF AGENDA

E. MINUTES

1. Consider Approval of the July 1, 2025 Board of City Commission Meeting Minutes

F. PUBLIC HEARING

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

G. BIDS

H. CONSENT AGENDA

1. Consider approval of monthly bills
2. Consider a 2023-2025 Abatement application for Riverwest Development LLC
3. Consider approval of the special event permit for Liberty Heights Classic Car Show

I. OLD BUSINESS

1. Consider a Development Agreement for the Shores At Lakewood 2nd Addition

J. NEW BUSINESS

1. Consider revision to the General Fund Balance Policy

K. RESOLUTIONS AND ORDINANCES

1. First consideration of Ordinance 1469, an ordinance to amend and re-enact section 22-2-2 of the Mandan Code of Ordinances, relating to city sales, use and gross receipts tax under the Home Rule Charter of the City of Mandan
2. First Consideration of Ordinance 1470, a zone change from CB - Commercial to RMH - Residential Mobile Home Park District for Lots 3-6, Block 2, Meadowlands Addition
3. First Consideration of Ordinance 1471, a zone change from RM - Residential to PUD - Planned Unit Development for Clover Grove
4. First Consideration of Ordinance 1472, a zone change from CB - Commercial to R7 - Residential for Lot 2, Schaff Estates 3rd Addition

L. OTHER BUSINESS

M. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS

- - August 5, 2025 at 5:30 p.m.
 - August 19, 2025 at 5:30 p.m.
 - September 2, 2025 at 5 p.m.

N. ADJOURN

Departmental planning meeting will be held the Monday prior to the Commission meeting, all Commissioners are invited, noon, Veterans' Conference Room. Please notify the city administrator by 8:30 a.m. that Monday if you plan on attending. If more than two commissioners plan on attending, proper public notice must be given.

The Mandan City Commission met in regular session at 5:30 PM on July 1, 2025 in the Ed “Bosh” Froehlich Meeting Room at City Hall, Mandan, North Dakota. Mayor Froelich called the meeting to order.

A. ROLL CALL

1. *Roll call of all City Commissioners.* Those present were Dennis Rohr, Mike Braun, James Froelich, Craig Sjoberg, Ryan Heinsohn. Department heads present were City Administrator Neubauer, Assistant Finance Director Schulz, Assessor Markley, Human Resource Director Berger, City Engineer Wigness, Assistant City Engineer McAdoo-Roesler, Police Chief Ziegler, Building Official Singer, Fire Chief Bitz, Business Development & Communications Director Cermak, Communications Specialist Schmidt, CIS Manager Mischel, and Attorney Oster.

B. PRESENTATION OF THE COLORS

1. *Scout BSA Troop 425 & Cub Scout Pack 153*
. Scout BSA Troop 425 and Cub Scout Pack 153 presented the colors.

C. THE PLEDGE OF ALLEGIANCE

D. NATIONAL ANTHEM

1. *Lynn Zachmeier.* Lewis & Clark Elementary School para, Lynn Zachmeier, sang the National Anthem.

E. ANNOUNCEMENTS

1. *July 4 Festivities with Matt Schanandore, Mandan Progress Organization.* Mandan Progress Organization Director, Matt Schanandore, presented on July 4 activities.

F. APPROVAL OF AGENDA Commissioner Braun moved and Commissioner Sjoberg seconded to approve. Roll Call vote: Aye 5, Nay 0. The motion passed.

G. MINUTES

1. *Consider approval of the following Board of City Commission meeting minutes:.*
 - a. *June 17, 2025 Regular Meeting.* Commissioner Heinsohn moved and Commissioner Rohr seconded to approve. Roll Call vote: Aye 5, Nay 0. The motion passed.
 - b. *June 24, 2025 Special Meeting.* Commissioner Sjoberg moved and Commissioner Heinsohn seconded to approve. Roll Call vote: Aye 5, Nay 0. The motion passed.
 - c. *June 25, 2025 Fire Department Pinning Ceremony Quorum.* Commissioner Rohr moved and Commissioner Sjoberg seconded to approve. Roll Call vote: Aye 5, Nay 0. The motion passed.

H. PUBLIC HEARING

I. BIDS

J. CONSENT AGENDA

1. *Consider the following Abatements:.* Commissioner Sjoberg moved and Commissioner Rohr seconded to approve consent agenda items 1-7 including all sub-items. Roll Call vote: Aye 5, Nay 0. The motion passed.
 - a. *2023-2025 Abatement applications for Geralyn Roehrich.*
 - b. *2023-2025 Abatement applications for Paul Rowe.*

2. *Consider approval of the following appointments:.*
 - a. *Marie Mott to the Parking Authority Board for a term through Dec. 31, 2029.*
 - b. *Allen Wilson to the Community Beautification Committee through Dec. 31, 2026.*
 - c. *Nick Renner to the Planning & Zoning Commission through Dec. 31, 2027.*
3. *Consider accepting award of Transportation Alternative Grant for 3rd Street SE Sidewalk Installation.*
4. *Consider accepting the alternative award of Transportation Alternative Grant for 1806 Pedestrian Trail Improvements.*
5. *Consider approval of the following special event permits:.*
 - a. *Independence Day Parade, Art in the Park and 5K Race.*
 - b. *Lyons Heart Gravel Classic.*
6. *Consider approval of Returning Seasonal Employment policy and the associated budget amendment.*
7. *Consider approval of the Class A liquor license renewal for The Hide Away from July 1, 2025 to June 30, 2026.*

K. OLD BUSINESS

1. *Consider a Development Agreement for the Shores At Lakewood 2nd Addition.* City Administrator, Jim Neubauer, presented on the Development Agreement. No action was taken. The item will be brought back at the July 15 City Commission Meeting

L. NEW BUSINESS

1. *Consider the adoption of public comment policy.* City Administrator, Jim Neubauer, presented. Commissioner Braun moved and Commissioner Rohr seconded to approve. Roll Call vote: Aye 5, Nay 0. The motion passed.

M. RESOLUTIONS AND ORDINANCES

1. *Second Consideration of Ordinance 1468 related to a Fireworks clarification.* Fire Chief Bitz presented the item. Commissioner Braun moved and Commissioner Sjoberg seconded to approve. Roll Call vote: Aye 5, Nay 0. The motion passed.

ORDINANCE NO. 1468

An Ordinance to Amend and Re-enact Chapter 56 of Section 10-2-10 of the Mandan Code of Ordinances Relating to Fireworks

Be it Ordained by the Board of City Commissioners as follows:

Sec. 10-2-10. – Amendments to International Fire Code.

Chapter 56 Explosives and Fireworks

Section 5601, is amended as follows:

Section 5601.1.3 Fireworks, is amended as follows:

Section 5601.1.3 Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited within the city limits.

Exceptions:

1. Storage and handling of fireworks as allowed in Section 5604.

2. The use of fireworks for fireworks displays as allowed in Section 5608 is an exception to the prohibition of use of fireworks in the city, provided the requirements of sections 5601.2.3 and 5601.2.4 are met. The possession, use, discharge, or explosion of fireworks, as defined by § 23-15-01, N.D.C.C., not including bottle rockets, is permitted from the hours of 12:00 p.m. to 11:59 p.m. on July 3 and 4 of each year, and from the hours of 5:00 p.m. on December 31 to 1:00 a.m. on January 1 of each year.

Penalty:

1. Any person who violates the provisions of this section shall, upon conviction, be guilty of an ordinance violation, punishable by a fine of one hundred fifty dollars (\$150.00).
2. Any person cited for a violation of this section shall be deemed to be charged with a noncriminal offense and may utilize the same procedures for appearance, payment of statutory fee, posting and forfeiture of bond, waiver of hearing, or hearing as is provided for noncriminal traffic offenses pursuant to the provisions of Chapter 24 of the Mandan Municipal Code. Any person failing to appear at the time designated, after signing a promise to appear, without paying the statutory fee or posting and forfeiting bond is guilty of a Class B misdemeanor. Failure to appear without just cause at the hearing must also be deemed an admission of commission of the violation charged.

Section 5601.2.4 Financial responsibility, deleted in its entirety and replaced with:

Section 5601.2.4 Financial responsibility. The permittee shall furnish a bond or insurance in an amount deemed adequate by the board of city commissioners, but not less than two hundred and fifty thousand dollars (\$250,000.00) per individual or one million dollars (\$1,000,000.00) per occurrence, conditioned for the payment of all potential damages which may be caused either to a person or persons or to property by reason of the permitted display, and arising from any act of the permittee, its agents, employees or subcontractors.

By: /s/ James Froelich

James Froelich, President, Board of City Commissioners

Attest: /s/ James Neubauer

James Neubauer, City Administrator

First Consideration: June 24, 2025

Second Consideration and Final Passage: July 1, 2025

N. OTHER BUSINESS

O. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS

- *July 15, 2025 at 5:30 p.m.*
- *August 5, 2025 at 5:30 p.m.*
- *August 19, 2025 at 5:30 p.m.*

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P. ADJOURN There being no other business to come before the Board, the meeting adjourned at 05:59 PM.

James Neubauer
City Administrator

James Froelich
Board of City Commissioners



City Commission

Agenda Documentation

MEETING DATE: July 15, 2025
PREPARATION DATE: June 24, 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 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.

PLANNING AND ZONING COMMISSION

There were no public comments at the Planning and Zoning Commission. The Planning and Zoning Commission unanimously recommended 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.

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
8. DRAFT Special Use Permit - Schaff Estates 3rd

FISCAL IMPACT:

N/A

STAFF IMPACT:

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

LEGAL REVIEW:

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

RECOMMENDATION:

Planning & Zoning Commission and City Staff recommends approval of the Schaff Estates 3rd Addition Preliminary Plat, approval of the non-enumerated special use permit as conditioned in the staff report, and approval of the first consideration of the zone change (Ord. 1472) may be made under Resolutions & Ordinances No. 2 (K.2.).

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.



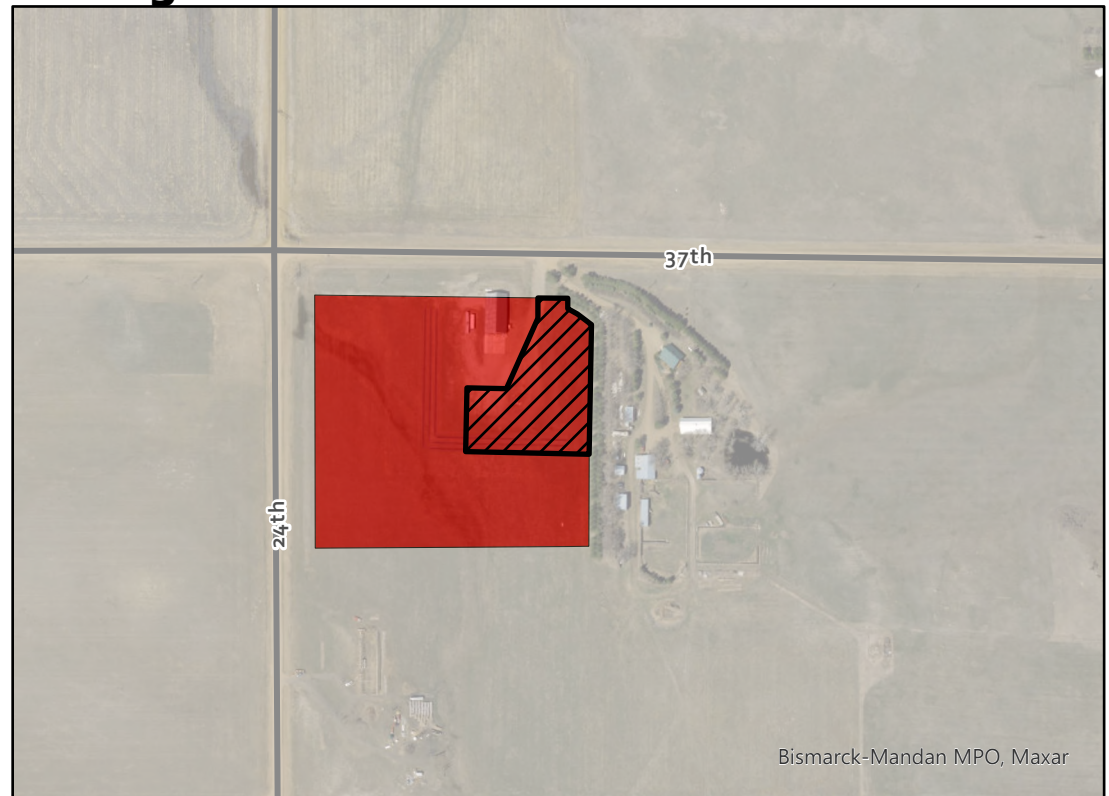
Zoning and Future Land Use Reference Map

Schaff Estates 3rd

Zoning

Zoning Map Key

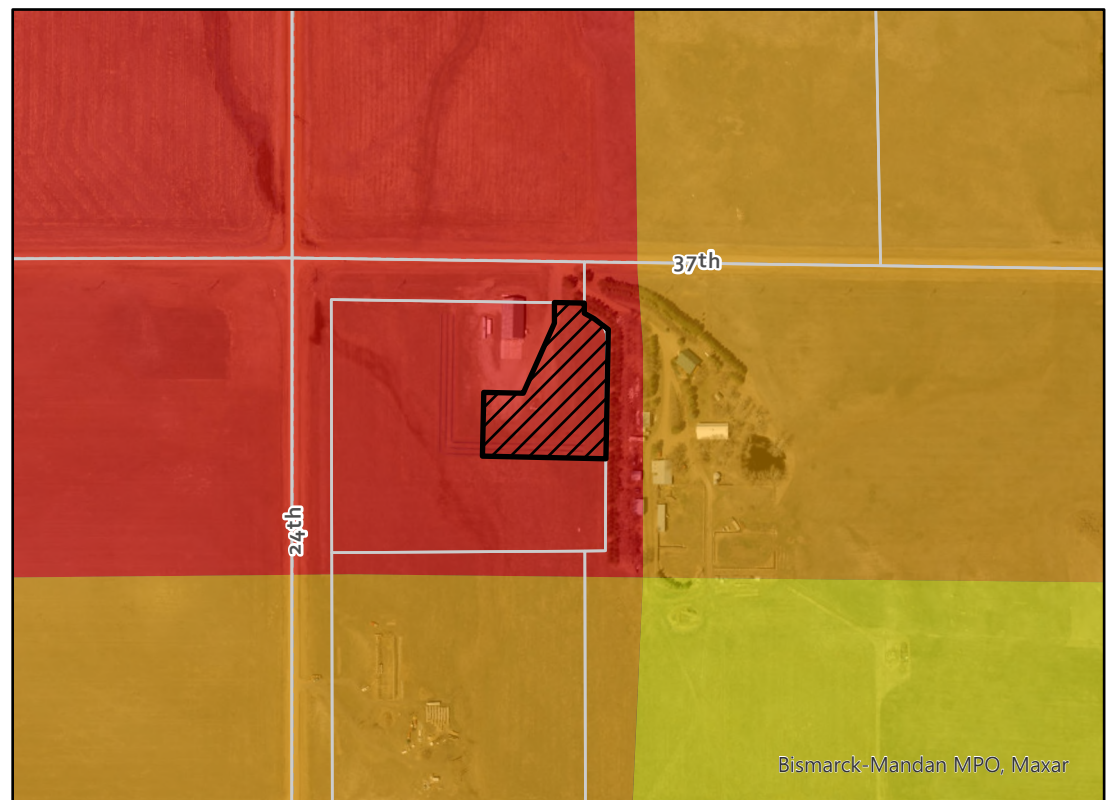
- Agriculture - City of Mandan
- Agriculture - Morton County
- CA - Neighborhood Commercial
- CB - Business Commercial
- CC - Commercial/Light Industrial Transition
- DC - Downtown Core
- DF - Downtown Fringe
- Industrial - Morton County
- LSMHS - Trailer Park Subdivision
- MA - Heavy Commercial/Light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



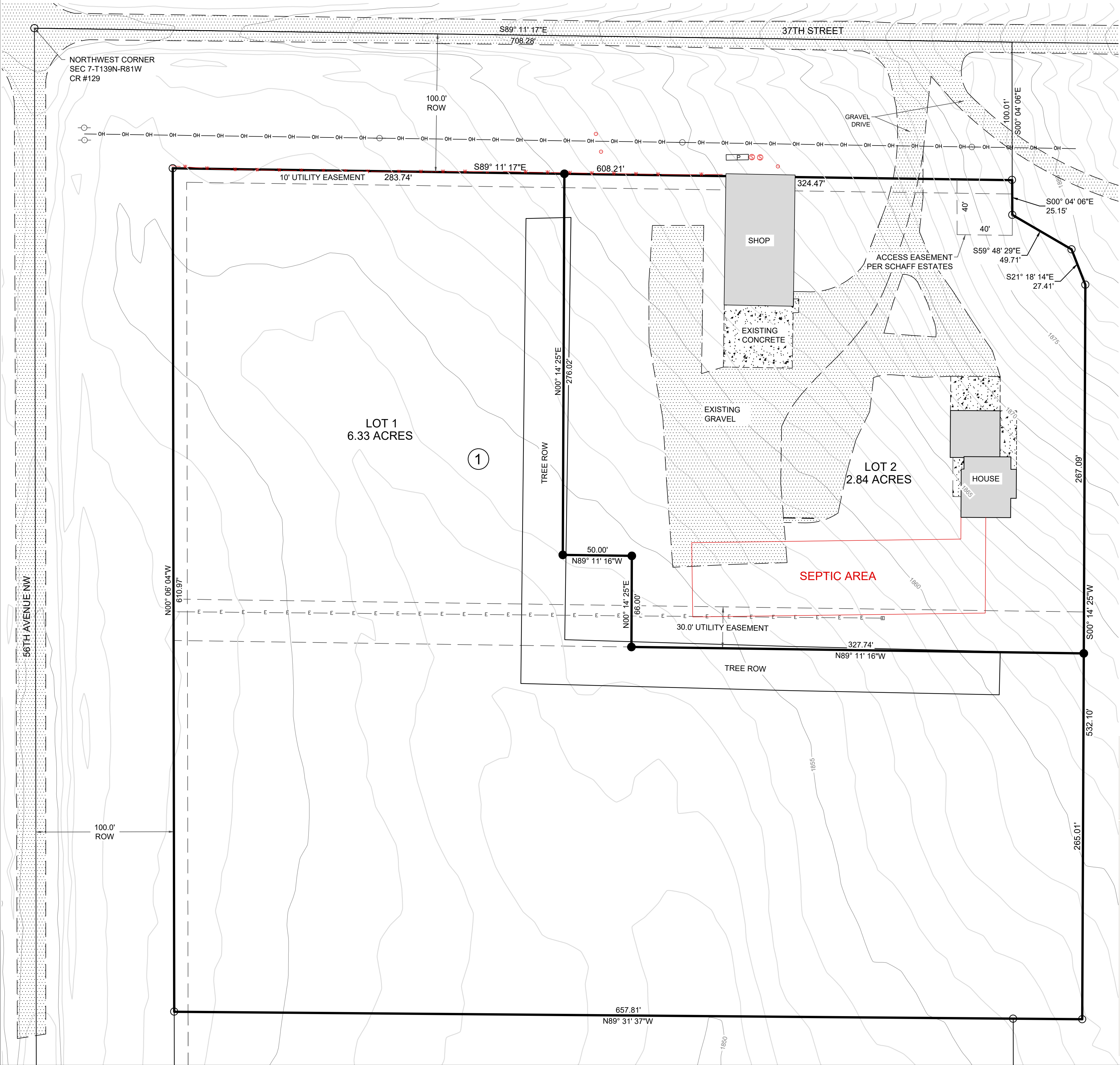
Future Land Use Plan Key

- 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



PRELIMINARY PLAT
SCHAFF ESTATES 3RD ADDITION
OF MORTON COUNTY, NORTH DAKOTA
LOT 1, BLOCK 1 SCHAFF ESTATES 2ND ADDITION
LYING WITHIN THE 1-MILE EXTRATERRITORIAL JURISDICTION OF THE CITY OF MANDAN
ALL IN SECTION 7, T139N, R81W



SURVEYOR'S CERTIFICATE

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

MARK R. ISAACS, RLS 9628

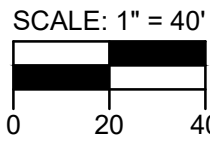
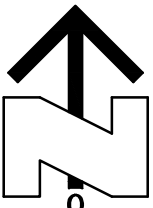
OWNERS:
DAVID & ALEXANDRA WEINREIS
5010 39TH AVE NW
MANDAN, ND 58554

NOTES:

- BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS DOCUMENTS OF RECORD DUE TO DIFFERENT METHODS OF FIELD MEASUREMENTS.
- SUBJECT TO ALL EASEMENTS OF RECORD WHETHER SHOWN OR NOT SHOWN.
- EXISTING ZONING IS CB

AREA TABLE

LOT 1	6.65 ACRES
LOT 2	2.84 ACRES
TOTAL	9.17 ACRES



DATE: APRIL 29TH, 2025

VERTICAL DATUM - NAVD 1988.

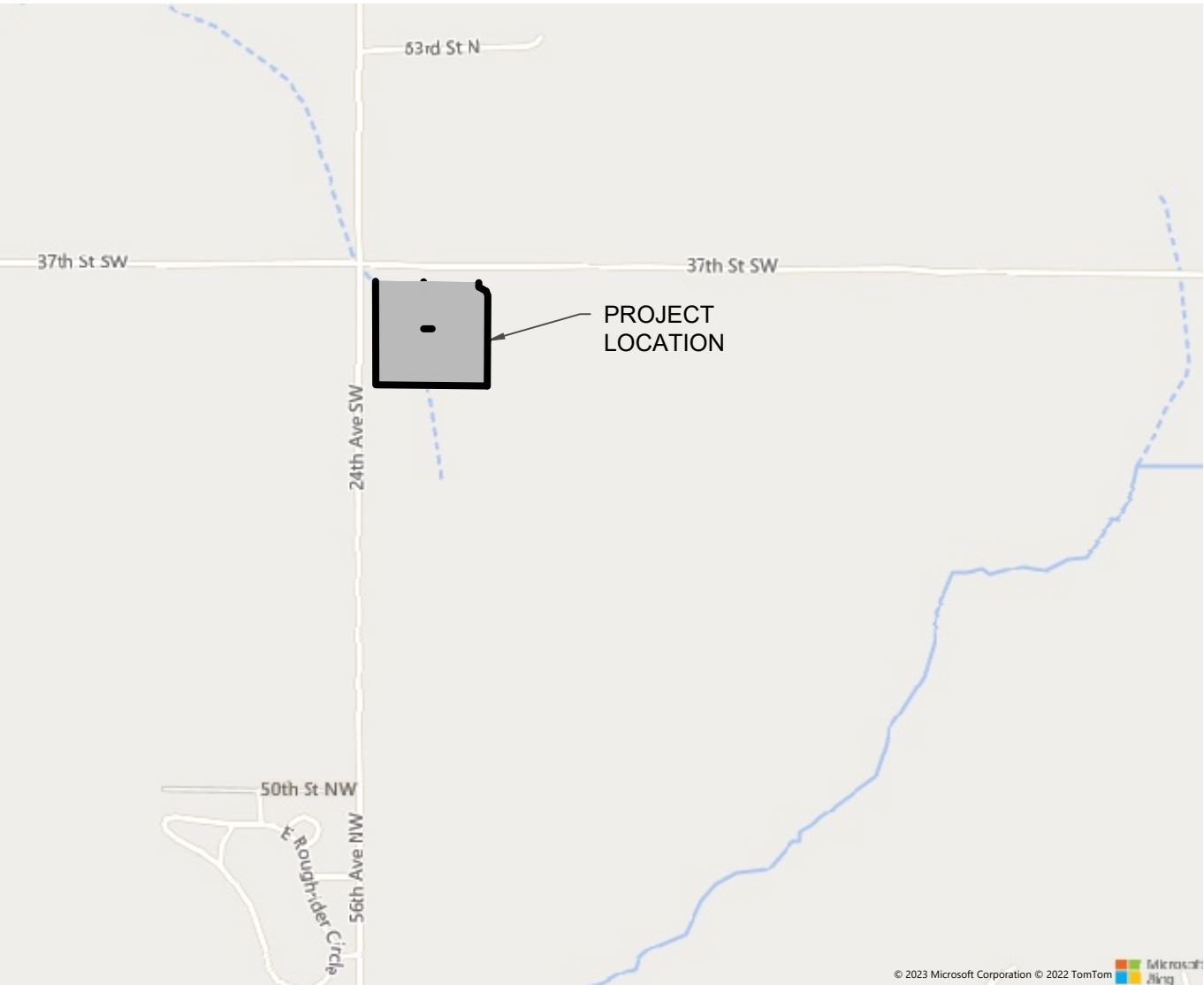
BASED ON NORTH DAKOTA SOUTH ZONE-NAD83, INTERNATIONAL FEET.

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
- E — UNDERGROUND ELECTRIC
- W — EXISTING WATER
- OH — 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, ORINANCES OF THE CITY OF MANDAN, AND REGULATIONS ADOPTED BY THE PLANNING COMMISSION OF SAID CITY, IN WITNESS WHEREOF ARE SET THE HANDS OF THE CHAIRMAN AND THE SECRETARY OF THE PLANNING COMMISSION OF THE CITY OF MANDAN, NORTH DAKOTA.

BILL ROBINSON - CHAIRMAN

NANCY MOSER - SECRETARY

APPROVAL OF THE BOARD OF CITY COMMISSIONERS

THE BOARD OF CITY COMMISSIONERS OF THE CITY OF MANDAN, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND SHOWN HEREON, HAS ACCEPTED THE DEDICATION OF ALL STREETS, ALLEYS, AND PUBLIC WAYS SHOWN HEREON 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 COVN'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	-
DWG NAME: 22153 Preliminary Plat 3rd.dwg	-

Independent
Land
Surveying &
Engineering

4215 Old Red Trail NW
Mandan, ND 58554
Phone: 701-663-5184
Cell: 701-595-2079
mark@ilsurveynd.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 2.84 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 Mandan	State ND	Zip 58554	City Mandan	State ND	Zip 58554
email mark@ilsruveynd.com			email alexweinreis@gmail.com		
Phone 701-595-2079		Fax	Phone 701-690-3229		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	CB	R7	Schaff Estates 3rd Addition	
Property Address				Legal Description			
2392 37th Street, Mandan				Lot 1, Block 1 in Schaff Estates			
Current Use				2nd Addition			
Residential							
Proposed Use							
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 3-28-25
------------	---	-----------------

Office Use Only			
Date Received:	Initials: <i>nm</i>	Fees Paid: \$1000	Date 3-28-2025
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)	Planned Unit Development (\$700)
<input type="checkbox"/>	Preliminary Plat more than 20 acres (\$450)	Land Use and Transportation Plan Amendment (\$1,000)
<input type="checkbox"/>	Final Plat up to 20 lots (\$400)	Vacation (\$500)
<input type="checkbox"/>	Final Plat 21 to 40 lots (\$550)	Variance (\$400)
<input type="checkbox"/>	Final Plat more than 40 lots (\$700)	Special Use Permit (\$450)
<input type="checkbox"/>	Annexation (\$450)	Stormwater submittal (\$300)
<input type="checkbox"/>	Masterplanned Subdivision (not accepted without preliminary plat) (\$250)	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	
<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 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
--------------------------------	---	------------------

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 # 102495
<input type="checkbox"/> Approved	Approved with conditions:		
<input type="checkbox"/> Denied			

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 (\$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 checked="" type="checkbox"/>	<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) <div style="font-size: 1.2em;">Special use permit to allow parking of a truck over 2.5 tons within a residential zone</div>		

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		
Proposed Use					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
---	---	------------------------

Office Use Only			
Date Received:	Initials: <i>Ym</i>	Fees Paid: \$ 450	Date: 6-19-2025
Notice in paper		Mailed to neighbors	
P&Z meeting			
<input type="checkbox"/> Approved	Approved with conditions:		
<input type="checkbox"/> 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.



SPECIAL USE PERMIT

For

2932 37th Street

Lot 1, Block 1, Schaff Estates 2nd Addition

The property owner(s) of the Lot 1, Block 1, Schaff Estates 2nd Addition, (to be platted as Schaff Estates 3rd Addition), are granted a special use permit to allow parking of a truck over 2.5 tons within a residential zone as defined in Section 105-1-3-(1)a.1 & 2 of the Mandan Code of Ordinances (MCO) subject to the following conditions:

1. The use will not extend beyond one (1) existing vehicle.
2. Said existing vehicle is to be stored indoors in an existing shop that is allowed in the adjacent zoning district of commercial as well as the future land use of commercial, as well as in the existing zoning of residential.
3. There shall be no excess noise.
4. The special use permit shall sunset at such time as the property or existing personal use commercial vehicle is sold.
5. If the personal use commercial vehicle is determined to be utilized in service to a business, the special use permit shall be revoked.

Dated this 23rd day of June 2025

President, Planning and Zoning Commission

ATTEST:

Planning and Zoning Secretary

Ratified by the Board of City Commissioners on _____.



City Commission

Agenda Documentation

MEETING DATE: July 15, 2025
PREPARATION DATE: June 24, 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:

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 are recommending that this temporary access be updated and not be considered in the future as a permanent access point.

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.

PLANNING AND ZONING COMMISSION PUBLIC HEARING:

At the Planning and Zoning Commission public hearing, Commissioner Mudder commented that in regard to the 31 feet between DCP and Prairie West, that it is 34 feet across. He commented how narrow it gets at times, such as when a rodeo event is held. He inquired if the fire and police departments have approved of this footage and secondly, he requested further clarification on the emergency road, if it will be a gravel road and further, who will maintain that road? Ms. Laqua agreed that it is a small narrow road. The parking will be managed to allow for minimal parking on the street. The Fire Department stated they will discuss this matter with the applicants. She stated that her staff did measure the streets and compared them to other locations in the city and at least one of them is 30-foot wide and the consensus is that it works fine. She noted that the difference is that those streets are private rather than public. She stated that staff was comfortable with this after reviewing and measuring while considering the overall easement size. Commissioner Intveld inquired if there were any concerns from neighboring landowners? Ms. Laqua stated there were no comments or opposition received on this matter. Commissioner Mudder inquired if snow removal has been addressed. Ms. Laqua replied that it is a private road with private utilities that will be handled through the HOA.

Lucas Meier, the applicant came forward and explained what will be done with the temporary access road. He explained that when moving into Phase II a solution for secondary access from east to west, this would be a potential opportunity to make that secondary access a permanent solution due to growth in that area. It will be a road that allows the weight of a fire truck and this will also serve the residents to the south so the fire department has access during the construction period. This will be discussed and resolved later. He stated that regarding snow removal, there is a large area next to the road that will be utilized to stockpile snow with an additional area for snow behind the row of houses that is HOA property. Snow removal will be handled by the HOA by assessing a fee to the residents. Chair Robinson inquired about where the temporary road sits relative to the culverts there? Meier explained that culverts will need to be installed to run the water to the culverts that are in place a distance away. Chair Robinson inquired if the snow placement behind the row of houses will be a permanent placement? Meier stated that when this is platted, they will address where the line for dedication will be located near the drainage easement that will be cleaned up as part of the construction process.

The Planning and Zoning Commission unanimously recommended approval for a zone change from RM (Multi Family) to a PUD (Planned Unit Development) for Clover Grove with the following conditions: Platting of Phase I and Masterplan of Phase II.

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:

The Planning & Zoning Commission and City Staff recommends approval of the first consideration of the zone change (Ord. 1471) from RM (Multi Family) to a PUD (Planned Unit Development) may be made under Resolutions & Ordinances No. 3 (K.3), 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



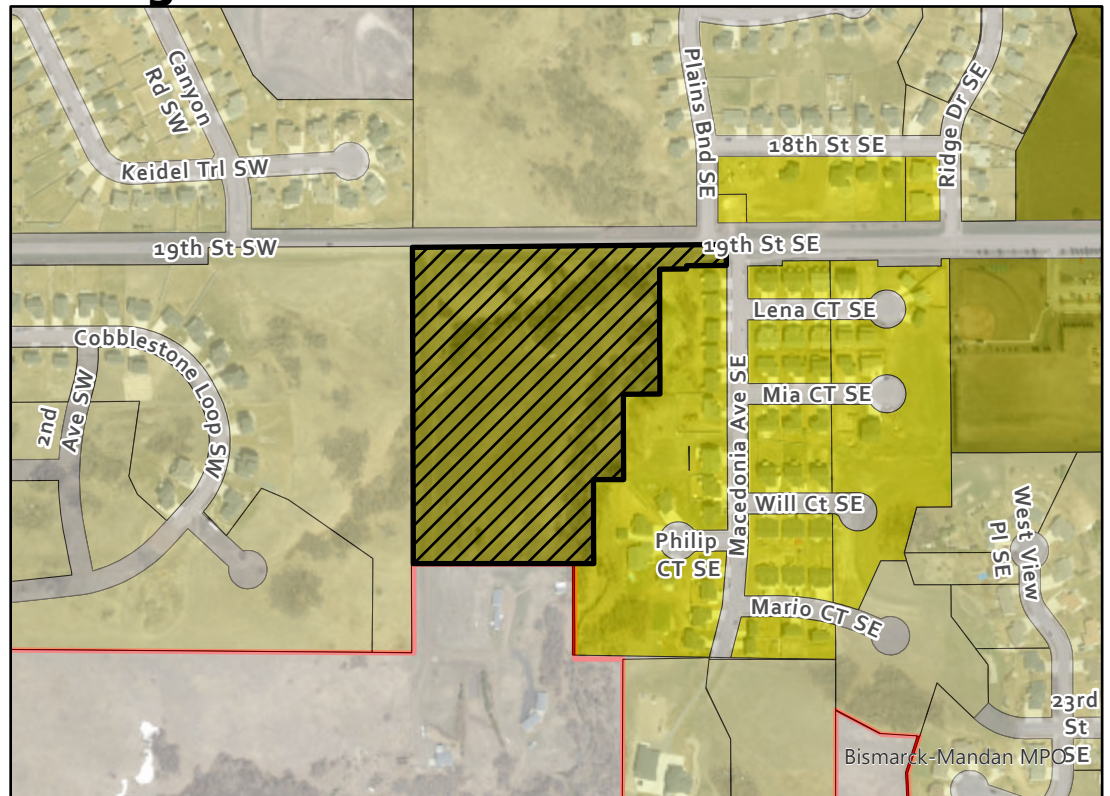
Zoning and Future Land Use Reference Map

Clover Grove

Zoning 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 | City Limits |
| MC - Heavy Commercial/Light Industrial Restricted | May '25 Planning Activities |

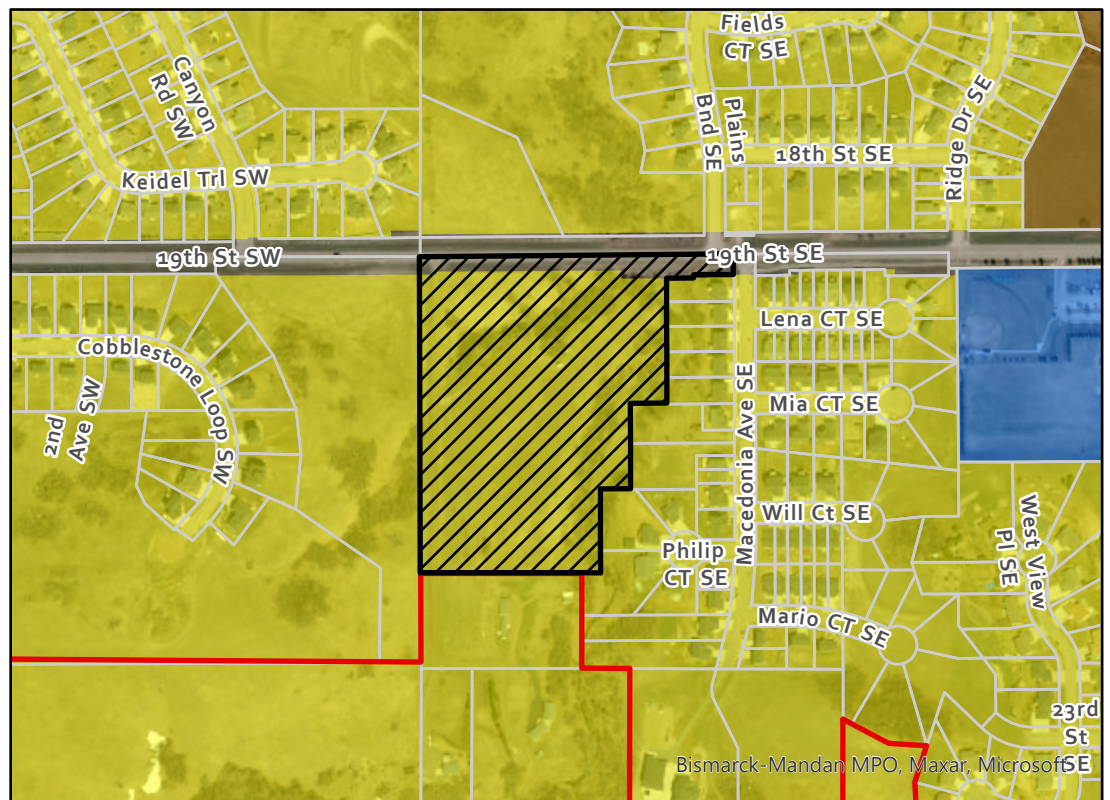
Zoning



Future Land Use Plan Key

- | |
|-----------------------------|
| Rural Residential |
| Low Density Residential |
| Medium Density Residential |
| High Density Residential |
| Commercial |
| Industrial |
| Public/Semi-Public |
| Public Land |
| Park |
| Greenways |
| Open Space |
| Open Water |
| Parcels |
| City Limits |
| ETA Line |
| May '25 Planning Activities |

Future Land Use Plan



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

CLOVER GROVE
Planned Unit Development

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

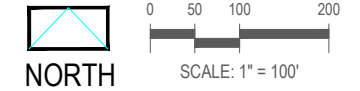
A TRACT OF LAND BEING A PART OF GOVERNMENT LOT 2 OF SECTION 3, TOWNSHIP 138 NORTH, RANGE 81 WEST OF THE 5TH PRINCIPAL MERIDIAN, OF THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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

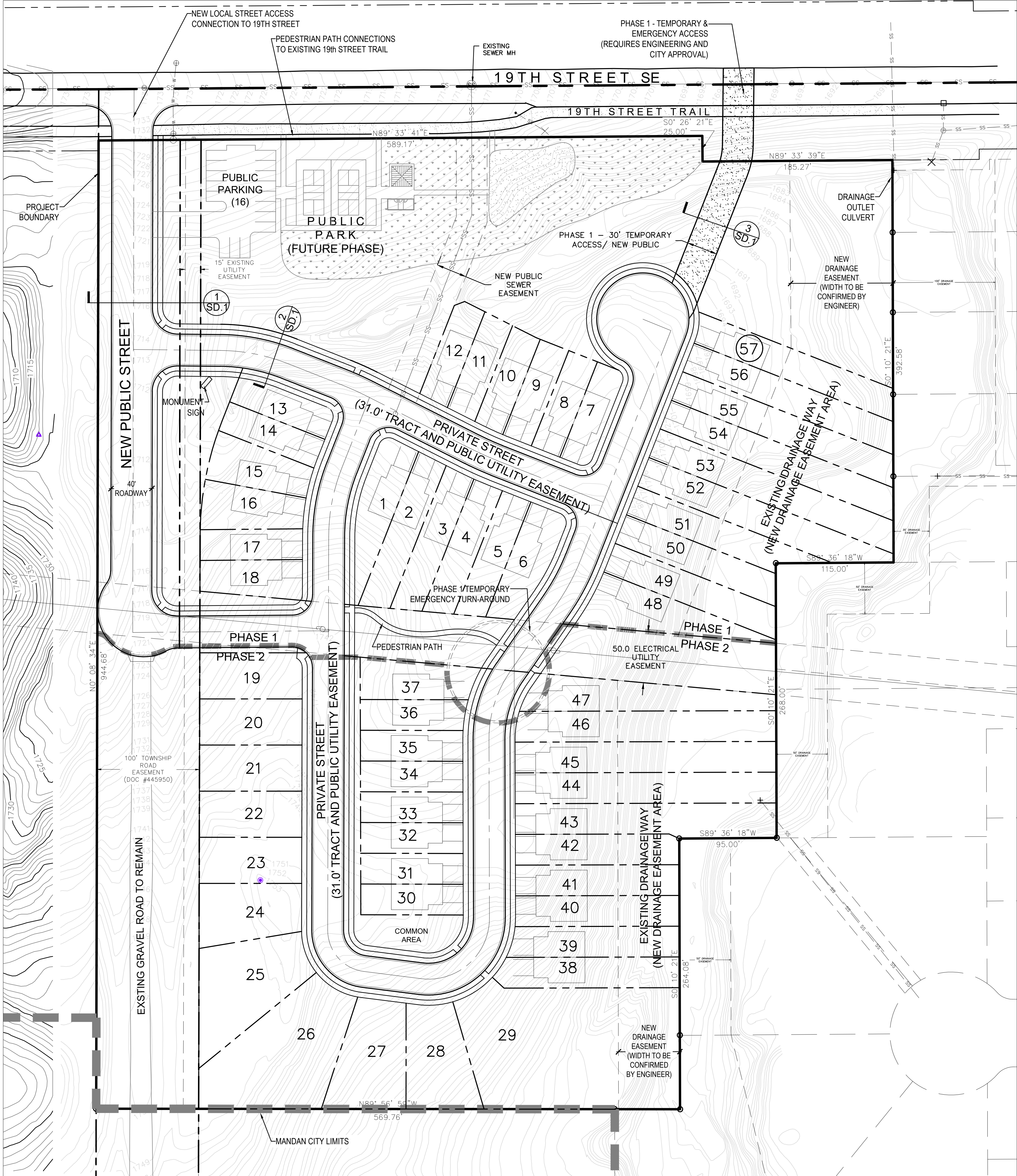
PREPARED FOR
MEIER
COMPANIES
6115 S. KYRENE
SUITE 101
TEMPE, ARIZONA

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

PIN 65-5513550

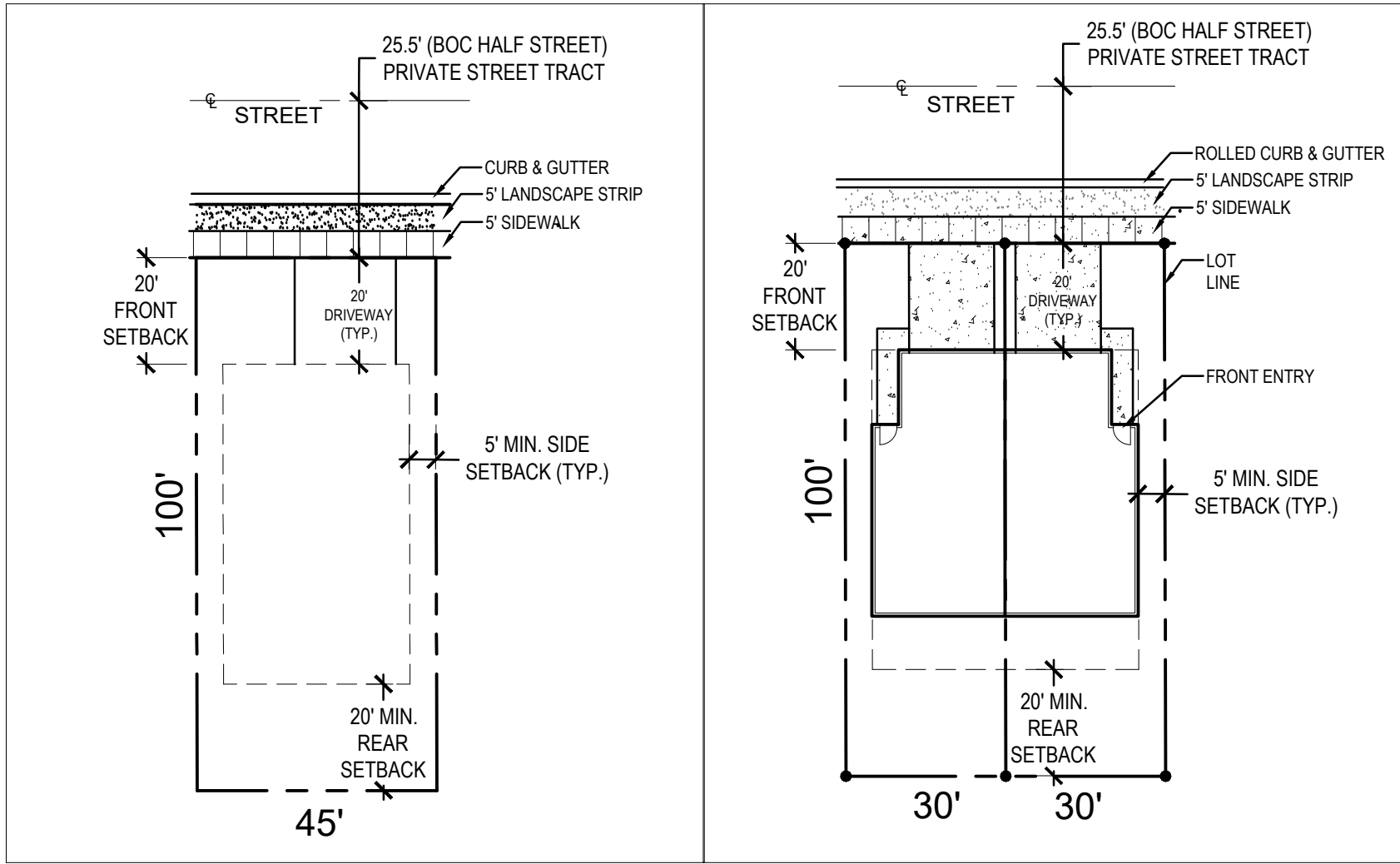
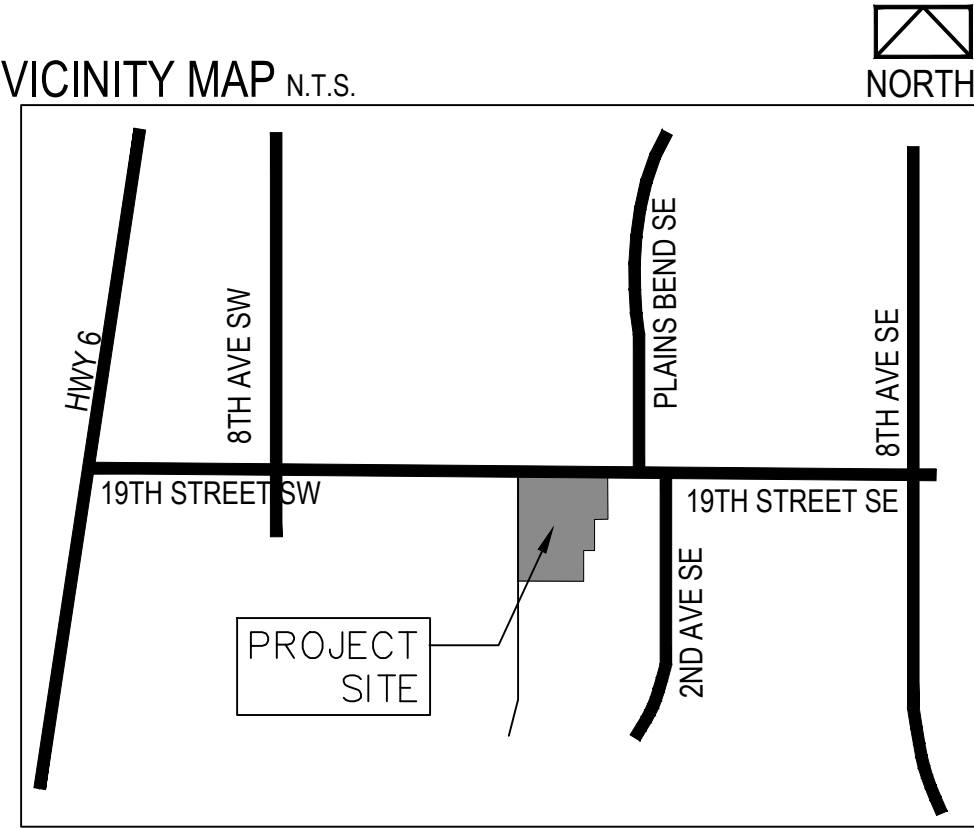
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DATE	04/25/25
REVISION	
TITLE	AREA CONTEXT MAP
SHEET	

SP.02



PLANNED UNIT DEVELOPMENT
SITE PLAN

LEGAL DESCRIPTION
MACEDONIA HILLS GOVERNMENT LOT 2, LESS OUTLOT A IN THE NW ¼ OF THE NE ¼ OF SECTION 3, TOWNSHIP 138N, RANGE 81W, CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA

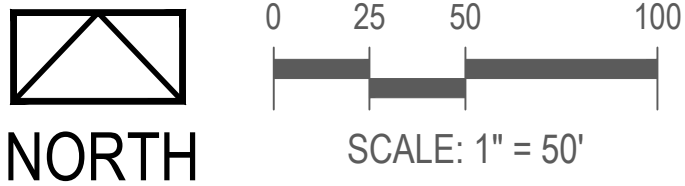


45' X 100' DETACHED
TYPICAL MIN.LOT DETAIL
SCALE: 1" = 30'

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



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& DESIGN
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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



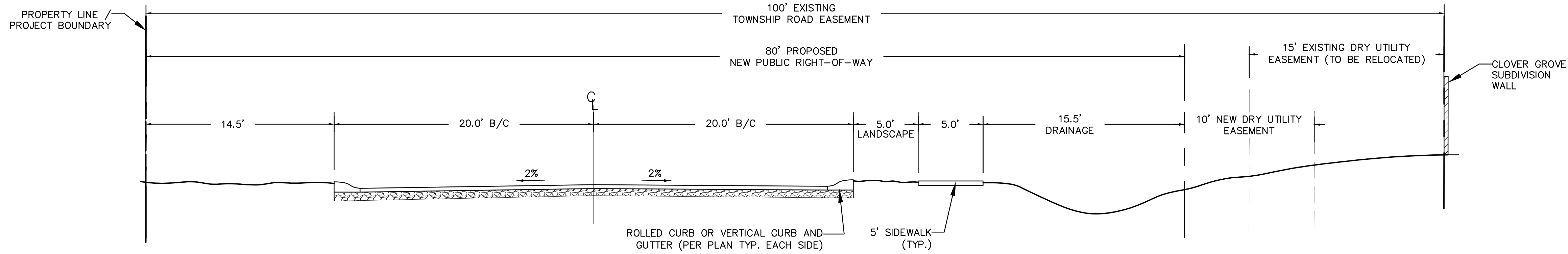
DUPLEX TWO-FAMILY

DETACHED SINGLE-FAMILY

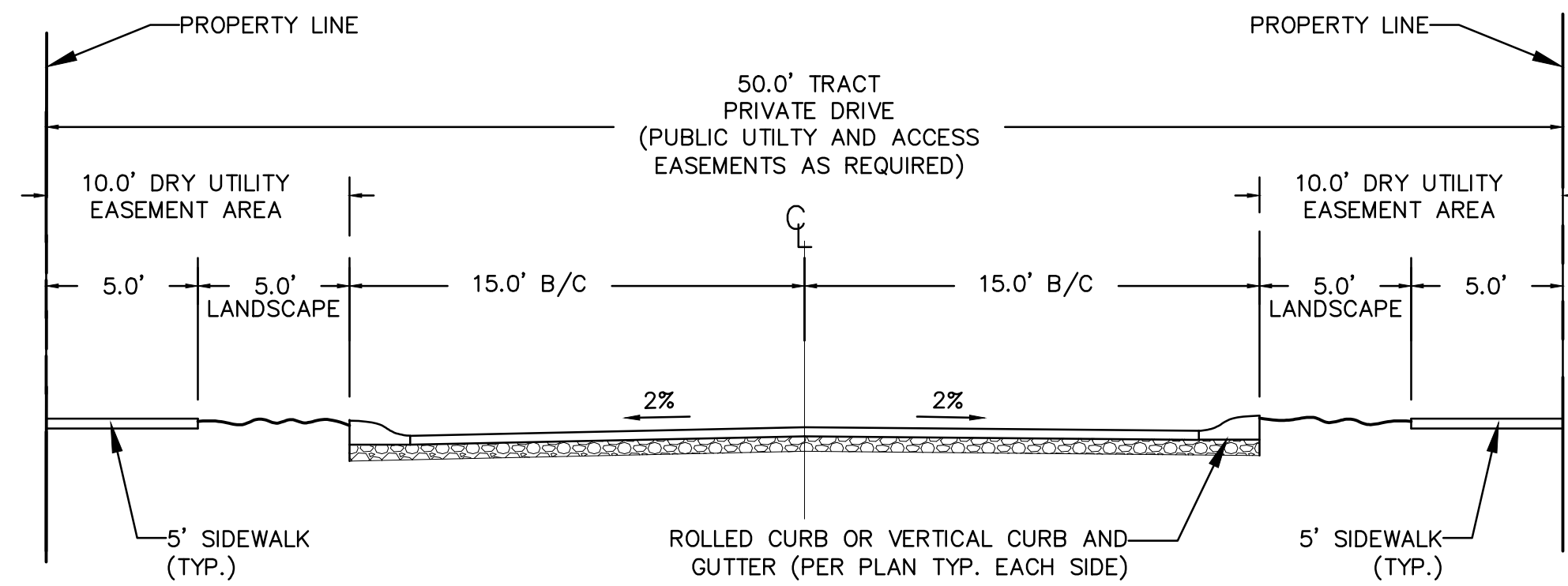
ARCHITECTURAL RENDERINGS

CLOVER GROVE
PLANNED UNIT DEVELOPMENT

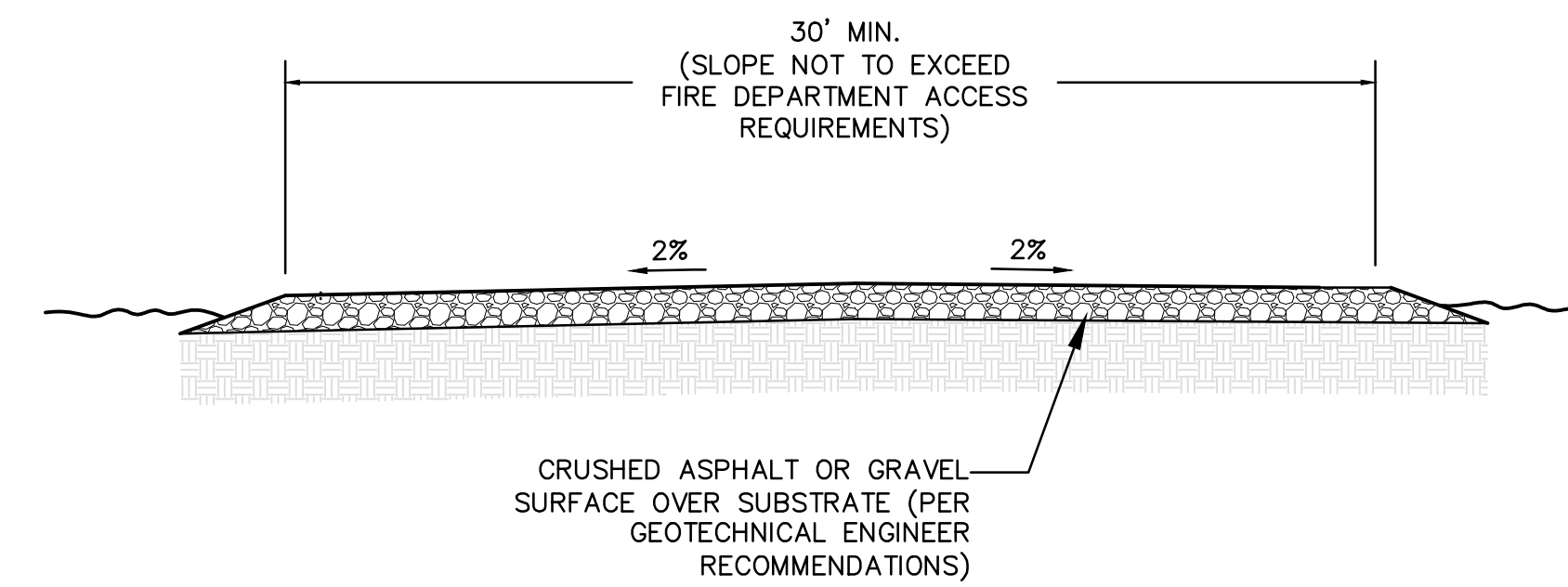
DATE 04/25/25



**1 - NEW PUBLIC STREET SECTION
(LOOKING NORTH)**

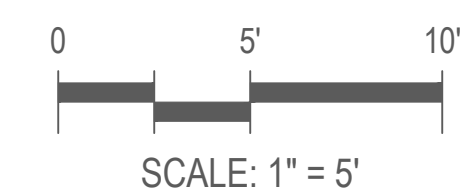


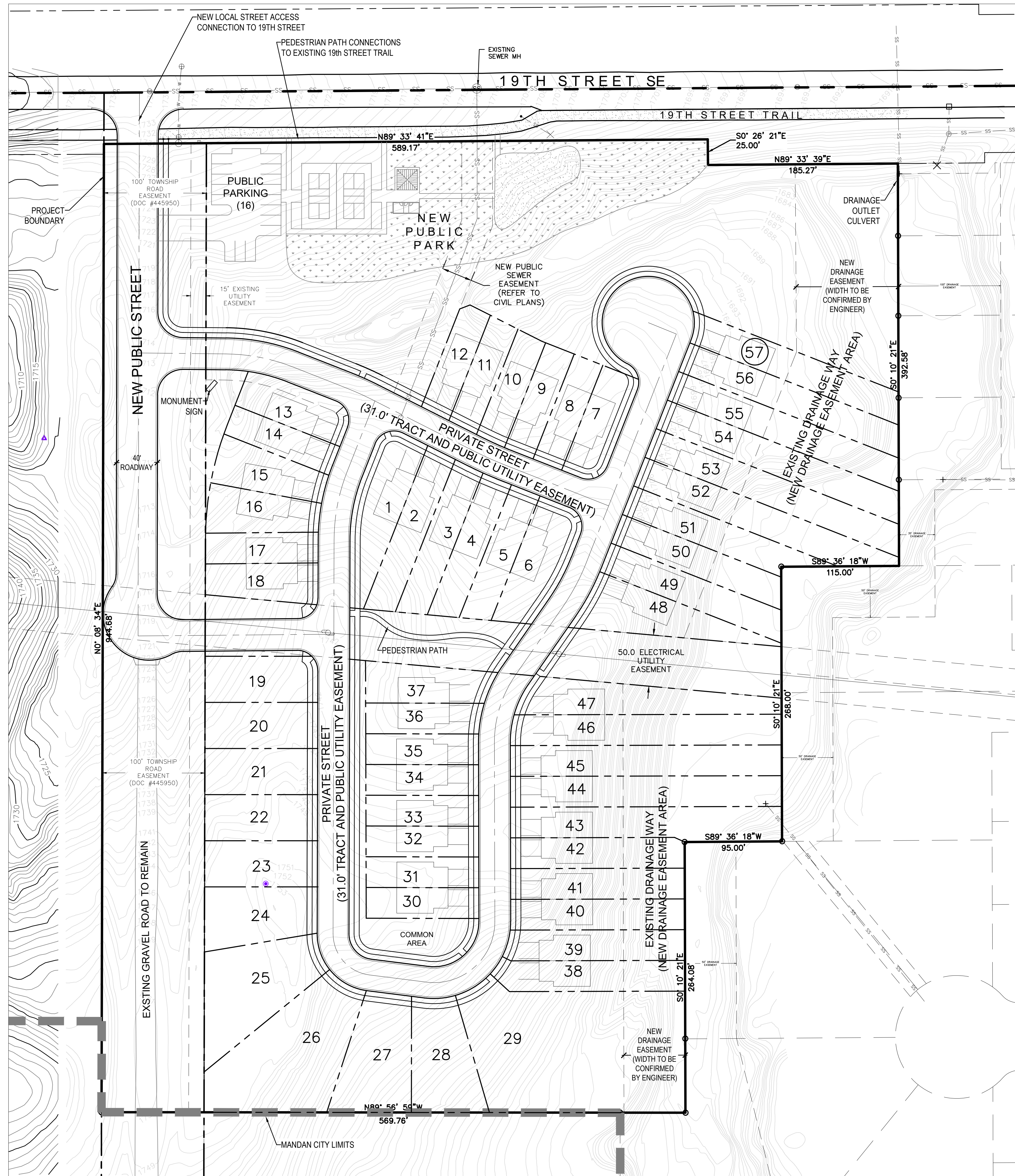
2 - PRIVATE STREET SECTION



3 - TEMPORARY PHASE 1 ACCESS SECTION

STREET SECTION DETAILS

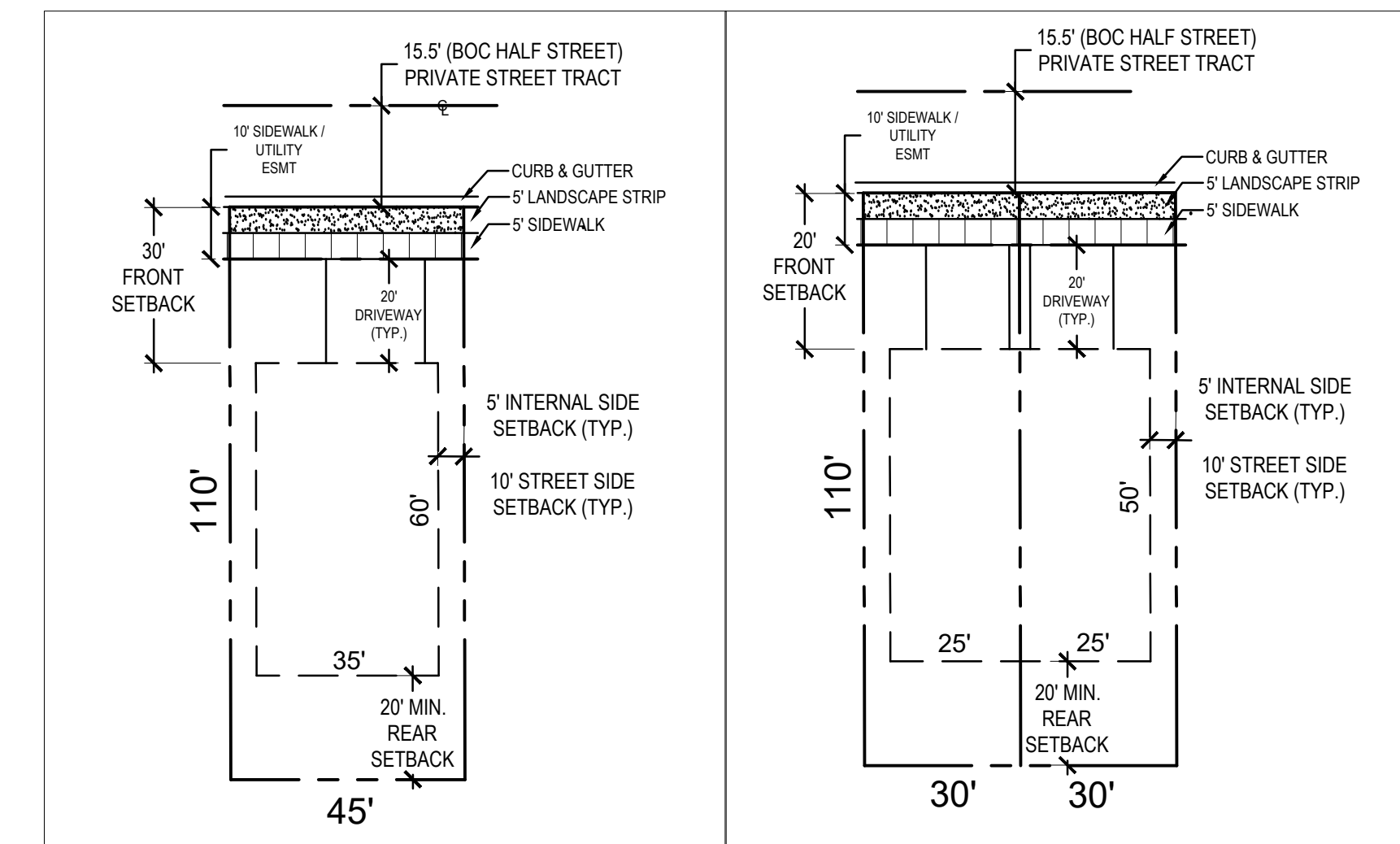
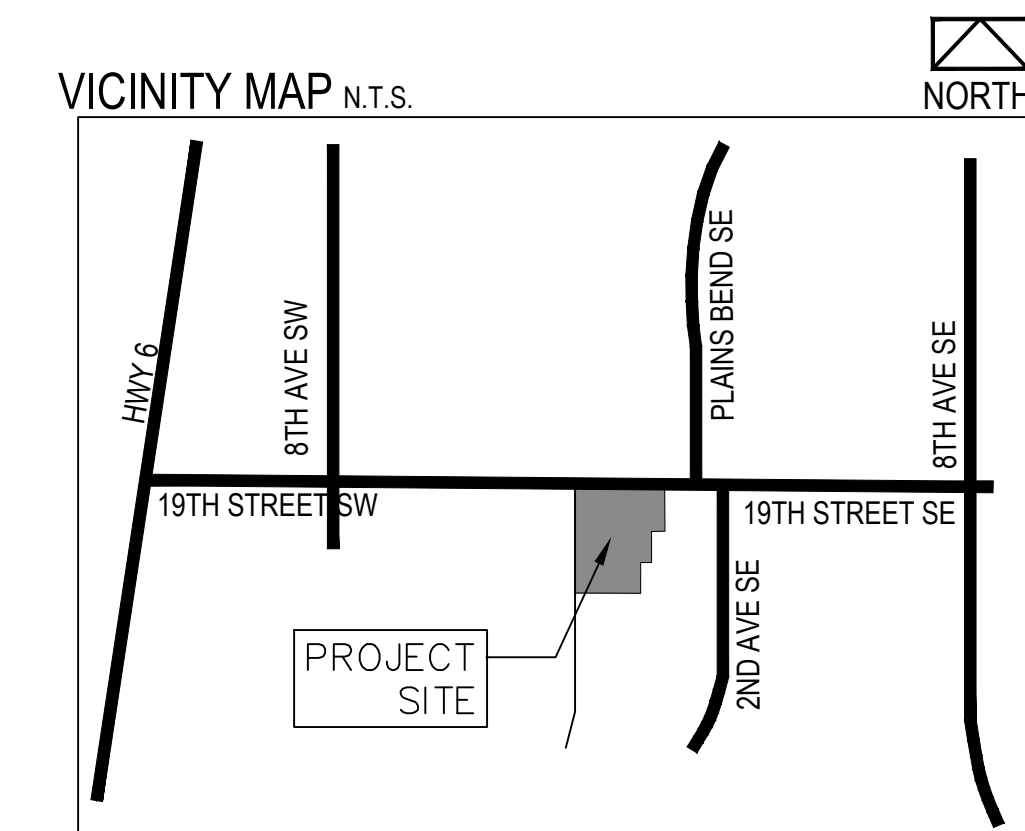




PLANNED UNIT DEVELOPMENT SITE PLAN

LEGAL DESCRIPTION

MACEDONIA HILLS GOVERNMENT LOT 2, LESS OUTLOT A IN THE NW $\frac{1}{4}$ OF
THE NE $\frac{1}{4}$ OF SECTION 3, TOWNSHIP 138N, RANGE 81W, CITY OF MANDAN,
MORTON COUNTY, NORTH DAKOTA

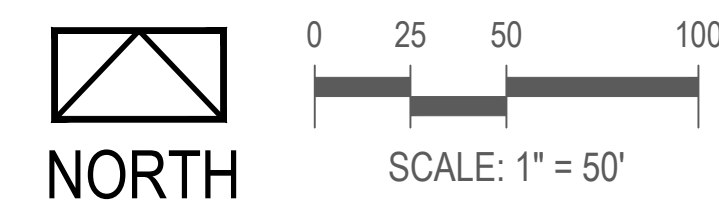


45' X 110' DETACHED
TYPICAL MIN.LOT DETAIL
SCALE: 1" = 30'

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

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EXISTING LAND USE:	VACANT
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TOTAL LOTS PROPOSED:	57
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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**

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PREPARED FOR

**MEIER
COMPANIES**

6115 S. KYRENE
SUITE 101
TEMPE, ARIZONA

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

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:
First Consideration:
Second Consideration and Final Passage:

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

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.

1. Fire Access Compliance & Interim Solutions

Regulatory Context

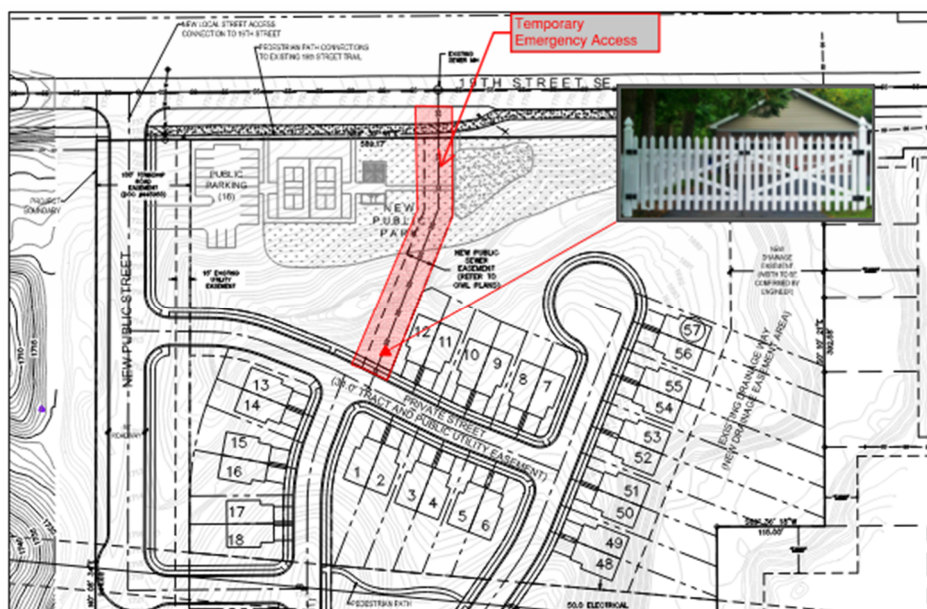
Per **IFC Section D107.1**, developments exceeding 30 homes must provide two separate and approved fire apparatus access roads. Clover Grove currently proposes 57 units with one public access to 19th Street SE.

Interim Access Proposal

While permanent secondary access is not immediately feasible due to surrounding undeveloped parcels, we propose the following **interim solution** to ensure code compliance and public safety:

- **Construct a temporary, gated emergency access road** via a utility or park easement.
 - Surfaced with decomposed granite or asphalt millings, per **D102.1**.
 - Engineered to meet fire apparatus weight requirements.
- Install a secured emergency gate meeting **D103.5** specifications.
- **Maintain and manage** the access through the developer or HOA.
- **Dual-purpose access** will also temporarily serve as an ingress/egress point for adjacent neighbors during infrastructure development.

This solution has been developed in **active consultation with Mandan’s Fire and Planning Departments** and reflects our commitment to both regulatory compliance and public welfare.



Interim Emergency/Temporary Access Exhibit

2. Long-Term Connectivity Planning

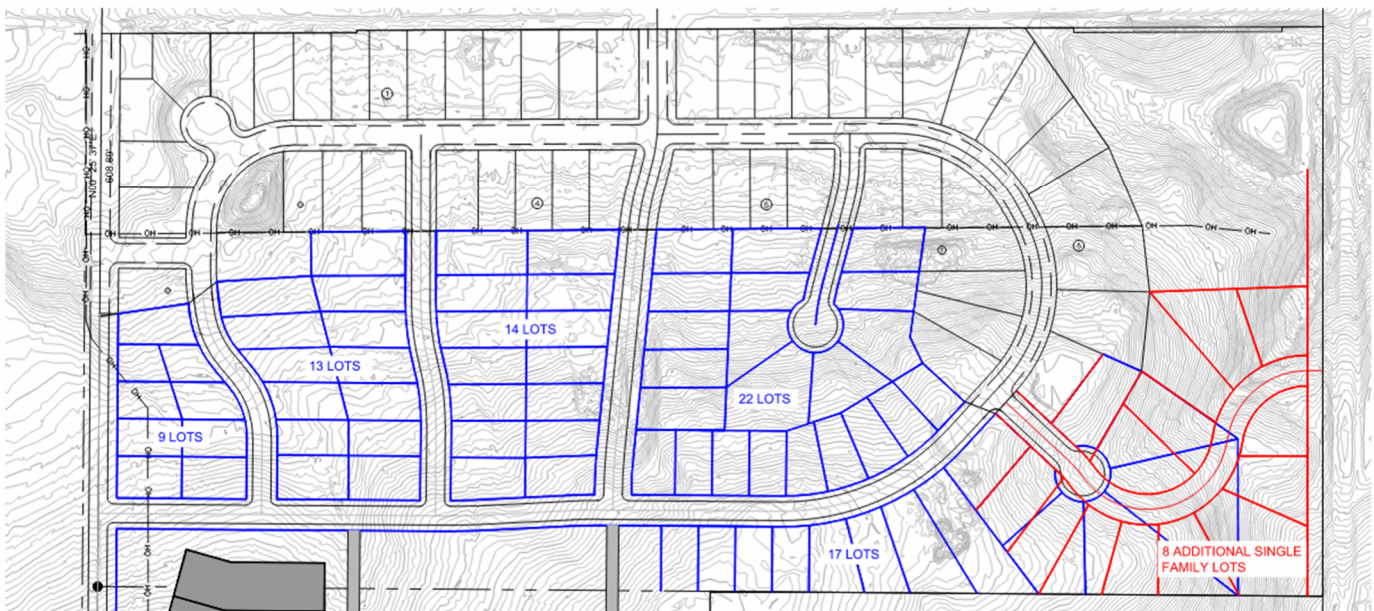
We fully align with the city's view that **interconnectivity is essential** for safety, emergency response, and future neighborhood integration.

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.



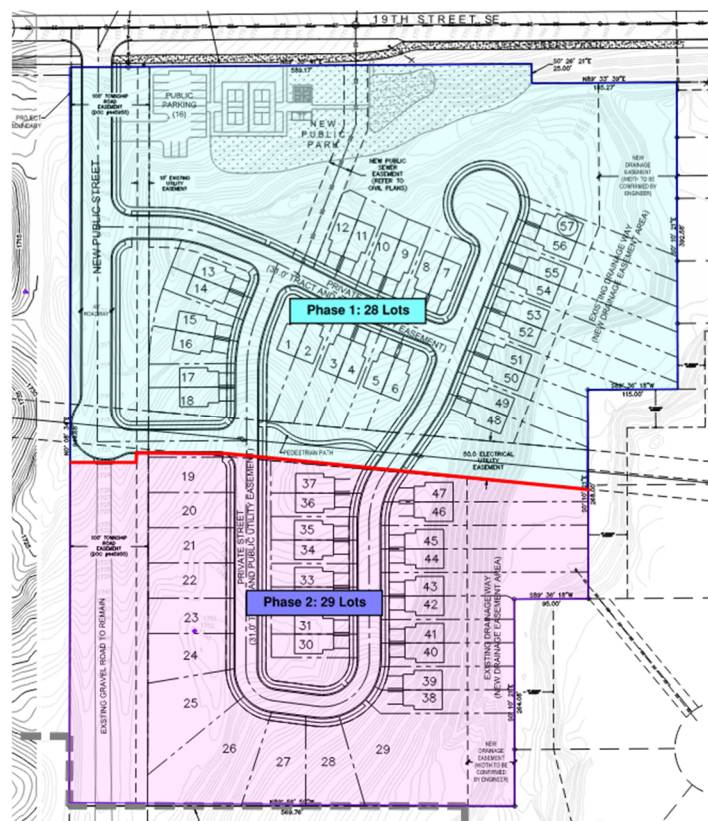
Preliminary Access Route of Neighboring Property

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.

Liberto Casas Garcia

Owner Signature

Liberto Casas Garcia

Printed Name

04.26.25

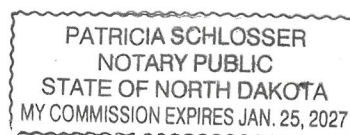
Date

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.

Marcel López Valentín

Owner Signature

Marcel 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

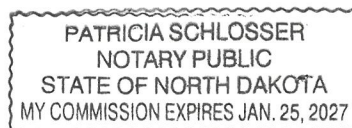
Patricia Schlosser

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



City Commission

Agenda Documentation

MEETING DATE: July 15, 2025
PREPARATION DATE: June 24, 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.

PLANNING AND ZONING COMMISSION PUBLIC HEARING:

Abe Ulmer, ISLE, the engineer on the project came forward and stated that the request is to have the zone change approved before moving forward which is the reason for it being contingent on an approved preliminary and final plat. Upon approval, the plan will be to move forward with plats and layouts of the plans for the project that will be presented to this Board for approval at a later time. There were additional discussions of the levee to the east and how the change in use would allow for better levee capacity.

There is no long term levee planning in the area.

The Planning and Zoning Commission unanimously recommended approval of 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.

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:

Planning and Zoning Commission and City Staff recommends approval of the first consideration of the zone change (Ord. 1470) may be made under Resolutions & Ordinances No. 4 (K.4), 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 Commission

Agenda Documentation

July 15, 2025

Subject: Consider a zone change request from CB - Commercial to RMH - Residential for Lots 3-6, Block 2, Meadowlands Subdivision

Page 5 of 5

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

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				Legal Description		
82, 92, 102, & 122 18th Ave SE				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: <i>YM</i>	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			



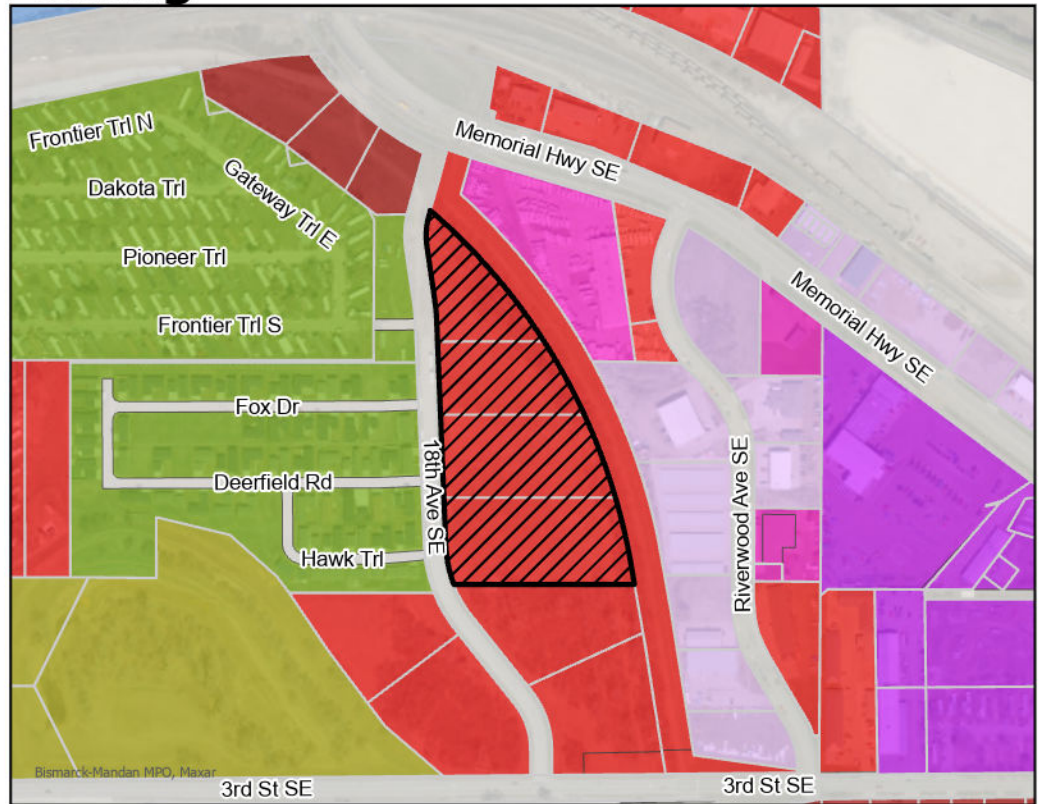
Zoning and Future Land Use Reference Map

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 | |

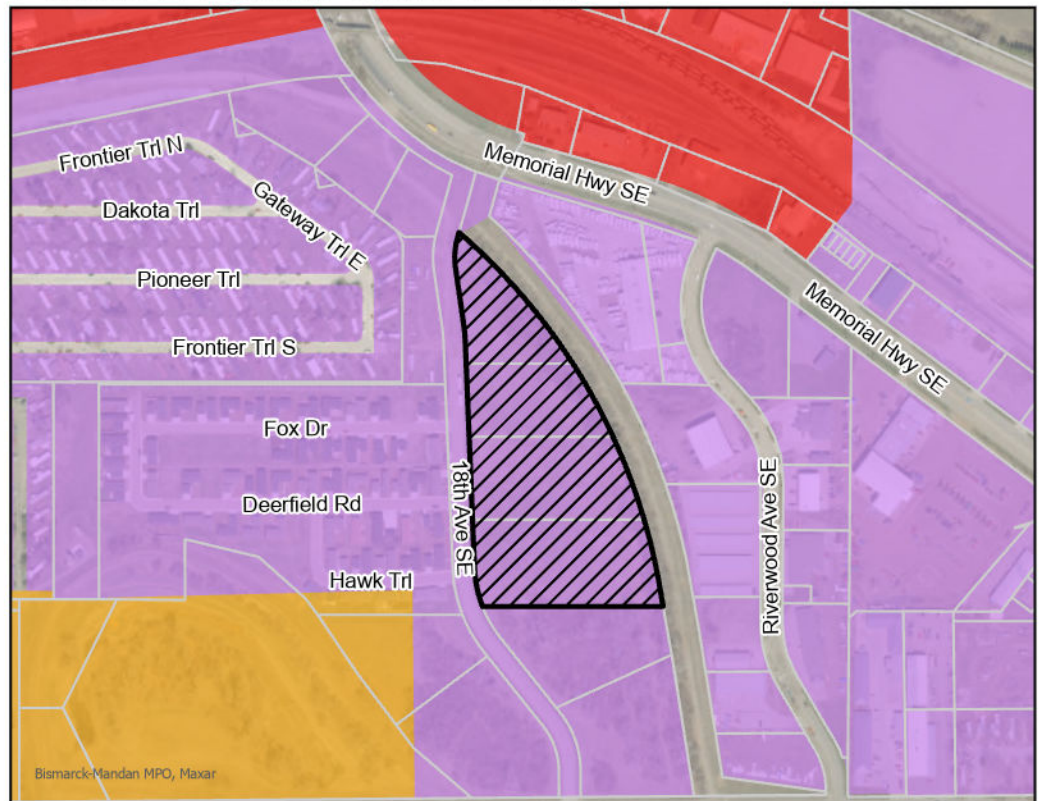
Zoning



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 |

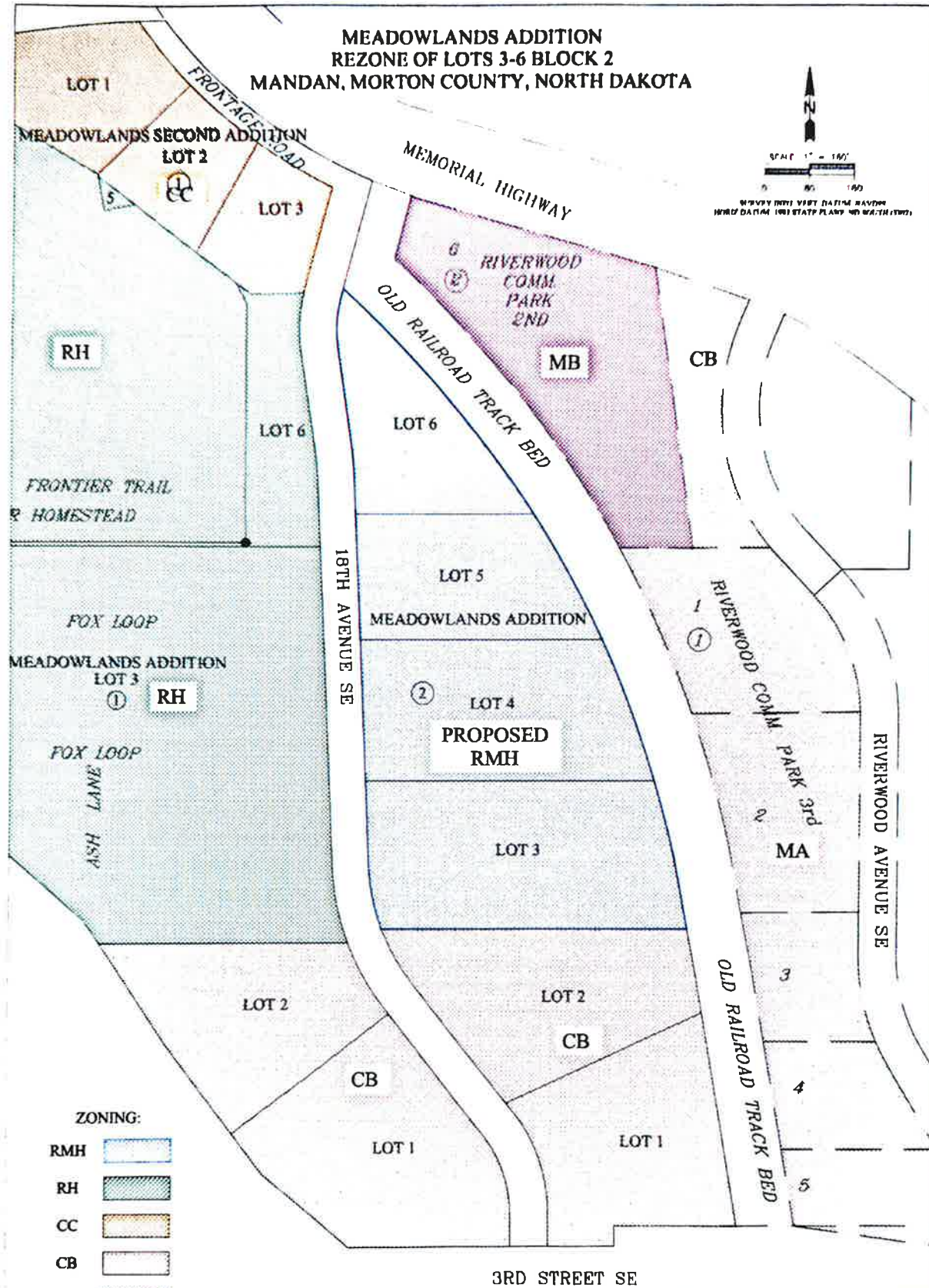


City of Mandan
Planning Department
5/23/25

0 0.1 0.2 0.4 Miles

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.**
4215 OLD RAILROAD TRAIL NW, Mandan, ND 58540
 Phone: 701.663.3124, Cell: 701.270.0088, Fax: 701.270.0089

MEADOWLANDS ADDITION

SOMETHING 15TH ST SE
 MANDAN, NORTH DAKOTA
 LOT 1, BLOCK 1, SCHUBERT ADDITION
 SHEET 1 OF 1

R.A.Y. 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



City Commission

Agenda Documentation

MEETING DATE: July 15, 2025
PREPARATION DATE: June 24, 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.

PLANNING AND ZONING COMMISSION PUBLIC HEARING:

Leah Brady, owner of Image Dentistry, and spoke about the history of her project. She stated she has had her business in Mandan for over 15 years having resided on Main Street as a healthcare provider and a small business owner. She provided information of how her business is an asset to the city of Mandan. She supports the modification plans for the exterior of the building that will affect both the city street and her business, however, the compliance with the 25-foot setback would force a building directly across from her. When BS acquired the property, they intended to remodel the existing structure to suit the needs of Image Dentistry while preserving the design principles to the downtown fringe zoning district, namely, a building with its entrance facing Main Street and a front parking lot for accessibility. Unfortunately, the condition of the existing building requires more modification than initially anticipated. As a result, the structure will face Main Street that is counter-intuitive and counter productive to the goals of being located on Main Street. There would be a hardship of access to the property. Her proposed layout is in harmony with other businesses in the downtown community. She requested consideration of the setback request that supports longstanding businesses that have been in the Mandan community. A Main Street presence and parking lot are just not a convenience rather they are core elements that continue to assist in

the success of not only her business but others surrounding her. She stated that the plan is for 49 parking spots. Ms. Brady stated that she has already purchased and closed the sale of the property.

Abe Ulmer, ISLE, an engineer on the project came forward and stated that the project is a two-phase building project that is considering taking the east half of the building, 153 feet and there is a second building planned for future commercial. Currently, the plan is to build the entire parking lot all the way around the building. The main access hardship is not having any Main Street access; however, the main access will be the access from the alley way. The other part of the hardship is looking through the storm water plan. If pushed toward Main Street it will create drainage water sheds wherein some kind of drainage pond will have to be put in to compensate for the bigger flows going to that area.

The Planning and Zoning Commission unanimously recommended 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: strict application of the provisions of the Zoning Ordinance would deprive the property owner of reasonable use of the property due to access limitations and drainage issues and to modify the staff findings of facts.

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:

The Planning and Zoning Commission unanimously recommended 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: strict application of the provisions of the Zoning Ordinance would deprive the property owner of reasonable use of the property due to access limitations

and drainage issues and to modify the staff findings of facts.

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:

- **Strict application of the provisions of the Zoning Ordinance would deprive the property owner of reasonable use of the property due to access limitations and drainage issues**

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 <i>Leah N. Brady</i>	Date 5-21-25
-----------------------------	-----------------------------------	-----------------

Office Use Only			
Date Received:	Initials: <i>nm</i>	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'+/-), Cenex (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 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 |



0 0.04 0.09 0.17 Miles

City of Mandan
Planning Department
6/3/25

N



City Commission

Agenda Documentation

MEETING DATE: July 15, 2025
PREPARATION DATE: June 24, 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.

PLANNING AND ZONING COMMISSION PUBLIC HEARING

There were no comments. The Planning and Zoning Commission unanimously recommended approval of 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.

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 and Zoning Commission and 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)	
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: <i>nm</i>	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 exisiting buildings footprint in order to meet the needs of the property owner and to accomodate lot landscaping characteristics. The current structure was approved for construction and built by my father in the mid-late 90s. We have no plans or 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 exisiting 50 ft ROW in any way, shape, or form. Furthermore, if this variance is denied, there is already an exisiting 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.



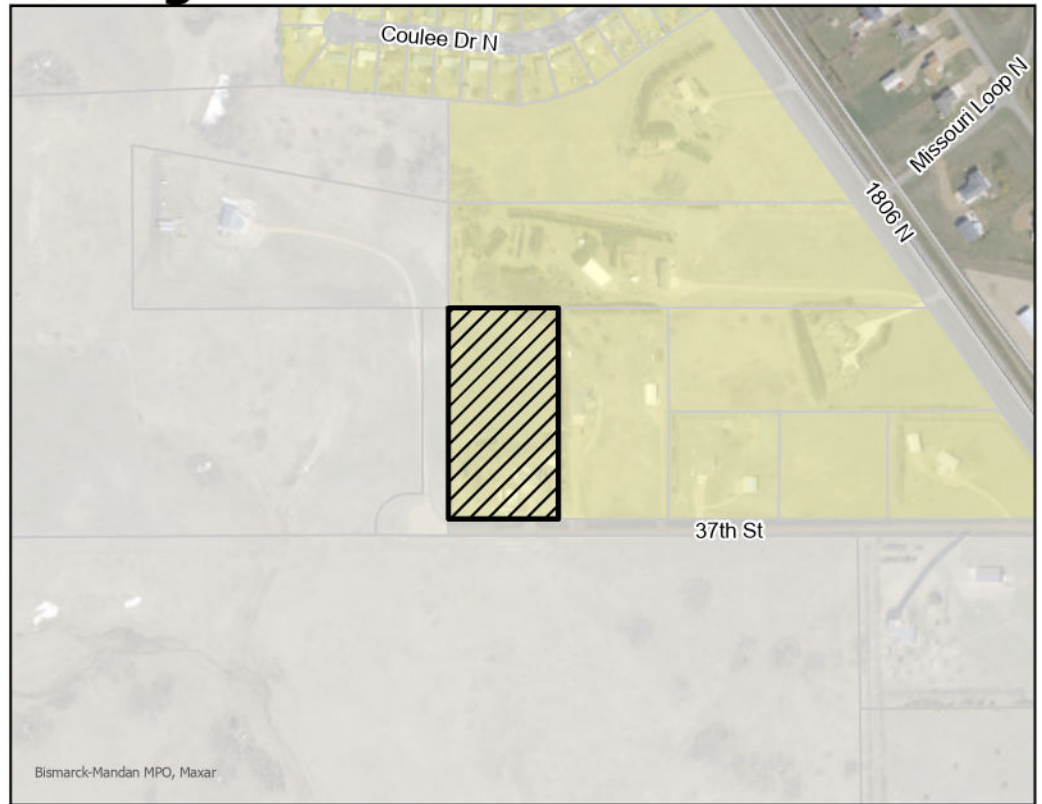
Zoning and Future Land Use Reference Map

Landeis Subdivision

Zoning 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 | |

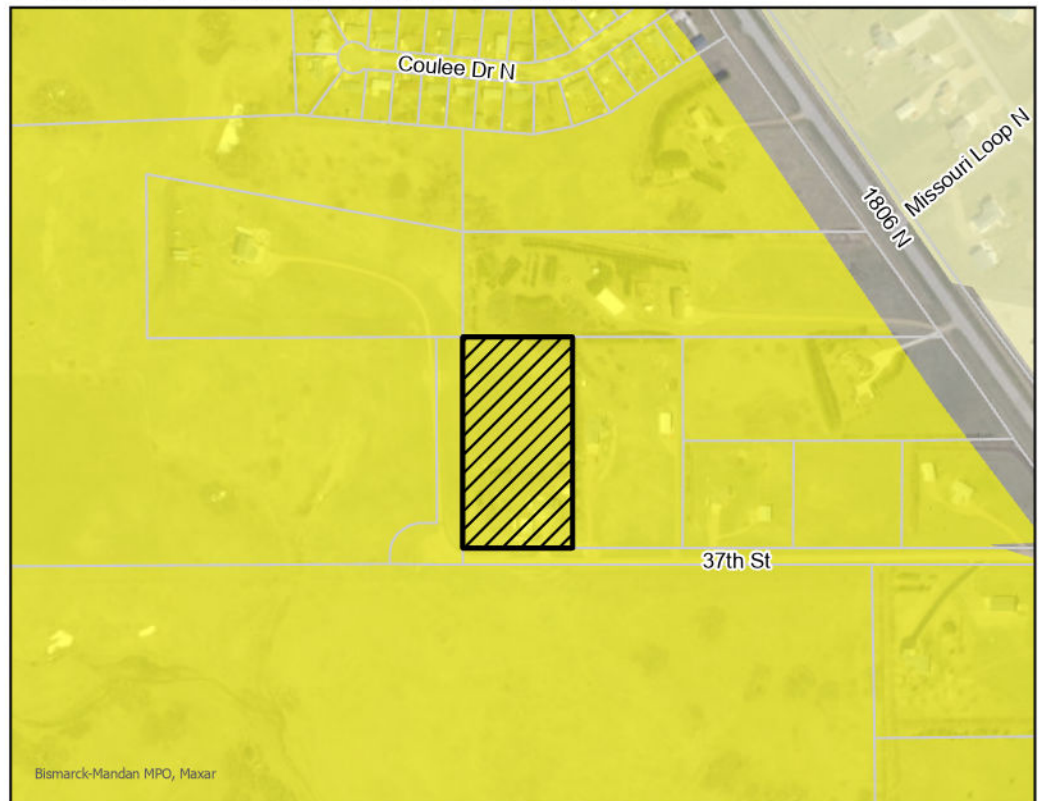
Zoning

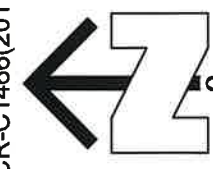
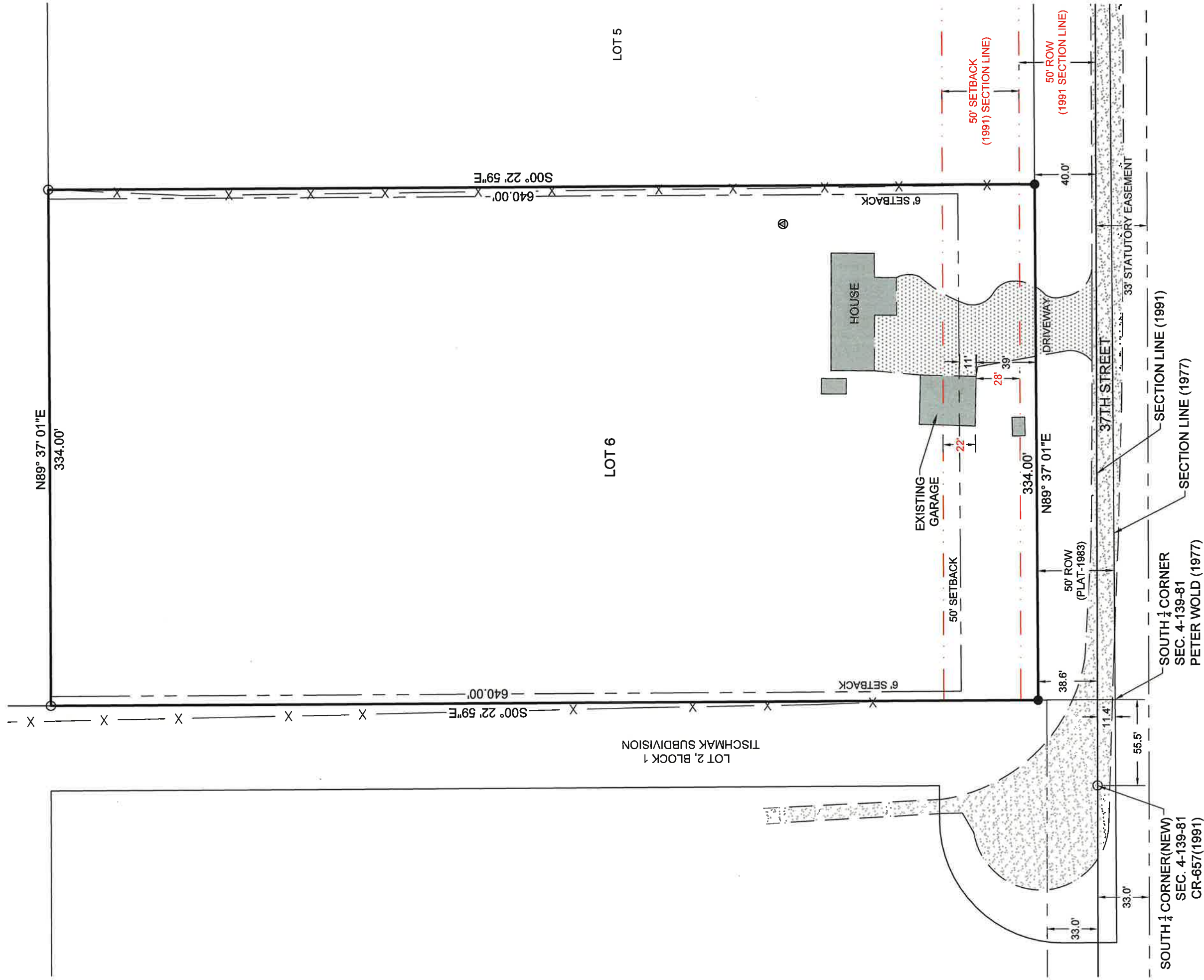


Future Land Use Plan

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 |





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

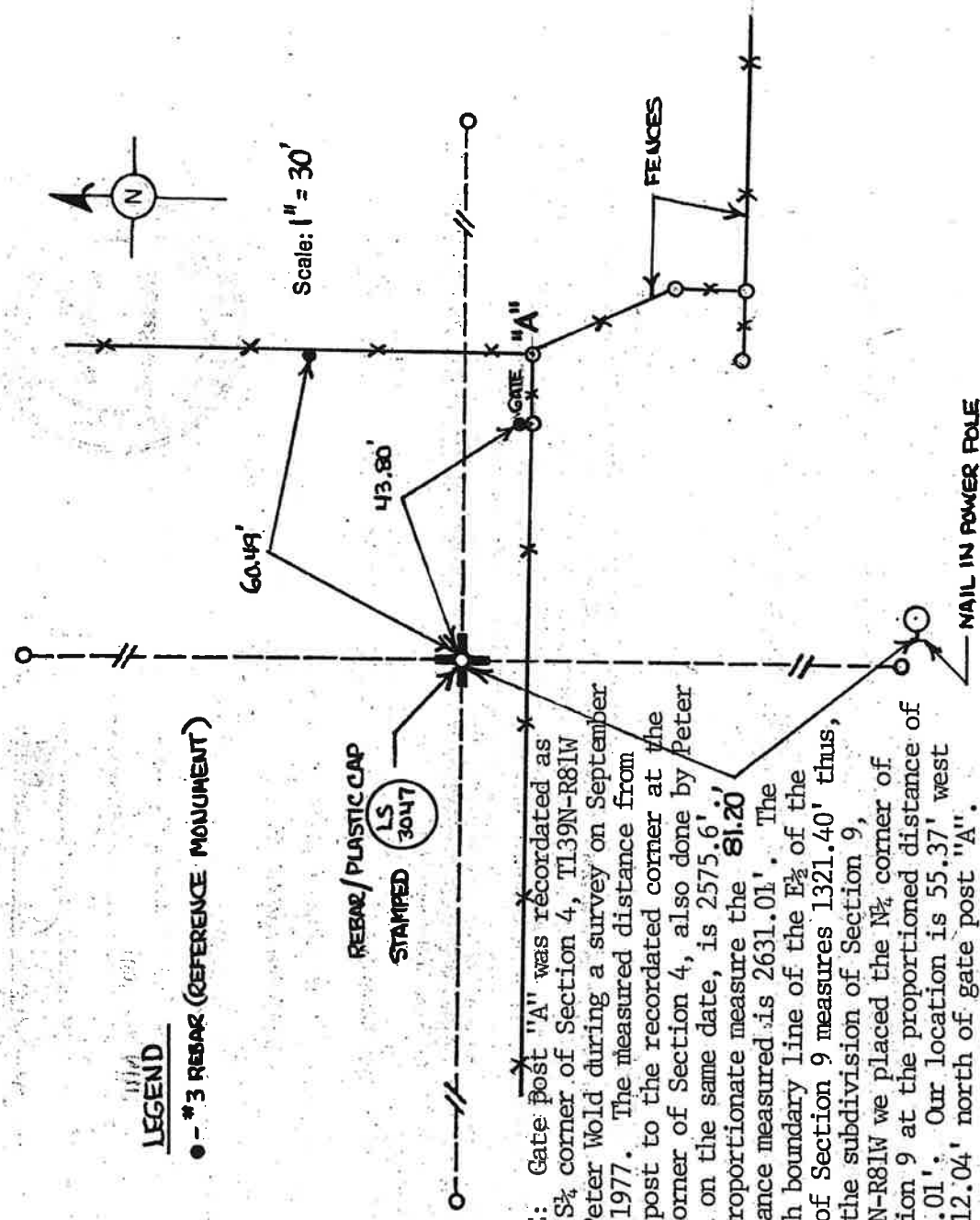
RENEE SCHAFF
LOT SURVEY
LOT 6
LANDEIS SUBDIVISION
REPLAT LOTS 4-6
MANDAN, ND

Independent
Land
Surveying &
Engineering

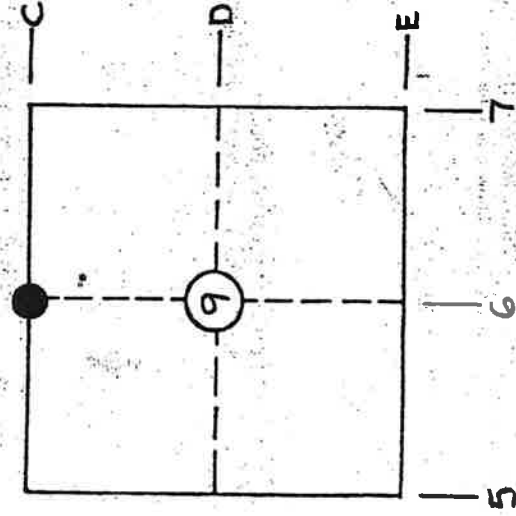
SHEET: 1 OF 1	JOB NUMBER: 25071
SCALE: 1" = 60'	DWG REVISION DATES
DRAWN BY: MRI	5/23/25
DWG DATE: 4/24/25	-
DWG NAME: 25071 Survey.dwg	-

4215 Old Red Trail NW
Mandan, ND 58554
Phone: 701-563-5184
Cell: 701-565-2078
mark@laurveynd.com

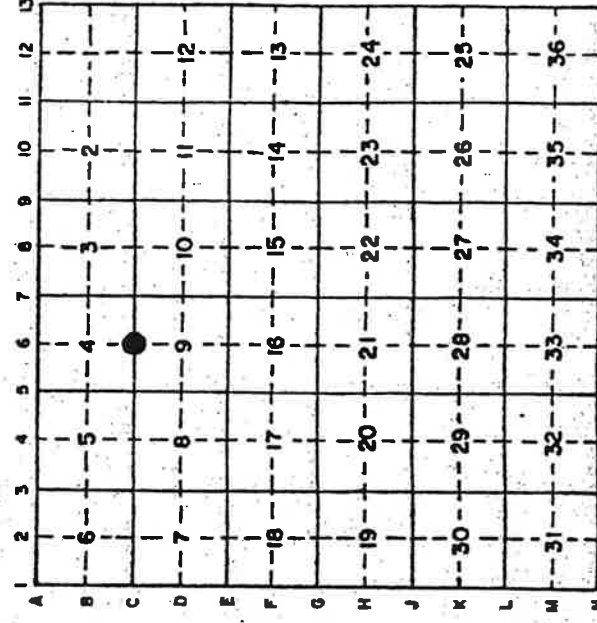
9. **SKETCH SHOWING MONUMENTATION:**
Describe accessories, dimension a minimum of three permanent ties to the corner, show distances to and the angles between adjacent corners.



10. SECTION DIAGRAM:



11. INDEX CODE DIAGRAM:



Section 9, Twp. 139 N, Rge. 81 W

County Morton Index Ref. No. 6-C

NORTH DAKOTA LAND SURVEY MONUMENT RECORD
(report one monument only on this form)

1. TYPE OF CORNER in NW 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:
I, 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.
- I, 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 (Chief of Survey Party) DATE: 6/18/91
APPROVED AND SIGNED BY: Gregory L. Lattimore ND RLS NO. 3047 DATE: 6/18/91

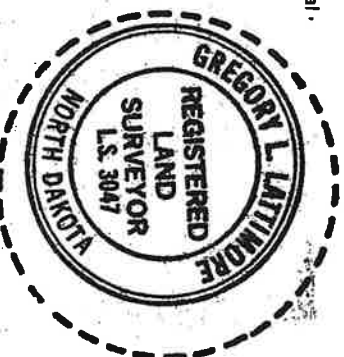
(Do not fill in)

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. 3.00

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.

John C. Freisinger



City Commission

Agenda Documentation

MEETING DATE: July 15, 2025
PREPARATION DATE: July 2, 2025
SUBMITTING DEPARTMENT: Assessing Department
DEPARTMENT DIRECTOR: Kimberly Markley
PRESENTER: Kimberly Markley, City Assessor
SUBJECT: Abatements for Riverwest Development LLC

STATEMENT/PURPOSE:

To consider corrections to 2023-2025 full & true values for property located at 1403 27th St NW

BACKGROUND/ALTERNATIVES:

This parcel is also known as parcel #65-4283365 with a legal description of Lot 1 Block 1 River Garden Addition. Changes to building value, due to incorrect square footage discovered during zone review.

ATTACHMENTS:

1. Abatements Redacted

FISCAL IMPACT:

2023 All taxing entities = \$8,498.90 City share = \$1,954.02

2024 All taxing entities = \$8,599.44 City share = \$1,984.87

2025 All taxing entities = \$9,297.78 City share = \$2,146.05

STAFF IMPACT:

N/A

LEGAL REVIEW:

Submitted to City Attorney Amy Oster

RECOMMENDATION:

I recommend a motion to recommend approval to the Morton County Commission of the 2023-2025 Abatement applications for Riverwest Development LLC at 1403 27th St NW as presented.

City Commission

Agenda Documentation

July 15, 2025

Subject: Consider a 2023-2025 Abatement application for Riverwest Development LLC

Page 2 of 2

SUGGESTED MOTION:

I move to recommend approval to the Morton County Commission of the 2023-2025 Abatement applications for Riverwest Development LLC at 1403 27th St NW as presented.

Application For Abatement Or Refund Of Taxes

North Dakota Century Code § 57-23-04

File with the County Auditor on or before November 1 of the year following the year in which the tax becomes delinquent.

State of North Dakota

Assessment District CITY OF MANDAN

County of MORTON

Property I.D. No. 65-4283365

Name RIVERWEST DEVELOPMENT LLC

Telephone No. (701)

Address 1403 27 ST NW, MANDAN, ND 58554-0098

1122 24th St NW

Legal description of the property involved in this application:

Mandan ND 58554-1511

LOT 1 BLOCK 1 RIVER GARDEN ADDITION

Total true and full value of the property described above for the year 2023 is:

Land \$ 598,700
Improvements \$ 2,098,900
Total \$ 2,697,600
(1)

Total true and full value of the property described above for the year _____ should be:

Land \$ 598,700
Improvements \$ 1,487,600
Total \$ 2,086,300
(2)

The difference of \$ 611,300.00 true and full value between (1) and (2) above is due to the following reason(s):

- ☐ 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C. § 57-02-27.2
- ☐ 2. Residential or commercial property's true and full value exceeds the market value
- ☒ 3. Error in property description, entering the description, or extending the tax
- ☐ 4. Nonexisting improvement assessed
- ☐ 5. Complainant or property is exempt from taxation. Attach a copy of Application for Property Tax Exemption.
- ☐ 6. Duplicate assessment
- ☐ 7. Property improvement was destroyed or damaged by fire, flood, tornado, or other natural disaster (see N.D.C.C. § 57-23-04(1)(g))
- ☐ 8. Error in noting payment of taxes, taxes erroneously paid
- ☐ 9. Property qualifies for Homestead Credit (N.D.C.C. § 57-02-08.1) or Disabled Veterans Credit (N.D.C.C. § 57-02-08.8). Attach a copy of the application.
- ☐ 10. Other (explain) _____

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go directly to question #5.

1. Purchase price of property: \$ _____ Date of purchase: _____
Terms: Cash _____ Contract _____ Trade _____ Other (explain) _____
Was there personal property involved in the purchase price? _____ Estimated value: \$ _____
yes/no
2. Has the property been offered for sale on the open market? _____ If yes, how long? _____
yes/no
Asking price: \$ _____ Terms of sale: _____
3. The property was independently appraised: _____ Purpose of appraisal: _____
yes/no
Market value estimate: \$ _____
Appraisal was made by whom? _____
4. The applicant's estimate of market value of the property involved in this application is \$ _____
5. The estimated agricultural productive value of this property is excessive because of the following condition(s): _____

Applicant asks that 2023 VALUE CORRECTION

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12.1-11-02, which provides for a Class A misdemeanor for making a false statement in a governmental matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant)

Date

Signature of Applicant

Date

Recommendation of the Governing Body of the City or Township

Recommendation of the governing board of _____

On _____, the governing board of this municipality, after examination of this application and the facts, passed a resolution recommending to the Board of County Commissioners that the application be _____

Dated this _____ day of _____,

City Auditor or Township Clerk

Action by the Board of County Commissioners

Application was _____ by action of _____ County Board of Commissioners.
Approved/Rejected

Based upon an examination of the facts and the provisions of North Dakota Century Code § 57-23-04, we approve this application. The taxable valuation is reduced from \$ _____ to \$ _____ and the taxes are reduced accordingly. The taxes, if paid, will be refunded to the extent of \$ _____. The Board accepts \$ _____ in full settlement of taxes for the tax year _____.

We reject this application in whole or in part for the following reason(s). Written explanation of the rationale for the decision must be attached. _____

Dated _____

County Auditor

Chairperson

Certification of County Auditor

I certify that the Board of County Commissioners took the action stated above and the records of my office and the office of the County Treasurer show the following facts as to the assessment and the payment of taxes on the property described in this application.

Year	Taxable Value	Tax	Date Paid (if paid)	Payment Made Under Written Protest?
				yes/no

I further certify that the taxable valuation and the taxes ordered abated or refunded by the Board of County Commissioner are as follows:

Year	Reduction in Taxable Valuation	Reduction in Taxes

County Auditor

Date

**Application For Abatement
Or Refund Of Taxes**

Name of Applicant

County Auditor's File No.

Date Application Was Filed
With The County Auditor

Date County Auditor Mailed
Application to Township
Clerk or City Auditor

(must be within five business days of filing date)

Application For Abatement Or Refund Of Taxes

North Dakota Century Code § 57-23-04

File with the County Auditor on or before November 1 of the year following the year in which the tax becomes delinquent.

State of North Dakota

Assessment District CITY OF MANDAN

County of MORTON

Property I.D. No. 65-4283365

Name RIVERWEST DEVELOPMENT LLC

Telephone No. (701)

Address 1403 27TH ST NW, MANDAN, ND 58554-0000

1122 24th St NW

Legal description of the property involved in this application:

Mandan ND 58554-1511

LOT 1 BLOCK 1 RIVER GARDEN ADDITION

Total true and full value of the property described above for the year 2024 is:

Land \$ 598,700
Improvements \$ 2,139,400
Total \$ 2,738,100
(1)

Total true and full value of the property described above for the year _____ should be:

Land \$ 598,700
Improvements \$ 1,520,000
Total \$ 2,118,700
(2)

The difference of \$ 619,400.00 true and full value between (1) and (2) above is due to the following reason(s):

- ☐ 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C. § 57-02-27.2
- ☐ 2. Residential or commercial property's true and full value exceeds the market value
- ☒ 3. Error in property description, entering the description, or extending the tax
- ☐ 4. Nonexisting improvement assessed
- ☐ 5. Complainant or property is exempt from taxation. Attach a copy of Application for Property Tax Exemption.
- ☐ 6. Duplicate assessment
- ☐ 7. Property improvement was destroyed or damaged by fire, flood, tornado, or other natural disaster (see N.D.C.C. § 57-23-04(1)(g))
- ☐ 8. Error in noting payment of taxes, taxes erroneously paid
- ☐ 9. Property qualifies for Homestead Credit (N.D.C.C. § 57-02-08.1) or Disabled Veterans Credit (N.D.C.C. § 57-02-08.8). Attach a copy of the application.
- ☐ 10. Other (explain) _____

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go directly to question #5.

1. Purchase price of property: \$ _____ Date of purchase: _____
Terms: Cash _____ Contract _____ Trade _____ Other (explain) _____
Was there personal property involved in the purchase price? _____ Estimated value: \$ _____
yes/no
2. Has the property been offered for sale on the open market? _____ If yes, how long? _____
yes/no
Asking price: \$ _____ Terms of sale: _____
3. The property was independently appraised: _____ Purpose of appraisal: _____
yes/no
Market value estimate: \$ _____
Appraisal was made by whom? _____
4. The applicant's estimate of market value of the property involved in this application is \$ _____
5. The estimated agricultural productive value of this property is excessive because of the following condition(s): _____

Applicant asks that 2024 VALUE CORRECTION

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12.1-11-02, which provides for a Class A misdemeanor for making a false statement in a governmental matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Karen M. Sulem
Signature of Preparer (if other than applicant)

Date

Karen M. Sulem
Signature of Applicant

Date

Recommendation of the Governing Body of the City or Township

Recommendation of the governing board of _____

On _____, the governing board of this municipality, after examination of this application and the facts, passed a resolution recommending to the Board of County Commissioners that the application be _____

Dated this _____ day of _____, _____
City Auditor or Township Clerk

Action by the Board of County Commissioners

Application was _____ by action of _____ County Board of Commissioners,
Approved/Rejected

Based upon an examination of the facts and the provisions of North Dakota Century Code § 57-23-04, we approve this application. The taxable valuation is reduced from \$ _____ to \$ _____ and the taxes are reduced accordingly. The taxes, if paid, will be refunded to the extent of \$ _____. The Board accepts \$ _____ in full settlement of taxes for the tax year _____.

We reject this application in whole or in part for the following reason(s). Written explanation of the rationale for the decision must be attached. _____

Dated _____

County Auditor _____ Chairperson

Certification of County Auditor

I certify that the Board of County Commissioners took the action stated above and the records of my office and the office of the County Treasurer show the following facts as to the assessment and the payment of taxes on the property described in this application.

Year	Taxable Value	Tax	Date Paid (if paid)	Payment Made Under Written Protest?
				yes/no

I further certify that the taxable valuation and the taxes ordered abated or refunded by the Board of County Commissioner are as follows:

Year	Reduction in Taxable Valuation	Reduction in Taxes

County Auditor _____ Date

**Application For Abatement
Or Refund Of Taxes**

Name of Applicant _____

County Auditor's File No. _____

Date Application Was Filed
With The County Auditor _____

Date County Auditor Mailed
Application to Township
Clerk or City Auditor _____

(must be within five business days of filing date)

Application For Abatement Or Refund Of Taxes

North Dakota Century Code § 57-23-04

File with the County Auditor on or before November 1 of the year following the year in which the tax becomes delinquent.

State of North Dakota

Assessment District CITY OF MANDAN

County of MORTON

Property I.D. No. 65-4283365

Name RIVERWEST DEVELOPMENT LLC

Telephone No. (701)

Address 1403 27 ST NW, MANDAN ND 58554-0098

1122 24th St NW

Legal description of the property involved in this application:

Mandan ND 58554-1511

LOT 1 BLOCK 1 RIVER GARDEN ADDITION

Total true and full value of the property described above for the year 2025 is:

Land \$ 598,700
Improvements \$ 2,203,300
Total \$ 2,802,000
(1)

Total true and full value of the property described above for the year 2025 should be:

Land \$ 598,700
Improvements \$ 1,533,600
Total \$ 2,132,300
(2)

The difference of \$ 669,700.00 true and full value between (1) and (2) above is due to the following reason(s):

- ☐ 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C. § 57-02-27.2
- ☐ 2. Residential or commercial property's true and full value exceeds the market value
- ☒ 3. Error in property description, entering the description, or extending the tax
- ☐ 4. Nonexisting improvement assessed
- ☐ 5. Complainant or property is exempt from taxation. Attach a copy of Application for Property Tax Exemption.
- ☐ 6. Duplicate assessment
- ☐ 7. Property improvement was destroyed or damaged by fire, flood, tornado, or other natural disaster (see N.D.C.C. § 57-23-04(1)(g))
- ☐ 8. Error in noting payment of taxes, taxes erroneously paid
- ☐ 9. Property qualifies for Homestead Credit (N.D.C.C. § 57-02-08.1) or Disabled Veterans Credit (N.D.C.C. § 57-02-08.8). Attach a copy of the application.
- ☐ 10. Other (explain) _____

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go directly to question #5.

1. Purchase price of property: \$ _____ Date of purchase: _____
Terms: Cash _____ Contract _____ Trade _____ Other (explain) _____
Was there personal property involved in the purchase price? _____ Estimated value: \$ _____
yes/no
2. Has the property been offered for sale on the open market? _____ If yes, how long? _____
yes/no
Asking price: \$ _____ Terms of sale: _____
3. The property was independently appraised: _____ Purpose of appraisal: _____
yes/no
Market value estimate: \$ _____
Appraisal was made by whom? _____
4. The applicant's estimate of market value of the property involved in this application is \$ _____
5. The estimated agricultural productive value of this property is excessive because of the following condition(s): _____

Applicant asks that 2025 MARKET VALUE CORRECTION

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12.1-11-02, which provides for a Class A misdemeanor for making a false statement in a governmental matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Kate M. Snel
Signature of Preparer (if other than applicant)

Date

Kate M. Snel
Signature of Applicant

Date

Recommendation of the Governing Body of the City or Township

Recommendation of the governing board of _____

On _____, the governing board of this municipality, after examination of this application and the facts, passed a resolution recommending to the Board of County Commissioners that the application be _____

Dated this _____ day of _____

City Auditor or Township Clerk

Action by the Board of County Commissioners

Application was _____ by action of _____ County Board of Commissioners.
Approved/Rejected

Based upon an examination of the facts and the provisions of North Dakota Century Code § 57-23-04, we approve this application. The taxable valuation is reduced from \$ _____ to \$ _____ and the taxes are reduced accordingly. The taxes, if paid, will be refunded to the extent of \$ _____. The Board accepts \$ _____ in full settlement of taxes for the tax year _____.

We reject this application in whole or in part for the following reason(s). Written explanation of the rationale for the decision must be attached. _____

Dated _____

County Auditor

Chairperson

Certification of County Auditor

I certify that the Board of County Commissioners took the action stated above and the records of my office and the office of the County Treasurer show the following facts as to the assessment and the payment of taxes on the property described in this application.

Year	Taxable Value	Tax	Date Paid (if paid)	Payment Made Under Written Protest?
				yes/no

I further certify that the taxable valuation and the taxes ordered abated or refunded by the Board of County Commissioner are as follows:

Year	Reduction in Taxable Valuation	Reduction in Taxes

County Auditor

Date

**Application For Abatement
Or Refund Of Taxes**

Name of Applicant

County Auditor's File No.

Date Application Was Filed
With The County Auditor

Date County Auditor Mailed
Application to Township
Clerk or City Auditor

(must be within five business days of filing date)



City Commission

Agenda Documentation

MEETING DATE: July 15, 2025
PREPARATION DATE: July 7, 2025
SUBMITTING DEPARTMENT: Police Department
DEPARTMENT DIRECTOR: Jason Ziegler
PRESENTER: Jason Ziegler, Police Chief
SUBJECT: Consider approval of the special event permit for Liberty Heights Classic Car Show

STATEMENT/PURPOSE:

Consider approval of the special event permit for Liberty Heights Classic Car Show

BACKGROUND/ALTERNATIVES:

Liberty Heights Classic Car Show with food and entertainment will take place at 304 15th Street NW on September 23, 2025. All departments have approved and signed off on this event. See attached special event permit.

ATTACHMENTS:

1. Special Event Permit-Liberty HeightsMags Classic Car Show - signed

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

N/A

RECOMMENDATION:

I recommend approving the special event permit for Liberty Heights Classic Car Show.

SUGGESTED MOTION:

I move to approve the special event permit for Liberty Heights Classic Car Show.

City Commission

Agenda Documentation

July 15, 2025

Subject: Consider approval of the special event permit for Liberty Heights Classic Car Show

Page 2 of 2

Permit Application #: SE15-07 Date Complete: _____
(For office use only)

Special Events Permit Application

City of Mandan, ND ^{4/25}

Mandan Police Department (Special Events) • 205 1st Ave. NW • Mandan, ND 58554
• Phone 701-667-3250 • FAX 701-667-3463

Date of Application: _____

30 days prior to the event with a **non-refundable administration application fee of \$25 attached**. Late applications are permitted and subject to an **additional \$50 processing fee** for those submitted within 20 days of an event. **Any application not submitted prior to 20 days before the event will not be accepted for consideration.**

The payment of fees does not guarantee event approval if submitted late.

Permits are \$30 per day/Sunday permits are \$45, to a maximum of \$150.00 per event not to exceed 14 days (including Sundays)

All applicants will be charged fees as appropriate and are expected to fully reimburse the city for all services related to event production which may include, but are not limited to, Police Services, Park and Facility Maintenance, Field Services, Street Engineering and Site Supervisors. (See Below Fee and Charges)

A storage fee of **\$500** will be assessed for all equipment not removed from any public venue or premises within 24 hours of the end of the event. Any vendor may request an extension for equipment removal and may be granted by the City Administrator. Full payment is due upon receipt of the final invoice. Any property that is abandoned over 15 days will become property of the City of Mandan and may be sold to recoup any expenses accrued by the city.

Street Dance: ☐ Beer Garden: ☐ Both ☐ Parade or Other Public Event: ☒

Section 1 – Applicant Information

Name of Event Manager: Carol L Nelson

Driver's License Number: Nel-54-1079 State ND

Date of Birth: 07/31/195 Phone Number: 701-663-6528 Email: carol.mgas@midconetwork.

Address: 301 15th St NW City: Mandan State: ND Zip: 58554

Have you ever been convicted of a crime? ☐ Yes ☒ No

If yes please list charge(s) and year of conviction(s):

(List all Jurisdictions where you have been charged with a crime, also list any other names you have used when charged)

Name of Event Manager: _____

Driver's License Number: _____ State _____

Date of Birth: _____ Phone Number: _____ Email: _____

Address: _____ City: _____ State: _____ Zip: _____

Have you ever been convicted of a crime? ☐ Yes ☐ No

If yes please list charge and year of conviction:

(List all Jurisdictions where you have been charged with a crime, also list any other names you have used when charged)

Permit Application #: _____ **Date Complete:** _____

(For office use only)

Business Address: 301 15th St NW City: Mandan State: ND Zip: 58554
Corporation/Organization: Mandan Golden Age Services State of Incorporation: _____
Tax ID #: 45-0317557 501(c) 3 #: _____ City Sales Tax ID #: _____
Have you ever coordinated/promoted another event/s? ☒ Yes ☐ No

If yes, please provide the following:

Last event/s Location: 301 15th St NW Date: 09/10/2024
Contact Name: Carol L Nelson Phone: 701-663-6528
E-mail Contact: carol.mqas@midconetwork.com

Section 2 – Event Information

Event Name: Liiberty Heights/MGAS Classic C Anticipated Daily Attendance: 250
Event Date(s): 09/23/2025 Set-up Date: 09/23/25 Hours: 4:00PM-5:00 PM
Hours of event each day: 5:00 PM to 7:30 PM
(begin and end times)
Take down Date(s): 09/23/25 or 09/24/25 Hours: 7:30 to 8:30 PM
E-Mail address for public information: carol.mqas@midconetwork.com
WEB address for public information: mortoncountycouncilonaging.com
Location of Event/physical address: 304 15th Street NW
Sponsors of the Event: Morton County Housing and Mandan Golden Age Club
Brief Description of Event:
Classic Car Show with food and entertainment - Inclement weather date is
September 24

Estimated number of attendees: _____
Has this event been held in another location? ☐ Yes ☒ No

If yes, please provide the following:

Last event/s Location: _____
Date: _____ Contact Name and Phone: _____

Permit Application #: _____ Date Complete: _____

(For office use only)

Section 3 – Event Features

Will there be an admission charge? ☐ Yes ☒ No

If yes, Printed ticket count: _____ Tickets for pre-sale count: _____

Will there be entertainment? ☒ Yes ☐ No

If yes, please attach an itemized complete list of all entertainment.

(A complete list of entertainment will be required before final approval. Once approved, no changes may be made unless authorized by the City Administrator.)

Will merchandise be sold? ☐ Yes ☒ No

Will Food be sold? ☒ Yes ☐ No

Catered Food ☐ Yes ☒ No

Food Trucks ☒ Yes ☐ No

Other Food _____

Contacted Western Plains Health? ☒ Yes ☐ No

****If food is present (sold or given away) applicant is required to contact Western Plain's Health prior to submitting application to Mandan Police Department. Western Plains Health 701-667-3370.***

List of all vendors/food trucks Norm's Catering

(Each vender must have all valid permits and license to sell their product)

Permit Application #: _____ **Date Complete:** _____
(For office use only)

What type of advertising/promotion will be done prior to the event?

(Attach all promotional material.)

Radio: ☐ Yes ☒ No What Stations? _____

TV: ☐ Yes ☒ No What Stations? _____

Fliers/Posters: ☒ Yes ☐ No How many? 10-15

Press Releases: ☐ Yes ☒ No How many? _____

Newspaper Ads: ☐ Yes ☒ No What publication? _____

Is any other promoter/producer assisting you with your event? ☐ Yes ☒ No

Name of Promoter and Promotion Company: _____

Address: _____ City: _____ State: _____ Zip: _____

Will the event include any of the following? **(Indicate on site plan and/or vender list)**

Tents or Canopies ☐ Yes ☒ No

Number of Tents: _____

(Tents require Fire Department inspection.)

Fireworks or Pyrotechnics: ☐ Yes ☒ No

(Fireworks or Pyrotechnics require permits from the Fire Department and inspection fees will be applied.)

Fireworks or Pyrotechnics Production Company's name: _____

*(A copy of the Production Company's License and Insurance is required with this application, only if fireworks or pyrotechnics are being requested for this event.) *A separate bond may be required for this event.*

Require permits from the City of Mandan

Any person for on- or off-sale alcoholic beverage licensee desiring to conduct a public beer garden shall make application for a special permit to do so to the board, 30 days in advance of the proposed event.

Temporary Fencing: ☐ Yes ☒ No

Provide accurate dimensions of fenced area on site plan along with the site plan.

Company Contact Name: _____

Contact phone: _____

Restroom Accommodations: _____

Number of required portable toilets: _____

Approved By: _____ Date Approved: _____ Initials: _____

Placement of sanitary toilet facilities must be on site plan.

Permit Application #: _____ **Date Complete:** _____
(For office use only)

Attach a copy of the letter from the Western Plains Public Health that indicates the site plan has been reviewed and the required number of proper sanitation facilities is attendance.

Company Contact name: _____
Contact phone: _____

Electrical Services/Generators ☐ Yes ☒ No

Generators must be separated from tents by a minimum of 20' and shall be isolated from contact by fencing or other approved means.

Company Contact name: _____
Contact phone: _____

Approved By: _____ **Date Approved:** _____ **Initials:** _____

Carnival/Amusement Rides: ☐ Yes ☒ No

A separate permit from the Fire Department may be required.

Company Contact name: _____
Contact phone: _____

Bonded and Insured Amount: _____

Approved By: _____ **Date Approved:** _____ **Initials:** _____

Signs / Banners ☐ Yes ☒ No

Company Contact name: _____
Contact phone: _____

Approved By: _____ **Date Approved:** _____ **Initials:** _____

Inflatables ☐ Yes ☒ No

Company Contact name: _____
Contact phone: _____

Bonded and Insured Amount: _____

Approved By: _____ **Date Approved:** _____ **Initials:** _____

Raffles

Will this event have a raffle? ☐ Yes ☒ No

If yes, you must apply for a City Permit \$25 Raffle Permit (Attach copy of State Gaming License if issued)

Approved By: _____ **Date Approved:** _____ **Initials:** _____

Section 4 – Transportation

Does the event propose **using, closing or blocking** any of the following:

*If yes, specify location and duration on site map, **if on a DOT Highway or Roadway DOT authorization will be required.***

City Streets ☒ Yes ☐ No (Number of locations: 2 attach list of locations.)

City Sidewalks ☐ Yes ☒ No (Number of locations _____ attached list of locations)

City Bus Stops ☐ Yes ☒ No (Number of locations _____ attached list of locations)

Public Parking Lots ☐ Yes ☒ No (Number of locations _____ attached list of locations)

Public Bicycle Parking ☐ Yes ☒ No (Number of locations _____ attached list of locations)

Multiuse Paths ☐ Yes ☐ No (Number of locations _____ attached list of locations)

City Alleys ☐ Yes ☐ No (Number of locations _____ attached list of locations)

City Right-of-Ways ☐ Yes ☐ No (Number of locations _____ attached list of locations)

Approved By: _____ Date Approved: _____ Initials: _____

(Section 4 must be approved by Mandan City Engineer, and be approved by the City Commission before the event)

Section 5 – Use of City Utilities

Will any City electric hookups be used? ☐ Yes ☒ No

Electric Location including amperage _____

Approved By: _____ Date Approved: _____ Initials: _____

Will any City water hookups be used? ☐ Yes ☒ No

Water Location(s) _____

Approved By: _____ Date Approved: _____ Initials: _____

Will waste water/graywater be generated? ☐ Yes ☒ No

If so, how will it be disposed of? _____

Approved By: _____ Date Approved: _____ Initials: _____

Permit Application #: _____ Date Complete: _____
(For office use only)

Section 6 – Alcohol

Will there be alcohol at the event? ☐ Yes ☒ No

Will alcohol be given away? ☐ Yes ☒ No

Will the alcohol be sold? ☐ Yes ☒ No

Will the alcohol be donated? ☐ Yes ☒ No

Who is the alcohol being donated by or purchased through: _____

Is alcohol included in the admission price of the event? ☐ Yes ☒ No

Approved By: _____ Date Approved: _____ Initials: _____

If you answered *Yes to any of the above*, a City and State Liquor License will be required. Attach copy(s) of all liquor licenses with this application. (If a City Liquor License is needed please contact the City of Mandan's Finance Department to apply at Phone: (701) 667-3213)

Has the applicant/organization ever had a liquor license or event permit denied, revoked or suspended? ☐ Yes ☐ No

If yes, please explain:

How will attendees be identified as minors or age 21 and over?

Have the alcohol servers received training in sale/service of alcoholic beverages? ☐ Yes ☐ No

Request Mandan Police Server Training: ☐ Yes ☐ No

If yes provide a contact person and contact information:

Permit Application #: _____ Date Complete: _____
(For office use only)

Section 7 – Event Security

Are you requesting off-duty Mandan Police officers?

Number of personnel requested: None

After reviewing the event application, the Chief of Police may require the use of the City of Mandan Off-Duty Police Officers for the event.

To schedule Off-Duty Police Officers, please call 701-667-3250.

Officers must be requested 2 weeks prior to any event and there will be a minimum of 4 work hours per officer per event at \$50 per-hour per officer.

Will there be private security? ☐ Yes ☒ No

If so, Number of Security Personnel? _____

Include security points and duties on event plans

****Security is required if alcohol is sold, dispensed, or consumed off and away from a licensed premises in an outdoors setting, including sites which may be protected from the elements by completely enclosed tents.***

****The City of Mandan requires only security companies that are licensed and bonded in the State of North Dakota.***

Security Company and Contact Info: _____

Attach a copy of Company's License

Section 8 – Event Maintenance and Cleanup Plan Required

What is your trash removal and cleanup plan?

Clean up will be handled by Mandan Senior Center Employees

(Attach a detailed Cleanup Plan)

Outside refuse company Company's Name: _____

Contact Name: _____ Phone: _____

All costs for containers, dumping and removing all trash are the responsibility of the applicant/promoter. The City of Mandan's property and or the event site must be returned to its original condition and all equipment removed or daily fees will be accessed.

Section 9 – ADA Accessibility Requirements

Parking plan requirements

Attach a copy of your parking plan and include in the plan the necessary handicap parking areas and any code required handicap accessibility requirements. Also include medical access points and safe medical response routes for the event.

Section 10– Insurance and Bond Requirements

The City of Mandan has established insurance requirements for those facility users, vendors and contractors entering into agreements with the City for the purpose of special events and activities. Before commencing use or services under an agreement with the City of Mandan, a certificate of insurance or a copy of the required bond that complies with the requirements referenced below must be attached.

All special event applicants shall name the City of Mandan as an “Additional Insured”, per item one below, on all policy (ies), except workers compensation and shall reflect this on a Certificate of Insurance. Applicant agrees that any insurance available to the applicant shall be primary and non-contributory to the city’s self-insured retention.

Applicants shall obtain certificates of insurance from all vendors participating in this event unless covered under applicant’s insurance policy. Vendors must comply with all requirements listed in this section. Complete and accurate certificates must be received by the Special Events Office a minimum of five (5) working days prior to the event. Separate certificates of insurance shall be provided by all carnival and amusement companies and firework production companies with the limits shown in this section and shall name the City of Mandan as “Additional Insured” as per item one below. Additional coverage may be required depending upon the nature and scope of the event. For more information or questions regarding insurance requirements, please contact our City Administrator’s Office at 701-667-3214. The City Administrator reserves the right to evaluate the liability of each event and assess the required insurance limits. Event permits will not be issued until all insurance requirements are satisfactorily met.

The certificate must show:

1. The City of Mandan, its agents, officers, employees and volunteers are named as “Additional Insured.” All Certificate of Insurance policies must reflect this with the exception of workers compensation.
2. The City of Mandan shall be notified at least 30 days prior to cancellation or alteration of any insurance coverage. A 10-day notice of cancellation for non-payment of premium is required.
3. Workers Compensation Policies shall contain a Waiver of Subrogation clause in favor of the City of Mandan.
4. General Liability Including: Bodily Injury Contractual Independent Contractors
Comprehensive Form Product/Completed Operations Hazard
Premises Operation Personal Injury Broad Form Property Damage

Permit Application #: _____ **Date Complete:** _____
(For office use only)

In addition, specific date(s) and locations(s) of the event, to include set up and take down, must be stated clearly on the certificate. Certificates shall be received no less than thirty (30) Working days prior to the event.

City Services

Police\$50 per hour, per officer, 4 hour
Minimum
BarricadesAmount charged by contract
Barricade provider

Miscellaneous fees

Fireworks Permit \$_____per location
The Park District may require separate fees or permit if on Park District property. It is required that the event host checks with the Park District when planning an event on Park District property to avoid delays with the permitting process.

Permit Application #: _____ **Date Complete:** _____
(For office use only)

Fee Cost Worksheet

Police Services:

No. of Officers _____ x No. of Hours _____ = _____ x \$50 = \$ _____

Fireworks/Pyrotechnics Permit and Inspection Fee \$ _____

\$25 Application Fee..... \$ **25.00**

\$50 Late application Processing Fee (if Applicable) \$ _____

Event Application Fee (Refer to page 1)

Each day of event \$30.00 x number of days \$ _____

Sunday \$45.00 per day \$ _____

TOTAL: \$ **25.00**

Fees assessed by the Park District are not included.

Date Fees Paid: _____ **Initials:** _____

Required Documents-With Application

- Private Security Contract (if alcohol present)
- Porta Potty Contract
- Site Map(comprehensive)

Any required documents not included can delay application approval or result in application being denied.

Permit Application #: _____ Date Complete: _____

(For office use only)

Signature Page from City Officials and Department Heads

Mitch L. Bitz

[Mitch L. Bitz \(Jul 1, 2025 14:29 CDT\)](#)

07/01/2025



Approved



Denied



Conditional—See Narrative

Fire Department

Date

Patrick Haug

[Patrick Haug \(Jul 7, 2025 14:37 CDT\)](#)

07/07/2025



Approved



Denied



Conditional—See Narrative

Police Department

Date

Jack Wignost

06/30/2025



Approved



Denied



Conditional—See Narrative

Engineering Department

Date

Shane O'Keefe

[Shane O'Keefe \(Jun 30, 2025 14:26 CDT\)](#)

06/30/2025



Approved



Denied



Conditional—See Narrative

Public Works

Date

Fire Department Narrative:

Police Department Narrative:

Engineering Narrative:

Public Works Narrative:

Special Event Guide

Sec. 12-9-1. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Public concert: means a musical performance by one or more groups held either indoors or outdoors where the audience is seated by reserve or general admission, free of charge or otherwise, with the audience being present primarily for the purpose of listening to music and the location of such musical performance having a seating capacity of at least 1,000 people, or, if the concert is outdoors, the site has a capacity of at least 300 persons.

Public dance: means any dance held either indoors or outdoors where the public may participate, whether an admission fee is charged or not, and is present primarily for the sole purpose of dancing, and where the location of the dance has a capacity of at least 100 persons.

Public event: means a music festival, public dance or public concert.

(Code 1979, § 10-04-07; Code 1994, § 12-03-09; Ord. No. 744, § 2, 1989)

ARTICLE 4. – AMUSEMENTS

Sec. 12-4-1. - Required to operate public amusements.

- a) It is unlawful to conduct or operate any amusement which is open to the public and for which an admittance fee is charged without having first secured a license from the city. The license fee for amusements shall be determined by resolution of the board.
- b) No license fee is required if a show, exhibition, entertainment, gallery, stand or other device is operated or given under the auspices of and for the benefit of a church or school, or charitable, fraternal or political organization. (Code 1979, § 10-04-01; Code 1994, § 13-04-01)

Sec. 12-4-2. - Public amusements for which license is required.

A person may not conduct, operate or maintain the following activities without first obtaining a license from the city:

- (1) Public dance, as that term is defined by N.D.C.C. § 53-02-01.
- (2) Any circus, carnival or similar event.
- (3) Any theatrical exhibition, motion picture show, vaudeville performance, opera or variety theater.
- (4) Any show, entertainment, gallery, stand or device of any description on the streets, alleys or public grounds within the city.
- (5) Any merry-go-round, rides or similar devices.

(Code 1979, §§ 10-04-02—10-04-05; Code 1994, § 13-04-02)

Sec. 12-4-3. - Liability insurance or bond required.

A person may not conduct, operate, manage or sponsor any Ferris wheel, merry-go-round or other amusement ride operated for hire, or for the purpose of promoting or advertising any trade or business, without first filing with the city license officer a bond indemnifying the public against damages sustained by reason of operation of the ride, or **certificate of liability insurance**, in the amount of **at least \$500,000.00**. Such bond or certificate of insurance is subject to the approval of the city attorney. This section applies to all persons, whether or not such persons are exempted from any other provision of this article. (Code 1994, § 13-04-03)

Sec. 12-4-4. - Licensee to maintain order.

Any licensee engaged in giving or conducting any public amusement for pay shall preserve good order in and about the place of exhibition or public amusement, and if necessary for that purpose, shall employ, at the licensee's own expense, a sufficient security force. (Code 1979, § 10-04-06; Code 1994, § 13-04-04)

Sec. 12-4-5. - Policing of dances, music festivals or public concerts.

A public dance or public dancing place or hall may not be conducted, maintained or operated, unless the same is policed as provided by N.D.C.C. § 53-02-08. A music festival or public concert, as defined in N.D.C.C. § 53-02-01, shall be policed as provided in N.D.C.C. § 53-02-08. The cost of the policing, as determined by the chief of police, must be paid by the applicant at the time of the license application or, at the discretion of the chief of police, a cash bond in a reasonable amount may be posted, which shall be refunded upon payment of costs of policing following the event. (Code 1994, § 13-04-05)

Sec. 12-4-6. - Use of streets.

It is unlawful for any person to play any game, sport or amusement upon any public right-of-way of the city, except as permitted by the board. (Code 1994, § 13-04-06)

Sec. 12-9-2. - Penalty.

Any person who gives, holds or conducts a public event in violation of this article or in violation of the conditions of the public event permit, who furnishes information required by this article which is false or misleading, or who violates any provision of this chapter shall be guilty of a Class B misdemeanor. (Code 1979, § 10-04-07; Code 1994, § 12-03-17; Ord. No. 744, § 2, 1989)

Sec. 12-9-3. - Required; nontransferable; fees.

No person shall give, hold or conduct a public event unless the owner of the place where the public event is given, or the person giving the same or in charge thereof, first shall have procured a permit to give, hold and conduct such public event. A permit may be issued for one or more public dances or public concerts. If a permit is issued to any person to conduct a public event, the event may be conducted in such place only by the person to whom the permit is issued. Such permit shall not be transferable. A permit fee shall be assessed for each event held within a 24-hour period or an annual permit fee may be assessed if the site location is intended to be a permanent site, and the amount of the fees shall be set from time to time by resolution of the board. A permit, other than an annual permit, shall not be valid for a period of greater than three consecutive days.

(Code 1979, § 10-04-07; Code 1994, § 12-03-10; Ord. No. 744, § 2, 1989)

Sec. 12-9-4. - Application; special permits.

Any person desiring to conduct a public event at a public building or site or any outdoor location shall make application for a permit to do so to the board, 30 days in advance of the proposed event. In the event the applicant proposes to sell or dispense or permit the consumption of alcoholic beverages at such public event, an application for a special permit under the provisions of sections [4-2-16](#) and [4-2-20](#) shall accompany the application for the public event. Four copies of the application shall be filed with the city license officer and shall set forth the following information:

Sec. 4-2-20. - Sunday alcoholic beverage permit.

Permit required. No person may dispense, sell or permit the consumption of alcoholic beverages within a licensed premises or publicly owned or operated facility on any Sunday unless said person has been granted a permit under the provisions of this section. The authority to issue a Sunday alcoholic beverage permit rests solely with the board.

- 1) Identification of applicant. The application shall include the name, address and driver's license number of the applicant and the name, address and driver's license number of the person who will manage or conduct the public event. The application shall also state whether the applicant or the person who will manage or conduct the event has been convicted of any crime relating to the sale of alcoholic beverages or controlled substances or within the past five years has been convicted of any crime against persons, including assault, disorderly conduct, sexual assault, rape or murder, and whether the applicant or the person who will manage or conduct the event has ever had a license of any kind revoked or cancelled by any municipal, state or federal authority.
- 2) Date, time and place. The place, date and hours of the proposed event shall be clearly identified.
- 3) Site plan. The person conducting the event shall include in the application a site plan which details the exact placement of the stage, lighting and other electrical equipment, public seating, toilet facilities, fencing or other barricades, parking, marked fire lanes, and the proximity of public roadways. The site plan submitted by the applicant shall be reviewed by the city engineer, who shall submit Estimate of attendance. his recommendations to the board.
- 4) The applicant shall provide an estimate of the number of persons that the person conducting the event has determined can be safely accommodated within the chosen site and an estimate of the number of persons expected to attend.
- 5) Ticket sales. The application shall contain information relating to ticket sales, which addresses the control of attendance to meet the site plan limitations, if any. If the person conducting the event intends to open the event to the general public without prior ticket sales, the application shall address the manner in which the person intends to limit the size of the crowd to meet the site plan limitations.
- 6) Traffic control. The application shall specify the proximity of public roadways to the site of the event and to the proposed parking area and shall contain a description of the manner in which traffic control will be handled to ensure the safe ingress and egress of pedestrians and vehicles. Appropriate arrangements shall be made by the person conducting the event to ensure that no interference will occur with the public use of any adjacent public roadways. The traffic control proposal shall be subject to the approval of the city engineer.
- 7) Parking. The application and site plan shall specify the planned accommodations for public parking. The person conducting the event shall provide adequate parking for persons in attendance commensurate with the estimated number of persons that the selected site can accommodate. Under no circumstances will parking be permitted upon public roadways if said parking would be in violation of posted parking restrictions.
- 8) Sanitation. The application shall include the number and placement of sanitary toilet facilities which will be provided by the person conducting the event. The application shall be accompanied by a letter from the city health officer that indicates that he has reviewed the site plan and estimate of the number of persons in attendance and has determined that the number and kind of proposed toilet facilities is adequate to meet the needs of persons in attendance at the event.
- 9) Garbage. The application shall include a description of the size and number of available garbage disposal units on the site of the event in addition to the arrangements made to clean up the site after the event has ended.
- 10) Fencing and barricades. The application shall contain a description of the fencing and barricade system which is intended to control access to the event site, if such event is to be outdoors, and the location of the fencing and barricade system shall be noted on the site plan. If alcoholic beverages are to be dispensed or consumed at the public event, which event is outdoor, the perimeter of the site must be surrounded by a six-foot cyclone-style fence or enclosed within a tent which has four sides. For all events, whether outdoors or indoors, adequate provisions for entrances and exits and access by fire, police and other emergency personnel or vehicles shall also be noted in the application and on the site plan.
- 11) Signing. The application shall contain a description of the signing, which is proposed to control pedestrian and vehicular traffic, parking, and provide appropriate notices to the persons in

attendance at the event. The size, wording and placement of the signs shall be included in the description and shall be subject to the approval of the city engineer.

- 12) Sale or consumption of alcoholic beverages. If the applicant intends to sell or allow the consumption of alcoholic beverages at the public event the identity of the alcoholic beverage licensee who will be dispensing said beverages shall be provided. The board may, by resolution or by condition attached to the permit, restrict the sale, dispensing and consumption of alcoholic beverages to beer or beer and wine only at the event or series of events. Therefore, the person holding the event shall include within the application a description of the efforts that will be taken to prevent the consumption of other alcoholic beverages at the event, including those alcoholic beverages attempted to be brought in by members of the public. At all such events the dispensing of alcoholic beverages in glass bottles, glass drinking cups or any other glass containers shall be prohibited.
- 13) Security. N.D.C.C. § 53-02-08 requires the city police department to police the event at the expense of the person conducting the event, which payment must be received by the city license officer 72 hours in advance of the event. The application shall contain, in addition to the estimated number of persons in attendance, an estimate of the number of police officers which will be needed to adequately police the event. The chief of police will be responsible for making the final determination of the number of officers that will be required.
- 14) Bond required. The person conducting the event shall file with the city license officer a cash bond in an amount to be set by resolution of the board. The bond shall be returned to the person after the event if the site has been adequately cleaned and if no additional costs or property damage has resulted from or as a result of the event.
- 15) Cost to the city. If the proposed event necessitates any expenditures on the part of the city, excluding the cost of providing police security, such costs shall be paid to the city by the person conducting the event. The posted cash bond shall be used by the city to cover the costs associated with the event and the balance, if any, will be returned to the person conducting the event. If the cash bond does not cover the costs resulting from the public event, the person conducting the event shall be assessed the additional costs. Costs within this section include, but are not limited to, the following:
 - a. Costs of cleanup or garbage removal;
 - b. Costs of traffic signing, fencing or barricades;
 - c. Any property damage to public property which occurred during or as a result of the event; and
 - d. Any additional costs associated with crowd control, including injury to city employees or other persons, which occurred during or as a result of the event.
- 16) Temporary vacation of streets. If the site plan proposed by the applicant requires the use of any public street, alley or right-of-way, the application and the site plan shall clearly designate the portion of the public street, alley or right-of-way to be temporarily vacated. In no event shall more of a public street adjoining one-half of a public block be vacated and, in each instance, adequate access for emergency vehicles shall be provided. The temporary vacation of any public street or right-of-way shall be subject to the approval of the city engineer. The board shall determine whether any public street, alley or right-of-way may be temporarily vacated for a public event on a case-by-case basis.
(Code 1979, § 10-04-07; Code 1994, § 12-03-11; Ord. No. 744, § 2, 1989)

Sec. 12-9-5. - Inquiry and investigation.

The board shall make such inquiry and investigation as to the propriety of granting or refusing such permit as shall be deemed necessary.

(Code 1979, § 10-04-07; Code 1994, § 12-03-12; Ord. No. 744, § 2, 1989)

Sec. 12-9-6. - Refusal and revocation of public event permit for cause.

- (a) The board may revoke the public event permit at any time for violation of any of the provisions of this chapter. The board shall refuse to issue such permit, and shall revoke a permit already issued, where it appears that:
- 1) The permitted site is or is likely to become a public nuisance or detrimental to public health, safety or order;
 - 2) The provisions of this chapter are being violated;
 - 3) An alcoholic beverage or controlled substance is being sold, or given away, except as authorized by terms of the permit;
 - 4) Any of the city ordinances or state laws are being violated;
 - 5) The chief of police determines that adequate security cannot be provided to the public event either by city police officers, special police or a combination thereof; or
 - 6) The board has determined that the number of like events needs to be limited in order to ensure the health, safety and security of the public.
 - 7) The chief of police shall report any violations of the permit or violations of city ordinances or state laws immediately to the board. Notwithstanding any of the provisions of this chapter, if the chief of police determines that the conduct of any public event has become a public nuisance or injurious to the public peace, health or safety, the chief of police shall immediately cause said event to be closed to the public and thereafter notify the board of the action and reasons, therefore.
- (Code 1979, § 10-04-07; Code 1994, § 12-03-14; Ord. No. 744, § 2, 1989)

Sec. 12-9-7. - Restrictions and conditions attached to public event permit.

If the board determines that the public event will not unduly interfere with the peace, health or safety of the public or the neighborhood in which the event will occur and that the applicant is in compliance with the requirements for sanitation and garbage disposal; parking, fencing, traffic and crowd control; security; and regulation of alcoholic beverage consumption, the board may approve the issuance of the permit to be effective for the dates designated and subject to any necessary restrictions and conditions, including the following restrictions and conditions:

- 1) Alcoholic beverages may be distributed and consumed, and dancing may be permitted only in those areas specifically designated in the site plan and approved by the board;
 - 2) Dancing and the distribution of alcoholic beverages shall be permitted only during the hours designated by the board, which in no event shall be before the hour of 12:00 noon on the date specified in the permit and after 1:00 a.m. of the following day;
 - 3) No person having a permit to hold a public event at which alcoholic beverages are to be sold, distributed or consumed shall permit in any such event any person who is obviously intoxicated or who is under 21 years of age, except persons under 21 years of age may be permitted at a public event if the sale and consumption of alcoholic beverages is segregated and constricted to an area barricaded from the public event by a six-foot cyclone-style fence or structure to which access by such persons is prohibited;
 - 4) The licensee as a condition to the issuance of such permit consents and agrees that any city police officer or special police officer may enter upon and inspect the licensed premises or site or any part at any time for the purpose of determining compliance with the conditions of the permit and city ordinances; and
 - 5) The licensee shall comply with all other applicable ordinances and laws relating to health and sanitation and the use and sale of alcoholic beverages in the city.
- (Code 1979, § 10-04-07; Code 1994, § 12-03-14; Ord. No. 744, § 2, 1989)

Sec. 12-9-8. - Limits on number of public event permits.

The board may, by resolution, set a maximum limit on the number of public event permits which will be granted during any period of time. Notwithstanding any restrictions on the number of events, the board may deny any application for a permit if it determines that adequate provision for traffic control, health, safety or security cannot be provided for the event.

(Code 1979, § 10-04-07; Code 1994, § 12-03-15; Ord. No. 744, § 2, 1989)

Sec. 12-9-9. - Indemnification of city.

A person may not give, hold or conduct a public event, nor may the board approve a permit for such public event, without the person having first filed with the city license officer a bond or certificate of insurance in the amount as specified by resolution of the board, indemnifying the city and the public against personal injury or property damages occurring at or as a result of the public event. The person giving, holding or conducting the public event agrees to save and hold harmless the city for any personal injury or property damage resulting from actions of any city employees, police officers or special officers in the course of their employment, which actions are directly related to the conduct of the public event.

(Code 1979, § 10-04-07; Code 1994, § 12-03-16; Ord. No. 744, § 2, 1989)

Sec. 24-9-3. - Parade permit required.

No person shall engage in, participate in, aid, form or start any parade without a parade permit issued by the city.

(Code 1979, § 9-01-01; Code 1994, § 20-09-02; Ord. No. 658, § 1, 1982; Ord. No. 789, § 1-3, 1991)

Sec. 24-9-4. - Application for parade permit.

- a. A person desiring a parade permit shall file an application with the city on forms provided by the city. Such application shall be filed not less than seven days nor more than 60 days before the date on which it is proposed to conduct the parade.
- b. The application for a parade permit shall contain all information deemed necessary by the city in order to fully evaluate the request
- c. The city, where good cause is shown therefore, may consider any application which is filed less than seven days before the date such parade is proposed to be conducted.

(Code 1979, § 9-01-01; Code 1994, § 20-09-02; Ord. No. 658, § 1, 1982; Ord. No. 789, § 1-3, 1991)

Sec. 24-9-5. - Standards for issuance of parade permit.

The city shall issue a parade permit when, from a consideration of the application and from such other information as may otherwise be obtained, it finds that:

- 1) The conduct of the parade will not substantially interrupt the safe and orderly movement of other traffic contiguous to its route.
- 2) The conduct of the parade will not require the diversion of so great a number of police officers to properly police the line of movement and the areas contiguous thereto as to prevent normal police protection to the city.

- 3) The conduct of such parade will not require the diversion of so great a number of ambulances as to prevent normal ambulance service to portions of the city other than that to be occupied by the proposed line of march and areas contiguous thereto.
- 4) The concentration of persons, animals and vehicles at assembly points of the parade will not unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to such assembly areas.
- 5) The conduct of such parade will not interfere with the movement of firefighting equipment en route to a fire.
- 6) The conduct of the parade is not reasonably likely to cause injury to persons or property, to provoke disorderly conduct or create a disturbance.
- 7) The parade is scheduled to move from its point of origin to its point of termination expeditiously and without unreasonable delays en route.
- 8) The parade is not to be held for the sole purpose of advertising any product, cause, goods or events and is not designed to be held purely for private profit.

(Code 1979, § 9-01-01; Code 1994, § 20-09-02; Ord. No. 658, § 1, 1982; Ord. No. 789, § 1-3, 1991)

Sec. 24-9-6. - Notice of denial of parade permit.

If the city disapproves the application for a parade permit, the city shall mail to the applicant, within three days after the date upon which the application was filed, a notice of such action.

(Code 1979, § 9-01-01; Code 1994, § 20-09-02; Ord. No. 658, § 1, 1982; Ord. No. 789, § 1-3, 1991)

Sec. 24-9-7. - Alternative parade permit.

The city, in denying an application for a parade permit, may authorize the conduct of the parade on a date, at a time or over a route different from that named by the applicant. An applicant desiring to accept an alternate permit shall, within five days after notice of such action, file a written notice of acceptance with the city. An alternate parade permit shall conform to the requirements of, and shall have the effect of, a parade permit under this article.

(Code 1979, § 9-01-01; Code 1994, § 20-09-02; Ord. No. 658, § 1, 1982; Ord. No. 789, § 1-3, 1991)

Sec. 24-9-8. - Contents of parade permit.

Each parade permit shall state the following information:

- 1) Starting time.
- 2) Minimum speed.
- 3) Maximum speed.
- 4) Maximum interval of space to be maintained between the units of the parade.
- 5) The portions of the streets to be traversed that may be occupied by the parade.
- 6) The maximum length of the parade in miles or fractions thereof.
- 7) Such other information as the governing body shall find necessary to the enforcement of this article.

(Code 1979, § 9-01-01; Code 1994, § 20-09-02; Ord. No. 658, § 1, 1982; Ord. No. 789, § 1-3, 1991)

Permit Application #: _____ **Date Complete:** _____
(For office use only)

Sec. 24-9-9. - Carrying parade permit.

The parade chairperson or other person heading or leading such activity shall carry the parade permit upon their person during the conduct of the parade.

(Code 1979, § 9-01-01; Code 1994, § 20-09-02; Ord. No. 658, § 1, 1982; Ord. No. 789, § 1-3, 1991)

Sec. 24-9-10. - Revocation of parade permit.

The city may, after a hearing affording due process, revoke a parade permit issued under this article upon application of the standards for issuance as set forth in this article.

(Code 1979, § 9-01-01; Code 1994, § 20-09-02; Ord. No. 658, § 1, 1982; Ord. No. 789, § 1-3, 1991)

MANDAN GOLDEN AGE CLUB

301 15TH STREET NW • MANDAN, ND 58554 • (701) 663-6528

PD 25⁰⁰ check } 6-30-25
30⁰⁰ cash } Jm

June 30, 2025

Michael M. Breid, Support Services Sergeant
Mandan Police Department
205 1st Avenue NW
Mandan ND 58554

Dear Sergeant Breid:

Morton County Housing (Liberty Heights) and the Mandan Golden Age Club/Senior Center are hosting their 10th Annual Car Show on Tuesday, September 23, 2025, (alternate date in case of inclement weather 09/24/2025) from 5:00-7:30 P.M. We are requesting permission to rope off the Liberty Heights one-way street, which is 15th Street NW; both the entrance on 3rd Avenue NW and the exit on 14th Street NW. The street would be roped off from 4:30 to 8:00 P.M.

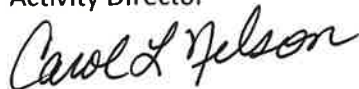
Entertainment will be provided by Brave Heart Band, and food will be available from Norm's Eatery.

Included with this letter is the permit application, a map depicting the requested street closure, the flyer that will be used to promote the event, and the \$25 application fee. The Mandan Golden Age Club/Senior Center and Liberty Heights Housing have liability insurance coverage on the properties where the car show will be held.

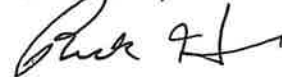
I appreciate you taking the time to review our request and if more information is needed or you have questions, I can be reached at 701-663-6528.

Sincerely,

Carol L Nelson
Activity Director



Concurred by:



Rick Horn
Director, Morton County Housing

Enclosures
Street Map
Advertising Flyer

Free to the Public
10th Annual
Classic Car Show



Tuesday, September 23rd

5:00PM to 7:30PM

**The Liberty Heights & Mandan Golden Age
Classic Car Show**

Location: 301 15th Street NW , Mandan

5:00PM to 7:30PM

Admire Classic Cars, listen to music and eat



***Food available from
Norm's Eatery
Entertainment
by***

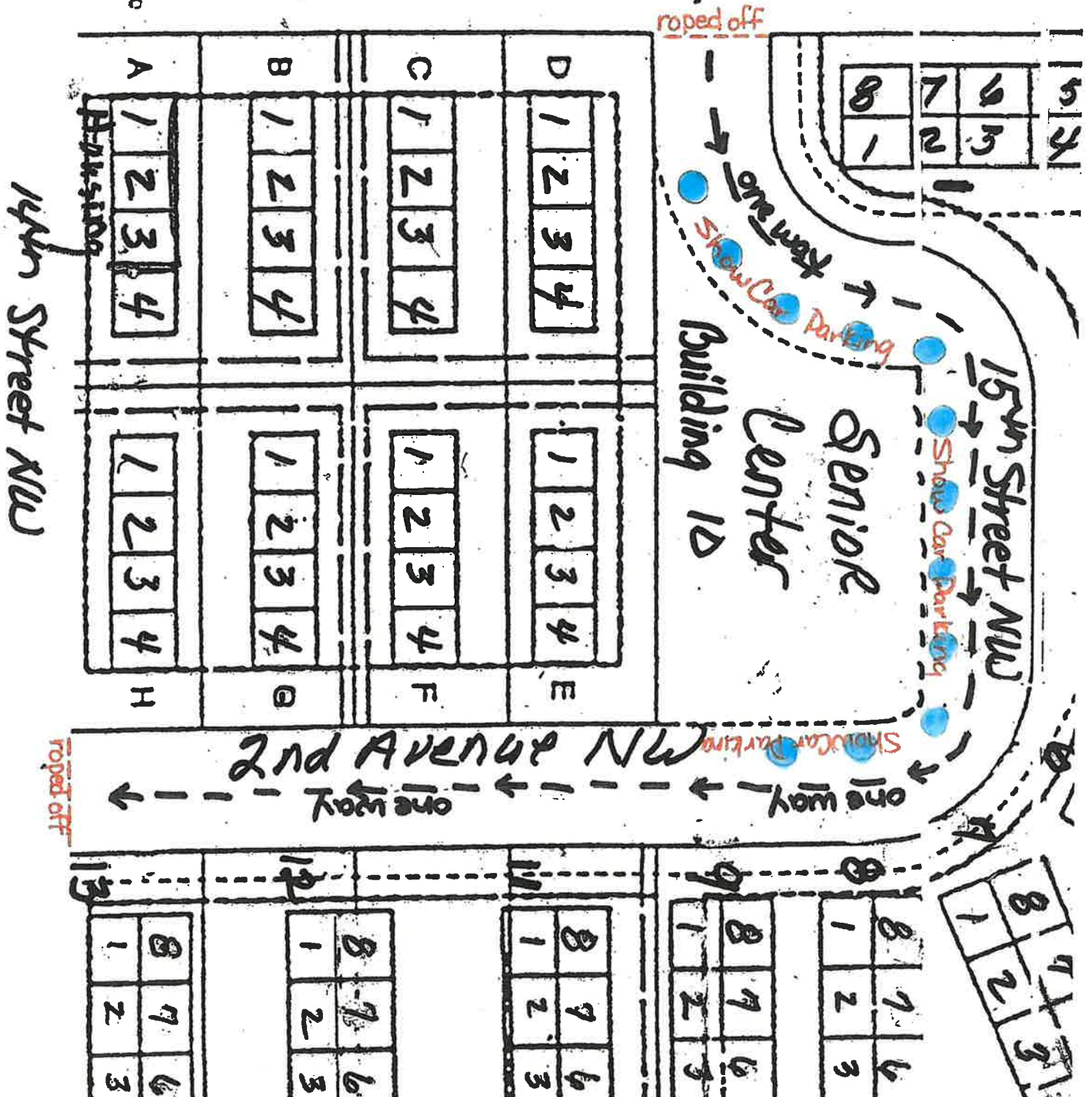
Brave Heart Band

***In Case of inclement weather, alternate date
Wednesday, Sept. 24th***

Contact Carol at 701-663-6528

3rd Ave. NW

roped off street.
Snow Car Parking













Special Event Permit-Liberty HeightsMags Classic Car Show

Final Audit Report


2025-07-07


Created:	2025-06-30
By:	Tasha Scott (tasha.scott@mandanpd.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAABAEMPbI7PGR7aF1G73Ta7BmZp4ViEpoa


"Special Event Permit-Liberty HeightsMags Classic Car Show" History


-  Document created by Tasha Scott (tasha.scott@mandanpd.com)
2025-06-30 - 4:22:50 PM GMT
-  Document emailed to Pat Haug (phaug@mandanpd.com) for signature
2025-06-30 - 4:22:58 PM GMT
-  Document emailed to Mitch Bitz (mbitz@cityofmandan.com) for signature
2025-06-30 - 4:22:58 PM GMT
-  Document emailed to Shane O'Keefe (shane.okeefe@cityofmandan.com) for signature
2025-06-30 - 4:22:59 PM GMT
-  Document emailed to Jarek Wigness (jarek.wigness@cityofmandan.com) for signature
2025-06-30 - 4:22:59 PM GMT
-  Email viewed by Shane O'Keefe (shane.okeefe@cityofmandan.com)
2025-06-30 - 5:08:49 PM GMT
-  Document e-signed by Shane O'Keefe (shane.okeefe@cityofmandan.com)
Signature Date: 2025-06-30 - 7:26:09 PM GMT - Time Source: server
-  Email viewed by Jarek Wigness (jarek.wigness@cityofmandan.com)
2025-06-30 - 8:16:27 PM GMT
-  Document e-signed by Jarek Wigness (jarek.wigness@cityofmandan.com)
Signature Date: 2025-06-30 - 8:17:37 PM GMT - Time Source: server
-  Email viewed by Mitch Bitz (mbitz@cityofmandan.com)
2025-07-01 - 7:27:57 PM GMT


 Signer Mitch Bitz (mbitz@cityofmandan.com) entered name at signing as Mitch L.Bitz
2025-07-01 - 7:28:58 PM GMT

 Document e-signed by Mitch L.Bitz (mbitz@cityofmandan.com)
Signature Date: 2025-07-01 - 7:29:00 PM GMT - Time Source: server

 Email viewed by Pat Haug (phaug@mandanpd.com)
2025-07-07 - 7:33:33 PM GMT

 Signer Pat Haug (phaug@mandanpd.com) entered name at signing as Patrick Haug
2025-07-07 - 7:37:06 PM GMT

 Document e-signed by Patrick Haug (phaug@mandanpd.com)
Signature Date: 2025-07-07 - 7:37:08 PM GMT - Time Source: server

 Agreement completed.
2025-07-07 - 7:37:08 PM GMT



City Commission

Agenda Documentation

MEETING DATE: July 15, 2025
PREPARATION DATE: July 3, 2025
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jarek Wigness, City Engineer
SUBJECT: Consider a Development Agreement for the Shores At Lakewood 2nd Addition

STATEMENT/PURPOSE:

To review and possibly approve entering into a development agreement for Shores at Lakewood 2nd Addition

BACKGROUND/ALTERNATIVES:

Shores At Lakewood 2nd Addition final plat and PUD (Planned Unit Development) Amendment were approved unanimously at the September 17, 2024, City Commission meeting contingent on approval of a Development Agreement.

City staff and representatives from the developer have engaged in numerous discussions and have reached points whereby city commission direction is requested. Those points as outlined by the developer are:

1. Approve the Development Agreement (DA), issuing directions on any unresolved items;
2. Authorize immediate plat recording for Shores at Lakewood 2nd Addition
3. Direct Staff to proceed with bid and financing preparations
4. Allow Staff and legal counsel to finalize language where consensus exists, without delaying essential next steps.

In response to these four items, our responses (in italics) are as follows:

1. Approve the Development Agreement, issuing directions on any unresolved items;

We would recommend approving the DA now that all issues are resolved.

2. Authorize immediate plat recording for Shores at Lakewood 2nd Addition

The plat recording for Shores at Lakewood 2nd addition will be done when the DA is finalized and approved.

3. Direct Staff to proceed with bid and financing preparations.

The recommendation would be to finance the street improvements over a 15-year period and the stormwater improvements over a 20-year period.

4. Allow Staff and legal counsel to finalize language where consensus exists, without delaying essential next steps.

Staff will continue to work diligently with developer on finalizing the DA.

ATTACHMENTS:

1. Shores Master Development Agreement
2. Grass Collection
3. Updated Master Plan

FISCAL IMPACT:

Unknown at this time.

STAFF IMPACT:

Substantial time and effort has been dedicated to this project.

LEGAL REVIEW:

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

RECOMMENDATION:

To approve the presented development agreement.

SUGGESTED MOTION:

I move to approve the development agreement, as presented.

Development Agreement
Shores at Lakewood Masterplan

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- I. Parties, Property, and Development Scope**
- II. Agreement Terms**
 - 1. Infrastructure Plan Approval and Compliance
 - 2. Temporary Fire Turnaround Requirements
 - 3. Stormwater Management and Maintenance Obligations
 - 4. Homeowners Association Documentation Requirement
 - 5. Public Infrastructure Maintenance and Financing Options
 - 6. Sanitary Sewer Lift Station Capacity Improvements
 - 7. Sanitary Sewer Lift Station on Lot 65, Block 1, Shores at Lakewood 2nd Addition
 - 8. Building Permit Issuance Requirements
 - 9. Lot Modification Compliance
 - 10. USPS Clusterboxes
 - 11. Private Street Signage and Maintenance
 - 12. Private Park Ownership, Construction, and Maintenance
 - 13. Third-Party Approval Disclaimer
 - 14. Floodplain Development Compliance
 - 15. Boulevard Landscaping Requirements
 - 16. Monument Signage Installation and Maintenance
 - 17. Security & Safety Fencing Installation and Maintenance
 - 18. Access to Private Parks
 - 19. Trail Construction to Prairie West Golf Course
 - 20. Right-of-Way Vacation and Leaf & Grass Collection Site Relocation
 - 21. Community-Wide Irrigation System Requirements
 - 22. Maintenance Responsibility of Heart River Oxbows
 - 23. Lower Heart River Water Resource District Conditions Compliance
 - 24. Enforcement and Amendments
 - 25. Not Binding
- III. Signatures**

This Agreement is made and entered into on the [day] of [month], 2025, (hereinafter the “effective date”) by and between the City of Mandan (hereinafter referred to as the “City”), TRX Developers, LLC (hereinafter referred to as the “Developer”), and Lakewood Shores HOA, specifically Mandan Lakewood Shores HOA, c/o GoldStar Property Management (hereinafter referred to as the “HOA”). The address for the City of Mandan is 205 2nd Avenue NW, Mandan, North Dakota, 58554. The address of the Developer is 3100 N 14th Street, Bismarck, ND 58503, and the address of the HOA is 3100 N 14th Street, Bismarck, ND 58503. This Agreement is a covenant running with the Property and binding upon any and all future owners of the Property.

WHEREAS, the Developer is the owner of property (Parcel numbers 65-6110785, 65-5511360, 65-5511352, 65-5511525, 65-5513800, & 30-0114100) whose legal description is [Correct Legal to Be Inserted], Township 138N, Range 81W, Mandan, Morton County, North Dakota (hereinafter referred to as the "Property"); and

WHEREAS, the Developer wishes to develop the approximate one-hundred and thirty-two (132) acre Property, excluding right-of-way dedication, into a master planned development named Shores at Lakewood (Phase 1 “Shores at Lakewood Addition” of said master plan is Document No. _____) and Phase 2 “Shores at Lakewood 2nd Addition (Document No. _____), and future Shores at Lakewood 3rd and 4th Additions (hereinafter collectively referred to as the "Development"); and

WHEREAS, said master planned Development is currently planned to include approximately two-hundred and nine (209) residential lots, one (1) commercial lot to be further subdivided, and two (2) additional lots to be used as a storm water detention and three (3) parks/open spaces to be owned by the Home Owner’s Association; and

WHEREAS, the Master Plan and PUD Zoning have been approved previously; however, future phases of the master planned Development have not received final platting approval and are therefore subject to review by the Planning and Zoning Commission and City Commission; and

WHEREAS, future phases of the master planned Development are subject to future amendments to this Development Agreement; and

WHEREAS, said Development has been zoned to the amended PUD – Planned Unit Development under Ordinance No. 1397 (Document No. _____) specific to the Master Plan and Shores Addition, and Ordinance No. 1454 (Document No. _____) specific to Shores 2nd Addition; and

WHEREAS, the Developer intends to phase the Development over generally the next few years, with construction having begun in the spring of 2022, under a separate development agreement that this new document replaces (Document No. _____); and

WHEREAS, this Agreement serves to outline the responsibilities and obligations of both the City and the Developer regarding the master planned Development and phases therewithin, and recognizes that formal, specific approval from the City Commission is required to initiate the development and construction process; and further, that this Agreement establishes the foundational guidelines that will govern the Development as it moves forward, ensuring clarity and alignment with the City’s planning objectives and regulatory framework; and

WHEREAS, the Developer intends to construct water systems, sanitary sewer systems, storm water conveyance systems and street improvements to provide service to the Development and connect to same City facilities; and

WHEREAS, the Developer intends to construct certain infrastructure improvements at a scale required to provide service to areas beyond the Development; and

WHEREAS, upon completion and acceptance by the City, the Developer intends to dedicate certain Developer constructed or installed facilities to the City for ownership, operation and maintenance; and

WHEREAS, the City will not take ownership of the storm water attenuation pond or private park lots following construction by the Developer. Said lots are to remain under the ownership and maintenance of the Homeowner's Association; and

WHEREAS, the Development, without this agreement, could create disorder in future development, raising costs of public infrastructure and private development for the surrounding lands; and

WHEREAS, this Agreement provides the Developer a means to achieve the desired outcome of developing the Property into single-family homes, twin-homes, townhomes, and commercial lots; and

WHEREAS, nothing in this agreement prohibits the City from adopting alternative land uses through a new land use plan or amendment to the Plan affecting the Property as prescribed by State law and the Mandan Code of Ordinances and requiring any future development to align with said plan.

NOW THEREFORE, it is agreed between the parties as follows:

1. Infrastructure Plan Approval and Compliance

All infrastructure plans shall be submitted by the Developer to the City Engineering Department for review and approval prior to construction.

All infrastructure must be constructed by the Developer in full accordance with the plans approved by the City Engineering Department, as well as any applicable City of Mandan standards and specifications in effect at the time of approval.

Any material deviations from the approved plans shall require prior written approval from the City Engineer.

2. Temporary Fire Turnaround Requirements

The Developer shall install temporary fire turnarounds where necessary during phases of development. Temporary fire turnarounds shall be constructed of class 5 aggregate base or crushed concrete, and shall be subject to review, approval, and final inspection and acceptance by the City Fire Department.

In addition, the Developer shall be permitted to construct and utilize temporary construction access roads, constructed of class 5 aggregate base or crushed concrete, capable of bearing 75,000 lbs, to facilitate construction operations during phased buildout, and through winter months. Temporary construction access shall be subject to review and approval by the Fire Chief & City Engineer to ensure compliance with public safety and operational standards.

Upon completion of public infrastructure improvements for each respective phase, the Developer shall remove and reclaim any temporary fire turnarounds and temporary construction access roads in accordance with City standards and to the satisfaction of the City Engineer

The City reserves the right to periodically inspect the condition of temporary fire turnarounds and temporary construction access roads and require maintenance, restoration, or reconstruction as necessary to maintain acceptable emergency access standards.

3. Stormwater Management and Maintenance Obligations

The Developer shall submit a comprehensive stormwater management plan to the City Engineer for review and approval prior to commencement of any grading or infrastructure construction activities.

All stormwater infrastructure shall be constructed by the Developer in full accordance with the approved stormwater management plan and applicable City of Mandan standards in effect at the time of plan approval.

The responsibility for ongoing maintenance, repair, and replacement of the stormwater attenuation pond shall rest solely with the Homeowners Association or its successors and assigns. The Developer shall maintain the stormwater facilities until formal transfer of maintenance responsibilities to the HOA.

The Developer may initiate early transfer of stormwater pond maintenance responsibilities to the Homeowners Association prior to full buildout, provided the following conditions are met:

- a) the pond has been fully constructed, stabilized, and accepted by the City Engineer;
- b) all improvements are functioning as designed per the approved stormwater management plan;
- c) the transfer is documented via written notice and accepted by the HOA Board; and
- d) all covenants and easements governing ongoing maintenance are recorded.

In no case shall such transfer occur later than the issuance of the final Certificate of Occupancy for the final lot served by the stormwater pond.

In the event that the Developer becomes insolvent or otherwise incapacitated from fulfilling its responsibilities, all stormwater-related obligations shall automatically transfer to the Homeowners Association.

The maintenance plan for the stormwater pond shall be included as a formal, binding component of the approved stormwater management plan.

The lots designated for the stormwater pond shall be platted as separate lots owned by the Homeowners Association and shall be subject to recorded covenants ensuring perpetual maintenance responsibility.

4. Homeowners Association Documentation Requirement

The Developer has established a Homeowners Association ("HOA") responsible for the ownership and maintenance of common areas, private park lots, stormwater facilities, and any other amenities designated as private within the Shores at Lakewood Development.

The Developer has caused the Amended Declaration of Covenants, Conditions, and Restrictions ("CC&Rs") establishing the HOA, along with the Articles of Incorporation and Bylaws of the HOA, to be recorded with the Morton County Recorder's Office.

The Developer shall provide the City of Mandan with recorded copies of all HOA organizational documents for reference. Amendments to the recorded documents that materially affect the maintenance or ownership obligations of the HOA shall be submitted to the City for informational purposes.

5. Public Infrastructure Maintenance and Financing Options

All public roads and utilities shall become the maintenance responsibility of the City of Mandan following final acceptance by the City.

Water distribution and sanitary sewer infrastructure shall be constructed by the Developer and funded privately through a Three-Way Agreement with the City (referenced as Project 2025-07), in full compliance with City of Mandan standards and specifications.

All other public infrastructure improvements required to serve Shores at Lakewood 2nd, 3rd, and 4th Additions shall be divided into two distinct special assessment districts, organized by expected useful life and financing structure:

1. Storm Sewer Improvement District 33 – Project 2025-08 (20-Year Amortization)

The district for project 2025-08 shall include improvements with a projected service life of 20 years or more, including but not limited to:

- Storm sewer improvements (constructed concurrently with 2025-07)

All costs associated with the design, construction, and construction observation of these 2025-08 improvements shall be assessed to the benefiting lots within Shores 2nd, 3rd, and 4th Additions. Bonds issued under SSI-33 shall be structured with a fixed **20-year amortization** schedule.

2. Street Improvement District 240 – Project 2025-09 (15-Year Amortization)

The district for project 2025-09 shall be limited to improvements with a shorter service life, specifically including:

- Asphalt paving of all public streets and alleys
- Concrete curb and gutter

- Street lighting
- Street signage
- Security and safety fencing
- Sidewalks along Oxbow Trail
- Roadway base and subgrade preparation

All costs associated with the design, construction, and construction observation of SID-240 improvements shall be assessed to the benefiting lots within Shores 2nd, 3rd, and 4th Additions. Bonds issued under SID-240 shall be structured with a fixed **15-year amortization** schedule.

The Developer acknowledges that **no future repair or maintenance reserves** shall be included in the financing structure of either SSI-33 or SID-240. Future surface maintenance, chip seals, overlays, or similar activities shall be addressed by the City of Mandan through its standard capital improvement and budgeting processes.

Nothing in this Agreement guarantees the issuance of bonds or obligates the City to use a particular funding method. All financing decisions, including bond authorization, structuring, and implementation, shall remain at the sole discretion of the City Commission and subject to available financial capacity.

6. Sanitary Sewer Lift Station Capacity Improvements

The Developer acknowledges that future capacity upgrades to the City-owned sanitary sewer lift station located at 2860 40th Avenue SE will likely be required to support increased flows from the full buildout of the Shores at Lakewood Master Planned Community.

In lieu of full upfront payment, the City and Developer agree to a cost-sharing structure whereby the Developer shall contribute a total of \$75,000 toward lift station upgrades, payable in three equal installments of \$25,000 each, to align with the phased development timeline:

- The first installment of \$25,000 shall be due prior to the issuance of any grading, building, or utility permits for Shores at Lakewood 2nd Addition.
- The second installment of \$25,000 shall be due prior to the issuance of any grading, building, or utility permits for Shores at Lakewood 3rd Addition.
- The third installment of \$25,000 shall be due prior to the issuance of any grading, building, or utility permits for Shores at Lakewood 4th Addition.

The City shall be responsible for the design, timing, and execution of the lift station capacity improvements. The upgrades shall be undertaken at the City's discretion, based on actual system demand and infrastructure lifecycle optimization.

7. Sanitary Sewer Lift Station on Lot 65, Block 1, Shores at Lakewood 2nd Addition

The Developer agrees that the sanitary sewer lift station located on Lot 65, Block 1, Shores at Lakewood 2nd Addition shall be funded and constructed as part of the Three-Way Agreement project referenced in Section 3 of this Agreement and identified as Project 2025-07 (Water and Sanitary Sewer Project).

The Developer shall retain full rights to design the lift station structure, building exterior, and landscaping of the surrounding grounds, provided such design is consistent with all applicable City of Mandan standards, North Dakota state code requirements, and applicable regulations.

The Developer's civil engineer of record shall submit final lift station design specifications, including architectural, mechanical, electrical, and landscaping components, to the City Engineer for review and acceptance prior to construction.

Upon satisfactory completion and formal acceptance by the City, ownership, operation, and long-term maintenance responsibility for the lift station shall transfer to the City of Mandan.

8. Certificate of Occupancy Issuance Requirements

No Certificate of Occupancy shall be issued for any structure within the Development until all of the following conditions have been satisfied:

- a. All required public infrastructure improvements serving the applicable lots have been completed to the satisfaction of the City Engineer;
- b. The City of Mandan has granted formal preliminary or final acceptance (as applicable) of the infrastructure improvements;
- c. Survey-grade as-built drawings, prepared by the Developer's consulting engineer, have been submitted in a format compatible with the City's GIS and data management system;
- d. All required easement and right-of-way documents have been recorded with Morton County; and
- e. Any outstanding financial obligations associated with public improvements have been adequately secured or satisfied.

The Developer acknowledges the City's historical preference to restrict building permit issuance until roads are complete. However, it is respectfully noted that in prior cases, building permits have been issued ahead of road completion provided emergency access was secured and all required interim measures were reviewed and approved by the City Fire Department and City Engineer.

This revised language reflects a shift in the regulatory trigger from building permit to Certificate of Occupancy to align construction activity with life-safety readiness and final infrastructure verification, while preserving flexibility for safe vertical construction during seasonal buildout.

9. Lot Modification Compliance

Any modifications to platted lots within the Shores at Lakewood Development, including lot line adjustments, replats, or consolidations, shall comply with the applicable procedures outlined in the City of Mandan's subdivision regulations.

All such modifications shall be subject to review and approval by the City of Mandan Planning and Zoning Commission and/or City Commission, as required by ordinance.

The Developer shall provide the City with updated plat exhibits and legal descriptions for any proposed changes, and shall record all approved modifications with the Morton County Recorder's Office prior to issuance of any building permits or sale of affected lots.

10. USPS Clusterboxes

The Developer shall coordinate directly with the United States Postal Service (USPS) to determine the number, design, and location of centralized cluster mailbox units (CBUs) within the Shores at Lakewood Development. USPS requirements shall govern installation standards.

The Developer shall provide all necessary easements or outlots as required by USPS and the City for mailbox placement, with final locations subject to City review and approval.

In anticipation of phased development and potential lot adjustments, the Developer shall evaluate and, if warranted, install additional CBUs beyond the minimum required to reasonably accommodate future expansion within the master plan.

Maintenance and repair of installed CBUs shall be the responsibility of the Homeowners Association, and this obligation shall be incorporated into the recorded covenants.

11. Private Street Signage and Maintenance

The streets located within Block 1 of Shores at Lakewood 2nd Addition, serving Lots 34 - 55, & 57 - 62 shall be private streets and shall not be maintained, repaired, reconstructed, or serviced by the City of Mandan. This includes, but is not limited to, construction, repair, resurfacing, snow removal, de-icing, and street sweeping.

Developer shall fund and install all street surfaces, subsurface utilities, drainage infrastructure, signage, and street lighting within the private street areas.

Responsibility for all maintenance, including maintenance of street surfaces, subsurface utilities, drainage infrastructure, signage, and street lighting within the private street areas, shall rest solely with the Homeowners Association or its successors and assigns.

The Developer shall install signage, as approved by the City's Public Works Department, identifying such streets as "Private" at all entrances to the private street network.

Maintenance obligations for private streets shall be incorporated into the recorded covenants governing the Shores at Lakewood 2nd Addition.

12. Private Park Ownership, Usage, Construction, and Maintenance

The private park areas located on Lot 21, Block 2, Shores at Lakewood Addition, Lot 56, Block 1, Shores at Lakewood 2nd Addition, and Lot 35, Block 2, Shores at Lakewood 2nd Addition, shall be owned, developed, improved, and maintained exclusively by the Homeowners Association ("HOA") or its successors and assigns.

Developer shall fund and complete the initial grading, improvements, and installation of amenities associated with the private park lots as part of phased development.

The City of Mandan and Mandan Park District shall have no ownership interest, operational responsibility, financial obligation, or maintenance duty associated with the private parks.

Emergency access rights shall be preserved for public safety purposes only.

Maintenance responsibilities for the private parks shall be specifically documented within the HOA's recorded covenants and governing documents to ensure clear and enforceable obligations.

13. Third-Party Approval Disclaimer

The Developer acknowledges that City of Mandan approvals do not relieve the Developer of its obligation to obtain separate approvals, permits, or clearances required by state agencies, federal agencies, private utilities, or other regulatory entities having jurisdiction over the Shores at Lakewood Development or any portion thereof.

It shall be the sole responsibility of the Developer to ensure compliance with all such third-party requirements, including but not limited to, those related to utilities, wetlands, floodplain management, and environmental protection.

The City assumes no responsibility for facilitating or ensuring such third-party approvals

14. Floodplain Development Compliance

The Developer acknowledges that portions of the Shores at Lakewood Development may be subject to floodplain regulations governed by Section 105-4-4 of the City of Mandan Code of Ordinances.

The Developer shall be responsible for ensuring that all grading, construction, improvements, and related activities within areas designated as floodplain comply with applicable floodplain management regulations, including but not limited to, securing necessary floodplain development permits, maintaining minimum building elevations, etc.

All required compliance documentation, including finished floor elevations, shall be submitted to and approved by the City Building Official prior to issuance of building permits or commencement of construction activities within regulated floodplain areas.

15. Boulevard Landscaping Requirements

Boulevard landscaping shall consist of one (1) deciduous tree with a minimum caliper size of one and one-quarter inch (1 1/4") planted for every fifty (50) linear feet of public right-of-way frontage along McKenzie Drive SE.

The placement and species selection for boulevard trees shall be subject to review and approval by the City Arborist or designated City representative prior to planting.

For individual residential lots (including but not limited to Lots 1 and 21, Block 1, and Lot 1 and 20, Block 2, Shores at Lakewood Addition, and Lot 1, Block 3, Lot 34, Block 2, and Lots 46–51, Block 1, and Lots 57–62, Block 1, Shores at Lakewood 2nd Addition), boulevard trees shall be installed by the Developer or Builder within six (6) months following issuance of the Certificate of Occupancy, or as soon thereafter as weather conditions reasonably allow to ensure healthy establishment.

While the Developer or Builder may install initial boulevard trees on lots under construction, the recorded covenants for Shores at Lakewood assign long-term tree planting and replacement responsibility to the individual residential lot owner.

For private park lots (Lot 21, Block 2, Shores at Lakewood Addition, and Lot 35, Block 2, and Lot 56, Block 1, Shores at Lakewood 2nd Addition), boulevard trees shall be installed within six (6) months following substantial completion of the park improvements, subject to similar seasonal survivability considerations.

Maintenance and replacement of boulevard trees adjacent to private lots shall be the responsibility of the adjacent lot owner, subject to Section 115 Article 4 of the City of Mandan Code of Ordinances. Maintenance of boulevard trees adjacent to private park lots shall be the responsibility of the Homeowners Association.

16. Monument Signage Installation and Maintenance

The Shores at Lakewood Development shall be permitted to install monument signage within the designated sign easements located within Phase 1 (Document Number 519730) and Phase 2 (depicted on the Shores at Lakewood 2nd Addition plat).

Installation, design, and maintenance of monument signage shall be in accordance with the City of Mandan sign code and subject to review and approval by the City Planning Department prior to construction.

The Homeowners Association shall be solely responsible for all costs associated with the design, construction, installation, repair, and ongoing maintenance of the monument signage, including landscaping and lighting, if applicable.

The Developer shall ensure that all easements necessary for sign access and maintenance are properly recorded and transferred to the Homeowners Association.

17. Security & Safety Fencing Installation and Maintenance

Security and safety fencing shall be installed along the perimeter of designated areas where required for public safety, park security, adjacent resident screening, as depicted and/or as otherwise approved in the civil engineering plans.

The security and safety fencing shall be 6 ft tall, solid white vinyl, or architectural precast concrete subject to review and approval by the City Engineer and the City Planning Department as part of final infrastructure plan approval.

All security and safety fencing improvements intended for public and resident benefit, including perimeter fencing along parks and stormwater facilities or adjacent to major arterial roadways,

shall be included within the scope of the SID-XXX public improvement district identified in Section 5 of this Agreement. Costs of installation, design, and construction observation for fencing shall be assessed to benefiting properties in Shores 2nd, 3rd, and 4th Additions, through the SID-XXX district.

Following construction, long-term maintenance responsibilities shall remain the responsibility of the Homeowners Association.

18. Access to Private Parks

The Developer shall construct pedestrian sidewalks or pedestrian pathways between Lots 10 and 11 of Block 2 in Shores at Lakewood Addition, and at other designated locations as shown on the approved civil engineering plans, to facilitate pedestrian access to the private parks.

Sidewalks or pedestrian pathways shall be constructed concurrent with the development and substantial completion of each associated private park lot.

The Homeowners Association shall be responsible for the long-term maintenance, repair, and replacement of sidewalks and pathways providing access to private parks, except where maintenance responsibility is otherwise assigned to an adjacent private lot owner through plat or recorded covenants.

No on-street parking shall be permitted on McKenzie Drive SE, consistent with its designation as a planned major arterial corridor, and appropriate signage shall be installed to enforce the parking prohibition.

Access to private park lots shall occur by foot from local streets where on-street parking is allowed, or by pedestrian connectivity through sidewalks and trails within the Development.

19. Trail Construction to Prairie West Golf Course

The Developer shall be responsible for the design, permitting, and construction of a ten-foot (10') wide concrete pedestrian and bicycle trail extending from Dutton Circle SE to the Prairie West Golf Course, generally located along the east side of the Replat of Lots 7 and 8, Block 1, Shores at Lakewood, as shown on the approved development plans.

Trail construction shall occur at the time the Developer determines the connection is practical and desirable based on development phasing and pedestrian circulation needs, and shall be subject to prior approval of design plans by both the Mandan Parks District and the City of Mandan Engineering Department.

The Developer shall fund 100% of the costs associated with the design, permitting, and construction of the trail improvements.

Upon final completion and acceptance by the City and/or Parks District, ownership and long-term maintenance of the trail shall be as determined through mutual agreement between the City, Parks District, and Developer, or as specified in applicable subdivision approvals.

20. Right-of-Way Vacation and Leaf & Grass Collection Site Relocation

The Developer has requested the vacation of a portion of the existing public right-of-way located south of McKenzie Drive SE at the intersection of 34th Avenue SE, as recorded under Document No. _____.

As a condition of approval of the requested vacation, the Developer shall relocate the existing southeast Mandan leaf and grass collection site to the end of Oxbow Drive following 2nd Addition construction, near the northwest corner of the Mandan Wastewater Treatment Plant property, at the Developer's sole cost and expense.

The relocated collection site shall include, at a minimum, a hard-surfaced area suitable for year-round public use, and shall be accessed from Oxbow Trail SE via an improved all-weather roadbed or a full-width urban street section, as approved by the City Engineer.

Upon the platting and development of Shores at Lakewood 3rd Addition, the leaf and grass collection site will be relocated to its final permanent location at the northwest corner of the Mandan Wastewater Treatment Plant, again at the Developer's sole cost and expense. The final site shall also include a hard-surfaced area and be served by an improved access route approved by the City Engineer.

Recognizing that the final location remains subject to regulatory approval, including the outcome of the USACE wetlands relocation permit, the Developer will provide updated site plans for the collection site as part of each Civil Construction Plan Set submitted for each phase of development. These phase-based site plans will clearly depict the operational location and access route for the collection site at each stage of buildout. The site will be relocated to a permanent location at the southwest corner of the Mandan Wastewater Treatment plant, should regulatory USACE conditions prohibit access to the preferred northwest corner site.

The Developer shall coordinate construction and relocation activities to ensure uninterrupted public availability of the grass and leaf collection service throughout all phases of transition.

The City reserves the right to continue use of the vacated right-of-way until the new site is fully constructed and accepted by the City of Mandan.

21. Community-Wide Irrigation System Requirements

The Developer shall design and construct a community-wide irrigation system to serve the landscaped areas of all residential lots, private park lots, and common areas within the Shores at Lakewood Development.

The irrigation system shall utilize a dual-source supply combining recycled stormwater—drawn from the development's stormwater detention/amenity pond—and potable City water through metered connections, as necessary to ensure system reliability and capacity.

The Homeowners Association shall assume sole responsibility for the operation, maintenance, repair, and replacement of the community-wide irrigation system. The City of Mandan shall have no

ownership interest, operational responsibility, or maintenance obligation with respect to the irrigation system.

Irrigation pipelines shall not cross public right-of-way unless specifically approved by the City Engineer and supported by properly recorded easements.

If any portion of the irrigation system utilizing municipal water is abandoned or decommissioned, the Developer or Homeowners Association shall, at their sole cost and expense, properly cap or remove the municipal water connections, subject to inspection and approval by the City Public Works Department.

All irrigation meter pits shall be depicted in the civil engineering plans and must receive formal approval by the City Engineering Department prior to installation.

Following construction of the stormwater pond that supplies the irrigation system, the pond shall be maintained to a minimum water surface elevation of 1,619 feet at all times to ensure the structural integrity of the adjacent Lower Heart River Levee System, consistent with applicable standards established by the Lower Heart River Water Resource District (LHRWRD). All construction activities related to the pond, including excavation and grading, shall adhere to approved civil and geotechnical engineering plans.

In the event of a verified severe drought condition—defined as simultaneous, sustained drops in both the Missouri River and Heart River surface elevations below 1,619 feet—the Developer may request temporary approval from LHRWRD to operate the stormwater pond below this elevation. As a prerequisite to such approval, the Developer shall submit a supporting geotechnical engineering analysis for review and receive a no-objection determination or written approval from the United States Army Corps of Engineers (USACE), ensuring that any temporary deviation does not compromise the levee's structural integrity.

22. Maintenance Responsibility of Heart River Oxbows

The Homeowners Association for Shores at Lakewood shall be responsible for the ongoing maintenance, care, and stewardship of the natural open space areas located within the Heart River oxbows contained within Shores at Lakewood and Shores at Lakewood 2nd Addition.

This maintenance responsibility shall remain binding on the HOA and shall extend to all future phases and lots within the Shores at Lakewood Master Planned Community.

Maintenance activities shall include, but are not limited to, the removal of debris, deadfall, hazardous trees, invasive species, and noxious weeds, along with periodic mowing, trimming, and other measures as necessary to preserve the ecological health, safety, and general aesthetics of the oxbow areas.

Any areas within the Heart River oxbows that are formally designated as jurisdictional wetlands by the United States Army Corps of Engineers (USACE) shall be exempt from general HOA maintenance obligations. These areas shall instead be managed in accordance with applicable

federal regulations, approved USACE permits, and any adopted mitigation plans or long-term monitoring protocols.

Once the USACE completes its delineation and related permitting processes, a final wetlands determination map and narrative will be submitted to the City of Mandan to clearly identify which oxbow areas are subject to standard HOA maintenance and which are governed by USACE oversight.

The City of Mandan shall have no obligation or liability related to maintenance, restoration, or improvements within either category of natural open space areas.

23. Lower Heart River Water Resource District Conditions Compliance

The Developer and the Homeowners Association for Shores at Lakewood shall comply with all conditions, requirements, and approvals imposed by the Lower Heart River Water Resource District (LHRWRD) in connection with Shores at Lakewood Addition, Shores at Lakewood 2nd, 3rd, and 4th Additions.

Compliance obligations include, but are not limited to:

- Maintenance of all stormwater detention ponds, including preservation of design storage volumes and outlet structures.
- Maintenance of levee integrity, including prevention of any activity that could compromise the function or stability of the levee system adjacent to the development.
- Implementation of any additional stormwater management, drainage, or flood protection measures reasonably required by the LHRWRD.

No grading, drainage modifications, or construction activities that affect regulated drainageways, floodways, levees, or stormwater infrastructure under LHRWRD jurisdiction shall proceed without prior written approval from the LHRWRD.

All applicable LHRWRD conditions and approvals shall be incorporated into the Development's civil engineering plan sets prior to commencement of related construction activities.

24. Enforcement and Amendments

This Development Agreement shall be binding upon the Developer, its successors and assigns, and the Homeowners Association ("HOA") for Shores at Lakewood.

Enforcement of the provisions of this Agreement may be pursued by the City of Mandan using any lawful method available, including but not limited to, the withholding of building permits, Certificates of Occupancy, plat approvals, or other development-related approvals or services, and/or the recording of noncompliance notices affecting the applicable properties.

No amendment, modification, or waiver of any provision of this Agreement shall be valid or enforceable unless made in writing and executed by the City of Mandan, the Developer, and, if applicable, the Homeowners Association, or their lawful successors and assigns.

25. Not Binding

This Agreement serves as a framework to guide the City and the Developer's obligations should the Development progress as intended. It is understood and agreed by both parties that this document does not grant any approval or rights to the Developer to initiate development activities on the Property until specific approvals are obtained from the City Commission and any required permits are issued.

III. Signatures

IN WITNESS WHEREOF, the parties hereto have executed this Development Agreement as of the dates set forth below.

Mayor James Froelich
City of Mandan

Arthur Goldammer
TRX Developers, LLC

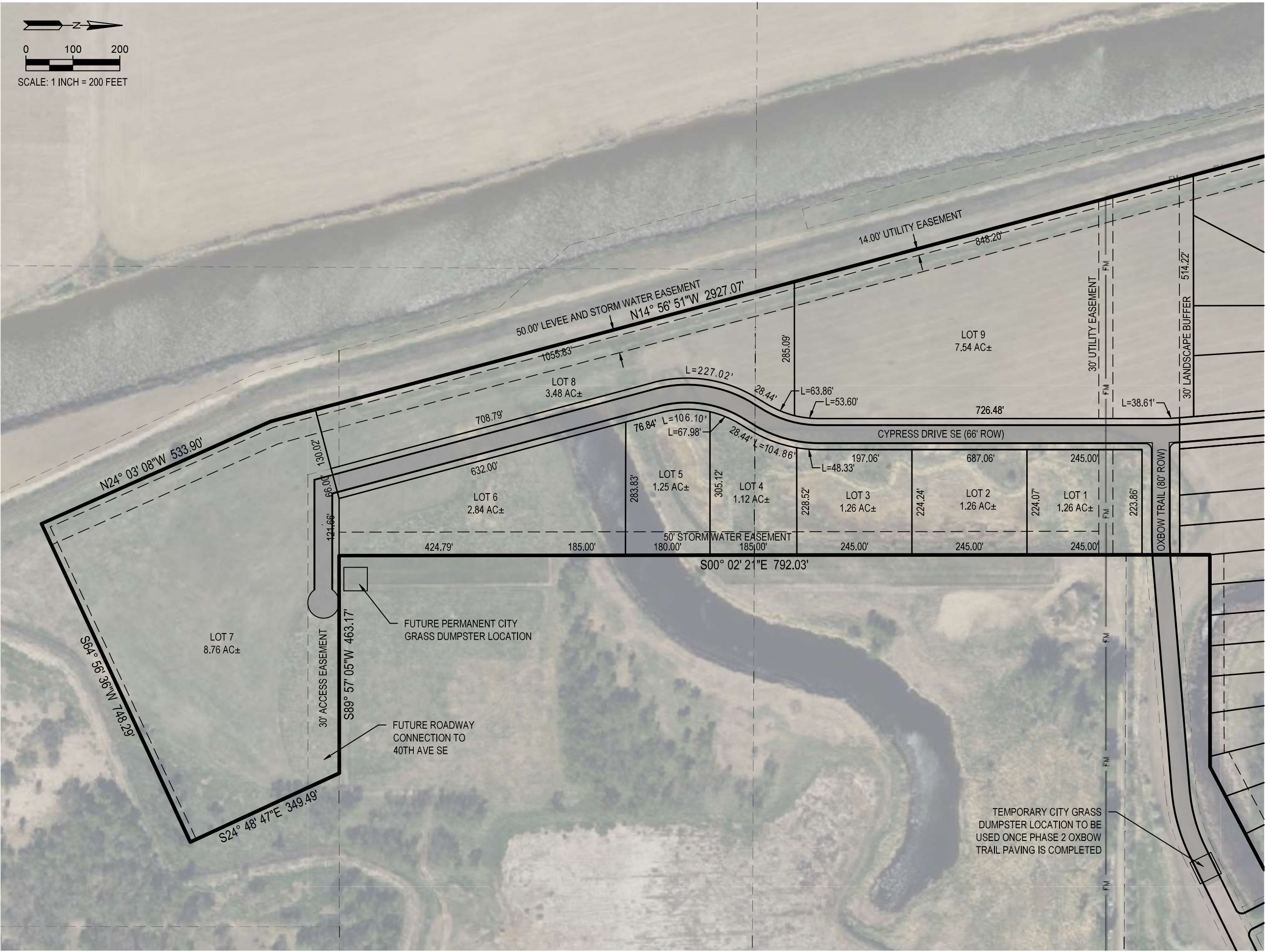
Attest:

Attest:

Jim Neubauer
City Administrator

Cole Higlin
Director, Mandan Park District

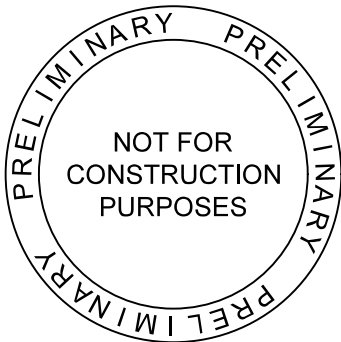
Bill Robinson
Chairman, Lower Heart Water Resource District



1300 TACOMA AVENUE, SUITE A | BISMARCK, ND 58504
(701) 557-3348 | WWW.MTNPLAINS.COM

SHORES AT LAKEWOOD COMMERCIAL ADDITION

VERITY HOMES
3100 N 14TH ST, BISMARCK, ND 58503



NO.	DATE	DESCRIPTION
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DATE: June 9, 2025

PROJECT NO:	DRWN BY:	APPD DY:
---	JME	NWN

SHEET NO: 1

SHEET TITLE: CONCEPT - OVERVIEW MAP

MASTERPLANNED SUBDIVISION/PHASING PLAN SHORES AT LAKEWOOD TO THE CITY OF MANDAN

PART OF OUTLOT A (WEST OF LAKEWOOD 7TH ADDITION TO THE CITY OF MANDAN) IN SECTION 1, LOT 1 OF LOT B IN SECTION 1, LOT 1, BLOCK 2 OF LAKEWOOD 7TH ADDITION TO THE CITY OF MANDAN IN SECTION 1, PART OF OUTLOT A (SOUTH AND WEST OF LOT 1 OF LOT B) IN SECTION 1, PART OF LOT 3 OF AUDITOR'S LOT A IN SECTION 1, PART OF AUDITOR'S LOT A OF GOVERNMENT LOT 2 (LESS LV-15A .54 ACRES) IN SECTION 12, AND PART OF LOT A OF GOVERNMENT LOT 7 IN SECTION 12, T138N, R81W, OF THE 5TH PRINCIPAL MERIDIAN, MORTON COUNTY, NORTH DAKOTA

MASTER PHASING PLAN

SHORES AT LAKEWOOD ADDITION:

- MCKENZIE DRIVE AND DUTTON LOOP
- LOTS 1-21 BLOCK 1
- LOTS 1-21 BLOCK 2
- ALL GRADING/EXCAVATION FOR RESIDENTIAL
- NORTH PORTION POND

SHORES AT LAKEWOOD 2ND ADDITION:

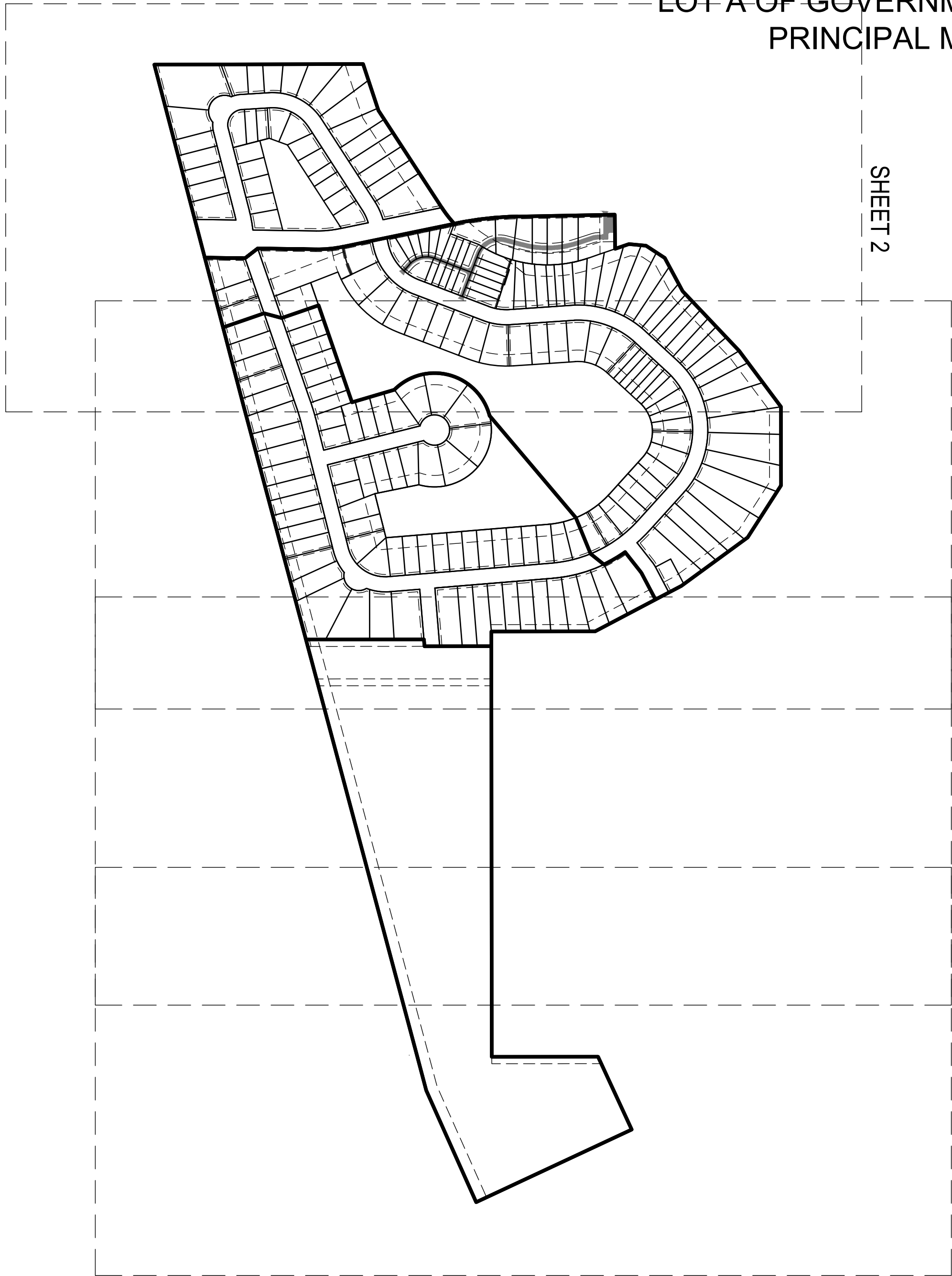
- CLEAR CREEK LOOP SE AND CLEAR CREEK LANE SE
- LOTS 1-63 BLOCK 1
- LOTS 1-37 BLOCK 2
- LOTS 1-3 BLOCK 3
- SOUTHERN PORTION POND

SHORES AT LAKEWOOD 3RD ADDITION:

- LOTS 1-9 BLOCK 1

SHORES AT LAKEWOOD 4TH ADDITION:

- LOTS 1-12 BLOCK 1
- LOTS 1-43 BLOCK 2
- LOTS 1-20 BLOCK 3
- OXBOW TRAIL SECOND ACCESS

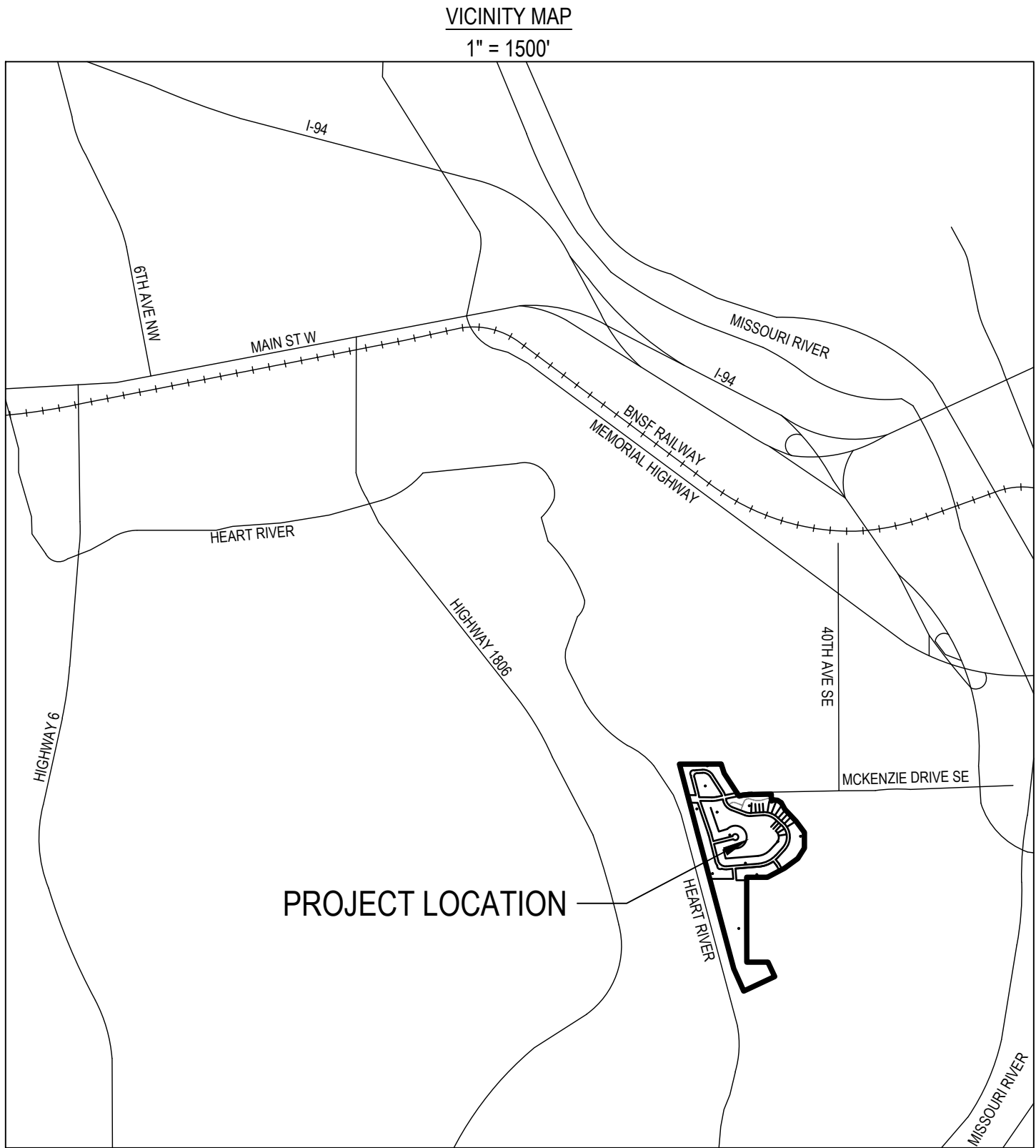
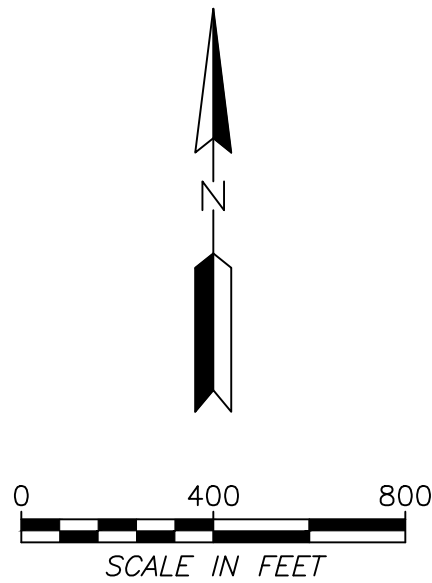


SHEET 2

SHEET 3

SHEET 4

SHEET 5



PLAT BOUNDARY DESCRIPTION

BEGINNING AT AN AC AT THE SOUTHWEST CORNER OF LOT 3 OF THE MIDWAY FIRST ADDITION THENCE N89°52'46"E A DISTANCE OF 910.23 FEET; THENCE S18°15'11"E A DISTANCE OF 213.31 FEET; THENCE S33°07'29"E A DISTANCE OF 505.33 FEET; THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 550.00 FEET AND AN INTERNAL ANGLE OF 91°17'05" A DISTANCE OF 89.13 FEET AND SAID ARC HAVING A CHORD BEARING OF S37°43'19"E AND A CHORD LENGTH OF 89.03 FEET; THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 1459.12 FEET AND AN INTERNAL ANGLE OF 10°26'10" A DISTANCE OF 265.77 FEET AND SAID ARC HAVING A CHORD BEARING OF N83°39'50"E AND A CHORD LENGTH OF 265.40 FEET; THENCE S0°31'55"E A DISTANCE OF 170.64 FEET; THENCE N71°00'47"E A DISTANCE OF 133.48 FEET; THENCE S84°33'49"E A DISTANCE OF 74.74 FEET; THENCE S56°54'29"E A DISTANCE OF 97.27 FEET; THENCE S28°14'06"E A DISTANCE OF 164.76 FEET; THENCE 43°29'31"E A DISTANCE OF 358.14 FEET; THENCE S36°44'02"E A DISTANCE OF 304.58 FEET; THENCE S00°03'54"E A DISTANCE OF 342.86 FEET; THENCE S32°43'11"W A DISTANCE OF 269.52 FEET; THENCE S53°48'56"W A DISTANCE OF 357.60 FEET; THENCE S62°12'30"W A DISTANCE OF 425.50 FEET; THENCE S89°56'00"W A DISTANCE OF 451.90 FEET; THENCE S00°00'45"E A DISTANCE OF 177.91 FEET; S00°04'46"E A DISTANCE OF 884.25 FEET; THENCE N89°57'05"E A DISTANCE OF 463.17 FEET; THENCE S24°48'47"E A DISTANCE OF 349.49 FEET; THENCE S64°58'36"W A DISTANCE OF 748.29 FEET; THENCE N24°03'08"W A DISTANCE OF 533.90 FEET; THENCE N14°53'43"W A DISTANCE OF 162.67 FEET; THENCE N14°56'51"W A DISTANCE OF 2927.07 FEET; N14°40'07"W A DISTANCE OF 150.09 FEET; THENCE N14°39'00"W A DISTANCE OF 1387.09 FEET TO THE POINT OF BEGINNING.

OWNER'S CERTIFICATE AND DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS, That the undersigned, as owner of the above described property, has caused the same to be surveyed and platted as "Shores at Lakewood Subdivision" to the city of Mandan, Morton County, North Dakota, and does hereby dedicate to the public, for public use, all streets, avenues, and drainage & utility easements as shown on this plat except those easements shown hereon as "Existing", and do hereby dedicate to the City of Mandan storm water retention pond access and maintenance easements across Lot 1 of Block 1, Lot 2 of Block 2, Lot 51 of Block 2, Lot 1 of Block 3, and Lot 1 of Block 6 as shown hereon.

(Company Name)

By (Name), (Title)

State of)
County of) SS

On this ____ day of _____, 2022, appeared before me, (Name), known to me to be the person whose name is subscribed to the above certificate and did acknowledge to me that they executed the same as their own free act and deed.

Notary Public, _____

(county & state)

My commission expires: _____

SURVEYOR'S CERTIFICATE

I, Kevin G. Nelson, registered Professional Land Surveyor under the laws of the State of North Dakota do hereby certify that this plat is a true and correct representation of the survey of said plat; that all distances shown on said plat are correct; and that the monuments for the guidance of future surveys have been located or placed in the ground as shown.

Kevin G. Nelson
Professional Land Surveyor
N.D. Registration No. 3638

State of North Dakota)
County of _____) SS

On this ____ day of _____, 2022, appeared before me, Kevin G. Nelson, known to me to be the person whose name is subscribed to the above certificate and did acknowledge to me that they executed the same as their own free act and deed.

Notary Public, Cass County, North Dakota

My commission expires: _____

MANDAN CITY APPROVAL

The City of Mandan, North Dakota, has approved the attached plat as shown hereon, and lying within the jurisdiction of the City of Mandan, has approved the streets, alleys, and other public ways and grounds of the attached plat.

(Name), Mayor Date

(Name), City Auditor Date

State of North Dakota)
County of Morton) SS

On this ____ day of _____, 2022, before me, a notary public in and for said county and state, personally appeared (Name), Mayor, and (Name), City Auditor, known to me to be the person described in and who executed the foregoing instrument and acknowledged to me that he executed the same in the name of the City of (City Name).

Notary Public, Morton County, North Dakota

My commission expires: _____

SHEET 1 OF 5



MASTERPLANNED SUBDIVISION/PHASING PLAN SHORES AT LAKEWOOD TO THE CITY OF MANDAN

AN UNPLATTED PORTION OF OUTLOT A AND PART OF LOT 3 OF AUDITOR'S LOT A OF SECTION 1,
AND PART OF LOT A OF GOVERNMENT LOT 2 AND PART OF LOT A OF GOVERNMENT LOT 7 OF
SECTION 12, TOWNSHIP 138 NORTH, RANGE 81 WEST OF THE FIFTH PRINCIPAL MERIDIAN,
MORTON COUNTY, NORTH DAKOTA



SHORES AT LAKEWOOD ADDITION, BLOCK 1	
LOT	AREA (SF)
1	17486
2	12206
3	12227
4	12247
5	12270
6	21682
7	40933
8	11053
9	12171
10	8903
11	9855

SHORES AT LAKEWOOD ADDITION, BLOCK 1	
LOT	AREA (SF)
12	12178
13	18837
14	26828
15	24052
16	17103
17	16030
18	16050
19	16070
20	16090
21	31433

SHORES AT LAKEWOOD ADDITION, BLOCK 2	
LOT	AREA (SF)
19	6000
20	10666
1	10177
2	6015
3	6015
4	6494
5	6000
6	6000
7	6000
8	10383
9	7336

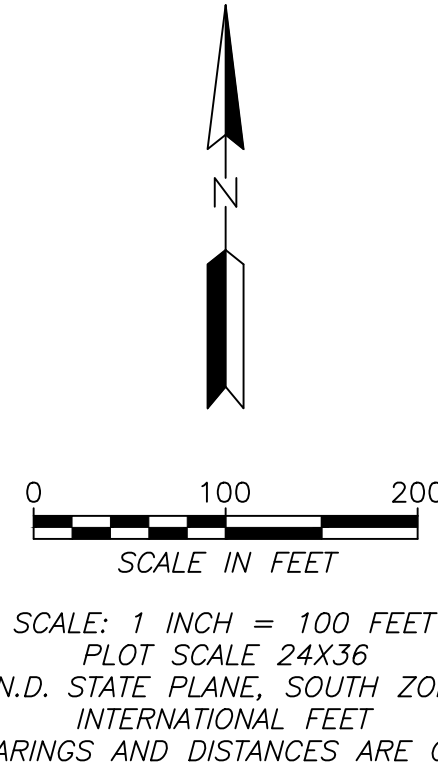
SHORES AT LAKEWOOD ADDITION, BLOCK 2	
LOT	AREA (SF)
10	6860
11	10528
12	11098
13	6053
14	6916
15	6000
16	6000
17	6000
18	6000
21	72239

SHORES AT LAKEWOOD 2ND ADDITION, BLOCK 1	
LOT	AREA (SF)
1	25994
2	22164
3	20152
4	26018
5	29398
6	36225
7	30796
8	34084
9	29163
10	29007

SHORES AT LAKEWOOD 2ND ADDITION, BLOCK 1	
LOT	AREA (SF)
11	21350
12	13298
13	14646
14	11723
15	10523
17	11334
18	11501
20	16586
21	19354
22	18311

SHORES AT LAKEWOOD 2ND ADDITION, BLOCK 1	
LOT	AREA (SF)
23	17369
24	15996
25	13032
27	8024
28	6455
29	6477
30	9221
31	9647
32	8926
33	10486

SHORES AT LAKEWOOD 2ND ADDITION, BLOCK 1	
LOT	AREA (SF)
34	6477
35	5343
36	5274
37	5204
38	5135
39	6392
40	5712
41	3472
42	3472
43	3472



SHEET 2 OF 5



MASTERPLANNED SUBDIVISION/PHASING PLAN

SHORES AT LAKEWOOD

TO THE CITY OF MANDAN

AN UNPLATTED PORTION OF OUTLOT A AND PART OF LOT 3 OF AUDITOR'S LOT A OF SECTION 1,
AND PART OF LOT A OF GOVERNMENT LOT 2 AND PART OF LOT A OF GOVERNMENT LOT 7 OF
SECTION 12, TOWNSHIP 138 NORTH, RANGE 81 WEST OF THE FIFTH PRINCIPAL MERIDIAN,
MORTON COUNTY, NORTH DAKOTA

SCALE: 1 INCH = 100 FEET
PLOT SCALE 24X36
N.D. STATE PLANE, SOUTH ZONE
INTERNATIONAL FEET
BEARINGS AND DISTANCES ARE GRID



LOT	AREA (SF)
44	3472
45	8374
46	7122
47	5392
48	4244
49	4721
50	4994
51	6116
52	3901
53	3868

LOT	AREA (SF)
54	3868
55	6434
56	18880
57	14706
58	15339
59	13740
60	13833
61	14421
62	28099
63	9402

LOT	AREA (SF)
1	11832
2	11832
3	11832
4	11136
5	11050
6	11050
7	11741
8	12831
9	12831
10	9130

LOT	AREA (SF)
11	8913
12	8815
13	8721
14	6180
15	6124
16	6120
17	6120
18	6120
19	6572
20	16201

LOT	AREA (SF)
21	13570
22	15721
23	15210
24	13680
25	17453
26	19210
27	15317
28	15840
29	14040
30	15840

LOT	AREA (SF)
31	16098
32	19457
33	19659
34	14408
35	55323
36	17392
37	491395

LOT	AREA (SF)
1	21345
2	14390
3	14880

LOT	AREA (SF)
1	30685
2	18842
3	19905
4	19081

LOT	AREA (SF)
5	16704
6	14801
7	14457
8	14113

LOT	AREA (SF)
9	13598
10	17718
11	17267
12	25458

LOT	AREA (SF)
1	11050
2	11050
3	11050
4	11050
5	11050
6	11050

LOT	AREA (SF)
7	9757
8	9329
9	10199
10	11090
11	11317
12	11490

LOT	AREA (SF)
13	14945
14	19798
15	23500
16	23500
17	23500
18	19269

LOT	AREA (SF)
19	18772
20	12898
21	11542
22	11345
23	11358
24	11400

LOT	AREA (SF)
25	10879
26	13651
27	11900
28	13490
29	13822
30	11516

LOT	AREA (SF)
31	11050
32	11050
33	11050
34	11050
35	11050
36	11050

LOT	AREA (SF)
37	11050
38	11050
39	11050
40	11151
41	11832
42	11832

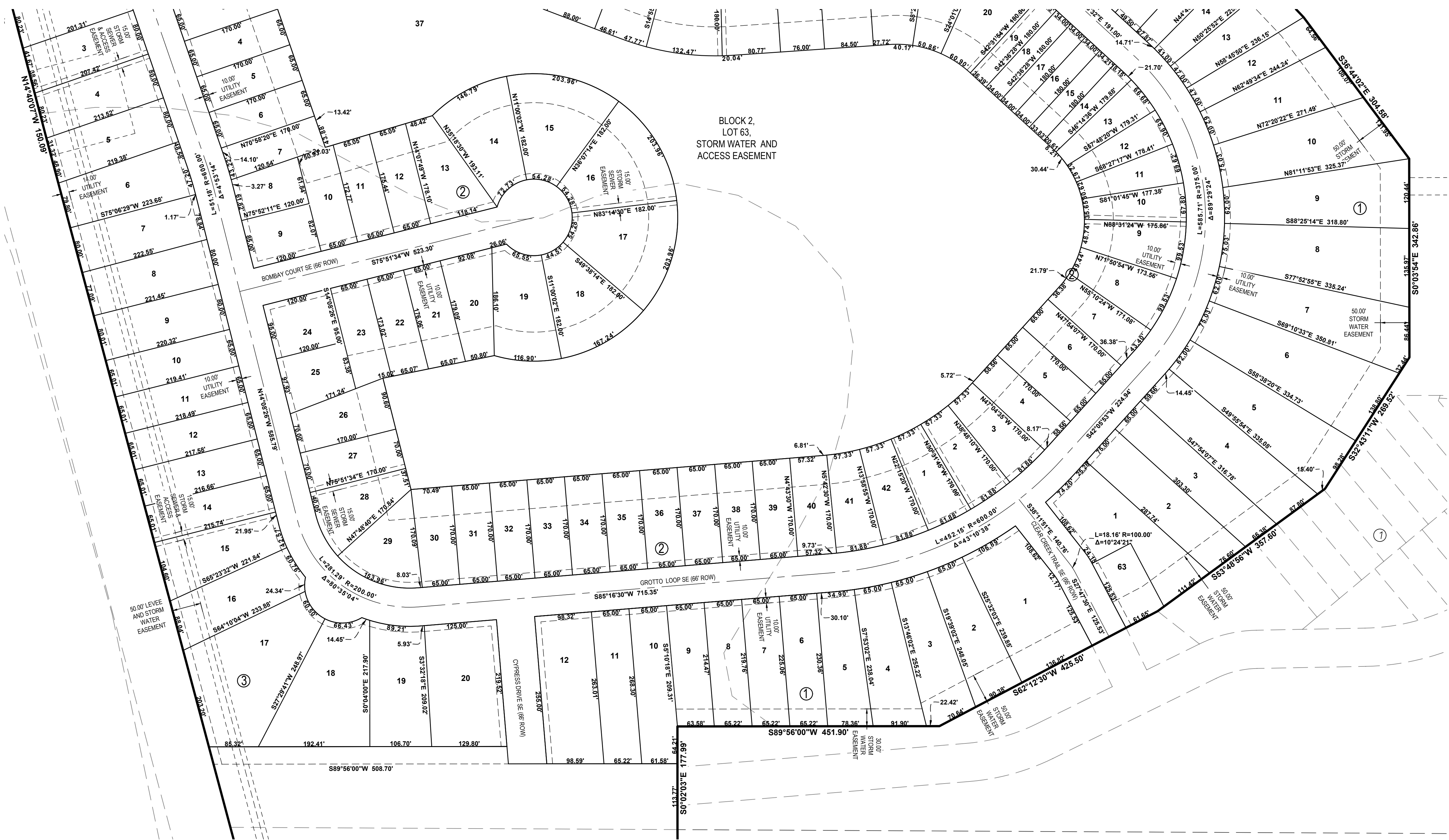
LOT	AREA (SF)
43	202605

LOT	AREA (SF)
1	15370
2	15860
3	16350
4	16838
5	17320

LOT	AREA (SF)
6	19488
7	17849
8	17436
9	17671
10	14291

LOT	AREA (SF)
11	14232
12	14172
13	14113
14	14053
15	18302

LOT	AREA (SF)
16	19491
17	37422
18	29451
19	21074
20	27261



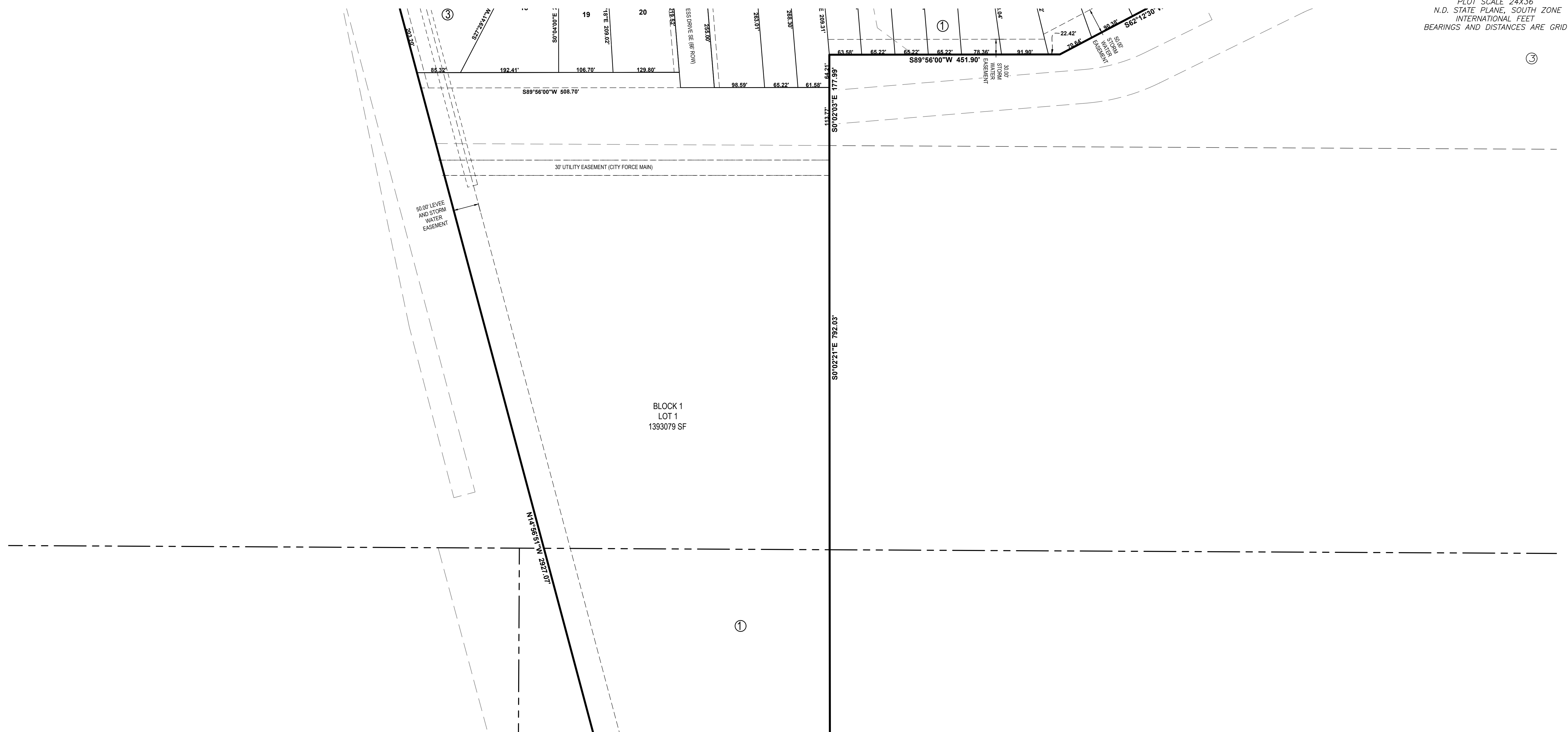
SHEET 3 OF 5



AN UNPLATTED PORTION OF OUTLOT A AND PART OF LOT 3 OF AUDITOR'S LOT A OF SECTION 1,
AND PART OF LOT A OF GOVERNMENT LOT 2 AND PART OF LOT A OF GOVERNMENT LOT 7 OF
SECTION 12, TOWNSHIP 138 NORTH, RANGE 81 WEST OF THE FIFTH PRINCIPAL MERIDIAN,
MORTON COUNTY, NORTH DAKOTA

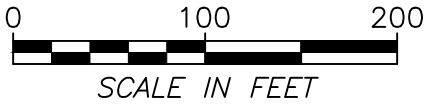
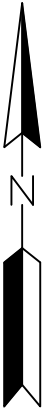
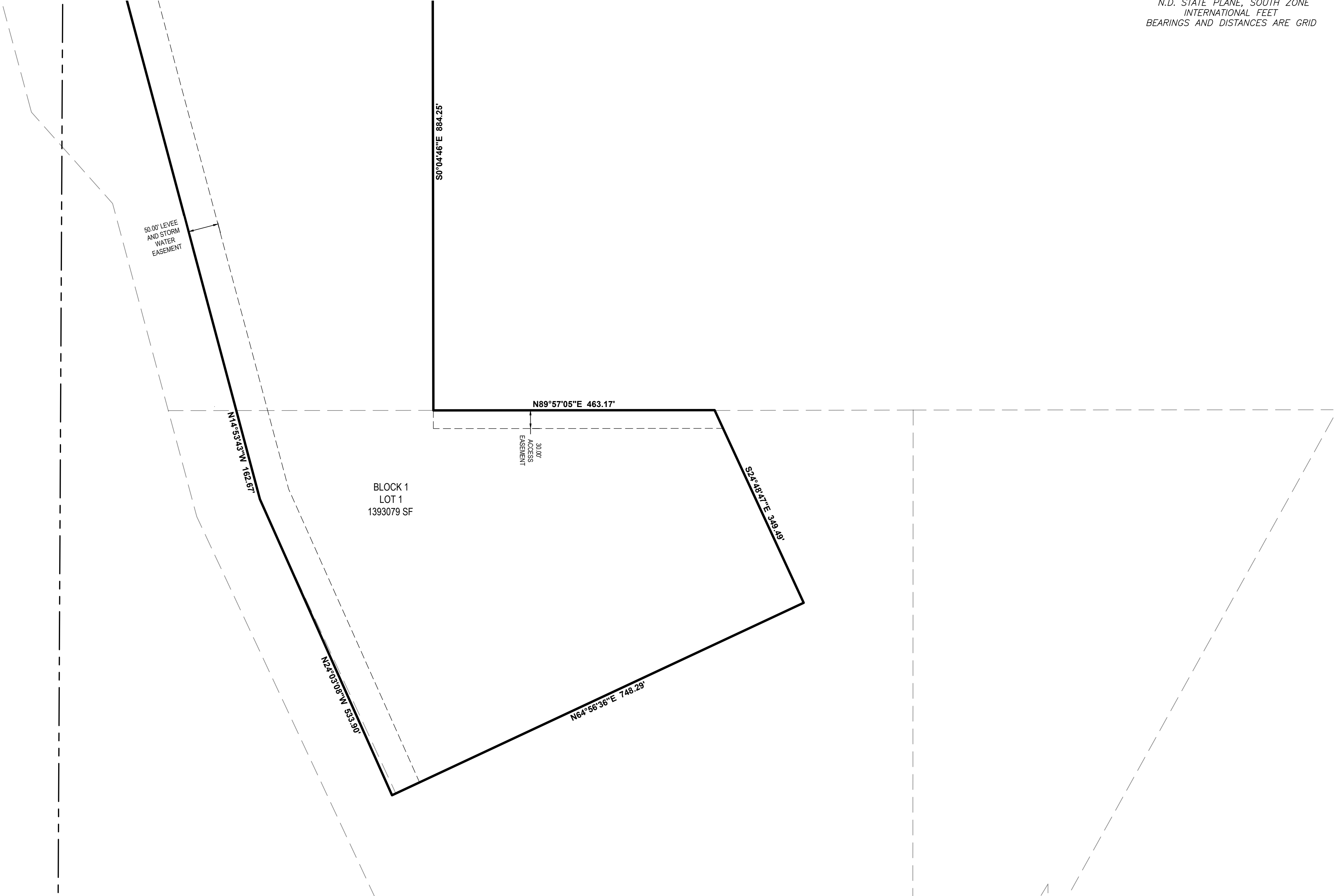
0 100 200
SCALE IN FEET

SCALE: 1 INCH = 100 FEET
PLOT SCALE 24X36
N.D. STATE PLANE, SOUTH ZONE
INTERNATIONAL FEET
EARSINGS AND DISTANCES ARE GRID



MASTERPLANNED SUBDIVISION/PHASING PLAN SHORES AT LAKEWOOD TO THE CITY OF MANDAN

AN UNPLATTED PORTION OF OUTLOT A AND PART OF LOT 3 OF AUDITOR'S LOT A OF SECTION 1,
AND PART OF LOT A OF GOVERNMENT LOT 2 AND PART OF LOT A OF GOVERNMENT LOT 7 OF
SECTION 12, TOWNSHIP 138 NORTH, RANGE 81 WEST OF THE FIFTH PRINCIPAL MERIDIAN,
MORTON COUNTY, NORTH DAKOTA



SCALE: 1 INCH = 100 FEET
PLOT SCALE 24X36
N.D. STATE PLANE, SOUTH ZONE
INTERNATIONAL FEET
BEARINGS AND DISTANCES ARE GRID

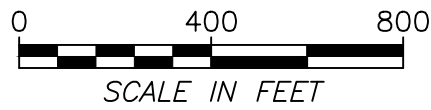
SHEET 5 OF 5



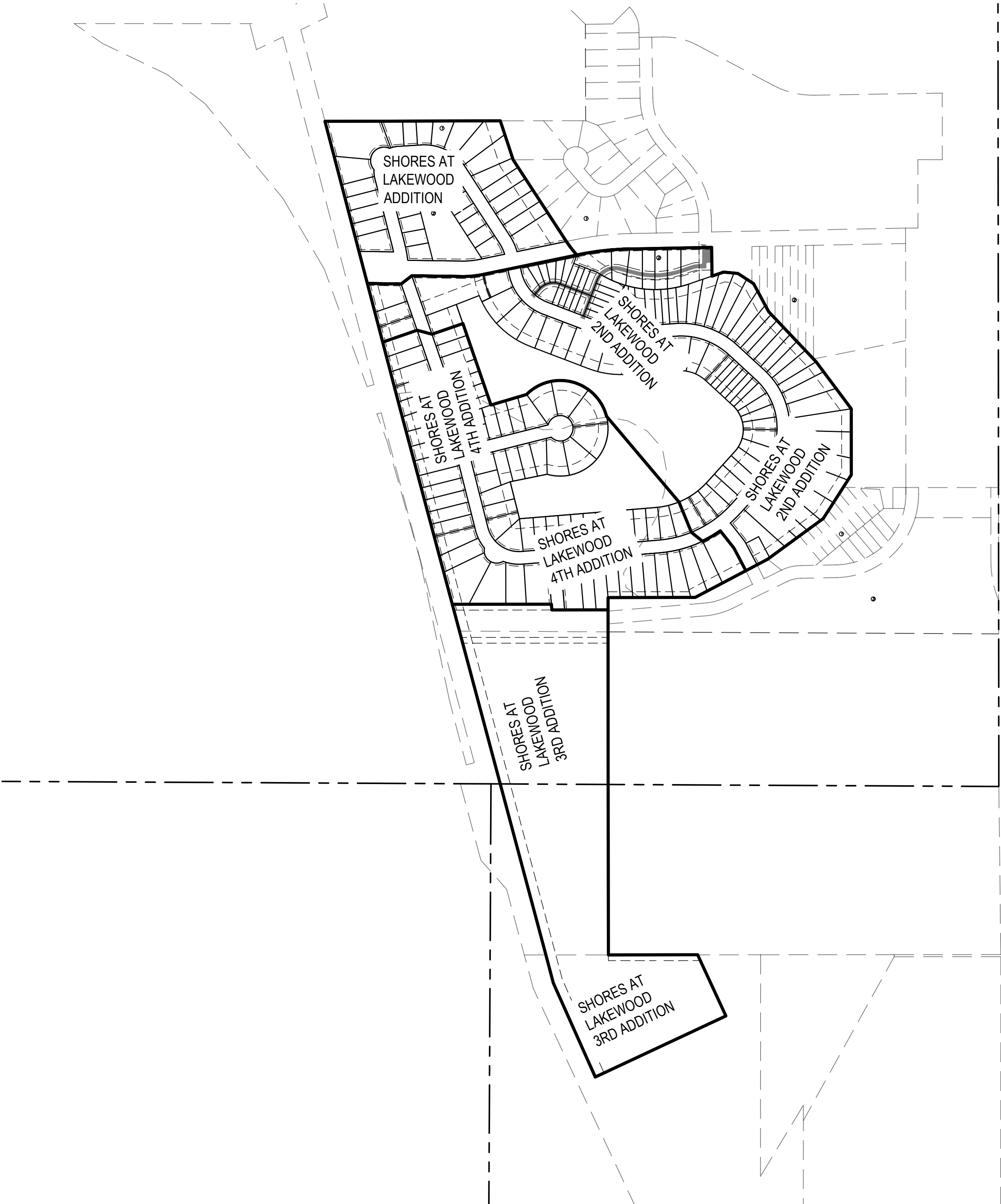
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MASTERPLANNED SUBDIVISION/PHASING PLAN
SHORES AT LAKEWOOD
TO THE CITY OF MANDAN



SCALE: 1 INCH = 400 FEET
PLOT SCALE 24X36
N.D. STATE PLANE, SOUTH ZONE
INTERNATIONAL FEET
BEARINGS AND DISTANCES ARE GRID



SHEET 1 OF 1

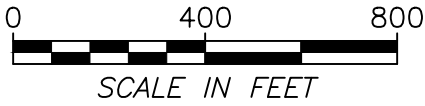


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PLANNING AND ZONING PLAN

SHORES AT LAKEWOOD

TO THE CITY OF MANDAN



SCALE: 1 INCH = 400 FEET
PLOT SCALE 24X36
N.D. STATE PLANE, SOUTH ZONE
INTERNATIONAL FEET
BEARINGS AND DISTANCES ARE GRID

- R-7 - Residential
- R-3.2 - Residential
- CB - Commercial
- Parks/Greenspace
- City Lift Station
- Concrete Private Drive

Zoning	1st Addition	2nd Addition	3rd Addition	4th Addition
R-7	41	46	0	74
R-3.2	0	54	0	0
CB	0	0	9	0
Parks/Greenspace	1	3	0	1
City Lift Station	0	1	0	0

SHEET 1 OF 1





City Commission

Agenda Documentation

MEETING DATE: July 15, 2025
PREPARATION DATE: July 9, 2025
SUBMITTING DEPARTMENT: Finance
DEPARTMENT DIRECTOR: Greg Welch
PRESENTER: Greg Welch, Finance Director
SUBJECT: General Fund Balance Policy

STATEMENT/PURPOSE:

To approve the revision to the General Fund Balance Policy.

BACKGROUND/ALTERNATIVES:

At the Long-Term Financial Planning Working Session on May 27, 2025, the Budget & Finance Committee recommended to increase the minimum operating cash reserve from 17% to 25% in the General Fund.

ATTACHMENTS:

1. General Fund Balance Policy

FISCAL IMPACT:

None

STAFF IMPACT:

None

LEGAL REVIEW:

Submitted to the City Attorney for review.

RECOMMENDATION:

To approve the revision to the General Fund Balance Policy.

SUGGESTED MOTION:

I move to approve the revision to the General Fund Balance Policy.

City of Mandan, North Dakota

General Fund Balance Policy

I. Purpose

The purpose of this General Fund Balance Policy is to establish guidelines for maintaining an adequate fund balance in the City's General Fund. A healthy fund balance ensures financial stability, provides for unanticipated expenditures, mitigates revenue shortfalls, supports cash flow needs, and maintains the City's creditworthiness.

II. Scope

This policy applies to the General Fund of the City of Mandan, North Dakota. It may be reviewed periodically and updated as necessary to reflect current best practices and the City's fiscal environment.

III. Components of Fund Balance

In accordance with GASB Statement No. 54, the City's General Fund Balance shall be comprised of the following categories:

1. **Nonspendable Fund Balance:** Amounts not in a spendable form (e.g., inventory, prepaid items) or legally required to remain intact.
 2. **Restricted Fund Balance:** Amounts constrained for specific purposes by external parties or laws/regulations.
 3. **Committed Fund Balance:** Amounts constrained for specific purposes by formal action of the City Commission.
 4. **Assigned Fund Balance:** Amounts intended for specific purposes but not meeting the criteria to be classified as committed or restricted. Assignments may be made by the Finance Director or City Administrator as delegated by the Commission.
 5. **Unassigned Fund Balance:** The residual classification for the General Fund; available for any purpose.
-

IV. Minimum Unassigned Fund Balance

The City will maintain an unassigned General Fund Balance equal to no less than ~~17%~~ **25%** of the current operating expenditures. This range is consistent with the Government Finance Officers Association (GFOA) best practice recommending no less than two months (approximately 16.7%) and typically between 16.7% and 50% for communities with revenue volatility or unpredictable expenditure needs.

V. Use of Fund Balance

- If the unassigned General Fund Balance falls below the minimum level, the City will develop a plan to restore the balance within a reasonable timeframe, not to exceed three fiscal years.
 - The City may use fund balance in excess of the minimum for one-time expenditures that do not create recurring obligations, such as capital improvements, equipment purchases, or to offset economic downturns.
 - Fund balance may be used for ongoing operational expenses except in temporary, unforeseen circumstances.
-

VI. Authority to Commit and Assign Fund Balance

- The City Commission has authority to commit fund balances through formal resolution.
 - The Commission delegates authority to the Finance Director and City Administrator to assign fund balances for specific purposes in accordance with this policy.
-

VII. Order of Expenditure

When an expenditure is incurred for purposes for which both restricted and unrestricted fund balances are available, the City will apply expenditures in the following order:

1. Restricted
 2. Committed
 3. Assigned
 4. Unassigned
-

VIII. Monitoring and Compliance

The Finance Director shall report the status of the General Fund Balance to the City Commission annually as part of the budget process and the audited financial statements. This policy will be reviewed at least every three years and updated as needed.

IX. Effective Date

This policy shall become effective upon adoption by the Mandan City Commission.

Adopted this 15th day of July, 2025 by the City Commission of the City of Mandan, North Dakota.



City Commission

Agenda Documentation

MEETING DATE: July 15, 2025
PREPARATION DATE: July 9, 2025
SUBMITTING DEPARTMENT: Finance
DEPARTMENT DIRECTOR: Greg Welch
PRESENTER: Greg Welch, Finance Director
SUBJECT: First Consideration of Ordinance 1469 related to sales tax

STATEMENT/PURPOSE:

To consider Ordinance 1469 related to the recently passed 1/2 cent sales tax to include the option to pay for police and fire positions added on or after Jan. 1, 2025.

BACKGROUND/ALTERNATIVES:

In June 2024, voters approved a ½ cent city sales tax. Of that amount, 3/10ths was specifically designated for public safety equipment (police and fire), vehicles, and City Hall accessibility improvements.

Recently, the City Commission approved the submittal of a federal grant application to fund six new firefighter positions. This grant includes a local match requirement and, eventually, the full funding of these positions must transition to local sources.

Due to recent changes in North Dakota law affecting the use of property tax revenue, the necessary local match funding cannot come from property taxes. As a result, staff recommends the use of the public safety portion of the sales tax to meet these match requirements.

To enable this use, an amendment to the original sales tax initiative is proposed. This amendment would authorize the sales tax funds to be used for staffing costs related to new sworn police officer and career fire positions created on or after January 1, 2025.

If successfully amended, in addition to the already permitted expenditures, these funds would then be available to help offset personnel expenses.

This approach has been discussed at multiple long-range financial planning meetings and aligns with the city's ongoing commitment to public safety and fiscal responsibility.

Subject: First consideration of Ordinance 1469, an ordinance to amend and re-enact section 22-2-2 of the Mandan Code of Ordinances, relating to city sales, use and gross receipts tax under the Home Rule Charter of the City of Mandan

Page 2 of 2

ATTACHMENTS:

1. Ordinance 1469

FISCAL IMPACT:

The public safety and city hall accessibility portion is estimated to generate \$1.2M annually. How these funds will be directed will be determined annually, in accordance with the amended language and the City's budget.

STAFF IMPACT:

Implementation of the ordinance will be minimal.

LEGAL REVIEW:

City Attorney Oster has drafted the amendment.

RECOMMENDATION:

I recommend the approval of the first consideration of Ordinance 1469.

SUGGESTED MOTION:

I move to approve the first consideration of Ordinance 1469.

ORDINANCE NO. 1469

AN ORDINANCE TO AMEND AND RE-ENACT SECTION 22-2-2 OF THE MANDAN CODE OF ORDINANCES, RELATING TO CITY SALES, USE, AND GROSS RECEIPTS TAX UNDER THE HOME RULE CHARTER OF THE CITY OF MANDAN.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA:

Sec. 22-2-2. - Sales Tax Imposed.

- (a) There is imposed a tax of one percent upon the gross receipts of retailers from all sales at retail, including the leasing and renting of tangible personal property, within the corporate limits of the city, of those items subject to taxation under N.D.C.C. ch. 57-39.2.
- (b) There is imposed an additional tax of three-fourths percent upon the gross receipts of retailers from all sales at retail, including the leasing and renting of tangible personal property, within the corporate limits of the city, of those items subject to taxation under N.D.C.C. ch. 57-39.2, until such time as bonds for the construction of certain Park District improvements, subject of a June 9, 2015 special election are paid in full, at which time the additional tax of three-fourths percent shall terminate.
- (c) There is imposed an additional retail sales, use, and gross receipts tax of no more than one-half percent from and after January 1, 2025 of those gross receipts taxed pursuant to Chapters 57-39.2, 57-39.4, 57-40.2, 57-39.5, and 57-39.6, N.D.C.C.
 - 1. The proceeds of this one-half cent city sales, use, and gross receipts tax shall be dedicated only to public safety and public transportation needs in the following proportions:
 - a. Three-tenths of a cent dedicated to public safety: specifically, costs associated with the building of police and fire stations, the acquisition of police and fire emergency vehicles, sworn police officer and career firefighter personnel positions created on or after January 1, 2025, and city hall accessibility needs.
 - b. Two-tenths of a cent dedicated to public transportation needs: specifically, costs associated with providing reliable service for disabled, elderly, and socio-economically challenged residents.

By: _____
James Froelich, President, Board of
City Commissioners

Attest:

James Neubauer, City Administrator

First Consideration: July 15, 2025

Second Consideration: August 5, 2025



City Commission

Agenda Documentation

MEETING DATE: July 15, 2025
PREPARATION DATE: July 10, 2025
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Rachel Laqua
SUBJECT: First Consideration of Ordinance 1470, a zone change from CB - Commercial to RMH - Residential Mobile Home Park District for Lots 3-6, Block 2, Meadowlands Addition.

STATEMENT/PURPOSE:

Zone Change from CA - Commercial to R7 - Residential related to Lot 9, Block 1, Developers West Acres 2nd Addition.

BACKGROUND/ALTERNATIVES:

Detailed background on this request can be found under Public Hearing No. 3.

ATTACHMENTS:

1. Ord. 1470

FISCAL IMPACT:

N/a

STAFF IMPACT:

Minor

LEGAL REVIEW:

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

RECOMMENDATION:

Staff and the Planning and Zoning Commission recommend approval of the first consideration of Ordinance 1470.

SUGGESTED MOTION:

City Commission

Agenda Documentation

July 15, 2025

Subject: First Consideration of Ordinance 1470, a zone change from CB - Commercial to RMH - Residential Mobile Home Park District for Lots 3-6, Block 2, Meadowlands Addition

Page 2 of 2

I move to approve the first consideration of Ordinance 1470.

ORDINANCE NO. 1470

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



City Commission

Agenda Documentation

MEETING DATE: July 15, 2025
PREPARATION DATE: July 10, 2025
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Rachel Laqua
SUBJECT: First Consideration of Ordinance 1471, a zone change from RM - Residential to PUD - Planned Unit Development for Clover Grove.

STATEMENT/PURPOSE:

Zone Change from RM - Residential to PUD - Planned Unit Development for Clover Grove.

BACKGROUND/ALTERNATIVES:

Detailed background on this request can be found under Public Hearing No. 2.

ATTACHMENTS:

1. Ord. 1471

FISCAL IMPACT:

N/a

STAFF IMPACT:

Minor

LEGAL REVIEW:

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

RECOMMENDATION:

Staff and the Planning and Zoning Commission recommend approval of the first consideration of Ordinance 1471.

SUGGESTED MOTION:

I move to approve the first consideration of Ordinance 1471.

City Commission

Agenda Documentation

July 15, 2025

Subject: First Consideration of Ordinance 1471, a zone change from RM - Residential to PUD - Planned
Unit Development for Clover Grove

Page 2 of 2

ORDINANCE NO. 1471

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:
First Consideration:
Second Consideration and Final Passage:

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



City Commission

Agenda Documentation

MEETING DATE: July 15, 2025
PREPARATION DATE: July 10, 2025
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Rachel Laqua
SUBJECT: First Consideration of Ordinance 1472, a zone change from CB - Commercial to R7 - Residential for Lot 2, Schaff Estates 3rd Addition.

STATEMENT/PURPOSE:

Zone Change from CB - Commercial to R7 - Residential for Lot 2, Schaff Estates 3rd Addition.

BACKGROUND/ALTERNATIVES:

Detailed background on this request can be found under Public Hearing No. 1.

ATTACHMENTS:

1. Ord. 1472

FISCAL IMPACT:

N/a

STAFF IMPACT:

Minor

LEGAL REVIEW:

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

RECOMMENDATION:

Staff and the Planning and Zoning Commission recommend approval of the first consideration of Ordinance 1472.

SUGGESTED MOTION:

I move to approve the first consideration of Ordinance 1472.

City Commission

Agenda Documentation

July 15, 2025

Subject: First Consideration of Ordinance 1472, a zone change from CB - Commercial to R7 - Residential
for Lot 2, Schaff Estates 3rd Addition

Page 2 of 2

ORDINANCE NO. 1472

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 2.84 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

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